UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 85th CONGRESS
FIRST SESSION

VOLUME 103—PART 7

JUNE 7, 1957, TO JUNE 20, 1957
(PAGES 8531 TO 9902)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1957

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HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 7, 1957

The House met at 12 o'clock noon.

President Lawrence S. Burton, of the Ogden Stake of the Church of Jesus Christ of Latter-Day Saints, Ogden, Utah, offered the following prayer:

Our Father which art in Heaven, we humbly bow our heads this morning before Thee in prayer and thanksgiving for Thy many blessings unto us individually and as a Nation. We thank Thee, Father, for our noble forebears, who laid the foundation of this very glorious country upon truth, righteousness, and justice. We thank Thee, Father, for those who have followed them in carrying forward those great principles. We are grateful, Father in Heaven, for this great legislative body, duly elected by the people to build upon this glorious foundation, and pray that Thou wilt bless them ea individually and collectively. We petition Thee, Father in Heaven, to bless this Nation that it may go forward even to greater heights; that it may continue to be the banner of truth and democracy to all nations of the earth, and hasten the time when freemen everywhere will enjoy the glorious principles of democracy which we enjoy here today. Bless and preserve this country. Bless our authorities and be with them at all times, we humbly beseech Thee in the name of our Lord and Saviour, Jesus Christ. Even so. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from insurrectos during 1899–1903;

S. 1408. An act to provide allowances for transportation of house trailers to civilian employees of the United States who are transferred from one official station to another;

S. 1535. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to make contracts for cleaning and custodial services for periods not exceeding 5 years; and

S. 1799. An act to facilitate the payment of Government checks, and for other purposes.

FORT MYER REVIEW HONORING MEMBERS OF CONGRESS

The SPEAKER. The Chair recognizes the gentleman from Massachusetts to make an announcement.

Mr. McCORMACK. Mr. Speaker, a special retreat review will be conducted at Fort Myer, Va., at 4 p. m. on June 9, 1957, next Sunday, honoring the Members of Congress who are veterans of the Army and who have been invited to attend.

The veteran Members of Congress will be represented on the reviewing stand by our colleague the gentleman from Montana, Mr. LEROY H. ANDERSON.

The Silver Star will be presented to him during the ceremonies. LEROY ANDERSON is a major general in the United States Army Reserve. He was awarded the Silver Star but it has never been presented to him. It will be presented to him next Sunday afternoon at this ceremony.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 100]

Arends	Garmatz	O'Konski
Ayres	Green, Pa.	Philbin
Bailey	Gregory	Poage
Barrett	Gubser	Porter
Beamer	Gwinn	Powell
Blatnik	Harrison, Nebr.	Prouty
Bosch	Healey	Radwan
Bowler	Holtzman	Rhodes, Pa.
Buckley	James	Rogers, Colo.
Byrne, Ill.	Judd	Rogers, Mass.
Byrnes, Wis.	Kearney	St. George
Cederberg	Keeney	Schwengel
Chamberlain	Kelly, N. Y.	Shelley
Chudoff	Laird	Sheppard
Coudert	Lane	Simpson, Pa.
Curtis, Mo.	Latham	Taber
Dawson, Ill.	McConnell	Tayler
Delaney	McGovern	Teller
Dollinger	McIntire	Tewes
Donohue	Machrowicz	Utt
Dooley	Miller, Md.	Vursell
Dorn, N. Y.	Miller, N. Y.	Wainwright
Fallon	Minshall	Wier
Farbstein	Montoya	Withrow
Fino	Morano	Wolverton
Fogarty	Moulder	Zelenko
Friedel	O'Brien, Ill.	

The SPEAKER. On this rollcall 354 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6127, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, I am perfectly willing to defer to my colleague, the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I yield such time as she may care to use to the gentlewoman from Pennsylvania [Mrs. GRANAHAN].

Mrs. GRANAHAN. Mr. Chairman, as a comparatively new Member of the House of Representatives, with a great deal yet to learn about national affairs and legislation, I nevertheless feel that on this subject of civil rights, of treating people as first-class Americans in all instances and in all cases, one does not have to be an expert on the obscure technicalities of the law in order to speak here.

I think it is a case of consulting with one's heart and conscience, and reaching one's decision from the standpoint of what is most in keeping with our ideals of true Americanism.

Either we believe the great concepts which were behind the Declaration of Independence and the Bill of Rights or we have mental reservations about them. Either we believe that all citizens of this country have a right to equal guaranties and equal treatment under the law or we are not quite convinced that the Revolution of 1776 was a good thing.

Of course no one will stand up on the Fourth of July and say our forefathers made a very bad mistake on that hot summer day in Philadelphia when they proclaimed the freedom of this Nation. We are accustomed to paying very lavish tribute each Independence Day to the spirit which motivated that Revolution and those patriots of long ago.

Can we match their courage, however, in meeting the serious social problems of our day?

Can we say in good conscience that we are as willing to attack deep-seated social ills?

They were fighting for civil rights, for their own civil rights. True, many of those who fought bravely for the concept of civil rights in those days were slaveowners who apparently saw no contradiction between their own yearnings for full freedom politically and the existence of slavery as an institution to which they contributed.

That is no reason to say that they did not exhibit courage or great political progress in fighting for political freedom. But obviously they did not go all the way toward full and complete freedom for all, even when many of these same great patriots gathered again to write the Bill of Rights.

But they started the pattern of American freedoms which we have expanded and improved and protected and spelled out more explicitly generation by generation. Yet even today we cannot claim that the United States of America is completely free of the taint of discriminations by reason of race or creed or color in the exercise of political, social, and economic rights.

That is why we need legislation such as this. This bill, labeled a civil-rights bill, actually does very little of a sensational nature. It is a sad commentary on the status of our social attitudes in this country that such a bill as this is necessary or even useful.

Actually, we know that not all American citizens have the full and complete and free opportunity to exercise their sacred rights as citizens—the most sacred of all being their right to vote. It is frequently denied. It is often abridged in one way or another. This is no secret—unfortunately it often happens right out in the open.

Such a situation must be corrected. If this bill helps in that respect, then it will indeed be most worthwhile legislation.

From the jockeying which is going on over this bill—and which has been going on for months during this session of Congress—it is obvious that attempts are being made to weaken this bill even further.

Mr. Chairman, I urge us all to search our own hearts and our own consciences. I urge that we consult God and seek His guidance in this matter.

If we believe in His teachings, we must believe in the decency and in the dignity of each person—each human being. We must believe, then, in the justice of full rights for all regardless of race, creed, or color.

We must stand for brotherhood and for human rights—and not hesitate to take our stand for what is right.

Mr. KEATING. Mr. Chairman, I yield such time as she may require to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, I rise in support of the President's program on civil rights which is embodied in the bill, H. R. 6127. I oppose any crippling amendments which may be offered on the floor.

Mr. Chairman, Members of this House are now preparing to act on legislation to which the platforms of both parties are pledged. I am referring, of course, to civil rights.

I have a particular interest in this legislation. I have introduced legislation based on President Eisenhower's civil rights program during this session of Congress—legislation similar to that introduced by my distinguished colleague the gentleman from New York [Mr. KEATING].

But, even beyond that immediate interest, I am proud to address this body as a legislator who long has worked for the cause of civil rights in my home State of New Jersey, where it has been proven beyond question that civil rights legislation can be an effective safeguard of the God-given rights of equal opportunity and justice.

Today, in urging House support of the President's civil rights program, I also stand opposed to any amendments which would, in effect, cripple the intent and the effectiveness of this long-overdue legislation.

It is not my aim to discuss the technical aspects of this legislation. Such details are being fully explored in the lengthy debate on this question. Rather, I want to discuss the moral aspects which I feel should, in large measure, guide our actions on civil rights in this Chamber.

From this viewpoint, I believe it might be well for all of us in the Congress to recall the words contained in the platforms of our respective parties last year.

In Chicago, the leadership of the Democratic Party produced a platform document which included this pledge to the people of America:

> The Democratic Party is committed to support and advance the individual rights and liberties of all Americans. Our country is founded on the proposition that all men are created equal. This means that all citizens are equal before the law and should enjoy all political rights. They should have equal opportunities for education, for economic advancement, and for decent living conditions.

The Democratic Party then pledged:

> We will continue our efforts to eradicate discrimination based on race, religion or national origin. We know this task requires action, not just in one section of the Nation, but in all sections. It requires the cooperative efforts of individual citizens, and action by State and local governments. It also requires Federal action. The Federal Government must live up to the ideals of the Declaration of Independence, and must exercise the powers vested in it by the Constitution.
>
> The Democratic Party pledges itself to continue its efforts to eliminate illegal discriminations of all kinds, in relation to (1) full rights to vote, (2) full rights to engage in gainful occupations, (3) full rights to enjoy security of the person, and (4) full rights to education in all publicly supported institutions.

Now, I turn to the platform of my own Republican Party, forged in San Francisco late last August.

That platform pledged:

> This administration has impartially enforced Federal civil rights statutes, and we pledge that it will continue to do so. We support the enactment of the civil rights program already presented by the President to the 84th Congress.

The Republican platform continued:

> The Republican Party has unequivocally recognized that the supreme law of the land is embodied in the Constitution, which guarantees to all people the blessing of liberty, due process and equal protection of the laws. It confers upon all native-born and naturalized citizens not only citizenship in the State where the individual resides but citizenship of the United States as well. This is an unqualified right, regardless of race, creed or color.
>
> We believe that true progress can be attained through intelligent study, understanding, education, and good will. Use of force or violence by any group or agency will tend only to worsen the many problems inherent in the situation. This progress must be encouraged and the work of the courts supported in every legal manner by all branches of the Federal Government to the end that the constitutional ideal of equality before the law, regardless of race, creed, or color, will be steadily achieved.

Yes, these are the civil-rights planks in the 1956 platforms of the Republican and Democratic Parties.

I, for one, support the aims of these platforms.

Certainly, the need for such civil-rights legislation as we now are considering has been clearly established. A means must be provided for achieving a more effective enforcement of the rights already guaranteed by the Constitution and the laws of the United States, if there is to be an end to the shame of second-class citizenship, if we are to prove to the world that we really practice the freedoms that we preach.

Our Founding Fathers, nearly two centuries ago, set the goal which we are still seeking to achieve when they declared "that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

If we are to attain this goal, we must recognize that the rights and privileges of all Americans, regardless of race, color, or creed, are the responsibility of the Federal Government because those rights and privileges are anchored in the Constitution and the laws of the United States.

These rights, however, cannot be guaranteed if we continue to turn our backs on the need for stronger civil-rights legislation, or if we render ineffective this legislation with devious legislative devices.

In a final analysis, I believe that the questions we must honestly face as we act upon this civil-rights legislation are:

Are we in the Congress once more going to render only lipservice to the cause of civil rights—turn our backs on our platform pledges?

Or will we carry out the pledges of our respective party platforms and enact an effective civil-rights program to guarantee equal opportunity and justice for all?

My stand is clear. I will stand by the pledge of my party.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Chairman, yesterday Members of the House, presumably all Members of the House, received a mimeographed letter signed by the gentleman from New York, Mr. ADAM CLAYTON POWELL, in which he both tried to persuade and threaten Members to

vote for this legislation. I called Mr. POWELL's office to tell them that I was going to reply to this letter, and his office told me that he was suffering from a heart attack which had occurred in New York, but that he had been moved to Bethesda Hospital in Washington. Apparently, from the information I got, the attack is going to last for 10 days or just until this debate is over. So, I felt it necessary this letter should be answered now. I would prefer, of course, that the gentleman in question the gentleman from New York [Mr. POWELL] should be on the floor. I would like to recall to you that last year when this legislation was being debated, the gentleman from New York [Mr. POWELL] was at sea on a vessel on his way to a vacation in Europe. The reason I bring this letter to your attention is because one paragraph says this:

> As a final word to Democrats, let me say that the colored voters of the North are fed up with weak platforms and watered-down legislation. They are increasingly asking the question—Why send Pennsylvania and Ohio Democrats to Congress if they must take their orders from middlemen who serve the white citizens' councils in Mississippi and Alabama?

Now, I do not pay too much attention to any accusations made by the gentleman from New York, but I think it is fair, in view of this accusation, to sort of read the record and consider from whence this testimony comes. All 6 of the Democrats from Ohio—and I have not researched it—but I believe all of the Democrats from Pennsylvania voted for the civil-rights legislation last year, and all 6 of the Democrats from Ohio voted against the motion to recommit—all of this while the gentleman from New York who is making this thing such an issue was not able to be in the Chamber because it seemed to be more important to him to be leaving on a sea voyage to Europe for a vacation than for him to be here to vote on this important legislation; legislation on which he is now sending a letter threatening us if we do not vote for it. May I point that again this year the gentleman from New York [Mr. POWELL] is not here in person.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield briefly to the gentleman.

Mr. WALTER. Does the gentleman not think that the most disappointed person in America, if this legislation is enacted into law, would be the gentleman from New York?

Mr. HAYS of Ohio. Yes. Because there would be nothing left for him to talk about.

I have always been told if you have evidence introduced—I am not an attorney, so I am trying in my feeble way to refute this—if you have evidence introduced, you consider from whence this evidence comes. Since Mr. POWELL is the sole source of this statement and since Mr. POWELL has made this accusation against Members from Pennsylvania and Ohio, maybe we should consider some of his previous statements. Why he made this accusation I do not know. I suppose that is as hard to explain as it would be to explain why he appeared with Earl Browder and William Z. Foster at a joint rally of the Communist Party in Madison Square Garden in 1944 and shared top billing with those two. Or it might be as hard to explain why he was the editor of a newspaper and the author of a column in which he one time identified the New York Times as "a Salsberger journal of first-class Negro baiters." I have heard the New York Times called just the opposite on this floor by many more people than the gentleman from New York [Mr. POWELL]. Or why when one time, when the distinguished gentleman from Texas [Mr. DIES] had the temerity to summon one of the columnists of Mr. POWELL's newspaper before his Committee on Un-American Activities, the Reverend Mr. POWELL wrote, "The sooner DIES is buried, the better." And he goes on quoting a lot of other trash that I will not quote because I do not want it to appear in the RECORD.

He winds up by saying, "The death of DIES is just as important as the death of Hitler." Well, Mr. DIES is here, full of vim, vigor, and vitality, I am happy to say. So that wish of the reverend gentleman from New York had no more reason than his dishonest statement against Members of Congress from Pennsylvania and Ohio.

Maybe we should consider why Mr. POWELL one time said, in 1944, that "the Soviet Union has renounced violence; that its position on religion is healthful; that it is in contradistinction to the United States. It—the Soviet Union—accepted the practices rather than the doctrines of Christianity, especially brotherhood."

This is the same gentleman who is saying that the Members from Pennsylvania and Ohio are taking orders from some middlemen from some white citizens council.

Right after the war, this gentleman, the Reverend Mr. POWELL, told the students of Middleboro College that "religion was in for a new reformation whose coming would be hastened by basically nonreligious forces, for orthodox religion has alined itself with the Western World, which is on the way out." Get that. That the Western World is on the way out.

Last June he made an address at Morehouse College in which he said, "Negroes must walk together, work together, fight together, resist together, and organize together." In other words, there is no person in my opinion in the United States who is doing more to divide Negro citizens from the rest of the citizens than the gentleman from New York, who sends this letter around.

I just want to tell you a little experience I had 10 or 12 years ago, when I was a county commissioner in Ohio. A Negro gentleman apparently of the same opinions as the gentleman from New York [Mr. POWELL], came into our county and called a meeting at which he asked all county officials to attend. Most of the county officials did attend. He made a speech. He said, "I have come here to tell you gentlemen we are going to organize a committee in every town of this county to see, insist, and be present to observe that the Negroes get every civil right which the Constitution of the State of Ohio guarantees them."

I do not recall his name at the moment, but I got up and took the floor and I said:

"I have just one word of advice to you. In the little village in which I live, we have some Negro citizens. They can and do live on any street in the town; they can and do go into any restaurant in the town; they can and do go to the same public school that all the other public-school children go to; they can and do attend the theater and sit where they like; they can and do attend the social functions of the school. The only thing you are going to do if you set up a committee to tell the people of Flushing that they have to do what they are already doing and what they have been doing for a hundred years is to make them determined that they will not do it any longer, because they are doing it voluntarily, and they do not want any outsider coming in and telling them they have to do something they already are doing because they want to do it."

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. In just a minute.

I said further: "I am not only county commissioner, but I am also mayor of that town; and, if you come around there trying to upset the harmony in which the races live, I expect you will find yourself in jail for disturbing the peace and I will probably be too busy for about 3 weeks to hear your case."

Mr. CELLER. May I ask the gentleman if he is in favor of the bill or against the bill?

Mr. HAYS of Ohio. The gentleman has already said that the six Democratic Members from Ohio, of which he is one, voted for the bill the last time, and I expect to vote for the bill this time, but I do not preclude that I might vote for an amendment or two.

Mr. CELLER. Mr. Chairman, will the gentleman yield further?

Mr. HAYS of Ohio. I yield.

Mr. CELLER. Of course I do not know anything about the controversy that you are stirring up between the gentleman from New York [Mr. POWELL]——

Mr. HAYS of Ohio. Just a minute; I am not stirring up any controversy. Mr. POWELL stirred up the controversy.

Mr. CELLER. Does the gentleman not think it would come with better grace if he had made this statement when Mr. POWELL was in the Chamber rather than when he is in the hospital suffering from a heart attack?

Mr. HAYS of Ohio. May I say to the gentleman that I have already said I would much prefer Mr. POWELL's being present. But he circularized this letter from the hospital for the purpose of affecting the outcome of this bill and if there is to be any refutation of the letter it has to be now. I have not said anything about Mr. POWELL that I would not say were he present and I would much prefer, I say, that he were present.

Just one final thing: On the first Sunday of October 1956, Mr. POWELL asked his congregation how he, as a Congressman, could campaign for Stevenson or

Eisenhower when both parties take the Negroes' money and send it to Mississippi and other States to build separate schools. Four days later he saw President Eisenhower at the White House and startled the country by agreeing to campaign for him, and this is what he said:

> In some mysterious way the President of the United States has changed his mind in 5 days.

Of course you all know the history of the White House issuing a denial of what Mr. POWELL said.

I merely cite a few of these things to point out to you that the Members from Pennsylvania and Ohio do not have to accept any dictation from anyone, especially from such a source as the quotes I have just read indicate. They do not have to apologize for their record to anyone, and they do not have to take slanders of the scurrilous kind that are in this letter from Mr. POWELL or anyone else. The Members from Pennsylvania and Ohio stand on their own two feet, and I think that it was a very small political trick that Mr. POWELL singled out those two States to try to make someone think that the Democrats from Pennsylvania and Ohio were some kind of dishonorable small people who were taking orders from some kind of undesirable person. The gist of his letter is that he is demanding that the trial by jury amendment not be accepted. I think he himself has made enough arguments to convince me that maybe the traditional American right of trial by jury amendment would be a good thing. Trial by jury is unknown in the Soviet Union which Mr. POWELL's statements seem to indicate he so much admires.

Mr. KEATING. Mr. Chairman, I yield such time as he may require to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in support of H. R. 6127. This civil rights bill would establish a Federal Commission on Civil Rights, would create an additional Assistant Attorney General's position in the Department of Justice, and would authorize the Attorney General to institute civil actions or applications for a permanent or temporary injunction, or restraining order, in cases involving a violation of civil rights, including the right to vote.

It seems to me that perhaps the most important single right of a citizen of the United States is the right to vote in a Federal election for the offices of President, Vice President, presidential elector, Member of the Senate, or a Member of the House of Representatives. I believe that this right to vote in a Federal election should be given every protection by the Federal Government.

It is deeply disturbing to hear reports tnat there have been incidents where citizens of the United States have been intimidated or threatened in an effort to prevent them from registering or from voting in a Federal election. In my opinion, the passage of this civil rights bill is most essential in order to provide proper protection to such citizens.

Many constituents in my Congressional District are very much interested in the passage of this civil rights measure. They feel that it is completely proper and just for the Federal Government to establish more clearly its position in this field of voting rights in Federal elections. I share their views on this subject and would like to urge that the House approve this civil rights measure.

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HILLINGS].

Mr. HILLINGS. Mr. Chairman, I rise in support of the bill before us today for several reasons. In the first place, it is only right and fair that legislation of this kind designed to implement and carry out the constitutional guaranties on the right to vote for every American citizen, regardless of race, creed, or color, be enacted. It is only right and fair that the legislation necessary to implement that guaranty should be approved by the Congress.

This is important at a time when our country is trying to convince millions of people across the world that they should join our side, that they should turn deaf ears toward the Communist promises that are being made. It is right and fair at a time such as this that we enact legislation which will make sure that every American has the right to vote.

Further, Mr. Chairman, this is a moderate bill. The bill probably does not satisfy the extremists who feel we should have more drastic and more direct action to meet discrimination and interference with the right to vote. I submit the very fact that this bill is moderate in its approach makes it easier for all Americans to support it and will make the time come faster when we can eliminate all forms of discrimination in our country.

We have made real progress under President Eisenhower in the field of eliminating discrimination in America and we have done it in a quiet, efficient manner, without a lot of hullabaloo, shouting, and screaming that sometimes have characterized previous attempts to do something in the field, attempts which in many instances in the past, despite all kinds of promises, accomplished very little. We have eliminated segregation in the District of Columbia. We have elliminated segregation in our Armed Forces. This progress has been accomplished in just a few years' time, but always with a moderate and a fair approach to the problem, an approach designed not to take away the rights of our States or the rights of individuals in various parts of the country but at the same time to guarantee the right to vote for all American citizens.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I only have 10 minutes. I expect to be on the floor throughout the debate under the 5-minute rule and I hope to discuss this subject with the gentleman at that time.

Mr. Chairman, there has been much criticism in the Congress recently of the USIA—the United States Information Agency. Members on both sides of the aisle have attacked that agency on the ground its broadcasting techniques, its pamphleteering, or other devices used to carry our story across the world and behind the Iron Curtain are not being performed satisfactorily. But all the best broadcasting and techniques in the world would avail us little if we do not have the kind of system in America which does the things we tell the peoples of the world we do. One of these things is the right of all American citizens to vote regardless of race, creed, or color.

I consider this legislation just as important in our efforts to maintain the peace and to keep the Communists continuing on the downgrade, that side of the problem is just as important as the domestic aspect of this bill.

We are going to hear a great deal of discussion in the course of the debate on this bill on whether or not we should approve an amendment allowing a jury trial in contempt cases which might arise out of this particular legislation. I know it is very difficult for lawyers and nonlawyers alike to have a full comprehension and understanding of why it is important that those of us who favor this legislation should vote against the amendment to provide for a jury trial. It is difficult to explain because all Americans hold very dear the right to trial by jury in criminal cases or in all civil cases where the amount involved is $20 or more under the provisions of our Constitution. But I hope that those who have grave doubts about whether they should oppose this amendment will listen to the discussion which will take place concerning it, will listen to the discussion as we trace the history of jury trials in contempt proceedings. It is interesting to me that so many of those who are arguing so vociferously in favor of jury trials have done nothing in their own States to see to it that their own State laws are changed to provide for jury trials in similar proceedings, because there is not a State law in the country which has such a provision. Yet, those who are arguing in opposition to the bill on the ground that it is an interference with States rights have done nothing that I know of in their own individual States to see that their laws are changed, but they are confining their interest and their attack to this civil rights legislation which is now before us.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from New York.

Mr. CELLER. Is it not true, where a crime is committed, that we do not interfere with the right of trial by jury? All we do in this bill is to provide on the equity side of the court that the Attorney General can start an equity proceeding for an injunction to prevent the commission of a crime. It is prophylactic, it is prevention, so that we can nip in the bud a contemplated wrong, and in that sense there is no interference with the time-honored right of trial by jury, because there never has been shown a right of trial by jury of a contemner who has violated the order of the court.

Mr. HILLINGS. The gentleman is correct.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I would like to ask the gentleman this question, and I ask it in good faith. How does the gentleman reconcile the fact that Congress has given to the labor unions under section 3692 of title XVIII of the code the right of trial by jury in all contempt cases arising out of labor disputes? Now, how does the gentleman reconcile that with his apparent denial to give to his own constituents the right of trial by jury when they are brought up under this bill?

Mr. HILLINGS. Let me say to the gentleman that I cannot agree that we have given the right of trial by jury in contempt cases involving labor unions, because under the Taft-Hartley Act, which is currently the law of the land, that particular provision which was contained in some previous legislation does not apply. So, under my interpretation of existing law—and I think that most lawyers after studying the problem concur—there is now, today, no guaranty of trial by jury of labor unions in similar cases because of the existence of the Taft-Hartley Act.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from New York.

Mr. KEATING. On that point, the proof of the pudding is in the eating. Since the enactment of the Taft-Hartley Act, which has been on our statute books for 10 years, there has not been a jury trial in any case arising under that act, and in 2 cases where a jury was demanded, the court ruled that there was no right to a jury trial.

Mr. HILLINGS. The gentleman is correct.

There are two particular points at this time which I would like to raise in support of my contention that it is not right and proper to have a jury trial in contempt proceedings which might arise after the passage of this particular legislation. There will be more arguments advanced on that during the course of the debate. But there are two basic reasons I wish to bring up now. One of the reasons why a jury trial cannot apply in a situation where a court issues an injunction and then someone violates that injunction and is brought before the court for contempt is that time is of the essence, and if time were taken to have a jury trial under such a situation, the whole effect of the injunction would be null and void and there would have been no reason for the court to issue such an order in the first instance. That does not mean that the person in violation cannot be heard or have counsel; all those rights are preserved. But the very purpose for the court to issue an injunction in most instances, not only in this type of case but in labor strikes and other cases, is that time is of the essence and some action must be taken quickly. If this bill were passed and the court issued an order instructing the local election officials to allow a certain individual to vote, the action would probably come on the eve of an election. If the election official failed to act in response to the court order and then were called into court and sued, and there were a jury trial, in most cases the election would be over and the question would be moot. So it is important to consider the fact that time is of the essence in these cases.

A second reason which I consider equally important in opposing the jury trial amendment, which is going to be offered in this House next week, is the fact that to compel a jury trial in this situation in many ways challenges the integrity of our courts across the country.

One of the greatest authorities on this subject was the former Chief Justice of the United States, Mr. Taft, also a former President. Some of the Members have already read in the newspapers the quotation from former Chief Justice Taft which President Eisenhower used at his press conference this week when he discussed this very problem. But I think it is worth reading again and it is worth listening to. The words of our former Chief Justice certainly have a great bearing on any decision that we shall make in a situation of this kind involving the legal rights of individuals under our Constitution. This is what former Chief Justice and former President Taft said in 1908:

> The administration of justice lies at the foundation of government. The maintenance of authority of the courts is essential unless we are prepared to embrace anarchy. Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court made after full hearing and the enforcement of such orders.

Mr. Chairman, I do not think I have to explain further or interpret what Chief Justice and former President Taft was saying. But just imagine if, every time a court isued an order in an equity proceeding, we would have to stop to have a jury trial, what would happen. It would make the court powerless to act and would make it almost impossible to see that any of its orders were enforced. It is a fundamental concept of our judicial system which is at stake here. If the jury trial amendment succeeds in this instance, then it could be applied in many other instances which could weaken our Federal judicial system.

Mr. SCOTT of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Pennsylvania.

Mr. SCOTT of Pennsylvania. Does not the gentleman agree that this so-called right of trial by jury is not being sought on behalf of the injured party at all; that the injured party is the man who is denied the right to vote. But this so-called right is being sought, not on his behalf, but on behalf of the man who violates the decree of the Federal court and seeks to postpone the effect of any action against him until it is too late to do the injured party any good.

Mr. HILLINGS. The gentleman is correct. It again points up the factor that we must always keep in mind in a case of this kind that time is of the essence. That is one of the major considerations.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, the gentleman has made a very excellent statement on the question of the jury trial. But does not the gentleman agree with me that the discussions that have taken place thus far have placed an overemphasis on the so-called right to trial by jury amendment and that we have thereby been diverted from consideration of the basic purposes of the bill, namely, to protect an equal right to that of trial by jury which is the right to vote. No democracy can exist without participation by its citizens in its affairs. The primary method of conducting its affairs is by citizens voting. There has not been much discussion on this floor of the abuses toward which this bill is directed, namely, of protecting the citizens of our country in their right to vote. Certainly, this deserves as much of our consideration as the amendment that is going to be offered. Let us not lose sight of the fundamental need for this bill.

Mr. HILLINGS. The gentleman from Illinois [Mr. YATES] has made an important observation and one in which I concur. In the course of the debate thus far, the opponents of this legislation very skillfully and cleverly have been able at times to take us away from the real issue because of their proposed amendment. We must keep in mind that our main objective is to see that all Americans in this country, regardless of race, creed, or color, have the right to vote, as guaranteed under the Constitution.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Mississippi.

Mr. COLMER. Of course, we ought to clarify one thing at this point. That is the question on which I wanted the gentleman to yield to me before. The gentleman says that the provisions of the Norris-La Guardia Act giving and preserving to labor the right of trial by jury are not now the law. He says that they have been repealed by the Taft-Hartley Act. I ask the gentleman to point out in the Taft-Hartley Act where that law was repealed. That is No. 1.

No. 2, if our contention is correct, that it is still the law of the land that labor enjoys that privilege, would the gentleman who is now addressing the House favor repealing that right that labor now enjoys?

Mr. HILLINGS. To take the second part of the question first, I do not think there is any reason to discuss the question of repealing such a right because such a question is moot. I am convinced that the Taft-Hartley Act changed the Norris-La Guardia Act to the point where there is not now this guaranty. In support of that, let me just cite a statement

of the Attorney General of the United States, the Honorable Herbert Brownell, which was placed in the CONGRESSIONAL RECORD by the distinguished gentleman from New York [Mr. KEATING].

Mr. COLMER. Before the gentleman does that, the gentleman said the question is moot. That was not my question. I asked the gentleman if our contention is correct that that right is now a right enjoyed by labor. Whether the gentleman would vote to take it away from them.

Mr. HILLINGS. Let me say as one who has taken a consistent position on this that, as I pointed out earlier, there is no State law in the land which provides for a jury trial in such a contempt proceeding. It is not contained in the labor laws as I interpret them today. If the gentleman's position were correct—and again, this is an "iffy" question—assuming a fact not in evidence, but assuming the gentleman's position is correct, I would take the position that he suggests.

Mr. COLMER. What is that?

Mr. HILLINGS. I would see to it that if the jury-trial amendment is turned down by this House, is not included in this legislation, that should be the consistent approach we should make in all cases where contempt citations are involved, including the labor cases.

Mr. COLMER. Did I understand the gentleman to say that if it is still in the law he would vote to take it away from them?

Mr. HILLINGS. No. In the first place, it is not in the law. In the second place, assuming it were, I think we should be consistent in the approach we are making to the contempt citations. It might be that in labor cases there would be something different involved. I was not a Member of the Congress when the Taft-Hartley Act was approved, so I do not have the background on it the gentleman has. But in similar cases, assuming labor legislation were involved in a similar type of contempt action, in my opinion we should be consistent.

Let me quote from the Attorney General's statement:

> It was only with the enactment of the Taft-Hartley Act in 1947 that the Government was given jurisdiction to seek injunctions in any substantial number of labor dispute cases and that act expressly provided that the jury trial requirement of the Norris-La Guardia Act should not apply to it. Hence it is probable that the statute which appears to grant jury trial in contempt proceedings for violation of injunctions issued in labor dispute cases (18 U. S. C. 3692) has no application to injunction suits brought by the Government under Taft-Hartley, which are, for all practical purposes, the only type of injunction suits (private or governmental) in labor dispute cases over which the Federal courts have jurisdiction. (See *United States v. United Mine Workers of America* (330 U. S. 258).)

That is a clearcut opinion of the Attorney General of the United States. He cites cases in support of it. I cannot see where any lawyer who has seriously studied this problem can argue effectively that a jury trial would apply in labor injunction cases.

Mr. COLMER. The gentleman has been very gracious with me. I hope he will yield further, because he can get plenty of time.

I wish the gentleman would give me a definite answer as to whether he would favor repealing that right if our contention is correct. I do not know that he gave me a definite answer on that, so I will put it another way: I will ask my friend if he had been present in the Congress at the time these alleged abuses had occurred if he would not have supported the Norris-La Guardia bill.

Mr. HILLINGS. Now the distinguished gentleman has very cleverly changed his question. The gentleman has now added the word "abuses." If we find that there are abuses of this particular bill we are now debating, and assuming that a jury trial provision is not contained within it, if we find there are abuses, then I think it is right and proper that this House should reconsider such action it may have taken to prohibit a jury trial. If we find in labor disputes cases under the Taft-Hartley Act that there are actually abuses involved in the handling of this type of contempt proceeding, we should seriously consider the addition of a jury trial amendment. But, in my opinion, in the absence of such a showing, we should be consistent in all forms of legislation where similar contempt proceedings are involved. In order for a court to act quickly, effectively, and fairly, I do not believe it is right and proper that a jury trial should be granted in such similar contempt proceedings whether they happen to involve labor, civil rights, or whatever the case be.

I urge that this civil-rights bill be approved by this House to strengthen our constitutional guaranty of the right to vote for all American citizens.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, the distinguished gentleman from New York [Mr. CELLER] and I have had a gentleman's agreement that we were going to discuss this question as to whether the right of labor to a jury trial had been repealed at a later time, and we were going to discuss it rather fully. But since the matter has arisen now, I would like to make a brief statement about it. It is evident here that there is a difference of opinion between lawyers about the question, and, of course, there is always a difference of opinion between lawyers, because if there were not none of us could make a living as lawyers. But I do want briefly to point to the law, and I hope the gentlemen who are interested in this will make a note of what I am going to refer you to in the way of the law, because this is quite an important question. It, perhaps, seems strange that all the gentlemen here on both sides of the House who are accustomed to defending the rights of labor should leave it to me to be the sole one to defend those sacred rights at this time. I had to do it in the Committee on Rules—these liberal gentlemen who have always been so vociferous in defending the rights of labor just would not defend them in that case. And the case is so clear to my mind that it just seemed to me that somebody ought to point out what the law is. There is no doubt in my mind as to what the law is, and that is what I want to point out to you. The first right of trial by jury was given in the Clayton Act. But the real substance of the thing was carried into the Norris-La Guardia Act in 1932, when labor was given the definite right to a trial by jury in contempt cases in all cases arising under the Norris-La Guardia Act, and just under the Norris-La Guardia Act. I happened to be here at that time, and it happens that I voted for the Norris-La Guardia Act. Then we come along to the Taft-Hartley Act. The distinguished gentleman from New York [Mr. CELLER] and the distinguished gentleman from New York [Mr. KEATING] both say that the Taft-Hartley Act repealed the right of trial by jury to the labor unions in those cases. That is the nub of the question that arises. Here is what happened: In the enactment of the Taft-Hartley Act it provided that in the enforcement of orders of the National Labor Relations Board that certain provisions with respect to the Norris-La Guardia Act should not apply. It cited 10 sections. It said that the sections from 1 to 10 and from 13 to 15 outlined in the United States Code should not apply in the enforcement of orders of the National Labor Relations Board. But it so happens that they omitted, and purposely omitted, two sections from that exclusion, and those two sections were section 111, which gave them the right to trial by jury. It omitted section 112, which gave labor the right to say, "This judge is prejudiced against us, and we want some other judge to try the case." The Taft-Hartley Act expressly included them from the exception and left that as the law.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I will when I finish my statement, if you will give me time.

That is the way the Taft-Hartley Act left the law. Bear in mind that the Taft-Hartley Act was passed in the year 1947. In 1948 the Congress, as shown in the Statutes at Large of the United States, solemnly enacted title 18 of the code into positive law. That became the law in 1948. What was said in that code at that time became the law in 1948. Then in the revision of the code, in title 29, at page 4453, section 111—that is the section giving them a jury trial. And remember that was a year subsequent to the passage of the Taft-Hartley Act. The note of the revisers under that section said: "That section is repealed." Then it says, "But it is now covered by section 3692." In other words, they simply transferred that and broadened it. So, let us see what section 3692 is. Remember that the Taft-Hartley Act was in 1947; the code was in 1948, and the code is the last word of Congress on that subject. And the most of you people voted for it. Let us see what section 3692 says. It does not say the same thing as the Norris-La Guardia Act. The Norris-La Guardia Act says they were entitled to a jury trial in all cases arising under the Norris-La Guardia Act, but in 1948 the Congress said more in section 3692. This is the law of the land today, and nobody can successfully dispute that it is the law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. SMITH of Virginia. Section 3692, "In all cases"—not only any case arising under the National Labor Relations Act and the Norris-La Guardia Act, but "in all cases, all cases of contempt arising under the laws of the United States governing the issuance of injunction or restraining orders in any case involving or growing out of a labor dispute, the accused shall enjoy the right to a speedy and public trial by an impartial jury in the district in which the contempt is committed." Can anything be plainer than that?

Mr. CELLER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I wish to state that the gentleman from Virginia [Mr. SMITH] and myself had a gentleman's agreement that subsequently we would discuss this matter. I did not anticipate the subject of our contemplated debate was coming up today. We had agreed to participate in debate on Monday. I am prepared to meet the distinguished gentleman in "combat," as two contending lawyers, on Monday next at the beginning of the session—meet this great "defender" of liberalism, and I wonder whether labor considers the gentleman from Virginia a "defender" of labor. But I am sure they would say, "Beware of the Greeks bearing gifts." With reference to what he has said about the code and the Taft-Hartley Act and the Norris-La Guardia Act, nobody has ever stated, as far as I know, who represented the Judiciary Committee of the House, neither the distinguished gentleman from New York [Mr. KEATING] nor myself particularly, that the Taft-Hartley Act repealed the Norris-La Guardia Act. It did not. The Taft-Hartley Act waived the provisions of the Norris-La Guardia Act with reference to the injunction and, therefore, the Norris-La Guardia Act has no applicability whatsoever with reference to the Taft-Hartley Act and the National Labor Relations Board Act.

The Judiciary Committee codifies the statutes; it is our duty. We have been doing that for years. This is the first time I have heard any criticism about the codification work of the Judiciary Committee. In revision and codification we retain the best experts possible. Codification is very difficult work, but our duty as codifiers is not to change the law; we have no right to do that. We cannot change one iota the substantive law; we have to write the substance of the law and try to reconcile as best we can whatever conflicts may exist in the statutes. Therefore, we have continued the Norris-La Guardia Act in the new code and we say it is the law. We had no choice. But we could not disregard the Taft-Hartley Act which in effect waives the provisions of the Norris-La Guardia Act. We also include in the code the Taft-Hartley Act and the Norris-La Guardia Act. So when the gentleman from Virginia says that we indicate that there is a repeal of the provisions of the Norris-La Guardia Act, that just is not so.

As lawyers we evaluate those statutes. We come to the inevitable conclusion that the later statute waived the former statute; namely, Taft-Hartley waived the provisions, skirted around the provisions, if I may put it that way, of the Norris-La Guardia Act. That is the sum and substance of the matter. I shall be very glad to go more in detail on Monday next with reference thereto.

Mr. KEATING. Mr. Chairman, I yield myself 2 minutes. I agree with the gentleman from New York that it will serve a more useful purpose Monday to go into this thing more fully, but it seems to me that at this point in the RECORD it should be pointed out to the gentleman from Virginia, and others who are interested, that when the gentleman from Virginia sat here in this body with this piece of paper, a bill like we are considering today, both he and I, in voting for the Taft-Hartley law, voted to waive not the sections as he has given them, sections 101 to 110 and sections 113 to 115; the piece of paper that we considered here waived the provisions of sections 101 to 115. Section 111 was the jury trial provision. It was waived when we passed the bill in this body on a piece of paper similar to that which I now hold in my hand.

We lawyers are in some dispute over what the effect of codification was. Recodification bills go through here without any consideration on the floor. We are in dispute. The Attorney General has held that the provisions of the Norris-La Guardia Act, so far as jury trial is concerned, are waived by the provisions of the Taft-Hartley Act. I agree with it; the gentleman from New York agrees with it. The gentleman from Virginia disagrees.

It so happens that a court has passed on the question and has held that in a labor dispute under the Taft-Hartley Act there is no right of jury trial. This case was tried out in the fifth circuit.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield for a correction of the RECORD?

Mr. KEATING. It seems to me, therefore, that in the absence of something later that is the last word. It certainly was the intention of Congress in passing this piece of paper, the Taft-Hartley law, to waive the provisions of the Norris-La Guardia Act.

As I said before, the proof of the pudding is in the eating. To my knowledge, there has never been a jury trial in the hundreds and hundreds of labor disputes we have had in this country under the Taft-Hartley law, or since the NLRB was set up.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. Would the gentleman be good enough to put in his remarks the reference to the case that decided that point?

Mr. KEATING. Yes.

Mr. SMITH of Virginia. May I ask a further question. Of course, this thing involves a far more serious question. It involves the question of the integrity and the reliability of the United States Code, which is depended upon by lawyers in 48 States of the Union as expressing the law. They do not go back to these technical things we are talking about. They look at the code, and the code says that title 18 was enacted into positive law in 1948, a year later than the Taft-Hartley Act. The reviser's note reads as follows:

> This title was enacted into positive law by act of Congress on June 25, 1948, chapter 645, volume 62, Statutes at Large, at page 683. The complete title as so enacted into positive law is set up herein.

If that is not the law of the land, how is a lawyer or a judge to determine what is the law of the land?

Mr. KEATING. The court has determined that and also the Attorney General. It is clearly the law that there is no right to a jury trial.

Mr. SMITH of Virginia. Will the gentleman name the cases that so hold?

Mr. KEATING. I will, yes. It is *National Labor Relations Board v. Red Arrow Freight Lines* (193 F. 2d 979 (5th Cir. 1952)).

Mr. SMITH of Virginia. Some of us would like to know what they are.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, today we are concerned with the relationship of the right to vote to the right of jury trial in contempt proceedings. The right of American citizens to vote is vital and at least equal to the right to jury trial. We must weigh the equities when one or the other is threatened. Certainly, the right of law-abiding citizens to vote without restraint is in every respect as important as the right of a wrongdoer to a jury trial. In most States the jury panels are selected from among the electors, and, therefore, the right to vote itself is fundamental and essential to the conduct of fair jury trials. It is in the nature of things that some people who seek to interfere or restrain others in their right to vote must give up their right to jury trial under these circumstances so that others—equal Americans—may have the right to vote, from which all authority in our Government develops.

The purpose of this legislation is to restrain, abate, or condemn a wrongful act before it occurs. The purpose of this law is to define and identify a wrongful act before it occurs. The purpose of an injunction is to restrain a mob from unlawful action or threats to engage in unlawful action. It is the only means known to give quick force and effect to a court determination that the civil rights of a citizen have been violated or threatened.

In my community restraining orders and injunctions have been used by the courts to limit the rights of picketing as well as to assure the rights of pickets to picket in an orderly manner. When these court orders were violated, citizens have been jailed without jury trial and without community complaint. In my

city, the citizens' right to assembly has been limited without jury trial by the exercise of the court's injunctive process. In one case, the menacing assembly of members of a group was prohibited at or near the judge's personal residence. The purpose of this legisaltion is to provide the polling place with similar protection from indignity.

The right of jury trial as well as the right not to testify against one's own self are rights protected by all for the benefit of very few who must rely upon them. If human rights can be given a priority, it seems to me that the right to vote precedes the rights of a person charged with a wrongdoing. The former are the rights of equal people in the manifestation of their equality while the latter are rights of people presumed to be innocent but suspect of possible wrongdoing.

If civil rights legislation is to be effective at all, it must be expeditious. The determination that civil rights have been transgressed upon after an election has been consummated are rights lost forever. Once lost, they cannot be regained or restored. By the time a suspected transgressor of civil rights could be brought to trial before a jury of his peers, the finding of the court would be a meaningless determination which would be history rather than a practical working of the law.

In relying on the use of the injunctive process, this Congress is not narrowing the liberty of man. It is extending it. It is creating a living law which faces up to the practicality of an existing situation and seeks to avoid the injury to citizens by deprivation of the right to vote before that injury occurs. It is to be expected and hoped that the mere existence of this power in the court will of itself be sufficient to render its use unnecessary. It is not contemplated that citizens will be imprisoned in large numbers or in groups. It is contemplated that they will respect the great and proper power with which our courts are vested.

The purpose of this legislation is not to eliminate trial by jury, as many of our colleagues would have us believe. Its purpose is to provide for compliance with the law which cannot be provided in any other way of which we know. The legislation anticipates that many varied means and devices may be developed by individuals and groups to circumvent the spirit of the law, and it vests the court by injunctive mandate to determine upon the facts what acts can or cannot be undertaken and then provides the court with the power of contempt proceedings where prompt compliance does not follow.

No one stands suspect. No one stands accused. If conditions arise which, when brought to the attention of the court, appear to invade or transgress upon the rights of citizens to exercise their right to vote and the court does so find upon the facts submitted, the court can issue its mandate directing those persons to cease and desist from pursuing in such conduct. If such persons feel that such order is arbitrary or capricious and without support in fact or law, they can take proper legal steps to appeal the action of the court. To this point no one has been hurt, and no one has suffered, and the civil rights of uncountable persons have been preserved. Only those persons who persist in a course of conduct found unlawful and restrained by the order of the court need worry about the likelihood of punishment. The right to vote without restraint or restriction is a fleeting right which passes with the day. Once lost, it can no more be restored than the day which has passed. Only the firm and well-considered directive of a court can prevent the infringement of this sacred and highly volatile privilege.

In his argument on the floor of the House yesterday, the gentleman from Virginia [Mr. POFF], argued that this legislation constitutes a mass indictment of the integrity of the entire southern populace of the country and that it would be irresponsible to charge that a whole people would be faithless to a solemn jury's oath. Permit me to point out to the gentleman that the conduct of contempt proceedings under this legislation will in every case be conducted before distinguished jurists of the Federal bench who have lived and who have developed in their home communities. In every respect they are products of the South. They know its traditions and its culture.

Can those who oppose this legislation logically contend that these gentlemen would ignore their obligation to comply with all corners of the law in passing upon the contempt charges which may be brought against their fellow men? Can it be contended that these are men who may be swayed by passion or prejudice or who will render arbitrary and indiscretionary judgments? I do not believe so.

Mr. Chairman, at the proper time, I shall ask unanimous consent to include following my remarks and as part of them a biographical sketch of the members of the Federal district courts in the South, gentlemen who were born and raised in the communities in which they now act and pass judgment as judges of the Federal district court. They are products of the schools of the South. Many were Members of this Congress and many have served with distinction throughout their entire careers. There is no reason for anyone to suspect that the legislation which we are considering today if enacted into law will not be administered in keeping with the highest traditions of American jurisprudence.

Mr. KEATING. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I first want to say that I shall not attempt to discuss the legal technicalities and the legal problems that are involved in this bill before us. I leave that to the distinguished members of the bar who are Members of this House. They are doing a pretty good job, I observe.

Secondly, I want to say that I shall not even attempt to discuss the provisions of the bill, nor what might happen if the provisions of the bill are translated into law. I shall leave that to others who are members of the Committee on the Judiciary. The chairman of the committee, the gentleman from New York [Mr. CELLER], and the ranking minority member of the committee, the gentleman from New York [Mr. KEATING], have done an excellent job covering the provisions of the bill. That leaves nothing for me to do but make a few general observations about the bill.

Mr. JOHANSEN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-six Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 101]

Andresen, August H.	Fogarty	Moulder
Anfuso	Friedel	Multer
Arends	Garmatz	O'Konski
Ayres	Green, Pa.	Philbin
Bailey	Gubser	Poage
Barrett	Gwinn	Porter
Beamer	Harrison, Nebr.	Powell
Belcher	Healey	Prouty
Blatnik	Hébert	Radwan
Bosch	Holtzman	Rains
Bowler	James	Rhodes, Ariz.
Buckley	Jensen	Rhodes, Pa.
Byrne, Ill.	Keeney	Rogers, Mass.
Byrnes, Wis.	Kelly, N. Y.	St. George
Cederberg	Keogh	Schwengel
Chamberlain	Kilburn	Shelley
Chudoff	Krueger	Simpson, Pa.
Clark	Laird	Spence
Coudert	Lane	Taber
Curtis, Mo.	Latham	Taylor
Dawson, Ill.	McConnell	Teague, Tex.
Delaney	McCulloch	Teller
Dollinger	McGovern	Tewes
Donohue	McIntire	Thompson, La.
Dooley	Machrowicz	Utt
Dorn, N. Y.	Miller, Md.	Vursell
Eberharter	Miller, N. Y.	Wainwright
Fallon	Minahall	Whitten
Farbstein	Montoya	Wier
Fascell	Morano	Withrow
Fino	Morris	Wolverton
	Morrison	Zelenko

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H. R. 6127, and finding itself without a quorum, he had directed the roll to be called, when 335 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Illinois [Mr. MASON] is recognized.

Mr. MASON. Mr. Chairman, I was trying to say when I was interrupted by the quorum call that I propose to make a few general observations on this bill and discuss the constitutional problems involved. That is all I propose to do. I was asked why I was standing over on that side when I usually stand over here and I said that I thought the people on that side needed the gospel according to Noah rather than the people on this side.

I want to serve notice, Mr. Chairman, that I will not yield until I have finished my statement, then I hope to have 5 or 10 minutes of very interesting fun with the questions that will be asked.

Mr. Chairman, in discussing the explosive subject of civil rights, I want to approach it without bias, discussing it both impartially and impersonally—if that is possible—ignoring the controversial seg-

regation issue almost entirely, placing the emphasis upon God-given human rights and States rights and the tendency of our leaders to sacrifice those rights in order to establish by law the mirage of civil rights.

We have all heard the old saying, "The cure can be worse than the disease." In connection with the proposed civil-rights legislation that saying may well apply. We can exchange States rights and our God-given human rights for a civil-rights program and be much worse off after the exchange. Let us not exchange the real blessings we now enjoy for the fancied or fictitious blessings that may be a part of the mirage known as civil rights.

Habits, customs, obligations are much more effective than any civil-rights program implemented by Federal laws. Custom is much more effective than any law because it polices itself. Laws are not particularly efficient. A law has little chance of being enforced if it does not have the approval and support of the majority of the people affected.

Mr. Chairman, prohibition was once the law of the land; it was a part of our written Constitution. However, because it did not reflect the conscience of the majority of our people, it was not enforcible from a practical standpoint and it had to be repealed.

Edmund Burke once said, "I know of no way to bring an indictment against a whole people." That statement applies in a democracy such as ours. It does not apply under a despot; it does not apply in Russia.

Any attempt to enforce a civil-rights law upon 48 States that have different conditions, different customs, different social standards, and people with different personal consciences is simply an effort to indict, to arraign, to try a whole nation, a whole section, a whole state. It just cannot be done in a democracy; it can only be done under a dictator. Is not that exactly what this civil-rights bill proposes to do? Must we surrender our precious guaranteed States rights in order to establish a program of civil rights? These are questions that bother me. They worry me. Is not the cure much worse than the disease?

Laws reflect reform; they never induce reform. Laws that violate or go contrary to the mores of a community never bring about social peace and harmony. Our times call for patience, for moderation, for gradual evolution—not revolution by Federal law or by Supreme Court fiat.

Mr. Chairman, today the 85th Congress under President Eisenhower is facing the same civil-rights proposal that the 81st Congress faced under President Truman. In 1948 President Truman gave the following as his civil-rights objectives:

First. We believe that all men are created equal under law and that they have the right to equal justice under law.

Second. We believe that all men have the right to freedom of thought and of expression and the right to worship as they please.

Third. We believe that all men are entitled to equal opportunities for jobs, for homes, for good health, and for education.

Fourth. We believe that all men should have a voice in their government, and that government should protect, not usurp, the rights of the people.

I say, these are all worthy objectives. No decent, law-abiding citizen would question these objectives nor oppose them. But, President Truman's methods for bringing about these objectives were questioned. His methods were opposed.

Mr. Chairman, I want to call your attention and the attention of the Nation to the fact—and this is the crux of this whole matter—that each and every one of these objectives is a State function, a State responsibility, a State obligation. They come within the police powers of the various States, and were definitely left to the States by the Constitution. Why then should the Federal Government violate States rights by assuming functions that belong to the States?

When the Federal Constitution was before the States for ratification, four of the States demanded guaranties that freedom of the press, of speech, and of religion would be a part of the Constitution. Nine of the States insisted that States rights be guaranteed. Thus the 10th amendment was made a part of the Bill of Rights so that the Federal Government would be restrained from ever interfering with the rights of the States under the Constitution.

The first nine amendments in the Bill of Rights deal with the rights of the people, God-given rights; the 10th amendment deals with the powers of the Federal Government. It limits those powers. It says, in effect, to the President, to the Supreme Court, and to the Congress: "You may do what the Constitution specifically says you may do, but you may do no more. Those powers that are not given you are either reserved to the States or they belong to the people." That is what the 10th amendment spells out, and we must not forget it in our desire to establish civil rights.

Mr. Chairman, time and again, from Chief Justice Marshall to Chief Justice Hughes, the United States Supreme Court has said that the wisdom or desirability of either Federal or State legislation to do for the people what might be for their good was not for the Court to decide, but simply whether the power to legislate in any particular matter had been delegated to the Nation, or was reserved to the States or to the people.

Justice Hughes, in deciding the Schechter "sick chicken" case, by which NRA's "blue eagle" died, said:

> It is not the province of this Court to consider the economic advantages or disadvantages of such a centralized system. It is sufficient to say that the Federal Constitution does not provide for it (295 U. S. 495).

Paraphrasing the remarks of Justice Hughes, I say, "It is not the province of this Congress to consider the social advantages or disadvantages of such a Federal civil rights proposal. It is sufficient to say that the Federal Constitution does not provide for it."

Mr. Chairman, after Lincoln had been elected President he wrote:

> The maintenance inviolate of the rights of the States and especially of the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of powers on which the perfection of our political fabric depends.

The Republican platform upon which Lincoln had been nominated and elected contained the following plank:

> The maintenance of the principles promulgated in the Declaration of Independence, and embodied in the Federal Constitution are essential to the preservation of our republican institutions, and that the Federal Constitution, the rights of the States, and the Union of the States, must be preserved.

Mr. Chairman, in those days political platforms were sacred pledges to be carried out by the successful party and the candidates of that party. The Constitution in that day was the solid, unchangeable foundation upon which our Government rested, the rule book that must be scrupulously followed by each administration that was entrusted by the voters with the Nation's affairs and well-being.

Such were the views and the opinions of Chief Justice Marshall and Chief Justice Hughes, two of our most distinguished Justices. Such were the views of the first Republican President, Honest Abe. How times do change.

Mr. Chairman, in 1952 Candidate Eisenhower, before he became President, said:

> The Federal Government did not create the States of this Republic. The States created the Federal Government. The creation should not supersede the creator. For if the States lose their meaning our entire system of government loses its meaning and the next step is the rise of the centralized national state in which the seeds of autocracy can take root and grow.

Those words, of course, were uttered when General Eisenhower was a candidate for the Presidency. Since becoming President, Eisenhower's actions have not carried out his preelection utterances insofar as States rights are concerned. Preelection utterances are no longer sacred.

Mr. Chairman, I had the good fortune to serve on the Commission on Intergovernmental Relations under the chairmanship of Dean Manion, one of the greatest constitutional lawyers in America. The one great principle he emphasized was that the purpose of the American Government is to preserve and protect our God-given rights; that the American Government is a mechanism for the protection of human rights; that civil rights are rights provided by law that definitely come under the jurisdiction of the States, not under the jurisdiction of the Federal Government; that, whenever the Federal Government undertakes to establish or set up a program of civil rights, it must of necessity encroach upon States rights and upon God-given human rights.

Can we afford to do that? Dare we violate the Constitution by ignoring the following clear and concise language?—

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Mr. Chairman, in my humble opinion, any Member of this House who votes for

the proposed civil-rights bill will violate his oath of office to uphold and defend the Constitution of the United States. We should refuse to do that, no matter how desirable the objective seems to be.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield.

Mr. JOHANSEN. I should like to commend the gentleman on his very able presentation. I would like to raise the question as to the gentleman's feeling and impressions with respect to the responsibility of the Federal Government for guaranteeing and safeguarding the right of citizens to vote and the extent to which he feels it is a Federal or a State obligation.

Mr. MASON. The right to vote is a civil right. Under the best interpretation of the Constitution, civil rights are rights granted by law and reside in the States and not in the Federal Government. The States can make whatever reservations they want as long as they treat all their citizens alike. They can say you have to pay a poll tax in order to vote. They can say you have to be 18 years old or 21 years old, if you want to vote. It is the States' business to do that and not the Federal Government's business.

Mr. JOHANSEN. What actions on the part of the State or failure to act on the part of the State would the gentleman construe to be a violation of the 15th amendment which guarantees that the rights of citizens shall not be denied or abridged by the United States or by any State.

Mr. MASON. That, in my opinion, after studying the Constitution for years and teaching the Constitution, is a general statement made in the Constitution that that shall be the general rule regarding all citizens regardless of the States in which they live. But, it still leaves to the State the right to draft laws, confining that right, explaining that right, or even limiting that right.

Mr. JOHANSEN. What would the gentleman say with respect to section 2 of the 15th amendment to the effect that the Congress shall have the power to enforce this article by appropriate legislation?

Mr. MASON. And the Congress has never done that—and the Congress has never done that.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield.

Mr. DINGELL. Does that mean the Congress does not have the power?

Mr. MASON. It does not.

Mr. DINGELL. Does not the language of the 15th amendment say, "Congress shall have power to enforce this article by appropriate legislation"?

Mr. MASON. It does.

Mr. DINGELL. Does the gentleman deny Congress has that power?

Mr. MASON. He does not.

Mr. DINGELL. The gentleman says this Congress does not have the power in spite of the clear language of the Constitution to that effect?

Mr. MASON. I am saying that Congress has the right to implement that general statement, but that Congress has never acted under that.

Mr. DINGELL. Do you not think it is about time Congress did that?

Mr. MASON. No, I do not because you were all challenged here the other day to produce one instance in your Congressional District where anyone was refused the right to vote, that had the right under these State laws, and not one Member could cite one instance.

Mr. DINGELL. I would like to say this to the gentleman, if the gentleman alleges there is no reason for passing this legislation——

Mr. MASON. That is what I do allege.

Mr. DINGELL. Then this is perfectly harmless legislation because it walks on no one's toes; is that not a fact?

Mr. MASON. And in passing it, you are violating in my opinion, the Constitution of the United States and your oath of office because you are legislating in a field that does not belong to the Federal Government.

Mr. DINGELL. I am going to quote the Constitution to the gentleman. It says:

> Congress shall have power to enforce this article by appropriate legislation.

That refers to the 15th amendment, and the Constitution says and I quote:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Mr. MASON. I have read that document and I have taught that before the gentleman was born. So maybe I know what is in it.

Mr. DINGELL. I want to say I have great respect for the gentleman's old age, but I happen to know a little constitutional law too, and both the courts, and I say he is wrong.

Mr. ASHMORE. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield.

Mr. BOYLE. Referring to your original remarks as to the weight of custom, is it not true if you extend your argument regarding the weight of custom we would never have had democratic government?

Mr. MASON. Oh, no. Custom is something that has been established by being accepted generally by society as a whole, whether it is in this State or that State or the other State. When it is accepted by a majority of the people, regardless of the boundaries, then it becomes what might be called an unwritten law. And it is carried out generally by people without any laws on the statute books.

Mr. BOYLE. That seems to be in support of my proposition that if you are going to argue about the dignity and the permanence of custom, you rule out the possibility of ever having a democratic government or a democratic society.

Mr. MASON. Oh, I think the gentleman is absolutely wrong, because custom gradually changes in an evolutionary manner, and it is not practical to revolutionize custom by passing a law forcing everybody to do what the great majority do not believe in and do not want.

Mr. BOYLE. Will the gentleman yield further?

Mr. MASON. I am glad to yield to the gentleman.

Mr. BOYLE. The gentleman indicated in his opening remarks that the first 10 amendments to the Constitution are restrictive on Federal activity.

Mr. MASON. No. You did not understand plain English. I said that the first nine amendments dealt with human rights, God-given rights of persons.

Mr. BOYLE. That is right.

Mr. MASON. I said the 10th amendment limited the power of the Federal Government.

Mr. BOYLE. Therefore I renew my observation: Is it not true that you said that the first 10 amendments are restrictive on Federal activity?

Mr. MASON. No.

Mr. BOYLE. Just incidentally, appealing from "Noah's Treatise on Constitutional Law," let me enunciate a proposition that according to "Boyle's Treatise on Constitutional Law," the first 10 amendments to the Constitution are restrictive of Federal activity. I challenge anybody in the Congress to argue that that is not a true and correct representation of American jurisprudence.

Mr. MASON. We are not arguing that point with you. You are stating something that I did not state. You are stating that the first 10 amendments are restrictive on the Federal Government. I said the first 9 amendments dealt with persons, God-given human rights for those persons, and I said the 10th amendment limited Federal jurisdiction.

Mr. BOYLE. I was just agreeing with the gentleman, and sought to say that insofar as you adopt that position you are correct according to all of the ruling cases that enunciate that proposition.

Now will the gentleman answer this question: Does he agree that the subsequent amendments to the Federal Constitution are restrictive on State activities?

Mr. MASON. Some of them are; yes.

Mr. BOYLE. Are they not exclusively?

Mr. MASON. That has nothing to do with this problem that we are dealing with now.

Mr. BOYLE. It might help you to resolve the question of whether under the 15th amendment there is a limitation on State activity.

Mr. MASON. You are entitled to the gospel according to BOYLE and I am entitled to the gospel according to Noah.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman has stated that the right to vote is within the province of the States. I think I interpreted the gentleman's statement correctly. What would the gentleman do in the event that within any of the States there is an inability, there is an absolute restriction on the rights of cer-

tain American citizens within those States to vote for National or Federal offices?

Mr. MASON. I would say that that is not according to the Constitution; that should not be, according to the Constitution; and I defy anybody to prove that that is a fact.

We hear all this talk about poll taxes. The poll taxes apply to the white people as well as to the dark people; they treat all alike; and as long as it is a limitation on the right to vote in that State, treating all alike, I do not see anything wrong with it.

Mr. YATES. What about questions of violence?

Mr. MASON. We have questions of violence, but in the last 60 years that I have watched them and followed them they have been gradually disappearing until we have hardly any more. This is a gradual evolution, something you cannot bring about by law.

Mr. MOORE. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Chairman, I have asked for this time to discuss what I consider a very serious question of civil rights. I assume many of my colleagues know what I am going to talk about for they have heard me speak of this subject on numerous occasions. I should like to discuss civil rights.

We have heard discussions here on the proposition that the color of a man's skin has changed the right of some people. The rights I want to talk about today are the rights under the Constitution of the United States of the men wearing a particular type of suit who lose their constitutional rights and their civil rights—the man who wears the uniform of the United States, our Armed Forces, and leaves the shores of the United States to serve abroad, who then loses his civil rights.

I have been asked by some of my colleagues whether I intend to offer an amendment to this bill on the question of the status of forces. I want to take this time to say to my colleagues that I do not intend to offer an amendment on this bill. I do not think it is the orderly and proper way to approach the problem. I understand that we will have hearings shortly, however, before the Foreign Affairs Committee on the resolution as we had them last year. I am hopeful that the events and things that have happened will have pointed up the facts that the fears many of us have expressed in the past 3 years on the Status of Forces Treaty have now come about and that we will be able to have that resolution reported out to the floor of the House so that in an orderly and proper manner we may approach the question as to whether those treaties should be renegotiated or abrogated.

The resolution is House Joint Resolution 16. I feel that we can again present to the Foreign Affairs Committee evidence that will place us in a position where they will permit that resolution to come to the floor of the House for consideration.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from South Carolina.

Mr. RIVERS. The gentleman has taken so much interest in the Girard case and the whole concept of the Status of Forces Agreement, and he has gone into the facts surrounding the Girard case so fully I wonder if the gentleman would venture the assertion that Girard is being sold down the river primarily because of international political expediency to satisfy and save face with the Empire of Japan?

Mr. BOW. Well, I have had some feelings about that, of course, as my colleague knows. May I say that as far as the Girard case is concerned, I believe that the Members would be interested, since we are talking about laws and civil liberties, to know something about this particular treaty with Japan.

Mr. RIVERS. Let me make one further statement. The reason I asked that question is this: The military authorities in the theater of Japan refused to turn over Girard to the Japanese authorities and they were overruled. He on the ground floor was overruled by somebody somewhere in Washington.

Mr. BOW. I would like to go into the Girard case and discuss with the committee here today something about this Japanese treaty. There have been many stories around about this proposition and I think perhaps the House might like to know something about it. I will say I have practically lived with these treaties for the last few years and I think I know something about them.

Under the security treaty entered into between the United States and Japan, Japan asked the United States to keep troops in Japan. We hear many times that we are in these countries to protect ourselves, that we are there at the sufferance of these other nations; but the treaty itself is a request of this country to maintain our Armed Forces in Japan.

Now, there is no Status of Forces Agreement in the treaty itself. There is a provision in the treaty that there will be an agreement on the disposition of troops, and that is all. Then our Ambassadors got together and they entered into the agreement whereby Japan would have the right to try our men for off-duty offenses and that we would retain the right to try our men for on-duty offenses.

A Commission was set up of 2, 1 being an American officer who now is Admiral Hubbard and the other is a representative of the Japanese Government. They are the ones who are to determine whether a man is on duty, and we certify that young Girard was on duty. The fact of the matter is he was guarding American property under orders from an American officer when this incident occurred. So he was on duty, and our Government has maintained, and still maintains, that Girard was on duty.

But prior to this, and back some months ago, these two men said:

"Well, now, what is going to happen if we cannot agree on whether or not a man is on duty?"

There were only two men on the Commission, and there might be a stalemate. This is where I think we were in error. They talked it over in this meeting, and then their minutes were made up, and the minutes became a part of the agreement. In that we said that if the two men cannot agree, then we will submit it to a court to determine whether or not the man was on duty.

Mr. Chairman, what court do you think we agreed to send it to? To a court in Japan. So you see what we were up against. If these two men could not agree, then it was to go to a court. If there was to be a determination it would go to the Japanese court to determine whether or not the man was on duty.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Georgia.

Mr. LANHAM. I want to commend the gentleman from Ohio for the splendid fight he has been making for several years to try to get some modification of these Status of Forces Agreements. The gentleman will remember that last year I introduced a similar resolution and that I, along with the gentleman from Ohio, appeared before the Committee on Foreign Affairs to testify in favor of that resolution.

Mr. BOW. That is correct.

Mr. LANHAM. I agree with the gentleman this happening in Japan is, in my opinion, going to make it possible to get some action or at least to bring a bill to the floor of the House and see if we cannot do something to protect the men who serve us in foreign nations.

I am happy to note that a United States district court has temporarily enjoined the Secretary of State, Mr. Dulles, and the Secretary of Defense, Mr. Wilson, from surrendering Girard to the Japanese courts for trial.

If he is surrendered to the Japanese courts and denied his constitutional rights it will be an act of appeasement on the part of our administration that will be hard to justify.

Mr. BOW. I appreciate the gentleman's remarks.

May I just say this. It shows, in all of this fight I have been making, the necessity for American servicemen to have the right of trial by jury. One of the fundamentals of American jurisprudence is that a man has a right to trial by jury whether it is in the civil law or whether it is in the case of these men who are now sent overseas.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I could not more heartily agree with any words ever spoken on the floor of this House. I know of the fight that the gentleman from Ohio has made. I have been in the Yokosuka prison in Japan in which our men are held. I know their resentment at being denied a trial by jury. I also know that some of the sentences given were light; but the fact remains that the American soldier who is sent overseas, by action not his own, in my opinion has every right to the same protection under the Constitution, particularly if he is on duty, as would be his if he had remained in this country. I would like to remind the gentleman from

Ohio that there were—and it has been published—10 members of the House Committee on Foreign Affairs who voted to bring out the Bow resolution last year. I am very happy and proud to have been among that number; and I pledge my utmost support to the finish this year, to maintain justice for our men in uniform.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I would like to commend the gentleman for his statement.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Ohio.

Mr. SCHERER. An identified Communist who appears before a congressional investigating committee, even though he is an alien, has the right to invoke the fifth amendment. Now, does an American soldier who is tried by a Japanese court have that privilege?

Mr. BOW. No. Of course, he has lost that constitutional right.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. With respect to the Girard case as distinguished from the status of forces problems in general, did the gentleman say that in the Girard case this was after Admiral Hubbard and his opposite had discussed it before submitting it to a Japanese court?

Mr. BOW. If we had not agreed to turn Girard over, then the next step would have been to go to the Japanese court.

Mr. THOMPSON of New Jersey. With respect to the agreement to turn him over, one gentleman earlier said—I think it was the gentleman from South Carolina—that the decision was made here in Washington. Does the distinguished gentleman from Ohio know who made that decision in Washington?

Mr. BOW. No; I do not know who made it, but I am of the opinion it was made here in Washington and that Admiral Hubbard was under orders from the Department of Defense.

Mr. THOMPSON of New Jersey. Is it the understanding of the gentleman from Ohio that that decision was made by the Secretary of Defense, the Secretary of State, and by the President?

Mr. BOW. No; not the original decision to turn the boy over. It was not made on that level. Later it was made on that level.

Mr. THOMPSON of New Jersey. All right. But, ultimately a decision was made by the President of the United States and the Secretary of State and the Secretary of Defense, was it not?

Mr. BOW. To confirm the decision of Admiral Hubbard to turn him over.

Mr. THOMPSON of New Jersey. Now, could those officers, including the President, have reversed Admiral Hubbard's decision?

Mr. BOW. They could reverse the given word of the United States at that time; the position taken.

Mr. THOMPSON of New Jersey. They could. In other words, the ultimate responsibility, then, in the Girard case lies with the President, the Secretary of States, and the Secretary of Defense, does it not?

Mr. BOW. May I say to the gentleman, that I think it should be recognized that the United States Government under this agreement had given its word to turn the boy over. That was then reviewed, I think by Secretary Wilson or Secretary Dulles. To answer the gentleman, it would be on the basis that this country had given its word under an agreement which could not be revoked without breaking the word or the pledge of the United States. That is not my interpretation. I am saying now what they have said is the position that they have taken.

Mr. THOMPSON of New Jersey. I understand that, but there was a question, was there not, in the gentleman's mind but in the minds of other authorities, as to whether or not Girard was on duty?

Mr. BOW. No; I think I can say to the gentleman from New Jersey that I have never seen any question raised as far as American officials were concerned as to the on-duty status of this man. I think we have always maintained he was on duty. There was a question raised, however, by the Japanese as to whether he was on duty.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Iowa.

Mr. GROSS. Let me answer the question of the gentleman from New Jersey [Mr. THOMPSON] as to whether this man Girard was on duty or not. A press release by Secretary of State Dulles and Secretary of Defense Wilson as of the date of Tuesday, June 4, 1957, had this to say in one sentence. I quote verbatim from that release:

> The commanding general of Girard's division certified that Girard's action was done in the performance of official duty.

Mr. BOW. There is no question of that.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield further?

Mr. BOW. I yield.

Mr. THOMPSON of New Jersey. That being the case, and I concede that it is the case, then I fail to understand completely as I know the gentleman does, as well as the gentleman from Iowa [Mr. GROSS], how in the name of anything the soldier was turned over to the jurisdiction of a Japanese court by the President under these circumstances.

Mr. BOW. I might agree with the gentleman. I raised the question with Secretary Wilson originally and I have raised it with the President.

Mr. THOMPSON of New Jersey. I happen to be in basic disagreement with the position of the gentleman on the Status of Forces Agreement, but in this instance, I am in sympathy with his position.

Mr. BOW. In this case we have reached the millenium; the gentleman from New Jersey [Mr. THOMPSON] and I are finally in agreement on something for the first time I think since we have been in Congress.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. JOHANSEN. Is not the gentleman in agreement with the statement that the initial decision to surrender the man was made by someone higher than the admiral on the Commission and someone lower in the echelon than the Secretary of Defense?

Mr. BOW. I think the gentleman is correct.

Mr. JOHANSEN. And as far as the gentleman is concerned, the identity of that person or persons is unknown?

Mr. BOW. Unknown to me.

Mr. JOHANSEN. Does not the gentleman feel that it is a disturbing thing in the extreme that a yielding of the sovereignty of the Government of the United States and of the rights of a citizen can be made by a faceless member of the bureaucracy?

Mr. BOW. I think we should find out who it is and somebody should be removed.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. SCHERER. Is it not a fact that often when we turn a boy over to a foreign country to be tried, he cannot get a fair trial for the simple reason that there are prejudices and hatreds in the community in which he is to be tried by reason of the fact that such animosities are engendered when you have an army there protecting that foreign country? And as a result of these hatreds and prejudices, and evidenced by what happened on Formosa the other day, it is impossible to get normal safeguards thrown around such a boy so that he may obtain a fair trial in that foreign jurisdiction?

Mr. BOW. I think the gentleman is correct.

Mr. SCHERER. In this country, do we not provide for the right to apply for a change of venue when there is a feeling of animosity?

Mr. BOW. That is correct. If a man cannot get a fair trial in a certain area in this country, he may apply for a change of venue.

Mr. SCHERER. But there are no such provisions for a change of venue in 90 percent of the countries where these foreign cases might arise.

Mr. BOW. And let me say further that there are many other constitutional provisions that we have that are not recognized by the penal system of Japan.

Mr. SCHERER. There are at least 10 of them.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Iowa.

Mr. GROSS. Has the gentleman made it completely clear that there is no such thing as a jury trial in Japan?

Mr. BOW. Yes.

Mrs. BLITCH. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield.

Mrs. BLITCH. I wanted to be sure that it is clear that there is no jury trial in Japan.

Mr. BOW. That is correct.

Mr. JOHANSEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JOHANSEN. Mr. Chairman the current outcry against turning an American serviceman over to the Japanese courts for an alleged offense while on duty is a belated public awakening to a situation about which a minority of Members of Congress—of whom I am one—have been protesting for several years.

In fact, I testified on this very matter—in opposition to the status of forces agreements—before the House Committee on Foreign Affairs on July 14, 1955.

Moreover, the main point which I stressed in this testimony 2 years ago becomes particularly significant in view of the present pending effort in the United States Federal Court to secure a writ of habeas corpus in behalf of Army Specialist William Girard. My argument, before the committee, was that surrender of an American citizen to a foreign court, or his conviction by a foreign court, effectively deprived that citizen of his constitutional right of petition, in American courts, for a writ of habeas corpus.

As my colleagues well know the writ of habeas corpus, going back to ancient English law, is a court order to a jailor or other officer having a prisoner in charge to bring him before the bar for inquiry as to the legality of his restraint from liberty. Our own Constitution—article I, section 9—provides that—

> The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

In my testimony before the House committee in support of a resolution opposing trial of American servicemen in foreign courts, I cited the Federal Court decision that an American serviceman tried and imprisoned by a French court could not be the subject of a writ of habeas corpus sought in a United States court. This decision, as I pointed out, was based on the finding that the court was without jurisdiction in the case—since jurisdiction had been turned over to the foreign government—and that American Army officials no longer possessed custody of the person for whom the writ was sought, and therefore could not be ordered to "produce the body."

Possible significance of the timing of the petition for writ of habeas corpus in the present Girard case is that apparently he has not yet actually been turned over to the Japanese authorities and, of course, has not yet been tried or convicted in a foreign court. It will, of course, be a matter of immense concern to see the outcome of these judicial proceedings.

The important, and outrageous, fact, at last dramatized for the American public in the present case, is that once an American serviceman is turned over to foreign courts the basic constitutional safeguard of petition for writ of habeas corpus in an American court is forfeited. In my judgment, many other constitutional rights and protections are also actually or potentially abrogated.

One of the other shocking aspects of the Girard case is, of course, the fact that the decision and the order turning Girard over to the Japanese authorities was made by some anonymous—as yet, at least—subordinate in the executive branch. Yet this decision was regarded by top Defense and State Department officials as a binding and irrevocable commitment of our Government.

It is appalling to think that an unidentified, "faceless" bureaucrat—one, therefore, subject to no accountability—can make a binding decision involving the rights of an American citizen and the sovereignty of the United States Government.

To me, the entire situation is intolerable, and I hope the present case will bring Congressional action ending this state of affairs.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Chairman, I agree with the gentleman from Ohio [Mr. Bow] on his views of the status-of-forces agreements, that this country maintains with many of the countries where our troops are now stationed. Several resolutions have been introduced in the House which request the President to make a revision of the present administrative agreements and treaties which permit foreign courts to have criminal jurisdiction over American servicemen in their country. Resolution No. 16, by Mr. Bow, seems to cover this important and sensitive subject.

I think it is agreed that Soldier Girard was on duty in Japan defending the property of the United States. It seems to me that with our troops now stationed in 72 places outside the United States that it is important that we extend to the American boy the protection of the flag and the Constitution when he is serving in these foreign countries.

In the case of Soldier Girard, apparently someone in the Defense Department made the decision that he should be tried in a Japanese court. It should be understood that Japan has no trial by jury. It seems also that with our troops and many civilian employees stationed in these foreign countries that their grows up a certain tension and prejudice against our troops and civilian personnel. This could not help but be reflected in any court procedure that might be followed. That was thoroughly demonstrated by what happened on Formosa in the recent riot that destroyed American property because there was a court martial decision that people of Formosa did not like. Formosa was supposed to be a friendly foreign nation.

Mr. Chairman, every Member of Congress is receiving letters and wires protesting this intolerable situation. A sample of such protest is a wire that I received from the American Legion which I read as follows. Grand Island Post 53, American Legion, at a special meeting on June 6, 1957, has gone on record as strongly opposing the action taken by the military in submitting Private Girard to trial by a Japanese court. This wire was signed by J. D. Morledge the commander.

Mr. Chairman, I will support the resolution by Mr. Bow and others that will not only give the American boy full protection but will cancel and modify the so-called, Status of Forces agreements.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. THOMPSON]; but I may say that this is the last time I shall yield for the purpose of this discussion. We are way off base here and should return to a discussion of the civil rights bill.

Mr. THOMPSON of New Jersey. Mr. Chairman, I am constrained to agree with the distinguished gentleman that this is extraneous to civil rights except that in a court-martial proceeding there is no trial by jury. So, the connection might be there, even though fairly remote.

If the gentleman from Ohio [Mr. Bow] would answer a question I would be grateful. We are in agreement perhaps for the first time, and this is delightful. In the colloquy a minute or two ago it was stated that the decision to hand William Girard over to Japanese authorities was made by some faceless person in the bureaucracy. Is that not correct?

Mr. JOHANSEN. That is the remark I made; yes.

Mr. THOMPSON of New Jersey. I would submit to the gentleman from Ohio this question: Is he in agreement with me that the ultimate responsibility need not rest with some anonymous, faceless person, but can be quite aptly placed in the Girard case on the person with the ultimate responsibility; namely, the commander in chief of the Armed Forces?

Mr. BOW. Then I would say to the gentleman from New Jersey, you are faced with this, that in the first instance the only question there was whether or not this boy should have been turned over for trial to the Japanese. After that is done, then the second question arises: What is the pledged word of the United States by a duly authorized and constituted representative of the United States under an agreement entered into between the United States and the sovereign nation; and after the word has been given on that, whether it should be broken by someone in a different echelon. To me, what the gentleman's real objection should be is to the agreement. I can see what the gentleman is attempting to do, of course.

Mr. THOMPSON of New Jersey. The gentleman and I are in agreement. The gentleman from Iowa is also in agreement. I think the consensus is that the

man was on duty. The gentleman said that therefore, under the Status of Forces Treaty, whether or not you agree with it, jurisdiction should have been retained by the military courts of the United States, but it was evident that the man was turned over by the Chief Executive, the Commander in Chief, the President of the United States. General Eisenhower, and not some nameless bureaucrat, must bear the responsibility for placing Girard's civil liberties into the hands of a Japanese court.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. ABBITT].

Mr. ABBITT. Mr. Chairman, I am bitterly opposed to this legislation which is known as the civil rights bill. This clearly is a misnomer and should be called the anti-civil-rights legislation. Frankly, in my opinion, it is the most civil rights destroying legislation that has ever come to my attention as a legislator. It is destructive not only of the rights and privileges of the people of this great Nation but it strikes at the sovereignty of our States. It strikes down the constitutional concept of our Government. It is a most drastic and indefensible proposal.

I desire to call attention briefly to just what the legislation permits. I think this should be done for a number of reasons, among them being the great effort that has been made and is being made by a large segment of the press, newspaper editors, columnists, radio and television commentators as well as many of the active proponents of this legislation to deceive the American people into believing that the main purpose in enacting this bill is to protect the voting rights of certain minority groups in the South. These same people are constantly referring to this anti-civil-rights bill as the right-to-vote legislation. Particularly has the Washington Post done this both in its editorial column and in its news articles. This is done, of course, to lull the American people, outside of the South, into believing that this is an innocent little measure that will provide better voting opportunities in the South and to permit the Federal Government to protect voting rights in certain cases. Anyone with any intelligence who is familiar with the provisions of this legislation knows that this is far from the truth—that actually this is the most drastic and far-reaching proposal almost ever proposed in America.

I am sure it is the first time in the legislative history of this great country that legislation has been reported out of a Congressional committee which, if enacted into law, deprives the people of this great country of so many fundamental rights that our forefathers intended to guarantee to them by the ratification of our great Constitution. The provisions in this legislation dealing with voting rights are mild compared to the other fundamental issues and rights involved. For a few minutes let us review just what this bill proposes.

First. Part I sets up a Commission on civil rights. This Commission is given authority to make a full study of all civil rights. It is given subpena power. It is given the authority to drag witnesses from all corners of the country. It will be a commission that has the authority under this legislation to harass, to browbeat and intimidate the American people in an endeavor to force them to succumb to the whims and wishes of the NAACP and other like organizations. It will be a sounding board for socialistic groups. It will be in a position to carry out the conspiracy between the NAACP, this administration and Brownell to compel State officials and other loyal Americans to submit to the obnoxious judicial tyranny of the Federal judiciary as exemplified by the Supreme Court of America, Hoffman of Norfolk and other judicial tyrants in the judiciary.

The Commission is permitted to accept the services of volunteers but the Commission is given authority to pay their travel expenses and per diem out of the United States Treasury.

It might be well to note at this point that the Committee on the Judiciary refused to put any limitation upon the amount of money that this Commission of inquisitors could spend in any one fiscal year. Every effort to limit the amount of money that might be spent was beaten down and the floodgates thrown open so that this counterpart of the bloody assizes might spread venom of hate throughout our land without thought of how much of the taxpayers hard-earned money was being spent in such political maneuvering in the attempted intimidation of honest American citizens. That briefly is just some of the things that the Commission is authorized to do under this proposed legislation.

Second. Part II provides for an additional Assistant Attorney General in the Department of Justice. It does not limit the number of assistants to the assistant. It will mean the setting up of a small gestapo under an Assistant Attorney General. It will mean a roving band of hatchetmen going throughout our land to stir up litigation to break down law and order so far as States and localities are concerned. They will be able to drum up fictitious charges against loyal citizens and hale them into court at the expense of the taxpayers of America. They will be like a pack of wild dogs or wolves turned upon a flock of defenseless sheep who are ready for the slaughter.

Third. Part III of the bill, which is the most iniquitous part of all, confers upon the Attorney General of the United States powers unheard of heretofore in a free country. At one stroke of the legislative pen it brushes aside all State administrative remedies; wipes out State sovereignty; it authorizes the Attorney General in the name of or on behalf of the United States to institute civil action in civil-rights matters whether or not the aggrieved party requests such procedure by the Attorney General or whether or not the aggrieved party objects to such action. In other words, the Attorney General is clothed with all power to come into the Federal court and against the wishes of the aggrieved party institute a civil action in the aggrieved party's behalf in the name of the Government. He does this at the cost of the taxpayers of America. He thus deprives the States of their right to enforce their criminal laws. He thereby deprives the defendant of a right of trial by jury.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. ABBITT. I yield.

Mr. SMITH of Virginia. Would the gentleman agree with me that under this language, as it is drafted, which gives the Attorney General this power that that language would give no one any civil rights except the Attorney General.

Mr. ABBITT. It seems to me it deprives all segments of our society, all segments—minority and majority—except the Attorney General whoever he might be, the hatchetman of the administration that happened to be in power, and sets up a strong gestapo and a hatchetman to go around all over the country digging up strife and unrest in areas where they desire to do so.

It allows the Attorney General to make of the Federal local judge the administrator, the prosecutor and the executor of the functions of the States and localities.

The Federal judge would be allowed to operate the schools, the transportation system and many other functions of the local and State government. It will permit the Attorney General to harass, to browbeat, and to intimidate and humble the people of this great Nation into accepting sociological views of the particular Attorney General and the jurists trying the case. We will then have law by judicial fiat and injunction. We will then have enforcement of the criminal laws by contempt proceedings. Anyone who desires to stand up to the Attorney General, his roving henchmen and political hatchetmen, will be tried and cast into prison without any limitation as to the term of imprisonment or the intervention of a jury. Anyone with any intelligence who has studied this situation and who will be honest with himself must admit that our Founding Fathers who wrought out this great civilization for us never intended such to happen to the people and States of this great Nation. This legislation, if passed, strikes at the very heart and liberties of our people.

The real purpose of this part is to create jurisdiction in the Federal district courts to supervise, control, and dominate together with the Attorney General the internal management of local affairs, particularly in schools, transportation, and election issues. It is intended to compel certain segments of our society to change their habits, customs, mores, and social activities. It is an endeavor to foster upon the people of this country the sociological views and political philosophy of leftwing socialistic groups and permit them through the Federal judiciary to compel the acceptance of their views by placing this jurisdiction in the hands of the Federal judiciary and depriving the people of their time-honored right of trial by jury. It is felt that our people will be so intimidated that all resistance to the new order will be broken down. The right of a trial by jury before imprisonment is a sacred and constitutional right which must never be given

up if the people of this country are to retain their rights, privileges, and freedoms.

On occasions in the past, English-speaking people have been threatened with the loss of the right of a trial by jury. On every occasion the determination of the people to retain this right has withstood the pressure of tyranny and turned back the threat to their rights.

King George III of England did the very same thing to the American colonists that is attempted to be done by this legislation. He attempted to turn over to the admiralty courts all jurisdiction as to enforcing criminal laws in the American colonies, the effect of which was to deprive the colonists of a right of trial by jury. The Americans refused to submit to such tyranny. The Revolution followed and we have a great democracy in America today.

This legislation gives authority to Federal judges to enforce the criminal laws on the equity side of the Court, so the American people will be deprived of a jury trial. It is wrong, it is immoral, it is dishonest and a smear upon the good name of freedom-loving people all over our Nation. The test of all legislation is not what a good and wise man might do with it but what a bad man can do with it. Power is a dangerous thing. We could expect such legislation as this in a totalitarian government such as Germany under Hitler, Russia under Stalin, and Italy under Mussolini but it is unbelievable that in America, the land of the free and the home of the brave, such legislative proposals could be supported by people who profess to believe in democracy, who profess to cherish freedom and liberty and who pretend to love the heritage and ideals of our Nation.

Abraham Lincoln, who was the patron saint of the Republican Party, said on one occasion:

> You may burn my body to ashes, and scatter them to the winds of heaven; you may drag my soul down to the regions of darkness and despair to be tormented forever; but you will never get me to support a measure which I believe to be wrong, although by doing so I may accomplish that which I believe to be right.

Even without the civil-rights legislation, we have seen the evil that has been brought about by usurpation of power on the part of certain Federal judges. Without the right of trial by jury the people will be at the mercy and whims of the Federal judiciary. There is no hope for appeal to a political-minded sociological conscience of the Supreme Court of the United States.

The only hope of curbing some of the unbridled power of judicial tyranny permitted by this legislation is the preservation of the time-honored right of trial by jury.

Some of the Federal judiciary has already usurped power and authority never given them by the Constitution or the law of the land. They have already taken over certain functions of the States and localities and endeavored to browbeat whole communities into accepting their own philosophy as to sociological problems. Our people would have no way of combating this in the absence of a right of trial by jury.

The purpose of a jury trial is to protect all of our people from every section of the country from judicial tyranny at its worst. We must not lose sight of the fact, however, that even if the jury trial amendment is adopted, we will still have in the civil-rights legislation an iniquitous, wicked, liberty-destroying measure that will desecrate the Constitution, obliterate State sovereignty, and destroy the individual liberties of our people.

I call upon the Members of this body to consider well before they pass this legislation which by this part sets up the Federal judiciary as the law-enforcement agency of the police powers of our States and localities. It turns over to the Federal judges along with the Attorney General the authority and power to run our schools, our transportation system, election machinery, and many, many other functions in the so-called civil-rights areas. It wipes out the sovereignty of our States and the liberty of our people.

Fourth. Part IV permits preventative action in right-to-vote matters. It permits the Attorney General to institute in the name of the United States and on behalf of the United States civil actions dealing with election matters. All that was said about section III regarding jury trials, powers, and authorities of the Attorney General and the Federal courts applies equally to this part. It is abhorrent to our way of life and further infringes upon the rights and freedoms of our people.

Along with part III, it provides a device to bypass State laws, State remedies, State courts, and the right of trial by jury, thus depriving our people of their main protection from a tyrannical judicial oligarchy.

Mr. Chairman, I hope the people of America will realize before it is too late just what this bill does to our Constitution, to our way of life, to our freedoms and liberties, and to generations yet unborn. I trust that it will never be enacted into the law of the land.

Mr. POFF. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Chairman, those who support this bill have criticized those of us who oppose it for the delay which has occurred. They have impugned our motives and challenged our sincerity of purpose. In so doing they have been guilty of the same intemperance and intolerance with which they charge us.

I will not say that the delay has not been purposeful. Moreover, I contend that the delay, measured by every fair yardstick, has been productive. The delay has afforded time for more exhaustive hearings and given the members of the House Judiciary Committee more opportunity for more mature deliberation, as a result of which the bill before us today is infinitely less oppressive, offensive, and objectionable than the one which passed this body last year. While it is still unacceptable—and doubtless will be even more so when the amendatory process is concluded—the committee has, by reason of the delay, been able to make several positive and substantial improvements, some of which I would like to mention briefly.

First, we inserted a new section requiring the Commission in its hearings to observe the same rules of procedure which govern Congressional committee hearings, with certain important modifications. The subpena power under which witnesses may be compelled involuntarily to attend Commission hearings has been confined to the United States judicial circuit in which the witness is found or resides or transacts business. Many of us felt that it should have been confined to the State of residence. Such witnesses are guaranteed 8 cents per mile for travel expense, $12 per day for subsistence and $4 per diem for attendance upon the Commission hearings. Another meritorious modification provides that public disclosure of evidence given in executive session which might tend to defame, degrade or incriminate a person shall be a criminal offense.

Second, the bill has been amended to require complaints filed before the Commission to be in writing, under oath and specific in content. This amendment, which brings the prejury laws into play, is designed to discourage the filing of groundless, frivolous, vexatious, and

Third, the committee removed the extortionary complaints.
clause which empowered the Commission to investigate complaints of "unwarranted economic pressure" and study economic and "social" developments. No member of the committee was able to define the phrase "unwarranted economic pressure" and many of the proponents of the legislation joined with the opponents in the conviction that a civil rights commission should have no power to investigate a matter which cannot be classified as a civil right within the meaning of the Constitution. Had this clause not been removed, any small-business man—druggist, grocer, barber, baker—who declined on account of race to employ a job applicant should be subject to the expense, inconvenience and embarassment of an investigation by the civil rights commission. That would be nothing but FEPC by the back door.

Fourth, we removed the language which would have authorized the Attorney General of the United States to bring a suit for damages on behalf of one private citizen against another private citizen. While there are on the statute books laws which authorize such civil suits when the damages are contractual in nature, there is no precedent in American jurisprudence for such a suit when the damages arise out of a tort or a personal grievance.

Fifth, the committee did not remove the power of the Attorney General to bring a suit on behalf of one private citizen against another private citizen for injunctive relief to prevent the commission of a civil wrong, but we did require that such a suit be brought only upon the written request of the aggrieved citizen. In the legislation which passed the House last year, the Attorney

General had the power to bring such a suit with or without the request or consent and even against the will of the aggrieved citizen.

Sixth, we amended the bill to make the United States as a party to a suit in which the defendant prevails liable for court costs and reasonable attorneys' fees. In last year's legislation, the defendant was liable for these costs, even though he won his case.

These amendments approved by the Committee on the Judiciary were only a few of the many proposed by the opponents of the bill. Those which were rejected will be offered again when the bill is read for amendment. At this point, time will not permit me to discuss all of them. However, I would like to address myself to three which I consider of paramount importance.

First, the bill as now written vests the Federal district courts with jurisdiction over the legal proceedings authorized by the legislation "without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law." That language, if left in the bill, will have the practical effect of depriving State administrative agencies and State courts of their traditional jurisdiction over matters in this field. Heretofore, every case decided squarely on the point has held that in this field no litigant has a standing in the Federal court until and unless he has first exhausted all remedies available to him in State tribunals. I have prepared and inserted at page 665 in the printed hearings a legal brief on this question. It is my hope that the amendment to correct this defect, which I understand will be offered by the gentleman from New York [Mr. RAY] will be adopted.

Second, the bill as originally introduced authorized the Commission to investigate complaints of discrimination on account of religion as well as "color, race, or national origin." In the subcommittee, the word "religion" was removed. In the full committee, it was restored. I hope it will again be removed by amendment on the floor. For the sake of the preservation of the purity of the principle of separation of church and State, neither this Congress nor any commission created by it should trespass upon this delicate domain.

Third, in a criminal contempt proceeding arising out of a case to which the United States is a party, a defendant does not, under this bill as presently written, have the right to demand a trial by jury. An amendment guaranteeing a jury trial was defeated in the full committee with the use of proxies by a vote of 17 to 15. This amendment will be offered again on the floor by the gentleman from New York [Mr. MILLER]. Suffice it now to say that of all the civil rights we enjoy under the Constitution, none is more sacred than the right of trial by jury.

In this brief analysis, it is impossible to digest all of the obvious objections to this legislation or to forecast all of its insidious potentialities. Neither is it possible to make even a remote estimate of its probable cost. Even if the legislation were needed, it could not be justified from a fiscal standpoint at a time when the Congress, at the behest of the people, is striving to reduce Government spending. But the point is that the legislation is not needed. There is no civil right under the Constitution for the violation of which the Constitution does not already guarantee a remedy. Not only is there no need for additional legislation, but there is a great positive need for no legislation. In Government, as well as in private life, sometimes the best action is no action at all. In this period of social and cultural upheaval occasioned by the Supreme Court school integration decision, legislative action by the Federal legislature can only nurture the ill will, cultivate the prejudice, and inflame the personal passion on which the problem feeds and grows. This problem does not require legislation, police investigation, legal prosecution, or penal correction on the part of the Federal Government; rather, it requires on the part of the Federal Government patience, forbearance, and self-restraint. Never before has the Congress of the United States had such an opportunity to accomplish so much simply by doing nothing.

Mr. CELLER. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. DOWDY].

Mr. BROOKS of Louisiana. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN (after counting). Ninety-two Members are present. Not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 102]

Andresen, August H.	Fogarty	Multer
Anfuso	Friedel	O'Brien, Ill.
Arends	Garmatz	O'Konski
Ayres	Green, Pa.	Philbin
Bailey	Griffiths	Poage
Baker	Gubser	Porter
Barrett	Gwinn	Powell
Beamer	Harrison, Nebr.	Prouty
Belcher	Healey	Radwan
Blatnik	Hollfield	Rains
Bosch	Holland	Reed
Bowler	Holtzman	Rhodes, Pa.
Brown, Mo.	James	Rogers, Colo.
Buckley	Kean	Rogers, Mass.
Byrne, Ill.	Keeney	St. George
Byrnes, Wis.	Kelly, N. Y.	Schwengel
Cederberg	Keogh	Scott, Pa.
Chamberlain	Kilburn	Shelley
Chudoff	Kluczynski	Simpson, Pa.
Clark	Krueger	Smith, Wis.
Cole	Laird	Spence
Coudert	Lane	Taber
Cretella	Lankford	Taylor
Curtis, Mo.	Latham	Teller
Dawson, Ill.	McConnell	Tewes
Delaney	McCulloch	Thompson, La.
Dollinger	McGovern	Utt
Donohue	McIntire	Vorys
Dooley	Machrowicz	Wainwright
Dorn, N. Y.	Mack, Ill.	Westland
Durham	Miller, Md.	Widnall
Eberharter	Miller, N. Y.	Wier
Engle	Minshall	Wigglesworth
Fallon	Montoya	Withrow
Farbstein	Morano	Wolverton
Fino	Morrison	Zelenko

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 6127, and finding itself without a quorum, he had directed the roll to be called, when 321 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Texas [Mr. DOWDY] is recognized for 20 minutes.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. DOWDY. I yield to the gentleman from New York such time as he may desire.

Mr. ROONEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Chairman, I very much appreciate the courtesy and kindness of my distinguished friend, the gentleman from Texas [Mr. DOWDY], in yielding to me at this point.

I shall vote for the pending bill H. R. 6127 as written, and shall vote against all emasculating amendments including the so-called jury trial amendment. The bill in its present form would merely provide a minimum civil rights program and correct the most urgent needs of members of minority groups who have been treated as second-class citizens. It will provide protection against violence and give meaning to the right to vote in parts of the country where that right is now denied. I feel that the great majority of the American people support this legislation as written and without amendments and that it should be passed by the House after a fair time for full debate. What is guaranteed by the Constitution ought to be enforced.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Massachusetts.

Mr. MARTIN. I want to inform the House that the Republicans have a very important conference scheduled for the rest of this afternoon. While we do not want to interfere with the debate, because we believe it should continue as long as possible, we hope there will be no more points of no quorum made before the time for adjournment arrives.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield.

Mr. SMITH of Virginia. I wonder if the gentleman would like for the Committee to rise now and give us an extension of time on the debate next week on the bill.

Mr. CELLER. I cannot consent to that.

Mr. MARTIN. Would the gentleman consent to coming in at 11 o'clock, let us say, on Monday?

Mr. SMITH of Virginia. How about adding a couple of hours to the time for general debate?

Mr. CELLER. Mr. Chairman, I will yield more time to the gentleman from Texas, if he needs it, but would the gentleman yield to me now?

Mr. DOWDY. I yield.

Mr. CELLER. Would the gentleman from Virginia repeat his question?

Mr. SMITH of Virginia. I wonder if we might not agree on a couple of hours

general debate on Tuesday and wind the thing up.

Mr. CELLER. That is on condition that we adjourn now.

Mr. MARTIN. I would think it would be better to come in early on Monday and run a little later on Monday evening.

Mr. SMITH of Virginia. I would have to object to that.

Mr. CELLER. I would be willing to come in at 12 o'clock and have an additional 2 hours of debate on Tuesday, if we adjourn now, so as to accommodate the gentlemen on the Republican side.

Mr. MARTIN. I have no objection to that.

Mr. DOWDY. Mr. Chairman, I am sorry that I have lived to see the day that men representing the American people here in the Congress of the United States stand up and say that they would willingly deprive the American people of the right of trial by jury in any kind of case. Having listened to all of the debate that has gone on here and hearing things that have been said, I went back to my office last night and picked up a copy of the Declaration of Independence and read it once again. There I found a number of things which I will mention as we proceed that were indictments by the American colonists against King George—things that were proclaimed as reasons why we should have our independence. And we won our independence for those reasons.

Mr. Chairman, far abler and more eloquent men than I have addressed you. They have pointed out the inherent dangers in this bill. I will try not to be repetitious of the things that they have said as I proceed; but they have shown the effect that this bill could and would very likely have upon the American Nation in the way of prostitution of the American people to the whims of a politically appointed Attorney General.

Our words and our pleading may not produce a single convert to our way of thinking, but it certainly will not be possible in the future for any Member of Congress who is here to claim that he acted in ignorance if, after hearing what we have said, he persists in voting for this vicious and evil bill.

I am sorry that more of the Members are not here to listen, to be educated, and to understand actually what is happening to the American people, if this bill is adopted.

There was a housewife who attempted to install a can opener on the wall, but after several unsuccessful attempts she was not able to get it fixed up. So she went and got her glasses to read the directions how to put it on the wall. When she returned the can opener was already installed and the cook was using it. She asked her, "Now, how did you get this up? You have told me you cannot read." She said, "Well ma'am, when you cannot read you have just got to think." What we want to do is to try to think a little bit and see what is confronting us.

This is a fundamental issue, striking directly at whether we shall have government by men or government by law in this country. My philosophy of government calls for government by law. The proposed bill would set up a despot in the Attorney General's office, with a large corps of enforcers under him, and his will and his oppressive action would be brought to bear on American citizens, just as Hitler's minions coerced and subjected the German people. If we had a would-be dictator in this United States of America today, the first thing he would want would be the enactment of a bill such as this.

You have heard statements made continually upon the floor that this is a moderate bill. Let us see what this moderate bill does. This so-called moderate bill abolishes and sets aside State remedies and sets aside State courts to try cases, and it puts into law the preemption that we have been complaining about; namely, the Supreme Court trying to judicially legislate. Examples are the subversion case from Pennsylvania, and another was the teachers' case from New York, and others that have been called to your attention from time to time. It does that, and in addition it does away with the jury trial. It gives the Attorney General a secret police, or State police, and allows him to bring lawsuits against a private individual in the name of the United States, but for somebody else. He does not even have to get the consent of the person for whom he brings the lawsuit and even without the knowledge of that person. It is without the consent and without the knowledge of the person that the suit is brought in behalf of.

In addition to that, the State and local officials and ordinary citizens of this United States of America can be denied their fundamental constitutional rights, not only the right of trial by jury but their rights of free speech, free press, and free assembly, and they are deprived of their liberty or property, or both, without due process of law. That is a moderate bill?

Now, let us do some more thinking about it and see if some of the statements that have been made on the floor of the House by the proponents of the bill can be reconciled. The gentleman from New York [Mr. KEATING] before the Rules Committee, stated that 80 to 90 percent of the purpose of this bill is to do away with jury trials. That is the reason we have it here. He says if you take that out of it you have got but 10 or 20 percent of the bill left. Similar statements have been made by other proponents as they come here. Out of the other side of their mouths they say that this bill would deprive no one of a jury trial, and they try to rationalize it. And to the unthinking person their arguments might seem almost plausible. But you will remember one thing, in our Declaration of Independence one of the indictments against the English King was "For depriving us, in many cases, of the benefits of trial by jury."

Let us again examine statements various Members have made here on the floor and prior to the consideration of the bill, including the committee chairman and ranking minority member. They say this bill is not intended to, and will not, deprive any person of any right he now has. Now, in my book if a person now has a right to a trial by jury and this bill, if enacted, would destroy that right, then that person would be deprived of a right. There can be no question about it.

We have the means of testing the sincerity of their claim that this bill would not deprive a person of a right to trial by jury. We can find out whether they are sincere in that or not. The proponents insist it is not their intention to deprive anyone of a right now possessed. If they are honest and sincere about that, let them accept a slight amendment to the bill so that it will not take away the right of jury trial, and they will still have their legal aid society down there in the Attorney General's office without otherwise depriving any person of a right now enjoyed.

All they would have to do in two places in the bill, on pages 10 and 12, is to strike out the words: "the Attorney General may institute for the United States or in the name of the United States" and in place thereof insert "the Attorney General may institute, in the name of the aggrieved party or parties." Then they would not deprive anybody of a right they now have. There is the "gimmick" in the whole bill, as far as jury trial is concerned.

If they are not willing to make that change in the bill then it is their intention and their deliberate and willful intent to deprive people of a right they now have. That cannot be disputed.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Georgia.

Mr. FORRESTER. In other words, what the gentleman is saying is that if they do not wish to deprive of a jury trial all on earth they have got to do is to cut out the words "in the name of the United States."

Mr. DOWDY. And require the suit to be filed in the name of aggrieved party or parties.

Mr. FORRESTER. That being true, does not that prove completely to the point where there can be no argument to the contrary whatsover that the purpose must be to eliminate the right of trial by jury?

Mr. DOWDY. That is what I have tried to say in my statement. This will test the sincerity of the people who say this does not deprive anyone of a right he now has—whether they agree to that amendment.

Last Sunday, as you will remember, Stalin's successor as Russia's chief, Nikita Khrushchev, made his first appearance before an American radio and television audience. As you all know, he is the Secretary of the Russian Communist Party and he actually runs the whole show in the Communist world. Undoubtedly the only reason the Communists agreed to the radio and television interview was that they felt it would be a good opportunity to put over some Communist propaganda to the American people.

Khrushchev was almost plausible; but all good liars are almost plausible. It was evident throughout the interview that it was pretty well rehearsed. The Red chieftain predicted that our grandchildren will live under a Marxian-Leninist social system, in other words, a Communist dictatorship.

It would seem from such a statement that Khrushchev was aware of the current effort being made to undermine among other things our right of trial by jury, which is a cherished heritage of all Americans. An all-out effort has been made to brainwash the American people to accept this abrogation of the right of trial by jury by calling this bill a civil rights bill. It is better named a civil wrongs bill. It does not protect any civil rights; it destroys.

The Communist front organization of lawyers calling themselves the National Lawyers' Guild, if I have the name right, claim to be the author of one of the bills in the last Congress, one of these so-called civil rights bills; and, of course, the bill here is supported by the Communist Party and its news organ, the Daily Worker. It is also supported by the National Association for the Agitation of Colored People, as well as other Communist front organizations and Red sympathizers in America. If we are unable to defeat this montrosity, a long backward step will have been taken toward the loss of a right which was first acquired by English people 700 years ago, and Khrushchev's claim that our grandchildren will live under a Communist dictatorship will be brought much closer to realization; it will be closer to realization than you and I like to contemplate.

The civil rights issue is merely a conflict between those who believe in forcing all citizens to conform to the dictates of a minority group in such matters as personal associates and employees, and those who believe in free choice by the individual in those matters. Basically, when reduced to its simplest terms, this issue, which is caused by the two opposing philosophies of government, is the outgrowth of the theory that the State should be all powerful and the master of the citizen. This theory, of course, reverts back to the old idea of government before the American patriots enunciated a new theory of government as expressed in our Declaration of Independence and in our Federal Constitution, in which all power inheres in the citizens and the State is their servant. Unless we understand this fact we are likely to be confused by the real issue in this so-called civil rights proposition.

It is easy to be misled by arguments put out in its favor which are usually clothed in pious and humanitarian sentiments. But one needs only to remember that when one citizen can tell another group with whom they may associate, who they may employ, who their neighbors may be, and where they may work, and what work they may do, and this dictation is enforced by the courts and the police power of the State, then the police state is here. It is around our necks, and what we may have said cannot happen will have already happened, as I see it.

The object of the pressures being exerted in favor of the civil-rights legislation by administration officials, by politicians and by many organizations selfishly interested in the extension of Federal power and control is not, in my opinion, primarily to benefit minority racial groups but, rather, it is to further abridge the rights of the 48 States and to weaken our constitutional form of government in preparation for the day when the United States can be made into a dictatorship. The battle for the blessings of liberty are not won yet, as witness the controversy here in our struggle to preserve the right of trial by jury, which was first so laboriously won by English-speaking peoples 700 years ago, and granted in the Magna Carta, and this present effort of the disciples of an alien philosophy to bring about in our own United States the shortcuts in legal procedures which are used in dictator nations. Such departure from the letter and spirit of the Constitution is chargeable to the suspicion, hatred, intolerance and irresponsibility of a part of our own body politic which has a lack of appreciation for, and fails to understand the age-old struggle of mankind to achieve our present-day blessings of liberty.

It is imperative that all Americans take time for a searching reflection. Notwithstanding the contributions of American patriots through the centuries, the far-sighted wisdom of the Founding Fathers of our Nation, and the written guaranties of the Constitution, liberty is not necessarily our permanent possession. Both external and internal pressures constantly assail it. It is axiomatic that every generation, to keep its freedom, must earn it through understanding of the past, vigilance in the present and determination for the future.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CELLER. I yield the gentleman 5 additional minutes.

Mr. DOWDY. It is easier to know how to combat a foreign enemy who challenges our right to those freedoms, and thus prevent a sudden collapse of the things we hold dear, than it is to subject ourselves to daily analysis and discipline for the purpose of preventing the internal erosion that can, with even greater effectiveness, destroy them. That internal erosion is today trying to get in its deadly licks.

I could talk some more about trial by jury, but I am going to do that under the 5-minute rule when that question comes up, because there are some other points I want to get to, as time allows.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Pennsylvania.

Mr. FULTON. You see, some of us want the people of all religions and nationalities in this country to have the right to vote.

Mr. DOWDY. I thought the gentleman was going to ask a question and not make a speech. Will the gentleman please ask the question?

Mr. FULTON. I am. If that is the case and you do not think this is the correct method to obtain it, then what is the correct method to let these people vote?

Mr. DOWDY. Do you know of a single person denied the right to vote in the United States today? That challenge was made day before yesterday, and I reiterate it: There is no such situation existing in the United States. That is another reason why this bill is so silly.

Mr. FULTON. When I see Federal elections for various offices with only a few thousand votes, and a minor percentage, maybe 10 or 15 or 20 percent out of the total population voting, and then I am told that they cannot even vote, why, that is a situation which should not exist.

Mr. DOWDY. Just a moment. That is not unusual in a noncontested election.

Mr. FULTON. Or that Congressmen sit here elected by a very few votes, when I have to get elected by 180,000 to 200,000 votes very time.

Mr. DOWDY. Well, the population of my district is about 300,000 people, and all that are eligible vote if they want to.

Mr. FULTON. How many votes do you get out of that number?

Mr. DOWDY. There are usually 50,000 to 60,000 votes cast.

Mr. FULTON. Out of 300,000?

Mr. DOWDY. [redacted]

Mr. FULTON. [redacted] you think that is enough?

Mr. DOWDY. [redacted]ldren do not vote. They have to [redacted] years of age to vote in Texas. I do not know how old they have to be in your State.

Mr. FULTON. Twenty-one. Is not somebody left out?

Mr. DOWDY. Anybody that wants to vote can vote in Texas. There is no question about that. We encourage them to vote. And if anybody here can stand up and say they know of a single person that is denied a vote, I will take time out to answer that. But, obviously, you cannot do it.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Illinois.

Mr. MASON. Illinois permits everybody to vote that wants to vote; so does Pennsylvania. Yet, Illinois never votes more than 50 percent of their registered voters, and I do not think Pennsylvania does much better.

Mr. DOWDY. I thank the gentleman.

Mr. FULTON. I can correct that for Pennsylvania. We do it, and I think better, in my State, than that.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Texas.

Mr. DIES. Is it not a fact that in Texas, in the primaries, sometimes as many as a million and a half or two million people vote, and then in the general election about 500,000 vote?

Mr. DOWDY. That is exactly right.

Mr. DIES. But that is not because they are being deprived of the right to vote.

Mr. DOWDY. It is because they do not go down to the polls and vote. There is nobody depriving them of the right to vote. Many of our general elections are without contest, and the voters do not turn out.

Mr. BASS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. Why all this talk about Federal elections? There is

no such thing in America as a Federal election. Every one of us is elected as a representative of a State. There is no such thing as a Federal election. You do not even vote for President or Vice President. We vote for electors in the States, and they can vote for anybody they want to, so there is no such thing as a Federal election.

Mr. DOWDY. That may be right.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. In view of the statements which have just been made, I would like to give this information about voting in my own district, of which Atlanta, Ga., is a part. We had a runover election there about the middle of May, and I would like for some of these bleeding hearts who plead for the colored race to listen to this. In that election, which has been analyzed by the Metropolitan Voters Council, 76 percent of the registered colored voters voted in that election as compared to 36.2 percent of the white registered voters. I should like to give the gentleman one other figure. Since 1956 the registration of colored voters in Atlanta, Ga., according to this analysis, has increased 9 percent whereas the registration of white voters in Atlanta, Ga., has increased only 6 percent.

Mr. DOWDY. That illustrates the point. Of course, in our general elections in Texas ordinarily there is no opposition on the ballot which accounts for the fact, as indicated by the gentleman from Texas [Mr. DIES] that in a general election in Texas there may not be more than half a million votes cast in the general election, though 3 or 4 times as many may be cast in the primaries.

The CHAIRMAN. The time of the gentleman from Texas [Mr. DOWDY] has again expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I am sorry, I cannot yield further at this time. I do want to proceed a little more with my statement, I think it is more important that I do so.

There is another provision in this bill that I think is just as dangerous and just as bad as the denial of the jury trial and that is the provision on page 10 and again on page 12, which says that these proceedings shall disregard entirely whether or not the aggrieved party shall have exhausted any administrative or other remedies that may have been provided by law.

Much of the debate and much of what I have said has concerned the jury trial but another point of at least equal importance has to do with the bypassing of the State courts and taking everything directly into the Federal court. That is contrary to the intent of the United States Constitution and reminds us of another of the indictments against the English King in our Declaration of Independence which stated:

He has combined with others to subject us to a jurisdiction foreign to our Constitution and unacknowledged by our laws.

And this further:

For abolishing our most valuable laws and altering fundamentally the forms of our Government.

I would say that Miss Liberty sitting in the harbor in New York is shuddering on her pedestal over what might happen to the United States if this particular bill ever becomes law.

Mr. Chairman, I have talked too long already. I have gotten hoarse, although I have not taken as much time as I should have liked, because there are so many things that need to be said about this. But I trust and hope that if this monstrous bill is to be stuffed down the throats of the American people, we may at least have the amendments approved to preserve the right of trial by jury and wipe out that part of the bill that would destroy the States, the State courts, and the State remedies; and also that the Attorney General should be requested at least to have the consent of the person against whom he files suit before he files suit.

I will hope to discuss other dangers inherent in this bill under the 5-minute rule.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SANTANGELO].

Mr. SANTANGELO. Mr. Chairman, I am sorry the previous speaker refused to yield to answer a question.

Mr. DOWDY. Mr. Chairman, I will answer any question now, but I did not have the time before.

Mr. SANTANGELO. He challenged this body to produce evidence of any section of the country which denied people the right to vote. I am not a member of the committee which listened to the testimony, but I thumbed through it in the last few days and I came across some testimony before the committee to which I should like to call your attention. Let me say this: That when the testimony was presented to the committee, they had an examiner on that committee from Georgia who explored every facet of the charges or the statements that were made. There was no questioning as to this witness. I say the witness was Mr. Wilkins. Let me read the testimony. When they asked him whether there was any evidence of people being denied the right to vote, he testified as follows:

Prior to the 1954 election, we received firsthand reports on how prospective voters were intimidated. Perhaps the most impressive of these accounts came from a man who said that after he paid his poll tax he was called in by his employer. The employer ordered him to tear up the poll-tax receipt and stay away from the polls on election day if he wanted to keep his job. When the man complied, the employer added as he was leaving, "You had better not tell anyone I made you do this because I don't want the FBI after me."

This happened in the great State of Mississippi, where over 16,000 Negro citizens were there, and only 147 were registered voters. Is that an accident, or is it something which the Commission and the Attorney General should investigate? That is what we want.

This is on page 424 of the record of the hearings. The testimony was by Mr. Wilkins of the NAACP, an organization which some of the Southern States have sought to outlaw—yes, laugh if you will, but that is a sad and serious situation, when you can laugh at civil rights. Mr. FORRESTER is one of the great men on that committee, and he is here now. I read where he cross-examined many witnesses, and I read the testimony how he cross-examined, yet there was not a statement and nary a word from him contradicting such testimony.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield there?

Mr. SANTANGELO. Yes.

Mr. FORRESTER. I happen to remember very well what the gentleman was talking about. The gentleman is a lawyer, is he not?

Mr. SANTANGELO. It is presumed I am.

Mr. FORRESTER. We will certainly operate on that presumption.

Will not the gentleman be kind enough to admit that the charges made by the head of the NAACP were strictly hearsay and opinionated and as far-fetched charges as you have ever heard?

Mr. SANTANGELO. I do not so agree.

Mr. FORRESTER. Will the gentleman not agree as a lawyer that none of that testimony would have been admissible in any court of the United States?

Mr. SANTANGELO. If you took that position as a standard, 75 percent of this testimony would not have been admitted into evidence.

Mr. FORRESTER. I tried to urge that, and I could not get that fact over.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORRESTER. Mr. Chairman, I yield 1 additional minute to the gentleman from New York.

Now let me ask the gentleman this: Did the gentleman continue to read that record?

Mr. SANTANGELO. I read 400 pages of it.

Mr. FORRESTER. Is it not true that in the 84th Congress not one opponent was allowed to appear and testify?

Mr. SANTANGELO. I do not know. I was not on the committee, and I am not in a position to testify as to that.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from New York.

Mr. CELLER. I do not think that is a very fair statement at all.

Mr. FORRESTER. It is a correct statement.

Mr. CELLER. We heard everybody that wanted to be heard before the committee, without question.

Mr. FORRESTER. I want to say here and now that our distinguished chairman erroneously thought I was talking about the 85th Congress.

I asked a question of the gentleman and I want him to answer it. Has he read the record?

Mr. SANTANGELO. I read 400 pages of it.

Mr. FORRESTER. Is it not true that not one opponent was allowed to testify before that committee in the 84th Congress.

Mr. SANTANGELO. I know that I read some of your testimony where you opposed the bill.

Mr. FORRESTER. No, you did not; in the 84th I did not testify.

Mr. SANTANGELO. Not in the 84th, but in one of the records you testified—in the 85th. I was not in the 84th Congress. I do not know.

Mr. FORRESTER. You read the record?

Mr. SANTANGELO. Four hundred pages of it.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from Pennsylvania.

Mr. FULTON. The gentleman from New York has brought out a very good point, that when people cannot register or vote and are not allowed on the rolls, there is then a small registration of voters according to the total population, who control everyone. Is that not the case in the areas about which the gentleman is talking?

Mr. SANTANGELO. It is, certainly, in the great State of Mississippi, as in the other poll-tax States, less than 5 percent of the citizens are permitted to register and vote.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield to me for a minute?

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia.

Mr. FORRESTER. I would like to ask the gentleman if this is not true. Is it not true that for the first time this year in the 85th Congress, the gentleman from New York [Mr. CELLER] did something no one else has ever done—he permitted the opposition to come in and testify; is that not true?

Mr. SANTANGELO. It may be so that he did that for the first time; I do not know.

Mr. FORRESTER. It is so.

Mr. SANTANGELO. I think it was quite proper for him to call upon both sides to testify before the committee.

Mr. FORRESTER. Let me ask the gentleman this: Did the gentleman read the testimony of the Governor of the State of Mississippi where he branded every one of those charges as absolutely untrue and challenged them to come in and prove their charges, and they did not prove them—they were as silent as the tomb? Did you read that?

Mr. SANTANGELO. Did I read his testimony?

Mr. FORRESTER. Yes, sir; did you read his testimony?

Mr. SANTANGELO. I did not read his testimony.

Mr. FORRESTER. I want to tell you that this is the record, and I just wanted to get that cleared up.

Mr. SANTANGELO. But the question is that there is no doubt about the fact that of 16,885 Negro citizens, 147 Negroes were registered, and of 10,000 white people, over 5,000 were registered. Why is that a fact?

Mr. FORRESTER. Would the gentleman want me to answer that? I will be very happy to do so.

Mr. SANTANGELO. Yes, I wish the gentleman would explain how less than 5 percent of Negroes in the great State of Mississippi are registered whereas in other States, where they do not have these situations of poll taxes and pressures, from 40 to 50 percent are registered citizens.

Mr. FORRESTER. I will be very happy to tell you, sir.

Mr. SANTANGELO. Do they not have the $1.75 poll tax?

Mr. FORRESTER. They register when they want to register. But, let me give you a little bit of history. In Mississippi and in Georgia, they did not want to vote for years because they called themselves Republicans and we do not have anything down there but the Democratic Party. It is a new thing with them, but they are coming on by leaps and bounds. In Atlanta, Ga., the other day 74 percent of the Negroes voted in the election and only 31 percent of the whites. What do you think of that?

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield.

Mr. FULTON. I was pleased to hear my friend say that in some counties and townships where 90 percent of the Negroes are not registered to vote, that actually 90 percent are Republicans according to your statement. Then only 10 percent are Democrats.

Mr. FORRESTER. No; I did not say that.

Mr. FULTON. Then 10 percent of Democrats are running the local area against 90 percent of Republican American citizens. Do you think that is right? Of course, it is not right.

Mr. FORRESTER. The gentleman is willfully misconstruing what I said. Eighty percent of them just cannot decide what side they are on.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NIMTZ. I yield 10 minutes to the gentleman from New York [Mr. RAY].

Mr. RAY. Mr. Chairman, before coming to the amendment I intended to discuss, I would like to have the attention of the chairman of the Judiciary Committee and the chairman of the Rules Committee pertaining to the subject that those gentlemen are to discuss on next Monday. It seemed to be agreed by all who debated the question as to whether we now have a jury trial in contempt proceedings, that there had been a jury trial provided under the Norris-La Guardia Act, which was in force from 1932 to 1947. There was also debate as to whether or not that continued in effect after 1947. My question is, When that Norris-La Guardia Act was adopted——

Mr. CELLER. It was adopted in 1932, and it is in effect today, but as to the Taft-Hartley Act, as I said before, the Taft-Hartley Act in its provisions waived all the provisions of the Norris-La Guardia Act.

Mr. RAY. I am talking about the period between 1932 and 1947. Trial by jury was a part of the procedure during those years?

Mr. CELLER. Yes; but not where the Government was a party.

I think you forgot to state that the National Labor Relations Act was passed in 1935, and the National Labor Relations Act also waived provisions of the Norris-La Guardia Act.

Mr. RAY. I did not recall that being mentioned in the debate. But, at any rate, there was a time when trial by jury became a part of the procedure?

Mr. CELLER. But it only referred to those cases that originated under the Norris-La Guardia Act. It was limited to those cases.

Mr. RAY. There was a time, call it experimental, if you like, but there was a time when there was a trial by jury.

Mr. CELLER. That is correct.

Mr. RAY. Now, conceding that that is no longer a part of the procedure, that trial by jury is not applicable to anything today under these laws, what is the reason why another experiment should not be made, even though there is nothing like it in any of the other laws in which injunctions may issue? I did not expect to raise that for discussion today, but I think it is of interest to a number of people here, and that it might be dealt with on Monday.

Mr. CELLER. If you care to have me answer it now, I will answer it briefly.

There is no need for that inclusion of the exception now. There was need for it in 1932 because of the history of what we then called "government by injunction." The courts undoubtedly abused their rights, and the country was in outcry against the many unjust injunctions that had been issued by district courts throughout the length and breadth of the land against labor. The Congress then took cognizance of that situation. Now, after passing that act, if we find that the courts abuse their powers in the granting of injunctions, I would be the first to come into the well of the House and proclaim with all my power that we should take away that power of injunction from the courts, just as I did in 1932 when there was that abuse. I spoke as strongly as I could about putting restrictions upon the courts.

Mr. RAY. As I understood it, that means that in 1932 it was your view that the circumstances required a trial by jury remedy?

Mr. CELLER. I think so.

Mr. RAY. Under present circumstances you think trial by jury is not required in this law?

Mr. CELLER. I do not think we have reached that point. The Russians have a saying: You should never roll up your pants until you get to the river. When we get to the river and we find that there are abuses, I would be the first, as I say, to demand a change and that restraints be placed upon the judiciary with reference to the issuance of injunctions.

Mr. RAY. I think that clears up one point for me. Instead of dealing with the queston of what is in the law, we are dealing with the question of what should be in the law, and in the gentleman's judgment this change is not needed at this time.

Mr. CELLER. Right.

Mr. RAY. Others may say a remedy is required, but that is the question at issue in the case.

Mr. CELLER. That is correct.

Mr. COLMER. I wonder if the gentleman would yield to me briefly?

Mr. RAY. I yield to the gentleman from Mississippi.

Mr. COLMER. If I understand the gentleman from New York [Mr. CELLER] he would prefer to wait until abuses occur before he seeks a remedy. Now I am asking my friend from New York if he does not think it advisable, particularly under the philosophy of the gentleman from New York [Mr. CELLER] in 1932, that we should provide that safeguard in the bill now rather than wait for the abuse to occur?

Mr. RAY. If the gentleman will let me act on advice I have had from the chairman of the Judiciary Committee, I will not roll up my trousers on that one until the debate on Monday.

The amendment in which I am interested touches somewhat the issue which has been discussed today; in part it is quite different. There seems to be general agreement that one of the principal purposes of this civil rights bill is the grant of authority to the Federal courts to issue injunctions without regard to administrative or other remedies.

The amendment I propose would strike out those words "or other" which would let the courts disregard administrative remedies. It seems to me they are not applicable to the kind of problem presented when you have a question of interference with the right to vote. My amendment would let the Attorney General waive those, but would not let him disregard judicial remedies.

For that purpose I would add a sentence at the end of section 121 and at the end of section 122 to this effect:

> The district courts shall not exercise jurisdiction in proceedings authorized by this section if a plain, speedy, and efficient remedy may be had in the courts of the State or Territory in which the party aggrieved resided at the time the cause of action arose.

I think the meaning of that must be apparent to all who hear it even for the first time. If there is a plain, speedy, and efficient remedy in the State courts there is no occasion in my judgment for any suit to be carried on in the Federal courts.

There is precedent for this sort of treatment of a constitutional question which has been on the books for more than 20 years. Back in the 1910's and the 1920's rate regulation became general for public-service companies, prices were rising, and companies were having difficulty in making the necessary earnings. Rate commissions were having difficulty in justifying orders increasing rates.

Mr. NIMTZ. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. RAY. Mr. Chairman, the utilities went into Federal court claiming confiscation, deprivation of property without due process of law. That caused a lot of trouble. Finally Congress enacted section 1342 of title 28, United States Code, that in such cases the company might not maintain its suit in Federal court if a plain, speedy, and efficient remedy existed in the State courts. Thus the Federal court decided at the threshold whether there was such a remedy; and if there was such a remedy the case went to the State court. If not, it continued in Federal court.

That gave each State that wanted to exercise its sovereignty and retain jurisdiction over cases of that sort the opportunity to do so. Where the States did not take that action the remedy existed in the Federal court.

I think that example can be applied in this case. It would preserve the sovereignty of the States, it would assure that there was a backing up remedy in the Federal courts if the States did not so act.

The amendment has a broader implication. There is an established doctrine that when Congress preempts the field it excludes State action. Should this bill be enacted in its present form I do not know how far it would be held to preempt the field and render inoperative the State statutes that exist in many States and under which there are adequate remedies for any interference with the right to vote.

Mr. Chairman, I will say more about this when the bill reaches the amendment stage. I hope you will all be interested and will look into it.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. RAY. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I have been following the gentleman's statement with much interest. Some of us feel that time is of the essence in this matter. Has the gentleman given consideration to how much delay there might be if primary consideration had to be given to the question as to whether the State remedy is adequate or not?

Mr. RAY. It has not caused serious delay. It has worked well in the cases I have spoken about. All it takes is a paragraph in the pleading or in the bill of complaint. The Attorney General, starting a case in Federal court, would allege that no plain, efficient, or speedy remedy was available in the State court. The issue would be raised, and that question would be decided at the threshold. It would not take separate litigation.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. RAY. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Would the determination by the Federal court as to whether there was at the State level an adequate, speedy, and efficient recourse be based on existing statutes or laws or would it be based on the record of performance of the State courts or other agencies?

Mr. RAY. All of the things the gentleman mentioned can be taken into account by the Federal court.

Mr. JOHANSEN. I have in mind the allegation, I am not passing judgment on it, that justice cannot be secured by someone in certain State courts in the matter of the protection of the right to vote. I am wondering if that aspect of the matter would be weighed by the Federal court in making its determination?

Mr. RAY. I think the gentleman will find in the precedents appearing in the books that whether a remedy exists under State laws depends on the decisions, the course of decisions, as well as on the statutes.

Mr. JOHANSEN. That is, previous decisions?

Mr. RAY. Yes; and current decisions.

Mr. CELLER. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, H. R. 6127 would create in the executive branch a so-called Civil Rights Commission composed of six members with power to investigate allegations that citizens are being deprived of their right to vote by reason of their color, race, religion, or national origin. This Commission would be empowered to study and collect information concerning legal developments constituting a denial of equal protection, and appraise the laws and policies of the Federal Government. In addition to this grant of investigative authority, which more appropriately falls within the jurisdiction of the Congress, the Commission would have subpena power which is given to few committees of the House of Representatives. The Commission would be empowered to employ an unlimited number of personnel, and up to 15 voluntary and uncompensated persons.

H. R. 6127 provides for an additional Attorney General in the Department of Justice, and would empower the Attorney General to institute in the name of the United States civil actions or other proceedings for preventive relief, including injunctions, restraining orders, and other orders. The United States would be liable for costs the same as a private person, and it would not be necessary for a complainant to exhaust his administrative remedies. Proceedings could be instituted by the Attorney General against any person who has engaged or is about to engage in any act of practice to deprive another of his voting rights.

This bill provides that a Commission is to be created to make a study and to obtain information regarding so-called civil rights. Although the purpose of the study is to obtain information, before there is any finding or recommendation by the Commission it is further proposed that the Attorney General be granted the unprecedented power to ignore the existing rights of the States by instituting such proceedings as he considers appropriate for preventive relief without the consent of the private party who is presumed to have been injured. Such proceedings would be instituted in the name of and at the cost of the United States and the party against whom the action is taken would be denied the right of a trial by jury. This unprecedented authority is being requested by the Attorney General in the name of making a living reality of the pledges of equality under law which are embodied in the Constitution, without reference to article III, section 2, of the Constitution, which provides that the trial of all crimes, except in cases of impeachment, shall be by jury.

We are proud that we have a government of law rather than a government of men, yet this bill would create a Commission which would apparently establish its own rules without statutory restriction, while using subpena powers

and employing uncompensated personnel. The testimony clearly indicates that the protection of the rights of the individuals who are to be brought before this Commission would be entirely dependent upon the caliber, judgment, and motives of the men to be appointed to the Commission. It is difficult to understand the reasoning of those who express their willingness to place their complete trust in a group of men serving on a Commission while at the same time they question the integrity of American juries and State judges. When questioned about the extremists who might be employed as uncompensated personnel by the Commission, the Attorney General indicated that this would enable the Commission to employ an outstanding expert who would not want to take pay from the Government because there might be a conflict of interest. This statement would indicate that this bill also carries with it a built-in exception on conflict of interest in the employment of uncompensated personnel by the Commission.

Eleven States were sufficiently concerned to send their representatives to testify before the House Judiciary Committee. Eight States were represented by an attorney general of the State and two States were represented by an assistant attorney general. Without exception, each State attorney general and assistant attorney general was opposed to this legislation. These proposals were viewed by them as an unwarranted centralization of power, and both unnecessary and undesirable. State officials took the position that the distrust of State governments, of State law, and of the State judicial processes implicit in the proposals were not deserved.

The Constitution of the United States and the statutes already existing provide every remedy and protection that any citizen of the United States could rightfully desire. As the minority report states, the existing statutes are broad enough to cover not only an action for damages, but include preventive relief in equity with the right of the court to grant an interlocutory or permanent injunction. I am glad that the existing law is not sufficiently broad to dispense with a trial by jury. I am also glad that existing law does not give to any Federal official authority to represent selected complainants at the taxpayers' expense while at the same time denying equal protection to defendants who are presumed under existing law to be innocent. The minority report points out that under the proposed legislation the Commission might subpena 10 or 15 witnesses for a complainant to appear at a remote location, with the Government paying travel and per diem allowances. At the same time, the defendant who is presumed under law to be innocent, would be required to appear at the same remote location at his own expense with the responsibility of getting his own witnesses and paying their expenses.

Not only would this proposed legislation establish a commission to investigate allegations that citizens are being deprived of their right to vote by reason of their color, race or national origin, but H. R. 6127 adds "religion." The minority report points out that the word "religion" was struck from the bill which appeared as a committee print on February 28, 1957, but reappeared in H. R. 6127. I am unaware of any testimony in the recent hearings of the Judiciary Committee which indicates that any citizen has been deprived of any right due to religious belief. In fact, the minority report states:

> In the hearings that have been conducted before the House Judiciary Committee over a period of many years, we have been unable to discover a single line of testimony from any individual appearing in person and on his own behalf contending that such person's civil rights had been abused.

Since America is universally recognized as a land of freedom, and recognized above all for religious freedom, I am unable to understand this effort to include religion in this proposed legislation. The inclusion of religion appears to be contrary to the first amendment of the Constitution, which states that Congress shall make no laws respecting an establishment of religon, or prohibiting the free exercise thereof. Inherent in the thinking of the individual American is the conviction that every citizen has a right to the enjoyment of religious freedom, and the inclusion of the word "religion" in this bill is inappropriate.

Also, inherent in the thinking of Americans is the belief that every accused person is entitled to justice in our courts, and the conviction that justice is safeguarded through trial by jury. The framers of the Constitution of the United States were intent upon preserving the right of trial by jury when they provided in article III, section 2, that—

> The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

It is inconceivable that the proponents of this legislation could conclude that the vast majority of Americans would be willing to accept less than a trial by jury for an accused person where human rights are concerned than they have been willing to accept for the adjudication of property rights. Yet, practically every State in the Union has provided for a trial by jury in eminent domain cases, while this effort is being made to abolish trials by jury in these cases involving human rights.

The proponents of this legislation seek to abolish trial by jury by bringing actions in the name of the United States rather than in the names of private parties. The purpose of section 3691 of title 18 of the United States Criminal Code is to provide that in contempt cases the accused, upon demand therefor, shall be entitled to trial by a jury, and to conform as near as may be to the practice in other criminal cases. Since this section does not apply to contempt committed in the presence of the court or suits brought or prosecuted in the name of the United States, an effort is being made to have the United States Government engage in the private practice of law for the specific purpose of avoiding jury trials. Section 3692 of title 18 of the Criminal Code, which follows the section I have mentioned, also clearly sets forth previous thinking covering judicial procedure in contempt cases. This section provides that, in all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

There was good reason to provide for trial by jury in contempt cases growing out of labor disputes when the Norris-La Guardia Act was passed, just as there is good reason for providing for a trial by jury in contempt cases growing out of this proposed legislation. I was for trial by jury in contempt cases growing out of labor disputes when the Norris-La Guardia Act was passed, just as I am in favor of a guaranty of trial by jury in contempt cases growing out of so-called civil-rights cases. Trial by jury is a minimum and necessary guaranty for the individual in both cases. We cannot vary the right to trial by jury on the basis of the subject matter of a dispute. The question is one of guaranteeing justice to the individual, and justice is determined through guilt or innocence and not by the nature of the dispute. The accused are entitled to their day in court for contempt cases growing out of labor disputes and for contempt cases growing out of so-called civil-rights cases. To the American people, this day in court in both cases means a trial by jury.

To dispense with jury trials in the proposed legislation is contrary to the Constitution of the United States, existing statutory authority, and the inherent conception of American justice.

Mr. NIMTZ. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Chairman, I realize the lateness of the hour and the small number of Members here. In the short time I have been here my colleagues have told me of the adage that little influence is exerted in the speeches we make. So I say to you that maybe I am speaking only because I do not want silence to be misunderstood to mean that the people of the city that we affectionately call Big D and the folks of Dallas County are voiceless on an issue like this. I do hope in passing maybe 1 or 2 things I say will have some merit to you.

In the first place, I am not a lawyer. Still, I have great respect for the things I have heard. I feel that what I lose in technicalities I might replace by grassroots impressions of this bill.

I am not going to belabor you with a lot of detail. I am taking the bill, and that is all I have here, and run quickly through it and pick out some of the things the man on the street may have to say; and I feel that maybe some of you will feel there is merit in this position. First of all, I would say in observing this bill, as much as the bill last year, this is not a racial bill at all. This is a political bill. I do not think anybody here on either side of the aisle can truthfully say, no matter how concerned they

may be about civil rights, that there is not a lot of politics involved. Insofar as to the degree that we use politics to solve this problem, I believe we will all agree that that will not be as good a solution as we could have worked out. So far as civil rights goes, everybody is for civil rights just as we are all against sin. There is no question about that. Last year, I might say to you, when I speak of the political implications in this, I did not sign the southern manifesto which was put out—again in the independence of my position; because some of my colleagues who signed that and appealed to the people of the Nation, saying here was a great States rights violation, very frankly, as I understood the voting records, they have not stood up so firmly for States rights on other issues other than the civil-rights issue. So I probably am a misfit on both sides of the aisle to some degree. Maybe what I lose in a lack of camaraderie I may gain in compensation by some independence. Now, as I look at the bill, it looks more like a violation of civil rights than it does a solution of the civil-rights problem. First of all, let us speak about the Commission. I understood that a Commission is to be set up to study possible violations of civil rights so that out of that august body's findings legislation can be suggested. What do we have? We find the two together. We have legislation which was to follow the wisdom of the Commission's findings in the same bill with the Commission. Obviously, the Commission is to have God-like wisdom.

Passing on to page 4, I refer now both to this bill and the bill of last year. I have listened to as much of this as possible and the same was true last year. We made some changes from last year's bill which the gentlemen from New York, both the majority and the minority leaders of the committee have very excellently explained to us. I think I understand them. First of all, many of us are concerned about the subpena privilege of this Commission because anybody at the drop of a hat could go anywhere at his own expense, on his own time, for any distance and meet the wishes of the commission. What did we do? We cut back the distance traveled. Does that make any difference? How about the civil rights of the fellow who has to travel on his own time, which makes it all the worse, to meet the wishes of the commission. In any event, who is going to repay him. How about his civil liberty too?

Allegations are now to be made in writing. Do you recall the debate last year when the proponents of the bill did not feel there was anything wrong in not having a bill of particulars and the gentleman from Texas pointed out to us that having the allegations in writing this year, they have seen the light and put it in the bill. Also, they have taken out the matter of unwarranted economic pressure. I mention those two things for this point. They have left in religion. Could it be that if they had given any further thought to the bill an amendment might cause them to think that just as they amended it from last year in these other instances, they might agree to strike out religion too. There are only two subjects in our lives today that are not broadly touched by Federal law. I think one is the church and the other is our children's education.

Let us look here at page 6. Let us look at the top of the page. I am just going through the bill. Anyone of you who has the bill can follow me. On page 6, paragraph No. 2 it says: "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution."

I stood here, which is one of the few times I have taken the floor, to unfold to you the evidence before our committee last year which frankly shocked me, when I saw the evidences of brutality—the pictures of men being beaten almost to death with the police standing nearby in labor dispute and the police not taking a hand. I simply ask you—is that civil rights? Why have not my colleagues and friends from the North had something to say about civil rights in this matter of labor violence? I am certainly not afraid to mention it. I will do what I can to see civil rights protected.

Let us pass down on to the bottom of the page, where the bill provides that the Commission may accept and utilize services of voluntary and uncompensated personnel.

Think of that a minute. I am no attorney—but what contractual obligation is there between a person working for the Commission in this case and the Commission itself? Would you hire anyone in your office without pay? Where would be the loyalty? Would there be any contractual agreement between you? Even the people we hired at a dollar a day get that dollar a day. I will not labor that point further, but I just want to ask you these rhetorical questions. Now the number of people are limited to 15. I wonder why the number is limited to 15? If more than 15 were wrong, is it not equally wrong that we have 15? Why have any voluntary and uncompensated personnel? On the next page there is a penalty where there is a refusal to obey a subpena, and a man can be taken to jail without a jury trial. When a man is in jail and has not had a jury trial, how about his civil liberties?

On the top of the next page, I see we are going to appropriate money, so much as may be necessary.

In the next part we are going to add people, as many as are required to administer the Attorney General's business, an unlimited number.

At the bottom of the page I want to quote this and see how it sounds to you, as it will to constituents.

> Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs first, second, or third—

And then go back and read the paragraphs. I simply wonder if there is anything in our lives that cannot be fully covered by this particular clause. Where, then, are our civil rights, if the Commission or the Attorney General wants to file suit for any reason under the sun?

Then, at the bottom of page 10, the bill speaks of civil rights, including the right to vote. I want at this point to ask where anyone has outlined civil rights, if you take out the right to vote? How much has been said to us about other civil rights? What civil rights?

Then we go to part IV, and that bothers me particularly. This matter of States rights. I will be glad to put up my voting record against anyone in the matter of States rights. I want to preserve those rights. As I say, there is only one reason the Communists could not by subversion take over our country. The reason is the balance of power between State and Federal. There is no centralized voting, there is no central landownership, there is no central police power in Washington, but it is decentralized through the 48 States. But we will have none of these things if we transfer our power to the Federal Government, through tampering with our States voting law because then we will lose our State balance against Federal Government.

Then, on the last page, is spelled out how any taxpayer, through the use of his own money, can be sued by Uncle Sam. I ask you how is the fellow who is innocent going to be protected? Who is going to pick up the tab for him? Suppose he is declared innocent, after he has engaged an attorney and paid for all the costs; if he is not guilty, what does he get out of this? Who repays him?

I can understand why some attorneys may not be too concerned about this bill, because either way I think they will have more business. Those of us who do not enjoy a legal practice cannot appreciate the situation. To us it is a bad bill. We cannot appreciate the attorneys who say it is a bad bill, in not speaking out on the floor.

It seems to me we can kill more civil rights than we protect. Talk about a jury trial. It will be difficult to explain to anybody back home why you are against jury trials if that is passed.

Mr. COLMER. Mr. Chairman, I make a point of order.

Mr. ALGER. Would the gentleman withdraw that? I am almost finished.

Mr. COLMER. Yes; I will withhold it for the time being.

Mr. ALGER. Finally recognizing what the Supreme Court has done to us, I wonder what will be the construction of congressional intent when we on this floor have this great difference of opinion as to what we are actually trying to do, what the law actually means—I simply wonder what the Supreme Court will do to us now when they construe this bill later on, as to congressional intent.

Mr. COLMER. Mr. Chairman, I did not want to interrupt the gentleman from Texas, but I do think we should have a quorum present, and I make the point of order that a quorum is not present.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The question was taken, and the Chair being in doubt, the Committee divided and there were—ayes 28, noes 38.

So the Committee refused to rise.

The CHAIRMAN. The Chair will now count for a quorum. [After counting.] Eighty-two Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 103]

Andresen, August H.	Fogarty	Morris
Anfuso	Frelinghuysen	Multer
Arends	Friedel	O'Brien, Ill.
Ashley	Garmatz	O'Hara, Minn.
Ayres	Gray	O'Konski
Bailey	Green, Pa.	Osmers
Baker	Gregory	Philbin
Barden	Griffin	Pillion
Barrett	Griffiths	Poage
Beamer	Gubser	Porter
Belcher	Gwinn	Powell
Blatnik	Harden	Prouty
Bolton	Hays, Ohio	Rabaut
Bosch	Healey	Radwan
Bow	Hoffman	Rains
Bowler	Holifield	Reed
Breeding	Holland	Rhodes, Ariz.
Brown, Mo.	Holtzman	Rhodes, Pa.
Buckley	Horan	Riehlman
Byrne, Ill.	Jackson	Rogers, Colo.
Byrne, Pa.	James	Rogers, Mass.
Byrnes, Wis.	Jenkins	St. George
Cederberg	Jensen	Schwengel
Chamberlain	Jones, Ala.	Scott, Pa.
Chiperfield	Judd	Scrivner
Christopher	Kean	Shelley
Chudoff	Keeney	Simpson, Pa.
Clark	Kelly, N. Y.	Smith, Wis.
Clevenger	Keogh	Spence
Corbett	Kilburn	Stauffer
Coudert	Kirwan	Taber
Cramer	Knutson	Taylor
Cretella	Krueger	Teague, Tex.
Cunningham, Nebr.	Laird	Teller
Curtis, Mass.	Lane	Tewes
Curtis, Mo.	Lankford	Thompson, La.
Dague	Latham	Utt
Dawson, Ill.	LeCompte	Vinson
Delaney	McConnell	Vorys
Delay	McCulloch	Vursell
Dempsey	McGovern	Wainwright
Dixon	McIntire	Westland
Dollinger	McIntosh	Wharton
Donohue	Machrowicz	Widnall
Dooley	Martin	Wier
Dorn, N. Y.	May	Wigglesworth
Eberharter	Miller, Md.	Williams, N. Y.
Fallon	Miller, Nebr.	Wilson, Ind.
Farbstein	Miller, N. Y.	Withrow
Fino	Minshall	Wolverton
	Montoya	Zelenko
	Morano	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 6127, and finding itself without a quorum, he had directed the roll to be called, when 275 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

PROGRAM FOR NEXT WEEK

Mr. KEATING. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Chairman, I should like to inquire at this time of the majority leader as to the program for next week.

Mr. McCORMACK. Mr. Chairman, beginning on Monday the consideration of the pending bill will be continued until that bill is disposed of. Of course, on Wednesday next there will be no session, in accordance with the unanimous-consent request heretofore granted.

If the civil rights bill is disposed of in time next week—you notice my words of qualification, limitation, and guarded-ness—there will be other bills brought up. They are:

The conference report on the third supplemental appropriation bill, H. R. 7221.

H. R. 6974, to extend the Agricultural Trade Development and Assistance Act.

S. 469, relating to the termination of Federal supervision of the Klamath Indians.

H. R. 7168, the Federal Construction Contract Procedures Act.

I make the usual reservation as to conference reports and that any further program will be announced later.

Mr. HALLECK. May I ask if the conference report on the third supplemental appropriation bill is in agreement?

Mr. McCORMACK. No; there are two matters in disagreement. There is one on the disaster insurance and the other on the tungsten.

Mr. HALLECK. Would it be expected that in all probability there will be a separate vote had on those matters that are in disagreement?

Mr. McCORMACK. I would expect that there would be a separate vote. We may take 2½ or 3 hours to dispose of that.

Mr. HALLECK. And as I understand it that conference report would not come up until the consideration of the pending measure is concluded?

Mr. McCORMACK. Nothing will come up until the consideration of the pending bill is completed.

Mr. CANFIELD. The gentleman referred to disaster insurance. Does the gentleman mean flood insurance?

Mr. McCORMACK. Yes; that is what I have in mind.

Mr. ASHMORE. Mr. Chairman, I yield 15 minutes to the gentleman from South Carolina [Mr. HEMPHILL].

Mr. HEMPHILL. Mr. Chairman, I want to join those gentlemen who on yesterday spoke in favor of a jury trial. I do not think any words of mine could add to the wisdom of their argument, but I do think it might be well to make one observation. While the judiciary was set up under the Constitution as a branch of the Government, the Congress has the power to set up the district courts. The Congress has the inherent power to prescribe for these district courts the rule by which these courts shall operate. If the Congress of the United States has the power to legislate, and if the Congress of the United States has the power to prescribe the rules for the courts of this land, as it does, then the Congress has the right to write into any legislation the right to a jury trial. So, it is a question of whether you believe in a jury trial and whether or not this fair way of deciding issues shall be put into this legislation.

But, I want to address myself to one other point which I think should be brought to the attention of the House. This legislation, insofar as I can determine, is the most dangerous piece of legislation offered in the last 10 years. Under this legislation, it is possible, if not designed, to do away with the system of free elections in this great country. I speak not only of those elections for seats in the House of Representatives or in the other body, but I speak of elections in any branch or subdivision of our national, State, or municipal governments. My reason for saying so is on page 11 of the bill. There is a reference to section 1971, title 42 of the United States Code. If you have not read that section, I beg you to read it before you vote on this legislation. I am going to read it to you because it has not been read before. It is not mentioned in the bill and it is not mentioned in the report in such a way to give the Members an idea of what this particular statute provides. This statute provides:

All citizens of the United States who are otherwise qualified by law to vote in any election by the people of any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision shall be entitled and allowed to vote at all such elections without distinction of race, color, or previous condition of servitude. Any custom, law, usage, or regulation of any State or Territory by or under its authority to the contrary notwithstanding.

Then, my friends, we read into this legislation the implications which have arisen from certain decisions of the Supreme Court of the United States. I have in mind particularly the case of the Commonwealth of Pennsylvania versus Steve Nelson, wherein the Supreme Court of the United States said to the State of Pennsylvania, to your State and to mine, that insofar as sedition is concerned the laws of the Federal Government and the Smith Act of 1940 preempts or supersedes any other sedition act of a State legislature which prior to that time and since 1940 had been able to pass legislation against sedition, and it was not questioned that the States had that right until the Steve Nelson case was decided on April 2, 1957.

I want to call attention to certain things in this Steve Nelson case, because if they can do it on the question of sedition they can do it on the question of civil rights. If they can have a doctrine of preemption written into the Smith Act, which was not intended by the author, nor intended by the Congress which passed the act—and the author of the bill wrote to the Court and told them that it was not intended—despite that fact the Supreme Court said that the United States statute did preempt.

Now, we are confronted with the problem of voting. We are putting into the hands of the Attorney General of the United States the power to direct various district attorneys, on the eve of some Federal election if you please, or in those States where an election might be called either for Congress or for governor or some other office which some political party might deem necessary to hold, or some balance of voting in which some political party might think the Attorney General should take some action upon for the purpose of either hindering the election, starting unnecessary propaganda, or making sure that a certain candidate received or did not receive a certain block of votes. That is the danger of this legislation, because we are putting into the hands of the United States district attorney, and people under him, the power to meddle in State elections.

If you will remember the 10th amendment to the Constitution, and its provisions and its interpretations, the States are supposed to be supreme in the laws on elections.

I have here for the purpose of illustration the laws of my own State, which I think are inferior to none, having been tested and approved once by the Federal courts and approved often by the district courts.

Now listen just a minute to something that came from the Steve Nelson case, and you will see why I am scared of the preemption doctrine being put into the election laws.

In that case the Supreme Court said:

> It should be said at the outset that the decision in this case does not effect the right of the States to enforce their sedition laws at times when the Federal Government has not occupied the field and is not protecting the entire country from seditious conduct. • • • Nor does it limit the jurisdiction of the States where the Constitution in Congress has specifically given them concurrent jurisdiction as was done under the 18th amendment and the Volstead Act.

On its face that would not seem to cause any concern here, until we read the provisions of this bill. On page 10 of the bill, line 8, we start:

> The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

So we do not require under this legislation that the State laws, which have been recognized by the Constitution, shall be exhausted before we resort to Federal district court action. This bill gives the Federal authorities the right to bypass the State laws. It gives the district attorney in your district the right to meddle in your election, or defeat you if he is so minded, or his party is so determined. It has happened. Only this week another decision came down and I want to touch on it just briefly, the famous Jencks case. Jencks had asked that the Court look at certain records, and the former Attorney General of the United States dissented, pointing out that this Supreme Court across the way not only said that the Court should look into the files of the Federal Bureau of Investigation but that the defendant himself might look into those confidential files, when the defendant, by his original motion, never asked that authority.

Now you are faced with this proposition, you are faced with the proposition of either rejecting this legislation or bowing down again to the white-marble palace across the way, telling them that we are going to have legislation by decree just as they have in the Steve Nelson case, where they wrote into the Smith Act the doctrine of preemption that was never intended. And if you pass this bill you are going to have written into the legislation the doctrine of preemption which says that the Federal Government under this legislation has the right to go into your State and into your county and your city and say that your State laws do not apply.

We have all been in elections here. We know that on the eve of a primary or a general election after a long and hard campaign, people are tense, rumors are on the wings of the wind; propaganda has been spread, the candidates and their friends are nervous and worried about the outcome. Then what happens? One of the provisions of this bill states that when any person or persons are "about to engage" in anything which they say might keep some people from voting that the Attorney General or the district attorney or whoever else might be interested for political purposes shall come in and obtain an injunction and have other remedies attendant.

Suppose you win an election or are about to win; the other side knowing it is going to lose, but having in office a friend who is a district attorney who wants him to win because he was district attorney; he has affidavits made by his friends to say that certain things will happen or are about to happen, so he will keep certain people from voting, or we will say to the manager of ward 3 or precinct 4, or to the managers or supervisors or election commissioners: "You cannot act tomorrow in this election." What is the result? A whole box in that municipality is out of the picture because they know that particular part is going against them.

If you want that sort of thing and if you believe freedom-loving American people deserve that sort of treatment at the polls, then vote for this legislation. But if you want freedom of elections I ask you to consider what we are saying here.

Let me digress just a minute and tell you something about elections. In South Carolina—I can speak for no other State—every man regardless of his race, creed, or color, is allowed to vote, and we have had no difficulty at all. We have made great progress. This sort of legislation would be used only as a vehicle for those who would seek to undermine the very freedom of election that this bill pretends to seek.

You have seen the endorsements of this sort of legislation by organizations which are either pink or red. You have heard of the Communist Party endorsing this sort of legislation and certain ideologies and certain groups which have been sponsoring it.

I ask you to think about those things. I ask you to think, Mr. Chairman, because I believe that under the 14th and 15th amendments, and under the present statutes you have sufficient remedies. I ask the Members over the weekend to read title 42 of the United States Code—and those are laws which were passed in 1866 and 1870 which have been the civil rights of this land since 1870. Now, until 1957 those laws which have been sufficient, and under them this great land has enjoyed freedom and the prosperity we now enjoy, its civilization is the best in the world; the laws suddenly become inadequate, yet our industry and our country have flourished under the legislation enacted in, and which has been the law since, 1870. Then why in 1957 is it necessary to pass in this Congress the controversial legislation that you are considering here today? Why should you incite man against man at the polls? Why should you add fire or fuel to the flames which some have started? I might tell you that we in the South hold malice toward none. We do not want difficulty or trouble. We have neither fanned the fires nor fed the flames because we want and have made progress.

You have served with us in the Congress, you know what type of people we are. Then can you look us in the face and say: "I recognize the fact that you sat on the committee with me today, that you worked in the Congress with me day before yesterday, that you spoke in the well of the House, that I welcome your smile, yet you are the people whom this legislation is directed against."

I beg of you not to consider this legislation in that light. I would not stoop to consider legislation against any other section of the country. I would think it was beneath my dignity as an American and against all principles of freedom. Of course, while this is a federal government, do you realize what the United States means? It means a confederation of States united. I think the man from New Jersey or New York, the man from California or the man from Pennsylvania is just as good an American as I am. I think it is just as important to him to preserve America. I think it is important to him to look at this legislation and see the evils of it.

Mr. Chairman, I ask that this legislation be defeated.

It is true that this legislation does not specifically state that the Federal statutes shall preempt the election statutes already in existence in the various States, but we are in a period of serious governmental difficulty already arising out of the unfortunately successful effort by the Supreme Court to have the judiciary usurp the powers of the Congress. Some have correctly termed this "legislation by decree." If this has taken place before, and I am going to point out where it has, it could and would take place again.

I have reference specifically to the Steve Nelson case in which the Court read into the Smith Act of 1940, as amended in 1948, a docket of preemption, not originally intended by either the author of the act or the Congress which passed the legislation, and since the passage of the act, never before invoked to take from the State its right to prosecute for sedition.

No one seems concerned that the checks and balances so sacred to our forefathers, are now sacred only to the Congress. Neither the executive nor judicial branches of this Government longer recognize, or subscribe to original conception that each branch of the Government, supreme in its own sphere, would be checked by the other branches.

It concerns me here that some of those who propose this legislation, or support it, are so blind as to its effects. Either for political expediency, or for a cause they believe just, but which promises as its impact injustice to all America, they blindly follow Attorney General Brownell on his civil-rights bill.

The dissenting opinion by Mr. Justice Reid, Mr. Justice Burton, and Mr. Justice

Minton, recognized the necessity for adherence to constitutional principles, and quoted from Chief Justice John Marshall and others, whose real thinking on the Court was to preserve the Nation. They repeated, for the Nation, from title 18, section 3231 of the United States Code:

> Nothing in this title shall be held to take away or impair the jurisdiction of courts of the several States under the laws thereof (18 U. S. C. 3231).

These dissenting Justices knew, and perhaps other know, that it is necessary that a State have adequate penal law.

> To interfere with the penal laws of a State, where they * * * have for their sole object internal government of the country, is a very serious measure, which Congress cannot be supposed to adopt lightly, or inconsiderately. * * * It would be taken deliberately, and the intention would be clearly and unequivocally expressed (*Cohens* v. *Virginia* (6 Wheat. 264, 443)).

Finally we find this in the opinion:

> The law stands against any advocacy of violence to change established governments. Freedom of speech allows full play to the processes of reason. The State and national legislative bodies have legislated within constitutional limits so as to allow the widest participation by the law enforcement officers of the respective governments. The individual States were not told that they are powerless to punish local acts of sedition, nominally directed against the United States. Courts should not interfere. We would reverse the judgment of the Supreme Court of Pennsylvania.

Now you must remember, considering this Nelson case, that the Department of Justice, through the Solicitor General of that day, now a distinguished jurist, filed a brief, as a friend of the Court, and our United States Government took the position, before the Court, that the Smith Act did not supersede or preempt the Pennsylvania Sedition Act. I quote from page 5 of the argument of the Solicitor General:

> The Smith Act itself and its legislative history are barren of any suggestion that supersedure of similar State laws was intended. On the contrary, there is clear evidence that Congress was well aware of the existence of the State legislation and there is no evidence that it intended the Smith Act to affect such legislation. Moreover, the Smith Act is included in the Federal Criminal Code as reenacted in 1948, which includes a general saving clause to the effect that nothing in the code "shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof" (18 U. S. C. 3231).

Then the Solicitor General knew the inherent dangers in decisions such as was issued, and on page 7 of that brief I find the following language:

> Moreover the field is that of criminal justice, which, in our Federal system, is primarily committed to the care of the States. This Court has stressed that it will not lightly infer that Congress, by the mere passage of a Federal act, has impaired the traditional sovereignty of the States. *Allen-Bradley* v. *Board* (315 U. S. 740, 749). It is settled that there is no constitutional obstacle to the punishment by both the States and the United States of the same acts.

Further on page 16 of that brief I find the bold statement in bold print:

> **Congress has not preempted the field of punishing seditious activities.**

Let us recollect also, that there was no showing, in the Nelson case, that the State statutes as administered by the State, in fact was an obstacle to the accomplishment of the full purposes and objectives of the Smith Act. If such appeared, Congress would be free to eliminate such conflict.

The concluding statement in the brief spells out the dangers involved. The usurpation of the powers of Congress by the Court was predicted, and has happened. We have done nothing about it. The Communists do not want us to do anything about amending the Smith Act so that the States can prosecute also. They are happy and satisfied. They know that the Congress is close to the people, and that once the inherent powers of any branch of this Government is undermined, the Government as a whole is weakened. I quote from the brief again:

> We have spelled out in this brief our reasons for concluding that Congress has not sought to displace State legislation prescribing advocacy of the violent overthrow of Government. Doubts as to the wisdom of such legislation or the possibility that it might be abused in practice should not be permitted to obscure the fact that within an area such as this, were Congress and not the courts to determine, within the constitutional framework, the extent, if any, to which the traditional sovereignty of the States must yield to the paramount Federal power. We have found no indication, express, or by implication, that Congress has at any time considered it in the public interest to displace State sedition laws. Of course, should it at any time appear to Congress to be in the public interest to limit the operation of such State laws, Congress is free to legislate to that end. The problem, if there be one, is a legislative problem to be dealt with by Congress.

For years the election laws have been the exclusive sovereignty of the States. Whenever any difficulty over election arose, it was handled in the State court, under proper authority and proper decree. There is no necessity of changing form and practice of Government in this regard.

But, some would say, the States have the right to handle elections, and this bill is designed at civil rights, instead of elections. I tell you that the States do have the right to hold elections, and to legislate concerning them, and I also tell you that this bill is designed to break down those rights, along with the purported civil rights theory of the bill.

Some may say, Well, Mr. Brownell would never do anything like that. I do not pass on that here, but who can say who will be Attorney General next, and what his motives may be, or whether the Communists will "slip one in on us," as they have done in other instances, namely, Alger Hiss.

We have been talking about the Smith Act, and the doctrine of preemption. While it may not be the intent of the legislation, and the distinguished chairman of the committee might well write the court that it was never the intention of this legislation to preempt the rights of the States over elections, the men across the way might do like they did in the Steve Nelson case, disregard what the lawyers call stare decisis, which means the guiding opinions of former years, and usurp the powers of Congress again to preempt the Federal Government into the election field. Then, what happens?

We know of the lust of power, we men who serve in the Congress. We have seen it through the years, some of you have had far more experience along this line than I ever hope to have. Suddenly there is thrust in the hands of the Attorney General of the United States—and he controls most of the District Attorneys, the Federal Bureau of Investigation, and a bureaucracy waiting to do his will—the duty or opportunity to stop a series of elections which will determine the control of the Congress, the naming of the President, or else, and he finds himself in a position of great power—he decides to capitalize upon it. The probabilities and possibilities are fantastic, but they are there.

But you are going to say to me that our Supreme Court, in past years has said that the States have the right to determine the manner and means of voting, except where there is discrimination. But I tell you that the decisions have implication, from which decisions, or preemption, such as the Steve Nelson case, could easily be drawn.

The power of Congress to legislate on the subject of voting at purely State elections is entirely dependent upon the 15th constitutional amendment, and is limited by such an amendment to the enactment of appropriate legislation to prevent the right of a citizen of the United States to vote, from being denied or bridged by a State on account of race, color or condition; since the amendment is, in terms, address to the action by the United States or a State, appropriate legislation for its enforcement must also be addressed to State action, not to the action of individuals—*Carem* v. *U. S.* (121 Federal 250, 57, C. C. A. 486, 61 L. R. A. 437).

In a case from my own State, South Carolina in 1871, the Supreme Court declared that Congress has the power to interfere for the protection of voters at Federal elections, and that power existed before the adoption of the 14th and 15th amendments to the Constitution—*U. S.* v. *Crosby* (Federal Case 14, 893, 1 Hughes 448).

The power of Congress to legislate upon the right of voting at State election rests upon the 15th amendment, and is limited to prohibitions of such discrimination by the United States, the States, and the officers, or others claiming to act under color of laws within the prohibition of the amendment—*U. S.* v. *Amstein* (6 Federal 819 (Indiana 1881)).

In case of *U. S.* v. *Lackey*, Kentucky decision originally (99 Federal 952, 107 Federal 114, 46 Circuit of Appeals, 189, 53 L. R. A. 660, 21 Supreme Court 925, 181 U. S. 621, 45 Law Edition 1032), our Court has held that the 15th amendment was meant to guarantee and secure to the Negro as such the same right to vote that the white man, as such, has; and under the power conferred upon Congress to enforce the same by appropriate legislation, any legislation having in view the sole object of protecting that right, if

adapted to that end, not otherwise unconstitutional, is valid.

These then are the implications.

Just suppose for one instance, that a State was marginal in some Federal election. A person of design, upon affidavits, could be informed that the election commissioners of the State, and of the various subdivisions of the State, were about to engage in some activities which would prevent some alleged segment of the population from voting. Immediately, in order that the State be out of the picture insofar as the election was concerned, injunctions, or writs, could issue, under the guise of civil rights and under this legislation, against those in charge of the election. After the election was over it would not make any difference, but confusion would come rampant, and the worst in American conception become possible.

It would do us no good to claim the State court had jurisdiction.

I know of no State which does not have adequate election laws. There is no complaint, openly in the bill, to this end.

But if we have been preempted in the field of sedition, is it not possible we will be preempted in the field of election?

It may appear to you that I have made here a lawyer's argument. I admit that I have, but this bill has come from the Judiciary Committee, whose members are acknowledged leaders of the legal profession, but I have endeavored to put it in language the other businessman can understand.

In order to accomplish preemption, in the Steve Nelson case, the Supreme Court of the United States overlooked similar questions which had been before the Court from other States.

In *Gitlow* v. *New York* (268 U. S. 652), the Court said:

> And the State may penalize utterances which openly advocate the overthrow of the representative constitutional form of government of the United States by violence or other unlawful means. (*People* v. *Lloyd* (304 Illinois 2324)). See also, *State* v. *Tachin* (92 New Jersey Law 269, 274); and *People* v. *Steelik* (187 California 361, 375). In short this freedom does not deprive a State of the primary in an essential right of self-preservation; which, so long as human governments endure, they cannot be denied.

Whitney v. *California* (274 U. S. 357 (1927)) was a case in which the United States Supreme Court sustained the constitutionality of the California statute which made it a felony for anyone knowingly to become a member of any organization advocating unlawful acts of force and violence as a means of accomplishing change in industrial ownership or any political change.

In *Gilbert* v. *Minnesota* (254 U. S. 325 (1920)), the Supreme Court upheld a Minnesota statute making it a misdemeanor to advocate the citizens of the State should not aid or assist the United States in prosecuting or carrying on a war.

As Pennsylvania was denied and deprived the right of prosecution, so may your State, and mine, be deprived of the right of having its own election law, and the doctrine of preemption takes us further down the road toward statism, and, eventually, socialism and destruction.

In *Rochin* v. *California* (342 U. S. 165) Mr. Justice Frankfurter said:

> In our Federal system the administration of criminal or justice is predominately committed to the care of the States.

In *Jerome* v. *The United States* (318 U. S. 101 (1943)), Mr. Justice Douglas said:

> Since there is no common-law offense against the United States, the administration of criminal justice under our Federal system has rested with the States, except that criminal offenses have been explicitly prescribed by Congress. In that connection, it should be noted that the double-jeopardy provision of the fifth amendment does not stand as a bar to Federal prosecution though a State conviction based on the same acts has already been obtained.

In his argument in the Steve Nelson case, the distinguished attorney general of Pennsylvania contended that the States have always had and still have the power of self-preservation, and this includes the power to prohibit advocating the overthrow of the Government by force and violence. He went on to say that for Congress to occupy the field and supersede the State's sedition law would completely reverse the well-established principle just discussed and deprive the State of the right to protect this very existence, its right of self-preservation.

Can you not see what may happen? Perhaps it is designed. This legislation bows the head of Uncle Sam to an organization known as the NAACP. I believe that it is a known fact that the Communist support, help in every way they can, and promote the NAACP.

I do not intend any implication to the authors of the bill that they are other than sincere American Congressmen. But the legislation is unnecessary; it is dangerous, and may well be the means toward the end of our system of free election.

Mr. ASHMORE. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, one knows little about a particular problem unless he has lived with it. Since the Negro seems to be the subject of this legislation, I, having lived in his midst all of my life, believe I know something about him. Sponsors of this bill actually know little about our colored people. Their espousal of the bill is simply an expedient in the realm of make-believe—an attempt to make the Negro believe that he is acceptable to them in all respects, socially and otherwise. The object is to curry political favor. A casual glance at the ghettos of northern cities belies their statements. There the colored man is shunted further away from the white society than he is in the most segregated southern community; and when he does settle in a northern white community the whites flee the neighborhood in frenzied horror.

There are some who espouse the idea of enforced association between the races. Social contact between people of different races, or even within a single race, must be by mutual consent, of mutual desire, and of mutual will if it is to succeed. The mere passage of a law will not make people happy with one another. Unfortunately, however, there is a segment of our society which always shouts, "There ought to be a law," when they observe something they profess to be wrong. And if their position is one which can be pressed via political channels, as is the pending bill, the machinery is promptly set in motion. By political coercion and the enactment of laws they are trying to make us all alike—socially, economically, culturally, spiritually, and in every manner known to man. That is the objective.

Enforced integration, enforced social mingling, enforced association of any kind or character can never be a success. It makes no difference whether the effort is made between the races or within any particular race. The human being just happens to have individual and discriminating tastes. And these he will have throughout the ages. Laws will not change man's individuality. Laws will not change his color or his characteristics.

People of different races, different colors, and even of different faiths, segregate themselves. Every large American city has its racial segregated areas, although they are not referred to as such. It is not uncommon to find sections of our cities which are completely Jewish, or Protestant, or Catholic, or Chinese, or Negro, and so forth. It all comes from the desire of men of different races, colors, creeds, and characteristics to live among their kind. Personally, I think that was the plan of our Creator. Had He intended us to all be alike—an amalgamated, mulattoed mixture of man—surely he would have so created us.

Stripped of all of its lace and trimmings, this bill is purely political. While there are those here who forcefully espouse integration and mixology, they will, after this debate is concluded, withdraw to their own circle and continue their normal segregated way of living.

Although I have personally discussed the bill with many Members of the House, I do not find many who are really serious about it. There is widespread admission throughout the House membership that the measure is political. Everyone knows that without mention being made of it; and everyone also knows that if the vote were secret the bill would receive at most only about 50 votes.

Now, Mr. Chairman, if it be that there are those here who are serious and with whom civil rights is not a political issue, if they are serious about the desire to completely desegregate the country, if they are serious about accepting the Negro socially and in every other manner, then they should be willing to assume their fair share of the problem. There can be no dispute about the fact that a Negro problem does exist in our country; that it exists in each and every section where Negroes have collected in numbers; and that the problem is in proportion to the number in each area or city.

Nine men of the Supreme Court, influenced by various forces, some well intended and some sinister, have told us that we must abolish segregation, thus changing our way of life. For nearly 200 years we have lived in peace with our black brethren in the South. True, many of our Negroes have poor living standards, but so do many of our white people. I have observed comparable poor living conditions in Harlem, on Chicago's South Side and similar sections of our northern, eastern, and western cities.

The 1950 census will show that 70 percent of our country's Negroes prefer to live in the South. If the situation is so bad down there, if they are receiving treatment which is so unbearable, so intolerable, so inhumane, why is it that most of them continue to remain in the South? The fact that they do should be proof sufficient that their segregated life there is neither harsh nor undesirable. There is no restriction on migration to the North.

It is noteworthy that practically all of the agitation for integration, for civil rights, comes from Congressmen of States which have no Negro problem or from States which have a limited Negro population due to residential segregation, but have a powerful Negro bloc vote.

It would be a fine thing if those States who share their solution with the South would offer to share the problem. Let the State governments of those States whose representatives and press advocate integration and civil-rights legislation, make available accommodations for the number of Negro citizens necessary to bring their Negro population up to the national average of 10 percent. This includes housing and employment, as well as school and church facilities.

We will give their message wide publicity throughout the South so that our unfortunate segregated Negroes may migrate to their States. No fairminded American could object to this plan. Even the NAACP, the ADA, and both political parties could throw their tremendous weight toward this solution of this national problem. The plan is logical, practical, humane, democratic, and sound. Our northern friends will be given an opportunity to practice the civil rights, the equality, and the integration which they preach.

Industrialized agriculture is leaving many Negroes in the South without work. Thousands of them are moving northward each month in search of employment. I am told that Chicago alone is receiving as many as 3,000 per month, with comparable numbers to Detroit, St. Louis, Baltimore, Washington, and other upcountry metropolitan areas. A great number are moving west, to Los Angeles, San Francisco, Oakland, Seattle, and so forth. As the black hordes move in, our northern friends are having to dip deeper for more and more tax money to provide public services, housing, schools, and public welfare. Unfortunately, in the integrated North, East, and West, the Negro bears no larger share of the tax burden and cost of government than he does in the South. So, the problem is shifting but not as rapidly as it should in order to effect equitable sharing among all cities and States of the country.

An examination of this debate might give would-be Negro migrants an excellent clue as to what cities, congressional districts and States are extending the heartiest welcome. Of course, they cannot be too sure because we all know this is political. On the other hand, a degree of profound concern for the unfortunate southern Negro might be gleaned from some of the Members' statements. If so, it would be in the districts of those Members that the migratory inclined Negro might well establish a new residence.

Mr. Chairman, the thing which concerns me tremendously about this bill is the apparent willingness of so many in this House to take another step—a serious step, if you please—toward a strong centralized Federal Government. We are rapidly getting away from the principles which our forefathers wrote into the Constitution and particularly the principle that the States have reserved unto themselves all rights not specifically delegated to the Federal Government.

The snooping Federal Commission authorized by this bill, the personnel to be assigned to it, the additional personnel to be assigned to the office of the Attorney General, the voluntary employees of the Commission and all of the others that go along with this all-powerful investigatory establishment—all posing as the protectors of civil rights—will be nothing short of an assemblage of powerful Federal meddlers and spies created for the purpose of tormenting, abusing, and embarrassing southern white people.

It is clear that a governmental system containing investigators, spies, and Federal agents and Federal injunctions issued by Federal judges, without charge, jury trial or hearing, against persons who are miles away and have never been in the presence of the court, is a far cry from the United States Government we knew only a few years ago. If this bill is passed by Congress and the machinery contained therein is put into effect, we will have a government that even Russia will envy. It will be simpler and far more honest just to pull the veil of pretense and hypocrisy aside and say we are adopting the Russian method of dealing with the people. Such methods as are proposed in the pending bill will leave the people at the mercy of Federal spies, to be robbed of their liberties and freedom of choice, for all time to come.

I have noted with profound concern that it will be within the authority of the Commission to investigate allegations that citizens are being deprived of the right to vote by reason of religion. I am told that since no evidence was submitted to the committee that any citizen was, because of religion, being denied such a right, the committee struck this authority from the bill but later reinserted same by a very close vote.

Who are the people and of what religious faith do they belong that caused the committee to authorize such an investigation? The record is completely silent as to whom they are. We know that the bill is an appeal to curry favor with bloc voters but we do not know just what religious group it is with which some are undoubtedly attempting to placate and curry favor.

We are going far afield when we establish a Commission of the Federal Government armed with attorneys, agents, and spies and the power of subpena, and send it on a fishing expedition into the field of religion. And the followers of that faith which insists on the use of such power, when everyone knows that religious freedom in the United States remains inviolate, are asking for trouble.

I regret, Mr. Chairman, that the time has come in this Congress when we play one race against another, religion against religion, section against section, and even man against fellowman. These are grave times through which our Nation is passing. The very supporting principles on which our Government was founded and on which it developed are being attacked, in a persistent and subtle manner, from all sides by organized and sinister forces.

We are surrounded and engulfed in an atmosphere of so-called social science and one-worldisms. The masses of the people have been misled. They are not informed about what is taking place and for that reason they are not much concerned about the situation. They do not generally know that the provisions of our Constitution which guarantee their liberties are being whittled away by court decrees or are being abandoned, sidestepped, and by-passed.

In recent years large sums of money have been provided by the foundations that have sprung up tax-free all over the country to bring foreign Socialists, leftwing advocates and ideologists, and even Communists into our own country, together to labor for years to develop their un-American stuff and write a 1,500-page book, The American Dilemma, a term for a necessary choice between equally undesirable alternatives; a perplexing problem. This was done by the schemers for the purpose of selling the people on the idea, that our basic Government is wrong; that our Constitution is unfair and oppressive to the masses and ought to be changed as outmoded.

The same social philosophers have induced the Supreme Court to minimize the provisions which retain to the States and to the people powers not delegated to the United States, and they have caused the Supreme Court and other Federal courts to overrule sound and well-considered decisions that have been the law of the land for generations. They have caused the Supreme Court to hand down decisions which were shocking to those learned in the law—the law under which our Nation in 170 years has grown to become the greatest nation the world has ever known. These recent decisions by our present Supreme Court were based not on law and precedent, but solely on propaganda, sociological considerations and modern scientific authority as developed and propounded by the social scientists, the one-world advocates, the Communists and leftwing freethinkers. Such are the authorities cited by the Supreme Court for the new philosophy it adopted in its strange course on which it has launched our people.

It may be good and opportune that this civil rights question has come on for discussion at the present time. It may be that the publicity given the issues and the nationwide interest that has developed through the attempt of certain minority and political influences to push through Congress such monstrous proposals brought forward by its advocates, will arouse the people from coast to coast, and from the North to the South, to the dangers with which they are confronted and cause them to rise up in their might while there is yet time and defend their dearest possession, the Constitution of the United States of America.

This civil-rights business is all according to a studied and well-defined plan. It may be news to some of you, but the course of the advocates of this legislation was carefully planned and outlined more than 45 years ago. Israel Cohen, a leading Communist in England, in his A Racial Program for the 20th Century, wrote, in 1912, the following:

We must realize that our party's most powerful weapon is racial tension. By propounding into the consciousness of the dark races that for centuries they have been oppressed by the whites, we can mould them to the program of the Communist Party. In America we will aim for subtle victory. While inflaming the Negro minority against the whites, we will endeavor to instill in the whites a guilt complex for their exploitation of the Negroes. We will aid the Negroes to rise in prominence in every walk of life, in the professions and in the world of sports and entertainment. With this prestige, the Negro will be able to intermarry with the whites and begin a process which will deliver America to our cause.

What truer prophecy could there have been 40 years ago of what we now see taking place in America, than that made by Israel Cohen? The plan was outlined to perfection and is being carried out by politicians who have fallen into the trap. Many thousands in America today who are in no sense Communists are helping to carry out the Communist plan laid down by their faithful thinker, Israel Cohen. Truly, vigilance is the price of liberty.

The grievances heaped upon the Colonies by George III and his Parliament sound almost like conditions in the United States Government today. They certainly would be very typical if this civil-rights legislation should become law. What were some of the grievances pointed out in the Declaration of Independence? Quoting therefrom we find the following:

He has erected a multitude of new offices, and has sent hither swarms of officers to harass our people.

He has combined with others to subject us to a jurisdiction foreign to our Constitution.

Giving assent to their acts of pretended legislation (he is) depriving us in many cases, of the benefits of trial by jury.

How striking the similarity.

These are but a few of the complaints contained in the Declaration of Independence which brought on Revolutionary War. It is now proposed to reactivate, by so-called civil-rights legislation, many of the evils mentioned, and to surrender the wholesome provisions of the law put into the Constitution by the Founding Fathers to protect the liberties of the people.

I would seriously direct your attention to the right of trial by jury. No people can remain free and happy without it. This legislation plans to bypass and, by indirection, to rob the people of this right through scheme and trickery. It would substitute Federal district judges—some 200 of them—to take the place of juries. These, with all the faults, frailties, prejudices, and weaknesses common to human nature, armed with the power of injunction to enforce their decrees, with the legal force of the Attorney General to prosecute in the name of the United States, would proceed against the helpless citizen as he is selected by the Attorney General to be placed upon the sacrificial altar to satify some disgruntled person who might claim that he had been deprived of a civil right. Then by injunction such selected person would be summarily hurried off to prison without his constitutional right to trial by jury being exercised. He would not, as is the law in all criminal cases, be "presumed innocent until proven guilty beyond every reasonable doubt." He would be subjected by his Government, on being selected by the Attorney General, to this cruel and oppressive procedure. This is not America. Such legislation, if enacted and attempted to be enforced, I fear, would create a long period of unusual turmoil and oppression.

There was a period in England about 1685 known as the "Bloody Assizes" when a Judge Jeffries, and others, who, because of their cruelties, arrogance, and oppressive procedures against the people, are looked upon with ignominy to this day. We are told by history that upward of 300 persons were executed after short trials; that very many were whipped and imprisoned and fined; nearly 1,000 were sent to America to the plantations as slaves. History tells us that through the ages where justice is attempted to be administered in criminal or quasi-criminal matters without the right of trial by jury that oppression is the ultimate result. From what we have already seen, and this thing is not yet started, we could expect nothing better in America over the years.

The right of trial by jury is of ancient origin. It developed in England during the Saxon period before the coming of the Normans. Most authorities say it was first used extensively about 886 during the time of Alfred the Great. In the Magna Carta—1215—juries were insisted upon as the great bulwark of the people's liberties. The historian Redpath tells us: "In general terms Magna Carta was intended by its authors to prevent the exercise of arbitrary authority over the subjects by the English king. The royal prerogatives were limited in several particulars so that it became impossible, save in violation of charter rights, to practice despotism. Of the positive rights conceded and guaranteed in the charter, the two greatest were habeas corpus and the right of trial by jury. The first was the salutary provision of the English common law by which every free subject of the kingdom was exempted from arbitrary arrest and detention; and the second was that every person accused of crime or misdemeanor should be entitled to a trial by his peers in accordance with the law of the land."

This was the first firm foothold the people obtained against the autocratic power of the kings. The right of trial by jury has gone through many struggles with despots and those who are unwilling to risk juries doing the things the ruling political class wants done. The right of trial by jury is a shield, and the only safeguard and guaranty of the people against oppression. Should this right be removed from the people, for whatever excuse offered, the keystone to the arch of their liberties is taken away and the superstructure of their freedom would surely crumble. Federal courts, with injunctive power to enforce their decrees was never the plan of the framers of the Constitution for the Government of America.

I submit that this bill should be defeated; and, to say the least, it should not pass without fully safeguarding the rights of our citizens by assuring them of a trial by jury.

Mr. ASHMORE. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, at the proper time, I intend to offer an amendment to this bill to strike out section 121 of part III. This is a matter of great concern not only to the people of my district, but to our citizens all over the country.

I am opposed to all of the provisions of H. R. 6127. I am opposed to the entire bill for the reasons which have been so ably stated by its opponents in the course of this debate. Of particular concern to me, however, is section 121 of part III of this bill. This section purports to empower the Attorney General to institute civil actions for redress or injunctive relief in cases in which it is alleged that persons have engaged or there are reasonable grounds to believe that persons are about to engage in actions or practices in violation of the civil rights of other individuals.

As many of you know, I represent the Ninth Congressional District of Alabama. This district comprises Jefferson County and the city of Birmingham. Birmingham is recognized throughout the country as the industrial center of the Southeastern States. With a population of over 600,000, we play a vital role in the industrial economy of this country. In fact, we produce 9 percent of the total iron and steel production of the country and, believe it or not, 80 percent of the cast-iron pipe. My district is one of the few economically complete districts in the Nation. I have 70,000 members of organized labor numbered among my constituents and I also have the management for that labor located in my district.

Because of the tremendous industrial and manufacturing activity in the Ninth District of Alabama, I, as as its Representative, have a great deal in common with many of the northern Congressmen on my side of the aisle who represent labor districts in northern cities and also

many of the Members on the other side of the aisle who count among their constituents sizable segments of the industrial management of this country.

It is my contention that section 121 of part III of H. R. 6127 applies to labor-management relations just as it applies to race relations and, if you will bear with me for a few moments, I would like to explain to you why I have this view.

Section 121 reads as follows:

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "fourth" and "fifth," and to read as follows:

"Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs first, second, or third, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

You will note that this section refers to paragraphs first, second, and third of title 42, United States Code, section 1985, and adds paragraphs fourth and fifth. In order to better understand what I am talking about, let me read paragraph three of the existing law, title 42, United States Code, section 1985. It says, among other things:

If two or more persons conspire for the purpose of depriving any person of the equal protection of the laws or of equal privileges and immunities under the laws, the party so injured or deprived may have an action for the recovery of damages.

As you will see, paragraph 3 makes no mention of race, creed, color, or national origin. It is not intended that the benefits of this section should be extended only to those who have been deprived of the equal protection of the laws because of race, creed, color, or national origin. In fact, beginning in 1877, the Supreme Court—in what have been called the Granger cases—applied the 14th amendment and statutes enacted pursuant thereto to all "persons," including corporations. In the case of *Yick Wo* v. *Hopkins* (118 U. S. 356 (1886)), the Court, acting through Chief Justice Waite, settled once and for all the question of the extent of the 14th amendment and of the existing civil-rights laws, using these words in the opinion:

These provisions, i. e., equal protection of laws, are universal in their application, to all persons within the territorial jurisdiction without regard to any differences of race, of color, or of nationality.

It is a common misconception among our people that the 14th amendment and the present civil-rights laws apply only to those who have been deprived of the equal protection of the laws because of race, color, or national origin. But this is not so. They apply to all persons, and all persons are protected by them. This even includes corporations which have been defined, for the purposes of the 14th amendment and civil-rights statutes, as "persons."

Mr. Chairman, you will note that in paragraph 3 of the present title 42, United States Code, section 1985, the term "equal protection of the laws" is used. Just what does this phrase mean? The Supreme Court long ago, in the case of *Barbier* v. *Connolly* (113 U. S. 27 (1885)), defined it as the protection of equal laws. It requires—and I quote:

That equal protection and security should be given to all under like circumstances in the enjoyment of their personal and civil rights.

Based on what I have said before, I am sure that you will agree that the term "equal protection of laws" is not limited to race relations only. It embraces all other personal and civil rights which have been extended to the people in this country by the Constitution and also by the laws of the United States.

Now I get down to one of the major reasons why I oppose section 121 of part III of H. R. 6127. As I have said, the term "equal protection of laws" applies to all laws of the country which extend rights and privileges to citizens and other persons. The rights which I have particular reference to are those which were initially spelled out in the Wagner Labor Relations Act and later in the Labor-Management Relations Act of 1947, otherwise known as the Taft-Hartley Act. These rights appear in title 29, United States Code, section 157. With your indulgence, I would like to read this section.

RIGHT OF EMPLOYEES AS TO ORGANIZATION, COLLECTIVE BARGAINING, ETC.

Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of such activities.

The first set of rights were extended by the Wagner Act, and the right to refrain from activities first mentioned was extended by the Labor-Management Relations Act of 1947.

It is my contention that these rights conferred by the Wagner Act and the Labor-Management Relations Act of 1947 are included within the meaning of the term "equal protection of the laws." These are laws of this country.

Section 121 of part III of H. R. 6127 extends to the Attorney General the authority to intervene in case of acts or practices which would give rise to a cause of action pursuant to the existing civil-rights laws. In other words, if two or more persons conspire to deprive another of equal protection of the laws, the Attorney General may institute a civil suit. He can do this without the consent of the alleged aggrieved party and even over his strenuous objection.

The Attorney General is given by this section 121 the authority to intervene in matters involving violations of the rights extended and conferred by the Wagner Act and the Labor-Management Relations Act of 1947. As I have quoted from these acts above, the right to join a labor organization is one of these rights. Also is the right to refrain from joining a labor organization. These are only two of the rights which are conferred on employees and employers by these acts; and if persons are deprived of these rights by others, they are denied the equal protection of the laws.

You can see what the result would be. All cases of complaints on behalf of a company against a union or a union against a company would be subject to intervention by the Attorney General. By giving the Attorney General this power, the bill, in effect, circumvents the National Labor Relations Board, which has a statutory jurisdiction over labor-management relations, and gives the Attorney General concurrent jurisdiction with the Board.

Section 121 of H. R. 6127 puts labor-management relations into the middle of politics. Instead of the Government being the umpire, as it presently is, the bill would actually make it a party litigant. A politically minded Attorney General could use section 121 of this bill to destroy either union or management, depending upon what would best serve the interests of the administration of which he is a part.

Let me give you an example. If an employee is fired for allegedly joining a labor union, he has a right guaranteed by the Wagner Act and as such, is deprived of his equal protection of the laws. The Attorney General could sue the company for this deprivation and have the unlimited resources of the country at his disposal.

On the other hand, if a union allegedly violated the rights of employees to refrain from joining labor organizations, as granted in the Labor-Management Relations Act of 1947, they will have been deprived of their equal protection of the laws. The Attorney General could file suits against the union, even without the consent of the alleged aggrieved employees, under the provisions of section 121 of this bill.

These rights, which I have mentioned, are protected by the National Labor Relations Board as are all other rights and privileges guaranteed by the Wagner Act and the Labor-Management Relations Act of 1947.

By plaguing either company or union with suits, the Attorney General could destroy or bankrupt either or both. This double-edged sword which is created by section 121 of H. R. 6127 could be used to persecute and hamstring labor or management, depending on what best suited the administration in power at that time. H. R. 6127 is a dangerous bill in many respects and I feel that one of the most important of these is the effect which section 121 will have in putting labor-management relations into politics.

In my humble opinion, the members of the committee from the North and West would do well to give careful consideration to the arguments I have presented. I believe that these arguments have force and substance and that H. R. 6127 will have a serious effect on our traditional concept of labor-management relations. Who knows, but that, if this bill is approved by the House and the Senate, and is signed into law by the President, a year or so from now those who are presently supporting this legislation may come back into Congress crying for its repeal. I wouldn't be at all surprised.

It is for the reasons I have outlined that I intend to offer an amendment, at the proper time, to strike section 121 of part III from this bill, H. R. 6127.

Mr. ASHMORE. Mr. Chairman, I yield 15 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, we are told that the bill now under consideration, H. R. 6127, is a bill designed to protect the civil rights of persons within the jurisdiction of the United States. President Eisenhower and Attorney General Brownell have vigorously proclaimed that this legislation is necessary if the citizenship of this Nation is to enjoy full civil rights.

At the outset, I would like to make one thing abundantly clear: the people of the southern part of the United States are not depriving any persons of their constitutional and civil rights as has been so recklessly asserted by the President, the Attorney General, and the proponents of this legislation.

I believe that I can speak with some authority on this subject because of the experiences I have had in my private and professional life.

It has been my privilege to serve as a member of the North Carolina General Assembly where the problems of our entire citizenship were dealt with on the legislative front. It was my further privilege to serve for 11 years prior to entering the Congress in January of this year as district solicitor—which position is referred to in other States as district attorney—where an intimate association with the problems of all the people in the criminal courts was had.

In neither the legislative nor the judicial field did I find that there was any expression or any intimation on the part of any of our people to deprive their fellow citizens of the full rights of citizenship.

Needless to say, through my interest in the political life of the State, I had the further opportunity to observe the attitude of the people of the South toward the voting privileges of members of our society. In that field there has been no limitation imposed by law, custom, or practice upon the people in any social, religious, or racial group in the State of North Carolina.

The State of North Carolina has been a leader in the Nation in the field of education. It would be of interest to the members of this body to know that the public schoolteachers of North Carolina are paid salaries on a schedule which results in the average Negro schoolteacher in North Carolina earning higher compensation for their services than is earned by the average schoolteacher who is a member of the white race. Also, you will find that for many years members of the Negro race have served as members of the State board of education—the governing body for the educational program provided by the State of North Carolina.

I would further point out to my friends of the House that practically every major city in the State of North Carolina has a member of the Negro race upon the city council or governing body. In my own city one of our outstanding Negro citizens is now serving his fourth term on the city council and has in the past served as treasurer of the city. He was elected by his white colleagues to this post.

How many of you members from sections outside of the South can say that your people have been as considerate toward the members of the Negro race as has been true in North Carolina?

Much has been said in my private conversation with members of this body from other sections of the country about Negroes serving on the juries in the South. These questions by intelligent and information-seeking men lead me to the inescapable conclusion that there is an aura of complete misunderstanding hovering over the Members of the House who have not had firsthand opportunity to observe the true picture.

During my 11 years as prosecuting attorney in the 14th judicial district of North Carolina, I can say to you that there was never any discrimination in the selection of jurors by reason of race, sex, creed, or color. We had male jurors of both races. We had female jurors of both races. Seldom, if ever, was there a grand jury panel that did not have members of the Negro race.

Perhaps you would be interested in the experience of several years ago which we had in the courts of my district. A Negro man was indicted for the capital felony of murder in the first degree arising out of the death of one of the fine white citizens of Mecklenburg County, N. C. The defendant was financially unable to provide his own counsel. The distinguished presiding judge appointed two attorneys to represent him. One of those attorneys was a leading criminal lawyer of the white race. The other attorney was a Negro attorney of great learning and ability. The jury panel was composed of 8 white and 4 Negro jurors. In addition, the 13th, or alternate juror, was a member of the Negro race. When the jury of 12 commenced its deliberations it immediately elected as foreman and spokesman for the jury an outstanding Negro educator who had received his master of arts degree from the University of Cincinnati. This jury returned the verdict which carried with it the death penalty, and the defendant was later executed.

I point this out merely to show the attitude of fair play which exists between the races in my native Southland. This was not any unusual experience, except that it involved the death penalty. Similar experience in lesser cases, as well as in other capital cases, is the rule, and not the exception.

In 1954 while seeking reelection to the position of district solicitor, I was called upon to speak to an alliance of Negro clergymen in one of the cities of my district. After completing my presentation the chairman of the meeting asked if I would be willing to answer questions which some of the ministers would like to propound to me.

It was surprising to me to find that the questions most on the minds of those Negro ministers was their belief that undue leniency was being shown to members of their race by the judges in the criminal courts of North Carolina. There was not one word of complaint that the members of the Negro race had been unfairly treated. The complaint which they expressed was that the courts were not dealing as firmly with their race as was being done with members of the white race. They felt that their race should be held accountable to the same extent as members of the white race, and in that view I concur.

My friends, I could continue for many hours with examples and facts of the harmonious race relations which are now enjoyed in that section of this Nation toward which this vicious legislation is directed—the South.

Do you believe in good race relations? Do you believe in fair play? If so, it is my firm conviction that you will not participate in foisting upon the Nation this legislation proposed by President Eisenhower and Attorney General Brownell in the language of H. R. 6127.

No decent citizen of the South engages in the sort of conduct which this bill seeks to prevent. Its very language is an affront to the God-fearing, law-abiding, Christian people of our section of the country.

What does this bill purport to do? First, it would establish the Commission on Civil Rights. Second, it would provide an additional Assistant Attorney General with no duties to perform other than deal with the enforcement of the proposed legislation. Third, it would revise and amend the present civil-rights statutes that have been on the books for many years. And, fourth, it would seek to put the Federal Government in charge of every local election in this Nation.

The appointment of such a Commission would constitute an additional expense to the taxpayers of the country and would confer no new authority upon the Federal Government in any respect. It would merely create a new group to make those investigations which can now be made by the Department of Justice.

This Commission could become the greatest witch-hunting organization since the Salem massacre. It could become a gestapo organization which would breathe down the backs of the people of every area of this Nation.

It is my considered opinion that this Commission would be a stacked Commission which would close its eyes to the real problems confronting the people of this Nation and direct its attention merely to the forcing of the sociological opinions of the membership of the Commission upon the people of the United States.

To the same effect is the provision for an additional Assistant Attorney General. This is an unwarranted public office which the bill seeks to create and would constitute an unnecessary expense to the people of this Nation.

The present Attorney General has full authority to recommend the creation of

additional positions of Assistant Attorneys General. Such Assistant Attorneys General would be subject to the direction and supervision of the head of the Department of Justice. Certainly it is not proper that there should be one person set up to engage solely in stirring up strife between the people of the various races in this Nation.

The third part of the proposed act is the one which gives even greater concern to those of us who believe in constitutional government. It is noted that this provision of the bill would authorize the Attorney General of the United States "in the name of the United States" to bring a civil action and seek a permanent or temporary injunction against any citizen of the Nation whether the alleged injured citizen requested such proceedings or not. This portion of the bill further seeks to vest in the District Courts of the United States jurisdiction of such proceedings, and, in effect, wrests the historic jurisdiction of State courts away from them and ignores the time-honored jurisdictional requirements which have normally applied to Federal court jurisdiction.

Have we reached the stage in our American life at which thinking people would destroy the constitutional right of trial by jury?

Are the proponents of this legislation unwilling to recognize that the American system of having a cause adjudicated by a jury of 12 persons is worthy of perpetuation?

Are the proponents of this legislation saying to the Nation that while we recognize the labor unions have the right of trial by jury when injunctions are sought, that all other classes of our citizenship are not so entitled?

Mr. Chairman, in trying thousands of cases in my capacity as an attorney and as District Solicitor I have on several occasions been shocked by the decision made by a particular jury. Many times I have felt that the State had made out a case which pointed unerringly to a verdict of guilty. But on many occasions, to my great astonishment ,the jury, in the exercise of its authority, determined that the defendant was not guilty. To be sure, I experienced temporarily a sense of deep disappointment and felt that the jury had made a very bad mistake. Then, upon mature reflection, I invariably came to the conclusion that the jury system has its frailties but that as a democratic institution it should be preserved.

Human experience has divulged no better method of fairly, judiciously, and properly adjudicating claims between individuals and between governments and individuals than the system of jury trial which we have so long cherished in this land of ours.

Of course, we can point out cases which have shocked the public conscience when the verdict was returned. Is this sufficient ground for condemning and jury system?

A few days ago my attention was attracted to a news story with reference to a criminal trial in the State of California. The defendants were charged with kidnapping a lady. The case was tried in an atmosphere of great public interest. The jury determined that the defendants were not guilty. Thereupon, according to newspaper reports, the presiding judge of that court in California expressed his shock and disapproval of the decision made by the jury. But, my friends, I would unhesitatingly predict that an inquiry of that trial judge would bring the answer that in spite of this decision which failed to conform with his ideas of justice that he would still advocate the American system of trial by jury.

You and I as co-architects of the future course of this democratic government of ours have grave responsibilities which transcend political expediency as we arrive at a decision on this pending legislation.

I am astounded that part 4 of this proposed act would seek to put the Federal Government into control of the voting and ballot boxes of this Nation. It would do this through providing for injunctions by the Federal courts and Federal supervision of elections.

Are we to surrender to the Federal Government the right to regulate every phase of human life? Is there any tangible evidence which would show that the States of North Carolina, California, New York, Oregon, or any of the other 48 States have reached the point at which they are incapable of managing their own elections?

The present Federal law is completely adequate to take care of any misconduct in the elections where there is an election involving a position in the Federal Government. No further legislation in this field is needed.

I observe that the proponents of this legislation casually point out some particular instance in some community in the South where they contend that a member of some minority group has been deprived of the right to vote in an unlawful manner. But, even in their great zeal they are unable to support their argument with valid proof that it is the custom, law, or practice.

I can take you into any county in North Carolina at any election and show you three white people to each Negro person who feel that the election officials have not dealt fairly with them at election time in connection with their right to vote. This question frequently arises because of the lack of understanding of a particular person as to whether they are properly registered and also as to whether they are registered in the proper voting place. These questions are brought up at every election, but, unfortunately, no attention is paid to them unless it involves some member of a minority group. Then there is a great hue and cry by professional agitators who would try to make it appear that some misconduct was being engaged in by the local election board or officials.

Let us be fairminded. Let us recognize that all of the propaganda that is dispensed is not the gospel truth. And let us not indict the American people by the enactment of this proposed legislation which will cause our neighbors in other lands to interpret it as a recognition of the truth of false accusations which have been hurled about so freely.

In conclusion, Mr. Chairman, let me urge all of our colleagues to approach the decision on this critical legislation in the light of the preservation of the way of life which has made this Nation great. Let me urge upon you that you not trade American principles for trumped-up arguments of political expediency in this time of great concern in this land of ours.

America has prospered under constitutional government. There are many who wonder how much longer constitutional principles can stand up against the onslaughts of our present Supreme Court and those in our legislative branch who would recklessly whack away time-honored principles.

Mr. Chairman, in opposing this legislation I am compelled to point out to its proponents that their entire thinking is based upon misinformation and false charges.

There is no satisfactory evidence to support the position that this harsh and rash legislative act is needed.

Its enactment will not merely penalize the Southland, as many seem to think. It will penalize people of good will in every section of the Nation.

It will rise up to haunt those who today propose it because it is national in scope in spite of the apparent feeling of the proponents that it applies merely to one section of this Nation.

I am opposed to H. R. 6127 and every part of it and urge that the Members of this body aid those of us who believe in constitutional principles and strike it down at the conclusion of debate.

Mr. Chairman, as I conclude my remarks I would express the hope that in this atmosphere of great concern politically and otherwise we here today have the same courage as we approach our duty to our country and to its Constitution as we have had in other pursuits as we have gone through life to meet those attacks upon our Nation and those things for which it stands.

Mr. SANTANGELO. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SANTANGELO. Mr. Chairman, I am in favor of this bill, H. R. 6127. I am in favor of providing the means of securing and protecting the right to vote of any American citizen, whether he comes from Virginia or Ohio, whether he comes from New York or Mississippi. This bill is a far-reaching and explosive bill. This bill will determine whether we legislators have a pure heart to comprehend our American people and the rectified will to choose our high course of action.

I was impressed yesterday by the speakers of Mississippi and Virginia. I admired their forensic ability and was moved by their emotional appeal. I was impressed by the gentleman from Mississippi who declared that he was a Thomas Jefferson Democrat, and that we should not be the followers of Alexander Hamilton, but should follow Thomas Jefferson.

Well, let us analyze what he said. On July 4, 1776, the colonies declared their independence. The Declaration of Independence was written by the founder of the Democratic Party, Thomas Jefferson, who among other things, declared "all men are created equal and endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness."

Do the Negroes in Mississippi have liberty and the untrammeled right to vote? Do the Negroes have in the southern States of Texas, Mississippi, Virginia, Arkansas, and Alabama, those States which have poll taxes, the equal opportunity to vote? Let us look at the record.

The hearings in connection with the civil rights bill disclose very interesting and alarming situations—page 24. In Mississippi, a poll-tax State, in one county alone of 16,885 Negro voters, only 147 were registered voters, and out of a population of 10,344 whites, over 3,000 were registered voters. In Washington County, Miss., where 48,831 colored persons lived, only 126 were registered, while out of a total of 18,568 whites in the county, over 5,000 were registered.

One fact is crystal clear. Through changes in election laws, through trick questions, through economic pressures, the number of colored persons who are permitted to vote are restricted. It was estimated in the spring of 1955 that Negro registration had been reduced from 20,000 to about 8,000. In one county, Humphreys County, the number had dropped from about 400 to 91.

What does this bill do? It simply protects the Negroes' right to vote in Mississippi, in Texas, in Virginia, in Alabama, in Arkansas, and throughout these United States. It permits our Government through our Attorney General to obtain an order to stop any man or group of men, or any local body, from interfering with the Negroes' right to register and to vote.

When you gentlemen talk about the sacred right of trial by jury, you raise a bogus issue, you raise a phony issue. You oppose this bill on the basis of distrust and fear of our Federal judges, who are appointed by our President for life. I have confidence in our system of law. I have confidence in our Federal judges. I have faith in their integrity and in their honesty and in their wisdom.

For 70 long years Congress has stood still and has not enacted any civil-rights law. Our progress in the field of civil rights has come from the Supreme Court of the United States and through our Executive orders. The legislature has failed to act. Time has marched on and changes have occurred, but the Congress has not recognized the needs of an expanding America, the needs of a rising people. Let us show this Nation that we in Congress seek by legislative means the realization of our American dream—equality of opportunity for all. Pass this bill.

Mr. ASHMORE. Mr. Speaker, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

REDUCTION OF BENEFITS RECEIVED BY CERTAIN INDIVIDUALS PARTICIPATING IN THE OLD-AGE AND SURVIVORS INSURANCE FUND

Mr. COAD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. COAD. Mr. Speaker, sections 402 and 403 of title 42 of the United States Code deal with the reductions of benefits received by those individuals participating in the old-age and survivors insurance who earn more than $1,200 in any one taxable year.

The procedures for calculating and deducting extra earnings are very complicated and archaic, and in my opinion involve unnecessary administrative attention and expense. These costs are borne by the trust funds of social-security payments made by the participants in this program.

It is my contention that this is an insurance program as presently set up and operated and should not be continued as a forced retirement system. Once a person fulfills his obligations to the program through payments and other qualifying provisions of age he should receive full benefit without reductions because of what he may earn, regardless of the amount. These are the twilight years of these persons, and the present restrictions are unnecessary and serve only as penalties to our aged who have borne the burden of labor during the preceding generation.

Therefore, Mr. Speaker, I am today introducing a bill which will amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WALTER and include an article he wrote in a recent publication.

Mr. SMITH of Wisconsin and to include related matter.

Mr. ROOSEVELT and to include extraneous matter.

Mr. NEAL (at the request of Mr. HALLECK) and to include extraneous matter.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from insurrectos during 1899–1903; to the Committee on Government Operations.

S. 1408. An act to provide allowances for transportation of house trailers to civilian employees of the United States who are transferred from one official station to another; to the Committee on Government Operations.

S. 1535. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to make contracts for cleaning and custodial services for periods not exceeding 5 years; to the Committee on Government Operations.

S. 1799. An act to facilitate the payment of Government checks, and for other purposes; to the Committee on Government Operations.

ADJOURNMENT

Mr. BOYLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock p. m.), under its previous order, the House adjourned until Monday, June 10, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

930. A letter from the Administrator, Housing and Home Finance Agency, transmitting a draft of proposed legislation entitled "a bill to transfer certain property and functions of the Housing and Home Finance Administrator to the Secretary of the Interior, and for other purposes"; to the Committee on Banking and Currency.

931. A letter from the Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases in the Federal Communications Commission as of April 30, 1957, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

932. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "a bill to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

933. A letter from Ross, McCord, Ice & Miller, of Indianapolis, transmitting the annual report of the Board for Fundamental Education for the year 1956, which was prepared by George S. Olive & Co., independent certified public accountants, pursuant to Public Law 507, 83d Congress; to the Committee on the Judiciary.

934. A letter from the Deputy Postmaster General, transmitting a report on three occurrences of overobligation of allotments by operational units within the Post Office Department for the two postal quarters ended January 11, and April 5, 1957, pursuant to section 3679 of the Revised Statutes (31 U. S. C. 665); to the Committee on Appropriations.

935. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "a bill to further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes"; to the Committee on Government Operations.

936. A letter from the Comptroller General of the United States, transmitting the first report on the audit of the Forest Service, Department of Agriculture, 1955–56; to the Committee on Government Operations.

937. A letter from the Assistant Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to provide improved opportunity for promotion for certain officers in the naval service, and for other purposes"; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOPER: Committee on Ways and Means. H. R. 7954. A bill relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons; without amendment (Rept. No. 543). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HILLINGS: Committee on the Judiciary. House Joint Resolution 339. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; with amendment (Rept. No. 541). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 340. Joint resolution to facilitate the admission into the United States of certain aliens; with amendment (Rept. No. 542). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. BOLTON:

H. R. 7988. A bill to amend the Veterans' Readjustment Assistance Act of 1952 to make the educational benefits provided for therein available to all veterans whether or not they serve during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

By Mr. DAWSON of Utah:

H. R. 7989. A bill to provide for the survey and establishment of the Glen Canyon recreation area in Arizona, Utah, and New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DELLAY:

H. R. 7990. A bill to change the method of computing basic pay for members of the uniformed services, to provide term retention contracts for Reserve officers, and for other purposes; to the Committee on Armed Services.

H. R. 7991. A bill to amend titles I, II, and III of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. DURHAM:

H. R. 7992. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. HARRIS:

H. R. 7993. A bill to provide for Government guaranty of private loans to certain air carriers for purchase of aircraft and equipment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H. R. 7994. A bill to amend section 902 of the Civil Aeronautics Act of 1938, as amended, so as to prohibit certain practices regarding passenger ticket sales and reservations; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLMES:

H. R. 7995. A bill to authorize the Secretary of the Army to sell certain lands at the McNary lock and dam project, Oregon and Washington, to the port of Walla Walla, Wash.; to the Committee on Public Works.

By Mr. McCARTHY:

H. R. 7996. A bill to amend section 2 (b) of the Bank Holding Company Act of 1956 to exclude from coverage under such act certain corporations the entire income of which, less expenses, is turned over to an exempt organization; to the Committee on Banking and Currency.

By Mr. MAHON:

H. R. 7997. A bill to amend section 31 of the Trademark Act approved July 5, 1946; to the Committee on the Judiciary.

By Mr. MONTOYA:

H. R. 7998. A bill providing for a national advisory committee of county officials to facilitate coordination of county highways in the Federal-aid highway system; to the Committee on Public Works.

By Mr. O'BRIEN of New York:

H. R. 7999. A bill to provide for the admission of the State of Alaska into the Union; to the Committee on Interior and Insular Affairs.

By Mr. PERKINS:

H. R. 8000. A bill to provide disability retirement benefits for civilian employees of the Government in certain additional cases; to the Committee on Post Office and Civil Service.

By Mr. REUSS:

H. R. 8001. A bill to alleviate conditions of excessive unemployment and underemployment in depressed industrial and rural areas; to the Committee on Banking and Currency.

By Mr. ROGERS of Florida:

H. R. 8002. A bill to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations; to the Committee on Government Operations.

By Mr. DURHAM:

H. R. 8003. A bill to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. McGOVERN:

H. R. 8004. A bill to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans; to the Committee on Education and Labor.

By Mr. O'BRIEN of Illinois:

H. R. 8005. A bill to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook and State of Illinois; to the Committee on Government Operations.

By Mr. BECKWORTH:

H. R. 8006. A bill to amend title I of the Social Security Act to provide increased Federal matching of State old-age assistance expenditures thereunder; to the Committee on Ways and Means.

By Mr. COAD:

H. R. 8007. A bill prohibiting lithographing, engraving, or printing on envelopes sold or furnished by the Post Office Department; to the Committee on Post Office and Civil Service.

H. R. 8008. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H. J. Res. 353. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. J. Res. 354. Joint resolution to authorize the designation of October 19, 1957, as National Olympic Day; to the Committee on the Judiciary.

By Mr. HALEY:

H. Res. 276. Resolution expressing the sense of the House of Representatives with respect to the trial of Army Sp3c. William S. Girard by a Japanese court; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States to improve the channel from Panacea, Wakulla County, Fla., through King Bay and Apalachee Bay to the Gulf of Mexico; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States calling for the relinquishment by the Federal Government of certain of its tax sources so that States will be revested with inherent taxing power to carry out their own traditional functions; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLEY:

H. R. 8009. A bill for the relief of Josef (Szaja-Szmul) Inowlocki; to the Committee on the Judiciary.

H. R. 8010. A bill for the relief of Giovanni Di Nardo; to the Committee on the Judiciary.

H. R. 8011. A bill for the relief of Jacques Isaac Bukszpan; to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:

H. R. 8012. A bill for the relief of Aida Amnely Solis de Benitez; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H. R. 8013. A bill for the relief of Zoi Volonaki Cicalo; to the Committee on the Judiciary.

By Mr. HIESTAND:

H. R. 8014. A bill for the relief of Miss Edith Dorn; to the Committee on the Judiciary.

By Mr. McINTOSH:

H. R. 8015. A bill for the relief of the Harmo Tire & Rubber Corp.; to the Committee on the Judiciary.

By Mr. OSMERS:

H. R. 8016. A bill for the relief of John Constantine Fafalios; to the Committee on the Judiciary.

By Mr. PERKINS:

H. R. 8017. A bill for the relief of Wiley J. Adams; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Technical Assistance Is No Crash Program

EXTENSION OF REMARKS
OF
HON. LAWRENCE H. SMITH
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, June 7, 1957

Mr. SMITH of Wisconsin. Mr. Speaker, we will soon have for consideration another so-called foreign aid bill. There is one phase of that program which, in my opinion, has considerable merit and I refer to technical assistance. This program was designed originally to serve much as our agricultural extension program has served the American farmer, only this principle would be applied to nations who desired assistance in the field of agriculture, health, and sanitation.

Mr. Speaker, as the program has developed over the years, technical assistance, as originally planned, has been losing its character and has become involved as part of a huge giveaway and is now mostly economic assistance.

The administrators of this program have too often considered technical assistance as a crash program, one designed to bring quick and everlasting results, something akin to the spectacular.

In 1953 it was my privilege to have been a member of a subcommittee of the House Foreign Affairs Committee which was authorized to visit the Middle East and check on the Arab refugee problem and also other programs that had been set up in that part of the world.

During our visit to Egypt and specifically Cairo the chief of the ICA mission at that time was anxious to show what had been done under his direction and he arranged a trip outside of Cairo for our inspection. In the automobile in which I was riding was the chief of the mission and an Egyptian who had several degrees from American universities and who had returned to his homeland to serve his people. On the way out the Egyptian and the American were discussing phases of the work and the progress being made at that time. I listened attentively while these two gentlemen talked and finally the chief of the mission turned to me and he said, "Congressman, you have been very quiet. We have been doing all the talking." My reply was that I had come to look and to listen but then I said, "However, I do have a question. Your conversation has been most interesting. My question is: 'How long do you think it will take to achieve its objectives?'"

Before the American could answer, the Egyptian replied quite promptly and vigorously, "Oh, it'll take about 200 years."

My American friend and the chief of mission was flabbergasted. He turned to the Egyptian and said, "Oh, Doctor, you don't mean that." The doctor replied, "Well, it'll take at least 100 years."

We are not fooling our foreign friends—they are realists. It is time that we quit trying to fool the American taxpayers.

Mr. Speaker, I relate this experience solely for the purpose of pointing out that a technical assistance program, if organized as originally conceived, is a long, long time project. It can never be related to the so-called crash programs.

The Story of the Month

EXTENSION OF REMARKS
OF
HON. JAMES ROOSEVELT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 7, 1957

Mr. ROOSEVELT. Mr. Speaker, our colleague from Pennsylvania, the Honorable ELMER J. HOLLAND, recently wrote a newsletter which, in part, covers a subject which is all too little understood by many people. I am sure that it will be of great interest to many Members. Therefore, with the permission of Congressman HOLLAND, I am inserting it in the RECORD.

The newsletter follows:

THE STORY OF THE MONTH—WAGES, PROFITS, PRICES

Everyone who buys food and clothes—and a few of the luxuries—knows that it costs more to live today.

Why? There are several reasons, but the one we always hear about, the one that gets the greatest blame, is that wages are too high. It is because of them that prices are so high. This is not true.

The main reason for higher prices is that most of the big companies after granting a wage hike, increase the price of their goods many times more than the amount of the wage increase.

Look at United States Steel. In 1956 steelworkers gained wage and fringe benefits of approximately 20 cents an hour plus a later cost-of-living adjustment of 3 cents an hour. These gains cost the steel corporation about $94 million—even if there had been no increase in output per man-hour (which reduces cost of production).

What happened? Steel prices were raised $8.50 a ton last year, and another $4 a ton this year. This totals to an increase of $12.50 a ton in cost of steel and brought in $340 million a year more for United States Steel. That new income amounts to 3½ times the $94 million allowed in wage and fringe benefits.

The steel price increase was passed on to all of us as purchasers of steel. They were felt in higher prices for food, which was canned; for automobiles; for transportation, for just about everything we buy as steel is used in every business and industry.

The industry could have absorbed those wage and fringe benefit costs and still have reported enormous profits. But prices were raised and the unions were blamed because they secured better wages for steelworkers.

As a result of the price hike, United States Steel will get $246 million more in gross profits, and they will get an extra $118 million in net profits after taxes, even after paying higher wages and better fringe benefits.

Net profits after taxes for first 3 months in 1955, 1956, and 1957

1955	$72,652,000
1956	104,160,945
1957	115,478,109

The more wages paid and better fringe benefits provided means higher profits because the steel companies increase steel prices far more than enough to cover the cost of the higher wages and benefits.

Look at Ford and General Motors, the giants of the auto industry. They said in 1955 and 1956 prices would be higher on cars because they were forced to pay more wages. The gains in wages and benefits came to 20 cents an hour. However, in 1955—before prices were raised, but after the wage increase—General Motors' profit, after taxes, was $1.41 for each man-hour for 400,000 employees. Ford's profit after taxes was $1.47 per man-hour.

You can see then, it is not the wages and fringe benefits that the big corporations pay that cause prices to go up. The true cause is the fact that the companies jump their prices far more than enough to meet the cost of wage and fringe benefits.

Immigration Controls Spell National Security

EXTENSION OF REMARKS
OF
HON. FRANCIS E. WALTER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 7, 1957

Mr. WALTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article from the National Republic, June 1957, issue:

IMMIGRATION CONTROLS SPELL NATIONAL SECURITY

(By Hon. FRANCIS E. WALTER, of Pennsylvania, chairman, Committee on Un-American Activities, Subcommittee on Immigration, U. S. House of Representatives)

Another richly financed and highly organized campaign against the basic principles of our American immigration policy is now in full force. This campaign strikes not alone at our immigration policy, but endangers both the national security and sound cultural development of our country.

The number and type of immigrants coming into the United States has been a matter of Federal concern for more than a century. Throughout all our history immigration laws have been based on the premise that one of the first functions of sovereignty is control of both quality and quantity of prospective new citizens. The only yardstick in arriving at this determination has been the interest and welfare of the American people. Under international law, the right of every nation to control rigidly its immigration flow is recognized universally.

Immigrants coming into the United States are entering into the bloodstream of the Nation. It is like an injection into the bloodstream of an individual. It can be

beneficial to him, increasing his strength and vitality. But, if the injection is one of improper quality or improper quantity—it could be fatal.

A comprehensive picture of our current problems cannot be presented without an outline of the historical background of American immigration.

From the first settlement of the North American colonies to the end of the Revolutionary War in 1783, immigration to the New World was regulated, not by the colonists but by the governments of Europe. The interest of the European ruler was enhanced by the size of the population of his domain. The more abundant the labor force, the greater his power, and the more gold accumulated in the royal coffers. Consequently, all European rulers tried to prevent the exodus of their subjects, the peons, who were already attracted by the magnificence of the wide open land and the opportunities beckoning from across the seas.

The new settlers on this side of the Atlantic deliberately encouraged immigration. Here, more people meant more producers, more consumers, and more wealth to be extracted from the newly acquired soil and—last but not least—more people on the Indian frontiers meant increased safety of life and property.

It is estimated that in 1640, the population of the North American colonies numbered 25,000 and by 1700, had risen to 200,000. It took another 50 years to bring the population figure to the first million.

When the Articles of Confederation were adopted in 1777, the population of the 13 colonies was well over 3 million, and the first census taken in 1790 put it at 4 million. About two-thirds of the white population were of English, Scotch, and Welsh origin; about one-third were Dutch, French, German, Scandinavian, Spanish, and Portuguese.

Except for a short-lived restrictive period created by the alien and sedition law of 1798, immigration flowed into the United States unfettered by any legislation. The vast growth of the new American economy, its progression to the limitless frontiers of the West, and the ready acceptance of the newcomer by the thriving communities—already established—exerted an increasing attraction on poverty-stricken Europeans in the countries devastated by the Napoleonic wars. Recurring famines and the great industrial revolution resulted in increased population pressures and caused a gradual relaxation of the restrictive attitude of the European rulers, who suddenly reversed themselves and began to encourage emigration.

As a consequence, the first official record of arriving immigrants, established in 1820, indicated that the population of the United States had jumped to almost 10 million persons.

By that time public opinion in both Europe and America became aroused by reports of appalling conditions on vessels carrying immigrants on the transatlantic journey. Thousands were crowded in steerage space, where many died of hunger, thirst, and disease. In 1819, a law was enacted in the United Statea limiting the number of passengers a ship could carry, and prescribing the minimum amount of water and food to be aboard. The master of every ship reaching our shores was called upon to report the number of passengers and their personal data, such as age, sex, occupation, and country of origin. Thus originated our first immigration statistics.

The first legislative enactment which may be considered as relating to the quality of immigrants was passed in 1863. It prohibited Americans from carrying on the trade in Chinese coolies. Later laws, still qualitative in nature, established rules for the exclusion of immoral persons, paupers, and criminals.

A tremendous influx of Chinese immigrants after the discovery of gold in California prompted the enactment of the first Chinese exclusion law, in 1882. That trend of legislation continued, as witnessed by the enactment, in 1885, of a restrictive immigration measure aimed at prohibiting the importation of cheap labor from abroad.

A few years later, in 1891, Congress excluded insane persons, persons likely to become public charges, felons, feebleminded persons, polygamists, and persons convicted of crimes involving moral turpitude.

The ethnic pattern of our immigration began to change in the last two decades of the 19th century. About 1890, there appeared for the first time an appreciable number of immigrants from eastern and southern Europe. They came from the Balkans, Italy, and from Russia, where the czarist persecution of Jews began to drive out refugees in ever-increasing numbers.

These changes in the immigration pattern continued until after World War I. In the decade of 1871–80, almost 74 percent of our immigrants came from northern and western Europe, and only 7 percent from southern and eastern Europe. But, in the decade of 1900–10, only 22 percent came from northern and western Europe, while immigrants originating in southern and eastern Europe contributed about 71 percent.

It was about that time that the Congress turned its attention from qualitative restrictions to quantitative restrictions. The first law establishing a ceiling on the number of immigrants—a quota—was enacted in 1921. The second quota law was passed in 1924 and remained in effect with very little change until the enactment of the present law in 1952.

The 1924 act established the much discussed national-origins system, allocating to every national group a fixed proportion of immigrants based on that national group's proportion to the total population of the United States as of 1920. The purpose was to expand the population in orderly fashion from year to year, with roughly the same proportion of each immigrant strain as prevailed in 1920.

The 1952 law was not a step lightly taken. In final form the Walter-McCarran Act represented a comprehensive codification and modernization of some 148 immigration and naturalization statutes then on our books. The Congressional study group which produced this codification had been at work on the problem since 1947. Scores of hardship inequities were ironed out of the old hodgepodge of piecemeal legislation, as enacted during the preceding century.

All countries of the globe were granted immigration quotas without discrimination, under a formula equally applicable to all areas, regardless of the color of the skin or the shape of the eyes of their inhabitants.

At the same time, the new law made it infinitely easier to rid this country of foreign-born subversives, criminals, racketeers, narcotic peddlers, professional gamblers, and aliens who had originally entered illegally.

These, in brief, are the major features of the law so many fellow-traveler groups have been trying for 5 years to uproot and destroy. Few measures in all our national history have afforded the United States so much protection against criminal and subversive elements at so little cost.

Nor may it be said that the law was passed by parliamentary sleight of hand. The bill passed the House on April 25, 1952, by a vote of 206 to 68. The Senate passed it by a voice vote on May 22. President Truman vetoed the measure on June 25. But on June 26 the House repassed it 278–113, and on June 27 the Senate overrode the veto 57–26. The act became effective December 24, 1952. Any measure enacted over a Presidential veto must command overwhelming national support.

The House Committee on Un-American Activities disclosed in its 1956 annual report that the Communist Party has created or sponsored no less than 180 different fellow-traveler organizations in the United States, having as their principle purpose the repeal or destruction of the Walter-McCarran Act.

One of these organizations, styled the American Committee for Protection of Foreign Born, has been formally branded as completely dominated by the Communist Party. It is also described as the oldest creation of the Communist Party still active in the United States. The committee report added: "The American Committee for Protection of Foreign Born, while dealt with here as a single organization, is in fact a complex of organizations at times numbering more than 300."

Three central policies of the law are under attack from this and other leftist groups. The international campaign for repeal seeks first to destroy the national-origins principle. Second, the repeal movement seeks to admit an estimated 1 million new immigrants a year instead of the average of 225,000 annually under the prevailing system. Third, the Communist-front section of the repeal movement seeks to strike out of the law every provision for screening immigrants for subversive activities or advocacy of revolutionary tactics in their native lands.

History demonstrates clearly that there have been but few native Americans in the top ranks of the United States Communist Party. World-wrecking communism in America is purely an import. Without effective immigration controls, communism easily might gain a free hand in America.

No country in the world has received desirable immigrants more hospitably than the United States. Since World War II we have extended the hand of welcome to some 1 million permanent immigrants, including recently many Hungarian refugees from Communist terror.

In addition, we have welcomed in temporary residence some 200,000 students from 127 countries, many of these under direct grants from the United States Treasury.

No American ever should allow himself to be chagrined that our immigration policies are in any way wanting in considerations of humanity and Christian decency.

The sole purpose of our immigration controls has been to exclude undesirable criminal, revolutionary, and anarchistic elements from the national bloodstream.

Since the war, this country has taken one-third of all the displaced persons resettled throughout the world. We have but 6 percent of the world's land area, but we have taken more than 33 percent of Europe's refugees.

The world's population is growing infinitely faster than jobs and food supply. Human fertility is heading for what the census experts call a "population explosion." Japan today has 88 million people crowded into an area the size of Montana. Try to imagine, if you will, half of the United States population living in Montana.

Communist China has more people than she can count—somewhere in the neighborhood of 600 million.

Here in the United States, our own population growth currently adds a new city of Chicago to our total every year. New jobs are needed to keep pace.

It is not difficult to demonstrate statistically that our current population increase is entirely out of proportion to our rate of new capital accumulation. We have not yet begun to expand our production facilities,

housing, schools, and highways to accommodate our own foreseeable population increase. Unless we do expand new capital plant steadily in step with population growth, every American citizen faces the prospect of a lower standard of living somewhere in the not too distant future. Sound public policy would appear to dictate, therefore, that population increase should be held rigidly in line with our traditional American conceptions of living standards, education, and opportunity. In this equation our first consideration should be for the welfare of the American people.

Larger immigration quotas by the United States could never hope to solve the world's population problem. But careless handling of this explosive situation easily might undermine American prosperity and security for many generations.

No land in the world shows higher regard than the United States for the rights and privileges of immigrant minorities. But this noble tradition does not mean that the American people are ready to turn the country over completely to alien domination.

American citizenship for immigrants never has been a right granted by our Constitution. It always has been a high privilege, to be earned and retained by earnest support of our inspiring American traditions of freedom under law.

Only thus may we hope to grow in national strength and moral stature.

"The importance of foreigners into a country that has as many inhabitants as the present employments and provisions for subsistance will bear, will be in the end no increase of people, unless the newcomers have more industry and frugality than the natives, and then they will provide more subsistance, and increase in the country; but they will gradually eat the natives out. Nor is it necessary to bring in foreigners to fill up any vacancy which will soon be filled by natural generation." (Benjamin Franklin.)

Allies' Policy Toward Red China

EXTENSION OF REMARKS

OF

HON. WILL E. NEAL

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 7, 1957

Mr. NEAL. Mr. Speaker, within the past week the citizens of the United States were dumfounded, if I may make it even stronger, shocked, when some of our stanchest allies deserted us on our fundamental position that Red China should be commercially quarantined from the Free World. I do not need to remind you that we adopted this policy in regard to the Peiping regime because of China's inhuman and barbaric treatment of Americans in China at the time the Communist masters assumed control.

It was a policy of some 10 years' duration and our desertion by the British, French, Norwegians, and others of the Free World community serves to underline the changing picture of America's position today and what it amounted to a decade ago.

At the time we adopted our no-trade policy, America's position was secure as the financial and industrial giant on this planet. True, by loans, grants, and assorted forms of aid, we were able to maintain adherence to the China boycott policy. Now, it is of some concern to me when I consider the fact that perhaps we, unwittingly, have weakened ourselves to a point where our erstwhile stanch friends see fit to disregard and turn away from a basic American foreign policy.

During the 10 years in which we clung to commercial and diplomatic ostracism of the Communist masters of Russian and Chinese millions, we sacrificed a considerable portion of our own industrial capacity through liberalized tariff rates and trade agreements, in order to bolster and maintain the dollar balances of foreign countries. They, our allies, in turn used such dollar balances to come into our market for the purchase of machine tools and heavy durable equipment which enabled them thus to manufacture goods for the world market and with their cheap labor undersell American manufacturers.

It is my considered opinion that it will never be known just how much of American manufacturing costs of producing this export material for foreign aid have been absorbed by the United States Treasury. It seems to me, however, that throughout the years there has been a steady stream of America's wealth that has flowed outward in the form of gifts, grants-in-aid, and highly questionable loans. This growing stream is a highly important factor in high taxes which the American people are made to pay. Meanwhile, recipients of these gifts have attained the point of real, and, in some cases, crushing competition for the American businessman in world markets.

As a result of these strengthened economies, given sinew by successive administrations pledged and devoted to continue foreign aid, we are turning now to mass production of war materials for export purposes, hoping that such war materials will eventually give us firm recruits in our fierce determination to prevent extension outward of Russia's Iron Curtain. This is, of course, a highly debatable policy and only time can show its worth.

A second result that has come to pass from our prosperous friends is that they have assumed various postures of diplomatic independence which led to last week's instant case of their desertion of the United States on the China question.

I do not know what the will of this Congress will be on GATT and OTC but I do know that Members of this House will be under increasingly heavy pressure from producers of durable goods, international bankers and the prophets of "one world" in future weeks to lower tariff barriers and generally to launch this Nation upon something approaching free trade. When that day comes we will see a vast importation of foreign goods which will undersell products made at home. Thus our foreign friends will accumulate dollars to their credit in our own country with which to pay for the export materials which we supply them.

It might be timely to point out that while it was a great blow to have our friends repudiate our Chinese policy, there occurred another event almost parallel with it, which showed even better how anti-American blow the international winds. It was on Formosa that anti-American sentiment flared up into astonishing proportions, leaving even some of our most determined supporters of Nationalist China here on the Hill considerably shaken and taken aback. This riot occurred in one place where it had been almost automatically assumed that one of our best friends resided. If such violent anti-American feeling could flame up on Formosa, what of the situation in other countries which have been shored up and sustained by American dollars and aid?

It seems to me that much of what we have sought to accomplish in the way of a stable and peaceful world at such a staggering cost during the past postwar period may have come to naught. It is true that we have saved many a country from being gobbled up by the Russian bear but it is even truer that gratitude among nations, as among men, is a fragile thing.

I do not believe that America can stand totally alone in a hostile world. To exist as a Nation we must have alliances, but to have enduring and profitable alliances we, as a senior partner, must be strong internally. Even now while we enjoy unprecedented prosperity there are disquieting but abundant signs that the time of reaping of the economic whirlwind may not be too far in the future.

You may recall that during the week of May 12 the United States Treasury's offer of several million dollars' worth of bonds was a failure. While officially it was said that the low-interest yield was largely responsible for the lack of investors, it may be an ominous sign that private capital is increasingly afraid of Federal securities because of the staggering size of our $270-billion national debt. If that be true, then it means that public confidence in the fiscal policies of the United States Government has been severely shaken, and a shaken confidence in Government means a diminution of confidence in our economy and the political machinery of the Republic.

I think it is time for some stocktaking upon the part of those entrusted with making national policy. I, for one, believe that the entire question of foreign aid should be gravely and thoroughly reexamined and a new assessment of its true worth as an instrument of foreign policy be arrived at. I believe, further, that some consistency should be restored to the operation of the Federal establishment. By this I would strike a blow for the taxpayers by ruthlessly eliminating waste and extravagance to the double purpose that we might effect tax reductions and apply some of our savings to a reduction of our overwhelming national debt which hangs like the sword of Damocles over the heads of us all.

With a strengthened economy and our domestic economic household put in order, America need have no fears for the future; our labor and industry, possessing confidence in our way of life, can easily produce for the world market so

efficiently and cheaply that we can hold our own in any competitive situation. However, labor and industry, debilitated by the knowledge their taxes are being used to subsidize their competitors to the point where American goods can be undersold and shut out, have lost half the battle before it starts.

There is still time for us to redeem much of our past folly. It is not too late to restore the United States to its dominant position of world leadership which it had enjoyed immediately following World War II. But to redeem our past errors we in this 85th Congress must show the way. We have been amply warned by international events since the first of this year that perhaps, after all, we have been living in a fool's paradise and continually deluding ourselves that all is right with the world. I hope the time has come when we can see the handwriting on the wall. The letters are large enough for all to see.

SENATE

MONDAY, JUNE 10, 1957

Rev. S. Baxton Bryant, pastor, Whaley Memorial Methodist Church, Gainesville, Tex., offered the following prayer:

Our Father God, we thank Thee for the hunger for peace Thou hast placed in every human heart. In these trying days help us to keep faith that this hunger will make it possible for peace to come to all mankind. Never let us forget that Jesus prayed, "Thy kingdom on earth." Forgive us for sometimes growing "weary in well doing." Give us the patience, direction, and dedication that will lead the world to become a friendly neighborhood of nations.

We are thankful for our country and this able body that meets today. Bless each one of the Members as individuals. Be with them in their lonely hours of decision. Keep fresh in their hearts the high ideals and faith which burned so brightly when the oath of office was first taken. Make them daily conscious of the millions of prayers of their fellow countrymen. Be so present with them that after a hard day's work with trying and difficult problems they will feel that their labor has not been in vain.

Save us as citizens from being selfish and unreasonable in making demands upon our public servants. Give us the grace to pray more and criticize less. We make our prayer in the name of Him who loved us and gave himself for us. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Thursday, June 6, 1957, was approved, and its reading was dispensed with.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of May 13, 1957, the following reports of a committee were submitted on June 7, 1957:

By Mr. MAGNUSON, from the Committee on Appropriations:

H. R. 6070. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes; with amendments (Rept. No. 414).

By Mr. RUSSELL, from the Committee on Appropriations:

H. R. 7441. A bill making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes; with amendments (Rept. No. 415).

Mr. HILL, from the Committee on Appropriations:

H. R. 6287. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes; with amendments (Rept. No. 416).

Under authority of the order of the Senate of June 6, 1957, the following report of a committee was submitted on June 7, 1957:

By Mr. GREEN, from the Committee on Foreign Relations:

S. 2130. A bill to amend further the Mutual Security Act of 1954, as amended, and for other purposes; with an amendment (Rept. No. 417); ordered to be printed with an illustration.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Tribbe, one of his secretaries.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. MCCLELLAN was excused from attendance on the sessions of the Senate until next Thursday, because of official business.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on the District of Columbia and the Subcommittee on Public Roads of the Committee on Public Works were authorized to meet during the session of the Senate today.

ORDER FOR SENATE TO CONVENE AT 9:30 A. M. THE REMAINDER OF THIS WEEK

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate convene at 9:30 a. m., for the remainder of this week.

The VICE PRESIDENT. Without objection, it is so ordered.

VISIT TO THE SENATE BY HIGH SCHOOL STUDENTS FROM GAINESVILLE, TEX.

Mr. JOHNSON of Texas. Mr. President, the Christian gentleman who opened our session with prayer this morning, the Reverend S. Braxton Bryant, pastor of the Whaley Memorial Methodist Church at Gainesville, Tex., has with him in Washington a fine group of high school students.

These young people are seated in the gallery, and it is with pride in being their fellow Texan that I welcome them to the Senate. Nobody can look into their faces and talk with them without feeling a renewed confidence that the future of our country is in good hands.

To these young Texans and to their parents I extend my most cordial good wishes.

I ask unanimous consent that a list of those present from Gainesville be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

WHALEY MEMORIAL METHODIST CHURCH, R. BAXTON BRYANT, MINISTER, GAINESVILLE, TEX.

Sponsors: Reverend and Mrs. Bryant, Rev. Charles Ray Peters, and Mrs. R. L. Bandy, Jr.

Young people: Miss Jo Haynes, Miss Sylvia Allbritton, Miss Judi Miller, Miss Lacrisha Bryant, Miss Jan Bandy, Miss Sue Swick, Miss Ann Sullivant, Miss Kay Sullivant, Miss Judy Sproles, Miss Emma Lou Beavers, Miss Patsy Schneider, Miss Rosalie Davis, Miss Jane Carroll, Ralph Bullard, Charles Huneycutt, Watt LeRue, Johnny Simpson, Ronny Meeks, Ernest Perkins, Bobby West.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to inform all Senators again that this week the Senate will meet early and run late. We shall have a Saturday session, if it is necessary, in order to take care of four appropriation bills which were reported by the Appropriations Committee last week, and the mutual aid bill, which I hope it will be possible to have the Senate consider by the middle of the week. We will try not to have rollcalls early in the morning or, any more than necessary, late in the evening, but we do expect to have long sessions.

There have been reported to the Senate appropriation bills for the District of Columbia; Independent Offices; Agriculture; and Labor, Health, Education, and Welfare. We shall expect to proceed to their consideration tomorrow morning, at 9:30, following the morning hour.

The 1958 budget estimates for these 4 bills totaled $13,081,043,998. The recommendations of the Senate Appropriations Committee total $12,128,830,459, representing a reduction of $952,213,539, almost $1 billion, or 7¼ percent below the budget estimates.

It is my information that the appropriation bills which have previously been sent to the President reflect a reduction of some 8 percent below the budget estimates.

In the case of the four bills referred to, the Senate committee recommendations are $11,377,121 above the amounts appropriated by the House. The principal reason for the Senate figures exceeding the House figures is that the committee

has recommended increases of almost $40 million for health and social welfare purposes over the figures approved by the House.

These increases are in line with the traditions of the 84th Congress. We have always felt deep concern for and have been willing to take effective action in the interests of the health and general welware of the people.

The Senate Appropriations Committee has studied these appropriation bills with extreme care and thoroughness. It has further reduced items which it believes are not essential for this year. Such reductions enabled it to recommend the increases in the fields of health and welfare, and still keep the bills 7 percent below the budget estimates.

I commend the committee for its careful and thorough work. I am confident the Senate will support the committee in all its recommendations.

It is anticipated that we shall begin the consideration tomorrow morning of the District of Columbia appropriation bill. We may have to change the schedule, but it is our present plan to follow that bill with the appropriation bill for the Department of Agriculture.

Either tomorrow or Wednesday the Senate will consider the Independent Offices and the Labor, Education, Health, and Welfare appropriation bills.

It is believed possible that by Wednesday we shall be able to take up the mutual security authorization bill, which has been reported to the Senate and is on the calendar.

I am hopeful that at an early date the atomic energy treaty will be reported, so that it, too, may be called up for consideration.

I announced last week that we expect to have a heavy schedule of work this week. I hope all Senators will arrange their plans accordingly, so that the work of the Senate may proceed expeditiously and with a maximum number of Senators available on the floor at all times during the consideration of these important measures.

If all Senators cooperate, I am confident it will be to the advantage of each, since, while we have many important bills to act upon, if we can avoid delays on the floor, we should be able to consider them in a minimum number of days.

There are many other important measures which will follow the bills I have announced. As soon as I am able to announce the schedule for such measures I shall do so on the floor.

I have called upon the chairmen of the standing committees to supply me with a schedule of measures they expect to act on and have available for the consideration of the Senate. As soon as I have their reports I shall announce it to the Members of the Senate.

I again call attention to the fact that tomorrow the Senate will convene at 9:30, and, after a morning hour and a quorum call, will proceed to the consideration of the appropriation bills.

MORNING HOUR

The VICE PRESIDENT. The Senate having met today following an adjournment, there is the customary morning hour.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON OVEROBLIGATIONS OF APPROPRIATIONS

A letter from the Deputy Postmaster General, reporting, pursuant to law, on the overobligations of appropriations within the Post Office Department, during the two postal quarters ended January 11, and April 5, 1957; to the Committee on Appropriations.

PROPOSED TRANSFER BY NAVY DEPARTMENT OF OBSOLETE CRUISER TO CRUISER OLYMPIA ASSOCIATION, PHILADELPHIA, PA.

A letter from the Acting Secretary of the Navy, reporting, pursuant to law, that the Navy proposed to transfer the obsolete cruiser *Olympia* to the Cruiser Olympia Association, at Philadelphia, Pa., for the purpose of a public memorial; to the Committee on Armed Services.

AUTHORITY FOR ENLISTMENT OF ALIENS IN THE REGULAR ARMY

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes (with accompanying papers); to the Committee on Armed Services.

TRANSFER OF CERTAIN PROPERTY AND FUNCTIONS OF HOUSING AND HOME FINANCE ADMINISTRATOR TO SECRETARY OF THE INTERIOR

A letter from the Administrator, Housing and Home Finance Agency, Washington, D. C., transmitting a draft of proposed legislation to transfer certain property and functions of the Housing and Home Finance Administrator to the Secretary of the Interior, and for other purposes (with an accompanying paper); to the Committee on Banking and Currency.

REPORT OF FEDERAL HOME LOAN BANK BOARD

A letter from the Chairman and members of the Federal Home Loan Bank Board, Washington, D. C., transmitting, pursuant to law, the annual report of that Board covering the operations of the Federal Home Loan Bank System, the Federal Savings and Loan System, and the Federal Savings and Loan Insurance Corporation, for the calendar year 1956 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON INTERNATIONAL EDUCATIONAL EXCHANGE PROGRAM

A letter from the Secretary of State, transmitting, pursuant to law, a report on the international educational exchange program, covering the period January 1 through June 30, 1956 (with an accompanying report); to the Committee on Foreign Relations.

AUDIT REPORT ON FOREST SERVICE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Forest Service, Department of Agriculture, dated 1955–56 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

A letter from the Administrator, General Services Administrator, Washington, D. C., transmitting a draft of proposed legislation to further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

CLAIM OF MCGAHEY BAND OF CHOCTAW INDIANS *v.* THE UNITED STATES

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D. C., reporting, pursuant to law, that proceedings in the case of the *McGahey Band of Choctaw Indians, descendants of Alexander F. McGahey, Sussana Graham, and John B. Stewart*, v. *The United States* have been finally concluded (with an accompanying paper); to the Committee on Interior and Insular Affairs.

CONSTRUCTION OF SURVEYING SHIPS FOR COAST AND GEODETIC SURVEY

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES, FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D. C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of April 30, 1957 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT OF BOARD FOR FUNDAMENTAL EDUCATION

A letter from Harry T. Ice, of the firm of Ross, McCord, Ice & Miller, Indianapolis, Ind., transmitting, pursuant to law, the audit and annual report of the Board for Fundamental Education for the year 1956 (with accompanying documents); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Oregon; to the Committee on Interstate and Foreign Commerce:

"Senate Joint Memorial 8

"To the Honorable Senate and the House of Representatives of the United States of America, in Congress assembled:

"We, your memorialists, the Forty-ninth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas a large volume of nonsecurity cargo is regularly shipped by the United States Government and particularly by the Army and Navy through marine terminal facilities owned and operated by the Government, and very little of such cargo is routed over commercial marine terminal facilities owned or operated by public and private ports in the State of Oregon; and

"Whereas the public and private ports constitute an important part of the Nation's transportation facilities as proven by their capacity use during World War II; and

"Whereas the maintenance and operation of commercial marine facilities in a healthy condition adequately staffed with competent and experienced personnel are essential to the general welfare and defense of our Nation in time of war or emergency; and

"Whereas the public and private ports are ready, willing, and able, and should be permitted to handle a fair share of nonsecurity Government cargo at the regularly established tariff rates approved by the appropriate State and Federal regulatory agencies, or at fair and reasonable uniform negotiated rates: Now, therefore, be it

"Resolved by the Senate of the State of Oregon (the House of Representatives jointly

concurring therein), That the Legislature of the State of Oregon does hereby respectfully urge and memorialize the Congress of the United States to enact legislation similar to H. R. 2229, 85th Congress, which would require the appropriate agency or agencies of the United States Government to take such steps as may be necessary and practicable to assure that nonsecurity Government cargo shall be transshipped by the use of publicly or privately owned commercial marine terminal facilities, to the extent that such marine terminal facilities are available at fair and reasonable rates, in such manner as will insure a fair and reasonable participation of such commercial marine terminal facilities in the transshipment of such cargoes by geographic areas; and be it further

"*Resolved*, That copies of this memorial be sent to the President and Vice President of the United States, the Secretary of the United States Senate, the Clerk of the United States House of Representatives, and to all members of the Oregon congressional delegation.

"Adopted by senate May 11, 1957.

"ZYLPHA ZELL BURNS,
"*Chief Clerk of Senate.*
"BOYD R. OVERHULSE,
"*President of Senate.*

"Adopted by house May 16, 1957.

"PAT DOOLEY,
"*Speaker of House.*"

A joint resolution of the Legislature of the State of California; to the Committee on Foreign Relations:

"Senate Joint Resolution 17, relative to criminal jurisdiction by foreign governments over United States members of armed forces and their civilian components

"Whereas the members of our Armed Forces serving abroad, their civilian components and the dependents of each; are now subject to the criminal jurisdiction of more than 50 countries in which they may be on duty, by reason of the NATO Status of Forces Treaty, the administrative agreement with Japan, and executive agreements with other nations; and

"Whereas these agreements penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend; and

"Whereas it is impossible for any serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying systems of jurisprudence which make it impossible for him to receive the protection of all of the rights and guarantees which our Constitution gives to every citizen, and because of the prejudice and animosity sometimes existing against our men; and

"Whereas legislation has been introduced in both the Senate and the House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its Armed Forces for all purposes, or if such a modification is refused, then to terminate or denounce the agreements according to the terms of each: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly)*, That the members of this body deplore the arrangements now existing which make service in our Armed Forcee abroad a hazard by depriving our servicemen, their civilian components, and dependents of each, of the rights and guaranties of our Constitution when they are stationed in other lands; and be it further

"*Resolved*, That we respectfully urge the Congress of the United States to immediately enact the legislation now pending or similar legislation which will secure a modification or denunciation of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen; and be it further

"*Resolved*, That the secretary of the senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on the Judiciary:

"Senate Joint Resolution 35, relative to the proclamation of Senior Citizens Day

"Whereas the citizenry of the United States of America is composed in part of persons who have reached the golden age of sagacity, tranquility, and past memories; and

"Whereas though old in years, persons who have reached the zenith of life have gained wisdom and knowledge commensurate with their years; and

"Whereas the deeds of their youth, when coupled with the knowledge of their age, provides a wisdom of which this country can be justly proud; and

"Whereas these citizens have richly contributed their full measure to the welfare and prosperity of the United States through the years; and

"Whereas in consideration of their past and present labors and sacrifices for the well-being of not only the State but each citizen thereof, it is only fitting that a day be set aside for the recognition of the heritage which they have left and the wisdom yet available; and

"Whereas the Governor of the State of California has been requested to proclaim the fourth Sunday of each September as Senior Citizens Day in the State of California: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly)*, That the Legislature of the State of California respectively memorializes the President and the Congress of the United States to establish and proclaim the fourth Sunday of each September as Senior Citizens Day in the United States; and be it further

"*Resolved*, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the chairman of the appropriate committees of the Congress, and to each Senator and Representative from California in the Congress of the United States."

The petition of Edna D. James, of Oakland, Calif., praying for the enactment of House bill 358, to provide increased pensions for Spanish War widows; to the Committee on Finance.

Resolutions adopted by the Pennsylvania Department of Veterans' Affairs, International Benevolent Protective Order of Elks, Philadelphia, Pa., relating to increases in service-connected disability compensation, and so forth; to the Committee on Finance.

A resolution adopted by the Verdugo Hills, Calif., Republican Woman's Club, relating to the trial of Specialist 3d Class William S. Girard in a Japanese court, and the Status of Forces Treaty; to the Committee on Foreign Relations.

A resolution adopted by the Long Island General Assembly Fourth Degree (Patriotic), Knights of Columbus, Brooklyn, N. Y., relating to the Status of Forces Treaty; to the Committee on Foreign Relations.

A resolution adopted by the American Legion, Department of Alaska, Skagway, Alaska, relating to the so-called open-skies inspection affecting Alaska and other strategic areas of North America; to the Committee on Foreign Relations.

A resolution adopted by the board of directors, chamber of commerce of Honolulu, Hawaii, relating to airport and terminal construction at Honolulu International Airport; to the Committee on Interior and Insular Affairs.

A resolution adopted by the American Legion, Department of Alaska, at Skagway, Alaska, favoring the enactment of legislation to provide statehood for Alaska; to the Committee on Interior and Insular Affairs.

A resolution adopted by the annual convention of the American Defenders of Bataan and Corregidor, Inc., Albany, N. Y., favoring the enactment of House bill 4742, providing coverage under the War Claims Act of 1948, of veterans of Bataan and Corregidor; to the Committee on the Judiciary.

A telegram in the nature of a petition from the district stewards and pastors of the Philadelphia district of the Methodist Church, Jamaica, N. Y., signed by Rev. Charles L. Carrington, reporter, relating to the President's civil rights program; to the Committee on the Judiciary.

A letter in the nature of a memorial from the Manor Park Citizens' Association, Washington, D. C., signed by Ernest H. Pullman, corresponding secretary, remonstrating against the proposed demolition of the State, War, and Navy Department Building in the city of Washington; to the Committee on Public Works.

A resolution adopted by the American Institute of Architects, at Washington, D. C., favoring the enactment of legislation to establish the position of Federal Coordinator of Public Works Planning in the Executive Office of the President; to the Committee on Public Works.

A resolution adopted by the College Caucus of the Massachusetts Council of Young Republican Clubs, Boston, Mass., expressing sorrow at the death of the late Senator Joseph R. McCarthy, of Wisconsin; ordered to lie on the table.

A resolution adopted by the Board of Directors of the Verendrye Electric Cooperative, Inc., of Velva, N. Dak., relating to the construction of the Hells Canyon project; ordered to lie on the table.

RESOLUTIONS OF FLORIDA LEGISLATURE

Mr. HOLLAND. Mr. President, on behalf of myself, and my colleague, the junior Senator from Florida [Mr. SMATHERS], I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, House Memorial 1290 of the Florida Legislature, 1957, memorializing the Congress of the United States to improve the channel from Panacea, Wakulla County, Fla., through King Bay and Apalachee Bay to the Gulf of Mexico.

There being no objection, the resolution was referred to the Committee on Public Works, and, under the rule, ordered to be printed in the RECORD, as follows:

House Memorial 1290

A memorial requesting the Congress of the United States of America to improve the channel from Panacea, Wakulla County, Fla., through King Bay and Apalachee Bay to the Gulf of Mexico

Whereas Panacea is an unincorporated village in Wakulla County, Fla., situated on King Bay; and

Whereas the past several years have seen King Bay become almost landlocked because of silting and sand bars building up, blocking navigation to Apalachee Bay and the open Gulf of Mexico; and

Whereas the majority of residents of Panacea, Florida, rely upon having access to the Gulf of Mexico for their livelihood; and

Whereas the Constitution of the United States of America places the authority and responsibility for control and regulation of navigation in the Federal Government and bars action in this jurisdiction from the several States, Florida included; and

Whereas these people have no relief except and through action of the Congress of the United States of America: Now, therefore, be it

Resolved by the Legislature of the State of Florida, That the Congress of the United States of America is hereby requested and memorialized to take immediate steps toward improving the channel from Panacea, Fla., through King Bay and Apalachee Bay to the Gulf of Mexico, to the end that the same may be navigable and safe for the passage of boats and other vessels and that at least a 6-foot channel at low water be maintained; and be it further

Resolved, That copies of this memorial be dispatched to the President of the United States Senate; to the Speaker of the United States House of Representatives; to each member of the Florida delegation to the Congress of the United States and to the Chief of Engineers, Corps of Engineers, Washington, D. C.

Filed in office, secretary of state, June 3, 1957.

The VICE PRESIDENT laid before the Senate a resolution of the Legislature of the State of Florida, identical with the foregoing, which was referred to the Committee on Public Works.

Mr. HOLLAND. Mr. President, on behalf of myself and my colleague, the junior Senator from Florida [Mr. SMATHERS], I present for appropriate reference and ask unanimous consent to have printed in the RECORD, House Memorial 223 of the Florida Legislature, 1957, providing for the relinquishment by the Federal Government of certain of its tax sources so that States will be revested with inherent taxing power to carry out their own traditional functions.

There being no objection, the resolution was referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

House Memorial 223

Memorial to the Congress of the United States calling for the relinquishment by the Federal Government of certain of its tax sources so that States will be revested with inherent taxing power to carry out their own traditional functions

Whereas the Congress of the United States has enacted legislation levying a tax upon virtually every conceivable source of our economy which could be subject to taxation; and

Whereas the tax so levied upon these sources by the Congress of the United States is so extreme in almost every case that no reasonable opportunity remains for the States to levy a tax upon these same sources; and

Whereas the sources of revenue remaining to the States are so limited and so few that the efficiency and scope of State activity is impaired and limited because of the lack of sufficient funds; and

Whereas it has become necessary for the Federal Government to, in many instances, make available to the States certain Federal funds thereby making the States dependent upon and subject to the requirements of the Federal Government in the expenditure of these funds; and

Whereas this situation violates the letter and intent of the Federal form of government adopted by these United States of America in that the States are thereby denied the inherent rights of sovereignty, specifically the right of taxation; and

Whereas the powers of governing the people of these United States of America is relation to both national and international affairs has become dangerously and unwisely centralized in the Federal Government; and

Whereas it is declared to be detrimental to good government for States to be dependent upon Federal aid in order to exercise their traditional governmental functions: Now, therefore, be it

Resolved by the Legislature of the State of Florida, That the Legislature of the State of Florida does hereby memorialize the Congress of the United States to make, or to cause to be made, a review of Federal taxation and Federal-aid programs with the view of a relinquishment by the Federal Government of certain of its tax sources for the purpose of making those tax sources available to the States, thereby enabling the States to finance their own traditional functions and thus eliminate Federal aid and control, reestablish State sovereignty, and eliminate the threat of possible despotic, inefficient, and chaotic centralization of government at the national level; and be it further

Resolved, That a duly attested copy of this memorial be mailed to His Excellency, the President of the United States, a copy to the Honorable Governor of Florida and the Governors of the other States, a copy to the Honorable President of the Senate, a copy to the Honorable Speaker of the House of Representatives, and a copy transmitted to each United States Senator and Member of Congress in Washington, D. C., from Florida.

Filed in the office of secretary of state, June 3, 1957.

The VICE PRESIDENT laid before the Senate a resolution of the Legislature of the State of Florida, identical with the foregoing, which was referred to the Committee on Finance.

DIVERSION OF WATER FROM THE GREAT LAKES—RESOLUTIONS

Mr. WILEY. Mr. President, I was glad to receive in the morning mail two resolutions from the State of Wisconsin in opposition to increased diversion of water from the Great Lakes.

As Senators know, I have strongly opposed, and shall continue to oppose, any attempts to divert water from the Great Lakes.

To unwisely lower the water level would jeopardize shipping; increase costs of harbor development around the Great Lakes; seriously impair the fine progress of work on the St. Lawrence Seaway; jeopardize our relations with our good neighbor, Canada; and create other problems.

Regrettably, H. R. 2, to provide increased diversion of water at Chicago, has passed the House of Representatives.

In considering this proposed legislation, however, I hope my colleagues in the Senate and on the Senate Public Works Committee, will remember the President has already twice vetoed this bill, as being contrary to the national interest.

As I mentioned, public officials and other individuals, as well as a great many communities in Wisconsin have, again and again, expressed their opposition to increased diversion of water from Lake Michigan.

I am pleased now to bring to the attention of the Senate resolutions adopted by the common council of the city of Racine, and the Racine Chamber of Commerce.

I ask unanimous consent that the resolutions be printed in the CONGRESSIONAL RECORD, and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Whereas the House of Representatives has adopted a bill authorizing increased diversion of Great Lakes waters at Chicago, Ill., which bill is now pending before the United States Senate; and

Whereas the city of Racine and other port cities and maritime interests on the Great Lakes have long supported the development of the St. Lawrence Seaway, together with the deepening and improving of the connecting channels of the Great Lakes, with particular reference to the Detroit River, Lake St. Clair, the St. Mary's River, and some shoal spots in the Straits of Mackinac; and

Whereas some of the aforesaid port cities have already undertaken substantial port development and other cities are planning improved facilities to permit handling of large vessels, all of which are dependent upon maintaining adequate channel depths; and

Whereas increased diversion of Great Lakes waters at Chicago will gradually lower lake levels, reduce channel depths and substantially interfere with the full realization of the economic benefits to be derived from the St. Lawrence Seaway and connecting channel projects; and

Whereas the benefits to be derived in the Chicago area through increased diversion are minimum when compared to the substantial damage to all of the communities bordering upon the Great Lakes; and

Whereas the ultimate solution to the Chicago Sanitary District problem is the construction of additional facilities and the use of improved methods and controls, other than simply flushing with the waters of Lake Michigan, which in itself is merely passing the Chicago Sanitary District problem on to the other communities bordering upon the Mississippi watershed; and

Whereas with particular respect to the city of Racine the proposed increased diversion of Great Lakes waters will substantially interfere with the Racine harbor and facilities already constructed as well as the proposed development of the entire south shore of the city: Be it

Resolved, That the mayor and common council of the city of Racine do hereby go on record opposing legislation the purpose of which is to authorize increased diversion of Great Lakes waters at Chicago, and we do hereby urge Senator ALEXANDER WILEY to oppose said legislation; and be it further

Resolved, That should it be deemed advisable the mayor or some other representative of the city selected by him, be authorized to appear and testify before the Senate committee expressing the opposition of the city of Racine to the proposed legislation; and be it further

Resolved, That the city clerk be and hereby is authorized and directed to transmit a certified copy of this resolution to Senator ALEXANDER WILEY.

Resolution of Racine Chamber of Commerce, Racine, Wis.

Whereas it has come to the attention of the Racine, Wis., Chamber of Commerce that the House of Representatives has approved a bill to authorize increased diversion of Great Lakes waters at Chicago, Ill.; and

Whereas the bill is now pending before the United States Senate; and

Whereas the city of Racine, Wis., and other port cities and maritime interests on the Great Lakes have expressed interest in and supported wholeheartedly the development of the St. Lawrence Seaway, including the deepening and improving of connecting channels of the Great Lakes, all of which

have been endorsed by the Racine, Wis., Chamber of Commerce; and

Whereas a number of port cities have made substantial improvements and investments in harbor facilities and others, including Racine, are making surveys and laying basic ground work for a realistic approach to permit maximum use of present and expanded facilities, all of which are predicated on the maintenance of adequate channel depths; and

Whereas further diversion of Great Lakes waters at Chicago could seriously affect and reduce channels depths, and thereby adversely affect the economy of the Great Lakes ports, including Racine, by tax reduction of benefits to be gained from the St. Lawrence Seaway: Be it

Resolved, That the Board of Directors of the Racine Chamber of Commerce, do hereby oppose legislation which would cause further waters to be diverted from the Great Lakes at Chicago, and do hereby urge Wisconsin Senator ALEXANDER WILEY, to oppose any such legislation; and be it further

Resolved, That the mayor of the city of Racine or a representative of the city, appointed by him, should it be advisable, be authorized to appear before the appropriate Senate committee, expressing the opposition of the Racine Chamber of Commerce to the proposed legislation; and be it further

Resolved, That the Secretary be authorized and directed to send copies of this resolution to Senator Alexander Wiley, Claude Ver Duin, executive secretary, Great Lakes Harbors Association, Mayor Jack H. Humble, William D. Stansil, executive secretary, Manufacturers' Association of Racine, and to other interested parties.

DARRELL WRIGHT,
Manager, Racine Chamber of Commerce, Racine, Wis.

RESOLUTION OF WILD RICE ELECTRIC COOPERATIVE, MAHNOMEN, MINN.

Mr. HUMPHREY. Mr. President, I have received a resolution from the Wild Rice Electric Cooperative of Mahnomen, Minn., protesting any raise in the interest rates on REA loans.

I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

WILD RICE ELECTRIC COOPERATIVE, INC.,
MAHNOMEN, MINN.

Mr. Sam Paskewitz, Mahnomen, Minn, offered a resolution that it was the sense of the membership that interest rates on REA loans should not be raised. Said motion was duly seconded and upon being put to a vote was duly carried.

A motion was then made by Henry Herfindahl, Lake Park, Minn., and seconded by A. C. O'Banion, Fertile, Minn., that the chairman appoint a committee of three to draft said resolution objecting to increasing of interest rates. That the chairman appoint Mrs. Sam Paskewitz, Mahnomen, Minn., Mrs. Olav O. Berge, Fosston, Minn., and Mr. Henry Herfindahl, Lake Park, Minn., who presented to the meeting a resolution as follows:

Whereas it has come to the attention of the members of the Wild Rice Electric Cooperative, Inc., that a movement is afoot to increase the interest rate paid by said co-op: Now, therefore, be it

Resolved, That the membership of the Wild Rice Electric Cooperative, Inc., go on record as wholeheartedly opposed to any increase; and be it further

Resolved, That the officers of said cooperative send copies of this resolution to all Senators and Representatives in Minnesota, North Dakota, South Dakota, and Wisconsin.

RESOLUTION OF MOOSE LAKE, MINN., LOCAL FARMERS UNION

Mr. HUMPHREY. Mr. President, I have received a resolution from the Moose Lake Local, Farmers Union, endorsing Senate bill 555, the Hells Canyon bill.

As a cosponsor of this proposed legislation, I am gratified to have the support of Minnesota Farmers Union groups, and I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Whereas Senate bill 555, which would authorize a high Federal dam at Hells Canyon, is shortly to be put to a vote; and

Whereas a favorable vote in the Senate will revive the chances for the full utilization of the natural resources of the middle Snake River for the benefit of the entire Northwest; and

Whereas these benefits will reach into the midwestern rural areas, including Minnesota, and will definitely result in a tremendous saving in lower cost phosphate fertilizer to the farmers of this area; and

Whereas defeat of Senate bill 555 will result in permanent loss of the peoples' right to benefit from a development of one of our country's greatest remaining natural resources: Now, therefore, be it hereby

Resolved by the Moose Lake Local of the Minnesota Farmers Union in regular meeting assembled, That we go on record in support of Senate bill 555, and that we petition our Senators, the Honorable EDWARD J. THYE and the Honorable HUBERT HUMPHREY, to support the Federal Hells Canyon bill and to cast a vote in favor of Senate bill 555 whenever the opportunity is presented and to work for its passage on behalf of the entire Midwest and Northwest United States.

ARCHIE KEITH, *President*.

THERMONUCLEAR BOMB TESTING—PETITION AND LETTER

Mr. HUMPHREY. Mr. President, I have just received from some constituents of mine in Minnesota a petition containing 1,200 names which was circulated in the Minneapolis and St. Paul area during the past 10 days. This petition asks the President of the United States and the Senators from Minnesota to take every step in their power to halt thermonuclear bomb testing.

I have just returned from Minnesota after a weekend visit and I can assure the Senate that the people of Minnesota are indeed concerned about this issue. A public opinion poll in our State so indicated.

As a symbol of their growing concern for the situation, I call to the attention of the Senate this petition, signed by 1,200 citizens. The signatures have all been verified. I call to the attention of the Senate a letter which accompanied the petition. I ask unanimous consent that the letter be printed in the RECORD, and I suggest that, rather than to burden the RECORD with the number of names I have mentioned, which would involve a considerable amount of printing, the Vice President refer this petition to the Joint Committee on Atomic Energy, where the hearings relating to the effects of thermonuclear bomb testing are being held. I had hoped that those hearings would bring to the American people the knowledge and information which is so important, as to whether or not these tests are injurious, and whether or not they should be continued.

The VICE PRESIDENT. Without objection, the letter and petition will be printed in the RECORD, and the petition will be referred to the appropriate committee.

The letter is as follows:

MINNEAPOLIS, MINN.,
ST. PAUL, MINN.,
June 6, 1957.

Hon. HUBERT H. HUMPHREY,
United States Senate,
Washington, D. C.

SIR: Enclosed are copies of a petition which was circulated in the area of Minneapolis and St. Paul during the past 10 days. The original copies, signed by 1,200 persons, are in the office of the President, and the authenticity of the signatures may be confirmed there. This petition asks you and the President to take every step in your power to end thermonuclear testing.

From the reception given this petition among those to whom it was presented, one can conclude that there is considerable support for such a request. No group, scientific, political, or religious, has sponsored the petition. It was circulated and signed by persons who, acting only in their capacity as private citizens, are concerned with the potential danger resulting from radioactive fallout.

The widely critical attitude among many scientists toward the information on fallout published by the Atomic Energy Commission has led us, the signers, to the conclusion that when there is a possible threat to the American people and to people everywhere, the truly scientific and moral attitude requires the elimination of that threat. Even in cases where there is doubt, the benefit of that doubt should be given to mankind.

The Representatives from the State of Minnesota have been informed by letter that the enclosed copies are in your hands, and that the signed copies have been sent to the President. We urge you to heed the request of the 1,200 citizens who have indicated their wishes to stop thermonuclear testing.

Sincerely yours,

Mrs. NANETTE M. ROBERTS.
Mrs. JUDITH P. VELZ.
EDGAR V. ROBERTS.
JOHN W. VELZ.

The petition presented by Mr. HUMPHREY was referred to the Joint Committee on Atomic Energy, and ordered to be printed in the RECORD, without the signatures attached, as follows:

To: Dwight D. Eisenhower, President of the United States; Hubert Humphrey, United States Senator from Minnesota; Edward Thye, United States Senator from Minnesota.

Gentlemen:

In the light of recent disclosures made by a University of Minnesota scientist that the Midwest is the globe's top radioactive fallout area, we urge you, in the interests of our own personal safety and that of the generations to come to take every measure in your power to bring about the immediate and permanent end of thermo-nuclear testing. The tests in Nevada endanger our health, that of our children, and that of people all over the United States; ultimately these and any such tests endanger the lives of mankind everywhere.

In the interests therefore of humanity—interests which transcend those of State and Nation—we petition that you end thermonuclear racial suicide.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 904. A bill for the relief of Chrisoula Antonios Chegaras (Rept. No. 418);

H. J. Res. 272. Joint resolution for the relief of certain aliens (Rept. No. 426); and

H. J. Res. 308. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 427).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 336. A bill for the relief of Angela Ferrini (Rept. No. 419);

S. 418. A bill for the relief of Elisabeth Trout (Rept. No. 420);

S. 627. A bill for the relief of Wilhelmine Aldridge, and her minor children, Irene S. Aldridge and Ingeborg Kathe Aldridge (Rept. No. 421);

S. 660. A bill for the relief of Ursula Rosa Pazdro (Rept. No. 422); and

H. R. 1454. An act for the relief of Jeffrey Charles Medworth; (Rept. No. 423).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 520. A bill for the relief of Eleanor M. Horton (Rept. No. 424);

S. 1083. A bill for the relief of Maria Maniates (Rept. No. 425);

H. J. Res. 274. Joint resolution to waive the provision of section 212 (a) (9) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 428); and

H. J. Res. 290. Joint resolution for the relief of certain aliens (Rept. No. 429).

By Mr. MORSE, from the Committee on the District of Columbia, without amendment:

S. 2194. A bill to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes (Rept. No. 430).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MURRAY:

S. 2242. A bill to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON:

S. 2243. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. ELLENDER (by request):

S. 2244. A bill to facilitate and simplify the work of the Forest Service, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. DIRKSEN (by request):

S. 2245. A bill for the relief of Moy Tong Poy; and

S. 2246. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Gubbins & Co., of Lima, Peru, and Reynaldo Gubbins; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 2247. A bill for the relief of George John Coutsoubinas, Olga G. Coutsoubinas, Spyridon G. Coutsoubinas, and Agatha G. Coutsoubinas; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MCNAMARA):

S. 2248. A bill for the relief of James Richard Scarlett (Richard Kurosawa); to the Committee on the Judiciary.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON:

S. 2249. A bill to authorize the sale of a certain number of merchant type vessels to Austrian citizens for use in the trade of Austria; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGNUSON (by request):

S. 2250. A bill to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. STENNIS:

S. 2251. A bill for the relief of Manley Francis Burton; and

S. 2252. A bill for the relief of Mrs. Fumi Ishikawa Clark; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 2253. A bill to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON:

S. 2254. A bill to eliminate the time limitation on certain grants under section 4 (a) of the Vocational Rehabilitation Act; to the Committee on Labor and Public Welfare.

By Mr. MAGNUSON (by request):

S. 2255. A bill to amend section 607 (d) of the Merchant Marine Act, 1936, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. DOUGLAS:

S. 2256. A bill for the relief of Luz Poblete and Robert Poblete Broaddus, Jr.; to the Committee on the Judiciary.

S. 2257. A bill to provide for the conveyance of certain interests of the United States in a tract of land in the State of Illinois; to the Committee on Government Operations.

By Mr. FULBRIGHT:

S. J. Res. 100. Joint resolution relating to the inability of the President to discharge the powers and duties of his office; to the Committee on the Judiciary.

(See the remarks of Mr. FULBRIGHT when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. SALTONSTALL:

S. J. Res. 101. Joint resolution to authorize the Secretary of Commerce to sell a certain war-built cargo vessel and for other purposes; to the Committee on Interstate and Foreign Commerce.

SPECIAL COMMITTEE TO ACT AS OBSERVERS AT TRIAL OF WILLIAM S. GIRARD BEFORE A JAPANESE COURT

Mr. GOLDWATER. Mr. President, I submit, for appropriate reference, a resolution creating a special committtee to act as observers for the Senate at the trial of William S. Girard before a Japanese court.

I should like to spend a moment explaining this resolution, in the hope that others of my colleagues may be interested in joining with me in sponsoring it.

Mr. President, the entire country has been made aware of the plight of Army Sp3c. William S. Girard. This young soldier, in the performance of his duty, accidentally killed a woman. He is now confined, awaiting trial in a Japanese court. This procedure is provided for in a section of an executive agreement.

There has been much debate about these executive agreements. This is one of the first instances brought to our attention of what can happen when agreements are made having the effect of treaties, and the Senate does not know anything about them.

Mr. President, there will be much discussion about this case before any suggestion is made that the Status of Forces Treaty be resorted to again. I think it is right that the Senate should concern itself with this matter, and devote much time to the discussion. To enable the Senate not only to have more information on this case, but also to insure that this boy gets a fair trial, the resolving clause of my resolution states in part:

Resolved, That (a) the President of the Senate of the United States is hereby directed to name a special committee of four Members of the Senate of the United States to act as observers for the Senate of the United States at and during the course of any trial of the said William S. Girard before any Japanese court or courts. Such committee shall select a chairman from among its members.

(b) Such committee shall be composed of two Members of the Senate Committee on Armed Services (one member to be from the majority party and one member to be from the minority party) and two members of the Senate Committee on the Judiciary (one member to be from the majority party and one member to be from the minority party).

Mr. President, I am submitting this resolution in the hope that the committee will act on it quickly so that the people of the United States may have the assurance that the Senate is interested in this case, and will perform its duties in respect to its constitutional pledges to keep the Constitution intact for all its citizens.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 145) was referred to the Committee on Armed Services, as follows:

Whereas Army Sp3c. William S. Girard has been charged with actions which allegedly caused the death of a Japanese citizen in Japan; and

Whereas the incident giving rise to such charges occurred while the aforesaid William S. Girard was on active duty with the Armed Forces of the United States in Japan and acting under the orders of his commanding officer; and

Whereas the Department of Defense of the United States is reported to have issued an order that the aforesaid William S. Girard be turned over to Japanese authorities for trial in Japanese courts for the alleged offense hereinbefore referred to; and

Whereas it is charged that the above reported order of the Department of Defense of the United States is in violation of the terms of treaties now existing between the Government of the United States and the Government of Japan, said treaties having been approved by the Senate of the United States; and

Whereas there is alleged to be considerable differences between the court procedures and rights of defendants in Japan and the United States; and

Whereas it is the duty of the United States Senate, which approved said treaties between

the Governments of the United States and Japan, to have a complete and detailed report on all matters relevant to the order turning the aforesaid William S. Girard over to Japanese authorities and to any trial of the aforesaid William S. Girard before any Japanese court or courts: Therefore be it

Resolved, That (a) the President of the Senate of the United States is hereby directed to name a special committee of four Members of the Senate of the United States to serve as observers for the Senate of the United States at and during the course of any trial of the said William S. Girard before any Japanese court or courts. Such committee shall select a chairman from among its members.

(b) Such committee shall be composed of 2 members of the Senate Committee on Armed Services (1 member to be from the majority party and 1 member to be from the minority party) and 2 members of the Senate Committee on the Judiciary (1 member to be from the majority party and 1 member to be from the minority party).

(c) All expenses incurred by the special committee under this resolution, including travel and costs of necessary staff and advisers, shall be paid out of the contingent fund of the Senate of the United States upon vouchers approved by the chairman of the committee.

HARVEY-WHIPPLE, INC. — REFERENCE OF SENATE BILL 2122 TO COURT OF CLAIMS

Mr. SALTONSTALL submitted the following resolution (S. Res. 146), which was referred to the Committee on the Judiciary:

Resolved, That the bill (S. 2122) entitled "A bill for the relief of Harvey-Whipple, Inc.," now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

CONTINUANCE ON PAYROLL FOR A FURTHER PERIOD OF CLERICAL AND OTHER ASSISTANTS OF THE LATE SENATOR McCARTHY

Mr. WILEY. Mr. President, on May 2, 1957, Senator McCarthy passed on. Under the rule of the Senate, his payroll will be extended some 60 days.

In the meanwhile, I have been informed by his office directly and also in conversations with the minority leader, the Senator from California [Mr. KNOWLAND], and the Senator from New Hampshire [Mr. BRIDGES], that much work remains to be done in Senator McCarthy's office. It has been suggested that a resolution be submitted—and I have adopted the suggestion—to the effect that the period be extended until September 3.

The newspapers have released an article that on August 27, a special election will be held in Wisconsin to fill the vacancy created by the death of Senator McCarthy.

I submit a resolution and ask that it be referred to the Committee on Rules and Administration.

There being no objection, the resolution (S. Res. 147) was referred to the Committee on Rules and Administration, as follows:

Resolved, That the clerical and other assistants of the Honorable Joseph R. McCarthy, late a Senator from the State of Wisconsin, on the payroll of the Senate on the date of his death, shall be continued on such payroll at their respective salaries for a further period of 60 days from July 3, 1957, to be paid from the contingent fund of the Senate: *Provided*, That any such assistants continued on the payroll, while so continued, shall perform their duties under the direction of the Secretary of the Senate, and he hereby is authorized and directed to remove from such payroll any such assistants who are not attending to the duties for which their services are continued.

JAMES RICHARD SCARLETT (RICHARD KUROSAWA)

Mr. NEUBERGER. Mr. President, Defense Department officials have advised me that there are many hundreds of military families living abroad who have adopted orphan children of other nations. These adopted children have become members of the family, attached to their adoptive mothers and fathers. Many of these families are scheduled for rotation to the United States with the movement of military units over the next several months. In most cases these families are unable to bring their adopted children with them because the fourth preference immigration quotas under which the adopted children could be admitted to our country are heavily oversubscribed.

Thus, we have a most tragic situation which results in the breakup of many established families. Defense Department officials are giving most careful consideration to this problem. With the rotation of military units, the husband returns to the United States, while the wife either remains abroad with their adopted child or places the child in an orphanage and returns with her husband.

This most serious human and military problem only emphasizes the urgent need for general legislation to admit to the United States orphan children who have been adopted by American families. Private bills do not present an adequate remedy, and general legislation is needed.

Mr. President, last January 25 I introduced general legislation to admit 10,000 orphans who have been or will be adopted by American families, similar to the orphan section of the Refugee Relief Act which expired at the end of last year. I know of no opposition to admitting these orphan children to our country, and I hope that the Senate Judiciary Committee will be able to give prompt and favorable consideration to my bill or similar legislation.

Mr. President, on behalf of myself, and the distinguished Senator from Michigan [Mr. McNAMARA], I introduce, for appropriate reference, a private bill to permit Army Sgt. and Mrs. James L. Scarlett, a Michigan serviceman, who is stationed at the Army Garrison, Camp Schimmelpfennig, Japan, to bring their adopted 20-month-old Japanese-American son to the United States. Unless this private bill or general legislation is passed, this Army family will be unable to bring their son into the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2248) for the relief of James Richard Scarlett (Richard Kurosawa), introduced by Mr. NEUBERGER (for himself and Mr. McNAMARA), was received, read twice by its title, and referred to the Committee on the Judiciary.

CONSTRUCTION OF TWO SURVEYING SHIPS FOR COAST AND GEODETIC SURVEY

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes. I ask unanimous consent that a letter from the Secretary of Commerce, requesting the proposed legislation, together with a statement of its purpose and need, may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the RECORD.

The bill (S. 2250) to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter and statement presented by Mr. MAGNUSON are as follows:

JUNE 7, 1957.

Hon. RICHARD M. NIXON,
President of the Senate,
United States Senate,
Washington, D. C.

Hon. SAM RAYBURN,
Speaker of the House of Representatives,
Washington, D. C.

DEAR MR. PRESIDENT: The Department recommends to the Congress for its consideration the attached draft of a proposed bill "To amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes."

There are also attached four copies of the statement of purpose and need in support thereof.

We have been advised by the Bureau of the Budget that it would interpose no objection to the submission of the draft legislation to the Congress.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

STATEMENT OF PURPOSE AND NEED FOR PROPOSED LEGISLATION "TO AMEND THE ACT OF AUGUST 5, 1955, AUTHORIZING THE CONSTRUCTION OF TWO SURVEYING SHIPS FOR THE COAST AND GEODETIC SURVEY, DEPARTMENT OF COMMERCE, AND FOR OTHER PURPOSES"

The proposed legislation amends the act of August 5, 1955, authorizing construction of two surveying ships for the Coast and Geodetic Survey, to increase the limitation of cost per vessel from $3,700,000 to $6,793,243

and to change the date from which cost increases are figured to April 4, 1957.

In response to an advertisement for bids for construction of one of the vessels a low bid of $5,813,243 was submitted. Contingencies, equipping and outfitting, design, supervision and inspection are estimated at an additional $980,000, making a total of $6,793,243. If the contract is not awarded by July 3, 1957, the contract price will be increased by the effect of escalation. It is estimated that if the escalation clause takes effect, the net increase in contract price will be a minimum of $362,946.

The Department wishes to emphasize that none of the requested increase in the authorization is the result of changes in the specifications of the vessel. The requested increase is caused solely by increased shipbuilding costs and adjustment of estimates. The Department urges immediate enactment of this legislation and the appropriation of funds thereunder in order that the present bid may be accepted at the unescalated figure.

PRESIDENTIAL SUCCESSION IN EVENT OF DISABILITY OF INCUMBENT

Mr. FULBRIGHT. Mr. President, I introduce, for appropriate reference, a joint resolution relating to the inability of the President to discharge the powers and duties of his office. I ask unanimous consent that the joint resolution, together with an explanation of its purposes, may be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and explanation will be printed in the RECORD.

The joint resolution (S. J. Res. 100) relating to the inability of the President to discharge the powers and duties of his office, introduced by Mr. FULBRIGHT, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. Whenever the two Houses of Congress shall adopt a resolution declaring that the Congress believes that the President is unable, by reason of physical or mental disability, to discharge the powers and duties of his office, such resolution shall be transmitted to the Supreme Court of the United States, and the Court shall decide whether or not such inability exists. If the Court decides, by a majority vote of the authorized membership, that such an inability exists, the powers and duties of President shall devolve upon the Vice President, or if there be no Vice President, upon the person next in line of succession to the office of President, as provided by law.

"The Vice President or other person upon whom the powers and duties of the President have devolved pursuant to proceedings under this article of amendment shall continue to exercise such powers and duties until the end of the presidential term then in effect, unless it has previously been determined that the inability of the President no longer exists, in which event the President shall reassume the powers and duties of his office. Such a determination shall be made in the same manner as herein provided for determining the question of the President's inability to perform the powers and duties of his office.

"For the purposes of this article of amendment, a quorum in each House of Congress shall consist of two-thirds of the total number of members thereof.

"SEC. 2. In the event the Congress is not in session, and in the opinion of the Vice President, or if there be no Vice President, the President pro tempore of the Senate, and the Speaker of the House of Representatives circumstances exist which create a doubt as to the ability of the President to discharge the powers and duties of his office, they may by joint action call the Congress into special session for the purpose of considering whether the President is unable to discharge the powers and duties of his office.

"In the event the Congress is not in session, and in the opinion of the President pro tempore of the Senate and the Speaker of the House of Representatives circumstances exist which indicate that the inability which occasioned action pursuant to section 1 no longer exists, they may by joint action call the Congress into special session for the purpose of considering whether or not such inability still exists.

"SEC. 3. The provisions of this article of amendment shall apply to any person upon whom the powers and duties of the office of President have devolved in the same manner such provisions apply to the President.

"SEC. 4. This article shall not apply to any person holding the office of President when this article was proposed by the Congress.

"SEC. 5. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission."

The explanation presented by Mr. FULBRIGHT is as follows:

PURPOSE AND INTENT OF THE PROPOSED AMENDMENT

It is the purpose of the proposed amendment to provide for a succession to the Presidency in the event of the physical or mental disability of the President.

The proposed amendment provides that whenever the Congress believes the President is unable, by reason of physical or mental disability, to discharge the powers and duties of his office it shall request the Supreme Court to decide whether such disability exists and if the Court so decides, then the powers and duties of the President shall devolve upon the Vice President or upon the person next in line of succession.

The succession provided for by this proposed amendment shall continue to the end of the current term, unless the disability is sooner relieved, in which event the President will again assume his office.

The proposal provides for succession only after due consideration by the two Houses of Congress and by the Supreme Court. The action of both of these independent branches of the Government is required before a successor can assume the Presidency upon the disability of the President.

The proposed amendment provides for resumption by the President of his office in the same manner as was provided for relieving him of his burden when he became disabled; that is, by concerted action of the Congress and by the Supreme Court.

It provides for the possibility of disability even during periods when there is no Vice President.

The proposed amendment provides for succession even during possible periods when the Congress is not in session by reconvening the Congress upon the joint call of the presiding officers of both Chambers.

NECESSITY FOR THE PROPOSED AMENDMENT

The proposed amendment is nonpolitical in nature. It is not a Democratic or a Republican amendment. It is not a liberal or a conservative amendment. It is a necessary amendment in view of serious problems raised by the inadequacy of the Constitution, as it is now constituted, to provide for a continuity in the adequate performance of the powers and duties of the President in the event of his physical or mental disability. This proposed amendment properly meets the demands of the situation. It removes any uncertainty about the legality of any action taken during an incapacity of the President.

It has an impact on all three branches of the Government; yet no unilateral action by any single branch of the Government can be effective. The proposed amendment provides for a simple procedure and yet it provides for a deliberate reflection upon a grave constitutional change which can be effected in as relatively short a time as circumstance may require.

It allows for due consideration by both elected and appointed officials. It requires action by officials already provided for in the Constitution and it does not necessitate the creation of a new body of officials, commission, or agency.

The proposed amendment provides that final responsibility rests upon those of judicial temperament, appointed for life and, insofar as constitutional government can provide, beyond the temptations of political advantage. Yet, the Court cannot act unless first requested to do so by the separate and independent legislative branch of the Government.

This proposal requires a majority of a quorum of two-thirds of the total number of the Members of each House for adoption of a resolution. Hence, it precludes the possibility of a small cabal in either House achieving a political coup. At the same time it does not require so great a preponderance as to allow a small cabal to prevent, for political advantage, a necessary change in the executive.

There are those who have declared that to substitute another for an ailing President in the middle of his term is to contravene the wishes of the electorate. This is unrealistic. The Constitution already provides, and the electorate accepts the possibility of succession in the middle of a term because of a disability resulting from the death of the President. The succession of the Vice President in such circumstances is not considered to contravene the wishes of the electorate which had voted the President a 4-year term. So also this amendment does not contravene the wishes of the electorate. The disability may be short of death, yet it is no less an inability to discharge the powers and duties of his office. To ignore the possible consequences of such inability is to take grave risks with the future well-being of this Nation.

The requirement that the Congress should be directly involved in proceedings involving succession to the Presidency is necessary. The President is elected by all the people—so is the Congress. What other body under our Constitution is the alter ego of our citizenry?

It is therefore fitting and proper that no possibility of succession because of inability take place until the Congress has expressed its belief that the President may be disabled.

There has been some comment that the Supreme Court should be kept out of this problem since it is contrary to the traditional constitutional purposes for which the Court was established. There is little substance to such an argument. The Constitution already provides for the removal of a President for cause through impeachment

proceedings. The Constitution already provides that the Chief Justice of the United States shall preside over such proceedings. The problem herein is not a political problem. It is a national governmental problem. The matter can only be resolved by facing up to the responsibilities required under constitutional government. Hence, the participation by the Supreme Court in matters involving succession to the Presidency is not only already required by our own Constitution but nothing required of the Supreme Court under the proposed amendment can in any way be deemed to impair the dignity of the Court or cause it to become involved in partisan politics. Its action under this amendment would be nothing more than meeting constitutional responsibilities in a situation of concern to all our citizens.

It has been said that we have existed as a Nation for nearly 175 years without providing for the possibility envisaged by this proposed amendment and that in all that time no problem has arisen. To that all that can be said is that a Divine Providence has spared us thus far, but we are familiar with the fact that at least twice, and possibly more times, our Nation haa been faced with the fact that the President was unable to discharge properly the duties of his office by reason of a physical or mental disability.

Indeed, only recently (May 14, 1957, District of Columbia Bar Association) the Attorney General pointed out that the United States cannot count on its past good luck that a President will not become disabled while in office. The question of succession, he pointed out, has become esepcially urgent because we are living in an atomic age.

The more fact that we as a nation have been fortunate thus far is no reason to tempt providence in so important a matter as the presidency. It may well be that circumstances may never require that this amendment become operative. Yet prudence and common sense dictate that the probabilities are more likely than not that it will become operative. If and when such circumstances arise it will be too late to enact the necessary legislation. The time to repair the hole in the roof is before the rain begins, since human experience indicates that it will rain, even though we cannot predict with certainty when.

MUTUAL SECURITY ACT OF 1957—AMENDMENTS

Mr. JAVITS. Mr. President, I send to the desk for printing under the rule two amendments to Calendar No. 424, Senate bill 2130, a bill to further amend the Mutual Security Act of 1954, as amended, and for other purposes, reported from the Committee on Foreign Relations.

The VICE PRESIDENT. The amendments will be received, printed, and lie on the table.

Mr. JAVITS. Mr. President, by way of explanation of these amendments, one amendment deals with the entire question of international travel. There are tremendous possibilities in intenational travel for helping foreign nations, in the same terms in which we helped them under mutual assistance; and also tremendous possibilities for introducing our country to many travelers who do not come here now, as well as some possible financial benefit to our own country as well, especially in States which attract tourists during the tourist season. I shall have a great deal more to say on this subject in connection with the amendment, and also in connection with independent proposed legislation which I intend to introduce. I merely call attention to the fact that I sponsored a similar move in the other body when I was a Member there, which resulted in the inclusion of section 416, relating to the encouragement of international travel, in the Mutual Security Act. It is that section which I propose to amend. My amendment proposes a broad scale study and report dealing with the question of international travel, with a view toward a more affirmative action by our Government on that subject.

In connection with the international travel amendment, I ask unanimous consent to have printed in the RECORD an editorial entitled "Two-Way Ocean," published in the Washington Post and Times Herald of June 10, 1957.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of June 10, 1957]

TWO-WAY OCEAN

Last year, 576,000 Americans visited Europe. But only about 25,000 European tourists come to the United States annually. A chief reason for this great imbalance in transatlantic tourism has been the dollar restrictions imposed to varying degree by a number of European countries. The restrictions of Great Britain have been the most stringent: an ordinary traveler from the United Kingdom for 10 years has been allowed to take no more than 10 pounds in banknotes into the dollar area, which has made British visits to this country and Canada, for example, all but impossible.

The measure was adopted to conserve Britain's often-strained foreign exchange balances. But now Britain has found it possible to raise the limit to 100 pounds, or $280, which, while hardly an invitation to extensive or luxurious traveling, ought to help a great deal. The former arrangement, as Chancellor of the Exchequer Peter Thorneycroft observed, was an unnatural barrier between the English-speaking peoples. Another step that might help would be to set up somewhere a sort of clearinghouse to facilitate lecture engagements or temporary consulting positions for qualified European visitors to the United States, affording them a chance to earn additional sums here and prolong their visits. We'd like to see more of our European cousins.

Mr. JAVITS. The other amendment proposes to enlarge somewhat the provision relating to guaranties of private investment abroad. It is designed to introduce the private economy even more extensively into our mutual-security program, and enlarge the guaranties to cover revolution or insurrection. This measure has been previously passed by the other body, but has always failed in the Senate. I hope very much that, with the new emphasis on a long-range foreign-aid program, in terms of economic assistance, we may seriously consider this rounding out of the guaranty program.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO DEPARTMENT OF AGRICULTURE APPROPRIATION BILL

Mr. RUSSELL submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, the following amendment, namely:

Page 10, after the word "basis" on line 7, insert the following: ": *Provided further*, That provisions of the act of August 1, 1956 (70 Stat. 890–892), and provisions of a similar nature in appropriation acts of the Department of State for the current and subsequent fiscal years which facilitate the work of the Foreign Service shall be applicable to funds available to the Foreign Agricultural Service."

Mr. RUSSELL also submitted an amendment, intended to be proposed by him, to House bill 7441, making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

PRINTING AS A SENATE DOCUMENT OF REPORT OF A SUBCOMMITTEE CONCERNING PROBLEMS OF HUNGRY CHILDREN IN THE DISTRICT (S. DOC. NO. 43)

Mr. MORSE. Mr. President, I have just come from a special meeting of the Committee on the District of Columbia, and I report that it is the unanimous view of the committee that this request be made.

Mr. President, I ask unanimous consent to have printed as a Senate document the report of the Subcommittee on Public Health, Education, Welfare, and Safety, of the Committee on the District of Columbia, on the problems of hungry children in the District of Columbia.

The committee asks that the report be printed immediately as a Senate document, so that it will be available to Members of the Senate for discussion of District of Columbia affairs, not only in connection with the appropriation bill, but also in connection with several other District of Columbia bills which will be before the Senate in the next few weeks.

When I say unanimously, I should say that there was one member of the committee who did not pass judgment on the request. That is the Senator from New York [Mr. JAVITS] who could not be present at the meeting of the committee today. I want Senators to know that the Senator from New York has been closely following the work of the subcommittee, and he has given us great encouragement as the work has gone on. I take the liberty, although I want the circumstances to be clear, of saying to the Senate that I am positive that I can speak for the Senator from New York on this matter, because I am sure he will say, "I am glad you said that," when he sees me tomorrow morning, and that he would join with me in this request.

The VICE PRESIDENT. Without objection, the report will be printed as requested by the Senator from Oregon.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. GREEN:

Address entitled "A Sense of Balance," delivered by him at the under the elms exercises at Brown University, on May 31, 1957.

By Mr. REVERCOMB:

Address entitled "The Basis of America's Foreign Policy," delivered by him before the St. Paul's Guild of St. Joseph's Catholic Church, at Huntington, W. Va., May 26, 1957.

By Mr. GOLDWATER:

Address delivered by him before Wisconsin Republican State convention on June 8, 1957.

By Mr. SMITH of New Jersey:

Address delivered by Senator BIBLE at 92d commencement of Rider College, Trenton, N. J., on June 8, 1957.

By Mr. JAVITS:

Address delivered by Senator CASE of New Jersey before annual convention of the Jersey State Federation of Labor.

ADDRESS BY THE SENATE MAJORITY LEADER BEFORE THE ANNUAL CONFERENCE OF UNITED JEWISH APPEAL

Mr. FULBRIGHT. Mr. President, last Saturday, in New York, the distinguished majority leader, the Senator from Texas [Mr. JOHNSON], delivered one of the most intelligent and significant statements which has been made in recent months. It was well timed and appropriate. It was needed. Many people have sensed that our foreign policy has been negative, timid, and uninspired during the past several years.

The reaction of the administration to the unprecedented nationwide television broadcast of the principal leader of Russia was a supercilious comment by the White House Press Secretary—that "President Eisenhower was aware of the broadcast, but didn't see it." That, I submit was a negative, a timid, and an unimaginative and uninspired response to the Communist thrust.

I saw the broadcast. I think it presented us with a good opportunity to go into the merits of the Russian case. I believe the Russian case is defective. I believe Marxism is a false doctrine, but the way to convince the people of the world that it is false is to meet it head-on, just as the majority leader has suggested in his wise and thoughtful speech.

I urge every Member of this body to read the speech, and I beg and plead with the administration that it be not afraid to reason with the people of the world—yes, even with the people of Russia—about the merits of democracy.

I urge the administration, with all the sincerity I possess, to use some imagination, in dealing with the Communists, to accept their challenge to test our ideas in open debate before the eyes of the world.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the best speech I have seen in recent months.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE OPEN CURTAIN

(Address by Senate Majority Leader LYNDON B. JOHNSON, before the annual conference of the United Jewish Appeal, New York City, N. Y., June 8, 1957)

Mr. Chairman, distinguished guests, I am here tonight with a basic premise in my mind.

It is that you—the members of the United Jewish Appeal—are men and women who have dedicated their lives to helping your fellow man.

I do not assume this lightly—merely from the desire of a speaker to flatter his audience. It rests upon your enviable record.

I raise the point only as a predicate to the remarks which I plan to make tonight. This is the place and you are the people to whom I wish to define a new proposal.

THE WORLD WE LIVE IN

Never before in history have people been so badly in need of help. And the only kind of help that will serve today is the kind that the people supply for themselves.

There is no need to recite once more the realities of the modern world. We are all only too familiar with them—the cold war, the armaments race, atomic fallout, international misunderstanding.

Most of these factors have appeared before in history. There have been cold wars. International misunderstanding has been a normal state of affairs for centuries. There is nothing new about an armaments race.

But for the first time, we now face the prospect of destroying ourselves—not as the result of an armaments race but merely by indulging in the race.

THE ATOMIC RAIN

For several weeks our newspapers have carried daily headlines about the effects of atomic fallout. The scientists disagree as to the amount of damage that is being done to humanity by our nuclear test explosions.

But even the most conservative state flatly that there is some risk.

I am no nuclear physicist. I do not pretend to have the scientific knowledge that would entitle me to pass judgment on genetics or the effects of strontium 90.

But I do know that the experts are talking about my children and your children. And it gives me no comfort to be told that some scientists think the risk to them is slight.

NO MONOPOLY

It is even less comforting to assess the probable future of the armaments race even assuming that our chifdren escape the fallout danger—whether slight or tremendous. If it continues, the future is bleak.

The intercontinental ballistics missile with a hydrogen warhead is just over the horizon. It is no longer just the disorderly dream of some science fiction writer.

We must assume that our country will have no monopoly on this weapon. The Soviets have not matched our achievements in democracy and prosperity; but they have kept pace with us in building the tools of destruction.

With such weapons in a divided world, there will be little choice. We will return to the caves of our remote ancestors and burrow underground like the prairie dogs of west Texas.

REASONABLE ALTERNATIVES

There are reasonable alternatives to this unreasonable prospect. They are alternatives which are available to mankind—providing that mankind will adopt them.

Our present situation could have been avoided. Twelve years ago—when we had a monopoly on the atomic bomb—the United States offered to share the secrets of the atom with the entire world.

We asked in return only reasonable guaranties that the atom would never again be used in warfare. This offer had no parallel in history—and it would have converted the atom from an implement of death to an implement of life.

Two years later, this plan was approved by the General Assembly of the United Nations. It was blocked only by the Soviet Union and its satellites.

There is no point in reliving the past. I am not going to waste your time and my time in proving that the Soviets were wrong. Free people who have had access to the truth are already aware of the facts.

We live in the present. We no longer have a monopoly on atomic power. But there is a sound reason for recalling the events of 1946 and 1948. One aspect of those events may point the way to the future.

The Russian people have never had an opportunity to weigh the Free World's proposal for the control of atomic energy. They were never informed about it openly and frankly. They never knew that Stalin provoked an arms race that, if continued, must end in the total elimination of mankind.

Today humanity is a great deal closer to self-destruction than it was 10 years ago.

THE THREAT AND THE HOPE

And yet, because we are close to the threat, we may also be closer to hope. I do not foresee any quick utopian solutions. A happy ending to the atomic-hydrogen menace will not be easily found.

But I am convinced, to borrow Churchill's phrase, that if we cannot see the beginning of the end, we can at least see the end of the beginning.

There are pathways of peace and progress open to all humanity. The statesmen of the world have one overriding duty—to help light those paths.

Where lie the signs of hope? They lie in the realm of reason.

THE CHALLENGE

The challenge is truly immediate. It involves actions that can and must be taken this year, now, during the remaining 206 days of 1957.

Our basic need goes by the technical name "disarmament." That long, rather dull-sounding word represents a host of complicated problems. The answer—even a beginning to the answer—represents the hope of all mankind.

We must initiate action on five objectives, each contributing to our crusade for disarmament:

1. Controlled reduction of military forces by all countries.

2. A start on a mutual open-skies foolproof inspection system.

3. A frank and open search for a method of suspending tests of the bigger nuclear weapons, under airtight conditions which give full protection against violations.

4. A reduction of everyone's stockpile of nuclear weapons and means for delivery under copper-riveted methods of mutual inspection.

5. And this is the key to ultimate hope: A worldwide agreement—backed by absolute safeguards—that no nation will make any new fissionable materials for weapon purposes, neither the three present nuclear powers nor those who may soon have the capacity.

LET THE PEOPLE JUDGE

How do we launch this program? We do so in the only way possible—in the only way that accords with American traditions.

We must create a new world policy. Not just of open skies, but of open eyes, ears, and minds, for all peoples of the world.

I call for the open curtain. Let truth flow through it freely. Let ideas cleanse evil just

as fresh air cleanses the poisoned, stagnant mass of a long-closed cavern.

Mankind's only hope lies with men themselves. Let us insist that the case be submitted to the people of the world.

A few years ago this would have been utterly impractical. But great events have recently stirred the world. We must seize the hopes they suggest. We must not be blinded to those hopes by rigid reflections of the past.

Only 4 years ago the brutal Stalin died. Only a year ago the world learned that the new Russian leader, Khrushchev, has found it necessary to expose the depths of Stalin's evil. And only 6 days ago Khrushchev took advantage of America's facilities to come into our homes and state the Communist case.

I am glad that he did so. I have complete trust and faith in our people.

They will not be contaminated by open Communist propaganda.

We should welcome this example of direct argument.

But we must, I think, go much further than this. Let us take Khrushchev's technique and turn it back upon him. Let us use the program as the means to open the Iron Curtain.

As he has used our TV screens for his appeals, let us demand to use his screens for our appeal, the appeal of truth undefensive and undismayed.

We should ask Khrushchev to provide us with Sovietwide uncensored radio and TV facilities. We should call on him to allow spokesmen of our own choosing to come into Russian homes and state our case—the American case—to the Russian people.

RETURN TO FUNDAMENTALS

Let us get back to fundamentals. Let us return to the principles which made America strong and great and free.

The most important of these principles is that truth can be found in the free market place of ideas.

It is no secret to any of you that I am a Democrat. My political faith can be traced to many sources. One of them—and the most important of them—was Thomas Jefferson, who said:

"I know of no safe depository of the ultimate power of society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education."

This is an elegant and graceful way of putting a basic truth that I learned in Johnson City, Tex. Stated more simply, it means: Never underestimate the intelligence of the people.

Sometimes they are misinformed. Sometimes the truth is withheld from them. But when they have the facts, their judgment will be good and fair and honorable.

FAITH IN THE PEOPLE

I have a deep and abiding faith in the judgment of the people who ride the range in the Texas hill country. They may not have the ease of expression and the grace of manner of those who were reared in more settled parts of our land.

But no demagog is going to lead the lean, spare Texan who runs the cattle on my ranch into the paths of bigotry. And Nikita Khrushchev is not going to convert him into a Communist.

He's just plain got too much sense. And I don't think that he is unuaual. I believe that most Americans are like that.

They may speak with a different accent. They may plow cornland in Iowa or sew clothes in New York City. They may work on the docks in Seattle or run a department store in Kansas City.

They may be northern Yankees or southern Rebels. They may be Catholics, Protestants, or Jews. It makes no difference because they are all Americans.

I am not afraid to have them listen to Nikita Khrushchev or Karl Marx or Nicolai Lenin himself. They have the intelligence and the independence to make up their own minds.

I know there are some who are fearful of the effects of Communist propaganda upon our people. I am a Jeffersonian. I do not share those fears.

WELCOME COMPETITION

I favor granting Khrushchev or Bulganin or Molotov or any Soviet leader television time in America every week of the year. I demand in return only that they grant us equal opportunities for reaching the Russian people.

Let the Russians say what they wish. Let our people hear it to the bitter end. I have faith in them. I do not believe that there will be any Communist converts.

Khrushchev, in his broadcast, called for competition between socialist and capitalized states. There is one form of competition—the clash of ideas—that Americans would welcome with delight.

I am not talking of a propaganda offensive or waging peace. Those are the terms of advertising, and this country is not interested in making a mercantile item of peace.

I am not talking of merely one reply to Khrushchev by the President or some other official.

I am calling for an open curtain for full discussion of the immediate, urgent problems facing our people. We should insist on the right to state our case on disarmament in detail to the Soviet people. We should have weekly appearances during this year on Soviet radio and television, and we should offer similar facilities here.

THE TRUTH SHALL MAKE YOU FREE

Can Khrushchev find any reasonable objection to this procedure? Can he advance one logical reason why his people should not hear our proposals advanced from our lips as our people heard his proposals advanced from his lips?

Khrushchev said last Sunday: "We have to live on one planet." Let him show that he is willing to make this possible.

I am a man who trusts people when they have the facts. I believe in the Biblical injunction: "You shall know the truth and the truth shall make you free." The Russian people are capable of recognizing the truth when it is offered to them.

We should not let a single day pass without raising this issue. We should call it up in the United Nations; we should make it a basic proposal in all disarmament talks; we should insist upon it every time a Russian representative is within earshot.

Why not allow Soviet labor leaders to talk to our people in return for our labor leaders talking to theirs? Why not allow Soviet industrial managers to talk to our people in return for our industrialists talking to theirs?

Is there any good reason why American and Soviet farmers should not exchange views—in the plain sight of the whole world? Is there any reason why our scholars and our professional men should be barred from mutual exchanges with their Soviet counterparts?

Let the people know.

Let truth shine through the open curtain.

And when the people know, they will insist that the arms race, the nuclear explosions, the intercontinental missiles, all be banished. They will insist upon systems that safeguard us against world suicide.

THE PATH OF PEACE

Once again we will place our feet on the path of constructive activity. We will look forward with joy rather than with dread to our children's future.

We live in a world where over two-thirds of the people are "ill-housed, ill-clad, ill-nourished." When the madness of the nuclear arms race is halted, mankind's creative efforts can be turned to their relief. We shall survive this century only if we find how to substitute human dignity for human degradation.

The people in this room tonight are dedicated to the cause of helping—rather than destroying—humanity. You have worked through the years to bring a measure of security and a measure of decency to your fellow humans.

SANCTUARY

You have been associated with many humanitarian causes—and one of them is creating a sanctuary for the oppressed. That sanctuary, Israel, stands today—permanent and enduring—in the midst of what was once desert.

Creating that sanctuary meant that rivers had to be dammed; fields had to be tilled; houses had to be built; the resources of nature had to be tapped.

These are the tasks to which all of humanity should be dedicated.

We have had enough of oppression and wars; of trouble and turmoil; of the frustration of every normal human impulse. We have seen noble impulses thwarted and turned to ignoble ends. We have watched the fruits of genius warped and turned into the paths of destruction.

This is not the work of the people of the world. It is the work of the small groups of selfish and twisted men who withhold from their fellow human beings the indispensable tool of freedom—the truth.

As you go about your humanitarian work, I want to leave you with one thought tonight.

You are people who seek to build; not to tear down. And when doors are opened so the people of the world can find the truth for themselves, we can all turn to building—building a better life for ourselves and our children.

The people can be trusted. It is time the case be turned over to them.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Montana.

Mr. MANSFIELD. I wish to associate myself with the remarks made by the distinguished Senator from Arkansas, and to point out that the majority leader of the Senate did, in New York, on last Sunday, make a proposal for an Open Curtain.

I think the majority leader and the Senator from Arkansas are both absolutely correct, because the question before us is, What are we afraid of? Are we afraid of being contaminated by broadcasts by Mr. Khrushchev and others? If we are, then I think the country is in bad shape. I certainly hope we will live up to our responsibilities with courage and leadership.

Mr. FULBRIGHT. I thank the Senator from Montana.

Mr. MANSFIELD. Mr. President, if the Senator will yield, I ask unanimous consent to have printed in the RECORD at this point an editorial which appeared in this morning's New York Times on this particular speech.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE WAR OF IDEAS

The war of ideas is the key contest of our times. This is true because, among other reasons, the existence of nuclear weapons threatens to make any future shooting war

universal suicide. Nikita S. Khrushchev certainly understands the vital importance of this encounter. He has devoted much of his time these past few years to this contest, and it is to this struggle that his present activities in Finland are directed. In this country, however, the events of the past week following the Khrushchev television and radio interview over the Columbia Broadcasting System raise seriously the question of whether we understand the importance of the war of ideas and how to fight that war.

The facts are simple. A week ago yesterday Mr. Khrushchev was given the national facilities of CBS television and radio to give his views to the American people. There was no immediate rebuttal or exposure of his misstatements. Nor was there any reciprocal opportunity for a similarly authoritative American spokesman to present our views to the Soviet people, an opportunity Mr. Khrushchev should have been eager to give if he were sincere. Only yesterday was there a nationwide radio and television effort here to analyze Mr. Khrushchev's remarks and this was an anticlimax. No corresponding opportunity for speaking to the Soviet people has yet been given any authoritative American.

This is obviously an unsatisfactory situation. It is one from which a lesson should be learned if similar mistakes are not to be repeated. But we must understand the problem. That problem is not, as President Eisenhower said last week, that CBS is "a commercial firm in this country trying to improve its own commercial standing." The Columbia Broadcasting System acted in our tradition of free speech and free debate in the knowledge that what it was doing might also bring commercial harm.

The real problem is the lack of imagination in many quarters. This was shown by the failure to follow the Khrushchev interview quickly with adequate official analysis. Even more serious, the Khrushchev interview was not made the occasion for officially challenging the Soviet Government to give equal opportunity for presentation of our point of view to the Soviet people.

We need, obviously, a more positive and more imaginative attitude toward the war of ideas. An example of such an attitude is Senator LYNDON JOHNSON'S suggestion that radio and television be used to permit systematic presentation of American views to the Soviet people and Soviet views to the American people. Reciprocity is the key to the problem, and ideas such as Senator JOHNSON'S for a real exchange of ideas, not merely a one-way propaganda coup as Mr. Khrushchev succeeded in getting, certainly deserve serious consideration.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed an editorial from the Washington Post of this morning, on the same subject.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AN OPEN CURTAIN?

The Jeffersonian principle that truth will vanquish error "where reason is left free to combat it" may have been temporarily suspended in Russia after 40 years of Communist indoctrination. But even so there is still only one way to cope with the enforced ignorance of the Russian people on international affairs, which adds so greatly to the world's perils, and that is to beat everlastingly upon the Iron Curtain until it parts.

There will be a great deal of support for Senate Majority Leader JOHNSON'S proposal that the United States ought to press for fuller opportunities to state its case on disarmament and other issues to the Russian people. And most Americans will share Senator JOHNSON'S confidence that this country would have nothing whatever to fear from offering the Russians continuing and equivalent opportunities in the United States.

Fear that Communist speeches will imperil American democracy will be felt only by those with the least confidence in our institutions. By the same token, if the Communists have any confidence in their institutions they will not be afraid to allow information from non-Communist countries to cross their borders. An exchange of information is not going to prove Khruschev right or wrong in his boastful forecast that our grandchildren will live under socialism. Unless the aims of East and West are better understood, the grim issue may be whether or not our grandchildren will live at all, in either a socialist or capitalist world. That is the awful danger that gives force to Senator JOHNSON'S proposal for fuller access in each country to the views of other countries.

OBSTACLES IN SEARCH FOR WORLD PEACE

Mr. JOHNSON of Texas. Mr. President, it seems to me that there is one key to the situation which confronts us. It is the extent to which we have faith in the people when they have the opportunity to hear all the facts and weigh both sides of the issue.

Since the end of World War II, this country has consistently taken the lead in trying to bring peace and justice to this world. And yet, our proposals—some of the most daring and imaginative in history—have failed.

We offered to share the secrets of the atomic bomb at a time when we possessed a monopoly of those secrets. We offered to reduce the swollen armaments budgets of this world—and we made that offer in good faith.

We have poured out our treasure to help the unfortunate of this world to a better and more secure life. We have spent staggering sums to bring health and the blessings of modern science to the dark corners of the globe.

And yet, the world remains divided into two camps—each camp ready to leap into universal destruction.

There is only one reason for this situation. It is the success which the Communist leaders have had in withholding the truth from their own people.

They have gone even further. The Communist leaders have made possession of the truth—by any but a favored few—an offense against the state

This is the rock upon which every reasonable proposal has foundered since the end of World War II. It is the rock upon which future proposals well may founder.

The Russian people do not know. And I believe we should seize every opportunity to bring the truth to them. The Khrushchev broadcast strikes me as one of those opportunities.

I do not deplore the fact that a Russian Communist leader can state his doctrine directly to the American people. I would deplore, however, an attitude which states that we can do nothing about it.

The alternatives to breaching the Iron Curtain which seals out truth are bleak. Even though worldwide nuclear war should never come to pass, the arms race all by itself is enough to destroy us.

Since the end of World War II, this Nation alone has spent more than $416,381,606,900 on the cold war. And we have $44,098,235,520 left over that Congress has appropriated but which we have not yet got around to spending.

How many slums could have been cleared with that money? How many rivers could have been dammed at a fraction of that cost? How much power could have been generated to produce the goods of peace and prosperity?

Our national debt stands today at $274 billion. It hangs over our heads, threatening and menacing to our whole economy and to the economy future generations will inherit.

Would we be under that threat today if the people of the world had an opportunity to hear and to weigh all the facts?

The figures I have cited represent not only dollars but time and effort and resources. They could have been applied to research into cancer and heart disease; into reclaiming our soil; into bettering our lives.

As one who has confidence in people, wherever they may be, I favor giving them the opportunity to make up their own minds.

And in Khrushchev declines this proposal, let him explain why to the world. Let him explain why Americans can hear his case and why Russians cannot be permitted to hear our case.

It would be interesting to hear the Communist representatives explain this point in some such forum as the United Nations.

Mr. President, I have had my staff draw up a table on the amount of money this Nation has spent on the cold war since the end of World War II. I ask unanimous consent that this table be printed in the RECORD as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Expenditures, fiscal year 1946 through fiscal year 1957, and unexpended balances, June 30, 1957, for certain selected agencies

Agency	Expenditures fiscal year 1946, fiscal year 1957 (estimated)	Unexpended balances, June 30, 1957
Atomic Energy Commission	$15,000,000,000	$1,300,000,000
Department of Defense, military functions	342,900,000,000	37,400,000,000
Foreign aid	[1] 57,600,000,000	6,000,000,000
USIA	881,606,900	28,235,520
Total	416,381,606,900	44,098,235,520

[1] Total delivered.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. CHURCH. I should like to associate myself with the remarks of my distinguished colleagues this morning in commending our distinguished majority leader for the address he made on Saturday evening in New York City. The Iron Curtain proposal contained in that address is both courageous and imaginative. I wish to commend the distinguished Senator from Texas for it, and to say to him that it represents the kind of

initiative that is so sorely needed in America's foreign policy. It is a most significant contribution. I want him to know that I appreciate what he did in New York, and I believe the American people at large will appreciate the speech he has made.

Mr. JOHNSON of Texas. I thank the Senator from Idaho.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. SMATHERS. I should like to join my colleagues in commending our able majority leader for his speech Saturday evening in New York, as well as for the originality and courage of his ideas presented to us today. It is this type of incomparable leadership that we have come to expect from the Senator from Texas, who now sees, on the basis of the television appearance made by Mr. Khrushchev, an opportunity for us of the United States to breach the Iron Curtain of ideas which now separates the average citizen of Russia and the satellite countries from the people of America and the ideas and ideals of Americans.

We are satisfied, I am sure, that the average citizen of the Soviet Union and the satellite countries is just as anxious for peace as are we. However, they have not had the opportunity to learn what we really think nor how sincerely we desire peace. Surely in response to Mr. Khrushchev some spokesman for the people of America could make their desires and ideals clear to the people of the Soviet Union and the satellite countries.

I wish again to congratulate our majority leader for his demonstrated courage and vision. I am certain that this idea which he has planted and this challenge which he has issued to the leaders of the Soviet World will contribute much toward the solution of these now crucial problems which confront us.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. LONG. I wish to congratulate the Senator from Texas for the efforts and ideas he has contributed to the struggle for man's survival. Undoubtedly there is now a much better chance of arriving at some understanding whereby the United States and the Soviet Union, and all the nations of the world will be able to live in peace.

It was impossible to work along that line with Stalin. However, I believe that the present leaders of Russia realize that there is a much greater danger of war so long as the armament race goes on, and that through some kind of accident or some miscalculation these two great nations could be plunged into a world war, a war which neither Nation wants.

I believe that there is now a possibility that perhaps the Iron Curtain will be lifted. For many years the Communists would not permit that curtain to be lifted. The Communists did not want the people of their country to know that the people of other nations were living much better than they were. I think that the chances for arriving at a satisfactory disarmament agreement are much better today than they have been in the past.

The Senator has made a very significant contribution.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Mississippi.

Mr. STENNIS. I read yesterday the remarks of the Senator from Texas in his speech on Saturday evening, and was very much impressed indeed with the substance of it and the suggestions he made.

I believe there is a good chance that the speech will prove to be a landmark and turning point in international affairs, or in the cold war or the armament race—or whatever we may wish to term the present condition. Some such procedure as that suggested by the Senator from Texas is the only thing that will stop the arms race. I am not suggesting, of course, that we disband our military forces. Far from it. However, some kind of approach involving, perhaps, sitting down at the table together and talking things over will be necessary in order to reach the Russian people. I personally believe that Mr. Khrushchev has given us an opportunity which ought to be followed up. I very heartily commend the Senator from Texas for his remarks on Saturday evening and for his very timely remarks today. I hope he will continue to give his attention to this subject.

Mr. JOHNSON of Texas. I thank the Senator from Mississippi.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. SYMINGTON. Mr. President, along with my other colleagues, I congratulate the majority leader for his wise and constructive remarks in New York last Saturday evening. What the people of America desire, along with the people of all other countries is permanent world peace.

It is now clear that peace cannot be attained except through mutually agreed upon inspection proof disarmament. Such disarmament can never occur unless we open and maintain avenues of discussion with the rulers behind the Iron Curtain.

It is for that reason I again congratulate the able Senator from Texas for his outstanding contribution Saturday to permanent world peace.

Mr. JOHNSON of Texas. Mr. President, I am deeply grateful to my colleagues for their expressions of confidence. I wish to conclude with this one thought.

If this proposal were advanced by our Government I believe the eyes of the entire world would be looking toward Mr. Khrushchev for his reaction. If his reply were in the negative, we would have to explain why Americans can hear his case and see his face and hear his voice but why Russian people are denied the opportunity of hearing America's case.

Mr. GREEN. Mr. President, I wish to join my colleagues in paying tribute to the majority leader for the splendid work he has done. Overnight he has attracted the attention of the civilized world to a very important point in the present state of affairs, and I trust that the response to his appeal by the civilized world will be just what he has anticipated.

Mr. TALMADGE. Mr. President, there appeared in the Washington Star of today an editorial relating to the timely suggestion of the distinguished majority leader, the Senator from Texas. The editorial is entitled "An 'Open Curtain'" and reads as follows:

AN "OPEN CURTAIN"

LYNDON JOHNSON is making a typical American proposal in suggesting that the curtain be opened for a free flow of truth between the United States and the Soviet Union. And it is unlikely that many Americans, official or otherwise, would be apprehensive of the results if a genuinely free and uncensored exchange of "direct argument" via radio and television were established between the two countries.

At the same time, the Texas Senator himself put his finger on the major obstacle to opening this channel. It is, in short, that the Communist dictatorship has an abiding fear of the truth reaching its captive peoples. For it was this dictatorship to which he referred when he spoke of "the small groups of selfish and twisted men who withhold from their fellow human beings the indispensable tool of freedom—the truth."

There is, nevertheless, a timeliness to Mr. JOHNSON'S proposal. There has been clear indication that even the Communist leadership is appalled at what may be the consequences if continuing development of awesome new weapons someday leads the world to another all-out war. These men themselves appear to be seeking an alternative, even if designed for selfish purposes. In his television appearance before an American audience, Nikita Khrushchev boasted that the Communist states could hold their own in any form of competition with the capitalist world. Mr. JOHNSON has suggested one form—a competition of ideas, to be waged, not by politicians primarily, but by leaders of industry and workers, by farmers, scholars, and professional men, with the people as jury. We hope Mr. Khrushchev will accept the challenge.

I compliment the majority leader on his great speech, and I desire to associate myself with his remarks.

Mr. HUMPHREY subsequently said: Mr. President, I could not help but note with genuine gratitude and approval the fine address of the majority leader, the Senator from Texas [Mr. JOHNSON] before the annual conference of the United Jewish Appeal, in New York City on June 8. I note that in that address the majority leader has again called to the attention of the public the deep concern of the American people over the continuation of thermonuclear weapon testing.

He also made a most constructive proposal with respect to the Open Curtain, using great powers of persuasion, and offering a constructive argument for breaking down the Iron Curtain and trying to eradicate prejudice and differences.

I commend the Senator from Texas, as I understand others of my colleagues have appropriately done, for this thought-provoking, forward-looking, and most constructive message. It is a message which sets the theme for future thinking on the part of Members of the Congress, and I hope of all citizens throughout the land.

Mr. JOHNSON of Texas subsequently said: Mr. President, I shall not detain the

Senate long, but I desire to express my very deep thanks to the distinguished Senator from Arkansas [Mr. FULBRIGHT], the distinguished Senator from Montana [Mr. MANSFIELD], the distinguished Senator from Georgia [Mr. TALMADGE], the distinguished Senator from Idaho [Mr. CHURCH], the distinguished Senator from Missouri [Mr. SYMINGTON], the distinguished Senator from Mississippi [Mr. STENNIS], the distinguished Senator from Florida [Mr. SMATHERS], the distinguished chairman of the Senate Foreign Relations Committee [Mr. GREEN], and the distinguished Senator from Minnesota [Mr. HUMPHREY], for their kind and generous references to a speech which I delivered in New York on Saturday last.

OUR STAKE IN THE MIDDLE EAST

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by Mr. David Rockefeller, vice chairman of the board, of the Chase Manhattan Bank, at the Arkansas Bankers Association annual convention at the Arlington Hotel, Hot Springs, Ark., on May 22, 1957, entitled "Our Stake in the Middle East."

There being no objection, the address was ordered to be printed in the RECORD, as follows:

OUR STAKE IN THE MIDDLE EAST

It is a great pleasure for me to be here today at the Arkansas Bankers Convention in this land which has been so very hospitable to my brother, Win, and which he has adopted as his home. I am particularly happy to have a chance to see at firsthand the remarkable progress you are making in this part of the country. I know that banking has played a most important role in stimulating the sound development and expansion of industry, commerce, and farming in Arkansas and her neighboring States. From all I have seen and heard, the banks of Arkansas are to be congratulated on the fine job that has been done, and you should look forward with confidence to continued advances in the period ahead.

When Jeff Burnett of the Arkansas Bankers Association asked me to speak to you today, we talked about what I might say to you which would be of interest. I suggested that this might be an appropriate time to discuss "Our Stake in the Middle East." Developments in the Middle East have occupied substantial space on the front pages of our newspapers in the past 6 months. We have seen the seizure of the Suez Canal, the attack on Egypt, the U. N. cease-fire followed by the clearing of the canal, and more recently, the crisis in Jordan. In one sense, these events may seem remote, but in another they have a very important bearing on all of our lives.

The events we have mentioned have, indeed, been dramatic. Yet what I wish to emphasize today is not the news of the hour—or even of recent months—but rather the emergence of certain basic long-term facts and trends which cause the Middle East to assume a role of new and lasting importance for the whole Western World.

Why is it then that developments in the vast and far-away area of the Middle East should even affect banks and bank customers in the center of our country? To my mind, an answer to this question involves two main considerations. First, the Middle East is one of the key strategic areas of the world. We have a series of military bases there that form an integral part of our defense structure. These bases, and the recently proclaimed Eisenhower doctrine, reflect the importance which our Government assigns to the area from the point of view of our strategic defense against Russian aggression. Because it is at the crossroads of Asia, Europe, and Africa and contains 1 of the 2 major canals of the world, the Middle East is of crucial importance to the economies of all the nations of the Free World, both in peacetime and in war. If the cause of freedom is to win out, it is vitally important to us to secure the support of the peoples of this area in our efforts to work out a secure and lasting peace. This is the politico-military side of the picture.

There is, however, a second reason for our concern about the Middle East, it is an area which contains 70 percent of the world's proven oil reserves, but which now uses only 1 percent of the world's annual production. In contrast, the United States has only 15 percent of world petroleum reserves and uses more than half of all the petroleum and petroleum products the world now produces each year. Europe, the second most important market, has very little oil of its own. As the demand for oil in Europe and the America grows, the economic importance of Middle Eastern oil to the Free World grows correspondingly.

However, it could be that this very disparity between the countries having the big petroleum reserves and those which are the big consumers of petroleum will prove to be the basis for the development of sound and lasting economic relationships between the industrialized nations of the West and the underdeveloped nations of the Middle East. Both the United States and Western Europe need the oil which the Middle East can supply. By meeting this need, the Middle East can earn the funds and the foreign exchange necessary to support its general economic development.

To see why the nations of the Western World, and those of the Middle East, have a compelling mutual interest in development of the latter's vast petroleum resources, it is necessary to turn first to the basic trends in the world's supply of energy. An adequate supply of energy at reasonable cost—from coal, oil, natural gas, or other sources—is obviously a necessary condition for economic progress in the world of today. Our rising productivity depends on our ability to supplement human effort with energy applied through machines. Only through the harnessing of an ever-expanding amount of energy have we been able to increase our production at a rate that has exceeded the growth in our population. Only in this way has it been possible to keep pushing up our living standards.

Until recently, both the United States and Western Europe were able to provide the increasing supplies of the energy they needed to support industrial growth largely from domestic resources. During the past few decades here in our own country, we have had a truly phenomenal increase in oil and natural-gas production. But since 1920, our use of oil has multiplied 7 times, and our use of natural gas 10 times. Thus, despite our growth in production, we were forced to become a net importer of petroleum and petroleum products about a decage ago. We now import about a tenth of the oil we use.

It has been through developing our petroleum and natural-gas resources that we have been able to meet our expanding needs for energy at costs the Nation could afford to pay. Our use of energy has shown a long-term growth averaging 3.3 percent per year, or somewhat more than the average annual growth of our production of goods and services. However, the overall cost of supplying the energy the United States uses has increased from 4½ percent of our gross national product in 1900 to almost 7 percent today, a 55 percent increase. Energy is still relatively low-priced in our country, but it is important to our future growth that we keep it that way. A 50 percent increase in the relative cost of energy in the next 50 years might well slow down the rate at which we could afford to use more energy. Therefore, we must seek ways that promise to prevent the cost of the energy the Nation requires from exceeding the present ratio of 7 percent of total output.

In Western Europe, the problem is somewhat different. There, the primary source of energy has been coal—in fact, coal still provides 70 percent of all energy on that continent (as against about 20 percent in the United States). Nevertheless, as recently as 1948, Western Europe met almost 90 percent of its energy needs from domestic production of coal and other fuels. But since that time, the industrial economy of Western Europe has experienced a considerable growth, while their domestic production of coal and other energy sources was bumping against a ceiling. Thus, Western Europe is now importing about a fifth of its energy requirements (or twice the proportion we import). Here again, as is the case in the United States, the rising cost of energy is also a source of concern in Europe.

This brief review of recent trends in the United States and Western Europe shows that there has been a fundamental shift in the relationship between the demand for energy and the world distribution of energy sources. The industrialized nations of the West must now import a sizable part of the energy they use. However, the real significance of these trends emerges when you take a look at the future. A number of competent studies of probable future trends in the energy field have been made by governmental, international, and private institutions. In my opinion, which I hope is unbiased, one of the most authoritative of these is the recent report prepared by the petroleum department of the Chase Manhattan Bank.

But our studies show that the continued prosperity and expansion of the economies of our Nation and that of Western Europe depend on the accelerated expansion of petroleum production throughout the Free World, for they anticipate an increase in petroleum consumption in the Free World of more than 80 percent between 1956 and 1966. The increase for the United States itself is projected at 63 percent, whereas it is forecast that use in the rest of the Free World will more than double.

Where will we find the large petroleum supplies to meet this growing demand? Our petroleum department believes the United States domestic petroleum production may well rise almost 40 percent by 1966. However, it is unlikely to increase any more than this. It is not that the United States is running out of oil—far from it. But to continue to increase production 5 percent each year would involve a massive effort and a massive treatment. Even to sustain the 40 percent growth projected for 1966 means that we must find 1½ barrels of oil for each barrel produced, if we are to have adequate reserves. In the past 5 years, we have fallen short of this requirement.

The reason we have fallen short is that the cost of increasing our oil reserves has been rising steadily. I am told that the reserves added for each exploratory well drilled have declined from 450,000 barrels 10 years ago, to less than 200,000 barrels last year. And the cost of exploration has moved steadily higher. This is a hard fact with which I know all of you here in the Southwest are all too familiar.

In order to avoid a sharp advance in the cost of meeting our needs for petroleum, we must inevitably interest ourselves more actively in foreign sources of oil. I would like to emphasize that we should do this not to replace the present flow from domestic sources, but to supplement it. In looking

abroad for additional petroleum supplies, it is natural that we should consider first the areas closest to us. Various surveys that have been made show that production in Canada, Venezuela, and other nations in the Americas could be increased rapidly enough, and economically enough, to supply the bulk of the Western Hemisphere's requirements.

The situation in Europe, however, is radically different. Careful studies show that even with a large-scale investment program, the present prospect is that Western Europe's output of coal, oil, natural gas, and nuclear power combined could be increased by no more than a third in the next 20 years. That would meet little more than one-third of the area's anticipated requirements for an increased flow of energy to support continued economic advance. In the short-term future, the only source Western Europe can turn to for additional energy supplies at reasonable cost is the Middle East.

In point of fact, unless vast new and unanticipated deposits are discovered, it seems clear that the Western Hemisphere alone could meet only about half the foreseen requirements of the Free World as a whole for increased oil supplies during the next 10 years. And this is why the Middle East is so important. There is not the slightest doubt that the Middle East has the physical capacity to produce as much oil as is needed to balance world demand in the foreseeable future. Moreover, the basic costs of production in that area (assuming reasonable arrangements for tax payments to local governments) are likely to be lower than in other parts of the world.

Consequently, the Free World is becoming more and more dependent on the Middle East. This fact emerges most clearly when you consider that the future growth of the Western European economy is almost wholly dependent on an increased flow of Middle East oil. This is true despite the fact that oil shortage resulting from the recent crisis arising out of the closing of the Suez Canal was handled on an emergency and strictly temporary basis in admirable fashion with the help of the United States. The oil industry rose to the challenge and did a remarkable job in rearranging the flow of world oil to meet Western Europe's needs with a minimum of disruption. However, the very fact that Europe's use of oil is growing at a rate of 13 percent per year points to the fact that it will be more and more difficult to deal with a similar crisis should it occur a few years hence.

The Suez crisis emphasized how vulnerable future growth prospects in both Europe and the United States are to the shifting political tides in the Middle East. In Europe, this realization has acted as a powerful spur to the development of a common market encompassing six of the nations of Western Europe. This is a good thing for a free trade area in Europe (or the common market as it has come to be called) could strengthen the economies of the western European nations making them less vulnerable to external developments.

In addition, the Suez crisis has provided a great impetus to the search for oil in the Sahara Desert and in Latin America; to the building of huge tankers; and to plans for the construction of additional pipelines to move Middle East oil to Mediterranean ports where it can be shipped to Europe.

The impact of Suez on our own economy has been less dramatic, since we were able to surmount the recent crisis without resorting to rationing or other measures of the sort that evoke a widespread public response. Yet indirectly the long-run implications may well be as significant for the United States as for Western Europe. We have a vital interest in the continued military and economic well-being of Western Europe. On the military side, the NATO alliance is perhaps the keystone in our attempt to build a secure peace. But NATO would quickly be placed in jeopardy if an adequate flow of oil to Europe were interrupted. NATO's vulnerability to an oil shortage was brought home most vividly in the recent Suez crisis.

On the economic side, we should be concerned about Western Europe's energy problems since even with the substantial resources of the Americas, the Western Hemisphere does not appear to have a petroleum supply adequate to meet the requirements of the entire Free World in the next few decades. An attempt to do without Middle East oil would complicate our energy problems enormously, both from a supply and a cost point of view.

It seems clear, then, that the Western World has a most vital interest in the Middle East. In view of the perplexing political problems surrounding that area, this is far from a reassuring conclusion. What I should like to suggest today, however, is that we should not approach our position in the Middle East with a defeatist attitude. The problems we face offer us a challenging opportunity to demonstrate what can be accomplished through private foreign investment supplemented by a realistic program of Government technical assistance and developmental aid.

Consider for a moment the bare economic facts of the Middle East as we find them today. The area includes 19 political entities with a population of 80 million people. Most of the inhabitants now exist at a minimum subsistence level; so low a level, in fact, that the average income per person is probably no more than $100 a year. The overall economy of the area produces no more than $8–10 billion dollars of goods and services annually—a small amount indeed compared to our standards.

In this situation, earnings from oil if wisely used, could make a tremendous contribution to the area's economic development. Estimates are that the Middle East's share in last year's petroleum production amounted to approximately $1 billion. That was 4 times the amount the area received in 1950, only 6 years earlier. The $1 billion earned from oil amounted to about 10 percent of the total production of the Middle East, and to a third of its foreign exchange earnings.

Projections of the world petroleum demand for 1966 show that the Middle East could readily increase its annual production 2½ times by that year. Thus, earnings from oil could likewise increase to $2½ billion annually by 1966. Over the total 10-year period, the area could look forward to receipts of about $18 billion from oil development.

If these earnings could be channeled into productive investment, they could generate a significant rise in living standards throughout the Middle East. Experience around the world shows that the nations which manage to invest as much as 15-20 percent of their annual production in roads, industrial equipment, farm development and the like achieve a substantial rate of economic progress. Earnings from oil are sufficient to lift the rate of investment in the Middle East into this 15-20 percent range and thus help generate an upward movement in living standards throughout the area.

What is wanted is a program to sow the oil on the general pattern that has proven so successful in Venezuela. Venezuela has used oil earnings to finance general economic development. As a result, real income per person has increased 50 percent in the past 15 years. Similar results are achievable in the Middle East.

However, the problem of channeling oil earnings into growth-promoting activities is more complex in the Middle East than in Venezuela because there we are dealing with 10 political units of widely differing characteristics and problems. Moreover, direct receipts from oil production accrue to only 6 of these 19 nations. But other nations, as for example Egypt, Syria, and Jordan, could benefit from oil production, and could earn substantial sums by furnishing efficient facilities to transport oil to market. Egypt has been capitalizing on this through her control of the Suez Canal.

It is important to recognize, however, that in the long run no nation (not even Egypt) has a true monopoly of the means of transport for oil, or even of oil production. The huge tankers now being built are, in fact, too big to pass through the Suez. And the economics of tanker operations point to even bigger units.

Given time and sufficient capital investment in huge tankers, pipelines and the search for new oil reserves, the Western World could bypass any artificial barriers such as Egypt is using in Suez—barriers that are imposed under the influence of shortsighted political pressures. In any event, oil remains the major opportunity—the great resource—which, if intelligently used, can lift the Middle East from its present level of relative poverty.

Some Middle Eastern nations have already made good progress in putting oil earnings to work to support general economic development. Iraq has completed major flood-control projects on the Tigris and Euphrates Rivers, and is now working on a 6-year, $1½ billion development program. In oil-rich little Kuwait, where oil revenues amount to the fantastic figure of $1,100 per person each year, a program is underway to build roads, develop a port, and build a pipeline to bring water from Iraq.

However, the fact that oil earnings (the Middle East's major source of foreign exchange) are not evenly distributed throughout the region has led to uneven development. Some of the major oil-producing nations have greater annual revenues than they can use effectively in their present state of development, whereas other nations are hard pressed for funds to finance development. From a financial standpoint, therefore, there is need for a regional approach to the area's problems.

In fact, an impressive number of the Middle East's general problems can be solved efficiently only if handled on a regional basis. In broad terms, the two major problems are to develop a transportation system and to bring water to parched lands. Three concrete examples can be advanced to support the case for a regional, as opposed to a national, effort:

1. The waters of the Nile could be used to develop agriculture not only in Egypt, but also in Ethiopia and the Sudan;

2. The Jordan River could be developed to provide power and irrigation in a manner that would benefit countries surrounding it;

3. The Suez Canal could be widened and deepened to accommodate the huge tankers now being built, thus increasing the flow of trade through one of the major arteries of the world.

These are only a few of the many examples of what might be done if a method could be found to use the region's massive earnings from oil effectively.

One way of accomplishing this might be to establish a regional development authority which would channel the surplus funds of the nations with large oil earnings into productive activities throughout the area. While I am always reluctant to suggest the creation of a new agency in a world that is already generously endowed in this respect, I do not believe that any existing organization can fill the need. Moreover, in view of the nature of the problems, it would seem desirable to have a new agency that the Middle East countries would consider their own.

In setting up such a regional development authority, I would urge that its structure and operations be patterned on those of the World Bank, which, through its progressive ideals coupled with able and conservative management, has been by all odds the most effective of all our postwar international economic organizations. Such a regional development authority, I believe, should make only sound loans and investments. It should follow the World Bank practice of making sure that the projects it finances fit into an economically sound development program for the borrowing country. Its management should be competent and nonpolitical. In fact, it might be desirable to work out an arrangement by which the World Bank would provide technical assistance to the regional development authority in finding personnel and developing its pattern of operations.

If a balanced and constructive regional development authority could be established, it might be desirable to use it as the mechanism for handling a part of the $200 million of United States Government aid funds allocated to the Middle East under the Eisenhower Doctrine. In addition, if such an instrumentality were to exist, the oil companies themselves might see fit to take part in some of its activities.

There is, of course, no guaranty that such an authority would solve all the perplexing political, social and economic problems of the Middle East. Yet, I am sure it would be an important step in the right direction, for without it, it is hard to see how the varied and conflicting forces in the Middle East could be brought together to solve the complex economic problems which confront them. Such an authority would serve our interest in helping to promote the economic development of an area that is of crucial importance to our future security and prosperity. While economic growth is no panacea in itself, it may well be a prerequisite to progress on the social and political fronts and thus it can contribute importantly to world peace and stability.

I have talked today about developments in a part of the world that seems far away from us here in Hot Springs. Yet, as I have tried to show, what happens in the Middle East in the years ahead can have an important, perhaps even a decisive effect on our own Nation's security and prosperity. Middle East oil development can be expected to continue, and, in fact, some projections show that in 10 years production there will be four-fifths as large as that in the United States. Over a longer period, Middle East production of oil may exceed our own. This is bound to have a strong effect on our industry. As Middle East oil production expands, the area could become one of the fastest growing markets for United States machinery, equipment and other goods. Our total trade with this region, both exports and imports, now exceed a billion dollars. But if we keep our share of the market, our exports to the Middle East could go up almost 10 percent per year in the next decade. It seems to me more and more clear that American businessmen and bankers need to keep up to date and well informed on Middle East developments.

In stressing the importance of the Middle East and the opportunities that can be opened up by the effective use of its huge oil resources, I do not wish to minimize the very real difficulties we can expect to encounter on the political front. As all of you know, it is a region of historic racial, religious and political tensions, both domestic and international. It is also at present one of the primary targets of Soviet penetration. We can be sure that every possible device will be used by Russia to promote its interests in that area.

Yet, as I have tried to point out, the difficulty of the task should not blind us to the fact that the Middle East is vitally important to us, nor should it deter us from pursuing a positive and vigorous program. Fortunately, there is an interdependence between the Middle East and ourselves, for their only hope of using their oil effectively in the support of general economic progress lies in cooperating with the West.

Our task is first one of understanding. We cannot act intelligently until we know the history, the ambitions and the mentality of the people who, for centuries, have lived in the Middle East. Next, we must formulate a program which takes into account both our own objectives and theirs. Finally, we must proceed on our course with conviction, strength and statesmanship. Our stake in the Middle East is huge. Let us not lose it by inaction or an ill-considered move.

RELATIONS WITH REPUBLIC OF MEXICO

Mr. GOLDWATER. Mr. President, while we in the Senate are concerned about making friends for the United States all around the globe, we occasionally fail to remember that among our closest friends are the people who live immediately south of us, the Mexicans. There is a country whose belief in freedom is as firmly rooted as ours, whose concepts of a constitutional republic are as firm as ours, and whose people are as kind and generous, as religious and peaceful, as industrious and productive, as our own people. Mexico is not only a land of rich history, but a country with a charming present and a glorious future. It is a country to which we should send the very best representatives we can find as our ambassadors, and in the recent nomination and confirmation of Robert C. Hill we have done just that. From my long acquaintance with the Mexican people I feel certain that they will receive Bob Hill as a friend and as an eminent representative of the American people. I look forward to an even closer relationship with the Republic of Mexico when Mr. Hill assumes his duties as Ambassador to Mexico.

In this connection I ask unanimous consent that the hearings before the Committee on Foreign Relations of the United States Senate on the nomination of Robert C. Hill to be Ambassador to Mexico be printed at this point in my remarks.

There being no objection, the hearings were ordered to be printed in the RECORD, as follows:

STATEMENT OF ROBERT C. HILL, OF NEW HAMPSHIRE

Mr. HILL. Good morning, Mr. Chairman. Good morning, gentlemen.

The CHAIRMAN. I won't ask you to give your biography because I think you have been in such close connection with the Senate that we are probably all familiar with it.

KNOWLEDGE OF MEXICO

Have you any particular knowledge of Mexico to which you have been appointed?

Mr. HILL. Mr. Chairman, I have only visited Mexico once in my life, and I was there just for a few days. However, when I was Ambassador to Costa Rica and Ambassador to El Salvador, I had occasion to be well acquainted with the economic and political problems in Central America because of the nature of my duties and the proximity of the countries.

We had the weekly letter from Mexico City, a very informative document which was sent to all the embassies in the vicinity of Central America. I read that weekly letter, as well as the ones regarding Guatemala, Honduras, El Salvador, Nicaragua, Honduras, Costa Rica, and Panama. Over a period of 2½ years, it gave me a knowledge of Mexico and its problems.

When I came back to Washington and was Special Assistant for Mutual Security Affairs to the Under Secretary of State I was, from time to time, involved in discussions about such matters as the air agreement with Mexico. The Under Secretary asked me to participate in the meetings.

But as far as having traveled in Mexico, Mr. Chairman, I have only driven by automobile from Tapachula, Mexico, to Laredo, Tex., on the Pan-American Highway, and I have seen only the cities along that route.

I have not been to the Pacific coast or the Atlantic coast in Mexico. But I do feel that my experience in Washington and my 2½ years in the field do give me more than a speaking acquaintance with Mexico.

The CHAIRMAN. Do you speak Spanish?

Mr. HILL. Mr. Chairman, I speak Spanish so that I can get along socially. I would never attempt to negotiate in the language of the country that I was accredited to because I think that it is a bad mistake.

I have taken a lesson from Gladstone when he said, "I speak French fluently, but I would never negotiate in the language."

But as far as being able to get along with Spanish-speaking people, it has never been a problem because I like them.

The CHAIRMAN. Are there any questions anyone would like to ask?

Senator WILEY?

Senator WILEY. No; I have not any questions. I think he would make a good ambassador.

The CHAIRMAN. Senator FULBRIGHT, any questions?

Has anyone any questions?

MEXICAN AIR AGREEMENT

Senator SMITH. I would just like to greet Mr. Hill here. I have seen him a number of times, and it is a great pleasure. I told him I would vote against him but for his charming wife. Now I am going to change my mind and vote for him, too.

Senator LONG. I hope you will be on the job down there, Mr. Hill, by the time that air service from New Orleans to Mexico City is inaugurated.

Mr. HILL. Thank you very much, Senator.

As you know, the implementation of the Mexican bilateral air treaty with the United States can take effect after June 5 of this year. I understand there are still negotiations as to whom the route is to be given.

Senator LONG. There is just a question who will fly from New York.

Mr. HILL. There is; yes. I understand the nonstop flight is the one that is under deliberation at the moment. I hope you will come down for the inaugural flight.

Senator LONG. All the Senators involved think that Eastern ought to fly from New York, but I understand the examiner recommended Pan American, so there will be a dispute about that.

I would like to ask one or two more questions.

GRANTS AND LOANS TO MEXICO

Just from what you know about the problem, do you see any need of us making grants to Mexico for developmental purposes?

Mr. HILL. Senator, I have thought a great deal about this grant problem in Latin America. I made a speech in Los Angeles a few weeks ago on the problem. In the speech I took the position that I did not think the United States Government should enter into the grant programs in Latin America to any great extent.

You have exceptions, as you know—the economy in Guatemala, the situation in Bolivia, and the developing problem in Haiti. The situation in Mexico from an economic and industrial point of view is excellent. Their balance of payments and dollar standing is in good shape.

In my speech I stressed the beneficial effects of the free-enterprise system in the United States and said that as far as I could see there is room for expansion in Latin America.

I would recommend Government loans where they are justified on projects which are beyond the scope of normal banking practices.

As you know, Senator, there is a problem in Mexico that is a long-irritating one—the oil problem. You have not asked the question, but it is related to grants and loans.

I want to assure the committee I am not going to Mexico with any closed mind as to the oil problem. I recognize it has been troublesome since the nationalization of the properties many years ago.

What the Government of Mexico has in mind as far as loans to the oil industry there I do not know because I have not been in contact.

But I assure you I will go with an open mind, and I will accept an invitation of the Government of Mexico, if it is extended to me, to visit the oil properties in Mexico so that I can be well informed on the problem.

Senator LONG. It looks to me as though private capital is willing to go into Mexico and develop anything that needs developing by outside capital, if the Government will just give investors a fair deal, including assurances that they will have the opportunity to make some money and take that money out eventually. That is the impression I have had of Mexico.

Mr. HILL. Yes, sir.

Senator MORSE. Now that the witness has raised the Mexican oil question, I have a few questions I want to ask. I will direct some of them to Mr. Rubottom later. What is your attitude in regard to the development of Mexican oil?

ATTITUDE TOWARD MEXICAN OIL

Do you think the American Government should take the position that no loans should be made to Pemex as long as the Mexican Government nationalizes its oil and thereby exercises economic pressure to try to direct the domestic policy of another country to our liking.

Mr. HILL. Senator, as you well know, we have to deal with facts at hand in Mexico. They did nationalize the properties, and they have administered the oil properties for many years. They may have a good case as far as the need for money is concerned, but I want to hear both sides of the story.

But I want to assure you of this: I will not be a tool of any special interests in Mexico or any other country. I will go down there and examine the case. If I am asked for a recommendation, I will base it on the facts.

Senator MORSE. Is it not true that thus far the American Government has not looked with favor upon Mexican requests for loans for the development of oil resources, but has looked with favor upon loans for other phases of the Mexican economy?

Mr. HILL. I believe that is an accurate statement, Senator. It is a controversial problem and I recognize it.

INTERESTS OF AMERICAN OIL COMPANIES

Senator MORSE. Is it not true that great American oil companies have ever since the expropriation made strong representations to the American State Department that no loans be made to Pemex?

Mr. HILL. I could not answer that question, Senator, because I am not directly affiliated with the area officially yet. I do not know the situation.

Senator MORSE. Do you know anything about the famous Mexican Sabalo case?

Mr. HILL. No, I do not. I have not been briefed as yet by the Department on that subject.

Senator MORSE. Do you know whether or not a man named Ed Miller was once head of the Latin American desk in the State Department?

Mr. HILL. Yes, I knew him when I was associated with W. R. Grace & Co. I believe he is practicing law in New York.

Senator MORSE. Before he went to the Department was he not a member of the legal staff of the law firm of Sullivan & Cromwell in New York?

Mr. HILL. I don't know what Mr. Miller's affiliations were before coming with the Department of State, but I believe that he is associated with Sullivan & Cromwell now because he wrote me a letter of congratulations the other day and it was on the Sullivan & Cromwell stationery.

Senator MORSE. Do you know whether or not before he went to the State Department to take over the Latin American desk he was the attorney of Sullivan & Cromwell assigned to the Sabalo case?

Mr. HILL. I did not know that, sir.

Senator MORSE. Do you know whether or not, now back with Sullivan & Cromwell, he is again representing the firm in connection with the Sabalo case?

Mr. HILL. I do not know, sir.

RIGHT OF MEXICO TO EXPROPRIATE

Senator MORSE. Let the record show that no one disapproves more than I do the expropriation of the oil, but do you question the right of the Republic of Mexico to expropriate its oil if it decides that should be its domestic policy?

Mr. HILL. Senator, I would have to answer the question this way, because I can't speak from personal experience dealing with Mexico: I was in Costa Rico as Ambassador when the President of Costa Rica talked in terms of expropriating properties of an American firm, the United Fruit Co., in the area. I am aware of the nationalistic spirit that existed in Costa Rica.

Costa Rica later settled for a 33⅓ percent share of the profits, which was agreeable with the United Fruit Co. and as an observer I witnessed that negotiation in Costa Rica.

But as far as the Mexican situation is concerned, I could not give you a factual answer because I am not as yet acquainted with the problem that you raised.

We may object, and object strenuously when it affects an American corporation, but if the final decision is made and we have used the recourse of the courts and the properties are taken over, we have to try to work out the best arrangements we can.

Senator MORSE. The Mexican Government took over the oil projects, did it not?

Mr. HILL. Yes, sir.

Senator MORSE. The Mexican Supreme Court by unanimous decision sustained the expropriation under Mexican law, did it not?

Mr. HILL. That is my understanding.

Senator MORSE. We protested as we had a right to protest, and I think as we should have protested, in an endeavor to try to get them to follow another course of action, but they decided that was to be Mexican policy.

SETTLEMENT OF AMERICAN CLAIMS AGAINST MEXICO

We then cooperated, did we not, in the creation of an international commission for settlement of the financial claims of the foreign investors in the oil company, did we not?

Mr. HILL. I am not fully acquainted with the expropriation proceedings, Senator.

Senator MORSE. You do not know whether or not there was an international commission that was appointed and heard the respective contentions and reached a negotiated settlement as to the amount to be paid to the foreign companies?

Mr. HILL. No, sir; I have had no occasion to be acquainted with the facts on that particular issue.

Senator MORSE. Do you not know then that the famous so-called Sabalo case was within the jurisdiction of that commission?

Mr. HILL. I did not, sir.

Senator MORSE. Let me make clear I don't think the final settlement was as high as I would like to have seen it. When we go into international judicial proceedings, we have got to take our losses as well as our wins.

Mr. HILL. Yes, sir.

Senator MORSE. That is why I am at a loss to understand what is happening. I speak as chairman of the Subcommittee on Inter-American Affairs, and have made it a matter of interest to try at least to familiarize myself with South American problems.

I am at a loss to understand the attitude of the State Department over the years toward this Mexican oil situation.

In 1949, President Truman sent me down to Mexico on a confidential mission for him, including a conference with the President of Mexico, and I reported back to him.

I have no doubt, as I have said heretofore in the Senate, that our State Department is taking what I would call a disciplinary attitude toward Mexico in regard to oil. I find that very disturbing, and I shall talk to Mr. Rubottom about it later today. He after all is going to be your superior, isn't he?

Mr. HILL. That is correct, sir.

Senator MORSE. When you look at the chart of United States petroleum supply and demand that Senator O'Mahoney put in the RECORD yesterday in his exceedingly able speech on petroleum problems, you recognize that we are not only at the present time not producing our demand but have to rely on substantial imports. You might study further the O'Mahoney data which shows, I think, that in 1975 we will have, in the opinion of the experts, exhausted all possibility of discovery of new petroleum supplies in this country.

With that fact in mind, I am a little at a loss to understand the policy we are following in regard to Mexican oil just across the border. In case of war we are going to need that oil and need it awfully fast because of the existence of the Russian submarine fleet. I shall take up that with Mr. Rubottom.

NONINTERFERENCE IN INTERNAL POLITICS

Now when you go down to Mexico as Ambassador, do you think that the Ambassador as well as the members of his staff should follow a hands-off policy in regard to the oncoming Mexican presidential election?

Mr. HILL. I do, sir.

Senator MORSE. Do you agree with me that American embassies, diplomatic officials, should not seek to interfere in or influence the domestic elections of countries in which they hold posts?

Mr. HILL. Senator Morse, I agree with you 100 percent. There may be those that would disagree with me on this point. But I know from reading history that other governments that have been world powers who meddled in the internal affairs of a country where they had representatives hurt their position.

Senator MORSE. Do you know of your own knowledge whether there is any basis in some of the representations that are being made at the present time through such a medium as Hansen's Latin American letter to the effect that the United States State Department is not only dabbling but is heavily involved in the oncoming Mexican presidential election. It is alleged that officials of our State Department are going out of their way to say favorable things about one of the Mexican candidates by referring to him in speeches and using other nice diplomatic devices for creating the public opin-

ion in Mexico that if he were elected, that would be very acceptable to the present administration of the United States Government.

Mr. HILL. I am not familiar with the particular reference in the Hansen Latin American letter, but I want to assure you and members of the committee, Senator MORSE, that when Secretary Dulles asked me if I would go to Mexico, and I accepted, he then told me that the situation in Mexico with an election coming up is a very delicate one, that we were to be there as observers, we were not to try to exert any influence for one candidate or another.

He gave me permission to pick my political officer, the Minister, the economic counselor, and I asked him if I could give consideration to picking the consul general because that is very important with 12 posts in Mexico.

That permission has been granted. I am in the process of picking the staff. I already have an agreement regarding the most important post in my opinion, the political officer. He is an old-line career Foreign Service officer in the State Department in whom I have utmost confidence. I believe members of the committee know him, Raymond Leddy. I want to tell you that if I find any member of my staff showing any partiality to anyone that is running for political office, if that one-way service is inaugurated from Mexico City to New York nonstop, he will be on the next plane.

Senator MORSE. I want say that that statement commends itself to me very highly because I have been disturbed by reports that I have been receiving from Mexico about alleged interference of the American Embassy in Mexico City with internal Mexican politics.

I am not prepared to say that it is true. I am prepared to say, however, that the rumors are too widespread to make me happy.

HANSEN'S LATIN AMERICAN NEWSLETTER

Now, there is one other point that I want to raise with you, based again on reports in such a medium as Hansen's letter.

By the way, what is your opinion of the Hansen letter?

I have not reached any judgment on it.

As far as I know, as newspaper reporting goes, it is a letter that at least we ought to consider and check, of course, as to its authenticity.

Do you have any judgment on that?

Mr. HILL. Senator Morse, I first became acquainted with the Hansen Latin American letter in 1949 when I was with W. R. Grace & Co., and Mr. Grace, the president of the company, felt that Mr. Hansen was a brilliant economist, and despite the fact oftentimes he was in disagreement with State Department policy on Latin America, that his ideas were sufficiently important for the company to analyze them.

I did not know Mr. Hansen at that time. In 1951 Mr. Grace asked me to interview Mr. Hansen. He wanted to hire him as an economist, and I talked with Mr. Hansen. Mr. Hansen was offered a substantial salary and an important position, and he turned it down because he said that he had the freedom of thought in writing this letter that he would not have if he was working for a big corporation in New York. He thought his contribution would be to remain with this newsletter even if it was at a financial sacrifice.

After I left W. R. Grace & Co., I did not have occasion to see a Hansen Latin American letter until he wrote one recently about my appointment to Mexico, and it concerned me, some of the things that he said, and I brought the letter to the attention of State Department officials because I felt that was my duty and an obligation.

Senator MORSE. That letter I have not seen. I want you to know I am asking these questions about Hansen without knowledge that there was a critical judgment on your appointment.

Mr. HILL. It was critical of the State Department's policies of handling Latin American affairs, and it commented on Mr. Rubottom, Mr. Holland, Dr. Eisenhower, and myself.

Senator MORSE. I had not seen any reference to you.

I have seen references to Rubottom and to Milton Eisenhower and to the Secretary and to the past Ambassador, Mr. White.

Mr. HILL. Yes.

Senator MORSE. I will ask nothing further about Mr. Hansen of you. I have never met him. I have checked into many items, however, in his newsletter from time to time, and as I have checked into them to the extent that the subject matter has been within the realm of my knowledge to any extent, I have found the letter remarkably reliable.

GETTING IN TOUCH WITH PEOPLE

One of the criticisms of past Embassy practices in Mexico City, in the immediate past, has been that the Embassy has not gotten out in touch with the people of Mexico, but has limited itself pretty much, as I think Mr. Hansen said in the one letter, to the white collar, long-tail affairs within the Embassy to which great attention has been given to Mexican politicos. Too little attention has been given by the Embassy to the peasants, the farmers, small-business men, and other people in the ranks of which from time to time strong anti-American feeling flames up.

Will it be your practice as Ambassador to try to broaden the sphere of Embassy influence so that the people in the so-called lower income levels of Mexico will feel the influence of our Embassy as far as seeking to interpret American life, governmental policies and culture to them?

Mr. HILL. Mr. Chairman and Senator MORSE, in my opinion you have raised one of the most important issues that faces an American Ambassador when he is abroad. I was criticized by friends when I was in El Salvador and Costa Rica because I traveled over practically every foot of ground in the country.

I slept out in the country in tents that the United States Army provided, because of no facilities in small towns. I spoke at rallies in Spanish. True, my Spanish is not fluent, but I can speak it so it can be understood.

I traveled with the USIA groups often in the countries that I was accredited to, and I found that it was the best medium of getting to know the people. There is no substitute for the Ambassador meeting the people, if he will take the time to move around a country.

It is terribly important. I went into small hamlets in El Salvador where they had never seen an American Ambassador.

An ambassador was something that they might read about if they were fortunate enough to have money to buy a newspaper. I was talking with the Mexican Ambassador last night and I said to him "Mr. Ambassador, if I am confirmed by the United States Senate and I go to Mexico, it will be my hope to travel all over your great country." He said to me "There is nothing that would make more of an impact with the Mexican people than to see an ambassador out in the country talking with people from all walks of life."

I do not intend to be tied down by the routine of just going from one reception to another.

I hope to be able to get out each month for several days and thus see all the areas of Mexico. I would recommend this to any ambassador going abroad.

Senator MORSE. I want to commend you very highly for that too. There are members of this committee, the Senator from Iowa, the Senator from Alabama, the chairman Senator WILEY, Senator MANSFIELD, that have followed that policy to the extent possible as Senators.

I don't think we can begin to reach the good will that is created by that sort of an approach in American foreign relations.

I remember my trips to Mexico, and I have been in many parts of it. I got into areas that had never seen an American politician, and just talked to them, give them a chance to answer questions, which I think creates a tremendous good will, and on the basis of what I know about Mexico, I want to say on the record that in my judgment in recent years our Embassy has failed to reach the people of Mexico.

It has been reaching the top hierarchy all right, but it has not been reaching the people, and I am so glad to hear that this will be your policy. That is all the questions I have for this witness.

Senator MANSFIELD. Mr. Chairman.

The CHAIRMAN. Yes, Senator MANSFIELD.

Senator MANSFIELD. I think on the basis of Senator MORSE's questions, that Secretary Hill has an idea—I am sure he had it before—of the difficult and delicate task confronting him. I do want to say though that the Technical Assistance Subcommittee under the chairmanship of Senator HICKENLOOPER, did contact the ambassadors of all the countries in the world where technical assistance was being administered, and the frankest, most clearcut replies we received happened to be from the then Ambassador to El Salvador who had previously been Ambassador to Costa Rica and who is now before us for confirmation as Ambassor to Mexico.

PRAISE FOR NOMINEE

I think that he stood out head and shoulders above all the others in the frankness and the clarity of the reports he gave us in response to Chairman HICKENLOOPER'S questionnaire.

I know that Secretary Hill has had a difficult and delicate job as Assistant Secretary of State for Congressional Relations. I think the record ought to show that he has performed his tasks superbly, that he has been impartial, nonpartisan. He has tried to keep the committee informed of developments. I think he has been a tower of strength to the Secretary of State and this administration and a tower of strength to this committee as well in ironing out differences and in attempting to arrive at mutual understanding.

I don't think that we could send a better man to this most difficult post than the present nominee before us. I wanted to say these remarks so they would be on the record, because I think Mr. Hill has a great future, and we are going to hear much of him and about him in the years ahead.

Mr. HILL. Thank you, Senator.

The CHAIRMAN. Are there any other questions to be asked?

Senator AIKEN. Mr. Chairman?

The CHAIRMAN. Senator AIKEN.

Senator AIKEN. Would it be out of order if as a fellow denizen of the north woods I move to approve Mr. Hill's nomination?

The CHAIRMAN. Since we have already heard two, I thought we would hear the others and then vote on them all at the same time.

Senator AIKEN. If I might have that privilege when the time comes.

Senator HICKENLOOPER. Then we will call upon the denizen.

Senator MORSE. Mr. Chairman, while the Ambassador is in the room, I want to say in supplement of what Mr. MANSFIELD said that Mr. Hill to my knowledge has been of great help to this committee on a good many occasions when he served as a liaison officer between the State Department and this committee. While he is still in the room, I wonder if he would have any objection to the

hearing involving him in executive session being made public.

I think it would be very beneficial myself. I did not realize, to be frank with you, we were taking Mr. Hill up. That is my fault because had I known it I would have asked to have it public.

The CHAIRMAN. Would you be willing to wait until we vote upon it?

Senator MORSE. Oh, yes, but I wanted to know while he is still here, if we should decide to make the transcript public, if he has any objection?

Mr. HILL. I have no objection, Mr. Chairman.

The CHAIRMAN. He says he has none. Are there other questions?

Thank you very much for submitting to this examination.

Mr. HILL. Thank you.

Mr. Chairman, before I excuse myself I would like to thank you as chairman of the committee and all the members on the Republican as well as the Democratic side for the cooperation that I have had in the last 15 months.

It has been probably the greatest experience of my life working with the members of the committee, and I would like to compliment you because I have always received every courtesy from you as the chairman and from all the members of the committee, even if there was difference of opinion, and I would like to take also the occasion to compliment your very efficient staff.

Some of the members I had not had a chance to know as well as others on the staff, but at all times they were helpful with the Department of State, even during times when there were broad avenues of disagreement.

Thank you very much.

The CHAIRMAN. When, as, and if you go as Ambassador to Mexico, we are going to miss you very much here and you carry with you under those circumstances the best wishes for success.

We can't hold the American Ambassador responsible for everything that happens there.

Mr. HILL. Thank you very much, Mr. Chairman.

Thank you, gentlemen.

LIGHT ON HELLS CANYON

Mr. CHURCH. Mr. President, yesterday, the Washington Post carried on its editorial page a Herblock cartoon depicting three precipitous waterfalls in the Hells Canyon, over which the public interest was taking a perilous plunge. The first of these was labeled "Loss of Hells Canyon Site," the second was labeled "Disclosure of Fast Tax Write-Off Gains for Private Power Co.," and the third bore the caption "Revelation of Stock Market Gains on Government Decision."

I regret that I cannot paint a word picture as vivid as that created by the cartoonist's pen, but I can insert into the RECORD the Post's lucid editorial carried on the same page, entitled "Light on Hells Canyon."

I ask unanimous consent that this editorial be printed, at this point, in today's CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 9, 1957]

LIGHT ON HELLS CANYON

While the Senate Antitrust Subcommittee is looking into the unusual activity of Idaho Power Co. stock in the interval between the granting of its fast tax writeoff and the public announcement of that action, interest in Gordon Gray's illumination of the murky Hell's Canyon situation is still keen. Mr. Gray's disclosures before the subcommittee were wrested from him by Senator KEFAUVER's persistent, knowledgeable, and skillful questioning. Two conclusions seem inescapable: One, that the Federal Power Commission's issuance of licenses to the Idaho Power Co. for the construction of dams on the Snake River was based on a mistaken premise; and, two, that Mr. Gray, as Director of the Office of Defense Mobilization, acted on extremely dubious grounds in issuing certificates of rapid tax amortization for construction of these dams.

The FPC based its issuance of licenses to the Idaho Power Co., in part at least, on the premise that the power potential to be developed by the private construction of the Snake River dams would be realized without expense to the United States. Its action cleared the way for private construction of two low dams instead of Federal construction of a single high dam at Hells Canyon—even though the single high dam would generate more power and produce other benefits to the Northwest. In point of fact, however, the grant of rapid tax writeoffs to the Idaho Power Co. will entail a very appreciable expense to the United States. They give the company, in effect, an interest-free loan for a 5-year period; this means that the Federal Government must pay interest on borrowed money to make up for the tax revenue it forgoes during this time.

On March 11, Secretary of the Interior Seaton wrote a letter to Dr. Arthur Flemming, who was then director of ODM, saying in crystal-clear language, "I recommend that you deny issuance of the accelerated tax amortization certificates requested by the Idaho Power Co." Mr. Seaton gave among the reasons for his recommendation that the "net cost to the Government in the case of the Idaho Power Co. application is inconsistent with the basis on which the FPC granted the license to the company." Nevertheless, Mr. Gray, when he succeeded Dr. Flemming as director of ODM, not only issued the tax amortization certificates but tried to conceal from the Senate subcommittee the fact that Secretary Seaton had recommended against doing so. Mr. Gray's concealment of the Secretary's letter entailed a lack of candor far from becoming to him, and Senator KEFAUVER performed a significant public service in bringing the letter to light.

There is justification for accelerated tax amortization to promote the construction of needed defense facilities which would not be undertaken by private concerns without this form of Federal subsidy. But the justification did not exist in the case of the Idaho Power Co.'s dams. The amortization represented a needless handout to the company, defended by Mr. Gray on the dubious ground that other companies had received it without consideration of the need for such grants as incentives. In the light of this handout and the considerable cost it involves to the Government, Congress ought now to step in and preserve Hell's Canyon, the choicest dam site on the North American Continent, for full development by a multiple-purpose high dam that will give the Northwest the power resources it needs.

CANADIAN FEDERAL ELECTION TODAY—ARTICLES BY MARQUIS W. CHILDS ON ASPECTS OF RECENT CAMPAIGN

Mr. NEUBERGER. Mr. President, today the people of Canada go to the polls to select a Parliament which will govern them for the next 4 or 5 years. This is a great event for all who live on the North American Continent. Canada is the largest of all the nations of this continent in area. It possesses vast resources and its future is unlimited. In the year 1900 Sir Wilfred Laurier, one of the most illustrious of all Canadian Prime Ministers, said, "This century belongs to Canada."

Canada is the closest ally of the United States, in war and in peace. Americans fought side by side with Canadians in World War II and in Korea. The great Alcan Highway to Alaska is largely on Canadian soil. Our strategic radar defense lines are located in Canada. American investors have staked over $9 billion on the success of Canadian industry. The policies and personnel of the Government of Canada are thus of major significance to our own destiny and to the fate of the free world.

The distinguished columnist, Marquis W. Childs, spent the week prior to the Canadian election in that far-flung land, talking with citizens and with Canadian leaders. His conclusions and opinions are of major interest to us of the Senate, as Canada votes today—from the American line to the Arctic Circle, from Newfoundland's headlands to the craggy shores of British Columbia.

I have a particular interest in Mr. Childs' salient observations about the Canadian elections because I served over 2 years in the Canadian sub-Arctic during World War II, and because the great Pacific Northwest region is now intimately concerned with reaching a satisfactory settlement with Canada over mutual use of the waters of the Columbia River for hydroelectric power and flood-control purposes.

Mr. President, I ask unanimous consent that there be printed in the body of the RECORD at this point two of Mr. Childs' articles which appeared in the Washington Post of June 4 and 5 and which discuss issues of importance in the campaign just concluded—including Canada's attitude toward the United States—and the effects of the uranium boom in northern Ontario.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 4, 1957]

CANADA ON THE EVE: ONLY SURFACE CALM

(By Marquis Childs)

MONTREAL.—Within a week some 6 million Canadians scattered across this broad land will go to the polls in a national election that has caused scarcely a ripple of interest.

The farmers on the prairies are unhappy because they are not sharing in Canada's high prosperity. You hear some grumbling because housing has not got going in sufficient volume. This is put down as one consequence of the Canadian policy of tight money intended, as in the United States, to hold down prices.

There are, in short, the familiar gripes of a democracy in the full tide of the great midcentury expansion that is taking place. Great new mining, industrial, oil and other enterprises have been opened up since the end of the war. Canada's birth rate during the past decade has been higher than that of the United States, Japan or India.

Yet beneath the calm surface is a current of discontent that substantially reduces the strength of the Liberal government in power for 22 years—so long that some Conservative candidates have appropriated the time for a change theme the Republicans used so effectively after Democrats had been in power for 20 years in Washington.

The discontent arises in no small part from the problems that grow out of living alongside a neighbor so vastly rich and powerful as the United States. Not by the wildest stretch of the imagination could one imagine a mob in Ottawa sacking the United States Embassy and tearing down the American flag. But in its sober and restrained fashion, the discontent here is related to the fury of the Chinese mob on Formosa.

The Canadian Government has been informed that the United States will shortly raise its tariff on lead and zinc. Canada sells annually to the United States about $50 million worth of these two minerals.

That may seem small, but Canadians measure it against the fact that the United States is selling to Canada about $1.2 billion more in goods than it buys from that country. While this trade deficit is partly offset by the investment of capital coming from south of the border, it is still a very large fact of Canada's economic life. And the big amounts of American capital in Canadian development have raised new problems of control and taxation.

Because this is a sober election campaign in the Canadian tradition, no one is hurling brickbats at Uncle Sam. The latest distrusts and suspicion of America are not being exploited. John G. Difenbaker, the Conservative leader, goes so far as to say:

"The bulk of Canada's trade is with the United States, and this country exports its irreplaceable raw materials in vast quantities. We have an enormous deficit in our trade with the United States. We Conservatives believe this dependency upon the United States has gone too far, that Canadian well-being, the Canadian economy are far too vulnerable to American whims and American reversals."

Some of the extreme Tories in Toronto, where still the sun never sets on Britain's Empire, are less polite. They talk about economic colonialism and the greedy power of the colossus to the south.

But, both by temperament and tradition, Canadians are restrained, and this applies to another issue—communism in government. Not long before the campaign began, the suicide of the Canadian Ambassador to Egypt, Herbert Norman, touched off a wave of anti-Americanism.

Later it was shown the Government had mishandled the Norman matter by withholding information in the first instance. Yet, thus far the opposition has made no use of these charges. When the visitor asks why, he is told, "If only because it would react against anyone who tried to bring it up."

If the professional prognosticators are correct, the Liberals will lose 20 to 30 seats, cutting their majority of 170 to around 140. This, in a House of Commons of 265 members, would still give them a working majority to form a government.

But there could be a sleeper in this quiet election—the kind of nasty surprise that has upset so many comfortable assumptions in recent months.

[From the Washington Post of June 5, 1957]

FIFTEEN THOUSAND A-BOMBS IN CANADA'S SOIL

(By Marquis Childs)

ELLIOTT LAKE, ONTARIO.—In what was trackless wilderness less than 3 years ago, the greatest uranium discovery of the Western Hemisphere today is being developed with breathtaking speed as new towns and big processing plants are carved out of the forest from month to month. The bulldozers and the trucks roar 7 days a week.

In dry weather, clouds of dust settle on newly painted houses, and roads are in mud when it rains.

New workers are constantly coming in as others, fed up with the pioneering life, get out. This is the Alaska gold rush without the dancehalls. And without, it should be added, the chance for the miner to make a big strike, as few did in the gold rush.

A geologist prospector, Franc Joubin, and his backer, Joe Hirshhorn, known today as the uranium king, put $30,000 into their Algoma Basin discovery and took out many, many millions.

Today wages are high, but so are prices. Most families are still living in trailers. Last winter an epidemic of acute hepatitis swept this uranium camp, with 300 cases at its height.

Yet for all the handicaps and hardships, production continues to grow. Great processing machines hauled in over primitive roads convert 1 ton of ore out of the shaft into 2 pounds of uranium oxide, which looks like bright yellow soap flakes.

A Canadian Government corporation has contracted to buy a billion dollars' worth of "yellow cake" out of the Elliot Lake area in the next 5 years. All of the elements of the revolution worked by the splitting of the atom are evident in this subarctic area where in winter temperatures drop as low as 60° below zero.

The Canadian Government sells virtually the whole output to the United States under contracts that run through 1962—enough, it is said, to make 15,000 atomic bombs. But because of fears that these contracts will then be terminated, there are reports of supplementary agreements to be negotiated with Britain in connection with Britain's fast-moving peacetime development of atomic energy.

A fierce union struggle is on, with the mine, mill, and smelter workers threatening to capture control of the Algomanordic local and its thousand men. The Communist-led union, expelled from the CIO, already has the local at Consolidated Denison, the largest uranium operation in the area.

They are financing intensive organizing efforts out of revenue coming from their grip on the nickel mines, the largest in the world, at nearby Sudbury. If they take over the locals of the five mines of the Rio Tinto Co., in which the Rothschild interests are dominant, they will have a leverage over an important segment of uranium production.

This is deeply disturbing to officials of both government and business.

When this was backwoods with a few dying lumber towns on the fringes, the Algoma East Riding, as Canada calls it parliamentary districts, was considered a safe seat for Lester B. Pearson, Minister of External Affairs in the Liberal government in power at Ottawa for 22 years.

In the forthcoming election, Pearson is being aggressively challenged by Merton Mulligan—Mulligan's the man—the Conservative candidate with the active backing of the powerful Conservative organization that controls Ontario's provincial government.

Mulligan, a big, barrel-waisted, black-haired native of the region and mayor of the little community of Thessalon, has been stumping the Riding since April, telling everyone who would listen that Algoma East needs a representative in Parliament who will look after its interests. He accuses Pearson of siding with the Russians in the Suez crisis of last November and of turning against Britain and the Commonwealth.

But the charge he returns to before every audience is absenteeism—Pearson's alleged neglect of the people in his own district while he travels around the world taking care of other people's affairs. This is Canada's brand of isolationism. Most observers feel it has not taken hold.

THE MUTUAL SECURITY ACT OF 1957

Mr. GREEN. Mr. President, I desire to invite the attention of the Senate to the fact that on last Friday, June 7, the Committee on Foreign Relations favorably reported the Mutual Security Act of 1957 to the Senate by a vote of 12 to 3. The committee proposed a net reduction of $227,300,000 in the $3.8 billion request of the President. The total amount authorized by the bill is $3.617 billion.

I call particular attention to the committee report which has been prepared in a form to present a clear description of each provision of the bill.

This morning at my direction, copies of the committee report, No. 417, and copies of the committee hearings were sent to the office of every Member of the Senate. The hearings total more than 800 pages, and I hope Members will have opportunity to study them carefully before the bill is considered by the Senate.

When the Mutual Security Act, S. 2130, is called up I will, of course, make a statement about its specific provisions and the way in which the committee dealt with proposals of the President.

In view of recent suggestions that Congress has been a source of delay in consideration of Presidential proposals, I wish to call the attention of my colleagues to the fact that the President's proposals have been before the Senate since only May 21. Only 18 calendar days have elapsed since we began consideration of this bill. Weekends and vacations have intervened, giving the committee only 11 working days for consideration of the proposals.

UNSCRUPULOUS CONTRACTORS FOR MILITARY PROCUREMENT

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Is there objection? The Chair hears none, and the Senator from Arkansas is recognized for 10 minutes.

Mr. McCLELLAN. Mr. President, during 1955 the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations held hearings in connection with the textile procurement in military services. We investigated procurement practices of the Armed Services Textile and Apparel Procurement Agency, a unit established in the Defense Department to coordinate procurement of the Army, Navy, and Air Force. Evidence was presented to the subcommittee showing that unscrupulous contractors had bribed and contrived with both civilian employees and armed services officers to improperly favor contractors in the award and administration of contracts. The subcommittee was confronted with graft and corruption.

One of the principals in the hearings was Harry Lev, who had delivered defective material to the Armed Forces. He corrupted and induced Government officials to betray their public trust. He endeavored to ingratiate himself into special favor with officials and employees of the Defense Department. He paid their hotel bills. He entertained them at home and on his yacht. He bought dresses and other items of clothing for female personnel of procurement.

Another principal witness, Marvin Rubin, held himself out as a fixer who had influence with Government procurement

officials through bribery and friendship. He was one of the contact men with the Army's Quartermaster Corps, and he represented several manufacturers. His method of operation differed from the usual five percenter in that he was operating on a larger financial return. Still another main witness in our investigation was Capt. Raymond Wool, of the Air Force, who was one of the contracting officers for the Procurement Agency. He had granted Harry Lev many important deviations on a naval white hat contract, resulting in substantial lower costs to Lev, and he had been very friendly with Marvin Rubin and Harry Lev.

Joseph G. Porreca was the chief inspector of the clothing branch of the textile division of the Quartermaster Corps. He accepted many gifts from Marvin Rubin and Harry Lev, including a deep freezer. He admitted in public testimony that he had committed perjury before this subcommittee in executive session.

Mrs. Mella Hort testified she had been the contract administrator employed by the United States Army Quartermaster Corps who administered garrison hat contracts and handled several of the Lev Co. Government contracts. She received many gifts from Marvin Rubin.

Maurice Ades testified that he had been a partner of Harry Lev in Puerto Rico. He was an active participant with Lev and Rubin in their many dealings with the United States Government.

I merely identify these people who testified before the subcommittee, and have refrained from giving detailed information, as we have submitted a report to the Senate on this particular investigation. Following the hearings, we submitted to the Department of Justice a transcript of the hearings. This resulted in criminal trials and convictions of Harry Lev, Marvin Rubin, Capt. Raymond Wool, Mrs. Mella Hort, and Maurice Ades in New York on the charge that they had conspired to defraud the Government of the United States. On May 15, 1957, the Federal court imposed the following sentences: Harry Lev, 9 months in prison and a $5,000 fine; Raymond Wool, 18 months in prison and a $1,500 fine; and Marvin Rubin, 15 months in prison and a $1,000 fine. Maurice Ades was given a suspended sentence, fined $1,500, and placed on probation for 2 years. Mrs. Mella Hort was given a suspended sentence, fined $1,500 and placed on probation for 2 years. Joseph Porreca entered a plea of guilty to the charge of conspiracy to defraud the Government of the United States, but has not as yet been sentenced.

Federal District Court Judge Irving R. Kauffman, who imposed the sentences, classified Rubin as follows:

> He is a man completely without any business principles. He is a man who impresses me as one who believes the laws of business are the laws of the jungle.

I desire to point out that the following appeared in an article in the New York Times of Thursday, May 16, 1957:

> Before the sentencing, Assistant United States Attorney Arthur Christy said a Congressional investigatian has disclosed a situation of which the public could truly be ashamed—a spectacle of Government employees who sold their public trust.

The convictions I have enumerated are a direct result of the investigation conducted by our subcommittee, and indicate, I think, in a positive manner the constructive work being done in attempting to expose and prevent instances of fraud, corruption, bribery, and inefficiency in the executive branches of the Government.

In 1956 the subcommittee continued its investigation, concentrating on the clothing procurement of the Quartermaster Corps of the Department of the Army. Once again we found that bribery, inefficiency, and improprieties existed in the Government procurement of millions of dollars of military clothing. A substantial amount of this clothing was purchased from a particular group of contractors who, through connivance, obtained improper favors, delivered substandard garments to the Armed Forces, and made unconscionable profits at the expense of the taxpayers. Three of the principals in this investigation were Joseph Abrams, Harold Hyman, and Murray Berman. Abrams, who was a certified public accountant, conspired with certain individuals to defraud the United States Government in the military clothing procurement field. Harold Hyman, a relative of Joseph Abrams, consistently invoked the fifth amendment as to various activities in which he had been engaged, particularly with relation to his bond transactions and his use of fictitious names in business dealings. Murray Berman, a trusted subordinate of Abrams, also invoked the fifth amendment on all pertinent questions concerning his association with Abrams and his dealings with various bonds.

On April 12, 1957, Joseph Abrams and Murray Berman were found guilty by a Federal court in New York City for misappropriating Government-owned clothing material and for conspiracy in making false statements to the Government. On the same date, Harold Hyman was found guilty of making false statements to the Government. On June 4, 1957, Joseph Abrams was sentenced to 2½ years in prison; Murray Berman was sentenced to 6 months in prison; and Harold Hyman was given a suspended sentence.

The convictions mentioned by me today do not include cases of other persons who were witnesses before the subcommittee and whose cases have been referred to the Department of Justice. For example, the case of Robert H. Pinner, who was an FOA consulting engineer and who was engaged in a grain storage project in Pakistan, is presently being handled by the United States attorney for the District of Columbia, and involves a possible perjury violation by Pinner. I mention this because it is anticipated that there will be additional convictions of witnesses who appeared before this subcommittee.

I wanted to bring to the attention of the Senate some of the results which are being achieved in our examination into the operations of the executive departments to determine whether there has been any waste, extravagance, inefficiency, or other improprieties.

As a result of our investigation, the Department of Defense has taken administrative action in an attempt to prevent such occurrences in the future. For example, the Army has abolished the Quality Clothing Evaluation Board which had existed and has set up a Contract Review Agency in the Philadelphia Quartermaster Depot. It is hoped that the internal corrective action taken by the Department of Defense will improve conditions and eliminate some of the evils that have been exposed.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am very happy to yield to the distinguished Senator from Ohio.

Mr. LAUSCHE. At the very beginning, I commend the Senator from Arkansas for the distinguished and salutary work which his committee is doing. I listened with interest to the quotation which he made of the remarks of the judge with reference to Mr. Rubin, who, I believe, was the leader in the initial course of misconduct.

Mr. McCLELLAN. Rubin was one of the leaders, and certainly was one of the most reprehensible of the group.

Mr. LAUSCHE. The judge decried what Rubin had done. What was the penalty which the judge imposed upon this person, who contaminated the military personnel, took advantage of his country's need, and definitely was engaged in criminal conduct?

Mr. McCLELLAN. Two years, and a fine of $5,000, as I recall.

Mr. LAUSCHE. With good behavior, within what time can that man procure his release?

Mr. McCLELLAN. When he has served two-thirds of his sentence, which would be 16 months.

Mr. LAUSCHE. The point I wish to make is that I have frequently seen young men, men youthful in years, who took automobiles for unlawful rides, and who were sentenced to State reformatories to serve sentences of 14 months.

This is the case of a man who contaminated Government officials, who took advantage of his country, and whose conduct was described as being unpardonable. Yet, for such a man it is said that a sentence of 16 months is an adequate penalty.

I simply do not understand the workings of our courts—and I am not attempting to impose my judgment upon them. But the concept of comparative justice is indefensibly abused. My hope is that good will come of this case.

I commend the Senator from Arkansas for his work. I think that when transactions of this type are brought to light, the judges should understand that the entire United States Senate has had to concern itself with them, that the public is disturbed by the revelations, and that young soldiers, who serve in wars, wonder what is happening when a penalty of 16 months is given to such an enemy of our society. That is my understanding. I commend the Senator for his work.

Mr. McCLELLAN. I thank the Senator very much.

I may say, Mr. President, that we do not discover these things easily. We have to have a trained staff of competent investigators, and it sometimes takes a rather long and tedious process to get the information, to develop the testimony, and to ascertain the facts so we can make these exposures.

The fines which have been imposed do not begin to reimburse the cost to the taxpayers incurred in bringing the frauds to light and in getting criminals prosecuted.

I do not know what the court had in mind in imposing the light sentence. I am not critical of it, except I very much agree with the general viewpoint expressed by the distinguished Senator from Ohio. In my experience as a prosecuting attorney in my own State, and then some few years in investigative work, I have come to feel that sometimes I think our courts are too lenient with violators, particularly where they are apparently dedicated to that kind of living. In the case of a first offense, it is different, but the persons to whom I refer conspired; they became crooks and defrauders, and expended their energy along those lines. When we finally expose them, I should like to see greater penalties imposed.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the Senator from South Dakota.

Mr. MUNDT. Speaking as a member of the committee which the distinguished Senator from Arkansas heads, I wish to associate myself with his hope that some of the crooks who conspire deliberately to cheat and to obtain their livelihood at the expense of the taxpayers of the country can be adequately punished. I hope a way can be found so that when, after long and laborious hearings and efforts, we finally expose a racket, the result will not be merely a suspended sentence, or a small fine that amounts to only a fractional percentage of the profits that have been made.

I think we should make examples of faithless public servants who are guilty of efforts to destroy the Nation's defense effort or impair its solvency, by putting them in jail and keeping them there as long as the law allows.

Mr. McCLELLAN. I thank the Senator from South Dakota for his comment. He has made a very valuable contribution to the work of the committee.

Mr. President, I made this verbal report because, while we have submitted a written report on the work of the committee, the sentences and convictions are developments which have occurred subsequently to the time of the filing of the report. I thought our colleagues and the country would be interested in knowing the work of the committee has resulted at least in those convictions.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield to the majority leader.

Mr. JOHNSON of Texas. I think I divulge no secret when I say to the Senate that when I first came to the Congress as an employee of the Congress, I had a great admiration and respect for the distinguished Senator from Arkansas [Mr. McCLELLAN], first as a Member of the House, and later as a Member of the Senate. I know of no Member of this body to whom my colleagues owe a greater debt than to the senior Senator from Arkansas.

His objective manner, his constructive approach, his judicial consideration, his responsible handling of most difficult problems, as the agent of the Senate, have not only brought glory and respect to this body, but worldwide attention to the methods of the Senator from Arkansas and his committee. I want to express to him the gratitude of the majority leader, and of all Members of the Senate for whom I can speak, for the time he has spent, the great ability he has displayed, and the great credit he has reflected on the Senate and the Nation.

Mr. McCLELLAN. I thank the distinguished majority leader, but I wish to pass on all such agreeable remarks to members of the committee, because we operate as a committee. We operate cooperatively. We go into these tasks, I may say, without any thought, spirit, or attitude of partisanship, but simply to try to do a job for our country. Whatever little success the committee has had, whatever credit it may have brought to the Senate, each member is entitled to a share of the honor.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1958—AMENDMENT

Mr. MUNDT. Mr. President, tomorrow the Senate of the United States will discuss a very important appropriation bill, the appropriation bill for the Department of Agriculture. In connection with that bill, there is one amendment made by the Senate Appropriations Committee which I wish to call to the attention of Senators now, so that as they read the RECORD tomorrow morning they will be fortified with the knowledge and the facts made available to them on this new venture by the Appropriations Committee to endeavor to write agricultural legislation on an appropriation bill.

I wish to say, first of all, I oppose the amendment. It was adopted by a rather close vote.

I send to the desk an amendment proposed to be offered by me to the bill. My amendment seeks to undo the very serious damage done to the conservation reserve program by the amendment adopted by the committee.

My amendment simply strikes out of the bill language inserted by the Appropriations Committee, which provides, with regard to the conservation reserve program:

Provided further, That the average annual rental payment per acre shall not exceed $7.50 per acre for conservation reserve contracts entered into 30 days after approval of this act.

That amendment proposes an altogether new limitation and brings into being an altogether new mathematical factor which does not prevail in the soil bank or conservation reserve program as of now. At the present time the national average, which has been computed by the weighted formula, is $10.09. The committee amendment would impose a new legislative average of $7.50 an acre.

I point out that not one single thin dime of economy is involved in the amendment. It is agreed, with unanimity, I believe, by the Appropriations Committee, that we should provide $350 million for the conservation reserve program. The question is: How is the $350 million to be divided?

Under the normal procedure, according to the legislative act by which this appropriation is made, the $350 million would be divided among the 48 States by a formula which gives every State a fair opportunity to share in conservation reserve program dividends. If the formula is changed to $7.50—this new legislative formula, this new figure which has been grabbed out of the sky, because the sound of "seven" is somehow associated with being lucky—I think the program will not possibly be able to succeed and endure, because I submit any farm program which directly and deliberately discriminates against great sections of agriculture cannot long continue and prevail with the American taxpaying public.

Thirty-seven States would be discriminated against by the new $7.50 legislative formula average figure.

It seems to me—and I call this to the attention of the Senators from those States—that if I lived in a State such as Minnesota, I would want to examine the work of the Appropriations Committee very carefully, because, under the existing formula set up in accordance with the basic legislation, the annual payment per acre is $11. Of the contracts already signed, the average payment per acre is $9.9. When it is proposed to set apart farmers now receiving conservation reserve benefits at that level, by an act of the Appropriations Committee, and make the figure $7.50 average, not only are the people of Minnesota being discriminated against, but the farmers of Minnesota are being discriminated against.

Certainly, if I lived in the State of Ohio and represented the people of Ohio in the Senate, I would be greatly concerned by this action, because in the State of Ohio the figure is $12 an acre at the present time, but the average signup is $10.24 an acre, which means there is almost a $3 an acre reduction proposed by the act of the Appropriations Committee—which means, realistically, in my opinion, that the farmers of Ohio will be denied the benefits of the conservation reserve program for which they are being taxed.

I speak because I am concerned primarily with the total effect on the farm program of an action which discriminates against certain States because the land which they happen to have is more productive, or because the land has been evaluated at a level of annual return per retirement higher than $7.50.

This does not particularly concern the people of South Dakota, because in our particular area the average signup is

only $8.64 an acre. However, it certainly affects vitally the people of the State of Illinois, the people of the State of Iowa, the people of the State of Indiana, and the people of the State of Kansas. It certainly makes this program unworkable in the great State of Washington, with its wheatfields.

I wish to have some information placed in the RECORD at this point, Mr. President, because the amendment I have submitted will, of course, be discussed at length tomorrow. I think we should not go flying blind into an experiment which I am afraid can destroy the entire soil-bank program.

At this point in the RECORD, Mr. President, I should like to have appear a reprint from the information of the Appropriations Committee, which shows the conservation reserve program State by State, the approved annual payment rate per acre, and the average annual payment per acre under signed contracts, as of April 15, 1957, so that each Senator may compare that with what would happen unless my amendment striking out the $7.50 average acre limitation shall be approved.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Conservation reserve program—Approved State annual payment rates per acre and average rates on contracts reported signed as of Apr. 15, 1957

State	Approved annual payment rate per acre	Average annual payment per acre on signed contracts
Alabama	$8.00	$7.63
Arizona	9.00	13.47
Arkansas	9.00	7.89
California	12.00	9.81
Colorado	8.00	7.09
Connecticut	13.00	11.60
Delaware	12.00	11.42
Florida	8.00	7.39
Georgia	8.00	7.76
Idaho	11.00	7.81
Illinois	12.00	11.63
Indiana	12.00	10.42
Iowa	12.00	11.38
Kansas	10.00	10.32
Kentucky	10.00	8.57
Louisiana	10.00	6.94
Maine	9.00	5.62
Maryland	12.00	10.77
Massachusetts	13.00	8.01
Michigan	11.00	7.52
Minnesota	11.00	9.09
Mississippi	10.00	9.97
Missouri	9.00	8.39
Montana	9.00	8.52
Nebraska	9.00	8.13
Nevada	7.00	7.25
New Hampshire	10.00	3.16
New Jersey	13.00	10.70
New Mexico	8.00	8.05
New York	11.00	8.35
North Carolina	10.00	9.53
North Dakota	9.00	9.75
Ohio	12.00	10.24
Oklahoma	9.00	8.77
Oregon	12.00	10.48
Pennsylvania	11.00	8.99
Rhode Island	12.00	
South Carolina	9.00	8.74
South Dakota	9.00	8.64
Tennessee	10.00	9.09
Texas	10.00	9.53
Utah	11.00	8.89
Vermont	10.00	3.39
Virginia	10.00	8.30
Washington	13.00	11.07
West Virginia	10.00	7.02
Wisconsin	11.00	8.77
Wyoming	8.00	7.28
Total	[1] 10.11	8.84

[1] United States average when weighted by State goals.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

Mr. RUSSELL. Mr. President, I do not desire to labor the point at this time, since it will undoubtedly be discussed at length on the floor tomorrow; but I must submit that the statement of the distinguished Senator does not measure up to his usual accuracy. The amendment to which he referred could not possibly have the effect of bringing payments in any State down from $13 to $7.50. The total average payment is about $8.50, as I recall, though I do not have the exact figures before me.

We undertake to bring the figure down to $7.50. Applied equitably across the board, the reduction would be a little more than $1 per acre throughout the country in the payment for the conservation reserve.

Simply for the purpose of having it in the RECORD, I wish to point out that when mention is made of a $350 million program, as authorized by the appropriation bill, Senators will do well to bear in mind that this is a continuing program. Many of these contracts are entered into for a 10-year period. When a farmer enters into the program, there is a charge against the Treasury of the United States. If all the contracts were made on a 10-year basis, the $350 million per year program would obligate the Government for payments of $3½ billion.

I do not think that the action of the Senate Committee on Appropriations in undertaking to make a very modest reduction in these payments constitutes any blow to the farm program. Certainly I am as interested in the farm program as any other Member of the Senate, since I represent, in part, an agricultural State, and one which participates very largely in the conservation reserve program.

I should also like to have appear in the record the statement that these annual rental payments are in addition to the practice payments, which can amount to as much as $25 an acre, for putting the practice into effect. That money comes from the Treasury of the United States.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MUNDT. I should like to point out—as I am sure the Senator intends to do—that the practice payment is a one-shot payment only.

Mr. RUSSELL. The Senator is correct.

Mr. MUNDT. For the first year.

Mr. RUSSELL. Of course, it is.

Mr. MUNDT. The Senator had not included that in his statement.

Mr. RUSSELL. The practice payment might be considered not to be a one-shot payment.

Mr. MUNDT. The practice payment?

Mr. RUSSELL. It could be more than one-shot, because it could be paid in 2 years. There can be only one practice payment made, though it may go over a period of 2 years.

Mr. MUNDT. For one practice.

Mr. RUSSELL. For one practice, the Senator is correct.

Mr. MUNDT. That is right.

Mr. RUSSELL. If the farmer who puts his land into the reserve, using the maximum that could be applied under the Senate amendment, were to receive $25 for the practice of putting it into the conservation reserve, and then $13 a year for 10 years to keep it in, he would get $25 for the practice payment and $130 for rental payments, and at the end of a 10-year period he would get the land back with a greatly increased value.

I do not think the action of the committee is going to work any great hardship on the program. It will undertake to bring about a little degree of realism in the application of the program.

I shall not labor the question now. It will undoubtedly be the subject of discussion on the floor tomorrow.

ORDER DISPENSING WITH CALL OF THE CALENDAR

On request of Mr. JOHNSON of Texas, and by unanimous consent, the call of the calendar today under the rule was dispensed with.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. TALMADGE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Hartwell Davis, of Alabama, to be United States attorney for the middle district of Alabama;

Clinton G. Richards, of South Dakota, to be United States attorney for the district of South Dakota;

James L. May, of Alabama, to be United States marshal for the southern district of Alabama; and

John F. Barr, of West Virginia, to be United States marshal for the northern district of West Virginia.

By Mr. JENNER, from the Committee on the Judiciary:

Jack Chapler Brown, of Indiana, to be United States attorney for the southern district of Indiana.

EXECUTIVE REPORT OF A COMMITTEE

Mr. HRUSKA. Mr. President, it is my pleasure to submit the report of the Committee on the Judiciary recommending confirmation of the nomination of Robert Van Pelt, of Lincoln, Nebr., to be United States district judge for the district of Nebraska.

Mr. Van Pelt is a native Nebraskan. He was educated in the schools of Nebraska, receiving his law degree from its State University College of Law in 1922. He has engaged in the general practice of law in Lincoln since that time. He had served as assistant United States attorney for Nebraska, and had taught at the college of law from which he graduated.

His law practice was statewide in the Nebraska courts. Much of it was trial work, a most desirable background for a jurist.

Mr. Van Pelt has been very active in civic, church, and other organizations. He served as State moderator for the Congregational Church. For many years he has been a member of the Doane College board of trustees, and until recently has been its chairman. He made a fine contribution also in his membership of the Lincoln School board and city zoning board.

His record and reputation is of the best for professional and personal integrity, capability, and character. I know he will serve in outstanding fashion as a worthy successor in the line of the very excellent Federal judges in my State.

Mr. Van Pelt has been nominated to succeed the Honorable John W. Delehant who recently retired after a distinguished 15-year record of service on the Federal bench. Happily for all concerned, however, Judge Delehant has indicated that he will accept assignment of further trial work as retired judge. Thus, his continued usefulness will be available in large measure, even though his successor will undertake, in addition to trial work, the administrative duties in connection with the judgeship.

Mr. President, Mr. Van Pelt has the capability and all the necessary attributes to serve as Federal Judge in outstanding fashion. He will be a worthy successor in the line of excellent jurists in my native State who preceded him.

It is my hope and recommendation that the Senate will confirm his nomination at an early date.

Mr. CURTIS. Mr. President, I wish to add a word in behalf of Robert Van Pelt, whose nomination will come before the Senate for consideration very shortly. He has had many years of experience and is one of the outstanding lawyers of our State. He is an excellent student, a seasoned practitioner, and an individual of the highest integrity. He has judicial temperament.

His nomination has met with the widespread approval both of lawyers and judges, and of the public as well, in the State of Nebraska.

I recommend him very highly for the position of United States district judge to which he has been nominated.

The PRESIDING OFFICER. The nomination will be placed on the Executive Calendar.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the nominations on the Executive Calendar. It will take just a moment.

The PRESIDING OFFICER. The nominations on the calendar will be stated.

UNITED STATES AIR FORCE

The legislative clerk read the nomination of Maj. Gen. Richard Clark Lindsay to be lieutenant general, United States Air Force.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES NAVY

The legislative clerk proceeded to read sundry nominations of members of the Naval Reserve for permanent promotion in the line and staff corps.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, the nominations are confirmed.

IN THE NAVY AND IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Navy and Marine Corps which had been placed on the Vice President's desk.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations in the Navy and the Marine Corps be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy and the Marine Corps will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I desire to ask the reporters for the Daily Digest to take notice of the announcement I made this morning that the Senate will convene each morning at 9:30 for the remainder of this week, that the Senate will be in session on Saturday, and will sit in the evenings, if necessary, until we dispose of the four pending appropriation bills and the mutual security authorization bill.

I should like to have the attachés of the majority and the minority of the Senate call the attention of each individual Senator to this announcement so that if he has any engagements he will be able to take proper notice of the convening time of the Senate and the fact that this will be a very long workweek. We will come early and stay late until we dispose of the measures which are pending.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. O'MAHONEY. I wish to invite the attention of the Senator from Texas to the fact that more than a week ago, at the request of the Senators from Florida [Mr. HOLLAND and Mr. SMATHERS], I announced that hearings would be held on a bill which they had jointly introduced, affecting the Everglades National Park in the State of Florida, by the Committee on Interior and Insular Affairs, beginning at 10 o'clock on Tuesday morning.

More than 2 weeks ago, by direction of the Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary, I gave public notice that on Wednesday morning at 10 o'clock the staff of that subcommittee would present to the subcommittee in open public session its analysis of the testimony which was heard and received by the committee. The public has been notified of both of these meetings.

I therefore ask unanimous consent that these two committees, the Committee on Interior and Insular Affairs and the Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary, may sit during the sessions of the Senate.

Mr. RUSSELL. Mr. President, my attention was momentarily diverted.

Mr. O'MAHONEY. I believe the Senator from Georgia desires the floor to call up a bill.

Mr. RUSSELL. I did not understand the committees which were to meet.

Mr. JOHNSON of Texas. The Committee on Interior and Insular Affairs and the Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary.

Mr. President, I think it is a proper request and I hope the Chair will put the question.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Is there objection to the request of the Senator from Wyoming. The Chair hears none, and it is so ordered.

ORDER OF BUSINESS

Mr. RUSSELL. Mr. President, the unfinished business, coming over from last week, is H. R. 7143?

Mr. O'MAHONEY. Mr. President, I yield to the Senator from Georgia with the understanding that I shall not lose the floor.

Mr. RUSSELL. I thank the Senator.

Mr. President, the bill is of vital importance to the national security, but it is

not controversial. I appreciate the Senator's yielding so that I may make a brief statement.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

SUSPENSION OF TROOP CEILINGS IN THE ARMED FORCES

Mr. RUSSELL. Mr. President, the unfinished business, as I understand, is H. R. 7143.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 7143) to amend the act of August 3, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strength of the Armed Forces.

Mr. RUSSELL. Mr. President, this bill would amend the act of August 3, 1950, as amended, so as to continue in effect the suspension of ceilings on the authorized personnel strengths of the Armed Forces.

These ceilings apply in normal times, when we are not engaged in either hot wars or cold wars, to the Armed Forces of the United States. The personnel strengths which were intended to apply in normal times total only slightly more than 2,000,000 persons.

Since the buildup of our Armed Forces following the hostilities in Korea, it has been necessary to suspend these ceilings. Periodically they have been suspended. The act of August 3, 1950, suspended the ceilings until July 31, 1954. Public Law 307 of the 83d Congress extended the suspension until July 31, 1957, at which time the peacetime ceiling will become effective unless the suspension is extended as contemplated by this bill.

I do not think that any Senator will challenge the necessity for a further extension so the peacetime ceilings will not apply on the 1st of July. The necessity for continuation of the suspension has not changed materially since 1950. The Armed Forces now have an active duty strength of approximately 2.8 million persons. While there is a widely shared hope that reductions in these active-duty numbers may be made possible in time by technological improvements and by a relaxation of international tension, we have not yet reached the stage where the size of our Armed Forces can be safely reduced to only slightly more than 2 million persons, as would be necessary if this bill were not enacted. The hope for a reduction which will be permanent lies in the yearning of our people for a relaxation of international tensions and the elimination of the danger of aggression against the Free World.

I might point out, Mr. President, that the effect of the reduction, if it came about, would be particularly acute in the case of the Air Force. Without an extension of the suspension of ceilings as provided in this bill, the Air Force would have to reduce its combat and support forces by almost one-half of its strength at the present time, or a reduction of about 400,000 persons. Obviously, the Air Force could not meet its commitments after such a reduction. The effects on the Army and the Navy would be not quite so drastic, but failure to continue suspension of the ceilings would cause both the Navy and the Army to reduce their strengths below levels planned for the next fiscal year.

For the period of time that the permanent personnel strength limitations are suspended, there comes into play a secondary ceiling of 5 million persons on the active duty personnel strengths of the Armed Forces. This secondary ceiling of 5 million will remain in effect during the extended period of suspension of the permanent ceilings involved in this bill.

H. R. 7143 would extend the suspension of the personnel ceilings until July 1, 1959. The termination of this suspension would coincide with the termination of authority to induct persons for military service under the Universal Military Training and Service Act.

These two subjects are, of course, intimately related. In 1959 it will be necessary for the Congress to review in their entirety problems of national defense as they relate both to the extension of the draft and to fixing the size of the Armed Forces after that date.

Mr. President, I cannot conceive of any objection to the passage of the bill.

Mr. O'MAHONEY. Mr. President, the Senator from Georgia has discussed a bill which I feel should be enacted.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H. R. 7143) was ordered to a third reading, read the third time, and passed.

CLAIM OF CHRISTOFFER HANNEVIG—CONVENTION BETWEEN THE UNITED STATES AND NORWAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 378, House Joint Resolution 185.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 185) to implement the convention between the United States and Norway for disposition of the claim against the United States on behalf of Christoffer Hannevig.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill.

BIRTHDAY ANNIVERSARY OF SENATOR BYRD

Mr. JOHNSON of Texas. Mr. President, today is the birthday anniversary of the senior Senator from Virginia, the distinguished and illustrious HARRY FLOOD BYRD. There is no more popular Member of this body, and no man in America who has made a greater or more constructive contribution to good government than HARRY F. BYRD, as Governor of Virginia, and as a Member of the United States Senate for many years. We are all deeply in his debt for his wise guidance, for his magnificent qualities of leadership, and for his always understanding attitude toward those of us who may not be so experienced as he is.

Mr. O'MAHONEY. Mr. President, it affords me great delight to join in the tribute which the Senator from Texas has paid to our good friend, the Senator from Virginia. I congratulate him personally, standing on the floor, upon the attainment of his "junior" status. He is not an old man yet, but he is a great man.

Mr. BARRETT. Mr. President, I wish to join the distinguished Senator from Texas and the distinguished Senator from Wyoming in the congratulations they have extended to our good friend, the senior Senator from Virginia.

Let me say to him that all the Members on this side of the aisle feel precisely as does the senior Senator from Texas with regard to the Senator from Virginia. I am sure that the people of the country generally join us in wishing him many happy returns of the day.

MUTUAL SECURITY ACT OF 1957—AMENDMENT

Mr. O'MAHONEY. Mr. President, last year, on behalf of the Senator from Arkansas [Mr. MCCLELLAN] and myself, I submitted an amendment to the Mutual Security Authorization Act, by which the officers and employees of the Government carrying out the programs authorized in that measure were to be under obligation to testify fully and frankly before the appropriate committees of Congress. The amendment was not endorsed by the administration at that time, and it failed.

I feel that there has been such a change in attitude, and such a wider comprehension among the people of the United States as to the amount of money which is being expended under mutual security, for military and economic aid to foreign countries, that the Senate is more ready now than it was a year ago to make certain that the Congress is fully advised with respect to the manner in which these funds are being expended.

The Senator from Arkansas [Mr. MCCLELLAN], as chairman of the Committee on Government Operations, has had many occasions to find representatives of the executive department refusing to give the committee information which it had the right to have, with respect to the manner in which these sums are being expended. It is only necessary to refer to the report which the Foreign Relations Committee has just submitted to the Senate, namely, Report No. 417, in support of the Mutual Security Act of 1957, to show how essential an amendment of this kind is.

How many people realize that the cumulative expenditures for military and economic aid through June 30, 1956, amounted to $35,359,329,000; that of this total sum, of great magnitude, there remained unliquidated obligations, as of June 30, 1956, amounting to $6,022,693,000; and that the estimated expenditures for the fiscal year 1957 amount to $3,852,547,000?

In the face of this amazing record of expenditure, we find that the program

for estimated obligations for the fiscal year 1958 amounts to $4,435,758,000, and that the estimated expenditures for the fiscal year 1958—we are almost in that year now—will amount to $3,911,369,000.

It is only necessary to recite these expenditures to realize how important it is that the committees of Congress should be fully advised of the manner in which such expenditures are being made. When we lend to other governments or give them huge sums for military purposes or economic purposes to be expended through their own agencies, we cannot be oblivious of the fact that there may be opportunities for waste and extravagance, to say nothing of possible corruption.

We owe it as an obligation to our people to make certain that the committees of Congress shall not be denied this information. This subject was a matter of comment in a television program about 2 weeks ago, over the Columbia Broadcasting System, in which the Senator from Georgia [Mr. TALMADGE], now presiding over the Senate, the Senator from South Dakota [Mr. MUNDT], the Senator from New Jersey [Mr. CASE], and I participated. During that discussion I raised this question:

The Senator from South Dakota indicated that he might be interested in sponsoring such an amendment. I received a letter from him containing the suggestion that if the amendment were patterned after the text of the Atomic Energy Act, in all probability he would be satisfied to join in the sponsorship of such an amendment.

I am very happy to be able to announce that when he had the opportunity today to examine the text of the amendment, he authorized me to write his name on the amendment as a cosponsor. The Senator from Oregon [Mr. MORSE], who is a member of the Committee on Foreign Relations, has indicated his desire to act as a joint sponsor.

As I present the amendment now, it is intended to be proposed in behalf of myself, the Senator from Arkansas [Mr. MCCLELLAN], the Senator from South Dakota [Mr. MUNDT], the Senator from Oregon [Mr. MORSE], and the Senator from Georgia [Mr. TALMADGE].

I ask unanimous consent that the amendment may lie on the table through the next session of the Senate, so that other Senators, who may be inclined to do so, may add their names as cosponsors.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table for 1 day as requested by the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, in order that it may be clear to all who read the RECORD just what the amendment does, I should like to read the text of it into the RECORD.

On page 47, line 33, before the period, it is proposed to insert a semicolon and the following:

The Secretary of State shall keep the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of State or any agency thereof under this act. The Secretary of Defense shall keep such committees and the Committees on Armed Services of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of Defense under this act. Any Government agency shall furnish any information requested by any such committee with respect to the activities and responsibilities of that agency under this act, and it shall be the duty of any officer or employee of the Government having information relating to programs being administered under this act to furnish promptly to such committee or committees, upon request by any such committees, full information with respect to such activities and responsibilities.

FEDERAL INDIAN POLICIES ON HEALTH, WELFARE, AND RELOCATION

Mr. MANSFIELD. Mr. President, during the recent session of the Montana State Legislature, they passed several joint memorials pertaining to Federal Indian policies on health, welfare, and relocation.

The State legislature recognized the need for a study of the relocation program and, perhaps most important, they realized that something must be done to meet the employment needs of our Indians. As you know, many of our Indian reservations do not provide sufficient job opportunities.

I referred these memorials to the Bureau of Indian Affairs, and I have received their views and comments. So that the Senate may be fully informed as to the Bureau's position on these matters, I ask that Commissioner Glenn L. Emmons' letter of May 31, 1957, be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
Washington, D. C., May 31, 1957.

Hon. MIKE MANSFIELD,
United States Senate,
Washington, D. C.

DEAR SENATOR MANSFIELD: This is in further reference to our letter of April 11, and your letter of March 21, 1957, enclosing for comment and consideration three joint memorials passed by the Montana State Legislature pertaining to Indian health, welfare, and relocation.

Our comments on each of the memorials are as follows:

1. House Joint Memorial 6 recommends that "* * * the Congress of the United States make a thorough study of the effect of promoting off-reservation migration upon the American Indians' family; the advisability of extending family assistance programs to Indians away from reservations; the educational development of the relocated Indian child; the development of job opportunities at or near reservations; the development of Indian property resources and the equal participation for all Indians in Federal services such as the Indian Branch of Public Health Services."

The Bureau does not have any objections to a thorough study being made as suggested by memorial 6 if the Congress of the United States deems such a study as warranted and necessary. In the event a study is undertaken, the Bureau will be most happy to cooperate and assist in any way possible.

2. House Joint Memorial 14 recommends to the Congress of the United States that "* * * they more fully recognize the Federal responsibility in assisting and providing reasonable job opportunities, and necessary financial assistance, in cooperation with the State of Montana, and the counties thereof, for Indian people, regardless of where they reside within the State of Montana; and requesting further, that appropriate action be taken to insure that Indian people receive employment preference in connection with all contracts involving the use of labor on Indian reservation."

It is the Bureau's policy not to duplicate services of other agencies, either Federal or State, when such services are available to Indian people on the same basis as they are available to non-Indians. The Indian people, as citizens of the State and county in which they reside, are entitled to all the rights and privileges extended to other citizens in similar circumstances. Since local employment services are provided them, through the State employment service, as residents of the State, regardless of where they reside, we believe that the duplication of these services is not justified. It is the Bureau's position that the local employment services should continue with this responsibility in Montana as well as in other States. Accordingly, the Bureau of Indian Affairs and the Bureau of Employment Security on July 1, 1955, entered into an agreement, a copy of which is attached, regarding this point. This agreement was a revision of an earlier one entered into on July 25, 1950.

Since unemployment compensation benefit payments are provided, through certification by the State employment agencies, to assist eligible individuals during periods of unemployment, we do not believe it would be proper for the Bureau to comment on suggested increase or any change as to eligibility requirements for such benefit payments. The Bureau of Employment Security, Department of Labor, may be able to offer comments on the suggestions.

With reference to the suggestion concerning employment preference in contracts, the Bureau is restricted by the Federal policy of nondiscrimination as provided by Executive Order 10557, requiring the incorporation of a nondiscrimination clause in all Government contracts.

3. House Joint Memorial No. 15 recommends to the Congress of the United States that "* * * the necessary action be taken to have a policy established by the Department of the Interior and the Indian Bureau thereof, to purchase coal for use on the Tongue River and Crow Indian Reservation from the coal deposits existing on the Tongue River Indian Reservation, in order to promote the general welfare of the northern Cheyenne Tribe, both by providing employment on that reservation for the northern Cheyenne Indian people residing thereon, and by providing income for this exemplary tribal enterprise."

By letter dated April 11, 1957, we have authorized the area director, Billings area office, where both Tongue River and Crow Indian Reservations are located, to purchase coal locally for the fiscal year 1958, if such purchases meet the following criteria: (1) It will further the expressed policy of the Congress if a fair portion of contracts are placed with small business concerns; or (2) small mines are located in the vicinity of the using point; or (3) the purchase of coal will help the local economy; or (4) promote the general welfare of the tribe(s); or (5) supplement or provide income to Indians.

We believe that purchase of coal from the Tongue River Indian Reservation will meet the above criteria.

The memorials forwarded with your letter are returned, as requested. We appreciate your submitting them for our comments.

Sincerely yours,

GLENN L. EMMONS,
Commissioner.

COMMANDER QUICK'S APPOINTMENT AS COMMANDER OF THE WAVES

Mr. MANSFIELD. Mr. President, on August 1 the command of the WAVES will be turned over to Navy Comdr. Winifred Redden Quick, a native of Great Falls, Mont. The new director will assume the rank of captain and will be the only member of the WAVES entitled to wear the four stripes of a captain.

Commander Quick is the daughter of Mr. and Mrs. Dan A. Redden, former residents of Great Falls and Missoula.

She was one of many women who entered the branches of the armed services during World War II for strictly patriotic reasons and decided to make it a career. There are only four WAVES from the first WAVE class who are now on active duty. She has been awarded the Bronze Star Medal and she also wears ribbons for the American theater, Asiatic-Pacific, World War II Victory, and National Defense.

Montana is indeed proud of Commander Quick's accomplishments and I am taking this opportunity to wish her success in her new post as commander of one of our finest women's military organizations.

Mr. President, I ask that an article appearing in the May 19, 1957, issue of the Great Falls Tribune be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GREAT FALLS NATIVE TO DIRECT WAVES

An attractive and hard-working native of Great Falls will add a thin gold stripe to her wardrobe this summer and become director of the WAVES.

When Navy Comdr. Winifred Redden Quick assumes her new duties August 1 as the fifth director of the WAVES with the accompanying rank of captain, she will be the only member of the WAVES entitled to wear the four stripes of a captain.

Now assigned to duty in London as senior assistant to the assistant chief of staff for administration at the headquarters of Adm. Walter F. Boone, commander in chief of Eastern Atlantic and Mediterranean Naval Forces, Commander Quick will succeed Capt. Louise Wilde as WAVE director.

The daughter of Mr. and Mrs. Dan A. Redden, Commander Quick was born in Great Falls on November 26, 1911. Her parents moved soon after her birth to Missoula, where she attended the Sacred Heart Academy from 1917–22.

Her father, now deceased, was a Neihart businessman. Her mother now Mrs. George Lowe, lives in Corning, Calif.

"I have nothing but pleasant memories about my early years in Montana," the commander has reported. "I hope one day soon to return to Montana for a visit."

She was graduated from the University of Southern California in 1935 with a bachelor of education degree and did graduate work at Radcliffe College, Cambridge, Mass., in 1938. Commander Quick received her master's degree from Stanford University, Palo Alto, Calif., in 1952, after attending a Navy course in personnel administration there.

Her naval career began in August 1942, "for strictly patriotic reasons." Her brother, 10 years her junior, then was entering the United States Naval Academy. A naval aviator, he now is serving as a lieutenant commander in Japan.

Commander Quick, Captain Wilde and Comdr. Eleanor Rich and Winifred Love are the only four WAVES from the initial WAVES class remaining on active duty.

While on duty with the Bureau of Naval Personnel, Washington, D. C., the then Lieutenant Commander Quick was assigned in 1944 to 14th Naval District Headquarters in Pearl Harbor to prepare for assigning WAVES to that overseas station.

For her outstanding work on this assignment, she was awarded the Bronze Star Medal. She also wears ribbons for American theater, Asiatic-Pacific, World War II Victory, and National Defense.

Commander Quick will leave Navy headquarters in London late this month to take over her new 4-year post.

THE DEPARTMENT OF STATE AND THE CONDUCT OF FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, in recent weeks I have proposed amendments to two bills which have a vital and direct relationship to the conduct of the foreign policy of this Nation. I proposed to reduce the 1958 appropriation for the United State Information Agency to $60 million, some $35 million below the sum finally appropriated for that Agency. Last week I proposed to reduce the 1958 authorization for the mutual security program by a total of $800 million.

Both of these efforts to reduce the size of these operations failed. My efforts to reduce these funds have been characterized in various quarters as something akin to the use of a meat ax on the allegedly carefully designed, efficiently operated, and nicely balanced proposals of the President.

Let me say in the first place that I do not consider myself an enemy of the United States Information Agency or the mutual security program.

Last year I steered through the Senate a bill which would have given the Information Agency a foreign service of its own. I have supported larger budgets for the Information Agency than that which I was willing to support this year.

My record in support of the mutual security programs over past years indicates my belief in carefully administered and well-balanced aid programs. I have supported the point 4 program since its beginning and have urged its purification and expansion.

Despite the fact that I believe an information program is essential in our national interest and that foreign aid must be continued into the future, I have been compelled to seek their curtailment for reasons which are essentially administrative and constitutional in nature.

It has been my duty for a number of years first as a member of the Committee on Foreign Affairs of the House of Representatives and more recently as a member of the Committee on Foreign Relations of the Senate to visit many of our information and mutual security installations in the field. I have seen much good work. I have been much impressed by the caliber and devotion of many of the men and women in these jobs.

But having said that, I must also add that I have seen many, many instances of waste, or overstaffing, of the right hand not knowing what the left hand is doing.

I have seen instances in which the Ambassador and the local head of the International Cooperation Administration have been working at cross purposes.

I have seen information officers denied access to vital information in the possession of Ambassadors.

I know of instances in which operations of the information agency have led to violent protests from the very nations which we have been trying to impress with our information program.

I have seen plans hastily drawn and promises made, only to have their effect nullified by interminable delays in Washington.

I have seen imaginative men in the field with their spirit crushed by the top-heavy bureaucracy of Washington where a man's salary is often determined not by his ability to turn out work, but by his ability to put his initials on work done by others.

It may be that some waste is inevitable in any operation, government or private.

I am not convinced, however, that the way to deal with this problem is simply to make our appropriations generous enough to cover an item for waste and inefficiency.

My reasons specifically for proposing reductions in the mutual security program involve very largely the lack of imagination in the administration in dealing with the report of the Special Committee To Study the Foreign Aid Program. I grant that large portions of the committee's recommendations were accepted. But on vital matters, the administration has shown itself bound by a concept of agency accommodation rather than by a willingness to face reality.

Take the development fund as an example. I am convinced that had it not been necessary in the view of some elements in the executive branch to preserve that quasi-independent agency, ICA, the fund would more logically have been made an independent Government corporation, or have been given a close relationship to the Export-Import Bank.

Or take the case of defense support, as an example. If the Executive had been willing to face reality, I believe it would have abolished that category of aid and lumped all economic-type grant assistance together. But the administration was fearful that if the economic-type, grant-aid figure were to show in budget estimates as at least $1.2 billion—defense support, $900 million, plus special assistance, $300 million—this would look to the American people like too big a figure for gifts. The result is that the executive branch still seeks to hide economic grant aid to certain countries under the heading of defense support on the theory that such assistance is so closely related to the military effort of the United States and its allies that it cannot be separated therefrom. The inconsistency of this approach is shown, however, by the fact that the Executive is only asking that defense support be appropriated as part of the Defense Department budget, while the day-to-day

administration of the program is to be in the hands of ICA.

I believe there are two ways of getting at the waste and the misleading practices I have described here.

The first method is to reduce the funds available for these operations as I have proposed.

The second method is to centralize the conduct of our foreign affairs in the Department of State. Power and responsibility must go hand in hand.

The Department of State should be our first line of defense. The State Department should be the primary instrument of the Executive for advancing the foreign relations of the United States. It has long been accepted by both political parties that the United States can speak with only one voice in the conduct of foreign relations. Notwithstanding the inherent responsibility of the State Department, as our interests abroad have expanded, an organizational structure has mushroomed, permitting the United States to speak with many contradictory voices. The State Department has become partially paralyzed in the exercise of its responsibility. It has become crippled as the autonomous agencies have circumvented its control in conducting foreign relations. In particular, the United States Information Agency and the International Cooperation Administration are powerful autonomous instruments of United States foreign relations.

While it is regrettable that these agencies daily shape the course of our foreign relations without the benefit of close State Department direction, it is more to be regretted that the Secretary of State is a foremost advocate of this dualism.

The position taken by the Secretary of State on numerous occasions has been that these foreign operation functions of the United States Government cannot be incorporated within the State Department. The reason advanced is that the Department would then not be free to engage in policymaking. The Secretary of State is not alone in this mistaken view. It may be granted that policymaking is an important aspect of our foreign relations. There must be United States representation in the United Nations and in the world's capitals. There is a continuing need for high-level consultation, negotiation, coordination of State interests, and treatymaking. But this historical picture of diplomacy does not entirely satisfy the present needs of United States foreign relations.

With the growth of economic and military strength and political leadership, the responsibilities of the United States have expanded proportionately. Foreign relations is no longer solely a matter of representation and treatymaking, but involves the entire range of our global operations. Foreign policy is no longer something that can be coined exclusively within cloistered walls. For while the State Department is conceiving policy, actual policy is also being made by the operations of the quasi-independent agencies negotiating daily with foreign governments—daily determining the course of our foreign relations. A sharp line cannot be drawn between policy and operations. Operational activities of the agencies are not distinct from policy, but are rather the life and breath of foreign policy.

At present the agencies have separate headquarters in Washington and separate establishments in the field. In Washington, the theoretical organizational chart provides for top-level policy coordination by the Department of State. In practice, the policy is either lost in the course of implementation or the policy is simply a rubberstamping of what has become a de facto decision of the agency. In the field, in theory, the agency is under the umbrella of the ambassador. In practice, the field agency reports to its headquarters in Washington. Under present organization it is virtually impossible for the State Department to initiate and control policies in Washington or for the ambassadors to control policy in the field.

Mr. President, were this a mere question of internal organization only of concern to the administration, we would not burden the Senate. It is, however, a matter of concern to the Senate, affecting as it does the course of United States foreign relations. We may enumerate the specific consequences:

First, in the absence of continuing and direct supervision by the State Department, the agencies tend to mushroom their activities, often engaging in projects or programs not directly related to the key foreign policy objectives in the area.

Second, the activities of the agencies often work at counterpurposes to other agencies or to the Department of State.

Third, the present practice of multiagency operations abroad results in the snowballing of American personnel. A point is reached at which the presence of large numbers of Americans in a country works more against our interests than the program works to our interest. It is the familiar pattern. As the contingent increases in size, it is accompanied by the post exchange, American automobiles, American salaries, American high schools, American standards of living, and inevitably local animosity and friction.

Fourth, the lack of central unified operations within the State Department makes for a duplication of administrative functions and tends to build up excessive housekeeping services and personnel. This makes for inefficiency and waste, boosting the cost and lowering the effectiveness of our program. Quality is sacrificed to quantity. It incurs administrative problems growing out of disparity in salaries, emoluments, and services among personnel of the separate agencies.

Fifth, it places the United States Ambassador in an untenable position. While the ambassador waits to negotiate high policy, the minor officials of the agencies maintain daily contact with the officials of the country. This is often at the permanent secretary or ministerial level. These contacts give continuing shape to United States foreign policy. If there is a serious question at issue, the agency refers it back for decision to a desk officer in his agency in Washington. The desk officer of the United States Information Agency or the International Cooperation Administration in Washington then makes a decision, and United States policy is made. Ordinarily, the desk officer knows a great deal about the particular problems of his area, but is not expected to know the broader implications of total United States foreign policy. Yet the desk officer makes the day-to-day policy, cutting the ground from under the State Department in Washington, and leaving the ambassador in an awkward position. In this role, the ambassador is a ceremonial totem pole. The officials of the country look to the minor agency officials as the source of the living, real, dynamic, day-to-day policy. The ambassador spends considerable time trying to catch up with and cover up the operations of these minor agency officials. While the ambassador's economic affairs officer, public information officer, or political affairs officer—the regular foreign service personnel—are transmitting cables to Washington formulating high policy, the agency personnel are already way ahead implementing either that policy or its diametric opposite. Too often it is the opposite. Tragic as it may seem, in too many instances the focus of real power of the United States under this system is not the ambassador but the agency head. The agency head too often not only has the monopoly of decision upon the concrete issues, but has an edge on the emoluments of prestige and power. In some instances the agency heads even have had larger villas, more expensive automobiles, and more lavish representation allowances than the ambassador has had. In his recent testimony before the Senate Appropriations Committee the Director of the United States Information Agency characterized integration within the State Department as the tail wagging the dog. The present status of the State Department is fairly clear.

Sixth, there is yet another aspect too often overlooked. During the postwar period these quasi-independent agencies have been established to meet the United States worldwide responsibilities believed to be of an emergency or a temporary nature. The economic collapse of Europe, the resurgence of militant communism, the cold war, the Korean war and its aftermath all have called for large-scale United States operations abroad. To the extent that these have been massive operations and to the extent that they have been conceived as nonrecurrent measures, there has been some justification for the autonomous agency. We now are faced, however, with a new premise—a new point of departure calling for a changed outlook. That is what appears to be the evident truth; that while some programs may be phased out at an early date, other operations of the United States abroad are of such nature as to continue beyond the foreseeable future. Recognizing this, two conditions are evident: First, the existence of the autonomous agency tends to perpetrate those functions which could be phased out at an early

date. Second, those remaining nonmilitary functions that are recognizably of a permanent nature should be established on a permanent basis within a permanent department of the Government. It would appear that the total overseas personnel establishment could then be greatly reduced. Programs could then be administered by career personnel on a sound businesslike basis. Above all, they should be closely geared to all other foreign operations of the United States, and they should be administered in close harmony with United States foreign policy objectives. These conditions can be met only by incorporating the present autonomous agencies within the Department of State. Only by establishing the organization on a permanent basis will it be possible to phase out those programs that are not of a permanent nature.

Ironic as it may seem, one important consequence of the State Department's loss of control over many of the most important instruments of foreign policy is that the State Department must take the blame for the mistakes of the other agencies of government operating abroad. If the Voice of America makes a mistake damaging to our relations with a country or an area, who takes the blame? If the Department of Defense makes a mistake in its activities abroad, who takes the blame? If the International Cooperation Administration approves a grant to a country when it could have obtained a loan from the Export-Import Bank, who takes the blame?

In each case, it is the Department of State which takes the blame, both in the eyes of foreign nations and in the eyes of our own citizens.

Power and responsibility must be inextricably linked together for the efficient conduct of the foreign affairs of this Nation. That is not now the case.

One other illustration. The Committee on Foreign Relations has recently gone through the process of considering the Mutual Security Act of 1957. This is probably the most important foreign policy measure to be considered each year by the Congress. It provides the Congress with an opportunity to review the impact of the United States around the world. It gives the Congress an opportunity to question and to support, or reject, foreign policy issues throughout the world.

But who has the responsibility for presenting this program to the Congress? The presentation this year has been handled by the General Counsel of the International Cooperation Administration. Last year the presentation was handled by a short-term employee of the International Cooperation Administration. I do not reflect on these men and their ability. They have done fine work; indeed outstanding work, and they are a credit to their organizations and to the Government. But I submit, Mr. President, that Congress is as interested in foreign policy as the Secretary of State. I submit that just because the Secretary of State wants to relegate what he calls "operations" to the outlying realms of the executive branch, Congress should not be expected to accept truncated presentations of the foreign policies of the United States, even when put forth by able men from the operations coordinating facilities of the executive branch.

I do not insist that the Secretary of State drop his numerous duties to sit with the committees of Congress for days as they consider the mutual security legislation. But I do ask that the Department of State assume its responsibility for the coordination of foreign policy. I ask, for example, that it take the initiative in bringing together the scattered activities that have developed as the result of the generation of foreign currencies in surplus disposal programs throughout the world.

The foreign policy of this Nation can never become an effective instrument to advance the national interest, if we insist on administering it on a blunderbuss, shotgun basis.

These conclusions are not based solely upon personal observations, but are confirmed by numerous reports of my distinguished colleagues who have examined our programs around the world. The need for bringing these programs closer within the State Department has been voiced by committees of both the Senate and the House of Representatives, as well as by private agencies.

The Brookings Institution, in its report on the administrative aspects of foreign-assistance programs, prepared for the Special Senate Committee To Study the Foreign Aid Program, states pointedly:

> The present tendency of the executive branch has been to divorce the [State] Department as far as possible from operations, and to develop it only as a policy agency. The transplanting of the International Cooperation Administration functions into the Department was largely the resut of Congressional pressure and was accepted only with reluctance. Thus, many questions will remain difficult to settle until there is more agreement on the appropriate status and role of the Department of State.

The Special Senate Committee To Study the Foreign Aid Program, in its report on May 13, 1957, states:

> The committee suggests that the Secretary of State reexamine his position on this question with a view to continuing and speeding of the process of integration of the International Cooperation Administration into the Department.

The report of the Committee on Foreign Relations on overseas information programs, made on June 15, 1953, stated, with respect to the then existing separate agencies:

> The argument for separate agencies must be weighed against the cost, the increased personnel, and the dangers of conflicting influences on foreign policy growing out of separate programs.

The Subcommittee on Technical Assistance of the Senate Foreign Relations Committee stated in its report on May 7, 1956:

> The subcommittee is not entirely satisfied with the extent to which the International Cooperation Administration has been integrated with the Department of State. It urges the Secretary of State, who is the official primarily responsible, to pursue the matter more vigorously.

The evidence would seem to contradict any possible belief that the United States is now achieving its policy objectives by speaking with many voices. We are beginning to reap the consequences of inundating the world with American personnel all bent upon diverse purposes. The recent anti-American riots in Formosa, whatever the justice of the incident, indicate, first, the close relationship of every American activity abroad to the attainment of policy objectives. Secondly, the anti-American riots indicate that, even in a country considered to be a stanch ally, there exists an underlying resentment that must have been simmering beneath the surface for some time. It points to the conclusion the policy objectives might better be achieved by a qualitative, integrated approach than through a massive unleashing of a multitude of agency personnel. In Japan current anti-Americanism is focused upon the Girard case, involving the shooting of a Japanese woman gathering scrap metal on a firing range. The Japanese people are aroused against the testing of nuclear weapons. Before that they were against the use of sacred Mount Fujiyama as a firing range for artillery. Before that it was isolated instances of nonconformance by American military personnel. Whatever the surface issue, the underlying resentment is related to the present multifarious, quantitative approach. It points again to the need for lodging foreign operations within the Department of State. The Girard case in Japan is illustrative. Inconceivable as it may seem, instead of the State Department initiating, administering, and controlling United States operations, this case never reached Ambassador MacArthur, but was referred to the Department of Defense in Washington. From Korea, Thailand, Vietnam, Laos, and Cambodia come reports that the efforts of one agency to build up the economy are being diluted by another policy respecting exchange rates on the dollar.

In yesterday's New York Times there appeared an article entitled "Forces Overseas Stir 'Inevitable Tensions'," written by Mr. E. W. Kenworthy, a very able reporter. I should like to read a part of the article:

> In another respect, the status of forces agreements recognize that these matters—

Referring to the Girard case—

> cannot be left simply to legal procedure. They contain a provision that when there is a deadlock in the two-member committees set up to decide jurisdiction the issue shall be referred to the two Governments through diplomatic channels for settlement.
>
> Calmer heads in Congress this week felt that the Girard case would not have become the inflammatory issue it has if the diplomatic stage had not been ignored.
>
> The statement issued by Mr. Wilson and Mr. Dulles does not make clear just why the issue was not referred to top diplomatic levels before it got out of hand.

Mr. President, I ask unanimous consent that the entire article be inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. DOUGLAS. Do I understand correctly that in Japan, according to the executive agreement negotiated with the Japanese Government, if an offense is committed by an American serviceman while off duty, the serviceman is committed to the Japanese civil or criminal courts for trial?

Mr. MANSFIELD. That is correct.

Mr. DOUGLAS. But that if the offense is committed while the American serviceman is on duty, he is subject to American military discipline, and, hence, to American court-martial?

Mr. MANSFIELD. That is correct, providing there is no difference in interpretation.

Mr. DOUGLAS. Does the Senator from Montana say that in the Girard case there was a difference of interpretation?

Mr. MANSFIELD. There was, indeed.

Mr. DOUGLAS. What was the procedure prescribed by the executive agreement negotiated with Japan for cases where there is disagreement between Japanese and American authorities as to whether a man in on duty.

Mr. MANSFIELD. Under the procedure prescribed by the executive agreement, meetings would be held between representatives of the Japanese Government and the United States defense establishment in Japan to see if the differences could not be worked out.

Mr. DOUGLAS. Were such conferences held?

Mr. MANSFIELD. They were, but there was no conference held on the diplomatic level, as I understand. Consequently, Ambassador MacArthur did not know what was happening until it was over. Therefore, the State Department was not brought into the case.

Mr. DOUGLAS. Is it not true that the American Government has consented to have the Girard case transferred to a Japanese civil court?

Mr. MANSFIELD. According to the newspapers, and I think theirs is an accurate report, President Eisenhower agreed, at the request of Secretary of Defense Wilson and Secretary of State Dulles, to do so.

I see the Senator from Vermont [Mr. AIKEN] rising. I should like to ask him if I am correct or incorrect in my statement.

Mr. AIKEN. I think the RECORD ought to show that when the administrative agreement with Japan was made, which I believe was in February 1952, or a year prior to the ratification of the NATO Status of Forces Treaty, any of our officials acting upon it after the Girard case was supposedly following the terms of the agreement entered into in February 1952.

I should like to make this inquiry. In the view of the Senator from Montana, is it not possible for a person to be on duty and at the same time engage in activities which are not connected with that duty? Was there not a delicate question of law involved in the Girard case?

Mr. MANSFIELD. I agree with the Senator from Vermont. I think there are those questions. Perhaps one of them is before us at the present time.

Mr. AIKEN. My reason for bringing out what I mentioned was that I am now receiving communications which protest the Status of Forces Treaty and cite the Girard case. I want to make it clear that the Japanese agreement was an administrative agreement entered into a year before the Status of Forces Treaty was approved.

I believe in the editorial from which the Senator has been reading, from the New York Times, that was not made clear. I read that editorial, although I do not remember it in detail. It seems to me that it did not point out—but left the impression—that the Status of Forces Treaty was involved.

Mr. MANSFIELD. The Senator from Vermont is correct. This is not in the actual Status of Forces Agreement or treaty which was reported by the Committee on Foreign Relations and passed by the Senate, but it is a status of forces agreement in a somewhat similar isolated instance, in an executive manner, between the Government and Japan.

Mr. AIKEN. It is undoubtedly true that the administrative agreement entered into with Japan, and other similar agreements, led to the enactment of the Status of Forces Treaty.

Mr. MANSFIELD. The Senator is correct. This is not a part of the status of forces law.

Mr. AIKEN. That is what I wished to make clear, because so many of the correspondents seem to think this is the result of the Status of Forces Treaty.

Mr. DOUGLAS. I understand.

I hope the RECORD will ultimately be made clear precisely when this executive agreement with Japan was concluded, because I think that is an important point.

Mr. MANSFIELD. Yes.

Mr. DOUGLAS. To continue on the Girard case, is it not true that Specialist Girard was in uniform, on duty, on an American military reservation, and that his specific duty was to watch over the custody of property on the rifle range?

Mr. MANSFIELD. The Senator is correct.

Mr. DOUGLAS. Therefore, by any interpretation of fact or law it would seem as though he was on duty and subject to American court-martial.

Mr. MANSFIELD. I would say to my friend, the Senator from Illinois, that that was the interpretation placed on the Girard case by his commanding general in the Japanese theater.

Mr. DOUGLAS. One of the things that has puzzled me is this: The Senator has said that Ambassador MacArthur did not know of this case in Japan. It would seem to me that he should have known about it. Then the Senator said that after the decision to turn Specialist Girard over to the Japanese courts was made by some local representative of the Defense Department in Japan, this action was approved by the Secretary of Defense, by the Secretary of State, and by the President. Does that mean that Ambassador MacArthur was bypassed, and that the case went up from the local defense official to Washington?

Mr. MANSFIELD. As I recall the case, it was a decision made in Japan to turn Specialist Third Class Girard over to the Japanese authorities for trial in a Japanese court.

Of course, all such decisions are subject to review. The case reached the Office of the Secretary of Defense, Mr. Wilson, and he withheld judgment for a few weeks. Then, as a result of an agreement reached between Mr. Dulles, the Secretary of State, and Mr. Wilson, the Secretary of Defense, the case was brought to the attention of the President, who decided in favor of the decision made in Japan, which was evidently concurred in by Mr. Dulles and Mr. Wilson, that Girard should be turned over to the Japanese authorities, and that the case should be tried in the Japanese courts.

Since the Secretary of Defense held up the decision which affected Girard, I do not know whether our Ambassador to Japan, Douglas MacArthur III, was consulted. Up to that time, on the basis of what information I have, he was not consulted.

My idea is that all the agencies overseas operating in the name of the United States—whether the USIA, the ICA, the Defense Department, or any others—should be under some degree of control of the senior American officer in the country, and the senior American officer is the accredited Ambassador to the particular country. Ambassadors seem to have more experience, and perhaps they could be of a great deal of help in obviating such cases as the Girard case in Japan and the Reynolds case in Fomosa, and, very likely, others which have occurred in every country in the world in which American troops are stationed.

Mr. DOUGLAS. Mr. President, will the Senator yield to permit me to make a statement?

Mr. MANSFIELD. I am delighted to yield.

Mr. DOUGLAS. I think the administration made a grave mistake in turning over Specialist Girard to the Japanese court for trial. It is perfectly clear, as I have said, that he was on duty, in uniform, on an American military reservation guarding property under orders of his superior and that therefore neither under the executive agreement nor under any general precedent established by the status of forces treaty were the Japanese courts entitled to have jurisdiction in his case.

I submit that it is clear that the administration should not have ceded jurisdiction in this case. I am informed that Louis Girard in his interview at the White House a few minutes ago asked the President's representatives whether this decision meant that in the future it would be the policy of the President to turn over to foreign courts any American soldier on official guard duty who shoots a foreign citizen while guarding American property or whether the President was making an exception in the case of his brother. Mr. President, that question goes to the heart of the matter. But to it, I am informed the President's secretary, Mr. McCabe, replied that no decision on this matter could be made at this conference. Reliable eye witnesses

also report to me that Louis Girard was then told he should not ask such a question. But, I submit, Mr. President, that this is a question which the administration will have to answer before the bar of public opinion. In my measured judgment, if this is to be the policy of the administration we are in for endless trouble and countless cases of injustice. If it is not our policy, should young William Girard be made the innoncent victim of the administration's desire to propitiate Japanese opinion? To do so is unfair and unjust.

I think it is possible that the administration leaned over backwards, and made a grave error, in this matter, because in the Formosa case they had made a mistake in the opposite direction.

As I understand the Reynolds case in Formosa, that was a case where an American soldier, while off duty and not in uniform, shot a Formosan citizen off a military reservation. Therefore, if there is a similar agreement with Formosa—

Mr. MANSFIELD. I understand there is none.

Mr. DOUGLAS. None at all?

Mr. MANSFIELD. No.

Mr. DOUGLAS. If there had been an agreement with Formosa similar to that in effect with Japan, or similar to the Status of Forces Treaty, it would seem that that case should have been tried by a civil court in Formosa. But the acquittal of Reynolds by an American court-martial stirred up so much popular opposition that I believe the State Department, in order to conciliate Japanese public opinion, made an error in the opposite direction and turned over to a Japanese court a man who was entitled to be tried—if tried at all, which is doubtful by an American court-martial.

I am not excoriating the motives of those responsible for these decisions, but I think it is proper for me to register my opinion that this was a very grave mistake and that we blundered, lurching first into the ditch on one side of the road and then, in an effort to recover ourselves, rushing into the ditch on the other side of the road. All this indicates an unsteady hand and a lack of clear and definite policy.

Mr. MANSFIELD. There is no question of that.

Mr. DOUGLAS. I believe I have the right to speak on this subject, since Specialist Girard comes from my State and I have been in rather close touch with the case ever since it developed. I hope that the administration will correct the mistake which it has made and discreetly but firmly recapture jurisdiction in the case for the United States, where I think it rightfully belongs.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Vermont.

Mr. AIKEN. I am glad the Senator from Montana pointed out that there is no analogy between the case in Japan and the case in Formosa, because there was no agreement with the Formosan Government which would have permitted Sergeant Reynolds to be tried in a local court.

Is it not possible that the administration might have taken into consideration the fact that there have been over 14,000 arrests mostly for minor offenses of American servicemen in foreign countries, with which we have had agreements, and to the best of our knowledge they have not been mistreated in the courts of the countries involved but, in the main, have received more lenient treatment than they would have received before a United States military court?

In my opinion, the Girard case did involve a rather delicate legal question, which I would not attempt to pass judgment on. I assume that those who are wiser in the ways of international law than I am did consider it and arrived at the conclusion which was ultimately reached.

Mr. DOUGLAS. May I say, Mr. President, that I am not attacking the Status of Forces Treaty. I voted for that treaty. Nor am I attacking the executive agreement with Japan. I am merely saying that even on the basis of the executive agreement with Japan, as I understand it, and the precedents of the Status of Forces Treaty itself, it would seem to me that when a man is on an American rifle range, in uniform, charged under the military orders of his superior officers with the duty of guarding emplacements and ammunition there, he is on military duty and it cannot be said that he is on duty one minute and when he rests he is off duty.

He is on duty until he is properly relieved and leaves the reservation. All the rules of military conduct prescribe that he cannot be a civilian at one moment and a military man at another. The general orders which every recruit must memorize require him to guard property under his care and to tend his post until properly relieved.

Mr. HRUSKA. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Nebraska?

Mr. MANSFIELD. I yield.

Mr. HRUSKA. Is it not true that the executive agreement does not make the test whether the man is on duty or not, but whether the act or omission of which he is guilty is within the performance of his duty; and if so, despite the fact that he was on duty it would be possible for the act of which he was guilty to be outside the performance of his duty and therefore subject to the jurisdiction of the Japanese courts?

Mr. DOUGLAS. The Senator from Nebraska is a lawyer and I am not a lawyer. We both, however, had some experience in the military service.

The question as to whether Girard was acting in the performance of his duty or not is a matter for an American court-martial to decide. If he were acting outside the authority reposed in him by his officers and in violation of commands given to him by his officers then he should be tried by an American court-martial.

We are not opposing a court-martial for Specialist Girard. We are merely saying that the question of whether he was performing his duty faithfully, according to orders given to him, is not a matter for a Japanese civil court to determine. It is a matter for an American military court to determine or for his commanding officer to decide.

Mr. HRUSKA. That is the point at issue. It is not so simple as saying that the man was not on duty, and therefore he is subject to Japanese jurisdiction. It is not that simple. That was the point which was controverted by the Japanese. It was contended that he was not in the performance of the scope of his duties at the time he committed the act of which he is now accused.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SMATHERS. It is my understanding that from the immediate superior of Private Girard on up the line to the commanding general, all ruled that he was actually in the performance of his duty, and that he was acting under their specific instructions. It seems to me that they are the ones who would be in the best position to determine whether he was acting within the scope of the proper performance of his duty; and they have ruled that he was.

Mr. MANSFIELD. That is correct.

Mr. DOUGLAS. Does the Senator from Montana say that is a correct statement of fact?

Mr. MANSFIELD. Yes. As was previously pointed out, the commanding general found that he was on duty, and that he should not be turned over to a Japanese court. But some higher authority thought otherwise, and sent the decision back to Mr. Wilson, the Secretary of Defense. Mr. Wilson held it up for a time. Then Mr. Wilson and Mr. Dulles got together with President Eisenhower, and they agreed that Girard should be turned over to the Japanese courts.

Mr. DOUGLAS. It would require a Philadelphia lawyer to argue that this man was off duty when he was in uniform, on a military reservation, guarding emplacements and ammunition under the military orders of his superiors.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ALLOTT. I have a great deal of respect for the Senator's deep thought in the field of international relations. I do not know whether he is aware that last week I submitted a resolution to the Senate which, I believe, is before the Committee on Foreign Relations at this time. It would authorize the appointment of a committee of eight Senators to investigate this entire situation.

I was called from the Chamber and did not hear all the Senator from Montana had to say. However, so far as my own information as to the facts is concerned, I must disagree with a statement which he has just made, which I am sure he makes in all good faith, just as I believe, in good faith, that my own information is correct. For that reason it seems to me that what is needed in this entire area—and I ask the Senator if he does not agree with me—is to determine whether there has actually been a decision by the proper persons that Private Girard should be turned over to the Japanese authorities, and whether the decision was a proper one.

Second, there needs to be a general, impartial, and objective appraisal of this entire area, not only for the edification of the Senate, but also for the education of the American public, who do not understand the implications and the responsibilities which go with our troops when they serve upon the soil of our allies throughout the world.

I have almost made a speech, and I apologize to my good friend from Montana, but I did not know whether he was aware of the resolution to which I have referred.

Mr. MANSFIELD. I am.

Mr. ALLOTT. I did not know whether the Senator considered it worthwhile or not.

Mr. MANSFIELD. I think there is a great deal of merit to it. However, I do not see at what point we disagree, because I think this problem ought to be gone into, not only as it relates to Japan and to Taiwan, but to all countries in the world in which American troops are located.

The thesis of my argument is that in all overseas operations the Ambassador of the United States to the country concerned ought to be the head man in charge. He should be over the ICA, the USIA, the Defense Establishments, and all other agencies of the Government.

So far as the Girard case is concerned, the American Ambassador to Japan was not consulted. It was purely a military matter. If Ambassador MacArthur had been consulted, it is quite likely that the impasse, the delicate and difficult situation in which we find ourselves at the present time, would not have occurred.

So the burden of my argument today is that we ought to abolish the practice of having various agencies and their representatives speaking in the field of foreign policy. All the autonomous or semiautonomous organizations, such as the ICA, the USIA, and others, should be placed in the State Department, so that one department would speak, with one voice, in the field of foreign policy. This is only incidental, but had this subject been discussed with Ambassador MacArthur, it is quite likely the difficulty would have been alleviated, if not entirely obviated.

Mr. ALLOTT. Mr. President, will the Senator further yield?

Mr. MANSFIELD. I yield.

Mr. ALLOTT. I was not directing my remarks so much to the conclusions the Senator has drawn as to a statement of fact which he mentioned a few moments ago, with which, so far, my own investigation does not lead me to agree.

Mr. MANSFIELD. What was the statement of fact?

Mr. ALLOTT. The statement of fact related to the responsibility for the decision. It is my belief that the decision in this case was not made at the level at which it should have been made. I do not believe that a decision of this type, to turn an American boy over for trial to anyone, anywhere, at any time, should be made at a level less than the Secretary of the Army, the Navy, or the Air Force, or the Secretary of the appropriate branch of the service.

Mr. MANSFIELD. We tried to point out that the decision was made in Japan. As the Senator from Florida [Mr. SMATHERS] has said, from the boy's company commander up through the commanding general—not the commander of the Far East area, but his commanding general—everyone felt that Specialist Girard should be tried by court-martial.

But when the case reached the area commander, he decided that it should be turned over to the Japanese courts. Then it came back to the Defense Secretary, Mr. Wilson, who held it up for weeks. Finally Mr. Wilson, Mr. Dulles, and the President got together, and they made the decision, based upon the executive agreement, which gave the President the power to turn Girard over to the Japanese authorities for trial.

Mr. ALLOTT. I do not believe we can settle the question of fact on the floor; but from the sequence of events and the facts which have been unearthed, so far as my own investigation is concerned—and my sources may not be nearly so good as those of the Senator from Montana—I would have to draw a different conclusion from that drawn by the Senator. However, as I have said, we cannot determine that question here.

I think this is a subject which we should investigate is an objective and impartial manner, because so long as we have troops throughout the world in the countries of our allies, we shall be faced with this problem. We owe it to ourselves, and we owe it to the American people, to let them know what this is all about, why this status of forces question arises repeatedly, and why we have before us this particular case, the Girard case, and the Taipeh case.

I thank the Senator.

Mr. MANSFIELD. Mr. President, I think the distinguished Senator from Colorado has made a real contribution.

I do not claim to know too much about this case. I know that the Senator from Colorado has made a rather intensive study since the incident occurred. I bow to his judgment, and I assure him that if I have made any errors in my statement today, they certainly have been unintentional.

Mr. ALLOTT. That was the reason why I said I did not wish to take issue with the Senator from Montana on the question of fact, because there have been so many purported "true versions" kicking around, first in one place and then in another. I have done my best to ascertain the facts. The facts disclosed by my investigation do not coincide with the statement of fact which the Senator from Montana has made. That is why I think we need an impartial select committee to look into this subject and let the American people and the Congress know what it is all about.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. RUSSELL. I do not wish to delay the distinguished Senator from Montana in the presentation of his very able statement.

I was somewhat concerned by the Senator's observation that the decision to turn Specialist Girard over to the jurisdiction of the Japanese courts was purely a military decision. I very greatly doubt the complete accuracy of that statement.

The decision may have been made at the level of the military commander in the Far East, but I have not the slightest doubt—though I have not been presented with detailed facts—that the decision was not made without consultation with the State Department in Washington. It is wholly contrary to natural impulses for any man who has spent many years in the military service to turn any serviceman under his command over to anyone else, when he has a procedure for dealing with the case.

I have been deeply concerned with respect to the entire Status of Forces Agreement. It is a sort of mass appeasement all over the world, of which I never did approve. It never seemed to me that it was necessary to make such concessions affecting the lives of millions of young Americans who are taken into the services, many of them against their wishes, in order to secure permission from those with whom we are associated to allow American troops to be stationed in their lands.

If the issue had been presented to these countries with the alternative—whether there should be a Status of Forces Treaty or whether the American troops should be withdrawn, there have been few demands that the troops be sent back to the United States. In most cases I believe they would have abandoned their insistence upon jurisdiction over American servicemen by foreign courts.

As a matter on fact, we had many more men stationed in Europe during World War I and in World War II, when our men were always and in all cases tried before American military courts, than we have overseas at the present time. Since the first American soldier reached Europe in World War I millions of our servicemen have been stationed in foreign lands subject only to the jurisdiction of American military tribunals.

I concede freely that as a general proposition up to now it is true that the courts of those countries have dealt more leniently with those surrendered to them for trial in foreign courts than our military courts would have dealt with them. That is not the question that is involved. We are dealing with the sacred constitutional rights of young Americans wearing the uniform of their country. In the effort to keep informed as to the operation of these Status of Forces agreements I appointed a subcommittee of the Committee on Armed Forces and I limited it to 2 members in trying to get as bipartisan a committee as possible. I appointed the Senator from North Carolina [Mr. ERVIN], who has been a distinguished jurist, and I also appointed the distinguished Senator from Vermont [Mr. FLANDERS], who has taken a great interest in these matters. They have held some hearings on the Girard case. Although I have not consulted with them and they have not filed a formal report with the full committee, I understand that they have had great difficulty in finding out who was responsible for the

original order to turn Girard over to the Japanese courts. It places a great problem on the President and the Secretary of Defense and the Secretary of State in connection with reversing that order, even if it was improvidently or improperly issued. They would have been in a much stronger position, if that commitment had not been made.

I hope that we will get all the facts in this case. I am sure the Senator from North Carolina and the Senator from Vermont will continue to pursue the matter in an effort to get all the facts. I ardently desire good relations with all the world, but I deem it a great tragedy that even one American soldier should be used as a sacrificial lamb in order to maintain cordial relations. I do not know Girard. However, in my responsibility to the men in the service, I should properly feel toward every one of them in a case of this kind just as I would if one of my own nephews, who is now on duty with the armed services, happened to be the individual involved. I know how I would feel if that situation were brought home to me. I would feel very greatly outraged to have one of my own family turned over to a foreign court under such circumstances as exist in this case. I do hope that a clarification may be had of this matter, because every time one of these men is tried it raises a stronger presumption as to the duty angle—as to whether he was in performance of military duty—and increases the insistence of foreign governments that all servicemen should be turned over to them for trial, regardless of circumstances. There should be some clarification. From my part, I have never been able to agree to the thesis that it was necessary, in order to get foreign nations to permit us to station troops in their countries, for their own defense, to turn over to their jurisdiction the American men who follow their country's flag. If an American citizen is following the flag under orders, he ought to enjoy every protection of the Constitution which that flag symbolizes.

Mr. MANFIELD. Mr. President, to repeat what I said, the Girard case in Japan is illustrative. Inconceivable as it may seem, instead of the State Department initiating, administering, and controlling United States operations, this case never reached Ambassador MacArthur but was referred to the Department of Defense in Washington. From Korea, Thailand, Vietnam, Laos, and Cambodia come reports that the efforts of one agency to build up the economy are being diluted by another policy respecting exchange rates on the dollar. The government of Madras State in India contends that the Neiveli lignite development program has been held up for 3 years while the plans have been shuttled between the ICA, the State Department, the Bureau of Mines, and the Patent Office. From Afghanistan and Iran are reports that present operations on the Helmand and Karadj Dams are salvage operations based largely on earlier ill-conceived actions of autonomous agencies.

These cases could be elaborated. They point to the consequences of speaking with many voices.

The President has the power under the Reorganization Act and the Mutual Security Act as amended to return the State Department to a strong position of leadership in the conduct of the foreign relations of the United States. I suggest that it may well be the sense of the Congress that the President assume the initiative to that end.

EXHIBIT 1

FORCES OVERSEAS STIR "INEVITABLE TENSIONS" BUT MOST CONFLICTS ARE SETTLED MORE EASILY THAN GIRARD CASE

(By E. W. KENWORTHY)

WASHINGTON, June 8.—In his "English traits," Emerson tells the story of the English lady traveling on the Rhine who overheard a German speak of her party as foreigners. She turned and said, "No, we are not foreigners; we are English; it is you that are foreigners."

The 19th-century English traveler has his 20th-century counterpart—the American serviceman (and his wife). The difference is that the upward of 1 million Americans now stationed in 79 countries are not tourists. They are where they are in furtherance of an agreed policy of Free-World defense.

Into tight, crowded countries, the American servicemen have come, bringing with them their accents, their electric refrigerators, their ove -size cars, their higher wage scales and living standards. Above all they have brought, inevitably, their national attitudes and prejudices.

One of our national shortcomings (but probably in no greater degree than most nations) is a certain Philistinism. And this is likely to be even more evident among servicemen, most of them from unsophisticated backgrounds and with little previous foreign travel. The storied hills of Rome are nothing to Mount Wachusett, let alone Pike's Peak.

DIVIDED BLAME

The local population is not blameless. If the American serviceman throws his money around, local shops and restaurants also sometimes gouge him with a double price list. On social occasions and in the press there are constant barbs about America's "materialism," its "lack of culture," its "domineering foreign policy," its "lack of cooperation with its allies."

As Secretary Dulles remarked in a recent press conference, tensions are inevitable when large numbers of troops are stationed on foreign soil. Inevitably, also, the tensions have increased in Asia by the sensitivity there on color. In Japan there is also the fact that our troops came first as a victorious army of occupation.

This explosive mixture of national pride and sensitivity was touched off last January 30 by an incident on a military maneuver ground at Somagahara, Japan.

By last week the incident—largely through clumsy handling in the Departments of Defense and State—had become a major diplomatic issue between Japan and the United States. Petitions were pouring in to the White House. Senators and Congressmen were making intemperate speeches calling for the revision of treaty arrangements governing the status of our troops all over the world.

SHELL FIRED

All this came about because 21-year-old Army Sp3c. William S. Girard put an empty cartridge shell in a grenade launcher and fired it at a group of Japanese scavenging for scrap metal. Specialist Girard said he only meant to frighten the scavengers off. But the shell hit Mme. Naka Sakai in the back and killed her.

Specialist Girard's divisional commander certified to the two-member joint United States-Japan committee, set up by the Status of Forces Agreement, that the shooting took place in the performance of duty, and that Specialist Girard should therefore be tried by a United States military court-martial. The United States representative on the joint committee agreed. The Japanese member disagreed.

The Department of Defense at first supported the United States authorities in Japan, but as the deadlock persisted and Japanese opinion became inflamed, it directed its representative to waive jurisdiction. It was the affirmation of this decision, at first taken at lower levels in the Pentagon and State, by Secretaries Wilson and Dulles last Tuesday that set off the protests in Congress and the country.

POTENTIAL FRICTION

From the time that the United States began sending troops abroad in large numbers following the attack on South Korea, it was foreseen that one of the greatest potential sources of friction would be the jurisdiction over American servicemen charged with offenses against foreign nationals.

Status of Forces agreements were negotiated with the NATO countries and Japan to deal with the problem. It was agreed that American courts-martial would have primary jurisdiction over offenses committed against foreign nationals in the performance of official duty, and for off-duty offenses if committed against other American nationals or American Government property. Local courts, however, would have jurisdiction for offenses against local laws and citizens when committed off duty.

But the negotiators for the United States and the host governments well understood that in a matter where national sovereignty and pride, as well as popular emotions, were so heavily involved, it was not sufficient merely to set up this line of jurisdictional demarcation. Therefore, it was agreed that both the United States military authorities and the host government could ask for waivers of primary jurisdiction.

As a matter of policy, United States authorities have asked for waivers in virtually all cases where it was agreed that the local government had primary jurisdiction. And as a matter of practice, the host governments have in the large majority of cases waived jurisdiction.

FIRST WAIVER

On the other hand, the host governments have rarely asked the United States to waive jurisdiction where there has been any dispute over whether an offense was committed on or off duty. In fact, the Girard case is the first case in which Japan has asked for such a waiver.

In another respect, the Status-of-Forces agreements recognize that these matters cannot be left simply to legal procedure. They contain a provision that when there is a deadlock in the two-member committees set up to decide jurisdiction the issue shall be referred to the two Governments through diplomatic channels for settlement.

Calmer heads in Congress this week felt that the Girard case would not have become the inflammatory issue it has if the diplomatic stage had not been ignored.

The statement issued by Mr. Wilson and Mr. Dulles does not make clear just why the issue was not referred to top diplomatic levels before it got out of hand. It says merely:

"The Department of Defense considered having the joint committee refer the matter in dispute to the two Governments for settlement, but rejected this procedure as inadvisable under the circumstances."

In any event, administration officials feel that if Specialist Girard is brought to trial

and convicted, his sentence will be light and probably suspended. As Senator SAM ERVIN noted this week, that "from the standpoint of sentences, American servicemen charged with crimes have fared well, and foreign courts have leaned rather backward to be lenient."

As an example, 2 marines convicted in 1956 of a particularly brutal rape were given sentences of 3 and 2 years respectively. Both sentences were suspended.

AMERICAN PRECEDENT

Several legislators this week were demanding that the United States revoke the Status of Forces agreements and insist on jurisdiction over offenses of American troops. These considerations did not weigh with other legislators, however. None of our principal allies, of course, would submit to such a demand. And they would be on firm United States constitutional ground in their refusal.

In the famous Schooner Exchange case Chief Justice John Marshall ruled that sovereign nations have exclusive jurisdiction over crimes committed on their territory, subject only to their willingness to relinquish it.

This decision was cited by a Federal district court in February 1956, when it rejected the petition of several servicemen in Japan for a declaratory judgment that the Status of Forces Agreement deprived them of their constitutional rights. The judge pointed out that in the absence of the agreement the plaintiffs would have been subject to the criminal jurisdiction of the Japanese courts anyway.

None of the critics of the agreements last week proposed the withdrawal of United States troops from overseas bases.

SOCIAL SECURITY MILESTONE—TENTH MILLIONTH PERSON QUALIFIES FOR BENEFITS

Mr. NEUBERGER. Mr. President, on June 6 President Eisenhower and Secretary Folsom joined in hailing the fact that the 10,000,000th citizen had qualified for social-security benefits. They said it was a milestone. They said it was a great achievement. The President said it was a symbol that Government's "prime concern is the welfare of its people."

I am grateful that the President and his Secretary did not let this epic event go unheralded. Nor do I believe the event should pass without somebody on the Senate floor placing in the CONGRESSIONAL RECORD a few of the things which leading members of the Republican Party said about social security when it was first proposed and put into effect by President Franklin D. Roosevelt—largely over and against bitter Republican opposition.

It is grand for Republican leaders today to hail the 10,000,000th person to come under social security benefits. They are welcome to the fold. But it is equally pertinent that the RECORD should show that, had the Republican Party prevailed in its views, there never would have been a 10,000,000th person to qualify for social security—there never would have been a first person, either. There just would not have been any social security at all.

Mr. President, it probably is legal for a cannibal to send a telegram of condolences to the family of the victim he has just eaten for supper. And it is legal for a Republican to herald the advance of social security, that same social security program which the Republican Party denounced—horse, foot, and dragoon—and tried so hard and so desperately to keep off the statute books of our country.

Mr. President, "let's look at the record," as Al Smith used to say.

When the social security act was before the Congress, leading Republican spokesmen denounced it as "a threat to recovery" from the depression which gripped the Nation's economy. The Republican Presidential candidate of 1936—Governor Alfred M. Landon—was quoted in the New York Times story on a campaign speech in Milwaukee, Wis., as saying:

> This is the largest tax bill in history. And to call it "social security" is a fraud on the workingman. * * *
>
> I am not exaggerating the folly of this legislation. The saving it forces on our workers is a cruel hoax. * * *
>
> To get a workable old-age pension plan we must repeal the present compulsory insurance plan. The Republican Party is pledged to do this.

A Republican campaign pamphlet of 1936 had this to say about the social security act:

> The way they've rigged this thing and rushed it through Congress, it appears to me that they figure a lot of us are willing to trade our votes for a counterfeit insurance policy.

Denouncing social security apparently was a favorite Republican indoor sport during the year of the program's enactment. For instance, here is what Representative Robert F. Rich of Pennsylvania, said about the program:

> And, following the course we are pursuing, and have been pursuing in the last 2 or 3 years, we are simply going to wreck the Nation as sure as the sun rises tomorrow morning.

And his fellow House Member, Representative JOHN TABER, of New York, used these words to describe the results of the program:

> Never in the history of the world has any measure been brought in here so insidiously as to prevent business recovery, to enslave workers, and to prevent any possibility of the employers providing work for the people.

Mr. President, I could cite numerous other statements voiced by leading Republicans in the recent past to show their opposition to the social security program. But I think it unnecessary to labor the point. The record speaks for itself.

I am pleased that the passage of 22 years has apparently brought a complete reversal in attitude of Republican Party spokesmen toward social security. The cruel hoax of 1936 is now hailed as a bastion of financial security. I trust that the conversion will remain effective. I hope it is to be permanent.

PROPOSED CIVIL RIGHTS LEGISLATION—THE JURY TRIAL AMENDMENT

Mr. DOUGLAS. Mr. President, the Senate Committee on the Judiciary has adopted an amendment to S. 83, the civil-rights bill, providing for jury trials in all contempt cases which might arise under the provisions of the bill.

I may say in all kindness, without reflection upon the motives of any Senator, that this particular amendment is designed to weaken and destroy the effectiveness of the civil-rights bill and, in particular, to destroy those sections which would help to guarantee the right of Negroes to vote.

Parts III and IV of the bill provide that the Attorney General of the United States may institute "a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order," when any person has engaged or is about to engage in specified conspiracies against civil rights, or in actions to deprive others of equal right to vote in general, special, or primary elections for Federal offices.

In other words, the Attorney General can institute civil action to protect the right to vote and can institute such action before an election or during an election rather than be compelled to wait until after some civil or criminal offense has actually been committed. The inadequacy of criminal penalties or judgments for damages after the injured person has been deprived of his right to vote is obvious. The new injunctive action is designed to be available in time to prevent such a deprivation. And if such injunctions are violated, the courts could hold the violators in contempt of court until they ended their violations and complied with the law. Or it could punish them as in other contempt cases. These are common compliance or enforcement procedures that are authorized in no less than 28 other Federal statutes, as well as being the accepted procedure in all equity matters.

Mr. President, there is no history of jury trials in such injunction contempt cases. The so-called "jury trial" issue in such cases is a new, unique, and radical departure from the precedents of our law. I have already placed in the RECORD a very thorough brief on this point, and I do not intend to repeat the arguments now. It is sufficient to say that the right of a jury trial—with one exception, namely, under the Norris-La Guardia Act, and that provision was later virtually repealed, which I explained in my brief—is not a normal part of the procedure in the American judicial system in injunctive proceedings, or for the trial of contempt in civil cases and in criminal cases where the Government is a party.

But let us go beyond that fact and show just what the so-called jury trial amendment really means. Let us see what it means in practice and how, in practice, it would hinder rather than extend the right to vote.

I have secured for the information of Members of Congress—and I ask unanimous consent to have it made a part of the RECORD at the conclusion of my remarks—a memorandum prepared by the Research Office of the Southern Regional Council, which I received from the Legislative Reference Service of the Library of Congress, concerning Negro voter registration in 11 Southern States, in

most cases classified by county. I shall include in the RECORD the explanation of how the figures were gathered and some comments on their accuracy, all of which I ask unanimous consent to have printed at an appropriate point in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Throughout my remarks I shall use the terms "Negro" and "nonwhite" as synonymous, although I realize that the total of nonwhites in a given State may be very slightly greater than the total number of Negroes.

For instance, let me cite the State of Alabama. In Blount County there are 429 potential Negro voters, but not a single Negro has voter registration.

In Bullock County, there are 5,425 potential Negro voters, but only 6 Negroes are registered.

In Clay County there are 1,010 potential Negro voters, as of 1950, but not 1 of them is registered.

In De Kalb County there are 443 potential Negro voters, but none is registered.

In Jackson County there are 1,242 potential Negro voters, but none is registered.

In Lowndes County there are 6,512 potential Negro voters, but not a single Negro is registered.

In Marshall County there are 604 potential Negro voters; again, not one single Negro is registered.

In Morgan County there are 4,641 potential Negro voters; again, not a single Negro is registered.

In Tallapoosa County there are 5,083 Negro voters; again, not a single Negro is registered.

In Wilcox County there are 8,218 potential Negro voters; once more, not a single Negro is registered.

According to the figures which have been computed from the 1950 census, there were 516,245 Negro males and females over the age of 21 who were entitled to vote; but the number of Negroes registered was 53,336, or 10.3 percent.

I have here a list of all the counties in Arkansas. I invite a close inspection of the figures relating to each of those counties. I select a county at random.

Crawford County contains 414 Negroes over the age of 21. Only 21 of them registered, or 5.1 percent.

Poinsett County—named, perhaps, after the celebrated Joel R. Poinsett—contains 1,754 Negroes over the age of 21, but only 195 are registered, or 11.1 percent.

For the State of Arkansas as a whole, according to the 1950 census, there are 232,191 nonwhites of 21 years and over; but in the whole State only 67,851 Negroes were registered, or 29.2 percent of those who would be expected to be eligible.

In Georgia, the total number of potential Negro voters in 1950, 18 years of age and over, was 633,697. It is well known that the voting age in Georgia is 18. In 1956 the number of Negroes registered was 163,389, or only 25.6 percent of those who are potential voters had registered.

If one takes the figures by specific counties, one finds some very startlingly low percentages.

For instance, in Webster County, there were 1,313 potential Negro voters, and not a single Negro registered.

In Miller County there were 1,372 potential Negro voters, and only 6 registered.

In Lincoln County there were 1,617 potential Negro voters, and only 3 registered.

In Baker County, there were 1,819 potentially qualified voters—over the age of 18—and none registered.

In Bleckley County there were 1,588 potential Negro voters, over the age of 18—because 18 is the voting age in Georgia—and only 39 Negroes were registered.

In Louisiana there were 510,090 potential Negro voters as of 1956. The total number of Negroes registered in 1956 was 161,410, or 31.6 percent. I may say that, on a comparative basis, that is a relatively high percentage so far as Southern States are concerned, but even there slightly less than 1 Negro out of 3 was actually registered as a voter.

In Mississippi we have some figures for 13 counties taken from the State Times of Jackson, Miss., which represent the results of a survey which that newspaper made in the fall of 1956. Surely, this source is as unbiased and as accurate as one could wish for.

In Hinds County, there were 35,021 Negroes 21 years of age and over, but only 4,305 Negroes registered in 1956, or just about 1 Negro out of every 8.

In Marion County there were 4,103 Negroes over the age of 21, and only 500 of them were registered, or, again, about 1 in 8.

In Clarke County there were 3,849 Negroes 21 years of age and over, and none at all registered to vote.

In Smith County there were 1,400 Negroes over the age of 21, and only 13 registered to vote.

In Calhoun County, there were 1,893 Negroes over the age of 21, and 2 were registered. That is one-tenth of 1 percent.

In Tunica County there were 9,123 Negroes over the age of 21, and 38, approximately one-third of 1 percent, registered.

In Wilkinson County there were 4,558 Negroes over the age of 21, and 55 were registered, or about 1 percent.

In Sharkey County there were 4,533 Negroes over the age of 21, and 1 Negro registered out of nearly 5,000.

In Issaquena County there were 1,790 Negroes over the age of 21, and no Negroes registered.

I could go on.

I might say that I also have some figures for Mississippi, from a source which I believe to be reputable, but which has no responsibility for the fact that I am using the material. I am using this material without the knowledge of the person who prepared the information, but I have had the figures checked very closely, and I believe them to be very accurate.

They show, in brief, taking the State of Mississippi as a whole, that in 1950 there were in the State 497,354 Negroes of the age of 21 and over, but only 19,367 Negroes were registered in 1954, or about 4 percent of the total.

We have some interesting figures for South Carolina.

In Abbeville County there were 3,678 potential Negro voters. But only 15 were registered.

In Calhoun County, named, I presume after the great John C. Calhoun, the eloquent advocate of slavery and inequality, who has just been chosen as one of the five great Senators in the history of this body, there were 4,437 Negroes of the age of 21 and over, and not a single Negro was registered.

In McCormick County there were 2,625 potential Negro voters 21 years of age and over, and not a single Negro registered.

For the State of South Carolina as a whole, in 1950, according to the census, there were 390,024 nonwhites 21 years of age and over, but only 98,890 were registered, or 25.3 percent of the total.

Then we have Virginia. It is one of the States of the country which has one of the lowest percentages of Negroes taking part in elections. There were in the State in 1950 422,670 Negroes 21 years of age and over, but only 84,931 were registered in 1957, or only 20 percent of the total.

In Texas, for 95 out of their 254 counties, there were 550,992 potential Negro voters, but only 209,297 were registered, or 38 percent. However, I may say the 95 counties which we have listed, while they form a little less than 40 percent of the total number of counties, contain over 90 percent of the Negro population.

Further, Mr. President, we have the testimony of the distinguished Governor of Mississippi, the Honorable James P. Coleman, before the House Judiciary Committee on the civil-rights bill this year. He states, on pages 736 to 738, that in 1954 there were some 22,000 Negroes registered in the entire State of Mississippi.

So there is agreement between the detailed figures, by counties, I had prepared, and the figures given by Governor Coleman. He went on to say, however, that only 8,000 of the number registered had paid their poll tax, and hence only 8,000 of those 22,000 were eligible to vote, since Mississippi is 1 of the 5 States in the Union which retains the poll tax.

Governor Coleman further states, on page 736:

> In the 1955 primary for Governor, because at that election we elect everything in Mississippi from Governor on down to constable, it was said that approximately 7,000 of them voted.

So, in reality, only about 7,000 Negroes voted in Mississippi in 1955.

I may say the figures which Governor Coleman presented for 1954 were the result of a survey he had made while attorney general of the State.

If we look at the census figures for 1950, we know that as of that year there were 990,282 nonwhites in Mississippi, of whom 986,494 were Negroes. Of these, 497,354 nonwhites were 21 years of age or over. Therefore, in 1954 something just over 3 percent of the total nonwhites 21 years of age or over were reg-

istered to vote and only 1.4 percent of the nonwhites 21 years of age or over actually voted. That is only about 1 out of 100.

For comparative purposes, it is interesting to note that in the 1956 presidential election, approximately 240,000 whites in Mississippi voted. This figure is about one-third of the total number of white residents over 21 years of age. In other words, about 1 percent of the Negroes voted, whereas one-third, or approximately 33 percent of the whites voted.

These facts, Mr. President, are based on official census figures and on the testimony of the Governor of the State of Mississippi.

I have some further and more detailed figures concerning Mississippi, which, in view of the incomplete figures for that State from the Southern Regional Council's research, I ask unanimous consent to have printed in the RECORD.

I have obtained these figures as I have said from another reliable southern source. The person who gathered this material has no responsibility whatsoever either for the fact that I was able to gain the information or concerning the interpretation which I shall place upon the figures. That, of course, is true also of the figures from the Southern Regional Council. I ask unanimous consent that this table, showing figures for all Mississippi counties, be inserted at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Mississippi

County	1950 potential Negro voters	1954 number of Negroes registered	Percent
Adams	9,338	641	6.9
Alcorn	2,225	78	3.5
Amite	4,548	3	.1
Attala	5,179	34	.7
Benton	1,749	35	2.0
Bolivar	21,805	511	2.3
Calhoun	1,869	6	.3
Carroll	3,958	0	-------
Chickasaw	4,016	0	-------
Choctaw	1,482	19	1.3
Claiborne	4,728	111	2.3
Clark	3,849	0	-------
Clay	4,922	12	0.2
Coahoma	19,136	1,070	5.6
Copiah	7,841	16	.2
Covington	2,354	418	17.8
De Soto	8,013	1	.01
Forrest	7,406	16	.2
Franklin	2,294	70	3.1
George	618	0	-------
Greene	758	38	5.0
Grenada	4,989	39	.8
Hancock	1,131	449	39.7
Harrison	7,858	1,569	20.0
Hinds	36,021	4,089	11.7
Holmes	11,468	45	.4
Humphreys	7,712	37	.5
Issaquena	1,790	0	-------
Itawamba	470	42	8.9
Jackson	3,752	900	24.0
Jasper	4,313	9	.2
Jefferson	4,304	0	-------
Jefferson Davis	3,923	1,038	26.4
Jones	8,046	872	10.8
Kemper	4,023	20	.5
Lafayette	3,844	105	2.7
Lamar	1,118	0	-------
Lauderdale	12,965	1,039	8.0
Lawrence	2,229	268	12.0
Leake	3,835	66	1.7
Lee	5,531	97	1.8
Leflore	17,883	297	1.6
Lincoln	4,507	516	11.4
Lowndes	9,177	117	1.3
Madison	11,666	431	3.7
Marion	4,103	331	8.1
Marshall	8,210	15	.2
Monroe	6,734	18	.3
Montgomery	2,978	0	-------
Neshoba	2,984	8	.3
Newton	3,687	52	1.4
Noxubee	6,764	0	-------
Oktibbeha	5,409	128	2.4
Panola	8,628	1	.01
Pearl River	2,454	0	-------
Perry	1,136	58	5.1
Pike	7,608	137	1.8
Pontotoc	1,847	6	.3
Prentiss	1,170	18	1.5
Quitman	7,344	234	3.9
Rankin	7,225	33	.4
Scott	4,329	15	.3
Sharkey	4,533	1	.02
Simpson	3,351	61	1.8
Smith	1,400	6	.4
Stone	746	25	3.3
Sunflower	18,949	114	.6
Tallahatchie	9,235	0	-------
Tate	4,989	0	-------
Tippah	1,603	144	9.0
Tishomingo	463	17	3.7
Tunica	9,123	27	.3
Union	1,904	67	3.5
Walthall	3,017	0	-------
Warren	12,312	1,099	8.9
Washington	25,823	1,464	5.7
Wayne	2,857	0	-------
Webster	1,243	3	.2
Wilkinson	4,558	40	.9
Winston	4,162	30	.7
Yalobusha	3,142	9	.3
Yazoo	11,128	81	.7
State	497,354	19,367	3.9

Mississippi—Continued

1950 census, nonwhite, 21 years of age and over	497,354
1954 number of Negroes registered	19,367
Percent registered	3.9

Mr. DOUGLAS. This table, which breaks down the number of Negroes registered in Mississippi by counties for 1954 and compares them with the potentially eligible Negro voters based on the 1950 census, shows that in 1954 some 19,367 Negroes were registered to vote in Mississippi out of a potential vote of 497,354. I believe these figures are accurate—for they are almost the same as those given by Governor Coleman.

Mr. President, let me point out that the figures I have presented indicate merely those who are registered or who are on the voting lists. The figures are not of those who actually voted. In some cases, particularly in those States where one must pay a poll tax, the number of qualified voters is considerably less than the number of "registered" voters, and the number of actual voters is still less than the number of qualified voters.

Therefore, the figures I have given are maximum figures. For example, the Governor of Mississippi, Mr. Coleman, stated that there were some 22,000 Negroes registered to vote in that State in the 1954 election. However, he estimated that only 8,000 actually voted, and gave as a reason the fact that many of the others had failed to pay the poll tax.

One further example should be noted. In the figures I have presented for Mississippi, the number of potential Negro voters for Bolivar County is 21,805, according to the 1950 census. The number of registered voters in 1954 was 511. Yet, from the official proceedings of a court case in December 1956, from which I shall later read, we know that only 14 Negroes in the entire county were, in fact, on the list of qualified voters.

Therefore my figures are the maximum ones, and I am amazed at the moderation I have shown in this matter.

In other words, the registered voters are not necessarily the same as the qualified voters, and generally vastly exceed in numbers the qualified voters, because in five States, as I have said—namely, Arkansas, Mississippi, Texas, Virginia, and one other—a poll tax is a further prerequisite to voting. Furthermore, in some States a requirement is imposed that the voter, in order to be qualified, must be able to interpret the constitution to the satisfaction of the examining officials.

For instance, I have here the sworn written application of one for registration as a voter in Mississippi, as introduced by Governor Coleman, found at pages 738–739 of the House hearings.

The applicant is asked to "write and copy, in the space below, section —— of the constitution of Mississippi."

The instruction to the registrar is, "You will designate the section of the constitution and point out the same to applicant."

Instruction 19 is that the applicant is to write in the space below "a reasonable interpretation—the meaning—of the section of the constitution of Mississippi which you have just copied." That could tax a Philadelphia lawyer, upon occasion.

Instruction 20 is to "write in the space below a statement setting forth your understanding of the duties and obligations of citizenship under a constitutional form of government." One can imagine the difficulty which a Negro would experience in many districts of the South in writing his interpretation of a constitutional form of government; that is, writing an explanation which would be satisfactory to the white registration officials.

In one county Negroes were asked to state what kind of a government we lived under. One Negro replied, "A democratic form of government." That was declared to be unsatisfactory. Then he said, "A republican form of government." That was declared to be unsatisfactory. The voter was ruled out.

There have been charges, very well supported in one case, that the applicant was asked to state how many bubbles could be created by a bar of soap, which is ridiculous.

For purposes of comparison, and to show that the proportion of those voting out of those generally eligible is not as high as it should be in the South and in many other parts of the country, I ask unanimous consent to have printed at this point in the RECORD a table showing for all the States for the 1956 Presidential election the percentage of those of voting age who actually did vote.

I read from this table, listing the States in order of the number of voters per 100 persons of voting age. It is interesting to note that the Southern States are at the very bottom of the list.

At the top is Idaho, with 77.3 percent of the voters of voting age actually voting. In Connecticut it is 76.6 percent; in Utah, 76.1 percent; in Massachusetts, 75.3 percent; in New Hampshire, 75.2 percent; in Rhode Island, 74.5 percent; in Iowa, 74.1 percent; in Illinois, 72.5 percent.

I am very proud that my own State is 1 of the first 10.

I see the distinguished Senator from Wyoming [Mr. O'MAHONEY] in the chair. I know he will be pleased to know that 68.9 percent of the persons of voting age in Wyoming actually voted. And they showed their good sense by returning the present Presiding Officer to the Senate.

In Oregon the figure is 68.4 percent.

In New York, with a large immigrant population, it is 65.5 percent.

Now listen to the figures for the Southern States, down toward the foot of the list.

The 38th State is Florida, with 48.3 percent.

The 39th State is North Carolina, with 47.6 percent.

The 40th State is Tennessee, with 46 percent.

The 41st State is Arkansas, with 39.9 percent.

The 42d State is Texas, with 38.1 percent.

The 43d State is Louisiana, with 37.2 percent.

The 44th State is Virginia, with 34.2 percent.

In the early days of the Republic, Virginia in the persons of Thomas Jefferson, George Mason, James Madison, and James Monroe, with a great galaxy of other Virginia statesmen, really was in the forefront of the struggle for democracy. Nevertheless in Virginia, at present, only about one-third of the potential voters actually vote at the time of a presidential election.

The 45th State is Georgia, with 30.4 percent.

Alabama is the 46th State, with 28.5 percent.

South Carolina is the 47th State, with 24.6 percent.

Mississippi is in last place, with 22.1 percent.

The PRESIDING OFFICER. The Chair understands that the Senator from Illinois asks unanimous consent that the entire table may be made a part of the RECORD at this point.

Mr. DOUGLAS. The Senator does.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Voter turnout for the 1956 presidential election

Rank	State	Number of voters per 100 persons of voting age
1	Idaho	77.3
2	Connecticut	76.6
3	Utah	76.1
4	Massachusetts	75.3
5	New Hampshire	75.2
6	Rhode Island	74.5
7	Iowa	74.1
8	Illinois	72.5
9	Indiana	72.4
10	West Virginia	72.4
11	Montana	72.3
12	South Dakota	72.0
13	Delaware	71.5
14	Washington	71.4
15	New Jersey	70.1
16	Colorado	69.6
17	Wyoming	68.9
18	Vermont	68.6
19	Oregon	68.4
20	Minnesota	67.8
21	Kansas	67.6
22	Missouri	67.4
23	Michigan	67.1

Voter turnout for the 1956 presidential election—Continued

Rank	State	Number of voters per 100 persons of voting age
24	North Dakota	67.0
25	Wisconsin	66.6
26	Nebraska	65.9
27	New York	65.5
28	California	65.0
29	Ohio	64.9
30	Pennsylvania	64.9
31	Maine	64.5
32	Nevada	64.5
33	Oklahoma	64.0
34	New Mexico	62.1
35	Kentucky	56.7
36	Maryland	54.8
37	Arizona	49.8
38	Florida	48.3
39	North Carolina	47.6
40	Tennessee	46.0
41	Arkansas	39.9
42	Texas	38.1
43	Louisiana	37.2
44	Virginia	34.2
45	Georgia	30.4
46	Alabama	28.5
47	South Carolina	24.6
48	Mississippi	22.1

Source: U. S. Department of Commerce, Current Population Reports, Oct. 5, 1956, p. 3, table 2; Estimates of Civilian Population of Voting Age for Nov. 1, 1956, and Statistics of the Presidential and Congressional Election of Nov. 6, 1956, U. S. Government Printing Office, Washington, 1957.

Mr. DOUGLAS. Mr. President, it is for the very reason that Negroes as a group are not registered and, therefore, do not vote in any great proportion in most Southern States, that we need a civil rights bill to protect and defend the right of Negroes to vote in Federal elections. Nothing is more basic to our way of life. Nothing is more important to the progress of our country and to economic and political justice. The figures I have presented show the basic situation that demands Congressional action for the protection of this constitutional right.

THE JURY TRIAL AMENDMENT

Now, Mr. President, in addition to the provisions of the civil rights bill which protect the right to vote through the use of the injunction, and contempt proceedings against those who may wish to violate such injunctions, the Senate Judiciary Committee has added a so-called jury trial amendment to the bill. This amendment is worded as follows:

Amend S. 83 by adding at the end thereof a new part appropriately numbered and reading as follows:

"PART —. TO SECURE THE RIGHT OF TRIAL BY JURY TO PERSONS CHARGED WITH CONTEMPT OF COURT IN ACTIONS OR PROCEEDINGS INSTITUTED PURSUANT TO THIS ACT

"SECTION 1. In all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any action or proceeding instituted under this act, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

"This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders or process of the court."

Mr. President, much has been made of this amendment, but I believe I can show from the voting figures I have already introduced, plus the laws of some of the States, that this amendment in practice will nullify the protection of the right to vote which the civil rights bill is designed to protect.

HOW FEDERAL JURIES ARE SELECTED

Let us look, Mr. President, at the very fundamental facts to see how the Federal juries which are to try contempt cases if the amendment shall be enacted will actually be selected, and how they will be made up.

In title 28, chapter 21, section 1861 of the United States Code, the qualifications for jurors in the Federal courts are given. The key paragraph reads as follows:

Any citizen of the United States who has attained the age of 21 years and resides within the judicial district is competent to serve as a grand or petit juror unless—

Then four exceptions are given, of which the fourth reads as follows:

He is incompetent to serve as a grand or petit juror by the law of the State in which the district court is held.

I invite attention to that phrase. If a man, by State law, is incompetent to serve as a grand or petit juror, then he is incompetent to serve as a juror in a Federal court, not merely in the State courts. In other words, State standards for jurors determine Federal eligibility. This was contrary to the recommendations of the famous Knox committee which wanted uniform Federal standards for the selection of Federal jurors. But the 80th Congress, dominated as it was by the Republicans, decided otherwise. It would be interesting to speculate if this was part of the gentlemen's agreement, or "you scratch my back and I will scratch yours" which has prevailed for so long between most of the Republicans and most of our friends from the South.

In other words, Mr. President, a person 21 years of age or over is eligible to serve on a jury unless, among other things, he is incompetent to serve under the laws of the State in which the district court is held. And if he is incompetent by State statute to serve as a juror in a State court, he is ineligible to serve as a juror in a Federal court.

Let us see what the State laws are.

In the State of Arkansas, in the Parish of Orleans in Louisiana, which includes the city of New Orleans, and in the States of Mississippi, South Carolina, and Texas, a person must be eligible to vote in order to be competent to serve as a grand or petit juror in the State or parish.

ARKANSAS

In Arkansas, the statute provides that:

SEC. 101. Grand jurors—Qualifications. No person shall be qualified to serve as a grand juryman unless he is an elector and citizen of the county in which he may be called to serve, temperate, and of good behavior.

SEC. 208. Preparation of lists of petit jurors and alternates. The Commissioners shall also select from the electors of said county • • • persons to serve as petit jurors. (Ark. Ann. Stat., title 39.)

Therefore, Mr. President, in Arkansas, one must be an elector in order to serve on a grand or petit jury or a jury in the Federal district court.

In Arkansas—as is clear from the tables I have inserted in the RECORD—of the 232,191 potential Negro voters, only 67,851, or 29.2 percent, were even registered voters in 1955. Of course, many fewer than the 67,851 actually vote.

Therefore, in Arkansas, if a Federal court orders an individual to cease to threaten, intimidate, or coerce a Negro in order to assure his right to vote, or if the court orders a local official to place certain Negroes on the voters' list, or to protect their right to vote in any other respect, and if the court order is deliberately not carried out, then the individual shall—under the amendment already adopted by the Committee on the Judiciary—enjoy the right to a trial by jury for failing to carry out the court order and for, in fact being in contempt of court. In Arkansas, the jury will be composed exclusively of those who are qualified to vote, and those individuals or groups who are ineligible to vote or who fail to qualify to vote—perhaps by the local election official's very actions—are denied the right to be on the jury lists.

Thus, the system feeds on itself. The selection of juries, by law, is such that the overwhelming number, and in many cases all of the jurors, will be chosen from the white voters who, in most Southern States, would probably not convict a fellow white man for preventing a Negro from voting.

In those States which require eligibility to vote as a qualification for jury duty—and the practice is more widespread than the actual laws of the States indicate—each discrimination would reinforce the other.

The great proportion of Negroes are denied the right to vote. Because they are denied the right to vote, they are ineligible to serve on juries. Because they are ineligible to serve on juries in those States, they would be unable to protect their right to vote by jury action under the so-called jury-trial amendment.

That, Mr. President, is the real meaning of the trial-by-jury amendment, so far as the States which require jurors to be qualified voters are concerned.

LOUISIANA

In Louisiana, including the great city of New Orleans, it is only in Orleans Parish, that the prospective juror must, by law, be qualified to vote to serve on a jury.

The pertinent section is to be found in Louisiana Code Criminal Law and Practice (1943), section 194 (as amended by L. 1944, No. 151 (parish of Orleans)).

Section 194 provides that:

Selection of jurors; * * * The said commission shall select at large, impartially from the citizens of the parish of Orleans, having qualifications requisite to register as voters, the names of not less than 750 persons competent under this code to serve as jurors. (La. Ann. Rev. Stat. Title 15.)

In the parish of Orleans in 1956, it was estimated that there were 124,600 potential Negro voters. Of these, 31,880 or 25 percent, were registered to vote.

Therefore, in the parish of Orleans in 1956, 75 percent of the Negroes of the parish would be ineligible, by law, apart from any other action or event, to serve on juries which would try those who were charged with preventing Negroes from voting.

Again, this is what the jury trial amendment really means, namely, that those who are denied the right to vote are also, by reason of that very fact, denied the right to serve on juries which would try those who were charged with denying the right to vote to otherwise competent voters.

MISSISSIPPI

In Mississippi, at least 98 percent of the Negroes 21 years of age or over actually did not vote in the 1955 gubernatorial election, according to the testimony of Governor Coleman. Ninty-six percent of the Negroes 21 years of age or over are not even registered voters in the State of Mississippi.

In order to serve on a jury in Mississippi, one must be a qualified elector. The Mississippi Code—1942—section 1762 provides that—

SEC. 1762. Who are competent jurors: Every male citizen not under the age of 21 years, who is a qualified elector, and able to read and write, has not been convicted of an infamous crime, or the unlawful sale of intoxicating liquors within a period of 5 years and who is not a common gambler or habitual drunkard, is a competent juror.

It follows from this that a person who is not a qualified elector is incompetent to serve on a jury. Apparently, there is the further restriction that not only must one be registered, but the poll tax must be paid as a prerequisite to serving as a juryman, although *Myers* v. *State* (167 Miss. 76, 147 So. 308), holds that one who had paid one-half of his poll tax, the remaining half not being due under the statute at the time of the trial, was a qualified juror.

When we recall that the Federal statute provides that one may not serve on a Federal jury if he is incompetent to serve under the laws of the State, we can see that at least 96 percent of the Negroes in Mississippi, under the law and quite apart from any further restriction in practice, are unable to serve on Federal juries.

Therefore, in Mississippi, as in Arkansas and the Parish of New Orleans, Negroes whom the right-to-vote provisions of the civil rights bill are intended primarily to protect, are excluded by law from serving on Federal juries, which—under the jury trial amendment—would try those who fail to carry out the court orders to protect the right to vote.

SOUTH CAROLINA

In South Carolina, article 5, section 22, of the constitution of the State, provides that—

Each juror must be a qualified elector under the provisions of this Constitution, between 21 and 65 years, and of good moral character.

In *State* v. *Waitus* ((1953) 77 S. E. 2d 256), it was determined that the word "qualified" meant "registered." So, in South Carolina, one must be a "registered" voter in order to serve on a Federal jury.

In South Carolina, out of 390,024 potential Negro voters—that is, nonwhites 21 and over—only 98,890 Negroes were even registered to vote. Since each juror must be a qualified "elector"—and as "elector" means "registered" voter—only one-quarter are even potentially eligible to serve on juries. In South Carolina, Negroes represent about 34 percent of the total population of voting age, but only 16 percent of the total registration.

Therefore, in South Carolina, just as large numbers of Negroes are similarly denied the right in Arkansas, the Parish of Orleans, and the State of Mississippi, 75 percent of the Negroes 21 years of age or over would be denied, by law, the right to sit on a Federal jury which would try the cases of contempt arising out of the provisions of the civil-rights bill designed to protect their right to vote.

TEXAS

In Texas, the statute pertaining to jury service reads as follows:

ART. 2133. All persons, both male and female, over 21 years of age are competent jurors, unless disqualified under some provision of this chapter. No person shall be qualified to serve as a juror who does not possess the following qualifications:

1. He must be a citizen of the State and of the county in which he is to serve, and qualified under the Constitution and the laws to vote in said county; provided that his failure to pay poll tax as required by law shall not be held to disqualify him for jury service in any instance (Vernon's Ann. Tex. Civ. Stat. Art. 2133).

In practice, however, the jury lists in Texas are made up from the list of those who have paid their poll tax. This is true, for there is no other means by which a list of eligible electors is established—that is, there is no registration as such other than the list of those who have paid the poll tax.

In Texas, 90 percent of the Negroes live in the 95 counties listed in the table I have placed in the RECORD. In those counties, of a potential Negro vote of 550,992 of those 21 years of age and over, only 209,297—or 38.0 percent—were registered to vote in 1956.

Therefore, in Texas, as in Arkansas, Mississippi, South Carolina, and the Parish of Orleans, the fact that Negroes in large proportion are not qualified to vote, excludes them in large numbers from jury service in Federal trials.

Therefore, in those 95 counties in Texas—as in the other 4 States—the jury trial amendment means that those who are charged with failing to carry out a court order to place Negroes on voting lists, or those who are charged with preventing Negroes from voting by intimidation, coercion, or threats, will be tried by those whom they have allowed to vote, namely, in a word, virtually all white juries.

Mr. President, I now wish to touch on a matter which indicates that the situation is even more grave than that which is indicated by the figures I have given.

I have been confining myself up to now to the number of Negroes actually registered to vote, and have shown that by reason of the poll tax still further numbers in certain States are disqualified as voters, and hence are ineligible to sit as jurors. I have furthermore indicated that in certain States an additional hurdle is set up, which requires Negroes

to give a satisfactory interpretation of the State or Federal Constitution.

However, in the States which do not have explicit provisions confining juries to qualified voters, as well as in States which do, in practice there is an additional barrier thrown up, namely, in the way the lists of jurors are compiled.

I hold in my hand a copy of the famous Knox report, made by 5 eminent Federal judges in 1942 to the Judicial Conference. It deals with the selection of jurors in Federal courts. I ask unanimous consent that the salient passages of the report may be included in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 2.)

Mr. DOUGLAS. The Knox report—and the famous Federal judge, John C. Knox, was chairman of that committee—points out that in many districts the practice of making up a jury was substantially as follows: A jury commissioner, and a clerk of the court, are appointed, one from each party. I may say in that connection that in the past, and, to a large extent at the present time, the South is largely a one-party area. There is usually only one clerk and one jury commissioner.

These men, according to the Knox report, write to so-called "keymen" in the various counties and ask these keymen to suggest jurors. It is a little mysterious as to who these keymen are who are chosen to nominate jurors.

Sometimes they are businessmen, and sometimes they are local political leaders. In any event, they tend, certainly in the South, to be white citizens. If there are any Negroes who are designated as "keymen," and who therefore are given the power to make nominations, it would be most interesting to have that fact established for the record. However, my information is that in practice they are almost exclusively white southern businessmen and white southern political and professional leaders. These are the men who make up the original lists.

The list is then sent to the jury commissioner in the Federal court for that district. Then these commissioners make their selections, in some cases by turning a wheel, and in other cases by picking the names. Very few Negroes, I think—certainly a very small proportion of Negroes—find their way onto the lists. Still fewer are selected for jury duty. Therefore, Mr. President, the juries which will try these contempt cases, if the amendment is adopted, will be carefully winnowed, and the Negroes of the South will have very little representation on them.

HOW THE WHOLE THING WORKS

This discussion, I believe, shows how the jury-trial amendment, when coupled with the existing denial of the right to vote to thousands of Negroes, merely sets up a cycle in which:

First. Negroes are denied the right to vote.

Second. A civil-rights bill, we hope, is passed by Congress to protect and defend that right.

Third. An amendment is, however, added to provide jury trials for those who have prevented Negroes from voting.

Fourth. By law, Negroes are excluded from jury lists because these lists are composed, by law in five States and by practice in many others, of those who are on the voting lists.

Fifth. Therefore, the juries often would be composed predominantly of those whom the defendant has given the privilege of voting and largely exclude those or those groups who have been denied the right to vote.

Sixth. These jury members in turn would find it very difficult to exercise their fair judgment in civil-rights cases. They will be making decisions in many cases where there exists an atmosphere of tension, coercion, threats, and intimidation. If they support a Federal judge's order protecting the voting rights of Negroes, they know they will be exposed to economic pressure and possibly to physical violence. This would be true, in particular, of those jurors who might be willing on grounds alone of justice to support the order of a Federal judge.

But, for the most part, the jurors, because of the means of selection, will reflect the prevailing attitude and mores of the dominant forces in their communities. And this attitude in most sections of the South, either because of economic and political pressure, or because of tradition and practice, supports the conditions which now prevail and which substantially prevent Negroes from exercising the franchise.

IF JURY-TRIAL AMENDMENT IS DEFEATED WE WILL GET MORE REPRESENTATIVE JURIES

Conversely, if the so-called jury-trial amendment is not passed, and if the right to vote is more fully protected for Negroes and exercised by them, this will in turn mean that jury trials—where they are meant to be used in our judicial system—will be by juries more truly and fairly representative of the citizens of the areas they will serve. Paradoxically enough, from a verbal point of view, the defeat of the so-called jury trial amendment will in reality result in a restoration and maintenance of trial by jury in appropriate cases as it was originally intended to be used.

In other words, if we defeat the jury trial amendment, there will be many more Negroes qualified to vote, and, being qualified to vote, there will be many more Negroes on juries in the South, and those juries, therefore, when a race issue is involved, will be better able to give impartial judgment.

THE JURY TRIAL AMENDMENT WILL MAKE THE CIVIL-RIGHTS BILL INEFFECTIVE

The jury trial amendment, then, will nullify the protection of the right to vote in those areas where the right to vote most needs protection. It will nullify the protection of the civil-rights bill and the right-to-vote provisions of that bill in direct proportion to the discriminations against voting which now exist. Its effect then is to perpetuate those discriminations rather than to do away with them.

This is the real meaning, then, of the so-called "jury trial" amendment. The right to a trial by jury means the right of those who have intimidated, threatened, or coerced Negroes from voting to be tried by a jury composed of those whom they have not intimidated, threatened, or coerced. The jury will be composed of those who can vote, but not composed of those who have been denied the right.

I shall cite several cases to show how this works in action. The first is a dramatic recent illustration of a case in Alabama. The second is a case from Mississippi, and I shall read the excerpts from the decision in that case to show just how this system actually works.

THE JURY DECISION IN THE MONTGOMERY BOMBING CASE

We have all been aware of the bus boycott which occurred last year in the city of Montgomery, Ala. In that instance the protest of the Negroes was expressed without violence and by a policy of passive resistance.

Let the RECORD show that there were no acts of violence by Negroes; they merely refused to ride the buses, and they exercised great restraint.

In the concluding days of that struggle, several Negro churches were bombed, two of them being completely destroyed. Two young white men were arrested on the charge of bombing those churches, and in preliminary police examination they confessed. The case was then submitted for trial, and the jury returned a verdict of acquittal.

I hold in my hand an article published in the New York Times for May 31, 1957, describing the courtroom scene attending the verdict. I ask unanimous consent that the article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of May 31, 1957]

TWO IN MONTGOMERY FREED IN BOMBING—ACQUITTED BY WHITE JURY OF ATTACK ON NEGRO CHURCH—SPECTATORS CHEER VERDICT

MONTGOMERY, ALA., May 30.—Two young white men were acquitted late today of the bombing of a Negro church.

The verdict by the 12 white jurors came after 1 hour and 35 minutes of deliberation and brought an outburst of applause from the packed courtroom after court had been adjourned.

The verdict cleared Raymond C. Britt, Jr., 27 years old, and Sonny Kyle Livingston, Jr., 19, of the charge of bombing the Hutchinson Street Baptist Church early on the morning of January 10 during an outbreak of violence that followed the end of city-bus segregation in Montgomery.

As the jury returned to the courtroom, Judge Eugene W. Carter, of circuit court, warned the crowd against any demonstration. But the moment court was adjourned, the spectators burst into loud applause and cheering.

FEARS RACIAL RIOTING

The verdict came after the prosecution had warned that acquittal might bring on racial rioting in Montgomery.

Four churches, the homes of two ministers supporting integration and a Negro taxicab stand and adjoining residence were bombed in two outbreaks of terrorism following the end of bus segregation in Montgomery.

Mr. Britt and Mr. Livingston were put on trial this week only for the dynamiting of one church. Mr. Britt also faces charges of dynamiting another church and the taxi-

cab stand. Two other men are awaiting trial on other bombing charges.

State and defense attorneys alike waved the banner of segregation in their closing arguments. The defense appealed for a verdict that would give encouragement to "every white man, every white woman, and every white child in the South who is looking to you to preserve our sacred traditions.

William F. Thetford, chief prosecutor, told the jury "we were on the very edge of racial rioting" before the two defendants and two other white men were arrested and indicted for the bombings last January.

WARNS OF THE KLAN

"We don't want racial rioting in Montgomery," he said. "But if one can play the game, both can. If you turn these men loose under the evidence the State has presented, you say to the Ku Klux Klan 'if you bomb a Negro church or home, it's all right.'

"Then," he continued, "the next thing you know it will be your church and your house, because it's a sword that cuts both ways."

John Blue Hill and John Harris, defense attorneys, argued that the verdict would "determine our very civilization and our way of life" in the South and that it must "go down in history as saying to the Negroes that 'you shall not pass.'"

Mr. DOUGLAS. Mr. President, the New York Times is a very responsible and accurate newspaper. I point out from the article something about the nature of the defense appeal.

"The defense" for the two young men who were on trial, according to the Times, "appealed for a verdict that would give encouragement to 'every white man, every white woman, and every white child in the South who is looking to you to preserve our sacred traditions.'"

The defense attorneys argued, again to quote the Times, "that the verdict would 'determine our very civilization and our way of life' in the South, and that it must 'go down in history as saying to the Negroes that "you shall not pass."'"

After the jury had been out for 1 hour and 35 minutes they brought in a verdict of acquittal. The account in the New York Times says that this brought an outburst of applause from the packed courtroom after court had been adjourned.

This was a case of two men, who had confessed that they had bombed the churches, being acquitted upon the plea that white southern manhood, white southern womanhood, and white southern childhood, were all looking to the jury to preserve their sacred traditions.

The defense attorneys argued "That the verdict would 'determine our very civilization and our way of life' in the South and that it must 'go down in history as saying to the Negroes that "you shall not pass."'"

After that plea to the jury and the charge of the judge, despite the confession and despite the evidence, the jury acquitted the defendants.

I have criticized that decision, and I have taken some very severe attacks in return from the southern press. I am not complaining about those attacks; one should be expected to endure them, as I do. I make no complaints. That is what one must expect. I am ready to endure other attacks in defense of what I believe to be correct and right.

May I point out also that some years ago a young Negro boy from Illinois went down to Mississippi, where he was accused of whistling at a white woman. I do not know whether he did this or did not. But he was murdered, and his body was thrown into a stream. Two men were put on trial. The circumstantial evidence certainly seemed compelling to me. The case was argued in a courtroom in very prejudicial fashion, one which certainly did not conform to what I would regard as due process or proper standards. The jury returned a verdict of acquittal. That was the famous Emmet Till case. It was an Illinois boy who was killed.

I think the Mississippi jury in that case disregarded what all the press reports indicated as being the clear evidence and the overwhelmingly preponderant testimony.

GRAND JURIES IN LOUISIANA

Assistant Attorney General Warren Olney III has placed in the record of the hearings of the Senate Subcommittee on Privileges and Elections the case of a grand jury which refused to indict where there had been a wholesale disqualification of voters in Ouachita Parish, La.

I ask unanimous consent to have some references by Assistant Attorney General Olney printed at this point in the RECORD.

There being no objection, the references were ordered to be printed in the RECORD, as follows:

STATEMENT BY WARREN OLNEY III, OCTOBER 10, 1956

No study of the political practices followed during the course of the 1956 presidential and senatorial elections could possibly be adequate or complete without including the mass disfranchisement in certain communities by unconstitutional means of thousands of legally registered voters. It presents a problem of major concern to the whole Nation and would appear to lie within the investigative jurisdiction of the Senate Subcommittee on Privileges and Elections.

I should like to illustrate what is going on, as well as to suggest how the subcommittee might be of public service by giving the facts on just one small parish. I will take as illustrative Ouachita Parish in the State of Louisiana.

On January 17, 1956, there were approximately 4,000 persons of the Negro race whose names appeared on the list of registered voters of Ouachita Parish as residing within wards 3 and 10 in that parish. It would appear that these persons were and are citizens of the United States, possessing all of the qualifications requisite for electors under the constitution and laws of Louisiana and of the United States, because a system of permanent voter registration, provided for under the laws of the State of Louisiana, was in effect in Ouachita Parish and all of these persons had registered and qualified for permanent registration and had been allowed to vote in previous elections.

As of October 4, 1956, the names of only 694 Negro voters remained on the rolls of registered voters for wards 3 and 10 of Ouachita Parish, the names of more than 3,300 Negro voters having been eliminated from the rolls in violation of the laws of Louisiana, as well as those of the United States. This mass disfranchisement was accomplished by a scheme and device to which a number of white citizens and certain local officials were parties.

The scheme appears to have taken form as early as January of 1956, and its principal purpose was to eliminate from the list of registered voters of Ouachita Parish the names of all persons of the Negro race residing in wards 3 and 10, and thereby deprive them of their right to vote.

On March 2, 1956, a nonprofit corporation, organized under the laws of the State of Louisiana, and called the Citizens Council of Ouachita Parish, La., was incorporated. Among its ostensible objects and purposes, as stated in its articles of incorporation, are the following:

"1. To protect and preserve by all legal means our historical southern social institutions in all their aspects;

"2. To marshal the economic resources of the good citizens of this community and surrounding area in combating any attack upon these social institutions."

Notwithstanding these stated objects, subsequent developments have demonstrated that one of the principal objects and purposes of the Ouachita Citizens Council was and is to prevent and discourage persons of the Negro race from participating in elections in the parish.

The names of the officers, directors, and members of the Ouachita Citizens Council will be made available to the subcommittee if the subcommittee wishes them.

CARRY OUT PLANS

During the month of March 1956 the officers and members of the citizens council began to carry out their plan to eliminate the names of Negro persons from the roll of registered voters. This scheme consisted of filing purported affidavits with the registrar of voters challenging the qualifications of all voters of the Negro race within wards 3 and 10, and of inducing the registrar to send notices to the Negro voters requiring them within 10 days to appear and prove their qualifications by affidavits of three witnesses. The scheme further consisted of inducing the registrar to refuse to accept as witnesses bona fide registered voters of the parish who resided in a precinct other than the precinct of the challenged voters, or who had themselves been challenged or who had already acted as witnesses for any other challenged voter. Of course it was a part of this scheme that none of the registered Negro voters would be able to meet these illegal requirements and upon the basis of such pretext, that the registrar would strike their names from the roll of registered voters.

These people in the Ouachita Citizens Council appear to have succeeded either by persuasion or intimidation in procuring the help and cooperation of the election officials of Ouachita parish.

COUNCIL USES FACILITIES

In April and May of 1956, the registrar and her deputy permitted the officers and members of the citizens council to use the facilities of the office of the registrar to examine the records and to prepare therefrom lists of registered voters of the Negro race. The citizens council was given free run of the registrar's office and was permitted to occupy the office and work therein during periods when the office of the registrar was not officially open to the public.

Between April 16, 1956, and May 22, 1956, the members and officers of the Ouachita Citizens Council filed with the registrar approximately 3,420 documents purporting to be affidavits, but which were not sworn to either before the registrar or deputy registrar of Ouachita Parish as required by law. In each purported affidavit it was alleged that the purported affiant had examined the records on file with the registrar of voters of Ouachita Parish, that the registrant named therein was believed to be illegally registered, and that the purported affidavit was made for the purpose of challenging the right of the registrant to remain on the roll of registered voters, and to vote in any elections. These purported affidavits were not prepared and filed in good faith, but were prepared and filed without regard to the

actual legal qualifications of the registrants to whom they referred.

AFFIDAVITS ACCEPTED

Prior to the filing of the purported affidavits, there were in ward 10 2,389 persons of the Negro race and 4,054 persons of the white race whose name appeared on the list of registered voters. The affidavits filed by the citizens council challenged all of the 2,389 Negro voters and challenged the qualifications of none of the 4,054 white voters registered in that ward. In ward 3 the citizens council filed purported affidavits challenging the qualifications of 1,008 out of the total of 1,523 Negro voters, but only 23 of the white voters who were registered in that ward.

The registrar, knowing that the pretended affidavits were not sworn to as required by law, and that the purported affiants had not in each case personally examined the records in the registrar's office pertaining to each challenged registrant, accepted the pretended affidavits for filing and mailed copies of them together with printed citations to the approximately 3,420 voters named therein, requiring them within 10 days to appear in the office of the registrar and to prove their qualifications. The citations and copies of the pretended affidavits were mailed to large groups of registrants at or about the same time with the knowledge that the ordinary facilities and personnel of the registrar's office would not permit the receiving of the proof of their qualifications from all of the registrants within the 10-day period. Of course it was intended that all challenged registrants of the Negro race who were thereby denied an opportunity to prove their qualifications would be eliminated from the roll of registered voters.

However, registrants of the Negro race responded to these citations in large numbers. During the months of April and May large lines of Negro registrants seeking to prove their qualifications formed before the registrar's office, starting as early as 5 a. m. But the registrar and her deputy refused to hear offers of proof of qualifications on behalf of any more than 50 challenged Negro registrants per day. Consequently most of the Negro registrants were turned away from the registrar's office and were denied any opportunity to establish their proper registration. Thereafter the registrar and her deputy struck the names of such registrants from the rolls.

INTERPRETATION REQUIRED

As to the Negro voters whose names have thus been stricken from the roll and who sought to register as voters, the registrar and her deputy, at the instigation of the citizens council and under the color of authority of the Louisiana Revised Statutes, required such applicants for registration to give a "reasonable interpretation" of a clause of the Constitution of Louisiana or of the United States and no similar requirement was ordinarily imposed upon persons of the white race. Regardless of the interpretations given, the registrar and her deputy declared them to be unreasonable. In this manner Negro applicants for registration, although possessing all the legal qualifications for voters under the laws of Louisiana and of the United States, were denied their right to register and qualify as voters.

For this serious condition there is no adequate remedy presently available to the Department of Justice. A criminal prosecution begun after the election would not restore to roll of registered voters of Ouachita Parish the names that have been unlawfully removed. It would not protect the integrity of the election of officers of the United States in the November election.

The Department of Justice has not been blind to the possibility that this kind of unconstitutional disfranchisement of citizens of the United States might occur and that more effective legal remedies are needed. The Attorney General in April 1956, presented proposals to both Houses of Congress for legislation which would authorize him to apply to the Federal courts for preventive relief by way of injunction in cases such as this. In testifying in support of these proposals the Attorney General pointed out to the Congress that although under present statutes the Department can prosecute after such deprivations of the right to vote have occurred, the Department could not seek preventive relief when violations are threatened. The Attorney General then illustrated his point as follows:

"In 1952, several Negro citizens of a certain county in Mississippi submitted affidavits to the Department alleging that because of their race the registrar of voters refused to register them. Although the Mississippi statutes at that time required only that an applicant be able to read and write the Constitution, these affidavits alleged that the registrar demanded that the Negro citizens answer such questions as 'What is due process of law?' 'How many bubbles in a bar of soap?', etc. Those submitting affidavits included college graduates, teachers, and businessmen, yet none of them, according to the registrar, could meet the voting requirements. If the Attorney General had the power to invoke the injunctive process, the registrar could have been ordered to stop these discriminatory practices and qualify these citizens according to Mississippi law."

The events which I have recited in Ouachita Parish, La., demonstrate how justified the Attorney General was in his plea to the Congress for legislation permitting him to seek preventive relief in such cases from the courts.

NOT CONFINED

The disfranchisement of American citizens is by no means confined to Ouachita Parish or to the State of Louisiana. The Department is in receipt of a complaint under date of September 21, 1956, that a similar scheme using the same technique, is in operation in Rapides Parish, La., under the guidance of a White Citizens Council. It is alleged that within a 10-day period the council had wrongfully caused the elimination from the rolls of over 200 properly qualified and registered Negro voters.

On September 22, 1956, a similar complaint was received from Pierce County, Ga., it being alleged that in August the qualifications of approximately 25 to 30 percent of the Negro voters of Pierce County were challenged while no challenges to any of the white voters were made. Thereafter most of the challenged voters names were stricken from the list so that they cannot now vote, although properly qualified. The full facts of this complaint have not yet been ascertained

These developments should demonstrate to everyone who believes in the basic principles of the United States Constitution that it is indeed regrettable that the legislative proposals of the Attorney General seeking civil remedies to protect the constitutional right to vote should have been bottled up in the Senate Judiciary Committee after having passed the House. The failure of the Congress to act in this particular has left the Department of Justice and the courts without the remedies and means necessary to secure the honesty and integrity of elections for Federal officers.

Under these circumstances, I respectfully suggest that a special responsibility rests upon the Senate Subcommittee on Privileges and Elections. This subcommittee is that agency of the Congress most directly concerned with elections. It is now engaged in the study of political practices during the presently pending elections. If this subcommittee would hold public hearings concerning this unconstitutional disfranchisement of citizens of the United States, it would indeed be, to quote the chairman's letter of invitation, in the interest of public enlightenment. It would also be of aid in the consideration of legislation in the next session of Congress. If such hearings were held in one or more of the places from which these complaints emanate, these abuses might well be stopped. I venture to predict that public hearings in these places prior to election would result in the names of hundreds of qualified voters being immediately restored to the registration rolls. Such a decision on the part of the subcommittee would be most helpful in contributing to a free and fair election.

ADDITIONAL COMMENTS OF WARREN OLNEY III, FEBRUARY 21, 1957

DEPARTMENT OF JUSTICE.

Hon. EMANUEL CELLER,
Chairman, Subcommittee No. 5 of the Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CELLER: On February 13 Mr. Jack P. F. Gremillion testified before your subcommittee. A part of his testimony related to a voter registration civil-rights case arising in Ouachita Parish, La., and to the action of a Federal grand jury convened in Monroe, La., to inquire into that and other civil-rights cases. Certain facts which the Department of Justice has in its files suggest that Mr. Gremillion's testimony might have left a misleading impression in a number of respects. Accordingly, we feel obliged to provide you with information which we have which is inconsistent with the impression left by Mr. Gremillion's testimony. These facts have not previously been provided by this Department to Mr. Gremillion. We are, however, sending him a copy of this letter.

We refer herein to Mr. Gremillion's testimony by subject matter and transcript page number.

Interpretation of Constitution by registrant, page 662:

"Mr. KEATING. Do you have an educational requirement of some nature in Louisiana in order to vote?

"Mr. GREMILLION. The requirement with reference to education provides they shall be able to read and write and interpret one part of the Constitution, of their choice.

"Mr. KEATING. One part of the United States Constitution?

"Mr. GREMILLION. Yes.

"Mr. KEATING. And they can choose it?

Mr. GREMILLION. Oh, yes. In other words, the registrar of voters cannot say, 'I want you to explain something' that is impossible to explain. They have the right of choice insofar as concerns the section or phrase of the Constitution they wish to interpret. They have their own choice on that, and nothing is foreplanned or forewarned."

COMMENT

In none of the 10 parishes in Louisiana which have been the subject of investigations by the Department is there any evidence that the registrar permitted the applicant for registration to choose which clause of the Constitution he wished to interpret. Specifically, in the case arising from Ouachita Parish, the investigation by the FBI disclosed that the registrar of voters in examining applicants for registration used a card on which was written an excerpt from the Constitution, which card was given to the registrar by the Citizens Council of Ouachita Parish. In one instance Mrs. Mae Lucky, registrar of voters of Ouachita Parish, asked an applicant for registration what our form of government is. The applicant replied, "A democratic form of government." The registrar said, "That's wrong—try again." The applicant said, "We have a republican form of government." The registrar then said that that answer, too, was wrong and

that the applicant would have to return after the next election to reregister.

Reply affidavit on behalf of challenged voters, page 667:

"Mr. GREMILLION. * * * When such a registrant is challenged, the registrar of voters is required, under the law, to forward a notice of the challenge, a complete copy of the same, together with a form which the challenged registrant has to execute by three bona fide voters registered in the same parish to the effect that the challenged registrant is a bona fide resident of that parish. This form is sent to the challenged registrant at the time that the notice of challenge is sent.

"If the challenged registrant does not appear within 10 days, the registrar shall remove his name from the rolls. If, however, the challenged registrant appears with three bona fide registered voters to assert the authenticity of his residence in the parish before his registrar of the voters, or deputy registrar, the challenge shall fail and the voter's name shall remain on the rolls. See Louisiana Revised Statutes of 1950, title 18, sections 132, 133, and 134."

COMMENT

In none of the ten parishes which were the subject of FBI investigations did the registrar make it a practice to send a form of reply affidavit to the challenged registrant. On the contrary, investigations in Bienville, Caldwell, De Soto, Jackson, La Salle, and Ouachita Parishes disclosed that the registrar in those parishes did everything to discourage the filing of reply affidavits in the statutory form and generally refused to accept them when offered.

In Ouachita Parish the registrar refused to accept as witnesses on behalf of a challenged voter bona fide registered voters of the parish who were not from the same precinct as the challenged voter. She also refused to accept as witnesses bona fide registered voters who had themselves been challenged. She also refused to accept as witnesses registered voters who had already witnessed to the qualifications of another challenged voter.

In Caldwell Parish the registrar refused to accept witnesses on behalf of a challenged voter unless they were accompanied by a law-enforcement officer and a member of the citizens council to identify them. He even refused to accept white persons as witnesses for Negro voters on the grounds that the witnesses were of a different race from the race of the challenged voters.

In Bienville Parish, where 560 of the 595 registered Negro voters were challenged, the registrar consistently refused to accept affidavits on behalf of registered voters which were in the statutory form and, as a result, the names of every one of the challenged Negro voters were stricken from the voting rolls.

In Jackson Parish, where 953 of the 1,122 Negro voters were challenged, the registrar also refused to accept for filing affidavits on behalf of challenged voters, which affidavits were in statutory form. As a result, all of the challenged Negro voters, with the exception of two who were physically disabled and therefore unable to fill out voter application cards, were stricken from the voting rolls.

In a number of parishes when challenged Negro registrants came to the registrar's office in response to the challenging citation, they were told by the registrar that they would have to see a private attorney in order to get the matter straightened out.

Ouachita incident was exceptional, pages 670–671, 702–703:

"The CHAIRMAN. Mr. Attorney General, I am reading from page 145 of the transcript of these hearings, where there was testimony given as follows:

" 'In Louisiana the White Citizens Councils have conducted a campaign to purge as many colored voters from the books as possible. In Monroe, La., representatives of the councils have actually invaded the office of the registrar of voting for the purpose of purging colored voters. The Assistant Attorney General in charge of the criminal division of the Department of Justice testified in October 1956 that over 3,000 voters had been illegally removed from the rolls of Ouachita Parish, in which Monroe is located.'

"Would you care to comment on that sir?

"Mr. GREMILLION. Yes.

"I actually do not know anything officially, or nonofficially, about the activities of the Citizens Council in my State. I am not a member, and I actually do not know. But I do know that up at Monroe they did have some difficulty with respect to voting. But that is definitely not a general rule throughout the State, and I think that is more or less an exception."

"Please do not attach too much significance to this Monroe affair in Ouachita Parish about which you already received testimony. An occurrence like that is typical in any State where political battles are involved. I personally know that that was a fight between two candidates in the mayor's race, and one candidate had the Negro votes and the other used this means of getting them off until that election was held. I regret that that had to happen. But do not judge the State of Louisiana by it. It could happen in any other State in the Union where you have politics. See what I mean?

The CHAIRMAN. Yes, sir.

"Mr. GREMILLION. So do not pay any attention to that Monroe affair. That is strictly politics, and that is why the people are back there today."

COMMENT

With respect only to cases which have been investigated by the FBI, the following numbers of Negro voters were challenged in each of the following parishes:

Bienville, 560; Caldwell, 330; De Soto, 383; Grant, 758; Jackson, 953; La Salle, 345; Lincoln, 325; Ouachita, 3,240; Rapides, 1,058; Union, 600.

Grand jury inquiry, page 677.

"Mr. GREMILLION. Mr. Dalton, one of my assistants here advises me on something that we were talking about in the Ouachita matter, the Monroe matter, and I want to remind the committee of this: that there were two grand juries that investigated these alleged discrepancies or purging of the rolls.

"The first returned an indictment, then the second one was convened, with Mr. St. John Barrett—I believe his name was—assisting, an assistant sent down from Washington. So that grand jury also failed to send down any indictments.

"So let me remind you this matter was investigated by two Federal grand juries."

COMMENT

There has been only one Federal grand jury empaneled in Louisiana which has inquired into civil-rights violations. This was empaneled on December 4, 1956, and has not yet been discharged. It was in session with respect to civil rights matters on December 4, 5, 6 and 7, January 29, 30 and 31 and February 1, 6 and 12. Witnesses were subpenaed and other evidence presented to the grand jury in connection with the cases arising in Caldwell, De Soto and Grant Parishes. No indictments were returned in these cases. On February 12, 1957, an attorney from this Department outlined to the grand jury the evidence which the Department had relating to cases arising in Bienville, Jackson and Ouachita Parishes, which evidence the Department believed indicated the commission of offenses against the laws of the United States and which merited presentation to a grand jury. After deliberating in private the grand jury announced through its foreman that it had determined that there was no possibility of indictments being returned in the Bienville, Jackson and Ouachita Parish cases even though the evidence was presented to them and a full inquiry conducted. The grand jury went on record as not desiring to hear any testimony in connection with these latter cases.

Reregistration of "Purged" Voters, Monroe, Ouachita Parish, page 672:

"Mr. KEATING. Have those names been put back on the rolls?

"Mr. GREMILLION. About 99 percent of them are back on the rolls, Mr. KEATING. That was under the provisions of the law which I read to you from page 2 of my statement."

COMMENT

Prior to the filing of the challenges in Ouachita Parish there were approximately 4,000 registered Negro voters in the parish. On October 6, 1956, after the "purge" was over and when the registration books closed for the November 6 general election there were 694 registered Negro voters. Thus, there were in excess of 3,000 Negro voters deprived of the right to vote in the general election of November 6.

Sincerely,

WARREN OLNEY, III,
Assistant Attorney General.

Mr. DOUGLAS. Mr. President, the point I am making is that with the selection of juries in the Federal courts in the South being what it is, both by statute and by practice, then considering the temper of the communities, and considering the fact that the jurors must go back into the communities from which they come, and that they do not have the protection of life tenure which a Federal judge has, there will be far less justice if a jury-trial amendment is included than if it is knocked out of the bill.

I hope, in later speeches which I intend to make on this subject from time to time, to produce additional evidence showing the great reluctance—in most cases the refusal—of southern jurors to convict white men for offenses against Negroes, even where the preponderance of the evidence of grave offenses is overwhelming.

If there are now instances of juries refusing to convict in cases of grave offense, I think we can get some idea of their added reluctance to convict in cases where the violation is simply depriving Negroes of the right to vote.

Mr. President, can you picture juries in Alabama, Mississippi, Georgia, South Carolina, or northern Florida convicting registration officials who, by one artifice or another, effectively prevent Negroes from registering to become qualified voters? That is the reason why many of us, and I hope ultimately the majority of the House and Senate will agree with us, do not wish to accept the jury-trial amendment. We believe that in the interest of justice, which is what we should serve, this cause will be better aided by having the judges, who are southern whites, who come from southern communities, and who share the mores of those communities, but who are somewhat insulated from improper pressure by life tenure, make the decisions, than by having cases tried by juries chosen from carefully culled jury lists, which either completely or preponderantly exclude Negroes.

THE MISSISSIPPI DECISION WHITEWASHING THE LIBERATION OF A JURY

A recent Mississippi case indicates some very humorous yet tragic features on this point. It is the case of Oliver Lee Walker against the State of Mississippi, decided on appeal by the Supreme Court of Mississippi on December 17, 1956. The original citation is volume 91, Southern, second series, page 1948, but it is reported in the very excellent Race Relations Law Reporter, volume 2, for April 1957. This law reporter is published by the Vanderbilt University School of Law, a white university—and a very reputable university, I may add.

Walker was a Negro. After being convicted of receiving stolen property and being sentenced to 3 years in the State penitentiary, he appealed. One of the grounds of his appeal was that there was a systematic exclusion of Negroes from the list of qualified jurors from which the petit jury was drawn.

The figures which I have introduced into the RECORD for that county, namely, Bolivar, show that there were something like 21,805 Negroes of the age of 21 years and over, but only 511 of whom were registered.

The court said, as the text appears at page 440 of the Vanderbilt University Race Relations Law Reporter:

> Actually the proof showed that there were 14 Negro qualified electors in the county, and that the board of supervisors, at the regular April 1955 meeting, when the jury list for the ensuing years was approved, included in the list of potential jurors for the year seven, or one-half of the Negroes, who were qualified.

That was in Bolivar County, and there was no less than 21,805 potential Negro voters in that county.

There were 511 Negroes registered, but the court said there were only 14 who were "qualified," meaning that the poll tax and other disqualifications had been heaped on top of the difficult registration requirements.

Seven of those fourteen Negroes were placed on the jury list. Therefore, the court said, there was no prejudice in the selection of the jury, although none of them actually sat on the jury.

Of 21,805 potential Negro voters, only 7 were placed on the jury list. None of those was selected actually to serve on the jury. But because the number of qualified Negro voters was only 14, the court then said that since half of those qualified were placed on the list, there was, therefore, no discrimination. But in practice, the original court officials selected only one three-thousandths of the total number of Negro voters who were 21 years of age and over. The disqualification was in the ludicrously and tragically small percentage of the potential voters who were declared to be qualified. That is where the hitch lies.

These figures are used by the Supreme Court of Mississippi as an argument to show that it was not a biased selection, the court saying, on page 441:

> Although the proof showed no Negro served on the jury in the March 1956 term of court, this was not substantial evidence of discrimination against Negroes.

WE SHOULD GO INTO THIS MATTER STILL MORE FULLY

Mr. President, this is merely the first speech which I intend to make on this subject, because I think we need to go very thoroughly into what this proposed jury trial amendment means. We need to see in even greater detail how biased the selection of jurors in the South generally is, both by statute and by practice, and we need to review some of the decisions of juries in the past to see how difficult it has been for Negroes to get any real justice when their interests conflict with those of the whites.

Mr. President, I am about to yield the floor, but before I do so I ask unanimous consent that there may be printed in the RECORD at the conclusion of my remarks editorials from the New York Times, the Ogden (Utah) Standard-Examiner, and the Philadelphia Inquirer, and a letter to the New York Times.

There being no objection, the editorials and letter were ordered to be printed in the RECORD, as follows:

EXHIBIT NO. 1

SOUTHERN REGIONAL COUNCIL, INC.

From: Research office, Southern Regional Council.

Re Negro voter registration in Southern States.

The attached material on Negro voter registration was compiled in the summer of 1956 from official records or from the best estimates available from reliable sources in each county. The registration figures are for 1956 except in Arkansas, where only 1955 figures were available. There have been newspaper reports that Negro registration has decreased in Mississippi, but the Southern Regional Council cannot supply accurate figures for this State. The State Times of Jackson conducted a survey of Negro registration in some Mississippi counties in 1956, and excerpts from its report are included.

We do not have registration data for Tennessee. Because of Texas' extensive geographical area, and consultant did not travel throughout the State's 254 counties. It is estimated that 90 percent of Texas' Negro population resides in the 95 counties included in this report. The lack of registration data for many counties in North Carolina does not mean that there were no Negroes registered; we could not secure the number of registrants or a racial breakdown of registrants in these North Carolina counties. On all other States, a zero, blank space or dash means that there were no Negro registrants known to our sources of information. If a county has no Negroes registered, the column, "Potential Negro Voters," should be checked to determine if there are potential Negro registrants. This column includes the number of nonwhites 18 and over in Georgia and Kentucky; those 21 and over in all other States. The majority of the nonwhites in the South are Negroes, though a few persons of other races are found in some counties and included in the figures reported here.

The Southern Regional Council is aware of the excess of registrants over potentially eligible persons in some counties. However, these are the figures furnished from official records or other reliable sources. Where there is an excess, it may be due, in part, to the failure to purge registration lists and/or population growth since 1950.

ALABAMA

County	1950 potential Negro voters	1956 number of Negroes registered
Autauga	4,042	73
Baldwin	4,491	625
Barbour	7,158	220
Bibb	2,801	235
Blount	429	
Bullock	5,425	6
Butler	6,024	805
Calhoun	8,304	1,800
Chambers	7,175	619
Cherokee	734	250
Chilton	2,027	350
Choctaw	4,822	112
Clarke	6,434	700
Clay	1,011	
Cleburne	380	60
Coffee	3,114	600
Colbert	4,519	921
Conecuh	1,435	980
Coosa	1,828	450
Covington	3,157	175
Crenshaw	2,801	600
Cullman	249	81
Dale	2,454	380
Dallas	18,145	275
De Kalb	441	
Elmore	5,541	226
Escambia	5,425	1,606
Etowah	7,672	2,000
Fayette	1,497	326
Franklin	700	200
Geneva	1,686	200
Greene	6,628	157
Hale	7,041	130
Henry	4,029	600
Houston	7,211	1,700
Jackson	1,242	
Jefferson	121,667	7,000
Lamar	1,304	100
Lauderdale	4,022	496
Lawrence	3,010	408
Lee	8,954	500
Limestone	4,013	800
Lowndes	6,512	
Macon	14,539	1,100
Madison	10,333	1,500
Marengo	10,226	170
Marion	384	200
Marshall	604	
Mobile	45,493	6,400
Monroe	5,914	140
Montgomery	34,079	2,176
Morgan	4,641	
Perry	6,351	300
Pickens	5,547	600
Pike	6,866	720
Randolph	2,728	1,171
Russell	10,135	560
Shelby	3,356	375
St. Clair	2,363	750
Sumter	8,700	295
Talladega	9,318	1,134
Tallapoosa	5,083	
Tuscaloosa	14,157	5,500
Walker	3,850	2,800
Washington	2,835	600
Wilcox	8,218	
Winston	63	

1950 census, nonwhite, 21 years and over	516,245
1956, number of Negroes registered	53,366
Percent registered	10.3

ARKANSAS

County	1950 Negro population over 21	1955 Negro registrants	Percent registered
Arkansas	2,934	995	33.9
Ashley	5,062	1,361	26.9
Baxter	3	0	
Benton	43	5	11.6
Boone		0	
Bradley	2,744	1,210	44.1
Calhoun	1,277	844	66.1
Carroll	13	2	15.4
Chicot	6,924	2,588	37.4
Clark	3,228	1,067	33.0
Clay	6	0	
Cleburne	2	0	
Cleveland	1,061	371	35.0
Columbia	5,603	957	17.1
Conway	2,196	1,527	69.5
Craighead	998	292	29.3
Crawford	414	21	5.1
Crittenden	16,495	1,352	8.2
Cross	4,041	723	17.9
Dallas	2,504	1,033	41.3
Desha	6,511	2,518	38.7
Drew	3,118	1,038	33.3
Faulkner	1,490	430	29.0

ARKANSAS—Continued

County	1950 Negro population over 21	1955 Negro registrants	Percent
Franklin	91	23	25.3
Fulton	5	0	
Garland	3,751	2,520	67.2
Grant	370	231	62.4
Greene	40	5	12.5
Hempstead	5,244	1,452	27.7
Hot Spring	1,575	717	45.5
Howard	1,406	460	32.7
Independence	407	100	24.6
Izard	62	27	43.5
Jackson	2,067	1,215	58.8
Jefferson	21,174	5,774	27.3
Johnson	144	18	12.5
Lafayette	3,004	1,033	34.4
Lawrence	164	67	40.8
Lee	7,572	1,610	21.3
Lincoln	4,808	1,391	28.9
Little River	2,107	782	37.1
Logan	209	183	87.5
Lonoke	3,267	805	24.6
Madison	9	5	
Marion			
Miller	5,000	1,840	36.8
Mississippi	11,975	3,915	32.7
Monroe	4,930	1,031	20.9
Montgomery	24	15	62.5
Nevada	2,578	825	32.0
Newton	1	0	
Ouachita	7,020	2,500	35.6
Perry	133	65	48.9
Phillips	15,226	3,561	23.4
Pike	294	86	29.2
Poinsett	1,754	195	11.1
Polk	9	0	
Pope	426	150	35.2
Prairie	1,192	900	75.5
Pulaski	28,881	8,364	29.0
Randolph	102	57	55.9
St. Francis	10,734	2,300	21.4
Saline	974	413	42.4
Scott	94	45	47.9
Searcy	3	0	
Sebastian	2,678	661	24.7
Sevier	610	235	38.5
Sharp	5	3	
Stone	3	0	
Union	8,434	2,570	30.5
Van Buren	59	31	52.5
Washington	309	40	12.9
White	726	288	39.7
Woodruff	3,549	954	26.9
Yell	335	55	16.4

1950 census, nonwhite, 21 years and over	232,191
1955 number of Negroes registered	67,851
Percent registered	29.2

FLORIDA

County	1950 potential Negro voters	1956 number of Negroes registered
Alachua	9,430	3,153
Baker	818	361
Bay	4,028	2,012
Bradford	1,408	859
Brevard	3,544	2,160
Broward	12,234	6,958
Calhoun	594	231
Charlotte	462	268
Citrus	879	580
Clay	1,230	1,193
Collier	1,402	741
Columbia	3,357	1,645
Dade	42,682	19,048
De Soto	1,229	807
Dixie	387	181
Duval	55,832	27,368
Escambia	14,521	5,733
Flagler	872	64
Franklin	904	521
Gadsden	10,930	5
Gilchrist	203	29
Glades	584	262
Gulf	1,129	481
Hamilton	1,983	507
Hardee	404	375
Hendry	1,034	135
Hernando	869	622
Highlands	2,054	1,243
Hillsborough	24,941	8,856
Holmes	326	130
Indian River	1,764	427
Jackson	5,843	3,430
Jefferson	3,272	183
Lafayette	176	0
Lake	5,110	1,363
Lee	3,017	1,818
Leon	11,213	4,046
Levy	2,107	603
Liberty	333	1
Madison	3,151	1,010
Manatee	4,425	1,686
Marion	8,387	4,324
Martin	1,374	706
Monroe	2,043	1,652
Nassau	2,123	1,223
Okaloosa	1,177	606
Okeechobee	406	348
Orange	14,321	3,137
Osceola	958	358
Palm Beach	22,253	6,520
Pasco	1,713	624
Pinellas	12,118	3,477
Polk	15,492	4,989
Putnam	5,199	1,770
St. Johns	5,053	2,051
St. Lucie	3,732	1,813
Santa Rosa	928	730
Sarasota	2,896	783
Seminole	6,881	2,242
Sumter	1,703	790
Suwannee	2,606	565
Taylor	1,945	91
Union	2,453	6
Volusia	10,415	5,761
Wakulla	833	345
Walton	1,051	954
Washington	1,056	743

1950 census, nonwhite 21 years and over	366,797
1956 number of Negroes registered	148,703
Percent registered	40.2

GEORGIA

County	Nonwhite population over 18, 1950	Negroes registered, 1956
Appling	1,356	1,068
Atkinson	897	408
Bacon	558	8
Baker	1,819	0
Baldwin	8,461	2,487
Banks	229	32
Barrow	1,235	413
Bartow	2,404	702
Ben Hill	2,659	918
Berrien	1,107	738
Bibb	25,993	5,140
Bleckley	1,588	39
Brantley	451	175
Brooks	4,693	707
Bryan	1,269	885
Bulloch	4,755	1,795
Burke	8,797	399
Butts	2,136	1,414
Calhoun	3,232	126
Camden	2,062	1,556
Candler	1,494	1,174
Carroll	3,578	939
Catoosa	183	129
Charlton	772	12
Chatham	33,272	9,720
Chattahoochee	1,510	8
Chattooga	1,030	1,020
Cherokee	473	320
Clarke	6,249	2,866
Clay	2,148	97
Clayton	2,070	275
Clinch	1,222	422
Cobb	3,935	1,948
Coffee	3,133	980
Colquitt	4,409	1,047
Columbia	2,451	487
Cook	1,861	750
Coweta	5,788	1,348
Crawford	1,806	125
Crisp	4,390	835
Dade	72	45
Dawson	0	0
Decatur	6,231	895
De Kalb	8,694	2,650
Dodge	2,863	2,068
Dooly	3,887	1,008
Dougherty	11,773	2,130
Douglas	1,020	730
Early	4,790	226
Echols	379	15
Effingham	1,838	211
Elbert	3,371	986
Emanuel	3,597	1,657
Evans	1,340	494
Fannin	47	63
Fayette	1,261	11
Floyd	6,046	2,730
Forsyth	25	[1] 20
Franklin	970	300
Fulton	99,347	24,441
Gilmer	14	6
Glascock	470	21
Glynn	6,069	2,185
Gordon	641	348
Grady	3,442	527
Greene	3,548	2,586
Gwinnett	1,751	1,000
Habersham	381	300
Hall	2,357	1,421
Hancock	4,094	1,850
Haralson	721	319
Harris	3,380	275
Hart	1,803	[1] 327
Heard	867	388
Henry	3,657	1,529
Houston	3,835	443
Irwin	2,171	800
Jackson	1,571	436
Jasper	2,327	570
Jeff Davis	1,034	[1] 42
Jefferson	5,588	237
Jenkins	2,899	891
Johnson	1,717	416
Jones	2,223	536
Lamar	2,230	673
Lanier	926	473
Laurens	7,298	3,537
Lee	2,456	29
Liberty	2,825	2,453
Lincoln	1,617	3
Long	695	1,061
Lowndes	8,350	2,707
Lumpkin	82	73
McDuffie	1,158	356
McIntosh	1,879	1,197
Macon	2,914	54
Madison	2,056	141
Marion	4,821	126
Meriwether	5,727	1,207
Miller	1,372	6
Mitchell	5,955	345
Monroe	2,885	737
Montgomery	1,613	887
Morgan	3,264	[1] 738
Murray	96	28
Muscogee	20,031	9,987
Newton	3,860	[3] 1,539
Oconee	932	446
Oglethorpe	2,201	229
Paulding	602	418
Peach	4,270	640
Pickens	255	80
Pierce	1,295	425
Pike	1,915	372
Polk	2,795	[2] 1,390
Pulaski	2,371	248
Putnam	2,295	531
Quitman	1,065	[3] 45
Rabun	71	17
Randolph	4,971	473
Richmond	23,694	5,372
Rockdale	1,322	563
Schley	1,184	134
Screven	5,146	729
Seminole	1,631	22
Spalding	5,075	[4] 1,151
Stephens	1,268	514
Stewart	3,463	[1] 68
Sumter	7,441	485
Talbot	2,757	210
Taliaferro	1,575	888
Tattnall	2,384	1,681
Taylor	2,233	325
Telfair	2,375	[4] 101
Terrell	5,054	105
Thomas	8,246	1,700
Tift	3,576	913
Toombs	2,631	155
Towns	3	0
Treutlen	1,041	18
Troup	9,423	2,036
Turner	2,009	418
Twiggs	2,593	354
Union	0	0
Upson	3,822	542
Walker	1,389	1,136
Walton	3,236	598
Ware	4,979	1,998
Warren	2,836	200
Washington	6,387	1,363
Wayne	1,644	1,448
Webster	1,313	0
Wheeler	1,101	476
White	192	189
Whitfield	859	951
Wilcox	1,841	258
Wilkes	3,748	263
Wilkinson	2,621	327
Worth	4,837	322

1950: Potential Negro voters 18 years of age and over	633,697
1956: Number of Negroes registered	163,389
Percent registered	25.6

[1] 1954 data or 1956 totals divided on a basis of 1954 Negro-white ratio (some counties do not report racial breakdown for 1956).
[2] Estimate. Polk did not report a racial breakdown.
[3] 1952 Negro-white ratio applied to 1956 total.
[4] 1954 data.

LOUISIANA

Parish	Estimated Negro population over 21, 1956	Negroes registered, 1956
Acadia	4,500	3,448
Allen	2,470	1,811
Ascension	4,180	1,926
Assumption	3,380	1,992
Avoyelles	4,810	1,960
Beauregard	1,940	1,120
Bienville	3,980	567
Bossier	8,020	495
Caddo	43,770	5,500
Calcasieu	14,990	6,244
Caldwell	1,430	450
Cameron	250	236
Catahoula	2,070	330
Claiborne	5,980	17
Concordia	4,500	567
De Soto	6,480	762
East Baton Rouge	40,700	8,629
East Carroll	5,150	0
East Feliciana	6,380	1,361
Evangeline	3,290	3,262
Franklin	5,070	650
Grant	1,680	864
Iberia	7,130	4,225
Iberville	7,110	2,411
Jackson	2,240	1,113
Jefferson	13,660	6,097
Jefferson Davis	2,880	1,680
Lafayette	8,980	4,549
Lafourche	2,950	1,572
La Salle	860	742
Lincoln	5,420	1,166
Livingston	1,630	1,102
Madison	6,100	0
Morehouse	8,590	935
Natchitoches	8,350	2,954
Orleans	124,600	31,800
Ouachita	16,400	5,792
Plaquemines	2,840	49
Pointe Coupee	5,580	1,319
Rapides	20,500	3,160
Red River	2,600	1,512
Richland	5,230	740
Sabine	2,190	1,385
St. Bernard	1,140	802
St. Charles	2,350	1,949
St. Helena	2,170	1,694
St. James	3,740	2,117
St. John the Baptist	3,730	2,426
St. Landry	16,500	13,050
St. Martin	4,400	2,983
St. Mary	7,820	2,668
St. Tammany	4,450	1,997
Tangipahoa	9,550	3,749
Tensas	4,500	0
Terrebonne	5,880	980
Union	3,160	1,600
Vermillion	2,360	1,916
Vernon	1,470	891
Washington	6,520	1,896
Webster	6,940	1,769
West Baton Rouge	3,530	1,017
West Carroll	1,420	292
West Feliciana	4,000	0
Winn	2,480	1,400

Estimated Negro population over 21 in 1956.... 510,090
1956, number of Negroes registered..... 161,410
Percent registered..... 31.6

MISSISSIPPI

The State Times, of Jackson, Miss., surveyed a number of counties in the fall of 1956 to determine changes in Negro registration since 1952. The 1956 and 1952 registration figures listed below are those released by The State Times:

County	Nonwhite population over 21	Negroes registered, 1956	Negroes registered, 1952
Hinds	35,021	4,305	2,500
Marion	4,103	500	100
Clarke	3,849	0	0
Smith	1,400	13	1
Calhoun	1,893	2	3
Tunica	9,123	38	3
Wilkinson	4,558	55	50
Benton	1,749	35	35
Issaquena	1,730	0	0
Sharkey	4,533	1	1
Choctaw	1,412	13	18
Covington	2,354	440	311
Itawamba	470	36	12

NORTH CAROLINA

County	1950 potential Negro voters	1956 number of Negroes registered
Alamance	6,897	3,300
Alexander	516	----------
Alleghany	147	----------
Anson	6,143	1,560
Ashe	154	----------
Avery	151	----------
Beaufort	7,066	200
Bertie	7,016	400
Bladen	5,496	600
Brunswick	3,322	550
Buncombe	9,950	4,200
Burke	1,824	----------
Cabarrus	5,169	----------
Caldwell	1,574	----------
Camden	991	----------
Carteret	1,599	----------
Caswell	4,383	950
Catawba	2,878	100
Chatham	3,936	----------
Cherokee	172	50
Chowan	2,681	----------
Clay	44	----------
Cleveland	6,652	----------
Columbus	7,897	350
Craven	8,448	----------
Cumberland	14,275	1,200
Currituck	1,102	----------
Dare	241	----------
Davidson	3,563	2,000
Davie	1,143	325
Duplin	7,336	----------
Durham	20,101	9,050
Edgecombe	12,845	600
Forsyth	25,027	13,000
Franklin	6,643	----------
Gaston	8,163	----------
Gates	2,344	----------
Graham	113	----------
Granville	7,179	----------
Greene	3,690	----------
Guilford	22,309	8,000
Halifax	14,350	950
Harnett	5,924	900
Haywood	488	125
Henderson	1,319	----------
Hertford	6,210	700
Hoke	4,201	385
Hyde	1,207	50
Iredell	5,387	1,100
Jackson	732	----------
Johnston	6,686	1,200
Jones	2,238	165
Lee	3,211	585
Lenoir	10,206	2,050
Lincoln	1,593	500
McDowell	796	400
Macon	198	----------
Madison	105	50
Martin	6,117	1,500
Mecklenburg	29,472	8,075
Mitchell	35	----------
Montgomery	1,960	945
Moore	8,900	1,002
Nash	11,712	2,400
New Hanover	11,053	5,145
Northampton	8,206	500
Onslow	3,316	500
Orange	4,385	----------
Pamlico	1,549	100
Pasquotank	4,961	----------
Pender	4,180	----------
Perquimans	2,290	----------
Person	4,118	1,400
Pitt	14,057	500
Polk	799	400
Randolph	2,273	600
Richmond	6,065	1,252
Robeson	22,062	4,000
Rockingham	6,966	1,700
Rowan	7,080	2,500
Rutherford	2,828	----------
Sampson	8,660	----------
Scotland	5,791	488
Stanly	2,329	----------
Stokes	932	----------
Surry	1,372	----------
Swain	709	----------
Transylvania	585	----------
Tyrell	989	----------
Union	4,666	1,095
Vance	7,179	1,000
Wake	21,902	5,000
Warren	6,908	800
Washington	2,730	----------
Watauga	129	----------
Wayne	15,141	1,500
Wilkes	1,482	----------
Wilson	10,964	1,500
Yadkin	576	200
Yancey	116	80

1950 census nonwhites, 21 years of age or over... 549,741

SOUTH CAROLINA

County	1950 potential Negro voters	1956 number of Negroes registered	Percent
Abbeyville	3,678	15	0.4
Aiken	9,896	1,500	15.1
Allendale	3,891	350	9.0
Anderson	9,963	3,000	30.0
Bamberg	4,485	500	11.1
Barnwell	4,776	750	15.7
Beaufort	7,624	2,000	26.2
Berkeley	8,125	3,200	39.4
Calhoun	4,437	0	0
Charleston	34,111	6,000	17.6
Cherokee	3,662	1,000	27.1
Chester	6,788	650	9.6
Chesterfield	6,059	3,500	57.8
Clarendon	9,279	1,200	12.9
Colleton	6,766	1,200	17.7
Darlington	10,455	9,000	86.1
Dillon	6,520	4,000	61.3
Dorchester	5,772	800	13.9
Edgefield	4,312	800	18.5
Fairfield	5,631	550	9.3
Florence	16,650	1,600	9.6
Georgetown	7,321	2,100	28.6
Greenville	17,150	9,000	52.5
Greenwood	6,782	2,500	36.9
Hampton	4,607	350	7.6
Horry	6,969	2,700	38.7
Jasper	3,281	1,100	33.5
Kershaw	7,065	1,000	14.2
Lancaster	5,111	1,500	29.3
Laurens	7,313	700	9.6
Lee	6,246	1,500	24.0
Lexington	4,668	150	3.2
McCormick	2,625	0	0
Marion	8,668	1,500	17.3
Marlboro	7,460	200	26.8
Newberry	5,896	775	13.1
Orone	2,457	2,000	81.4
Orangeburg	19,158	2,200	11.5
Pickens	2,364	900	38.1
Richland	28,383	12,500	44.0
Saluda	2,971	500	16.8
Spartanburg	17,546	7,000	39.9
Sumter	14,467	1,800	12.2
Union	4,879	1,500	30.7
Williamsburg	12,121	900	7.4
York	10,904	2,900	26.6

1950 Census: Nonwhite, 21 years of age and over. 390,024
1956: Number of Negroes registered..... 98,960
Percent registered..... 25.3

TEXAS

County	1950 potential Negro voters	1956 number of Negroes registered
Anderson	5,323	1,488
Angeline	3,554	2,336
Austin	1,642	112
Bailey	141	78
Bastrop	3,385	1,103
Bell	5,273	1,264
Bexar	22,310	15,497
Bowie	8,813	3,012
Brazoria	4,470	2,765
Brazos	5,036	2,504
Burleson	2,318	835
Caldwell	1,785	481
Camp	1,946	779
Cass	4,332	947
Chambers	876	339
Cherokee	6,447	986
Collin	2,077	350
Colorado	2,567	1,139
Dallas	54,332	15,626
Dawson	550	62
Denton	1,362	231
De Witt	1,975	349
Ector	988	260
Ellis	5,841	1,711
El Paso	3,139	1,433
Falls	4,612	1,934
Fannin	1,851	638
Fayette	2,185	1,244
Fort Bend	4,437	858
Freestone	3,197	1,495
Galveston	15,520	6,490
Gonzales	2,134	806
Grayson	3,892	1,117
Gregg	8,596	2,308
Grimes	3,427	767
Guadalupe	2,101	699
Hardin	1,815	827
Harris	96,679	36,554
Harrison	12,840	3,914
Hays	718	210
Henderson	2,531	1,493

TEXAS—continued

County	1950 potential Negro voters	1956 number of Negroes registered
Hill	2,445	738
Hopkins	1,395	374
Houston	4,631	2,023
Hunt	3,411	1,157
Jackson	963	557
Jasper	2,790	1,273
Jefferson	26,477	10,567
Johnson	1,048	370
Jones	700	144
Kaufman	4,782	1,274
Lamar	4,617	1,721
Lavaca	1,291	674
Lee	1,399	616
Leon	2,538	1,426
Liberty	3,359	1,626
Limestone	3,959	1,894
Lubbock	4,481	2,016
McLennan	13,326	6,038
Madison	1,352	561
Marion	3,086	913
Matagorda	2,787	1,174
Midland	1,258	1,023
Milam	2,735	1,182
Montgomery	2,530	1,361
Morris	1,529	422
Nacogdoches	4,378	2,015
Navarro	5,574	1,513
Newton	1,923	1,061
Nueces	5,182	2,684
Orange	2,558	1,536
Panola	3,035	1,264
Polk	2,624	913
Potter	2,406	712
Red River	2,787	533
Robertson	4,371	1,114
Rockwall	770	283
Rusk	6,614	3,163
Sabine	1,198	361
San Augustine	1,515	601
San Jacinto	1,981	872
Shelby	2,963	615
Smith	12,569	3,713
Tarrant	26,495	8,571
Taylor	1,659	739
Travis	13,890	5,268
Trinity	1,576	1,023
Upshur	3,032	1,369
Victoria	2,051	1,898
Walker	4,322	1,406
Waller	3,150	1,063
Washington	3,957	3,750
Wharton	4,337	1,993
Wichita	3,935	1,096
Williamson	3,203	813
Total	550,992	209,897

1950 nonwhite in 95 counties..... 550,992
1956 Negroes registered in these 95 counties..... 209,897
Percentage registered..... 38.1

NOTE.—Texas has 254 counties. More than 90 percent of the Negro population resides in the 95 counties listed here. The figures of potential Negro voters are compiled from the census. The numbers registered are from the Southern regional council.

VIRGINIA

County	1950 potential Negro voters	1956 number of Negroes registered
Accomac	6,591	220
Albemarle	2,840	350
Alleghany	1,193	168
Amelia	1,999	555
Amherst	2,854	546
Appomattox	1,107	202
Arlington	4,248	1,185
Augusta	956	179
Bath	490	21
Bedford	2,916	1,066
Bland	79	12
Botetourt	891	----------
Brunswick	5,503	705
Buchanan	6	----------
Buckingham	2,493	290
Campbell	3,357	955
Caroline	3,086	406
Carroll	200	11
Charles City	1,930	704
Charlotte	2,702	284
Chesterfield	4,489	1,150
Clarke	746	255
Craig	13	----------
Culpeper	1,907	452
Cumberland	1,996	340
Dickenson	163	57
Dinwiddie	7,879	395
Elizabeth City	6,973	(1)
Essex	1,594	126
Fairfax	6,563	1,115
Fauquier	2,912	106
Floyd	236	104
Fluvanna	1,301	82
Franklin	1,750	207
Frederick	214	48
Giles	265	140
Gloucester	1,960	518
Goochland	2,515	657
Grayson	462	53
Greene	357	87
Greensville	4,506	790
Halifax	8,575	521
Hanover	3,388	764
Henrico	3,253	814
Henry	3,474	400
Highland	103	11
Isle of Wight	3,957	735
James City	1,560	330
King and Queen	1,795	205
King George	987	325
King William	1,888	1,146
Lancaster	2,015	415
Lee	257	97
Loudoun	2,098	531
Louisa	2,602	361
Lunenburg	2,905	500
Madison	976	79
Mathews	1,139	150
Mecklenburg	7,655	335
Middlesex	1,568	212
Montgomery	959	465
Nansemond	8,931	1,148
Nelson	1,882	352
New Kent	1,150	240
Norfolk	8,898	1,426
Northampton	5,105	529
Northumberland	2,118	716
Nottoway	3,607	655
Orange	1,791	247
Page	313	110
Patrick	686	80
Pittsylvania	9,271	502
Powhatan	1,349	329
Prince Edward	3,468	725
Prince George	3,129	175
Prince William	5,724	----------
Princess Anne	1,524	1,800
Pulaski	1,165	695
Rappahannock	617	330
Richmond	1,077	235
Roanoke	2,321	539
Rockbridge	1,211	345
Rockingham	409	78
Russell	370	75
Scott	187	36
Shenandoah	231	75
Smyth	289	82
Southampton	7,972	575
Spotsylvania	1,470	335
Stafford	800	350
Surry	1,941	310
Sussex	4,034	540
Tazewell	1,667	267
Warren	663	137
Warwick	7,129	----------
Washington	741	148
Westmoreland	2,285	331
Wise	1,376	207
Wythe	663	169
York	1,699	607
INDEPENDENT CITY		
Virginia Beach City	----------	100
Warrick City	----------	868
Alexandria City	5,129	1,640
Bristol City	704	110
Buena Vista	148	29
Charlottesville	3,079	2,110
Clifton Forge	645	171
Danville	6,517	1,448
Fredericksburg	1,224	357
Hampton	1,644	2,087
Harrisonburg	433	185
Hopewell	917	350
Lynchburg	6,506	2,506
Martinsville	2,825	352
Newport News	11,754	3,341
Norfolk	42,028	9,328
Petersburg	9,399	1,407
Portsmouth	19,196	3,444
Radford	369	144
Richmond	48,257	11,569
Roanoke	9,420	2,408
South Norfolk	1,434	868
Staunton	1,397	285
Suffolk	3,004	476

[1] Included with Hampton.

1950 census, nonwhite 21 years of age and over... 422,670
1956 number of Negroes registered..... 84,931
Percent registered..... 20.1

NOTE OF METHOD OF DETERMINING TOTALS

Because of rounding, the 1950 potential Negro voter figures given on the State lists are not, in all cases, the same as the census figures. Therefore, in establishing the percent of Negroes registered, we have used the official census figures for the totals for nonwhites 21 years of age and over, on the one hand, and the number as given on the State lists by the southern regional council for the number of registered voters on the other.

The figures compiled by the southern regional council are the best figures available and while they may be criticized in some minor respects, there are no other more exact figures which are extant.

REPORT TO THE JUDICIAL CONFERENCE OF THE COMMITTEE ON SELECTION OF JURORS, 1942

USE OF KEYMEN IN RURAL AREAS

If the present practice followed in many rural districts of asking individuals known as keymen to suggest names of persons who might be available for jury service is used, it should in all cases be coupled with the procedure, explained elsewhere in this report,[1] of requiring the person whose name is so suggested to furnish a completed questionnaire which will satisfy the jury commission that the nominee possesses the qualifications which fit him to act as a juror. It would also seem advisable that the keymen asked to suggest names should be those citizens of the district who are most likely to be impartial and who are known to have a high sense of civic responsibility. This should be required particularly when the persons suggested by the keymen are not personally known to the court, the clerk, or the jury commissioner. City and town officials, school authorities, ministers, doctors, and leading businessmen would seem to be the most likely sources for suitable lists of names. It may also be well to consider the advisability of not calling too often upon the same persons to furnish names. By varying the sources of names it appears that a fair and qualified representation of all the community is more likely to be obtained.

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It will be observed that under the letter of the law, all that the commissioners need do is alternately with the clerk to place names of qualified jurors in the box or wheel. However, the investigations of the committee show that most commissioners now do much more than that. Further, there are many districts where there is no pretense at literal compliance with the statutory requirement. The present activities and powers of the jury commissioners may be outlined somewhat as follows.

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[1] See p. 67, infra.

PROCURING NAMES

The clerk and the jury commissioner sometimes acting jointly but more often independently of one another send letters requesting designated persons to recommend names of prospective jurors. Sometimes compiled sources such as telephone and other directories, State jury lists, etc., are used. In many instances, names of persons known to the clerk or commissioner are placed upon the lists or into the box or wheel. Sometimes a combination of any 2, or all 3 of these methods is used in securing the names of prospective jurors. Further discussion of the methods employed in securing names appears in the section of this report dealing with the sources of names of prospective jurors.[1]

PREPARATION OF NAMES FOR THE BOX

After the names have been secured by these means some commissioners have them typewritten on cards. A few prepare the cards in longhand. Many have this work done by the clerical staff of the clerk's office, but some use their personal clerical assistants. Usually the commissioner eliminates the names of those he knows, or thinks, to be exempt or disqualified or undesirable for jury service. Where letters requesting names of prospective jurors are sent jointly by the clerk and commissioner, or where the clerk and commissioner work together on other sources of names, they sometimes select names alternately, or the clerk will use half the alphabet and the commissioner the other half.

[From the New York Times of June 7, 1957]

JURY TRIAL

The silent filibuster that has been going on all winter and spring against the administration's mild civil-rights bill has now ended in the House, and formal debate on the measure has begun at last. The bill has a good chance of passing there; but even if it does it will come up against much tougher, and longer-winded, opposition in the Senate.

Very different from the filibuster threat, and in some ways even more serious, is the jury-trial amendment that will be proposed as an addition to the bill in the House and that has already been added to it in the Senate version, which is still in committee. This amendment is the brainchild of the astute Senator ERVIN of North Carolina; and there is no doubt that it has a specious appeal. But it is really a device to undermine one of the most important provisions of the pending bill.

As introduced by the administration, the bill permits the Attorney General to seek injunctions in Federal court to prevent local officials from denying voting or other civil rights to anyone. The Ervin amendment provides jury trial for persons cited for contempt for violating injunctions so issued. Since trial by jury is one of the great guaranties of the individual against the power of the State, it may seem at first glance that this is only a reasonable effort to insure that justice is done.

But actually it is a means to block enforcement of the court decree either until it is too late to do any good or indefinitely—inasmuch as few if any southern juries would be likely to approve Federal action in such cases. Jury trial for contempt citations under the circumstances envisaged in the civil rights bill is not and never has been a normal legal procedure. As Senator CASE of New Jersey pointed out yesterday, none of the Southern States in the forefront of the effort to defeat the right-to-vote legislation has a provision for jury trial in contempt cases of the kind here involved.

The procedure envisaged in this bill is designed primarily not to punish an official for committing a crime, but to prevent him from committing a crime. The court's right to punish him for ignoring that kind of restraint is an expression of the authority of the court itself—an authority which, in Chief Justice Taft's words alluded to by President Eisenhower, "is essential unless we are prepared to embrace anarchy."

Nearly 2 months ago Senator DOUGLAS of Illinois entered in the CONGRESSIONAL RECORD a detailed and interesting brief on this whole subject, pointing out that the jury-trial amendment is not only meant to hamstring enforcement of the law but may well be unconstitutional itself. It would "deny to the Government of the United States its duty and its power to give the citizen effective protection in his right to vote and in his fundamental rights to equal protection and liberty and security under law."

[From the Ogden Standard-Examiner of June 3, 1957]

OUTCRY FOR JURIES

A pertinent provision in the civil rights bills, which President Eisenhower's administration is hoping to see passed, calls for punishment for those adjudged in contempt of court for denying civil rights to any person.

Many southerners are doing their best to prevent passage of civil-rights legislation and one of the delaying tactics is their demand that those accused of being in contempt shall be given jury trials, although contempt is not an offense usually tried by a jury.

One of the best answers to the southern argument, in our opinion, was made last week in the Senate by Senator PAUL DOUGLAS, Democrat, Illinois, who insists that the Negro will not get civil rights in the South if the jury trial demand is met.

"In the first place," DOUGLAS said, "the selection of jurors can be manipulated so that only those jurors will be chosen who will not convict a white man for preventing a Negro from voting. It is possible therefore to get just about the kind of jury the community wants. Furthermore, when the jurors have completed their work they go back into communities in which they live. If they have brought in a verdict supporting a Federal judge in an injunction matter protecting the Negroes' right to vote, they know they will be exposed to economic pressure and possibly even physical violence."

To the shame of the South, what the Senator says is true. Although the Federal judges in the South are all southerners, the South will not trust them, knowing the judges will defend and enforce civil rights for Negroes as well as others.

[From the Philadelphia Enquirer of June 5, 1957]

NEW SETBACK FOR CIVIL RIGHTS BILL

In their stubborn fight to prevent the passage of any civil-rights legislation that would really work to protect minorities, southern Congressmen have put forward various proposals which appear to stem from a high-minded concern for the rights of others.

The latest is the adoption of an amendment to the administration civil-rights measure which would guarantee jury trials to those accused of violating Federal court injunctions against denial of civil rights.

On the surface, this may look fine. The majority of the Senate Judiciary Committee which voted for the amendment advanced all manner of arguments in favor of the right of trial by jury.

But what the Senators—mostly southerners—did not say is that it would be difficult if not impossible, to get a conviction from southern juries of anyone accused of denying the right of a Negro to vote. In other words, a law with this trial-by-jury provision in it wouldn't work in the States where it is most needed. It would be a meaningless gesture.

The administration, in preparing its bill, provided that persons charged with denying voting rights to any person in violation of Federal court injunctions should be tried by Federal judges. This was not dreamed up simply to get around jury trials. It followed a well-established legal practice of trial by judges alone in contempt proceedings. And the southern foes of civil rights have not seen fit to challenge this practice until they could serve their own purposes by doing so.

Since the civil-rights bill was introduced at the beginning of the current session of Congress, it has run into one obstruction after another. Only now, after 5 months, is a bill ready to be debated on the floor of the House. In the Senate, it has not been approved finally by the Judiciary Committee and Chairman EASTLAND, an all-out supporter of racial discrimination, is in no hurry to complete action on it.

The fight is not over. But unless the Republicans and the northern Democrats vigorously counter these southern maneuvers, the result is liable to be no civil-rights legislation at all, or a bill which will have little practical effect in protecting minority rights in the South.

[From New York Times of May 5, 1957]

LETTERS TO THE EDITOR: TO TRY CIVIL RIGHTS CASE—OPPOSITION TO JURY AS DEVICE TO DEFEAT PROGRAM IS BACKED

(EDITOR'S NOTE.—The writer of the following letter has served as legal adviser to UNRRA and to the U. N. Secretariat, and was United States Reporter at Congresses of Comparative Law at The Hague and in London. He is professor of law at Tulane University.)

To the EDITOR OF THE NEW YORK TIMES:

Warren Olney 3d, the Assistant Attorney General, is justified in condemning bills now pending in the Congress which require jury trials in contempt of court cases. These cases arise from the National Government's proposed legislation to authorize the Attorney General to bring civil suits in instances of threatened violations of voting rights and of other constitutionally guaranteed civil rights.

The proceedings in the project of the National Government would be "suits in equity" which would not require jury trials, but the counterproposals that there be jury trials in such civil "suits in equity" come, as Mr. Olney describes it, from "opponents of more effective enforcement of the constitutional prohibitions against official discrimination based on race or color."

He says that a "disastrous" effect of the proposals to require jury trials in such cases "would be to give juries 'the completely novel power' to substitute their interpretation of the Federal Constitution and laws for that of the Federal judges."

JURY SYSTEM IN SOUTH

The opposition of Mr. Olney to the use of juries in civil liberties cases arising in equity is not a contradiction. It may be readily explained and understood in the light of the general repressive conditions prevailing in most of the South today, the consequences of which are that requirements and presuppositions for the administration of the jury system do not exist.

The jury system cannot flourish if the jury is not free from fear and if it cannot make objective determinations.

The introduction of the jury into equity activity, when it is not constitutionally required, under the social circumstances which obtain in most of the South at present would, as Mr. Olney says, be a clever device to nullify civil rights legislation. Indeed, it would pass off arbitrary determinations as determinations made under the rule of law.

[1] See pp. 13–30, supra.

You will recall that a bifurcation existed between common law and equity in the history of English law. The jury system obtained at law, but did not in equity.

The Attorney General is wise in invoking institutions of the civil law, such as equity, to secure constitutional rights of the Negro people which have been denied for almost a century, and which have been nullified in much of the South despite the recent decisions of the Supreme Court of the United States.

SUPPORTERS OF EQUALITY

The southern racists not only seek to intimidate the Negro, but also to silence the white people who recognize the equality of the Negro, who support the authority of the Supreme Court, and who give their primary allegiance to the Nation. Against these forces the southern racists have directed a cold terror, the force of which perhaps has not yet been appreciated elsewhere in the United States.

Under such circumstances of intimidation and fear which prevail throughout most of the South today civil rights legislation would be negated if enforcement thereof were entrusted to juries functioning in the midst of the cold terror. The situation which now exists in most of the South recalls the situation in feudal England, which explains in part the emergence of English equity.

Similar conditions of cold terror in the South today also justify the use of equity for the enforcement of certain civil rights of the Negro in an area of law where there is no question of constitutional guaranty of trial by jury.

You are correct, therefore, in writing in your editorial of April 26 that the proposed legislation of the National Government "is essentially moderate legislation, but its passage could have profound effects in extending a real equality of citizenship to the Negro in many parts of the country where equality does not now exist."

MITCHELL FRANKLIN.

NEW ORLEANS, LA., *April 30, 1957.*

Mr. DOUGLAS. I yield the floor.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1958—AMENDMENT

Mr. O'MAHONEY. Mr. President, I submit, on behalf of myself, the senior Senator from New Mexico [Mr. CHAVEZ], and the senior Senator from Illinois [Mr. DOUGLAS] an amendment proposed to be offered to H. R. 7665, the military appropriation bill, when it comes before the Senate.

The amendment which I am submitting will be referred to the Committee on Appropriations, where it will be my purpose, and the purpose of its supporters, to lay before the committee reasons why we believe the amendment should be adopted.

Let me say for the RECORD that after the passage of the National Security Act of 1947, which was the act that undertook first to unify the military services of the United States, there were constant attempts to bring about unification in the services of supply.

The Department of the Army, the Department of the Navy, and the Department of the Air Force each has its own procurement division. It has been pointed out over and over again that these three different procurement services in the three different departments of defense exercise an overlapping jurisdiction and cause the purchase of more material of common supply for the military forces than is actually needed to provide the Army, the Navy, and the Air Force with the materials, the food, the clothing, and the various other supplies which are needed.

This matter has been under investigation during the past 10 years by various committees of both the Senate and the House, under the leadership of Representative BONNER, who headed a subcommittee investigating a part of this problem, under the leadership of Representative HÉBERT, of Louisiana, under the leadership of Representative HARDY, and under the leadership of the Senator from Texas [Mr. JOHNSON], the Preparedness Subcommittee of the Senate, investigating the armed services, handled an investigation of this matter.

Bills were introduced, and objections were made to the bills in the department; but finally, in 1952, when I was chairman of the Subcommittee on Defense Appropriations of the Senate Appropriations Committee, I brought about the enactment of a rider which has since been known as the O'Mahoney rider, a legislative rider on the appropriation bill for fiscal 1953. The rider is known as section 638 of the Defense Appropriation Act of that year, and it reads as follows:

(a) Notwithstanding any other provision of law, and for the purpose of achieving an efficient, economical, and practical operation of an integrated supply system designed to meet the needs of the military departments without duplicating or overlapping of either operations of functions, no officer or agency in or under the Department of Defense, after the effective date of this section, shall obligate any funds for procurement, production, warehousing, distribution of supplies or equipment or related supply management functions, except in accordance with regulations issued by the Secretary of Defense.

(b) This section shall be effective 60 days after the approval of this act.

At the time the amendment was adopted and the provision was written into law, it was assumed to be sufficiently plain and explicit to make sure that the various supply and procurement systems of the three parts of the military forces would be unified. I am sorry to say that has not been the fact. The three services are still competing with one another. That is so in the face of the conclusions reached by the various investigating committees of Congress, in the face of the action by the Appropriations Committee, and in the face of the action by Congress, supported by the signature of the President, in passing the bill containing the so-called O'Mahoney rider.

The Hoover Commission, through its task forces, has been most diligent in recent years and months in pointing out that the purpose of the law is being utterly disregarded. Perhaps I should not say "utterly"; perhaps there has been some attempt to bring about the elimination of overlapping and waste by cooperation among the departments, but the overlapping purchases are still a great source of waste.

Only this year, when the House was holding its hearings on the Defense Appropriation bill for 1958, I found, in the first part of the hearings, this exchange between Mr. SHEPPARD, of California, who is on the committee, and General Twining, head of the Air Force. This extract from the hearings was sent to me by the able leader of the majority in the House, Representative JOHN MCCORMACK, of Massachusetts, who has also called attention in the House to the economies which can be obtained if only we can bring about observance of the law. I read this extract from page 1070 of Part I of the Defense Department hearing in the House:

Mr. SHEPPARD. Having had an opportunity to review the respective missions that are assigned to the Army, Air Force, and Navy, have you any suggestion to make at this time that you think would be beneficial to the security of this Nation that has not heretofore been discussed? I am not referring to the dollar aspect now. I am referring to the mechanism of the military and all of its complexities as you have the ability to analyze it?

General TWINING. That is a pretty big question.

Mr. SHEPPARD. I know it is, and that is why I am asking you about it.

General TWINING. I think the things that we can do we have already started to do. I think it is important that the services be brought closer together, and each should learn to trust the other more and we should make mutual use of such facilities as the other may have to help the overall operation. In other words, we must have mutual trust and confidence between the services to support each other, instead of trying to accomplish the whole task independently. This we must avoid. We are making strides in that direction, but I think there is more room for improvement.

Mr. SHEPPARD. I want to compliment you on that comment; it is a very constructive observation on your part. I do believe you could use that admonishment to all branches of the services and not address it to any particular branch.

General TWINING. That is correct.

Mr. President, this is precisely what the sponsors of the amendment are attempting to do. In drafting the amendment, in cooperation with the task force of the Hoover Commission, I have sought not to eliminate section 638 of the Appropriations Act of 1953, but to strengthen it, to make it more effective, and to make it mandatory upon the Secretary of Defense that he take immediately the steps which are necessary if we are, at last, to succeed in having the three agencies act as one in the purchase of supplies which all need alike.

Mr. President, there was published in the Hoover Commission Task Force Report on Food and Clothing for April 1955, a history of the progress of the attempt to bring about this economy. Section 3, beginning on page 84, is entitled "Background From the Standpoint of Congress." This history takes up pages 84, 85, 86, and 87.

I ask unanimous consent that the extract from the Hoover Commission task force report be printed as a part of my remarks in the RECORD at this point.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

SECTION III. BACKGROUND FROM THE STANDPOINT OF CONGRESS

An evaluation of the organizational structure of the subsistence supply systems within the Department of Defense could not be

completely made without reviewing the extensive Congressional hearings, designed to bring about a more effective and efficient supply management program for all common items.

Soon after the outbreak of the Korean hostilities, the Congress became concerned over how well the Department of Defense was marshaling the Nation's resources under the industrial mobilization program. Among others, Senator LYNDON JOHNSON, Congressmen HARDY, HÉBERT, and BONNER headed the subcommittee investigating various facets of this problem. The Bonner subcommittee of the House Government Operations Committee devoted its attention to Federal Supply Management with particular emphasis on the military aspects. This subcommittee, in its report of June 27, 1951, covered, among other problems, the legislative framework for Military Supply Management and had this to say:

"In the public mind, unification of the Armed Forces was achieved by the National Security Act of 1947. An evaluation of the field operations under this act and its later amendments shows that unification, from a standpoint of military supply, rests largely on paper."

The subcommittee vigorously complained in the same report about each department manning and operating a supply system for common items and pointed out that "should the Air Force be permitted to organize and operate its own supply system, the Department of Defense would be underwriting a program of triplication rather than the unification sought in part at least by the act of 1947."

Further investigations by the Bonner subcommittee in the fall of 1951 disclosed that the Air Force was continuing to build a separate supply system for common-use items. In the winter of 1952, the Hardy and Hébert subcommittees also held hearings which reported disturbing facts to Congress concerning certain phases of military supply operations. The former committee reported on the deficiencies in the purchase functions, especially in the category of automotive materiel, and the latter reported on duplication and inefficiencies in the procurement, standardization, and cataloging fields. As a result of these investigations, which appeared to confirm the generally held Congressional opinion that the Defense Department was guilty of waste and extravagance, the attitude of Congress is clearly demonstrated in the following excerpts from the Senate debate on June 26 and 30, 1952.

Senator PAUL DOUGLAS introduced, on the floor of the Senate, a bill identical to that previously introduced by Representative BONNER on the floor of the House, H. R. 7391, as an amendment to the Appropriation Act for the Department of Defense: "to promote economy and efficiency through reorganization and integration of supply and service activities within and among the military departments." Under the proposed bill, the functions of the Munitions Board would be transferred to an Under Secretary of Defense for Supply Management who would be responsible to:

"(a) Develop standardized procedures and forms and service function;

"(b) Eliminate duplication and overlapping within and among the supply activities of the military departments in the fields of production, procurement, warehousing, and distribution;

"(c) Establish and operate depots for common items and other common supply and service installations throughout the United States;

"(d) Develop unified logistics organizations overseas;

"(e) Establish and operate a program to systematize scrap recovery, redistribution of excess material and surplus disposal, and coordinate such programs with the Department of Defense and with those of other departments and agencies of the Government having responsibilities in those fields;

"(f) Develop plans for recruitment and training of a professional corps of supply personnel within the Department of Defense."

Senator SALTONSTALL entered into the debate and said:

"When the unification bill was passed in 1947, the amendment which the Senator is now proposing was considered. It was one of those steps which the committee felt it did not want to take at that time. It felt it should not go that far in concentrating so much power in the Secretary of Defense. That was one of the problems which Secretary Forrestal had confronting him. Times have changed, and conditions have changed. Personally, I think there is considerable merit in what the Senator from Illinois is proposing. I want the record to show that I join with the Senator from Texas in suggesting that the Senator introduce a bill on the subject in January, and pursue it, so that the Unification Act may be amended somewhat along the lines the Senator from Illinois proposes. I believe it should be amended."

Senator O'MAHONEY concluded the debate by accepting the suggestion of Senators LYNDON JOHNSON and SALTONSTALL, and obtaining the concurrence of Senator DOUGLAS, in the following statement:

"I wish to say to the Senator from Illinois that the Subcommittee on Defense Production was unanimous in its feeling that the principle of the Bonner amendment should be enacted into law. But the committee was aware of the fact that it could not be enacted into law on an appropriation bill. I want the Senator to know that personally I have consulted with the Secretary of Defense and the Director of the Bureau of the Budget. I spoke to both of them and told them that the economy measure must be carried through. At the same time, I recognize the fact that the Committee on Armed Services of the Senate and the House are entitled as a matter of right to have the opportunity to examine into the far-reaching changes which would be made in unification."

Accordingly, as an interim measure, section 638 to the Defense Appropriation Act, or what is commonly known as the O'Mahoney rider was substituted for H. R. 7391, and adopted. It provided that:

"(a) Notwithstanding any other provision of law, and for the purpose of achieving an efficient, economical, and practical operation of an integrated supply system designed to meet the needs of the military departments without duplicating or overlapping of either operations of functions, no officer or agency in or under the Department of Defense, after the effective date of this section, shall obligate any funds for procurement, production, warehousing, distribution of supplies or equipment or related supply management functions, except in accordance with regulations issued by the Secretary of Defense.

"(b) This section shall be effective 60 days after the approval of this act."

The proposed Douglas bill was not resubmitted to the new 83d Congress, primarily because of the realinement of Congressional committees and the apparent desire on the part of Congress to give the new administration an opportunity to become oriented. The Riehlman subcommittee, which undertook the work of the former Bonner subcommittee, held hearings, however, on May 11, 12, and 20, and June 16, 1953, to determine what steps have been taken by the Defense Department to improve military supply management since the enactment of the O'Mahoney amendment. Their report on these hearings stated that:

"It is the conclusion of the subcommittee that the good intentions expressed by the various directives and by the O'Mahoney amendment have brought about only a slight degree of progress although it believes that the regulations and directives were well conceived."

The subcommittee's general conclusions were as follows:

"The subcommittee concludes that progress in the improvement of military supply management is distinguished by an inordinate slowness.

"The departments, on the one hand, agree unanimously with the need for carrying out the basic regulations for supply management improvement. On the other hand, they insist on further committee studies, dwell on the consequences of a 'fourth service of supply,' insist that the departments must improve themselves first and allege that the regulations really apply to another service. In the meantime they proceed as rapidly as possible to revise their present stock management systems, each in its own pattern, thus actually widening the differences in the very areas where they should be brought into harmony.

"The subcommittee has heard the familiar testimony of agreement by the department representatives with certain policies which must be implemented. It has heard many admissions of the present weaknesses of the departmental supply systems. It has heard the promises that before another year passes, things will be under control. The printed hearings of Congressional investigations are fraught with testimony of this kind. This has been equally true of the testimony before the Bonner subcommittee of the 82d Congress.

"Secretaries of the military departments have come and gone. New Congresses and Congressional committees take up the cudgels in behalf of more efficient Government operations. There is even a new administration which promises to create a top level organization with a reassignment of delegated powers to provide more effective action. The one constant in this great amount of activity is the uniformed forces, each dedicated to the preservation of its own systems and procedures.

"This devotion to duty and to the creation of a service esprit de corps, is particularly laudable in strategic and tactical operations. A blind loyalty to the separately administered theory as applied to the business phases of military operations, however, can be costly and wasteful. It is hoped that a bold philosophy of the administration's Assistant Secretaries of Defense can provide an enlightened and businesslike guidance to assure the Nation that it is getting maximum military security with a minimum of waste due to poor management."

The subcommittee's hope did not, however, materialize for despite the intent of Congress and in fact the actual law of the land, as expressed in the O'Mahoney rider, the Assistant Secretary for Supply and Logistics, in complete disregard of Department of Defense Directive 4000.8 that was issued in accordance with the requirements of the law, published a policy statement on November 13, 1953, with respect to an integrated supply system for common-use items, which stated in part:

"The experience of the military departments indicates that in order to reduce supply problems to manageable proportion, emphasis at this time would be more advantageously directed toward greater efficiency within individual departmental supply systems and supply management functions, development of fiscal procedural means for effective and economical cross servicing among the military services, and the closest practicable coordination of departmental supply systems. Future supply studies will not be confined to a review and analysis of a category of materiel, but will be directed toward the accomplishment of the foregoing principles on the basis of placing first

things first. In addition, in line with the policy of this office to remain out of operations, the responsibility for conducting studies as they are required will be delegated to the military departments. Since the directive setting up the supply studies is not in conformity with this approach, it is accordingly being rescinded."

Mr. O'MAHONEY. I also ask unanimous consent, Mr. President, that the full text of the amendment which I have already submitted be printed in the RECORD at this point.

The PRESIDING OFFICER. The amendment will be received, appropriately referred; and, without objection, will be printed in the RECORD.

The amendment, submitted by Mr. O'MAHONEY (for himself, Mr. CHAVEZ, and Mr. DOUGLAS) was referred to the Committee on Appropriations, as follows:

Amendment intended to be proposed by Mr. O'MAHONEY (for himself, Mr. CHAVEZ and Mr. DOUGLAS) to the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, viz: At the proper place in the bill insert the following new section:

"SEC. —. For the purpose of achieving an efficient, economical, and practical integrated supply system designed to meet the needs of the military departments without duplication or overlapping of either operations or functions, the President, within 180 days after the date of enactment of this act, shall submit to the Congress his recommendations for a civilian managed agency, to be under the supervision and direction of the Secretary of Defense, which shall be responsible for the procurement, production, warehousing, distribution of supplies or equipment, standardization of inventory control and other supply management functions for common supply items other than combat equipment, material, and directly related combat items."

At the proper place in the bill insert the following new section:

"SEC. —. Section 638 of the Department of Defense Appropriation Act, 1953, is amended to read as follows:

"'SEC. 638. (a) Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services, activities, and operations through the elimination of overlapping, duplication, and waste within and among the agencies of the Department of Defense.

"'(b) The Secretary of Defense, in order to provide for the effective accomplishment of this section, is hereby authorized from time to time to transfer, combine, and coordinate noncombatant services, activities, and operations within the Department of Defense.

"'(c) The Secretary of Defense is further authorized to transfer such property, records, and personnel and such unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the military departments, as he deems necessary to carry out the provisions of this section.'"

CLAIM OF CHRISTOFFER HANNEVIG — CONVENTION BETWEEN THE UNITED STATES AND NORWAY

The Senate resumed the consideration of the joint resolution (H. J. Res. 185) to implement the convention between the United States and Norway for disposition of the claim against the United States on behalf of Christoffer Hannevig.

Mr. O'MAHONEY. Mr. President, the pending business is Calendar No. 378, House Joint Resolution 185, which is a noncontroversial measure.

The pending joint resolution would confer jurisdiction upon the United States Court of Claims to adjudicate a claim of Christoffer Hannevig of Norway against the United States, based on the requisition of certain properties by agencies of the United States Government during the First World War.

The validity of this claim has been consistently denied by the United States Government. Because the matter was a source of longstanding irritation between the United States and Norway, however, a convention was concluded, effective as of November 9, 1948 (62 Stat. 1798), under which it was agreed that the Hannevig claim would be referred to the Court of Claims, with possible appeal to the United States Supreme Court, in the event that the two governments were unable to reach a settlement by diplomatic procedures.

Such procedures having reached an impasse, article II of the convention has come into operation. Under that article, it was specifically recognized that the provisions for reference of the claim to American courts would be "subject to authorization by the Congress of the United States." The present joint resolution, therefore, has as its purpose the enactment of the requisite legislative authorization to enable the United States to comply with an international obligation assumed in the treaty. In other words, Senate Joint Resolution 64 merely gives effect to the procedures contemplated by the Senate when it originally gave its approval to the Convention.

House Joint Resolution 185, the companion bill, was approved by the House of Representatives on May 20, 1957.

The amount of the claim for which recovery will be sought before the Court of Claims consists of $25 million in principal, together with interest computed from 1917 at the rate of 6 percent. The claim is predicated upon losses sustained by Hannevig as a result of requisition orders affecting property interests which Hannevig is alleged to have had in certain ship construction and operating companies during World War I.

Despite its belief that the legal basis of the claim is very doubtful, the Department of State is anxious to have the issues adjudicated and disposed of once and for all by our courts to remove the case as a continuous irritation between the United States and Norway, and to comply with our obligation under the 1948 convention.

In my opinion, passage of this bill will contribute to more harmonious relations between the United States and Norway, and I therefore commend it to the Senate.

I may add, Mr. President, that Senate Joint Resolution 64, the companion bill, is on the calendar as Calendar No. 376. It is identical with the House-passed resolution, and has been reported by the Committee on the Judiciary.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. JAVITS. I understand this bill has been cleared with the minority side.

Mr. O'MAHONEY. It has been cleared, yes.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 185) to implement the convention between the United States and Norway for disposition of the claim against the United States on behalf of Christoffer Hannevig.

The joint resolution was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, the preamble is agreed to.

Without objection, Senate Joint Resolution 64 is indefinitely postponed.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1958

Mr. O'MAHONEY. Mr. President, I now move that the Senate proceed to the consideration of Calendar No. 416, H. R. 6500, the District of Columbia appropriation bill. This bill is not to be acted upon today, I may say.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 6500) which had been reported from the Committee on Appropriations with amendments.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Minnesota.

ADDRESS BY GEN. LAURIS NORSTAD

Mr. HUMPHREY. Mr. President, the life and career of Gen. Lauris Norstad, the supreme allied commander of Europe, has been of particular interest to the people of Minnesota. General Norstad is a native Minnesotan of whom his predecessor General Gruenther once said:

He has one of the keenest strategic minds in the world today.

Over the past weekend, Minnesota has been honored with the return of this native son to deliver the commencement address at St. Olaf College in Northfield yesterday. General Norstad was awarded an honorary doctor of laws degree by St. Olaf College. While on the campus, he himself awarded commissions to the members of the ROTC group at St. Olaf.

Mr. President, I wish to join with fellow Minnesotans in expressing thanks to General Norstad for his willingness to

return to his native State to honor us by his presence and inspire us by his message.

General Norstad's commencement address was entitled "NATO: Plan for Peace." I ask unanimous consent that the text of this address, as well as an article about General Norstad's visit which appears in this morning's Minneapolis Tribune, be printed at this point in the RECORD.

There being no objection, the address and article were to be printed in the RECORD, as follows:

NATO: PLAN FOR PEACE

(Remarks by Gen. Lauris Norstad, supreme allied commander, Europe, at the commencement exercises St. Olaf College, Northfield, Minn., Sunday, June 9, 1957)

SUPREME HEADQUARTERS
ALLIED POWERS EUROPE,
Paris, France.

The honors which St. Olaf College is according us today are doubled for me by the fact that I share them with this graduating class. My emotions are particularly engaged because of my family's many associations here, and because as a boy I knew this school, this city, and this countryside. My roots are deep in Minnesota. If it had not been for the turn of events that sent me to West Point, I would have followed other members of my family to St. Olaf, and felt with you the pride and affection that thoughts of one's old school always engender.

Before leaving my post at SHAPE, I long considered what I would say to you. It occurred to me that your class of 1957 is being graduated 12 years after the Second World War, whereas my class of 1930 was graduated 12 years after the First World War—the war that had been fought, so my generation was told, to end all wars. This coincidence led me to compare our situation then with yours now. In my judgment, you have the better of it—and by an impressive margin.

To be sure, the 27 years between my graduation and yours—one generation—may seem long, as science teaches us to measure progress. But I can assure you, from my own experience, that 27 years seem but an instant where fundamental changes in national outlook are involved.

The June when I was graduated fell a few months after the great financial crash which ushered in a worldwide depression and marked the end of an era. The year of the crash—1929—was the year of the Kellogg-Briand Treaty, whereby great nations renounced war forever. The year the depression began—1930—was the year of the London Treaty, whereby the major victors of World War I agreed to reduce their most powerful weapon, their naval armaments. The irony is, 1930 also saw the emergence of Hitler, whose Nazis then scored their first important success at the polls. Democracy had already lost the day in Italy, and in the Far East the war clouds were gathering. Before another year was out, Japan would attack China through Manchuria. Thus, almost at the very hour that one-half of the world was taking its first tentative steps toward lasting peace, the other half was setting its grim course toward war.

How did my generation face this dichotomy? Yours could say we did so with pious hope rather than with realism. And you would be right. But, in justice to my class of 1930, what is so plain now was not so then—that our American policy of isolation and avoidance of international responsibilities was more appropriate to the small nation we had until recently been than to the first-class world power we had actually become.

The class of 1930 was brought up in a country flanked by vast oceans and by friendly neighbors. Even at that late hour and in the very shadow of the outer world's rancor and fear, we saw no reason to challenge the national credo that America's freedom and the prosperous harvest we fully expected to reap again were providentially insulated from the surging disorders of other continents.

Alas, that's how it was with us. And, in course of time, our bitter harvest included, along with the material prosperity, the frightful war that afflicted your childhood.

Let me now explain why I view your situation, your prospects, with optimism. As with us, a menace confronts you, too—the menace of communism, whether overtly armed or insidious. You are more fortunate than we were because you are aware of your danger—it has been branded for you. Equally important, that part of the world which thinks as we do is keeping watch against the threat. With the rest of the Free World, the United States has closed ranks against it. Best of all, from your point of view, the idea of outlawing war, which in my generation was no more than a hopeful and idealistic abstraction, has taken on a more meaningful form. Our power today is in place, alongside that of our many allies and friends, to keep war from happening.

Here, then, is the essential difference between your generation and mine. You start in an era of unequalled prosperity. There is, to be sure, an outer danger, but it has been recognized, and many nations stand with us to keep it from breaking loose upon the world. This does not mean that you will necessarily have an easy time. In some ways, your problems may be much harder than ours because the world, by reason of the new interrelationships of nations, has grown more complex. But at least you know what you are up against; and ready at hand, for your enlightened use, are the means for nourishing those values which St. Olaf has, I am sure, taught you to cherish—the ideas of freedom under justice.

What first turned us from the old viewpoint to the new? What made us now recognize for the first time the interests, the responsibilities we shared with like-minded nations? The answer is, the enemy—an enemy who had been our ally.

When World War II ended, our only wish was to bring the troops home. While we were so doing, while we were dismantling the greatest war machine in history, while we were scrapping airplanes, tanks and ships by the thousands and tens of thousands, we suddenly discovered that the Soviets, far from scrapping their weapons, too, were holding fast to them, developing new ones, and stockpiling them.

What roused us to the Soviet's perfidy was no one action, but a series—the threats against Iran, Greece, Turkey, and Berlin, one following hard upon the other. Our first counter was to offer the shelter of the Truman doctrine to Turkey and Greece. Next, when the Soviets wantonly blockaded Berlin, we improvised the airlift and broke the blockade. Finally, and most importantly, in April 1949, Western nations, we among them, signed the pact that brought to life the North Atlantic Treaty Organization—what we call NATO.

But the Soviet threat, as it materialized, had two edges. Those actions of ours that I have cited were devised to blunt the military edge. No less dangerous was the economic edge, for communism breeds in poverty and stagnation. The buckler we now presented was the Marshall plan. It was broad; it was strong; it was unique. It was also effective. Thanks to its protection, Western Europe's recovery from the almost mortal wounds of war was rapid, spectacular.

Thus, we Americans were astonished to find that, in the space of a few years, we had climbed down from our tower of isolationism to the common ground of international cooperation. We had helped to organize the United Nations and had joined it. And the Southeast Asia Treaty Organization. And the Australia-New Zealand-United States Pact. And the Organization of the American States. The Baghdad Pact we also helped to organize, though we are not full members.

Traditionally, our Middle West has been isolationist. Myself a middle westerner, I shared our general astonishment—and, later, our pride—at how far our country had moved forward into the world. What impresses me most today about our move is that it was a response not to any partisan or parochial stimulus, but to the will of the American people as a whole. From the Truman doctrine to the Eisenhower doctrine, what we have done in the world has been a forthright expression of the will—the hopes—of the Nation.

Our historic move has gone furthest into Western Europe. We and our allies, having fought two bloody wars there, have joined hands again to prevent the third and bloodiest. Where we have joined hands is NATO. To the subject of NATO, its origins, achievements, and ideals, I shall now address myself. Let me begin by declaring my conviction that the free world possesses no vehicle able to carry it more surely to the goal of peace, no tool better adapted to the maintenance of the Atlantic community's material well-being, no idea in deeper accord with the dignity and security of man.

There were many reasons why we and these other nations should have come together, but the most compelling was an emotion—fear. Eastern Europe was Soviet up to the Elbe, and Soviet power was straining against this frail, artificial frontier. Across it, the still free countries of Western Europe were paralyzed with terror. Factories were idle, stores were empty, despair prevailed.

Into this gray atmosphere, in 1951, came General Eisenhower, charged with organizing the common forces authorized by the treaty. Because NATO's every act derives from this treaty, and because the treaty speaks for itself in clear tones, I will quote its preamble:

"The parties to this treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments.

"They are determined to safeguard the freedom, common heritage and civilization of their peoples, founded on the principles of democracy, individual liberty and the rule of law.

"They seek to promote stability and well-being in the North Atlantic area.

"They are resolved to unite their efforts for collective defense and for the preservation of peace and security."

NATO's military achievements have been its most conspicuous because its earliest preoccupation was military. However, the NATO idea has also been made manifest in associated fields, all contributing to the vitality—political, industrial, and spiritual—of the member nations. In contrast to pre-NATO Europe, factories are now humming, stores are thronged, and confidence is everywhere. Granted, Western Europe's magnificent recovery cannot be credited to NATO alone, but it could never have come so quickly or on so broad a front without confidence in NATO's strength and durability.

The Soviet threat remains, but opposing it now are not fifteen different nations, each threatened with separate and consecutive engulfment, but one community far too massive for even the voracious Soviets to attempt. The forces of this community have been welded together by NATO for the first time in history, and have been deployed as one, to deter and to defend. Together they give hope to ally and warning to foe that aggression cannot succeed.

We of NATO call these forces the Sword and the Shield. The sword is our retaliatory weapon. It includes the great power of our Strategic Air Command, and the Bomber Command of the United Kingdom. These long-range air forces are augmented by a variety of atomic components in the NATO commands, sea, land and air. The vast destructive power which they embody has been and will remain a most important element in the deterrent strategy.

Their effectiveness in no way suffers from the probability that the Russians will increase their own atomic quotient; for what deters the Russians now is their knowledge that no matter what damage they might inflict upon our alliance, the alliance is already able to retaliate in such crushing measure. Because of this potential of ours, it is hard for me to believe that any adversary would deliberately open an action which was bound to invite his own destruction.

The risk of war, so lessened by the sword forces, is further lessened by the forces of the shield. Since these forces are largely conventional, the question is sometimes asked whether they are needed in this nuclear age. Let me tell you about them briefly. They are drawn from air, ground and naval units supplied by us and all our allies, from Norway to Turkey. Their strength in numbers is considerable and is multiplied by the fact that, while diverse in origin, they man the line together. They are therefore at once weapon and symbol, and as such they add mightily to the deterrent.

The line they man has come to be the most sensitive and most critical in the world. No other line between the Communist bloc and the West is so well defined. No other line imposes such firm commitments: the 15 nations ranged behind it have agreed that an attack against one will be an attack against all; they have pledged a common defense.

If this line were not held, or were held only thinly, an opportunistic aggressor might be tempted to cross it and thereby confront us of the West with an accomplished fact and with the fateful decision whether to try to expel him. If we failed to try, we would default our solemn commitments, and that could be the end of the alliance. If we did try, it would be argued that we were the first to use force, and the terrible responsibility for starting the war would fall to us.

But, say that our forward line is defended along its more than 4,000 miles, and defended in such strength that considerable force would be required to break through it. Then the decision to use force first, with all its fateful implications, would be the aggressor's. Because such a decision would precipitate the avalanche of our retaliatory forces, it is inconceivable that he would take it without due thought. Hence a shield able to hold even momentarily would discourage action either headlong or opportunistic.

So the Shield forces, like the Sword forces, are part of our deterrent; their purpose is to prevent a war from starting. However, if the deterrent should fail, if war should come, the Shield would still have a critical function. It would defend NATO territory while the Sword forces were cutting the aggressor down.

All these considerations, these subleties of high strategy, may seem far from our green and pleasant State of Minnesota. Defense of the NATO line may seem less urgent to us Minnesotans than to the Norwegians, the Germans and the Turks who live along it. But I know, and I tell you, that NATO's shield is also ours.

Because I have talked so long about strategy, you musn't assume that I consider war inevitable. I do not. On the contrary, the prospects of peace seem to me brighter than a few years ago. For example, discussions of disarmament are under way in London. The sincerity and seriousness of the Russians remain to be seen. In any case, the essential condition for an acceptable plan is clear enough. It is that the pall of apprehension of a surprise attack be lifted from the world. President Eisenhower has stated this eloquently. If there can indeed be a meeting of minds here, a matching of reality with reality, a trading of fact for fact, then the heavy burden of armament may in time be laid down, and the world—it will be your world—can stand easy and breathe.

My elders used to long for the security, the tranquillity, the "good old days" of their childhood. There were few such days in mine, overshadowed as it was by the First World War, just as yours was by the Second. Here, I am confident, the parallel stops. For ahead of me lay the depression and, thanks to man's obtuseness, the certainty of a Second World War; whereas ahead of you, thanks to the wisdom and means we have so painfully acquired, lies a surer, happier prospect, the prospect of the good new days.

[From the Minneapolis Morning Tribune of June 10, 1957]

NORSTAD SAYS NATO FORCES ARE TOO POWERFUL FOR RUSS TO ATTACK

NORTHFIELD, MINN.—The forces of the 15 NATO nations are so massive that not even the "voracious Soviets" would attempt an attack, Gen. Lauris Norstad told the graduating class of St. Olaf College here Sunday.

"What deters the Russians," Norstad said, "is their knowledge that no matter what damage they might inflict upon our alliance, the alliance already is able to retaliate in crushing measure."

Norstad, who is supreme allied commander in Europe, said North Atlantic Treaty Organization (NATO) forces are so powerful that "their effectiveness in no way suffers from the probability" Russia will increase its own strength.

Norstad, an Air Force officer, defended the ground forces. "The question is sometimes asked whether they are needed in this nuclear age," he said.

The line held by the ground forces of NATO is the "most sensitive and critical" in the world, the general said.

"If this line were not held, or were held only thinly, an opportunistic aggressor might be tempted to cross it and thereby confront the West with an accomplished fact and with the fateful decision whether to try to expel him. If we failed to try, we would default our solemn commitments, and that would be the end of the alliance.

"If we did try, it would be argued that we were the first to use force and the terrible responsibility for starting the war would fall on us.

"But, say that our forward line is defended along its more than 4,000 miles, and defended in such strength that considerable force would be required to break through it. Then the decision to use force first, with all its fateful implication, would be the aggressor's."

Norstad was awarded an honorary doctor of laws degree by St. Olaf. He received the honorary hood from Doctors Agnes Larson, history professor, and Tillman M. Sogge, professor of economics and sociology.

Watching the ceremony were members of Norstad's Minnesota family—his mother, Mrs. Martin Norstad, two brothers and a sister. Norstad's daughter, Kristin, who accompanied her father here from Washington, also was in the audience.

Norstad, born in Minneapolis and reared in Red Wing, Minn., considered going to St. Olaf. His brother, Rev. Fredric Norstad of Minneapolis, is a St. Olaf graduate, as are other members of the family.

But his appointment to the military academy at West Point came along before he had a chance to enroll at St. Olaf.

The man who was responsible for Norstad's appointment to West Point also was in the audience yesterday. Representative AUGUST ANDRESEN, Republican, of Minnesota, was among the alumni of St. Olaf to receive citations at the program.

Honored with Norstad yesterday were Dr. Paul Ovrebo, chief of the devices branch at Wright Patterson Air Force Base, Dayton, Ohio, who received an honorary doctor of science degree.

Peter D. Tkach of Minneapolis, widely known as a music administrator in the Upper Midwest, received an honorary doctor of music degree.

Dr. Clemens Granskou, St. Olaf president, presented citations to the distinguished alumni. Besides ANDRESEN, they included:

Mrs. Cora Helgeson Ormseth, Havre, Mont., Dr. Henrik J. Svien, Rochester, Minn.; Dr. Bennett Ellefson, New York, and Dr. E. Clifford Nelson, Minneapolis.

PRICES AND WAGES

Mr. HUMPHREY. Mr. President, in current discussions as to rising prices, the charge is often made that the primary cause is the increase in wages.

The June 1 issue of Business Week magazine contains an excellent article on this very question which I invite to the Senate's attention. It is titled "A New Look at Prices and Wages." I ask unanimous consent that it be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. This article is based on the recent report on productivity, earnings, costs and prices prepared by the Bureau of Labor Statistics at the request of the Joint Economic Committee. When this report was released, certain writers were quick to point out that it verified their position that wages are indeed the major cause of inflation. Business Week, however, throws a wet blanket on any such conclusion. It states:

Although the BLS report ducked the issue of causes, the burden of the report—which was clarified by Clague in an interview with Business Week—cast considerable doubt on the thesis that wage inflation has been the primary cause of price inflation through most of the postwar period.

In regard to whether price increases followed wage boosts or vice versa, the article makes this comment:

One obvious way of trying to determine which caused which would be to measure whether labor costs or prices moved up first. Subjected to this test, unit labor costs seem to have followed prices uphill through most of the postwar years—and particularly in those years when the inflationary heat was most intense.

Those who take the dogmatic position that wage increases are the cause of inflation should take special note of the article's concluding paragraph:

It's clearly going to take fuller and deeper analysis to prove or disprove the wage inflation thesis. For now, Clague is satisfied with a cautious and essentially negative conclusion: "Union rates didn't always lead the procession and aren't necessarily a major originating factor in inflation."

I should note for the RECORD at this point that Mr. Clague is Commissioner of the Bureau of Labor Statistics and a highly respected Government servant.

EXHIBIT 1

A NEW LOOK AT PRICES AND WAGES

A verbal battle has raged all throughout the postwar years—both in closed negotiations between unions and management and in public policy debates—over the question of just how much wage increases have had to do with price inflation. The key to the argument is whether or not wages have been gaining faster than productivity.

Theoretically, if productivity rises as much as wages, then prices need not rise at all. That's because higher paid workers turn out proportionately more goods.

CONFLICTING VIEWS

Those who hold that wage increases are responsible for the price rises in the postwar period argue that steep union pay boosts have not always been accompanied by similar rises in productivity. What has happened, they say, is that industries experiencing only small productivity rises, nevertheless, have been forced to raise wages as much as industries with larger productivity gains to their credit. And the result has been an overall increase in prices, the argument goes.

Opponents of this wage-inflation thesis counter that the high wage increases could not spread to industries where productivity gains were small if it were not for the fact that inflationary conditions already existed. They also claim that workers' real earnings actually have risen only as much as their productivity and that higher money wages have been necessary just to enable workers to remain in the race with the rising cost of living.

BLS STUDY

The latest episode in this long-run debate develops out of a report on productivity, earnings, costs, and prices Ewan Clague's Bureau of Labor Statistics prepared at the request of the Senate-House Joint Economic Committee (Business Week, May 25, 1957, p. 52).

Clague's report showed that average hourly earnings, including fringe supplements, rose 61 percent from 1947 to 1956, while output per employee man-hour rose only 26 percent. This fact was quickly seized upon by a number of Washington correspondents as proof that wage gains had in fact greatly exceeded productivity and were the principal cause of the 28-percent price rise for nonfarm goods and services.

WARNING

But Clague himself made no such interpretation. And the BLS report urges extreme caution in interpreting the data to prove cause-and-effect relationships. "Prices," says the report, "are subject to numerous influences of changing market conditions and costs of production, and a change in price cannot be explained by reference to any single factor, even one as large as labor costs. Where the figures indicate that prices and unit labor costs showed about the same increase, or that one or the other showed a greater increase during a particular year or period of years, this should be taken as a description of what happened and not necessarily as an explanation of what caused the change."

Although the BLS report ducked the issue of causes, the burden of the report—which was clarified by Clague in an interview with Business Week—cast considerable doubt on the thesis that wage inflation had been the primary cause of price inflation through most of the postwar period.

UNIT LABOR COSTS

The relevant data for studying the relationship between earnings and prices, the report holds, is not average hourly compensation but unit labor costs. An increase in average hourly compensation means an increase in labor costs only to the extent that it exceeds the increase in productivity—because unit labor costs are affected not only by the increase in hourly earnings but also by the number of man-hours required per unit. "It is in this sense," says the report, "that productivity is a crucial element in the wage-cost-price relationship • • • the margin within which wage increases can be granted without increasing production costs or curtailing the amount available for other income payments."

Average hourly compensation increased 61 percent from 1947 to 1956, but unit labor costs rose only 28 percent. And prices of goods and services produced by those workers increased 28 percent over the 10-year period.

Does this establish proof of a wage-cost-price inflation? Clague argues not necessarily—no more than it establishes proof that wage boosts are a direct result of rising prices.

One obvious way of trying to determine which caused which would be to measure whether labor costs or prices moved up first. Subjected to this test, unit labor costs seem to have followed prices uphill through most of the postwar years—and particularly in those years when the inflationary heat was most intense.

WHAT HAPPENED

Clague's study starts with 1947 because that was the first postwar year in which BLS had adequate benchmark data on productivity. The immediate postwar inflation, Clague says, was essentially due to the vast liquidation of wartime savings and heavy consumer demand for goods that weren't available during the war. At the same time, workers who had been enjoying heavy overtime earnings during the war, were striving to maintain their weekly take-home pay through boosts in hourly earnings. But Clague holds that it was the terrific liquidation of wartime savings and the buying spree, rather than the boost in wage rates, that shoved prices up so fast in 1946–1948. Nothing but a serious postwar recession and a big rise in unemployment could have prevented that inflation, says Clague.

In 1949 and 1950, unit labor costs actually declined to 104.5 (1947 equals 100) from their 1948 level of 106. But prices moved up from 106.5 in 1948 to 108 in 1949, and 109 in 1950. So prices were rising in those years, while unit labor costs dropped a bit.

In 1951, both prices and unit labor costs took a big leap upward. The reason, Clague says, was Korea, and the attempt to build a wartime economy in a hurry on top of an already fully employed peacetime economy. In 1952 and 1953, both prices and labor costs continued to move up more slowly—but labor costs went faster than prices. In 1953, labor costs had just about drawn even with prices for the period that began in 1947. Then in 1954 and 1955, prices widened the gap above labor costs a bit further. The reason for this, particularly in 1955, says Clague, was the onset of the great capital spending boom, which pushed up prices of capital and industrial goods faster than wages.

The year 1956, however, looked like a model of cost inflation—for productivity stood still, average hourly compensation climbed 4½ percent, and unit labor costs rose by the same percentage. Nonfarm prices rose 3.2 percent—apparently pushed there by rising unit labor costs.

MIXED REACTION

Some economists and businessmen don't accept Clague's evidence that labor costs have lagged behind prices during most of the postwar years as conclusive proof that rising wages were not the chief initiating factor in the postwar inflationary trend. They argue that employers often put their prices up first, in anticipation of coming wage boosts that they felt were inevitable. Hence, they maintain, Clague's data won't acquit the unions of the charge of having caused inflation by forcing excessive wage demands.

Meanwhile, labor spokesmen will use Clague's data to show that labor's income in the postwar years—measured in terms of constant prices—has increased only as much as the gain in actual productivity, and will insist that fast-rising money wages have constituted the workers' only defense against price hikes induced by other factors, such as wars, growth in public and private debt, consumer buying sprees, and capital spending booms.

It's clearly going to take fuller and deeper analyses to prove or disprove the wage inflation thesis. For now, Clague is satisfied with a cautious and essentially negative conclusion: "Union rates didn't always lead the procession and aren't necessarily a major originating factor in inflation."

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to call to the attention of all Members of the Senate that we will meet tomorrow morning at 9:30, and that we will meet every morning this week at 9:30, in the hope that we may be able to complete action on the appropriation bills which are now on the calendar, as well as on the mutual security authorization bill, and perhaps also on the atomic energy treaty, in the event it is reported to the Senate.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. What would be the Senator's disposition with respect to committee meetings which are regularly scheduled for those hours or shortly thereafter?

Mr. JOHNSON of Texas. They will be handled as they are always handled under the Senate's procedure. The chairman or the ranking minority member of the committee will ask the leadership on each side to make such a request, or perhaps make the request themselves after clearing it with the membership of the committee. If there is no objection, the committees will be given permission to meet.

It is impossible to have committees meeting and have the Senate voting at the same time.

Mr. JAVITS. I may say to the Senator that we have been trying to hold a meeting of the Committee on Rules and Administration, and this will have been the second time that it will have been caught by an early meeting of the Senate, and the impossibility of getting any Senator to ask permission or to have permission granted that the committee meet to deal with some very important business.

Mr. JOHNSON of Texas. I do not know what the Senator means by the word "caught." The Committee on Rules and Administration has been functioning very effectively throughout the years, and I have no doubt that it can continue to transact its business.

If there is sufficient urgency to justify the holding of hearings, I am sure permission will be granted.

The Senator's administration has an interest in the appropriation bills and in the mutual-security bill, in connection with which the Secretary of State, as recently as 3 o'clock this afternoon, has requested action within this week, if possible. That cannot be done if we meet only on Monday, Wednesday, and Thursday. We must meet early in the morning and sit until late in the evening to accomplish that much work.

Of course, there are times when we do not have such measures on the calendar.

The Senator from Texas would like to proceed with the consideration of one of the appropriation bills this afternoon. But under the rule an appropriation bill must lie over for 3 days, and it cannot be taken up until tomorrow morning. However, beginning at 9:30 tomorrow morning we will consider the bills, and we will attempt to avoid what Mr. Adams, the "Assistant President," calls a lag in Congressional work.

A number of appropriation bills and a number of other important measures have been placed on the calendar. The Senator from Texas will recommend that the Senate convene early and remain in session late, with no committee meetings being held, until we can dispose of those measures, which must be acted on before June 30.

Mr. JAVITS. Mr. President, will the Senator yield further?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. The Senator from New York is only trying to ascertain from the Senator from Texas whether in a proper case he would be sympathetic to such a request. I have in mind measures pending before the Committee on Rules and Administration, having to do with an amendment of rule XXII, and which may have some bearing on the consideration of some important proposed civil-rights legislation.

Mr. JOHNSON of Texas. The Senator from New York well knows that the Senator from Texas is the author of a proposal to amend rule XXII. The Senator from Texas is under no illusions, however, about being able to amend rule XXII before proposed civil-rights legislation is acted on, because under the rules of the Senate, as the Senator from Texas has previously informed the Senator from New York, cloture would not apply on a motion to consider a proposed change in the rules, and he has no doubt that there would be some extended discussion of a motion to consider any such amendment that might be reported.

The Senator from Texas expects some one will move for action in the field of civil rights as soon as the House has concluded its action, which will be in the next few days. I do not think it would be the better part of wisdom to take action on any of the rules proposals pending before the Committee on Rules and Administration without full and adequate hearings or without giving interested persons an opportunity to state their positions, although the position of the Senator from Texas is well known both in his own State and throughout the country. If the committee, in its judgment, desires to hold hearings on the subject, and it desires to hold them this week, and if that meets with the pleasure of the Senate, of course, it can be done. The Senator from Texas will have no objection.

Mr. JAVITS. I do not wish to detain the Senate or the Senator from Texas with a long recital of the fact that I have been trying for more than 2 months, without success, to schedule hearings. Be that as it may, I think it is sufficient for this purpose to have the expression of the Senator from Texas. I may add that I know the whole country appreciates the point of view of the Senator from Texas with respect to the matter of rules, which has been evidenced by his sponsoring, himself, together with the largest number of Senators ever to sponsor any such bill, a proposal for an amendment.

I thank the Senator from Texas.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. CHAVEZ. It happens that, under the rules of the Senate, I am the chairman of the subcommittee which is handling the largest appropriation bill in the Senate, involving possibly $12 billion more than the cost of all the other departments of the Government. We are trying to comply with the desires of the leader of the majority, but we are holding hearings—important hearings—and we cannot rush through in a few days a bill providing for a budget of $38 billion.

It is my purpose to continue the hearings. If it is necessary for members of the subcommittee to come to the floor to vote on any bill, we shall be here to vote. But I do not want to say that we will not meet tomorrow morning at 10 o'clock and continue the hearings on the Defense Department appropriation bill, which is an important bill.

It is my desire to comply with the wishes of the Senator from Texas and to report the bill as soon as it is impossible to do so.

Mr. JOHNSON of Texas. I thank my friend from New Mexico, who is always cooperative.

As the Senator from New Mexico so well knows, the Committee on Appropriations has the permission of the Senate to meet during the sessions of the Senate throughout the year. It is the one committee for which an exception has been made.

So far as the Senator from Texas is concerned, he is perfectly agreeable to having other committees meet when, in the judgment of the leadership and the Senate, it is necessary for the committees to transact business. However, the Senate now has ready for consideration four appropriation bills. The fiscal year will expire on June 30. These bills must be passed and go to conference with the other body. The conference reports must be agreed to and adopted by both Houses, and then sent to the President.

It is hoped that it will be possible to do that between now and June 30 in the case of the 16 regular appropriation bills. Action has been completed on only 4 appropriation bills. That means there are 12 appropriation bills remaining.

Today is June 10. If we acted on one appropriation bill a day, it would require practically every day remaining this month.

In addition, there is pending in the Committee on Foreign Relations a very important treaty which the administration is anxious to have considered.

There is also the Mutual Security bill, on which the Committee on Foreign Relations has acted, but the minority views on which will not be filed until Wednesday. No hearings, even, can be held on the Mutual Security appropriation bill until the Mutual Security authorization bill has been passed. The House is waiting for the Senate to act first. So these considerations make it very important that the Senate convene early and stay late.

Thus far we have avoided Saturday sessions. Thus far the Senate has passed some 300 measures. Thus far we have a very creditable record. But we must realize that we are now coming around the last bend in the road. Between now and June 30 it will be necessary for us to work overtime.

Then, if we do our job well, we will have the months of July and August and whatever other months may be necessary in which to transact business which does not have a deadline.

Mr. CHAVEZ. That is the very reason why I think it is important that the Subcommittee on Appropriations which is handling the Defense Department bill proceed with its hearings. As I stated before, more money is provided in that bill at this time than in all the other appropriation bills combined.

We will try to comply with the desires of the majority leader to work with dispatch. I do not think that even the foreign aid or any other bill is more important than the appropriation bill concerning the Department of Defense. I hope that, if it is not contrary to the desires of the Senator from Texas, the majority leader, we may proceed with the hearings and try to report to the Senate a bill which will meet the demands of the moment.

Mr. JOHNSON of Texas. There is nothing in the mind of the majority leader which would prevent the Senator from New Mexico from having his subcommittee meet mornings, afternoons, or evenings.

The session has been rather light today. There may be some yea-and-nay votes on the appropriation bills; but in the long history of the Senate, the Committee on Appropriations has always had permission to meet during the sessions of the Senate.

The Subcommittee on Department of Defense Appropriations is a part of the Committee on Appropriations, and it may meet as often as it chooses and sit as long as it desires. I know that under the chairmanship of the able Senator from New Mexico, it will perform its duty as it sees it.

Mr. CHAVEZ. I know the order as to the committee's meeting; but I still desire to work and cooperate with the Senator from Texas.

Mr. JOHNSON of Texas. The Senator from New Mexico always does that.

Mr. CHAVEZ. I thank the Senator from Texas.

ADJOURNMENT TO 9:30 TOMORROW

Mr. JOHNSON of Texas. Mr. President, if there are no other Senators who desire to address the Senate, then, pursuant to the order previously entered, I move that the Senate stand in adjournment until 9:30 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Tuesday, June 11, 1957, at 9:30 a. m.

NOMINATIONS

Executive nominations received June 10, 1957:

DEPARTMENT OF THE AIR FORCE

Richard E. Horner, of California, to be an Assistant Secretary of the Air Force.

IN THE NAVY

Having designated in accordance with the provisions of title 10, United States Code, section 5231, Rear Adm. Robert B. Pirie, United States Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him to have the grade, rank, pay, and allowances of vice admiral while so serving.

Vice Adm. Cato D. Glover, Jr., and Rear Adm. James H. Thach, Jr., United States Navy, when retired to be placed on the retired list with the rank of vice admiral in accordance with the provisions of title 10, United States Code, section 5233.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force under the provisions of sections 8298, 8299, and 8304, title 10, United States Code. All officers are subject to physical examination required by law.

MAJOR TO LIEUTENANT COLONEL

Line of the Air Force

Brinton, Rachel W., 21330W.
Stulb, Joseph G., Jr., 7736A.
Clark, Wallace N., 10401A.
Cheney, James S., 8336A.
Dech, Robert W., 7941A.
Loomer, Perry D., Jr., 11137A.
Rydstrom, Jean F., 7982A.
Pawlowski, Harold I., 8770A.
Ward, Joseph L., 9001A.
Bruch, George D., 9032A.
Hannigan, John F., 9445A.
Taylor, Joe D., 6985A.
Kandel, Alfred, 8730A.
Seifert, Henry L., 12702A.
Caffall, Joseph M., 18077A.
Stubbs, James M., 9360A.
Williamson, Philip J., 11754A.
Clark, Joseph J. F., 12525A.
Mangerich, Walter E., 8971A.
Pearson, Ralph J., 10090A.
Hesler, Robert A., 6407A.
Beasley, William D., 6443A.
Bonnett, Donald E., 6465A.
Burns, Robert, 6480A.
Phaneuf, Eugene O., 6484A.
Hughel, George K., 8514A.
Suta, Nicholas H., 6664A.
Knaus, John V., 9155A.
Latham, William R., Jr., 6729A.
McGuigan, Thomas H., 6732A.
Wernlein, Frank A., 6733A.
Baucom, George E., Jr., 6734A.
Sexton, Ralph E., 6737A.
Caldwell, Herman B., Jr., 6738A.
Zachmann, Robert F., 6739A.
Lavier, Eugene C., 6742A.
Cousins, Otie C., 6743A.
Cole, Benjamin H., 6744A.
Conner, William F., 6745A.
Schmidt, Fred C., Jr., 6746A.
Asprey, William P., 6748A.
Fahlstedt, Alfred A., 6750A.
Howell, Ernest M., 6751A.
Blood, Arlie J., 6752A.
Winebrenner, Louis E., 6755A.
Sharp, Charles E., 6756A.
Wysocki, Chester C., 6757A.
Reed, Vincent R., 6759A.
Baker, Hollis H., 6761A.
Bogren, Stanley E., 6762A.
Lyons, Ralph J., 6763A.
Taylor, William E., 6764A.
Heard, Wade C., 6765A.
Nash, Russell J., 6766A.
Faulk, Melvin W., 6767A.
Dowling, James K., 6770A.
Foster, John W., 6771A.
Becnel, Joseph R., 6773A.
Strathy, Charlton G., 6774A.
Hassenmiller, Marshall G., 6775A.
Simon, Edwin H., 6776A.
Egan, Paul F. G., 6777A.
Jones, George P., Jr., 18071A.
Nowark, Charles G., 6778A.
Hoffman, Harold J., 6779A.
Hunter, James H., 6781A.
Simon, Edward R., 6782A.
Weaver, William J., 6784A.
Kendrick, Donald, 6786A.
Fish, Vinton A., 6787A.
Stone, Lynn E., 6788A.
Plourd, Webster W., 6789A.
Boatright, Loyd A., 6790A.
Dereskevich, Alger S., 6791A.
Ulrich, Robert C., 18063O.
Crowder, Robert G., 6793A.
Nestor, Joseph E., Jr., 6794A.
Clerici, Henry J., 6795A.
Peabody, Prentice B., 6796A.
Beall, Arthur W., 6797A.
Rawls, Charles A., 6798A.
Warner, George O., 6799A.
Buckley, Russell W., 6800A.
McCredie, Cassius M., 6801A.
Schott, Carl V., 6802A.
Carlson, Ragnar L., 6803A.
Pilkington, Thomas M., 6804A.
Bertling, Stephen J., 6806A.
Douglas, Gene L., 6807A.
Speer, Maurice E., 6809A.
Verbruggen, George J., 6810A.
Hardy, Kermit W., 6811A.
Gotchey, Robert E., 6812A.
Hannley, Vincent P., 6813A.
Martin, Ralph G., 6815A.
Coade, William A., 6816A.
Elder, Harold W., Jr., 6817A.
Oyler, George C., 6818A.
Zohn, Bernard, 6820A.
Stanley, Gregory Q., 6821A.
Wilson, Jerald B., 6823A.
Cocke, Charles E., Jr., 6824A.
Koszarek, Frank A., 6825A.
Duncan, Ivan M., 6826A.
Rector, Walter S., 6830A.
Menth, Blaine B., 6831A.
Schou, Andrew J., 6832A.
Anderson, Bernard E., 6833A.
Allen, John T., 6834A.
Campbell, Herbert M., 6836A.
Lockhart, Russell D., 6837A.
Knabel, Lewis J., 6838A.
Moll, Robert G., 6839A.
Dresser, Cornelius S., 6840A.
Campbell, Dick M., 6842A.
Arnold, Robert W., 6843A.
Lueke, Kenneth L., 6844A.
Huskey, Homer A., 6848A.
Landwehr, Virgil H., 6849A.
Ashley, George R., 6850A.
Scales, John C., 6851A.
Baker, Carl K., 6852A.
Haas, Chester R., 6855A.
Vick, John G., 6858A.
Maloney, Edward J., 6859 A.
Miller, Edwin M., 6860A.
Demun, Earl E., 6861A.
Mineur, George E., Jr., 6862A.
Rethman, Vincent C., 6864A.
Watkins, James D., 6865A.
Breindel, George J., 6866A.
Grubaugh, Glover P., 6867A.
Griffith, Frank T., 6868A.
Flannigan, Ralph E., 6869A.
Greene, Grover Y., 6871A.
Webb, Joe S., 6873A.
Stanton, George L., 6874A.
Hemminger, George C., 6875A.
Johansen, Ernest W., 6876A.
Karably, Louis S., 6877A.
Jones, James M., 6879A.
Glenn, Charles S., 6880A.
Vega, Carl E., 6881A.
Arnold, Dixon J., 6882A.
Schindler, Wilbur J., 6883A.
Kurowski, Walter C., 6884A.
Barclay, Errol D., 6885A.
Hare, James C., 6887A.
McCarthy, John P., Jr., 6889A.
Brantner, James A., 6890A.
Reed, Everett G., 6891A.
Patch, Dwight D., 6892A.
Shay, Michael, 6894A.
Thornton, William H., Jr., 6900A
Miller, Danforth P., Jr., 6901A.
Martin, Patrick J., 6902A.
Kochel, Michael J., 6903A.
Bowman, Sam W., Jr., 6907A.
Gainer, Hubert W., 6908A.
King, James P., 6911A.
Gibson, Dick P., 6912A.
Jones, Richard G., 6913A.
McGregor, Oris E., 6916A.
Walters, Robert W., 6917A.
Duff, Elmer H., 6918A.
Reed, Edward B., 6919A.
Leach, George S., 6920A.
Rogers, Woods W., Jr., 6921A.
Boyd, Edwin I., 6922A.
Barber, George A., 6925A.
Stanley, Ralph W., 6926A.
Murphy, Bruce C., 6928A.
Gustafson, Wayne A., 6930A.
Latane, David E., 6932A.
Ward, James A., 6934A.
McGuire, Thomas C., 6935A.
Hill, Charles H., 6936A.
James, Harold C., 6938A.
Brunson, William P., 6940A.
Mannon, Willard B., 6941A.
Robbins, Harold W., 6942A.
Govocek, Joseph G., 6944A.
Weaver, Marvin E., 6945A.
Polivka, Emil W., 6947A.
Newell, Edward W., 6948A.
Karas, Christopher J., 6951A.
Wagner, Carl E., 6952A.
Peterson, Martin E., 6953A.
Henderson, Walton B., 6954A.
Bowman, Frank M., 6955A.
Martin, Charles A., 6956A.
Osgood, Lynden T., 6957A.
Mears, Forrest E., 6959A.
Debons, Anthony, 6961A.
Thompson, Lorenzo M., 6963A.
Fertig, Norman, 6965A.
Witt, Lynn E., Jr., 6966A.
Hippenstiel, Charles R., 6967A.
Weiss, Sidney, 6970A.
Reifsteck, Calvin D., 6971A.
McGee, Joseph B., 6974A.
Rohr, Loudin L., 6975A.
Seay, William W., 6976A.
Wallace, Wesley F., 6977A.
Scurlock, Reagan A., 6978A.
Giles, Melvin C., 6980A.
Molyneaux, Silas R., 6981A.
Bland, Ruskin M., 6983A.
Riddle, Edmund R., Jr., 6986A.

Ash, Robert P., Sr., 6987A.
Hammond, William, 6989A.
Blanco, Ira J., 6992A.
Monaco, John, Jr., 6993A.
Bruey, Thomas J., 6995A.
Barbour, Walter R., 6996A.
Berry, Gleneth B., 6997A.
Tracy, Joseph F., 7000A.
Gooch, Ritchie B., 7003A.
Loftus, Joseph F., 7005A.
Tatum, William, 7009A.
Harris, Joe L., 7010A.
Caples, Robert O., 7012A.
Zielinski, Urban J., 7013A.
Lawler, John F., Jr., 7014A.
Bero, Francis, 7016A.
Westberg, Kenneth C., 7017A.
O'Rourke, John B., Jr., 7019A.
Cruver, Harry P., 7022A.
Brasier, Carl O., 7024A.
Ross, William O., 7026A.
Loughran, Harold R., 7027A.
McCurdy, John W., 7032A.
Barber, Zeneth O., 7034A.
Timm, Paul A., 7036A.
Quesada, Anthony, 7040A.
Scherer, John J., 7043A.
Crowder, Harlan B., 7044A.
Ransler, Harry D., 7045A.
McIntosh, Wayne W., 7046A.
Carey, Robert H., 7047A.
Parks, Richard W., 7048A.
Mahon, August C., 7049A.
Stublarec, Michael J., 7050A.
Haaf, Arthur H., 7051A.
Connell, Leonard T., 7052A.
Skelton, Milton B., 7055A.
Matako, George, 7057A.
Torr, Francis E., 7058A.
Sandifer, John D., Jr., 7059A.
Jones, Waldo B., 7060A.
Davitt, Ralph G., 7061A.
Davis, Jerome N., 7062A.
Berry, Edmund B., III, 7063A.
Burnett, Melvin M., 7065A.
VanDeusen, Clark B., 7066A.
Schwartztrauber, Ernest P., Jr., 7067A.
Williams, William M., 7068A.
Devine, John E., 7069A.
Stone, Francis M., 7070A.
Schonka, Joe M., 7071A.
Johnson, Andrew E., 7072A.
Raley, James A., 7074A.
Bourgault, Samuel P., 7075A.
Maiersperger, Walter P., 7076A.
Belcher, Delbert R., 7077A.
Battalio, Samuel T., 7079A.
McMillan, Shubal K., Jr., 7080A.
Pitts, Arthur S., II, 7083A.
Dumont, Harold J., 7085A.
Lack, Wendell D., 7086A.
Blood Keneth E. 7087A.
Jacobson Alden D., 7088A.
Ward, George P., 7089A.
Stiefel, Max A., 7090A.
Stroud, Conley B., Jr., 7093A.
Jones, William D., 7094A.
Heino, Alfred V., 7096A.
Panko, Albert R., 7097A.
Buford, William M., 7098A.
Nelson, John A., 7099A.
Craig, Warren G., 7100A.
Rogers, Carleton W., 7101A.
Miller, Hubert E., 7102A.
Broich, Lee A., 7103A.
Montgomery, David F., 7105A.
Seab, Malcolm W., 7107A.
Bradford, Oscar A., Jr., 7109A.
Savage, Rollin R., 7110A.
Goddard, Guy H., 7111A.
Baker, Frederick J., 19991A.
Stainback, Frank P., Jr., 7112A.
Crow, Duward L., 18061A.
Winfree, Isaac O., 7113A.
Anderson, Windsor T., 7114A.
Gilbert, Willard R., 7115A.
Perkin, Irving R., 7118A.
Cochran, Wharton C., 7120A.
Avery, Hamilton K., 7121A.
Weidner, Joseph J., 7122A.
Rosenbaum, Bert S., 7123A.
Woodruff, Roscoe B., Jr., 7125A.
Doerr, George R., 7129A.
Funderburk, William O., 7131A.
Miller, Carl L., 7132A.
McElroy, Mansell B., 7133A.
Flummer, George A., 7134A.
Symes, Isaac M. B., 7138A.
Schultze, David R., 7139A.
Oss, Louis H., 7141A.
McCleary, George C., 7144A.
Reid, Robert J., Jr., 7145A.
Hause, Milton M., 7148A.
Gramm, Raymond N., 7149A.
Dunkelberger, Vance E., 7150A.
Smith, Woodrow W., 7152A.
Schofield, Charles S., 7153A.
Heydon, Thomas A., 7154A.
Stroud, Walter C., 7155A.
Barnett, Clyde H., Jr., 7156A.
Howell, John R., 7158A.
Wiener, Murray A., 7159A.
Edenbo, John W., 7161A.
Mitchell, Harry L., 7163A.
Machosek, John J., 7164A.
Gillesby, Fred G., 7165A.
Leetch, Donald G., 7166A.
Jenkins, Robert M., Jr., 7169A.
Jablecki, Leon S., 7170A.
Kursar, August, 7172A.
Bouknecht, Robert W., 7173A.
Dobbs, Ross E., 7174A.
Bellman, Arthur B., 7175A.
Farley, James V., 7179A.
Paskvan, Paul R., Jr., 7181A.
Martin, Clyde J., 7182A.
Parker, Stanley E., 7185A.
Bussey, Carver T., 7187A.
Zins, William E., 7190A.
Hassemer, David W., 7191A.
Fogg, Lewis W., III, 18069A.
Crosby, James E., Jr., 7192A.
Gaines, Robert U., Jr., 7193A.
Cunniff, Paul J., 7194A.
Avriett, Giles C., 7195A.
Cumiskey, William T., 7196A.
Young, Franklin F., 7199A.
Hahn, Albert P., Jr., 7200A.
Miller, Verlin A., 7202A.
Hanzel, Thomas C., 7204A.
Button, Ervine J., 7205A.
McDaniel, Armour G., 7207A.
Webb, Rudelle B., 7208A.
Smith, Gerald T., 7211A.
Mather, William A., 7212A.
Coverley, Edwin D., 7217A.
Schelble, Wilbur R., 7218A.
Humphres, Earl C., 7219A.
Childress, Peter M., 7221A.
Anderson, Rex V., 7223A.
Flint, Raymond L., 7224A.
Little, Edward L., 7225A.
Trearse, Albert, 7226A.
Maurel, Anthony J., 7228A.
Rivers, William J., 7230A.
Walker, Donald J., 7231A.
Phillips, Lewis T., 7232A.
Hutchison, Leroy C., 7233A.
Davis, Thomas M., 7234A.
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Carter, Roger M., Jr., 8039A.
Sherwood, Joseph H., Jr., 8040A.
Ryan, John L., 8041A.
Fuhrmeister, Ralph S., Jr., 8042A.
McComb, William J., 8043A.
Kendall, Paul C., 8044A.
Strickler, Marshall H., 8047A.
Moffitt, Franklyn E., 8048A.
Tilley, Thomas M., 8049A.
Lathan, Allan A., 8050A.
Bird, Clement W., 8051A.
Small, Arthur, 8052A.
Reed, Henry C., 8053A.
Sullivan, Woodruff T., Jr., 8054A.
Radetsky, Harold A., 8055A.
Blum, Edward F., 8056A.
Omohundro, Thomas T., 8057A.
Hagreen, Robert J., 8058A.
Harris, William B., 8059A.
Kelly, Converse B., 8060A.
Riva, Daniel F., 8061A.
Rathbun, Edward L., 8062A.

Uhrich, George A., 8064A.
Jones, David R., 8065A.
Roth, John Y. C., 8066A.
Tainah, Alexander S., 8068A.
Parsons, James W., 8069A.
Roberton, Eddie J., Jr., 8070A.
Brooking, George R., 8071A.
Sauer, Robert R., 8072A.
Douglas, Paul P., Jr., 8073A.
Slocum, Paul J., 8074A.
Ritchie, William D., 8076A.
Roddy, Edward F., 8077A.
Durbeck, Arthur G., 8079A.
Mitchell, Mack A., 8080A.
Renwick, Donald D., 8081A.
Morse, Donald M., 8082A.
Klein, Raymond P., 8084A.
Walsh, Martin R., Jr., 8085A.
Amann, John R., 8086A.
Quillen, Monroe C., 8087A.
Willetts, David L., 8088A.
Ramsey, Glyn W., 8089A.
Calhoun, William R., Jr., 8090A.
Carey, John A., 8091A.
Short, William W., Jr., A8092A.
Cole, George P., 8093A.
Elliott, William W., 8094A.
Ellington, Edward H., 8095A.
Marks, Leonard P., 8096A.
Dunham, William D., 8097A.
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Little, James W., 8099A.
Ryden, Donald A., 8101A.
Phillips, Herbert L., 8102A.
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Johnson, Charles W., 8105A.
Holcombe, Richard E., 8106A.
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McClatchy, Howard L., 8109A.
Hawkins, William B., Jr., 8110A.
Price, Robert F., 8111A.
Oglesby, Sam R., Jr., 8112A.
Sylvester, Joseph J., 8113A.
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Stansbury, Jay W., 8116A.
Roby, Albert W., Jr., 8117A.
Napier, John G., 8118A.
Gregory, James M., Jr., 8119A.
Jose, Elmer H., Jr., 8122A.
Halloran, Robert P., 8036A.
Yundt, Robert W., 8124A.
Nye, Robert M. C., 8125A.
Williams, Charles C., 8126A.
Aenchbacher, Arthur E., 8127A.
Brown, William F., 8128A.
Robinson, Edgar A., 8129A.
Fahey, James M., 8131A.
Thorne, James H., 8132A.
Carlton, Robert N., 8133A.
Carpenter, David E., 8134A.
Rahn, Gilbert F., 8135A.
Hetzel, Robert L., 8136A.
Gardiner, Paul E., 8137A.
Foley, Robert P., 8139A.
Moore, William P., 8140A.
Hutchison, Jacob A., 8141A.
Conklin, Howard E., 8142A.
Wilson, James A., 8143A.
Teubner, Harold C., 8145A.
Wallace, Eugene D., 8146A.
Reece, Richard D., Jr., 8147A.
Joyal, Philip E., 8149A.
Shook, Harold G., 8151A.
Cranfill, Niven K., 8152A.
Ghram, Elmer F., 8153A.
Booker, Brooks W., Jr., 8155A.
Rogers, Robert C., 8156A.
Bones, James C., 8157A.
Maher, William L., 8158A.
Robertson, Raynor E., 8160A.
Gandy, Hilliard L., 8161A.
Lewis, Richard C., 8162A.
Fulcher, Stanley A., 8164A.
Neal, Philip A., 8165A.
Jefferson, Harold D., 8166A.
Crosland, Roy T., 8167A.
Ard, Roswell W., 8168A.
Beahan, Kermit K., 8169A.
Lewis, William C., 8170A.
Martin, Fred A., 8171A.
McAbee, William H., 8172A.
Conway, Victor C., 8174A.
Lee, Carl C., 8175A.
Lanford, William A., 8176A.
Oliver, Ralph L., 8177A.
Friley, Kenneth O., 8178A.
Larson, Harold J., 8180A.
Cook, James R., 8182A.
Parsons, Irvin M., 8183A.
Hodge, Dexter L., 8185A.
Jernigan, William L., 8186A.
Weltzin, Richard F., 8187A.
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Stell, Glenn A., 8189A.
Pickett, Lawrence J., 8190A.
Greene, James B., 8192A.
Dale, James R., Jr., 8193A.
Zeigler, Jack S., 8194A.
Hey, Winston S., 8195A.
Jolly, David C., 8196A.
Dieffenderfer, James C., 8197A.
Parsons, Samuel P., 8198A.
Desportes, John A., 8199A.
Coleman, Kenneth D., 8200A.
Estes, Chandler B., 8202A.
Brown, Harold L., 8203A.
Merrill, Charles T., 8204A.
Glaser, Leonard T., 8205A.
Knox, George L., 8206A.
Dillon, Stephen P., 8209A.
Hester, Thomas J., 8210A.
Hardin, Ernest C., Jr., 8211A.
Oglesby, Stuart R., 3d, 8212A.
Bickford, Jack C., 8213A.
Greathouse, Harry S., 8214A.
Davis, Glendon V., 8215A.
Butler, Earl H., 8217A.
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Meeker, Everett R., 8220A.
Howell, Henry R., Jr., 8221A.
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Espey, James G., Jr., 21757A.
Wallace, Henry G., 21838A.
Fixott, Richard S., 21837A.
Lechausse, Ralph M., 20818A.
Hederick, Rogers, 19952A.
Ayars, Laurence S., 21840A.
Norcross, John A., 21759A.
McKaig, Malcolm C., 19953A.
Quashnock, Joseph M., 25487A.
Armstrong, William R., 21839A.
Prediani, Alexander W., 19236A.
Miller, Edward S., 19578A.
Rhoades, Gordon H., 22393A.
Townsend, Frank M., 20819A.
Dorris, Henry C., 19282A.
Mann, Joseph L., 20820A.
White, Fletcher H., 26690A.
Katzberg, Arthur J., 22394A.
Nuttall, James B., 19239A.
Davis, David W., 26729A.
Mears, Claud M., 21841A.
Hardy, James T., 26731A.
Veit, John P. A., 27973A.
Burnett, Jack F., 24107A.
Strub, Giles J., 19241A.
Rothe, Courand N., 19251A.
Webb, Hamilton B., 19307A.
Keeley, William T., 20821A.
Alexander, Charles P., 19303A.
Patterson, Robert A., 19250A.
Chapman, Jules B., 22981A.
Eggeling, Ian N. J. 19311A.
Defries, William A., 19254A.
Jernigan, James P., 21722A.
Smith, Willard H., 27974A.
Underwood, Edgar H., Jr., 19262A.
Greider, Lester S., 25459A.
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Larson, Thurman A., 19314A.
Stuart, Lawrence D., 26692A.
Collins, Thomas A., 27483A.
Steinkamp, George R., 24108A.
Andrew, Samuel E., 27485A.
Martin, Archibald G. M., III, 22543A.
Lett, James E., 19258A.
Schlechter, John F., 19300A.
Karmany, William H., 21724A.
Turner, Edwin W., 24646A.
Graham, Wistar L., 24185A.
Wiedeman, Goeffrey P., 19264A.
Davis, James M., 19309A.
Cox, Philip A., 19315A.
Goss, Frank A., 19259A.
Ellingson, Harold V., 19235A.

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Monaco, Salvatore L., 20005A.
Osborn, Ewalt M., 18909A.
Long, George A., 18905A.
Zieger, Karl O., 18906A.
Jones, Thomas K., 19744A.
Avenell, Rollin C., 18940A.
Johnston, Leonard S., Jr., 19743A.
Elwell, Kenneth R., 18903A.
Lightner, Lee M., 18923A.
Hester, Warren R., 18919A.
Smith, Lloyd S., 18929A.
Gordon, George D., 19627A.
Clifford, William B., 18920A.
Senn, William W., 18941A.
Long, James E., 18934A.
Mohnac, Alex M., 18921A.
Rooney, John E., 18927A.
McEvoy, John R., 18907A.
Rock, George W., 18953A.
Johnson, Franklin A., 18917A.
Kane, John P., 18931A.
Harris, Norman O., 18937A.
Coombs, Robert L., 18908A.
Kartman, Jules D., 18918A.
Benhart, Sherwood F., 18926A.
Brookreson, Kendrick, 18932A.
Reese, Wallace K., Jr., 18942A.
Thornberry, Wayne W., 18957A.
Harley, William M., Jr., 19616A.
Kephart, Norbert C., 18914A.
Crofut, Vincent E., 18922A.
Massey, John T., 18959A.
Armstrong, Russell H., 19911A.
Gibson, Joseph R., 18912A.
Schulte, George N., 18913A.
Miller, Ernest L., 18915A.
Pugnier, Vincent A., 18928A.
Butler, James M., 18935A.
Myers, Warren C., 18958A.
Leonard, Leo J., 18954A.

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Gorman, Lester J., 18999A.

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Nielsen, George L., 19438A.
Payne, Robert B., 19439A.
Crowell, Gene W., 19440A.
Thomas, Frederick W., 19564A.
McInerney, James J., 19441A.
Haines, Charles C., 19442A.
Streeter, Russell E., 19443A.
Waters, John J., 19444A.

Nurse Corps

Daniel, Margaret E., 21919W.
Evans, Claretta, 20918W.
Bryant, Frances L., 20945W.
Slattery, Lucile C., 21965W.

Medical Specialist Corps

Lawrence, Dorothea M., 21184W.

Chaplain

Rogers, Vernon A., 18770A.
Ellenbogen, Edward, 18771A.
Geigel, Francis G., 18772A.
Montcalm, Rosario L. U., 18773A.
Sullivan, Jeremiah E., 18775A.
Baumgaertner, Martin W., 18778A.
McCandless, Paul C., 18780A.
Partin, Delbert C., 18781A.
Duhan, Henry, 18782A.

CAPTAIN TO MAJOR

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Hammond, Fred B., Jr., 19774A.
Birnbaum, Myron L., 20018A.
Higgins, Fred J., 20019A.
Dickson, Donald C., Jr., 21430A.
Green, John O., 24260A.
Berry Cooley C., 20020A.
Yandala, Gust J., 19775A.
Michels, Robert W., 19783A.
Vague, Harold R., 22991A.
Eichner, Leonard, 19776A.
Murray, Francis P., 21437A.
Rowland, Dwight R., 20023A.
Horlick, Walter I., 23180A.

Eberhart, Francis C., 19780A.
Portrum, Peter, 19778A.
Bandy, George R., 20031A.
Thomasson, Samuel M., Jr., 20025A.
Gold, Morton J., 20034A.
Goodwyn, Marvin W., 20030A.
Ensley John J., 21778A.
O'Donnell, William J., 20574A.
Shawhan, Zac G., 20576A.
Pulling, Barton S., 22569A.
Donahue, John J., 20028A.
Hogan, Raphael J., 19784A.
Delafield, Dean E., 20026A.
Schulte, George A., 20044A.
Wilson, George M., 21777A.
Pettitt, Bert E., Jr., 17628A.
Lineham, Thomas U., Jr., 18112A.
McGowan, Samuel B., 20572A.
Price, Robert H., 20571A.
Slade William A., 20573A.
Taylor, Charles K., Jr., 18113A.
Guilfoyle, William A., 20029A.
Glines, Carroll V., Jr., 20579A.
Taylor, Jay J., 20580A.
McAnally, Paul E., 20561A.
Woolf Simpson M., 20569A.
Yusievicz, John J., 20582A.
Kuehl, Albert R., 21436A.
Avise, Herbert J., 18114A.
Eagle, Comly J., 18115A.
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Yeager, Paul M., 18116A.
Holland, Billy S., 21781A.
Fowler, Oscar F., 20563A.
Pierce, Russell K., Jr., 18118A.
Nole, Jack D., 20598A.
Buchta Joseph, 20036A.
Frizzie, Bernard E., 21442A.
Gruber, Kenneth W., 20023A.
Hill, Marcus L., Jr., 20022A.
Gallagher Rial F., 20021A.
Brown, Jack R., 20599A.
Stewart, Walter C., Jr., 20039A.
Simpson, Russell R., 19565A.
Dotson Herbert F., Jr., 20567A.
Myers, Andrew J., Jr., 20769A.
Brinson, William L., 18117A.
Ecklund Eugene, 20600A.
Melucas, Paul J., 20040A.
Hurlburt, Dana F., 18119A.
Kemerling, William E., 21460A.
Johnson, Arthur H., 22684A.
Urquhart, Charles T., Jr., 20564A.
Desaussure, Hamilton, 15486A.
Jewell, Malcolm E., 20586A.
Johnson, George A., 20672A.
Schmidt, Howard R., 18123A.
Staples, Johnston R., 20678A.
Wilson, William W., 22571A.
Kelley, Carroll W., 22992A.
Minow, James W., 23651A.
Wilson, Richard S., 18121A.
Jensen, Lloyd K., 20624A.
Harmon, William A., 21438A.
Davis, Bruce, 18120A.
Case, Richard D., 20040A.
Talbot, George E., 18126A.
Luber, Vernon N., 18127A.
Peterson, Howard W., 24307A.
Lane, Joe V., 25454A.
Jones, William M., 20641A.
Adcock, James K., 20589A.
Yates, John H. 20041A.
White, Boyd B., 20626A.
Wendt, Willard A., 20625A.
Light, Herbert M., Jr. 18128A.
Joyce, Daniel G. 25605A.
Perry, James W., 20673A.
Blanck, Eugene L., 21433A.
Boutwell, Rufus C., Jr., 20033A.
Sandvig, Kenneth L., 20595A.
Frazier, Max E., 21456A.
Vogler, Alfred F., 20670A.
Montour, Gilbert E., 19790A.
Mitchell, Collins P., 22570A.
Wine, Joseph R., Jr., 19788A.
Morton, Walter P., Jr., 18129A.
Prince, Robert A., 21779A.
Kelly, Charles E., 23095A.
Locklear, James Q., 18133A.
Rutherford, Richard T., 18134A.
Burnett, Elvin E., 20601A.
Kohrman, Elwood N., 20602A.
Littlewood, Theodore P., 20642A.
Farrell, Thomas D., 16200A.
Raphun, Leland R., 18130A.
Silliman, James G., 22644A.
Doiron, Claude J., Jr., 20596A.
Greenspun, Morris J., 21432A.
Moehle, Charles F., 18131A.
Petkus, Walter A., 22612A.
Smith, Gayle L., 20683A.
Syphers, Victor K., 24316A.
Greene, Sidney, 20658A.
Peters, Francis D., Jr., 18137A.
Bray, Leslie W., Jr., 18136A.
Bush, Frederick E., 20643A.
Hand, F. Ned, 19789A.
Spiro, Bernard, 20627A.
Rath, Leland J., 20620A.
Mandina, Sidney R., 18125A.
Gilpin, Harry D., 18124A.
Allen, Nelson, 21434A.
Weddle, Walter M., 20024A.
Henry, Mervin L., 20604A.
Monaco, Anthony W., Jr., 20605A.
Huke, Theodore C., 20027A.
Moore, Jack K., 18135A.
Hanton, John T., 18138A.
Gaertner, Adolph, Jr., 20603A.
Wier, Charlie Y., 21785A.
VanHoy, Leslie B., 22645A.
Smith, Bennie C., 18141A.
Busha, George F., 20628A.
Williams, Wilson B., 20668A.
Long, Robert F., 18142A.
Glover, Jerry C., 20659A.
Latella, John J., 20032A.
Alexander, Ernest L., 18143A.
Steves, Walter T., 22581A.
Craft, William C., 20043A.
Bobbitt, Aubrey M., 20644A.
Clay, Richard L., 22647A.
Warren, Joseph B., 22586A.
Lunsford, George M., 22646A.
Baleski, John J., Jr., 25490A.
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Egender, Herbert F., 24317A.
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Gasiewicz, Sigmund I., 22994A.
Blanton, Franklin D., 21458A.
Bohannon, James R., Jr., 18146A.
Cliham, Winston H., 22618A.
Phillips, Lowell G., 18050A.
Hall, Harvey P., 20674A.
Barns, William F., 20630A.
Holt, Garland E., 20607A.
Mills, Clarence H., 22650A.
Ezell, William O., 22649A.
Degennaro, Carlo N., 20570A.
Krysakowski, Joseph E., 19791A.
Henry, David W. Jr., 20590A.
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Smoak, Andrew W., 22652A.
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Herrera, Alfred C., 20606A.
Mandros, William J., 20692A.
Chew, John C., 25611A.
Gibson, Charles A., Jr., 12470A.
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Farr, John W., 20660A.
Gehri, Donald H., 22717A.
Davies, John V., 21780A.
Hamilton, Calvin L., 18139A.
Vohs, Lester J., 23670A.
O'Hara, David B., 24319A.
Snyder, Earl A., 21446A.
Reiss, Leonard, 21439A.
Kester, Clifford D., 18163A.
Taylor, Joseph T., 20611A.
Lien, Arthur M., 22574A.
Hoban, Richard M., 23658A.
Schuering, Alvin G., 18166A.
Traylor, Horace C., Jr., 18165A.
Stroff, Michael J., Jr., 20642A.
Goppert, Jean G., 18167A.
Reuteler, Bruce E., 18168A.
Dill, Glenn E., Jr., 22615A.
Davidson, B. H., 22575A.
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Hagemann, Joseph A., 22657A.
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Jones, David B., 18182A.
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Borbe, Alfred T., 15050A.
Graham, Neil J., 15052A.
Upton, Thomas J., 15053A.
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Thomas, Richard R., 26423A.
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Barnes, Clarence E., Jr., 16169A.
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Grovert, Robert E., 22577A.
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Mullins, George H., 15067A.
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Hardy, Nathan C., 15069A.
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Robinson, Lester W., 15075A.
Preston, William N., 15076A.
Chmura, Edward, 15077A.
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Melton, Ramon R., 15086A.
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Lane, Harry W., 15096A.
Popham, Jack E., 15097A.
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Johnson, Haddon, Jr., 15100A.
Iannacito, George J., 15101A.
Leone, Joseph M., 15102A.
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Hargis, Horrace P., 15139A.
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Barth, John C., 15152A.
Hoyl, Basil L., 15154A.
Van Camp, Lawrence F., 15155A.
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Keppler, Elmer C., 15158A.
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Brock, Arthur W., 15173A.
Goldblum, Theodore, 15174A.
Pacharzina, Carl A., Jr., 24311A.
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Garrison, Keith M., 15180A.
Burke, John T., 15181A.
Neuharth, Richard E., 15182A.
Graham, Harold B., 15183A.
Scheider, Rube F., Jr., 15185A.
Smith, Douglas R., 15186A.
Elrod, John H., 15187A.
Nacey, Edward R., 25495A.
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Randall, Richard C., 18212A.
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Harvey, Theodore R., 15204A.
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Martin, Warren H., 15210A.
Bartek, Joe J., 15211A.
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Mikell, Emory A., 15232A.
Donohue, William R., 15233A.
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Sanders, James B., 15235A.
Tomlinson, William W., 15236A.
Sawyer, Clyde L., Jr., 15238A.
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George, Rex H., 15242A.
Abbott, Charles W., 15243A.
McCarthy, Peter J., Jr., 15244A.
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Montone, Neil A., 15248A.
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Rieker, Thomas H., 15251A.
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Kielgass, Earl L., 15292A.
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Boyd, Raymond A., 15295A.
Wengel, Emil J., 15296A.
Gammons, David B., 15297A.
Shafer, Jonathan K., 15298A.
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Barthelmess, Robert P., 15309A.
Raymer, John C., Jr., 15310A.
Hesse, George A., Jr., 15311A.
Bennett, Robert A., 15312A.
Lollis, Clyde W., Jr., 15314A.
Knight, Lyle F., 15316A.
Kirschbaum, Everett J., 15317A.
Scheller, Donald R., 15318A.
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Miller, Homer B., 15322A.
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Chance, James H., 15355A.
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Fernbaugh, Richard M., 15370A.
Thome, Joseph E., 15371A.
Alexander, James C., 15372A.
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Crowley, John M., 18217A.
Tannenbaum, Leon M., 20687A.
Shusta, Chester J., 21461A.
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Provancha, Earl D., 15383A.
Hinerman, Maurice E., 18218A.
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White, Miller G., Jr., 15385A.
Martin, Gene S., 21444A.
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Nelson, Ralph E., 20748A.
Allen, Wallace B., 15390A.
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St. Clair, Eugene C., 20697A.
Michels, William N., 15392A.
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Erbe, Robert F., 15394A.
Pickron, William H., Jr., 15395A.
Alden, William A., 22658A.
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Garner, Lynn E., 15397A.
Johnson, Wendell A., 24333A.
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Yurcina, Thomas, 15399A.
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Keal, Thomas L., 15406A.
Nixon, Floyd G., 15407A.
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Hickcox, Harold J., 15410A.
Cairns, Oliver W., 15411A.
Scott, Leon L., 15412A.
Ross, Marvin T., 15413A.
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Hutchins, Raymond H., Jr., 15421A.
Kerr, Frank R., 15423A.
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Lake, Gordon W., 15431A.
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Buie, James C., 15442A.
Jacobsen, Raymond G., 15444A.
Scott, Gordon H., 15445A.
Harnly, Merlin W., 15446A.
White, Gerald H., Jr., 15447A.
Partin, George G., 15449A.
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Juhn, Kenneth P., 15452A.
Bolen, George O., Jr., 15453A.
George, Amin, Jr., 15454A.
Sampley, Troy A., 15455A.
Peterson, Carl H., 15456A.
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Canant, Orion P. D., 15464A.
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Smith, Harry E., Jr., 16292A.
Bailey, James W., 16293A.
McCall, Bruce D., 16294A.
Saxton, David W., 22674A.
Logan, Harvey B., 26434A.
Smith, Marshall L., 16295A.
Giraudo, John C., 16296A.
Vines, John H., 16298A.
Crowder, Charles E., Jr., 16299A.
Rotstan, Robert, 17723A.
Rementer, William J., 18250A.
Bartholomew, Gabriel P., 22650A.
Gray, Donald U., Jr., 18228A.
Von Romberg, Robert P., 16301A.
Luke, Miles K., 16302A.
Fong, George H., Jr., 16303A.
Johnson, Robert C., 22648A.
Emmons, Richard A., 26516A.
Catlin, Benjamin S., 3d, 16304A.
Allen, Charles S., 16305A.
Wenrich, George L., 27542A.
Hardin, Clarence C., 16306A.
Gordon, Earl H., 16307A.
Schmidt, Gordon A., 16308A.
Jabara, James, 16309A.
Creech, William T., 16310A.
Reese, William H., 16311A.
Trommershausser, John, 16306A.
Ely, John T. A., Jr., 25506A.
Ketcherside, Robert P., 25724A.
Manning, Clark P., 16312A.
Ross, Donald H., 16313A.
Levens, Thomas O., 16315A.
Weber, Arthur E., 16316A.
Shaver, Dorwyn D., 16317A.
VanVleet, Gerald E., 16318A.
Craig, William L., 16319A.
Dart, Melvin, 16320A.
Courtney, Clyde W., 16321A.
Gessner, Louis F., 16322A.
Harkiewicz, Joseph, 16323A.
Obenshain, Ray L., Jr., 12923A.
Nestle, Roger W., 23669A.
Whisner, William T., Jr., 16324A.
Stahl, Frederick N., 20737A.
Naylor, Harold L., 23676A.
Fox, Arthur A., 16326A.
Stewart, James L., 22691A.
Shepherd, William C., 16327A.
Burdick, Joseph B., 16328A.
Hill, James A., 24324A.
Keen, Robert J., 16331A.
Prater, Otis A., 16332A.
Sautters, Clyde W., 16333A.
Ulrich, Robert J., 16334A.
Melchar, Charles E., 20725A.
Anderson, De Lane E., 20693A.
Ferris, Paul V., Jr., 16336A.
Barber, Edwin F., 16338A.
Stevenson, Charles S., 16339A.
McCollum, Clodius M., Jr., 25811A.
Staggs, Homer J., 16341A.
Haggard, Richard L., 17725A.
Findlay, Ralph F., 22631A.
Broughton, Roy J., Jr., 27677A.
Jenkins, Woodrow W., 16342A.
Vincent, Donald W., 16343A.
Abendhoff, Gerhard R., 22629A.
Thompson, George W., 17726A.
Bryan, James T., 23009A.
Krynovich, George, 24513A.
Sitton, Ray R., 16345A.
Carruthers, Warren L., 16346A.
Osborn, Arthur L., 16350A.
Wilson, Ernest R., 23694A.
Springer, Paul R., 17715A.
Thompson, James W., Jr., 22641A.
Dietrich, William A., 16351A.
Anania, August R., 16352A.
Winters, Sterling P., Jr., 16354A.
Snyder, John T., 16302A.
Anderson, Charles K., 20616A.
Galler, Frank L., Jr., 22699A.
Weems, Monard D., 16355A.
Welsh, William P., 22676A.
Edwards, Lloyd C., Jr., 24314A.
Baker, John C., 16357A.
Sapp, Glenn E., 16358A.
Mateny, Henry, 16359A.
Townshend, Jesse P., Jr., 26724A.
Irwin, Donald S., 16360A.

McKeever, Wendell E., 16361A.
Merrill, William L., 16362A.
Franklin, Benjamin L., 16363A.
Stanley, Richard E., 16364A.
Herndon, James E., 16365A.
Perreault, Lucien E., Jr., 16366A.
Laney, A. Lewis, 16367A.
Jones, Lois C., 21309W.
Clark, Kenneth B., 22625A.
Faulkner, Norman A., 23606A.
Meeker, Thomas B., 22799A.
Risinger, Fred S., Jr., 16368A.
McCarthy, Giles J., 25620A.
Faulkner, Joseph, 16370A.
Miller, John J., 16371A.
Eagle, Garland W., 16372A.
Johnson, Edward J., 16373A.
Williamson, William E., Sr., 16374A.
Brown, Raymond, Jr., 16375A.
Powell, Billie W., 16376A.
Dick, Reay S., 16377A.
Laatsch, Oliver F., 16378A.
Pancake, Dale C., 16380A.
Sheppard, William L., 16381A.
Ross, S. L., Jr., 16382A.
Jarvis, Irby B., Jr., 16383A.
Green, Kenneth J., 16384A.
Finley, Allen A., 16385A.
Guier, William C., 16386A.
Weed, William A., 16387A.
Menzie, William R., 16388A.
Perry, Frank V., 16389A.
Johnson, Andrew, Jr., 16391A.
Milton, John L., 16392A.
Hoag, James H., Jr., 16393A.
Middleton, Henry M., Jr., 16394A.
McGaw, James E., 16395A.
Myers, Earl E., 16396A.
Campbell, Leslie J., Jr., 16397A.
Catallo, Albert L., 16400A.
Harrington, Charles E., 16401A.
Denomy, Robert W., 25510A.
Luke, William H., 16402A.
Norris, James R., 22772A.
Hurley, James C., 16403A.
Stephens, John E., 23001A.
Argersinger, James B., 16404A.
Christopher, Richard S., 16406A.
Galloway, Robert C., 16407A.
Lyons, Richard E., 16396A.
Higgins, Leo A., 16408A.
Moseley, Elwyn A., 20716A.
Harrell, Jesse R., Jr., 16409A.
Holcomb, Thomas H., 16410A.
Wallace, John N. Jr., 16411A.
Montel, John P., 16412A.
Matthews, Charles L., 16413A.
Hearn, Joseph E., 23000A.
Biggs, David H., 26469A.
Thumser, Louis F., Jr., 16414A.
Knight, James A., Jr., 16415A.
Glass, Donald R., 16416A.
Ford, Milton R., 16417A.
Aldrich, Thomas A., 16418A.
Polezoes, Stanley, 26762A.
Poynor, James L., 16419A.
Mahl, Floyd D., 25496A.
Robinson, Thomas M., 16420A.
Scott, George S., 16421A.
Hilton, Garland B., Jr., 23723A.
Byrum, Gerald B., 16422A.
Barnes, Roy A., 16423A.
Dixon, Billy V., 16425A.
Routh, William N., 16426A.
Russell, Charles C., 23666A.
McCaulley, Roger A., 16427A.
Hobday, Henry C., Jr., 16428A.
Rossman, Russell J., 16429A.
Usis, Felix M., Jr., 16430A.
Cloppas, William P. J., 16431A.
Johnston, James E., Jr., 16433A.
Kaltman, Semen E., 16434A.
Maybell, James L., 16435A.
Renick, Ned W., 20761A.
Kuhlmann, Dunne A., 23762A.
Shaffer, Robert L., 16436A.
O'Clock, Robert, 17696A.
Hammond, George R., 16437A.
Halferty, Robert M., 16438A.
Kahley, Don E., 16439A.
Porter, Wayne C., 16440A.

Avance, Donald E., 16441A.
May, Bedford D., 25774A.
Schmidt, Carvel W., 16442A.
Thurber, George F., 16444A.
Adams, John A., 16445A.
Reynolds, Benoni C., 23693A.
Brown, Melvin G., 16447A.
Clarke, Robert E., 16448A.
Harman, Robert W., 16449A.
Walker, Harry C., Jr., 16450A.
Brown, Leslie A., Jr., 16452A.
Bryan, Raymond J., 16453A.
McNeilly, Charles R., 16454A.
Biagini, Arthur T., 16456A.
Leidemer, Henry M., 16457A.
Reese, Eugene K., 16458A.
Campbell, Russell C., 16461A.
Popp, Vern R., 16462A.
Blankenship, Jack F., 16463A.
Bersanti, Norman P., 16464A.
Cranford, Earl C., 16465A.
Hooten, William J., 16466A.
Wahl, Richard G., 16467A.
Larkins, James R., 16468A.
Betterton, Robert A., 16469A.
Davis, Charley L., 22701A.
Hall, Roland P., 24342A.
Young, Donald J., 16470A.
Bodinger, Norman E., 23715A.
Armstrong, William P., 16471A.
Jones, Robert H., 16473A.
Kelley, Jack W., 16474A.
League, Miles R., 19286A.
Curtis, Curtis D., 16475A.
Dulle, Albert B., 16476A.
Sherman, Robert F., 16477A.
Horangic, Nicholas P., 16478A.
Glover, Douglas C., 16479A.
Coleman, Walter V., Jr., 16480A.

Medical Corps

Bradley, William G., 23052A.
Yerg, Raymond A., 24192A.
Bell, Horace S., 24050A.
Parish, Herman S., Jr., 24166A.
Flaherty, Bernard E., 22399A.
George, John E., 23101A.
Anderson, James B., 21667A.
Jernigan, George C., Jr., 22596A.
Sorensen, Charles C., 20844A.
Green, Harry C., Jr., 20698A.
DeLoach, James F., 22393A.
VanPelt, James F., Jr., 24124A.
Austin, George N., 22556A.
Reynolds, George E., 22665A.
Wright, Walter D., 23662A.
Kurth, Robert J., 22401A.
Swindell, Herbert V., 25328A.
Williams, Robert L., 19767A.
Fenno, Richard M., 21840A.
Crabtree, Sam F., 22667A.
Flinn, Don E., 23582A.
Levine, Robert, 22550A.
Smith, Dasil C., 20542A.
Marriott, William R. V., 24018A.
Alfred, Harry C., 21808A.
Ferris, Curzon C., Jr., 25720A.
Talley, Thomas P., 22962A.
Dewey, Walter W., 22958A.
Freedman, Martin J., 21690A.
McCauley, Ralph T., 25329A.
Azzato, Nicholas M., 23580A.
Shirley, Robert E., 23162A.
Whitsell, Wilber R., Jr., 24196A.
Morgan, Robert F., 20543A.
Morese, Kenneth N., 23679A.
Roads, Wesley A., 24067A.
Goltra, Evan R., Jr., 27490A.
Leslie, James T., Jr., 19768A.
Caris, Timothy N., 21854A.
Furey, Joseph A., 27500A.
Collins, Frederick G., 21737A.
Thompson, William W., 24122A.
Bittick, Paul, Jr., 21910A.
Reiner, Robert N., 27506A.
Coles, John E., 24120A.
Holcomb, Thomas M., 22404A.
Bashore, Sidney M., 25728A.
Robison, Jack R., 22559A.
Powers, Douglas F., 24054A.
Wesp, Joseph E., 23665A.
Ballinger, Edwin R., 21692A.

Warren, Donald J., 24114A.
Hines, Henry L., 24201A.
Preston, Rhea S., 19770A.
Dawson, Robert G., 24115A.
Rul-Lan, Carlos D., 29613A.
Haskins, Donald M., 22942A.
Chandler, Frank W., 24110A.
Claiborne, Earl R., 22549A.
Westerbeck, Charles W., 24200A.
Youngblood, Robert W., Jr., 22943A.
Smith, J. Lewis, Jr., 24194A.
Gathright, Alan J., 25649A.
Kern, Sidney B., 19769A.
Lofton, Joseph E., 19844A.
Burdick, Kenneth H., 24113A.
Weigel, Arthur E., 26353A.
Ford, Charles F., 19568A.
Worthman, Robert H., 19966A.
Coffey, Roy B., 22948A.
Baker, Claude D., 25463A.
Rutledge, Guy L., Jr., 22944A.
Oliver, George J., Jr., 23056A.
Berry, Charles A., 22414A.
Nafis, Warren A., 23581A.
Livermore, David I., 19533A.
Bos, Norman C., 25488A.
Noll, Leland E., 26357A.
VanDuyne, Charles M., 24116A.
Starrett, Jack R., 29273A.
Wheaton, Jerrold L., 29472A.
Marshall, Strother B., 29615A.
Ryan, Arthur E., 29614A.
Paul, Jesse W., Jr., 29620A.
Flaherty, Robert A., 23118A.
Wrede, Henry F., Jr., 25647A.
Spiro, Franklyn C., 22964A.
McGrade, Hugh P., 24123A.
Gabby, Samuel L., Jr., 22413A.
Baker, Benjamin R., 24112A.
Wolter, David F., 26363A.
Jones, Robert F., 27584A.
George, John W., 22555A.
Martin, John T., 20056A.
Pollock, Clifford R., 21689A.
McClain, Roland E., 21691A.
Douglas, William K., 19967A.
Ferguson, Richard H., 21853A.
Cassidy, James E., 24195A.
Cox, Charles L., Jr., 27493A.
Musgrave, Paul W., 26355A.
Greene, John R., 27608A.
Puglisi, Anthony J., 19612A.
Gregory, R. D., Jr., 22956A.
Donnell, Alonzo M., Jr., 22957A.
Rosewall, Charles R., 24133A.
Schlattner, William H., Jr., 24186A.
Neely, Samuel E., 21767A.
Rountree, William C., 20016A.
DeTreville, Robert T. P., 22974A.
Logan, John B., 19608A.
Kohl, John M., 19965A.
Sturr, Robert P., Jr., 23171A.
Auld, David, 20540A.
Beyer, David H., 20846A.
Rudolph, Robert L., 21597A.
Morrissey, Robert W., 24193A.
Guice, Charles E., 25635A.
McLin, Leonard D., 19835A.
Clark, Ernest J., 20059A.
Sanford, William G., 23107A.
Maas, Gerald I., 25462A.
Hennessen, John A., Jr., 20013A.
Keegan, James M., 21731A.
Murphy, Paul D., 22565A.
Baker, Neill H., 19576A.
Meyers, John C., 19915A.
Tucker, Andrew L., 22970A.
Booth, Latimer H., 27489A.
Hogan, Peter D., 20837A.
Roth, Charles W., 19929A.
Borman, James G., 20836A.
Good, Raphael S., 22969A.
Relyea, William V., 23121A.
Wilkins, Paul C., 24191A.
Regan, Thomas C., 24198A.
Claro, Joseph J., 23593A.
Gibbs, Charles E., 24111A.
McGettigan, Manus J., 23060A.
Ainsworth, George E., 23212A.
Murray, William N., 25648A.
Berger, Walter J., Jr., 23168A.
DeMinico, Charles P., 21598A.
Ritzinger, Frederick R., Jr., 25721A.
Bryan, Richard S., 24664A.
Cote, Richard H., 19545A.
Archdeacon, John R., 23658A.
Grant, Bowie L., 29616A.
McElvain, Wilbert H., 24662A.
Pfrommer, John R., 29473A.
Langeller, Paul R., 20014A.
Adams, Robert H., 22960A.
Moritz, Henry C., Jr., 24652A.
Stecher, William N., 29807A.
McKeen, Charles L., 23591A.
Cutler, Kay R., 26631A.
Robbins, Jack H., 27492A.
Hartman, Harold F., 24221A.
McCann, John P., 20528A.
Schwarting, Bland H., 22959A.
Flanagan, Brian P., 24649A.
Fitch, Ray F., 24655A.
McKay, William M., Jr., 25645A.

Dental Corps

Krause, Lyndon S., 20522A.
Jakob, Robert H., 20832A.
Ketcham, Frank H., 21685A.
Book, William H., 22395A.
Hewson, John M., 21594A.
Miller, William A. C., Jr., 21845A.
Hase, Robert R., 23163A.
Zukowski, Alphonse A., 21593A.
Poor, Willard H., 21728A.
Weber, Carl E., 21426A.
Merrill, Bob K., 23120A.
McMahon, Cahrles A., 25731A.
Hoskins, Sam W., Jr., 25695A.
Morris, Charles C., 20834A.
Petty, George B., 23584A.
Manners, Philip, 21729A.
Wilson, Howard R., Jr., 18969A.
Hayden, Arthur L., 24119A.
Brown, Charles A., 26634A.
Burnette, Elmer W., Jr., 25666A.
Dybowski, Eugene L., 18964A.
Copeland, Henry I., Jr., 22396A.
Hartley, Jack L., 18972A.
Zellers, Howard W., Jr., 24121A.
Runco, Joseph G., 25466A.
Zellhoefer, Robert W., 27598A.
Bowman, Robert G., 25465A.
Stumpf, Arthur J., Jr., 23058A.
Jones, Eugene H., 18962A.
Morgan, Howard H., 20835A.
Townsend, Lewis F., Jr., 18960A.
Reilly, Robert L., Jr., 20833A.
Kreutzer, Joseph J., 24204A.
Milbourn, Arthur L., 21849A.
O'Leary, Timothy J., 18966A.
Dunham, David R., 18970A.
McCully, Albert C., 20524A.
Jackson, James T., 24117A.
Thompson, Robert L., Jr., 20523A.
Gillespie, Carroll C., Jr., 22984A.
Cox, John, 25664A.
Hannon, Harrison J., 26359A.
Jaslow, Charles, 20553A.
Rogers, Joseph C., 18965A.
Williams, Marion R., 21727A.
Ayres, William E., 22976A.
Baldwin, Kenneth H., 24205A.
Chapman, John A., 19618A.
Turk, Roy S., 22988A.
Reese, Robert T., 19629A.
Staerkel, Julius G., 26736A.
Jamieson, Glenn W., 18971A.
Hughes, Wilbur R., Jr., 25693A.
Kurth, Donald E., 29276A.
Wyatt, James L., Jr., 19847A.
Hoot, Norman G., 21847A.
Raab, Lester W., 26360A.
Weaver, Robert N., 24140A.
Hill, Robert E., 19971A.
Leonard, Ovide R., 29650A.
Best, Robert N., 29729A.
Ambrose, James A., 19622A.
Schilb, Enslie I., Jr., 21732A.
Cole, James B., 29412A.
Fritz, Jackson W., 29413A.
Ayres, Elmer V., 19619A.
Potts, Henry R., 25467A.
Stillson, William T., 26696A.
Masters, William Z., 19919A.
Knoll, Oliver J., 19969A.
Funk, Edward C., 27978A.
Barale, Philip A., 21600A.
McCall, Clarence M., Jr., 22408A.
Sprague, William G., 25667A.
Bergmann, Robert W., 21764A.
Malloy, Charles B., 24660A.
Davis, Edward E., 29299A.
Kolodny, Stanley C., 27981A.
Tarsitano, John J., 27495A.
Grant, Ambrose G., 24675A.
Szmyd, Lucian, 19261A.
Sundberg, Paul V., Jr., 19846A.
Dickson, Edward E., 22978A.
Welborn, Joseph F., 19766A.
Ryan, Robert L., 20061A.
Smith, Richard A., 25665A.
Gosselin, Carlton F., 25730A.
Sherman, John R., Jr., 19842A.
Jordan, David R., 21742A.
Baird, Ernest M., II, 22415A.
Mueller, Roy L., 21428A.
Speiser, Warren H., 27983A.
Bateman, Herbert E., 25696A.
Detamore, Robert J., 19624A.
Louis, John D., 20058A.
Logan, Franz W., 25482A.

Veterinary Corps

Couch, J. B., 21601A.
Nichols, Wilbert C., 19920A.
Kyner, Roy E., Jr., 21602A.
Weil, Frederick, 21604A.
Nettles, William D., 19845A.
Hornickel, Edward P., 21606A.
Dalziel, George T., 21605A.
Armstrong, James, 21603A.
Hayman, William P., Jr., 21866A.
Greer, Russell F., 21867A.

Medical Service Corps

Smyth, Kenneth E., 21619A.
Holihan, Francis L., 21607A.
Beck, William S., 21612A.
Foley, Frank R., 21870A.
Marolf, Kenneth L., 21613A.
Deverick, Theodore R., 19513A.
Zellers, Billy B., 21614A.
Tayloe, Leon T., 23076A.
Cook, Raymond J., 21610A.
Little, Herman I., 21616A.
Woolf, Henry M., 21615A.
Schult, Harold G., 21617A.
Johnson, John A., 21611A.
Swimmer, Adolph H., 24233A.
Saul, Lee I., 21871A.
Weller, William E., 21618A.
Herrin, Daniel M., Jr., 21620A.
Goings, Charles E., Jr., 19522A.
Dykstra, John J., 21634A.
Darling, Kenneth P., 19523A.
Kimball, Lorenzo K., 21869A.
Connolly, Owen F., 21868A.
Roftis, Robert J., 21623A.
Edmonds, Clarence W., 19524A.
Smith, Frank K., 19525A.
McDermaid, Richard, 19575A.
Winkelblech, Donald R., 21624A.
Hines, William H., 19526A.
Weiss, Earl, 23222A.
Share, James M., 19527A.

Nurse Corps

O'Brien, Dominica B., 21917W.
Fleming, Pearl M., 21943W.
Marquis, Jeanne R., 21936W.
Bell, Adeline T., 21968W.
Thompson, Catherine M., 21048W.
Dorsey, Anna J., 20928W.
Ball, Adele M., 21091W.
Skinner, Alice L., 20994W.
Pharris, Edna L., 21168W.
Hosey, Margaret K., 20984W.
Slade, Eleanor M., 21157W.
Richey, Margaret A., 21989W.
Jernigan, Marguerite L., 21991W.
Elder, Virginia M., 21169W.
O'Donnell, Mary E., 21992W.
Kirkhoff, Kathryn M., 20959W.
Neese, Sara K., 21998W.
Fuller, Mildred L., 20989W.
Holmes, Sarah B., 20964W.
Dehart, Dorothy M., 21106W.

Ditchfield, Flora J., 21665W.
Hart, Willie E., 21108W.
Smith, Carol V., 21713W.

Medical Specialist Corps

Creech, Kathleen R., 21201W.

Chaplain

Stillwagon, Grover E., 20651A.
Bennett, John S., 21856A.
Sharbaugh, Cornelius A., 188606A.
Paulk, Ivan L., 20633A.
Evans, John T., Jr., 18607A.
Brenner, Arthur E. K., 20658A.
Barringer, John D., 20657A.
Glaize, Charles H., 20654A.
Wakefield, Charles W., 20652A.
Terry, Roy N., 21429A.
Minor, Earl W., 20855A.
Larkin, Timothy J., 21855A.
Pullen, Oden M., 21859A.
Woodruff, James R., 27659A.
Mattheson, Raymond T., 20861A.
Trent, B. C., 26649A.
Shoemaker, Harold D., 27660A.

FIRST LIEUTENANT TO CAPTAIN

Line of the Air Force

Cunningham, Robert W., 28210A.
Henschel, Harold C., 28194A.
Taple, Henri L., 28335A.
Williams, Henry B., 28196A.
Howard, Francis W., 28188A.
Sykes, Edmond P., 28311A.
Purdy, Channing L., 20401A.
Jones, Robert L., 28197A.
Shippey, Edwin F., Jr., 28341A.
Falls, Joseph F., 28217A.
Jones, Herschel D., 28306A.
Murphy, Elmer E., 28313A.
Kinard, Robert L., 28219A.
Neuhauser, Albert L., 28342A.
Marker, Michael M., 28199A.
Damen, Robert C., 28215A.
Myers, Pierce M., Jr., 28312A.
Heller, Gilbert L., 28305A.
Burns, Joseph, 28334A.
Reiss, Donald A., 28333A.
Graybill, Harold L., 28222A.
Magnan, Mark W., 28204A.
Nadon, Norman C., 28207A.
Planinac, John W., 28318A.
Hudspeth, Edwin G., 28223A.
Burns, John J., 28203A.
Daniels, Robert W., 22660A.
Doll, George A. J., 28321A.
Nicholson, Gilbert O., 28205A.
Marker, Stanley N., 28329A.
Bonseigneur, Paul J., Jr., 28216A.
Pallouras, James L., 23910A.
Cogburn, Charles S., Jr., 28190A.
Skaggs, Alvin D., 23931A.
Parr, Ralph S., Jr., 28206A.
Curtis, Andrew E., Jr., 28218A.
Algeo, John B., 23925A.
Strand, John H., Jr., 22858A.
Rogers, Dow A., Jr., 28214A.
Myers, William D., 28323A.
Skipper, Francis H., 23945A.
Kiernan, John W., 28217A.
Traendly, Eugene W., 24578A.
Deegan, Thomas J., 28320A.
Neville, Thomas J., 28336 A.
Lindberg, William E., 28308A.
Wood, James W., 28202A.
Berggreen, Cole J., 23941A.
Downhill, Jack E., 24587A.
Lane, Gerald R., 23902A.
Drumm, William H., Jr., 28224A.
Boyd, William C., 28319A.
Dennis, Robert, 23901A.
Smithwick, Edward F., 23920A.
Daniel, William J., 28191A.
Zettler, Vincent V., Jr., 24690A.
Stallcup, Edward E., 28315A.
Friss, Raymond J., Jr., 23907A.
Ebersole, Howard R., 24476A.
Stewart, Homer J., 24609A.
Tilford, William A., 28220A.
Perrone, Michael, 28238A.
Lorenzo, Donald W., 28236A.
Finefrock, George H., 28232A.
Keickhaefer, Robert V., 24563A.
Clark, Roy T., Jr., 24596A.
Tischoff, Tom B., 28603A.
Murray, Jack G., 24498A.
Schneider, Franklin E., 28230A.
Ozenick, Phillip M., 28222A.
Johnson, Charles D., 28233A.
Tyner, Gene T., 28229A.
Pittenger, Richard M., 28302A.
Probst, Gerald G., 24697A.
Gaffey, John T., II, 22859A.
Sharp, Bryant M., 28211A.
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Boyle, James M., 24861A.
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Boyer, Wallace R., 26960A.
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Bott, James F., 23603A.
Smithson, Claud J., Jr., 23615A.
Fox, Arthur E., 23605A.
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Levy, Eugene D., 26723A.
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Griffin, Joseph M., 26975A.
Kaehlert, Donald A., 26976A.
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Frink, John P., 28397A.
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Long, Patrick G., 26981A.
Abbott, Leslie W., 27754A.
Hope, Raymond L., Jr., 28398A.
Kuntz, David T., 28399A.
Conrad, David M., 25919A.
Stevens, Henry L., Jr., 26985A.
Savoye, Richard O., 26984A.
Dobbs, Maurice T., 27755A.
Moore, Billy J., 25920A.
Short, Robert F., 27756A.
Henry, Frederick P., 27757A.
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Emmert, Merle W., 23017A.
Bowen, Donald J., 26986A.
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Miller, Robert T., 29326A.
McCloskey, John F., 29316A.
Davidson, W. Harley, 29432A.
Viren, Fred K., 29284A.
Carilli, Albert D., 29454A.
Daley, John G., 29435A.
Perkins, David E., 29453A.
Bunnell, David J., Jr., 29451A.
Crummett, John D., 29462A.
Dodson, Jerry G., 29456A.
Higgins, Lloyd M., 29441A.
Netick, Joe, Jr., 29460A.
Patterson, Lewis T., 29455A.
Priebe, Cedric J., Jr., 29442A.
Richardson, Howard D., 29461A.
Todd, John N., III, 29448A.
Zirbel, Clyde C., Jr., 29434A.
Welch, Carlos O., Jr., 29458A.
Walls, William L., 29450A.
Williams, J. O., Jr., 29447A.
Dunaway, James B., 29430A.
Soisson, Ferdinand L., Jr., 29313A.
Spicer, Robert F., 29438A.
Neft, Louis G., 29431A.
Borgia, Charles A., 29444A.
Woolley, Galen S., 29505A.
Story, William C., 29490A.
Rollins, Lawrence T., 29502A.
White, Lynn C., 29494A.
Penry, James K., 29501A.
Fulton, John F., 29499A.
Leigh, John E., 29500A.
Markham, Charles W., 29507A.
Steinman, Paul A., 29493A.
Alexander, Thomas H., 29492A.
Rabkin, Richard, 29509A.
Ross, Rudolph J., 29503A.
Thomas, Frank W., Jr., 29504A.
Camp, Thomas F., Jr., 29497A.
Allen, Sam T., 29495A.
Benson, Jack O., 29491A.
Dyer, Maurice E., 29498A.
Titus, Charles O., 29508A.
Carlson, Kenneth P., 29632A.
Null, Francis C., Jr., 29633A.
Rueve, William W., 29641A.
Longenhagen, John B., 29642A.
Radlet, Paul J., 29634A.
Bailey, Dewey J., Jr., 29643A.
McNealy, Donald E., 29647A.
Guin, Jere D., 29636A.
Snodgrass, W. T., 29639A.
Anderson, Albert S., 29640A.
Bowman, Edwin A., 29645A.
Beahan, Laurence T., 29646A.
Cook, Elwyn C., 29637A.
Yamauchi, Hiroshi, 29506A.
Weatherall, Richard H., 29635A.
Calverley, John R., 29446A.
Cross, James L., 29780A.
Demetry, James P., 29777A.
Broussard, Lawrence O., Jr., 29778A.

Dental Corps

Gadbois, Norman C., 27527A.
Wright, William G., 27650A.
Hall, Gaylord L., 27526A.
Kochler, Gilbert L., 27655A.
Johnson, Carl E., 29293A.
Urata, Wallace T., 29301A.
Boxwell, David O., 28133A.
Hitchens, James A., 29302A.
Esterl, Norman L., 29294A.
Logan, Thomas P., 29657A.
Hungerford, Richard W., 29817A.
Morrow, Robert M., 29658A.
Smith, James R., 29818A.
Leitzel, Robert G., 29819A.

Veterinary Corps

Anderson, Donald L., 29331A.
Rushing, Ernest B., Jr., 29332A.
Shill, Otto S., Jr., 29333A.

Medical Service Corps

Colon, Howard, 25337A.
Haas, Raymond O., 24241A.
Delong, Merrill B., 29336A.
Metcalf, Robert D., 25681A.
Harper, Oliver F., Jr., 23237A.
Berlow, Leonard, 23239A.
Griffith, Llewellyn B., 24238A.
Archibald, Erwin R., 25685A.
Seaquist, Maurice R., 25344A.
Kirkel, Hubert P., 23238A.
Murphy, James D., 25674A.
Jones, Bruce, 24240A.
Keeffe, Loren J., 27537A.
Braden, Robert W., 25339A.
Overfelt, Clifford D., Jr., 25340A.
Smith, Francis J., 29334A.
Hirsch, Jerome A., 25350A.
Ables, William A., Jr., 25675A.
Richardson, Toxie W., Jr., 24242A.
McIntyre, Walter V., 24213A.
Williams, William L., 24244A.
Tribble, William D., 25341A.
Freud, Sheldon L., 24245A.
Gray, Pat B., 25676A.
Diedrich, Frederick J., Jr., 24246A.
Bell, Herbert E., 22542A.
Etter, Hal G., 24247A.
Long, Ralph S., Jr., 24248A.
Collins, Harry R., 25342A.
Trager, Leonard W., Jr., 25677A.
Pitts, Donald G., 24250A.
Baber, Winston D., 25678A.
Guerin, Michael D., Jr., 27535A.
Loper, Lester R., 24251A.
Gibble, Thomas B., 24252A.
Burke, William E., 25343A.
Truelove, James W., 25739A.
McAllen, Daniel L., Jr., 25679A.
Skafidas, Gregory J., 25740A.
Busch, Emery B., Jr., 24253A.
Watson, Robert A., 25680A.
Hartman, John L., Jr., 27536A.
Allen, George F., 26718A.
Farmer, Jack N., 25741A.
Cardarelli, Alexander J., 24254A.
Gabel, Richard J., 25345A.
Isbell, Frank M., 26751A.
Parker, Gene H., 24255A.
Butcher, Bruce A., 25704A.
Moyer, James E., 25683A.
Cortner, Robert H., 25347A.
Nengebier, Robert A., 25742A.
Mixson, Marion H., Jr., 25349A.

Nurse Corps

Rolwing, Miriam D., 27546W.
Carlson, Mary S., 25764W.
Lauderbaugh, Norma J., 25766W.
Shugart, Ernestine B., 26656W
Miedwig, Ruth C., 27544W.
Elsele, Pauline A., 26659W.
Wood, Edith, 26657W.
Kellam, Agnes L., 28012W.
Caddell, Joan M., 29343W.
Evans, Mary J., 29344W.
Marshall, Louise A., 26658W.
Grim, Patricia A., 27550W.
Bates, Modena L., 28013W.
Roop, Mary E., 29345W.
Momrow, Esther M., 24258W.
Wikoff, Lois J., 29346W.
Thomas, Patricia A., 25355W.
Wallace, Mary E., 26663W.
Welborn, Ella E., 26664W.
Zirkle, Robbie J., 26662W.
Pelzer, Betty J., 26660W.
Veitch, Janet, 26666W.
Nixon, Eva C., 26661W.
James, Phyllis M., 25354W.
Chamberlin, Mary A., 28177W.
Dejesuscruz, Maria, 28014W.
Betzold, Margery E., 28015W.
Collavo, Laverne M., 24259W.
Fritts, Doris J., 27547W.

Medical Specialist Corps

Hayton, Marian J., 29352W.
Coursey, Junie M., 27553W.

Chaplain

Connelly, George R., 28158A.

SECOND LIEUTENANT TO FIRST LIEUTENANT

Line of the Air Force

Saxe, Charles L., Jr., 28940A.
Carney, Charles R., 28941A.
Johnson, Richard D., 28942A.
Garczynski, Frank B., Jr., 28943A.
Courtaney, Dennis E., 28944A.
Jackson, Richard H., 28945A.
Eck, Kevin F., 28946A.
Dalton, William M., 28949A.
Purkhiser, Joe B., 28948A.
Bouchard, Richard M., 28947A.
Bierik, William V., 28950A.
Schmidt, George J., 28951A.
Tonz, John J., 28952A.
Christian, Daniel R., 28953A.
Nancarrow, George E., 28954A.
Williams, Ernest W., 28955W.
Harvell, Joe L., Jr., 28957A.
Bradshaw, Gene, 28958A.
Baugh, David S., 28959A.
Floyd, Charles R., 28960A.
Thompson, James K., 28962A.
Boone, George T., 28963A.
Seegers, James F., 28964A.
Rogers, Charles E., 28965A.
Doyle, James K., 28966A.
Olin, Richard E., 28967A.
Beckwith, Charles A., Jr., 28968A.
Schelonka, Edward P., 28969A.
Fisher, James L., 28970A.
Gordon, John N., 28971A.
Fluhr, Wallace E., 28972A.
Graff, Robert S., 28973A.
Taylor, Kenneth W., Jr., 28974A.

Medical Service Corps

Fisher, Elwood E., 29341A.
Blakeney, Joe F., 28011A.
Lynch, Jeremiah R., 29342A.

NOTE.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Alice H. Hyatt, Grady, Ala., in place of S. C. Athey, retired.

Harry Y. Dempsey, Jr., Jacksonville, Ala., in place of J. T. Martin, retired.

ALASKA

Victor R. Milligan, Ketchikan, Alaska, in place of P. N. Ripley, retired.

John G. Williams, Sr., Yakutat, Alaska. Office made Presidential July 1, 1947.

ARKANSAS

Hubert E. Holland, Dardanelle, Ark., in place of J. D. Gault, retired.

CALIFORNIA

Kathryn Jean Long, Alcatraz, Calif., in place of E. R. Martin, deceased.

Marshall N. McFie, Anaheim, Calif., in place of L. H. Hoskins, resigned.

Other M. Parker, Cuyama, Calif. Office established July 18, 1953.

Evelyn L. Hash, Fields Landing, Calif., in place of D. W. Mitchell, retired.

Jesse Ralph Layton, Fullerton, Calif., in place of F. D. Lowrey, removed.

Manuel George Sousa, Half Moon Bay, Calif., in place of L. E. Watts, deceased.

Roy A. Hubbell, Hollister, Calif., in place of W. H. O'Brien, deceased.

Madeline B. Hord, Johannesburg, Calif., in place of M. F. MacQuiddy, resigned.

George S. Bringle, McCloud, Calif., in place of P. W. McGrorty, retired.

Mary Frank Donau, Manzanita Lake, Calif., in place of A. S. Donau, resigned.

Raymond E. Caudill, Port Chicago, Calif., in place of G. H. German, deceased.

Kenneth B. Johnson, Salinas, Calif., in place of J. L. Murphy, retired.

Loren Burns Kirby, San Fernando, Calif., in place of T. R. Wilson, resigned.

Jease J. Parks, Jr., Tustin, Calif., in place of C. H. Campbell, transferred.

COLORADO

Beulah B. Mays, Briggsdale, Colo., in place of B. W. Jenkins, transferred.

Lloyd E. Simpson, Paonia, Colo., in place of T. H. Wand, retired.

Bruce N. Cramb, Wiley, Colo., in place of C. H. Davis, retired.

CONNECTICUT

Arthur L. Pepin, Jewett City, Conn., in place of L. E. Boucher, deceased.

Jeanne H. Wright, New Preston, Conn., in place of W. J. Gilbert, declined.

DELAWARE

Edward G. P. Jones, Jr., Delmar, Del., in place of R. R. German, retired.

FLORIDA

Orlue E. Hendrickson, Crawfordville, Fla., in place of L. H. Raker, deceased.

William J. Durrance, Fort Meade, Fla., in place of S. G. Turnley, deceased.

George E. Jordan, Indiantown, Fla., in place of M. M. Gold, removed.

GEORGIA

Ava L. O'Dillon, Bishop, Ga., in place of W. F. Wells, Jr., resigned.

Opal McKoon, Luthersville, Ga., in place of M. E. Reeves, deceased.

George M. Freeman, Quitman, Ga., in place of J. D. Kilpatrick, resigned.

John Clyde Twiggs, Sr., Young Harris, Ga., in place of W. R. Hall, retired.

IDAHO

Joseph A. Gillett, Declo, Idaho, in place of L. A. Gillett, retired.

ILLINOIS

James S. Rutter, Addison, Ill., in place of J. S. Rutter, resigned.

Donald R. Harris, Bethalto, Ill., in place of Kenneth Henkhaus, deceased.

William K. Stevenson, Biggsville, Ill., in place of L. E. Dixon, deceased.

John F. Wooldridge, Broughton, Ill., in place of Winifred Hughes, removed.

Melvin V. Mader, Forest Park, Ill., in place of A. H. Schuler, deceased.

Roy E. Thomas, Marengo, Ill., in place of C. T. Carney, removed.

William V. Martin, Odell, Ill., in place of J. L. Langan, deceased.

Francis E. Overstreet, Raritan, Ill., in place of E. A. Houtchens, resigned.

Emery E. Tipsord, Saybrook, Ill., in place of W. O. Butler, retired.

Hugh H. Holsapple, Toledo, Ill., in place of R. B. Grissom, deceased.

Clarence E. Harden, Tolono, Ill., in place of C. E. Harden, transferred.

INDIANA

Henry E. Rippe, Hobart, Ind., in place of W. G. Black, retired.

Victor J. Hubers, St. Meinrad, Ind., in place of R. K. Hubers, retired.

IOWA

Adolph L. Opsal, Armstrong, Iowa, in place of M. E. Daries, removed.

Kenneth L. Shaw, Camanche, Iowa, in place of L. P. Beans, retired.

Richard F. Messler, Rockford, Iowa, in place of C. L. Schmidt, transferred.

KANSAS

Glenn O. Tarrant, El Dorado, Kans., in place of F. H. Steiger, retired.

Ernest R. Dicks, Hutchinson, Kans., in place of R. L. Hockaday, retired.

Edgar L. Wiltse, Paola, Kans., in place of W. H. McDowell, resigned.

Burl D. Prussing, Shawnee, Kans., in place of Beth Constance, resigned.

Gailen R. Braden, Wakefield, Kans., in place of C. P. Gates, retired.

KENTUCKY

Mattie L. Riley, Benton, Ky., in place of C. B. Cox, retired.

Mary E. Wilson, Bypro, Ky., in place of A. B. Hall, removed.

Richard D. Spaulding, Clay City, Ky., in place of M. G. McGuire, deceased.

Bethel G. Hall, Clearfield, Ky., in place of A. M. Bowne, retired.

Frank M. Powell, Danville, Ky., in place of R. D. Stigall, transferred.

Earl M. Spangler, Highsplint, Ky., in place of E. J. Lovitt, resigned.

William R. Parker, Hodgenville, Ky., in place of E. D. Enlow, retired.

Charles E. Sullivan, Horse Cave, Ky., in place of J. H. McGee, Jr., removed.

Nathan I. Clements, Union, Ky., in place of N. R. Huey, retired.

LOUISIAN..

Robert J. Rossi, Gonzales, La., in place of L. S. Gonzales, resigned.

MAINE

Emery S. Dickey, Brooks, Maine, in place of K. B. Morehead, removed.

Marvel W. Harshaw, Brownville Junction, Maine, in place of W. P. Rosebush, deceased.

Gordon Gould, Hinckley, Maine, in place of E. A. Simoneau, retired.

MARYLAND

Luther V. Winstead, Clinton, Md., in place of R. R. Ripple, resigned.

Richard E. Howard, Funkstown, Md., in place of R. G. Williams, retired.

MASSACHUSETTS

Cyrus I. Dennis, Leominster, Mass., in place of M. E. O'Toole, retired.

MICHIGAN

Frank B. Sheridan, Allendale, Mich., office established November 1, 1954.

Gordon Arthur Young, Coloma, Mich., in place of N. J. DuVall, retired.

Eilleen D. Wood, Lacota, Mich., in place of N. B. Dewey, retired.

Norman F. Smith, Marlette, Mich., in place of J. S. Dunsford, retired.

Daniel C. Stanchina, Norway, Mich., in place of C. J. Bal, resigned.

Barbara J. Miller, Sanford, Mich., in place of E. C. Hess, retired.

MINNESOTA

Raymond O. Halvorson, Ceylon, Minn., in place of H. A. C. Saggau, removed.

Charles H. Bordwell, Keewatin, Minn., in place of O. A. Olson, retired.

Jay F. Aykens, Steen, Minn., in place of M. F. Griffin, removed.

Alexander E. Rathmanner, Winsted, Minn., in place of A. P. Fasching, transferred.

MISSISSIPPI

Abram C. Abraham, Leland, Miss., in place of W. W. Armstrong, retired.

Emma J. Cummings, Pheba, Miss., in place of J. C. Washington, deceased.

MISSOURI

Tony E. Cates, Ellsinore, Mo., in place of P. G. Wingo, deceased.

Lena V. McMurry, Moscow Mills, Mo., in place of G. T. Carter, deceased.

NEBRASKA

Stanley J. Smith, Daykin, Nebr., in place of V. P. Adams, deceased.

Dean J. Rocke, Hallam, Nebr., in place of E. M. Alberts, retired.

Helen E. Sirrs, Palmyra, Nebr., in place of M. B. Bouck, resigned.

James J. Fuchs, Platte Center, Nebr., in place of Kitty Hennessy, retired.

NEVADA

Florence J. Holman, East Ely, Nev., in place of E. I. Hermansen, retired.

NEW HAMPSHIRE

Herbert R. Seldon, Gossville, N. H., in place of G. H. Yeaton, retired.

Mary E. Nichols, Lincoln, N. H., in place of A. D. Towers, declined.

Jessie G. Thompson, Moultonboro, N. H., in place of R. E. Goodwin, retired.

Helen C. Sleeper, North Haverhill, N. H., in place of C. W. Southworth, retired.

Henry F. Stapleton, Pittsfield, N. H., in place of L. E. Sheehan, deceased.

Delwyn E. Philbrick, Rye Beach, N. H., in place of H. J. Hayes, retired.

NEW JERSEY

William E. Stevens, Broadway, N. J., in place of J. S. Howell, retired.

Wesley H. Beekman, River Edge, N. J., in place of R. B. Cunningham, removed.

Joseph E. Mott, Tuckerton, N. J., in place of K. C. Wetmore, deceased.

NEW MEXICO

Otto Klaudt, Deming, N. Mex., in place of M. C. Wehmhoner, transferred.

NEW YORK

Henry A. Goetz, Albany, N. Y., in place of J. P. Hayes, removed.

Harry F. Sackinger, Bolivar, N. Y., in place of J. S. Dempsey, Sr., resigned.

Fred Hoffman, Jr., Brockport, N. Y., in place of E. T. Mulhern, retired.

Merlin G. Ham, Claverack, N. Y., in place of H. J. Sagendorph, retired.

Walter A. Labuda, Climax, N. Y., in place of M. F. Lockwood, deceased.

Laverne Robert Staebell, East Pembroke, N. Y., in place of M. N. Seamans, resigned.

Rex L. Steele, Elizaville, N. Y., in place of A. L. Coons, retired.

Raymond W. Delaney, Endicott, N. Y., in place of A. J. Hand, retired.

Alice A. Holvik, Great River, N. Y., in place of M. E. Drywa, resigned.

John A. Baugh, Jr., Middle Grove, N. Y., in place of C. A. Stedman, retired.

Robert W. Betts, Millport, N. Y., in place of H. C. Fiala, resigned.

Daniel V. Walker, Oyster Bay, N. Y., in place of J. A. McGarr, deceased.

Willard C. Schmitt, Westbury, N. Y., in place of J. J. Bennett, transferred.

NORTH CAROLINA

Grady S. Tucker, Locust, N. C., office established October 17, 1955.

Jake H. Wright, Jr., Middlesex, N. C., in place of R. A. Parker, resigned.

James H. Canipe, Morven, N. C., in place of N. R. Kibler, retired.

William K. Delbridge, Norlina, N. C., in place of T. T. Hawks, deceased.

Charles Clifton Mock, Pfafftown, N. C., in place of Mamie Pfaff, retired.

Robert W. Sharpe, Sharpsburg, N. C., in place of Estelle Eason, removed.

Malcolm Vance Hickman, Winston-Salem, N. C., in place of W. B. Booe, resigned.

NORTH DAKOTA

George J. Dietz, Belfield, N. Dak., in place of S. O. Doyle, retired.

Donald C. Hawley, Hope, N. Dak., in place of P. L. Freund, retired.

OHIO

Thomas Royal Gatton, Butler, Ohio, in place of D. R. Swank, transferred.

Francis T. Kristenak, Clay Center, Ohio, in place of W. R. Samsen, retired.

Howard M. Nicol, Cuyahoga Falls, Ohio, in place of E. B. Eller, resigned.

Joseph D. Hallock, Diamond, Ohio, in place of R. H. Johns, retired.

Herman L. Kruse, Edgerton, Ohio, in place of H. J. Brown, retired.

Nick C. Marrale, Leroy, Ohio, in place of L. E. Gorham, retired.

Elvah Davis, Lockwood, Ohio, in place of L. W. Rice, retired.

Nora Bell A. Might, McCutchenville, Ohio, in place of M. E. Parsell, resigned.

Fred A. Stanley, Newton Falls, Ohio, in place of L. B. Griffith, retired.
Gene C. Alexander, Rarden, Ohio, in place of Paul McKinley, removed.
Oliver T. Van Sickle, Somerset, Ohio, in place of I. A. Downey, deceased.
Hugh F. McPhee, Struthers, Ohio, in place of John Sekerak, retired.
Ila M. Porter, Vincent, Ohio, in place of L. V. Haddow, retired.
Robert L. Meese, Wilmot, Ohio, in place of Ralph Meese, deceased.
Adam J. Reay, Windham, Ohio, in place of H. M. Parker, retired.

OKLAHOMA

R. Ray Heath, Stillwater, Okla., in place of H. A. McNutt, resigned.
Jack Shackelford, Webbers Falls, Okla., in place of M. D. Harmon, retired.

OREGON

Clara T. Lane, Wheeler, Oreg., in place of B. B. Nunn, retired.

PENNSYLVANIA

Francis P. Golden, Coudersport, Pa., in place of C. D. Patterson, retired.
Elba I. Coder, Mapleton Depot, Pa., in place of C. E. Bell, retired.
Frank K. Seaman, Sr., Marietta, Pa., in place of E. B. Miley, retired.
Louis K. Weintz, Matamoras, Pa., in place of Frank Mager, retired.
Mary A. Boyd, Mount Braddock, Pa., in place of N. Y. Phelan, deceased.
Hugh R. Saxton, Nicholson, Pa., in place of L. A. Wallace, retired.
Ernest T. Thomas, Red Hill, Pa., in place of C. C. Bernd, retired.
Thaddeus C. Sharer, Saylorsburg, Pa., in place of J. F. Siegel, retired.
Elmer C. Bentz, Scottdale, Pa., in place of G. S. McCurdy, retired.
John Kenneth Long, Shippensburg, Pa., in place of C. F. Hockersmith, retired.
Lee L. Altemose, Tatamy, Pa., in place of E. S. Happel, retired.
John G. Butler, Williamsburg, Pa., in place of J. K. Morrison, retired.

PUERTO RICO

Efrain Pouport, Las Piedras, P. R., in place of Angeline Frias, retired.

SOUTH DAKOTA

Gilbert M. Ruden, Hurley, S. Dak., in place of R. A. Bishop, resigned.

TENNESSEE

Dan L. Clapp, Corryton, Tenn., in place of C. S. Nicely, transferred.
Willie H. Cook, Liberty, Tenn., in place of J. E. Hale, retired.

TEXAS

George L. Hanke, Aspermont, Tex., in place of W. M. Robbins, declined.
Joseph P. Hutton, Canadian, Tex., in place of P. V. Bryant, retired.
Lonnie E. Nordt, Damon, Tex., in place of L. C. Nordt, deceased.
Jane R. Davis, Fritch, Tex., in place of W. C. Lee, deceased.
Edith M. Casey, New Caney, Tex., in place of G. B. Davis, retired.
Coleete O. Brown, Notrees, Tex., in place of C. J. Brown, resigned.
Vernon L. Naul, Overton, Tex., in place of W. A. Gillespie, retired.
Robert C. Watson, Plains, Tex., in place of Cora Read, retired.
George W. Kemp, Richardson, Tex., in place of W. C. Wallis, transferred.
Uvaldo Serna, San Diego, Tex., in place of L. F. Garcia, removed.
Birdie L. Lindsey, Simms, Tex., in place of N. E. Webb, retired.

VIRGINIA

George Paschal Grindstaff, Damascus, Va., in place of W. C. Mock, deceased.
Arthur B. Chard, Fieldale, Va., in place of Johnnie Wilson, removed.
Kenton H. McCoy, Lexington, Va., in place of M. L. Beeton, retired.
Louis A. McVey, Meadowview, Va., in place of H. C. Browning, retired.

VIRGIN ISLANDS

Charles E. Clarke, Frederiksted, V. I., in place of Adele Berg, resigned.

WASHINGTON

Lawrence V. Grape, Ione, Wash., in place of G. H. McFaul, retired.
Jackson D. Hubbard, Othello, Wash., in place of B. H. Barton, retired.
Ivan K. Keve, Waitsburg, Wash., in place of G. C. Houtchens, retired.

WEST VIRGINIA

Fred E. Wiseman, Charleston, W. Va., in place of J. W. Singleton, removed.
Evelyn Wolford, Edgarton, W. Va., in place of L. J. Weaver, resigned.
Ruby Cobb, Glasgow, W. Va., in place of A. C. Moore, retired.
Andrew J. Stacy, Iaeger, W. Va., in place of R. B. Cooke, resigned.
Myrtle H. McCane, Mallory, W. Va., in place of L. M. Powell, resigned.
Frederick F. Murphy, War, W. Va., in place of R. T. Hauck, resigned.
John J. Miller, Winona, W. Va., in place of R. L. Pugh, retired.

WISCONSIN

Frederick M. Griswold, Lakemills, Wis., in place of F. C. Wolff, retired.
Warren R. Erdmann, Oakfield, Wis., in place of E. E. McKnight, retired.
Norbert F. Schumerth, West DePere, Wis., in place of H. F. Vande Hei, deceased.

WYOMING

George W. Nichols, Big Piney, Wyo., in place of G. L. Barp, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 10, 1957:

UNITED STATES AIR FORCE

The following-named officer under the provisions of section 8066, title 10, United States Code, to be assigned to a position of importance and responsibility designated by the President in rank as follows:

Maj. Gen. Richard Clark Lindsay, 476A, Regular Air Force, in the rank of lieutenant general.

PROMOTIONS IN THE NAVY

The following-named officers of the Naval Reserve for permanent promotion in the line and staff corps as provided by law:

TO BE REAR ADMIRALS

Line

John J. Bergen	Clyde W. King
George A. Parkinson	Charles R. Khoury
Duncan S. Baker	Lloyd V. Berkner

Medical Corps

Waltman Walters	Morton J. Tendler
Benjamin Tenney, Jr.	William G. Hamm

Supply Corps

George D. Horning, Jr.

The following-named appointments or

ADDITIONAL APPOINTMENTS AND PROMOTIONS IN THE NAVY AND MARINE CORPS

The nomination of Wilbur D. Latham and 1,404 other persons for appointment or promotion, in the Navy or in the Marine Corps, which were received by the Senate on May 27, 1957, were confirmed today, and may be found in the proceedings of the Senate for May 27, 1957, under the caption "Nominations," beginning with the name of Wilbur D. Latham, which appears on page 7717, and ending with the name of Charles McLennan, which is shown on page 7720.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 10, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art the gracious and beneficent God and Father of us all, we rejoice that our beloved country from the beginning of its history has been a haven and home for a vast multitude of Thy children seeking the blessings of freedom.

Grant that in these turbulent and troubled days, when the problems of interhuman relationships seem so acute, we may never allow anything to divide our people and mar that unity of spirit upon which our national security and very existence depend.

May our leaders in church and state be inspired and blessed with a clear vision of Thy divine will and be equal to the arduous task of establishing a social order that has in it the spirit of comradeship and cooperation, of justice and good will.

Help us to speed the coming of that day when not only all who live within the borders of our land but men and nations everywhere shall be merged into a beloved community and into a commonwealth of free and peace-loving people.

We are praying especially for our President, beseeching Thee to hasten his recovery to health and to share Thine eternal wisdom with the doctors and nurses, enabling them to know just what to do. Thou art the Great Physician and we shall give Thee all the praise.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Friday, June 7, 1957, was read and approved.

PARLIAMENT OF GHANA

The SPEAKER laid before the House the following communication, which was read:

THE SPEAKER, NATIONAL ASSEMBLY,
PARLIAMENT HOUSE,
Accra, May 29, 1957.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA,
Washington, D. C., United States of America

DEAR MR. SPEAKER: I have been requested by the National Assembly of the Parliament of Ghana to convey its thanks to the House of Representatives of the United States of America for its resolution of March 6, 1957, extending to us its most cordial greetings and good wishes on the occasion of the independence of Ghana.

Your action is highly appreciated, and may we wish you in return all success and God's blessing.

Yours very sincerely,
Sir EMMANUEL C. QUIST, O. B. E.

TRANQUILIZERS AND PEP PILLS

Mr. NEAL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. NEAL. Mr. Speaker, public alarm over increasing consumption of the so-called tranquilizers and pep pills was highlighted last week by the American Medical Association meeting in New York City.

Public health workers and administrators of mental health institutions have for some time recognized the extent to which voluntary resort to these drugs is endangering the character and mental stability of youth and adults alike.

The Interstate and Foreign Commerce Committee has just completed hearings on proposed legislation aimed at policing the sale and distribution of tradenamed preparations containing these dangerous drugs in one form or another.

Evidence indicating the widely distributed sources through which they are bootlegged leads one to doubt the effectiveness of remedial legislation authorizing anything less than a nationwide, fully manned policing organization.

The Pure Food and Drug Administration should be given sufficient funds and personnel to compel full and complete reporting of quantities manufactured, when, where, and to whom sold, and the brand names under which they are distributed. This would make it difficult for unlicensed persons to make the drugs available promiscuously as is now the custom.

But mere legislation can by no means succeed in suppressing the sale of widely heralded nostrums promising so much to emotionally unstable individuals seeking relief for their frustrations when sensational news writers and advertising displays continue to impress the public with the marvelous results following their use without reference to the ill effects following improper use.

The real danger lies in lack of knowledge. Adults who are frustrated and incapable of appreciating the ill effects are prone to fall to the easy habit of turning to drugs. On the slightest pretext they become habitues, even as the narcotic addict allows the craving to destroy the will to resist. The personality becomes lost. They become venders for profit. They seek out the unsuspecting youth in schools, social gatherings, anywhere where groups and individuals can be tempted to experience a "thrill." It is here that youngsters learn to try anything once, and many of them slowly lose their willpower and self-control.

So, parents, teachers, and responsible elders, by disseminating knowledge of the dangers inherent in these drugs, will prepare the background needed to beware the temptation offered by venders and illegal dispensers of such drugs.

COMMITTEE ON FOREIGN AFFAIRS

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. CHRISTOPHER. Mr. Speaker, I object.

CALL OF THE HOUSE

Mr. SMITH of Virginia. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 104]

Alger	Granahan	Osmers
Anfuso	Gregory	Philbin
Bailey	Harvey	Poage
Barrett	Healey	Powell
Bass, N. H.	Hoeven	Prouty
Beamer	Holland	Radwan
Blatnik	Holtzman	Rains
Bosch	James	Roosevelt
Bowler	Kearney	Santangelo
Buckley	Keeney	St. George
Byrne, Ill.	Latham	Seely-Brown
Chudoff	LeCompte	Shelley
Cooley	McConnell	Smith, Wis.
Corbett	McIntire	Taylor
Coudert	Machrowicz	Teague, Tex.
Dawson, Ill.	Mason	Teller
Dempsey	May	Wainwright
Dollinger	Michel	Walter
Donohue	Miller, Md.	Wigglesworth
Dooley	Montoya	Willis
Engle	Morano	Withrow
Fisher	Moulder	Wolverton
Fogarty	Multer	Zelenko
Frelinghuysen	Norrell	
Garmatz	O'Konski	

The SPEAKER. On this rollcall 359 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS ACT OF 1957

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H. R. 6127, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

Mr. KEATING. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, I am strongly opposed to this bill. I think the proposed legislation, which this committee is considering, could lead to the destruction of our judicial system and even our form of government.

First, may I say that I served in the Mississippi Legislature 1 session, and served almost 9 years as district attorney in my section of Mississippi, prior to coming to the Congress. In my position as district attorney, I dealt with law-enforcement officers throughout the southern area, and I had the opportunity to learn something of what goes on in my section of the South.

May I point out that the arguments advanced in favor of the legislation which you are considering are based upon an erroneous conclusion as to what the facts are. I do not believe there is any question in anyone's mind but that this legislation is directed toward the South. Yet you are wrong in your belief as to conditions there.

I would like to read to you the Mississippi statute as to who can vote. I quote:

Every inhabitant of this State except idiots, insane persons, and Indians not taxed, who is a citizen of the United States, 21 years old and upward, and who has resided in this State 2 years, and who is able to read any section of the Constitution, or if unable to read the same, who is able to understand the same when read to him, or give a reasonable interpretation thereof, and who shall have been duly registered as an elector by the officers of this State under the laws thereof, and who has never been convicted of the crime of perjury, forgery, embezzlement, or bigamy, and who has paid taxes which may have been legally required of him, and which he has had an opportunity to pay according to law for 2 preceding years, and shall produce satisfactory evidence that he has paid such taxes on or before the 1st day of February of the year in which he shall offer to vote, shall be a qualified elector in the city of his residence, and shall be entitled to vote in any election held not less than 4 months after his registration. Any minister of the gospel shall be entitled to vote after 6 months' residence in the election district, city, town, or village if otherwise qualified. No others than those above included shall be entitled or shall be allowed to vote in any election.

It has been the belief in my State back through the years that voting was a privilege. We are all familiar with the law which says that the qualification of the electors is a matter of State determination. It has been the belief in my State that if a person were not interested to the point of registering, if he were not interested to the point of paying $2 in support of schools, little was to be gained by any assistance on the part of anybody to force such a person to register or to pay this poll tax in time.

I would like to also correct an impression about the poll tax in Mississippi. We make exemptions on the poll tax for those over 60 years of age. We make exemptions for those who are only 21 years of age for their first vote. We make exemptions for certain persons who have disability. But all persons are obligated to pay the poll tax in Mississippi, irrespective of whether they vote or not. The only connection between voting and the poll tax in Mississippi is that, if you care to vote, you must pay before the 1st of February in the year in which you offer to vote.

I think that Mississippi might have repealed the poll tax many years ago except for the pressure from Washington to force them to repeal it. The poll-tax requirement is in the constitution. It would require a constitutional amendment to remove it. It is my sincere belief that except for pressure from Washington, in all likelihood Mississippi would have followed other States in repealing the poll tax.

On the other hand, we do get about a million dollars from the poll tax, which is a considerable amount when it comes to trying to support schools during this period when we are doing our dead level

best to improve school facilities. I believe if you were to check the matter, you would find a bigger percentage of improvement in the South, and particularly in Mississippi in the last 20 years, in the progress that has been made in providing ample school facilities, than anywhere else in the country.

We cannot solve this matter by catering to the pressures that are right now centered on us, because the purpose of those drives is not to correct a thing that I know does not exist down there, but it is an appeal to other areas.

This issue has gotten into the realm of pressure politics here in the Congress.

I have been here long enough to have friends in Congress from Chicago tell me how elections were handled on occasion in some areas there. I recall that former Representative Marcantonio told a group of us that so long as he jumped on Congressman John Rankin, of my State, occasionally, he could stay in Congress as long as he lived. He followed it up and said if Mr. Rankin jumped him on occasion, Mr. Rankin would stay here as long as he lived. As we all can see, this goes beyond a mere legislative situation.

We have tried to have honest elections in my State; and, in spite of all our efforts, we, like every other State that I know of, have a continuing problem with that fly-by-night type of citizen, of which every State has a number, who on the eve of the election can be bought one way or the other. I am glad that it is a limited number in my area. I think it is a limited number in other areas. I am not going to give away the Members of Congress, but since I have been here I have been close enough to Members from all sections to where I know our problem is a general one. May I say I think it is much less than in many of these areas. Thus, it is that we require registration in advance. We require a toll tax of $2 per year, which you can see is peanuts, if I might use that term to describe how small it is. The only thing is that a man who wants to vote must pay it on or before the 1st of February in the year in which he votes, and our primaries come along in August and the elections in November.

What is the purpose of that? The purpose is to keep some candidate or some group of people backing some candidate, whatever their reason, from going out on election eve and through the use of money, promises, or some other thing, throwing an election from one side to the other. We have a Corrupt Practices Act in Mississippi which is directed toward the same thing. In none of these, or in the substantive law, will you find where there is any attention paid to color.

We have a situation down there, which may not prevail forever, but it has a long time, of having a one-party State. I would like to show you the figures in the 1951 election, a general election, where for all candidates for State offices, governor, and all other candidates, the vote in the whole State of Mississippi was 42,047. Why is that? Not a single Democratic nominee had an opponent. Many of your own relatives did not vote because there was no contest. In my State the Republican Party does not even have a primary. They meet in convention and select their candidates. The same is true of the other minor parties which have appeared from time to time.

Thus it is that in our general election we do not even have any contest, and therefore nobody pays any attention to the voting. We will say last year was an exception to that, in view of President Eisenhower's national popularity—he did not carry my State—but we did have more attention to the general election since there was a contest on between the feelings of more Mississippians than heretofore existed.

We get to another thing in connection with this, which we think is sound, judged by all prior Supreme Court decisions. We in my State have felt that we wished to have justice in the courts. We wish all our citizens to have justice in the courts. In the years that I was district attorney, and as I told you I was for almost 9 years, I recall hardly any instance where a Negro or a colored person was before that court that I did not have from 1 to 10 people, if the defendant had any kind of character or standing at all, coming to ask me to let him off leniently. It is usual and it is typical.

It is hard for people in northern areas to understand why we are so excited about these things, because in the North you live segregated. I live here in Washington, but I live out in a white area. I will see more Negroes the day I go home to my little town of about 3,500 people than I see in Washington in the course of a whole congressional session, because here they live in a certain area, and we live in another area. You know it is true. It is true in New York and Chicago.

During the Democratic convention I had the privilege of driving over South Chicago. I was driven by a citizen of Chicago. I asked him how they were meeting the integrated school problems. He said, "We don't have any real problem in Chicago. The minute the Negroes move into a white block or move into a white school, the first year it is mixed up a little bit, the second year the whites move out and give it to them." We do not do that in our area. We live integrated. We do not have segregated sections in our cities because, in all seriousness, we have more love and more appreciation for the good colored citizens in our area than I have found in the 15 years I have been in Congress in any other city or any other State in the Nation.

In other words, I can clearly see that the efforts of some in Congress definitely stem from back-home pressures from the northern areas. It does not come from the areas where you set out so graciously to correct what we know needs no correction.

As I started to say, in the handling of justice in our section, we have felt that a person who was interested enough in public affairs to register and pay $2 and do it by the 1st of February to retain his right to vote would make a better juror. Jurors in the State of Mississippi must be qualified electors. I think it is sound. I think it is sound for the administration of justice. I know our courts to a great extent are getting into bad standing with the American people—not just in the South, because of the segregation decision—but because as we know, in the field of jurisprudence and the field of judicial law they have gone far beyond what the court has done in many years past. There are other things that contribute greatly to this feeling in the rest of the country that you need to do something to whip the South in line because we are mistreating somebody. I say it is not so. But it is easy to see why that feeling in the public mind has been built up.

I will indicate to you why we are so helpless to correct that. Last year the Judiciary Committee of the United States Senate had its hearings. At that time one of the Senators raised the question of the Till case, which happened down in my area. It is one of those tragedies that all right-thinking people, white and colored, deplore. It is one of those cases where the sheriff of my county, a fine citizen, when he heard of it, set out and did what every officer would do, went out and made a search and found a body and brought the body in, and went through all that any officer should do.

The judge of that judicial district is a fine citizen; and he gave every right, not only to the State in its prosecution of the case, but every right to the defendants as the law required. They made every effort to obtain all the evidence that was available; and it was properly presented.

The attorney general of the State sent an assistant to help the very fine district attorney. Everything in the world was done to present the strongest case possible to that jury. I will agree that subsequent to that trial, and in recent months, there have been magazine articles by these two defendants which would lend some weight to a belief that they might have been guilty. But I will point out to you that in the trial of all cases, not only in my State, but elsewhere, the defendant is not required to testify against himself. It is a principle that has existed in the English law back to Magna Carta days.

You may second guess the jury which tried that case. It is an age-old pastime on the part not only of the public, but of lawyers, to second guess or find fault with a jury decision. But the sheriff of that county, who had performed his duty, testified before that jury that in his opinion the body which had been found, and which had to be proven beyond a reasonable doubt to be that of the claimed deceased, was older, more mature, and had been in the water much longer than could have been possible with regard to Till.

We deplore the whole thing but, in comparison, I could point to what I read has happened in Chicago, what I read has happened in New York every day.

Here is the thing I wish to point out. While so much is made of the Till case—and if you had been on the jury you might have decided differently, or if I had, I might have—that jury was sworn to acquit the defendant unless they believed him guilty beyond every reasonable doubt. That is the test in all the courts in all the States and in all the land. But in testimony before the Judiciary Committee last year, I pointed out what the Mississippi people would do. I called attention to a case. I went back after that and got the file out. This case was in the adjoining county of Yalobusha, Miss. This paper is of the date January 24, 1936. "William C. Mitchell sentenced to hang Friday, March 13, for murder of Negro." On the front page of that paper there is an editorial, which makes this statement:

> Twelve good Yalobusha County men deliberated the fate of William Clark Mitchell. After about an hour they returned with a verdict of guilty as charged. The judge immediately pronounced the sentence which was that on March 13, 1936, the defendant should be hanged.

The jury in that case was composed of 12 white citizens of that county. Not a newspaper carried any reference to my statement before the committee as to the case, because it did not serve the purpose of putting the heat on this political issue which is being blown up for the purpose of carrying votes in our northern cities.

This was the case of a white man killing a Negro:

The case went to the Supreme Court. The Supreme Court affirmed it. Subsequently, in the southern State—and the defense was mental lapse and mental troubles—a judge in a lower court of the State issued a writ of error coram nobis, saying that the man was insane and the court was unaware of it, if it had been aware he would not have been indicted, and if they had indicted they would not have tried him, and all of that. So a stay of execution was granted; the lower court set that aside, and a new date was set. It went back to the Supreme Court, and the Supreme Court affirmed it again.

This man had been in the military service; and just prior to the actual execution the VFW and the American Legion got into it. The Governor did commute the sentence to life imprisonment, and the man is serving his life sentence 20 years later.

Now, against that story, showing what the southern people do when the proof warrants it, I have a paper from Memphis, Tenn., in which it was announced that Chief Justice Warren stayed the execution of a Negro citizen who was to be executed in Mississippi. It says that counsel for Goldsby, who was born in Mississippi, and so on, who was convicted of the shooting of a white lady in 1954, appealed on grounds there were no Negroes on the grand or trial juries. Earlier Federal Judge Allen Cox, of the north Mississippi district, had refused a stay of execution. The United States Supreme Court had previously reviewed the Goldsby case and affirmed the Mississippi Supreme Court conviction, which upheld the conviction and sentence.

Mr. and Mrs. Nelms, owners of a place of business, refused to render curb service to a carload of Negroes. I will not review the testimony in connection with the case; but the Negro, Goldsby, who was the only one who had a gun, shot Mr. Nelms and shot his wife through the throat, and she died. That was in 1954.

The State courts moved in proper manner and tried the case in proper manner. It went to the Supreme Court. Here the Chief Justice has issued a reprieve or stay of execution, notwithstanding that his own Court had affirmed the lower court's decision, notwithstanding that they had said that the evidence amply warranted the verdict. According to the press, the reprieve was based on the fact that there was no Negro on the grand jury or the petit jury.

As I have pointed out to you, we have had a one-party State. Because certain people move from one community to another over a very short period of time, frankly, very few of them do qualify. That is not an effort to keep them from qualifying as voters. But if you let a man vote who just got to town it would be like we read occurs in Chicago or New York—we would have people moving voters in by the carloads on election day to swing an election. We are sound, in my judgment, in requiring residence, not only in the county or State, but in the precinct in which the voter votes. If you did not have that he could vote here and go to the next precinct and vote there, and so on down the line.

I dare say that the chances of finding a Negro who had taken the trouble of registering or taken the trouble of paying his poll taxes, who had met the qualifications of an elector in the county, would be about one out of a thousand in a normal drawing of juries by chance so as not to have a fixed trial. The chances would be one to a thousand of having a Negro on the jury unless you deliberately put him there. With all the love and respect we have for people of all races, when the Chief Justice of the United States Supreme Court, or any other court, says that you have to hand pick and put on any jury a particular man, or a particular color of man, or a particular race of man, it amounts to jury picking, if not fixing, by the Supreme Court. That is the type of action which has got the administration of justice in terrible standing with the public generally. When we see people who are accused of violent crimes frequently have their case dragged around for years and years before there is any conclusion; when we see a Justice of the Supreme Court, who presumably took part in a decision affirming the lower court's decision earlier, going against his own decision a few weeks later, it can only lead to less regard for the courts.

I hope I made myself clear in presenting these matters to you. I have two Negro colleges in my district. I have many friends who are Negroes. I know that they enjoy more respect, more support, more assistance, and everything that you can mention that would be good and fine in my section than you will find in New York City, Washington, D. C., or Chicago. In the United States there are people who would like to have the Negroes vote for them on election day. There are people here who would like to use their support, and there are people who like their money; but it has been my observation that they, themselves, largely want to be left alone.

We have helped them. They have helped us. I think our record in the South compares most favorably with any in the country.

Now, we turn to what would be done in this effort to stir up a lot of agitation, for you would not correct anything. Let us look at this bill that you are considering. Take subsection (b) of section 104, entitled "Powers of the Commission." It says that the Commission may accept and utilize services of voluntary and uncompensated personnel, and pay any such personnel actual and necessary travel and subsistence expenses incurred while engaged in the work of the Commission, or in lieu of subsistence a per diem not in excess of $12.

Under that provision the Commission could accept the services of members of the NAACP and pay them $12 a day to win any election.

Mr. Chairman, if you will go back in the files, or I could do it, you will find that on the eve of every national election for the last several terms, the Attorney General, whoever he was, has come out with some statement of what he is going to do in the South. The origin of the Dixiecrat Party in the South was an action by Justice Clark, who was then Attorney General. We had a terrible occurrence in Smith County, Miss. It was on the eve of an election. Tom Clark announced to the press—it was in the press before they knew it anywhere else—what he was going to do in the way of sending Department of Justice people into Smith County, Miss. That case in Smith County had been properly handled, and I think you would agree it was properly handled. But our governor, and the judges, and the officers who were discharging their duties as good, conscientious Americans, were treated as though they were completely against law and order, and treated as though they were in favor of destruction of everybody's rights.

That resulted in the feeling on the part of our governor, the late Fielding Wright, that led to the States' Rights ticket in Mississippi.

If this bill is passed, you may presume that surely a Commission would not do that. Again, you are getting into a government of men rather than a government of restrictions. You have not spelled that out in the law. It would depend on who was on the Commission and how badly they wanted to win an election. I have seen some individuals want to win elections very, very strongly in my years here in the Congress.

When you get 3 people in the Republican Party and 3 people in the Democratic Party on the Commission and each group trying to get the Negro vote in New York and in Chicago, where does that leave the rest of us?

I think that it weakens the very framework of our Government when that occurs, and it has occurred regularly. These commissions have quasi-judicial authority. They are in the nature of your courts. Their findings in most instances as to the facts are conclusive. It really endangers our country.

Now, going to the power of the subpena under this bill, which you are considering, subpenas for the attendance and testimony of witnesses and/or the

production of written or other matter may be issued over the signature of the Chairman of the Commission or such subcommittee or any person designated by such Chairman.

Under that provision the Chairman could drag any citizen, north or south, all over the country. It is to be remembered that those who would appoint half of the members of this Commission are the ones who recommend this legislation.

Let us turn to one that is even worse than any of that. The provision marked as part IV or III of the bill:

> Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraph 1st, 2d, or 3d, the Attorney General may institute for the United States or in the name of the United States but for the benefit of the real party in interest a civil action or other proper proceeding for redress or preventive relief, including an application for permanent or temporary injunction, restraining order, or otherwise. In any proceeding the United States shall be liable for cost the same as a private citizen.

Mr. Chairman, under that provision the Attorney General could move in and take punitive actions against private citizens for what he, the Attorney General, thought such citizens might have thought. The Attorney General, who recommended this legislation, could sue for a person who did not want to sue. He could complain for a private citizen who had no complaint. He could penalize other private citizens because he believed they were about to engage in an attempt. What difference between the power which would be given here to the executive and a dictatorship?

Under that provision the right to trial by jury goes out the window. The Supreme Court has rendered its decision in the segregation cases. In the Clinton, Tenn., case they issued an injunction restraining the folks who were before the court, and who had been made subject to the suit. Subsequently, the FBI was sent into the area and 16 persons whose names were not in the original action, who were not parties defendant, whose names had not been used in the order of the court, were arrested and are now being held for contempt of that court. That means that the Supreme Court, as evidenced by the district court in that instance, has announced what it says the law is, and then has announced further if you do not obey the law we will throw you in jail, or at least we have the right to; and we have you before us for contempt, where that can follow, without trial by jury, if the pending legislation becomes law. Such a course absolutely violates all the common law, all the substantive law, all the statute law in every English-speaking country that I know of since the 12th century.

The question asked here: If the Court is going to do that, do you not think it would be better for us to pass legislation here saying what the penalties are, and so forth?

Is there any basis for believing that if a Supreme Court will go so far as to announce the law, then carry it out by announcing that since we announced it everybody is bound to it, and we will throw you in jail for contempt, is there any feeling on the part of anybody that any statute we might pass might clip the Court's wings in that instance? No. What you will do in passing legislation, since they are going to destroy the right to trial by jury, is pass a statute saying that the legislative division of the Government has put its mark of approval on what the Court is doing—except that we will say that you should not go further than this, that, or the other.

In this bill before you, you give the Attorney General the right to injunction.

Is it not serious that you would consider legislation here that the only people who could defend themselves against are the 435 Members of the House and the 96 Senators? Every other man in the United States—and we would be subject to it if we left our positions here—would be subject to being grabbed up by the Attorney General for what he might believe we had thought.

The conditions that exist in my part of the country have been described to you. We are proud people. But the minute the force of Federal Government goes into an area where we are living on good terms with each other, where we work together, it will make a situation 10 times worse than it has ever been; and our situation in the South has always been a hundred times better than you folks in northern cities have any idea. I mean that.

But I say, if this legislation becomes law, mark my words, you are going to have a third party in the South. When you get a third party in the South, you are probably going to have a fourth party in the Midwest or Far West or maybe in Chicago or New York. Then we are going down the hill to what has occurred in other places.

Such action as you propose might lead to the multiplicity of parties which has practically destroyed the effectiveness of the French Government, which is also one of the real problems in Italy so far as effective government is concerned. Such a step really will be set in motion the minute you pass a civil-rights bill on the basis that you have to make the South do something, which the majority of the committee voted out last year, and which I tried to point out is based on completely erroneous view of the facts. They are completely in error about what conditions are down there.

In the process of passing this legislation, you are endangering not just the situation between white and colored citizens; but whatever the motivating force is, you are writing into substantive law, or you would in this bill, provision which would reach every section of the United States. If you will check Hitler's actions in Germany or Stalin's actions in Russia, the first thing they did was issue an order; and they, too, always claimed it was to help some group. Then when they issued the order, they arrested the citizens like they did in Clinton, Tenn., cited them for actions against the Government order, without the right of a jury trial. The Government said, "We issued the order, we are supreme. Of course, we are doing it for a good purpose." That is what Hitler said, that is what Stalin said. But they said, "We issued an order, and you have to subject yourselves to it; and if you do not do it, you will go to jail; and you have no right to trial by jury."

Have we reached that day in the United States? And it is all because of an erroneous belief as to conditions in my area, if I give credit to honesty on the other side. On the other hand, there is much to indicate that nobody cares how we get along down South, for as you know we get along together much better than other sections on this issue.

I say that Hitler or Stalin took over in those countries by first having the courts to issue an order. They enforced that order by grabbing people up for not carrying the order out. They gave them no right to trial by jury. Now draw your parallel. The Supreme Court issued this nonsegregation decision. In the view of myself and many lawyers in this country, it amounted to a constitutional amendment, and we know the Constitution provides how it shall be amended. Having issued that order, which I absolutely believe amounts to a constitutional amendment, judging by what happened at Clinton, Tenn., the Supreme Court said what the law is—Congress has not passed any act, the Supreme Court says now what the law is—therefore, you folks on this school board down here have to obey that law. They were brought properly before the Court. Then those that were so instructed before the Court presumably obeyed the Court's order. But here the district judge has called in 16 other people who had not been before the court, were not parties to the suit, and cited them for contempt of his court, which would lead to imprisonment. I ask you if you cannot see the parallel between the two if this bill becomes the law?

I feel very, very strongly that the legislation before us would be destructive to our form of government. I say that in all sincerity and in all candor, and as calmly as I know how. I am talking about the broad authority that would be given in this. I am talking about what could be done. When you get to where you can bring a man into court and enjoin him for what you think he has been thinking, it is going just about as far as you can go.

If you pass this legislation, you can enjoin a man about to attempt an act. I think you can go a little further than you can with the statutes with which I am familiar.

I have reference to the wording "about to engage in any act," which constitutes looking into a man's mind to ascertain the facts without any overt act.

I think quite definitely it is a departure from what we have had in any law I have ever dealt with; and I have prosecuted cases of a similar type, where they had engaged, and things of that sort. If the man had not engaged, and if you set out as Attorney General to take action under this, and you went in and charged that he was about to engage, if he had actually made an overt act, he was in the process of engaging, but if he had not committed an overt act, then you would have to get him because he was about to engage; and there being no overt act, the only way you could do it would be by reading his mind.

I wish to make one concluding statement. You are presumably basing your actions on a situation which you believe exists in the South. I say you are erroneous in your beliefs. You are basing your arguments on what you would do if you had the job of carrying out the authority which would be granted by this legislation. I am saying that the authority is much broader and would lend itself to doing many things that you do not conceive a man would do. If it were the next election year, and highly important to carry Chicago, Detroit, or New York, it might be easy to send these FBI agents down South. We have seen examples of that in the past. This bill would lend itself to all kinds of chicanery of that type. It would permit the Attorney General to sue for people who did not want to be sued for, and make complaints for folks who did not want to complain.

I suggest in all candor, since the Attorney General can go and slash out at anybody with the Government paying all the cost, that you might—and I am serious about this—use the same language for the Attorney General. If you can move against somebody who is about to engage in something, you ought to give the same privilege to the citizen. Except for being a Member of Congress, under the ruling in the Clinton, Tenn., case, the judge might be able to cite me for what I said here today.

If the Attorney General can go into court, with the Government paying all the costs, and take action against a man because he believes he is about to engage in something, I think you should give the citizen the right to go into court and enjoin the Attorney General because he thinks he is about to do something. I would suggest this amendment:

> Whenever any private individual believes the Attorney General or any representative of the Federal Government has engaged or is about to engage in any of the actions or practices authorized in this act, such private individual may institute for the United States, or in the name of the United States, but for the real party in interest a civil action or other proper procedure for redress or preventive relief including an application for a permanent or temporary injunction, restraining or other order. In any proceeding hereunder the United States shall be liable for costs the same as the private person.

It would simply give the individual the same right you would give the Attorney General, that is, of stopping him from harassing him to death.

May I repeat, this bill permits the Attorney General to anticipate the actions of somebody and go into court without the approval of that person. My amendment would permit a person, who anticipated the Attorney General was beginning to attempt or beginning to engage in certain actions, to go into court and issue a restraining order against the Attorney General for violating the rights of such citizen.

If you really want to protect the rights of the individual citizens of this country, Mr. Chairman, the place to start, so far as this bill is concerned, is to adopt such an amendment, and let the private citizen have the right to go into court and restrain the Attorney General.

The point I am making is that you are writing legislation that has so many loopholes, which lends itself to so many interpretations, and that is so loosely prepared, the actions I am talking to you about are possible under the bill. What occurred would be dependent upon the class and type of man you had in the Attorney General's Office. If the Attorney General, let us say, thought he could help his party by saying he thought I was about to engage in making an attempt, and filed a suit in court to enjoin me under this bill, then under my proposal if I could see he was about to do that to me I would be permitted to go into the same court and charge that the Attorney General was about to embarrass me; and I believe I have a right to a court order to restrain him from accusing me of depriving some of my friends of their rights.

Can you not see that charges under this bill would be the most effective means of carrying elections? You could inflame great blocks of voters in dozens of cities in this country. If this bill becomes the law, in any election the Attorney General could say, "I am sending the FBI there, and I am filing these suits"; then when the election is over, the issue is moot. This bill opens itself to that type of politics which would be injurious to the Nation.

As I said earlier, I believe we have more love and affection and more respect for each other, both races, in my section of the country than you will find in New York City, Detroit, Washington, or any place you go. If left alone, we have much less of a problem than the rest of the country.

But it is highly popular in many sections of the country to run against something far away. I was out in a Midwest State last fall where a Member of Congress gives the TVA every kind of fit when speaking in his section. The TVA is down in Tennessee. He is out in the Midwest. He is a good friend of mine, and I told his people he is the smartest politician that I know. He runs against the TVA, thousands of miles away from him, and makes it a big issue in his district every election year, and wins. It keeps him from explaining what goes on in his own district. Perhaps I should be as smart as he.

It is popular in the rest of the country to run against the South. We do not have anything like the problems you have in New York, Detroit, or anywhere else.

I want to be frank with you. I think this measure is much more dangerous than if you provided jail sentences and even penitentiary sentences, because there we would have the right to trial by jury. When you take action through the civil courts, where they can issue an order and throw you in jail for contempt of court, though you had no notice and perhaps did not even know of the order, you have bypassed protection the English-speaking people have had since the 10th century. This bill, in my humble judgment, is much more dangerous than a criminal statute.

Here you would destroy the greatest protection that the English people fought for, the right of trial by jury. If judges can say what the law is, then issue an order, arrest persons and put them in jail for not obeying the order which perhaps they did not even know about—similar to what could have happened in Tennessee if this bill were law, you really have a court directed dictatorship.

Mr. Chairman, if all were of the same race, and if all were white, believe me, the civil rights bill before us today would be highly dangerous and could lead to the destruction of our system of government.

Mr. KEATING. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. DENNISON].

Mr. DENNISON. Mr. Chairman, I rise in support of H. R. 6127 in its present form and without any amendments thereto.

I am aware that much of the debate has turned on some rather fine legal points. I am also aware that many in this body still have some very serious questions about this legislation. Because I feel so strongly that this bill should be passed I would like to address myself to one or two points of contention which are of a legal nature in the hope that I can contribute some perspective to this civil rights bill and particularly to the right to vote section.

First, we must remember that the purpose of this measure is to give legal effect and vitality to the 15th amendment of the Constitution of the United States, which provides:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

No one questions the wisdom of that section. No one doubts that it is the supreme law of the land. The Constitution says so in article VI as follows:

> This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

And all of us here have sworn to uphold it.

The purpose of this bill is to protect all people—we are all created equal, are we not?—in their constitutional right to vote irrespective of their color, race, religion, or national origin.

Is there a one in this Chamber today who does not believe in the right of each and every American citizen to vote irrespective of his color, race, religion, or national origin?

Is there a one here who doubts that all men are created equal—that is what

the Declaration of Independence says, does it not?

Is there a one here today who believes that a man or a woman seeking the right to vote may or should be discriminated against in the attempt to exercise that right? Is there a one here today who would ever approve discrimination of that kind in the exercise of one's right to vote?

I take it that we agree that the right to vote is a most sacred right which is the very foundation of our republican form of government. This being the fact, it is equally evident that we are unanimous in our resolve to protect every American citizen in the exercise of his right to vote—anytime he so desires—and irrespective of any racial or religious difference he may have.

In our common resolve to uphold and defend the Constitution and particularly article XV thereof, we must decide how best to do so; so as to give the fullest effect to the clear intention of the Constitution. Obviously, we must develop a method which will at once be both speedy and yet completely consistent with all the fundamental principles of the common law.

This bill, H. R. 6127, has been devised to meet those requirements. I need not remind you that it provides for the granting of an order by a district court judge which says to one who threatens to discriminate against another: "You shall not interfere with that man's right to vote by reason of his color, race, religion, or national origin." This order is called an injunction.

Much has already been said about an injunction. I need say no more than that it is an extraordinary right. It requires a judge to prevent a wrong before it has been committed. A judge whose authority is invoked has a duty to prevent such wrong especially where the commission of it would result in an irreparable loss, such as the loss of the right to vote at a given election.

Injunctive relief, as has been mentioned, exists in many cases. It exists against management in certain labor cases. It exists in our State and in most States against labor unions where violence or a threat of violence occurs in connection with a strike.

The fact that such relief exists for the prevention of a wrong does not constitute a prior indictment of either management or labor. It follows that the bill under consideration for the prevention of an act which the Constitution definitely says is wrong is not an indictment of a people. This law does not state that any specific wrong exists—that must be ascertained before the injunction could be issued—but it does say that if some interference in the right to vote is made, it can be prevented.

Now, if the person against whom the court order is issued obeys the order, that is the end of it. If he does not, he may then be cited for refusing to obey the court's order and tried for his alleged contempt of the court. The controversy on this bill centers on the treatment of one who is charged with disobeying the injunction.

In the contempt proceedings, under our law, the defendant will have available the time-honored rights which have always been accorded a litigant before the bar in such cases. He shall have the right of counsel; he shall have the right to face his accuser; he shall have the right of examination and cross-examination; he shall have the right to produce witnesses in his behalf. His trial shall be conducted according to the usual rules of evidence. He shall enjoy the presumption of innocence until proven guilty beyond a reasonable doubt. He shall have a right to testify on his own behalf or he may protect himself by the fifth amendment. And if after he has enjoyed all these rights he is then found guilty, he may appeal his case to a higher court.

Coequal with our acknowledged obligation to uphold and give real effect to the constitutional right to vote without impairing the rights traditionally available to a defendant under the common law is our duty to maintain and guarantee a free and independent judiciary without which the whole fabric of government—the separation of powers—would erode.

The greatest question of our day is the survival of our democratic way of life. In my opinion the greatest bulwark of a free society is a free and independent judiciary. A court is only free when it retains within itself the power to enforce its own order without intervention of some other tribunal. If it lie in the mouths of anyone except a higher court to challenge an order of any court then that court may soon become the handmaiden and the servant of those to whom it must defer.

Article II of the United States Constitution establishes a separate and independent judiciary. At the first session of the first Congress of this country the principle of a free and independent judiciary was enacted into law. Among other things this act of Congress gave to the courts of this land the power to administer oaths—consider the consequence if it did not have that power and if some other person or body did—the power to make its own rules—what if court's rules were made by others—the power to enforce its judgments and the power to punish for contempt of court. These powers belong to no one else nor should they.

These inherent powers, and there are others, of the courts of our land permit the courts the independence and respect that they now have. Once we give to anyone else any of these powers, we seriously weaken the integrity of our judicial system.

Historically, and with good reason, our courts have been charged with the enforcement of their own orders. Please observe that I distinguish between the enforcement of an order of the court and a law. In the trial of a person accused of violating a law enacted by a legislature a jury usually is given the authority to determine whether that law has been violated. The Constitution gives the authority. But in the case of the violation of an order of court, such as an injunction, it is the court which must decide whether or not a violation exists. If it could not, the very power of the court to make the order in the first place would become a mockery for it would not have the ability to enforce it. To deny a court this power or to give it to any other body would be a tragic obstruction of justice.

The Constitution recognizes the need for inherent powers in a court if it is to be free and independent. Thus we find no provision for a trial by jury in contempt cases.

In the case of Gompers against Bucks Stove & Range Co. the Supreme Court of the United States said:

> And, if upon the examination of the record it should appear that the defendants were in fact and in law guilty of the contempt charged, there could be no more important duty than to render such a decree as would serve to vindicate the jurisdiction and authority of courts to enforce orders and to punish acts of disobedience. For while it is sparingly to be used, yet the power of courts to punish for contempts is a necessary and integral part of the independence of the judiciary, and is absolutely essential to the performance of the duties imposed on them by law. Without it they are mere boards of arbitration whose judgments and decrees would be only advisory.
>
> If a party can make himself a judge of the validity of orders which have been issued, and by his own act of disobedience set them aside, then are the courts impotent and what the Constitution now fittingly calls the judicial power of the United States would be a mere mockery.

This power has been uniformly held to be necessary to the protection of the court from insults and oppressions while in the ordinary exercise of its duties, and to enable it to enforce its judgments and orders necessary to the due administration of law and the protection of the rights of suitors. (*Bessett v. Conkey* (194 U. S. 324, 333).)

There has been general recognition of the fact that the courts are clothed with this power and must be authorized to exercise it without referring the issues of fact or law to another tribunal or to a jury in the same tribunal. For if there was no such authority in the first instance there would be no power to enforce its orders if they were disregarded in such independent investigation. Without authority to act promptly and independently the courts could not administer public justice or enforce the rights of private litigants. (*Bessett v. Conkey* (194 U. S. 337).)

The right of a court to enforce its own orders without resort to any other authority finds its clearest expression in Carter's case (1899) decided by the Supreme Court of Appeals of Virginia (96 Va. 791). This was an appeal from a contempt conviction during the proceedings of which the defendant demanded a jury trial. A statute was then on the books in Virginia granting a right to trial by jury in such cases. In holding the jury trial statute unconstitutional as being contrary to the concept of a free and independent judiciary the Virginia court stated:

> The power to punish for contempts is inherent in the courts, and is conferred upon them by the Constitution by the very act of their creation. It is a trust confided and a duty imposed upon us by the sovereign people which we cannot surrender or suffer to be impaired without being recreant to our duty.

In concluding that the Virginia jury trial statute was unconstitutional the court said:

> That in the courts created by the Constitution, there is an inherent power of self-defense and self-preservation; that this power may be regulated but cannot be destroyed, or so far diminished as to be rendered ineffectual by legislative enactment; that it is a power necessarily resident in and to be exercised by the court itself, and that the vice of an act which seeks to deprive the court of this inherent power is not cured by providing for its exercise by a jury; that while the legislature has the power to regulate the jurisdiction of circuit, county, and corporation courts, it cannot destroy, while it may confine within reasonable bounds, the authority necessary to the exercise of the jurisdiction conferred.
>
> It was suggested in argument that to maintain the position that to entrust juries with the power to punish for contempts would impair the efficiency and dignity of courts, disclosed a want of confidence in that time-honored institution. May it not be said in reply that to take from courts a jurisdiction which they have possessed from their foundation betrays a want of confidence in them wholly unwarranted by experience? The history of this court, and indeed of all the courts of this Commonwealth, shows the jealous care with which they have ever defended and maintained the just authority and respect due to juries as an agency in the administration of justice, but our duty, as we conceive it, requires us not to be less firm in vindicating the rightful authority and power of the courts.
>
> We cannot more properly conclude this opinion than by a quotation from a great English judge: "It is a rule founded on the reason of the common law, that all contempts to the process of the court, to its judges, jurors, officers, and ministers, when acting in the due discharge of their respective duties, whether such contempts be by direct obstruction, or consequentially; that is to say, whether they be by act or writing, are punishable by the court itself, and may be abated instanter as nuisances to public justice.
>
> "There are those who object to attachments as being contrary, in popular constitutions, to first principles. To this it may briefly be replied, that they are the first principles, being founded on that which founds government and constitutes law. They are the principles of self-defence; the vindication, not only of the authority, but of the very power of acting in court. It is in vain that the law has the right to act, if there be a power above the law, which has a right to resist; the law would then be but the right of anarchy and the power of contention" (Holt on Libel, ch. 9).
>
> Whatever opinion may be entertained of some of his predecessors, Chief Justice Holt was no servile minion of arbitrary power. He was an actor in that great revolution which ended forever in Great Britain the pernicious dogma of the divine right of kings, which first recognized the will of the people as the only rightful source of government, and established the independence of the judiciary as one of the surest bulwarks of free institutions.

Certainly the right of a court to hear contempt proceedings stands on the very same foundation as trial by jury *Rex v. Almon* (24 Law Quarterly Review, 184).

In conclusion let me say by way of summary that this body can by this bill carry out its solemn obligation to uphold and defend the Constitution—and particularly the right of those irrespective of color, race, religion, or national origin, who desire to vote. This body can by passing this bill meet a need that has existed for almost 100 years—a need to give vitality to that part of the Constitution guaranteeing a person the right to vote irrespective of color, race, religion, or national origin.

This body can by this bill uphold the Constitution while at the same time protect the rights of those who are accused of violating it and most important of all—this body can do this and maintain the dignity and integrity of the court system so that our courts may still be the custodian and guardian of their own orders and ultimately of our liberties.

Let it be said when this great debate is over that the flag which flies over this very Chamber never flew more proudly and that henceforth no citizen—no, not one—shall because of a difference in appearance or religion be denied his right to participate as a free American in the free elections of this land.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. DENNISON. I yield to the gentleman from New York.

Mr. KEATING. I only wish every Member of this body could have heard the fine analysis of this problem which the gentleman from Ohio has given us. This is one of the most constructive speeches I have ever heard on the floor of this House. I regret that every Member was not present. I certainly commend the gentleman for the obvious study which he has devoted to this problem and the excellent grasp of the subject he has displayed. The gentleman has demolished completely the argument for an amendment to put into this bill something entirely new to Federal jurisprudence, the so-called jury-trial amendment.

Mr. DENNISON. I thank the gentleman.

Mr. HENDERSON. Mr. Chairman, will the gentleman yield?

Mr. DENNISON. I yield to the gentleman from New York.

Mr. HENDERSON. I join in the commendation of the very fine and scholarly remarks of my colleague from Ohio. I think they show a very deep study of the subject and are most beneficial to the Members of the House.

Mr. DENNISON. I thank the gentleman.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. DENNISON. I yield to the gentleman from Ohio.

Mr. McCULLOCH. I join in the statement of my colleague from New York [Mr. KEATING] in complimenting our colleague from Ohio [Mr. DENNISON] on this remarkable, unemotional, factual, and judicial presentation of this controversial aspect of the bill. We should have had the entire membership of the House present.

Mr. DENNISON. I thank the gentleman.

Mr. CELLER. Mr. Chairman, I yield such time as he may care to use to the gentleman from Mississippi [Mr. SMITH].

Mr. SMITH of Mississippi. Mr. Chairman, the bill before us today has as its avowed purpose the protection of the civil liberties of the American people. I submit that, if enacted into law in the form in which it is presented to us, it will destroy civil liberties instead of protecting them. It will create far more racial strife than it will eliminate. It will gravely endanger our system of constitutional liberties.

This bill has been written with the stated intent of eliminating wrongs which are alleged to take place in the Southern States. The exhaustive hearings before the committees in both the House and the Senate have proved this indictment of a whole people to be insupportable.

But the legislation is far more than a matter of concern to the Southern States alone. If these provisions, which would deny normal constiutional liberties to our citizens, are allowed to become law, they will serve as precedent for the denial of similar freedoms to all Americans throughout the country. The great danger of this legislation is that it could crush the foundation stone of our system of liberties, and by the day-to-day action of Federal Government, grind those liberties to dust. Unlimited governmental power in this field is an open doorway to those governmental powers inherent in the totalitarian dictatorships we look upon with such foreboding and disdain.

TRIAL BY JURY

There are many specific encroachments upon liberty which this bill would establish as law, but undoubtedly the greatest of these would be the denial of the right of trial by jury to those charged with violations of the act. Throughout the history of our judicial system, the right of trial by jury, preceded by proper indictment by a grand jury and carrying with it the right to confront and cross-examine witnesses, has been a basic safeguard of our freedom. American citizens have considered the right of trial by jury as part of their inviolate heritage as American citizens. It has come down to us through the centuries, and as a people we first proclaimed this in the Stamp Act Congress of 1765 when we condemned an act of the British Parliament which in many details was similar to the bill which confronts us today.

When the amendment is offered to provide adequate provision for trial by jury in this bill, I hope to speak at greater length on this issue. The question must be fully discussed in order that all Members may understand beyond doubt the grave decision that will confront us when the time comes to pass upon this fundamental issue of whether we are to continue as a Nation of men dedicated to the strength of freedom and protected, not coerced, by the law.

Here for the third time in this century the United States Congress is called upon to debate the right to trial by jury in contempt cases. In 1914 the Clayton Act, and in 1932 the Norris-LaGuardia Act, both extended this basic safeguard to the American people accused of contempt by the courts. Thus we have already behind us a history of legislation and experience that make it evident beyond question that the injunctive process is susceptible to abuse and that any infringement by this means on the safeguards provided our citizens should be guarded against.

We have these safeguards because down through the hundreds of years of English and American history, we have time and again proved their essentiality to law and order over tyranny and the chaos bred of tyranny. These are the

bastions raised against the onslaught of too great power in the hands of too small men. Are we to suppose that men will be any less subject to error in the future than they have been in the past?

OVERLOOK

In the heat and press of the day's problems, it is often difficult to look to the years ahead of us. Thus, men often overlook the end effect of their acts in their haste to achieve the goal of the moment. This was recognized by Justice Brandeis, when he stated in Olmstead against United States:

Experience should teach us to be most on our guard to protect liberty when the Government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding.

The proponents of this legislation excuse their invasion of the historic right of trial by jury on the ground that in some fields it has not been effective. Faced with the fact of the violence they would by this means do, they assert that the objective they seek excuses the evil they propose. This philosophy of government has no place in a democratic society. Even if it were to be conceded that the objective is worthy, it could not be worthy enough to warrant the destruction of the very basis upon which our system of justice rests.

The principles upon which our Government was founded, and upon which we have progressed to our position as the world's most fortunate people, may not be swept aside by the vicissitudes of the moment. If this were true, we would have lost our liberties long ago.

The sponsors of this bill say, in defense of what they propose, that the criminal prosecutions have been cumbersome and slow, and that jurors have been reluctant to indict and convict. They say that we must have a shortcut to accomplishment of the desire objective. Shortcuts are excellent devices, if all you seek is speed. They are seldom conducive to safety. The little wisdom of seeking a shortcut is dealt with very appropriately by Judge Henry Clay Caldwell, presiding judge of the United States Court of Appeals for the eighth circuit, in his opinion in Hopkins against Oxley Stave Co.

It can make little difference to the victims of shortcut and unconstitutional methods, whether it is the mob or the chancellor that deprives them of their constitutional rights. It is vain to disguise the fact that this desire for a shortcut originates in the feeling of hostility to trial by jury. * * * A distrust of the people means the overthrow of the Government our fathers founded.

Although a century and a half of development has produced great changes in many of our political institutions, the fundamental principles of our judicial system have continued the same in most essential respects, including trial by jury. Trial by jury is the one judicial power which the people have reserved unto themselves; it is the foremost institution for the administration of justice in a democracy; it constitutes the basis of free government. It assures that justice will be dispensed, not only with the utmost purity, but in a manner calculated to merit the confidence and satisfaction of the people.

ATTORNEY GENERAL'S POWER

In H. R. 6127, the Attorney General is given the power, at his own discretion, to bypass, circumvent, and evade the constitutional right of indictment by grand jury and trial by petit jury of State and local officials as well as private American citizens in civil actions arising under sections 1971 and 1985 of title 42 of the United States Code. The provision that those civil actions are to be brought "for the United States, or in the name of the United States" is inserted in H. R. 6127 for the deliberate purpose of depriving the individuals charged with indirect contempt for supposed violations of injunctions issued in civil rights cases arising under sections 1971 and 1985 of title 42 of the United States Code of the benefits of jury trials and limited punishments to which they would otherwise be entitled under sections 402 and 3691 of title 18 of the United States Code. Sections 402 and 3691 of title 18 of the code stipulate in express terms that the right to demand a trial by jury does not apply "to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States."

This legislation, presented to us in a cloak of alleged nobility, is in fact an attempt to deprive the people, all of the people, of the right clearly reserved to them by the Constitution, "the trial of all crimes shall be by jury." Congress has enacted statutes which protect a citizen's right to vote and which prohibit acts that would deprive a citizen of his franchise. Any person who commits such an act is guilty of a crime against the Government. Any method of removing jurisdiction from the judgment of his peers endangers a citizen's most fundamental liberty. An eminent legal authority, S. S. Gregory, in his address as president of the American Bar Association in 1912, very aptly summed up this threat to our constitutional rights when he stated:

The real question involved is whether trial by jury shall be retained in all essentially criminal prosecutions in the Federal courts. Where the law prohibits an act, the effect of enjoining against its commission is merely to change the procedure by which the guilt of the person charged with doing the act thus prohibited shall be ascertained and his punishment fixed. By enjoining against the commission of crime and then proceeding on a charge of contempt against those accused of committing it, the administration of the criminal law is transferred to equity and the right to trial by jury and all other guaranties of personal liberty secured by the Constitution are destroyed.

The proposals which have been submitted to us today would give far greater power to the Attorney General of the United States, whoever he might be, than has ever been conceived, or conceded, to be necessary. We cherish the tradition that ours is a government of law, not of men. If we enact this bill, we shall have turned our backs upon this concept of government which has served us so remarkably well. This bill vests so much authority in one individual, the Attorney General, that any power-seeking occupant of that office could literally destroy, through the power of his own office, any and all of the protections accorded our citizens by the vast body of our law.

These proposals would become operative upon the initiative of the Attorney General. In other words, the Attorney General would have full freedom to decide whether the law had been violated. Action would be taken only against such persons as the Attorney General might select. Such a situation would literally wipe out the concept that courts are supposed to administer equal and exact justice in complying with laws which apply in like manner to all men in like situations. The dangers inherent in such a grant of power to a single official are great, even if we disregard the possibility of deliberate abuses. The abuses which could develop in the hands of an Attorney General who deliberately set out to use his power for personal or political purposes are almost unimaginable.

BREACH OF RIGHTS

The power which this bill would confer upon the Attorney General obviously involves a major breach of the rights reserved by the Constitution to the States. The most obvious example of this is the elimination of the right to seek administrative remedy within the States. Under the powers which would be granted here, the Attorney General could nullify State statutes for one citizen, while other citizens whose situations he chose to ignore would be powerless to avail themselves of the bounty of his whimsical judicial largesse.

This bill would empower any Attorney General to litigate, at public expense, virtually all claims of virtually all aliens, citizens, and private corporations within the jurisdiction of a State that they had suffered intentional discrimination by the action of State or local officials, taken under State statutes or municipal ordinances, or orders or regulations made under them pertaining to elections; public education; business and trade; labor; charges, prices, and interest; railroads, motor carriers, telegraph companies, public warehouses, and other public utilities; ad valorem income, inheritance, license, and sales taxes; local public improvements; highways and streets; buildings; fish and game; the keeping of animals; civil remedies and procedure; crimes and criminal procedure; and all other matters committeed by our system of government to State control.

Congress would be unwise in the extreme if it should approve a bill authorizing any Attorney General to open, at the expense of the taxpayers, such a Pandora's box of many legal miseries. The abuses inherent in this legislation, and its overwhelming threat to our traditional American liberties, are more than enough reason for the Congress to reject this bill.

But even if we elect to consider the bill only from the point of view of its effect upon race relations within our country, there is still every reason to reject it. The operation of the system of injunctive process which would be instituted by this bill would unceasingly stir and embroil new racial disputes throughout the country. Actions of this nature would clearly make more difficult, if not impossible, any further progress toward more harmonious race relationships throughout the entire country, for it should be noted now and then, lest some of our fellow citizens conveniently forget it, that the problems of race relationships are not confined to the South, or to the Negro. They spread from border to border and coast to coast, in all climates and colors and garbs.

We seek, I believe, in this body the well-being of all our fellow citizens, and the citizens who will stand in our places in the years to come. We do them no service if we actively add to the divisive forces among us and destroy the bulwark of a nation's liberties in questing after a solution to the problems of individual peoples in their struggle to live together in amity and independence.

Those of us who measure the merit of legislation on the basis of what it will contribute to improved conditions for our citizens will do well to reject the legislation before us today.

Mr. CELLER. Mr. Chairman, I yield such time as he may care to use to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, I want to take this opportunity to urge the immediate adoption of the civil rights bill in exactly the form in which it was reported by the Judiciary Committee. My only regret is that this Congress cannot make even stronger assurances for the protection of civil rights.

As Americans, we cannot be proud that this legislation has become necessary. The cruel facts of southern resistance to equal citizenship have compelled action with no further delay. Our democracy cannot develop and assume its proper place in world leadership as a just and moral nation if we permit discrimination against the various racial, religious, or ethnic groups which make up our Nation. To prove itself worthy of world leadership, our free-enterprise system must emphasize freedom as strongly as we strive for enterprise. With our own house in discriminatory disorder—we are scarcely positioned to struggle for a better world.

It is regrettable that the Congress of the United States must legislate against depressing conditions of intolerance which exist in several States of the South and it is also regrettable that Congress has been so slow to act. The sad fact is that for several generations Congress has failed to make any substantial contribution to the fight for equal opportunity for all Americans.

The cause of civil rights and expanded civil liberties received its first impetus in the administration of the late Franklin Delano Roosevelt. If it were not for the tremendous problems brought on by depression and the war, tremendous gains would have been achieved. These aims were revived by former President Harry Truman who in 1948 gave the following as his civil-rights objectives:

1. We believe that all men are created equal under law and that they have the right to equal justice under law.

2. We believe that all men have the right to freedom of thought and of expression and the right to worship as they please.

3. We believe that all men are entitled to equal opportunities for jobs, for homes, for good health, and for education.

4. We believe that all men should have a voice in their government, and that government should protect, not usurp, the rights of the people.

Mr. Truman further stated that these basic civil rights are the source and the support of our democracy. Former President Franklin Delano Roosevelt and former President Harry Truman were the first national Executives since the Civil War to address themselves to the problems of discrimination and the evils of segregation. President Dwight D. Eisenhower recognized the national scope of the problem and continued to propound what has become an established Executive position with respect to civil rights.

The Supreme Court decision was a brilliant contribution. Many States and many large cities of the North have made a tremendous drive against discrimination in housing and in employment. It is in the Congress of the United States where the struggle for human betterment in this vital area has been retarded.

The inertia of Congress on this vital issue of our times is most difficult to comprehend. Certainly Congress is close to the public pulse—or should be. It is difficult to believe that the Representatives of this assembly should allow themselves to be behind the times and much slower than the executive branch of the Government or the judicial branch of the Government recognizing the simple principles of equal living in recognizing the need for implementing these principles with laws that could bring them about.

There was a time before the decision of the Supreme Court when many Members of Congress could believe that somehow or another the problems of the South with respect to discrimination would be resolved. It has since become apparent that time has accentuated rather than mitigated the problem. It has persisted and worsened with each passing day. Without the speedy and universal effect of laws prohibiting discrimination and segregation and their immoral effects, the dignity of all men throughout the broad reaches of this country cannot be attained. This legislation must become law in its present form.

I have given this legislation serious and careful study, and as a lawyer and as a former judge I see no place where it can give cause for concern to any but those who would seek to transgress upon the civil rights of another person as established by a court directive subject to full review. Liberty is a creation of the law, and the right of all people to freely participate in our elective process must come about through the suppression of acts or the conduct of other persons who would seek to restrain or impede these rights. Certainly the right to unrestrained voting is equal to any other right accorded citizens of the United States.

This legislation will not cure all of the problems of discrimination and segregation in the United States. It is only the step of a child where a man's gait is required. Segregation in housing is perhaps the greatest impediment to the development of a modern American society. Segregated housing develops segregated neighborhoods which in turn develop segregated schools, churches, and other community facilities. That segregation in turn encourages delinquency and crime and poverty, as well as other social evils. Large areas of needed legislation remain the work of a future Congress, and it is incumbent upon us to concentrate upon what can be done now.

The vast unexplored resource in America is the tremendous productive capacity which we suppress and ignore because of the artificial barriers of racial discrimination. Only an equality of opportunity can bring this richness of America to the surface. Only in an atmosphere of social freedom can the individual develop to his maximum capacity. These principles of freedom and equality of opportunity have made our Nation great, and when they are extended and applied to all of our citizens, our Nation will enjoy a growth and maturity which we cannot today comprehend.

No one has disputed the power of Congress to regulate Federal elections or to prohibit racial discrimination, and since Congress has this power, it faces no other alternate but to legislate in the interest of all the people and insure that every person can enjoy his full measure of the privileges as well as the immunities of citizenship. The highest privilege of citizenship is the equality of opportunity which is a basic American concept, and to make that privilege possible our Nation must develop a legal immunity to prejudice, discrimination, and their costly attributes.

Mr. CELLER. Mr. Chairman, I yield 20 minutes to the distinguished member of the Committee on the Judiciary, the gentleman from Tennessee [Mr. FRAZIER].

Mr. FRAZIER. Mr. Chairman, the bill under consideration, H. R. 6127, is supposed to protect civil rights but in reality if it once goes into operation it will constitute one of the greatest assaults on the cherished rights of our citizens, and our States, and our local governments ever perpetrated on a freedom-loving people.

The bill operates on the wrongful hypotheses that the State governments are no longer able to enforce their laws; that the executive, the legislative, and the judicial officers of our States are violating their oaths to support the Constitution of the United States.

I urge you to oppose this legislation; because it is not needed and its enactment would unjustly reflect discredit on the people and governments of our States; because it would result in further invasion of areas of government that properly belong to the States; because it would establish and set in motion an inquisition that could accomplish nothing except to intensify distrust and misunderstanding; because it would grant to the Attorney General of the United States—the power to sue individuals on behalf of other individuals—heretofore

unheard of powers, among them the use of the writ of injunction as a means of intimidation. The Attorney General of the United States urges that the Congress confer upon him the authority to institute civil suits in the United States courts for—the benefit of the real parties in interest—for the redress and prevention of violation of civil rights. The authority to apply for writs of injunction is a provision that the Attorney General has asked for especially.

This bill would authorize the Attorney General to institute a class action and, under general allegations of widespread violations of civil rights, obtain an injunction applicable to a whole community—a virtual Federal interdict. The language of the bill does not exclude mandatory injunctions, so the power to coerce is one of the powers that would be granted by this legislation. Such power is too great to be conferred—the mere conferring of it is a violation of freedom.

The enactment of this legislation—H. R. 6127—would break down the last vestige of the rights of the individual States.

The real issue involved is whether Federal authority should be expanded to cover matters which heretofore have been recognized as within the jurisdiction of the States.

This legislation is not only a violation of the rights of the Southern States, at which it is aimed, but its enactment is a violation of the rights of each and every one of the 48 States. It applies to the North, and the East, and the West, as well as to the South. While it may be directed at the South, it can well become a two-edged sword applying to you gentlemen from Missouri, New York, Massachusetts, Ohio, and California. And the time will doubtless come—if it should be passed—that you will rue the day you, in your misguided moments, allowed this legislation to pass.

Part I of the bill before us provides for the establishment of a Commission on Civil Rights, composed of six members appointed by the President. It provides for their compensation and expenses, and sets forth what the Commission is supposed to accomplish. Now, what is the duty of this Commission?

First. To investigate allegations in writing under oath or affirmation that certain citizens are being deprived of their right to vote by reason of the color, race, religion, or national origin of the victim.

Second. To study and collect information concerning legal developments, constituting a denial of equal protection of the law under the Constitution.

Third. Appraisals of the laws and policies of the Federal Government with respect to equal protection under the Constitution.

The Commission is also authorized to employ a full-time staff director, and such personnel as it desires.

It may hold hearings at such times and places as it sees fit; issue subpena for witnesses which may be served by any person designated by the Commission. In the case of contumacy or failure to obey a subpena, upon application of the Attorney General of the United States, any United States district court shall have jurisdiction to issue an order to require such witnesses to appear before the Commission, or subcommittee, and failure to do so may be punished by the Federal court as contempt.

The authors of this proposal contemplate that it will yield thousands of complaints and even more thousands of subpenas will be issued. The various allegations will, in the first instance, be incontrovertible and wholly ex parte and the principal concerned, against whom the charges are made, when summoned as a witness is given no opportunity to cross-examine. True, the person summoned as a witness may have counsel—section 102—but only for the purpose of advising him of his constitutional rights.

Actually it is contemplated that the Commission sought to be set up by the proposed bill will go on a huge fishing expedition to catch unwary election officials and other citizens in its nets, and the southern regions are expected to yield the largest catch.

Bait will be furnished by the NAACP, the Civil Rights Congress, and other left-wing organizations.

Now, having set up this Commission with powers never before conferred on any commission, and rarely on committees of this Congress, and with unlimited personnel at a tremendous cost to the taxpayers for the purpose of conducting investigations of alleged and, in most cases, imaginary wrongs, and to make recommendations for correcting these supposed violations of civil rights, and before the commission can make a single investigation or recommendation, this fantastic legislation proceeds in part II, to create an additional Assistant Attornel General to assist the Attorney General in his duties; to head a new division in the Department of Justice, entailing the employment of many additional lawyers at great cost to the public.

In the Committee of the Judiciary inquiry was made as to the number of additional lawyers the new division would require—50 or 100 or more, but no agreement could be reached.

For 15 years I served as a United States attorney, and I know, from experience, that for years and years there has, and now exists in the Department of Justice, a Civil Rights Section, just as competent to do this work as a new division, and to which section the Attorney General has the right and can assign as many or as few of his highly paid attorneys as he so desires. With this section already established, why burden the taxpayers with the creation of another division?

Part III of the bill relates to the old conspiracy statute of July 31, 1861, first enacted at the outbreak of the War Between the States, and to the Ku Klux Act of April 20, 1871.

The present proposals are much more far reaching and even more obnoxious than the law of 1871.

Under the provisions of H. R. 6127, the Attorney General is authorized to institute civil actions in the name of the United States or on behalf of the United States for injunction or other relief. Whenever one was engaged in or there was reasonable grounds to believe that one was about to engage in acts that would give rise to a cause of action under existing law, and the consent of the aggrieved individual is not a necessary precedent for such suit—such action may be taken even though parties have failed to exhaust State remedies available to them.

Part III, which is the most iniquitous part of the bill, confers upon the Attorney General of the United States powers unheard of heretofore in a free country. It supersedes and sets aside all State administrative remedies; wipes out State sovereignty; it authorizes the Attorney General in the name of or on behalf of the United States to institute civil action in civil-rights matters whether or not the aggrieved party requests such procedure by the Attorney General or whether or not the aggrieved party objects to such action. In other words, the Attorney General is clothed with all power to come into the Federal court and against the wishes of the aggrieved party institute a civil action in the aggrieved party's behalf in the name of the Government. He does this at the cost of the taxpayers of America. He thus deprives the States of their right to enforce their criminal laws. He thereby deprives the defendant of a right of trial by jury.

It allows the Attorney General to make of the Federal local judge the administrator, the prosecutor, and the executor of the functions of the States and localities.

The real purpose of this part is to create jurisdiction in the Federal district courts to supervise, control, and dominate, together with the Attorney General, the internal management of local affairs, particularly in schools, and elections.

The Attorney General seeks, by these additions, to have conferred upon him the powers to enforce these sections by injunctions.

Part IV of the bill amends the existing law by an entirely new section. The proposed amendment would make it unlawful for any person, whether acting under color of the law or otherwise, to intimidate, threaten or coerce any person for the purpose of interfering with the rights of such other person, to vote at any special or primary election relating to Federal officers. An additional subsection provides a remedy for such interference in the form of a civil action instituted by the Attorney General on behalf of the United States or in the name of the United States to prevent anyone from interfering with or about to interfere with the right to vote.

As in part III, there is a waiver of State remedies. The present proposal provides a new remedy. The scope of the proposed amendment goes far beyond what the statute now encompasses. The proposed amendment includes primary elections held solely or in part for the purpose of selecting or electing any such candidate. Thus, it can readily be seen that by this legislation, the Attorney General seeks not only to control our general elections but even our primaries. Since the inception of this Government the Congress has never legislated in the election field except to fix the date for holding national elections and to implement the 14th and 15th amendments by providing enforcement through criminal statutes.

It has never been questioned that basically and fundamentally matters of elections are controlled by the States. This bill proposes for the first time to inject the power of the Federal Government in the area of voting rights. And this is brought about by authorizing the Attorney General to seek injunctions in civil cases in the name and on behalf of the United States. The one and only means of such enforcement is through contempt proceedings. The contempt is punished by fine or imprisonment. Under Federal law, where contempt of court is also a violation of Federal or State law, the accused is guaranteed the right to demand a trial by jury.

Although the Attorney General seeks authority to handle these cases as civil actions, and would delude us into believing that; it is apparent that we are subjecting our people to criminal process. Section 2691 of title 18—Crimes and Criminal Procedure—United States Code, states that contempt of an injunction constitutes a crime. But where suit is brought in the name of the United States as contemplated by the bill a trial by jury may not be had.

Parts III and IV of the bill provide a device to bypass State laws, State remedies, State courts, State judges, and State agencies. Here is the second step deliberately planned to strike down States rights. Finally, under the calculated scheme of the bill all actions instituted would be filed in the name of or on behalf of the United States and tried before the Federal courts and in the enforcement of Federal court orders and decrees through contempt proceedings the defendants would be deprived of trial by jury.

By this legislation you abandon the sovereignty of the States. Our citizens are deprived of the sacred right of trial by jury.

You confer upon the Attorney General unheard of powers. You give him the power to investigate all national elections. He is empowered with the authority to investigate and supervise the primaries, not only of the Democratic Party, but also of the Republican Party. This goes further than any statute ever before enacted.

Under the Constitution the States are the sole judges of the qualifications of the voters and throughout the long history of the United States, the manner in which our elections are held has been a time honored function of the States. The broad language of this bill would open practically the entire field of elections, including State primaries to Federal intervention. The intrusion of the Federal Government into this field has not heretofore been permitted or even considered, except in instances clearly defined by the 14th and 15th amendments. No man should be trusted with that much power.

In my State of Tennessee the Negro has the same voting rights as any white citizen. If he has qualified by registering, he can and does walk up to the polling place on election day and casts his vote like any American citizen. We have no poll tax in Tennessee—but when we did every citizen who had paid that tax, which went for the maintenance of the public schools, whether he be black or white, was entitled to vote and to have his vote counted. I never in all my experience have known of an instance in my State when a voter who had qualified was deprived of his right to vote because of his race or color.

We have provided equal educational opportunities for him despite the fact that the Negro race paid less than one-tenth of the taxes imposed for educational purposes, and the white people have uncomplainingly paid the rest.

You, who advocate the passage of this legislation in a misguided effort to protect the civil rights of the Negro in the South, know not what you do. In this bill you jeopardize the rights of every citizen of the United States.

I wish that each and every one of you would come to my State—you would realize how needless is this legislation. In the 15 years I served as United States attorney in a district covering 41 of the 95 counties of the State, I never had presented to me a complaint that a Negro had been deprived of his right to vote or had been intimidated, or had his civil rights interfered with in any manner. But I did have many complaints of violations of the civil rights of others brought to me after every election. It is true most of them were violations of the Hatch Act, and as United States attorney it was my duty to have these complaints investigated, which I did. We prosecuted many of these cases.

I know this legislation is not needed; I know it is not wise. In reaching this conclusion I have been influenced by no prejudice against the Negro. I bear him no grudge. I entertain for him no unkind feeling. I have never failed to condemn every act of lawlessness inflicted upon the Negro and have always demanded for him a fair and impartial trial when he was charged with violation of the law.

Mr. Chairman, I know the Negro—his faults and his virtues—and he has many virtues. My knowledge and observation of the Negro race covers almost the span of my life, for they helped nurse me in my infancy, played with me in my boyhood and I have known and studied them in my mature manhood. I have defended them as a lawyer, prosecuted them as a United States attorney—I have tried and passed sentence on them as a judge. I would do the Negro no wrong. I would help him if I could.

I would strengthen him when he is weak. I would teach him by practical and industrial education to be a better man. I would shield him from his own weaknesses and excesses. I would steady his stumbling feet as he treads the stony way that leads up to his moral and material betterment.

Living in the South, I know this is the attitude of the white people of the South. It is difficult for you who have not grown up with them to understand this attitude.

If you are not advocating this legislation purely as a gesture in the hope of winning the Negro vote in future elections, if you want to preserve the rights of the Negro as well as every other citizen, then vote against this iniquitous bill.

Do not by the passage of this legislation jeopardize the civil rights of every citizen of the United States. I urge you to defeat this bill designed to destroy the last vestige of the individual rights of the States you represent.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Tennessee.

Mr. COOPER. I desire to congratulate my colleague from Tennessee on the splendid speech he has made and I concur with him fully in his very able statement. I have always opposed legislation of this type and am strongly opposed to this pending bill. I will ask the gentleman if he will not agree with me that the fact is that this is not candid legislation; that it was conceived in an atmosphere of political expediency and certainly should not be enacted into law.

Mr. FRAZIER. I certainly agree with the gentleman and appreciate his statement.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Louisiana.

Mr. BROOKS of Louisiana. I want to also join with my colleague, the gentleman from Tennessee [Mr. COOPER], in congratulating the gentleman upon a masterful presentation of the merits and demerits of this bill. I know the gentleman has had many years' experience as United States attorney, and with that experience his knowledge of this subject is transcendent. I want to congratulate him on the splendid presentation made in this speech.

Mr. FRAZIER. I thank the gentleman.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Florida.

Mr. MATTHEWS. Mr. Chairman, I wish to congratulate the distinguished gentleman from Tennessee. I wish all of our colleagues could have heard the excellent presentation that he has made. I join with him in sincerely hoping that this iniquitous piece of legislation will meet overwhelming defeat.

Mr. FRAZIER. I thank the distinguished gentleman from Florida.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Alabama.

Mr. ANDREWS. I want to commend the gentleman for one of the finest statements I have heard made in this debate. It shows that the gentleman has given a great deal of study to this subject which is of such vital interest to the South and to all America.

Mr. FRAZIER. I thank the gentleman.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to my distinguished chairman, the gentleman from New York.

Mr. CELLER. I am very happy to state that I have always found the gentleman who is now occupying the floor to be a most dedicated Member of this House, who has rendered valuable service on the Committee on the Judiciary, and I am always happy to be associated with him. While I necessarily do not agree with the principle announced, I know it was, from his point of view, a very praiseworthy statement, and I am anxious to have the gentleman now in the well know that your dear ones have been listening to your speech.

Mr. FRAZIER. I thank my distinguished chairman.

Mr. SHUFORD. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from North Carolina.

Mr. SHUFORD. I want to associate myself with others who have spoken, commending the gentleman on the fine speech he has presented on this burning issue. I think he has done a masterful job, and I am sorry that more Members were not here to hear it.

Mr. FRAZIER. I thank the gentleman.

Mr. LOSER. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Tennessee.

Mr. LOSER. Mr. Chairman, I want to join my very distinguished colleague from Tennessee [Mr. FRAZIER] in the magnificent address that he has made to the Members of this great body. I have known him for many, many years. He is a worthy son of a very distinguished father. His father was a member of the United States Senate from Tennessee. He likewise served as Governor of our State, and the gentleman now addressing us has served as United States attorney. I am happy to join with him in this magnificent address that he has delivered here today. I concur in his very fine statement.

Mr. FRAZIER. I thank my distinguished colleague for his very flattering statement.

Mr. BASS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. I would like to join with my colleagues from Tennessee and other parts of the Nation in commending my colleague [Mr. FRAZIER] for the very fine address he has given on this subject. Certainly his membership on the committee and the years given to the study of this subject qualify him as an expert on this matter.

Mr. FRAZIER. I thank the gentleman.

Mr. HARDY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARDY. Mr. Chairman, I have studied this bill and the report, and before the general debate started I was greatly disturbed by many of the far-reaching new proposals advanced in the name of protecting civil rights. As I have listened to the debate, I have become more and more disturbed.

I am grateful to my able colleagues who have presented so clearly an outline of many of the dangers inherent in this legislation. They have discussed the constitutional implications of this measure. They have pointed out encroachments on the rights which the Constitution assigned to the States. More importantly they have pointed out the danger that legislation of this type may actually circumscribe the liberties which our forefathers thought they were assuring for all time when they approved the first 10 amendments to the Constitution, our incomparable Bill of Rights.

Under our Constitution every citizen is entitled to equal freedom and equal justice and equal opportunity. Surely, I know as well as anyone else that inequities exist—there are injustices, prejudices, sometimes hatred and frequently misconduct. I do not believe however, that these are singularly applicable to any specific geographic section of our Nation or to any particular group within our population. In a Nation of nearly 170 million people inequities and injustices and prejudices are bound to exist. They will always exist as long as human beings are human.

All of us want to promote fairness and to eliminate inequities, but in seeking this elusive objective we must not create greater injustices than we relieve.

Every citizen of our Nation is entitled to the liberties provided in our Constitution. But, as we try to assure them we must be careful not to take away or to restrict the liberties of others.

As we in this Congress approach a vote on this legislation, we should ask ourselves whether in the name of promoting equity we would produce greater inequity—in the name of granting rights to some people, we would take away the rights of others—in the name of promoting harmony, we would actually create discord—in the name of promoting amity, we would engender hatred.

Let us not forget that no matter how hard we try, we cannot by law control the relationships of one human being to another—the attitudes—the morals and the behavior. Many of these intangibles respond only to divine law and when we encroach on this field, failure is inevitable. The brotherhood of man under the fatherhood of God is a desirable objective, but it is something which will be fostered only by putting grater reliance on our churches and our schools. The coercive force of law in these areas is wrong. Let us not make the mistake of passing this measure.

Mr. CELLER. Mr. Chairman, I yield 30 minutes to a very praiseworthy member of our Committee on the Judiciary, the distinguished Representative from Virginia, Governor TUCK.

Mr. TUCK. Mr. Chairman, I thank the gentleman from New York for allotting me this time. While I wholly disagree with him on this subject and rise to express unalterable opposition to the bill in its entirety, I am glad to be able to say to him and to my colleagues that he has at all times presided over the deliberations of the Judiciary Committee with ability, firmness and impartiality and in a manner to reflect credit upon the high public station to which he has been elevated.

My colleagues on the Judiciary Committee who have preceded me in opposition to this bill, particularly the gentleman from Louisiana [Mr. WILLIS], and the gentleman from Virginia [Mr. POFF], and the gentleman from Tennessee, have expressed themselves so clearly and so succinctly and so convincingly, and have marshaled their thoughts and views in such a skillful and dexterous manner that I am hesitant and reluctant to address myself to the subject because I know that I do not come with the cold logic they had and I cannot measure up to the high standards of excellence set by them and others.

As we are today closing this historic debate, I hope that despite our divergent views, we can all approach the subject in a spirit of amity and of good will and that we can consider the problem with hearts unfilled with emotion and minds uncloaded by prejudice or by passion.

The whole proposal since its inception has accomplished nothing except to foment strife and misunderstanding and to engender bitterness and hatred where cordiality theretofore existed among persons of different views and different races. It is unfortunate that a proposal of such an inflammatory nature should ever have been made and I predict that its adoption will be marked by countless future years of irritation and acrimony.

A few days ago someone handed me an editorial from the Norfolk (Va.) Journal and Guide, wherein the editor of that newspaper referred to the public services of my colleague, the gentleman from Virginia [Mr. ABBITT], and me in a scornful and disdainful manner. Among other things he said that we, as representatives of the dominant political party, were probably the two most cunning and astute political maneuverers the Commonwealth of Virginia had produced for more than 100 years and that we were employing our talents for the sole purpose of creating discord between the races and riding herd over the minority.

I regret that that editorial was ever written. It would not have been but for the bitterness following in the wake of the Court decisions and the clamor for the so-called civil rights bill. I challenge this unwarranted and untrue newspaper statement. The editor of this newspaper was not fair enough to point out the large increase in public appropriations made upon my recommendation for the education of the colored people of Virginia. He did not mention that I had signed an executive order making available hundreds of thousands of dollars for the establishment of a State park for Negroes. Nor did he think to point out that I requested the State to purchase the Booker Washington birthplace where the colored people named one of the buildings after me. The editorial did not mention the fact that more money was made available during my 4-year administration for the treatment and eradication of tuberculosis among the colored people of our State than all previous administrations combined from

the foundation of the Virginia Health Department down to that time. I am not a recent convert to fairness and to harmony between the races. More than 30 years ago as a young member of the Legislature of Virginia I voted for Governor Byrd's anti-lynch law, and there has not been a single death by lynching in Virginia since that time.

As Governor I tried to serve the colored citizens of Virginia with courtesy and consideration. I have never used the powers of any office to which I have been elected in a harsh or unfair manner toward any man or any set of men regardless of race or color, and what is more, I never will. The conduct of the people of Virginia is such that they can stand today at this threshold and upon our record, as always, unruffled, unashamed and unafraid.

But this bill is not designed to improve the lot of the colored man or to confer upon him any rights he does not already have. It confers no rights upon anyone except the Attorney General of the United States. At the same time, it deprives all others of existing rights and strikes a fatal blow at the vitals of the fundamental principles upon which this Government is based. It is not the worthy and innocuous piece of legislation that its proponents claim. It is not the right to vote bill that the Washington Post and others contend. If that is all it were, few voices on this floor and elsewhere would be heard in opposition to it except for the fact that it authorizes the United States Government to invade areas heretofore reserved exclusively to the States by the Constitution of the United States. The real vice of this bill is that it destroys our Constitution and shatters our Bill of Rights.

Let us see what it does. Part I establishes a Federal Commission on Civil Rights, which under incredibly broad powers of subpena and which under vaguely defined duties and powers could dispatch a traveling band of inquisitors throughout the land to harass our citizens and to impede them in the discharge of their public and private duties.

On the flimsy ground of mere allegations, the Attorney General favors saddling upon the entire Nation the burden of a new national commission operating independently all over the Nation; applying its inquisitions and intimidations whenever and wherever it chooses; dragging citizens away from their businesses and from their homes and loved ones at any time and for any distance and to any place the new Commission desires, upon the compelling force of subpena; merely to investigate whether and to what extent these allegations are well founded and to try and bring about the correction of any conditions the Commission determines to be civil rights violations.

The utter lack of necessity for the creation of any such Civil Rights Commission as is contemplated in this pending legislation is shown by the testimony of the Attorney General himself.

The Commission will function, in practical effect, as an arm of the NAACP, the American Civil Liberties Union, and other leftwing bodies. It would be financed from the United States Treasury at what cost the sponsors cannot or will not predict.

It is shocking to the intelligence to hear this described as a moderate beginning on the civil rights bill, and it is the first time to my knowledge that any responsible legislative body has undertaken to create a study commission and at the same time and in the same measure proceed forthwith to legislate upon the subject.

Part II may not at first glance appear so objectionable, but even scant knowledge of the operations of Federal bureaucracy will present an unerring picture of the course this new division on civil rights would pursue. It would unquestionably plunge the country into widespread litigation and such groups as the NAACP would keep it supplied with alleged causes of action. The existing civil rights section of the statutes provide the Attorney General with all of the authority necessary and the Attorney General has admitted that he has authority already to assign civil rights enforcement dutles to any of the present Assistant Attorneys General.

The Department of Justice has done very well, these many years, without such a division. No compelling reason can be advanced for establishing it now. The provisions of part II would do nothing to improve domestic tranquillity in the complex and very delicate field of civil rights, but on the contrary would surely lead to discord, strife, and a deeper bitterness. These self-styled moderates would release upon the country a horde of political bloodsuckers and harpies clothed with the badge of power and authority who could and no doubt would in instances reduce us to a "police state" and thus make life unbearable and intolerable.

Some of the worst evils of the proposed legislation lie concealed in part III. It would provide weapons by which the entire State and Federal relationship would be effectively destroyed. Age-old guaranties of personal rights would be stripped away. Government by law in which State powers are preserved and individual rights are protected would be replaced with government by injunction—government by the uncheckable whims of Federal judges. Countless alleged denials of equal protection of the laws, however fantastic, would be translated into binding injunctions obtained without regard to State remedies and State courts.

The effect of this section of the pending bill would be to place the powers of a tyrant in the hands of every Federal judge, some of whom have clearly acted in a bombastic and arrogant and injudicial manner. Under the catch-all term of "equal protection of the laws" almost anyone may contend that he is being deprived of something. Upon the flimsiest allegations of an "about to" conspiracy—without even the consent of prospective plaintiffs and even against their will—the Attorney General may demand an ex parte injunction, without notice and without hearing.

As a member of the Judiciary Committee and as a lawyer with some concept of ethical conduct, it was sickening and saddening some months ago to hear the Attorney General of the United States beseeching and imploring the Congress of the United States to place him and the high office which he holds in partnership with runners and cappers and those who would engage in the unorthodox and despicable practice of barratry, champerty, and maintenance.

This section contains the most dangerous and objectionable of all the proposals; namely, it would deprive citizens of the right to trial by jury. It would violate the sacred precincts of the constitutionally imbedded system of jury trial by permitting the United States to become a party to what appears to be a civil suit, develop it into a criminal procedure and result in the abolishment of the time-honored means of applying the sanctions of the penal statute.. The right of an accused person to demand the nature and cause of his accusation, to be confronted by his accusers, and to call witnesses in his behalf, would be banished and set at naught.

An accused person by the law of the land is entitled to the right of speedy and impartial trial by a jury of his peers in the locality where the alleged violation was committed. It is hornbook law that every person accused of crime is presumed to be innocent. This would conform to the principles enunciated in our Bill of Rights. Those of us who oppose this legislation do not contend that any judge should be deprived of the right to try a person for contempt and impose punishment in a case where the contempt was committed in the presence of or close proximity to the court because we do not want to hamper and impede the administration of public justice.

To undertake to minimize the importance of the jury trial in contempt proceedings on the ground that they are an outgrowth of a civil action is a lethal doctrine and does not conform to my concept of our American way of life.

It would be more appropriate to entitle part III as an act to ratify and confirm the decision of the Supreme Court of the United States delivered on May 17, 1954, and its subsequent decisions in the Illinois case, the two Pennsylvania cases, the New York case, the New Mexico case, the California case, the Du Pont case, the FBI case, and a host of others. In all of these cases, the Court ignored precedents of long standing and undertook to write the substantive law of the land without regard to the rights of the Congress, the States, or the people. The Supreme Court, as at present constituted, has shown by these decisions great concern for the preservation of the integrity of the 5th amendment to the Constitution and none for the 10th.

If these decisions are allowed by the Congress to stand, I can tell you now that our local and State governments will topple over into the abyss of destruction and remain nothing more than the hollow shells of a lost liberty. It is a sad commentary that the Supreme Court, the very instrumentality set up in the Constitution by the Founding Fathers for the protection and preservation of our rights should use the powers supposed to be conferred to rape the people of liberties they have enjoyed for hundreds of years.

Proponents of the bill in part IV completely overlook and refuse to recognize the fact that there are no Federal elections, no Federal election machinery and no constitutional provision for it. The Constitution expressly negates any consideration of such authority in the Federal Government. It is absolutely clear that such authority rests solely with the States. Under our Constitution the legislatures of the respective States have the mandatory duty and right to regulate their own electoral process. The Attorney General has no power over State elections and should never be permitted to meddle with them. The exhaustion of State administrative remedies is one of the oldest, most thoroughly established, and salutary rules in American jurisprudence. The amendment relating to the right to vote would abolish this principle.

Attempts to invoke these so-called civil-rights proposals constitute a blatant expression on the part of the Congress of the United States to the effect that the people and the officials, and particularly the judges of the respective States, are a faithless and perfidious lot. In such a situation, I cannot sit idly by without uttering a vigorous protest.

If you strike down the power of the States to control their own affairs and their own elections and concentrate all power in Washington, you strike at the heart of what has made this Nation great. I do not stand alone in the enunciation of this sound doctrine. In support of this I can call as witnesses many distinguished men and great Americans, both past and present.

A distinguished gentleman stood on the portico of the capitol of a Southern State and made the following statement:

> The Federal Government did not create the States of the Republic. The States created the Federal Government. The creation should not supersede the creator. For if the States lose their meaning, our entire system of Government loses its meaning and the next step is the rise of the centralized national state in which the seeds of autocracy can take root and grow.

That same gentleman the following year made this statement:

> I am here because of my indestructible conviction that unless we preserve in this country the place of State government with the power of authority, the responsibilities, and the revenues necessary to discharge those responsibilities, then we are not going to have America as we have known it. We will have some other form of government.

Those are beautiful and statesmanlike expressions of the views and principles which have made our Nation strong and great. I subscribe to them 100 percent. They sound as if they were made by Patrick Henry, Thomas Jefferson, John Calhoun, John Tyler, Woodrow Wilson, or Harry Byrd, or by all of them, but they are not. The first is a quotation from a speech made by Mr. Eisenhower in the campaign of 1952, and the second is a quotation from President Eisenhower's address to the National Governors' Conference in Seattle, Wash., in 1953. I am sorry that he has seen fit to place the influence and power of the office of President behind proposals that will utterly destroy principles which he claims to espouse.

I wonder if we of the present generation do not take our rich heritage and the priceless privileges which we enjoy as commonplace. We must never be unmindful of the sacrifice made by our forefathers and of their struggles to secure these blessings. It behooves us ever to be vigilant in our determinations to preserve them. It is not inappropriate at this time to reflect upon the history of our Constitution and the first 10 amendments.

Some years ago I read the life of John Marshall by the great historian, the late Senator Beveridge, of Indiana. I commend these books to every American.

In his matchless volumes on the subject of Marshall, he devotes 161 pages to the Constitutional Convention of Virginia which convened in Richmond on June 2, 1788. Patrick Henry, prematurely old at 52, was there; Pendleton, walking heavily under the burden of his years and a cripple, was there, as were Randolph, Monroe, Marshall, and Richard Henry Lee, who were young men barely past the age of 30. Mr. Beveridge described in some detail these men and James Madison, Thomas Jefferson, Benjamin Harrison, signer of the Declaration of Independence and destined to be the father of a President of the United States and the great-grandfather of another. The presiding officer of the convention was Virginia's first law teacher and able chancellor, the aged and white-haired George Wythe. There came also from Gunston Hall the aristocratic and brilliant, but gouty, George Mason. Throughout the entire proceedings the great influence of Washington for the adoption of the Constitution hovered over the convention. Mason and others of almost equal brilliance had come to unite with Patrick Henry to oppose the adoption of the Constitution unless it was amended to embody the principal provision of the Virginia Bill of Rights. For the first time in American history a shorthand reporter was there to report the debate and the proceedings which continued for 22 days. It was a great array of talent and patriotism.

Senator Beveridge says that the array of ability, distinction, and character on both sides was notably brilliant and impressive. He added, that seldom, if ever, in any land or age, had so gifted and accomplished a group of men contended in argument and discussion at one time and place.

For what were Henry, Mason, Monroe, Grayson, and others contending? They were seeking to guarantee the very principles for which we contend today, the preservation of the individual and States rights, and to take care that certain imperishable truths should be embodied in the fundamental law of the land. They believed that all power is vested in and consequently derived from the people, that magistrates are their trustees and servants, and at all times amenable to them. They believed, among other things, that each State had a right to maintain a well-regulated militia, that no soldier shall in time of peace be quartered in any house without the consent of the owner. That the people have a right to be secure in their persons and to be protected from unwarranted searches and seizures. They contended that the freedom of the press is one of the great bulwarks of liberty and can never be restrained but by despotic governments; and any citizen may freely speak, write, and publish his sentiments on all subjects, being responsible only for the abuse of that right.

And above all they believed that in criminal prosecutions a man has the right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage without whose unanimous consent he cannot be found guilty; that none shall be deprived of life or liberty, except by the law of the land or the judgment of his peers; nor be compelled in any criminal proceeding to give evidence against himself, nor be put twice in jeopardy for the same offense.

They joined with the great Roger Williams of Rhode Island and his band of hearty followers who established that State, small in area and population but great in its determination and rocky strength of character. It is, as you know, represented on this floor now by the distinguished gentleman who presides over our deliberations today. Rhode Island was the last of the Colonies to adopt the Constitution and so zealous were the followers of Roger Williams to maintain and preserve the autonomy of the States and to guarantee complete and absolute separation of church and state, that the adopting resolutions of Rhode Island contained language substantially as follows: That religion or the duty which we owe to our Creator as well as the manner of discharging it can be directed only by reason and conviction, not by force or violence; and, therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love and charity toward each other. No religion is worthy or has a right to exist which has to depend for its support upon government or law.

As a result of the debates in the Virginia convention which aroused other States, and on account of the determination of such men as Patrick Henry, George Mason, and Roger Williams and others, the Congress at the very next session submitted the first 10 amendments which were promptly ratified by the requisite number of States.

What would Jefferson and these other men, who founded our Government on the basis of State sovereignty, think of a Federal bureau established to go into Southern States originating suits against their citizens as punishment for conforming with State laws and State constitutions?

What have we done to deserve such treatment? We believe we are worthy to be accorded a place and full fellowship in the sisterhood of States. Henry fanned the flame of the American Revolution, and Jefferson penned the Declaration of Independence. Madison authored the Constitution. Mason drew our immortal Bill of Rights which is now embedded in the first 10 amendments to the Constitution. It is true that we engaged in a war for the maintenance of these principles, fighting to the last ditch with the most conspicuous bravery in human history. But after 4 long years of arduous struggle we were compelled to surrender at Appomattox to the sheer force of numbers after our soldiers had won everlasting world esteem. We took our defeat with fortitude. Our men, many of them crippled and old, went home in April to impoverished lands and depleted resources, but the bloody fields of April had by fall become rich with a teeming harvest. As I sit here in this Congress and witness the handing out of billions to defeated nations, many of them wholly unworthy, I think of the kind of Marshall Plan brought to the South to bring about our reconstruction. It was the Marshall Plan in reverse. No section of the country before nor since the War Between the States has contributed more, in any respect, to the defense of the United States than the South. The blood of our citizens is mingled with the blood of yours on every sea and battlefield of the world from the early American Indian wars to the late Pacific wars. Yet, we are to be punished because we disagree with Federal decrees designed to destroy the oldest way of life in the Nation and a decree based on the authority of the writings of one Gunnar Myrdal, a Swedish Socialist imported to the United States in 1939 by the Carnegie Foundation of Alger Hiss fame.

In conclusion, Mr. Chairman, there is one source of encouragement today. We live in the knowledge that the love of liberty never dies. There are tyrants today who no doubt believe they have forever enslaved mankind. They are absolutely wrong because we all know that suffering humanity from the icy tundras of Siberia to the banks of the picturesque Danube is at this hour longing for freedom. The history of the world shows that you may enslave a whole generation of people and the next generation will rise up to destroy the oppressors and restore liberty.

We of the South are fighting these proposals because we want to preserve freedom. What we lack in numbers, we make up in our determination to protect the States and the rights of the people. We know that the form of Government we have enjoyed and cherished for lo these many years cannot long endure if the States are to be mere provinces of the Central Government. I appeal to you of other States to join us in this struggle for America. Let me remind you that you cannot impeach our rights without jeopardizing and endangering your own and all others. You who gleefully support this bill to punish the South may some day find yourselves like Haman of old, impaled and hung on the scaffold he built for Mordecai. We do not pretend or imagine ourselves to be football players on the gridiron, and we do not have quarterbacks and coaches to direct us. We are American Congressmen, the free and untrammelled representatives of the unterrified people.

In these turbulent and tragic days, what are our plans? What is our motto? It is this: We will not be afraid. We will never surrender to the flagitious forces of evil which threaten to destroy America. We will not give in to anger, or hatred, or jealousies. We will never be unkind to any man, woman, or child. We will trust God and bravely face the future.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, on Friday last I referred to the educational situation in North Carolina in the remarks that I made on the floor. In that statement I referred specifically to the salary schedule of white and Negro teachers and pointed out that the Negro teachers in North Carolina have a higher average annual income than is had by the white teachers.

In order to have the latest possible statistics on this question I communicated with Dr. Charles F. Carroll, superintendent of public instruction of the State of North Carolina, and he has given me the following statistical information with reference to the school year 1955–56. This information is as follows:

NUMBER AND AVERAGE SALARIES PAID FROM STATE FUNDS

The average annual salaries paid to teachers for 9 months' service, classified principals for 10 months' service, supervisors for 10 months' service for 1955–56 are reflected in the following:

	White	Colored	Total
1. Number:			
Classroom teachers	22,105	8,576	30,681
Classified principals	1,223	413	1,636
Supervisors	174	55	229
Total	23,502	9,044	32,546
2. Average annual salaries:			
Classroom teachers	$3,098.96	$3,194.81	------
Classified principals	6,039.35	5,146.30	------
Supervisors	4,013.16	4,151.33	------

My purpose in making this information available to my colleagues is to further indicate that the pending so-called civil-rights legislation is not in the best interest of this country. It can do nothing other than to disturb the splendid relations and fair treatment which the people of the South of all races have enjoyed in the past.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, the jury trial phase of this debate has been ably and thoroughly presented by the speakers who have preceded me.

I do not see how one could hear the arguments presented by these able lawyers and students of the Constitution and fail to be convinced of the danger—the threat to the American form of government which is involved in this attempt to destroy the right of jury trials.

I would not let the opportunity pass without placing myself on record as being unequivocally opposed to this attempt to strike down what I regard as one of the foundation stones of free government. It is a potent weapon, a strong protection, one of the greatest shields which the believers in free government have yet devised against tyranny and oppression. Trial by jury has been the prized possession of Anglo-Saxons since the English barons forced King John to grant Magna Carta at Runnymede in 1215. I cannot forget today the words of John Greenleaf Whittier, reminding us that "We too are heirs of Runnymede."

I believe with that great Englishman, Lord Brougham, in his statement that, "All we see about us, kings, lords, and commons, the whole machinery of the state, all the apparatus of the system, and its varied workings, end in simply bringing 12 good men into a box."

It has been a shocking thing to me to hear Members take the floor during this debate and with seeming unconcern advocate the tearing down of this great provision which has stood throughout the centuries as a barrier and protection of every citizen, however weak and helpless he might be, against tyranny and oppression by any government, however powerful it might be, either Federal or State.

In the limited time which has been allotted to me, I shall endeavor not to repeat the arguments of the able Members who have spoken in behalf of the jury trial amendment on both sides of the aisle. I concur in those arguments, and I shall proceed to discuss other matters relating to this pending legislation.

This is needless legislation. Such demand as there is for it is political and artificial. The hullabaloo which has been stirred up over it was created by radical and rabble-rousing organizations such as Americans for Democratic Action, NAACP, and a string of other organizations of the same character, who have developed an expert technique in propaganda broadcasting.

I direct your attention to material in the printed hearings on this bill itself which illustrate my statement that this legislation is useless. On page 344 of the printed hearings, you will find appendix B to a statement of the Attorney General which begins on page 325. This statement of the Attorney General illustrates the absurd, ridiculous and unreasonable extent to which the Attorney General and the Justice Department have gone in pandering to the NAACP.

This statement of the Attorney General and the appendix which is found on page 344 of the hearing was introduced by Chairman EMANUEL CELLER of the Judiciary Committee at a committee hearing before Subcommittee No. 2 of the Judiciary Committee.

I want you to notice the ridiculous and absurd number of complaints of violations of civil rights which was stirred up and caused to be filed with the Justice Department by this radical organization, the NAACP.

In the years for which total number of complaints of alleged civil-rights violations were given and total number of cases tried and convictions secured, the figures given by the Attorney General

were as follows: In 1940, 8,000 civil rights complaints were received; no figures given as to how many cases prosecuted, or how many convictions secured. In 1942, 8,612 complaints received; prosecutive action taken in 76 cases; no statement as to how many convictions or acquittals. In 1946, 7,229 complaints were received in civil rights and political cases. Fifteen cases were prosecuted, in which five convictions were secured. In 1947, 13,000 complaints were received; 12 cases were prosecuted, of which 4 defendants were convicted. In 1948, 14,500 complaints were received; 20 cases prosecuted; no figures given as to convictions. In that same statement the Attorney General estimated that 15,000 complaints would be received during 1949.

Certainly when a situation exists where 13,000 complaints are filed alleging violations of civil rights, of which 12 were considered worth trying, and of that 12 cases tried 4 convictions were secured, undoubtedly the world's record is broken for the filing of groundless complaints.

Yet these groundless charges, stirred up by the NAACP, 41 percent of whose officers and directors are cited in the records of the House Committee on Un-American Activities as having connection with subversive organizations, caused the harassment and hindrance, and in some cases intimidation, of policemen, sheriffs, prosecuting attorneys, and law enforcement officers all over this country. It cost the taxpayers millions of dollars to process 13,000 groundless complaints. The Department of Justice, according to the testimony of witnesses, maintains in the Federal Bureau of Investigation 172 specialists on civil-rights matters, and the Attorney General maintains in his Civil Rights Section 7 civil-rights attorneys and 4 other civil rights employees.

While the Attorney General's office is spending millions of dollars of the taxpayers' money on this civil-rights foolishness, he is costing the taxpayers of the country other millions of dollars which could be saved if money spent for employees in this useless civil rights section were used to employ attorneys to try cases which are 5 years and more behind in the tax division and court of claims, cases in which interest is running against the Government, and will finally have to be paid, at the rate of $5,000 per day, or nearly $2 million per year. If the Attorney General would use this money which he is wasting fooling with 13,000 groundless civil-rights complaints, and hire lawyers to catch up with these untried cases in which interest is running against the Government, these millions of dollars could be saved.

Testimony on this waste of taxpayers' money is found in the statement of Attorney General Brownell on page 56 of the Senate State, Justice, and Commerce Subcommittee hearings on May 10, 1956, and the testimony of Mr. W. E. Burger on page 47 of the State, Justice, and Commerce Subcommittee hearings of the House on March 2, 1953.

One might well ask why the United States Department of Justice would continue year after year to encourage and magnify thousands of groundless complaints, which their experience of 18 years since the Civil Rights Section was set up in 1939 has demonstrated to be groundless. I think the testimony of Mr. S. A. Andretta, administrative assistant to the Attorney General, on page 149 of the State, Justice Senate subcommittee hearings for fiscal 1957 let the cat out of the bag and gives the answer. This is that testimony:

Senator JOHNSON. Mr. Andretta, I want to ask you 1 or 2 questions. I understand that the appropriation carries provision for several lawyers in the Civil Rights Section; is that right? I understand it is seven.

Mr. ANDRETTA. Yes; it is.

Senator JOHNSON. I understand that, going back to 1951, you have had the same number.

Mr. ANDRETTA. Yes; the same staff.

Senator JOHNSON. If you were not asking for any additional people in the Civil Rights Section in all these years—1952, 1953, 1954, 1955—why is it that you are asking for a whole new Division in an election year, 1956?

Mr. ANDRETTA. I don't know how to answer that.

Senator JOHNSON. Thank you very much.

Now, the same question presents itself with reference to these pending bills. If the 18 years' experience with this Civil Rights Section in the Justice Department shows that as many as 13,000 civil-rights complaints will be stirred up and filed in a year, of which all but 4 were groundless, what reason is there for creating a new Civil Rights Division, which could be done under this legislation?

One reason, I think, is this: Although there are many good law-abiding Negroes in this country, nevertheless the bulk of the crimes of violence are committed by Negroes. The records show it, and there is no escaping the truth of it. This radical organization, the NAACP, under the guise of protecting civil rights, runs to the assistance of Negro criminals and seeks to protect them from the punishment for the crimes they commit. This has been their record.

This pending legislation, if enacted, would tie the hands of the law-enforcement officers throughout the country, and would place law-abiding men, women, and children at the mercy of brutal, merciless, hardened criminals.

Much of the crime of this country is committed by dope addicts. A Federal Narcotics Bureau report issued on February 15 shows that 60 percent of the drug addicts in the United States are Negroes, and that news item and that report from the Narcotics Bureau is carried in the Washington papers of February 15, 1957. That article and that report says that Negroes represent about 10 percent of the total population, that the Bureau's breakdown gave the figures that 60 percent of the United States drug addicts are Negroes. The breakdown shows white population, 87.8 percent, with 29 percent of the addicts; Mexican, 1.5 percent, and 4 percent of the addicts; Puerto Rican, 0.2 of 1 percent of the population, 5 percent of the addicts. Other races, 0.5 of 1 percent of the population, 2 percent of the the addicts.

The article is as follows:

SIXTY PERCENT OF UNITED STATES DRUG ADDICTS ARE NEGROES

WASHINGTON, February 15.—A Narcotics Bureau report that 60 percent of United States drug addicts are Negroes was made public Friday.

Negroes represent about 10 percent of the total population, the report said. It was contained in testimony by Narcotics Commissioner H. J. Anslinger to a House Appropriations Subcommittee in closed hearing February 4.

The bureau's breakdown gave these other figures: White population, 87.8 percent of the total, with 29 percent of the addicts; Mexicans, 1.5 percent of the population, 4 percent of the addicts; Puerto Rico, 0.2 percent of the population, 5 percent of the addicts; other races, 0.5 percent of the population, 2 percent of the addicts.

Representative PASSMAN, Democrat of Louisiana, said in a statement the analysis was furnished at his request. He commented it shows an extremely one-sided racial distribution of addiction, and he added:

"I think this is significant and should be brought into true perspective, so that the problem may be factually and objectively recognized by the public."

Here in the city of Washington, the Nation's Capital, where both white and black ought to make the best possible showing, crime records for fiscal year 1955 show that of major crimes committed, 82 percent were committed by Negroes, the figures being 1,947 committed by whites, 9,053 committed by Negroes. The crime records of the Federal Department of Justice show that of 13 Eastern, Northern, and Western States, including Illinois, New Jersey, New York, Ohio, and Pennsylvania, the rate per 100,000 of Negroes in prison on felony charges was 681 percent over whites. The same crime records show that in the 10 Southern States the Negro is a better citizen than his northern counterpart, the rate of Negroes per 100,000 in prison on felony charges there being only 248 percent over whites.

Law-enforcement officers in every section of this country know that this pending legislation would seriously cripple law enforcement.

On February 1 of this year Police Chief William H. Parker, of Los Angeles, Calif., in speaking to the California Peace Officers' Association, pointed out the danger of this legislation. He told the association that those very bills pending before the Judiciary Committee, being the civil-rights program offered by the Eisenhower administration through Attorney General Brownell, would put the police out of business.

That is not my language. That is the language of Chief Parker, of the Los Angeles Police Force. He further stated that he opposes the proposal to establish a Federal commission to investigate alleged civil-rights violations by local law-enforcement agencies. He declared that such a group, a Federal Civil Rights Commission, would play into the hands of Communists, "who know they cannot bring about a revolution or make advances in the face of a resolute police force."

Gentlemen, the California Peace Officers Association, after hearing Chief Parker, authorized its executive committee to petition Congress to "look at both sides and beware of legislation which might seriously cripple law enforcement."

The article is as follows:

PARKER HITS CIVIL-RIGHTS LEGISLATION—LAW ENFORCEMENT MAY BE HAMPERED, HE TELLS OFFICERS

FRESNO, February 1.—The California peace Officers Association, at the urging of Police Chief William H. Parker, of Los Angeles, asks Congress to be careful of any civil-rights legislation which would hamper law-enforcement officers.

The group's action was taken here today. The executive committee was authorized to caution Congress to "look at both sides and beware of legislation which might seriously cripple law enforcement."

San Diego Police Chief Elmer Jansen, association president, said the action will not commit the organization to oppose or support any specific legislation, but will state the organization's views.

Parker declared the civil-rights program offered by the Eisenhower administration through Attorney General Herbert Brownell "would put the police out of business."

He said he opposes a proposal to establish a Federal commission to investigate alleged civil-rights violations by local law-enforcement agencies.

Parker declared such a group would play into the hands of Communists, "who know they cannot bring about a revolution or make advances in the face of a resolute police force."

There is no necessity for this legislation in order to protect voting rights. The law now on the statute books is ample to protect any person from being deprived of his right to vote. I call your attention to the case of Thornton et al. against Martin et al., registrars of Randolph County, Ga., No. 520 in the United States District Court for the Middle District of Georgia, Columbus Division. This case was tried in 1955.

The suit was brought by nine Negro plaintiffs on behalf of themselves and others who alleged that their names had been illegally removed from the voters' registration list in 1954. A jury verdict was taken in which the allegations of the plaintiffs were sustained and $880 damages were awarded to the named plaintiffs. A decree was entered by the court upon the jury verdict in which the registrars were ordered to place the names of 134 Negroes back on the voters' list within 10 days of the decree, and the order was complied with.

If there are any other Negroes in Georgia or anywhere else who claim they are illegally deprived of the right to vote, the same remedy under the same law is available to them in the United States district court just as in the Randolph County case. Being brought under Federal laws, and tried in a Federal court, the same remedy is available to citizens of any State, a fact which is well known to the Attorney General and his civil-rights section.

The Negro population of this country is 10 percent of the total population. By far the great majority of the Negroes—about two-thirds—have lived and now live in the South.

In the South we have had the burden of educating them, carrying them on the relief rolls, furnishing housing for them, and solving the multitude of problems that arise whenever two races live in close proximity in large numbers; and these problems do arise whenever this condition exists, whether it be South, North, East, or West.

We have dealt generously with the Negro in the South.

In the South, we have known for many years that, if Negro children are to be educated, the cost of educating them would have to be paid for by white people. I live in De Kalb County, Ga., whose population is 210,000. It was 186,000 in 1950. The city of Atlanta lies in Fulton County and De Kalb County; and I want to give you some facts about our treatment of Negro children which may be news to some of you.

In 1950 I requested the superintendent of county schools in my home county to give me figures from his records regarding the number of Negro children in our county public school system, the cost of operating those schools, and by whom that cost was paid.

The facts were that we had 2,042 Negro children in the county public school system; that the county, not including the State contribution, spent $85.33 per pupil on white and colored alike, which amounted to $174,243.86 the county paid toward the education of these Negro children.

His information further showed that Negro property owners in De Kalb County paid school tax upon 1,348 parcels of real estate, total valuation of $357,320, net valuation after deducting homestead exemptions, $77,600. Negro property owners paid taxes upon 842 items of personal property, gross valuation $79,500, net valuation after homestead exemption $50,750. The Negro property owners thus paid school tax on $128,350 of taxable property. Our school tax rate is $1.50 per $100. The total amount of school taxes paid by those property-owning Negroes was $1,925.35.

The county operated 4 Negro school buses to haul Negro schoolchildren to the county public schools at an annual expense of $2,000 each, or a total expense just for school buses of $8,000. So the total school taxes paid by the Negroes of De Kalb County into the county school system was not enough to pay the operating expense of one school bus; it was less than one-fourth the actual money spent by the county to haul their children to the schoolhouses. The $1,925.35 would provide less than $1 per pupil for the 2,042 Negro children who attend the county public schools.

We have known all through the years that we have to carry the tax burden. We have carried it uncomplainingly, and are now carrying it uncomplainingly, because we know that if the burden of educating their own children were carried by the Negroes, they simply would not be educated. Last year, in 1956, I asked the county school superintendent to furnish me the same information which he previously furnished me in 1950. Last school year the State of Georgia paid $92.35 per pupil for operating purposes, De Kalb County paid $51.70 per pupil, making a total of $144.05 per pupil. Of the $51.70 local payment the Negro taxpayers paid $1.93 per pupil; the white taxpayers paid $49.77 per pupil. In the past 6 years the De Kalb County Board of Education has spent $1,377,223.28 rehousing Negro children and purchasing school equipment for them. This represents $517.95 per Negro pupil in capital outlay.

The value of Negro property in my home county has grown now to $326,920, and their annual school taxes for 1956 amounted to $5,124.47, which, as I stated before, amounts to $1.93 per Negro pupil.

On Sunday, December 11, 1955, De Kalb County dedicated 13 new school buildings. Eight of those were for white children, and five of them were for Negro children. At this time all Negro children in our county are in new classrooms. All Negro schools meet full standards for accreditation; of the Negro teachers, 17 percent hold master's degree; 75 percent hold bachelor of arts or bachelor of science degrees, and only 8 percent have less than 4 years of college. No Negro teacher with less than a bachelor of science degree has been employed in the last 5 years.

We have provided for the Negroes in the South uncomplainingly, and as I stated above, the great majority of them are in the South.

While we have been doing this, other sections of the country, instead of helping to solve the problem, have made it worse by meddling, by criticism, by promoting dissension and ill feeling with a holier-than-thou attitude, and by sponsoring such legislation as this now under consideration.

Now, if any obligation rests upon white people to carry these burdens, it is not an obligation which rests upon the South alone. It is an obligation of all the people, in every section. Throughout the years, we in the South have discharged not only our obligation but yours also.

It is time now for you of the North, the East and the West to accept your share of this burden. If it is a Christian duty to do more for the Negroes than we have been doing, then by the same token, an equal share of the responsibility rests upon the North, the East, and the West. Those sections of the country cannot discharge their Christian obligation or civic obligation by pointing the finger of criticism at the South and saying "dig deeper—do more."

If you want them treated better, take your share of them, and deal with them in your own States and in your own jurisdictions.

Many of the Members of this House who, in the past, have supported this ridiculous and absurd civil rights legislation do not have a handful of Negroes in the entire State. Let me say to you, your protestations of alarm and concern have a decided hollow ring when we stop to consider that your complaints are directed against a people who have for generations uncomplainingly carried not only their own burden, but yours also. Let me say to you, stop evading your own responsibility. Take your share of the country's Negro population and care for them. It will not only help your own self-respect. It will given you an understanding of a problem which you have never had, and which you do not now have.

Unless you are willing to do what you are demanding of the South, then your attitude is hypocrisy, and your claims are sham.

This burden cannot be shared equally if the bulk of the Negroes are kept in the South. The equitable way to distribute it is for the North, the East and the West to take your share of the Negroes. You have not done it up to this time.

Even the small percentage of the Negroes who have left the South for other sections have been relegated to Negro ghettoes; they have been grossly overcharged for rent; they have been segregated in residential areas, and through this means segregated in the schools pretty much to the same extent as they were segregated in the South.

They have been discouraged from coming to your sections. In some instances they have even been sent back to the South because the citizens in the so-called "promised land" refused to take them with their string of inevitable "dependent children" and put them on the relief rolls. One Negro woman who went to Cleveland, Ohio, from Sumter County, Ala., last year with eight dependent children, was actually banished back to Alabama by a judge of the Cleveland juvenile court. No work was furnished for them; no means of livelihood provided; they were simply sent back against their will from Cleveland, Ohio, to Sumter County, Ala. Here is the news item as it appeared in the Atlanta Journal on June 8, 1956:

NO RELIEF IN OHIO, JOBLESS MOTHER AND EIGHT ORDERED BACK SOUTH

CLEVELAND, June 8.—Because they are not eligible for relief funds in Ohio, a jobless Negro mother and her eight dependents were under a court order Friday to return to Livingston, Ala.

The mother, Mrs. Martha Winston, 40, objected tearfully to the ruling by Juvenile Court Judge Albert A. Woldman Thursday.

"I brought the children here because I didn't want them to grow up in the South," she said. "I won't go back South."

"Do you want your children to starve?" asked the judge as he issued the order to return to Alabama. "Do you want that little baby to die?"

"I'll do the best I can, and if that's not enough, then it's up to the Lord," the woman replied.

But Friday, the court ordered deputies to go to the family's home in an East Side slum section and put all nine on a bus or train for Alabama.

The dependents are seven children—the oldest is a 17-year-old girl—and an 11-day-old infant born to the girl out of wedlock.

Between them and relief aid in Ohio is a law that only persons who have lived in Ohio a year can qualify.

Mrs. Winston and her husband separated 5 years ago. She said she came to Cleveland 4 years ago because she could not earn a living in Alabama. She brought her children here last October.

As a means of getting the family's plight to the attention of the court, Mrs. Winston was charged with neglect of six children under 16 by keeping them out of school.

"I kept them out," she said, "because they did not have any shoes or clothes to wear."

She said she occasionally was able to get a day or two of work. But the family had eaten nothing in the last 2 days.

A local welfare representative told Judge Woldman that the Sumter County, Ala., relief organization had acknowledged the children to be legal residents of Alabama and entitled to relief there.

"If these people are allowed to remain here, your honor, word will get back to the South and we will be flooded with similar families," the welfare representative told the court.

You will note from the last paragraph in this news item that the Cleveland people "do not want to be flooded with similar families."

This attitude and desire to rid themselves of responsibility and place it all upon the South is not a Christian attitude or a religious attitude. So I say to you take your own percentage of them, give them the same treatment you are asking the South to give them, and then you can with good grace criticize us for any deficiency. So, it is a fact that other sections of this country have discouraged Negroes from coming and casting their lot in those sections. The time is here now for you to show good faith. There is pending in the House, H. R. 4672, introduced by Representative ANDREWS of Alabama. The purpose of this bill is to authorize the Federal Government to assist dissatisfied Negroes in moving away from the South, and going to the North, East, or West to seek more satisfactory living conditions. Why not support this bill and thus secure an equitable distribution of the Negro population into every State in this Union?

We in the South believe that we have maintained the best possible race relations throughout the years until rabble-rousing and meddlesome, trouble-making organizations and individuals began to meddle in these race relations.

We have had in the South just about twice as many Negroes as are scattered throughout the entire balance of the Nation. To be exact, according to the 1950 census there were 15,042,286 total Negro population in the United States. The total in the South was 9,654,664, leaving a balance of 5,387,622 for the remaining three-fourths of the States. In the Southern States the average Negro population is approximately one-third of the whites. In some of the southern States Negro population is more than one-third of the white.

It is a cruel fact that hypocritical representations of some contemptible politicians seeking Negro votes have created false hope in the minds of southern Negroes. Some Negroes have accepted these hypocritical statements at face value and are moving into such cities as New York, N. Y., Chicago, Ill., Detroit, Mich., Columbus, and Cincinnati, Ohio, and elsewhere, believing that they will be accepted into schools, churches, and all phases of community life. When they arrive, they find the opposite is true. They are herded into squalid tenement quarters like cattle. They are overcharged. They are cheated. If they settle in a white neighborhood the white people rush to move away as if the bubonic plague had struck the community. Although Negroes are not segregated by law, they are segregated by reason of residence, and the only way their children can be sure of attending nonsegregated schools is for the school authorities to haul Negro children from Negro communities past Negro schools, and enter them in white schools in white communities, and on the other hand to haul white children from white communities past white schools and put them in Negro schools and Negro communities.

It is hypocritical for so-called liberals in other sections of the country to point an accusing finger at the South and say we are more intolerant and have more racial antagonism than other sections in the face of occurrences in other sections; in the face of such occurrences as fights between 300 white and Negro school students at the Kansas Municipal Stadium on April 24, last year; a fight between about 200 whites and Negroes, with thousands of spectators milling about, in Asbury Park, N. J., on July 2, last year; a fight between white and Negro sailors in Honolulu on June 9, last year, resulting in the death by stabbing of 1 white sailor; fighting between white and Negro Air Force recruits in Crocker, Mo., on June 1, last year; a racial disturbance in Muncie, Ind., on June 10, last year, resulting in the closing down of a newly integrated swimming pool in that city; Memorial Day race riots last year in Crystal Beach, Ontario, which was referred to in newspaper stories as a nightmare of flashing knives and sobbing, frightened passengers; a riot at Newport, R. I., among 1,500 white and Negro sailors and marines, their wives, and women companions, on September 18, last year, which completely wrecked a club and sent 15 sailors to a hospital; 1,110 taxi drivers in St. Louis going on strike on August 18, last year, in protest against the hiring of Negro taxicab drivers.

On July 25, last year, a Toronto judge upheld an apartment-house owner in his refusal to rent to a Negro. There were cross burnings and court hearings in Columbus, Ohio, on November 14, last year, resulting from Negroes moving into a white section in Columbus; banishment of a Negro woman and 8 children from Cleveland, Ohio, on June 8, last year, although the woman tearfully protested she did not want to return to Alabama.

Ohio seems to be learning something about the race problem. On August 1, last year, a Negro, one I. W. White, Jr., executive director of the Council To Aid Migrant Workers in Cleveland, wrote a letter to an Alabama schoolteacher advising him to urge his pupils to stay in the South instead of coming North. He was reported as having said that "the exodus North of southern Negroes has hurt the battle of Negroes to obtain 'first-class citizenship'." The Ohio Supreme Court, on April 18, last year, upheld an amusement park near Cincinnati in refusing to admit a Negro.

The papers are constantly carrying news stories of similar occurrences and of racial problems in the North, East, and West. Several years ago Sgt. John Rice, an American Indian who was killed in Korea, was refused burial in a privately operated Sioux City, Iowa, Memorial Park Cemetery. Burial in that cemetery is limited to Caucasian only, and the body of the American Indian sergeant was finally interred at Arlington National Cemetery.

While I am talking, I want to refute all the charges which have been made, either directly or by innuendo, so far as they apply to my district and State, that Negroes are deprived of the right to vote.

The city of Atlanta is in my Congressional District. An analysis prepared by the Metropolitan Voting Council in Atlanta revealed that more than 73 percent of Atlanta's registered Negro voters cast ballots in the recent city primary as compared to 54 percent of the registered white voters. The analysis further showed that in the runover primary held about the middle of May, 70.4 percent of the Negroes voted in the runoff election, as compared with only 36.2 percent of the white voters. There are approximately 28,000 registered Negro voters in the city of Atlanta. This information is carried in a news story in the Atlanta Constitution of June 3, 1957.

The same newspaper carries an article in its June 7, 1957, issue which states that Negro voting strength increased in 97 Georgia counties last year. According to this article the records in the Secretary of State's office in Georgia showed 158,000 registered Negro voters in Georgia in 1956, which was an increase of about 20,000 over the 1954 figures. White registration in the 2-year period gained 2 percent, while Negro registration in the same period gained 15 percent.

Mr. Chairman, if equity is to be done, we in the South are obligated to carry one-fourth of the Negro population of the United States. We have been carrying two-thirds of it.

Instead of maligning and criticizing the people of the South, let the North, East, and West now assume their proportionate share of this problem. You will better understand it, and you can clear your own conscience by accepting your own responsibilities, which you have not done up to the present time.

That is what should be done instead of passing this bill.

In closing, let me again urge that the amendment to provide trial by jury be adopted. It would be most tragic if by some evil chance this bill should be passed and become law without the jury-trial provision. I would remind you of the eagle in Aesop's Fables which had been shot down by a hunter's arrow. As it fell to the ground dying, the eagle noticed that the shaft of the arrow which had taken its life was tipped with eagle feathers. "Alas!" it cried as it died, "we often give our enemies the means for our own destruction." To destroy jury trials, whatever might be the reason, is to hand a weapon to those who would destroy free government and individual liberty.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, when I look at the so-called civil-rights bill—read it and closely examine the contents of the bill, and possible effects that it will have on the people of this country, I must rise to oppose it.

Before I get into a discussion as to the provisions of the bill, however, I want to thank the distinguished chairman of the Judiciary Committee for allowing the opposition to be heard in committee. For the first time in over 4 years both sides of the question were given an opportunity to express their views. This is right and just, for it allowed the several governors and attorneys general of the States to be heard. As I recall it, there were only 4 days of hearings scheduled on the pending civil-rights bills this year; but the Judiciary Committee held hearings for many days, and some of the opponents were given the opportunity to object.

Now let us examine some of the purposes and contents of H. R. 6127. As stated in the committee report, the bill is "designed to protect the civil rights of persons within the jurisdiction of the United States." In order to try to accomplish this goal they want to establish a Civil Rights Commission, create another position of Assistant Attorney General, and it proposes the enactment of new laws for the enforcement of the right to vote. These purposes are stated in the report. Let us analyze these provisions for a moment.

Part I of the bill will establish a Commission on Civil Rights. This seems on the surface to be a simple little thing. You hear much to the effect that it will be a nonpartisan Commission which is to be appointed by the President and approved by the Senate. This seems to be innocent enough. But under part I of this bill some very broad rules of procedure are set forth. These rules grant to the Commission some broad powers that very few commissions are granted. And if any person is brought before the Commission in executive session, the testimony and evidence submitted could only be made public at the consent of the Commission. But getting back to the Commission itself and the staff—let me quote from the report on page 7: "It authorizes the employment of a full-time staff director and such other personnel as the Commission deems necessary." This is granting entirely too much power and authority to the Commission. Of course, there has been no estimate given as to the cost of this bill. It would seem to me that the Congress ought to have some estimate of the cost of a Government agency before any money is appropriated to allow the agency to operate.

On last Thursday during the debate the distinguished chairman of the committee made this statement:

The purpose of the Commission is to make an overall study to get the complete picture throughout the Nation.

As I understand it, it is the purpose of this Commission to make recommendations to the Congress for legislation. I think that it is the duty of Congress to investigate and legislate, and it would seem to me that this bill not only has anticipated the findings of such a Commission but that there is no need whatsoever for the Commission. The Executive branch of the Government could establish a Civil Rights Commission if it so desired. Let us keep separate the duties of the three branches of this Government.

Now part II of the bill provides for the appointment of an additional Assistant Attorney General in the Department of Justice. This is absolutely needless, in my opinion. They have a Civil Rights Section down there in the Department of Justice already, but it is apparent that the bureaucrats of this administration want to enlarge Government. I am not one to stand here and criticize only this administration, for this whole idea came from the minds of former administrations. But the inconsistencies of this administration are so glaring that I am compelled to cite one or two. Many times during the past few years the President has suggested that more efficiency in government could be attained. I even recall something he said about wanting to clean up the mess in Washington. Well, I am one to say that, if this bill is enacted into law, this country will really be a mess, for the very rights granted to individuals under the Constitution of the United States will be taken away.

But when we get to part III of the bill I truly get upset, for this is the part of the bill that provides that whenever any person has engaged in, or there are reasonable grounds to believe he is about to engage in, some act to violate someone else's rights, then he can be hauled into court by the Attorney General. No evidence that a crime has been committed would have to be shown. The Attorney General would have the discretion to determine whether or not the rights were about to be violated. It is my opinion that no dictator ever had such power and authority, and I do not believe that we should grant this power to anyone in this country.

Then we move on down to part IV of the bill. This is the provision that grants to the judge the power to legislate, prosecute, punish, and execute. Under this provision of the bill, the executive branch of the Government will dictate to the individual states who is to be a qualified elector for any election. There are many cases in the courts in former times which have shown that the right to vote is derived from the States. This is clearly a case, I think, of the Federal Government preempting the field so far as voting rights are concerned.

From the looks of things we are slowly but surely coming to the stage whereby the individual States of this Nation are losing their sovereignty, a sovereignty which is granted both implicitly and expressly since the formation of this great Republic. This Government of ours is destroying itself by relegating vested authority to various bureaus and agencies. Give them an inch. They do not stop at a mile, but continue to every corner of the Nation. They are taking away the very liberties that have made this country great.

Aside from the abominable features which I have mentioned here, there are 1 or 2 basic, fundamental reasons for my being vigorously opposed to H. R. 6127. During the past 5 or 6 months we have been having the battle of the budget. It has been parried back and forth between the Congress and the Executive. First, we told him to tell us where to cut. Then he says that it is our prerogative to cut. Of course his team has made some statements about the budget, also. But every time that he makes a statement in defense of his budget it is always with the connotation

that the budget must remain as is, or our defense and national security will be weakened.

The authorization for appropriations of funds is included in this bill. But nothing is reflected in the budget for the expenditures that will be inherent with the passage of this bill. So let us look long and closely at this bill.

The rights of the States must remain inviolate. The rights of the individual must remain unimpaired. If this bill were to become law by some strange quirk, this country would no longer be a free Republic. Entirely too much authority has been granted to our administrative agencies of the Government in the past. It is high time that we do something about this trend toward the bureaucracy of government. It is time for us in Congress to put our foot down and cease this foolishness. It can be done by an overwhelming vote to kill this bill.

There is no evidence contained in these hearings which justifies legislation of this kind. If this, the record of these hearings, is what the proponents of the civil rights legislation must rely upon, then they have presented nothing in support of the bill.

The men who established our dual system of government entrusting local affairs to the State governments and national concerns to the Federal Government were no ivory-tower theorists. They were practical men of affairs, who knew that an all-powerful central government is a constant threat to liberty. They knew that the only effective insurance against tyranny is found in strong local governments functioning under the watchful eyes of the people from whom they derive their powers. These principles are as valid today as they were in 1787. Having taken an oath to support the Constitution, I cannot vote for a bill such as H. R. 6127, which flouts these fundamental truths.

Some Members of this distinguished body are economy minded. To those Members I should like to state that I can see no earthly reason for starting a new agency in this Government at present. For you and I know that once an agency has been authorized by law, then it grows. And as the agency grows, so grow the appropriations to carry on the functions of the agency.

The Attorney General has the FBI under his jurisdiction at present. If any criminal conspiracy exists which would injure, oppress, or intimidate the people in exercising or enjoying the rights and privileges secured to them by the Constitution or laws of the United States, the FBI should and could investigate.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Chairman, as we continue debate on the pending measure—an almost perennial consideration of this controversial legislation—it should be pointed out that the same bill in one disguise or another has come before us in every 1 of the 6 Congresses in which I have been privileged to serve. The repeated defeat of this measure attests to its defaults and shortcomings.

Most of the debate on the pending measure this year has centered around two basic challenges—namely, that this measure would create a virtual "Gestapo" of investigations and actions aimed directly at the South—and certainly I am in agreement as to the intended general purpose and the force of direction of this measure—and

Second, that the right of trial by jury—jury trial—is denied to our citizens under this measure—this is an abridgment or denial of a basic right which is fundamental under our Constitution and our concept of government.

Besides these two basic objections to the bill, I am moved to observe that the measure is neither necessary nor desirable.

One of the first tests as to whether we should pass any bill, it seems to me, is to determine whether such a measure is needed. It is not our habit here to pass unnecessary and unneeded bills. The most fatal weakness of the pending bill is simply that it fails to meet this essential-needs test.

As we know, the bill proposes to deal with alleged denials of, or interference with, the right of citizens to vote.

I venture to say that no one believes more strongly and sincerely in the free exercise of suffrage than I do. I have the honor to represent a State where that right is truly enjoyed by all citizens and where, indeed, the minority, whose rights are said to be most abridged, is given the full right to vote; and it can be said, with accuracy, that the minority in the most recent national election in my State determined the outcome of the election.

As all citizens have the right to vote I cannot, therefore, conceive of any circumstances which would make this law applicable to my State.

We have heard a great deal of argument and debate that the bill would apply most pointedly to 1 or 2 or a few States of the South. The evidence that has been produced has been of the vaguest hearsay character or based on deductions from voting statistics—evidence that could not stand the simplest test of legal competence.

The second test of need is represented by the question: Assuming there is a problem, are our present laws adequate to solve it? The proposed legislation also fails to meet this test. We now have not only constitutional guaranties of the rights concerned but statutory laws which offer methods of enforcing the right to vote as well as means of redress for abridgment of these rights.

In short, measured by the two standards—whether a problem exists and whether existing laws are capable of dealing with it—we fail to see any real need for this legislation.

Besides the lack of need, there is also a very simple test for measuring the possible erosion any law might cause in our basic rights. We should also consider whether this proposed law would make it possible for the overeager, the overzealous, or the unscrupulous to oppress any sizable segment of our citizens. The answer in this instance, as many of my colleagues have already well pointed out, is a clear "Yes."

Therefore, Mr. Chairman, I repeat the measure is neither necessary nor desirable—it is objectionable and I want to record my opposition to the bill as it stands. I shall vote for the trial-by-jury amendment in an effort to perfect the bill somewhat, but shall vote against the measure.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. ASHLEY].

Mr. ASHLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Chairman, I favor passage of the civil-rights bill presently under consideration because I believe there is a real need to implement the constitutional right to vote to which all qualified American citizens are rightfully entitled.

Those who oppose this legislation base their principal argument on the premise that there is no violation of the right to vote and therefore there is no necessity to protect against a danger which is form but not substance.

All of us, I believe, know better. We know that there are powerful segments within our society whose prejudice has been frozen into the conviction that Negroes are second-class citizens, and who seek to perpetuate the myth that Negroes are indifferent to and even enjoy this second-class status. All of us are aware, however, of the malicious and evil doings of the Ku Klux Klan, white citizens councils, and other similar organizations who pose as jury, prosecution, and enforcement agency in many communities.

We know, if we look at election totals, that millions of American citizens in the South are not exercising their right of franchise. I, for one, refuse to believe that this is simply a manifestation of indifference.

I believe that if effective efforts were made to encourage rather than discourage large-scale participation in the election of our national officials, many districts now considered automatic might become marginal and many of our colleagues from marginal districts would disappear from the Washington scene. This serves to confirm the suspicion of many that in great measure the antagonism to this legislation stems not from a sincere interest in making our elections truly free and democratic but rather from an interest in perpetuating the status quo, and preventing individual citizens from exercising their right to vote, as guaranteed in the 15th amendment of the Constitution.

I submit, Mr. Chairman, that the legislation before us is needed and that all of us in our hearts know that it is needed.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from South Carolina [Mr. MCMILLAN].

Mr. McMILLAN. Mr. Chairman, I have listened with great interest to numerous speeches on the proposed civil rights bill now being considered by the House. I am at a loss to understand how this piece of legislation ever came before

the national Congress for consideration when we have pending hundreds of bills of great importance. My colleague, Congressman MARTIN DIES, in a speech he delivered on the floor of the House last Wednesday, June 5, asked any Member of Congress who could name any instance in which any person in his respective district had not been accorded his full rights as an American citizen to stand up. He also asked any Member to stand up who could name any person who had been deprived of his individual right to vote in any State or district.

It was quite difficult to understand why no Member of Congress stood up and still we have numerous red-hot speeches demanding this type of legislation. I am certain that you will agree with me that it does not take a master mind to see that this legislation is politically inspired and certain people in both parties are doing their utmost to lure the vote of the colored people. However, it is rather difficult to understand why certain people in both parties would prefer having the vote of the approximately 13 million colored people residing in the United States than to pay some attention to the more than 50 million white people residing in the southern States.

We all know that this proposed legislation is pointed directly at the South. I am strenuously opposed to the provision of this bill which abolishes jury trials. I am as much or more opposed to setting up a commission to which the high-ranking NAACP members could be appointed to administer this act. I am also opposed to appointing another Assistant Attorney General for the purpose of handling civil rights affairs when no one on the floor of the House will publicly state that he knows of any person in his district who has been deprived of his civil rights. We have a number of Members of Congress who feel that this type of legislation will not vitally affect their sections of the country. However, I am of the opinion that if this bill ever becomes a law, it will sooner or later vitally affect the people in all sections of the United States as it will be equal to any law, rule or regulation used by the Kremlin behind the Iron Curtain.

I have lived in a section of the country where there are almost as many colored people as there are white people and I certainly haven't heard any colored people complain that they haven't enjoyed the fullest consideration as to their civil rights or as to their voting privileges. I know that every person in my district is permitted to vote if he so desires. I further know that before every election practically all the candidates make radio speeches and other individual drives to persuade people to go to the polls and vote. In fact, in almost every election the candidates get up a fund for the purpose of employing drivers and purchasing gasoline to transport people to the polls free of charge to vote on election day.

The pending bill certainly will not protect any rights that are not already protected by the Constitution of the United States. We certainly have ample statutes to safeguard the rights of every citizen of the United States. I think we should have learned a lesson from the old prohibition act which did not have the sympathy of the majority of the people of this country. If a bill such as the pending civil rights bill is ever enacted into law, it will certainly be resented by all State law enforcement officers and I seriously doubt if the Government law enforcement officers will continue to enjoy the fine cooperation they have always received from all State and local law enforcement officers.

I am extremely opposed to the provision of this bill which will permit a Federal law enforcement officer to arrest and indict a person who is accused of thinking of performing an overt act. I just find it impossible to believe that 435 able and highly educated Members of Congress would sit here and pass a bill with any provision of this type as this could be used in campaigns in which some person had become disgruntled because he had been defeated or in numerous other occasions which I could mention. This provision is certain to backfire not only in the South but in every district, every county, and every community if it is enacted into law. I certainly believe that the jurors in my State consider their solemn oath as a juror as a direct edict of honor and trust. I have never heard of any juror in the State of South Carolina being accused of not performing his duties as a juror in a highly respectable manner. I am certain that we all agree there is no safeguard more perfect for our citizens than the sacred right of a trial by jury.

Again, I want to call to the attention of the Members of this House that it is absolutely impossible for any legislative body to legislate morals and civil rights. The people in the individual communities will take care of matters of this nature and the statement of one of our great statesmen who stated that "The least governed are the best ruled people" is certainly one of the finest statements ever recorded. I do hope that the Members of Congress will take sufficient time to think over the provisions of this bill thoroughly before they cast their vote. I trust the entire bill will be defeated as it is certainly not needed and it has been proven on the floor of the House that it is not necessary since no Member has stated that anyone in his district has not enjoyed his complete civil rights under the provisions of the Constitution.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I have been sitting here listening to the debate for several days. It seems, as the debate goes on, that we seem to be concerned with two points. The first seems to be whether or not we have the right to debate it; and whether or not we have the right to enact it into law if we do debate it. And the second question is whether or not there should be a right to a jury trial in cases of contempt arising under this bill.

Mr. Chairman, I took the trouble to go to the Library and get out a copy of the Constitution of the United States. I just want to read the 15th amendment. It reads as follows:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2 follows and says this:

> The Congress shall have power to enforce this article by appropriate legislation.

To me, Mr. Chairman, and I believe to the people of this country, I am sure that means this——

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am sorry, I cannot yield at this time. I shall be glad to yield later.

Mr. WILLIAMS of Mississippi. I wish the gentleman would read articles III and X while he is at it.

Mr. DINGELL. Mr. Chairman, that means to me and to the people of this country that we not only have the right, but we have the duty to enact such legislation as this, and that this is the barest minimum form of a bill. I have heard this bill called a civil-rights bill. It may be that, and indeed it does touch upon the field of civil rights. But I think this bill is more correctly characterized as a bill to guarantee all of our citizens the right to vote, wherever they may be. I say to my colleagues and to my friends in the South that this bill is not a punitive bill. Indeed, this bill is a good deal weaker than I and many of the other people of this country would like to see enacted by this Congress.

Mr. Chairman, why do I say this? It sets up a Commission to inquire into violations of voting rights. It establishes a Civil Rights Division in the Department of Justice, and it allows the civil remedy of injunction. I want you to note that; it allows only a civil remedy, injunction, to be used in cases where a citizen has cause to believe that his right to vote, his right to cast a vote may be impaired by action somewhere. Note that we do not change existing criminal law in such a way as to place a criminal section in the law, or a section which would apply criminal punishment to those who would deprive our citizens of the right to vote.

Mr. Chairman, I say this and then I want to go into the subject of injunctions. This is a very mild, a very easy, a very gentle bill. Indeed, it is the very minimum bill that I think this Congress could pass that would even be worth the trouble of bothering with.

The first two things could be done by the President of the United States with only certain small exceptions. The setting up of the commission to inquire into the violation of voting rights could be done by the President of the United States without any action of this Congress. And I must confess that I find myself somewhat at a loss to explain why the Congress would have to do this except that the committee has done this. They have provided for the subpena power so that the President and the President's commission can use this power to enable them better to get the facts on the deprivation of voting rights.

It provides also for the establishment of a Civil Rights Division. As you recall, I introduced a bill of this sort during the last session of Congress. The reason is just this. It adds a little bit of dignity to the division of the Department of Justice which would enforce civil-rights complaints and it offers an opportunity of a slightly larger budget, a few more people to do this very important work.

The last portion—and this is the portion that I think is entirely equal and fair and reasonable to everyone—it allows the use of a civil remedy, injunction, to enforce the civil rights of our people. Now what is this injunction? Injunction is an old established form of equitable relief that has existed in equity since the beginning of the courts. Now I want to try to boil this red herring of jury trial in contempt proceedings down to size and discuss it with you.

First of all, we must remember that when a man is brought into court in answer to a pleading for injunctive relief he has all of the procedural rights which he could have in any court anywhere. He has the right to appear and testify in his own behalf. He can cross-examine witnesses. He can use the subpena power of the court to secure witnesses in his own behalf. He has opportunity for a full, fair, and complete hearing and the right of appeal. If the court decides the party against whom injunction is sought is fair and right and just, he will prevail and no injunction will ever issue from the court. Remember compliance with the injunction will prevent contempt proceedings from being instituted.

I do not believe in justice to any judge, and believe me, particularly in the cases cited by our southern colleagues, that southern judges, born, raised, and educated in the South, would be less than fair to citizens of the South. I think the charge that judges hearing these cases would be unfair is false indictment not only of the judges in the South but an indictment of the southern people themselves, if it is true, and I say it is not.

Remember, contempt proceedings do not begin until after the injunction is violated. Then, the defendant has all rights which are guaranteed by the due-process clause of the 14th amendment. Compliance at any time with the court order at any time will lift the contempt proceedings at any point.

But let us go further. What is this cry of jury trial and denial of jury trial that we have heard here for these several days? I want to read this to you. The real fact of the matter is this. Never in courts sitting as courts of equity, has the jury trial been regarded as a matter of right; never.

We have heard about the founders of the Constitution guaranteeing our people the right to jury trial. That is true. But the real fact of the matter is that the founders of this country, the authors of the Constitution, never intended that the jury trial would apply to equity cases, to hearings before a court sitting as a court of equity. They had never heard of it. If you had mentioned this to any of the lawyers who sat in the conventions which drafted our Constitution, they would have been surprised to hear you even mention jury trial in connection with equity proceedings. This was a form of relief, and was a remedy to which jury trial had never been available through the whole history of the English system of jurisprudence.

As a last clincher on this, I want to cite to you a few cases. Those Members who come from Southern States will find it perhaps a little bit interesting. The courts of the South, like other courts of the other States of this Union have always denied jury trial in contempt proceedings. For example, in Mississippi, when the question of a contempt jury trial was raised it was disposed of by the State's highest court with this language:

> We do not think it necessary to discuss the error assigned because of the court's action in denying appellants the right of trial by jury in this proceeding for contempt, further than to say that they were not entitled to a jury trial.

The court said that in *O'Flynn* v. *State* (89 Mississippi 850; 662; 43 So. 82).

The same ruling was made in the controlling case in North Carolina and in the principal case in South Carolina, Tennessee, and Texas.

The case in Virginia has already been cited. And that case is particularly interesting. I would like to make this one point. An attempt to require a jury trial in cases involving contempt was ruled to be unconstitutional by Virginia's Supreme Court of Appeals. Can you imagine that? The Virginia Court said that an attempt by the Legislature to tie the right of jury trial to contempt proceeding was unconstitutional according to the Constitution of Virginia. I cite Carter's case, 96 Va. 791. That is an old case, which has never been opposed or upset by the courts of Virginia.

So I say this to you: This is the mildest form of the bill to be offered to this Congress or by a Member of this Congress. I myself do not think it goes far enough. I do not think that any of the fears of any of the Members expressed here today have any real foundation. I think they perhaps err in being overzealous through a basic lack of understanding of what the real nature of the remedy in this bill is.

All I can say again is, a fair hearing is offered in this bill. Remember that when an injunction is granted, it is only granted on fair hearing. If the injunction is violated the citizen under the order of the court has right to full, fair and impartial hearing on the contempt. If the defendant complies with the court order the court may lift the contempt proceedings.

So I say it is a mild, an easy bill, and I hope the Congress will enact it. It is not punitive, and is not aimed at anyone or any part of the country.

At a cost of well over $62 billion since World War II, we have conducted a public relations campaign all over the world to secure our neighbors and allies around the globe against communism. Yet, Mr. Chairman, here in the House we are engaged in a political tug-of-war which can undo much of the good our foreign aid has done. This tug-of-war is being waged over civil-rights bills.

Regardless of the aid we have given nations over the world, we cannot be sure of their friendship or their confidence so long as they can find in the conduct of our own affairs reason to question the sincerity of our advocacy of democratic ideals.

The situation, simply stated, is that while we do speak loudly, our actions speak still more loudly.

In many countries where we are urging acceptance of democracy, the people are being called upon to revolutionize their thinking in order that they may adopt the social and political philosophy we espouse. It is an obvious fact that these people doubt the effectiveness of such philosophy when it is not universally accepted in this country where our history and heritage present no obstacle to its acceptance.

In national affairs, we have a responsibility of leadership which cannot be delegated or assumed by anyone else. As a part of that responsibility we can no longer interpret the needs of our country in terms of sectional interests. For all of our thousands of square miles of wonderful country we are not a divided people, not a cluster of political or economic grouping, we are a nation, molded and shaped by common problems, common enemies, common interests, and common aspirations. He who harms any of us, harms us all. When any of us grow, we all grow. When the least of us falls, all of us are hurt just that much.

We in Michigan send the products of our industry to every part of the country. The people who come to Michigan to work in our industry and to harvest our crops come from all over the country. A Michigander today, yesterday was a Tennessean, an Alabamian, or a South Carolinian. What happens in Michigan has just as important an impact outside Michigan as it does there. Correlatively we in Michigan are not free from the effects of that which happens in other parts of the country.

So it is, Mr. Chairman, that we are one big family and the reputation of our family in matters of social justice and democratic government is a proper subject for our concern.

Opponents of the civil rights bills appears to feel that democracy within our country can be conducted on a regional or sectional basis. They suggest that there can be coexistence of democratic forms of government within our country with denial of basic human rights. With the entire world suffering from the problems arising from the attempted coexistence of western democracy and Russian communistic imperialism, it is hardly logical that we can expect to continue any satisfactory arrangement within this country of an attempt at the same thing. Deprivations of rights to any segment of our people are as incongruous to the United States as they are to a free world.

Now what of these civil rights bills? The imperfections in our laws which are sought to be removed affect all of us. Some of us insist on viewing them only in terms of their application where our Negro citizens are affected. It is impossible to interpret our laws and principles so as to include only part of our people

and the application of laws and principles on a restricted basis will destroy their validity. Tolerance to discrimination in government is inconsistent with democracy in government. So long as this inconsistency exists each of us is in danger of losing his freedom. We will have, in fact, already lost that freedom, and will in time, feel the effect of the loss. I do not pretend to be a political prophet or seer, but it is not impossible that there will come a day when those who seek hardest to prevent the equal application of the law may have greatest need of such equality.

Our history is full of examples where new immigrants faced discrimination because they were used to different ways, spoke other tongues, or appeared different physically, than did the old residents. Germans fleeing from war in their homeland, Irish escaping famine, Welsh, Italians, Poles, seeking freedom from foreign oppression, Slavs, Greeks, Chinese, and Japanese all faced prejudice on arrival in America. Religious bias has harmed Protestant, Catholic, and Jew alike.

I believe, Mr. Chairman, that our country is moving on and that we shall have the kind of democracy we espouse. We shall leave discrimination and segregation, which are relics of the past, far behind us.

This will happen because our existence as a country depends on it and on the existence of our way of life may depend the continued existence of mankind. We have seen, during our lifetime, how, during crisis, minorities face the wrath of the majority when the cause of the minority does not appear compatible with the will of the majority. It is then that principles of equal protection of the law come to the aid of such a minority, to prevent its persecution. We have only to look at Germany, at Russia, and at the other areas of totalitarian rule to see what happens where no such tradition or law exists.

Congress has managed for many years to avoid coming to grips with civil-rights legislation. On occasion some legislation has passed the House only to die in the Senate. It may be that during elections we can pad our records by flowery speeches poured out for circulation back home. This may deceive the voters. We cannot, however, by this device or any other, deceive history. History will not even accept the assertions of some of us that a few of our number thwart us in passing this legislation. It further will not accept the wornout excuses by our respective parties that each is prevented by the other from fulfilling our platform promises. Again I say that what we do speaks so loudly that our oratory goes unheard.

I would particularly urge that members of my own party take a serious look at the record. We have commanded the respect of our people by insuring that our programs be in tune with their needs and aspirations. For two decades we were 95 percent successful. In one area alone we failed. We did not pass civil-rights legislation, yet these measures were in complete harmony with the social philosophy of the New Deal and the Fair Deal. There was sectionalism within our party then, even as there is now, but we were able to get most of our program adopted despite it. The challenge we face today is to bring all of our party behind the civil-rights legislation. This is not a problem facing one section of our country alone. To our people of the South I say that we of the North may well find as many reasons for passage of legislation of this sort in our own backyards as we do in yours. It is a problem whose solution requires action by all men working together in all parts of our dear land.

It is not a challenge which we can let go unanswered. I am confident we can meet it, because there are those who have demonstrated that they have the courage and the ability to lead those persons in our party who oppose these measures. Real leaders have put over other programs which may have been initially unpopular to some of their constituents, and I feel that they can do so again. History is often the best test of good legislation. Here is really a vital test to our leadership, for we will have to step forth in the face of varying amounts of unpopularity of this legislation in all our districts. Yet I believe that we can look with encouragement on the events which have transpired following integration of schools in many communities. Those who have accepted responsibility for leading a community in making adjustment have not suffered politically or otherwise. They have been recognized for the high character demonstrated by their actions. You see, Mr. Chairman, we must not underestimate the true character of most of our people. A people with a heritage founded in religious faith and tempered by suffering in battles against wilderness, tyranny, and economic disaster can rise above prejudice and hate if permitted to do so by courageous leadership.

I appeal to the character of those whom the people have given a responsibility which only men of great attributes can and should assume. Let us put aside delays which hurt our country and our people. Let us rise above pettiness, subterfuge, and fear, and pass this bill. The Congress of the United States must be worthy of its sacred trust, and in the end, when history is all that remains of us, the United States, our people, and we in the Congress will be judged in the light of what we do here and now.

Mr. CELLER. Mr. Chairman, I yield 20 minutes to the gentleman from South Carolina [Mr. ASHMORE].

Mr. ASHMORE. Mr. Chairman, I do not have time to discuss all of the ramifications of this legislation. It would take longer than you would like to listen to any one person to discuss them in detail in the first place. Therefore, I think it best to try to clarify one of the main issues involved in this proposed legislation, and that is the question that revolves around the right of trial by jury. Listening to the debate last week, convinced me that much confusion exists because of ignorance of the law, incorrect interpretations of the law, or misleading statements regarding the law. I hope my chairman, the gentleman from New York [Mr. CELLER] and the minority leader on our Committee on the Judiciary, the gentleman from New York [Mr. KEATING] will remain during my few remarks. I want them to hear what I have to say, and if I make any incorrect statements, I am sure they will correct me. Also, I have a challenge I would like to make to them near the end of my remarks.

The proponents of this legislation have made several claims regarding its real purpose. First, they say it is a moderate bill; that it makes no drastic changes in the present law regarding civil rights. Third, they say it just strengthens the hand of the Federal Government in enforcing civil-rights legislation. I admit that on page 9, part III, the title is: "To strengthen the civil-rights statutes." That is set out as the purpose of part III, but there is another clause in the title to part III, "and for other purposes." We lawyers realize that phrase "and for other purposes" can cover a multitude of sins. So I ask you to watch for some of these sins as we go along studying this matter. The proponents of this legislation, and particularly the leaders in the two parties, make these assertions. They say these changes which are brought about by the legislation are very simple and clear, and that they do not hurt anyone. They tell you they are innocent of any deception in the bill; that they have no ulterior motive concealed and hidden in the language of the bill. Well, let us look a little bit further into that as we go along.

Last week my chairman, the gentleman from New York [Mr. CELLER] and the gentleman from New York [Mr. KEATING] both told the House that it was not one of the primary purposes of this bill to deprive any person of a trial by jury when that person was charged with violating the election laws. Let us analyse the bill and remove the smokescreen and see what the picture really is when we search out all of the truth. The gentlemen from New York [Mr. CELLER and Mr. KEATING] will, I believe, admit that under the present law it is a criminal offense to violate civil-rights legislation. If you violate those rights of another person or any of them, particularly their voting rights, then you have committed a crime under the law of the land today. In other words, today if a person is accused of violating the civil rights of another, he must be indicted by a grand jury and tried and convicted by a petit jury before he can be punished for such law violation. Now, they claim this bill simply says in such a case as this, although it is still a crime under the law and will be whether this bill passes or not, that they are simply transferring these cases that are now criminal cases from the criminal courts over to the civil or equity side of the court. That, I believe, is their contention without any dispute—simply taking what is now a criminal act and transferring it over to the equity court where it can be tried without a jury.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. CELLER. I must most respectfully disagree with that conclusion. While it is true a violation of the right to vote is a crime, this bill does not seek to punish

any crime. This bill seeks to prevent the commission of a crime. In the first instance, where there is a crime, you have to show willful intent. In the second instance, when you are in an equity court, you do not have to show willfulness. You present the facts to a judge, which clearly indicates that a crime may have been committed. The judge issues an injunction. They are two different things, and they cannot be lumped together in the way the distinguished gentlemen seeks to do.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. SMITH of Virginia. It seems to me that the statement just made by the gentleman from New York [Mr. CELLER] that certain things had to be proven in order to send a man to jail under the criminal law that do not have to be presented if you send him to jail under this law is an argument that it is easier to put a man in jail under the proposed law than it is under existing law.

Mr. ASHMORE. I thank the gentleman for his comment. That is one of the reasons why I say they are trying to take away the jury trial.

So, to restate what I have stated, this bill simply says, according to my friends, that any person charged with violating the election laws, although it is still considered a crime—and it is a crime—will find his case transferred from the criminal court to the civil or equity side of the Federal court. Now, that is what they say would happen, and that is what happens. It simply takes the criminal case and puts it in the equity court. Then the Attorney General may do what? I am going to read from page 10 of this bill itself, and tell you what the Attorney General may do if this bill is passed:

> The Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order.

Now when you do that you have taken this man's rights from him insofar as trial by jury is concerned. They say this transfer is an innocent act; that it does not mean very much when you transfer a case from the criminal court to a court of equity, but let us see what really happens when that is done. What is the result of this transfer? In equity court you have no grand jury presentment. In equity court you have no right, and no one contends that you have the right, to be tried by 12 of your peers. So, when that so-called little innocent, innocuous transfer is made from the criminal court over to the equity court, the person charged has lost both of his rights that he would have had had he been tried in the criminal court. In other words, he no longer has the right to demand a presentment by a grand jury and a trial by a petit jury before he can be convicted.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. Will the gentleman get me more time?

Mr. CELLER. I will.

Mr. ASHMORE. I yield.

Mr. CELLER. I have before me the South Carolina statute concerning contempt, civil and criminal contempt, and the contemner, one who violates a court order in your States, cannot have a trial by jury to determine his guilt or innocence.

Mr. ASHMORE. Is the gentleman talking about the Federal law now? The bill we are debating applies to Federal law, not State.

Mr. CELLER. I have just mentioned the situation that exists in your own State.

Mr. ASHMORE. Well, there are various situations that revolve around or could be connected with a trial for contempt of court. I do not know whether the statute you are referring to or the law you are referring to has to do with contempt of court in the presence of the court or not. That is another question. Nobody contends that a trial by jury should be had in a case of that kind.

Mr. CELLER. Contempts in your State do not warrant a jury trial, when there is a violation.

Mr. ASHMORE. Let us keep our mind on this bill here that we are considering now, the one the gentleman is trying to push through, the one he says is innocuous, mild and moderate, and does not lessen or reduce the rights of a man who is charged under the law.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. YATES. Does the gentleman know of any equity proceedings brought by the United States where a trial by jury is granted?

Mr. ASHMORE. Yes, and I will read it to the gentleman when I get to that part.

If they are not trying to evade trial by jury what is the purpose of making the transfer from the criminal court to the equity court? I say, of course, that is the fundamental reason for making the transfer.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I do not yield for the moment.

Mr. RIVERS. If the gentleman will yield to me, I say to him, do not yield to these people who are trying to knock you off the track.

Mr. ASHMORE. I thank my friend for his advice.

Moreover, my friend, the chairman of the Committee on the Judiciary and the gentleman from New York [Mr. KEATING], the ranking minority member of the Committee on the Judiciary, when we were debating this matter in the Judiciary Committee, this question of the right of trial by jury, we hemmed them up into such a close corner, we came so near passing the amendment to grant the right of trial by jury, that the gentleman from New York [Mr. CELLER] said—pardon me for repeating the language he used: "If you do that you take the guts out of the bill," and the gentleman from New York [Mr. KEATING], corroborated his statement. That to me was admitting what I am saying, that this is the essence of the legislation they want to pass, that this is one of the fundamental reasons why they want this law passed, so a man charged with contempt under these circumstances cannot get a trial by jury.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield at that point?

Mr. ASHMORE. Briefly.

Mr. ROGERS of Colorado. Did I understand the gentleman to state that this bill would in any manner permit the transfer of a criminal indictment in a Federal court over to the equity side?

Mr. ASHMORE. Oh, no, no; you know better than that, Mr. ROGERS, you know better than that, good lawyer that you are you know I did not say you could take a man who has been indicted for criminal contempt and try that indictment in equity.

They are going to take him to equity before he is indicted; he never gets indicted; 18 grand jurors never pass on his case; 12 jurors, his peers and equals, never pass on his case. They took that right away from him when they put his case in equity court; so the question never gets to his 12 peers or to the 18 grand jurors, and he cannot have the protection that the Constitution and statutes of this land grants to those charged with crime.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further on that point?

Mr. ASHMORE. Briefly.

Mr. ROGERS of Colorado. No; no criminal indictment has been returned. He is charged with no crime.

Mr. ASHMORE. Yes. When you violate the order of a judge, the injunction of a court, you are committing a crime in those cases where the law makes it a crime, for instance, when you violate the election law that is a crime. The gentleman knows that, does he not?

Mr. ROGERS of Colorado. No.

Mr. ASHMORE. The gentleman does not know that. The gentleman had better read his Constitution and the United States Code of laws.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further?

Mr. ASHMORE. If I can get some more time.

Mr. CELLER. I will yield the gentleman more time.

Mr. ASHMORE. I yield further to the gentleman from Colorado.

Mr. ROGERS of Colorado. Prior to the time when injunction is granted—the gentleman is familiar with the civil procedures of the Federal court where it is the duty and obligation of the United States marshal to serve the summons or subpena to the individual, calling him into court; the gentleman is familiar with that, is he not?

Mr. ASHMORE. Oh, yes.

Mr. ROGERS of Colorado. And does not the gentleman know that once a man is subpenaed into court the judge has his opportunity to pass on the question of whether or not an injunction should be granted or denied?

Mr. ASHMORE. I am not talking about injunctions. I will get to that in a few moments. I am not contending that you ought to have a jury trial to determine whether or not an injunction is going to be granted.

Mr. ROGERS of Colorado. But in order to get before the court on contempt of an injunction the court must first have jurisdiction. The gentleman knows that.

Mr. ASHMORE. Yes. This bill gives the jurisdiction to the court.

Mr. ROGERS of Colorado. And where the jurisdiction is granted the person is then summoned to court and to show whether or not an injunction should be granted against him. Now, that is the procedure that is to be followed long before he will ever be cited for contempt. Is not that true?

Mr. ASHMORE. That is true; yes.

Mr. ROGERS of Colorado. All right; once he is in court he is apprised of what his duties and responsibilities are, for instance, say it is an election official of a State or any other official who is accused and has responsibilities outlined in the injunction.

If he does not follow the court's order in the matter, does the gentleman feel that the court then should be relieved of the responsibility of enforcing its order and pass it over to 12 men?

Mr. ASHMORE. No; I do not claim that he should be relieved from enforcing the order; but if a man is going to be charged with violating that injunction and brought up before the court, I say that the judge should not act as a prosecutor, sit as a judge hearing the evidence and determining the facts, and then turn around and sentence the same man that he passes judgment on who is accused of violating his, the judge's own order. Twelve jurors should pass on that and that is the general custom under the Federal law. They have the right to pass on that not in injunctions, but in contempt charges. The gentleman knows the difference.

Mr. ROGERS of Colorado. The point I am trying to emphasize is this: In order for a citation for contempt to issue there must first be an order based upon some evidence. Certainly after the court has heard the evidence and has entered the order, and then if a citation for contempt is thereafter issued, there is a procedure, that the gentleman is well aware of, which would require affidavits and proof to the court before he would enter any order for contempt; is that not true?

Mr. ASHMORE. Yes.

Mr. ROGERS of Colorado. Well, does the gentleman agree that the courts should be put in the position of enforcing their own orders?

Mr. ASHMORE. In certain cases, yes, when the contempt occurs in the presence of the court. What about the many cases where this Congress said there should be a trial by jury in a charge of contempt growing out of certain cases; for instance, labor law violations, which is the same situation as you have here?

Mr. ROGERS of Colorado. What violations?

Mr. ASHMORE. Injunctions growing out of violations of labor laws. What is the difference between that and a contempt growing out of the violation of a voting law? They both involve human rights, one the right to work, the other the right to vote. Can the gentleman make any distinction there?

Mr. ROGERS of Colorado. Yes.

Mr. ASHMORE. Why should they not be on the same parallel?

Mr. ROGERS of Colorado. For the same reason that if you are going to enforce amendments 13, 14 and 15 of the Constitution of the United States, you have got to put it within the control of the courts.

Mr. ASHMORE. Let me ask the gentleman this question: If you were charged with contempt of court growing out of an injunction in connection with another person's voting rights, would you want a trial by jury? Now answer yes or no, answer the categorical question, yes or no.

Mr. ROGERS of Colorado. If I had been summoned——

Mr. ASHMORE. The gentleman is not answering the question yes or no.

Mr. ROGERS of Colorado. The answer would be no, and let me explain the reason why. If I was an election official in the State of South Carolina or of any other State and I were called into Federal Court and the question of what I should do or not do as it results in discrimination because of race, color or creed, and a court order was entered which enjoined me from doing certain things, then if I went out and deliberately violated that court order, does not the gentleman think I am subject to punishment for violating a court order?

Mr. ASHMORE. Yes, if you will come in and plead guilty to violating the court order. But what if you said you did not violate it, you denied the charge, then it is a question of fact for the jury to decide. Who should decide questions of fact but 12 of your peers? You know you would rather have 12 men decide that question than a court who would have the power to bring you in and charge that you are in contempt of court. He thinks you are in contempt or he never would have ordered you to come in and show cause why you are not in contempt of court.

Mr. ROGERS of Colorado. Then your first position is that you are going before a prejudiced judge?

Mr. ASHMORE. He can be prejudiced. I do not say they are all prejudiced.

Mr. ROGERS of Colorado. The gentleman is familiar with the Federal procedure?

Mr. ASHMORE. I will say it is more likely and more human for one man to be prejudiced than it is for 12 men to be prejudiced.

Mr. ROGERS of Colorado. Does the gentleman feel that the judge who is appointed for a particular district will be more prejudiced than 12 men who may live in that district?

Mr. ASHMORE. Why, of course. He may not even come from the district. I know of some who do not.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Ohio.

Mr. McCULLOCH. I would like to know, by reason of the fact that my colleague is such an able and such a careful lawyer, whether or not I correctly understood his statement that if the United States of America were a party plaintiff in a case involving a violation of the law under the Taft-Hartley Act and the defendant was ordered to do something, which he did not do, and then was cited for contempt of court, that the person would be entitled to a trial by jury.

Mr. ASHMORE. That is my understanding, yes.

Mr. McCULLOCH. I am of the opinion that that is not the law, and I will state it positively.

Mr. ASHMORE. Excuse me. Did the gentleman say Taft-Hartley or Norris-La Guardia?

Mr. McCULLOCH. Taft-Hartley or even the Norris-LaGuardia Act, if the United States were a party plaintiff.

Mr. ASHMORE. Oh, no. If the United States was a party plaintiff, he does not get a trial by jury in either case.

Mr. McCULLOCH. And he has not been entitled to a trial by jury under those conditions since 1935, or before that, ever, has he?

Mr. ASHMORE. I do not think he ever was where the United States Government was the party plaintiff, and that is the reason I say they put the language in this bill which makes the United States Government a party plaintiff, which I am trying to lead up to, so as to keep a man from getting a trial by jury.

Mr. McCULLOCH. That is not the reason.

Mr. ASHMORE. But the gentleman will admit, if they take this bill with that language in there and institute a suit "for the United States"—and I am reading from the bill—"or in the name of the United States," you will admit and agree with me that then he cannot and will not get a trial by jury.

Mr. McCULLOCH. I certainly agree with what the gentleman stated. And if the gentleman desires more time, we will provide every reasonable amount of time so that we can get to the heart of this very difficult technical question.

At the risk of repetition, I want to again ask this question: Is it not your understanding and belief that whenever the United States Government is a party plaintiff under the labor laws of this country, which have been in effect since 1935 and before, that in such a case as we have been describing a person cited for contempt is not entitled to a trial by jury?

Mr. ASHMORE. Correct, sir.

Mr. McCULLOCH. All right. Now we have established that point, and it is so important. If the gentleman will yield further, I would like to say, as has so ably been pointed out by our colleague the gentleman from Colorado [Mr. ROGERS], that in the first instance a suit must be brought against a defendant. All witnesses he desires to call in his behalf he may call; a court of equity must make a finding of fact and law and

enter a decree which—and I quote from the Rules of Civil Procedure—shall be specific in terms and shall describe in detail that which he is required to do before he may even be cited for contempt. And even then he may appeal to the United States Court of Appeals if the order or decree, in his opinion, was improperly entered. That procedure has been followed, in effect, in accordance with Anglo-Saxon and American jurisprudence in equity cases for more than half a thousand years.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. Briefly.

Mr. FORRESTER. The gentleman did not say it, but I want to say it. I want to say that the Norris-La Guardia Act makes no exception whatsoever as to a jury trial even when the United States is a party. And I refer the gentleman to the CONGRESSIONAL RECORD when that bill was on the floor of this House in 1932, where the gentleman, Mr. Blanton, offered an amendment to that effect and it was defeated by a vote of 127 to 22.

Mr. ASHMORE. I thank the gentleman for his contribution. Mr. Chairman, I had several other matters I had intended to touch on, but we have taken up so much time discussing this point that I am going to hurry on and not use all of the items in my notes.

The proponents of this legislation, as I knew they would, deny that this change, this transfer is for the purpose primarily of taking a defendant's case out of the criminal courts and thus avoiding a trial by jury. They say that is not the purpose; at least they indicate that, and some of them have said that on the floor last week. They say the purpose is this: We want to get it in equity court so we can get an injunction and stop the crime before it happens.

I grant that that is one of the things they say, that they have no intention of avoiding the trial by jury. But the thing they do would avoid a trial by jury. It sounds all right, Mr. Chairman, until you analyze it and you see what they are really doing to the man charged with this law violation. So, for the sake of argument, let us admit that an injunction should be granted in certain cases when the facts justify it.

In order to get an injunction, you have a hearing in the judge's office. The person complaining would write out a statement saying that, "I have been intimidated in some manner with reference to my voting rights. I have been coerced. I have been threatened. I have been mistreated and told that if I would vote a certain way or if I did not vote a certain way, such-and-such a thing would happen to me." The hearing takes place before the judge and before the district attorney; before the complaining party and his lawyer, if he has one, and before the accused or the defendant and his lawyer, if he has one, and before witnesses, if there are any witnesses to be heard.

As I stated a few moments ago to my friend and chairman, the gentleman from New York [Mr. CELLER], I do not say that there should be a jury at that hearing. The law has never said that you should have a jury on the question of an injunction. We do not demand one at that stage. So those who have been thinking that we want a jury to determine whether or not an injunction is going to be granted may just forget it. Nobody claims that and nobody wants that.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman.

Mr. McCULLOCH. And again I should like to say that we shall be happy to yield as much time as we take by these interruptions. We are very happy the gentleman is always so courteous.

The injunction about which the gentleman is now talking is a preliminary injunction, is it not?

Mr. ASHMORE. It usually comes in that manner, but it could be a permanent injunction.

Mr. McCULLOCH. And in most cases without any notice whatsoever; is that right?

Mr. ASHMORE. He just sends out a subpena telling John Jones to come in Monday morning at 10 o'clock and show cause why he should not be enjoined from doing so-and-so.

Mr. McCULLOCH. And that is usually a preliminary injunction?

Mr. ASHMORE. Well, I think so.

Mr. McCULLOCH. Which, under the rules of the Federal court, remains in effect not to exceed 10 days unless it is extended by consent of the parties or by good cause shown by the plaintiff, in this case the United States Government.

Will not the gentleman admit to the Committee that during this time there just would not be any citation for contempt, during the period of the preliminary or temporary injunction? And if there were a citation for contempt, would not the gentleman tell the Committee that there would certainly be complete opportunity for the defendant, under the Rules of Civil Procedure, to defend himself with every witness and to any reasonable length to show that he was not in contempt of the court for violating the decree which had been issued?

Mr. ASHMORE. Of course, he could present witnesses and defend himself.

Mr. McCULLOCH. Further, would the distinguished gentleman from our committee agree that in most instances this injunctive relief would be sought to prevent that which would be unlawful before the overt act was committed?

Mr. ASHMORE. Yes; that is one purpose of the bill.

Mr. McCULLOCH. Is not that one of the best approaches known to the law of man, not only in the Anglo-Saxon system of jurisprudence but in all other systems?

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina.

Mr. ASHMORE. I agree with the gentleman, if that is the extent of his question, that injunctive relief is for the purpose of preventing an act from happening before it does happen. As I stated a few moments ago, I agree with the contention of those of you who say that that is one of the purposes, but I say that that is not the entire purpose of the bill and that is not the fundamental purpose that we object to so strenuously.

Last week one of the Members, I believe it was my colleague from California [Mr. HILLINGS], made an argument that impressed some of the Members, I am sure, because I could tell from the reactions of the Members, and from the questions that were raised. One of the things he said was that time is of the essence in a matter of this nature. I agree with you that time is of the essence when you are trying to stop a crime before it happens. But the gentleman from California [Mr. HILLINGS] left the impression, whether intentionally or not, upon many of us that the issuance of an injunction would be delayed if a jury-trial guaranty is put in this bill as we are demanding and fighting so hard for. I contend that that is not correct. The jury trial does not come into the picture at all at the time and at the moment when the injunction is being considered, that is, the decision as to whether or not it shall be granted. I think all lawyers will agree with me on that.

I would cite you this example of where time may be of the essence but where it does not affect the jury trial for contempt. I cite you the Clinton, Tenn., case. There the judge issued an injunction which covered the whole town, village, and everybody around and about, ordering that they not do certain things. The injunction was issued. It was in effect. Some time later 16 people were charged with violating that injunction, and it was said, "You are in contempt of court." The judge in so many words charged them with being in contempt of court for violating his injunction. The injunction still stands, but those 16 people have not as yet been tried for contempt of court. They have been granted a trial by jury at the will and pleasure of the court, but if this law, the bill we are now considering, had been in effect, with this language in here which says that the action must be brought in the name of the United States, and for and on behalf of the United States, they would not, and could not, have gotten a trial by jury. The point I particularly wanted to make there was as to the time element. The injunction was granted. It is still in effect, as far as I know. It was granted last September, and no jury trial was asked for. No one expected a jury trial under these circumstances. The people who were accused of violating the injunction a few days later now say, "We have a right for 12 jurors to pass on the evidence and to conclude whether or not we did violate the injunction, whether we did what the judge told us not to do." Whether we are in contempt of court. That is where the jury trial comes in. That is the only place we have ever asked for it, and that is the only place that anyone opposed to this legislation expects it to be granted.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to my chairman if he will give me more time.

Mr. CELLER. In that case, that is, the case of Joheather McSwain et al. against County Board of Education of Anderson County, Tenn. et al., it was a private suit. This was not a suit by a Federal official or anybody connected with the Federal Government. Certain individuals were suing, and it is interesting to note that a jury trial has been ordered. It is also interesting to note that part of the injunction is as follows:

> Ordered, decreed by the court that the aforementioned persons, their agents, servants, representatives, and attorney and all other persons who are acting or may act in concert with them be and they are hereby enjoined.

So the burden of proof is to show that they were all acting in concert. But the important thing to note is that this was not a case brought by either the State government or the Federal Government or the Attorney General. This was a private suit brought against the county board of education of that particular county.

Mr. ASHMORE. Yes, and Mr. Chairman, these will be private suits if John Smith charges Sam Brown with violating his election law rights and voting rights. The suit will be brought in his name, if you take this language out of this bill, which I am challenging you to do. If you take it out, then a suit can be brought by one person against another and it will not make the United States Government a party plaintiff. If you do make the Federal Government a party plaintiff, then the great Government of this country, being a party plaintiff, the individual has no chance of a trial by jury. In the case in Tennessee, which you are speaking of and of which I am speaking, the United States Government was not a party plaintiff.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. KEATING. Mr. Chairman, I am glad to yield 5 minutes to the gentleman, if he desires additional time.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. BARDEN. I merely want to ask the gentleman if that horrible illustration, which the gentleman just referred to which took place in Clinton, Tenn., was not exactly the type of situation that brought about the passage of the Norris-La Guardia Act.

Mr. ASHMORE. It certainly was.

Mr. BARDEN. And at that time the distinguished chairman here of the Committee on the Judiciary fought valiantly to protect the right of trial by jury.

Mr. ASHMORE. He was against a blanket injunction and was in favor of a trial by jury at that time.

Mr. BARDEN. Exactly.

Mr. ASHMORE. And I want my chairman to vote today the same as he did when we were considering the Norris-La Guardia Act. I cannot understand why he has changed his mind to save my life. I stand for a trial by jury in both cases.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield for a comment.

Mr. ASHMORE. I yield.

Mr. McCULLOCH. I would like, when this matter comes to a vote either in committee or before the House, that the vote not be on the basis of the emotion which is engendered when a labor bill is up before the House or, on the other hand, the emotion that is engendered when a civil rights bill is up before the House. I do hope the members of the committee or the Members of the House, as the case may be, will vote in accordance with the best traditions of Anglo-Saxon and American jurisprudence.

Mr. ASHMORE. I certainly agree with the remarks of my colleague.

Mr. LOSER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. LOSER. I want to express my appreciation of the statement made by the gentleman on the other side, that the Members of the House, when they come to vote on this all-important measure will realize that we are dealing with a precious right afforded us under the Constitution.

Mr. ASHMORE. Even a sacred right.

Mr. LOSER. I would like to ask the gentleman this question. I believe the gentleman made the statement that except for the fact that this bill provides the United States shall be made a party that there will be a jury trial upon the request of the accused, provided the contempt is a criminal contempt and it is a violation either of Federal law or State law.

Mr. ASHMORE. The gentleman is exactly correct.

Mr. LOSER. That is the law at the present time and it has been the law under the laws of the United States for more than 40 years.

Mr. ASHMORE. Yes, sir.

Mr. LOSER. A jury trial in criminal contempt cases is provided as long as the United States Government is not a party.

Mr. ASHMORE. Yes, sir; the gentleman has clarified that point very well indeed.

Mr. LOSER. Then, again, is it not, if I may ask this further question, is it not a fact that in this bill there has been inserted language making the United States a party in order to deprive persons charged with criminal contempt, their right to a trial by jury; is that not correct?

Mr. ASHMORE. The gentleman is correct. That is what I intended to say and I thank the gentleman for clarifying what I was trying to say.

Mr. LOSER. I thank the gentleman.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. YATES. The gentleman from Tennessee [Mr. LOSER] correctly points out that this is a sacred right. If the gentleman will permit me, I would like to read from a United States Supreme Court decision, something which is also a sacred right. I read from the case of Smith against Allwright, in which the Court said:

> The United States is a constitutional democracy. Its organic law grants to all citizens a right to participate in the choice of elected officials without restriction by any State because of race. This grant to the people of the opportunity for choice is not to be nullified by a State through casting its electoral process in a form which permits a private organization to practice racial discrimination in the election. Constitutional rights would be of little value if they could be thus indirectly denied.

Mr. ASHMORE. That is correct.

Mr. YATES. That is a right which is more particular in this bill than the right of trial by jury.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. RIVERS. That same thing about which the gentleman is asking is now protected, because everybody recognizes the Allwright case is the law and is protected by the statutes of this country.

Mr. ASHMORE. Yes.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. McCULLOCH. Lest there be some misunderstanding of what my position is going to be, I will clarify it right now. Unless there are factors that develop that I cannot think of at this time, factual developments and constitutional developments, I am not going to support an amendment to provide for a trial by jury, to determine whether or not a defendant in such a case has violated an order or decree of court, in which the United States is the party plaintiff.

The CHAIRMAN. The time of the gentleman from South Carolina [Mr. ASHMORE] has again expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Will the gentleman yield further?

Mr. ASHMORE. I yield.

Mr. McCULLOCH. I appreciate what one of our colleagues said after I had said something about the test that I wished would be applied here.

I cannot agree with the statement that the Constitution of the United States guaranteed a trial by jury in such cases. It is my studied judgment that the Constitution of the United States did not provide for a trial by jury in this kind of an equity case, whether the suit was brought by an individual or whether it was by the Government.

Mr. ASHMORE. If I may interrupt. That was a criminal case, and in this case they are trying to make it equity, so that they will not get a trial by jury.

Mr. McCULLOCH. But the case in chief, out of which a contempt could occur, is still an equity case, which has long been chartered in the kind of jurisprudence I have been talking about.

Mr. ASHMORE. Of course, it grew out of an equity case, but it is a criminal case.

> Trial by jury would not in any respect interfere with the prevention of a wrong before it occurs. If a person is charged with the violation of an order or injunction that a judge has handed down, then he would be charged with contempt of court.

That is where we say the right by trial by jury comes in, for many reasons, but particularly for this one. I refer to section 3691 of the United States Code, title 18, which is entitled:

> Jury trial of criminal contempt: Whenever a contempt charge shall consist in willful disobedience of any lawful restraining process, order, rule, decree, or command of any district court of the United States by the

doing of or omitting to do any act or thing in violation thereof, the act or thing done or omitted also constitutes a criminal offense, under any act of Congress, or under the laws of any State in which it was done or omitted, the accused, the defendant upon demand therefor, shall be entitled to trial by jury.

That is the law of the land. The United States Code is the lawyer's bible. I am reading from it. You cannot get around it: "Which trial by jury shall conform as near as may be to the practice in criminal cases."

Now, here is where the gimmick comes that was referred to by the gentleman from Louisiana [Mr. WILLIS] the other day, here is where they have rigged the law:

This bill—

This section says—

Shall not apply to contempt committed in the presence of the court.

Of course not; no lawyer would contend that—

Or so near thereto as to obstruct the administration of justice.

Of course, that is axiomatic.

Nor to contempts committed in disobedience of any law, writ, process, order, rule, decree, or command entered in any suit or action.

I call the attention of the gentleman from New York [Mr. CELLER] to this:

Trial by jury shall not be granted when the action is brought or prosecuted in the name of or on behalf of the United States Government.

Now, let us turn to page 10 of the bill.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield again?

Mr. ASHMORE. I yield to the gentleman.

Mr. McCULLOCH. So there may be no misunderstanding of what I said about the basic and constitutional law of the land, and notwithstanding section 3691 of title 18 of the Code of the United States which the gentleman has read, I repeat the statement I made, that there is no fundamental guaranty of a trial by jury in this kind of case by the Constitution of the United States. This is statutory law with which I have no quarrel if it be understood that that is the case.

Mr. ASHMORE. It is the law, is it not, Mr. McCULLOCH?

Mr. McCULLOCH. It is the law.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. CELLER. I yield the gentleman 5 additional minutes.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. I would like to read to the gentleman from article III of the Constitution of the United States.

Mr. ASHMORE. Yes; but read it to the gentleman from Ohio; he is the one who needs it; he is confused; I am not.

Mr. WILLIAMS of Mississippi. I read:

The trial of all crimes except in cases of impeachment shall be by jury; and such trial shall be held in the States where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

I leave it to the gentleman's judgment whether article III makes any exception to the right of trial by jury in any criminal case.

Mr. ASHMORE. It does not in my way of thinking.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield further?

Mr. ASHMORE. I yield.

Mr. McCULLOCH. Notwithstanding the section that has been read, I leave judgment of the constitutional question and the statement that I made to a time when there is less emotion than there is on this particular question right now, and the kind of case especially for preventive injunctive relief. That was not defined as a crime, nor is it of that nature.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. WILLIAMS of Mississippi. I challenge the gentleman or anyone else to show me any exception made in the United States Constitution to the right of a trial by a jury of his peers of any person accused in a criminal case.

Mr. McCULLOCH. If the gentleman will yield further.

Mr. ASHMORE. I yield.

Mr. McCULLOCH. I reply again by saying that the case which we just discussed is not a criminal case.

I can join with the distinguished gentleman from Mississippi in making such statement any time; but that is not at point here.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I will yield if the gentleman will give me sufficient time to complete my statement.

Mr. KEATING. I will give the gentleman additional time.

Mr. ASHMORE. I yield to the gentleman from New York.

Mr. KEATING. Let us see what there is in the Constitution in addition to what the gentleman from Ohio said. It provides that in a criminal case or in a civil case where the amount involved is over $20 the defendant shall have the right to trial by jury.

At the time the Constitution was adopted, it was well established in the common law, which we adopted here, the difference between suits at law and suits in equity. In suits in equity there was never a right to a jury trial.

We are dealing with suits in equity for injunctions to restrain crimes, or to restrain acts which are wrong, whether they are criminal or otherwise. The courts have repeatedly held, in a case such as this, that a defendant is not entitled to a jury trial. There is not even a claim here on the part of the jury trial proponents that there is any constitutional right to a jury trial.

It has been consistently held by the courts that because of this distinction between suits in law and equity, the constitutional provision relating to a jury trial does not apply to an injunction suit resulting in defiance of the court's order, and consequently a contempt.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from South Carolina.

Mr. RIVERS. By what right, by what stretch of the imagination—I am not talking about common law, I am talking about the constitutional law of this country—have you or anyone the right to put a man in jail if he has not committed any crime? We have abolished putting him in jail for debt. Then you say you will put him in jail for equity. When you put him in jail, Mr. Chairman, he is in jail. You can interpret that in any way you want. But if he has not committed a crime what business is he doing in jail? I refer you respectfully to the third article of the Constitution. I refer you to that most respectfully.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Ohio.

Mr. McCULLOCH. The punishment is for the violation of an order, if there be a violation.

Mr. RIVERS. That is not the law today.

Mr. McCULLOCH. It is the law.

Mr. RIVERS. That is not the law today. You want to write in here something making the United States a party to the original case, like in a criminal case. Then you got him. You have him then.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. KEATING. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. McCULLOCH. I want to say that even in South Carolina, the home State of my good friend I am advised there is no provision for trial by jury and you cannot have a trial by jury if a person is cited for contempt for violating the decree of a court of equity. I would be glad to be corrected if I have been improperly advised as to the law of the State of South Carolina.

Mr. RIVERS. We are not talking about the law of South Carolina. We are talking about the law that you want to put on the books here to let a Federal judge try him, a Federal judge who is looking for promotion to the Court of Appeals and from there he is looking for promotion to the United States Supreme Court. We want to get away from that. We want to let a man be tried by a jury of his peers before you incarcerate him in that jail where you have the judge, and jury and the man with the key to the jail. We do not believe in that.

Mr. McCULLOUGH. I am pleased that this argument should come from my very, very good friend, a distinguished and able gentleman [Mr. RIVERS] from that great States' right State of South Carolina. I am willing to forego any further request for further time on this particular question.

Mr. RIVERS. The gentleman knows I have great affection for him and I would never impugn his motives, but I say to him when a man is in jail, he is in jail. You try to get him out under this injunction relief and I will eat your hat.

Mr. LOSER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Tennessee.

Mr. LOSER. I am wondering if the distinguished gentleman from Ohio will yield a minute to me

Mr. ASHMORE. I yield to the gentleman.

Mr. LOSER. I just did not want to be misunderstood in my discussion here with reference to a trial by jury. I thoroughly understand that in equity there is no right to a trial by jury as a matter of right in contempt cases. But, does not the gentleman from Ohio agree that the Norris-La Guardia Act and the Taft-Hartley Act are wholly immaterial and collateral and shed no light on the question that is now before the House for determination?

Mr. McCULLOCH. I think generally one might say yes.

Mr. LOSER. You say that is a correct statement, do you not?

Mr. McCULLOCH. Generally, that is a correct statement, except as to give a backdrop to many other things that have been injected into this discussion.

Mr. LOSER. Well, there is no backdrop about it.

Mr. McCULLOCH. Well, I would not agree to the gentleman's statement if it is unequivocal.

Mr. LOSER. Well, what is the exception, please?

Mr. McCULLOCH. I said whenever the United States of America is a party plaintiff in a suit growing out of such a violation.

Mr. LOSER. Mentioning the United States is the point I wanted to bring up. You will agree, I believe, that under section 3691 of the United States Code, title XVIII, in contempt cases the accused is entitled to a jury trial upon his request provided the contempt is a criminal contempt and the act complained of is a violation either of the State law or the Federal law and the United States is not a party. You agree to that?

Mr. McCULLOCH. You say that the United States is a party?

Mr. LOSER. Is not a party, I said.

Mr. McCULLOCH. Why, certainly, because we are talking about a case here where the United States is a party.

Mr. LOSER. So, section 3691 of the United States Code presently is the law.

Mr. McCULLOCH. Where the suit is between private individuals.

Mr. LOSER. Do you agree I made a correct statement of the law?

Mr. McCULLOCH. Well, as a matter of fact, I am advised that there are no such cases under the Norris-LaGuardia Act.

Mr. LOSER. Now, would the gentleman answer that question?

Mr. McCULLOCH. Yes, if the gentleman will not interrupt me when I am answering.

Mr. LOSER. All right, sir.

Mr. McCULLOCH. In the first place, I know of no such cases under the Norris-La Guardia Act which you described, and I do not say that to try to avoid an answer to your question. I am giving you a factual answer. If anyone does know of any case which would answer your question contrary to any inference I may have left, I would be very happy if they would say so.

Again at the risk of repetition, whenever the United States of America is a party plaintiff in any of these suits growing out of labor legislation, certainly since 1935, if not always before, there has been no provision, to my knowledge, for a trial by jury on a citation for contempt for violation of a decree in equity. Now, members of the committee, I just cannot make a statement that is plainer than that. I am sure that every lawyer in the committee and most, if not all, of the laymen of the committee will understand that statement.

Mr. LOSER. The gentleman from Ohio has failed completely and miserably to answer my question. I am wondering if the distinguished gentleman from New York [Mr. KEATING] would give us a categorical answer to the question propounded.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from New York.

Mr. KEATING. I will be very glad to deal with this Norris-La Guardia question.

Mr. LOSER. I am not inquiring about any labor law.

Mr. KEATING. The gentleman has asked what, if any, bearing that has on this matter here, and the bearing is only this, that it has been contended for some months, since this issue arose, that there is a right to a jury trial in cases involving labor disputes. And, it has been asked, what is there about defendants in such cases that is any more sacrosanct than the election officials who might possibly violate an order here and be brought to book?

That is a reasonable question and the answer to it is that there is no right to a jury trial in labor disputes today. There has not been, not only since the Taft-Hartley Act, but since the Wagner Act, any right to a jury trial in cases involving labor disputes.

I cited in my remarks the other day a case so holding, and I have here a very helpful analysis, which I want to put in later in the day, from the brief of the National Labor Relations Board in that case. There they dealt squarely with the question of whether there was a right to a jury trial. It was held in that case that there was no right, and that is the only case that has come to my attention.

I recently propounded an inquiry to the National Labor Relations Board as to why the question had not been raised more frequently. They explained to me that all of the lawyers dealing with such disputes, the defendants' lawyers representing unions, understand now and agree that there is no right to a jury trial in such cases.

It is only in that connection that the question has arisen. Otherwise, if the contention of the proponents of the jury trial amendment were correct, there would be one situation where, in our Federal jurisprudence, there was a right to a jury trial today. It does not exist. It does not exist when a businessman is brought to book under the antitrust laws. It does not exist in any other field of Federal jurisprudence. My position is, why should we single out this particular legislation to put into our Federal jurisprudence something which has never been there before?

The CHAIRMAN. The time of the gentleman from South Carolina [Mr. ASHMORE] has again expired.

Mr. KEATING. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. LOSER. Mr. Chairman, if the gentleman from South Carolina will yield further, I enjoyed the discourse of the distinguished gentleman from New York [Mr. KEATING] on the labor law, but I was inquiring about civil law, and not the labor law. I only inquired whether or not an accused charged with contempt was entitled to a jury trial under the law of the United States, section 3691, when the charge is a criminal contempt and the act is a violation either of State law or Federal law, and the United States is not a party. Is he entitled to a jury trial in that type of case?

Mr. KEATING. I will say to the gentleman that there cannot be any such type of case, so I cannot answer the question. There could not possibly be any such case under the Norris-La Guardia Act today.

Mr. LOSER. I am not talking about the Norris-LaGuardia Act. I am talking about some fellow charged with violating the election laws and an injunction has been issued in the Federal court. I have made a correct statement of the law, Mr. Chairman, and I defy any Member of the Congress to dispute that. It is indisputable. It is the question that was very ably debated by the gentleman from Louisiana [Mr. WILLIS].

Mr. CELLER. Mr. Chairman, will the gentleman yield to me?

Mr. ASHMORE. I yield to the gentleman from New York.

Mr. CELLER. Mr. Chairman, what the gentleman has stated is correct, where the United States is not a party; in other words, where the contemner, the man who violates the injunction, is also guilty of a crime of the State or of the Federal Government, he is then entitled to a jury trial. But that is not the case where the Government brings the suit or the Government is a party.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Mississippi.

Mr. COLMER. When it is all said and done, and following the statements of the two distinguished gentlemen from New York, the fact remains that this bill was drawn purposely to avoid a jury trial, was it not?

Mr. ASHMORE. That is what I have been contending in the hour or more I have been up here.

Mr. LOSER. If the gentleman from South Carolina will let me make this concluding statement, I want to express to the very distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], my thanks for having categorically answered my question, when there has been so much evasion on the other side. I thank him so much.

Mr. ASHMORE. I thank the gentleman from Tennessee for his contribution.

Regardless of what the opponents of my contention say, about the right of jury trial being guaranteed in the Constitution, let me remind you that article III of the Constitution has been read and it does grant a jury trial. Also the United States Code which I hold in my hand, in section 3691 provides for trial by jury in contempt cases. This code is the lawyers bible. It is in there in plain language. Every man who is charged with committing a criminal contempt shall have a jury trial unless the United States Government is a party plaintiff to the action. I contend that this language, "The Attorney General may institute for the United States, or in the name of the United States, a civil action," if kept in the bill, does take away from a man the right of trial by jury, guaranteed by United States Constitution and section 3691, United States Code. Therefore, I challenge my friend, the Chairman of the Committee, Mr. CELLER, and the ranking minority member, Mr. KEATING, to strike these 12 words from this bill, if that is not the main, fundamental, basic reason for putting them in the bill. Take out those 12 words, "for the United States, or in the name of the United States." It will not keep you from getting an injunction and it will not interfere with the time element. It will just prove that a man charged with a violation of an injunction can have the right of trial by jury. If you want to do what you say you mean, if you are sincere, I say strike those words out. If you do not strike them out, I say, as Emerson said, "The things you do speak so loud that I cannot hear what you say."

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. KILDAY].

Mr. KILDAY. Mr. Chairman, I am fully conscious of the fact that this is an emotional issue. In the minds of those who support this bill, all who oppose it will be cataloged as segregationists and promoters of racial and religious discrimination. Further, that any Member from Texas who opposes will hereafter be denominated as a "reactionary southerner." However, I cannot refrain from speaking at this time.

The easy course for me would be to remain silent and vote on this bill. The hard course is the one I am taking. I do so because of a very deep personal feeling that this legislation is contrary to the letter, spirit, and intent of the Constitution I have sworn to support and defend. I am equally convinced that this proposal will aggravate, rather than eliminate, the condition which confronts us.

LEGISLATION WILL AGGRAVATE CONDITION

Texas has been my home all of my life. Fortunately, my city of San Antonio has throughout the years been remarkably free of ill will generated by religious or racial differences. Unfortunately, some years past this was not true in some other parts of Texas. Too well do I remember the days during the early 1920's when the Ku Klux Klan achieved a degree of ascendancy. Those were dark days for many in Texas. Based upon prejudice against Negroes, Catholics, Jews, and the foreign born, it seemed for a time that organization would accomplish its nefarious purpose. In many areas all but their membership were driven from public office, public employment, and even private employment. Threatening parades of men wearing masks, burning crosses, floggings, and murders were rampant.

Who put a stop to Ku Klux Klan ascendancy in Texas and the South? I assure you the objects of their prejudice did not do it. The decent native born white Protestants of Texas and the South did. They were the only ones who could have done it. The majority of them being of good will, right triumphed. The influence of the Ku Klux Klan was broken. They were driven from their parades, their murderers and floggers were convicted. They were isolated to the pastures. They lost their respectability.

No legislation accomplished that. No injunctions, no trials for contempt of court could have accomplished it.

We, in Texas, thought that religious prejudice had been eliminated for all time. But then, as today, the politicians intervened to revive it. Al Smith was nominated by the Democrats in 1928. Religious prejudice then had its greatest day in the South and other places. The purveyors of hate who had been run out, who had lost their respectability, were brought back to positions of influence. For whose benefit? For the benefit of the Republican candidate for President of the United States. I would like to ask those members of the minority party who bleed here today about discrimination and prejudices: Where were you in 1928? When I was being beaten over the head in 1928, where was the great Republican Party which is so solicitous for minorities? You know where you were. You were sitting back with great satisfaction profiting by my discomfort.

Prejudice was then in its greatest ascendancy. It then looked as if it could never be dislodged again. As I have said, the majority of Americans are people of good will. The campaign of hate and prejudice of 1928 brought a consciousness of the injustice of the situation to many people of good will. A reaction began which condemned the purveyors of ill will to oblivion. There followed in Texas a long period in which prejudice progressively disappeared and was well on its way to elimination, until the current bitter feeling on the question.

This type of legislation, and debate such as we have had and are having on it, serves to add fuel to the flames.

It has been said that the legislator who does not know history is likely to repeat it. Let us recall the history of the times immediately before the Civil War. When I recall those happenings and compare them to what I see going on around me now, frankly, I am frightened. I am frightened because of the similarity of occurrences in the two periods.

The Dred Scott decision, to my mind a fantastically erroneous one, created bitterness in the United States. There followed hotheaded and acrimonious debate and charges which did not end until secession and civil war resulted.

The antisegregation decisions of the Supreme Court have created bitterness, debate, charges, and countercharges such as have not torn our country since the Dred Scott decision.

We are bound to wonder if cooler heads in this very Chamber might not have prevented the horrible Civil War. We must wonder if that bitter conflict could have been avoided if politicians had not sought to take advantage of the feelings of the times for their own ends. We wonder whether those who bring legislation such as this to this floor ever read the history of the period from the date of the Dred Scott decision until Fort Sumter.

This is no time for the consideration of divisive issues. This is a time for calm judgment and cool heads. Those who complain of recent Supreme Court decisions, proclaim them erroneous, seek means of circumventing and talk of interposition, should remember that Lincoln, who proclaimed the Dred Scott decision would be reversed, was elected President; 4 years of bitter war determined the issue contrary to the holding of the Supreme Court and still three constitutional amendments were necessary to remove its construction from our Constitution. Those who are critical of those who disagree with the Supreme Court should remember that no less an American than Abraham Lincoln did the same at another time.

Passage of this legislation at this time can do nothing other than create ill will, disunity, and division. Those sought to be protected by it will, instead, be the objects of increased injustice.

SUPREME COURT DECISION

I do not agree with those members of the legislature of my own State who are advocating new laws for racial segregation and racial discrimination. I point again to the fact that the decision of the Supreme Court, even if erroneous, is still the law of the land. Just as recrimination, intemperate debate and, even, civil war could not remove the Dred Scott decision from our law, those actions of the legislature are ineffectual and can only aggravate the situation. The decision of the Supreme Court can be set aside by one of two actions, and none other. They are, first, reversal of the decision by the Supreme Court itself; or second, an amendment to the Constitution.

COMMISSION IS INQUISITION

This bill would create, in the executive branch, a Commission on Civil Rights. It would have power to issue subpenas and be the sole judge of pertinency of testimony and evidence adduced at its hearings. There is, therefore, no limit to the range of the inquiry other than the decision of the Commission that it is pertinent. Lawyers talk about "competent", "relevant", and "material" evidence. Those are words well known and well understood by lawyers. Without guideposts, this Commission, whose members need not be lawyers or judges, has no limitation upon them. Once

these laymen determine testimony is pertinent all other rules of evidence are gone. Hearsay can be admitted; or can it? Confidential communications between husband and wife, lawyer and client, physician and patient, and penitent and confessor, if deemed pertinent, in the sole judgment of the Commission, go into the record.

And this Commission may accept and utilize the services of voluntary and uncompensated personnel to the extent of 15 at any one time. Is it hard to imagine the type of individual who will volunteer for this service? Only zealots and crusaders who will find at last an opportunity, while the Government is paying the expense of travel and subsistence, to vent their spleen upon those with whom they differ.

The bill provides that witnesses may be accompanied by counsel, for what purpose? "For the purpose of advising them concerning their constitutional rights." That is all. Even though the Commission or its own counsel develops only a portion of a transaction, and that adverse to the witness, his lawyer cannot ask a single question to develop the remainder of the transaction or the portion favorable to him.

However, the subsection immediately following the provision of counsel is probably more illuminating than it was intended to be. For there the Chairman is authorized to censure and exclude from the hearing any counsel the Chairman determines has been guilty of breaches of order, or decorum, or unprofessional ethics. In addition, the Chairman may punish any such conduct. What punishment? Fine? How much? Jail? How long? What the section actually says is that the Chairman can kick counsel out whenever he so desires, put him in jail, fine him, or what not. The Chairman does it, not the court, as in the case of contempt or failure to appear.

WHERE DOES THE COMMISSION SIT

The Commission sits wherever it wants to sit. Subpenas may require the attendance of a witness at any place in the judicial circuit in which he is found, resides, or transacts business. What can that mean? Let us take the fifth circuit, in which I live. The fifth circuit includes districts in Georgia, Florida, Alabama, Mississippi, Louisiana, all of the State of Texas and, get this, the Panama Canal Zone.

Leaving out the Canal Zone—even though the Commission could sit there and compel the attendance of a witness from any of the States I have named—witnesses can be forced to travel as much as 1,500 to 2,000 miles. From El Paso, Tex., or Brownsville, Tex., to northern Georgia, is as far as from New York to Minneapolis or St. Paul, or farther. Witnesses can be dragged across the country into a strange neighborhood, away from friends, to be questioned in open or executive session about any subject the Chairman deems to be "pertinent." His expenses and fees will be paid, but not his counsel. If serious reflection is cast upon him or if he is charged with the commission of a crime, he can secure the attendance of witnesses to relieve him of the opprobrium only if the Commission sees fit to grant his request.

No inquisition ever exceeded the possibilities of what is proposed here.

EQUITY SHOULD RELIEVE FROM THE HARSH RULE OF LAW

Every lawyer knows the history of the development of courts of equity. The formed actions of the common law were completely inflexible. Whether justice be done or not, all cases at law were determined by the rigid rules of law. The Chancellor, as the "keeper of the King's Conscience," gradually granted relief designed to give justice, notwithstanding the rigid rule of law. Courts of equity, from their beginning in England down to and including today, have always been the forum in which to soften the rule of law dispensed in courts of law. But not under this proposed law. For the first time, equity will be as harsh and worse than law courts.

It is shocking that the great Committee on the Judiciary would report to the House a proposal to reverse the course of legal history.

TRIAL BY JURY

This bill does deprive the citizen of the right of trial by jury for alleged actions for which he has heretofore had that right. When this question was first raised, I doubted its sincerity. Close study has convinced me the denial is real and substantial.

Injunctions have been authorized by statute in a variety of cases in which they were not formerly issuable. However, I know of no instance in which a code of conduct has been prescribed which is enforceable by injunction. Violations of law are enforceable by fine or imprisonment after convictions by a jury.

The right of trial by jury existed long before Magna Carta. That charter recognized its existence, and ratified and confirmed it. Prior to our Declaration of Independence, trial by jury existed in the Colonies. Even George III did not abolish trial by jury in the Colonies. The Declaration of Independence complained:

For depriving us, in many cases, of the benefits of trial by jury.

Not in all cases, but in "many cases." What happened was that the administration of George III determined that the American Colonies should pay the expense of their administration and military protection, and produce a return to the mother country. England was afraid that excise and stamp taxes would be so unpopular in the Colonies that juries would not convict. Therefore, she made a violation of those laws triable in courts of admiralty where trial by jury did not exist. In other words, resort was had to a stratagem to eliminate the right of trial by jury.

That is exactly what we have in this bill, a stratagem for the purpose of depriving citizens of the right of trial by jury. Any person guilty of the wrongs sought to be reached by this bill is, and should be, guilty of a violation of the criminal laws of the States or of the United States.

The sole purpose of the injunction authorized in this bill is to bring these violations of the law within the general rule that a jury trial shall not be had in a contempt case to which the United States is a party. That is the only reason for specific legislative authority for the institution of a civil action for injunction for the United States, or in the name of the United States.

I say that is a stratagem to avoid trial by jury just as George III resorted to a strategem to deprive the colonists of that sacred right.

This is a most dangerous precedent. Grant, if you will, that there be minority groups in the United States who need protection. Still this is not the way to give it to them. If you can circumvent our ancient institutions to protect a minority, it is much easier for a majority to persecute a minority by the same character of action. Minorities require the protection of those ancient and tried institutions. If this Congress establishes a precedent that today we can circumvent trial by jury in the supposed interest of a minority, a succeeding Congress can do the same thing to oppress them. Only by the maintenance of our constitutional processes and maintaining them inviolate can all our people be secure.

This is bad legislation. It will aggravate a situation it purports to eliminate. It permits an inquisition which can and will be used now and in the future to oppress the humble citizen. It violates the right of trial by jury. It should not be adopted. If this proposal becomes law, many will long regret that it did.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Chairman, I rise in opposition to H. R. 6127. This proposed legislation has been widely publicized as a civil-rights bill. Many people have fallen for this incorrect reference, as denoting the nature of the proposal. Many are supporting the bill in the sincere belief that it is designed for the protection and preservation of certain existing constitutional guaranties, and to afford any person who feels himself or herself aggrieved, a mode or method of insuring their free exercise of these constitutional rights. I hasten to point out to these unsuspecting individuals that such is not the case. Personally, I yield to no one in my desire to preserve and perpetuate the basic God-given rights of man and those rights and guaranties provided in the Constitution of this great United States. If this bill had such a noble purpose, it would have my full and vigorous support, as well as the support of many others who have raised their voices in opposition.

I beg those of you, who have accepted as gospel the general statements which have been made in support of this legislation, to read and read carefully each word, each sentence, each paragraph, and each section of this bill. Carefully scrutinize the phrases, the clauses, as well as the punctuation marks, so that you may fully, clearly, and distinctly understand what is being sought.

Please do this, because, in my humble opinion, the passage of this type legislation will carry this country across a political threshold and into an area from which there can be no retreat. The time has come to cast aside the heavy wine of emotionalism and to exercise our God-given thought processes with the highest degree of soberness and rationalism. Otherwise, we, in our own lifetime, may have the occasion to wonder what happened to our constitutional, as well as our God-given rights.

I first call to your attention that the bill begins by providing for the creation of a body politic that is completely foreign to, if not in violation of, the basic principles of a democratic form of government—a misnamed agency referred to in the bill as a "Commission on Civil Rights." Misnamed, I say, because this Commission of questionable political ancestry is clothed with the powers and the duties to violate civil rights. This Commission is to be composed of six members, to be appointed by the President and confirmed by the Senate. Their only qualification is that they must belong to some political party. Yet, this Commission will be vested with powers quasi-judicial, judicial, and extra judicial; and, it is provided with a license for a period of 2 years and 2 months to run rampant across the breadth and length of this Nation, its Territories and possessions, prying into the personal and business affairs of all and, especially, those unfortunate victims who may have been marked in advance for political, if not physical, destruction—a Commission so powerful that it was not considered necessary by the author of this bill to vest it with rulemaking powers. It was apparently assumed that the creation of this omnipotent body carried with it unlimited rulemaking powers for the exercise of whatever functions it might desire to undertake. Therefore, the only requirement concerning rules of the Commission seems to be that such rules shall be made available to a witness before the Commission. Please keep in mind that this Commission is granted additional powers to enforce its edicts regardless of how unreasonable or irrational those rules or regulations might be. The Chairman is clothed with the authority to determine when a person, whether he be the witness or counsel, is guilty of breaches of order, decorum, or professional ethics, and has the power to exclude individuals from the hearing at his own discretion. The Commission has the power to classify information, evidence, and testimony coming into its hands and is answerable to no one for its actions. It has the power to suppress evidence and testimony on the one hand, yet on the other it is the sole judge of the pertinency of testimony and evidence adduced at its hearings. The latter means that this Commission, composed of men who do not possess any particular qualifications, will be vested with the power to arbitrarily and capriciously demand and require any and all information concerning an individual, a group of individuals, association, partnership, corporation—municipal or private—or other entity, no matter how unrelated or remotely connected with the issue at hand such evidence or information may be. Mind you, this may be done with total disregard for the laws and the rules of evidence that have been used in our judicial system in the protection of constitutional rights for many, many years. The Commission may subpena witnesses and require their presence at any hearing to be held inside the judicial circuit of the United States, as defined in section 41 of title 28 of the United States Code, wherein the witness is found, or wherein the witness resides, or wherein the witness transact business. I beg of you to weigh carefully the meaning of this power. The act itself, in subdivision K of section 101, is cleverly drawn so as to indicate to the casual reader that the Commission is limited in its right to subpena witnesses; that it cannot subpena the witness to a hearing outside the judicial circuit in which the witness is found or in which he resides, or in which he transacts business. Let me point out that this does not mean the witness can only be called before a hearing in the judicial circuit in which he ordinarily conducts his business and in which he resides. It simply means that if he wants to protect himself so that he will be hailed before a hearing in that particular area, he must remain within the confines of his judicial district. Once he sets foot out of that district for pleasure, for business or for anything else, he is fair game for this Commission or one of its subcommittees.

The members of the Commission are to receive the sum of $50 per day, plus a per diem allowance of $12 for subsistence, or their actual expenses, and all necessary travel expenses. It has the power to employ each and every person it wants. The only limitation on this power is the control in Congress of the purse strings. If the Commission can get the Congress to appropriate $10 million they can hire people until that amount is committed. In addition, they have the right to utilize the services of voluntary and uncompensated personnel. They can pay these people their actual expenses for subsistence and travel allowance or can pay them $12 per day in lieu of subsistence, plus travel. This simply means that statutory approval is placed upon the employment of informers, stool pigeons, and professional gossip mongers. It will be remembered that it was this weapon which served Hitler so well in centralizing the power in Germany and in searching out and annihilating those who had the temerity to disagree with his infamous policies. It may also be remembered that it is this method of operation which has so well served the Communists in their rise to power. Let us ask ourselves these questions: Are we, in this country, so devoid of honesty, integrity, and ability that we must resort to the questionable tactics of totalitarianism? How can the adoption of the method of communism and facism save or perpetuate a democratic form of government? Are we so blind that we are permitting ourselves to destroy that which we cherish and hold so dear?

So very much more could be said in the nature of a warning as to what can and probably will happen should this iniquitous piece of legislation be placed upon the lawbooks of this country. But let us hope that we, our children, and our grandchildren may be spared the sad experiences that could result from such action. Let us hope and pray that the Representatives of the people of this land, elected in a true and democratic way of life, will assume and execute the responsibilities placed upon them under the Constitution and the laws of this great Nation, and will not meekly submit to the clamor of those who would destroy us; nor surrender the powers and responsibilities with which we have been entrusted to an undemocratic and totalitarianism group, vested with the powers to destroy, and with responsibility to no one, and for which there is no precedent in the history of our Nation.

Let us move on to part 2 of this proposal. We find that not only do the proponents propose to set up a new Bureau to further burden the already sorely overburdened taxpayers, but also to create more Federal employees in the Department of Justice. In fact, the bill provides for an additional Assistant Attornel General, to be appointed by the President, to receive compensation at the rate prescribed for other Assistant Attorneys General. This appears on its face to be of little consequence because of the innocence of the language. But we must not lose sight of the fact that the creation of this office is for the purpose of affording another agency inside the Justice Department to enforce transgressions upon the rights of the individual, both constitutional and God-given. We must presuppose that the Department of Justice will be before this Congress seeking vast additional appropriations with which to pay personnel to serve under this new Assistant Attorney General; personnel to aid and assist the vast army of personnel employed by the Commission in extending the tentacles of a strong central government into every bailiwick in this Nation and into the home of every American citizen, to seek out and promote unfounded litigation, to turn one section of this country against another, and to create suspicions that will pit neighbor against neighbor and brother against brother. Is anyone so naive as to think that the employees of the Commission will not be shifted over to the Justice Department, when and if the Commission ceases to exist?

Let us pay particular attention to part 3 of the act which speaks of strengthening the civil rights statutes. It is this section which denies to the individual in America, three, if not more, or his most precious rights. First, as was pointed out previously, this bill actually authorizes the promotion by Government employees of litigation between citizens. Yet, once the lawsuit is promoted, the complainant or aggrieved person, whichever you want to call it, is denied the right to proceed in his own name. He is denied the right to say whether or not he will proceed with the litigation or that he has satisfied himself he is not aggrieved and does not care to proceed further. He becomes the ward of the Federal Government, and the Attorney General of this Government

becomes his alter ego vested with the power to use him or misuse him as a pawn, as the Attorney General may desire. The loss of this right to the allegedly aggrieved person creates a situation that destroys in the defendant the most precious right every American citizen enjoys. I speak of the right of trial by jury.

Whether or not the framers of this bill were purposeful in the language used in the bill is a matter on which the minds of men may differ. Whatever might have been in the minds of those who wrote the bill, is, in my opinion, of little consequence. No matter what was intended or what may not have been intended, the language of the bill is misleading to the average or casual reader who is unversed in the intricacies of the legislative processes and in the rubrics of the law. It is my opinion that the provision in the bill authorizing the Attorney General of the United States to institute a civil action for preventive relief was intended to lead the people to believe that this was a cloak of protection being thrown around them by the great and all-powerful Federal Government. The truth is that the language contained in this bill creates a situation whereby the Attorney General of the United States may proceed with or without the consent or agreement of anyone whomsoever, against any and all persons whom he may choose, and such persons may be tried and subjected to punishment including confinement in prison, without having the right to present their side of the story to a jury in accordance with the guaranties of the Constitution. If it was not the purpose of the framers of this legislation to bring about that result, they why did they cut off the right of the individual to proceed under this act? The reason is very simple. If they permitted the individual to proceed under this act, a jury trial could not be denied the accused. In other words, the Attorney General wants the power to take that individual, whom he desires to victimize, subject him to trial before one man, and be able to send him to jail as a virtual political prisoner without being required to meet the standards of proof necessary, under the laws of this Nation and the several States, to take away the freedom of an individual.

The granting of such power would place in the hands of the Attorney General of this Nation powers far beyond those enjoyed by the highest office of this land, the President of the United States.

In conclusion, I point out that one of the most important guaranties in the Constitution is repealed by this legislation. I speak of that portion of article 5 of the Constitution which reads as follows:

> Nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb.

I say to you that if this bill becomes the law of the United States it will be possible for a man to be twice tried for the same identical offense. In one trial he can have the right of a jury to pass upon his guilt or innocence. In the other, he is denied that constitutional right. In other words, a citizen of the United States of America could be sent to jail at the discretion of a Federal Judge for the same identical offense of which he had been previously acquitted by a jury of his peers. In fact, he could be acquitted by a jury of his peers in the morning, yet be tried for the same, identical offense that afternoon, and be sent to jail by the same judge who presided over the trial at which he was acquitted.

I challenge the proponents of this legislation, or anyone else, to deny that such result could occur.

This proposed legislation is, in my opinion, the most dangerous proposal that has been brought before the Congress. Its destructive potentialities cannot and must not be underestimated if the United States of America, as a sovereign Nation dedicated to the democratic principles of its own Constitution, is to survive. To surrender to the philosophies underwritten by this bill is to yield to the principles of totalitarianism without a fight.

I cannot urge you too strongly to act with the greatest caution. Do with your own lives as you please, but do not shackle and burden the bodies and lives of future generations with political chains that, to remove, may well require bloodshed.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. PORTER].

Mr. PORTER. Mr. Chairman, an observant and painstaking man wrote a book entitled "An American Dilemma" in 1944. The documentation presented then by Gunnar Myrdal stands today. And our American dilemma stands with us.

The United States which would have all nations equal—and condemns suffering and inequality in other lands, has not resolved its own dilemma.

I find it hard to answer the friend from another nation when he asks me why my country has so long dragged its feet on this issue of civil rights. There is a great gap between our ideals and realizations. It is an unnecessary gap.

We say one thing. We live by another.

Recently I was proud to join with 82 of my Democratic colleagues in a joint statement in which we pledged all-out support for the civil rights bill, H. R. 5127. I repeat our statement that it is obvious Democrats alone cannot pass any civil-rights legislation, and, indeed, it should not be Democrats alone.

Bipartisan support from all corners of this land should rally in support of this minimum piece of legislation. Crippling amendments must not be allowed to kill what is before us.

Obviously civil rights apply throughout the Nation, not just in one sector. Regardless of race, color, creed, or national origin, democracy and its blessings belong to every American. I offer these comments not as meaningless platitudes, but as allegedly true statements which, until now, have not been true. It is high time that we interpret democracy in its true meaning.

Nearly 100 years ago Abraham Lincoln said "let us have faith that right makes might; and in that faith let us to the end, dare to do our duty as we understand it." Lincoln's words point up our quandary. What is "duty as we understand it"?

I believe duty first means equal justice for all under the laws of our land. It is the long overdue duty of Congress to insure equal justice.

Long before Lincoln spoke a man named Thomas Jefferson drafted a document we know as the Declaration of Independence. Jefferson wrote, in part, "that all men are created equal and independent, that from that equal creation they derive rights inherent and inalienable, among which are the preservation of life, and liberty, and the pursuit of happiness."

It is high time, I think, for us to remember we live in a world that is three-quarter colored, that we are the minority, and that, indeed, it sounds fantastic to our friends abroad when they hear of our reticence to grant equality to the majority we insist on terming the minority. Our moral leadership in the world can rise no higher than our moral accomplishments at home. The American dilemma is before us. We cannot solve it by this legislation, but we can take a long stride in the right direction.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Chairman, I rise in opposition to the civil rights bill, H. R. 5127.

In the first place I am opposed to the creation of the Civil Rights Commission that the bill attempts to set up.

In the second place I am opposed to the appointment of an additional Assistant Attorney General to head up a Civil Rights Division in the Department of Justice.

In the third place I am opposed to the broad grant of powers with which this bill attempts to invest the Attorney General.

In the fourth place I am opposed to the manner in which this bill overlooks, or slights, or fails to recognize the rights of the States.

In the fifth place I am opposed to the manner in which this bill deprives the citizen of his right to trial by jury in contempt cases.

There are many other legitimate objections which I could recite to this bill. However, I have indicated, I believe, to a sufficient degree the shortcomings of this so-called civil-rights bill. So, I shall return now to the objections I have listed and discuss them as best I may in the limited time at my disposal.

Let us see about this Civil Rights Commission. As I approach this subject, I must say that the field of civil rights has been worked recently about all it will stand.

A Commission on Civil Rights would open the floodgates, and encourage disgruntled persons, and professional civil rights organizations like the NAACP to pour out an unending stream of allegations of civil-rights violations. These allegations would be heard by the Commission. They would be publicized and

played up by those who had axes to grind.

What would these allegations of civil-rights violations cover? The bill says in section 104 that:

> The Commission shall (1) investigate allegations that certain citizens of the United States are being deprived of their right to vote by reason of their color, race, religion, or national origin.

What would be the substance of the allegations that the Commission would hear? History indicates that most of the allegations would be without basis of fact. Thirteen thousand civil-rights complaints in 1947 netted 4 convictions. In 1940, only 12 prosecutions were recommended out of 8,000 civil-rights complaints.

By the same token, why should we create a civil-rights division in the Department of Justice, and appoint another Assistant Attorney General to head up the division? I ask the members of this House whether or not the civil-rights violations in this country are so much worse than any other existing category of violations as to warrant the creation of this new division?

And, then, may I ask why should the Attorney General be given the broad grant of new powers outlined in this bill? As I understand it, the United States Attorney General would be authorized to bring a lawsuit and obtain an injunction against a citizen, if complaints were made to the Attorney General that a particular citizen was "about to engage in acts" that would violate existing law. The complaining person would not be required to use the State courts, but could go directly to the Attorney General or his assistants, and thence into the Federal courts.

Further, the bill would give the Attorney General of the United States the right to bring a lawsuit against anyone for "being about to interfere with the right to vote of another."

Furthermore these lawsuits would be brought in the name of the United States. Therefore, any charge that a citizen was in contempt of court for failure to lawfully comply with an order of the court in one of these cases would be tried before the court without a jury.

Now, about the bill as a whole, my feeling is that the bill and the machinery it sets up will serve as a sounding-board for agitators, however well intentioned, and the result of the bill will be greater difficulty in coming to and maintaining a state of harmony and good relations, so much to be desired by both races.

No two races have ever lived together in such close harmony and understanding, and mutual respect, as have the white and colored races of the South in recent years. While the pattern of southern living has been segregated, there has nevertheless been mutual understanding of and respect for the problems of each race on the part of the other. There have been enough people of both races desirous of mutual goodwill that the problems which arose could be, and were, settled in an amicable and friendly fashion.

Now, all this agitation of the race problem in the South has been largely carried on by people who do not understand the problem, or by people who want to exploit the problem for every possible selfish advantage. Now, unfortunately, the day has come throughout the Southland, when there is a growing distrust, a growing feeling of agitation, and a lack of harmony and good neighborliness in the daily relationships between the races. The NAACP seems to have taken upon itself, and I might say from all outward appearances seems gladly to have assumed, the burden, and the responsibility of keeping the issues stirred throughout the South, and throughout the country. The result has been that the art of good relationships between the races in the South has in the opinion of many been set back for at least a generation.

Recent events in the South, in altogether too many instances, have as between the white and colored races resulted in distrust where there was once trust; confusion where there was once harmony; bitterness where there was once friendship; misunderstanding where there was once mutual respect.

These are the things which I worry about in connection with this bill. One-third of the people of Alabama are colored.

I want to see both the white and colored races make progress, in my State, and throughout the country. I know they cannot make progress under this bill. I know it is a bad bill. I hate to see the majority of this House attempt to foist it on people who do not want it, and on people whom it will do no good, on people who cannot possibly benefit by it.

Of course, I hope the House will not pass the bill. If it does pass it, I trust that it will do so only after it has been greatly improved by the amendments which will be offered tomorrow and the next day. I hope the amendment guaranteeing the jury trial will be adopted.

As a lawyer, I know that juries are human, and fallible, but, Mr. Chairman, I have great respect for their integrity and sound judgment overall. I would be for a jury in almost any situation where facts must be investigated into. Had I been in Congress when the Norris-La Guardia bill was before the House I would have voted for it, and would have voted for the provisions which extended the benefits of a jury trial to laboring people who were charged with violating injunctions in labor dispute cases. I am not afraid of jury trials. I know that when dictators have sought to arrogate unto themselves absolute power one of their first acts has been to usurp, abolish, or destroy the jury system of their country.

Mr. Chairman, I resent the implication that southern juries will not convict in proper cases. I wish that time permitted me to draw on my own experience as a lawyer to cite specific cases where juries have rendered just verdicts in cases involving disputes between members of the separate races. Southern juries are just as fine, just as honorable, just as honest, just as sincere, just as able as are to be found anywhere in the United States.

When I appeal to you to grant jury trials in these injunction cases, I appeal to you not as a southerner, not as a partisan in the political field, not as a partisan in the field of civil-rights legislation, but instead I appeal to you as an American. Let us not say to the world that we do not trust the jury system, or any of the people that make up the jury system. Let us realize that one of the greatest civil rights of all Americans, whether white or colored, is the right to be tried by a jury.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from South Carolina [Mr. RILEY].

Mr. RILEY. Mr. Chairman, I am opposed to this bill because I believe it to be an assault upon the inherent rights of the individual. I believe it to be a restriction of civil rights rather than an extension of such rights. The legal objections to this bill have been well covered both in the minority report and on the floor by those of the legal profession, but I wish to emphasize some of my reactions as a layman.

In the first place, the bill is unnecessary. Adequate remedies already exist both in the Federal statutes and in those of most of the States. Negroes vote freely in my State and I know of no recent incident wherein any member of that race has been denied this right. As a matter of fact, the principal difficulty that the NAACP and other agitators, that come into my State have, is in getting them to register, and to vote after they register. Acting on our own initiative, we have made much progress in the improvement of relations between the races. If left alone, this progress will continue. Race relations are improved only by mutual cooperation and understanding. This bill will drive a wedge between the races so as to make such cooperation and understanding virtually impossible.

Of course, as everyone knows, this bill is politically inspired. It is designed to capture the Negro vote in the metropolitan centers of the North. If enacted, and I realize that only a miracle can stop it, additional proof of this will come with the propaganda from the headquarters of both major parties, supercharged with claims of credit for its passage.

This bill will give aid and comfort only to those who seem to believe that the 10th amendment was repealed by the 14th. Every new assault upon the rights of the States seems to sail under the banner of the 14th amendment, the scope of which is ever being increased by the legislative decisions of the Supreme Court. Today we are witnessing, in this body, another step in the emasculation of our Constitution, led this time by the President and his Attorney General, and backed by the assurance that such will be upheld by the Supreme Court. It is heartbreaking, indeed, to see these high officials not only condone, but affirmatively demand, that which is so foreign to any but a totalitarian form of government.

The Civil Rights Commission created in the bill purports to have a life of only 2 years, but I hope that that deceives no one. It is the old foot-in-the-door technique with which we are all familiar. Once enacted we will be swamped with bills providing for its extension and for the enlargement of its powers. And I must add that I have never heard of creating a commission to investigate conditions to recommend legislation, and in the same bill propose legislation along the lines which the commission is supposed to investigate.

The recently added requirement that allegations made to the Commission must be in writing and under oath is an improvement, but it still does not require the consent of the party allegedly injured and apparently may be done over his objection. This is certainly depriving an individual of his basic right—the right of a free American to decide his own course; the right guaranteed him under the Constitution. The same is true of the civil action for injunctive relief which the Attorney General, under parts III and IV, may seek in the name of the United States but in reality in behalf of one individual against another individual, bypassing all administrative or other remedies available to the injured party. I do not believe that this has any precedent in Anglo-Saxon jurisprudence.

The power given the Attorney General by parts III and IV are to be enforced by a staff of unknown size under the direction of a new Assistant Attorney General provided for in part II. This staff, plus that of the Commission, will comprise a new Federal Gestapo unlike anything this country has ever known. The concentration of power in the hands of a few is always dangerous. The concentration of power in one man is even more so although that individual may be of a fair mind. In the hands of a politically minded Attorney General, the dangers are overwhelming.

This bill strikes at the very heart of the 6th amendment which is our guaranty of trial by jury. Its proponents are too clever to make a direct or general assault upon that amendment and too timid to propose its repeal. Instead, they attempt to come in through the back door with a new approach which will circumvent this precious constitutional right. Unfortunately, we can expect no help or recognition of this fact from the present Supreme Court.

Much has been said to the effect that this injunctive process is not new and that some twenty-odd statutes now authorize the Government to seek injunctions in cases wherein the acts sought to be enjoined are also crimes. As questionable as this procedure is, it must be pointed out that it has never been extended to cases involving alleged wrongs by individuals against individuals, but has been restricted to the regulation of business activities or Government contracts—activities falling generally within the commerce clause of the Constitution. None of the activities which may be enjoined under present law necessarily involve moral turpitude, whereas this is very definitely involved in a charge that an individual has deprived another of his rights. It was held by the Supreme Court in the case of *Callan* v. *Wilson* (127 U. S. 540) that a conspiracy to invade the rights of another is a grave offense which must be tried by a jury. The conspiracy, charged there, was to prevent an individual from earning a livelihood.

I fail to see how those of you who are lawyers can go back to your homes, face your fellow members of the bar, and tell them that you voted to deny to fellow Americans the right of trial by jury. But evidently you can. While you are boasting to them of substituting the injunction for the jury, be sure to tell them that, while the Department of Justice has not been able to deport Harry Bridges because the Supreme Court has wrapped him in the Constitution, you have given that Department the power to ignore the Constitution in proceedings against my people, most of whom are descendants of our Founding Fathers and who have answered the call to arms by this country in every case save one. Nearly a century later you are still exacting your pound of flesh for that war.

If this injunction is a new panacea to prevent all evil, why was the right to vote honored by its creators? Is this more important than the right to life, freedom of speech, freedom of religion, or the right of a trial by jury? If this method can prevent wrong in one case, presumably it can in another. Apparently we are on the threshhold of a new discovery which will make murder, rape, burglary, and robbery things of the past. All we have to do, we are told, is to substitute the injunction for the trial by jury.

My answer is simply this: Take care that you are not hanged by your own noose. The problems of human relations are not solved by depriving one element of our people of their constitutional rights. All the laws enacted will not improve such relations one iota. They may temporarily win a few votes. But such laws will destroy the foundations of the greatest government mankind has ever devised.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Chairman, this bill is the only legislation considered by this body since I became a Member five years ago for which absolutely no need is shown. No evidence, in committee or in general debate, has been offered to show that the welfare of our country requires its passage. Rather is it shown by a careful reading of the committee hearings, and from the debate of three days here in the House, that this bill is brought for political reasons only. Moreover, it is obvious that the proponents of the legislation are so bent on reaping political gain they are blind to the consequences of lodging such power as the bill proposes in one man—an Attorney General. Furthermore there is callous disregard for the rights of States and their chosen officials as well as a complete lack of respect for the 10th amendment to the Constitution of the United States.

Distinguished lawyers in this body, and many who are not members of the legal profession, have pointed out weakness after weakness and danger after danger in this bill yet those who support it charge on with reckless abandon toward the destruction of the very foundation of this Government, the rights of our States to manage local and State affairs. But, despite these legal analyses of many able attorneys, who are members of the Committee on the Judiciary, pointing out the inherent dangers, and notwithstanding the warnings of history against the substitution of government by man for a government by laws, and regardless of the unmet challenge to show a single instance supporting the need for this bill, supporters turn a deaf ear to reason and join the clamorous music of political emotions.

Time after time, from member after member, I have heard for the three days of this debate the challenge to show one single instance of a person being denied the right to vote by reason of his color and no one has answered. Through page after page of testimony I have sought one single reference establishing that one has been denied the right to vote because of his color and I have seen no such statement.

On the other hand what are the facts? From all States of the South, the section at which this bill is aimed, there is abundant evidence to support the fact that the Negro is being protected in his right to vote. The gentleman from Georgia [Mr. DAVIS], pointed out earlier some of the results of a recent election in Atlanta, Ga., for mayor and councilmen. Seventy-six percent of the registered Negro voters voted in that city election while only 36 percent of the registered white voters voted. Moreover in that same election a Negro candidate contested for councilman from 1 ward against 2 white candidates and a runover between 1 white candidate and the Negro was required. In that runover the Negro received more than 22,000 votes out of approximately 53,000 total votes cast. Does that evidence any denial of the right to vote?

Furthermore no poll tax is required for registration. Throughout our great State of Georgia the registration laws are universally applied to white and Negro alike. In my own district in north Georgia, records show that the majority of the Negroes eligible to register for voting purposes are registered and in all elections more than 50 percent of those registered come to the polls and vote.

So, while we who oppose this effort to further usurp State powers and responsibilities cite facts and figures to prove the absence of any need whatsoever for this legislation, those who support it continue to ignore the challenge to offer one instance proving the presence of need. And, while we appeal only to reason in our effort to preserve the integrity of our States, supporters of this iniquitous bill succumb to political emotion and clamour and march blindly ahead into certain trouble, and, I fear, disaster.

This is no time to point the accusing finger at any section of our great country. Certainly that is true when not a single evident fact is advanced to attest to the accusation. This is a time rather to truthfully appraise the progress we in the great Southland have made, noting as we appraise that

throughout our history the only obstacles to true harmony and respect between whites and Negroes in the South have been the legal obstacles thrown up by unwise legislation from Congress, and unsupported, unwarranted, and un-American decisions by an injudicious Supreme Court.

I shall not burden the committee with repetitious statements addressed specifically to the legal aspects of this bill except to say that I concur especially in all that the gentleman from Louisiana [Mr. WILLIS], and the gentleman from Virginia [Mr. POFF], have so ably said. No lawyer can study those arguments and not be profoundly moved and no laymen can hear or read the same without entertaining profound fear of the consequences of such legislation.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Chairman, the basic issue before the House today involves the blood stream of America.

The question to be decided is whether we continue this Nation as a United States of America composed of 48 sovereign States, or do we surrender to complete, absolute, Federal bureaucracy?

Is the Constitution of the United States to become the weapon of our own destruction or will it continue to be the cornerstone of the form of government that has withstood the test of time, the trials and tribulations of a growing nation, the onslaught of wars, and the tragedy of depressions?

Are we to continue as the shining hope of mankind, or are we to fade into the twilight of mediocrity?

We have before us today a bill spawned in the nest of politics, and dedicated to the proposition that all men and women have one valuable asset that must be obtained at all costs—their votes.

Here we have a bill which establishes a "Federal snooping commission" to investigate the allegations that certain citizens of the United States are being deprived of their right to vote by reason of their color, race, religion, or national origin.

In addition, the Commission would "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution, and appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution."

But having established the Commission to determine whether or not citizens have been deprived of their right to vote, the bill then proceeds to beg the question by amending existing law so as to give the Attorney General the right to bring a civil action in the name of the United States for preventive relief, including injunctions, restraining orders, or any other orders that may be necessary, even before any proof has been offered or established that individuals have been denied the right to vote.

And to do this we must create a new Assistant Attorney General, together with an unknown number of assistants.

In other words, we are being asked to meekly acquiesce in the assumption that the States of the United States of America do not have the competency, or the desire to protect their own citizens. It must be done under the all-seeing eye of a Federal appointee who may proceed "without regard to whether the party aggrieved shall have exhausted any administrative or any other remedies that may be provided by law."

Never before has this body been called upon to make a decision so far reaching in its effects.

Do you suppose for 1 moment that this will be the end of Federal infiltration into the reserved powers of the States?

Can you not see that this is the beginning of the end for State governments as we know them?

Can you not see that as a result of passing legislation of this nature the next step will be a commission to pass upon the qualifications of any individual to hold a Federal office?

Can you not see that this bill destroys once and for all the concept that an American citizen is not only a citizen of the United States, but of the State in which he resides?

Do you believe for 1 moment that this Commission will go out of existence after a period of 2 years has passed? Can anyone in this House be so naive as to believe that this Commission is a temporary thing to do its work in 2 years and then disappear from the scene?

Stop and think what you are doing.

You are giving a commission the authority to sit as a roving Federal grand jury to investigate allegations in writing under oath that citizens of the United States are being deprived of their right to vote by reason of their color, religion, race, or national origin.

Henceforth, no board of elections, no county clerk, no county officer or State official connected in any way with the voting process will be safe from the wild, unsubstantiated charges of discrimination. If the election board fails to register an individual for any number of valid reasons, it will be subject to subpena by the Commission to answer imaginary charges that an individual has been deprived of his right to vote by reason of his color, his race, his religion, or his national origin.

For at least the next 2 years and probably for the indefinite future, every registrar of voters in each State of the Union will be exposed to the possibility of being subpenaed before the Commission to answer charges perpetrated by every half-baked, rabble-rousing, so-called minority organization in the United States.

How stupid can we be. How ridiculous can we get.

Now the Commission is also going to study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

What do the words "legal developments constituting a denial of equal protection of the laws under the Constitution" mean?

Why, obviously, since there is no definition in the bill, those words will mean whatever the Commission wants them to mean. It means that the Commission will have the authority to investigate every State law on the statute books that deals with man's relationship with man. It means an investigation of the marriage and divorce laws; an investigation into the laws of personal property, and the laws of real property.

You can rest assured that the Commission will, at its first opportunity, investigate and report on the State laws prohibiting miscegenation, for there can be no doubt that the Commission will take advantage of each unrestricted word in this bill to break down every aspect of separateness in America, regardless of its justification, on the theory that this bill is a legislative mandate that all men and women must hereafter conform to a common mold.

It matters not what the customs of the community have been for the last 300 years. It matters not what the American people have understood to be their rights, privileges, immunities, responsibilities, and limitations under the Constitution and under the State governments, in the past.

This Commission, and mark my words well, is being given the authority to rewrite the Constitution of the United States. For behind the Commission stands the big club—the all-knowing, all-powerful Attorney General of the United States, who will now be able to proceed against every individual in the United States against whom a charge has been levied without worrying as to whether or not a criminal charge can be proved.

Do you suppose for one moment that the Commission will confine its meddling to interim reports to the President?

No, my friends, this Commission will become the tool of the Attorney General—the saboteurs of American social insitutions as we know them—and the purveyors of gossip, rumor, and half-truths.

And the information will be used by the Attorney General through the plenary powers that are given to him in other portions of the bill.

No public official who has any connection with voting shall henceforth be safe in the exercise of his statutory duties, for under the terms of this bill he may be enjoined from exercising even a statutory requirement if, in the opinion of one man, a Federal appointee, his action amounts to an attempt to intimidate, threaten, coerce, or interfere with an individual seeking to exercise the right of ballot. Every State law setting up the qualifications for voting for Federal office holders will hereafter be subject to complete Federal review on the basis of the slightest allegation of intimidation, coercion, or interference, regardless of how or why these qualifications were established.

If a policeman attempts to prevent a drunkard from entering a voting booth, he must be ready to spend endless days in a Federal court answering a charge of interfering with a voter because of his race, color, religion, or national origin.

If an employer and his foreman do not give their employees a whole day off in order to vote, they may well find themselves before a Federal court, answering a charge of conspiring to prevent, by intimidation, an employee from "giving his support or advocacy" of a candidate for Federal office. For under the terms of this bill, the Attorney General will bring the action in the name of the United States. And the Attorney General will have unlimited funds, unlimited attorneys, and unlimited power.

But, my friends, the most significant part of this bill—the most dangerous aspect of this proposed legislation—the most fantastic sacrifice that we are being asked to make in exchange for this imaginary cure to an imaginary ill—is the surrender of the hearthstone of democracy, trial by jury.

Bear in mind that convictions for violations of court decrees will be obtained before a Federal judge through civil proceedings, and since the United States will be a party of the proceedings instituted by the Attorney General, trial by jury will be eliminated.

In their zest to protect the so-called minorities, the proponents of this legislation would destroy a statutory guarantee of trial by jury.

The proponents of this legislation will not even agree to give elected State officials the same guarantee of trial by jury that is afforded labor leaders. The reason is not difficult to find.

The Attorney General of the United States summarized the situation succinctly, even though he may not have so intended. When appearing before the Judiciary Committee, this is what the Attorney General said:

> Enactment of these proposed civil remedies would not enlarge or in any way clash with the constitutional limitations on the Federal Government to act in this field. It would rather permit the Federal Government to take civil remedial action instead of having to depend solely upon criminal procedures.

And then comes the true analysis of the situation, and I quote the Attorney General:

> In many case, I am convinced it would make the difference between success and failure in meaningful protection of the civil rights of our citizens.

What the Attorney General means is that he cannot prove criminal cases but before the right Federal judge in a contempt proceedings, convictions will be much easier. In fact, they will be almost guaranteed.

Mr. Chairman, I cannot believe, I refuse to believe, that the proponents of this legislation have any true concept of what they here propose.

They are seeking to eliminate what they have been told is a wrong to certain citizens of the United States.

They have not even established the fact of the "wrong."

Who appeared before the Judiciary Committee and testified as to an actual incident in which he was deprived of his right to vote?

Did anyone come before the Committee and state that he attempted to vote on a certain day and was denied the right to vote?

Did anyone come before the Committee and testify that he attempted to register and that a registrar denied him that privilege?

Did anyone name names? No.

But there were many wild charges by the National Association for the Advancement of Colored People and other organizations who would reduce us all to a common level.

I have long ago learned to mistrust do-gooders who profit by the chaos and turmoil they engender.

Mr. Chairman, the issue today is more basic than the efforts on the part of some to subjugate the South; the issue is more basic than amendments to the United States Code. The issue is our form of government—whether it shall perish or continue in future glory as it has in the past.

What we are considering here today constitutes, in my opinion, the most serious threat to constitutional government that has ever been before the House.

The Constitution of the United States, in the 10th amendment, provides that:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

Mr. Justice Brandeis in the case of Erie Railroad versus Tomkins, said:

> There stands, as a perpetual protest against its repetition, the Constitution of the United States, which recognizes and preserves the autonomy and independence of the State, independence in their legislative and independence in their judicial departments. Supervision over either the legislative or the judicial action of the States is in no case permissible except as to matters by the Constitution specifically authorized or delegated to the United States. Any interference with either, except as thus permitted, is an invasion of the authority of the States, and, to that extent, a denial of its independence.

Well, Mr. Chairman, we have seen the independence of these sovereign States of America invaded by the Supreme Court of the United States in its efforts to remold the Constitution.

The Supreme Court has recently engaged in what I consider to be an unwarranted invasion of the prerogatives of the legislative branch of the Government. I am firmly convinced, and have so stated, that this action by the Supreme Court of the United States was unjustified, illegal, and unwarranted, but I have enough confidence in the people of the United States to believe that the will of the people in the long run will prevail.

To paraphrase a recent decision of the Supreme Court of the State of Florida:

> Whatever one's ideology may be, whether one is a strong defender of State sovereignty, or an equally fervent advocate of centralized government, I think the great majority of persons would agree that if the death knell of this fundamental principle of Jeffersonian democracy is to be tolled, the bells should be rung by the peoples themselves as the Constitution contemplates.

Thus, I do not believe the American people want this Federal Commission snooping and spying into practically every phase of American life. I don't believe they will tolerate an uncontrollable Federal grand jury, supposedly limited to a life of 2 years. And as soon as the American people realize the magnitude of the powers given to this Commission and to the Attorney General under the provisions of this bill, you will hear from them.

I am growing tired of these constant references to the oppressed minorities in these United States. I am speaking now for the oppressed majority—the men and women of this Nation who have made the Nation what it is today.

The men and women who, when they fully understand the issues involved in this proposed legislation, will rise in their wrath to strike it down.

I will not be a party to a proposition that would abolish the social and economic diversification of this Nation.

I will not subscribe to the assumption that the 48 sovereign States of these United States are incompetent, and indolent, in their protection of those who desire to exercise the privilege of the free ballot.

I will not be a party to proposed legislation that seeks to impose by criminal sanctions, a philosophy of equality that does not, in fact, and can not, in fact, exist.

I will not be a party to legislation that not only encourages, but will seek the statutory blessings of the Federal Government with regard to the marriage of white with blacks.

I will not be a party to legislation that destroys the pride of race, be it white, black, red, or yellow.

I will not be stampeded by organizations who pretent to represent minority groups.

I know my people, white and black, and they do not want this legislation.

I believe firmly that my people are no different than the people in the West, the East, and the North, all of whom are proud of their own national origin, proud of their own race, proud of their own religion, and proud of their own color.

I will not be a party to legislation that will destroy that pride and will cast a cloud upon their heritage.

I will not be a party to legislation that seeks to debase the sacredness of religion for political advantage.

I will not be a party to a proposition that laughs at tradition; scoffs at custom, and makes a mockery of the ways of life that have made this Nation what it is today.

I will not be a party to mongrelization by legislation.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr. GRANT].

Mr. GRANT. Mr. Chairman, let me at the outset pay my respects to and to state what a debt of gratitude the people of my section and the lovers of constitutional government all over this Nation owe to the members of the Judiciary Committee who fought so valiantly and successfully to delete so many punitive and harsh terms from this bill.

Although the bill was brought to the committee from a subcommittee recommending that it be passed as written, those men that we owe a debt of gratitude began a careful and considerate analysis of the bill with the determination that if it could not be defeated that they would eliminate just as much of the undesirable sections as possible. In the opening

statement of the minority report to this bill, these men said:

Beginning in 1861 and continuing through almost half of the year 1865, one of the greatest of all wars was fought upon our soil. Brother was arrayed against brother, and thousands of our finest young men, both Federal and Confederate, offered up their lives for principles that they believed in. The value of those men has never been surpassed, and probably never equaled.

Let me upon this occasion say to these men and those who voted against favorably reporting this bill, if I may somewhat paraphrase what they have said about another generation. You, too, have shown your value to the people of this country in your noble legislative fight to save constitutional government for our nation.

No legislative committee has ever been called upon to consider a more vicious and vindictive piece of legislation. It is bad enough now but the Judiciary Committee eliminated many most undesirable features. And the irony of it all is that the proponents of this monstrosity have the nerve to stand upon this floor and say, "Take your medicine, much of the ill has been eliminated; we are now bringing you a moderate bill."

For the past week, Members have been receiving propaganda from leftwing organizations demanding that there be no changes on the floor. Crippling amendments they call any amendment offered. I do not want to cripple the bill; I want to kill it outright—kill it as dead as a dodo.

The members of the committee, in their working over of this bill, definitely improved it in that a new section requiring the Commission in its hearings to observe the same rules of procedure which govern Congressional committees was added and the bill was amended to require complaints filed before the Commission to be in writing, under oath, and specific in content. The committee also removed the section which empowered the investigation of complaints of unwarranted economic pressure and authority to study economic and social developments. This section, of course, had nothing to do with civil rights and was a FEPC section under another name.

The committee did a good thing when they removed from the bill the section authorizing the Attorney General to bring a suit for damages on behalf of one private citizen against another. There is no precedent in law for such action when the damages arise out of a tort or a personal grievance. Time does not allow me to explain all of the bad things that they were able to eliminate from the bill, but the Members of this House who are only considering the bill as it came to the House should read the bill as it came from the subcommittee and see just what the proponents of this harmful legislation wanted to do.

I realize that this House is going to pass some kind of a bill. The proponents of this legislation must have something to shout about. I trust that none of the supporters will fall out among themselves as to who is to get the credit or who is doing the most for the Negro race as was done by two active supporters several years ago when the charge was made on the floor by one that the other was so active because he wanted to run for a higher office in his State. I am sure that none of the supporters of the present bill are playing politics.

Amendments will be offered by me or someone from the Judiciary Committee to strike or clarify certain sections of this bill. The leading one is to insert a provision guaranteeing to a defendant the right of trial by jury. Much argument is being used here by the proponents of this bill that this should not be done. Some lawyers seem to be in disagreement as to whether the right of jury trial in contempt cases under the National Labor Relations Act and other Federal statutes has been repealed. The advocates of this legislation point to certain laws that have provisions for enforcement through injunctions obtained by the Federal Government. However, I believe that you will find that the injunctions were a device designed to be used as a special remedy which could be made available in courts of equity to enforce civil or private rights between individuals. No such relationships exist between the Government and the people in the enforcement of laws based on such private civil rights. Regardless of arguments to the contrary, the enforcement of Federal laws against the people is criminal law and by what other names it may be called, it is pure and simple criminal prosecution for refusal to obey the laws.

Without entering further into the technical and legal aspects of this question, let me say we are not here called upon to make a decision as to just what implication is to be or should be placed upon some prior legislation. The issue is plain and short. Do not confuse it; you will be called upon to cast your vote upon the question as to whether you approve or disapprove of trial by jury to a defendant brought before the court under this legislation. There is no middle ground. You are either for jury trial or against the right of trial by jury.

The Congress in 1914 passed the Clayton Act which provided for jury trials in contempt cases, and may I say that the author of this act was none other than the chairman of the Judiciary Committee, Henry D. Clayton, of Alabama, who later served with distinction for many years as district Federal judge in my district.

Why is there such an objection here to the right of trial by jury? What is more sacred, personal rights or property rights? The Federal Constitution provides that—

In suits at common law where the value in controversy shall exceed $20, the right of trial by jury shall be preserved.

So by this legislation a person who is sued in a civil action for $20.01 is given greater protection than in a contempt case where his freedom and rights can be taken from him and he be sent to jail. A person accused of stealing one penny has the right of trial by jury, yet a person whose sentence would be many, many times greater under this legislation has no such right. You can stand here and argue until doomsday but you are not going to convince the people of America that there is any substitute for trial by jury. I never thought that I would sit upon this floor and hear such arguments as have been made against jury trials. The reason given by one of the proponents of this legislation, and please listen at this, are: First, "Time is the essence" and second, "A jury trial challenges the integrity of our courts across the Nation." Those are his words. Ponder these words. In the name of justice and liberty what are you here trying to do?

This legislation gives the district courts jurisdiction of proceedings instituted pursuant to it and stipulates that it shall exercise the same without regard to whether the party aggrieved shall have exhausted other remedies. It simply means that the Federal courts are given the right to bypass the State courts. This means that the Attorney General, through the district attorney, may if he so desires, meddle in the elections in your State. Just another gadget for Washington to take over in all the States. This is dangerous legislation. It should be opposed by all Americans regardless of race. This has far-reaching implications and should be amended.

If there is anyone who should be here clamoring for the right of trial by jury, it is those that the proponents of this bill claim it is enacted for. I am surprised that in your zeal you have gone so far as to create something that would destroy that which you claim you want to preserve, namely, protection of a minority race.

There are other amendments that will be offered in order to perfect as much as possible a bad bill. You know as well as I do that all the trouble in the South at the present time stems from the school-integration decision of the Supreme Court. Few of you would stand upon this floor and defend that decision. You know that it was legislation by a Court that the decision was not based upon law. This Congress would never have passed such legislation. You who give lipservice to States rights now have an opportunity to defend these rights. You violate States rights by the adoption of this legislation and in fact nullify the 10th article of the Constitution which provides in unmistakable terms, "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Oh yes, many talk about the other nine articles which deal with the rights of the people but you forget the 10th which deals with the powers of the Federal Government.

Let us defeat this legislation. Whatever might be the purpose of its sponsors it can do no one good and can in the end do irreparable damage to those who you claim you seek to help. Strife and ill will will follow in its wake. If it is your wish, if it is your desire to foment trouble and strife in the South, to retard its industrial and economic development you are on the right track, for it will certainly do it.

Where is the demand for this legislation? If you are serious, if you are sincere and really want to help the Negro in the South, help us improve his economic status. When he asks for bread do not give him a stone. He cannot eat social equality. How many of you whose hearts bleed so here today for the southern Negro have ever tried to do anything about helping him as a tenant, sharecropper, or small landowner better his situation. We of the South ask you to help us. We do not claim there is no problem. It was being solved by men of good will of both races until ill-advised so-called leaders from other sections came in. They have done irreparable harm to the cause of the advancement of the Negro race.

Yes, our problems are many and we have been solving them through better schools, better jobs, better housing, and better economic conditions. No section of this Nation or any people have made more and better progress in the past 10 years than the Negroes in the South. Some of you seem to think that you can, by social legislation, raise the standing of the Negro. You and your phony racial ideas. The great majority of the Negroes are not interested in social equality. They do not want conditions as some of the so-called leaders and troublemakers in the North contend. They want to be the best Negroes possible, give their children an opportunity for a schooling, an opportunity to earn a good living, adequate housing, and employment. The great majority of the people of the South want them to have these things. Mark my word, such legislation as this is not going to help the Negro. Our future economic development and prosperity is tied with the Negro race. Neither race is going to advance unless the other does.

You who today think that you are punishing the South may wake up on a somewhat not too distant tomorrow and find that your liberties have been taken from you. This is only the start. Set up this Commission and for the next 2 years you will have a multiplicity of suggestions for legislation and in all probability legislation to make a permanent commission.

Several times during this debate argument has been made against the American jury system because two defendants who were tried for dynamiting were freed by a jury in Montgomery, Ala., and also to the fact that the NAACP was fined $100,000 by a judge in Montgomery because they refused to turn over its membership list. The only thing I can see from this argument is that you believe the defendants in one case should have been tried by a judge instead of a jury and in the NAACP case there should have been a jury trial instead of it being tried by the judge.

The NAACP was originally given a much smaller fine and only upon continued and persistent refusal to obey the Court order was it increased. The NAACP should be as subject to the laws the same as white organizations, whether it be the White Citizens' Council, KKK, or any other. No organization in Alabama is going to be a law unto themselves.

I hold no brief for law violation regardless of whether it be by white people or the NAACP. I do not approve of violence and the people of my district do not approve of it regardless of why the violence might be committed or whom it might be committed against. Make no mistake about that.

Before all this agitation started race relations in Montgomery were as harmonious as any place in the world. Whites and Negroes worked together in peace and harmony. There was nothing for the betterment of the Negroes of the city that the great majority of the white people were not interested in. Montgomery has been known far and wide as a city of friendship and neighborliness where the people of both races lived in harmony and mutual respect. Tens of thousands of young men of this Nation have trained at Maxwell and Gunter Fields. Ask them what they think of Montgomery. The people of Montgomery need no defense at my hands but I am not going to let go unchallenged these statements that justice does not prevail there. None of these things would have ever developed if it had not been for the fact that some of these modern-day carpetbaggers and agitators came to town intent upon stirring up strife and turmoil.

Law and order does function in Montgomery. Arrests were made, several defendants were indicted by a grand jury and two of them were duly tried. A jury of good and tried men said that the State did not convince them beyond a reasonable doubt that the defendants were guilty. Who are we to say that they were. There are yet others to be tried. I want to say that defendants in Montgomery, whether white or negro are going to receive justice and that the courts and juries are not going to be browbeaten and intimidated by outsiders and troublemakers.

I call the membership's attention to a news item in a Montgomery paper of last week which is as follows: "Citizens Unit States Stand Against Strife." The Montgomery County Citizens Council declared yesterday it does not condone violence and civil strife and advocated a "continuation of friendly relationship between the races." W. B. Wyatt, chairman of the board of directors, issued an 8-point statement of principles which he said was approved by the local directors.

The statement:

1. We are dedicated to States rights and local self-government.
2. We believe in constitutional government and the diversion of power set out in the Constitution of the United States.
3. We believe in the preservation of customs and traditions.
4. We firmly believe in separate but equal school systems.
5. We do not condone violence and civil strife.
6. We believe in the continuation of friendly relationship between the races.
7. We believe in the right of all races to select or reject their associates socially.
8. We are dedicated to elimination of Communist influence in our Government and educational and religious institutions.

I am getting pretty well fed up with the argument that has been made on this floor that we must pass such legislation as this to build up the prestige of our Nation among the free people of the world. Think of it, this Nation the greatest on earth which is the envy of the world, which has spent billions and billions of dollars over the earth is now being told that in order for all this aid to be effective we must change our way of life.

Yes, you have the votes as you claim to pass this legislation and use the South as a whipping boy but as surely as the night follows the day many of you will live to regret it. It is legislation aimed directly at the South. It is vindictive and will not stand the test of time. It will not help those who you profess to help and will in the end retard the development of the Negro race in the South.

Mr. CELLER. Mr. Chairman, I yield such time as he may care to use to the gentleman from Tennessee [Mr. LOSER].

Mr. LOSER. Mr. Chairman, at the outset, I desire to express my appreciation to the distinguished gentleman from New York [Mr. CELLER] for yielding to me this time to speak on the bill under consideration. Of course, I am opposed to it. I consider it a vicious piece of legislation.

It gives me great concern because it implies that a large segment of the population of the Nation are a lawless people, and that it is necessary to set up another commission in the executive branch of the Government to go about the country holding hearings, under the guise of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

I am dreadfully afraid that it will destroy the very civil rights that it purports to secure and protect.

The bill is couched in sophisticated language, and many of its provisions are mere repetition of the civil rights statutes now in force.

It is deceptive and misleading, in that it appears on its face to be bipartisan, and therefore nonpartisan, by providing that the Commission of 6 shall be made up of 3 Republicans and 3 Democrats. It is further deceptive and misleading in that the President of the United States is authorized, in section 103 (a) of the bill, to appoint as members of the Commission persons "in the service of the United States Government." The only qualification for membership on the Commission is that 3 members shall be Democrats and 3 shall be Republicans. This would enable the President to appoint as members of the Commission persons now serving as Congressmen, although the bill states that the Commission on Civil Rights is created in the executive branch of the Government. The bill indicates, in section 105, subsection (d), that Congressmen may be appointed because it exempts members of the Commission from operation of section 281 of title 18 of the United States Code. Section 281 is a part of the Criminal Code of the United States, and under its provisions a Member of Congress violating the same is punishable by a fine of not more than $10,000 or imprisonment of not more than 2 years.

It is indeed a startling innovation in the legislative process when a commission in the executive branch of the Government is or can be, if the Executive so chooses, presided over and governed by

members of the legislative branch. This is destructive of the constitutional provision relative to the separation of powers.

Time, place, and policy combine to decry the approval of this bill.

Even if the general policy of the bill were sound, which it is not; even if it were appropriate to promulgate such a policy here rather than in the legislatures of the States, which it is not; even so, the tensions and exigencies of the present time should stay our hands from a step that cannot fail to add fuel to the fires of ill will lately engendered by a sudden social controversy and the disturbance of long-established custom incident to recent judicial decisions.

It is, of course, an historic fact that social changes do take place and that with the passage of time long-established customs are altered. Unfortunately, it is also true that during a period of transition there is always present the temptation to hasten by radical legislative action the pace of change or compel its course to conform to some partisan's predilection. Very often, however, it is such legislative impatience that works woe to the very movement which it seeks to aid and retards rather than accelerates the progress which its proponents profess to desire.

Our own history is replete with examples. The Alien and Sedition Acts did not serve to counteract the violence of expression at which they were aimed, but on the contrary brought about the destruction of the political party which sponsored them. The fugitive slave legislation but added fuel to a controversy that many yet believe could and should have been amicably composed, although their purpose was said to be no more than to make certain the enforcement of law already upon the statute books and the protection of long-established property rights that were undisputed. The enactment of national prohibition laws brought to an end the steady progress of a public sentiment against the license and sale of alcoholic liquors and reversed a tide that up to that point had appeared irresistible.

These are but illustrations of the preacher's words of wisdom that "for everything there is a season, and a time for every matter under heaven." Again by the same authority we are told that there is "a time to reap and a time to sow; a time to keep silence and a time to speak." Very emphatically I desire to state my feelings that upon the subject now debated this is a time when the Congress of the United States can best promote the public welfare by silence.

Can it be seriously asked whether the kind of investigation and inquisition authorized by this resolution would aggravate the racial friction that until lately was on the way to extinction, at least in the South? It would necessarily do so for it would furnish a forum not only for the honestly dissatisfied but likewise for the increasing number of those with selfish interests, men who cannot profit in quiet waters but can ride the waves of passion and prejudice and who are quick to seize such an opportunity. Unfortunately conditions are such as to provoke demagogues and at this time we should eschew legislation which invited their activities.

But even if the times were more auspicious for an effort to enforce by law a major change in social customs, it is not to Federal action that proponents of change should address themselves. Traditionally and properly the States have been the sources of statute law defining the conduct of one man toward another and I have heard no convincing argument why they should not continue to be such source. The fact that they are such is the virtue of our Federal system and the likelihood that they will remain so is the warrant for believing in our continued civil peace and social well-being.

There is, however, an even weightier reason for opposing this bill, for its words and substance affront the very civil rights to which its proponents assert allegiance. To clothe Federal authority with what should be the prerogative of the State is evil, but to arm such authority with the power to supersede jury trials and compensatory actions with a system of injunctions and contempts is to strike at the very root of civil rights under a pretense of supporting them.

To say, as the bill before us does say, that a suit shall lie and a restraining order issue whenever "there are reasonable grounds to believe that any person is about to engage in any act or practice which would give rise to a cause of action" pursuant to the act, is to create a wholly unlimited authority in a governmental agency to harrass and oppress citizens whose only fault is that they are suspected of being able to put a denounced purpose into execution. I wonder if any statute of Nazi Germany ever went to such an extent in dispensing with the necessity of an overt act in providing punishment for no more than the existence of a naked purpose.

I am aware that a court might construe the term "reasonable grounds" as requiring something more than a suspicious countenance or an intemperate expression, but we must take the language of the bill as it appears and if it be conceded that a court might well find such language so unreasonable in its literal terms that it would have to be amended by judicial construction, such concession is in itself proof of the vice now complained of.

There are other provisions of the bill that would require supplementary interpretation before we could know their actual extent and practical operation. The bill does not meet the test that should be made of legislative novelty, namely, that it should spell out its reach and limitations so clearly that there may be no doubt of its boundaries. On the contrary it leaves us to guess how much its inquisitorial processes may be available to make partisan political hay and to conjecture how far its procedural innovations may be used to uproot such ancient landmarks as trial by jury, presumption of innocence and an untrammeled right of personal opinion.

We are being asked to swallow too much in the name of civil rights and to accept risks that would not be invited under a less high-sounding title. For these reasons I oppose the passage of the measure. At the proper time I propose to submit certain amendments to the bill.

Mr. CELLER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, one would think from the debate that has been indulged in, at least by some Members on this side of the aisle, that we are taking away rights heretofore granted. This bill does no such thing. This bill does not take away the right of trial by jury. The right of a jury trial of a contemnor, a man who is charged with contempt, has not been generally accorded and is not a constitutional right. I should like to read part of a decision of the United States Supreme Court decided in 1890. It is as follows:

> It has always been one of the attributes, one of the powers necessarily incident to a court of justice that it should have this power of vindicating its dignity, of enforcing its orders, of protecting itself from insult without the necessity of calling upon a jury to assist it in the exercise of this power.

There have been for a brief space rights accorded for jury trial, but when those rights were accorded, they were given by the Government as a matter of grace and not as a matter of right. I am referring to the Norris-La Guardia Act concerning labor disputes and before that the Clayton Act. But what was given has been taken away because the National Labor Relations Act and the Taft-Hartley Act, in so many words, withdrew that right which was given in the Norris-La Guardia Act in a limited number of cases. The two acts that I have mentioned waived specifically provisions of the Norris-La Guardia Act. So that today we are in the position in labor disputes of not according to labor, that may be guilty of violations of court orders, any right of trial by jury.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the distinguished gentleman from Louisiana.

Mr. WILLIS. I know the gentleman is familiar with the fact that the 16 defendants in the Clinton, Tenn., case who are charged with criminal contempt are entitled to a trial by jury and will be tried by a jury. The gentleman admits that; does he not?

Mr. CELLER. The court ordered that trial by jury.

Mr. WILLIS. Does not the gentleman have confidence in the fact that the court ruled on the law as it stands today, namely, that they asked for and under the law they were entitled to, and the judge ruled that they will be tried by a jury? Is that not true?

Mr. CELLER. That was a private lawsuit instituted by private persons against the education department of a particular county. That is not a case where the Government is involved.

Mr. WILLIS. Will the gentleman answer this question?

Mr. CELLER. I will try to.

Mr. WILLIS. Under the same identical facts and circumstances under which these defendants are being tried by a jury for contempt, if the bill of injunction had been filed under this act, these same defendants today would not

be entitled to a trial by jury. Will not the gentlemcan admit that simple fact?

Mr. CELLER. That is what we call a suppositious case. It is very difficult to answer that question.

Mr. WILLIS. And yet, the gentleman contends that certain rights are not being taken away.

Mr. CELLER. I will say if a suit is instituted by the Attorney General on behalf of the Government under any and all circumstances in Clinton or out of Clinton, there would not be a right of trial by jury to the contemnor.

Mr. WILLIS. And the gentleman knows that all actions authorized to be filed under this bill will be filed by the Attorney General.

Mr. CELLER. I cannot answer that, sir—I do not know.

Mr. WILLIS. Will the gentleman look at the top of page 10, where it says all actions must be filed by the Attorney General?

Mr. CELLER. There is nothing to prevent private suits to be brought.

Mr. WILLIS. I am talking about suits to be filed under this bill. Will the gentleman point to me where under this bill one single new right or cause of action is given to an individual? Will he not admit that all actions will be filed by the Attorney General?

Mr. CELLER. I cannot say that. The words are permissive. The Attorney General is not ordered. The word used is "may" and not "shall." So there is a difference in that regard. A private person may still institute a suit under the bill also.

Mr. WILLIS. Then the gentleman does admit that suits instituted by the Attorney General under this act that may result in contempt, a trial by jury will not be had because the Government will be a party to the suit?

Mr. CELLER. That is absolutely true. There is no question about it.

Mr. WILLIS. The only difference it makes is that the people in Tennessee are being tried by a jury and under this bill they would not be.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired.

Mr. CELLER. Mr. Chairman, I yield myself 3 additional minutes.

The distinction the gentleman makes will not hold. Too much is made of the fact that many years ago, when I was much younger incidentally, I voted for a jury trial in connection with violations of labor injunctions, in the sense that I voted for the Norris-La Guardia Act, and I made a speech in the well of this House in support of my position. Now the reason why I voted for the Norris-La Guardia Act was that the courts had been granting, willy-nilly, without good grounds or should I say on coffee grounds, injunctions against labor. There were grave abuses of the power of injunction, and the Nation was aroused. Congress took notice and said under the circumstances it would be well for the Congress to intervene and to limit the issuance of injunctions. I make this statement, if we pass this bill and there is a repetition of the abuse that occurred prior to the passage of the Norris-La Guardia Act, I would be the first to offer a bill to curb the power of the court to grant such injunctions. The mere fact that I voted for the Norris-La Guardia bill has been ballooned out of all proportions. The issue is not whether or not I, the gentleman from New York, did or did not vote for the Norris-La Guardia Act. The issue is the bill before us. I might repeat what I said before the Rules Committee when I was charged with inconsistency. I said it was General Lee who said to General Beauregard, "True patriotism sometimes requires of men to act exactly contrary at one period to that which they do at another period." For that reason I am well within my rights, under the circumstances that exist today, to advocate with all the power within me the passage of H. R. 6127, just as I was within my rights to strongly argue for the passage of the Norris-La Guardia Act in 1932.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. CELLER. Mr. Chairman, I yield myself 5 additional minutes.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. KEATING. I would just like to add a comment to the colloquy had between the gentleman from New York and the gentleman from Louisiana in which the inference was made that rights would be infringed. For such an inference to be drawn would be unfortunate. There is nothing in this bill which does away with any existing right of an individual to bring an action for damages or for injunctive relief against another individual, or individuals, who interfere with his rights.

It is impossible to envision whether all cases in the future, all actions to be brought, would be brought by the Attorney General or whether they would be brought by individuals.

Mr. WILLIS. Mr. Chairman, will the gentleman yield to me that I may ask the gentleman from New York a question?

Mr. CELLER. In just a minute. I just want to call attention to part 3 which is entitled "To Strengthen the Civil Rights Statutes, and for Other Purposes." This title in effect adds two paragraphs, called fourth and fifth, to the old Ku Klux statute of 1871. That statute gave considerable rights to individuals whose civil rights were being filched from them particularly by State officers or others acting in conspiracy against those whose rights were thus being corroded. Under that old civil rights statute not only private suits for damages, but also for injunctive relief could be had by those aggrieved for the violation of the rights accorded to them and guaranteed to them by that old statute of 1871.

So there is nothing new in the situation. Of course in the Clinton case there was a private suit brought against quite a number of individuals. In that kind of case, which is different from the cases envisaged by the bill before us, surely there can be trial by jury. There can be no question of doubt where there is a violation of the court injunction and the same act is also a violation of either a State or a Federal statute; but the point is that we have any number of bills that we have passed in this House in the last few decades where we refused, we actually refused to give trial by jury to those who had violated orders of the court.

The gentleman from New York mentioned the antitrust laws. There is a Securities and Exchange Commission Act; the False Advertisements Act; the False Products Labeling Act; the Fair Labor Standards Act; the Longshoremen's and Harbor Workers' Compensation Act; the Wool Products Act; the Stockyards Act; the Submarine Cables Act; the Sugar Quota Act; the Water Carriers' Act; the Flammable Fabrics Act; the Electric Utilities Act; the Atomic Energy Act, and many more.

We heard no quarrel when those bills were being considered in this Chamber, no one raised a voice saying that where there was a violation of an injunction there should be a jury trial; all those provisions were accepted without remonstrance, without let or hindrance, and now we have this sudden outcry.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. BOYLE. As a matter of fact all during the last sessions of the 84th Congress not one of the great lawyers who now are insisting on the right of trial by jury even suggested that such an amendment should be incorporated in the civil rights bill. Is not that right?

Mr. CELLER. The gentleman is correct.

Mr. BOYLE. Mr. Chairman, will the gentleman yield for a further observation?

Mr. CELLER. I yield.

Mr. BOYLE. If an amendment providing for a trial by jury was so necessary—certainly its absence would have been unconscionable—is it not a fair observation to say that any one or all of the lawyers in the House who now are insisting upon the proviso would have come forward and had it included in the bill in the last session of the 84th Congress?

Mr. CELLER. Not only that but see how impossible this law would become if you granted the right of trial by jury to anyone who would violate the order of the court. There are all kinds of orders issued by a court. There is the subpena, which is an order of the court, there is the subpena duces tecum which requires an individual to produce in court certain documents. In one of these cases that may be brought or will be brought by the Attorney General there may be 30 defendants in that one case. One individual will say after he has received the subpena that he questions the subpena. Then the court would say, "You have to testify pursuant to that subpena." He would say, "I will not testify, I did not get the subpena." There it becomes a question of fact. He could demand a trial by jury to determine that question as I understand the proposed jury trial amendment.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, that determination might be by another court before a jury. If the determination is against him, he could take an appeal to the circuit court of appeals, then probably to the Supreme Court.

In that same case another defendant could say, "I shall appear in court but I will not answer, I will not submit the documents that were called for by the subpena duces tecum." The court will order him to produce the documents. He will refuse and the court will then find him in contempt. He will demand a jury trial on the question of whether the subpena duces tecum has been served or whether it is proper for him to give the information that is described in the subpena duces tecum. That case could be tried before a jury outside this particular case, far distant probably. Then if there is an adverse decision the individual could take an appeal again to the circuit court of appeals, and possibly to the Supreme Court.

There may be 3 or 4 such cases in the original matter. How long would it take before the original case has been terminated? You would have nothing but procrastination, deliberate procrastination. You would render this whole act abortive if you can have jury trials at every twist and turn in the progress of a case. For that reason I do hope that men who are falling for this specious argument will think twice before they vote for a trial by jury amendment.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Louisiana.

Mr. WILLIS. I hope the gentleman did not mean to indicate that we were advocating an amendment which would deprive a Federal judge of punishing for contempt committed in the presence of the court or so near thereto as to obstruct justice, such as in the case of the subpena, where he said the man appeared before the court and said, "No, I will not produce the books." Of course, the court has the power to punish that man and we are not asking for any such language.

Mr. CELLER. Suppose he denies there was the service of a subpena? That is not in the presence of the court. He could obfuscate the whole proceedings and hold the proceeding up indefinitely if you would give him a trial by jury under those circumstances.

Mr. Chairman, I now yield to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, on last Friday, June 7, at page 8536, of the CONGRESSIONAL RECORD, I discussed the subject at length in defending the right of organized labor to a trial by jury, and I was surprised to have as my opponents the gentleman from New York [Mr. KEATING], and the gentleman from New York [Mr. CELLER]. I just want to say a word; I do not want to be repetitious, and I do not want to get into that discussion, because it may lead us off the track of what we are doing today, and I do not want to get off the track chasing rabbits, because we have some other very important animals to chase before we get through, and I want to stick to that. But, I just want to say this: The Taft-Hartley Act that these gentlemen contend repeals the right of organized labor to a right of trial by jury in contempt cases was passed in 1947. Title XVIII of the Code, which includes section 3692, which gives labor the right of trial by jury in all cases involving contempt was passed a year later, and I think anybody that knows anything about law knows that the latest piece of legislation on the subject governs.

The gentleman from New York referred to a decision in which he says the right of trial by jury was denied. Now, that was not a Supreme Court case; that was a circuit court case, and the opinion is very brief. It was dismissed because it was not a contempt proceeding, and contempt was in manner involved. But, in that case it was not a labor union that was seeking a trial by jury; it was the employer.

Now, to bring the matter up to date, I would like the record to show that I referred to the case of Tinder against United States, decided by the Supreme Court of the United States and found in Volume 345 United States Supreme Court Reports at page 565, which settled that question for all time.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has again expired.

Mr. CELLER. Mr. Chairman, I yield myself 1 additional minute.

I yield to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. It does not refer to the labor section, but it refers to another section of title 18 and just says flatly and conclusively that the latest law is the law, that title 18 which was enacted into positive law and which is later than the Taft-Hartley Act, is the law, and how anyone can dispute it, I do not know.

My only reason for raising the question is that the Committee on the Judiciary is the official body of this Congress to revise the Code, and the Code of the United States is dependent upon by lawyers, thousands of them all over the United States, as being the law which Congress has passed, and which is the law of the land; and an attack on the integrity of the United States Code by the people who revise it seems to me a very unfortunate situation.

Mr. CELLER. Mr. Chairman, I yield myself 2 additional minutes in order to reply to the gentleman.

I am not going to enter into any technical argument as to the Tinder case, but I am going to place in the RECORD a complete answer to the contention made by the gentleman from Virginia [Mr. SMITH]. I am going to put into the RECORD, as my own remarks, a brief entitled "Jury Trials in Contempt Proceedings With Special Reference to Labor Injunctions."

I do hope that the Members will read these two documents which are a complete and smothering answer to the contention made by the gentleman from Virginia [Mr. SMITH].

The matter referred to is as follows:

MEMORANDUM RE TINDER V. U. S. (345 U. S. 565)

The gentleman from Virginia cannot gain any comfort from the opinion in *Tinder* v. *United States*. That case involved a substantive change in the law relating to thefts of mail matter by providing a lesser punishment where the value was less than $100. The change was proper inasmuch as the revision of title 18, Crimes and Criminal Procedure, was considered by the Committee of the Judiciary which has jurisdiction of revision of the laws and bills relating to crimes, and which, of course, may report bills changing the criminal code.

The intent to make the change was set out fully in the committee report on the bill as part of the revision notes explaining each section.

The Supreme Court agreed that only a change in punishment provisions according to the value of the theft was intended and that there was no intention to create a new substantive offense. Recognizing that the revision notes in the committee report were incorporated to explain changes in substantive law the court stated: "It would have been a simple matter for the reviser, or Congress, to have made clear, had such been the intent, that stealing an article or thing from an item of mail otherwise intact, is to be regarded as a less serious offense than stealing the item of mail itself. A highly technical distinction of this sort, which could easily have been spelled out, cannot be imposed on the general words "any such article or thing" in the concluding proviso of section 1708.

What the court clearly said and held was that no further change was intended than that which was explained in the committee report. Again the court adhered to the general proposition that a codification makes a change in existing law only to the extent that a clear intention to make such a change is manifested by the Congress, and the courts will not infer additional changes.

JURY TRIALS IN CONTEMPT PROCEEDINGS WITH SPECIAL REFERENCE TO LABOR INJUNCTIONS

There is no constitutional right to a trial by jury in either a criminal or civil contempt proceeding (*In re Debs*, 158 U. S. 564).

There is a serious question of constitutional law as to whether or not the Congress has the power to enact legislation granting the statutory right to a jury trial in a civil contempt proceeding. The specific issue here is whether or not such an enactment encroaches upon the equity jurisdiction intended by the Constitution. (See *Michaelson* v. *U. S.* (266 U. S. 42).)

The Congress first provided for a trial by jury in a criminal contempt case in 1914. The enactment of the Clayton Act (38 Stat. 730) in section 21, provided that one who willfully disobeyed a lawful order of a Federal court by doing any act which also constituted a criminal offense under any Federal or State statute shall be proceeded against for contempt. Section 22 of the same act provided that the accused could demand a trial by jury. Section 24 of the act, however, provided exceptions to the right of the accused for a trial by jury in a criminal contempt; these exceptions were contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice, contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States.

These sections of the Clayton Act, namely, sections 21–25, were repealed by section 21 of Public Law 772, 80th Congress, 1st sess., 62 Stat. 864 (1948). 18 U. S. C. 402, 3285, 3691, (62 Stat. 701) contains the substance of these provisions at the present time.

In 1932 the Congress enacted the Norris-La Guardia Act, the act of March 23, 1932 (47 Stat. 70). This act, entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", restricted the power of Federal courts to issue restraining orders and injunctions in certain cases involving or growing out of a labor dispute. Section 11 of that act provided as follows: "In all cases arising under this act in which a person shall be charged with contempt in a court of the United States (as herein defined), the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed: *Provided*, That this right shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice or to apply to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court." That provision was contained in section 111 of title 28, United States Code, until it was repealed by the act of June 25, 1948 (ch. 645, sec. 21, 62 Stat. 862). The reviser's footnote relating to the repeal is as follows: "Section 111, act Mar. 23, 1932 (ch. 90, sec. 11, 47 Stat. 72), related to contempts, speedy and public trials by jury, and is now covered by section 3692 of title 18, Crimes and Criminal Procedure."

The enactment of section 11 of the Norris-La Guardia Act afforded the contemnor in a criminal contempt proceeding for violation of a restraining order or injunction arising out of a labor dispute as defined in the Norris-La Guardia Act the right to a trial by jury in all cases except those heretofore mentioned; namely, in the presence of the court or so near thereto as to constitute an obstruction of justice or the disobedience of an officer of the court in respect to the court's orders. This provision had the effect of limiting the exception to the right to trial by jury provided for in the Clayton Act. Specifically, it affected the exception wherein jury trial in a criminal contempt proceeding was not available where the United States was a party to the original action. Moreover, the applicability of section 11 of this act was limited. In the conference report (H. Rept. 821, 72d Cong., 1st sess., p. 6 (1932)) the statement of the managers on the part of the House is as follows: "The House bill (sec. 11) provides that in cases arising under sections 3, 4, 5, 6, and 7 of this amendatory act in which a person is charged with criminal contempt of a court of the United States, the accused should enjoy a speedy public trial by jury. The corresponding provision of the Senate amendment (sec. 12) is broader, in that it relates to all cases in which a person is charged with contempt in a court of the United States. The conference agreement applies only to cases arising under the act under consideration in which a person is charged with contempt in a court of the United States."

In 1935 the National Labor Relations Act was enacted into law (49 Stat. 449 (1935), 29 U. S. C., sec. 160). The Wagner Act, as it is popularly known, provided the National Labor Relations Board with power to deal with unfair practices, and it further granted jurisdiction to the courts in certain cases to enforce the orders of the Board. While the National Labor Relations Act does not expressly provide for contempt proceedings, they are a corollary of the judicial power to issue enforcement orders. In House Report 1371, 74th Congress, 1st session, page 5 (1935), there is the statement to the effect that if an unfair practice is resumed or continued "there will be immediately available to the Board an existing court decree to serve as a basis for contempt proceedings." In the sections of that act relating to prevention of unfair labor practices, provision is made for the enforcement of the Board's orders by petition in circuit courts of appeals; jurisdiction is conferred upon the courts to issue temporary restraining orders or other temporary relief, and to issue decrees enforcing, modifying the order of the court. Section 10 (h) of the National Labor Relations Act of July 5, 1935 (49 Stat. 455) provided as follows: "When granting appropriate temporary relief or a restraining order, or making and entering the decree enforcing, modifying, and enforcing as so modified, for setting aside in whole or in part, an order of the Board, as provided in this section, the jurisdiction of the court sitting in equity shall not be limited by the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' approved March 23, 1932 (U. S. C., Supp. VII, title 29, secs. 101–115)."

It is obvious, therefore, that the National Labor Relations Act (sec. 10 (h)) waived the Norris-La Guardia Act in its entirety, as applied to cases coming within the purview of the National Labor Relations Act itself. Not only were the courts authorized to issue injunctions, which had been banned under the provisions of the Norris-La Guardia Act, but it is clear from the language of the act and the statement of legislative intent as contained in the report, that the provisions of the Norris-La Guardia Act would not be applicable both as to the issuance of injunctions to enforce the Board's order nor to the power of the court, sitting in equity, to enforce such orders of the court. As an equity court, the court has ancillary jurisdiction to effectuate its decrees and to prevent them from being frustrated. (28 U. S. C. 1651; *Local Loan Co.* v. *Hunt* (292 U. S. 234); *Julian* v. *Central Trust Co.* (193 U. S. 93, 112); *Root* v. *Woolworth* (150 U. S. 401, 410–413); see also, *Steelman* v. *All Continent Corp.* (301 U. S. 278, 288–289); *Dugas* v. *American Surety Co.* (300 U. S. 414, 428); *Moore* v. *N. Y. Cotton Exchange* (270 U. S. 593); *Looney* v. *Eastern Texas R. R. Co.* (247 U. S. 214).)

It is apparent that Congress did not intend the Norris-La Guardia Act provisions to apply to the proceedings arising out of the operations of the National Labor Relations Act. Here it should be noted that only a few years before, Congress had provided for the right to trial by jury in a criminal contempt proceeding arising out of certain labor disputes. Therefore, it is a reasonable assumption that when consideration of the National Labor Relations Act was before the Congress, it was cognizant of the then-existing rights afforded for a jury trial in criminal contempt proceedings arising out of those labor disputes. A fair deduction is that if Congress had intended to continue the right to a trial by jury in such circumstances, it would have specifically so provided. Yet the clear and unequivocal wording of section 10 (h) of the National Labor Relations Act (supra) clearly indicates a waiver of all the provisions of the Norris-La Guardia Act, including the provisions for a jury trial, in cases where the Government was a party to the original action.

The subsequent legislative history of the National Labor Relations Act sustains this position beyond all doubt. In 1947 the National Labor Relations Act was amended by an act popularly known as the Taft-Hartley Act (Labor-Management Relations Act, 1947, 61 Stat. 136; 29 U. S. C. 141–188). That act, as it dealt with unfair labor practices, specifically section 10 (h) contained the exact wording of section 10 (h) of the original National Labor Relations Act; this language was a complete waiver of all the provisions of the Norris-La Guardia Act as to proceedings involving the issuance of injunctions and the enforcement thereof as authorized by the National Labor Relations Act. That such was the specific legislative intent is clearly indicated in House Report No. 245, 80th Congress, 1st session, page 43 (1947), "Section 10 (h) remains unchanged in the amended act."

The Taft-Hartley Act also provided the President with authority to seek injunctions against strikes which imperiled the public health and safety and authorized the Attorney General to seek the same, and provided the authority for the courts to issue them. (Sec. 208 (b) of the Taft-Hartley Act (61 Stat. 155) provided as follows: "(b) In any case, the provisions of the act of March 23, 1932, entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' shall not be applicable.") Here is the second instance of a complete waiver of the entire Norris-La Guardia Act. The legislative intent to the effect that the Norris-La Guardia Act was inapplicable to proceedings under the amended National Labor Relations Act, is clearly indicated in H. Rept. 245, 80th Conf., 1st sess. page 9 (1947), which states "Second, the bill arms the President with authority to seek injunctions against strikes that imperil the public health and safety, and authorizes courts to issue injunctions in such cases without regard to the Norris-La Guardia Act."

That same report, on page 43, further states: "But it also makes the Norris-La Guardia Act inapplicable in suits and proceedings involving violations of contracts which labor organizations voluntarily and with their eyes open, enter into. Among other things, this change makes applicable in such cases as these the rules of evidence that apply in suits involving all other citizens."

The third indication of the inapplicability of the Norris-La Guardia Act to cases arising under the National Labor Relations Act, as amended, is contained in section 302 (e) of the act of June 23, 1947. (61 Stat. 158) Section 302 which makes it unlawful for an employer to pay an employee's representative, and for the latter to accept the same, contains in subsection (e) the following language: "* * *, without regard to the provisions of * * *, and the provisions of the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts, sitting in equity, and for other purposes,' approved March 23, 1932 (U. S. C. title 29, secs. 101–115)." This section conferred jurisdiction upon the United States courts to restrain violations of this section of the Taft-Hartley Act.

Further evidence of the fact that Congress was cognizant of the existence of the rights under the Norris-La Guardia Act and that it was the legislative intent to waive the Norris-La Guardia Act in regard to cases under the Taft-Hartley Act, is found in statements contained in the minority views as set forth in the report accompanying the bill (supra). For example, on page 64, "By making practically all strikes unlawful, it repeals the Norris-La Guardia Act, signed by President Hoover." On page 100, "It grants the district courts authority to issue injunctions, thus taking away the long-standing benefits of labor's hard-won rights under the Norris-La Guardia Act. It goes beyond that and gives the district court the right to include provisions in order "to facilitate the voluntary settlement of disputes." This provision amounts to compulsory arbitration, and if the parties fail to comply with the provisions set forth by the court to facilitate the settlement of the dispute, they could be held in contempt of court." Page 107, "In 1932 Congress finally passed the Norris-La Guardia Act, which expanded the definition of 'labor dispute' and restricted the jurisdiction of Federal courts to issue injunctions in such

disputes." Certainly it cannot be maintained on the basis of legislative history that in enacting the Taft-Hartley Act Congress meant to preserve within its provisions any of the rights afforded to labor under the previously enacted Norris-La Guardia Act.

If additional evidence to sustain this contention is necessary, one merely has to refer to Conference Report, House Report 510, 80th Congress, on the Taft-Hartley Act. In the statement of the managers on the part of the House, page 57, is the following statement: "(17) Sections 10 (g), (h), and (i) of the present act, concerning the effect upon the Board's orders of enforcement and review proceedings, making inapplicable the provisions of the Norris-La Guardia Act in proceedings before the courts, were unchanged either by the House bill or by the Senate amendment, and are carried into the conference agreement."; on page 64, referring to section 208, is the following language: "The Norris-La Guardia Act was made inapplicable."

The history of the enforcement of the National Labor Relations Act, as amended, affords proof that in contempt proceedings arising out of violations of court orders enforcing the act, there is no right to a trial by jury as had been provided for in the Norris-La Guardia Act. In these cases the Government has been a party to the original action and under existing law there is no right to a trial by jury, in a criminal contempt proceeding, and the exception provided in the Norris-La Guardia Act does not apply. Over the years in the enforcement of the National Labor Relations Act, the Board has rarely petitioned for criminal sanctions because it considers civil contempt the more appropriate instrument for regulating the behavior of labor and management. In the few instances where it has petitioned for contempt citation, the courts have been reluctant to grant it, preferring civil sanction over the criminal. However, there have been instances where the Board has petitioned for both civil and criminal contempt citations, and the court has referred the matter to a master. The absence of cases in point as to the applicability of the Norris-La Guardia Act, so as to provide for a jury trial in contempt citations, is also proof that there is no such right under the Labor-Management Relations Act. If such a right existed since 1935, there should be at least one case controlling, yet no such ruling case can be found.

That the provisions of section 11 of the Norris-La Guardia Act are limited to those cases arising under the act is clearly indicated by the Supreme Court in its decision in *United States* v. *United Mine Workers of America* (330 U. S. 258 (1947)). In that case the union and its president were adjudged guilty of civil and criminal contempt and fined for violating a temporary restraining order issued in a suit by the Government in a labor dispute arising while the coal mines were in the possession of and were being operated by the Government, pursuant to an Executive order under authority conferred upon the President by the War Labor Disputes Act. In its ruling, the court held that the Norris-La Guardia Act was inapplicable to the factual situation before the court. Although the defendants had waived an advisory jury before the district court, nevertheless on appeal they urged their right to a jury trial as provided in section 11 of the Norris-La Guardia Act. The court, on page 298, treated this point as follows: "We need not treat these at length, for defendants, in this respect, urge only their right to a jury trial as provided in section 11 of the Norris-La Guardia Act. But section 11 is not operative here, for it applies only to cases 'arising under this act', and we have already held that the restriction upon injunctions imposed by the act do not govern this case. The defendants, we think, were properly tried by the court without a jury." The footnote, set forth the pertinent language of section 11. Footnote 69 stated: "We believe, and the Government admits, that the defendants would have been entitled to a jury trial if section 11 applied to the instant contempt proceeding and if the case arose under the Norris-La Guardia Act".

In the same case Justice Frankfurter, in a concurring opinion on page 311, stated: "And so I join the opinion of the Court insofar as it sustains the judgment for criminal contempt upon the broad count of vindicating the process of law" (2). Footnote (2) reads as follows: "Since, in my view, this was not a conviction for contempt in a case arising under this act the jury provisions of section 11 of the Norris-La Guardia Act do not apply. For obvious reasons, the petitioners do not claim that the Constitution of the United States affords them a right to trial by jury."

It is clear, therefore, that the right to a trial by jury as provided in the Norris-La Guardia Act was confined by the wording of the act itself to those cases arising under the act.

It has been contended that in the revision and codification of title 18 of the United States Code in 1948, at which time that code was enacted into positive law, Congress restored the right to a trial by jury in criminal contempt cases arising out of a labor dispute. Such a contention is predicated upon title 18, United States Code, section 3692, which reads as follows:

"Sec. 3692. Jury trial for contempt in labor disputes.

"In all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

"This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders or process of the court." (June 25, 1948, ch. 645, sec. 1, 62 stat. 844.)

The argument for this contention is that by the enactment of the subsequent act, namely, title 18, the Congress restored to labor the right to a trial by jury in a criminal contempt proceeding which was denied to it under the provisions of the previously-enacted National Labor Relations Act, as amended. Stress seems to be laid upon the fact that section 3692 uses the phrase in all cases and the conclusion is that the codification is a new enactment and prevails over the Taft-Hartley Act. The wording of section 3692 of title 18 is practically verbatim the wording of section 11 of the Norris-La Guardia Act. The main difference appears, however, in that the Norris-La Guardia Act uses the language in all cases arising under this act" while the codification employs the language "in all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute."

Support for the contention is based upon a canon that a later law supersedes an earlier one to the extent that they are inconsistent. That canon is true only in cases of later legislation that clearly is intended to change substance.

An examination of the legislative history of section 3692 of title 18, United States Code indicates beyond any question of a doubt that there was no legislative intent to make a substantive change in the law. Once again it must be noted that here Congress in 1948 was dealing with a very important right, namely, the right to trial by jury in contempt proceedings arising out of a labor dispute at practically the same period of time when it was taking away that right in 1947 in at least three specific instances, under the Taft-Hartley Act. The legislative history of the revision of title 18 as contained in the report does not support the contention that the enactment of section 3692 carried the legislative intent to change substantive law. The reviser's notes clearly support that argument. For example, the reviser's notes as contained in title 18, section 3692, are as follows: "Based on section 111 of title 29, United States Code, 1940 edition, Labor (March 23, 1932, ch. 90, sec. 11, 47 Stat. 72)." In other words, section 3692 was based upon the original section 11 of the Norris-La Guardia Act. In addition, the revision of title 18 specifically repealed that provision of the Norris-LaGuardia Act, as indicated by the reviser's notes. Section 21 of the revision act itself set forth a schedule of the revised statutes which were specifically repealed at the time of its enactment into positive law. Included in that list, and specifically mentioned, is the act of March 23, 1932, chapter 90, sections 11 and 12, volume 47, Statutes, pages 72 and 73; title 29, United States Code, sections 111 and 112. That citation refers specifically to sections 11 and 12 of the Norris-La Guardia Act. Nowhere is there any mention made of any intent to change substantive law. The whole effect of such enactment was merely to transfer from title 29 into title 18 the provision providing for a jury trial in criminal contempt proceedings arising out of certain labor disputes. Indicative of the fact that such was the intent, namely to merely transfer and not alter substantive law, is the comment contained on page 379, Federal Practice and Procedure Rules Edition, Barron, volume 4: "Under title 18, United States Code Annotated, section 3692, a defendant charged with contempt arising under laws of the United States governing the issuance of injunctions or restraining orders growing out of a labor dispute is entitled to a jury trial. The same exceptions outlined in the next preceding paragraph also apply here." The reference to the exceptions in the next preceding paragraph are as follows: "This section, however, does not require a jury trial if the contempt was committed in the presence of the court or so near thereto as to obstruct the administration of justice or, if the contempt consists of disobedience of any lawful writ, process, order, rule, decree or command of the court issued in any suit or action brought or prosecuted in the name of, or on behalf of the United States." The particular section being referred to in this latter instance is section 3691 which guarantees a jury trial for contempt which consists of the willful disobedience of any lawful writ, process, rule, order, decree or command of any United States district court which also constitutes a criminal offense under any act of Congress or under the laws of any State in which it was done or committed. The author of that book, W. W. Barron, Esquire, was engaged as chief reviser by the law publishing companies who were employed in connection with the revision of title 18 of the United States Code.

Finally, the usual canon of construction hereinbefore mentioned, does not apply to a codification statute, such as the revision of title 18, United States Code, which is involved here. The courts have upheld the contrary presumption in a codification statute that the law is intended to remain substantially unchanged as a continuation of existing law and mere changes in style and terminology do not result in changes in substance nor impair the precedence value of earlier judicial decisions and other interpretations. The following authorities affirm this principle:

Stewart v. *Kahn* (11 Wall. 493, 502 (1871)).
Smythe v. *Fiske* (23 Wall. 374, 382 (1874)).
McDonald v. *Hovey* (110 U. S. 619, 628 (1884)).
United States v. *Ryder* (110 U. S. 729, 740 (1884)).
United States v. *Bischo* (262 U. S. 165, 168 (1923)).
Walsh v. *Commonwealth* (224 Mass. 239, 112 N. E. 486, 487 (1916)).
In re Sullivan's Estate (38 Ariz. 387, 300 Pac. 193, 195 (1931)).
State ex rel. Rankin v. *Wibaux County Bank* (85 Mont. 532, 281 Pac. 341, 344 (1929)).
Sigal v. *Wise* (114 Conn. 297, 158 Atl. 891, 894 (1932)).
Martin v. *Dyer-Kane Co.* (113 N. J. Eq. 88, 166 Atl. 227, 229 (1933)).
Norfolk & Portsmouth Bar Assn. v. *Drewry* (161 Va. 833, 172 S. E. 282, 285 (1934)).
Sutherland, Statutory Construction (3d ed., Horack (1943), secs. 3709, 3710).

In this particular instance, the presumption that the substance of the existing law was not changed by the enactment of section 3692 of title 18, is strongly buttressed by the absence of any evidence of a legislative intent or purpose to make a substantive change in the existing law. The enactment of section 3692, title 18, United States Code did not in any way amend the existing law as contained in the Labor-Management Relations Act of 1947 and therefore in any criminal contempt proceeding arising out of the National Labor Relations Act, as amended, there is no right to a trial by jury.

Mr. CELLER. Mr. Chairman, I yield such time as he may care to use to the gentleman from Alabama [Mr. SELDEN].

Mr. SELDEN. Mr. Chairman, I rise in opposition to the measure now under consideration.

Mr. Chairman, I am extremely concerned over the far-reaching and harmful effects that will almost certainly result if the legislation now before us is enacted into law. This proposal is unquestionably the most dangerous that has been considered in the House of Representatives since I have been a Member of this body.

Although the bill is cited as a civil-rights measure, it will not, in my opinion, safeguard civil rights. On the contrary, it will not only undermine civil rights but, at the same time, it will destroy time-honored rights of the individual States. In addition, it entails the spending of an indeterminate amount of money at a time when the national debt is unbelievably high and the Congress is in the midst of an effort to reduce the Federal budget.

Two important safeguards for the rights of the individual were instituted by our forefathers when they framed a constitution for this country—specific prohibitions against certain kinds of governmental action and a diffusion of powers between the Federal Government and the governments of the individual States. If we are to maintain a democratic form of government, then these long-established principles must be continued. Yet, the legislation now before us strikes a lethal blow at those basic foundations of freedom and democracy.

History teaches us that individual rights are protected by denying powers to government, not by increasing them. Guarantees against too much government and the checking of power by other power have been the traditional safeguards of our liberties. Despite these facts, a measure has been allowed to reach the floor of the House of Representatives which contains provisions directly infringing upon those established and time-tested doctrines. H. R. 6127 does not deny power to the Federal Government, as does the Bill of Rights, but instead it vests the Central Government with new powers with which it can oppress the individual citizen. Under the terms of this measure, the Federal Government is given the power to supervise the States in matters traditionally within the field of State authority.

Our own system of government was created in opposition to the invasion of local authority by the overwhelming ambitions of a distant government. Our forefathers died to assure their descendants of a democratic government based on the principle of local autonomy. Most of the great spokesmen of American liberty from the time of Thomas Jefferson have insisted that the Central Government be given an absolute minimum of power, and that the only safe repositories of governmental power are those authorities that are closest to the people.

But instead of assuring the continuation of local autonomy, the modern proponents of civil-rights legislation seek to increase the powers of the Central Government. In the name of liberty, they support principles which have ever been destructive of that liberty.

Part I of H. R. 6127 advocates the creation of a Commission on Civil Rights for the purpose of investigating the necessity of civil-rights legislation. Yet, the remainder of the bill proposes the very legislation whose need is supposed to be investigated. If an investigation is what the proponents of this legislation really want, then I cannot understand why the commission's conclusions are prejudged. Generally, investigations produce recommendations which in turn serve as the basis for remedial legislation. In H. R. 6127, we create an investigative body, presume the results of its investigation, and proceed to enact legislation—all in the same bill. The peculiarity of this procedure can only raise doubts in the minds of many as to the real purpose of this investigative commission.

The President already has the authority to create a commission in the executive branch of the Government, but he cannot authorize the power of subpena for such a commission. This power of subpena, given to the proposed Commission on Civil Rights under part I of the legislation, is one that should be jealously guarded. Yet it is given, under the terms of H. R. 6127, to an appointive commission composed of six men whose only required qualifications are political.

When investigative commissions are set up, efforts are usually made to make certain that the membership is unbiased or at least of varying viewpoints. The proposed Civil Rights Commission, however, has no philosophical standards, no geographical requirements, and no educational prerequisites. All six members can be from the same State and can have the same opinions on the issues they are supposed to investigate. Although this may not be likely, it is a possibility, and Congress should not leave broad loopholes of this type in the far-reaching measure we now have under consideration.

Armed with the power of subpena, this Commission can compel the attendance of witnesses anywhere within a judicial circuit for the purpose of giving testimony on an alleged deprivation of civil rights. Several States often comprise a judicial circuit, making it necessary for a subpenaed witness to travel quite a distance to appear at the Commission hearing.

The accused, as I understand the legislation, must bear the financial responsibility of transporting himself and any witnesses to the designated place, while the person or organization making the allegations will receive $4 daily for their attendance and traveling time, in addition to 8 cents per mile for going from and returning to their place of residence.

Besides this, the prosecution's witnesses are entitled to an allowance of $12 each day for expenses of subsistence, including the time necessary for traveling to and from the site of the hearing. This could conceivably result in a tremendous cost to the Federal taxpayer.

Other expenses incurred by the Commission will include the payment of the members of the Commission at $50 per day for each day of work and reimbursement for necessary travel expenses plus a per diem allowance of $12 per day in lieu of actual expenses for subsistence.

In addition, it will be necessary to pay a full-time staff director and such other personnel as the Commission deems advisable. There is even more expense entailed by the provision of the bill permitting the Commission to utilize the service of voluntary and uncompensated personnel who must be reimbursed for travel and subsistence expenses. Actually, it is impossible to estimate the total cost of this proposed Commission on Civil Rights.

Part II of H. R. 6127 provides an additional Assistant Attorney General who is expected to be in charge of a new Civil Rights Division in the Department of Justice. There is no limit in this legislation on the number of attorneys who can be hired by this new department, also at great expense to the taxpayer. In fact, it is my understanding that when interrograted, representatives of the Justice Department could not even estimate the number of persons who might be employed in this new division.

There is already established in the Department of Justice a civil-rights division, fully competent to handle civil-rights cases. Judging by the small case load reportedly handled by this section, the appointment of an additional Assistant Attorney General with innumerable assistants might appear at first glance to be based on the fallacy that there is some advantage in creating more Government jobs. After more careful consideration, however, many have reached the conclusion that this new division of lawyers is intended to displace United States attorneys who are familiar with local laws and customs.

It is evident, then, that part II of this legislation—and I think a reading of the majority report will emphasize my viewpoint—is designed to enable the Federal Government to invade all of the States

and subdivisions in matters relating to integration, the field of education, and even interstate and intrastate matters, including primary election. There is no doubt but that this would constitute a constant threat, not only to all State and local governments, but also to virtually every officer and agent of such governments.

As we examine H. R. 6127 further, its provisions become more and more alarming. Part III of the bill is entitled "To Strengthen the Civil Rights Statutes, and for Other Purposes," while part IV is "to provide means of further securing and protecting the right to vote." But the powers granted under parts III and IV are far more dangerous than their titles would indicate. These sections provide a device whereby State laws, State courts, and all State officials are bypassed in deference to the Federal courts.

Under parts III and IV, Federal judges would be permitted to issue injunctions against anticipated violations of civil rights and then proceed to punish local officials and private citizens without any reference to State remedies. The accused violator of civil rights could then be punished without even the benefit of trial by jury.

In clause 3 of section 2 of article 3 of our Constitution, the framers of that document stated, in the broadest possible terms, that "the trial of all crimes, except in cases of impeachment, shall be by jury."

The fifth amendment declares that no person shall be held to answer for a capital or other infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger.

Amendment 6 of the Constitution states that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Also, in the seventh amendment, it is provided that in suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved.

It has been stated by several proponents of H. R. 6127 that the right to trial by jury in contempt cases is not guaranteed by the Constitution. This statement is correct as far as civil contempt proceedings are concerned. But, when the power of injunction is used as an ultimate means of depriving persons of their liberty without trial by jury, as is the obvious purpose of H. R. 6127, then the spirit, if not the letter, of the Constitutional guarantee of jury trial would appear to be violated. In any event, Congress in 1914 inserted in the Clayton Act a stipulation that whenever an act charged as contempt of court is of such character as to constitute a criminal offense under any statute of the United States, or under the laws of any State, the person accused should be tried by a jury if he so requests. Congress at the same time made an exception to this general rule which provides that the right to jury trial in contempt cases should not pertain to suits brought in the name of the United States. It is under that exception that the right to trial by jury will be denied if H. R. 6127 is enacted into law. This legislation does not give to individuals the right to file suit for alleged violations of their civil rights. Only the Federal Government is given the right to file suit, with or without the consent of the aggrieved party. Therefore, since the Federal Government will constitute the plaintiff in all suits, the right to trial by jury is conveniently wiped out by this ill-conceived legislation.

Under the general and sweeping language of H. R. 6127, the Attorney General is authorized to grant relief "whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any acts or practices" which would deprive any other person of his civil rights. This bill does not require that any such deprivation shall have been committed, or attempted, or even threatened. It permits the Federal courts to step in whenever a person is about to invade someone's rights. But how can the Attorney General or anyone else determine when a person is about to do something?

This provision, coupled with the broad and vaguely defined rights which may be protected by injunctive relief, virtually gives the Federal courts a blank check to write new criminal laws, affix the penalties, and prosecute and punish offenders without any of the safeguards that experience has taught us are necessary to preserve individual liberties.

Mr. Chairman, it is obvious that H. R. 6127 is fraught with hazardous provisions. Although we are aware that this measure is aimed at one particular section of the United States, we should not overlook the fact that its provisions will apply with equal force to all sections of this country and can be used to harass, intimidate, and victimize any citizen anywhere in this great Nation.

I urge the Members of the House of Representatives to defeat this extremely dangerous bill.

Mr. KEATING. Mr. Chairman, I yield myself 2 minutes.

In conjunction with the remarks of the gentleman from New York [Mr. CELLER], I rather regret that we are not going fully into this question today of the effect both of the Wagner Act and the Taft-Hartley Act on the Norris-La Guardia Act, because it is perfectly clear that since the Wagner Act, and since the Taft-Hartley Act, there has been no right to a jury trial in any labor dispute case.

I hold in my hand the public law which was passed in the 80th Congress, the Taft-Hartley Act so-called, and in this paragraph it reads exactly the same as the Wagner Act. It refers to the very section relating to a jury trial which is contained in the Norris-La Guardia Act and says that:

When granting appropriate temporary relief for a restraining order or making and entering a decree enforcing, modifying and enforcing as so modified, or setting aside in whole or in part an order of the Board, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled—

And then follows the long title of the Norris-La Guardia Act, and then the specific citation: United States Code, supplement VII, title 29, sections 101 to 115.

Section 111 was the one relating to jury trials. It is true that the only case where this question has arisen, that I know of, is the one cited in my remarks yesterday, which is a decision of the Federal court of appeals—*National Labor Relations Board* v. *Red Arrow Freight Lines* (193 F. 2d 979 (5th cir. 1952)).

When we go back into the House, I shall ask to insert at this point in the RECORD as part of my remarks a portion of a brief filed by the National Labor Relations Board on this very subject of the right to a jury trial in labor dispute cases. It is very informative. It is perfectly clear. It is somewhat long, but it is a clear argument, which was adopted by the court. Jury trial was denied. It is the only case on the subject.

JURY TRIALS IN CONTEMPT PROCEEDINGS WITH SPECIAL REFERENCE TO LABOR INJUNCTIONS

There is no constitutional right to a trial by jury in either a criminal or civil contempt proceeding (*In re Debs* (158 U. S. 564)).

There is a serious question of constitutional law as to whether or not the Congress has the power to enact legislation granting the statutory right to a jury trial in a civil contempt proceeding. The specific issue here is whether or not such an enactment encroaches upon the equity jurisdiction intended by the Constitution. (See *Michaelson* v. *U. S.* (266 U. S. 42).)

The Congress first provided for a trial by jury in a criminal contempt case in 1914. The enactment of the Clayton Act (38 Stat. 739) in section 31, provided that one who willfully disobeyed a lawful order of a Federal court by doing any act which also constituted a criminal offense under any Federal or State statute shall be proceeded against for contempt. Section 22 of the same act provided that the accused could demand a trial by jury. Section 24 of the act, however, provided exceptions to the right of the accused for a trial by jury in a criminal contempt; these exceptions were contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice, contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States.

These sections of the Clayton Act, namely, sections 21–25, were repealed by section 21 of Public Law 772, 80th Congress, 1st session, 62 Stat. 864 (1948). 18 U. S. C. 402, 3285, 3691 (62 Stat. 701), contains the substance of these provisions at the present time.

In 1932 the Congress enacted the Norris-La Guardia Act, the act of March 23, 1932 (47 Stat. 70). This act, entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," restricted the power of Federal courts to issue restraining orders and injunctions in certain cases involving or growing out of a labor dispute. Section 11 of that act provided as follows: "In all cases arising under this act in which a person shall be charged with contempt in a court of the United States (as herein defined), the accused shall enjoy the right to a speedy and public trial by an impartial

jury of the State and district wherein the contempt shall have been committed: *Provided*, That this right shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice or to apply to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court." That provision was contained in section 111 of title 28, United States Code, until it was repealed by the act of June 25, 1948 (ch. 645, sec. 21, 62 Stat. 862). The reviser's footnote relating to the repeal is as follows: "Section 111, act March 23, 1932 (ch. 90, sec. 11, 47 Stat. 72), related to contempts, speedy and public trials by jury, and is now covered by section 3692 of title 18, Crimes and Criminal Procedure."

The enactment of section 11 of the Norris-La Guardia Act afforded the contemnor in a criminal contempt proceeding for violation of a restraining order or injunction arising out of a labor dispute as defined in the Norris-La Guardia Act the right to a trial by jury in all cases except those heretofore mentioned, namely in the presence of the court or so near thereto as to constitute an obstruction of justice or the disobedience of an officer of the court in respect to the court's orders. This provision had the effect of limiting the exception to the right to trial by jury provided for in the Clayton Act. Specifically, it affected the exception wherein jury trial in a criminal contempt proceeding was not available where the United States was a party to the original action. Moreover, the applicability of section 11 of this act was limited. In the conference report (H. Rept. 821, 72d Cong., 1st sess., p. 6 (1932)) the statement of the managers on the part of the House is as follows: "The House bill (sec. 11) provides that in cases arising under sections 3, 4, 5, 6, and 7 of this amendatory act in which a person is charged with criminal contempt of a court of the United States, the accused should enjoy a speedy public trial by jury. The corresponding provision of the Senate amendment (sec. 12) is broader, in that it relates to all cases in which a person is charged with contempt in a court of the United States. The conference agreement applies only to cases arising under the act under consideration in which a person is charged with contempt in a court of the United States."

In 1935 the National Labor Relations Act was enacted into law (49 Stat. 449 (1935), 29 U. S. C., sec. 160). The Wagner Act, as it is popularly known, provided the National Labor Relations Board with power to deal with unfair practices, and it further granted jurisdiction to the courts in certain cases to enforce the orders of the Board. While the National Labor Relations Act does not expressly provide for contempt proceedings, they are a corollary of the judicial power to issue enforcement orders. In H. R. report 1371, 74th Congress, 1st sess. 5 (1935) there is the statement to the effect that if an unfair practice is resumed or continued "there will be immediately available to the Board an existing court decree to serve as a basis for contempt proceedings." In the sections of that act relating to prevention of unfair-labor practices, provision is made for the enforcement of the Board's orders by petition in Circuit Courts of Appeals; jurisdiction is conferred upon the courts to issue temporary restraining orders or other temporary relief and to issue decrees enforcing, modifying the orders of the court. Sec. 10 (h) of the National Labor Relations Act of July 5, 1935 (49 Stat. 455) provided as follows: "When granting appropriate temporary relief or a restraining order, or making and entering the decree enforcing, modifying, and enforcing as so modified, for setting aside in whole or in part, an order of the Board, as provided in this section, the jurisdiction of the court sitting in equity shall not be limited by the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' approved March 23, 1932 (U. S. C. supp., VII, title 29, secs. 101–115)."

It is obvious, therefore, that the National Labor Relations Act (sec. 10 (h)) waived the Norris-La Guardia Act in its entirety, as applied to cases coming within the purview of the National Labor Relations Act itself. Not only were the courts authorized to issue injunctions, which had been banned under the provisions of the Norris-La Guardia Act, but it is clear from the language of the act and the statement of legislative intent as contained in the report, that the provisions of the Norris-La Guardia Act would not be applicable both as to the issuance of injunctions to enforce the Board's order nor to the power of the court, sitting in equity, to enforce such orders of the court. As an equity court, the court has ancillary jurisdiction to effectuate its decrees and to prevent them from being frustrated. (28 U. S. C. 1651; *Local Loan Co.* v. *Hunt* (292 U. S. 234); *Julian* v. *Central Trust Co.* (193 U. S. 93, 112); *Root* v. *Woolworth* (150 U. S. 401, 410–413); see also *Steelman* v. *All Continent Corp.* (301 U. S. 278, 288–289); *Dugas* v. *American Surety Co.* (300 U. S. 414, 428); *Moore* v. *N. Y. Cotton Exchange* (270 U. S. 593); *Looney* v. *Eastern Texas R. R. Co.* (247 U. S. 214).)

It is apparent that Congress did not intend the Norris-La Guardia Act provisions to apply to the proceedings arising out of the operations of the National Labor Relations Act. Here it should be noted that only a few years before, Congress had provided for the right to trial by jury in a criminal contempt proceeding arising out of certain labor disputes. Therefore, it is a reasonable assumption that when consideration of the National Labor Relations Act was before the Congress, it was cognizant of the then-existing rights afforded for a jury trial in criminal contempt proceedings arising out of those labor disputes. A fair deduction is that if Congress had intended to continue the right to a trial by jury in such circumstances, it would have specifically so provided. Yet the clear and unequivocal wording of section 10 (h) of the National Labor Relations Act (supra) clearly indicates a waiver of all the provisions of the Norris-La Guardia Act, including the provisions for a jury trial, in cases where the Government was a party to the original action.

The subsequent legislative history of the National Labor Relations Act sustains this position beyond all doubt. In 1947 the National Labor Relations Act was amended by an act popularly known as the Taft-Hartley Act (Labor-Management Relations Act, 1947; 61 Stat. 136; 29 U. S. C. 141–188). That act as it dealt with unfair labor practices, specifically section 10 (h) contained the exact wording of section 10 (h) of the original National Labor Relations Act; this language was a complete waiver of all the provisions of the Norris-La Guardia Act as to proceedings involving the issuance of injunctions and the enforcement thereof as authorized by the National Labor Relations Act. That such was the specific legislative intent is clearly indicated in H. R. Rept. 245; 80th Congress, 1st session, page 43 (1947), "Section 10 (h) remains unchanged in the amended act."

The Taft-Hartley Act also provided the President with authority to seek injunctions against strikes which imperiled the public health and safety and authorized the Attorney General to seek the same, and provided the authority for the courts to issue them. (Sec. 208 (b) of the Taft-Hartley Act (61 Stat. 155) provided as follows: "(b) In any case, the provisions of the act of March 23, 1932, entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' shall not be applicable." Here is the second instance of a complete waiver of the entire Norris-La Guardia Act. The legislative intent to the effect that the Norris-La Guardia Act was inapplicable to proceedings under the amended National Labor Relations Act, is clearly indicated in House Report 245, 80th Congress, 1st session, page 9 (1947), which states "Second, the bill arms the President with authority to seek injunctions against strikes that imperil the public health and safety, and authorizes courts to issue injunctions in such cases without regard to the Norris-La Guardia Act."

That same report, on page 43, further states: "But it also makes the Norris-La Guardia Act inapplicable in suits and proceedings involving violations of contracts which labor organizations voluntarily and with their eyes open, enter into. Among other things, this change makes applicable in such cases as these the rules of evidence that apply in suits involving all other citizens."

The third indication of the inapplicability of the Norris-La Guardia Act to cases arising under the National Labor Relations Act, as amended, is contained in section 302 (e) of the act of June 23, 1947. (61 Stat. 158.) Section 302, which makes it unlawful for an employer to pay an employee's representative, and for the latter to accept the same, contains in subsection (e) the following language: "• • •, without regard to the provisions of • • •, and the provisions of the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts, sitting in equity, and for other purposes,' approved March 23, 1932 (U. S. C., title 29, secs. 101–115)." This section conferred jurisdiction upon the United States courts to restrain violations of this section of the Taft-Hartley Act.

Further evidence of the fact that Congress was cognizant of the existence of the rights under the Norri-La Guardia Act and that it was the legislative intent to waive the Norris-La Guardia Act in regard to cases under the Taft-Hartley Act, is found in statements contained in the minority views as set forth in the report accompanying the bill, supra. For example, on page 64, "By making practically all strikes unlawful, it repeals the Norris-La Guardia Act, signed by President Hoover." On page 100 "It grants the district courts authority to issue injunctions, thus taking away the long-standing benefits of labor's hard-won rights under the Norris-La Guardia Act. It goes beyond that and gives the district court the right to include provisions in order "to facilitate the voluntary settlement of disputes." This provision amounts to compulsory arbitration, and if the parties fail to comply with the provisions set forth by the court to facilitate the settlement of the dispute, they could be held in contempt of court." Page 107 "In 1932 Congress finally passed the Norris-La Guardia Act, which expanded the definition of 'labor dispute' and restricted the jurisdiction of Federal courts to issue injunctions in such disputes." Certainly it cannot be maintained on the basis of legislative history that in enacting the Taft-Hartley Act Congress meant to preserve within its provisions any of the rights afforded to labor under the previously enacted Norris-La Guardia Act.

If additional evidence to sustain this contention is necessary, one merely has to refer to Conference Report, H. Rept. 510, 80th Cong., on the Taft-Hartley Act. In the statement of the Managers on the part of the House, page 57, is the following statement: "(17) Sections 10 (g), (h), and (i) of the present act, concerning the effect upon the Board's orders of enforcement and review proceedings, making inapplicable the provisions of the Norris-La Guardia Act in proceeding before the courts, were unchanged either by the House bill or by the Senate amendment, and are carried into the

conference agreement."; on page 64, referring to section 208, is the following language: "The Norris-La Guardia Act was made inapplicable."

The history of the enforcement of the National Labor Relations Act, as amended, affords proof that in contempt proceedings arising out of violations of court orders enforcing the act, there is no right to a trial by jury as had been provided for in the Norris-La Guardia Act. In these cases the Government has been a party to the original action and under existing law there is no right to a trial by jury, in a criminal contempt proceeding, and the exception provided in the Norris-La Guardia Act does not apply. Over the years in the enforcement of the National Labor Relations Act, the Board has rarely petitioned for criminal sanctions because it considers civil contempt the more appropriate instrument for regulating the behavior of labor and management. In the few instances where it has petitioned for contempt citation, the courts have been reluctant to grant it, preferring civil sanction over the criminal. However, there have been instances where the Board has petitioned for both civil and criminal contempt citations, and the court has referred the matter to a master. The absence of cases in point as to the applicability of the Norris-La Guardia Act, so as to provide for a jury trial in contempt citations, is also proof that there is no such right under the Labor-Management Relations Act. If such a right existed since 1935, there should be at least one case controlling, yet no such ruling case can be found.

That the provisions of section 11 of the Norris-La Guardia Act are limited to those cases arising under the act is clearly indicated by the Supreme Court in its decision in *United States* v. *United Mine Workers of America* (330 U. S. 258 (1947)). In that case the union and its president were adjudged guilty of civil and criminal contempt and fined for violating a temporary restraining order issued in a suit by the Government in a labor dispute arising while the coal mines were in the possession of and were being operated by the Government, pursuant to an Executive order under authority conferred upon the President by the War Labor Disputes Act. In its ruling, the Court held that the Norris-La Guardia Act was inapplicable to the factual situation before the Court. Although the defendants had waived an advisory jury before the district court, nevertheless on appeal they urged their right to a jury trial as provided in section 11 of the Norris-La Guardia Act. The Court, on page 298, treated this point as follows: "We need not treat these at length, for defendants, in this respect, urge only their right to a jury trial as provided in section 11 of the Norris-La Guardia Act. But section 11 is not operative here, for it applies only to cases arising under this act, and we have already held that the restriction upon injunctions imposed by the act do not govern this case. The defendants, we think, were properly tried by the Court without a jury." The footnote set forth the pertinent language of section 11. Footnote 69 stated: "We believe, and the Government admits, that the defendants would have been entitled to a jury trial if section 11 applied to the instant contempt proceeding and if the case arose under the Norris-La Guardia Act."

In the same case Justice Frankfurter, in a concurring opinion on page 311, stated: "And so I join the opinion of the court insofar as it sustains the judgment for criminal contempt upon the broad count of vindicating the process of law" (2). Footnote 2 reads as follows: "Since, in my view, this was not a conviction for contempt in a case arising under this act the jury provisions of section 11 of the Norris-La Guardia Act do not apply. For obvious reasons, the petitioners do not claim that the Constitution of the United States affords them a right to trial by jury."

It is clear, therefore, that the right to a trial by jury as provided in the Norris-La Guardia Act was confined by the wording of the act itself to those cases "arising under the act."

It has been contended that in the revision and codification of title 18 of the United States Code in 1948, at which time that code was enacted into positive law, Congress restored the right to a trial by jury in criminal contempt cases arising out of a labor dispute. Such a contention is predicated upon title 18, United States Code, section 3692, which reads as follows:

"SEC. 3692. Jury trial for contempt in labor disputes.

"In all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

"This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court." (June 25, 1948, ch. 645, sec. 1, 62 Stat. 844.)

The argument for this contention is that by the enactment of the subsequent act, namely, title 18, the Congress restored to labor the right to a trial by jury in a criminal contempt proceeding which was denied to it under the provisions of the previously enacted National Labor Relations Act, as amended. Stress seems to be laid upon the fact that section 3692 uses the phrase "in all cases" and the conclusion is that the codification is a new enactment and prevails over the Taft-Hartley Act. The wording of 3692 of title 18 is practically verbatim the wording of section 11 of the Norris-La Guardia Act. The main difference appears, however, in that the Norris-La Guardia Act uses the language "in all cases arising under this act" while the codification employs the language "in all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute."

Support for the contention is based upon a canon that a later law supersedes an earlier one to the extent that they are inconsistent. That canon is true only in cases of later legislation that clearly is intended to change substance.

An examination of the legislative history of section 3692 of title 18, United States Code indicates beyond any question of a doubt that there was no legislative intent to make a substantive change in the law. Once again it must be noted that here Congress in 1948 was dealing with a very important right, namely, the right to trial by jury in contempt proceedings arising out of a labor dispute at practically the same period of time when it was taking away that right in 1947 in at least three specific instances, under the Taft-Hartley act. The legislative history of the revision of title 18 as contained in the report does not support the contention that the enactment of section 3692 carried the legislative intent to change substantive law. The reviser's notes clearly support that argument. For example, the reviser's notes as contained in title 18, section 3692, are as follows:

Based on section 111 of title 29, U. S. C., 1940 ed., Labor (Mar. 23, 1932, ch. 90, sec. 11, 47 Stat. 72)." In other words, section 3692 was based upon the original section 11 of the Norris-La Guardia Act. In addition, the revision of title 18 specifically repealed that provision of the Norris-La Guardia Act, as indicated by the reviser's notes. Section 21 of the revision act itself set forth a schedule of the revised statutes which were specifically repealed at the time of its enactment into positive law. Included in that last, and specifically mentioned, is the act of March 23, 1932, chapter 90, sections 11 and 12, volume 47, Statutes, pages 72 and 73; title 29, United States Code, sections 111 and 112. That citation refers specifically to sections 11 and 12 of the Norris-La Guardia Act. Nowhere is there any mention made of any intent to change substantive law. The whole effect of such enactment was merely to transfer from title 29 into title 18 the provision providing for a jury trial in criminal contempt proceedings arising out of certain labor disputes. Indicative of the fact that such was the intent, namely to merely transfer and not alter substantive law, is the comment contained on page 379, Federal Practice and Procedure Rules Edition, Barron, volume 4: "Under 18 U. S. C. A., section 3692, a defendant charged with contempt arising under laws of the United States governing the issuance of injunctions or restraining orders growing out of a labor dispute is entitled to a jury trial. The same exceptions outlined in the next preceding paragraph also apply here." The reference to the exceptions in the next preceding paragraph are as follows: "This section, however, does not require a jury trial if the contempt was committed in the presence of the court or so near thereto as to obstruct the administration of justice or, if the contempt consists of disobedience of any lawful writ, process, order, rule, decree or command of the court issued in any suit or action brought or prosecuted in the name of, or on behalf of the United States." The particular section being referred to in this latter instance is section 3691 which guarantees a jury trial for contempt which consists of the willful disobedience of any lawful writ, process, rule, order, decree or command of any United States district court which also constitutes a criminal offense under any act of Congress or under the laws of any State in which it was done or committed. The author of that book, W. W. Barron, Esq., was engaged as chief reviser by the law publishing companies who were employed in connection with the revision of title 18 of the United States Code.

Finally, the usual canon of construction hereinbefore mentioned, does not apply to a codification statute, such as the revision of title 18, United States Code, which is involved here. The courts have upheld the contrary presumption in a codification statute that the law is intended to remain substantially unchanged as a continuation of existing law and mere changes in style and terminology do not result in changes in substance nor impair the precedence value of earlier judicial decisions and other interpretations. The following authorities affirm this principle:

Stewart v. *Kahn* (11 Wall. 493, 502 (1871)).
Smythe v. *Fiske* (23 Wall. 374, 382 (1874)).
McDonald v. *Hovey* (110 U. S. 619, 628 (1884)).
United States v. *Ryder* (110 U. S. 729, 740 (1884)).
United States v. *Sischo* (262 U. S. 165, 168 (1923)).
Walsh v. *Commonwealth* (224 Mass. 239, 112 N. E. 486, 487 (1916)).
In re Sullivan's Estate (38 Ariz. 387, 300 Pac. 193, 195 (1931)).
State ex rel Rankin v. *Wibaux County Bank* (85 Mont. 532, 281 Pac. 341, 344 (1929)).
Sigal v. *Wise* (114 Conn. 297, 158 Atl. 891, 894 (1932)).
Martin v. *Dyer-Kane Co.* (118 N. J. Eq. 88, 166 Atl. 227, 229 (1933)).
Norfolk & Portsmouth Bar Ass'n v. *Drewry* (161 Va. 833, 172 S. E. 382, 385 (1934)).

Sutherland Statutory Construction (third edition, Horack, 1943), sections 5709, 5710.

In this particular instance, the presumption that the substance of the existing law was not changed by the enactment of section 3692 of title 18, is strongly buttressed by the absence of any evidence of a legislative intent or purpose to make a substantive change in the existing law. The enactment of section 3692, title 18, United States Code did not in any way amend the existing law as contained in the Labor-Management Relations Act of 1947 and therefore in any criminal contempt proceeding arising out of the National Labor Relations Act, as amended, there is no right to a trial by jury.

As I said earlier, one of the reasons why jury trial has seldom been demanded is that labor lawyers, so-called, have accepted as a clear statement of the law just what the law said when it was passed, namely, that that provision was waived.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. MILLER].

Mr. MILLER of New York. Mr. Chairman, I think at the outset it might be stated that in my judgment the very form in which this bill finds itself at this time is adequate proof of the fact that even in the great field of civil rights it is possible for us here in the Congress to make mistakes that upon sufficient reflection we correct.

You will remember a year ago when this bill was on the floor of the House I said I was a great believer in civil rights, and I repeat that statement today. In the course of my motion a year ago to recommit this bill I pointed out that I did so because I thought in its then form it would destroy more civil rights than it would promote. I pointed out that under the bill a year ago this Commission created in this bill could subpena anyone in this country anywhere and keep him interminably at his own expense. That has been corrected in this bill.

I charged a year ago that this bill permitted the Commission created to investigate loose allegations of unwarranted economic pressure, and that such economic pressure if being exerted on the ground of religion would mean we would attempt to legislate in this Congress that a Catholic publication must hire an atheist if he applied for a job and was otherwise qualified in that field. That has been corrected in this bill.

I charged a year ago that in an emotion-packed bill such as this the Congress would retain no jurisdiction over the operation of this Commission if we allowed it to hire an unlimited number of volunteers to work in this field and to pay them a per diem allowance. That has been corrected in this bill.

I charged a year ago that the bill in its then form permitted the Attorney General to institute actions in the name of people who never even asked for or consented to his action. That has been corrected in this bill.

Now we get down to the simple question, in my judgment, of this matter of jury trial. A lot has been said about this question of jury trial, which has no relation at all to the amendment which I am talking about and to which I referred when I talked about an amendment to this bill providing for a jury trial.

I am not talking about these cases in the Securities and Exchange Commission or the Atomic Energy Commission or in any other field of civil contempt. As an illustration, in this bill, as I discussed with the counsel of the committee the other day, this commission can subpena a witness to appear and testify. If that witness fails to appear, the commission can secure the services of the Attorney General to get an injunction or an order demanding that that person appear before the commission. If that person does not appear in pursuance to the court order, the Attorney General can seek a trial in contempt against that person. Now I am not in favor of a jury trial in that proceeding. That person has committed no act which is a crime under the penal laws of this country. He has failed to obey a court order and the court has the right to enforce its orders in the civil field without a jury trial. But, what I am talking about is what this bill does in the criminal contempt field. I was not in the Congress when the Norris-La Guardia Act was passed. But, if I were, I would have voted for it because I believe in trial by jury, when you are trying a man for an act which is a crime, even though the same act may also be in contempt of court. I was not in Congress when it was allegedly repealed by the Taft-Hartley or the Wagner Act. But, I find no record that anyone then made a statement on the floor that they were in favor of repealing the right of laboring people to trials by jury in labor cases even though that may have been the legal effect of the passage of the act. But, if I had been in Congress at that time, I would not have voted to take away from labor their right to a jury trial in contempt cases. Labor is for this bill—so they say. But, I wonder if they really understand the precedent it creates for labor because if this is passed in its present form without a trial by jury in criminal contempt cases, it means that at some future time it may be alleged that you cannot get a conviction of a laboring man in, let us say, laboring Pennsylvania because of the fact that all of the jurors would be members of a labor union. So, therefore, you enjoin laboring people from committing assaults or blowing peoples' houses up, all of which are crimes and for which they may be indicted and get a jury trial, but you may restrain them by injunction from doing those things, and then when they assault someone you send them to jail not for an assault but for contempt of court, and they go to jail for the same act which constitutes a crime, but without a jury trial. It is alleged, and it has been alleged all the time that this bill creates no new rights, and that is correct. But, if it creates no new rights, it creates no new wrongs. What it does do is to give the Attorney General of the United States the right to proceed against individual Americans in two different ways for the same act. Either he may indict and try before a jury or he can get a restraining order and then try in contempt without a jury trial at all the same individual for the same act which he now has all the authority in the world under existing penal code to try, prosecute and convict, if guilty, in this country without this legislation. What worries me about this question is this. We are talking about the fact that there is no precedent in these cases because under the law of this country, and it always has been the law where the United States is a party to an action, there shall be no trial by jury.

Now, that is true, but because there have been abuses in the labor field at one time it was provided that even in that field, where the United States was a party, there would be a jury trial. Now we are legislating in a new field. If I had my way, I would be in favor of legislation which would provide that in all cases of criminal contempt there shall be a jury trial—in all cases. But, in any event, we are now legislating in a new field. I say that we have the right, and it seems to me the duty to see, if there is no precedent in this field, that we establish one, to make sure that the Attorney General cannot proceed against individuals for the same act for which he might proceed against them today, but in a way which permits him to circumvent the trial by jury requisite. If you follow the theory and philosophy of this bill to its logical conclusion, it could mean that in every single case regarding all the penal statutes of this country we might provide a method by which the Attorney General can reach the same individual for the same act. Thus, we would give the Attorney General the power to proceed against individuals which would put them in jail to rot, the very thing which we fought to establish our independence from in this country.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of New York. I yield.

Mr. CELLER. It does not follow that the action that constitutes contempt must necessarily be a crime. It could be a tort.

Mr. MILLER of New York. I am talking about my amendment, which I have in mind, which relates only to criminal contempt, and, as defined in the statute, only those acts which are today a crime.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KEATING. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. CELLER. Mr. Chairman, will the gentleman yield further?

Mr. MILLER of New York. I yield.

Mr. CELLER. I understand, then, you are contemplating offering an amendment limiting this matter to criminal contempt?

Mr. MILLER of New York. That is all. Just for those acts which today constitute a crime.

Mr. CELLER. As defined in title 18?

Mr. MILLER of New York. That is correct.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. MILLER of New York. I yield.

Mr. KEATING. There is nothing unusual, is there, in providing that the

same acts might give rise to a prosecution for a crime, or an injunction proceeding to restrain the continued commission of those acts? Is that not something which is common, not only in the Federal jurisdiction but in the State of New York?

Suppose you and I walk out and you hit me as we are going across the street and I do not like it, but I swallow that, and the next day you hit me again and I do not like that. I have two remedies. I can go to the District Attorney and have you charged with assault, or I can bring an action in equity for an injunction to stop you from continued assault.

Mr. MILLER of New York. You can, and if you do I get a jury trial.

Mr. KEATING. Not in the injunction suit.

Mr. MILLER of New York. Yes.

Mr. KEATING. Then, if you hit me a third time, in that case you are in contempt of court, and there is no jury trial in such a case.

Mr. MILLER of New York. Under the Federal jurisdiction, if you are the plaintiff, there is now.

Mr. KEATING. I am talking about New York State.

Mr. MILLER of New York. It does not make any difference. The proceeding which you are talking about would be for the District Attorney to get an injunction for you? There is no such proceeding as that.

Mr. KEATING. You can bring an action against continued wrongful acts.

We have cases time and again of actions in a court of equity in the State of New York where an act is sought to be enjoined which may in addition be a criminal act, but it may be that the complainant rather than proceed criminally, wanted to proceed by injunction in order to restrain the continuation of the act before it took place. In the event, after the court issues an order restraining that action from taking place someone defies that order, the one defying it has no right to a jury trial.

Mr. MILLER of New York. I am not talking at all about the injunction proceedings. In other words that is one reason why the Attorney General wanted this particular legislation because of the haste he claimed was necessary. I am not talking about that because under my proposed amendment there is no prohibition or objection at all to the Attorney General getting his temporary injunction or getting his permanent injunction eventually. All we are talking about here is what happens when the defendant is brought into court for his trial for the violation of a court order. Then what has haste got to do with whether he has a trial or not?

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. KEATING. Mr. Chairman, I yield the gentleman five additional minutes and ask him if he will yield to me.

Mr. MILLER of New York. I yield.

Mr. KEATING. If on the eve of election an effort were made to interfere with an election, and an injunction was sought to restrain such interference, it would result in undue delay amounting to a denial of justice if a jury had to be impaneled and the man tried by a jury, because in the meantime the election would have taken place and the question would be moot.

Mr. MILLER of New York. He would have to be charged with being guilty or he would not be in court at all.

Mr. KEATING. He would not be in court without having been charged.

Mr. MILLER of New York. But he would have been charged already with committing the crime.

Mr. KEATING. The court would act to restrain him or prevent him from doing something. Then if he continued and you had to impanel a jury to determine whether or not he was guilty, the election would be over and your whole question would be moot.

Mr. MILLER of New York. That does not in my judgment follow at all. In other words, once you get him into court theoretically the speediness of the trial loses significance. At that point when you go into court and he is standing trial the question is how long is the trial going to take. I am thinking of procrastination. Why, a defendant could take days even without a jury in submitting all kinds of evidence for the defense if he wanted to. To my mind that does not reach the problem at all.

Mr. WILLIS. Mr. Chairman, does the gentleman yield?

Mr. MILLER of New York. I yield.

Mr. WILLIS. I think the gentleman has made a very clear and penetrating statement. I was intrigued in connection with one passage of his argument. Let me see if I followed the gentleman correctly. The gentleman argued, did he not, that under this bill a man charged with criminal contempt could be sent to jail by a Federal judge without a jury. Now, suppose that for one reason or another the district judge held him to be not in contempt; then, under the same facts he could still be prosecuted, could he not?

Mr. MILLER of New York. That is right.

Mr. WILLIS. Is not that in essence double jeopardy, putting his liberty twice in jeopardy?

Mr. MILLER of New York. Except that it is a violation of two different statutes.

Mr. WILLIS. That is correct, two different statutes, but there would be no such situation under present law; it is what could happen by virtue of the passage of the bill now before us.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of New York. I yield to the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Under the gentleman's amendment, would the defendants in the Clinton case be entitled to a jury trial notwithstanding the United States was an original party to the proceeding?

Mr. MILLER of New York. Yes; they would.

Mr. RIVERS. Under your amendment?

Mr. MILLER of New York. Yes.

Mr. RIVERS. And in the school cases under the unconstitutional opinion given by the Supreme Court, if they got an injunction against an entire community, under this bill the entire community could be put in jail for violation of the injunction. Under your amendment every one of them would have the right to a jury trial?

Mr. MILLER of New York. If the act which it is alleged they did which violated the injunction is also an act under the laws of the United States Government.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of New York. I yield to the gentleman from New York.

Mr. CELLER. I wonder whether the gentleman will put in the RECORD the amendment that he contemplates offering?

Mr. MILLER of New York. Yes; I will be glad to.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. BOYLE].

Mr. BOYLE. Mr. Chairman, the committee has listened patiently to the debate for these several days, and off of the record of all of the individuals who have taken the floor and who have spoken on this very serious piece of legislation, it is patent that there is a terrific amount of talent in the House of Representatives. I would be uncomplimentary to anybody's powers of perception if I at this late date was to assume even by inference that I probably could add anything new to that which has already been stated. The ground has been very well covered. Brilliant addresses, brilliant remarks, brilliant questions have punctuated all of the debate. What we have seen on the floor here today has further demonstrated the excellence and the brilliance of the individuals who compose this great body.

I believe there is one observation, however, that has not been concurred in yet and I want to record my agreement in it at this time. When my very good friend, MENDEL RIVERS, said that if a man is in jail he is in jail, the gentleman uttered a very profound philosophical observation, because under the principle that a thing can be and cannot be simultaneously I do not think anybody is going to quarrel with the factuality of that remark.

I had the honor of serving here in the last session. I further had the honor of being a member of the Judiciary Committee. As a member of the Judiciary Committee I was on section 2, the section that heard all of the testimony and all of the witnesses on the bill covering the civil rights bill in the last session. On that committee was the fine gentleman from Georgia, Mr. Forrester; the great lawyer from New York, Mr. Miller; and those very fine and equally brilliant lawyers, the late Chauncey Reed, Mr. Burdick, Mr. Donohue; and the chairman, Thomas Lane. It is truly remarkable how much you learn to respect and to accept and to appreciate people's viewpoints when you sit with them day after day after day and see the workings of their fine legal minds.

Mr. Chairman, if civil rights means anything generically, it means merely the protection of the rights of all individuals, particularly minority groups, to

security, to liberty, and to vote as American citizens. That, simply, is pretty much just what the area of civil rights encompasses.

We all know, and it has been heard several times—yes, a dozen times—that the first 10 amendments to the Constitution are restrictive on Federal activities and that the subsequent amendments are restrictive on State activities. When you talk about the 13th amendment and the 14th amendment and the 15th amendment, you are talking about legislation that limits and characterizes the rights of States, so that when we view the 15th amendment, we see it guarantees the right of people everywhere in the United States to vote, irrespective of race or creed or color or servitude or sex.

Under all of the cases interpretating and adjudicating this amendment the Supreme Court has a right to enunciate what constitutes and is the supreme law of the land. The weight of authority is the 15th amendment, is self-executing, and inherently has all the elements to effect its design and purpose.

The present civil-rights bill reiterates, codifies, and reenunciates the right of everybody in the whole United States to security, to liberty, and to the right to vote. When you weigh this bill you are talking about a bill that is ordinary, matter of fact, and reasonable as any civil-rights bill could be drafted. Personally, I do not think it goes far enough, but it is not for me to work my will on the subcommittee or on the full judiciary committee or on the House. I merely say that if you want to be honest and if you want to talk about this bill, you have to talk about it in connection with the guaranties of the 15th amendment. You all know the rights created by the 15th amendment have corresponding duties which devolve upon everybody. Let us now draw back aghast and be unduly worried with an individual or a group of individuals who will not appreciate or honor the guaranties of freedom of voting and who are unmindful of the duties that the 15th amendment imposes on all of us. Contained in this bill is civil remedy for the enforcement of civil rights. There are a lot of valid reasons for the need of this bill. The area of civil rights, looking at it from my background, my pedigree, and my judgment fortified by 3 years of study, research, and testimony of a great number of witnesses, indicates that from time to time the civil rights of people have not been fully protected and preserved. The need for better enforcement or a better firming up of the guaranties of the people under the Constitution of my work on the committee was demanded. A civil remedy appears more effective and workable like a criminal remedy, because there a lot of wonderful people, honest as the day is long, who have different philosophies and different viewpoints about civil rights making criminal prosecutions hard to secure and somewhat ineffectual. And, that is all well and good.

The testimony developed that under existing law, you have to firm up the 15th amendment. You have to make it more articulate so that it means to everybody in all sections of the country just what the law says in its very words.

No justifiable objection exists against having the rights protected by a civil proceeding. It is not nearly so harsh in a civil proceeding which finds the person or persons going to the Attorney General and registering complaint under oath that their rights are being injured or taken away or abridged or are about to be taken away or abridged. What happens then? The Attorney General examines the physical facts and sees whether predicated upon existing law and the verified physical facts, a case is made out. If the Attorney General is satisfied that it does, he files an application for an injunction in court. The court in its wisdom, looking at the four corners of the petition for an injunctive writ, passes upon the sufficiency of the recitals. If the injunction issues, the individual is served with an injunction writ restraining him—from what? Restraining him from not recognizing and appreciating and guaranteeing another American's rights.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield.

Mr. BROOKS of Louisiana. I would like to ask the gentleman this question. I have studied that provision in reference to injunctive relief. I notice no restrictions at all on the injunctive order which the court may issue. Does the gentleman construe that, as I do, that a Federal judge, sitting here in the District of Columbia could issue an order prohibiting the doing of certain things on suspicion that there might be some chance of the law being violated, and that that would be binding upon a man in California, or a man in Louisiana, or a man in Maine or a man, let us say, in Minnesota? Is that the construction the gentleman places on it?

Mr. BOYLE. I would say no. I would say merely to the gentleman's hypothesis that no injunction writ should issue.

Mr. BROOKS of Louisiana. What limitation does the gentleman place on the judge?

Mr. BOYLE. I think any injunction that is predicated solely on information and belief does not meet the true test for injunctive relief.

Mr. BROOKS of Louisiana. Does not the gentleman construe this wording to mean that the order issued in the District of Columbia would bind anyone in California just as well?

Mr. BOYLE. No; I do not. As a matter of fact, I do not think the language indicates that at all. I do not think the District of Columbia is the place where you would make your application for an alleged infraction that is taking place somewhere in a judicial district.

Mr. BROOKS of Louisiana. There is no restriction in the bill.

Mr. BOYLE. I think there is.

Mr. BROOKS of Louisiana. I could not find it. I would be glad if the gentleman would point it out to me.

Mr. BOYLE. I think there is.

Mr. BROOKS of Louisiana. Will the gentleman point it out?

Mr. BOYLE. I cannot take the time at this moment to do that.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman.

Mr. McCULLOCH. I think the Code of Civil Procedure beyond any question wil answer the question of the distinguished gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. The Code of Civil Procedure is not a part of this statute.

Mr. McCULLOCH. I know, but the courts are bound by the Code of Civil Procedure. And, in addition, I am sure that the gentleman will agree with me that this would not be the proper forum in which to bring a defendant into court, and he could not be brought into court.

Mr. BROOKS of Louisiana. I would say it is not the proper forum; there is no question about that.

Mr. McCULLOCH. This forum would not have jurisdiction, and therefore, in my opinion, could not issue a valid order if it were challenged.

Mr. BOYLE. That is my understanding, and I thank the gentleman very much.

Mr. McCULLOCH. I refer the distinguished gentleman from Louisiana to paragraph (d) of rule 67 of the Civil Rules of Procedure.

Mr. BROOKS of Louisiana. I did not find it as clear as the gentleman seems to think it is.

Mr. BOYLE. Let this record indicate that I am a firm believer in the right of trial by jury in criminal cases. The right to a trial by jury in criminal cases represents a 700-year struggle for human rights and I would be the last one to impose any roadblocks or to do anything that would diminish those rights. However, if you are going to encourage the three branches of our Government to be separate, distinct, and coextensive, you must agree that you cannot tie the hands of a court, especially since the legal decisions from time out of memory have enunciated and reenunciated the inherent right of the courts by contempt proceedings to take care of their decretal orders, to take care of infractions against their dignity. Thus the reason for the rule every court shall have power to compel obedience to its lawful judgments, orders, and process. When an individual is brought into court, for violation of an injunction previously issued against him restraining him from interfering with a person's right to vote, he has a perfect right to appeal that order if he wants to, but so long as the injunction order is on the books unchanged or unmodified, then the man is right within almost the presence of the court. If an individual wants to arbitrarily ignore the injunction which says, "You shall not interfere with the rights of Mr. 'B'," then of course he acts at his peril. And what is so shocking or unconscionable about sentencing an individual who flagrantly violates the order of the court being adjudged in contempt? Absolutely nothing.

If time permitted, I would like to go through this brief of 176 pages which details what the law of injunctions is obtaining in almost every State. Very

few States afford the contemnor a trial by jury.

When this bill came up on the floor in the last session of Congress none of the lawyers in my subcommittee raised the point of trial by jury because they knew that the right of the court to enforce its own injunction decrees was a right that was part and parcel of the imprimatur or the sanction of a court. If you take that right away from the courts of course you are tying the court's hands. But in addition to that, to accept the position of the opponents of this bill you have to assume that the executive branch of this Government will not do its level best with its responsibilities, which are care, obedience, loyalty, and duty to account; but assuming that is not the case, transmitting that fact, you still have to go a step further, and assume that the judiciary of this great country, the judges that constitute the Federal courts, are not going to be able to look at this problem and render a decision under a rule to show cause why a person should not be held in contempt of court. In a proceeding of this character the question is: Has the order of the court been violated?

I submit that the amendment for a jury trial is an afterthought. I submit that although I believe in a jury trial in criminal cases. There is a real difference between a crime under a statute and criminal contempt proceedings. The issues are not the same. The fact that a fellow wants to arbitrarily ignore and contravene the order of the court and ends up in jail is far different from the case where the individual commits a crime—against the United States because he is guaranteed the right of a trial by jury. In no instance where the United States is a party do you have the right of a trial by jury in pure injunction cases.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield.

Mr. GROSS. I have sat here for several days and have tried to listen with an open mind to this discussion of the pros and cons on the question of jury trials. I am becoming more and more convinced, since it appears there are no two lawyers—or at least not much more than two lawyers in this body who can agree on this thing that, perhaps, the best thing we can do is to put a provision in this bill for a jury trial and leave it to 12 good men and true to decide.

Mr. BOYLE. In answer to the gentleman, I say he is one of those individuals, whom I referred to earlier, with all kinds of talent, and when he makes observation after listening with as open a mind for all of these days, he comes to that opinion, I respect him for making that observation. I say I think it would be a shame if we burdened this legislation with trial-by-jury amendment solely because I have not made myself clear. The courts have a right always to punish for contempt and they should not have to get the opinion of 12 good men and true when they adjudicate to the simple question of whether or not there was in fact a violation of a court order.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield such time as he may care to use to the gentleman from Louisiana [Mr. LONG].

Mr. LONG. Mr. Chairman, much has been said here today about the constitutionality of this bill. It has been argued that this measure will not take away any of a person's rights for trial by jury in criminal cases. Yet this law is a redraft of a criminal law.

One of the fundamentals to me in our Constitution is a guaranty of the right of trial by jury. In my humble opinion, if this bill is passed, and there are many good lawyers who believe as I do, you will find that men will be brought into court and tried without the rights of trial by jury having been preserved. They would be sentenced to jail and forced to serve sentences. This is suppose to be a civil-rights law.

In my State of Louisiana, we have no objections to any man, regardless of his race or color, voting. Of course, we have laws that are applicable to both races and if an individual qualifies under the laws, he is entitled to vote. There might be instances in communities where more white people qualified to vote than there are colored, but there might be more colored people in another community qualified to vote. The relationship between the white man and the colored man in our State is very fine. The colored man has his schools and his communities, and he is happy with them. The only trouble that we are having in Louisiana are cases in which some interloper NAACP group or other organization of that kind comes in and stirs up strife and hatred in what was otherwise a friendly relationship between the two races.

Again, I want to say that I believe I know a parallel case as far as the civil rights of a man are concerned.

As I said before, they are saying that a man will not be denied his rights to trial by jury under this law.

On June 30, 1955, we had under consideration in this House of Representatives a bill which would have made it impossible for our Government to enter into treaties whereby our boys could be tried in a foreign country. It was argued then if a man was on the grounds occupied by our troops, where he was entitled to be and in line of duty, that he could not be snatched and tried in a foreign country, and very likely an unfriendly court.

Yet, I would like to cite a case now that, regardless of the argument made here back in 1955, has happened today. William S. Girard, of Illinois, is today facing a trial by a Japanese court.

Maybe it would be well to remember just a few things about Japan. A few years ago, as everyone here remembers, Japan made a sneak attack on Pearl Harbor. Today, in the hull of the U. S. S. *Arizona* lying at the bottom of the Pacific Ocean at Pearl Harbor, there are 1,102 good American boys as a result of this sneak attack. Twenty-four are from my home State of Louisiana and four from my district.

Knowing the temper of the Japanese and how anxious they are to get hold of this American soldier for trial makes one's blood run cold. If Girard is turned over to Japanese courts, then his rights under the Constitution will be denied him because in Japan they have no trial by jury. This man, because of an accident, will probably be allowed to rot in a Japanese jail—fed to the wolves, as it were, by our diplomats. Why? Because they say that it is imperative that we maintain good relations with Japan.

How many mothers whose sons are on foreign soil and serving their country will understand that their sons will not be sacrificed on the altar also for diplomatic relations?

I repeat, this case is parallel to the issue now under consideration.

The problems which arise from a biracial society are many and cannot be solved by passing a law or taking a position one way or the other on one of these several vital issues. We in the South with its large Negro population, through many years of contact, have learned the colored man's ways and he has learned ours. To say that a man in New York, where the Negro population is 6 percent, would know as much about this problem as a man in Louisiana where the population is 33 percent, is not speaking realistically.

One cannot understand these problems by mere observation. We in the South have had actual contact with the situation. I firmly believe that if we let each State handle its own civil rights, there will be no insurmountable difficulty or trouble.

In my opinion, and in the opinion of many who have had an opportunity to observe firsthand the progress of the Negro in the South, vast improvements have been made in his lot. I do not believe that anyone feels the questions which have arisen and which confront a biracial society have been answered, but the important thing is that great and consistent progress has been made toward the solution of these problems.

In a biracial society such as we now have in the South the Negroes have their own professional men and own businessmen, their own working groups, their own organizations, churches, associations, and so forth, which are doing well and which are making steady advancement and improvement.

In the great State of Louisiana our election laws permit equal opportunity to both Negro and white voters. During the tenure of my brother, the late Huey P. Long, as Governor of Louisiana, we abolished the poll tax long before there was any agitation in this matter. When the children of the State of Louisiana were given free schoolbooks, those same free schoolbooks went to Negroes without discrimination. For many years the State of Louisiana has given free lunches to schoolchildren, both Negro and white. There are many fine schools in Louisiana for Negroes and the opportunity for self-improvement in our State is exceedingly great for Negroes. The problems that do exist can best be solved in the local areas by the people involved who have to live with these problems and who therefore understand them better. Aggressors who go into southern areas from other sections of the country clearly for political purposes do not have an understanding of the problems which exist and operate in the South.

With respect to integration in our schools, I have said in the past, and repeat here today, both the white and Negro races are satisfied with the existing situation and the only exception is that small group which aggravates the circumstances and creates dissension. The colored people in the State of Louisiana have their own sections in the towns and cities, and are happy and content to stay there in those areas which they have gravitated to and which are established as their part of town. These communities have their own churches and recreational facilities. Negro businessmen and professional men operate in these communities very successfully. To disturb these arrangements would not improve the relationship between the white and Negro races in the South and would generate hatred, strife, discontent, and economic hardship which presently do not exist.

For the Federal Government to intrude by stepping behind State lines violates the principles of States' rights. The people in Louisiana, my home State, and I am sure the same is true in other States, feel that the rights in the individual States begin at the border of the State and that the State Legislature and State police power can and should regulate their school systems. As a firm believer in States rights, I strongly oppose any attempt to pass legislation which strives to force mankind to alter his mode of life as based on custom, tradition and personal beliefs.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, like the other ladies and gentlemen who have sat through these almost 3 days of debate, I think, perhaps, some of us who are not lawyers can now for the first time appreciate how it is possible to get a 5 to 4 Supreme Court decision. I cannot help, however, from remarking that as the debate has proceeded on the technical arguments, the legal arguments that have to do with the right of jury trial, hardly a word has been said here as to the fundamental moral question which is raised by this particular legislation. This legislation is called for by the President of the United States. It is called for by his Attorney General. It has been called for by many previous administrations, not capriciously, because there is a fundamental moral need to enforce a part of the Constitution of the United States. I believe it was the gentleman from Texas who asked of this House if anyone knew of any cases, in our districts, which required this legislation. I think it would be well for all of us to go back, if we do not come from such districts and satisfy ourselves that there is a need for this legislation and that there has been that need for a good long time. I would refer all of you, first of all, of course, to the hearings, to the hearings on the Senate side and then the hearings on the House side. I can give you the pages to read in which the Attorney General of the United States specifically cited the reasons, the cases, for this legislation. And anybody who cares to do so can, I am sure, then go to the Department of Justice and read the sworn complaints of actual people who claim and who want redress because their rights to vote as guaranteed to them as citizens of the United States have been denied, and who believe their rights are in jeopardy.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I have only 5 minutes. I will yield later.

Mr. DIES. I will not take the gentleman's time.

Mrs. CHURCH. Mr. Chairman, I rise to a point of order. I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] Ninety Members are present; not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 105]

Alger	Ford	O'Konski
Anfuso	Frelinghuysen	Osmers
Bailey	Garmatz	Philbin
Barrett	Granahan	Poage
Bass, N. H.	Harvey	Powell
Beamer	Healey	Prouty
Belcher	Hillings	Radwan
Bennett, Mich.	Hoeven	Santangelo
Boach	Holifield	St. George
Bow	Holtzman	Scrivner
Bowler	Horan	Seely-Brown
Brown, Mo.	James	Shelley
Buckley	Keeney	Smith, Wis.
Budge	Kilburn	Spence
Burdick	Latham	Taylor
Byrne, Ill.	LeCompte	Teller
Chudoff	McConnell	Vursell
Cooley	McIntire	Wainwright
Coudert	Machrowicz	Wharton
Dawson, Ill.	Mason	Wigglesworth
Dempsey	May	Williams, N.Y.
Dollinger	Miller, Md.	Willis
Donohue	Miller, N. Y.	Withrow
Dooley	Morano	Wolverton
Eberharter	Moulder	Zelenko
Engle	Multer	
Fogarty	Norrell	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 6127, and finding itself without a quorum, he had directed the roll to be called, when 355 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from California [Mr. ROOSEVELT] is recognized.

Mr. ROOSEVELT. Mr. Chairman, just prior to the quorum call, I had tried to express my humble opinion that while the House had participated in one of the most brilliant legal debates that has been held for a long time, perhaps we have somewhat wandered from the great moral issue which is before the House in this bill: In particular I asked the Members of the House whether they would be good enough to go back over the information available to the membership as to the fundamental moral need for this bill.

Mr. Chairman, if there is one citizen of the United States in our democracy who is unable to vote because of intimidation or because his basic, constitutional right to vote is being denied to him by any unlawful means, it is important to our democracy that that wrong be righted by the action of the Congress of the United States.

It would also be well for us to recognize that there is immediately available to the Communist propagandizers of the world the greatest issue that can be used against free people and democracies if they can point to the United States as not securing one of the fundamental rights of its Constitution to every American citizen. But I will not draw upon that further because I think it is more important first for us to look at it as something that we must cure within our own house.

The issue of trial by jury has been brought before us. Those of us who are not lawyers, will listen to the arguments with this fundamental thought in mind: Is this and any amendment, which is proposed to this bill, aimed fundamentally at preserving a right of the individual, or is it aimed at destroying the effectiveness of the bill itself?

I have justified confidence in the two fine gentleman from New York who are in charge of this debate in saying that if there is any amendment offered on this floor which does in any way try to secure rights which are the justified rights of all the citizens and at the same time which does not destroy the effectiveness of this bill, they will give it favorable and serious consideration.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KEATING. Mr. Chairman, I yield 5 minutes to the gentleman from California.

Mr. ROOSEVELT. Up to this point, and I think this is not unfair criticism, we have not yet heard any amendment or any effort at trying to describe an amendment, with the possible exception of the amendment proposed by the gentleman from New York [Mr. MILLER]—whose amendment Mr. CELLER has said he will consider when it is available in written form—which would not directly destroy the heart of the bill itself. I hope this House when it comes into the debate under the 5-minute rule will do all that it can in its wisdom to sift out those amendments with that criterion in mind, that we may do what the Constitution calls upon us to do, implement the applicable amendments of the Constitution.

Let us remember always the basic, fundamental thesis of the legislation. We are not seeking to punish anyone. We are seeking simply to prevent anyone from denying the right to vote or to coerce anybody in his rights or her rights under the Constitution. No one can be punished who does not willfully violate an order of the Court to enforce its orders.

I personally believe, after listening to the debate, that this bill accomplishes those purposes. I know that with the evidence before us, if we again fail this year to right these wrongs which have been brought before us year after year by Republican and Democratic administrations; if we fail at a time such as this in the history of the world our right to be the leader of the free peoples of the

world, seeking peace for all mankind, will indeed be seriously questioned and undoubtedly imperiled.

Finally, in conclusion, I hope that the House will pass H. R. 6127 and that it may be a signal to all the world that this House, representing directly the people of the world's greatest democracy, has exercised with courage its duty.

Such action will remove the accusation that our devotion to fundamental rights and freedoms is but lip service. It will make of our Constitution a truly living thing. It will justify those who long to be sure that a free people will guard with justice and insistence the rights of all, every one of its citizens.

Mr. CELLER. Mr. Chairman, I yield such time as he may care to use to the gentleman from North Carolina [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, on July 17 of last year, in a speech on the floor of the House, I opposed a bill which I believed to be dangerous and destructive to our constitutional system of Government. That bill was the vicious and vindictive H. R. 627, the so-called civil rights bill, which, fortunately for the American people did not become the law of the land. But H. R. 627 has not rested long in its grave. Its corpse, and that of its predecessors have been resurrected and today the Congress finds itself debating H. R. 6127.

Mr. Chairman, it is about H. R. 6127 that I wish to speak for a few minutes. I will not try, in the brief time allotted to me, to analyze the bill. The measure and its various sections have been thoroughly discussed so far on this floor and I dare say there is not a Member of the House who is not familiar with it. But, Mr. Chairman, I would not be faithful to my conscience and the trust placed in me by the people of my Congressional district if I did not oppose, with all the strength at my command, this assault on the Constitution of the United States. The proponents of H. R. 6127 tell us that it is necessary to have this measure enacted in order to protect the constitutional rights of our fellow Americans. From the arguments that have been advanced on the floor of this House in support of this measure and from reading some of the inflammatory, journalistic propaganda being circulated today throughout the land, one, if he did not know the truth, would be led to believe that Americans are a race of uncivilized barbarians.

Where, I ask of those who are so convinced of the great and pressing need of this legislation, are Americans being denied of their fundamental rights in such a wholesale manner as would justify the revolutionary features embodied in this bill? Where, in the great State of North Carolina are citizens being deprived of their constitutional rights to life, liberty, and the pursuit of happiness?

Mr. Chairman, let us be frank about this legislation. Let us admit that it is directed at those States south of the Potomac—States which have had the courage in the past to oppose tyranny from whatever source, and which stand united today as never before to protect their way of life within the framework of the Constitution of the United States. The breakdown in local law and order contemplated in H. R. 6127 does not exist in North Carolina and her sister Southern States.

The bill that we have before us is a radical and revolutionary measure designed to strip the States of this Union of the sovereignty they have so jealously guarded since the founding of the Republic.

If the measure we now have under debate becomes law the States will have ceased to exist in their true constitutional sense, and the strong centralized government the enemies of democracy have so long strived to secure will at last become a reality.

The Constitution of the United States is on trial in this debate. Within recent times it has suffered at the hands of the executive and judicial branches of our Government. If H. R. 6127 becomes law it will be further stripped of some of its fundamental provisions.

Mr. Chairman, I do not believe that our forefathers ever contemplated that the day would come when the Congress of the United States would seriously consider creating a Presidential Commission to rove about the land and intimidate and harass free Americans. I do not believe they had the remotest idea that someday their children's children would attempt to create an Assistant Attorney General for the sole purpose of interfering with the rights of the sovereign States.

Mr. Chairman, could we truthfully say that our forefathers ever dreamed that the day would arrive when the Congress would even debate, much less seriously interfere with the right of trial by jury? No. Had any of these things been realized by the Founding Fathers as a future possibility, we might never have had a Union. Certainly the Constitution as submitted to the States and the people had adequate safeguards against such usurpation of power.

We have come a long way since the representatives of the original colonies fashioned our fundamental law and thus molded a nation.

Mr. Chairman, the guiding spirit of our progress is the firm adherence to the basic and time-tested principles embodied in the Constitution of the United States. That great document sets up definite areas of action for the Central Government and the sovereign States. Those powers not expressly granted to the Federal Government are reserved to the States and the people thereof. Mr. Chairman, the Federal Government has only those powers given to it in the Constitution. The rest remain with the States and no creature of the Federal Government, including the Congress itself, can usurp these sovereign powers. Only the people, through an amendment to the Constitution, can give away any of their sovereignty.

It is tragic to witness the great erosion of basic liberty which is taking place today in America. Slowly but surely the Federal judiciary, the executive, and unfortunately the Congress, are drawing a noose tight around the neck of the individual States and in time they will cease to exist as sovereignties and become administrative provinces, if a halt is not called.

Mr. Chairman, the brakes must be applied here in the Congress. If the States do not find a champion of their constitutional rights in this Capital, then I fear their decline has become complete.

It, therefore, behooves each and every one of us to look to the broad issues involved in the radical bill which we have under debate. Let us search our conscience, and if it becomes a choice between the Constitution as we understand it and the measure now under debate, let us, without hesitation, stand by the great charter of all our liberties.

Mr. Chairman, it is with a sense of sadness that I hear loyal, patriotic and dedicated Americans debate whether or not their fellow citizens are entitled to a trial by jury. It is hard to visualize that such would ever come to pass in the United States. Trial by jury is so fundamental to the Anglo-Saxon race that we ought to accept it without question.

Mr. Chairman, it might be well for us to pause a few moments and reflect upon the great price that has been paid by the English-speaking peoples for the right we are attempting to deny to our own countrymen today. Our Anglo-Saxon forefathers won a great victory when they wrestled the Magna Carta from King John of England. And in that immortal document—the first of a long line of charters that was to give dignity to the individual and liberty to the work—was a guaranty of the right of jury trial. Mr. Chairman, in clause 39 of the Magna Carta, King John promised that no freeman should be taken or jailed "except by the legal judgment of his peers or by the law of the land." That great right arm was granted on June 15, 1215—over 700 years ago. Ever after man was to be tried by his fellow man. Five hundred and sixty-one years to a day after Magna Carta, on June 15, 1776, Virginia gave to the world its magnificent Declaration of Rights. Articles 8 and 11 of that great document guaranteed the right of jury trial.

So, Mr. Chairman, it is well for us to consider the past and the history of the origin of our liberty, for in so doing we might be more mindful of the sacred nature of our institutions and more determined to protect them from the assaults of ill-advised and radical measures, such as H. R. 6127.

I am convinced that there is no demand today for such an extraordinary departure from our fundamental rights of citizenship as are the provisions of H. R. 6127. We have committees of the Congress composed of duly elected Representatives of the American people which have the constitutional right, at any time, at any place, to investigate the denial of basic rights to American citizens.

What is the great compelling reason that forces us to abandon trial by jury; to create a super investigating commission? Why must we literally go beyond the Constitution itself in order to enact a measure that will satisfy the demand of minority pressure groups?

Mr. Chairman, in addition to the Congress of the United States, there are 48 State constitutions dedicated to the preservation of the rights of the citizens of this Union, and as many State legislatures ready to investigate and provide by due process of law remedies to safeguard the basic freedoms of our people. The States are the natural guardians of the civil liberties of the American people and Congress should exert every effort to strengthen the power of the States in this respect. We should not—we must not—let political expediency or personal passions sway our better judgment whenever we are legislating in this field.

What this Congress does with H. R. 6127 will have a profound effect on the future of our Nation. If this bill becomes law the point of no return will be passed on the highway we are now traveling toward constitutional irresponsibility. H. R. 6127 will deal a mortal blow to the historic role the States now play in the Union and Federal power will be supreme in every phase of economic, social, and political life of the Nation.

Mr. Chairman, it is my firm belief that the United States will enter a period of decline if the States of this Union are stripped of their sovereignty. The happy and harmonious balance we have had in the past between State and Federal power has enabled us to become a leader of the world. Destroy that balance and it is my conviction that we will have centralized despotism.

In conclusion, Mr. Chairman, I call on the Members of this Congress to reaffirm their faith in the Constitution of the United States and strike down this bill, which, if enacted, will do violence to our fundamental institutions. Let us dedicate ourselves to the task of strengthening our States, for only in their strength can America survive.

Mr. CELLER. Mr. Chairman, I yield 30 minutes to the gentleman from Georgia [Mr. FORRESTER].

Mr. FORRESTER. Mr. Chairman, I am not given to coming down to the well of the House and speaking on all occasions. The truth of the matter is it just so happens this is the first time that I have been in the well of the House during this particular session of the Congress, and it is the first time I have injected my thoughts and my ideas in the debate on any legislation that we have been considering. But, Mr. Chairman, if you will pardon me for this observation, and I say this in all humility, I honestly believe I know something about this legislation. I believe it the duty of a man when he walks into the well of this House, and when he addresses you, to be of the opinion that he might make some contribution, particularly when we are engaged in one of the most complex pieces of legislation that has ever been submitted to a Congress.

Mr. Chairman, I have been a member of the committee that has heard this legislation. I have been engaged in the study of this legislation for approximately 3 years. I tell you here and now that I oppose this legislation. I am not going to talk to you just about an amendment providing for jury trials in contempt cases. I am completely aware that the hour is late, but I say to you—bear with me—bear with me for the work's sake because I say to each and every one of you—never have you in all your service in the Congress been engaged upon such a serious matter as you are now being called upon to reflect upon and vote upon. Upon my word of honor, I say to you that this is not an innocuous bill. It is not a watered down bill. This is a bill that strikes at the very vitals of constitutional government, and when I say that I am measuring my words.

I do not pose as an expert on morals. I will tell you what I do know. I do claim credit for having been a country lawyer for 30 years, and in my limited way I would not be surprised but what I have tried as many criminal cases as any man in this House. I have tried them by the thousands and the thousands.

I heard one of our distinguished Members on the floor today say we did not understand the basic operations of this bill. Well, he is a brilliant young man, but you know there is always a possibility that if you will let a little experience talk sometimes, those who have been through the mill, those who have been whipped in the courtroom lots of times—you know that is important too in understanding there can be two sides. One of the worst things that can happen to a young lawyer is to win his first 3 or 4 cases. You just about ruin him. The thing to do is to let him lose about a half a dozen and make him wonder whether he is ever going to win one. Then he will begin to realize that there are two sides, and that he had better approach that problem from two sides.

Now, Mr. Chairman, I want to talk to you seriously today, and I want to talk to you from my heart and my soul. I want to lay this matter on your hearts. I am talking to you Republicans. I am talking to you Democrats. I have got a right to talk to you. I have got a right to talk to you because, above all, and before you are Democrats and before you are Republicans, first you must be Americans.

I want to tell you this. I have felt no compulsions whatever in leaving this Democratic side over here and walking over there with you, and you know it. Just let the issue be a matter of conscience with me, and if I think you are right, I will walk over there with you, vote with you, and I will apologize to no man for it. As a matter of fact, if the time ever comes when I cannot do it, somebody else is going to get the Congressman's job from the Third District of Georgia.

I want to talk to you in that vein. I want to talk to you as Americans, because you and I have got a whole lot of work to do. You know I want to work with you. I will have to confess that I am getting a little tired of hearing all of this argument about what the Communists are going to think of us. Well, I have been hearing that argument for 25 years now and if we have ever appeased them, that is news to me.

I think of that old Biblical quotation: "For what is a man profited, if he shall gain the whole world, and lose his own soul?" or, "What shall a man give in exchange for his soul?"

I am talking to you about the soul of America. I am talking to you about the things that made us great. I am talking to you about indispensable things. I am talking to you about things that separate the sheep from the goats and separate the men from the boys.

Now I want to say this to you, I have followed this legislation from its very beginning in the Eighty-fourth Congress. It is true that you have some records, consisting purely of hearsay, indicting my people, the people of the South; but, my friends, I want to plead with you now, to tell you, for the first time you are getting legislation that is going to hurt you.

I know the gun is aimed at my people; oh, yes, I understand that; you know I thoroughly understand what this will do to my people, and I want you to be sympathetic with my people.

You know, I like Yankees; God knows I do, I married one of them; and I want to tell you another thing. There has never been a truer woman in this world than that little Yankee wife that I have got. But I want to tell you something else, too; up to the present time there has never been a more devoted southerner than she.

Now let us get down to hardpan. I am talking to you and I want in particular to talk to these lawyers. I made a speech to the Georgia Bar Association last week and I want to tell you something I said to them. I said to them that a constitutional government is in the gravest danger, but the ones who are to save it are the lawyers of this country. That this is one job you cannot turn over to the ministry; it is not the ministers' job. You can ask the ministers to save the souls of people but you must ask the lawyers to save the soul of this Nation.

If you will examine into this record I said that if you eliminate hearsay evidence, opinion evidence, we stand thoroughly acquitted at the judgment bar. I have gone over this record with a fine-toothed comb and there is not one allegation against our people that would stand up in any court of the United States. I am asking you lawyers to be lawyers. I tell you that up to the 85th Congress and at a time when there was not one southerner on the subcommittee, when the closest one to my people was from Ohio or the State of New Jersey, I say this to you, that for the first time those gentlemen accorded to the opposition an opportunity to come in and testify. You say, Shame. Of course it is a shame, but it is true.

I take off my hat to our distinguished chairman, the gentleman from New York [Mr. CELLER], and I say to you that he for the first time gave my people the slightest opportunity to come up and testify against one of the charges made by pressure groups—and you know they are pressure groups. Let us not kid ourselves; let us get down to hardpan; you know they are pressure groups, you know they are. But for the first time, in the 85th Congress, we were even permitted to open our mouths.

And do you know what you did? I want to tell you what you did. You acquitted yourselves as lawyers, and you took things out of that bill that you passed on the floor last year, and it is to your credit.

Let me tell you what you did last year on the floor. I tried to tell you about it then, but let me tell you what you did: You passed a law last year that set up a commission to investigate allegations as to unwarranted pressures on account of race, creed, religion, and so forth. By the grace of the Most Holy God, you violated the first amendment to the Constitution of the United States. That is what you did. That is what you did. Is there any lawyer who wants to dispute me?

I say to you that if the Senate had not stopped the bill over there that is the kind of law you would have had, because the first amendment says that there shall be no law relating to the establishment of religion or the free exercise thereof. Yes, Mr. Chairman, you had better inquire about this legislation.

The American Civil Liberties Union in an article which appeared in the Washington paper told you why they wanted that law relating to unwarranted economic pressures on account of religion and I want to tell you what they said. They said, "We are getting tired of Catholic priests telling their membership to boycott certain picture shows or to read certain books." That is what they say. Yes, you are getting tired, are you? All right. Whenever you say that a Catholic Church cannot teach its membership whatever it wants to, then you are telling the Jews they cannot do something, you are telling the Baptists, the Methodists, the Presbyterians, you are telling every religion on the face of the earth they cannot do it. In the name of God. Mr. Chairman, under the first amendment you have the right to discriminate in religion. That is why our people came over here. You know, we just simply are not conformists. I am not a conformist. But you are trying to make everybody conform. Do you catch what I am trying to tell you?

The subcommittee took that provision out. Then pressure mounted so heavily, yes, I am telling you, pressure mounted so heavily that the word "religion" was put back there in an innocuous sort of way. All on earth it says now is that you cannot discriminate on a person's right to vote because of his religion. You know that you do not need that? Do you not know that the Constitution guarantees you the protection, the equal protection of the law? Listen to me. I never heard a person in my life say that he was denied the right to vote because of his religion. I never have and I ask you, and you, and you, and you, have you ever heard of it? Of course not.

Mr. Chairman, you are getting ready to hear it. You are giving them a start. You have given them the suggestion, and that is all on God's earth some men need. No, I am not going to move to take it out. There is not the slightest religious discrimination down where I live, but I tell you this, you are letting them get their foot in the door and you better not start it.

Let us talk a little more about this Commission. Do you know what that Commission is going to do? It is just going to investigate allegations under oath that persons have been discriminated against in their right to vote because of race, religion, and so forth. But let me say—if I am wrong stop me—you have to file an allegation under an oath that a man has been discriminated against, but did you know that under that Commission when they start inquiry nobody is under oath any more? Did you know that? I am telling you that is right. I know this legislation. When that Commission goes out and starts investigating, not one time will any man be under oath, not one time will he be subject to perjury or to false swearing. He can make wild-eyed charges and run that Commission up and down the countryside with impunity and without any violation of the law whatsoever.

I will tell you another thing about that Commission. You say you want to balance the budget. If you do you better not pass this legislation. There is provided $50 a day for every member of that Commission, plus traveling expenses, plus $12 per diem, not more than $50 a day for the staff directors, for the secretary, for the stenographer. You have to pay for the offices, you have to pay for subpenaing of the witnesses, and so forth.

I will tell you another thing. We never could pin them down, and you cannot pin them down now, and I challenge any man to get up on the floor and tell me what it is going to cost. Now, is that of any importance to you?

Now I will tell you another thing about this Commission. They have got a right to subpena you to go anywhere within your judicial district. Well, let me give you a concrete example there. Down in the district where I live you can subpena a man in the Canal Zone to go to San Antonio, Tex. Cold facts. That word "circuit" sounds good, but when you get down and you analyze it, then you can see what I am talking about.

Now, you want to send out somebody to investigate. You know, I will tell you something that would be revolutionary, but, by the grace of God, I want to do it, and I want to help you do it, and that is I want to see Congress quit abdicating its responsibility. If you think that these kinds of charges exist, I want to see you have a Congressional committee. I want to see you make the investigation. Let the gentleman from Georgia, TIC FORRESTER, challenge you. I am challenging you. Get rid of this legislation. Come on next year with an investigation. Put us under television; put every one of them under oath; put all my people under oath, but, in the name of God, let the good people of the United States see it and let them hear it. Let them look at those witnesses, their demeanor on the stand, their opportunity for knowing or not knowing what they are saying about it. And I make you this proposition. I do not care who you select to question those witnesses. You know, I would be willing if you would just let a little fellow like me just defend the other side of it, just cross-examine them some, just make them come on and let their milk down, just get the cold truth. I am your Huckleberry. I am ready whenever you want to go. Yes; I am willing to throw this case into the hands of the American people, and, just as sure as you live, it is going to the American people. You are not going to escape your responsibility. Do not kid yourself.

And I want to tell you something else. It is not a question of whether Attorney General Brownell wants this bill. Oh, no; the responsibility is with the Congressmen. You are the ones that the people are going to ask, Why did you deny the people the right of trial by jury? And they ought to ask you, and they are going to ask you, and you had better give consideration to it while there is yet time.

Now, let us go to part II of this bill. It says that they shall appoint an Assistant Attorney General. Does that not sound sweet? The only trouble is they did not tell you how many assistants to the Assistant Attorney General they are going to need. Now, let me tell you, that Will Maslow, general counsel of the American Jewish Congress, testified before the committee that they needed at least 50, and nobody disputed it. Well, at a salary of $10,000 a year—I assume they will get more, but that is $500,000. Do you know why they want them? I want to tell you why they want them. Because they want to set up regional offices; because they want attorneys down on the ground where they can go down and they can talk to the witnesses; where they can work up the case from the beginning; where they can work for months and months; where they can go to the grand jury; where they can bring these petitions for injunction; where they will have the whole power of the omnipotent Government, with money no object, because the taxpayers are paying the freight. That is what they want them for. And then, my friends, in addition to that, there is a stipulation that not more than 15 uncompensated personnel should be allowed to serve, but they get $12 per day per diem. Now, you know what that is for. Now, I want to tell you what it is for, and I am going to be honest with you Republicans. This is not new with you. Mr. Truman beat you to it on that. That was the NAACP and those other pressure groups. Anybody want to deny that? The record shows that is who it was and that is the only kind you can expect to work for nothing. You were not born yesterday. I say it is a shame and I say it is not to the credit of this Congress; you ought to be doing it yourself.

Then there is a stipulation that you are going to waive disqualifications of people in order to let them serve. Oh, no, that is not right. There are 170 million people in this country. You have not gotten down to such a dearth of men that you have got to pick up somebody who is disqualified and put him on this Commission to make this kind of investigation. And I tell you you had better be scared of it. You have got more sense than that, and I know you have.

Let us get down to part III. Part III adds two subsections to what is known as the conspiracy law. A lot of the fellows like to call it the Ku-Klux-Klan law. I have never been a Ku Klux. I do not believe in such organizations, but I want you to know I do not believe in these ragtag pressure groups, such as the NAACP and a whole lot of others here. And I want to tell you another thing. If the chips were down in America, when it came to preserving the flag of the United States, I would have to pick the Ku Klux over some of this rotten stuff. I am just telling you plainly now, because it is something you ought to hear. I have never heard of one of those Ku Klux who advocated the violent overthrow of your country. No, I am against these other un-American groups completely.

I am a courthouse man. I believe in the law. My whole life has proved that. I was a prosecuting attorney for 27 years. The courthouse is the proper forum to settle disputes.

But let us get down and see about this conspiracy law. Some of them say that this is just to protect against an impending wrong. Do you still want to stand on that, you gentlemen who made that statement? Do you still want to stand on that? I am telling you that is not right. I am telling you that it says that when an act has been committed or when you are about to engage. It reminds me of the old solicitor general down home who had too many words in his indictment and the judge asked him about it and he said, "You know, Judge, I put those in in order to try to catch him coming and going."

But here is what the bill says. You have got a completed act and you have got "about to engage."

Listen to me now; I do not know any Federal law. Federal courts are something to scare country lawyers and country folk and humble people. And you know it. You have never seen one of those in your life that was not to some extent autocratic. Am I right about that or am I wrong? I am talking from 30-odd years of experience as a lawyer. You know what I am talking about.

You just tell me what "about to engage" means. Just imagine—"about to engage in a conspiracy." Why, the very essence of conspiracy is that there must be an overt act committed, and until that overt act is committed, every lawbook in the country says that you have a right to recant, a right to repent and disassociate yourself from it. And if that be true, you have not committed a crime.

You say you do not have to worry about it, but yes, you do, too. You just get an injunction against those who are about to engage. Maybe you do not know what it means. The judge will not know what it means. But the trouble is that the judge may think he knows what it means and if you have innocently done something that he thinks may come within the purview, he gets you for it and puts you in the penitentiary; he puts you in prison; and do not kid yourself. They put you in prison. It may be illegal, and probably is, but the trouble is you are in prison. You can go to prison for violating an invalid edict laid down by a judge. Did you know that? Well, you can. You are just risking putting your hide in jail when you say "No matter how much it stinks, I am just sure it is not right." But do not violate the order of that judge. If you do, you are long gone.

Let us see what else is said: When you engage or are "about to engage," the Attorney General in the name and on behalf of the United States shall bring suit for injunctive relief or a restraining order or other order. What that "other order" means I do not know. But I know something about injunctions and I know something about restraining orders.

Under no circumstances would I tell you that that is unconstitutional. Do you know why? Any lawyer that tells a client today a thing is unconstitutional is a fool. He has not practiced law 30 days. I will tell you this, though. It was unconstitutional, and I hope that someday I can have a part with you and you in restoring constitutional government in this country. That duty is on you. You cannot throw it off. Never has your country needed a constitutional government more than it needs it today.

Let me tell you why it is unconstitutional. I have a right to go to court. I have a right to stay out of court. The Attorney General has no right to decide for me whether I want to go into court with a case or whether I do not.

Let me show you how foolish that is. That Attorney General may think that I ought to go to court, and I might know that I do not have any case. I might know that I have done something I did not want that judge to know I did. He might get me in that court and he might get me where I had to incriminate myself.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 10 additional minutes to the gentleman from Georgia.

Mr. FORRESTER. I am going to ask the gentlemen to be kind and give me lots of time. I have not even eaten. I was supposed to speak at 1 o'clock but I have had to sit here until 4:30 p. m. and not eaten yet. I am a little weak, but I am still going stroog.

I want to tell you this much. It was unconstitutional. Yes, you might discover that a man had committed a crime by taking him into court against his will. Did you ever stop to think about that?

Let us see what else you have in all this sweet little bill, this precious little bill that would not harm a 6-month-old baby. Let me show you what it does. It is the most unequal thing I ever heard of. While you talk about morality, while you talk about eliminating prejudice, while you talk about making everybody equal, here is what you are doing. You are throwing the greatest legal burden in the entire world upon the shoulders of one little old poverty-stricken man, in most of the cases. Against him you are giving the services of a department that has 1,700 lawyers, 94 district attorneys, and the assistant district attorneys are as thick as the sands of the sea. You are giving against him a law firm that even a billionaire could not improve on, and you are giving it free of charge. You are giving it at the taxpayers' expense.

Meanwhile what happens to the poor little defendant. You know they have forgotten him entirely. But you know he breathes. Actually, there is a little life in him. Maybe he has been badly treated because maybe while he is at home with his wife and children, the FBI has been down there working on him for 2 or 3 months. They have gotten affidavit after affidavit. Maybe they have 100 affidavits. That poor man did not know anything about it. Then, all at once here comes an ex parte order and he is directed to stop whatever he is doing immediately and appear at a Federal courthouse the next day. You say, "FORRESTER, surely that does not happen in America." Yes; it does happen. It is happening now in America. I am going to talk to you about a case, and I know what I am talking about. Anybody who wants to challenge it can challenge it. But I want to show you something. I want to show you an injunction granted in the school case down in Clinton, Tenn. I want to show you something that ought to outrage the sensibilities of every person in this country. I want to preface it by saying I think the judge is a good man, but I just do not think the judge knew too much about the law. Let me tell you something about the case of Kasper. I hold no brief for Kasper. Kasper is from Brooklyn—I do not know—he may be good or he may be bad. But he is a human being and he is an American. Yes, I say to you that case did start out as a private suit of Joheather McSwain versus the Board of Education in Clinton, Tenn., but the great Attorney General would not let it alone. They ordered the schools desegregated. They went to the Supreme Court of the State of Tennessee and the supreme court agreed with the United States Supreme Court. Our Southern courts always have done that. Our Southern courts follow the law. Our Southern courts have a record which is comparable to any court in this country. It is nothing short of amazing to me to hear people talk about our courts because there is no way on earth for you to sustain any such allegation as that. Look at the Georgia decisions. Look at the Louisiana, Maryland, Tennessee, and Arkansas decisions and tell me—tell me—do you have any justification whatsoever for criticizing those courts? But they ordered the schools desegregated. I do not know what Kasper did. If Kasper was guilty, then he ought to be in the penitentiary. But I want to tell you what happened. I think it was on the 29th day of August, they went over and got an order restraining those folks from interfering—and I want you to hear this. I wish my chairman were here. This was an ex parte order. This is an order without notice. This is an order that the defendants knew nothing about. The defendants had no idea that the FBI had been down there. The FBI had been down there for days and days and days hunting them like partridges. Then they got that

order. I want you to hear this. This is an order by the court:

That the aforementioned persons, their agents, servants, representatives, and attorneys—

Did you know that their lawyers were enjoined? Did you know that? Do you believe in that? Well, that happened. When did it happen? It happened on August 29, 1956. Do you know that they enjoined them from any word or act—completely violative of the amendment relating to free speech? Let us see what else happened. The injunction was issued at 6:07 p. m. At 8:00 p. m. that night an order was issued directing Kasper and the other defendants to be in the Federal courthouse in Knoxville, Tenn., at 10:30 a. m. the next morning. In heaven's name do you call that fair? There was no opportunity whatsoever to prepare a case. They went into court. There they were tried on the injunction and on the contempt order and although he had a right to a jury trial, the poor man did not know he had it and he did not have time to consult lawyers to find out that he had it, and he was put on trial and convicted and given 12 months. At no time was he advised by the court that the law gave him the right of trial by jury.

Oh, yes. An indictment means something to me. It may not mean anything to some of you folks, but the right of trial by jury and the right of indictment mean something to that man.

But let us move on. Later 16 others were brought into court under a blanket order saying that they had violated that injunction. They had the judge there ready to try these defendants. But some other lawyers came in and they said, "Wait a minute, Judge; you are not going to do that, Judge. We have a right to a jury trial, to begin with." But they did not get it right then. The case was postponed. Now, listen to me. I want you to hear this. Along about February of the next year the United States Government was made a party to that proceeding. Does anybody want to challenge that? Made a party to it. Why were they made a party to it? The answer is simple. The only excuse for making the United States a party was to deprive these people of the right of a trial by jury. Do not kid me. There is no lawyer here who would dispute that. You are too honest for that. That was the only excuse for it. But these lawyers said, "Wait a minute. You cannot come in here by amendment, you cannot change this private suit." It was only about 30 days ago that the Government said, "Yes, you are entitled to the right of a trial by jury. It was like pulling their eyeteeth to get them to say that. The Attorney General did not want them to have a jury trial. I am going to tell you that jury trials are constitutional. I am going to stand to your face and tell you. I am going to prove it, too. I have got wonderful company with me. Do you know who I have? Donald Richberg, Chief Justice Taft, Brandeis, Cardozo, Holmes, Al Smith, James Girard, Easby Smith and platforms of the Democratic and Republican parties. Yes, I have just got what is supposed to be the cream of the crop. I am not going to apologize to you for saying that. I am going to tell you yes, they have got a constitutional right. This is to deprive them of that constitutional right. There is no other argument. You cannot get out from under it to save your soul. Because if you did not want to deprive them of their constitutional rights you did not have to put the United States in there as a party. Yes, I am more willing to give the Government any power they want about our atomic secrets. I am willing to give them any power for defense, but I am not willing to set up a dictatorship as a pastime.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. FORRESTER. Will the gentleman from New York give me some more time?

Mr. KEATING. Let us see how we come out. The gentleman from Colorado has given the gentleman 10 minutes.

Mr. FORRESTER. I want to talk about this bill, and I want to lay it on the line. I am saying to you that under part IV and part III, you are entirely preempting the rights of your States. Do not kid yourselves. I would not have you ignorant. If you are going to pass this legislation, I want you to know that you are wrecking the rights of your sovereign States. I want to put that on your conscience. Do not tell me you are not doing it. See the Cloverleaf Butter case from Alabama and in the Nelson case up in Pennsylvania. You cannot escape now. You are right here where you are going to decide that issue. I just wonder why in the name of God that we should not be here trying to straighten up that terrible decision of the United States Supreme Court that you have got to turn over all the files of the FBI. Why are we not trying to do something about our mutual security? Why are we not trying to do something about the courts that have just utterly made wrecks out of our Constitution? Then we would be proud of ourselves.

Listen, now. Let me tell you about this part IV. Do you think that just applies to voting? If you do you believe in fairies. Part III and part IV, those things are so broad that it covers every civil right, every last one of them; it gives them the right to go into all these school cases. Oh, yes, it does; Mr. Brownell admitted it. You will find it in the record.

Yes; you are touching every facet of your national life. Now, listen. Election. Do you think it refers only to Congressional elections? It refers to all primaries; it refers to every election: State, county, municipal, township, school district; it applies to the election of a common justice of the peace. Does anyone want to challenge that? I say it does.

I am telling you if you pass this bill, you will have rung the death knell of your State and your county election laws. Do not kid yourselves.

There has been argument here about States having the right to regulate their elections. You know, I am sorry I cannot agree with them. It does say that you can do it, until Congress steps in. And it says that Congress can come in and exercise—listen to me now; that is just exactly what Congress is doing, stepping in under that provision of the Constitution that has never been used before. Now, let us see about injunctions and talk about them. By the way, before I forget that, someone has said that no State has any law providing contempt trial by jury. Let me answer that; let me just knock the stuffing out of that argument. Now, listen. Let me tell you something. Down in Georgia, and every other State, we have an attorney general, but that attorney general has got nothing on earth to do with the prosecuting attorneys. None of them ever tried to tell me what to do. Is that right or is it not right? I tell you there is not an assistant district attorney who would even nol-pros a case until he had the consent of the district attorney. I never will forget a thing that happened to me. I got a recovery judgment in a condemnation case. The assistant district attorney came to me and asked if I would settle for a certain figure. I told him I would. He asked me to go to Atlanta with him, that a Department of Justice man from Washington was coming there and he wanted to see him. I went up there and we both met that man. There was that poor little district attorney shaking in his boots telling the Department of Justice man that Forrester has submitted a proposition to him and he wanted his approval. I had not done any such thing. He had submitted it to me, but he was scared to tell the Attorney General he had done so. I said no, that he had made the proposition to me, that I had made no proposition. I won out and won the case.

Now let me tell you something else. You lawyers know what I am talking about. I want to tell you another thing. The Attorney General has nothing to do with the appointment of a judge of the Supreme Court of Georgia, has nothing to do with the appointment of any of these officers. They are elected by the people. That is a tremendous difference, too, is it not?

I want to tell you another thing about it: Never has the attorney general of any State been given the right to, at the taxpayers' expense, go into courts and get injunctions for private individuals or against private individuals, and they never will. There is not a State in the Union that would do such an evil thing; and I tell you here and now if you ever hear of Georgia going crazy, if you ever hear of a suggestion of that kind, if it is necessary I will resign from Congress and go back and fight that thing, because I tell you that we will never let such a thing occur.

Let me tell you another thing, and that is about jury trials on injunctions in State courts. You have them. Do you know that? That is something for you to think about. You cannot get a permanent injunction down in Georgia without a jury trial. So you see with that argument you are hard put when you come up with it.

One distinguished gentleman said on yesterday that time is of the essence, so you cannot have jury trials. You know, the jury trial is only for contempt. I think you can barbecue a defendant just about as good on Friday as on Monday. I do not see why you have got to hang a man on Monday. Tuesday may be all right. It has nothing on earth to do with injunction orders. It is only an order where you are going to take him from his wife and children and put him in the penitentiary. That is the only time the jury comes in.

I want to tell you something about jury trials for contempt and I want you to listen to me. In 1932 Donald Richberg, Judge Frankfurter and those men I am talking to you about talked about the evils of the jury trial and the intoxicating power of the courts relating to injunctions. They said that there never has been a court that did not believe in the inherent power of the court; yet he says that it is a figment of the imagination, they have no such inherent power. You gentlemen remember when our Democratic President talked about his inherent power in connection with the steel industry. You did not have a better friend over there than I. I was chairman of the subcommittee and I am the one who told him he did not have that power. Now, do not talk to me today about that, there is no such thing as inherent power.

Let me prove it to you. Go back to your common law. Donald Richberg said that he had a study made of injunctions and contempts in England beginning back in 1200, up to the time of the Revolution and he found that all trials for contempt were before a jury from the year 1200 to the time of the Revolution with the exception of 2 cases. He said that in the first Judicial Act it may be inherent, but the Congress did not think so and the Congress said no injunction shall be granted except after a hearing. You see, you have it in here without a hearing. Then he went on and said, they have always said that they have that power. But, listen to me, you are the ones to decide it and have the judges quit making the law. Rise up to your task and you make them. The Constitution says that the judicial system shall be composed of a Supreme Court and such other inferior tribunals as the Congress shall dictate. You are the one to say whether they are going to have jury trials or whether they are not.

Donald Richberg said that even in the Michaelson case, even when they had the law under the Clayton Act, they were entitled to trial by jury, the lower court said we are interfering with inherent rights, the court of appeals said that is all right, but the United State Supreme Court said it is not so, that the Congress has the right to create you and the Congress has the right and responsibility to regulate.

Let me tell you something about judges. I did not say this, no southerner said this. It was said that up here in Ohio during the days of labor difficulty you granted injunctions without cause.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. FORRESTER. Mr. Chairman, I am getting right down to the meat in the coconut on this thing. This is what you said and this is why you got that vote 362 for jury trials and 14 against. You said that they were enjoining lawyers of the labor unions. Yes. But did it excite you when they enjoined Kasper's lawyers? Is that moral, is that legal? Mr. Richberg said that they enjoined the labor union in one case and said to them they had to work and said that a man by the name of Clarence Darrow had to publish a statement in the paper, that there was no law requiring a man to work. Oh, you know Mr. Darrow and Mr. Richberg would have been in jail under this order granted against Kasper in the year 1956. You say it is not legal. No, it is not legal, but this is a manmade law. But it will jail you just the same as if it was legal.

Now, I want to go back and I want you to study and see what this debate reflects. Here is what Mr. La Guardia said. Now listen to me. I want you to hear me now. About these judges, he said that the United States was an arch-offender; that the United States court was the one that was violating the people's rights. That was the language he used. He was not talking about State courts. He said that the Government was the most unfair of all, and he said that Mr. Daugherty, the Attorney General, in a case made the statement that he was looking around for a judge, "and I happened to think about Judge Wilkerson." He said, "I was delighted to get hold of him. I talked to him for a minute or two, and he agreed with me every step of the way." Then my distinguished chairman, the gentleman from New York [Mr. CELLER], said to him, "Will the gentleman, Mr. La Guardia, yield?" And he said he would. And, he said, "Is it not true that about 2 or 3 weeks before that Mr. Daugherty had earnestly and actively urged the appointment of Mr. Wilkerson to the bench?" And Mr. La Guardia said. "That is true. I had not intended to bring that up, but it is positively true." Now, there is your crookedness. And, I did not expose it. Nobody from the South exposed it. It came from your section of the country. Yes, the blood and bones of people cry out to you about the tyranny of so-called inherent powers of the courts of the United States.

Now, let me come down to this. I told you and I said this was constitutional. Let me tell you why it is constitutional. This is nothing on earth but a subterfuge, and you know it is nothing but a subterfuge. You say that you are going to emasculate this bill if you take it out. That proves exactly what I am saying.

Now, the Constitution guarantees to every man accused of a crime the right of trial by indictment, the right to a public trial, the right to a fair trial, the right to be confronted with witnesses, the right to have an attorney, and the right to have compulsory processes for his witnesses. Now, what you are doing, you are destroying those rights and designedly so. Is that plain enough? Designedly so. And, there is not a man in this Chamber that does not know it.

And, I will lay down this proposition of law, and I challenge anybody to deny it. What you cannot do directly you cannot do by indirection. You cannot do by subterfuge that which you cannot do when you come out in the open. That is why I say that the Constitution does guarantee it. Why, you can take a man into court on a contempt proceeding here. You can put him in prison. You can go and indict him and take him before the grand jury simultaneously. You can punish him twice for the same offense. Anybody want to dispute that? Well, I am telling you, and you know it.

Yes, my friends, it is reeking with injustice. You say that you want to cure prejudice. In the name of God, do not try to cure prejudice and let the medicine be prejudice. And, I will tell you what you do, go back and find where my distinguished chairman said that this marks the end of the ex parte injunction; and I called the Norris-La Guardia bill the anti-injunction bill. That is what he said. I want to tell you this: The right of trial by jury is too precious for you to tamper with. In the name of God, I cannot understand how any lawyer on earth would want to tamper with it. The evening is late. We are almost drawing to a close. But, I want to tell you, the saddest epitaph that could ever be written in memory to the vanishing of liberty is that those who were the creators, those who were the defenders, would not lift a hand to save it while there was yet time.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to use to the gentleman from Florida [Mr. HERLONG].

Mr. HERLONG. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HERLONG. Mr. Chairman, a few days ago I received a letter which reads in part as follows:

I am a Negro airman stationed here at Mather Air Force Base, Calif. I have but one more enlistment to serve before retirement from the Air Force. At the present my plans are to build my retirement home in West Palm Beach or Miami, Fla. With only a few more years before my retirement, I would like to get started with my building plan. • • • I find it rather hard to get assigned to any southern base of my choice. I would like to be assigned to West Palm Beach Air Force Base, Fla., not only because of my plans for building a home there, but because I was born in the South and love the South plus the fact that I respect the traditions and sovereignty of the Southern States. I have faith in our southern political leaders and the fight to maintain and preserve our way of life for the welfare of all concerned. I am not trying to give you a political speech, but it is just that I can't stand these so-called liberal States and their laws.

Mr. Chairman, I quoted these portions of this letter so that this Congress and the world may know as we in the South already know that there is no problem

in the South that men of good will cannot solve, and they can solve their problems without legislation. I ran a check on this letter to be sure that it was authentic and found it to be so. I shall not give the name of the airman who wrote the letter for his own protection. It took a lot of courage for him to write me as he did, because he did not know to what use I was going to put his letter. I can tell you that it is my honest opinion that if the NAACP got hold of his name and address, he would have need to be afraid. I have found from my experience in the South that the average Negro is more afraid of what would happen to him in the way of reprisals from the NAACP than he is of anything else in the world. The professional Negro is using him in a political tug-of-war and against his will. If this bill should pass he would be the further dupe of these professional agitators because he would find himself in court against his will not as a defendant but in an effort to try to support charges not made by him but against his will and without his consent. Talk about inhumane treatment—it would really be cruel and frightening to a southern Negro to have that happen to him, and he would, for the sake of protecting himself, agree with any words that these agitators wanted to put in his mouth.

The very nature of this legislation before us indicates that no person's mind will be changed by what is said here. If we have any appreciation for the blessings of freedom in this country, however, we had better pay very close attention to what is done here. To convict a person on a criminal charge without even a jury trial strikes at the very heart of our American system. It is depriving the individual of a right that I say is greater than the right to vote. Please understand that I have no objection to any properly qualified American citizen voting, but to put that right paramount to the right of a man to enjoy being tried by an impartial jury is to effectively put the cart before the horse.

I earnestly plead with you to think carefully of the rights of all Americans before you vote on the jury-trial amendment. If you let logic rather than emotionalism control your vote, you will adopt the jury-trial amendment and our system will be preserved. If you do not, heaven only knows what will happen to us.

Mr. KEATING. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. CURTIS].

Mr. CURTIS of Massachusetts. Mr. Chairman, I rise in support of this bill and against the jury trial amendment.

This bill should be called the constitutional rights bill. Its primary purpose is to protect the right to vote and other constitutional rights.

The right to vote is basic to the very existence of a government which derives its powers from the consent of the governed. The right to vote is the key which opens the door to the protection of other rights. Local officials, themselves depending on the votes of the people, will listen to the demands and protect the rights of voters, as they will not do for nonvoters.

There was evidence before the Committee on the Judiciary that in some sections of the country people are being deprived of their right to vote. There was evidence that better protection of that right is needed. The Attorney General has stated that effective enforcement of civil rights is impossible "with the legal tools now available."

In view of this evidence it is the plain duty of the Congress to strengthen and protect the right to vote. There can be no question here of the violation of States rights because the 15th amendment of the Constitution of the United States, after first proclaiming that the right to vote shall not be denied, provides:

> The Congress shall have power to enforce this article by appropriate legislation.

Appropriate legislation to protect this and other rights is now before the House. Favorable action is important not only domestically, but also from the point of view of America's position before the world. On his recent return from Africa, Vice President NIXON reported as follows on the effect of discrimination in the United States:

> As a result of skillful propaganda primarily inspired by the enemies of freedom, a consistently distorted picture of the treatment of minority races in the United States is being effectively presented in the countries I visited. Every instance of prejudice in this country is blown up in such a manner as to create a completely false impression of the attitudes and practices of the great majority of the American people. The result is irreparable damage to the cause of freedom which is at stake.

Under existing law the right to vote is enforced mainly by criminal prosecution. That means punishment after the crime has been committed. The present bill permits preventive relief by authorizing the Attorney General to seek injunctions forbidding the deprivation of voting rights when he has reason to believe, and can prove in court, that deprivation is about to take place. The bill merely adds a new method for the enforcement of existing laws which protect constitutional rights.

This year much emphasis is being placed by opponents of the bill on the alleged deprivation of the right of trial by jury which would result from this bill. Amendments are proposed to grant the right of trial by jury in contempt proceedings arising under this bill.

Such a right is inconsistent with the prompt and orderly administration of justice. What it means is that after the main case in which the injunction was granted has been tried and disposed of, a second and separate jury trial must be had in order to make that decision effective.

Presidential candidate Taft refuted a similar suggestion in 1908, saying:

> Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court made after full hearing and the enforcement of such orders.

It is plain that there is no constitutional right to a jury trial in contempt cases. Indeed, Prof. Paul A. Freund of the Harvard Law School well pointed out in his letter printed in yesterday's New York Sunday Times:

> The real constitutional issue has not been over a supposed right of jury trial in this class of cases; it has been quite the reverse, namely, whether the judge may be deprived of his historic power to punish for contempt without a jury.

It is noteworthy that the courts of many of the Southern States have held that it was unconstitutional to provide for jury trials in contempt proceedings. A further noteworthy point is that when this same bill was before the House last year, the argument about deprivation of jury trials was scarcely mentioned.

It is, of course, true that Federal laws at one time granted jury trials in certain contempt proceedings arising out of labor disputes. The coverage of those laws has since been greatly reduced by amendment, if not altogether repealed.

There were special reasons for granting such jury trials which do not exist here. Injunctions that were generally regarded as unduly broad and unfair had been granted in labor disputes. The injunctions in those cases sometimes enjoined acts which might have been performed by hundreds of strikers, and there was frequently a difficult question of fact as to whether the individual striker had in fact violated the injunction.

No such situation could arise under the pending bill, and jury trials should not be granted in cases of contempt arising under it. Such a grant would destroy one of the primary purposes of the bill, which is to give prompt and effective protection to the most fundamental rights possessed by American citizens.

The real question before the House, and before the American people, is whether better methods of enforcement of the civil rights laws are needed, and whether injunctive relief is a fair and proper method under all the circumstances. I am convinced that it is, and urge the Members to support this legislation and oppose any crippling amendments.

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Chairman, I am abashed to follow the eloquence and the brilliance of the gentleman from the Third District of Georgia; but if it is any source of cheer or comfort to the gentleman from the Third District of Georgia to know that the gentleman from the Third District of Michigan shares the concern that he has expressed over the burgeoning powers of centralized Federal Government, the gentleman from the Third District of Georgia is welcome to that cheer. And let me say further that apparently there are a few citizens in

the Third District of Michigan who also share that deep concern.

Mr. Chairman, I voted against the so-called civil-rights bill in the last Congress.

Thereafter, during last year's primary and general election campaigns, I made every effort to apprise the citizens of my district of that fact and of the reasons for my vote.

In addition, I apprised them, as I had done 2 years before, of my purpose to support the President and the Republican program, if elected, insofar as my conscience and judgment dictated, but without ever being in any sense a rubber-stamp representative.

Those, then, are the terms and conditions of my present employment. I cannot and will not seek or accept that employment on any other terms.

Barring modifications of this bill beyond anything I can now imagine, I expect to vote against the so-called civil-rights bill again this year.

And I shall again, to the best of my ability, apprise the citizens of my district of that vote and of my reasons therefor. They will, of course, in due time, again record—favorably or unfavorably—their judgment of my stewardship in this and other matters.

Because in what I have just said, and in what I am about to say, I am speaking with unwonted and perhaps unpolitic frankness, I hope no one will think me either arbitrary, or flippantly defiant or unsympathetic to those who would redress human wrongs, or that I am professing a purity of motive above any of my colleagues.

Having said this, may I, in this same vein of frankness, offer a word to any fellow Republicans who may think they see potential party advantage in support or adoption of this legislation.

Conceivably, tomorrow's election, and even control of the next Congress, might be won by today's vote for this bill.

But if perchance today's vote should hereafter be proven wrong in principle, it is inevitable that the wrong will ultimately be discovered and exposed.

Then would certainly follow the subsequent reversal of popular sentiment, the subsequent repudiation at the polls, the subsequent condemnation of public and personal conscience for choosing the cynical course of imagined expediency and opportunism.

It is, I suppose, a hopelessly naive viewpoint, but I can conceive of circumstances in which the Republican party could be a far more potent force for good and greatness in the Nation—a far more likely candidate for subsequent and substantial victory—as a minority party of conscience and principle rather than as a majority party of expediency. I merely invite my Republican colleagues to give that possibility earnest consideration.

My main purpose in adding to an already overburdened record of debate on this bill, is to list and briefly discuss three areas of deep and sincere concern on my part with respect to the subject under consideration before this House.

I have no citations of law to quote, no complex constitutional arguments to present, no involved precedents to cite. I shall not try to explain the difference between various types of contempt proceedings, with or without jury trial, or differences between civil actions in which the Government of the United States is a party and those in which it is not.

All of this is important to this debate and all of it has already been presented far more ably than I could hope to do it.

However, I have a very strong feeling that for better or worse, the American people are going to pass over these complex and complicated technical issues and react to this whole problem in much simpler, more commonsense, more down-to-earth fashion. So it is in these terms that I want to speak now.

The first area of my deep concern is the conviction that in dealing with this problem of civil rights in relation to race, color, or national origin, we are guilty of an overreliance upon government—government in general, increasingly centralized and federalized government in particular.

Unquestionably government, local, State, and Federal, has its role to play—and is already playing that role—in this area of human relationships and problems.

But I submit that one of the insidious effects of looking primarily to government for the solution of problems is that it tends to progressively discourage looking elsewhere for solutions.

And very often, if indeed not usually, the solution, or a very large part of the solution, does lie elsewhere.

It seems to me that this principle applies with particular force and urgency to the delicate and complex and difficult problems of social relationships—especially problems complicated by factors of race, color, and divergent national origin.

Of course, there is always an area of necessary and legitimate activity for government in this field, just as there is in the field of domestic relations. We have laws, and governmental power and penalties, relative to marriage and divorce and family relations. But surely we are all wise enough to know that there is no law which can compel mutual affection, esteem, and respect between a man and woman, and surely we are all wise enough to know that no true marriage or domestic felicity could survive solely on the basis of a government-imposed relationship.

It seems to me that the amazing and to me shocking "General Statement" on pages 4 to 6 of the Judiciary Committee's majority report all too obviously attempts to equate progress toward perfection in the matter of civil rights and interracial relations, with a constant expansion or intensification of governmental power and activity, particularly Federal governmental power and activity.

I prefer the premise so eloquently stated by David Lawrence that "Voluntarism is freedom's greatest vehicle of progress." The key to justice, to effective concern for human rights and their advancement, to improvement of human opportunities for all, to substantial progress in more cordial and fruitful human relationships, seems to me always to lie first and preeminently in innate human good will, in individual initiative, in moral suasion, in the law written on "the fleshy tables of the heart," and in the force of high example.

I am deeply concerned over the excessive reliance upon the power of government—particularly because I believe this proposed legislation demonstrates the reverse law of gravity in government whereby authority and power seem always and inevitably to gravitate to the top. To me there is and always will be something incongruous about the argument that the more we concentrate power in centralized federal government, the more we assure freedom.

A second matter of deep concern to me is our seeming determination, with respect to delicate and complex and difficult problems of human relationships, to incessantly, persistently, and insistently talk ourselves and each other into trouble, tension, and controversy.

I believe in freedom of speech and public expression. I do not believe in surrendering to some sort of compulsive urge to constantly and incessantly talk about one problem or subject.

I believe in the therapeutic value of "talking a problem out" but I believe, also, that we can talk a problem back in again in aggravated form just by failing to recognize also the therapeutic value of occasional silence.

Reverting again to the analogy of the husband and wife, there undoubtedly are times when the partners in a marriage must discuss problems involved in living together. However, I know of nothing more explosive than a continuous and nagging rehash of those problems.

I believe in the necessity and virtue of a public exposé of evils and abuses so that there may be brought to bear the corrective force of the American spirit of fair play, the power of public opinion, and, within reasonable limits, the policing of necessary legislation.

But I also believe that there ought to be an occasional accentuation of the positive, an occasional reporting to our fellow citizens of the gains and accomplishments and progress which have been made in and out of Government with respect to these problems.

Buried in the hundreds of pages of testimony before the House Judiciary Subcommittee and the committee of the other body is much inspiring testimony—by colored as well as white witnesses—as to progress and gains which have been made and are being made in sound, healthy, and mutually fruitful relations between citizens of different color, race, and national origin—particularly in the South. If I have any major criticism of my southern friends, it is for what may be their failure adequately and graphically to tell that true story to the Nation.

My point is that if we must constantly talk about these problems, why not at least occasionally talk about the things of good report.

Now, a third and final matter of concern. Ostensibly the purpose of this, and of similar civil rights legislation, and of the incessant drumfire of discussion and agitation, is to minimize and eliminate human intolerance.

I am fearful, however, that in the zeal—however honest and sincere—to eliminate one form of human intolerance we are in real peril of falling victim, quite unwittingly, to another and even more dire and disastrous form of human intolerance.

I deplore and abhor the malevolent intolerance of racial prejudice and discrimination and the abrogation of human and political rights which follows in its wake.

But I am even more apprehensive—and I am sure that human history justifies the apprehension—of the potential intolerance of the righteous—or self-righteous—zealot and reformer, particularly when he is armed and equipped with the apparatus and awful police power of centralized federal government.

In a word, I regard as a bad bargain, indeed, the exchange of ignorant and malevolent intolerance for the intelligent, skillful, and powerful intolerance of those obsessed with the rectitude of their cause and the urgency of imposing their reforms upon their fellow citizens.

Of course, I attribute no such intolerance to my colleagues who favor the proposed legislation. But I do invite your attention to two sentences from the general statement in the majority report to which I have already referred:

Although our record as a nation is definitely one of progress toward the achievement of the ideal for which this Government was established, it would not be proper to permit stagnation at any point prior to reaching, as far as humanly possible, the true American way of life. As human beings subject to the frailties of our nature, perfection is something that is never achieved but must be honestly and conscientiously striven for during every moment of our existence.

As personal goals of sincere men, as the aspiration of voluntarism, as the inner and spiritual motivation of freemen, I can subscribe to and applaud these noble purposes, even though I am human enough to wonder if this striving for perfection must literally continue during every moment of our existence. But insofar as the suggestion in these words—and in their context I think the suggestion is all too apparent—is that it is the business of government, and particularly of centralized federal government, to compel and command these purposes and this strife for perfection during every moment of our existence, I want no part of it.

And I say that to identify such purposes with the power, the authority, and the penalties of centralized federal government is to toy with a form of intolerance which ought to strike fear to the hearts of all freedom-loving Americans without regard to race, color, or national origin.

I spoke at the outset of the risks involved in sacrificing principles to expediency. I close with a quotation which contrasts the attitudes of expediency and principle with respect to the matter of concentration of power in Washington.

Expediency said: "We cannot allow our fine new ideas to be at the mercy of 51 separate State and Territorial legislatures. It is so much quicker and easier to plan, finance, and direct all major projects from Washington."

Principle says: "Geographical balance of power is essential to our form of free society. If you take the centralization shortcut every time something is to be done, you will perhaps sometimes get quick action. But there is no perhaps about the price you will pay for your impatience: The growth of a swollen, bureaucratic, monster government in Washington, in whose shadow our State and local governments will ultimately wither and die."

I subscribe wholeheartedly to the sentiments so eloquently voiced in his acceptance speech last August by President Dwight D. Eisenhower.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. DIGGS].

Mr. MILLER of Nebraska. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MILLER of Nebraska. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-four Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 106]

Alger	Ford	Multer
Anfuso	Frelinghuysen	Norblad
Ashley	Garmatz	Norrell
Avery	Gathings	O'Konski
Ayres	Granahan	Osmers
Bailey	Gray	Perkins
Baker	Gregory	Philbin
Barrett	Gubser	Pillion
Bass, N. H.	Harvey	Poage
Beamer	Healey	Powell
Bennett, Mich.	Hillings	Prouty
Berry	Hoeven	Radwan
Bolton	Holifield	Reece, Tenn.
Bosch	Holtzman	Reed
Bow	Horan	Rogers, Tex.
Bowler	James	Santangelo
Breeding	Jenkins	St. George
Brown, Mo.	Kearney	Scrivner
Buckley	Keeney	Seely-Brown
Budge	Kilburn	Shelley
Burdick	Kirwan	Siler
Byrne, Ill.	Krueger	Smith, Wis.
Byrnes, Wis.	Latham	Spence
Cannon	LeCompte	Steed
Chiperfield	Lennon	Taylor
Christopher	McCarthy	Teller
Chudoff	McConnell	Thomas
Clevenger	McFall	Thompson, N. J.
Cooley	McGovern	Thompson, Tex.
Coudert	McIntire	Tollefson
Davis, Tenn.	Machrowicz	Udall
Dawson, Ill.	Magnuson	Vinson
Dempsey	Mason	Wainwright
Dollinger	May	Westland
Donohue	Meader	Wharton
Dooley	Miller, Md.	Wigglesworth
Durham	Miller, N. Y.	Williams, N. Y.
Eberharter	Mills	Withrow
Engle	Montoya	Wolverton
Flood	Morano	Zelenko
Fogarty	Moulder	

Accordingly the Committee rose; and the Speaker pro tempore [Mr. KILDAY] having assumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 6127, and finding itself without a quorum, he had directed the roll to be called, when 308 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. DIGGS].

Mr. DIGGS. Mr. Chairman, I suspect that at this late hour and also because of the very thorough discussion of the legislation now before us that there is little I can do to change anyone's mind. But as a cosponsor of a similar proposal, permit me first of all to say I am gratified because of the tenor of the debate up to this moment. I am gratified because it has not been generally characterized by certain kinds of inflammatory statements and expressions with those few exceptions when certain opponents of the bill felt it incumbent upon themselves to reduce the discussion to the usual harangue about the NAACP and other right-thinking organizations and their usual harangue about the relationship between this subject and so-called racial superiority. I think the provisions of this bill have been ably discussed and described by Members of both parties representing various parts of the country. May I compliment the opponents of this bill because I do not believe anyone could have heard or read their testimony without being impressed with their adroitness and their determination in presenting their viewpoints. As a matter of fact, they have been so resourceful that they have maneuvered this entire debate with little exception into an area which is entirely apart from the main objectives of this bill. I shall not attempt to belabor the merits of the bill because I think they have been ably and amply discussed.

May I just use this one sentence to describe how I, particularly, feel about the principal proposed amendment? And when I say that in connection with the so-called trial by jury proposal, I hope that all of us who have an open mind will remember that only when a person refuses to obey a court injunction ordering him not to deprive a person of his voting privilege will this so-called contempt procedure become operative. I am not going to endeavor to elaborate on the significance of this legislation as it relates to our kinship with other people in this world, and especially the darker people of this world, but may I remind you of the statement of the Vice President of the United States when he returned from his historical trip to the continent of Africa; may I remind you of the statements made by our distinguished colleague, the gentlewoman from Ohio [Mrs. BOLTON], and may I remind you of the statements that are being made by our emissaries and our statesmen and certain other Members of Congress week after week and year after year about the relationship between the treatment of our so-called minority peoples in this country and the prestige of the United States in the Free World. I can certainly attest to the fact that as a member, and a privileged member of the delegation selected from this House to go to Africa, we were constantly questioned about the treatment of minority groups and peoples here in the United States.

I tell you that I have seen stories concerning racial incidents relating to the matter on this floor not only in Africa but also on the European Continent; and if anyone thinks that their provincialism is going to keep these stories from being circulated in these particular areas or keep these stories from affecting the prestige of our country they are mistaken. And certainly these stories are not of the kind of broad concept of democracy that justifies their opposition here in the Congress of the United States.

I would like to take just a few moments, because of the tenor of the discussion up to this time, to give you a little of the background which gave rise to this legislation, to bring this particular measure back into focus on the question whether or not any person anywhere in the United States is permitted to exercise his most important privilege, and that is the privilege of the franchise.

On this floor during this debate the statement has been made: Bring us some evidence of people who have been deprived of their voting privilege here in the United States. We have been challenged to come forth with evidence of this deprivation. Let me say that I am prepared to name you entire counties in these United States where the Negro people are not permitted to vote. I can tell you about counties, for instance, in the State of Florida: Taylor, Madison, Gadsden, and Jefferson Counties, where Negroes are not registered to vote.

I can carry you over into the State of Alabama and refer you to counties in that particular State where Negroes are not registered to vote, and I have the information before me where Negroes in Lowndes County—if I pronounce it correctly—and Wilcox County, Ala., are not permitted to vote.

And I can tell you about the subterfuge that is used in other counties which keeps Negroes' voting privileges down.

I can tell you, for instance, in the State of Alabama about certain additional burdens which are required of Negroes. For instance, there must be present in some of these areas, when a Negro is registering, an elector to sign the application of the Negro, but this is not required of the other people. The Negro, consequently, must have a white person sign his application in certain areas of this State. A Negro cannot do this in many counties in Alabama, as many whites will not sign the application of Negroes.

We have a situation in Alabama where in a couple of counties the members of the board of registrars have resigned rather than register Negroes. This has been the case in Bullock and Macon Counties in Alabama.

With relation to the processing of applications, many who fail to receive their certificates have been told that the applications have not been processed; but the white applicants in most instances receive their certificates immediately upon registering.

Many boards discourage Negroes from voting in Alabama by pretending to be busy when they come in to register, failing to recognize their presence, or that a Negro is applying for registration. In some instances when they finally recognize him he is told that there is not a quorum of the registrars present and the Negro's application cannot be registered.

In some instances the place used for Negroes will accommodate only one person and, therefore, there is a long line where only one person can fill out the questionnaire required at a time, and the long wait discourages some; others must go back to work.

We have a situation where some boards make no pretense whatsoever but tell Negroes they are not registering Negroes while others may be considerate and pretend that there are just no blanks available. Still others are told to come back at some future date and are continually told to come back at some future date.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. DIGGS. Mr. Chairman, many times boards will show by their obvious resentment that they do not want to be bothered.

I could go on and on and cite these subterfuges which are being used in this particular State.

I could also swing over to the State of Mississippi and point out to you 13 counties in the State of Mississippi that do not have one Negro registered on their books. I invite any Representative from that State to explain why a Negro in any of these 13 counties is not registered. I am talking about counties whose population ranges from 12 percent all the way up to 74 percent in Jefferson County, and there are no Negroes registered to vote. I invite the distinguished Representatives from that State to explain why there are no Negroes registered in those particular counties.

Mr. Chairman, on the basis of the testimony that was given in the hearings from the people living in these various sections, who have pointed out that through intimidation, coercion, and subterfuge, they are kept from the polls, this is ample testimony why this legislation is so sorely needed. I have not heard on this floor during the entire debate anyone come up with a solution of this particular problem, other than the solution which is incorporated in this legislation.

The reason that we are here today seeking relief on the Federal level is because the offending States are not protecting the right to vote on the part of these people to whom I have referred. They do not want that kind of States rights because they know that once full participation of the ballot is in the hands of all the people they will have to, of course, answer to all of the people as it relates to matters in which they express an interest here in Washington.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. DIGGS. I yield to the gentleman from Pennsylvania.

Mr. FULTON. A statement has been made to me on the floor that the Negroes who are not registered were not interested in voting. I doubted that because I come from a Northern State. I would like to have the gentleman, as he knows so many of them, tell us whether these Negroes really want to vote and take an interest in the civic affairs of their communities, because there are many of us on the floor, regardless of color or religion, who want them to have that right and who want to find out how to get them the right to do so.

Mr. DIGGS. In all fairness to the gentleman, the question of voter participation is approximately the same in all areas, at least in the northern areas among a particular group as in any other particular group. You do not find a marked lag between the participation of people in the voting processes, whether they are Negro or white, when they have the opportunity to vote.

I want you to look at the statistics. For instance, let me cite these 13 particular counties. In Carroll County, Miss., which has a Negro population of 57 percent, not one Negro is registered in the entire county.

In Chickasaw, 44.5 percent Negroes, not one Negro registered; Clarke County, 40.7 percent Negroes, not one Negro registered; Issaquena, 67.4 percent. Incidentally Issaquena County is the birthplace of my father. Jefferson County, 74.5 percent Negroes, not one registered. Lamar County, 15.9 percent Negroes; Noxubee, 74.4 percent; Pearl River, 21.8 percent; Tallahatchie, 63.7 percent.

And may I remind you that Tallahatchie County is the county where the Till trial was held.

When you consider the fact that you have to be a registered voter in Mississippi as a condition precedent to serving on juries, you can see how this can become compounded so far as the Negro people are concerned, not only as it relates to voting but as it relates to all rights in those particular States. I could go on and on to point that out.

Mr. FULTON. I want to compliment the gentleman on a brave and fearless statement, because he certainly has pointed out instance after instance. Then, does it not become incredible when said by people on this floor that the Negro in those sections does not want to vote and does not want to be registered when not even one Negro is registered in any of those counties that you have just listed.

Mr. DIGGS. The gentleman is correct.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Chairman, this piece of legislation has aroused considerable interest with me. I do not think anyone would question the fact that there is a very sharp issue drawn here over the question of jury trials. I went to the trouble to look up something

about the history of juries. I investigated the record in many of the foreign countries. I went back to the beginning—to the time the British people met King John and made him kneel and assure them that that privilege—trial by jury—must remain and be a part of their law. They thought then, and I think now, that this safeguard of individual rights is too precious to be batted around and on trial at this late hour. We have a great democracy. We have won the hearts of the world so far as people wanting to come to the United States is concerned. We have these precious institutions designed to preserve the rights of people, and give them fair play and fair trials. Unfortunately so many of our newcomers are misled and they unthinkingly join in movements such as the passage of this bill. We know what has happened in France. We know what happened in Japan. That is why so many good people in America do not want that boy of ours tried in a country that does not have trial by jury. It is not just a whim with them—it is serious and it should be serious to those who probably have not stopped to think about it. I have observed in the history of every single nation, that as the jury trial and the courts were whittled down, central government grew—the rights of the people shrank. As far as voting is concerned, with me that is the right of every citizen in America.

So far as I am concerned, I shall throw no block in the way of it, and I have and do encourage it. But now we will take a country that so many like to refer to. I do not talk about it very much because I think there has been too much talking and not enough done about it. I refer to Soviet Russia. When the Russian revolution took place and the Bolsheviks took over, there has not been a jury trial in Russia since that time. When Hitler took over, with one stroke he abolished the states and all jury trials. Did this help minority groups? Did this preserve anybody's civil rights? Should that be a warning to people or should we forget history—forget even our own history and fall into the same troubles? I want to read you something now that might be of interest. This has received official approval of the Soviet Government. It was written and passed out by Krylenko, public prosecutor in many important cases and the official writer on the judiciary of Russia. Here is the language:

> Our judge is above all a politician, a worker in the political field; and, therefore, he must know what the government wants and guide his work accordingly. Therefore the court must—
>
> Now listen—
>
> be organized so that there is a possibility of directing the judgment in conformity with the aims of state policy as pursued by the government.

Is there anyone in this Chamber who does not recognize the fact that the Attorney General is given more power in this bill than anyone else? Is there any doubt in the mind of any person here that the present Attorney General and those who have preceded him, regardless of the administration, Democratic or Republican, is a political figure and he is the spokesman who carries out the administration's policy?

No one would deny that.

Now, just take this langauage, if you please, strike out what Mr. Krylenko said, strike out where he puts "judge" and say this:

> Our Attorney General is, above all, a politician, a worker in the political field; and, therefore, he must know what the Government wants and guide his work accordingly. The Attorney General must be organized so that there is a possibility of directing the judgment in conformity with the aims of State policy as pursued by the Government.

This is too hard to explain and too horrible to embrace. Frankly the political odor of this bill is terrible and offensive.

Now I am forgetting all this tommyrot about how many murders took place in some gentleman's district or other illegal incidents which might have occurred. If it is bad we all want to stop it, but for Heaven's sake, let us not be so drastic that in our treatment for the headache we amputate the patient's head; and that is now about the type of prescription you are attempting to write.

We must not forget that the jury system has played a conspicuous part in the defense of popular rights against attempts of tyrannical exercise authority by executive Governments from the beginning of the jury system.

I can live under any law the rest of you can live under; I can live under the law with this jury clause in it, but I want to say to my friends who wrote this bill, whoever it was that came up with this language probably said, "This will do it," did not render any service to this democracy; and I say now it bears every earmark of legislative trickery.

Those are pretty strong words. I have practiced law a long time. I administered the law. It has always been repulsive to me to see any attempt in the courthouse, or otherwise, to deprive an American citizen of his rights and to treat him unfairly.

I am not going to be one to try to justify my voting for language that fixes it so you could do indirectly what you are just a little afraid you could not do directly to the extent you wanted to do.

I do not want to see this bill passed as it is, and I sincerely hope it will be defeated.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. BARDEN. Will the gentleman yield me 5 additional minutes?

Mr. CELLER. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. BARDEN. Now I will just hand it back to you.

I requested time last week. You have been very liberal to everyone else. You can take back your time. I must say your conduct with reference to this small request is consistent with the import of this legislation which you espouse—unfair.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentlewoman from Georgia [Mrs. BLITCH].

Mrs. BLITCH. Mr. Chairman, it is incongruous that year after year this House is thrown into a turmoil spending days upon days of its valuable time debating the same question of civil wrongs that certain elements of this country are determined to ram down the throats of all the citizens of this country; for this bill under consideration, if passed, will not apply solely to any one section of the United States but to all of its integral parts. However, as long as we continue to be faced with this issue, we of the South will not hesitate to be in the vanguard of those who fight to preserve the civil rights of the individual, no matter where he may live.

I wonder if it has occurred to the Members of this body that chaos, Gestapoism, and an utter disregard of the rights of individuals has been avoided so far in this country by the thin gray line from the South? The majority of the House membership has, time after time, ridden roughshod over the Members of the House whose love of the principles upon which this country was founded has been and is now being demonstrated in no uncertain terms.

I have often heard it said privately and on the floor of the House that this bill would be decided along sectional lines. It is extremely difficult for me to decipher such reasoning, if it actually be true. An American citizen is no less an American citizen in New York, Illinois, Kansas, California, and so forth, than he is in Georgia, Alabama, Mississippi, or Virginia. The right of trial by jury is as sacred to an American citizen in Pennsylvania or Ohio as it is to a citizen in South Carolina, North Carolina, or Tennessee.

In the light of the glorious history of this Nation, it is heart rending to me to see this attempt to deprive the American citizen of the rights for which the blood of so many men has been spilled in places all over the world. With what spirit can the man in the service of his country today and in the future fight, yea, even give his life? How will it be possible for a mother to give her son or a wife her husband to battle without cause?

We have the spectacle of a Supreme Court which rules without regard for the Constitution or the Congress. We have the spectacle of a United States Attorney General representing to the Congress that this legislation, the sole purpose of which is to take away the civil rights of the people of the United States, is urgent and necessary. We have the spectacle of the President of the United States saying he will use any means at his disposal to see that this legislation is passed. This is not the same kind of philosophy espoused by our President either in his first or second campaign for office.

Shall we now have the House of Representatives, the only governing body of this Nation that is really close to the people, making a like spectacle of itself by disregarding completely the civil liberties of the people by passing the abortive legislation at present under consideration? In God's name, I pray not.

Oh, liberty, how many injustices are committed in thy name.

One of the greatest injustices in the history of our Nation shall have been committed if this bill finds its way to the statute books.

Seldom, if ever, in the lifetime of a person, is it given to him or her to rise to the heights of glorious living as the opposition to the passage of this bill affords. In our day and age, we usually look back as far as Washington, Jefferson, Jackson, and Lincoln for our examples of great courage. These names will always be revered as long as we have the courage to hurl back every attack on the system of government that they spent most of their lives in establishing and preserving for us.

If, as has been said, this bill is supposed to capture the minority bloc vote of the colored people in the Northern States, it is an insult to the intelligence and to the integrity of those colored people. It has been my position in life to live in the midst of colored people. My observation is that they love liberty and freedom of movement just as well as any of the white people I know. This bill is no respecter of persons. The colored citizen and the white citizen will suffer under it if it becomes law. In such an event, how do you who are sponsoring this bill expect to justify your action? Or, do you think that it will be too late for you to "pay the piper," so to speak, and it will be upon the shoulders of those who come after you to bear the burden of the issue—that is, provided we still have the representative process of government as we know it today.

I would rather feel that there are enough Members of this body who will fail to bend the knee to a false idol that will bring about in this country a Hitler or a Stalin whose oppression of racial minorities were the cruelest and most heartless exhibitions in the entire history of mankind. If this bill passes, it opens the door to just such a situation.

I plead with each of you who is undecided or who has made up his mind to vote for this bill, to think of the freedom that all peoples have enjoyed in these great United States from the time we first became a country, and then to think of the grave threat to freedom that is embodied within this bill and vote against it—kill it—do not let the cancer of indecencies that are sure to arise if this bill is made into law be upon your hands.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, again, as the days of June are riding toward the longest day in the year and the beginning of the death of summer, we are enrapt in the emotions attending the passing of an old order and the birth of a new. I feel that my dear friends from the Southland today, as they have before, are standing on the edge of a lost battlefield fighting for something that they believe in but that they know has passed forever.

But, Mr. Chairman, we are making progress. We are marching forward to greater heights to advance the dignity of all men and fulfill the mandates of our destiny.

I remember when I was going to law school we were told that there was a time when people who suffered from wrongs for which there was no remedy went to the king and asked the king to exercise his conscience, to do the right thing even though there was no approach to the right in the existing law. And so came our court of conscience, our court of equity.

There have been wrongs. I do not think any of us doubts that through fear or for other reasons many people of the Negro race in certain parts of our country have not been voting, certainly in the numbers that we would desire and we would expect in proportion to their population. And our Republic cannot exist unless we give to all of our citizens the right to vote. In a representative democracy that is the most sacred of all the rights.

I respect the right to a jury trial. I think no one loves an American jury more than do I; and I have had, in my humble way, the privilege of talking to juries in many cases, and in many States including the great State of Tennessee. But I know the limitations of the jury system. The right to a jury trial means the right to a trial by jurors of your peers and in a climate that is without bias and without prejudice. That is the American concept of trial by jury. And so we have always been very careful to protect the right to trial by jury with the right to a change of venue.

Let a horrible crime be committed in any county or any community and someone who is not popular in that community is suspected and arrested for the crime. Because human nature is what it is, it is conceivable that it would not be possible to have a fair and impartial trial in that county or in that community and a change of venue is granted to another county where such bias and prejudice may not obtain.

In our great State of Illinois we protect that right to a change of venue to the extent that we make it mandatory upon our judges to grant a change of venue when a showing is made merely by affidavit. That I think should be borne in mind.

What is our situation now? We have in a section of our country—and I am not scolding; when you are born and brought up in a social order, it is hard to change; we all fight change from the status quo—so we have in that section a feeling that white supremacy still obtains, that in a world in which the white constitutes a relatively small minority, we can go on living, today as it was yesterday, on the standard of white supremacy.

In the section where that feeling obtains, human nature being what it is, it would be difficult to find a jury that would pass upon the facts and not the law.

The jury is given the determination of the facts, not the determination of the law. In Illinois, when an attorney is examining the prospective members of a jury, he asks if they will reach their decision from the evidence that they hear in the court and following the law as given to them by the judge on the bench. It was never intended that jurors should pass upon the law. Yet it is difficult for the layman to distinguish between what is law and what is fact, and, no matter how conscientious he intends to be in the performance of his duties as a juror and in his respect for his oath, his determination of what is fact and what is law must subconsciously be influenced, and his confusion multiplied, when against the law itself, he is strongly and emotionally opposed.

Once a law of the land is enacted by passage of a bill by the Congress, and signatured by the President, it is effective upon all persons in our Nation. It was never intended by the makers of our Constitution that a law of the land should be submitted to trial by jury so that in one community it would be accepted and enforced and in other communities would be rejected. It is self-evident that government could not continue to function in such a situation.

I should regard it as a splendid tribute to the judicial temperament and integrity of Southern judges, which should not go unnoticed by my colleagues from the Southland, that no one from the North in these many hours of emotion-heated debate has raised the slightest question as to how the judges in Southern districts would act in the judicial administration of a law that might not meet with their personal approval. It is hard for me to understand why similar confidence has not more often, in the debate, been voiced by my friends from the South, unless it be that they wish the law itself, and not the facts as they apply to individuals, to be passed upon by laymen and not by judges learned in the law and charged with its interpretation.

Mr. Chairman, I trust that the bill will pass unamended, and that our country will go on in the new day, undisturbed by the passing emotions of a change from the status quo, bravely and wisely meeting in the future as it did in the past the challenges of broadening horizons.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. Mr. Chairman, in the course of my experience in Congress, I have seen one political bill after another pushed forward by active supporters in the Congress as being panaceas for all racial troubles. These bills have taken the form, over the course of the years, of one type of remedy or another. They have been termed force bills, antilynching bills, F. E. P. C. bills, antipolltax bills, and civil-rights bills. These bill have all been pushed with different degrees of vigor over a period of many years, and finally have been pushed out of the realm of active support through a change in the political complexion of racial minorities throughout the country.

I have always conducted myself and my affairs fairly. I have tried to see that the remedies given by law applied to the colored and white people alike. I have supported many measures of benefit to the colored people of Louisiana, as well as to the whole United States. Of all of the bills that have come before us in the time I have been in Congress, H. R. 6127,

introduced by Mr. CELLER of New York, is probably the most vicious bill that I have seen. The bill has properly been termed "the administration bill on civil rights." It is clearly directed against the South. It is pushed forward as a palliative of all social and racial problems and iniquities.

The bill is divided into two parts, roughly speaking. The first provides for a commission to be appointed by the President and provides powers and duties. The second portion provides additional provisions granting injunctive relief at the request of the United States Attorney General.

It is this second provision of the bill which is particularly vicious.

It is not the rights which are supposed to be protected under section 131 of the bill with which I have the primary concern. It is, rather, the new methods and new powers granted for the enforcement of this provision—especially the broadening of the injunctive power of the Federal courts. Under subsection C of part 4 of the bill they may have the Attorney General, and this means all of his subordinates, if they suspect that a right has been violated or is about to be violated, go into a Federal court and ask for an injunction. There is no limit or restriction upon the breadth or depth of the injunctive order. It is left entirely to the discretion of the court as to how far it may go in "enjoining the countryside," and there is absolutely no limit as to the number of people or the size of the area which this injunction may cover. For instance, as I conceive of this bill, the Attorney General of the United States could, prior to election involving Federal officials, go into a court in the District of Columbia and obtain an injunction covering everybody in the United States. No provision is made in the bill for the publication of the terms of the injunction.

No requirement is made that the defendant must be a party to the injunction or that he must have willfully intended to violate the injunction. On the contrary, the whole matter is entirely dependent upon the will of one Federal judge as to whether or not the order should be issued, and what should be the scope of the order.

A defendant, whether he be within the jurisdiction or out is bound by this decree which may be rendered at will by the order issued in chambers without knowledge or publication. If a defendant violates the injunction, a summary order may be issued in court, and he may be tried by a judge without jury, in a summary proceeding and sent to jail. His only appeal is to the court of appeals in cases of violation of injunctions, and this has proven in the past to be an ineffective and ineffectual remedy to the defendant facing a jail term because of violation of any court order of this character.

The power to punish for contempt of court under the common law theory has been left largely, if not entirely, to those who violate the peace and order of the courtroom or are guilty of a violation of order in the presence, actively or constructively, of the court. Under the terms of this bill, no subject restriction is placed on the court, and the court could issue an order at the request of the Attorney General, and followed by summarily placing in jail anyone who violates its terms.

The power to punish for contempt should continue to be restricted to those committing an act within the presence of the court. The power to issue injunction should certainly be limited in its scope and under no circumstances should one man, even though he be a Federal judge, be allowed to issue an order prohibiting the world, as it were, from taking certain actions. If, however, the injunction is going to be general in scope and cover everyone, whether cited by court at the time the injunction is issued or otherwise, the least that we English-speaking people should expect from our Government is that we should be tried on a citation for contempt for violation of such an injunction by a jury of our peers.

Does the bill before us contain this safeguard? On the contrary, this measure in its expressed terms provides for the trial of our people for violation of an injunction without a jury. It provides for trial by injunction as one would be tried for creating a disorder in the presence of the court—a summary method of handling justice. All reference to jury trial in this bill is abandoned.

From time immemorial, I know of no right which has been more jealously guarded by our people than the right to a trial by jury. This right is referred to in our Declaration of Independence as one of the grievances requiring our independence from Great Britain. I refer to that sacred document written in 1776, entitled "The Declaration of Independence of the United States of America," wherein the King of England is charged in that "he has obstructed the administration of justice, he has made judges dependent on his will alone, he has erected a multitude of new offices and sent hither swarms of officers to harass our people," and further, "for protecting—large bodies of troops—by a mock trial from any punishment for any murders they should commit on the inhabitants of these States.

Then, after a long 4-year war had been brought to a successful conclusion, and our Founding Fathers gathered in Philadelphia to frame a constitution, they completed that immortal document. They submitted it then to the several States for ratification. They found, however, our States were loath to ratify even this historic document without adding to it safeguards for what has been known throughout history as the Bill of Rights. These States insisted upon, before ratification of the Constitution, ten amendments being added. And one of these ten amendments provided:

> Amendment VI. The accused shall be entitled to speedy and public trial by an impartial jury.

And then again, even in civil suits at common law:

> Where the value in controversy exceeds $20, the right of trial by jury shall be preserved.

Without these safeguards, including others just as sacred, such as freedom of worship and freedom of speech, our Constitution would never have been ratified and become the law of our land. We would not have developed under it and operated under it almost 200 years except for these safeguards. These stipulations were not placed in the Constitution of the United States by mere happenstance. They were placed there because of basic logic and because generations of men and women had, throughout the ages, learned to fear despotic power and government which would sometimes terrorize people and destroy every vestige of liberty for which free men have fought and died. These States and the people who controlled the thinking of the Thirteen Original Colonies had a fundamental fear of the King of England and of despotism wherever it might be found.

This fear dates back through time and the ages to the day when the representatives of the English people met on the meadow at Runnymede and forced an unwilling sovereign, King John of England, to agree to certain principles. As all English-speaking people everywhere know, our forebears demanded of a despotic sovereign in what we call the Magna Carta, that—article 39:

> No freeman shall be taken or imprisoned or disseised or exiled or in any way destroyed, nor will we go upon him nor send upon him, except by the lawful judgment of his peers.

Article 40:

> To no one will we sell, to no one will we refuse or delay, right or justice.

Further in this same immortal document, signed almost 800 years ago, we find article 52:

> If anyone has been dispossessed or removed by us, without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him.

Thus we see that the right to trial by jury has been jealously guarded by English-speaking people for almost a thousand years. In fact, so important was the Magna Carta to the free people of Western Europe and the Western Hemisphere that, during the course of World War II, the British Government was persuaded to send this immortal document to Washington. During the long course of the Battle of Britain, when day and night German bombers strafed London and other British towns and cities, reducing them to rubble, this document reposed in the Library of Congress in Washington, D. C., and not until peace returned to a troubled world was this document allowed to leave our shores and resume its place of dignity and security in the capital of the British Isles.

This bill is a political measure. Its proponents are so anxious to gain political advantage that they are willing to sacrifice every one of our cherished institutions to gain it, and they are willing to strike down those fundamentals of government which almost one thousand years of struggle by English-speaking people were required to safeguard and consecrate. They would tear down all of this in one measure to be pushed through Congress under the lash of the political whip applied by a minority of our people. They are willing to destroy everything for which we and our forefathers have fought for generations. I know of no more vicious measure which could be presented to this Congress for its consideration.

I do not know that the provisions of this measure may be applied literally, or the full extent of the authority which is given to Federal courts. Federal judges are, on the whole, men of conscience and principle. They should, when they read the broad authority given the Attorney General and their own courts, surely feel a revulsion against the indiscretion of our Congress in passing the measure, and the willful bigotry of many of those throughout the Nation who support the measure and are willing to urge its adoption.

This statement and this speech are not meant to give the reasons why this measure is vicious and why it should be defeated. I have merely tried to develop one particular feature of this bill, which is that it is unworthy of the consideration of the Congress of the United States.

I hope the measure will be defeated and our people be allowed to proceed in their daily occupations without the molestations of an Attorney General bent on changing the morals, habits, and social customs of a great people. No one man should wish and certainly no one man should have all the power given in this measure to the Attorney General of the United States.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield.

Mr. GROSS. I wonder if the gentleman can enlighten me as to the meaning of the language on page 5 of the bill, reading:

> (b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service.

Can the gentleman tell me who in Government it is expected to appoint to this Commission?

Mr. BROOKS of Louisiana. I do not know, of course, who would be appointed.

Mr. GROSS. Would that be some Member of the House, some Senator, or some bureaucrat downtown?

Mr. BROOKS of Louisiana. I do not know.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. BROOKS of Louisiana. I yield.

Mr. GROSS. This appointee would not serve without pay; he would draw the compensation, apparently, that he presently draws in Government, but he would not be entitled to the per diem compensation set up under the terms of this bill. I am wondering, however, who in Government would be appointed to this Commission. Evidently there must be some reason for this provision.

Mr. BROOKS of Louisiana. The gentlemen who wrote this bill seem all to have gone. I wish they were here to answer the question.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. ANDREWS].

Mr. NICHOLSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. NICHOLSON. Can the Chair inform me when the Committee will rise?

Mr. ANDREWS. If the gentleman will yield to me, I am happy to report that I think I am the last speaker.

Mr. GROSS. Mr. Chairman, will the gentleman yield to me?

Mr. ANDREWS. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman think a quorum is present?

Mr. ANDREWS. If the gentleman makes the point I will yield back the balance of my time.

Mr. GROSS. I simply asked the question.

Mr. ANDREWS. Mr. Chairman, no man in America would rather see happy racial relations in America and especially in the South, than I.

I say to you that in my humble opinion this bill will not bring about a happy relationship between the races but will add to the tremendous problem that we have there today.

We had no problem in the South until the Supreme Court of the United States in May of 1954 ordered our schools integrated. Stop and think for 1 minute of some of the problems that confront us in the South. We have counties there were the ratio is 8 to 1, 7 to 1, 6 to 1, 5 to 1, and I think I can say that it will be years, and years, and years before we integrate the schools in that section of the South.

Mr. Chairman, I am worried about this problem. Last year I had the legislative council draft a bill, introduced it, but never had a hearing on it. I reintroduced that bill this year and still have not had a hearing on it. But I believe that my bill is the only answer to the problem that you are trying to correct with this civil-rights bill.

My bill provides for the creation of a Human Resettlement Commission. I expect to offer that bill as an amendment to or as a substitute for the pending civil-rights bill at the proper time. More than likely a point of order will be raised against the germaneness of my bill to the pending bill. But I want to submit to you that I cannot conceive of a true friend, not a political friend, but a true friend of the Negro raising that point.

What does my bill do? It provides for the appointment of a Commission by the President, composed of three members, to be confirmed by the Senate. It provides that the Commission will set up as many regional and district offices as are necessary; and it provides further that any Negro who shows to the satisfaction of the Commission, first, that he is a worker—we do not want to place a charge on any community—he must first show to the Commission that he is a worker, that he is carrying his own weight. And, second, that he is unhappy with local laws, customs, and traditions that prevail in the State where he then resides. Upon making that proof to the Commission he will then be eligible for a long-term, low-interest rate Government loan in an amount sufficient to move himself, the members of his family, and his household goods to any State of his choice. And it will be the duty of the Commission to assist him in finding that new home where he will be happy. If he is unhappy in Alabama because his children cannot go to an integrated school, let the Commission point out that in California they have integrated schools. And, bear this in mind, those of us in Alabama have no complaint whatsoever with the way in which the Californians run their schools. The same applies to the other States.

You ask, Why such a bill? There is ample precedent for this bill. When we had the Dust Bowl back in the thirties, this Government moved thousands of Oakies out to the west coast because of economic conditions. And following the end of World War II, we had the Displaced Persons Commission, after which my bill is patterned, under which this Government brought into this country literally thousands of people from foreign countries. Why did they come? They were unhappy with local laws, customs, and traditions that prevailed in the countries from whence they came.

Does the bill make sense? Take a look at the statistics. Take a look at the proportion of Negroes and whites in America. In Mississippi they have 45 percent colored, and I will say that in many cases those colored are concentrated in certain sections of the State. That is where you find the ratio of 8, 7, 6, 5, and 4 to 1. In my State of Alabama the ratio is 32 percent colored. Most of them are concentrated in the southern part of the State, and again we find the ratio all out of proportion to what it should be: 8, 9, 7, 6, 5, and 4 to 1.

Now, look at the west coast from where we have so many advocates of civil-rights legislation. Take Oregon. The ratio of colored to white in Oregon is 0.0076, and I was told about a city in the State of Washington where the ratio is 0.129. Do you know what I was told in the city of Yakima? I was told that a Negro was not permitted to be on the streets after dark. Is it true? I was with the gentleman from Houston, Tex., ALBERT THOMAS, when we were told of it in the lobby of a hotel there, that a Negro was not permitted on the streets after dark. Now, I ask you which is worse for the Negro, to be denied the privilege of voting or being denied the use of public streets after dark? No, my amendment will put the blood test on the friends of the Negroes, the blood test of sincerity, and I challenge the true friend of the Negro to make a point of order against it. If you want to help them, here are the ways and means by which they can be helped. You are going to hurt them if you adopt this civil-rights bill with or without a jury amendment.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Florida.

Mr. MATTHEWS. I appreciate the gentleman giving me a minute after his very fine speech to correct the RECORD. A few minutes ago, the gentleman from Michigan [Mr. DIGGS] remarked that Madison County, Fla., in the Eighth

Congressional District, did not have a Negro vote. I rushed to the cloakroom and called the editor of the Madison County paper, and he told me that last year there were nearly 1,000 Negroes registered in Madison County, Fla., and many, many hundreds of them voted. I resent very much my district being pointed out here, Madison County, as a county that does not respect the rights of its fine Negro citizens.

Mr. GRANT. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Alabama.

Mr. GRANT. I just wanted to say to the gentleman from Florida that I am surprised that he paid any attention to what the gentleman from Michigan said. That gentleman and his colleague here, the gentleman from New York [Mr. POWELL], have done more damage to the Negro race in the South than any other two men since this country was founded.

Now, to come back to the gentleman from Alabama, does the gentleman seriously believe that any of these people who are pressing this legislation would be for this worthwhile amendment that he is advocating here, because if they were, it would take a good many of the people from the South who would move into their districts and they then could not tell us how to run things in the South; they would have a problem of their own.

Mr. ANDREWS. Let me say in conclusion that I earnestly believe if you went into one of those counties down there in Alabama or Mississippi or the other sections of the South where the ratio is topheavy with Negroes, and went through there with a fine-tooth comb, you would not find over half a dozen at the outside who were unhappy and who wanted to leave. And, I want to tell you that my bill is written in all sincerity. If you pass this civil-rights bill, I predict it will not remain the law long, because I know and you know that it is written in the heat of insincerity.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman.

Mr. HOLMES. Would the gentleman kindly repeat, for the benefit of the House, the reference he made to the city of Yakima, Wash.?

Mr. ANDREWS. I stated that 3 years ago next September, I was there with Congressman ALBERT THOMAS, of Texas. We had lunch at the new hotel and were told that Negroes were not allowed on the street after dark in Yakima.

Mr. HOLMES. I am quite familiar with that city, it being the largest city in my Congressional district. I have never heard of a ruling or an ordinance of that sort by the city.

Mr. ANDREWS. That was my only visit there.

Mr. HOLMES. I just wanted to clarify that remark.

Mr. ANDREWS. What is the Negro population there, if the gentleman knows?

Mr. HOLMES. I am not able to tell the gentleman.

Mr. ANDREWS. Percentagewise, it would be maybe 1 or 2 percent.

Mr. HOLMES. Percentagewise it would be maybe 1 or 2 percent.

Mr. ANDREWS. I thank the gentleman.

Mr. CELLER. I have no further requests for time.

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, the gentleman did have a request a couple of days ago. I think the greatest favor I can do for my colleagues is to say that I yield back the balance of my time but sometime tomorrow I shall try and show what they are trying to do.

Mr. FLYNT. Mr. Chairman, I rise in opposition to H. R. 6127 and in support of the jury trial amendment which will be offered to insure and guarantee a trial by jury to any person charged with what is referred to as criminal contempt. During the 3 days of general debate I have listened to the remarks of my colleagues on this subject and I have not heard any advocate or sponsor of this legislation give any evidence that there has been any deprivation of voting rights. The broad power given to the Commission on Civil Rights, to the Attorney General of the United States, and to an Assistant Attorney General who will head up the proposed Civil Rights Division of the Department of Justice are indeed comparable to the broad powers which totalitarian dictators have in the past seized for themselves.

Let us face the facts as they really exist and I call upon the advocates of this legislation to concede three things:

First. That this legislation is altogether unnecessary.

Second. That its purpose is not to correct any existing wrongs or to create any new rights.

Third. That is simply an attempt to grasp more power for the Federal Government in a field heretofore reserved to the several States.

Mr. Chairman, I am sure that my colleagues who have listened throughout this general debate have noted that there seems to be a desire on the part of some to speak of violation of civil rights and civil liberties in areas far distant and remote from the geographical areas represented by Members who sponsor and advocate the passage of this legislation. From this and this alone it seems to be evident and clear that this is punitive legislation aimed at a particular geographical section of the United States. Those of us who reside in and represent that section are outraged and we resent any categorical accusation leveled against us, our people, our States, and our section. We sometimes wonder if this categorical accusation and mass indictment is not activated by malice or other equally nefarious motives. Let me quote the words of the chairman of the House Judiciary Committee which appear on page 8490 in the RECORD of June 6, 1957, when he quoted an expression familiar to us all: "Before they take the beam out of my eye, let them look to the mote in their own." I therefore return that same thought to those of you who categorically accuse us and urge that you look for violations in your own areas, seek to correct them, and grant to us the simple fact that we are law-abiding, God-fearing citizens who are just as anxious to respect and obey the law as are the people in any other area not only of this country but even of the entire world.

There have been more exaggerations, misstatements, and outright falsehoods concerning deprivation of voting and other civil rights than about any other subject before this Congress or before the American public generally. In the district which I represent, I have never during my service in Congress known of a single individual to be deprived of his or her right to vote nor have I ever known of any person or persons to be intimidated or threatened in any way because they sought to exercise that sacred right. Before my election to Congress I served as solicitor general (prosecuting attorney) for a 4-county superior court circuit and during my service in that office I never knew or even remotely heard of any citizen in that circuit being deprived of the right to vote or threatened and intimidated in any way. In time of war and in time of peace, I have devoted my time and my efforts and my limited talents and abilities to a protection of democratic processes and the rights, liberties, and freedoms of individuals.

I sincerely believe that this legislation, if enacted into law, will destroy more civil rights than it will ever protect and will create more unauthorized and unwarranted centralization of power in the hands of a few than any legislation proposed in Congress of which I have any knowledge.

If there exists in this country any person with vile and vicious dreams and ambitions of dictatorial power he could wish for no legislation to further those ambitions than the passage of legislation such as is contained in H. R. 6127.

Mr. Chairman, in his rise to power in Nazi Germany, Adolf Hitler could not have asked for a better-equipped vehicle in which to ride to absolute power of life and death over the German people than a vehicle like this so-called but misnamed civil-rights legislation. Let me remind those of you who remember Hitler's rise to power that he used the vices and schemes which at that moment appealed to the passions of the German people, and upon receiving their acclamation he gradually made the German Reichstag completely subservient to his dictatorial power and made the German courts vassal administrative agencies which wrote into judicial fiat, order, and decree his desires and his commands and, having destroyed the liberties and freedoms of the German people, thereafter sought to destroy not only the right of trial by jury but the very right to life itself without a trial of any kind with or without a jury of any kind.

Let us give serious thought and consideration to the creation of absolute powers in any executive department, any Assistant Attorney General, or any Federal court which might even conceivably or possibly destroy any of the rights presently guaranteed to American citizens under our Constitution and statute laws.

Let us remember that the only true test of the propriety of any legislation

is not what good men will do with it but what bad men might do with it.

We cannot assume that the men appointed under the provisions of H. R. 6127 will always be good men, guided and motivated by the highest type of thoughts and methods. Let us study this legislation section by section and paragraph by paragraph. If there is one section, one paragraph or one part of it which could destroy civil rights rather than protect them, let us by amendment eliminate that section, paragraph and part.

For example, in section 102 (k) the Commission is empowered to issue subpena to compel the attendance and testimony of witnesses at any point within a given judicial circuit as defined in the United States Code. This means that the Commission on Civil Rights could issue a subpena to a resident of Florida or even the Virgin Islands or the Panama Canal Zone directing the attendance of the person on whom the subpena is served to appear at a point as much as 2,000 miles away in Fort Worth, Dallas, or El Paso, Tex. Therefore, by the simple procedure of harassment, the Commission on Civil Rights, if composed of men of unworthy methods, could harass and hound an individual to exasperation, exhaustion, or almost to death itself. Therefore, it would seem to be fitting and proper that the subpena powers of the Commission be limited to a given judicial district within a given State rather than permitting it to extend over a large portion of the Western Hemisphere as one or more of the judicial circuits do extend.

For another example of patent dangers inherent in the language of the bill itself, in section 101 (b) it is provided that the President can appoint 6 men of the same philosophy and ideology to be members of the Commission and leave unrepresented on that Commission all citizens whose philosophy and ideology may differ with those who are appointed. The provision that not more than three members shall at any one time be of the same political party is wholly inadequate to give representation to the school of thought represented by both the present opponents and advocates of this legislation.

Section 105 (b) of the bill provides for acceptance and utilization of volunteers and uncompensated personnel. Why, Mr. Chairman, it is self-evident that such volunteers and uncompensated personnel would make their services available continuously and frequently to air personal grievances and greed to foment strife and ill will and to contribute to the perpetual harassment of others. The language of the bill itself virtually admits this by providing that not more than 15 persons as authorized by subsection 105 (b) shall be utilized at any one time. Mr. Chairman, I would suggest as a proper amendment the deletion of subsection 105 (b) in its entirety.

The same can be said about section 105 (d) which exempts such volunteers and uncompensated personnel from the operations of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the revised statutes (5 U. S. C. 99).

Subsection 105 (e) in providing all Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties clearly indicates doubt in the minds of the authors of the legislation that there may be, and probably shall be, many times and many instances where no public official and no Federal agency could in good conscience cooperate fully with such a Commission on Civil Rights.

Section 121, contained in part III of H. R. 6127, makes the unusual provision that private litigation between parties involving tort actions shall be instituted not by the party aggrieved and not at his instance and direction, but that such actions shall be instituted by the Attorney General for and in the name of the United States.

It gives to the Attorney General the right to ask a civil remedy on the equity side of the courts for an actual, fancied, or even fictitious act which may in fact be a violation not only of a court order, but indeed of substantive law—State, Federal, or both.

Therefore, Mr. Chairman, it is imperative that an amendment to provide for jury trial in such cases be added to this bill.

The distinguished gentleman from New York, the chairman of the Judiciary Committee of this House, in relating other acts which provided for injunctive relief and denied jury trial, asked, among others, this question, which appears on page 8490 of the CONGRESSIONAL RECORD of June 6, 1957:

> Where were those gentlemen, who now come forward and who indicate grave anxiety about the protection of [jury trial] civil rights when we were passing those bills?

In answering that question I cannot attempt to speak for any other Member of this House except myself, but for my part during at least a part of that time I was in the Armed Forces of the United States engaged in combat with the forces of the same Hitler to whom I referred to earlier as the man who sought to deny to all members of a certain religious faith not only the right of trial by jury but even the right to live without a trial of any kind.

In complete frankness in answering the gentleman's question, I want to tell him most respectfully that if I had been in Congress during the time that any of the acts to which he referred were passed, that I would then, as now, have spoken out against criminal trials by judges instead of by juries. It is highly possible that sometimes a jury, ranging in numbers from 5 to 12, might make a mistake, but my experience and my lessons in history have taught me that basic rights of freemen are safer in the hands of a jury than in the hands of a tyrannical judge.

It has not been too many centuries since a British judge, named Jefferies, convened the courts known in history as the Bloody Assizes and decreed death penalties for those whose only crime was daring to exercise their right of free speech. Let me sound this solemn warning that if the right of trial by jury is threatened that those of you who participate in its destruction may help embalm our Constitution and inter in the dark abyss of oblivion the sacred rights and liberties of a proud and freedom-loving people.

Mr. Chairman, an amendment will be introduced to specifically provide for and guarantee a jury trial in all instances where a violation of the terms of an injunction also constitutes a violation of substantive law, Federal or State. Its purpose is to amend the bill to spell out the sacred and constitutional guaranty of the right to a jury trial in certain cases.

Nothing in this amendment is designed or intended to prevent any court from summarily punishing for contempt any person guilty of a contemptuous act or otherwise creating any disorder in the courtroom or in the presence of the court.

It is fundamental that the court must have summary authority to punish such actions of contempt in order to maintain order and decorum in the court. That right has never been questioned in the history of jurisprudence and is not questioned now. Nothing in this amendment can be so construed.

Let me also point out that nothing in this amendment is designed or intended to deny to any court the right to see that its orders, writs, and decrees are enforced and carried out against whom or to whom they are directed.

As a lawyer I respect courts and our system of law, but as an American citizen, first, and a lawyer, second, I feel that the right of trial by jury is a sacred and constitutional right which must never be trespassed upon.

Until a few months ago I thought that that right was clear, and I did not think that it had to be spelled out; but in some quarters that thought apparently is not being shared.

Therefore, I believe it necessary to spell it out and in words that all who read may understand that the sacred right of trial by jury shall not be abridged nor shall it be denied.

It does not take away from any court or any judge the right to maintain order and decorum within the courtroom nor does it deny to such court or such judge the right to punish willful violations of the terms of any order, mandate, writ, process, rule, decree, or command of the court.

It does, however, provide that no American citizen shall be fined or imprisoned or both for an act of contempt of court committed outside the presence of the court and involving a proceeding to which he was not a party until a legally qualified and impartial jury passes upon the question of his guilt or his innocence.

Absolute power whether vested in an executive officer or in a judicial officer is a dangerous thing and would most certainly destroy our framework of government and the basic guaranties of individual liberties which are spelled out in the Constitution of the United States and I believe in the constitutions of all 48 States.

Mr. Chairman, let me call to the attention of my colleagues a time-honored statement which was foremost in the minds of the framers of our Constitution and has been predominant in the minds and hearts of generations of Americans

since then who have believed in constitutional government. I do not know who authored this thought; if I did, I would be glad to give this as a quotation from him and to give him credit for the statement when he said "power corrupts; absolute power corrupts absolutely."

If and when the right of trial by jury and other constitutional rights of freemen are abrogated by men in whatever position they may serve, then one by one they will all be stricken down and swept away; and it will toll the death knell of our constitutional form of government and our Nation, which was conceived in liberty and dedicated to freedom.

Those of you who are familiar with the history of the development of our jury system and the right of trial by jury are well aware of the historical background of this sacred guaranty of freedom. Many years ago when the Anglo-Saxon system of jurisprudence was being developed in England, the powers of a monarch were absolute and complete, based partially on the theory of the divine rights of kings. At one time the King of England had the power to take away the life, liberty, or property of any of his subjects without consulting with or obtaining the concurrence of anyone else.

That worked all right as long as the king was a good king, but kings are human, too, and a bad king had the same powers and the same autocratic authority that his predecessor, the good king, had. This right of absolute despotism under a bad king resulted in many unjust, oftentimes inhuman executions by beheading, by hanging or even by disemboweling. One king became so tyrannical and his unwarranted executions were so vicious and flagrant that the English people decided they would not put up with it any longer and that henceforth no Englishman could be executed until the question of his guilt or innocence had been passed upon by a jury of his peers.

In 1215 when the barons wrested the Magna Carta from King John at Runnymede, foremost among the rights secured by that basic instrument of the rights of man was the right of trial by jury. Centuries later when the Constitution of the United States of America became the basic and fundamental law of our land it contained the following provision:

> In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation.

It is basic that a contempt citation which involves a violation of substantive law is the same as a criminal prosecution. Therefore, the constitutional provision cited above should apply.

Mr. Chairman, during the 3 days of general debate there has been much discussion as to whether a trial-by-jury guaranty is a new concept to criminal procedure. I submit that there is nothing new in it; that it is as old as Anglo-American jurisprudence itself. It is one of the things which has distinguished English-speaking peoples from all others and has provided for a Government directly close to the people governed.

Let me emphasize that there is nothing in this amendment to deny to any court or any judge the complete right to maintain order and decorum in his court and to force compliance with any order or decree or other mandate issued by him or his court to parties to pending litigation.

This amendment is designed, however, to prevent any one man from attempting to enjoin the entire citizenry of a community, city, county, or State or even a Nation. If the injunctive power of any court, either State or Federal, ever becomes so broad that it can enjoin any and everybody without naming, describing, or designating them, then each court will become a legislative body and a law unto itself without regard for either statutory or constitutional safeguards of the individual's rights to his life, his liberty, and his property, and without regard for established law and precedent.

There are none so blind as those who will not see. There are none so deaf as those who will not hear. Mr. Chairman, I urge my colleagues on both sides of the aisle of this House to consider long and well before they shall vote to deny a jury trial in what amounts to a criminal prosecution for an alleged violation of the substantive law.

I urge the adoption of the jury-trial amendment.

Mr. Chairman, there is one phase of this bill which is so dangerous that it might well serve as the wrecking crew of all election and voting laws in all of our States. In part IV, section 131, in its entirety, is so vague and indefinite that it could, and probably would, under the doctrine of preemption, not only void all existing election and voting laws, but, indeed, might at the same time write out of the law all provisions for punishing violations of voting rights under the provisions of both Federal and State laws now in existence and of force and effect.

Under subsection 131 (b), it would be possible, though I sincerely hope not probable, for a person not even registered to vote under the laws of his State, with the collusion of an unscrupulous member of the Commission on Civil Rights or an employee of the Civil Rights Division of the Department of Justice, seek and obtain an injunction which could completely disrupt the ordinary processes of holding an election in any precinct in this country, and the authority for it and the power to do it is clearly contained in lines 1 through 8 on page 12 of this bill.

We cannot assume that laws will be enforced as Congress intends and it is highly possible, indeed, it is probable, that this legislation might some day be used as a weapon of tyranny to destroy Constitutional rights and guaranties of liberty and freedom to the American people.

Mr. Chairman, nearly every single line and every single section, part and paragraph of this bill is inherently dangerous. There can be no doubt that it could be used to cripple and destroy the very same civil rights which it is presumably designed to protect.

There is no need for legislation of this kind and where there is no need, new legislation ought not to be proposed. It is punitive legislation, designed and aimed at an entire region of our Nation, and it has historically been true from the days of Haman to the present time that weapons infamously designed for destruction are turned upon and destroy those who brought them into being. Edmund Burke, a truly great civil libertarian in the highest and most noble sense of the word, cried out in the British House of Commons: "You cannot indict an entire people." No legislation inspired and drafted to accomplish punitive aims can long have hopes of bringing about a durable solution to the problems and conditions it erroneously seeks to correct.

Mr. Chairman, I sincerely hope that this legislation will not be enacted into law.

Mr. CELLER. Mr. Chairman, I have no further requests for time.

Mr. KEATING. Mr. Chairman, I have no further requests for time.

Mr. CELLER. Mr. Chairman, I move the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. KILDAY] having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

CONGRESSIONAL POLICY ON POSTAL RATES

Mrs. PFOST. Mr. Speaker, I ask unanimous consent that the gentlewoman from Pennsylvania [Mrs. GRANAHAN], the gentleman from New York [Mr. SANTANGELO], and I may have permission to file additional minority views to accompany the bill H. R. 5836, readjustment of postal rates and establishing a congressional policy for determination of postal rates, and for other purposes, to be printed as Part 2 of House Report No. 524.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE NEED FOR BALANCE IN OUR FLOOD-CONTROL PROGRAMS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I have already addressed this House upon the subject of the terrible flood disaster in Oklahoma and our neighboring States which has inflicted an awful toll in lives lost and property damaged throughout the Southwest.

One of the unfortunate results of this tragic flood has been the attempt by a few people to place the blame for this disaster upon one of the great services of this Government, the Army engineers, and to discredit the role of large dams and reservoirs in flood control and prevention.

Army engineers' estimates that more than $118 million in flood damage in Oklahoma and Texas was prevented by existing dams and structures have not been successfully contested, but the fact of flooding below some dams has been used to argue that "big dams will not do the job."

It would be just as fair to argue that "little dams will not do the job, either," because they did not prevent downstream flooding in areas where some small dams have been constructed.

The obvious answer to both of these unfair charges is the simple fact that we have barely made a start on our flood-control programs, both on the watershed and downstream. Had the authorized programs been completed, both upstream and on our main stems, we might have had a fair test of the programs, but no such test has been afforded in the present flood.

On the Arkansas River, for example, engineering plans call for a great reservoir at Keystone and tributary protection by dams at Eufaula, on the Canadian, at Oologah, on the Verdigris, at Markham Ferry, on the Grand—and at a number of other points upstream on these tributaries.

Can we say that big dams have failed in the floods on the Arkansas, when only two dams now stand in eastern Oklahoma where half a dozen are needed?

All the present floods have proved is the need for a completed control system, both on the watershed and the main stem, if the job is to be done effectively.

Oklahoma's delegation in Congress has been united in support for a balanced flood-control program, giving strong support not only to the projects of the Army engineers, but also to the watershed programs of the Soil Conservation Service, and to the reclamation projects of the Department of Interior.

In this balanced approach lies the best promise for real success in the all-important battle to control and conserve both our soil and our water—and the sooner we join ranks in this battle, the better off our State will be.

One of the best editorials I have read on this subject appeared recently in the Sapulpa Herald, by R. P. Matthews, and was reprinted in the Tulsa Tribune of June 4, 1957. The text of this editorial, entitled "Let's Avoid Dam Foolishness," follows:

> LET'S AVOID DAM FOOLISHNESS—SAPULPA PUBLISHER SAYS BOTH BIG AND LITTLE NEEDED TO HALT FLOODS
>
> (By R. P. Matthews)
>
> The "big dam-little dam" controversy is flaring up again over Oklahoma in the wake of the torrential rains which are drenching the State periodically.
>
> The "big dams" pooh-pooh the "little dams" and the "little dams" belittle the "big dams" and everybody gets into the act mostly, it seems in some cases, as an outlet to take their prejudices for a gallop.
>
> The truth of the matter lies not in either adamantine stand.
>
> For when Mother Nature works herself into a "mood" she tosses theory out the door and breaks every tradition in the book.
>
> Man is still a mere infant in knowledge as far as analyzing the actions of the elements are concerned, at least of analyzing them to the point wherein he can say "This I know and this will happen."
>
> Little dams are good; they are a part of good farming and ranching. They impound needed water for animal husbandry. Properly built and managed, they furnish a fish supply for the family owning them, and recreation.
>
> They help to impound the ordinary rains, even help confine and constrict hard rains.
>
> The usages, plus good soil practice such as keeping it filled with humus to store water, comprise a sound program.
>
> But, drop a cloudburst, or any rain of abnormal proportions and the volume of water falling on a given area is going to fill the little ponds quickly and lead to flash floods of disastrous potentials.
>
> In weather abnormalities you can't build enough little dams to stop and impound the full force of the huge tonnage of water that falls on an acre of land.
>
> Neither can the large dams completely contain the fury of the tempest.
>
> The value of big dams is often nullified by improper management of the surplus waters but that is a human trait we are compelled to accept.
>
> Human errors afflict every field and we cannot, in justice, then listen to those who analyze half way into the situation and trot out theories when it's our homes being used as guinea pigs.
>
> The floods of this spring season in Oklahoma have wrought much damage. Minor control floods have occurred in the Grand River Valley and other low spots in eastern Oklahoma under that valley's influence.
>
> Those floods were controlled and were just the top of the huge waters that were stopped cold.
>
> Think what would have happened if the Grand River Dam had not been in place.
>
> I mention it but the same premise is true below every other great reservoir in Oklahoma.
>
> The misery and damage that Tulsa had to undergo for a couple of weeks and which was passed on down the Arkansas River to the sea would have been largely thwarted if Keystone Dam would have been in place.
>
> Oklahoma needs big dams.
>
> Oklahoma also needs little dams.
>
> Oklahoma is going forward to great things and water, the "white horses" of Mother Nature, will be the determining factor.
>
> Let's not listen to these "little voices" who seek to stop the "big dams" with plausible, but uncertain theories.
>
> Let's be equally assertive of the values of little dams, thousands and thousands of them scattered in the upper reaches of the watershed.
>
> Let's quit our dam foolishness.
>
> We can be big about little dams but we don't dare be little about big ones.
>
> It'll take both to stop a 6-inch rain.

MISSILE JUPITER

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the Army's intermediate range ballistic missile, Jupiter, has flown successfully. There can no longer be doubt about its possibilities as an effective weapon. Behind it is the finest team of ballistic missiles experts assembled outside the Iron Curtain. The Secretary of Defense should promptly order full speed ahead on this project, subordinating it to no other.

To do so will require some backing up on the part of the Secretary of Defense on what must appear as a poorly considered order. He took jurisdiction of this version of the IRBM from the Army some months ago, stating that future development of such a missile would be carried on by the Air Force after July 1. To have the rug jerked out from under them in such a fashion undoubtedly was a severe morale blow to the team which was developing Jupiter. Regardless of who is to have jurisdiction of IRBM after its development is complete, there should have been no interference with the developmental processes of such an important weapon. Yet, despite this morale blow, the guided missiles team behind Jupiter continued to press forward with outstanding success.

Now Jupiter, the only successful IRBM outside the Iron Curtain is dangling in midair. The Secretary of Defense has stated that he will continue its development as long as it is justified from the emergency fund voted to him by the Congress. To me this is poor reward for successful effort. But pursuant to his recommendations, Congress thus far has budgeted no money for the continuation of Jupiter and unless funds are forthcoming from the Secretary's emergency fund, the project automatically will die on July 1. A realistic appraisal of the accomplishments of the Jupiter team and the success of their missile should bring an immediate about-face and an announcement that work will continue on Jupiter under the jurisdiction of the Army's team. Our position in the field of guided missiles is altogether too insecure to warrant taking a chance or to justify jockeying control between branches of the service. There is much evidence that Russia has a head start on us in the IRBM field. Evidently, Russia entered upon a crash program for the development of a weapon approximating the IRBM shortly after World War II. For this purpose, she had the services of many of the leading German scientists who were instrumental in developing the V–1 and the V–2 weapons. From the great land mass which Russia controls, she can and undoubtedly has positioned IRBM launching sites to reach all of Europe and much of the Mideast as a counterthreat to the ring of American bases which surround Russia. A successful and usable American IRBM is a necessary answer to Russia's missile potential while we wait for an effective intercontinental ballistic missile.

TRANSFERRING TO FTC AUTHORITY TO PREVENT UNFAIR TRADE PRACTICES BY MEATPACKERS

Mr. DIXON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. DIXON. Mr. Speaker, consumers and livestock growers throughout the country express concern about the increasing spread between what housewives pay for meat products and what the livestock producers receive. The producers complain especially about the unfair trade practices in the purchase of and distribution of livestock and livestock products, and insist upon corrective legislative measures.

Senate bills 1356 and 405 by Messrs. O'MAHONEY and WATKINS, and House bills 5282 and 5283 by Messrs. CELLER and DIXON are designed to improve the situation. The packers and the stockyards appear to be the only industry not under the supervision of the Federal Trade Commission, and as a result there are indications that Federal Trade Commission defendants are acquiring 20 percent or more of the stock in meat packing firms in order to escape prosecution by Federal Trade Commission for unfair trade practices.

Cases in point are FTC Document No. 6409, Armour & Co., 1956; FTC Document No. 6172, Carnation Co. et al., 1956; FTC Document No. 6458, Food Fair Stores, Inc., 1957; Blanton Co., St. Louis, 1957; and FTC Document No. 6555, Renaire Corp., 1957.

The above-mentioned bills are all designed to give the FTC authority to regulate unfair trade practices by meatpackers, as was the case before 1922; but also to permit the United States Department of Agriculture to retain regulatory control over the industry. It is my pleasure and privilege to include in the RECORD the testimony of Senator ARTHUR V. WATKINS before the House Antitrust and Commerce and Finance Subcommittees on the above-mentioned bills to transfer to FTC authority to prevent unfair trade practices by meatpackers:

BILLS HAVE BIPARTISAN SPONSORSHIP

(Statement before House Antitrust and Commerce and Finance Subcommittees on bills transferring to FTC authority to prevent unfair trade practices by meatpackers)

Mr. Chairman, the public has come to expect and demand that Government reinstate, where possible, and maintain by law as much price and other competition as the public interest necessitates in those areas of the economy in which it works badly or where little of it exists. This public concern is reflected in the platform of both political parties. It is a matter of bipartisan concern.

For example, the 1956 Republican platform declares:

"The Republican Party has as a primary concern the continued advancement of the well-being of the individual. This can be attained only in an economy that, as today, is sound, free, and creative, ever building new wealth and new jobs for all the people.

"We believe in good business for all business—small, medium, and large. We believe that competition in a free economy opens unrivaled opportunity and brings the greatest good to the greatest number."

Republicans also at that time pledged themselves to "a continuously vigorous enforcement of the antitrust laws" (p. 7).

On the other hand, members of the Democratic Party at their 1956 convention pledged themselves to maintaining "competitive conditions in American industry," and likewise "to the strict and impartial enforcement" of the laws "designed to prevent monopolies and other concentrations" of economic power (p. 18).

Thus both of our major political parties are committed to the objective of maintaining a free and expanding economy by fostering the growth of competition. For this reason, among others, I was happy to join with Senator O'MAHONEY in sponsoring S. 1356 in the Senate. The five bills which constitute the basis of this joint hearing also reflect the same bipartisan concern.

S. 1356, as well as those bills before this joint committee, is designed to prevent unfair trade practices and other unlawful restraints in interstate commerce by persons engaged in processing and distributing meat and meat products. This they do, individually or collectively, by amending either the Federal Trade Commission and Clayton Acts or both, so as to return to the FTC jurisdiction over the meatpacking and distributing industry, and by amending the Packers and Stockyards Act so as to eliminate the authority the United States Department of Agriculture has to prevent unfair trade practices under title II of that act, but which it has not effectively administered for thirty-odd years.

USDA ENFORCEMENT HAS BEEN INADEQUATE

In the years prior to 1921 and before passage of the Packers and Stockyards Act, the FTC's investigation of packers resulted in the filing of antitrust suits by the Justice Department against some five national packers. Apparently rather than face prosecution, these packers signed a consent decree which since then has prevented them from dealing in 140 food and nonfood products, chiefly vegetables, fruit, fish, and groceries; using their distribution facilities for the handling of any of these 140 products; owning and operating retail meat markets, and dealing in fresh milk or cream.

In 1921, when the Congress was considering passage of legislation to regulate stockyards, the five national packers, who had signed the consent decree, were able to convince Congress that prevention of unfair trade practices in that industry should be transferred from the FTC to the USDA. Materials which have been circulated in opposition to the bills now being considered by this joint committee by the association representing these large national packers, listed several reasons why a transfer was desirable then, and why such authority now should remain with the USDA. Consider these reasons:

"Meatpacking, being at the time the country's largest single industry, was of sufficient importance to warrant establishment of a separate, specialized agency; the FTC was an investigative rather than an administrative body and hence did not have the power nor the specialized knowledge necessary to do an effective job of administration; the Department of Agriculture had in existence the necessary bureaus and personnel to undertake administration of the act. Moreover, existing personnel were well equipped to undertake supervision of the complicated relationships characteristic of the livestock and meat industry."

Regardless of the merits these arguments may have had in 1921, it is evident that 36 years of ineffective administration or nonenforcement of title II renders them completely valueless today. Experience clearly indicates that the Congress made a mistake when it transferred authority to regulate trade practices of packers from the FTC, a specialized agency handling antitrust matters, to the USDA, which did not then and does not now have a separate regulatory agency. On no less than four occasions since 1935, bills have been introduced to correct this mistake. The question of jurisdiction over meatpackers thus is not of recent origin as opponents of these bills have contended.

Mr. Chairman, a review of USDA experience in the administration of the Packers and Stockyards Act will make this conclusion more obvious. The best general summation of this matter was given the Senate Antitrust and Monopoly Subcommittee last June by Mr. Millard J. Cook, who for 25 years—1929 to 1955—was employed by the USDA in the enforcement of the Packers and Stockyards Act. During the last 10 years of his service, he was the head of the unit doing this enforcement work. Mr. Cook told the subcommittee:

"In the early years of the administration of the act • • • they [USDA] undertook rather extensive studies of the operations of packers. • • • They brought quite a few actions. • • • They brought quite a few employees, and took on as many as 30 part-time employees. They had relatively a large appropriation. • • •

"From 1921, when the act was passed, up until about 1928 or 1929, they [Packers and Stockyards Administration] were an independent agency, and they reported directly to the Secretary of Agriculture • • • in the late 1920's prior to my becoming an employee of the Division, it was made a division of the old Bureau of Animal Industry" (transcript, June 26, 1956, pp. 336–337).

When asked why this transfer of its status was made, Mr. Cook replied:

"Well, I know only from comments that I have heard made. I was new in the organization, and the comments were made to the effect that the Secretary at the time was not favorable to the act. He disliked the act.

"And I think that some of the feeling of Secretary Jardine boiled over into the Bureau of Animal Industry, because thereafter there was not the inclination to go out and initiate investigations of monopolistic practices" (transcript, June 28, 1956, p. 379).

By contrast with the vigorous activities of earlier years under title II, which Mr. Cook has so vividly described, the laxity of USDA enforcement since the late 1920's is attested to by (1) its failure to ask for adequate funds; (2) its failure in turn to maintain an adequate staff; (3) its failure to acquire adequate economic data about packer activities and to use it for enforcement purposes; and, under these circumstances, its failure to enforce the act is indicated by (4) the paucity of significant cease and desist orders in areas of regulation, which the USDA now asks the Congress to leave in its hands on the promise to repent and "administratively sin" no more.

USDA HAS NOT SOUGHT ADEQUATE APPROPRIATIONS

In answer to questions of committee members concerning requests for funds made by the Packers and Stockyards Division during the 10 years he was head of it, Mr. Millard J. Cook replied as follows to the Senate Subcommittee on Antitrust and Monopoly last June:

"I made many recommendations; yes. I usually met with a pessimistic approach that it was useless to attempt to get any more money and that the explanation given to me was that Congress wouldn't be interested in appropriating more money for us to do a better job than we were doing.

"I think you will find in the Department's records that there are numerous recommendations for increased appropriations. There were innumerable oral conferences with my superiors on the need for increased appropriations.

"I think there were a few instances in which my immediate superiors recommended increases, but then when it got into the hands of the budget people in the Department, they scaled down those increases" (transcript, June 29, 1956, p. 386).

This is a story of lack of concern by not only the superior administrative but also budget officials of the USDA. Recent experience by the Packers and Stockyards Branch in this respect is not unlike the resounding echo of a broken phonograph record.

On July 6, 1956, I introduced S. 4177 in the Senate. The Senate Agriculture Committee to which it was referred requested a report from the USDA on July 10, 1956. In the meantime, the USDA's 1958 fiscal year budget request went to the Bureau of the Budget. Its request for new obligatory authority amounted to $4.7 billion. Of this request, $178,000 was for the purpose of posting additional stockyards under title III of the Packers and Stockyards Act. Not one dollar of new obligatory authority was requested by the USDA for expansion of its enforcement activities under title II of that act for the 1958 fiscal year.

Did the Packers and Stockyards Branch request additional new funds for title II enforcement? If so, what happened to that request? The answers to these questions were given to the Senate subcommittee during the hearings on S. 1356, a companion bill to those you have before you now, a few weeks ago by one witness who stated:

"It was reported the Packers and Stockyards Branch requested $200,000 be placed in the USDA budget to employ personnel to start enforcing the meat packer provisions of the act. The entire amount requested by the Branch was knocked out of the budget by the Department itself" (transcript, May 2, 1957).

Notwithstanding this background the USDA on December 21, after the Department's 1958 fiscal year request had gone to the Bureau of the Budget, rendered a report recommending against enactment of S. 4177. In spite of this negative report on a bill to transfer title II authority back to the FTC, and in spite of the Senate Subcommittee's hearings on the meat industry of a year ago, the testimony of the USDA before the House Subcommittee on Agricultural Appropriations makes it plain that the Department did not, until S. 1356 and the bills now before this joint committee were introduced, intend to pay more proper attention to the enforcement of title II.

On February 7, Mr. Roy D. Lennartson, Deputy Administrator, Agricultural Marketing Service, told the House Appropriations Subcommittee:

"We are asking for $178,000 to provide for additional posting and supervisory activities under the Packers and Stockyards Act.

"By the end of this fiscal year, we are hoping we will have something like 70 percent of the eligible yards posted. Granted this increase • • • at the end of the fiscal year 1958, we will have about 94 percent of all the eligible yards posted.

"The reason we have directed our attention at the yards, is because it is essentially down at this level where the impact is greatest on the producer. The act requires of the yards posted under the act, that the market agencies be bonded, that the yards provide adequate facilities, that their rates be reasonable, that their scales be checked, and that their trade practices be reviewed constantly.

"Although we have been criticized recently for not devoting some of the funds under this act to explorations into trade practices on the part of packers and others outside the yards, I think our policy has been sound in attempting first to use our funds to bring the impact or benefits of this act down closest to where the producer can obtain them" (hearings, pt. 2, p. 946).

The Department, of course, is to be commended for having concern and determination to effectively enforce title III. This is recognized by the bills before this joint committee, since they leave undisturbed the USDA's responsibility in the area which, as Mr. Lennartson pointed out, most concerns the livestock producers—namely, the regulation of all activities at stockyards including the buying and selling of livestock, rates paid for stockyard services, etc.

But, concern about title III activities is not an acceptable substitute for lack of effective enforcement of the unfair trade practice provisions of title II relating to meatpackers. It has been only since the introduction of S. 1356 and the bills before this joint committee that the USDA has shown any renewed interest in attempting to enforce title II.

Assistant Secretary Butz, before the Senate subcommittee on May 23, 1957, indicated that the USDA recently had "redirected an additional $20,000 of Department funds for Packers and Stockyards Act enforcement during the last part of this fiscal year" (transcript, p. 675), and that "we have made tentative provision to transfer some $75,000, if we can find the competent personnel to strengthen the work next fiscal year" (transcript, p. 676).

Should this tentative provision even see reality, these funds transferred would be $125,000 less than the Packers and Stockyards Branch requested but which the Department itself denied. Yet Mr. Butz also told the subcommittee that the Department would not make a supplemental request for title II funds, but that "we anticipate requesting from Congress additional funds for administering the act, particularly title II, in our next budget request" (formal statement).

These facts concerning the appropriations history of title II enforcement make it plain that USDA plans for more vigorous enforcement continue to be merely tentative and anticipatory, as they have been for 30 years.

ADEQUATE TITLE II ENFORCEMENT STAFF LACKING

By contrast with the vigorous activities in earlier years under title II as described by the former head of the Packers and Stockyards Branch, responsibility for prevention of unfair trade practices by meatpackers today not only under title II but under title III as well here in Washington, D. C., is vested in the Trade Practices Section of the Packers and Stockyards Branch of the Livestock Division of the Agricultural Marketing Service. A separate and specialized Packers and Stockyards Agency has long since been dispensed with, although the Hoover Commission made such a recommendation in 1949. This Trade Practice Section was staffed by two marketing specialists and a stenographer at the time the bills before this committee were introduced, and I presume the Section is still so staffed, since I have not received information to the contrary.

Not even one of these two marketing specialists, or a single employee in any of the 20 understaffed field offices maintained by the Packers and Stockyards branch is engaged fulltime in title II enforcement. A review of the USDA's April 4, 1957, self-appraisal report on the Packers and Stockyards Act administration indicates, in addition, as does the Department's appropriation request that the great bulk of the work of this section and the Packers and Stockyards branch itself—nearly 90 percent—is spent in title III enforcement.

Now, these remarks are not to be deemed criticism of the personnel of the trade practice section of the Packers and Stockyards branch itself. The personnel of the Packers and Stockyards branch are to be commended for their efforts to obtain more funds and to expand their title II activities. But it is meant to be criticism of several national administrations for the almost complete lack of action in the past to support the Packers and Stockyards branch and thereby to comply with the congressional mandate given the USDA in 1921 to prevent unfair trade practices in the meatpacking industry. The simple facts are that the Packers and Stockyards branch has not been permitted to obtain an adequate enforcement staff for administration of the fair trade practices provisions of title II of the act relating to meatpackers.

This self-appraisal report I have referred to states that "the organization that is maintained in administering the Packers and Stockyards Act permits a high degree of flexibility in planning and conducting major investigations and in meeting the fluctuating demands of different district offices. This is because the entire field force may be actively utilized in such an investigation whenever necessary" (p. 8).

This statement appears to be a self-directed gratuity rather than a fact, as is revealed by examination of Mr. Butz and Mr. D. M. Pettus, Acting Director, Livestock Division, Agricultural Marketing Service before the Senate subcommittee. Consider the following colloquy between these gentlemen and myself:

"Senator WATKINS. Mr. Secretary, • • • is it not true that in the Ogden, Utah, area you have 2 marketing specialists and 1 clerk—3 people to regulate 26 packers in 3 States, 12 of them in Utah, 13 in Idaho, and also 1 in Oregon?

"Mr. PETTUS. Those are the people permanently assigned to that location. When we have an investigation underway, we frequently bring in people from other markets and from our Washington area and add to our staff.

"Senator WATKINS. If they do not have any bigger staff in other areas than in this, what would you have to enforce the law where you are moving them from?

"Mr. PETTUS. We leave a reduced staff.

"Senator WATKINS. For instance, in Billings, Mont., you have one marketing specialist and 1 half-time clerk, as I get it, to regulate 5 packers in Utah, 3 in Idaho, 2 in Wyoming, and 11 in Montana, 21 altogether. How in the world can you take anybody from that area to help somewhere else such as the Ogden, Utah, area if the others are manned in the same way?" (transcript, pp. 695–696).

At this point, Mr. Butz asked Acting Director Pettus to explain how a case 2 years ago in the Ogden, Utah, area was handled. In part Mr. Pettus replied:

"Mr. PETTUS. I cannot recall at the moment how many people we had looking into the particular transaction, but we try to operate it with as few people as possible because we are spread so thin, Senator" (transcript, p. 697).

To which I replied, with the colloquy continuing as follows:

"Senator WATKINS. I recognize you are spread thin, and that is our complaint—that you do not have enough force to do the job in title II.

"Mr. PETTUS. We agree with you, and I think that is pointed out.

"Senator WATKINS. You have not had for nearly 36 years.

"Mr. PETTUS. I agree with you, sir.

"Senator WATKINS. We think that is a long enough trial period. With all the problems that have been handed to Agriculture, we thought we would certainly find someone who would be glad to get rid of this matter of law enforcement in the field in which the FTC has a special interest by reason of the act of Congress creating it as an independent regulatory agency—a special arm of the Congress.

"Mr. BUTZ. It is quite true for 26 years [that] it has not been adequately enforced, but don't you think when the sinner confesses and resolves to do better he should be given a chance?" (transcript, pp. 697–698).

In a few words, the Department admits that title II has not received adequate enforcement; yet, paradoxically, it has not asked for and apparently will not ask for adequate appropriations. Under these circumstances, what reasonably prudent person

would not conclude that responsibility for prevention of unfair trade practices involving meat packers should be returned to the Federal Trade Commission, where it was before passage of the Packers and Stockyards Act of 1921? Is not 25 or 30 years of inadequate enforcement a long enough trial period?

USDA DOES NOT ATTEMPT TO OBTAIN DATA ESSENTIAL TO DETERMINATION OF TITLE II VIOLATIONS

During the course of the Senate subcommittee's hearings on S. 1356, Mr. Butz, the major spokesman for the USDA, indicated that the Department, while willing to give the FTC jurisdiction over the wholesaling and retailing of meat, nonmeat food, and nonfood products of a firm not principally engaged in meat packing and processing, nevertheless would not voluntarily give up jurisdiction over such activities by a firm principally engaged in meat packing because:

"In that case it is necessary to have general supervision over that because sometimes, as has been alleged, they may use profits in their nonmeat activities, you see, to engage in discriminatory pricing practices on meat" (transcript, p. 751).

But in fact, does the USDA obtain such data from meat packers? No, Mr. Chairman, on a regular basis they do not, nor does the USDA even require packers to report their losses or profits on their meat operations or any nonmeat food product or nonfood product operation. As one witness summarized this administrative shortcoming to the Senate subcommittee last summer:

"Under the Packers and Stockyards Act every company doing an interstate meat business has to report a financial statement as of the end of each year but never have the packers and stockyards administration required the national packers to submit a statement of their meat operations separately from their total operations. That has been one of the failures of properly administering the Packers and Stockyards Act, in that you cannot get the definite information" (transcript, June 21, 1956, p. 21).

The statement of this witness is substantiated by the USDA's Packers and Stockyards Administration self-appraisal report of April 4, 1957, to which I have already made reference, as I shall point out shortly.

When asked during the Senate hearings on S. 1356 a few days ago whether the USDA was continuing to investigate charges of market sharing by packers, since the Department of Justice dropped its major suit in 1953 against several national packers based on this practice, Mr. Pettus, acting director, Livestock Branch, Agricultural Marketing Service, replied:

"Not as a specific follow-up of that overall case, but in our various types of records that we get on packers, the reports that we get each year, and our observations, we have continued to look over the entire question of sharing (transcript, p. 664).

Great stress was placed by Mr. Pettus upon information contained in packer reports, or as he put it information "that we get ourselves directly from the packers, under the act" (transcript, p. 665).

Now, what does the self-appraisal report say about the content and use made of reports submitted annually by packers to the Packers and Stockyards Branch? Namely this:

"The annual reports of meat packers are received by the 20 district offices that are maintained by the Packers and Stockyards Branch. • • • Information contained in these reports is primarily concerned with ownership, organization, and financial conditions. • • • The annual reports of the top four packers are forwarded to the Washington office of the branch where they are retained in a permanent file.

"Although the annual reports of packers are received, there is no tabulation or statistical analysis made of the information contained in them for the purpose of determining industry trends, problems, or conditions" (p. 14).

Might one not logically ask, as a result: Why, in fact, are these reports not reviewed for the purpose of determining industry trends, problems, or conditions? Why even require reports in the first place unless they are reviewed in order to further the carrying out of specific objectives of the Packers and Stockyards Act?

Insofar as title II is concerned, the Department is charged with the responsibility of preventing unfair trade practices by meatpackers, yet these reports do not even require packers to show losses on their meat, nonmeat food products, and nonfood product operations. Such information, however, is essential to determine whether a firm is absorbing losses in one area or line of operation in order to eliminate competitors, but making up the loss in other areas and lines of operation where its position is better established in the market. If none but the reports of the top four packers are sent to Washington, how could the Department ever detect various market-sharing arrangements which limit competition for livestock and mean lower prices to producers? The odds are that it could not make such a detection, let alone produce evidence sustainable in a court of law.

The self-appraisal report confirms these observations by correctly suggesting that:

"Effective administration and prompt enforcement of any regulatory measure such as the Packers and Stockyards Act are highly dependent upon the availability of adequate information and the use made of this information in the job that must be done. Packers and others subject to the act are now required to file annual reports. In the past, the Department of Agriculture has consistently adhered to a policy of requesting from those subject to this act a minimum of information in their reports.

"This raises the question as to whether both the timeliness and the content of these reports from packers might be improved and whether the information supplied should be in more pertinent detail for analysis and interpretation. Such reports would help pinpoint industry or individual problems and assist in bringing about more effective and economical administration of the act. This is so, particularly in view of the information such reports can reveal relating to trends, shifts, emphasis, degree of concentration in the industry, etc." (pp. 20–21).

But more disturbing, Mr. Chairman, than failure as a matter of routine to get such data, is the refusal of the Department of Agriculture at the policy level to take action against a packer even when the Packers and Stockyards Branch's Trade Practice Section has developed adequate information to warrant full-scale investigation and perhaps formal charges. Such a recent case involved certain alleged unfair trade practices prohibited by title II of the Packers and Stockyards Act on the part of Safeway Stores, which, if sustained would be violations of that act. The following colloquy between the Senate subcommittee counsel, Mr. McHugh, Mr. Pettus, and Mr. Lee D. Sinclair, Chief, Packers and Stockyards Branch, clearly develops this fact. Mr. Sinclair recommended to his superiors:

"That the case be fully investigated and that we attempt to get sufficient funds to carry out that investigation.

"Mr. McHUGH. You were overruled in this recommendation?

"Mr. SINCLAIR. In effect there was an overruling; yes.

"Mr. McHUGH. Was the matter considered again after it was returned to you with this notation for conducting a study?

"Mr. SINCLAIR. Well, I brought it up again about January of this year with Mr. Reed, the Director of the Livestock Branch. Mr. Reed told me later that he had taken it up again and that we should not investigate it.

"Mr. McHUGH. Well, what did that mean to you? With whom?

"Mr. SINCLAIR. Well, I understand it to mean his superiors, who would be Mr. Lennartson, Mr. Wells, and Mr. Butz.

"Mr. McHUGH. After that, did you concur in the decision that was made not to go forward with this investigation, but to conduct this research study?

"Mr. SINCLAIR. Well, we weren't asked about that.

"Mr. McHUGH. Did your opinion as to the best manner of handling this problem change any?

"Mr. SINCLAIR. No."

Now, I am not critical of the decision to undertake a broad economic study of the practice involved in the Safeway case. However, I am critical of the lack of action to stop such a practice when preliminary investigation by the Trade Practice Section seemed to verify a violation of title II. Both actions could, and should, have been undertaken.

Many witnesses who appeared before the Senate subcommittee listed dozens of similar instances involving practices carried on by packers which the USDA has not even bothered to investigate. This is not an isolated case, as these same witnesses, I believe, have told, or will tell, this joint committee.

PROPOSED USDA AMENDMENTS TO S. 1356 AND RELATED BILLS

The Packers and Stockyards Act vests the Secretary of Agriculture with authority to issue cease and desist orders with respect to packers who engage in unfair trade practices under title II. While a small number of such cease and desist orders, in and of itself, obviously is not a good indicator of whether title II has been and is being enforced, a small number of cease and desist orders, under title II, however, do indicate nonenforcement, in my judgment, when coupled with these facts: (1) USDA has never asked for sufficient funds to enforce the act; (2) the Packers and Stockyards Branch, since the early 1920's, has been understaffed and spread too thin to do the job title II requires; and (3) the growing volume of complaints of unfair trade practices by packers which, due to lack of desire and facilities, the USDA has done little or nothing about.

No, to say the least, it is unlikely that the small number of cease and desist orders—32 since 1921—is attributed to any other fact than noninterest and concern on the part of the USDA since the early 1930's.

The USDA reports on S. 1356 and the bill before this joint committee suggest amendments which would, if accepted, take the very heart out of the bills. The heart of these bills is to place meatpackers under effective enforcement by giving back to the FTC—where it was before 1921—the authority contained in title II of the Packers and Stockyards Act to prevent unfair trade practices by packers. With respect to preventing unfair trade practices by meatpackers in the buying and selling of livestock at stockyards, the USDA, by these bills, keeps its present jurisdiction. Exclusive jurisdiction with respect to the prevention of unfair trade practices by packers in the wholesaling and retailing of meat, nonmeat food products and nonfood products is given to the FTC, which now has such authority with respect to all other firms.

Since 1921, 16 of the 32 cease-and-desist orders have been issued until title II to packers for refusal to pay for or accept livestock. Ten such orders have been directed against this unfair trade practice involving

stockyards. Under the bills before the committee, the USDA can, if it will, prevent such practices.

Now the major objection the USDA had to S. 1356 was that it, as do the bills before this committee, gives exclusive jurisdiction to the FTC over the buying and selling of livestock away from stockyards. This is true, and there appears to be good reason for it. The remaining six cease-and-desist orders issued for refusal to pay for livestock took place away from stockyards. All 6, however, were issued in 1938—19 years ago. In only 1 out of 36 years of jurisdiction, therefore, has the USDA issued such an order which involves off-yard buying and selling of livestock.

Additional reason for giving exclusive jurisdiction to FTC over packer buying and selling of livestock away from stockyards is found in the USDA testimony before the House Appropriations Committee, to which I have already directed your attention. Mr. Roy D. Lennartson, Deputy Administrator, Agricultural Marketing Service, you will recall, told the House Appropriations Committee on February 8, 1956, that the USDA wanted $178,000 to post 150 additional stockyards, which then would bring the number of eligible yards posted up to 94 percent. He then continued:

"Although we have been criticized recently for not devoting some of the funds under this act to explorations into trade practices on the part of packers and others outside the yards, I think our policy has been sound in attempting first to use our funds to bring the impact or the benefits of this act down closest to where the producer can obtain them.

"In addition to the posting of the 150 yards next year, we are hopeful that some of the funds requested would be available to begin some investigations into the buying practices of packers off the yards; in other words, into the feed lots, into the direct-buying areas, and so on, in the concentrated areas of livestock production" (hearings, pt. 2, pp. 946–947).

Not being able to post even all the eligible stockyards, this appears to mean that during the 1958 fiscal year, the USDA is only hopeful that it can begin looking into off-yard packer buying activities. USDA's concern about country buying seems indeed to be a potential and anticipatory one, rather than one which will result in immediate administrative action.

Based upon these facts, I have reservations as to why the USDA, after little concern for 36 years about off-yard buying and selling activities, should be permitted to keep such jurisdiction. In addition, consider these facts: In the last 36 years the USDA has issued 5 cease-and-desist orders involving weight and grade frauds in the buying and selling of livestock, 3 of which were issued to packers operating at a stockyard. Now, under the bills before you, the USDA can still issue such orders against packers. Its exclusive jurisdiction over packer activities at stockyards under title III is not impaired by these bills. But what is its off stockyards record where weight and grade frauds are involved? It has issued only two such orders since 1921 and not one in the last 20 years.

So why, in light of this and of the foregoing facts should the USDA complain that to give FTC jurisdiction over off-yard buying and selling by packers would impair its effectiveness? It seems to me that it has a poor record to base this contention on.

The remaining 11 cease and desist orders issued involved restraints, preferences, price fixing, and discriminations. Of the 11, the USDA has not issued one against a packer at a posted stockyard involving the buying and selling of livestock. It did issue one against Armour & Co. in 1922 in the conduct of a nonposted yard which gave certain privileges to a few shippers. In the correct sense of the term, it has never issued such an order against a packer for such unfair trade practices off yards. Why should it complain that the bills before this committee deprive it of needed authority to regulate off-yard buying and selling of livestock?

The USDA, while it would give the FTC jurisdiction over the wholesaling and retailing activities of a firm not principally engaged in meatpacking as to its meat, nonmeat food and nonfood products, will not consent voluntarily to giving the FTC jurisdiction over the wholesaling and retailing activities of firms principally engaged in meatpacking and processing. Based upon the USDA's record of nonenforcement in this area, such jurisdiction, in my opinion, ought to be returned to the FTC where such authority was before 1921.

The remaining 10 cease-and-desist orders were issued against packers involving restraints, preferences, price fixing, and discriminations in the wholesaling of meat. But it is important to note that in the last 18 years the USDA has issued only one such order. Not since the mid-1930's has the Department evidenced any concern in this area.

But more significant still is the fact that the USDA has never issued a cease-and-desist order against a packer which involved the wholesaling or retailing of nonmeat food products or nonfood products. Yet the Department of Agriculture insists on keeping this jurisdiction and at its discretion permitting the FTC to handle such a complaint when the USDA wants to permit it.

The transfer of jurisdiction to the FTC over the wholesaling and retailing of meat, nonmeat food, and nonfood products is the very heart of the bills before this committee, since these bills do not disturb the USDA's authority to regulate stockyards in every respect in which they can now regulate them. The very statements I have quoted of USDA spokesmen indicate that this area—title III of the Packers and Stockyards Act—has been, is, and will continue to be their area of major concern. None of the bills before this committee disturbs the USDA's authority under title III to regulate the buying and selling of livestock at stockyards.

On the other hand, the great majority of the groups which have either testified before this committee or who I am sure will yet testify or file statements have or will urge you to give the FTC such authority over the wholesaling and retailing activities of packers. Why? Because the firms they represent must compete with the packers in the wholesaling and retailing of meat, of nonmeat food products, and nonfood products. Yet, as they have told you, while they are subject to the effective enforcement of the Federal Trade Commission Act, as were the Big Five packers before 1921, these packers and others as well are subject to the Packers and Stockyards Act under which the USDA has not issued a cease-and-desist order involving the wholesaling and retailing of meat in the last 10 years. Under this authority also, the USDA has never issued a cease-and-desist order against a packer in the wholesaling of a nonfood or nonfood product.

These witnesses and the firms they represent are concerned under these circumstances, because 3 of the 1920 consent-decree signers recently have petitioned the courts to set aside those portions of that order which would permit these packers to process and sell 140 food and nonfood products, own and operate retail meat markets, sell fresh milk and cream, and operate distribution facilities for handling these products.

Should this petition be granted, these firms fear, and rightly so, the ramifications continued USDA noninterest in the enforcement of the unfair trade practices of title II would have upon their businesses, since to all intent and purpose these 3 of the biggest 10 packers would be free, as are other packers, to expand into every segment of the food industry and nonfood industries as well.

But whether the consent decree is granted or not, the activities of these packers outside the area prohibited by the consent decree are so extensive that their competitors are likely to be hurt unless packers are put under the same set of trade-practice rules to whose jurisdiction they are subject. In this respect, it should be noted that in 1950 one or more of the 4 largest packers shipped 21 classes of food products in interstate commerce and 58 classes of nonfood products. Nonmeat food products comprised 6.6 percent of their total shipments. Nonfood products, exclusive of the byproducts of their meat operations, constituted 6.7 percent of their total shipments in interstate commerce, and nonfood byproducts shipped accounted for an additional 4.9 percent. Thus, 18.2 percent of their total shipments comprised nonmeat food and nonfood products.

Yet, these packer-owned operations now are not subject to the FTC, but their competitors are subject to the jurisdiction of the FTC. This without doubt gives an unfair competitive advantage to packer-owned enterprises. Under these circumstances who, as a competitor of Swift & Co., wouldn't be concerned about this situation when in 1955 that firm, for example, produced 4 percent of the Nation's butter; 87 percent of the cheese; 9 percent of the margarine; 19 percent of the peanut butter; 14 percent of the refined lard; 6 percent of the salad and cooking oil; and 15 percent of the shortening?

Why, these witnesses ask, and rightly so in my opinion, should the trade practices of a firm like Wilson Sporting Goods, selling nonfood products, be under USDA while its competitors like Spaulding, under the USDA proposal be subject to the FTC? Why, they ask, should Swift and Armour in the wholesaling of nonmeat food products such as cheese, canned milk, eggs, soups, etc., be under the USDA and their competitors like Campbell Soup Co. and Safeway Stores be under the FTC, as the USDA proposes?

In closing, let me say that I agree with Mr. E. M. Norton, the spokesman for the National Milk Producers before the Senate subcommittee, who, on that occasion, said: "The only conclusion we are able to draw—is that the Packers and Stockyards Act has effectively shielded the packers from regulation under the Federal Trade Commission Act and that the unfair trade practices of the packers have not been subject to adequate control under title II of the Packers and Stockyards Act." Enactment of the bills before you in a large measure will remedy this situation.

PERSONAL ANNOUNCEMENT

Mr. KEATING. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CURTIS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS of Massachusetts. Mr. Speaker, because of necessary absence, I did not vote on rollcall 96 in the House on June 5, 1957, on the question of passing House Resolution 259 for the consideration of the civil rights bill, H. R. 6127. Had I been present, I would have voted "yea" on this rollcall.

PROTECTION OF AMERICAN SOLDIERS ABROAD

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HENDERSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HENDERSON. Mr. Speaker, the time has come for the Congress of the United States to take active steps for the protection of American soldiers abroad. For several years, several Members of Congress have warned the people of the United States of the grave injustice which has been made possible by the status of forces agreements and treaties we have made with the other nations of the world.

In an effort to defend ourselves and to assist other nations to remain free and independent, we have stationed American troops in more than 40 nations of the world. In most cases, our troops are on foreign soil at the request of the host nations.

Some of the troops that are stationed there are volunteers who have made the Armed Services a career. Others are young men who have been inducted into the Armed Forces and are serving willingly but not necessarily voluntarily. Certainly, they are not volunteers when it comes to the question of overseas service, particularly when that overseas service involves them in a diplomatic, international arrangement whereby they are deprived of their rights as American citizens. Those men are defending, or standing ready to defend, the principles of Americanism, including rights to American type of justice. Yet in so doing, they are being deprived of those same rights.

The incident which occurred recently in Formosa was generated in part because the Formosan Government has not had the right of trying American GI's for incidents committed during off duty time. Status of forces agreements have granted that right to other nations. The Girard case in Japan, which is receiving so much attention, is a most unfortunate incident in which it now appears that the American Government has relinquished jurisdiction of an American GI to the Japanese for trial even though his commanding officer certified that he was on duty at the time. These developments point up the urgent necessity for bringing to the floor for immediate action House Resolution 16, introduced by my colleague from Ohio, Mr. Bow.

This Congress, and we as Members of it, cannot permit lives and liberty of American soldiers to be jeopardized in this way. If the nations of the world which are reaping the benefits of having American soldiers stationed on their soil, will not accord us the privilege of being responsible for the conduct of our own soldiers, then we need also to give grave consideration to the question of whether or not those troops should be permitted to remain there. It is time that America regained its old prestige and became again a dynamic force for liberty and right, instead of a simpering, pasty-faced subordinate. It is most questionable whether the flag of the United States should fly in areas where American rights are not accorded those who hold that flag.

In these remarks, I do not mean to imply that we as a nation wish to minimize or discount in any way offenses which are committed by United States troops against the civilian populations of nations in which Americans are stationed.

When such unfortunate developments occur, the guilty must be punished. Our system of law including the Code of Military Justice includes as a basic concept the respect for human rights. These rights are universal and do not discriminate against any nation or people.

Mr. Speaker, I am confident that I am not alone in my feelings. I am confident, too, that my colleagues are receiving many letters from constituents, as I am, protesting the position this Nation has taken in the Girard case. The following are excerpts from letters, representative of the feeling, which I am receiving.

The first reads as follows:

Either the newspapers are gravely misrepresenting the facts or we are doing a very grave injustice to the boy Girard and a very dangerous thing to the overall welfare of the United States, if we permit Japan to try this boy.

Does a boy who has been forced into the armed services, and forced to go overseas, also surrender all the rights, privileges, and immunities of a citizen of the United States guaranteed him under the Constitution? This principle could apply to every country of the world, even to Saudi Arabia where a boy stealing $5 may have his hands cut off.

Certainly Congress can do something about this matter. I can tell you that parents of boys in the service and boys who have served or will serve are greatly disturbed over this situation. Thank you for your kind consideration.

The second one is longer and by a man with deep disappointment at the recent turn of events:

This particular letter I write to you is in regard to the lad who is up for trial in the courts of the country of Japan for a certain deed that resulted in the death of a Japanese.

I only wish I were in a position to say my piece where it really counts.

I have a brother who suffered dreadfully at the hands of the Japs in the last war and is now dead from the results of this treatment. My brother was not in the service at the time, but was a civilian in the pursuit of his work on Wake Island.

On behalf of my brother and all those who suffered and died from the terrible treatment the Japs gave them, I ask the question—who's talking?

It was not my endeavor to seek revenge after the war, but when the people of Japan plus the Government of Japan make an issue of this kind and my Government lets them get away with it, I just lose this much faith in my Government, at least in its elected representatives.

I want my Government to stand back of the boys it has called into the service to its very limit.

I want my Government to say what it means and mean what it says to all countries, especially in this instance.

CONVERSIONS OF MUTUAL SAVINGS AND LOAN ASSOCIATIONS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am addressing my remarks to H. R. 7629, a measure that I introduced on May 20, 1957, and which is now under reference to the Banking and Currency Committee. Because of the wide public interest in the subject matter of this proposed legislation, I think it proper that I should now explain its purpose and the urgency of its enactment.

During the 84th Congress, 2d session, bills were introduced in both bodies proposing amendments to existing law in order to protect shareholders of mutual savings and loan associations insured by the Federal Government from losses and abuses attendant to conversion of such associations into permanent stock-type institutions. These conversions are permissible in some States.

Views of responsible Federal agencies and of Members of Congress were summarized in statements made in the House by me on July 5, 1956, and in the other body by the senior Senator from Montana [Mr. MURRAY], on July 20, 1956, at the time of introduction of our respective bills, H. R. 12058 and S. 4255.

Last year when the Senate Banking and Currency Committee was considering recodification of Federal statutes relating to financial institutions, the Federal Home Loan Bank Board renewed earlier suggestions that the Congress consider the problems involved in mutual savings and loan associations that seek to convert to nonmutual stock companies.

Specifically, the Board suggested that the Senate committee consider whether the Board should not be empowered to regulate conversions of State-chartered mutual institutions into stock-type nonmutual institutions where the mutual accounts were insured by the Federal Savings and Loan Insurance Corporation. The Board pointed out it had such authority where the converting institution was a Federal savings and loan association and sought to convert into a State-chartered nonmutual institution, and that the Board was actively considering adoption of procedural standards in such cases.

The Board was of the opinion, however, that the same problem was involved in the case of an insured State-chartered mutual seeking to convert into a nonmutual institution as in the case of conversion of a Federal chartered mutual institution into a State-chartered nonmutual institution, and suggested that it be given comparable power to regulate conversions of State-chartered mutual institutions whose accounts are insured by the Federal Government—committee print, October 12, 1956, pages 150 to 151, Senate Banking and Currency Committee, Study of Banking Laws, Legislative Recommendations of the Federal Supervisory Agencies.

The Advisory Committee for the Study of Federal Statutes Governing Financial Institutions, in its advisory report to the Senate committee, disapproved the recommendation of the Federal Home Loan Bank Board in the following language:

The Committee disapproves the requested extension of the power of the Board over insured State-chartered mutual associations on the ground that control over such a conversion of a noninsured institution should lie with the authorities of the State concerned and not with Federal authorities. (Committee print, Dec. 17, 1956, p. 36, Senate Committee on Banking and Currency, Study of Banking Laws, Report of the Advisory Committee for the Study of Federal Statutes Governing Financial Institutions and Credit, p. 36).

The Chairman of the Federal Home Loan Bank Board, in subsequent testimony before the Senate Committee on Banking and Currency, pointed out the manifest inconsistency between the Advisory Committee's disapproval of the FHLBB recommendation, as stated by the Advisory Committee, and what the FHLBB had in fact suggested in the way of broadening its powers over conversions. What FHLBB was seeking was to have Congress spell out clearly its right to regulate those State-chartered mutual institutions whose accounts were insured by the Federal Government and which sought to convert to stock-type institutions of a nonmutual character.

Thus it would appear that the advisory committee mistakenly broadened the scope of regulatory power the Board suggested be given it. Be that as it may, the problem is still present and is not solved in S. 1451, which bill is largely a recodification of and elimination of obsolete provisions of existing laws. Fundamental changes were avoided to achieve this objective.

In summary, the Board has indicated to Congress that it is disturbed about the potential for abuse in conversion of mutual savings and loan associations into nonmutual institutions. It has taken precautions to prevent abuse insofar as it has regulatory powers, and it has brought to the attention of Congress that area where it feels it needs additional powers—that is, where federally insured State-chartered mutual institutions are involved. If the situation needs corrective legislation, only the details of language remain.

H. R. 7629 is intended to resolve the problems.

The law now requires a State-chartered savings and loan association, when it applies for Federal insurance of its accounts, to agree that it will not, after it becomes insured, issue a form of securities not approved by the insuring Federal agency. This requirement is in subsection (b) of section 403 of title IV of the National Housing Act, as amended—title 12, United States Code, section 1726.

Section 1 of the bill proposes to add a new sentence to the above subsection making it mandatory for the insuring Federal agency to disapprove an issue of securities by, or a change in organization of, an insured State-chartered mutual institution that undertakes to convert into a stock-type company. If the insured institution persists in doing so, the Federal insurance is required to be terminated. This would not be an encroachment of the Federal Government upon the power of States to regulate their own institutions. All section 1 of the bill proposes is that if an insured State-chartered institution follows a course of action susceptible of abuse and injury to its shareholders, it will no longer be entitled to the benefits of Federal insurance.

Similarly, section 2 of the bill proposes to strike out that portion of existing law which permits a Federal-chartered savings and loan association to convert to a State institution upon an equitable basis—that is, to a nonmutual-type institution.

CHRYSLER CORP. FOUR-STAR TAXICAB DRIVER PROGRAM

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am including in my remarks a description of the Chrysler Corp., Plymouth and Fargo Divisions, four-star taxicab driver program for 1957, also a brief description of the rating given Mr. Edwin R. Erickson, from my district, as a driver-nominee in this program. He is a wonderfully fine man and an excellent driver. May I say also that last year there was also a very fine taxicab driver from my district who was a four-star winner.

The documents to which I have referred are as follows:

NINETEEN FIFTY-SEVEN FOUR-STAR TAXICAB DRIVER PROGRAM—SAFETY, COURTESY, SERVICE, CITIZENSHIP

TRIBUTE

The taxicab drivers of America have become an institution and an important contributor to our everyday life, adding to our pleasure and convenience—and are an ever-ready part of our civilian defense structure in case of emergency.

The taxicab driver, as an individual, is a substantial member of his community. His contribution in safety, courtesy, service, and citizenship serves well his community and the public.

The taxicab owner has for years exerted every effort to improve his service to the American public, and to increase highway safety by example and instruction.

In recognition of these facts—and in tribute to the profession—Chrysler Corp., through its Plymouth and Fargo divisions, salutes all taxicab drivers through the four-star driver awards.

Plymouth and Fargo divisions of Chrysler Corp. announce fourth national four-star taxicab driver program. Thirty "four-star taxicab drivers" will be chosen to be guests of Plymouth and Fargo divisions of Chrysler Corp., for a 3-day visit to Detroit in June of 1957.

1. The basis of selection will again be the same four-star principles which governed the selection of the four-star drivers in previous years—safety, courtesy, service, citizenship.

2. Driver awards and recognition. Each driver will receive the following: $250 in cash, "four-star driver" certificate of award, air or rail transportation to and from Detroit, $100 cash advance for incidental travel expenses, hotel and meals furnished while in Detroit.

3. Participating drivers will be selected from any organized fleet consisting of 10 or more taxicabs. An organized cab fleet can be either company-owned fleet, individually owned fleet, organized associations made up of individual owners.

4. Taxicab companies who were represented in 1954, 1955, or 1956 are eligible for participation again in 1957, although a four-star driver who was selected in 1954, 1955, or 1956 will not be eligible again for a period of 3 years following the year of his award.

5. In order to encourage interest in all sections of the country, 30 four-star drivers will be selected from groups of cities according to population: 4 from cities of 1 million population or more; 11 from cities of 500,000 population to 1 million; 11 from cities of 100,000 population to 500,000; 4 from cities under 100,000 population (the 1950 United States national census will be used in establishing the population of cities).

In each of the above categories, the committee will select a representative number of drivers who have had 5 to 10 years, 10 to 15 years, and 15 years or more of continuous service with the company sponsoring them. These men will be selected primarily for their safety, courtesy, and citizenship records.

6. An official awards committee will make the final selection of 30 four-star drivers. This committee will consist of an expert in accident prevention; the head of the Nation's top organization active in competitive automotive events; representatives of the American Taxicab Association and the National Association of Taxicab Owners, as follows: President, NASCAR, director, Daytona Beach International Safety and Performance Trials; manager, accident prevention department, Association of Casualty and Surety Companies; the presidents of each association; the national secretaries of each association. N. W. Seidel, vice president, Chrysler Corp., Fargo division, and G. E. Brugman, fleet manager, Chrysler Motors Corp., Detroit, Mich., will act as coordinating chairmen with no vote in the selection of the drivers, and will only coordinate and follow the project to a conclusion.

7. Suggested methods for driver selection. The manner in which the nominee is selected is left entirely in the hands of the management of each individual company. The following are merely suggestions:

In some fleets, the management may want the drivers to participate in the selection. This can be done by having drivers nominate one or more of their fellow drivers, and then having a committee, including driver representation and management, make the final selection.

Companies having more than one garage may wish to nominate one driver from each garage, and then have the selection made by a committee consisting of garage superintendents and management.

In some cities, management has submitted 2 or 3 nominees to disinterested parties, such as the director of public safety, the police commissioner, and a newspaper publisher, who have made the final selection.

8. Each company wishing to participate in the four-star driver program should submit the name and complete qualifications of its nominee on the printed application form which accompanies this book of instructions. All applications must be postmarked not later than midnight, May 1, 1957, or they cannot be given consideration.

9. The official awards committee will announce its selection of the 1957 four-star

drivers on May 16, 1957. Ceremonies of recognition and presentation of awards will be made June 9, 10, and 11 in Detroit.

10. The decision of the official awards committee will be final.

The Chrysler Corp., together with the Plymouth and Fargo divisions, wishes to acknowledge the cooperation and many contributions of the American Taxicab Association and the National Association of Taxicab Owners in supporting the four-star driver program, which pays tribute to outstanding taxicab drivers who faithfully serve the public in their communities.

QUALIFICATIONS FOR CONSIDERATION AND SELECTION OF FOUR-STAR DRIVERS

Safety: A driver with an outstanding safety record. A driver who thinks of his customer's comfort and safety at all times.

Courtesy: Follows company policies. A neat, presentable driver who is a credit to his company and proud to serve his community as only a taxicab driver can. He is often the first point of contact a visitor has in a strange city—first impressions are everlasting.

Service: Years driving a taxicab, number of miles driven (approximate), good attendance record.

Citizenship: Good community record with interest in civic affairs. Association with church work, youth groups, lodge, clubs, sports, and hobbies. The above examples of civic interests are given only as a guide.

Taxicab company name: Diamond Taxi, of Lowell, Inc.

Street address: 128 Warren Street.

City: Lowell.

State: Massachusetts.

Name of sponsoring company executive: Thomas J. Sullivan.

Title: President-treasurer.

Name of nominee: Edwin R. Erickson.

Street address: 194 Appleton Street.

City: Lowell.

State: Massachusetts.

Please enter the facts in support of your driver-nominee in the spaces following each heading below:

1. SAFETY

1. Has driver won any award for a long safety record or has he made some outstanding contribution to the cause of safety on our streets and highways? Edwin has been a consistent receiver of awards and pins during his employment with us. His reputation is probably best stated by the registrar of motor vehicles, Rudolph F. King.

2. Does this driver have respect for the safe mechanical condition of his taxicab, and does he drive with consideration for maximum fuel economy and the long life of his vehicle? Edwin is a perfectionist. He advocates and practices the placing of the transmission in neutral at all traffic stops.

3. What has this driver done to increase his knowledge and understanding of the fundamentals of motorcar driving, such as stopping distances, the effects of rain, snow, ice, temperatures, etc. on various road surfaces? Edwin is always hungry for knowledge about safe driving. Present at all monthly safety meetings of our company and he has sat on our reviewing board more often than any other employee because of his ability, attitude, and experience.

2. COURTESY

1. In what ways does he build his company's prestige in his contacts with the public? A quiet, soft-spoken gentleman, Edwin loves his work and is a dedicated taxi driver, as he says, "It is with a sense of newness daily that I report for work. I like people. I like to listen to them and sometimes I have to play the role of adviser."

2. How does this driver qualify regarding neatness, both as to his taxicab and his person? Having been a private chauffeur for over a year for a very exacting lady he learned that neatness pays because nearly 70 percent of our taxi customers are ladies.

3. How is he regarded by his fellow drivers? He is a confidant and their personal advisor. They do not hesitate to go to him for advice—for they know it is sound. Sound as Plymouth Rock.

4. How do taxi customers feel about this driver? Have special comments or requests been made in his behalf? Through the years we have received praises for Edwin. The way he is regarded in Lowell is best illustrated by the letters of the mayor, the city manager, and the superintendent of police.

5. Does this driver offer courtesies and assistance to customers according to company policies? His employment records show no complaints of any kind.

3. SERVICE

1. Number of consecutive years driving for present employer? 19 years.

2. Number of consecutive years driving without a chargeable accident? 19 years.

3. Number of consecutive years without any accident? 15 years.

4. Attendance record? Exceptional, 1 or 2 days a year, mostly ½ days.

4. CITIZENSHIP

1. Has the nominee performed some outstanding act of heroism, kindness, or honesty in the course of his daily work? On the death of his wife's parents, who had raised him from a baby, Edwin and his wife adopted Arthur Erickson at the age of 11 and raised him to the fine man he is today. Attested by the picture of he, and his wife, and three boys.

2. Does he take an active interest in church work, youth activities, lodge work, clubs, sports, hobbies, or any other civic affairs which add to the well-being of the people of his community? At St. John's Episcopal Church Edwin worked with the Boy Scout troop and assisted in the production of church plays.

3. Is he a citizen of whom his community can be proud? Positively yes—may we refer you to all the letters pointing out this fact.

GENERAL

In the space below, please state any other particulars bearing on this driver's character or accomplishments which you feel should be brought to the attention of the awards committee:

In every company in the taxicab industry there is a nucleus around which the entire personnel operating and maitnaining the company is built.

The owner may buy the finest taxicabs, equip them with the most expensive equipment, have the best stand locations, have thousands of friends and customers but without the taxicab drivers, they can only operate one cab. Edwin, through the years, has been a member of our nucleus.

He has trained drivers, advised them and as a safety team captain has watched and corrected them. Even as he has watched over his adopted son, Arthur, so he has given of his time and effort to novice taxicab drivers coming into our organization.

We are very proud to nominate Edwin R. Erickson.

Title: President-treasurer.

Date: April 4, 1957.

WHO IS RESPONSIBLE FOR THE TREASURY'S FISCAL CRISIS?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 20 minutes.

Mr. PATMAN. Mr. Speaker, on Thursday, June 6, 1957, the New York Times published a lengthy lead editorial entitled "A Problem Is Not a Crisis." The editorial seeks to absolve the outgoing Secretary of the Treasury from blame for the mishandling of our public debt and the resultant critical financial situation now confronting our Government. The Times editorial charges "political opponents and other critics of the administration" wish to employ the term "'crisis' to describe a number of pieces of unfinished business that rate the designation 'problems.'" Who are the political opponents and other critics that the Times has in mind? Could it be the editors of the Wall Street Journal who wrote on Monday, June 3, 1957:

The plain, simple, and incontrovertible fact is that the Government of the United States is in a fiscal mess. To put it bluntly, the Treasury of the richest Nation on earth is short of money.

Could it be the editors of Barron's? On June 3, 1957, they listed the following bill of particulars in their indictment of the outgoing Secretary of Treasury:

1. Has been compelled to raise money with distressing frequency and at steadily rising costs.

2. Serious financial straits (of the Treasury) have posed a mounting threat to overall economic stability.

3. While the Nation remains as solvent as ever, debt-management policy has come perilously close to bankruptcy.

Are these the "pieces of unfinished business" the Times speaks about? I wonder if the editor of the Times believes the term "crisis" should not be used in referring to the debt-management situation until the Treasury concedes it has gone bankrupt, and is unable to raise the necessary funds to insure the continued operations of the Government of the United States?

I am not being facetious or frivolous in making these remarks. For the state of our finances is in serious condition after 5 years of debt-mismanagement, Alice-in-Wonderland monetary policy and giveaway fiscal policy.

Mr. Speaker, who has carried out these policies for the past 5 years? Has it been the Democrats or Republicans? Did the Democrats approve those policies or did they protest and oppose them from their inception, warning they would lead directly to the crisis we face today? I ask these questions because the Times editorial insists that the Republican administration and the Secretary of Treasury are not to blame for the "problems" that exist today.

The Times editors assert they are the type of problems that "might be expected to beset an administration that (1) inherited a huge public debt, consisting in the main of short term obligations, and (2) has been compelled to do its refinancing for 2 years now under conditions of uninterrupted prosperity and tightening money rates."

To what lengths will a great newspaper go in order to shield a favored administration from just and well deserved criticism? In this instance, the Times appears to have been willing to go as far as necessary, including gross misrepresentation of the facts.

Let us examine the excuse that the administration inherited a huge public debt composed mainly of short-term obligations. Five years ago short term bills and certificates constituted only 25 percent of the total marketable debt. Today the proportion is close to 29 percent.

The plain truth is that this administration inherited a debt—which the Democrats had managed successfully for 7 postwar years—composed in the main of bonds and nonmarketable issues. Such issues constituted close to 70 percent of the public debt on December 31, 1952. Today the proportion is below 65 percent. The Times has repeated Republican propaganda about inheriting a huge short-term debt for so long that it has come to believe it as gospel truth. The Republicans needed a good excuse to break the long-term interest rate and so they manufactured a myth about the need to refund the debt—to lengthen its maturity. This was the reason they gave for putting out the 3¼-percent 30-year bond in April 1953. The proof that the debt structure in 1952 corresponded to the needs of the economy and of investors generally lies in the fact that the Republicans have failed to lengthen its maturity in 5 years. The average maturity of the public debt today is shorter than when the Republicans inherited it 5 years ago.

Republican manipulation of the debt structure and of interest rates has caused some very serious shifts in the ownership of the debt, which has contributed to its instability. For example, one of the primary aims of the Democrats was to encourage as wide an ownership of the public debt as possible by striving to increase the amount of savings invested in series E and F bonds. The Democrats also tried to reduce the amount of the marketable debt so as to insulate debt-management operations from market fluctuations.

After 5 years of Republican debt mismanagement, here is what we find. United States savings bonds down from $51.9 billion outstanding December 31, 1952, to $55.6 billion outstanding March 31, 1957. And redemptions are continuing to outrun sales at a substantial rate. Total nonmarketable issues, including savings bonds as well as the investment series bonds, down from $77.6 billion on December 31, 1952, to $67.3 billion on March 31, 1957. During this 5-year period, the total amount of the public debt subject to the daily fluctuations of the money market was boosted from $148.6 billion on December 31, 1952, to $159.9 billion on March 31, 1957.

INTEREST RATE INCREASES TO BANKS 24.3 TIMES GREATER THAN INCREASES ON TRUST FUNDS

A closely kept secret about Republican debt management has been its exploitation of the various trust funds—such as the old-age and survivors insurance trust fund, the national service life insurance trust fund, and the other Government invested accounts. In the past 5 years, the Treasury has increased the number of special issues it gives these accounts, in exchange for the cash it uses for general expenses, from $39.1 billion on December 31, 1952, to $45.6 billion on March 31, 1957. The interesting thing about this greater use of the trust fund money to invest in its own securities is that the Treasury is paying an average rate on these special issues of only 2.702 percent today compared with the average of 2.678 on December 31, 1952, or an increase of only 0.024 percent. In contrast, the Treasury has boosted the average interest rate it pays on marketable obligations from 2.099 percent on December 31, 1952, to 2.684 percent on March 31, 1957, or 0.585 percent. In other words, it has increased the average interest rate paid to banks and other lenders 24.3 times greater than increase in the average rate paid on funds borrowed from the old-age and survivors insurance trust account, from the veterans national service life insurance trust fund, from the Government employees retirement funds, the railroad retirement account, and the unemployment trust fund.

This is the way in which the debt-management operations of the Treasury under a Republican administration have discriminated against the millions of workers, farmers, veterans, civil service employees, and small, independent businessmen who are the main beneficiaries of these trust funds.

The Treasury has not hesitated to use this trust fund money to bail itself out of debt-management difficulties when it fund it necessary to do so. And in doing so, it has paid the trust funds far less of an increase in average interest rates than it found necessary to pay the bankers, the life insurance companies, and other lenders.

CREATION OF ARTIFICIALLY TIGHT MONEY CONDITIONS

So much for excuse No. 1, Mr. Speaker. Now we come to the second excuse given by the Times for the Treasury's problems. We are told that the Treasury was "compelled" to do its refinancing under tight money conditions. My question is who "compelled" the Treasury to borrow under such conditions? The answer is that no one "compelled" it to do so. The truth is that from the start of 1953, Treasury debt management officials have had as their primary objective the creation of artificially tight money conditions. This fact was recognized by a New York Times writer, Mr. Joseph Loftus, who wrote in the Sunday New York Times, April 26, 1953: "There is no doubt that the Government is paying more to hire its money than is necessary."

In a report issued May 18, 1953, entitled "Refunding the Public Debt," Dean G. Rowland Collins and Dr. Marcus Nadler of New York University's Institute of International Finance, warned against the impact of Treasury refinancing operations:

If mishandled, refunding could not only have a detrimental effect on business activity but saddle the Nation for years to come with higher rates of interest and an increasing debt burden which may prove to be unwarranted. Lengthening of maturities of outstanding Federal obligations does not appear to be a pressing problem. • • • There is no special urgency to reduce the volume of bank-held debt, since business activity and the price structure have caught up with the supply of deposits created during the war (p. 15).

The excuse that the Treasury was compelled to do its refinancing under tight money conditions is a specious one. The Treasury debt-management crisis results from a conscious policy pursued by the Treasury and at its behest the Federal Reserve, directed toward markedly decreasing the liquidity position of the commercial banks and corporations who comprise an important part of the market for Government securities.

The argument that the Treasury was compelled to do its refinancing at higher interest rates is refuted by the often repeated statements of the Secretary of the Treasury that interest rates are still low by historical standards. Moreover, Secretary Humphrey has been one of the few Treasury Secretaries in our entire history who has stated publicly that he did not feel it was his duty to keep the interest rate on the public debt as low as possible to prevent loading the people of the country, their children and grandchildren, with a hugh and unnecessary burden. Contrast the position of Secretary Humphrey with that of former Secretary of the Treasury William G. McAdoo. Charged with the enormous task of financing World War I, Mr. McAdoo later wrote:

My decision to adhere to low rates on bond issues saved an immense sum to the people of the United States. I could not reconcile myself to the idea of loading them with a huge and unnecessary burden, although I knew it would make my task easier in selling bonds (Crowded Years, Reminiscences of William G. McAdoo, Boston: Houghton Mifflin Co., 1931, p. 381).

Mr. Speaker, the problems of Secretary Humphrey were his creation. They were not foisted upon him by compulsion or coercion. Nor did he inherit any problems from the preceding Democratic administration as the Times editors falsely maintain.

Mr. Speaker, we come now to the familiar excuse that the Treasury's problems have been due to the necessity of fighting all-out inflation. For 5 years, we have been told that the Republicans were going to prevent inflation and preserve the purchasing value of the dollar. The inflation excuse, like the myth of the huge short-term debt, was created by the Republicans to justify higher interest rates. When the Republicans took over in 1953, there was no threat of inflation. Prices on the average had been stable for nearly 2 years, from February 1951 to December 1952. It was only after the Republicans took office and began to restrict credit, boost interest rates and by their general economic policies encourage the giant monopolies to boost their prices and profits that inflation started. Since 1952, there have not been any general inflationary pressures due to an overabundance of money and credit or an excess of purchasing power relative to the supply of goods. What we have had is a selective administered price type inflation. Giant monopolies have been charging all the traffic can bear. They have boosted their profits to record

levels. They have gone on a modernization and expansion spree, which has made them bigger and stronger, while their competitors have been made weaker. They have gobbled up scores of smaller firms in the most extensive consolidation and concentration movement since the 1890's. This is what lies behind the post-1952 inflation. The capital spending binge of the giant monopolies has not been deterred in the slightest by the tight-money policy or high interest rates.

MYTH THAT DEMOCRATS CAUSED INFLATION

It is time to expose the myth that the Secretary of the Treasury sacrificed the needs of debt-management in the interest of curbing an inflation inherited from the Democrats. Nothing could be further from the truth. Republican propaganda asserts that the American dollar was debased by Democratic cheap money policies and artificially low interest rates. But the facts show the following. In the 12½ peacetime years from 1932 to 1952, the years of so-called easy money and artificial low interest rates, the average yearly increase in the cost of living index amounted to 2 points. The increase this past year alone was 4.6 points. So in the last year under the Republican high interest, tight-credit, anti-inflation policy, the cost of living rose two and a half times faster than it had on the average during 12½ peacetime years of so-called cheap money and artificially reduced interest rates under the Democrats.

That shows how phony is the charge of Democratic debasement of the value of the dollar through cheap money policies. The truth is, and the Republicans know it, that we could not wage World War II and the Korean war at the 1939 price level. To have done so would have required a capital levy large enough to wipe out the war-generated savings. If the Republicans wanted to confiscate over $150 billion worth of individuals' and business' savings in order to maintain the prewar purchasing power of the dollar, why did they not say so? And what would have happened to our economy in 1946 without the $150 billion increase in liquid asset holdings from 1939 to 1945. We now come to the final point in the Times' editorial. This is the allegation that the increased burden of interest, which the Secretary of the Treasury has imposed on the Nation for years to come, is less than the added cost to Government would have been, if inflationary pressures had been left unchecked. This is, first of all, a specious line of reasoning for it assumes that higher interest rates have prevented prices from increasing more than they would have done if the rates had not been raised. There is no proof for that proposition at all. On the contrary, all the evidence is against it.

Now let us see what the extra interest cost has been. So far, the annual interest burden on the debt has risen $1.5 billion over what it was in 1952. But if we were to refinance the debt at present rates, and the debt will have to be refinanced in less than 4 years, the extra annual interest cost would be $4.5 billion. In 1952, Government purchases of goods amounted to $21 billion. This excludes Federal civilian and military payrolls. Assuming no change in the kinds of goods purchased, how much would prices have had to rise since 1952 to increase expenditures by $4.5 billion a year? The answer is 22 percent. In other words, the rise in the interest charge on our national debt since 1952, which will be at least $4.5 billion when the entire debt is finally rolled over, has been equivalent to a 22-percent increase in the average price of goods the Federal Government purchased in 1952. Does the New York Times really believe that if interest rates had been permitted to remain at 1952 levels prices would have risen 22 percent? The argument has been repeated over and over again, namely that the extra interest charges on the public debt offset billions, which would otherwise have had to be paid on account of price increases. It ignores the fact that we shall have to pay the higher interest rates for years to come—in some cases 30 to 40 years—while no one has yet maintained that prices of commodities will go up and stay there for 30 or 40 years.

Mr. Speaker, I ask permission to insert at this point in my remarks a summary table, which shows the composition of the public debt and the interest rates on the securities making up the public debt on December 31, 1952 and on March 31, 1957, 5 years and 3 months after Secretary Humphrey took over the management of the debt.

Public debt outstanding

[In billions]

	Dec. 31, 1952		Mar. 31, 1957	
	Amount	Average interest rate	Amount	Average interest rate
		Percent		*Percent*
Marketable:				
Bills	$21.7	1.915	$25.3	3.261
Certificates	16.7	1.897	19.4	3.329
Notes	30.3	1.755	34.4	2.380
Total	68.7	.....	79.1	.....
Bonds	79.8	2.320	80.8	2.482
Total marketable	148.5	2.069	159.9	2.684
Nonmarketable:				
United States savings bonds	57.9	.....	55.6	.....
Treasury savings notes	5.8	.....	none	.....
Treasury bonds, investment series	13.4	.....	11.4	.....
Depository bonds	.4	.....	.2	.....
Total	77.6	.....	67.2	.....
Special issues (United States trust funds)	39.1	2.678	45.6	2.702

Source: U. S. Treasury Daily Statement and Treasury Bulletin.

In conclusion, I would like to repeat what I have said many times before. The interest-rate policy of this administration had only one objective and it was not to curb inflation. That objective was to increase the profits of lenders, the giant banks, insurance companies, and investment banking houses. This was not my view alone. On May 11, 1953, the day I submitted House Concurrent Resolution 98 calling on the Federal Reserve to support Government securities at par and stop the rise in interest rates, Mr. David Lawrence, the well-known political columnist, wrote as follows in the Washington Evening Star:

At last, a lenders' market. Higher interest rates finally reverse 20-year injustice to those who have money to lend for private gain.

The article begins:

Perhaps because the topic is a technical one, the most significant development in a quarter of a century has passed unnoticed by the general public. It is a fact that at last the wages of money have finally been awarded an increase * * *. The truth is, the step just taken emancipates * * * the lenders or savers from the bondage of cheap money.

What Mr. Lawrence omitted to say in his column was that the object was not to release lenders or savers from the bondage of cheap money, but to put the people of the United States and their Government back in bondage to the money trust from which Franklin Roosevelt emancipated them. It was Franklin Roosevelt who moved the financial capital of the United States from New York to Washington where it rightly belongs. It has been the Republicans who have placed us in the position where we are ruled by the New York bankers again. Will we once again have to witness the spectacle of a President of the United States forced to come to terms with the Money Trust in order to keep the Nation solvent? This happened before under Republican administrations. Will it happen again?

FEDERAL FLOOD INDEMNITY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Connecticut [Mr. SADLAK] is recognized for 20 minutes.

Mr. SADLAK. Mr. Speaker, as Members of the House know we shall have before us shortly the conference report on the third supplemental appropriation bill. Some of the items in this bill are in dispute between the House and Senate conferees. There is one item of great importance to all of us and that is $14 million needed to start the Government's flood-insurance program. The Congress established this program last year with the enactment of the Federal Flood Insurance Act which the President signed into law on August 7, 1956.

The House rejected this necessary $14 million by a teller vote of 127 to 97. The Senate restored the item.

Now I want to go into great detail about a section of this law—the flood-zoning provisions—because there have been implications made here that this whole program is a bit of Government paternalism and that by starting it with $14 million we are about to go on a one-, two-, or three-billion-dollar handout spree.

I have read the hearings and debates on this subject and I did not see anywhere a detailed account of the flood-zoning provisions—which, if we will study them, will show that this is a businesslike program with many built-in protections against excessive losses to the Government.

I should like at this point to quote verbatim from the provisions in the statute covering flood zoning:

Section 12 (b) of Public Law 1016 reads as follows:

No insurance or reinsurance shall be issued under the provisions of this act on any property declared by a duly constituted State or local zoning authority, or other authorized public body, to be in violation of State or local flood zoning laws.

Section 12 (c) of the statute reads as follows:

After June 30, 1958, no insurance or reinsurance shall be issued under the provisions of this act in any geographical location unless an appropriate public body shall have adopted and shall keep in effect such flood zoning restrictions, if any, as may be deemed necessary by the Administrator to reduce, within practicable limits, damages from flood in such location.

As if these protective provisions were not enough, the Congress inserted section 9 which reads:

The Administrator may from time to time issue appropriate regulations regarding the classification, limitation, and rejection of risks assumed by him under authority of this act.

Note that word "rejection" in this section of the statute. The Administrator is authorized to reject applications for this flood insurance and this will be done where operating experience reveals that the Government would be running too great a risk in issuing policies.

Most of our States, including my own State of Connecticut, have long recognized the benefits of planning and zoning as a means of providing for the orderly development of the country. The Federal Flood Insurance Act supports existing zoning ordinances by denying flood insurance to properties in violation of existing ordinances. This provision can be of great benefit to States and localities.

The application of zoning to future developments in the flood plains of the rivers of this country introduces a new concept in our program to minimize the disastrous effects of floods.

Whereas, we have tried in the past to keep water away from man by constructing flood-control works, the Congress in the flood insurance act has determined to keep man away from water by flood plain zoning, thus flood insurance will work, hand in glove, with present and future flood control and preventive measures.

In short, flood insurance will only be available in areas subject to periodic flooding where the type and location of improvements have been restricted by zoning and the potential flood losses thereby reduced. In such circumstances, flood insurance rates can be kept relatively low.

New England is deeply interested in the Federal flood indemnity program because it will afford a new and much needed tool with which to accomplish a reduction in flood damage.

This region is organized for flood control and flood prevention. Public and private groups have joined with various agencies of the Federal Government to provide for better utilization of water resources and prevention of damaging floods through the construction of dams and reservoirs. They are prepared to assume responsibility for flood zoning in highly exposed areas as an important part of their comprehensive programs.

Under an Interstate Compact, the States of New Hampshire, Massachusetts, Vermont and Connecticut have organized the Connecticut River Control Commission whose duty is to sponsor flood-control measures in this great river valley.

Similar Commissions may be set up under additional compacts for the Thames River which runs through Massachusetts, Connecticut and Rhode Island, and the Merrimac River in New Hampshire and Massachusetts.

There is also a Connecticut River Watershed Council, a semiprivate group which is promoting flood prevention in the Connecticut Valley. The chairman of this group is the distinguished editor of the Hartford Times, Hartford, Conn., Mr. Ward Duffy.

An outgrowth of the New York and New England Interagency Committee on Water Resources is the New England Resources Committee headed by Walter White of New Hampshire. This group comprises representatives of the 6 New England States and 7 Federal agencies, all concerned with conservation and proper utilization of water resources in the New England region.

All these agencies and groups hope to be able to cooperate with the Federal Flood Indemnity Administration in its efforts to reduce flood damage through proper flood plain zoning. The responsibility for such zoning, however, rests primarily with State and local governments. The FFIA cannot zone the country by Federal mandate; but it can greatly strengthen the efforts of State and local governments in zoning for better land use, restriction of subdivision development and prevention of stream encroachment.

As I understand it, flood insurance will be written everywhere throughout the country until June 30, 1958. After that date, the Commissioner of the Flood Indemnity Administration may require State and local governments to adopt flood zoning restrictions as a condition precedent to the underwriting of flood insurance.

The New England States are not alone among the various States in seeking to cooperate with the Federal Flood Indemnity Administration, in this new effort to keep man away from water.

Through the Council of State Governments close liaison has been established by the Federal Flood Indemnity Administration with State officials concerned with State participation in the insurance program. Many of the States, it is reported, are taking steps to accomplish flood zoning in collaboration with the Federal Government. The whole country is greatly disturbed over the terrible losses just recently sustained in Kentucky, West Virginia, Virginia, Oregon, Washington, Hawaii, Texas, Louisiana, Oklahoma, Idaho, Missouri, and Arkansas.

Damage in these States has been so severe that the flooded areas have been declared disaster areas for purposes of Federal relief.

Looking at the record of flood damage over the years, it will be seen that 80 percent of the land area of the country is subject to periodic floods.

If we can reduce and minimize the losses suffered by our people through zoning, we have an added reason for investing public funds in the Federal flood indemnity program.

You have heard it said in responsible quarters that the flood-insurance program will launch the Government on another billion dollar spending binge. This is strictly impossible.

It is true that we have authorized the Flood Indemnity Administration to underwrite $3 billion of insurance, but that sum is not the measure of the Government's liability.

Anyone familiar with property insurance will know that the total face amount of the policies in force is not important. The losses under these policies are the prime consideration.

My belief is that the Government's losses cannot be excessive simply because of the built-in protection afforded by the zoning and other provisions in the statute, and safeguards which have been incorporated into the program.

Conscientious, sound administration of this law will not only prevent large losses by the Government, but will go far toward reducing the enormous potential damage to property subject to recurrent floods.

Mr. Speaker, it is my earnest hope that when this third supplemental request for $14 million comes before the House that favorable action will be taken and I recommend this to you.

URSULINE ORDER AT SPRINGFIELD, ILL., CELEBRATES 100TH ANNIVERSARY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. MACK] is recognized for 5 minutes.

Mr. MACK of Illinois. Mr. Speaker, during the summer of 1857, five nuns of the Ursuline Order arrived in Springfield, Ill., and established the Convent of St. Joseph, which has continued for 100 years as a center of religious training and culture in Central Illinois.

Mother Mary Joseph Woulfe, the four nuns who came with her to Springfield, and the many who followed over the century have given unstintingly of their energies, teaching children of all races and creeds.

During the single school year of 1956–57, Ursuline nuns taught more than 3,700 persons in Springfield. These included students of Springfield Junior College, founded by the Ursulines in 1929 and today one of Illinois' leading coeducational institutions of higher learning.

The Ursulines of Springfield also conduct the Ursuline Academy, a girls' high school; the Blessed Sacrament, St. Joseph and St. Aloysius elementary schools; and an adult educational center at Springfield Junior College.

Thus, it is with great pride that I congratulate Reverend Mother Ernestine, O. S. U., the present superior and president of Springfield Junior College, and take this opportunity to inform the House of the Ursulines' century of achievement in Springfield.

When Mother Mary Joseph Woulfe arrived in Springfield on Friday, August 21, 1857, she was accompanied by Mother DeSales and Sisters Agatha, Veronica, and Martha. Mother Joseph Woulfe was a native of County Cork in Ireland. She made her profession as an Ursuline Sister in Charleston, S. C. She was superintendent of Assumption Ursuline Convent in Cincinnati, Ohio, for 7 years and then was transferred to St. Martin's Convent, Brown County, Ohio. With the permission of Archbishop J. B. Purcell, of Cincinnati, and at the request of Rt. Rev. H. D. Junkee, first bishop of Alton, Ill., diocese, which later became the diocese of Springfield, Mother Joseph Woulfe was named superior of the group of Ursulines that established the convent in Springfield. Her companions also were from Brown County, Ohio. Later Mother Charles Maloney, of Charleston, S. C., joined the founding group.

Without a single piece of furniture, the Ursulines first settled in Springfield in an old dwelling called the Farnsworth house. With some assistance from the bishop and through the kindness of the people, they opened their first school within 17 days of their arrival. It was attended by both Catholics and non-Catholics.

In 1867, 10 years after their arrival in Springfield, the Ursulines opened a new academy and monastery. The quality of their teaching was now recognized over a wide area, and many boarders and day students were enrolled in their school.

Through the years many additions were made to the original buildings, beginning with a chapel in 1895, completion of the monastery building in 1901, and an auditorium known as St. Ursula's Hall, dedicated in 1909. Junior college classes were started in the old Brinkerhoff home in 1929. Mother Barbara Klaholt, of Springfield, was then superior of the Springfield Ursulines and the first president of the junior college. Ground for the present junior college building was broken on February 7, 1930, and the structure was ready for occupancy the following September. With the permission of the Very Reverend Mother St. Jean Martin, prioress general, the college classes were opened to men as well as to women.

In 1941, a signal honor was bestowed upon Mother Mary Joseph Woulfe by Delta Kappa Gamma, National Organization of Women Educators. Each year this group honors an outstanding pioneer educator from each State. Mother Mary Joseph Woulfe was chosen to represent Illinois for 1941 because of her foresight in the field of education, for her excellent work in developing and encouraging the parochial school idea, and for the fact that she established the first school of music in the vicinity.

Throughout the years the Ursulines of Springfield have ever tried to maintain and to uphold the high standards of teaching the ideals of true religious life, and the progressive foresight which is the inheritance bequeathed them by Rev. Mother Mary Joseph Woulfe and her capable courageous group of cofoundresses.

FARMING IS THE NATURAL AND GOOD LIFE

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NATCHER. Mr. Speaker, our Republic was born in what has come to be known as the Age of Enlightenment. During this period of time intelligent people discarded the traditional ways of the feudal period which were accepted generally as eternally right, natural, and not subject to improvement, and in its place substituted reason to show us better ways. An aggressive search for better ways started and continues to this good day.

New methods of cultivation were developed in agriculture. Our love and concern for the soil, its use, conservation, and nature was born during this period. Two of our early leaders, Washington and Jefferson, were among those who put aside traditional prejudices and tackled agricultural problems scientifically. Jefferson said that "those who labor in the earth are the chosen people of God."

Farming was man's fundamental pursuit and it was the natural and good life. Our early farmer came from a working class of people in Europe and early frontier life helped to develop a democratic spirit and pride in the virtues of industry, thrift, and labor which is present today on our American farm.

Our forefathers knew that agriculture must prosper if our new Nation was to prosper. A move started in the Second Continental Congress to set up a Department of Agriculture where problems confronting our farmers could be studied and properly researched. In 1776 two resolutions recommending aid to agriculture were adopted. One of the resolutions contained a clause, which was later stricken, proposing the establishment of a standing committee of Congress to correspond and assist the agricultural societies which were to be set up in each of the Colonies. George Washington 2 decades later, in his last annual message to Congress advocated the establishment of a board of agriculture to collect and diffuse information. A House committee favorably reported a bill but it never came to a vote. In 1817 a bill was prepared and submitted to the Committee of the Whole establishing a national board of agriculture. Again no further action was taken.

Consuls and naval officers abroad continued to follow the example set by Benjamin Franklin in sending home seeds and improved breeds of domestic animals. John Quincy Adams recognized this practice by instructing all United States consuls to forward rare plants and seeds to Washington. During the Adams administration a botanical garden was set up and a committee on agriculture was established in the Senate. The House created its committee 5 years before this in 1820.

In 1836 our Commissioner of Patents on his own initiative distributed seeds obtained from abroad to our farmers. In 1839 Congress appropriated $1,000 for the threefold purpose of collecting agricultural statistics, conducting agricultural investigations, and distributing seeds. This money provided for the establishment of an Agriculture Division in the Patent Office.

In the year 1860, after nearly a century of discussion the ground was laid for the establishment of an executive department of agriculture. A bill creating the United States Department of Agriculture became a law on May 15, 1862. Our land-grant college bill passed during the same year—July 2, 1862. Here we have the most significant legislation for agricultural education in the United States. This law provided that a State might receive 30,000 acres of the public lands within its borders for each Representative and Senator it had in the Congress. The proceeds derived from the sale of the land was to be invested and the income used to create and maintain colleges.

Our first experiment station was erected in 1875 at Wesleyan University in Middletown, Conn. After 1880 a number of State agricultural colleges established stations.

The next milestone along the way was the establishment of our Extension Service. This Service is a cooperative undertaking by the Federal, State, and local governments. The Smith-Lever Act passed by Congress in 1914 provided for our Extension Service. Our extension work is conducted today in over 3,000 counties in our country by our county and home demonstration agents.

After its establishment the Department of Agriculture was looked upon primarily as an agricultural research agency. Today it has other functions which have grown enormously in recent years. Our State experiment stations have also grown steadily along with college teaching and extension in the land-grant colleges. Our Department of Agriculture today directs its research to the solution of problems of regional or national significance. Many of the same problems are handled by the State experiment stations—especially those relating to local conditions.

Our research has brought about abundance. Our experiment stations and Extension Service have many achievements to their credit. Production and demand can be brought together by the full cooperation of our agricultural research service, experiment stations and Extension Service. Development of new uses for our agricultural commodities, new markets, new crops and greater emphasis on animal agriculture will solve our surplus problem and bring together production and demand.

The results of our research and control achievements must be carried directly to the farmer in order to be properly utilized. Our farm family must have the facts. This mission is assigned in the main to our county and home demonstration agents. These men and women are responsible for carrying sound information directly to our farm people. This dedicated group of men and women are properly recognized as leaders in agriculture in their communities. I might say at this point Mr. Speaker, that our county and home demonstration agents are not adequately paid and in order to keep these people in extension work it is imperative that the Federal, State and county officials raise salaries immediately.

It is impossible to measure adequately the benefits derived from the service rendered by our county and home demonstration agents. My home State of Kentucky is served by well trained, qualified, dedicated county and home demonstration agents. The Second District of Kentucky is one of the large agricultural districts of the State. We have strong agricultural organizations in each of the 15 counties. Outstanding farmers with well cultivated farms prevail throughout my district.

Intelligent, energetic young men and women in the Second District of Kentucky belong to the different organizations for young people—Future Farmers of America, Future Homemakers of America, and 4-H Clubs. For a great number of years these young men and women have received awards for their many accomplishments.

We have in my district this year a group of young people of whom we may all be proud. Young people who are the recipients of benefits gained from our Department of Agriculture, agricultural research, marketing, experiment stations, and Extension Service. The encouragement of families, county and home demonstration agents, and friends, combined with their own ability, energy, and ambition have resulted in their winning many of the top honors and offices in the 4–H Clubs, Future Farmers of America, and Future Homemakers of America. Helen Stinnett of Hopkins County and Harold Smith from my home county of Warren are 2 of the 4 holders of this year's top awards in 4–H Club work in Kentucky. Myra Tobin of Breckinridge County was elected president of the Kentucky Future Homemakers of America. Barbara Landrum of Simpson County was elected first vice president, Alice Hayes of Warren County was elected parliamentarian, and Virginia Below of Union County was elected reporter. Two hundred dollar scholarships for home economic studies were awarded Romanca Oliphant, Allen County, and Dorothy Joiner of Union County. Miss Tobin was named a candidate for National FHA vice president and the alternate was Pixie Priest of Ohio County.

Billy Joe Mitchell of Smiths Grove in my home county of Warren was named 1957 Kentucky Star Farmer by the Kentucky Future Farmers of America. Larry F. Parrish, of Henderson County was district winner for the Green River district.

It is good to know that with the development of such fine, intelligent and well instructed young people the future farmers and homemakers of my district will not lack the right sort of leadership and knowledge. These young people have answered a challenge and I predict that answering challenges will become a habit with them.

Mr. Speaker, farm life has been deeply affected by present day agricultural problems. Changing conditions demand constant experimentation, more research, new crops, new markets and more extension service. We have come a long way in agriculture, and our love and concern for the soil, its use, conservation and nature will continue on into the future.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LECOMPTE (at the request of Mr. CUNNINGHAM of Iowa) for an indefinite period, on account of illness.

Mr. BAILEY, for 2 weeks, on account of official business, attending ILO Conference at Geneva, Switzerland.

Mr. MILLER of Maryland (at the request of Mr. MARTIN) for 1 week, on account of illness.

Mr. MAY (at the request of Mr. HOSMER) for Monday and Tuesday, June 10 and 11, 1957, on account of illness in his immediate family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 20 minutes today, to revise and extend his remarks and to include extraneous matter.

Mr. SADLAK, for 20 minutes on today, and to revise and extend his remarks.

Mrs. ROGERS of Massachusetts, for 5 minutes on today.

Mr. MACK of Illinois, for 5 minutes on today.

Mr. CRAMER (at the request of Mr. BALDWIN), for 45 minutes on tomorrow.

Mrs. ROGERS of Massachusetts, for 5 minutes on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. LANEFORD.

Mrs. KEE.

Mr. CHAMBERLAIN and to include commencement address of the Vice President at Michigan State University, and additional extraneous matter.

Mr. RODINO (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. FLOOD (at the request of Mr. CELLER).

Mr. KEATING, his remarks made in Committee of the Whole today and which he will make in Committee of the Whole in consideration of the bill under the 5-minute rule, and to include extraneous matter.

Mr. BARRETT.

Mr. RODINO.

Mr. GRIFFIN (at the request of Mr. BALDWIN) and to include extraneous matter.

Mr. HASKELL and to include extraneous matter.

ADJOURNMENT

Mr. CELLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 3 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 11, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

938. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to amend title 10, United States Code, to provide for the readiness of industrial capacity for defense production or mobilization reserve purposes"; to the Committee on Armed Services.

939. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes"; to the Committee on Armed Services.

940. A letter from the Acting Secretary of the Navy, relative to the proposed transfer by the Department of the Navy of the obsolete cruiser *Olympia* to the Cruiser Olympia Association, a nonprofit organization incorporated under the laws of Pennsylvania, pursuant to title 10, United States Code, section 7308; to the Committee on Armed Services.

941. A letter from the Chairman, Federal Home Loan Bank Board, transmitting the annual report of the Federal Home Loan Bank Board for the year ending December 31, 1956, pursuant to section 17 (b) of the Federal Home Loan Bank Act, as amended; to the Committee on Banking and Currency.

942. A letter from the Acting Secretary of the Treasury, relative to reporting the payment of £2,949.6.3 to the City Line, Ltd., 75 Bothwell Street, Glasgow C.2., Scotland, in full settlement of a claim for damage to the steamship *City of Karachi*, pursuant to title 14, United States Code, section 646 (b); to the Committee on the Judiciary.

943. A letter from the Chief of Legislative Liaison, Department of the Navy, transmitting a draft of proposed legislation entitled "A bill to establish the Office of the Deputy Judge Advocate General of the Navy, and for other purposes"; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. PFOST: Committee on Post Office and Civil Service. Part 2, minority views on H. R. 5836. A bill to readjust postal rates and to establish a Congressional policy for the determination of postal rates, and for other purposes (Rept. No. 524). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary. H. R. 7536. A bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of

the First War Powers Act, 1941; with amendment (Rept. No. 544). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 3940. A bill to grant certain lands to the Territory of Alaska; without amendment (Rept. No. 545). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 4635. A bill to provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended; without amendment (Rept. No. 546). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 4830. A bill to authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes; without amendment (Rept. No. 547). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 8018. A bill to amend section 27 of the Merchant Marine Act, 1920, as amended (46 U. S. C. 883); to the Committee on Merchant Marine and Fisheries.

By Mr. DAVIS of Georgia:

H. R. 8019. A bill to extend the coverage of military service under the old-age, survivors, and disability insurance system to include inactive duty training; to the Committee on Ways and Means.

H. R. 8020. A bill to amend section 11 of the act of April 1, 1942 (56 Stat. 197, ch. 207); to the Committee on the District of Columbia.

By Mr. HARRIS:

H. R. 8021. A bill to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HILLINGS:

H. R. 8022. A bill to amend the Internal Revenue Code of 1954 to provide, in the case of professional athletes, an income tax deduction for depletion of physical resources; to the Committee on Ways and Means.

H. R. 8023. A bill to make the antitrust laws applicable to certain aspects of designated professional team sports; to the Committee on the Judiciary.

By Mrs. KEE:

H. R. 8024. A bill to amend title II of the Social Security Act to provide that the wife or widow of an insured individual shall be deemed to have been living with him, at the time required for entitlement to benefits, if at such time they were separated without fault on her part; to the Committee on Ways and Means.

By Mr. MOSS:

H. R. 8025. A bill to amend the act of September 26, 1950, to extend the Tehama-Colusa conduit to Yolo County, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. NEAL:

H. R. 8026. A bill to continue availability of funds for surveys and planning under title VI of the Public Health Service Act; to the Committee on Appropriations.

By Mr. SAYLOR:

H. R. 8027. A bill to provide for the admission of the State of Alaska into the Union; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H. R. 8028. A bill to transfer to the Civil Aeronautics Administration the airport revenue bonds issued by the city of Elkins, W. Va., and presently held by the Reconstruction Finance Corporation; to the Committee on Banking and Currency.

By Mr. CHRISTOPHER:

H. R. 8029. A bill to provide for the payment of claims for supplies and services furnished the irregular or guerrilla forces of the former Commonwealth of the Philippines during World War II; to the Committee on the Judiciary.

By Mr. MATTHEWS:

H. R. 8030. A bill to amend the Agricultural Adjustment Act of 1938 with respect to acreage history; to the Committee on Agriculture.

By Mr. GATHINGS:

H. R. 8031. A bill to permit farmers in areas affected by excessive rainfall and flooded conditions to include acreage in the acreage reserve program up to July 15, 1957; to the Committee on Agriculture.

By Mr. MILLS:

H. R. 8032. A bill to provide that in 1957 farmers in areas adversely affected by excessive rainfall and flooded conditions may plant their unused cotton-acreage allotments to rice; to the Committee on Agriculture.

H. R. 8033. A bill to permit farmers in areas affected by excessive rainfall and flooded conditions to include acreage in the acreage-reserve program up to July 15, 1957; to the Committee on Agriculture.

By Mr. ZABLOCKI:

H. R. 8034. A bill to repeal the tax of 20 percent of all amounts paid for admission, refreshment, service, or merchandise at any roof garden, cabaret, or other similar place; to the Committee on Ways and Means.

By Mr. BONNER:

H. R. 8035. A bill to amend the North Pacific Fisheries Act of 1954; to the Committee on Merchant Marine and Fisheries.

By Mr. GWINN:

H. J. Res. 355. Joint resolution proposing an amendment to the Constitution of the United States relative to abolishing personal income, estate, and gift taxes, and prohibiting the United States Government from engaging in business in competition with its citizens; to the Committee on the Judiciary.

By Mr. ALBERT:

H. Con. Res. 181. Concurrent resolution favoring congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.; to the Committee on Interior and Insular Affairs.

By Mr. BELCHER:

H. Con. Res. 182. Concurrent resolution favoring congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.; to the Committee on Interior and Insular Affairs.

By Mr. EDMONDSON:

H. Con. Res. 183. Concurrent resolution for the establishment of the National Cowboy Hall of Fame and Museum; to the Committee on Interior and Insular Affairs.

By Mr. MORRIS:

H. Con. Res. 184. Concurrent resolution favoring congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.; to the Committee on Interior and Insular Affairs.

By Mr. STEED:

H. Con. Res. 185. Concurrent resolution for the establishment of the National Cowboy Hall of Fame and Museum; to the Committee on Interior and Insular Affairs.

By Mr. JARMAN:

H. Con. Res. 186. Concurrent resolution favoring congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.; to the Committee on Interior and Insular Affairs.

By Mr. FLOOD:

H. Res. 277. Resolution expressing the sense of the House of Representatives with respect to the trial of Army Spec William S. Girard by a Japanese court; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the Federal budget; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the extension of the Folsom South Canal within the counties of Sacramento and San Joaquin, State of California; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the proclamation of Senior Citizens Day; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Maine, memorializing the President and the Congress of the United States to enact legislation concerning unjustified price increases of crude oil and refined petroleum products; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States relative to joining in taking appropriate steps for submission of a constitutional amendment which clearly and unequivocally defines State rights as understood by our forefathers; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS:

H. R. 8036. A bill for the relief of Frances Monteleone; to the Committee on the Judiciary.

H. R. 8037. A bill for the relief of Mrs. Helga E. Findenig Brackner; to the Committee on the Judiciary.

By Mr. BROWN of Ohio:

H. R. 8038. A bill for the relief of Margie C. Stewart; to the Committee on the Judiciary.

By Mr. CURTIS of Massachusetts:

H. R. 8039. A bill for the relief of Edward L. Munroe; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H. R. 8040. A bill for the relief of Hugh Man-bok Wong and Lucy Lee Wong; to the Committee on the Judiciary.

H. R. 8041. A bill for the relief of Edmund Yick Ming Chan; to the Committee on the Judiciary.

By Mrs. DWYER:

H. R. 8042. A bill for the relief of Domingos Jose Barreto; to the Committee on the Judiciary.

By Mr. JONES of Alabama:

H. R. 8043. A bill for the relief of Alfred C. Conder; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 8044. A bill for the relief of Rocco and Emanuele Interlice; to the Committee on the Judiciary.

By Mrs. KEE:

H. R. 8045. A bill for the relief of Santina Hella Reichardt Spaulding; to the Committee on the Judiciary.

By Mr. MONTOYA:

H. R. 8046. A bill for the relief of Joaquin A. Bazan; to the Committee on the Judiciary.

By Mr. RABAUT:

H. R. 8047. A bill for the relief of Hassen Berri; to the Committee on the Judiciary.

By Mr. REECE of Tennessee:

H. R. 8048. A bill for the relief of Mrs. Billie Reed Holt; to the Committee on the Judiciary.

By Mr. REES of Kansas:

H. R. 8049. A bill for the relief of Eventhia K. Perdaris; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 8050. A bill for the relief of Kiyohito Tsutsui; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

269. By Mr. PATMAN: Resolution of the Red Henderson Post, No. 483, the American Legion, Inc., Cooper, Tex., strongly opposing the trial of any United States servicemen accused of any felony or misdemeanor by foreign courts; favoring the trial of such young men only by United States military or civil courts; and urging Congress to make a complete restudy of all treaties of this country which by their terms make our boys who enter the service of their country subject to trial and punishment by foreign courts; to the Committee on Foreign Affairs.

270. By the SPEAKER: Petition of the faithful navigator, Long Island General Assembly, Knights of Columbus, Woodside, N. Y., petitioning consideration of their resolution with reference to reaffirming support of legislation which would restore the protection of our Federal Constitution to the fundamental rights of United States citizens serving abroad as members of our Armed Forces; to the Committee on Foreign Affairs.

271. Also, petition of the national commander, American Defenders of Bataan and Corregidor, Inc., Jersey City, N. J., petitioning consideration of their resolution with reference to requesting passage of the bill H. R. 4742; to the Committee on Interstate and Foreign Commerce.

272. Also, petition of Eva I. Lucas, Houston, Tex., requesting a congressional investigation of the Food and Drug Administration to correct abuses and restrain this branch of Government from trying to destroy the Hoxsey treatment for cancer; to the Committee on Interstate and Foreign Commerce.

273. Also, petition of A. L. Puddy, Houston, Tex., requesting a congressional investigation of the Food and Drug Administration to correct abuses and restrain this branch of government from trying to destroy the Hoxsey treatment for cancer; to the Committee on Interstate and Foreign Commerce.

274. Also, petition of the commander, the American Legion, Department of Alaska, Juneau, Alaska, petitioning consideration of their resolution with reference to urging that statehood be granted to Alaska; to the Committee on Interior and Insular Affairs.

275. Also, petition of the executive director, the American Institute of Architects, Washington, D. C., petitioning consideration of their resolution with reference to recommending enactment of a statute creating in the Executive Office of the President the position of Federal Coordinator of Public Works Planning; to the Committee on Public Works.

276. Also, petition of the president, Chamber of Commerce of Honolulu, Honolulu, T. H., petitioning consideration of their resolution with reference to requesting approval and ratification of the provisions of section I of joint resolution 32, Session Laws of Hawaii 1957, by the adoption of a bill in substantially the form included in said joint resolution; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Address by Hon. Theodore Francis Green, of Rhode Island, at Brown University

EXTENSION OF REMARKS
OF
HON. THEODORE FRANCIS GREEN
OF RHODE ISLAND
IN THE SENATE OF THE UNITED STATES
Monday, June 10, 1957

Mr. GREEN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, an address which I gave at the under-the-elms exercises at Brown University on Friday, May 31, 1957.

This address, entitled "A Sense of Balance," I believe may be of interest to the Members of the Senate.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A SENSE OF BALANCE

(Address of United States Senator THEODORE FRANCIS GREEN at the Under the Elms exercises, Brown University, Providence, R. I., May 31, 1957)

It means a great deal to me, a great deal more than I can easily express, to meet with you Under the Elms today.

I first saw these trees, at least most of them, when I was a little boy. I have seen them year after year ever since—excepting 2 years when I was a student in Germany. The most memorable occasion for me, under these elms, was in 1887—just 70 years ago—when I graduated and bade them "goodby" and read them a farewell poem. You see it took a long while for them to recover from that shock—but I am grateful for their ultimate forgiveness.

Most of these stately elms have stood here for a long time, in cold and in heat, in dry seasons and wet, in wartime and peace, quietly pursuing the business of being elm trees, undisturbed, so far as we can observe, by recurrent crops of frightened freshmen and solemn seniors hurrying by, or by the great and fundamental changes which have taken place in this world since they were seedlings.

We humans can learn from all of nature. We can learn from these trees. The secret of much usefulness and success, of good health and a tranquil mind, lies in this capacity to go quietly ahead with the business of existence, undisturbed and undismayed by passing stress and turmoil. Yet, such is the balance in nature that we cannot be wholly insulated from our surroundings, any more than a tree can be. In dry country a tree will send its roots far down, searching for water. It is well known that a sapling will push its way through cracked rock in order to survive. A tree in dense forest will become tall, reaching upward toward the light.

If it is the part of tranquillity to be properly unconcerned with the world around us, it is the part of survival to be properly concerned. It is this balance we must cultivate, and it is of this balance I wish to speak today, particularly as it relates to matters of American foreign policy, which has gradually become my chief concern as a United States Senator in Washington.

There are certain areas of this country which question whether foreign policy should ever have been invented in the first place. I am happy to say that the record shows that Brown University is by no means such a place. During my undergraduate years here and later, here and abroad, I became increasingly impressed by the contribution my alma mater has made to this subject which has become probably the most important subject our Government has to deal with. Let me give you some of the highlights.

William Learned Marcy, Brown class of 1808, had his first taste of foreign affairs when he led an attack which captured a Canadian outpost in the War of 1812. Apparently this whetted his interest in matters beyond our borders, for in 1853 he became United States Secretary of State, and greatly distinguished himself by the handling of important and delicate matters, including the Gadsden Treaty of 1853 with Mexico, and the Reciprocity Treaty of 1854 with Great Britain.

Richard Olney, who received his degree from Brown in 1856, served as United States Secretary of State from 1895 until 1897. He induced the British government to submit to arbitration its dispute with Venezuela over the boundary between Venezuela and British Guiana, and wrote a remarkable official note, sustaining the right of the United States to interfere, and giving a wide interpretation to the Monroe Doctrine.

John Hay, of the class of 1858, after serving as private secretary to President Lincoln, was given posts as a diplomat in Paris, Vienna and Madrid, later became Assistant Secretary of State, then Ambassador to Great Britian, and finally served as United States Secretary of State from 1898 until his death in 1905. Among his services were the signing of the first Hague Conference Treaty for World Conciliation, negotiating the original treaty for the Panama Canal, and assisting with the settlement of the Russo-Japanese War. John Hay, by the way, was the author of his class poem, which was considered quite above the average. You see, a class poet may go far. I hope today's may do so.

Charles Evans Hughes, class of 1881, was Secretary of State from 1921 until 1925. He negotiated more than 50 treaties, presided over the Washington Conference on Limitation of Armament, was chairman of the United States Delegation to the Sixth Pan American Conference in 1928, and was a judge of the Permanent Court of International Justice from 1928 until 1930, when he was named Chief Justice of the United States Supreme Court.

This is a good record for Brunonians, but it is by no means the end of the story. Secretary of State Dulles informs me that at last count there were 28 Brunonias on present active service with the State Department, including John Joseph Muccio, Class of 1921, formerly Special Representative of the President to the Republic of Korea, winner of the Distinguished Service Award, and now Ambassador to Iceland.

Over the past 3 years, Mr. Dulles tells me also, that Brunonians have won appointments to the Foreign Service at the rate of two a year. I feel confident that this interest and this service will continue.

No account of the contributions of Brown to foreign affairs would be complete without a mention of our former President, Dr. Wriston. There is no need for me to enumerate his achievements before this audience. You know them well. You know that his courage, his breadth of outlook, his progressive spirit, his ability to command confidence and respect have been given unstintingly to the Nation and the world, as well as to this university, which cordially returns the devotion he has bestowed upon it.

Dr. Wriston's central achievement here at Brown was, I believe, to strengthen in all its aspects the tradition of liberal learning. One of the chief products of this learning is the balance of which I have spoken, the inner guide that distinguishes an educated, civilized man; that gives him the capacity to thread his way among dangers and difficulties and to chart a course of honor and safety through unknown waters. I hope that some of you here today may follow the same path trodden by our fellow Brunonians, some of whom I have mentioned.

Let me review with you a few of the ways in which our foreign policy today must achieve a vital balance. We must, first of all, know to what extent we must be involved, and to what exetent we should be involved, in the destinies of other nations. If our own survival depends upon the survival of certain other lands, and if they in turn must have our help in order to survive, then the most elemental self-interest, if nothing else, demands that we do what is required, and not less than is required, to insure their survival and strength. There is little room for hair-splitting here.

But, the fact that we must necessarily cooperate with other peoples does not give us license to run their lives for them, nor to squander our substance in doing things for them they should be doing for themselves. There is a balance between too much and too little, and we must seek that balance.

In the second place we must make it clear to ourselves, and to the world, not only to what extent we are involved, but also why we are involved in these matters in lands far away. Our legitimate interest in surviving causes us to help others to survive. We have also a legitimate interest in prospering, which causes us to desire that others be prosperous also. These things are related.

We have interests, and we also have obligations. We have obligations to abide by the terms of the promises we make, the treaties we sign, the rules and customs of international law, the Charter of the United Nations. We have obligations to live up to the heritage of freedom, which breathes from the traditions, from the monuments, from the very lands around us here. We must remain true to the religious faith upon which our freedom is founded. We must be true to our very humanity, which we share with other humans, whatever their race or station.

Our honor as well as our survival hang upon maintaining a proper balance, between our legitimate interests and our inescapable obligations. Upon that proper balance depends not only our peace of mind, but also peace among the nations.

So, clear thinking is needed about why and to what extent we must become involved in the affairs of the rest of the world. But, knowing why we do a thing, and knowing how much of it to do, still leaves us with the most troublesome problem of all—how to get it done. It is easy enough to become involved in an argument over a coming football game. But, then you have to win it, and that requires something more than second-guessing and armchair quarterbacking.

First and foremost of all, we must learn patience in our foreign dealings. We are living in a time when changes in the attitude of the Soviet Union, which may well be coming, will come slowly; when problems such as beset the Middle East will require a generation or more for solution; when development such as the young nations seek is slow to the point of anguish, difficult, and often disappointing.

But, for all our patience, we cannot yield the initiative. We must be restlessly probing for avenues to move ahead, and when we find them we must exploit them, not with timidity or penury, but with energy and vision, with courage and will, and if possible with good humor, even when now and then we make a mistake.

Just as we must be patient, so we must be bold. But, as we must be bold, we must be cautious. The Soviet Union is waving the olive branch of disarmament again, and it appears this branch may possibly have a little more substance than the same old stage prop they have waved before. Yet our foreign policy has been and must continue to be a leading from strength, not weakness, because weakness does not prevent wars, it invites them.

But, even though we must be cautious, we still must trust—and hope—and continue to negotiate because we know there is as much danger in too little disarming as there surely would be in too much.

So, we must sail our ship of policy between the devil and the deep sea between the whirlpool and the rock. We cannot drop anchor where we are; we cannot turn back. Either we sail on, or we sink.

And, just as there is balance in our methods, so there will be balance in our moods. We know the fear of awful destruction, and know there is no shame in such a fear. We know the thrill of winning a gamble that must be taken, of meeting a challenge as it comes. We know the joy of creating, not merely a poem or a painting, but a nation, a civilization, a new world. We know the reward, beyond all other rewards, of giving our best to people we love, to a Nation we love, to values we love; of being true—in the highest sense—true to ourselves.

I wish you well, you seniors, as you go out from here. In your childhood and student days you have seen the birth of a perilous and wonderful age. Now go out and share in its maturing. And, I pray that you may keep your balance.

May your lives and the life of the world you are joining grow as this Nation and this university have grown. May they flourish and endure, and become strong and beautiful, like these old elm trees around us here this afternoon.

Time Should Be Given Koevago To Answer Khrushchev Broadcast on CBS

EXTENSION OF REMARKS
OF
HON. HARRY G. HASKELL, JR.
OF DELAWARE
IN THE HOUSE OF REPRESENTATIVES
Monday, June 10, 1957

Mr. HASKELL. Mr. Speaker, on June 2, 1957, the boss of the Russian Communist Party, Nikita S. Khrushchev, appeared on the television program, "Face the Nation," on the Columbia Broadcasting System. His answers to the questions submitted to him were nothing but the usual Soviet distortions of the truth.

In my district, in a suburb of Wilmington, Del., the last freely elected mayor of the city of Budapest is now living. Yesterday, he wrote to the Columbia Broadcasting System and requested that he be given time to answer the statements made by Khrushchev, and especially the latter's assertion that the Kadar regime is the true representative of the people of Hungary.

The best way to disprove that statement would be for the Soviet Union to conduct free elections in Hungary and allow the Hungarian people to decide whom they desire to be governed by.

I know of no one who would be more qualified to give the American people the true picture of the tragic situation that now exists in Hungary than Mr. Joseph Koevago, the last free mayor of their capital city.

Mr. Koevago was very active in the resistance movement against the Nazis, and during World War II was a major factor in organizing the underground. As a result of his attempts to strengthen ties with the Western countries, he was, in 1946, thrown into prison by the Communists for 6½ years.

Mr. Koevago was the last freely elected secretary general of the Small Holders Party, the majority party in that heroic nation. Since escaping from Hungary, he has been to London, Paris, Brussels, and other parts of the free world to enlist assistance for his enslaved people. He is continuing these activities here in the United States. Mr. Koevago was one of the leaders of the October revolution in Hungary last year.

Today, I sent a telegram to Dr. Frank Stanton, president of the Columbia Broadcasting System, urging that Mr. Koevago's request for time to answer the outright lies by the Soviet Communist Party boss, Khrushchev, be granted.

There is no American spokesman who would be more capable of making such an answer and in presenting the true picture to the American people of Soviet brutality in Hungary.

I hope that the Members of Congress will support Mr. Koevago's efforts to obtain time on this nationwide television network, to give the American people the truth about Hungary.

Soviet Deportation of Baltic Peoples in 1940

EXTENSION OF REMARKS
OF
HON. PETER W. RODINO, JR.
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, June 10, 1957

Mr. RODINO. Mr. Speaker, the brave but unfortunate people of the three Baltic countries—Estonians, Latvians, and Lithuanians—have had long histories. But fate was most cruel to them in 1940. In that year these three countries, once the secure home of rising young democracies, were forcefully annexed to the Soviet Union and many hundreds of thousands of their inhabitants were uprooted from their homes. These innocent and helpless victims of the Soviet Union's aggression of 1940 are still suffering in some distant and desolate corner of the Soviet prison empire.

Since then the free world has heard practically nothing about them except from those few who have had the extraordinary luck to escape. And the fate of millions of Estonians, Latvians, and Lithuanians in their homeland is not much better. If they were not deported, they certainly suffered much privation and hardship during the war, and are still suffering under the unrelenting tyranny of Soviet communism. We have even heard that the native population of the coastal areas of these countries were moved to the interior in order to make room for Asiatic people brought in to settle there. Outrageous and almost unbelievable this may sound, yet the deliberate policy of the Soviet Union seems to be to colonize these frontiers exposed to the West with people from other parts of the Soviet Union. This of course adds to the misery and suffering of the native population, but since they are living in what is little more than a concentration camp, it is not surprising.

We in the West are fully cognizant of these heart-rendering facts. We are well aware of the sad fate that befell to those deportees and of the unbelievable lot of those who are living in the three Baltic countries. I wholeheartedly sympathize with their unfortunate lot, and ardently hope that soon a way will be found to ameliorate their lot and free these deserving citizens of the free world.

Polish Aid Agreements

EXTENSION OF REMARKS
OF
HON. DANIEL J. FLOOD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 10, 1957

Mr. FLOOD. Mr. Speaker, as you know I have been very active in urging the satisfactory conclusion of the negotiations between this country and Poland concerning economic aid to Poland by our Government.

As you will recall, during the negotiations I introduced a resolution in the House, House Resolution 248, which states, in part, that "the United States should speedily furnish substantial economic and technical assistance to the people of Poland, subject to careful control through the use of inspection teams or otherwise to insure that commodities and equipment so furnished will not be diverted to Russia or her satellites but will remain in Poland for the purpose of strengthening her internal economy and bolstering her people in their quest for freedom."

I am certain, Mr. Speaker, that our Government agencies will follow through with shipments of American products to Poland, and also arrange for shipment of surplus agricultural products to Poland as well as permit the receipt by the people of Poland of gifts from their relatives here in this country.

I was gratified to learn that agreements have been arrived at on the allocation of funds to finance the sale of various food products and textile raw materials for Polish currency.

It is interesting to note that the bank loans will be repaid in dollars at 4½ percent interest beginning in 5 years and extending to 20 years.

Mr. Speaker, there is no doubt in my mind that the Polish people have never been, are not now, and never will be pro-Communist, despite indescribable sufferings and persecutions by the Communist.

There is also no intelligent doubt that the Polish people want a free and independent Poland and will always trust the United States as Poland's true friend.

The 85th Congress

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 10, 1957

Mrs. KEE. Mr. Speaker, about this time every year, a hue and cry goes up that Congress is two-thirds of the way through its session and has done nothing. This year and this Congress are no exceptions, as I have learned by reading my favorite political writers, commentators and news analysts. The criticism is never entirely justified and is frequently misleading. And so I am moved to say a good word for Congresses generally—since apparently so few people ever do.

Mr. Speaker, somehow, the impression has gotten about that unless the Nation's great legislative body is busily engaged in grinding out laws—like a giant buzz saw gnawing through wood and scattering the chips where it may—nothing is being accomplished. Of course, this simply is not so and I can think of nothing that could be worse for the country if it were. Laws passed in haste must inevitably be repented—and repealed—at leisure.

Each Congress develops a character and objective distinctly its own, but always in response to the public mood. When people are restless and reaching out toward new goals, you will find a Congress seething with action—scurrying about and eagerly seeking the means to achieve those goals. When the people are satisfied and wish, primarily, to be let alone, then you will have a Congress that is conservative and contemplative, reviewing, correcting and amending, but seldom pioneering in new fields.

From the vantage point of my seat in the House of Representatives, I would say that the character of the 85th Congress, as it has developed so far, is somewhere between the two extremes. It is neither especially progressive nor is it ultraconservative. It is deliberative.

Knotty problems and tremendous challenges face the 85th Congress; and I, for one, am content that it is not to be hurried into making any hasty, and possibly erroneous, decisions. Civil rights, foreign aid, amending the immigration laws, Federal aid for school construction, extending the minimum wage coverage, regulating election campaign contributions and tightening the lobbying law—these are some of the major questions to which this Congress must find the answers.

These answers, when they are found, are bound to affect the lives of all of us—and conceivably, a good many people could be hurt. That is why I am very glad that neither our leaders, the chairmen of our committees, nor the Members will allow themselves to be rushed or pressured into quick action.

At the moment I would say that the major objective of the 85th Congress is economy—the squeezing of the fat out of the budget. For years, Government spending has been the target of political barbs and public criticism—and again, I say, much of it justified, a good deal of it unfair and selfishly inspired. This year, both the House and Senate are determined to do something about it and are concentrating upon this single goal almost to the exclusion of the rest of the legislative program. At least, all other proposals are considered first in the light of whether or not they will add to Government spending.

To date, the House has cut more than $4 billion from the administration's budget estimates by painstaking examination, item by item, of its vast proposed expenditures. If you do not believe that this is something of a feat, try keeping track of every cent you spend in 1 month. Then go back and see how you can reduce that spending by 5 percent or better, without changing appreciably your mode of living. This is what the House has done on a tremendously greater scale and without detracting to any marked extent from the public good or the national well-being.

This accomplishment, alone, would constitute an outstanding record for the 85th Congress—to reestablish Congressional control over spending in the executive branch of the Government. It is by no means all that has been accomplished so far.

Important to the Fifth District, and in fact to all of West Virginia, especially in those areas damaged severely by the January floods, is the legislation enacted which increased by $80 million the lending authority of the Small Business Administration.

The borrowing power of the Federal National Mortgage Association has been increased by $500 million to ease the mortgage-money market, and both House and Senate have passed housing bills which are now in conference and which, ultimately, will help homebuyers and the construction industry, allow lower downpayments on FHA-insured loans, and make it easier for elderly people and large families to obtain adequate housing.

In the House a number of veterans' benefit bills, long sought and urgently needed, have been passed. Among them are bills to increase the rates of compensation for service-connected disabilities

and dependency allowances; to increase the maximum allowable for direct housing loans; to increase the monthly pension payments to widows of Spanish-American War veterans; and to make permanent the Missing Persons Act, authorizing continued pay to next of kin of personnel missing in the course of duty.

Nor does any of this take into account the vast scope of the work now going on in the committees of Congress—work which will shortly begin to bear fruit as each committee reports out the bills which are the results of its labors and both Chambers quickly pass these bills in rapid succession.

Mr. Speaker, this is the pattern which has been established in the Congress over the years. And although our good friends, the news reporters in the Press Galleries, are prone to describe this activity as "the rash of bills pushed through in Congress' last-minute rush to adjourn," it is, of course, nothing of the sort. It is final action coming after much hard effort, long deliberation, and careful weighing of the end results of each bill's passage.

In the estimation of this Representative, the best Congresses are those that pass the fewest laws—but take the time and thought to make them good ones.

The Basis of America's Foreign Policy

EXTENSION OF REMARKS
OF
HON. CHAPMAN REVERCOMB
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Monday, June 10, 1957

Mr. REVERCOMB. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address entitled "The Basis of America's Foreign Policy," which I delivered before the St. Paul's Guild of St. Joseph's Catholic Church, on May 26, 1957, at Huntington, W. Va.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE BASIS OF AMERICA'S FOREIGN POLICY
(Address by Senator REVERCOMB)

I speak to you today on a problem that may well be uppermost in the minds of every American. Stated simply, it is this: "How can the United States contribute most to conditions that give greatest assurance of peace in the world and security for our own people?"

This problem is not new, to be sure, but the conditions that confront us today are quite different from what they were only a few years ago. Therefore, we must be prepared to think anew and act anew.

However much we may wish to wash our hands of the responsibility that is thrust upon this country, we cannot escape the grave task with which we are faced. However much we might prefer to take comfort in our economic and military strength, the inescapable fact remains that we cannot afford to go it alone. Alliances with other nations have become as essential to our own security as the hydrogen bomb or the intercontinental missile. The security of our own shores depends as much on preventing the Communists from taking over the Middle East as from taking over the Philippine Islands.

The reason for this new set of conditions on which world peace hinges is obvious when we consider the facts. The advent of the air age, and with it the hydrogen bomb and the guided missile, has brought all nations into such close proximity that every part of the world has become a potential battlefield. When one pauses to consider the fact that it will soon be possible for an enemy power to direct guided missiles with unerring accuracy upon our cities from points thousands of miles away, it becomes graphically clear that the nation which seeks to stand alone is inviting its own destruction.

In the face of these indisputable realities, unpleasant though they be, it becomes abundantly clear that 19th century policies are inadequate to meet 20th century conditions. And we must either rise to the occasion and accept the responsibility that is America's or risk the danger of losing all that we hold dear.

I need not remind you that there is still abroad in the world an ideology that is alien to the beliefs of every person who gives allegiance to God. I need not remind you that if the perpetrators of this evil design carry out their avowed aim, which is world conquest, the way of life that you and I cherish will be lost.

There are those who say to me, "But why should we be concerned with what is happening in the far-off Middle East?" I say to you, in reply, that what happens in that distant part of the world may well determine whether or not we are able to keep communism from engulfing our own shores.

We know that if a forest fire is burning in the direction of our homes, we do not wait until the flames are lapping at the doors before moving to check its advance. If a flood is descending upon us, we do not stand idle until it has engulfed our homes before taking action to avert the danger. By the same criteria, we must acknowledge that it is folly of the worst sort to sit idly by, taking comfort in our own strength, while nation after nation is being absorbed into the Communist camp. In my judgment, the greatest danger from these aggressors lies in their well-conceived plan of taking over country after country until America is left isolated and standing alone. This must not be permitted to happen. Whatever the cost, we must bolster the strength of those free nations which are resisting the Communist tide. The moral and financial support we give them now may well save us billions of dollars, to say nothing of American lives, at some future day when the danger has swept much closer home.

I subscribe wholeheartedly to the basic tenets of the foreign policies on which the leaders of this country have embarked. It is an altruistic policy, to be sure, founded on the high moral conception that the dignity of man requires that he be permitted to enjoy certain inalienable rights, not the least of which is the right to exercise a voice in his government. This is not to say that this country should seek to impose its way of life on any nation, but rather that our deep love of human freedom compels us to employ a part of our substance and strength to help prevent the people of other nations from being enslaved against their wills.

In the main, however, our foreign policy is based on the simple expedient of self-preservation. So long as communism poses the threat that it does today, self-interest demands that we join forces with every nation which is resisting this evil force. It is an obvious fact, certainly one well known to our military leaders, that should the oil-rich Middle East fall to the Communists, our own security would be lessened by an incalculable degree. By the same token, should all Asia fall to the Communists, we know that it would be only a matter of time until the aggressor would be moving from island to island across the Pacific. Such is the nature of the evil force we are called upon to resist in the interest of our own self-preservation.

I am convinced that if war is to be averted, if civilization is to be spared the horrifying experience of an atomic conflict that is certain to engulf the whole world, communism must be stopped before it has made great new advances. Every gain they make, wherever it may occur, will inevitably increase the chances of war. On the other hand, if we stand firm, if we lend our support to those nations now actively resisting this aggressive force, war may be averted.

I believe that security is better defended by standing together with those who fight against a common enemy than by staying neutral on so dangerous an issue until one by one our friends are destroyed. This is not a time for neutrality. We cannot be neutral in the face of proven danger. Where would Christendom be today if Christ had been neutral on the subject of the moral life of man?

No one can say that the policy this Nation is pursuing will guarantee conditions of peace. The results that already have come from that policy, however, are encouraging. I cite a recent example.

Only a few weeks ago it looked as though the little kingdom of Jordan was ripe for a Communist coup. Internal dissenson had created conditions ideal for that purpose. What was the result? President Eisenhower, implementing the principles embodied in the Middle East doctrine, threw the full moral support of this country behind Jordan. The United States Sixth Fleet was moved into a strategic position in the Mediterranean—not as a threat of war, mind you, but rather as a warning to those who would exploit Jordan's internal difficulties that this country would tolerate no outside intervention. The result of that action has been to keep Jordan's Government in the anti-Communist alliance.

The basic aim of our whole foreign policy, then, is to deter aggression. This is true in eastern Europe, in the Middle East and in Asia. This policy has already paid off in all three areas. Only a few days ago, in an address before a joint session of Congress, the president of the 2-year-old Republic of Vietnam, a strategic south Asian country, emphasized that American foreign aid had been largely instrumental in preventing his country from falling to the Communists. I quote from his address:

"In the face of increased international tension and Communist pressure in southeast Asia, I could not repeat too often how much the Vietnamese people are grateful for American aid, and how much they are conscious of its importance, profound significance, and amount * * *. This action has contributed to the defense of southeast Asia and prevented the raw materials of this area from falling into Communist hands."

It is only reasonable, in considering the task we have undertaken, to ask: "How long and to what extent must America extend aid to other nations?" I think we must advance military aid until such time as the Free World is sufficiently strong that the Communists will not dare risk starting a war. As for economic aid abroad, I am convinced that the time has come when such aid should be in the form of loans rather than gifts. It is to our interest, of course, that the nations of the free world be both economically and militarily strong. However, nearly all foreign nations outside the Communist orbit are now in a stronger economic position than ever before, and such help as they require should not be at the expense of endangering our own economy.

The burden of maintaining strong defenses here at home and of bolstering the military strength of nations which subscribe to the basic principles of human freedom is heavy, to be certain. A large percentage—more than 60 cents out of each tax dollar—is going for that purpose. I say in all earnestness, however, that so long as this menace remains a threat to America's security, we must stand prepared to make whatever sacrifice may be required.

I deplore the high cost of this policy—but it is less costly than war. I deplore the necessity of the policy itself—but we cannot ignore realities.

A few weeks ago, it was my privilege to talk at some length with a foreign correspondent who has covered wars and uprisings in nearly every part of the world for the last two decades. The man I refer to is Larry Allen, a former West Virginia newspaperman, who had only recently returned from Vietnam. He had experienced firsthand the tactics of the Communists in Indochina and other Asian countries. He said to me: "If the day should ever come that the American citizen is required to pay 80 cents out of every dollar he earns to provide this country with adequate defenses against communism, I would say that it's a small sacrifice to make." He went on to say that no one who has not witnessed firsthand the horrors of Communist enslavement can begin to imagine what life is like under that totalitarian ideology so alien to all that we in this country hold dear.

We must continue on in the task that world circumstances has assigned to us. We must not falter in the world responsibility that is ours. We must cast aside partisan politics at the water's edge and stand united in our defense of American liberties. We must earnestly, seriously seek the pathway that leads to conditions of peace.

It is my conviction that if we do not falter, if we do not let down our guard, if we do not show signs of weakness, the time will come when the threat of enslavement will have passed away. Then the vast sums of money we are now spending for defense purposes can be used for internal improvements here in America or turned back to our people in the form of tax relief.

Indeed, there are already heartening signs that the strength of the free world is reaching a point where the aggressor nations are growing more wary. We know that the peoples behind the Iron Curtain are growing more and more restive, and there is reason to believe that the time will come when the deterrent influences of the free world will more than balance the warmaking potential of would-be aggressors.

Until that day comes, however, we must stand firm against further Communist aggression in any part of the world. Any other course can well lead to disaster for free peoples everywhere, our own included.

Michigan's Tax Policies

EXTENSION OF REMARKS
OF
HON. ROBERT P. GRIFFIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, June 10, 1957

Mr. GRIFFIN. Mr. Speaker, press notices concerning Michigan's tax policies and their effect within the State upon industrial expansion, or lack of it, have reached all over the country.

There follows an article summarizing the situation which appeared in the June 6, 1957, issue of the Muskegon (Mich.) Chronicle:

(By William C. Kulsea)

LANSING, June 6.—The boyish grin is gone. The shoulders are stooped. The pout of the lower lip is more pronounced. Even the green-and-white polka dot tie has lost its swagger.

For the first time in nearly 9 years, Gov. G. Mennen Williams has been hurt politically.

From nearly all sections of Michigan, from California, from Texas, from New York, and from Massachusetts reports are coming in that Williams is driving industry out of Michigan.

His opponents are crying that the Governor's tax policies are chasing industry out of the State, and preventing new business from coming in.

The Governor has been shouting back—"It's libel on the reputation of the State"—"irreparable damage is being done"—"This is mass hysteria"—"This is politics both in Michigan and in Washington."

But his denials are coming into an echo-chamber, and so far are being heard only by his partisans.

And even some of them are beginning to wonder. Reports reaching the executive office are that Negroes in Detroit are asking "Why is Soapy chasing industry out of the State?"

The story is a prairie fire among many minority groups. Many are taking a backward glance at their 46-year-old favorite to see what all this means, why are so many losing jobs, why doesn't Williams come out and say it isn't so and make it stick.

"It's a bum rap," say his aids.

The peerless public-relations organization operated by Paul W. Weber, his press secretary, so far is stalled. It doesn't know how to fight back.

Here's the problem, as outlined by one of the Governor's aids:

"It's a hard thing to fight. Take a man who owns a plant in Michigan. He decides to expand. He spends some money for minor expansion of his Michigan facilities and then announces he's going to build a new plant in Kentucky. He says he's doing that because taxwise it will be cheaper for him to do that there than in Michigan.

"It's a personal matter. It's his plant, his money, and his problem with taxes. It's his own idea and there's no way you can disprove it. There have been so many of these cases lately that you can't begin to cope with them all.

"It's propaganda. We know it, but we can't fight it with the same formula we used in other cases."

It all began innocently enough several months ago. The Governor said a University of Michigan study showed that taxation is not an important factor in having industry locate in a State.

The Republicans in the legislature screamed like they had just caught a burglar at the State treasury safe.

Leading the pack was the house speaker, George M. Van Peursem, of Zeeland. He was aided by businessmen and industrialists who took issue with the Governor's interpretation of the report. One of them was Harlow H. Curtice, president of General Motors.

Williams took off after Curtice on the theory that "his blast" was the most damaging, but he was too late.

Curtice deepened the wound with these phrases:

"* * * Even the present level of business taxation in Michigan has already led us to locate plants in other States, where the taxes per General Motors job are less than one-half of the present taxes per job in Michigan. This will also be taken into consideration in the placement of additional plants.

"Obviously, if the Governor's plan of taxation is adopted the resultant excessive tax level will be even greater influence in our decisions with respect to locating new plants and providing new job opportunities."

This and a prior statement by Curtice triggered a reaction that has painted Williams as a tax-happy Governor.

For 7 of the 8 years he has been in office, Williams has been asking the legislature to adopt a corporate profits tax. It hasn't.

Editorial writers all over the country responded to Curtice's statement.

The Financial World warned: "His [Curtice's] words serve as a voluble reminder that no one State has a monopoly of natural resources or labor and it behooves State governments to be efficient and reasonable lest they lose competitive position."

The Buffalo Evening News: "Michigan * * * is risking the loss of industry to other States."

The Chicago Tribune: "The State that punishes industry with heavy taxes will not get new plants, other things being equal."

Tampa Daily Times: "It is equally true that industry will shy away from those States with inefficient governmental organization and heavy tax loads."

New Bedford (Mass.) Standard Times: "Every company must give major consideration to the tax factor when choosing a site for manufacturing facilities."

Omaha Evening World-Herald: "Obviously, there is a point at which returns from increasing tax rates and new forms of taxation begin to diminish. Michigan may be nearing that point."

Washington Evening Star: "There should be some reasonable balance between the tax burden and the advanges received in return. It is an area in which economic considerations, rather than political ones, should be prevailing."

In the Governor's office, his aids have one thing to smile about. It's 18 months before the next gubernatorial election next year, and the controversary may blow over.

Mr. Speaker, whether the charges and countercharges concerning Michigan's tax policies are true or false, the publicity attending them has not enhanced the State's reputation as a home for industry. Since I represent a Congressional district where there is now considerable unemployment, I believe it is essential that an appropriate committee of the State legislature get to the bottom of this matter as quickly as possible and straighten it out, if possible. There follows a letter which I mailed today to the presiding officers of the two houses of Michigan's Legislature:

JUNE 10, 1957.

Hon. PHILIP A. HART,
President, State Senate.
Hon. GEORGE M. VAN PEURSEM,
Speaker, State House of Representatives, The Capitol, Lansing, Mich.

GENTLEMEN: In recent weeks, national, as well as State-wide, attention has focused upon the tax policies of Michigan and their effect upon industrial expansion, or the lack of it, within our State.

I am very interested in this subject because at the present time there is considerable unemployment in northwestern Michigan, particularly at Muskegon and Traverse City. Several plants in that area have closed their doors during the past year, while at the same time, I am aware through conversations with some of my Ohio colleagues in the Congress, that Ohio is now flourishing industrially with many new jobs being created there.

The purpose of my letter is not to point an accusing finger or to pass judgment; but I believe that the many laboring people who are out of work, as well as the rest of the

citizens of Michigan, are entitled to know some facts. If State tax policies or other conditions are causing industries to prefer other States to Michigan, then unfortunately it is the laboring people of our State who are the real losers—not industry. In view of the recent nationwide publicity, which has been very damaging to our State's reputation, I believe the charge that State and local tax policies are discouraging industrial expansion in Michigan, should now either be substantiated or discredited.

Accordingly, I wish strongly to urge that an appropriate committee of one or both houses of the State Legislature commence immediately to study and conduct a thorough investigation of the charge.

If I can be of assistance in any way, please let me know.

Sincerely yours,

ROBERT P. GRIFFIN,
Member of Congress.

Address by Hon. Barry Goldwater, of Arizona, Before Wisconsin Republican State Convention

EXTENSION OF REMARKS
OF
HON. BARRY GOLDWATER
OF ARIZONA
IN THE SENATE OF THE UNITED STATES
Monday, June 10, 1957

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the address I made before the Wisconsin Republican State convention on June 8, 1957, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR BARRY GOLDWATER BEFORE THE WISCONSIN REPUBLICAN STATE CONVENTION, JUNE 8, 1957

For many reasons I am pleased by this opportunity to come to Wisconsin tonight.

First, and quite naturally, it is a privilege to meet with your outstanding State Republican organization, as it is an honor at any time to join with those of our citizenry who are actively dedicated to the cause of good government through the enunciation of basic Republican principles.

Second, and of particular importance to the party of Abraham Lincoln, it is good to visit the State in which, just over 100 years ago, the ideal of Republicanism was transformed into the reality of the Republican Party.

We are fortunate today in recalling our first century of service to this Nation, to be able to acknowledge that those same ageless precepts and purposes which guided the men in the little schoolhouse at Ripon still provide the motivation for our party's efforts.

The Republican Party is now, as it was in the beginning, committed to the proposition that man, as a child of God, is a free being, and that governments are created among men to serve and protect the liberties of the individual.

The Republican Party is today, as it was 100 years ago, a party dedicated to the goal of reserving to the States and to the people the power to regulate their own lives, unhampered by any semblance of Federal domination.

We believe that the thesis of individual incentive and private initiative is good—good for the country and good for all its citizens—and we are pledged, as always, to the strengthening of that economic and political system which enables men to realize and enjoy the products of their own labors through the sheer joy of personal accomplishment in a free and competitive society.

As Republicans, it is our historic obligation to preserve inviolate the principles embodied in the Declaration of Independence and the Constitution of the United States. And we vigorously reject any concept which suggests that these are no longer applicable to our governmental pursuits.

Indeed, for 20 long and painful years our Nation followed bureaucratic byways toward a collectivist goal under the devious direction of New Deal and Fair Deal administrations.

For 20 years the traditional Democrat philosophy of Jefferson and Jackson was subverted and destroyed, and all that remains of the foundation of that once great party is now desperately crying out for a restoration of loyal leadership which does not, because it cannot, respond.

Many times I have suggested to my Democrat friends that there is a place for them in Republican ranks, and that they would be welcome. For our party has not and never will write off the value of States rights and limited, conservative, economical Government.

Neither will we ever abandon the principles of Republicanism for the siren song of socialism.

Another reason that I am glad to be with you this evening is because Joe McCarthy, your Senator, was my good friend, and a man of whom all Republicans can be justly proud.

Joe and I became friends long before either of us entered the Senate and, with his usual good judgment, whenever the weather in Appleton or Washington got too cold for him, he used to come out to Arizona and enjoy some of our priceless sunshine which nobody has ever figured out how to put in bottles and ship back East.

During the time that I had the good fortune to serve with him in the Senate, I found further evidence of his distinction as a Senator, as a Republican, and as a friend. He was a faithful, tireless, and conscientious American. He fought just as hard for the things he believed were right as he did against the things he knew were wrong.

Joe McCarthy gave himself—his life—to the service of his God and his country. He did a job that no other man could, or would, do. He was completely selfless and his single motive was the preservation of those principles which make it possible for the Republican Party to proclaim now its fulfillment of the confidence of all Americans.

Because Joe McCarthy lived, we are a safer, freer, more vigilant Nation today. That fact, even though he no longer dwells among us, will never perish. And I know you will join with me in thanking God that while Joe lived he made a contribution to his countrymen that will forever redound to the credit of the people of Wisconsin and to your Republican organization.

Finally, I am proud, as a Republican, to come to this State which has twice accorded to Dwight D. Eisenhower such an overwhelming vote of respect. And I am gratified to be able to report to you that, with the passing of each day, this Republican administration grows in stature and in the sight of the American people.

To those of us who watched with alarm the chaos, corruption, and communism which was rampant under the New Deal and Fair Deal administrations, it is surely rewarding to know that, under Republican leadership, dignity, decency, and dedicated Americanism have been restored to the halls of our Government.

After 20 years of rule by a philosophy whose watchword was crisis, the affairs of our Nation are now directed by a leadership whose watchword is peace.

Now, we might ask, who is really responsible for these achievements? A modern Republican might answer: Arthur Larson or Paul Hoffman. But Arthur Larson did not even vote in 1954 and 1956, and Paul Hoffman, who was a member of the Truman administration, has not been conspicuous for achievement in political, or other fields.

To this question of who deserves the credit for the accomplishments of these past 5 years, a citizen for Eisenhower might reply that it is the President himself. Yet I know that he considers himself as only one member of a large team, and I believe President Eisenhower would be the first to deny the indispensability of any single personality in the overall effort to bring good government to our land.

You and I gathered here, of course, might say that the genius for these recent gains resides solely in the Republican Party; and, indeed, comparatively speaking, it must be admitted that our party has succeeded in righting many of the evils perpetrated by the New Deal disciples.

Yet, to be completely accurate, may I suggest that it is the innate good sense of all the American people, and their increasing dedication to and understanding of our constitutional, free-enterprise way of life, that has provided the real impetus for this return to sanity and morality in government.

The Republican Party has always sought to reflect the combined, cumulative thinking and beliefs of men and women of good conscience who are devoted to representative government and committed to the maintenance of the dignity of the individual.

That is why there is, and always will be, room in our ranks for men of such widely differing personalities and viewpoints as Dwight Eisenhower and Joe McCarthy.

That is why, when we are in pursuit of a principle, we must divorce it completely from any considerations of personality; for to judge an ideal merely in terms of the individual who propounds it is to insult both the ideal and the individual.

It is this capacity of Republicanism to embrace the honest disagreement of honest men that gives our party its best opportunity for future achievements for the good of all. And there is no place among Republicans for the use of compulsion or other inducements to enforce a specialized will or belief upon the party as a whole.

Indeed, we have never subscribed to that collectivist conclusion that the sum is greater than the total of its component parts.

Right and justice and honor and truth and devotion to the cause of mankind are not the products of an organization. They are and always will be a reflection of the principles of the men and women who are members of that organization.

In the Congress today the Republican Party is engaged in debating the merit and wisdom of the proposed budget for fiscal 1958. There is a wide divergence of opinion and belief. I am among those who think that this budget can and should be cut in the interest of preserving the economic freedoms and fiscal integrity of this Nation. There are others who think that any reduction in this budget would imperil our future security.

May I submit that this disagreement is a healthy situation. It is an expression of the sincere conviction of each individual. And out of this debate there will be produced a final conclusion, strengthened and tempered by the cumulative wisdom of those contributing to that decision.

I suggest, too, that the Republican Party will be stronger and more unified because of this experience. The President's position of leadership will be enhanced. For history teaches us that when men of conscience have disagreed and have resolved their disagreements in a climate of mutual respect the cause of representative government has been well served.

There are some members of the opposition party who think they, in this struggle, are witnessing the disintegration of the Republican Party. They are, I think, extremely shortsighted and engaging, perhaps, more in wishful thinking than in objective analysis.

They are, I suggest, incapable of recognizing the dynamic strength of this political faith which has grown so steadily in wisdom and stature and in its ability to serve the people by virtue of its constant rejection of the feudalistic concept of a political organization which requires subservience and acquiescence of its members.

You and I, as Republicans in 1957, can be grateful to this administration for having repudiated the thinking of those who urge the concept of one-man rule, for having reaffirmed our ancient faith in the tripartite system of government, and for having enlisted in this cause of freedom those who would serve rather than those who would master.

Strong in the faith of Lincoln and in the proven record of our party of principle, we can answer now and for all time the cynical demands of those who would divert us from our chosen course by reaffirming these highest concepts of Republicanism.

Address by Hon. Clifford P. Case, of New Jersey, Before New Jersey State Federation of Labor

EXTENSION OF REMARKS
OF
HON. JACOB K. JAVITS
OF NEW YORK
IN THE SENATE OF THE UNITED STATES
Monday, June 10, 1957

Mr. JAVITS. Mr. President, I ask unanimous consent that there be printed the CONGRESSIONAL RECORD a most distinguished address delivered by the junior Senator from New Jersey [Mr. CASE] before the annual convention of the New Jersey State Federation of Labor, at the Traymore Hotel, Atlantic City, on Monday, June 3. In the address the Senator from New Jersey dealt with the implications to American labor of the current hearings by a special Senate committee; and also pointed out the great responsibility of labor leadership today to provide for internal grievance machinery and other safeguards which will be self-generating within unions themselves, as an obligation to trade union membership, and as another opportunity—so many of which have been availed of in the past—further to advance real trade union statesmanship.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

In the current wave of discussion about organized labor, there may be some who might be tempted to try to make the names of Beck and Brewster synonymous with all the 15 million Americans who belong to labor unions. I think it would be useful to take a look at the situation and attempt to bring the matter into proper perspective.

Testimony developed thus far before the McClellan committee indicates that the officers of one of the major unions have abused their power and misused their trust. This is a grave matter and it is good to know that law enforcement officials have been taking action and that the leadership of the labor movement has acted promptly to condemn and remedy such abuses.

Further steps are necessary and I suggest these:

1. Establishment of a program by union leadership to bring democratic procedures and protections to all members.

2. Enactment of adequate legislation to protect the health and welfare funds run by unions and managements alike, so the hard-earned money of union members and their families are protected. But, let me emphasize, I do not mean legislation aimed at burning down the whole home of labor in order to roast a few pigs.

At the heart of this corruption problem lies the need for making unions the democratic institutions which the founders envisioned. Clearly, the best insurance of honest unionism lies in an alert and informed membership.

There is much that the leadership of the labor movement can do to assure that the rank and file of locals actually, as well as theoretically, make the decisions. Business has the problem of bringing adequate facts before the stockholders so that they can make the proper decisions. It is just as important in unions that members have full information.

I urge the AFL–CIO Executive Council to consider setting up a code of minimum standards of self-government for its member unions.

The AFL–CIO, even before the current revelations, took a firm and frank stand on ethical practices in the labor movement. In December 1955, long before the Beck-Brewster hearings, the AFL–CIO convention noted that "the vast majority of labor union officials accept their responsibility and trust. They endeavor honestly to carry out the democratic will of their members and to discharge the duties of their office. Yet the reputations of the vast majority are imperiled by the dishonest, corrupt, unethical practices of the few who betray their trust and who look upon the trade union movement not as a brotherhood to serve the general welfare, but as a means to advance their own selfish purposes or to forward the aim of groups or organizations who would destroy our democratic institutions."

And, in June 1956, the executive council established a committee on ethical practices to help keep member units "free from any and all corrupt influences" and last month the council spelled out a recommended code of financial and certain democratic practices for member unions.

My suggestion today is that the executive council of the AFL–CIO take further steps to strengthen the stewardship of funds and improve the decision-making process within unions. Since our unions have developed in varying ways, they now have varying degrees of democracy in their procedures. It is important to put a floor under these procedures so that certain minimum protections are provided to union members.

At present, I am told, about a half billion dollars a year is paid by members in dues. The executive council has suggested a number of fiscal checks, including outside audits and bonding of disbursing officials. In addition, there should be ample opportunity for union members to have a voice in the determination of all major policies including those involving expenditures and to receive full and accurate reports of union activities including financial transactions.

The provision for election of officers varies. Some are chosen by national conventions, some by referendums of the membership, some for 1-year terms, some for 5-year terms. In some cases, voting is by show of hands, in others by secret ballot. The executive council has recommended that election of officers be held at least every 4 years, but other provisions for elections should also be spelled out. Surely, members should be assured of a right to regular and not too far apart elections of officers by secret ballot.

There should be an opportunity for individual members to appeal from arbitrary action by union officers. The nature of the appeal could be defined better by the leadership of the labor movement. No union members should be afraid to speak out for fear of losing his membership, or his job.

No union should have any objection to these requirements and I recognize fully that many unions already have such safeguards.

Unfortunately, there are some who do not want to admit this. The Beck-Brewster revelations have been seized on by groups which have long—and unsuccessfully—urged restrictions on labor. Now they say they are acting on behalf of the union rank and file who have been abused by such leaders. It is interesting to note that these suggestions have been put forward by national groups who have been quick to oppose any increased regulation of their own interests, but who feel that more regulation is better for unions. Their theory seems to be that in order to make union members stronger, it is necessary to make all unions weaker.

From such sources has come a recommendation for new legislation to prohibit present union security arrangements. They demand a national right-to-work law. This has a ring reminiscent of those who 20 years ago argued against child labor legislation on the grounds that it interfered with a 10-year-old's right of contract. This legislation would mean unions and managements that have peacefully negotiated contracts for union shop agreements would have to cancel them. Such a law would be a major step toward disintegration of labor unions. I agree with Secretary of Labor Mitchell that down this road lurks labor-management chaos.

Even the late Senator Robert A. Taft, coauthor of the Taft-Hartley Act, stated during the Congressional debates that he was opposed to such legislation. He said: "I have hesitated to support the complete outlawing of the union shop, because the union shop has been in force in many industries for many years and to upset it today would destroy relationships of long standing and probably would bring on more strikes than it would cure."

Such sources have made other legislative suggestions, which although less direct, are not really aimed at protecting individual members but rather would have the effect of weakening unions and their position. Let me remind you that such proposals would affect not merely Messrs. Beck and Brewster, but all decent, honest union members as well. In the long run, the process of collective bargaining would be severely hampered and one of the major forces in achieving the world's highest standard of living would be hindered and hurt.

On the other hand, there has been some useful legislation proposed in the Senate to help safeguard union members against the raiding of immoral union leaders in collusion with cooperative employers. The legislation of Senator PAUL DOUGLAS and Senator IRVING IVES for reporting on the estimated $25 billion of union pension and welfare funds deserves urgent and earnest consideration. The amendments proposed by Secretary of Labor Mitchell should also have quick action. The union members who count on the life insurance, sickness pay, hospitalization, medical and pension benefits should be protected from the shysters and sharpshooters attracted by these large sums of money.

Another legislative proposal which deserves prompt consideration is that proposed by Secretary Mitchell to make public financial statements now required under the terms of the Taft-Hartley law and to provide penalties for any false items reported.

Unions were not organized to provide a few privileged individuals with fast horses and fancy haberdashery. They were, and are, men and women who join together to bargain more effectively than they could individually. They sought, and seek, to give the working man a position of respect and dignity in the community; to help him give his children a more abundant life; to protect him against oppressive employers, the sweatshop and other hazards.

Philip Murray described it this way: "Organization fundamentally means but one thing and that is clothing and bread and butter and pictures on the wall and carpets on the floor and music in the home and enlarged opportunities for children to receive the benefits of better education."

Inevitably, some who rose to power in the labor movement have been corrupt, selfish men, less interested in the workingman's welfare than in their own. Unions were not alone in attracting men of this kind; their parallel has been found in those who have organized vast corporate empires, bled them and let them crumble, destroying the savings of thousands of Americans.

In the ranks of selfish men who have abused the trust of their fellow men, the names of Dave Beck and Frank Brewster will have an unenviable place. Their disregard for the rights of the membership of the teamsters union and their contempt for the entire labor movement have been demonstrated before the Senate Select Committee on Improper Practices in the Labor or Management Field. The committee has had evidence of the use of members' dues for mansions, costly automobiles, racing stables, and other luxuries which has put all unionism under a cloud.

Mr. Brewster says there was a gift for the rank and file, too—the health and welfare funds negotiated in contracts. But he did not mention that the collective-bargaining efforts of the teamsters' western locals and their hard-earned $5 a month dues had something to do with this. The hundreds of employers who contribute to this fund and the milk drivers, long-distance drivers and others who work hard to earn it must have winced when they heard Brewster's statement.

Once before some unions were infiltrated by unscrupulous individuals, then bent on perverting the legitimate activities of union members to assist Communist propaganda. Courageous and perceptive leaders in the labor movement saw the challenge, forced the issue, and drove these unions out of the responsible house of labor.

George Meany and the AFL-CIO executive council have acted quickly and unanimously in regard to Beck.

There have been several hopeful signs that the membership is reviving interest in the affairs of the union and in the transactions of the treasury of its western conference. I have read of Beck's proposal for a union fund to help defend himself, and of a million dollar public relations fund to tell his side of the story. That these have been rejected are good signs. A wiser use of members' dues would be for a full-scale audit and legal accounting of the western conference, as well as the general treasury. In this way the members could recover any moneys improperly taken from the treasuries, as well as any profits derived by persons using such moneys.

The major role in dealing with malfeasance of the officers must be taken by the 1.4 million members of the teamsters union. The future of the union, as well as the role of all organized labor, will depend in large measure on them. They are the parties directly aggrieved—it is their money. Even more, it is their union.

Finally, in the interests of further putting this situation in perspective, let me quote to you from an editorial in a current issue of a national publication:

"When the McClellan committee began looking into the affairs of Dave Beck and the teamsters early this year, it was widely observed that the labor movement was at last getting the sort of hard senatorial scrutiny that business had been subjected to in the 1930's. Such a scrutiny was certainly long overdue—as the seamy revelations in the Beck case attest—but events of the last few weeks have also made it abundantly clear that business practices will be, and should be, a major part of the investigation into improprieties in the field of labor-management relations. Indeed, it was clear before this committee began its public hearings that unethical and just plain crooked deals between businessmen and union leaders were commonplace in many industries. In retrospect, the most surprising thing about these deals is the complacency with which they were widely regarded. What the McClellan hearings have done is dissipate the notion that labor relations in the United States are in good shape today just because there is relatively little violence.

"Just how much responsibility do businessmen bear for Beckism in labor relations? The problem involves only a small proportion of businessmen, of course—just as it involves relatively few labor leaders. But certainly there are some United States businessmen who are in no position to assert any moral superiority over their union opposite numbers. There are some cases, to be sure, in which businessmen may almost be forgiven for making a dishonest deal. When a small retail store is hit during its busy season by pickets who do not represent any employees, and who are interested principally in getting paid off, the proprietor may often face a practical choice between making a deal and going broke. But all too often the employer who portrays himself as a hapless victim of union racketeers is, in fact, merely an opportunist, who would rather pay off a crooked union leader than incur any economic hardship. In unions, the improprieties are apt to stem from racketeering; in business management, they stem principally from moral laziness."

The editorial concludes, "The problem of Beckism in business is not merely a question of strengthening labor law; it is also a challenge to business ethics."

This may sound like an editorial from a labor publication. But, actually, it comes from the June issue of Fortune, the distinguished business journal. To the views expressed, I say "Amen."

Public opinion should not aim the blame for misconduct at a few labor leaders and ignore the culpability of a few businessmen. It takes both to make a dishonest deal and it takes both to keep an agreement honest.

Independent Airlines Set New Safety Record

EXTENSION OF REMARKS
OF
HON. RICHARD E. LANKFORD
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Monday, June 10, 1957

Mr. LANKFORD. Mr. Speaker, it is with extreme pleasure that I call attention of my colleagues to the fact that the Nation's independent airlines have established a new passenger safety record for the air-transportation industry.

I am informed by Mr. Jesse P. Stallings, president of Independent Airlines Association, that the independent airline industry has completed over 18 months of fatality-free operations to surpass a previous record established by the scheduled airlines in domestic operations between March 26, 1939, and August 31, 1940.

The supplemental air carriers—formerly known as nonscheduled lines—have flown in excess of 2½ billion passenger-miles without a fatal mishap since November 17, 1955.

Restricted as to the amount of civilian common carriage business they may do, the independent airlines have developed the market for peacetime transportation of military personnel and are rendering a great service to our national-defense effort, as well as saving the Government considerable money in this respect. These lines also represent an essential element of the Nation's reserve airlift capacity available for use in case of national emergency.

So on the occasion of establishing this new safety record I offer congratulations to the Nation's small businesses in air transportation.

Address by Secretary of Agriculture Before Wyoming Stock Growers Association

EXTENSION OF REMARKS
OF
HON. FRANK A. BARRETT
OF WYOMING
IN THE SENATE OF THE UNITED STATES
Monday, June 10, 1957

Mr. BARRETT. Mr. President, I attended the 85th annual convention of the Wyoming Stock Growers Association at Lander, Wyo., on Thursday, June 6 last. Secretary of Agriculture Ezra Taft Benson delivered a forceful address to the 1,200 members and guests assembled on the occasion. The address received favorable mention in the press throughout the West.

I ask unanimous consent that a copy of Secretary Benson's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF AGRICULTURE EZRA TAFT BENSON BEFORE THE WYOMING STOCK GROWERS ASSOCIATION, LANDER, WYO., JUNE 6, 1957

I consider it a high privilege as well as a challenging responsibility to meet with you today.

I want to talk with you as citizen to citizen, as farmer to farmer, rancher to rancher, sincerely and honestly about the agricultural situation. My only purpose is—as it always has been—to seek what is best for agriculture.

We must face facts with the utmost honesty. The American people want the truth, and I have supreme confidence in the good judgment of rural people, who are the salt of the earth—and a great bulwark for American freedom.

We need to take a good look at the livestock picture—and at the agricultural picture as a whole.

Where do we stand? What is our goal? What road should we travel to get where we want to go?

First, where do we stand as regards livestock?

Livestock production has climbed to a level higher than any previously known. Our people—on a per person basis—had more meat last year than in any year on record. In the past half century, our national population has almost doubled. Meanwhile the number of people engaged in agriculture has dropped 40 percent. Yet our meat consumption last year—167 pounds per person—reached the highest point in more than 50 years.

This was top performance production-wise. But it brought with it serious problems of unsatisfactory prices—problems that were compounded by drought.

Now the familiar cycle in cattle numbers has apparently turned. A 7-year expansion in cattle on United States farms has come to an end. After climbing from about 77 million at the beginning of 1949 to nearly 97 million head at the beginning of 1956, the cattle inventory this past January was down by 1.6 million. What is probably more important, the cow herd alone was reduced by 1.2 million from the high level of 1955. Hog production also has eased off for the present.

Market prices of cattle and hogs are now generally $2 to $3 per 100 pounds higher than at this time last year.

The decrease in cattle numbers may continue for a time. But we do not expect a big drop in numbers such as occurred in 1934 and 1947. We look for a gradual strengthening of prices for cattle—a moderate trend, not runaway prices, such as those of 1951, which brought an aftermath of trouble. A more permanent improvement is to be preferred, and that is what we hope is in prospect.

All in all, the longer range outlook for prices to cattle producers is brighter than it has been for several years.

This is good news, especially here in Wyoming, where beef cattle bring in a larger part of total farm income than in any other State except Nevada. Beef accounts for half of all your farm cash receipts.

Wyoming was one of the few Western States that did not reduce cattle inventories last year. You will benefit considerably if prices of feeder cattle this summer and fall retain a higher level than last year, as we expect they will.

The improvement in the cattle situation is part of a general trend in agriculture as a whole. Last year, as you know, the realized net income of farm operators rose about 4 percent—the first peacetime rise since 1947. We expect another increase of perhaps 4 percent this year.

So much for where we stand. Now, what is our goal, our objective, for agriculture? We have stated it many times. We seek an agriculture that is expanding, prosperous, and free—for the benefit of the entire American people.

What do those words mean?

Expanding speaks for itself. We are a dynamic people. Agriculture is a dynamic industry. It must expand to keep pace with the economy.

Prosperous, as I see it, means a constantly improving abundant life for farm and ranch people in fair comparison with that of other groups of our population.

By free, I do not mean freedom to exploit others. I do mean freedom for an individual to make his own decisions, to manage his own affairs. I mean freedom as conceived in the Declaration of Independence, constitutional freedom which so safeguards the right of choice of each individual as to provide the greatest possible opportunity for us all.

I wish I could report to you that the recent gains agriculture has made—and is now making—mean that this goal of an expanding, prosperous, and free agriculture is immediately in sight.

But I cannot. The basic problems have not been fully solved. The objective is not close at hand.

We must not allow current progress to lull us into complacency. This progress has been achieved in large measure through temporary, emergency programs, and at great expense. These programs are relieving the pressure of surpluses but they do not remove the cause.

True, we have some of the major tools we need to deal with the current emergency—disposal programs, the soil bank, and the beginning of flexibility in price support. The Agricultural Acts of 1954 and 1956 were first steps in the right direction, and they were enacted with bipartisan support. But we have never contended that they were the complete solution to our farm and ranch problems.

We are still saddled with one requirement that we don't need—that price supports on the basic commodities be increased as soon as surpluses are moved. Under the price support formula in the old basic law, once the Government stocks in the warehouses are cleaned out, the door must be opened to build them up again.

The past consequences of this formula have been extremely damaging, not only for producers of the basic crops, but for agriculture as a whole. Both at home and abroad, markets have been lost. Foreign farm production has been increased. Exports of some American crops have declined. Foreign products have been attracted to our shores.

Shrinking markets have forced drastic acreage controls upon our farmers. But this has not solved our problems. It has merely spread them. Diverted acres were shifted to other crops—and the consequences onto other producers—until almost every farmer and rancher, regardless of the crop or the livestock he raises, has been hurt.

Many of the diverted acres went into oats, barley, and grain sorghums—the end products of which were more meat, milk, and eggs at a time when markets were already glutted.

We all agree that agriculture is entitled to a fair share of this Nation's record prosperity. The question is how does agriculture—how do you livestock producers—get a fair share.

In my belief you will get it out of efficient production—balanced production—and better marketing.

You will not get it out of Government.

You will not get it out of acreage allotments and marketing quotas.

You will not get it by Government price-fixing, and you never have.

You will not get it through research and education and cooperation and free initiative.

You will get it out of building new markets and strengthening the private and cooperative marketing machinery.

There is a new dimension in the farm picture that makes management of agriculture by rigid formula totally unworkable. I refer to the amazing technological revolution that has been, and is, going on in agriculture.

Since 1920 crop production per acre has risen more than 25 percent. Tremendous changes have occurred in the livestock business too. Production per breeding unit—that is per cow, per sow, per hen on an aggregate basis—has gone up 72 percent. Even compared with 1935–39 we are now getting 40 percent more beef per cow of the breeding herd.

In view of this revolution, we cannot balance total supply and demand by acreage allotments on the basic crops. Farmers will not accept, legislators will not vote, and from a practical standpoint administrators cannot impose the kind of controls which, at the price objective specified by the old basic law, would be necessary to bring production into line with market outlets.

Nor can we build a healthy outlook for the corn, wheat, or cotton producers by steadily fencing them in. On a 55-million-acre minimum national allotment we now produce more than enough wheat for all our needs, domestic and export. On an allotment calculated to produce 10 million bales of cotton, we grew almost 15 million. On the smallest corn acreage allotment we ever had, and with a drought in the western Corn Belt, and with the beginnings of a soil bank, 1956 corn production approached an all-time record.

For these three crops, plus tobacco, peanuts, and rice, we have programs in effect to control production and support prices according to a legal formula. These six crops bring in only one-fourth of farm income. Yet for these six crops, surpluses are greater, costs are higher, infringements on individual liberty are more extensive, international relations are placed in greater jeopardy, and farmer complaints are louder than for all of the 200 or so other farm commodities combined.

I want to emphasize one fact above all: The basic rigid price support formula in the old law is directly contradictory to the objective of an expanding, prosperous, and free agriculture.

To expand, agriculture needs new markets. The application of the basic price support formula has caused markets to be lost. It will cause further loss of markets if it is applied in the future.

To be prosperous, agriculture must be able to compete successfully against foreign and substitute products. The restrictions of this formula have given agriculture's competitors an almost unbeatable price advantage. It would continue to do so in the future.

To be free, farmers must be permitted to make their own management decisions on their own farms and ranches. The application of this formula requires controls that transfer the management of agriculture into the hands of Government. It is doing so now and it will continue to do so as long as the rigid formula remains in the law.

This is the fundamental problem we face in agriculture. We must confront it. We dare not ignore it. I have testified before the Congress and I have emphasized before agricultural groups that we should further reexamine the old basic farm law—and that we should do so now.

I am not proposing that we scrap farm programs or that we scrap price-support programs. I am saying that we need to revise some of our programs so that they may better serve the needs of our farm people. We are now ready to take the next step in this direction. Let us use the time while the soil bank and the disposal programs are in effect to make the transition to a sounder price-support policy.

As you know, the cost of farm programs is much in the public eye. A key part of these programs is the acreage reserve of the soil bank. The acreage reserve is a temporary, emergency, costly, and voluntary program. We came to it reluctantly because of the emergency situation brought on by the war and by unsound price-support policy.

The acreage reserve did not have a fair trial last year. It was not authorized until after most crops had been planted. Now the attempt is being made to destroy it, even before we can measure the results of a full year's operation. The soil bank is being blamed for failures caused by the outmoded programs of the past which made the soil bank necessary in the first place. Except for these failures, there would be no need of a soil bank today.

The simple fact is that every acre in the acreage reserve—whether that acre is high yielding or low yielding—means an acre that is not adding to surpluses of the basic crops. If it is allowed to work, the acreage reserve can lessen the undue stimulus to livestock production which has caused your industry many of its present problems.

Though it is contrary to my philosophy to pay farmers for not producing, agriculture cannot be expected to bear the complete burden of adjustment in a situation which is a national responsibility.

Management of agriculture by fixed Government formula is assuredly not the road to a dynamic, expanding, and free agriculture. But is there another road?

Of course there is.

There is the road of more freedom for farmers and ranchers to produce, coupled with less reliance on price support by rigid formula. We should begin to move away from acreage controls while the soil bank and the surplus disposal programs are in effect. We must not wait until, having disposed of surplus stockpile No. 1, we have built up surplus No. 2. Let us not put off the making of necessary changes until they are forced upon us.

Let us price our products so they will sell.

Let us not price support our products at levels which make overproduction almost inevitable—which dry up markets and require severe controls on farmers.

Let us expand markets—markets for food and markets for industrial and nonfood uses of agricultural products.

Let us give special attention to the problems peculiar to small farmers. Our Rural Development Program is successfully launched. It can help open the doors of opportunity to more than a million farm families with incomes of less than a thousand dollars a year. We hope this program will grow in scope and effectiveness.

Let us, above all, build up our markets for livestock products—wholesome, tasty, nutritious foods that people can and will purchase in larger amounts if the price is attractive.

Increasing and decreasing the livestock population is the time-honored method of adjusting the food supply to changing needs. The amount of flexibility provided by this system is tremendous.

When we consume more of our food in the form of livestock products, we need the output of many more acres to produce feed.

Livestock condense about 7 pounds of dry matter in the form of grain and other feed to about one pound of dry matter in the form of meat, milk, and eggs. The other 6 pounds are converted into heat and energy or waste. Thus, far more agricultural resources are needed to provide a diet which contains a high percentage of livestock products.

The American consumer has been increasing his consumption of livestock and poultry products. But on a per capita basis he is still behind the Australian, the New Zealander, or the Argentinian in meat consumption. We can go farther in shifting consumption to milk, eggs, and other highly nutritious livestock products.

Of course markets for more animal products must be potentially available before we begin producing for them. Expansion in output of meat animals, poultry, and dairy products should occur only gradually. Sharp increases can be disastrous, as we found a little over a year ago with hogs. But we have been moving toward a greater animal agriculture during the past 20 years and we can move further.

From time to time livestock markets will become glutted and prices will be disrupted. In such periods timely and vigorous Government purchase and diversion programs should be used to help bolster prices and help producers adjust to market demands. Such programs have been undertaken by this administration.

Here are some of the things we have done. When we came to Washington in 1953 we found grading of beef compulsory and prices controlled and failing. We removed Government restrictions and we undertook a vast beef-purchase program to help stop the decline in prices. Since that time, we have reinstituted purchases whenever it appeared necessary. Last fall, for example, the market was almost swamped with cows and young stock from drought regions. We bought 72 million pounds of beef at that time to help move the big supplies into consumption.

We have worked with industry to market beef—and not only beef but dairy products, pork, and other plentiful foods.

Just a year ago, in support of the recommendation of the cattle and beef industry, we adopted USDA Standard as the newest grade of beef. Very recently the Department put out a new 1-minute TV film that makes the most of beef's best points—its flavor, its use in many appetizing dishes, and the generous supplies that are currently available. We produced this film in support of the livestock industry's campaign to merchandise beef.

We have expanded our export markets. Our shipments of livestock and livestock products in this current fiscal year are estimated at nearly $350 million—an increase of 50 percent over the total of 3 years earlier—and 10 times the amount shipped in prewar years. Under Public Law 480, we have sold or authorized for purchase about 125 million pounds of beef to Israel, Spain, and Turkey—a tonnage equivalent to about 250,000 head of cattle.

Special programs of an emergency nature have been provided to help livestock producers. For example, emergency credit and low-cost feed have been made available in drought areas.

What we have fought for, and what we are now fighting for, is sound and practical. It makes good sense. That has been the ultimate test to which we have subjected every program. I will not support any program that does not make sense.

I have opposed direct price support of livestock. I have done so because, in my judgment, it just won't work. It is not sound. It would hurt the livestock industry. That is why I resisted the pressures of the cattle caravan which came to Washington a few years ago. I will never advocate any policy or program which I believe is not in the best interest of farmers and ranchers and fair to all our people—regardless of pressure.

If livestock producers had been subjected to the kind of price controls and production straitjackets other segments in agriculture have had during the past 10 years, your industry would never have achieved anything approaching its present growth. You might have lost ground under the restrictive hand of Federal regulations and quotas—much as some other segments of agriculture have lost ground under these restrictions.

Tremendous opportunities beckon to animal agriculture in the longer range future. A strong economy is the basis for big livestock markets, and the economy of the United States is healthy and rapidly expanding. Compared with the 1951–53 average, we may have opportunity to increase production of cattle and calves by as much as 50 percent in order to meet prospective demand less than 20 years from now. We all remember the phenomenal rise in livestock production during World War II. This was accomplished under the incentive of an almost insatiable demand. To attain the livestock production anticipated for 1975, we would need to increase output at about two-thirds the annual rate of increase of the war years. For peacetime, this is a tremendous opportunity. It involves growth over a period of two decades, not a spurt of just a few years. It involves an annual increase one and a half times the rate of growth from the mid-forties to the early fifties.

Your is the most expandable part of our farm market. Our people will buy more livestock products if they are priced right and the quality is right.

We know that when the American housewife buys milk, meat, and eggs, she is not merely buying food for the family, she is buying taste and convenience as well. You as livestock producers are facing a real challenge. Your production efficiency will play no less a role in the market of the future than will be played by processing and marketing efficiency. You have got to keep up to date. You can no more rest content with outmoded farm and ranch management than a manufacturer can be content to go along with the management practices of prewar days.

Increased research on nutrition, disease control, better breeding, more profitable use of byproducts and improved marketing will help lower production costs and smooth the flow of livestock products into consumption.

Here in the West, cattle feeding has expanded rapidly and has taken on a distinctive character. The number of cattle on feed in the West this past January 1 was 3½ times the 1930–34 average. Nearly one-third of all fed cattle marketed in 1956 came from Western States. Your feeding is resourcefully designed to utilize a variety of feeds that take the place of the Midwest's plentiful corn. Feeding is a more specialized enterprise here in the West. Your cattle are fed faster for quicker sale, and the turnover rate in feedlots is higher. Through expanded feeding of cattle, western producers are taking advantage not only of their own fast-growing western market for beef but of the increased demand for fed beeves with finish.

All of our farmers—all of our people—have a vital stake in reaching the objective—an expanding, prosperous, and free agriculture. But I can think of no group in America to which this objective is more essential than it is to you producers of livestock. We can have a more dynamic and prosperous agriculture. We can have a free agriculture. To achieve it we must plan ahead now. There is no room for complacency. The agricultural revolution has made the price support, acreage-control program obsolete. Let us reexamine the old basic law. We are now ready for the next step forward.

Here in America we have the world's highest level of material living—and it is the product of an expanding, prosperous, and free economy.

But the history of nations presents this shocking picture. As nations become more prosperous—as their standard of living increases—they become more interested in preserving luxuries and comforts than the ideals and principles which made them great. Any nation which would trade freedom for security deserves neither and will lose both.

God forbid that this should happen to our agriculture or to our Nation.

We are a prosperous people today because of a free enterprise founded on spiritual, not material, values. Free enterprise is based on freedom of choice—free agency—an eternal God-given principle. The Founding Fathers, inspired though they were, did not invent the priceless blessing of individual freedom and respect for the dignity of man. No, that priceless gift to mankind sprang from the God of Heaven and not from government. The Founding Fathers welded together the safeguards as best they could, but freedom must be continually won to be retained.

With the help of a kind providence let us get on—now—with the job of building a prosperous, expanding, and free agriculture in a prosperous, expanding, and free America—an America which is economically, socially, and spiritually sound.

Rider College Commencement Address by Hon. Alan Bible, of Nevada

EXTENSION OF REMARKS
OF
HON. H. ALEXANDER SMITH
OF NEW JERSEY
IN THE SENATE OF THE UNITED STATES
Monday, June 10, 1957

Mr. SMITH of New Jersey. Mr. President, on Sunday, June 8, Rider College in Trenton, N. J., had its 92d commencement. On that occasion honorary degrees were conferred by the college on our distinguished colleagues, the Senior Senator from New Hampshire [Mr. BRIDGES], who because of his recent indisposition was unable to be present; the junior Senator from Nevada [Mr. BIBLE], and myself.

In Senator BRIDGES' enforced absence, Senator BIBLE made an outstanding and significant commencement address. It was a great pleasure for us in New Jersey to have Senator BIBLE with us, and I ask unanimous consent that his address be published in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH GIVEN BY SENATOR BIBLE AT RIDER COLLEGE, TRENTON, N. J., JUNE 9, 1957

It is an honor and a privilege for me to appear at the commencement exercises of Rider College.

This day belongs to the graduates of the class of 1957 and to the parents whose sacrifices have made it possible for this goal to be reached. I hope that every one of you will pause to sufficiently appreciate and to say thanks for the help you have received.

Graduates of Rider College have much of which they can be proud. Since 1865, Rider has grown from a small business college to the fine institution which you know today. It is my understanding that Rider is embarking on a $10 million building project which will give your school one of the finest campuses in the East. This is a significant sign of the progress being made by Rider. You can face the future confidently with the realization that you have received excellent preparation here at Rider College.

The word "commencement" which is used to describe these ceremonies means a "beginning." In this sense, today is a beginning for you who are about to be graduated. I do not intend to impose on your time. I promise to be brief. I well remember my college days, and I think I know the part of the program for which you are waiting.

You are a selected group. You were selected for admission to this college. You were screened through 4 years of study. You have been given an opportunity. You have attained an objective. At the same time, you have assumed a responsibility which you cannot lightly disregard. As Thomas Huxley said, "The greatest end of life is not knowledge but action."

The faculty of this college has equipped you with the knowledge. Sometimes at considerable pain to you and, I suspect, some irritation to them. Your equipment is excellent. You cannot plead ignorance to your fellow men. You must accept the duty and responsibility which, although not contained in the wording of your degree, is, nevertheless, clearly your obligation.

As you leave this campus and seek employment in different parts of the United States or, indeed, the world, the direct test of what you have learned here will be demonstrated by your daily actions. All of you are intelligent or you could never have completed the course of academic studies which has been presented in the seminars and lecture rooms of this college.

I suggest to you, however, that your distinguished faculty has not been teaching subject matter alone. They have been teaching young men and women. They have been instilling in you the principles of fidelity, honesty, moral courage, industry, integrity, and loyalty. These facets of your education are eternal. The subject matter changes—the learning process is constant if one would keep apace in today's world. But a freeman who thinks like a freeman, who talks like a freeman, and acts like a freeman will remain a freeman in prosperity, in adversity—whatever the future may bring.

It is fashionable today to decry the times in which we live. I hold to the theory, as expressed by the English historian Macaulay, that: "Those who compare the age in which their lot has fallen with a golden age which exists only in imagination, may talk of degeneracy and decay; but no man who is correctly informed as to the past, will be disposed to take a morose or desponding view of the present."

Personally, I know that the present is a great improvement over the past; I am confident about the present, and I am optimistic about the future. This is my belief, and I have dedicated what talents I have toward it. I hold no brief with those who beat their breasts and say that our civilization is going to Hades in a handbasket and that the decline of the West is in progress.

To me the future of this Nation belongs to the youth. As I have witnessed, throughout the length and breadth of this land, the education of young men and women, dedicated to love of country and service to humanity, I am personally confident that the future is in good hands.

I do not mean to suggest that the road which you will travel in the years ahead is an easy one. You will face adversity in many forms. There will be moments when your courage is shaken and you will be torn with indecision. These are facts which you must recognize.

I do suggest, however, that during those moments of doubt the spiritual quality of you, as Americans, achieves its greatest significance.

There is no one among us who can deny that the affairs of men are guided by the hand of a Creator. It is inconceivable—as a matter of personal philosophy—that this spiritual hand which guides us will permit the destruction of this Nation before its mission to humanity and God is achieved. I draw strength from this concept, even in the darkest hours of decision.

Whatever the sacrifices, I have no doubt as to the ultimate outcome in the struggle between a philosophy dedicated to the improvement of man as opposed to one which seeks only to destroy him. H. G. Wells once said: "Human history becomes more and more a race between education and catastrophe." To me, this is a race which can have only one outcome. Education will conquer.

To avoid despondency and despair, one has only to consider the progress that has been made in the last century in human relations. Less than 100 years ago, there was human slavery in these United States. Today, that very thought is intolerable. Women were regarded as chattels without political equality. That, too, has disappeared.

The concept of attempting to seek solutions to world problems on a world basis had not yet been born. Today we have the United Nations. It remains our responsibility to be constructively critical of the United Nations in the hope that it can be made to work better. There is no doubt that without the deliberately obstructive tactics of the Soviet Union much more progress toward peace could have been made. You probably know that of the 81 United Nations vetoes in the last 11 years, 78 were cast by Russia. Perhaps by a realistic appraisal of the situation, we can go forward despite the Communists. Imperfect though the United Nations is today, it is a vehicle for the exchange of ideas and discussion of mutual problems. We are at least trying.

In the field of medical science more specific achievements have been made. What would Abraham Lincoln and his wife, Mary, have given for $5 worth of antibiotics when their son died? What would Calvin and Grace Coolidge have given for a few dozen sulfur tablets when the precious life of their son was being drained away by septicemia? What would thousands of parents have given for the miracle drugs of today which were not available while their children were being stricken with diseases of diphtheria, pneumonia, tetanus, and others which are almost unknown to modern parents. Perhaps today with the Salk vaccine we are on the threshold of a new victory of man over disease.

Each generation feels as though it has not done a proper job in the conduct of its affairs. Each generation feels as though it has burdened its children with its own mistakes. This eternal conscience which never lets us rest is in itself an indication of the striving for improvement which characterizes our society.

Of course, there are problems, and very serious ones. Today's problems are perhaps the most complex the world has ever known. They do not yield to simple solutions.

There is the problem of communism. I regard this atheistic philosophy not as a government in any sense of the word but as a great international conspiracy aimed at world conquest and domination. It challenges the very survival of this Nation and all the people of the free world. I would not appease communism by any action which sacrifices one inch of free land, one human life or one American principle.

I believe that whenever any free individual is forced into bondage, to that degree America becomes enslaved. So long as I am able, I shall oppose communism with all the resources at my disposal.

If the world is to be free, young men and women like you must carry on the fight long after I and others like me have disappeared.

As a citizen, aware of the dangers which threaten our way of life, you young men may be called upon to serve in the Armed Forces of your Nation. Just as the pioneer Davy Crockett instructed his sons in woodcraft and in the handling of weapons for their own protection against hostile savages, your country must train you for your own safety and the security of your loved ones.

It would be pleasant if the world had reached the point where no danger existed. It would be desirable if you men could be allowed to get on with your chosen careers and not have to devote a portion of your time to military training. The present necessity, however, is not one of our making. You must, therefore, accept your civic responsibility of military service with the realization that its ultimate purpose is your self-perpetuation. This is one of the realities of the times in which you live.

There is also the problem of atomic energy. This powerful source of energy is viewed by some as a threatening monster which will destroy the world. We know that the "atom" has no morals, no ethics. It is a natural force like any other which can be used for good or evil.

It is man directed and its use will reflect the character of those who guide it.

I personally feel that the possession of nuclear weapons, and the ability to deliver them, by the United States restrained the Communists from overrunning all Western Europe, and allowed sufficient time for free people to raise their own defenses.

I envision great strides in the benign applications of atomic energy in medicine, biology, agriculture and industry. I am convinced that as the years go by the benefits to mankind will be enormous and will dwarf into insignificance the weapons aspect of this physical phenomenon.

If my vision is to be realized, there must be dedicated realistic men who have enough commonsense to protect us from destruction while we forge ahead in the cause of humanity.

There is the problem of individual responsibility. There has grown up a cult throughout the world, and to a considerable degree in our land, of those who believe that government should accept the complete responsibility for the lives of its citizens.

Those people all have one thing in common. They want something for nothing. They want to spend more than they make; reduce taxes and increase benefits.

Their beliefs are in direct opposition to the political philosophy which made this Nation great. The new order which was given to the world in 1776 was based upon the philosophy that man was a rational animal, that given opportunity he could take care of himself without injuring his neighbors; that he had certain inalienable rights which government could not diminish or circumscribe.

The only true security is in the daily satisfaction of a job well done. One has only to read the daily paper to realize that no man knows when he will die. Life is not measured in years alone or by material acquisitions, rather in terms of service, accomplishments, and spiritual rewards. Better to have lived for 50 years enjoying fully every second of the time; doing great deeds; winning the love of friends and neighbors; than to eke out a miserable existence for a century where life was an empty pulp.

The problem basically has been stated in the Scriptures, "Bread cast upon the waters returns a thousandfold."

It was also said: "Give and you shall receive."

If you give of yourself in the service of others, you will be rewarded accordingly.

I get very restless with those who constantly apologize for the American system. Of course there are inequities and injustices which should be corrected. Americans should support every constructive suggestion for the refinement of our social system. Nevertheless, I am conscious that our society has provided more opportunity for spiritual and material development of humanity than has ever before been possible.

Destructive critics of our way of life annoy me. They are so busy looking at the few spots of mud that they never lift their eyes and observe the blue sky above.

Every privilege in this world carries with it a responsibility. Every opportunity implies an obligation. Every possession has affixed a duty.

Whether or not the sphere of righteousness extends rapidly or slowly in your lifetime, will ultimately depend on the attitude each of you adopts. Never were there greater challenges. Never was there more opportunity.

It has been said that there are three ingredients in a good life: Learning, earning, and yearning.

Here at Rider, you have been given the opportunity and the equipment of learning. When you leave this institution you will begin the process of earning—earning not only material things but earning the respect, the love, and the friendship of people with whom you associate. To a tremendous degree, your future, and the future of your generation, will depend upon the things for which you yearn. If you yearn for freedom, individual responsibility, and opportunity, you and your children shall have it. You can transmit the legacy you inherited. It is within your power to make future generations refer to the last half of the 20th century as "the golden age."

This country and the free world needs leadership. We don't need people who are willing only to become one of the crowd; we need men and women who are individuals and who stand for individual principles. God give us wisdom to profit from the mistakes of yesterday; God give us courage to face the problems of today; God give us vision to plan for the challenges of tomorrow.

Vice President Nixon's Michigan State University Commencement Address

EXTENSION OF REMARKS
OF
HON. CHARLES E. CHAMBERLAIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, June 10, 1957

Mr. CHAMBERLAIN. Mr. Speaker, the people of Michigan and the Sixth Congressional District were honored yesterday when the Vice President of the United States, the Honorable RICHARD M. NIXON, addressed the graduating class at the 99th annual commencement of Michigan State University at East Lansing.

The Vice President's analysis of current governmental questions in terms of permanent intellectual principles and each individual's civic responsibilities merit the attention of Members of Congress. The question now before the House, the civil-rights bill, is most particularly a case in point. Also, the clear and concise statements on foreign aid, labor legislation, and the Khrushchev challenge, should be carefully examined by each Member of the House as well as all citizens.

The Vice President's address follows:

ADDRESS OF THE VICE PRESIDENT OF THE UNITED STATES AT THE 99TH ANNUAL COMMENCEMENT, MICHIGAN STATE UNIVERSITY, EAST LANSING, MICH., JUNE 9, 1957

I hope that each member of this graduating class will make a personal and lifetime commitment to take an active part in the political life of your communities.

Some of you should run for office. Don't avoid your responsibility in this respect with the usual excuse that politics is a dirty business. If you believe it is, get into it and do something about it.

Those of you who do not make politics a career can participate on a volunteer basis in the political activities of the party of your choice. I can assure you that both of our major parties can use and need new blood and new leadership.

All of you can help create the intelligent and informed public opinion which is essential if a democracy is to survive. The two most dangerous enemies of successful democratic government are ignorance and prejudice. You are particularly qualified by your background and experience to fight and defeat them in the communities in which you live.

Those of you who become doctors, lawyers, teachers, engineers, businessmen, homemakers, will be tempted to adopt the attitude: Why borrow trouble? Don't take a position on controversial issues. If you do, always support what appears to be the popular side of the question.

I urge you today not to fall into that error. Have the courage to take a position on the great issues of our time. And in doing so, don't let a Gallup poll make up your mind for you. What may be the easy or popular answer to a hard question may not always be the right one. If you believe what appears to be an unpopular position is the right one, make it your business to make it the popular one.

Now I realize what I have just said amounts to nothing more than pious platitudes unless we get down to cases. Let me be specific by discussing some of the controversial issues on the Washington scene today.

You have been reading and hearing about the labor racketeering investigation being conducted by the MCCLELLAN committee. We can all agree that this investigation is serving a useful purpose in exposing the activities of union officials who broke faith with their union membership. The hearings are being conducted with dignity and fairness in the very best tradition of Congressional investigations. They have served to remind us that no leader of government, business, or labor is so big or so powerful that he cannot be made to account for his actions before the elected representatives of the people.

Now, however, we come to the more difficult question. What legislation should be passed to avoid such abuses in the future? Public opinion at this moment would probably support legislation of the most drastic character which would have the effect of curbing legitimate union activities as well as the abuses that have been exposed in these hearings. The tendency for most people is probably to go along with this prevailing sentiment.

But what is the right thing to do? Organized labor today is going through a period of trial comparable to that endured by the business community 20 years ago. Its leadership is being scrutinized and tested. Some union leaders have been shown to have failed badly in their positions of trust.

But we should not repeat the mistake of 20 years ago and blame an entire movement for the blunders and crimes of a minority. Rather we should help outraged union members to restore honesty and integrity to their unions. The protection of the integrity of union welfare funds and the insurance of democratic procedures in the conduct of union business are among the objectives which Congress should properly consider in determining what legislation should be adopted. The aim of any legislation in this field must not be to weaken or destroy unions, but to give union members the tools they need to make all unions follow the good practices which many unions follow today.

I would go further and suggest that this is a golden opportunity for American business men to encourage and make friends of the honest and sincere men who constitute the great majority of union officers. Now is the time to build lasting good will in labor relations, rather than to ostracize all union leadership, good or bad, and create the conditions which would lead to bitter industrial strife in the years ahead.

Let us turn to the international field for our second controversial issue. We have just signed an agreement to send $95 million worth of surplus agricultural commodities to Poland. Should the Congress appropriate the necessary funds to carry out this agreement?

The first reaction of perhaps a majority of people would be that to send aid to a Communist country is not only wrong but foolish. Why should the American people be taxed to help a nation which might be allned against us in the event of a conflict?

But how will the interests of the United States best be served in this instance? Let us look at the situation in Poland at this time. There is no question but that Poland is a Communist country. But the Polish people have been displaying increasing evidence of their determination to follow a course independent of the Soviet Union.

In response to that popular sentiment, the leaders of the Polish Government have been trying to soften the features of communism that do the most violence to human nature.

The churches of Poland have much greater freedom than in the past and the cardinal primate of Poland is allowed not only to exercise his function but to leave the country at will. The powers of the secret police have been substantially reduced. While the Polish press is not free by any means by our standards, it has a greater degree of freedom now than it has had in many years. Some farmers have been allowed to own their farms—a marked deviation from strict Communist-theory practice.

These, then, are our alternatives:

We can drive the Polish people and Government back to complete domination by Moscow in the hope that Poland will then be an economic burden on the Soviet Union. If we follow this course, we are, in effect, saying that there is no evolutionary road to independence for a people dominated by communism and that violent revolution is their only resort if they want to be free.

Our other alternative is to help Poland progress toward greater internal freedom and increasing independence from the Soviet Union with the hope that Communists in other lands will see that freedom, and freedom alone, brings out the best qualities in men. We do this not because we approve of communism, but because we believe that the explosive power of freedom is great enough to destroy communism once it is given a chance to flourish.

In making this decision we are under no illusions that our policy is certain to succeed. The Polish people and Government might still be forced back under the complete domination of the Soviet Union. But certainly here is a gamble worth taking. If because of our action the movement toward independence and freedom is enabled to remain alive and to grow in Poland, the other satellite countries will have an example which they in turn can follow.

We should favor any step that will promote freedom and even limited independence in a Communist state. By our action we will be announcing to the world that we are not writing off the Polish people or any of the other millions who are held in bondage behind the Iron Curtain.

A related controversial issue in the international field will soon be debated on the floor of the Senate. It is the question of what we should do about our foreign aid programs. Here again the snap judgment of many people might well be—why should the Congress appropriate our hard-earned tax dollars to aid people in other lands? We often hear the term "giveaway" applied to this whole program.

It is relatively easy to develop public support for the military phase of this program. When we realize that it costs on an average 5 times as much for the maintenance of an American soldier abroad as it does for a fighting man of the allies we aid, it is obvious that a vote to cut foreign military aid is not a vote for economy but is actually a vote for larger budgets in the years ahead.

It isn't a question of whether such countries as Korea, Formosa, Indochina, Pakistan, and Turkey, which have common borders with the Communist world, should have adequate defense forces. We learned in Korea that if they are attacked, we will become involved.

The question is how the necessary forces can most economically and effectively be maintained.

Two and eight-tenths billion dollars in foreign military aid results directly in at least $15 billion worth of defense for ourselves and the Free World. These conclusions, then, are inevitable. Cuts in our military aid program will result in more taxes and expenditures for the American people rather than less. And spending less for aid abroad would not only mean more dollars for defense at home but it would inevitably mean more American boys in uniform

I am confident that the Senate will follow the lead of its Foreign Relations Committee in refusing to make substantial cuts in the amounts requested by the President for this program and that the American people, as they know the facts, will overwhelmingly support that decision.

But let us turn now to a far more difficult phase of our foreign aid program. The President has asked for a billion dollars for the purpose of foreign economic assistance programs. The greater part of this money will not go to nations allied with the United States militarily. Most of it will go to countries in Africa, the Near East and Asia which are uncommitted or neutral in the world struggle.

How can we justify spending the taxpayers' money in this way?

Let us examine the breakdown of the people in the world today. The world is roughly divided into thirds, both in area and in population—one-third free, one-third Communist, and one-third uncommitted. The Communists know that if they can win a substantial part of the 700 million people who live in the uncommitted areas of Asia and Africa to their side they will not have to fight a war in order to achieve world domination. If they succeed in this objective, the overwhelming majority of the world's people will be under Communist control and the Free World will be denied access to economic resources essential for our survival.

I have visited most of these countries. I have talked to their leaders and to their peoples. After centuries of poverty they are determined to have economic progress which will lead to a better life. They would prefer to have this progress and retain their independence and freedom. But make no mistake about it. If we give them no other choice they will be forced to turn to the Communist world for help.

The Communists know this. That is why they are making every effort to meet the needs of these countries for education, technical assistance and political advice. And that is why we are spending a billion dollars a year for our economic and information programs.

I have seen our program in action. There has been some waste and inefficiency in their administration. But when we consider the tremendous stakes involved we can only conclude that the remedy for these difficulties and errors is to try to do a more effective job and not to give up and let the Soviet Union start taking over the world.

Mr. Khrushchev in his television broadcast to the American people last Sunday predicted that our grandchildren would live under socialism. By socialism he, of course, meant the communism we see in the Soviet Union today. But he significantly added that the Soviet Union would win the struggle for the world through other than military means.

The greatest danger the Free World faces today is not defeat or surrender in war. It is defeat by means other than war. When we consider the fact that the Communist World has gained 600 million people since World War II without the Soviet Union being involved directly in war we can see the danger that confronts us. If we allow the Communists to win the uncommitted areas of the world, the balance of power and resources and men will be such that the Free World will be strangled into submission by the Communist World.

The billion dollars we are spending for economic assistance to these uncommitted areas, therefore, is an investment in our own freedom and independence. It is the premium we pay to insure our survival as a free people.

May I turn finally to a controversial but vital domestic issue which has a far greater effect on our foreign policy than many of us realize. I have referred to the great battle which is going on in the world for the allegiance of the peoples in the uncommitted nations.

These people are alike in several respects. Their economies are underdeveloped. Most of them are newly independent. All of them belong to races which are not white. I can testify from personal observation and experience that even more than independence and economic progress the people of Asia and Africa want and deserve recognition of their equal dignity as individuals and as nations in the world community.

We can tell them, as we do, that we respect that dignity and that we consider them to be our moral, political, and social equals. But the impression people have of America abroad is determined more by what we do than what we say. And the question that is inevitably asked is: Do you really believe in equality when you practice racial discrimination in your own country?

Now the easy answer to this question is either to ignore the problem or to say "Let the Government do it." There are some things the Government can do in this field. The enactment of the civil-rights bill now before Congress would be an effective step toward living up to our democratic ideals.

But, in the final analysis, legislation will not solve the problem with which we are confronted. A law is only as good as the will of people to obey it. And this must come from the hearts of people themselves.

In every community where racial tensions exist today—and let me emphasize that this is not a problem which is limited to the South—there is need for moderate, constructive action by people of both races. We must not allow the extremists and demagogs to take over this field by default.

It is only through the willingness of public-spirited citizens in all walks of life to assume personal responsibility for removing the causes of racial prejudice that we can assure the progress that eventually will make the American dream of equality of opportunity a reality for all of our citizens.

In discussing some controversial issues today, I would not like to leave the impression that we should be skeptical or discouraged as to the eventual outcome of this great struggle which is going on between the forces of freedom and slavery in the world today.

We are going to win. We are going to win because we are on the right side, the side of freedom, justice, belief in God against the forces of slavery, injustice, and atheism.

I know that the members of this class will be a mighty force in your communities and in this Nation in developing the enlightened public opinion which will support our national leaders as they continue to work for the cause of independence, freedom, and peace.

SENATE

TUESDAY, JUNE 11, 1957

The Senate met at 9:30 a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God, eternal love, Thou source of all life and light, we would yield our flickering torch to Thee. Amid all the confusions and uncertainties in the realm of national debate and decision, we bow in this hallowed shrine of our dear-bought liberties to listen for the still small voice. We are grateful for the Republic's inspiring witness that our democratic processes run so deep that they are not disturbed even by the global dislocations of these violent days and that our America still stands with lamp held aloft, a beacon of freedom for all the earth.

Facing now unfinished tasks calling for courage and sacrifice and wisdom, upon all public servants who, sharing the heavy load of these epochal days, shape our policy and guide our destiny, pour, we pray Thee, in double measure Thy enabling grace. In the vital decisions which even now are lifting themselves above the horizon, keep our goals clear, our hearts pure, our spirits courageous, as we never turn our backs but march breast forward. We ask it in thy Name that is above every name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Monday, June 10, 1957, was approved, and its reading was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, the Subcommittee on Welfare and Pension Fund Legislation of the Committee on Labor and Public Welfare and the Subcommittee of the Government Operations Committee holding hearings on Senate bill 6 were authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Interstate and Foreign Commerce was authorized to meet today during the session of the Senate.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Subcommittee on Government Contracts of the Committee on Government Operations and the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs were authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. LAUSCHE, from the Committee on Banking and Currency:

Andrew Downey Orrick, of California, to be a member of the Securities and Exchange Commission.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be called.

UNITED STATES DISTRICT JUDGE

The Chief Clerk read the nomination of Robert Van Pelt to be United States district judge for the district of Nebraska.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The Chief Clerk proceeded to read sundry nominations of United States attorneys.

Mr. JOHNSON of Texas. I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations of district attorneys will be considered en bloc; and, without objection, the nominations are confirmed.

UNITED STATES MARSHALS

The Chief Clerk proceeded to read sundry nominations of United States marshals.

Mr. JOHNSON of Texas. I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations of United States marshals will be considered en bloc; and, without objection, the nominations are confirmed.

Mr. JOHNSON of Texas. I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business. I ask unanimous consent that statements made in connection with the business of the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

AMENDMENT TO THE BUDGET, LEGISLATIVE BRANCH (S. DOC. NO. 44)

A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1958, involving an increase in the amount of $30,000 for the legislative branch (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

READINESS OF INDUSTRIAL CAPACITY FOR DEFENSE PRODUCTION

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to provide for the readiness of industrial capacity for defense production and mobilization reserve purposes, and for other purposes (with accompanying papers); to the Committee on Armed Services.

PROMOTION FOR CERTAIN OFFICERS IN THE NAVAL SERVICE

A letter from the Assistant Secretary of the Navy, transmitting a draft of proposed legislation to provide improved opportunity for promotion for certain officers in the naval service, and for other purposes (with accompanying papers); to the Committee on Armed Services.

SETTLEMENT OF CLAIM FOR DAMAGE TO STEAMSHIP "CITY OF KARACHI"

A letter from the Acting Secretary of the Treasury, reporting, pursuant to law, payment to the City Line, Ltd., Glasgow, Scotland, in full settlement of a claim for damage to the steamship *City of Karachi*, incurred on August 16, 1955; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc. were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Appropriations:

"Senate Joint Resolution 30

"Joint resolution relative to the Federal budget

"Whereas the proposed peacetime budget of the Federal Government has now reached the unprecedented sum of almost $72 billion; and

"Whereas approximately one-third of the income of the Nation is now paid out to the various levels of government in the form of taxes; and

"Whereas this volume of taxes and expenditures is imposing an intolerable burden on the working people of the Nation, especially the young people who have no income except what they earn by their toil and sweat: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to reduce the proposed Federal budget to manageable proportions so that the tremendous tax burden on the citizens may be eased; and be it further

"Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the legislature of the State of California; to the Committee on Interior and Insular Affairs:

"Senate Joint Resolution 16

"Joint resolution relative to the extension of the Folsom South Canal within the counties of Sacramento and San Joaquin, State of California

"Whereas the expanding economy of Sacramento and San Joaquin Counties requires that supplemental supplies of water be delivered into said counties; and

"Whereas many public agencies of the two counties, including Galt Irrigation District, North San Joaquin Water Conservation District, Stockton East San Joaquin Water Conservation District, Clay Water District, Elk Grove Irrigation District, Woodbridge Water Users Conservation District, Sacramento County Water Agency, and San Joaquin County Flood Control and Water Conservation District, have shown grave concern as to their need for such supplemental water supplies by making applications for water to appropriate State and Federal agencies, and otherwise; and

"Whereas said public agencies have an ultimate need for not less than 800,000 acre-feet of supplemental water for use of the lands and the inhabitants thereof within their boundaries; and

"Whereas the United States Government has constructed Folsom Dam and reservoir and Nimbus Dam and reservoir which can provide needed supplemental supplies in the two counties and the Honorable John J. McFall and the Honorable John E. Moss have introduced bills, H. R. 4580 and H. R. 4584 in the 85th Congress, 1st session, to authorize construction of the Folsom South Canal to serve the lands of said public agencies; and

"Whereas construction of Nashville Reservoir on the Cosumnes River would augment needed water supplies in the irrigable areas of Sacramento and San Joaquin counties as well as control damaging floodwaters which now waste into San Francisco Bay; and

"Whereas the construction and operation of Nashville Reservoir and the operation of said Folsom Dam and reservoir as a multiple-purpose project to provide said supplemental water supplies to said two counties will be consistent and compatible with its operation for protection against ravaging floods of lands and improvements along the American and Sacramento Rivers and the Sacramento-San Joaquin Delta: Now, therefore, be it

"Resolved by the Senate and the Assembly of the State of California (jointly), That the State of California memorializes the Congress of the United States to enact legislation to authorize the construction and operation of said Folsom-South Canal; and be it further

"Resolved, That the State of California urges the United States Department of the Interior to complete as soon as practicable the studies now in progress regarding the proposed Nashville Reservoir; and be it further

"Resolved, That the Secretary of the Senate be directed to transmit a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution of the Senate of the State of Oklahoma; to the Committee on Public Works:

"Enrolled Senate Resolution 52

"A resolution memorializing the Congress of the United States and the Appropriations Committees thereof to direct special attention to the land-procurement practices of the Corps of Army Engineers in the Oologah Dam area on the Verdigris River in northeast Oklahoma

"Whereas the Oologah Dam on the Verdigris River in northeastern Oklahoma is in the very early initial phases of construction, with work proceeding on only the first stage embankment contract on one side of the river, under the direction of the Corps of Army Engineers; and

"Whereas only a few hundred acres of land actually have been acquired for the project and with condemnation proceedings now in progress on an additional few hundreds of acres of land; and

"Whereas this $37 million project will finally take more than 70,000 acres of land in a well-developed and productive agricultural and ranching area, resulting in the dislocation of several hundred farm homes and related schools, churches, cemeteries, Federal and State highways, county roads, electric power lines, telephone lines, oil transportation pipelines and gas lines; and

"Whereas the proposed lake will inundate and destroy the birthplace and home of the great Oklahoman, Will Rogers, which has become a national shrine and each year is visited by thousands of Americans who have come to love the simple and homely virtues of this great man; and

"Whereas on the lands to be taken for the Oologah Dam project is located a sizable portion of the world's greatest shallow oilfield, which has been producing oil continuously since its discovery before the turn of the century, and which today is recognized as having been the birthplace of the oil business in Oklahoma, the laboratory where secondary recovery was first tried and proven in Oklahoma and the field which has produced more oil by the water-flood repressuring method of secondary recovery of oil than in any other field in Oklahoma; and

"Whereas the United States Bureau of Mines, in a report dated August 1, 1951, stated that a recoverable reserve of more than 50,000,000 barrels of oil could be produced by today's known methods from the more than 25,000 acres of proven productive but undeveloped lands that are to be taken for the Oologah Dam project; and

"Whereas a portion of the lands to be covered by Oologah Lake have now been developed for the production of oil and this developed area is now producing several thousand barrels of oil each day; and

"Whereas the developed oil lands to be inundated by Oologah Lake now give employment to hundreds of oilfield workers, pay tens of thousands of dollars each year in taxes to the State of Oklahoma and to the United States, and produce millions of dollars worth of economic wealth annually; and

"Whereas the oilfield is served by a crude oil purchasing company whose storage tanks, pump stations, gathering lines and pipeline transportation system are located on lands to be inundated by the Oologah Lake; and

"Whereas the same crude-oil purchasing system, tank, farms, pump stations and transportation lines that will be inundated by Oologah Lake also serve other oil-productive acres located on lands adjacent to the proposed lake; and

"Whereas the engineering difficulties that will result for the pipeline operation following the building of Oologah Dam and the loss of business to the pipeline as a result of abandonment of that part of the oilfield that will be inundated by Oologah Lake could make it unprofitable and economically impossible to operate the pipeline oil gathering system to serve the remainder of the oilfield and with the resulting loss of a pipeline market for that part of the oilfield adjacent to the lake, the entire oilfield could be forced to shut down, with a further economic loss to the entire section of the State; and

"Whereas congressional appropriations for the Oologah project, which is a very minor part of the Arkansas Basin development program, were first made last year after almost 20 years of being seriously questioned as to the economic feasibility and the doubtful advisability of destroying a great known recoverable reserve of oil and a tremendously rich agricultural area; and

"Whereas the farmers and ranchers and oil producers of the Verdigris River area repeatedly through the years have voiced their objections to this project in personal and delegation appearances before the Congressional Appropriation Committees of both the House and Senate; and

"Whereas proponents of the project residing in other parts of Oklahoma and other States have envisioned great economic gains to groups of people, cities and towns, transportation users and great industrial organizations as a result of the construction of Oologah Dam, it was also recognized that a great displacement of people and business operations in the Oologah Dam area must occur if the project was to be built and, therefore, solemn assurances were repeatedly given to the people and business concerns to be displaced by said Oologah Dam both by the Congressional committees and the personnel of the Corps of Army Engineers that, in the event of the construction of the project, every effort would be made to see that the people in the affected area would not be forced to bear unjust and undue economic hardship and loss while others are reaping the great economic gains that proponents have promised would result from the building of Oologah Dam; and

"Whereas appraisals and purchases of land and residential properties in said Oologah Dam area are in the process of being started at this time by the land procurement office of the Corps of Army Engineers; and

"Whereas appraisement of property in the Oologah Dam area is being made on the basis of assumed values in the present location with no consideration being given to replacement cost in kind in another location; and

"Whereas appraisements of many properties in the Oologah Dam area are being made without due recognition of the known mineral values in the form of valuable coal deposits, gas reservoirs, and oil; and

"Whereas representatives of the Corps of Army Engineers procurement office in Tulsa, Okla., are quoted in newspapers of recent date as telling oil producers and mineral owners that "only in the dam site and construction area does the Government have definite plans for buying mineral holdings outright," but would seek only to acquire flowage easements on minerals and "under the flowage easement agreements oil operators would be required to subordinate their operations to the basic functions of the dam and reservoir"; and

"Whereas the appraisement and procurement policies being followed by the Corps of Army Engineers in the Oologah Dam area have met with the active and determined opposition of the landowners as is evidenced by the fact that the Corps of Army Engineers only recently has found it necessary to resort to condemnation action to acquire much of the initially needed lands in the dam site and construction area; and

"Whereas in the condemnation actions pending as of this date against the landowners in the immediate vicinity of the Oologah Dam itself, said actions covering more than 1,500 acres which is underlaid with

valuable coal deposits, attorneys representing the Corps of Army Engineers have petitioned the court to take the surface land rights and reserve to the present owners all mineral rights and values, and to subordinate the reserved mineral rights and values to the "prior rights of the United States to flood and submerge the land as may be necessary for the construction, operation, and maintenance of said project"; and

"Whereas under several hundred acres of said lands now being condemned by the Corps of Army Engineers for the Oologah Dam project, the schoolchildren of the State of Oklahoma own one-half of the mineral rights and values; and

"Whereas the schoolchildren of the State of Oklahoma, through the trusteeship of the State School Land Commission, own thousands and thousands of acres of mineral rights under lands located in the remainder of the Oologah Dam area, the Keystone Dam area, the Eufaula Dam area and in other areas where such projects are planned; and

"Whereas the mineral rights and values owned by the schoolchildren of the State of Oklahoma in the Oologah Dam area now under condemnation will be forever inundated and the value of said mineral rights will therefore be eternally lost to the schoolchildren of the State of Oklahoma; and

"Whereas the schoolchildren of the State of Oklahoma will suffer great and irreparable loss of wealth if the Corps of Army Engineers continue, through the length and breadth of the Oologah Dam area, the Keystone Dam area, the Eufaula Dam area and in the other areas where like projects are planned, this policy of taking, without payment, the mineral rights and values belonging to the schoolchildren of the State of Oklahoma, and by force of condemnation then subordinating those mineral rights and values to the prior rights of the United States to flood and submerge said mineral rights and values: Now, therefore, be it

"Resolved by the Senate of the 26th Oklahoma Legislature of the State of Oklahoma, That we respectively urge, request, and petition the Congress of the United States to make such inquiry into the land procurement procedures of the Corps of Army Engineers, issue such directives, and take such action as may be necessary to insure the fulfillment of the intent of Congress in the protection of the rights of the people in the Oologah Dam area and in safeguarding the mineral values and rights of the schoolchildren of the State of Oklahoma in accordance with the laws and Constitution of the United States; and be it further

"*Resolved,* That the chief clerk of the Senate of the State of Oklahoma be directed to send a copy of this resolution to the President of the United States, the Vice President of the United States, each Member of the Congress of the United States, the Director of the Bureau of the Budget of the United States, and to the Chief of the United States Corps of Army Engineers.

"Adopted by the Senate the 22d day of May 1957.

"DON BALDWIN,
"President pro tempore of the Senate."

A letter in the nature of a memorial from Mrs. Mildred F. Garlow, Deer Clan Mother of the Seneca Nation, Allegheny and Cattaraugus Reserves, Lewiston, N. Y., remonstrating against the construction of the Kinzua Dam on the Allegheny River, at Kinzua, Pa.; to the Committee on Appropriations.

A resolution adopted by the San Gabriel Valley Republican Women's Club, Temple City, Calif., relating to the trial of Sp3c. William S. Girard by a Japanese court; to the Committee on Armed Services.

A resolution adopted by the Americanism committee of the American Legion, First District, New Orleans, La., favoring the cancellation of the Status of Forces Treaty; to the Committee on Foreign Relations.

The petition of George Gauss, of Denver, Colo., praying for the enactment of legislation to provide increased pensions for retired postal employees; to the Committee on Post Office and Civil Service.

THE LATE SENATOR McCARTHY—RESOLUTION

Mr. CURTIS. Mr. President, on Wednesday, May 9, 1957, the Committee on Rules and Administration adopted a memorial resolution related to the passing of our late colleague, Senator McCarthy, of Wisconsin. On behalf of the chairman of the committee [Mr. HENNINGS], and as the ranking Republican member of the committee, I should like to read the resolution into the RECORD at this point:

Whereas Joseph R. McCarthy has been called to rest by his Creator; and

Whereas the people of the State of Wisconsin as well as those of all the other States of the Union will long remember his dedicated service to the principles he cherished; and

Whereas we his colleagues on the Senate Committee on Rules and Administration will miss his enthusiastic and friendly participation in our work: Now, thereore, be it

Resolved by the members of the Senate Committee on Rules and Administration assembled, That we hereby express our deep personal loss, and that we extend to his widow, his family, and other loved ones our heartfelt sympathy.

COMMITTEE ON RULES AND ADMINISTRATION.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1873. A bill to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska (Rept. No. 431).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 1054. A bill to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn. (Rept. No. 432).

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL APPROPRIATIONS, EXPENDITURES, AND UNEXPENDED BALANCES

Mr. BYRD. Mr. President, the Joint Committee on Reduction of Nonessential Federal Expenditures today has compiled a report on unexpended balances remaining in appropriation accounts for executive agencies of the Federal Government as of April 1.

The report shows the total in these balances at that date was $89.1 billion. Funds available at the start of the year last July had been $140.2 billion. Expenditures through March 31 had totaled $51.1 billion.

The President, in his January budget, estimated these agencies would carry nearly $70 billion, in unexpended balances in old appropriations into the new fiscal year beginning the first of next month. These balances are nearly as great as the new funds requested by the President for the coming year.

The President requested new appropriations and other expenditure authorizations totaling $73.3 billion. If these were enacted during the present session, as requested, there would be more than $140 billion available to Federal agencies in the coming year. Funds available for highways, and through other Federal trust funds, would be in addition.

As of this date, I doubt if it is physically possible even for Federal agencies to spend $140 billion to $150 billion in 1 year. But with this much spending authority available, it is entirely possible that expenditures will exceed the $71.8 billion expenditure estimate. This would be possible no matter how much appropriations currently before Congress are cut.

I cite these figures as concrete evidence of the extent to which Congress has lost control over annual Federal expenditures through existing appropriation procedures. It is annual expenditures—not annual appropriations—against annual revenues which determines whether there is to be a deficit or a surplus.

It is highly questionable as to how much we can control debt and inflation until we get control over expenditures.

The report is strictly factual, based on figures from the records of the Fiscal Service, Bureau of Accounts, Department of the Treasury, and on figures to be found in the President's budget document for fiscal year 1958.

I ask unanimous consent to have printed in the RECORD a statement by me as chairman of the committee which summarizes the report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD

BALANCES AS OF MARCH 31, 1957

Executive agencies of the Federal Government entered the fourth quarter of the fiscal year, ending June 30, with balances in appropriations and authorizations totaling $89.1 billion. Total available for expenditure in the year had been $140.2 billion, and expenditures through March 31 totaled $51.1 billion.

Military functions

Balances remaining available for expenditure for military functions at the beginning of the final quarter of the year totaled $45.7 billion. Total available for military expenditure in the year had been $74.1 billion, and expenditures through March 31 totaled $28.4 billion.

Other national security

Balances remaining available for expenditure in other national security programs such as atomic energy, strategic and critical materials, and expansion of defense production as of the beginning of the fourth quarter of the year totaled $3.3 billion. Total available for other national security expenditure in the year had been $5.1 billion, and expenditures through March 31 totaled $1.8 billion.

Foreign aid

Balances remaining available for expenditure in foreign-aid programs at the beginning of the final quarter of the year totaled $7.7 billion. Total available for foreign-aid expenditure in the year had been $10.4 billion, and expenditures through March 31 totaled $2.6 billion.

International affairs

Balances remaining available for expenditure in international affairs programs at the beginning of the fourth quarter of the year totaled $3.1 billion. Total available for international affairs expenditure had been $3.2 billion, and expenditures through March 31 totaled $125 million. Export-Import Bank balances of $2.9 billion were included in the March 31 total.

Domestic-civilian

Balances remaining available for expenditure in domestic-civilian programs at the beginning of the final quarter of the year totaled $29.3 billion. Total available for domestic-civilian expenditure had been $47.5 billion, and expenditures through March 31 totaled $18.2 billion.

These figures are shown in a report today by the Joint Committee on Reduction of Nonessential Federal Expenditures on Federal appropriations and authorizations, expenditures, and unexpended balances through March 31, 1957.

The figures are from the records of the Fiscal Service, Bureau of Accounts, Department of the Treasury. They show prior-year balances, appropriations for the current year, expenditures through March 31, and the unexpended balances as of that date for all the accounts of the executive branch of the Federal Government including the Government Printing Office.

ESTIMATED BALANCES AS OF JULY 1, 1957

As compared with the actual balances in executive agency accounts, as of March 31, totaling $89.1 billion, the President's January budget document estimated the total would be down to $69.6 billion on July 1, exclusive of new appropriations currently being enacted for next year.

Military functions

As compared with the actual balances for military functions, as of March 31, totaling $45.7 billion, the President's January budget document estimated the total would be down to $37.4 billion on July 1, exclusive of new appropriations currently being enacted for next year.

Other national security

As compared with the actual balances for other national security such as atomic energy, strategic and critical materials and expansion of defense production, as of March 31, totaling $3.3 billion, the President's January budget document estimated the total would be down to $2.7 billion on July 1, exclusive of new appropriations currently being enacted for next year.

Foreign aid

As compared with the actual balances for foreign aid programs, as of March 31, totaling $7.7 billion, the President's January budget document estimated the total would be down to $6.2 billion on July 1, exclusive of new appropriations currently being enacted for next year.

International affairs

As compared with the actual balances for international affairs, as of March 31, totaling $3.1 billion, the President's January budget document estimated the total would be down to $2.5 billion on July 1, exclusive of new appropriations currently being enacted for next year.

Domestic civilian

As compared with the actual balances for domestic-civilian programs as of March 31, totaling $29.3 billion, the President's January budget document estimated the total would be down to $21 billion on July 1, exclusive of new appropriations currently being enacted for next year.

A tabular summary follows:

Summary by categories of appropriations and other authorizations, expenditures, and unexpended balances, executive branch of the Federal Government,[1] showing appropriations and other authorizations by current and prior years; and 1957 expenditures, and unexpended balances, as of Mar. 31, 1957; with budget estimates of balances at start of fiscal year 1958 and fiscal year 1959

[In thousands of dollars]

	Appropriations and authorizations [2]				Expenditures through Mar. 31, 1957	Unexpended balances as of Mar. 31, 1957	Budget estimate of balances available at start of fiscal year	
	Balances in prior-year appropriations and authorizations	Current appropriations and authorizations, fiscal year 1957 [3]	Transfers [4]	Total after transfers			1958 (July 1, 1957)	1959 (July 1, 1958)
National security:								
Military functions	38,490,265	36,175,156	−602,487	74,062,934	28,350,868	45,712,065	37,427,727	37,869,806
Strategic and critical materials	767,306			767,306	228,096	539,210	342,306	127,305
Expansion of defense production	970,081			970,081	113,033	857,049	970,081	920,081
Atomic energy	1,414,270	1,961,079	−62,379	3,312,970	1,431,032	1,881,937	1,350,384	1,530,217
Total, national security	41,641,922	38,136,235	−664,866	79,113,293	30,123,029	48,990,261	40,090,498	40,447,409
Foreign aid (mutual security):								
Military assistance	4,614,533	2,017,500		6,632,033	1,488,458	5,143,575	4,017,991	3,867,991
Other	2,029,756	1,767,383	−57,568	3,739,571	1,146,712	2,592,859	2,223,686	2,417,193
Total, foreign aid	6,644,289	3,784,882	−57,568	10,371,604	2,635,170	7,736,434	6,241,677	6,285,184
International affairs [5]	2,863,588	357,287	−28,094	3,192,781	124,871	3,067,911	2,488,718	2,233,985
Total, other than domestic civilian	51,149,799	42,278,405	−750,528	92,677,678	32,883,070	59,794,606	48,820,893	48,966,578
Domestic civilian	24,200,637	27,020,746	−3,718,071	47,503,310	18,246,325	29,256,989	20,993,782	21,442,391
Total	75,350,436	69,299,151	−4,468,599	140,180,988	51,129,395	89,051,595	69,814,675	70,408,969

[1] Includes Government Printing Office.
[2] Excludes trust and deposit fund accounts.
[3] Includes supplementals through Mar. 31, 1957.
[4] Represents adjustments necessary for technical, budgetary and accounting purposes, including transfers to surplus, cancellation and adjustments of borrowing and contract authorizations, etc.
[5] Includes U. S. Information Agency, State Department, Export-Import Bank of Washington and Tariff Commission.

NOTE.—Figures are rounded and may not add to totals.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 2258. A bill to require that litigants in cases reviewed by the Supreme Court be accorded an opportunity for hearing before that Court, and for other purposes; to the Committee on the Judiciary.

By Mr. AIKEN:

S. 2259. A bill to improve the efficiency of the Government by regulating the outside employment by officers and employees of the departments and agencies of the Government, and for other purposes; to the Committee on Government Operations.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2260. A bill for the relief of Annalies Kramer; to the Committee on the Judiciary.

By Mr. CHAVEZ (for himself, Mr. MCNAMARA, Mr. NEUBERGER, Mr. SCOTT, Mr. CARROLL, Mr. MARTIN of Pennsylvania, Mr. CASE of South Dakota, Mr. KUCHEL, Mr. COTTON, Mr. HRUSKA, and Mr. REVERCOMB):

S. 2261. A bill to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. CHAVEZ when he introduced the above bill, which appear under a separate heading.)

By Mr. JENNER:

S. 2262. A bill for the relief of Hasan Muhammad Tiro; and

S. 2263. A bill for the relief of Karel J. V. Nikijuluw; to the Committee on the Judiciary.

By Mr. KERR (for himself, Mr. MONRONEY, and Mr. YARBOROUGH):

S. 2264. A bill to provide for an emergency acreage-reserve program in areas determined to be major disaster areas; to the Committee on Agriculture and Forestry.

By Mr. BUTLER:

S. 2265. A bill to authorize the sale of a certain number of merchant-type vessels to citizens of, or the Government of Uruguay for the coastwise trade of South America or for certain other services not competitive with United States flagships; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BUTLER when he introduced the above bill, which appear under a separate heading.)

By Mrs. SMITH of Maine:

S. 2266. A bill to provide a method for regulating and fixing wage rates for employees of Portsmouth, N. H., Naval Shipyard; to the Committee on Armed Services.

By Mr. EASTLAND:

S. 2267. A bill for the relief of the minor child of the late Julia Rodgers Baker; to the Committee on the Judiciary.

By Mr. THURMOND:

S. 2268. A bill to prohibit the charging of a fee to view telecasts in the home; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. THURMOND when he introduced the above bill, which appears under a separate heading.)

By Mr. KERR:

S. 2269. A bill relating to additions to the tax for failure to file a return in certain cases involving amounts received in settlement of claims against the United States; to the Committee on Finance.

By Mr. CHAVEZ:

S. 2270. A bill for the relief of Yee Mah Mee; to the Committee on the Judiciary.

CERTAIN DISTRIBUTION AND APPROVAL OF NEW PUBLIC BUILDING PROJECTS

Mr. CHAVEZ. Mr. President, on behalf of myself, and Senators MCNAMARA, NEUBERGER, SCOTT, CARROLL, MARTIN of Pennsylvania, CASE of South Dakota, KUCHEL, COTTON, HRUSKA, and REVERCOMB, I introduce for appropriate reference, a bill to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes.

The general purpose of the bill is to extend the Lease Purchase Act to June 30, 1960. The present act expires on July 22, 1957. The bill includes certain technical provisions which may be helpful in encouraging potential investors to make loans on lease purchase projects at reasonable interest rates.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2261) to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes, introduced by Mr. CHAVEZ (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

SALE OF CERTAIN MERCHANT-TYPE VESSELS TO URUGUAY

Mr. BUTLER. Mr. President, I introduce, for appropriate reference, a bill to authorize the sale of a certain number of merchant-type vessels to citizens of or the Government of Uruguay for the coastwise trade of South America or for certain other services not competitive with United States flagships. I ask unanimous consent to have printed in the RECORD a statement explaining the purpose of the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2265) to authorize the sale of a certain number of merchant-type vessels to citizens of, or the Government of Uruguay for the coastwise trade of South America or for certain other services not competitive with United States-flag ships, introduced by Mr. BUTLER, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. BUTLER is as follows:

THE PURPOSE OF THE BILL

The purpose of this bill is to authorize the sale of certain number of merchant-type vessels to the Government of Uruguay, or the citizens of Uruguay, for employment in trades or services that will be noncompetitive with United States-flag vessels.

The economy of Uruguay is, in many respects, in the incipient stages of its development. There is a growing coastwise trade between Uruguay and other countries in South America. There is also a tremendously increasing ore movement between Uruguay and Japan and between Uruguay and Europe. It has been exceedingly difficult for Uruguayan industry to obtain vessels in the private market to accommodate these movements. United States-flag vessels have never participated in such movements. The sale of the vessels authorized hereunder would, therefore, be calculated to promote the economic development of our friendly neighbor, Uruguay, without resulting in any adverse competitive effect to the interests of the American merchant marine.

Any sales made under the bill being herewith introduced would be subject to the following conditions, which are quoted verbatim in the bill:

"(1) Repair work necessary to place any vessels purchased hereunder in class according to the standards of the American Bureau of Shipping shall be done in a domestic United States shipyard;

"(2) Any vessels purchased hereunder shall be employed for their remaining economic lives in the coastal service of South America or in such other services that are not competitive with vessels registered under the laws and flag of the United States;

"(3) Any vessels purchased hereunder shall not trade with Communist-controlled nations at any time during their remaining economic lives;

"(4) Any vessels purchased hereunder shall be available to the United States in times of military or economic emergency and may be requisitioned by the United States for this purpose, and such vessels shall be subject to the provisions of section 902 of the Merchant Marine Act, 1936, as amended, to the same extent as if they were owned by citizens of the United States; and

"(5) Any vessels purchased hereunder will not be transferred or sold by the original purchaser or purchasers without the prior approval of the Maritime Administrator."

These conditions would insure that the purposes for which the vessels are to be sold would be effected. Such sales would provide a substantial amount of work for domestic shipyards, who despite the recent shipping boom, are greatly in need of repair work. It is also provided that the vessels would be used for their entire economic lives in trades not competitive with vessels of United States flag registry and would also not be employed in trade with Communist-controlled or Communist-inspired nations. The purchasers of these vessels are willing that they shall be subject to the same provisions of the Merchant Marine Act of 1936 providing for requisition in times of national emergency as would vessels registered under the laws of the United States and owned by United States citizens. In order to insure that the vessels sold hereunder will not be subject to speculative profits upon transfer, it is also provided that the vessels shall not be transferred or sold by the original purchasers without the prior approval of the Maritime Administrator.

In all respects, this bill should have the effect of promoting the economic development of Uruguay and to enhance the interests of the foreign policy of the United States. It should greatly promote the friendly relations with our good neighbor, the Government of Uruguay, with no expense to the United States taxpayers, and no detriment to the interests of the American Merchant Marine.

PROHIBITION AGAINST FEE FOR VIEWING TELECASTS AT HOME

Mr. THURMOND. Mr. President, I introduced for appropriate reference, a bill to prohibit the charging of a fee to view telecasts in the home.

For some time I have been considering this matter, and I have come to the conclusion that the result of permitting pay television to be used generally would be the same as having the Congress impose a new tax on the people of this country. In effect, the people who now view television without additional cost, after the purchase of their sets, would have to start paying additional fees or charges, or be denied the privilege of seeing their preferred programs.

Perhaps that would not take place immediately with the institution of pay television, but I am sure it would soon follow once pay television were approved.

I have read in the newspapers recently in connection with the possible transfer of New York baseball teams to the west coast, that contracts have already been arranged to telecast those games on pay television instead of free, as at present.

Several pay-television interests have been lobbying for the approval of their plans for several years. Their motive is the motive of profit.

My interest is the public interest, and I believe that action should be taken now to protect the public.

If we permit the Federal Communications Commission to grant approval for experimental pay television programs, as the Commission has decided it presently has authority to do, then we must face the fact that it would be most difficult later to tell the experimenters, who had spent millions of dollars, that pay television had been classified as against the public interest.

Persons who had invested their money without being warned by the Congress would then have cause to complain because they had not been stopped. Therefore, we should act promptly.

If there were any assurance that pay television would be provided purely as a supplement to prevent service and that no person would be deprived of the privilege of viewing programs now being shown free, then we would not have to be concerned about this matter. But there is no assurance and there can be none that programs now seen free would not soon be bought up by the producers of pay television programs.

There is no proof that pay television would provide the public with better programs.

The one sure thing about pay television is that it would cost the public more than the present system costs.

I feel that the Federal Communications Commission should have the power to exercise great discretion in matters of

scientific concern. The Congress cannot and should not try to decide questions of scientific detail after Congress has once established the broad policies which the Commission is to follow.

However, pay television has raised another question. This is a matter of policy completely divorced from scientific development. In my opinion the Congress here has the clear duty of protecting the public interest. I believe we should proceed to do so by enacting the bill I am introducing.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2268) to prohibit the charging of a fee to view telecasts in the home, introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

PROTECTION OF CIVIL RIGHTS OF CERTAIN PERSONS—AMENDMENT

Mr. EASTLAND. Mr. President, I submit, for appropriate reference, a proposed amendment to Senate bill 83, designed to protect the rights of members of the Armed Forces of the United States and their families serving in foreign countries.

My implacable opposition to any form of Federal civil-rights legislation is well known, but if there is any one area in which Federal civil-rights legislation is justified it is to protect American citizens who are by circumstances forced to reside in areas outside of the continental limits of the United States. Here the protection of one or more of the several States cannot be extended, and it is only through some form of Federal legislation that the constitutional guaranties contained in the Bill of Rights can be effectively asserted to protect our citizens against subjection to systems of jurisprudence for the trial of criminal cases that are alien to the common law and to the established judicial procedures of this country.

The provisions of the amendment are self-explanatory. I urge its most serious consideration.

The VICE PRESIDENT. The amendment will be received, printed, and referred to the Committee on the Judiciary.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KNOWLAND:

Broadcast by him of the program Face the Nation, over the CBS television network, June 9, 1957.

By Mr. JENNER:

Broadcast by him on May 19, 1957, in tribute to the late Senator McCarthy.

Statement prepared by him on the status-of-forces treaties.

By Mr. SMITH of New Jersey:

Address delivered by Senator CASE of New Jersey, at commencement exercises of Rollins College, Winter Park, Fla., June 7, 1957.

By Mr. JAVITS:

Letter addressed by him to the Committee on Foreign Trade Education, Inc., dealing with the United States foreign trade policy and approval of the Organization for Trade Cooperation.

By Mr. CASE of South Dakota:

Article entitled "Sonic Boom," written by Senator GOLDWATER and published in the magazine Planes.

By Mr. THYE:

Article entitled "Poles Crowd United States Display at Trade Fair," written by Colin Frost, and published in the Washington Post and Times Herald of June 10, 1957; and statement issued by Senator THYE under date of August 2, 1954, dealing with exhibits by the United States at world fairs.

NOTICE OF HEARINGS ON H. R. 3028, TO PROVIDE FOR THE RELIEF OF CERTAIN FEMALE MEMBERS OF THE AIR FORCE (AND RELATED BILL S. 1305)

Mr. O'MAHONEY. Mr. President, on behalf of a subcommittee of the Senate Committee on the Judiciary consisting of Senators ERVIN, of North Carolina; BUTLER, of Maryland; and myself, chairman, I desire to give notice that public hearings have been scheduled for Tuesday, June 18, 1957, at 2 p. m., in room 424, Senate Office Building, on H. R. 3028, to provide for the relief of certain female members of the Air Force, and related bill, S. 1305. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

C. Enard Erickson, of Minnesota, to be United States marshal for the district of Minnesota for a term of 4 years. (Reappointment.)

Darrell O. Holmes, of Washington, to be United States marshal for the eastern district of Washington for a term of 4 years. (Reappointment.)

Edward L. Scheufler, of Missouri, to be United States attorney for the western district of Missouri for a term of 4 years. (Reappointment.)

Omar L. Schnatmeier, of Missouri, to be United States marshal for the eastern district of Missouri for a term of 4 years. (Reappointment.)

Richard Beal Kidd, of Arkansas, to be United States marshal for the eastern district of Arkansas for a term of 4 years. (Reappointment.)

Leonard G. Hagner, of Delaware, to be United States attorney for the district of Delaware for a term of 4 years. (Reappointment.)

Howard Call, of Utah, to be United States marshal for the district of Utah for a term of 4 years. (Reappointment.)

Harry Jennings, of Michigan, to be United States marshal for the western district of Michigan for a term of 4 years. (Reappointment.)

On behalf of the Committee on the Judiciary notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, June 19, 1957, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

NOTICE OF HEARING ON NOMINATION OF JEAN SALA BREITENSTEIN TO BE UNITED STATES CIRCUIT JUDGE, 10TH CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, June 19, 1957, at 10 a. m., in room 424, Senate Office Building, upon the nomination of Jean Sala Breitenstein, of Colorado, to be United States circuit judge, 10th circuit, vice Walter A. Huxman, retired.

At the indicated time and place all persons interested in the above nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Indiana [Mr. JENNER], and myself, as chairman.

NOTICE OF HEARINGS ON SENATE BILL 5

Mr. THURMOND. Mr. President, I wish to call to the attention of the Senate that a special subcommittee of the Government Operations Committee will hold open hearings on S. 5 on Tuesday, June 18, at 10:30 a. m. in room 357 of the Senate Office Building. S. 5 is a bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to prevent the allocation of procurement contracts to certain designated geographical areas, and for other purposes. Anyone desiring to present either oral or written testimony should contact Mr. Glenn K. Shriver, of the Government Operations Committee staff.

THE OPEN CURTAIN—ADDRESS BY SENATOR JOHNSON

Mr. CHURCH. Mr. President, yesterday's edition of the New York Times contained an article by that celebrated journalist, Mr. Arthur Krock, dealing with the statesmanlike address delivered last Saturday evening in New York City by our distinguished majority leader, the Senator from Texas [Mr. JOHNSON].

Since the article contains noteworthy commentary on the significance of this address, I think that it should be called to the attention of the American people at large. I therefore ask unanimous consent to have the full text of the Arthur Krock article published in the body of today's CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN THE NATION

(By Arthur Krock)

CONSTRUCTIVE IDEAS FROM THE OPPOSITION

WASHINGTON, June 10.— When a leader of the opposition to the party in power offers a public proposal which is constructive and

at the same time is an effective partisan move, that is the highest type of political leadership. Such was the speech in New York Saturday night on disarmament and Soviet-American relations by LYNDON B. JOHNSON, of Texas, the spokesman of the Senate Democrats.

It offered a sound, shrewd program to counteract Soviet propaganda, particularly the propaganda in the television interview the Columbia Broadcasting System had with Nikita Khrushchev. The Johnson speech projected definite ideas, contrasting with the lack of them in administration suggestions how to deal with the issues raised by Khrushchev. These ideas, if adopted, could effectively put on the Soviets the burden of proof whether they are sincere in their professions for ending the nuclear weapons race. And they established the Democratic Party in full partnership with the President in his effort to make a start toward disarmament.

This last element was of great political significance. The party of which the President is the leader historically claims credit for ideas and their processing that culminate in achievement and makes these claims a basis for asking the people to continue it in power. President Eisenhower has a program for the beginning of disarmament that will be revealed in detail by his deputy, Harold E. Stassen, at the proper time in the current negotiations with the other nuclear powers. But on the collateral point discussed by Senator JOHNSON—how to inform the Russian masses of the facts which have prolonged the nuclear weapons race, facts their rulers have suppressed or distorted—the administration has never come forward with proposals as precise as JOHNSON's.

"Free people who have access to the truth," he said, are well aware that when the United States "had a monopoly on the atomic bomb • • • and offered to share the secrets • • • with the entire world • • • in return for reasonable guarantees that the atom would never again be used in warfare," and this offer was approved by the U. N. Assembly, it was the Soviets and their satellites that blocked it. But the Russian people do not know this. And the Senator, taking the Khrushchev broadcast as his example, concentrated on means to give the information.

A world with open ears

This means, he said, would be not just "open skies" but "open eyes, ears, and minds for all the peoples of the world. I call it the 'open curtain.' Let truth flow through it freely. Let ideas cleanse evil just as fresh air cleanses the poisoned • • • mass of a long-closed cavern."

The aspiration is not new, and no political party or person has a copyright. But the method proposed by JOHNSON is the most definite that a political leader of his stature has outlined in the discussions that followed the Khrushchev broadcast.

He would have the United States Government ask the Kremlin for uncensored, free-flowing radio and TV facilities for the use of "spokesmen of our own choosing to come into Russian homes and state the American case." On that condition these statements would be made regularly, not "merely one reply to Khrushchev by the President or some other official." Americans would appear weekly on the Soviet media of communication "and we should offer similar facilities here—to Bulganin or Khrushchev or Molotov or any Soviet leader every week in the year." The American case on disarmament would thus be made known to the Russian people.

"We should not let a single day pass," said JOHNSON, "without raising this issue [with the Kremlin on the free flow of information]. We should call it up in the United Nations; we should make it a basic proposal in all disarmament talks; we should insist upon it every time a Russian representative is within earshot." Labor leaders, managers of industry and farmers, as well as public officials, on both sides would be heard. "And when the people [everywhere] know they will insist that the arms race, the nuclear explosions, the intercontinental missiles • • • all be banished. They will insist upon systems that safeguard us against world suicide." (Or, as a current couplet runs, "Atomic war has a simple sequel. All men are cremated equal.")

The Texas Senator voiced a high hope that would be long in maturing, possibly too long to avert the debacle of civilization which would be the consequence of international nuclear war. But the Johnson method would supply an atmosphere in which this hope would have a good chance of survival.

The speech of the Senate majority leader provided his party with a firm and constructive position on the greatest issue of the day. And of this the Democrats stand in need, frustrated as they are by the President's advocacy of domestic and international programs they could not as a party oppose because so much of the basic structure is their own product.

The incident illuminates the type of leadership, never partisan for mere partisanship's sake, by which JOHNSON has been able to effect more legislative unity among the Democrats than they have shown for a number of years.

THE SITUATION IN THE FAR EAST

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD following my remarks a very informative and interesting article entitled "A Silent Crisis In the Far East: The Guns Are Not Booming, but—." The article was written by Fred Sparks for the Scripps-Howard newspapers, and as the title indicates, deals with the situation in the Far East.

Normally I would ask that an article of this kind be printed in the RECORD, but Mr. Sparks is an outstanding foreign correspondent and writer, with an excellent knowledge of conditions in the Far East. I think this article is of far-reaching significance, and raises certain warning signals. I believe that all Members of the Congress should have it brought to their attention, so I ask that it be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A SILENT CRISIS IN THE FAR EAST: THE GUNS ARE NOT BOOMING, BUT—

(By Fred Sparks)

Free Asia is in serious danger; the silent crisis is now.

Not from a Red Chinese blow. But from contagious defeatism that might accept the Peiping regime as the undisputed, direct or indirect master of hundreds of millions of brown and yellow people who ask little—but freedom.

The new crisis has been created not by bullets, but by talk and hesitation. Talk of trade with Red China, talk of neutralizing Formosa. Hesitation to strengthen South Korea—while acknowledging North Korea's buildup:

What is at stake for America is the loss of a vast buffer of proved friendship and, yes, the military service of your son, brother or friend—his very life.

CONVINCED

As one who has spent more time in the Orient since the end of World War II than in the United States, and is still in touch with developments there, I am convinced our friends in free Asia are demoralized today. Demoralization is the prologue to disintegration.

While we were occupied with spectacular doings in the Middle East—the endless frictions between Arab and Israeli, the Soviet grab for power in the oil deserts—the prestige of Red China, which spoonfeeds its young a "Hate America" diet, has been elevated to new arrogant heights.

What are the fresh fever points? Why does the patient weaken?

TRADE

England, followed by others, eased restrictions set up during the Korean conflict. Merchants from Birmingham and Lille now hasten to the court of the great Red Khan in a manner of bootlickery, order books in hand.

This itself would hardly discourage free Asians. For they have seen England and France compromise in the Orient before.

But the foreigner they depend on is the United States. And—as in the Middle East—we have of necessity moved independently.

Then just the other day President Eisenhower (under terrible pressures) opened wide the possibility of American trade with Communist China.

Consider the free Vietnam soldier, his youth spent fighting communism. Abandoned by France, today he packs an American carbine. Daily he sees an American officer, his regimental adviser. He is told: To the north is your mortal foe; there can be no compromise.

What now if he hears of Detroit peddlers offering wares to this same Communist enemy? Who can distinguish between military and nonmilitary cargo? Cannot a civilian truck transport troops? Cannot a shovel spade a foxhole as well as a garden?

Do you blame this boy if he is puzzled tonight? (I pity the many American military friends I have who today are training Formosans, Koreans, Thailanders, Vietnamese. I can imagine the questions they are being asked.)

In Saigon, in Bangkok the Red underground can make good use of this new trend. They can quietly advise community leaders: "Well, see how it's going? America is shifting. Make the best deal you can—while you can."

KOREA

As every general, admiral, and U. N. observer has stated, Communist North Korea laughs at the agreement forbidding retooling and reinforcing armies present when the truce document ended the killing.

Still, we refuse to send in modern tools. Our infantrymen watching the bleak armistice line are threatened with brutal beating when it should please Peiping again to push south.

You can assume, then, South Korea's declining morale. Seoul is 2 jeep hours from Communist bunkers. Twice half that country was subjected to the tyrant; thousands of innocents died in bloodletting.

FORMOSA

The unfortunate flash mob madness that sacked our T'ai-pei Embassy has again stirred those who used to label Red China's leaders "agrarian reformers" without territorial hunger.

Important politicians and columnists—whose Asian journeys are limited to occasional plates of won ton soup in Washington's chop suey parlors—now cry for a neutralized, demilitarized Formosa.

A militarized, partisan Formosa is a club of peace. That late giant, Philippine President Ramon Magsaysay, predicted that without the shield of Formosa, communism would chain his own country in 3 years.

By threatening the mainland coast, Formosa borrows time for Hong Kong, a spoil Red China means eventually to have. In the crown colony's tea rooms, Peiping's agents boast: "Hong Kong can be taken by telephone."

INSIDE RED CHINA

Millions gagged by the absolute state still dream of liberation. Priests hold clandestine prayer meetings like ancient Christians in Roman caves. Well remembered are missionary schools, American friends, western democracy.

Today's "two Chinas" campaign means their slavery will never end. And such talk is precious for the Communist brainwashers.

OVERSEAS CHINESE

There are 13 million in southeast Asia. Energetic, wise, they nearly dominate the finances of a half dozen countries.

So far, we have managed to keep them at worst, neutral. We have argued against remittances to relatives inside Red China, insisting that every dollar dispatched muscles the communist war machine.

If Formosa collapses, or if American merchant ships anchor in Shanghai, their resistance would be snipped like a ribbon before a new bridge; they'd be a prefabricated fifth column.

As appeasement mounts, I can recall just a few Asian lives we have influenced:

The brown Cambodian girl who learned the true nature of communism sitting barefoot in an American library, a sturdy structure ringed by paddy-mud huts.

The young Chinese, captured fighting for communism in Korea who, under our influence, refused to go home (sentencing his parents to what penalties?) He chose Formosa, tattooed his chest with bitter anti-Mao slogans.

The North Korean professor, a straggle of white beard on his chin, who fled his work, his books, after hearing brave words defying communism, offering hope, on the American Government's radio.

These people are depressed today. The mood is spreading. Can you blame me for being convinced that the silent crisis is now?

THE FOREIGN AID PROGRAM

Mr. SMITH of New Jersey. Mr. President, last Friday the Senate Foreign Relations Committee reported the mutual security bill for 1958. This bill includes several significant changes for the improvement of the mutual security program, the most noteworthy of which are the creation of a long-term revolving loan fund to promote the economic development of underdeveloped nations, and a 2-year authorization for military assistance.

The bill initiates a major step in the improvement and continuity of the mutual security program, and it is gratifying and pleasing to note that a good part of the Nation's press is strongly supporting this action. I ask unanimous consent that editorials from the Washington Post of June 8, the Washington Evening Star of June 8, the Christian Science Monitor of June 8, and the New York Times of June 9, favoring the bill, be printed in the RECORD following my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of June 8, 1957]

BIPARTISAN INVESTMENT

The Senate Foreign Relations Committee's approval of a $2 billion revolving fund from which future foreign-aid loans would be made is undoubtedly a major victory for the Eisenhower administration. The important fact about the committee's action, however, is that it is a victory for the bipartisan foreign policy which the country has followed since World War II. That policy has gone through several different phases since it was launched by Secretary of State Marshall 10 years ago. The action of the Foreign Relations Committee indicates that it still has a strong appeal in the halls of Congress.

What the President and the committee have done is to adjust the policy of aiding our friends and allies to the need of the times and to make the whole program more palatable to the economy minded. The developmental aspects of the program have operated under a real handicap in the past because of the uncertainty as to whether aid would continue longer than the year for which it was authorized. Major undertakings to help backward countries improve their standards of living could not be launched under such limitations. The program now approved by the Senate Committee is of indefinite duration and the funds requested by the President would be authorized for 3 years ahead.

If Congress follows the lead of foreign relations, aid to our allies will no longer be a piecemeal affair. It will have the dignity and effectiveness of a long-range policy that must have very substantial support in both parties to survive. The Democratic majority on the Foreign Relations Committeee has been eminently wise to recognize this and to subordinate politics to the welfare of the Nation.

The committee's action does not necessarily mean that the demand for economy is subsiding on Capitol Hill. Rather, we surmise, it reflects a realization that abandonment of foreign aid would necessitate a sharp upward step in our own military spending to avoid serious losses in national security. The intimate connection between foreign military aid and defense was emphasized when the committee opened the way to acceptance of the President's idea of tying this part of the aid appropriations to our domestic defense budget. That is precisely where the cost of arms for defense of the Free World belongs.

The committeee's attempt to swing administration of the bill away from the International Cooperation Administration to the State Department is a vote of no confidence in the ICA director, John B. Hollister. It is not a sound practice to upset a logical organization pattern because a Congressional committee does not like an Administrator, but this action is a pointed hint to the President that the program ought to be in more sympathetic hands.

The major question now is whether Congress as a whole will follow the committee's courageous lead. In our opinion it will, if it weighs this program, as carefully as the committee has done, against the dismal alternative of Free World disintegration. It is not a question of pleasing or displeasing the President but of continuing this country's most successful bipartisan investment in peace.

[From the Washington Evening Star of June 8, 1957]

TO IMPROVE FOREIGN AID

The Senate Foreign Relations Committee has done a significant and commendable thing in approving President Eisenhower's request for a long-term revolving fund of $2 billion for future economic aid abroad. The objective of the fund is to help finance important developmental projects on a loan basis, and to enable our country to commit itself in advance to such aid. Among other things, assuming that Congress as a whole will follow the committee's lead, this will mean that our mutual-security program, for the first time since its inception, will allow for flexibility of planning and for firm commitments to specific undertakings over a period of years.

In other words, both for our own Government and for friendly and allied governments overseas, an element of uncertainty would thereby be removed, whereas heretofore our international assistance efforts have been subjected annually to unpredictable changes, depending on Congressional moods that vary from season to season. Such a stabilizing reform would undoubtedly make our foreign aid more effective. This is so because it would permit the kind of planning ahead and the kind of long-range commitments that are essential to the orderly programing and successful completion of large-scale projects. These are the projects whose construction requires a relatively long period of time—projects of a sort that cannot very well be undertaken if there is no advance assurance that our American contribution to them will not be withdrawn, from one year to the next, by budget-cutting forces in the Senate and House.

The fact that the Senate Foreign Relations Committee has recognized this reality, and acted in keeping with it, has been described as a major victory for President Eisenhower. But it is more than that. Actually, wholly apart from politics and personalities, it is a victory for commonsense—a victory that can serve our own country's best interests by increasing the effectiveness of our foreign aid in such vital areas as Asia and the Middle East. Accordingly, what we must hope for now is that both Houses of Congress will support the committee's wise action with a resounding affirmative vote. Not to do so would amount to shortsightedness of the worst kind.

[From the Christian Science Monitor of June 8, 1957]

BETTER BASIS FOR AID

The Senate Foreign Relations Committee has taken a major step toward improving the mutual security (foreign aid) program. It has accepted the Eisenhower-Dulles plan for a long-term revolving loan fund to promote the economic development of friendly nations. And it is recommending the requested authorizations of $500 million for the coming year and $750 million for each of the two following years.

The committee has also opened the way for adoption of the administration's proposal to put military aid into the defense budget. While not promising any definite saving of defense expenditures, this is a useful move for accurate labeling of costs. It should remove much misunderstanding and take considerable wind out of the giveaway bellows.

However, the committee's action in proposing an advisory loan committee to give the State Department ultimate control of the revolving fund is not so evidently a step toward clarification. It could fuzz up the administration of the program. While it is well for the State Department to be consulted about loans which are bound to have diplomatic effects, actual operation of the economic development program could benefit from having its own independent and expert management.

The move was apparently designed to bypass John B. Hollister, International Cooperation Administration director, who is reported less than enthusiastic about the program he handles. But personality should not control the shaping of effective aid measures. Administrators may change; poor systems tend to remain. We trust that the Senate as a whole or the House will find simpler, better controls for the revolving fund.

But the establishing of this $2-billion fund is the heart of the new mutual security program which has been in the making for 2 years. Lessons learned from flaws in the old program, plus studies by several officials and

unofficial groups of businessmen and experts—all this weight of information supports the new proposals.

No magic formula will remove all the difficulties inherent in this kind of operation. New loopholes for abuses may appear. Opposition to and misunderstanding of spending on any type of foreign aid may persist.

But the shift from gifts to loans is sound. The clearer distinction between military and economic aid and the emphasis on long-term development are definitely moves in the right direction. One valuable byproduct of long-term planning should be encouragement both of private investment and of aid from other free countries to the underdeveloped nations.

Much remains to be done in obtaining final approval and wise administration of a new program, but the prospects now are bright and warrant deep satisfaction.

[From the New York Times of June 9, 1957]

SECURITY VERSUS THE CALENDAR

President Eisenhower seems this weekend to have won two victories for his foreign aid or mutual-security policy. First, the Senate Foreign Relations Committee, whose power in that field is not inconsiderable, has satisfied itself with a $227 million cut in his $3.6 billion foreign-aid request for the coming fiscal year. Second, and more important, the committee has endorsed the principle of continuity in foreign aid.

To make this continuity possible the committee voted in effect to give the President the $2 billion long-term revolving fund for which he has asked. The committee also accepted a 2-year authorization for military aid in place of the customary 1-year authorization. This recommendation, if accepted by the Senate and House, would mean that there would have to be only one wrangle over military foreign aid next year; that is to say, a debate as to how much of the amount authorized would actually be appropriated.

The value of continuity in foreign-aid programs has been pretty well demonstrated by 10 years of experience. The country had this particular bear by the tail and there never was any real question among practical legislators of letting go. The sums asked and granted might go up and down. There might be a shift among the countries benefited. Military aid might outrun economic aid. Loans might overtake grants. Ingenious specialists might invent the concept of defense-support programs to bolster up military programs.

But the flow of assistance to our allies and friends inevitably went on. Indeed, it acquired a certain unity because the whole project of strengthening democratic countries economically and in a military way was continually stimulated by the policies of Soviet Russia.

In his mutual security message of more than a year ago President Eisenhower maintained that "we should be able to assure the nations of the free world that we will continue to participate in particular nonmilitary projects and enterprises which will take a number of years to complete." Last month, picking up some of the recommendations made in March by the International Development Advisory Board under the chairmanship of Eric A. Johnston, he emphasized in the economic field reliance "more upon loans than upon gifts," and urged the establishment of a development loan fund with enough capital to allow steady and continuing operations. For that purpose he asked $500 million the next fiscal year and $750 million for each of the 2 succeeding years.

The President also asked a little under $152 million for technical assistance. This, too, should be part of a long-term plan, but it doesn't look as though it would become so at this session of Congress.

It is clear that we are settling down at the end of the first decade of foreign aid or mutual assistance into what is likely to become a long-range policy. One phase of this policy will doubtless be the permanent inclusion of military assistance, as the President advocates, under the domestic defense budget. Defense doesn't stop at our own frontiers any more, and this we will have to continue to recognize. The second development is certain to be the acceptance of economic cooperation also, though largely in the form of repayable loans, as a continuing part of our budget.

There is nothing startling in all of this. The foreign aid budget, part of which will be repaid, runs around 4 or 5 percent of the Federal budget. It shouldn't be wasted and, despite some possible inefficiency, not much of it really is wasted. It buys us in security and in good will much more than it costs us. And it will buy us more if we spend it wisely and on a long-term program than it will if we play marbles with it every time a new fiscal year rolls around.

Now we must hope that the Senate will follow its committee's lead when floor debate begins this week, and that the House, also, will recognize the exacting facts of our international life.

THE OPEN CURTAIN

Mr. SMITH of New Jersey. Mr. President, after the morning hour yesterday, I had the privilege of reading in full the address which was delivered by our majority leader, the Senator from Texas [Mr. JOHNSON] before the annual conference of the United Jewish Appeal. This address was entitled "The Open Curtain," and in the address our distinguished majority leader made a suggestion which I feel should be considered very carefully and sincerely by every Member of this body on both sides of the aisle.

After referring to the subject of disarmament, the Senator from Texas said:

LET THE PEOPLE JUDGE

How do we launch this program (of disarmament)? We do so in the only way possible—in the only way that accords with American traditions.

We must create a new world policy. Not just of "open skies"—but of open eyes, ears, and minds, for all peoples of the world.

I call for the "open curtain." Let truth flow through it freely. Let ideas cleanse evil just as fresh air cleanses the poisoned, stagnant mass of a long-closed cavern.

Mankind's only hope lies with men themselves. Let us insist that the case be submitted to the people of the world.

Very properly many of the Senator's colleagues on his side of the aisle rose to commend the address. At the time I had not read the address, but upon reading it I am glad to rise and commend the Senator, as I feel a matter of this importance should be taken entirely out of the realm of partisan politics and we should all join seriously in considering the dramatic and important suggestion which has been made. I am personally glad to identify myself with the remarks of the distinguished majority leader.

We can trust the people of our United States and we can trust the people of Soviet Russia, if they know the facts.

Mr. President, a great American once said, "You can fool all the people some of the time and you can fool some of the people all the time, but you cannot fool all the people all the time." This was none other, of course, than our great leader, Abraham Lincoln, who made this immortal statement nearly 100 years ago.

I want to thank the majority leader for what he said and to express my hope that together we can explore the policy of taking the whole matter to the people of the world by having an "open curtain" for this purpose.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. JOHNSON of Texas. Of course, my good friend from New Jersey pleases me greatly when he associates himself with some of the thoughts I expressed on Saturday evening. The senior Senator from New Jersey, who is a leader in the field of our relations with other nations, and who has fought so long and so hard that the people of the world might have a degree of peace, will be a tower of strength in any peace movement that might be launched.

I know he understands, and understands well, that I had no thought whatever of making any partisan suggestion in the field of foreign policy. The fact that my friend from New Jersey, ardent Republican that he is, can subscribe to some of the things I said, indicates that it was not a partisan statement. Certainly, I had no intention of having it become one. My friend has always been overly generous with me, and I should like to have him know that he has my deep gratitude.

Mr. SMITH of New Jersey. I thank the Senator.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. I know that a number of Members of the Senate have identified themselves with the demand voiced by the majority leader in my hometown on Saturday evening, for what in essence is equal time in freedom of access to the Russian people.

I, too, should like to express my agreement with that point of view.

I am very pleased, indeed, that the distinguished Senator from Texas made his speech in my hometown of New York. I know it was magnificently received. Unfortunately, I could not stay until the conclusion of the affair, but I was there to greet the Senator from Texas.

The Senator's speech represents the kind of initiative which the American people are very proud to note, because of their deep confidence in their cause. Regardless of party, we are grateful to the Senator from Texas for showing best the American propensity to take on all comers in regard to principles in which we so thoroughly believe as our governmental constitutional system and the freedoms under which we want men and women to live.

Mr. JOHNSON of Texas. Mr. President, I wish to express my appreciation for the kind words of the Senator from New York. In addition, Mrs. Johnson and I express our grateful appreciation for his thoughtful courtesy in welcoming us to his city. We are very pleased that he could associate himself with the thoughts I expressed on Saturday evening.

Mr. MANSFIELD. Mr. President, I, too, was impressed by the commentary of Mr. Arthur Krock, in the New York Times of June 11, 1957, entitled "Constructive Ideas From the Opposition." I wish to compliment the distinguished Senator from Idaho [Mr. CHURCH] for inserting the column in full in the RECORD. It furnishes some good food for thought. I was especially impressed by the part of the statement by Mr. Krock which reads as follows:

The Texas Senator voiced a high hope that would be long in maturing, possibly too long to avert the debacle of civilization which would be the consequence of international nuclear war. But the Johnson method would supply an atmosphere in which this hope would have a good chance of survival.

The speech of the Senate majority leader provided his party with a firm and constructive position on the greatest issue of the day. And of this the Democrats stand in need, frustrated as they are by the President's advocacy of domestic and international programs they could not as a party oppose because so much of the basic structure is their own product.

The incident illuminates the type of leadership, never partisan for mere partisanship's sake, by which JOHNSON has been able to effect more legislative unity among the Democrats than they have shown for a number of years.

The speech by the distinguished majority leader is just another indication of the responsible attitude which the Democrats have shown during the course of this administration. It is to be hoped that responsible officials downtown will be able to read the majority leader's speech and give it the credit which is its due.

So far as the writer of the commentary, Arthur Krock, is concerned, he is, of course, as everyone knows, one of the great journalists of our generation. He, like our distinguished majority leader, has also performed a service to the country in giving publicity to constructive, well thought out, and intelligent views.

Mr. MANSFIELD subsequently said: Mr. President, the news ticker has just brought us the report that Secretary of State John Foster Dulles welcomes the proposal of our majority leader for an open curtain policy.

This is good news indeed. It is my hope that the Secretary will not only welcome the idea but will instruct America's representatives to press it vigorously, forthrightly, and in the same imaginative spirit in which the Senator from Texas spoke.

Mr. Dulles tells us that a similar proposal was made by the United States, Great Britain, and France in 1955. At the time, he said, it was rejected by the Soviet Communist leaders but presumably it still stands.

I do not believe we should be discouraged because a proposal for reciprocal exchanges has been rejected once. I believe we should renew it with full vigor and with full enthusiasm.

When the proposal was made in 1955, there was no adequate springboard. We now have that springboard—the Khrushchev broadcast—and we should use it.

I hope the Secretary of State will instruct America's representatives to press the proposal at every opportunity. I hope it will be raised in the United Nations; in the current disarmament talks; whenever a Soviet representative is within earshot.

There is no time to be lost. The great need of this war-weary world is for an end to strife and conflict and the best way to end it is to submit the case to the people.

LABOR LEADERSHIP

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter dated June 10, 1957, which I sent to Mr. George Meany, president of the American Federation of Labor and Congress of Industrial Organizations.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON PUBLIC WORKS,
June 10, 1957.

Mr. GEORGE MEANY,
President, American Federation of Labor and Congress of Industrial Organizations, Washington, D. C.

DEAR MR. MEANY: I should like to take this opportunity to compliment the leadership of the AFL-CIO for the prompt and effective manner in which they are moving to eliminate from the ranks of labor those officials who have violated their trust. Only if integrity and union democracy are safeguarded, can the labor movement fulfill its basic purpose of protecting the living standards and working conditions of the membership.

In this connection, may I please call to your attention the action of certain high officials of the carpenters union who have just taken the fifth amendment before the Senate Public Works Roads and Highways Subcommittee, in connection with alleged misuse of Federal highway funds in the State of Indiana.

I know that you and your associates will scrutinize this situation quite as thoroughly as you already have been doing with the conditions prevailing among some of the top leaders in the teamsters union.

With every good wish, I am,

Sincerely,

RICHARD L. NEUBERGER,
United States Senator.

NEUTRALIZATION OF NORWAY

Mr. NEUBERGER. Mr. President, a great many fine people of Norwegian ancestry live in my State, and they already have started to communicate with me over the unfortunate suggestion by the Republican leader of the Senate, the distinguished senior Senator from California [Mr. KNOWLAND], that the United States agree to neutralize Norway as quid pro quo for Soviet troop withdrawals from Hungary. Naturally, these people of Norse heritage are indignant.

It is my hope the minority leader will acknowledge that his suggestion was in error, lest it do incalculable damage to our prestige abroad. Surely it is a serious thing for our standing among nations when a responsible leader of the administration's party in the Senate implies that a valiant nation like Norway is a pawn, to be moved about at will by the United States. Dare we imply that only we possess sovereignty and others merely supineness?

During World War II, the men and women of Norway bravely opposed Nazi invasion. Only a few months ago, these same people courageously rejected a Soviet threat of atomic retaliation unless Norway would submit to the Russian orbit. Is such a country to be regarded as a mere missile in the rivalry between the United States and the Soviet Union?

For many decades Britain suffered in world opinion because, in the words of the poet of empire, Rudyard Kipling, other lands were considered "lesser breeds without the law." If eminent American political leaders are now to consign to such a fate a proud people with a great legacy and tradition like Norway, then all our military might and pomp will not bring us true or enduring friendship.

In conclusion, Mr. President, I ask unanimous consent that an editorial from the Washington Post and Times Herald of June 11, 1957, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

KNOWLAND'S BRAINSTORM

It is difficult to believe that Senate Minority Leader KNOWLAND was serious when he suggested that Norway be neutralized in return for withdrawal of Soviet troops from Hungary. Of course, he, along with all the free peoples of the world, would like to see Hungary liberated. He realizes that the Russians are not likely to consider the evacuation of that unhappy land without some major concession. But this scarcely justifies him in reaching into his grab bag and coming up with the mischievous idea of sacrificing Norway.

Mr. KNOWLAND was apparently not trying to speak for Norway but only suggesting that the United States pressure that country into leaving the North Atlantic Treaty Organization in exchange for Hungarian freedom. This does not, however, make his suggestion any less reprehensible. Rather, it carries an outrageous and wholly unwarranted implication that Norway is an American pawn in somewhat the same way that Hungary is a Russian pawn.

A few months ago the Kremlin tried to blast Norway out of NATO by threatening her with obliteration if she permitted her bases to be used for an attack on Russia. The Oslo government calmly replied that it was none of the Kremlin's business how Norway might choose to defend herself. Washington might get an even sharper answer if the State Department were foolish enough to adopt Mr. KNOWLAND's suggestion. Norway is a member of NATO because of the protection it affords her against aggression. Members of this alliance have solemnly pledged themselves to regard an attack on one as an attack on all. Nothing would destroy this bulwark of peace and freedom so quickly as a suggestion from the United States that one of the partners be sacrificed in an international horse trade. Since Mr. KNOWLAND has chosen to publicize his own brainstorm, the State Department should publicly consign it to the first available trash can.

BIRTHDAY ANNIVERSARY OF SENATOR BYRD

Mr. PASTORE. Mr. President, yesterday was the 70th birthday anniversary of our distinguished colleague, Senator HARRY F. BYRD, of Virginia. I regret that I was not personally present to extend my felicitations to him on his 70th

birthday anniversary, but I may say now that since I have been a Member of the Senate there has been between us a friendship I have cherished deeply.

I extend to Senator BYRD my personal felicitations, and wish for him many more years of service to his country and to his State, and wish him a long life of good health and happiness.

Mr. MARTIN of Pennsylvania. Mr. President, yesterday was a great day in the history of the United States Senate, when HARRY F. BYRD, the distinguished senior Senator from Virginia and the Chairman of the Committee on Finance, celebrated his 70th birthday anniversary.

Senator BYRD is a statesman of the old school. I have had the honor of serving with him on the Committee on Finance since I first came to the Senate. He is fair and impartial, and renders every decision according to what he thinks will be in the best interests of the United States.

I extend to him my sincere congratulations on his birthday anniversary yesterday, and I wish him many more years of health and happiness.

Mr. SMITH of New Jersey. Mr. President, I am happy to join with my colleagues in offering congratulations to Senator HARRY F. BYRD, who celebrated his 70th birthday anniversary yesterday. I did not know of it at the time; I have just now received news of it.

There is no Senator in the whole body whom any of us reveres, respects, and loves more than HARRY BYRD, the distinguished senior Senator from Virginia. Harry came to the Senate long before I did; but in all the time I have been a Member of the Senate I have always felt that he was a tower of strength in his convictions with regard to the fiscal structure of the United States.

I am more than happy to join in the encomiums, as we might call them, of this great Senator.

PAN AMERICAN WORLD AIRWAYS

Mr. BEALL. Mr. President, momentarily, it is hoped, the Civil Aeronautics Board will be reaching a decision on the New York-Washington-Mexico City nonstop service case. The people of the State of Maryland and the city of Baltimore hope that the successful applicant for this route will be Pan American World Airways.

This desire of ours is not just wishful thinking, because a Civil Aeronautics Board examiner who conducted extensive hearings in this matter several months ago has been most decisive in his recommendations. Without qualification, the examiner has recommended that Pan American be awarded the certificate.

Our selfishness—if it may be so called—stems from our continued belief that Baltimore's Friendship Airport offers unlimited facilities for any airline with foresight enough to use it as a base of operations. Pan American has informed the Civil Aeronautics Board and the public that it intends to use Friendship as its Washington terminal upon being certificated by the CAB.

Mr. President, this is a most unique case in many respects. Here we have a case involving 2 litigants, only 1 of which has ever flown a commercial operation between the United States and Mexico. This Pan American has been doing for more than 28 years. The issues have become so confused that a nationally syndicated columnist, on his radio program, accused Pan American of having done no pioneering in Mexico. I offer for this body's consideration page 12 of the Mexico City News issue of Thursday, May 23, 1957, and a story entitled "PAA Completes 29 years of Travel Service Here," and I ask that a copy of the article be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BEALL. Mr. President, the charge has also been made that to give Pan American this route would provide that carrier with a monopoly. Where is the monopoly? Eastern Air Lines, as soon as it completes the necessary formal steps required by the Mexican Government, will begin operations between New Orleans and Mexico City. Please keep in mind, Mr. President, that Eastern has one of the most extensive route systems of all our domestic carriers through which to flow traffic into New Orleans for flights to Mexico City. Remember also, Mr. President, that Eastern already has a nonstop operation between New York and New Orleans and once it implements its service to Mexico City it will have a traffic generating center far outstripping the facilities available to Pan American which, we must always keep in mind, has no domestic operations whatsoever.

Where is the monopoly, Mr. President? The only way a monopoly could exist would be for the Civil Aeronautics Board or the President of the United States, who rules in international cases, to override the powerful and unequivocal recommendations of the Civil Aeronautics Board examiner and give this nonstop operation to Eastern. Such action—which we hope and trust will never come—would give Eastern Air Lines two exclusive routes into Mexico City from New York and Washington, one nonstop and the other via New Orleans, and would still confine Pan American to its short-haul operation originating in Houston.

The charge has been made, Mr. President, by some of our distinguished colleagues, that the airline-subsidy bill would be increased should Pan American be awarded this certificate. Nothing could be further from the truth. All evidence presented in the hearings before the examiner were to the contrary. As recently as May 29, the general counsel for Pan American in oral argument before the full Civil Aeronautics Board waived any subsidy claims for Pan American. Actually, Mr. President, there is every reason to believe that subsidy payments to Pan American, as a result of this route award, would be substantially reduced. Pan American has estimated these reductions to be $2,300,000 and, while the examiner did not accept this figure, he agreed the reduction would be very large.

I hold no particular brief for either of the litigants in this matter. We, in Maryland, insist that Friendship Airport is deserving of consideration as an alternate for the overcrowded facilities at Washington National Airport. We will support any reasonable offers of service from a recognized scheduled carrier. Pan American has made this offer and we see in the Mexico City service a great opportunity for the city of Baltimore to be placed on the air-trade routes of the world.

Mr. President, any examiner for a regulating agency has an important position of trust. He is the man who sits through many hours of argument, hearing all sides of any controversy. In this case, the examiner's final recommendations are worthy of careful consideration:

> The selection of Pan American will contribute to a considerable reduction of mail-pay subsidy. This carrier alone has experience as an overseas competitor with the foreign-flag operator now entrenched in the New York-Mexico City market. Pan American can also effectively serve the Mexico traffic that does not proceed east of New York because it is in a position to provide high-quality service for the local New York-Mexico City travelers; it has the capacity for promoting large-scale tourist travel to Mexico; and it can provide one-carrier service to points beyond Mexico City, thus integrating tourism in the general Latin American area with its service to Mexico City. Of the two applicants, Pan American is in the far better position eventually to exploit and promote the potentially large vacation and tourist market of Mexico City. * * * Other countries regard a proper participation by their flag carriers in the movement of traffic between third countries as an important and legitimate goal of national policy. It is no less so for the United States.
>
> In sum, the Congressional policy as expressed in section 2 of the act as applied to the facts of record in this case requires the nonstop authorizations for Pan American. This carrier, as the only applicant able to provide all the types of public service required by the route and afford one-carrier services beyond each end of the route, can provide the most effective United States-flag competition in an area of travel now dominated by a foreign-flag operator. Pan American's certification will save the Government money in mail-pay costs and insure the proper development of a potentially strong foreign market. These vital considerations of our national interest outweigh any preference for Eastern's proposal stemming from greater optimism, initial plans for all-coach flights, route integration with domestic service, probable diversion of Eastern's revenues, and any color of right Eastern may have on the ground that its 1946 award for Mexican service failed of implementation. In other words, if the needs of the traveling public are best to be prompted and served, if full American-flag participation in the two large markets herein involved is to be recaptured and held, if we are to take advantage of integrating and solidifying our own flag services between Europe and Latin America, if a rare opportunity for reducing air-carrier subsidy is to be taken—in short, if the public interest in an economically sound, financially strong and subsidy-free air transport is paramount—the choice of carrier in this proceeding is crystal clear. The choice is Pan American.
>
> Pan American is a long-established carrier holding certificates of public convenience and necessity and air-operating certificates. Pan American's history of successful operations and its showing on this record, leave no doubt that it is fit, willing, and able to perform the services herein found required by the public convenience and necessity.

It is understandable, Mr. President, that local geographical and political considerations should enter into a case of this kind. But I fail to understand how certification of Pan American from New York and Washington to Mexico City could adversely affect any of our sister States to the southeast. Certainly their commerce would be best served through an aggressive campaign by Eastern to build up its New York-New Orleans-Mexico City operation. Virtually all of our friends to the south can be funneled through New Orleans, via Eastern one way or other. Certainly on operations of these types, one carrier cannot provide maximum service in duplicate. One of these routes would have to suffer.

In conclusion, Mr. President, let me suggest that there is plenty of potential air traffic available to both Pan American and Eastern. In fact, a lively and spirited competition could be generated between the two carriers because I am certain that a great many travelers would enjoy a brief holiday in historic and enchanting New Orleans before continuing on to Mexico City. It seems to me that any argument from any of my distinguished colleagues from the Southeast against certificating Pan American on this nonstop service becomes irrelevant when the great potential of Eastern's flights to Mexico through New Orleans is realized.

Mr. President, I know that I speak for the great majority of the people of Maryland and Baltimore when I earnestly suggest to the President of the United States and the Civil Aeronautics Board that rapid certification of Pan American Airways to serve Mexico City through the modern and uncrowded Friendship Airport be accomplished.

EXHIBIT 1

PAA COMPLETES 29 YEARS OF TRAVEL SERVICE HERE

Pan American World Airways has completed 29 years of providing air travel service in Mexico.

PAA's first United States-Mexico route was put into operation in March 1929 from Brownsville to Mexico City via Tampico.

During this time Pan American has invested $12 million in promoting tourism in Mexico, according to a company pamphlet recently published citing Pan Am's role in pioneering aviation here and in other parts of Latin America.

"One of the positive results of that pioneering job by Pan American is the steady growth in traffic between the United States and Mexico.

"Ten years ago, PAA carried 62,510 passengers to and from Mexico City. Last year the figure rose to 89,597," the pamphlet stated.

"In its program of fostering United States-Mexico air ties, Pan American, through Cia Mexicana de Aviacion, established schools for mechanics, navigators, meteorologists, and radio operators in Mexico City. For this, Mexican employees awarded PAA executive vice president Wilbur L. Morrison, a gold medal * * *.

"Hundreds of Mexican pilots and other technicians have been brought to PAA bases in Miami and other points in the United States for special training," it added.

The publication was prepared as an answer to a radio broadcast by Drew Pearson stating that a group of Southeast Senators would fight PAA certification for the New York-Mexico City route which will be awarded soon. According to Pearson, one of the Senators had said that another airline had pioneered the route and should be awarded the certificate.

ALEXANDER MEIKLEJOHN

Mr. MURRAY. Mr. President, on May 10 of this year, on the campus of St. John's College, in nearby Annapolis, Md., a meeting was held to honor one of the greatest educators this or any other nation has ever known—Dr. Alexander Meiklejohn. The occasion marked the 85th anniversary of Dr. Meiklejohn's birth and the 30th anniversary of his establishment of the experimental college at the University of Wisconsin.

The meeting was arranged by alumni and former faculty member of the experimental college, acting on behalf of a far greater group of Alexander Meiklejohn's friends and admiers. This wider group includes those acquainted with the many other facets of his work over a period of 60 years—dean at Brown University, president of Amherst College, founder of the California School of Social Studies, and eloquent defender of constitutional liberties.

On this occasion there was announced the establishment of an annual Alexander Meiklejohn award for academic freedom, to be administered by the American Association of University Professors, through a gift from the experimental college alumni—a most fitting tribute and memorial.

A few years ago I had the rare and stimulating privilege of traveling with Alexander Meiklejohn as we were en route to the initiation of UNESCO. His breadth of vision and depth of understanding, his kindness, his gentleness, his alertness of mind and his ever-present sense of humor impressed me no less than they have all the others who have been privileged to know him. I am sure he is well known to other Members of this body, through his writings, and particularly because of his eloquent statement on the meaning of free speech and the first amendment, delivered before the Senate Subcommittee on Constitutional Liberties in the autumn of 1955.

Mr. President, I have read with keen interest and a deep awareness of its great importance to our country, the address delivered by Dr. Meiklejohn at the Annapolis meeting. At a time when we in the Congress are belabored by demands that we undertake crash programs aimed at the rapid development of great numbers of scientists, specialists, and technicians of all sorts, when we are told that our national survival depends on our engaging in a race to turn out greater and greater numbers of highly trained, albeit little learned, men of knowledge, it behooves each of us and all of those charged with a more direct responsibility for the education of Americans to study and to ponder and to act on the basis of the principles so clearly set forth by Dr. Meiklejohn in his address, for unless we see to it that our men of knowledge are primarily men of understanding, and that our scientists are men of wisdom, rather than of training alone, while we might win the battle of numbers, we would be sure to lose the war for freedom, for justice, and for the preservation of the truly great values without which nothing is of value.

Because of its great import, Mr. President, I ask unanimous consent that Dr. Meiklejohn's address, entitled "The American College and the American Freedom," be set forth at this point in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE AMERICAN COLLEGE AND AMERICAN FREEDOM

President Weigle, Dean Klein, the faculty and other members of the St. John's community, we of the Experimental College come here, in response to your very kind invitation, to celebrate the 30th anniversary of the birth of our own college. May I express to you our deep appreciation of an act of courtesy which is, I think, unique in the academic life of the United States. There are, as you know, many differences in the method and the content of teaching of our two institutions. And yet, your invitation and our acceptance of it indicate, I am sure, a fundamental kinship, an identity of purpose, between us. Through many happy and exciting days and weeks and months on this campus I have recognized the depth and the warmth of that kinship, and have delighted in it. Coming here, we of the Experimental College find ourselves at home.

The committee in charge of this celebration has commissioned me to discuss with this assemblage the theme "The American College and American Freedom." Before plunging into my topic may I single out my fellow guests and say to them two brief words of greeting and of gratitude? Quite apart from their intrinsic appropriateness these words may serve, after a long separation, to bring us on speaking terms again.

First of all, my fellow Ex-Collegers, it is for me, highly stimulating and very pleasant, to be with you once more. To the organizers who, by imagination and industry and good will, have finally brought us together, all of us, including the organizers themselves, owe a debt of gratitude which, I trust, we shall pay in full by enjoying the fruits of their labors.

And second (speaking personally for myself) I must thank you for the kindness with which, while celebrating the anniversary of the college, you speak to one another, and to me, of my birthday. No one could ask, no one could give to a man of so many years, a more welcome birthday present than your assembling here, in mood of recollection, now gives to me. Thirty years ago when—to quote from Robert Burns—"we were first acquent," you were wide-eyed boys agog to enter college. At that time I was not very much older than some of you are now. Together with a dozen or so good friends whom we called advisers I was trying to think through and to bring into active and lusty being a college which would start you, or speed you, along the road toward educated living. And now, by some strange miracle of generosity on your part, you give me, as a birthday present, one more fling at you, one more chance to teach—I did not say "instruct"—to spur and challenge you about the purpose which, in the years between 1927 and 1932, we served together in Adams Hall, on the shore of Lake Mendota, in Madison, Wis.

The committee in charge of our celebration has requested, or directed, me to present my topic by posing a question or questions and offering an answer or answers in such a way that throughout all our meetings there may run a continuous effort of

reflection and discussion concerning men and their minds, and especially concerning the freedom of American minds. The plan seems to be that, so far as we are capable of it, our reunion shall take on that mingling of gaiety and seriousness, of belief and bewilderment, which the symposium of Plato long ago established as the model of revelry and conversation which are proper to reasonable beings. As I say that, I am wondering if you recall as vividly as I do that morning meeting of the college at which George Russell, whom his readers knew as "AE," spoke to us about the symposium, telling us that whatever he had won of human wisdom had its source in the sayings of the wise Diotima as she was quoted by Socrates in that beautiful and powerful platonic discussion of the nature of human love. At this point, too, before the argument begins, I must pay my respects to my two very good friends, Alan Barth and Harold Taylor, who have been summoned by the committee to give my argument a going over when I have got it stated. They are dangerous fellows both. It may be that when they have had their say there will be nothing left of my suggestions for you to talk about.

Shall we, however, summon our courage to try what the committee tells us to do? Shall we go Socratic to the limit for a day or two? If we do follow that program, then our celebration must find its fun in gay and fearless questioning of whatever we are, whatever we think, and whatever we care for. We must subject to critical assessment the truth or falsity of what we believe, must ponder ruefully over much that we have done and plan to do in a confusing and self-defeating contemporary world. The committee is, I am sure, right in thinking that these are the activities which our college would wish us to carry on and to enjoy in celebration of its birth. Can we enjoy them? If not, it is, I fear, all too clear that however much we celebrate, we are not celebrating a college.

Since we have been separated from one another for many years and have traveled many different paths, it will be wise, I think to make a slow beginning of our symposium. Let me then, in reminiscent mood, seek to reopen the lines of communication by referring to two features of the past which we have in common.

THE EXPERIMENTAL COLLEGE

First, then, I remind you that at the reunion of 1942, when we celebrated the college on the 10th anniversary of its ending, 9 wise young members of the alumni group were called upon to answer on paper and by voice the question, "How do I fit in?" These men had worked in many occupations since leaving Madison and each of them spoke of his special work with deep concern. They were a lawyer, a doctor, an administrator of the Tennessee Valley Authority, an organizer for a labor union, a sculptor, a university teacher of history, a machinist, an employment supervisor, a writer of plays. And yet, to my keen delight, they were also speaking as members of a college whose general interest, while referring to all their occupations, was wider and deeper than any one of them, than all of them together. As I listened to their words, I knew the recorded fact that Henry Adams had died 30 years before those papers were read and that Plato's writing had come to an end 24 centuries earlier than that. But still, on that happy morning I heard both Adams and Plato speaking. They were there in the words and phrases through which 9 stories were told, in the questions and answers by which 10 years of busy living in the United States were critically examined and interpreted. That was true, I am sure, in 1942. We had tried to make it true from 1927 to 1932. I now suggest that it is still true in 1957. Since we are a college, Plato and Adams are here, waiting and eager to talk with any one, with any group, which seeks to find its way toward educated living. But so, too, are many others. John Dewey, whose gospel we often challenged, and who challenged ours, and Thorstein Veblen, Aristophanes, and Lincoln Steffens, Thucydides, and Frederick Turner, the builders of the Parthenon, the builders of American railroads, Solon, and Thomas Jefferson—these and a host of other friends and teachers are always present where a genuine college is. They are now ready to talk with us here, just as, three decades ago, they stirred and puzzled us and tried to make us think, in Adams Hall. The road toward understanding of men and their world is often hard to travel; just now it is even hard to find; but it is not, for one who looks around him as he goes, a lonely road. To go to college, if one really goes to a college, is to be initiated into a fellowship of learning. It is that permanent fellowship which our impermanent little college now celebrates as, in these meetings, it celebrates itself.

And, second, it will perhaps stir old memories, and so reestablish old relations of controversial give and take, if we look once more at the curriculum, the course of study, which our college required of all its members. There were no separate subjects, so called in that curriculum. We made no carefully devised incursions into such special fields of investigation as economics or art, physics, or logic, and the like. We were seeking to learn, not how new knowledge may be won, but how knowledge already available to us may be so interpreted and reinterpreted as to be of use in the planning of human welfare. To that end, we studied not subjects but civilizations—civilizations taken each in its entirety—and only civilizations. In the freshman year, advisers and pupils alike were thrown into the attempt to become acquainted with the city-state of Athens, in the age of Pericles and the decades which followed. After the fashion of critical observers just come to town, interested in the manner of life, the successes and failures, the joys and sorrows, the merits and defects, of a human enterprise, we read and considered together the records which that most self-expressive of civilizations has left of its daily experiences, its great achievements, its tragic blunders. So far as we could do it we shared in those experiences, those achievements and blunders, as if they were our own. And the study culminated in the endeavor to see and feel the city as Plato saw and felt it, to join with him, as pupils and critics, in the reflecting upon and planning of his Republic.

The second task was assigned to our pupils at the end of the freshman year. It was to be worked at during the summer vacation and continued, as a separate project, during the first half of the sophomore year. We called it a regional study of some American community which each of you chose as having special interest for him. Dealing with vastly different intellectual and cultural material, you were commissioned to write a critical examination of a nearby human enterprise just as you had tried to interpret that Grecian city, distant from us in time and space and circumstance, which still gives guidance and insight and warning to the Western World.

And, finally, as your third task, the main business of the sophomore year, you were asked, with the help of your advisers, to derive, from the records of the creative activities of the United States of America, the beginning of an understanding of this Nation of ours, what it cares for, what it does and fails to do, what it thinks about and fails to think about. As youthful Americans, you were to share, with mind and feeling and will, in the making and sustaining and transforming of the community of which you are members. And here again your success in the venture was assessed by your ability to read a book. You were asked to write a review of the account which Henry Adams gave of his own education. It seemed to the advisers that, insofar as you could see and interpret what Adams was saying about the United States and his attempts to understand it, could critically give assent or dissent to his assessment of our national career (our national destiny), you would have made a beginning in that process of education which the college wished you to suffer and enjoy.

Now, it is easy to see what was, and what was not, what is, and what is not, the purpose which animated that curriculum. When we asked you to size up, as a going, or not-going, concern, some American village or city or district, when we cultivated and tested your ability and your eagerness to share with Plato and Adams the intellectual criticism and the emotional solicitude with which they planned for their respective communities, we were trying to initiate you into an art, the most difficult as well as the most important, the most practical as well as the most intellectual, activity in which the human mind can engage. It is the art of intelligent practical judgment, of understanding your own life and that of the community of which you are a member, of so understanding them that you can share with your fellows in the making of those decisions which determine individual and social welfare. As I say this, I must remind you that the college which we celebrate made no provision for the teaching of the techniques of scholarly investigation, gave no training in the methods by which new knowledge is won. Other institutions should do that work. But we, as a college, had neither time nor interest for it. In our final report to the faculty of the University of Wisconsin, we said:

"To put the matter very bluntly, the college is as much and as little interested in the training of scholars as it is in the making of bankers, legislators, grocers, or the followers of any other specialized occupation or profession."

We imposed upon you and upon ourselves a required curriculum, with no elective, because we were convinced that standing apart from all special interest, from all specialized studies, there is a common interest, a common unspecialized form of study, which surpasses all of them in urgency and difficulty and significance. It is the need of understanding what we know. And that requires of us that we learn to use our minds in a way which, in content, in method, in presupposition, and in result, is radically different from any of the kinds of thinking by which scholarly research is done. To develop the power and zest for engaging in that creative inquiry is, in our opinion, the only legitimate purpose of an American college.

Having thus talked about what colleges should be trying to do, may I close and summarize this part of my argument by reading some lines from a poem. Poets are very useful for bringing together into a single flash of insight the labored thinking of our prose. The lines are taken from John Masefield's poem called Biography. Looking back upon the delights of his youth, Masefield savors again the excitement and joy of belonging to a college. He says—

"O Time, bring back those midnights and those friends,
Those glittering moments that a spirit lends
That all may be imagined from the flash.
The cloud-hid god-game through the lightning gash;
Those hours of stricken sparks from which men took
Light to send out to men in song or book.
Those friends who heard St. Pancras' bells strike two
Yet stayed until the barber's cockerel crew.
Talking of noble styles, the Frenchman's best,
The thought beyond great poets not expressed,
The glory of mood where human frailty failed,
The forts of human light not yet assailed,
Till the dim room had mind and seemed to brood
Binding our wills to mental brotherhood,
Till we became a college, and each night
Was discipline and manhood and delight,
Till our farewells and winding down the stairs
At each gray dawn had meaning that Time spares,
That we, so linked, should roam the whole world round
Teaching the ways our brooding minds had found
Making that room our chapter, our one mind
Where all that this world soiled should be refined."

I have talked long—I fear too long—and, perhaps, too sentimentally about what an American college is and, hence, what it ought to be. We must now discuss as briefly as we can, what American freedom is, and hence, ought to be. When that has been done we may be ready to try to determine the relation of each of these to the other.

FREEDOM AND LIBERTY

As we enter upon the attempt to recognize freedom when we see it, and when we are troubled by its absence, we should, I think, recall some discouraging remarks about that venture, which were uttered by Abraham Lincoln in a public speech given in 1864. In characteristically shrewd and ironical words, Lincoln says that we Americans who love freedom so passionately do not seem to know what it is. Using what is for him the equivalent term "liberty," he speaks of freedom as follows:

"The world has never had a good definition of the word 'liberty,' and the American people, just now, are much in want of one. We all declare for liberty; but in using the same word we do not all mean the same thing. With some the word 'liberty' may mean for each man to do as he pleases with himself, and the product of his labor; while with others the same word may mean for some men to do as they please with other men, and the product of other men's labor. Here are two, not only different, but incompatible things, called by the same name, liberty. And it follows that each of the things is, by the respective parties, called by two different and incompatible names—liberty and tyranny."

And having thus stigmatized our failure to understand the most significant factor in our lives, Lincoln proceeds to illustrate that failure in a form which cuts deeply into our current controversies about segregation as between white men and black. He continues:

"The shepherd drives the wolf from the sheep's throat for which the sheep thanks the shepherd as his liberator, while the wolf denounces him for the act, as the destroyer of liberty, especially as the sheep was a black one. Plainly, the sheep and the wolf are not agreed upon a definition of the word 'liberty'; and precisely the same difference prevails today among us human creatures, even in the North, and all professing to love liberty. Hence we behold the process by which thousands are daily passing from under the yoke of bondage hailed by some as the advance of liberty, and bewailed by others as the destruction of all liberty."

Is it true, as Lincoln here suggests, that much which we Americans call freedom is found, when carefully examined, to be tyranny? Shall we agree that much which is commonly called tyranny is, in fact, a necessary feature of our freedom? I, for one, am sure that, at both these points, he Great Emancipator is right. And, further, the ambiguities and self-contradictions in our thinking about ourselves are much wider and deeper than the brief statement here quoted from him can tell. I venture as a generalization which will run through the arguments which are to follow in this paper, the assertion that when we Americans talk about our Nation as free, we do not know very well what we are talking about, in fact we prefer, on the whole, not to know what we are talking about. In explanation and I hope, in support, of that accusation, I begin by offering two less general remarks.

First, throughout our history, but especially in recent decades, our Nation has had unequaled opportunities for the creation of external wealth and power. With a new world open before us for our conquest, we have seized upon those opportunities by the methods of what we call private or competitive business enterprise. The success of these methods has been so quick and so great that it has become a source of amazement, of envy, and of terror to the rest of the world. But the strains and stresses of that success, the preoccupation with material achievement, have been so intense that we have more and more substituted for the ideal of inner dignity and self-respect which lies at the heart of our institutions, the pseudo-ideal of competitive efficiencies, of victory over others. Our prevailing maxim for young people, as well as old, is not now "Be good" or "Do good," but rather "Make good." Under the guidance of that maxim we have become eager and aggressive in defense of our individual competitive rights. But our only effective common purpose is that of forever raising higher and higher what we call the standard of living. And the illusions, the meaninglessness inherent in that purpose have penetrated into every corner of our common life. That is the basic reason why the schools and colleges which are, presumably, commissioned to study and teach the ways of freedom are so weak, so confused, so ineffectual. My first remark is, then, that insofar as a society is dominated by the attitudes of competitive business enterprise, freedom, in its proper American meaning, cannot be known and, hence, cannot be taught.

And, second, this substitution of a false ideal for a true one has built up among us a national defect of disposition or of character which hinders all our attempts to educate ourselves. That defect is a strong defensive antipathy against self-criticism, an insistence upon intellectual conformity, an irrational fear lest by the use of our minds, we might discover that we are not, in fact, what we intend or profess to be. I am not here suggesting that we fear intellectual activity as such. We have, of course, no terror of the brilliant investigations which make possible the curing of our diseases, no dread of the scientific research or the technological inventing which enables us to create external wealth and power with enormous efficiency. But the men whom we fear because of their thinking are the critics, men who would question the value or wisdom of these intellectual achievements, who would block progress by standing, like Socrates, in the middle of the busy thoroughfare, asking themselves and others whose ears they can catch, where the road leads. Such men are, as of old, corrupters of our youth and deniers of our gods. They do not follow loyally and contentedly what we call the American way of life. They are dreamers, do-gooders, eggheads, to be ignored or laughed at; or, if that does not suffice, punished and suppressed. And this craving for intellectual conformity, this timidity of mind, more than any other single factor, has brought it about that our teachers labor in vain as they seek to educate the people of a Nation which fears and despises the very essence of what education is.

What, then, is American freedom? May I say to you, my fellow ex-collegers, that ever since you and I parted company 25 years ago, the major part of my time and energy has been given to the attempt to answer that question. In reporting to you now "How I fitted in," I shall not give you an organized lecture on my findings. I shall follow the usual procedure of the college by telling you of a series of questions and assertions which still puzzle me. I do so in the hope that we may discuss them together.

First, I mention a point on which there is, I think, some progress to report to you. Following a suggestion given to me 40 years ago by Walton Hamilton, and worked out with my colleagues in the San Francisco School of Social Studies, I seem to have discovered that, as we study American freedom, the best reading material available for the purpose is found in the Federal Constitution and in the judicial opinions by which it has been interpreted. That material is filled with controversy and with significance for the understanding of our national life. I deeply regret that when we puzzled out a sophomore course of study in the Experimental College we had not realized how it might be used. If any one of you or any number of you should someday share in starting another experimental college, or in making more experimental one which is now conventionalized, I hope you will consider the suggestion I am now making.

My second topic is, in form, semantic. It has to do with the defining of the difference between the two terms "freedom" and "liberty," as they are used in the Bill of Rights. These two terms serve as instruments for defining the relations between individual Americans and the governing agencies which they have collectively established. And the Constitution has great value for our discussion because, in its own reference, it sharply separates these two words which are commonly regarded as interchangeable. The fifth amendment, on the other hand, speaks of religion, speech, press, assembly, and petition. And its tremendous assertion is that Congress and, by implication, all other governing agencies, are denied any authority whatever to abridge those freedoms. The fifth amendment, on the other hand, speaks of liberty. And liberty, it appears, is within the scope of governmental restraint. The Declaration of Independence, it is true, had made the flaming pronouncement that all men are "endowed by their Creator with unalienable rights" and that "among these are life, liberty, and the pursuit of happiness." But the Constitution, in flat contradiction of the earlier document, soberly provides that, by action of the Government, all three of these rights, as we call them, may be taken from us, may be alienated. That may not be done "except by due process of law." And yet the fact remains that, when public needs seem to justify such action, and when it is done fairly and with proper procedure, men may be ordered to go into battle to destroy other men's lives, to lose their own, their business activities may be confined within this or that set of limits; they may be required to pay into the public treasury such unequal shares of their yearly income as the Government decides that it needs to take. But those men are still, in the meaning of the Bill of Rights, freemen, whose liberties are properly abridged.

The third intellectual venture in which I invite you to join is that of defining the revolutionary conception of freedom which dominates the Constitution and which finds its most explicit indication, if not expression, in the first amendment. Why did our forefathers adopt the dictum, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the

people peaceably to assemble, and to petition the Government for a redress of grievances"? And why do we, when our minds are clear, hold fast to the same intention?

At this point in the argument, I am sorely tempted to draw you into discussion of the paradoxes and controversies into which, during the last 15 or 20 years, I have been plunged by proposing an answer to that question. I would much like to have your help in holding my ground or your consolation if I am forced to give it up. But the lack of time forbids me to yield to that temptation. I can only try very briefly to tell you what, as I see it, is the idea for which the American Revolution was and is being fought and won.

The constitutional principle which, for purposes of warfare and rebellion had been effectively, though inaccurately, proclaimed by the Declaration of Independence was that of political self-government. For centuries our forefathers had suffered, and had seen other common men suffer, from the tyranny of being governed by others. Priests, kings, barons, nonrepresentative parliaments had, by superior force, imposed an arbitrary control upon them. But now the time and the opportunity had come to establish a political order in which the people governed would also be the governors. The rulers and the ruled would be the same persons. No man would be required to obey a law in the making of which he had not had an equal share with his fellow citizens.

Against this background, the first amendment finds its significance in the fact that the terms "religion," "speech," "press," "assembly," and "petition" refer to those activities of judgment-making in which the process of governing consists. And it is obvious that unless the judgment making of the people is, individual by individual, completely independent, unless it can be kept safe from any external interference, the program of popular self-government becomes futile and a sham. Now it was at this point that the makers of the Constitution envisaged the danger that representative officials and agencies chosen by the people might, under the new regime, attempt, as tyrants had done before, to govern the sovereign people without their consent by exercising powers which had not been delegated to them. And it is to prevent that catastrophe that the first amendment makes its ringing declaration, setting an absolute limit to the power of the legislative body and, by implication, to the powers of all other representative agencies. The need for that provision and for its unqualified enforcement, was never more clearly revealed than during the war-tormented years through which we have passed since 1919. Just as the tyrants of old had always justified their acts of suppression by the plea that religion, speech, press, assembly, or petition, in this case or that, threatened danger to the general welfare or to the national security, so our officials and our courts of these current days have invaded our freedom, appealing to the same justification. But the first amendment will have none of it. Speaking for a society whose members have decided to be free, it denies and outlaws that plea of danger. If the amendment does not mean that, it does not mean anything. Whatever political freedom turns out to be, we Americans have decided to have it and to take it straight.

Fourth, I have just spoken with much enthusiasm concerning the first amendment. And yet, for the purposes of the teacher, for dealing with the questions with which we are here concerned, it is a strangely unsatisfying statement. It takes under its protection five different human activities, but gives no unifying principle which could bind them together into a common significance. But, even worse than that, its provisions are merely negative. It seeks to prevent something from being done rather than to get something done. It protects our freedoms, but gives no assurance that, in actual practice, we Americans have and use any freedoms which are worth protecting. The difficulty just suggested does not, I presume, trouble those who, under the spell of the Declaration of Independence, think of freedom as a gift with which all men are endowed from birth. But to those of us who have spent our lives, as teachers, in the desperate attempt to find some way by which Americans, including ourselves, can become free, that belief seems meaningless and negligible. Freedom is not a gift. It is an achievement. It can be won only by hard work and good fortune—the good fortune including normally much help from others.

Now, if these things are true it follows that our attempt to understand the Constitution must go beyond politics, must attempt to find elsewhere the goal toward which the education of our self-governing people is, or should be, directed. And here, the teacher, more directly than any other member of our community, must be able to serve as our guide, the interpreter of ourselves. The persons who are commissioned to lead our people, young and old, into the ways of freedom, must understand what freedom is. What, then, have they to tell us about it?

Before trying to answer that question, we must carefully note the fact the education, good or bad, is won from the personal and social influences of a surrounding community, as well as from the teaching given in schools and colleges. Which of these is more important, it would be hard to tell. But, in any case, they must be considered separately.

As a starting point for some brief remarks about schooling, I offer you a provocative statement concerning British teaching which I picked up when in Oxford 3 years ago. It was written by a master of Eton College in the days, three-quarters of a century ago, when Brittania still ruled the waves, and the upper class boys and young men who went to Eton and like public schools were being educated to rule Brittania. As a teacher in the service of that aristocratic governing group, William Johnson Cory wrote as follows:

"At school you are not engaged so much in acquiring knowledge as in making mental efforts under criticism. A certain amount of knowledge you can indeed with average faculties acquire so as to retain, nor need you regret the hours you spent on much that is forgotten, for the shadow of lost knowledge at least protects you from many illusions. But you go to a great school not so much for knowledge as for arts and habits; for the habit of attention, for the art of expression, for the art of assuming at a moment's notice a new intellectual position, for the art of entering quickly into another person's thoughts, for the habit of submitting to censure and refutation, for the art of indicating assent or dissent in graduated terms, for the habit of regarding minute points of accuracy, for the art of working out what is possible in a given time, for taste, for discrimination, for mental courage and mental soberness."

That description of what should go on in the minds of persons who are being prepared to govern a community seems to me unusually significant and suggestive. What I have to say here about the teaching of freedom in our American schools and colleges may be said in a few brief comments on Mr. Cory's words.

Since we are, as a nation, committed to self-government rather than to an aristocratic tyranny, it is evident that, as contrasted with the special privileges of Mr. Cory's upper class group, all our citizens must, so far as possible, be equally educated. And that being true, it follows that our task of educating our rulers is immeasurably more difficult than that which confronted the public schools of England, 75 years ago. It implies, for example, that, for a long time, we as well as the Britain of today must accept a lowering of the standards of teaching achievement set by an aristocracy.

Further, in spite of the quantitative difference just suggested, Mr. Cory's words go straight and piercingly to the heart of our American teaching enterprise. Every phrase which he utters about the "arts and habits" of "making mental efforts under criticism" should startle us into awareness of the failure of our schools and colleges to provide the preparation needed for the "judgment-making" which free men must be able to do.

But a strange and striking feature of Mr. Cory's account of the purpose of teaching is that he does not mention the curriculum, the content of study, with which a school or college should deal. And the explanation of that fact is, I think, that, in the Eton which he knew, the choice of subject matter on which pupils should practice their arts and habits was made, not by the school, but by the compact social group to which, both by external and inner commitment, teachers, pupils, and school, all alike, belonged. In fairness, I must add that, in the life and manners of that group, as in its schools, there were great possibilities of smugness, of cruelty, of stupid and insensitive conformity. And yet it had a purpose and could teach it. I doubt that, in the making of the modern world, the public schools of Britain have been surpassed with respect to their success in teaching the arts and habits needed by those who govern.

It should also be said again that in sharp contrast with Mr. Cory's Eton, our American schools and colleges do not find in our society any such intellectual and cultural purposiveness as that which he could count on to give content and direction to his work. As a new and highly conglomerate people, still in the early stages of its making into a Nation, we have, it is true, a code of behavior which we call a way of life. But, as Abraham Lincoln suggests, that way of life is sadly unaware and afraid of its own meaning and intention. There is throughout our society, I am sure, a generous passion for freedom. But that passion, marching blindly on under the banner of liberty, drives us toward enslavement of our fellows and of ourselves, toward tyranny and, hence, away from freedom. Our national education is, as yet, in its crude and unformed beginnings. We fail to educate our children chiefly because we have not had time or integrity or courage to educate ourselves.

The fifth step in our argument should by logical sequence deal with the influence upon education exerted by nongovernmental attitudes and agencies. I can, however, take time merely to mention 2 or 3 of these. Supporting our teaching is the intense but often misguided American belief in the usefulness of scholastic learning. But on the other side, our attempt at understanding is blocked and misdirected by a wide array of privately managed activities which are clearly hostile to education in self-government. One of these forces against which the colleges especially need to be protected at the present moment is the insatiable greed of the corporations and other business agencies for an output of technologically trained scientists as well as of potential business executives. At a time when our private colleges are suffering from financial stringency, that greed threatens their teaching with a fundamental distortion. And, further, correlative with this threat to the colleges is the dreadful effect upon public attitude and opinion which comes from the mass-communication industries, as they are conducted by business enterprise. In my opinion, those agencies, and especially radio and

television, are, day by day, year by year, doing more damage to the minds of our people than the schools and colleges are doing good. They have made dominant again in our society the mental trickiness, which, long ago, Plato saw corrupting the mind and spirit of Athens—the trickeries which can prove (that is, make plausible) any belief, whether true or false, can, at a price, make the worse appear the better cause. Because of them, our national intelligence is, I believe, steadily losing ground. Madison Avenue is more powerful and more dangerous than the hydrogen bomb. What shall we do about it in defense of our freedom?

And now, in conclusion, I must summarize my argument by telling of the mortal combat which, during the 60 years of my teaching, has been waged in the American college. If I had the art for doing it, the story might be told in the form of a medieval mystery in which God and the devil contend for possession of the souls of men. The devil, one of whose favorite devices is that of raising for men the standard of living, thereby succeeds in lowering the standard of human intelligence. Since the battle, as we see it, takes place within colleges, it is fought in the field of the mind. Two sets, two kinds of intellectual activities are at war with one another. In spite of their hostility they are strangely akin in origin and in character. After all, the devil is, as you know, an angel. But he is a fallen angel, a rebel. He must, therefore, be subdued, brought back to fellowship and sanity. Can it be done? How can it be done?

The two contestants, as seen within the college, are the passion for knowledge and the passion for understanding. In one camp are the intellectual strivings by which men seek to add new knowledge to the vast stock of it which, in various departments, we already possess. In the other camp are the intellectual strivings to so interpret and reinterpret what we now know that it will play its proper part as the servant of an understanding which plans for human welfare. The question at issue is not "Shall knowledge be destroyed?" It is, rather, "For what ends shall knowledge be used, and by what kind of thinking shall the using be done?"

As I phrase that question my mind goes back to the days when, in 1897, my teaching began. Through the strange, mechanical, and, shall I say, devilish, device of an elective system, the old classical curriculum had been giving way before the inroads of a new scholarship. And I can still feel the thrill of excitement and hope, mitigated by a confused anxiety, with which we younger teachers welcomed the broadening and deepening, which the new forms of investigation promised to bring to our learning and teaching. We began to speak proudly and confidently of our newly devised university college which, through the addition of specialized graduate teaching, would fuse together the pursuit of knowledge and, the pursuit of understanding on a higher level of intellectual enterprise. But today, so far as I can see, that hope is dead. The two elements did not fuse. Scholarship has not informed and inspired the search for understanding. On the contrary, stimulated and made powerful by its strong appeal to the externalized and competitive impulses of American life, it has specialized in disconnectedness, in lack of meaning. It has thus obscured the older purposes of the college and driven them from the field. The curriculum has now become merely a vast collection of mutually unintelligible subjects. The members of the faculty have, professionally, little if any intellectual acquaintance with one another. And pupils are encouraged to pursue each his own separate studies, without regard for or interest in what, in other classrooms, his friends may be doing. The combining of the university and the college into a university college has torn into fragments the community of learning which the older college intended to be.

How shall the damage be repaired? How shall the college become again a place of understanding? First of all, it must be separated from the university, must become a distinct and independent institution, aware of its own purpose, which is radically different from that of the university, and resolute in the pursuit of that purpose. And, further, the college must be small enough and coherent enough to be in a vital and dominating sense, a community which will bind together all its teachers and all its pupils in the carrying on of their common enterprise.

I have said that the pursuit of knowledge has heretofore invited disaster by tearing apart what we know about men and their world into relatively meaningless fragments. As against that procedure what we now need is that in pursuit of understanding there be cultivated and practiced an equally severe and rigorous intellectual discipline which will endeavor to put the minds of men together again into a pattern as meaningful as the facts allow. That pattern will not be created by mere good will. The needed unity can be won, only as the total body of human knowledge and purpose is brought within the scope of an organizing group intelligence. The brilliant achievements of scholarly investigation must be matched, they must be surpassed, by the concerted efforts of intellectual interpreters. The college must think its way through knowledge toward wisdom.

I need hardly add that if this transformation of the college is to be attempted, the demands made upon the teacher whether he works in Ghana or Russia or England or Israel and so on, will be radically changed and magnified. His work will be both more important and more difficult than that of the investigator. He will no longer be merely an instructor in English composition or banking or chemical engineering or foreign language. He will be, in the measure of his ability, one of the world's thinkers, just as all free citizens should be, grappling with the world's problems, carrying assurance to his pupils and to the surrounding community that it is a free man's business to do what he can with his mind in relation to these problems. He must think and teach in the interest of freedom for all men.

The situation which now faces the teacher and all of us is one of tragic severity.

It is possible, as we all know, that this blundering untutored race of men, through the sudden access of brutalizing power which knowledge brings, will soon destroy itself. But there is also hope that for the first time since man began his education among the carnivores, we may by patience and intelligent use of knowledge construct a world that sensitive and timid natures could regard without a shudder.

It is that hope which must guide us as we press forward toward the radical transformation of all our American liberal teaching up to and through the college and far beyond it. May I in closing leave with you some words written by Rabindranath Tagore of India in which our teaching purpose finds fitting expression? He says:

"Where the mind is without fear, and the heart is held high—
There knowledge is free;
Where the world has not been broken up into fragments by narrow domestic walls;
Where words come out from the depth of truth;
Where tireless striving stretches its arms towards perfection;
Where the clear stream of reason has not lost its way into the dreary desert sand of dead habit;
Where the mind is led forward (by Thee) into ever-widening thought and action—
Into that heaven of freedom (my Father) let my country awake."

ALEXANDER HAMILTON

Mr. POTTER. Mr. President, I have long been an ardent admirer of Alexander Hamilton, and have been delighted that this bicentennial year has brought him greater honor by the people of the United States.

Every day we as Americans may be thankful for his brilliant efforts in constructing our Constitution and governmental setup, and it gives me personal pleasure when a young constituent also realizes his worth.

James Copeland, a senior at Ann Arbor High School, because of his knowledge of the times and work of this founding father, has been selected to represent Michigan at the American Students Constitutional Convention at Independence Hall in Philadelphia, June 18–21. My letter of congratulations to Mr. Copeland follows:

DEAR MR. COPELAND: Sometimes in the vicissitudes of history, our greatest men are not given as exalted a place in our history as they deserve. Alexander Hamilton is one of these men.

Surrounded by other historical greats such as George Washington and Thomas Jefferson, these figures have tended to take the limelight. The Alexander Hamilton Bicentennial year, and perceptive young men like yourself competing on contests based on the life and work of Alexander Hamilton, are important aids in giving him the honor he deserves.

Congratulations on your winning this award. May I wish you an inspiring time in Philadelphia and extend the hope that you may be successful in achieving further honors.

Sincerely yours,

CHARLES E. POTTER.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I am about to suggest the absence of a quorum. When a quorum has been obtained, I hope the Senate may proceed to the consideration of the appropriation bill for the District of Columbia.

I appeal to all Senators to be present in the Chamber as much of the time as possible during the consideration of the appropriation bills which will be brought before the Senate this week.

I also express the hope that Senators will cooperate by confining their remarks to the pending business. I realize that there are occasions when Senators must discuss subjects not relevant to an issue under debate, but I hope they will not do so during the remainder of the week of June 10, because there are four appropriation bills which must be passed and go to conference, and the conference reports must be agreed to and sent to the White House before the end of the fiscal year.

If my colleagues will cooperate with me, we shall have a morning hour each morning, so that Senators may transact routine business and make statements. Then we shall proceed to the consideration of the appropriation bills and have

thorough, detailed explanations of them and perhaps get some action on them.

Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of Calendar No. 416, House bill 6500, the District of Columbia appropriation bill.

The motion was agreed to; and the Senate resumed the consideration of the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

Mr. WILLIAMS. Mr. President, I do not think the Senate should consider this appropriation bill without having a quorum of the Senate present. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hickenlooper	Morse
Barrett	Ives	Morton
Beall	Jackson	Murray
Bible	Javits	Neuberger
Carroll	Jenner	Pastore
Chavez	Johnson, Tex.	Robertson
Church	Knowland	Russell
Dirksen	Lausche	Smith, N. J.
Ellender	Mansfield	Talmadge
Goldwater	Martin, Pa.	Williams
Hayden	McNamara	

Mr. MANSFIELD. I announce that the Senator from Arkansas [Mr. McCLELLAN] is absent by leave of the Senate on official business.

The Senator from Arkansas [Mr. FULBRIGHT] is absent on official business.

Mr. DIRKSEN. I announce that the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], the Senator from Maine [Mr. PAYNE], and the Senator from Utah [Mr. WATKINS] are absent because of illness.

The Senator from South Dakota [Mr. MUNDT] is detained on official business.

The Senator from Vermont [Mr. FLANDERS] is necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. JOHNSON of Texas. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. ANDERSON, Mr. BENNETT, Mr. BRICKER, Mr. BUSH, Mr. BUTLER, Mr. BYRD, Mr. CAPEHART, Mr. CARLSON, Mr. CASE of New Jersey, Mr. CASE of South Dakota, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DOUGLAS, Mr. DWORSHAK, Mr. EASTLAND, Mr. ERVIN, Mr. FREAR, Mr. GORE, Mr. GREEN, Mr. HENNINGS, Mr. HILL, Mr. HOLLAND, Mr. HUMPHREY, Mr. JOHNSTON of South Carolina, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. KUCHEL, Mr. LONG, Mr. MAGNUSON, Mr. MARTIN of Iowa, Mr. MONRONEY, Mr. NEELY, Mr. O'MAHONEY, Mr. POTTER, Mr. PURTELL, Mr. REVERCOMB, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. THURMOND, Mr. THYE, Mr. WILEY, and Mr. YARBOROUGH entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. PASTORE obtained the floor.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JOHNSON of Texas. This is the second quorum call we have had. I thought it only fair to notify all Senators that the Senate was about to consider an appropriation bill, therefore, I suggested the absence of a quorum. After the roll had been called through the "Y's," I asked that the order for the quorum call be rescinded, so a general statement could be made. But at the insistence of the Senator from Delaware [Mr. WILLIAMS], who is a very prudent, careful, and economy-minded Senator, there was another quorum call and Senators had to leave committees they were attending.

I have no desire to bring the business of the Senate to a standstill while Senators make general statements on the District of Columbia appropriation bill. I think it ought to be possible for them to carry on their committee business and, when we reach the voting stages on the bill, to summon them into the Chamber by a quorum call. But I have no other course open to me, in view of the position which has been taken by my friend, the Senator from Delaware. Therefore I want each Senator to know that when the absence of a quorum is suggested and when the order for the quorum call is not rescinded, Senators who fail to appear and to have their names recorded will not be listed in the RECORD.

Under present conditions 48 Senators constitute a quorum. Some thirty-odd other Senators are in committees transacting the public business, or are engaged on other official business. Some of them come to the desk, as the distinguished Senator from South Carolina [Mr. JOHNSTON], who is now in the well, is doing, and ask that their names be put on the quorum call.

Mr. JOHNSTON of South Carolina. Mr. President, I was already recorded.

Mr. JOHNSON of Texas. I want my friend from South Carolina to be recorded. I want all of my colleagues on both sides to understand that during the consideration of the appropriation bills, when a quorum is requested and obtained, the Senators who do not happen to have answered to their names will not be listed automatically on the roll. With that notice, I ask the Parliamentarian and the Chair hereafter, when quorums are suggested and the suggestions are not withdrawn, to record only the Senators who are present in the Chamber.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Delaware.

Mr. WILLIAMS. Mr. President, the Senator from Texas [Mr. JOHNSON] saw fit to make reference to the fact that I insisted upon the presence of a quorum.

I might point out that I have no objection to the Senate convening at 9:30 a. m., if that is the Senator's wish. I am perfectly willing to cooperate. Two appropriation bills are to come before the Senate today, 1 providing for nearly $200 million and 1 providing for more than $3½ billion. There were present five Members of the Senate. Certainly the American people have every right to expect, even under the leadership of the Democratic Party, that a quorum of the Senate will be present when we are passing upon bills totaling nearly $4 billion.

I point out to the majority leader, since he appears to be in such a great rush to get these four bills through, that one, the District of Columbia appropriation bill, was reported on June 6, and the other 3 on June 7, and the 4 appropriation bills involve about $15 billion. These bills have been before the committees of Congress about 8 or 10 weeks. They have been on the Senate calendar only a few hours.

The Senator from Texas is now in a great rush, although the Senate was in session only 3 days last week. Apparently he now wants to keep the Senate in session from 9:30 a. m. until about 10 p. m., so that Senators will not have time to study these bills, and also so that the Senate can go back to a democratic 3-day week.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. What is the pending order of business?

The PRESIDING OFFICER. Consideration of the District of Columbia appropriation bill, H. R. 6500, Order No. 416.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Rhode Island yield?

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Texas?

Mr. PASTORE. I yield.

Mr. JOHNSON of Texas. Mr. President, the distinguished chairman of the subcommittee, I assume, intends to make a detailed explanation of the bill which his committee has reported.

Mr. PASTORE. I do.

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senate that the reason we did not take up this bill yesterday, and the other bills yesterday, was because of our desire to provide every Senator with as much time as possible to consider them before they were brought before the Senate. This bill was reported last Friday, I believe; is that correct?

Mr. PASTORE. Last Thursday.

Mr. JOHNSON of Texas. Last Thursday. At that time I asked that copies of the hearings, the bill, and the report be delivered immediately, Thursday afternoon, to certain individual Senators.

I do not know that it is unusual to have hearings, bills, and reports delivered on Thursday or Friday, and to have the bill taken up the following Tuesday. I think perhaps more delay has ensued in this case than is normal in connection with appropriation bills.

I have no desire to have any bill considered without the presence of or the knowledge of as many Members of the Senate as is possible. During the general statements, during general discussions, and during speeches on extraneous issues, I shall not ask that a quorum be present. But before we start reading the bill for amendments or before we vote on the bill, I shall ask that a quorum be obtained. I shall ask that we have a yea-and-nay vote on final passage of the bill.

I now ask, Mr. President, that the yeas and nays be ordered on final passage, so that all Senators may know we will have the yeas and nays when debate is concluded.

The PRESIDING OFFICER. The yeas and nays are requested on the passage of the bill.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, I have one additional statement. It involves repetition, but I want all Senators to know about it.

We will ask that a quorum be present before the bill is passed and before we start amending the bill. If a live quorum is demanded Senators who do not appear in the Chamber will not be listed.

Mr. PASTORE. Mr. President, I ask unanimous consent that the committee amendments to H. R. 6500 be agreed to en bloc, with the exception of the amendments on page 2, line 1, relating to the Federal payment; on page 4, line 3, concerning funds for the executive office; and on page 7, line 21, relating to the appropriation for public schools; and I ask that the bill, as thus amended, be considered as an original text for the purpose of amendment, and that points of order shall not be waived.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Rhode Island?

Mr. MORSE. Reserving the right to object, I desire to ask the Senator from Rhode Island one question.

I understand my colleague, the Senator from Pennsylvania [Mr. CLARK], is going to offer an amendment as to housing. Is that covered?

Mr. PASTORE. That is not covered in the three items I have mentioned, but I am perfectly willing to include it. That is not a Senate committee amendment as such, which is the reason it was not included.

Mr. MORSE. That is perfectly satisfactory.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

Under the heading "Federal Payment to District of Columbia", on page 2, at the beginning of line 21, to strike out "$9,121,100" and insert "$9,631,100", and on page 3, at the beginning of line 1, to strike out "$5,971,100" and insert "$6,481,100."

Under the subhead "Department of General Administration", on page 4, line 18, after the word "Incorporated", to strike out "$4,525,000" and insert "$4,545,000."

Under the subhead "Regulatory Agencies", on page 6, line 16, after the word "morgue", to strike out "$1,200,000" and insert "$1,215,000."

Under the subhead "Department of Occupations and Professions", on page 6, line 18, after the word "Professions", to strike out "$237,000" and insert "$294,800."

Under the subhead "Public Schools", on page 7, line 11, after the word "Agriculture", to strike out "$375,598" and insert "$408,666" and on page 8, line 6, after the word "District", to insert a colon and *"Provided further,* That this appropriation shall be available for the payment of retirement costs to the public school food services fund."

Under the subhead "Recreation Department", on page 8, at the beginning of line 22, to strike out "$2,145,000" and insert "$2,161,000."

Under the subhead "Metropolitan Police", on page 10, line 13, after the word "otherwise", to strike out "$18,100,000" and insert "$18,201,000", and in line 14, after the word "amount", to strike out "$1,952,850" and insert "$1,969,000."

Under the subhead "Department of Vocational Rehabilitation", on page 11, line 18, after the word "Habilitation", to strike out "$200,000" and insert "$208,500."

Under the subhead "Courts", on page 12, line 2, after the word "Justice", to strike out "$4,488,500" and insert "$4,534,600."

Under the subhead "Department of Public Health", on page 12, line 25, after the word "mile", to strike out "but not more than $840 per annum for such automobile" and insert "with the limitation of the annual amount available for such automobile to be fixed by the Commissioners"; on page 14, line 3, after the word "Health", to strike out "$28,130,000" and insert "$28,229,300", and in line 6, after the word "exceed", to strike out "$16" and insert "$18."

Under the subhead "Public Welfare", on page 16, line 15, after the word "committed", to strike out "$12,450,000" and insert "$13,136,000", and in line 19, after the word "individual", to insert a colon and *"Provided further,* That when specifically authorized by the Commissioners this appropriation may be used for visiting any ward of the Department of Public Welfare placed outside of the District of Columbia and the States of Virginia and Maryland."

Under the subhead "Department of Buildings and Grounds", on page 17, line 4, after the word "investigations", to strike out "$2,000,000" and insert "$2,010,000."

On page 17, line 10, after the word "amount", to strike out "not exceeding 4 percent of a total of not more than $2 million of appropriations made for such construction projects and not exceeding 3¾ percent of a total of the appropriations in excess of $2 million" and insert "to be administratively determined by the Commissioners."

Under the subhead "Department of Vehicles and Traffic", on page 19, line 12, after the word "years", to strike out "$1,350,000" and insert "$1,438,000."

Under the subhead "Motor Vehicle Parking Agency", on page 20, line 9, after the word "meters", to strike out "$519,000" and insert "$602,900."

Under the subhead "Washington Aqueduct", on page 21, line 21, after the word "water", to strike out "$2,250,000" and insert "$2,322,000."

Under the subhead "National Zoological Park", on page 24, line 23, after the word "keepers", to strike out "$770,000" and insert "$798,000."

On page 25, after line 5, to insert:

"PERSONAL SERVICES, WAGE SCALE EMPLOYEES

"For pay increases and related retirement costs for wage-scale employees, to be transferred by the Commissioners to the appropriations and funds from which the employees are properly payable, $1,162,500 of which $142,000 shall be payable from the highway fund, $101,600 from the water fund, and $56,400 from the sanitary sewage works fund."

Under the heading "Capital Outlay—Public Building Construction", on page 27, line 11, after the word "expended", to strike out "$10,496,000" and insert "$10,733,000"; in line 13, after the word "and" to insert "such amount as may be determined by the Commissioners", and in line 14, after the amendment just above stated, to strike out "$569,475."

Under the subhead "Department of Highways", on page 29, at the beginning of line 11, to strike out "$14,591,000" and insert "$15,301,000", and in the same line, after the word "which" to strike out "$14,391,000" and insert "$14,901,000."

Under the subhead "Washington Aqueduct", on page 33, line 20, after the word "For", to insert "continuing construction of flocculation-sedimentation basin at Dalecarlia", and on page 34, line 9, after the word "expended", to strike out "$190,000" and insert "$958,000, of which $768,000 shall not become available for expenditure until July 1, 1958."

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a portion of the committee report, from page 1 through page 6.

There being no objection, the excerpt from the report (No. 409) was ordered to be printed in the RECORD, as follows:

The Committee on Appropriations, to whom was referred the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes, report the same to the Senate with various amendments and present herewith information relative to the changes made:

Amount of bill as passed House	$192,530,300
Amount of increase by Senate (net)	4,052,420
Amount of bill as reported to Senate	196,582,720
Amount of regular and supplemental estimates for 1958	209,504,800
Amount of appropriations, 1957	198,253,379
The bill as reported to the Senate—	
Under the estimates for 1958	12,922,080
Under the appropriations for 1957	1,670,659

GENERAL STATEMENT

The bill provides a total of $196,582,720 for the 1958 expenses of the District of Columbia government. This sum is $1,670,659 below the 1957 total appropriations, is

$12,922,080 below the 1958 budget estimates, and $4,052,420 in excess of the House allowances. Included in the increase recommended over the House bill is $2,715,200 in supplemental requests not previously considered by the House.

Percentagewise, the total recommended is 0.8 percent below the 1957 available funds, 6.2 percent under the total budget estimates, and 2.1 percent over the House allowance.

A summary of the appropriation bill, by type of expenses, follows:

	1957 appropriations	1958 estimates	House bill	Senate committee recommendations	Senate increase over House bill
Operating expenses	$150,143,380	$161,417,000	$157,081,300	$159,613,720	$2,532,420
Capital outlay	48,110,029	48,087,800	35,449,000	36,964,000	1,515,000
Total	198,253,379	209,504,800	192,530,300	196,582,720	4,052,420

The major increases in operating expenses involve $1,162,500 for wage-scale employees and $570,000 for an expanded public-assistance program. For the capital outlay increases, the sum of $768,000 is essential for solicitation of bids and award of construction contracts on a new plant facility of the Washington Aqueduct, and $510,000 is necessary for cost of designing and constructing a bridge on Park Road over Piney Branch to replace the existing closed structure.

Since 1955 the capital outlay appropriations have aggregated $119,507,819, and with the 1958 proposal of $35,449,000, there would be available $154,956,819 in the 4-year period of the 10-year public works program initially scheduled at an estimated overall cost of $305 million.

FEDERAL PAYMENT AND LOANS

The committee recommends that $20,500,000 be the payment by the Federal Government to the general fund of the District of Columbia. This sum is $500,000 over the House allowance but $2,500,000 below the sum authorized by the Revenue Act of 1956. In approving the additional amount the committee recognizes that there exists an obligation on the part of the United States to contribute toward the ever-increasing expenditures of the Government of the District of Columbia, many of which are uncontrollable and highly essential. Furthermore, the committee concluded that the increased payment was justified in consideration of the supplemental requests submitted and the amendments proposed to the House bill, as well as the overall fiscal position of the District Government.

The committee has agreed with the House on the Federal payments and loans proposed to other funds, except in the highway fund where the loan authorization has been increased by $510,000 to finance the construction of a bridge on Park Road over Piney Branch, as a replacement of the existing closed structure. It was the unanimous opinion of the committee that the estimated cost of $500,000 for construction of a fishway at Little Falls Dam is greatly in excess of the original estimate of $350,000, and is quite disproportionate to the overall cost ($776,000) of the dam itself. Therefore, the construction of the fishway should be re-evaluated and serious consideration given before any authorization is made.

REVENUES, OBLIGATIONS, AND SURPLUS

In the bill recommended to the Senate the estimated surplus as of June 30, 1958, is $4,448,747 as compared to $2,223,167 under the House bill. The difference of $2,225,580 represents the increased fund requirements of $4,284,420 proposed in the Senate bill ($3,284,420 for cost of amendments, proposed and $1,000,000 reserved for supplementals) minus the $6,510,000 increased revenue availability ($5,500,000 above the revenue estimates of April 11, 1957, $500,000 increased Federal payment, and $510,000 in additional loan authorization to the highway fund). The surpluses are distributed by funds as follows:

General fund	$2,350,702
Highway fund	26,335
Water fund	385,778
Sanitary sewage works fund	311,043
Motor-vehicle parking fund	1,374,889

OPERATING EXPENSES

Executive office: The committee recommends an appropriation of $369,770, an increase of $7,270 over the House allowance and $17,630 under the budget estimates. The additional sum is required to enable the Board of Elections to carry out the requirements of Public Law 376, 84th Congress, in maintaining a permanent registry.

Department of General Administration: The committee has approved the sum of $4,545,000 for the operating expenses of this Department in the fiscal year 1958. This sum is $20,000 over the House allowance, and $28,000 under the budget estimates. The increase proposed is considered necessary to help alleviate the increased workload in the Divisions of Administrative Services, Finance, Personnel and Management.

Regulatory agencies: The committee has approved the additional sum of $15,000, which added to the House allowance of $1,200,000 will provide a total of $1,215,000 for operating costs of the 8 activities. The recommended allowance is $33,300 under the budget estimate of $1,248,600, and $134,386 above the 1957 available funds. Testimony presented to the committee indicated the additional sum is needed to cope with the workload in four activities; namely, control of alcoholic beverages, administration of parole laws, Wage, Safety and Hour Division, and filing, recording property and corporation papers.

Department of occupations and professions: The committee proposes an appropriation of $294,800, the budget estimate, and an increase of $7,800 over the House allowance. The increase will provide for 2 additional positions required in the processing and issuance activity where it was indicated the workload has increased 18 percent over the previous year.

Public schools: The committee recommends the appropriation of $37,246,050 for operating expenses of the 6 activities indicated in the District's public-school system for the fiscal year 1958. This sum is an increase of $86,050 over the House allowance, is $543,150 below the revised budget estimates of $37,789,200, and is $1,749,374 in excess of the 1957 available funds aggregating $35,496,626.

The additional $86,050 will provide $57,200 requested in the supplemental estimate submitted to the Senate in Senate Document 42 for costs ($42,000) in reallocation of 241 wage-board employees, and costs ($17,200) in promoting 86 class 18–B teachers to class 18–C; and $26,850 to provide $1,500 additional for curriculum printing, $4,950 for group testing material, and $20,400 for instructional supplies and materials.

In disapproving the request for $440,250 to provide 89 additional teaching positions, the committee considered the House allowance of 175 additional positions in the supervision and instruction activity for the ensuing fiscal year to be sufficient to continue the improvement in program now under way. The funds provided will also reduce the pupil-teacher ratio from the present 35 to 1 to the ratio of 33 to 1.

The committee also believes that within the funds provided, school officials can maintain continuous reevaluation of this program for remedial reading and speech therapy, and also provide three additional teachers for extremely mentally retarded children, with the possibility of increasing the number of pupils now attending the Military Road School.

Testimony adduced in the hearings indicated that certain improvements are necessary for continued accreditation of the teachers college. The committee is aware of the lack of physical facilities for the college. School officials are now considering plans for transferring the college to an existing building until such time as a new building can be provided. Provision of the requested additional library books must await this decision since space is lacking in the present college building. The necessary part of the printing and binding requested can be provided, by existing funds, as can the position of professor of elementary education at the graduate level. The committee feels certain that school officials will exercise all possible care in maintaining the teachers college as a completely accredited institution.

The committee is likewise aware of the grave problem presented by older retarded children and children with severe behavior problems in the regular classrooms. The school administration should consider seriously some means of providing school space for this group, with separate classrooms for boys and girls, and with a program of instruction geared to their abilities.

The committee also deems it advisable for school officials to use the average daily membership rather than the peak enrollment figures in October as a basis for any compilations of school population.

Department of Recreation: The committee proposes the estimate of $2,161,000 for this Department, or an increase of $16,000 over the House bill, and $258,000 in excess of the current year appropriation.

The additional sum will permit the improvement of services and programs in 14 of the various recreation centers.

Metropolitan Police: The committee recommends the sum of $18,201,000, the budget estimate, for operating expenses of the Department in the fiscal year 1958. This sum is $101,600 over the House allowance and is $429,476 above the total comparative figure for 1957. The added sum will provide 24 additional full-year positions to the uniformed force.

The committee agrees with the Departments' plan for separate promotional examinations for the detective force and the uniformed force, but feels the cost of the necessary additional official positions should be absorbed by funds already available.

Department of Vocational Rehabilitation: The committee has approved the sum of $208,500, an increase of $8,500 over the House allowance. The additional sum was requested in supplemental estimate, Senate Document 42, and is necessary to permit the District to pay its share of the rehabilitation program for patients discharged from St. Elizabeths Hospital, as authorized by Public Law 565, 83d Congress.

Courts: The committee has approved the revised budget estimate of $4,534,600 for operating expenses of the courts in the fiscal year 1958. This amount is $46,100 over the House allowance and is considered necessary for the efficient operation of the various courts. The sum is to be applied as follows:

Juvenile court, $21,900 ($13,600 for reallocations; $8,300 for 2 positions and related costs).

Municipal court, $21,700 ($14,410 for additional personnel and related costs in civil division; $7,290 to annualize positions in domestic relations branch.

Municipal court of appeals, $2,500 for equipment in the clerk's office.

Department of Public Health: The committee recommends $28,229,300, or an increase of $99,300 over the House allowance. The additional sum is needed for care of indigent patients in the contract hospitals of the District of Columbia, and such sum added to the House allowance will provide $1,484,800 for the fiscal year 1958. This amount is $439,800 above the current-year allowance for medical charities. Also recommended is an increase in the inpatient per diem rate to $16, increase of $2 over the House bill, and $4 over the budget estimate.

Department of Public Welfare: The committee recommends an appropriation of $13,136,000 for operating expenses of the Department in the fiscal year 1958. This sum is an increase of $686,000 over the House allowance, and is considered essential for an expanded program of public assistance in the District. It was the feeling of the committee that the additional sum, of which $570,000 was submitted as a supplemental estimate, was sufficient to permit this important program to function until such time as the Commissioners could more clearly determine what portion of available revenues might be apportioned to this new program. The $686,000 is distributed as follows:

Continue payments at current level	$116,000
Surplus food program	150,000
Assistance payments in lieu of unpaid court orders	200,000
Emergency assistance grants	75,000
Improve services	100,000
Remove ceiling on payments	45,000

The committee has restored to the bill language to enable officials of the Department to visit wards located outside the District of Columbia.

Department of Buildings and Grounds: The committee recommends $2,010,000, an increase of $10,000 over the House allowance and $86,000 under the budget estimate. This is the amount requested in Senate Document 42 for survey of electrical wiring.

The committee has approved language to enable the Commissioners to determine administratively the amount to be allocated for plans and specifications for the various construction projects, as is the practice followed by executive agencies.

Department of Highways: The committee agrees with the House allowance of $7,050,000 for the Department, and has accordingly disapproved the increase requested in the amount of $177,100 to provide $157,500 for increased contract costs and increased workload on street projects, and $19,600 for the purchase of driver training cars. However, in denying the request, the committee has no objection to the financing of these projects within available funds.

Department of Vehicles and Traffic: The committee recommends $1,438,000, an increase of $88,000 over the House allowance of $1,350,000 and a reduction of $19,000 in the budget estimate. The increase over the House allowance will provide for the installation of a central control of the District's traffic signal system. This was requested as a supplemental amount in Senate Document 42.

Motor Vehicle Parking Agency: The committee recommends $602,900, an increase of $83,900 over the allowance of $519,000 and is in the amount of the budget estimate. This increase will cover the costs of the fringe parking project proposed at Michigan Avenue and Harewood Road NE. (Soldiers' Home area).

Washington Aqueduct: The committee recommends $2,322,000, an increase of $72,000 over the House bill and a reduction of $6,000 in the budget estimate. The increase is in the amount of the supplemental estimate to cover wage-board increases for employees and related costs.

National Zoological Park: The committee recommends $798,000, an increase of $28,000 over the House allowance of $770,000 and is in the amount of the budget estimate. The increase over the House allowance will provide for additional positions for increased workload and for maintaining new restroom building.

Personal services, wage-scale employees: The committee recommends $1,162,500, an increase of $1,162,500 over the House bill, and is in the amount of the budget estimate. This amount is necessary to pay the average increase of 11 cents per hour for the District regular wage-board employees.

Public building construction (capital outlay): The committee recommends $10,733,000, an increase of $237,000 over the House bill, and a reduction of $3,644,800 in the estimate. The $237,000 increase was requested in a supplemental estimate (S. Doc. 42) and is needed to carry out the electrical modernization program in District elementary and secondary schools. The total program will eventually cost around $810,000.

Highway Department (capital outlay): The committee recommends $15,301,000, an increase of $510,000 over the House allowance of $14,791,000. The proposed increase is for the construction of the bridge on Park Road over Piney Branch, as a replacement of the existing closed structure.

Washington Aqueduct (capital outlay): The committee recommends $768,000, an increase of $768,000 over the House allowance of $190,000, and is in the amount of the budget estimate. Testimony in the course of the hearings was to the effect that with this authorization it would be possible to advertise for bids and award a contract for construction during fiscal 1958 without expenditure of funds in 1958.

Mr. PASTORE. Mr. President, in order to recapitulate, I desire to make a few brief remarks with respect to the District of Columbia appropriation bill for 1958, which carries the unanimous approval of the committee.

The bill is $12,922,080 under the estimates for 1958; $1,670,659 under the appropriations for 1957; and $4,052,420 over the bill as passed by the House.

Included in this increase is $2,717,200 in supplemental requests not considered by the House. Some of these essential items are as follows:

One million one hundred sixty-two thousand five hundred dollars for Wage Board increases to so-called blue-collar workers—an uncontrollable item;

Five hundred and seventy thousand dollars for the cost of expanding a much-needed public assistance program;

Five hundred and ten thousand dollars for construction costs involved in the replacement of the Park Road bridge, an item extremely important to the Northwest tax-paying public for crosstown travel; $237,000 for a modernization program in connection with electrical wiring in elementary and secondary schools; and $99,300 to provide the full estimate requested by the Hospital Council for the care of indigent patients in the private hospitals of the District of Columbia.

The bill as reported will provide the District with sufficient funds to carry out its financial responsibilities in the ensuing year, and yet provide an overall estimated surplus on June 30, 1958, of approximately $4,400,000. Such surplus, contained in five different funds, is required to meet the ever-increasing expenditures of the District government. As Senators well know, the city is still growing in population, and added financial burdens are imposed through the necessary expansion of the school system and the health and welfare departments, as well as the increasing obligation of affording adequate protection through the police and fire departments.

It seems only fair that the Federal Government should assume its share of this increased obligation, the local taxpayers having contributed their share through the increased taxes imposed by the Revenue Act of 1956. Accordingly, the bill provides for a Federal payment of $20,500,000, as compared with the House allowance of $20 million, and the authorized allowance of $23 million. This additional $500,000 seems adequate, in proportion to the $4 million plus which is proposed to be added to the House figure.

That, in a very concise, and I hope very clear, fashion, pretty well recapitulates the bill, and states the general point of view underlying the bill which is now pending.

I wish to relinquish the floor at this moment, before a quorum call is asked for, and before the bill is read for amendment, because I understand that other Senators wish to speak.

The PRESIDING OFFICER. The clerk will state the first committee amendment passed over.

The CHIEF CLERK. On page 2, line 1, after the word "and" it is proposed to strike out "$20,000,000" and insert in lieu thereof "$20,500,000".

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. MORSE. Mr. President, I wish to make a brief statement on the general problem which confronts us, but I think I shall base it upon an amendment to the committee amendment, which I now send to the desk on behalf of myself, the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BEALL], the Senator from Pennsylvania [Mr. CLARK], and the Senator from West Virginia [Mr. NEELY]. I offer the amendment and ask that it be stated. It is really a substitute for the the committee amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 1, in lieu of the figure proposed to be inserted by the committee, namely, "$20,500,000", it is proposed to insert "$23,000,000."

Mr. MORSE. Mr. President, I shall be exceedingly brief in my comments on this important amendment.

At the outset I wish to say, with all the sincerity at my command, that I deeply appreciate the work of the Senator from Rhode Island [Mr. PASTORE], as chairman of the Appropriations Subcommittee on the District of Columbia Affairs. There is no doubt in my mind, and in the minds of other members of the District of Columbia Committee—because we discussed the differences which exist between the District of Columbia Committee and the Appropriations Committee at a special meeting yesterday afternoon—that the Senator from Rhode Island has done a conscientious and exceedingly able job as chairman of the Appropriations Subcommittee on District of Columbia Affairs.

I wish to say to the Senator from Rhode Island that although some marked differences exist between the District of Columbia Committee and the Appropriations Committee with respect to certain matters of policy, which also involve appropriation issues, without exception we are deeply appreciative of what the Senator from Rhode Island has done in the interest of the District of Columbia on item after item. I wish to say today that in my opinion the people of the District of Columbia are, indeed, fortunate to have as chairman of the Appropriations Subcommittee on District of Columbia Affairs, to whom is entrusted the consideration of District of Columbia appropriations, a man with a social conscience, a man who is dedicated to the welfare of the District of Columbia.

Therefore it pains each one of us on the District of Columbia Committee to find ourselves in opposition to the Senator from Rhode Island and his committee on any point, major or minor. We wish to assure him and the Appropriations Committee that our difference in regard to this appropriation bill springs only from our deep conviction that more money should be appropriated in the interest of doing what we consider to be deserved fiscal justice to the District of Columbia.

Whatever I may say, and whatever any other member of the District of Columbia Committee may say in the course of the debate today, based upon discussions which we have had among ourselves, must not be interpreted in the slightest degree as any criticism of the Senator from Rhode Island or any other member of his subcommittee or of the full Committee on Appropriations. We have an honest difference of opinion, as a matter of public policy, in respect to the subject matter of the first committee amendment.

The first amendment goes to the question of the appropriations Congress ought to contribute to the District of Columbia budget. It goes back to the fact that in our opinion Congress is bound, we think, to appropriate the full $23 million, which we believe previously was promised the District. There can be very sincere and honest difference of opinion about that, but I shall state our case. We pray consideration of it on the part of the Senate.

We realize that the District of Columbia in the last year has raised more in taxes than was expected. However, we do not believe that is any justification for Congress not going forward with what we consider to be its commitment of the full $23 million.

Before I read the justification for the Federal payment based upon previous legislation passed by Congress, I wish very quickly to cover these points.

We believe that the $23 million should be appropriated, first, because the District is limited in taxation. It is not really what we can call a free-taxing district. It is not free to impose some of the taxes which are imposed by municipalities in our own States. It is limited because the Federal Government is the largest industry in the District, and it is tax free. The District of Columbia is not in a position to impose taxes on the great Federal holdings in the District.

In the second place, 42.8 percent of the land in the District is owned by the Federal Government. That is a terrific amount to take out of the tax resources of any municipality.

It is estimated—I am satisfied reliably—that if this land were taxable, it would yield $20,400,000 in real-estate taxes alone. If the Federal Government were taxable as a private employer of comparable size would be, the Federal payment would be $47.5 million.

One hundred and eighty-seven million dollars, in round figures, represented by property belonging to foreign governments and tax-exempt agencies, is exempt from taxes in the District. Then, too, we have imposed—and rightly so—building restrictions in the District of Columbia which hold down real-estate values. If such restrictions were not imposed by Congress, it would be possible to permit the construction of taller buildings in the District of Columbia, which would be greater revenue-producing buildings, and therefore would produce a greater tax return.

Furthermore, we must keep in mind that a great many of the people who earn their living in the District of Columbia have their residences outside the District or have their legal domicile elsewhere. It is a remarkable percentage, compared with other municipalities in many other parts of the country.

Then, too, we have a great many military personnel in the District, who are not paying taxes into the District treasury.

The District cannot extend its boundaries. In our own States, when a great metropolitan area grows up around a large city, sooner or later the metropolitan area is taken in by the city as the city expands, thus increasing the tax income of the city. That cannot happen in the District of Columbia because of its physical situation.

Therefore, the members of the Committee on the District of Columbia feel that the Senate should take into account this situation, and that the Senate should restore the full $23 million which, in our opinion, Congress, in fact, has committed itself to pay.

I ask unanimous consent to have printed in the RECORD at this point, without taking the time to do more than to hit the highlights, some material on page 76 of the hearings of the Joint Committee on Fiscal Affairs of the House and Senate Commitees on the District of Columbia, held on January 11, 16, and 17, 1956.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Turning to the matter of expenses, the District incurs increased costs over and above those incurred by an ordinary city because it is the Nation's Capital. Some examples of these increases are as follows:

1. The Fine Arts Commission and the National Capital Planning Commission require that most public works structures be designed to harmonize with the Federal master plan for the Capital City. The new Highway Bridge cost $1.2 million, or 21 percent extra because of this. The Municipal Center is also an illustration of fine monumental construction consistent with such concepts.

2. The federally conceived plan of the city calls for wide, beautiful, tree-lined streets such as few other major cities enjoy. Planting and maintaining these trees is costing $400,000 this year, and further increases are in sight. Wide streets also mean additional paving costs.

3. An unusually fine federally operated zoo is wholly paid for by the District of Columbia. The cost this year is about $700,000.

4. The National Park Service receives about $2 million each year from the District of Columbia for maintenance and operation of federally owned and controlled parks in the city.

In addition, the District pays approximately $540,000 per year to support the Park Police. This is considerably more park land and more park expenditures than are customary in comparable cities.

5. The large volume of Federal structures imposes significant demands on our police, fire, sanitation, and other services, which cannot be precisely computed in dollars, but which nonetheless add to the cost of building and operating the city. Approximations of some of these costs are as follows:

Police, special details	$60,000
Fire, special services	90,000
Cleaning streets in Federal areas	175,000
Installing curbs and gutters abutting Federal property	50,000
Motor-vehicle titling, etc., of Federal vehicles	15,000
Temporary home for soldiers and sailors	35,000

6. The District is unique in being subject to Federal legislation that adds considerably to the cost of maintaining the city. For instance, under Public Law 648, 79th Congress, as amended, the District is required to share the cost of Federal grants for the construction of a hospital center and other hospitals. The potential liability for these purposes is $17.5 million.

7. Because of Federal expansion in the area, Washington is now completely encircled by a thickly settled area that is more populous than the city itself, and which requires the construction of expensive arterial highways to enable suburban populations to move to and from the city. The fact that two rivers have to be crossed by much of this traffic requires the construction of very costly bridges.

Mr. MORSE. Mr. President, as is stated in these hearings, the District incurs increased costs over and above those incurred by an ordinary city because it is the Nation's Capital.

On page 76 are cited some of the examples of these increases:

1. The Fine Arts Commission and National Capital Planning Commission require that most public works structures be designed to harmonize with the Federal master plan for the Capital City.

2. The federally conceived plan of the city calls for wide, beautiful, tree-lined streets such as few other major cities enjoy.

The memorandum I have inserted sets forth the total cost of this item.

3. An unusually fine federally operated zoo is wholly paid for by the District of Columbia. The cost this year is about $800,000.

5. The large volume of Federal structures imposes significant demands on our police, fire, sanitation, and other services.

6. The District is unique in being subject to Federal legislation that adds considerably to the cost of maintaining the city. For instance, under Public Law 648, 79th Congress, as amended, the District is required to share the cost of Federal grants for the construction of a hospital center and other hospitals. The potential liability for these purposes is $17.5 million.

7. Because of Federal expansion in the area, Washington is now completely encircled by a thickly settled area that is more populous than the city itself, and which requires the construction of expensive arterial highways to enable suburban populations to move to and from the city.

In fact, Mr. President, we cannot even get a full contribution from the Federal Government to build a bridge across the Potomac, to bring Government workers from Virginia into the city, but insist that a considerable part of the cost of the construction of any such bridges be paid by the District.

Thus I could go on and point out that there are many special costs which the District must bear because it is the Nation's Capital and because it is the Federal City, and that there is an increased obligation on the part of Congress to appropriate the $23 million, for which some of us plead this morning.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. May I ask the Senator from Oregon how the extra $2,500,000 would be spent if his amendment were adopted?

Mr. MORSE. It could be spent for a great many of the items we will discuss, which must necessarily be restricted.

Mr. DOUGLAS. First, let me say that I congratulate the Senator for the interest he has taken in the many children of the District who lack food and who are really half starved. My wife made some inquiry into the subject some months ago, and she was shocked to find large numbers of children, living in areas bordering on high-rent residential districts, who were obviously half starved.

The Senator from Oregon and his colleagues have done an excellent job in publicizing that fact. I would heartily approve of adding appropriations for that purpose. I would also approve of added appropriations for hospitals, schools, and for the general welfare functions of the city, which I think are underfinanced. Will the Senator give any assurance as to what he intends to do on those points?

Mr. MORSE. Mr. President, we shall make some specific recommendations, as the Senator will learn, as the debate proceeds. Let me name one such expenditure.

For example, we have the so-called 83 percent formula which is now being used for welfare cases. That ought to be 100 percent. What actually happens is that needy families in the District get only 63 percent of the allowances——

Mr. DOUGLAS. For minimum subsistence.

Mr. MORSE. For minimum subsistence; and the experts believe that ought to be 100 percent. That item alone would amount to $1,500,000.

Mr. DOUGLAS. That would take the major proportion of the $2,500,000.

Mr. MORSE. It would take the major proportion. The Senator from Pennsylvania [Mr. CLARK] will offer an amendment proposing an increase in the number of schoolteachers. One cannot sit in the Committee on the District of Columbia and listen to the testimony of the educational authorities who come before us without knowing that a serious shortage of teachers exist.

I hope Senators will mark my words, because I want the Senate to know that I engage in no conscious overstatement in the course of this debate; to the contrary, I intend to lean over backward to make certain that the arguments I make this morning will have to be classified as understatements with respect to the need for more funds.

Let me discuss the question of the shortage of schoolteachers. We have listened to the school authorities who have testified before our committee. The members of my subcommittee are alarmed over the serious educational crisis which is developing in the Nation's Capital. It happens to be our opinion, I may say to the Senator from Illinois, that we cannot remain silent concerning a failure to provide the $23 million when we know what the schools of the District of Columbia need.

My recollection is that $440,000 is needed to provide the 89 additional teachers who the school authorities were unanimous in stating should be provided.

I turn now to the matter of hospitals. There is a dreadful shortage of hospital beds in the District of Columbia. Let me say most respectfully that there are many good hospitals here. But the testimony shows that the District of Columbia is operating 1 hospital, a part of the structure of which dates back to 1876. When one walks into it, he knows it is that old. Yet, let me very quickly say to those in charge of that hospital that they are deserving of the appreciation of every citizen of the District of Columbia for the magnificent work they are doing in keeping that old structure in a usable condition and in a remarkably sanitary condition, considering all the handicaps under which they work.

But it is the handicaps about which we are speaking. As the doctors and surgeons who testified before us made clear, a time simply comes when there is a limit to what can be done with an obsolete structure.

Again I speak most respectfully when I say that, as the chairman of the Subcommittee on Public Welfare of the Committee on the District of Columbia, I shall do everything that is within my power, at least, on the floor of the Senate today to plead for the restoration of the funds which I think Congress is really committed to appropriate, for reasons I shall set forth in a minute, in order to meet the great social and humanitarian needs of the District of Columbia. That happens to be our thesis.

Mr. DOUGLAS. From my observations and from living in the District of Columbia 9 years, I think the District does need to spend more money for welfare, for schools, and for hospitals, and that the specific items by which the Senator from Oregon and, I understand, the Senator from Pennsylvania would increase the budget are very worthy causes.

But this is the doubt in my mind: whether the increase of $2,500,000, which I am certain is needed, should be made from an added Federal appropriation or should be made by added taxes upon the real estate located in the District of Columbia. I should like to develop that point for a moment, if I may.

Mr. MORSE. If the Senator will permit me to interrupt him, I should like to make a modification of what I said, because I do not want anyone to be misled by what I said.

When I said that increasing the percentage of the allowances for needy families would take care of $1,500,000 of the $23 million, I mean that that amount should be put in the budget. The money ought to be there. Then, because of certain parliamentary rules which confront us, it would be necessary to make an additional appropriation for that specific purpose by way of a supplemental appropriation bill. But now is the time to make the money available. Unless it is made available, it cannot be handled by way of a supplemental appropriation bill.

Now I yield further to the Senator from Illinois.

Mr. DOUGLAS. Two years ago my wife and I decided that we would build a house in the District, because a Senator's duties compel him to be here from 9 to 10 months a year. Before we did that, however, we canvassed houses already constructed, and we compared the cost of constructing houses inside and outside the District, with particular reference to Maryland.

We found that one of the great advantages of the District of Columbia in comparison with Maryland was a much lower real estate tax level. For instance, in the region near Bethesda, Chevy Chase, and Silver Spring, we found that a house on the District of Columbia side of the street, which acted as the dividing line, had a much lower tax rate than the house on the Maryland side. I did not have the exact figures prepared on the subject, but I can only say that the difference was very appreciable. It was clear that

the District of Columbia tax rate was much lower than the Maryland tax rate.

This, on the surface, would seem to be extraordinary, because the District of Columbia is not a manufacturing city; and generally it is necessary to have manufacturing where the value per acre is higher, in order to support a low tax rate.

Mr. PASTORE. Mr. President, will the Senator yield for an observation of this point?

Mr. DOUGLAS. Yes; I yield.

Mr. PASTORE. I think at this juncture it would be rather pertinent to state that such a study is underway now, and that a report is expected to be made in a very short time. However, I am not justifying the lower rate.

Mr. DOUGLAS. Can the Senator from Rhode Island confirm my general impression that the effective tax rate in the areas of Chevy Chase, Silver Spring, and Bethesda is appreciably higher than the effective tax rate for a house and lot of equal value in the District of Columbia?

Mr. PASTORE. It is my understanding that in the areas which have been mentioned by the able Senator from Illinois, an appraisal has already been made, and the tax has gone up somewhat.

The Senator from Illinois used the word "appreciable." That is a hard word to use in making a comparison. But the tax rate in the District of Columbia is lower than it is in the Maryland communities to which the Senator referred.

Mr. DOUGLAS. It is lower in the District of Columbia.

Mr. PASTORE. It is lower in the District.

Mr. DOUGLAS. Could the Senator from Rhode Island estimate how much lower?

Mr. PASTORE. No; I would not dare to do that; but I can place the information in the RECORD.

Mr. DOUGLAS. I hope the Senator from Rhode Island will do so. I think it would help very much in a discussion of the bill.

I heartily agree with the purposes for which the Senator from Oregon and the Senator from Pennsylvania are striving. I think they are to be commended for so doing. But, very frankly, what has been taking place in the District of Columbia, so far as I can tell, has been a determined effort by the Board of Trade to keep down the tax rate in the District of Columbia. The effect of that has been to starve city services, to starve welfare, to starve education, to starve hospital and medical care, and, in general, to exercise a blighting influence upon the District.

As Senators well know, the District of Columbia is probably unique among the big cities of the country in having the largest proportion of houses which have a high valuation. Let one go through the Northwest section of this city, in which I suppose most of us live, and instinctively the question arises, Where does all the money come from to buy and maintain these houses and keep the grounds up? There is square mile after square mile of extremely high valued houses. I think this is largely due to the fact that the District of Columbia is the capital of the United States. I do not suppose that the $22,500 salary which we receive as a salary will maintain many blocks; but there are also here large numbers of Federal employees. Despite the fact that they are constantly pleading poverty—and I think perhaps many of them are underpaid—it is true that when two members of the family work—which is quite common—there is then a relatively large family income, and that is another very real reason why people like to put their money into homes.

There is not much night life in the city of Washington, at least so far as I have been able to observe. I am frank to say that I have not hunted for it very much. [Laughter.]

So Washington is a community of home dwellers, and that is all to the good. However, that means that the average value per house is high. The location in the city of Washington of the Congress, which passes the laws, draws to the city large numbers of diplomats, the retired wealthy lobbyists and public relations men and also persons who have large expense accounts, and who can obtain deductions, for income-tax purposes, for many of the expenditures they make. The result is that large numbers of persons with relatively high incomes are drawn to the city of Washington; and, as a result, the tax rate is low.

I think the social services of the city of Washington should be supported more adequately than they are. In times past—until I was forced to make a study of the comparative tax rates—I thought that the Federal Government's share of the expenses of the Government of the District of Columbia should be increased, since as it is perfectly true that a very large percentage of the ground, namely approximately 40 percent, in the District of Columbia is used for public buildings. But after I made a study of the tax rates in the periphery of the District of Columbia, and observed the striking fact—2 years ago—that property in Maryland was taxed at a much higher rate than property in the District of Columbia, it seemed to me that the tax rate in the District of Columbia should be increased. It was my impression, as a result of that study, that the tax rate in Maryland was much higher than that in the District of Columbia.

In view of that fact, it seemed to me that the best remedy was to increase the tax rate in the District of Columbia. That would mean that those of us who own homes in the District of Columbia would pay more taxes, but I think we should accept that, and I wish to say that I think the Board of Trade of the District of Columbia has followed a very shortsighted policy in using all its influence to keep down the tax rate. I think the property owners in the District of Columbia should bear the increased municipal costs to the degree of their ability, rather than constantly demand that the Federal Government meet the increased costs. For although the Federal Government removes property in the District of Columbia from taxation, the Federal Government draws to the District of Columbia the lobbyists, diplomats, the relatively high-paid Government employees, and the public-relations men; in other words, all those found in the modern periphery of the Government, and the entourage which thus is attracted to the District of Columbia, live well, in good houses—which is fine—and they could pay increased taxes if the board of trade would permit the District of Columbia Commissioners to increase the real-estate tax.

I should like to ask this question: Would not it be possible for the District of Columbia Commissioners to increase the tax rate on real estate in the District of Columbia?

Mr. MORSE. Mr. President, I am very glad the Senator from Illinois has raised this point. I shall comment on it in a moment.

First, inasmuch as the Senator from New York [Mr. JAVITS] has been on his feet, I shall be glad to yield to him at this time, if he desires that I do so.

Mr. JAVITS. Yes, Mr. President; will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. JAVITS. I should like to point out to the Senator from Illinois that I think he makes a very persuasive case for increasing the real-estate tax in the District of Columbia. However, it seems to me that the increased revenue thus obtained should be used for quite another purpose. In other words, Washington, D. C., is one of the very few cities in the United States which has a 1-percent levy on food purchased at grocery stores—a levy which is regressive, and which bears very heavily on the persons of the lowest incomes. The tax at present yields approximately $2,225,000 a year—incidentally, almost exactly the amount the Senator from Oregon wishes to have added to the contribution the Federal Government makes to the budget of the District of Columbia.

In this connection, let me point out that the Senator from Oregon and I have joined in sponsoring a bill which would repeal the present 1 percent sales tax imposed in the District of Columbia on food purchased for consumption in homes. Let me say, in that connection, that a sales tax on food consumed in homes is basically a levy upon those who can least afford to pay taxes; and among the Nation's largest cities, such a tax is imposed only in Chicago, Detroit, and St. Louis, in addition to Washington, D. C. On the other hand, New York, Philadelphia, Boston, Los Angeles, San Francisco, and Baltimore, among other cities, have no such tax.

If the Federal Government does its part in increasing the contribution it makes to the budget of the District of Columbia—and for that reason I intend to support the amendment of the Senator from Oregon, which, incidentally, would mean that in that event the Federal Government would pay only approximately 12 percent of the aggregate cost of maintaining the District of Columbia, which certainly would not seem to be inequitable—then, in view of the present regressive sales tax on food consumed in homes in the District of Columbia—a tax which is quite an unusual one—and in view of what the Senator from Illinois has said regarding the deficiencies of the real-estate tax imposed in the District of Columbia, it seems to me that the Senator from Illinois would have a much better case in favor of increasing the real-estate tax in the District of Columbia after the present tax on food consumed in homes in the District of Columbia had been removed.

Mr. DOUGLAS. Mr. President, I should now like to ask whether it is within the power of the District of Columbia Commissioners to increase the real-estate tax rate in the District of Columbia?

Mr. MORSE. Yes; it is.

Mr. DOUGLAS. If it is within their power, could not the revenue thus obtained be used for welfare, hospitals, and education in the District of Columbia?

Mr. MORSE. Before I reply to that question, let me say that I have been advised by the counsel of the committee, Mr. Gulledge, that the rule in the District of Columbia is that the Commissioners cannot reduce the real-estate tax below $2.20, but they can increase it.

Mr. DOUGLAS. Precisely so. But, they can increase the tax rate on real estate in the District of Columbia; is that correct?

Mr. MORSE. Yes; and in a moment I shall comment on that point.

Mr. DOUGLAS. Second, if the real estate tax rate in the District of Columbia were increased, could not the additional revenue thus obtained be used to make increased appropriations for welfare activities in the District of Columbia, which I believe are needed, and for added hospital care and for added education?

Mr. MORSE. The answer is "Yes."

Mr. DOUGLAS. Then why should not we put pressure on the Commissioners of the District of Columbia to increase the real estate tax rate, rather than have Congress increase the Federal grant to the District of Columbia, thus making it unnecessary for the Commissioners to increase the real estate tax rate.

Mr. MORSE. I shall discuss that point in a moment.

Mr. BEALL. Mr. President——

Mr. MORSE. First, Mr. President, I yield to the Senator from Maryland.

Mr. BEALL. Mr. President, I thank the Senator from Oregon for yielding to me.

The Senator from Oregon answered the Senator from Illinois by stating that the real estate tax rate in the District of Columbia is $2.30. Let me say that the same is true in the case of Montgomery County, Md. Furthermore, a reassessment of properties is now being made in the District of Columbia. The assessment of properties, rather than the tax rate, is the crux of the entire matter. During the last year there has been set up the necessary machinery for the reassessment of real estate in the District of Columbia.

Mr. DOUGLAS. Let me ask the Senator from Maryland, who is very much interested in matters affecting the District of Columbia, whether it is true that the tax rate on real estate in Montgomery County has now been increased, so that it is on a level with that in the District of Columbia.

Mr. BEALL. I understand it is now the same, namely, $2.30.

Mr. DOUGLAS. That was not the case 2 years ago, was it?

Mr. BEALL. I do not know as to that.

Mr. DOUGLAS. What is the rate in Prince Georges County, as compared with that in the District of Columbia?

Mr. BEALL. I do not have that information, but I shall get it.

Mr. DOUGLAS. What is the comparative rate across the river in Virginia, as compared with the rate in the District of Columbia?

Mr. MORSE. I shall ask the committee clerk to obtain that information for the RECORD.

Mr. PASTORE. Mr. President, if the Senator from Oregon will yield to me, let me say we shall obtain all that information in 15 or 20 minutes.

Mr. DOUGLAS. But we need the information in connection with the amendment of the Senator from Oregon; and it will not do us much good to have the information tomorrow morning, inasmuch as we are to vote today on the amendment.

Mr. PASTORE. I realize that; but we shall obtain the information within a very few minutes.

Mr. DOUGLAS. Is it the impression of the Senator from Rhode Island that the tax rate in the adjoining counties of Virginia is higher than that in the District of Columbia?

Mr. PASTORE. That is correct.

Mr. DOUGLAS. Is it appreciably higher?

Mr. PASTORE. That is a difficult question to answer. In that connection, we should wait until we obtain the information which is about to be provided.

Mr. DOUGLAS. Let me inquire of the Senator from Maryland as to the situation in Takoma Park, Md.?

Mr. BEALL. A part of Takoma Park is in Prince Georges County, and another part is in Montgomery County.

Mr. DOUGLAS. Does the Senator from Maryland have any information as to the tax rate in Prince Georges County, as compared with that in the District of Columbia?

Mr. BEALL. We are now obtaining that information.

Mr. DOUGLAS. Mr. President, I do not wish to usurp the role of the Senator from Oregon, but this is a very important matter.

Mr. MORSE. I am glad to have the Senator from Illinois proceed, and of course I appreciate the importance of the matter.

Mr. DOUGLAS. Incidentally, Mr. President, let me say that I do not think the Senate should be dealing with this subject, because in this connection the Senate is acting merely as a city council. Instead, I think there should be home rule in the District of Columbia, so that these matters could be dealt with by the local authorities.

However, since the Senate is at present forced to act as the city counsel for the District of Columbia, it is obvious that the Senate must do its duty in that connection.

Mr. MORSE. I am glad the Senator from Illinois has raised that point, and I should like to have the people of the country realize that today, in connection with the pending measure, the Senate is acting as the city council for the District of Columbia.

Mr. DOUGLAS. I was once a member of the Chicago City Council and realize the importance of the matters we are discussing.

Mr. MORSE. Then the Senator from Illinois should feel very much at home at this time

Mr. DOUGLAS. But I wish to say that I think the Washington Board of Trade has dominated the District of Columbia Commissioners for a long time, under both Democratic administrations and Republican administrations; and they have helped to keep down the tax rate, and have helped to starve the welfare facilities of the people of the District of Columbia, and then they have blamed the Federal Government for not dishing out enough money to support the welfare activities.

When we come to act on the appropriation bill, I think we should vote for added appropriations for welfare, for health, and for hospitals. I think we should vote that way, but at the moment I am uncertain whether we should vote for an increase in the Federal contribution to the District. I would rather vote for appropriations for the specific purposes, and make compliance mandatory on the District, and then compel the District Commissioners to increase the tax rate, and therefore overcome the opposition of the Board of Trade. I think there has been a news blackout over the District on these issues with the Board of Trade helping to keep down the tax rate, and then "passing the buck" to the Federal Government.

Mr. MORSE. I am very glad to have this contribution from the Senator from Illinois. I shall comment on his statement, but first I yield to the Senator from Rhode Island.

Mr. PASTORE. I merely wish to make the observation that I do not know whose fault it is, but I believe this whole metropolitan area should be made consonant as an area with respect to the tax structure, health benefits, social welfare, and what have you.

Fundamentally, there are substantial problems involved, and more so on the District level than are normally found on the national level, because here in the District we have direct contact with the personalities involved. The human problems sometimes become even more human, because we are dealing directly with the people who are affected by our decisions.

I might say at this point that I wholeheartedly agree with the distinguished Senator when he talks about home rule for the District. There will be at least some semblance of home rule. So long as the responsibility is ours, we will meet it with all the alertness, conscientiousness, and industry at our disposal; but I hope the day will come when there will be some semblance of home rule in the District, whereby the people who pay the taxes will decide how the tax money

shall be spent. After all, the Federal Government makes a contribution of approximately 10 percent to the expenses of the District. It may be a little higher or a little lower than that. But it is a rather incongruous situation for us to be telling the people who pay the taxes how they should spend the tax money, when the Federal Government contributes only 10 percent of the amount to be spent.

The fact remains that, no matter what we do with respect to the $23 million item, we still have the problem of the sales tax, which was raised by the distinguished Senator from New York [Mr. JAVITS]. We still have the problem of only 83 percent of the subsistence allotment being paid. We can decide those questions, but they belong in the District committee. That committee has jurisdiction over them. That, however, does not relieve the Senate of the responsibility of deciding what it shall do about the $23 million.

I desire to say, in fairness, that while I represent the committee in this particular matter, one of the problems I wrestled with, one of the items which affected my consciousness more than any other, was the question of what we shall do about feeding the poor. An item amounting to about $170,000, as suggested by the committee, has been placed in the bill to take care of that matter. We have a plan for setting up five food centers in the area. Thus far we have had an emergency program. Now we expect to have a permanent program. All the things that have been projected must be done, but they will not assist the Senate this morning in reaching a decision on the $23 million item.

I say a legal and a moral responsibility rests on the Federal Government to make a fair contribution to the District, because about 42 percent of the land in the area is owned by the Federal Government. However, let us not delude ourselves with the idea that it is not a great advantage to the people of the District to have the Capital located here. I only wish it were in Providence, R. I. I would complain very little about that fact.

Mr. PASTORE. Let us not worry over the fact that the Capital is located here. It is a wonderful thing for the District. I wish it could be located in Rhode Island. We could use it there, and use it very well. But that is not the point before the Senate. The question we have before us is what is legally and morally right. We are confronted with certain practical and realistic matters which we must face.

Certainly, my responsibility in dealing with the budget for the District of Columbia is slightly different from the responsibility of the Senator from Oregon, for whom I have the highest respect. I have to measure the tone and temperament of the Congress. I have to measure the feeling of the House. I have to look into the background of various matters. I have to look into the question of surpluses. The District of Columbia Committee has done all those things. The Appropriations Committee has not come forward with this budget because the committee did not love the people of the District as much as it loved everybody else. I do not say we love them more or less. We are just as conscious of social problems as is anybody else. But we have come forth with a bill which I think we have shaped and rounded to make sense and that will do the things which should be done for the District.

If the Federal contribution is increased by $2½ million, it will not go for operating expenses. What will happen? The yield from income taxes paid in the District of Columbia has amounted to $5½ million more than was estimated. I do not think we can shy away from that fact, or shy away from our moral and legal responsibility of making an appropriate contribution. Realistically and practically, the House voted $20 million. Since that time there has been an increase in the yield of District income taxes amounting to $5½ million. There has been a surplus on paper, because this money is still in the United States Treasury. When something is said of money being available or not available, I point out that the United States can never afford to have the District of Columbia become bankrupt. This is a model city, and it should be a model city, because the National Capital is located here.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. DOUGLAS. I should like to have Washington be a model city. It is a model city in many respects, but in many other respects it is not a model city. It is not a model city so far as the Potomac River is concerned, which, as the Senator from Oregon has pointed out, is an open and running sewer. It is not a model city so far as care of the poor is concerned. It is not a model city so far as hospitals are concerned. The poor people in the city of Washington fare very badly indeed.

The only question in my mind is whether the taxpayers of the country should meet the costs, or whether those who live in $25,000, $35,000, $45,000, $50,000, or $100,000 houses should not pay more taxes for the relief of the people in need in the city, instead of keeping the tax rate down and starving the welfare services.

Mr. PASTORE. The Senator is correct; when I said "model city," I meant it in a comparative sense.

Coming back to the point I was making, there exists an estimated surplus of $4,400,000. The money about which we are talking is money which has been paid by the taxpayers of the United States. Whether we are talking about a debt we owe as a nation, or whether we are talking about an obligation we owe to the District of Columbia, we are talking about the same people. We are talking about the same money. We are talking about the same responsibilities. We are talking about the same burdens.

This is one of the problems on which the Senator from Rhode Island spent some restless nights in trying to arrive at a solution in his own mind. We have a national debt of approximately $275 billion. We have the largest peacetime budget we have ever had in the history of the Nation, $71,800,000,000. The yield from income taxes in the District of Columbia was not known to the Members of the House when the House voted for a Federal contribution of $20 million. The yield from income taxes was $5½ million more than was estimated. There is already a surplus of $4,400,000 in the District treasury. So what do we do? Do we go to the taxpayers of the Nation with this practical picture and say, "Let us take $2½ million more out of the right hand and put it in the left hand, so it can be invested and pay an interest return"? That is the proposition with which I had to deal.

I realize that the argument does not avoid our responsibility of meeting our obligations, but we tried to act as fairly as we could. We recognized the fact that we raised the budget over the House figure by $4 million. Therefore, I was one of those who insisted that we raise the Federal contribution. We did it as fairly as we could by way of compromise. I am afraid that if we raise it any further, first of all, the only result will be a great many speeches on the floor of the Senate and second, it will not be agreed to by the House. We have the stark reality facing us that there is a current fluid surplus. True enough, the Commissioners could build up a greater surplus. I am all for that. As a practical proposition, the Government owes $275 billion, and the national budget calls for $71.8 billion. On the other hand, the District has a surplus of more than $4 million. What should we do in a situation like that?

I love the District as much as does anyone else, and I desire to be fair to its people; but we also have to be fair to all the citizens of the United States. We reached about as sensible a solution as possible. If we are wrong, in the opinion of the majority of the Senate, we shall be bound by whatever the Senate decides, but I have explained why we acted as we did.

Mr. DOUGLAS. Mr. President, will the Senator yield to me for the purpose of asking a question of the Senator from Rhode Island?

Mr. MORSE. I yield.

Mr. DOUGLAS. Suppose the Senate votes down the Morse amendment and then adopts amendments increasing the appropriations for welfare, for health, and for education, in the sum of $2½ million. Will that action be binding on the Commissioners, and will they then have to meet these mandatory increases?

Mr. PASTORE. Yes; out of the District's own money, the $4.4 million.

Mr. DOUGLAS. Out of the surplus, or by increasing taxes?

Mr. PASTORE. I do not believe they are going to raise the real-estate taxes as of the moment. I do not think they should, until the full report on reappraisal is available. When that is made, I hope taxes in the District will be on a comparative level with taxes in the neighboring communities.

Speaking for myself, I am sure the Commissioners are conscious of the situation. I do not know that there is any fault on the part of the board of trade or of the Commissioners, and I do not want to get into that kind of discussion. They all seem to be very fine people.

Dealing with the District appropriation bill is a new experience to me. It was the first time I had to do deal with this budget. It was very interesting. I devoted much time and study to it and I enjoyed myself immensely.

I have always wondered why I, from the State of Rhode Island, should be deciding the fiscal problems of the people of the District of Columbia. It seemed to me it would be better if people solved their own problems. But that is beside the point. The responsibility is ours now. We must meet it. We did meet it.

Mr. DOUGLAS. I think it is extraordinary that in times past we have not had this comparative study of the relative actual rates of real-estate taxation in the District of Columbia, as compared to Montgomery and Prince Georges Counties in Maryland and Fairfax and Arlington Counties in Virginia. I can only say, after having personal experience with this matter 2 years ago, that the actual tax rate in Montgomery County was appreciably lower than the rate in the District. The tax rate in Prince Georges County, I believe, was lower. The Senator from Maryland has assured us that now the tax rate in Montgomery County is equal to that of the District, but we have had no comparative figures for Prince Georges County and no comparative figures as to the neighboring Virginia counties.

Mr. PASTORE. We will have them.

Mr. DOUGLAS. The very expert Senator from Rhode Island states that in his opinion the effective tax burden in Fairfax and Arlington Counties, Virginia is appreciably higher than that in the District of Columbia.

Mr. PASTORE. It is higher.

Mr. BEALL. Mr. President, will the Senator yield to me?

Mr. PASTORE. Before any yielding is done, I should like to say to the Senator from Illinois that everything he has said is true, but let us not forget that if the real estate taxes or the appraisals are raised in the District of Columbia they should not be used as an excuse for cutting down the Federal contribution, because the Government makes its contribution in lieu of taxes. If the burden is raised on the real estate owners in the District of Columbia, then we will have to raise the $23 million ceiling. I am in favor of that. As the obligations move up on the part of the real estate owners, we must not forget that the United States Government is a real estate owner.

Mr. BEALL. The Government owns about 40 percent of the property.

Mr. PASTORE. Absolutely. We should raise the $23 million when the taxes are raised. It may be necessary. All that remains for the future. I do not think we are going to straighten that out today.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Maryland.

Mr. BEALL. I should like to answer a question propounded by the Senator from Illinois [Mr. DOUGLAS].

The tax rate in Prince Georges County, I understand, is now $4.25. In Virginia the rate in Arlington County is $3.24 per hundred, and in Fairfax County from $3.25 to $3.31. They have a graduated tax there. In Alexandria it is $2.75 per hundred. So the taxes are really higher in suburban Washington than they are in the District.

Mr. DOUGLAS. That is what the Senator from Illinois has been saying. May I, furthermore, ask about the valuations? The actual tax which one pays depends both on the percentage of market value at which a property is assessed and the normal tax rate itself.

Mr. BEALL. The Senator is correct.

Mr. DOUGLAS. What is the valuation, let us say, fixed on a $25,000 house? Is the relative valuation lower in the District than it is on the same property in the surrounding communities?

Mr. BEALL. I do not know what it is on a $25,000 house. I cannot take one item. We do know that some 2 years ago the District Commissioners set up a perpetual assessment system. We found that the properties were far underassessed.

Mr. DOUGLAS. In the District?

Mr. BEALL. In the District.

Mr. DOUGLAS. As compared with other localities.

Mr. BEALL. Compared with some of the other localities, yes.

Mr. DOUGLAS. That is the point.

Mr. BEALL. That is not true in Virginia, because they have different rates because of the assessments in Virginia. I understand, though I do not have the figures, that that is true. I may be wrong.

Mr. DOUGLAS. With a lower rate in the District as compared with most of the adjoining counties, and with a lower percentage valuation as compared to the real value, that means the effective tax rate on a $25,000 or $50,000 home is appreciably less in the District than in the suburbs. The actual rate is less. It seems to me that great pressure should be put upon the District Commissioners to raise the real-estate tax rate,

Mr. MORSE. Mr. President, I shall now take the floor in my own right for a few minutes to tie the ends of the debate together. I shall yield again as soon as I make some comments upon the very helpful observations of my colleagues in this debate.

First I should like to have the attention of the Senator from New York [Mr. JAVITS]. He was engaged on another matter yesterday afternoon, so that he could not be with us in our discussion of these budgetary problems, with the result that I took his name on the floor of the Senate, not in vain, I hope. I should like to have him check the CONGRESSIONAL RECORD to make certain that I in no way misrepresented his point of view. I did not say that he had taken a definite position. As he will see in the RECORD, I said in effect that I was sure I could say the Senator from New York would agree with the general policies which we have advanced, because I know the great help he has been to me on the District of Columbia Committee in regard to these problems. However, I thought I owed it to the Senator to invite his attention to the RECORD, where his name was used by me in debate yesterday afternoon. If the RECORD should need a modification in any way, he knows I would be the first to propose the modification.

Now I should like to have the attention of the Senator from Illinois [Mr. DOUGLAS] for a moment. I wish to give him assurance, as chairman of the Subcommittee on Public Health, Education, Welfare, and Safety of the District of Columbia Committee, that although I do not go forth looking for work, I do try to perform my duties. He has raised a question, namely, that of taxes, which I think it now becomes a duty of my subcommittee to go into. I wish to give the Senator assurance that I shall proceed forthwith to put the staff to work on an investigation of the tax problem from the standpoint, first, of an accurate comparison of tax rates not only between the District of Columbia and outlying districts in this area, but between the District of Columbia and cities of comparable size in the United States, and also in regard to the assessment valuation matter, which is even more controlling than the rate, in my judgment.

I desire to have the staff ascertain what the policy is in regard to the valuation assessment. I am not a good witness on this subject, because my experience is exceedingly limited. I happen to own a house in the District of Columbia, and I own a house just outside the city limits of Eugene, Oreg. Taking into account the difference in valuation of the two pieces of property and the taxes I pay on each, I should say that my taxes in the District of Columbia are not lower than the taxes on my Eugene property. However, I shall check into that subject again, from the standpoint of the two issues which the Senator has raised. However, I have no doubt that there could probably be some improvement on the part of the officials of the District of Columbia in following either a rate policy or a valuation policy which would raise more money from real property privately owned in the District of Columbia.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. I do not wish to prolong the discussion with the Senator. I have been a guest of the Senator from Oregon in his charming home outside the city of Eugene, and I have spent some very happy hours with him there.

As the Senator from Oregon realizes, he lives in a relatively sparsely settled area outside the city of Eugene. The cost of the public facilities, roads, sewers, welfare programs, and so forth, would be very much less there per capita than it is in Washington. Even so, the Senator's offhand judgment that his taxes are not any higher here in Washington than there is rather eloquent, because we might expect them to be much higher, in view of the greater per capita cost of local government.

I hope the Senator will have the study to which he has referred made, dealing with both the tax rate and the relative assessment of the given percentages of valuation. If I felt that it was necessary

to increase the Federal contribution to prevent youngsters from starving to death, or being half starved in the city of Washington, I would certainly vote for an increased Federal contribution. I intend to vote for the specific appropriations for welfare programs as they come before us, because I think the Government should concern itself more with the welfare of men and women, and not make the management of money the dominant standard. But if by denying an increase in the Federal share, and by voting for specific increases in the detailed budget, we could force the Commissioners to increase the real estate tax rate, I would be for that.

Mr. MORSE. I assure the Senator from Illinois that the tax study will be made. I shall set it in motion immediately.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PASTORE. Apart from the distinguished senior Senator from Illinois [Mr. DOUGLAS], who is always interested in the budget, and the distinguished junior Senator from Illinois [Mr. DIRKSEN], who is the ranking Republican on our subcommittee, it is a great compliment to this community to have present on the floor of the Senate today 4 members of the District of Columbia Committee, who are vitally concerned with these problems and are willing to stand up and say something about them. I think it is a refreshing scene. It is a great compliment to the people of the community.

That has been my experience with the committee. Fine public-spirited people come before the committee and testify on behalf of the budget, in an effort to see to it that the local schools are properly maintained, and that the social programs of the District are kept in order. There is a tremendous amount of interest in this community.

Coming back to the perennial gripe—I think that is perhaps the best way to describe it—in connection with home rule, I believe that if we should leave the people of the District of Columbia alone, and allow them to operate their own community, it would become a marvelous community.

Mr. MORSE. The Senator is quite right.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. I believe that this theme should be underlined time and again. Perhaps, with so many of us vitally interested in the problem, something at long last can be done. It is almost ridiculous that a community of adult persons living in the District of Columbia cannot have the right to conduct their own affairs. This debate illustrates the situation. It is high time for us to get our teeth into the problem. It is ridiculous that Congress should have to act as a common council for the city of Washington in connection with such elementary matters as real estate taxes, welfare programs, and so forth.

At a time when the energies of Members of Congress are to so great an extent devoted to questions involving the defense and security of the United States, I am appalled and shocked at the situation in which Congress must act as a city council. More and more of us are coming to feel that we cannot afford to allow that situation to continue.

Mr. MORSE. Mr. President, I certainly agree with the Senator from New York. I thank him for adding to our argument for home rule. Home rule has been the subject of a running debate ever since I first came to the Senate, 13 years ago. I hope to see the time when Congress will enact a home rule law for the District of Columbia.

Mr. DOUGLAS. Mr. President, will the Senator yield?

I quite agree with the Senator from New York. Home rule for the District of Columbia is needed.

In my opinion, one of the chief quiet forces working against home rule for the District of Columbia has been the Board of Trade. If there were an elected municipal council in the city of Washington, there would be greater appropriations for schools, greater appropriations for welfare programs, and greater appropriations for hospitals. Therefore, in order to keep down the tax rate, as well as for reasons involving the question of segregation and the race issue, certain interests in the District of Columbia wish to keep the District under Federal tutelage. I think Federal tutelage should be abandoned as rapidly as possible.

However, in the meantime we have a responsibility. I regret that we must take time from more important duties to become a common council for the city of Washington; but so long as we are a common council, we must do that job as best we can. So while it may be ridiculous to take up as much time as we do on this subject, in view of the other problems before us, nevertheless, with the legal distribution of responsibility as it is, we have a duty to make as wise and humane decisions as possible.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BEALL. It seems that we are all in accord with respect to the question of home rule. I do not see why we do not now temporarily lay aside the appropriation bill and pass a home-rule bill. No one is arguing against it.

I think we should invite the attention of the Senator from Illinois to the fact that, at long last, the Washington Board of Trade has now endorsed home rule. More recently the junior chamber of commerce has sponsored home rule. So I think we are all getting together. Bodies which have opposed it in the past are now sponsoring home rule. Everyone wants it.

If I may proceed for a moment, I concur in what the Senator from Oregon [Mr. MORSE] has said. In particular, I wish to compliment the Senator from Rhode Island [Mr. PASTORE] for the fine job he has done.

For 4 or 5 days I sat with him as a member of the Appropriations Subcommittee. He approached the subject just as he would have approached an important subject when he was chief executive of his own State. He was Governor of his own State for several terms. I was very much pleased with the intelligent, workmanlike manner in which he approached the subject under consideration.

To get down to the proposed increase in the Federal contribution, Congress, sitting as a city council, has authorized certain expenditures; and we have recommended certain expenditures. With Congress acting as a city council and recommending expenditures, the least we can do is to provide a part of the money to pay for them.

As the Senator from Oregon pointed out, we have the health problem. We have the problem of providing for the necessary number of teachers, and for an adequate police department, of which the people of the District of Columbia are very proud. There is no finer police force in the country. But if we are to assume the responsibility of recommending additional appropriations for these purposes, we certainly should provide the money.

The question arises as to the proposed figure of $23 million for the Federal contribution. We all agreed, individually and collectively, at one time or another, that the Federal Government's contribution should be greater than it now is. We say so privately. Why should we be concerned about what the other body will do? If we think the appropriation, for this purpose, should be larger, let us tell the other body, and tell the people of the country, how we feel about supporting the Nation's Capital and providing for the cost of operating it. We cannot disregard the District of Columbia. After all, this is the Nation's Capital. It is our responsibility.

Some reference has been made to the Potomac River. I should like to call to the attention of the Senator from Illinois that the Potomac River, to the high watermark on the Virginia side of the river, belongs to the State of Maryland. The State of Maryland has full jurisdiction over it. However, I know that the State of Maryland wishes to cooperate with the District of Columbia.

I certainly do not believe that the measley little amount we are asking for, in an additional appropriation, should be objected to. It is certainly little enough to do, when we sit here in Congresss and take first one building and then another building off the tax rolls of the city.

I am not criticizing any of the local organizations. However, it certainly seems to me that, as the Senator from Oregon has pointed out, the Federal Government should make a substantial contribution. Let us do the right thing in the Senate, and I am sure the Members of the other body will see the light and go along with us.

Mr. MORSE. I thank the Senator from Maryland. I appreciate his help very much. I now yield to the Senator from Rhode Island.

Mr. PASTORE. I have before me a comparison of real estate taxes as between the District of Columbia, Montgomery and Prince Georges Counties in Maryland, and nearby localities in Virginia. I wonder whether the Senator from Oregon wishes me to put this material in the RECORD.

Mr. DOUGLAS. I wonder whether the Senator from Rhode Island would summarize it.

Mr. MORSE. I suggest that the Senator put it in the RECORD first.

Mr. PASTORE. I shall put it in the RECORD at this time. I ask unanimous consent, Mr. President, that the statement I have before me be printed in the RECORD at this point.

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MARYLAND

Rates: Montgomery County: Effective rate of approximately $1.15 to $1.62 per $100 depending upon the location of the property and the services rendered. Actual rates vary from a base of $2.30 to $3.23 per $100 of assessed valuation. Assessed valuations are between 50 and 60 percent of current market value for most properties.

Prince Georges County: Effective rate of approximately $1.21 to $1.32 per $100 depending upon the location of the property and the services rendered. Actual rates vary from a base of $2.425 to $2.6325 per $100 of assessed valuation. Assessed valuations are between 50 and 60 percent of current market value for most properties.

VIRGINIA

Rates: Arlington County: Effective rate of approximately $1.08 per $100. Actual rate of $3.24 per $100 of assessed valuation. Assessed valuations are approximately one-third of current market value for most properties.

Alexandria: Effective rate of approximately $1 per $100. Actual rate of $2.75 per $100 of assessed valuation. Assessed valuations are approximately 42.5 percent of appraised value which is between 80 and 90 percent of current market value for most properties.

Fairfax County: Effective rate of approximately $1.08 to $1.10 per $100. Actual rates vary from a base of $3.25 to $3.31 per $100 of assessed valuation. Assessed valuations are approximately 32 percent of current market value for most properties. There is, in addition, a flat fee of $18 for each property unit for refuse collection.

Mr. PASTORE. First, with reference to the District of Columbia: The effective rate is approximately $1.15 to $1.38 per $100. This refers to real estate taxes, of course. The actual rate is $2.30 per $100 of assessed valuation. Assessed valuations are between 50 and 60 percent of current market value for most properties.

Those figures are for the District of Columbia. I think the figure the Senator from Illinois is interested in is the 50 to 60 percent of current market value.

With relation to Maryland, in Montgomery County, the effective rate is approximately from $1.15 to $1.62 per $100, depending upon the location of the property and the services rendered. Actual rates vary from a base of $2.30 to $3.23 per $100 of assessed valuation. Assessed valuations are between 50 and 60 percent of current market value for most properties. That is in Montgomery County.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. DOUGLAS. So that the actual rates in Montgomery County are higher than they are in the District of Columbia.

Mr. PASTORE. They are slightly higher.

Now with reference to Prince Georges County. The effective rate is approximately from $1.21 to $1.32 per $100, depending upon the location of the property and the services rendered. Actual rates vary from a base of $2.425 to $2.6325 per $100 of assessed valuation. Assessed valuations are between 50 and 60 percent of current value for most properties. These rates are again slightly higher than in the District.

Mr. DOUGLAS. Again the actual rate, in Prince Georges County, is higher than in the District.

Mr. PASTORE. Only slightly higher. I think it is fair to say that.

Mr. DOUGLAS. By 10 percent at least.

Mr. PASTORE. Oh, no. They vary from 2.425—

Mr. DOUGLAS. It is 2.3, is it not?

Mr. PASTORE. It is 2.3 in the District.

Mr. DOUGLAS. That is what I mean. $2.43 is 5 percent above $2.30, and $2.63 is over 10 percent greater.

Mr. PASTORE. That is $2.30 to $2.40 per $100. Of course if we take the ceiling, it might be $3.23.

Mr. DOUGLAS. Exactly so. Not all the taxes are levied at the lowest rate, any more than a man's golf game can be always better than his average.

Mr. PASTORE. Without quibbling over decimal points, I believe the Senator from Illinois is correct.

In Arlington County, the effective rate is approximately $1.08 per $100. The actual rate is $3.24 per $100 of assessed valuation. This is important to note. Assessed valuations are approximately one-third of current market value for most properties.

Mr. DOUGLAS. There the actual rate is 40 percent higher than in the District of Columbia.

Mr. PASTORE. In Alexandria, Va., the effective rate is $1 per $100. The actual rate is $2.75 per 100 of assessed valuation. Assessed valuations are approximately 42.5 percent of appraised value, which is between 80 percent and 90 percent of current market value for most properties.

Mr. DOUGLAS. But the actual rate is $2.75, as compared with $2.30, or 45 cents more or 20 percent more than in the District.

Mr. PASTORE. That is correct.

Fairfax County. The effective rate is from $1.08 to $1.10 per $100. Actual rates vary from a base of $2.25 to $3.31 per $100 of assessed valuation. Assessed valuations are approximately 32 percent of current market value for most properties. There is, in addition, a flat fee of $18 for each property unit for refuse collection.

Mr. DOUGLAS. Waiving the flat fee, that indicates an actual rate which is in places $1 higher than the District rate of $2.35, or 40 percent higher than the District rate. Then the $18 flat fee must be added on top of this.

I thank the Senator from Rhode Island for introducing these figures into the RECORD. They establish clear proof that the real-estate taxes in the District of Columbia are appreciably lower than the real-estate taxes on corresponding valuations outside the District.

There is an obligation upon the District Commissioners, in order to provide adequate funds for those children of the District who are half starved—and there are many who are half starved—and in order to provide adequate hospital care and proper public schools, to raise the real-estate tax rate.

I am a little doubtful whether the best way to do it is to increase the Federal appropriation, or to put pressure upon the District Commissioners to try to put human values first.

Mr. MORSE. I wish to say to the Senator that he should retain his doubt a little longer, because I believe we can shed some further light on this subject before we are through.

Mr. PASTORE. Of course, if we chop this into bits, we can easily massacre the whole thing. There is no sales tax in some of these suburban areas as there is in the District.

Mr. DOUGLAS. But a sales tax falls most heavily on the low-income group. It is a regressive tax. It is further proof of how the tax policies of the District of Columbia have protected the upper income group. A sales tax is a tax on the poor to help the poorest.

Mr. PASTORE. I am not debating the philosophy of the various taxes. I am merely stating the picture as it exists. It was not my doing, and I doubt very much that there will be any undoing because of this debate.

Mr. MORSE. Mr. President, I should like to proceed with and complete my argument, which will really be very brief. I see the Senator from Illinois [Mr. DIRKSEN] in the Chamber. He and I had a little chat this morning. He has another engagement today, and he said to me, "Wayne, how long do you think you will be?"

I said, "I won't take very long."

I have not yet taken very long, but I have been on the floor a long time, and I have been very much helped by my colleagues in the debate. As a result of what has been put in the RECORD, I can be even more brief than I had planned to be. However, I do wish to

very much. I now yield to the Senator from Rhode Island.

Mr. PASTORE. I have before me a comparison of real estate taxes as between the District of Columbia, Montgomery and Prince Georges Counties in Maryland, and nearby localities in Virginia. I wonder whether the Senator from Oregon wishes me to put this material in the RECORD.

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Mr. PASTORE. Of course, if we chop this into bits, we can easily massacre the whole thing. There is no sales tax in some of these suburban areas as there is in the District.

tie some of the loose ends together, as I see the need for some knots.

I wish to call to the attention of the Senate the fact that the 1956 family income per household in Washington, as compared with the urban areas, shows an interesting comparison. The median income for the District is $4,900, as compared with $6,773 for the families in the populous urban areas. I believe these figures have some bearing on the problem of taxation. We have the figures in the RECORD, from the Senator from Rhode Island, but Senators will receive in the reasonably near future a memorandum on this whole picture.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Does the Senator from Oregon yield to the Senator from Ohio?

Mr. MORSE. I yield.

Mr. LAUSCHE. Did the committee have before it a schedule showing the per capita cost of government, with the District of Columbia included?

Mr. MORSE. I do not know whether the Appropriations Committee had such a schedule.

Mr. LAUSCHE. I have here some figures which are interesting. I should like to read them into the RECORD.

Mr. MORSE. I should like to have the Senator do so.

Mr. LAUSCHE. It appears that the District of Columbia is 12th in the list of cities in per capita expenditures. Its per capita expenditure for governmental purposes is $170.

Long Beach, Calif., seems to have the highest per capita expenditure for governmental purposes, $257. My home city, Cleveland, has $150; Cincinnati, $180; Columbus, $115; Chicago, $135; San Francisco, $190.

Washington, D. C., has a per capita expenditure of $170. I recognize that that is not reflective of the services rendered in the fullest degree. I believe these figures cover welfare, school, and general administrative service expenditures.

The table shows that Washington is 12th with an expenditure of $170 a person. Chicago, with an expenditure of $135 per capita, is below Washington, D. C.

I do not know exactly what interpretation must be made of these figures, but they show in a measure that the District of Columbia, from a per capita standpoint, has maintained a pretty good level compared with other cities throughout the country.

I have one further question to ask of the Senator from Oregon. I have been reading the RECORD and have found a table showing the number of teachers in the District of Columbia, but I have not been able to find a table showing the number of pupils. The Senator from Oregon stated that a part of the $3 million would be used to aid schools. Does the Senator from Oregon know the number of pupils per teacher in the District of Columbia now?

Mr. MORSE. Yes. Let me comment on that question. We are well aware of the problem of the overcrowded schoolroom while the teacher is teaching a class. But we also have the problem of an inadequate number of schoolrooms, making it impossible to conduct classes on a full-day basis in some of the schools, which, of course, increases the education problem.

The teacher-pupil ratio, as I recall, is 36 students to a teacher. I will supply the exact figure for the RECORD. I think it is 36 to 1. I think the appropriation for which we are asking will reduce the ratio to 32 to 1.

Mr. CLARK. Mr. President, will the Senator from Oregon yield? I think I can answer the specific question of the Senator from Ohio.

Mr. MORSE. I yield.

Mr. CLARK. The ratio of pupils to teachers in the District of Columbia the year before last was 36 to 1. At that point a 3-year plan was evolved, which would permit the ratio to be brought down, in 3 years, to 30 to 1.

Last year the first step in that 3-year program was approved by Congress, and additional teachers were authorized. This year the second step was intended to bring the ratio down to 32 to 1. Next year it would reach 30 to 1.

However, because of the action of the House and of the Committee on Appropriations, that schedule has not been met; and unless the amendments which we intend to offer in a few minutes are agreed to, the ratio will remain at 33 to 1, whereas the Board of Education wanted to bring it down to 32 to 1.

I wonder if what I have said is in accordance with the understanding of the Senator from Rhode Island.

Mr. PASTORE. I do not wish to impugn the statement made by the distinguished Senator from Pennsylvania, but his statistics are a little incorrect. This is what the latest figures show.

In the elementary schools, the ratio of pupils to teachers is 34.7 to 1. In the junior high schools it is 23 to 1. In the senior high schools it is 28 to 1. In the vocational high schools it is 24 to 1.

As to elementary schools, the District of Columbia is 12th in the list of comparable size cities in the teacher-pupil ratio.

I am not trying to convey the impression that I am satisfied that this should be our goal; but the fact of the matter is that the situation is not too bad.

Mr. LAUSCHE. I certainly think we ought to be careful not to make it appear that the situation is of a defensible character. The actual figure submitted by the Senator from Rhode Island would seem to indicate that except for the elementary schools the ratio of pupils to teachers is rather sound.

Mr. PASTORE. And it ranks rather high by comparison.

Mr. CLARK. Mr. President, will the Senator from Oregon yield further, to permit me to ask the Senator from Rhode Island a question?

Mr. MORSE. I yield.

Mr. CLARK. I call the attention of the Senator from Rhode Island, who, of course, gave the matter far more attention than I did, to page 97 of the hearings before the Committee on Appropriations, which I read with some care. I quote from the statement concerning the requested increase as presented to the committee by Dr. Hobart M. Corning, the Superintendent of the District of Columbia Public Schools:

> The Board of Education approved, in March 1955, a revised pupil-teacher ratio standard for the elementary schools. This reduced the standard ratio from 36–1 to 30–1. Rather than attempt to effect this change all in 1 year, the Board of Education decided that it would be more practical to program it over a 3-year period. The 1958 budget contains the second portion of that program. To keep on schedule it should be possible to establish a 32–1 ratio during the 1958 fiscal year. This will require restoration of $341,550 for 69 teaching positions. It is important that elementary school classes be reduced in size as rapidly as possibly in order to facilitate more homogeneous groupings of students and also to permit more individual attention from the teachers. These improvements in ratios are necessary to the raising of the achievement levels of the elementary school students.

My question is, Is Dr. Corning wrong?

Mr. PASTORE. No. The Senator from Pennsylvania reads well and reads correctly. But I was reading statistics which came to the committee only yesterday from the budget office of the District of Columbia. These are the latest figures. What the Senator from Pennsylvania read is what Dr. Corning testified to; and for Dr. Corning I have the greatest respect and admiration. I do not say he exaggerated anything; but what I cited are the latest figures we have received from the District budget office.

Mr. CLARK. Could the distinguished Senator from Rhode Island and I agree that the situation with respect to the elementary schools, which is the burden of my amendment which will be debated in a few minutes, was essentially correctly stated by Dr. Corning?

Mr. PASTORE. Essentially; yes, I would go that far.

Mr. CLARK. I thank the Senator.

Mr. PASTORE. I would go that far. But there is something else the Senator from Pennsylvania must bear in mind. The whole presentation must be related to and correlated with the lack of facilities in the District of Columbia.

There are now 48 split classes in the first and second grades. I do not think that is a desirable way of educating children. There ought to be full-day classes for every pupil from the first grade up. But because of a lack of facilities, there are now, in the first and second grades, 48 classes in the morning and in the afternoon.

The House figures will enable the school system to have 175 such classes. If we allow what the House deducted, there would be 300 such classes.

The big question before our subcommittee was whether this amount could be absorbed properly or whether the pupil-teacher ratio would suffer a case of indigestion. Taking all that into account, we went along with the figure of the House.

Mr. CLARK. Mr. President, will the Senator from Oregon further yield?

Mr. MORSE. I yield.

Mr. CLARK. I may say to my distinguished colleague that assurances were given to my office and the office of the distinguished Senator from Oregon from the staff of the Committee on the District of Columbia, that as of this morning classroom space is available on the basis that for the first and second grades only, 308 classes will be operating on a part-time basis. The Board of Education assured us that part-time classes are less damaging at those grade levels, and that part-time classes are preferable to crowded classrooms on a full-time basis for those age groups.

I know the Senator from Rhode Island and I have gone through the happy family experience of having young children. And although I am opposed in principle to part-time classes, I suggest to him that perhaps children in the first and second grades can absorb about all the education they can get in either the morning or the afternoon. Therefore, I think that while it is most unfortunate to have part-time classes in the first and second grades, it is far more important in the higher grades to have more teachers than to have part-time classes.

Mr. PASTORE. I go along with that suggestion. I hope I am not being placed in the position of having to defend an inadequate school system in any community. As a matter of fact, when I was Governor of Rhode Island, it was my responsibility, in order to meet a teacher situation which was quite serious, to take the necessary steps. Therefore, when I became Governor I instituted the imposition of a sales tax, which was not a popular thing for a Democratic governor to do.

I am quite willing to assume my responsibilities in this connection, too. However, this item does not involve the difference between having everything and having nothing. There are more than 4,000 schoolteachers in the District of Columbia; and the answer to the question of whether the children of the District of Columbia will be educated or will not be educated does not depend on the 69 teachers proposed to be eliminated. Instead, the question is how many split classes there will be.

I realize that Dr. Corning has said it is better to educate in that way, rather than to have large classes. But the question is, How large is "large"? I myself would rather have 33 pupils under 1 teacher, all day long, although I would not for a moment attempt to suggest that I have the knowledge possessed by Dr. Corning. But if 69 teachers are eliminated, and if 4,000 teachers remain, such an elimination will make very little difference, as between large classes and small ones—whether there will be 33 pupils or 32 pupils in a classroom.

On the other hand, the important question is how to take care of the situation, and to do it gradually, progressively, and systematically, without running into a case of indigestion. We believe that the way to solve the problem is the one we have indicated.

Mr. MORSE. Mr. President, I should like to say to the Senator from Ohio [Mr. LAUSCHE] that when I answered his question I was speaking from recollection. I now have before me the information on the basis of which we acted in the Committee on the District of Columbia.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD, in connection with my remarks, a table showing the enrollment in elementary schools, junior high schools, senior high schools, and vocational schools in the District of Columbia for October and March 1945–46 through 1956–57.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Public schools of the District of Columbia—Enrollment in the elementary, junior high, senior high, and vocational high schools for October and March, 1945–46 through 1956–57

School year (1)	Elementary (2)	Junior high (3)	Senior high (4)	Vocational (5)	Total (6)
1945–46—Oct. 26	81,223	19,901	14,798	1,363	87,246
Mar. 14	151,285	19,899	14,746	1,367	87,317
1946–47—Nov. 1	52,315	19,623	14,974	1,555	88,567
Mar. 13	52,375	19,614	15,067	1,897	88,953
1947–48—Oct. 31	53,425	19,323	14,766	1,947	89,461
Mar. 11	53,635	19,288	14,811	1,975	89,709
1948–49—Oct. 22	54,448	18,814	13,669	1,792	88,743
Mar. 3	54,967	18,973	13,509	1,950	89,399
1949–50—Oct. 21	58,089	19,069	12,965	2,038	92,161
Mar. 2	55,490	19,200	12,944	2,145	89,689
1950–51—Oct. 20	58,809	19,491	12,338	1,840	92,509
Mar. 1	56,110	19,560	12,199	1,901	89,769
1951–52—Oct. 19	60,403	20,412	12,129	1,720	94,764
Mar. 6	58,724	19,913	12,103	1,801	92,541
1952–53—Oct. 24	62,431	22,267	12,301	1,736	98,735
Mar. 5	62,149	20,139	12,308	1,736	96,352

Public schools of the District of Columbia—Enrollment in the elementary, junior high, senior high, and vocational high schools for October and March, 1945–46 through 1956–57—Continued

School year (1)	Elementary (2)	Junior high (3)	Senior high (4)	Vocational (5)	Total (6)
1953–54—Oct. 23	64,797	22,442	12,196	2,095	101,530
Mar. 4	64,757	20,401	12,169	2,221	99,528
1954–55—Oct. 22	65,702	22,447	12,377	2,420	102,946
Mar. 3	65,747	20,912	11,984	2,408	101,051
1955–56—Oct. 21	67,845	21,594	13,218	2,311	104,968
Mar. 1	67,565	21,104	11,965	2,087	102,716
1956–57—Oct. 19	70,224	20,530	14,112	2,122	105,988
Mar. 7	69,859	20,034	11,881	1,900	103,674
1957–58 [1]	73,743	19,491	13,579	2,226	109,041
1958–59 [1]	76,857	19,038	12,869	2,131	110,835
1959–60 [1]	79,564	20,907	11,956	2,019	113,546
1960–61 [1]	82,208	21,340	11,228	1,932	116,790
1961–62 [1]	85,326	22,438	11,127	1,925	120,816

[1] Estimated.

Prepared by Department of General Research and Statistics, Office of the Statistician, Apr. 17, 1957.

Mr. MORSE. Mr. President, let me say to the Senator from Ohio that the last figure shown is for March 7 of this year, and is 103,674 students. The table is broken down among the various schools. That figure compares with 87,246 students as of October 26, 1945.

I also ask unanimous consent to have printed at this point in the RECORD the latest figures we have obtained from the District of Columbia officials on the subject "Number of classrooms available as of September, for school years 1945–46, through 1956–57," which shows that as of September 1957 there were 3,959 classrooms, as compared with 3,274 classrooms in 1945, which figures need to be read, of course, in the light of the testimony regarding the meaning of the statistics, insofar as the operational work of the officials is concerned.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Public schools of the District of Columbia—Number of classrooms available as of September for school years 1945–46 through 1956–57

School year	Senior high schools	Vocational high schools	Junior high schools	Elementary schools	Total
1945–46	726	181	657	1,710	3,274
1946–47	726	181	657	1,710	3,274
1947–48	729	181	657	1,747	3,311
1948–49	726	181	661	1,726	3,314
1949–50	733	217	657	1,708	3,315
1950–51	685	217	760	1,797	3,459
1951–52	684	221	775	1,813	3,494
1952–53	752	221	809	1,847	3,629
1953–54	752	221	827	1,899	3,699
1954–55	752	221	845	1,934	3,752
1955–56	782	221	845	1,981	3,799
1956–57	752	221	930	1,975	3,878
March 1957	752	221	930	2,012	3,915
September 1957 [1]	752	221	930	2,056	3,959
September 1958 [1]	755	221	934	2,064	3,974
September 1959 [1]	755	221	947	[2] 2,249	4,172
September 1960 [1]	802	221	947	[2] 2,249	4,219

[1] Increases based on completion of projects included in fiscal year 1956–58 budgets.

[2] Includes 16-room health school.

Prepared in the Department of Buildings and Grounds Apr. 19, 1957.

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD a table showing the number of students per classroom, for the school years 1945–46, through 1956–57, in the various schools, and indicating for elementary schools for the year 1956–57, the figure 35.6, which is rather close to the figure I gave from recollection, namely, 36 students.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Public schools of the District of Columbia—Number of students per classroom for school years 1945–46 through 1956–57—Based on number of classrooms available in September and student enrollment in October of school years

School year (1)	Elementary (2)	Junior high (3)	Senior high (4)	Vocational (5)	Total (6)
1945–46	30.0	30.3	20.3	7.5	26.6
1946–47	30.6	29.9	20.6	9.1	27.1
1947–48	30.6	29.4	20.3	10.8	27.0
1948–49	31.5	27.7	18.9	9.9	26.8
1949–50	34.0	29.0	17.7	9.4	27.8
1950–51	32.7	25.8	18.0	8.5	26.8
1951–52	33.4	26.3	17.7	7.8	27.1
1952–53	33.8	27.5	16.4	7.9	27.2
1953–54	34.1	27.1	16.2	9.5	27.4
1954–55	34.0	26.6	16.5	11.0	27.4
1955–56	34.2	25.6	17.6	10.5	27.1
1956–57	35.6	22.1	17.4	9.6	27.1
1957–58 [1]	36.6	31.6	18.0	10.0	27.3
1958–59 [1]	37.2	20.4	17.0	9.6	29.0
1959–60 [1]	36.5	21.1	15.8	9.1	27.1
1960–61 [1]	36.7	22.5	14.1	8.7	27.7

[1] Based on estimates.

Source: District of Columbia government Apr. 26, 1957.

Mr. LAUSCHE. Mr. President, the last figure stated is for what year?

Mr. MORSE. For the present year. The figure for the junior high schools is 22.1; that for the senior high schools is 17.4; and that for the vocational schools is 9.6. Of course, shop work is taught in the vocational schools. The total or average is 27.1. As I recall, the Senator from Ohio said that places Washington in 12th position among the cities of comparable size in the United States.

Mr. LAUSCHE. No; I was speaking of the total expenditures for all purposes.

Mr. MORSE. I beg my colleague's pardon. I have placed the figures in the RECORD because of a misapprehension on my part regarding the question asked by the Senator from Ohio. Of course, I do not have to tell him that when we are engaged in debate as rapid as that in which we have been engaged this morning, and when we deal first with tax matters, and then with enrollment matters, and then with the figures for classrooms, we cannot always be as accurate as we wish to be.

Recently, the testimony given to me, as chairman of the subcommittee, was that in the elementary schools in the District of Columbia, the number of students per class was approximately 36.

I also wish to have printed in the RECORD a letter written by General Lane, one of the Commissioners of the District of Columbia, under whose jurisdiction the school problems in the District of Columbia come in the first instance.

Let me read from the letter:

The following comment is based upon the data presented in these tables and graphs:

They are the tables I have just placed in the RECORD.

I read further:

1. Our elementary schools have registered steadily increasing enrollment since 1945. The postwar construction program began to produce classrooms in 1949 when the pupil-classroom ratio was 34 to 1. From 1949 to 1955 the construction was equal to the increased enrollment, but in 1956 it fell further behind. We shall lose more ground in 1957 and 1959, regain some in 1959 and 1960.

That means that between 1957 and 1959, some ground will be lost, and then ground will be regained in 1959.

I read further from the letter:

These figures project a deficiency of 170 classrooms in 1960 based on a ratio of 34 to 1 or a deficiency of 493 classrooms on a ratio of 30 to 1.

In other words, the ratio of 30 to 1, as the Senator from Ohio knows, is the standard ratio, which educators seem to be in remarkably uniform agreement in advocating as the proper one.

So by 1960 there would be a projected deficiency of 493 classrooms. That is why the Senator from Pennsylvania and I have been so insistent in urging a school-construction program, and have also been so strongly in support of a bill, which we shall get before the Senate later, in favor of granting for the District of Columbia borrowing power for school-construction purposes, whereas the District of Columbia already has borrowing power for sewer, highway, and water purposes.

I read further from the letter from Commissioner Lane:

2. Junior high schools have held a generally level enrollment since 1945. School construction has reduced the student-classroom ratio from 30 to 1 in 1945 to 22 to 1 in 1956. This ratio will remain about the same through 1960.

That is a rather interesting observation, although it is somewhat difficult for me to understand—namely, that with the steady increase in enrollment in elementary schools, we should expect the ratio in the case of the junior high schools to remain rather constant. However, I shall try to understand the basis for that statement. I raise a question as to the soundness of that deduction by the Commissioner. At any rate, that is the information which he supplies.

I read further from the letter:

3. Senior high schools have registered a decreasing enrollment from 1945 to 1956. Some new construction has been added and the new Congress Heights High School is in the program for completion by 1960. The student-classroom ratio has decreased from 20 to 1 in 1945 to 18 to 1 in 1956 and will further decrease to 14 to 1 by 1960.

Let me say that when we speak of the 30-to-1 ratio as the one generally accepted and advocated by educators, we must not make the mistake of believing that it is the ratio which should apply to both the elementary schools, the junior high schools, and the senior high schools. The ratio for the elementary schools is 30-to-1; that for the junior high schools and the senior high schools, as used by educators, is considerably lower.

I read further from the letter:

4. Vocational high schools have registered a generally steady enrollment and classroom availability in the period. The student-classroom ratio averages about 9 to 1.

5. In the school year 1955–56 a little ground was lost in the elementary and senior high schools, but some ground was gained in the other schools. There was an over-all reduction of 0.3 pupil per room for the year.

6. In the school year 1956–57, there was further crowding in the elementary schools but a corresponding improvement in all other schools. There was no change in the over-all ratio of pupils per room.

7. For the school year 1957–58, improvements in the space situation may be expected to occur only in the junior high schools, with a slight space deterioration in all other schools. The result would be a net increase of 0.4 pupil per room in the overall average.

8. The total program shows a generally steady student-classroom ratio averaging about 27 to 1 from 1945 to 1960.

It is my understanding that the improved ratios in junior and senior high schools in this period reflect the deliberate policy of the school authorities as well as some reduction in enrollment. This policy is apparent in chart 3 in the diverging graphs for elementary schools and junior high schools.

I understood him to mean that they followed the stricter policy of excluding some students. Mr. President, this is not the time to debate that question, but I hope at some time, on this we can debate it, since we ought to consider it unthinkable that because of tighter requirements, and because we do not have the facilities to keep him in school there should be eliminated from a school a single student who could go on a little further.

In a democracy I believe such a failure is exceedingly dangerous. I did not mean to speak on this question, but it is involved in the debate. So far as I am concerned, I want a boy or a girl to go as far in school and to receive as much training as his or her intellectual capacity will permit, because the country needs that kind of brainpower. I can imagine nothing worse than a waste of human resources in a democracy. In view of the great struggle we shall have in the century ahead with Russia, we had better not be wasting any brainpower.

If it be true, as this statement implies, that we have in a way kept pace in high schools because we have been following a stricter elimination program, I raise the question, "Should that be done if the space were available?" If the answer is no, then I say it is a shocking program that is being followed, because we are putting dollars ahead of children. What we are doing, I may also say, is putting dollars ahead of a strong democracy. I hold to the point of view, Mr. President, that we ought to enable boys and girls to go through school as far as their mental capacity will take them. That is what the country needs to do in the developing of brainpower.

I know my friend from Rhode Island and I do not differ on this question. I had no idea, 5 minutes ago, that we would be debating this subject, but Commissioner Lane's point raises it with regard to the school studies.

Mr. President, what we must do with cold statistics is to translate them into the human values involved. Here is a tremendous question of policy raised by the cold statistics. If it means what I think it means, I am not for it, because I am not going to vote in the Senate of the United States at any time for eliminating from educational training a boy or a girl who could go on another year or 2 years and get benefit from it. We need children with that kind of training.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PASTORE. I wish to say to the distinguished Senator from Oregon I could not agree with him more. I would be very quick to resign from any committee that would adopt a policy which would encourage our youngsters to drop out of school.

Looking at page 4 of the report of the committee, it will be seen that the committee goes a step further than the suggestion made by the distinguished Senator from Oregon. I read from page 4:

The committee is likewise aware of the grave problem presented by older retarded children and children with severe behavior problems in the regular classrooms. The school administration should consider seriously some means of providing school space for this group, with separate classrooms for boys and girls, and with a program of instruction geared to their abilities.

I think we ought to encourage schooling, and children remaining in school on every possible level. I agree with the Senator when he states that we ought to utilize the inherent talents of our youngsters. That objective was uppermost in the minds of all the members of the committee, and I do not think we faulted in that respect.

Mr. MORSE. I appreciate that sentiment very much. The matter is covered by my opening statement. When I say that, I mean I appreciate the committee report so much that I am not happy in finding myself in disagreement with any part of it; but I have my responsibilities, as I see them, as chairman of the Legislative Subcommittee on District of Columbia Affairs.

What we have here is a difference in point of view in regard to legislative recommendations, in contrast with appropriation recommendations.

The last point in the Lane letter reads:

The total program shows a generally steady student-classroom ratio averaging about 27 to 1 from 1945 to 1960.

Mr. President, I ask unanimous consent that the entire letter of Commissioner Lane addressed to the Senator from Utah [Mr. WATKINS] be incorporated in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
Washington, D. C., May 6, 1957.

The Honorable ARTHUR V. WATKINS,
United States Senate,
Washington, D. C.

DEAR SENATOR WATKINS: I am writing in further response to your letter of April 11 as promised in my acknowledgment of April 15.

Statistical and graphical data have been assembled by types of school for the period 1945–60. Data for periods beyond the spring of 1957 are estimates based on the best information available at this time. The following are attached:

Description:	Table	Graph
Number of classrooms available	A	1
Enrollment	B	2
Number of students per classroom	C	3

The following comment is based upon the data presented in these tables and graphs:

1. Our elementary schools have registered steadily increasing enrollment since 1945. The postwar construction program began to produce classrooms in 1949 when the pupil-classroom ratio was 34 to 1. From 1949 to 1955 the construction was equal to the increased enrollment, but in 1956 it fell further behind. We shall lose more ground in 1957 and 1959, regain some in 1959 and 1960. These figures project a deficiency of 170 classrooms in 1960 based on a ratio of 34 to 1 or a deficiency of 493 classrooms on a ratio of 30 to 1.

2. Junior high schools have held a generally level enrollment since 1945. School construction has reduced the student-classroom ratio from 30 to 1 in 1945 to 22 to 1 in 1956. This ratio will remain about the same through 1960.

3. Senior high schools have registered a decreasing enrollment from 1945 to 1956. Some new construction has been added and the new Congress Heights High School is in the program for completion by 1960. The student-classroom ratio has decreased from 20 to 1 in 1945 to 18 to 1 in 1956 and will further decrease to 14 to 1 by 1960.

4. Vocational high schools have registered a generally steady enrollment and classroom availability in the period. The student-classroom ratio averages about 9 to 1.

5. In the school year 1955–56 a little ground was lost in the elementary and senior high schools, but some ground was gained in the other schools. There was an overall reduction of 0.3 pupil per room for the year.

6. In the school year 1956–57, there was further crowding in the elementary schools but a corresponding improvement in all other schools. There was no change in the overall ratio of pupils per room.

7. For the school year 1957–58, improvements in the space situation may be expected to occur only in the junior high schools, with a slight space deterioration in all other schools. The result would be a net increase of 0.4 pupils per room in the overall average.

8. The total program shows a generally steady student-classroom ratio averaging about 27 to 1 from 1945 to 1960.

It is my understanding that the improved ratios in junior and senior high schools in this period reflect the deliberate policy of the school authorities as well as some reduction in enrollment. This policy is apparent in chart 3 in the diverging graphs for elementary schools and junior high schools.

No account is taken in these statistics of obsolete schoolhouses now used for administrative or other purposes, nor of the pending obsolescence of other schools currently in use. No projection has been made of plans now under consideration by the school authorities to convert a high school to teachers' college use and convert the Wilson and Miner Teachers College buildings to elementary school use. Other problems involving the location of existing schools in relation to population needs are not analyzed.

Although we have enrollment projections to 1962, we have limited our building projections to the fiscal year 1958 budget program now before Congress and scheduled for accomplishment by calendar year 1960. Our further construction program is now under study by a citizen advisory committee to the Commissioners, and any prediction at this time would be premature.

The report of the Committee for the White House Conference on Education shows on table 2, page 32, certain classrooms to be built in 1955–56. The figure of 77 for elementary schools includes 36 rooms in temporary additions to existing schools and 41 permanent classrooms in buildings started or continued but not completed in that year. The 39 junior high school classrooms (Hart) were under construction and completed for the next school year along with Woodson Junior High School which has 46 classrooms. The 8 senior high school classrooms are in temporary additions to Anacostia Senior High School. The graphs and tables enclosed herewith refer exclusively to permanent construction and do not count existing temporary classrooms.

Tables 1 and 3 of the committee report refer to needs based on detailed plans of school authorities. It is apparent that these plans would require sharp further reductions of pupil-classrooms ratios in all schools.

For your further information, analysis of our 1955–56 school capital outlay program indicates that 52 percent was for elementary school construction and 48 percent was for other school construction. In 1956–57, 76 percent was for elementary schools and 24 percent for other schools. For 1957–58 our budget at this time carries 39 percent for elementary schools and 61 percent for other schools. This breakdown includes new capital outlay items only and excludes major repair and improvement costs.

It appears to me from analysis of these statistics, that the District of Columbia building program has kept abreast of overall enrollment increases in the past 12 years but has favored secondary schools at the expense of elementary schools. It has not provided the lowered pupil-classroom ratios sought by school authorities.

It appears to be within the capacity of the District of Columbia Government to meet the increased enrollment projected for the next 5 years. By concentration on elementary school construction it should be practicable to bring that pupil-classroom ratio down to 34 to 1 within normal budget planning.

It is difficult for me to express a judgment on the needs stated by our educators in the White House Conference Report. Obviously they are beyond the capabilities of current

budgetary programing. Since these requirements are not related to overall pupil-classroom ratios, it is not practicable to compare even the stated requirements of the several States. My inclination is to accept as a budgetary obligation the attainment of pupil-classroom ratios being met by other comparable cities and to leave to the educators the efficient utilization of the plant provided. Unfortunately we do not now have data on the pupil-classroom ratios of other cities which would guide us in making a comparison.

The Board of Education has submitted a $69 million capital outlay program to the Board of Commissioners for completion during the next 5 years. This was planned as a borrowing program. But other capital outlay projects are also urgently needed. Currently the whole public works program is being reviewed by a committee of outstanding local businessmen. The committee is making every effort to expedite its findings.

With kindest personal regards,

Sincerely yours,

T. A. LANE,
Brigadier General, United States Army, Engineer Commissioner.

Mr. MORSE. Mr. President, I beg the cooperation of my colleagues for a few minutes, while I finish my summary remarks on this subject.

Going back to the issue before the Senate, the question is, "Should we increase the Federal contribution to the District from $20,500,000 to $23 million?" Those of us on the District of Columbia Committee who are sponsoring the amendment say "Yes," and for the reasons I shall state. The Senator from Rhode Island commented on the fact that, as chairman of the District of Columbia Committee, he has to take into account the temper of the Congress. I understand that. He points out that the Appropriations Committee has increased the House allowance by $500,000.

I may say, good naturedly, that some charge me with being a horse trader. I am a horse trader when it comes to horses, and enjoy it as a hobby. I will do a certain amount of horse trading, within the framework of principle, in the legislative process. I think what is now proposed is within the framework of principle. I say to the Senator from Rhode Island that if he recommends $20,500,000 and takes it to conference, I think he is very optimistic if he thinks he will get $20,500,000.

Mr. PASTORE. I am most optimistic, and I hope the amount will be sustained, because I think it is based on logic.

Mr. MORSE. I wish conference committees would act in accordance with the principles of logic, but I have been in too many of them to hope that in this case the conference committee will act to sustain the fine ideal expressed by the Senator from Rhode Island. When I speak about the compromise principle in this matter, we have to face up to the fact that conference committees at least frequently compromise as between amounts. I would feel much more comfortable if the Senate conferees went into conference with a $23 million figure as against the House $20 million figure. I have some reason to believe that we would come somewhere near getting a figure of $21,500,000. That would about split the difference, although, who can tell? I do not predict. I only express my belief that is about what would happen, based upon conference practice.

I wanted to mention that I think we ought to go into conference with a $23 million figure because I believe the facts warrant it.

The first main argument I make in support of the $23 million figure is to be found in the Appropriation Committee's hearings, on page 22, where Commissioner McLaughlin, President of the District Commissioners, is reported as testifying about the justification. I shall read from page 22. I think this is the best summary of the justification for the $23 million.

The Organic Act of June 11, 1878, contained the first legislative provision definitely recognizing the obligations of the Federal Government to share in the cost and development of the District. It provided, in part, that—

"To the extent to which Congress shall approve of said estimates, Congress shall appropriate the amount of 50 percent thereof; and the remaining 50 percent of such approved estimates shall be levied and assessed upon the taxable property and privileges in said District other than the property of the United States and of the District of Columbia; * * *."

From 1878 until around 1910 the financial scene was comparatively peaceful in the District of Columbia. Estimates of appropriations and revenues were submitted to the Treasury and transmitted to Congress. Funds were appropriated and spent. The 50–50 distribution was approximately complied with. Between 1902 and 1910, when the District had insufficient funds to meet its obligations, the Secretary of the Treasury was authorized to advance funds. The act of March 3, 1909, provided that the expenses of all departments charged against the revenues of the District of Columbia were to be included in the estimates. The relations between the District of Columbia and the Federal Government were very amicable.

However, shortly after 1910 the District began to accumulate a revenue surplus—

It sounds as if the reference is to the present, does it not, when we hear the argument about a revenue surplus of some $4 million? Let us go back to the history:

However, shortly after 1910 the District began to accumulate a revenue surplus, and the efforts to reduce the ratio began. The debates upon the question were persistent and vigorous even though no national issues were involved, and a Joint Select Committee of 3 Senators and 3 Congressmen was appointed in 1915, which delivered majority and minority reports. But no reduction was made until 1921, when the ratio changed to 60 percent payment by the District of Columbia and 40 percent Federal.

The payment was reduced to 10 percent in 1921.

This did not expressly repeal the 50–50 provision of the organic act, but provided for 60–40 for 1 year. The 60–40 method was made permanent in the appropriation act for 1923 and continued until 1925. Beginning with the fiscal year 1925, Congress began ignoring its definite obligation under the organic act, and its own substantive law, and commenced appropriating the Federal share in a lump sum each year to and including the fiscal year 1939. These lump-sum appropriations varied from $9,500,000 down to $5 million. The lump-sum idea was made permanent in the District of Columbia Revenue Act of 1939, and beginning with that year an annual payment of $6 million was authorized. For the fiscal year 1947, the payment was increased from $6 million to $8 million. Under the District of Columbia Revenue Act of 1947, the authorized annual payment was set at $12 million, of which $11 million was for the general fund and $1 million for the water fund.

On March 5, 1946, Senate Document No. 203 was approved. It was entitled, "Fiscal Relations Between the Government of the United States and the District of Columbia, Report of the Subcommittee on the District of Columbia of the Committee on Appropriations as Approved by Said Committee on Appropriations." It is a very illuminating report. It gives a history of the relationship between the District and Federal Governments and indicates how those investigators felt this matter should be handled.

Under the head of "Suggested Recommendations," the report stated:

"It is believed that it is the desire of the Federal Government to assume its proper share of the expenses for the upkeep and operation of the National Capital. This findingis based upon the following facts:

"1. The District of Columbia is the seat of the Federal Government set aside for Federal purposes, with full legislative powers retained by the Congress.

"2. The area of the District of Columbia is fixed. It cannot expand. Therefore, when the Federal Government purchases property the tax revenue previously received on such property is lost to the District and cannot be replaced. The residents of the District in fairness should not be expected to make up such loss in revenues by increased taxes.

"3. The enormous increase in the expenses of the District of Columbia during the past 10 year has been occasioned by the tremendous expansion of the Federal Government, with no commensurate increase in the payment by the Federal Government. During the past 6 years there has been no change in the amount of the annual payment.

"4. The residents of the District through increased taxes have adequately, fairly, and cheerfully provided their share of the cost of operation and upkeep of the National Capital."

Mr. Chairman, in our thinking this city is something far beyond the concern of the people of the District of Columbia because it is a Federal city established by the Constitution as such and as the seat of the Federal Government. The Senate has always recognized the obligation of the Federal Government toward the District and we respectfully request that this $3 million be restored.

I wish to have printed in the RECORD at this point a table which is to be found on page 81 of the hearings of the joint subcommittees on fiscal affairs of the House and Senate for 1956, previously referred to, which sets forth the Federal Government contribution from 1924 to 1957. I wish to read a ratio or two.

In 1924 the payment was 39.49 percent. In 1938 it had dropped to 12.21. By 1945 it had dropped to 9.58. In 1946 it was 9.27. In 1952 it was 8.58. In 1954 it was 8.52, which was the lowest. It is now, for 1956, back to 14.43.

I ask unanimous consent that the table be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. FREAR in the chair). Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

District of Columbia apropriations payable from the general revenues of the District of Columbia for the fiscal years 1924–57, exclusive in each case of appropriations payable from the highway fund, the water fund, the sanitary sewage works fund, the motor vehicle parking fund, and trust funds, and the apportionment of appropriations between the District of Columbia and the United States

Fiscal year	Total appropriations	District of Columbia share	United States share	Percentage of United States share
1924	$23,903,754	$14,463,330	$9,440,425	[1] 39.49
1925	31,175,672	22,030,317	9,145,355	29.33
1926	31,139,730	22,139,630	9,000,099	28.90
1927	33,951,478	24,950,987	9,000,491	26.51
1928	34,894,148	25,892,358	9,001,790	25.79
1929	35,957,970	26,957,753	9,000,217	25.03
1930	40,694,306	31,694,306	9,000,000	22.12
1931	45,625,286	36,125,252	9,500,034	20.82
1932	43,840,022	34,329,911	9,500,111	21.67
1933	39,626,998	31,851,847	7,775,151	19.62
1934	29,700,737	24,000,708	5,700,029	19.19
1935	34,620,084	30,080,709	4,539,295	13.11
1936	38,295,952	32,588,424	5,707,528	14.90
1937	40,182,708	35,177,708	5,045,000	12.46
1938	41,143,818	36,118,792	5,025,026	12.21
1939	40,494,451	35,494,451	5,000,000	12.35
1940	41,777,885	35,777,768	6,000,117	14.36
1941	43,136,969	37,136,969	6,000,000	13.91
1942	47,401,269	41,401,269	6,000,000	12.66
1943	49,422,932	43,422,932	6,000,000	12.14
1944	54,642,247	48,642,247	6,000,000	10.98
1945	62,569,125	56,569,125	6,000,000	9.58
1946	64,728,423	58,728,423	6,000,000	9.27
1947	72,364,314	64,364,314	8,000,000	11.02
1948	81,744,086	70,744,086	11,000,000	13.46
1949	86,017,985	75,017,985	11,000,000	12.79
1950	98,331,275	87,331,275	11,000,000	11.19
1951	103,924,822	94,124,822	9,800,000	9.43
1952	121,265,978	110,865,978	10,400,000	8.58
1953	113,599,327	103,599,327	10,000,000	8.80
1954	129,111,304	118,111,304	11,000,000	8.52
1955	139,578,760	119,578,760	20,000,000	14.33
1956 [2]	143,365,868	125,365,868	18,000,000	12.56
1957 [2]	152,475,391	130,475,391	22,000,000	14.43

[1] Prior to 1923 the percentage of the United States share was set at 50 percent.

[2] Estimates: Items for 1957 include estimates of $13,215,500 proposed for later transmission and a proposed increase in Federal payment of $2,000,000.

NOTE.—The restoration of the $2,000,000 reduction in Federal payment, made in 1956, will increase the percentage for fiscal year 1956 to 13.95 percent.

Mr. MORSE. What deduction am I to gather from this? Before I make my deduction, I wish to quote from Commissioner McLaughlin, whose testimony appears on page 24 of the hearings. He quotes the law of March 31, 1956. The Senate will recall that was based upon an amendment offered in the Senate, which proposed the Federal contribution be raised to $24 million. It went to conference, I may say, and came back $23 million, which was pretty good, for we lost only $1 million in 1956. But that is where the $23 million was born. I desire to put some clothing on the baby today, because I think we ought to dress it reasonably well.

Mr. McLaughlin pointed out in his testimony what Congress said in the law:

There are authorized to be appropriated as annual payments by the United States toward defraying the expenses of the government of the District of Columbia, the sum of $20 million for each of the fiscal years 1955 and 1956, and the sum of $23 million for the fiscal year 1957, and for each fiscal year thereafter: *Provided*, That so much of the aggregate annual payments by the United States appropriated to the credit of the general fund as is in excess of $13 million for each of the fiscal years 1955 and 1956, and $16 million for the fiscal year 1957 and subsequent fiscal years, shall be available for capital outlay only, and then on a cumulative total basis only to the extent of not more than 50 percent of the cumulative total of capital outlay appropriations payable from such general fund which becomes available for expenditure on and after July 1, 1954. If in any fiscal year or years a deficiency exists between the amount appropriated and the amount authorized to be appropriated, additional appropriations are authorized for subsequent fiscal years to pay such deficiency or deficiencies.

I ask unanimous consent, Mr. President, that the several paragraphs in which Commissioner McLaughlin testified in regard to the justification of the $23 million be printed in the RECORD at this point in my remarks.

There being no objection, the paragraphs were ordered to be printed in the RECORD, as follows:

STATEMENT OF COMMISSIONER ROBERT E. MCLAUGHLIN ON FEDERAL PAYMENT

Mr. Chairman, we are requesting the restoration of $3 million in the Federal payment to bring it up to the $23 million amount authorized by the Revenue Act of 1956 (Public Law 460).

The year 1946 seems to be the starting point for District of Columbia large-scale budget difficulties. It was the beginning of inflation as far as the District was concerned, and necessitated 15 days of hearings before the Joint Subcommittee on Fiscal Affairs during the 1st session of the 80th Congress, on methods of acquiring additional revenue through taxes and other means.

Out of this hearing came amendments to the Revenue Act of 1939 which imposed approximately $9½ million in increased taxes (general fund) upon our residents.

In that year (1947) the Federal Government was paying $8 million as its share toward the expenses of the District of Columbia government. Up to 1947 the water fund received no portion of the annual payments made by the Federal Government.

The Congress, having considered all the facts, in the Revenue Act approved July 16, 1947, provided in article VI as follows:

"For the fiscal year ending June 30, 1948, and for each fiscal year thereafter, there is hereby authorized to be appropriated, as the annual payment by the United States toward defraying the expenses of the government of the District of Columbia, the sum of $12 million, of which $11 million shall be credited to the general fund of the District of Columbia and $1 million shall be credited to the water fund of the District of Columbia."

This relief carried us into the fifties. Then came the District of Columbia Public Works Act of May 18, 1954, amending the Revenue Act of 1947.

It was estimated that by this act our residents would pay $14.5 million per annum (all funds) additional taxes each year. As its part toward this great program, Congress provided as follows:

"SEC. 2. (a) For the fiscal year ending June 30, 1955, and for each fiscal year thereafter, there is hereby authorized to be appropriated, in addition to the sums appropriated under section 1 of this article, an annual payment by the United States toward defraying the expenses of the government of the District of Columbia in the sum of $9 million: *Provided*, That so much of the aggregate annual payments by the United States appropriated under this article to the credit of the general fund as is in excess of $13 million shall be available for capital outlay only, and then on a cumulative total basis only to the extent of not more than 50 percent of the cumulative total of capital outlay appropriations payable from such general fund which becomes available for expenditure on and after July 1, 1954. If in any fiscal year or years a deficiency exists between the amount appropriated and the amount authorized to be appropriated, additional appropriations are authorized for subsequent fiscal years to pay such deficiency or deficiencies.

"(b) If in any fiscal year or years, a deficiency exists between the amount appropriated and the amount of $20 million authorized by this article to be appropriated, additional appropriations are hereby authorized for subsequent fiscal years to pay such deficiency or deficiencies."

Our burdens being greater than we could bear compelled us to return to the Joint Fiscal Committee for additional taxes. As a result Public Law 460, District of Columbia Revenue Act of 1956, was passed. By it, the income tax and other taxes were raised to produce approximately $8 million (general fund) in 1958 and each year thereafter. As a result of the understanding with Congress, the Commissioners raised the real-estate taxes approximately $2 million a year. The Congress having again considered all the facts, amended section 2 of article VI of the Revenue Act of 1947 by increasing its authorization of Federal payment $3 million so that the total is now $23 million. Section 2 now reads as follows:

"There are hereby authorized to be appropriated, in addition to the sums appropriated under section 1 of this article, as annual payments by the United States toward defraying the expenses of the government of the District of Columbia, the sum of $9 million for each of the fiscal years 1955 and 1956, and the sum of $12 million for each fiscal year thereafter: *Provided*, That so much of the aggregate annual payments by the United States appropriated under this article to the credit of the general fund as is in excess of $13 million for each of the fiscal years 1955 and 1956, and $16 million for the fiscal year 1957 and subsequent fiscal years shall be available for capital outlay only, and then on a cumulative total basis only to the extent of not more than 50 percent of the cumulative total of capital outlay appropriations payable from such general fund which becomes available for expenditure on and after July 1, 1954."

The taxpayers as the committee can well understand had no way of escape and have been compelled to meet these very heavy increases in taxes.

The Federal Government on the other hand has failed to meet its obligation.

Because the increase in the Federal payment was a part of the program of increased taxes on District of Columbia residents, the Commissioners feel that the Congress has a moral obligation to pay the full $23 million and meet its part of this increased tax program.

In 1956 it appropriated $18 million in lieu of the authorized $20 million.

In 1957 it appropriated $20 million in lieu of the authorized $23 million.

As to this $5 million the Commissioners are content to withhold claim therefore until its new capital program is ready for submission.

As to the $3 million withheld by the House, the Commissioners most earnestly request full restoration.

On July 5, we appeared before the Senate Appropriations Committee on the supplemental appropriation bill for 1957 and presented considerable historical data in reference to the Federal payment. At this time, we merely wish to refresh your recollection with a brief résumé of the Federal payment history up to and including 1947.

The Organic Act of June 11, 1878, contained the first legislative provision definitely recognizing the obligations of the Federal Government to share in the cost and development of the District. It provided in part, that—

"To the extent to which Congress shall approve of said estimates, Congress shall appropriate the amount of 50 percent thereof; and the remaining 50 percent of such approved estimates shall be levied and assessed upon the taxable property and privileges in said District other than the property of the United States and of the District of Columbia; * * *."

From 1878 until around 1910 the financial scene was comparatively peaceful in the District of Columbia. Estimates of appropriations and revenues were submitted to the Treasury and transmitted to Congress. Funds were appropriated and spent. The 50–50 distribution was approximately complied with. Between 1902 and 1910, when the District had insufficient funds to meet its obligations, the Secretary of the Treasury was authorized to advance funds. The act of March 3, 1909, provided that the expenses of all departments charged against the revenues of the District of Columbia were to be included in the estimates. The relations between the District of Columbia and the Federal Government were very amicable.

However, shortly after 1910 the District began to accummulate a revenue surplus, and the efforts to reduce the ratio began. The debates upon the question were persistent and vigorous even though no national issues were involved, and a joint select committee of 3 Senators and 3 Congressmen was appointed in 1915, which delivered majority and minority reports. But no reduction was made until 1921, when the ratio changed to 60 percent payment by the District of Columbia and 40 percent Federal. This did not expressly repeal the 50–50 provision of the organic act, but provided for 60–40 for 1 year. The 60–40 method was made permanent in the Appropriation Act for 1923 and continued until 1925. Beginning with the fiscal year 1925, Congress began ignoring its definite obligation under the organic act, and its own substantive law, and commenced appropriating the Federal share in a lump sum each year to and including the fiscal year 1939. These lump-sum appropriations varied from $9,500,000 down to $5 million. The lump-sum idea was made permanent in the District of Columbia Revenue Act of 1939, and beginning with that year an annual payment of $6 million was authorized. For the fiscal year 1947, the payment was increased from $6 million to $8 million. Under the District of Columbia Revenue Act of 1947, the authorized annual payment was set at $12 million, of which $11 million was for the general fund and $1 million for the water fund.

On March 5, 1946, Senate Document No. 203 was approved. It was entitled, "Fiscal Relations Between the Government of the United States and the District of Columbia, Report of the Subcommittee on the District of Columbia of the Committee on Appropriations as Approved by Said Committee on Appropriations." It is a very illuminating report. It gives a history of the relationship between the District and Federal Governments and indicates how those investigators felt this matter should be handled.

Under the head of "Suggested Recommendations," the report stated:

"It is believed that it is the desire of the Federal Government to assume its proper share of the expenses for the upkeep and operation of the National Capital. This finding is based upon the following facts:

"1. The District of Columbia is the seat of the Federal Government set aside for Federal purposes, with full legislative powers retained by the Congress.

"2. The area of the District of Columbia is fixed. It cannot expand. Therefore, when the Federal Government purchases property the tax revenue previously received on such property is lost to the District and cannot be replaced. The residents of the District in fairness should not be expected to make up such loss in revenues by increased taxes.

"3. The enormous increase in the expenses of the District of Columbia during the past 10 years has been occasioned by the tremendous expansion of the Federal Government, with no commensurate increase in the payment by the Federal Government. During the past 6 years there has been no change in the amount of the annual payment.

"4. The residents of the District through increased taxes have adequately, fairly, and cheerfully provided their share of the cost of operation and upkeep of the National Capital."

Mr. Chairman, in our thinking this city is something far beyond the concern of the people of the District of Columbia because it is a Federal city established by the Constitution as such and as the seat of the Federal Government. The Senate has always recognized the obligation of the Federal Government toward the District and we respectfully request that this $3 million be restored.

Mr. MORSE. I now come to the question of the obligation which I think we owe the District. I have been very much interested in the comments of my very dear friend from Illinois [Mr. DOUGLAS]. We said in the 1956 act that the amount of the Federal contribution should be $23 million. I think we made a pledge. I think we ought to keep it. I think we should make available the $23 million.

Suppose we should do so. Would any of it be wasted? Let me say to my friend from Illinois that the report on hungry children will be printed as a Senate document. Senators were to have received copies of it today, but it will be reprinted tonight, because there are some errors in it, which are not the fault of the printer. Certain material was omitted which should have been included. We have already made arrangements to have it reprinted tonight.

The recommendation of the subcommittee of the District of Columbia Committee entails an amount of $2,800,000 over and above the amount included for welfare in the pending bill.

Mr. DOUGLAS. Could that not be met by reducing the surplus?

Mr. MORSE. I am coming to that.

We know that we cannot do everything this year. We do not expect to do everything this year. However, we thought we owed it to the Senate to set forth what we think we should do with regard to the welfare program. If we carry out the recommendations of the subcommittee report—a subcommittee which spent weeks in very hard work on the study of the welfare problems in the District of Columbia—we shall need $2,800,000 over and above the amount allocated by the Appropriations Committee. We are not proposing any waste.

We now come to the question of the surplus, some $4 million plus. First, let me point out that the District Commissioners cannot spend that surplus unless it is appropriated. I think it should be appropriated. I am in favor of doing so. However, as the Senator from Rhode Island [Mr. PASTORE] has pointed out, the amount is broken up. I read from the committee report, beginning at the top of page 3:

REVENUES, OBLIGATIONS, AND SURPLUS

In the bill recommended to the Senate the estimated surplus as of June 30, 1958, is $4,448,747 as compared to $2,223,167 under the House bill. The difference of $2,225,580 represents the increased fund requirements of $4,284,420 proposed in the Senate bill ($3,284,420 for cost of amendments, proposed and $1 million reserved for supplementals) minus the $6,510,000 increased revenue availability ($5,500,000 above the revenue estimates of April 11, 1957, $500,000 increased Federal payment, and $510,000 in additional loan authorization to the highway fund). The surpluses are distributed by funds as follows:

General fund	$2,350,702
Highway fund	26,335
Water fund	385,778
Sanitary sewage works fund	311,043
Motor vehicle parking fund	1,374,889

I appreciate the help of the Senator from Rhode Island. I should like to ask him a question, because I wish to be absolutely accurate.

First, am I correct in my understanding that the District Commissioners cannot spend any surplus revenue unless it is appropriated? The Public Works Review Committee is now reviewing the entire public-works program authorized by the 83d Congress. I assume that some of the final recommendations will be implemented through surplus funds.

After the Review Committee has made its report to the Commissioners, they expect to make recommendations to the Congress for appropriations for the expenditure of these funds. However, many of these funds are earmarked funds, so to speak, and will be used for the various classifications listed on page 3 of the report.

Mr. PASTORE. Let me answer the question in this fashion: Speaking, now, with respect to the five funds to which reference has been made, namely, the general fund, the highway fund, the water fund, the sanitary sewage works fund, and the motor vehicle parking fund, the District Commissioners could no more spend this money without direct appropriation by Congress than they could spend the $2½ million we would be adding if we adopted the Senator's amendment. So if we were to adopt the Senator's amendment today, unless we are contemplating the appropriation of more money for other purposes, the additional sum would go into the funds we are talking about, and the $4,400,000 would become $6,900,000, but that money would have to be appropriated at a later date.

Mr. DOUGLAS. Or today.

Mr. MORSE. We must do it in another bill.

Mr. PASTORE. It is not proposed to do it today.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. Do not the Senator from Oregon and the Senator from Pennsylvania [Mr. CLARK] intend, at a later time today during the consideration of the pending bill, to propose increases in the appropriations for welfare, the appropriations for hospitals, and the appropriations for education?

Mr. CLARK. Mr. President, if the Senator from Oregon will yield to me, I should like to answer the question.

Mr. MORSE. I am happy to yield.

Mr. CLARK. I thank the Senator from Oregon for yielding to me. I hope the Senator from Rhode Island will pay

close attention to what I am about to say.

To answer the question of the Senator from Illinois, it is my understanding that, after the pending amendment is voted upon, amendments will be offered, which would restore to the budget the original recommendations of President Eisenhower with respect to appropriations which went to the House, were cut out by the House, and were not restored by the Senate.

Under the rules of the Senate we are not entitled to propose today any higher appropriations than those requested by the Bureau of the Budget, or recommended by a standing committee of the Senate. Therefore, a point of order would properly be raised if we were to attempt today to do more than restore the Eisenhower budget figures.

However, it has been my thought—and I believe also the thought of the Senator from Oregon—that if we could get the Federal payment increased, the District Committee would urge—and I think with some success—upon the Commissioners that they come forward with a deficiency appropriation bill to put this money to use, to meet the great need which has been outlined by the Senator from Oregon.

Mr. MORSE. Let me say to my friend from Illinois that in the opinion of those of us on the District of Columbia Committee who are urging the increase, the first thing we should do is to reaffirm the act of 1956 by a $23 million contribution by the Federal Government. That is what my amendment would do. What we say—with all due respect to the Appropriations Committee—is that we think Congress should live up to the $23 million commitment. Second, as the Senator from Pennsylvania has pointed out, a point of order could be raised if we were to offer an amendment with respect to any item which would go above the budget estimate. We have no doubt that a point of order would be raised. There is no doubt that we would fail to obtain unanimous consent.

So we say, "Put it in the surplus account today, and give us an opportunity to go after it with some very much needed authorization legislation and appropriation legislation for the very type of humanitarian causes about which the Senator from Illinois has spoken."

I cannot speak for the Commissioners, but let me tell the Senate what I think they would do. If we were to increase the Federal contribution to $23 million, the District Commissioners would not be slow in coming forward with requests for the expenditure of the money in such a manner as to meet the approval of both the District of Columbia Committee and the Appropriations Committee after they had the opportunity to review the requests. We would have an opportunity to review them. I do not have any doubt, I may say, Mr. President, that the District Commissioners would proceed at once to recommend a wise expenditure of any increase in the surplus we could add today.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I have almost completed my argument. I have only one little clincher to add; then I shall yield to the Senator from Illinois. I am convinced that if the $23 million Federal contribution should be appropriated today, a great many Senators in future months will say to us, "We are extremely glad that you made the fight for the $23 million, because it was sorely needed." I may say that it is sorely needed for the very causes the Senator from Illinois speaks of.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield first to the Senator from Illinois. Then I shall yield to the Senator from Rhode Island.

Mr. DOUGLAS. I should like to call attention to page 9 of the report of the committee. It is an item-by-item comparison of the budget estimates and the amounts recommended by the Committee on Appropriations. I should like to invite the attention of the Senator from Oregon to the item of public schools.

In next to the last column the Senate figure is shown as $543,150 below the budget estimate. Therefore, if an amendment is adopted—

Mr. MORSE. That is the amendment of the Senator from Pennsylvania, which can be agreed to today.

Mr. DOUGLAS. That can be adopted today. Even without an increase in the Federal contribution, that will compel the District Commissioners to reduce their surplus and add to what is spent on public schools about half a million dollars.

Mr. MORSE. I believe the Senator from Rhode Island should answer that, in order to preserve the continuity of the debate.

Mr. PASTORE. If we appropriated any amount of money that had not been recommended by the Senate committee, without adopting the $2½ million amendment suggested by the Senator from Oregon, the money would have to come from the $4,400,000 which is in the surplus.

Mr. DOUGLAS. That does not worry me at all. I think it is much better to take care of the schools than to accumulate an idle surplus.

Mr. PASTORE. We do not have to do it, because, as I said before, we have taken care of all the requests in a very logical, sensible, and rational way.

As I have already explained, I am pretty well convinced that, with the 143 additional teachers allowed by the House, we have a situation where this increase can be properly absorbed. I am afraid that if we did add the amount, we might cause a lopsidedness which would deter an extension of school facilities.

Mr. DOUGLAS. All I am trying to argue—and I think the point is clear—is that we could appropriate today at a later point in this appropriation bill $543,150 more for the public schools and still keep within the President's budget estimate, and therefore no point of order could be legitimately raised against it.

Mr. PASTORE. The Senator is correct.

Mr. DOUGLAS. That is all I am trying to say. Similarly, if the Senator will look at the item of Department of Public Health, the fourth item from the bottom of page 9, he will note that the Senate bill calls for $481,400 lesss than the budget estimate. Therefore we could appropriate $481,400 more at a later point in the consideration of the appropriation bill, and no point of order could be legitimately raised against that.

The pinch seems to come on the Department of Public Welfare, which concerns me the most.

Mr. MORSE. That concerns me the most, too.

Mr. DOUGLAS. The President asked for $13,136,000. The House-passed bill contains the sum of $12,450,000, which was a reduction of $686,000. The Senate Committee on Appropriations has very properly raised this amount back to the President's budget estimate. So that if the Senator from Pennsylvania is correct, and if an additional appropriation were made for the welfare grants, a point of order could be made.

I hope very much that a point of order would not be made, because I affirm again that my wife and I know from personal experience that there are many children in the District of Columbia who are half starved. As I have said, my wife is interested in a Boys' Club. In going to that Boys' Club she has found children grossly underweight, and who, when they are offered food, seize the food like animals.

That is a disgraceful situation. That is perhaps the strongest argument that has been produced in favor of increasing the amount of the Federal grant. If increasing the amount of the Federal grant is the only way of saving these semistarved children from starvation, I think the increase should be made.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. MORSE. I shall be happy to yield to the Senator in a moment.

Mr. DOUGLAS. I hope no point of order will be raised if we move to increase the Senate appropriation above the President's budget at a later point in the debate, because I think the evidence is fairly clear that if we could get an overall adjustment of the District budget, we would not have to increase the Federal contribution, and that then the District of Columbia would have adequate funds with which to provide improved schools and improved hospital care and improved assistance to the needy. If because a parliamentary situation or because of the pressures of local business interests it is impossible to get enough funds with which to do this, it is a very sad state indeed.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield.

Mr. PASTORE. I think the record should be corrected. Of the problem mentioned by the distinguished Senator from Illinois, which problem has been exhaustively and penetratingly investigated and surveyed by the distinguished Senator from Oregon, the District Commissioners are very conscious.

They have put into effect an emergency program, and they have now come forward with a permanent program. They admit that further study needs to be conducted with relation to some of the points raised by the report which

was submitted by the distinguished Senator from Oregon.

Contained in the bill is a supplemental amount, which was not considered by the House, namely, $686,000, to meet the very situation of which the Senator from Illinois speaks. We have added the amount for the very reasons which have been recited by the distinguished Senator from Illinois. That matter came before the subcommittee and we thoroughly considered it. There are to be set up five new centers where food will be distributed, and the cases of which the Senator speaks will be taken care of.

The Commissioners know they confront a problem, and they have suggested a solution. They will be prepared to take care of it under this budget.

Mr. DOUGLAS. I may say that the Commissioners have been very remiss in their duty in not recognizing the problem before this. The dominant groups in the city of Washington have been callous to what has been going on right before their eyes.

Mr. PASTORE. Be that as it may, my concern is with what is happening and what is in the bill I am managing on the floor. Insofar as the pending bill is concerned, that problem is being taken care of.

Mr. MORSE. Mr. President, I ask unanimous consent to have reprinted as a star print Senate Document No. 43, the report of the Subcommittee on the Problems of Hungry Children in the District of Columbia, in order to correct some mistakes which were made.

As I understand the parliamentary situation, all we have to do is get consent to have the document reprinted.

The PRESIDING OFFICER. Without objection, the Senate document will be reprinted as a star print.

Mr. MORSE. Mr. President, I close with these three points very quickly made:

First, I do not believe that in the year 1957 we should lower the Federal contribution to the District of Columbia, which we had approved to the amount of $23 million in 1956, for the reason that, in my opinion, there is no justification for lowering the amount; to the contrary, a strong case can be made for increasing the amount. At least, we ought to hold to the $23 million.

Second, I point out that if we approve the $23 million, any of the so-called surplus money, because of the parliamentary situation which prevails, could forthwith be authorized and appropriated by proposed legislation involving the pending recommendations, so that the money would be spent for the benefit of the District of Columbia.

Third, it is just and fair to the people of the District of Columbia that Congress maintain at least the $23 million contribution to the District of Columbia, particularly in view of the record which has been made here this morning as to contributions in the past, and as to the original intent of Congress concerning the part it ought to pay for District of Columbia operations.

I appreciate very much the objectivity of the Senator from Rhode Island [Mr. PASTORE] during the entire debate. He has been very helpful in clarifying the issues.

To the Senator from Illinois [Mr. DOUGLAS], I may say that I recognize we have a tax problem; but what he must not overlook is that even if there were the ideal tax program about which he has spoken, there are still so many needs in the District of Columbia to make Washington a model city—and it ought to be a model city—that it would be necessary to appropriate many, many millions of dollars more than the $23 million for which we are pleading in order to do the things in the District of Columbia which ought to be done.

As I said on the floor of the Senate the other day, I do not care where this problem is pricked; there oozes out of it, in my opinion, a dereliction in the carrying out of obligations on the part of all concerned—the board of trade, the taxpayers, the churches. Yes, let me say very respectfully, I wish we had more support from the ministerial groups in the District of Columbia in regard to these great humanitarian problems. I say this as a churchgoer.

But I think the problem of welfare in the District of Columbia is so serious that we should not be haggling here today over whether we ought to appropriate as the Federal contribution the amount which was provided in 1956. What we ought to be thinking about is the increases which we should be voting in order to eliminate the social-welfare problems in this city, which can be eliminated by adequate appropriations.

I rest my case on the basis of the record we have made.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Is my understanding correct that an amendment offered by the Senator from Oregon is pending?

The PRESIDING OFFICER. The Senator from Texas is correct.

Mr. JOHNSON of Texas. Does the Senator from Oregon desire the yeas and nays on his amendment?

Mr. MORSE. Yes; I do.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the amendment offered by the Senator from Oregon.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, if no other Senators desire to address themselves to the amendment offered by the Senator from Oregon——

Mr. DIRKSEN. I do.

Mr. JOHNSON of Texas. Then I shall suggest the absence of a quorum. I hope that we may have a vote on the amendment shortly afterward, because it is now the noon hour, and many of our colleagues will miss an opportunity to vote unless we vote early.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Beall	Bush
Allott	Bennett	Butler
Anderson	Bible	Byrd
Barrett	Bricker	Capehart
Carlson	Humphrey	O'Mahoney
Carroll	Ives	Pastore
Case, N. J.	Jackson	Payne
Case, S. Dak.	Javits	Potter
Chaves	Jenner	Purtell
Church	Johnson, Tex.	Revercomb
Clark	Johnston, S. C.	Robertson
Cotton	Kefauver	Russell
Curtis	Kennedy	Saltonstall
Dirksen	Kerr	Schoeppel
Douglas	Knowland	Scott
Dworshak	Kuchel	Smathers
Eastland	Lausche	Smith, Maine
Ellender	Long	Smith, N. J.
Ervin	Magnuson	Sparkman
Flanders	Mansfield	Stennis
Frear	Martin, Iowa	Symington
Goldwater	Martin, Pa.	Talmadge
Gore	McNamara	Thurmond
Green	Monroney	Thye
Hayden	Morse	Wiley
Hennings	Morton	Williams
Hickenlooper	Murray	Yarborough
Hill	Neely	
Holland	Neuberger	

The PRESIDING OFFICER. A quorum is present.

Mr. CLARK. Mr. President, the Senate is about to vote, I hope, on an amendment to the District of Columbia Appropriation bill. The amendment was submitted by the Senator from Oregon [Mr. MORSE], on behalf of himself, the chairman of the Committee on the District of Columbia [Mr. NEELY], the ranking minority member of the committee [Mr. BEALL], the Senator from Nevada [Mr. BIBLE], and myself.

The purpose of the amendment is to add to the bill the sum of $2,500,000, so the payment to be made by the Government of the United States to finance the District of Columbia will be restored to $23 million, the sum at which the Federal contribution was fixed by the District of Columbia Revenue Act of 1956.

Mr. President, it is rare, indeed, I think, when a political issue so clearly raises a question of ethics and morals as does the pending amendment. In making that statement I wish to assure my good friend, the distinguished junior Senator from Rhode Island [Mr. PASTORE], that I have the greatest of sympathy for the position which he, as chairman of the appropriations subcommittee, has taken in this regard. I also wish to say that I have read with interest the hearings, in which he stated to the witnesses his deep concern that the Government of the United States keep its pledged word.

The simple question before us is whether the Congress is to keep its word. There is no need to discuss at this time the long and, in my judgment, discreditable record of promises to the District of Columbia broken in the past by the Federal Government. This particular broken promise goes back only 2 years. In 1956, as a condition to the imposition of new taxation on the people of the District of Columbia—namely, heavier income taxes and heavier real estate taxes—the Congress authorized an annual Federal payment of $23 million. The citizens of the District of Columbia have kept their part of the bargain, but now it is proposed that the Congress break its part. In fact, the Congress was not long in breaking its commitment; it broke it very soon after it was made. In 1956, there was a failure to appropriate $2 million; in 1957, there was a failure to appropriate $3 million. At the present time, it is proposed that the appropriation be $3 million less than it should be.

Mr. President, what moral justification can there be for failing to live up to the open covenant with the citizens of the District of Columbia, as a result of which the income taxes and real estate taxes in the District of Columbia were raised. In order to comply with its part of the bargain made in that connection, the contribution made by the Federal Government should be fixed at $23 million.

It will be recalled that if the pending amendment is agreed to and is enacted into law, the Congress will be appropriating approximately 12 percent of the total fiscal requirements of the District of Columbia, whereas in earlier days the Congress paid for as much as 50 percent of the cost of operating the District of Columbia.

If I were to stop here, I imagine no Member of the Senate would object to adoption of the amendment.

However, what are the arguments which are made in opposition to the amendment? It is said that the tax collections in the District of Columbia are between $5 million and $5,500,000 greater than had earlier been anticipated. That is correct. But does that excuse a default on this obligation, particularly when, as a result of action taken by the Congress, the citizens of the District of Columbia have been committed to make annual principal and interest payments on a public-works program authorized by the Congress on the assurance that this money would be available, in order to meet those interest and principal payments?

It will be said that without the Federal payment now proposed, there will be an estimated surplus, under the Senate version of the pending bill, of approximately $4,448,000 in the District of Columbia, as of June 30, 1958. That, too, is true.

It will also be said that taxes in the District of Columbia are lower than those in other cities; and perhaps that is true, although in my experience with municipal finance, one finds himself in a mire of quicksand when he tries to determine the comparative tax rates for various cities, in the light of the statistics presently available.

Those are the arguments in opposition to the amendment. But it cannot be denied that the schools in the District of Columbia are inadequate in respect to the space needed for the schoolchildren. Indeed, under the pending bill it is proposed that the construction of one school be abandoned, because the funds required for constructing it have been said not to be available.

It cannot be said that there are not hungry children in the District of Columbia; neither can it be said that the public-works program or the urban redevelopment program in the District of Columbia are adequate. Sufficient funds for all those purposes must be provided, if the District of Columbia is to be a modern American city. For that purpose, not only are the funds proposed in the pending amendment needed; but, in addition, many additional millions of dollars are needed.

It will also be said, and cannot be denied, that if the Congress is to break its word, the citizens of the District of Columbia have a right to be released from the obligations imposed upon them by the Congress; and it will be said that if Congress is to make a cut in this payment, taxes in the District of Columbia should be reduced.

Mr. President, I close with this thought. What we are asking be done—and I say this particularly to my colleagues on the other side of the aisle—is to restore the recommendations of the President of the United States. The full $23 million program was recommended to the Congress by the President of the United States. Thus, the President has kept his word, and I ask, rhetorically, whether in the end the Congress will break its word. I hope the amendment will be adopted.

Mr. DIRKSEN. Mr. President, before I address myself to the amendment, I wish to say a word about the devotion and zeal of the chairman of the subcommittee in the preparation of the bill providing appropriations for the District of Columbia. The distinguished Senator from Rhode Island [Mr. PASTORE] has brought to this undertaking unselfishness, and a zeal and a devotion that are most commendable. I recognize that it is a labor of love. It is something that does not translate itself into general interest. There are no votes involved back home in doing a job of this kind, and one who assumes this task in the interest of the Nation's Capital certainly deserves the thanks of his colleagues. So I salute the Senator from Rhode Island for an exceedingly fine performance and for work well done.

The question pending before the Senate is an amendment offered by the distinguished Senator from Oregon [Mr. MORSE] to increase the lump sum payment from the Federal Treasury to the District of Columbia by $2,500,000. It is true the budget estimate was $23 million. The House scaled the figure down to $20 million. The Senate Committee on the District of Columbia, of which I am a member, has restored one-half million dollars. So the distinguished Senator from Oregon would add the other $2½ million, although there is presently no suggestion as to how the money shall be spent.

There was a larger return from income taxes in the District of Columbia than was anticipated, and as a result there exists a rather comfortable unexpended balance of $4,500,000. If the pending amendment shall prevail, unless other amendments are offered directing how the money shall be expended, it will mean that the balance in the District treasury will be increased from $4,400,000 to roughly $6,700,000.

I think the amendment is unnecessary. I believe the District can get along on $20,500,000. Moreover, I doubt whether there is an obligation upon the Senate to appropriate the entire amount. To be sure, in the act of 1956 it was provided that for 1955–56 there should be an appropriation of $20 million, and that for 1957 and subsequent years there should be a lump-sum payment of $23 million. That, however, in my judgment, is a ceiling. There may be leaner years for the District of Columbia than this year, and if there are, more money will be necessary. The authorizing power will exist. The legislative authority will be available in order to make the payment of more money possible.

So, as I look at the budget in the large, as I look at the appropriation bill that is presently before the Senate, I believe the subcommittee has done well in taking care of all the needs of the District of Columbia. There was some action on supplemental items which were not even presented to the House of Representatives.

I hope the amendment will not prevail. I think we have done very well for the District. I can remember other years when I lifted my voice for more money in the lump-sum fund for the District of Columbia. But in proportion as we are requesting the rest of the country and the other agencies of Government to make sacrifices, so it is not too much to ask that, in relation to the funds taken out of the Federal Treasury for payment to the District, there be some sacrifice in fiscal 1958.

In the present session the very first appropriation bill which came to the floor was at the House figure, and represented a cut of $80 million in the budget estimate. Four appropriation bills for the regular agencies of Government which have been passed by the Senate contained amounts under the House figures. In some cases the conference figure was below the House figure, which represented a very substantial reduction in the budget estimate. So it is not too much to ask that this year, instead of making a Federal contribution to the District of $23 million, we provide $20,500,000. That is half a million dollars above the House figure. The committee added $500,000 in order to provide for certain items in the bill, such as the increase in per diem allowance in hospitals for indigent patients.

All in all, I think the bill is well rounded. I think it will meet all the needs of the District of Columbia. I urge the Senate not to adopt the pending amendment.

I add one other thought. I think it is healthy for us to spend a good many hours on the District of Columbia appropriation bill. I have seen the time when the bill has gone through the Senate in 15 or 20 minutes. However, this is the Nation's Capital, which belongs to all the people of the country. They are entitled to know that, because we have arrogated to ourselves total jurisdiction over its affairs, we give some time to those affairs.

I served for 16 uninterrupted years on the District of Columbia Committee of the House of Representatives. I did not ask for the assignment on the committee, which, in part, handles appropriations for the District of Columbia, but I willingly accepted that responsibility. In this instance the committee have sought to discharge their responsibility as best they know how. We believe we have reported to the Senate a solid bill. We commend it to the Senate. When the final roll is called on the bill, we hope it will be passed by an overwhelming

majority, without the pending amendment to raise the lump sum payment. There will be a record vote on the amendment, and I sincerely hope it will be voted down.

Mr. PASTORE. Mr. President——

Mr. JOHNSON of Texas. Mr. President, does my friend the Senator from Rhode Island desire any time?

I wish to suggest the absence of a quorum before the Senate votes. If there is to be any further discussion, I shall withhold the suggestion. If there are no Senators who desire to address themselves to the amendment, I suggest the absence of a quorum, and express the hope that we may have a vote as soon as a quorum is present.

Mr. MORSE. Mr. President, I do not think that is fair to the Senator from Rhode Island. I think he should speak before or after a quorum call. I do not believe the Senator from Rhode Island understood what the Senator from Texas said. He does expect to speak about 10 minutes.

Mr. PASTORE. No, I do not expect to talk for 10 minutes; I expect to talk for only 2 minutes.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I understand the Senator from Rhode Island desires to address himself to the pending amendment.

Mr. PASTORE. Mr. President, first I desire to thank the distinguished Senator from Illinois for his complimentary remarks, and to tell him I enjoyed very much working with him on this very important appropriation bill.

I merely desire to make two or three points, Mr. President. First of all, we must bear in mind that if the pending amendment should be adopted—and I recommend that it not be adopted—it would increase the surplus of the District from $4,400,000 to about $6,900,000.

It would not affect the operating functions of the District government. At this time, in view of the fact that the House had already appropriated $20 million as the Federal contribution before it was learned that the tax yield from the District of Columbia income-tax increase was $5½ million more than the estimate, I think it would be very unwise to disturb this appropriation bill, which is the product of long, tedious hours of thorough and penetrating study. We feel we have come before the Senate with a well-rounded bill which will provide adequate service for the people of this community, and will be accepted by the Commissioners, by the school department, by the Health Department, and by all departments of the District government. It is a good bill, and I recommend at this time that the amendment of the Senator from Oregon [Mr. MORSE] be rejected.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Have the yeas and nays been ordered on the amendment?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. This record vote is on the Morse amendment to increase the lump-sum payment by $2½ million, is it?

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE] to the committee amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Arkansas [Mr. FULBRIGHT] is absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

Mr. DIRKSEN. I announce that the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Utah [Mr. WATKINS] are absent because of illness.

The Senator from Kentucky [Mr. COOPER] and the Senator from South Dakota [Mr. MUNDT] are detained on official business.

If present and voting, the Senator from Nebraska [Mr. HRUSKA] and the Senator from South Dakota [Mr. MUNDT] would each vote "nay."

The result was announced—yeas 23, nays 62, as follows:

YEAS—23

Beall	Humphrey	Murray
Bible	Javits	Neely
Butler	Johnston, S. C.	Neuberger
Carroll	Kefauver	O'Mahoney
Case, N. J.	Kennedy	Payne
Case, S. Dak.	Long	Scott
Church	McNamara	Symington
Clark	Morse	

NAYS—62

Aiken	Goldwater	Morton
Allott	Gore	Pastore
Anderson	Green	Potter
Barrett	Hayden	Purtell
Bennett	Hennings	Revercomb
Bricker	Hickenlooper	Robertson
Bush	Hill	Russell
Byrd	Holland	Saltonstall
Capehart	Ives	Schoeppel
Carlson	Jackson	Smathers
Chavez	Jenner	Smith, Maine
Cotton	Johnson, Tex.	Smith, N. J.
Curtis	Kerr	Sparkman
Dirksen	Knowland	Stennis
Douglas	Kuchel	Talmadge
Dworshak	Lausche	Thurmond
Eastland	Magnuson	Thye
Ellender	Mansfield	Wiley
Ervin	Martin, Iowa	Williams
Flanders	Martin, Pa.	Yarborough
Frear	Monroney	

NOT VOTING—10

Bridges	Langer	Watkins
Cooper	Malone	Young
Fulbright	McClellan	
Hruska	Mundt	

So Mr. MORSE's amendment to the committee amendment was rejected.

The PRESIDING OFFICER. The question recurs on agreeing to the committee amendment on page 2, line 1.

The amendment was agreed to.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Antimonopoly Subcommittee of the Committee on the Judiciary be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, I should be extremely reluctant to object. However, the fact is that I am a member of that subcommittee. The agricultural appropriation bill will be before the Senate shortly, and I feel compelled, as a member of the subcommittee dealing with that bill, to be present. I think the request should be withdrawn. I should dislike to object, but I think I am entitled to attend one of those sessions.

Mr. MANSFIELD. Let me say to the acting minority leader that this request was cleared with the minority leader [Mr. KNOWLAND].

Mr. DIRKSEN. I am sure he did not understand my situation. I am presenting it on a personal basis. I would have to interpose an objection.

Mr. MANSFIELD. Mr. President, I withdraw the request.

I ask that the Committee on Agriculture and Forestry be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

Mr. MORSE. Mr. President, on behalf of the Senator from West Virginia [Mr. NEELY], the Senator from Maryland [Mr. BEALL], the Senator from Pennsylvania [Mr. CLARK], and myself, I send to the desk an amendment to the committee amendment on page 7, line 21, and I ask for the yeas and nays on this amendment. It is the so-called teachers' amendment.

Mr. DIRKSEN. Mr. President, may the amendment first be stated?

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 7, line 21, after the word "vehicles" it is proposed to strike out "$37,246,050" and insert "$37,686,300."

Mr. MORSE. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Will the Senator from Oregon indulge the Chair in order that the committee amendment on page 4, line 3, may be disposed of? The amendment will be stated.

The CHIEF CLERK. On page 4, line 3, after "investigations" it is proposed to strike out "$362,500" and insert "$369,770."

The amendment was agreed to.

Mr. MORSE. Mr. President, I should like to have the attention of the Senator from Rhode Island [Mr. PASTORE]. He made the request that all the committee amendments be considered en bloc, save and except the three amendments which we are in the process of considering. I wonder if we can consider the remaining committee amendments, and then come to those three amendments.

The PRESIDING OFFICER. The Chair was attempting to take up the amendments in order.

The clerk will state the next committee amendment passed over.

The next committee amendment passed over was, on page 7, line 21, after "vehicles" to strike out "$37,160,000" and insert "$37,246,050."

The PRESIDING OFFICER. The clerk will now state the amendment proposed by the Senator from Oregon [Mr. MORSE] for himself, the Senator from West Virginia [Mr. NEELY], the Senator from Maryland [Mr. BEALL], and the Senator from Pennsylvania [Mr. CLARK] to the committee amendment.

The CHIEF CLERK. On page 7, line 21, it is proposed to strike out the committee figure, "$37,246,050" and insert "$37,686,300."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE], for himself and other Senators, to the committee amendment on page 7, line 21.

Mr. MORSE. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. MORSE. Mr. President, I should like to have the attention of the acting minority leader and the acting majority leader for a moment, while I discuss the request for the yeas and nays.

There has been the greatest of cooperation between the District of Columbia Committee and the Appropriations Committee. We have differences with respect to a few appropriation items. Many members of the District of Columbia Committee desire very much to have a yea-and-nay vote on some items relating to District of Columbia affairs. I sincerely hope that I may have the yeas and nays on my amendment.

Mr. PASTORE. Mr. President, will the Senator yield in order that I may request the yeas and nays?

Mr. MORSE. I yield.

Mr. PASTORE. Mr. President, I ask for the yeas and nays on the amendment of the Senator from Oregon.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I shall be very brief on this amendment. It calls for the restoration of 89 teaching positions in the public-school system, at a total cost of $440,250. The expenditure would be broken up as follows:

69 elementary teachers	$341,550
8 special elementary teachers	39,600
5 psychologists	26,000
3 supervisor directors	20,400
4 clerks	12,700
89	440,250

Assurances have been received from the Board of Education that classroom space is available on the basis that for the first and second grade only 308 classes will be on a part-time basis. The Board of Education assured us that part-time classes are least damaging at this grade level and that part-time classes are preferable to crowded classrooms for this age group.

The 5 psychologists are necessary to make an inroad on the backlog on some 3,000 achievement tests that were unable to be processed this year. Provision of this professional category will permit far greater service to the pupil in permanent administration of the achievement test, thus permitting the teacher to have a psychological tool for them in their remedial work with the children. I wish to call to the attention of the Senate that the school board relinquished $102,900 from their earlier estimate through the elimination of the new health school and the expansion of the transportation unit attached to it, for the reason that the health school will not be completed until the fall, and estimates for this will be included in next year's budget.

With regard to the recruitment of teachers, the Board of Education has assured us that based on the experience of last year, by the end of September all teaching positions had been filled. Last year 164 additional teachers were authorized. The Board of Education feels that if this amount is included in the budget at this time, recruitment for this year will be equally successful.

I am submitting the amendment on behalf of the Senator from Pennsylvania [Mr. CLARK]. In the District of Columbia Committee, we divided up our work. I was to offer the amendment the Senate has just voted on, which would have resulted in Congress continuing the Federal contribution to the District at $23 million, which we felt the Government had committed itself to pay in 1956. This amendment is offered by the Senator from Pennsylvania, and he is joined in offering it, as the clerk has read, by myself and the Senator from West Virginia [Mr. NEELY], and the Senator from Maryland [Mr. BEALL].

The Senator from Pennsylvania has had to leave the Chamber for the time being on a very important matter, and I am presenting his amendment. I told him I would be very happy to present it for him.

My argument in behalf of the amendment is simply this. I believe in following the experts. We in the Senate are not educational experts. The educational experts have testified before our committee. I mean by that, the school administrators of the District of Columbia. They convinced us that the additional teachers are sorely needed for the children of the District. There is no true economy in economizing at the expense of adequate educational facilities and services for our children. The experts whom we have hired in the educational field tell us that they ought to have these additional teachers. We believe there is no waste in their recommendations. I have the highest regard for Dr. Corning. I have worked closely with him, and I have always found him truthful, and on the conservative side when it comes to financial recommendations.

My good friend from Rhode Island has referred to the surplus of some $4 million or more that is available. First, I wish to say that there is great need for the surplus. There is great need for the full amount asked for in the previous amendment. However, that question has been settled for this year.

The situation is that the additional teachers can be hired within the surplus. What that amounts to in effect is saying to the District officials, "You have the surplus. We want $440,000 of it, in round numbers, used for the teachers who the experts in the educational field say are needed, in order to give the service to the boys and girls of the District they ought to have for the next school year." That is my case, and I rest on it.

Mr. PASTORE. Mr. President, I recommend to the Senate that the amendment be rejected. This is an item which was of great concern to the members of the committee. Naturally so, for it involves schools and children in the schools. It refers also to the quality and the quantity of the teachers in the District necessary properly to educate the children.

In the District now there are 4,490 schoolteachers, in the various categories. The House allowed 175 new teachers; 264 had been asked for. Only this morning we received from the budget officer of the District of Columbia Committee a breakdown of the teacher-pupil ratio. We find that in the elementary schools at the present time the ratio is 1 teacher to 34.7 pupils.

In reaching our conclusion, Mr. President, we did not do so lightly; we gave this subject very serious attention. We listened very attentively to what Dr. Corning had to say. At the present time, in the first and second grades, there are what may be called part-time classes, or split classes; there are classes in the morning and classes in the afternoon. There are 48 such classes. Under the amount allowed by the House, there would be 175 such classes. The amount which is sought by the amendment would allow 300 such classes.

Fundamentally, the very serious situation in the District is the lack of school facilities. There is a changing population, of course, but that situation improves from year to year.

We have gone into this subject very carefully. We believe that the amount allowed by the House will enable the schools to do a satisfactory job. We believe they can absorb the work. While it might not be Utopia, we feel that we are meeting the problem adequately as

of the time, and believe that the authorities will be able to get along with the amount appropriated without any sacrifices in the quality of education. For that reason, I ask that the amendment be rejected.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. LAUSCHE. Is the Senator able to state whether or not the ratio of teachers to pupils in the senior classes is below or above the average in the country?

Mr. PASTORE. I would not wish to say whether it was below or above. I say that it compares very favorably. I might give the ratio. The ratio in the junior high schools is 23 pupils to 1 teacher, which compares very favorably with other cities. With relation to the senior high schools, the ratio is 28 to 1. With relation to vocational high schools, it is 24 to 1. Those figures compare very favorably with those for most other communities. As a matter of fact, the District of Columbia stands 12th among cities of comparable size so far as the teacher-pupil ratio is concerned.

Mr. LAUSCHE. It is 12th in the country?

Mr. PASTORE. That is correct.

Mr. LAUSCHE. Am I correct in stating that on the basis of 100,000 pupils, there are 4,050 teachers available in the District, and, therefore, to strike an average, it means that in the several classes there are 25 pupils for each teacher?

Mr. PASTORE. That is true in some classes, yes. There may be other classes where there are more than 34. As Dr. Corning has explained, "They do not send us pupils in blocks of 32 or 34." The situation in some classes depends on geographical location and type of population. There may be 24 in some classes and in other classes there may be 30 or 29, depending upon the location.

This ratio is an academic figure at best. It does not spread itself uniformly. It merely stands for a situation the school authorities would like to accomplish. It is very commendatory and laudatory. However, the allowances made by the House, we believe, will provide a very satisfactory level.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. PASTORE. I yield.

Mr. LAUSCHE. If the allowance in the House bill is approved, what will be the ratio with reference to the elementary schools?

Mr. PASTORE. It will be a little more than 33 to 1. The reason I say that is the presentation made to our committee was predicated upon the present ratio of 36 to 1. The last statistics we received, today, show that it is 34.7 to 1. I do not say this in any criticism of anyone who presented the figures. Those were the figures the authorities had as of the time.

Mr. MORSE. My reply to the Senator from Rhode Island will be very brief.

First, I point out that of the 89 teachers provided for in the appropriation, 69 will be elementary schoolteachers. It is in the elementary schools of the District where the serious problem exists.

In addition to the 69, there would be 8 special elementary teachers needed to work in the elementary schools with problem children who need assistance.

We would add five psychologists. Let me tell Senators that if they had worked with us on the Committee on the District of Columbia in the matter of educational affairs they would know how sorely needed are the psychologists.

There would be also 3 supervisory directors and 4 clerks.

The major problem in the District of Columbia school system is in the elementary schools. The figures I placed in the RECORD this morning show that the present ratio of pupils to teachers in the elementary schools is 35.6 to 1.

It is true that in the junior and senior high schools the ratio is more comparable with the ratio across the country. But, as I said also earlier in the debate today, educators are remarkably uniform in their point of view that in the elementary schools the ratio should not be higher than 30 to 1. The bill reported by the Committee on Appropriations would reduce the present ratio, as the Senator from Rhode Island says, to 33 to 1. The amendment which the Senator from Pennsylvania [Mr. CLARK] has offered, and which I am sponsoring in his behalf, would bring the ratio down to 32 to 1.

The next point I hope Senators will keep in mind is that there are additional teacher problems in the District of Columbia from the standpoint of the school buildings. That is what I meant when earlier today I pointed out the testimony of Dr. Corning and others to the effect that if something is not done about a school construction program in the District of Columbia by the year 1960, there will be a fearful crisis, so far as physical facilities are concerned.

The teaching burdens of the teachers in the elementary schools of the District of Columbia are greatly increased, because of the obsolete facilities in many, many schools. The testimony is that classes are being held in the ends of corridors; and that large linen closets, with a little remodeling, have been turned into classroom facilities. Every available square inch in old, old buildings is being used to accommodate the children.

I stress these things because we do not tell the complete story when we make the point that the ratio at present is 35.6 to 1. The burden is really much greater, because if the 35.6 to 1 ratio for elementary children were in effect in a modern school building, the teaching problem would not be so serious as it is at the present time.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KUCHEL. Will the Senator from Oregon state again the amount which his amendment, or the amendment of the Senator from Pennsylvania, would increase this budgetary proposal?

Mr. MORSE. The total amount is $440,250. For the 69 elementary school teachers, the amount would be $341,050. For the eight special elementary schoolteachers, it would be $39,600.

But mark this, I say to the Senator from California: We have heard much justification today for not increasing the Federal contribution to the District to $23 million, the amount to which Congress increased it in 1956, because there is a surplus of a little more than $4 million. Here is $440,000 which can be taken from the $4 million surplus. I think the Senate ought to go on record today as saying to the District of Columbia Commissioners, in effect, "Take that amount out of the surplus and use it to provide a better education for the children of the District of Columbia."

If that be done, a blow will be struck for a stronger democracy; because as we strike a blow for better education, we strengthen democracy, too.

Mr. KUCHEL. I may say to the Senator from Oregon that I have more than a passing interest in the school system in the District of Columbia. Our daughter attends a public school in the District of Columbia, and I am prepared on any occasion to assist in the proper recognition by Congress of the needs of the school system in the District, as I think the Senator from Oregon well knows.

But I am a little perplexed and confused when the opposition to the amendment offered by the Senator from Oregon is in the hands of my able friend, the Senator from Rhode Island [Mr. PASTORE], in whom I have a great amount of faith. Some of us are a little distraught in wondering whether the Subcommittee on the District of Columbia Appropriations has adequately considered the problem. I do not want to sit here and vote willy nilly for increases or decreases; in any event, I believe, and so does the Senate, that we must give the District of Columbia schools what is needed to educate the children who attend our District schools.

Mr. PASTORE. Mr. President will the Senator from Oregon yield at that point?

Mr. MORSE. I yield.

Mr. PASTORE. So that the matter will be understood, and understood properly, the junior Senator from Rhode Island loves children as much as does anyone else and he is just as much interested in the school problem as is anyone else.

Mr. KUCHEL. I am certain of that.

Mr. PASTORE. As a matter of fact, when I was the Governor of my State, I sponsored the institution of a sales tax, which was a rather strange thing for a Democratic governor to do, in order to make our schools better and to pay our teachers higher salaries.

The committee has analyzed every single item in this budget with the most minute care. We have reviewed and rereviewed the action which was taken by the House. We started with the idea that in the District there are approximately 4,490 schoolteachers. It is true that the school authorities asked for 212 additional teachers, and received from the House 175, in various categories.

They explained to us that they have at present 48 of the so-called split classes; that is, afternoon classes and morning classes. The House bill limited them to an increase which would provide for 175 such classes. The school authorities

feel it is desirable to have 300 such classes. But this does not mean the difference between a loaded classroom and one which has the 30-to-1 or 31-to-1 ratio.

A very peculiar situation exists in this community. If the pending amendment were agreed to, it would not guarantee that there would be 32 pupils in every classroom. The size of the class would vary throughout the District of Columbia. The teachers are used in every part of the District, provided they are engaged in elementary school teaching.

The committee has reviewed all the testimony, and has found that the school system can well absorb the amount which was granted by the House. It is true that the system has asked for the extra 89 teachers, but the committee felt, after reviewing the matter very carefully, that what is most needed in the community are more school facilities.

The practice of having one schoolteacher instruct her class in the morning until noontime, and having another teacher come in the afternoon to teach another class in the same schoolroom, is bad, to my way of thinking. It may be a little better than having overcrowded classes; but, after all, the difference should not be between having split classes and large classes. It should be the difference between 32 pupils to 1 teacher and 33 to 1.

Naturally, we must look at the budget with relation to the entire panorama which was presented to the committee. We have looked at it very carefully. I think we have been human enough in what we have done. I believe the budget to be a good one. I do not think that the question whether the children of the District are taught properly depends on the adoption of the amendment. All that could happen from its adoption would be that possibly there might not be so many split classes as the school authorities would like to have.

The important consideration, which I think must be emphasized, is that the teaching personnel is predicated upon the peak pupil population. Naturally there are not so many schoolteachers as are authorized. But I think the school authorities can live with this condition and get along with it. I dare say that the school situation in the District of Columbia, while it is not, possibly, what we would like to have it, at the optimum, compares well with school systems in other cities of the country in the same population group. The District of Columbia stands 12th in comparison with comparable cities.

I assure the distinguished junior Senator from California, who I know is very much interested in the subject, that we are not doing an injustice to the District of Columbia schools. We are not giving them everything they want, but we are giving them pretty nearly everything they have requested. They can live with the amount provided and perform reasonably well in the community, so far as education is concerned.

Mr. MORSE. I shall reply very briefly to the Senator from Rhode Island. First, I think we have to make a decision as to whose advice we shall follow. Shall we follow the advice of the District of Columbia Subcommittee on Appropriations—and I have great respect for each member of that subcommittee—in regard to the educational needs of the District of Columbia? Or shall we follow the strong case which was made by the educators of the District of Columbia as to what the children of the District need by way of teacher facilities during the next year? I wish to say to the Senator from Rhode Island that he is not a stronger supporter of the proposal for more school buildings in the District of Columbia than I am. The provision of additional school buildings is a part of the program of the District of Columbia Committee. But additional school buildings will not be provided next year. However, in my judgment an adequate number of teachers must be appropriated for. I think that is perfectly clear when the educators themselves say, "This is what we need." Inasmuch as no Senator has placed in the RECORD information to show that the demands of the educators are in any way unreasonable, I believe the Senate should follow the recommendation of the experts.

Mr. PASTORE. Of course we should consider the experts' recommendation. But does the Senator from Oregon mean to say that a Member of the Senate cannot disagree with the Secretary of State or with the President of the United States?

Mr. MORSE. Of course not, and I have done so on more than one occasion.

Mr. PASTORE. Of course. In this case we are disagreeing with the recommendation of the educators. We do not have to accept as factual all the presentations which are made to us.

Mr. MORSE. That is quite true.

Mr. PASTORE. I do not mean to say that the witnesses before our committee endeavored to deceive us. However, after all, I have been connected with government for a long time, and I know that every so often we have to allow less than is requested. Certainly we must study and scrutinize the requests. After we did that in the present case, we reached the conclusion I have stated.

I repeat that the requested teacher-student ratio is predicated upon the peak student population.

Our committee has recommended a reasonable amount, in view of the amount requested. I repeat, that I think a rational, reasonable, and wise job has been done by the committee.

Mr. MORSE. Mr. President, I reply by stating that, of course, it is proper for us to disagree to requests which are made of us, if we have a sound basis for such a disagreement. But in the present case, I think there is no factual basis for disagreeing to the requested 30 to 1 ratio.

Mr. President, I come now to a most delicate point in connection with the pending debate; and in connection with this point, I speak with the utmost respect for the Appropriations Committee. My point is that in this case there is a conflict between the judgment of the legislative committee and that of the Appropriations Committee, and in part there is a question as to whether the Appropriations Committee of the Senate is to be substituted for the legislative committee.

At this time let me say—in the presence of the great Senator from West Virginia [Mr. NEELY]—that on matters of education, I know of no legislative committee of the Senate which goes into the details of the legislative problems more thoroughly than the Senate Committee on the District of Columbia has done. Furthermore, I know of no other committee—and I am sure it is not the Appropriations Committee—which has devoted to the educational problems of the District of Columbia the time, research, and analysis that the District of Columbia Committee of the Senate has devoted.

The time has come for some Member of the Senate to point out, on the floor of the Senate, that great weight should be given to the recommendations of a legislative committee which has made such a thorough study of educational problems in the District of Columbia as the Committee on the District of Columbia has made.

The Committee on the District of Columbia informs the Senate today that the addition of the proposed 89 teachers should be made in the interest of education in the District of Columbia. In making that statement, I have complete respect for the Appropriations Committee. But I do not fear successful contradiction when I say that the Appropriations Committee has not made the study the District of Columbia Committee has made regarding educational problems in the District of Columbia.

I have great respect for the Appropriations Committee. However, when the educators make this request, and when the legislative committee also makes the request, then, unless the Appropriations Committee can present more evidence than it has presented thus far, I think the Senate should vote against the cut proposed by the Appropriations Committee, and should vote in favor of sufficient appropriations for the necessary number of teachers; and the Senate should resolve the doubts in favor of the children of the District of Columbia. That is my case.

Mr. PASTORE. Mr. President, will the Senator from Oregon yield to me?

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Does the Senator from Oregon yield to the Senator from Rhode Island?

Mr. MORSE. I am happy to yield to the Senator from Rhode Island.

Mr. PASTORE. Is the Senator from Oregon taking the position that if his amendment is rejected the Senate will have violated a fiat issued by the District of Columbia Committee?

Mr. MORSE. No; not at all. I am saying that the Appropriations Committee does not have the information the District of Columbia Committe has regarding the educational problems in the District of Columbia, and the Appropriations Committee could not be expected to. In my judgment, when a legislative committee makes a recommendation to the Appropriations Committee, in connection with a matter such as this, the

presumption is in favor of the recommendation made by the legislative committee, and the Appropriations Committee should have good cause for saying that it will overrule the recommendation of the legislative committee. Otherwise, the Appropriations Committee would soon be the superlegislative committee of the Senate. That is my position.

Mr. PASTORE. What does the Senator from Oregon mean by the statement about overruling a decision made by the legislative committee?

Mr. MORSE. I say that because the District of Columbia Committee has recommended that this additional number of teachers should be provided.

Mr. PASTORE. Did the Committee on the District of Columbia hold a hearing on that item?

Mr. MORSE. We had a long hearing on the educational system of the District of Columbia.

Mr. PASTORE. Am I to understand that the District of Columbia Committee held a hearing on this particular item while the Appropriations Committee was also considering it?

Mr. MORSE. Not in the case of the 89 teachers.

Mr. PASTORE. Of course not.

Mr. MORSE. But we made a survey of the entire matter.

Mr. PASTORE. But the whole survey is a platitude and a generalization.

Mr. MORSE. Mr. President, why does the Senator from Rhode Island say the whole survey is a platitude and a generalization? The survey is based upon detailed evidence on issue after issue, as the evidence was presented before the committee.

So far as the District of Columbia Committee is concerned, it has a thorough understanding of the educational needs of the District of Columbia; and I do not intend to have the judgment of the Appropriations Committee substituted for that of any legislative committee of the Senate. I think it is about time that we make clear to the Appropriations Committee that, after all, the presumptions are in favor of the position taken by the legislative committees.

Mr. PASTORE. Mr. President, will the Senator from Oregon yield further to me?

Mr. MORSE. I yield.

Mr. PASTORE. I do not imagine for a moment that that is what the Appropriations Committee did. The bill came to the Senate from the House of Representatives. The House had already acted on the bill. Educational officials of the District of Columbia and representatives of the school system and the Commissioners testified before our committee. We went over the matter very carefully.

It is entirely proper for the Senator from Oregon to disagree with me; that is his privilege. But a recommendation for 89 additional teachers was never included in a report written by the District of Columbia Committee. I realize that the District of Columbia Committee made an overall survey of the school situation in the District of Columbia, with which I heartily agree. I am as much interested in the educational standards of the District of Columbia as is any other Member of the Senate. But, after all, I have the responsibility of going into the case in detail, and of considering the testimony of all the witnesses, not merely that of the head of the department, who may have been the one who made the request. The House had voted an appropriation sufficient for 175 additional teachers, whereas funds sufficient for a larger number of additional teachers had been requested.

This morning we were confronted with a new statistical report from the Commissioners; and from that report we learn that the situation is even better than the committee had been told it was.

I believe that the program under the recommendation of the Appropriations Committee will be a well-rounded one, and I do not believe that either the teachers or the students in the District of Columbia will be penalized as a result. I think the program recommended by the Appropriations Committee is a generous and reasonable one which will do much good to educational life in the District of Columbia.

Mr. MORSE. Mr. President, I shall close by saying that I have the utmost respect for the Senator from Rhode Island and for the sincerity with which he arrives at his judgment. However, I completely disagree with his conclusions.

In my judgment, the recommendations of the Appropriations Committee regarding this teacher item will, if followed by the Congress, cause great injustice to be done to the boys and girls of the District of Columbia. In my judgment, the Senate this afternoon cannot justify economizing at the expense of the services which the educators have said will be needed by these boys and girls next year. I believe that the doubts should be resolved in favor of the boys and girls.

Furthermore, in order to make my position perfectly clear, I wish to state that when a legislative committee makes a study similar to the one the District of Columbia Committee has made regarding the educational problems in the District of Columbia, the presumption is in favor of the judgment of the legislative committee.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Eastland	Kuchel
Allott	Ellender	Lausche
Anderson	Ervin	Long
Barrett	Flanders	Magnuson
Beall	Frear	Mansfield
Bennett	Goldwater	Martin, Iowa
Bible	Gore	Martin, Pa.
Bricker	Green	McNamara
Bush	Hayden	Monroney
Butler	Hennings	Morse
Byrd	Hickenlooper	Morton
Capehart	Hill	Mundt
Carlson	Holland	Murray
Carroll	Humphrey	Neuberger
Case, N. J.	Ives	O'Mahoney
Case, S. Dak.	Jackson	Pastore
Chavez	Javits	Payne
Church	Jenner	Potter
Cooper	Johnson, Tex.	Purtell
Cotton	Johnston, S. C.	Revercomb
Curtis	Kefauver	Robertson
Dirksen	Kennedy	Russell
Douglas	Kerr	Saltonstall
Dworshak	Knowland	Schoeppel
Scott	Stennis	Wiley
Smathers	Symington	Williams
Smith, Maine	Talmadge	Yarborough
Smith, N. J.	Thurmond	
Sparkman	Thye	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE] for himself and other Senators to the committee amendment on page 7, line 21. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

I further announce that if present and voting, the Senator from Pennsylvania [Mr. CLARK] and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE] and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER] and the Senator from Utah [Mr. WATKINS] are absent because of illness.

If present and voting, the Senator from Nebraska [Mr. HRUSKA] would vote "nay."

The result was announced—yeas 27, nays 57, as follows:

YEAS—27

Beall	Jackson	McNamara
Bible	Javits	Monroney
Carroll	Johnston, S. C.	Morse
Case, N. J.	Kefauver	Morton
Church	Kennedy	Murray
Cooper	Kuchel	Neuberger
Douglas	Long	Payne
Hennings	Magnuson	Symington
Humphrey	Mansfield	Yarborough

NAYS—57

Aiken	Ervin	O'Mahoney
Allott	Flanders	Pastore
Anderson	Frear	Potter
Barrett	Goldwater	Purtell
Bennett	Gore	Revercomb
Bricker	Green	Robertson
Bush	Hayden	Russell
Butler	Hickenlooper	Saltonstall
Byrd	Hill	Schoeppel
Capehart	Holland	Smathers
Carlson	Ives	Smith, Maine
Case, S. Dak.	Jenner	Smith, N. J.
Chavez	Johnson, Tex.	Sparkman
Cotton	Kerr	Stennis
Curtis	Knowland	Talmadge
Dirksen	Lausche	Thurmond
Dworshak	Martin, Iowa	Thye
Eastland	Martin, Pa.	Wiley
Ellender	Mundt	Williams

NOT VOTING—11

Bridges	Langer	Scott
Clark	Malone	Watkins
Fulbright	McClellan	Young
Hruska	Neely	

So Mr. MORSE's amendment to the committee amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 7, line 21.

Mr. MORSE. Mr. President, I should like to explain very briefly the parliamentary situation, on the basis of which I shall make a parliamentary request. The Senator from Pennsylvania [Mr. CLARK], as I stated previously, has been called from the floor on a matter that requires his absence from the floor of the Senate.

I desire to have the Senate consider an amendment on page 4, line 3, of the District of Columbia appropriation bill.

We have already adopted that amendment in the consideration of the bill. I have taken up the matter with the chairman of the subcommittee, and he is perfectly willing that the vote whereby the amendment was agreed to be reconsidered, and that action be taken on the Clark amendment, on which there will be no yea and nay vote.

Therefore, I move to reconsider the vote whereby the Senate adopted the committee amendment on page 4, line 3.

Mr. KNOWLAND. Mr. President, reserving the right to object, I wonder whether the Senator could indicate to the Senate what the amendment to the amendment would do.

Mr. MORSE. The amendment would change the figure $369,770 to $387,400. It involves $8,430 for the Office of Urban Renewal and $9,200 for the Planning Advisory Council. The Senator from Rhode Island and I intend to make a brief legislative record on this matter, and possibly enter into an understanding, if the consent of the Senate is given to reconsider the vote on the amendment.

Mr. KNOWLAND. I have no objection to reconsideration for the purpose of permitting an explanation.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Will the Senator from Oregon withhold his request until the vote has been taken on the committee amendment on page 7, line 21, which is to strike out "$37,160,000" and to insert in lieu thereof "$37,246,050"?

Mr. MORSE. I withhold my request.

The PRESIDING OFFICER. The question recurs on agreeing to the committee amendment on page 7, line 21.

The amendment was agreed to.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none.

Mr. MORSE. The justification for the amendment I propose is to be found on page 37 of the hearings. It reads:

> This amount is requested to carry out a program to stimulate further, and to coordinate the already awakened interest of individuals and organized neighborhood groups in activities for combating neighborhood blight, and for clearing up existing slum areas by rehabilitation, conservation, cleanup and maintenance; linking these activities with governmental work in order to obtain the maximum advantage of such combined efforts to prevent further deterioration of areas of the city.

The amount requested for that activity is $8,430.

The amount requested for the Planning Advisory Council is $13,600. The statement which appears on page 37 of the hearings reads:

> This amount is requested to provide a working staff for the Commissioners' Planning Advisory Council.

I now yield to the Senator from Rhode Island.

Mr. PASTORE. The Senate went along with the House in deleting from the appropriation bill the item for the additional employee for the urban renewal activity. The request was for 1 additional member for a 5-member staff. As I understand, the purpose was to engage an employee who would promote, with civic groups through the mailing of written paraphernalia, an interest in the removal of blight and in urban renewal activity.

In view of the interest being demonstrated by the Committee on the District of Columbia, I am perfectly willing to take the amendment to conference to see what can be agreed upon.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon to reconsider the vote by which the committee amendment on page 4, line 3, was agreed to? The Chair hears none, and it is so ordered.

Mr. MORSE. I now offer my amendment, on page 4, line 3, to strike out "$369,770," and insert in lieu thereof "$387,400."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon to the committee amendment on page 4, line 3.

Mr. MORSE. Mr. President, I told the Senator from Rhode Island, earlier, that I believe in compromising.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield.

Mr. PASTORE. I notice, in reading the explanation of the plan——

Mr. MORSE. We are going to reduce the amount. The plan is included in the amendment. I was about to say that it will be necessary to modify the amendment.

I told the Senator from Rhode Island earlier in the debate today that I recognize, in the matter of disagreements on appropriation bills, that it is sometimes necessary to engage in the procedure of compromise. I am very happy to accept a compromise. I would prefer the larger amount, but it will be necessary to modify the figure in the amendment, so as to add only $8,430 to the committee figure on line 3, page 4. Add $8,430 to the $369,770, and take the amendment to conference.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 4, line 3, it is proposed to strike out "$362,500" and insert in lieu thereof "$387,400."

Mr. MORSE. No; that is not correct. I said I wished to modify the amendment by adding to the figure "$369,770" "$8,430," which makes a total of $378,200, to cover the Office of Urban Renewal.

Mr. PASTORE. That would make the total $378,200.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Oregon to the committee amendment is agreed to.

Without objection, the committee amendment as amended is agreed to.

The bill is open to further amendment.

Mr. MORSE. Mr. President, I offer my last amendment, again offering it on behalf of the Senator from Pennsylvania [Mr. CLARK], for myself, the Senator from West Virginia [Mr. NEELY], and the Senator from Maryland [Mr. BEALL]. I ask that the amendment be read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. On page 18, line 18, it is proposed to strike out "$1,840,000" and insert in lieu thereof "$1,885,700."

Mr. MORSE. Mr. President, in explanation of the amendment, I read from page 157 of the committee hearings:

> The cuts in funds made by the House on this vital link in the housing and slum prevention program will have the effect of delaying effective enforcement of the apartment house chapter after its adoption by the Commissioners. Such enforcement effort as could be devoted to the apartment house inspection, over and above that of one new inspector allowed by the House, would necessarily be diverted from the area enforcement or block and complaint work. This is a very undesirable alternative in that it would critically reduce, if not practically eliminate, Housing Code enforcement in all but the licensed multiple housing categories.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PASTORE. I am willing to take this amendment to conference. The background and history of the matter is as follows: The amount as presented in the budget estimate to the House was rejected by the House, primarily for the reason that the code had not been completed. It was expected by the Commissioners that the code would be in operation by July 1 of this year. But at the time the District officials appeared before the House committee, it was uncertain whether that mark could be reached.

Since then, we have been notified that the code has been completed, and there is every prospect that the additional personnel can be profitably employed. Ten additional inspectors would be required, together with the related expense for the enforcement of the apartment house chapter of the housing regulations.

I am perfectly willing to take the amendment to conference.

Mr. MORSE. I appreciate the Senator's statement. The Senator from Rhode Island is completely correct when he says that the reason why the House rejected the request was that the housing code had not been completed by the District government. It has now been completed. I ask unanimous consent that the text of it be printed at this point in my remarks.

There being objection, the text was ordered to be printed in the RECORD, as follows:

[G. F. 47-2328, Order No. 57-1023]

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
Washington, D. C., June 6, 1957.

Subject: District of Columbia Housing Regulations, Amended. Department of Licenses and Inspections.

Ordered, That the District of Columbia Housing Regulations, 1955 edition, as amended, are hereby further amended by adding

the following provisions to be designated as chapter 6:

"CHAPTER 6, ARTICLE 610, SPECIAL LICENSING REGULATIONS RELATING TO APARTMENT AND APARTMENT HOUSES

"SEC. 6101. Incorporation of chapters 1, 2, and 3 by reference

"Chapters 1, 2, and 3 of these housing regulations of the District of Columbia are incorporated in this chapter 6 by reference and made a part hereof, and the provisions contained in said chapters 1, 2, and 3, together with the provisions contained in this chapter 6, shall be applicable to premises used or held out for use as an apartment or apartment house: *Provided*, That whenever any provision contained in this chapter 6 shall conflict with or supersede a provision contained in chapters 1, 2, or 3, the provision contained in this chapter shall be applicable.

"SEC. 6102. Scope.

"This chapter 6 of the housing regulations of the District of Columbia shall be applicable to every building or part thereof occupied or used or held out for use as an apartment or apartment house, whether tenant or owner occupied.

"SEC. 6103. License.

"6103.1. No license to operate an apartment house business shall be issued to a person not a resident of the District of Columbia, unless such nonresident, as a condition of such license, maintains an office in the District of Columbia, appoints or employs and maintains an attorney-in-fact, general agent or manager who is a resident of the District of Columbia, or maintains an office in said District, and notifies the Superintendent of Licenses and Permits of such appointment or employment. Such licensee shall likewise notify the Superintendent of Licenses and Permits, within 5 business days, of any change in the appointment or employment of such attorney-in-fact, general agent or manager. In all cases of a nonresident licensee, notice of any action to be taken with respect to the license issued to such licensee may be served upon the attorney-in-fact, general agent or manager appointed or employed by such nonresident licensee.

"6103.2. Upon certification to the Superintendent of Licenses and Permits by an office of the District of Columbia required to serve notices in connection with the operation of an apartment-house business, that a licensee, or the attorney-in-fact, general agent or manager of such licensee, cannot be found after reasonable search, proceedings against the licensee may be instituted by serving notice, in the manner prescribed in section 2701.5 of these regulations, upon either the licensee or any person who has been designated by the licensee as his attorney-in-fact, general agent or manager, and whose designation has not been rescinded by such licensee in a written notice of recission sent to the Superintendent of Licenses and Permits.

"SEC. 6104. Registration of tenants.

"The license shall establish and maintain, within 5 business days after the opening of said business, a book, books, record or records in which shall be written in English the name of each tenant of every apartment in the apartment house together with the number of the apartment in which such tenant is residing. The said book, books, record or records shall be kept current and in good repair at all times within the District of Columbia, and shall be open for inspection by the departments of the government of the District of Columbia responsible for enforcement of District of Columbia laws and regulations.

"SEC. 6105. Posting of information regarding building management.

"The licensee shall provide information regarding the building management in a notice framed under clear glass or plastic and shall post such notice or cause the same to be posted in a conspicuous place in the apartment building to which such notice applies. The notice shall contain the name, address, and telephone number of a responsible representative of the building management who may be reached in the event of complaints or emergency situations. The notice shall also contain information regarding the manner in which such representative or his alternate may be reached after normal working hours and on Sundays and holidays.

"SEC. 6106. Designation of apartments.

"Each apartment entrance door shall be distinctively numbered or lettered and all other rooms in the apartment buildings, other than rooms in individual apartments, shall be distinctively identified."

By order of the Board of Commissioners, District of Columbia.

ANN GHORNETT,
Secretary to the Board.

Mr. MORSE. I appreciate the cooperation of the chairman of the committee in agreeing to take the amendment to conference.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Oregon [Mr. MORSE], for himself and other Senators, is agreed to.

Without objection the committee amendment, as amended, is agreed to.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Frear	Morse
Allott	Goldwater	Morton
Anderson	Gore	Mundt
Barrett	Green	Murray
Beall	Hennings	Neuberger
Bennett	Hickenlooper	O'Mahoney
Bible	Hill	Pastore
Bricker	Holland	Payne
Bush	Humphrey	Potter
Butler	Ives	Purtell
Byrd	Jackson	Revercomb
Capehart	Javits	Robertson
Carlson	Jenner	Russell
Carroll	Johnson, Tex.	Saltonstall
Case, N. J.	Johnston, S. C.	Schoeppel
Case, S. Dak.	Kefauver	Scott
Chavez	Kennedy	Smathers
Church	Kerr	Smith, Maine
Cooper	Knowland	Smith, N. J.
Cotton	Kuchel	Sparkman
Curtis	Lausche	Stennis
Dirksen	Long	Symington
Douglas	Magnuson	Talmadge
Dworshak	Mansfield	Thurmond
Eastland	Martin, Iowa	Thye
Ellender	Martin, Pa.	Wiley
Ervin	McNamara	Williams
Flanders	Monroney	Yarborough

The PRESIDING OFFICER (Mr. SCOTT in the chair). A quorum is present.

House bill 6500, the District of Columbia appropriation bill, has been read the third time. The question now is, Shall the bill pass?

On this question the yeas and nays have previously been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], and the Senator from West Virginia [Mr. NEELY] are absent on official business. The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

I further announce that if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senators from Arkansas [Mr. FULBRIGHT and Mr. MCCLELLAN], the Senator from Arizona [Mr. HAYDEN], and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Utah [Mr. WATKINS] are absent because of illness.

If present and voting, the Senator from Nebraska [Mr. HRUSKA] and the Senator from Nevada [Mr. MALONE] would each vote "yea."

The result was announced—yeas 83, nays 1, as follows:

YEAS—83

Aiken	Frear	Morton
Allott	Goldwater	Mundt
Anderson	Gore	Murray
Barrett	Green	Neuberger
Beall	Hennings	O'Mahoney
Bennett	Hickenlooper	Pastore
Bible	Hill	Payne
Bricker	Holland	Potter
Bush	Humphrey	Purtell
Butler	Ives	Revercomb
Byrd	Jackson	Robertson
Capehart	Javits	Russell
Carlson	Jenner	Saltonstall
Carroll	Johnson, Tex.	Schoeppel
Case, N. J.	Johnston, S. C.	Scott
Case, S. Dak.	Kefauver	Smathers
Chavez	Kennedy	Smith, Maine
Church	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Mansfield	Thye
Eastland	Martin, Iowa	Wiley
Ellender	Martin, Pa.	Williams
Ervin	McNamara	Yarborough
Flanders	Monroney	

NAYS—1

Morse

NOT VOTING—11

Bridges	Hruska	Neely
Clark	Langer	Watkins
Fulbright	Malone	Young
Hayden	McClellan	

So the bill (H. R. 6500) was passed.

Mr. PASTORE. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. PASTORE, Mr. MCCLELLAN, Mr. JOHNSON of Texas, Mr. BIBLE, Mr. FREAR, Mr. DIRKSEN, Mr. IVES, and Mr. BEALL conferees on the part of the Senate.

RETURN TO THE FLOOR OF SENATOR PAYNE

Mrs. SMITH of Maine. Mr. President, the Senate has heard the response to the call of the roll by one of our distinguished colleagues, the junior Senator from Maine, and welcomes his return to the Senate. His colleagues are happy to see him back from his absence which was forced by illness. It is gratifying to see him return, looking so much like himself. This could not be if he had not exerted every effort to get well.

We who have seen the junior Senator from Maine in his faithful and constant attendance in the Senate since he first joined it in 1953 knew that he would do this very thing; knew that he would recognize the value of obeying his doctor and his wife in his effort to recover.

Mr. President, the Senate, I am sure, joins me in welcoming the junior Senator from Maine back, with the hope that it will not be long before he will be back in his Senate seat all the time.

Mr. KNOWLAND. Mr. President, I wish to join with the distinguished senior Senator from Maine [Mrs. SMITH] in the remarks she has made regarding the return of the junior Senator from Maine [Mr. PAYNE]. There is certainly no more valued Member of this body than the distinguished junior Senator from Maine, who has been absent because of illness, and I know that all Senators on both sides of the aisle were very much pleased and relieved to see him back in the Chamber again, for during the years he has been a Member of the Senate, he has made a valuable contribution to the Senate's legislative work and to the great decisions which this body must make.

THE PUBLIC DEBT REDUCTION ACT OF 1957

Mr. BYRD. Mr. President, the Senate Finance Committee had a most constructive and interesting session this morning in the consideration of S. 1738, introduced by the Senator from Massachusetts [Mr. SALTONSTALL].

The purpose of this bill is to bring about reductions in the public debt and the legal ceiling on the authority of the Federal Government to borrow.

The Senator from Massachusetts made a very able presentation, as did the Senator from Colorado [Mr. ALLOTT].

As there is much valuable information contained in their remarks as to our fiscal situation, I ask unanimous consent that these two presentations before the Finance Committee be printed in the body of the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

THE PUBLIC DEBT REDUCTION ACT OF 1957

(Statement by Senator LEVERETT SALTONSTALL, of Massachusetts, before Senate Finance Committee, hearings on S. 1738, June 11, 1957)

I very much appreciate this opportunity to appear before your committee and present to you my thoughts in connection with the Public Debt Reduction Act of 1957, S. 1738. I am very pleased that your committee has decided to consider this bill; I think that discussion of the enormous problems of managing the Federal debt and indeed of congressional responsibility for such management is certainly welcome and may help us to produce useful ideas in this important and complicated field. There are undoubtedly many improvements which the committee may wish to add to the bill, and I will certainly welcome any discussion of these.

Problems of Federal debt management and of using the national debt as an instrument of sound economic policy are probably as pressing today as ever before in our history. Five times during the history of our Nation the expenditures of war have created heavy public debts. Each time many informed people felt that our debts were so large we could never recover from them. Following four of these wars these predictions were proved wrong; our Nation restored its credit and reduced or eliminated the debts it had incurred. We are now carrying the burden of the largest debt of our history caused by the Second World War. In the 11 years following the war, we have not as yet devised a systematic and orderly system of debt reduction. It is directed to this problem that I have drafted this bill and invited the attention and thoughtful consideration of my colleagues here in the Congress.

In our discussions of the problems of reducing the national debt we must recognize in the first instance the lessons of history. Following each of the five debt-producing wars which I have mentioned a moment ago, we have had a serious inflation of commodity prices. It has become a well recognized political and economic maxim that the painful experience of inflation and the painful experience of the deflation which inevitably follows each inflation is an unfortunate aftermath of deficit finance. It is equally well recognized that the sooner these problems are met and positive steps taken to restore governmental credit, the less hazardous is the aftermath of war.

In 1790, public debt was $72.4 million, or $19 per capita. Through the efforts of Alexander Hamilton as Secretary of the Treasury the Government indebtedness was gradually reduced. It rose again following the War of 1812. Following the Civil War the debt was $2.6 billion or slightly over 50 percent of our national income. In the years following the Civil War the debt was reduced by almost two-thirds. After the First World War our debt was appreciably reduced by sinking fund legislation. Coincident with the evolution of a war finance philosophy throughout our history has been the development of a characteristically American tradition, that is the paying off of the debts we incur. Not only is such a philosophy consistent with a free democratic government, but it has paid dividends in the strength which it has given to us—confidence in our credit and steadily increasing national wealth. Fiscal integrity—whether individual or national—has been a symbol of good, typically American commonsense.

Early in 1946 the Committee on Public Debt Policy, which I shall speak more about later, was formed under the auspices of the Falk Foundation. In one of their first reports that best summed up the lessons of history about national debt, the Committee pointed to the necessity for financing wars and of inflation and deflation following these wars. They pointed to the tremendous dangers of the inflationary forces created by World War II and of the unprecedented national debt. They pointed to the serious economic implications of billions of dollars annually expended for debt interest and service. They spoke of the "national tradition" to "pay down our war debts promptly" and they said very aptly, "throughout our history, the greatest obstacles to national strength and the most acute dangers of fiscal collapse have been weak financial policies, but never inadequate or failing resources. During the 157 years from 1792 through 1948, we have had 95 years of net surplus in our national budget and 62 years of net deficit. That record is good enough to encourage us—and poor enough to put us on guard."

To bring this record up to date since 1948, we have had 6 deficit years and 3 years of budget surpluses (including fiscal year 1957).

As we reflect on the problems of our Nation's debt, it is well to remember the great wisdom of the words of George Washington in his Farewell Address September of 1796:

"As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible; avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burdens which we ourselves ought to bear."

Economists generally regard the relationship of the debt to our national income as the best indicator of the debt's burden on our economy. Our national debt today represents 82 percent of our national income. Today we realize, as we perhaps could not foresee a few years ago, that our role of leadership in world affairs and in times of critical and uncertain peace have made greater demands upon our economic resources than during any comparable peacetime period in our history. In my judgment it is more necessary than ever to be coldly calculating about our ability to sustain our debt and to maintain vigorous national credit and financial resources.

Before discussing the purposes of the legislation which I have proposed I should like for a few moments to describe the bill and its operation.

S. 1738 proposes to make use of a very simple device to effect by legislation a systematic and orderly process for reducing the national debt and controlling the expenditures of the Federal Government. The bill amends the Second Liberty Bond Act which has established a maximum ceiling on the size of the national debt. The debt limit which now is established at $275 billion merely provides that the debts of the United States, regardless of appropriations or expenditures, can, at no time, exceed the ceiling. Reduced to simplest terms, S. 1738 merely says that each year automatically this ceiling, which has been in recent years such an effective brake on Federal expenditures, will be gradually lowered. In each year a small percentage of the preceding year's Federal net revenue is subtracted from the maximum debt ceiling. In other words, the amount of money established as a maximum which at any one time can be outstanding in debt obligations is gradually diminished in each year by a percentage of Federal receipts.

Once enacted, in the first year of operation the bill proposes that the ceiling on the national debt be lowered by 2 percent of the net tax revenue of the United States for the fiscal year ending 12 months prior to the first scheduled debt reduction. According to the dates now provided in the bill, this means that at the beginning of the following fiscal year an amount equal to 3 percent of the net revenue for fiscal year 1958 is used and so on until July 1, 1961, and each year thereafter when an amount equivalent to 5 percent of the net revenue of the United States for the fiscal year preceding will be set aside for the automatic reduction of the ceiling on the national debt. These figures have been selected because they are gradual and moderate; yet

if adopted would be effective in achieving the aims and purposes of the bill. The figures are moderate in that existing programs need not be disrupted. The figures, I believe, are realistic because they can be applied within the present framework of Federal revenue and the reductions which they would cause would not, in my judgment, be in any way disruptive of our great prosperity or weaken our national defense. I believe that these percentages would produce the control over our expenditure levels which the bill seeks while at the same time gradually reducing the size of our debt. I certainly hope to have the advice and counsel of this learned committee upon the proper percentage levels for the reduction proposed.

In summary, these provisions of S. 1738 operate as a control on the national debt ceiling and not an actual reduction of the debt itself. Should the bill be enacted, a fixed sum, depending on the relation of the actual debt to the ceiling, would have to be appropriated automatically, much as debt interest is automatically appropriated now, to keep the outstanding obligations within the reduced statutory ceiling. A proposed change to this bill would require such an item to be included in the budget.

In principle, this proposal utilizes the ceiling on the national debt as a brake on Federal spending. This same device has been very effectively employed by this committee in recent years to prevent further increases in our debt and to control the level of national spending. The bill alters the status quo very little. At the present time, the actual public debt is very close to the prescribed debt ceiling. A deficit budget at the present time would mean that authorized expenditures could not be fulfilled without exceeding the statutory ceiling. The existing requirement is that the Treasury Department incur no further debts in excess of the ceiling. This bill merely adds the requirement that the debts we have already incurred be reduced very gradually to stay within a ceiling prescribed by Congress.

Gradually decreasing ceilings would impliedly require surplus budgets by requiring that expenditures be kept a fixed percentage below revenues. At the present time we have mandatory expenditure in each budget—interest on the public debt. This is the largest single item in the budget, approximately $7½ billion. I know of no valid reason, should Congress determine that national policy dictate a reduction in the debt, why an additional fixed charge for debt retirement along with debt service should not be required. The bill, in other words, is no more of a restriction upon the ability of the Federal Government to meet its obligations and commitments than is the current rigid debt ceiling.

In summary, the essence of this bill and the only way in which it can be truly distinguished from our existing fiscal debt control is that this bill imposes the necessity for budgetary surpluses to stay within a gradually declining debt ceiling.

Three suspension provisions have been written into this bill. One of these is for use in time of war when we realize a necessity for deficit spending to maintain our security. Section 3, D (1) and (2), describe the conditions under which the bill would be suspended in time of war. A second provision now states that the President may recommend the suspension of this bill because of economic conditions existing or threatening and if the Congress concurs by a concurrent resolution the automatic reduction of the debt ceiling will be suspended for that fiscal year. I shall refer to this provision later in my discussion. A third provision of the bill merits explanation. The amount of reduction of the public debt ceiling which is effected by this bill each year will be reduced by an amount equal to the loss of revenue resulting from any tax reduction enacted by Congress during that fiscal year if, and only if, Congress so provides. Congress may provide for the suspension of the operation of this bill to the extent of the loss of revenue caused by tax reductions. The purpose of the third provision which has effect for two fiscal years (1 year following the tax reduction) is to give greater flexibility to the provisions of this bill and to permit the temporary suspension of this bill in any years when the budgetary surplus referred to above is used for a tax reduction. By including such a provision, we do not foreclose the possibilities of general tax reduction, but rather we encourage a general tax reduction since the lowering of the debt ceiling makes mandatory budget surpluses, to be used in the first instance for debt reduction or alternatively, if Congress desires, to permit a loss of tax receipts without creating a deficit budget. The purpose of this provision is not to disregard the intent and aim of reducing the national debt; it is to create the flexibility which is necessary for any such far-reaching proposal to have lasting effectiveness. We simply say, in effect, that we will have budgetary surpluses and we will use these to reduce our national debt, but if Congress feels that our tax rate should be lowered in the national interest, this same device can be used as the means for achieving it.

No legislative proposal can be successful which attempts to impose upon future Congresses the judgment of the Congress passing the legislation. Should this bill be enacted we would be providing merely the mechanism by which each succeeding Congress could exercise its own judgment.

I asked the Comptroller General to provide statistical material which I felt might be helpful to the committee in properly analyzing and interpreting the effects of this proposed legislation. Upon the conclusion of my remarks, I shall ask the Comptroller General's representative to discuss very briefly for you the projected, predictable results of this bill. Because I feel it helps orient our discussion in the first instance, I should like to mention one very revealing statistic. Had this bill been enacted in 1951, and assuming the bill's operation was not suspended during the past 6 years, the public debt would not today be $275 billion; it would be $260.6 billion, and in these very few years we would have made a significant start toward the repayment of our public debt. The interest on the debt would not be $7.4 billion but would be slightly under $7 billion; in other words, almost one-half billion dollars would be available for productive expenditures, which is now used for debt service. I believe the Comptroller General's representative will substantiate these figures.

When I first began to discuss this idea in January, I solicited the comments and advice of many economists and others with vast experience in the fiscal affairs of our Government. The response has been generally very favorable and I have received many helpful and constructive criticisms, a few of which I feel it would be in order to mention briefly at this time.

The most common objection to the enactment of this legislation that I have been able to ascertain is that the bill is a straitjacket type of proposal. My answer to this is simply that as discussed earlier the bill is extremely flexible. It merely lowers the ceiling annually on our debt which requires somewhat reduced expenditure rates, as related to Federal income, to stay within the ceiling. This I believe is no more inflexible than the existing debt ceiling. I recognize the problems which the bill presents in estimating Federal receipts so as to know the precise amount by which the ceiling is decreased each year. It is not necessary, however, to establish the reduced ceiling figure until very shortly before the close of each fiscal year, at which time it is my understanding that the Treasury can predict with great accuracy the level of Federal receipts to which the percentage of reduction is to be applied. One criticism which I have heard is perhaps valid at the present time, but I hope will soon be overcome by other changes which have been proposed in our appropriations system. In order for this bill to operate properly, certain information may be necessary which is not now readily available. A greater relationship between appropriations and expenditures is necessary. S. 434, commonly known as the accrued expenditures bill, would, in my opinion, provide the necessary information and control by which the provisions of this bill could operate. This bill would also virtually require the establishment of a single-budget-bill system which has been advocated by your distinguished chairman. Both of these bills would provide the mechanism for informing both the administration and the Congress of the expenditure limits within which the bill I have introduced would operate. If S. 1738 were enacted, a single-budget bill would follow as a natural consequences as would greater attention to the expenditure levels of the Government.

A constitutional amendment requiring in each year balanced budgets is of course the most effective means to prevent deficit financing. I am very interested in the commendable proposal which your distinguished chairman, among others, has made and which is embodied in Senate Joint Resolution 36. Should such a constitutional amendment be offered, we would certainly be assured of much greater fiscal stability. I believe that the proposal in S. 1738 is a very appropriate legislative companion to such a constitutional amendment.

The purposes behind this proposed legislation are properly oriented by reference to the nature of the debt which was very well expressed by your distinguished chairman in a recent address before the United States Chamber of Commerce:

"Terrible debt is another evil resulting from the fiscal record the past 25 years. The direct debt of the Federal Government has increased from $16 billion in 1932 to the present debt of $275 billion. That is 1,600 percent. Interest in 1932 cost taxpayers $599 million. Now it is $7 billion yearly, or 10 percent of Federal revenue. Higher costs are in prospect, interest rates on Federal bonds have been increased. If all the Federal debt were refinanced on the basis of the higher rate now being paid, interest costs would increase to approximately $9 billion.

"Public debt is not like private debt. If private debt is not paid off, it can be ended by bankruptcy, hurting relatively few people. But if the public debt is not paid off with taxes, the end is disastrous inflation or repudiation. Either would destroy our form of government.

"In addition to the $275 billion direct Federal debt, the Federal Government has accumulated contingent liabilities of at least $250 billions. These are obligations the Federal Government has guaranteed and insured, such as $40 billion in Federal housing programs.

"The direct Federal debt is equivalent to the full assessed value of all the land, all the buildings, machinery, livestock and everything of tangible value in the United States."

As we analyze the public debt, its implications and its economic gravity, we realize the unique character of the debt financing capability of our own Federal Government. State constitutions and local charters are replete with limitations imposed on officials in incurring public debts. Forty State constitutions require either constitutional amendments or a public mandate to authorize debts beyond certain specified limits. In the Federal Government our only means of control is a statutory ceiling on the public debt, the ceiling which this bill seeks to amend. The reasoning behind a limitation upon the ability of a government to borrow money is best summed up by the late Prof. H. C. Adams in his well known treatise on public debts:

"As self-government was secured through a struggle for mastery over the public purse, so must it be maintained through the exercise by the people of complete control over public expenditures * * * any method of procedure, therefore, by which a public servant can veil the true meaning of his acts; or which allows the Government to enter upon any great enterprise without bringing the fact fairly to the knowledge of the public, must work against the realization of the constitutional idea. This is exactly the state of affairs introduced by a free use of public credit. Under ordinary circumstances, popular attention cannot be drawn to public acts, except they touch the pocket of the voters through an increase of taxes; and it follows that a government whose expenditures are met by resort to loans may, for a time, administer affairs independently of those who must finally settle the account."

Few governments relate expenditures to revenues in as limited a degree as we do in the Federal Government. This was very ably pointed out by a joint committee of the Congress in 1946 convened to recommend improvements in operations to enable Congress to better meet its constitutional responsibilities. We need only look to the British system of fiscal control for an excellent illustration. Under the English system, no expenditure measure can be enacted without a corresponding revenue provision. I hope that the bill which I have introduced will be a means by which Congress can exercise a more responsible political control over its greatest constitutional power—the power to tax and to spend.

I have described the purposes of this bill as fivefold:

First, to reduce the enormous national debt which computed on a per capita basis is $1,613.38.

The second is to reduce the amount of money which must annually be appropriated for the payment of interest.

The third is to combat the ever-present dangers of inflation which are as grave today as they have been in recent years.

The fourth objective is to rebuild economic reserves and to promote greater financial stability so that our country may have the economic means to battle the true dangers of Communist military and economic aggression.

Finally, the bill is designed to provide a means for controlling the expenditure levels of the Federal Government while surpluses are being accumulated for debt reduction and/or tax reduction.

My discussion earlier touched upon the necessity for debt reduction. Certainly our Government has no more vigorous and effective advocates of fiscal integrity and debt reduction than the esteemed chairman and distinguished members of this committee. Many other thoughtful persons and groups have urged upon us the necessity for such debt reduction. In 1953 the Committee on the Federal Debt printed its recommendations in a book published by Prof. Charles Abbot of Harvard. The committee had been established as a 20th century fund study. The committee was chairmaned by Arthur Upgren, professor of economics at the University of Minnesota. The analysis made by Professor Abbot is a very comprehensive examination of the economic effects of our national debt. Among the committee's conclusions was a very positive recommendation for reduction of the national debt:

"Must the debt remain outstanding in such large amounts? Would it not be better to keep our National Government, on which our safety as a people depends, unencumbered so that it may be able to borrow again in large amounts with great ease at any emergency? Even though the committee recognizes the impossibility of complete debt retirement within generations, it does argue for whittling down the debt whenever possible.

"This committee proposes that a program be developed for the retirement of the Government debt. Such a program must be flexible, and the committee recognizes that it must be improvised to mesh with the economic conditions of the times. Nevertheless, a fairly specific objective or formula is needed if consistent progress is to be made toward the goal of retirement. * * *

"The committee maintains that any debt, public or private, is a drag on the economy unless it increases the productive abilities of the Nation. A productive asset is the source of new goods and new income that flow out to the community. The income generated by the productive asset pays interest charges and amortizes the principal of the debt. Contrariwise, a debt arising from a nonproductive expenditure can be serviced as to interest charges and repayments only by garnering and diverting income from some productive resource elsewhere."

A few years ago a committee on public debt policy was established as I mentioned earlier by the Falk Foundation. The chairman of the distinguished committee was our present Under Secretary of the Treasury, W. Randolph Burgess. The committee included such familiar names as Sherwin Badger, Marion Folsom, H. B. Wells, George W. Smith, Charles Abbot, to name just a few. The reports of the committee contained very powerful conclusions of the necessity for debt reduction:

"It is therefore plain that the American people should be seriously concerned about their Nation's debt. The problem is how to make that concern effective, how we can live safely with this gigantic obligation, with a minimum of hardship and the least drain on the vitality of our economy. We must be realistic enough to face our fears, size up our dangers, and decide what can be done to avert them.

"And so, sudden catastrophe is not the real danger surrounding our national debt. The biggest perils are more subtle, and they are four: (1) The dilution of the dollar; (2) the risk of boom and bust, (3) the smothering of enterprise, (4) the loss of human freedoms.

"To avert the four dangers just discussed, this country must have a clear-cut policy for debt management. The program should have two objects, either of which is useless unless the other is realized. One is expert handling of the financial phases of the debt; the other is nourishment of a dynamic, stable national economy. Even if we are technically perfect in handling the debt, the achievement is futile unless the country is financially strong, with a national income capable of the burden of debt service."

"Political pressure for spending and tax reduction is so great that much can be said for setting up a fixed statutory requirement for debt retirement. As pointed out in chapter 2, the amount of debt retirement should be related to the prosperity of the country, and in a good year we ought to retire more debt than in a bad one. Heavy retirement of debt in prosperous times would be a check to overexpansion and inflationary tendencies. Contrariwise, a smaller retirement, or even a temporary suspension of retirement, in times of adversity would relieve some of the burden of taxation and would help the processes of recovery.

"Under any standards we ought to make a good beginning at debt retirement in times of boom prosperity."

An audit report to the Congress of July 1956 by the Comptroller General recommended a review by Congress to consider "the desirability of revising the machinery for debt retirement on a more realistic basis." [1]

The Tax Foundation has made several very enlightening studies of the problems of debt retirement and among its distinguished board are some of our Nation's leading experts in this field:

"There is evidence that there is more understanding and concern among citizens over our Federal debt trends. * * *

"They know that individual integrity is the cornerstone of individual credit. They are firm in their belief that national integrity is likewise basic. Citizens unquestionably support the need for a reappraisal of our debt policy and the adoption of definite plans for debt retirement.

"The time has arrived when a definite though flexible debt-retirement policy should be devised and followed. But it may be a will-o'-the-wisp if not related to expenditure control."

These citations represent but a few of the many learned studies and recommendations which have been made in recent years. By far the best statement which has yet been offered was made by our President just a year ago when he said:

"By no means do I believe they should cut taxes until we have made some little start on reducing the enormous national debt. There is such a thing as fiscal integrity; I don't care whether it is an individual or a nation."

And again in his economic report to the Congress:

"In times like these we should bend our thoughts to the desirability of debt reduction. Once a budgetary surplus comes definitely into sight and economic conditions continue to be favorable, we should begin reducing our huge public debt. Such an act of fiscal integrity would signify with unmistakable clarity that our democracy is capable of self-discipline. It would add to the confidence that people need to have in the Government, if they are to plan boldly for their own and their children's economic future."

These are wise words.

I am confident that this proposal would, if enacted, help to control the level of Federal expenditures. Until we begin to make a concerted and self-disciplined effort to reduce systematically Federal expenses, not only in this year's budget, but in each succeeding year's budget, we are only creating an illusion for our people when we speak of tax reduction, economic stability, or reduced public indebtedness.

Certainly the awareness on the part of the American people for economy and efficiency in the operations of their Government has never been more clearly demonstrated than in this session of Congress. I think we all realize the necessity for achieving in each year's budget review the greatest degree of control possible over Federal spending. There have been many worthwhile proposals in this session to achieve this end. Here in the Senate, we have already passed legislation for a special budget review committee. We are actively seeking passage of legislation for presenting budget estimates on an accrued expenditure basis. In this connection, and certainly very clearly related to these proposals, it would seem that we would also want to institute a legislative mechanism by which we could guarantee a relationship between expenditures and revenue in each year's budget. To the extent that this proposal gives Congress greater control over the distribution of Federal revenue, I believe that it is particularly timely not only as a plan for debt reduction, but as a plan for

[1] Audit Report to the Congress of the United States—Review of use of cumulative sinking fund for retirement of public obligations fiscal years 1921 through 1955.

effective expenditure control. We have certainly recognized both the dangers and the unpopularity of uncontrolled Federal spending.

Probably the most important criterion for fiscal policy in inflationary periods is a budgetary surplus and an expenditure control. The public debt and budget deficits add tremendously to the strain on our economic resources when our economy is being pressured by a demand for goods and services. These are economic facts which I need not discuss in detail; they have been ably demonstrated by the economists whom I have earlier cited. I do wish to emphasize, however, the necessity of directing our most thoughtful efforts to the very real dangers of inflation. Those of us who recall the terrible inflations in Europe following the First World War are keenly aware of the economic hazards and the potential disasters which these phenomena represent. To the extent that this proposal would control governmental expenditures and would begin to reduce an enormous national debt, both of which are powerful inflationary forces, we would be taking a very significant step forward in the direction of protecting savings, preserving the value of the dollar, and guarding against the ultimate hazards of national bankruptcy.

The one thing which our Nation must guard most carefully against is certainly well known to all of us in this room. The dangers of communism do not come exclusively from the possibilities of military or armed attack.

I should also like to ask the committee then we are fully conscious of the real dangers which we face in an economic struggle with communism. For the security of our Nation, it is as necessary to be prepared with national economic stability as it is with intercontinental weapons. Economic stability assures us that we can maintain our high level of production, our high standard of living, and our present industrial potential. Our economy is presently as strong as it has ever been; we must keep it this way and strengthen it in every way possible. A policy which is designed to combat inflation is essential for the economic welfare of our country, and, correspondingly, is a weapon in our hands against the economic penetration of communism and Marxism.

If we were to be thrust into another major war in the immediate future, it goes without saying that we would need to expend great sums of money and undoubtedly to finance our military effort with a deficit budget. My concern is that there would be an adequate financial and productive reserve available to fight such a war. One way to be sure that there will be is to begin now to reduce systematically the debt which we incurred in the last war. I am not an economist, but it would certainly seem that there is some maximum to the debt which any nation can sustain. Keeping in mind our present high debt level, it is a matter of some concern as to how high we could increase this debt if we necessarily had to fight in another war. To reduce it now in times of prosperity and time of great national productivity will help us to prepare a reserve for the possibility it again may be needed to protect the security of our Nation. Just as expending money for military preparedness is essential for national defense, so is conserving our economic resources essential to our national security.

I trust that this discussion has acquainted you with the provisions of this bill. I trust further that we have been able to convey to you some of the motivations and purposes which caused me to offer this legislation. By no means do I contend that any single proposal is an answer to all of our fiscal problems. I do ask that this proposal be considered as I believe it has considerable merit, is timely and important. I am sure there are many changes and additions which those of you who have great experience in this field can make to improve the bill. I believe that it is workable.

The legislative counsel who drafted this bill for me has studied it again and has made a number of minor clerical revisions which I would very much appreciate your committee consider during your discussion on this bill.

One objection which has been raised concerning the operations of S. 1738 may have considerable merit. It has been said with reference to subsection (e) (2) of section 21, which provides for the suspension of this bill when economic conditions threaten, that the invocation of this provision could have possible repercussions on the business and financial world inasmuch as such a recommendation by the President might indicate an approaching recession in business activity. In view of this objection, I should like to ask the committee to consider one deletion of the word "necessary" on line 3, of page 7 and in substitution thereof the inclusion of the word "desirable"; and on lines 4 and 5 of page 7 the deletion of the words "because of economic conditions existing or threatening." I think that such a change might also be helpful in view of the possible urgency of a war-preparedness period during which it would be necessary in the national interest to expend sums of money for national defense, probably with deficit financing. This provision thus amended would cover a wide range of situations, not only economic but when military preparedness is essential in contemplation of open hostilities.

I should also like to ask the committee to consider the inclusion of the addition of a section at the end of this bill which would amend the Budget and Accounting Act to provide that the President include in each year's budget an item of a sufficient surplus of funds to cover the debt reduction or tax reduction which would be brought about by the reduced debt ceilings under the terms of the act. This additional provision would insure that the budget submitted by the Executive in each year would contain an item specifically reserved for debt reduction so that the needed surplus to effectively reduce the ceiling would be thus appropriated.

I have put dates in the bill to give it substance; naturally these dates should be made to conform with the schedule for the bill's consideration.

I should like at this time to ask the committee's consent to read a few statements in connection with this bill which I have received from persons whose business it is to consider fiscal policies and money matters. I should also like the committee's consent to insert in the RECORD a selection of editorials and commentaries which have been published about S. 1738.

SYSTEMATIC REDUCTION OF PUBLIC DEBT, S. 1738, SENATOR SALTONSTALL

(Statement of Senator ALLOTT before the Senate Committee on Finance, June 11, 1957)

Mr. Chairman, everyone worries about the national debt. S. 1738 does something about it—something constructive in terms of reducing it. I want to state my unequivocal support of it. If I read my mail correctly, I have some solid backing in Colorado.

My very distinguished colleague from Massachusetts, in introducing this bill made very accurate observations in justification of this bill. He stated that controlled reduction of the national debt is essential to (1) reduce the tremendous sum required annually for payment of the interest charges, (2) to control Federal spending, (3) to prepare for tax relief, (4) to combat inflation, and (5) to make us stronger for the economic struggle in our fight to meet the threat of communism. His analysis is so obviously sound and complete that he leaves little to be said, but I want to add a few thoughts about the disaster which I believe lies at the end of the fiscal road we are now traveling.

First I want to say that I am neither an economist nor an expert on public finance. And I do not know that Senator SALTONSTALL's bill is the best one that can be devised to deal with this problem. It may well be that what is needed is a constitutional rather than a statutory limitation. It may also be that the timing and amount of debt reduction should be altered. I only know that the future of the Republic requires a realistic look at the alarming delinquency of present procedures for developing Congressional fiscal policy, with particular emphasis on control of spending and reduction of debt. A 1955 report to Congress by the Comptroller General (Audit Report to the Congress of the United States, Review of Use of Cumulative Sinking Fund for retirement of Public Obligations, 1921–25) clearly states the need for revising the machinery for debt retirement on a more realistic basis. That report goes on to note that Federal debt policy has become increasingly important in the trend of Government spending, stability of the dollar's purchasing power, and the general economic level.

A recent independent committee study pointed to 4 real perils surrounding our national debt: (1) The dilution of the dollar, (2) the risk of boom and bust, (3) the smothering of enterprise, and (4) the loss of human freedom.

But our people have not needed a Government agency to point out the hazards of ignoring the $275 billion debt in hopes it would go away. They know it won't. They know that interest payments on it account for about one-tenth of our budget expenditures. They know that individual integrity is the basis for individual credit and recognize that national fiscal integrity is just as important.

Herbert Miller, who is an expert on these problems, stated the problem quite accurately when he said:

"There is evidence that there is more understanding and concern among citizens over our Federal debt trends than is reflected by Congressional action. This concern stems from a basic understanding of human nature born of intimate and close experience and observation. Most Americans know that human needs and wants are practically unlimited while resources to satisfy them are relatively limited. When Government assumes a role of providing for those unlimited needs and wants, and competitive political ambitions contend in outbidding and outpromising each other to supply those wants, they know the aggregate of individual and group wants is likely to be more than available resources can meet prudently. If the immediate cost of supplying such wants can be deferred and diffused by using debt to finance them, prudent citizens know that some harness is needed in the incurrence of debt and some definite retirement policy must invoke the fiscal discipline of paying our debts."

The debt which until recently had been mounting steadily must be brought under effective control. In 1914 the debt was less than $1 billion. In 1940 only $49 billion, and 5 years later it had risen to $269 billion. With great effort it has been contained at about $275 billion and even reduced slightly during the past few years. This amount is far beyond what many economic thinkers consider our peril point, that is, the point where the public's confidence in the Government's ability to pay its debts begins to deteriorate. So the problem really is one of national security.

I think it is interesting to note that only five of these United States do not have constitutional controls on deficit financing. In 1954 the average per capita debt of those States which require constitutional amendments was $43. The average per capita debt for the 20 States which require a vote of the people was $49. In contrast, for those eight States which have no constitutional restrictions or minor ones, the average per capita debt was $77. That there is a need for control of public debt is evidenced by the number of States with such controls. And the effectiveness of such controls is nicely attested by the comparative debt figures mentioned.

The extraordinary thing is that there is no comparable constitutional control at the Federal level. Perhaps our Founding Fathers thought the operations of the Federal Government were so circumscribed that this type control was unnecessary. But at this point, it appears obvious that some control is vital, and S. 1738 strikes me as an approach to the problem that will do the job, at least until someone suggests something better.

Mr. Chairman, I am concerned about the fact that we as individual Members of Congress do not really have an opportunity to shoulder the responsibility for our fiscal operation. In this regard I am very much interested in a proposal recently introduced by Senator WILEY and cosponsored by many of my colleagues, providing for a joint budget committee and a legislative budget. I make this point only to emphasize the obvious fact that S. 1738 does not solve, nor attempt to solve all our fiscal problems. And it is not clear how much progress we can make toward a really sound fiscal operation until expenditure control is effectuated. But we must take these problems one at a time, and I personally entertain no doubts that S. 1738 is essential legislation, and strongly urge its favorable consideration by this committee. We need fiscal procedures which make the incurrence of debt an issue in each fiscal year and relate that issue to expenditures and income.

Without it our ship of state has too much sail and too little anchor. The time has arrived to adopt the flexible debt retirement policy devised by my good friend from Massachusetts, with of course, such improvements as I feel certain this committee can develop.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 422, H. R. 7441, the agriculture appropriation bill.

The PRESIDING OFFICER. The clerk will state the bill by title, for information.

The CHIEF CLERK. A bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senate that our present plan, when we complete action on the Agriculture appropriation bill, is to proceed to the consideration of the independent-offices appropriation bill. As all Senators know, we have a convening hour set for tomorrow, 9:30 a. m., and the Senate will remain in session late this evening, in order to get as far along as possible.

Mr. RUSSELL. Mr. President, in the consideration of the agricultural appropriation bill, I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill as thus amended be considered as original text for the purpose of amendment, and that no points of order be waived.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

Under the heading "Department of Agriculture—Title I—Regular Activities—Agricultural Research Service—Salaries and Expenses," on page 3, line 1, after the word "or", to strike out "3" and insert "5."

On page 3, line 6, after the word "stations", strike out "$48,994,890" and insert "$58,794,890", and in the same line, after the amendment just above stated, to strike out *"Provided*, That not to exceed $25,000 shall be available for alterations of buildings, without regard to limitations prescribed herein" and insert in lieu thereof *"Provided*, That the limitations contained herein shall not apply to $1,955,000 for the construction of buildings or to replacement of buildings needed to carry out the act of April 24, 1948 (21 U. S. C. 113a);".

On page 3, at the beginning of line 17, to strike out "$25,682,000" and insert "$26,082,000."

Under the subhead "State Experiment Stations," on page 4, line 25, after the word "Agriculture," to strike out "$29,003,708" and insert "$30,003,708," and on page 5, line 3, after the word "all," to strike out "$29,503,708" and insert "$30,503,708."

Under the subhead "Extension Service—Cooperative Extension Work, Payment and Expenses," on page 6, line 11, after "(69 Stat. 683–4)," strike out "$47,606,000" and insert "$49,370,000," and in line 14, after the word "all," to strike out "$49,101,000" and insert "$50,865,000."

Under the subhead "Agricultural Marketing Service—Marketing Research and Service," on page 8, at the beginning of line 8, to strike out "$14,041,700" and insert "$14,141,700."

On page 8, line 21, after the word "States," to strike out "$14,274,900" and insert "$14,324,900."

Under the subhead "Foreign Agricultural Service," on page 10, line 2, after "(70 Stat. 1034)," to strike out "$3,902,300" and insert "$4,052,300," and, in line 7, after the word "basis," to insert a colon and *"Provided further*, That provisions of the act of August 1, 1956 (70 Stat. 890–892), and provisions of a similar nature in appropriation acts of the Department of State for the current and subsequent fiscal years which facilitate the work of the Foreign Service shall be applicable to funds available to the Foreign Agricultural Service."

Under the subhead "Office of the Secretary," on page 15, at the beginning of line 14, to strike out "$2,640,660" and insert "$2,664,060."

On page 16, after line 20, to strike out:

"SOIL AND WATER CONSERVATION

"For necessary expenses to carry out soil and water conservation programs authorized in the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590a–590q), the Watershed Protection and Flood Prevention Act, as amended (16 U. S. C. 1001–1007), the Flood Control Act, as amended and supplemented (33 U. S. C. 701–709), subtitles B and C of the Soil Bank Act (7 U. S. C. 1831–1837 and 1802–1814), the acts of May 10, 1939 (53 Stat. 685, 719), October 14, 1940 (16 U. S. C. 590y–z–10), as amended and supplemented, June 28, 1949 (63 Stat. 277), and September 6, 1950 (7 U. S. C. 1033–1039), $535 million, to remain available until expended: *Provided*, That not to exceed $40 million shall be available for administrative expenses in carrying out sections 7–17 of the Soil Conservation and Domestic Allotment Act and subtitles B and C of the Soil Bank Act of which not less than $30 million may be transferred to the appropriation account "Local administration, section 388, Agricultural Adjustment Act of 1938"; *Provided further*, That not to exceed $7,200,000 shall be transferred to and merged with the appropriation "Salaries and expenses, Agricultural Research Service, Research" for soil and water conservation research, of which $1,200,000 shall be available for construction of buildings and for the acquisition of necessary land therefor, and not to exceed $20,000 for alterations of buildings, without regard to limitations prescribed in this Act: *Provided further*, That this appropriation shall be available pursuant to title 5, United States Code, section 565a, for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided the cost of constructing any one building shall not exceed $10,000 and the cost of altering any one building during the fiscal year shall not exceed $3,750 or 3 per centum of the cost of the building, whichever is greater; not to exceed $150,000 for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574), as amended by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and for the temporary employment of qualified local engineers at per diem rates to perform the technical planning work: *Provided further*, That the unexpended balances of appropriations heretofore made for "Watershed protection", "Flood prevention", and "Water conservation and utilization projects" shall be merged with this appropriation: *Provided further*, That programs included hereunder shall be subject to the following additional provisions:

"Agricultural conservation program: This appropriation shall be available for administrative expenses in connection with the formulation and administration of the 1958 program of soil building and soil and water conservation practices under sections 7 to 15, 16 (a) and 17 of the Soil Conservation and Domestic Allotment Act, as amended (amounting to $250 million, including administration, and no participant shall receive more than $2,500, except where the participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community); and for the purchase of seeds, fertilizers, lime, trees, or any other farming material, or any soil-terracing services and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary under programs provided for herein. Not to exceed 5 percent of all the allocation for the 1958 agricultural conservation program for any county may, on the recommendation of such county committee and approval of the State committee, be withheld and allotted to the Soil Conservation Service for services of its technicians in formulating and carrying out the agricultural conservation program in the participating counties, and shall not be utilized by the Soil Conservation Service for any purpose other than technical and other assistance in such counties, and in addition, on the recommendation of such county committee and approval of the State committee, not to exceed one percent may be made available to any other Federal, State, or local public agency for the same purpose and under the same conditions.

"Conservation reserve program: No part of this appropriation shall be used to enter into contracts with producers which together with contracts already entered into would require payments to producers (including the cost of materials and services) in excess of $250 million in any calendar year, and for purposes of applying this limitation, practice payments shall be chargeable to the first year of the contract period.

"Conservation operations, Soil Conservation Service: This appropriation shall be available for preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures as may be necessary to prevent floods and the siltation of reservoirs); operation of conservation nurseries; classification and mapping of soils: *Provided further*, That in the State of Missouri, where the State has established a central State agency authorized to enter into agreements with the United States or any of its agencies on policies and general programs for the saving of its soil by the extension of Federal aid to any soil conservation district in such State under sections 1 to 6 of the Soil Conservation and Domestic Allotment Act, as amended, the agreements made by or on behalf of the United States with any such soil conservation district shall have the prior approval of such central State agency before they shall become effective as to such district.

"Flood prevention: No part of the funds expended in accordance with the Flood Control Act, as amended and supplemented, shall be used for the purchase of lands in the Yazoo and Little Tallahatchie watersheds without specific approval of the county board of supervisors of the county in which such lands are situated."

On page 21, after line 3, to insert:

"SOIL CONSERVATION SERVICE

"Conservation operations

"For necessary expenses for carrying out the provisions of the act of April 27, 1935 (16 U. S. C. 590a–590f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures as may be necessary to prevent floods and the siltation of reservoirs); operation of conservation nurseries; classification and mapping of soils; dissemination of information; purchase and erection or alteration of permanent buildings; and operation and maintenance of aircraft: $73,545,000: *Provided*, That the cost of any permanent building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same to any such building and with the exception of buildings acquired in conjunction with land being purchased for other purposes, shall not exceed $2,500, except for eight buildings to be constructed or improved at a cost not to exceed $15,000 per building and except that alterations or improvements to other existing permanent buildings costing $2,500 or more may be made in any fiscal year in an amount not to exceed $500 per building: *Provided further*, That no part of this appropriation shall be available for the construction of any such building on land not owned by the Government: *Provided further*, That in the State of Missouri, where the State has established a central State agency authorized to enter into agreements with the United States or any of its agencies on policies and general programs for the saving of its soil by the extension of Federal aid to any soil conservation district in such State, the agreements made by or on behalf of the United States with any such soil conservation district shall have the prior approval of such central State agency before they shall become effective as to such district: *Provided further*, That no part of this appropriation may be expended for soil and water conservation operations under the act of April 27, 1935 (16 U. S. C. 590a–590f), in demonstration projects: *Provided further*, That not to exceed $5,000 may be used for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574), as amended by section 15 of the act of August 2, 1946 (5 U. S. C. 55a): *Provided further*, That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the service."

At the top of page 23, to insert:

"WATERSHED PROTECTION

"For expenses necessary to conduct surveys, investigations, and research and to carry out preventive measures, including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act, approved August 4, 1954 (16 U. S. C. 1001–1007), and the provisions of the act of April 27, 1935 (16 U. S. C. 590a–590f), to remain available until expended, $25,500,000, with which shall be merged the unexpended balances of funds heretofore appropriated or transferred to the Department for watershed protection purposes."

On page 23, after line 12, to insert:

"FLOOD PREVENTION

"For expenses necessary, in accordance with the Flood Control Act, approved June 22, 1936 (33 U. S. C. 701–709), as amended and supplemented, and in accordance with the provisions of laws relating to the activities of the department, to perform works of improvement, including not to exceed $100,000 for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574), as amended by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), to remain available until expended, $13,220,000, with which shall be merged the unexpended balances of funds hercofore appropriated or transferred to the department for flood prevention purposes: *Provided*, That no part of such funds shall be used for the purchase of lands in the Yazoo and Little Tallahatchie watersheds without specific approval of the county board of supervisors of the county in which such lands are situated."

On page 24, after line 6, to insert:

"WATER CONSERVATION AND UTILIZATION PROJECTS

"For expenses necessary to carry out the functions of the Department under the acts of May 10, 1939 (53 Stat. 685, 719), October 14, 1940 (16 U. S. C. 590y–z–10), as amended and supplemented, June 28, 1949 (63 stat. 277), and September 6, 1950 (7 U. S. C. 1033–1039), relating to water conservation and utilization projects, to remain available until expended, $350,000, which sum shall be merged with the unexpended balances of funds heretofore appropriated to said Department for the purpose of said acts."

On page 24, after line 16, to insert:

"GREAT PLAINS CONSERVATION PROGRAM

"For necessary expenses to carry into effect a program of conservation in the Great Plains area, pursuant to section 16 (b) of the Soil Conservation and Domestic Allotment Act, as added by the act of August 7, 1956 (70 Stat. 1115–1117), $10 million, to remain available until expended."

On page 24, after line 22, to insert:

"AGRICULTURAL CONSERVATION PROGRAM SERVICE

"For necessary expenses to carry into effect the program authorized in sections 7 to 15, 16 (a), and 17 of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended (16 U. S. C. 590g–590 (o), 590p (a)–590q), including not to exceed $6,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States; $212,000,000, to remain available until December 31 of the next succeeding fiscal year for compliance with the program of soil-building and soil- and water-conserving practices authorized under this head in the Department of Agriculture and Farm Credit Administration Appropriation Act, 1957, carried out during the period July 1, 1956, to December 31, 1957, inclusive: *Provided*, That not to exceed $24,698,000 of the total sum provided under this head shall be available during the current fiscal year for administrative expenses for carrying out such program, the cost of aerial photographs, however, not to be charged to such limitation; but not more than $5,025,800 shall be transferred to the appropriation account 'Administration expenses, section 392, Agricultural Adjustment Act of 1938': *Provided further*, That none of the funds herein appropriated shall be used to pay the salaries or expenses of any regional information employees or any State information employees, but this shall not preclude the answering of inquiries or supplying of information at the county level to individual farmers: *Provided further*, That such amount shall be available for administrative expenses in connection with the formulation and administration of the 1958 program of soil-building and soil- and water-conserving practices, under the act of February 29, 1936, as amended (amounting to $250,000,000, including administration, and no participant shall receive more than $1,500, except where the participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community): *Provided further*, That not to exceed 5 percent of the allocation for the 1958 agricultural conservation program for any county may, on the recomendation of such county committee and approval of the State committee, be withheld and allotted to the Soil Conservation Service for services of its technicians in formulating and carrying out the agricultural conservation program in the participating counties, and shall not be utilized by the Soil Conservation Service for any purpose other than technical and other assistance in such counties, and in addition, on the recommendation of such county committee and approval of the State committee, not to exceed 1 percent may be made available to any other Federal, State, or local public agency for the same purpose and under the same conditions: *Provided further*, That for the 1958 program $2,500,000 shall be available for technical assistance in formulating and carrying out agricultural conservation practices and $1,000,000 shall be available for conservation practices related directly to flood prevention work in approved watersheds: *Provided further*, That such amounts shall be available for the purchase of seeds, fertilizers, lime, trees, or any other farming material, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary under programs provided for herein: *Provided further*, That no part of any funds available to the Department, or any bureau, office, corporation, or other agency constituting a part of such Department, shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled 'An act to prevent pernicious political activities,' approved August 2, 1939, as amended, or who has been found in accordance with the provisions of title 18, United States Code, section 1913, to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels."

At the top of page 28, to insert:

"SOIL-BANK PROGRAMS

"Conservation reserve program

"For necessary expenses to carry out a conservation reserve program as authorized by subtitles B and C of the Soil Bank Act (7 U. S. C. 1831–1837 and 1802–1814), $162,940,000: *Provided*, That not to exceed $18,000,000 shall be available for administrative expenses of which not less than $13,500,000 may be transferred to the appropriation account, "Local administration, section 388, Agricultural Adjustment Act of 1938": *Provided further*, That no part of this appropriation shall be used to enter into contracts with producers which together with contracts already entered into would require payments to producers (including the cost of materials and services) in excess of $350,000,000 in any calendar year, and for purposes of applying this limitation, practice payments shall be chargeable to the first year of the contract period: *Provided further*, That the average annual rental payment per acre shall not exceed $7.50 per acre for conservation reserve contracts entered into 30 days after approval of this act."

On page 28, line 21, in the subhead after the word "Acreage," to strike out "Reserve, soil bank" and insert "Reserve program."

On page 29, line 2, after the figures "$600,000,000," to strike out "*Provided*, That no part of this appropriation shall be used to formulate and administer an acreage reserve program with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of $2,500 with respect to the 1958 crops", and, in lieu thereof, to insert "*Provided*, That not to exceed $34,500,000 of the total sum provided under this head shall be available for administrative expenses: *Provided further*, That no part of this appropriation shall be used to formulate and administer an acreage reserve program which would result in total compensation being paid to producers in excess of $500,000,000 with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of $5,000 with respect to the 1958 crops."

Under the heading "Title II—Corporations—Limitation on Administrative Expenses", on page 30, line 17, after the word "exceed", to strike out "$34,398,000" and insert "$35,398,000."

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. I did not understand the last part of the request, about no points of order.

Mr. RUSSELL. The reason for including that in the unanimous-consent request, to be perfectly frank with the Senator from Oregon, is that there is one amendment which is subject to a point of order. I did not wish to have any Senator say I took advantage of him by having incorporated in the bill under a unanimous-consent request an amendment which he could not reach by a point of order.

Mr. MORSE. I misunderstood the language. It can be reached.

Mr. RUSSELL. It can be reached, and that is the purpose for including the statement in the unanimous-consent request.

Mr. MORSE. I wish to accommodate myself to the wishes of the Senator from Georgia. I have a few questions I should like to raise about the committee report. The questions will of course relate to some items in the committee report. Does the Senator prefer to have me wait until the Senate goes over the bill amendment by amendment?

Mr. RUSSELL. Mr. President, I wish to make a very brief statement with respect to the over-all size and composition of the bill. I do not think it will take more than 5 to 8 minutes. Then I shall be delighted to refer to any item in the bill in which any Member of the Senate is interested.

Mr. ANDERSON. Mr. President, will the Senator from Georgia yield for a request?

Mr. RUSSELL. I yield.

Mr. ANDERSON. I have been tied up in another conference which I must attend. I wonder if the Senator from Georgia would mind permitting me to take 2 or 3 minutes on another subject.

Mr. RUSSELL. If the Senator does not think it will take any longer than that I shall be happy to yield.

Mr. ANDERSON. Not over 5 minutes. I thank the Senator from Georgia.

THE JOHNSON DOCTRINE

Mr. ANDERSON. Mr. President, there have been many comments on the daring and imaginative proposal which the majority leader made in New York last Saturday night.

I rise to add my voice to the commendations which his address has received. But I wish to go further and comment on what appears to me to be the heart of his proposal.

For a number of years, I have been closely associated with the atomic energy program. I have followed the development of the atom from a horrible weapon of destruction to a horrible weapon of total annihilation.

It is my considered opinion that the nations of the world must find some means of controlling the atomic arms race—or run head on into catastrophe.

From the very beginning, the United States has consistently followed the policy of trying to bring the atom under control. We have been generous—more generous than any other nation in history—in our proposals.

We offered to share all the secrets of the atom at a time when we had a monopoly. We offered arms reduction. We offered mutual inspection.

Every proposal has been turned down—either rejected flatly or lost in endless haggling.

I have little hope that future proposals will be accepted until we find ways and means of cracking the Iron Curtain. And there can be no halt in the arms race, no end to the present pattern, until we can find mutually acceptable proposals.

Mr. President, that is why the proposal of the majority leader is so appealing to me.

I am convinced that we must find a means of limiting nuclear explosions under conditions that guarantee the mutual security of all nations.

I am convinced that the Communists would not be able to reject reasonable and honorable proposals cynically if their people knew the truth.

I am convinced that we cannot bring the truth to their people unless we find some way of breaking through the Iron Curtain.

The majority leader proposes to use the Khrushchev broadcast as a technique for penetrating the curtain that seals out truth. That would represent a bold and daring response to the Khrushchev broadcast—and we need bold and daring reactions.

Mr. President, the Johnson doctrine is one that appeals to all Americans who think it through.

It is based on confidence in the strength and vitality of this country. It rejects timidity and the concept that we are helpless in the face of disaster.

Mr. William H. Stringer, chief correspondent for the Washington Bureau of the Christian Science Monitor, commented at length on the proposal yesterday.

I ask unanimous consent that the article by this distinguished commentator and analyst be printed in the body of the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LYNDON JOHNSON, STATESMAN

(By William H. Stringer, chief, Washington bureau, the Christian Science Monitor)

WASHINGTON.—It is not simple for the Democratic majority leader in the Senate to don the full toga of bipartisan statesmanship. His first job is to shepherd legislation through that august upper chamber, to give it a Democratic flavor, to write a farseeing record on which his party can run in the next election.

But LYNDON B. JOHNSON, the Senate majority leader, in a quite remarkable speech at New York, has sounded an eloquent plea for imagination in foreign policy, for getting on with the disarmament negotiations with Moscow, and for boldness in a radio-TV exchange of ideas between the United States and the Soviet Union.

And, noting the way in which this plea parallels and supports what President Eisenhower is trying to do in the difficult, painstaking field of disarmament, Washington is immediately reminded of Senator Walter F. George and how he cleared a "space for maneuver" around the President before the summit conference at Geneva and at the time of the Formosa resolution. And one thinks of the late Senator Arthur H. Vandenberg and his conversion to internationalism and how this so markedly saved the day in the United States Senate for Marshall plan aid and the NATO alliance.

Senator JOHNSON made his New York speech, before the United Jewish Appeal, at a moment when President Eisenhower needs domestic allies in his endeavor to explore the prospects of first-step disarmament with the Soviet Union.

Adm. Arthur W. Radford, Chairman of the Joint Chiefs of Staff, has declared that the Soviets cannot be trusted in any sort of agreement. The Chairman of the Atomic Energy Commission, Lewis L. Strauss, has stressed many technological reasons why genuine disarmament is next to impossible. Without Mr. Eisenhower's own wish to wage peace, disarmament expert Harold E. Stassen's hands would be almost impossibly tied at the London talks, and indeed he already has had to return to Washington for further talks because of snags in the discussions.

This is a significant moment in Soviet-American relations. It is a time for caution, as always. But it may also be a moment

when careful diplomacy can make some headway on the arms-control front. And it is a moment when the breach in the Iron Curtain represented by the Khrushchev radio-television interview a week ago can conceivably be exploited into a larger exchange of fusillades in this "war of ideas."

Into this picture strides Senator JOHNSON with a speech in which he urgently calls for action on five phases of disarmament, most of them closely approximating the Eisenhower administration's own thinking and proposals. Thus the Senator from Texas throws his powerful weight inferentially against those who would so hedge and restrict Mr. Stassen at London that he could not reach a first-step arms-control agreement this side of the next appearance of Halley's comet.

Controlled reduction of military forces, a start on the "open skies" inspection system, a search for methods of suspending tests of the big weapons, a reduction in nuclear-weapons stockpiles, and a global agreement not to make new fissionable materials for weapons—by the present atomic powers and the "fourth nations," too—these are the Johnson proposals.

Simultaneously, he makes an imaginative bid for reciprocal exchange of broadcasts through the Iron Curtain—in which the United States would present its own case on disarmament in detail to the Soviet people via Soviet radio and television. In return the Soviet leaders would be allowed to broadcast over the American networks.

Let the reciprocal broadcasts be every week of the year if need be, says Senator JOHNSON.

This address was a useful contribution to American policy. It should stir American thinking. The administration should welcome it. It is the voice of a new and wide-visioned Texas. It is the voice of the Senate in its most thoughtful traditions. It is the view of a Senator whose energies, dedication, and generalship have given his opinions great weight in that gentlemen's club.

If Senator JOHNSON continues in this vein, he will help bipartisanship where it most needs helping. He has already brought a Jeffersonian breath of fearless mental freedom into the current worry about whether Mr. Khrushchev's talk contaminated the American people. Of the Khrushchev demarche Senator JOHNSON says:

"I am glad he did so. I have complete trust and faith in our people. • • • Khrushchev is not going to convert the lean, spare Texan who runs the cattle on my ranch into a Communist. He's just plain got too much sense."

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. ANDERSON. I will yield to the able Senator from Montana, if the able Senator from Georgia will permit me to do so.

Mr. RUSSELL. I yield.

Mr. MANSFIELD. Mr. President, I wish to ask the Senator from New Mexico, the former Chairman of the Joint Committee on Atomic Energy, and at the present time the ranking member and vice chairman of the committee, if I understood correctly that what he said on the matter of the suspension of bomb tests was not to call for a total suspension, but instead for a multilateral suspension above a certain level of strength?

Mr. ANDERSON. Yes. I wish to say to the able Senator from Montana, I was in support of the proposals made by scientists. We know the safe level of fissionable material which can be put in the atmosphere by all countries. It is something in the neighborhood of from 4 megatons of fission products to 10 megatons of fission products. Somewhere in between is the safe limit. I have said that so long as we stay within the 4 to 10 megatons of fission products—not the total tonnage of bombs, but of fission products—we ought to be able to secure an international agreement among Russia, Britain, and ourselves, which would still leave plenty of room to test all of the devices now being tested at Las Vegas proving ground or in the far Pacific, all of the devices the Russians want to test, and all the devices the British want to test, provided we try to use cleaner bombs—not totally clean bombs, but cleaner bombs than we have been using. I believe it can be done. It should be done. I believe this country ought to move boldly in that direction.

Mr. MANSFIELD. I thank the Senator.

Mr. CHAVEZ. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Mexico?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. I like the statement made by my colleague from New Mexico. I think he is correct. But I would not want the Senate to understand now that what he thinks is right and what I think is right, as to what the people of New Mexico are thinking, correctly reflects their views. I do not know, and I desire to make this statement for that very reason. While we appreciate the statement made by the junior Senator from New Mexico, and I agree with it completely, I do not know whether it reflects the feeling of the people of my State.

AGRICULTURAL AND FARM CREDIT ADMINISTRATION APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes.

Mr. RUSSELL. Mr. President, I desire to make a very brief statement to the Senate to explain the reasons why this bill is presented to the Senate in such a substantial amount over the appropriations for fiscal year 1957.

The bill which is before the Senate at the present time includes, for all purposes—expenditures for loans, and to restore the impaired capital stock of the Commodity Credit Corporation—the total sum of $3,668,732,157. The amount of the appropriation for the current fiscal year was $2,026,689,968.

This is the largest agricultural appropriation bill which has been presented to the Senate, certainly, since the days of the processing tax and the large payments which was made in the early thirties to the farmers.

Mr. President, it may look as if it is a very large appropriation—and it is. Inured as we have become to large expenditures, a sum in excess of $3.6 billion is a great deal of money. But I wish to point out to the Senate that the appropriations carried by the bill, large as they are, are $550,714,000 below the original estimates which were submitted to the Congress by the Bureau of the Budget. That reduction came about because of the fact that the President himself reduced the budget estimate for the soil bank by $254 million, and the Senate committee has reported a bill which is $296,714,460 below the revised budget, and $24,157,600 below the amount of appropriations carried in the bill as it came to us from the other body.

Mr. CASE of South Dakota. Mr. President, will the Senator yield very briefly?

Mr. RUSSELL. I am glad to yield to the distinguished Senator from South Dakota.

Mr. CASE of South Dakota. I hope it will not be considered out of order for me to tell the Senate that some years ago, in the House of Representatives, Representative James W. Wadsworth, of New York, who previously had served in the Senate, when an appropriation bill for the Department of Agriculture, in carrying large sums, came before the House, reminded that body of the time when his father, a former Representative from the State of New York, came home one day shaking his head. Jim Wadsworth's mother asked, "What is the trouble?" And the elder Wadsworth said, "You know, we passed an appropriation bill for the Department of Agriculture today that ran to $25 million."

Mr. RUSSELL. That was prior to the days of the first billion-dollar budget, I suppose, when Czar Reed said that this was a billion-dollar country. We have now reached the point where it is a $73 billion country budgetwise; and, on the basis of expenditures of allocated funds, it is much nearer an $80 billion country each year.

I sometimes fear that the figures have become so astronomical that the average Member of this body, including the present speaker, cannot fully comprehend their magnitude. Sometimes we deal with them more as a line of digits than as dollars which the American taxpayer must contribute in order to meet the cost of Government.

Mr. President, I wish to deal briefly with the reason why the appropriations for the fiscal year 1958 are so substantially larger than they were for the fiscal year 1957.

Of the increase which I mentioned, namely, $1,642,000,000 there is $763 million for the soil bank. We did not appropriate for it for the year 1957, for the soil-bank program. This bill carries $763 million for next year for the soil bank and $473 million will be required next year to replenish the capital stock of the Commodity Credit Corporation. It will be recalled that when we passed the soil-bank provision last year we made no appropriation for its operation. We placed a limitation on the total amount which could be expended, but we gave the Department of Agriculture wide discretion, and told them to operate the program through the Commodity Credit Corporation, with the full knowledge of every Member of Congress that it would be necessary to restore the capital of the Commodity Credit Corporation.

I wish to point out that, excluding the soil bank program, this bill carries only about a $9½ million increase for the regular activities of the Department, over and above the sum that was available for the current year. The largest part of that item—indeed, practically all of it—is for research in various fields.

We allowed the Extension Service an increase of $1,764,000 above its appropriation for the current year. That is substantially less than the budget estimate, but it represents an increase in the amount which it had for the current year.

For the payments to State experiment stations we allowed an increase of $1 million.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BARRETT. For the purpose of expanded utilization research on wool, I am very much interested in the item for the Western Regional Research Laboratory at Albany, Calif. I should like to inquire if provision is made under the item of $58,794,800 on page 3 of the bill for Agricultural Research Service of $400,000 to obtain about 30 items of experimental equipment and for additional personnel to conduct wool research projects during fiscal 1958 and another item of $105,000 for the building. The equipment will be used to convert the raw wool into finished products.

Mr. RUSSELL. There is $105,000 for the pilot wool plant, to be constructed at Albany, Calif. I do not have the operation figure, but I think it is approximately the figure given by the distinguished Senator from Wyoming.

Mr. BARRETT. I appreciate the consideration given by the committee to this item. I think it is a very wise provision in the bill.

There is one other item about which I am very much concerned. I refer to the item on page 4, line 17, for the Meat Inspection Service. It seems to me that the effect of that provision will be that the Department will be required to reduce its force considerably.

Mr. RUSSELL. No. The Senator is in error about that. The Department will not be compelled to reduce its force, because the proposed appropriation is the same net amount which it had last year for this purpose. The Department has gone to the Civil Service Commission to ask for upgrading of positions, to provide an increase in salaries for meat inspectors. If it applies an increase in salaries it will have to reduce its force. That is not the result of congressional action. In recent years that has become a very popular way to obtain salary increases. The Department will upgrade a position and say, "This is a more important position than we thought it was for 25 years. We will spell out about eight pages of fine print describing the duties to the Civil Service Commission." As a result, salaries for the various positions are upgraded two or three thousand dollars, and when Congress comes to make appropriations the next year it wonders why all the increases have occurred. The Congress has been bad enough about increasing salaries; but when we find it done by this wholesale method, through the Civil Service Commission, it is doubly bad.

Mr. BARRETT. I should like to ask the Senator if the increases recommended by the Civil Service Commission are not in fact mandatory on the Department.

Mr. RUSSELL. I do not so understand.

Mr. BARRETT. I am given to understand that they are mandatory, and that it is necessary for the Department to put them into effect.

The Classification Act of 1949 authorizes the Civil Service Commission to set job standards and under sections 501, 502, and 503, I am advised that these standards are mandatory on the departments.

It seems to me that the Senator ought to take into consideration the fact that the grades under which the inspectors are working at present are extremely low. I do not know of any employees in the legislative branch who start at grade 3, at $3,175 a year.

The next, grade 4, is $3,400, and grade 5 is $3,670.

Mr. RUSSELL. How many of them actually receive any such salaries? The Senator well knows that he has given the minimum salary. In most cases that applies for only 6 months. Then the Department starts to increase salaries. Does the Senator have before him the figure representing the average salary of those engaged in meat inspection work?

Mr. BARRETT. I have not.

Mr. RUSSELL. I think it is approximately $2,000 more than the figure the Senator has given.

Mr. BARRETT. I do not know about that, but I do know that grades 3 to 5 run from $3,175 to $3,670. The Civil Service Commission recommends that these men be started at $3,670. I submit to the distinguished Senator that if the Department is required to place these recommendations of the Civil Service Commission into effect, there is no alternative except to reduce the meat inspection force. I understand that that would involve a reduction of from 100 to 125 inspectors over the country.

Mr. RUSSELL. We had no such evidence before us.

Representatives of the Department appeared before us and urged that the appropriation be increased so that, for the first time, the Government would assume the cost of buying white clothing for the inspectors to wear. No statute authorizes the purchase by the Government of such clothing. We enacted a special statute in order to buy uniforms for mail carriers and some others. It may be desirable for us to give the meat inspectors white suits. There is no statute authorizing it; but the Department added several hundred thousand dollars for that purpose. It asked for several hundred thousand dollars in order that it might apply the increased salary scale, and it asked for a substantial amount to employ new inspectors.

Mr. BARRETT. There is no question about that. To take care of the estimated additional workload, the Department asked for $1,212,000 to provide for 192 additional man-years of employment, but that request was not granted. I also understand that the request, with reference to uniforms, was not granted, either.

Mr. RUSSELL. No; it was not. The Senator from Georgia will oppose it as long as he can stand here. He will oppose any such policy of having department officials ask for money for an item that is not authorized by law.

Mr. BARRETT. If the force is reduced by 120 men then the end result will be to back up the cattle in the yards and hold them there until the inspection can be made with a reduced force.

Mr. RUSSELL. Of course, as all of us know, that is the argument that is made every year when we deal with the item of meat inspection. There is a provision in the law to the effect that when there are not adequate funds with which to pay the inspectors from the Federal Treasury, and the packers want the meat inspected, the packers must themselves pay the fees in the form of overtime paid to the inspectors.

For the past 10 years packers have striven valiantly to have the entire cost of the inspection borne by the taxpayers through the Treasury of the United States. They have been very successful in their endeavor, because we have increased the number of inspectors. Last year we provided $281,000 for additional inspectors. Now we find that for fiscal year 1957 there were more man-years of employment paid in the inspection service than there had ever been in the history of the country.

We find that the number of livestock estimated to be slaughtered in 1957 is 4½ million head below the number slaughtered in 1956. It is perfectly true that the number of plants inspected has shown a slight increase. The number has increased from 1,148 to 1,241. The packers are paying by way of overtime approximately $300,000 less in 1957 than they paid in 1956. In 1956, they paid $4,440,000. In 1957, it is estimated they will pay $4,137,000.

Furthermore, Mr. President, there is a general clause in the organic act of the Department of Agriculture which allows the Department to make transfers within its appropriations. It can transfer not to exceed 7 percent of the amount appropriated in a fiscal year for miscellaneous expenses from one division or bureau to another division or bureau. The only limitation is that it shall not exceed 7 percent of the appropriation for the agency.

Last year the Department transferred, under this clause, $103,000 to the meat inspection division. That law is still in effect. Here we have before us a bill making the most substantial appropriation ever made to the Department of Agriculture, and the Department can transfer up to 7 percent of miscellaneous expenses from one division to another division. Under the transfer power, it can transfer funds to the meat inspection service, if the situation should reach the point so vividly described by the Senator from Wyoming, with the animals backed up in the yards.

Mr. BARRETT. I thank the Senator.

Mr. RUSSELL. I may say to the distinguished Senator from Wyoming that I have conferred with the Senator from Illinois [Mr. DIRKSEN], who is greatly interested in this subject, and with the Senator from Minnesota, who has an amendment, and who is also vitally concerned with this matter. I am hopeful that we may be able to draft an amendment that can be accepted and taken to conference, and which will provide a reasonable increase in this field. However, I regard the requested increase of $2,132,000 as greatly excessive.

Mr. BARRETT. Mr. President, will the Senator yield at that point?

Mr. RUSSELL. I yield.

Mr. BARRETT. I am not concerned with the kind of increase the Senator visualizes. I am advised that the Civil Service Commission would start the inspectors at $3,670, instead of $3,175. I do not know how any man, with a family, can do work of the character required, for $3,175 a year. It seems to me that the recommendations of the Civil Service Commission are modest. It would cost $165,000 merely to raise the starting salary to $3,670 a year. In addition to that, I am advised that the increase the Civil Service Commission has made necessary in order to meet the pay standards it has set will cost another $590,000.

Therefore, I hope the committee will accept an amendment which will take care of these two items.

Mr. RUSSELL. I must say to the distinguished Senator that I could not agree to an amendment which would provide such a large increase in this appropriation bill. When we reach these items, amendments will be offered, and we will discuss them at that time. However, at this stage of the proceedings, I could not accept any amendment which would raise the appropriation for the Department of Agriculture by such a large amount.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CASE of South Dakota. I should like to express the hope that some provision will be made to take care of the packing plants. I am particularly interested in the smaller plants, which find the inspection fees a considerable burden. It seems to me that we should try to help small business, and not follow a policy which discriminates in favor of the large packers and against the small packers.

Mr. RUSSELL. Mr. President, there are a number of packing plants in my own State. All of them are relatively small. Of course, whether large or small, they do not like to pay the overtime they have been paying, in order to make up the difference in the cost of inspecting the meats they process, as between the amount that is appropriated and what it actually costs. There was a time when a distinguished Member of the Senate was successful in having adopted a provision requiring the meat packers to pay the whole cost. It is my own individual viewpoint that they should do that today—every dime of it. It is an adjunct to their work. However, that issue is not now before us. Congress saw fit later to repeal that provision. There has never been a time when the meat packers have not had to pay a substantial sum each year for the overtime work involved in the inspection of the meat, to the extent that the amount was not covered by the appropriation.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CAPEHART. I should like to ask the able Senator from Georgia if I am correct in understanding that the appropriation in the bill for so-called utilization research is $14,145,000.

Mr. RUSSELL. I will have the exact figures for the Senator in a moment, but I may say that the utilization research has fared far better in the pending bill than any other item. It received an increase of $2 million, practically all that had been requested.

Mr. CAPEHART. I was about to ask the able Senator from Georgia with reference to that point. Is it not a fact that the appropriation this year will be approximately $14 million, whereas last year it was $12 million, and the year before it was approximately $9 million?

Mr. RUSSELL. Those figures are approximately correct.

Mr. CAPEHART. On page 2 of the report, under "Regular activities," reference is made to an item of $58,794,890 for research, which is an increase of $9,800,000 above the House appropriation. The report states:

> This increase consists of $2 million for utilization research and to strengthen research in carrot breeding.

Mr. RUSSELL. First I should to say that $7,200,000 of that is involved in a transfer, and is not an increase.

Mr. CAPEHART. I should like to know who it was that asked for money to strengthen research in carrot breeding.

Mr. RUSSELL. I will say to the Senator that service on the subcommittee on Agricultural Appropriations has been one of the great experiences of my senatorial career. I have found it to be the most educational process in which I have ever participated. I have learned a great deal by having people explain to the subcommittee why various commodities stand in need of development and marketing from areas about which I know nothing. No other phase of my work has taught me so much.

I wish the whole Senate could have been present to see the presentation made by the persons who are interested in growing carrots and who wanted a small sum appropriated to enable them to engage in research to produce a carrot which would be edible all the way through, without having the core or pulp which is so often found in carrots. They had carrots at the hearing. They showed them to us. They have made some progress in their research. But there are 1 or 2 questions which they think can be answered only by research on the national level. It will not cost a large sum; I think about $12,000 or $15,000 a year will be the total cost.

I remember that 3 or 4 years ago a group came before the committee. They were interested in onion research. I believe they were from Idaho, or perhaps it was Michigan. Merely at the mention of onion research, one might say, "My gracious alive, what is onion research?" But those persons intrigued my curiosity, and on my motion there was included in the bill $15,000 above the budget so as to provide for research in onions. In 2 years the group came back with pictures which showed uniformity in the onions. I was amazed at the size of the onions. There was practically a revolution in onion production in this country.

Senators may be interested to know that in the field of winter wheat the seed which is now planted was not commercially available 4 years ago. Research has developed entirely new breeds of rust-resistant and wilt-resistant wheat. It has revolutionized wheat growing by farmers who produce wheat. The farmers of the Nation are practically prostrate today. If it had not been for the advances of research, which have brought down the unit cost of production they would have been exterminated.

Mr. CAPEHART. Being a farmer myself, I will take the Senator's word for that, but I am not particularly conscious of that fact; neither am I prostrate. I am in pretty good shape as a farmer.

Mr. RUSSELL. If the Senator depended completely on his farm for his income, while he might not be prostrate, he might be a little bent.

Mr. CAPEHART. I make money on my farm every year; I always have. My point is that we have an agricultural appropriation bill of almost $4 billion——

Mr. RUSSELL. Oh, the Senator wonders why that figure was mentioned, does he?

Mr. CAPEHART. No, no; not at all. My question is, Did the Department of Agriculture ask for more than the amount provided in the bill for utilization research?

Mr. RUSSELL. Yes; they asked for $185,000 more than we allowed.

Mr. CAPEHART. Only $185,000?

Mr. RUSSELL. That is correct. That item fared better than did most others in the bill.

Mr. CAPEHART. I am very much discouraged with the Department of Agriculture. We are considering an agricultural appropriation bill providing almost $4 billion. That is an extremely high tax load with respect to agriculture. Yet it is proposed to spend only about $14 million for utilization research. I am not criticizing the committee, because the committee included in the bill everything which the Department of Agriculture requested to enable it to find new uses for farm products in industry, although we have been spending over the years hundreds and hundreds of millions of dollars for agricultural appropriations alone.

Again I say I am not criticizing the committee, because the committee knows what the Department asked for. But Congress is appropriating millions of dollars annually to show the farmer how to grow more and more and more—even $15,000 for research in carrots—when the problem today is overproduction, and a lack of markets in which to sell farm products.

What Congress ought to do, in my opinion, is to appropriate $100 million or $200 million of the $4 billion to find new uses for farm products in industry, to enable the farmer to grow more instead of less, but to have more markets for what he grows.

I am not criticizing the committee; I am criticizing the Department of Agriculture.

Mr. RUSSELL. I hope the Senator will be pleased to know that in the argument which the committee made for appropriations to provide an increase for utilization research, the fact that the Senator from Indiana had introduced a comprehensive bill along this line was mentioned by more than one member of the committee.

Mr. CAPEHART. I understand that. I introduced such a bill last year and again this year. The Senate passed the bill last year, as the Senator from Georgia will remember, to establish a Commission, known as the President's Commission on Utilization Research. That Commission now is making its final report, after studying the whole problem of finding new uses for farm products.

Yet the Department of Agriculture has not asked for an appropriation in this bill to carry out the recommendations which the Commission will make.

I am almost tempted to vote against the Department of Agriculture appropriation bill for the reason that Congress is appropriating literally billions of dollars for agriculture, or at least hundreds of millions, but no effort whatsoever is being made by the Department of Agriculture to spend any money to find new uses for farm products in industry.

I know of one manufacturer who spent last year more than $80 million in an effort to find synthetic products so that he would not have to use cotton. Yet the Department of Agriculture asks for only $14 million for the purpose of research. Last year they asked for $12 million. The year before that they asked for $9 million. In the years before that, the amount they requested in order to find new uses for farm products in industry was even less. That is a disgraceful situation.

Eventually the taxpayers of the Nation will be made bankrupt if we continue to encourage the farmers to grow more, by showing them how to grow more, while on the other hand we ask the American taxpayers to pay for the surpluses.

Why do we not get wise? Why does not the Department of Agriculture get wise and start attacking the problem on the basis of finding new uses for farm products? The only way to find them is to use "gumption." I use that term because it is a good old Indiana and Georgia expression—"gumption." It means using a little bit of common horse sense.

Mr. RUSSELL. Indeed it does; the Senator does not have to explain that word to me.

Mr. CAPEHART. The Department of Agriculture could use a little gumption in seeking new uses of farm products in order to alleviate the farm problem. The farmer will not be helped by the Government spending millions and millions of dollars to show him how to grow more, to get his production high, but have his markets low. In order to utilize the surpluses, it will be necessary to find ways of bringing the market up to the production, and to push both the production and the markets up. To do that, it will be necessary to find new uses for farm products in industry.

I do not know what we can do to get the Department of Agriculture to undertake this work. We provided them with five laboratories. Yet the Department has not asked for any money or help to get the work done.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield to the Senator from Illinois, who is a distinguished member of the subcommittee.

Mr. DIRKSEN. I think one of the real functions of the subcommittee in taking testimony is to determine, in every case, the amount that can be usefully and productively spent. The committee could dump $100 million into the bill for utilization research; but if the work was not organized, if there were no technicians striving for a definite goal, instead of searching around for a lot of chemical curiosities, we would get nowhere.

In addition, we would be wasting much of the public's money. It is all very well to say that $100 million, $20 million, or $5 million, should be spent in research; but personnel are required to do the research. Simply looking into a test tube or using a bunsen burner in a laboratory will not do the job. Some competency is required. A huge undertaking such as this will require time for organization. I believe the committee, in its discretion, has undertaken to move as fast and prudently as the work can be done productively.

Mr. CAPEHART. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. CAPEHART. Of course, it is necessary to have more manpower and other assistance; but when will a start be made to organize and begin such a program? Are we going to ask the American people to spend $4 billion every year primarily because the Department of Agriculture will not organize itself on a basis to get the work done which Congress authorizes it to perform?

The Senator from Illinois is 100 percent correct. Certainly it is not feasible to look down a test tube. But neither does private industry look down a test tube. At least, we ought to do as much as private industry does.

The Senate remembers the development of the synthetic rubber program. The Congress appropriated $700 million, and the head of the program was instructed to commence the production of synthetic rubber, to build a pilot plant, and to engage in research, design, engineering, and all the other phases of the program. We can make similar provisions in the case of new uses for agricultural products.

The Senator from Illinois talks in the same way that those in the Department of Agriculture do. Under those circumstances, it is no wonder that the necessary development do not occur. We are aware of that situation. But what is the sense of urging the appropriation of $4 billion for the purchase and use of agricultural surpluses, and the appropriation of $60 million to show the farmers how to grow more and more agricultural commodities, when we have too many now, and then to propose that as little as $14 million be appropriated for the purpose of finding new industrial uses for farm products?

I can remember the time when, in Indiana, soybeans were not grown by the farmers. Today, soybeans are used very widely in industry; and today the soybean crop is one of the big cash crops in the United States, and I would dislike to think what would be the situation of the farmers in Indiana today if soybeans were not grown. The extensive use of soybeans in industry has resulted from research.

The almost 6 million farmers in the United States cannot do this job themselves. Some imagination is needed in the Department of Agriculture, in connection with research, if the necessary job is to be done. The report of the President's Commission will come to us the day after tomorrow, I believe; and the members of the Commission are practically unanimous in recommending research to find new industrial uses for farm products. This problem will not be solved in any other way.

Frankly, Mr. President, I become tired listening to the statements of the Department of Agriculture that the necessary technicians cannot be obtained and therefore it is impossible to solve the problem.

Mr. RUSSELL. Mr. President, I was in the process of making a brief general statement, which I do not think would have required more than 10 minutes, if I had not been diverted.

The Senator from Illinois has asked me to yield briefly to him. I shall do so, and then I wish to conclude my brief statement. Thereafter, I shall yield the floor; and the bill will be open to general discussion.

Mr. MUNDT and other Senators addressed the Chair.

Mr. RUSSELL. Mr. President, several Senators wish to speak, but I have agreed to yield at this time to the Senator from Illinois. I now yield to him.

Mr. DIRKSEN. Mr. President, I have never seen the time when an argument comparable to that made by the Senator from Indiana has not been made; and that goes back to the days when I was chairman of the Agricultural Appropriations Subcommittee in the House of Representatives. But I have discovered that in the field of agriculture, as in the field of physical health, progressive steps have to be taken.

All the money on this side of the Rocky Mountains could be dumped into the Department of Agriculture, but that would simply be a waste of money.

The Congress is appropriating hundreds of millions of dollars for the institutes of research in the fields of health, including studies regarding arthritis, rheumatism, cancer, and various other diseases; and some results have been obtained. But over a period of time, pure research must be done; and after a while it becomes applied; and later it becomes really practical. But it is impossible to jump over the various necessary steps.

Our distinguished friend, the Senator from Indiana [Mr. CAPEHART] would like

to rush by them; he says, "Just appropriate the necessary funds, and the Department will find the proper persons, and will solve the problem overnight." But, Mr. President, that is not possible.

I am no tyro regarding these matters. I helped conduct the first experiments—down by the Memorial Highway between Washington and Mount Vernon, in 1933—with anhydrous alcohol produced from surplus grain, to be mixed with gasoline, and then to be converted into premium fuel. What was the answer? We found that a new carburetor was called for, and that new design was necessary, and that various special processes were required. In that connection we have not gotten very far, although 1,800 stations were selling such fuel in Nebraska.

So I know something of the difficulties involved; and they will not be solved by saying, "Give the Department $50 million or $100 million and, presto, we will have the solution."

Mr. CAPEHART. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. Mr. President, I shall yield briefly to the Senator from Indiana, but thereafter I desire to complete my statement.

Mr. CAPEHART. Mr. President, I would prefer to have the Government waste $100 million in an effort to solve the problem of finding new industrial uses for agricultural products, rather than to have the Government waste hundreds of millions of dollars in connection with telling the farmers how to grow more and more, even though at the present time it is impossible to sell all the commodities the farmers are producing.

There can be only one answer to this problem, regardless of whether rapid progress or slow progress is made. I say we had better begin to make rapid progress, and we should spend the necessary funds on research and on developing new industrial uses for agricultural products, if we are ever going to begin to solve the farm problem. I am not unmindful of the fact that much time is required and that such developments cannot occur over night.

But a start must be made. It is ridiculous for as little as $14 million to be spent in an effort to develop new industrial uses for agricultural products, when I could name, if I had the time to engage in a little research, a thousand private industries in the United States which spend twice, 10 times, or 20 times that amount of money on their own research.

As I said a moment ago, I know of one company in the State of Georgia which spent more than $80 million in an effort to find synthetic substitutes for cotton. Yet the Department of Agriculture requests the small sum of $14 million for the purpose of engaging in research for the benefit of all the farmers in the United States. That amount is $2 million more than the amount provided last year, and $5 million more than the amount of 2 years ago.

Mr. MUNDT addressed the Chair.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The Senator from Georgia has the floor. Does he yield?

Mr. RUSSELL. Mr. President, I hope the distinguished Senator from South Dakota will permit me first to finish my brief explanatory statement. Five or six Senators wish to discuss the item of utilization research; and after I have finished my brief statement, I shall be glad to yield for a discussion of that matter.

Mr. President, I was discussing the fact that in the case of the total bill, the appropriations for the regular activities represent an increase in the amount of only $9,500,000 over the appropriations made for the fiscal year 1957. The largest item is for utilization research.

Most of the total increases provided by the bill do not concern the regular activities of the Department of Agriculture. An increase of $297,501,493 is required to restore the capital impairment of the Commodity Credit Corporation for losses sustained in 1956. The bill also includes increases over 1957 totaling $572,226,556 for special activities. These are programs—including sales of commodities for foreign currencies under Public Law 480, the International Wheat Agreement, emergency famine relief to friendly peoples, and animal disease eradication activities—which are carried out using Commodity Credit Corporation funds, and the Corporation is subsequently reimbursed by appropriation, in order to restore its capital structure.

Mr. President, a large part of the appropriations carried by the pending bill could more properly be charged to the foreign-aid program. In considering the Department of Agriculture appropriation bill, it is important to note that much of the funds in the bill do not go to the American farmer.

For example, the bill includes $637 million to reimburse the Commodity Credit Corporation for sales of commodities for foreign currencies under Public Law 480. It also includes similar reimbursement items of $94,483,518 for emergency famine relief to friendly peoples, and $92,930,611 for the International Wheat Agreement.

Mr. HUMPHREY. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. Mr. President, if the Senator from Minnesota will permit me to do so, first I should like to complete my brief statement.

Mr. HUMPHREY. I shall be glad to wait.

Mr. RUSSELL. Mr. President, a number of the items included in the bill are not primarily for the benefit of agriculture. Among those items is the one of $100 million for the school-lunch program and the one of more than $45 million for the school-milk program.

Also included in the bill are $16,586,000 for meat inspection and over $22 million for the eradiction of brucellosis and tuberculosis in livestock—activities which primarily benefit the consumer.

While all of these programs are necessary, I think it is important for us to note that very substantial appropriations—over $1 billion—in the bill are primarily for the benefit of consumers and others, rather than for the benefit of the farmers and ranchers of the Nation.

Over one-half a billion dollars of the appropriations represent expenditures on REA and Farmers Home Administration loans which are repayable, and on which the repayment history is excellent.

Mr. President, having concluded my brief statement, I am glad to yield. I promised first to yield to the Senator from South Dakota [Mr. MUNDT]; and at this time I am pleased to yield to him, if he wishes to have me do so.

Mr. MUNDT. I thank the Senator very much. I simply wanted to make a few comments relative to the colloquy engaged in by the Senator from Illinois and the Senator from Indiana, and to point out that there is validity in what they both have said, but I think, first, that the committee in giving the Department a $2 million increase over the House figure for utilization research, has provided in the bill all the money the Department of Agriculture has requested; and, second, all the money the Department of Agriculture shows any indication that it can use.

I do not think it is going to provide any solution for the Senator from Indiana to suggest that the Department have $10 million or $20 million or $50 million more. I agree with the Senator from Illinois in that regard. We are providing in this bill the maximum go-ahead for the existing research utilization in the Department. I myself offered an amendment to increase the amount $2 million. I believe it carried unanimously or with only a few dissenting votes. That amount was within $185,000 of what the Department had requested. As the distinguished chairman of the subcommittee has stated, it was the greatest single increase received by any service in the Department of Agriculture.

What we in the Congress should do is recognize the challenge of research into uses for farm products. We should move in the direction of establishing a separate commission or board or director of research in the utilization of farm products for industrial purposes, and should provide for that group a considerable sum to put such a program on a crash basis, as we did in the field of synthetic rubber and guided missiles, or as we would do in any area where we want to get progress. We are never going to get a program out of the wormwood stage by putting such a program in a department which employs only hired scientists. We are going to make progress only by utilizing the genius of America, from its industrial organizations, its educational institutions, and its chemical plants. If we provided funds and a director, and gave him enough latitude so he could spend money in subsidies, bonuses, and incentive payments working with private industry we could get somewhere. But, so far as the Department of Agriculture is concerned, at the slow pace at which it is moving, I am sure the $2 million is going to be enough.

Mr. RUSSELL. I am sure the Senator from South Dakota means $2 million added to what has already been appropriated.

Mr. MUNDT. Yes; I refer to the $2 million additional.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I had promised to yield to the Senator from Oregon. Then I shall be happy to yield to the Senator from Nebraska.

Mr. MORSE. I should like to ask the Senator from Georgia a question or two. Before I ask the questions, I wish first to express my very deep appreciation for the great leadership the Senator from Georgia has given the Senate for many years in connection with agriculture appropriation bills.

Mr. RUSSELL. I thank the Senator.

Mr. MORSE. I do not think agriculture has a greater friend in the entire Congress than the distinguished Senator from Georgia. I want the Senator from Georgia to understand that the questions I shall raise in regard to the appropriation bill are raised not with any criticism at all. I wish him to know that the questions are based on inquiries I have received from people in my State and from farm organizations. I want him also to know that I do not believe in participating in political gestures. I could offer a series of amendments based upon the protests I have received, but, unless the chairman of the subcommittee feels that there is some chance for an amendment on any of the points raised being adopted, I shall not, as a mere political gesture, offer an amendment.

My first question goes to the matter of the cuts in funds for experiment stations, which the Senator has discussed somewhat already. It is my understanding that the House cut $4,500,000 from the payments to State experiment stations as called for in the budget estimate. It is my understanding that the Senate bill, as reported by the Senator from Georgia, in effect restores $1 million of that cut. Is that correct?

Mr. RUSSELL. The Senator from Oregon is correct. The reduction, of course, was made in the budget estimate, not in the current appropriation, I may say. The Senator from Oregon is well aware of the fact that we have manifested an intense interest in the work of the State experiment stations in recent years. Since 1952 the committee and the Congress have increased annual appropriations for the State experiment stations from $12,670,000 to $29,503,000. The bill before the Senate allows an increase of $1 million over the current appropriation.

No Member of the Congress believes more strongly than I do in the State experiment station work. Many of the most amazing developments in our agricultural revolution have come about as a result of the cooperative work between the Federal Government and the State governments at the State experiment stations.

The Senator from Oregon is, of course, aware of the fact that this is a rather unusual year for dealing with almost any appropriation. The fact that the committee allowed a $1 million increase over the current appropriation did give this activity a slightly preferred status over those which did not get an increase of even $1, or took a reduction.

I would have liked to have seen the $4½ million appropriated. I am sure it could have been programed and the money well expended; but, in my judgment, we are in a better position if we keep the appropriation at an increase of $1 million, and insist on that amount in conference, than if we arrived at an unrealistic figure that would cause us to lose the entire item if it were taken back to some other body for a vote.

Mr. MORSE. Am I correct in my understanding that the Senate committee has allowed $9,800,000 more than the House figure for the entire agricultural research program?

Mr. RUSSELL. No; a part of that represented a transfer. The House took soil and water conservation research out of the regular research program and put it under Soil Conservation Service. The Senate committee restored it. A part of the increase is reflected in that item. The real increase is only about $2,800,000. However, that figure does not include the appropriation for the State experimental stations, which will be found under another item.

Mr. MORSE. So the increase for agricultural experiment stations is a little more than $3 million.

Mr. RUSSELL. The total increase in the research appropriation is considerably more than $5 million throughout the bill.

Mr. MORSE. A little more than $4 million?

Mr. RUSSELL. Yes.

Mr. MORSE. The Senator, in his explanatory remarks, spoke about plant diseases, experiment station funds, and brucellosis. I should like to tell him of a conversation on the long distance telephone last night, which is supported by some telegrams I shall ask to put in the RECORD. Mr. Ed Coles, who is president of the Oregon Cattlemen's Association, who is one of the great agricultural leaders in Oregon, and who works closely with various research groups—and I also had strong representations on this matter from our experiment stations—asked me if I was aware of the fact that the brucellosis program as provided in the bill is not adequately financed in the sense that a great many of the State programs will have to be cut out. He points out that, as the Senator from Georgia and I know to be the case, discoveries are still being made in regard to the effects of brucellosis.

Just a few days ago we read in the press about the findings of a medical research group in regard to health hazards to human beings caused by brucellosis, over and above those which were previously known as constituting serious threats to human life.

Mr. Coles pleaded with me over the telephone last night to seek on the floor of the Senate today to get the viewpoint of the Senator from Georgia in regard to the brucellosis program, and to see if there is any chance at all of getting some increase in the brucellosis fund, because, as he reports to me, a reduction in funds for the program will do great damage to State programs which are already underway, by which it is hoped to stamp out Bang's disease. Will the Senator from Georgia enlighten me as to what he thinks the situation is in regard to the brucellosis program?

Mr. RUSSELL. Mr. President, I can say to the distinguished Senator that this is a program the details of which the eminent Senator from Oregon, an outstanding cattle breeder, is more familiar with than I am. I have dealt with the problem in the agricultural appropriations bills for years. This is the 25th such bill. I can remember when a chairman of the full Committee on Appropriations, who had a herd of cattle, shuddered at the suggestion that there could be any such thing as Bang's Disease, and opposed an appropriation for that purpose. That has been within the last quarter of a century, for I am not talking about what happened in the 1800's.

Of course, a great deal has been found out about this disease. It is not only very costly to the farmers for it causes them to lose calves, but it is also a threat to the human consumers of milk and dairy products. We have had a program for many years which has undertaken to deal with it.

I will say to the distinguished Senator that at the present time we are appropriating $20 million for this purpose, which is the full amount authorized by law. The increased authorization, to $20 million, was not passed until 1956. Prior to that time, it was approximately $15 million. This bill carries the full amount authorized by law. It would take legislation to enable us to increase the Federal appropriation for this activity.

Mr. MORSE. I thank the Senator very much. That is precisely the kind of information I needed in this colloquy in order to properly advise Mr. Coles in regard to it.

Mr. Coles raised another question in connection with the so-called meat preservation experiments, and he pointed out that Oregon State College had joined in a cooperative research program on meat preservation. They have hired their personnel. They have committed their contribution to the program.

Mr. Coles is advised that this bill does not carry a sufficient amount of money for the meat preservation experiment program, and he wanted me to raise a question today with respect to whether or not the chairman of the committee thought there was any possibility of having restored to the budget the funds which the Department of Agriculture had previously been authorized to expend. Is the chairman aware of such a program?

Mr. RUSSELL. Mr. President, I must say if that is the fact it grows out of a departmental decision in allocating the $1 million increase we have proposed. We may be counting our chickens before they are hatched in the case of the $1 million. There has been no reduction in the program and the appropriation for last year. The fact is we have allowed the full amount of the budget requested for this item for several years. We allowed, in this bill, a $1 million increase over last year.

I am not completely familiar with the activity to which the Senator refers, but I think it is one in which 3 or 4 States and the Federal Government are cooperating.

Mr. MORSE. The Senator is correct. Several State colleges are cooperating.

Mr. RUSSELL. I have a recollection that I have heard of that particular project. There is nothing to prevent the Department of Agriculture from allocating from this $1 million increase, when and if it is approved, a sufficient amount to help carry on that work, although of course it means the funds will have to be spread rather thin, because it is $1 million out of a $4½ million budget estimate.

Mr. MORSE. My guess is that what is happening is that the Department of Agriculture officials involved are probably advising that if the $4½ million for experimentation work is not restored, they will have to cut such projects.

Mr. RUSSELL. That they will not be able to make an allocation for this work.

Mr. MORSE. That leads me to the next question, and I should like to have the Senator's frank appraisal, after which I am going to follow his judgment.

I have received certain telegrams, and I am going to ask permission to insert them in the RECORD. I should like to ask the opinion of the chairman on the point I now mention: If I carry out the suggestion in some of these telegrams, namely, to offer an amendment to increase the amount for experiment station allowances by $4½ million assuming for the moment that I succeeded in having it adopted by the Senate—which could be a false assumption, since I am inclined to think I would not be able to do so, over the objection of the Senator from Georgia—would that make it more difficult for the Senator in conference to hold the $1 million already added to the bill, as it came from the Senate committee?

Mr. RUSSELL. Mr. President, let me say first to the Senator from Oregon that he of course understands how a Senator in charge of a bill can be placed in a certain position. Although the Senator from Georgia might be strongly in favor of the $4½ million increase for the State experiment stations, he had difficulty getting $1 million from the committee he represents on the floor, and he is committed to that amount. It would be his duty to defend the increase, or to at least keep it limited to what the committee recommended.

Mr. MORSE. The Senator would have equal difficulty, in the conference committee, even in holding some of the Senate conferees?

Mr. RUSSELL. I had not reached that point. It is my intention to insist very vigorously upon this Senate amendment when and if this bill reaches the conference stage with the other body. If it were a $4½ million item, and the Senate insisted, I think there would be a very remote possibility that the amendment would ever carry on the floor of the House, whereas a $1 million increase would have a substantially better chance of approval.

Mr. MORSE. The Senator in his general statement on the bill also mentioned the matter of research and experimentation in connection with plant diseases, such, for example, as the potato blight. Does the amount of money for research into plant diseases fall into the same category which involves the $4½ million cut on the House side?

Mr. RUSSELL. No. There are some different phases involved. There is the purely Federal research, and then there is the joint State-Federal research. I do not remember at the moment whether the research in the case of potato blight is done purely as a Federal function, or as a joint State-Federal function, but whatever its status is there can be no reduction in that research, because we have provided on the minimum the same amount of money they have for the current year.

Mr. MORSE. I wish to thank the Senator from Georgia very much. I have decided to make any future remarks on my own time, later on in the debate.

Mr. RUSSELL. I am always glad to hear the remarks of the Senator from Oregon on agricultural matters. He has always been a valuable friend of the American farmer.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield to the Senator from Minnesota.

Mr. HUMPHREY. I wish to thank the chairman of the committee. I can assure my colleagues that my questions will be few and to the point.

With respect to the expenditures covered by the bill, I listened to the Senator from Georgia list the reimbursements to the Commodity Credit Corporation. I should like to ask the Senator if in the bill and in the report the amounts which are to be reimbursed to the Commodity Credit Corporation for our foreign policy requirements are grouped as such?

Mr. RUSSELL. They are not.

Mr. HUMPHREY. It seems to me that somewhere in the discussion of this agricultural appropriation bill the expenditures which relate to foreign policy matters ought to be tabulated. For example, consider the sales of surplus commodities under Title I, Public Law 480, the donations under title III, and the activities under title II of Public Law 480. All this relates to the fulfillment of American foreign policy objectives.

Mr. RUSSELL. Of course, the Senator from Minnesota is correct. For that reason, although it is not spelled out in the bill, it is all to reimburse the Commodity Credit Corporation for its impaired capital structure. I read the figures so that they would appear in the RECORD, and stated that practically $1 billion of the money was more in the field of international relations and foreign policy than in the field of agriculture.

I gave a figure of $637 million to reimburse the Commodity Credit Corporation for sales of commodities for foreign currencies. There is $94.5 million for emergency famine relief for friendly peoples. There is $92,930,000 for the International Wheat Agreement.

Mr. HUMPHREY. All those relate to specific objectives in American foreign policy.

Mr. RUSSELL. Yes. I stated that there was more than $1 billion in the bill which might be included in the category not having to do primarily with the agricultural situation in this country.

Mr. HUMPHREY. Some of the foreign currencies we have are not considered an asset to the Department of Agriculture until they are converted into dollars, or reimbursed.

Mr. RUSSELL. A great deal of it never is reimbursed at all.

Mr. HUMPHREY. That is correct. Therefore, it is considered a loss.

Mr. RUSSELL. It is a complete loss.

Mr. HUMPHREY. It may be that some other department or service of the Government gets the benefit of the use of such currencies.

Mr. RUSSELL. The State Department has personnel in all those countries, and some of the counterpart funds are used by them. Some of the counterpart funds are spent on activities within the country.

Mr. HUMPHREY. Indeed.

Mr. RUSSELL. For the improvement of railroads or highways, or for building dams or irrigation projects.

Mr. HUMPHREY. To the extent of about 60 percent.

Mr. RUSSELL. Yes.

Mr. HUMPHREY. We are going into that study now. I wanted to have the RECORD show that the expenditures which have been listed as Department of Agriculture expenditures, and have been heralded in the press as a four or five billion dollar cost for agriculture, are not all agricultural costs.

Mr. RUSSELL. Of course not. One of the most commendable programs in the bill is the school-lunch and school-milk program, which costs $145 million, not including the surplus commodities which are given. Only 13 percent of the schoolchildren of the country could possibly be purely farm children. The program helps children in urban communities. It is a good program, but it is not properly chargeable strictly to agriculture.

Mr. HUMPHREY. It is not an agricultural cost.

Mr. RUSSELL. It is not an agricultural cost. Even the cost of the meat-inspection service is charged to the farmer, but the meat-inspection service protects the American consumer who buys meats on the market.

There is also a tendency, in looking at the size of the bill, to say that all of it is appropriation; but more than half a billion dollars represents loans made through the Rural Electrification Administration and the Farmers' Home Administration, both of which have excellent records of repayment. The money is turned back into the Treasury.

Mr. HUMPHREY. How much of this appropriation would the Senator estimate could be attributed directly to expenditures or costs for the operation of a farm program, as related to the farm economy?

Mr. RUSSELL. I have never approached the question directly in that way. However, the sums of $637 million, $95 million, and $93 million, involve sales for foreign currencies, and emergency famine relief under the International Wheat Agreement. Then there is $310 million worth of materials secured in barter, which goes into the stockpile for the national defense effort. The sum of $225 million goes for shipping, under the proviso that one-half of it must be shipped in American bottoms. I have not totaled all the items.

Mr. HUMPHREY. They total about $1,300,000,000.

Mr. RUSSELL. About $1,300,000,000 or $1,400,000,000 of this amount is properly chargeable to international relations and foreign policy, rather than to the farmers.

Mr. HUMPHREY. There is another $500 million in loans made through the REA and the FHA.

Mr. RUSSELL. There is $145 million for the school lunch and milk program, and $17 million for the meat inspection item.

Mr. HUMPHREY. So about $2 billion out of this appropriation could be declassified, as being nonagricultural.

Mr. RUSSELL. It represents activities which are just as important to any citizen of the United States living in a penthouse in New York as they are to a farmer in Minnesota or Georgia.

Mr. HUMPHREY. I thank the Senator for his observations and for the information he has given.

I should like to ask one question on the subject of brucellosis control. I heard the Senator from Oregon [Mr. MORSE] asking about it. Would the appropriation before us result in cutting down a State program, such as that carried on in the State of Minnesota?

Mr. RUSSELL. No. No reduction in the appropriation is involved. The appropriation recommended is $20 million, which is the full amount authorized by law, and the same as the amount appropriated last year.

Mr. HUMPHREY. So we can continue with the same schedule we had last year?

Mr. RUSSELL. There will be just as much money as was carried in the bill for the present year.

Mr. HUMPHREY. Through the fiscal year 1958?

Mr. RUSSELL. Yes.

Mr. HUMPHREY. I should like to ask a question in reference to the soil-conservation program. I refer the Senator to the language on page 26, line 6, under the head, "Agricultural Conservation Program Service." The amount which is fixed as the maximum for any participant under the soil-conservation program is $1,500. Is that correct? I believe the House set the figure at $2,500.

Mr. RUSSELL. The House had placed the figure at $2,500, but the amount carried in the bill at present, and the amount which has been carried for the past 3 or 4 years, it $1,500. Without being apprised of the specific reasons for the increase, the Senate committee went back to the old figure, so that we could ascertain if there was any justification for the increase when we meet with representatives of the other body in conference.

Mr. HUMPHREY. I appreciate that, and I shall not press the item at all. I merely wish to explore the subject for a moment with the Senator.

As I understand, the reason given by the proponents for the increase in the House, which was agreed to by a majority, relates to what we call gully control. In the hilly country, there is a great deal of soil erosion due to the rapid flow-off of water, and gullies develop. Because of the increased cost of labor and materials for gully repairs and conservation practice relating to gully repair, the $1,500 item has been considered to be too small. I ask the Senator, when he goes to conference on the bill, to examine quite carefully the debate.

Mr. RUSSELL. I shall approach the question with an open mind. The Department did not ask to have the amount increased to $2,500. No testimony was submitted to the committee in justification of the increase. In the absence of any reason for the increase being called to our attention, we set the figure at the old level of $1,500. I shall certainly approach that subject with an open mind when the bill goes to conference.

Mr. HUMPHREY. Let me ask the Senator again with reference to the conservation reserve program. As I understand, the maximum amount provided on page 28, line 18, is $7.50 an acre "for conservation reserve contracts entered into 30 days after approval of this act."

As I recall, the national average last year was around $11.

Mr. RUSSELL. The average paid under contracts concluded, up to this year, is $8.84.

Mr. HUMPHREY. Yes; I remember that.

Mr. RUSSELL. The figure in the Senate committee version of the bill represents a reduction of $1.34 throughout the Nation, which would have to be applied. I shall discuss that question later. The Senator from South Dakota has an amendment seeking to eliminate that reduction, but I shall take the position that the committee's action was completely justified in the light of the testimony before us. Very large practice payments are made, some of them for building dams. In one instance the payments amounted to as much as $1,062, in addition to annual payments for the land which is flooded. That is an extreme case and the most expensive one I know of. This is an effort to get the Department to be a little more careful in examining the conservation reserve program, in which I think we all have more hope and faith than in the acreage reserve program.

Mr. HUMPHREY. I am glad to hear the Senator say that, because I feel that the conservation reserve program offers the greatest opportunity for long-run good.

Mr. RUSSELL. Over the long run; yes.

Mr. HUMPHREY. In my State, for example, the average payment was around $11 an acre, I believe.

Mr. RUSSELL. This provision would not bring down the maximum that is paid for any one type of land in the Senator's State. The farmers may still be paid just as much as they have been paid on the highest level, but they would find it necessary, in classifying the land as to productive land and marginal land, and so forth, to bring the State average down——

Mr. HUMPHREY. I should say that I think it was about $11.

Mr. RUSSELL. It would bring the average down to about $1.34 less than that.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. AIKEN. The figures given to me by the Department of Agriculture indicate that the current average for Minnesota is $11, and that if the bill as it is written passes, the average would be $8 for the coming year, rather than $11.

Mr. RUSSELL. That cannot possibly be correct.

Mr. AIKEN That is the advice I have received from the Department of Agriculture.

Mr. RUSSELL. If the Senator will look at the language on page 28 of the bill, he will see that the bill provides:

> That the average annual rental payment per acre shall not exceed $7.50 per acre for conservation reserve contracts entered into 30 days after approval of this act.

If he will then look at the column under Minnesota, he will see that the average payment for Minnesota is $9.09 an acre. That is the average annual payment per acre on signed contracts.

Mr. HUMPHREY. That is correct.

Mr. RUSSELL. It is $9.09 for Minnesota.

Mr. HUMPHREY. That is why I said I was not certain about the $11 figure. I heard both figures mentioned.

Mr. MUNDT. Mr. President, there is no need for any uncertainty about it, because it is $11. That was the offering rate. The actual signup rate shows in the right-hand column as $9.09. That is due to the fact that in the States there are some nondiverted acres, which are not included, and as a consequence there is a reduction, which is shown in the righthand column. The Senator from Minnesota can be assured that if a $7.50 acre rate prevails every time a State somewhere gets $10 an acre, some other State will get $5 an acre, in order to maintain the $7.50 rate. Therefore, it will pull down the returns of the farmers in Minnesota substantially.

Mr. HUMPHREY. My concern is that we must make the rental price adequate enough to induce farmers to enter the program.

Mr. MUNDT. And to deal equitably with the farmers who cooperate.

Mr. HUMPHREY. I hope we can get out of the acreage-reserve program, which was a limited program, and get into the conservation-research program, because that is the one that offers the long-term good.

Mr. MUNDT. As the Senator realizes, as a member of the committee, that day is not too far removed. This program will run, I think, for a contemplated 10 or 11 years.

Mr. HUMPHREY. As I understand, the Senator from South Dakota has an amendment to offer on that point.

Mr. MUNDT. The Senator is correct.

Mr. HUMPHREY. I shall be very much interested in it.

Mr. AIKEN. I merely wish to state that the Department of Agriculture advised me last evening that the $10.11 figure is the national average and that if the $7.50 figure becomes law it will affect the States which the Department lists in its letter to me. The letter goes on to list about a dozen selected States. In that list Minnesota is shown as $11 under the current level, and $8 under the $7.50 maximum.

Mr. RUSSELL. I believe the figures that the Senator from Vermont has before him are the figures which were furnished to the Committee on Appropriations. They were furnished to show the situation in the States represented on the Committee on Appropriations. Minnesota happens to be one of those States. Those figures deal with the original amendment, not with the present amendment. The original amendment, which was approved by the subcommittee, placed a flat average of $7 an acre within the States. When we got to the full committee, that portion of the bill was rewritten on a national average basis.

Mr. AIKEN. I am merely submitting the figures which I received from the Department of Agriculture.

Mr. RUSSELL. That does not conform with the testimony given to the committee, because the figures we have show the average payment per acre on signed contracts.

Mr. HUMPHREY, Mr. AIKEN, and Mr. CURTIS addressed the Chair.

Mr. RUSSELL. Mr. President, the Senator from Idaho [Mr. CHURCH] has been on his feet for some time to ask some questions. I feel that the fact that he has been asking recognition for some time, and because I have yielded to 6 or 7 other Senators, I should first yield to the Senator from Idaho.

Mr. CHURCH. I thank the Senator for his courtesy. I should like to say at the outset that the Senator from Georgia and the committee should be commended for the work they have done on the bill. I, for one, certainly concur in the sentiment expressed by the distinguished Senator from Georgia with respect to the importance of the agricultural research work. I want to commend him and his committee for the recommendations they are making generally in this regard.

Mr. RUSSELL. I thank the Senator.

Mr. CHURCH. I have a question which concerns the soil and water conservation research program. It was my understanding originally that the budget estimates included a total increase for soil and water conservation program work in the amount of $840,000. When this was called to my attention I was naturally interested in knowing what part of the increased amount would be spent in the State of Idaho. Upon inquiry, I was informed on April 15 of this year by Mr. B. T. Shaw, Administrator of the Agricultural Research Service, as follows:

There is currently allocated $40,810 for soil- and water-conservation research in Idaho. This includes $33,160 at Boise and $7,350 at St. Anthony. The 1958 budget estimates include a total of $88,920 for this research in Idaho, of which $46,100 is for program increases and $2,010 is to meet increased retirement costs under Public Law 854 (84th Cong.).

Mr. Shaw then sets forth where the increased amount is to be used.

This morning, after the committee had taken its action on the bill and rendered its report, I received another communication from Mr. Shaw, in which he advises me that the total allocated under the Senate report for soil- and water-conservation reseach, as allocated by the Department of Agriculture, permits only $411,600 to be available as an increase for the research program.

He states in his letter that inasmuch as less than half of the original amount called for in the budget estimate has been allowed by the committee, none of the increased programing that had been contemplated for Idaho is now contemplated by the Department. He concludes by saying:

We regret that it will not be possible to go ahead with this important program in Idaho under the bill as reported by the Senate committee.

I should like to ask the distinguished Senator from Georgia whether the report I received from Mr. Shaw today conforms with the committee's own understanding as to the allocation of this money for soil- and water-conservation purposes.

Mr. RUSSELL. Of course, I cannot answer that question definitely in specific terms. The committee allowed an increase over the current appropriations of approximately a million and a half dollars, as I recall it, for soil- and water-conservation activities.

The Bureau of the Budget had asked for $840,000. The matter of allocating increases is within the purview or the domain of the Secretary of Agriculture. I was advised by the very efficient staff representative of the committee that the Department had told him that some $82,920 would be available for the State of Idaho under this appropriation. As to the accuracy of that statement, I cannot say, because the Department has the authority to allocate and divert the funds. But there is no reason on earth for completely discontinuing the work, even if it were dealt with on a percentage basis under the Senate appropriation. The Department would have to allow about half of the $46,000, if they were to be fair to the activities in Idaho.

The whole budget increase was not allowed, it is true, and the Secretary has the authority to allocate the funds. But if the Department brought the item here as a budget request, they must have thought it was valuable to them, so they should, at least, carry on a part of the activities with the substantial increase of almost $500,000 which was allowed in the bill.

Mr. CHURCH. That would be my view. I certainly hope the Department of Agriculture, in using the money which is made available, will conform with the expression of views by the chairman of the subcommittee.

Mr. RUSSELL. I certainly hope the Department will make some effort to deal with the problem which the Senator has in mind, because the committee has allowed about half the request.

Mr. CHURCH. I thank the Senator from Georgia.

Mr. President, in line with the impressions expressed by the distinguished Senator from Georgia, and in order that the research programs to which I have made reference might be more fully identified, I ask unanimous consent to have printed at this point in the RECORD the correspondence to which I have made reference.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
AGRICULTURAL RESEARCH SERVICE,
Washington, D. C., April 15, 1957.

Hon. FRANK CHURCH,
United States Senate.

DEAR SENATOR CHURCH: Thank you for your letter of April 3, 1957, concerning correspondence on soil and water conservation research in Idaho, from Mr. Don G. Frederickson, President of the Idaho Association of Soil Conservation Districts. In accordance with your request, a copy of our reply to Mr. Fredericksen is enclosed.

We appreciate your interest in this phase of our research program.

Sincerely,

B. T. SHAW, *Administrator.*

UNITED STATES
DEPARTMENT OF AGRICULTURE,
AGRICULTURAL RESEARCH SERVICE,
Washington D. C., April 15, 1957.

Mr. DON G. FREDERICKSON,
President, Idaho Association of Soil Conservation Districts, Gooding, Idaho.

DEAR MR. FREDERICKSON: Thank you for your letter of March 28, 1957, concerning soil and water conservation research in Idaho and proposed increases for this research in fiscal year 1958.

There is currently allocated $40,810 for soil and water conservation research in Idaho. This includes $33,160 at Boise and $7,650 at St. Anthony. The 1958 budget estimates include a total of $88,920 for this research in Idaho, of which $46,100 is for program increases and $2,010 is to meet increased retirement costs under Public Law 854. (84th Cong.).

The program increases are as follows: +$25,400, to expand existing research at Boise on the development of improved drainage practices, irrigation methods, water application systems, and general soil and water management for more efficient use in crop production. This is a part of a total increase of $424,000 to increase efficiency in water management in relation to irrigation; +$20,700, to initiate research at Moscow, Idaho, to establish data on streamflow characteristics and rainfall relationships of representative agricultural watersheds for design of measures and structures for soil and water conservation. This is a part of a total increase of $208,000 for expanding research in watershed hydrology.

We hope this provides the information you desired. A copy of this letter is being sent to Congresswoman GRACIE PFOST and to Senator FRANK CHURCH, in accordance with their wishes.

Sincerely,

B. T. SHAW, *Administrator.*

UNITED STATES
DEPARTMENT OF AGRICULTURE,
AGRICULTURE RESEARCH SERVICE,
Washington, D. C.,
June 11, 1957.

Hon. FRANK CHURCH,
United States Senate.

DEAR SENATOR CHURCH: In response to a telephone request this morning from Mrs. Barnes of your office, there is shown below a breakdown of the funds provided for soil and water conservation research in the Senate Report on the Agricultural and Farm Credit Administration Appropriation bill, 1958, as interpreted to the Department by the staff of the Senate Appropriations Committee:

Base, fiscal year 1957	$5,391,110
Increases for facilities:	
U. S. Salinity Laboratory—Riverside, Calif.	[1] +120,000
Soils laboratory, reclamation State	+450,000
Soils laboratory, Midwest	+450,000
Soils laboratory, Mississippi	+450,000
Soils laboratory, Southern Piedmont Soil Conservation Experiment Station	+275,000
Increase to meet retirement costs	+252,290
Subtotal	7,388,400
Senate report authorized a total of	7,800,000
Increase provided for program research	+411,600

[1] Includes $20,000 for alterations.

The budget estimates included a total increase for program work in the amount of $840,000. Inasmuch as less than half of this amount would be available under the Senate report, it has been necessary for our research people to select the problems which are most important from the nationwide point of view. Under this requirement, the increase originally allocated to Idaho in the amount of $46,100, as mentioned in my letter of April 15, 1957, to Mr. Don G. Frederickson, President, Idaho Association of Soil Conservation Districts, would not be included in the amount made available by the Senate committee action.

We regret that it will not be possible to go ahead with this important program in Idaho under the bill as reported by the Senate committee.

Sincerely,

B. T. SHAW, *Administrator.*

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CURTIS. I thank the distinguished Senator from Georgia. I wish also to express my appreciation for his dedication to the cause of agriculture, not only in the handling of this bill, but throughout the years.

Mr. RUSSELL. I thank the Senator from Nebraska.

Mr. CURTIS. I particularly wish to mention his interest and assistance in getting underway a program of industrial uses of surplus agricultural products. Likewise, I would commend the soundness of the words expressed by the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. MUNDT], and the Senator from Illinois [Mr. DIRKSEN]. Theirs is a viewpoint which is not only sound; it is one which has vision and which provides an opportunity for a sounder solution of agricultural programs.

I believe there are great opportunities for the development of new markets for the farmers by increased industrial uses. I do not think that objective can be attained, however, by merely increasing the dollar amount of the appropriation for that purpose. Congress should undertake to write a legislative policy. That policy should create an authority—I believe it should be a board with a director—charged specifically with this objective. The board should be given power not only to utilize the research facilities of the Government, but also to contract with private parties, with land grant colleges and other colleges, yes, even with foreign agencies, because industrial products may well be developed which will have great possibilities for export.

Such a policy should also incorporate a plan for incentive payments to farmers, so as to encourage them to grow new crops. It should provide incentive payments to business to undertake to use the crops for industrial purposes. This good earth of ours can produce several thousand different types of plants. Our agriculture industry has confined its production to perhaps 150 kinds of plants down through the years. Agriculture has been researched out of its own markets. The soles of perhaps three pairs of shoes out of four are made of products other than leather. Synthetics have taken markets away from the producers of cotton, wool, and flax.

More research is needed, but it needs to be coupled with a program of action. One of the important steps in such a program is that of trial commercialization, so that the ideas developed in the laboratories will not remain on the shelves, but will be set in motion.

We might learn a lesson from the development of synthetic rubber in World War II. The United States Government floundered around until a policy was determined to fix in one place the responsibility to produce synthetic rubber. It was produced from agricultural products, under the leadership of a distinguished citizen from my State, Mr. William Jeffers. The agricultural problem needs to be approached in that way again.

The Commission appointed by the President has done outstanding work. Very shortly I shall submit to the Senate a legislative proposal based upon the Commission's recommendations. In doing so, I shall communicate with each Senator and send him a copy of the bill, in the hope that all or many Senators will join in cosponsoring its introduction.

I thank the distinguished Senator from Georgia.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. STENNIS. I commend the Senator from Nebraska for the work he has done as the author of the bill to provide for a commission on the utilization of farm products. I think the commission's report will prove to be a very useful one and a milestone in finding additional uses for agricultural products. I commend the Senator highly for his work in this matter.

Mr. CURTIS. I thank the Senator from Mississippi.

Mr. STENNIS. I wish to add a word to what has been said with regard to the agricultural research program, in which utilization and unit cost feature have been emphasized. I point out that it is still true that the production of agricultural commodities needs to have continuing research programs, not especially at the present time for increasing yields, perhaps, but, as the chairman of the subcommittee pointed out a few minutes ago, for improving the quality of the products grown. As he stated, perhaps 90 percent of the wheat grown in States like North Dakota is grown from a species of seed which has been developed within the past 4 years through production research, although it was chiefly produced in order to obtain rust and disease resistance. These programs should be continued in order to improve production which will always have an important place in agriculture.

I regret that even though the chairman of the subcommittee offered an amendment and led the fight in the subcommittee for an increase in funds, the amount for agricultural research for State experiment stations in sustaining a 10-percent decrease under the budget estimate. Perhaps that is the largest decrease of any program of its kind which we have passed on to date.

This year Congress will be called upon to appropriate more than $4 billion for military research. The fact that that amount is appropriated for military research and development does not justify any particular figure for agricultural research, but it certainly proves that the Nation is able to provide the money.

One thing that can be said with reference to the decrease is that for 2 consecutive years there had been an appreciable increase in funds for agricultural research, and that an enlarged program has been put into effect. It is now a going concern. I hope the decrease now will not mean—and I do not feel it will mean—an abandonment of the program or that it will be curtailed in future years. I think the record ought to be made clear on that point now.

The same is true of the Extension Service, which is sustaining an appreciable decrease under the budget estimate, although the amount is being increased in the Senate version of the bill over the House version.

I hope that decrease does not indicate that we are to abandon the expanded program in any way. We have increased the Extension Service funds in recent years. It must be continued on a broader and broader scale each year; and I certainly hope the expansion of the program will be continued, as it is more justified.

Mr. RUSSELL. Mr. President, I wish to say that I have never known a more ardent supporter of the State research experiment stations and the Extension Service than the distinguished Senator from Mississippi. Regardless of whatever action the committee may take in the future in respect to these appropriations, I can assure the Senate that votes will be taken on motions which will be made by the distinguished Senator from Mississipi, and which I am quite confident I shall be able to support, to see to it that this very important work is properly maintained.

Mr. STENNIS. I thank the Senator from Georgia. I merely wanted the RECORD to show that there is strong sentiment for a continuation of the enlarged programs for both the Extension Service and for agricultural research.

ACREAGE RESERVE PHASE OF THE SOIL BANK

Mr. President, the acreage reserve phase of the soil-bank program is not

the correct approach to our basic agricultural problem. The farm program as a whole will rue the day it was forced into a system of awarding Federal payments for failing to plant or cultivate land. A full reappraisal of this program, and particularly its effect on farm income and its impacts on the local economy, is urgently needed. While the short-run money gains of this program are tempting, I believe that the farmers who continue to cultivate and improve their land will not only be better off in the long run, but will help out other segments of the local economy who are dependent on the land. These segments include tenants, renters, merchants, bankers, ginners, and other processors at the county and community level. While I will vote for funds to operate this program for another year at a reduced level, I shall do so only because no other program is now available as a substitute. I strongly believe that the acreage reserve should be systematically abolished.

The commitments of large acreages of land placed in the acreage-reserve program will encourage inefficiency, disrupt the balance of our local economy, and will in the end bring strong criticism of the agricultural program. A large part of the total budget request for the entire Department of Agriculture for fiscal year 1958 is for the acreage reserve; and even with this great expenditure to encourage idle acres, the Secretary of Agriculture has predicted that the acreage allotment for cotton in 1959 will be 3.5 million acres less than we have in the current year. This level of acreage would be far too low for economic survival of the cotton farmer and the cotton industry. This is clear admission on the part of the Department of Agriculture that the acreage-reserve program will not work and that it does not provide a sound approach to our basic problem.

The most serious threat of a program of this nature is that it encourages idle acres, without adequate safeguards for sound conservation measures, and in the final analysis it will tempt farmers to sell their homesteads. Land values are increasing, and will continue to become more valuable as population increases. Many rural communities at the present are experiencing widespread shifts in land ownership. Farms are getting fewer and larger; and as this pattern develops, local stores, banks, and merchants will feel the full impact of fewer customers. Special attention must be given to reappraising our present program with the objective of encouraging full utilization of all land from the standpoint of restoring fertility and increasing income. The acreage reserve program could make a much greater contribution to agriculture by using at least a part of the funds for meeting competition and stimulating expanded markets for agricultural products, and thereby increasing acres.

I shall vote for the appropriations for this program for 1958 with the full hope and belief that a substitute program will have to replace the acreage reserve after 1958.

CONSERVATION RESERVE PHASE OF THE SOIL BANK

The conservation reserve part of the soil bank is a more constructive measure, since it is an investment in terms of the future, and will give long-range benefits to each individual participating. This phase of the program, however, needs to reach more of our small and family-size farmers. It is these small landowners who have the most difficult problem of idle acres and erosion.

Mr. WILEY. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER (Mr. EASTLAND in the chair). Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. RUSSELL. I am delighted to yield to the Senator from Wisconsin.

Mr. WILEY. I wish to join the other Members of the Senate who have complimented the distinguished Senator from Georgia. I always listen with profit and with great interest to what he has to say, because he has a logical mind, and he always records the facts.

Mr. RUSSELL. Mr. President, the Senator from Wisconsin flatters me beyond my deserts; but I appreciate it, nevertheless.

Mr. WILEY. No, Mr. President, I do not flatter the Senator from Georgia; what I have said is the general consensus of all the other Members of the Senate. I am not in the habit of speaking carelessly or, as the saying is, "throwing bouquets." Instead, I am in the habit of stating facts.

Let me say, first, that I was interested in the discussion regarding research. I am satisfied that the answer lies in that direction. In Wisconsin, 18 billion pounds of milk are produced. In the Southland, oleomargarine has taken up to 50 percent or more of the spread market.

Mr. RUSSELL. I may say to the Senator from Wisconsin that the Southland is not responsible for all of that, because the soybean production in Illinois has also contributed largely to the production of oleomargarine.

Mr. WILEY. I agree. I was referring to oleomargarine only as an example. The increased use of oleomargarine has curtailed the market for butter and, consequently, the market for milk.

The Senator from Georgia remembers that last year I introduced a bill—and I expect to introduce a similar bill this year—providing for the establishment in Madison, Wis., which, after all, is the milk center of America, of a research laboratory. When I consider the miracles which have been accomplished regarding the utilization of corn, I realize that we have only touched the surface in the case of what can be done with the constituents of milk. For instance, I have a friend who makes what I regard as the most delicious candy made in the United States; and in making the candy, he uses, for 40 percent of the candy, processed cheese. It makes excellent candy, as I can testify, for I have eaten samples of it. That is only an indication of what can be done in utilizing the constituents of milk and their products.

The cow has been called the mother of the race; and I believe it obvious that from milk it is possible to obtain extremely important products which can be utilized in many ways. As a result, I believe it will be found that the farm income in the State of Wisconsin can be greatly increased; and in that case there would be no need for the Government to provide any form of direct or indirect subsidy.

I may say that many groups are experimenting in respect to the utilization of milk. Other industrial groups are experimenting with wheat, specifically.

Certainly a laboratory which would concentrate upon research on milk, should be established. If it is established, I believe the answer to the problem will be found.

In connection with the vast production of milk, which is increasing all over America, I think various matters must be considered. First, we must consider how to increase consumption.

The other day I read a newspaper account which stated that in the metropolitan area of Washington, D. C., 50,000 persons will receive food assistance. Think of that, Mr. President. However, the milk produced in Wisconsin cannot be shipped into Washington, D. C.; certain barriers prevent that. Therefore, increased consumption must be provided for, in the first place; and, in the second place, better distribution must be arranged; and, in the third place, utilization programs of the type we have been discussing must be provided.

The distinguished Senator from Minnesota addressed himself to a problem which is quite general, although it is particularly localized in Wisconsin. In the western part of Wisconsin, bordering the Mississippi River, there are hills; and on the farms in that area, great gullies are virtually stealing the top soil.

Previous appropriation bills have included a limitation of $1,500 on the amount which could be used for gully control. That program worked well when a dollar was worth a dollar. However, today a dollar is worth only fifty cents. Last year approximately 89 gully-control projects of that type in Wisconsin could not be commenced because of the $1,500 limitation. In 1955, Wisconsin returned to the fund $1,758,000; and in 1956, Wisconsin returned to the fund $750,000.

Recognizing the seriousness of the soil-erosion situation, the House of Representatives has voted—as stated by the Senator from Minnesota—a maximum limitation of $2,500. That will not cost the Government anything; but it will make possible the development of the 89 projects which are for the purpose of preventing the erosion of the top soil in the western part of Wisconsin into the Mississippi River and its tributaries.

Therefore, Mr. President, I hope the Senator from Georgia will give most earnest consideration to the provision voted by the House of Representatives.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement on this subject made by Representative JOHNSON. In his statement he quoted certain Wisconsin officials. The statement appears on page 7018 of the CONGRESSIONAL RECORD of May 15. Representative JOHNSON described very fully the situation, and quoted from conservation officials in Wisconsin.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. JOHNSON. Mr. Chairman, I rise in opposition to the amendment striking out the figure $2,500, lowering the present limitation in the bill before us.

I am principally interested in seeing the limitation left as it is in the bill so that more work can be done on gully control structures in States with a topography like we have in western Wisconsin. The present limitation was established at a time when construction costs were considerably less than they are today. People active in this work in Wisconsin tell me that the limitation is blocking gully control work because of increasd costs. An incomplete survey in Wisconsin shows that 89 projects for gully control were not started last year because, under the present limitation in the law, the Government could not enter into the construction beyond the $1,500 figure.

Many of the farms and hilly areas of western Wisconsin and other States with similar topography are unable to progress any further with soil conservation work unless the amount allowed for gully-dam construction is increased. The old $1,500 limitation accounts for the fact that many States are not using the total ACP appropriation. Wisconsin returned $1,758,000 in 1955, and the preliminary figure for the year 1956 shows that the State returned $750,000.

In speaking to people engaged in soil-conservation work, I was told that for a number of years it has been impossible for the State to proceed with major gully-control work because of this provision in the law. They told me that if this exception were not included in the law, they would be able to go into the various watersheds, do part of the gully-control work on individual farms and, when the total project came up for planning, the cost-benefit ratio would come out favorably and the project would be eligible for Federal assistance.

I believe every member of this committee is aware that, if this condition is permitted to exist, areas where the gullies have made such headway will be without value for future farming operations and we will have a country similar to China, where soil erosion was permitted to run rampant for centuries. The gullies I refer to in my district have made such headway that, even if the farmers follow the conservation practices set up for them, they are unable to retard these large gullies from making further advances through the valleys without doing special gully-control work.

Let me quote from letters I have received from Wisconsin soil-conservation leaders concerning the price limitation. The first statement is from Mr. Henry E. Graff, chairman of the Eau Claire County board, and Mr. Arthur Donaldson, chairman of the Eau Claire County agricultural committee:

"The $1,500 limitation per farm in the AC program has deferred the installation of large control structures. Construction costs have gone up to a point where the $1,500 limitation does not provide for equitable cost sharing on large structures. It is our understanding that sizable unexpended balances from the AC program have been returned. We believe it would be far better to encourage the structure program by raising the present limitation and using at least a portion of the unexpended balance for permanent structures."

I should also like to quote from the letter of a man engaged in soil-conservation work in western Wisconsin:

"You are familiar with the rugged terrain of this area. Many of our farms have large gullies on them. In order to prevent them from spreading, it is necessary to construct earthen and mechanical structures at their heads. This sometimes runs as high as $6,000 for a single gully. The average cost is probably close to $3,000. Most of the farmers in this 6 or 7 county area cannot financially afford to spend this much on these gullies. The agricultural-conservation program of the Agricultural Conservation and Stabilization Service of the Department of Agriculture helps share the cost of these practices. The law states that the Government will pay 75 percent of the cost of these structures. However, another section of the same law states that no farm may earn over $1,500 in any 1 year. In the case of gully control structures costing $3,000, the percentage immediately falls from 75 percent to 50 percent because of the $1,500 limitation. I understand that a change in the law requires an act of Congress. I feel that the $1,500 limitation should be removed in case of structures and the 75-percent limitation alone apply."

The Dunn County Soil Conservation District annual report for 1956 also recommends a change in the law, and I shall quote in part from it:

"We would like to make one recommendation for a change in the above-mentioned ACP. We have an estimated 150 large gullies in need of gully control structures. Many of these will cost the farmers from $3,500 to $5,500 to install. Under the present ACP the Government will reimburse the farmer 75 percent of the cost of gully-control works. This is fine, but Congress has imposed a maximum payment per farm of $1,500. Under this regulation the farmer is not able to recover anywhere near 75 percent of the cost. For the benefit of the gully-control program, we would like to see the $1,500 ceiling raised to $3,500 per farm for gully-control work only. Most of our farmers find themselves in a financial stress and are unable to spend necessary money to halt large gullies which are eating into valuable cropland and in some cases building sites. In most cases, these gullies are a threat to neighboring farms as well as to public highways."

In reply to an inquiry I made of a county agent to Wisconsin, I received the following statement:

"There is one item on which we might get more done, if the ASC aid was a little more realistic. The present incentive payments on erosion control structures put in by a farmer are 75 percent of the cost, with an upper limit of $1,500. In this area, the average cost of structures has been about $3,000, and a top of around $6,000, which means that the average man only gets about 50 percent of the cost back, and in the larger ones, they would get as little as 25 percent."

This situation is not confined exclusively to my district. I am told the same problems exist in Kentucky, eastern Iowa, parts of Missouri and Nebraska, and perhaps in many other States of which I am not aware. I believe the purpose of the restriction is to prevent a few large farms from receiving large grants under the ACP, and I am in favor of this purpose. However, I would like to see the language changed so that the limitation of $1,500 for individual farmers for doing gully-control work is raised to a figure compatible with current construction costs, or excepted entirely.

Mr. WILEY. Mr. President, if my colleagues will examine the statement I have just placed in the RECORD, they will realize that this situation must be met head-on, and that it will be possible to do so without costing more money.

Mr. RUSSELL. Mr. President, I can assure the distinguished Senator from Wisconsin that, if in the conference any sound reason for increasing the amount for this item is advanced, I shall approach it with an open mind. I am not adamant about the matter. The amount had been $1,500 for many years, and no evidence whatever as to why an increase should be made was presented by the representatives of the Department or by any other witness. In view of that fact, the committee decided to use the old figure, not having knowledge of the reasons which prompted the House to vote for an increase.

Coming from Georgia, I certainly believe in preserving the assets of the Nation. If our civilization is to endure as long as the Roman Empire endured, we must pay more attention than we have heretofore paid to the conservation of our soil. Every year, a smaller number of acres is required to support a person in the United States. I believe that at the present time 3.4 tillable acres are required for each person in the United States. With the population of our country increasing at the rate of approximately 7,000 a day, it is obvious that it is essential that all our fertile land must be conserved and protected.

Mr. WILEY. I thank the Senator from Georgia. It was for the reason I have stated that the House of Representatives voted the allowance of $2,500. As I have said, many of the projects cannot be completed under the smaller allowance; and in the last 2 years large amounts of money have been returned to the Treasury, as a result of the smaller allowance.

Knowing the situation as I do, I wish to state that an increase in this item would represent the type of statesmanship the Senator from Georgia always manifests.

Mr. RUSSELL. I thank the Senator from Wisconsin.

Mr. MONRONEY. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Georgia yield to the Senator from Oklahoma?

Mr. RUSSELL. I yield.

Mr. MONRONEY. I wish to congratulate the chairman of the subcommittee on the splendid job he has done on the Soil Conservation Service items and those relating to watershed protection in the case of the upstream dams. I appreciate very much the increase the committee has recommended, even though it is not quite so large as the one we wished for. Nevertheless, we realize that the budgetary pressures are very great.

Mr. RUSSELL. I may say that those 2 or 3 items are about the only ones in the bill which received the full amount of the budget estimates.

Mr. MONRONEY. I realize that, and we appreciate very much the fact that they were not cut.

In my State and elsewhere in the Southwest we have just experienced the most devastating floods in our history.

As the distinguished chairman of the subcommittee knows, our rivers have washed hundreds of thousands of tons of sand and silt onto the fertile bottom lands through which the rivers flow. From one end of the State to the other, there has been great flood damage. In the case of Oklahoma alone, more than $50 million of damage has been done. The farmers are desperate; they wonder whether there will be any way for them to rehabilitate their land and to get rid of the sand which covers the land and to remove the large trees and logs and debris which litter the fields.

I wish to ask the distinguished Senator from Georgia whether in agricultural legislation there is authority which will permit appropriations to be made later on, to help these farmers defray a part of the cost of putting their lands back into shape.

Mr. RUSSELL. I think there is no question that there is authority for that activity, because such assistance has very properly been given in times past, when disaster as a result of flood has stricken various areas. I hold in my hand the overall law. It pertains to disaster relief. It is certainly sufficiently broad to cover almost any conceivable restoration of land damaged because of flood.

Mr. MONRONEY. Does the Senator refer to Public Law 875?

Mr. RUSSELL. Yes.

Mr. MONRONEY. That law deals, however, primarily with public agencies and not with private ones.

Mr. RUSSELL. As I understand, that is the authority which is utilized for the transfer of funds which have been appropriated for the President's disaster relief fund to the Department of Agriculture, to carry on the specific work which the Senator has in mind.

Mr. MONRONEY. Under the Department of Agriculture rules relating to soil conservation and ACP, the funds can be used to rehabilitate the land and to restore its productive capacity. Is that correct?

Mr. RUSSELL. That is correct. That is my understanding.

Mr. MONRONEY. But the floods occurred too late to enable the situation to be taken care of in the present or current appropriation bill. There are no estimates from the Department of Agriculture, are there?

Mr. RUSSELL. There is no specific request in connection with the floods which have been mentioned. Not being able to get a budget estimate, naturally the committee did not go into the field to examine the situation. Unquestionably, it is a matter which should be dealt with. I am of the opinion that there will be at least one, if not two or three, supplemental appropriation bills. If there is not sufficient authorization at the present time, such an authorization can be taken care of in a supplemental appropriation bill. As one member of the Appropriations Committee, I shall certainly lend a very sympathetic ear to any presentation which the Senator from Oklahoma may make with regard to appropriations in this field.

Mr. MONRONEY. I appreciate that assurance, because the States of Oklahoma, Texas, Louisiana, Arkansas, and parts of Missouri and Kansas are in rather desperate shape as a result of the flood conditions that now exist.

In the third supplemental appropriation bill, a copy of report on which I hold in my hand, funds in the sum of $4 million are appropriated for the Department of Agriculture for this type of work; but I understand that all but $1½ million of that will have to be reimbursed to the President's fund. Then, in another place, a reimbursement of $11,500,000 is provided in the conference report, which will also be used to reimburse the President's disaster relief fund.

Mr. RUSSELL. If the funds can be reimbursed, there is no reason why we cannot reallocate the funds for disaster. I thought that was the purpose of disaster relief funds.

Mr. MONRONEY. I am glad to hear the Senator say that, because we shall desperately need some funds which will be available to agriculture through the President's disaster relief fund, which is now depleted. It will be replenished with money through the third supplemental appropriation bill. That money again needs to be applied to agriculture so that clearing of the land can take place.

Mr. RUSSELL. I hope the administration will take cognizance of this condition and submit a regular budget estimate for necessary relief as a result of the ravages of the flood. If that is not done, I hope the Committee on Appropriations will consider the matter. Whether it is necessary to replace the President's disaster relief fund or make a direct appropriation to the Department of Agriculture, I hope some steps will be taken to alleviate this condition, which is so disastrous to the farmers. I understand in the area of flood many farmers have not even planted crops. Perhaps they are better off than those who had planted crops, because those who had planted them lost their seed, fertilizer, and labor, and the land is now covered with logs and debris. If that is not a disaster, then I am unable to understand the implications of the word.

Mr. MONRONEY. It could become a permanent disaster unless the silt and debris is removed.

UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me so that I may propound a unanimous-consent request?

Mr. RUSSELL. I yield for that purpose.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that an order be entered that when proposed to the pending bill H. R. 7441, the Agricultural and Farm Credit Administration bill for the fiscal year 1958, debate on the amendment of the Senator from South Dakota [Mr. MUNDT] striking out, on page 28, beginning with the colon in line 17 down through the matter in line 20 and inserting a period, submitted for printing on June 10, 1957, and lettered "B," shall be limited to 1 hour, to be equally divided and controlled, respectively, by Mr. MUNDT and the majority leader: *Provided*, That no amendment that is not germane to the provisions of the matter proposed to be stricken out shall be in order.

In the event any other amendment is proposed, debate shall proceed under a like arrangement as to the division and control of time.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. MUNDT. Mr. President, reserving the right to object, and I shall not object, I should like to have the majority leader give me his assurance that he will help me get a yea and nay vote on my amendment.

Mr. JOHNSON of Texas. I want to assure the Senator he will get a yea and nay vote. I do not want to assure him that I will help him get it. I have discussed it with the minority leader. The Senator will get a yea and nay vote on his amendment.

Mr. THYE. Mr. President, I just came from a committee meeting. Reserving the right to object, may I ask what the proposed agreement provides?

Mr. JOHNSON of Texas. One hour of debate on the amendment of the Senator from South Dakota, 30 minutes to a side; 1 hour on any other amendment, 30 minutes to a side; 1 hour on the bill, 30 minutes to a side.

Mr. CARLSON. Mr. President, reserving the right to object, am I to understand that the Senator from Texas has proposed a limitation of 30 minutes to a side on the Mundt amendment and a total of 1 hour on other amendments?

Mr. JOHNSON of Texas. It is the same on all amendments.

Mr. CARLSON. I shall not object to the unanimous consent request, but I think the Mundt amendment is a most important amendment so far as agriculture is concerned and so far as the conservation reserve program is concerned.

Mr. JOHNSON of Texas. I asked the Senator from South Dakota to suggest the amount of time he would like to have, and the consent request was formulated with his full knowledge and approval.

Mr. CARLSON. If the Senator from South Dakota is willing to accept it, I am, of course, willing to abide by his decision, but I think this is one of the most important amendments to the bill.

Mr. MUNDT. I agree with the Senator. I shall be glad to allocate some time to him, because I do not intend to take all the time that will be allotted to me.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? If not, the unanimous-consent agreement is entered.

Mr. CARLSON. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield to the Senator from Kansas.

Mr. CARLSON. I did not wish to let this opportunity pass without paying tribute to the very distinguished and able Senator from Georgia. Agriculture is in good hands when he is in charge of bills pertaining to it. I share the views

expressed by the Senator from Mississippi [Mr. STENNIS] on the items having to do with agricultural research, experiment stations, and extension work. I know the chairman of the subcommittee has been as generous as he thinks he could be under the circumstances. I have listened to the debate this afternoon. I sincerely hope this is not the beginning of a program of reducing appropriations for these important agencies.

Mr. RUSSELL. I can assure the Senator that if there is any reduction in these appropriations, it will be over my vigorous protest.

Mr. CARLSON. That is the reason I said agriculture is in good hands.

Mr. RUSSELL. I appreciate the commendatory remarks of the Senator from Kansas.

Mr. CARLSON. I should like to ask one or two questions in order to obtain explanations. I have read the committee report. I notice about 3 pages are devoted to the soil and water conservation programs. Some of that I do not understand; and maybe that is expressing it mildly.

One question I should like to ask is, what has happened to the water facilities program under the bill, and what will happen to it.

Mr. RUSSELL. I will say to the distinguished Senator that the water facilities program is one of the few items in the bill which has received an increase over the appropriation for the current year. The appropriations for the watershed protection for the present fiscal year are $17.5 million. This bill, as presented to the Senate, carries $25.5 million.

There is a carryover of about $4½ million in that item, but the item received the full amount of the budget estimate, including an increase of some $8 million.

Mr. CARLSON. One of the things which concerned me, if I may say so, was the provision on page 6, which reads:

Provided further, That the unexpended balances of appropriations heretofore made for "Watershed protection," "Flood prevention," and "Water conservation and utilization projects" shall be merged with this appropriation.

Mr. RUSSELL. Permit me to say to the Senator that when this bill was considered in the other body they undertook to merge the appropriations for the agricultural conservation program, the old soil conservation program, the conservation reserve under the soil bank, the watershed program, the Soil Conservation Service, the small dam program, the Great Plains program—a total of budget activities for which budget estimates of $668½ million were submitted. In order to bring about a reduction in the bill, the House lumped them all together and made a lump sum appropriation of $535 million to meet budget estimates of $668½ million.

The Department, be it said to its credit, did not wish to merge the appropriations, which would certainly diminish the ability of the Congress to keep in contact with the programs, by doing away with line item appropriations. We restored the separation of these appropriations and made a specific appropriation for each activity.

In the bill the Senator will find language following the precedents of the past, which make line item appropriations instead of lump-sum appropriations.

I wish to be perfectly frank. We had great good luck. The funds which were estimated for the soil conservation reserve were not all used. I think that was primarily due to the fact that the acreage reserve was given greater priority, and more emphasis was placed upon it. There was about $100 million which was not needed to meet the payments under the conservation reserve program, and by virtue of that fact we were able to allow the full amount of the budget estimates, including the soil conservation service, the pilot plant projects, the conservation districts, and other activities.

Mr. CARLSON. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. CARLSON. I wish to state I sincerely hope that the views of the Senate committee, which I trust will be the views of the Senate, prevail in the conference. I think it is most important that we keep these appropriations separate and tied to their individual programs.

Mr. RUSSELL. There is no way the Congress can possibly control the programs, and determine which programs should be expanded and which programs should be diminished, unless we have line item appropriations, where they are separated. If we lump them all together we transfer any authority we might exercise to the Department of Agriculture.

Mr. CARLSON. Yes. I wish to say I appreciate very much the views of the chairman on this item. I know of no program which is more important to the great Midwest than the control of water at the source. It affects conservation and the growth of that section industrially and agriculturally, through holding back a volume of water which can be used for beneficial purposes. I sincerely hope that the funds will be sufficient to carry on that fine program.

Mr. RUSSELL. I believe the funds will be adequate. As I stated, there was a carryover. All the funds were not used, and we have a carryover for the present year, although the program is increasing and is popular.

The Senator did not refer to the amount of flood damage which was eliminated by carrying on this program where the water arises.

Mr. CARLSON. I appreciate the Senator's comment.

Mr. THYE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the distinguished Senator from Minnesota.

Mr. THYE. Mr. President, I wish to commend the distinguished Sentor from Georgia, the chairman of the Agriculture Subcommittee of the Committee on Appriations. As a member of the Senate Committee on Appropriations, I am quite familiar with the amount of detailed hearing work that was involved in developing the information which enabled this bill to be brought to the Senate floor.

There are several phases of this appropriation bill which are most constructive. One of the programs for which the bill provides is the rural-development program. That promises a great deal of future benefit to the areas of the Nation where farm income is at a minimum.

I know in northern Minnesota, in the cut over area, this program is being developed, and it holds promise of increasing income and making it possible for the farmers to stay on the small farms in that part of the State. That is true also of northern Wisconsin and Michigan, as well as some of the Southern States.

Another desirable feature, of course, is the restoration of funds for the acreage-reserve program of the soil bank. It would have been a serious mistake if the Senate had not reinstated those funds, because we did not have a history of complete operation for a full year under the acreage-reserve program. If any program will reduce farm surpluses and also conserve the fertility of our land, it is the soil-bank program with its conservation and acreage-reserve aspects.

The able and distinguished chairman of the subcommittee, the Senator from Georgia [Mr. RUSSELL], did a very successful job in piloting that provision of the appropriation bill through the Appropriations Committee.

There was one other phase of the appropriation bill with which I was disappointed, and that was the restriction of $7.50 per acre under the conservation phase of the soil bank. I think that is a mistake. I do not believe we have a sufficient history so that we can justly criticize the Department of Agriculture in its administrative handling of the conservation reserve phase of our soil-bank program. With this restriction being imposed, it appears as though we are criticizing the Department. It appears as though we are restricting its future operations.

I hope the amendment offered by the distinguished Senator from South Dakota [Mr. MUNDT] will prevail. That will remove the restriction.

Other than that restriction, Mr. President, I would say that this is a very good agricultural appropriation bill. It promises to continue the administrative functions of Public Law 480 in disposing of our surplus agricultural commodities and products.

Those two phases, the soil bank and Public Law 480, represent the only certainty that the farm economy is going to be improved in the future. Those two phases of this appropriation bill hold out hope for agriculture that they will bring the agricultural economy into balance with the rest of the Nation's economy, which is at an all-time high.

Again I commend the distinguished Senator from Georgia for his most constructive and able chairmanship of the subcommittee which handled the agricultural appropriation bill.

Mr. RUSSELL. I am very grateful to the distinguished Senator for his kind

comment, and for the very fine assistance he always renders as a member of the Appropriations Committee.

Mr. NEUBERGER. Mr. President, I wish to comment comparatively briefly on the bill.

First, I have been favorably impressed with the adroitness and knowledge with which the chairman of the subcommittee has handled the rather difficult and complicated questions that have been addressed to him.

I was particularly interested in the discussion earlier today, when the distinguished senior Senator from Indiana [Mr. CAPEHART] was raising the question of additional funds for the use of agricultural products for industrial purposes. This particular issue reminded me of a letter which had been sent back in February to the senior Senator from Oregon [Mr. MORSE], a copy of which was sent to me, by one of the most distinguished educators and agricultural economists in my State. I refer to Dr. A. L. Strand, president of Oregon State College.

In this letter Dr. Strand emphasized the fact that the increased use of agricultural products for industrial purposes can, in many instances, be a mirage, and that it can actually divert us from the need for increased research, by which the farmer's methods can be made more effective, and as a result of which agricultural products can be used for their primary purpose, which is to feed the people of our Nation and some of the rest of the world.

I should like to include in the RECORD, if I may, because this subject was discussed earlier today, the letter which came to the senior Senator from Oregon and myself in February 1957, from the very eminent educator and agricultural expert to whom I have referred, Dr. A. L. Strand, president of Oregon State College. This should be of real interest to my colleagues.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OREGON STATE COLLEGE,
Corvallis, Oreg., February 12, 1957.
Senator WAYNE MORSE,
Washington, D. C.

DEAR SENATOR MORSE: I'm glad your name is not on CAPEHART'S Senate bill 724 to establish "an Industrial Agricultural Producta Administration."

The expenditures of the Federal Government are high enough, without running another $100 million into a blind alley each year.

How many times does it have to be demonstrated that farmers are not going to profit from the industrial use of agricultural products? Alcohol from potatoes, corn, etc., is uneconomic. Alcohol can be made so cheaply from sugar wastes that this established method can drive any other method out of the market unless it has a subsidy. Does this administration intend to go into subsidies to promote the use of agricultural products? The scientific truth that stands in the way of any large success of this bill is that carbon-hydrogen-oxygen chains are available to industry through cheap and constantly available nonagricultural materials (coal, petroleum). Through my association with the Quaker Oats Co. for 25 years, I observed the development of furfural which is used in the dewaxing of automotive fuels, the manufacture of nylon, etc. At first it was made from oat hulls. That worked for a while, as long as oat hulls were worth only $2.50 per ton for fuel. When oat hulls came into demand for livestock feeds they were worth fifteen to twenty dollars per ton. The return through furfural was about $8 or $8.50. And so the company turned to cottonseed hulls and finally to corncobs, which are the basic material now. But the farmers never got a cent more for their oats or corn on account of furfural. That was not because of any unfairness on the part of the manufacturer; he just can't pay more. The gathering of corncobs requires some labor, and this throws some money into agricultural communities, but not much.

If this proposed new agency is established, exempt from civil service, it will rob the USDA and our institutions of scientific personnel who are producing now. Such a raid at this time would be very unfortunate for even a good cause, but to raid us to launch a dead duck.

This is a Wallingford promoters' bill to fool the farmers and make them believe something great is being done for them. Remember the starch promoters who took in the Grange in Washington and would have nicked Oregon, too, if our organization hadn't stopped it.

Sincerely,

A. L. STRAND,
President.

Mr. NEUBERGER. Mr. President, I understand that the 1958 budget estimates for the Department of Agriculture included $34,003,708 for the subappropriation "Payments to States, Hawaii, Alaska, and Puerto Rico," an increase of $4,500,000 over the current appropriation of $29,503,708. However, the House bill disallowed this increase, but $1 million has been restored by the Senate Appropriations Committee.

The budget increase was recommended in order, first, to meet rising costs of research under this appropriation; and second, initiate new projects and expand some already under way. The fields of research covered by the proposed increase are crop production, plant diseases and insects, animal production, animal diseases and parasites, water use and conservation, soils and fertilizers, agricultural economics, farm mechanization and structures, marketing and utilization, home economics, and forest crop production. The various States have a heavy backlog of urgent requests for research on State and local problems in these fields.

Present research on many major problems facing the American farmer are not adequate to meet his needs or to arrive at a solution at an early date. Because of differing climate, soil, market outlets, and other local conditions, each State has distinct problems of production and marketing of crops and livestock which can best be solved by the States, or cooperatively by two or more interested States. Such research is supplementary to the national and regional interests of the Department of Agriculture. To foster research between these two interdependent groups, Federal-grant funds have been appropriated for many years. Under this program the States provide about three times the amount of funds provided by Federal grants. While the majority of grant funds must be matched by States, most of them more than match the Federal portion.

If there is no increase in the appropriation, it will not only be impossible to conduct the additional research which is needed, but rising costs of research will necessitate a reduction in research at State agriculture experiment stations from present levels.

The great importance of agriculture research has been emphasized in letters and telegrams I have received from Oregon in recent days and weeks. In a letter, F. L. Ballard, associate director of extension at Oregon State College, Corvallis, Oreg., explains that State and local interests are increasing their contributions to research.

Industry for example, is increasing its investment in research every year. A letter from F. E. Price, dean and director of Agriculture at Oregon State College, addressed to each member of the Oregon delegation, contains a table from the April 27 issue of Business Week. I ask unanimous consent, Mr. President, to have that letter included in the CONGRESSIONAL RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OREGON STATE COLLEGE,
Corvallis, Oreg., May 13, 1957.
OREGON DELEGATION,
United States Senate, House of Representatives, Washington, D. C.

MRS. GREEN AND GENTLEMEN: When I read the following table as regards research spending by private industry, I thought of Oregon's delegation who are confronted with the question of supporting or not supporting additional Federal funds for agricultural research. The following figures, taken from the April 27 issue of Business Week, indicate that United States private industry plans to boost its spending on research by 50 percent in the next 4 years. You will also note that they have made a substantial increase in 1957 over 1956:

Research spending aims at $9,000,000,000 a year by 1960

[Millions of dollars]

	1956	1957	1960 planned
Primary metals	97.9	109.6	145.8
Machinery	506.2	577.1	704.1
Electrical equipment	1,148.9	1,309.7	1,637.1
Aircraft and parts	1,557.8	2,274.4	3,161.4
Fabricated metal products and ordnance	165.2	173.5	209.9
Professional and scientific instruments	252.1	300.0	453.0
Chemicals and allied products	497.8	527.7	617.4
Paper and allied products	42.8	47.9	57.5
Rubber products	73.1	81.9	95.0
Stone, clay, and glass	58.5	66.1	80.6
Petroleum products	204.8	225.3	277.1
Food and kindred products	76.0	85.1	96.2
Textile mill products and apparel	33.8	36.5	42.3
Other manufacturing	1,071.2	1,156.9	1,272.6
All manufacturing	5,780.1	6,971.7	8,850.0
Nonmanufacturing indust. ies	310.4	347.1	418.8
All industries	6,093.5	7,318.8	9,268.8

Source: Base statistics (1953), National Science Foundation.

We have many problems relating to production efficiency and methods of reducing costs of production which can only be undertaken when additional funds are available, as we are working on as many of these as we can with present funds. In behalf of Oregon agriculture, I hope that you will see fit to support appropriations for additional agricultural research.

Very truly yours,

F. E. PRICE,
Dean and Director of Agriculture.

Mr. NEUBERGER. Mr. President, the Oregon Potato Council in a recent wire warned of new potato diseases of a serious nature and still unnamed which threaten the yield and quality.

In certain sections of Oregon the growing of bulbs is an important phase of our agriculture. A letter from Mr. Carl A. DuBosh, president of the bulb growers, stresses the need for research of they are to meet competition from the bulb industry of Holland.

Lyle W. Hammack, who is a prominent figure in the Oregon dairy industry, writes:

Most certainly the tax burden on business today is really becoming a problem. However, Dick, it seems to me unwise to cut appropriations that are designed for research that does ultimately produce new wealth in economy.

Phil Farrel, president of the Oregon Seed Growers League, emphasizes the same thought in saying:

This organization believes that in economy moves we should make a distinction between money that will increase our income, and money that, once spent, is gone forever.

His letter tells of a study of wild bees, important for the pollinization of seed crops, which may languish because the cut in the budget request will deny the $1,500 matching funds they require. This is a small investment in an Oregon agriculture industry whose sales last year were in excess of $20 million.

Roy Stevenson, president of the Oregon Weed Conference, has added his organization's support for greater investments for research. He writes that "weed control is the biggest production problem confronting the American farmer," and he explains that their effective work depends on the testing program carried on by the local experiment stations assisted by Federal Research funds.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks several illuminating telegrams which I have received from leaders in agriculture in my State.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

KLAMATH FALLS, OREG., *June 7, 1957.*
Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Request that you do everything possible to restore to the budget the recommended funds for support for agricultural research work at the land-grant colleges. This is necessary to forestall a curtailment of agricultural experimental work which is of great value to our agricultural development.

Respectfully yours,

KLAMATH COUNTY COURT.
C. MACK, *County Judge.*
E. W. GOWEN, *Commissioner.*
JERRY RAJNUS, *Commissioner.*

KLAMATH FALLS, OREG., *June 10, 1957.*
Senator RICHARD NEUBERGER,
Senate Office Building,
Washington, D. C.:

Urgently request restoration of $4½ million in current budget for agricultural research vitally important to the future welfare of our farmers.

FRANK G. HOWARD,
President, Klamath Basin Water Users Protective Association.

NYSSA, OREG., *June 10, 1957.*
Senator RICHARD NEUBERGER,
Senate Office Building,
Washington, D. C.:

We strongly urge restoration of $4 million for agricultural research. Our agricultural economy is more dependent now that ever before on research.

PAUL HOUSE,
President, Oregon Reclamation Congress.

Mr. NEUBERGER. Mr. President, the research committee of the National Association of Wheat Growers in a report given by the committee chairman, Floyd Root, of Wasco, Oreg., on the occasion of their annual meeting in Lincoln, Nebr., this past February, included the following significant paragraph:

This committee recognized that major improvement in the status of agricultural research in general, and of wheat research in particular, has been largely due to the combined efforts of several commodity groups interested in effecting increased appropriations for such research. Therefore, this committee recommends that the NAWG continue and expand its efforts toward increased total appropriations for agricultural research with full recognition for the research needs of other segments of agriculture.

I have made these references to the thinking of Oregon agricultural leaders, Mr. President, to indicate that representative opinion in Oregon approves a more generous support of agriculture research. The wisdom of such an investment is confirmed in messages from those so closely identified with the industry.

Mr. President, I should like to ask several brief questions of the able chairman of the subcommittee.

I am sure the chairman realizes that some States do not benefit as much as do other States from the various price-support and soil-bank programs of the Department of Agriculture and of the Congress. I happen to help represent a State which, with the sole exception of the wheat crop in eastern Oregon, raises very few agricultural commodities which come under the price-support umbrella, or are included within the various phases of the soil-bank program. If I am not mistaken, as of Decemeber 31, 1956, farmers in our State have received only $170,000 under the soil-bank program, which the chairman realizes is a very small sum.

Mr. RUSSELL. It is my understanding that the soil-bank program, particularly the conservation reserve phase of it, is open to States without regard to the type of agriculture within any State.

Mr. NEUBERGER. That is true.

Mr. RUSSELL. The degree of participation varies greatly, but some States receive practically nothing. In the State of Nevada I believe there was perhaps one contract.

Mr. NEUBERGER. It so happens that comparatively small farm acreages, with crops of a diversified nature, have at least not lent themselves to the various aspects of the soil-bank program.

Mr. RUSSELL. The Senator is correct; and they will not share in the most remunerative part of it, namely, the acreage reserve program, because that is limited to the basic commodities.

Mr. NEUBERGER. That is correct. I am sure the distinguished chairman of the subcommittee, whose knowledge and experience in this field are far greater than mine, will agree that there are certain States which, because of the general structure of their agricultural economy—that is to say, comparatively small farm acreages with crops of a highly diversified nature—have not thus far adapted themselves to the price-support program or to the soil-bank program.

Mr. RUSSELL. That is certainly true; and, of course, the acreage reserve program has been peculiarly applicable to the corn areas. Up until now they have received the lion's share of the fund, and will do so this year.

Mr. NEUBERGER. Corn is king under the acreage reserve program.

Mr. RUSSELL. There is no question about it.

Mr. NEUBERGER. I know that the chairman of the subcommittee realizes that there is absolutely no criticism of him implicit in anything I have said.

Mr. RUSSELL. I must disclaim any responsibility for the basic legislation creating the soil-bank program.

Mr. NEUBERGER. I realize that.

Mr. RUSSELL. Members of the Congress generally labored for many weeks undertaking to get an agricultural program across that was wise. Despite all the inherent difficulties involved in trying to reconcile the basic crops as well as the areas to which the Senator from Oregon refers, we finally did get a bill; but the President dashed the work of art on which we had labored for so many months to the floor and crushed it with one stroke of the pen.

Then we were confronted with the problem of the soil bank or nothing. I took the soil bank rather than nothing. Otherwise I saw no advantages whatever in the program.

Mr. NEUBERGER. I am aware of the emergency circumstances which confronted the leaders in the Senate and in the House when the soil bank program came before them, after the President had vetoed the original farm bill.

The meat of the coconut is this: I am sure the chairman of the subcommittee realizes that in many States, which have been outside the major farm programs, one of the few direct ways in which agriculture can benefit is from research carried on at the college experiment stations and elsewhere. I know that the chairman of the subcommittee has been a supporter of these research activities, but he is likewise aware of the concern which has been felt throughout many farm States because of the cut in research appropriations.

Mr. RUSSELL. Let us keep the record straight. There has been no cut in research appropriations. The bill before us, as reported from the committee, would appropriate more money for State experiment research stations than has ever been appropriated in the history of the United States. We did not allow the full amount of the budget estimate. There has been an increase of 133 per cent in appropriations for State experiment research stations during the past 5 years, or since 1952. I am not satisfied with the appropriation in the bill, but there is no reduction. We could not get the full amount of the budget estimate.

Mr. NEUBERGER. There are certain necessary programs which had been contemplated, and which, because of the size of the appropriation, however much it may be, still will have to be curtailed to some extent, in view of the plans which have been made previously. The full budget recommendation has not been granted. The telegrams which the senior Senator from Oregon and I have received have so indicated.

Mr. RUSSELL. Any plan which was based upon the full budget estimate might be somewhat curtailed.

Mr. NEUBERGER. The only assurance I seek from the chairman of the subcommittee—if it is compatible with his own ideas to give it—is that there is no thought now, and there will be no thought in the future, that these important research programs undertaken by the Department of Agriculture through the experiment stations and in other ways, are to be diminished or curtailed substantially in any way.

Mr. RUSSELL. Certainly the Senator from Georgia would stand on his feet in the Senate, and fight as long as he could stand, against any reduction in this program. There is ofttimes a difference as to the amount by which it is possible to increase them. This happens to be a year of austerity with reference to the national budget. Under ordinary circumstances there is not great difficulty in securing appropriations for the Extension Service and for the State experiment stations. We have been very successful, particularly in the Senate, with respect to that field of endeavor. We have been privileged to allow very large increases during recent years.

Certainly no cutback has been effected that I know of, or that is contemplated at all. I hope that come next year we may move forward with accelerated speed. However, this year is not the most advantageous year to ask to move forward in this field. That is my judgment.

Mr. NEUBERGER. I desire to thank the Senator for his assurances. I again wish to emphasize that I agreed with him completely when he expressed some reservations and doubts about the appropriation of vast sums of money for industrial uses of farm products.

I believe, however, that we should concentrate to a great degree in trying to increase the efficiency of our farms and the efficiency of our agricultural production, and to increase the use of those commodities for food purposes.

Mr. RUSSELL. If we cannot do something to bring about a reduction in the unit cost of production of all farm commodities, as well as obtain other uses for farm products, the American farmer is on the way of the dodo.

Mr. NEUBERGER. Certainly so far as the family-size farm is concerned.

Mr. RUSSELL. Yes; I have in mind the family-size farm. We will eventually have these great corporate farms that will be able to operate. After we have eliminated the family-size farms there will be the large farms, or corporate-size farms, which will be able to operate and expand with the increase in our population. However, the family-size farm has already diminished in numbers in many areas of our country. If that trend continues, the family-size farmer will be eliminated.

Mr. NEUBERGER. If that happens, the family-size farm will be replaced by an impersonal enterprise, almost as impersonal as the Soviet type collective farm.

Mr. RUSSELL. I cannot think of anything which would be more calculated to impair the spiritual and physical strength of the country than the elimination of the farm boy on the individual size farm, with his home on the land. If we ever degenerate to a corporate agricultural system, and if that is all we will have, we will have eliminated something from this country that has contributed more than any other single factor to the upbuilding.

Mr. NEUBERGER. I could not concur more completely with the Senator from Georgia. In my own State already there is a saying in rural areas that there are only two ways of getting a farm. One way is to inherit a farm, and the other is to marry a farm. Most people familiar with the situation know that it is now virtually impossible in the State of Oregon, at least, for a young man to borrow money and incur a debt and to put a mortgage on the land, and have any success in being able to pay off the mortgage and eventually owning his farm outright. That is regarded as being virtually impossible today in the rural areas of my State.

Mrs. Neuberger's family happen to be dairy farmers. My mother-in-law has often told me that if the farm had not been in their family for many years, and if they did not own the farm outright, they could not possibly run it today, if they had to pay off a debt on the farm, in view of the price squeeze that they have been subjected to and the other difficulties that they must face today. Therefore they could not possibly, under such conditions, pay the interest or the principal on any debt on that farm, and still continue to retain their property. This is not a healthy situation. The family-sized farm has been the backbone of rural America. If that institution cannot successfully survive, our country will suffer. That is why I have emphasized the economic difficulties faced by Mrs. Neuberger's family on their farm in the Northwest.

Mr. RUSSELL. That situation may be more acute with respect to dairy farms, because that is a rather expensive method of farming. But I believe generally speaking it applies across the board.

Mr. NEUBERGER. That is becoming increasingly true, and it is very unfortunate. I again wish to thank the Senator for his patience and tolerance, in answering my inquiries.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. SYMINGTON. I congratulate the distinguished Senator from Georgia on the most comprehensive and intelligent bill he has brought to the floor of the Senate.

Mr. RUSSELL. I thank the Senator.

Mr. SYMINGTON. The Senator from Missouri would ask 1 or 2 questions. Does the able Senator believe the bill is primarily a bill in favor of the family-size farm; and therefore an effort to maintain that size farm as a part of the American way of life?

Mr. RUSSELL. The Senator from Missouri, as a distinguished member of the Committee on Agriculture and Forestry, knows that the bill contains appropriations to implement policies which are prescribed by law or by the Department of Agriculture. There are some phases of the bill which tend to preserve the family-size farm. I refer particularly to the Farmers' Home Administration and the Rural Electrification Administration, and some of the loan programs. However, by and large, the policies which are now being followed, generally speaking, are in my opinion completely destructive of the family-size farm. There is nothing we can do about it in an appropriation bill. It is a matter of policy.

Mr. SYMINGTON. Knowing the distinguished Senator's firm belief in the value of the family-size farm, may I ask if he believes that to the greatest extent possible this appropriation bill recognizes the importance of preserving the family-size farm?

Mr. RUSSELL. Insofar as the items that benefit the family-size farm are concerned, I have always given them priority, and I have done so this time in this bill, and the committee has done it consistently.

Mr. SYMINGTON. I thank the Senator. Inasmuch as there has been some criticism expressed in my State that the bill does not recognize the family-size farm, I am very glad to have the distinguished Senator say that to the best of his ability he has sought to give it recognition in the pending bill.

Mr. RUSSELL. Taking it as a general proposition, we know that a good law poorly administered is not so effective as a bad law well administered. This concerns a question of national policy. The basic policies must be changed if the family-size farm is to be able to survive in this world of concentration.

Mr. SYMINGTON. May I again express complete approval of what the distinguished Senator has stated, because during the years I have been in the Senate what has worried me as much as the farm policies of this administration has been the administration of those policies, in such matters as administration drought relief and administration of the county committees.

Whatever the future holds for the family-size farm—and we have now lost over a half million farm families, and over 2 million farmers, in the past 4 years—I know that the distinguished Senator from Georgia agrees that the future of these farmers depends almost as much on the administration of the policies as it does on the policies themselves.

Mr. RUSSELL. The loss to which the Senator has referred is one of the great tragedies of our era.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. COOPER. I should like to join other Senators in expressing appreciation for the work done by the senior Senator from Georgia in maintaining through this bill our agricultural programs.

Mr. RUSSELL. I thank the Senator, but I must say that I am not entitled to all this credit. I have a very able and outstanding committee, and I am merely the vehicle that undertakes to express their views.

Mr. COOPER. There has been a great deal said in the course of the debate about the small family-size farm.

I am very much interested in the rural development program—among other programs of the Department of Agriculture—because it is related to preserving the life of many small farms. I might say to the Senator that my State is in many respects similar to his State. I hope he will accept the fact of similarity of our agricultural programs.

Mr. RUSSELL. There is no question about the fact that both of us have, unfortunately, areas in our States where the income of our agriculture has been far below the average level.

Mr. COOPER. The Senator knows that in many of the counties of our States the farmers do not get much help from price-support programs, although they are protected by them, and must be protected by them. Also, many of them are not able to purchase or use the modern machinery that large farms use. Also, they are far from cities, and consequently there is not much opportunity for part-time employment by farmers.

There are three pilot projects in my State that have done outstanding work. They serve adjoining counties and in fact, our State. There is a great deal of enthusiasm about the possibilities of this program. I know the Senator has studied the program, and I should like to ask him some question about it. I should like to ask him whether he believes the total of appropriations will adequately support the future of the program.

Mr. RUSSELL. The Senator realizes, of course, that this is a rural development program, which could prove to be of great significance. It has not yet operated long enough for me to say that it is a solution for the low-income counties, but certainly it is worthy of trial. Some of the officials in the Department of Agriculture have been greatly interested in it and have promoted it as vigorously as they possibly could. The bill does not allow all that was asked for the rural development program, but it does carry almost the full amount.

Mr. COOPER. The report states that the amount has been increased by $1,764,000, but it is not clear whether for rural development or for the entire extension service.

Mr. RUSSELL. No; that is for the whole Extension Service. As I recall, the Department expected to allocate about $1,300,000 to the rural development program from a total budget estimate of about $5 million. So the committee provided that the Department could spend up to $500,000 of the $1,764,000 increase which was allowed. As a matter of fact, the rural development program got half of the actual increase.

Seven hundred and sixty thousand dollars of that money was necessary to avoid a net loss in the State Extension Service, so we allowed half of the net increase granted to the Extension Service for the rural development program.

Mr. COOPER. In the report, on page 3, I find this language:

> Not to exceed $500,000 of the increase of $1,764,000 may be expended for rural development work in States which heretofore have had no rural development program.

I understand the concern of the committee to extend the program to States which have not had the program started; but does the Senator from Georgia interpret the language to mean that this is mandatory?

Mr. RUSSELL. No; I do not. The language is:

> Not to exceed $500,000 of the increase of $1,764,000 may be expended for rural development work in States which heretofore have had no rural development program.

In the way the provision was finally worded, I do not think it is a limitation at all, although, frankly, it was proposed as a limitation. Some members of the committee raised the issue that their States did not have any rural development counties designated. My State had two such counties designated. I did not wish to seem selfish and seem to try to get more money for my State when other States did not have any. So the provision was really intended as a limitation, but I do not think, upon reading it, that it accomplishes that purpose.

Mr. COOPER. I take it, then, that the Senator's judgment is that the language could be interpreted as being a flag to the Department of Agriculture to look around, to see if it is possible to initiate new projects, but not to cripple existing programs.

Mr. RUSSELL. I interpret the language to mean that before the Department actually reinforces the work in States which have rural development programs, they shall inaugurate it in States which do not have it but which wish to have it. I understand that some 20 States have the program now, and it is proposed to install it in 25.

Certainly there is no desire on my own part to start it in more counties in my State until other States, which have had no opportunity to share in the program, have had that opportunity.

Mr. COOPER. But the committee does not mean that the work which has been started in States shall be cut back?

Mr. RUSSELL. Oh, no. This is not a cutback. Whether or not it is a limitation, the language applies only to the increase.

Information has come to me since the report was prepared that the Department does not approve of this. They say they want about $250,000 with which to go into States that have heretofore had no activity, but they want to spend some money in other States.

I can assure the Senator from Kentucky that in the conference with the other body it will be necessary, before this item shall ever be agreed to at all, to undertake to make certain that the matter is clarified so that the rural development program may secure the maximum benefit from this appropriation.

Mr. COOPER. I thank the Senator from Georgia.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HOLLAND. I may say, first, that I appreciate the frankness and also the fairness of the Senator from Georgia. My State is one which as yet does not have any rural development program in operation, but programs for two counties, the counties of Suwannee and Calhoun, have been planned and will be set up in fiscal 1958 under the decision of the committee, as was so ably explained by the Senator from Georgia.

We have no desire to preclude other States which already have rural development programs from continuing with those programs; and if the new money provided is more than adequate to meet the needs to establish programs in States which do not yet have programs, we, of course, would expect it to be used for all States alike, wherever it was needed. But we certainly feel that States which have yet felt no benefit from the program should come first. I am certain the Senator from Kentucky will agree that that is the fair and proper way to approach the program.

Mr. RUSSELL. I may say, as a matter of legislative history, for whatever it may be worth, that it was the unanimous opinion of the Committee on Appropriations that in the allocation of the increased appropriation, when and if it be secured, priority should be given to those States which heretofore had not shared in the rural development program. That was the opinion of the committee, as I understood it. But it was not intended to the exclusion of improving the program in States which now have it.

However, if it comes to the issue of giving the money to States which do not have it or expending it in States which do have it, the committee intended that priority be given to States which did not have the program.

Mr. HOLLAND. I thank the Senator. I think that approach is fair. I am certain that every Senator will agree that States which are large agricultural States, and which have not had any beginning of the program, though it is needed in some of their counties, should at least have the chance to share in it before there is expansion in States which already have the program and have profited from it in their own limits.

Mr. COOPER. I appreciate the fairness of the statements of both the Senator from Florida and the Senator from Georgia. There is another problem involved. I can understand the feeling of the people of a State needing this program, and that it should be initiated. On the other hand, I think it is worth while to point out that there are a few agricultural States in the Union which have much higher levels of agricultural development and larger incomes than others. I call back to mind the purpose of the act. It is not to divide the money

among the States, but to reach and assist needed areas, wherever they may be.

Mr. RUSSELL. That undoubtedly was the purpose of the program when it was instituted in the Department of Agriculture. I do not think it is contemplated to institute the program in some of the States.

Mr. HOLLAND. I certainly understand and agree with the philosophy of the Senator from Kentucky that the program was not to be used where it is not needed. A large part of Florida, the peninsula part of the State, is prosperous in its agricultural operations. Certainly we would not expect any program of this kind to be placed there. But that part of our State which is producing basic agricultural commodities, and frequently in very small amounts per farm, has felt the difficulties which are generally present now in areas which produce staple commodities.

Two of our counties have been chosen for these particular programs. We certainly would not expect any portion of our State which is in a prosperous condition agriculturally to be favored by having one of these programs located there.

I certainly think we are all at one on this. We want the program to be established where it is needed; we want it to work when it is established; and we want it to be established this coming year, in the first instance, in areas which have not had the benefit of it but which do have a crying need for it.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. REVERCOMB. I have listened with great interest to the discussion concerning rural development. I am drawn into the discussion by the fact that the State which I represent, in part, is very much interested in the program. Several of the pilot counties are located in West Virginia.

I do not draw from the discussion that because of the language any preference would be given to the States which have not already proceeded with the rural development programs. That would be based, as originally intended, upon the need of the locality and where the program could best be worked out.

I wish to ask the able Senator from Georgia to state the total proposed appropriation for rural development.

Mr. RUSSELL. Of course the Senator from West Virginia knows that this is an intensive program, not a nationwide program.

Mr. REVERCOMB. I understand.

Mr. RUSSELL. At the present time I believe it applies to only approximately 57 counties, of the more than 3,000 counties in the United States.

Mr. REVERCOMB. Yes; they are called pilot counties, as I recall.

Mr. RUSSELL. That is correct.

The appropriation for the current year is $2,061,000. The appropriation proposed for next year is approximately $2,900,000.

Mr. REVERCOMB. How do those appropriations compare with those in prior years?

Mr. RUSSELL. If the bill as reported by our committee to the Senate is enacted, there will be an increase of approximately $850,000 in the appropriation for the rural development program.

Mr. REVERCOMB. I thank the Senator from Georgia.

Mr. RUSSELL. That is an approximate figure; I have estimated it.

Mr. LAUSCHE. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. I have listened with great interest to the distinguished Senator from Georgia, who has said that the present farm program of the Federal Government is destructive of the small farmers of the Nation.

Mr. RUSSELL. Mr. President, I said I thought the whole trend has been one which is destructive of the small farmers. There is no doubt in my mind that we are in an age of bigness. That is causing the increase in the tempo of business. Industrial plants are becoming larger. That trend is found in all fields of activity in the Nation, and undoubtedly there is a trend toward elimination of the small farmers. All the available statistics show that is the case.

Mr. LAUSCHE. I share the apprehension of the Senator from Georgia about the impact on our society of elimination of the small farmer. My concern is that the programs thus far evolved help the big man, not the little man.

Mr. RUSSELL. I share the Senator's view.

Mr. LAUSCHE. Am I correct in understanding that, despite the repeated statements which have been made, the present soil-bank program is not working in the way expected? I understand that the bill as reported to the Senate contemplates implementing the soil bank with the funds which will be needed.

Mr. RUSSELL. Yes; within limits. Of course, for this year there is no limitation on the amount which any one producer can receive from the soil bank. I think the largest payment made was approximately $61,000, and there were a number about that size. But under the terms of the pending bill, as reported to the Senate, there is a limitation of $5,000 on the amount which any one producer can receive. That limitation is proposed because we propose that the total amount be reduced. Therefore, we propose the limitation, in order to assure that all the smaller producers will be able to participate in the program.

Mr. LAUSCHE. Yes. Does the plan undertaken by the bill, as reported by the Senate committee, differ from the plan sponsored and approved by the House of Representatives, in the case of the soil bank?

Mr. RUSSELL. The House voted to eliminate the soil bank for the fiscal year 1958, and proposed that there be no soil-bank provision.

Mr. LAUSCHE. I suppose the House did so on the basis of the statement made by the sponsor of the soil bank, the Secretary of Agriculture, and on the basis of the general experience; namely, that the soil bank is not workable and is not producing the results contemplated.

Mr. RUSSELL. I wish to say that most of that must be an estimate. The only crop in connection with which the soil bank has received any real trial, and for which we could obtain figures for consideration, has been corn. Although a very large amount of money was spent on the soil-bank program in the commercial corn area, the largest crop of corn in history was produced. From that point of view, the soil-bank program failed. But the weather conditions, and so forth, were exceedingly good.

This year we shall have a real test as to whether the soil-bank program will reduce production—which was the purpose—and yet will enable the farmer to have an income similar to the one he would have had if his regular crop had been produced. In my own view, the soil-bank program cannot be truly effective, because if a man places in the soil bank some of the acreage he normally uses for production, the tendency will be for him to improve—by means of the use of more or better fertilizer and by other means—the production on the acreage remaining to him; and, as a result, his production per acre will be increased.

So, on balance, I doubt that the program will produce the desired reduction of production, unless there are 1 or 2 bad crop years.

Mr. LAUSCHE. Then am I correct in understanding that the House has voted to eliminate completely the soil-bank program, insofar as the fiscal year 1958 is concerned?

Mr. RUSSELL. That is correct.

Mr. LAUSCHE. On the other hand, I understand that the recommendation of the Senate Subcommittee on Agricultural Appropriations is that, within certain limits, the soil-bank program be continued.

Mr. RUSSELL. We voted to direct the Department not to engage in a program exceeding $500 million for 1958. In other words, we would authorize a program of that magnitude. The House version of the bill includes language providing that there be no soil-bank program in 1958. The bill as reported by the Senate Committee on Agriculture provides that there may be a soil-bank program of not to exceed $500 million. The basic authorization was $750 million. So, the effect of the recommendation of the Senate committee is to cut $250 million from the authorization.

Mr. LAUSCHE. Let me ask the Senator from Georgia to state his opinion regarding the reason why the soil-bank program should be continued, if it has not worked well, at least in the first year.

Mr. RUSSELL. As I stated a while ago, a year's experience has been had only with corn produced in the commercial corn area.

I am not wedded to the soil bank. I am supporting the authorization included in the bill as reported to the Senate, for the year 1958, because I hope it will be a means of taking care of some small, individual farmers during that year, until the Congress can enact another farm bill. The soil-bank program has not worked out altogether well in

my own State this year. I know that many farmers have left their farms, and I know that has frequently been because of the soil-bank program. In some of the small rural communities, the business interests are suffering. When a farmer puts into the soil bank some of the land he owns, the Government compensates him very fairly. But the result is to slow down the volume of business activity in the small rural communities.

However, the soil-bank program is the only program we have in this field. I say in all frankness to the Senator from Ohio that I am far from enthusiastic about this program. I am supporting it only because it is the only program we have for the farmer for the year 1958.

Mr. LAUSCHE. Does the $5,000 limitation on the payments reflect itself in the $250 million reduction?

Mr. RUSSELL. No; not really to that extent. This year the program is for approximately $614 million. So as much as could be reflected in that way would be approximately $100 million.

Mr. LAUSCHE. Then, am I correct in understanding that the view of the Senator from Georgia regarding the soil-bank program is that it does not work well?

Mr. RUSSELL. I think it would be fairer to say that it is my judgment that it is not going to work well this year, because it has not been applied to wheat and cotton until this year, and no man can say for certain how it will work for them. It certainly did not work in the case of corn last year. In my opinion it will not be too effective in the case of wheat and cotton this year, although I may be mistaken. I have been mistaken many times in my life. I do not say it cannot work; I say it has not worked thus far.

Mr. LAUSCHE. But the House of Representatives has stated, in effect, that the soil-bank program has not worked, and the House has voted that the entire soil-bank program be eliminated; is that correct?

Mr. RUSSELL. The House of Representatives voted to eliminate the program completely. I hope the Senate will take a record vote on this item.

Mr. LAUSCHE. Is there to be a record vote on it?

Mr. RUSSELL. This is an item in the bill as reported to the Senate.

Mr. LAUSCHE. I thank the Senator from Georgia very much indeed.

Mr. MUNDT. Mr. President, I call up my amendment identified as amendment B.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 28, beginning with the colon in line 17, it is proposed to strike out all down through line 20, and insert in lieu thereof a period.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota.

The Chair would like to remind the Senator at this point that the unanimous consent which the Senate has agreed to is now in effect.

Mr. DIRKSEN. Mr. President, will the Senator yield for the purpose of my suggesting the absence of a quorum?

Mr. JOHNSON of Texas. With the understanding that the time for it be taken from both sides.

The PRESIDING OFFICER. Is there objection?

Mr. MUNDT. With the understanding that it not be charged to either side.

Mr. JOHNSON of Texas. It will not be charged against the Senator's amendment; it will be charged against the bill. We have additional time on the bill.

The PRESIDING OFFICER. With that understanding, the Clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. How much time was consumed on the quorum call?

The PRESIDING OFFICER. Six minutes.

The Senator from South Dakota has the floor.

Mr. MUNDT. Mr. President, we are operating under a unanimous consent agreement which allows 30 minutes to a side, so I ask the Chair to advise me when I have consumed 10 minutes.

My amendment, Senators, simply strikes from the bill an amendment suggested by the committee which is new, novel, and untried insofar as the conservation reserve feature of the legislation is concerned.

At the present time the bill operates against two fixed factors, the amount of money which is available, which in this bill is $350 million, and the further fixed limitation that no individual, no corporation, or no farmer shall get over $5,000 in payments from the conservation reserve phase of the soil bank.

The committee amendment, which was adopted by our committee by a vote of 8 to 11, provides a new limitation of $7.50 per acre as a national average. I opposed that limitation amendment in the committee. The amendment I now have before the Senate will repeal that unfortunate action taken by the committee.

I should like to point out, first of all, that there is not a single Senator in the Chamber who knows exactly how that committee provision is going to affect the farmers of his State, because not a single word of testimony has been taken in hearings on the subject. Nobody testified for it. Nobody testified against it. The Department of Agriculture representatives were not consulted. This is a step in a direction which, in my opinion, will make this program largely inoperative in 37 States of the Union—States like Michigan, Ohio, Illinois, Washington, Oregon, Missouri, Indiana, and New York, where the land values and the productivity are relatively high, because it eliminates consideration of the proximity of the land to an urban area, or the productivity of the ground, or the type of product raised on the soil, and arbitrarily establishes a $7.50 national average.

That is the first reason why I think the Senate of the United States should decline and refuse to gamble with the prosperity of the farmers of the States of the Union by enacting legislation of this kind, on which not a single word of testimony has been recorded and which could virtually black out entirely farmers of certain States and producers of certain products.

In the second place, I point out that the provision creates a completely unworkable, impossible administrative monstrosity, because when three constant factors are added together—the $350 million which is available, the $5,000 limitation, and then the newly proposed $7.50 per acre national limitation—I ask Senators to put themselves in the place of the person administering it. It would confound a Solomon and perplex a Plato.

The Administrator could not possibly sign up the farmers who come in from the South, the North, or the West—the farmers who would say, "How much will I get for my conservation reserve?" He would have to say to them, "We cannot tell you, until every last farmer in America, from every State and county, has applied, because we have to meet a legislative mandate and strike a $7.50 average."

Consequently it would be impossible for the farmer to come into the county office, negotiate with the county committee, and receive for the land the conservation reserve payments per acre to which he would be entitled on the basis of the productive record and economic factors involved. He would have to wait until all farmers from every area had made application since only then could the national average be determined.

The third reason we should reject this proposal, Mr. President, is that not a single nickel of economy is involved in it. We are all agreed that $350 million should be spent for the conservation reserve program, not mentioning how we are going to divide up the $350 million. Our committee was unanimous about that. Who is going to get it? That is the question. Is it going to be made available only to farmers in those States which have the cheap land, the arid land, the eroded land, where the farmers can come within the $7.50 limitation, or will it be made available to farmers all over the country? The Senator from Idaho, for example, comes from a State where there is irrigated land. Not a single acre of irrigated land could come in under this program, at $7.50 an acre as a national average.

May I point out that at the present time only one State in the Union operates with a $7 average. That is the State of Nevada. How many people were there who signed up at the $7 average in Nevada? One. One farmer signed up for a conservation reserve at a $7 average.

When we extend that to $7.50 and make it a national average we will reduce the efficiency of the program and the scope of the program, and limit it to farmers in areas where the land lacks productivity.

Mr. CURTIS. Mr. President, will the Senator yield to me?

Mr. MUNDT. I am happy to yield, briefly.

Mr. CURTIS. I thank the distinguished Senator.

The soil bank does call for considerable money. I think it is a question of how long it could be carried on financially. But so long as it is to be operated, its purpose is to reduce or lower production.

Mr. MUNDT. The Senator is correct.

Mr. CURTIS. We cannot do that by taking out of production the poor and unproductive land. If we are going materially to affect production, we will have to take out the high producing acres. We cannot do that for a minimum payment.

Mr. MUNDT. The Senator is exactly correct. It would reduce the dividends the country as a whole would receive materially from the soil bank by limiting the application of this program to the unproductive land, as the Senator from Nebraska has pointed out.

Let me point out something else to the Senate. This $7.50 provision creates a great inequality, because it means that the people who signed up for contracts in 1956 or 1957 will continue to be paid at whatever average they happened to sign up for with the local committees. However, those people signing up in 1958 and the years ahead will have to arbitrarily comply with the $7.50 national average. We will have all kinds of controversies and all kinds of confusion, with farmers within a single county being paid different amounts for the very same practices and the same type of soil. Part of them will be paid, by accident—of calendar date—having signed up earlier—the kind of payment to which they are entitled, and the other part will receive, by action of the committee, payments scaled down to meet the $7.50 national average. Where is there either logic or justice in such a program?

I will further point out that at the present time the Department of Agriculture has set up as a guidepost for itself a proposed national average of $10.11 per acre, but it is not bound by the action of Congress. That is not a legislative mandate. If the Department should find on the average that it has paid $12 or $13, or $8.44, as was actually the case this year, they can continue to increase the amounts that are offered to the people in the counties, until they can attract the land necessary for the conservation reserve, just so long as they come within the broad mandates of Congress, pay no more than $5,000 to any farmer, and expend no more than $350 million from the standpoint of the total amount.

I should like to invite the attention of Senators to page 8590 of the RECORD of yesterday, the RECORD for June 10, 1957. There Senators will observe a chart, which shows how this would affect each State and each area. There it is pointed out how the law operates at the present time. It is pointed out that the average annual payment per acre on signed contracts in almost every case—all but one, incidentally—is lower than the approved annual payment rate per acre. They are lower, because in every State there are some nondiverted acres, which are included in the contracts farmers make. The nondiverted acres are acres not planted in cropland. These are paid only 30 percent of the regular rental rate. If the $7.50 is cut down to 30 percent, it is a very small amount.

The PRESIDING OFFICER. The time the Senator from South Dakota has yielded to himself has expired.

Mr. MUNDT. I yield myself 3 additional minutes.

It is said, and rightly said, that if we adopt the $7.50 national average, that would not mean we could not put the rate up in some county and reduce it elsewhere, correspondingly. That is true, but certainly every time we offer one farmer $10 per acre to retire his land in the conservation reserve, some other farmer has to be offered, and has to accept, $5 per acre. If we offer a farmer more than $10 per acre, then some other farmer must be cut down below $5.

It has been demonstrated from the RECORD that in Nevada, which is probably not the plushiest and most productive agricultural State in the Union, where they tried to operate with a $7 average per acre, one lone Nevada farmer walked up to a county some place and signed up in the conservation reserve—one, and one only.

I say we are entitled to give this program a fair trial. We are entitled to give the administrator a chance to operate and make the program available, so that it can reduce the number of acres, provide fertility, and bank it ahead for the years to come.

Mr. President, I ask unanimous consent, at this point in my remarks, to have printed in the RECORD a carbon copy of a letter dated June 11, 1957, sent by Mr. Earl L. Butz, acting secretary, to the chairman of the subcommittee, the distinguished Senator from Georgia, the Honorable RICHARD RUSSELL, which explains some of the reasoning stated by the Department of Agriculture. I read one sentence:

We are greatly disturbed lest the $7.50 national average rate be so low as to nullify the entire program.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 11, 1957.

Hon. RICHARD RUSSELL,
United States Senate.

DEAR SENATOR RUSSELL: There are two features of the USDA appropriation bill as reported from your committee which disturb the Department seriously. This letter is written so that you may be advised of these danger points before final action is taken in the Senate. Your assistance in bringing about the changes noted is respectfully requested.

1. We appreciate very much your committee's action in raising the conservation acreage limit to $350 million. We feel that this action indicates an awareness of the need for more realistic limits, but we are greatly disturbed lest the $7.50 national average rate be so low as to nullify the entire program.

It is entirely unrealistic to have an authorization of $350 million and a $7.50 national rate. This would appear to contemplate the establishment of a 1957–58 goal of between twenty and thirty million acres ($7.50 rental rate plus the cover practices, divided into the $350 million) in contrast to the actual achievement of less than 7 million in 1956–57 with the $10.11 rate.

If we could acquire no more than 6¾ million acres toward a goal of 20 million at $10.11, it seems hardly reasonable to expect any appreciable amount with the sharply reduced figure of $7.50.

We strongly feel that this national average figure should be increased.

2. The 1957 acreage reserve program of the soil bank was based upon the authority contained in the original act of $750 million, but it resulted in a commitment of only $600 million. The administrative difficulty of operating a voluntary program such as the acreage reserve does not permit the utilization of the maximum funds available. It is therefore obvious that limiting the expenditures to $500 million would allow the actual utilization of a total figure considerably lower than that.

The administration has always taken the position that the acreage reserve program is a temporary measure, designed to bring about a sharp reduction of acreage over a short period of time. If the goal is to spend $500 million in this endeavor, then obviously in a voluntary program, the authorized ceiling must be set at a considerably higher figure. If, however, the goal is to bring about the greatest possible acreage reduction under the provision of the law, then there should be no ceiling at all, and every farmer should be given a full opportunity to share in the program if he chooses. You have seen the disappointment in the faces of farmers in your State who were turned away—and you were quick to endorse our efforts to see that all were given an opportunity to participate.

We feel that these two changes are so vital to the goals of both your committee and the Department that we respectfully solicit your support in the Senate as these measures are considered.

Sincerely yours,

EARL L. BUTZ,
Acting Secretary.

Mr. MUNDT. I do not believe that the Senate capriciously, without a word of testimony, wishes to scrap and scuttle the soil bank, or to jeopardize it to the point of nullifying the entire program.

I also ask unanimous consent, Mr. President, to have printed in the RECORD some comments on charges that the soil-bank program attracts nonfarm people to purchase farmland and place it in conservation reserve which I have had prepared because a study has been made of that, and there is no evidence that that has become in any sense a national nuisance or weakness in the program.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

COMMENTS ON CHARGES THAT SOIL-BANK PROGRAM ATTRACTS NONFARM PEOPLE TO PURCHASE FARMLAND AND PLACE IT IN CONSERVATION RESERVE

Several news and feature stories recently have charged that land has been purchased by nonfarm interests, placed in the conservation reserve, and that the annual payments during the life of the conservation reserve contract pay a large portion of the purchase price. The following facts relate to these charges.

In our free society nonfarm people are not only free to purchase land from farmers with or without a soil-bank program, but this has been done increasingly since World War I. There is little evidence to show that such purchases in 1957 ultimately are followed by conservation reserve contracts to any greater extent than land purchased and operated by active farmers. In fact, there is some evidence to the contrary.

The Department was authorized to commit up to $450 million for the 1956 conservation reserve program and the same amount for the 1957 program. Of the $900 million authorized by Congress only $124,186,000 were obligated through the April 15, 1957, closing date for signing 1957 conservation reserve contracts. If rates offered by the Department were as attractive to nonfarm people as has sometimes been charged it would seem that the programs would have resulted in the obligation of a greater percentage of the amount authorized by Congress.

Participation in the conservation reserve has been lowest near large population centers of nonfarm people and highest in strictly rural regions. For example, no conservation reserve contracts were signed in Westchester, Rockland, or Nassau Counties in New York; in Fairfield County, Conn.; or in Bergen, Passaic, Hudson, or Essex Counties, N. J., which surround New York City. Similarly, no contracts were signed in Middlesex and Norfolk Counties adjoining Boston, Mass.; only 1 contract was signed in the county in which Pittsburgh is located; 3 contracts were signed in the county of which Cleveland, Ohio, is the county seat; none were signed in the counties in which Cincinnati, St. Louis, and San Francisco are located; only 11 contracts were signed in the county of which Detroit is the county seat; Dallas County, Tex., has only 1 contract; and Los Angeles County, Calif., has only 9 contracts. In contrast to these statistics, several counties in rural up-State New York have from 100 to 162 contracts; several agricultural counties in Ohio have nearly 100 contracts; while the farming areas of Texas frequently have from 100 to over 300 contracts per county.

The attached table shows the relative unpopularity of the conservation reserve program close to urban centers:

Conservation reserve program: Contracts signed through Apr. 15, 1957, in specified metropolitan areas

City	County in which located		Contracts in all adjoining counties
	Name	Number contracts[1]	
Boston	Suffolk	None	None
New York City	Various	None	None
Philadelphia	Philadelphia	None	29
Pittsburgh	Allegheny	1	100
Cleveland	Cuyahoga	3	103
Cincinnati	Hamilton	None	67
Detroit	Wayne	11	147
Indianapolis	Marion	3	25
Chicago	Cook	5	51
St. Louis	St. Louis	None	4
New Orleans	Orleans	None	None
Houston	Harris	11	17
San Francisco	San Francisco	None	4
Los Angeles	Los Angeles	9	9
Total, 14 metropolitan areas.		43	556

[1] The average number of contracts for all counties in the United States, both rural and urban, is 28.
Prepared by: CSS, Soil Bank Division, June 3, 1957.

Mr. MUNDT. I yield back any remaining time.

Mr. THYE. Mr. President, will the Senator yield for 2 minutes?

Mr. MUNDT. I yield 2 minutes to the distinguished Senator from Minnesota.

Mr. THYE. Mr. President, the distinguished Senator from South Dakota [Mr. MUNDT] has stated the question so clearly and so well that there is nothing which can be added. I wish to say that I fully concur with his remarks.

I am a member of the Appropriations Committee. I endeavored to prevent the $7.50 ceiling being placed upon the conservation reserve program of the soil bank. I believe it will have the effect of defeating the program.

We have endeavored to encourage participation under the conservation reserve aspect of the soil bank, because it is soil building, and it will take out of production many acres of land.

These are long-term contracts. This is a 3-year or more program. Therefore, this will be a soil building program over the years, and will preserve the fertility of the land. I think the limitation would be a very serious mistake, and that it would have the effect of destroying one aspect of the soil bank program which Congress enacted only a year ago.

We have no actual history of the administrative functioning, to determine whether it is advisable to continue this program in the future. I most strongly urge my colleagues to defeat this provision in the conservation reserve aspect of the soil bank by the adoption of the amendment offered by the Senator from South Dakota [Mr. MUNDT].

If there is any additional time, I yield the time back.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. THYE. I yield, if I have any time left.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MUNDT. I yield an additional minute to the Senator from Minnesota to answer the question of the Senator from Kentucky.

Mr. COOPER. I have before me a statement which indicates that last year about 7 million acres went into the conservation reserve program, at an average payment, as the Senator from South Dakota has said, of $8.84 an acre. Does the Senator believe that reducing the average annual payment to $7.50 would bring about the results which the soil bank program is designed to accomplish? Would it bring into the soil bank program sufficient acreage to cover the $350 million?

Mr. THYE. It would not. We had hoped, when we enacted the soil bank law, that 20 million acres would come under the conservation provision of the soil bank. We did not succeed in obtaining that large an acreage in contracts last year, and we have not succeeded so far this year. For that reason, if we reduce the amount per acre, we can be certain that a lesser number of acres will come in under contract, and that there will be fewer participants in the program.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CARLSON. Mr. President, will the Senator from South Dakota yield me some time?

Mr. MUNDT. I believe that the time available to me is almost exhausted. I suggest that the proponents of the committee amendment have time.

Mr. RUSSELL. Mr. President, I have had no requests for time. I intend to take about 10 or 12 minutes on this amendment, as the proponent of the committee amendment. I think I am entitled to do so at the conclusion of the debate. I have received no requests for time from any other Senator. I doubt very much if I shall require more than half the time available to me.

Mr. MUNDT. I yield 2 minutes to the Senator from Kansas.

Mr. CARLSON. Mr. President, I rise in support of the amendment offered by the Senator from South Dakota. I firmly believe that if the committee provision is retained in the bill and becomes law, we may just as well save $350 million of the Federal taxpayers' money. I cannot conceive how the program would ever function under the committee proposal.

The only way to appraise a farm program is to try to understand how it actually works on the farm. In Kansas last year we were paying $10 an acre for soil conservation acreage reserve land. In 1958, if the committee provision prevails, we shall be paying $7.50 an acre.

It is reasonable to assume that about 1 million acres of marginal land were taken out of production. Most marginal land was taken out at $10 an acre. How could we expect a farmer in our State who lives on land adjoining land which was taken out of production last year for $10 an acre, to take his land out at $7.50? I contend that the restriction would completely destroy the program.

I believe that this program offers a great opportunity. I think it is the best part of the soil-bank program. I agree with the chairman of the subcommittee with regard to the soil-bank program as a whole. I do not have very much faith in the acreage reserve program, but I have great faith in the conservation reserve feature of the program.

If we had paid $6.50, or if we had had a $7.50 limitation last year, and then increased it to $10 for this year, we would have rendered a real service to soil conservation, and the program would have worked.

I would sincerely regret to see the limitation in the committee amendment approved. I hope the amendment of the Senator from South Dakota will prevail. There are millions of acres of marginal land which should be put back into grass. We have an opportunity to have it put back into grass, if we adopt the amendment of the Senator from South Dakota. If we adopt the committee amendment, I think it will be the end of the soil-conservation reserve program.

Mr. HUMPHREY. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. Mr. President, may I inquire how much time I have?

The PRESIDING OFFICER. The Senator from South Dakota has 13 minutes remaining. The opponents of the amendment have 30 minutes.

Mr. RUSSELL. I shall be glad to yield to the distinguished Senator 3 minutes, even if he wishes to employ it for purposes of subversion.

Mr. MUNDT. I appreciate that.

Mr. HUMPHREY. The Senator is very generous.

Mr. MUNDT. I yield 2 minutes from the time of the proponents of my amendment.

Mr. HUMPHREY. I am very grateful to the Senator from Georgia.

Mr. RUSSELL. The Senator is about to attack the position of the committee. If he does not wish to use the 3 minutes——

Mr. HUMPHREY. I am most grateful.

The PRESIDING OFFICER. It is the understanding of the Chair that 3 minutes have been allocated from the time of the opponents of the Mundt amendment, and 2 minutes from the time of the proponents, or a total of 5 minutes.

Mr. HUMPHREY. Mr. President, in the 2 minutes allowed me by the proponents of the pending amendment, I wish to make 1 or 2 observations.

It is understandable that in a program as new as the conservation reserve program there may be some abuses. It is also understandable that it requires a certain period of time to arrive at fair rental prices, in terms of not only the fair rental rate, but a rate which will act as an incentive to gaining compliance or participation in the program.

There was established, as a national goal for the conservation reserve program, some 20 million acres to be removed from production. The going rate was about $10.11 an acre. That rate of $10.11 an acre as a national average produced less than 7 million acres of farmer participation.

I happen to believe that the conservation reserve program merits continued national support.

The acreage reserve program is of an emergency, temporary nature, designed to remove a great many acres from production under the price support program, in order to reduce immediately the surpluses which had accumulated under the farm program.

The conservation reserve program is designed to conserve land, to take out of production marginal land, to reforest land, and to put some land that was in production back into grass. It was designed as a real soil bank for the years to come.

It has had a very weak start at $10.11 an acre for a national average; and I submit that to reduce the price to $7.50 would only weaken the program further. As a matter of fact, there is evidence that it would be wise to have a higher figure than even the present national average of $10.11 an acre, in order to encourage participation by the farmers who own the land.

One complaint which has been made is that a great deal of land has been taken out of production by nonfarmer owners. I suppose there are some nonfarmer owners who have bought up land and have put the land under contract with the conservation reserve. I have no doubt that there is plenty of that, to start with. But the Department was authorized to commit about $450 million a year for 2 years, 1956 and 1957. Of that amount of $900 million, which has been authorized by Congress, only $124,186,000 has been obligated, through April 15, 1957.

If the business people, the insurance interests, and the nonfarm people had been abusing this program, there would have been considerably more obligated than $124,186,000. If the rates being offered by the Department of Agriculture today were excessive, we can rest assured that the nonfarming investors would have been utilizing this program to a much greater extent than they have done to date.

I hope the amendment of the Senator from South Dakota will be adopted. I believe there is little or no dispute about the fact that we should change the present situation, and there is much that would indicate that we should continue to develop some history under this program, so as to provide for its effectiveness.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MUNDT. We are ready to vote if there is no further debate. Does the Senator from Minnesota yield back the remainder of his time?

The PRESIDING OFFICER. The Senator from Minnesota has no time to yield back. His time has expired.

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement on the pending subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

I was gratified to see that the Senate Committee on Appropriations has recommended restoring funds for operation of the acreage reserve program of the soil bank in 1958, to a total of $350 million. An impartial appraisal of the value of this program must necessarily await the results of the 1957 operations. The results in terms of reducing surplus production may not then appear to justify the cost. But this program was also designed by the Congress to protect and increase farm income, and should not be abandoned until we have something better to take its place.

"Don't be an in-and-outer" is time-tested advice for any farmer considering his individual operations—and is sound counsel for those charged with responsibility for our national farm programs as well. It may be that the continuing examination of this and our other farm programs, both by the Congress and by the Department of Agriculture, will point to helpful modifications which can be made to improve and build on this program in the year of grace provided by this authorization.

SOIL BANK—CONSERVATION RESERVE

On the other hand, I oppose the committee's recommendations regarding the conservation reserve. Appropriating an additional $100 million for this work will be an idle gesture if limitations are imposed so that only a fraction of the $350 million now in the Senate bill can be used. A national average rental payment of $7.50 per acre is just such a restriction which will tend to defeat the program.

Last year, the average payment in Kentucky was $8.57 per acre and in the Nation $8.84. It is hard to believe that an average of $7.50 per acre will attract more farmers. Even in Kentucky, $7.50 per acre will attract only the least-productive land—and very little of that. It would do little or nothing to decrease crop production, which is one purpose of the program.

The conservation reserve, it seems to me, is the part of the soil bank of greatest long-range value. It is the part which can contribute positively to our deposit of national wealth as it builds value back into the soil and onto the land. It has been subject to comparatively little controversy, and has met with general satisfaction, as farm programs go. Although off to a more modest beginning than the acreage reserve, it appears to lend itself to improvement as experience is gained with the possibilities it offers. We should make that improvement possible instead of hamstringing this program.

The conservation reserve best lives up to the soil bank name. It pays dividends to the farmer, and to the Nation, in the form of increased soil fertility, enhanced land values, improved conservation practices. In this way, it builds for the future in addition to helping adjust past and present problems of surplus production.

I urge the Senate to consider carefully what the effect of this proposed per-acre limitation on conservation reserve payments will be—in terms of the possibly disastrous effect on the conservation reserve, and in terms of yet another off-again, on-again farm program.

If the Department of Agriculture is to carry out the responsibilities with which it is charged for operating an effective conservation reserve, it surely should be given the necessary discretion in setting these rates. For myself, I believe an average rate at least as high as last year's national average of $10 an acre is needed to obtain greatest benefit from, and wider participation in, this worthwhile program, but at least it should not be cut to $7.50. The limitation of a total payment of $5,000 to one individual protects against abuse.

I would like to mention here that several ways in which an effective conservation reserve may contribute substantially toward solving what have been persistent and difficult farm problems—provided it is not crippled by unrealistic or arbitrary limitations. First, it directly attacks the troublesome problem of diverted acres—which has been a source of very great difficulty in connection with our wheat, cotton, and rice programs.

Second, it makes a positive contribution for the future, in improved individual farmlands and in our basic national resource, as I have mentioned. For farmers themselves, and for the Nation, it provides a "nest egg" which may prove of great value in future years. In this, it is in the best traditions of our long-established soil- and water-conservation programs.

Third, when entire farms are put into the soil bank in this way, there is no longer a problem of increased yield on these reduced acres. As my colleagues well know, this continuing problem is in large measure responsible for the difficulty in which we find our farm programs today—both in our price-support programs and in the acreage reserve. Quantitative controls may provide an answer to smaller and smaller allotments for some commodities, but meanwhile we should not ignore the new advance made on this front so far—in the conservation reserve.

Fourth, it provides a continuing, stable program, with contracts of 3, 5, and 10 years' duration. As a longer-range program, and compared to the attention received by the acreage reserve, the conservation reserve is developing more slowly, and, I believe, more soundly. It can continue to develop in usefulness if rental payments can be set at the levels necessary to make the program work.

Finally, the conservation reserve promises (through the farm-pond practices) to help stabilize our water tables, to keep runoff at the headwaters of our watersheds, to conserve moisture on the hills and steeper slopes being planted to trees and reseeded to grass. It is a most important element in our reforestation program. I believe the conservation reserve will be effective in helping attain these desirable and long-established goals. In future years we may well look back on the conservation-reserve program of the soil bank as a central, valuable part of our various farm programs—reaching out in many directions to assist in solving our manifold farm problems.

I therefore urge the Senate to sustain the full amount recommended by the committee, but to eliminate the $7.50 limitation which would nullify the effectiveness of this program.

Mr. RUSSELL. Mr. President, as a friend of and a firm believer in the conservation reserve program, I rise to support the committee amendment. The amendment was not in its present form when it was originally adopted by the subcommittee, and a great deal of the argument and material offered here today in opposition to the amendment is not applicable, because it applies to the original amendment, which limited the payments within the States to an average of $7. The amendment as now written limits the average over the Nation to $7.50.

I will not bore the Senate, or those Members of the Senate who are present, with reading the formula which was devised by the Department of Agriculture for the application of the program. I have undertaken to look into this program and I can assure the Senate that the committee amendment will permit payments per acre at as great a rate as those which have been made within any State, although it will compel a national reduction, on the average, of about $1.34 an acre for the rental payments.

In my opinion, such a reduction is not only justifiable, but is desirable. We are dealing now with a program that can last for 10 years. When $1 is committed for rental payment, it means that on the 10-year contract the dollar must be paid 10 times.

Therefore, when we talk about this $350 million program, we must bear in mind the fact that we are dealing in terms of billions of dollars and not millions of dollars, because it could run to $3½ billion.

I believe in this program, but, in my opinion, if Congress does not adopt an amendment which will bring about a reduction in some of the payments which are being made, and put a stop to some of the things which are being done under this program, we will have ample cause to regret it.

Senators will have cause to regret it because they will be criticized for committing the Treasury of the United States to payments of this nature over such a long period of time, when they are not justified. Senators who are really interested in farm legislation will face a reaction in the form of a revulsion of public sentiment, which will come about when all the things that are being done under this program are revealed.

I realize that the purpose is to take land out of production. However, how are Senators going to justify paying $1,062 for building a fishpond and then paying the farmer $11 an acre for 10 years for the land that is covered by the water in the fishpond?

That is an extreme case, but it is a case that has happened already under this program.

When the columnists start to write about it, they will not write about the hundred meritorious cases, but they will write about something like that. The result will be to condemn the new farm legislation, and to raise an issue against every Senator who does not show some interest in at least trying to bring about some modification of this program.

The committee amendment does not affect the practice payments, some of which range as high as $88.74 an acre. For the planting of trees, a farmer gets $88.74 an acre as a practice payment. He will get an average rental payment for 10 years, and he will wind up getting more than $200 from the Government for improving 1 acre of his own land, and after that he still retains the land.

Senators may be able to justify such a condition if they wish to do so. I think we ought to put up a little sign reading, "Bring this down." The $1.24-an-acre reduction on the rental payments will not hurt the program. It will help the program.

I know the Department of Agriculture is opposing the committee amendment. There has never been any commission on agriculture that did not believe its formula to be sacrosanct, and did not believe itself to be omniscient.

I read to the Senate the formula the Department has used. I have not been able to understand it completely. Some of my learned brethren may be able to understand it. It provides:

FORMULA FOR DETERMINING STATE CONSERVATION RESERVE REGULAR ANNUAL RATES FOR 1956–57

Conservation reserve regular annual payment rates per acre were established for each State composed of:

I. A constant amount of $5 per acre, plus

II. A variable amount per acre determined separately as follows:

A. Establishing a State productivity index representing the corn feed value equivalent of non-irrigated oats, barley, sorghum grain, and 6 types of hay yields for the most recent available 10-year period.

B. Establishing a State land value index of farmland using a ceiling of $200 per acre for States having average values higher than $200 (to exclude influence of mineral and urban values).

C. Establishing a composite State index by giving the productivity index (A) a weight of 3 and the land value index (B) a weight of 1, and dividing the sum by 4.

D. Multiplying $5 by the State composite index (C).

The national weighted average of the State rates resulting from the sum of I and II above is $10.09 per acre.

III. For example, for a typical State:

A. The productivity index of equivalent corn feed value of the 9 crops described in II–A above was 74 percent of the national average.

B. The land value index described in II–B above was 41 percent of the national average.

C. The composite State index described in II–C above was 65.75 percent.

D. The composite index multiplied by the $5 national variable rate resulted in a variable rate for the State of $3.29.

E. When the variable rate of $3.29 described in II–D and III–D above was added to the constant $5 rate for all States described in I above, the indicated result is $8.29. This was rounded to the whole number of $8 as shown in the regulations.

Section 485.163 Annual payments—(a) Amount of payment. An annual payment will be made to the producers on the farm for the period of the contract upon determination by the county committee that they have fulfilled the provisions of the contract entitling them to such payment. The amount of the annual payment shall be determined by multiplying the rate or rates of payment per acre determined in accordance with paragraph (b) or paragraph (c) of this section by the number of acres determined in accordance with paragraph (d) of this section.

That is the formula which has been established. It will be seen that what is provided and what we are not supposed to touch, because it is sacrosanct, is an average rental payment that is based on a certain kind of hay, indeed, on six kinds of hay. If a farmer does not grow 1 of those 6 kinds of hay, it will weigh greatly against him in applying the formula. That shows that this is not something that is so sacrosanct that we may not even look at it.

I am a friend of conservation. I have stood on the floor of the Senate when the ACP had been eliminated completely on the other side of the Capitol, and have fought here at a time when it looked as though it would be overwhelmed and it would be impossible to keep the program alive. I believe in conservation today, but I do not believe in this kind of reckless, foolish spending of the tax dollars of the American people in some isolated cases. I do not say that this applies everywhere, but I say that if we do not show a willingness to bring some realism into this program, we will not be doing the farmers a service; instead, we will be doing them a disservice, because these things will come out and they will be made issues, not only within parties, but on the Congressional District level and in the State campaigns.

Mr. President, it is going pretty far afield when farmers can get such substantial sums for a practice. I daresay that in some cases, before the law was passed, some farmers would have been glad to get that much for the land, instead of only for the practice.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the tables which appear on

page 135 and page 130 in the memorandum on the amendments.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Conservation reserve program—Approved State annual payment rates per acre and average rates on contracts reported signed as of Apr. 15, 1957

State	Approved annual payment rate per acre	Average annual payment per acre on signed contracts
Alabama	$8.00	$7.63
Arizona	9.00	13.47
Arkansas	9.00	7.89
California	12.00	9.81
Colorado	8.00	7.09
Connecticut	13.00	11.60
Delaware	12.00	11.42
Florida	8.00	7.39
Georgia	8.00	7.76
Idaho	11.00	7.81
Illinois	12.00	11.63
Indiana	12.00	10.42
Iowa	12.00	11.38
Kansas	10.00	10.32
Kentucky	10.00	8.57
Louisiana	10.00	6.94
Maine	9.00	5.62
Maryland	12.00	10.77
Massachusetts	13.00	8.01
Michigan	11.00	7.52
Minnesota	11.00	9.09
Mississippi	10.00	9.97
Missouri	9.00	8.39
Montana	9.00	8.52
Nebraska	9.00	8.13
Nevada	7.00	7.25
New Hampshire	10.00	3.16
New Jersey	13.00	10.70
New Mexico	8.00	8.05
New York	11.00	8.35
North Carolina	10.00	9.53
North Dakota	9.00	9.76
Ohio	12.00	10.24
Oklahoma	9.00	8.77
Oregon	12.00	10.48
Pennsylvania	11.00	8.99
Rhode Island	12.00	
South Carolina	9.00	8.74
South Dakota	9.00	8.64
Tennessee	10.00	9.00
Texas	10.00	9.53
Utah	11.00	8.89
Vermont	10.00	8.39
Virginia	10.00	8.39
Washington	13.00	11.07
West Virginia	10.00	7.02
Wisconsin	11.00	8.77
Wyoming	8.00	7.26
Total	[1] 10.11	8.84

[1] United States average when weighted by State goals.

Estimated funds required for contracts signed by farmers through Apr. 15, 1957, by contract period and fiscal year [1] (subsequent to fiscal year 1958)

Fiscal year	Annual rental payments				Practice payments, subtotal	Grand total
	3-year contracts [2]	5-year contracts [2]	10-year contracts [2]	All contracts, subtotal		
	1	2	3	4	5	6
1959	$3,600,000	$41,100,000	$16,740,000	$61,440,000	$7,800,000	$69,840,000
1960	3,600,000	41,100,000	16,740,000	61,440,000	800,000	62,340,000
1961		41,100,000	16,700,000	57,800,000		57,800,000
1962		41,100,000	16,700,000	57,800,000		57,800,000
1963			16,700,000	16,700,000		16,700,000
1964			16,700,000	16,700,000		16,700,000
1965			16,700,000	16,700,000		16,700,000
1966			16,700,000	16,700,000		16,700,000
1967			15,100,000	15,100,000		15,100,000
Total	7,200,000	164,400,000	148,780,000	320,380,000	8,300,000	328,680,000

[1] Data reported on signed contracts have been adjusted for estimated incompleteness of reports and expected alterations by ASC committees.
[2] Because the 1956 program was offered too late for completing practices during 1956, all 3-year contracts, and most 5-year and 10-year contracts, signed in 1956 were automatically extended by 1 year.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. LAUSCHE. Will the Senator please restate the proposition of paying $88, first, for the planting of trees, and then the subsequent payments?

Mr. RUSSELL. I think the rental payments in the area to which I referred would be on 13 acres, so $130 would be paid over a 10-year period. Then at the end of that period of time the farmer will get his land back greatly improved.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield. I said that that was in the highest case.

Mr. AIKEN. I suggest that if certain land is planted to trees, the farmers do not get the full value. They get 30 percent of the rental value for 10 years.

Mr. RUSSELL. That varies within the States under this formula. The Senator from Vermont has very low rental in his State, because the farmers in his State have not been planting the right kind of grasses. They did not produce a great deal of corn that had a corn value in arriving at this formula. But the arrangement varies within the several States.

Mr. AIKEN. We get 30 percent over a 10-year period.

Mr. RUSSELL. That is what the farmer gets in Vermont. I do not want to go into all the States, because comparisons are misleading. Where the payment was $11 an acre for the land in the fishpond, the farmer got $1,062 to build the pond. That was more than that State had for its average rental payment.

Mr. AIKEN. If the farmer plants corn or tobacco or wheat land to trees, he would get the full value. If he plants grassland, he gets only 30 percent of the rental value.

Mr. RUSSELL. If he does it for the feed value equivalent of oats, barley, or sorghum grain, he gets more than 30 percent of the value. The Senator's State happens to be one of the States which receives the lowest payments.

Mr. AIKEN. Where grassland exists, we believe a good grassland farm is entitled to as much consideration as the farm of a man who raises barley and oats.

Mr. RUSSELL. He does not get it under this formula.

Mr. AIKEN. He has not got it so far.

Mr. RUSSELL. No.

Mr. President, no one can tell me any program will be wrecked when we are proposing only a very modest reduction of 8 or 10 percent in the annual rental payments to be made. We are not touching practice payments or reducing them in any way. I would be less than frank if I did not say I thought these payments ought to be reduced much more than the amendment envisions.

Let us say a farmer does not put any land in the conservation reserve. Therefore, it is not attractive to him. The truth is that everyone was dealing with the acreage reserve; they were not considering the conservation reserve. The farmers were so busy working out their acreage reserve programs that they did not get around to the conservation reserve program.

But, Mr. President, do not doubt that they will come into that program this year. When they do get the 10-year contracts, we will have that increase in the budget for the next 10 years as an obligation of the United States Government which will be just as sacred as the payment of the interest on the public debt.

To anyone who says we should not even adopt this limited, modest reduction, I say that, in my opinion, it does not go nearly far enough, without wrecking the whole conservation program, and without paying an income to the farmer.

I am perfectly willing to leave for the record the effect that this program will have on future farm legislation, as to whom was the real friend of the farmer: whether we want to grasp everything we can get now in the new program, and bring the whole farm program into disrepute, or whether we want to put up a slowdown sign, a very modest slowdown sign, to the Department of Agriculture in allocating these tremendous sums.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. ALLOTT. I wish to take issue with the statement the Senator from Georgia has just made, although he has made it in complete candor, about people grasping for every penny they can get. Actually we are engaged in promoting a false farm economy anyway. We will never get a true farm economy so long as we are trying to build a farm economy on six basic commodities.

With respect to the soil conservation program as it applies to the farm economy, the truth of the matter is that approximately 76 or 77 percent of the farmers of the United States are left completely out of the program unless they can participate in the acreage reserve. Some 23 or 24 percent of the farmers of the United States can participate in the acreage reserve.

Mr. RUSSELL. Let me point out to the Senator from Colorado that we have cut down the acreage reserve program for next year by a much higher percentage than it is proposed to cut this program. We have cut back the acreage reserve program from $612 million to $500 million. There will be more of a reduction in acreage reserve payments next year than this amendment contemplates there will be in the conservation reserve.

Mr. ALLOTT. In my opinion, the amount should be cut and evened out more than that.

Mr. RUSSELL. I hope the Senator from Colorado will not, in my limited time, place me in the position of defending the acreage reserve program. I do not believe in it.

Mr. ALLOTT. If I am encroaching upon the Senator's time, I apologize. I will procure time from another Senator.

Mr. RUSSELL. I will yield to the Senator. I find I have more time available than I thought I had.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CAPEHART. I would much prefer to take 10, 15, or 20 percent of the amount it is planned to spend for the acreage reserve and the conservation reserve and to put it into research, to find new uses for farm products, so that the farmer could build up his production of commodities as much as he could build up his crop of grass. That is what we ought to be doing. At least, we ought to be trying to do it, because then we would be trying to do something worthwhile.

Mr. RUSSELL. The Senator from Indiana has a theory with which I have considerable sympathy. But we are now confronted with a fact in the form of an actual item in an appropriation bill.

I find I have more time than I thought I had, so I shall be glad to yield further to the Senator from Colorado.

Mr. ALLOTT. I appreciate the kindness of the Senator from Georgia. I think there has been too much emphasis on the acreage reserve.

Mr. RUSSELL. I agree.

Mr. ALLOTT. Not enough emphasis has been placed upon the conservation reserve. In most Western States, if we exclude wheat, there is no basic commodity; therefore, there is no acreage reserve. We still have only 23½ percent.

But, by the same token, we eliminate everybody who has irrigated land, who cannot enter into the conservation reserve on the basis of $6.50, $7, or $7.50 an acre. That is the point I wish to make. I appreciate the Senator's yielding to me, because I think this is an important consideration.

Mr. RUSSELL. It is tremendously important. I am perfectly willing to agree that there is a disparity between basic commodities and other commodities in the two programs. I assume there is an even greater disparity between some of the basics within the acreage-reserve program. Some commodities get a great deal more than others in that program.

For the first time, I have been placed in the light of being an enemy of the farmer. I am perfectly willing to make a record. I hope there will be a record vote, even if I am the only Member of the Senate who votes for the amendment, because I want the RECORD to show that, within my limitations as a member of the Committee on Appropriations, I did all within my power to try to put Congress on notice that if this program were allowed to run on as it is today, without any interest being shown in reducing the payments, the program would, in the long run, be very detrimental to the interests of American agriculture.

Mr. HUMPHREY and Mr. THYE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield; and if so, to whom?

Mr. RUSSELL. I have only about 5 minutes left, and I should like to reserve most of that time. But I will yield briefly to the junior Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I want the RECORD to be perfectly clear that the senior Senator from Georgia not only is a friend of the farmer, rather than his enemy, but that he has been a stalwart soldier for American agriculture.

I want it perfectly clear, moreover, that in the disagreement we may have over these funds, many of us are learning a great deal from the argument being made by the Senator from Georgia. My only interest in the matter was to see to it that we do not get ourselves into a straitjacket in terms of the fixed fee in the bill, which would in any way limit the effectiveness of the program.

Mr. RUSSELL. It does not fix the fee on a single acre of land in the United States.

Mr. HUMPHREY. Except as a flat fee for the national average.

Mr. RUSSELL. The highest fee can be paid now; but on the marginal and submarginal land less will have to be paid to bring the average down.

Mr. HUMPHREY. It is fair to say that we are at the exploratory stage in the program, and the argument made by the Senator from Georgia, to my mind, is a constructive argument.

Since I have taken a point of view different from that of the Senator from Georgia, I would not want the RECORD to indicate for a minute that I have not been one who thoroughly appreciates his generous and great contributions to agriculture and agricultural legislation.

Mr. RUSSELL. I appreciate the Senator's comments.

Mr. THYE. Mr. President, if the Senator from Georgia will yield briefly to me, let me say that no Member has a higher regard for him than I have. If ever there was a friend of agriculture, the Senator from Georgia has demonstrated year after year that he is a friend of agriculture.

If any Senator has any misgivings, they are on the basis of a fear that the program will be in bad repute unless some ceiling is imposed on the acreage allotment.

I cannot fully agree with the Senator in regard to the tree-planting program, however, because if a tree-planting contract is signed, the farmer will be putting the acres planted to trees under a long-term contract, one applying for not less than 15 years, and the farmer will not receive the maximum annual rental on that acreage. Instead, he will receive the minimum annual rental, which might amount to as little as $3 or $4 an acre. Yet on that acreage he will grow a crop of trees which will be very beneficial to future generations.

Mr. RUSSELL. Mr. President, that is quite correct, but the average paid for tree rentals in my State is somewhat higher than the amount the Senator from Minnesota has indicated. Although such use is beneficial to future generations, and on that basis I have supported all conservation measures, let us not lose sight of the fact that it is very beneficial to the man who owns the land and who places it under the program and receives the payments for rental. This is a conservation program which really can be profitable to the farmer. The modest overall reduction of $1.34 an acre will not hurt the program. Any figures which would show that it would be necessary to make a reduction of more than $1.34 an acre merely indicate that for some reason the Department of Agriculture has decided to make more than the average cut in the particular State concerned. But if the Department decides to make a fair application across the board, the reduction cannot be more than $1.34 an acre.

It is my judgment that sound government and prudent expenditure of public funds, as well as avoidance of depletion of what little reserve the farmer has in the bank of good soil in the Nation, dictates that the Senate, if it be wise, adopt the committee amendment.

Mr. President, I reserve the remainder of the time available to me.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The Senator from Georgia has 4 minutes remaining, and the Senator from South Dakota has 10 minutes remaining.

Mr. MUNDT. Mr. President, I yield 3 minutes of my time to the Senator from Illinois [Mr. DIRKSEN].

The PRESIDING OFFICER. The Senator from Illinois is recognized for 3 minutes.

Mr. DIRKSEN. Mr. President, both the pending committee amendment and the amendment submitted to it by the Senator from South Dakota [Mr. MUNDT] were roundly discussed in the Appropriations Committee.

I certainly respect and admire the conviction the distinguished Senator from Georgia brings to this cause. I am fully sensible of the zeal and devotion he has given to the entire cause of agriculture; and I speak from a wealth of experience, dating back to the days when he and I sat across the conference table from one another, during the consideration of agricultural appropriation bills. However, I believe the arithmetic of this case is against him, and is in favor of

the position taken by the Senator from South Dakota.

The approved rental would be $12 an acre; but for every acre on which $12 would be paid, it would be necessary to find another acre on which $3 would be paid; that would be necessary in order to arrive at the average of $7.50.

Mr. RUSSELL. Mr. President, the Senator from Illinois knows that the national average is $7.50; that figure is not based on the situation in Illinois.

Mr. DIRKSEN. That is correct. I am saying that for every acre on which $12 was paid, in the case of my State, it would be necessary to find another acre on which $3 was paid. Under those circumstances, I cannot see any incentive for a farmer to engage in the program. If that is so, why have the program? In that case, we might just as well delete the $350 million from the bill, and forget about the conservation reserve.

I am also afraid that so much rigidity would be imposed on the program, that the Secretary of Agriculture would find it very difficult to administer. How would he be able to know how many acres and what kind of acres would be placed under the program, let us say, next year? He would have no idea. Then when he found he had to operate under an average limitation, perhaps he would be able to make only tentative contracts with the farmers, until he was able to discover whether one average limitation for the entire country was to be applied. That would be a difficult piece of administrative work to undertake. I would prefer to see this run for at least 1 year, and then, on the basis of experience, and if these fears are confirmed, perhaps a limitation of this kind could be established.

The PRESIDING OFFICER. The 3 minutes yielded to the Senator from Illinois have expired.

Mr. DIRKSEN. Mr. President, will the Senator from South Dakota yield to me 1 additional minute?

Mr. MUNDT. Mr. President, I yield 1 additional minute to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 1 additional minute.

Mr. DIRKSEN. I thank the Senator from South Dakota.

Mr. President, in summary let me say that, at one end of the scale, some very good land might come in; but at the other end of the scale, some very bad land might come in; and that would not improve the conservation reserve and the attainment of its objectives.

Therefore, I hope the amendment of the Senator from South Dakota to delete the limitation provided by the committee amendment will be agreed to by the Senate.

Mr. MUNDT. Mr. President, I yield 2 minutes to the distinguished ranking minority member of the Senate Committee on Agriculture and Forestry, the Senator from Vermont [Mr. AIKEN].

The PRESIDING OFFICER. The Senator from Vermont is recognized for 2 minutes.

Mr. AIKEN. Mr. President, although this appropriation bill as a whole is a good one, and received a great deal of study and thought on the part of the Appropriations Committee, and particularly on the part of its chairman, yet I believe that if the Senate adopts the committee amendment restricting the payment on land put into the conservation reserve, it will be going a long way toward defeating the purpose of that part of the soil-bank program.

I believe that the amendment of the Senator from South Dakota to the committee amendment should be agreed to. If it is agreed to, I believe it will result in the withdrawal of a great deal more land from production, and the placing of that much more land into forests, recreational areas, sodded land, and land planted to clover or soil-conserving crops; and in that way the purpose for which the soil bank was established will be effected.

The PRESIDING OFFICER. The time of the Senator from Vermont has expired.

Mr. RUSSELL. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Georgia has 4 minutes remaining, and the Senator from South Dakota has 4 minutes remaining.

Mr. MUNDT. Mr. President, inasmuch as no other Senators on this side wish me to yield time, I shall sum up the case for my amendment.

First of all, in regard to what the Senator from Georgia said about the reduction from $8.44 to $7.50, which would now become the legislative mandate, let me say that those figures are not the comparable ones. Instead, we must compare the $7.50 proposed legislative mandate with the $10.11 national average used by the Department of Agriculture in connection with the allocations. That is the case, because in every State of the Union, there are a number of nondiverted acres. Actually, 400,000 acres of the 700 million acres thus far in the conservation reserve are these nondiverted acres, which are paid for at 30 percent of the prevailing State rates. So if the Senators from Washington or the Senators from Missouri, or the Senators from Oregon intend to vote to deprive the farmers of their States of an opoprtunity to participate in the program, at least such Senators should let the RECORD show that they will be voting to scuttle the program in their area and to deprive the farmers of their States of those benefits, in view of the record as it now stands, as shown by a study of this debate, because the figures to which I have just referred are the comparable ones, and the committee proposes that they be cut some $2.75 an acre, on the average, rather than the 8 or 9 percent referred to by the Senator from Georgia.

Something was said about fishponds, by Senator RUSSELL. I am never reluctant to argue in favor of fishponds. I was in favor of placing fishponds and marshes into the conservation program. I am in favor of that. I made the motion and lead the successful fight in our Agriculture Committee when we incorporated inundated acres in the basic soil bank legislation. I can think of no better use for idle acres than impounding water and providing nesting places for ducks and providing breeding places for fish and recreational areas for children. We have provided for it in this soil bank program and I am happy to reaffirm my support of it despite the remarks of the distinguished Senator from Georgia.

If the farmers are being paid a specific amount per acre, that is being done because the land which was taken out of cultivation resulted in a decrease to the farmer of that much income before the land was put under water. Had that not been uncultivated land, the farmer would be getting 30 percent less than that rate of income. I am proud that the Izaak Walton League, the sportsmen's clubs and the American Wildlife Federation favor the use of part of the soil bank program for wildlife purposes to restore wet lands and recreational opportunities.

As to putting a halt to the program, all the committee proposal would do would be to halt it in States like Washington, Kansas, Oregon, Ohio, Indiana, Illinois, and other similar States, because we would still be spending the same $350 million we would otherwise spend. In the coming years it does not make any difference whether we divide the $350 million among all the States of the Union, as I propose to do, or place quarantines on States like Washington, Oregon, Indiana, Ohio, and Illinois.

I suggest that, having a program which is national in scope, it should be nationally supported. To do that we should adopt my amendment and place economic factors above political favoritism.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President, will the Senator from Georgia yield 1 minute to me?

Mr. RUSSELL. I yield to the Senator from Washington.

Mr. MAGNUSON. The Senator from South Dakota has mentioned the States of Washington and Oregon, in which payments have been above the national average of $8.84. As the Senator from Georgia knows, in my State the payments run between $10 and $16. There was some fear that an express limitation of $7.50 an acre would shut off States like Washington, or similar States—some 30 States—from the possibility of receiving payments within those amounts.

The PRESIDING OFFICER. The minute of the Senator from Washington has expired.

Mr. MAGNUSON. I should like to ask the Senator from Georgia this question: Despite the fact that the average is $8.84, and that the payments in some States, such as the State of Washington, are higher, under the amendment submitted by the Senator from South Dakota the same amounts now paid could still be paid, could they not? If the Department of Agriculture administers this program in the same way it has, trying to equalize the payments, it is still possible that it will pay the same amounts for the land that is set aside in the State of Washington. Is that correct?

Mr. RUSSELL. The Department could make the same maximum payment, but I must be frank and say that it would be necessary, on the poorer type lands, to make lower payments. I would say it would not be necessary to reduce the payments made in the State of Washington, but the national average would have to come down about $1.34 an acre.

Mr. MAGNUSON. It would not discourage those who really wanted to put the highly cultivated land, or the top land, into the conservation reserve.

Mr. RUSSELL. I should like to think the Department of Agriculture will have enough judgment to maintain the payments on the productive land.

Mr. MAGNUSON. That is the whole purpose of the provision.

Mr. RUSSELL. Mr. President, I wish to address myself to the pending amendment. We hear much about economy. We now have an amendment before us that affords a real test as to how Senators feel about economy.

I wish to point out again that when one dollar is obligated under this program, we are committing ourselves, under the program, to pay $10 in a $350-million program. If it is obligated at $10, over a 10-year period, we have obligated ourselves to that extent. We have a chance to vote not only to save $1.34 an acre this year, and bring some measure of realism into this program, but to save it over a period of 10 years. We are not going to do any good by piddling around with some minor adjustments in the program when we vote for a program on which we shall have to pay year after year.

If Senators are for economy in Government, if they are interested in demonstrating that they have an interest in it other than a mere bookkeeping or arithmetical interest, this is a mighty fine chance to show it. Senators can effect real economy without injuring any part of the conservation reserve program. Indeed, in my opinion, Senators will strengthen it.

I hope the committee will be sustained.

The PRESIDING OFFICER. The time of the Senator from Georgia has expired.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Dworshak	Kerr
Allott	Eastland	Knowland
Anderson	Ellender	Kuchel
Barrett	Ervin	Lausche
Beall	Flanders	Long
Bennett	Frear	Magnuson
Bible	Goldwater	Mansfield
Bricker	Gore	Martin, Iowa
Bush	Hayden	Martin, Pa.
Butler	Hennings	McNamara
Byrd	Hickenlooper	Monroney
Capehart	Hill	Morse
Carlson	Holland	Morton
Carroll	Humphrey	Mundt
Case, N. J.	Ives	Murray
Case, S. Dak.	Jackson	Neuberger
Church	Javits	O'Mahoney
Cooper	Jenner	Pastore
Curtis	Johnson, Tex.	Potter
Dirksen	Johnston, S. C.	Purtell
Douglas	Kennedy	Revercomb
Robertson	Smith, N. J.	Thye
Russell	Sparkman	Watkins
Saltonstall	Stennis	Wiley
Schoeppel	Symington	Williams
Scott	Talmadge	Yarborough
Smith, Maine	Thurmond	

The PRESIDING OFFICER. A quorum is present. The question is on agreeng to the amendment offered by the Senator from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MUNDT. Does the vote now come on the so-called Mundt amendment, and will an affirmative vote be a vote to strike out the $7.50 limitation?

The PRESIDING OFFICER. The Senator is correct.

On the amendment of the Senator from South Dakota the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN], is absent by leave of the Senate on official business.

I further announce, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], and the Senator from West Virginia [Mr. NEELY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Maine [Mr. PAYNE] is necessarily absent, and if present and voting, he would vote "yea."

On this vote the Senator from New Hampshire [Mr. COTTON] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from New Hampshire would vote "nay," and the Senator from Nebraska would vote "yea."

Mr. BARRETT (after having voted in the negative). Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is recorded as having voted in the negative.

Mr. BARRETT. I wish to change my vote to "yea."

Mr. SALTONSTALL (after having voted in the negative). Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is recorded as having voted in the negative.

Mr. SALTONSTALL. I vote "yea."

Mr. JACKSON (after having voted in the affirmative). Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is recorded as having voted in the affirmative.

Mr. JACKSON. I vote "nay."

Mr. MUNDT. Mr. President, I ask for the regular order.

Mr. KNOWLAND. Mr. President, I demand the regular order.

The VICE PRESIDENT. The clerk must have time to tally the vote.

Mr. MORSE (after having voted in the affirmative). Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is recorded as having voted in the affirmative.

Mr. MORSE. I vote "nay."

Mr. NEUBERGER (after having voted in the affirmative). Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is recorded as having voted in the affirmative.

Mr. NEUBERGER. On this vote I have a pair with the Senator from Arkansas [Mr. MCCLELLAN]. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I therefore withhold my vote.

Mrs. SMITH of Maine (after having voted in the negative). Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is recorded as having voted in the negative.

Mrs. SMITH of Maine. I vote "yea."

The result was announced—yeas 40, nays 38, as follows:

YEAS—40

Aiken	Curtis	Morton
Allott	Dirksen	Mundt
Barrett	Flanders	Potter
Beall	Goldwater	Purtell
Bennett	Hennings	Revercomb
Bricker	Hickenlooper	Saltonstall
Bush	Holland	Schoeppel
Butler	Humphrey	Smith, Maine
Capehart	Ives	Smith, N. J.
Carlson	Javits	Thye
Carroll	Jenner	Watkins
Case, N. J.	Knowland	Wiley
Case, S. Dak.	Kuchel	
Cooper	Martin, Iowa	

NAYS—38

Anderson	Jackson	Murray
Bible	Johnson, Tex.	Pastore
Byrd	Johnston, S. C.	Robertson
Church	Kennedy	Russell
Douglas	Kerr	Scott
Dworshak	Lausche	Sparkman
Eastland	Long	Stennis
Ellender	Magnuson	Symington
Ervin	Mansfield	Talmadge
Frear	Martin, Pa.	Thurmond
Gore	McNamara	Williams
Hayden	Monroney	Yarborough
Hill	Morse	

NOT VOTING—17

Bridges	Hruska	Neuberger
Chavez	Kefauver	O'Mahoney
Clark	Langer	Payne
Cotton	Malone	Smathers
Fulbright	McClellan	Young
Green	Neely	

So Mr. MUNDT's amendment was agreed to.

Mr. MUNDT. Mr. President, I move that the Senate reconsider the vote by which the amendment was adopted.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from South Dakota.

The motion to lay on the table was agreed to.

Mr. RUSSELL. Mr. President, I suppose I shall have to offer an amendment in order to get a little time.

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. Therefore, Mr. President, I move on page 28, in line 14, to strike out the figure "$350 million" and insert in lieu thereof the figure "$250 million."

The VICE PRESIDENT. How much time does the Senator desire to yield to himself?

Mr. RUSSELL. I have 30 minutes, I believe, on the amendment. I shall consume only a few minutes, and then yield back the remainder of my time.

First, I wish to say that the amendment which has just been adopted was adopted by a strictly party vote. We have not had a great many true economists—with the exception of the distinguished Senator from Delaware [Mr. WILLIAMS], who is a true economist—but we have had a great deal of talk about economy, but do not always vote for it. I believe there were 1 or 2 affirmative votes on this side of the aisle, but aside from that, I believe this is one of the few times when we have had a strictly party vote on an agricultural issue. I would have much preferred to have the amendment disposed of strictly on its merits, even though it had lost by a much larger vote, than to have it determined as a party issue.

I believe the Senate has made a great mistake. However, that is one of the benefits of serving in the Senate; that is, we can always question the wisdom of the majority.

Mr. President, I have offered an amendment, and I hope the Senate will give me a yea-and-nay vote on it. I wish to say to my colleagues on this side of the aisle that I do not ask any of them to vote for the amendment for any reason on earth except on its merits, certainly not for personal reasons. I am offering the amendment because in committee, when the motion was made to increase the total amount which would be available for the conservation-reserve payments above the House figure by $100 million, I voted for it, with the understanding that there would be at least some effort made to show that there was some concern on the part of the Senate about the payments which were being made. I therefore reoffer the amendment now to give economy advocates a chance to cast an economy vote, which is spelled out in terms of dollars and cents, rather than in terms of trying to clean up a program and to save a few hundred million dollars from it.

Leaving aside all that I have said, if we are to maintain these high payments, and if we are to permit fishponds to be constructed at a cost of $1,062 and then pay the farmer who built the pond $11 an acre for 10 years with money taken from the Federal Treasury, and in addition permit him to enjoy the benefits of the fish which are in the pond—and incidentally he would get the fish free from the Government—then it seems to me that we should hold this program down and have a chance to evaluate it.

The expenditures for this year for this program were about $172 million. Even if the amendment is adopted, it will give leeway for an increase of about $70 million during the next year. It will be possible to build a great many dams or fish ponds, and to make a great many practice and rental payments with $172 million.

I do not offer the amendment facetiously. I certainly do not offer it out of resentment because the last amendment was adopted. I do so because I voted to increase this amount in committee, and because I thought that some effort was going to be made to put some little economy into the program.

Certainly if the rates of payment are to remain as high as they are, there will be a heavy obligation on the part of the Government, because the money will be paid out 3, and 5, and 10 times over. If we look at it from the standpoint of 10-year contracts, it will mean $2,500,000,000, even at the lower figure.

I do not wish to labor the point. I merely wish to have a yea-and-nay vote on the amendment.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CASE of South Dakota. Is the Senator's amendment offered to the figure that deals with the dam-building program or with the conservation-reserve program?

Mr. RUSSELL. The dam-building program is a part of it. We pay for dams under ACP and in the soil bank. The two programs run along together.

Mr. CASE of South Dakota. I did not catch the Senator's statement with reference to where the amendment would come in the bill. Is it directed to the program that deals with the soil conservation program or is it to be a part of the new soil bank program?

Mr. RUSSELL. It is directed to the soil bank program. It does not touch the ACP program. A great deal has been made here of the fact that this program is in its infancy; that it is being tried out.

The Senate has decided in its wisdom—and the decision may be right—not to disturb the scale of payments now being made. It amounts to having the Government committed to another billion dollars of expenditures, whether the payments are proper or not. The amendment will allow a reasonable increase in this program over the next year of about $70 million. It will give us time to evaluate and study and recheck the practice payments and rental payments. They appeared to me as being a little high, and also to the distinguished Senator from North Dakota, who offered the amendment in the committee. However, if we want to keep the high payments, let us not embark on such a large program, but hold the program to $250 million, because it can cost a billion dollars before it is over.

I do not wish to labor the point. I wish to go on record myself on this amendment. Therefore I ask for the yeas and nays on the amendment.

The VICE PRESIDENT. The yeas and nays have been requested. Is the request sufficiently seconded?

The yeas and nays were ordered.

Mr. RUSSELL. Mr. President, I reserve the remainder of my time.

Mr. DIRKSEN. Mr. President, will the Senator yield, only for the purpose of refreshing my memory and that of other members of the committee?

Mr. RUSSELL. I yield.

Mr. DIRKSEN. I believe the Senator from Georgia proposed to make the amount $350 million.

Mr. RUSSELL. That is completely in error. The Senator from South Dakota [Mr. MUNDT] offered the $350 million amendment. I stated I thought that amount was too high. I leave it to the conscience and integrity of the Senator from South Dakota to say if that is not a fair statement. I want the RECORD to show that the Senator from South Dakota not only nodded his head but also said that my statement was correct.

Mr. DIRKSEN. But did not the Senator from Georgia say that $325 million was agreeable to him?

Mr. RUSSELL. I said I thought we should not go higher than that amount, in any event; but $300 million was as high as I thought we should go.

Mr. DIRKSEN. Am I correct in my recollection that that was deleted by the Mundt amendment, and that the vote was actually 11 to 8 in the full Committee on Appropriations, although after the total amount was first written into the bill, and we had a long discussion about the $7.50 limitation, all members of the committee were fully informed about that, and still there was an almost even division in the committee on this limitation?

Mr. RUSSELL. I do not remember the exact vote; I think it was 13 to 9.

Mr. DIRKSEN. I think it was 11 to 8.

Mr. RUSSELL. Anyway, the margin was strongly in favor of the position I took. But I do not see what light that throws on the matter. I am not here representing the committee. I stated I was not. I am here in my individual capacity as a Senator from Georgia, offering an amendment which I believe in good conscience should be agreed to.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. Under the unanimous consent agreement, in which the time is divided on this and other amendments, I should like to inquire about the provision as to the control of the time.

The Senator from Georgia has offered an amendment. He obviously would have control of the time of the proponents of the amendment. I wanted to clarify the situation, because there have been some requests for time on this side of the aisle.

The VICE PRESIDENT. Under the agreement on the Mundt amendment, which applies to this and other amendments, the majority leader would control the time, unless he took the other position on the amendment.

Mr. JOHNSON of Texas. As I understand the unanimous-consent agreement, I control the time in opposition, but I should be glad to yield to whomever the Senator from California suggested I should yield to.

Mr. RUSSELL. Mr. President, I hope this hiatus is not coming out of my time. [Laughter.]

Mr. JOHNSON of Texas. Under the agreement which has been entered into, the majority leader would control the time in opposition to the amendment. According to our practice, when the majority leader is in favor of an amendment, the time is controlled by the minority leader. Since I am in favor of amendment, I ask unanimous consent of the Senate that I be permitted to yield the control of the time in opposition to the amendment to the minority leader.

The VICE PRESIDENT. The minority leader will control the time in opposition.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Vermont.

Mr. AIKEN. Mr. President, the amount of $200 million, which the Senator from Georgia would allow for carrying on the conservation reserve program this year, is $50 million less than the amount allowed in the House bill.

Mr. RUSSELL. Oh, no; it is identically the same. I said $250 million.

Mr. AIKEN. I understood the Senator to say $200 million.

Mr. RUSSELL. It is identically the same.

Mr. AIKEN. But if the amendment shall be agreed to, it will mean breaking commitments to the farmers of the country next year. This year, with the program only getting partially started, more than $177 million is being spent. It is expected that the program will approximately double next year, provided there is no change in the rate paid for land put into the conservation reserve. The Senate has voted that there will be no change.

Therefore, $350 million will be needed next year. If it is not provided, it will be necessary to go to the farmers of Montana, Washington, Missouri, New York, and other States, and to say, "We have broken our faith with you. We are not going to pay you what we said we would pay."

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. AIKEN. I have no time to yield. If the Senator will give me time, I will yield.

Mr. RUSSELL. I will yield 1 minute to the Senator. Certainly that should be sufficient.

When we know that the contracts in force required only about $80 million for rental payments, and the other contracts were for practice payments, we are breaking commitments with nobody in the amendment.

Mr. AIKEN. The Department of Agriculture tells me they expect the conservation-reserve program to be about doubled next year, and that will require about $350 million. They cannot possibly operate the program with $250 million. If that is all we will appropriate, it would be necessary to say, "We are not going to give you the amount which we said we would give you."

We can go to the people of those States and say, "We are not going ahead with the forestry program which we had planned so as to put the United States in a self-sufficient position in the interest of national security."

We can say, "We are not going to let you set this land aside for wildlife refuges."

We can say, "We have decided not to pay you for putting some of the land into recreational areas, of which we are so desperately short in this country, and which all city people are anxious to have."

We can say, "We are not going to pay you the full amount we said we would pay you for taking land out of poor crops and putting it into cover crops, so that at the end of 5 years' time it will be much better than it is now."

We can say, "We have simply lost interest in building up the soil under the conservation reserve."

Also, we can go to many States of the Union—I think more than half of them—and say, "The proposal we made to you last year, under which we gave you money to expand the State nurseries by 400, 500, or 600 percent, is all off now. You can throw those trees away, because we are not going to let you have any more of a program than you had during the last year."

Mr. President, I do not think we want to do that. I consider that when we have made a commitment, we should provide the means for keeping that commitment. If the objective or the purpose is to destroy the conservation-reserve program, we have a good chance to do it. But I do not think we want to do that. We have made a commitment which should run for 2 years more—or for 1 year more at least. We are just beginning to try out that program this year. Certainly we do not want to go back on our commitments at the first opportunity we have.

It is unthinkable that the Senate should commit itself to a program, and then deliberately undertake to destroy the program or to cripple it by not appropriating the amounts of money necessary to carry it on.

Mr. KNOWLAND. Mr. President, I yield 4 minutes to the senior Senator from Minnesota.

Mr. THYE. Mr. President, the only reason why a soil bank provision was enacted as a part of the farm program was to endeavor to reduce the overall number of acres which are harvested every year. There is no way in the world by which crop production can be reduced except by curtailing the number of acres on which crops are grown or from which they are harvested. The most economical phase of the entire farm program last year was that involved in crop reduction.

If a farmer goes into the acreage reserve program, he is paid up to $47 or $50 an acre to place productive acres under the contract. But under the conservation phase of the soil bank, acreages are being contracted for at the rate of $3, $4, and $5 an acre, although in a few instances in my State the rate has gone above $11 an acre.

If a farmer plants trees, he enters into a 10-year contract. He ties his land up for 10 years. He takes it out of production for that number of years. He gets $3, $4, or not to exceed $5 an acre under that long-term contract.

Trees are being grown on that land which will benefit future generations. Not only is the countryside being beautified, but the fertility of the land is being built up, because if it is planted 25 or 30 years from now, it will be virgin land from which crops may be harvested. Therefore, the conservation aspect of the soil bank is the most economical phase of the entire farm program.

Mr. President, we should consider the money which is being poured out under Public Law 480 in order to dispose of surplus commodities in foreign countries. Consider the billions of dollars which are going into that program. What is happening? We are taking the fertility out of our land and are putting it into giveaway programs for the benefit of foreign countries.

I regret that my distinguished friend from Georgia saw fit to offer this amendment. He is one of the greatest friends agriculture has ever had. But in this instance he is acting against the interests of agriculture. He is denying to agriculture the conservation aspect of this program, which is the cheapest, the most economical and the most beneficial to American agriculture.

For these reasons, I most sincerely hope that the Senate will reject the amendment. To adopt it will be taking a backward step, rather than a step forward with a constructive, sound farm program.

Mr. HUMPHREY. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield 3 minutes to the Senator from Minesota.

The VICE PRESIDENT. The Senator from Minnesota is recognized for 3 minutes.

Mr. HUMPHREY. Mr. President, it appears to me that the amendment would have been more properly offered if the proposed limitation had been placed on the national average payment per acre, because if the national average payment had been reduced to not to exceed $7.50 an acre, the sum total of the appropriation carried at this point in the bill might well have been reduced.

However, since the Senate has taken a contrary view, and has overridden the committee amendment, and has sustained the present position of the Department in regard to the payments under the conservation program, which average approximately $8.84, it seems unwise to strike $100 million from this appropriation item.

It has been made perfectly clear here that the conservation program was slow

in getting started. That occurred because during the first year of the soil bank, the emphasis was upon the acreage reserve section. Some of the delay occurred because of politics, and some of it occurred because of the lack of incentive. Regardless of that, we realize that the acreage reserve program is at best a temporary expedient for the purpose of reducing production. I say it has not worked well—but even the acreage reserve should be continued. The action of the House in eliminating the acreage reserve program in 1958 is unwise.

But the conservation reserve program is dedicated to getting marginal lands out of production and to storing fertility in the soil, rather than to storing the products of the soil in bins. The conservation reserve program is for reforestation, wildlife refugees, recreational areas, and building up the fertility of soil which has had its fertility depleted.

Therefore, if we were now to reduce the appropriation for the program, we would be turning back on what we began in a very affirmative way. If we were to reduce the appropriation, it might be possible to get by for 1 year. But if the appropriation for the program is cut now, we shall be saying to the farmers of the Nation that the conservation reserve program is to be limited and is in retreat, and that they cannot depend on it. We must remember that under the conservation reserve program there is a plan for long-range programing. Instead, those contracts are for 3, 5, 10, or 15 years. This is the kind of program that is needed in order to prevent certain areas of the country from becoming desert areas. This is the kind of program that is needed in the Great Plains and in cutover sections and in sections where the productive capacity of the soil has been depleted. This program must not be sacrificed. I am willing to take the gamble of having the Government spend a little too much for the conservation reserve, rather than to have it spend too little. Therefore, Mr. President, with all deference to Senators who believe to the contrary, I plead with my colleagues on this side of the aisle to vote for the appropriation necessary to put this program into operation.

We must remember that this will be the maximum, and there will be no mandate that all of the appropriation be spent. Since the Senate has voted to strike out the limitation proposed by the committee—and by my vote I helped the Senate take that action, because I thought that was the right thing to do—it seems to me that the full $350 million will be needed, now that the Senate has said there will be no limitation per acre on the payments on the conservation reserve contracts.

The VICE PRESIDENT. The time of the Senator from Minnesota has expired.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from South Dakota [Mr. MUNDT].

The VICE PRESIDENT. The Senator from South Dakota is recognized for 5 minutes.

Mr. MUNDT. Mr. President, I sincerely hope that our good friends on the Democratic side of the aisle will give cool and calm consideration to the presentation they have just heard from my friend and neighbor, the Senator from Minnesota [Mr. HUMPHREY].

I was no less disappointed than was the distinguished Senator from Georgia at the distinctly partisan vote taken on the previous amendment, when, almost without exception, our friends on the Democratic side of the aisle voted against my amendment removing the restriction in the payment, as proposed by the committee. Since that was a partisan position, and a partisan vote, however, I am proud to be able to say that there were exceptions, and that the Senator from Minnesota [Mr. HUMPHREY], the Senator from Florida [Mr. HOLLAND], and one or two other Senators on the Democratic side of the aisle voted as I am sure they would, namely, in conformity with the position taken by our agricultural committee and in favor of my amendment to sustain that position.

Since the vote was a partisan one, Mr. President, I was never more proud than I was of the position taken by Senators on the Republican side of the aisle, the Senators who belong to our party. Mr. President, the farmers of the Nation will study that rollcall vote and will study the record of this debate in that connection, and they will observe that, almost without exception, the Senators on the Republican side of the aisle voted to stand by the commitments made to agriculture, and refused to shortchange the American farmer. Every Republican in America can be proud of the record made by the Senators of his party tonight.

In fact, Mr. President, I plead with my Democratic friends not to permit petulance or disappointment because of the defeat they had on the other amendment to induce them to vote for the proposed slash of $100 million in the appropriation needed in order to comply with the soil-bank promises made to the American farmers. If Senators wish to see the income of the farmers in their States really drop, let Senators vote for the pending amendment, which would reduce the appropriation by $100 million, taking that amount directly away from the American farmer, who has been promised it by legislation enacted by his Congress.

If Senators wish to penalize the farmers who have entered into such contracts with the Government, and if Senators want to see such farmers have to throw up their hands in despair at the action of a Government which, one year, promises them a $450 million program, and the next year reneges, let Senators vote for the pending amendment. Let the rollcall tell the story. Certainly, our farmers have a right to expect some kind of assistance and some kind of helpful revision in the program the Congress presents on agricultural problems.

No other program operates for the benefit of the farmer in this area today. Certainly, if the Senate votes to roll a stone up the hill one day, and then to roll it down the next day, like Sisyphus, the farmers will have nothing on which to rely. I certainly hope that all Democratic Senators will vote unanimously this time, as they almost did on the other amendment; but in this case I hope all Democratic Senators will vote in favor of the $350 million item and not to cripple our soil-bank program before it is even given a fair trial.

Mr. KNOWLAND. Mr. President, I yield 2 minutes to the Senator from Kansas [Mr. CARLSON].

The VICE PRESIDENT. The Senator from Kansas is recognized for 2 minutes.

Mr. CARLSON. Mr. President, I think the Senate acted wisely in voting against the $7.50 per acre limitation, on a national average; and I believe it would be unwise for the Senate to vote to reduce by $100 million this $350 million item.

As I stated regarding the other amendment, if a cut is to be made, as proposed by the committee amendment, we might just as well eliminate all of the $350 million.

I firmly believe that if the other amendment had been adopted, even more than the proposed $350 million might have been needed.

I do not have a great deal of faith in the acreage reserve, even though some others do. But in the present case we are dealing with the conservation reserve program, which might well have an appropriation of $500 million. We have 131.9 million acres of class 4 land, some of which should be in grass, and some of it should be in trees. Let us get the land back to grass and to trees, and let us increase by a small number of dollars the per acre payments to be made, instead of trying to maintain a program calling for payments of $10, $15, $30, $40, or $50 an acre.

So I urge the Senate to vote for the full amount of $350 million, which was the amount called for in the committee amendment as reported by the Senator from Georgia [Mr. RUSSELL].

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Florida [Mr. HOLLAND].

The VICE PRESIDENT. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, I have been somewhat disappointed to hear Senators speak of the last vote as if it were purely a party vote. So far as I am concerned, I do not take a party position on matters gravely affecting the agricultural life of the Nation. That has been my position on the issue of price controls and in matters in the field of conservation, as well as other matters, and that was my position in regard to the vote taken recently.

On the contrary, both in the Appropriations Committee and on the floor of the Senate I have voted my convictions, which were to the effect that the limitation sought to be imposed would be very hurtful in parts of the Nation. We must remember that this is a national question, not a State question.

On this particular part of the argument, I agree completely with the position already taken by my able friend, the junior Senator from Minnesota [Mr. HUMPHREY].

I think that this program, the conservation reserve program, is the very heart of this whole soil bank approach. Conservation reserve means we are going to be planting trees; and we are going to be building soil and we are going to be building up the fertility of cultivated acres, many of which are worn out. If there is anything in the soil bank that appeals to people who want to build up fertility in the soil and restore fertility to wornout soil, it is the conservation reserve program. My only point is that the approach under the committee proposal is too timid, because it allows only $350 million for that which is the heart of the program, whereas the authorization last year set up a $450 million program for the conservation reserve for the year 1958.

I do not like to see us march right back down the hill when an issue of this kind comes before us. Particularly, I do not like to see any approach to this question on a partisan basis. I decline to follow anyone on a partisan basis on this kind of issue.

As I recall the vote, I heard several votes on this side of the aisle in support of the recent action taken on the amendment of the Senator from South Dakota—the Senator from Missouri [Mr. HENNINGS], the Senator from Minnesota [Mr. HUMPHREY], the senior Senator from Florida, myself, and others whose vote I perhaps did not hear. I am sure the reason why most of the votes on this side were cast the other way was due more to the fact that they were trying to stand by the committee action and back up a very popular and effective subcommittee chairman. It happened that the Senator from Florida had taken a different position in the committee, and he took it in voting on the floor, although he did not say anything about it.

I hope we shall not approach this kind of question from a partisan standpoint. I hope we shall not be cutting the heart out of the conservation reserve program for this approaching year by reducing the appropriation $200 million below that which we authorized for fiscal 1958 when we passed the bill a little over a year ago. I hope the amendment of the Senator from Georgia will be defeated.

Mr. MORSE. Mr. President, I wonder if the proponents will allow me 1 minute?

Mr. RUSSELL. I gladly yield 1 minute to the Senator from Oregon.

Mr. MORSE. I shall be frank in my explanation of why I shall vote against the amendment. I have checked it with conservation and forestry groups in my State. They all point out that, so far as my State is concerned, this program is highly to be desired from the standpoint of conservation and wildlife refuges, as mentioned by the Senator from Minnesota. Therefore, while I am disappointed whenever I do not vote with the Senator from Georgia, in the interests of conservation in my State, I shall vote against the amendment.

Mr. CASE of South Dakota. Mr. President, will the Senator from Illinois yield 2 minutes to me?

Mr. DIRKSEN. I yield 2 minutes to the Senator from South Dakota.

Mr. CASE of South Dakota. Personally, it is difficult for me to understand the purpose of the amendment. If there is anything to conservation, I should think we would want to offer the maximum opportunity for achieving conservation. If the money is not contracted for, it will not be spent; but if the purposes of conservation, for which the conservation reserve program was established, are to be accomplished, money has got to be appropriated in order to make the program effective. If the acres are not signed up, the money will not be spent.

On pages 684 and 685 of the hearings there appears a table showing the payment an acre, and the extent, under the conservation practices carried out under the 1956 conservation reserve program. This table is followed by footnotes which describe the practices for which payments are allowed. From these I read:

The first column is A–2, "Planting a permanent cover of grasses and legumes for soil protection."

The next is A–4 for "Treatment of cropland with lime to permit the use of grasses and legumes, soil improvement, and protection."

The next—A–7 is "Planting trees or shrubs for erosion control, watershed protection, shelter belts, or forestry purposes."

I may say that the A–7 practice was the only one used in my State last year.

Next—B–7 is "Dams, pits, or ponds to permit the protection of educated cover."

C–14 is "Dams, pits, or ponds for irrigation water."

D–1 is "Planting grasses or legumes for winter cover."

D–2 is "Planting grasses or legumes for summer cover."

G–1 is "Establishing and managing cover for wildlife."

The VICE PRESIDENT. The time of the Senator from South Dakota has expired.

Mr. DIRKSEN. I yield 1 additional minute to the Senator from South Dakota.

Mr. CASE of South Dakota. Senators as you can see, they are all for conservation purposes. If the acres are not signed up, the money will not be spent. Why should we not let the program go forward at least at three-fourths the rate which was envisioned when the soil-conservation program was adopted? Why not approve the $350 million as the bill is presented? The authorization originally was $450 million.

Under the next paragraph which deals with the acreage reserve, the amount of program is limited to $500 million. Thus, if the pending amendment should prevail, instead of the soil-bank program being permitted to carry on at the authorized rate of $1,250 million, it will be funded at the rate of only $750 million. That will be a reduction of $500,000,000, for the operation of the soil bank under what was authorized when adopted by the Congress last year.

If the purposes of the conservation practices are not good, kill the program outright. But if the conservation practices are desirable, we should provide the funds. If the signup does not require this amount, the money will not be spent.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I shall vote against the pending amendment. I wish to point out that if there is provided only $250 million to carry on the program, $165 million of that will be necessary to carry out existing contracts, and there will remain only $85 million for new contracts.

It is my belief that the soil-bank program should be given a fair trial. I am rather disappointed that the distinguished Senator from Georgia is seeking to reduce the appropriation relative to the conservation reserve acres portion of the soil bank. As the Senator from Florida pointed out, the authorization amounts to $450 million per year for that part of the soil bank. Even if the Senate goes along with the recommendations of the Appropriations Committee, we shall be short $100 million of the amount authorized in the law.

I wish to say I voted against the Mundt amendment when it was up for consideration, although I favored it. I made a strenuous effort before the committee, to defeat the committee amendment, to limit acreage payments, as the Senator from South Dakota knows. Having lost my fight before the committee, I resolved to follow the committee bill as reported. Such a course is in keeping with my policy of standing with the committee on which I am privileged to serve. Only in a few instances have I violated that policy.

The VICE PRESIDENT. The time of the Senator from Louisiana has expired.

Mr. RUSSELL. Mr. President, I wish to make a few brief observations with respect to some of the arguments which have been made against my amendment. Some Senators have sought to make it a test of whether or not a Senator is in favor of conservation if he votes in favor of the amendment. I shall have to leave that to time.

The bill contains a program of conservation, under the agricultural conservation provision, of $250 million, in addition to the $250 million proposed by the amendment, which will provide, in the next year, a half billion dollars' worth of conservation activities in the United States, which will be just twice what we have had in any year for the past 8 or 10 years. So there is no dearth of funds for conservation. The soil conservation program is here; it is working; it is in operation.

I am somewhat amazed to hear the argument which is made here that, because the Soil Bank Act authorized $450 million for a conservation reserve program, we could not decrease that program next year and be consistent with the provisions of the act.

I am surprised to hear that argument come from Senators who say they are all for the soil bank program. They rise on the floor of the Senate and say, "We must have at least a $350 million program next year, an increase of approximately $175 million over what we have today." Yet nobody has proposed to touch the acreage reserve program, which has been cut back $250 million from the amount authorized this year.

Talk about consistency. We are spending $612 million this year on the acreage reserve program. There is a limitation here of a $500 million program for next year. Nobody has talked about that. That is a cutback.

The amendment I have offered allows for a substantial increase in the conservation reserve program for the next year.

Then comes the attempt to make a test of supporting the soil bank, based upon whether or not the Senators vote down the amendment I have proposed. If a Senator is consistent in supporting the soil bank all he has to do is strike out all these limitations and restore a $750 million program next year for the acreage reserve.

We hear about the $350 million. Under the basic act the limitation on the acreage reserve program is $750 million a year.

I wish to put all Senators on notice. If they desire to be consistent, there is a limitation in this bill of $500 million on next year's acreage reserve program, and that is a cutback of $112 million from what we are spending on it this year. So if Senators are consistently supporting the whole soil bank program, they have to authorize expenditures totaling $1.2 billion next year for the conservation reserve and the acreage reserve programs.

Talk about consistency. Some say I am not consistent although I provided an increase for the conservation reserve. Senators stand calmly by and see a reduction made in the acreage reserve program, which was supposed to be the part of the program which would get us out of the surplus surfeit that has been harassing and bedeviling us for so many years.

I am as strongly committed to the cause of soil conservation as any Member of the Senate, but, Mr. President, that does not mean I am willing to throw away money—paying, for instance, $1,000 for a fishpond, and then paying the farmer $11 an acre for the land in the fishpond covered by the water. Senators can go ahead and adopt that kind of practice if they want to do it—and they apparently do. I am in favor of conservation, but I am not in favor of paying as high as $88.50 an acre for the practice of planting trees, and then paying the man who owns the land and to whom we have given $88.50 an acre for the practice, a rental of $16.50 a year, for 10 years, while the trees he planted at Government expense are making him rich, and can be garnered after the program is ended.

Senators can call that conservation if they wish. I think some farmers will find it pretty good business, and it is practiced at the expense of the American taxpayer.

The amendment merely proposes to limit this program to $250 million next year. That will provide an increase of about $75 million. It would allow much more than that by way of increase, if the practice payments, were reduced, because the rental paid this year is only $61 million.

We can make good every contract we have made.

I was surprised to hear the distinguished Senator from Vermont [Mr. AIKEN] say that we are breaking our commitment to the American farmers if we do not double the conservation reserve program, when he is breaking that commitment by supporting a $500 million acreage reserve program, which is a cutback of $112 million from what we are paying this year.

I am not under any illusion, Mr. President, as to what will happen to this amendment. I was not under any illusion when I offered it.

I have heard a great deal said here about economy. I want the RECORD to show that the dollars we speak of so glibly will have to be paid, under the very loose program which has been adopted by the Department of Agriculture, for a period of 10 years. When Senators vote for $1 they are voting for $10. I hope the American taxpayers know that. These bills have to be paid for the next 9 years.

Senators may call that partisanship, if they wish. I do not care what they call it. It is my philosophy that conservation is a good thing, but I do not believe in strewing money around needlessly.

We have a great conservation program. We have the ACP program, calling for $250 million a year, in this bill. That is one conservation program which has not been touched or reduced by the soil-bank program; indeed, the soil-bank program has been pyramided on top of it.

I want to relieve any Member of the Senate who would be willing to risk being called my friend of any obligation to vote for this amendment. The Senator from Florida [Mr. HOLLAND] referred to that suggestion in his remarks. Senators should vote their consciences as they see them, because I am not offering the amendment as chairman of the committee. I am not appealing to Senators for the sake of any friendship. I am offering the amendment because I feel it is my duty to try to hold this program in some kind of a check and not let it expand too much under the present loose administration, when I know that the payments under contracts entered into so gaily have to be paid year after year over the period of the next 10 years.

We are only planting the seed when we enlarge this program, but there will result flourishing trees which we will have to supply with water at the expense of the American taxpayer for the next 10 years.

Mr. CHAVEZ. Mr. President, will the Senator yield for a moment?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. I had to go to New Mexico over the weekend, and I was told about what the Senator is now discussing, I believe. Mr. McDonald, a dairyman farmer living near Clovis, N. Mex., told me, personally, that owners of land which was not worth more than $20 came under this program and were paid $75. Thereafter, when the owners received the $75 under the program, they would put the land up for sale, and go to work at the airbase.

Mr. RUSSELL. Mr. President, I do not doubt that this program has been abused. I have not had the staff or the facilities to run down all the rumors I have heard as to land which has been sold and title transferred, with no obligation on the buyer to pay for the land except through the soil-bank payments. I do not say that practice is widespread, but if one case happened in the name of conservation it is one case too many. This is a program we ought to believe in, certainly when we permit this much of an increase, when we know the payments have to be multiplied by 10 in the long run, we must add the expense of a billion dollars which would be involved if we increase this appropriation $100 million.

Mr. President, I reserve the remainder of my time.

Mr. KNOWLAND. Mr. President, how much time do I have left?

The VICE PRESIDENT. The Senator from California has 4 minutes.

Mr. KNOWLAND. I yield 3 minutes to the Senator from Illinois [Mr. Dirksen].

Mr. DIRKSEN. Mr. President, there is no element of consistency or inconsistency involved in this matter.

Mr. RUSSELL. I am glad the Senator makes that confession, because it has been argued here that I was not consistent.

Mr. DIRKSEN. I have never made that argument.

Mr. RUSSELL. I did not say the Senator had.

Mr. DIRKSEN. I simply submit to the Senate this program is exactly what the name implies; it is a conservation acreage-reserve program, and it is meant to conserve the acres of this Republic on a 3-year contract, or a 5-year contract, or a 10-year contract, or in some cases on a 15-year contract. We do not make a commitment entirely over a 10-year period.

This whole matter was promulgated in the first instance in the Committee on Agriculture and Forestry of the Senate. The distinguished chairman of that committee, the Senator from Louisiana [Mr. Ellender], stood today in the Senate and said he was opposed to the amendment offered by the Senator from Georgia. The distinguished Senator from Florida [Mr. HOLLAND], a member of the Committee on Agriculture and Forestry, and one thoroughly devoted to the cause of agriculture, stands in his place in the Senate and opposes the amendment offered by the Senator from Georgia. The distinguished Senator from Minnesota is a member of the Senate Committee on Agriculture and Forestry. He helped to fashion and shape the program. He stands in his place tonight and opposes the amendment of the Senator from Georgia.

Is it necessary to marshal any more testimony? Is it necessary to summon any more witnesses against the very thing which the distinguished chairman of the subcommittee proposes to do; namely, to cut this program by $100 million? If we intend to cripple it, let us eliminate it altogether. But if we are to have a conservation program, if we are to have a program to which Member after Member in the Senate Appropriations Committee has addressed himself with vigor, let us support it. On the other hand, there was little enthusiasm for the acreage reserve program. It must be apparent to those who have followed the destinies of agriculture that this is the one thing upon which those leaders have set their hearts as the hope of the American farmer and the hope of the country in conserving the rich natural resources of our soil.

Mr. President, I do not think it is necessary to say anything further so far as those who brought this program before the Senate in the first instance last year are concerned. If we are to have a program, let us not stand it on one leg. Let us give it a fair chance, and vote the entire $350 million. In doing so we shall still be $100 million under the authorization brought in by the legislative Committee on Agriculture and Forestry.

I therefore trust that the amendment of my very distinguished friend from Georgia will be roundly rejected.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. Mr. President, have I any further time?

The VICE PRESIDENT. The Senator has 11 minutes remaining.

Mr. RUSSELL. I shall use about 2 minutes to inject a somewhat lighter note into this argument.

I must express to the Senator from Illinois my deep appreciation for the high compliment he has paid the distinguished Senator from Louisiana [Mr. ELLENDER] and the distinguished senior Senator from Minnesota [Mr. HUMPHREY]. I regret that the light did not strike him when the farm bill was before us last year. It has just now come to his attention that they are men who are worthy of being praised.

This issue is merely a matter of degree. The overall authorization in the bill of which the distinguished Senators to whom I have referred were architects is, over a 4-year period, $450 million in any 1 year.

It is but natural that the fathers of the soil bank—godfathers as well as putative fathers—should look upon it with more favor than those of us who have the annual chore of appropriating funds for it. It is all a question of degree. The total authorization under the law, over a 4-year period, is $450 million in any 1 year. The farmers signed contracts for about $172 million for this year. So if they have $350 million, they will have as much again next year. If they have $250 million, they will not have quite as much as they have.

The question of the nurseries, raised by the Senator from Vermont [Mr. AIKEN], is not involved in the slightest degree in the amendment. The nurseries are in operation, and the money is in the bill for them.

No Senator likes to think that he is a slave to consistency. We know that consistency is the hobgoblin of small minds. Therefore, no Senator would admit that he had to be bothered with consistency. I express the hope that the Senator from Illinois will recognize the leadership of the Senator from Louisiana and the Senator from Minnesota when we bring a real soil-bank bill to the floor of the Senate.

Mr. DIRKSEN. If a real bill comes to the floor of the Senate, I shall be more than delighted to follow in the footsteps of those distinguished Senators.

Mr. RUSSELL. The Senator from Illinois did not share the views expressed by them.

Mr. DIRKSEN. Only because one item was not included in the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. Mr. President, I am ready for a vote. I yield back any time remaining to me.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time and suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

Mr. KNOWLAND. Mr. President, I withdraw the suggestion of the absence of a quorum.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Tennessee, [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent on official business by leave of the Senate.

On this vote, the Senator from Illinois [Mr. DOUGLAS] is paired with the Senator from Rhode Island [Mr. GREEN]. If present and voting, the Senator from Illinois would vote "nay" and the Senator from Rhode Island would vote "yea."

I further announce, if present and voting, the Senator from Tennessee [Mr. KEFAUVER] and the Senator from West Virginia [Mr. NEELY] would each vote "nay."

Mr. DIRKSEN. I announce the Senator from New Hampshire [Mr. COTTON], that the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

The Senator from Maine [Mr. PAYNE] is necessarily absent.

If present and voting, the Senator from Connecticut [Mr. BUSH], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Pennsylvania [Mr. MARTIN], and the Senator from Maine [Mr. PAYNE] would each vote "nay."

The result was announced—yeas 26, nays 52, as follows:

YEAS—26

Anderson	Ervin	Kerr
Barrett	Frear	Lausche
Bible	Goldwater	Mansfield
Byrd	Hayden	Monroney
Chavez	Johnston, S. C.	O'Mahoney
Dworshak	Kennedy	Pastore
Purtell	Russell	Thurmond
Revercomb	Saltonstall	Williams
Robertson	Smith, Maine	

NAYS—52

Aiken	Gore	Morton
Allott	Hennings	Mundt
Beall	Hickenlooper	Murray
Bennett	Hill	Neuberger
Bricker	Holland	Potter
Butler	Humphrey	Schoeppel
Capehart	Ives	Scott
Carlson	Jackson	Smith, N. J.
Carroll	Javits	Sparkman
Case, N. J.	Jenner	Stennis
Case, S. Dak.	Johnson, Tex.	Symington
Church	Knowland	Talmadge
Cooper	Kuchel	Thye
Curtis	Long	Watkins
Dirksen	Magnuson	Wiley
Eastland	Martin, Iowa	Yarborough
Ellender	McNamara	
Flanders	Morse	

NOT VOTING—17

Bridges	Green	McClellan
Bush	Hruska	Neely
Clark	Kefauver	Payne
Cotton	Langer	Smathers
Douglas	Malone	Young
Fulbright	Martin, Pa.	

So Mr. RUSSELL's amendment was rejected.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment which is offered on behalf of the Senator from Missouri [Mr. SYMINGTON], the Senator from Colorado [Mr. CARROLL], the Senator from Oregon [Mr. MORSE] and myself. I ask that the amendment be stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The LEGISLATIVE CLERK. On page 4, line 17, it is proposed to strike out the figure "$16,586,000," and insert in lieu thereof the figure "$18,388,000."

Mr. HUMPHREY. Mr. President, the amendment deals with the section of the appropriation bill which refers to the Federal Meat Inspection Service. The committee provided for $16,586,000. The administration budget request was for $18,718,000. The amendment submitted by us provides for $18,388,000, an increase of $1,802,000.

The amount will take care of the additional inspectors who are recommended by the Department of Agriculture, plus the increase in funds which will be necessary to put into effect the reclassification program which has been ordered by the Civil Service Commission.

I would have the RECORD note that the Meat Inspection Service is obligated to put into effect a reclassification program during fiscal year 1958, at a cost of $590,000. It is also obligated to supply uniforms to inspectors, at a cost of $230,000. The amendment does not take into consideration the $230,000 for uniforms. It was the feeling of the sponsors of the amendment that this amount could be absorbed in the appropriations which would be made available to the Service.

It should be crystal clear that if the $590,000 is not supplied for the additional increment in salaries, due to reclassification, it will have to be supplied at a later date in a supplemental appropriation bill. If an amendment is offered to our amendment, or a substitute is offered to the amendment, as I have heard it indicated, the Senate will be required at a later date to pay the bill for the reclassification. It is merely a matter of whether we wish to do it now in the appropriation bill before us or whether

we want the RECORD to indicate for the moment that we were a little economy minded, and then within a few months take care of it in a supplemental bill.

One other point I should like to make is this: During the past 9 months meat inspection had to be temporarily curtailed in the meat packing plants in 18 cities throughout the Nation, because replacements were not available when the regularly assigned inspectors were unable to work.

It should be further noted that the meat packing industry is being decentralized. There is a reason for that. Let me say to my friends in the areas where beef cattle have become an important part of the economy, that the packing houses have become decentralized so that they will be closer to the sources of supply of cattle, because it is cheaper to ship dressed beef than it is to ship cattle. The packers prefer to be closer to the source of supply and also prefer to be closer to the market for the processed product. The facts I have indicate that during the past 5 years the number of meat packing plants covered by the Federal Meat Inspection Service has increased from approximately 900 to 1,300.

That is an increase of 407 plants. In servicing those plants, the inspectors have had to be assigned to 500 cities and towns in 1957, in contrast to 400 cities and towns in 1953.

The number of animals inspected has increased from 90 million in 1953 to 110 million in 1957.

The manning of the meat inspection organization has simply not kept pace with this increase, either in the number of packing plants, the number of locations or communities, or the numbers of cattle which had to be handled in the packing operations.

We all know that a meat inspector stands right along the production man in a packing plant. If there is not an adequate number of meat inspectors to handle the production, there is only one thing to do, and that is to cut down the production. When the production is cut down, it means a tightened supply. When there is a tightened supply, the price is raised. So when production is cut down, not only is there a tightened supply, but the price is raised, and the farmer is denied a readily available market for his livestock.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. CASE of South Dakota. Is it not true that this is one amendment which will benefit both the consumer and the producer, in that it will protect the consumer and will aid the producer?

Mr. HUMPHREY. It is my feeling that it will surely do that. I cannot imagine that we would want to have less than adequate inspection of meat.

I am certain the argument also will be made that under the amount recommended, with payment by the packers of overtime, they can get adequate Federal inspection. But I would have the RECORD further show that when overtime is paid, that amount is included in the cost of the product which goes to the consumer.

Mr. CASE of South Dakota. Mr. President, would the Senator from Minnesota object to my asking unanimous consent to have telegrams I have received on this subject printed in the RECORD following his remarks?

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senator from South Dakota may have the telegrams printed in the RECORD following the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MAGNUSON. Mr. President, I ask unanimous consent that I may have the same privilege of having a series of telegrams printed in the RECORD following the conclusion of the remarks of the Senator from Minnesota.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HUMPHREY. Mr. President, I bring to the attention of the Senate the fact that the Civil Service Commission has spent almost 2 years working out schedules of compensation to become effective July 1, 1957. In other words, in about 15 or 16 days an entirely new compensation schedule will go into effect for veterinarians and others engaged in the Federal meat inspection service. Congress will have to provide the money. If it does not provide the money now, it will be necessary to provide it when Congress returns next January.

I feel that that states my case. I hope the Senate will agree to my amendment.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. CARROLL. The correspondence I have received from Colorado corroborates everything the distinguished Senator from Minnesota has said on the floor. That is why I am so happy to join with him in offering the amendment. As the Senator from South Dakota has said, the amendment will benefit and protect both the consumer and the producer.

I congratulate the Senator from Minnesota on the clear and concise presentation of his statement.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. McNAMARA. I wish to compliment the Senator from Minnesota for his excellent, concise statement. I join with him wholeheartedly in offering the amendment.

Mr. HUMPHREY. Mr. President, I have used as much time as I need. I yield the floor.

EXHIBIT 1

MITCHELL, S. DAK., *June 3, 1957.*

FRANCIS CASE,
Senate Office Building,
Washington, D. C.:

On June 5, Senate Subcommittee on Agricultural Appropriations will act on providing funds for Federal meat inspection during ensuing year. Theoretically inadequate appropriation will undoubtedly result in the ultimate reduction of Government inspection personnel, thus resulting in the curtailment of handling of livestock. We sincerely urge passage of proper appropriation for adequate meat inspection.

GEORGE A. HORMEL & Co.,
DAVID W. COREY, *General Manager.*

SIOUX FALLS, S. DAK.

Hon. FRANCIS CASE,
Washington, D. C.:

Urgent please use influence provide additional funds over this year's budget for agriculture research service, United States Department of Agriculture and avoid serious interference with important inspection control and research activities and injury to livestock and meat industries and consumers.

J. B. Sigrist, Cathryn J. Cammack, Walter G. Wachob, Francis J. Barron, W. John Duhon, George Casady, Carl S. Nash, Philip A. Ray, B. A. Jacoby.

BELLE FOURCHE, S. DAK.

Senator FRANCIS CASE,
Washington, D. C.:

Please support aggricultural appropriations bill retaining the $2 million for utilization research.

WESTERN SOUTH DAKOTA SHEEP GROWERS ASSOCIATION,
JOHN WIDDOSS, *Secretary.*

WATERTOWN, S. DAK., *June 4, 1957.*

Hon. FRANCIS CASE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CASE: I am writing this letter to urge you to support the President's budget proposal for the Meat Inspection Service, that is, a total appropriation of $18,718,000 and especially the $1,212,000 earmarked for the hiring of the new inspectors.

I have worked in the packing industry for over 20 years, and I fear very much the danger of relaxing to the very least on strict Government inspection. I sincerely urge you to back this program with all your power, for better health and sanitation in the packing plants of these United States.

Thanking you for your past support,
I remain,

WILLIAM J. FOX.

WASHINGTON, D. C., *June 11, 1957.*

Hon. FRANCIS CASE,
Senate Office Building,
Washington, D. C.:

Please support amendment restoring Meat Inspection Service funds during Agriculture budget debate today-tomorrow. Additional inspectors desperately needed. Temporary curtailments in meat production because inspector shortage already occurred in 18 cities. Higher meat prices for consumers, unemployment among workers, lower cattle prices for farmers will result unless cuts restored.

AMALGAMATED MEAT CUTTERS AND BUTCHER WORKMEN, AFL–CIO,
EARL W. JIMERSON, *President,*
PATRICK E. GORMAN,
Secretary-Treasurer.

WASHINGTON, D. C., *June 11, 1957.*

Hon. FRANCIS CASE,
Senate Office Building,
Washington, D. C.:

Unless amount requested by USDA for essential meat inspection services is restored by the Senate it will mean layoff of Federal meat inspectors and curtailment of production in packing industry to the detriment of both livestock producers and consumers. Urge you to support restoration of USDA budget request when meat appropriation comes before Senate for vote today or tomorrow.

AMERICAN MEAT INSTITUTE,
ALED P. DAVIES.

EXHIBIT 2

June 6, 1957.

Senator WARREN G. MAGNUSON,
United States Senate Building,
Washington, D. C.:

Please support the President's budget proposals for the Meat Inspection Service that

is a total appropriation of $18,718,000 and especially the $1,212,000 earmarked for the hiring of the new inspectors. We wish to point out the dangers to consumers, packinghouse workers and farmers if additional inspectors are not added to the Meat Inspection Service. Thank you for your full cooperation.

AMALGAMATED MEAT CUTTERS AND BUTCHER WORKMEN OF NORTH AMERICA,
CHARLES J. MENTRIN,
International Vice President.

SEATTLE, WASH., *June 6, 1957.*

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Please support the President's budget proposals for the Meat Inspection Service that is a total appropriation of $18,718,000 and especially the $1,212,000 earmarked for the hiring of the new inspectors. We wish to point out the dangers to consumers, packinghouse workers, and farmers if additional inspectors are not added to the Meat Inspection Service. Thank you for your full cooperation.

WASHINGTON FEDERATION OF BUTCHERS,
GEORGE COREY, *President,*
CHARLES J. MENTRIN, *Secretary.*

OLYMPIA, WASH., *June 10, 1957.*

Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Request your support for additional funds for this year's budget for United States Department of Agriculture, Agricultural Research Service, to eliminate reduction which will seriously interfere with important inspection, control, and research activities and do serious injury to livestock and meat industries and consumers.

NATIONAL ASSOCIATION FEDERAL VETERINARIANS,
IRWIN ERICKSON,
Resident Secretary.

OLYMPIA, WASH., *June 10, 1957.*

Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Urge favorable consideration budget needs Agricultural Research Service for vitally needed research and disease eradication work. Such action necessary to economy agriculture interest and for protection consuming public. We are grateful for your past support and trust this matter will receive your full attention.

WASHINGTON STATE VETERINARY MEDICAL ASSOCIATION,
WILLIAM P. HARRIS, *Secretary.*

WASHINGTON, D. C., *June 11, 1957.*

Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Please support amendment restoring meat inspection service funds during Agriculture budget debate today, tomorrow. Additional inspectors desperately needed. Temporary curtailments in meat production because inspector shortage already occurred in 18 cities. Higher meat prices for consumers, unemployment among workers, lower cattle prices for farmers will result unless cuts restored.

AMALGAMATED MEAT CUTTERS AND BUTCHER WORKMEN, AFL–CIO,
EARL W. JIMERSON, *President.*
PATRICK E. GORMAN, *Secretary-Treasurer.*

WASHINGTON, D. C., *June 11, 1957.*

Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Unless amount requested by USDA for essential meat inspection services is restored by the Senate it will mean layoff of Federal meat inspectors and curtailment of production in packing industry to the detriment of both livestock producers and consumers. Urge you to support restoration of USDA budget request when meat appropriation comes before Senate for vote today or tomorrow.

AMERICAN MEAT INSTITUTE,
ALED P. DAVIES.

Mr. RUSSELL. Mr. President, I desire to say a few words in opposition to the amendment. However, in the atmosphere which prevails here, I have no strong feeling that I may be able to influence the Members of the Senate. But I ought, at least, to give the views of the committee as to why the amendment should not be approved.

This is not a new issue. Every year we have a a fight over the meat inspection item. Historically, Congress has appropriated some money for meat inspection. If it was not enough to go around, the packers are compelled to call in the inspectors and pay them for the overtime during which they inspect beyond time for which they were paid from appropriated funds. As a matter of fact, I have certain figures which were supplied to me by one of those urging the amendment. I may say the amendment has been well urged. All the packers have joined together this year, and that is quite a powerful force to strike at Congress, because mighty few States do not have a few packing plants within them. I know there are quite a few in my own State, I am glad to say. The packers have urged—they have always urged—that all of this cost be placed upon the taxpayers, instead of having the packers bear any of the cost. This year is as good a year as any to urge that philosophy, although I am very much opposed to it. I do not believe the proposed increase can be justified.

It is admitted by the proponents of the amendment that the cost of the overtime to be paid by the packers in 1957 will be less than it was in 1956. There will be no great increase. It simply comes down to a question of whether or not the taxpayers should bear the entire cost of the inspection, or whether we believe the packers should continue to pay the part they have paid historically.

I realize that a pay increase is involved in the appropriation. I do not approve of pay increases which are made in this fashion. I am somewhat old fashioned in my approach to this budget. In this case the Department of Agriculture asked the Civil Service Commission for the authority to reclassify meat inspectors. The Civil Service Commission granted the authority, and the Department of Agriculture reclassified the meat inspectors and resubmitted the reclassification to the Civil Service Commission. The Civil Service Commission approved it, and that may be binding on Congress. If it is, it ought not to be, because it is not a good system of appropriating money to give departments and the Civil Service Commission the right to raise the salaries of Federal employees, when Congress is thereby committed unalterably to paying them. For my part, I do not propose to be required to approve appropriations under any such practice as that.

Of course, Senators will vote as they see fit. Undoubtedly the proposal will appeal to many Senators. But I do not believe in being placed in a position, myself, in which I must vote for an increase whether I like it or not, due to administrative action in the executive branch of the Government.

There has been a slight increase in the number of packing plants due to the decentralization process. Contrarywise, this has somewhat reduced the size and capacity of each of those plants, so that there is not quite so much inspection now. The estimate I have for 1957 as to the approximate number of livestock to be slaughtered, which was furnished me by the Western States Meat Packers Association, Inc., which strongly supports the amendment, states that the estimated slaughter for 1957 is 104 million and not 110 million or 111 million, as related by the Senator from Minnesota.

In my opinion, an increase of some 25 or 30 meat inspectors might be justified. I do not want to advise the Senate on this matter, but I could justify an increase of that number to take care of the decentralization of the meatpacking plants.

But so far as I am concerned, I intend to vote against any proposition by which I am tied, string haltered, and delivered, so that I cannot do other than to vote for salary increases which are instituted, as this one is, by the executive department.

I certainly do not think there is any commitment, as the Senator from Minnesota said there was, concerning the uniforms which were included in the budget this year. There has been meat inspection in the United States for about 40 years or longer. I have forgotten exactly when it was that Dr. Wiley's admonition was finally recognized.

The Government has never paid for the uniforms up to now. I have been unable to find any act of Congress which authorized the appropriation of the taxpayers' money to buy all these white uniforms. Supplying the uniforms has always been a part of the job.

When it came to the mail carriers, Congress said it was necessary to pass an act to authorize an appropriation to buy their uniforms. But in this case the Department has asked for an appropriation to buy the clothing which the inspectors wear, although they have been buying their own clothing for many years.

I have great sympathy with the inspectors and anyone else who is not drawing a salary which is regarded by them as adequate. I think it would be appropriate for the proper committees of Congress to consider proposing legislation dealing with increases in salaries. But so far as this amendment is concerned, I think it increases the figure in the House bill too much. I shall vote against the amendment.

I yield 5 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, when the House dealt with this item, they took

the 1957 appropriation and added $936,000 for the necessary retirement money. That was the way the bill came to the Senate. The restoration requested was $2,132,000. It included $220,000 for uniforms, the authority for which I think is doubtful; and I quite agree with the chairman of the committee on that point. It embraces also $590,000 for pay increases which are expected to become due in July. I am not sure it is mandatory; but if it is mandatory, then of course the Department can easily get a supplemental estimate and can send it to the Bureau of the Budget, and it can be messaged to the Congress before the session ends.

The remainder of the amendment, $112,000, was for 190 extra positions. I am inclined to agree with the chairman of the committee on that point, and I had hoped we could reach a compromise amount. At the pay levels of GS–4 and GS–5, we could make provision for 45 additional inspectors at a cost of $240,000. So I thought I would submit a substitute for the amendment offered by the Senator from Minnesota; and I should like to have the substitute reported, in the hope that the distinguished chairman of the committee will be able to accept the substitute, in order to meet the need for some additional inspectors.

Mr. HUMPHREY. Mr. President, before the substitute is offered, I should like to make 1 or 2 corrections, so there will be no misunderstanding of the figures I presented in connection with the amendment. I did not include the $220,000 for uniforms.

Mr. DIRKSEN. That is correct.

Mr. HUMPHREY. I think there is doubt as to any obligation on the part of the Congress to provide uniforms. My amendment does not include them.

Mr. RUSSELL. I am glad the Senator from Minnesota clarified that point, for I thought he said something about an obligation to provide uniforms.

Mr. HUMPHREY. I said the Department stated there was such an obligation, but I do not believe there is such a legislative obligation.

The counsel for the Department feels that Congress is obligated to make $590,000 of salary adjustments. Regardless of whether there is such a legal obligation, certainly veterinarians do not have to work for the Federal Government at peasant salaries. Instead, they can work at a living wage for Parke-Davis & Co. or other private companies.

The truth is that veterinarians are in short supply; and if they are to work for the Federal Government, some salary adjustments must be made.

Mr. RUSSELL. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. RUSSELL. Whose time is being used at present?

Mr. HUMPHREY. My time; and I am glad to yield to the Senator from Georgia.

Mr. RUSSELL. Very well.

The Senator from Minnesota has referred to veterinarians, but these employees do not have to be graduate veterinarians.

Mr. HUMPHREY. No; not all of them.

Mr. RUSSELL. We have made several increases in the pay of the meat inspectors; that has been done during the last several years, and there has never been any deficiency in the number of meat inspectors, because of the salary paid.

Last year we provided for a fifty or sixty increase, and the jobs were snapped up at once. Higher salaries were not required, as in this case.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DIRKSEN. Can the substitute be offered before the Senator from Minnesota has used or yielded back the remainder of his time?

The VICE PRESIDENT. Not under the unanimous-consent agreement.

Mr. RUSSELL. Mr. President, a point of order.

The VICE PRESIDENT. The Senator from Georgia will state it.

Mr. RUSSELL. Did the Chair rule that an amendment to the amendment of the Senator from Minnesota is not in order?

The VICE PRESIDENT. Under the unanimous-consent agreement, as such agreements have been construed, when the time is limited, such an amendment would have to be considered at the conclusion of action on the pending amendment.

Mr. RUSSELL. But after the time on the first amendment has been consumed, an amendment to it will be in order; is that correct?

The VICE PRESIDENT. Yes.

Mr. CASE of South Dakota. Mr. President, would an amendment in the nature of a perfecting amendment be in order?

Mr. HUMPHREY. Mr. President, as I understand, we can accomplish the purpose by a modification of the amendment; and the author of an amendment has the privilege of modifying it, as I understand.

The VICE PRESIDENT. That is correct.

Mr. HUMPHREY. Mr. President, I wish to say most respectfully to the chairman of the subcommittee and to the Senator from Illinois [Mr. DIRKSEN] that there may be an argument as to whether all 192 of these inspectors are required. The Department of Agriculture made the request. The Meat Inspection Service has had a very honorable and enviable record. I do not know of any time when anyone has been able to accuse it of padding the payroll. Furthermore, the Meat Inspection Service has a fine professional record, and it should be maintained.

The amount I have requested on behalf of my colleagues and myself is $1,802,000, composed of $1,212,000 for the inspectors, and $590,000 for the increased salaries.

The Senator from Illinois is proposing an amendment of approximately $240,000. It seems to me that we should face the obligation of paying the bill for the compensation of Federal employees. Therefore, if the Senator from Illinois has no objection, I shall modify my own amendment, so as to reduce the figure from the maximum amount of $1,802,000, as an increase, to the amount of $1 million, which would change the committee amendment to $17,586,000. That will provide $590,000 for pay increases, and will provide $410,000 for additional inspectors.

I submit that the Department could make a legitimate request for 192 inspectors, and I submit it is not presumptuous to assume that it might well be in line to provide for 50 or 60 inspectors. I believe this is a fair compromise, and can be worked out with the House of Representatives, which voted a much smaller amount; but this compromise will provide some leeway, so as to enable Members of the Senate of competent and expert knowledge, who will be the conferees on the part of the Senate, to work out the matter in conference.

Mr. DIRKSEN. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. DIRKSEN. I wish to state that I feel obligated to go along with the chairman of the subcommittee on this item, because in the subcommittee and in the full committee we accepted it, and we so reported it to the Senate. Before I undertook to act on the matter, I discussed it this morning with the Senator from Georgia. When I first proposed an amendment of $500,000, he said he would accept it and take it to conference. We then thought that $240,000 was enough to add, and the Senator from Georgia agreed to accept that amount. I cannot go beyond that figure.

But the Senator from Minnesota now suggests that we add $1 million. I must stay with the figure we discussed this morning; and on that basis I must necessarily support my distinguished friend, the Senator from Georgia.

Mr. HUMPHREY. What do we intend to do about the funds for the compensation of Federal employees? The Civil Service Commission really sets up the pay schedules; and unless we are prepared to overrule the Civil Service Commission by act of Congress, the bill will come due. I must confess that there have been times when I myself have been compelled to delay paying some of my bills, but one's bills generally catch up with him.

Mr. DIRKSEN. The advice I have received is that the order will not be released until July.

Mr. HUMPHREY. That is only about 16 days from now.

Mr. DIRKSEN. I refer to the order regarding pay increases, and in that connection there is actually no authority before us at the present time. But if the authority exists, it will be easy to send up a supplemental estimate for $590,000, to cover the pay increases involved.

Mr. HUMPHREY. But when that comes to us, the Federal employees who are supposed to receive the pay increases will have already been on the job at the lower pay schedule. Instead, we should deal with Federal employees in the same way that the employees of private firms are dealt with. In other words, when they are told that they will receive a pay increase, the pay increase should be made.

Mr. DIRKSEN. A rather nice question is involved when the Department goes to the Civil Service Commission, and the Civil Service Commission allegedly issues an order to be effective in July of 1957. But that does not provide the authority, in my judgment at the moment, to embrace a $590,000 pay increase.

Mr. RUSSELL. Mr. President, I wish to make only one or two observations.

Although the committee held rather exhaustive hearings, the committee was not told that this finding was as immutable as the law of the Medes and the Persians. A certain amount was asked for, just as additional inspectors were asked for. The committee was not told it was absolutely binding on us. I do not say it is or it is not; I only say I oppose appropriating the money before the order has been actually issued.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. ANDERSON. Have not the Senator from Georgia and other Senators many times agreed that if a certain raise in schedule came about and an emergency appropriation was necessary, they would grant it immediately? I can testify, from having been in the Department of Agriculture, that the Congress can act quickly. It so happens that the able Senator from Illinois was referring to a particular responsibility of the Department. I am attracted to what the Senator from Illinois has said, that if a request for the $590,000 is made, the Senator from Georgia will act upon it.

Mr. RUSSELL. Mr. President, I do not want to be committing myself before the question is considered. I will deal with it fairly, but I do not want to be put in a false position.

Mr. ANDERSON. I said if a request is made, the Senator from Georgia will act promptly. He might turn it down.

Mr. RUSSELL. I certainly would give it every fair consideration.

Mr. ANDERSON. Mr. President, has the amendment been offered?

Mr. HUMPHREY. Mr. President, I have visited with the Senator from Illinois. We can expedite action. We need not quibble over how or when we are going to pay the extra sum for the revised compensation schedule. I think we shall all act in good faith when the request comes before us. In order to get on with the program and give the Department much needed extra inspectors and give the conferees an opportunity to use their good judgment on the final figure for the service if there is no objection, I further modify my amendment to the figure suggested by the Senator from Illinois. The distinguished chairman of the subcommittee has indicated his willingness to accept the proposal.

Mr. RUSSELL. Does the Senator from Minnesota modify his amendment accordingly?

Mr. HUMPHREY. I modify my amendment accordingly.

Mr. RUSSELL. If he does, I am willing to take the amendment to conference, and do the best I can.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Minnesota [Mr. HUMPHREY], as modified.

The amendment was agreed to.

The VICE PRESIDENT. The bill is open to further amendment.

Mr. LAUSCHE. Mr. President, I offer an amendment, which I ask to have stated.

The VICE PRESIDENT. The amendment of the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 29, beginning with the word "Provided" in line 6, to strike out down through line 15, and insert in lieu thereof the following:

Provided, That no part of this appropriation shall be used to formulate and administer an acreage reserve program with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of $2,500 with respect to the 1958 crops.

Mr. LAUSCHE. Mr. President, Members of the Senate, my amendment, if adopted, will restore the bill to the status it occupied when it left the House, as relates to the acreage reserve program.

I confess to my colleagues that I had some hesitancy about submitting this amendment. My conviction that it ought to be acted upon has grown primarily as a result of repeated statements made in the Senate this evening concerning the doubtful validity of that part of the soil program dealing with the acreage reserve.

The purpose of the program when originally adopted was to reduce production so as to diminish the surplus products of farmers. Admittedly, that objective has not been attained. The contrary is the fact. Surpluses have increased. I recognize that, for the purpose of enjoying political tranquility, it would be far better if I did not offer this amendment.

I should like further to state that in the casting of my vote on the amendment proposed by the Senator from South Dakota [Mr. MUNDT], I did not do so on a political basis. I further want to state that I did not change my vote on a political basis. If there is to be a tolling by the citizenry of the votes cast, it will not be said that I cast my vote on the basis of party dictation. It was cast because I believed in the soundness of the presentation made by the Senator from Georgia.

For 6 months I have listened to the arguments about what has happened with the soil-bank program, especially in relation to the acreage reserve. It has been uniformly stated that surpluses are increasing. Now, my query is, Why are we putting $500 million into a program which we know does not achieve the objective which was contemplated when the program was originally adopted?

I have my own belief why we are appropriating the $500 million. From my standpoint, I owe an obligation to practice the virtues that are being preached today, and that is to put the fiscal condition of the country on a sound basis. To achieve that end, we cannot be giving away money.

My proposition is simple. I propose to restore the bill to the status it occupied, with regard to the reserve acreage program, when it came to the Senate from the House. I propose to do that because I have learned, in my experience as a lawyer and as a judge, that when a reason is the predicate for the adoption of measures in law, and it is found that the reason no longer exists, the law fails.

I wonder if there is anyone within the Senate Chamber who can feel with conviction that the acreage reserve phase of the soil-bank program is diminishing the surplus products, as was contemplated when the bill was originally passed.

Mr. THYE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield to the Senator from Minnesota.

Mr. THYE. Whether I be rather bold in rising to the occasion, or to the remark of my distinguished friend, the Senator from Ohio, or not, I can say that the acreage reserve program was not put into operation until late in the calendar year 1956. It did cause quite a number of acres to lie idle.

Neither the Senator from Ohio nor I could, with any great degree of certainty, state the number of bushels of grain or the number of bales of fiber by which our overall crop was reduced, but we do know a sizable number of acres were withdrawn from production.

In the present year we know that a number of very fertile acres are under contract. In that category are some fertile acres in the western part of the great State of Ohio. That is one of the large producing areas, or, to state it another way, the yield per acre of corn and soybeans in the fertile field of Ohio is tremendous. Every acre that has gone into the acreage reserve program has been removed from the possibility of producing corn or soybeans as the case may be. Every acre under contract in the acreage reserve in Illinois, Iowa, Wisconsin, Missouri, and Nebraska will not produce corn or soybeans. Every acre taken out of production has reduced our surpluses by that much.

It is the surpluses that have brought about the ruinous, low prices for agricultural commodities. We are today spending more than a billion dollars under Public Law 480 to try to barter away our farm surpluses, because it is a known fact that such surpluses are weighing down the national market and have brought to the agricultural economy not a recession but an actual depression. A depression is now existing in the agricultural economy. In yearly income the agricultural economy has dropped from around $16 billion to around $11.6 billion. We do not wish to have any greater strain placed upon the farm economy than such a drop has entailed.

In only one way can we effect a reduction in the overall crops produced in America, and that is by a reduction of acreage. We cannot induce the farmers to let their acres lie idle unless we in some manner compensate them, because the farmers are paying, for good fertile land, from $3 to $4 an acre in taxes. The farmer has to pay insurance,

and he has his investment in all the chattel properties on his land. He must maintain his fire insurance, and pay upkeep on the buildings. All of that is a plant cost. We cannot ask him to permit his acres to lie idle, unless we compensate him in some way.

There was wisdom behind the acreage reserve program and the plan to compensate the farmer for permitting his acres to lie idle. Once we get production down, the surpluses will diminish, and the farm prices in our very high national economy, with the full employment we are enjoying, will come up to a level of equality. That is what we are striving for.

If we place a $2,500 limitation on the acreage-reserve program, many, many fertile acres will not go under contract in the State of Ohio, as well as in the States of Illinois, Nebraska, Iowa, or southern Minnesota, where there are so many productive corn and soybean acres. That is the situation we face.

If the Senator from Ohio wishes to take the responsibility of trying to represent agriculture and to provide the necessary appropriations to finance Public Law 480, and to provide a program for surplus milk and giveaway programs for various other commodities, he will, in the future years, have to be much more bold than most of us have been on the floor of the Senate. But if we proceed with the soil bank in a reasonable, intelligent manner, as provided in the bill as now written, and as amended this afternoon, I honestly believe that we will bring the agricultural economy into balance with the economy of the other segments of the Nation, which today is at the highest level recorded in history.

That is why I say I believe the amendment offered by the Senator from Ohio approaches the subject in the wrong way. In its wisdom the Committee on Appropriations put in a limitation of $5,000 which anyone can draw on the acreage reserve phase of the soil-bank program.

I say to the Senator from Ohio, frankly, I know he is an exceedingly intelligent man, and he is a very courageous man.

Mr. LAUSCHE. I thank the Senator very much.

Mr. THYE. I believe the Senator is approaching this subject in the wrong way. The Senator proposes a limitation which would deny farmers a reasonable participation in the program. If we do not obtain a reasonable participation, we will not have a program, but we will have a lot of men in the field acting as if they are administering a program, when, in reality, they have nothing to administer except a lot of office space. They will do a lot of marking of time in attempting to carry out a partial acreage reserve program and to reduce the overall crop harvest which we might have if all the acres in a given county should be harvested.

So, I say to the Senator from Ohio, I believe the proposed amendment is the wrong approach. I believe the Senator will be doing a disservice to himself and to the farmers of the State of Ohio by endeavoring to have such an amendment adopted.

Mr. LAUSCHE. I appreciate very much the sincerity of the statement made by the Senator from Minnesota. I do not hesitate in stating to him that he has given expression to the most optimistic interpretation of the results of this law that I have heard here or anywhere else. I know that the practical results thus far obtained do not support the argument made by the Senator from Minnesota.

Mr. THYE. Mr. President, will my friend, the Senator from Ohio, yield again?

Mr. LAUSCHE. If the Senator will permit me, I will yield to him later.

Mr. THYE. The Senator is very kind.

Mr. LAUSCHE. Moreover, I should like to express definitely the judgment that from the standpoint of the farmers of Ohio, the fact is that the little 80-acre or 100-acre farmer has not been helped by this law.

Mr. THYE. Mr. President, will the Senator yield at that point?

Mr. LAUSCHE. I will yield later.

I have been through the farm area of Ohio. Repeatedly the statement has been made "Our acreage is too small to be benefited by this law."

Mr. THYE. Mr. President, will the Senator yield at that point? As an attorney, I think he has answered his own argument.

Mr. LAUSCHE. Will the Senator permit me to continue my own argument? I may say that I do not take exception, but the Senator from Minnesota spoke longer on the subject than I did, yet I am the mover of the amendment. If the Senator will permit me, for the moment, I should like to conclude my statement.

In other words, the Senator tried to take the ball out of my hands. I hope he will indulge me while I try to recover it.

The VICE PRESIDENT. The Senator from Ohio declines to yield.

Mr. LAUSCHE. I desire to repeat that tonight, in this Chamber, there must have been at least 10 statements made by Senators who spoke on the former amendment that the law was not achieving its objective. It is on that basis that I offer this amendment. In my judgment it is a giveaway program. In my judgment the purpose is to offer balm, and I do not contemplate doing so. It is on that basis that I submit the amendment.

I now yield to the Senator from Minnesota.

Mr. THYE. Mr. President, the distinguished Senator from Ohio was most considerate and very, very tolerant, I will say, because I did speak at some length, and it was actually by way of rebuttal to the argument advanced by the distinguished Senator. However, the Senator from Ohio threw out a challenge; and whether I was bold or otherwise, I accepted the challenge.

The Senator from Ohio actually answered his own argument, because the Senator from Ohio said that the small farmer was not being benefited. Mr. President, we do not want to reduce the number of acres of the small farmer's operation, because a man on an 80-acre farm or a 160-acre farm is in need of the 80 acres or the 160 acres of land in his operation in this modern age. He has his tractor and other equipment. Whether he operates the farm as a 1-man operation, or with a man and a boy as an operator, he requires that land.

What we are endeavoring to do is to reduce the acreage which is productive; and the reserve phase of the soil bank is the program which will reduce the number of acres. If we can take 50 acres from a 500-acre farm and place them in the reserve program, we are reducing the potential for developing or producing a surplus. If we can get the surplus down, we need not worry about the man on the 80-acre farm, because if there were not a surplus overhanging the national markets today, with the high consumer buying power, with the national economy at an all-time high, we would have a market which would pay more than 100 percent of parity. If we did not have surpluses overhanging the market, wheat would be selling at full parity; corn would be selling at full parity; beef would be selling at full parity, and so would eggs.

That is the question. If we can get the surplus down, we need not worry about the good farmers on the 80-acre or 160-acre farms in Ohio. The market place will give them full parity on any commodity they grow. That is the purpose of the soil bank.

If we establish a ceiling of $2,500 in the bill on the acreage-reserve program, we foreclose the opportunity to bring some of the productive land on the large farms under contract, thus reducing the potential production in harvest of a given year.

Therein lies the basic foundation of the entire soil-bank program. We are trying to get acres out of production, whether they be used in the production of cotton, soybeans, sorghum grains, or other crops. Under the old acreage-control program, when we allotted a farmer a certain number of acres of wheat, a certain number of acres of corn, or a certain number of acres of cotton, we had no soil bank. All the farmer did was to comply with his wheat-acreage allotment or his corn-acreage allotment. What did he do with the diverted acres? In the Southwest they were planted to sorghum grains. They were producing feed crops in competition with corn. In the Northwest, in Washington, Idaho, and Montana, they were planted to barley, another feed crop competitive with corn.

In the South the cotton acreage was reduced, but the acres were planted to soybeans or to corn, as was the case in Missouri. Such crops were competitive with the feed grains of the North.

When the time for harvest came, there were harvested as many bushels of feed grains as were ever harvested before. The former wheat acreage was converted into feed grains, and the cotton acreage into feed grains.

We then conceived the idea of the soil bank, and we enacted it. We wrote a conservation feature into the soil bank, to encourage taking acres out of production and putting them under a long-term contract, or planting them to trees if the land was not suited for the production of corn, wheat, or cotton.

All this was designed to reduce the overall surplus; but before we had an

opportunity to have 1 year's history or 1 year's trial we commenced to chop down the program. It was as though we had planted a seedling 1 day, but before the seedling took root we chopped it down. That is what the Senator from Ohio is trying to do by his amendment. He would not permit the conservation or the acreage reserve aspect of the program to operate. He would cripple the program before it had an opportunity to prove its ability to reduce the overall crop.

The pending amendment would defeat the very purpose we wrote into the law, and the very purpose the distinguished Senator from Ohio is endeavoring to accomplish, namely, to help the small farmer.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, I ask for the yeas and nays on my amendment.

Mr. RUSSELL. Mr. President, I hope we may have the yeas and nays on this amendment.

The yeas and nays were ordered.

Mr. RUSSELL. Mr. President, I wish to make a brief observation. I am sure Senators clearly understand that the effect of the amendment proposed by the distinguished Senator from Ohio would be to place the bill in exactly the same position it was in when it came to us from the House.

In the House of Representatives the House voted to appropriate funds to discharge all contracts which had been entered into with respect to the calendar year 1957. These programs operate on a calendar-year basis.

The House action prohibited any acreage reserve soil bank program in 1958. That is the issue presented to us in the amendment offered by the distinguished Senator from Ohio. If the amendment prevails, there will be no acreage reserve program in 1958.

Of course, no one can say with certainty whether the soil bank acreage reserve program will bring about the reduction in production which it was designed to accomplish. We do know that the program was applied to corn last year, and it did not prove very effective in reducing the production of corn. We had a bumper corn crop.

It is undoubtedly true that in many instances the farmer will put a part of his acreage in the acreage reserve program, and then, with the payments which he receives, he will fertilize more heavily, cultivate more intensively, and produce more on fewer acres than he had theretofore produced on his entire acreage.

If I were to cast my vote on this amendment guided solely by the standard which the bill sets up, as to whether or not it would reduce or control production, I would support the amendment offered by the Senator from Ohio. However, I shall vote against the amendment for a different reason.

We have in this country no active farm program to help the farmer except the acreage reserve program. Whether it is effective or ineffective, it does get some money into the hands of the farmer.

Our people are enjoying the greatest national income our country has ever known. Every segment of American life save and except the farmer enjoys today a greater income, whether on an individual basis, or an average, across-the-board basis, than it has ever enjoyed before.

In other words, all our people except the farmer are eating at the table of Dives, the rich man. That is a very rich diet. Our people are living upon a high standard, with a high income.

The poor old farmer occupies the position of Lazarus. He is sitting down near the table, his body covered with sores. He is beaten down, squeezed almost to death in a cost squeeze, with the price of what he sells going down and the cost of what he must buy going up. He is covered with sores, crippled, ill, and battle worn. He is sitting there waiting for this little crumb.

I do not think this is a very good law. It has many defects; but I cannot vote to deny poor Lazarus, the farmer, the little crumb he gets from the soil bank program. For that reason I shall vote against the amendment offered by the distinguished Senator from Ohio.

Mr. President, I yield back the remainder of my time.

Mr. NEUBERGER. Mr. President, will the Senator from Ohio yield, that I may ask him a question on his amendment?

Mr. LAUSCHE. I yield.

Mr. NEUBERGER. As I understand, the amendment offered by the Senator from Ohio is in two parts. It has not been printed, so we have had to rely on its being read by the clerk. Am I correct in presuming that these are the two parts of the amendment offered by the Senator from Ohio: One part forbids the Government from entering into acreage reserve contracts for any crops that are grown during 1958; is that correct?

Mr. LAUSCHE. That is correct.

Mr. NEUBERGER. The second part of the amendment places a $2,500 ceiling on any payments which can be made to any one farm unit under this program. Is that correct?

Mr. LAUSCHE. The Senator is correct. The language is a restoration of the language contained in the House provision, and the $2,500 would be limited to the payment of those obligations in 1958 that were incurred in 1957.

Mr. NEUBERGER. I understand that is approximately the language of the bill as it came from the House.

Mr. LAUSCHE. It is the exact language.

Mr. NEUBERGER. I personally believe that there is a great deal of merit in the $2,500 limitation on what can be paid to any one farm unit. My principal criticism of the operation of the program, certainly in the Pacific Northwest, has been that it has proved of some advantage to the great ranching operations, but, with very few exceptions, has been of no advantage to the small-size farms.

The one objection I have to the amendment is that it completely eliminates the program after 1958. I have not fully decided how I shall vote on the amendment, but I wish to say for the RECORD that there is a great deal of merit and a great deal of commonsense and a great deal of wisdom in applying a $2,500 ceiling to any payments which can be made to any one farm operation.

Mr. LAUSCHE. I may say that those who feel that there should be a program will have an opportunity to develop it. If the program for 1958 is repealed, it will put pressure upon us to evolve a program that will achieve the results described by the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. MORTON in the chair). The time of the Senator from Ohio has expired. All time for debate has expired.

Mr. DIRKSEN. Mr. President, it is very difficult to hear from this side of the Chamber, but the Senate should be advised that the impact of the amendment is to kill the acreage-reserve program for the crop year 1958. In addition to that it would put a $2,500 limitation on payments to the producers. In other words, there will be no acreage-reserve program in the crop year 1958 under the amendment.

Mr. HUMPHREY. Mr. President——

The PRESIDING OFFICER. All time for debate has expired.

Mr. HUMPHREY. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. Is it within the rules of the Senate for an appropriation bill to contain a proviso to the effect that before programing the 1958 agricultural program with respect to the soil bank, the appropriate committees of the Senate and the House shall undertake a complete investigation of the soil bank and its operation?

The PRESIDING OFFICER. The Chair rules that that is not a parliamentary inquiry.

Mr. HUMPHREY. What is it?

SEVERAL SENATORS. Vote! Vote!

Mr. HUMPHREY. I suggest that that be done.

The PRESIDING OFFICER. All time for debate has expired.

The yeas and nays have been ordered. The question is on agreeing to the amendment of the Senator from Ohio.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Knowland
Allott	Ervin	Kuchel
Anderson	Flanders	Lausche
Barrett	Frear	Long
Beall	Goldwater	Magnuson
Bennett	Gore	Mansfield
Bible	Green	Martin, Iowa
Butler	Hayden	McNamara
Byrd	Hennings	Monroney
Capehart	Hickenlooper	Morse
Carlson	Hill	Morton
Carroll	Holland	Mundt
Case, N. J.	Humphrey	Murray
Case, S. Dak.	Ives	Neuberger
Chavez	Jackson	O'Mahoney
Church	Javits	Pastore
Cooper	Jenner	Potter
Curtis	Johnson, Tex.	Purtell
Dirksen	Johnston, S. C.	Revercomb
Dworshak	Kennedy	Robertson
Eastland	Kerr	Russell

Saltonstall	Sparkman	Thye
Schoeppel	Stennis	Watkins
Scott	Symington	Wiley
Smith, Maine	Talmadge	Williams
Smith, N. J.	Thurmond	Yarborough

The PRESIDING OFFICER. A quorum is present.

Mr. BYRD. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement of my reasons for supporting the amendment offered by the Senator from Ohio [Mr. LAUSCHE].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ACREAGE RESERVE PROGRAM

(Statement by Senator BYRD)

I hope the Senate will reject the committee amendment relative to the soil bank acreage reserve program, and restore language adopted by the House of Representatives.

The Senate Committee amendment provides that up to $500 million can be paid to producers with respect to 1958 crops, under this program, and allows any one producer to receive up to $5,000.

The language in the bill as it was passed by the House provides no funds appropriated in this bill "shall be used to formulate and administer the acreage reserve program with respect to the 1958 crops, or in total compensation being paid to any producer in excess of $2,500 with respect to 1958 crops."

The proposition is a simple one.

The Senate committee amendment would continue the acreage reserve program of the soil bank uninterrupted at the rate of a half-billion dollars next year and allow $5,000 for each recipient. This is twice the $2,500 allowed under the soil-conservation program.

The House language would stop the program even with contracts already entered into, insofar as the new money is concerned, and limit individual payments to an amount not exceeding those paid under the soil-conservation program.

To reject the Senate amendment would provide no new money for new soil bank acreage program contracts. That is what I hope the Senate will do.

This multi-billion-dollar soil bank program is in two principal parts: (1) the acreage reserve program, and (2) the conservation reserve program.

Under the acreage reserve program, the Secretary of Agriculture determines what is to be paid producers for reducing acreage in basic commodities. The rates vary between commodities.

Under the conservation reserve program, the Secretary agrees to share the cost of establishing conservation practices on land placed in conservation reserve and pay the producer an annual rental on the land.

Rejecting the Senate committee amendment would not affect the conservation reserve program. It would not affect contracts in force on the acreage reserve program. It would preclude new contracts with new money under the acreage reserve program.

Frankly, the more I see of this soil bank operation, the more I am convinced the conservation program is being exploited as badly as the acreage reserve program is being abused; that both programs are helping a minimum of farmers who need assistance; and that the whole program has failed by far to justify the cost to taxpayers.

Unfortunately the conservation reserve program is tied to long contracts, and it is impractical to knock out appropriations for it at this time.

But the acreage reserve program works on annual contracts with each crop year. For this reason this part of the program can be stopped so far as new contracts with new money are concerned.

That is what I hope the Senate will do.

The President himself has pointed up the disappointment in the program in the most tangible way possible. He reduced his request for appropriations. In his January budget document he requested a total of $1,254,000,000. In April the request was revised down to $1 billion.

The acreage-reserve program started out with a January budget request of more than $750 million. It was later revised down to about $700 million. The House Appropriations Committee reduced it still further to $600 million. And the House itself provided that none of this should be obligated against 1958 crop contracts.

A good word for this program is hard to find.

The only justification for the so-called soil bank was to reduce production by limiting acres planted to a crop.

The Secretary of Agriculture admits it will not work, and he has pointed out that production limitations based on acres do not result in lower production of crops.

It is a documented fact that this program is a national scandal. There is a printed report by the surveys and investigations staff to the House Appropriations Committee containing 100 printed pages on the subject. It is devastating, with case after case of extravagance, abuse, and inequity. It cannot be denied that the program has operated with great injustice to the farmers who need assistance, as a windfall to persons not entitled to it, and as a useless drain on taxpayers.

Not only have the President and the Secretary of Agriculture demonstrated their disappointment in the soil bank, but Chairman COOLEY, of the House Agriculture Committee has described it as follows:

"We have had evidence of many abuses of the program. It has not only resulted in plowing under farmers, but farm communities and the people in those communities. We had evidence to the effect that it is a very wasteful program, that it actually costs more than twice as much to put a bale of cotton into the soil bank as it does to put it into foreign markets on a subsidized program."

Following Mr. COOLEY in the House debate on this provision, Congressman JAMIE WHITTEN, chairman of the House Appropriations Subcommittee on Agriculture said:

"• • • here is what is involved: this is a payment to farmers to leave land out of cultivation. • • • The chief tragedy of this approach is that the farmer loses his production on his acres; but to the public it looks like he is getting something for nothing. If this program is continued, the farmer will lose much more in public good will which will be reflected in votes of Members of Congress against sound farm legislation."

Virginia is one of the majority of States suffering discrimination under this program but, about the time this bill was to come before the House, a member of the Virginia delegation was met by a constituent who said cut the budget, but save that soil bank. He gave this as a reason not to cut the soil bank: "I had a little patch that I could put wheat in, and I put it in the soil bank. The Government paid me more money for it than if I had planted the wheat, done the work, and sold the wheat."

So on the record to date we have the disappointment of the President and the Secretary of Agriculture in this program, and we have the criticism of both the chairman of the Agriculture Committee and the Agriculture Appropriations Subcommitee in the House of Representatives.

Here is what the House report on this bill says: "The soil bank was offered last year as another answer to the farm problem. It is based on the philosophy that the way to help American agriculture is to reduce American production.

"It was offered as a temporary stop-gap measure, in view of the fact that the present program of reduced-price supports, acreage reductions, increased research and education, and other measures advanced by the Secretary had failed and the farmers' plight had gotten worse and worse. In fact, a careful reading of the law clearly shows that one of the principal purposes of the program was to get some money into the farmers' hands last fall.

"While there may be some value to the conservation reserve portion of the program, findings developed by a special investigation conducted by the committee, and information received from various sources throughout the country, raise serious questions concerning the acreage-reserve program. Despite the signup of some 12 million acres at an estimated cost of $260 million under the 1956 acreage reserve program, production for most crops was higher in 1956 than in previous years.

"Most farmers who placed a portion of their land in the acreage reserve stepped up production on the balance of their land. Further, much of the land placed in the acreage reserve was drought land which would not have produced a good crop in any event.

"Officials of the Department feel that the 1957 acreage reserve program will show better results. However, only 75 percent of the participation expected has materialized to date, and if conditions improve in the drought areas participation will be even less than now indicated."

The House committee continued by asserting that if the program were pushed, it would have a damaging effect on local business, and it referenced its investigations by saying:

"Instances are cited and others have later appeared where the amount of rental paid to remove land from production exceeds the total value of the land. Instances are also reported where land removed from production from one crop, for which Federal payment is made (a so-called basic commodity), has been put into other crops, thereby creating double income on such land. Numerous instances also have been reported where nonfarm people have invested in land, with the expectation that acreage reserve payments from the Government will more than repay their full investment in a few years. Also some cases have been cited where individuals have leased land from the Federal Government and have placed it in the acreage reserve program at rates higher than those paid under the Federal lease."

The report might have gone on to show that while the soil bank has failed to produce any constructive results in its application to the so-called basic crops, it is increasing surpluses and problems in other agriculture areas.

Barley plantings, for example, are substantially up in the spring of 1957.

The poultry industry has had its difficulties, and now soil-bank depositors are taking fliers in poultry, to cite another example of the grief this program is causing.

The Senate committee in its report does not attempt to defend the program. In fact, it says: "There is some doubt that the acreage reserve program will achieve its objective of reducing surpluses. • • • The committee recommendation will provide authority to plan a 1958 program but unless the 1957 program proves to be more successful than anticipated it is doubtful that the authorization will be given for a 1959 program."

With such a lack of enthusiasm for the program—with such a negative approach—as the committee demonstrates, I suspect that it would not object too strenuously if the Senate rejected its amendment.

Let's look at this program another way for just a moment. Using relatively recent, but incomplete, reports of acreage and conservation reserve soil bank signups for this crop year, it will be found that 1 State with population of 2,060,000 stood to receive $86,800,000. This was more than the payments accruing to 25 other States combined, with a total population in excess of 70 million. One-third of the States were listed to receive 75 percent of the money.

Looking at the conservation reserve alone, an April report by the Department of Agriculture showed that 1 State with a population of 7,700,000 was signed up to get $27,277,000. This was more than the combined amounts going to 37 other States with a total population of 121 million.

But more important than this kind of consideration is the fact that we are dealing here with a program which admittedly is a failure. We are proposing to finance it further in this bill. The only excuse given for the Senate amendment is the contention that if this program is not continued, there is not another program ready to take its place.

I earnestly submit to the Senate the proposition that:

I believe the patriotic farmers of this country would prefer to reduce the Federal budget by a half-billion dollars under current conditions, than to waste it on a bad agriculture program.

I sincerely hope the Senate committee amendment will be rejected. When a better agriculture program is presented we will consider it, and if it has merit we will appropriate for it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. LAUSCHE]. On this question the yeas and nays having been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

I further announce, if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

If present and voting, the Senator from Connecticut [Mr. BUSH], the Senator from Nebraska [Mr. HRUSKA], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from Maine [Mr. PAYNE] would each vote "nay."

The Senator from Maine [Mr. PAYNE] is necessarily absent.

The result was announced—yeas 7, nays 71, as follows:

YEAS—7

Byrd	Lausche	Williams
Frear	Neuberger	
Goldwater	Robertson	

NAYS—71

Aiken	Green	Morton
Allott	Hayden	Mundt
Anderson	Hennings	Murray
Barrett	Hickenlooper	O'Mahoney
Beall	Hill	Pastore
Bennett	Holland	Potter
Bible	Humphrey	Purtell
Butler	Ives	Revercomb
Capehart	Jackson	Russell
Carlson	Javits	Saltonstall
Carroll	Jenner	Schoeppel
Case, N. J.	Johnson, Tex.	Scott
Case, S. Dak.	Johnston, S. C.	Smith, Maine
Chavez	Kennedy	Smith, N. J.
Church	Kerr	Sparkman
Cooper	Knowland	Stennis
Curtis	Kuchel	Symington
Dirksen	Long	Talmadge
Dworshak	Magnuson	Thurmond
Eastland	Mansfield	Thye
Ellender	Martin, Iowa	Watkins
Ervin	McNamara	Wiley
Flanders	Monroney	Yarborough
Gore	Morse	

NOT VOTING—17

Bricker	Fulbright	McClellan
Bridges	Hruska	Neely
Bush	Kefauver	Payne
Clark	Langer	Smathers
Cotton	Malone	Young
Douglas	Martin, Pa.	

So Mr. LAUSCHE's amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I desire to place two matters in the RECORD before the vote is taken on the passage of the bill. Earlier today I participated in a very helpful colloquy, for legislative history purposes, with the Senator from Georgia [Mr. RUSSELL], in regard to the cut by the House of $4,500,000 for payments to State experiment stations.

The PRESIDING OFFICER. The Chair wishes to state that time has been allotted for debate on the bill.

Mr. JOHNSON of Texas. How much time does the Senator from Oregon desire?

Mr. MORSE. Three or four minutes.

Mr. JOHNSON of Texas. I yield 4 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I had a colloquy with the Senator from Georgia concerning the $4,500,000 cut on the House side for payments to State experiment stations. The Senator from Georgia pointed out that the Senate bill restores $1 million of that cut. He frankly stated to me on the floor of the Senate that he considered that to be the maximum amount which we could vote in the Senate and have any hope of holding in conference, so I yielded to his judgment, because I know that the Senator from Georgia, as chairman of the subcommittee, has no peer in the Senate when it comes to giving us advice in regard to what is likely to happen in conference.

However, as I said earlier, I have many representations from the Forestry Service in the State of Oregon, the Oregon State College, the Klamath County Court, and many other organizations in Oregon, asking for the restoration of the $4,500,000.

In view of the earlier discussion, I think it is only fair to them that I place their statements in the RECORD, so that they can appear with the explanation which has been made concerning the cut.

Mr. President, I ask unanimous consent that the telegrams and letters be printed at this point in the RECORD.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

CORVALLIS, OREG., *May 21, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Urge restoration House cuts agricultural research budget. Oregon needs research.

W. F. MCCULLOCH,
School of Forestry, Oregon State College.

KLAMATH FALLS, OREG., *June 7, 1957.*

Hon. WAYNE MORSE,
United States Senator,
Senate Office Building,
Washington, D. C.:

Request that you do everything possible to restore to the budget the recommended funds for support for agricultural research work at the land-grant colleges. This is necessary to forestall a curtailment of agricultural experimental work which is of great value to our agricultural development.

Respectfully yours,

KLAMATH COUNTY COURT.
C. MACK, County Judge.
E. W. GOWEN, *Commissioner.*
JERRY ROAJNUS, *Commissioner.*

NYSKA, OREG., *June 10, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We strongly urge restoration of 4 million for agricultural research. Our agricultural economy is more dependent now than ever before on research.

PAUL HOUSE,
President, Oregon Reclamation Congress.

GRESHAM, OREG., *June 10, 1957.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We urge your assistance in reinstating at least 4½ million in agricultural research grants to States. Oregons $80,000 share vitally needed for research on Oregon's agricultural crops. Curtailment of productive expenditure is false economy in both business and Government.

GRESHAM BERRY GROWERS,
LEON V. HUBBARD.

KLAMATH FALLS, OREG., *June 10, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Urgently request restoration of $4½ million in current budget for agricultural re-

search vitally important to the future welfare of our farmers.

FRANK G. HOWARD,
President, Klamath Basin Water Users Protective Association.

CORVALLIS, OREG., *May 21, 1957.*

KENNETH FRIDLEY,
Washington, D. C.:

Recent House action eliminated proposed increases in grants to States for research under Hatch Act. Budget office recommendations included $4½ million, from which Oregon station would receive $43,406 of regular Hatch fund and about $30,000 of regional research fund for research on development of hardy winter barley varieties, control of perennial weed, range management, efficient use of water, soil fertility, soil classification, control of plant diseases, livestock production, and utilization of agricultural products. Senate will act on this legislation soon. I presume you will want to explain to Oregon Senators the importance of these funds to Oregon agriculture. Dr. E. C. Elting, of the State experiment station division of ARS can supply you with additional details.

R. W. HENDERSON,
Assistant Director, Oregon Agricultural Experiment Station.

SALEM, OREG., *May 21, 1957.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

Understand agricultural research fund is being left out of agriculture budget. Oregon's share $40,000. $4,000 specifically earmarked research on potato diseases. We must have this fund as new potato diseases that are of serious nature although they are still unnamed could affect the yield and quality thereby greatly affecting potato farmers income. State legislation has no way to supplement this fund this session. Please study this thoroughly and see that Oregon gets the $40,000 agricultural research money. This is urgent to our farm economy. Made phone calls for directions. This matter has specifically been requested by the commissioners.

OREGON POTATO COMMISSION.
BEN DAVIDSON, *Administrator.*

WASHINGTON, *May 23, 1957.*

MARVIN VAN CLEAVE,
President, Oregon Strawberry Council,
Salem, Oreg.:

Retel May 22. Share your concern over House cut in budget for agriculture appropriation item designated payments to States—State experiment stations. Have addressed joint letter to Senator RUSSELL, subcommittee chairman, urging restoration of full $4½ million cut. We recognize importance of agriculture research funds and regard cut as false economy. Will do everything possible assist. Please convey this message to all growers at your statewide meeting. Regards.

WAYNE L. MORSE,
United States Senator.
RICHARD L. NEUBERGER,
United States Senator.

SALEM, OREG., *May 23, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Recent House action eliminated proposed increases to States in grants for research. Am informed this would cause a $73,000 cut in budget for Oregon experiment station and would eliminate vital work on strawberry projects. Increasing research investment is essential to Oregons 3,000 growers and $10 million grower income. Oregon growers are trying to raise $20,000 a year to supplement present research and this cut by the House is most discouraging. This thing will be discussed at a statewide growers meeting Friday. Your aid is earnestly solicited. Letter follows.

MARVIN VAN CLEAVE,
President, Oregon Strawberry Council.

MAY 24, 1957.

Hon. RICHARD B. RUSSELL,
Chairman, Agriculture and Related Agencies Subcommittee, Senate Appropriations Committee, Washington, D. C.

MY DEAR SENATOR: It is our understanding that your subcommittee is about to mark up the appropriations bill relative to appropriations for the Department of Agriculture.

We are very much concerned over the fact that the House reduced the budget request for the item designated "Payments to States—State Experiment Stations" from $33,503,708 to last year's figure of $29,003,708.

We are apprehensive that this cutback will deprive the States of opportunities to expand agricultural research projects that are of great urgency in so many areas of our Nation. In fact, if this appropriation stands as recommended by the House, it will actually represent a cut in research, because the appropriation has to cover salaries, in-grade increases, and other incidental increased costs.

It seems to us that a restoration of the $4,500,000 eliminated by the House for this item would bring about real economy through savings of crop losses and increased quality and quantity of production.

Illustrative of the views of many Oregon constituents who have protested the House action on the research program is the enclosed copy of a telegram addressed to us by Mr. Ben Davidson, administrator of the Oregon Potato Commission, Salem, Oreg.

We shall greatly appreciate the subcommittee's consideration of this matter and we urge the restoration of the $4,500,000 eliminated from the budget request for the State experiment stations program.

With best personal regards.

Sincerely,

WAYNE MORSE.
RICHARD L. NEUBERGER.

Mr. MORSE. Mr. President, I also ask to have printed at this point in the RECORD certain other material discussing the need for agricultural research in brucellosis, plant parasites, plant diseases, and animal diseases.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

I should like to point out that the various States have a heavy backlog of urgent requests for research on State and local problems in these fields. The increase was recommended in order to meet rising costs of research and initiate new projects and expand some already underway. The fields of research covered by the proposed increase include crop production, plant diseases and insects, animal production, animal diseases and parasites. Present research on many major problems facing the American farmer is not adequate to meet his needs or arrive at a solution at an early date. Because of differing climate, soil, market outlets, and other local conditions, each State has distinct problems of production and marketing of crops and livestock which can best be solved by the States, or cooperatively by two or more interested States. The States provide about three times the amount of funds provided by Federal grants. While the majority of grant funds must be matched by States, most of them more than match the Federal portion. I should like to give just one example of many in my State of Oregon. Under the requested increase of $4,500,000 the formula would have provided for an increase of $43,406 for the Oregon agricultural experiment station. It was planned to use $4,000 of this amount for research on late blight of potatoes. Late blight has a habit of appearing suddenly and ceastructively in regions where it had not previously been considered a factor. The Senator from Louisiana [Mr. ELLENDER], who knows how to raise such excellent potatoes, will remember that the epidemic in the southern potato crop in the winter and spring of 1943–44 produced heavy losses where the disease had not been seen for 30 years or more.

This is an example of the kind of preventive research provided for in this increase. I urge the Senate conferees to insist on retaining this item—it cannot afford the customary "split the difference" with the House. It will more than pay for itself with the matching funds from the States.

UNITED STATES DEPARTMENT OF AGRICULTURE,
STATE EXPERIMENT STATIONS, AGRICULTURAL RESEARCH SERVICE

The 1958 budget estimates for the Department of Agriculture include $34,003,708 for the subappropriation "Payments to States, Hawaii, Alaska, and Puerto Rico," an increase of $4,500,000 over the current appropriation of $29,503,708. However, the House bill disallowed this increase.

The budget increase was recommended in order to (1) meet rising costs of research under this appropriation and (2) initiate new projects and expand some already underway. The fields of research covered by the proposed increased are crop production, plant diseases and insects, animal production, animal diseases and parasites, water use and conservation, soils and fertilizers, agricultural economics, farm mechanization and structures, marketing and utilization, home economics, and forest crop production. The various States have a heavy backlog of urgent requests for research on State and local problems in these fields.

Present research on many major problems facing the American farmer are not adequate to meet his needs or arrive at a solution at an early date. Because of differing climate, soil, market outlets, and other local conditions, each State has distinct problems of production and marketing; of crops and livestock which can best be solved by the States, or cooperatively by two or more interested States. Such research is supplementary to the national and regional interests of the Department of Agriculture. To foster research between these two interdependent groups, Federal-grant funds have been appropriated for many years. Under this program the States provide about three times the amount of funds provided by Federal grants. While the majority of grant funds must be matched by States, most of them more than match the Federal portion.

If there is no increase in the appropriation, it will not only be impossible to conduct the additional research which is needed, but rising costs of research will necessitate a reduction in research at State agricultural experiment stations from present levels.

Estimated allotments to State agricultural experiment stations under the $4,500,000 increase requested for 1958

Alabama	$99,855
Alaska	19,708
Arizona	28,400
Arkansas	82,872
California	90,035
Colorado	37,534
Connecticut	30,348
Delaware	21,801
Florida	49,064
Georgia	103,340
Hawaii	26,194
Idaho	32,686
Illinois	95,471
Indiana	82,721
Iowa	84,105
Kansas	58,034
Kentucky	103,319
Louisiana	70,332

Estimated allotments to State agricultural experiment stations under the $4,500,000 increase requested for 1958—Continued

Maine	$33,225
Maryland	41,744
Massachusetts	37,385
Michigan	90,392
Minnesota	81,705
Mississippi	103,126
Missouri	91,049
Montana	31,130
Nebraska	51,145
Nevada	19,737
New Hampshire	24,917
New Jersey	37,002
New Mexico	31,148
New York	90,883
North Carolina	140,041
North Dakota	39,346
Ohio	108,829
Oklahoma	67,085
Oregon	43,406
Pennsylvania	116,703
Puerto Rico	96,263
Rhode Island	20,837
South Carolina	79,316
South Dakota	38,916
Tennessee	104,952
Texas	140,116
Utah	26,970
Vermont	26,595
Virginia	89,618
Washington	49,374
West Virginia	64,849
Wisconsin	82,950
Wyoming	23,429
Total	3,240,000
Regional research fund	1,125,000
Administration	135,000
Total	4,500,000

EXTRACTS FROM THE YEARBOOK OF AGRICULTURE, 1953

One of the most tragic events in history led to the beginning of real knowledge about plant diseases and to the development of the science of plant pathology. That was the Irish famine in the middle of the 19th century. Two circumstances were responsible. First, the impoverished population had become almost wholly dependent on their potato gardens for food. Second, the potato crop for 2 years, 1845 and 1846, was almost wholly destroyed by late blight. Accounts of physical misery and spiritual anguish suffered because of the devastation caused by this one disease go far beyond anything that ordinary experience equips one to understand. Ireland lost almost a third of its population between 1845 and 1860 as a direct result of the outbreak of late blight. A million people died from starvation or from disease following malnutrition. A million and a half more emigrated.

The outbreak in Ireland was part of a pandemic—that is, the disease suddenly became widespread and destructive almost simultaneously in several European countries and in the United States as well. As far as can be determined, the disease had appeared in these regions not more than 2 or 3 years previously. In the meantime, the pathogen evidently increased and became widely distributed, so that when the weather became generally and extremely favorable, as happened during the years of the pandemic, it could attack rapidly and in force over a wide area at once.

Why did this outbreak overwhelm the Irish and affect other peoples much less? The answer is not simple. It lies partly in agricultural and partly in political history. But essentially it is that miserable economic conditions led to the almost sole reliance of the Irish peasantry on the easily grown, productive, and filling potato for their main food.

In other places food resources were more varied so that destruction of the potato crop did not have anywhere near the same importance.

Even after this grimmest of epidemics abated, its consequences remained. The disease had become a fixture in potato culture. It was more or less evident almost every year, and serious outbreaks, although none again so disastrous as the great pandemic, occurred from time to time whenever the weather was favorable. The tragic drama of the famine was one of the decisive factors in subsequent social and economic policy. Its influence on British-Irish relations is still felt.

Of course, circumstances must be unusual indeed for such extreme disaster to be caused by the attack of a plant disease, or, for that matter, by anything else. There have been other records of famine due to the severe occurrence of a plant disease. In 1733, more than a century before the Irish famine, 12,000 persons on one Japanese island died because of failure of the rice crop, caused perhaps by stunt, a virus disease. Early settlers in Australia are said to have suffered more than once from lack of food because their grain crops were destroyed by leaf rust. Actually, however, except for the toll of human lives that make it so terrifying and so impressive, famine is comparatively minor as an expression of the importance of plant diseases.

Nowadays help can reach victims quickly almost anywhere in the world, and there is less and less likelihood of famine or excuse for it.

• • • • • •

That last statement is true except in times of stress and emergency, of disrupted transportation and world upheaval. Late blight is said to have had a place in the defeat of Germany in the First World War. In 1917 it destroyed about a third of the potato crop, which made up a large part of the wartime diet of the Germans. Reduction in the already scanty food supply contributed to the breakdown in morale and physical endurance that led to the end of the war. Here again, this required a favorable combination of circumstances; seldom does a single plant disease influence military affairs to that extent. Plant diseases can cause or aggravate serious shortages in wartime, however, all the more so because then fewer varieties of crops are apt to be grown; their products, whether for food or other consumption, are urgently needed in greater quantity than usual; replacements or substitutes are hard to get or are unsatisfactory; diversion of chemicals necessary in the manufacture of fertilizers and fungicides to other use hampers control of parasitic and non-parasitic diseases; and the overloaded transportation facilities multiply the effects of all the other factors.

• • • • • •

Some of the most dreaded diseases of crops are of moderate importance or are scarce or even absent a good part of the time. But they can attack with great suddenness and destructiveness in certain seasons, or perhaps during several consecutive years. Among them are wheat stem rust and potato late blight, which are probably the most famous of plant diseases because of the importance of the hosts almost everywhere and because of the extraordinary severity of epidemic outbreaks of either disease.

• • • • • •

Late blight has a habit of appearing suddenly and destructively in regions where it had not previously been considered a factor. The epidemic in the southern potato crop in the winter and spring of 1943–1944 is a good illustration. Contributing factors in that outbreak were: The especially abundant supply of inoculum that resulted from wartime relaxation of seed requirements; exceptionally wet weather, favorable temperatures; lack of experience with the disease; and difficulty of control, the result of the early heavy attack, weather that prevented efficient application, and scarcity of control materials. The total result was the most severe and widespread epidemic ever known in the South. Losses were heavy in some States where the disease had not been seen for 30 years or more.

• • • • • •

One cannot study a parasitic plant disease without taking into account the influence of temperature and moisture on the pathogen, on the reaction of the host, and on consequent disease development. Obviously, a connection so regular must have great practical significance.

• • • • • •

If we can tell when an outbreak is likely to happen, we can prepare for it and reduce losses. In particular, we can overcome the difficulty in the use of expensive chemical control measures arising from the fact that routine application is wasted in years when the disease is absent, but, on the other hand, when it does attack protection must be prompt and continuous to do any good. With such a choice farmers are apt to take a chance and often will sustain severe losses. Forecasting enables sound judgment instead of wasteful guessing on the need for control measures.

Prediction does not always help in control but does enable farmers to reduce their losses in other ways. For instance, there is no practicable shorttime control measure available for wheat leaf rust, but forecasts issued early in the season allow farmers to plow up their wheat and plant some other crop or to pasture their fields if a serious outbreak is indicated. Thus they can recover at least part of their season's investment.

• • • • • •

Late blight of potato is a downy mildew caused by a fungus, Phytophthora infestans. The mildew, or flour-like spots, usually on the lower surface of the leaf, distinguishes the disease from other leaf spots on the potato plant. Humid conditions favor it. Despite its name, the first infection often occurs soon after the plants emerge when favorable moisture and temperature prevail. At 70° to 75° F. the fungus grows so fast inside the leaves that within a week after infection it causes dead spots one-half to 1 inch in diameter. The entire plant may be killed within 2 weeks. The brown discoloration of the foliage brings to mind the terms "blight" and "rust."

Mr. MORSE. Mr. President, again I say to my constituents who have urged me to offer amendments increasing the amount that I do not believe in engaging in simple political gestures. I may say for the RECORD that I could offer the amendments they suggested that I offer. But it would be hopeless, because, as the Senator from Georgia has pointed out to me, the Appropriations Committee would oppose the amendments. Also, he has given me his sincere and honest advice that our best hope of holding the amounts we have provided by means of the amendments recommended by the Appropriations Committee is to support the Senate committee version of the bill. The Senator from Georgia has pointed out that the real danger is that if we try to increase those amounts, we may wind up in conference with lesser amounts.

Therefore, on the basis of the statements made today, I am not offering the amendments suggested by these groups, because, as I have said before on the floor of the Senate, I think we have obtained, under the leadership of the Senator from

Georgia, the best possible bill we have any hope of having enacted at this session of Congress, in view of what is almost a fixation, I may say, regarding economy this year at the expense, in item after item of many bills, as I experienced it early today in connection with the District of Columbia appropriation bill, of human welfare and human needs.

Mr. NEUBERGER. Mr. President, I desire the RECORD to show that I supported the amendment offered by the junior Senator from Ohio [Mr. LAUSCHE] because I believe there must be imposed an extremely rigid ceiling on what can be paid by the Government to any one farm unit under the acreage-reserve program. Unless we do that, we shall be aiding only relatively large agricultural operations, and we shall continue to be unfair and discriminatory to the family-size farming undertaking.

The PRESIDING OFFICER. Does the Senator from Texas yield back the remainder of the time under his control?

Mr. JOHNSON of Texas. Mr. President, I am prepared to do so, if the minority leader will do likewise.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time, under the same condition.

Mr. JOHNSON of Texas. Then, Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The question is, Shall the bill pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

I further announce, if present and voting, all of the Senators listed above would have voted "yea."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

The Senator from Maine [Mr. PAYNE] is necessarily absent.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from Nebraska [Mr. HRUSKA], the Senator from Connecticut [Mr. BUSH], the Senator from Nevada [Mr. MALONE], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

The result was announced—yeas 78, nays 0, as follows:

YEAS—78

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hennings	Neuberger
Beall	Hickenlooper	O'Mahoney
Bennett	Hill	Pastore
Bible	Holland	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Revercomb
Capehart	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Chavez	Kennedy	Smith, Maine
Church	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Curtis	Kuchel	Stennis
Dirksen	Lausche	Symington
Dworshak	Long	Talmadge
Eastland	Magnuson	Thurmond
Ellender	Mansfield	Thye
Ervin	Martin, Iowa	Watkins
Flanders	McNamara	Wiley
Frear	Monroney	Williams
Goldwater	Morse	Yarborough

NOT VOTING—17

Bricker	Fulbright	McClellan
Bridges	Hruska	Neely
Bush	Kefauver	Payne
Clark	Langer	Smathers
Cotton	Malone	Young
Douglas	Martin, Pa.	

So the bill (H. R. 7441) was passed.

Mr. RUSSELL. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. HAYDEN, Mr. HILL, Mr. ROBERTSON, Mr. ELLENDER, Mr. YOUNG, Mr. MUNDT, and Mr. DWORSHAK the conferees on the part of the Senate.

THE KHRUSHCHEV STATEMENT ON THE COMMUNIST SYSTEM

Mr. KNOWLAND. Mr. President, in the television program on Sunday, June 2, Mr. Khrushchev, the First Secretary of the Communist Party, had an interview which was rebroadcast in the United States. At that time the following question was asked of him by Mr. Cutler:

> Mr. Khrushchev, do you have any fear that if you withdraw your troops from certain states in Eastern Europe, those countries would all remain Communist?

In reply, Mr. Khrushchev answered in the following words:

> You seem to think that the Communist system in some country can be held up by our armed forces. But I wouldn't defend a Communist system of that kind. The Communist system must be based on the will of the people, and if the people should not want that system, then that people should establish a different system. And for that reason we have no fear of withdrawing our troops from any country of Eastern Europe or from Eastern Germany, and we are certain that the people themselves will defend their system even better without that.

Mr. President, as the distinguished majority leader has spoken on another aspect of this situation, it seems to me that Mr. Khrushchev has opened up a situation of which this country and the Free World should take full advantage. Based on that, I addressed a letter to the Secretary of State, under date of June 8, 1957. Because of some misinterpretations or misunderstandings of the proposal, I desire to read into the RECORD at this time the letter I addressed to the Secretary of State. I wish to say that prior to releasing this letter, I personally discussed the matter with the Secretary of State, and he said he had no objection to my making the letter public. The letter reads:

DEAR MR. SECRETARY: It seems to me that Mr. Khrushchev in his television appearance of Sunday, June 2, has given us an opportunity to call his hand. He would be placed in the position of carrying out his expressed belief or being exposed as a dealer in typical Communist propaganda.

When Mr. Cutler asked him the question, "Do you have any fear that if you withdraw your troops from certain states in Eastern Europe that those countries would all remain Communist?"

In his reply he said, " • • • You seem to think that the Communist system in some country can be held up by our armed forces. But I wouldn't defend a Communist system of that kind. The Communist system must be based on the will of the people, and if the people should not want that system, then that people should establish a different system. And for that reason we have no fear of withdrawing our troops from any country of Eastern Europe or from Eastern Germany, and we are certain that the people themselves will defend their system even better without that."

I would strongly recommend that we challenge him in this area to demonstrate his expressed faith in communism and in an area where his country already has treaty and moral commitments to withdraw.

1. When Austria became free of Soviet occupation the legal basis for retaining troops in Hungary terminated.

2. The last legal Government of Hungary under Nagy repudiated the Warsaw Pact which removed even this doubtful justification for the presence of Soviet forces.

3. The United Nations has passed 10 resolutions relative to Hungary including those relating to Soviet troops' withdrawal and the holding of free elections.

In view of the above and with the consent of our associates in the North Atlantic Alliance including, of course, Norway, I would hope that we would confront Khrushchev and the Soviet Union with the challenge to live up to their prior commitments and obligations and to test the popularity of 10 years of Communist domination by giving the people of Hungary the opportunity of voting for a government of their choice in secret, free elections under United Nations supervision.

In exchange we and our allies could agree that Norway would become a member of the Baltic neutral bloc.

If this proposal was not satisfactory, an alternative would be that the Soviet Union withdraw from Latvia, Lithuania, and Estonia, live up to their previous treaties of friendship and nonaggression with those three Baltic Republics, return the thousands of Latvians, Lithuanians, and Estonians from Soviet prison camps and agree to United Nations-supervised free elections in these three Baltic Republics. The Free World and the Soviet Union to thereafter jointly agree to guarantee the frontiers of the Baltic neutral bloc against any aggression.

Khrushchev has given an opening which should not be ignored. It would give us an opportunity to test his words against Soviet deeds. This is fully in line with earlier expressions of President Eisenhower

that the Soviet Union should demonstrate by "deeds and not words" that it was prepared to lay the groundwork for peace with honor.

With best personal regards, I remain,
Sincerely yours,
WILLIAM F. KNOWLAND.

Mr. President, I make this letter public because of the misunderstanding, first, that there was any proposal made that this be done without full consultation with all our allies, including Norway; secondly, that the opening Khrushchev gave us should not be bypassed or ignored; thirdly, even if Norway and other NATO nations should agree to it, we would still not leave them to the tender mercies of the Communist world, but with guaranties to a Baltic neutral bloc.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I desire to express my appreciation to my colleagues for their cooperation in passing two important appropriation bills today and sending them to conference. I hope we shall be as successful tomorrow in acting on two other appropriation bills, namely, Order No. 421, H. R. 6070, the independent offices appropriation bill, and Order No. 423, H. R. 6287, the Departments of Labor, and Health, Education, and Welfare appropriation bill.

Mr. President, I now desire to make a motion.

The PRESIDING OFFICER. The Senator from Texas has the floor.

INDEPENDENT OFFICES APPROPRIATIONS, 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 421, H. R. 6070, making appropriations for independent offices.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. JOHNSON of Texas. Mr. President, under the previous order, the Senate will meet tomorrow at 9: 30 a. m. There will then be a morning hour, a quorum call, and the consideration of the independent offices appropriation bill, provided such procedure is agreeable to the chairman and ranking minority member of the subcommittee. If by chance that should not be agreeable to them, we would substitute the Labor-Health, Education, and Welfare appropriation bill.

We hope to pass both appropriation bills tomorrow, and then proceed to the consideration of the mutual security authorization bill.

ADJOURNMENT TO 9:30 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, if there are no Senators who desire to address the Senate, pursuant to the order previously entered, I move that the Senate stand in adjournment until 9:30 o'clock a. m. tomorrow.

The motion was agreed to; and (at 10 o'clock and 18 minutes p. m.) the Senate adjourned, the adjournment being, under the order entered yesterday, June 10, 1957, until tomorrow, Wednesday, June 12, 1957, at 9:30 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 11, 1957:

UNITED STATES DISTRICT JUDGE

Robert Van Pelt, of Nebraska, to be United States district judge for the district of Nebraska.

UNITED STATES ATTORNEYS

Hartwell Davis, of Alabama, to be United States attorney for the middle district of Alabama for a term of 4 years.

Jack Chapler Brown, of Indiana, to be United States attorney for the southern district of Indiana for a term of 4 years.

Clinton G. Richards, of South Dakota, to be United States attorney for the district of South Dakota for a term of 4 years.

UNITED STATES MARSHALS

James L. May, of Alabama, to be United States marshal for the southern district of Alabama for a term of 4 years.

John F. Barr, of West Virginia, to be United States marshal for the northern district of West Virginia for a term of 4 years.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 11, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, Thou art daily calling and commanding us to enthrone in our life the spirit of good will and brotherhood, of kindness and love.

May we manifest in our character and conduct this spirit which we profess to believe in our hearts.

Grant that we may be partners with one another in the great enterprise of extending this same spirit throughout the whole world.

Help us to think and act in terms of humanity and may the common welfare of each be the concern of all alike.

Give us a profounder sense of our kinship and may we seek to strengthen those ties and bonds which will draw the members of the human family closer together.

In Christ's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment a bill and a joint resolution of the House of the following titles:

H. R. 7143. An act to amend the act of August 3, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strengths of the Armed Forces; and

H. J. Res. 185. Joint resolution to implement the convention between the United States of America and Norway, which entered into force on November 9, 1948, for disposition of the claim against the Government of the United States of America asserted by the Government of Norway on behalf of Christoffer Hannevig.

THE GIRARD TRIAL

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Speaker, I believe all veterans are concerned over the abandonment of William S. Girard by the present administration. Any man who has ever worn the uniform of his country feels proud of it and expects his uniform to be honored and protected by his country.

We have no status-of-forces treaty with Japan so there is no treaty under which Japan can demand that we do this. If we have secret agreements to surrender our men to foreign jurisdiction, it is contrary to everything the man ih uniform has stood for and fought for through the years.

We have lost face in the Far East by our stupid, vacillating foreign policy in that area. Let us not lose faith with the men in uniform we are ordering to foreign soils to protect American freedom.

I am vigorously opposed to the surrender of Private Girard to the Japanese Government for trial. I hope the administration will heed the voice of the American people and demand that this man be tried by an American court or court-martial.

The American people also demand the facts. If this man was on a military reservation, there is no excuse, no authority, and no justification to surrender him to Japanese civil authorities. Does our Government mean to admit that our court-martial would not mean a fair way of trial? William Girard must not be sacrificed either for political expediency or to bolster a weak foreign policy.

Let us not forget that every American is important and that this country has survived because it has protected zealously the rights of the individual.

COMMITTEE ON FOREIGN AFFAIRS

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may sit this afternoon during the session of the House.

The SPEAKER. The Chair cannot entertain a request like that. The bill presently under consideration is being read for amendment. A request like that is granted only during general debate.

Mr. BURLESON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURLESON. Any committee will be allowed to sit during the session this afternoon?

The SPEAKER. Not by request.

Mr. BURLESON. Mr. Speaker, a further inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURLESON. Mr. Speaker, may I assume that any similar request subsequently made during the 5-minute rule on the pending bill will not be entertained by the Chair?

The SPEAKER. That is correct.

CALL OF THE HOUSE

Mr. COLMER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 107]

Bailey	McCarthy	O'Konski
Beamer	McConnell	Powell
Belcher	Machrowicz	Preston
Blitch	Mason	Prouty
Bowler	May	Radwan
Dooley	Miller, Md.	Taylor
Engle	Mills	Vursell
Fogarty	Montoya	Wigglesworth
Gubser	Morrison	Wolverton
Holtzman	Moulder	

The SPEAKER. On this rollcall 403 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6127, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, all time for general debate on the bill had expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc.—

PART I—ESTABLISHMENT OF THE COMMISSION ON CIVIL RIGHTS

SEC. 101. (a) There is created in the executive branch of the Government a Commission on Civil Rights (hereinafter called the "Commission").

(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

(c) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner, and subject to the same limitation with respect to party affiliations as the original appointment was made.

(e) Four members of the Commission shall constitute a quorum.

Mr. SMITH of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from New York.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia have his time extended for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, when I thought of asking for this time this morning I was of the impression that those who have been so insistent upon the passage of this bill would be desirous of speeding its consideration. With that in view, I suggested that the Chairman ask unanimous consent that the bill might be considered as read so that we might proceed expeditiously with the consideration of the matter. However, that request was not complied with, so we will now have to begin the reading of the bill and go through it section by section, which will probably cause some considerable delay in the consideration of the bill and we will not be able to complete it as rapidly as I had hoped.

Mr. Chairman, in the consideration of this grotesque monstrosity with which we have been engaged for this last week or so, there are a great many defects. However, I consider that in this bill there are three fundamental, important things that everybody in this House who stops to think and read the bill, and its implications, would be anxious to have adopted. I want to discuss them very briefly in the time given to me as I did not discuss the matter during general debate.

First, is the one that has been talked about a great deal and that is the jury trial amendment which should undoubtedly be adopted in some form. Then, there is the question of the States' rights provisions in this bill under which the Federal Government takes away from the jurisdiction of the courts the law that has been the law since the beginning of this Republic—that a person could not go into the Federal courts seeking relief until he had first exhausted those remedies provided for him in his State. That is a fundamental proposition of law that this bill, for the first time in the history of this Republic, seeks to repeal. The third provision is that provision found on page 10 beginning on the first line. That provision provides that the Attorney General shall have dictatorial authority over the civil rights granted under this bill. In other words, what it provides, and I think it would be informative for Members to look at that as I read it, is as follows:

The Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief.

What I am trying to say is that that gives no one but the Attorney General of the United States power under this bill to give anyone any protection concerning civil rights under this act. It protects only the civil rights of the Attorney General of the United States. No individual citizen in the United States is entitled to claim any relief under this act.

Mr. Chairman, I did want to discuss the jury-trial amendment briefly. There has been a great deal of conversation and debate and argument about the jury-trial amendment. The truth about the opposition to the jury-trial amendment is that the proponents of this bill do not want anybody who is charged with contempt under this act to have the opportunity of a trial by jury of their case. Is there any doubt about that in anybody's mind?

Mr. HOFFMAN. Mr. Chairman, I make the point of order that the Committee is not in order. There is a rumble of talk throughout the entire Chamber and one cannot hear even in the front row of seats.

The CHAIRMAN. The point of order is well taken. The gentleman from Virginia will suspend. The Committee will be in order.

The gentleman may proceed

Mr. SMITH of Virginia. Mr. Chairman, I am fully aware that there are many Members in this House who are not going to listen to any reason about it, and I do not want to detain them, but I do hope that they will not interfere with the opportunity of others who are really serious about this bill and who want to consider it from a logical standpoint.

Mr. Chairman, the Attorney General of the United States in his testimony before the Senate committee said this—this is on page 6 of the hearings of the committee of the other body:

Jurors are reluctant to indict and convict local officials in a crimination prosecution even though they recognize the illegality of what has been done. As a result, not only are the election officials freed, but also the Government is not able to get an authoritative determination regarding the constitutionality of what was done.

Again he said:

In attempting to achieve the constitutional goal with respect to civil rights of an individual, it has been a mistake for the Congress to rely so heavily on criminal law and have made so little use of the more flexible and often more practical and effective processes of the civil courts.

Which means that the Federal judge could yank a man in and try him and send him to jail without a trial by jury.

Now, it is difficult for me to conceive why there should be so much argument about this jury trial amendment. What the jury trial amendment will do will be to follow the present law, section 3691 of title 18 of the Criminal Code, and provide that his jury trial shall not be taken

away from him by reason of the fact that the Government, under this act, becomes a party to the litigation. It is admitted that under the present law if the Government did not bring this suit every citizen of the United States, charged with this offense, would be entitled to jury trial. That is provided in section 3691. The difference between that and this is that by this very acute and devious proposal the Government of the United States is substituted for the private individual, and by reason of that fact and only by reason of that fact he is thereby deprived of a jury trial which is given to him under existing law, section 3691 of title XVIII.

I do not know what all the fuss is about. I want to quote to you what the chairman of this committee said and what the ranking minority member, the gentleman from New York [Mr. KEATING], said during general debate, when they were berated for having brought in a bill that was going to deprive a citizen of the right of trial by jury in a case which, but for the presence of this law he would be entitled to under existing law, if the Government is not a party he is entitled to a trial by jury. He is entitled to it today under existing law. For instance, we have two sets of civil-rights laws. One is the criminal provision and the other is the civil provision, which provides civil remedies for citizens whose rights are invaded. He can proceed either way he wants to, either under the criminal provision or the civil provision, but in either case he gets a trial by jury for an offense for which he is going to be tried. If this iniquitous piece of legislation is enacted he will be deprived of that right to trial by jury. If anybody questions that, I would like them to say so now. No one rises to question my statement. Nobody can question it. It is obvious. All you have to do is to read this bill.

Mr. KEATING said, when this question was under discussion, at page 8501 of the RECORD—he interrupted the gentleman from Maryland [Mr. HYDE], who was making the very point I am making, and he said:

> I will say to the gentleman that I was the author of this provision as it came to me from the Justice Department. I say to the gentleman categorically that, while it may be an admission of ignorance, it never entered my mind that I was taking away anybody's right to a jury trial when I introduced this measure or when I voted for it in committee and in the last Congress.

In response to that, the gentleman from New York [Mr. CELLER], chairman of the committee, rose, and he said, at page 8502:

> I want to say at the outset I agree with what the gentleman from New York [Mr. KEATING] said with reference to our motives. As I said before, I am a libertarian—

Now do not get that mixed up with "libertine"—

> I am a libertarian, and I would not want by any stretch of the imagination to take away any rights from anyone.

When proponents on the Democratic side and the Republican side both say we never had any intention of taking away any right of trial by jury, what is the argument about? If that is correct, and I do not doubt their sincerity, why do you not just say: "All right, put it in; that is what we intended"?

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. KEATING. I just want to say to the gentleman that it not only was not in our minds but it was not in the mind of any Member of this Congress who voted for this bill the last time it was up.

Mr. SMITH of Virginia. Today, however, it is in the mind of every Member of this Congress and every Member of the body on the other side of the Capitol, and it is in the minds deeply—and do not forget it—of the American people, that Congress is seeking to deprive a man of his right to trial by jury. I do not care whose mind it was in when it started; everybody knows about it now. Do not fool yourself. The American people are alerted to this assault on their liberties.

There is another reason I do not think we ought to have any dispute about this jury trial amendment. Over in the other body the gentleman who has been most obstreperous, most urgent in his support of the civil-rights bill, this bill, if you please, is the senior Senator from Missouri. He has never given an inch until yesterday, but on yesterday he proposed in the Senate, an amendment intended to be proposed by Mr. HENNINGS to the bill S. 83, to provide civil rights, and so forth. That proposed amendment which is advocated by the chief proponent of the Senate bill reads as follows:

> Amendment intended to be proposed by Mr. HENNINGS to the bill (S. 83) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, viz: Amend S. 83, as amended on June 3, 1957, by the Senate Committee on the Judiciary, by adding the word "criminal" in that amended part, section 1, after the words "In all cases of" so that the part will now read:
>
> "PART —. TO SECURE THE RIGHT OF TRIAL BY JURY TO PERSONS CHARGED WITH CONTEMPT OF COURT IN ACTIONS OR PROCEEDINGS INSTITUTED PURSUANT TO THIS ACT
>
> "SECTION 1. In all cases of criminal contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any action or proceeding instituted under this act, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.
>
> "This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court."

The proponents in the other body seem to have recognized what the gentlemen who have been opposing it on this side refuse to recognize, the obvious fact that it is taking away from every American citizen his inalienable constitutional right to trial by jury in a criminal case; and if it were not for this little gimmick that makes the Government the prosecutor there would have been no question of the right of trial by jury for every American citizen.

Mr. Chairman, I am sorry to have taken the extra time, but I did want to advise the House that in my humble judgment the three most vital things in this bill are: First, the jury trial; second, the civil-rights provision taking away administrative remedies; and, third, this inordinate, this extraordinary, unusual, and unprecedented power given to the Attorney General of the United States to determine whether the person shall receive any of his rights under the civil rights bill, or denied those rights.

Mr. RIVERS. Mr. Chairman, I rise in opposition to the pro forma amendment, and ask unanimous consent to proceed for 5 additional minutes.

Mr. HOLLAND. Mr. Chairman, reserving the right to object, if we are going to extend the time of these Members now later in the day we will find we have taken too much time and others will be deprived of the opportunity to be heard.

I object to the extension of time.

The CHAIRMAN. Objection is heard.

The gentleman from South Carolina is recognized for 5 minutes.

Mr. RIVERS. Mr. Chairman, the reason I asked for the additional 5 minutes was that I was unable to get an opportunity to speak on this bill during general debate. I did not know I transgressed anybody's rights by requesting 5 additional minutes before you hang us.

Mr. Chairman, I have an abundance of evidence to justify the remarks I am about to make and since I do not have the time to take up all of the things I want to discuss, I will advance my argument to that provision of the Constitution, Article III, which says that everybody shall be entitled before going to jail or staying out of jail to a trial by jury.

The distinguished gentleman from Virginia [Mr. POFF], the distinguished gentleman from Maryland [Mr. HYDE], and another distinguished member of the committee, the gentleman from Louisiana [Mr. WILLIS], gave you three of the greatest treatises I have ever heard on the right to trial by jury.

Let us look at this for a moment. I heard one Member get up yesterday and say that we have heard the greatest legal arguments he has ever heard on this floor. I happen to be a lawyer, although a lot of you perhaps would not know it. He said that we have heard many other arguments. We heard one Member speak on the morality of this thing. He gave us a great treatise on the morality. I address myself to the commonsense approach to this matter, any way you want to take it.

What is the practical application, I ask you gentlemen who are lawyers? I once was in the Department of Justice. I am speaking of trial by jury. Do you know how a jury panel is approved before a jury is impaneled in a criminal case? And this is a criminal case, I do not care what they call it. This involves criminal proceedings. The FBI screens every person whose name is in the jury box of a Federal Court. Any of you who have practiced in the Federal courts know

that. In addition to that, the Treasury agents, the Alcohol Tax Unit and its agents who go out and get these bootleggers do the same thing. So the people are screened and rescreened. You do not have a bunch of hoodlums appearing in that jury box. The jury is taken from the other group and that is the group that we want to ask you to send these people before. Of course, I am not for the bill, I am just trying to promote the guaranties of a fair Anglo-Saxon American way of going to jail. It is that group that we ask you to send him to, a jury of our peers, before you send us on a one-way ticket to Atlanta, Ga., or Leavenworth, Kans.

What is the practical application of that? Everybody knows who knows anything about the law that when you are cited for contempt before a judge, if the contempt takes place before him, you do not need any witnesses. He has sense enough to see to that, if the contempt is sufficiently close to the court so that you do not need any witnesses. He can forthwith sentence you. But when it is out of his sight and at some other place, it is not a question of law. I say to you it is then a question of fact and if it is a question of fact it has a right to go to a jury. That is all the proponents of the jury-trial provision claim. They are asking that that question of right be determined by an impartial jury and that it be tried in the district in which it is alleged to have been committed. That is all there is to it. I do not care what they talk about so far as proceeding on the civil side or the criminal side is concerned. When you are cited for contempt, you are headed for the jailhouse, unless you get a trial by jury.

Now, Mr. Chairman, what is the other practical application? The Attorney general is the sole prosecutor in the name of the United States Government. He is backed by that seal up there that the Puerto Ricans almost shot down. He comes into court with that seal behind him representing a figmentary individual, so to speak. He walks into court with this thing that both of the gentlemen have claimed has no parentage.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. HOLLAND. Mr. Chairman, I withdraw my objection.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the gentleman from South Carolina [Mr. RIVERS] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIVERS. I thank the distinguished gentleman very kindly. As much as we differ on various things, we agree on some things: He and I have the same name.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from New York.

Mr. CELLER. We do have the same name, which means "God be with us."

Mr. RIVERS. Although we have the same name meaning "God be with us," sometimes it is "God help us."

But, take the practical application. You have got an Attorney General walking into the courthouse before a Federal judge, like they did down in Tennessee. I do not know the facts about the Kasper trial. I heard the gentleman from Georgia talk about it yesterday, but I am not familiar with Kasper. I would not know him from Adam's house cat. But, certainly he is headed for jail. They enjoined him at 9 o'clock at night, and the next morning they sentenced him. That is what you heard the gentleman say yesterday. Now, he was entitled, in my opinion, to a jury trial. I do not care where he came from. Somebody said he came from Brooklyn, but he was certainly entitled to a jury trial. He was in Tennessee at the time.

Now, your Federal judges, they lack a lot of being without sin. Some Federal judges are either looking for promotion to the Supreme Court or looking to the circuit court of appeals for a promotion. But, if you make them the judge and the jury and give them the keys to the jail, how many fair trials will you get with the Attorney General backing them up?

Now, we are against this bill. You know how they select these juries, as distinguished gentlemen as you are, in the Federal courts. All we ask is to give that man the right to a fair trial when they come before these ambitious people who are either on the way to the Supreme Court or on the way to the circuit court of appeals, hopefully on the way to a promotion. And, many of these men have been great people when they were in the Congress here, but when they put on that black robe, they were as cold as a dead Eskimo. They undergo a complete metamorphosis; they make a 180° turn; you would not recognize him if he passed you on the king's highway.

There are other civil rights in this bill which ought to be protected, but that is the main thing which we have to address ourselves to, just as these three gentlemen announced in their treatises, that the man is to stay out of jail if a jury of his peers so decides or finds out or determines, and that is the thing which we come to you today for. Do not let political expediency haunt you for the remainder of your natural lives. Being in Congress is not worth it. Do not let your service in this Congress be such a temporary thing that when you leave here they will not even take note, as the poet says, of your departure. A jury trial is only practical; it is only reasonable; it is only following what has been done in this country since the memory of man runneth not to the contrary.

Mr. HOFFMAN. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. HOFFMAN moves that the Committee do now rise and report the bill to the House with the recommendation that the enacting clause be stricken out.

THE PROPOSED LEGISLATION IS COSTLY, UNNECESSARY—TENDS TO DEPRIVE CITIZENS OF A BASIC CIVIL RIGHT

Mr. HOFFMAN. Mr. Chairman, in what may be here said, neither directly nor indirectly will the ability, the purpose, nor the sincere desire of the bill's proponents to protect the civil rights of our citizens be questioned.

The President has several times told us that increased spending, either by individuals, private organizations, or the Government, will add to the present danger brought on by inflation. The party platform, to which the President has asked us to adhere, calls for economy, the preservation of our financial integrity. We should, therefore, scrutinize carefully all legislation which authorizes additional appropriations as does this bill and in an undetermined amount.

The committee has not been given even an estimate of the new, additional Federal appropriations which will be made necessary by the enactment of this bill. It creates a new Federal agency, with the usual authority to spend Federal money. It provides for the addition of another assistant attorney general, with an adequate staff, the cost of which no one has thought necessary to even estimate.

Experience demonstrates that both the Commission, the assistant attorney general and his staff will find ever-increasing duties, the performance of which will add millions of dollars to the annual national budget.

It is my desire to go along with the Republican administration every time that is possible. No one, not even the President himself, or our congressional leaders, finds it possible to agree on every proposed bill. Lately attention was called to the fact that we should stand on the platform. That is as it should be. It is the honest thing to do, but since when has either party found that possible? Neither party has ever had a perfect record.

We remember how Roosevelt was elected on a platform promising a 25 percent reduction of expenditures and employment? Adherence to the gold standard? What happened? He fell off that platform on all three counts within 6 months, but was reelected three times afterwards.

So while talking about party platforms and political expediency, the party which promises the most seems to win elections.

The 1956 platform of the Republican Party promised economy.

Did we ever pause to think of the economy pledge in our platform while this bill was being debated, that here in this bill is provision for a new Commission, a new agency, and so far as I can recall there has not been a single word uttered about the cost? With contradictory promises in a platform, we must make a choice. In my judgment, economy must prevail over new, unneeded agencies or commissions.

How much will we authorize to be appropriated by this bill? No thought has been given to that.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Iowa.

Mr. GROSS. May I say to the gentleman that a short time ago I tried to elicit from one of the proponents of this bill even a rough estimate of the cost of the

Commission and the new Attorney General, but I got no information.

Mr. HOFFMAN. I gather if we as Republicans want to win, we have just got to out-promise and out-spend our friends on the other side.

Mr. GROSS. That seems to be the thing to do.

Mr. HOFFMAN. I cannot do that: Promise and not deliver. We cannot afford to win in that way at that cost.

LEGISLATION UNNECESSARY

The legislation is unnecessary for the reason there is now in the Federal Government ample authority to protect the civil rights of all citizens, if that be the sincere desire of those administering the Department of Justice.

For his protection, the citizen needs, not new and additional legislation in this field, but the enforcement of that now on the books.

Section 104 (a) (1) of the bill states that:

The Commission shall—

(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based.

Under the present law, it is the duty of the Department of Justice and, at its request, of the FBI, to do everything outlined in this paragraph.

If either is incapable of performing its duties because of a lack of ability or money, then new individuals should be employed and appropriations increased.

Section 104 (a) (2) makes it the duty of the Commission to "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution."

The Committee on the Judiciary, headed by the very able and industrious gentlemen from New York [Mr. CELLER and Mr. KEATING], has imposed upon it the duties specified in that paragraph.

Section 104 (a) (3) charges the Commission with the duty to "appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution."

That authority is now expressly vested in the House Committee on Government Operations, which last Congress, in addition to the usual contingent funds appropriation to regular standing committees, had $995,000 to perform its duties.

The bill is entitled "A bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States."

In truth and in fact, if adopted, as written, the legislation will tend to deny and prevent the exercise of the civil rights of citizens, in that, among other things, it denies the right of a citizen to a trial by jury—a constitutional right—when accused of criminal contempt.

Not a single civil right is even remotely referred to in the bill, except the right to vote. To add insult to one's intelligence, Section 104 (a) (1) fails to prescribe any duty upon the Commission to investigate interference with the right to vote unless that right is denied "by reason of color, race, religion, or national origin."

If we are honestly interested in protecting the right to vote, why not write in a simple provision that, if the citizen's right to vote is interfered with, the person interfering should be prosecuted?

Why confine the reason for protection of the right to vote to one of the four reasons just given? It is not because someone wants to get the support of a particular minority group. Or is it?

It is strange indeed that men of such ability as those on the Committee on the Judiciary should just forget for the moment that there are other ways of depriving a citizen of his right to vote or having his vote counted aside from the four reasons enumerated in this bill.

If the right to vote is interfered with because of color, race, religion, or national origin, such interference is made a crime subject to criminal prosecution by the Attorney General or by application for an injunction, the violation of which may result in a jail sentence without a jury's decision or to both. But if those who so conspire, stuff the ballot box, or prevent me from voting for any reason other than 1 of the 4 indicated, no offense under this bill is committed, nor has the Attorney General any right under this bill to interfere.

Nor is my right to vote in a State or municipal election protected even though the interference be for 1 of the 4 reasons mentioned in the bill. Certainly the right to vote in any election is just as much a sacred constitutional right of citizenship as the right to vote for President, Vice President, presidential elector, Member of the Senate or the House of Representatives, Delegates or Commissioners from the Territories, as is provided in part IV, section 131 (b).

It is my charge that the bill, as drawn, is not an honest, sincere attempt to protect the citizen's right to vote. That it protects that right only if the interference is with the right to vote for the officials named, and because of 1 of the 4 reasons outlined in section 104 (a) (1).

A FALSE TITLE OR LABEL

If the same rules were applied to the construction and the administration of this bill as are used by the Food and Drug Administration in construing and enforcing the laws enacted for the protection of the health of our people and for the prevention of fraud, the bill and the arguments in its support would be barred from the mails.

The title of the bill clearly states that its purpose is to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States. Protection of the right to vote is limited to voting for 7 elective officers, and as a further limitation for only 1 of 4 reasons.

Some individuals, less charitable than Members of the House, have characterized the bill as an attempt to use Federal funds, agencies, and officers in an effort to secure the political support of a minority group or groups.

REAL EFFECT

Whatever may be the real purpose of the proponents of the bill, and let us once again assume that the sole desire is to protect civil rights, the effect—the result—is to deprive a citizen of his right to a trial by jury when accused of conduct which may be a crime if the accusation is made as provided in this bill by the Attorney General of the United States.

DENIAL OF RIGHT TO TRIAL BY JURY

The right to trial by a jury of his peers was won only as the result of a long and a bitter fight. It has long been regarded as the most effective method of securing justice, of protecting the rights, both civil and criminal, of the individual. It is doubtful if in the last 20 years there has ever been as much idle chatter over the issue as to when the citizen was or was not entitled to a trial by jury as has occurred in the debate over this bill.

So far as can be recalled, no opponent of the bill has contended that the issue of whether an injunction should or should not be issued should be determined by a jury. The question as to whether an injunction should or should not be issued is concededly properly the function of the judge.

Memory is that all that those who insist that provision for trial by jury be inserted in this bill desire, is that one charged with the violation of an injunction, shall be granted that right.

If it was the desire, the intent, to draft a bill denying to the citizen the right to a trial by jury when accused of acts which were criminal in their nature, it is doubtful if a more effective bill could be phrased. It is conceded that when the United States is a party to an action, trial by jury is not guaranteed.

Evidently, to avoid trial by jury, this bill, in addition to making the performance of certain acts criminal, explicitly provides for proceedings "for the United States or in the name of the United States" by the Attorney General.

By that provision prescribed in section 121 of part 3, the right to trial by jury on the question of whether a citizen interfered with the right to vote for any 1 of 7 Federal officials, is denied. A very clever, deceptive, but very effective, piece of drafting.

Though reminded during the debate, as we often were, that an Attorney General is to be trusted, permit me to quote Thomas Jefferson, who said:

In questions of power, then, let no more be said of confidence in man, but bind him down from mischief by chains of the Constitution.

For an example that an Attorney General may at times be used by biased, subversive groups, permit me to call attention to the persecution, some years ago, of some 30 citizens, 4 or 5 of whom were undesirable individuals, by the then Attorney General.

The Washington Post, to serve its own selfish political and financial ends, through one of its employees, Dillard Stokes, using an alias, instigated and deliberately carried on a conspiracy to, and it did for 4 years, persecute citizens who were brought in from across the continent to answer the false charge of sedition.

Here in Washington for 4 long years, those defendants were viciously persecuted by a Special Assistant Attorney General William Power Maloney, because of a conspiracy fathered by the Washington Post.

Never convicted, exonerated by the courts, after a defense by Washington lawyers appointed by the courts who served without compensation, the Post ultimately, editorially, conceded the falsity of its charge, half-way apologized for its action. That case, and you'll find a running account of it in the press of the day and in the CONGRESSIONAL RECORD of June 1, 1950, volume 96, part 6, pages 7933–7937 demonstrated again that, as Thomas Jefferson said, we should bind down administrative officials by law, see to it that our Government does not become one by men.

On November 23, 1946, the indictment—which was the result of the conspiracy to which the Washington Post was a party—was quashed by Chief Justice Laws. Of that indictment, and its dismissal, the Washington Post editorially commented.

Permit me to read:

[From the permanent CONGRESSIONAL RECORD, vol. 96, pt. 6, p. 7935]

SORRY EXPERIMENT

The Department of Justice had been unconscionably dilatory in handling the sedition cases which Chief Justice Laws threw out of the District Court yesterday. Nearly 2 years have elapsed since the death of Chief Justice Eicher halted the notorious mass trial. At that time, Government witnesses had been giving testimony for more than 7 months and vast piles of so-called evidence remained to be read into the record. When the war in Europe was over, the Department sent its prosecutor, O. John Rogge, to Germany in search of additional evidence. On his return, despite his sensational innuendoes against various prominent citizens, he recommended dismissal of the sedition cases. Mr. Rogge was later dismissed for disclosing confidential material in his report. But the Department of Justice still insisted on keeping the cases open and was found in opposition when Chief Justice Laws finally brought this sorry incident in our judicial history to a close.

Whether the Government might have convicted some of the defendants if they had been tried individually is a question that can never be settled. But one conclusion is obvious. It was a colossal blunder to herd 30 persons of widely differing backgrounds and no specific relation to one overt act into a single trial. The unwieldy character of the trial contributed in no small measure to the farcical aspects which it soon developed. The effect was to bring American justice into contempt. But at last the court has acted to end that deplorable experiment in circumstances which should make it stand out as a warning against any similarly hysterical move if we are again involved in war.

Permit me to summarize. This bill is not, as the title states, a bill to secure and protect the civil rights of persons within the jurisdiction of the United States.

At its best, it is but an attempt to further protect the right to vote for certain Federal officials when denied for 1 of 4 named reasons.

To offset that, it calls for unnecessary and costly legislation, provides for the denial of the citizen's right to a trial by jury when accused by the Attorney General of the United States of certain acts which are also by the bill made a criminal offense, subject to criminal prosecution.

It is costly, needless legislation, giving opportunity for subversive groups to use at the taxpayer's cost the office of the Attorney General and the courts to further their own purposes through the citizen's right to a fair, impartial trial by jury.

Mr. CELLER. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, all I can say in a word is that the gentleman who has just addressed us in his usual eloquent way is seeking to throw a lot of dust and trying to indicate that we are taking away certain rights.

We are trying by this bill to protect rights. What rights? Constitutional rights.

The 15th amendment reads:

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Then:

The Congress shall have power to enforce this article by appropriate legislation.

The bill before us is appropriate legislation to enforce the provisions of the 15th amendment, which I have just read.

We have had brought before us in the committee evidence of rights taken away, of people who were deprived of their right to vote. Many were denied those rights. We seek by this bill to prevent the denial of those rights.

The lofty language used to defend the historic right of trial by jury by the distinguished gentleman who has just spoken to us contrasts mightily with his stony silence, for example, when we had the situation in a number of States where contempt citations were issued against the National Association for the Advancement of the Colored People, with no jury trial. I recall in one of those cases there was a fine inflicted of $100,000, a rather tall sum of money for that group, yet I heard nothing by way of outcry that there was no trial by jury in that case, from the gentleman from Michigan.

I know that during the prohibition era there were some 42,000 padlock injunctions, where valuable properties were padlocked and liquidated because there had been violations of injunctions. I heard no outcry either in this Chamber or by the gentleman from Michigan. I do not know whether he was in the House at that time, but those from the State of Michigan said naught about it.

I would say that the tears that are now being so copiously shed for the so-called lack of jury trial are just crocodile tears. This argument of jury trial is advanced to hinder and hamper the passage of the bill.

All that the Attorney General can do under this bill is, when he receives a complaint that there is an intended or prospective violation of civil rights, a taking away of civil rights, is to apply to a court, and the court issues an injunction so that the civil rights might be preserved, so that the crime or tort shall not be committed. It is not a question of jury trial whatsoever. All the Attorney General does is go into the court and ask the equity side of the court for this injunction, and the court grants the injunction to prevent the commission of a crime. That is all this bill does.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. KEATING. Do we not have today in the field of enforcement of the antitrust laws an exact parallel to this situation? Where several businessmen get together and conspire to fix prices, they are committing a criminal act. The Government can proceed against them criminally. If the Government proceeds against them in a criminal action, they get a jury trial. The Government can also proceed against the conspirators by injunction to restrain the continuance of such unlawful acts; and, if they continue the acts, then they are in contempt of court. In that event they are tried by the court without a jury.

Mr. CELLER. The gentleman is eminently sound in the observation that he has made.

The CHAIRMAN. The time of the gentleman from New York has expired.

All time has expired.

The question is on the motion offered by the gentleman from Michigan.

The motion was rejected.

Mr. DIES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DIES. Mr. Chairman, the gentleman from New York says that we are shedding crocodile tears because through this subterfuge you are undertaking to dispense with the right of trial by jury. I wonder if my friend the gentleman from New York [Mr. CELLER] was shedding crocodile tears in 1930 when he stood on the floor of this House and urged the Congress to adopt jury trials in labor cases. Let us see what he said. As the poet said, "Oh, consistency thou art a jewel." I want to see if my friend has any jewels. This is what he said:

An examination of the precedents in this country in the State and Federal courts, shows that the word "intimidation" forms the basis of the greatest abuses in labor injunctions. All the cases seem to indicate that the word "intimidation" is not capable of exact definition and hence the courts have become laws unto themselves.

Well, this bill is written around the word "intimidation," the very word that Mr. CELLER denounced in 1930, he has incorporated in this bill today. He proposes to have the citizens of this country tried under that general definition.

Then, what did he say about the word "threat" which he uses in this bill today.

He says the same objections apply to the word "threat." He was asked a question by Mr. Eaton—"What about threats?"

Then the gentleman from New York [Mr. CELLER] said, "That would be subject to the same objection."

And this is the very basis of this bill. The very basis of this bill is the use of the words, "intimidation" and "threat." What are the facts? The facts are that an injunction is an extraordinary proceeding. It is never granted except in unusual circumstances. As every lawyer knows, it is never granted until the litigant can show that he has exhausted his remedy at law and that irreparable damages will result to him. Have they exhausted their remedies at law? Read the report. Read all the statutes that were passed by the jaundiced and embittered mind of Thaddeus Stevens and those who sought to impose upon the South military rule. Read the number of statutes that are still on the statute books covering every conceivable case of possible violation of the civil rights law. We have ample statutes, both criminal and civil, and there is adequate remedy at law. Of course, the argument is that the southern juries will not enforce the law. Well, what is happening in Chicago and New York and in other sections of the North. I just read an article in Reader's Digest quoting the sheriff of Cook County depicting the many situations of discrimination which occur in the city of Chicago. The article intimated that Chicago is on the verge of a racial outbreak that will be worse than anything that has ever been seen in the South. And yet this whole legislation is aimed toward the South. We all know that. There can be no doubt about it, because when we asked the question whether or not there is any evidence that civil rights have been violated, the proponents cite hearsay and unsupported charges that Negroes are denied the right to vote in the South. You would naturally assume that before proposing this extraordinary and summary remedy of injunction, substituting it in effect for criminal and civil statutes, and clothing the Attorney General of the United States with the power to appear on behalf of litigants, whether they want him to appear or not—you would naturally assume that you would not give the Attorney General and Federal judges all of this power when experience shows it may be abused unless there is a clear showing of necessity. If it were abused in the labor cases to such an extent that the gentleman from New York [Mr. CELLER] denounced it and led the fight to undo the folly of it, what assurance do you have that the same abuses will not be repeated in civil-rights cases? What field is more explosive than civil rights? Bulls would rush into the china closet. They would undertake by meat ax to deal with a question that requires evolution and understanding and tolerance and years of trial and error.

They speak of certain information that has come to them that in some counties in a few States, Negroes do not vote. When I heard that I was amazed at the tremendous progress that had been made. Only a few counties were cited, and I am sure that the information of the NAACP has not been underestimated. Yet here was a small area. I can remember well that in my lifetime that situation would have extended over a large portion of the United States. Yet, year by year, the Negro and the white in the South have made tremendous progress. In my State, as I said on this floor, and no one will deny it. There is not a Negro citizen who is denied the right to vote, and the truth is that they are voting in large numbers in every election. In fact in one of the largest Negro boxes in Houston my opponent got 6,000 votes as against 23 for me. So I know they are voting. They are voting in Texas. And they are voting in many of the other Southern States. But you are not content with this great progress made through good will and tolerance. You must revive the same spirit that actuated the Reconstruction Congresses who said "We will force this about. We will not wait a month or a year, but we will enforce it by the bayonet." So they had the Freedmen's Bureau and the Ku Klux Klan statutes and they had the Army and the Navy in order to disfranchise southerners, and what happened in Texas and in the South? The Negroes, who were not ready for citizenship and wholly incapable of discharging their civic responsibility, took complete control of the States, and they took over the legislatures until finally the whole state machineries of the South bogged down. You are not content with that experience.

Oh, you are very clever. You seek through legal means to disguise what is essentially dishonest—an effort to substitute one man's opinion and one man's judgment for trial by jury. How can it hurt you to adopt this amendment? The judge will still have the right to issue preliminary injunctions and temporary restraining orders. If someone is denied the right to register or denied the right to vote after he has registered, the judge of the court can immediately issue a temporary injunction to accomplish every legitimate purpose. Why are you unwilling to preserve this great institution of jury trial? I will concede that you can dispense with it. I am not arguing that it is a constitutional right, as it would be interpreted by the present Supreme Court, to have a trial by jury in these cases. I simply plead with you, if you are going to enlarge civil-rights remedies—and God knows there is ample remedy now—if you are going to let the Attorney General of the United States be the attorney for every fancied or real grievance in the United States, at the expense of the American taxpayer, something that has never been done in a free country in a field that is as delicate and as explosive as civil rights, the least you can do is to provide a trial by jury.

I will tell you what you are going to do—and mark my words—you are going to create a lot of mischief. You are not going to help the Negro; you are not going to help the whites; you are not going to help anyone; you are simply going to pass a political bill which has been advertised as civil-rights legislation. You know that you do not want to go home, some of you, and have to explain that this is not, in fact, civil-rights legislation; therefore, you will vote for this bill just as you would vote for any bill labeled "Civil Rights."

But I will tell you what is going to happen: This bill and all legislation based upon force, upon summary proceedings, upon the judgment of one man, upon interference with the efforts of the people of the South to work out one of the most difficult problems in all history, will only delay the solution of the problem.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want the membership to know that I have always had and will always continue to have an affectionate regard for the gentleman from Texas, although I emphatically am in disaccord with what he says.

I do not know why he attached to me such importance, why a good many Members in opposition to the bill seem set upon parading here today what I said many, many years ago, in fact, 25 years ago, a quarter of a century. Of course, what one says 25 years ago may not be cogent or logical in today's setting. Much water, of course, has gone over the dam in those 25 years; indeed, I have grown up, too. I would say that I did not stop growing in 1932; I continued to grow. I think I have had more experience, that I have grown older, and I hope a litttle more sensible.

Twenty-five years is a long time, and time marches on.

As to "consistency, thou art a jewel," I think there is an element of consistency in what I said a quarter of a century ago and what I am saying now, because a quarter of a century ago we had before us a history of abuses by the courts and judges in the issuance of injunctions in labor disputes; hence there was a national outcry and a demand for remedial legislation, with the result that we passed the Norris-LaGuardia Act.

We had abuses then; we have a history of abuses now, abuses of the right to vote. We have a history of abuses of the right of equality in education and transportation, and in housing. We have the abuse of the right of equality on almost all levels of cultural and economic life.

I seek today to legislate to correct abuses just as I sought legislation 25 years ago to correct abuses then. That in a way is consistency.

I will also say to the gentlemen that life is full of inconsistencies. I remember reading not so long ago the following:

Health inspectors in Doncaster, England, noted that the biggest smoke nuisance in town was the local factory producing smokeless fuel.

Invitations to the dedication of a new elementary school in Camden, N. J., carried this note at the bottom: "No children, please."

A hospital patient in Scranton, Pa., about to undergo surgery, made out his will on the back of a get-well card sent by a friend.

A Detroit woman who was embarrassed because her given name of Eddie was too masculine petitioned the court to change it to Billie.

I give these illustrations, you will forgive me, facetiously. Yet there is an element of truth in these episodes.

Of course, we have these inconsistencies, and we have inconsistencies by the gentleman from New York, myself. But we have to weigh each case on its merits.

If you are going to throw in my face what I said a quarter of a century ago, and say what I said then must be said now, it is going to be very difficult to get anything done in a decent and logical manner.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Maryland.

Mr. HYDE. Did I understand from what the gentleman says that in his mind it is perfectly possible that the so-called jury trial provision in this bill will not stand the test of time?

Mr. CELLER. There are no specific provisions for jury trial in this bill. I said yesterday that if there are abuses on the issuance of injunctions, if this bill passes, I would be the first to come here and endeavor to curb the powers of the court just as I did 25 years ago. I think trial by jury will always stand the test of time but that does not mean that you have to have a trial by jury for everything. I would say that most of the wrongs committed in this country are redressed without trial by jury. Consider the multitudinous number of misdemeanors that are tried without juries. I venture the assertion—I am giving a rough guess only—that 85 percent of the wrongs are redressed with no trial by jury.

Mr. MATTHEWS. Mr. Chairman, I move to strike the requisite number of words.

(By unanimous consent (at the request of Mr. LONG), Mr. MATTHEWS was allowed to proceed for 5 additional minutes.)

Mr. MATTHEWS. Mr. Chairman, I am certainly grateful to the House for permitting me this privilege and I want you to know also that I appreciate the fair treatment that we from the Deep South have received under the terms of the debate. I only wish now that you would take one more step and vote solidly with us and defeat this terrible bill.

Mr. Chairman, I rise in opposition to the so-called civil-rights legislation. At the outset of my remarks, I want to refer to the statement made by the gentleman from Michigan [Mr. DIGGS]—and I quote from him on page 7780 of the RECORD of June 10 this year—when he said:

> I can tell you about counties, for instance, in the State of Florida: Taylor, Madison, Gadsden, and Jefferson Counties where Negroes are not registered to vote.

Mr. Chairman, anytime anyone mentions my district on the floor of this House and he gives incorrect information, I feel that it is my duty to give you the facts. As I pointed out in my remarks on page 7784 of the June 10 issue of the RECORD this year, immediately after the gentleman from Michigan [Mr. DIGGS] made his statement about my district, I went to the telephone and talked to the editor of the Madison County paper, Mr. Curry Merchant, Jr., and asked him to give me information about the number of Negro citizens registered in Madison County. He told me there were nearly 1,000 Negroes registered in Madison County, Fla., and that many, many hundreds of them voted in the election last year. Since that time, I have found that the exact registration in 1956 of Negro voters in Madison County was 945. Now this county has a population of 14,000, with a white registration in 1956 of 5,272. The fact that there were more white registrations in proportion to the total population than Negro registrations does not have a thing in the world to do, Mr. Chairman, with civil rights. It has to do with the desire of people to become registered and go to the polls to cast their ballots. I repeat again that Madison County, Fla., respects the rights of its fine Negro citizens, and I resent any incorrect information that is given to this House to the contrary.

I should like to point out that the gentleman from Michigan mentioned Taylor County, the only other county of the four he mentioned in Florida which is in my Congressional district, as a county that does not have any Negro citizens registered. I have verified the records and find that in 1956 there were 77 Negroes registered in Taylor County, which indicates again that somebody is giving the proponents of this terrible legislation some information that to say the least is not wholly accurate.

Now, Mr. Chairman, I want to point out that although the proponents of this legislation are in both parties, that opponents also are in both parties. This is a sectional problem. Every member of the Republican Party from the Deep South, and every member of the Democratic Party from the Deep South, is opposing this legislation. It is my sincere conviction that there will be no political advantage to be derived from supporting this bill for either party. Yet I am just as convinced as I can be that there will be many votes cast for this bill because of the belief that it will help get votes in the next election.

Mr. Chairman, many speakers have commented on the nonemotional aspects of this argument on civil-rights legislation, and Members have been congratulated for toning down their emotions. I am sure that you realize that this legislation is pointed at the Deep South, and naturally, those of us from that great area of the country have difficulty in toning down our emotions. There is implied in this legislation a charge hurled at the Anglo-Saxon people of the Southland that other Americans have no confidence in our laws—you have no confidence in our courts and juries—and you feel that there should be super-duper legislation passed giving the Federal Government the right to supersede our State courts.

This legislation is clearly in violation of State rights, and the longer tenure I have in Congress, the more amazed I am to note the number of my colleagues who seemingly have no conception at all of States rights. I admit that this theory has sometimes been taken advantage of in that too often we expect the financial benefits of the Federal Government to help our States, and we are not willing to assume the responsibilities that we should assume as States. However, I want to emphasize, as I have done before, that to me the Jeffersonian conception of States rights is as sacred a conception of the Constitution as any other part of it. This is a republic; we are a sovereign nation composed of many sovereign States, and this Republic could never have been created if the various States had not submitted to its creation. The difficulty of bringing together kindred States with kindred feelings in a commonwealth of nations is graphically illustrated in our fight to obtain a Constitution for ourselves in the colonial history of this country. In modern history the great difficulty of the European nations, with common cultures and backgrounds, assuming even any kind of an economic union, amply illustrates how difficult it is to make the people of different mores and traditions conform to one tyrannical despotic standard imposed by a central government. Many facts point to the great necessity of preserving the rights of our States, and yet if this iniquitous legislation were passed, there would be an appeal to Federal courts before local administrative remedies were exhausted, and in fact, there would be every effort to encourage the direct participation of the Attorney General and the Federal Government in cases that ought to be left to the adjudication of local courts and juries.

This terrible proposed legislation would make our Attorney General a Gestapo agent, which let me emphasize to you, would be the first time in the history of America that that has been done. I shudder to think of the great efforts that both parties would make in the Southland at the time of a general election to convince certain pressure groups of the parties' determination to win their votes at all costs.

Mr. Chairman, I have previously inserted in the RECORD a legal argument against this proposed legislation. I appeared before the House Committee on the Judiciary and protested this legislation in the terms of that legal brief. It is not my purpose today to review that material. The legal aspects of this question have been thoroughly debated. Surely even those who vote for this civil-rights bill would give us in the Southland the right of trial by jury, but as far as I am concerned, a Federal court armed with the power that would be given if this legislation were passed would be able to put southern citizens in jail by contempt procedures in civil cases. And whatever we think about the fine points of law, basically the evil results are retained in this bill.

I want to review some of the comments that have been made about why this legislation should be passed. For several days I have read thoroughly every speech in the RECORD and I find this statement on the part of one of our colleagues who urges that this bill be passed, and said, "I urge that we consult God." Now this would imply that those who are for this legislation act better in the pattern of the Almighty than those of us who oppose it. When I first went to college I was preparing for the ministry. I studied some theology and some Greek. To be perfectly frank, about the only Greek I remember are some of the words in the Greek alphabet from alpha to zeta, both inclusive. I do remember a little of my theology and I have tried to retain an interest in matters religious all my life. I say humbly that if you examine objectively the personal lives of those who are in favor of this bill and then if you examine in the same spirit of objectivity the lives of those who oppose this bill, I believe it could be safely said that those in opposition do not live less after the pattern of the Almighty than those who are proposing this legislation.

I think the most alarming statement which has been repeated many times, however, in behalf of this legislation, is the idea that if we pass it, we can make friends and influence people, that we can prove to the whole world that we are a great democratic country fighting for the rights of all our people. Here are some of the quotations from recent talks of our colleagues that argue for this point of view:

> Here is an opportunity to prove to the world.
>
> Let us make it perfectly clear to Russia, to the world.
>
> The Voice of America will also be jammed.
>
> Impress the Communist world.
>
> Our country is trying to convince millions of people across the world.
>
> Communist propaganda will be directed at the United States if we do not pass this bill.
>
> Let us pass it as a signal to all the world.
>
> Let us prove that we have kinship with darker peoples of the world.
>
> This bill will increase the prestige of the United States in the world.

Many times during this debate we have heard emphasized this idea that one reason we ought to have civil-rights legislation is because it would improve our relations with the remainder of the world. Speakers have stated that we are criticized in other areas of the world because of our discrimination against certain races. Now, I do not doubt but what some of our world travelers and some of our newspaper reporters have heard segments of foreign peoples criticize us because of supposedly race discrimination, but I doubt the validity of any claim that maintains this is a problem as far as our relations with other nations of the world are concerned. For example, have we had a Gallup poll in Africa to determine whether or not that recently liberated continent feels that race relations in America are a paramount problem in maintaining good relationships with Africa? How in the world can we have a valid poll representing the majority of the people of Africa when it is my understanding about 200 different dialects are spoken? Africa does not even have a solid line of communications. Or who among us has taken a Gallup poll in India to ascertain whether or not the people of that ancient and venerable civilization feel that the race problem in America is of chief concern to them. Certainly India with its caste problem understands some of the problems that America has, perhaps better than any other nation in the world. Or let us consider, please, the positions of the various peoples in the Orient. Do we have a valid Gallup poll in the Philippines, or in South Korea, or in Japan, or in Formosa, to indicate the fact that if we just had civil-rights legislation everything would be hunkydory between the United States on the one hand and these individual nations on the other?

What I wish to emphasize, Mr. Chairman, is that if we are being sold on this so-called civil-rights legislation because of the fact that it will influence people, my feeling is that we are being not only oversold, but we are being sold down the river.

Just what does America have to do to influence people? Give me, if you please, the example of another great nation who has been chiefly instrumental in winning two world wars and has not demanded 1 foot of territory as a result of victory. Yet, America poured here precious blood and resources into the 2 recent world conflicts and came out of it with a debt approximating now $275 billion, with a loss of hundreds of thousands of the flower of her manhood and with victory, yet with not any semblance of material gain. If we cannot make friends because of this action of our American people, what does it take to win friends and influence people? Since that time, Mr. Chairman, we have poured out over $60 billion of our material resources to the nations of the world to help them help themselves. We have sent our manpower into the areas of South Korea when we took upon our shoulders largely the responsibility of the Free World. In facing final victory, we were halted by the diplomacy of our allies from winning final victory and thus suffered an insult to our national honor—unknown before in all of our proud history. When we do all this, and we have not sold ourselves to the Free World as a friendly people, what does it take to win friends and influence people?

Consider the recent events in Formosa. The American Embassy was despoiled and the precious Stars and Stripes was hurled to the ground. The official representatives of our people were beaten and humiliated, and we have stood patiently by because of our overwhelming desire to be friendly. When we do all this, and we have not been successful in giving the other nations of the world a good impression of us, just what does it take to win friends and influence people?

No, Mr. Chairman, the other nations of the Free World are not too concerned about civil-rights legislation in America which is directed at the honor and integrity of the Deep South. There is one possible exception—Communist Russia is tremendously interested. They are gleeful, their leaders are rollicking with laughter because now through this diabolical legislation we are dividing our people, we are setting one section of the country against the other, because it should be emphasized again this is a sectional problem. The pressure groups who are pushing for this legislation constantly refer to the South as the battleground. So certainly Communist Russia is very gleefully viewing this terrible episode in Congress.

What do the other free nations of the world want, Mr. Chairman? First of all, many of them want just enough food to feed their people. There are over 1 billion people in the world today that do not even get 3 square meals a day. Do you think a billion people are interested in this civil-rights debate when they are hungry, emaciated, starved? I submit to you that for the majority of these poor, unfortunate people whose friendship we are told we must win if we win the cold war against Russia, have as their chief concern just getting food to eat.

Greece wants Cyprus; France wants peace in her empire; England wants Nasser put in his place; many nations want our money, but not our advice; Israel wants navigation rights in the Suez; the deported Arabs want a home. These needs are so urgent I doubt that in the minds of these people this debate takes precedence.

The spirit of the day in nations throughout the world is nationalism. Those in our country and through the years have preached the only way for the salvation of the world is for America to give up her form of government and to dilute it with some kind of a world government organization would do well to note the overwhelming surge of nationalism. The nations who have just emerged from colonial powers want technological advances just as America has them. They want our machinery, they want our know-how, they want our standard of living. They are in a hurry, and I think they are more concerned about these things than they about the internal problems of America. Some of these nations, I am sorry to say, Mr. Chairman, want our money without any responsibility. They resent even a suggestion on our part as to how they should spend our money. But above everything else, they want to run their business just as exactly as they want to run it—and I think I have every right to assume they would have no respect for the United States of America unless we ran our business just as Americans want to run it.

I say then, Mr. Chairman, that to try to sell this iniquitous piece of legislation on the basis of the fact that it will help us win friends and influence people is incorrect.

This so-called civil-rights legislation is iniquitous because it establishes a precedent of going to the Federal courts without first exhausting local legal remedies; it makes of the Attorney General of the United States a possible Gestapo agent; it violates the proper conception of States rights; and in fact, will lead to the entire destruction of States rights; it is unnecessary because there are sufficient laws on the statute books to deal with civil-rights problems; and this bill is aimed at one section of the country, the great Southland which I represent and which I think has set a high standard for the remainder of the Nation to follow in its earnest endeavor to improve the opportunities of our people of all races and creeds.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. GROSS, of Iowa: "On page 1, strike out all of the language beginning with line 3 through line 10, and on page 2 all of the language beginning with line 1 and continuing through line 13."

Mr. GROSS. Mr. Chairman, I am sure that every Member of the House has read this bill and knows what this amendment would do. I should like to have offered an amendment to strike out all of title I, but I am convinced that would have been subject to a point of order.

Title I deals with the establishment of still another commission in Government and vested with extraordinary powers, I may say. I am prepared, if this amendment is adopted, to offer further amendments to strike out all of the sections which deal with the establishment of the commission. My position with respect to more commissions and assistant attorneys general, assistant secretaries and assistants to assistants, is well established. I am opposed to the creation of more boards, bureaus, commissions, assistant secretaries and assistants to assistants in this Government. We have them falling all over themselves now at heavy cost to the taxpayers. The Department of Justice, to which we appropriate millions of dollars each year, has ample facilities and plenty of money to take care of this situation.

I have said that extraordinary powers would be granted to this commission and I am sure that those of you who have read this bill know of these extraordinary powers. For instance, this commission reports to whom? It is a creature of Congress, but to whom does it report? To the President of the United States. Not to the Congress that creates the commission. I could go on and enumerate the extraordinary powers this commission would have.

I do not intend to do so, because all of you have read the bill and you all know the powers contained therein. I have no intention of taking the time to belabor the amendment. I am opposed to the establishment of a new and expensive commission. I hope the amendment will be adopted.

Mr. WILLIS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I have an amendment at the desk in form identical with the amendment now under debate. As the gentleman pointed out, we normally would have to await the full reading of the section, but if this amendment prevails of course the net effect of it is to delete part I from the bill.

Part I of the bill would establish a Civil Rights Commission in the executive branch of the Government. If that is the real purpose behind it, there is no need for this section at all because the President of the United States already has the power to establish a commission in the executive branch of the Government. The truth of the matter is that former President Truman established a Commission on Civil Rights in the executive branch of the Government. President Eisenhower established in the executive branch of the Government a Commission on Education.

Why, then, is this proposal before the Congress? That is one of the bugs of the bill. The reason, and the only legal reason, why they bring the matter to the Congress is in order to get subpena power. The President can establish a commission in the executive branch of the Government but he cannot grant subpena power. So the most important and vital part of this part of the bill is the subpena power.

The idea is to give this commission the power of cross-examination, the power to bring books and records before the commission, the power to hail people, including ministers of the Gospel, by the way, in the fashion the bill is drafted, across State lines, there to submit themselves to cross-examination, and open up their books and personal papers; and perhaps, and no doubt, it would result in a contempt proceeding, so that a man hailed from one State to another, offending the commission, could be tried away from home before a strange Federal judge and without a trial by jury.

The Commission would be given authority to investigate allegations that people are being deprived of their right to vote on account of color, race, religion, and national origin. I do not know about the testimony on the Senate side, for I have enough trouble trying to follow the hearings on the House side, but I think my chairman, the gentleman from New York [Mr. CELLER], will concede that on the House side at least there was no testimony that people were being deprived of their right to vote on account of religion. The proponents of the bill point out that the real reason for the bill is to protect the right to vote—to further secure and to protect the right to vote. If that is true, if that is the real reason for the bill, you already have laws on the books, both criminal and civil, protecting the right to vote. But, in addition to that, parts II, III, and IV deal with civil rights and deal directly with the right to vote, for example. So, hearing the testimony, the majority of the committee already reported out legislation; so what possible work is there left for the commission to do? We already have parts II, III, and IV on the subject of the protection of the right to vote. Now the bill says the reason for the commission is to investigate allegations that people are being deprived of their right to vote. Under the provisions of parts II, III, and IV that allegation is assumed to be true. The majority is satisfied with the legislation that is already proposed; so we would be creating a useless commission, and the only reason for coming to the Congress is to grab the subpena power.

Mr. Chairman, I hope the amendment will be defeated.

Mr. BOYLE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am sorry that I have to take issue with my good friend and fellow member of the Committee on the Judiciary regarding the absence of any proof in the hearings on the House side to the effect that there was evidence of intimidation.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I am glad to yield.

Mr. WILLIS. I said that to my knowledge I did not know of any testimony in the record before the House dealing with proof or even indicating that people are being deprived of the right to vote on account of religion. I would like the gentleman to address himself to that, and for my information—for my serious information—to indicate at this point in the record the passage in the House committee report on that subject.

Mr. BOYLE. In answer to the gentleman, within the 5 minutes I have under the rules, I do not have the time to go through not only this volume of testimony that was elicited in the 85th Congress, but also to the testimony adduced in the 84th Congress. As a member of the civil-rights subcommittee in the 84th Congress, and I heard all kinds of testimony to that effect. I think, if the gentleman goes into the record, at least of the 84th Congress, you will find there ample and sufficient testimony to satisfy the inaccuracy of your observation.

Mr. Chairman, now let us get back to the question of whether or not, as we stand here today, there is a need for this commission.

In answer to the amendment, I might say to the gentleman from Iowa [Mr. GROSS] that, although a Republican, he is not in sympathy with President Eisenhower's thinking regarding the necessity of the establishment of this commission. The record is replete with evidence that the Republican administration feels there is an absolute need for such a commission, and I say that I, too, feel there is need for such a commission. If the commission did nothing more than give the right of subpena, it would be ample reason and justification for its existence, because no commission set up by the President himself, without an act of Congress, would have that very valuable and necessary device.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. In just a minute, I will yield, since I mentioned the gentleman's name. Going back to the proposition, you need subpena power to compel people to come before the committee. You need subpena powers so that these people who are in fear of being intimidated might come and testify before the committee. Notions of subpena power or notions of committees having the right to investigate, run down the whole gamut of the administration procedures. Every one of the commissions, without exception, has at least broad subpena powers. This regulatory body that we are setting up has some geographical limitations, whereas most of the others do not.

I now yield to the gentleman from Iowa.

Mr. GROSS. Did the gentleman say I was not in sympathy with the President, or something to that effect?

Mr. BOYLE. No. I said out of sympathy with this recommendation of the President, setting up a commission.

Mr. GROSS. But I am in sympathy.

Mr. BOYLE. Oh, certainly; and I am too.

Mr. GROSS. Just a minute. I am in sympathy with the taxpayers of this country. Will the gentleman tell me what this Commission will cost the taxpayers?

Mr. BOYLE. I would be the last one to represent to the gentleman that I was under the impression that it would not cost anything, because the realism of this bill is that it is going to cost something. But how in the name of heaven can you use an argument of a mere sum of money for enforcement against deprivation of the rights of free people to their security, to their liberty, and to their right to vote? If you ask is this bill going to cost some money and if so we are not going to pass it, I say do not stand idly by because it is going to cost some money, inaction does not solve the problem.

Mr. GROSS. Can the gentleman give us a rough estimate of what these $350-a-week commissioners, plus all their retinue, plus the other 15 people they are going to name to some kind of an advisory committee, plus everything that goes with it, is going to cost?

Mr. BOYLE. The gentleman asks a very fair question, and I would love to answer it. The testimony was that the Attorney General did not think it was going to cost a great deal because they had enough personnel that would be able to handle this phase of activity.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. BOYLE] has expired.

(By unanimous consent, at the request of Mr. YATES, Mr. BOYLE was granted 5 additional minutes.)

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield.

Mr. YATES. Does not the gentleman believe that the purposes of this bill are of sufficient importance to warrant the expense which is involved?

Mr. BOYLE. I would say that, within reasonable limitations, that is very true. I know the gentleman from Iowa [Mr. GROSS] feels somewhat like I do, that probably in a conceptual situation there is almost enough law on the statute books to take care of all offenses in this very particular area, if everybody tried to exhaust the potentialities of existing law.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield.

Mr. ABERNETHY. In his opening remarks the gentleman said that a number of people of a certain religious faith in the South were denied the right to vote because of their faith. Will the gentleman tell the House what faith he was referring to?

Mr. BOYLE. There is evidence of denial because religion was not mutually exclusive and it applies to more than 1 of the 4 or 5 major faiths, as I recall the testimony in the 84th Congress.

Mr. ABERNETHY. Who gave the testimony?

Mr. BOYLE. I cannot recall. I do not have that record here, but I promise the gentleman when I get an opportunity I will research the committee testimony of the 84th Congress, and I will be happy to favor him with the page and testimony haec verba.

Mr. ABERNETHY. And the names of witnesses and the people involved.

Mr. BOYLE. That is right.

Mr. ABERNETHY. I would appreciate that information. I have been waiting to get it for several days.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. What is there to stop the Atttorney General from prosecuting an individual now for efforts to violate the election laws?

Mr. BOYLE. I do not think there is anything, but I do want to say that as far as my understanding of the present statutory law is concerned, it becomes real hard for neighbors to put teeth into those conspiratorial statutes by prison sentences and most often you do not get a chance to act until the election has been held. In that case you find yourself prosecuting an alleged felony in July, August, or Christmas, that was committed in a previous November, or possibly in the primary months of the preceding election.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield further?

Mr. BOYLE. I yield.

Mr. NICHOLSON. What we are doing is passing a bill through this Congress which just tells the Attorney General he can do in the future what he can do now if he wants to apply the law which is already on the statute books.

Mr. BOYLE. That is a good observation, but I think this bill does something different. It substitutes remedies, although using almost the same words or about the same language. It provides a civil remedy and the purpose of a civil remedy I think will be to firm up the guaranties under the 15th amendment.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. FORRESTER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I am heartily in favor of this amendment. Let me tell you some of the reasons why.

The executive department has all authority necessary to set up any executive commission the Executive might desire. If we are going to set up another commission, I ask you why should we abdicate? Why should we set up a Presidential commission when the President has complete authority to do it for himself?

And if you are going to set up a commission why in this world do you not accept my challenge of yesterday? Why do you not defeat this bill and set up a Congressional investigating committee? You are the ones who are charged with making the laws of this country. You are the ones who are going to be responsible to the voters in this country. I ask you in simple justice, if you have got to have a commission, why not a Congressional commission? The gentleman from Illinois [Mr. BOYLE] just got up here, and he is in favor of this legislation, but as a lawyer he tells you you have already got all the laws on the books that you need to enforce civil rights where you have any righteous complaint. But if you are going to have a commission anyway, why do you not accept my challenge? Why do you not give us a commission right here in the Congress? Why do you not put it on television? Why do you not let the people back home hear it and why do you not let them see? Are you afraid? Oh, how I would like to meet you over there, I would like to meet the NAACP, and all of the rest of those boys and put them under oath. The kind of commission you have here is silly. Not a single witness will be under oath, did you know that? They can lie with impugnity. You are inviting lies, you are inviting perjury, you are inviting false swearing. It is a sad commentary upon the Congress of the United States.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Illinois.

Mr. BOYLE. Is it a fact I served with the gentleman in the 84th Congress in connection with this very bill?

Mr. FORRESTER. The truth of the matter is that the gentleman and myself are in harmony on most everything except this and I hope I can get him in harmony on this one.

Mr. BOYLE. I want to say for the benefit of the record that the gentleman in the well of the House is a very fine lawyer. I should like to make the further observation at no time during all of the hearings did he come forward with a suggestion that maybe we ought to attach to the procedure as it refers to this committee the oath and the cross-examination features.

Mr. FORRESTER. My friend is a mighty fine individual until you say "civil rights." Then he gets beside himself. I tried my best to tell the gentleman, but you would not let me tell you. You sealed my lips over there. You would not let me bring in witnesses, you would not let me do anything. You did not consider this bill 2 hours and the gentleman knows it.

Now I want to tell you why you are putting a commission in this bill.

Mr. BOYLE. The gentleman did not answer my question in the first place, and, secondly, does he mean to tell the House now that we never considered this bill for more than 2 hours in the 84th Congress?

Mr. FORRESTER. I certainly do mean to tell you that. I told you that last year, I told you on the floor, and I tell you again today, and the RECORD will prove it.

Mr. BOYLE. I do not know, but I think the gentleman and I were in many sessions there a long, long time. Whether he wants to put a different interpretation on it I do not know, but I know very well I was in attendance hour after hour and days and days. If the gentleman will recall, on 3 or 4 occasions I was the individual who requested the Attorney General, Mr. Brownell to come before the subcommittee and give us the advantage of his thinking.

Mr. FORRESTER. I do not mean to tell you the hearings were only 2 hours. I do say the legislation was not considered 2 hours. That reminds me. You know, I asked Mr. Brownell three times in the 84th Congress. He would not come over until you were ready to report H. R. 627. It is purely political. It was only when it appeared that the Celler bill would be reported that he showed any interest whatever.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

(By unanimous consent (at the request of Mr. HALEY) Mr. FORRESTER was allowed to proceed for 5 additional minutes.)

Mr. FORRESTER. Mr. Chairman, here is what I was about to say. This is a sad day in America. For the first time in the history of America you have started legislating on religion, and that should be enough to stop this Commission in its tracks.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. I have been trying for several days to find out what people it is or what religious faiths have been discriminated against. That is what this bill is driving at. Now, did the gentleman hear any testimony to the effect that any person of any particular faith was being denied the right to vote because of his faith? Did the gentleman hear any testimony to that effect?

Mr. FORRESTER. Let me answer this categorically. It is a mythical issue, mythical witnesses. I heard all that evidence, and I tell you—you can get the record and see—that there is not one scintilla of testimony that anybody has been discriminated against on account of their religion. It is positively a fact that not one person testified there had been anywhere any discrimination in the right to vote because of religion.

Mr. ABERNETHY. Well, if that is true, then what is the object of this being in the bill? Is it an attempt to butter up some group of people in the country? If so, what group?

Mr. FORRESTER. That is right; nothing but kowtowing to the minority groups, and the majority of the minority groups do not want it. Do you know who called my attention to this? One of the greatest lawyers in Georgia, who is a Hebrew friend of mine. He said to me, "Tic, for God's sake don't let the people of America start arguing and fighting over relig'on."

Mr. ABERNETHY. Well, that is the only statement that the gentleman has heard on that point, then?

Mr. FORRESTER. That was not in committee. There was nothing in the hearings. His statement was made to me in my office.

Mr. ABERNETHY. Did not the committee first take this out of the bill?

Mr. FORRESTER. Of course they took it out, and they took it out after my Hebrew friend, Hon. Charles Bloch, got up there before the subcommittee and just laughed it out. He said, "How in the world are you going to square it with the first amendment?" Do you know who took it out? The seven gentlemen constituting that subcommittee, and the nearest one to the South was either Ohio or New Jersey. They took it out because they are good lawyers.

Mr. ABERNETHY. And then it was put back?

Mr. FORRESTER. It was put back in an innocuous sort of way. This is lipservice. It is not going to hurt except where you are bringing religion in, and I hate to see it come in.

Mr. ABERNETHY. Will it not just make things worse if the situation is bad, and I do not agree that the situation is. I do not believe the situation exists that they are attempting to correct.

Mr. FORRESTER. You are now fixing to start trouble.

Mr. ABERNETHY. Why, of course.

Mr. FORRESTER. Because if a man is looking for some sort of remedy, it is amazing how he can discover certain things that he never thought of before. Yes, you are fixing to get into trouble now. This has been a land of religious freedom, but what you are fixing to do, you are fixing to do something now that you will wish to God you had not started.

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Illinois.

Mr. BYRNE of Illinois. As a trial lawyer, I am sure the gentleman is an able trial lawyer, and we are all interested in getting a fair and impartial trial when we are handling a lawsuit, whether it be criminal or civil. Now, in your State or your district, what is the method of summoning a venire of jurors, whether it be in the Federal court or some other court? How do they do it?

Mr. FORRESTER. Why, they draw them out of the jury box.

Mr. BYRNE of Illinois. How do they arrange the jury box? What determines the names that go into the jury box?

Mr. FORRESTER. What did the gentlemen say?

Mr. BYRNE of Illinois. What determines what names go into the jury box? Do you have a system of jury commissioners or who are the people that determine who the jury men and women are to be?

Mr. FORRESTER. That is right, and I am glad my friend brought that up. You get your list.

Mr. BYRNE of Illinois. What is the answer to my question?

Mr. FORRESTER. What is your question? You have not asked a question.

Mr. BYRNE of Illinois. I certainly have asked a direct question.

Mr. FORRESTER. Well, ask me again.

Mr. BYRNE of Illinois. All right. What determines who are the men and women whose names go into the jury box?

Mr. FORRESTER. I told you. The jury commissioners.

Mr. BYRNE of Illinois. You did not tell me anything yet.

Mr. FORRESTER. I told you the commission. They are the ones who determine that. Let me tell you another thing.

Mr. BYRNE of Illinois. Complete your answer and answer the first thing first. You have a registrar, is that right?

Mr. FORRESTER. That is right. A jury commissioner.

Mr. BYRNE of Illinois. One or more?

Mr. FORRESTER. I think there are five. I am not sure.

Mr. BYRNE of Illinois. You think there are five?

Mr. FORRESTER. Yes.

Mr. BYRNE of Illinois. How long have you been practicing law in your community?

Mr. FORRESTER. Well, I was in the practice of law 30 years, and I won a whole lot more than I lost, and I will be glad to meet you in the courtroom any time you want to.

Mr. BYRNE of Illinois. Back in my community I won them, too, because I only represented the innocent if they had enough money to hire me.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. FORRESTER] has again expired.

Mr. BOYLE. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for an additional 5 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I am glad to yield to the distinguished gentleman from Georgia.

Mr. DAVIS of Georgia. Mr. Chairman, I do not think the gentleman from Georgia in the well understood the question of the gentleman from Illinois [Mr. BYRNE].

Mr. FORRESTER. He wanted me to answer it his way.

Mr. DAVIS of Georgia. I would like to give him the details. In Georgia we have 5 commissioners who are appointed by the superior court judge. Every 2 years they revise the jury boxes, which are the grand jury boxes and the petit jury boxes. When the jurors are to be drawn, the judge of the superior court tells the clerk of the court who keeps the boxes sealed and locked in his office all the time, to bring them into open court, into the courtroom and there the clerk, the sheriff and the judge open those boxes, in open court and draw out the names. The sheriff reaches into the box and pulls a name out. He hands it to the judge. The judge reads it. The clerk records the name on the list right there, where everybody can see and hear what is being done.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman.

Mr. HOFFMAN. Will the gentleman from Illinois tell us how they get them in Chicago when they are trying the Capone gang?

Mr. BYRNE of Illinois. Yes; the gentleman from Michigan [Mr. HOFFMAN] raises a very good question. I come from an area——

Mr. FORRESTER. Please answer the question briefly, as it is on my time.

Mr. BYRNE of Illinois. I shall be glad to make it as brief as I can. In Chicago they talk about "blue ribbon juries." You ought to put that in quotation marks—"blue ribbon juries"—because I do not think you can get a fair and impartial trial in that way. The gentleman from Michigan [Mr. HOFFMAN] asks how we get them in the Capone case. They send out to the postmasters and say, "Send in half a dozen jurors," or something to that effect. They ask for jurors to volunteer their services in these so-called "blue ribbon juries," but you cannot get a fair and impartial trial anywhere in the United States of America in that way.

Mr. HOFFMAN. Well, that is Chicago.

Mr. FORRESTER. Mr. Chairman, may I make this observation? I want to tell you something else about the voters' list. That is made a month or 2 months before election day. There is no excuse in the world for one waiting around to the eve of the election to appeal to the courts for his rights unless he is crooked. You see, this is just what this legislation is going to do. They are naturally going to wait until the eve of the election to come in and enjoin your elections and destroy your election processes. I know that.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Florida.

Mr. HALEY. For the information of the gentleman who was inquiring about how jurors are selected may I say that in my great State of Florida the jury commission, as we call it, is recommended by the board of county commissioners; and I might say they are all Republicans at this time, men appointed by the Governor of the State. I might say also that 25 years ago in Florida we had Negro jurors serving on juries and their names were in the box from which the names of jurors are drawn. Those are taken from the registration rolls of the county in which the people reside. And there is no discrimination because of race, color or creed.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Georgia.

Mr. LANHAM. That was the point that I intended to make and that is what I think the gentleman from Illinois [Mr. BYRNE] was trying to determine. In the State of Georgia, too, Negroes are in the jury box at every term of court and serve both on the grand jury and the petit jury.

Recently, just a few years ago, the FBI sent some snoopers down into one county of mine, Cobb County, alleging that Negroes were not in the jury box there. After they sent the FBI down there suggesting that they better not try this Negro rapist who had been convicted and sentenced to die, and whose sentence had been reversed on some technicality by the Supreme Court, and after snooping around and suggesting that he not be tried again, he was again tried and was convicted. They found out that the jury commissioners in this county were not guilty of any discrimination whatever and entirely cleared them on the only charge that was made against them.

Mr. FORRESTER. Yes. May I say to the gentleman that the Supreme Court reversed the case, saying you had discriminated. Mr. Brownell sent his officers down there in order to persecute you. Then he told the House Judiciary Committee he had investigated and found out it was not so.

Mr. LANHAM. Exactly.

Mr. FORRESTER. So you had the Supreme Court saying you did and the Justice Department saying you did not.

Mr. LANHAM. That is right.

Mr. BOGGS. Mr. Chairman, I rise in favor of the amendment.

Mr. Chairman, last Sunday a week ago in a very historic telecast the boss of the Communist Party in Russia took to the American air and television waves to answer certain questions propounded to him by American journalists. This man, obviously a dedicated Communist, had a great deal to say, all Communist propaganda. One of the things he said was that our grandchildren would live under communism. He went on further to say in justification of this statement that communism represented the way of the future, that his system, the Russian system, was the new system, and that as other systems had vanished from the face of the earth our American system would vanish and would give way to this alleged new system.

I know that many answers are being made to Mr. Khrushchev. I know that to any American, who has the slightest knowledge of Americanism or the slightest appreciation of the great system under which we live, the Khrushchev statements on their face are palpable lies, because if there is any modern system on the face of this globe whereby men determine the affairs of their fellowmen, it is the system under which we as free Americans live and breathe.

What Mr. Khrushchev does not seem to understand is that his system, his Communist system, is probably the most reactionary system that ever existed on God's earth; that within it is incorporated all of the tyranny ever known to mankind; and that in contrast thereto our system, the American system, is the most revolutionary thing that ever occurred to mankind. Now why is this? Well, I think it is because of just a few fundamental considerations. When our forefathers, God bless them, had the courage to sit down and write our Constitution and to draft our Bill of Rights, they did something which was revolutionary then, which is revolutionary now, and which is much more vital to the future of mankind than all of the reactionary devices that communism could ever conceive of. Why? Why is our system, why is our American system the most dynamic force on the face of God's earth? Because, in my judgment, and I think in the judgment of every student of history and of any student of philosophy, it frees the strength and power of men by giving them dignity and freedom.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. BOGGS. Mr. Chairman, I ask unanimous consent that I may proceed for 5 additional minutes.

Mr. BYRNE of Illinois. Mr. Chairman, I object.

Mr. BOGGS. I thank the gentleman very much.

Mr. LONG. Mr. Chairman, I ask unanimous consent that I may proceed for 5 minutes.

Mr. BYRNE of Illinois. Mr. Chairman, I withdraw my objection.

The CHAIRMAN. The gentleman from Illinois withdraws his objection. Without objection, the gentleman from Louisiana may proceed for 5 additional minutes.

Mr. BOGGS. I appreciate the reason for the gentleman objecting. This is by way of digression, but I might say to the gentleman from Illinois, I have the highest respect for every Member in this body. I know why the gentleman objected to my request because back here a few weeks ago when we were debating the appropriation bill for the Department of Health, Education, and Welfare, the gentleman made some reference which I am certain was inadvertent and was not intended to be personal to the distinguished gentleman from Rhode Island [Mr. FOGARTY], about his profession, and I, at that time, objected to the gentleman proceeding further. I can assure the gentleman I have nothing but the highest regard and respect for him, and I appreciate the gentleman withdrawing his objection, and I thank him very much.

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. BYRNE of Illinois. At that time I was making my maiden talk as a freshman, and I appreciate your kind words and I have the utmost respect for the gentleman from Louisiana.

Mr. BOGGS. I thank the gentleman very much.

Mr. Chairman, to pick up what I was saying, I think what we have done in our country has been the most revolutionary thing in the world because we have given our people a climate of freedom where they can grow. This climate of freedom has made our country the greatest Nation in history; has guided our Nation from its early agrarian days to its present position of industrial power.

We have done this despite the fact that many of the things that we maintain are for the moment not popular. All of you know that several of our original States would not join this Union until we had ratified the Bill of Rights.

The Bill of Rights are very real. They exist, and they work every day. These rights exist not only for popular movements or for things that appeal to most of us, but for the things that are difficult and hard to take. For instance, all of you know, and all of you get mail every day saying, "Why do you not do something about the fifth amendment?" When a Communist comes before a committee of the House or the Senate, or when some other person comes before a committee and will not even say who his father is, and pleads the fifth amendment, if we bow to a particular Gallup poll at the very moment under particular circumstances, believe me, we could resubmit the fifth amendment and the fifth amendment might be repealed. God forbid.

There are so many other instances of these rights being part of our lives. Sometimes we go home and we turn on the radio, and it is November and some fellow is running against us and, oh

brother, the things he can think of to say about us, and we do not like it a bit. Down deep inside so many of us say, "Why should that fellow be allowed to get up and say such things?" Or we might pick up a newspaper, and there we read an editorial with which we violently disagree. Or we might know of a religious sect or a religious group whose concept of worshiping our Master differs entirely from our own, and may even be reprehensible to us, but because of the Bill of Rights, because of the guaranteed liberties to Americans, that man continues to make that radio speech against me or against any of you, and the editorialist continues, and as long as he lives within the realm of the law of libel and slander, the American system functions.

Mr. COLMER. Mr. Chairman, will the gentleman yield briefly?

Mr. BOGGS. I will be glad to yield to the gentleman from Mississippi.

Mr. COLMER. The gentleman refers to those who plead the fifth amendment and contempt of the Congress of the United States. Is it not a fact that even those people whom the gentleman says the Gallup poll would deny that right possibly, even those people now have the right of trial by jury, under the law of the United States?

Mr. BOGGS. Yes, sir; that is correct. That is why I think that any thinking Member of this body will hesitate a long time before he votes against the amendment providing trial by jury.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. Certainly I yield to the gentleman from Illinois.

Mr. BOYLE. Is it not true that in the question just put to you it has been made a crime by statute, and that is why you are entitled to a trial by jury?

Mr. BOGGS. Now the gentleman is a lawyer, and he is a good lawyer, and I have the greatest respect in the world for the gentleman. I would not even attempt to put my very little knowledge of constitutional law against the gentleman's, but I would say in reply to the gentleman, the question is in the nature of what happens to the individual. If I am hauled into a Federal court, and I am charged with contempt of that court, say it is a civil contempt, and therefore, under the Attorney General's interpretation, I am not entitled to a trial by jury, what ultimately happens to me?

The judge might send me to jail time and time again. I do not know, and I wish the gentleman would answer for me, what rights do I lose thereby?

The CHAIRMAN. The time of the gentleman from Louisiana has again expired.

(By unanimous consent Mr. Boggs was allowed to proceed for 5 additional minutes.)

Mr. BOGGS. I would like to ask the gentleman from Illinois this question: If I am sentenced to a year and a day for violation of a court order, let us say the order of the Eastern District Court of the State of Louisiana, and I am sent to the Federal penitentiary in Atlanta for a year and a day, do I lose my civil rights? Am I able to vote when I return home? Or am I in exactly the same category had I served a year and a day as a felon?

Mr. BOYLE. I do not know just what the law of the gentleman's home State of Louisiana provides in that case.

Mr. BOGGS. I am talking about Federal law; I am not talking about State law.

Mr. BOYLE. That was not in the hypothesis that the gentleman gave me, and I do not know.

Mr. BOGGS. Oh, no; the hypothesis I gave was the violation of an injunction under the provisions of this bill, and I was sentenced to over a year in the Federal penitentiary for the contempt without trial by jury.

Mr. BOYLE. In that hypothesis where there is not a felony and you are put in jail for contempt of an injunction writ I would say "No."

Mr. BOGGS. The gentleman does not know?

Mr. BOYLE. I say categorically "No."

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I would be very happy to yield for enlightenment.

Mr. BOYLE. There is no loss of citizenship or the right to vote under an adjudication when one is found in contempt of court.

Mr. HAYS of Ohio. I would just like to point out another facet of the gentleman's speech in which he was talking about Mr. Khrushchev and the Soviet Union. I would just like to point out that according to my understanding there is no such thing as trial by jury in the Soviet Union, it is virtually unknown, as far as I know.

Mr. BOGGS. I do not know, but I think there is no such thing as trial by jury in Russia or any other Communist country.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. Certainly I yield to the chairman of the committee.

Mr. CELLER. I have checked on some of the commitment statutes in various States. In the gentleman's own State we find this to be the law:

> Every court has inherent powers to enforce the orders which it has power to render, and to punish as being a contempt every interference with or disobedience of its processes or orders as well as every act.

Mr. BOGGS. My time is limited; I cannot yield further.

Mr. CELLER. Let me finish now. Then it goes on to another title:

"District courts civil and criminal cases in contempt."

Mr. BOGGS. I thank the gentleman but this power is very limited in the courts. My recollection is that the maximum sentence is 10 days, applied in very limited situations.

Mr. CELLER. There is no jury trial in the gentleman's State, I want to say.

Mr. BOGGS. Let me proceed, please.

Mr. CELLER. I only want to emphasize the fact that in the gentleman's State there is no jury trial.

Mr. BOGGS. I thank the gentleman. He is talking about 2 or 3 different things. Actually, as I understand the gentleman's proposal here—and, mind you, I am not the constitutional lawyer the gentleman is and other members of the Judiciary Committee are—but actually what you are trying to do is extend the equity concept in the power of the courts to this concept of mass contempt. From the point of view of what happens to the individual, maybe he does not lose his citizenship, I do not know; I have not been reassured on that point. But I know that his status ultimately is not any different from that of the man who went to jail tried by a jury; he is still a prisoner of the United States of America.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I am sorry, not at the moment. I will be pleased to yield to my distinguished colleague in just a moment.

And in any event while we lawyers may understand this roundabout concept of equity, believe you me it is pretty difficult for the average layman to understand; and the more you read Attorney General Brownell's pronouncements in this particular matter, the more convinced you are that he is operating under one of the most discarded philosophical notions that ever hit the mind of man, namely, that the end justifies the means. That is what is really involved.

What is really involved is that regardless of what violence is done to the fundamental concept of justice and freedom which, as I said a moment ago, has been the most revolutionary concept that ever hit this world, that regardless of what is done to those basic American concepts, that some law that he, Mr. Brownell, can enforce from Washington must be put on the books.

Mr. HARRISON of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, on the question of whether these are criminal proceedings or whether they are civil proceedings, I would like to summon on the question to sustain the position that they are criminal proceedings a fairly respectable witness. This is from the opinion of Mr. Justice Holmes in the case of *Samuel B. Gompers* v. *The United States* (158 U. S. 604) in which Mr. Justice Holmes said:

> These contempts are infractions of the law, visited with punishment as such. If such acts are not criminal, we are in error as to the most fundamental characteristic of crimes as that word has been understood in English speech.

The gentleman from New York has said that from time immemorial this sort of procedure has been substituted for trial by jury in contempt cases. Not according to Mr. Justice Holmes have they been recognized as crimes from time immemorial because he said:

> So truly are they crimes that it seems to be proof that in early law they were punished only by the usual criminal procedure and that, at least in England, it seems they still may preferably be tried in that manner.

I say to the gentleman from New York that the first time in a United States court an injunction was used as a weapon in a political and economic dispute arose in the *Deb's* case (158 U. S. 564) in 1894 during a period of nationwide hysteria over the strike against the Pullman Co. in Chicago. That is the first time the doctrine ever received approval in Federal courts.

I would like to say that I hold here the Democratic Party platforms beginning in 1896 and continuing each 4 years thereafter until 1912 demanding trial by jury in all cases of contempt outside of the presence of the court. It was in that atmosphere, Mr. Chairman, that in 1908 William H. Taft—not President Taft, not Chief Justice Taft but William H. Taft—candidate for office and under heavy assault for his position made the statement that has been quoted here in debate which culminated in the ridiculous statement that "To give a man trial by jury would lead to anarchy."

Again in 1912 the Democratic Party took the same position, and I have the platform here.

In that year the results were different and the Democrats put in the Clayton Act and put on the statute books a provision that there shall be a trial by jury in these cases. That matter came before Chief Justice Taft for decision. This case was argued brilliantly by Donald Richberg, and I earnestly urge the consideration of the brief in that case. There, however, those who sought government by injunction, those who sought to use the injunction as a weapon in a political and economic dispute, found that Chief Justice Taft was not Candidate Taft because of an opinion to which he subscribed. Chief Justice Taft subscribed to the principle of constitutionality of such legislation in cases of contempt arising out of the presence of the court.

Now, the gentleman from New York has said that he has moved from his position of 25 years ago. He has, indeed. He has progressed all the way to the point that he now stands on the position of Taft Republicanism of 1908 and 1912.

Now, I have another witness. How do these injunctions work in operation, just as proposed in this bill? I have another witness I would like to call.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. I yield to the gentleman from Louisiana.

Mr. WILLIS. As a matter of history, and not politics, what was the position of President Wilson?

Mr. HARRISON of Virginia. President Wilson signed the Clayton Act. President Wilson ran on the Democratic platform in 1912 and on the Democratic platform of 1916. In 1916 the Democratic Party reviewed what it has accomplished in those 4 years, and said, "We have given to the workingman the right of trial by jury in cases of contempt committed out of the presence of the court."

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HARRISON of Virginia. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARRISON of Virginia. Now, I said I had another witness, and this is a witness as to how this injunction works. The name of the witness is a great immortal, Louis Brandeis, who, in the course of his dissenting opinion in the case of *Truax* v. *Corrigan* (257 U. S. 316, 366) tells how it works. He tells how long it had been customary to imprison people in economic and political disputes by injunction. He said further:

> In America the injunction did not secure recognition as a possible remedy until 1888. When a few years later its use became extensive and conspicuous, the controversy over the remedy overshadowed in bitterness the question of the relative substantive rights of the parties. In the storms of protest against this use many thoughtful lawyers joined.

And, may I mention some of them: Alton B. Parker, John W. Davis, Donald Richberg.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. I yield to the gentleman from New York.

Mr. CELLER. With reference to those things that the distinguished gentleman has uttered, I wish to state that some of those opinions were expressed before 1914, when this Congress passed the statutory definition of criminal contempt.

Mr. HARRISON of Virginia. Oh, no; most were not.

Mr. WILLIS. Mr. Chairman, if the gentleman will yield further, did not Mr. Taft become a member of the Supreme Court after 1914?

Mr. HARRISON of Virginia. Mr. Taft was appointed by President Harding in 1921.

But to continue the quote from Justice Brandeis:

> The acts enjoined were frequently, perhaps usually, acts which were already crimes. But in equity issues of fact as of law were tried by a single judge, sitting without a jury. Charges of violating an injunction were often heard on affidavits merely, without the opportunity of confronting or cross-examining witnesses. Men found guilty were committed in the judge's discretion, without either a statutory limit upon the length of the imprisonment, or the opportunity of effective review on appeal, or the right to release on bail pending possible revisatory proceedings. The effect of the proceedings upon the individual was substantially the same as if he had been successfully prosecuted for a crime; but he was denied in the course of the equity proceeding, those rights which by the Constitution are commonly secured to persons charged with a crime.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. SANTANGELO. Mr. Chairman, I ask unanimous consent the gentleman may proceed for 2 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HARRISON of Virginia. Continuing this quotation:

> That through such proceedings a single judge often usurped the functions not only of the jury but of the police department; that in describing the conditions under which strikes were permissible, and how they might be carried out, he usurped also the powers of the legislature; and that incidentally he abridged the constitutional rights of individuals to free speech, to a free press, and to peaceful assembly.

You can take your position with the Republican Party of 1908 or 1912, if you want to; but, for me, I will stand with Holmes, Woodrow Wilson, Brandeis, and John W. Davis.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. I yield.

Mr. SANTANGELO. I heard the gentleman lament concerning the trial without a jury; the gentleman is against a trial without a jury?

Mr. HARRISON of Virginia. Yes, sir.

Mr. SANTANGELO. Even if the gentleman got a trial by jury, would he still be against the bill?

Mr. HARRISON of Virginia. Certainly; does the gentleman want to know why?

Mr. SANTANGELO. I have not asked the gentleman why.

Mr. HARRISON of Virginia. I am going to answer the gentleman's question. Because there is no presumption of innocence; there is no right to bail; there is no right to be confronted by one's accusers; there is no right to cross-examination of witnesses. Under these proceedings a man could be imprisoned on affidavit.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield further?

Mr. HARRISON of Virginia. Yes.

Mr. SANTANGELO. This bill is to provide for and protect people who are denied the right to vote; that is the purpose of the bill. Is your State of Virginia a poll-tax State?

Mr. HARRISON of Virginia. This bill is to make votes for the Republican Party; and the gentleman is simple enough to vote for it.

Mr. DOWDY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I want to get back to the amendment that is pending before the Committee at this time. If I recall correctly, I offered this amendment in the full Committee on the Judiciary when the bill was there being considered.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield.

Mr. BOYLE. We had trouble hearing the gentleman's opening remarks. Would the gentleman be good enough to repeat them?

Mr. DOWDY. I just stated that it was my memory that it was I who offered this amendment in the full Committee on the Judiciary when the bill was up for consideration there.

Mr. BOYLE. The gentleman is referring to the amendment offered by the gentleman from Iowa [Mr. GROSS]?

Mr. DOWDY. I think there is only one amendment before the Committee at this time.

Mr. BOYLE. The gentleman from Louisiana [Mr. WILLIS] said that he was joining in and had an identical amendment.

Mr. DOWDY. I do not think that has anything to do with what I did in the Committee on the Judiciary.

This bill proposes another unnecessary Federal commission on top of the many that we have here. This commission would have powers far greater than the numerous other commissions

in the Federal Government. For example, it would be given an unprecedented power of subpena, never heretofore given to any Federal bureau. Under this power it could and would reach out and command your people and mine to travel as much as several thousand miles to appear before it. The commission could and would also use its power not only to hail private citizens before it, but force them to bring and open their private books and papers for public inspection on a mere suspicion. It would not only interfere with the liberties of all the people but it would have almost unlimited power to regiment our people.

There is this ambiguity or contradiction in the bill itself. The first part sets up a commission to investigate what should be enacted to protect civil rights, and then in later sections proceeds to enact legislation along the very line the commission is to look into.

This one bill first states a need for study, evaluation, and recommendations as to needed legislation, while contemporaneously it goes about as far as is conceivably possible in enacting legislation about which it first acknowledges that a study is needed.

The subpena power of the Commission is much too broad and gives rise to the possibility of requiring any citizen to appear at hearings hundreds and even thousands of miles from his residence in answer to any charges whatsoever, no matter how absurd and ridiculous they might be. Such arbitrary power reminds us of another of the grievances that I mentioned on Friday when I spoke about the indictments against the English King in our Declaration of Independence. I named several of them then and I shall name more now.

One of those grievances that led to these words being incorporated in one place in the Declaration of Independence as one of the indictments of the English King:

> He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

Another indictment in the Declaration of Independence is this:

> For transporting us beyond seas to be tried for pretended offenses.

This so-called civil-rights bill does just that. If this bill is enacted, the day could well come when outraged Americans would rise and curse every Member of Congress who voted to so oppress them as in this bill here.

Since such a commission is wholly unnecessary, any funds spent by it would be a shameful waste of public moneys. I do not see why we should do it.

Here we find a great pressure to authorize another commission when we are trying or at least we should be trying to cut down on Government spending. If this Commission is created it will cost additional millions upon millions of the taxpayers' hard-earned dollars. No one will deny that. I must oppose it for these and many other reasons.

I might say in connection with this that I think anyone would agree that former Senator Herbert Lehman of New York was an ardent champion of so-called civil-rights legislation, yet he had this to say about a proposal similar to this in a statement he made before the Judiciary Committee in 1956:

> There are three bills pending before you reflecting the same proposal to create a Federal Commission to study, conduct investigations, and report on the status of civil rights in our Nation today. I, myself, do not give this proposal a top priority. Civil rights have been extensively studied in previous years by many Congressional committees, including this one—
>
> The one he was speaking to then—
>
> by many private groups, and by the President's Committee on Civil Rights in 1947. All of this study material is available.
>
> That material is still available today.
>
> Furthermore, aside from the fact that such a commission would be a wasteful duplication, there is absolutely no necessity for Congress to provide for the creation of such a body since the President already has the power to create such a commission if he so desires.
>
> I want to quote again from Senator Lehman to conclude my remarks. He said this:
>
> I must point out that if the administration is sincerely interested in creating a commission, and it has established much less important study commissions by executive order, the President could easily proceed to appoint a commission tomorrow.

Mr. Chairman, I feel that the amendment offered by the gentleman from Iowa [Mr. GROSS] should certainly be adopted.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman not think we have already had too much ruling by delegation of authority to boards, bureaus, and commissions in the Government?

Mr. DOWDY. Undoubtedly so.

Mr. BONNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Chairman, it is a bold layman who comes down to this well in the face of all the controversy between such brilliant lawyers. No wonder the laymen of this Nation are confused. It was interesting to hear the gentleman say the other day that if it were not for these controversies concerning the law, there would not be so much business in the law as there seems to be today. Mr. Chairman, that is not what I am about to say, and you can rest assured that I will not offend the feelings of any man no matter what his nationality or race may be.

Mr. Chairman, the pages of history are full of the records of the rise and the inevitable fall of dictatorships. While the fundamental basis of our form of government is abhorrent to the principles they advocate, there are times when pressure arises which tends to induce a small part of our population to embrace them unwittingly. If there is a place such as Hell, and I have been taught to believe it, I can just picture Hitler, I can just picture Hitler looking to this distinguished body and saying, "You criticized my Gestapo and today you are following suit. You thought of setting up a division in the Department of Justice with the power to do the very things that we hated in the Gestapo."

It makes me shudder today for the future of our country to think that good Americans, learned in the law, can rise and say that their fellow citizens can have no right to a jury trial for an alleged offense—an alleged offense—and it puts us right in the path of dictatorship. Since the days of the Magna Carta freemen have cherished that privilege and have rightly regarded it as their main bulwark against oppression. To seek to deprive us of that protection in a matter as important as this is to attempt to reverse the course of history and puts us back when men were subject to the whims of whatever petty tyrant had control of the government at the moment. Ladies and gentlemen of this House, when you go home after the House has passed this bill without providing trial by jury, and you are asked by the average layman to whom was this fundamental and constitutional privilege denied, all of you with legal training or otherwise will have difficulty in explaining to the overwhelming majority of the people of the Nation who are laymen why you have deprived him of what he believes and has been taught to believe is his greatest protection under the law. As a layman, and primarily associated with laymen, in all probability I hear more expressions from the people with respect to the courts, the judiciary, and the legal profession than you who are in the profession and do business in the courts.

I regret that I must be perfectly frank and say that the rank and file of people are losing confidence in the courts and, to some extent, losing confidence in the legal profession. I regret to say this, but I hear it. The legal profession is not protecting its profession as it should, and the courts are not conducting themselves as they should. And with this monstrosity thrown into the courts and the Department of Justice, how in the name of God do you expect them to rise in stature and gain any additional confidence among the people?

This is not due to any prejudice on the part of the people, because they know, and I know, and all laymen know that once the respect of the courts and the legal profession is destroyed, democracy will be eliminated in this great Nation and around the world. Look at the fancy decisions of our Supreme Court, if you will, please. Not based on law, but on fiction and sociological writing. In God's name, how can they expect to be held as learned men in the law and respected by laymen of this Nation?

I hold no brief for those who abuse any minority group, be it black, white, or yellow, and I firmly believe in the right of all citizens to exercise their full privilege as citizens. Certainly history has demonstrated time and again that we cannot successfully legislate upon the matter of social custom and the attitudes of our people.

A prime example, and one within our memories, was the ill-fated Volstead Act. That ill-advised, ill-fated legislation, though well-intentioned, undoubtedly produced more disrespect for law than any other single piece of legislation ever enacted by the Congress.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. BONNER] has expired.

(By unanimous consent, Mr. BONNER was granted 3 additional minutes.)

Mr. BONNER. The results this legislation proposes to accomplish by coercion have been steadily and healthily approaching fulfillment at an ever increasing rate during these past 90 years. The development of our American culture will continue and be strengthened on a sounder basis if left to the good will of men and women. Immorality will not continue when exposed to light.

Yes, Mr. Chairman, while we have criticized Russia, this legislation is leading in its footsteps, and those in the Kremlin are enjoying the episode that is taking place here in this House today.

Again I say, history speaks with a louder voice against such legislation than anything we here in the House of Representatives can say today. I hope, if it is the determination of the House to pass this bill, that those who are so enthusiastically for it will stop and ponder whether they shall be the judge to an extent of depriving citizens of trial by jury.

In closing, Mr. Chairman, I think it fitting to quote from a recent report filed in the Senate by the scholarly and distinguished Senator from North Carolina, my esteemed friend, the Honorable SAM ERVIN, Jr., who was a member of the Superior Court of the State of North Carolina, and a distinguished member of the Supreme Court of the State of North Carolina, and unquestionably one of the best brains in the country today and, without doubt, a gentleman of the highest integrity, and a scholar who has no peer.

I quote him. He said:

> This bill would vest in a single fallible human being, namely, the temporary occupant of the office of Attorney General, regardless of his character or qualifications, autocratic and despotic powers which had no counterpart in American history and which are repugnant to the basic concepts underlying and supporting the American Constitution and legal systems.

Crocodile tears and all that is attempted under this legislation will never do the United States any good, will never do my colored friends at home any good, who are privileged to come in and vote whenever they please, and will never do democracy around the world one iota of good.

Mr. RAINS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RAINS. Mr. Chairman, let me say first that it is hard to believe the Congress of the United States is actually considering legislation which forces those of us who still respect our Constitution, regardless of the Supreme Court, to stand here in defense of the Bill of Rights and the Magna Carta.

I understand full well that we are living in the atomic age, the age of nuclear power, of intercontinental missiles, 4-day workweeks, pushbutton kitchens, air-conditioned automobiles, and finally, the age of modern Republicans.

The administration, guided by modern Republican Brownell, is now ready to repudiate the principal bulwark of Western World liberties for 1,000 years—the right to trial by a jury of one's peers. The absurd arguments which Mr. Brownell presented in his plea for the unique powers which this bill provides should raise the question in every mind as to what is the real motivation behind such a measure.

For many years we have gone through the annual hassle over this catch-all legislation but never, in the ominous course of this political football, have I ever been more seriously concerned. For today, my friends, we are asked to turn all of our courts over to the Executive, in effect, and while the present Supreme Court evidently sets little store by precedent, or the law, if you approve this bill you will surely hand them a precedent which will haunt every Congressional district from border to border and coast to coast.

For that reason I do not think we in the South are fighting alone this year. There are too many million Americans who believe in our Constitution and in the principles of justice from which it came. There are too many millions who, like the Barons of Runnymede, have defended the very thing which this bill would now take from us.

I want to quote a few sources, doubtless familiar to many of you, on the subject of trial by jury.

Blackstone, perhaps the greatest legal scholar of all time, said:

> Trial by jury is a trial that hath been used time out of mind in this Nation and seems to have been coeval with the first civil government thereof. In Magna Carta it is more than once insisted as the principal bulwark of our liberties.

The late Chief Justice of the Pennsylvania State Supreme Court, Robert von Moschzisker, in his book, Trial by Jury, emphasized the need for reform in some of our State laws relating to jury trials, but, quoting from Justice Thompson, in Warren against Commonwealth, he states:

> The framers of the Constitution undoubtedly knew and intended that legislation must provide the form under which the right to trial by jury was to be enjoyed, and they meant no more than that it should be enjoyed under regulations which should not take away the right.

Prof. Robert L. Henry, an Oxford scholar and authority on Anglo-Saxon contracts, had this to say in his legal essay, The Story of the Criminal Jury:

> The fact that the popular courts in the form of the criminal jury have persisted for some 800 years in Anglo-Saxon countries; the fact that they have functioned in the form of the quaestio in Republican Rome for perhaps 600 years; the fact that as soon as the peoples of Europe became free and assumed control of their governments that reestablished the popular court in the form of the jury for criminal trials, and that this institution has already survived for nearly one thousand and fifty years, would seem to indicate a deep-seated and universal desire on the part of the people to participate in the administration of the criminal law. We must retain such popular participation in some form.

George Washington had something to say on jury trials. In a letter to General Lafayette, dated April 28, 1788, Washington described attitudes prevailing at the Federal convention. He reported that no one objected to the Bill of Rights or trial by jury, and explaining to Lafayette, why the latter was not spelled out in detail, Washington wrote:

> It was only the difficulty of establishing a mode which should not interfere with the fixed modes of any of the States that induced the convention to leave it, as a matter of future adjustment.

Thus you see that our constitutional fathers were concerned about States rights and for that very reason, undoubtedly, stated many of the principles in the Constitution only in general terms.

Today we have an administration determined to override State laws, nullify State judicial systems, run State voting machinery; in short, to establish a new bureaucracy so strong that there is no way of even predicting where its powers might end.

We are asked to authorize a Civil Rights Commission and to approve a new Civil Rights Division in the Justice Department. In regard to the Commission, I seriously question the purpose of any such body which is allowed to use volunteer personnel at random. In this instance, it is not difficult to picture the army of meddlers, and the organizations which would send them, to go about the land prying into the privacy of all our citizens.

Mr. Speaker, no one seems to know just how many aspects of our living this bill would really encompass. Nowhere have I ever seen civil rights actually spelled out in black and white.

I question the motivation behind this entire bill. I am not calling it an anti-South measure only but rather anti-American. The grievances, more imaginary than real, which such legislation in itself would incite and inflame would stretch from ocean to ocean, and those of you from outside the South had best keep this in mind.

Finally, let me say that I am amazed that such a brazen attempt to knock down State laws and to expand executive powers has come from an administration whose leader said, at the governors conference in Seattle, only 4 years ago:

> I am here because of my indestructible conviction that unless we preserve in this country the place of State government with the power of authority, the responsibilities and the revenues to discharge those responsibilities, then we are not going to have America as we have known it. We will have some other form of government.

Mr. Chairman, it is my belief that enactment of this bill would indeed be a

giant step toward that "some other form of government" to which President Eisenhower referred 4 years ago.

Mr. WHITTEN. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, this debate has stirred up lots of legal terminology and interpretation. I happen to be a lawyer. Some of the discussion by the proponents of this measure remind me of the old story to the effect that you could tell a doctor's ability by how simple he could describe medicine. The more simple his words the bigger or better doctor he is. The better a lawyer was the more understandable he was with this exception: A good lawyer, when his case was no good, would often use all kinds of technical language which had a way of leading the layman far afield from the real issue. I am afraid the lawyer proponents of this measure are in the latter category.

Mr. Chairman, it does not make any difference actually whether this action of depriving citizens of the right to trial by jury is done through this means, that means, or the other means. It does not really matter if the bill destroys constitutional or merely statutory rights to trial by jury for I say without any fear of contradiction that as of today, for the violation of certain laws, the violators are entitled to a trial by jury. If this bill becomes law the persons who violate those same laws will not be entitled to trial by jury. That being true there is no basis for any Member to misunderstand what you would do if you vote for this measure.

How that is brought about is easy to understand by those who are trained in the legal profession. I say again that it is as simple as this: Today you have a right to trial by jury in some cases. If this bill becomes law you will not have that right in those cases.

Mr. Chairman, it has been said here that this bill is directed at the South, but I say further it is directed toward the North, in an effort to get votes in the North. I would like for some of my northern friends to listen to this. It is true that in many Southern States a relatively few Negroes vote, and I would like to explain to you why that is true. In view of this very kind of legislation passed after the Civil War, the white people, for the preservation of life and of property, yes, and in the interest of orderly government itself, were forced into a white primary which was legal until a few years ago. Every election was determined in that white primary election. We have never had enough contest in November elections to count, you might say, until a few years ago. When Republicans were in power, we had to dress up some renegade Democrat like a Republican in order to fill the postmasterships. I say to you that for generations the elections were determined in the white primary. There was no contest in November, therefore, no incentive for any nonwhite to be interested in voting. That is one of the reasons. It is true that in the last few years since the white primary was discarded by the Supreme Court there has been a little more interest on the part of the Negro citizens to register and vote in a big part of the South, but not a great deal because of the background of disinterest.

Let me tell you something else that may be an important factor. In the South we were smart enough to profit by what was going on in other sections. We saw each major party and its platform set out to get the votes of these minorities in New York, Detroit, and Chicago. The platforms were a bid for that vote from the colored citizens in those areas and each 4 years the bids of those running for office became higher and higher. We saw in the South that it was not to anybody's advantage to go out and solicit the registration of huge groups of voters who were disinterested, then bid among ourselves and pay the costs of trying to get their votes on election day.

Virtually nobody locally has promoted registration and voting of these groups. I would say that in recent years more and more Negro citizens are becoming interested. More and more of them are registering. More and more of them are voting.

Now, in certain sections, since the Supreme Court decision in the school integration cases, there are many good Negro citizens who normally would be interested. In my area—and I have a town where more than 50 percent of the population is Negro, and I believe I can call every one of them my friend—I say to you that under present conditions the good colored citizens that I know of in that area have lost interest in voting for the time being because to do so they are afraid it would identify them with the NAACP and identify them with these agitating elements in this country, and they want no part of it. They do not wish to have any part in destroying the fine relationships which have existed.

I was district attorney 9 years in my section of the country, and I say to my friends in New York and Chicago—and I spent much time in both places—that the Negro citizens in my section of Mississippi enjoy more privileges and enjoy more rights than the colored citizens in any city that you can name, and that includes Washington, D. C.

No; this bill was not written because you have any real interest in us down there. It was written as a further bid for the Negro vote in the large cities of the North. Should it pass each major political party will be claiming credit for its passage. Is it not kind of odd that the two chief proponents of this measure are from the State of New York. They say they are looking after our affairs in Mississippi and in the South. It may be that they have been in my State; it may be that they have been in the South but I doubt it. Of course this is smart politics for many of you. You can go back home to such Northern cities and point with great gusto to what you did to straighten out things in the South, thousands of miles from you. What you will be doing really is covering up in an effort to avoid facing up to what goes on in your own district. Is it not odd that on the eve of every national election for the last three elections the Attorney General, not having the powers that he would have under this bill, has issued an announcement that the FBI was being sent into some Southern States just before the election and, my friends, the original draft went to the press in the northern cities and carbon copies went to the FBI as to the alleged violations. At that time the Attorney General did not have the power that would be given under this bill, but they did use the power of sending out the FBI in an appeal to the bloc votes of these northern cities in these national elections. Just how far do you think they will go if this bill should become law? May I say to you that as bad as this bill is, and however you may argue about the legal maneuvering of its language to shift criminal offenses over to so-called civil remedies, it is as certain as the night follows the day that people who now have the right of trial by jury for certain violations of the law would not have it if this bill becomes law. It is as simple as that.

Now, if you will analyze the effects of this bill, we will have serious difficulties in a few isolated places in the South. And, that is bad. No, the major damage will be done because in every election actions will be taken down South for northern consumption in an effort to get the northern vote. But, the thing that is serious to me is the fact that we have been willing to jeopardize our very form of government, both parties, in an effort to obtain the votes of these great minority blocs. They are desired so that certain groups can stay in political power and in office; that here we are interested in politics to the point that we would weaken the heritage we have from English jurisprudence which has made this country great. My friends, you can look to South America, you can look to Germany, you can look to Russia. There are many nations where the right of trial by jury has not been as carefully protected in law as it has by English-speaking peoples. But, I will tell you that the nations which have stood best the test of time have been largely those which trace back to the English-speaking peoples who won the right of trial by jury in the Magna Carta from King John. We should jealously guard that right.

And, I say to my friend who is the chairman of this committee, I feel that in my judgment he would meet his responsibility more fully if he recognized or rather admitted these facts. For him to come here and admit that a judge and an Attorney General could take advantage of the people of this country under the terms of this bill, and yet support it, is hard for me to understand. He admits they could, and he says, "But, if they do, I will call my committee together and do something about it." No, it is high time, my friends, that we turn back to law and let us get away from men. We have long been a nation of laws and not of men. Every student of government, every great man in our political history, has always warned that we must protect the people by laws and not trust to the whims and caprices, nor the political desires, of men.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman.

Mr. WHITTENER. I would like to ask the gentleman from Mississippi if we have not overlooked another basic civil right as we have discussed this matter. As I understand the proponents, they say that they are converting this matter into a civil proceeding and that, therefore, it is consistent with time-honored principles. Is it not true that in a civil proceeding there is no obligation under the Constitution or any of the decisions of our courts to furnish the accused with counsel? Would not this procedure deprive an indigent individual of the constitutional right to be represented by counsel in the case which might result in his imprisonment?

Mr. WHITTEN. It certainly would, under present conditions.

Mr. Chairman, the thing which is most alarming here today is to see so many members raise the bid for the Negro vote to the point of taking away the right of trial by jury. Each year the bid gets higher and higher. If this bill becomes law, and God forbid, next year the proponents of this bill will be in with another raising of the offering price for Negro votes to an even higher level.

It was Lord Benchley, I believe, who said in the 17th century that a democracy could not long endure, for the elected representatives of the people would give away the country in order to keep getting elected.

Mr. Chairman, this bill makes me wonder if Lord Benchley was more right than he may have thought.

Mr. SIKES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the House the theme of civil rights is an old and familiar one. If it serves any useful purpose, it is that it helps both the proponents and opponents to get reelected. But that is the end of its value. It is of no consequence legislatively. The bill is going to die in the Senate. All of us anticipate that. We are in the process of wasting 2 weeks discussing something we have no expectation we shall see written into law.

Our legislative accomplishments in this session have not been monumental. Two more wasted weeks do not add to make a total which is any more impressive. A good friend on my side of the aisle said to me a day or so ago, "I guess this is just something I have to vote for and you have to vote against." So, here we are right where we were when civil-rights legislation was offered in the last Congress and right where we will be when it is offered in the next.

I do not question the sincerity of any person who has spoken on this subject, but I insist there is no need for this legislation. I insist that its enactment would accomplish nothing but added tension, misunderstanding, and mistrust between the races. We have had attempts at reform by administrative edict and reform through a new phenomenon—legislation from the courts. If this is an attempt at reform by Congressional mandate, we have had too much of that sort of thing already without accomplishing any good or useful purpose. The questions this measure proposes to treat cannot be so simply dealt with.

My friends here know that I am not an extremist. I try to see both sides of a question. Some questions go far too deep to be settled by edicts of the courts or acts of the Congress. You cannot change the thinking or the customs of millions of people overnight. Reforms, which I do not think are a basic purpose of this bill, cannot be sold to the people in advance without an understanding and acceptance of the need of reform. People must be allowed to feel their way on broad social problems and to adjust according to temperament and environment. The impatience of the sociologists, with whom we are overafflicted, changes this not at all.

Regardless of where you stand, this legislation will be improved by the safeguard of jury trial. If it were good legislation, it could not be harmed by that safeguard. I consider it bad legislation which needs the protection afforded by jury trial. On this amendment, we should be unanimous in approval.

If this measure were to become law, the inclusion of trial by jury would greatly temper its impact. Trial by jury so long recognized as a guaranty of individual rights would remove the suspicion of star-chamber proceedings and would clip the wings of zealots out to make a reputation by demagoguery or persecution. The responsibilities of citizenship are not always fully understood even in this enlightened land. Trial by jury would help to bring it more clearly to the consciousness of all groups. I would not want to have to tell my people I was reluctant to give them that protection.

Nonetheless, we are for 2 weeks inflicted with the biennial ordeal of civil rights. It is my earnest hope that it can be completed with a minimum of tension and bitterness between ourselves. There is much good legislation that is needed, on which we can agree; much that should be done for the good of the Nation before we find ourselves at the end of another session, now not far distant.

Mr. CELLER. Mr. Chairman, just to check the opinion of the Members, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

Mr. DAVIS of Georgia. I object, Mr. Chairman.

Mr. CELLER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto terminate in 30 minutes.

The CHAIRMAN. The question is on the motion.

The question was taken; and on a division (demanded by Mr. KEATING) there were—ayes 93, noes 74.

Mr. ABERNETHY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CELLER and Mr. ABERNETHY.

The Committee again divided, and the tellers reported there were—ayes 121, noes 89.

So the motion was agreed to.

Mr. SMITH of Virginia. Mr. Chairman, out of my generous spirit, I yield back the time allotted to me.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, those of you who have been here during the period of time that I have had the privilege of serving in this Congress know that my votes have not been sectional. I have voted for the development of your harbors and your rivers, the dredging of your harbors and the damming of your rivers. Because I believe in the development of all our natural resources; furthermore, I think it a misnomer to refer to such expenditures as "pork barrel." I have voted with you people in the North, in the big cities, who needed public housing. I do not need it in my district. I have some of it, but you need it and I voted with you. I have not been sectional in my voting.

This bill is aimed at me and the people whom I represent. It is part of a conspiracy in America today to make the South appear to be decadent, to make the people appear to be ignorant and biased and prejudiced.

There was an article in American Mercury last month that shows how some of the people who make our moving picture shows, the editors of some of our newspapers, and the publishers of some of our magazines are all picking on Dixie. I think one reason for it is that because in the South during the past 15 years, since we have been unshackled from unfair freight rates, the South has made marvelous progress industrially. That may account for it in some measure. Just why everybody is now picking on the South, I do not know, but they are. These warped presentations are not representative of the South of today but untrue caricatures. It looks like some of you people here today are going along with that gang in spite of what I have done to try to help you. But I cannot put this on a personal basis. I know some of you feel like you have to vote for this legislation.

You do not, because it is not necessary that you come back to Congress or that I come back to Congress. But I have had friends tell me that if they did not get a vote from certain minority groups they would not come back to Congress.

I tell you, Mr. Chairman, there is something more important than your coming back to Congress or my coming back to Congress.

You think this is our problem, the problem of the South; it is, but the gun is pointed at your head just as certainly as it is at our heads, because you are guilty, too. It is your problem, too.

The gentleman from Texas told you of the explosive situation that exists in the city of Chicago today. It is liable to blow up into a race war at any time because you in Chicago are discriminating against the same people that you say we are discriminating against.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I cannot yield at this point.

I read in Look magazine during the past year the story of Dearborn, Mich. This in Michigan. In Dearborn, Mich., they will not let a Negro spend the night. They will not let a Negro spend the night in that city of Michigan; and the mayor was reelected because he had succeeded in keeping the Negroes from coming into that city.

As I say, it is your problem just as much as it is ours; and you are guilty just as much as we are guilty. Your ancestors sold us the slaves and you are guilty for that reason; your ancestors and my ancestors justified slavery, and they sinned. Even the churches tried to justify, to rationalize, slavery. That was a sin.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

(By unanimous consent Mr. DAVIS of Georgia and Mr. O'HARA of Illinois yielded their time to Mr. LANHAM.)

The CHAIRMAN. The gentleman from Georgia is recognized for 10 additional minutes.

Mr. LANHAM. The fact that we have this problem and the fact that you have this problem is proof of the immutability of moral law. You cannot violate it without being punished, and neither can I. The sins of the fathers are visited upon the children to the third and fourth generation, and you are seeing the truth of that Biblical saying today. So it is your problem, and it is my problem.

We have been trying to solve it in the South, and we have been solving it. The Negroes vote in my State. I am including with my remarks a copy of an article that appeared in the Atlanta papers a few days ago. You will see from that editorial that the Negro vote is increasing faster in the State of Georgia than is the white vote in spite of the fact that the Negroes are moving North.

As proof of the statement I make I am quoting an article which appeared in the Atlanta Constitution for Friday, June 7, written by William M. Bates, entitled, "Negro Voters Increase in 97 Georgia Counties." Mr. Bates says:

Negro voting strength, which was revived as a political issue in Atlanta's recent city primary, increased in 97 Georgia counties last year.

This sharp upswing in Negro voter registration, underway for several years, appears to be general throughout the State and is not limited to big cities.

Some rural counties, in fact, have the highest percentage of registered Negro voters. And in one county—Liberty—Negro voters outnumber whites by almost 400.

According to records in the secretary of state's office, Negro registration hit a new high of about 158,000 last year. This was an increase of about 20,000 over figures compiled in 1954.

During the same period, white registration increased by about the same figure to approximately 1,075,000.

REGISTRATION GAIN

This amounted to a gain of about 2 percent in white registration and about 15 percent for Negroes in the 2-year period.

The potential strength of Negro voters in Georgia was given new significance by the Atlanta primary in which a colored candidate for the board of alderman forced a runoff with a white candidate.

Governor Griffin broke precedent by publicly endorsing the white candidate and urging whites to bloc vote against the Negro. The white candidate won, but the election has caused much concern in some State political quarters.

EIGHT COUNTIES

There are now eight counties in which the number of Negro voters is about half as great or more than the white registration.

In addition to Liberty, these counties are Camden, Taliaferro, Muscogee, Long, McIntosh, Green, and Hancock.

Generally speaking, the trend in registration in the various counties is the same for whites and Negroes. In most instances where there was an increase in white voters, there was also an increase in Negro registrations.

The same was generally true for drops in registration.

THIRTY DECREASES

Thirty counties reported decreases in the number of registered colored voters between 1954 and 1956 and 97 had increases. The remaining 32 counties either did not report changes or county officials did not make a breakdown of white and colored voters.

The increase in Negro voter registrations has been going on since the end of World War II when the Supreme Court struck down the white primary in Georgia and elsewhere in the South.

About 1 out of every 7 Negroes is now registered to vote compared with about 5 out of every 12 whites.

The increase in Negro registration has taken place at a time when the colored population in Georgia is dropping.

According to the United States Census Bureau, Negro population in Georgia declined from 1,085,445 to 1,064,001 between 1940 and 1950. The State's overall population gained 320,855 during this period.

There's another factor about the Atlanta city primary that has not escaped the attention of State-level politicians.

The Metropolitan Voting Council reported that 73 percent of the city's registered Negro voters went to the polls in the first primary compared to 54 percent of the white voters.

In the runoff primary, in which the Negro aldermanic candidate was defeated, the Negro turnout was 70.4 percent against only 36.2 percent for the whites.

Besides there are adequate statutes on the books guaranteeing the right to vote and other civil rights. Not only is this true but Negroes serve on the board of education of the city of Atlanta, and as indicated in the above-cited article a Negro recently ran for the council in that city and in the first primary was the leading contender.

It is true the Negroes often vote en bloc but, of course, that is their privilege, and as far as Georgia is concerned I know of no effort in any part of the State to prevent the Negro from voting. So, as I say, this bill is wholly and entirely unnecessary. I am convinced it was conceived in misunderstanding and born in politics. It is a slap in the face of one great section of our Nation. It is just a part of the popular effort to discredit Dixie and make the people of the South appear to be decadent, prejudiced, and of a low order of intelligence. I wish I had the time to quote in this connection from an article which appeared in the American Mercury and which was inserted in the RECORD by Georgia's junior Senator, Hon. HERMAN TALMADGE, on page A4360 of the daily RECORD for June 5. The writer of that article makes it clear that there is apparent conspiracy among some radio commentators, newspapers, magazines, and even book publishers to belittle and mislead the people of other sections about social and economic conditions in the South. Part of this may be due to the fact that for the past 10 or 15 years industry in the South has been expanding and growing at a great rate. The South's industrial potential lay undeveloped for years as a result of oppressive reconstruction laws after the War Between the States and the unfair freight rates which shackled us for so long. In this connection I am sure that Negroes in Atlanta, Ga., and other large cities of our State have more economic advantages and live fuller and better lives than in any other State in our Union. Not only do they take part in politics but they own their own banks, they have several insurance companies of their own, and there is absolutely no effort made to prevent their entering into any business that they may desire.

Moreover, there are three or more fine educational institutions conducted by and for the members of the Negro race. Race relationships had been good until the Supreme Court decision of 1954 decreeing the end of segregation in our schools; and the interference following that decision, in our State by the NAACP and other leftwing and even Communist-front organizations, reversed the trend to better race relations. There is no doubt in my mind that all these things have set back by at least a generation the welfare of the southern Negro. Race tensions have increased and animosities have been rekindled—all of which had been gradually disappearing in the South.

Consequently, to any person who knows the real facts and is not misled by so much of the propaganda about the South now circulating, it is perfectly obvious that this bill is not needed and is simply a part of the struggle by certain members of both parties to corner the minority group votes in other sections of our country.

This is going to be your problem 10 years from now more than it will be ours, because they are leaving and are going north. Your problem is going to increase as ours diminishes.

I know there are probably spots in the South where the Negro has been denied the right to vote. It is not true in my State. It may at one time have been true; but we have been making rapid progress. But all this agitation has set back the progress of race relations in the South for a generation. That is what has happened, and it is going to be worse if you pass this bill.

I want to say just a few words about the jury trial amendment. It is an astounding thing to me. Before I continue, let me say that I was one of the few southerners who voted against the Hartley bill when it was upon the floor of the House. It was my first year in Congress. That was an iniquitous and vicious bill. I am glad I voted against it.

It went to the Senate. Senator Taft got it modified. The Senator sent it back here in much better shape than it was when we in the House had to vote on it. But, still, after the President had vetoed it I voted to sustain his veto. If

I had known that the friends of labor on the floor of the House during this week were going to renege and admit that the Taft-Hartley had changed or superseded the Norris-La Guardia law so that now labor is not protected in the matter of strikes, my action in opposing the Taft-Hartley law would have been even more vigorous. Because of that fact I am more glad than ever that I voted against the Taft-Hartley Act. After I went back to my State I told the people, our laboring people, the reasons that the act was passed. It was because of abuses under the Wagner Act and I told them they were going to have to live with the law and that they were going to have to make the best of it. They then tried to do that. But I did not know, I do not believe any of you thought, that when we passed the Taft-Hartley Act you were taking away from labor the right to a trial by jury in strike cases. But that is what your leader from New York says you have done. But, he says, he has grown. He says he did not stop growing when he was 32. Well, I wonder if he has grown to the point that he does not want labor to be protected in these strike matters. Is that how far he has grown? Have you grown to that point? Do you approve of the statements made on the floor of this House by those who pretend to be the friend of labor that the Taft-Hartley Act has repealed or it has limited or it has in some way superseded the law which guarantees to the laboring man the right, the fundamental American right, the right guaranteed us by English jurisprudence all down through its history from the time of Runnymede, are you willing to say by your vote today that you approve that statement? Are you going on record as saying that the laboring man is no longer protected by the law that was passed to protect him? I do not believe you want to do that. I do not believe you have thought about what you are doing.

You may have to vote for this bill, you may think you have, but you do not have to vote against the amendment involving trial by jury. I would hate to be any one of you and go back to my home and have to justify my vote against that fundamental right. You say it is necessary because juries will not convict. In the first place that is not true. I was prosecuting attorney for 6 years before I came to Congress and time after time I have seen juries convict white men on the testimony of Negroes. The juries in our State have leaned over backward to protect the rights of Negroes who were being tried in our courts. That juries will not convict is a false assumption; but even if true, it is a cynical thing to say that because juries might not convict the right of a trial by jury should be denied the accused. It just violates all of the rules of moral law and you cannot do it with impunity.

This bill is not necessary, it is not right. It is conceived in misunderstanding and it is born in politics. I hope that if you have to vote for the bill you will vote for the jury-trial amendment, which will be persuasive authority of the right of the laboring man to protection from arbitrary decisions and rulings by the court. At the same time it will preserve the right of trial by jury for those charged with the violation of injunctions issued under this act.

Oh, you know what they had to go through, and yet you sit here today and apparently approve what both gentlemen from New York say, when they say that the Taft-Hartley law and other legislation has repealed or superseded the law which protected the laboring man when he is accused of violating an injunction issued by the court in the matter of a strike.

In the next place the bill is, in my opinion, the most dangerous legislation that has been sponsored with any hope of passage since I have been a Member of Congress. It is an invasion of the rights of the States to regulate their own affairs and will result in the loss of many of the rights guaranteed to the States and their citizens by the Bill of Rights. However much the leading proponents of this bill may profess to be ignorant of any such intention, nonetheless, this bill takes a portion of the criminal law relative to civil rights and seeks to transfer it to the equity courts of our land. This for the sole purpose of denying the right of trial by jury to those charged with violation of such provisions of the criminal law now transferred to the equity courts. As the distinguished gentleman from Virginia [Mr. POFF] told you a few days ago, if you were on the floor to listen to his remarkable address, George III tried this very "gimmick" to transfer provisions of the criminal law to the equity courts of England for the very same purpose. Those of you who claim you do not know that this was the purpose for taking literally the words of the criminal law and writing them into the legislation are certainly naive, not to say gullible. The Department of Justice knows that this is the reason for the transfer of this identical language from the criminal code to this bill for they have stated that it was done because they say southern juries will be reluctant to convict. This is a cynical philosophy that advocates any means however violative of our fundamental constitutional rights if it results in what its proponents claim to be a desirable end.

It is a false indictment of the South. For 6 years before I came to the Congress I was prosecuting attorney for the Rome judicial circuit composed of three counties in the northwestern section of Georgia, and my observation was that juries leaned backward in an effort to be fair to Negro defendants in our courts. In fact they often convicted white people upon testimony of Negro witnesses. One case I recall very well—a Negro who was obviously guilty of shooting at another Negro was cleared by a jury because of the amusing and forceful statement he made to the jury. A better speech he made than his own counsel. Under the laws of the State of Georgia a defendant may not be sworn, but can make a statement to the jury on his own behalf, and the judge must charge the jury that it may believe the statement instead of the sworn testimony. That is what I think the jury did in the case of the Negro who was a better counsel than his own lawyer. It is often said that a defendant who is his own attorney has a fool for a client, but it certainly did not prove so in the case to which I have referred.

At Clinton, Tenn., we have the spectacle of the judge making a law applicable to a particular situation and then attempting to punish persons alleged to have violated this order who were not parties to the suit before the court and many of whom, no doubt, had no actual knowledge of the court's order. You will recall that the Attorney General, Mr. Brownell, sent his prosecutors into the State and substituted the United States Government as a party to that suit so that the accused persons would not be entitled to a trial by jury. There was such a reaction to this unfair and disgusting procedure on the part of the present Attorney General that the court upon motion of defendants' counsel finally agreed that the accused persons should have a trial by jury. This agreement on the part of the court was apparently a move to try to prevent the Congress from writing into this bill a guarantee of a right to trial by jury for those accused of violating a general injunction such as that passed by the judge in Tennessee. It was a sort of Mother Hubbard injunction—a law which covered everything but touched nothing as a Mother Hubbard has been defined.

In this connection I am amazed at those of you who profess to be the friends of organized labor. You have taken the position in this case that the guaranties written into the law assuring a jury trial to members of labor unions charged with the violation of injunctions in labor cases have been repealed or superseded by the Taft-Hartley law. This is a most dangerous position it seems for any person to take who claims to be a friend of America's working people. What an untenable position this places you in when next you try to write into the Taft-Hartley law a provision that will guarantee such right of trial by jury to members of the labor unions.

You who were here when the Labor Relations Act of 1947 was passed know that I was one of the few southern Representatives who voted against the iniquitous Hartley bill as it was known in the House. This bill was so outrageously unfair to labor union members that frankly I could not see how any Member could vote for it who believed that labor unions should continue to exist.

After it went to the Senate it was amended and became known as the Taft-Hartley bill. Mr. Taft who while favoring legislation to correct abuses that had arisen among the leaders of the labor union movement modified the extreme provision of the Hartley bill and when it came back to the House it was certainly a much more moderate law than that which was first passed in the House. However, there were harsh provisions in the law that should be modified. Senator Taft himself favored such modification and had he lived no doubt they would already have been written into the law.

After the President vetoed the bill I again was one of the few southern Members of the House who voted to sustain

the President's veto and thus against the enactment of the Taft-Hartley Act.

After its enactment, however, I took every occasion to urge members of the labor unions to learn to live with the law and to correct the abuses which had given rise to its passage. I have been perfectly frank with them in saying that I doubted that the law could be repealed and urged them to live within its terms.

So I approach this problem of a jury trial for those who violated injunctions with a desire to protect the labor unions in the rights guaranteed to them prior to the passage of the Taft-Hartley law which certain so-called friends of labor now claim were repealed or modified by the Taft-Hartley law. It is inconceivable to me that those of you who pretend to be labor's friends are willing to endanger labor's rights to a jury trial when accused of violating injunctions passed by a court of equity.

So I am convinced that even where charges in the nature of criminal contempt are made in the name of the Federal Government or any other government those charged with such offenses should be guaranteed a trial by a jury. It is sophistry to say that to protect a civil right of one hindered from voting justifies the denial of a fundamental constitutional right such as that of trial by jury. This is putting expediency above principle. In 1916 Woodrow Wilson said, and deep down in your hearts you know it is true, that:

> A point in national affairs never lies along the lines of expediency. It always rests in the field of principle. * * * Justice has nothing to do with expediency. Justice has nothing to do with any temporary standard whatever.

As I have said this law is a slap at the South and I warn you that while today racial problems seem to be confined to the South, such is not the case. Recently I read ah article which told of the explosive situation which now exists in Chicago and an article in Look some months ago which told of the city of Dearborn, Mich., where a Negro is not permitted to spend the night. The problem is growing by leaps and bounds in the districts many of you represent, and the denial of the right to trial by jury which seems to you today to be directed only at the South is really a gun pointed at your own heads for as surely as we live today and present trends continue the problem will be more your problem than ours within the next 10 years.

I am quoting here a syndicated column by David Lawrence entitled "It Was a Wise Move To Insert Jury Trial in Civil Rights Bill":

> It was a wise move on the part of the Senate Judiciary Committee this week to recommend that jury trials be provided by law in contempt cases arising out of the enforcement of civil rights. It will do more to help the cause of public understanding on the integration-segregation issue and similar questions than anything the Congress or the courts have done thus far.
>
> This is because the action by the Senate committee comes at a time when emotion has been substituted for reason in many parts of both the North and the South in dealing with matters of law and constitutional rights.
>
> A dramatic example was the case last week in Montgomery, Ala., when a white jury acquitted two white men who were defendants in a case involving the dynamiting of a Negro church. No one was injured, but the property was damaged. It was apparent from the way the case was summed up by the prosecuting attorney and defense counsel that the issues were presented in the background of current antagonisms. Although the defendants had signed a confession, the claim was made later that it had been irregularly processed—that it wasn't made at police headquarters but in a hotel room under circumstances which led to the expression of many doubts.
>
> SHOCKED
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> This correspondent spent the weekend in Alabama and talked to many people about the integration question. Notwithstanding the individual beliefs of citizens generally, it is fair to say that many people who are on the antisegregation side were shocked by the verdict of the jury at Montgomery. Yet in some respects the verdict wasn't surprising. As one man in the South put it, "Why should not 12 men in Alabama express their feelings in a verdict, when 9 sociologists on the Supreme Court do the same thing?"
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> Reference was made specifically to some of the recent cases of rape committed by Negroes against white women—cases in which confessions were duly recorded and guilt plainly established, only to have the Supreme Court of the United States reverse such verdicts on technicalities and allow the defendants to go free.
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> Emotionalism has brought a state of tension that is not going to be cured by any provision of law denying jury trials merely because the privilege has been or might be abused. While contempt committed inside a courtroom always has been punishable by a judge without a jury trial, and attempts to violate directly the terms of an injunction are ordinarily within the power of a judge alone to punish, the real issue is whether the judge's injunctions can be stretched to cover crimes committed outside the courtroom itself that normally are tried by juries.
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> It is better, therefore, for Congress to err on the side of caution and to put faith and trust in the people in all sections of the country, rather than to assume in advance that they cannot be trusted in the jury box. To apply such faith is to follow the path of reason as against emotionalism.
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> For the racial questions are far from settled, and those persons who think that, by the order of any court, the people of the South or of any other section will approve an edict which they honestly believe is not constitutional just do not understand the workings of human nature. The crusade, for instance, against the 18th amendment on prohibition—the willful disregard of the provisions of the law by millions of people—showed clearly that a reform which isn't sold to the people in advance by thorough understanding isn't accepted just because it is solemnly proclaimed as "the law of the land."
>
> A CONDITION
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> It is a condition rather than a theory which confronts the Nation in dealing with the racial question which now has begun to present problems in all parts of the country, and not just in the South. Violence will not solve it, nor will coercion by broad injunctive orders of the courts. An adjusted society has to come voluntarily out of the processes of reason.
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> The amendment to the law which would grant jury trials in contempt cases involving alleged crimes is bound to assist the cause of reason. It puts the responsibility squarely upon the people to see to it that jury trials are fairly conducted and fairly resolved.
>
> There are, of course, extremists on both sides. Their number will diminish, however, only as a sense of fairness develops through the application of reason instead of violence. That is why the grant of a jury trial in criminal contempt cases would be a progressive step toward a better understanding of the responsibilities of citizenship. But if Congress, on the other hand, does deny jury trials, far more ground will be lost than gained in the emotionally complicated, if not presently unsolvable, problem of sociology and government.

Fundamentally this whole act is unsound and a dangerous threat to the rights of the States and still more important it concentrates power in the Attorney General such as no individual official in America has ever enjoyed before.

Within this bill are the seeds of a Soviet-type Gestapo, of secret informers, and, if the bill should become law, we would be faced with the knock on the door at midnight of the secret and unpaid agents of the commission set up by this bill and the tools of the Attorney General. We could be jailed without the benefit of trial by jury and at the instigation of faceless informers. The minds of Khrushchev, Bulganin, or Stalin himself could not have conceived a more dangerous surrender of individual power to a Government official, politically minded as our Attorneys Generals usually are.

I warn you that in passing this bill you create a Frankenstein monster that can destroy us all. Power corrupts and absolute power corrupts absolutely, as it has been said. No Attorney General should be entrusted with such power as this bill would give him.

The people of my district have tasted the bitter brew concocted of the unwarranted interference by the present politically minded Attorney General who sent his snoopers into Cobb County, Ga., not to protect anyone's civil rights but to interfere with the administration of the courts of law in that great county of my district. He did this without consultation with and, I believe, over the objection of the United States district attorney for the northern district of Georgia. He did it upon the insistence of the NAACP which had interfered in the defense of a Negro rapist who had twice been convicted of the offense and who was at the time of his last offense of the same sort serving a sentence for one of the previous assaults upon white women. Moreover, the accused had admitted a third such offense and was convicted and sentenced to death though represented by able counsel appointed by the court and later had his conviction affirmed by the Supreme Court of Georgia where he was represented by one of the ablest lawyers in the State employed by the NAACP.

And the snoopers who made the investigation did not confine themselves to an investigation but slyly made suggestions which the officers of the court took to be an attempt to prevent further prosecution of the Negro who, in the meantime, had been granted a new trial by the United States Supreme Court upon a trivial point of law.

Although it gives me no pleasure to do so, I can now report that the Negro was tried again, was sentenced to death, appealed his case to the Supreme Court of Georgia, where it was affirmed, and

was executed recently after the Governor had refused to commute his sentence.

The charges of irregularities in the operation of the courts of Cobb County, Ga., were wholly without foundation and the snooping investigators finally made a report clearing the county officials of the charges that had been made against them.

These laws would affect adversely the South today, but they may well be used in the future by politically minded Attorneys General against every one of you and the people of the States in which you live. In conclusion, let me warn you that you had best lay aside any political impulses that might cause you to vote for this bill, and kill it.

The Chairman recognizes the gentleman from New York [Mr. KEATING] for 5 minutes.

Mr. KEATING. Mr. Chairman, we have wandered rather far afield from the amendment upon which we are about to vote. This amendment seeks to strike out the entire section 101 which creates the Commission on Civil Rights. If carried, it would entirely eliminate, for all practical purposes, part I of the bill. It is simply the beginning of an effort, Mr. Chairman, to tear this bill apart section by section.

The opponents of the measure, knowing that it cannot be defeated in its entirety, will offer amendment after amendment, I apprehend, to weaken the bill, to take out essential parts of the bill. And this will be followed by others.

Nowhere today in our Government is there any agency with the authority to study the very important question of whether there are American citizens who are not being properly protected in their constitutional rights. This field of constitutional rights is admittedly a technical one and, we know, it is perfectly apparent that there are serious problems in connection with it.

Those who have worked in the field recognize the need for investigation and serious study. Although this bill before us, in parts III and IV, would broaden the protection which people now have in this area, there are still problems and questions which this bill does not attempt to answer.

There were other bills before our committee with provisions much more drastic than this. They were rejected. Many of them, however, are entitled to study. It would be up to such a commission to study them. We do not have sufficient facts now, in our opinion, to make findings and recommendations beyond those embodied in this measure. That is why the President has recommended, and the committee has reported, a bill which calls for the creation of a bipartisan commission to do research in this field. I call attention to the fact that it would be limited in its scope. It would complete its work in 2 years. It would be bipartisan in its character.

It is not at all unusual for such a commission to be created by Congress to make studies and reports such as those contemplated by this legislation. We have now the Commission on Government Operations. We have the Commission on Intergovernmental Relations and the Commission on Government Security, all of them created by us in Congress, and all of them attempting to get the answers to some of the great problems which face our country.

Congress has conferred on all of these commissions substantially the powers which are given to this commission in this legislation. They are not unusual. They are not arbitrary powers, and those who are to wield them are commissioners to be appointed by the President of the United States and confirmed by the Senate. Certainly the last agency on earth that could be viewed as suspect, or viewed with any fear on the part of any citizen in this land, or any Member of this body, would be an agency set up to look into the rights guaranteed by our Constitution. This very Commission is created to preserve and to protect those rights.

Mr. Chairman, I hope this amendment will be defeated.

Mr. SHELLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SHELLEY. Mr. Chairman, in the course of the debate on H. R. 6127, the civil rights bill, the gifted constitutional lawyers among my colleagues on both sides of the issue have probed in detail the legal and constitutional questions which arise. They have come to no general agreement. Two basic areas of disagreement appear. Let me make my own position on those basic issues clear. I support this bill in its entirety and in supporting it I stand with those who regard the Constitution as a guarantor rather than a denier of the rights of man.

First is the question as to whether the Congress has the right under the Constitution to legislate on civil rights at all. In February if this year I stated to the Committee on the Judiciary my view that—

> The Constitution, which guarantees to the States certain rights, does not guarantee them the right to do wrong.

Nothing in this debate or in the thousands of words that have been spoken or written on the issue since have changed my strong conviction in that regard one whit. Our Government under the Constitution is a government of laws and not of men. When we find, as we do now, that over a period of many years the voting rights and other civil rights of a large body of our fellow citizens have been denied them by the actions of men and the inaction of law, the law and the Congress as the ultimate lawmaking body must assert itself. The 15th amendment to the Constitution specifically states with regard to voting rights that "Congress shall have power to enforce this article by appropriate legislation." Nothing can be clearer. To say, as some have said, that because the Congress has not seen fit to use this power in the past they should not or cannot do so now is pure nonsense. There is no statute of limitations on the rights and the duties of the Congress as prescribed in the Constitution. There is, on the other hand, a limit on the extent to which those who defy the Constitution can be allowed to carry that defiance. To hold otherwise is to reject every principle upon which the Declaration of Independence and the Constitution are based. To hold otherwise is to forget that section 2 of article IV of the Constitution declares that—

> The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

How is that provision to be upheld if the Congress and the Executive do not have the power to legislate and to enforce through the Federal courts laws protecting those privileges and immunities? It may be held that this section guarantees to any citizen of the United States that, while he is within the boundaries of any particular State, he is entitled only to those privileges and immunities which such State is willing to accord him. But Congress must know that the framers of the Constitution were not blind moles any more than we are. We must not limit our vision to a dark tunnel of ignorance as to what goes on within the several States, and the clear implication of section 2, article IV, is that the Constitutional Convention of 1787 did not intend that we should.

The second basic legal issue on which disagreement appears is on the question of trial by jury in contempt cases arising under the provisions of this civil rights bill. The opponents of the bill, apparently conceding that they will lose the first battle as to the Congress' power to act, are in the classic phrase "retreating to positions previously prepared" by setting up a holding action on the issue of trial by jury. The analogy to military action is apt in that this maneuver is an obvious feint to divert the House and public opinion throughout the country from the true purpose and from the main objective of the campaign; namely, to hold the line against any effective legal protection for the voting rights and other civil rights of large blocks of our citizens.

The House has been buried under a mass of legal citations on the pros and cons of this argument. The issue seems to me to be completely clear. The Constitution deals with the right to trial by jury in two places: Section 2, article III says that—

> The trial of all crimes, except in cases of impeachment, shall be by jury.

And the sixth amendment states that—

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury.

And I want to emphasize the word "impartial." The contempt proceedings which may result from the provisions of H. R. 6127 are not crimes or criminal prosecutions within the clear meaning of the Constitution. They must be under the terms of the proposed law civil contempt proceedings. Under precedents reiterated time after time by the courts and in common law any judge and any court has the right to enforce

injunctions or restraining orders issued by it through the power of a finding of contempt of court with appropriate punishment. This is not a new and a barbarous concept as many of our distinguished colleagues would have us believe. It is as old as the courts and written law.

Trial without jury has precedent in these times in admiralty and other special court proceedings. It may be unfortunate that circumstances prove the necessity of resorting to it in civil rights cases, but that is the case. It is significant that the only exception to such a finding by a judge without a jury trial which the opposition to the present bill can find is that in the Norris-La Guardia Act. As has been shown conclusively that exception has since been waived by the terms of the Taft-Hartley Act.

It is further significant, and I do not believe the point has been brought out here, that the Norris-La Guardia Act contained an exception to the exception; namely:

> That this right shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice or to apply to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court.

This debate has brought out that a great many of the anticipated violations of court orders under this bill would occur under just such circumstances. Thus, the use of the Norris-La Guardia Act provision as an argument against the terms of H. R. 6127 is knocked into a cocked hat as easily as the claim that we do not need the bill at all because there is nobody in this country who suffers from the loss of civil rights.

Mr. Chairman, I had not intended to spend so much time on these legal issues which have been more ably presented by the distinguished chairman of the Committee on the Judiciary and other learned Members of the House. The great body of people in this country are not concerned with the legal niceties of this situation where it cannot be shown that the action proposed here would do violence to the basic rights and constitutional guaranties of our citizens, or to the rights reserved to the States. Proof of that is certainly lacking. In that case our first concern must be that the remedy we apply is good enough to cure the existing sickness. H. R. 6127 is an absolute minimum dosage if it is to be effective. The committee has bent over backwards in removing from the bill a great many proposals which might have intruded the Federal Government too far into the affairs of the States. This bill for the first time attempts to provide legal insurance that the civil rights of all of the people of this country will be protected impartially no matter where they may live. Let this Congress seize the opportunity we have today to establish a new landmark on the road to full equality for all, regardless of race, creed, or color. We can do so by passing H. R. 6127 without weakening amendments. If we yield on these minimum demands we will have failed to answer the voice of those crying in the wilderness of discrimination, asking that they be set on the path leading to enjoyment of their dignity as creatures of God and brothers of all men.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I yield back my time.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from New York [Mr. KEATING] stated that the Commission would complete its work in 2 years. Will the gentleman from New York [Mr. CELLER] point out where in the bill there is a termination date for this Commission?

Mr. CELLER. The gentleman will find it on page 6, starting on line 9 and running through line 16.

Mr. GROSS. I do not believe that provides for the termination. It states that the Commission shall submit to the President a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of the enactment of this act.

Mr. CELLER. Now read further.

Mr. GROSS. "Sixty days after the submission of its final report and recommendations the Commission shall cease to exist."

I thank the gentleman from New York and I am convinced.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 88, noes 127.

So the amendment was rejected.

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDREWS: On page 1, strike out all after the enacting clause and insert the following:

"ESTABLISHMENT OF COMMISSION ON HUMAN RESETTLEMENT

"SECTION 1. There is hereby created a commission to be known as the Commission on Human Resettlement (hereafter in this act referred to as the 'Commission').

"MEMBERSHIP OF THE COMMISSION

"SEC. 2. (a) The Commission shall be composed of three members appointed by the President by and with the advice and consent of the Senate.

"(b) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

"ORGANIZATION OF THE COMMISSION

"SEC. 3. The Commission shall elect a chairman and vice chairman from among its members.

"QUORUM

"SEC. 4. Two members of the Commission shall constitute a quorum.

"COMPENSATION OF THE MEMBERS OF THE COMMISSION

"SEC. 5. Each member of the Commission shall receive compensation at the rate of $17,500 per year.

"STAFF OF THE COMMISSION

"SEC. 6. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, in accordance with provisions of the civil service laws and the classification act of 1949.

"(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the act of August 2, 1946 (60 stat. 810).

"EXPENSES OF THE COMMISSION

"SEC. 7. There is hereby authorized to be appropriated so much as may be necessary to carry out the provisions of this act.

"DUTIES OF THE COMMISSION

"SEC. 8. (a) The Commission is authorized, upon application therefor, to grant a relocation loan in accordance with this Act to any Negro living in any State in which racial segregation is practiced, to enable such Negro to move to any State in which racial segregation is not practiced.

"(b) Each applicant for a relocation loan shall specify in his application the State, and the town, city, or other location in that State, to which he desires to move, the names of the members of his immediate family who will move with him, the amount of furniture, household effects, and other personal property which he plans to have moved to that location, and such other information as the Commission may require.

"(c) After an application has been approved, the Commission shall consult with the applicant with a view to ascertaining the expenses that he will incur in moving to the new location and for which he may obtain a relocation loan. The expenses for which an applicant may obtain a relocation loan shall be limited to the expenses of transportation of the applicant and his immediate family, the expenses of moving furniture, household effects, and other personal property, and a reasonable amount for immediate living expenses of the applicant and his family after the applicant has moved to the new location. The Commission shall determine the total of the expenses referred to in the preceding sentence that will be so involved in moving to the new location and shall grant the applicant a relocation loan to pay such expenses. No relocation loan shall be made to any applicant in an amount in excess of $1,000.

"(d) No applicant may receive a relocation loan under this act unless he establishes to the satisfaction of the Commission that he has a general reputation in the community in which he resides for working.

"PROVISIONS RELATING TO RELOCATION LOANS

"SEC. 9. (a) Each relocation loan may be made available to the applicant in a lump sum or, if the Commission determines that the loan will not be needed by the applicant in a lump sum, the loan may be made available to the applicant from time to time in amounts as needed.

"(b) Relocation loans made under this act shall not be assignable, shall be exempt from the claims of creditors, and shall not be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, either before or after receipt by the payee.

"(c) If any applicant for a relocation loan under this Act who has received any portion of such loan, spends all or any part of such portion for any purpose other than a purpose for which such loan was made, he shall be fined not more than $1,000 or imprisoned not more than 6 months, or both.

"INTEREST ON RELOCATION LOANS AND REPAYMENT

"SEC. 10. (a) Each relocation loan made under this act shall be repaid in monthly installments, in amounts prescribed by the Commission at the time payment of such loan is first made to the applicant. Such loans shall bear interest at the rate of 2½ per centum per annum, compounded annually.

"(b) Each relocation loan made under this act in the amount of $500 or less shall be repaid to the Commission in not less than 10 years; each such loan made in an amount in excess of $500 shall be repaid to the Commission in not less than 20 years.

"DEFINITION

"SEC. 11. As used in this act, the term 'State' means each of the several States and the District of Columbia."

Mr. CELLER. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane.

Mr. ANDREWS. Will the gentleman reserve his point of order?

Mr. CELLER. Will the gentleman insist upon pressing for his amendment?

Mr. ANDREWS. I would like to say that I would like to have the amendment adopted.

Mr. CELLER. If the gentleman insists upon it, I must make the point of order now. Unless the gentleman is willing to withdraw his amendment after he makes his 5-minute speech, I shall insist on the point of order.

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent that I may proceed for 5 minutes.

Mr. CELLER. And I will reserve my point of order.

The CHAIRMAN. Without objection, the gentleman may proceed.

There was no objection.

Mr. ANDREWS. I would like to ask the gentleman from New York if he is opposed to this amendment, which is a bill now pending before his committee.

Mr. CELLER. There is a Rusisan proverb that you do not roll up your pants until you get to the stream.

Mr. ANDREWS. This bill was before your committee last year, and we never had a hearing. It is before your committee this year, and I doubt if we will get a hearing. I did appear before your committee and discussed this bill.

Mr. CELLER. Will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. CELLER. I believe the gentleman did appear before our committee and did testify at length on this amendment or on the so-called human resettlement when we were considering the civil-rights bill.

Mr. ANDREWS. That is right, and I asked you to incorporate it in your civil-rights bill.

As I understand the civil-rights bill, the main purpose of it is to help the Negroes of the South. I submit to you that my amendment or my bill will give the Negroes of the South far more help than will this so-called civil-rights bill. My bill simply provides that if they are unhappy down there they will have ways and means of leaving and going to some State where they will be happy.

I submit to you that the proportion of Negroes in the South is out of line with what it should be. We have counties in the South where the ratio of Negroes to whites is 8 to 1. The population ratio in Mississippi is 45 percent, and yet out in the State of Washington the ratio is .0129. Up in North Dakota the ratio is .0005.

Now we have done the best we could for them in the South. If they are unhappy, I am perfectly willing for them to leave, and I think it is only fair that some of these other States, whose Representatives have so much sympathy for and interest in these Negroes, to take some of them from us if they want to leave. But you would be surprised how few would like to leave. It has been said on the floor that they fare better in the South than they do anywhere in this United States. The purpose of the bill pending before the House at this time is to help a certain group of people who at the present time live in the South. I submit to you that the purpose of my amendment is to help that same group. I submit further that the only hope for better relations between the white and colored people of America is not to pass the civil-rights bill that will penalize people of a certain section of this Nation, as the pending bill will do, but to pass a bill that will make it possible for those people who are today unhappy where they happen to be living to move to some other place.

There is ample precedent for this bill. Following the end of World War II we had a Displaced Persons Commission. My amendment was drawn almost word for word like the Displaced Persons Commission Act.

What did we do under that bill? We established a commission and they brought literally hundreds of thousands of people into this country from foreign countries. Why did they come here? Those who came to America were unhappy with local laws, customs, and conditions that prevailed in the countries whence they came. That is all my bill does; it provides that any American citizen who is living in a State today and who finds himself unhappy with local laws, customs, and traditions in that State will be eligible for a Government loan to move from that State.

The CHAIRMAN. Does the gentleman from New York insist on his point of order?

Mr. CELLER. Mr. Chairman, I renew my point of order.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from Alabama offers an amendment to which the gentleman from New York [Mr. CELLER] makes the point of order that it is not germane to the bill.

The Chair has examined both the bill under consideration and the amendment offered by the gentleman from Alabama.

The Chair finds that the bill under consideration provides for the securing and protecting of the civil rights, whereas the amendment offered by the gentleman from Alabama provides for the creation of a Commission on Human Resettlement which deals more with economic benefits than with civil rights.

The Chair holds that the amendment is not germane and, therefore, sustains the point of order.

The Clerk will read.

The Clerk read as follows:

RULES OF PROCEDURE OF THE COMMISSION

SEC. 102. (a) The Chairman or one designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

(c) Witnesses at the hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such person to subpena additional witnesses.

(f) Except as provided in sections 102 and 105 (f) of this Act, the Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than one year.

(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge of the pertinency of testimony and evidence adduced at its hearings.

(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Commission.

(j) A witness atending any session of the Commission shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereof.

(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the judicial circuit of the United States, as defined in section 41 of title 28 of the United States Code, wherein the witness is found or resides or transacts business.

Mr. LOSER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LOSER of Tennessee: On page 4, lines 21 and 22, strike out the language "judicial circuit of the United States, as defined in section 41 of title 28 of the United States Code" and substitute in lieu thereof the word "State."

Mr. LOSER. Mr. Chairman, I want to call to the attention of the committee what seems to me to be a rather vicious provision in this proposed bill and if the members of the committee will get their

copies of the bill before them and turn to page 4, I would like for all of you to follow me for just a minute.

I do not believe there is a member of the bar present in the room who cannot support this amendment with good grace. It does not affect the bill at all other than it is a protection to those persons who may be called to testify before this Commission. I should like the members of the committee to look at line 17, page 4, and follow me for just a minute. There it is stated:

> The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the judicial circuit of the United States, as defined in section 41 of title 28 of the United States Code, wherein the witness is found or resides or transacts business.

It may appear to you from a superficial reading that this provision of the contemplated law is innocuous and inconsequential, but I want to call to your attention title 28, section 41, of the United States Code.

That section of the United States Code sets up 11 judicial circuits in the United States and in the Territories and possessions of the United States. The First Judicial Circuit is the District of Columbia. I will move on down to the Fifth Circuit for the purpose of making my point. The Fifth Circuit consists of Alabama, the Canal Zone, Florida, Georgia, Louisiana, Mississippi, and Texas. So this bill as presently drafted provides that a witness can be compelled to appear before the Commission at any point in a judicial circuit—namely, at any point in any one of the several States.

To illustrate my point, may I say that the Commission created by this act can set itself up in the Kenilworth Hotel in Miami Beach and call some poor unfortunate out yonder in El Paso, Tex., to come down to Miami Beach and testify before this Commission.

And if that gentleman fails or refuses to come he can be cited to appear before the Commission in the Kenilworth Hotel and moved down there by a United States marshal and required to testify, and if he is cited for contempt, if he is found guilty of contempt, after the United States attorney cites him in the Federal District Court in Miami, he can be tried by that judge in Miami Beach, if a court sits there—and I am sure it does—for contempt of court, and when he makes his defense, if he has a certain witness in his hometown in El Paso, Tex., he will be required at his own expense to bring to Miami Beach one or a dozen witnesses to testify to his good character, if he so elects.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the gentleman from New York.

Mr. CELLER. If the gentleman will refer to the bill, particularly on page 8, he will find that only the district court to which the Commission shall repair in the event there is a refusal to obey a subpena can punish him in any way or compel compliance with the subpena. The Commission cannot compel compliance; only the court can.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that the gentleman from Tennessee [Mr. LOSER] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LOSER. The section that the distinguished chairman of the committee refers to provides that—

> In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on, or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business,

So it provides specifically and categorically that if the Commission is sitting in Miami Beach, Fla., and it cites a person for his failure to appear from El Paso, Tex., then it is reported to the district court in the southern district of Florida, and he can be required to come there.

Now, if he fails to answer, or is guilty of some act of contempt if he does answer, then it is reported to a district court in the southern district of Florida where he will be tried. And, I know of no greater travesty, no greater reflection upon the integrity of the members of the legal profession than to submit to you for your approval such a vicious and reprehensible provision.

Listen to this, members of the committee. It not only provides that it can happen in the Fifth Judicial Circuit, but it provides that if the Commission should so see fit to go out to Honolulu and sit, and hear, and determine what is happening in that island, they can subpena some man or some woman from Alaska about any violation of his civil rights. They can call you people from Arizona, from California, from Idaho, from Montana, from Nevada, from Oregon, Washington, even from Guam.

Mr. Chairman, I know of no more vicious and reprehensible section of an act than what I have called your attention to, and all that I am asking you to do is this: This does not hurt the bill, Mr. Chairman; it does not hurt the bill. All that I ask is and all this amendment provides is that whatever State or Commonwealth this Commission is holding its meeting in, that the witness be called in his own State, if he is guilty of an act of contumacy, and let him be tried in his own State. That is the law of the land. That is the law of our forefathers who came over here on the *Mayflower*. Let a man be tried wherever he resides, and I cannot see why any man would object to such a provision as I have offered here.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the distinguished gentleman from Virginia.

Mr. SMITH of Virginia. The gentleman has disclosed such an atrocious invasion of the rights of American citizens in this ridiculous provision of this bill that I am wondering if the gentleman in charge of the bill will not agree to his amendment.

Mr. LOSER. I have great admiration and respect for our very distinguished chairman. I have learned to love him here during these months, as I have some of my friends over here. I am just wondering if the distinguished gentleman from the great State of New York would not yield just this little one inch so that a man would have the right to be tried in his own State. I do not believe the chairman would want one of the citizens of Brooklyn to have to be called down to Guam or Hawaii.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the gentleman.

Mr. WILLIS. May I say that this amendment was offered before the full committee. There was a quorum present. We are all lawyers. Those who were present voted in favor of this amendment. It was defeated by the production of proxies of those not present.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the distinguished gentleman from Tennessee.

Mr. BAKER. Mr. Chairman, I want to compliment my colleague from Tennessee on a very fine argument and a fine amendment.

Mr. LOSER. I thank the gentleman.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the chairman of the committee.

Mr. CELLER. Of course, under existing law, under title 28 a United States district court now may subpena anyone from any part of the country. He is not limited even to the judicial circuit. He can subpena him even from a foreign country, if the person is a citizen. So that there is nothing novel or new in this provision.

I might say, Mr. Chairman, that when it comes to commissions such as the Federal Communications Commission, the Civil Aeronautics Board, the Interstate Commerce Commission, the Federal Trade Commission, the Federal Housing Commission, the Atomic Energy Commission, there is no such limitation such as the gentleman seeks to impose in this bill. Those Commissions may subpena from any part of the land and compel a man to come to Washington. So that I say again there is nothing new about that.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. LOSER] has expired.

Mr. LOSER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. LOSER. Mr. Chairman, I would like to say to my distinguished friend from New York that he has correctly stated the law. I am not talking about a witness being subpenaed; you pay his expenses, so much per diem; I believe $12, and so on. That is all right. But I am talking about trying him for contempt thousands and thousands of miles away from his home. I say that is a travesty and a reflection upon Anglo-Saxon thinking, that such a bill should be brought into the Congress of the United States. Here you are talking about trying a man in Guam who lives in Miami, or vice versa. Even El Paso, Tex., is 2,500 miles from Miami Beach. And you can take a man and try him under such circumstances.

I appeal to the finer sensibilities of the members of the bar, a great profession. I just cannot believe; it is inconceivable to me that partisanship aside, Republicans or Democrats, just fair play, respectability, doing unto others as you would like others to do unto you, would impel everyone to vote for this amendment. It is just fair play and decency.

Mr. Chairman, I would like the opportunity to bring a message to you from Tennessee. I say that Tennessee today joins with the grand Old Dominion, the Commonwealth of Virginia, South Carolina, Louisiana, Texas, and the galaxy of Southern States in opposing this vicious piece of legislation. But if you are determined that it shall become law, if you are determined to send into the Southland these 15 itinerant carpetbaggers to search out their friends and their neighbors, and to array class against class, neighbor against neighbor, and friend against friend, under the guise of protecting the civil rights of these people, then at least accept the amendment which I have offered.

Listen; down in my country we want their support. If I may be permitted to say, I have heard it said that thousands of dollars have been spent in major campaigns in my State and in my city in order to get every person of any race, color, or creed registered and qualified to vote. I thank goodness that I list them among my friends. Forty-five percent of the population of my community is colored. I have had the pleasure and the privilege of serving as the district attorney in that area for more than a quarter of a century. At no time within my recollection has a man of color or any man, without reference to his religion, received from me consciously an unfair deal. I have prosecuted thousands and thousands of people, but at no time have I ever sought to try a man away from his home unless he had come into my district and had committed a crime.

So I appeal to you, ladies and gentlemen of the committee; the Members of the greatest parliamentary body on earth, presided over by a man who has made the greatest contribution to the legislative processes of the greatest Nation in the world in its history, and I refer to our distinguished and beloved Speaker.

I do not believe that you members of the bar and I do not believe that you nonmembers would want to be hailed down in my neighborhood if you live in Texas, and there tried for contempt of court.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the gentleman from New York.

Mr. CELLER. That would not be the case. You have to be within the judicial circuit, and New York is not in the same circuit as Miami.

Mr. LOSER. That is exactly right. New York is not in the same circuit. New York is in the second circuit, and it does not bother you too much because the other two States in your circuit are nearby. But I am talking about the poor unfortunate individual who lives in El Paso, and this Commission sits down in Miami in the Kenilworth Hotel, if you please, and I just imagine they would, because they provide here that their actual and necessary expenses shall be paid plus $50 a day.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. LOSER. Mr. Chairman, I ask unanimous consent to proceed for 3 minutes, and then I will conclude. There is something that has not been referred to.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. LOSER. There is just one other phase of this matter that I want to call to your attention. There is not a single requirement for membership on the commission other than that he be a Commission other than that he be a Democrat or a Republican. The very distinguished gentleman from New York [Mr. KEATING] suggested that it would be bipartisan. Suppose the President of the United States, and he has that power under this bill, decides to appoint as members of this Commission the distinguished gentleman from Rochester as the Republican member and the distinguished gentleman from Brooklyn as the Democratic member. Two members can go about the country with their horde of itinerant carpetbaggers looking around to see what they can do.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield.

Mr. ABERNETHY. I think the gentleman has described more qualifications than they are required to have. They do not have to be Democrats or Republicans—they just have to be a member of a political party. That is all the bill says.

Mr. LOSER. That is right.

Mr. ABERNETHY. They just have to be politicians, that is all.

Mr. LOSER. I thank the gentleman. The amazing thing to me about the requirements of this Commission, to illustrate the point that I make, is that it is entirely within the realm of possibility that the gentleman from Rochester and the gentleman from Brooklyn might be two members of the Commission because the members of the Commission are exempted from the operation of section 281 of title 18 of the United States Code. I wonder how many have gone to the trouble to discover what section 281 is. I will tell you what it is. It is a felony statute. It is in the criminal code of the United States. It exempts Members of Congress from receiving gratuities for any service that they might render in connection with the performance of their duty as members of this Commission. So I say it is contemplated by the draftsmen of this statute that Members of Congress would be eligible; and I say to you in all frankness that I do not have any objection to it at all. But, it does seem as a matter of fair play, and I would say a bit of respectability, that there should have been some geographical limit placed upon the membership so that there would have been some semblance of bipartisanship or nonpartisan conduct, if you please. Now I have made these observations—I have attempted to recite the law. I submit myself now for whatever time is available to answer any question that any Member of Congress wants to propound.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield.

Mr. ABERNETHY. Did I understand the gentleman to say that there was a waiver put in this bill so that Members of Congress could be appointed to this Commission and draw compensation therefor? In other words, are the provisions of the statute which would prevent them from serving on this Commission and drawing compensation waived; is that the situation?

Mr. LOSER. Let me read the section. It is on page 5, section 103, subsection (b):

> Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

Mr. ABERNETHY. In other words, the answer to my question is "Yes"; is that it?

Mr. LOSER. Yes.

Mr. ABERNETHY. Then I think that answers it clearly enough and one would not have to go any further than that.

Mr. LOSER. Let me answer you in this way. I assume that the Members of the Congress are in the service of the United States and, therefore, they are eligible for appointment to the membership of this Commission. The exemption which the distinguished gentleman from Mississippi inquired about is the $12 a day that they are going to draw and the subsistence including fees and tips—so I say I am hopeful, extremely hopeful, that we will consider this thing of the question of the right of subpena—let it be limited to the State in which the witness lives, in order that he might be near his friends and neighbors, if not with them.

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS. Mr. Chairman, this bill impinges upon vital principles—the right to trial by jury, the rights of the States to govern themselves. It invades fields for the Federal Government in which the Government never before has entered. It would pour out an indeterminable amount of money with no promise of equitable return. It would be

another step toward ultimate centralization of Government. It would breed mistrust and conflict. And, with all this, it would provide no new right, no new privilege to any citizen of this Nation.

The signposts of approaching centralization of powers have long been apparent. You can see them along the path taken for the past 20 years by the Supreme Court. In decisions as recent as yesterday, this Court has demonstrated great pains to protect the fifth amendment. But what of the 10th amendment? What of the powers reserved to the States? These have been recklessly overlooked, brazenly defied.

The Supreme Court tossed aside judicial precedent in its integration decree. It showed an amazing lack of concern for the rights of the citizens, of the States, and even of the Congress. Under this Supreme Court, we are traveling a road to tyranny. One of my distinguished colleagues has called it, most appropriately, "a centralized Federal tyranny." This trend manifests itself in the civil force measure now before us. This bill would further the move to centralize all Government in Washington and, more specifically, in the Office of the Attorney General. This is an impossible course. In 1887, a distinguished northern general, Gen. George B. McClellan, wrote:

> In a country so vast as ours, with such great differences of topography and climate, with a population so numerous and derived from such a variety of sources, and, in consequence of all this such diversity of habits, local laws, and material interests, it is impossible for a centralized government to legislate satisfactorily for all the domestic concerns of the various parts of the Union.

And yet, that is the course upon which this bill attempts to navigate. This bill even dares to push the Federal Government into the field of elections, special and primary. The Members well know that there is no such thing as a Federal election, nor is there any Federal election machinery. Each election is a State election, conducted under State law, in harmony with the Constitution of the United States. This is as the people want it and this is how our Founding Fathers intended it.

There has been a lot of talk about jury trials and indeed, there needs to be additional talk, if that is what it takes, to show those who would favor this bill why this right must be protected. Loss of jury trials is a serious abrogation. It was one of the complaints of the colonists when they set down their Declaration of Independence, charging King George with "depriving us, in many cases, of the benefits of trial by jury."

It was grounds for asserting the people's rights, for fighting for them, as it were. George IV heard the people's voice when he arbitrarily wrested this right from the early Americans. And the Attorney General will hear this voice re-echoed down the decades. Patrick Henry was right when he said he judged the future by the past. We can well profit by reading our history books. The citizens of today will not sit idly while the rights of their States are usurped. They will not twiddle their thumbs perfunctorily while their rights to jury trials are encroached upon.

A law that cannot be enforced is worse than no law at all. This bill, should it become law, would not be enforceable by its repugnancy to thousands of good citizens.

If no other argument appeals, this bill should be rejected from a purely economic standpoint. Estimates on what the proposed Civil Rights Commission would cost the taxpayers have been conjectural, but they have been tremendous. And what assurance is there that the Commission would cease to drain the taxpayers' dollars at the end of the proposed 2 years? Does anyone honestly think the minority pressure groups would allow such a powerful tool to perish once they have succeeded in spawning it? We diligently try to keep the budget in line, to trim the fat from the lean, and then there comes along such legislation as this, attempting to create an entire, new Government agency and to spend an inestimable sum of money to make it function. It is puzzling paradoxy.

Mr. Chairman, to truly protect the rights of the people, to preserve the rights of the States in their own affairs, to curtail further centralization of power in the Federal Government, and to wisely use the taxpayers' hard-earned dollar, it seems imperative to me that we reject H. R. 6127.

Mr. PORTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I appreciate the position of my colleague from Tennessee. I know that he speaks sincerely. Certainly I know that he must have been a very effective prosecutor and a very fair one. But I am interested that my colleague from Tennessee and the others here who are so anxious to improve this bill are not intending to vote for it when they have it improved.

I think the amendment offered by the gentleman from Tennessee would, contrary to his assertion, hurt the bill, because the bill is addressed to a regional problem, and to limit the subpena power of the Commission, even to greater extent than is the case with Federal district courts, as the able chairman pointed out, would be to tie the hands of the Commission in attacking what is a regional problem. We may disagree, and I am sure we do, about what we should do with respect to the solution of this regional problem, but if we are trying to solve it by this method, trying to make the Commission effective, then we should not tie its hands and say its power should be limited with respect to subpenas to a single State. So I say it would certainly hurt the bill. It is all right to be against the bill. Many will vote against it. But I do not think we should say it would improve the bill to limit the Commission's power in this manner.

The gentleman from Tennessee said this could give rise to a "vicious and reprehensible" practice of calling some man from Texas to Miami Beach. I do not think it is fair to assume that this would be done without reason. I do not think it is fair to assume that the President would appoint a person on the Commission who would do this. Therefore, I think it is fair to assume that the Commission would act in good faith, would use its subpena powers as necessary and justified, and that therefore the fears that there would be injustice of a sort that could be called vicious and reprehensible certainly are not warranted under these circumstances.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield.

Mr. CELLER. If this amendment passes, you have a situation where you confine the work of the Commission to a single State, and the Commission would be hampered in its labors. They have to hold hearings in probably 30 or 40 different States. When you consider that their life is but 2 years, very little could be accomplished. Otherwise they would simply hold their hearings in the judicial circuit which takes in a group of States. To insist upon their holding their hearings in individual States may sound nice but it is purely specious and, as the gentleman says, this is a regional proposition rather than a State proposition.

Mr. PORTER. I heartily agree with the gentleman.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise because of my affectionate concern for my dear friend from Texas, MARTIN DIES. I do not want him to become convert to the eloquence of his own oratory so that tonight he would lie restless and unable to sleep worrying about that time when there will be in the city of Chicago a race riot. It was nice of my dear and beloved friend from Texas to suggest that such should come to my city of Chicago. I am glad to know that he is thinking of Chicago, and I am certain that he would like to know what is the real situation there.

Yes; we have a very large Negro population.

Yes; a considerable part of it has come in recent years from the Southland.

Yes; one boy came from the State of Mississippi in the year 1950 looking for opportunity. He came to our Chicago. He worked there to obtain his education; and I am happy to tell my dear friend from Texas that it was my great privilege within the last few months to appoint that young man, winning in a competitive examination with a very slight fraction under the maximum possible, to a cadetship at one of our great service academies.

Yes; two of the wards in my district are represented in the city council of Chicago by Negro aldermen. Two of the committeemen are Negroes, and there are no better aldermen or better servitors of the public interest anywhere than these committeemen and these aldermen.

Yes; within the last decade or two we did have in our Chicago a prejudice, and we were practicing discrimination. Only a few years ago, maybe 10 years ago, the Chicago Bar Association lifted the ban against entry into the Chicago Bar Association of Negro lawyers. A Negro lawyer was elected to one of our higher State courts. Within the last year the Chicago Bar Association took a poll reflecting the esteem in which the city judges are held by the lawyers in Chicago, and this Negro judge, Judge Wendell Green, led all judges sitting on the bench in the esteem and approval of the lawyers of Chicago.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. Not for the moment because I have waited for some time to answer the suggestion of my dear beloved friend from Texas that in Chicago we are going to have a race riot. I have only 5 minutes. In that time I wish to tell my friend and my colleagues that in Chicago we have learned to live together in real brotherhood, and we are living together in harmony and mutual helpfulness because the representatives of the white race and of the Negro race are all doing their best to contribute to the building of a fine, wholesome climate in which men and women and children of all races, creeds, and stations can strive together for the attainment of contentment. And in Chicago we have learned to measure men and women only by character and by their contribution in practice and in example to their fellow Americans.

I know the concern of you in the South. You are accustomed to the old order; you are fearful of what may happen in this changing order. I want merely to give testimony to what has happened in our Chicago. It should allay your fears of what will come to pass when the old order completely has been replaced with the new order of the new day of our generation. We have accepted the concept that there cannot be a God in Heaven if His children are to be measured by the color of their hair or the hue of their skin. That is our faith strengthened by experience, and that is why we say to you, our beloved friends in the South, put upward to the heavens your eyes, have courage to depart from the status quo to follow the broadening path of progress and faith that as we work together in mutual respect for the dignity and the rights of all, our country will attain the purpose of her destiny.

Mr. ROOSEVELT. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I rise at this time to try to get some information with relation to paragraph (g) of this section, appearing on page 3 of the bill, referred to by the gentleman from Tennessee [Mr. BASS] some time ago.

I would appreciate if someone would answer the question as to whether that section was not primarily put in there for the purpose of protecting witnesses that might appear before the Commission and if it is not, therefore, a good section.

Mr. CELLER. Yes; I think the gentleman is correct in that statement.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. There was a great deal of testimony by Members who appeared before the subcommittee who stated that irresponsible individuals would be making wild charges. If they came before this Commission and it was an open meeting and they made accusations against individuals which were untrue and unfounded, or that may tend to injure the reputation of certain people, we then authorized the committee to have an executive session and by having an executive session they could evaluate as to the responsibility of this particular individual and the testimony that he might give. So, in order to make sure that the rights of the individuals would be protected, we provide that the testimony shall not be released unless the committee does so itself.

Mr. ROOSEVELT. May I ask the gentleman from Georgia [Mr. FORRESTER] whether he does not think this is probably a good section to leave in the bill?

Mr. FORRESTER. I will be glad to answer the gentleman's question. He is not talking about this provision referring to circuits and with reference to which an amendment is pending?

Mr. ROOSEVELT. I am talking about section (g) on page 3.

Mr. FORRESTER. With reference to that section, if I recall correctly, the gentleman from Pennsylvania [Mr. WALTER] suggested that as a safeguard and it is my understanding it was put in there as a matter of protection.

Mr. ROOSEVELT. I thank the gentleman.

Mr. BYRNE of Pennsylvania asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BYRNE. Mr. Chairman, I am very happy to have this opportunity to indicate my support of H. R. 6127, the Civil Rights Act of 1957. This is a measure that deserves the support of every single American citizen, and therefore, I should say, it deserves most particularly, the support of every single Congressman.

We have all come here to Washington as the delegates of different areas and of different people; our backgrounds are varied; our points of view are widely contrasted. But we have all come here, I hope, with one aim foremost: the good of the whole country. The Civil Rights Act of 1957 is one of the most important measures that has come before this House and it is unquestionably a measure that is directed at the good of the whole country.

In broad outline, this measure represents an attempt to insure that no person may be denied the equal protection of the laws in the exercise of any one of his civil rights, and most particularly in the exercise of his right as a citizen of the United States to vote in the national elections. American democracy has been based from its very inception upon the principle that every citizen may vote. "No taxation without representation" was the cry on the lips of the men who first fought for our independence. It is equally appropriate today. When a single individual is wrongfully deprived of his rights, it is a violation of the Constitution. When a whole group of people are systematically excluded, it is a national shame and a crime.

In the Bible, it is clearly written "Inasmuch as ye have done it unto one of the least of these My brethren, ye have done it unto Me." The meaning of those words is inscribed deeply into our Constitution, into our Bill of Rights, into every great document of our history. America as a country owes much of her greatness to the spirit of this quotation. It has been possible in this country for every individual to claim a position for himself based upon his own abilities. Legally, every individual has been entitled to the equal protection of the laws. The civil rights of even the most unpopular minorities have been protected against the wrath of unthinking majorities by the force and influence of a Constitution conceived in a spirit of religious and political tolerance.

Today the United States is taking its rightful place as a leader of the free world. We are insisting that every Nation in the world is entitled to hold free elections at which all citizens may vote without fear or favor. But unfortunately we are not taking the same interest in our own American scene where civil rights are being denied to various groups on the wholly illegal grounds of racial prejudice.

The Civil Rights Act of 1957 represents a moderate and carefully thought-out effort to protect important civil rights. It provides for a bipartisan commission to study the whole field and investigate alleged violations of civil rights. It provides the person who has been discriminated against with the opportunity to appeal to the Attorney General for assistance where he cannot afford to hire his own lawyer. And it provides for civil rather than criminal punishments for those who are convicted. Surely there is nothing in this bill that could offend any sincere or loyal American.

This measure is not a partisan bill. It is not aimed at any one region, although there are some who appear to have such guilty consciences about their treatment of minorities that they are prepared to look upon this bill as a personal or sectional insult. It is aimed against any individual, anywhere in the country who unlawfully attempts to deprive another of his rights. Our ancestors were prepared to fight a revolution to win these rights. It is only fitting for us to make sure that they are defended, wisely and well, wherever they may be challenged. In this spirit, the Civil Rights Act of 1957 was conceived, and in this spirit, I ask that you give your support to the measure.

Mr. METCALF. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I had not anticipated speaking on this bill. I rise in favor of the amendment offered by the gentleman from Tennessee, but I am going to vote for the bill when it comes to final vote. I feel that dragging a man a long way from his home to testify before a commission that may be a hostile commission is not in the best interests of justice in this country.

Mr. Chairman, I live in a district that is incorporated in the Ninth Judicial Circuit. It is a huge district. It has been described here. It is easier to get from Helena, Mont., to Washington, D. C., than it is to get from Helena, Mont., to San Francisco, Calif., which is the

seat of the ninth circuit. This Commission could hold a hearing in Los Angeles, Calif., and it would be twice as hard for witnesses or for people to appear before that Commission in Los Angeles as it would be for them to appear in the city of Washington. It is easy for the chairman of the Committee on the Judiciary, it is easy for the gentleman from New York, to say that the circuit in which he resides is small. But, this bill, I believe, is not aimed at the South. This bill has something to do with the rights of people to vote in my State, and the reason I am going to vote for this bill is because I feel it will protect the civil rights of people in Montana, Washington, and in the Dakotas. But, I want the people of Montana and Washington and the Dakotas to have an opportunity to appear before a commission in the same region, in their home areas. So, I feel that we should give them the opportunity that the gentleman from Tennessee has so eloquently asked for, and I urge that this particular amendment be adopted in order that, if there are some charges, the defendant be called before a commission in his home community, in a nearby community, and that he be tried and present his testimony in that way rather than be dragged off to Los Angeles or Tucson, Ariz., or other areas that were described by the gentleman from Tennessee.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. I certainly want to extend my personal thanks to the gentleman for his deep and profound sense of fair play and equity. We have been on this bill now for 3 or 4 days, and there are some in the House who sincerely have been trying to bring to the Members of the House amendments which would treat people as human beings and treat them fairly, particularly with regard to the proceedings of this Commission and the courts. And, I can see in the gentleman's statement a little ray of hope and a little ray of sunlight that this House, before it concludes its action on this bill, is going to rise to a sense of fair play and high responsibility and adopt amendments which some, deep down in their hearts, know are right and fair but on which, up until now, I know they are wavering and say they do not know whether they can vote for or not.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield to the gentleman from California.

Mr. ROOSEVELT. In view of that statement, I would like to ask the gentleman whether he is in agreement, however, that the previous proposition regarding jury trials, would injure the bill.

Mr. METCALF. Well, I will roll up my pants when I come to that stream, I will say to the gentleman.

Mr. YATES. Mr. Chairman will the gentleman yield?

Mr. METCALF. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman subscribes to the argument of the gentleman from Mississippi, and I think essentially the reason the gentleman from Montana wants this bill and the gentleman from Illinois wants this bill is that we are trying to provide the blessing of the Constitution for all Americans and provide equal justice under law for all Americans. Is that not a fact?

Mr. METCALF. Exactly. And, I believe the right to vote is just as important to certain minority groups in the State of Montana as it is in the State of Mississippi. I feel that there are some discriminations in the State of Montana, but if this Commission comes out to the State of Montana to investigate, I want the witnesses that appear before that Commission to appear in their own communities, in their home environment, and have an opportunity to present their testimony there rather than be dragged off to the State of California where they may be sitting in the Biltmore Hotel in Los Angeles.

Mr. KEATING. Mr. Chairman, I would like again to bring the problem before us into its proper perspective. We have heard, in the debate on this amendment, about extraneous matters which do not pertain to the exact problem before us, which is whether we will change the wording on page 4 from "judicial circuit of the United States" to "State." In other words, whether we will require that any hearing of this commission be held in the State where the witness is supenaed.

Now, this particular provision was the subject of considerable discussion in our subcommittee and in the full committee. Under the bill passed last year in this body there was absolutely no limitation upon where the witness could be subpenaed, and that was in accordance with the manner in which all other commissions are set up.

I have before me the provision relating to the Commission on Government Operations. It is in line with that of other commissions similarly constituted and says that—

> The Commission or, on authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this act, hold such hearings and sit and act at such times and places, and administer oaths, and require by subpena or otherwise, the attendance and testimony of such witnesses * * * as the Commission or such subcommittee or member may deem advisable.

In other words, the Commission on Government Operations, the Commission for Government Security, the Commission on Intergovernmental Relations, and all other commissions that have been created may require the attendance of witnesses anywhere. Time after time we have been confronted here in Washington with trials for contempt of those who have been brought here from other parts of the country.

The representation was made to us that it was not fair to bring witnesses from other parts of the country to Washington, that this Commission would only sit in Washington, and that we should, therefore, place some limit on the points to which witnesses could be brought. There was a lot of discussion whether it should be limited to the State where the witness resided, or to his judicial district or circuit, or whether there should be any limitation at all in the bill. This provision was inserted in the nature of a compromise, as a concession to the opponents of this measure, and in recognition of the unfairness, perhaps, of bringing all of these witnesses to Washington and having all of the hearings here. Even this, as I have said, is an exception to anything we have ever done before.

It is sought by this amendment to limit it to the State. I do not apprehend that the residents of Texas are going to be so terribly upset over having their expenses paid to Miami Beach to attend a hearing. I think it is no great hardship when you limit it to the judicial circuit. There are 11 of them in the United States. There is still a regional limit. We have certainly bent over backward to try to be fair in the matter.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from New York.

Mr. CELLER. If we provided for these hearings in every State, there are 48 States. Ordinarily there was the suggestion to hold the Commission's hearings anywhere and then there were suggestions that we limit it to the United States district. There are 96 districts. It would make it difficult for the Commission to visit 96 districts just as it would be difficult for the Commission to hold hearings in 48 States. So we provided as a compromise for 11 judicial circuits, and I think that is a pretty good compromise and should prevail.

The CHAIRMAN. The time of the gentleman from New York [Mr. KEATING] has expired.

Mr. KEATING. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Ohio.

Mr. VORYS. I wanted to ask whether the Committee on the Judiciary does not think that the Federal judicial districts of this Republic are fairly well apportioned to the population of the States, so that that is a fair way to arrange such a matter?

Mr. KEATING. That was the feeling of the committee, I will say to the gentleman from Ohio. This is a provision in the bill where we gave recognition, as the chairman has said, to the fact that this bill probably could be improved somewhat over the bill which passed this House last year. I repeat, there was nothing in that bill, and there has been nothing that I am aware of in any legislation creating any of these commissions, which has ever placed any limit on the places where witnesses could be required to attend.

Therefore, it is my feeling that we have gone as far as we should be asked to go in taking account of the possibility that witnesses were going to be hauled here and there and were going to be inconvenienced by being taken from one place to another. There would be no inconvenience under the bill the way it now reads, because they would all be required to attend in the same general part of the United States.

I therefore hope that the committee will not accept this amendment, and will agree with our committee that we have already made all of the concessions that we should in that regard.

Mr. DAWSON of Illinois. Mr. Chairman, almost 10 years ago, on June 29, 1947, a great President, President Truman, stood befor the Lincoln Memorial and with profound insight pointed out that—

> Civil rights today means not only protection of the people against the Government, but protection of the people by the Government.

I recall also President Truman's state of the Union message to Congress, delivered in this very Chamber, on January 5, 1949, in which he said:

> The driving force behind our progress is our faith in our democratic institutions. That faith is embodied in the promise of equal rights and equal opportunities which the founders of our Republic proclaimed to their countrymen and to the whole world. The fulfillment of this promise is among the highest purposes of Government.

Today, we who legislate for all the people of our great Nation are engaged in a truly historic debate on the civil-rights bill, H. R. 6127, a debate which will determine whether we really believe in fulfilling that promise which is among the highest purposes of Government.

What this Congress does on this bill is being watched not only throughout our country, but all over the world. For this is a day when the eyes of men everywhere in the world are turned upon us, to see whether we really believe in the democracy that we profess.

Ask yourselves, my colleagues of the Southland where I was born and grew to manhood, ask yourselves: "How will the people of other nations respond to our efforts to stem totalitarianism abroad, if we do nothing to protect and strengthen the basic rights of citizenship of our own people, right here at home?"

I say to you, with all the candor and seriousness I can muster, that our country is not so strong, that the ultimate triumph of democracy is not so certain and inevitable, as to permit us to ignore what the world thinks of us.

The right to security of person and the right to vote are perhaps the two most fundamental rights of citizenship. No democracy can exist without them. The basic purpose of the civil-rights bill is to protect these rights. It is a fair, moderate, and proper way to deal with the growing threat to law and order that is developing in our country.

It is a bill, furthermore, which seeks to prevent, rather than to punish, violations of law. It invokes judicial remedies in civil proceedings, rather than the harsh method of criminal prosecution. It will protect not only the civil rights of citizens seeking to exercise their right to vote, but also will protect the local official who, under local pressures to discriminate, must often choose between community ostracism and criminal prosecution. It is, therefore, a bill which is essential to the welfare of our Nation.

The civil-rights bill will not deny due process to anyone. Any defendant will be entitled to a full hearing in open court, in his own judicial district, before any injunction could be issued against him. He will have the right to counsel, and the right to cross-examine witnesses. If an injunction is issued, the defendant can appeal to the circuit court of appeals. If he disobeys the injunction, he will again have his day in court, with counsel, before any order of contempt is issued against him, and this order also he can appeal to the circuit court of appeals. I have full confidence that the district courts, the courts of appeals, and the Supreme Court, will be most scrupulous in safeguarding the rights of any defendant.

We are hearing, in this debate, a great to-do about the right to jury trial. The jury trial proposal, I say to all of you, insofar as this bill is concerned, is neither fair, nor in accord with our traditional system of American jurisprudence.

I say it is not fair because its basic purpose in this bill is to give a privileged position to local officials who not only violate their duty to protect the constitutional rights of citizens seeking to vote, but also defy the orders of Federal judges which are issued pursuant to the law of the land.

I say it is not in accord with our traditional system of American justice because there has never been a constitutional right to a jury trial in a civil case; because the right to a jury trial in a criminal case is in no way altered by this bill; because it is unconstitutional for Congress to deprive a court of equity of its inherent powers to enforce its decrees; and because the jury trial proposal will enable community prejudice to block judicial enforcement of existing and valid laws.

There is not a single State in this Union which provides for trial by jury in contempt cases. There is utterly no precedent in the legal history of a single Southern State, or in any other State in the Union, for such a proposal. I ask you, my colleagues, why, oh why, are you trying to impose a jury trial in contempt proceedings under this bill? Is it because you want to continue to deny to men and women of Negro ancestry that right of full citizenship which is theirs both under God and under our Constitution? Is such a purpose decent, or moral, or right? You know in your heart that that is not true Americanism. You know that that is not the way to make America grow greater and stronger.

I speak to you as one American to other Americans. I speak to you as legislators who must carry and fulfill the great responsibility of voting for what is best for all America. I urge you to reject the crippling amendments that some of my brethren are misguidedly proposing, and to vote for the civil-rights bill.

Mr. SHUFORD. Mr. Chairman, I am opposed to H. R. 6127, the so-called civil rights bill, for I do not think it is legislation in the best interest of the American people.

All of us believe in the right of every citizen to enjoy the privileges and immunities granted by our Constitution, but the provisions of this bill afford no such guaranty. The proponents of the measure, apparently seeking to correct some imaginary infraction of the election laws of the several States, particularly in the South, have looked only to the political end they seek and have failed to look to the method by which they seek to obtain that end. The adage that "the cure is worse than the disease" certainly applies in this instance for this bill will deprive the people of rights and liberties of the highest order which are very dear to them.

The bill provides for the useless establishment of an expensive Commission supposedly to study civil rights questions, and also creates another expensive and useless department in the Attorney General's Office, manned by an additional Assistant Attorney General and staff. The designated duties of this Commission and the new Assistant Attorney General cannot help but impress one that Gestapo methods may arise by reason of their activities. Their powers are broad, with no responsible supervision over their acts and conduct. Certainly, there is no place in the American life for such provisions.

There is one part of the bill to which I wish to address myself particularly, namely, those provisions which will deprive the people of a right of trial by jury in criminal contempt proceedings, thereby establishing government by injunction. The bill gives to a Federal judge the right to try criminal cases on the civil side of the document and to employ equity rules for that purpose, thus dispensing with the constitutional guaranty of the determination of the issue of guilt or innocence by a verdict of a jury. This "gimmick" was accomplished by transposing, almost word for word, the Federal criminal statute, safeguarding the right of a person to vote, to the civil section of the law and then providing that in all such cases the United States should be a party to the action with the right to the judge of a district court to issue injunctions to restrain the anticipated infraction of the law and the attendant right of punishment for contempt in case the judge deemed his restraining order violated in any respect. This proceeding is not new for it was tried in certain actions growing out of labor disputes and abandoned as oppressive. Why, I ask, is this proceeding necessary? The United States Government has an adequate remedy in law for the violation of the criminal statute. Why, I further ask, should we attempt to adopt a proceeding that has heretofore been tried and failed miserably?

Recently, in a press interview, the President of the United States quoted a statement of former President William Howard Taft as his authority for opposing an amendment to the bill permitting trial by jury in injunction cases. The Washington Evening Star took the President and Mr. Brownell, his Attorney General, to task for calling in the late President Taft as a witness. I think it well to quote this editorial in its entirety to show how far afield the proponents of this bill have gone in their endeavor

to curb the civil rights of the American people:

For reasons which are obscure to us, the Attorney General has called the late William Howard Taft as a witness in his behalf in his opposition to the jury trial amendment to the proposed civil rights bill. And at his press conference last week the President joined Mr. Brownell.

Early this month the Attorney General wrote to several Members of Congress arguing against the jury trial amendment. And he quoted the former President and Chief Justice to this effect:

"The administration of justice lies at the foundation of Government. The maintenance of the authority of the courts is essential unless we are prepared to embrace anarchy. Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court made after full hearing and the enforcement of such orders."

On its face, this sounds impressive—and it certainly impressed Mr. Brownell. But let's look a little closer. Mr. Taft made the statement in a speech accepting the Republican nomination in 1908. It was a political speech—a speech attacking a Democratic proposal to provide for jury trials of persons accused of violating labor injunctions.

A year later, on September 16, 1909, Mr. Taft made another speech, and we commend it to Mr. Brownell's attention. For by that time Mr. Taft had been elected, and it is fair to say, we think that his real attitude toward jury trials became clearer. The truth is that Mr. Taft, a former judge even at that date, did not think very highly of the American jury system. He thought that "a judgeship is a great office and the man who holds it should exercise great power and he ought to be allowed to exercise that in a trial by jury." He deplored the practice of letting juries "follow their own sweet will, influenced by all the arts of counsel." He spoke chidingly of the "weaknesses, the timidities, and the ignorance of juries." In short, Mr. Taft preferred the English system, where, as he put it, a murder case would be disposed of in 2 or 3 days, and where "the judge controls the trial."

But let us go back to the 1908 speech. Why does Mr. Brownell cite it in support of his current opposition to jury trials in civil-rights cases? For the plain fact is that Mr. Taft was mistaken. Despite his opposition, Congress did provide for jury trials in labor cases. And the country did not sink into anarchy, nor did the provision prove to be an insidious attack upon the judicial system. In short, Mr. Taft was just about as wrong as a man could be in 1908. Why does Mr. Brownell call him to the witness stand in 1957?

Since the President and Mr. Brownell have seen fit to quote then candidate Taft, as above set forth, I do not understand why they did not quote from President Taft's inaugural address of March 4, 1909, when he said: "What remains is the 15th amendment to the Constitution and the right to have statutes of States specifying qualifications for electors subjected to the test of compliance with that amendment. This is a great protection to the Negro. It never will be repealed, and it never ought to be repealed. If it had not passed, it might be difficult now to adopt it; but with it in our fundamental law, the policy of southern legislation must and will tend to obey it, and so long as the statutes of the States meet the test of this amendment and are not otherwise in conflict with the Constitution and laws of the United States it is not the disposition or within the province of the Federal Government to interfere with the regulation by Southern States of their domestic affairs."

Mr. Chairman, the pending bill will not protect any rights that are not already protected by the Constitution of the United States. We have ample statutes to safeguard the citizens of this great country of ours. I sincerely hope that the measure will be defeated for it is unnecessary legislation and not in the best American tradition.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. LOSER].

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 106, noes 76.

Mr. CELLER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. LOSER and Mr. CELLER.

The Committee again divided, and the tellers reported that there were—ayes 116, noes 89.

So the amendment was agreed to.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the pending bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. REUSS. Mr. Speaker, I rise in support of the civil-rights bill, H. R. 6127. I am opposed to all amendments which would weaken this measure, including the so-called trial-by-jury amendment.

It has been claimed by the opponents of this bill that its purpose is to deprive citizens of constitutional rights by punishing them without a jury trial. Nothing could be farther from the truth. The purpose of this bill is very simple: It is to guarantee the sacred constitutional right to vote of every citizen by preventing attempts to deprive them of their vote, rather than waiting to punish the offenders when it is too late to give the victims back the vote that they have lost. The bill seeks to punish no one. It is only those who would willfully defy the protective orders of the Federal courts who would choose to subject themselves to punishment for their misdeeds.

I trust that this amendment will be soundly defeated and that this House, and this Congress, will then go forward to enact a measure which will go a long way to protect our citizens, wherever they may live and whatever their race or religion, in their inalienable right to cast their ballot in freedom and dignity.

THE DOMINICAN REPUBLIC

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, during recent weeks there has developed in this country a grave situation which merits the most attentive consideration of this Legislative Body. I refer to the unbridled and concerted attacks upon our ally and good neighbor the Dominican Republic. A veritable barrage of insults and invective has been leveled at this little country both on this floor, in our press and on our radio and television broadcasts. The language in which these charges are couched has been heretofore reserved for describing our attitude toward warlike and fanatical enemies.

I have to date refrained from raising my voice in protest of these unwarranted assaults upon our Dominican friends, in the fond hope that some reason and commonsense would replace emotion in our national disposition toward this affair. But events of recent days made it clear that the proverbial head-in-the-sand attitude will not still this controversy or heal the breach in our long-standing good relations with the Dominican Republic, which these assaults have produced.

In the vanguard of the severest critics stands a Member of this body lending the weight and dignity of his office to the castigation of this neighboring country. Although the conduct of foreign affairs is the proper prerequisite of the Secretary of State, every Member of Congress has the unqualified right and, on occasion, even the duty to voice his sentiments toward our Nation's management of international relations. And it is our prerogative to criticize, within bounds, those responsible for the conduct of foreign affairs whether it be the President of the United States, the Secretary of State or the leaders of this House. But a Member of this House has transgressed all reasonable limits of authority and propriety in waging his campaign of vituperation against our Caribbean friends.

On Sunday last, the New York Times, a newspaper noted for its accuracy, carried a story that this Congressman had addressed a group of dissident, disjointed and frustrated Dominican expatriates in Puerto Rico. In the course of the meeting, this United States Representative is reported to have expressed sympathy with the revolutionary ambitions of this mob against the de jure de facto government of the Dominican Republic.

Words are not within my grasp to express the sickening, appalling horror that I felt upon reading of such action by a Member of this body. Search your memories for a precedent in which an American official, be he legislative or executive, has openly supported the violent overthrowing of the government of a friendly allied country. I have not done so and it is heartening to say that I recall no such instance. Visualize the effect that such action could wrought on our relations with other sovereign states of the world, needless to mention our friendly neighbors.

Like many another country in this hemisphere, the United States was instrumental in freeing them from the yoke of European oppression. The Dominican Republic has risen from the depths of colonial depresstion to a position of material and spiritual well-being and stability almost unequaled outside of our borders. They have steadfastly supported our policies not only in the Western Hemisphere but throughout the world. They have generously and eagerly given up of their sovereign territory for the installation of military bases essential to our national defense and security. They have encouraged American investment in their country and have seldom if ever sought American financial subsidy.

If the government of a friendly and allied country has acted in a manner contrary to the best judgment of the United States, it is the right of the Secretary of State to officially express disapproval and in extreme cases demand retribution. But such is a far cry from attempting to undermine or overturn the government of another country, particulary an allied neighbor. Angry and deliberate protests were raised against England and France for their recent action in the Middle East, but never was it suggested that the governments of those countries should be toppled by revolutionary or even democratic means.

It is the duty of our Government, both legislative and executive, to denounce such brazen encroachments upon the sovereign right of the Dominican Republic. Criticize we may, if warranted protest we must, but never should we alienate or seek to destroy the government of a neighbor, an ally, and a friend.

SPECIAL ORDER TRANSFERRED TO THURSDAY

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask that the special order granted me for today be vacated and that I may have the same permission for Thursday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

REPLICA OF THE "MAYFLOWER"

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a newspaper article from the New York Herald Tribune.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, as the replica of the *Mayflower* which came to this country years ago is approaching Nantucket Light, I think all of us who are descendants from those gallant people who came over on that little ship should ask ourselves what we have done to carry on the courage and self-sacrifice of those people. We owe them a debt of gratitude that we can never repay.

The article which I wish to include is as follows:

SIGNIFICANT VOYAGE

As *Mayflower II* slips under spring skies toward Massachusetts Bay, she makes a handsome and significant picture. Into her building and sailing has gone the labor of love—the bonds of affection between two great nations, the nostalgia of men who have recreated the old sea ways of the days of oak, hemp, and canvas, the abiding respect which a little group of pilgrims impressed upon posterity. And above all, the little craft with her sails bravely set above that archaic hull brings a sense of history; of the passage of centuries of striving; of small beginnings that flourished mightily through courage and faith.

How accurately *Mayflower II* represents her predecessor in detail, probably no one will ever know. Students of ancient shipwrightry have searched old books and records for hints; the sum of knowledge about the Pilgrim vessel itself is small indeed. The more than 3 centuries that have elapsed since the older *Mayflower* set her gallant little band ashore at Plymouth have left scant remnants of fact about her.

And so it is with the Pilgrims who sailed in her to the New World. A few—Governor Bradford, for a notable example—left clear marks in history. But for the others, it is hard to know which were of simple faith and which ambitious; which were gnawed by doubts and needed stiffening in crises; which gave courage to the rest. With them it is as with their ship—there may have been cracked beams and unsound timbers in the fabric, yet the journey was made, the job was done.

In the misty places of history, legend sometimes sheds a light that never was on land or sea. Were there men and women in the Plymouth Plantations who died despairing; disillusioned with a land that had brought them neither peace of mind nor ease of body? It is hardly possible that all could look back on the hardships of that long voyage in a cranky little ship, on the toils, the dangers, and the deprivations of building a home upon the harsh coast of a vast, untraveled continent, with a sense that it had been wholly worth while. Old homes in England, exile in tolerant Holland, must have been gilded in memory to some, even when Plymouth was well established, and colonies were springing up about the bay. Freedom is not everyone's highest goal.

If such there were, it does not greatly matter. What is important is that a group of stalwart souls set out in a raw, new land to worship God in their own manner and to order their affairs by their own wills. And the seed they planted grew like the corn Massasoit's Indians taught them to cultivate. In time it mingled with the other crops that were being, or soon to be, grown on little clearings hacked out of the wilderness—at Jamestown, at New Amsterdam, and New Sweden; in Rhode Island, where Roger Williams seceded from the secessionists of Massachusetts; in Maryland, where Lord Calvert's Catholics found refuge and gave it; among Pennsylvania's Friends and Georgia's freed debtors. They all helped to build here a land of the otherwise minded, diverse in race and creed, united in hope. Divisions there were; wrongs crept in, as in any human society. But implanted in the very soil of the patchwork community that grew up unplanned was the fundamental thesis of the law: no wrong without a remedy.

For 350 years, the American Nation has been growing in size and in material strength. And as it grew it sought to root out the evils that it saw. As the growth continues, so must the striving toward great spiritual goals. For whatever faults the people who sailed to this continent in ships like the *Mayflower* may have possessed they left the heritage of a struggle for freedom and human welfare as their richest legacy. It must never be dissipated in the time of power and wealth.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE BIRTH OF ABRAHAM LINCOLN

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MACK] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, Springfield, Ill., is Abraham Lincoln's hometown. It is the place where he spent most of his adult life. It is where he practiced law and where his children were born. The people of Springfield and surrounding counties elected him to Congress in 1846. It was from Springfield that Lincoln went forth to challenge Stephen Douglas in the famous series of debates that so clearly defined the great issue of that time. It also was in Springfield that Lincoln in 1860 began a journey that was to place him in a position of unprecedented power as President of a divided nation. He never saw Springfield again. But Lincoln lies buried in Springfield and he is so much a part of that city that even now residents born long after his death think of him as a departed neighbor as well as a national hero.

It is fitting, therefore, that plans are being made in Springfield for observing 2 years hence the 150th anniversary of the birth of Abraham Lincoln. Because of the national, and even international, importance of this anniversary I have today introduced in the Congress a joint resolution to establish an Abraham Lincoln Sesquicentennial Commission.

This Commission would be composed of 19 members including the President of the United States, the Vice President, and the Speaker of the House. In addition, there would be 4 Senators appointed by the Vice President, 4 Representatives appointed by the Speaker and 8 public members appointed by the President.

It would be the duty of the Commission to make plans for the Lincoln sesquicentennial observance in 1959. In

preparing its program, the Commission would be directed to give consideration to any plans submitted to it, and to correlate the various plans of State and civic organizations.

Mr. Speaker, I hope that the House of Representatives will take immediate action on this resolution. It is imperative that this resolution be approved before we adjourn so that the Commission can be appointed this year. We have only 2 years to plan the Lincoln Sesquicentennial. Thus, it is important if we are to do honor to this great President, that Congress take the first step now.

THE CONGRESSIONAL QUARTERLY AND ITS 22 ISSUES

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. CRAMER] is recognized for 45 minutes.

Mr. CRAMER. Mr. Speaker, on Wednesday, May 22, the gentleman from New Jersey [Mr. THOMPSON] commented on a study prepared by the Congressional Quarterly, which purports to show the support President Eisenhower is receiving from the Members of the 85th Congress.

If the gentleman from New Jersey had addressed us prior to July 27, 1956, I could well understand his accepting the data presented by the Congressional Quarterly as accurate, unbiased statistical material. However, the CONGRESSIONAL RECORD, volume 102, part 11, pages 15067–15072, presents an exhaustive analysis of the Congressional Quarterly's method of measuring the support President Eisenhower received from the Congress. It was prepared by the senior Senator from Kansas. This analysis is so completely documented that it is difficult for one to be deceived today by the so-called objective, nonpolitical statistics prepared by what my friend from New Jersey calls the nonpartisan Congressional Quarterly of May 16, 1957. We have had several refutations by respected Members of the House of these statistics by Congressional Quarterly in the past few days, but I would like to expand on this subject because of its extreme importance to every American.

The Congressional Quarterly was founded by Nelson and Henrietta Poynter, who also publish the St. Petersburg Times, a leading newspaper in my congressional district. The Poynters are Democrats and have nearly always supported national Democratic programs in the St. Petersburg Times, which, of course, is their prerogative. They are extreme partisans. I do not question their sincerity, but I have never accepted the Congressional Quarterly as an objective, nonpolitical, factual document.

When supposedly nonpartisan data is presented for use by the press of the country whatever their political leanings to show that the Democratic leadership has given President Eisenhower more support than the Republican leadership, it becomes necessary to review such statistics with a great deal of care to determine the true facts.

Allusions to the Congressional Quarterly that would infer some official status when quoted by newspapers across the Nation is graphically illustrated in the St. Petersburg Times of Sunday, May 19, 1957, on the editorial page where, under the byline of Henrietta and Nelson Poynter—as before noted owners both of Congressional Quarterly and the Times—the statement is made "The extent of the Congressional revolt is demonstrated in the Congressional Quarterly survey of support of the President in the 85th Congress." Such unqualified reference is, with the tie-in of the word "Congressional," an out-and-out attempt to mislead as to authority and source.

The Poynters article, deviously intending to indicate a GOP revolt by such members as Minority Leader JOSEPH MARTIN, Representative CHARLES HALLECK and Republican Whip LESLIE ARENDS, also included an evaluation of support of the President by the Florida delegation. I am shown as in support of the administration programs 32 percent of the time as opposed to my support in the 84th Congress, according to Congressional Quarterly, 79 percent of the time. I might point out that the President has never called on me as a Member of the House of Representatives blindly to support any of his proposals at any time and I do not anticipate I shall ever be called upon to qualify any of the convictions that I hold. This I would never do. However, the figures as prepared by Congressional Quarterly are, in my opinion, completely misleading and false as to my actual conviction and belief that the programs presented by the President are in the great majority sound and have received my support. I have and shall continue to vigorously support a great percentage of this program presented by President Eisenhower.

The Congressional Quarterly analysis of the 85th Congress attempts to measure our support for President Eisenhower's program by recording the positions we took in the House of Representatives on only 22 rollcalls. The Congressional Quarterly study included a mixture of House and Senate rollcalls. The Congressional Quarterly release states:

> The weakening of Republican support has caused the President some legislative losses. His position was upheld on 19 of the 31 rollcall votes in 1957 for an average of 61 percent. In the Democratic 84th Congress (1955–56), the President's winning average was 72 percent; in the Republican 83rd Congress (1953–54) it was 83 percent.

The mixture of House and Senate votes completely confuses the issue. In my remarks I will make no attempt to discuss votes in the other body. I feel confident that some Members of that body will see that the facts are correctly presented.

President Eisenhower in the various messages he has sent to the Congress, including his budget message and the state of the union message, made more than 60 legislative proposals, more than a score of them of major importance. It is absurd to attempt to measure the support we are giving President Eisenhower by recording votes on a few rollcalls, while the major portion of his program is bottled up in committees under Democratic chairmen. I need not remind this body that the Democratic Party has a majority on every committee. The Democratic leadership decides the form in which legislation will be reported to the Congress and whether it will ever even come before us for a vote.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. If the majority leader would permit me to finish, I will be delighted to.

Mr. McCORMACK. Leave us Democrats out, and we will let you alone. But, when you start talking about bills being bottled up in committee, I cannot sit here and take that idly.

Mr. CRAMER. I will be delighted to yield to the majority leader just as soon as I conclude my remarks.

Mr. McCORMACK. I have said all I want to say.

Mr. CRAMER. To cite from a later issue of Congressional Quarterly—for week ending May 31—in which they again flatly state the decision on items for consideration was their own, only 6.6 percent of the President's requests to the 85th Congress had been approved and 3.53 percent rejected with an amazing 40 percent not even having been considered in any way by this democratically controlled Congress. I challenge anyone to deny that, with these their own figures, the analysis of support was badly based on a very low number of votes—and by assuming such editorial position in the light of democratically controlled committees and Congress highly indicative of who is supporting whom.

On April 17 our friend, the gentleman from Indiana [Mr. HALLECK] said that "with the 1st session of the 85th Congress just about half over, the scoreboard of accomplishment is still almost a complete blank." He further observed that "after 3½ months of this session, I can only conclude that the Democrat-controlled committees of the House and Senate have been indulging in a political turtle derby to see who can stall the longest on vital legislation."

The only way one can measure the support accorded the President is in terms of his entire program and on the basis of enough rollcalls so that a few votes on two bills do not completely distort the picture. Contrary to their support statements even Congressional Quarterly seems to recognize this fact in the progress of the President's program as indicated above.

Last August the gentleman from Pennsylvania [Mr. SIMPSON] prepared an exhaustive review of the support President Eisenhower received in this body during the 83d and 84th Congresses. Unlike the Congressional Quarterly, he did not attempt to compile this record on the basis of a few issues. He waited until the books were closed and all the votes had been counted. This study appeared in the CONGRESSIONAL RECORD, volume 102, part 11, pages 15670–15678. I am including the table prepared by the gentleman from Pennsylvania in my remarks, so that we may see where the record stood when the Congressional Quarterly started compiling statistics on the 1st session of the 85th Congress:

All Eisenhower rollcalls

Congress	Number of votes	Eisenhower position				Opposed to Eisenhower position			
		Republicans		Democrats		Democrats		Republicans	
		Votes cast	Percent	Votes cast	Percent	Votes cast	Percent	Votes cast	Percent
83d	123	19,985	61.5	12,498	38.5	9,717	71.7	3,833	28.3
84th	129	17,969	55.0	14,725	45.0	11,718	68.5	5,394	31.5
Total	252	37,954	58.2	27,223	41.8	21,435	69.9	9,227	30.1

Let me summarize the statistics by quoting from the remarks by the gentleman from Pennsylvania [Mr. SIMPSON]:

> After eliminating procedural votes and votes on items which were not a part of President Eisenhower's program, there were 123 votes involving his program in the 83d and 129 votes in the 84th Congress—a total of 252 such votes. On the 252 votes, Republicans cast 37,954 of the votes for President Eisenhower's program, or 58.2 percent of the total. The Democrats cast 27,223 such votes, or 41.8 percent of the total. On these 252 issues, the Democrats cast 21,435 votes in opposition to President Eisenhower, or 69.9 percent of all the opposition votes.

Now let us examine the substance of this so-called analysis by the Congressional Quarterly of support for President Eisenhower, to which the gentleman from New Jersey referred on May 22. It is based on 22 House rollcalls. Actually, we had an opportunity to record our position on 30 rollcalls through May 12, the terminal date of the Congressional Quarterly study. By the selection of rollcalls to be included in the President's program, the Congressional Quarterly can prove anything that it wishes. They attempt to give the impression that they are merely reporting our votes as recorded by the Clerk of the House. However, the Clerk of the House does not determine which votes measure support for President Eisenhower and which are in opposition to his program. This is solely an act of editorial judgment on the part of the Congressional Quarterly.

Yet, when these tabulations are repeated in newspapers throughout the land, as was earlier pointed out in the St. Petersburg Times quotation, they are reported without any reference to the fact that the judgment of the Congressional Quarterly on the question of issues chosen and the basis for determining Presidential position or party position on each given issue is the sole and deciding factor. Nor is any weight given to the importance of respective votes, whether on minor or major issues—on $50 million or a proportionately small $30,000.

There is, further, no consideration given in regard to the position taken by party leadership on given issues which surely would reflect party position as well as support of the President.

Eight rollcalls were omitted by Congressional Quarterly. Three of the omitted rollcalls involved House Resolution 190, a resolution which requested the President to "indicate the places and amounts in his budget where he thinks substantial reductions may best be made."

It would be absurd to think that this resolution had the President's support and unanimous opposition to the resolution was given by the Republican leadership of the House. The strict party line support of the Democratic side of the aisle certainly justifies inclusion of these three votes in any tabulation on support of the President. Congressional Quarterly arbitrarily has omitted this vital declaration of support or nonsupport. The seriousness of such omission is dramatically highlighted when publication of my own record was made by the St. Petersburg Times in the first district of Florida which I represent. Although I supported the President on the occasion of these 3 votes in the House on H. R. 190 and the entire Florida delegation unanimously opposed the President, 7 of the 9 Democratic Members of the delegation are therefore cited by Congressional Quarterly as having better records of support than have I.

Many of us remember that we spent the entire day on March 12 debating the passage of House Resolution 190. Three rollcalls were taken: One on the rule to consider House Resolution 190; one to recommit the resolution; and one on the adoption of House Resolution 190. Only 10 Republicans voted for the adoption of this resolution. One hundred and seventy-five opposed it. The significance of this resolution in terms of the President's budget can only be appraised by the remarks of Members during the general debate. For example, the gentleman from New York [Mr. MULTER] proposed a 10 percent across-the-boards reduction of the entire budget. He further said:

> The Eisenhower administration by its budget proposes to increase Federal employees to 2,447,933, an increase of almost 76,000 over the year 1956. Let us put a limit on this administration of 2 million Federal employees. That will be 1 Federal employee for every 83 men, women, and children in the country. That should be enough.

In other words the gentleman from New York proposed that we eliminate 447,933 Federal employees, a reduction of 18.3 percent of the total recommended in the President's budget.

The Democratic leadership can hardly be recorded as approving of the President's budget when they took the unprecedent step of virtually asking him to submit an entirely different budget. Yet we now find Democratic Members advising the President that they have been supporting his budget, while those of us on this side of the aisle are supposedly opposing him.

By omitting these three rollcalls the Congressional Quarterly completely distorts the current controversy over the President's budget. These rollcalls gave the Democrats an opportunity to record themselves in favor of economy. Their votes on the specific amendments selected by the Congressional Quarterly now give them an opportunity to show that they support the President. The Congressional Quarterly is completely partisan by omitting three appropriation votes of the greatest significance.

They selected 22 rollcalls to measure support for President Eisenhower, and 15 of the 22 involved amendments to appropriation bills.

Mr. Speaker, in other words, we have only 7 rollcalls, other than these 15 appropriation measures to reflect support for the President. This is an absurdity.

Let me list those seven rollcalls for the RECORD. Congressional Quarterly, incidentally, did not see fit to let the Nation's editors or the public know just what the issues were on which it based its tabulation of the record votes in the House and that it had chosen to demonstrate purported support of the President's program. These are from the best information I can gather the issues and the President's indicated position:

One. Adoption of the rule to consider Mideast doctrine. A yea vote for the President.

Two. Passage of the Mideast resolution. Yea vote for the President.

Three. Agreement of the House to Senate amendment of Mideast resolution. Yea vote for the President.

Four. Defeat of motion to recommit corn bill. Nay vote supported President.

Five. Defeat of corn bill. Yea vote supported President.

Six. Adoption of resolution to authorize Patman investigation of monetary policies. Nay vote supported President.

Seven. Passage of joint resolution to defer interest payments on British loan. Yea vote supported President.

Now let us examine the 15 rollcall votes on amendments to appropriation bills which the Congressional Quarterly selected for their analysis. Fourteen of these rollcalls were votes on amendments to H. R. 6287, the appropriation bill for the Departments of Labor and Health, Education, and Welfare. The 14 rollcalls were on proposals to effect reductions in this appropriation bill totaling $68,282,100. The significance of these votes can only be appreciated in terms of examining the President's original budget request.

On March 26, as we opened debate on this bill, the gentleman from Rhode Island [Mr. FOGARTY] said:

> The budget the President requested Congress to enact this year totaled $2,981,277,581. We have allowed this year $2,862,502,881, or a cut in the President's budget of about $119 million.

This cut of $119 million was made by the Appropriations Committee. It consists of 50 members, 30 of whom are Democrats and only 20 are Republicans. Certainly this $119 million cut in the President's budget was the result of votes by the Democrats. Yet the Democratic members of the Appropriations Committee who thus cut the budget are not shown as having failed to support President Eisenhower.

The amounts involved in the 14 amendments on which rollcall votes were recorded total $68,282,100. This is 57.4 percent of the amount which was cut by the committee. Yet the Congressional Quarterly makes no comment regarding the action taken by the members of the Appropriations Committee.

I should say that the amount involved in 13 of these amendments totaled only $18,282,100. One of them involved a cut of only $30,000, another was for $50 million, nearly 3 times the total of the other 13 amendments and yet all the amendments were equally weighted in the Congressional Quarterly tabulations. In reference to this $50 million item, I might point out that Republican whip of the House, the Honorable Leslie Arends—most unjustly and unfairly shown by this publication as only a 50-percent supporter of the President—said:

Because of lack of support from the other side of the aisle, the amendment to eliminate $50 million for grants-in-aid for sewage disposal plants was defeated. In all the amendments this was the largest single cut proposed. The record shows that 81 percent for the cut were Republicans, but around 84 percent who voted against it were Democrats. Here is a program the administration did not initiate. It was initiated by the Democratic 84th Congress, and once on the statute books, the administration had to budget it. Here was a chance to save $50 million, but we find voting against the cut those very same Members on the other side of the aisle who so enthusiastically called on the administration to recommend places to reduce expenditures.

Again the selection of votes for the purpose of tabulation by Congressional Quarterly shows what I believe to be bias in what is purportedly a nonpartisan service. This type of reporting tends to follow the line of Democratic leadership which would fool the public into believing theirs is the party of economy—yet such is not the case nor has it ever been.

Mr. Speaker, in view of the fact that the gentleman from New York [Mr. MULTER] suggested a 10 percent across-the-board budget cut when we discussed House Resolution 190, I was interested in examining his votes on the 14 amendments to H. R. 6287. I find that he voted 9 times against any reduction in the budget. On the other 5 votes he was absent. I have great respect for the gentleman from New York, and I am not citing his record to cause him any embarrassment. His votes follow those of the Democratic leadership. They are attempting to completely confuse public understanding with regard to the budget. They preach economy. They suggest impossible reductions, and then vote against every amendment which would reduce the amounts appropriated. For this performance the Congressional Quarterly gives them a high support score.

Let us examine the one other vote on an appropriation bill selected by the Congressional Quarterly, an amendment to H. R. 6871 providing appropriations for the State, Justice and Judiciary for the fiscal year 1958.

The President asked the Congress to appropriate $227,714,552 to operate the Department of State. The Appropriations Committee recommended $180,382,743. This is a reduction of $47,331,809, or 20.8 percent of the amount requested. Yet, once again, the Congressional Quarterly selected an amendment proposing a reduction in this appropriation bill of $7,039,958 to measure support for President Eisenhower.

I believe we should go still further in examination of issues and votes selected by Congressional Quarterly and the relative partiality that has been demonstrated. Here are the first three votes on the Middle-East resolution—House Joint Resolution 117:

First, Adoption of rule to consider, passed, 262 to 146; Democrats for, 118; Democrats against, 95; Republicans for, 144; Republicans against, 51.

Second, Passage of Mid-East resolution, 355 to 61.

Third. Agreement of House to Senate amendments, 350 to 60.

Here in only 1 of the 3 votes is any partisan issue involved. In the first and test vote the Republican Members are clearly in greater support of the President than the Democrats. In the other two votes little opposition is indicated by either party. This most graphically illustrates the weakness of the standards used by Congressional Quarterly. The complete error of such type of measurement was, as earlier mentioned, well documented by Senator SCHOEPPEL, of Kansas, in his remarks of last year and at which time he deplored "the Congressional Quarterly's method of showing support in percentages makes it impossible for any editor to determine what the true facts are." I concur with the Senator wholeheartedly. Issues are included even when there is little or no dispute—as plainly illustrated above—between the Democrats and Republicans of the House, as expressed by the party leadership, and of course this tends to give the Democrats a much higher base score going into the true test votes on controversial or contested issues. After determination of such as the test vote on the issue above and where the Republicans are shown by far the greater supporters of the President, certainly the near routine concurrence in the other two should not weigh as much in overall tabulation.

Mr. Speaker, I know of no way of weighing votes. By examining the record for an entire Congress, which was the procedure followed by the gentleman from Pennsylvania [Mr. SIMPSON], it is possible to get a fair picture, providing the Democratic leadership of this House permits us to vote on the President's program.

Tabulations such as these prepared by the Congressional Quarterly, based on a few votes, are bound to distort the true measure of support the President is receiving from the two parties in the Congress. It is for this reason that I hesitate to suggest any other group of votes so early in the session. However, in view of the prominence given the Congressional Quarterly's distorted tabulation, I have prepared support scores for the Republican and Democratic leaders and myself compared to the dean [Mr. SIKES] of the Florida delegation based on the 7 votes used by the Congressional Quarterly, other than the 15 votes on amendments to the appropriation bills I have discussed. I have substituted 3 votes on House Resolution 190, asking the President to virtually submit a new budget for these 15 votes.

In other words, I have prepared support scores based on 10 votes, 3 of which reflect the attitude of Members toward the President's budget as a whole, as against the specific minor budget items selected by the Congressional Quarterly. Here are the support and opposition scores based on these 10 votes:

	Supported	Opposed
Republicans:		
Martin	100	0
Arends	100	0
Halleck	100	0
Crane (Florida)	100	0
Democrats:		
McCormack	60	40
Albert	60	40
Sikes (Florida)	80	20

To be perfectly fair and to better indicate to you how omission or inclusion of certain items such as the 15 votes of amendments to appropriation bills can affect tabulations such as these I would further like to include a tabulation of these record votes on the appropriation bills, in addition to the 10 used above. In this instance, however, on the 14 votes that would have cut still further funds for the Department of Health Education, and Welfare the amendments are considered in toto—if the Members record showed that he supported 8 or more of these cuts he is in opposition to the President. If he has opposed eight or more he is in support of the President. We will also include the other vote included by Congressional Quarterly on the defeat of the amendment that would have cut an additional $7 million for International Organizations from the appropriation for State, Justice, and Judiciary funds. This places 12 votes in the record.

	Supported	Opposed
Republicans:		
Martin	92	8
Arends	92	8
Halleck	92	8
Cramer	83	17
Democrats:		
McCormack	66	34
Albert	66	34
Sikes	25	75

Mr. Speaker, I am not suggesting that any Member be rated on 10 votes, 12 votes, or on 22 votes, but all of us who are familiar with the debates which have taken place during this session of the Congress I am sure will agree that these 10 votes in the first chart or the 12 in the second are more significant and provide a more reasonable weighing than those selected by the Congressional Quarterly.

I do not claim that the above tabulations show the correct support scores. It does clearly show what you can do with statistics by selecting issues from the very few rollcall votes available for analysis so early in the session.

Mr. Speaker, it is significant that the cutoff date of May 12, selected by the Congressional Quarterly, excludes two important rollcalls which have already taken place, which further alter the support scores of the Republicans and Democrats in terms of President Eisenhower's position.

On May 15 we voted on the Harrison amendment to H. R. 7441, the fiscal 1958 appropriation for the Department of Agriculture. The passage of this amendment bars the use of funds for the soil bank acreage reserve program on 1958 crops. The Congressional Quarterly says that a nay vote on this issue supports the President's position. The Congressional Quarterly shows that only 46 Democratic Members voted nay on this measure. One hundred and forty-one Republicans voted in support of the soil bank.

Even more recently we had another opportunity to measure support for President Eisenhower. On May 29 we recorded our votes on H. R. 7665, the Department of Defense appropriation bill for 1958. We all remember that the Republican leadership stressed the need of restoring some of the cuts made by the Appropriations Committee in this measure, which so directly affects national security. A motion was made to recommit this bill with instructions to increase the appropriations for national defense by $313 million. This motion was defeated. It represents a blow to our national security and has a far greater significance in terms of support for President Eisenhower than the many votes selected by the Congressional Quarterly on other appropriation measures. On this rollcall 203 Democrats voted in opposition to President Eisenhower. May I point out that the leadership of the Democratic Party who were opposed to reducing minor appropriations for social security and welfare programs had no hesitancy in disregarding President Eisenhower's urgent request for these defense funds.

If we add these 2 votes to the 10 I used in the first chart above, making a total of 12, which the Congressional Quarterly concedes are important votes to the President, the score of the Republican leaders and myself remains 100 percent. The vote for the Democratic leadership and the dean of the Florida delegation drops.

	Supported	Opposed
MCCORMACK	50	42
ALBERT	58	42
SIKES	16	84

Yes, Mr. Speaker, when all the votes are in, I am satisfied that the Republican record will reflect substantial support for the President's program. It will not be 100-percent support on every rollcall. The President does not expect us to act as rubber stamps. It is a disservice to the country and to the entire Free World to attempt to give the impression, as the Congressional Quarterly does, that the Republican Party, as represented in the Congress, is a group apart from the executive branch, and that we reject the President's leadership. Nothing could be farther from the truth.

Mr. Speaker and gentlemen of the House, it grieves me that I should feel called upon to expose these matters today. To me it is apparent that through the deception of this publication a liberal political philosophy completely opposed to that of the President is being foisted upon the Nation. I hope that responsible members of the press and the public are aroused at this time and choose to seek the true facts—not those of the highly prejudiced Congressional Quarterly.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. SMITH of California, for the balance of the week, on account of official business.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ANFUSO (at the request of Mr. EDMONDSON) and to include extraneous matter.

Mr. SHEEHAN.

Mr. SMITH of Virginia, the remarks he made in Committee of the Whole and insert a brief extract.

Mr. BOLAND (at the request of Mr. VANIK) and include extraneous matter.

Mr. GARMATZ.

Mr. VAN ZANDT (at the request of Mr. BALDWIN).

Mr. BURNS of Hawaii in two instances and to include extraneous matter.

Mr. BREEDING (at the request of Mr. MCCORMACK).

ADJOURNMENT

Mr. MCCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 52 minutes p. m.) under its previous order, the House adjourned until Thursday, June 13, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

944. Under clause 2 of rule XXIV, a letter from the Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to amend title 10, United States Code, with respect to agreements for length of service of graduates of the United States Military, Naval, and Air Force Academies, and for other purposes" was taken from the Speaker's table and referred to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GORDON: Committee on Foreign Affairs. Report on foreign policy and mutual security pursuant to House Resolution 29; without amendment (Rept. No. 551). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 3677. A bill to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes; without amendment (Rept. No. 548). Referred to the Committee of the Whole House.

Mr. COOLEY: Committee on Agriculture. S. 44. An act to authorize the Secretary of Agriculture to exchange certain lands in the State of New Mexico; with amendment (Rept. No. 549). Referred to the Committee of the Whole House.

Mr. COOLEY: Committee on Agriculture. S. 1034. An act to authorize and direct the Secretary of Agriculture to convey to the University of Missouri, for agricultural purposes, certain real property in Callaway County, Mo.; without amendment (Rept. No. 550). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALBERT:

H. R. 8051. A bill to provide for an emergency acreage reserve program in areas determined to be major disaster areas; to the Committee on Agriculture.

H. R. 8052. A bill to provide for increased participation in the acreage reserve program by producers of basic commodities in major disaster areas; to the Committee on Agriculture.

By Mr. ANDERSON of Montana:

H. R. 8053. A bill to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians; to the Committee on Interstate and Foreign Commerce.

By Mr. BARTLETT:

H. R. 8054. A bill to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska; to the Committee on Interior and Insular Affairs.

By Mr. BATES:

H. R. 8055. A bill to promote the increase and diffusion of knowledge of the polar regions, the Arctic and Antarctic; to the Committee on Interior and Insular Affairs.

By Mr. BENTLEY:

H. R. 8056. A bill to amend title II of the Social Security Act so as to permit the State of Michigan to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. BOYKIN:

H. R. 8057. A bill to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. BOYLE:

H. R. 8058. A bill to require the Secretary of Health, Education, and Welfare to fix a minimum standard of 3.5 percent butterfat

for whole milk; to the Committee on Interstate and Foreign Commerce.

By Mr. BREEDING:

H. R. 8059. A bill to provide an improved farm program; to the Committee on Agriculture.

By Mr. BYRNE of Pennsylvania (by request):

H. R. 8060. A bill to prohibit the military departments from entering into contracts with certain persons; to the Committee on Armed Services.

By Mr. COLE:

H. R. 8061. A bill to amend the Servicemen's and Veterans' Survivor Benefits Act to provide that all retired members of the uniformed services who served not less than 35 years on active duty and who thereafter die shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

By Mr. EDMONDSON:

H. R. 8062. A bill to amend the public-assistance provisions of the Social Security Act to provide that the value of restricted Indian lands shall not be taken into account in determining the need of any Indian for such assistance; to the Committee on Ways and Means.

H. R. 8063. A bill to provide for an emergency acreage-reserve program in areas determined to be major disaster areas; to the Committee on Agriculture.

H. R. 8064. A bill to provide for increased participation in the acreage-reserve program by producers of basic commodities in major disaster areas; to the Committee on Agriculture.

By Mr. FINO:

H. R. 8065. A bill to provide that cigarettes sold in interstate commerce shall be packaged and marked so as to show the nicotine content of each package; to the Committee on Interstate and Foreign Commerce.

By Mr. HILLINGS:

H. R. 8066. A bill to authorize the restoration of times taken from patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by governmental controls; to the Committee on the Judiciary.

By Mr. JARMAN:

H. R. 8067. A bill to provide for an emergency acreage-reserve program in areas determined to be major disaster areas; to the Committee on Agriculture.

By Mr. KILDAY:

H. R. 8068. A bill to provide improved opportunity for promotion for certain officers in the naval service, and for other purposes; to the Committee on Armed Services.

By Mr. MORRIS:

H. R. 8069. A bill to provide for increased participation in the acreage-reserve program by producers of basic commodities in major disaster areas; to the Committee on Agriculture.

H. R. 8070. A bill to provide for an emergency acreage-reserve program in areas determined to be major disaster areas; to the Committee on Agriculture.

By Mr. ROBESON of Virginia:

H. R. 8071. A bill to authorize the Secretary of the Army to convey an easement over certain property of the United States located in Princess Anne County, Va., known as the Fort Story Military Reservation, to the Norfolk Southern Railway Co. in exchange for other lands and easements of said company; to the Committee on Armed Services.

By Mr. SISK:

H. R. 8072. A bill to provide for the distribution of the land and assets of certain Indian rancherias and reservations in California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STEED:

H. R. 8073. A bill to provide for an emergency acreage reserve program in areas determined to be major disaster areas; to the Committee on Agriculture.

H. R. 8074. A bill to provide for increased participation in the acreage reserve program by producers of basic commodities in major disaster areas; to the Committee on Agriculture.

By Mr. TEAGUE of Texas:

H. R. 8075. A bill to amend the Veterans' Readjustment Assistance Act of 1952 so as to make the conditions governing the payment of education and training allowances under that act more nearly uniform with the conditions applicable to the payment of educational assistance allowances under the War Orphans' Educational Assistance Act of 1956; to the Committee on Veterans' Affairs.

H. R. 8076. A bill to provide for the termination of the Veterans' Education Appeals Board established to review certain determinations and actions of the Administrator of Veterans' Affairs in connection with education and training for World War II veterans; to the Committee on Veterans' Affairs.

By Mr. ANFUSO:

H. R. 8077. A bill for the relief of certain relatives of United States citizens and lawfully resident aliens; to the Committee on the Judiciary.

By Mr. DAWSON of Illinois (by request):

H. R. 8078. A bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959; to the Committee on Government Operations.

By Mr. DEMPSEY:

H. R. 8079. A bill to amend the act of June 20, 1910, to give the State of New Mexico greater flexibility in the investment of moneys derived from lands held in trust by virtue of such act; to the Committee on Interior and Insular Affairs.

By Mr. HALE (by request):

H. R. 8080. A bill to provide a method for regulating and fixing wage rates for employees of Portsmouth, N. H., Naval Shipyard; to the Committee on Armed Services.

By Mr. HAYS of Ohio:

H. R. 8081. A bill to improve the foreign policy of the United States by amending the United States Information and Educational Exchange Act of 1948 (Public Law 402, 80th Cong.); to the Committee on Foreign Affairs.

By Mr. HILLINGS:

H. R. 8082. A bill to authorize the payment of compensation for certain losses suffered as the result of the outbreak of poliomyelitis following the early use of poliomyelitis vaccine; to the Committee on the Judiciary.

By Mr. PASCELL:

H. R. 8083. A bill to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations; to the Committee on Government Operations.

By Mr. BATES:

H. J. Res. 356. Joint resolution to authorize the Secretary of Commerce to sell certain vessels to certain citizens of the Federal Republic of Germany; to the Committee on Merchant Marine and Fisheries.

By Mr. MACK of Illinois:

H. J. Res. 357. Joint resolution to establish a commission for the celebration of the 150th anniversary of the birth of Abraham Lincoln; to the Committee on the Judiciary.

By Mr. ALLEN of Illinois:

H. J. Res. 358. Joint resolution to establish a Lincoln Sesquicentennial Commission for the purpose of celebrating the 150th anniversary of the birth of Abraham Lincoln (1809–65), 16th President of the United States; to the Committee on the Judiciary.

By Mr. FLOOD:

H. J. Res. 359. Joint resolution to provide for a commission to make available information as to the basic differences between the theories and practices of the American way of life and the theories and practices of athelstic communism; to the Committee on Education and Labor.

By Mr. JUDD:

H. J. Res. 360. Joint resolution designating the corn tassel as the national floral emblem of the United States; to the Committee on House Administration.

By Mrs. ROGERS of Massachusetts:

H. J. Res. 361. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. SCOTT of Pennsylvania:

H. J. Res. 362. Joint resolution authorizing an appropriation for the participation of the United States in the preparation and completion of plans for the comprehensive observance of that greatest of all historic events, the sesquicentennial of the birthday of Abraham Lincoln; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H. Con. Res. 187. Concurrent resolution expressing the sense of the Congress with respect to the revision of so-called "status of forces" agreements contained in treaties and other international agreements to which the United States is a party; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Oregon, memorializing the President and the Congress of the United States requesting enactment of legislation similar to H. R. 2229, 85th Congress; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLATNIK:

H. R. 8084. A bill for the relief of Tokiko Takahashi; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H. R. 8085. A bill for the relief of Jose Grgas Grando; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. R. 8086. A bill for the relief of Henry Bouvier; to the Committee on the Judiciary.

By Mr. LANHAM:

H. R. 8087. A bill for the relief of Yuko Azuma; to the Committee on the Judiciary.

By Mr. ROBSION of Kentucky:

H. R. 8088. A bill for the relief of Miss Mame E. Howell; to the Committee on the Judiciary.

By Mr. WAINWRIGHT:

H. R. 8089. A bill for the relief of Angela Parrino; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

277. Mr. PATMAN presented a petition of Mmes. J. B. Strong, H. W. Segers, L. H. Segers, Alton Garrison, Sam L. Lunsford, S. L. Granger, and J. R. Moore, Sr., members of the Woman's Missionary Union, New Hope Baptist Church, Marshall, Tex., favoring the passage of H. R. 2542 and H. R. 3663 and requesting that hearings be held on same which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Status of Forces Treaties

EXTENSION OF REMARKS
OF
HON. WILLIAM E. JENNER
OF INDIANA
IN THE SENATE OF THE UNITED STATES
Tuesday, June 11, 1957

Mr. JENNER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement prepared by me on the Status of Forces Treaties.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATUS-OF-FORCES TREATIES

(Statement by Senator WILLIAM E. JENNER)

The explosive issue of what legal jurisdiction our servicemen will be subjected to, if charged with crime in foreign countries, has now erupted into dangerous international crises, in Japan, Free China, and Korea.

This problem has been seething, below the surface, for several years. Just a year ago I appeared before the Senate Foreign Relations Committee to ask them to hold hearings on a resolution of mine, and a similar resolution by Senator McCarthy, on this issue.

My resolution called on the Executive to invoke the clauses in the Status of Forces Treaty, which permitted our Government to revise article 7 of the treaty or to abrogate it in proper diplomatic form.

The case of Army Sp3c. William S. Girard is the most important indication of where we are going.

This American serviceman was engaged in practice firing, on the firing range. Japanese citizens had been warned to stay off the firing range because it was dangerous.

There was no personal quarrel between the American soldier and the Japanese citizen. He was involved in no rowdyism, criminal act, or personal hostility. He was engaged in duties connected with a clearly military action.

Under the treaty the American Government and the host government have concurrent jurisdiction over offenses arising in connection with military duties or military property, with primary jurisdiction resting with us. The recent argument that in the pauses to rest between firing rounds, Private Girard lost his role in a military operation, and was engaged in leisure-time activities is pure nonsense. To surrender jurisdiction over him is a pure political surrender. Someone was able to overrule the Secretary of Defense, who quite properly wished to give our fighting men full confidence that our Government stood with them.

Someone was willing to make an American soldier a pawn in moves on the international chessboard, however disastrously it would affect the morale of our fighting men.

The absurdity of this decision is highlighted by the State Department's equally absurd position, in reverse, in Free China. Here the soldier was clearly not engaged in military activities. We knew the Chinese Government had fought for a hundred years against arbitrary and unjust imposition of extraterritorial rights by foreign governments engaged only in trade. But we ignored the obligation to treat the Chinese as fairly as our other allies.

In a brief presented a year ago to the Senate Foreign Relations Committee, I summarized the judicial decisions dealing with this issue.

There is a long record of decisions going back to Chief Justice Marshall emphasizing the main point at issue—the troops of a friendly power visiting foreign countries, partake of the nature of the sovereignty, and are treated in law like a visiting sovereign. The same principle explains the legal immunity granted to diplomats by every law-abiding nation.

The enormity of the Status-of-Forces Treaties is this. The State Department gave up the sovereign rights of this country, and the dignity of our soldiers as part of our national sovereignty, but they did not see any reason for giving up the immunity granted our diplomats.

Let me point out another aspect of this treaty which will rise to plague us someday. The Status of Forces Treaties surrender American jurisdiction not only over our fighting men, but over their wives and children. They also surrender jurisdiction over what is lightly called civilian components of our Armed Forces. How many civilians are today subject to trial and imprisonment in a foreign country, perhaps for nothing more serious than reacting to Communist attempts to start street fighting? How many Americans might suddenly find themselves abroad and subject to a foreign court in the event of an emergency?

All Americans regret the deaths of any citizens of other countries as a result of any act of our fighting men. We know that large numbers of visiting troops always create problems. That is normal among all nationalities. We understand the desire of other nations to retain all the marks of full sovereignty. I am sure they will try to do their best to give our men a fair trial. But we cannot ask our young men to serve their country in foreign lands, and then take from them the protection of our Constitution.

It involves no diplomatic problem whatever for the State Department to open negotiations for a change in these treaties, to give American fighting men and their wives and children the protection of American laws. The procedure for reopening this question was put into the treaty as a safeguard for all nations. As I said a year ago, if Americans are willing to surrender their Constitution they certainly should not begin with our fighting men.

Kamehameha I: A Great Leader

EXTENSION OF REMARKS
OF
HON. JOHN A. BURNS
DELEGATE FROM HAWAII
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. BURNS of Hawaii. Mr. Speaker, today, June 11, is set aside in Hawaii as Kamehameha Day—a Territorial holiday—in honor of the great Hawaiian King, Kamehameha I. It is a day in which the people of Hawaii pay honor and tribute to this first king of all the major Hawaiian Islands, the king who, in the early decades of the 19th century, united the major islands for the first time under one ruler.

It is a day in which the people of Hawaii reflect upon, honor, and express—in feast and celebration—their profound gratitude for the generosity, the tolerance, the almost boundless humanity and friendship which the native Hawaiian, more than anyone else, is responsible for in present-day Hawaiian life, and which characterizes that life as democratic and as American in the deepest senses of those words.

Kamehameha I is perhaps best known generally as a great warrior king, but he was an even greater leader in peace—in fact his exploits as a warrior will be completely misunderstood if they are not viewed as his attempt to realize for all the Hawaiian people a perpetual and joyful peace.

When Kamehameha was a young chief, already controlling the island of Hawaii and showing signs of the greatness to come, a famous Hawaiian kahuna—or priest—appeared before him and prophesized: Kamehameha was to conquer and unite all the islands, thereafter to enable his people to live in a lasting and prosperous peace.

That this was his motive and his vision, Kamehameha gave full evidence at the very first opportunity—immediately after gaining full control of the island of Hawaii. Among other things, he ordered the planting of foodstuff on all available land, and began the development of an irrigation project considered by later viewers as a most amazing accomplishment.

In his first official act when he had gotten control of all the islands, he told his people to go home and stop fighting, to turn from war to the building of an enduring peace.

He promulgated the famous Law of Mamalahoe which I give here in translation:

O my people, honor thy gods. Respect alike the rights of men both great and humble; see to it that the aged and the children may go their ways in peace, and lie down to sleep by the roadside without fear of harm.

He set up projects to increase food production, and became his own best example to his people by establishing several food farms of his own which he personally worked. To insure free medical service to all he set up a school for medical kahunas, and he set up schools of training for arts and crafts—free for all people.

He issued another famous edict:

There shall be no idle person in the land.

The Hawaiian workday was 4 hours; Kamehameha made plans for occupying the rest of the time with healthful games and play. From time immemorial the Hawaiians had observed the makahiki season, lasting from October through January, as a time of recreation and rest. The season was dedicated to Lono, the god of fertility; it was the harvest time in which warfare and contention were absolutely forbidden. It was unthinkable to the Hawaiian that in harvest, the time of life and growth, men should kill each other and their means

of subsistence. First the harvest was gathered, then the taxes collected, and the remainder of the time the people spent in feast and celebration. It is to be noted too that before the coming of the foreigner the Hawaiians had no intoxicating liquor, and the energy and joy that animated their festivity had and needed no artificial inducement. For this season too Kamehameha provided plans to enhance the leisure occupation of his people.

Kamehameha I embodied fully the hopes and aspirations of the people; he was in the deepest sense a man of the people. Often he walked among them disguised to study the efficacy of his government, to ask questions and to solicit suggestions. In work and in play he led his people toward that full life, without bitterness or greed, which he, and his people, saw as their destiny.

The motto of Hawaii—Ua Mau Ke Ea O Ka Aina I Ka Pono—the life of the land is preserved by righteousness—while it was proclaimed by the later Kamehameha III, is most really the expression, in everything he did, of this greatest Hawaiian King, Kamehameha I. When he died in 1819—the year before the missionaries arrived—a great keen, such as never heard in Hawaii before or since, arose over all the islands.

Things did not come true exactly as Kamehameha I visualized them. But his people are great, their generosity and their tolerance vitally characterize American democracy as it exists in Hawaii. Kamehameha I is to his people, and to the people of Hawaii generally, "first in war, first in peace, and first in the hearts of his countrymen." An inspiration and an ideal to all, particularly to his own.

For these reasons, and many more, the people of Hawaii honor today—as many communities in America today honor their own great men of the past—the native Hawaiian people and their great leader, Kamehameha I, for all they have given and mean to Hawaii.

Personally, and on behalf of Hawaii's people whom I have the honor to represent, I express to the native Hawaiian people on this Kamehameha Day the deep gratitude and affection of the people of Hawaii for you, and for all you mean, and will mean in greater measure in the future State of Hawaii, United States of America.

A Tribute to a Maryland Veteran: Wm. R. Clay

EXTENSION OF REMARKS
OF
HON. EDWARD A. GARMATZ
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. GARMATZ. Mr. Speaker, in May of 1957, the National Commander of the Disabled American Veterans, the Honorable Joseph F. Burke, on the behalf of the department of Maryland at the State convention of this organization held in Baltimore, Md., presented to William R. Clay a certificate of recognition for outstanding service to the veterans of our State.

Mr. Clay, a 38-year-old Government career attorney as well as a civic and veterans' leader, received the highest citation which the Disabled American Veterans award, for "his years of outstanding service in the field of veterans' legislation in the interest of the veterans of the State of Maryland."

His many friends know this leader as "Honest Bill Clay," the veteran's friend. He has been active since 1944 in the DAV and the American Legion, having held national, State, and local offices in both organizations. Over a period of 10 years he has addressed thousands of veterans in our State and in the District of Columbia relative to programs of interest to both organizations.

For the last 7 years, Mr. Clay has served as department legislative officer for the Disabled American Veterans, and since 1953 has been a member of the committee for the American Legion, serving as department legislative chairman during the years 1955–56.

At the present time he is vice chairman of the Allied Maryland Veterans Council whose membership comprises the Veterans of Foreign Wars, the American Legion, Disabled American Veterans, Military Order of the Purple Heart, AMVETS, Jewish War Veterans, Spanish-American War Veterans, World War I Veterans, Catholic War Veterans, and 29th Division Association, whose combined membership represents well over 60,000 veterans of our State.

As a result of his knowledge of rights and benefits of veterans and their dependents and his legislative background, he is considered by veteran leaders, members of the State legislature, and by the Maryland Congressional delegation as a complete and dedicated veteran's friend.

Domestic Parity Plan for Wheat

EXTENSION OF REMARKS
OF
HON. J. FLOYD BREEDING
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. BREEDING. Mr. Speaker, under leave to extend my remarks, I would like to call to the attention of my distinguished colleagues my introduction of legislation to provide a domestic parity plan for wheat.

We are all concerned with overproduction of our agricultural commodities. We all want to find an adequate and profitable outlet for our overproduction above our domestic needs. We need this two-price plan in order to maintain domestic prices at the desired level and at the same time sell our surpluses on the foreign market.

Under the two-price plan, which could apply to commodities other than wheat, each producer would be given an allotment covering his share of the domestic consumption of his product at full parity. The remainder could be sold on the world market or carried for future use.

In introducing this bill it is my desire to fill a serious need for a farm program tailored to a specific commodity and which will at the same time fit into the overall agricultural picture. I am sure many of you are familiar with it. It appears evident that with the passage of time more serious consideration must be given to the relative merits of a new farm program. The domestic parity plan is a workable plan for the agricultural producers of our Nation to salvage and build anew a sound economy.

The domestic parity plan for wheat is highly favored by many people of the Fifth District of Kansas. It is my sincere intention to work for the passage of this bill.

Organization for Trade Cooperation

EXTENSION OF REMARKS
OF
HON. JACOB K. JAVITS
OF NEW YORK
IN THE SENATE OF THE UNITED STATES
Tuesday, June 11, 1957

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a letter which I wrote on June 6, 1957, to the Committee on Foreign Trade Education, Inc. This organization has recently published a research study entitled "The Returns Are In," which provides new evidence of the great importance of our national foreign-trade policy to the success of United States foreign policy. In my letter I have stressed the importance of Congressional approval of the Organization for Trade Cooperation this year. Failure to authorize membership in the OTC would seriously jeopardize the position of the United States as world leader.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

I am very impressed with the committee's research study, "The Returns Are In" which I have just finished reading. You provide new evidence of the vital importance of our national foreign trade policy to the success of United States foreign policy.

And, as you point out, whether the United States will assume membership in the proposed Organization for Trade Cooperation is, right now, solid proof that our country seeks to maintain the economic leadership of the Free World. I note that your research study brings this out clearly, as you report that more than 68 percent of the leading foreign newspapers surveyed agree that Congressional failure to authorize membership in OTC would seriously compromise United States world leadership.

The overriding importance of positive action on OTC is also spelled out by the fact that 89 percent of the Asian editors in your sample indicate that the Communists have already used our inaction on OTC for a "special line of propaganda" against the United States. I can corroborate this from my own experience. In my trip through the Asian countries early last winter, I again and again found evidence that where our foreign economic policy has an isolationist tinge, the Communists have picked it up as "proof of America's duplicity and inability to do the job."

I know, therefore, by firsthand experience, that trade policy is an all-important factor in the success of our foreign policy. And I am sure that Congressional approval of OTC this year is the next indispensable step in making clear to the world that we are determined to maintain our leadership for freedom.

OTC has great importance to the prosperity of our economy as well. By giving the General Agreement on Tariffs and Trade a continuing, day-by-day administrative arm, the agreement will become more effective and do more to promote the interests of our American exports. OTC is, therefore, as Secretary of Commerce Weeks has told the Congress, "absolutely essential if United States agriculture, labor and industry are to receive maximum benefits from GATT."

It is important to remember that exports are vitally important to the growth of our prosperity. In 1957 exports should reach the neighborhood of $20 billion. These exports mean prosperity and jobs to the people in my own State. And similarly exports promote the livelihood of people throughout our Nation—roughly 4,500,000 families now being directly dependent on export trade for their incomes.

By backing down on OTC, GATT could suffer seriously, opening the door to the European neutralists and perverting the new common market and discriminating against United States exports.

Down to essentials, then, the question is whether we will have OTC or whether we will revert to obsolescent protection theories of the 1920's.

You can, of course, be sure that I will be in the forefront of those fighting in behalf of the President's recommendation of OTC.

But, to be realistic, I must say that winning the battle on OTC during this session—during the next 8 weeks—is only possible if the Congress feels that the people wish us to keep our world trade initiative.

You have endeavored to demonstrate that everyday people, having no self-serving interest in trade, can be mobilized to build a stronger trade policy—to make our foreign policy more effective and our prosperity more solidly based. Your Committee on Foreign Trade Education, Inc., has grown in 3 years from a handful in New York to an organization that maintains chapters and affiliates in many of our cities and that has a bipartisan volunteer membership in 36 of our States. You are called now to the field of national responsibility in the grassroots fight for winning United States adherence to OTC.

I am, with all best wishes for your success, assuring you of my cooperation in your objective.

Sincerely,

JACOB K. JAVITS,
United States Senate.

I brought this subject to the attention of President Eisenhower in the winter of 1954, following my visit to Bangkok, Thailand, where I witnessed an international trade fair, at which the United States was endeavoring, but not very successfully, to show a picture of what America has done not only in the field of machine development but also in the fields of culture, art, and human relations. Both the Soviet Union and Japan had very impressive exhibits.

Later in 1954 President Eisenhower wrote a letter to the Committee on Appropriations recommending that $5 million be appropriated for United States exhibits at international trade fairs.

At that time I issued a press release with reference to the appropriation.

Therefore, Mr. President, I ask unanimous consent that both the article and my statement of August 2, 1954, be printed in the RECORD.

There being no objection, the article and statement were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of June 10, 1957]

POLES CROWD UNITED STATES DISPLAY AT TRADE FAIR

(By Colin Frost)

POZNAN, POLAND, June 9.—Thousands of luxury-starved Poles stampeded the United States exhibits at the opening of the Poznan International Trade Fair today. Scores of extra police were called in to control them.

The American display of the products of 300 firms gave a dazzling answer to the now diminished propaganda that capitalism means poverty. By nightfall about 50,000 Poles had seen it.

Twenty-nine countries packed their products into the 40-acre grounds. Western nations dominated the show.

The United States is taking part in the fair for the first time since World War II. Its exhibition is calculated both to boost business and to show the Communist world how the United States lives.

It includes a typical American home packed with the household appliances that most homemakers in this part of Europe can only dream of.

There were displays of textiles, radios, household gadgets, sports goods, toys, frozen foods, and all the other consumer goods that crowd United States store windows but are rarities here.

Premier Josef Cyrankiewicz and other officials were among the earliest visitors.

The Premier told United States trade officials: "I am glad to see you here and I hope we shall be doing good business together in the future."

The reaction among most Polish visitors was sheer amazement. "We cannot even believe that things like these exist," said one woman.

"Is it true that ordinary people can buy these things abroad?" asked another.

"Suren," a Polish-speaking United States Embassy officer told her.

Some private visitors wanted to buy—especially the toys. A few pulled out wads of dollars—part of the great underground reservoir of greenbacks that is almost a second currency in Eastern Europe.

West Germany's exhibit—covering the whole range of booming German industry—is the largest. It takes more than twice the space of either the British or United States.

The United States exhibit is in a huge pavilion built of aluminum and covered with plastic.

United States Exhibits at World Fairs

EXTENSION OF REMARKS
OF
HON. EDWARD J. THYE
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Tuesday, June 11, 1957

Mr. THYE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article which was published yesterday in the Washington Post and Times Herald, entitled "Poles Crowd United States Display at Trade Fair."

SENATOR THYE URGES EXHIBITS BY UNITED STATES IN WORLD FAIRS

Senator EDWARD J. THYE expressed strong approval of action taken by the Senate Committee on Appropriations in connection with the supplemental appropriations bill in meeting the request of President Eisenhower for additional funds to permit participation by the United States in international fairs and expositions during the coming year. The President had advised the committee that there will be approximately 75 such international trade fairs and that the administration feels that participation in at least 30 of them would be useful in drawing attention to American products and the benefits of the free enterprise system. The Senate Committee on Appropriations allowed $5 million for this and related purposes.

"I am convinced that American participation in these international trade fairs is of great importance to this country in its international affairs and I am very much pleased at the action taken by the Senate Committee on Appropriations of which I am a member. It will enable our Government to help in coordinating American exhibits and make possible a better rounded and more impressive picture of what America has done not only in the field of machine development but also in the field of culture, art, and human relations.

"When I returned from my trip to the Orient last winter one of the first things I did was to bring to the attention of President Eisenhower my impression of a visit to a trade fair being conducted at Bangkok in Thailand where I saw the extensive and well displayed exhibits of the Soviet Union in a building which dominated the fairgrounds. The automobiles and farm machinery displayed did not in any manner compare with machines and equipment of American manufacturers, and I question whether some would be serviceable in actual field operations. But they did capture the imagination of the people and thousands saw this exhibit and passed through the Soviet building.

"I know that the totalitarian Government of Russia can simply commandeer the material for such exhibits and is willing to spend thousands to set them up, but I am certain also that American industry and business under the encouragement of our Government could far exceed anything the Soviet Union can do in this field.

"It seems to me that the United States should assume reasonable participation in international fairs both in our fight for markets in the international field and in showing to the people of the world what has been achieved in the United States under our free enterprise system and our democratic principles of government. I am sure that much good will flow from this effort and I strongly endorse it on the basis of my own observations in the areas where it is so important that America be understood and appreciated by the people."

Proposed Amendment to Natural Gas Act

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. BOLAND. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement made by me to the Committee on Interstate and Foreign Commerce today

on the proposed amendment, H. R. 6790, to the Natural Gas Act:

Hon. OREN HARRIS,
Chairman, House Interstate and Foreign Commerce Committee, Washington, D. C.

DEAR MR. CHAIRMAN: May I take this opportunity to testify in opposition to H. R. 6790, the bill before your committee that would amend the Natural Gas Act so as to remove Federal controls over the sale of gas at the wellhead.

I am very deeply concerned over the effect of such legislation which would mean higher gas bills for the consumer—the little man who is now feeling the pinch of inflation.

Mr. Chairman, I represent the Second District in Massachusetts which is hundreds of miles away from the section of the country where natural gas is obtained. My constituents are captive consumers of natural gas. They buy it from a distributing company which in turn buys from a gas transmission line company. If the controls are removed, you can readily see who is going to dig down into their pockets to pay for the increased costs of this gas to the gas transmission line company at the wellhead—the little consumer, of course. The intermediary consumers will merely pass the added costs down the line.

Remove the Federal regulations with this legislation and you wipe out the price protection that the gas user now has and is entitled to under the Supreme Court's ruling in the now celebrated 1954 test case of the Phillips' Petroleum Co. That decision conclusively stated that the Federal Power Commission does possess regulatory authority over the independents under the act.

To strip the Commission's authority to control natural gas prices at the wells would be a direct financial blow to the end consumer. This bill before your committee should be rejected in the public interest.

Sincerely yours,
EDWARD P. BOLAND,
Member of Congress.

President Eisenhower's Reply to Congressman Sheehan's Letter on 11th Illinois District Public Opinion Poll

EXTENSION OF REMARKS
OF
HON. TIMOTHY P. SHEEHAN
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. SHEEHAN. Mr. Speaker, on May 27 I released the results of my annual public opinion poll—see daily RECORD of May 29, page A4169. At the same time I sent these results, with a letter, to President Eisenhower, and the contents of this letter were embodied in my news release of May 27, as follows:

In each of the 7 years that I have been in Congress, I have polled a cross section of the people in the 11th Congressional District of Illinois to ascertain their viewpoints on important questions of the day.

I attempt, in every possible way, to make this poll impartial, and this year, sent approximately 120 questionnaires into every voting precinct in my district; so that, approximately 1 of every 4 voters in the area received the questionnaire. In selecting the names from the poll sheets, we have no prior knowledge of the politics of the recipients.

It is my political philosophy that, as a Congressman, it is my duty to speak to the Congress and to vote the issues before the Congress on the basis of the will of the majority of the people in my district, assuming my people are informed as to pertinent facts on the issues and their will is not contrary to the general welfare of the country. In other words, my vote on issues before Congress will be predicated upon the will of the majority of my constituents unless the will of the majority is not clearly discernible; then a Congressman must use his own wisdom and conscience in voting for whatever is best for his constituents, bearing in mind the general welfare of the whole country.

The only way I could, in clear conscience, oppose the will of the majority of my people would be on the basis that I knew of facts or circumstances which were not known to my people, or that, by following the will of my constituents, I would be voting against the greater good of the country as a whole. In that event, it would be incumbent upon me to go back to my people and explain to them the circumstances and conditions of which I knew, and of which they had no knowledge.

It is to be noted that a rather stable percentage of the people in the 11th Congressional District, varying from 64 to 73 percent over the last 5 years, are overwhelmingly in favor of the United States continuing as a member of the United Nations. There has been a very noticeable and decided lessening of support for the foreign-aid program, so that this year's poll shows the high point of nearly 79.8 percent of the people opposing the proposed $4.4 billion foreign outlay. The comments from many of the people of the 11th District in answering the questionnaire clearly show their low regard of this program. One of the interesting aspects of a public-opinion poll of this type is the very great amount of comments we get from people answering the questionnaire, who put their views on the side, on the back, and frequently attach many other pages of comments stating their views on the questions. It is to be noted that question No. 11, "Do you favor more adequate laws providing for full disclosure to the public and to the United States Government of the operation of union pension and welfare funds?" received the highest percentage of favorable replies of all the 15 questions on the poll. This question also showed the least amount of people, 3.6 percent, who had no opinion on the subject.

With reference to questions No. 3 and No. 4, "Do you approve of the Republican foreign policy in general?" "Do you approve of the Eisenhower administration to date?" I have written a similar letter to both President Eisenhower and the Honorable Meade Alcorn, national chairman of the Republican Party, as follows:

"President DWIGHT D. EISENHOWER,
"*The White House, Washington, D. C.*

"DEAR MR. PRESIDENT: Knowing from previous reports that you take note of congressional public-opinion polls, I am respectfully calling to your attention the results of my 1957 survey.

"As a Republican, I am most deeply concerned with the answers to questions No. 3 and No. 4, results of which you can observe from the enclosed copy of my extension of remarks to appear in the CONGRESSIONAL RECORD on May 27.

"You will note that on question No. 3, 'Do you approve of the Republican foreign policy in general?' in 1953, 78.5 percent of the people replied favorably; and in 1954, only 52.9 percent agreed. And you will further note that in Cook County, Ill., in 1954, the Republican Party suffered one of its worst defeats in 20 years. In 1955, the percentage of those in favor of the Republican foreign policy increased to 56.9 percent, and in 1956, to 62.3 percent—the year in which you and the Republican Party had a great victory in the State of Illinois.

"The present 1957 percentage has dropped to an alltime low, i. e., only 35.9 percent in favor of the Republican foreign policy. In my opinion, this means that since last November, our policies have lost most of their appeal to the type of voter residing in my congressional district.

"The yearly trends are as follows on question No. 4, 'Do you approve of the Eisenhower administration to date?'

Year:	*Percentage approval*
1953	84.2
1954	58.0
1955	65.3
1956	76.4
1957	41.8

"You will note that the previous low point in 1954 showed very disastrous results for the Republican Party in the elections held in Illinois. The present survey also shows an alltime low for support of the Eisenhower administration to date, and I would be very fearful of the results of any elections held at this time.

"It is to be fervently hoped that by the time the November 1958 elections roll around, the Republican foreign policy and the domestic aspects of our administration will be changed in order that the people of the 11th Congressional District and the State of Illinois will again support the policies which had been received with such wide acceptance up until the election of November 1956.

"Respectfully,
"TIMOTHY P. SHEEHAN,
"*Member of Congress.*"

President Eisenhower acknowledged my letter of May 29 as follows:

THE WHITE HOUSE,
Washington, May 29, 1957.

The Honorable TIMOTHY P. SHEEHAN,
House of Representatives,
Washington, D. C.

DEAR MR. SHEEHAN: Your poll reminds me that public support for any given program waxes and wanes here and there over the country even though the program is not basically changed.

Your poll indicates that last year the Nation's foreign policy was favored by almost two-thirds of your correspondents. For the same foreign policy your poll indicates support by one-third in 1957 and by one-half in 1954.

Obviously foreign policy cannot ricochet about in the same fashion. The administration will hold steadily to the course deemed essential to the national interest. The alternatives to our present efforts are grim. They are, in this order, a fortress America, then a bankrupt America, then a regimented America — finally, a defeated America. My belief is that most citizens are well aware of these alternatives. I think our people will hold fast in the effort to keep this Nation on a sound road in world affairs.

As for our domestic policies, these conform to the pledges of the Republican Party in its platform adopted 9 months ago in San Francisco and to my own campaign commitments based on those pledges. I have no intention of welching on my own or the party's word. I think no loyal Republican should. For us to do so would be, in my opinion, a long step toward party defeat and dissolution.

Sincerely,
DWIGHT D. EISENHOWER.

Family Reunification Immigration Bill

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. ANFUSO. Mr. Speaker, I am today introducing a bill to reunite the families of certain United States citizens and lawfully resident aliens in this country. I call this measure "the family reunification immigration bill."

One of the basic tenets of our immigration policy and immigration laws throughout the years has always been the principle of uniting families. It is logical and humanitarian. It makes for better citizenship. It makes sense.

I am not the original author of this bill. That credit belongs to our distinguished colleague from Pennsylvania, the Honorable FRANCIS E. WALTER, who is the chairman of the House Immigration Subcommittee. His bill is based on the traditional American principle of uniting families. In introducing this measure, our colleague has shown that he possesses a keen understanding of the problems and devotion to the best ideals in American life.

Mr. Speaker, I want to take this opportunity to extend my sincerest congratulations to Congressman WALTER for his wise action in this matter. In fact, I am going a step further in associating myself with his action by introducing his bill in order to give it added strength. I hope this will encourage others in Congress to do likewise by associating themselves with Congressman WALTER in his efforts to unite these families.

Briefly, the bill provides that relatives of United States citizens and lawfully resident aliens, who are eligible for second and third preferential status under the Immigration and Nationality Act, shall be admitted as nonquota immigrants. This applies specifically to parents, wives, and children under the age of 21 of such citizens and resident aliens. It is these people, these separated families, whom this bill would unite without any quota charge.

I am informed that the total number of people involved in this bill, and by that I mean the number of people abroad who would be eligible for admittance to this country if this bill is adopted, is estimated at about 17,000 to 19,000. Of these, about 11,000 would be from Italy, and the remainder from Greece and other European countries.

These are mostly people who had applied for entry to the United States under the Refugee Relief Act of 1953, but for various reasons remained behind when the breadwinner of the family came here first to establish firm economic roots. In the meantime, the Refugee Relief Act expired at the end of last year and the families remained separated and stranded. In most instances they were from Italy and Greece, and the quotas of these two countries are heavily oversubscribed so that no other relief is possible for the reunification of these families.

Unless we take action along the lines advocated by Congressman WALTER in his bill, these families face many long years of separation and great hardships. It would be most heartrending and inhumane to continue such separations. I believe it is morally incumbent upon Congress to take early steps for the enactment of this legislation and reunification of these families, and in this way correct some of the faults and frustrations of the Refugee Relief Act.

Mr. Speaker, the proposed legislation is a step in the right direction and a laudable beginning. We are faced with a pressing situation and it should be dealt with promptly. It cannot wait until we have had a thoughtful and complete reexamination of our immigration policy. For this reason, I strongly urge that action be taken on this measure at the earliest possible moment during the current session of Congress, and thus save these families needless hardships and long delays.

Don Blanding

EXTENSION OF REMARKS
OF
HON. JOHN A. BURNS
DELEGATE FROM HAWAII
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. BURNS of Hawaii. Mr. Speaker, the people of Hawaii and his friends in every part of the world mourn today the unexpected passing of Don Blanding, poet laureate of Hawaii, who died on June 9 in Los Angeles.

His love of adventure and his lust for life led him to many parts of the world. He fought under foreign flags in revolutionary wars; in World War I he was a pilot in France. He established his reputation in New York as an artist and interior decorator and poet, but his spiritual home, until the day of his untimely death, remained in the islands.

No matter where he pursued his restless talents it was always to Hawaii and to the people of Hawaii, for whom he had an overwhelming affection, that he returned.

Donald Benson Blanding was born 62 years ago on his father's ranch in Kingfisher, Okla. The world beckoned and at the age of 17 Don left Oklahoma, never to return. Soon thereafter he was fighting in the small wars of revolt plaguing the Central American Republics at that time. When World War I came he became a military pilot and flew with the American forces in France. Returning to the United States after the armistice, he paused in New York. There he witnessed an event which was to alter his life and shape the course of his destiny.

This was his attendance of a revival of the stage production Bird of Paradise, whose locale was the exotic South Seas islands. That night, Blanding has told us, he heard the call of paradise, and he responded eagerly.

Hawaii did not disappoint Don Blanding. Under its tropical skies Blanding's great artistic gifts and creative capacity were energized and inspired. His first volume of verses about Hawaii appeared. Then another and a third, Vagabond's House, which sold 150,000 editions and established Blanding as a major poet.

His artistic versatility grew. As an artist, he illustrated his own published works. He staged Hawaiian pageants, designed the colorful Polynesian costumes and stage sets.

In 1928 Blanding originated Hawaii's famed Lei Day, which is celebrated annually on May 1 and has become an internationally noted event. One of Hawaii's most delightful festivals and the only one of its kind in the world, it is dedicated to the lei as a symbol of Hawaii's hospitality, aloha, and wealth of beauty.

Travelers from all over the world came to witness its annual celebration.

Because he knew Hawaii and her people so well, Don Blanding loved them both.

A dozen volumes of his verse attest to this love and understanding which he tried to communicate to the world. But, he rhymed, it was not enough to read his poems in order to become one with the gentle peoples of Polynesia. In Vagabond's House, Blanding warned, you will never know Hawaii:

'Til you've seen the lunar rainbow's phantom arch across the blue
And having watched the Southern Cross dip in the sea;
'Til the singing boys have stabbed your heart with music through and through
'Til you've raced the silver surf at Waikiki.

Don Blanding was in every sense of that meaningful Hawaiian word a true kamaaina, son of Hawaii.

He left to the people of Hawaii, and to all of us, a legacy of the love of laughter and beauty, of wisdom and wit. With him go the appreciation, the love and the deep aloha of all that knew him.

Dedication of Altoona (Pa.) Memorial K4 Steam Locomotive at Horseshoe Curve on the Pennsylvania Railroad System

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. VAN ZANDT. Mr. Speaker, on Saturday, June 8, 1957, it was my privilege to participate in the dedication of a K4 steam locomotive as a memorial to the long history of faithful service of steam locomotives and those who built and operated them over the Nation's ribbons of steel.

This K4 steam locomotive No. 1361 was presented to the city of Altoona by

the Pennsylvania Railroad Co. as a permanent monument to the historic partnership between the community, the railroad, and the iron horse.

Old No. 1361 was one of the earliest of the 350 K4's built at Altoona, Pa. It was placed in service May 18, 1918, and for more than 35 years it hauled trains of the great Pennsy passenger fleet over the mainline between New York, Harrisburg, and Pittsburgh. Countless of its trips were around the famed horseshoe curve which is one of the great triumphs of railroad engineering. When old 1361 was finally retired to make way for the modern diesel No. 1361, it had rolled up nearly 2½ million miles—the equivalent of nearly 100 trips around the world.

K4 locomotive No. 1361 is an especially appropriate memorial for the city of Altoona, Pa., where 5 generations of skilled workmen built a total of 6,783 steam locomotives for the Pennsylvania Railroad.

The following program marked the dedication of the K-4 memorial locomotive during which time I delivered an address on the historical development of the steam locomotive:

PROGRAM

Presiding, Howard W. Lindaman, director of water, parks, and public property, city of Altoona.

Music, massed bands, Altoona public and parochial schools.

National Anthem.

Flag-raising, color guard, Blair-Bedford Council, Boy Scouts of America.

Invocation, Rev. Cedric Tilberg, First Lutheran Church.

Presentation, Pennsylvania Railroad, George R. Weaver, assistant manager, heavy repair shops; Walter W. Patchell, vice president, research and development; Morton S. Smith, vice president and regional manager.

Acceptance, Mayor Robert W. Anthony; Deborah Hersperger, kindergarten, Adams School; Martin Hughes, Jr., first grade, Holy Rosary School.

Prayer of dedication, Rabbi Nathan Kaber, Temple Beth Israel.

Remarks, the Honorable James E. Van Zandt.

Benediction, Rev. Father John P. Manning, St. Leo's Church.

Taps, Kenneth Woodring, William Mackey.

Civic committee: Howard W. Lindaman, chairman; Mrs. Samuel Albright, Miss Helen Barclay, Thomas Bloom, Robert W. Boyer, Francis T. Brown, Dr. A. Bruce Denniston, George P. Gable, Robert L. Hite, J. E. Holtzinger, Mrs. Lynn Hunter, Will Ketner, H. L. Kimble, David M. Langkammer, Mrs. Harold McCullough, Rev. Francis A. McNeils, Mrs. Matilda Madden, Dr. Fred Miller, Louis H. Murray, Edward Scala, C. F. Schick, Lawrence Schrenk, Mrs. Luke Sill, Capt. William Stephens, Roy Thompson, G. R. Weaver, Gerald P. Wolf, Hon. James E. Van Zandt.

REMARKS OF THE HONORABLE JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, AT THE DEDICATION CEREMONIES OF THE K-4 LOCOMOTIVE AT THE HORSESHOE CURVE, ALTOONA, PA., JUNE 8, 1957

This is an historic occasion.

My contribution to this program is summed up in the well-known saying, Time Marches On.

Yes; time has marched on, because it was in the year 1804 when a steam locomotive was developed which could haul loads over a fixed track.

However, the steam locomotive which was to serve as a model for many years was not developed until 1829.

Therefore, it is proper to say that this K48 locomotive, No. 1361, built in the Pennsylvania Railroad shops by the ingenuity and the hands of Altoona residents, will stand for years to come as a monument to the era of steam locomotives.

History tells us that back in the year 1829 the locomotive, that was to serve as a model for many years, was the famous Rocket built by the Stephensons in England. It weighed but 5 tons and was the first locomotive with a horisontal tubular boiler.

Burning wood for fuel, it hauled 38 carriages, with a total of 90 tons weight, at a speed of from 12 to 15 miles per hour. Under favorable conditions, and if the carriages were unloaded, the speed could be increased to 28 miles an hour.

From about 1830, locomotives were American built, the first being Peter Cooper's Tom Thumb, which weighed less than 1 ton.

In December 1830, the locomotive named "Best Friend" was built in New York City and started regular service on the Charleston & Hamburg Railroad. It was the first locomotive to haul a train of cars in regular service.

The first coal-burning locomotive was built in 1852.

From that time until the turn of the century, improvements were made, until locomotives with 6 pair of driving wheels, weighing over 100,000 pounds and burning coal were developed for heavy duty railroad traffic.

During this same period, air-brake equipment was developed, together with track tank and scoop for taking water on tenders. Among the inventions of the period was the automatic coupler. The first bituminous coal-burning locomotive made its appearance.

Beginning in 1900, locomotives became larger and more powerful. Their designs were different, and their hauling power and speed were increased.

In 1939, locomotives equipped for both freight and passenger service continued to become larger and to keep pace with the march of time—they were streamlined from coupler to coupler.

The last steam locomotive, built by the American Locomotive Co., was completed in 1948, after 97 years of continuous production.

Since that date, this plant and other outstanding locomotive producers has converted to full-scale diesel electric production.

The year 1950 marked the end of commercially built steam locomotives for mainline service in the United States, and the switchover of railroad power to other forms, principally diesel, had its beginning.

The first diesel electric-powered train was the Burlington "Pioneer Zephyr," with a 600-horsepower locomotive, which twas about one-fourth the size and one-fifth the weight of the steam engine of the same horsepower in 1933. The first diesel for road freight was put into service in 1941 by the Santa Fe Railroad.

Thus the trend toward complete dieselization was marching forward. From the early 1940's to the present time, many improvements have been made in railroad motive power.

Not only have the power and speed of the diesel been increased considerably, but also electric motors have been installed and gas turbine electric power has been developed.

Challenging the present diesel electric era of railroad motive power is the gas turbine locomotive equipped with a 20,000-gallon tender, supplementing the 7,500 gallons of fuel carried in the locomotive body tanks.

This gas turbine locomotive is capable of traveling almost 1,500 miles without refueling. This type of locomotive provides operating improvements and decreased maintenance costs that indicate—it could prove to be the locomotive of tomorrow.

Speaking of tomorrow, and mindful of the fact we are living in the nuclear age, one may find 10 to 15 years from now atomic-powered locomotives that depend on a small charge of atomic fuel in a nuclear reactor smaller than a good-sized trunk, capable of providing enough energy to power the locomotive a distance equal to more than once around the earth at the Equator.

At this moment, five of the Nation's largest railroads, together with some half dosen large manufacturing corporations, are sponsoring the construction of the atomic-powered locomotive.

This locomotive will generate as much steam as the biggest conventional steam locomotive now on the rails. Instead of steam being produced by coal or oil, several pounds of uranium will do the job.

Yes, time marches on.

In 1804 the steam locomotive was born. Then came the diesel electric locomotive, followed by the gas turbine locomotive. And now, the atomic-powered locomotive is "just around the corner."

Truly, in dedicating this Pennsylvania Railroad K45 locomotive, No. 1361, we give lasting recognition to one of the most exciting chapters in the history of the railroad industry.

At the same time we pay a marked tribute of respect and esteem to railroad employees who built these locomotives and those who manned them as they traveled countless miles over ribbons of steel.

May "Old 1361" also prove a constant reminder, not only of the greatness of the America of yesterday, but also of the strong, modern America of tomorrow—as time marches on.

Address by Hon. Clifford P. Case, of New Jersey, at Rollins College, Winter Park, Fla.

EXTENSION OF REMARKS
OF
HON. H. ALEXANDER SMITH
OF NEW JERSEY
IN THE SENATE OF THE UNITED STATES
Tuesday, June 11, 1957

Mr. SMITH of New Jersey. Mr. President, on Friday, June 7, at the commencement exercises of Rollins College, Winter Park, Fla., my colleague, the distinguished junior Senator from New Jersey [Mr. CASE], received an honorary degree and delivered the address of the occasion. I ask unanimous consent that his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS DELIVERED BY SENATOR CASE OF NEW JERSEY ON THE OCCASION OF RECEIPT OF AN HONORARY DEGREE OF DOCTOR OF LAWS AT THE ROLLINS COLLEGE COMMENCEMENT, WINTER PARK, FLA., JUNE 7, 1957

One of the great issues of our time is posed by the development of nuclear and thermonuclear weapons of truly awful capacity. We have created forces capable of destroying all living things. We cannot allow a situation to arise, or circumstances to develop, in which we are at the mercy of such forces instead of in command of them. We can, and we must, keep them under conscious control.

This means first of all, I believe, that we cannot afford to rely wholly, or almost wholly, on the threat of unlimited nuclear retaliation for the defense of ourselves or the Free World. Either we keep ourselves prepared to fight little as well as big wars, and in various parts of the world, or we may face a choice between slow strangulation by gradual Communist encroachment and unleashing an allout thermonuclear catastrophe. And it is generally agreed that in such catastrophe the chances of our survival would be negligible.

In the second place, it confronts us with the question, no less dimcult but equally of essential importance—Is there no way in which we can put an end to the sterile and sensely competition in weapons of total destruction?

Deep concern as to the possible hazards to our own and to future generations from radioactive fallout has been expressed by responsible scientists in the current hearings before the Joint Committee on Atomic Energy. They are not agreed as to the degree of danger, but to us as laymen the importance of their testimony is the added urgency it gives to efforts to limit nuclear competition.

There are other considerations which impel attention. There are now three nations which have demonstrated their capacity to produce thermonuclear weapons. Surely no one will welcome the entry of other nations into this field. Nuclear weapons in many hands could not help but create new tensions and dangers. But, in the absence of some limitation internationally agreed to, is it realistic to expect that other nations will not proceed with nuclear weapon development on their own?

Ignoring the recent series of Soviet tests, Communist propaganda has stepped up its efforts to excite fear and apprehension among the people of the world. We can recognize the propaganda for what it is. But this does not, cannot, justify failure on our part to search out every path that offers promise of lessening world tensions and lightening the dark cloud of potential catastrophe that now hangs over the world.

As the President put it at a press conference a few weeks ago:

"It seems to me that the more any intelligent man thinks about the possibilities of war today, the more he should understand you have got to work on this business of disarmament. • • • I think our first concern should be making certain we are not ourselves being recalcitrant, we are not being picayunish about the thing. We ought to have an open mind and make it possible for others, if they are reasonable, logical men, to meet us half way so we can make these agreements.

"Now, on the other hand, any nation that is facing a government which has a history of breaking treaties, and so on, that we have encountered in our dealings with the Soviets over these past years, we have to be especially careful of the inspection systems, systems in which we can have confidence. We must, at the same time, though, keep our minds open and keep exploring every field, every facet of this whole great field, to see if something can't be done. It just has to be done in the interest of the United States."

And that is what the United States is doing in the disarmament talks now going on in London.

The very fact that serious negotiations are taking place provides some ground for hope that the unhappy impasse in which we have been living for some years now may finally be broken.

Let me emphasize I am not suggesting we can or should expect full blown disarmament. Practical and political obstacles preclude any such possibility. Rather what we seek to achieve is a first step that would serve to impose some degree of control over armaments and that could provide a base for later steps. Thus the news reports indicate our representatives are exploring such possibilities as establishment of mutual aerial inspection zones and some measure of ground inspection, some limitation on the testing of at least the larger nuclear devices as well as of nuclear stockpiles through the diversion of future output of fissionable material to peaceful uses. In addition, there are suggestions looking toward reduction in conventional arms and forces.

It has been suggested that our policy up to now has been to consider no agreement which was not to our net security advantage. I doubt that this is in fact a true statement if by it is meant that we would consider no agreement unless we believed it would improve our position in relation to our enemies.

But whatever the situation may have been in the past, we surely cannot let any such narrow limitation control our future policy. The security of this country must always be our first objective. But surely the attainment of that objective requires our willingness to explore all avenues and all possibilities which have any reasonable promise of reducing the awful threat which nuclear and thermo-nuclear weapons pose to all mankind alike.

Of course, no agreement should impair our relative position in regard to our enemies. But true progress can only be made, and this should be our goal, by reaching agreements which are to the mutual advantage of all nations and all peoples. Especially in this vital area, no agreement is possible unless all parties are convinced, at the outset and at the end, that its attainment will leave them in no worse position in relation to other nations.

The administration needs to be upheld in what I believe it is trying to do in the direction of a limited, first-step agreement. The path is difficult. For example, as the President suggested at his recent news conference, we must include our allies in our deliberations at the same time as we get down to serious negotiations with the Russians. But the will is there, I believe, and we ought not miss any chance to negotiate.

Whether at this time real progress toward disarmament can be achieved I do not know. In view of the stakes, the effort to reach agreement is surely worth making. Indeed a nation under God and dedicated to peace can do no less.

Tribute to the Late Senator McCarthy

EXTENSION OF REMARKS
OF
HON. WILLIAM E. JENNER
OF INDIANA
IN THE SENATE OF THE UNITED STATES
Tuesday, June 11, 1957

Mr. JENNER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of a radio broadcast by me on May 19, 1957, in honor of the late Senator McCarthy.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JENNER

My friends, I should like to talk to you about the Senate of the United States.

On the morning of May 6, the rostrum in the Senate Chamber was banked with flowers, white and a glowing red. The casket in front of the rostrum was covered with the American flag, and a Marine guard stood at attention. The chaplain of the Senate, the Reverend Frederick Brown Harris, of the Methodist faith, spoke of Senator Joe McCarthy's great courage in exposing "cunning foes who plot the betrayal of our freedom." The Reverend William J. Ewalt, who married Senator McCarthy just 4 years ago, read the Catholic service of sorrow for the dead, and hope for their triumphant entry into their heavenly home.

I am not going to speak to you about Senator Joe McCarthy's great fight to uncover the secret enemies of our country, nor of the way his life was destroyed by the venomous, vengeful, unremitting attacks of his foes. You know the story.

I wish to speak today about the Senate.

There were 40 Republicans and 37 Democrats present. These men were not present, most of them, for any official act of mourning. They were present as human beings, sorrowing for the tragedy they had witnessed, and in which they had had a part.

All of the Democrats (except the newly elected Members) had voted for the censure resolution. The Democratic Speaker of the House, from Texas, and the Democratic majority leader, from Massachusetts, were also present to pay their respects.

Nearly half of the Republicans who attended had voted for the censure, but they too came as human beings, only too well aware how deep was the suffering now ended.

One Cabinet member, Secretary Summerfield, was also present.

I wish to say to you, my friends, that a terrible breach in the American civil order began to heal on that day. We had come nearer than any of us guessed, to a breakdown in the American genius for political self-control.

Only one who lived through it can imagine the fierce pressure that was brought to bear upon the Members of the Senate 3 years ago, to accept the Communist myth about Joe McCarthy. According to their character assassins, he was violating the traditions of American fair play by asking witnesses questions. He was "helping the Communists" because he did not falter in his efforts. He was accused of all kinds of personal indiscretions, some charges too odious to mention among gentlemen. All of these Communist charges were of course put forward by innocents and secret collaborators who did not bear the brand of their master.

Joe McCarthy has been completely vindicated of all the personal charges hurled against him, especially of the baseless slander that he had not paid the income taxes he owed. But my story today is of how the Senate is freeing itself of the poisonous influences that beclouded its judgment wherever disguised Communist influence was at work.

The attack on Joe McCarthy was managed at every step like a military campaign, except that the Communists use words, instead of bullets, because words are more deadly.

Fulton Lewis in his broadcast stated what I believe to be true, that most of the Republicans who voted against Senator McCarthy were sorry they had done it, but had been unable to resist the overwhelming pressure. It is important, to the American people, to find out who put that irresistible pressure on the Senate, and why.

The Communist attack on the Senator from Wisconsin was in part an attack on the Senator as an individual, because, like General Patton, he had dared go forward after each contest. He had come so close to the citadels of their power that he must be destroyed.

But the attack on Senator McCarthy was also an attack on the Senate. The Communists knew the friends of Senator McCarthy were loyal. The anti-Communists

knew how great was the triumph won by the enemy in the censure vote. The Communists believed they could stir up, in the American Senate, a bitter factional battle, like that which has turned many a parliament in Europe into a milling crowd impotent to serve their country.

During the debate on the censure resolution, I pointed out again and again that the real attack was against the Senate of the United States. I pointed out that the Bolsheviks had a well-established policy of reducing parliamentary processes to impotence. I said the attack was managed by a conspiratorial general staff, and no one man could fight a conspiracy. I pleaded with the other Senators to see the danger, and to join ranks in protecting our Nation.

It was too early, the pressure was too great, for most Members to see.

The censure vote split the Republicans in Congress down the middle. It placed the Democrats as a body in opposition to the Republicans. What a setting for the favorite Communist device of pouring gasoline on the little fires of controversy.

Americans can hardly imagine how fortunate a thing it was for our country that that factional split was avoided. We have to look at the parliaments of Europe from pre-Fascist Italy to present-day France, to know how great was our danger.

Joe McCarthy made no effort to rouse the passions of his followers and make his humiliation into a bitter national battle. No man in American political life ever had so great an opportunity for demagoguery, or refused so gallantly to take advantage of it.

But the split in the Senate was avoided also because of some deep instinct within the membership, to keep our political stability at all costs. The American people are the heirs of 700 years of self-government, that is, of political responsibility. That deep-ingrained sense of political responsibility held us firm while the Communits used their most brilliant leaders, their cleverest strategems, and their most helpful stooges to make the Senate keel over.

Joe McCarthy was a victim of that silent struggle from 1954 to 1957, because he did not realize how many people were coming to see his charges were true. The struggle was with forces too vast and too hidden to be managed normally.

This struggle, within the ranks of the Senate, between the cleverest attempts at subversion of its Members and the deepest national instincts of political stability, was too new in America, too close to political life or death, to be expressed in words. Every nation of Europe, subjected to such pressure, has caved in. Our inner struggle had the dimensions of a fight for preservations of the last stronghold of representative government in the world.

I hope we have won through. Only a few weeks ago, the same forces which like a mighty bellows, turned the disagreements over Joe McCarthy into a consuming flame of hate throughout the country, tried to repeat every one of their murderous stratagems to make the Norman case into a similar attack, to split the Senate into factions, and make it impotent to protect our Nation.

This time the Senate was ready. All the blasts the Communists could turn against us, all the lies and smears, were ready to be hurled, if the Senate leaders had shown the slightest indecision. The Senate stood firm.

Our country is still in danger. The American people look to the Members of their Congress to be the watchmen on the city wall, to warn them of attack. I believe the Members of the Senate can now recognize the enemy with a clarity they did not have 3 years ago. I believe that never again will disguised Communists be able to rout the Congress when it must stand fast.

I do not know anything which would bring more happiness to Joe McCarthy than to know his sacrifice has not been in vain, that the watchmen on the wall will stand guard, however dark the night, or however insidious the enemy.

The day when the Senate met to pay the last honors to Senator McCarthy may be the day when our country began its slow and painful upward climb out of the poisonous morass of Communist seduction, to the light of American honor, and dignity, and loyalty of true Americans for one another.

Sonic Boom

EXTENSION OF REMARKS
OF
HON. FRANCIS CASE
OF SOUTH DAKOTA
IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1957

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an interesting article on the sonic boom, the new sound of air power, written by the junior Senator from Arizona [Mr. GOLDWATER], which appeared in the May 29 issue of Planes, published by the Aircraft Industries Association of America, Inc., Washington, D. C.

As my colleagues know, the Senator from Arizona is the only qualified jet pilot in the Senate, and we are proud of him.

I commend it to the attention of the Senate.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SONIC BOOM

(By Hon. BARRY M. GOLDWATER, of Arizona)

(EDITOR'S NOTE.—Senator BARRY M. GOLDWATER, of Arizona, is a colonel in the United States Air Force Reserve, and the only Member of the United States Senate who is a qualified jet pilot. He has flown most of the supersonic fighters in the Air Force inventory. Senator GOLDWATER joined the Air Force in 1941 and during World War II served in the Far East with the Air Transport Command. He attended Staunton Military Academy and the University of Arizona. Senator GOLDWATER was elected to the city council of Phoenix in 1949 and reelected in 1951. He was elected to the United States Senate in November 1952. He is a member of the American Legion and the Veterans of Foreign Wars. Senator GOLDWATER is chairman of the board of Goldwaters, of Phoenix.)

A new sound of air power progress will become more apparent as America opens its doors to the summer season, and more supersonic aircraft are delivered to the military services. This sound is the sonic boom—manmade thunder. It is one of the most widely misunderstood phenomena of high-speed flight, and has been blamed for damage that couldn't have been inflicted by an atomic bomb.

The United States Air Force recently reported some initial findings of a study of sonic booms to find out how they are caused, the damage they can do and, even more important, the damage they cannot do. The study was made by scientists and structural engineers of the Wright Air Development Center, largely based on investigations of claims from citizens who thought, correctly in a few cases and incorrectly in most cases, that their homes had been damaged by the sonic boom.

The researchers found out many things, but it should be a matter of relief to the citizenry that the study proved the sonic boom, from usual operating altitudes:

Cannot crack foundation walls or pavement.

Cannot crack plaster walls installed according to most building codes.

Cannot cause roofs to buckle or crack.

Cannot do any structural damage, but under some circumstances can damage glass panes and improperly installed doors.

There is nothing mysterious about the sonic boom. In fact, muleskinners in my State of Arizona once created booms of a minor variety when they crackled their whips over the teams. The tip of the whip actually exceeds the speed of sound and causes the characteristic sharp crack.

Basically, sound is wave lengths of various pressures hitting the ear, and they result from any surge of energy. The strong arm of the muleskinner provides the energy that creates the crack of the whip. The wave lengths can be compared to the ripples created by a rock tossed into a still pond. Ordinary conversation is a series of pressure wavelets pulsating against the ear like ripples of water slapping the shore of the pond.

An explosion is no more than a very strong pressure wave created by a sudden release of energy. These strong waves of pressure are known as shock waves because of their intensity.

The sonic boom can also be explained by this established law of sound. Shock waves are not visible except under laboratory conditions where highly specialized photographic equipment can catch their distinctive shape. If the shock wave created by a supersonic aircraft in flight were visible, it would resemble a shallow dish as it attaches to the airplane at the exact speed of sound. The speed of sound varies according to altitude and temperature. At sea level, it is 760 miles per hour, and at 40,000 feet the speed of sound is 660 miles per hour.

When the plane exceeds the speed of sound, the waves are swept back from the nose at sharp angles until they form the cone shape of a funnel. Here is the making of a sonic boom.

The shock wave travels through space, but, unlike the ripples of water that it basically resembles, there are only one or two ripples. This wave, which has been formed by the tremendous energy of the aircraft flying at supersonic speed, reaches the ground at the speed of sound. However, the shock wave is obstructed by anything it comes against—trees, buildings, automobiles—anything it touches. The power it possesses is constantly dissipated at it passes through the air. It is robbed of its energy by the friction it creates in its passage through the air and on the ground. Guided missiles create a sonic boom as they move through the air, as do aircraft capable of supersonic flight during climb. But this sonic boom never reaches anyone's ears since it dissolves in its upward flight.

However, when the increase in pressure occurs at the eardrum, we have a sound. Anyone in the path of the cone's high pressure air will hear the sound as the cone passed over him. The aircraft dragging the cone along is travelling at a very high rate of speed, and, since the high pressure is concentrated in a very small volume, this sound is a sharp crack which sounds much like a thunderclap.

This, essentially, is all there is to the cause of the sonic boom. It is man-made thunder with the aircraft playing the role of an electrical discharge or lightning.

A loud thunderclap can generate a pressure of about a half-pound per square foot, and a loud sound from a boiler factory will produce a pressure of about one pound per square foot. The noise of a sudden thunderclap will startle or frighten people while the boiler room noise, which is continuous, will do neither, simply because it is expected.

Reducing the analogy even further, a person shouting "boo" behind a man will startle him more than a "boo" shouted by someone he sees before him. It's only fair to note, however, that the degree of surprise depends on who is doing the booing.

The Wright Air Development Center engineers and scientists made a thorough investigation of representative cases of the damages alleged to have been caused by the boom. They had a substantial background of experience in shock waves caused by explosions to draw upon in arriving at their conclusions.

First, the engineers and scientists observing the effect of shock waves generated by atomic explosions never detected structural damage to the flimsiest structures at pressures less than 70 pounds per square foot. In tests where aircraft have dived from 35,000 feet, exceeded the speed of sound, and then pulled out at 25,000 feet, the pressure of the wave created has been no greater than 5 pounds per square foot. Even when the aircraft descended to 10,000 feet before pull-out, the pressure did not reach 10 pounds per square foot. Supersonic operations are rarely performed at altitudes less than 20,000 feet since the pilot requires this altiture as a safety factor for recovery from the dive. The Air Force even carried its recording instruments to a mountain top to obtain a pressure reading. They registered an aircraft flying at supersonic speed 280 feet away and the maximum reading was 33 pounds per square foot. The jet pilots I know are much too wise to attempt supersonic flight at an altitude of 280 feet except for the most urgent operational reasons.

Air Force regulations also state that sonic and supersonic speeds during straight and level flight will be commenced and terminated at altitudes above 30,000 feet over land areas, and above 10,000 feet over water areas. Sonic booms are not intentionally performed during tactical missions, and when training programs require speeds that could produce a sonic boom, the flight must be conducted over specially designated areas under close supervision. These regulations governing training missions are also applied by the aircraft industry in conducting test flights of new aircraft.

By simple arithmetic, the pressure produced by the usual sonic boom is less than one-twentieth the pressure required to cause structural damage to a flimsy structure. The behavior of homes and industrial buildings of brick, block, and frame construction tested by nuclear explosions reveals that it takes pressure on the order of 150 to 300 pounds per square foot to cause damage ranging from plaster cracks to wall and roof cracks.

The WADC engineers made a calculation study of a wood stud wall with a plaster inside surface. The walls were between 8 and 10 feet in height and constructed from 2 by 4 studs. Suppose we overlook the strength contributed by the sheathing, siding, and plaster and assume that the stud takes all the load. On a single stud the load is about 67 pounds. The maximum tension in the stud at the middle is 200 pounds per square inch of stud.

Most building codes require that the stud be fastened to the plate by three 12-penny nails. These nails provide the shear resistance. The shear strength of the nails is about 300 pounds and the tensile strength of the wood is at least 1,000 pounds per square inch. Building authorities say that in order to prevent plaster cracks, the deflection at the middle of the beam should not exceed 1/360th of the span length.

As long as a 10-foot stud does not bend more than one-third of an inch at the middle from its normal position, the wall plaster will not crack. By calculation, the deflection of our wall stud under the heaviest load imposed by a sonic boom would be only 30 percent of the deflection required to crack the plaster.

Calculations of this kind can be extended to various elements of the house—roofs, side walls, and porches. The sonic boom falls far short of causing sufficient load to crack plaster, floors, roofs, and walls. The force exerted by the boom is like a giant giving the whole house a very light and very quick touch.

So far the structure has been discussed as if it had no openings. Now let's take a look at the windows and doors. The sash and frame of a window, of course, are more than strong enough to withstand the relatively minute force of the boom.

The window glass is another matter. Glass, in one sense, is a strong material, but it is brittle compared to other building materials when used in thin sheets. The methods by which it is manufactured are apt to produce internal lockup stresses. In addition, the glass may be bent ever so slightly when it is installed. Thus a light, sharp blow can shatter a glass pane.

I do not want to imply that a sonic boom will always break windows. Ordinary window glass, properly installed, will break at pressures of 18 to 70 pounds per square foot, a much greater force than the boom produces. In fact, the Air Force, in a recent demonstration, directed some booms at a large plate of glass held in a frame. Five successive sonic booms failed to shatter the glass and only when the glass was loosened in its frame did the boom cause it to shatter.

Doors, with the exception of their glass area, are strong enough to resist boom forces. The weak points are the lock and hinges. If a lock is loose fitting, the impact of the boom may be sufficient to jar the opening and cause the door to slam against the wall. Under this condition or if the door is slightly ajar, the hinges might pull loose or cause a split in the door jamb.

Bricks, plaster, and mortar do not have any measurable ability to creep or move along its surface. When laid up into walls or ceilings, they also get locked up stresses which are caused by curing of the mortar or plaster, shrinkage due to the drying out of mortar or plaster and the effect of expansion and contraction between hot summer and cold winter temperatures.

These materials have very little give or resilience. They stand these force combinations indefinitely or fail after 1 or 2 seasonal cycles. If the boom forces were appropriate, brick, block, or plaster stressed near the point of failure by a combination of locked up or seasonal forces might be overloaded; but since the boom force on a structural element is far less than a good stiff windstorm or, in most cases, less than that of a healthy boy jumping on the floor, it is difficult to see how a wall could remain poised just at the point of failure for any length of time without being tipped in or broken by other more frequent forces.

Ground vibrations are another matter subject to misunderstanding for very good reasons. For example, it was reported to the Air Force that structures were shaken violently and the ground was jumping up and down an inch or two when large aircraft flew overhead. Even the scientists sent to investigate the matter admitted to this feeling. Yet, measuring devices with the most sensitive instruments available indicated no movement, but slamming a screen door drove the measuring device completely off the scale.

The scientists found that we get false perceptions of movement because the sense organs in the skin only require pressures measured in a millionth part per square inch to cause a sensation of movement. It is difficult for anyone to believe there is no vibration, but the most exacting scientific tests have proven there is none.

The sonic boom will not cause ground vibrations, that could damage basement walls, floors, or concrete walks and driveways. Investigations of nuclear explosions which produce many times the pressure of a sonic boom show that there is very little effect on the ground near the point of impact or on pavements, pipes, or foundation footings.

The question then arises as to why structural damage is claimed after a sonic boom. Basically, this is because the homeowner, after hearing a sonic boom, is certain that the noise must have caused some damage. He makes a careful inspection of his home, probably the first time he has gone over the house looking for damage in several years. And, of course, he finds crack after crack. The immediate conclusion is that the boom caused the wall and ceiling cracks. The owner is convinced that the cracks did not exist before the boom occurred. This is a completely natural reaction. The cracks hadn't been detected before, simply because the householder had never looked carefully for them.

A simple test will prove this point. Take a flashlight and go over your walls and ceilings. You will find numerous cracks that you didn't know existed. It is also possible to check whether the cracks are recent or not. Where the plaster has parted, the edges of the rupture will be gray or weathered on an old crack and the plaster will be white on a recent crack.

The Air Force has a dual responsibility on damage claims. It is the policy of the Air Force to make prompt payments for damage caused by its operations. At the same time, the Air Force has a tremendous obligation to the taxpayers to expend each dollar appropriated in a proper manner. The great bulk of the claims received are from people who are honestly convinced that the damage was caused by Air Force operations. The Air Force completely respects the right of the citizen to claim this damage, and a thorough investigation is made. But the scientific knowledge acquired by their investigations of what a sonic boom can do and cannot do must be considered in denying or approving the claim. This is evidence that cannot be ignored.

There are, of course, cases where the claims are patently ridiculous. During a recent demonstration, several sonic booms were deliberately made. One man's residence was located 13 miles from the airport where the boom was directed. The atomic bombs dropped on Hiroshima and Nagasaki did not cause damage to Japanese residences beyond an 8-mile radius. This fact, however, didn't stop the owner from claiming damage from a sonic boom at almost twice the damage limit of an A-bomb.

Another man with two business establishments and a house located in a triangle 7, 5 and 2½ miles apart, with the closest corner of the 3 buildings located 4 miles from the airport, promptly put in a claim for damage on all 3 buildings.

The Air Force, like all Government agencies in a democracy, is highly responsive to the demands of the public it serves. Protests to the commanders of air bases across the Nation and to the Pentagon are given prompt attention and remedial action is sought. In many cases, a simple fix is possible; in other cases, the Air Force cannot eliminate the cause of the protest without serious damage to operations.

It is difficult to readily identify the aircraft causing a sonic boom. This is due to the high altitudes where most supersonic operations are conducted, and a sonic boom created at high altitude may be heard 20 to 30 miles away from the path of the plane. Atmospheric conditions play a significant part in the propagation of these sound waves.

Although Air Defense identification zones are in existence, aircraft operating within them, once identified as friendly, receive no further attention. These zones are established to identify aircraft entering the zone from an outside point.

Absolute identification of the aircraft causing the sonic boom is further complicated by the fact that, except for certain

required position reports en route, a jet aircraft may not be known to be in a designated area at a certain time.

The Air Force now has under consideration the development of an instrument that would automatically record the time, position and flight direction of a plane when it exceeds the speed of sound. Such an instrument will be vital in fixing the responsibility for any damage a boom may cause.

The noise created by turbojet engines is a thorny problem in the relations between the Air Force and the citizens of cities they defend. But the Air Force started an intensive program of public education on jet noise.

Community leaders were invited to nearby airbases for tours; they talked to the commanders and the pilots of the jet aircraft. Landing patterns were rearranged so that the least inhabited areas were in the flight path. The Air Force explained that a jet taking off at 2 o'clock in the morning was not prompted by the desire of a pilot to get his flying time. An unidentified plane had been reported, and the jet was ordered to make an interception.

Once these points were explained, the complaints on jet noise dropped. In fact, jet noise complaints apparently reached their peak last year, and the Air Force estimates that fewer complaints will be received this year despite a growing number of aircraft entering service equipped with high-thrust jets. The noise of the jet planes still exists and will continue to exist for many years, but the annoyance has been lessened through public understanding.

Public appreciation of cause and effect, of necessities that far outweigh inconveniences is an invaluable national asset. Certainly we would not want to equip our Air Force with supersonic aircraft and then forbid the pilots to fly at these speeds. Pilots must know the performance capabilities of their aircraft if they are to be employed some day against the enemy.

The sonic boom is a new noise that we must accept as part of freedom's price.

Problems in Foreign Relations

EXTENSION OF REMARKS
OF
HON. WILLIAM F. KNOWLAND
OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1957

Mr. KNOWLAND. Mr. President, on June 9 I had the privilege of participating in a broadcast of the program entitled "Face the Nation," and I ask unanimous consent that a transcript of the broadcast be printed in the RECORD.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

FACE THE NATION

(As broadcast over the CBS Television Network, June 9, 1957, 4 to 4:30 p. m., CBS Radio Network, June 9, 1957, 9:30 to 10 p. m.; guest, the Honorable WILLIAM F. KNOWLAND, United States Senate, Republican of California; moderator, Griffing Bancroft; panel, William H. Lawrence, New York Times; Walter Cronkite, CBS News; James Shepley, Time-Life; producer, Ted Ayers; associate producer, Beryl Denzer)

ANNOUNCER. Senator KNOWLAND, face the Nation. You are about to see the Republican leader of the United States Senate, WILLIAM F. KNOWLAND, face the Nation, with questions from veteran correspondents representing the Nation's press: William H. Lawrence, Washington correspondent for the New York Times; Walter Cronkite, of CBS News; and James R. Shepley, chief of the Washington Bureau of Time and Life. And now, substituting for Stuart Novins, the moderator of Face the Nation, from CBS News and Public Affairs, Griffing Bancroft.

Mr. BANCROFT. Senator KNOWLAND is a man of many responsibilities. A California newspaper publisher and Member of the United States Senate for 12 years now. He is not only the Republican floor leader, but a member of perhaps the three most important Committees on Capitol Hill—on Appropriations—on Atomic Energy—and on Foreign Relations. So, Senator KNOWLAND, you have to cope not only with budgetary and political wars here at home, but with the cold war overseas as well. So, let's get started with our first question from Mr. Shepley.

Mr. SHEPLEY. Senator KNOWLAND, your colleague, LYNDON JOHNSON, of Texas, the Democratic leader of the Senate, proposed in a speech last night that following the appearance of Chairman Khrushchev on this program last week, that United States and Russian leaders should have equal time on the opposite radio and TV networks, each and every week of the year. You, as Republican leader of the Senate, endorse this proposal?

Senator KNOWLAND. Well, I thought Senator JOHNSON had made a constructive and interesting proposal. I certainly would think we would want to be sure that the American representative got equal time and was not just limited to being looked at and heard by the Communist hierarchy in the Soviet Union. If he could assure real equal time, that the people of Russia were getting the information, I think it might be helpful.

Mr. CRONKITE. Do you think, Senator KNOWLAND, that in the case of the Khrushchev interview last week on this program, Face the Nation, we should ask for equal time to answer that particular broadcast?

Senator KNOWLAND. Whether we should ask for equal time to answer that particular broadcast, I think it may be a little late to do that now. The time to have done it was perhaps before the broadcast was made, but over a year ago I suggested that at the United Nations, where they get a wide distribution by television and radio of the proceedings, that before the Soviet Union was able to take advantage of the American audience that he and his government should agree that equal time would be given to Ambassador Lodge and the spokesmen of the Western World, along the same general line.

Mr. LAWRENCE. Senator, do you get the impression that there has been any net change in the climate or in the relations between the United States and the Soviet Union as a result of events in the last week or 2 weeks?

Senator KNOWLAND. I personally, Mr. Lawrence, do not believe the Soviet Union has changed its long-term objectives. I am concerned that they may be interested for propaganda purposes of talking about a new agreement, but I have no confidence that they will live up to this new agreement if they enter into it, any more than they have the whole string of agreements that they have violated, and it seems to me that what the free governments of the world should do is to insist that they at least live up to some of the agreements they have already made. For instance, the 10 resolutions passed on the Hungary situation have not been abided by, by either the Soviet Union or by the captive government of Kadar in Hungary and apparently, now the Soviet Union is using the smokescreen of some interest in disarmament in order to make the world forget about the atrocities in Hungary.

Mr. LAWRENCE. You brought up this Hungarian revolution and I was interested in Khrushchev's assertion—that is all it was, it was hardly a statement of the fact, but his assertion—that the Russians would be willing to withdraw their troops from the captive—from the countries of Eastern Europe, the satellites—captive countries, if we would withdraw our troops from Europe and he expressed the belief that even if Soviet troops left, that these countries would still remain under the Soviet type of government. You agree with this?

Senator KNOWLAND. I do not agee with Mr. Khrushchev's statement. I do not believe that the Kadar government of Hungary would last a day or week if the Soviet troops were withdrawn.

I do not believe that we should try to get a settlement of the withdrawal from all of Europe or perhaps from all of Eastern Europe at one time. I think a good test of the good faith of Mr. Khrushchev and if he was speaking for the Soviet Government, would be to say, "All right, let's take a test. Hungary is the place. This is the time. The United Nations has passed 10 resolutions. Now comply with those 10 resolutions. Withdraw your forces, let there be free elections. You said that communism is a great success. You had an opportunity to impose communism in Hungary for over 10 years. Now let the world see whether the people in free elections would vote for communism or would not."

It seems to me that we ought to put Mr. Khrushchev on the spot; focus world attention on that issue. He has opened it up for us, and I don't think we ought to let him build a smokescreen now by talking about other agreements when here is a specific case where they can demonstrate whether the people of Hungary really want communism.

Mr. LAWRENCE. In your view, would there be a quid pro quo for this? I mean would we, in return for their withdrawing from Hungary, is there anything that we would do or should do?

Senator KNOWLAND. Personally, I would be willing to agree, provided it met the approval of our allies, to say you have talked about a Baltic neutrality situation. If Norway is willing to work with us on this situation, that Norway would join the neutral bloc of the Baltic states in exchange for your pulling out of Hungary and giving the people of Hungary a chance to determine by free elections whether they want communism. Now here would be a test. It would be a limited test. It would be a quid pro quo and would give a chance to see whether Mr. Khrushchev's appearance was only propaganda which I think it was, or whether he was speaking in good faith for his Government and the world would understand.

Mr. CRONKITE. Senator KNOWLAND, is anything being done to put that suggestion of yours into effect?

Senator KNOWLAND. I have written a letter to the Secretary of State suggesting that that be done.

Mr. SHEPLEY. Senator, would you add that, for the purposes of the test, any other countries, say Poland, for example?

Senator KNOWLAND. I don't think that you can solve all these problems at once. Personally, I think we should always seek to get a withdrawal ultimately of the Soviet forces from Poland, Rumania and Bulgaria, and the other captive nations, but we are not going to do that all at one time, and here is a chance to test out Mr. Khrushchev's alleged offer, and his statement that communism could exist if Soviet troops were withdrawn. I think we could, if he doesn't want to take Hungary as an example, we could offer him the alternative—let him withdraw from Latvia, Lithuania, and Estonia, to live up to the agreements that the Soviet Union signed in 1939. Let them become a part of this so-called Baltic neutral bloc in exchange for Norway becoming a member of the so-called Baltic neutral bloc.

Mr. SHEPLEY. Your proposal of Norway as a quid pro quo for Hungary is very interesting, and I was wondering if you had thought of a quid pro quo later for Poland?

Senator KNOWLAND. No; but if you were taking country by country, if he was willing to test whether the people of these captive nations really liked communism and felt it was a paradise as he visions it, why, then, maybe we could try and say that we would be willing to withdraw our forces from, let us say, Greece, so that we would try country by country and let's see how it works out.

Mr. BANCROFT. Senator KNOWLAND, have you had any reply from this letter?

Senator KNOWLAND. No; I have not because the letter was just written on Saturday.

Mr. BANCROFT. When did you write the letter?

Senator KNOWLAND. Just yesterday.

Mr. CRONKITE. Senator, a moment ago, in discussing disarmament you seemed a little less optimistic about the sincerity of the Russians in this particular case than do Secretary of State Dulles and Harold Stassen. Do you feel that they are too optimistic?

Senator KNOWLAND. They are more optimistic than I am. I certainly wish them every luck. There is no man in the world today and the people of Russia must understand this, there is no man in the world today more devoted to peace than is President Eisenhower. He will take any honorable steps to try and gain a real peace in the world and try and gain a limitation of armaments, but I think the Government and the people of the United States have a right, in view of the unbroken record of violations of their prior agreements, to insist, as Senator JOHNSON said on yesterday, that there be some ironclad guaranties, some brassbound guaranties, that this is not just going to be some words without any deeds following it up, and I just don't believe that the Soviet Union has any intention of agreeing to an effective system of inspection, and without it, I think we would jeopardize the security of this Nation and perhaps the freedom of the entire Free World if we merely took their word without insisting on effective guaranties.

Mr. SHEPLEY. On that point, Senator, what is your understanding of the status of the disarmament talks between Mr. Stassen and the Russian delegate in London?

Senator KNOWLAND. So far as I know there have been preliminary conversations with our allies first, so that they would understand some of the proposals that the Government of the United States has in mind. I have no doubt there have been preliminary discussions with Soviet representatives. I am not in a position to go into any details of it nor do I have any up-to-the-minute latest information.

Mr. SHEPLEY. Is it your understanding that these safeguards and controls of which you have just spoken are, indeed, part and parcel of the new American proposals?

Senator KNOWLAND. I believe that to be the case. I believe that that has been the position of our Government in the past. I have no reason to believe they would change it. I think it would be a very serious mistake to merely take the Soviet word without effective guaranties, and I don't believe that either Democrats or Republicans in or out of the Congress would support a proposal that merely gave us another scrap of paper with the signature of the Soviet Union without some effective guaranties on it.

Mr. SHEPLEY. Well, sir, both the President and Mr. Khrushchev have mentioned a general agreement with the proposition of going on with some initial step, some first thing first without awaiting an entire disarmament package. Do you have any idea what that first initial step might be?

Senator KNOWLAND. No; and I have no particular objection to trying it piecemeal, because we are not going to solve all the problems of the world at one sitting, so to speak, but I do believe that we have a right to expect a fair quid pro quo. Secondly, I think we have a right, based on the undisputed record of Soviet violations of their treaty obligations in the past, to make sure that whatever is agreed to, can be effectively inspected.

Mr. CRONKITE. Senator, if I may change the subject at the moment with the agreement of you gentlemen, most of our competitors for world markets are about to resume trade with Red China. You have been an outstanding spokesman for Nationalist China and for Formosa, for the policies of alliance with them in the past. Do you think that the time might be ripe now for us to review our policies toward Red China trade?

Senator KNOWLAND. I think on all foreign policy, no one can freeze their thinking and you have to, obviously, deal with the facts as they exist and as they change from time to time. Personally, I think it is a mistake under existing world conditions to open up the trade of strategic materials with Communist China.

Now, there is argument sometime as to what strategic materials are, but in the recent British announcement it indicated that locomotives, trucks, perhaps entire rubber industrial plants would be shipped. To me they are strategic and to the British Board of Trade they may not be. I, sometime ago, during the Korean war, I told a British friend of mine that I would be perfectly willing to accept the proscribed list of the British orders-in-council of World Wars I and II if there was any dispute as to what would help an unfriendly country.

Now, we have to keep in mind that Communist China only has a truce in Korea. There is not a peace treaty yet in regard to that country. They have violated the armistice terms in Korea; they have violated the armistice terms in southeast Asia; they are still holding American civilians in Communist prisons in violation of their pledged word at Geneva just a year and a half or 2 years ago; they are still making threats to take over Formosa by force of arms. In these conditions, to build up a potential aggressor in that area of the world, it seems to me to be as imprudent as the businessmen who were willing, for dollars, to ship scrap metal and oil to the war lords of Japan in 1939, in 1940, and early 1941, that came back at us, at our battle fleet at Pearl Harbor on the morning of December 7.

I hope those that are pursuing this course don't find that the end result is the same.

Mr. CRONKITE. According to Mr. Lawrence's esteemed publication, in a report today some of your own constituents are urging that course, importers and exporters in the San Francisco area.

Senator KNOWLAND. Yes; some of them dealt in sending scrap iron and oil to the Japanese war lords, too, but I think they have lived to regret it and I think the country learned and lived to understand that that was a shortsighted policy. For temporary profit, this Nation was endangered and a potential enemy was built up so he could make war, drive us out of most of the Pacific, overrun all of China and get down and knock on the doors of Australia.

Mr. LAWRENCE. Senator, I wonder if I could ask you a few questions of a domestic character. You announced some time ago that you would not be a candidate for reelection in 1958.

Senator KNOWLAND. Yes; that announcement still stands and I have no intention of changing it.

Mr. LAWRENCE. Well, I was about to say that some of my friends in California tell me that your friends, quite a few of them, are urging you to change it.

Senator KNOWLAND. There has been some suggestion, but I have written to them and told them that my decision is going to remain what it was.

Mr. LAWRENCE. Well, what will be your future political role, if any? Do you have any plan to run for governor?

Senator KNOWLAND. I have no plans at the present time. As I announced before, when this session is over I intend to return to California, to get over the State from the Oregon line to the Mexican border, a distance of about 1,000 miles to consult with the people of California and following that, I will make a decision.

Mr. LAWRENCE. But you would be—what is the purpose of this survey trip? Get reacquainted with your State?

Senator KNOWLAND. No, I generally get out there after every seession to acquaint them with some of the problems here in Washington. It will be partialily that and partially to have a chance to talk with the people of California regarding 1958.

Mr. LAWRENCE. You are aware, of course, that a great many people are talking about you running for governor?

Senator KNOWLAND. I am aware that California will elect a governor and a United States Senator in 1958, and I think they will elect a Republican governor and a Republican Senator.

Mr. SHEPLEY. Senator, may I pursue that question just a little bit? People also say that the reason you are interested in the governorship is because it would considerably enhance your chances for the Republican nomination for the Presidency. Can you tell us now whether you are interested in the Republican nomination for the Presidency?

Senator KNOWLAND. 1960 is a long ways off and the bridge of 1958 in any event would have to be crossed first. I believe the record of this administration is such that the American people will elect a Republican administration in 1960.

Mr. SHEPLEY. You are not saying that you are not a candidate for the Presidency?

Senator KNOWLAND. No, I am not at this point making any statement in regard to 1960. I have no crystal ball that looks that far in advance.

Mr. CRONKITE. Senator, I don't think you need a crystal ball for this one. In March 1956, you said—that was, of course, during the primary periods before the last election—you said that the party must be unified and greater representation must be given in the campaign, if possible, and afterward certainly, to the Taft wing of the Republican Party. You feel that those conditions have been met?

Senator KNOWLAND. Well, I had reference particularly to the campaign of 1956 at the time. I think that throughout the country, members of all groups in the Republican Party were taken into the campaign organization. I think in the various State organizations they did not discriminate between one Republican and another. Personally, I don't believe in hyphenated Republicanism. I have said before I am a Republican—period. I think the label "Republican" is sufficiently broad that men may have honest differences of opinion and still consider themselves as Republicans without having to hyphenate the term.

Mr. CRONKITE. You mean modern Republicanism?

Senator KNOWLAND. Well, any kind of prefix to a Republican, I don't think is necessary. I think in and of itself it tends to be divisive and anything which divides our party I think is a mistake.

Mr. CRONKITE. You think that the present leadership of the party, under Chairman Meade Alcorn, is giving adequate representation to the so-called Taft wing of the party?

Senator KNOWLAND. I believe so. I have great confidence in Mr. Alcorn. I think he did an outstanding job as chairman of the arrangements committee. Having served on the national committee and on the arrangements committee when I was on the national committee, I think I know something about the problems. His going out to the grassroots has been highly helpful. It has given people a chance to express themselves,

and I think Mr. Alcorn is to be commended in the job he is trying to do.

Mr. LAWRENCE. Senator, let's go back if we may to this business of differences of opinion which you mentioned just a moment ago. Now the President made a speech on Friday, this National Republican Conference, in which he said, among other things, that it was the duty of Republican leaders in the Congress and in the party to see to it that the platform pledges of 1956 were enacted into law and that men should not let preference for detail or differences about detail between them and the administration keep them from carrying out these platform pledges. Now you have often disagreed with the President on vital and important matters.

Senator KNOWLAND. I know of no basic platform pledges upon which I differ materially from the President. As a matter of fact, according to Congressional Quarterly, I stand among the six highest Republicans, percentagewise, in support of the President's program, both domestic and foreign, with the percentage, I think, of 89 percent. There are three others who have that percentage. There are 2 that have 100 percent. But out of that 6, we are the top 6 out of 47. I think that is a pretty good batting average.

Mr. LAWRENCE. Well, I did not really mean to put that into the personal sense of a quarrel between you and the President, but I was getting at this business of getting the platform enacted into law, and the duty of the leadership to see that it is done. What are the chances of the school-aid program going through this session, the way the President wants it?

Senator KNOWLAND. There are lots of problems connected with the school-aid legislation. In the first place, Democratic leadership has indicated that that will not be taken up until after the civil-rights legislation is disposed of; depending on what happens on the civil-rights legislation, may depend on whether the so-called Powell amendment is offered to the aid-to-education bill. Some people believe that if that was added in the House or in the Senate, that might kill the legislation. There are various alternatives that have been suggested. Some favor, as you know, grants just to the needy States; some want to expand it to grants to States whether they are needy or not, which is far beyond the purview of the President's original recommendation; some believe that the needy States could be amply taken care of without grants, but with a kind of educational RFC funds where needy school districts had difficulty in floating their bonds or floating them at a reasonable interest rate might borrow from the Federal Government to repay the entire amount and have no obligations otherwise to them, at the same interest rate that the Federal Government is able to borrow funds, and this would not get into the difficulties that might follow grants-in-aid where the Federal Government ultimately would want controls.

Mr. CRONKITE. Senator, getting back to more specific political-type questions, if we may. How widespread do you believe the disenchantment is among the conservative Republicans over the Eisenhower budget?

Senator KNOWLAND. I think there has been concern throughout the country. I think the grassroots conferences to which we referred that Mr. Alcorn has had, has indicated that there is a feeling that every effort should be made by the Congress without hurt to our national defense, to reduce the $71.8 billion budget, and personally, I believe the budget should be reduced. I believe the Congress will reduce it by at least $3 billion. I favor them doing that and I think that will be done at this session of Congress, and can be done without harm to our national defense.

Mr. BANCROFT. Senator KNOWLAND, on that $3 billion, do you count in that, then $2½ billion out of defense?

Senator KNOWLAND. No; I don't believe the ultimate defense budget will have as deep a cut as the House proposed.

Mr. BANCROFT. But you are now supporting virtually all of the foreign aid program, are you not?

Senator KNOWLAND. Yes; I voted to report the foreign aid authorization bill from the Foreign Relations Committee on Friday, and I believe that the bill that has come out has been substantially a good bill. It did cut about $225 million off the original request which I think is modest and I think is supportable. The matter, of course, still goes to the House and then to conference and then the appropriation bills will have to follow.

Mr. SHEPLEY. Senator KNOWLAND, before we finish I would like to return to some of the questions raised by Communist boss Khrushchev last week. One of his major points was that the Soviet Union, the first Communist experiment on the earth, in the period of some 40 years, has been catching up with the world's greatest productive nation, the United States. He made the point that they have been catching up in production of milk and butter which he said they would reach our level, per capita, next year; meat in 1960. Soviet statistics are dubious at best, but we do know that they have created atomic weapons and hydrogen weapons and that they have jet airplanes that can fly across the ocean and reach our own country. I would like to know whether you have given any thought to the general proposition of how we stand in the competition with the Soviet Union and whether we are doing enough to keep our own country ahead of them in the important regards.

Senator KNOWLAND. I think we are ahead of them. I think the free enterprise system and free governments will keep ahead of them and that is one reason why I have opposed giving American financial aid to the nations behind the Iron Curtain. Khrushchev says we are in a great struggle between Marxian socialism and the free world. Now I think we can win that struggle, but I don't think we can win it if we tax the American people to support Communist economic and political systems and that is why I am opposed to taking the taxpayers' money to bolster up Communist systems in nations which are allied under the Warsaw pact where they are under occupation of Soviet forces. We know under the Marshall plan and under the subsequent mutual aid, why have we put these funds in? In our mutual interest. It has been to strengthen the economic systems of free nations of the world. Why? Because that strengthens their political systems. That strengthens their defensive capabilities and I have been for it.

Now, if you take the opposite side of that coin, if we make the people living under communism happy, if we make communism a success, we in turn, strengthen the war-making potential of Communist nations and I am opposed to doing that with the funds of the American people.

Mr. SHEPLEY. Are you satisfied that we are doing enough on our own in the way of educating scientists and in the way of producing for the common enjoyment of our own people, and for the rest of the Free World?

Senator KNOWLAND. I think we are doing a great deal. I thing we can do more because I never want to see us get into a secondary position vis-a-vis the Soviet Union or any of the Communist states.

Mr. LAWRENCE. Senator, one quick question. As a Member of Congress, will you try to do anything to stop this loan to Poland which the administration is now negotiating?

Senator KNOWLAND. We can't stop the one that has already been given, but on the Appropriations Committee I think a limitation in the appropriation bill would be effective, and I don't believe as long as they are under Soviet occupation, that American taxpayers should be asked to support Communist political and economic systems.

Mr. BANCROFT. I am afraid that is all the time we have, and Senator KNOWLAND, many thanks for coming here today to Face the Nation, and our thanks also to today's panel of newsmen: William H. Lawrence of the New York Times, Walter Cronkite of CBS News, and James Shepley of Time and Life. This is Griffing Bancroft substituting for Stuart Novins. We invite you to join us again next week for another edition of Face the Nation. Our program today originated in Washington.

SENATE

WEDNESDAY, JUNE 12, 1957

The Senate met at 9:30 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father, God, in whose eternal peace our fretful, restless spirits are quieted—the fierce tempests sweeping across our divided world have left us weary with watching and guarding the ramparts of freedom. These testing times have found out our every weakness. In the midst of bewilderment and perplexity we turn to the infinite calm of Thy changeless love that we may find inner sustenance, wells of living water to restore our souls, courage in battling for the truth, and serenity under strain. Steel our hearts for the austere disciplines of self-control, and grant us the power and the purpose to match great needs with great deeds.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Tuesday, June 11, 1957, was approved, and its reading was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Rules and Administration and the Subcommittee on Government Contracts of the Committee on Government Operations were authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs and the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary were authorized to hold a joint meeting during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committee and subcommittees were authorized to meet today during the session of the Senate:

The Committee on Interstate and Foreign Commerce.

The Public Lands Subcommittee of the Committee on Interior and Insular Affairs, on the Everglades National Park and on S. 77—C. & O. Canal.

The Subcommittee on Fiscal Affairs of the Committee on the District of Columbia.

The Internal Security Subcommittee to sit in New York, N. Y.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour. I ask unanimous consent that statements made in connection with the business of the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO LENGTH OF SERVICE OF CERTAIN GRADUATES

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to agreements for length of service of graduates of the United States Military, Naval, and Air Force Academies, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

ESTABLISHMENT OF OFFICE OF DEPUTY JUDGE ADVOCATE GENERAL OF THE NAVY

A letter from the Chief of Legislative Liaison, Department of the Navy, Washington, D. C., transmitting a draft of proposed legislation to establish the Office of the Deputy Judge Advocate General of the Navy, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

RESOLUTION OF CITY COUNCIL OF CITY OF TWO HARBORS, MINN.

Mr. THYE. Mr. President, I present, for appropriate reference, a resolution adopted by the City Council of the City of Two Harbors, Minn., protesting against any increase in the diversion of water from the Great Lakes at the city of Chicago. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Whereas the city of Chicago is "stealing" water from the Great Lakes in dangerous quantities; and

Whereas officials of State and local governments, port authorities and shipping companies have protested the diversion from Lake Michigan of water to be used to flush Chicago's sewage down the Mississippi River; and

Whereas the Lake Superior level has dropped considerably the past years which has been very noticeable at our municipal water and light plant: Therefore be it

Resolved, That the City Council of the City of Two Harbors, Minn., go on record opposing an increase in diversion of waters and that copies of this resolution be sent to United States Senators EDWARD THYE and HUBERT HUMPHREY and Congressman JOHN BLATNIK.

Adopted this 3d day of June 1957.

FRANK EIDE, *President, City Council.*

Attest:

RAYMOND W. GUSTAFSON, *City Clerk.*

Approved by the mayor of the city of Two Harbors this 4th day of June 1957.

DAVID BATTAGLIA, *Mayor.*

RESOLUTION OF SOUTH CAROLINA CHAPTER, INTERNATIONAL ASSOCIATION OF PERSONNEL IN EMPLOYMENT SECURITY

Mr. THURMOND. Mr. President, I present, for appropriate reference, a resolution from the South Carolina Chapter of the International Association of Personnel in Employment Security. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

Whereas the South Carolina Chapter of the International Association of Personnel in Employment Security is a professional organization of 383 employees of the South Carolina Employment Security Commission, salaries for which agency are wholly paid from Federal funds through the Bureau of Employment Security of the United States Department of Labor; and

Whereas it has come to our attention that the National Congress has or will have under its consideration House Resolution 4959 and Senate bill 1693, which are designed to extend the privileges of the Federal Employees' Group Life Insurance Act of 1954 to State employees wholly paid from Federal funds; and

Whereas we are informed that the provisions of these resolutions allow an employee to obtain group life and accidental death and dismemberment insurance in multiples of $1,000 equal to the next highest $1,000 above his annual compensation at a rate not to exceed 25 cents biweekly or $6.50 per annum for each $1,000 of his group insurance, we feel that this insurance would be of great benefit to the some 540 employees of the South Carolina Employment Security Commission: Now, therefore, be it

Resolved, That this South Carolina Chapter of the International Association of Personnel in Employment Security, in annual convention assembled at Myrtle Beach, S. C., on this 18th day of May 1957 does hereby petition the South Carolina Congressional delegation to exert every effort to effect passage of House Resolution 4959 and/or Senate bill 1693; and be it further

Resolved, That a copy of this resolution be sent to each United States Senator and Member of Congress from the State of South Carolina, and that a copy of this resolution also be incorporated in the minutes of the 1957 annual convention of this South Carolina Chapter of the International Association of Personnel in Employment Security.

Members of executive committee: Clara Bell K. Shands, president; Ralph C. Morgan, vice president; D. Colie Craft, treasurer; Louise W. Hays, secretary; Kathryn E. Lewis; Charles P. Scoville; Richard I. Lane; Esther R. Boswell; B. Frank Godfrey; Addison Bostain; John M. Jeter; Thelma Evans, members.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD (for himself and Mr. MURRAY):

S. 2271. A bill relating to the imposition of a tax on the importation of zinc and lead; to the Committee on Finance.

(See the remarks of Mr. MANSFIELD when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 2272. A bill to provide for tax adjustment based on increase or decrease in Federal project authorizations; to the Committee on Finance.

(See the remarks of Mr. BENNETT when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND (for himself, Mr. HOLLAND, and Mr. AIKEN):

S. 2273. A bill to provide an alternative acreage-adjustment and price-support program for the 1958 crop of cotton, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. EASTLAND when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 2274. A bill for the relief of Mario Lazzarotto; to the Committee on the Judiciary.

By Mr. BEALL:

S. 2275. A bill to amend section 15 of the District of Columbia Alcoholic Beverage Control Act; and

S. 2276. A bill to amend the District of Columbia Alcoholic Beverage Control Act; to the Committee on the District of Columbia.

By Mr. O'MAHONEY:

S. 2277. A bill to amend title 35, United States Code, to permit the publication of patent applications, and for other purposes; to the Committee on the Judiciary.

AMENDMENT OF INTERNAL REVENUE CODE RELATING TO TAX ON IMPORTATION OF ZINC AND LEAD

Mr. MANSFIELD. Mr. President, earlier this month the administration presented to Congress, after 2 years in the making, what it considers to be its long-range minerals program to give some new life to many segments of our domestic mining industry. As we all know, the domestic mining industry of this Nation is faced with many economic problems. The continued deterioration of the stability of one of our basic industries will ultimately weaken this country's defense effort.

I was extremely disappointed with the program presented. There was nothing new, and in the instance of the lead and zinc mining, the program presented would mean a slow death to these miners and the communities which serve them.

The lead and zinc miners are in need of help. Therefore, on behalf of my

colleague, the distinguished senior Senator from Montana [Mr. MURRAY] and myself, I introduce, for appropriate reference, a bill, which, if enacted, would impose a tax on the importation of zinc and lead.

The administration suggested a complicated combination of higher tariffs and excise taxes on imports, putting a floor of 17 cents a pound under lead, and one of 14½ cents under zinc. This would not help our lead and zinc miners. In the instance of lead mining, the average production cost in this country is near 17 cents; and it is just under 15 cents for zinc.

On May 29, the very able Representative from Montana's western district, LEE METCALF, introduced in the House proposed legislation which would provide the necessary relief for this segment of our mining industry. The bill I am introducing today is a companion to that bill.

In brief, the bill I have introduced provides that whenever the domestic price, averaged over 1 calendar month, fell below 18 cents for lead and 15 cents for zinc, an import tax of 6 cents a pound would automatically replace the existing tariff upon imported lead and zinc. The President would suspend the special tax after the domestic market price averaged at least the minimum price for 2 consecutive months.

Enactment of this bill will set a price at which domestic miners can produce and sell in this country.

During times of emergency everyone is concerned about the welfare of our domestic mining industry; but as soon as foreign markets are secure, our domestic industry is forgotten. It is about time this industry got some recognition in time of peace.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2271) relating to the imposition of a tax on the importation of zinc and lead, introduced by Mr. MANSFIELD (for himself and Mr. MURRAY), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That (a) chapter 38 of the Internal Revenue Code of 1954 (relating to import taxes) is amended by adding at the end thereof a new subchapter as follows:

"SUBCHAPTER H—ZINC AND LEAD

"Part I. Zinc.
"Part II. Lead.

"Part I—zinc

"Sec. 4611. Imposition of tax.
"Sec. 4612. Periods of application.
"Sec. 4613. Miscellaneous provisions.

"SEC. 4611. Imposition of tax.

"In lieu of any other tax or duty imposed by law, there is hereby imposed on articles imported into the United States which are dutiable under paragraph 77, 393, or 394 of the Tariff Act of 1930, a tax of 6 cents per pound on the zinc contained therein, to be paid by the importer. All taxes and duties imposed under such paragraphs are hereby suspended. For purposes of the tax imposed by this section, the term 'United States' includes Puerto Rico.

"SEC. 4612. Periods of application.

"(a) In general: The tax imposed by section 4611 shall be applied or suspended successively from time to time under the following specific circumstances and conditions:

"(1) Such tax shall apply only to articles imported after the conclusion of a calendar month in which the average domestic market price of slab zinc (prime Western, free on board, East St. Louis, Ill.) for such month is below 15 cents per pound.

"(2) When for any two consecutive calendar months the average domestic market price of slab zinc (prime Western, free on board, East St. Louis, Ill.) for each of such months has been 15 cents per pound or more, and at the end of such 2-month period is 15 cents per pound or more, the Tariff Commission 10 days after the conclusion of such period, shall so advise the President, and the President shall, by proclamation, not later than 15 days after he has been so advised by the Tariff Commission, suspend such tax only until the domestic market price of slab zinc averages below 15 cents per pound for 1 calendar month, whereupon such tax shall be automatically reimposed, subject to suspension and reimposition successively under the provisions of this section.

"(b) Definitions:

"(1) Average domestic market price: For purposes of subsection (a), the average domestic market price of slab zinc for any calendar month shall be the average market price per pound for such slab zinc (prime Western, free on board, East St. Louis, Ill.), and in determining such average market price of slab zinc for any calendar month, the Secretary or his delegate shall be required to base his findings upon the average price of slab zinc (prime Western, free on board, East St. Louis, Ill.) for such calendar month, reported by the Engineering and Mining Journal's 'Metal and Mineral Markets'.

"(2) Month: For purposes of this part, the term 'month' means a calendar month.

"(c) Determinations final: Determinations by the Secretary or his delegate under this section shall, for purposes of this part, be final and conclusive.

"SEC. 4613. Miscellaneous provisions.

"(a) Entry under bond: All articles described in paragraph 77, 393, or 394 of the Tariff Act of 1930, imported after the effective date of this act, shall be duly entered by the importer by payment of the tax imposed hereunder, if applicable, or under bond in double the amount of the estimated tax, except that if such tax is not applicable, such articles must be entered under bond in such amount.

"(b) Articles withdrawn from warehouse: Articles withdrawn from bond regardless of when imported shall be subject to the tax imposed by section 4611, unless such articles are withdrawn from bond for export or to be sold for consumption during a calendar month in which such tax is suspended under the provisions of section 4612.

"Part II—Lead

"Sec. 4621. Imposition of tax.
"Sec. 4622. Periods of application.
"Sec. 4623. Miscellaneous provisions.

"SEC. 4621. Imposition of tax.

"In lieu of any other tax or duty imposed by law, there is hereby imposed on articles imported into the United States which are dutiable under paragraphs 72, 391, or 392 of the Tariff Act of 1930, a tax of 6 cents per pound on the lead contained therein, to be paid by the importer. All taxes and duties imposed under such paragraphs are hereby suspended. For purposes of the tax imposed by this section, the term 'United States' includes Puerto Rico.

"SEC. 4622. Periods of application.

"(a) The tax imposed by section 4621 shall be applied or suspended successively from time to time under the following specific circumstances and conditions:

"(1) Such tax shall apply only to articles imported after the conclusion of a calendar month in which the average domestic market price of common lead (in standard shapes and sizes delivered at New York, N. Y.), for such month is below 18 cents per pound.

"(2) When for any 2 consecutive calendar months the average domestic market price of common lead (in standard shapes and sizes delivered at New York, N. Y.), for each of such months has been 18 cents per pound or more, and at the end of such 2-month period is 18 cents per pound or more, the Tariff Commission, 10 days after the conclusion of such period, shall so advise the President, and the President shall, by proclamation, not later than 15 days after he has been so advised by the Tariff Commission, suspend such tax only until the domestic market price of common lead averages below 18 cents per pound for 1 calendar month, whereupon such tax shall be automatically reimposed, subject to suspension and reimposition successively under the provisions of this section.

"(b) Definition:

"(1) Average domestic market price: For purposes of subsection (a), the average domestic market price of common lead for any calendar month shall be the average market price per pound for such common lead (in standard shapes and sizes delivered at New York, N. Y.), and in determining such average market price of common lead for any calendar month, the Secretary or his delegate shall be required to base his findings upon the average price of common lead (in standard shapes and sizes delivered at New York, N. Y.), for such calendar month, reported by the Engineering and Mining Journal's Metal and Mineral Markets.

"(2) Month: For purposes of this part, the term 'month' means a calendar month.

"(c) Determinations final: Determinations by the Secretary or his delegate under this section shall, for purposes of this part, be final and conclusive.

"SEC. 4623. Miscellaneous provisions.

"(a) Entry under bond: All articles described in paragraph 72, 391, or 392 of the Tariff Act of 1930, imported after the effective date of this act, shall be duly entered by the importer by payment of the tax imposed hereunder, if applicable, or under bond in double the amount of the estimated tax, except that if such tax is not applicable, such articles must be entered under bond in such amount.

"(b) Articles withdrawn from warehouse: Articles withdrawn from bond regardless of when imported shall be subject to the tax imposed by section 4621, unless such articles are withdrawn from bond for export or to be sold for consumption during a calendar month in which such tax is suspended under the provisions of section 4622."

(b) The table of subchapters for such chapter is amended by adding at the end thereof.

"Subchapter H—Zinc and lead."

(c) This act shall apply only with respect to articles entered or withdrawn from bond after the effective date of this act. The Secretary of the Treasury is authorized to make all necessary regulations to enforce the provisions of this act.

TAX ADJUSTMENT BASED ON FEDERAL PROJECT AUTHORIZATIONS

Mr. BENNETT. Mr. President, I introduce, for appropriate reference, a bill to provide for tax adjustment based on increase or decrease in Federal project authorizations. I ask unanimous consent that the bill be printed in the RECORD, and lie on the desk for 1 week, so that any Senators who wish to do so may join me in cosponsoring it. I will welcome any helpful comments.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and lie on the desk, as requested by the Senator from Utah.

The bill (S. 2272) to provide for tax adjustment based on increase or decrease in Federal project authorizations, introduced by Mr. BENNETT, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as the "Tax Adjustment Act of 1957."

TITLE I—TAX ADJUSTMENT ORDERS

SEC. 101. (a) Whenever any committee of the Congress (other than the Appropriations Committees) requests a report from a Government agency on a bill or joint resolution proposing legislation which, if enacted, or a treaty which, if ratified, will authorize or require the expenditure of Federal funds, the Director of the Bureau of the Budget shall estimate the costs of such legislation or treaty for the fiscal year under way, the ensuing fiscal year, and susbequent fiscal years, and shall transmit such estimates in each case to the committee or committees concerned. In the event any committee reports any such bill or joint resolution, the Director of the Bureau of the Budget shall make a like estimate of the costs of such legislation or treaty as reported, and such estimate shall be included in the committee report.

(b) At the conclusion of each session of the Congress, the Director of the Bureau of the Budget shall make such a cost estimate (including necessary revision of any estimates made under subsection (a)) for each public law enacted and each treaty ratified during such session. The Director shall cumulate all such estimates and shall deduct from the total thereof the amount (in annual cost) of all authorizations which have lapsed or terminated during the current calendar year.

SEC. 102. On the basis of the net amount of the project cost estimates for any calendar year under section 101 the Director of the Bureau of the Budget shall prepare a tax adjustment order so framed as to provide such increases in income-tax rates effective over such period of time as may in his judgment be necessary to meet the estimated increase in project authorizations or requirements. If the total of lapsed or terminated authorizations or requirements exceeds new authorizations or requirements, the tax adjustment order shall provide for corresponding decreases in such tax rates.

SEC. 103. A tax adjustment order shall be submitted to the President by the Director of the Bureau of the Budget, for transmittal to the Congress on or before January 10 of the year following the year during which the laws or treaties on which it is based were enacted or ratified, and shall become effective in the manner provided in section 104. All orders shall be numbered serially without regard to the year in which transmitted. The delivery of any order shall be made to both Houses of the Congress on the same day and shall be made to each House while it is in session. The Director of the Bureau of the Budget shall also submit in connection with each tax adjustment order a statement setting forth his findings and conclusions upon which such order is based.

SEC. 104. (a) A tax adjustment order transmitted to the Congress pursuant to section 103 shall become effective at 12:01 o'clock antemeridian, eastern standard time, on the expiration of the first period of 60 calendar days of continuous session of the Congress following the date on which the order is transmitted to the Congress; but only if, between the date of transmittal and the expiration of such 60-day period there has not been passed by either of the two Houses a resolution stating in substance that the House does not favor the order.

(b) For the purposes of subsection (a)—

(1) the continuity of session of the Congress shall be considered as broken only by an adjournment of the Congress sine die; but

(2) in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

(c) Notwithstanding the provisions of subsection (a), a tax adjustment order may take effect at a later date than the date on which it would otherwise take effect under the provisions of subsection (a), if such later date is specified in the order.

SEC. 105. The Director of the Bureau of the Budget is authorized to employ such personnel as he determines necessary to assist in carrying out the duties and functions imposed upon him by this act.

SEC. 106. The Director of the Bureau of the Budget is authorized to prescribe such rules and regulations as he determines necessary to carry out the provisions of this act and to perform the duties and functions imposed upon him by this act.

SEC. 107. The Secretary of the Treasury shall, at the request of the Director of the Bureau of the Budget, furnish to the Director such information as the Director determines necessary to enable him to perform his duties and functions under this act. The Director may, from time to time, request from any other department or agency in the executive branch of the Government any information which such department or agency may have in its possession, or which is available to it, and which the Director determines necessary to enable him to perform his duties and functions under this act.

TITLE II—EXERCISE OF CONGRESSIONAL RULE-MAKING POWER

SEC. 201. The following sections of this title are enacted by the Congress:

(a) As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in section 202); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

SEC. 202. As used in this title, the term "resolution" means only a resolution of either of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the does not favor Tax Adjustment Order No. , transmitted to the Congress by the President on , 19 .", the first blank space therein being filled with the name of the resolving House and the other blank spaces therein being appropriately filled.

SEC. 203. All resolutions with respect to a tax adjustment order introduced in the Senate shall be referred by the President of the Senate to the Committee on Finance, and all resolutions with respect to a tax-adjustment order introduced in the House of Representatives shall be referred by the Speaker of the House to the Committee on Ways and Means.

SEC. 204. (a) If the committee to which has been referred a resolution with respect to a tax-adjustment order has not reported it before the expiration of 10 calendar days after its introduction, it shall then (but not before) be in order to move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such tax-adjustment order which has been referred to the committee.

(b) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same tax-adjustment order), and debate thereon shall be limited to not to exceed 1 hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(c) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same tax-adjustment order.

SEC. 205. (a) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to a tax-adjustment order, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(b) Debate on the resolution shall be limited to not to exceed 10 hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

SEC. 206. (a) All motions to postpone, made with respect to the discharge from committee or the consideration of a resolution with respect to a tax adjustment order, and all motions to proceed to the consideration of other business, shall be decided without debate.

(b) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a tax adjustment order shall be decided without debate.

Mr. BENNETT. Mr. President, I ask unanimous consent to have printed in the RECORD a statement, prepared by me, relating to the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BENNETT

This year we have been working on our annual appropriation task in a new and different atmosphere. There is unmistakable evidence that the continually rising cost of Government has aroused the American people, and we are responding to their demands by our attempts to reduce appropriations.

Because the President is required to submit to us, in his annual budget message, an estimate of the funds needed to operate the

Government for the next fiscal year—he has borne the brunt of public criticism for the size of his proposal. But in the last analysis, it is we, the Congress, rather than the President whose actions are under fire. At least, we must share the responsibility. This is true because we, in the exercise of our constitutional power, passed the laws which created the programs and projects whose cost makes up an important part of the high budget.

Because we feel secure in the power of the Government to raise funds, through taxes or by borrowing, we tend to separate the consideration of the benefits of a program from a resolute measuring of its cost. The first phase, the authorization, is the pleasant one. Here we are giving people what they want. Here we are carrying out party platform pledges, or our own campaign promises. Often such programs carry very low costs to start with, but these have a tendency to increase when they become firmly fixed in the pattern of Federal services. If they serve all the people, their costs will reflect the increase in the general population. If they serve our senior citizens, their costs will increase as the life span lengthens. If they require the long-time investment of funds, their original estimates tend to expand in the presence of annual civilian wage increases and inflation. But we do not have to think of these things when we authorize them. At that point we may be said to be in the happy state of the wife who has open charge accounts all over town. She concentrates her thinking on what she wants to buy—not on the day the bills come due.

But, to carry that simile a little further, we seem to have come to the point where the bills have piled up too high—the American people are objecting. So we are doing the best we can to postpone some, to force economies in others, but we still are not getting at the root of our problem.

Today I am introducing a bill, which I offer for appropriate reference. It is intended to force us to consider two phases of this problem which we can now ignore—and do, usually.

The first section of the bill is intended to make sure that when the appropriate committees of the two Houses, and the Houses themselves, consider and approve a bill or a treaty, they will have before them an authoritative estimate of the cost of the program the bill or treaty would create. Then they would be able to weigh its benefits against its impact on future appropriations, and be in a position to develop a more responsible judgment.

The machinery for this is simple, and basically already set up. Today nearly all bills are submitted to the affected agencies for comment, which agencies in turn submit the bill and their proposed comment to the Bureau of the Budget for review. My bill, if enacted, would impose on the Bureau of the Budget, as part of its review of the bill, the responsibility of providing an estimate of the costs that the bill would entail, so that this would be available at every stage of the legislative process.

The second objective of the bill is to make sure that enough tax revenue will be available to meet these costs when they are committed. Taxes are too high now, and no one wants more than I to see their climb halted and reversed. But there is another related value that I am equally anxious to protect—a balanced budget. That balance has been painfully achieved, and for the good of the country we must not slip back into deficit spending in a period of high prosperity. But under our present system, the balance is always uncertain, and we in the Congress have no way of knowing in advance how any law, or laws, we pass will affect it.

I realize that the proposal my bill contains has little chance for consideration soon. But I offer it in the hope that it will serve to stimulate interest in this problem and its solution, both in the Congress and in the country. If this wave of concern over the budgetary and fiscal problems of the Government is more than a flash in the pan, some such program may eventually be adopted.

The second proposal really rests on, and grows out of, the first. If Congress, with its knowledge of the estimated cost of new programs, enacts them into law, the Bureau of the Budget would be required at the end of every annual session of each Congress to accumulate and compile a total of all such new costs created by new legislation and treaties, and translate that total into a figure which would represent a percentage of each income tax rate, personal and corporate.

Let us look at an example of how this might operate. Let us assume a collection of $40 billion produced by existing rates on personal and corporate income. Then let us assume that Congress were to pass new laws creating additional costs for the next fiscal year, of $1 billion (net after the Bureau had deducted the expected savings from any existing programs that would not carry over). Since 1 billion is 2½ percent of 40 billion, this percentage of increase would be applied to every tax rate. A 2½ percent increase in the base rate for personal income taxes would make the applicable rate for the next year 20.5 percent. The corporate rate of 52 percent would become 53.3 percent. Conversely if there were a net decrease in the cost of Government operations and programs, a reduction in the tax rates would also be possible.

In order to put teeth in the program, the bill provides that when the cost and its effect on the rates have been calculated, they will be reported to the President, who will in turn transmit the figures to the Congress; and that unless either House of Congress, by affirmative action within 60 days after the receipt of the President's message, specifically rejects the tax adjustment, it shall become immediately effective, making the new rates apply to taxes on income of the year in which the new costs were committed.

This is not a surrender of the taxing power of Congress. It can still adjust the basic rates when conditions warrant or require it. But it does put new legislation directly on a pay-as-you-go basis, and it does give added protection to the balance of the budget. Its chief value is that it forces Congress and the country as a whole, to face the cost of any proposal when considering its benefits.

ALTERNATIVE ACREAGE ADJUSTMENT AND PRICE SUPPORT PROGRAM FOR 1958 COTTON CROP

Mr. EASTLAND. Mr. President, on behalf of myself, the Senator from Florida [Mr. HOLLAND], and the Senator from Vermont [Mr. AIKEN], I introduce, for appropriate reference, a bill relating to cotton.

The bill has the support of the American Farm Bureau Federation. The bill provides that when farmers vote in the fall on acreage allotments for the following year, they be given an option, first, to support the present program of flexible price supports, with an acreage in 1958 of 17,600,000 acres; or, second, to vote for price supports of 75 percent of parity and a 20-percent increase in acreage, or for a national acreage allotment of 21,100,000 acres.

The economists consider that the bill will increase the net farm income, and also will not cost the Government as much money.

As acreage has been reduced, the unit cost of production has increased. The bill simply lets the farmer decide whether he wants 75 percent of parity and a 20-percent increase in his acreage, the acreage allotment to be figured for the farmer, with each farmer taking his 1957 allotment and adding 20 percent in order to get the allotment which would be figured under the bill.

Farmers may choose whichever system they want; the majority vote will control.

Middling inch cotton, under the second option, of 75 percent of parity, would be roughly, according to the figures of the Department of Agriculture for 1958, 32 cents a pound. Middling inch and 1/16th cotton, which is grown in the West, the Central Belt, and the Southeast, would figure roughly 34 cents a pound. Middling inch and 1/32d cotton would figure roughly 33¼ cents a pound.

The purpose of the bill is to increase the net income of the cotton farmer. It has the support of the Farm Bureau Federation.

I hope the bill will be enacted, so the farmers can take their choice as to whether they desire to expand the markets and make more money, or to go on with a gradually declining cotton allotment.

If the bill is not passed, then in 1959 the national allotment will shrink from 17,600,000 acres to 12,800,000 acres. The bill will prevent a drastic further reduction in acreage. By acquiring new markets, as has been done under the cotton export program, it will be possible to have a 20-percent expansion of acreage and to increase the net income of the cotton grower.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2273) to provide an alternate acreage-adjustment and price-support program for the 1958 crop of cotton, and for other purposes, introduced by Mr. EASTLAND (for himself, Mr. HOLLAND, and Mr. AIKEN), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

MUTUAL SECURITY ACT OF 1957—AMENDMENTS

Mr. LONG submitted amendments, intended to be proposed by him, to the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, which were ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. REVERCOMB:

Address delivered by him before the Southern Conference of Young Republicans Federation, in Charleston, W. Va., on April 13, 1957.

By Mr. BUTLER:

Address by him delivered at Founders' Day dinner, New York, and an article entitled "President for a Year," written by Kyle Smith, published in the July issue of American Mercury Magazine; both on the subject of John Hanson, of Maryland.

By Mr. WILEY:

Statement by him and exhibits relating to the outstanding work of the People-to-People Foundation.

NOTICE OF HEARINGS ON SENATE JOINT RESOLUTION 73 AND S. 1174

Mr. GREEN. Mr. President, I give notice that on June 18, at 10 a. m., the Committee on Foreign Relations will hear nonadministration witnesses on Senate Joint Resolution 73, a joint resolution to increase the ceiling on the authorized United States contribution to the International Labor Organization.

The room where this hearing will be held will be announced later.

On June 19, at 10 a. m., the committee will hear executive branch witnesses on S. 1174, a bill to increase the borrowing authority of the St. Lawrence Seaway Development Corporation and for other purposes. On June 20, at 10 a. m., nonadministration witnesses will be heard on this bill. Both of the hearings on S. 1174 will be held in room 457 of the Senate Office Building.

THE FOREIGN RELATIONS OF THE UNITED STATES—THE "OPEN CURTAIN"

Mr. JOHNSON of Texas. Mr. President, Secretary Dulles has stated that he welcomes the idea of the "open curtain" and that it is similar to proposals this country has made in the past.

It is fortunate that the Secretary is in such complete agreement. It should be possible to advance the proposal with redoubled vigor.

It is my intention to explore this question with the Secretary to determine methods by which Congress can reinforce the hand of our negotiators. Our representatives should have the united backing of our people when they urge the "open curtain" upon the Communist leaders.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the transcript of Mr. Dulles' news conference on June 11, 1957.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

SECRETARY DULLES' NEWS CONFERENCE OF JUNE 11, 1957

(The following is the State Department's release of Secretary of State John Foster Dulles' news conference today, which is authorized for direct quotation:)

Secretary DULLES. We are very happy to have in our group today 11 correspondents from Brazil to take part in and witness one of our distinctive American institutions—a press conference.

Now, if you have questions.

Question. Mr. Secretary, Mr. Stassen came home at the end of last week for consultations just, I think, about 2 weeks after he had been here, and stayed longer than we had thought he would stay. Could you tell us what these talks are about?

Answer. The problem of working out these disarmament proposals is a very difficult, complicated problem, and it has many delicate aspects in relation to our allies, many of whom are directly or indirectly concerned in these matters. And while in substance the position of the United States was decided upon by the President before Mr. Stassen went back the last time, there are procedural complications which have developed in relation to NATO which made it seem desirable for Governor Stassen to return and have some further talks on that aspect of the matter. I am seeing him this afternoon.

Question. Mr. Secretary, are the differences with our allies substantive differences, or are they annoyed by the way that the negotiations are being conducted with the Russians?

Answer. Well, I would not want to say or use the expression that they are "annoyed." There are some very genuine problems, almost inescapable problems as to procedure, as to whom you talk with first, and who thinks his views are having the greatest weight. That is always one of the great problems of working out a matter of this sort, where you have allies who are very properly concerned. And I would say that the difficulties that have arisen are nothing that were unusual, but I do think that they were of a character which required a closer review of our procedures in these matters, relationships to NATO, and the like. You see, we have complications due to the fact that the Federal Republic of Germany is not a member of the United Nations, and that these discussions are being carried out under the auspices of the United Nations; yet Germany is very deeply involved. The working out of these procedures is a matter of some difficulty, of some delicacy, which I think justified having a further talk here with Mr. Stassen.

Question. Do these questions, Mr. Secretary, center around the so-called European inspection zone idea? Is that what the difference is about?

Answer. Well, you are talking now about the substance rather than of the procedural aspects of the matter. We do not yet know definitely what the views of our allies are about the so-called European zone. At the moment, the question is the procedures for dealing with that matter and getting an authoritative expression of views. There have been some discussions with NATO, and there will be continuing discussions with NATO as one forum through which the attitude of our continental allies can be worked out, and the question of the European zone is one matter. As I say, we do not yet have any definitive expression of views from our continental allies as to what they think about a European zone.

Question. Well, will Mr. Stassen be able to present an American position at the table in London to the Soviets before this matter is settled with all our allies?

Answer. I don't think that there should be an official presentation of a United States position until aspects of it which relate to our allies have been clarified with them. I think I made clear here on a number of occasions that the question of whether or not, in the first phase of the inspection and control which goes with limitation of armament, that whether in that first phase there should be a European zone is, in our opinion, primarily a matter for the Europeans themselves to express a view about. I think that we would feel that it was quite possible to get started adequately without a European zone. The question is whether they want to have a European zone in the first phase or whether they do not; and that is primarily a matter for them. I do not think any official United States position should include a European zone unless we know that the continental allies, in particular, which would be affected, want it in. Neither should we present a position which excludes a European zone if they want a European zone to be in. And it is the procedures for ironing out those matters which are being worked on at the present time.

Question. Mr. Secretary, isn't one of the problems further complicating the situation what might be called an unresolved conflict within the American administration as to how to proceed basically? I mean by that, a body of thought within the administration with respect to wanting to go further with the European zone, with respect to cessation of tests of weapons, and that sort of thing, and another body of thought against that sort of thing.

Answer. No. I think that the differences within the United States administration have been authoritatively resolved by action which the President took.

Question. Which action is that, sir?

Answer. The action which he took before Governor Stassen went back the last time, which I announced from the White House following a meeting with the President.

Question. Mr. Secretary, then is it correct from what you say that the United States will be unable to propose any European zone or any proposal affecting troops, cutting troops, or armaments in Europe unless there is a unanimous agreement of all the NATO countries whose territory would be involved?

Answer. I don't know whether the word "unable" is the correct word. Certainly we would not be disposed to present as an American program a program which involved Continental Europe and dealt with either inspection there or the positioning of forces there unless that was concurred in by all of the countries that were involved.

Question. Mr. Secretary, to put it another way around, are we going to make a solid proposal on aerial inspection of the Arctic?

Answer. That, of course, also involves the concurrence of Canada and possibly of Denmark in relation to Greenland, possibly of Norway, depending on just where the line is drawn. But subject to the concurrence of those countries we are prepared to make a solid proposal covering the Arctic area.

Question. You anticipate, Mr. Secretary, that the Canadian elections yesterday might have some effect upon the concurrence which you said a few weeks ago that the Canadian Government had given?

Answer. Well, I assume that the new government, assuming that a new government is constituted, would want to take a fresh look at the matter, yes, and that might involve some delay.

Question. Mr. Secretary, do you share personally the view of some people in the administration that an Arctic zone alone offers more protection against surprise attack to the United States than it would to the Soviet Union, and that part of any agreement, balanced agreement, between the United States and the U. S. S. R. would necessitate some agreement in Europe where the Russians presumably are most fearful of attack?

Answer. I don't know what the Soviet view of that matter is. I would say this: That any inspection of any part of the Soviet Union offers more protection to the United States, because we do fear and think we have reason to fear that under certain circumstances that the Soviet Union might attack. I don't think that the Soviet Union has any legitimate ground to fear any attack from anywhere in the United States or any of our bases. If you try to evaluate these different areas in terms of the likelihood that one or another would attack, then I think you are using a very difficult equation. I think that to find a substantial area where this initial step can be taken which will test out the procedures for aerial inspection and coordinated ground inspection, that that is the important thing. I don't think anybody expects that we would stop with that. The important thing is to find some place to get started. Now, there are always going to be some reasons, I suppose, against finding any areas. But there seem to be more legitimate complications with respect to a European

zone, that would involve many more countries, and might involve such political matters as the reunification of Germany. So, it may be felt that in the interests of getting started quickly we should explore the possibilities of an area which did not include Continental Europe. I have no basis to form an opinion one way or another as to whether the Soviet Union is insistent upon a European zone.

Question. Mr. Secretary, would you believe these problems can be worked out and Mr. Stassen can present a plan at the London Conference?

Answer. Well, I can't foresee how quickly they will act. I know that these matters are very difficult and they involve very serious decisions. We ourselves have taken a good many months to debate the pros and cons within our own Government. I do not think we can fairly expect our allies to make a decision in just a few days merely to suit our convenience or the convenience of the Soviet Union.

Question. Mr. Secretary, a part of the question as to when Mr. Stassen can go back to London. Do I correctly gather from this answer that he intends to remain in Washington until the positions of the allies are settled?

Answer. Oh, no; because the question of his staying here is unsettled at the present time. I haven't seen Governor Stassen yet. We are seeing each other at 4 o'clock. He was yesterday at his son's commencement, I believe, and this morning I am engaged, as you see, and we are seeing each other this afternoon at 4 o'clock. Until we have had a talk then, I would not want to say, could not say what the plans might be for his return.

Question. Will other people be in on this conference, from defense and atomic energy, as before?

Answer. No. At this stage, it involves matters of our diplomatic relations with our allies, which does not primarily concern any department except the Department of State. Perhaps Under Secretary Herter will be there, but it will be a State Department conference.

Question. Mr. Secretary, isn't it completely likely that Mr. Stassen will present a proposal which, in effect, omits the European zone idea until it is decided upon by our allies in terms of whether or not we should even propose it?

Answer. Well, that prejudges the attitude of our allies, and, as I say, we do not yet have any solid indication from our allies as to whether they want or do not want a European zone in the first phase, and the conditions which they might want to attach to having such a zone in the first phase. There is this whole problem of the political implications of any disarmament matter and the solution of political problems. The general attitude of the Europeans, the continental Europeans, is that it may be desirable to explore at least the possibility of a political settlement of the continental problem, particularly the problem of German reunification, before we move in the disarmament field in relation to an area which would include Germany. But that matter is being studied by them intensively at the present time, and I would not want by anything to imply either a positive or a negative response on their part to that question.

Question. Well, that also implies that you expect them to act fairly quickly, because Mr. Stassen is supposed to present a proposal this week, isn't he?

Answer. Well, let me make perfectly clear this: this is not a bilateral negotiation. It is not just between the United States and the Soviet Union. And we are not going to throw into the discard the views of our allies merely in the interest of making progress on a bilateral basis with the Soviet Union. We attach first importance to our relations with our allies, and we shall not sacrifice that relationship with our allies just in order to make speed with the Soviet Union.

Now I think that the Soviet Union understands the situation, and that the kind of procedures that we will work out will not involve any rupture in any way of the negotiations or of progress. I think there will be things that can be talked about with the Soviet Union perhaps on an informal basis, which will not involve any of these major problems, but which will still be matters which have to be talked about at some stage. This problem is infinitely complicated. It has many facets, and there are plenty of facets about which we can talk with the Soviet Union which don't involve or prejudice or prejudge in any way this particular matter of a European zone. So I think that useful progress can probably be made in talks with the Soviet Union without in any way coercing or seeming to coerce, or confronting our allies with a fait accompli.

Question. Mr. Secretary, speaking of allies, Senator KNOWLAND has suggested that it might be possible to neutralize Norway in exchange for Soviet withdrawal from Hungary. How do you feel about such a proposal?

Answer. Well, I fully share Senator KNOWLAND's feeling that every proper effort should be made to get the Soviet troops out of Hungary. And I believe that if we can find a way to test the sincerity of what Mr. Khrushchev said in that respect we should try to find it. But I feel this about our mutual security, collective security arrangements:

These arrangements, according to my concept, are arrangements such as are made in any civilized community to gain security. These are not military aggregations; they are not alliances, in the ordinary sense of that word—they are an effort to do within the free world the kind of thing that should preferably have been done through the United Nations. The United Nations Charter, as you recall, contemplated a system of collective security under its Security Council, with forces, facilities, airplanes and so forth at the disposal of the Security Council. Now that concept was never realized because of the Soviet veto. Therefore, we are trying to realize it within the Free World, and the mutual-security arrangements which have been created as between, I think, 45 nations represent an effort to do that. And I do not think it is appropriate to suggest that any free-world country which wants to participate in collective security should withdraw from it. It would be like suggesting that some of us here in Washington should agree that our own homes, houses, should no longer have police protection. Well, that would not be a suggestion that would be welcomed. And I doubt whether it is appropriate to suggest that a nation which wants to share in collective security should give that up.

Question. Mr. Secretary, Prime Minister Kishi from Japan will be here next week. I wonder if you could tell us, sir, what problems you feel might exist between the two countries which his visit will help solve; and whether you feel that this visit is as important as he says it is when it opens a new era of relations between the two countries?

Answer. I consider that this visit is very important and comes at a formative period in the relations between our two countries. Japan since the war has been in the process, you might say, of finding herself again as a potential great power, and I use that term "great" not in the term of ability to impose your will upon others but in the ability to play a constructive role in world affairs and in the creation of collective security. And I feel that there is a growing feeling in Japan that a new stage is approaching in the relations of Japan to the rest of the world and I hope and believe that we will have a chance to talk that over constructively with Mr. Kishi when he is here. I do regard it as a very important meeting coming at an important time.

Question. Mr. Secretary, getting into the inter-American field, there is going to be an economic conference in Buenos Aires in August. Could you tell us who will head the United States delegation, whether it will be Mr. Humphrey or Mr. Anderson, and whether any new policy will be enunciated there?

Answer. I doubt very much that it will be Secretary Humphrey. Whether or not it will be Secretary Anderson or possibly Mr. Burgess, that I don't know—that's a matter for them to work out. And I would also not want to discuss the policies because, as you know, those conferences are primarily held under the auspices of the treasury departments, the finance departments, of the different countries, not under the auspices of the State Department.

Question. On a related subject, Mr. Secretary, the representatives of the presidents of the 21 American Republics issued a report last month, which was made public on May 25, proposing certain steps to strenthen the economic phase of the Organization of the American States. I wonder if you have seen the report and can tell us how quickly the United States plans to implement its part in the program?

Answer. Yes; I have seen the report. I think it is a constructive report. There are different parts of it which will have to come into force at different times, and there is no one date for everything that can be done there. But I see no reason why the United States should not carry forward its part in that at a rapid rate. There are no matters which cannot be dealt with, I think, within the compass of presently agreed policies. I think what is proposed is important. It is constructive, not when measured by the yardstick of dollars, which I think is a very fallible measuring rod for these matters, but in terms of getting new concepts underway, and I think we can respond rather quickly to the recommendations of the committee.

Question. Mr. Secretary, the Soviet Union has proposed a rather large-scale resumption of cultural and other forms of exchange between itself and the United States. Could you tell us whether you favor such a resumption, and along what lines?

Answer. Well, I favor the resumption, but not necessarily along the precise lines that the Soviet proposes. You may recall that at the meeting of the Foreign Ministers which came after the summit conference, that is, the meeting held in October and November 1955, some 18 months ago, the United States, with the British and the French, put forward a very comprehensive package of proposed exchanges—a 17-point proposal. That included, for example, a proposal for reciprocal presentations on current affairs by radio, with someone from the United States who would have an opportunity to speak to the people of the Soviet Union. I think we proposed that there should be an allotted time of a period of half an hour every month, and that they, in turn, would have a half hour to make a presentation to the United States of their views and policies. I was very glad, indeed, to see the strong endorsement of that concept by Senator JOHNSON the other day. He made almost exactly the same proposal, or at least adopted, you might say, the same proposal that the United States had made at that time. But his reinforcement of that at this juncture is a very useful thing and is again a demonstration of the bipartisan character of our foreign policy. We are constantly pressing the Soviets, for example, for these reciprocal facilities to speak to the Soviet people. So far, they have been adamant in their refusal. I remember Molotov said that he would not be willing to have exchanges of that sort because it would present the Soviet people with what he called social scum.

Question. Mr. Secretary, since Khrushchev's television appearance and since this issue has come alive again, has the United States made any specific proposal to the Soviet Union for reciprocal radio or television time, or do you propose to do so?

Answer. Well, we have been pressing them consistently since the original formulation of that proposal 18 months ago. I can't say with positiveness as to whether or not we have pressed it again upon them within the last day or two. But I know that that is one of the items which is on the list, which is being watched here for us in the State Department by Ambassador Lacy. I talked to him on the phone last night and he said that it is constantly in his mind. I don't think a concrete proposal has been made within the last day or two, but he has been pressing and we have been pressing for that kind of exchange off and on, with consistency, for the last 18 months.

Question. Well, Mr. Secretary, does that mean that as of now the proposal, the specific proposal for a one-half hour exchange each month, or in any period of time you would specify, is an open proposal on the part of the United States to the Soviet Union?

Answer. It is. And that has been made perfectly clear repeatedly to the Soviet Union.

Question. Mr. Secretary, has any progress been made in negotiations with Egypt to get a closer adherence to the United Nations' six principles for operating the Suez Canal?

Answer. There are no new developments along that line other than the bilateral talks which have been conducted by some nations with reference to easing, from a fiscal standpoint, the conditions of transit. That is perhaps one aspect of bringing the Suez Canal into line with the six principles in that it does away with monetary restrictions which might be an impediment. The French are in the process I think of concluding discussions of that sort; possibly other governments have been having them. But, aside from that, I think no progress has been made.

Question. Mr. Secretary, on another point, President Eisenhower, in discussing trade with Red China at his news conference last week, said that he belongs to the school of thought that believes that in the long run trade cannot be stopped between countries and that you will either have authorized trade or clandestine trade. Further, he said he did not see as much advantage as some people in maintaining tougher trade controls on shipments to Red China than on shipments to the Soviet bloc in Europe. Could you tell us how you stand on this, sir?

Answer. Well, let me first say that you left out the last part of his sentence.

Question. That he does not favor abolition.

Answer. He said he did not favor the total abolition of the differential.

Question. That's right, sir.

Answer. And that is an extremely important point because that is the position we took at the Paris talks and with respect to which we had the support of a substantial majority of the nations that were represented there. An effort has been made to suggest that the United States stood alone in that matter. Actually, at this conference, a substantial majority of the nations shared the United States position and not the position of the United Kingdom, and that is the position which the President expressed at his last press conference when he said he did not favor a total abolition of the differential.

The problem as I see it is this, that China has only a limited amount of foreign exchange with which to buy goods abroad and the question is how high, in terms of strategic value, are the goods you are going to let China buy? It is, I think, highly doubtful that the total volume of China's foreign trade will be increased by a total abolition of the differential. It will, I think, mean that instead of buying commodities of less strategic value, they will concentrate their buying upon goods of higher strategic value because their great effort today is to build up their war potential and their heavy industry that supports it. I feel that the views of the United States, which carries the primary responsibility for peace in the area, should have weight with respect to that matter.

Question. Mr. Secretary, what is the exact position today of the United States Government regarding the situation in Algeria? There have been some rumors in Paris that the United States Government would be more active in trying to promote a negotiated settlement of the conflict. Can you comment on that?

Answer. The United States has no plan for intervening or interfering in that matter in any way. I received the suggestion, which I may have referred to here, some little time ago, from the Arab ambassadors, that because the United States gives military assistance to France we should attach to it certain conditions in relation to Algeria. And I asked whether they really felt that assistance from the United States of a military character or military support character should have attached to it political conditions, and on reflection I think that they would not want that kind of a policy applied to them.

Question. Mr. Secretary, the other day at his news conference, Mr. Eisenhower seemed to invite the inference that he disapproved of a broadcasting system inviting Mr. Khrushchev to appear on an American program, the inference being that somehow it was lopsided or that it embarrassed the administration. Then he went on to say that, whereas he himself would probably not appear in answer, that others of the administration might. I'd like to ask you a few questions against that background.

First, is an appearance of this kind by Mr. Khrushchev or some other foreign figure, whether he be Communist or not, considered by the administration to be detrimental propaganda that you would like not to see; and, second, would you yourself object to appearing as one of the American Government figures in the exchange with Soviet Russia, if that is worked out?

Answer. Well, I don't want to be commenting upon what the President said in this respect, because he speaks for himself and his views on these matters are naturally controlling upon the Department of State. And we welcome that.

Now, on the question of appearances, I think this: I have considerable doubt as to the value of these one-shot operations so far as the Soviet Union is concerned. I think what we need to get and should get is a regular opportunity on a reciprocal basis to speak to each other's peoples. That was the view that we took at the Geneva Conference. That is the view we have held ever since. It is the view that was expressed very eloquently by Senator JOHNSON, the day before yesterday, I think it was.

Now, if you can get this on to a regular basis, I would think that leading American figures could be found who would appear on these programs. And I would not see any inherent objections to my doing so. Actually, of course, this press conference is being recorded on radio and television, and if the Soviets wanted to play this back in the Soviet Union, I'd be delighted. If they would rather have one that was specially geared into a discussion of Soviet-American relations, I'd be delighted to have that kind of a press conference. But, as I say, I think that what we should strive for is to have a regular system, if we can get it, and not just a kind of a one-shot operation which I think would not have the desired impact of really bringing to the Soviet people an adequate understanding of our policies.

Question. Mr. Secretary, returning to the China trade question, do you see any possibility of a common, unified approach being worked out by the 15 nations making up the China Control Committee; in other words, is there still room for a negotiation with Britain and is there a likelihood that a common approach might be worked out short of total abolition of the China differential?

Answer. Well, there is one aspect to the matter which is still open for negotiation and which is important, and that is the size of the quotas of items which will now be on the China No. 2 list, I think it is called. You see, on the COCOM list, which applies to the Soviet Union and which the British would now apply equally to the Chinese, we have three categories. One is goods which are totally forbidden. The second is articles which are allowed to go within specified limits. And the third is the so-called watch list, where the shipments are reported but where no limitations exist unless and until the volume of shipments seems to call for further action.

Now, in the case of the No. 2 list, which is the quota list, the actual quotas for China have not yet been agreed upon and they are still subject to negotiation. And there is a possibility of a measure of agreement in that respect which would be helpful.

Question. Mr. Secretary, in answer to the earlier question on trade with Red China, you pointed out that a majority of the countries in this 15-nation group did support our view, that there should be a differential. My question was based on President Eisenhower's remark that he did not personally see as much of an advantage in maintaining a differential at all, even though he did not favor complete abolition of it. My question was, Do you share that view, and if so why did we propose a differential to begin with?

Answer. Because, as President Eisenhower said, he did not favor—nor do I favor, nor does, I think, anyone in the American Government favor—a total abolishment of the differential. And we proposed a reduced differential but not a total abolishing of the differential, which is exactly the position President Eisenhower took.

Question. Mr. Secretary, do you have any fears or any evidence that the American people were taken in or bamboozled by Mr. Khrushchev in his appearance on TV?

Answer. Well, I think myself that the American people are sufficiently versed in the vocabulary of communism so that they were not fooled in any way by that statement. I didn't see the statement myself or hear it, because I was fortunately on my island where we don't go in for things of that sort. But from what I hear of it, it is pretty much in line with what the Soviets have been saying in a great many ways in the last 2 or 3 months. There has been a plethora of propaganda notes sent out by the Soviet leaders. They have been writing notes that look almost as if they had hired a letterwriting bureau to do the work for them. And they have been pouring out notes in an unprecedented rate. I got a list the other day of 15 or more long diatribes which had been sent to one or another of the free-world governments, all pretty much along the same lines. Those lines had all been printed or reported in substance in our press, and of course we have been hearing that kind of thing off and on now for a good many years. I don't think that the American public is fooled by what is the essence of repetition of that kind of stuff.

Question. Mr. Secretary, at your May 14 news conference, you told us that there were some Supreme Court decisions to back up your policy of prohibiting newsmen from going to Red China. And you gave us a number of citations. Some of us have looked up those citations and we found they don't really support your view at all as far as the Supreme Court decision is concerned. There

was one that seemed to. And it was the Mickey Jelke case in the New York court. Can you clarify this for us? [Laughter.]

Answer. Well, I will tell you I have a new legal adviser now. You know, one of the axioms of the legal profession is that it is a great mistake to be your own lawyer. Perhaps that is a self-serving axiom for the legal profession. At any rate, I apply it now. We have now a new legal adviser, Mr. Becker, who is beginning to work here with us, taking Mr. Phleger's place. He is beginning to get into this, and if you want to discuss the impact or meaning of decisions by the Supreme Court and the highest courts of our States, I suggest you take it up with him. And if you can, have your own lawyers prepare their version of it. It may cost you some money, I warn you.

Question. Thank you, sir.

Mr. SCOTT. Mr. President, the freedom loving peoples all over the world have caught new glimmers of hope for true global peace in recent developments here in the United States and at the United Nations disarmament conference in London.

In today's edition of the Washington Post there appears an article quoting Secretary of State Dulles supporting the "open curtain" proposal of the distinguished majority leader, the Senator from Texas [Mr. JOHNSON], in a speech last Saturday.

The text of that speech, which is certainly an example of the forward-looking and realistic leadership offered by our majority leader, has already been included in the RECORD. Secretary Dulles should be congratulated for endorsing the views expressed by the majority leader, and I ask unanimous consent that the text of the article carrying his comments be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DULLES, JOHNSON AGREE ON SOVIET TV EXCHANGE

The United States wants, and may soon ask for a regular radio-television exchange with the Soviet Union, Secretary of State John Foster Dulles made clear yesterday.

He expressed pleasure at what he termed the "strong endorsement" of such an idea—first advanced by the United States some 20 months ago—by Senate Majority Leader LYNDON B. JOHNSON, Democrat, of Texas, in a Saturday speech in New York. JOHNSON called for an open curtain policy, in the wake of Soviet Communist Party boss Nikita Khrushchev's American television appearance.

Other officials at State indicated yesterday that it may be a couple of weeks at least before any new, firm proposal can be put to Moscow. They cited such problems as how to get regular time on American radio and TV, how to pay for it, and how to determine who would appear on the Soviet air to represent the United States.

JOHNSON, it is known, had sent Dulles a copy of his speech as he did to other administration officials. He is determined to press the matter. Dulles cited the Johnson speech as a "demonstration of the bipartisan character of our foreign policy."

Dulles told his press conference that the first American offer for a reciprocal half-an-hour-a-month on the air still stands. The offer was made at the last Big Four Ministers meeting in Geneva in October 1955.

But, said Dulles, the then Soviet Foreign Minister, V. M. Molotov, rejected the idea on the grounds it would present the Soviet people what he called social scum.

The Secretary made it clear he takes a poor view of a "one-shot" reply to Khrushchev. What "we need to get and should get," he said, "is a regular opportunity on a reciprocal basis to speak to each other's peoples. That was the view we took at the Geneva Conference. That is the view we have held ever since. It is the view that was expressed very eloquently by Senator JOHNSON."

VIEW OF KHRUSHCHEV'S ANSWERS

Dulles said he would not personally object to going on Soviet television and that he would be delighted to have his press conference shown there or even a press conference "specifically geared into a discussion of Soviet-American relations."

JOHNSON had called for discussion of American disarmament proposals on such programs.

Asked if he felt the American people were taken in or bamboozled by Mr. Khrushchev in his appearance on TV, Dulles said he didn't think so. He said Khrushchev's replies had followed recent Soviet propaganda.

Dulles said the United States had been pressing the Soviets for a radio-TV exchange but he added that no concrete proposal has yet been made in the wake of the Khruschev appearance.

As to other types of exchanges sought by Kruschchev in the technical and cultural fields, Dulles said he favored resumption of exchanges, suspended at the time of the Hungarian revolt, but "not necessarily along the precise lines" proposed by Moscow.

DEFENSE PLANNING—ALICE IN WONDERLAND

Mr. SYMINGTON. Mr. President, as the Senate draws closer to a vote on the Defense Appropriations bill, it is becoming increasingly clear that we are entering the realm of Alice in Wonderland.

On the evening of May 14, the President of the United States, in a nationally advertised telecast to the American people, said:

I earnestly believe that this defense budget represents, in today's world, the proper dividing line between national danger on the one hand and excessive expenditures on the other. If it is materially cut, I believe the country would be taking a fearful gamble.

Twenty-eight days ago, therefore, the President, in effect, urged the American people to persuade the Senate to restore reductions in the military budget made by the House of Representatives, including some $638 million cut by the House from the Air Force alone.

But 11 days ago, on May 31, Secretary of the Air Force Douglas in his second letter of protest to the Secretary of Defense against Defense Department Directive 7200.4, protesting the effects of this directive, said:

If we are required to adhere to the present expenditure objectives for fiscal year 1958 * * * we would need to eliminate some $4 billion of programed weapon systems in the fiscal year 1958 and prior programs—

And—

the estimated reduction in fiscal year 1958 and prior programs would be approximately $3.4 billion in aircraft and missiles and $800 million in major procurement other than aircraft.

What, therefore, does President Eisenhower want: Does he want an addition to the Air Force of $638 million—or does he want a reduction in the Air Force of $4,200,000,000?

Does the President support his own telecasted recommendation to raise Air Force funds over six hundred million dollars—or does he support the directive of his own Secretary of Defense to reduce Air Force funds over $4 billion?

The Senate has the right to know before it votes.

Equally important, the people have the right to know—what does the President want?

Mr. President, as a result of this extraordinary directive, recently there have been three able and informative editorials on this subject in the Washington Evening Star.

The first, written on June 2, was entitled "Efficiency or Folly?"

The second, on June 6, is called Wrong-Way Emphasis.

The third, of June 7, bears the title "Defense Snafu."

I respectfully request my colleagues to note the last paragraph of this editorial of June 7 which reads as follows:

Mr. Eisenhower has said that his $38 billion defense budget would supply only the minimum defense needs of the country. If we are not going to get this minimum with $38 billion, assuming restoration of the House cuts, he ought to step forward and ask for more money.

Mr. President, I ask unanimous consent that these three editorials be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Sunday Star of June 2, 1957]

EFFICIENCY OR FOLLY?

As we understand it, Defense Secretary Wilson's Air Force procurement directive has been issued in an effort to promote greater efficiency in contracting and financing procedures. Like a lot of other well-intentioned things, however, it apparently would do more harm than good. Indeed, according to its critics, it would have a seriously adverse effect on American security by impeding the Nation's missile program and projected buildup of intercontinental jet bombers.

This is the firm view, at any rate, of Senator SYMINGTON of Missouri, and his grave misgivings are shared at least in part by Air Force Secretary Douglas who has formally protested against the directive. And the same sort of concern, of course, is felt by men like Generals Twining and LeMay whose direct responsibility it is to keep our country as strong as possible in the skies. In their opinion, as indicated by reports from the Pentagon, Mr. Wilson has laid down a rule that cannot be followed without causing a potentially dangerous slowdown in the whole procurement effort.

Thus, under the Wilson directive, the Air Force would have to have on hand all the funds necessary to pay for an entire project or weapons system before it could contract for or spend any money on components of that project or system. This would seem to mean, for example, that unless the cash were available for the building of a complete bomber, advance orders could not be placed for the bomber's engines or other parts which require from 18 to 21 months to construct. As the critics see it, the effect of such a restriction would be roughly the same as slashing an additional $3.5 billion from the Air Force's already slashed budget.

And what would this mean? In Mr. SYMINGTON's judgment, it would mean a heavy cut in the buildup of B–52's and make almost impossible the procurement of the new B–58's, the Nation's first supersonic jet bombers. Certainly, if this is the truth of the matter, then Mr. Wilson's directive ought to be rescinded forthwith as something that would constitute not efficiency, but the most bumbling kind of folly.

[From the Washington Evening Star of June 6, 1957]

WRONG-WAY EMPHASIS

It is something of a shock to read that the Defense Department apparently issued its controversial directives restricting Air Force installment buying without any exact calculation of their effect on the procurement program. And yet that is, in substance, what Assistant Secretary Wilfred McNeil, department controller, told the Senate Military Appropriations Subcommittee.

Testifying before the committee, Mr. McNeil said he had been told the directives might affect from $1 billion to $3.5 billion worth of contracts for modern planes and missiles, but he added that "no definitive analysis" has yet been made. He acknowledged further that "we really are in bad shape" if the restrictions should interfere with procurement as drastically as charged.

Mr. McNeil defends the orders as aimed at keeping spending on a "sound business" basis. This is a worthwhile objective by itself and there is no doubt that procurement practices should be kept under scrutiny and control. The prevailing consideration, however, should be the estimated military needs for national security. It is most disturbing if so-called fiscal readjustments are being made without prior determination of their impact on building up the essential airpower.

[From the Washington Evening Star of June 7, 1957]

DEFENSE SNAFU

The situation in the Defense Department, if one may borrow a familiar phrase, seems to be in a dreadful mess.

As we get the story, defense expenditures in the fiscal year beginning July 1, assuming that the present rate is maintained, will be $42 billion. But only $38 billion has been budgeted for that year, and there isn't any more. So the Budget Bureau is insisting that the Defense Department hold its spending within the $38 billion limitation, and Defense Secretary Wilson has issued directives designed to accomplish this.

Deputy Defense Secretary Quarles and Air Force Secretary Douglas are opposed to the Wilson directives. If the directive banning installment buying stands, says Mr. Douglas, the Air Force would need to eliminate some $4 billion of weapons systems. He says this would be a major disruption of the Air Force program, and that certainly is no exaggeration. Nor is this all. Other programs would have to be eliminated, or stretch-outs instituted, throughout the Armed Forces.

For the rest of the story, one must turn back to Congress. The House has decreed a $2.5 billion cut in the $38 billion budget, and the President has said it is imperative that $1.2 billion of this be restored if the Nation is to have an adequate defense structure. As we understand it, however, the President, when he said this, was not taking account of the cutbacks that may become necessary through the miscalculations in the Defense Department. If the $4 billion cutback to which Mr. Douglas referred has to be made on top of the cut ordered by the House, the Defense Establishment is going to be in pretty sad shape.

This really is a question of dollars versus defense. If more money is needed, the President ought to say so—in addition to appealing for restoration of the cuts which have been made on Capitol Hill. It may be embarrassing for him to admit that defense requirements have been underestimated—due, apparently, to a reduction in so-called lead time for the production of weapons—but this difficulty should not be resolved by letting the national security take the rap.

Mr. Eisenhower has said that his $38 billion defense budget would supply only the minimum defense needs of the country. If we are not going to get this minimum with $38 billion, assuming restoration of the House cuts, he ought to step forward and ask for more money.

OKLAHOMA COMMEMORATIVE STAMP

Mr. MONRONEY. Mr. President, on June 14, for the third time in history, a new United States commemorative postage stamp will be issued from Oklahoma. The occasion is the opening of the semicentennial exposition celebrating Oklahoma's 50th anniversary as a State. The arrows-to-atoms stamp is a 3-cent, blue oblong with a horizontal arrow, superimposed on a solid outline map of the State, and piercing the orbital emblem which has become symbolic of atomic energy. The stamps will be sold both at the Oklahoma City Post Office and at Boomtown post office, a replica of Oklahoma City's first post office at the exposition grounds.

The two earlier stamps from Oklahoma were the Will Rogers 3-cent purple stamp in 1948, with a photograph of our great humorist and his well-known words, "I never met a man I didn't like," issued at Claremore, Okla., and the brown and white 3-cent Indian centennial stamp of 1948, issued to commemorate the 100th anniversary of the settlement of the Five Civilized Tribes in Oklahoma.

Issuance of the semicentennial stamp brings to mind the colorful growth of our postal service, started long before there was a State of Oklahoma when most of what is now Oklahoma was just a slice of the Louisiana Purchase, with odd corners of it labeled Arkansas Territory, Cimarron Territory, and Greer County, Tex. History moves on through the period when the present State was a patchwork of Indian nations, into an era when the Postal Guide listed both Indian Territory and Oklahoma Territory along with the States, up until the day of Oklahoma's admission to statehood, November 16, 1907, when at least one envelope, which has been preserved, was postmarked both "Ind. T" and "Okla." at the changeover hour.

With the help of the Library of Congress, Oklahoma Historical Society publications, old records at the Post Office Department, and my staff, I have gathered together and embodied in a statement some highlights of early Oklahoma post offices. Much of the basic research in this field was done by the late Grant Foreman, and by George H. Shirk, a practicing attorney in Oklahoma City.

I ask unanimous consent to have my statement printed in the RECORD following my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

OKLAHOMA POST OFFICES

(Statement by Senator MONRONEY)

Unfortunately most of the records of what appears to have been the first post office in what is now Oklahoma were destroyed in 1828 when a group of settlers who preferred Arkansas burned Miller Courthouse in protest at the transfer of the area north of the Red River to the Choctaw Nation by the Government. Miller Courthouse had been established as a post office on September 5, 1824, with J. H. Fowler as postmaster, soon after Miller County had been formed from what later became southeastern Oklahoma and northeastern Texas.

About the same time, the Government had pushed west from Fort Smith, Ark., to establish a post in what is now northeastern Oklahoma on Grand River about 3 miles from its mouth. It was called Cantonment Gibson and made a post office on February 28, 1827. Although the name was changed to Fort Gibson in September 1842, and there was an interval of 7 days in July 1839 when it was not operating, Fort Gibson probably has a good claim as the earliest post office which still is operating at the present time.

Fort Gibson was abandoned as a military post later, surveyed for a townsite by the Cherokee Nation, reoccupied by troops during the Civil War, abandoned, reoccupied, and finally abandoned by the Army in 1890.

First postmaster was Gen. John Nicks, commander of the Arkansas militia, who was serving as suttler (apparently supplier) at Cantonment Gibson in 1827. He also was honored a year later in the naming of Nicksville, established as a post office April 28, 1828, in what is now Oklahoma. That office was then a part of Lovely County, Ark., but was discontinued in 1829 after the area was ceded to the Cherokee Indians.

Fort Towson, Choctaw Nation, was the fourth post office established in our present State in September 1832, with George C. Gooding as postmaster. For many years it was known as Doaksville, and briefly it was called Camp Phoenix, but since 1903 it has been Fort Towson again at a site 1 mile away.

It was named in honor of Gen. Nathan Towson, paymaster general of the Army, and located near the mouth of the Kiamichi River about 7 miles from the Grand River. The post was used variously as a center of Government influence among the Choctaws and Chickasaws, as the residence of the Indian agent, and later by Confederate forces in the Civil War. It was there that Gen. Stan Watie surrendered in June 1865.

A number of letters in Post Office Department files list Choctaw Agency as the State's first post office, but it appears to be fifth, in later research. It was established June 26, 1833, in Arkansas Territory, with F. W. Armstrong as the first postmaster. The name was changed to Scullyville, changed back to Choctaw Agency, and discontinued in 1871 shortly before a post office named Oak Lodge was established at the same location. Oak Lodge still was listed at the time of statehood.

Eagletown, now in McCurtain County, apparently is the direct descendant of Eagletown, established July 1, 1834, and believed to be the first permanent town established by the Choctaws on their removal to the West. It was discontinued for 11 years between July 2, 1866, and June 4, 1877. Incidentally, many historians believe that the name Oklahoma, is derived from the Choctaw words meaning Okla (people) and homma (red). The Choctaws then were not referred to as Indians, but as "the Choctaw Nation of Red People."

Fort Coffee, Choctaw Nation, abandoned for Fort Smith 3 years later, was established as a post office April 20, 1835, and Kidron, in Cherokee Nation, opened September 17, 1835. Its name was changed to Marble Salt Works for awhile, then to Kedron.

Fortunately, the post-office records reveal something of what these early post offices were like in connection with Park Hill, established May 18, 1838, with Samuel Newton as postmaster, and later changed to Tallequah.

Some time between August 1855 and May 6, 1856, the spelling on the records in the office of the Postmaster General was changed by pen to read Tahlequah. That illustrates a difficulty common to many post offices in Indian Territory. Clerks in Washington were unfamiliar with Indian spellings. A little later, citizens in what is now Nowata, Okla., thought they were naming their town Noweetah, an Indian word meaning welcome, but a postal clerk in Washington made it Nowata, and so it remained.

Park Hill, by 1840, was served by a contractor who left Fayetteville, Ark., Tuesday at 5 a. m., stopped at Eutaw, Sylva, Park Hill, and Cherokee Agency (established in January 1840), and finished the 75-mile drive to Fort Gibson (Cant. Gibson) by 7 p. m. on Wednesday. The Park Hill postmaster's salary was $44 a year, and postal rates were, in 1838, as follows:

For every letter composed of a single sheet of paper conveyed not exceeding 30 miles, 6 cents; over 30 miles and not over 80, 10 cents; over 8 miles and not over 150, 12½ cents; over 150 and not over 400, 18¾ cents; over 400, 25 cents; and every double letter or two pieces of paper, double said rates; every triple letter, or three pieces of paper, triple said rates; every packet of 4 or more pieces of paper, or one or more other articles, and weighing 1 ounce avoirdupois, quadruple said rates, and in that proportion for all greater rates.

These early rates are especially interesting, since by March 3, 1885, 22 years before statehood, first-class mail rates had dropped to 2 cents each ounce or fraction, anywhere in the States, with local mail the same, and penny postcards a reality. Ten years after statehood, in November 1917, our present 3-cent rate per ounce or fraction thereof on first-class mail went into effect.

Although the earliest postoffices of our State were in what was Indian Territory at statehood, by November 16, 1907, there were about 700 each in Indian Territory and Oklahoma Territory, which saw its first postoffice on September 28, 1869, at Fort Sill, Comanche County, with John Evans as postmaster. That total of about 1,400 is almost twice as many as are now listed in the State, since travel has become faster.

Neither of our largest cities was among the first post offices. Oklahoma City was established as Oklahoma Station December 30, 1887, on a railroad route from Arkansas City, Kans., to Purcell, I. T., with the Southern Kansas Railway Co. as contractors. Tulsa, Creek County, was earlier, established March 25, 1879, with Josiah C. Perryman as postmaster.

One other development in Oklahoma post history should be added. First rural delivery service in what is now the State was established August 15, 1900, at Hennessey, in Kingfisher County, with Albert W. Darrow as the first carrier.

Through all these years, before and after statehood, we have had a great tradition for service, often over and beyond the call of duty, from both our city and rural carrier who still comprise one of the finest groups of public servants in the Nation.

WISCONSIN'S CONSTRUCTIVE EFFORT TO AID SMALL INDUSTRY

Mr. WILEY. Mr. President, I wish to bring to the attention of the Senate an outstanding example of real, constructive grassroots effort to aid small business.

All too often, we find people, organizations, and even State governments looking to Uncle Sam to lead the way in, and perhaps to pay for, programs in any and all fields.

Today I am happy to focus the spotlight on a meritorious program which has been developed by cooperation between State officials and public-spirited citizens in Wisconsin.

Recently, Vernon Thomson, Governor of the Badger State, appointed an 11-man advisory board of retired business leaders and executives as a special advisory group to small industry.

The functions of this board are to provide new, young—and all too often struggling—businesses with topnotch assistance in resolving their many problems.

As we know, most of these small businesses, in the early stages of development, simply cannot afford to pay high-priced consultants. The members of the advisory board have agreed to charge for their service according to a firm's ability to pay.

I believe our Governor, Vernon Thomson, is to be commended for taking this action in organizing this fine group. Mr. Robert Koob, director of the State division of industrial development, is to be congratulated for recommending the formation of the advisory board. Moreover, each and every member of the advisory board is to be commended for participating in this excellent program.

A recent article in the Milwaukee Journal gives more detail about this fine endeavor. I ask unanimous consent to have the article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BELEVEN-MAN BOARD NAMED TO AID SMALL INDUSTRY—THOMSON ESTABLISHES GROUP TO PROVIDE GUIDANCE FOR FIRMS IN EARLY YEARS

MADISON, WIS.—A small industry advisory board composed of 11 retired industrial leaders was established Friday by Governor Thomson.

The board was formed to assist the State division of industrial development in providing guidance on problems confronting young, small industries in Wisconsin.

Robert Koob, director of the division, had suggested the formation of the advisory board. He said that many small firms were financially unable to hire management consultants at $100 to $150 a day. The retired industrialists have agreed to charge according to a firm's ability to pay.

AID IN DIFFICULT YEARS

Governor Thomson said that because most business failures occurred in early years of operation and were traceable to lack of experience in management, the advisory board should help Wisconsin's industrial development by helping these industries during their difficult years.

"These retired business leaders are performing a noteworthy public service in offering the experience of their many successful years of business management to our small industries now struggling with the varied problems of growth and expansion," he said.

MEMBERS LISTED

The Governor stressed that the consulting service would be available only to small businesses unable to afford regular consultant services.

The first meeting of the advisory board will be held in Madison soon, Koob said.

Members of the board appointed by Thomson include:

W. D. Kyle, Sr., Milwaukee, former president of the Line Material Co.; A. M. Van Douser, Wausau, retired secretary-treasurer of the Marathon Corp.; Dan K. Brown, Neenah, former president and chairman of the board of the Neenah Paper Co.; James N. Black, Janesville, former sales and advertising vice president of the Parker Pen Co.

P. M. Petersen, Kenosha, retired vice president of sales of S. C. Johnson & Son, Inc.; Lee W. Melcher, Oconomowoc, former general manufacturing executive; Harold L. Geisse, Wausau, former utilities executive; Elmer G. Voigt, Racine, retired chairman of the board of the Western Printing & Lithographing Co.; Allen Abrams, Wausau, former vice president of the Marathon Corp.; A. F. Stoffel, Racine, former credit executive of S. C. Johnson, and Oscar G. Eggebrecht, Wausau, retired division executive of the Marathon Corp.

CIVIL USES OF ATOMIC ENERGY—AGREEMENT FOR COOPERATION WITH GOVERNMENT OF IRAQ

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD an agreement for cooperation with the Government of Iraq, together with accompanying correspondence. This agreement was signed on June 7 and was received at the Joint Committee on Atomic Energy on June 7. It is a standard research agreement which provides for the lease of up to 6 kilograms of contained U-235 in uranium, enriched up to a maximum of 20 percent U-235.

There being no objection, the agreement was ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 7, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, there is submitted with this letter:

1. An executed agreement for cooperation between the Government of the United States of America and the Government of Iraq concerning civil uses of atomic energy;

2. A letter dated May 27, 1957, from the Commission to the President recommending approval of the agreement; and

3. A letter dated May 28, 1957, from the President to the Commission containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security, approving the agreement, and authorizing its execution.

This agreement, as executed, makes cooperation possible between the United States and Iraq on the design, construction, and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture, and industry. Iraq, if it desired to do so, would be able to engage United States companies to construct research reactors, and private industries in the United States will be permitted, within the limits of the agreement, to render other assistance to Iraq. No restricted data would be communicated under this agreement. The Atomic Energy Commission, however, would lease to Iraq up to 6 kilograms of contained U-235 in uranium enriched up to a maximum of 20 percent U-235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Iraq or while fuel elements are in transit. This expressed limitation will restrict Iraq in

determining the choice of reactor to be constructed to a research reactor.

You will note that the agreement includes in article V provisions for the sale or transfer of research quantities of materials of interest in connection with defined research projects. The amount of special nuclear material which would be made available to Iraq under this agreement would not be important from the military point of view.

Article VIII of the proposed agreement records the obligations undertaken by Iraq to safeguard the special nuclear material to be leased by the Commission and article IX contains the guaranties prescribed by section 123 of the Atomic Energy Act.

This agreement expresses the hope and expectation of the two Governments that this first stage of cooperation will lead to further development of the peaceful uses of atomic energy in Iraq.

The agreement will enter into force when the two Governments have exchanged notifications that their respective statutory and constitutional requirements have been fulfilled (art. XI).

Sincerely,

H. S. VANCE,
Chairman.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., May 27, 1957.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed agreement entitled "Agreement for Cooperation Between the Government of the United States of America and the Government of Iraq Concerning Civil Uses of Atomic Energy," and authorize its execution.

The agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, and is, in the opinion of the Commission, an important and desirable step in advancing the development of the peaceful uses of atomic energy in Iraq in accordance with the policy which you have established. The agreement would permit cooperation between the two Governments with respect to the design, construction, and operation of research reactors, including related health and safety problems, the use of such reactors in medical therapy, and the use of radioactive isotopes in biology, medicine, agriculture, and industry. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954. No restricted data would be communicated under this agreement, but the Commission is authorized to lease to the Government of Iraq up to 6 kilograms of contained U-235 in uranium enriched up to a maximum of 20 percent U-235 for use as reactor fuel. You will note that article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U-235, U-233, and plutonium for defined research projects related to the peaceful uses of atomic energy.

The Government of Iraq, if it desires to do so, may engage United States companies to construct research reactors, and private industry in the United States will be able, under the agreement, to render other assistance to the Government of Iraq. This agreement expresses the hope and expectation of the two Governments that this first stage of cooperation will lead to further discussions and agreements relating to other peaceful uses of atomic energy in Iraq.

Following your approval and subject to the authorization requested, the agreement will be formally executed by the appropriate authorities of the Government of Iraq and the United States and then placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954.

Respectfully,

H. S. VANCE,
Chairman.

I certify this is a true and correct copy.

R. N. SLAWSON, JR.,
Acting Chief, Asia-African Branch, Division of International Affairs.

THE WHITE HOUSE,
Washington, May 28, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission, Washington, D. C.

DEAR MR. STRAUSS: Under date of May 27, 1957, you informed me that the Atomic Energy Commission had recommended that I approve the proposed Agreement for Cooperation Between the Government of the United States of America and the Government of Iraq Concerning the Civil Uses of Atomic Energy, and authorize its execution. The agreement recites that the Government of Iraq desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States and United States industry with respect to this program.

The recommended agreement has been reviewed. It calls for cooperation between the two Governments with respect to the design, construction, and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture, and industry. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954. No restricted data would be communicated under the agreement, but the Commission is authorized to lease to the Government of Iraq up to 6 kilograms of contained U-235 in uranium enriched up to a maximum of 20 percent U-235 for use as reactor fuel. In addition, article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U-235, U-233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Pursuant to the provision of section 123 of the Atomic Energy Act of 1954 and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; (2) approve the proposed Agreement for Cooperation Between the Government of the United States and the Government of Iraq enclosed with your letter of May 27, 1957; and (3) authorize the execution of the proposed agreement for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

It is my hope that this agreement represents but the first stage of cooperation in the field of atomic energy between the United States and the Government of Iraq, and that it will lead to further discussions and agreements relating to other peaceful uses of atomic energy in Iraq.

Sincerely,

DWIGHT D. EISENHOWER.

I certify that this is a true and correct copy.

R. N. SLAWSON, JR.,
Acting Chief, Asian-African Branch, Division of International Affairs.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF IRAQ, CONCERNING CIVIL USES OF ATOMIC ENERGY

Whereas the peaceful uses of atomic energy hold great promise for all mankind; and

Whereas the Government of the United States of America and the Government of Iraq desire to cooperate with each other in the development of such peaceful uses of atomic energy; and

Whereas the design and development of several types of research reactors are well advanced; and

Whereas research reactors are useful in the production of research quantities of radioisotopes, in medical therapy and in numerous other research activities and at the same time are a means of affording valuable training and experience in nuclear science and engineering useful in the development of other peaceful uses of atomic energy including civilian nuclear power; and

Whereas the Government of Iraq desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States of America and United States industry with respect to this program; and

Whereas the Government of the United States of America, acting through the United States Atomic Energy Commission, desires to assist the Government of Iraq in such a program;

The parties agree as follows:

ARTICLE I

For the purposes of this agreement:

(a) "Commission" means the United States Atomic Energy Commission or its duly authorized representatives.

(b) "Equipment and devices" means any instrument or apparatus and includes research reactors, as defined herein, and their component parts.

(c) "Research reactor" means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy, or training in nuclear science and engineering. The term does not cover power reactors, power demonstration reactors, or reactors designed primarily for the production of special nuclear materials.

(d) The terms "restricted data," "atomic weapon," and "special nuclear material" are used in this agreement as defined in the United States Atomic Energy Act of 1954.

ARTICLE II

Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this agreement to the Government of Iraq or authorized persons under its jurisdiction if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of restricted data.

ARTICLE III

1. Subject to the provisions of article II, the parties hereto will exchange information in the following fields:

(a) Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

(b) Health and safety problems related to the operation and use of research reactors.

(c) The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

2. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application.

ARTICLE IV

1. The Commission will lease to the Government of Iraq uranium enriched in the

isotope U-235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of research reactors which the Government of Iraq, in consultation with the Commission, decides to construct and as required in the agreed experiments related thereto. Also, the Commission will lease to the Government of Iraq uranium enriched in the isotope U-235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of such research reactors as the Government of Iraq may, in consultation with the Commission, decide to authorize private individuals or private organizations under its jurisdiction to construct and operate, provided the Government of Iraq shall at all times maintain sufficient control of the material and the operation of the reactor to enable the Government of Iraq to comply with the provisions of this agreement and the applicable provisions of the lease arrangement.

2. The quantity of uranium enriched in the isotope U-235 transferred by the Commission under this article and in the custody of the Government of Iraq shall not at any time be in excess of 6 kilograms of contained U-235 in uranium enriched up to a maximum of 20 percent U-235, plus such additional quality as, in the opinion of the Commission, is necessary to permit the efficient and continous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Iraq or while fuel elements are in transit, it being the intent of the Commission to make possible the maximum usefulness of the 6 kilograms of said material.

3. When any fuel elements containing U-235 leased by the Commission require replacement, they shall be returned to the Commission and, except as may be agreed, the form and content of the irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission.

4. The lease of uranium enriched in the isotope U-235 under this article shall be at such charges and on such terms and conditions with respect to shipment and delivery as may be mutually agreed and under the conditions stated in articles VIII and IX.

ARTICLE V

Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Government of Iraq, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of Iraq by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of Iraq, by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U-235, 10 grams of plutonium, and 10 grams of U-233.

ARTICLE VI

Subject to the availability of supply and as may be mutually agreed, the Commission will sell or lease, through such means as it deems appropriate, to the Government of Iraq or authorized persons under its jurisdiction such reactor materials, other than special nuclear materials, as are not obtainable on the commercial market and which are required in the construction and operation of research reactors in Iraq. The sale or lease of these materials shall be on such terms as may be agreed.

ARTICLE VII

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States or Iraq may deal directly with private individuals and private organizations in the other country. Accordingly, with respect to the subjects of agreed exchange of information as provided in article III, the Government of the United States will permit persons under its jurisdiction to transfer and export materials, including equipment and devices, to and perform services for the Government of Iraq and such persons under its jurisdiction as are authorized by the Government of Iraq to receive and possess such materials and utilize such services, subject to:

(a) The provisions of article II.

(b) Applicable laws, regulations, and license requirements of the Government of the United States and the Government of Iraq.

ARTICLE VIII

1. The Government of Iraq agrees to maintain such safeguards as are necessary to assure that the special nuclear materials received from the Commission shall be used solely for the purposes agreed in accordance with this agreement and to assure the safekeeping of this material.

2. The Government of Iraq agrees to maintain such safeguards as are necessary to assure that all other reactor materials, including equipment and devices, purchased in the United States under this agreement by the Government of Iraq or authorized persons under its jurisdiction shall be used solely for the design, construction, and operation of research reactors which the Government of Iraq decides to construct and operate and for research in connection therewith, except as may otherwise be agreed.

3. In regard to research reactors constructed pursuant to this agreement, the Government of Iraq agrees to maintain records relating to power levels of operation and burn-up of reactor fuels and to make annual reports to the Commission on these subjects. If the Commission request, the Government of Iraq will permit Commission representatives to observe from time to time the condition and use of any leased material and to observe the performance of the reactor in which the material is used.

4. Some atomic energy materials which the Government of Iraq may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of Iraq, the Government of Iraq shall bear all responsibility, insofar as the Government of the United States is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of Iraq or to any private individual or private organization under its jurisdiction, the Government of Iraq shall indemnify and save harmless the Government of the United States against any and all liability (including third party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of Iraq or to any authorized private individual or private organization under its jurisdiction.

ARTICLE IX

The Government of Iraq guarantees that—

(a) Safeguards provided in article VIII shall be maintained.

(b) No material, including equipment and devices, transferred to the Government of Iraq or authorized persons under its jurisdiction, pursuant to this agreement, by lease, sale, or otherwise will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of Iraq except as the Commission may agree to such transfer to another nation and then only if in the opinion of the Commission such transfer falls within the scope of an agreement for cooperation between the United States and the other nation.

ARTICLE X

It is the hope and expectation of the parties that this initial agreement for cooperation will lead to consideration of further cooperation extending to the design, construction, and operation of power-producing reactors. Accordingly, the parties will consult with each other from time to time concerning the feasibility of an additional agreement for cooperation with respect to the production of power from atomic energy in Iraq.

ARTICLE XI

1. This agreement shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 5 years.

2. At the expiration of this agreement or of any extension thereof the Government of Iraq shall deliver to the United States all fuel elements containing reactor fuels leased by the Commission and any other fuel materials leased by the Commission. Such fuel elements and such fuel materials shall be delivered to the Commission at a site in the United States designated by the Commission at the expense of the Government of Iraq and such delivery shall be made under appropriate safeguards against radiation hazards while in transit.

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, this 7th day of June 1957.

For the Government of the United States of America:

WILLIAM M. ROUNTREE,
Assistant Secretary of State for Near Eastern, South Asian, and African Affairs.

W. F. LIBBY,
Commissioner, United States Atomic Energy Commission.

For the Government of Iraq:

M. SHABANDAR,
Ambassador of Iraq.

I certify that this is a true and correct copy.

R. N. SLAWSON, Jr.,
Acting Chief, Asian-African Branch, Division of International Affairs.

The PRESIDING OFFICER (Mr. CARLSON in the chair). Is there further morning business? If not, morning business is concluded.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GREEN, from the Committee on Foreign Relations:

Loftus E. Becker, of New York, to be legal adviser of the Department of State;

James M. Langley, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary to Pakistan; and

Vinton Chapin, of New Hampshire, and sundry other persons, for promotion in the Foreign Service.

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Ben H. Guill, of Texas, to be a member of the Federal Maritime Board for a term of 4 years; and

Bernard R. Berson, and sundry other persons, for permanent appointment in the Coast and Geodetic Survey.

The PRESIDING OFFICER (Mr. CARLSON in the chair). If there be no further reports of committees, the nomination on the Executive Calendar will be stated.

SECURITIES AND EXCHANGE COMMISSION

The Chief Clerk read the nomination of Andrew Downey Orrick, of California, to be a member of the Securities and Exchange Commission.

Mr. JOHNSON of Texas. Mr. President, I should like to invite the attention of the Senate to the fact that the nomination presently under consideration was reported to the Senate and placed on the calendar only yesterday. I wish to comment briefly on the nomination. I should like to have the attention of the distinguished minority leader and the assistant minority leader, the Senator from Illinois [Mr. DIRKSEN], because Congress is coming under fire occasionally with respect to its record.

Mr. Andrew D. Orrick is being reappointed as a member of the Securities and Exchange Commission. His term expired on June 5.

As I have said, Mr. Orrick's nomination was reported to the Senate and placed on the calendar yesterday, and I understand there have been many urgent requests made to the Committee on Banking and Currency and to the Senate itself to act quickly upon it.

I should like to inform the Senate that Mr. Orrick's nomination was submitted to the Senate on May 27, although the White House knew that his term was to expire on June 5.

I have read many criticisms coming from Mr. Adams, of the White House, about the lag in our Congressional activity. I should like to inform Mr. Adams, who is now on a New England vacation, I understand, that the Senate considers it important to hold full and thorough hearings on nominations, and that it would be much appreciated if he could send the President's nominations forward early enough to give the Senate sufficient time to perform its constitutional duties.

There was no deep, dark secret about the fact that this term was to expire on June 5. We do not feel that if a nomination is sent to the Senate at sundown the day before the expiration of the term, the White House can expect us to perform our constitutional functions thoroughly of advising and consenting to the nomination, without the nominee going off the payroll. In this instance the committee has been unusually diligent and has acted with great dispatch.

I hope the Senate will concur in the nomination this morning. If that is done, we may possibly save Mr. Orrick a day's pay.

I express the hope that in the future when it is known that terms are expiring, and it is desired to avoid delay, the executive department will perform its function on time.

The PRESIDING OFFICER. The question is: Will the Senate advise and consent to the nomination of Andrew Downey Orrick to be a member of the Securities and Exchange Commission?

The nomination was confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be so notified.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

CALL OF THE ROLL

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested, and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Monroney
Allott	Hayden	Morse
Anderson	Hennings	Morton
Barrett	Hickenlooper	Mundt
Beall	Hill	Murray
Bennett	Holland	Neuberger
Bible	Hruska	O'Mahoney
Bricker	Humphrey	Pastore
Butler	Ives	Payne
Carlson	Jackson	Potter
Carroll	Javits	Purtell
Case, N. J.	Jenner	Revercomb
Chavez	Johnson, Tex.	Russell
Church	Johnston, S. C.	Schoeppel
Cooper	Kennedy	Scott
Cotton	Kerr	Smathers
Dirksen	Knowland	Smith, Maine
Dworshak	Kuchel	Stennis
Eastland	Lausche	Symington
Ellender	Long	Talmadge
Ervin	Magnuson	Thurmond
Flanders	Mansfield	Thye
Frear	Martin, Iowa	Watkins
Goldwater	Martin, Pa.	Wiley
Gore	McNamara	Williams

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from Nevada [Mr. MALONE], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. SMITH], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The PRESIDING OFFICER. A quorum is present.

INDEPENDENT OFFICES APPROPRIATIONS, 1958

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which is H. R. 6070.

The Senate resumed the consideration of the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes.

Mr. MAGNUSON. Mr. President, the independent offices appropriation bill for 1958 makes appropriations for independent offices, boards, commissions, and corporate agencies and many of the other activities of Government under this category. Seventeen of these agencies are engaged in regulatory, research, and service operations, and approximately eight are engaged in corporate operations of the Government.

The bill, as passed by the House of Representatives, was in the amount of $5,385,201,700.

As the bill has been reported to the Senate by the Committee on Appropriations, the appropriation items are decreased in a total amount of $6,976,900. In short, the bill as reported to the Senate by the Senate Committee on Appropriations calls for appropriations of $5,378,224,800.

The appropriations for 1957 for these agencies amounted to $5,990,841,826.

The amount of the regular and supplemental estimates, 1958, was $5,924,165,000.

The amount of the bill as reported to the Senate is under the estimates for 1958 by $545,940,200.

The amount of the bill as reported to the Senate is under the appropriations for 1957 by $612,617,026. In other words, there is a considerable saving over both the 1958 estimates and the 1957 appropriations.

Mr. WILLIAMS. Mr. President, at this point will the Senator from Washington yield?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Delaware?

Mr. MAGNUSON. I yield.

Mr. WILLIAMS. Am I correct in understanding that $525 million of the amount of savings results from a change in policy on the part of the Congress

in paying for retirement, in that each agency now pays its own 6½ percent of the employee payroll into the civil service retirement fund, whereas prior to this time that money was appropriated by the independent offices appropriation bill.

Mr. MAGNUSON. That is correct.

Mr. WILLIAMS. So the $525 million of claimed savings are, in reality, not savings at all, but will be paid under other appropriations. Is that correct?

Mr. MAGNUSON. That is partially correct in the case of the agencies other than the ones included in this bill.

Mr. WILLIAMS. That is correct.

Mr. MAGNUSON. Although the bill does include the funds for the 17 Government agencies and the 8 corporate agencies.

Mr. WILLIAMS. But they are included in other appropriations, rather than those in this bill, are they not?

Mr. MAGNUSON. That is correct.

Mr. WILLIAMS. So the $525 million of claimed savings are, in reality, not reductions in appropriations, but relate to items transferred elsewhere.

Mr. MAGNUSON. They are partial savings for the agencies not included in the 17 and the 8 corporate agencies. This matter involves a transfer of the funds for the agencies not within this group.

Mr. WILLIAMS. How much of the $525 million applies to them?

Mr. MAGNUSON. I do not have those figures.

Mr. WILLIAMS. How much applies to these agencies?

Mr. MAGNUSON. I have not added up the total of the amount of money needed for mandatory retirements in the case of each one of them.

Mr. WILLIAMS. Nevertheless, a substantial amount to which I am referring is, in reality, included in other appropriation bills—in the State Department, Commerce, and Post Office appropriation bills, for instance—is it not?

Mr. MAGNUSON. I do not know the percentage.

Mr. WILLIAMS. My point is that when it is said that the appropriations carried by this bill are $612,617,026 less than the appropriations for 1957, that figure is not an accurate one, because $525 million of that amount are not actual savings.

Mr. MAGNUSON. Of course the figure is accurate. It speaks for itself. I have merely stated the amount the pending bill is under the 1957 appropriations and the 1958 estimates. The Senator from Delaware asked me a question, and I answered "yes." In connection with the bill, there is a transfer of mandatory retirement funds for the agencies not included in the bill; but the bill does include the funds for the mandatory retirements in the case of the 17 regulatory research and service agencies and the eight corporate agencies.

Mr. WILLIAMS. That is correct. Nevertheless, the $525 million was always paid, previously from appropriations made by the independent offices appropriation bill. So although the pending bill calls for appropriations for $612,617,026 less than the appropriations for 1957, most of that amount does not really constitute a saving. It will show up in other appropriation bills later.

Mr. MAGNUSON. I disagree with the Senator from Delaware, but there is no use laboring the point.

I merely have stated the difference between the 1957 appropriations, the 1958 estimates, and the appropriations carried in the bill as reported to the Senate; and I believe that my addition and subtractions are correct.

As contrasted to last year's appropriation bill, the pending bill involves numerous shifts in the case of various Government agencies. For instance, the Post Office Department bill was said to involve great savings for that Department. However, the fact is that there was a shift in the payment of subsidies to the Civil Aeronautics Board, and there were some increases in mail pay. Nevertheless, the figures speak for themselves.

Mr. WILLIAMS. That is correct; but my point is——

Mr. MAGNUSON. Mr. President, if the Senator from Delaware will permit me to finish my addition and subtraction, I shall be glad to discuss these savings.

Mr. WILLIAMS. Perhaps that would be better.

Mr. MAGNUSON. Yes.

Mr. President, as I was saying, the bill as reported to the Senate calls for appropriations in the total amount of $5,378,224,800; and that amount is $545,940,200 less than the estimates for 1958, and it is $612,617,026 less than the appropriations for 1957. In short, the bill as reported to the Senate calls for a decrease of $6,976,900 as compared to the House version of the bill.

The net decrease from the House version of the bill results from increases totaling $11,215,100, and decreases totalling $18,192,000.

The bill provides, as I have pointed out, appropriations in the total amount of more than $5 billion for the 17 agencies of the Government engaged in regulatory, research, or service operations, as well as $17 million for administrative expense limitations in the case of the 8 corporate operations.

The increases recommended by the Senate committee, over the House version of the bill, amount to $11,215,100; and the reductions under the House version of the bill amount to $18,192,000. In short, there is a net decrease of $6,976,900.

The detailed figures are as follows:

One hundred and seventeen thousand dollars is recommended for restoration of the full budget estimate for annuities for Panama Canal construction employees and Lighthouse Service widows. This item is necessary because the Congress passed a bill increasing the annuities for the Lighthouse Service widows, and also for the Panama Canal construction employees. I believe the House of Representative did not provide the full amount of the budget estimate and we have restored the amount in this bill.

Another increase is in the amount of $5,750,000 for partial restoration of the cut voted by the House of Representatives in the operating expenses of the Public Building Service. One million dollars of that is for increased leasing expenses, and the remainder is for improved cleaning of public buildings. It is for the regular Government buildings maintenance. In its testimony, the General Services Administration pointed out to the committee that the maintenance and cleaning of public buildings is somewhat behind schedule. Some sort of cleanliness standard is used, and the buildings are at present at 77 percent of the minimum standard. The amount recommended would permit much needed work to be done in the case of the public buildings.

Another item is $20,000 for the planning of a border station at Dunseith, N. Dak., for the accommodation and use of the Bureau of Customs and the Immigration and Naturalization Service.

Eight thousand and five hundred dollars is for the purpose of microfilming the part of the Confederate service records known as the Consolidated Index of the States. That program will be carried on by the National Archives; and it involves putting together a great many Confederate soldiers' service records, which now are located in various agencies scattered over the city of Washington. This appropriation will begin the program, and probably next year further indexing will be done.

MICROFILMING OF CONFEDERATE SERVICE RECORDS

Mr. STENNIS. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. STENNIS. Mr. President, I wish especially to thank and commend the members of the Independent Offices Subcommittee for their recommendation in connection with the microfilming of Confederate service records.

The $8,500 amount so recommended will enable the completion of a microfilm copy of the Consolidated Index of the States, and marks the beginning of the availability of copies of these priceless documents at cost to local patriotic groups throughout the country. It is a measure of preservation of the priceless and irreplaceable original records, and I do not believe that any money could be better spent for historical purposes than this small item.

This program should continue over the years until microfilm copies of all these records are made so that they may be properly preserved and also made available at small cost to patriotic organizations throughout the Nation.

Mr. MAGNUSON. To continue my statement, $1,710,000 is proposed by the Senate committee to be added to the bill for the purpose of equipping the new hospital in the District of Columbia. A great deal has been said about that matter on the floor of the Senate during the past few days. The hospital has been completed at great expense. It is about ready to be opened; it will be opened in October or November. The cost of equipment has increased so much that the authorization for the whole program is not sufficient, and $1,710,000 is needed. That was the testimony of all those involved—the administrators, the doctors, and the Washington Hospital Corporate Board. The appropriation of the $1,710,000 is contingent upon the extension of the authorization, which is now before Congress, and which was approved by the District of Columbia Committee of the Senate, I believe last Thursday.

There is an item of $120,000, a new item, for work on housing studies, which was authorized by the Housing Act of last year. In that particular case, the housing bill authorized studies to be made by the Housing and Home Finance Agency. The bill having been passed late in the last session, or just before Congress adjourned, that item was not put in the budget. All members of the Housing Subcommittee of the Committee on Banking and Currency and others interested urged—because the House did not consider the item at all—that we authorize the beginning of the study, and the committee has recommended the amount of $120,000 for that purpose.

The committee recommends an increase of $500,000 for the Interstate Commerce Commission, which is a partial restoration of the cut which the House made. The necessity for the increase is due to added work at the Commission because of legislation enacted by the Congress. The legislation requires a great deal of additional inspection work. Furthermore an extra burden has been put on the ICC because of the tremendous growth of motor transportation carriers and because of added safety work in connection with compliance with the Motor Carriers Act.

The committee also recommends an increase of $1 million in the appropriation for the National Advisory Committee for Aeronautics, which represents a partial restoration of the cut made by the House. In that particular case the House committee voted $71 million. On the floor of the House a cut of $1 million was made in the item. The Senate committee restored the amount cut, making the amount $71 million, which was the item in the bill as the House committee reported the bill.

The committee has recommended an increase of $1,989,600 in the appropriation for the medical administration and miscellaneous operating expenses of the Veterans' Administration, which is a partial restoration of the cut made by the House, plus an additional $1 million for medical research in the fields of heart disease, mental illness, cancer, neurological diseases, and arthritis.

The committee report mentions the fact that last year the Senate passed a bill providing a $10 million fund for research, as a result of an amendment offered by me and other Senators. We have found that the money spent for that research, in cooperation with National Institutes of Health, has repaid the Government many times over. The program is to be continued. The reason for the additional $1 million is that, for some peculiar reason, the Bureau of the Budget, early this spring, failed to include $1 million of that $10 million fund. The committee has restored that fund to the Veterans' Administration.

Those are the increases the committee has recommended over the House amounts.

The decreases in the bill under those provided by the House are as follows:

The committee recommends a reduction of $14,250,000 in the amount provided by the House for the Veterans' Administration. That particular appropriation totals $2,826,250,000, or nearly $3 billion. The appropriation requests submitted to the budget in that case are submitted on estimates for the whole fiscal year.

The Veterans' Administration has been pretty accurate in its estimates. It has not been wrong in its estimates, in many cases, by more than 1 or 1½ percent, or, I think at the most, 3 percent, in a given year. The Veterans' Administration could not know exactly whether its estimates would prove to be correct, considering the huge amount of $3 billion which is appropriated for it, until early the next year. So the committee thought it wise to keep the Veterans' Administration as closely as possible within its limitations, without eliminating any payments, allowing a leeway of from one-half to 1 percent.

Of course, it would be necessary, if the Veterans' Administration found it was running short of funds, for it to come to Congress next year for supplemental funds, or, if it expended less than the estimated amounts, the money would be retained for later payements.

We feel that the program in this particular case is more than adequately taken care of.

The committee recommends a reduction of $3,940,000, in the appropriation for readjustment benefits. In that case, the estimates of the Veterans' Administration vary somewhat, because the very name of the item, readjustment benefits, means that literally. The Veterans' Administration estimates the amount necessary for that item as best it knows how, but sometimes it is off in its estimate by a small percentage. The item is necessary because of the mandatory provisions of law. The Veterans' Administration cannot estimate exactly its needs for each year, and when the Administration is short of funds, it requests supplemental amounts.

The committee recommended a reduction of $2,000 from the amount provided by the House for the National Capital Housing Authority, putting the appropriation back to the 1957 level.

Some increases were provided in language amendments to cover limitations on travel expenses and limitations on administrative expenses, as well as additional automobiles for Selective Service and Veterans' Administration.

Among other language amendments is one involving the restoration of a proviso exempting from conflict-of-interests statutes the members of the International Organization Employees Loyalty Board under the Civil Service Commission.

The committee inserted a new proviso prohibiting during the year the use of funds for a proposed new Federal Office Building No. 7. There is pending condemnation proceedings to acquire the whole block in the vicinity of Jackson Place, 17th Street, Pennsylvania Avenue, and H Street. It involves the condemnation of many buildings with which many Senators are familiar. I refer to the block on the west side of Lafayette Square, in which is located the headquarters for the National Grange, the Decatur House, Brookings Institution, the old Court of Claims Building, and the Blair House. I refer to the block containing those buildings.

It was found that the General Services Administration was not quite ready with its plans for the use of that square, which would disrupt such organizations as the headquarters for the National Grange. The committee thought we could wait at least a year, or until there was something more definite regarding that particular plan.

The committee restored a proviso authorizing the unused balance to be applied to contracts for public buildings. That would come under the Lease-Purchase Act. The General Services Administrator felt he needed that leeway or flexibility.

The committee restored language to permit the continuation of available funds of $145,700,000, plus $6,500,000 anticipated recoveries, or a total of $152.2 million, for operations of the General Services Administration under the stockpiling program. The budget estimate figure was $130 million. The House provided $19 million. That item was lost on the floor. The committee felt the stockpiling program should proceed.

The testimony will show—I do not think this is classified information—that we are well along with the completion of certain items in the stockpile. This is a program the General Services Administration conducts at the behest of the Office of Defense Mobilization. They have, as I have said, $152 million in carryovers and recoveries, with which to continue the program. We felt that was sufficient, and the officials of the General Services Administration were in agreement with us. So we inserted language to permit them to continue the program.

We inserted a provision giving the General Services Administrator authority for a 5-percent transfer between operating expenses, but with an aggregate limitation of $5 million. This agency is, of course, comparatively new as Government agencies go. It has been given more and more work to do. It does much work on behalf of other agencies. We felt there should be some flexibility within the discretion of the Administrator to transfer operating expense funds.

We inserted a proviso for 10 field positions at GS–16. There was strong testimony as to the need for aid in better administration. This will not result in the hiring of additional personnel.

We inserted a provision authorizing the continuance of the real-property inventory, and the printing of such inventory as a Senate document. This was a directive which the Senate Committee on Appropriations itself made to the General Services Administration in last year's appropriation bill and in previous years.

As to the National Science Foundation, the House had earmarked a limitation on the funds for the program for high-school science and mathematics teachers under the program. We took that out of the bill, and again gave some flexibility to the National Science Foundation, to permit it to carry on its program, which the members of the committee felt

was most important. It is a program in the field of science and mathematics, and affects teachers engaged in work having to do with the basic tenets of physics, mathematics, and science in the high schools. The appropriation will enable the Foundation to embark upon the program nationwide.

We deleted the earmarking for registration, classification, and induction activities of local boards under the Selective Service System. The committee strongly recommends that the Administrator take a good look into the possibility of consolidating throughout the United States many of the selective-service boards. There still are in existence some 4,000 such boards. Many of them meet only two or three times a year. It is thought that in many cases the county boards could be consolidated, and some money could be saved.

I have pointed out the earmarking of medical research under the Veterans' Administration. The amount recommended includes also $344,000 for mandatory payments to the civil service retirement fund, so it is a $1 million increase for research. This $344,000 is a mandatory payment which the Veterans' Administration must make in that particular branch of its administration.

I have covered the decreases in the committee amendments. Unless there are questions to be asked, I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill, as thus amended, be considered for the purpose of amendment as the original text, and that no points of order be waived.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

Under the heading "Title I—Independent Offices—Civil Service Commission," on page 3, line 22, after the word "performed", to insert a colon and *"Provided further,* That nothing in sections 281 or 283 of title 18, United States Code, or in section 190 of the Revised Statutes (5 U. S. C. 99) shall be deemed to apply to any person because of appointment for part-time or intermittent service as a member of the International Organizations Employees Loyalty Board in the Civil Service Commission as established by Executive Order 10422, dated January 9, 1953, as amended."

On page 4, line 9, after "(64 Stat. 465)", to strike out "$2,300,000" and insert "$2,417,000."

Under the heading "Federal Civil Defense Administration", on page 5, line 5, after the word "exceed", to strike out "$598,000" and insert "$800,000."

Under the heading "Federal Power Commission", on page 7, line 10, after the word "exceed", to strike out "$325,000" and insert "$335,000."

Under the heading "Federal Trade Commission", on page 7, at the beginning of line 19, to strike out "$237,000" and insert "$251,250."

Under the heading "General Accounting Office", on page 8, line 5, after the word "exceed", to strike out "$1,500,000" and insert "$1,600,000."

Under the heading "General Services Administration", on page 8, line 20, after the word "exceed", to strike out "$205,300" and insert "$238,650", and in the same line, after the word "travel", to strike out "$127,464,000" and insert "$133,214,000."

On page 9, line 10, after the word "exceed", to strike out "$250,000" and insert $270,000."

On page 10, line 6, after "(40 U. S. C. 341)", to insert a colon and *"Provided,* That no part of such funds shall be used during the current fiscal year for preparation of drawings and specifications, acquisition of sites, design, planning, construction, or in any other manner for or in connection with proposed Federal office building Numbered 7 on square 167 in the District of Columbia (project Numbered 3–DC–05, General Services Administration prospectus submitted July 13, 1956)."

On page 10, line 18, after the figures "$1,331,100", to insert a colon and *"Provided,* That the Administrator of General Services may enter into contracts during the fiscal year 1958 for which the aggregate of annual payments for amortization of principal and interest thereon shall not exceed the unused portion of the $12,000,000 limitation applicable prior to July 1, 1957, under the Independent Offices Appropriation Act, 1957 (70 Stat. 343)."

On page 11, line 2, after "(40 U. S. C. 341)", to strike out "$2,125,000" and insert "$2,145,000."

On page 11, after line 3, to insert:

"Hospital facilities in the District of Columbia: For an additional amount for expenses necessary in carrying out the provisions of the act of August 7, 1946 (60 Stat. 896), as amended, authorizing the establishment of a hospital center in the District of Columbia, including grants to private agencies for hospital facilities in said District, $1,710,000, to remain available until expended: *Provided,* That the limitation on the total amount for completion of the hospital center is increased from $21,700,000 to $23,410,000: *Provided further,* That this paragraph shall become effective only upon approval of the increased authorization proposed in S. 2194 and/or H. R. 7835, 85th Congress."

On page 11, line 20, after the word "exceed", to strike out "$120,000" and insert "$192,500."

On page 12, line 11, after the word "exceed", to strike out "$110,000" and insert "$123,900."

On page 12, line 20, after the word "exceed", to strike out "$44,750" and insert "$52,-000", and in line 21, after the word "travel", to strike out "$7,254,500" and insert "$7,263,-000."

On page 13, line 1, after the word "exceed", to strike out "$25,000" and insert "$27,500."

On page 13, line 3, after the word "materials", to strike out "For necessary expenses in" and insert "Funds available for"; in line 6, after the numerals "1946", to strike out "including" and insert "during the current fiscal year shall be available for"; in line 9, after the word "materials", to insert "establishment and operation of a buying station at Santa Fe, N. Mex., to handle purchases of mica under the General Services Administration purchase programs for domestic mica, established pursuant to the Defense Production Act of 1950, as amended,", and in line 23, after "(7 U. S. C. 1704 (b))", to strike out the comma and "to remain available until expended."

On page 15, line 14, after the word "exceed", to strike out "$10,230,000" and insert "$10,830,000", and in line 15, after the word "exceed", to strike out "$137,700" and insert "$168,900."

At the top of page 17, to insert:

"Not to exceed 5 percent of any appropriation made available to the General Services Administration for the current fiscal year by this act may be transferred to any other such appropriation, but no such appropriation shall be thereby increased more than 5 percent: *Provided,* That such transfers shall apply only to operating expenses, and shall not exceed in the aggregate the amount of $5,000,000."

On page 17, after line 7, to insert:

"The Administrator is authorized, without regard to the Classification Act of 1949, as amended, to place 10 positions at the field level, in addition to those otherwise authorized, in grade GS–16 in the general schedule established by said act."

Under the heading "Housing and Home Finance Agency—Office of the Administrator", on page 17, line 19, after the word "travel", to insert "The salary of a general counsel, but not in addition to staff otherwise authorized, which shall hereafter be at the salary rate of grade GS–18;" and on page 18, line 17, after the word "exceed", to strike out "$1,500,000" and insert "$2,000,000."

On page 18, after line 18, to insert:

"ADMINISTRATIVE EXPENSES, HOUSING STUDIES

"For administrative expenses in carrying out the program authorized by section 602 of the Housing Act of 1956 (70 Stat. 1113), $120,000, to remain available until June 30, 1958."

Under the heading "Interstate Commerce Commission", on page 19, line 22, after the word "exceed", to strike out "$200" and insert "$500"; in line 22, after the amendment just above stated, to insert "uniforms or allowances therefor, as authorized by law; purchase of not to exceed 80 passenger motor vehicles of which 62 shall be for replacement only"; on page 20, at the beginning of line 1, to strike out "$1,085,000" and insert "$1,185,000", and in the same line, after the word "travel", to strike out "$16,-500,000" and insert "$17,000,000"; in line 2, after the word "which", to insert "(a)"; in the same line, after the word "than", to strike out "$1,350,000" and insert "$1,363,-500"; in line 4, after the word "than", to strike out "$950,000" and insert "$956,600"; in line 6, after the word "activities", to strike out the colon and *"Provided,* That no part of the foregoing funds" and insert "(b) $225,-000", and in line 10, after the word *"Provided",* to strike out *"further."*

Under the heading "National Advisory Committee for Aeronautics", on page 20, line 17, after the word "contracts", to insert "for the making of special investigation and reports and"; in line 19, after the word "exceed", to strike out "$380,444" and insert "$425,000"; at the beginning of line 21, to insert "purchase of 10 passenger motor vehicles for replacement only", and on page 21, line 2, after "(5 U. S. C. 55a)", to strike out "$70,000,000" and insert "$71,000,000."

Under the heading "National Capital Housing Authority", on page 21, line 11, after the word "Act", to strike out "$10,000" and insert "$38,000."

Under the heading "National Science Foundation", on page 22, line 3, after the word "exceed", to strike out "$150,000" and insert "$200,000"; in line 4, after the word "exceed", to strike out "$300" and insert "$400", and in line 7, after the word "expended", to strike out the colon and *"Provided,* That of the foregoing amount not less than $9,500,000 shall be available for tuition, grants, and allowances in connection with a program of supplementary training for high school science and mathematics teachers."

Under the heading "Securities and Exchange Commission", on page 22, line 23, after the word "exceed", to strike out "$197,-500" and insert "$241,000."

Under the heading "Selective Service System," on page 23, line 9, after the word "expenses", to insert "purchase of 44 passenger motor vehicles for replacement only, including 1 at not to exceed $4,000;", and in line 14, after the word *"Provided",* to strike out "That of the foregoing amount $19,410,000 shall be available for registration, classification, and induction activities of local boards; *Provided further."*

Under the heading "Veterans' Administration," on page 24, line 12, after the word "law", to insert "purchase of 6 passenger motor vehicles for replacement only, including 1 at not to exceed $5,000:", and in line 16, after the word "which", to strike out "$18,-500,000" and insert "$17,500,000."

On page 25, line 7, after the word "exceed", to strike out "$992,200" and insert "$1,100,-000"; in line 14, after the word "equipment", to strike out "$20,773,800" and insert "$22,-763,400", and in line 15, after the word "which", to strike out "$10 million" and insert "$11,344,000."

On page 26, line 4, after the word "materials", to insert "purchase of 100 passenger motor vehicles for replacement only."

On page 28, line 1, after "(38 U. S. C. 631 and 661", to strike out "$2,840,500,000" and insert "$2,826,250,000."

On page 28, line 11, after the numerals "1956", to strike out "$787,987,000" and insert "$784,047,000."

Under the heading "Independent Offices—General Provisions," on page 33, after line 23, to insert:

"SEC. 109. The detailed information from the annual inventory report on real property currently being compiled by the General Services Administration shall continue to be furnished to the Committees on Appropriations and Government Operations of the Senate and House and summary statements and tabulations therefrom hereafter issued annually as Senate documents."

Under the heading "Title II—Corporations—Federal Home Loan Bank Board," on page 34, line 19, after the word "of", to strike out "$1,200,000" and insert "$1,300,000."

On page 36, line 13, after the word "exceed", to strike out "$650,000" and insert "$700,000."

Under the heading "Housing and Home Finance Agency," on page 37, line 14, after the word "exceed", to strike out "$1,327,000" and insert "$1,427,000."

On page 38, at the beginning of line 18, to strike out "$970,000" and insert "$1,940,000", and on page 39, line 6, after the word "States", to strike out the colon and *"Provided,* That all expenses, not otherwise specifically limited in connection with the programs provided for under this head shall not exceed $500,000, but this limitation shall not apply to expenses (other than for personal services) in connection with disposition of federally owned projects."

On page 41, line 10, after the word "exceed", to strike out "$12,305,000" and insert "$13,-170,000."

Mr. DIRKSEN. Mr. President, I wish to offer one amendment to the bill. I offer it with the concurrence of the chairman and members of the committee. It relates to an item which comes under the General Services Administration, and proposes, on page 13, line 2, to strike out "$1,330,000" and insert "$1,700,000."

The effect of the amendment would be to increase by $370,000 the item for operating expenses, under Transportation and Public Utilities Service, for the General Services Administration. The figure now in the bill was the result of a clear inadvertence on the part of the committee. The committee agreed that the item should be increased.

These funds are used by the GSA to appear on behalf of various agencies of Government before the rate-making bodies with respect to transportation and utility management. I think their record has been exceedingly good. They anticipate that with these funds they will probably save in the neighborhood of $9 million or more. I believe Mr. Floete and his associates have done an exceedingly fine piece of work in this field. We wish to restore the $370,000 to the total amount for the General Services Administration.

Mr. MAGNUSON. Mr. President, it was an inadvertence, because in this particular case, as the Senator from Illinois will remember, a year ago the Committee on Appropriations was very critical of the General Services Administration for not appearing on behalf of the Government in cases involving rate increases.

Inasmuch as the Government is the biggest buyer of transportation in the world, we felt that the public interest should be protected, and this appropriation is for that purpose. The General Services Administration have set themselves to that task.

As the Senator from Illinois has pointed out, I think they have saved the Government much money in the long pull. This appropriation is to enable the General Services Administration to continue a very important feature of their operations. I shall be glad to accept the amendment.

The PRESIDING OFFICER (Mr. MORTON in the chair). The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DIRKSEN].

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, in connection with the item for the Securities and Exchange Commission, I wish to offer a very brief memorandum for the RECORD. The Senate increased the travel limitation applying to the Securities and Exchange Commission. They were allowed additional personnel, but the effectiveness of the personnel will be measured in large degree by the amount of field work they can do in pursuing the various complaints and problems which come before the Commission.

The Commission has done a notable piece of work, especially so under the chairmanship of Mr. J. Sinclair Armstrong, who has now advanced to the post of Assistant Secretary of the Navy. He has made this Commission a very effective agency in the field.

There has been a tremendous growth of their business. They need the travel money recommended. While we did not allow all they said was required, I believe we gave them about one-half of their request for travel expenses.

In that connection, Mr. President, I ask unanimous consent to have printed in the RECORD, only for the purpose of having it available when the bill goes to conference, so that we can make the case with the conferees, the statement I send to the desk.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT IN SUPPORT OF SENATE COMMITTEE ON APPROPRIATIONS RECOMMENDATION FOR SECURITIES AND EXCHANGE TRAVEL LIMITATION

The effectiveness of the Securities and Exchange Commission's accelerated enforcement program depends upon two key factors: (1) Maintaining a staff adequate to discharge the exacting duties of the program; and (2) availability of travel funds to give this personnel the mobility necessary to cover the large geographical areas in which the investigative work must be accomplished. The Senate Appropriations Committee has confirmed the House bill, which provides funds for 92 additional employees for the fiscal year 1958. The Senate's recommended travel limitation for the Securities and Exchange Commission of $241,000 is absolutely essential if the Commission is to continue to conduct its fraud investigations and broker-dealer inspections. These cannot be done by the staff sitting in their offices. Investigators and inspectors have to go to witnesses if they are to collect evidence, and visit broker-dealer's offices if they are to inspect.

It is my understanding that the Commission requested a travel limitation of $284,-500, or an $87,000 increase over that provided for fiscal 1957. The Senate Appropriations Committee has allowed an increase of $43,500 or, one-half of the requested increase. No one is more in favor of economy of operation in Government than I am. The Congressional policy for the protection of the investing public against misrepresentation, fraud, manipulation and other abuses, which contributed to the economic collapse in the 1930's, requires the Congress in the public interest to continue to support the Securities and Exchange Commission in this most essential area of law enforcement.

I urgently appeal to my colleagues of the Senate, to sustain the committee's recommendation of $241,000 for travel of the Securities and Exchange Commission.

Mr. MAGNUSON. For the RECORD, I may say that in that case the committee increased only the travel limitation, from $197,500 to $241,000. This has become a very important part of the work of the Commission.

Mr. DIRKSEN. The Senator is correct.

Mr. MAGNUSON. Mr. President, I submit another amendment, with which the Senator from Illinois is familiar, I believe. I offer an amendment relating to a matter which arose since the committee met, which involves the sum of $35,000 for the Selective Service System. The amendment speaks for itself.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 23, line 14, after the numeral "$27,000,000," it is proposed to insert the following: "together with $35,000 of the unobligated balance of funds appropriated for this purpose in the 'Independent Offices Appropriation Act, 1957,' for the National Advisory Committee on the Selection of Doctors, Dentists, and Allied Specialists, of which not to exceed $4,000 may be used for travel."

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from General Hershey explaining this proposed amendment. There has been established and is now in process of operation, a national advisory committee on the drafting of doctors, which is a very important matter. Because this item was not in the budget, and affects a new branch of the Selective Service System, it can be very helpful in dealing with the knotty problem of what to do about the drafting of medical personnel. The amendment would provide only a sufficient amount to take care of the small needs of the advisory committee.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL HEADQUARTERS,
SELECTIVE SERVICE SYSTEM,
Washington, D. C., June 11, 1957.

The Honorable CARL HAYDEN,
Chairman, Committee on Appropriations, United States Senate.

DEAR MR. CHAIRMAN: Reference is made to H. R. 6070, the independent offices' appropriation bill, in which is included the Selective Service System appropriation for 1958.

No provision was made in this bill to provide funds for the National Advisory Committee, set up under the so-called doctors

draft law, which is due to expire June 30, 1957.

It now appears that H. R. 6548, 85th Congress, to amend the Universal Military Training and Service Act, as amended, as regards persons in medical, dental, and allied specialist categories, will be enacted into law. This bill would, among other things, reinstate the Advisory Committee. As stated above no funds for this committee are in the present appropriation bill for 1958.

In order to provide funds in fiscal year 1958 for this committee we would like to be authorized to expend unobligated funds appropriated for the use of the committee in fiscal year 1957, in the amount of $35,000.

This would be possible if the Senate print of H. R. 6070 of June 7, 1957, is amended as below.

On page 23, line 14 after "$27,000,000," insert the following: "together with $35,000 of the unobligated balance of funds appropriated for this purpose in the 'Independent Offices' Appropriation Act, 1957' for the National Advisory Committee on the Selection of Doctors, Dentists, and Allied Specialists, of which not to exceed $4,000 may be used for travel."

We would request this amendment be inserted in the independent offices' appropriation bill for 1958.

Sincerely yours,

LEWIS B. HERSHEY, *Director.*

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington [Mr. MAGNUSON].

The amendment was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk an amendment which I offer on behalf of myself and the Senator from Virginia [Mr. ROBERTSON].

The Senator from Virginia who serves on the Committee on Appropriations, deals with matters of this kind. Since I am the chairman of the Committee on Post Office and Civil Service, I also deal with matters pertaining to insurance.

I should like to invite the attention of the Senate to the fact that a similar amendment to the one I am submitting was adopted by the Senate in the form of a bill, and has already been sent to the House. It was reported unanimously from the Post Office and Civil Service Committee. The purpose was to take care of those insurance companies which have not already been taken over. Some have been taken over, and others have not.

I invite the attention of Senators to the fact that this amendment will not necessitate any appropriation. The money will be taken out of the insurance fund, which has accumulated, up to the present time, to approximately $100 million. We think it is absolutely necessary to treat all the employees alike, and to treat all the insurance companies alike.

I ask unanimous consent to have printed in the RECORD at this point as, a part of my remarks, a statement from the Civil Service Commission which shows the necessity of enacting such legislation at this time. It must be done immediately, because the time within which the insurance companies can be taken over will soon expire. That being so, I ask the chairman of the subcommittee to take the amendment to conference.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXPENSE LIMITATION

ADMINISTRATIVE EXPENSES—EMPLOYEES' LIFE INSURANCE FUND

General statement

The Federal Employees' Group Life Insurance Act (5 U. S. C. 209ff) (as amended by Public Law 356, 84th Cong. (69 Stat. 676), August 11, 1955), provides that the employees' life-insurance fund is available for any expenses incurred by the Civil Service Commission in the administration of the act within such limitations as may be specified annually in appropriation acts.

There are approximately 2,156,000 employee participants in this country and overseas. This is approximately 96 percent of the employees who are eligible. Estimated insurance coverage for this group is $10 billion.

By August 17, 1957, approximately 149,000 members of 25 Federal and District of Columbia employee beneficial associations with assets of approximately $18 million and insurance coverage of approximately $221 million will also be insured because of the August 11, 1955, amendment to the law, which authorized the assumption by the life-insurance fund of insurance agreements of employee beneficial associations and permitted insurance coverage for employees now in Federal service. Coverage under the original law was limited to retired and separated employees only.

Through June 30, 1956, $117,100,000 was withheld from the salaries of employees covered under the regular program and deposited into the fund. The Government contributed $58,550,000 to the fund for this group. It is estimated that in fiscal year 1958, $66,700,000 will be paid into the fund by these members, and $33,350,000 by the Government. Employees in this group contribute 25 cents per $1,000 of insurance each biweekly pay period, and the Government contributes one-half that amount.

Through June 30, 1956, $83,200,000 has been paid under the policy in life-insurance benefits to survivors of insured members and in dismemberment benefits to insured members. There are approximately $12 million in accrued benefits awaiting the filing of papers and claims. It is estimated that $60 million in life-insurance and dismemberment benefits will be paid out in fiscal year 1958.

Most of the difference between receipts and benefit payments under the policy is placed by the insurer in a contingency fund which is used primarily to pay benefits accruing to the survivors of retirees—a group which will rapidly increase as more insured employees reach retirement age. As of November 19, 1955, the end of the last completed policy year for which an accounting has been made, there was a total reserve of $50,779,000, of which $47,633,600 was held as a special contingency reserve by the insurer at interest, and $3,145,400 was on deposit in the Treasury of the United States.

Through June 30, 1956, individuals whose beneficial life-insurance agreements have been assumed by the fund paid $248,900 into the fund. It is estimated that in fiscal year 1958, $1,700,000 will be paid into the fund by this group. Former members of beneficial associations continue to pay premiums according to the rate schedules in effect at the time their life-insurance agreements were assumed by the fund, but the Government makes no current contributions to the fund for these individuals as it does for employees covered under the regular program.

There is no contingency reserve fund to be held by the insurer under the policy covering members of beneficial associations. That policy calls for a refund to the Commission at the end of a policy year of any premiums in excess of the total of claim expense, and risk charges under the policy. The refunded premium would be deposited in the Treasury of the United States to the credit of the employees' life insurance fund. No such refund is due as yet because the first policy year does not end until December 31, 1956.

Forecast of supplemental request for increase in administrative expense limitation for fiscal year 1957

Total required 1957	$194,000
Present limitation, 1957	117,500
Increase in limitation, 1957	76,500

The Commission had to discontinue negotiations for assumption of the 9 remaining beneficial associations comprising 95,000 members in fiscal year 1956 because the amount allowed in the administrative expense limitation was insufficient to permit completion of this work. Also in fiscal year 1957, the expense limitation is insufficient to permit the assumption of the remaining beneficial associations. The assumption of the insurance agreements of members of Federal and District of Columbia employee beneficial associations includes the cost involved in setting up individual records as well as preparing notices of premiums due, and receiving, depositing, and accounting for individual premium payments. The expense limitation requested for fiscal year 1958 does not include an amount to provide for takeover costs. The increase in fiscal year 1958 covers only the amount needed to fully maintain the additional 95,000 members of the 9 employee beneficial associations not yet in the program.

NARRATIVE JUSTIFICATION

Fund requirements for administrative expenses

The estimates for administrative expenses for fiscal years 1957 and 1958, shown on the comparative summary statement, are based on actual experience during 1956, and expected workloads in fiscal years 1957 and 1958.

The August 1955 amendment resulted in 25 beneficial associations with a membership of approximately 149,000 becoming eligible for assumption by the life-insurance fund of their life-insurance agreements. In fiscal year 1956 the administrative expense limitation was inadequate to handle this anticipated additional workload. During that year the fund assumed 16 beneficial associations with approximately 54,000 members, assets of approximately $5 million, and insurance coverage of approximately $82 million. Because the limitation was inadequate, it was necessary to discontinue negotiations for the assumption in fiscal year 1956 of the remaining beneficial associations with approximately 95,000 members. Likewise in fiscal year 1957, funds available do not provide a sufficient amount to take over the remaining beneficial associations.

With the exception of the contribution to the retirement fund, the increase requested is needed to defray the cost of servicing 9 additional beneficial associations with approximately 95,000 members. Requirements for fiscal year 1958 are as follows:

Fiscal year 1957 expense limitation	$117,500
Increase for contribution to retirement fund	11,600
Additional requirements for maintenance costs resulting from the assumption of approximately 95,000 members of 9 beneficial associations	103,900
Total estimate for fiscal year 1958	233,000

The amount shown in the summary table on page 138 under "Other contractual services" reflects the costs of services performed and materials purchased by the Civil Service Commission for which the Commission

will be reimbursed by the employees' life-insurance fund.

A number of functions are required by law to be carried out by the Commission. Among the more important ones are:

1. The purchase of a group policy from a private insurance company to provide the benefits authorized.

2. Determining or redetermining that the insurer and reinsurers meet the eligibility conditions for carrying the policies under which Federal employees are insured.

3. Arranging for assumption by the life-insurance fund of life-insurance agreements of certain Federal and District of Columbia employee beneficial associations for the members; determining that the proper amount of assets is received by the fund from the associations; and collecting premiums thereafter from eligible individuals for insurance under the group program.

4. Determining eligibility of employees retiring under the Civil Service retirement system and other Federal civilian retirement systems for continuance of their life insurance after retirement without cost to them.

5. Arranging for insured individuals to receive appropriate certificates, notices, and information concerning their rights, privileges, and benefits.

6. Auditing the claim, mortality, expense, and risk charges of the insurance company and the office established under the program for payment of benefits.

7. Prescribing the operating regulations, rules procedure, and form for the Commission, employing agencies, and individuals.

8. Developing and maintaining financial and statistical data for management use, and for annual reporting to the Congress.

9. Receiving and accounting for employee withholdings and agency contributions to the fund, and maintaining necessary control accounts and records.

10. Answering inquiries from individuals and agencies on insurance matters.

Under the program, all insurance payments to claimants are settled by an administrative office of the insurer upon receipt of certification of the insurance status of the person on whose account the claim is being made. In the case of an employee not retired, the certification is made by the last employing office, and it is unnecessary for the Commission to be involved in any recordkeeping for such individual. In the case of retired employees, and those individuals insured because of the assumption of life-insurance agreements of beneficial associations, the Commission acts as the central agency for certification of insurance status at the time of death of the insured. Because the Commission already has all necessary records, obtained from employing agencies at retirement, or at time of taking over the beneficial associations' life-insurance agreements, there is some individual recordkeeping in these cases.

The Commission administers the Civil Service Retirement Act as well as the Federal Employees' Group Life Insurance Act. The retirement and insurance activities are closely related and many of the day-to-day insurance functions affecting rights, benefits, and privileges of individuals are performed by the same employees who perform retirement functions. Employees who perform both functions allocate time and cost to each activity as the work requires.

APPROPRIATION: EMPLOYEES' LIFE INSURANCE FUND ADMINISTRATIVE EXPENSE LIMITATION—FISCAL YEAR 1957

General statement

The figures below show the total requirements, the present limitation, and the amount of increase for which this request is being made:

Total required, fiscal year 1957	$194,000
Present limitation, fiscal year 1957	117,500
Increase in limitation, fiscal year 1957	76,500

The Federal Employees' Group Life Insurance Act (5 U. S. C. 209, ff., as amended by Public Law 356, 84th Cong., 69 Stat. 676, Aug. 11, 1955) provides that the employees' life insurance fund is available for any expenses incurred by the Civil Service Commission in the administration of the act within such limitation as may be specified annually in appropriation acts.

The amendment of August 1955 authorized the Commission to arrange for the assumption by the life insurance fund of insurance agreements of all members of Federal and District of Columbia employee beneficial associations, including those members still in the Federal service. This resulted in 25 beneficial associations with a membership of 149,000 becoming eligible for assumption of their life insurance agreements by the life insurance fund. However, the administrative expense limitation authorized for fiscal year 1956 was inadequate to handle this increased workload. The fund assumed 16 beneficial associations with approximately 54,000 members before funds were expended to the extent of the limitation. The Commission then discontinued negotiations for the assumption of the remaining 9 beneficial associations with a membership of approximately 95,000.

Mr. JOHNSTON of South Carolina. The expense limitation of $117,500 for fiscal year 1957 is barely sufficient to maintain the regular insurance program for active Federal employees and to service the accounts of association members already assumed by the fund. Unless additional limitation is provided it will be impossible to take over the remaining beneficial associations.

A further delay in taking over these associations may result in their being placed in a precarious financial position. As of this date, some of the associations are liquidating part of their assets in order to pay claims to survivors of association members. Since there is no provision for their writing further insurance agreements, thus bringing younger members into the organization and providing cash for the payment of claims, their financial position will become more serious as time passes.

Therefore, a request for an increase of $76,500 in the expense limitation is being submitted in order that funds will be available to complete arrangements for assumption of the remaining associations before the legal deadline of August 17, 1957. As the expense limitation included in the Commission's budget request for fiscal year 1958 does not provide for the increased workloads in connection with the assumption of the remaining beneficial associations, it is essential that the increased limitation be made available at the earliest possible date.

Summary of Commission's efforts to obtain adequate expense limitation to assume and service insurance of members of beneficial associations as required by amendment to Public Law 598, Federal Employees' Group Life Insurance Act of 1954

Date		Explanation
June 30, 1955	Amount of limitation authorized in fiscal year 1956 appropriation, $99,000.	Restricted amount to be expended from life-insurance fund for administration of the regular program of Federal employees' group life insurance.
Aug. 11, 1955	Amendment to Federal Employees' Group Life Insurance Act of 1954, Public Law 356, 84th Cong.	Authorized the Commission to arrange for assumption by the fund of insurance agreements held by 149,000 members of 25 nonprofit associations of Federal or District of Columbia employees by Aug. 17, 1957.
Feb. 13, 1956	Fiscal year 1956 supplemental request to Congress for $112,350 increase in limitation.	The increased limitation requested was to enable the Commission to assume the insurance agreements of the 25 beneficial associations as provided in Public Law 356. This supplemental estimate was required because the amendment to the Life Insurance Act was passed on Aug. 11, 1955, after the Commission's regular 1956 appropriation was approved June 30, 1955.
May 19, 1956	Amount of limitation increase approved by Congress in fiscal year 1956 supplemental appropriation, $37,500.	This reduced amount permitted the Commission to take over only 16 beneficial associations with 54,000 members, and it had to discontinue negotiations with the 9 remaining associations.
Dec. 14, 1955	Fiscal year 1957 regular request to Congress included $186,700 as the amount of limitation to be authorized to administer the life-insurance fund.	This request included funds which would be adequate to (1) take over the 9 remaining associations with 95,000 members, (2) administer the regular Federal employees' life-insurance program, and (3) service all the 149,000 members of beneficial associations.
June 27, 1956	Amount of limitation authorized in fiscal year 1957 appropriation, $117,500.	This limitation provided only enough funds for maintenance of the regular life-insurance program and servicing of the 54,000 members of the 16 associations already taken over.
Mar. 21, 1957	Fiscal year 1957 supplemental request to Congress for an increase of $76,500 in the limitation.	As funds were not provided in the regular fiscal year 1957 appropriation limitation, shown above, the Commission again requested funds to enable it to assume the 95,000 members of the 9 remaining beneficial associations. This was the 3d request made to increase the expense limitation for purposes of assuming the beneficial associations and, as of Mar. 27, 1957, it is still pending in Congress.
Jan. 7, 1957	Fiscal year 1958 regular request to Congress included $233,000 for the expense limitation to administer the life-insurance program.	This amount would provide for maintaining the regular program and servicing the full 149,000 membership of the 25 beneficial associations. It was based on the assumption that funds will also be made available through the fiscal year 1957 supplemental request to enable the Commission to take over the 9 remaining associations with 95,000 members. The House reduced this amount to $123,900. The amount of limitation allowed in the House bill will not quite provide enough funds to maintain the regular Federal employees' program and to service the 54,000 members of beneficial associations taken over last fiscal year. Obviously, this limitation would not provide for servicing an additional 95,000 members which should be taken over if the supplemental appropriation for 1957 is approved. The Commission has made 3 attempts to obtain expenditure authority to carry out its responsibility under the amended law; however, in order to carry out the intent of this legislation (Public Law 356, 84th Cong.) it is necessary that (1) the 1957 supplemental request be approved in order to take over the insurance agreements of the remaining 9 beneficial associations, and (2) the full amount of the fiscal year 1958 request be restored and authorized by Congress in order to maintain the whole program as required by law.

SCHEDULE A.—*Life-insurance agreements assumed by the Commission*

Association	Membership	Insurance in force	Assets
		Millions	
Secret Service Beneficial Association	54	$0.05	$13,000
Death and Disability Department, NFPOC	2,100	2.0	22,000
Municipal Employees' Group Life Insurance Association	1,400	2.1	4,000
Los Angeles Post Office Employees	1,500	1.5	60,000
Immediate Benefit Association, Baltimore Post Office	500	.5	13,000
Bureau Protective Association (Bureau Engraving and Printing)	1,200	.3	24,000
GPO Group Life Insurance Association	3,800	6.2	325,000
Railway Mail Mutual Benefit Association (Chicago)	4,800	7.2	399,000
Interstate Commerce Commission Club	240	.4	5,000
Employees Welfare Association, VA	4,600	6.8	222,000
Commerce and Justice Beneficial Association	9,300	17.0	1,216,000
Department of Labor Beneficial Association	3,000	5.1	568,000
Washington Navy Yard Group Life Insurance Association	3,900	5.4	161,000
Post Office Immediate Benefit Association (District of Columbia)	1,500	1.4	87,000
Agriculture Beneficial Association	15,370	25.8	1,934,000
Census Bureau Beneficial Association	800	.2	4,300
Total	54,214	81.95	5,057,300

SCHEDULE B.—*Life-insurance agreements to be assumed by the Commission*

Association	Membership before Insurance Act	Membership today	Insurance in force [1]
			Millions
Navy Department Beneficial Association	31,906	27,165	$46.4
War Department Beneficial Association	23,372	20,322	35.0
Treasury Department Beneficial Association	19,397	17,022	29.2
Metropolitan Police Relief Association	4,111	3,185	4.0
Department of Interior Beneficial Association	3,985	3,578	5.9
Chicago Post Office Employees Association	8,400	(2)	4.2
Philadelphia Navy Yard Group Life Insurance Association	9,770	(2)	12.7
Firemen's F. and F. Relief Association	810	(2)	.8
Branch 24, NALC, Encino, Calif.	800	(2)	.6
Total	102,617	[1] 95,000	139.0

[1] Not included in sample of present membership.

[1] Estimated.

The PRESIDING OFFICER. The amendment offered by the Senator from South Carolina will be stated.

The LEGISLATIVE CLERK. On page 4, line 11, it is proposed to strike out "$123,800" and insert "$309,500."

Mr. MAGNUSON. Mr. President, this is a subject which has given the committee considerable concern, as it has concerned the distinguished Senator from South Carolina and his committee.

Some time ago we embarked upon a program for Civil Service Commission to take over various Government-insurance programs. Considerable progress has been made with the project, but there are still a few left which have not been taken over. I believe there are nine left. The fund is a large one, and we are trying to complete the program.

The Senator from Virginia [Mr. ROBERTSON] has been vitally interested in this question. The amendment was submitted to the committee, and the committee stayed with the House amount, but I think we can take this amendment to conference and obtain some agreement with the House conferees and the House Appropriations Committee regarding the entire program. The sooner it is completed the more money we shall save, and the better off the employees who contributed their money will be. I think it is a good amendment.

I think the RECORD should show that there is a very small attendance of Senators in the Chamber. Many are at committee meetings. However, the Senator from Virginia [Mr. ROBERTSON], as well as many other Senators, are necessarily absent because a great naval review is in progress at Hampton Roads. Many Senators were invited, and felt that it was very desirable that they be present. That is why the Senator from Virginia is not present. Except for the circumstances I have mentioned, I would suggest the absence of a quorum at this time. However, the fact is that the Senate has already passed a bill similar to this amendment, and sent it to the House.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. JOHNSTON].

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, first I wish to compliment the distinguished chairman of the subcommittee on his diligence and the thoroughness with which he has gone into the bill.

This is a rather complicated measure, dealing with all the regulatory agencies of the Government, as well as the Veterans' Administration, the Housing and Home Finance Agency, and many others.

The chairman of the subcommittee has devoted a great deal of time and attention to the bill, and I extend to him by felicitations for a job well done.

I have only one comment to make with respect to the bill, and it relates to the Veterans' Administration. I feel that I should make this comment in order to disabuse the mind of anyone who may entertain any fears or apprehensions about what may happen in the field of veterans' readjustments, benefits, and pensions.

When the bill was before the House, the amount for compensation and pensions was reduced by $149 million. An examination of the House committee report will disclose that the only reason was that it was felt that there might have been an error in the estimates. After all, these appropriations are based upon estimates, and the amount set apart each year for this item depends upon the attrition in that field, and on how many veterans' cases will be presented in the course of the fiscal year in which pensions and compensation must be paid.

The House committee evidently felt that there might have been an error, and that the Veterans' Administration might have overestimated the number of cases. As a result, the appropriation was decreased by 5 percent. I think the history of the Veterans' Administration and its capacity in this field indicate that there will not be that much difference between 1957 and 1958.

Compensation and pensions are on a contractual basis. They are the responsibility of Government, and they must be paid. I think the record should be made abundantly clear to the veterans, to their dependents, and to the veterans' organizations, that as times goes by, if it is discovered that there are not sufficient funds for the fiscal year to meet the needs in all the cases which will be presented, it is the sense of the subcommittee and of the Senate that the Veterans' Administration should, of course, come forward with a deficiency estimate, so that sufficient funds may be made available.

This appropriation differs slightly from other appropriations, in that there is no fiscal year end in connection with the appropriation, so the money is available at a net level, in proportion as the cases are compensated.

It may be—and I am confident that this is the probability—that after the first of the year the Veterans' Administration will find, on the basis of its experience for the first 6 or 7 months of the fiscal year 1958, that the $149 million, or a portion thereof, will be necessary in order to meet the Federal Government's responsibility to veterans. We want the Veterans' Administration to know the attitude of the subcommittee and of the Senate. We want the Veterans' Administration to be able to refer to the RECORD to show that it is the sense of the subcommittee that if additional funds are required, we shall feel dutybound to assist the Veterans' Administration in expediting the enactment of a deficiency or a supplemental appropriation bill, so that the responsibility of the Government will be fully met in veterans' cases.

The same thing is true with respect to readjustment benefits. As I recall, there was a cut of $41 million. The aggregate in the cases of pensions, compensation, and readjustment benefits, was $190 million. Here again, the Federal Government is in a contractual relationship, and has an abiding obligation to veterans to carry on the readjustment program. If it is discovered, after this reduction is made, that there are not adequate funds to carry out every phase and aspect of the program, the Administrator will submit to the Bureau of the Budget his request for a deficiency appropriation, and it will be expeditiously handled when it comes to the House and Senate in the calendar year 1958. I wish the record to be perfectly clear on that point. I am confident that the chairman and other members of the subcommittee share the viewpoint which I have expressed.

Mr. MAGNUSON. Mr. President, I heartily concur in the statement of the Senator from Illinois. It was the feeling of the subcommittee that the Government must meet its commitments in connection with these items. It is possible that there may be an overestimate or an underestimate. However, within 6 or 7 months we shall know a little more accurately what the needs will be. We are committed to give consideration to any requests which may be made for additional appropriations. No harm will be done to the program.

I think the Senator from Illinois has made a fine explanation of the situation.

Mr. DIRKSEN. I may add that the Veterans' Administration submitted a table which appears in the RECORD, in what we refer to in the Appropriations Committee as the "side slips," showing the increase in cases from 1951 to the estimated number of cases in fiscal 1958. The total numbers, as presented to the Senate committee are shown on page 266. I think it would serve a very useful purpose if that table were printed in the RECORD, as well as the table on page 267, headed "Comparison of Compensation and Pension Appropriation, Average Cases and Total Obligations, Fiscal Years 1956, 1957, and 1958."

I ask unanimous consent that those tables be printed in the RECORD at this point in my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

VETERANS' ADMINISTRATION

COMPENSATION AND PENSIONS APPROPRIATION

Justification of request for restoration of $149,500,000.

The compensation and pension requirements have steadily increased since 1919 from a total expenditure of $233,460,635 to $2,797,006,657 in fiscal year 1956. There follows a summary of cases and expenditures from fiscal year 1951 through fiscal year 1956, and in addition an estimate for fiscal year 1957 and fiscal year 1958, showing percent increase:

Fiscal year	Average cases	Total expenditures	Percent increase
1951	3,054,255	$2,171,172,166	
1952	3,123,120	2,180,268,787	0.4
1953	3,252,008	2,419,245,173	11.0
1954	3,366,568	2,481,593,017	2.6
1955	3,475,206	2,681,726,077	8.1
1956	3,525,828	2,797,006,657	4.3
1957	[1] 3,623,724	2,996,000,000	3.5
1958	[1] 3,718,405	3,003,000,000	3.7

[1] Estimated.

The fiscal year 1958 appropriation request of $2,990 million, which was based on an anticipated carryover from fiscal year 1957 of around $13 million, was reduced by the House Appropriations Committee by 5 percent to a total of $2,840,500,000. This reduction has the effect of providing $66,500,000 less for fiscal year 1958 than will be expended for fiscal year 1957, even in view of a steadily increasing cost from year to year as reflected above.

The following detailed table broken between compensation and pension reflects the estimated changes by periods of service from fiscal year 1957 to fiscal year 1958. From this chart, it can readily be seen which categories are increasing or decreasing trendwise. The substantial increasing roll is World War I pension cases as reflected in the chart. The average age of World War I veterans in civil life as of June 30, 1956, is 62.3 years. Due to this advanced age, it is expected that the pension rolls as covered by this appropriation will steadily increase.

Comparison of compensation and pension appropriation, average cases and total obligations, fiscal years 1956, 1957, and 1958

	Trend		Actual, fiscal year 1956		Difference		Estimated, fiscal year 1957		Difference		Estimated, fiscal year 1958	
	Cases	Amount	Average cases	Total obligations	Cases	Amount	Average cases	Total obligations	Cases	Amount	Average cases	Total obligations
Total obligations		(+)		$2,796,378,989		$99,621,011		$2,896,000,000		$107,000,000		$3,003,000,000
Compensation, total	(+)	(+)	2,464,933	1,863,751,780	3,190	20,866,220	2,468,123	1,884,618,000	−220	23,803,000	2,467,903	1,908,421,000
Living veterans, total	(−)	(−)	2,081,182	1,448,979,809	−1,141	−2,978,809	2,080,041	1,446,001,000	−7,303	−6,886,000	2,072,738	1,439,115,000
Spanish-American War	(−)	(−)	371	814,506	−42	−103,506	329	711,000	−37	−80,000	292	631,000
World War I	(−)	(−)	233,393	222,021,677	−11,781	−11,031,677	221,442	210,990,000	−12,313	−11,481,000	209,129	199,509,000
World War II	(−)	(−)	1,613,491	1,041,306,401	−13,086	−8,916,401	1,600,605	1,032,390,000	−14,601	−9,418,000	1,586,004	1,022,972,000
Korean conflict	(+)	(+)	170,270	140,755,968	20,410	14,381,032	190,680	155,137,000	12,641	8,333,000	203,321	163,470,000
Peacetime service	(+)	(+)	63,647	44,081,257	3,338	2,691,743	66,985	46,773,000	7,007	5,760,000	73,992	52,533,000
Deceased veterans, total	(+)	(+)	383,751	414,771,971	4,331	23,845,029	388,082	438,617,000	7,063	30,089,000	395,165	469,306,000
Spanish American War	(−)	(−)	1,170	1,128,756	−74	−10,756	1,096	1,118,000	−46	−35,000	1,050	1,083,000
World War I	(−)	(+)	53,563	53,372,026	−1,968	5,854,974	51,595	59,227,000	−1,924	5,147,000	49,671	64,374,000
World War II	(+)	(+)	276,656	297,919,606	1,170	8,237,394	277,826	306,157,000	2,374	11,849,000	279,600	318,006,000
Korean conflict	(+)	(+)	33,982	42,896,960	2,073	2,367,040	35,755	45,264,000	2,499	3,971,000	38,254	49,237,000
Peacetime service	(+)	(+)	19,280	19,452,623	3,130	7,396,377	22,410	26,849,000	4,190	9,757,000	26,590	36,606,009
Pensions, total	(+)	(+)	1,099,895	882,693,676	94,706	80,705,324	1,155,601	963,399,000	94,901	84,046,000	1,250,502	1,047,445,000
Living veterans, total	(+)	(+)	623,543	603,142,304	66,993	65,098,696	690,536	668,241,000	71,535	69,232,000	762,071	737,473,000
Yellow-fever experiments	(1)	(1)	1	1,650	0	350	1	2,000	0	0	1	2,000
Indian wars	(−)	(−)	168	228,217	−29	−40,217	139	188,000	−27	−37,000	112	151,000
Civil War	(1)	(1)	1	5,291	−1	5,291	0	0	0	0	0	0
Spanish-American War	(−)	(−)	57,244	73,201,291	[2] −4,141	−5,945,201	53,103	67,255,000	−5,103	−6,458,000	48,000	60,797,000
World War I	(+)	(+)	506,740	474,457,335	64,971	64,780,665	571,711	539,238,000	70,502	69,580,000	642,213	608,818,000
World War II	(+)	(+)	57,207	53,422,436	5,371	5,450,564	62,578	58,873,000	5,239	5,214,000	67,817	64,087,000
Korean conflict	(+)	(+)	1,872	1,775,185	829	849,815	2,701	2,625,000	940	936,000	3,641	3,561,000
Peacetime service	(−)	(−)	310	61,571	−7	−1,571	303	60,000	−16	−3,000	287	57,000
Deceased veterans, total	(+)	(+)	437,352	279,551,372	27,713	15,606,628	465,065	295,158,000	23,366	14,814,000	488,431	309,972,000
Mexican War	(−)	(−)	9	3,992	−1	−992	8	3,000	−1	0	7	3,000
Indian wars	(−)	(−)	1,210	708,768	−27	−19,768	1,183	689,000	−24	−14,000	1,159	675,000
Civil War	(−)	(−)	5,827	3,228,915	−496	−288,915	5,361	2,950,000	−477	−241,000	4,884	2,709,000
Spanish-American War	(−)	(−)	81,983	54,277,533	2,181	262,467	84,164	54,540,000	−647	−114,000	83,517	54,426,000
World War I	(+)	(+)	316,745	199,330,242	22,212	12,992,758	338,957	212,323,000	20,764	12,575,000	359,721	224,898,000
World War II	(+)	(+)	30,992	21,546,244	3,494	2,435,756	34,486	23,982,000	3,193	2,220,000	37,679	26,202,000
Korean conflict	(+)	(+)	491	405,902	225	222,098	816	636,000	563	360,000	1,379	1,026,000
Peacetime service	(−)	(−)	95	36,776	−5	−1,776	90	35,000	−5	−2,000	85	33,000

[1] Static.

[2] Amended award due to overpayment.

Comparison of compensation and pension appropriation, average cases and total obligations, fiscal years 1956, 1957, and 1958—Continued

	Trend		Actual, fiscal year 1956		Difference		Estimated, fiscal year 1957		Difference		Estimated, fiscal year 1958	
	Cases	Amount	Average cases	Total obligations	Cases	Amount	Average cases	Total obligations	Cases	Amount	Average cases	Total obligations
Other	.....	(−)	.....	$49,933,533	.....	+$1,950,553	.....	$47,983,000	.....	−$849,000	.....	$47,134,000
Emergency officers disability retirement (World War I)	(−)	(−)	1,771	3,871,369	−117	−100,369	1,654	3,771,000	−46	−105,000	1,608	3,666,000
Adjusted service and dependent pay	(−)	(−)	14	4,281	−8	−2,281	6	2,000	−2	0	4	2,000
Subsistence allowance for disabled veteran trainees	(−)	(−)	22,245	28,294,319	−2,245	−2,872,319	20,000	25,422,000	−1,800	−2,288,000	18,200	23,134,000
Initial burial allowances [1]	(+)	(+)	114,600	17,763,564	6,900	1,024,436	121,500	18,788,000	7,500	1,544,000	129,000	20,332,000

[1] Figures shown represent estimated fiscal year totals, not averages.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. WILLIAMS. I was discussing earlier with the Senator from Washington the claim of a $525 million saving on the retirement item. I am not criticizing what the committee has done, because the committee was following the law. I voted for that law about a year ago. It compels the various agencies of the Government to pay into the retirement fund the Governments proportionate part of the retirement cost.

I am referring to page 10 of the committee report. The report shows no appropriation for the civil-service retirement fund, although last year there was a contribution of $525 million. The report then claims a saving of $525 million this year.

The point I make is that this is not a true saving. It is not a saving below last year's appropriation, but actually is money that will be appropriated in the various other agency appropriation bills as they come to us.

Mr. DIRKSEN. I believe that is an accurate statement. I should like to elaborate on it. With respect to the payments to the retirement fund, the committee encountered considerable difficulty. There had been no disposition on the part of Congress to make adequate appropriations to cover the Federal Government's share of the contribution to the Federal retirement fund. It had assumed rather astronomical size. To include in a single bill the whole amount of the money the Government owed, would certainly unbalance any budget.

Last year we inserted in the bill a rather substantial amount, but not enough to bring the Government up to date or to make it current under its obligation with respect to its payment to the retirement fund.

Since that time this matter has had the sustained attention of the Bureau of the Budget. The Bureau hit upon the device of assigning to the appropriation for each agency its proportionate share of what it owed to the retirement fund. We have done that in every appropriation bill we have considered this year and those we will consider this year for fiscal year 1958. We have added those items to the respective appropriation bills. In that way each agency supports out of its own appropriation the amount that must be paid into the retirement fund. That practice will be followed with respect to all appropriation bills which are still to be considered before the end of June.

Mr. WILLIAMS. The Senator is correct. That has been done as a result of a law which Congress passed, requiring each agency to contribute 6½ percent by way of matching funds, with the employees contributing the other 6½ percent out of their salaries. I think that is the proper procedure.

Mr. MAGNUSON. It lays the whole thing on the table. The Senator from Delaware and the Senator from Illinois will remember how we struggled year after year with the total amount for the Civil Service Commission. Congress never appropriated its share. At one time, I believe the Government was more than a billion dollars behind in interest alone. For 4 years we appropriated absolutely nothing so far as the Government's share was concerned. The Government employees, of course, continued to put their money into the fund. We piled up this huge debt. Last year we appropriated an amount, but only by way of annuity costs for that year.

Mr. DIRKSEN. There have been years——

Mr. MAGNUSON. Mr. Earl Cooper, of the staff, has just reminded me that the Government is more than $17 billion in arrears on its share.

Mr. DIRKSEN. There have been years when only a very modest amount has been appropriated.

Mr. MAGNUSON. Sometimes nothing at all.

Mr. DIRKSEN. An executive commission was appointed for the purpose of studying the subject, and it has made its recommendations. Of course it had to be rather mindful of how much would be recommended in any given year, in order not to upset the budget and the budget calculations.

To make it abundantly clear, what happened yesterday in connection with the agricultural appropriation bill is a case in point. The House took an amount of money that had been allowed for meat inspection in the agricultural appropriation bill for 1957 and it added $936,000 as that function's share of the retirement fund, and the sum of the 2 was the amount allowed by the House for the Meat Inspection Service for the fiscal year 1958.

Mr. WILLIAMS. That is correct.

Mr. DIRKSEN. That same device has been used all through the appropriation bills this year.

Mr. WILLIAMS. That is correct. Frankly, I think this is the proper procedure and better than the one we followed in the past. The Government should each year automatically make its contribution, if we are to support the retirement system, and not let the obligation accumulate for the years to come.

I have advocated this sound business practice for years and was glad to support the legislation last year enacting this requirement into law.

Mr. MAGNUSON. We made a good start with this procedure. We know what it costs and where we are from year to year. It has been one of the real problems, however. Some of us have been amused by the argument which has been made in answer to the suggestion that the Government contribute its share. The argument has been that the Government did not need to make its contribution, because if the Government went bankrupt and was not able to make good on its promise, and the fund were to be liquidated, the fund would be no good anyway. In the meantime, the employees have been putting in their share into the fund.

I think the fund is in much better shape now. Of course, I still do not know how we are ever going to make up the amount of money that is due.

Mr. WILLIAMS. That is one of the problems we should have considered at the time we were passing bills and increasing the benefits. It has always been my position that when we pass a bill giving additional benefits, whether it is in connection with salaries or retirements, Congress should put a price tag on the bill and provide the money with which to pay for it. It is so easy to pass a bill giving something to someone, in the hope that some Congress in the future will meet the cost.

The point I am trying to make is that on page 1 of the report there is shown the figure of $5,378,224,000 as the amount contained in the bill, and it is stated also that that amount is $612,617,000 below the appropriations for 1957, for a comparable bill.

The bill is not $612 million under last year's appropriation, because a substantial portion of the $525 million, shown as a saving in connection with payments to the civil-service retirement fund, is not in reality a reduction in appropriations.

Mr. MAGNUSON. The Senator has his figures wrong. It is in there——

Mr. WILLIAMS. I should like to finish my statement.

Mr. MAGNUSON. I have the floor, I believe.

Mr. WILLIAMS. No; the Senator does not have the floor. If the Senator will permit me to finish my statement, I would appreciate it. The point I am making is that scattered through this bill are the proportionate parts of the retirement costs that the agencies included in the bill will have to meet. The remainder will show up in other appropriation bills. Therefore the $525 million is not, in effect, a true saving, because that money will have to be included throughout the other agency appropriation bills.

Mr. MAGNUSON. So far as the Senator has gone, he is correct, with his figures.

Mr. WILLIAMS. In other words, while that figure was eliminated from the pending bill it will appear later in other places.

Mr. MAGNUSON. It was never put in the bill before. We had never appropriated for the Government's share.

Mr. JOHNSTON of South Carolina. Mr. President——

Mr. MAGNUSON. Last year was the first time we appropriated money for the Civil Service Commission for the retirement fund, and that was only to pay the interest. Therefore we are dealing with something that was never contained in the bill in previous years.

Mr. WILLIAMS. I know it was not done in all years but it was in several years, including last year.

Mr. MAGNUSON. It was not done at all.

Mr. WILLIAMS. It was done last year and in other past years.

Mr. MAGNUSON. Only with respect to annuity costs.

Mr. WILLIAMS. Last year it was $525 million.

Mr. MAGNUSON. We have permitted the interest to pile up.

Mr. WILLIAMS. It does not make any difference whether it is for interest or for principal. I am referring to dollars appropriated.

Mr. MAGNUSON. It makes a great deal of difference to the Government employees.

Mr. WILLIAMS. When the Senator has finished his statement, I have a question to ask the Senator from Illinois.

Mr. JOHNSTON of South Carolina, Mr. MAGNUSON, and Mr. DIRKSEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois has the floor. To whom does the Senator from Illinois yield?

Mr. DIRKSEN. Rather than yield to any Senator, I should like to yield the floor.

Mr. MAGNUSON. I wish to yield the floor also.

Mr. WILLIAMS. Would the Senator from Illinois comment on that point, so as to get the record straight? He is a member of the committee. I do not think it is entirely correct to say that we are passing a bill with a saving of $612 million below last year's appropriation. The Senator from Illinois has already pointed out that approximately $200 million represent obligations which the Government will have to meet either today or later so far as the veterans are concerned. None of us are proposing to reduce the veteran benefits as provided for in existing law and all of us recognize that we will have to meet these obligations, even if it requires a supplemental appropriation bill tomorrow. Is that not correct?

Mr. DIRKSEN. That is correct.

Mr. WILLIAMS. Therefore, that $200 million is not, in effect, a saving, so far as the taxpayers are concerned.

Mr. DIRKSEN. If there is a supplemental request next year, then, of course, it could be determined whether it would be a saving on not.

Mr. WILLIAMS. That is correct.

Mr. DIRKSEN. The cold statistic at the moment, it is a saving; but it may not be a saving in actuality if more cases are presented, and the Veterans' Administration needs additional funds.

Mr. WILLIAMS. The point I make is that the Veterans' Administration and the other Departments have estimated, they are going to need X amount of money to meet their obligations under the existing law. There is no thought, so far as I know, on the part of anyone to change the existing law.

Mr. DIRKSEN. That is correct.

Mr. WILLIAMS. Therefore, if these estimated obligations are accurate, we are going to put the money back at a later date.

Mr. DIRKSEN. Yes. I like to have my position known, so that the complete picture can be seen.

I think I carried the flag pretty well for the Postmaster General under some difficulties; but there is pending at present in the House of Representatives and also in the Senate Committee on Appropriations a supplemental estimate for $149 million. That represents the $58 million we took out plus the additional estimate based upon what the Department believes the increased mail volume will be for the fiscal year 1958. If Congress should allow that amount, then, of course, what was claimed as a saving in the first instance will not only not be a saving, but we will, in fact, have appropriated more for the Post Office Department than the amount of the original estimate. That would be true in the case of the Veterans' Administration.

The reason I emphasize this now is that there will be an influx of letters from rather anxious veterans and the dependents, from the American Legion, from the Veterans of Foreign Wars, and from the Disabled American Veterans. I do not want to be particularly scolded; I simply want to make it plain to them that this is not a fiscal year-end appropriation.

Therefore, they can spend it as they go; and when more than the estimated number of cases are presented, they should come to Congress and with clean hands say, "We need more money." Then it will be our duty to provide more money if they need it.

Mr. WILLIAMS. I agree with the Senator from Illinois. Certainly if that point is reached, Congress should recognize the situation and take action.

So far as the retirement system is concerned, I agree fully with the procedure now being followed by the committee and Congress. But I think we should have a true picture to present to the American people of what we are doing at this time.

The civilian employee payroll is now around $10 billion a year. Under the existing law, which was passed last year, each agency will put up 6½ percent of its annual payroll into the civil service retirement fund. It is true that part of which is included in this bill will represent the agencies' contribution into the retirement fund but that amount will not be $525 million, which we appropriated last year. That difference which will later appear in other appropriation bills cannot be claimed as a saving here today.

The $525 million which is claimed as a saving in this instance is not a saving of $525 million as far as the American taxpayer is concerned. It will be offset by approximately $650 million scattered throughout this and other appropriation bills. Whether the $525 million appropriated last year represented back interest or represented principal is immaterial. It is not a comparable saving, except as that portion is represented in the retirement systems of the agencies directly involved in this particular bill.

Mr. DIRKSEN. So far as the funds which were carried in the bill have been distributed through other appropriation bills, whatever the amount is, the Senator from Delaware is eminently correct.

Mr. President, before I yield the floor, I wish to pay tribute to the very genial, efficient, hard-working clerk of the subcommittee, Earl Cooper. Early and late, with great capacity, with great fidelity, and with a fine knowledge of the whole appropriation technique, he has been in attendance on the committee and the bill for a long time. I do not quite know how the Committee on Appropriations would ever function without these very capable, unselfish public servants who, unheralded and unsung, perform their duties in behalf of the Senate and the people of the United States. I think all of them deserve a salute.

But as the ranking Republican on this particular subcommittee, I emphasize the fact that I have enjoyed the fruit of Earl Cooper's labors, of his counsel and his help. So I salute him for the outstanding work he has done.

Mr. MAGNUSON. Mr. President, at this point I join in the remarks of my friend from Illinois. I think we expressed our feelings to Mr. Cooper privately, but we are glad to say so publicly.

Mr. President, I do not know what the Senator from Delaware [Mr. WILLIAMS] is driving at. I want the record to be clear that if he has any objection to the figures, he can change the record. The amount of the appropriations for fiscal 1957 was $5,990,841,826. The amount in this bill as reported to the Senate is $5,378,224,800. That is a reduction from the 1957 appropriation.

I think the record should be clear that when one talks about savings and speaks about reductions, it should be made clear that we are dealing with something which in Congresses previous to this was never included in the bill at all. The Bureau of the Budget never included any money for retirement purposes.

Last year Congress took care of only the annuity costs, and that amounted to $500 million. That was the first time it had ever been in the bill.

Now we have adopted a new procedure, with which I am certain the Senator from Delaware agrees. We have laid the figures on the table. In this bill there is an appropriation of a sizable sum of money for this purpose for each of 17 regular agencies and 8 corporate agencies. The Veterans' Administration pays out more Government retirement money, I think, than does any other agency in the Government, except possibly the Department of Agriculture.

Regardless of whether the amount is called a reduction or a saving, the appropriation in this bill is under the amount for 1957; and we have saved considerable money because many of the departments have grown. To operate a department or an agency such as the Interstate Commerce Commission, the Federal Communications Commission, the Federal Trade Commission, the Securities and Exchange Commission, the Veterans' Administration, the General Services Administration, or the Housing and Home Finance Agency, with the many and increasing activities which Congress sometimes imposes upon them, within the same amount as was appropriated last year is a saving. So the amount provided in this bill is a reduction.

I do not know what the Senator from Delaware is trying to prove. The committee worked hard. We made some substantial cuts. I think we have combined justice with efficiency.

The matter of the Government employees retirement fund is something which can be put in one place or another. The Senator from Illinois [Mr. DIRKSEN] pointed out very vividly and explicitly what was done concerning the Veterans' Administration payments. This is a sum of $3 billion, or pretty close to it, within a few thousand dollars. What we did was to vary that figure about one-half of 1 percent. Of course, we shall be morally and legally obligated and committed some time next year, when there may be some estimates which may be under that amount.

I am certain the Senator from Delaware would not want to have money appropriated which it was not necessary to appropriate until it was actually needed. It does not harm the program at all. The whole trouble is that for many years Congress did not face up to the matter of the Government's contribution to retirement. Last year we made a half gesture by saying we would appropriate the annuity costs and nothing on the interest on the deficit.

Mr. JOHNSTON of South Carolina. Mr. President, much has been said about the retirement fund. When the Committee on Post Office and Civil Service held investigative hearings concerning the retirement law and got ready to report a bill, we learned that the Government had woefully failed to appropriate the proper amounts each year to match the funds of the workers. So the committee thought something should be done about the matter.

As the Senator from Delaware will remember, we provided in the law that each year hereafter each department should include its annual share of retirements to be appropriated and not let the fund run behind.

For the information of the Senate, at the present time the deficiency in the fund, as of October 1956, is $17,454,088,000. I also wish to call attention to the fact that, with the total interest for 1957 also lacking, $496,883,000 can be added to the other amount.

We thought something should be done to prevent the fund from running on and on in this manner, with the result that in the years to come the Government would be called upon to provide a huge amount, perhaps not the $17 billion, but possibly $30 billion or $40 billion or $50 billion. That is what it could amount to unless the Government meets its obligation year by year.

I also wish to point out that the Government is paying only 3 percent at the present time for this money, which belongs to the employees, although the Government is paying 3½ percent to those on the outside. So the Government is not paying any more than it should pay to this particular fund, for the money it is using.

The PRESIDING OFFICER (Mr. MORTON in the chair). The bill is open to further amendment.

Mr. WILLIAMS. Mr. President, I do not think there is the disagreement between the Senator from Washington and myself that he thinks there is. I believe there is simply a misunderstanding.

When we compare the amount provided by the bill as reported to the Senate with the amount of last year's appropriations, it is said that there is a saving of $525 million, insofar as the retirement payments are concerned. I understand that approximately 40 percent of the estimated obligation for retirement payments is represented by the obligation in connection with the agencies covered by the bill. In that case, if we assume that $200 million represents the retirement obligation of these agencies, then 60 percent of the claimed $525 million of savings are not in effect a true saving but will show up in other appropriation bills. I think the Senator from Washington will agree on that point.

I am not taking exception to what has been done, as regards having the Government make its contribution on an annual basis. In fact, in 1948, when the Congress made a major revision in the Civil Service Retirement Act, I offered such an amendment. It has always been my position that the Government, in the case of any retirement system, should make its annual payments into the retirement fund the same as any other employer. I advocated the same principle a few days ago, when the Metropolitan Police bill was before us; and I took exception to the fact that there was no fund into which the employer or the District of Columbia was making contributions, along with the employees.

What we are doing nationally now, in the case of the civil service retirement system, is what I think should have been done many years ago. That would have eliminated all the claims about making an appropriation one year, and the following year claiming that a saving had been made when an appropriation was not made. Everyone knows that the Government's obligations must be met, regardless of when the appropriation is made.

So I think the Senator from Washington will agree with me to that extent, namely, that in the case of the Government employees not affected by this bill, their proportion of the $525 million cannot correctly be claimed as a saving, insofar as the pending appropriation bill is concerned.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. JOHNSTON of South Carolina. Mr. President, I notice, on page 17 of the bill, beginning on line 8, the following language:

> The Administrator is authorized, without regard to the Classification Act of 1949, as amended, to place 10 positions at the field level, in addition to those otherwise authorized, in grade GS–16 in the General Schedule established by said act.

If Senators will look at page 17 of the bill, beginning on line 8, they will see that particular language has been inserted in the appropriation bill. Therefore, it constitutes legislation in an appropriation bill. The provision has already been adopted, but had I noticed it previously I would have raised a point of order.

I call this matter to the attention of Senators because in the Committee on Post Office and Civil Service we have a great deal of trouble with respect to placing some personnel in certain classifications. If that is done here and there in appropriation bills, it becomes a patchwork proposition, and does not become subject to the proper study which it should be given by the committee which is supposed to keep this matter in line.

I ask members of the Appropriations Committee not to do this. I ask them to please call it to the attention of the Committee on Post Office and Civil Service, so that we will do what is right in the best interest of all the employees in the Government.

I thought I should make these remarks for the RECORD, even though the provision has already been adopted. I thought I should call the matter to the attention of the Senate and to the attention of all Senators who are now present.

Mr. MAGNUSON. Mr. President, I think I ought to take half a minute to say to the Senator from South Carolina that I entirely agree with what he has said. This year we made a serious attempt in the committee to put into one group all the suggestions which were made with reference to personnel and then to approach the Committee on Post Office and Civil Service with respect to the matter. It turned out that some agencies were more insistent than others. I think the Senator from South Carolina is absolutely correct in the point he has made, but I firmly believe that the General Services Administration needs the higher type of personnel in the field.

Mr. JOHNSTON of South Carolina. I thank the Senator from Washington. Taking the bill overall, he has done an excellent job. I have called attention to this matter because if this is done with respect to one department, we can expect other departments to ask that they be accorded the same privilege.

Mr. MORSE subsequently said: Mr. President, because of the fact that I was writing the minority views on the mutual security bill, I was unable to be present in the Chamber for participation in any of the debate on the independent offices appropriation bill.

However, the RECORD should show that I had a consultation with the very able chairman of the subcommittee the Senator from Washington [Mr. MAGNUSON], and made certain suggestions to him. I received the usual accommodations from him. I wish to say that I think he is deserving of the highest commendation for the excellent job he did as chairman of the subcommittee. I wish particularly to commend him for the position the subcommittee took, and to commend all the members of the subcommittee for the position they took with regard to the District of Columbia Hospital Center.

Later today I shall have something to say about the appraisal which was made on the floor of the Senate yesterday concerning the report of a subcommittee of the Committee on the District of Columbia on the so-called hungry-children issue. This morning I received several protests in regard to what I am sure was an unintended critical evaluation of that report, and one which cannot be substantiated on the record. The report is filled with specific recommendations and is based on a voluminous body of evidence. It is based upon weeks of very careful study and investigation by a great number of persons holding official positions in the District of Columbia in addition to members of the committee.

We intend to make the specific recommendation of the study the basis of a series of legislative proposals affecting the District of Columbia, not only in this session of Congress, but in the next session of Congress. In our judgment it is an exceedingly sound report, and is anything but a report based upon generalities and platitudes. However, when the Senator involved who is a very dear friend of mine is on the floor of the Senate I shall discuss the subject of his criticism later in the day on my own time. I am of the opinion that the press statement this morning about this incident does not reflect the true views of my colleague in respect to his evaluation of the report of the subcommittee of the District of Columbia on the hungry children problem.

Further by way of legislative history with respect to the independent offices appropriation bill, I should like to express my keen disappointment at the action of the Appropriations Committee in limiting the funds of the National Science Foundation to the $40 million approved by the House despite a request by the administration for $65 million. As I indicated in a statement to the subcommittee, this is, indeed, false economy. For the reasons more fully developed in my remarks on June 3, as noted in the RECORD, I feel that it is urgent that the facilities for support of basic research and graduate fellowships in all the sciences, including the social sciences, be maintained at levels that will not injure the national welfare.

Even within the $40 million limitation set by the Appropriations Committee, I trust that the National Science Foundation will move ahead with the social science research program I had previously recommended. I note that the subcommittee has introduced greater flexibility in the Foundation's budget by removing a limitation of $9,500,000 fixed by the House for support of institutes for high-school teachers.

I thank the Senator from Washington [Mr. MAGNUSON] for the great help he was to me in support of this recommendation, which I made to him in personal consultation.

I hope that the Foundation will take advantage of this increased flexibility to provide adequate research and fellowship support for the social sciences.

I also wish to say that I appreciate the fact that the Senator from Washington, as chairman of the subcommittee, agrees with me that it would be appropriate and desirable for the National Science Foundation to spend $1 million of the $40 million appropriated, or only 2½ percent, for its developing program in the social sciences.

Mr. President, I had intended to cover another point because it demonstrates, in my opinion, the relationship that should exist between the Senate Appropriations Committee and a legislative committee of the Senate. I refer to the item included in the independent offices appropriations bill of $1,710,000 to equip the Hospital Center in the District of Columbia.

It will be recalled that last week I reported to the Senate a rather extraordinary procedure which was followed by the District of Columbia Committee in regard to the hospital center bill. We had spent practically the entire day, Mr. President, listening to witnesses testifying in support of the bill S. 2194, which would authorize the $1,710,000 necessary to equip the Hospital Center which is to be opened on September 1—a hospital center, by the way, which is the result of congressional action taken some 11 years ago, when the Congress of the United States took note of the fact that hospital facilities in the District of Columbia were in many respects so obsolete that something had to be done to improve them.

As I pointed out in my brief remarks on this matter the other day, some of the hospital facilities went back to 1876 or earlier. As doctors, surgeons, and other health experts testified before the District of Columbia Committee the other day, a terrific waste of money is involved in the maintenance of some of the obsolete facilities.

It will be recalled I reported to the Senate that the situation was considered to be so serious that, after we listened to doctors, surgeons, and other health officers make a case that we thought was unanswerable, we were greatly surprised to have representatives of the Bureau of the Budget suggest that the $1,710,000 request for authorization in S. 2194 should be cut down to $500,000. The medical authorities, without exception, testified if that were done, it simply would be impossible to make full use of the facilities.

The committee took a recess and went into another room, in executive session, and unanimously voted to report the bill. The committee knew the Appropriations Committee was meeting at the same time. In fact, the Appropriations Committee had made a request of the District of Columbia Committee to send each witness directly from our committee room to the Appropriations Committee room. There the witnesses repeated their testimony. We then requested a member of our subcommittee, the distinguished Senator from Pennsylvania [Mr. CLARK], to appear before the Appropriations Committee and present the point of view of the subcommittee of the Committee on the District of Columbia, and give the Appropriations Committee our reasonable assurance that when the full committee met to consider the bill our recommendation for its favorable report would be adopted. That is exactly what happened. The full District of Columbia Committee unanimously approved S. 2194, and the Appropriations Committee was notified.

Not only that, Mr. President, but I had a personal discussion with the chairman of the subcommittee and with certain other members of the Appropriations Committee, in which I presented to them the conclusions of the District of Columbia Committee and the evidence which supported our conclusions and recommendations.

I desire to say, Mr. President, as chairman of that subcommittee—and I am authorized to speak for that great humanitarian, the chairman of the District of Columbia Committee, the Senator from West Virginia [Mr. NEELY], who wished to have the same point of view expressed in his behalf this afternoon as I am expressing in my own behalf—that we are deeply appreciative of the cooperation we have received from the Appropriations Committee in regard to this matter. I am sure the people of the District of Columbia are going to be as

deeply appreciative of it, also. I pray the appropriation will be agreed to in conference. I use the word pray advisedly, because I think it is the proper term to employ with reference to the sick and the aged people of the District of Columbia who will need the care afforded by the hospital facilities which the appropriation will provide. I pray that the conference will retain the amount. I want to thank the Appropriations Committee for its cooperation.

I say this, Mr. President, because of the criticism I made yesterday afternoon—or, rather, a question I raised yesterday afternoon in the course of debate—with respect to the relationship which should exist between a legislative committee and the Appropriations Committee. That relationship should be a relationship whereby a presumption exists in favor of the recommendations of the legislative committe.

Mr. President, I have heard this matter discussed on other occasions; not very often, but several times in the past 13 years. I think it would be most unfortunate, Mr. President, if the Appropriations Committee did not always respect that presumption. By that I do not mean the Appropriations Committee should always accept the recommendations of any legislative committee, because, as I have said so many times, the system of checks and balances we talk about is not a system of checks and balances only among the three coordinated branches of Government but, if we understand our constitutional history, it is also a system of checks and balances within each of the three coordinate branches of Government. This is an example of the Appropriations Committee exercising a check upon a legislative committee; but not a veto, in the sense, Mr. President, that the Appropriations Committee should ever proceed on the basis of performing the functions of a legislative committee. It should only check to find out whether or not this rebuttable presumption, which I think should prevail in support of the legislative committee's recommendations, is in fact rebutted by the evidence before the Appropriations Committee.

I cannot think of a finer example of the relationship I am talking about than what transpired between the District of Columbia Committee and the Senate Appropriations Committee with respect to S. 2194. Therefore, on behalf of the chairman of the Committee on the District of Columbia, and on behalf of myself as chairman of the subcommittee—and I am sure, if I took the time to poll the members of the Committee on the District of Columbia, there would be a unanimous expression of appreciation—I thank the Appropriations Committee for including in the independent offices appropriation bill the amount of $1,710,000, the full amount needed, as the experts unanimously testified, to equip the Hospital Center so that it can be made available in humanitarian service to the sick, injured, and hospitalized on September 1 of this year.

It is to be understood, also, that my remarks on this matter will be incorporated in the RECORD along with the remarks I made on the independent offices appropriation bill earlier.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the final passage of the bill. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from Vermont [Mr. FLANDERS], the Senator from Nevada [Mr. MALONE], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. SMITH], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from Vermont [Mr. FLANDERS], the Senator from Nevada [Mr. MALONE], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from New Jersey [Mr. SMITH] would each vote "yea."

The result was announced—yeas 72, nays 0, as follows:

YEAS—72

Aiken	Bible	Church
Allott	Bricker	Cooper
Anderson	Butler	Cotton
Barrett	Carlson	Dirksen
Beall	Carroll	Dworshak
Bennett	Case, N. J.	Eastland
Ellender	Kennedy	Pastore
Frear	Kerr	Payne
Goldwater	Knowland	Potter
Gore	Kuchel	Purtell
Green	Lausche	Revercomb
Hayden	Long	Russell
Hennings	Magnuson	Schoeppel
Hickenlooper	Mansfield	Scott
Hill	Martin, Iowa	Smathers
Holland	Martin, Pa.	Smith, Maine
Hruska	McNamara	Stennis
Humphrey	Monroney	Symington
Ives	Morse	Talmadge
Jackson	Morton	Thurmond
Javits	Mundt	Thye
Jenner	Murray	Watkins
Johnson, Tex.	Neuberger	Wiley
Johnston, S. C.	O'Mahoney	Williams

NOT VOTING—23

Bridges	Douglas	Neely
Bush	Ervin	Robertson
Byrd	Flanders	Saltonstall
Capehart	Fulbright	Smith, N. J.
Case, S. Dak.	Kefauver	Sparkman
Chavez	Langer	Yarborough
Clark	Malone	Young
Curtis	McClellan	

So the bill (H. R. 6070) was passed.

Mr. MAGNUSON. Mr. President, I move that the Senate insist on its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. MARTIN in the chair) appointed Mr. MAGNUSON, Mr. HILL, Mr. ELLENDER, Mr. ROBERTSON, Mr. RUSSELL, Mr. MCCLELLAN, Mr. DIRKSEN, Mr. SALTONSTALL, Mr. MUNDT, Mr. POTTER, and Mr. YOUNG conferees on the part of the Senate.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like the RECORD to show that the minority leadership has presented us with a calendar which clears the following measures:

Calendar No. 111, S. 913, to provide permanent authority for the Postmaster General to establish postal stations at camps, posts, or stations of the Armed Forces, and at defense or other strategic installations, and for other purposes.

Calendar No. 130, H. R. 4815, to provide permanent authority for the Postmaster General to establish postal stations at camps, posts, or stations of the Armed Forces, and at defense or other strategic installations, and for other purposes.

Calendar No. 131, Senate Concurrent Resolution 20, authorizing an investigation by the Federal Trade Commission into the activities and practices of companies engaged in the production, distribution, or sale of newsprint in interstate commerce.

Calendar No. 192, S. 495, to authorize the acquisition of the remaining property in square 725 in the District of Columbia and the construction thereon of additional facilities for the United States Senate.

Calendar No. 193, S. 728, to authorize the acquisition of the remaining property in squares 725 and 724 in the District of Columbia for the purpose of extension of the site of the additional office building for the United States Senate.

Calendar No. 249, S. 1164, to make the evaluation of recreational benefits resulting from the construction of any flood-control, navigation, or reclamation project an integral part of project planning, and for other purposes.

Calendar No. 301, S. 864, to provide for the transfer of certain lands to the State of Minnesota.

Calendar No. 302, S. 2051, to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

Calendar No. 331, S. 60, to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado.

Calendar No. 341, S. 943, to amend sec. 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicles to file with the Interstate Commerce Commission their actual rates or charges for transportation services.

Calendar No. 382 through Calendar No. 388.

Calendar No. 407 through Calendar No. 414.

Calendar No. 417 through Calendar No. 437.

We are giving consideration to having all those measures taken up.

In addition, although it has not been cleared by the minority, we expect to have the Senate proceed to the consideration of Calendar No. 330, Senate bill 555, to authorize the construction of the Hells Canyon Dam, as soon as we can find time to have the bill brought up by motion.

I want all Senators to know that the appropriation bills have high priority. The mutual aid authorization bill will follow them, and also the atomic treaty, which is due to be reported in the next day or two from the Foreign Relations Committee.

If we have any time between those measures, it may be that the Senate will proceed to the consideration of any of the measures I have listed today.

Of course, before the Senate proceeds to the consideration of the Hells Canyon Dam bill, I shall give adequate notice to the minority leadership, because they have asked that the bill be held, and I have not determined a definite date when a motion will be made to have the bill brought up. But I shall do so in the near future.

Mr. President, when we have concluded action on the appropriation bills, I hope later in the day, or later in the week, to bring up by motion all the bills on the calendar which may have been cleared. They will include private bills and other noncontroversial bills which have been cleared by the respective leaderships.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of House bill 6287, Calendar No. 423.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare and related agencies, for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I wish to announce that when the Senate concludes action upon House bill 6287, it is the intention to proceed with the consideration of the mutual security authorization bill. It is not expected that there will be any votes on that bill today but there will be general discussion. There will not be a late session. If we are able to dispose of the pending appropriation bill and have general discussion on the mutual security bill, we can conclude today's business rather early.

Mr. HICKENLOOPER. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. POTTER. It was impossible to hear what the Senator had to say.

Mr. JOHNSON of Texas. I stated that the Senate would proceed with the consideration of House bill 6287, the bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. In the event action is completed on that bill, it is planned to proceed with the consideration of the mutual security authorization bill, but I do not expect any votes on that measure today.

In the event the Senate is able to conclude action on the pending appropriation bill, which I believe will not require a great deal of time, there will not be an evening session. I wish Senators to have that definite notice, so that if they have engagements they can keep them.

Unless something unforeseen develops, it is expected that the appropriation bill for the Departments of Labor, and Health, Education, and Welfare will be passed within a few hours, to be followed by general discussion on the mutual security authorization bill but without votes on that bill today. Minority views are to be filed tonight, and I do not wish to have action on the bill until copies of the minority views are available to Senators.

Mr. POTTER. Will there be a vote on the mutual security bill tomorrow?

Mr. JOHNSON of Texas. I do not know when there will be a vote on it. There will be general discussion this afternoon. Probably several amendments will be offered. Just when a vote will be reached, I am unable to tell this far in advance. I have set aside Wednesday, Thursday, Friday, and Saturday for consideration of that bill. I hope we shall be able to dispose of it by late Saturday.

Mr. MORSE. Mr. President, according to the announcement of the majority leader, he hopes to take up the mutual security bill today. I have no objection to taking up the mutual security bill today based upon any parliamentary point, because of any pending minority views. The RECORD is clear that I have until 5 o'clock this evening to file minority views. I finished dictating them 30 minutes ago, and they will be on the desks of Senators tomorrow.

My understanding is that during the course of the discussion today the majority will begin the presentation of their point of view on the mutual security authorization bill, but that no votes will be taken upon any amendment to it. The minority views are based upon a proposal involving the submission of an entire series of amendments which would save the taxpayers hundreds of millions of dollars which, in the opinion of the minority, are now being inexcusably wasted.

PRINTING OF INDIVIDUAL VIEWS OF SENATOR MORSE ON MUTUAL SECURITY AUTHORIZATION BILL

Mr. MORSE subsequently said: Mr. President, I have been advised by the Parliamentarian that it is necessary for me to ask unanimous consent to file my minority views on the mutual security bill by 5 o'clock this afternoon. The record is as follows:

There was a colloquy the other day, when we announced from the Committee on Foreign Relations that the bill had been favorably reported by the committee, and that the minority views would be filed by 5 o'clock today. Apparently at that time a request should have been made for permission to file them by 5 o'clock today. I now ask unanimous consent that I may be authorized to file my minority views and the supplementary views of the Senator from Louisiana [Mr. LONG] by 5 o'clock this afternoon, with the understanding that they will be printed overnight and placed on Senators' desks tomorrow morning.

Mr. KNOWLAND. The Senator has stated the situation correctly. It was certainly understood in the Committee on Foreign Relations that the distinguished senior Senator from Oregon would have an opportunity to file his views by 5 o'clock today. The legislative history is clear on that point. If a technicality was not complied with, the Senator certainly should be entitled to have the permission to comply with it.

Mr. MORSE. I wish to say that the distinguished minority leader has once more demonstrated the many courtesies he has extended to me in the 13 years I have been a Member of the Senate. I appreciate his attitude very much.

Mr. LONG. Mr. President, I have not had an opportunity to read the views prepared by the Senator from Oregon. I thought that perhaps I should like to associate myself with the statements in the Senator's minority views. However, the Senator from Oregon believes, since he feels so strongly on this matter, the views should be personal to him.

Mr. MORSE. I thank the Senator from Louisiana for his comment. He will see my statement before it is filed, as will the Senator from North Dakota [Mr. LANGER]. However, because of the position I took in committee with respect to certain legal aspects in connection with the matter under discussion, I would not wish to ask my colleagues to associate themselves with my point of view, but, rather, speak only for myself. I state in my minority views that I share the views of the Senator from Louisiana [Mr. LONG] and the Senator from North Dakota [Mr. LANGER], that the bill should be drastically cut in many particulars. The Senator from Louisiana will have an opportunity to read my views, although my position in the committee was somewhat different from the position the Senator from Louisiana took in respect to some of the reasons for dissenting. I do not think it would be fair to the Senator to ask him to join in my minority views. I have taken it for granted that the Senator from Louisiana, by his expression of his own personal minority views, will make his position very clear on this issue.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. RUSSELL. I am not a member of the Committee on Foreign Relations, but I shall read the Senator's statement with a great deal of interest. I am particularly concerned about some phases of the program as reported to the Senate by the Committee on Foreign Relations. I am particularly concerned about the so-called revolving fund, which removes all the economic aid from any real congressional control, by setting up a permanent fund, over which Congress will have, at best, very limited control.

I do not know whether the Senator from Oregon approves of that particular phase of the bill. Some of us, who are concerned about it, will have an opportunity to vote to retain in the Congress of the United States some measure of control over the program. A number of other items in the bill disturb me also.

I shall look forward eagerly to the Senator's amendments, in the hope that some of them will be along the line of my thinking, so that I may support the effort to make the program more realistic.

Mr. MORSE. It was not my intention, in making my unanimous-consent request, to open debate on the mutual-security bill. I do not think it would be courteous to the chairman of the Committee on Foreign Relations for me to do so.

I wish to say very quickly in passing, to my good friend from Georgia, that I am not at all surprised, inasmuch as he is such a great constitutional lawyer, that he should make the observations he has made. I wish to assure him that one section of my minority views is given over to the constitutional question, and to what I consider to be an abdication by Congress of its legislative duties under the Constitution.

Having served with the Senator from Georgia for a number of years on the Committee on Armed Services, and although there may have been some times when we voted differently, I cannot recall when we ever voted differently on any major item before the committee, and, in fact, I cannot recall any minor one, for that matter, when we voted differently; I should like to say to him that I also take the position in my minority views that tremendous savings can be made in the military budget. It should no longer be considered a sacred cow, but should be put on the legislative operating table of Congress in order that we may cut out some of its cancers.

I press my unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

MUTUAL SECURITY ACT OF 1957—MINORITY AND SUPPLEMENTAL VIEWS

Subsequently, Mr. MORSE, as a member of the Committee on Foreign Relations, submitted his minority views, together with the supplemental views of Mr. LONG, on the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, heretofore reported by Mr. GREEN from that committee which were ordered to be printed as part 2 of Report No. 417.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare and related agencies, for the fiscal year ending June 30, 1958, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, in order that Senators may be on notice, I ask unanimous consent that on the question of the passage of the pending measure, the Labor and Health, Education, and Welfare Departments appropriation bill, the yeas and nays be ordered.

The yeas and nays were ordered.

Mr. HILL. Mr. President, the bill under consideration provides an appropriation of $2,885,290,781 for the Departments of Labor, and Health, Education, and Welfare. This amount is an increase of $38,459,200 over the House bill, but is under the budget estimates for 1958 by $96,636,800.

The committee has approved a total of $354,348,600 for the Department of Labor, an increase of $5,288,400 over the House bill. Included in the committee's recommendation are items totaling $321,800,000, or 90.81 percent of the budget estimates, for which funds must be provided. Included are grants to States for unemployment compensation and employment service administration, $260 million, paid out of the earmarked Federal unemployment tax revenues; in other words, that amount comes out of revenues raised by special taxes and does not come out of the Federal Treasury.

For unemployment compensation for veterans, the bill provides $36,800,000.

For unemployment compensation for Federal employees, $25 million is included.

For the Department of Health, Education, and Welfare the committee recommends a total of $2,516,707,381. Included in the recommendations are items totaling $1,768,700,000, representing 70.27 percent of the Department's estimates, for which funds must be provided for grants to States for public assistance, $1,600,000,000; for payments to school districts, $127 million; and for assistance for school construction in federally impacted areas, $41,700,000. The basic legislation for these three programs definitely commits the Congress to provide whatever funds are required.

Not included in the above category, but certainly programs which permit little or no reduction from the budget estimates, are those for grants to States for maternal and child welfare; for grants to States for vocational rehabilitation; for grants to States for hospital construction; for grants to States for waste treatment works construction; and for assistance to States for local public health units. These together with the items for public assistance and school construction and school maintenance and operation total in excess of $2 billion.

The increases recommended throughout the bill are at a minimum when consideration is given to the fact that this bill was under consideration by the House for 10 days, with extensive amendments offered on the floor of the House and numerous reductions made in the amounts recommended by the House Committee on Appropriations, following extended, detailed, and exhaustive hearings, during which the bill was thoroughly examined and considered. Senators will recall that on the day of passage of the bill in the House there were 14 yea-and-nay votes.

Increases recommended by our committee for the Department of Labor only partially restore the reductions effected by floor amendments under the House committee recommendations. For one item—the Mexican farm labor program—we recommend the same amount as the House committee allowance.

The substantial increases approved by our committee are for medical research in the killing and crippling diseases—cancer, heart disease, mental illnesses, arthritis, and metabolic diseases, neurological disorders, and blindness. For each of these items the committee recommends increases in excess of the budget estimates. In total, we have approved increases of $32,027,000 for the National Institutes of Health for use in the fight against killing diseases.

Last year our committee reported to the Senate a bill containing amendments for increases in these same items amounting to $56,282,000 over the budget estimates, or 44.48 percent over the amounts requested.

This year's recommendation of increases, totaling $32,027,000, amounts to 16.84 percent over the amounts requested.

It is recalled that there were doubts expressed last year as to whether the funds recommended by the committee last year would be wisely and prudently spent and whether there was available manpower to carry on the additional research possible with the greatly increased funds. The Senate committee considered the matter very thoroughly, and the position of the Senate committee was fully vindicated. Manpower was available, and the funds have been wisely and prudently expended.

Mr. President, following the usual procedure, I ask unanimous consent that the committee amendments be considered en bloc, and that the bill as amended be considered as original text for the purpose of amendment, with this exception:

The distinguished Senator from South Carolina [Mr. JOHNSTON], who is the chairman of the Committee on Post Office and Civil Service, has called attention to the language on page 30, line 18:

Provided, That the Chief and Assistant Chief of the Training and Standards Branch of the National Institute of Mental Health shall each be compensated at a salary rate not to exceed $17,500 per annum.

The committee included this proviso in the bill, conscious of the fact that more than half of the hospital beds in the United States today are occupied by patients suffering from mental illness, and that the cost of mental illness runs into billions of dollars each year.

The Senator from South Carolina has called attention to this proviso, and I have consulted with the distinguished Senator from Minnesota [Mr. THYE] who is the ranking minority member of the subcommittee, and formerly was the distinguished chairman of the subcommittee.

So in asking unanimous consent that the Senate amendments be agreed to en bloc, we do not ask unanimous consent that the proviso beginning on line 18, page 30, and ending on line 22, which I have just read, be included. That means, then, that the proviso will be stricken from the bill.

The Senator from South Carolina has advised me that he and his committee are giving their thought, attention, and consideration to this very matter now; they are examining into the question at this very time.

Mr. JOHNSTON of South Carolina. Along that line, last year, if Senators will recall, approximately 800 of the supergrade positions were acted upon. At present, the Committee on Post Office and Civil Service is holding hearings and is considering the matter. Even today, in order to conserve the time of the Senate, I am having lunch with the chairman of the Civil Service Commission, to discuss with him matters pertaining to the various grades, such as the one concerned in this instance. The committee will then look into the matter.

As I understand, the provision beginning on line 18 and ending on line 22, of page 30, will be stricken from the bill.

Mr. HILL. That is correct.

Mr. THYE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. THYE. I may say to the distinguished chairman of the Committee on Post Office and Civil Service that the salary range of $17,500 for this particular position would be proper. I regret that it is found to be necessary to strike the provision from the bill. But with the assurance that the chairman of the Committee on Post Office and Civil Service, the committee having jurisdiction of the question of salaries and qualifications, and all other matters relating to the civil service, will take the matter under consideration and will include it in a study to make certain that the salary range will be adjusted as it should be adjusted, I shall not object to the striking of the provision. But in the committee the decision was made to report the bill to the Senate with this provision included.

Mr. JOHNSTON of South Carolina. Inasmuch as the committee had already included the provision in the bill, I wish to state that we shall give the matter special treatment. But the Senator from Minnesota, who served for so many years on the committee of which I am chairman, knows what we have to do in the case of placing certain employees in the super grades under the Classification Act. In that connection there are many headaches, because when one case of that sort comes up, other employees wish to be treated similarly.

Mr. THYE. I appreciate that. If I had remained on the Committee on Post Office and Civil Service, I would now be its senior Republican member. However, I had long endeavored to obtain a seat on the Appropriations Committee; and a number of years ago I had to decide whether I would leave the Committee on Post Office and Civil Service, in order to become a member of the Appropriations Committee. I regretted leaving the Committee on Post Office and Civil Service, because of the excellent work it does on matters relating to the classification of employees.

Let me say that the Senator from South Carolina is doing an excellent job as chairman of the committee, and I am confident that this particular position will have his personal attention. In all justice, the proposed increase in salary should be made.

Mr. JOHNSTON of South Carolina. Mr. President, I thank the Senator from Minnesota for his kind remarks concerning me. During the many years he and I served together on the committee, everything was very, very pleasant; and he did excellent work there. At that time we worked together both on subcommittees and on the full committee. His work was excellent, and I know he is doing equally fine work at present on the Appropriations Committee.

Mr. THYE. I thank the Senator from South Carolina.

Mr. President, let me inquire whether the distinguished chairman of the Subcommittee on Appropriations for Health, Education, and Welfare has completed his statement on the bill.

Mr. HILL. Yes.

At this time I wish to join in what the senior Senator from Minnesota has said, namely, that the salary in this case certainly should be $17,500. I know how able and devoted is the senior Senator from South Carolina [Mr. JOHNSTON], the chairman of the Committee on Post Office and Civil Service; and it is gratifying to have him tell us now that the matter will receive his particular attention, and that, in fact, he is already giving it his best attention. I wish to thank the Senator for what he is doing in regard to this item, because the salary in this particular case really should be $17,500. So I thank my very able and distinguished friend, the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, I thank the Senator from Alabama for his remarks about me, and also for what he has said about this particular item.

I wish to say that I have examined this appropriation bill, and it shows a great deal of study. The Senator from Alabama has done an excellent job on the bill.

Mr. HILL. I thank the Senator from South Carolina. We have a very hard-working subcommittee, and the bill as reported represents the teamwork of all of us. We particularly appreciate what the distinguished Senator from Minnesota [Mr. THYE] has done in connection with bringing the bill before the Senate.

Mr. President, following the precedent, I ask unanimous consent that the committee amendments, except for the proviso on page 30, in line 18, be considered and agreed to en bloc; and that the bill as thus amended be considered for the purpose of amendment, as original text; provided, however, that no point of order against any amendment shall be deemed to have been waived by the adoption of these committee amendments.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

Under the heading "Title I—Department of Labor—Office of the Secretary", on page 2, line 11, after the figures "$1,480,000", to strike out the comma and "of which not more than $170,000 shall be for international labor affairs", and in line 13, after the amendment just above stated, to insert a colon and "*Provided*, That the limitation of $154,490 for international labor affairs appearing in the Department of Labor Appropriation Act, 1957 (70 Stat. 423) is increased to $159,490."

Under the subhead "Office of the Solicitor", on page 3, line 9, after the word "Solicitor," to strike out "$2,021,000" and insert "$2,191,000", and in the same line, after the amendment just above stated, to strike out the comma and "together with not to exceed $365,000 to be derived from the highway trust fund created by section 209 of the Highway Revenue Act of 1956."

Under the subhead "Bureau of Employment Security", on page 5, line 8, after "(5 U. S. C. 55a)", to strike out "$5,558,000" and insert "$6,000,000, of which $5,874,400 shall be derived by transfer from the Federal unemployment account in the unemployment trust fund, and".

On page 6, at the beginning of line 7, to strike out "$249,814,000" and insert "$260,000,000", and in the same line, after the amendment just above stated, to insert "of which $10,000,000 shall be available only to the extent necessary to meet increased costs of administration resulting from changes in a State law or increases in the numbers of claims filed and claims paid or increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic grant (or the allocation for the District of Columbia) was based,

which increased costs of administration cannot be provided for by normal budgetary adjustments."

On page 9, line 15, after the word "laws", to strike out "$2,236,200" and insert "$2,500,000."

Under the subhead "Bureau of Labor Statistics", on page 11, line 7, after "(5 U. S. C. 55a)", to strike out "$7,124,000" and insert "$7,225,000."

Under the heading "Title II—Department of Health, Education, and Welfare—Food and Drug Administration", on page 12, line 25, after "(21 U. S. C. 61–64)", to insert "including purchase of not to exceed 89 passenger motor vehicles of which 51 shall be for replacement only."

On page 13, line 22, after the word "equipment", to insert "purchase of not to exceed four passenger motor vehicles for replacement only."

Under the subhead "Office of Education", on page 16, line 22, after "(20 U. S. C., ch. 2", to insert a semicolon and "70 Stat. 1126"; on page 17, at the beginning of line 1, to insert "and section 9 of the act of August 1, 1956 (70 Stat. 909)"; in line 3, after the word "training" to insert "and $228,000 for vocational education in the fishery trades and industry including distributive occupations there"; in line 5, after the amendment just above stated, to strike out "$33,442,081" and insert "$33,750,081", and in line 9, after the word "year", to insert a colon and the following additional proviso:

"*Provided further*, That the amount of allotment which States and Territories are not prepared to use may be reapportioned among other States and Territories applying therefor for use in the programs for which the funds were originally apportioned."

On page 17, line 20, after the figures "$5,000,000" to insert a colon and the following proviso:

"*Provided*, That the amount of any State's allotment from this appropriation which such State certifies will remain unpaid to it on June 30, 1959, may be reallotted by the Commissioner among other States applying therefor in proportion to their rural population, and deemed part of such allotments, except that no State's allotment shall be so increased as to exceed the allotment which would be made to it were this appropriation equal to the maximum authorized under such act."

On page 19, after line 18, to insert:

"President's Committee on Education Beyond the High School: For salaries and expenses for the President's Committee on Education Beyond the High School, including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), and expenses of attendance at meetings, $200,000."

Under the subhead "Public Health Service", on page 22, line 15, after the word "General", to strike out "$19,592,000" and insert "$22,592,000."

On page 24, line 6, after the word "aircraft", to strike out "$6,200,000" and insert "$6,250,000."

On page 24, after line 18, to strike out:

"Grants for waste treatment works construction: For payments under section 6 of the Water Pollution Control Act, as amended, $50,000,000, to remain available only until June 30, 1959."

And in lieu thereof to insert:

"Grants for waste treatment works construction: For payments under section 6 of the Water Pollution Control Act, as amended (70 Stat. 502), $45,000,000 which together with the amount appropriated under this head in the Second Supplemental Appropriation Act, 1957 (70 Stat. 769) shall be applied to payment on account of allotments made for the current and preceding fiscal years pursuant to said act, such sums to remain available only until June 30, 1959: *Provided*, That allotments under such section 6 for the current fiscal year shall be made on the basis of $50,000,000."

On page 25, after line 24, to insert:

"Surveys and planning for hospital construction: The funds appropriated under this head in the Supplemental Appropriation Act, 1955 (68 Stat. 810) shall remain available for expenditure until June 30, 1959."

On page 26, line 6, after "(5 U. S. C. 150)", to insert "including $1,186,000 to be available only for payments for medical care of dependents and retired personnel."

On page 27, line 15, after the word "General", to insert "purchase of not to exceed 75 passenger motor vehicles, of which 50 shall be for replacement only;", and in line 22, after the word "act", to strike out "$40,000,000" and insert "$42,500,000."

On page 28, line 11, after the word "projects" to insert "and training grants", and in line 14, after the word "thereto", to insert "purchase of not to exceed eight passenger motor vehicles for replacement only."

On page 28, after line 19, to insert:

"National Institutes of Health Management Fund: For the purpose of facilitating the economical and efficient conduct of operations in the National Institutes of Health which are financed by two or more appropriations where the costs of operation are not readily susceptible of distribution as charges to such appropriations, there is hereby established the National Institutes of Health Management Fund. Such amounts as the Director of the National Institutes of Health may determine to represent a reasonable distribution of estimated costs among the various appropriations involved may be advanced each year to this fund and shall be available for expenditure for such costs under such regulations as may be prescribed by said Director, including not to exceed $2,500 each fiscal year for entertainment of visiting scientists when specifically approved by said Director, and for the operation of facilities for the sale of meals to employees and others at rates to be determined by said Director to be sufficient to cover the cost of such operation and the proceeds thereof shall be deposited to the credit of this fund: *Provided*, That funds advanced to this fund shall be available only in the fiscal year in which they are advanced: *Provided further*, That final adjustments of advances in accordance with actual costs shall be effected wherever practicable with the appropriations from which such funds are advanced."

On page 30, line 1, after "grants-in-aid," to strike out "and to contract for supplies and services by negotiation, without regard to section 3709 of the Revised Statutes, in connection with the chemotherapy program;" and insert "and to contract on a cost or other basis for supplies and services by negotiation, without regard to section 3709 of the Revised Statutes, in connection with the chemotherapy program, including indemnification of contractors to the extent and subject to the limitations provided in title 10, United States Code, section 2354, except that approval and certification required thereby shall be by the Surgeon General;", and in line 12, after the word "act", to strike out "$46,902,000" and insert $58,543,000."

On page 30, line 16, after the word "diseases", to strike out "$35,217,000" and insert "$39,421,000, together with not to exceed $4,573,000 of the unobligated balance of the fiscal year 1957 appropriation granted under this head."

On page 30, at the beginning of line 25, to strike out "$33,436,000" and insert "$38,784,000."

On page 31, line 7, after the word "diseases", to strike out "$17,885,000" and insert "$23,548,000."

On page 31, line 17, after the word "blindness", to strike out "$18,887,000" and insert "$24,058,000."

On page 31, after line 23, to insert:

"Retired pay of commissioned officers: For retired pay of commissioned officers, as authorized by law, and payments under the Uniformed Services Contingency Option Act of 1953, such amount as may be required during the current fiscal year."

Under the subhead "St. Elizabeths Hospital", on page 32, line 16, after the word "illness", to strike out "$3,000,000" and insert "$3,085,800."

Under the subhead "Social Security Administration", on page 33, after line 22, to insert:

"Construction, Bureau of Old-Age and Survivors Insurance: For an additional amount for 'Construction, Bureau of Old-Age and Survivors Insurance' for construction of an office building and appurtenant facilities, including acquisition of land, $5,710,000, to be derived from the Federal Old-Age and Survivors Insurance Trust Fund which, together with sums heretofore appropriated for these purposes, shall establish a limitation of cost of $31,080,000: *Provided*, That the established limit of cost may be exceeded or shall be reduced by an amount equal to the percentage increase or decrease, if any, in construction costs generally dating from October 1, 1956, as determined by the Administrator, General Services Administration, and the amount to be derived from the aforesaid trust fund shall be increased or decreased accordingly: *Provided further*, That the immediately preceding proviso shall be effective only if a contract for construction is executed on or before December 1, 1957."

On page 34, line 22, after the word "year", to strike out the colon and "*Provided*, That not more than $104,000,000 of the amount herein appropriated shall be used for expenses of State and local administration: *Provided further*, That none of the amount herein appropriated shall be used to cover any costs of State and local administration incurred prior to July 1, 1957."

Under the subhead "Office of the Secretary," on page 38, line 3, after the word "exceed", to strike out "$425,000" and insert "$449,000."

Under the heading "General Provisions," on page 39, after line 23, to strike out:

"SEC. 208. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount for indirect expenses in connection with such project in excess of 15 percent of the direct costs."

On page 40, line 8, after the numerals "1959", to insert a colon and the following proviso:

"*Provided*, That existing obligational authority to the Department of Health, Education, and Welfare for preparation of plans and specifications for the construction of the general office and the dental research buildings of the National Institutes of Health, and the National Library of Medicine building of the Public Health Service, shall remain available until June 30, 1958."

On page 40, after line 23, to insert:

"SEC. 211. To the extent and under the conditions provided by regulations of the Secretary, officers (including commissioned officers of the Public Health Service) and employees of the Department of Health, Education, and Welfare may hereafter, in connection with their attendance at meetings or in performing advisory services concerned with the functions or activities of the Department, be permitted to accept payment, in cash or in kind, from non-Federal agencies, organizations, and individuals, for travel and subsistence expenses, to be retained by them to cover the cost thereof or deposited to the credit of the appropriation from which the cost thereof is paid, as may be provided in such regulations."

Under the heading "Title VI—Federal Mediation and Conciliation Service," on page 44, line 6, after the words "per diem", to insert a semicolon and "Government listed telephones in private residences and private apartments for official use in cities where mediators are officially stationed, but no Federal mediation and conciliation service office is maintained."

Mr. THYE. Mr. President, I wish to join the chairman of the Appropriations Subcommittee, the distinguished Senator from Alabama [Mr. HILL], in commenting on this particular appropriation bill.

The only appreciable increase in the appropriation items included in the bill as reported to the Senate, over those included in the bill as passed by the House of Representatives, is in the items for the National Institutes of Health, in the fields of cancer research, mental health, heart disease, dental health, and other diseases. We felt completely justified in following the recommendations of the National Association on Health in the case of these items, because the history of this matter has been that when funds could properly be used and when the necessary facilities, research workers, scientists were available, the funds were allocated and were made available for continued research; but that if the necessary facilities, research workers, technicians and scientists, were not available the funds have not been allocated. So we felt perfectly justified in recommending these increases in the items.

Otherwise, the bill is very much the same as it was when it was passed by the House of Representatives.

I wish to say that the distinguished chairman of the Appropriations Subcommittee, the Senator from Alabama [Mr. HILL], held extensive hearings; and in a most searching manner he proceeded to obtain information regarding every item, whether in the field of health, education, and welfare, or in the field of labor.

In my opinion the bill as reported is an excellent one in the case of every item. Most certainly the Senator from Alabama has done a splendid job in getting the bill into such shape that all Members of the Senate are able to understand what it contains. I hope it can be passed without further amendment.

Mr. HILL. Mr. President, will the Senator from Minnesota yield to me?

Mr. THYE. I am glad to yield to the Senator from Alabama.

Mr. HILL. The distinguished Senator from Minnesota has been a member of the subcommittee handling the bill longer than any other member of the subcommittee. He has been a most devoted member of the subcommittee, and formerly he was its distinguished chairman. Certainly he knows about all the items and provisions of the bill, and he has contributed very greatly to the work of the subcommittee and to the writing of the amendments to the bill.

Mr. STENNIS. Mr. President, will the Senator from Minnesota yield to me?

Mr. THYE. I am delighted to yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, as a member of the subcommittee who attended as many hearings as possible, I wish especially to commend the Senator from Alabama [Mr. HILL], the chairman of the subcommittee, and the Senator from Minnesota [Mr. THYE], the ranking minority member of the subcommittee, for the very fine attention they gave to the vast number of subject matters included in the bill. They did so day after day, week after week, and month after month; in fact, their attention to these subject matters extends from one year to another, during every month of the year, I am sure.

Mr. THYE. Mr. President, during the recesses of Congress there have been times when many of us who serve on the subcommittee have gone to various universities, colleges, and research centers, and have tried to acquaint ourselves with the work being done in the field of research. We have done that right at the laboratories, where the scientists have demonstrated what they were actually accomplishing by means of the research funds which had been made available. That interest on our part has not only carried us into the field, so as to become acquainted with the work being done by the scientists, but it has also kept us in close contact with those who work in these fields.

In its report the committee has stated what has been done to expand the research facilities, as well as to encourage the best of our youth to engage in such research work.

Mr. STENNIS. I thank the Senator for that information. Mr. President, if I may have the floor——

The PRESIDING OFFICER (Mr. CHURCH in the chair). The Senator from Mississippi has the floor.

Mr. STENNIS. Let me further say that of the many subjects on which the subcommittee, led by those whose names I have mentioned, has passed on, I think none is more important than the health program, to which they have given such fine attention. In this connection, the Senator from Maine [Mrs. SMITH] should also be mentioned, because of her very fine knowledge of the subject matter, and her special attention to it.

Mr. HILL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HILL. I wish to join the Senator from Mississippi in the richly deserved tribute which he has paid to the Senator from Maine.

Mr. STENNIS. I thank the Senator from Alabama. He is a Senator dedicated to his work, his State, and the Nation. He is most dedicated to those constructive activities that serve mankind.

I wish particularly to point out at this time the close attention which the subcommittee gave to the public-health program's operations at the State and county level, and which resulted in the increase voted by the subcommittee in that particular appropriation.

Mr. President, those programs operate, not through the public-health office alone of each State, but through the doctors, the nurses, the various patriotic organizations, the PTA's, and other groups and citizens generally.

If I may take a few minutes, I should like to read some of the remarkable accomplishments of this particular service in my State, led by an outstanding doctor, Felix J. Underwood. I asked him to send me these figures. I marvel so at what they show that I want to preserve them in the RECORD.

For instance, in Jasper County, Miss., in 1940, there were 345 recorded cases of malaria. In 1955, there were no cases of malaria.

In another county, in 1940, there were 150 such cases. In 1955, there were none.

In the same county, in 1940, there were 33 cases of pellagra. In 1950, there was not a single case of pellagra.

In the same county there were 254 cases of measles in 1940, and only 2 cases in 1955.

In another county, there were 94 cases of malaria in 1940, but there were no cases in 1955.

In still another county, there were 302 cases of malaria in 1940, but not a single case in 1955.

In another county, there were 21 deaths from malaria in 1925, but not a single death from such cause in 1955.

In that particular county, there were 24 deaths from pellagra in 1925. In 1955, there was not a single death from that disease.

The same comment could be made with respect to many of the other counties.

Those statistics illustrate the very fine and effective work the program has accomplished over the years, with a very small contribution by the Federal Government, and the expenses shared by the State and county governments. It represents an excellent illustration of cooperation and contribution at the three government levels, and most effective accomplishments as a result.

Mr. HILL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HILL. I happen to be familiar with the work Dr. Underwood has done. The Senator has spoken about cooperation between the Federal Government and the States. I am glad the Senator did so, because fine a doctor as Dr. Underwood is, he certainly had the wholehearted support and cooperation of the Senator from Mississippi, which was necessary. Unless Dr. Underwood had had the support which he received from the Senator from Mississippi, it would not have been possible for him to do the work he did. The Senator from Mississippi has been an outstanding leader in carrying forward this program, particularly in supporting the local county health units, as well as other great programs for the health of the American people.

Mr. STENNIS. I appreciate the remarks of the Senator from Alabama. I am a latecomer in this field. I appreciate particularly what the Senator from Alabama has said about Dr. Underwood, who is an outstanding doctor, and one of the most consecrated men I have ever known.

Mr. MORSE obtained the floor.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I express my appreciation to the senior Senator from Oregon [Mr. MORSE], who has

graciously allowed me to take the floor before him, because I have an engagement waiting for me to fill now.

I wish to make a few comments on this very important bill. I have had a great many people inquire as to the work of the committee. I think the committee, on balance and in total, has done a splendid job.

I had a great deal of experience with such measures in the House of Representatives when I served there, and I had the great honor of being the author of the national heart disease research program bill. So I am very familiar with the criterion which should be used in a judgment on this appropriation bill.

I might say, too, that no bill dealing with the National Institutes of Health, with regard to a program for health research, ought ever to be discussed in the Congress without mentioning the name of one of our colleagues in the House, Frank Keefe, of Wisconsin—a very conservative man, a very economy-minded man, who nevertheless got his teeth into the whole problem of Federal research into serious diseases and other medical problems, and carried his efforts through to fruition, and initiated, in the other body of Congress, appropriations which are now standard, as reflected in this appropriation bill.

With respect to specific matters, I should like to commend the committee very highly for recognizing one of the most important problems which face our institutions of higher learning, and for allowing, in spite of the fact that it was not allowed in the other body, $200,000 for the President's Committee on Education Beyond the High School. I hope very much, knowing the caliber of the men concerned, they will stand fast by that item in conference.

We have 1,400,000 boys and girls who are expected to graduate from high school this year. By 1965 the number will be in excess of 2 million. By 1970 it will be about 2,200,000. Yet we find that about 200,000 students who are of college caliber have difficulty in trying to attend college for financial reasons; and about 100,000 in the gifted category, who could be leaders in sciences and professions, will not be able to attend college because of financial difficulties.

Such a situation cries aloud for action on a loan bill for college students, such as I have sponsored, or a so-called college bill, which has been sponsored by others. Such action certainly demands the greatest priority, even as an element—and I think this is writing it down considerably, but it still must be said—in the anti-Communist struggle. The Soviet Union graduates twice as many engineers as we do. It trains students from other countries—one of the most critical elements of foreign policy in which we could engage—to the number of about 250,000, while we train 36,000, which is a new high.

I commend the committee for some recognition of this problem and for giving consideration to the matter.

I think also the committee has done splendidly in giving attention to libraries and hospitals, particularly in rural areas, which are necessary to bring the cultural level of the country even higher than it is.

Moreover, the committee has done very well with respect to the matter of the organized trucking industry and the administration of the minimum-wage levels on Federal highway construction.

I should like to address a question to the chairman of the subcommittee upon one matter, and that relates to the provision contained in the bill for dental research. I think the committee is to be commended for its recognition of the critical contribution to health of dental research.

I should like to suggest to the chairman of the subcommittee that some reply should be given to the dental societies, especially the American Dental Society and the Dental Society of the State of New York, which feel that attention should have been given to the recommendation for an appropriation of $3,700,000 for construction of a research building for a National Institution of Dental Research.

I might say to the chairman of the subcommittee that the reference made to that question is at page 854 of the hearings, relating to a preliminary appropriation for planning of the building.

I hasten to add that I am not in any way finding fault, but I feel that when such a great body of professional people express an interest, some reply ought to be given to them.

Mr. HILL. Mr. President, I am delighted that the Senator from New York raised this question. I want him to know I feel just as he does, that that building should be constructed, and should be constructed at the earliest possible moment.

Let me say also that at the present time there is what we might call a freeze on construction, as the Senator perhaps realizes. The administration is not going forward with construction of new buildings at this time.

But the committee has provided for the continuation of the availability of some $200,000, so that there will be no delay so far as preparing the plans for this building is concerned. In other words, the committee continues the availability of $200,000, appropriated last year, so that the administration may go forward and make blueprints and plans for the building contemplated. As soon as the freeze is lifted and the administration is ready to proceed with new construction, we certainly hope we have the funds provided in a supplemental or deficiency bill.

As is the Senator from New York, the Senator from Alabama is most anxious and eager to see this construction under way, to see this building started, and to see it finished.

Mr. JAVITS. I thank the Senator from Alabama very much, and I wish to commend him personally. I know how hard he has worked on this matter, and what a great contribution he has made to the cause of the American people, in this appropriation bill and otherwise. I would have expected the Senator to say what he has said. I feel the dental profession should be tremendously encouraged by the disposition shown by the chairman of the subcommittee. I thank him very much.

Mr. HILL. I thank the Senator from New York.

Mr. JAVITS. Mr. President, I yield the floor.

Mr. MORSE obtained the floor.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, I yield to the Senator from Kansas with the understanding I do not lose my right to the floor.

Mr. CARLSON. Mr. President, I much appreciate the courtesy of the very able Senator from Oregon for giving me this opportunity to pay tribute to two outstanding members of the committee, who have devoted so much time to preparing and bringing before the Senate not only the fine report submitted, but an outstanding appropriation bill, which I think deals fairly with health, education, and welfare.

I know that the three agencies could not have had more able Senators handling their appropriations, or, what I appreciate most, Senators who handled the matter with greater sympathy. I think they have rendered an outstanding service by their work on this bill.

I wish to mention one item in which I am particularly interested, namely, the mental health program. If I read the report correctly, an additional amount of $8,777,000 was recommended for that program.

I have had some experience in dealing with mental health programs, and I appreciate the increase in the sum appropriated by the bill. I sincerely hope the House will approve the increase.

My State has been fortunate, in that it has had the privilege of using the Menninger Foundation, not only nationally known but internationally known, in establishing its mental health program. In cooperation with State health agencies and the medical profession, my State adopted a mental health program in 1947.

I should like to report to the Senate that, in 1955, 75 percent of the people who were admitted to the State hospital for mental illness were released before the end of 12 months. That is an example of the experience we are having in our State. Mental illness can be cured. It can be treated at home.

The expansion in the program made possible by the increase recommended in the appropriation will, I think, mean much not only to the patients themselves, but to their friends, their families, to the State, and to the Nation.

To the very able Senator from Alabama [Mr. HILL] and the ranking minority member, the Senator from Minnesota [Mr. THYE], the junior Senator from Kansas wishes to say he is deeply indebted for the fine way in which they have handled this appropriation.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CARLSON. The Senator from Oregon has the floor.

Mr. MORSE. I yield.

Mr. HILL. I wish to thank the distinguished Senator from Kansas for the kind and generous words he has spoken to the Senator from Minnesota and the Senator from Alabama.

I might say that the distinguished Senator from Rhode Island [Mr. PASTORE] has been one of the most interested and effective members of the subcommittee. Particularly has he been helpful in the matter of the health appropriations.

I wish to say to the distinguished Senator from Kansas that his State is recognized as the great pioneer State in the matter of mental health. The State of Kansas has done many things in that field. It has set an inspiring and challenging example for the other 47 States. The great program which the State of Kansas is now carrying forward was ably aided and abetted by the distinguished Senator when he was the governor of Kansas. The Senator from Kansas, while Governor, had the vision to see the possibilities in the field of mental health, and, as governor, took the lead in launching the great programs which have done so much not only for the mentally ill in the State of Kansas, but, by setting this challenging example, have done so much for all the States and all the people of the United States.

Mr. THYE. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. THYE. I wish to thank the distinguished Senator from Kansas for referring to the work of the subcommittee. I can say, Mr. President, that every member serving on the subcommittee has been diligent, although we have busy schedules, and oftentimes there would be more than two appropriation subcommittee meetings scheduled for hearings at the same time. There were times when it was almost mandatory on some of the Senators to attend other appropriation subcommittee sessions, or other legislative committee sessions, and therefore it was not possible for all the subcommittee members to be sitting at the same hearing.

However, on this particular subcommittee there serves the distinguished Senator from Michigan [Mr. POTTER], who was present at a great number of the hearings, as well as the Senator from Rhode Island [Mr. PASTORE], and the Senator from Maine [Mrs. SMITH].

I could proceed to name every one of the subcommittee members, each of whom devoted an enormous amount of personal time to study of the question of appropriations affecting health matters.

I should like to refer now to the work of the State of Kansas and of the distinguished Senator from Kansas [Mr. CARLSON] while he was Governor of the State, in the field of mental health.

I was Governor of Minnesota during the war years, when we were oftentimes denied the full complement of institutional employees necessary, because they were not available. We could not build. However, we had an interim committee which was studying the needs for institutional improvements, including what was necessary in building expansion, as well as program development.

Our State was fortunate to have as its next executive, Governor Youngdahl. He made a most outstanding record for treatment of mental health and the development of facilities for treatment of mental health.

I know that the distinguished Senator from Kansas [Mr. CARLSON] is familiar with what was done in Minnesota, because he, as Governor of Kansas, was working in that field along with Governor Youngdahl, and they both were availing themselves of the enormous amount of research which the military was compelled to do in the mental-health field, because of the mental fatigue and mental breakdowns which occurred in the military services under the pressures of World War II.

So we have advanced far by reason of the assistance of Congress, and because of men like the Senator from Kansas [Mr. CARLSON] and Governor Youngdahl, who were serving as governors of their respective States. They were availing themselves of the knowledge which had been gained in the military mental health work. The people of the Nation are beginning to appreciate the work of the Senator from Kansas and Governor Youngdahl, now Judge Youngdahl, as well as the work of the distinguished Senator from Alabama [Mr. HILL], who has served as chairman of this subcommittee and has done such constructive work in the committee and in the Congress.

Mr. CARLSON. Mr. President, will the Senator from Oregon yield me another minute?

Mr. MORSE. I am glad to yield to the Senator from Kansas.

Mr. CARLSON. I regret to trespass on the time of the Senator from Oregon, who has been so generous, but I cannot let this opportunity pass without stating that I did not intend to omit the name of any member of the Appropriations Subcommittee. I did not start by naming the individual members, because I could not recall all the names. Every member has worked diligently, and has done an outstanding piece of work in bringing forth this appropriation bill. The Senator from Alabama [Mr. HILL] and the Senator from Minnesota [Mr. THYE] have performed a great service.

With regard to the mental health work in Kansas, let me say, in no spirit of egotism, that in all my public service I gained more satisfaction from the mental health program which was started in my State in 1947 than from any other phase of my activities. It was not the Governor of Kansas who did it. The people of Kansas did it. At one time, we were ranked 47th in the list of States in the field of mental health. Today we are third among the States of the Union, and our record is outstanding in obtaining results. It is a great satisfaction to know that in Kansas when people are committed to a mental institution, 75 percent of them are returned home well and cured within a year. That is the record within my State.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Rhode Island.

Mr. PASTORE. I visited the Senate of the United States when I was Governor of my State 7 or 8 years ago. I shall always remember that the very first personality to whom I was introduced on the floor of the Senate was the distinguished Senator from Alabama [Mr. HILL]. If my memory serves me correctly, he was the party whip at that time.

I need not tell his colleagues, who know him possibly better than I do, that that friendship has grown over the years. He left an impression with me on that day which will remain with me always.

It has been my pleasure to serve as a member of the subcommittee. It is one of the most exhilarating, satisfying, and proudest associations I have had in my service in the Senate.

I believe that LISTER HILL is one of the great personalities in this body. He is a great humanitarian. He loves his fellow men. I think he exemplifies the eternal commandment to love one's neighbor as oneself. LISTER HILL deserves a great deal of credit for the fine job he has done as a member of the subcommittee. The people of the Nation are fortunate to have a man of his caliber and quality as chairman of the subcommittee, and I am proud to call him my friend.

Mr. POTTER. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Michigan.

Mr. POTTER. I thank the distinguished Senator from Oregon for yielding in order that I, too, may pay tribute to the chairman of the subcommittee which handled this appropriation bill.

It has been my privilege to serve on that subcommittee ever since I became a member of the Appropriations Committee. I am constantly amazed at the knowledge of the Senator from Alabama [Mr. HILL] with respect to all phases of the agencies whose appropriations are considered by the subcommittee, particularly as they relate to health matters. He brings to the subcommittee not only profound knowledge, but sympathetic understanding. I assure Senators that that spirit radiates to the other members of the committee, by reason of his leadership.

I again commend the chairman for a masterful presentation. I know, from the work which has already been done in the field of research in the great institutes of health, that thousands of lives have been saved as a result of such research. We should be impressed when we stop to realize the areas we are about to break through in the field of medical research, and the great potentialities for safeguarding the lives of the people of this country. Only a small amount of money is appropriated for these purposes, as compared with the amount appropriated for research in the military field, whether it be in connection with aircraft, or any other feature of military endeavor.

This research program costs probably less than the research on a bomber. Nevertheless, this is a program which saves and preserves the lives of American citizens, rather than being used for destructive purposes.

Once again I wish to express my great admiration for the senior Senator from Alabama [Mr. HILL].

Mr. HILL. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Alabama.

Mr. HILL. I thank the Senator from Michigan for his most kind and generous words. I repeat what I said a few minutes ago, that it was teamwork which brought this bill to the floor.

Mr. POTTER. The team needed a good captain, however.

Mr. HILL. No member of the team was more faithful and devoted than the distinguished Senator from Michigan, and no one contributed more than he did.

Mr. POTTER. I thank the Senator.

Mr. LONG. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. LONG. I wish also to compliment the distinguished chairman of the subcommittee for the fine work he has done in the preparation of this bill and bringing it before the Senate.

I note that in some instances there have been increases over the amounts allowed by the House. I am particularly happy that there were increases in the fields in which they were made, dealing primarily with health research, and the effort to find a cure for cancer, for various heart diseases, allergies, arthritis, metabolic diseases, and various other ailments, also neurological studies, studies in the field of blindness, and other activities.

Someday we shall find the cure for most of these causes of human suffering and early death. It is unfortunate that in many instances the cure will be found much too late to benefit those who are living today. However, many people will be benefited, and many will live better lives and longer lives because of the additional funds being provided by this bill to carry forward the program of health research. I know of no expenditure which could be made by the Government which would pay greater dividends than the funds expended in health research.

The Senator from Alabama [Mr. HILL] was one of those who first recognized the great need in this field. He has fought diligently in behalf of health research. The bill provides less money than he would like to see available for these purposes, but I suppose it is as much as could be provided at this time to go forward with the program.

I thank the Senator from Alabama for seeing to it that at least the items in the field of health research did not suffer in the process of reducing governmental expenditures.

Mr. HILL. Mr. President, will the Senator from Oregon further yield?

Mr. MORSE. I yield to the Senator from Alabama.

Mr. HILL. I thank the Senator from Louisiana for his kind and generous words. We have made definite progress in the field of the diseases to which the Senator refers, but there is much yet to be done. Every 2 minutes during which we have been considering this bill, a man, woman, or child in this country has died from cancer. More people die each year from diseases of the heart and circulatory system than from all other causes combined.

More than 50 percent of the hospital beds of the country today are occupied by people suffering from some form of mental illness. We have made progress, but the battle must continue. As the distinguished Senator from Louisiana has so well said, we must stand dedicated to winning this battle over crippling and killing diseases.

Mr. LONG. Mr. President, will the Senator from Oregon further yield?

Mr. MORSE. I yield.

Mr. LONG. In line with what the Senator from Alabama has said, I would be the first to agree that there are a great number of places in the budget where worthwhile economies can and should be made. But certainly the items which have been increased are items which should be increased. The program should be expanded.

I hope the Senator from Alabama will be successful in maintaining these items when he goes to conference with Members of the House.

Mr. MONRONEY. Mr. President, I should like to join my colleagues who are not members of the subcommittee in expressing appreciation for the excellent work which has been done on the appropriation bill before the Senate, not only by the members of the subcommittee, but by its great chairman, the Senator from Alabama [Mr. HILL]. I doubt if any other man in the past decade has done so much for so many in attempting to eradicate or eliminate or reduce human suffering from every phase of American life and in establishing health facilities and great research projects in cancer and other diseases which have afflicted mankind for generations, and in bringing about appropriations commensurate with the importance of such projects in the national picture.

We can feel that America is a much better place because the Senator from Alabama has been able to guide, with the fine ability he has, the development of this great research program in medicine.

Mr. NEUBERGER. Mr. President, I feel certain that Senator HILL knows my particular interest in the urgent subject we are discussing today. It is a marvelous tribute to the Senator from Alabama that the funds have been increased over the budget estimate and over the House allowances for the various vital aspects of the National Institutes of Health, such as the National Cancer Institute, the Institute of Mental Health, the National Heart Institute, and related activities.

I doubt if any Senator, no matter how eloquent he might be, could say anything on the floor of the Senate today that would add to the encomiums which have come so deservedly to the Senator from Alabama.

However, I should like to presume on the time of the Senate to refer to a tribute to LISTER HILL that I heard from another man who is far better equipped than any Senator could possibly be to tell of the good deeds and the marvelous work of the Senator from Alabama in this very critical realm.

Perhaps because of my interest in the field of medical research, I have had an opportunity recently to become well acquainted with Dr. Sidney Farber, the great professor of pathology at the Harvard Medical School and head of the Children's Hospital for Cancer and Related Diseases in Boston. Dr. Farber has the heartbreaking and challenging task of having responsibility over 300 children who are afflicted with cancer and with various forms of cancer, such as leukemia. I doubt if any human being could have such a responsibility without being deeply moved and emotionally touched. Sidney Farber is a person of warm humanitarian impulses. Dr. Farber said to me: "Senator, I could not carry on the task each day of being with hundreds of children who are doomed to die of cancer unless I felt that somehow, somewhere, we would make a discovery, a breakthrough which would spare children in the future of this dreadful fate."

Then Dr. Farber went on to say—and I am trying to paraphrase his words as accurately as I can from remembering an experience which was so vivid to me—"Senator, when that time comes, and when that marvelous event occurs, there is one man, not in the field of science or medicine, who will deserve credit along with those in the field of medicine and related sciences, and that man is your colleague in the United States Senate, LISTER HILL."

I doubt that anyone could go through either dictionaries or various thesauri of the English language and express a greater tribute to a person than what was said about Senator HILL by this man who is trying to keep alive little children who suffer from leukemia or other forms of cancer.

A few weeks ago Mrs. Neuberger and I visited the National Institutes of Health, because I felt that we should see for ourselves this phase of our Government about which we have been talking in the Senate. We spent the better part of a day in the companionship of the doctors who are studying at the clinical center the cases which might lead to further discoveries in the field of malignancies, heart disorders, arthritis, mental diseases, and other ailments that plague the human race. We saw for ourselves the dedicated service of the doctors, nurses, and technicians at this core and heart of the Government's medical-research program.

I would presume too much on the time of the Senate if I were to relate all the favorable things that I heard said about the pioneering work of Senator LISTER HILL in this field. I can say, however, that few men in their time leave behind them enduring monuments, but the prolonging of human life and the relieving of human suffering will be the most enduring monument that any Senator could possibly leave. Such an edifice will be the work done in the field of health research and the required appropriations for undertaking that work by our colleague, the Senator from Alabama.

Mr. HILL. Mr. President, I wish to express my very humble and deep appreciation to the Senator from Oregon for his generous words.

Mr. NEUBERGER. I merely wish to add that every word was meant from the heart. I cannot emphasize that too strongly.

Mr. President, in conclusion I ask unanimous consent to have printed in the RECORD at this point an excerpt from the newsletter of June 11, 1956, written by my wife Maurine and myself, which indicates our appreciation and thankfulness over the increases in support for the National Institutes of Health last year. The same sentiments prevail now as were expressed in this newsletter of ours entitled "On the Frontier of Life and Death."

There being no objection, the excerpt from the newsletter was ordered to be printed in the RECORD, as follows:

WASHINGTON CALLING

(By Richard and Maurine Neuberger)

ON THE FRONTIER OF LIFE AND DEATH

Readers of our newsletter will remember the speeches we made in the 1954 campaign, urging an increase in Federal funds for medical research, particularly toward trying to find the cause and cure of that grim killer, cancer. Some editorials were hostile. Others claimed we were extravagant, forgetting that 40 million people among our present population are doomed to be afflicted by cancer.

Anyhow, we have pounded away ever since arriving in the Senate. I became a cosponsor of Senator MARGARET CHASE SMITH'S bill for greatly expanded appropriations in the realm of medicine and medical education. After all, a Nation which spends billions for armament and for liquor and tobacco, should not be parsimonious when methods for prolonging human life may be lurking just beyond the research scientist's microscope or test tube.

Our efforts have helped, perhaps, to bring results. Where the most troublesome of all maladies exist, appropriations for fiscal 1957 have practically been doubled over the present fiscal year. Compare the figures, as just reported by Senator LISTER HILL'S committee:

	1956	1957
National Cancer Institute	$24,978,000	$48,432,000
National Institute of Health, operating budget	5,929,000	11,922,000
Mental health functions	18,001,000	35,197,000
National Heart Institute	18,898,000	33,398,000
Dental health functions	2,176,000	4,026,000

In our opinion, these are virtually the most important Government appropriations of all. Can a warship, a dam, a highway, compare even remotely with some miraculous discovery which might lead to the solving of the terrible riddle of malignancy? Oregon residents will be proud to know that Senator WAYNE MORSE made a powerful speech against fiscal stinginess where funds involving human life are concerned.

I still believe these present sums, substantial though they are in contrast with earlier years, are not enough. The atom was never cracked until President Franklin D. Roosevelt set aside $2 billion for a crash program to do the job. Under this impetus, a generation of research and discovery was crammed into a few years. Why not the same sense of urgency in launching an all-out attack by science and knowledge against cancer, heart disease, and mental illness?

All of you have read how this administration is supposed to emphasize human values. Yet budget requests by the administration in these vital areas of cancer, mental health, heart, and dentistry totaled only 61 percent as much as the funds authorized by the Senate. Actions speak louder than words.

Mr. EASTLAND. Mr. President, I desire to endorse everything which has been said on the floor about the distinguished Senator from Alabama [Mr. HILL]. I do not believe there has ever been a Member of the United States Senate who has had a more distinguished career in this body than has Senator HILL. I do not believe there is a Member of this body who has more personal friends among his colleagues than has Senator HILL.

I think history will record that during its long history there has never been a Member of the Senate who has more constructive legislation bearing his name than has Senator HILL. The country is better off because of the distinguished service which he has rendered. I wish him many more years of constructive service in the Senate.

Mr. HILL. Mr. President, I express my heartfelt appreciation and thanks to the Senator from Mississippi for his very generous remarks.

Mr. EASTLAND. I thank the Senator. I think he deserves them.

APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I should like to refer briefly to a matter to which I referred earlier this morning when I said that at a later time today I would discuss a misunderstanding which I believe developed in the debate on the floor of the Senate yesterday. Not that it concerns me particulary, because I know the Senator from Rhode Island very well, and I know of the kindness of his heart and the absence of any intention on his part of any desire to make any criticism of the work of any committee.

However, because of the unfortunate reference in the press this morning to a part of the debate, I believe in fairness to all concerned, there should be clarification of an exchange which occurred on the Senate floor yesterday in regard to a document relating to the problems of hungry children in the District of Columbia, which was printed as Senate Document No. 43, by authorization of the Senate. The Senator from Rhode Island and I were engaged in debate. We were discussing the position taken by the District of Columbia Committee with regard to the need for 89 additional schoolteachers.

The Senator from Rhode Island said:

Mr. PASTORE. Did the Committee on the District of Columbia hold a hearing on that item?

Mr. MORSE. We had a long hearing on the educational system of the District of Columbia.

Mr. PASTORE. Am I to understand that the District of Columbia Committee held a hearing on this particular item while the Appropriations Committee was also considering it?

Mr. MORSE. Not in the case of the 89 teachers.

Mr. PASTORE. Of course not.

Mr. MORSE. But we made a survey of the entire matter.

Mr. PASTORE. But the whole survey is a platitude and a generalization.

Mr. MORSE. Mr. President, why does the Senator from Rhode Island say the whole survey is a platitude and a generalization? The survey is based upon detailed evidence on issue after issue, as the evidence was presented before the committee.

It is apparent that the Senator and I were talking about two different things. He was talking with regard to one item, the 89 teachers, and I was talking about the report of the committee, in which reference was made to a good many issues. Certain references in the press this morning allege that the statement of the Senator from Rhode Island was interpreted as criticizing the report of the Committee on the District of Columbia, which certainly was not the intention of the Senator from Rhode Island. I am sure he will understand why I make this statement on the floor of the Senate. Some ardent supporters of the District of Columbia Committee within the District of Columbia have called this morning about this matter. I do not want from what appears in the RECORD any unjust inference to be drawn about the Senator from Rhode Island, the committee or anyone else.

Mr. PASTORE. I thank the Senator from Oregon. Let me say that if in any way I have caused any distress to my distinguished and very intimate friend from Oregon, I regret it very much. On the other hand, if it is a misunderstanding, I am very quick to try to clarify the matter. Naturally, in the heat of debate, there occur retorts and refutations and rebuttals and other statements, and sometimes on the spur of the moment a general statement is made that may lead to some misunderstanding.

Certainly that was not the intent of the junior Senator from Rhode Island. We were talking at the time, as I recall, about the 89 schoolteachers. I was trying to pinpoint that as a specific matter. When I said, "platitude and generalization," I had reference to the whole panorama of the survey with reference to the school problem and the social problem. I meant to say, I hope I did say, and I am sorry that anyone should have misunderstood what I did say, that so far as the 89 teachers were concerned, that matter had not been discussed in the survey; that the survey, of its very nature, had to be a general, overall study of the educational and the social problem in the community.

Mr. MORSE. The Senator is completely correct.

Mr. PASTORE. If there has been any misunderstanding, I hope my remarks this morning have clarified the situation.

I repeat: If I have caused any embarrassment or distress to my friend, the distinguished Senator from Oregon, I am very sorry for it, and I hope what I have said will clarify the matter.

Mr. MORSE. It has not caused any embarrassment or distress to me. As the Senator knows, that is pretty hard to do. But in fairness to the Senator from Rhode Island I think it should also be pointed out that when the surveys were presented to the Subcommittee on the District of Columbia, the Senator from

Rhode Island, I felt, went out of his way to be very helpful and very complimentary of the work which the Committee on the District of Columbia was doing.

I told the Senator then, and I tell him now, that I appreciate that very much. I say for the RECORD today that I am satisfied—in fact, I am willing to predict today—that with respect to the recommendations on which we shall seek action by way of legislative change in the years immediately ahead, recommendations which are covered by this particular survey, and which go to the matter of human welfare, the Senator from Rhode Island will be on our side more often than he will be against us.

Mr. PASTORE. I remember very well the incident to which the Senator has referred. As a matter of fact, the appearance of the distinguished Senator from Oregon before our committee was very helpful. I say as sincerely and honestly as I can say it that if there was only one motivation which the distinguished Senator from Oregon had in presenting his report to our committee, it was the bigness of his heart. I said then, and I now repeat, that I have the highest respect and admiration for the distinguished Senator from Oregon. He included in his report many things—and many of the statements he made before our subcommittee to relate to things—which are very close to my interest and of great concern to me. I hope the day will come in this community when serious attention and thought will be given and action will be taken with respect to the report submitted by the Senator from Oregon.

Mr. MORSE. I appreciate that statement. The Senator from Rhode Island is quite correct in saying that in the heat of debate, when we as lawyers are pressing as hard as we can the points we are urging, sometimes others misunderstand the motivation of our language.

I want the Senator from Rhode Island to know that if, in our debate yesterday anything I said could possibly be interpreted as a reflection upon him, that was not my intent, because he knows, as I think it is very proper for me to say, that our friendship is one which I consider to be one of the most intimate I have. No criticism of the Senator from Rhode Island was intended by any of our exchanges yesterday.

Mr. PASTORE. If I loved the Senator from Oregon before the debate took place, then I love him even more afterward.

Mr. MORSE. I thank the Senator from Rhode Island.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare and related agencies, for the fiscal year ending June 30, 1958, and for other purposes.

Mr. NEUBERGER. Mr. President, earlier in the day, when I was discussing the remarkable work done by the Senator from Alabama in the field of appropriations for health research, I neglected to mention a matter which I believe should be stated today on the floor of the Senate. After all, I am of the opinion that none of these great gains could have been made, had it not been for the complete cooperation of the distinguished senior Senator from Arizona [Mr. HAYDEN], the chairman of the full Appropriations Committee. I certainly believe his name should be mentioned here, in connection with the great strides which have been made in the making available of funds for the National Institutes of Health, in particular, under the appropriation bill for the Department of Health, Education, and Welfare. I believe that the Senator from Alabama [Mr. HILL], who is always magnanimous, will have no objection to my making reference to the complete cooperation he has received in this respect from the senior Senator from Arizona [Mr. HAYDEN], the chairman of the Appropriations Committee.

Mr. HILL. Mr. President, will the Senator from Oregon yield to me?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Does the Senator from Oregon yield to the Senator from Alabama?

Mr. NEUBERGER. I yield.

Mr. HILL. Mr. President, not only have I no objection, but I am gratified and very happy that the Senator from Oregon has paid this tribute to the Senator from Arizona [Mr. HAYDEN], because certainly the Senator from Arizona richly deserves every word that has been said of him by the Senator from Oregon.

Mr. NEUBERGER. Mr. President, I feel certain that we would not have had the salutary results in medical-research funds which have been achieved through the direct guidance of the Senator from Alabama [Mr. HILL] if it had not been for the excellent work of the Senator from Arizona [Mr. HAYDEN].

Mr. HILL. That is entirely correct.

Mr. COOPER. Mr. President, I should like to call attention to the item of $5 million for grants for library services. I know the Senator from Alabama is aware of the fact that Congress authorized an annual appropriation of $7,500,000, I believe, for a period of 5 years.

Mr. HILL. The Senator from Kentucky is correct.

Mr. COOPER. Last year, there was an appropriation of $2,050,000. Of course, the item in this bill is more than twice that large; namely, $5 million.

My State is one of those which has taken advantage of this program. By means of these contributions, bookmobiles have been placed in service in the counties of Kentucky. Kentucky has joined with private organizations in providing all the matching funds required in order to make the program wholly effective; and in a period of 3 years the circulation of books through this service in my State has increased from zero—except for the circulation of books through agencies already in existence—to 2 million books in 1953–54, and to 5 million books in the next year, and to 6 million books last year.

I wish to ask the Senator from Alabama whether, from his study of the program and the bill, he can say that the $5 million appropriation will permit States such as mine, which have taken advantage of the program, to complete their programs; and will the Federal Government be able to match the funds provided by the States?

Mr. HILL. Let me say to the Senator from Kentucky—and I know of his great interest in this matter—that I cannot say it will permit his State to complete its program. But I can say that the $5 million provided in the bill will permit the State of Kentucky to make very definite progress with its program. As the Senator from Kentucky knows, the $5 million item in the bill is $2 million above the budget estimate, which was for only $3 million.

As the Senator from Kentucky also knows, the program is a new one. The authorization legislation was enacted only at the last session of Congress; and in one of the very last deficiency appropriation bills at the last session, we included an appropriation of $2,050,000 for the program.

The pending bill carries an appropriation of $5 million, which is $2 million above the budget estimate of $3 million, which means that certainly very definite progress can be made by Kentucky, Alabama, and other States.

Furthermore, the committee has included in the bill language which will permit all the $5 million to be used. In other words, we have followed a precedent which we have followed with reference to other funds, when there is a cooperative program between the Federal Government and the States or the local communities, namely, inasmuch as some States will not be able to go forward with their programs, since perhaps their legislatures have not met, or have not passed the necessary enabling legislation, we provide that when the funds are not used by some States, such unused funds can be allocated to the States which are ready to go forward, and are going forward, with their programs.

So, I think we can say that by means of the increase of $2 million over the budget estimate, the State of Kentucky and the other States which are ready to go forward can make very definite progress with their programs.

Mr. COOPER. Mr. President, I appreciate the Senator's statement, and I know he joins me in the belief that this library program offers an opportunity to bring books to thousands and even millions of people who live in remote areas and do not have an opportunity to share in the service of the city libraries.

Mr. HILL. Yes; as the Senator from Kentucky says, today there are millions of persons who have no library service at all, and many more millions who have wholly inadequate library service.

I know how interested the Senator from Kentucky is in this matter. He made to our committee a strong statement in behalf of this appropriation item.

Mr. COOPER. I thank the Senator from Alabama.

Mr. President, let me say there is really nothing I could add to the well-deserved tribute which has been paid to the Senator from Alabama for his support of

many humanitarian, humane measures in many fields of legislation. Not only has he given them his support, but, as has been stated, he has initiated great programs which well serve the country.

I know something of the high regard in which the Senator from Alabama is held in my own State, where he has visited and has spoken. I know that the people of Kentucky have said that he is a humanitarian and that he has humane ideals; but, better still, he has carried his ideals into practical effect.

So I join with the other Senators who have paid their tribute to the distinguished Senator from Alabama.

Mr. HILL. Mr. President, I thank the Senator from Kentucky, and I express to him my deep appreciation for his kind and generous words.

Mr. BIBLE. Mr. President, I should like to ask a question of the able chairman of the subcommittee, the Senator from Alabama [Mr. HILL]. I, too, wish to join in the very fine and well-deserved tribute which has been paid to him.

Previously, I talked to the Senator from Alabama about a problem concerning my State; it involves the Indian colony at Elko, Nev. The committee was asked to include in the bill an item of $40,000, for the purpose of building sewer and water facilities, as an emergency health matter, within the city limits of Elko, Nev.

In the committee, I pointed out that there is precedent for making this particular approach, because exactly the same thing was done in the case of the needed sanitary facilities in other Nevada towns.

After complete control of the construction of sanitary facilities was given to the Department of the Interior, the duties of the Department in that regard, in the case of sanitation and health matters, were transferred to the Health Service, in 1955.

In the committee I asked why, with that precedent in mind, these steps could not be taken, insofar as the Public Health Service and the Department of Health, Education, and Welfare are concerned with this particular situation.

I have been advised by the chairman of the subcommittee that this item was not allowed. I wonder whether he will give us an explanation of the reason therefor.

Mr. HILL. Mr. President, I am delighted to have the distinguished Senator from Nevada ask the question.

He appeared before our subcommittee, and he made an excellent and most persuasive statement.

The difficulty in this case is that there is no authorization for this appropriation item, although there is pending before the Committee on Interior and Insular Affairs of the Senate and before the House Interior and Insular Affairs Committee a bill which would authorize the appropriation to which the Senator has referred.

From the statement of the Senator from Nevada, it seems to me that this is an appropriation which should be made, and that this work should be done. I hope the Senator may be able to get action on the authorization bill, and that we may take the matter up at a little later date, in a supplemental appropriation bill. As the Senator knows, under the rules of the Senate it is not necessary for the authorization of an appropriation to pass both Houses of Congress and be signed by the President. If the bill can be reported by a Senate committee and passed by the Senate, it is completely in order to put the appropriation in an appropriation bill.

Certainly, the Senator made a very strong case before our committee. I hope the authorization may be provided, so we can go forward with the appropriation.

Mr. BIBLE. I very much appreciate the cooperation, the friendly attitude, and the statement of the Senator from Alabama.

I may point out that there was an area of doubt as to the necessary authority in this particular matter. It was my hope, since it had been accomplished before, when the Interior Department had exactly the same functions, that the purposes could be accomplished under a transfer.

I may say further that there is pending before the House a specific authorization bill, in order to clear up the area of doubt. It has passed a subcommittee of the House. It is before the full committee of the House on this very day.

I thank the distinguished chairman of the subcommittee for his assurance that, as this bill moves along its legislative path, we shall have the opportunity of having the matter considered again when a supplemental appropriation bill comes before the Senate. I cannot stress too strongly the critical health problem involved and the need for attention to it.

Mr. HILL. I will say to the Senator from Nevada he will have my full cooperation in getting consideration of this matter.

Mr. BIBLE. I certainly appreciate that statement.

Mr. MORSE. If I may have the attention of the Senator from Alabama [Mr. HILL], I wish to say first that nothing has been said by way of commendation of the Senator from Alabama, the Senator from Minnesota [Mr. THYE], the ranking minority member of the subcommittee, and the distinguished chairman of the full committee, the Senator from Arizona [Mr. HAYDEN], with which I do not completely wish to associate myself.

I should like to add, Mr. President, that in the day-by-day grind of our work in the Senate—and that accurately describes it, because I believe I can be a witness to the fact that probably few people realize the strenuous nature of service in the Senate and the amount of effort individual Senators put into it—I think sometimes we are not always, as Senators, fully appreciative of the services other Senators render to each one of us and render to the people of the States we represent. I do not know of a case in which such a comment is more apropos than in connection with the distinguished senior Senator from Arizona [Mr. HAYDEN]. I believe no Member of this body will dissent from the point of view I now express, that each of the other 94 Senators is greatly indebted to the Senator from Arizona for the many services he renders. On behalf of the people of my State I wish to express these words of appreciation today.

We are dealing here with a bill which embraces appropriation provisions with respect to health. I share in all the tributes and commendations which have been uttered with respect to the Senator from Alabama [Mr. HILL] and the Senator from Minnesota [Mr. THYE], but in my judgment, Mr. President, there is no man in the Senate who could more appropriately be called the major sponsor of humanitarian legislation in the appropriation field, as it relates to the health of American citizens, than the senior Senator from Arizona [Mr. HAYDEN].

I like to think of LISTER HILL as a disciple of CARL HAYDEN in this field. If we wish to use another figure of speech, he is a very able pupil of a wonderful legislative teacher, CARL HAYDEN. I like to think of these health bills as monuments which will constitute for decades living tributes to CARL HAYDEN'S wonderful legislative work.

Certainly the Senator from Alabama [Mr. HILL] and the Senator from Minnesota [Mr. THYE] deserve the high tributes of the Senate for the great work they have done in the same field. Year after year LISTER HILL comes before the Senate with the subcommittee appropriation report. It is interesting that seldom, as we say in Senate cloakroom language at least, is there a "hassle" over a Lister Hill report, because he always has his reports in the excellent shape in which this report today is drawn. As one Senator I wish to thank along with him, the Senator from Minnesota [Mr. THYE] and the other members of the subcommittee, for the fine work they do on this subject matter.

I wish to say to the Senator from Alabama that any questions which I raise about this report are not based upon any criticism at all, but are merely seeking information, and are designed to make legislative history. They are only propounded in an effort to pave the way for a future program which may really strengthen the hand of the Senator from Alabama next year and the year after, as he brings other appropriation requests before the Senate.

Mr. HILL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HILL. I wish to thank the Senator for the very kind words he has spoken of the Senator from Alabama. I particularly wish to express my appreciation for what he has said about the distinguished Senator from Arizona [Mr. HAYDEN].

When I first became a Member of the House of Representatives, as a very young man, the distinguished Senator from Arizona was a Member there. He was there rendering fine service, just as we see him here day by day contributing to what the Senate does. He is a man whose name is seldom seen in the headlines. In fact, we seldom see his name in the newspaper. He is too busy

with his work here for that. Day after day he is faithfully carrying the tremendous burden that falls to the lot of the chairman of the Senate Committee on Appropriations. He is always at his place working, laboring and fighting for the welfare of the people.

There is really no way for us to express the appreciation which is due the Senator from Arizona for all the work he does and the contribution he makes to the labors of the Senate.

I am delighted that the Senator from Oregon has paid his tribute to the Senator from Arizona.

Mr. MORSE. I think what I have said about the Senator from Arizona is a gross understatement. I hope in private conversation with him some of these days to express myself even more intimately and affectionately than I think perhaps would be appropriate on the floor of the Senate.

I should like to say to the Senator from Alabama that I have been very glad to discover, as I have studied the report, that the Senator, as chairman of the subcommittee, and his colleagues on the subcommittee, have not been caught up in what I would call a sort of whirlwind gust of economy at the expense of human needs. Certainly we should save the taxpayers money when it can be saved, but, in my judgment, we are not making any true saving when we seek to reduce needed appropriations to protect the health of the people.

I am glad to read this report and the figures contained in it, and to take note of the fact that no meat ax was used. On the contrary, the committee held its ground in almost every instance by providing at least the amount of the budget estimate. I think I would have favored some recommendations over and above the budget requests in certain instances, as I shall point out in a moment, but I have gone through the report, and I am pleased to be able to say to my constituents that I do not think the Hill subcommittee engaged in any false economy in this report. By false economy I mean the cutting of budget estimates in any way which could not be justified on the basis of the evidence before the committee.

For example, I notice on page 14 of the report, in connection with funds for the study of venereal disease problems, that the committee held fast to the budget request; likewise with regard to funds for tuberculosis. There was a slight reduction in the item for communicable diseases—not much, but some. I wonder if the Senator from Alabama can tell us why the committee decided that it should not recommend the full amount in that instance.

Mr. HILL. The House allowed $6,200,000. We increased the amount to $6,250,000, which is only $10,000 below the budget estimate. In other words, with an estimate of $6,260,000 we are $10,000 below the estimate. The fact is that the Department did not ask for the restoration of the additional $60,000, but we put the amount back to $6,250,000.

Mr. MORSE. I am glad the Senator made the latter point. This is a case in which the Department did not ask for the restoration. The responsibility, therefore, in part at least, must be placed at the door of the executive department itself. After all, I think we must admit that the presumption, in the first instance, ought to be in favor of the Department's request. When we go above the Department's request, we must have good cause, on the basis of the evidence presented, for doing so. I am glad we are making a record on the point that the Department itself did not ask for the $60,000 restoration.

Mr. HILL. We are only $10,000 below the budget estimate. The figure is $6,250,000.

Mr. MORSE. I turn now to page 15, under the heading "Sanitary Engineering Activities"; also the item headed "Grants for Waste Treatment Works Construction."

In connection with sanitary engineering activities, the budget estimate was $13,063,000. The committee recommended $12,640,000.

In the case of grants for waste treatment, the budget estimate was $50 million, and the committee allowed $45 million.

I think the Senator from Alabama knows the great interest of the Senator from Oregon in the subject of stream pollution control. I happen to believe that among all our domestic issues it is doubtful if anyone could name one more important than the conservation of America's water supply. The Senator has heard me say many times—but it needs to be said many more times—that civilizations do not climb with falling water tables. History proves that as the water table of a nation goes down its civilization soon follows.

In this country, in my judgment, we are inexcusably wasteful of our water. We are guilty of unconscionable pollution of our streams and our water resources.

In 1956, as I recall, we passed the so-called Blatnik bill dealing with water pollution. It contained provision for at least some Federal aid to municipalities, which desired to build modern sewage-disposal plants.

In view of my great interest in the problem, I thought that, for the legislative record, I should ask the Senator from Alabama the reason for the reductions below the budget estimates for sanitary engineering activities and grants for waste treatment.

Mr. HILL. According to the testimony before the committee dealing with grants for waste treatment, the committee recommendation of $45 million will provide funds for all projects which would be provided for if we had recommended the full $50 million in the bill, on this basis: Some of the States and localities are not ready to go forward with these works. As the Senator knows, this is a new program. The legislation authorizing it was introduced in the House by Representative BLATNIK, of Minnesota, and was passed only in the closing days of the previous session of Congress.

We are assured that the $45 million recommended by the committee will take care of all the projects which are ready to go forward, to as full an extent as though we had provided the full amount of $50 million in the bill. So this reduction in no way cuts down the program. If the Senator will notice the language in connection with the appropriation, it is made clear that the allotments are made on the basis of $50 million.

All the projects can go forward. No single project will be denied by reason of this reduction.

Mr. MORSE. I am glad to make this record and have the comments of the Senator from Alabama.

Some weeks ago I spoke at a conference of Southern States, held at Raleigh, N. C., on the municipal sanitation problem. I found a remarkable interest in the implementation of the Blatnik bill.

I also found, in the discussions which took place at that conference, that some of our municipal officials were surprised to learn that funds are available. Therefore, I should like to use this debate as a springboard for giving a little advice to the Department concerned. I think it needs to do a better job of informing the municipalities of America about this program.

Mr. HILL. The funds are available.

Mr. MORSE. The funds are available; and next year the Senator from Alabama will have justification for recommending a much larger sum, on the basis that there will then be a clamor for Federal aid in this field by an increasing number of municipalities. Too many municipalities throughout the country are polluting streams by turning them into open sewers filled with raw sewage, when they ought to be building pollution-control plants and sewage-disposal plants.

The purpose of the Blatnik bill was to encourage them to do that very thing. I am taking the time to raise the point in regard to this item, because if we are to stop stream pollution, the municipalities have a duty to take this problem to their taxpayers and to urge that bond issues be voted, if necessary, to raise the municipal contribution to such a program as this, thus permitting it to qualify for this aid.

We are talking in Washington, D. C., I therefore also give that little advice to the Commissioners of the District of Columbia and to the more than 500 "aldermen" of the District of Columbia, the Members of Congress. I believe that we aldermen ought to do a much better job of providing for sewage disposal here in the Capital City of the Nation. Since Washington has a hybrid type of government, under which no one gets a chance to vote on municipal affairs except Members of the Congress, we ought to encourage the District Commissioners to try to apply to the District the provisions of the Blatnik bill. I know of no reason why it should not apply to the District of Columbia. Of course, I know it will be said, "We have some plants and some improvements in our plants." However, the fact is that the sewage-disposal improvements which have been made in the District of Columbia in the past few years are already obsolete. The time has come to have a real sewage-disposal system in the District of Columbia, which will not dump into the Potomac River any material which would make it undesirable to use the water of the area for recreational purposes, such as swimming and boating. That has not been done.

Mr. HILL. Mr. President, will the Senator include also fishing?

Mr. MORSE. Yes; and good fishing, too. I should like to be able to enjoy some good fishing in the Potomac.

I desire also to commend the Senator for the recommendation on page 22 of the report with respect to the National Cancer Institute. The budget estimate was $46,902,000, the House allowance was the same, and the committee recommendation was $58,543,000.

The Senator from Alabama and I covered that point. We must face the fact that with respect to the terrible plague of cancer—and that is what it is becoming—we have a public responsibility as Senators to appropriate money and to do whatever can be done to seek to conquer it.

I wish particularly to commend the Senator with reference to the item for mental health activities, on page 23 of the report. The 1958 budget estimate was $35,217,000, and the committee recommendation is $39,421,000. I wish to say offhand that I think that is the type of item which could be increased, as a matter of fact.

Mr. HILL. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield.

Mr. HILL. There is available an unexpended balance of $4,573,000. Therefore the total amount available will be $43,994,000, or practically $44 million.

Mr. MORSE. I believe the Senator will agree with me that the mentally sick are in many respects the truly forgotten people of America.

Mr. HILL. Certainly in the past they have been the forgotten people.

Mr. MORSE. That has been true in State after State.

Mr. HILL. They are put into institutions and the doors are closed on them. After that, in many cases, that is the end so far as they are concerned.

Mr. MORSE. The situation is being improved.

Mr. HILL. The situation is improving because of tranquilizing drugs and other drugs, and because new techniques have been developed. It is interesting to note that until last year there was an increase in the number of patients in the mental hospitals. There was an increase each year at the rate of approximately 10,000. In other words, each year 10,000 more people entered mental institutions than had been in them in the previous year. Last year, for the first time, there was a definite trend in the other direction, and instead of an increase, there was a decrease of 7,000.

Mr. MORSE. It is very gratifying to hear the Senator say that, as well as to hear the report made by the Senator from Kansas [Mr. CARLSON] earlier in the discussion. It shows what can be done when a State proceeds to make the mental health problems of the State a matter, if not a major concern, certainly a considerable concern of the State government. There is no doubt that every dollar spent for mental health is a dollar well spent.

There is scarcely a Senator who cannot point to a case close to him, involving a friend or an associate or perhaps someone else, who, to his utter surprise all at once develops a mental condition that tends to become progressively worse unless quick treatment is given and facilities for quick treatment are made available to him.

We owe it to our fellow men, from humanitarian motivations, to see to it that we never economize on this item.

I am glad to know the Senator says an unexpended balance is available and therefore the total amount available is approximately $43 million.

Mr. HILL. The total amount available is $43,994,000, or almost $44 million.

Mr. MORSE. I also wish to commend the Senator for the item concerning arthritis and metabolic disease activities, as shown on page 27 of the report. The budget estimate was $17,885,000, and the committee recommendation is $23,548,000.

Before I ask my question I wanted to say these things about the report.

Mr. HILL. I may say that there is also an increase over the budget estimate for the National Heart Institute.

Mr. MORSE. Yes, I wanted to comment on that also. Again I am glad to see an increase for that item. No one should be guilty of any economizing with respect to any of these research projects or research funds in connection with any of the serious diseases which threaten the health of America.

Mr. HILL. I may say that there is also a very definite increase in the funds available for neurology and blindness. That takes in, of course, epilepsy and cerebral palsy and deafness and blindness, and other ailments.

Mr. MORSE. Yes. If the Senator will permit me, I should like to have him help me make a little legislative history on another item. We have done that before. I should like to refresh the Senator's recollection as to the history of the project. The Senator knows that for the past 2 years the Senator from Oregon, the 2 Senators from Virginia, and the Senator from Alabama himself, of course, have been very much interested in a pilot rehabilitation center in Virginia. It is connected with the Anderson Clinic in Arlington, Va., but not connected with it in any financial way. It is a pilot rehabilitation center. It is headed by a fine doctor, Dr. O. Anderson Engh, who in my opinion performs, far beyond anything that is called for in the line of duty, a great many humanitarian services for the people of this area and the patients who are sent to him.

The Senator will recall that some years ago, when this particular appropriation was before the Senate, we provided within it language which would authorize the expenditure of funds to help conduct the services of the pilot rehabilitation center, but no funds for construction. The Senator will also recall, I am sure, that this particular clinic is certainly an excellent example of what the people of a community can do by way of voluntary contributions not only of money, but also of personal service, in order to come to the humanitarian aid of fellow citizens who because they are unfortunately suffering from terrible physical handicaps need vocational rehabilitation.

In the Arlington-Alexandria area—and I should like to repeat this for the RECORD this year—a small group of community organizations and agencies—the Rotary Club, Kiwanis Club, the Lions Club, the United Daughters of the Confederacy, and various church groups and women's organizations—have devoted their personal services as well as their time and considerable money to this so-called pilot rehabilitation center. That center is located in Arlington, Va.

The RECORD should show also, before I ask the Senator from Alabama any questions about this, that to this center, under the direction of the distinguished Dr. Engh, were sent a good many Federal employees, not only from the District of Columbia, but from elsewhere in the United States who had been injured at their work.

Speaking now only hypothetically, and not in relation to any specific case—but it is typical—assume that this afternoon someone in the State Department should walk into an open elevator shaft, fall down, and injure his or her spine, and that as a consequence partial paralysis overtook the person. It is quite possible that the Federal employee might be sent to the so-called Engh Clinic for rehabilitation.

It happens to be the theory of Dr. Engh that the program should be, as he says, under one roof. There is the possibility of permanent muscular disability fixing itself upon the patient. The problem, then, is one of vocational rehabilitation and guidance, so that the person can be brought back into productive life. Such a pilot plant, we have agreed in the past, is needed. So language has been provided in bills heretofore to make it possible for the Department to place some money in the clinic to help with the program.

As the Senator from Alabama is aware, the junior Senator from Virginia [Mr. ROBERTSON] has introduced a bill on this subject, S. 2068. I ask unanimous consent that the text of S. 2068 be printed in the RECORD at this point in my remarks.

There being no objection, the bill (S. 2068) was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the second sentence of section 4 (b) of the Vocational Rehabilitation Act (29 U. S. C. 34 (b)) is amended to read as follows: "Sums made available for such a pilot demonstration center in the Washington area may be used for the construction of facilities, including future expansion, equipment, and such services as hospitalization, domiciliary care, and rehabilitation training, including costs of board and room of trainees and other services essential to the program, as in the discretion of the Secretary are deemed desirable."

Mr. MORSE. Mr. President, the Senator from Alabama knows that the senior Senator from Virginia [Mr. BYRD], the junior Senator from Virginia [Mr. ROBERTSON], and I, after studying the matter, came to the conclusion, to which the Senator from Alabama agreed, that

if any funds were to be used for construction purposes, it would be necessary to pass new authorizing legislation. So the Senator from Virginia [Mr. ROBERTSON] introduced S. 2068, which provides for an amendment of the Vocational Rehabilitation Act, to read as follows:

Sums made available for such a pilot demonstration center in the Washington area may be used for the construction of facilities, including future expansion, equipment, and such services as hospitalization, domiciliary care, and rehabilitation training, including costs of board and room of trainees and other services essential to the program, as in the discretion of the Secretary are deemed desirable.

Am I not correct in my understanding that the appropriation bill of which the Senator from Alabama is in charge today does not include any language which would authorize the Secretary of Health, Education, and Welfare to use any of the funds being appropriated to that agency for construction purposes at the Engh Rehabilitation Clinic?

Mr. HILL. The bill does not carry any funds for construction purposes at the Engh Clinic, because there is no authorization for the appropriation of such funds. As the Senator from Oregon well knows, the purpose of the bill introduced by our colleague, the junior Senator from Virginia [Mr. ROBERTSON], is to authorize the appropriation of such funds.

Mr. MORSE. Is it not true, however, that such funds as are appropriated in the bill to the Department of Health, Education, and Welfare, can, as in the past, in the judgment of the Secretary, be used for assistance to the Engh Clinic, except that the funds may not be used for construction?

Mr. HILL. The Senator from Alabama knows of nothing in the appropriation bill which would in any way affect the terms of the basic act, which we know as the Vocational Rehabilitation Act of 1954, under which funds were made available to the Engh Clinic for maintenance and operation.

Mr. MORSE. If the Senator from Alabama will now put on another committee hat for a moment, and speak to me as the chairman of the Committee on Labor and Public Welfare, it is true, is it not, that S. 2068 is pending before the Senator's committee, of which I also have the honor to be a member, and that the bill will be scheduled for hearing, so that Dr. Engh, the junior Senator from Virginia, the Senator from Oregon, and others interested in the bill may have an opportunity to make an official record in support of the bill?

Mr. HILL. We shall be delighted to schedule hearings on the bill introduced by the junior Senator from Virginia. The present occupant of the chair, the distinguished Senator from Michigan [Mr. MCNAMARA], also is a member of our committee and is a member of the Subcommittee on Health. I am certain he would be delighted to attend the hearing when the Senator from Oregon, the Senator from Virginia, and other witnesses appear in behalf of the bill.

Mr. MORSE. I am authorized by the junior Senator from Virginia to say that he joins with me in urging that early hearings be held on the bill. I am authorized also to speak on behalf of the senior Senator from Virginia [Mr. BYRD] in assuring the Senator from Alabama that the senior Senator from Virginia, too, is very much interested in early hearings on the bill and a favorable consideration of it.

Speaking hypothetically, assuming that S. 2068 is favorably reported, is passed by Congress, and is signed by the President before Congress adjourns this year—in fact, a sufficient length of time before adjournment this year so that further consideration could be given to the funds necessary to implement it—is it not the opinion of the Senator from Alabama that appropriate requests still could be made this year for consideration in connection with a supplemental appropriation request?

Mr. HILL. If the bill is passed and becomes law during this session of Congress, it will be entirely in order to ask for an appropriation in a supplemental or a deficiency appropriation bill.

Mr. MORSE. Perhaps I should state my question in this way: Does the Senator from Alabama expect or contemplate that a supplemental or a deficiency appropriation bill probably will be reported to the Senate by his subcommittee before adjournment?

Mr. HILL. Supplemental and deficiency appropriation bills are not handled by subcommittees; they are handled by the full Committee on Appropriations. In the closing days of a session of Congress, invariably a supplemental or a deficiency bill is considered by the full committee.

Mr. MORSE. I thank the Senator very much for his assistance.

Mr. President, I shall close now with a very brief statement. I want the RECORD to show that I shall continue to do everything I can to assist the two Senators from Virginia in obtaining favorable action on S. 2068, for these reasons:

I think the Engh Clinic, as a pilot clinic for vocational rehabilitation, is one of the great experimental rehabilitation centers in this country. I recognize that in the medical profession there are different theories and views as to the best way to approach the vocational rehabilitation problem. But the results, in my judgment, are always the test in a matter such as this.

I believe that any evaluation of the results of the remarkable work which Dr. Engh and his associates have been doing in the rehabilitation of persons in connection with the pilot clinic program which he is operating in Arlington, Va., would prove the soundness of the program and justify an appropriation of Federal funds as an aid to the construction of needed additions to that clinic.

Labor has donated thousands of man-hours of overtime in helping to build a wing of that clinic. But the time has come when it is necessary to complete the physical facilities by way of construction by the expenditure of funds, rather than in the expectation that the work can be done completely through the donation of services. There will, however, continue to be a substantial donation of free time on the part of labor in the building trades.

The question, and let us get it before the Senate by way of a preliminary hearing on the bill, is the question of Federal interest. Are we setting up a program that is singular, based upon a Federal interest; or are we proposing support for a program which might equally well be requested by a clinic in San Francisco or El Paso or Boston, Mass., or elsewhere in the Nation? It seems to me the answer is that there is a great Federal interest in the clinic, for a reason I stated earlier, because many injured Federal employees are referred there.

Furthermore, let me make crystal clear, as I speak in advance in support of Senate bill 2068, that this enterprise is not in any way whatsoever a private-business enterprise. Instead, the clinic is conducted by Dr. Engh as a completely humanitarian program. It is separate and distinct from the Anderson Clinic or hospital, in which Dr. Engh is also, as I recall, the head of the medical staff. This is a vocational rehabilitation center. Every dollar of Federal money which would be appropriated to it, following the passage of Senate bill 2068, would be well spent, and would foster what I have been heard to say so frequently is one of the great duties of the Congress, to honor our humanitarian obligation to bring medical aid to unfortunate people who need the specialized service that this rehabilitation center is designed to provide.

I desire to thank the Senator from Alabama for his assistance in enabling me to make the legislative record I have made regarding these items.

Mr. GOLDWATER. Mr. President, will the Senator from Alabama yield to me?

The PRESIDING OFFICER (Mr. MONRONEY in the chair). Does the Senator from Alabama yield to the Senator from Arizona?

Mr. HILL. I am delighted to yield to the Senator from Arizona.

Mr. GOLDWATER. On page 2 of the report, I notice that in the case of the Office of the Solicitor, it was recommended that there be transferred from the highway trust fund an amount of $365,000; but that after seeking the advice of its counsel, the committee decided against doing so. Can the Senator from Alabama give us a brief explanation of that matter and of why that decision was reached?

Mr. HILL. I may say there was a question of whether these trust funds are available for such a purpose. We submitted the matter to the office of the legislative counsel of the Senate, and we received an opinion that such an appropriation from the trust fund is not authorized. I shall be delighted to ask unanimous consent to have the full opinion of the legislative counsel printed in the RECORD, if the Senator from Arizona would like to have me do so.

Briefly, the legislative counsel held that these funds are for highway-construction purposes, and are not to be transferred to some other agency of the Government, for legal service or other services, but that they are trust funds, and that there is imposed a trust to make sure that they are used for the construction of highways, and are not transferred to other agencies, for use for other services or purposes.

Mr. GOLDWATER. I would be very happy to have the Senator from Alabama have the opinion printed in the RECORD, because I have been receiving from the Far West suggestions that this fund is already being tampered with in this respect. This is the first instance I have seen in print of that. I have heard that the highway trust fund is being used to finance other agencies of the Government. If that is true, I think the Senator from Alabama has done a very commendable thing in making the decision he has made.

So I shall appreciate it if the Senator from Alabama will have the full opinion printed in the RECORD.

Mr. HILL. Certainly. Then, Mr. President, I ask unanimous consent to have printed at this point in the RECORD the opinion of the legislative counsel on the matter of the transfer of the trust fund to the Labor Department, or, for that matter, to any other department.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR SENATOR HILL

Pursuant to your request we have examined the provisions of the Federal-Aid Highway Act of 1956 and the Highway Revenue Act of 1956 for the purpose of submitting an informal opinion as to whether or not such acts authorize the appropriation of moneys out of the highway trust fund to the Secretary of Labor (or more particularly, to the Office of the Solicitor of the Department of Labor) to defray expenses incurred in carrying out the duties imposed upon him under section 115 of the Federal-Aid Highway Act of 1956. For the reasons given below, it is our opinion that such an appropriation from the Trust Fund is not authorized.

THE LAW

Section 209 (f) (1) of the Highway Revenue Act of 1956 reads as follows:

"(f) Expenditures from trust fund.—

"(1) Federal-aid highway program.—Amounts in the trust fund shall be available, as provided by appropriation acts, for making expenditures after June 30, 1956, and before July 1, 1972, to meet those obligations of the United States heretofore or hereafter incurred under the Federal-Aid Road Act approved July 11, 1916, as amended and supplemented, which are attributable to Federal-aid highways (including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations)."

Paragraphs (2), (3), and (4) of section 209 (f) contain authorizations to make expenditures (without further appropriations being made therefor) from the trust fund to repay advances, to reimburse the Treasury for amounts paid with respect to gasoline used on farms or used for nonhighway purposes, and to reimburse the Treasury for certain amounts paid as floor stocks refunds. Section 210 (e) authorizes appropriations out of the trust fund to enable the Secretary of Commerce to make the study and investigation required by section 210. There is no other authority in the act for expending or appropriating moneys from the trust fund, so that if the act authorizes appropriations to the Department of Labor from the trust fund it must be found in the paragraph quoted above.

LEGISLATIVE RECORD

There is little in the legislative history of the acts from which to derive assistance in deciding the question posed. The House committee report on H. R. 10660 contains the following statement: "In most respects the highway trust fund is to be handled in a manner similar to that provided for the trust fund for the old-age and survivors insurance program." The Senate committee report contains an identical statement.

In explaining the expenditures referred to in section 209 (f) (1) of the Highway Revenue Act of 1956, the House report contains the following statement: "The expenditures referred to are those which normally have been paid out of the appropriation entitled 'Federal aid highways, Bureau of Public Roads, Department of Commerce'." Again the Senate committee report contained the same statement, although it must be remembered that the bill as reported by the Senate committees did not contain the so-called Davis-Bacon Act provision.

A review of the discussion of H. R. 10660 when it was under consideration on the floors of the House and Senate has failed to disclose any comments pertinent to this inquiry, although a good portion of the debate in both Houses was devoted to the provision which was eventually enacted as section 115.

DISCUSSION

Section 209 (f) (1) of the Highway Revenue Act of 1956 contains an express authorization for expenditure of the trust fund to meet those portions of the administrative expenses of the Bureau of Public Roads which are payable from appropriations made for Federal-aid highways. Section 21 of the Federal Highway Act (23 U. S. C. 21) authorizes the Secretary of Commerce to deduct a percentage of the appropriations made for Federal-aid highways to be used for administration of the Federal-aid highway program and for carrying on necessary highway research and investigational studies. No specific amount is appropriated in the annual appropriation acts for the administration by the Bureau of the Federal-aid highway program. While it is likely that, even without the express authorization contained in section 209 (f) (1), the administrative expenses of the Bureau of Public Roads would, under the authority of section 21 of the Federal Highway Act, have continued to be payable from appropriations out of the trust fund for Federal-aid highways, it was evidently felt necessary to eliminate any doubts that might arise by putting the express authorization in the Highway Revenue Act of 1956. This authorization continued the existing practice and budgetary procedures with respect to the expenses of the Bureau of Public Roads in administering the Federal-aid highway program. But we should emphasize that this matter was considered to be of sufficient importance to be specifically provided for in the act. The logical inference is that, if the expenses of the Department of Labor were also to be defrayed out of the trust fund, an express authorization would have been included in the act.

While it may be argued that the language of section 209 (f) (1) is broad enough to imply an authorization to use the trust fund to defray the expenses of the Secretary of Labor, we do not believe that such a construction should be placed upon this paragraph in the absence of a more specific indication of legislative intent. Such a construction would make it possible for the expenses of the Secretary of the Treasury in managing and operating the trust fund, the expenses of the Internal Revenue Service in collecting the revenues which go into the trust fund, and the expenses of any other officer or agency of the Government relating to Federal-aid highways to be defrayed from the trust fund. As was noted above, the committee reports indicate that, in general, the highway trust fund is to be handled in a manner similar to the Federal old-age and survivors insurance trust fund. The Social Security Act expressly authorizes the use of the Federal old-age and survivors insurance trust fund to meet or reimburse the administrative expenses incurred by the Treasury Department in implementing that act (including the expenses of collecting the taxes which go into the Federal old-age and survivors insurance trust fund). Without doubt consideration was given to including a similar authorization in the highway trust fund, and it would be expected that a similar express authorization would have been included if the expenses of the Treasury Department in implementing the Federal-Aid Highway Act of 1956 were to be defrayed from the highway trust fund. There appears to be no greater reason for inferring authority to defray from the trust fund the expenses incurred by the Department of Labor in implementing the Federal-Aid Highway Act of 1956 than for inferring authority to defray from the trust fund the expenses incurred by the Treasury Department in implementing such act. In view of the fact that the highway trust fund was patterned after the Federal old-age and survivors insurance trust fund, the absence of express authorization to defray administrative expenses, except with respect to the Bureau of Public Roads, seems almost conclusive that no such authorization was intended.

As was stated above, the only statement in the committee reports explaining the meaning of section 209 (f) (1) indicates plainly that the expenditures referred to are those normally paid out of appropriations made to the Bureau of Public Roads for Federal-aid highways. This statement, far from furnishing a basis for inferring a legislative intent to defray the administrative expenses of other agencies out of the trust fund, once more shows that Congress intended that only the administrative expenses of the Bureau of Public Roads be so defrayed, since such expenses had, under authority of section 21 of the Federal Highway Act, been paid from such appropriations.

The establishment of a trust fund obviously was to prevent an encroachment upon the increased revenues raised by reason of the enactment of the Highway Revenue Act of 1956, as well as to earmark these revenues, and some of the revenues raised from then existing sources, to meet the obligations of the United States under the Federal-aid highway program. Since Congress has seen fit to establish a trust fund for the purpose of meeting these obligations, we believe that the objects for which the trust fund moneys are to be expended should be narrowly, rather than liberally, construed.

CONCLUSIONS

1. There is no express authorization in the Federal-Aid Highway Act of 1956 or the Highway Revenue Act of 1956 to defray the expenses incurred by the Secretary of Labor under section 115 of the first-named act out of the highway trust fund established by section 209 of the second-named act.

2. There is nothing in either of the two acts from which an authorization to meet such expenses out of the trust fund can properly be implied. Since section 209 (f) (1) contains an express authorization with respect to the administrative expenses of the Bureau of Public Roads, the accepted rules of statutory construction lead to the

conclusion that authority to defray the administrative expenses of any other agency out of the trust fund would also have been expressly stated and should not be derived by implication.

3. There is nothing in the legislative history of the two acts which indicates a legislative intent that the expenses of the Secretary of Labor under section 115 are to be met out of the trust fund. The Davis-Bacon Act provision was thoroughly debated on the floors of the House and Senate, but we could find no reference to such a use of the trust fund to meet the expenses of carrying out the provision. The House committee report does not mention such a use. On the other hand, the legislative history does support the conclusion that, with respect to administrative expenses, only the expenses of the Bureau of Public Roads are to be paid from the trust fund. The committee reports of both Houses indicate that the Highway Trust Fund was patterned after the Federal Old-Age and Survivors Insurance Trust Fund. This latter trust fund authorizes payment or reimbursement to the Department of Health, Education, and Welfare (which administers the old-age and survivors insurance program) and the Treasury Department (which administers the trust fund and collects the taxes which go into the trust fund) for their administrative expenses. Therefore, if the Highway Trust Fund is to be available to defray the administrative expenses of any agency other than the Bureau of Public Roads, the act would contain an express authorization for such purpose.

The committee reports also state, in explanation of the trust fund provision, that the expenditures referred to are those normally paid out of the appropriation to the Bureau of Public Roads for Federal-aid highways. Under existing law, the expenses of the Bureau in administereing the Federal-aid highway program, are paid from this appropriation.

4. Provisions of law reciting the purposes for which a trust fund may be used should be narrowly construed. In the absence of a strong indication of legislative intent, authorizations for expenditures out of a trust fund should not be created by implication.

Respectfully,

JOHN H. SIMMS,
Legislative Counsel.

MAY 7, 1957.

Mr. GOLDWATER. Mr. President, on page 18 of the report, in connection with the construction of Indian health facilities, I notice that the committee has recommended a reduction of $2,704,000. Am I correct in assuming that the reduction is recommended because an abundance of money was left over last year?

Mr. HILL. I would say to my distinguished friend that $11 million was left over last year, and the $11 million is available for construction.

Mr. GOLDWATER. On the same page I notice that the committee states that—

> This allowance will make available $2,596,000 to completely modernize 5 Indian health hospitals in line with minimum Hill-Burton standards—

And so forth. Can the Senator from Alabama state the names of the five hospitals?

Mr. HILL. I shall be very glad to obtain the names; it will take a moment to do so.

In the meantime, if the Senator from Arizona will note the next paragraph on page 18 of the report, I wish to call attention to the following:

> Funds are now, and have been, available for construction of hospitals at Sells, Ariz., and Gallup, N. Mex.; the need is unquestioned and great, and the committee will expect the Department to proceed immediately with resumption of work already authorized by the Congress.

Mr. GOLDWATER. Mr. President, I wish to thank the Senator from Alabama for what he has said, because both my senior colleague [Mr. HAYDEN] and I have known for some time of this need. So I hope the Department will listen to the admonition of the Senator from Alabama and the other members of the committee and will get to work on the hospitals.

Mr. HILL. Mr. President, the five hospitals referred to are as follows:

Pine Ridge Hospital, at Pine Ridge, S. Dak.

Rosebud Hospital, at Rosebud, S. Dak.

Hopi Reservation Hospital, at Keems Canyon, Ariz.

Fort Apache Hospital, at White River, Ariz.

Blackfoot Hospital, at Browning, Mont.

Mr. GOLDWATER. I thank the Senator from Alabama very much.

I wish to add my words of commendation to those which have been expressed not only about the distinguished Senator from Alabama [Mr. HILL], but also about his professor, my senior colleague from Arizona [Mr. HAYDEN].

Mr. KNOWLAND. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I am glad to yield.

Mr. KNOWLAND. I do not want this opportunity to pass without joining in the remarks which have been made in regard to the oustanding job done by the distinguished senior Senator from Alabama [Mr. HILL]. I regret that earlier I was out of the Chamber when other Senators spoke on that subject.

Let me say that some years ago it was my privilege, as a member of the party then in the majority in the Senate, to serve as chairman of the subcommittee over which the Senator from Alabama [Mr. HILL] now presides. He and I worked very closely together at that time, when he was the ranking minority member of the subcommittee. Since then he has become chairman of the subcommittee; and the senior Senator from Minnesota [Mr. THYE] has become the ranking minority member.

It has been my personal observation over the years that the Senator from Alabama has not only served with distinction the people of his own State, but he has been one of the most valued Members of this body.

I also wish to say that the distinguished senior Senator from Arizona [Mr. HAYDEN], under whose leadership both of us serve on the Appropriations Committee, has been an inspiration to the entire committee. I feel that with the heavy burdens which sometimes are carried by Members on both sides of the aisle, it is well and it is pleasant, I think, at times for us to express the deep affection we have for our colleagues across the aisle. Even in the heat of partisanship, I think we never lose sight of the fact that in dealing with the great problems of human welfare, and in the day-to-day operations of the Government, there are no real partisanship divisions between us.

Mr. HILL. Mr. President, I thank the Senator from California for his very kind words. I wish to say that when the distinguished Senator from California was chairman of the subcommittee, he did so much and made so many contributions in the different fields covered by the bill, that his example is today an inspiration to our subcommittee, and we are proud that he continues to be a member of the subcommittee. He is always extremely able, devoted, and helpful, and makes many, many fine contributions to the work of the subcommittee.

Mr. HUMPHREY. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield.

Mr. HUMPHREY. I regret very much that I could not be present earlier; I have been tied up today in committee.

Will the Senator from Alabama tell me what the committee did in terms of the apprenticeship-training program, in which I am very much interested.

Mr. HILL. We left that program where it is today, to wit, with the Vocational Education Division of the Department of Health, Education, and Welfare.

Mr. HUMPHREY. What did the committee do in terms of the appropriation for it?

Mr. HILL. Its appropriation is a part of the appropriation for vocational education. We allowed the entire amount which has been authorized for vocational education. In other words, we recommend the appropriation of the full amount which today is authorized for vocational education.

Mr. HUMPHREY. In other words, that is for apprenticeship training in the Department of Labor?

Mr. HILL. No; this is in the Department of Health, Education, and Welfare.

Mr. HUMPHREY. What about apprenticeship training in the Department of Labor?

Mr. HILL. The House denied funds for that purpose. The committee did not restore them. As the Senator knows, some question has been raised as to jurisdiction in this matter. We provided the full funds for the vocational education program under the Department of Health, Education, and Welfare, but we did not add the funds for the Bureau of Apprenticeship under the Department of Labor.

Mr. HUMPHREY. Has that not been an established activity of our Government for some time?

Mr. HILL. No. There has been a question, a very serious question, of a conflict as between the two Departments, as to which Department should carry on this work. I will say to the Senator.

Under the circumstances, in view of this disagreement, in view of the fact that the House disallowed this item, and it would have meant an additional appropriation in the bill, the Senate committee did not recommend the inclusion of the item.

Mr. HUMPHREY. I wish to say, most respectfully, that this program has been one of the most effective programs in the history of my State. More than 10,000 apprentices have been graduated since 1939, under this program.

Mr. HILL. The Senator has stated that a certain number of apprentices have been graduated. A fine job has been done in his State. Such a program comes under the vocational education program.

Mr. HUMPHREY. No; it comes under the apprenticeship training program of the Department of Labor. The request of the Bureau of the Budget was for $3 million.

Mr. HILL. Let me say to the distinguished Senator that we allowed $3,600,000.

Mr. HUMPHREY. In other words, the program is going on?

Mr. HILL. Certainly.

Mr. HUMPHREY. I am not worried about who is going to operate it, so long as it continues. I thank the Senator for the information.

I also understand that the budget request for the library services was actually increased. Is that correct?

Mr. HILL. It was increased $2 million.

Mr. HUMPHREY. May I ask whether there are provided physical rehabilitation facilities under the hospital construction program?

Mr. HILL. Yes. The rehabilitation category is included in the hospital appropriations.

Mr. HUMPHREY. I wish to commend the Senator. I thank him very much for his willingness to answer the questions. As the Senator will see, the people of my State are keenly interested in the item we are discussing. I have received two or three hundred letters on the subject. I wanted to assure my correspondents, through this colloquy, the matters had been discussed fully in committee and properly taken care of on the floor of the Senate.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ANDERSON. Will the Senator from Alabama tell me what the library appropriation was?

Mr. HILL. $5 million, which is $2 million above the budget estimate.

Mr. ANDERSON. Therefore, I can wire back to those who have sent telegrams to me, expressing the hope that the appropriation will be $5 million, and say the Senator from Alabama and the Senators on his committee have done what they requested.

Mr. HILL. The Senator from New Mexico can say we recommended it, and the Senator from New Mexico and other Senators adopted the recommendation.

Mr. HUMPHREY. Can we also say we salute the distinguished Senator from Alabama, the chairman of the subcommittee, for his diligence and his devotion to duty, and we thank him for the kindness of his heart?

Mr. HILL. I thank the Senator from Minnesota.

The PRESIDING OFFICER. If there be no further amendments to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. HILL. Mr. President, I ask unanimous consent that in the enrollment of the Senate amendments to the bill, the Secretary be authorized to make changes which may be necessary in the section numbers.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

I further announce that if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from Vermont [Mr. FLANDERS], the Senator from Nevada [Mr. MALONE], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. SMITH], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Jersey [Mr. CASE] is necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from Vermont [Mr. FLANDERS], the Senator from Nevada [Mr. MALONE], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. SMITH and Mr. CASE] would each vote "yea."

The result was announced—yeas 71, nays 0, as follows:

YEAS—71

Aiken	Hickenlooper	Morton
Allott	Hill	Mundt
Anderson	Holland	Murray
Barrett	Hruska	Neuberger
Beall	Humphrey	O'Mahoney
Bennett	Ives	Pastore
Bible	Jackson	Payne
Bricker	Javits	Potter
Butler	Jenner	Purtell
Carlson	Johnson, Tex.	Revercomb
Carroll	Johnston, S. C.	Russell
Church	Kennedy	Schoeppel
Cooper	Kerr	Scott
Cotton	Knowland	Smathers
Dirksen	Kuchel	Smith, Maine
Dworshak	Lausche	Stennis
Eastland	Long	Symington
Ellender	Magnuson	Talmadge
Frear	McNamara	Thurmond
Goldwater	Mansfield	Thye
Gore	Martin, Iowa	Watkins
Green	Martin, Pa.	Wiley
Hayden	Monroney	Williams
Hennings	Morse	

NOT VOTING—24

Bridges	Curtis	McClellan
Bush	Douglas	Neely
Byrd	Ervin	Robertson
Capehart	Flanders	Saltonstall
Case, N. J.	Fulbright	Smith, N. J.
Case, S. Dak.	Kefauver	Sparkman
Chavez	Langer	Yarborough
Clark	Malone	Young

So the bill (H. R. 6287) was passed.

Mr. HILL. Mr. President, I move that the Senate insist on its amendments and request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HILL, Mr. CHAVEZ, Mr. RUSSELL, Mr. MAGNUSON, Mr. STENNIS, Mr. PASTORE, Mr. THYE, Mrs. SMITH of Maine, Mr. DWORSHAK, Mr. POTTER, and Mr. IVES conferees on the part of the Senate.

"OPEN CURTAIN" PROPOSAL BY SENATOR JOHNSON OF TEXAS

Mr. SYMINGTON. Mr. President, the reaction to the "open curtain" proposal advanced by our majority leader last Saturday indicates clearly that the American people respond to bold and imaginative ideas.

There have been some who have expressed fear of the effect of Soviet Communist statements made openly by the Russians. But most Americans have

enough confidence in the strength of our system to realize that it is not going to be toppled by such propaganda.

They agree with the majority leader that the best response would be to take Khrushchev's technique and turn it back upon him. They feel that the Khrushchev broadcast was a glorious opportunity that should be seized upon and turned into a weapon for the spread of the truth.

The Kansas City Star—one of the leading newspapers of my State—sums up the situation well in an editorial. It points out that "the issue boils down to a question of trust in the good sense of the American people."

"Senator JOHNSON bases his approach on confidence in the people," the editorial says.

The editorial also makes the point of the importance of the timing of Senator JOHNSON's remarks. A few years ago, the proposal would have been impractical. Today—because of the Khrushchev broadcast and other developments—the "open curtain" may be attainable.

I ask unanimous consent that the editorial be inserted in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BREAK THE IRON CURTAIN AND LET IDEAS FLOW

Maybe Senator LYNDON JOHNSON sounded a little idealistic in his New York talk to the annual conference of the United Jewish Appeal Saturday night. But it was idealism grounded in the commonsense of a basic proposition: Our search for eventual peace must start with a policy calling for an open curtain, a policy not only of "open skies but of open eyes, ears, and minds for all the peoples of the world."

A few years ago such a proposition might have been so much a part of the American dream that it would hardly have seemed worth restating. That was when Stalin's Russia had a monopoly on the Iron Curtain.

Plainly Senator JOHNSON was talking to Americans who have themselves become fearful of a free exchange of ideas, a fear of becoming contaminated at least or influenced by the sinister con man of the Kremlin. One example is the substantial criticism of the Khrushchev TV interview for general telecasting in this country. Another example, not mentioned by JOHNSON, is the State Department's opposition to letting American reporters go to Red China. This, too, reflects a rather widespread feeling in this country.

Strangely, many Americans, but certainly not a majority, have become dependent on iron and bamboo curtains raised by their Communist enemies. The issue boils down to a question of trust in the good sense of the American people. Senator JOHNSON bases his approach on confidence in the people. He says, "I am not afraid to have them listen to Nikita Khrushchev or Karl Marx or Nicolai Lenin himself. They have the intelligence and independence to make up their own minds." To support this view he cites his own Democratic Party's heritage from the philosophy of Thomas Jefferson.

Starting with such confidence the Senate's majority leader calls for every effort in an all-out exchange of ideas or arguments. Let the President or some other high official ask for the right to a telecast in Russia. Let Russian labor leaders speak in this country on condition that American labor leaders speak to their people. And so, he hopes, the exchanges might continue until there would be no curtain to stop the flow of ideas which are the basic approach to any relaxing world tensions.

If you share the confidence in American good sense you do not become alarmed by the fact that the Russians would sling a lot of propaganda in this country. This would simply require informed Americans to stand ready to expose Russian lies to make sure that our public was fully informed. And the American people have had a long experience with separating truth from fancy in the speeches of some of their own politicians.

Frankly, we would be surprised if the Russians would have enough confidence in their system to permit a real flow of Free World ideas into their country. They have to face a long record of failing to make communism stand up by any means except force of arms.

But JOHNSON was talking about a sound American, not a Russian, approach. If the Russians would not go along they would have to take the onus for continuing the Iron Curtain. As for the idealism in this approach we only suggest that it will be a sad day for America if it ever loses its native idealism in the search for eventual world peace.

Mr. NEUBERGER. Mr. President, I think all of us who believe in the free exchange of ideas across the wide vistas of the world have been thrilled and inspired during the past week by the great challenge voiced by the majority leader of the United States Senate, the senior Senator from Texas [Mr. JOHNSON].

In the New York Post for Monday, June 10, there was published an illuminating editorial on the proposal of the Senator from Texas, which was originally voiced at a banquet of the United Jewish Appeal, in New York City on June 9. In a free test of philosophies, Senator JOHNSON believes that democracy is certain to win.

I ask unanimous consent that certain salient portions of the editorial from the New York Post of June 10 be printed in the RECORD at this point as a part of my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

THE GREAT NONDEBATE

The sad, astonishing thing is that the Communists are exacting vast propaganda dividends out of this episode without even being challenged to permit a free American presentation on their own soil.

Surely this is a competition we should welcome. As Democratic Senate Chieftain LYNDON JOHNSON wisely said the other night, we should be demanding "an open curtain for full discussion" and insisting on "the right to state our case on disarmament in detail to the Soviet people." We need, he said, a policy "not just of open skies" but "of open eyes, ears, and minds for all peoples of the world." Yet we have blunderingly allowed the Russians to pose as champions of free debate while Messrs. Eisenhower, Meaney, and others mumble disconsolate critiques of CBS.

Frozen minds cry that debate with Khrushchev is as worthless as debate with Adolph Hitler would have been. They miss the point that the Soviet thrust is increasingly being pressed in ideological terms, and that the nature of nuclear weapons has altered all the dimensions of international conflict. In vast uncommitted areas the Communist mystique is infinitely more powerful, complex, and subtle than nazism ever was, and it must be met with something more than strident military posturings.

The CBS Khrushchev interview set the stage for a momentous international debate in which able democratic spokesmen could have exposed the last myths of Communist despotism. Mr. K's comments on Hungary alone could have provided the text for devastating counterattack. But our stars seem determined to remain coyly in the wings, talking to themselves.

LABOR'S DILEMMA

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the CONGRESSIONAL RECORD a most illuminating section from the report of Norman Zukowsky, general secretary-treasurer, to the Eighth Regular Convention of the International Leather Goods, Plastics, and Novelty Workers' Union at Atlantic City, N. J.

I particularly want to call to the attention of the Senate the recommendations by Mr. Zukowsky that genuine and bona fide friends of the labor movement bring forth legislation which will seek to prevent dishonesty, dictatorship, and embezzlement in the labor movement—lest the enemies of labor impose punitive bills that would impede the ability of our trade unions to protect the living standards and working conditions of their members.

Mr. Zukowsky and his associates have made a significant recommendation, which I believe merits the attention of thoughtful and fair Senators on both sides of the aisle.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

LABOR'S DILEMMA

The labor movement as a whole faces a period when hysteria, born of the revelations by the Senate committee probing racketeers, threatens to engulf the Nation and lead to ultrarestrictive, punitive legislative action that will cripple the legitimate trade unions as much—or perhaps even more so—than the corrupt ones which are a minority.

We can deplore the findings of the Senate committee; unfortunately however, we can neither ignore them nor deny them. For the ugly fact is that corruption and racketeering does exist in some unions today. It has deep roots. The labor movement, prior to the current outcry, did not clean its own house.

So even as we point a suspicious finger at the antilabor bias of many of the committee's members and speculate (perhaps correctly in the long run) about the possibility of tough laws, we must admit that without this committee, without its exposures, without the "climate" it helped to create, the AFL–CIO itself would not have been able to move against the crooks and profiteers within its ranks.

Our old and esteemed friend, David Dubinsky, president of the powerful International Ladies' Garment Workers' Union, made that fact clear in a ringing speech in April on the boardwalk of Atlantic City when he appeared at the UAW convention.

Dubinsky said, in no uncertain terms, that the AFL–CIO would never have been able to clean up except for the Senate committees. He pointed out that the exposures of the Douglas committee on the looting of welfare funds provided the only evidence on which labor was able to move against 3 corrupt internationals and 2 crooked Federal labor unions. He conceded that the actions against Beck would have been impossible without the facts unearthed by the McClellan committee. The AFL–CIO had not made its own investigation; it had no other evidence.

There are fears which I share, that the exposures of the McClellan committee—documented though they are; undeniable though they may be—may do all of labor irreparable harm before the storm dies down. This fear runs through many sections of the labor movement, including many which are violently antiracketeering.

There is, I believe, only one way to cope with this problem. The answer is not, of course, to fight the committee because it has dug up facts which embarrass us. The answer is not to say that after all, industry is corrupt too. (I believe that to be true but it does not alter the fact that some sections of labor are corrupt or crooked.)

The answer is, I believe, in an intelligent counteroffensive by the decent forces in labor, political and community life. This counteroffensive must be predicated on an acceptance of the fact that corruption inside labor has grown to the point where labor alone cannot effectively root it out. Labor must have additional tools—in this instance, legislation—to assist it. But the tools must be of a kind that are made by persons sympathetic with the desire of legitimate labor to clean out the crooks. They must not be tools which hack away at the good and bad at once.

There are many sober minds in Congress grappling with this problem today. There are men who wholeheartedly support the basic aims of decent labor who want to help the unions devise the right kind of laws—laws that will hit at the corrupt but not injure the clean unions.

The leaders of legitimate labor must meet with these men of the stripe of a DICK NEUBERGER or a WAYNE MORSE, of Oregon; or a MCNAMARA, of Michigan; or a JAVITS or an IVES, of New York, or a KENNEDY, of Massachusetts, to name but a few, and jointly come up with proper recommendations for laws.

For one fact is clear—and it would be suicidal for the leaders of American labor to sidestep it—there will be laws aimed at curbing crooked unions. There is no way of stopping this trend, in my opinion.

It is no longer a question of whether or not laws—it is solely a question of what kind of laws.

I hope that the Meanys, Reuthers, Dubinskys, Potofskys, and other forward-looking national leaders of American labor will take the lead in initiating a national conference with important legislators from both parties in both Houses of Congress—honest conservatives and honest liberals alike—for the purpose of drawing up specific recommendations for the laws that must come.

Only in that way do I envision avoiding the kind of blunderbuss bill which would indiscriminately hit all unions—good and bad. And only in that way can labor win the respect of the community as a whole, without which we cannot fulfill our traditional historic mission as a force for good for our members and for the State, city, or village in which we live and work.

The theme of these comments has, as you have noted, been political. This was deliberate, for labor must—more than ever before—participate in the political arena and not just to act as a check and balance against the extremists who will try to use the McClellan findings for hysterical purposes, but literally to safeguard the gains union members have made through the years.

What is gained today in a union contract can be wiped out tomorrow by some piece of repressive legislation. A hard-won standard on one level can be offset by a reactionary State legislature, for example, which can rewrite some statute.

The point needs no elaboration here. You all know what I mean. And the sudden rash of so-called right-to-work laws in State after State—and the introduction of national law of that kind in Congress—is just the opening gun.

If we sit back and hope to live as a union solely on the basis of a union contract, we are not only in for a rude awakening but we do not deserve to be invested with the responsibilities of administering our union. Political apathy is political suicide today.

KAISER STEEL CORP. EXPANSION

Mr. KUCHEL. Mr. President, one of the most astounding aspects of the tremendous population growth and industrial development in California, and in the West generally, during and since World War II has been the development of new industries and the utilization of resources on the Pacific coast and in the Mountain States.

Only a century ago, California was the American frontier. Today, with a population approaching 15 million, California is a vital and integral factor in the entire American economy.

Much of the amazing development of the past two decades can be traced to the establishment of completely new industries. And as such new ventures prospered, other activities started and flourished until today California is the source of a great variety of products shipped all over our Nation and all around the world.

An impressive example of the constant expansion of our western economy was an announcement recently that the Kaiser Steel Corp., a company which has contributed in a host of ways to the industrial progress of California, will increase an expansion program which had been budgeted at $113 million by an additional $81 million.

This undertaking is emphatic proof, I believe, of the pace at which California is forging ahead. When the Kaiser program is completed, the capacity of the West's biggest steel producer will be virtually doubled. A plant first constructed in the early days of World War II, in an area devoted to citrus growing and other types of agriculture, it will have the ability to turn out 3 million tons annually and supply materials which are in great demand and essential to the expanding economy of California and our neighboring States as well.

The new undertaking is truly ambitious. It is evidence of faith in the future, and proof that the company's earlier confidence was justified. The increased program will provide Kaiser's plant at Fontana in San Bernardino County, not far from my own home community, with a fourth blast furnace, a mill capable of turning out 144-inch steel plate, 3 more oxygen steelmaking furnaces, 90 new coke ovens, a new electrolytic tinplate line, and other facilities which will bolster the whole economic and industrial foundation of the State, the West, and the Nation.

These facilities, which will lead to employment of 2,700 additional workers at Fontana and other Kaiser operations, will have undeniable benefits to California. But it should be noted they also will contribute importantly to our Nation's security. Most of us readily remember the critical shortages of iron and steel which confronted the United States during the national emergency before Pearl Harbor and the early days of our involvment in World War II. We also can recall the superhuman accomplishments which made California an important arsenal during that conflict and the later hostilities in Korea. This expanded California steel industry is designed to serve our Nation in peace. It will also be an indispensable adjunct in event of another war.

I take these few moments, Mr. President, to call attention to the significance of a phrase which is often used—"the growing West"—and to note that progress continues undiminished in the State which I have the honor in part to represent in this body.

CONSTRUCTION OF TOLL BRIDGE ACROSS RAINY RIVER, MINN.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 439, Senate bill 1054.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1054) to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the distinguished senior Senator from Minnesota [Mr. THYE] has brought to the attention of the minority leader and myself the importance and urgency of passing this bill at the earliest possible date.

The Committee on Public Works, which considered the bill, recommends its passage.

The bill would extend the time for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

It may be that the distinguished senior Senator from Minnesota, the author of the bill, has a statement to make. If so, I yield for that purpose.

Mr. THYE. Mr. President, I thank the distinguished majority leader for having the bill considered at this time. The existing act authorizing the construction of the bridge expires on the 16th day of this month. Unless we pass the bill there will be the question of the expiration of the authorization for the construction of the bridge. That is the urgency. It is as simple as that. It is merely an authorization bill.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to revive and reenact the act authorizing the village of

Baudette, State of Minnesota, its public successors or public assigns, to construct, maintain, and operate a toll bridge across the Rainy River, at or near Baudette, Minn., approved December 21, 1950," approved June 16, 1955 (69 Stat. 159), is amended by striking out "commenced within 2 years and completed within 4 years" and inserting in lieu thereof "commenced within 4 years and completed within 6 years."

MUTUAL SECURITY ACT OF 1957

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 424, S. 2130.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to and the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations with an amendment to strike out all after the enacting clause and insert:

That this act may be cited as the "Mutual Security Act of 1957."

SEC. 2. Title I, chapter 1, of the Mutual Security Act of 1954, as amended, which relates to military assistance, is further amended as follows:

(a) Amend section 103, which relates to authorizations, as follows:

(1) Strike out subsection (a) and substitute the following:

"(a) There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1958 to carry out the purposes of this chapter not to exceed $1,800,000,000, which shall remain available until expended. There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1959 to carry out the purposes of this chapter not to exceed $1,500,000,000, which shall remain available until expended."

(2) In subsection (b), strike out "and of section 124."

(3) In subsection (c), add at the end thereof the following new sentence: "When appropriations made pursuant to this section are used to furnish military assistance on terms of repayment within 3 years or earlier, dollar repayments, including dollar proceeds derived from the sale of foreign currency received hereunder to any United States Government agency or program, may be credited to the current applicable appropriation and shall be available until expended for the purposes of military assistance on terms of repayment, and, notwithstanding section 1415 of the Supplemental Appropriation Act, 1953, or any other provision of law relating to the use of foreign currencies or other receipts accruing to the United States, repayments in foreign currency may be used for the purposes of this chapter: *Provided*, That the authority in this sentence shall apply to repayments from not to exceed $175,000,000 of the appropriations used for such assistance."

(b) In section 104 (a), which relates to infrastructure, strike out in the first sentence the word "already"; strike out "$780,000,000" in the first sentence and substitute "$1,000,000", and strike out the second sentence.

(c) In section 105 (b) (3), which relates to conditions applicable to military assistance, strike out the words between "Asia" and ", the President."

(d) Amend section 107, which relates to waivers of law, as follows:

(1) In subsection (a), strike out "1262 (a), and title 34, United States Code, section 546 (e)" and substitute "7307 (a)."

(2) In subsection (b), strike out "Revised Statutes 1222 (10 U. S. C. 576)" and substitute "title 10, United States Code, sections 3544 (b) and 8544 (b)."

(e) Repeal section 108, which relates to transfer of military equipment to Japan.

SEC. 3. Chapter 2 of title I of the Mutual Security Act of 1954, as amended, which relates to southeast Asia and the Western Pacific, and direct forces support, is hereby repealed.

SEC. 4. Title I, chapter 3, of the Mutual Security Act of 1954, as amended, which relates to defense support, is further amended as follows:

(a) Amend section 131, which relates to general authority, as follows:

(1) In subsection (a), before "designed" in the first sentence, insert "specifically."

(2) Strike out subsection (b) and substitute the following:

"(b) There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1958 to carry out the purposes of this section not to exceed $800 million, which shall remain available until expended. There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1959 to carry out the purposes of this section not to exceed $710 million, which shall remain available until expended."

(3) Strike out subsection (c), and redesignate subsection "(d)" as subsection "(c)."

(4) Add a new subsection (d) as follows:

"(d) To the extent necessary to accomplish the purposes of this section in Korea (1) assistance may be furnished under this section without regard to the other provisions of this title and (2) the authority provided in section 307 may be exercised in furnishing assistance under subsection (a) of this section; and funds available under this section may be used for payment of ocean freight charges on shipments for relief and rehabilitation in Korea without regard to section 409 of this act."

(b) Repeal section 132, which relates to the Korean program.

SEC. 5. Title I, chapter 4, of the Mutual Security Act of 1954, as amended, which relates to general provisions relating to mutual defense assistance, is further amended as follows:

(a) In section 142 (b), which relates to agreements, strike out in the first sentence "chapter 2 or" and "or under title II."

(b) Section 143 is amended to read as follows:

"SEC. 143. Assistance to Yugoslavia: In furnishing assistance to Yugoslavia, the President shall continuously assure himself (1) that Yugoslavia continues to maintain its independence, (2) that Yugoslavia is not participating in any policy or program for the Communist conquest of the world, and (3) that the furnishing of such assistance is in the interest of the national security of the United States. The President shall keep the Foreign Relations Committee of the Senate, the Foreign Affairs Committee of the House of Representatives, and the Appropriations Committees of the Senate and of the House of Representatives fully and constantly informed of any assistance furnished to Yugoslavia under this act."

(c) Add a new section 144 as follows:

"SEC. 144. Southeast Asia: Assistance under this title shall be made available subject to the provisions of sections 141 and 142, except that (1) in the case of assistance to the Associated States of Cambodia, Laos, and Vietnam, and (2) in the case of assistance (not to exceed in the aggregate 10 percent of the amount appropriated pursuant to section 121, excluding unexpended balances of prior appropriations) to other nations in the area of southeast Asia, the President may waive specific provisions of section 142 to the extent he may deem necessary in the national interest to carry out the purposes of this act. The President or such officer as he may designate shall report each instance of such waiver to the Foreign Relations, Appropriations, and Armed Services Committees of the Senate and the Foreign Affairs, Appropriations, and Armed Services Committees of the House of Representatives within 30 days."

SEC. 6. Title II of the Mutual Security Act of 1954, as amended, which relates to development assistance, is further amended by striking out the heading of the title, "Development Assistance," and substituting "Development Loan Fund"; by striking out the section number and heading of section 201 and striking out subsections (a) and (b) of section 201; by redesignating subsection (c) of section 201 as subsection (d) of section 537 and striking out therein "this title" and "411 (c)" and substituting, respectively, "section 400 (a)" and "411 (b)"; and by inserting the following new sections:

"SEC. 201. Declaration of purpose: The Congress of the United States recognizes that the progress of free peoples in their efforts to further their economic development, and thus to strengthen their freedom, is important to the security and general welfare of the United States. The Congress further recognizes the necessity in some cases of assistance to such peoples if they are to succeed in these efforts. The Congress accordingly reaffirms that it is the policy of the United States, and declares it to be the purpose of this title, to assist, on a basis of self-help and mutual cooperation, the efforts of free peoples to develop their economic resources and to increase their productive capabilities.

"SEC. 202. General authority: (a) There is hereby established a fund to be known as the 'Development Loan Fund' (hereinafter referred to in this title as 'the Fund') to be used by the President to finance activities carried out pursuant to authority contained in this title.

"(b) To carry out the purposes of this title, the President is hereby authorized to make loans, credits, or guaranties, or to engage in other financing operations or transactions (not to include grants or direct purchases of equity securities), to or with such nations, organizations, persons, or other entities, and on such terms and conditions, as he may determine, taking into account (1) whether financing could be obtained in whole or in part from other free world sources on reasonable terms, (2) the economic and technical soundness of the activity to be financed, and (3) whether the activity gives reasonable promise of contributing to the development of economic resources or to the increase of productive capacities in furtherance of the purposes of this title. The Fund shall be administered so as to support and encourage private investment and other private participation furthering the purposes of this title, and it shall be administered so as not to compete with private investment capital, the Export-Import Bank or the International Bank for Reconstruction and Development. The authority of section 401 (a) of this act may not be used to waive the requirements of this title or of the Mutual Defense Assistance Control Act of 1951 with respect to this title, nor may the authority of section 501 of this act be used to increase or decrease the funds available under this title. Guaranties under this subsection shall be subject to the provisions of section 413 (b) (4), except subparagraph (F) thereof. The administrator of the Fund shall furnish to the Foreign Relations Committee of the Senate and to the Foreign Affairs Committee of the House of Representatives a report on each financing operation or transaction involving more than $10 million of the Fund's assets and involving an activity requiring longer than 1 year to complete. Such report shall be made at the time such financing operation or transaction is consummated.

"SEC. 203. Capitalization: (a) There is hereby authorized to be appropriated to the President without fiscal year limitation, for advances to the Fund, not to exceed $500 million. In addition, unless disapproved in the appropriation act appropriating funds pursuant to the authorization contained in the preceding sentence, the Secretary of the Treasury is authorized and directed to make, beginning in the fiscal year 1959, loans to the Fund in amounts needed to cover obligations incurred against the Fund. Except as provided in section 204 (b) of this act, the maximum amount of obligations incurred against the Fund during the fiscal year 1958 shall be $500 million, during the fiscal year 1959 shall be $750 million, and during the period beginning in the fiscal year 1960 shall be $750 million; and any unused portion of the maximum applicable to any period shall be added to the maximum applicable to the succeeding period.

"(b) For purposes of the loans provided for in this section, the Secretary of the Treasury is authorized to use the proceeds of the sale of any securities issued under the Second Liberty Bond Act as now in force or as hereafter amended, and the purposes for which securities may be issued under the Second Liberty Bond Act are hereby extended to include this purpose. The President shall determine the terms and conditions of any advances or loans made to the Fund pursuant to this section.

"SEC. 204. Fiscal provisions: (a) All receipts from activities or transactions under this title shall be credited to the Fund and, notwithstanding section 1415 of the Supplemental Appropriation Act, 1953, or any other provision of law relating to the use of foreign currencies or other receipts accruing to the United States, shall be available for use for purposes of this title.

"(b) The President is authorized to incur, in accordance with the provisions of this title, obligations against the Fund in amounts which may not at any time exceed the assets of the Fund. The amount of such obligations also may not exceed the limitations specified in section 203 (a) of this act except that, to the extent that assets of the Fund other than capitalization provided pursuant to section 203 (a) are available, obligations may be incurred beyond such limitations. Obligations incurred against the Fund which are subsequently canceled shall not be counted for purposes of the limitations on obligations specified in section 203 (a). The term 'assets of the Fund' as used in this section shall mean the amount of liquid assets of the Fund at any given time including any amount of capitalization authorized pursuant to section 203 (a) of this act which has not been advanced or loaned to the Fund as of such time. The Fund shall be available without fiscal year limitation for any obligations or expenditures in connection with the performance of functions under this title, including repayment of loans made to the Fund pursuant to section 203 (a) of this act.

"(c) In the performance of and with respect to the functions, powers, and duties vested in him by this title, the President shall prepare annually and submit a budget program in accordance with the provisions of the Government Corporation Control Act, as amended; and he shall cause to be maintained an integral set of accounts which shall be audited by the General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required.

"SEC. 205. Powers and authorities: In carrying out the purposes of this title, any officer or agency of the United States designated to exercise authorities provided for hereunder may, in addition to other powers and authorities provided to such officer or agency pursuant to this act or otherwise by law, and as the President may direct: enter into, perform, and modify contracts, leases, agreements, or other transactions, on such terms as may be deemed appropriate, with any agency or instrumentality of the United States, with any foreign government or foreign government agency, or with any person, partnership, association, corporation, organization, or other entity, public or private, singly or in combination; accept and use gifts or donations of services, funds, or property (real, personal or mixed, tangible, or intangible); contract for the services of attorneys; determine the character of and necessity for obligations and expenditures under this title, and the manner in which they shall be incurred, allowed, and paid, subject to provisions of law specifically applicable to Government corporations; acquire and dispose of, upon such terms and conditions and for such consideration as such officer or agency shall determine to be reasonable, through purchase, exchange, discount, rediscount, public or private sale, negotiation, assignment, exercise of option or conversion rights, or otherwise, for cash or credit, with or without endorsement or guaranty, any property, real, personal, mixed, tangible or intangible, including, but not limited to, mortgages, bonds, debentures (including convertible debentures), liens, pledges, and other collateral or security, contracts, claims, currencies, notes, drafts, checks, bills of exchange, acceptances including bankers' acceptances, cable transfers and all other evidences of indebtedness or ownership (provided that equity securities may not be directly purchased although such securities may be acquired by other means such as by exercise of conversion rights or through enforcement of liens, pledges or otherwise to satisfy a previously incurred indebtedness), and guarantee payment against any instrument above specified; issue letters of credit and letters of commitment; collect or compromise any obligations assigned to or held by, and any legal or equitable rights accruing to, such officer or agency, and, as such officer or agency may determine, refer any such obligations or rights to the Attorney General for suit or collection; and otherwise take any and all actions determined by such officer or agency to be necessary or desirable in making, carrying out, servicing, compromising, liquidating, or otherwise dealing with or realizing on any transaction or operation authorized by this title. No officer shall be designated to be the administrator of the Fund except by appointment by the President by and with the advice and consent of the Senate.

"SEC. 206. Advisory Loan Committee: There is hereby established an Advisory Loan Committee, referred to in this section as the 'Committee', which shall advise and consult with the President, or such officer as he may designate to administer the Fund, with respect to basic policy matters arising in connection with the operations of the Fund and with respect to each new obligation against the Fund in excess of $10 million. The Committee shall consist of the Deputy Undersecretary of State for Economic Affairs, the Chairman of the International Development Advisory Board acting in his individual capacity, the administrator of the Fund, and representatives designated by the President from the Export-Import Bank, the Department of Agriculture, the Department of Commerce, the United States representation in the International Bank for Reconstruction and Development, and such other representatives of Government agencies as the President shall deem necessary to insure proper coordination of the Fund's activities with the activities of other sources of capital which flows abroad. The Deputy Under Secretary of State for Economic Affairs shall be Chairman, and the administrator of the Fund shall be Vice Chairman, of the Committee. The administrator of the Fund shall furnish to the Committee all necessary information to enable the Committee to form a judgment with respect to the subjects referred to in the first sentence of this section. If the administrator of the Fund follows a course contrary to the advice of a majority of the Committee with respect to any such subject, he shall furnish to the Committee and to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a statement of his reasons for doing so."

SEC. 7. Title III of the Mutual Security Act of 1954, as amended, which relates to technical cooperation, is further amended as follows:

(a) In section 304, which relates to authorization, strike out subsections (a) and (b) and substitute the following: "There is hereby authorized to be appropriated to the President for the fiscal year 1958 not to exceed $151,900,000 to carry out the purposes of this title."

(b) Amend section 306, which relates to multilateral technical cooperation, as follows:

(1) Strike out the text of subsection (a) and substitute the following:

"$15,500,000 for the fiscal year 1958 for contributions to the United Nations Expanded Program of Technical Assistance: *Provided*, That, notwithstanding the limitation of 33.33 percent contained in the Mutual Security Appropriation Act, 1957, the United States contribution to this program may constitute for the calendar year 1958 as much as but not to exceed 45 percent of the total amount contributed to the program for that period, for the calendar year 1959 as much as but not to exceed 38 percent of the total amount contributed to the program for that period, and for the calendar year 1960 as much as but not to exceed 33.33 percent of the total amount contributed to the program for that period."

(2) Strike out the text of subsection (b) and substitute the following:

"One million five hundred thousand for the fiscal year 1958 for contributions to the technical cooperation program of the Organization of American States."

SEC. 8. Title IV of the Mutual Security Act of 1954, as amended, which relates to other programs, is further amended as follows:

(a) Insert before section 401 the following new section:

"SEC. 400. Special assistance: (a) There is hereby authorized to be appropriated to the President for the fiscal year 1958 not to exceed $250 million for use on such terms and conditions as he may specify for assistance designed to maintain or promote political or economic stability or for assistance in accordance with the provisions of this act applicable to the furnishing of assistance under title I, section 304, section 405, or section 407 of this act. One hundred million dollars of the funds authorized to be appropriated pursuant to this section for any fiscal year may be used in such year in accordance with the provisions of section 401 (a).

"(b) For the purpose of promoting economic development in Latin America there is hereby authorized to be appropriated to the President not to exceed $25 million, which shall remain available until expended, and in the utilization of such sum preference shall be given to (A) projects or programs that will clearly contribute to promoting health, education, and sanitation in the area as a whole or among a group or groups of countries of the area, (B) joint health, education, and sanitation assistance programs

undertaken by members of the Organization of American States, and (C) such land resettlement programs as will contribute to the resettlement of foreign and native migrants in the area as a whole, or in any country of the area, for the purpose of advancing economic development and agricultural and industrial productivity: *Provided*, That assistance under this sentence shall emphasize loans rather than grants wherever possible, and not less than 90 percent of the funds made available for assistance under this subsection shall be available only for furnishing assistance on terms of repayment in accordance with the provisions of section 505."

(b) Amend section 401, which relates to special fund, as follows:

(1) Strike out the title of this section and substitute "President's Special Authority".

(2) In subsection (a), strike out "to be appropriated under subsection (b) hereof" in the first sentence and substitute "for such use by section 400 (a) of this act"; before ", in furtherance of" in the first sentence, insert "or any act appropriating funds pursuant to authorizations contained in this act."

(3) Strike out subsection (b).

(4) Redesignate subsection "(c)" as subsection "(b)."

(c) In section 402, which relates to earmarking of funds, strike out all preceding "shall be used" in the first sentence and substitute "Of the funds authorized to be made available in the fiscal year 1958 pursuant to this act (other than funds made available pursuant to title II), not less than $200,000,000."

(d) Amend section 403, which relates to special assistance in joint control areas, as follows:

(1) In subsection (a), strike out the subsection designation "(a)"; and in the second sentence strike out all following "the President" and substitute "for the fiscal year 1958 not to exceed $11,500,000 to carry out this section."

(2) Strike out subsection (b).

(e) Amend section 405, which relates to migrants, refugees, and escapees, as follows:

(1) In subsection (a), strike out the words between "appropriated" and "such amounts"; and strike out the last sentence.

(2) In subsection (c), strike out the words between "appropriated" and "for contributions" and substitute "for the fiscal year 1958 not to exceed $2,233,000."

(3) In subsection (d), strike out the words between "President" and "for continuation" and substitute "for the fiscal year 1958 not to exceed $5,500,000."

(f) Amend section 406, which relates to children's welfare, as follows:

(1) In subsection (a), strike out the subsection designation "(a)"; and strike out all following "exceed" and substitute "$11,000,000 for the fiscal year 1958 for contributions to the United Nations Children's Fund."

(2) Strike out subsection (b).

(g) In section 407, which relates to Palestine refugees in the Near East, strike out the first two sentences in subsection (a) and substitute in lieu thereof the text of the present subsection (b) with the addition of the following sentence: "In determining whether or not to continue furnishing assistance for Palestine refugees in the Near East, the President shall take into account whether Israel and the Arab host governments are taking steps toward the resettlement and repatriation of such refugees."; strike out the subsection designation "(a)"; and strike out subsection (b).

(h) In section 408, which relates to the North Atlantic Treaty Organization, strike out in subsection (a) the words between "appropriated" and "such amounts."

(i) Amend section 409, which relates to ocean freight charges, as follows:

(1) Strike out the text of subsection (c) and substitute "There is hereby authorized to be appropriated to the President for the fiscal year 1958 not to exceed $2,200,000 to carry out the purposes of this section."

(2) In subsection (d), strike out all preceding "to pay" in the first sentence and substitute "In addition, any funds made available under this act may be used, in amounts determined by the President,"; and strike out the second sentence.

(j) In section 410, which relates to Control Act expenses, strike out the words between "President" and "for carrying out" in the first sentence and substitute "for the fiscal year 1958 not to exceed $1 million."

(k) Amend section 411, which relates to administrative and other expenses, as follows:

(1) In subsection (b), strike out the words between "President" and "for necessary" and substitute "for the fiscal year 1958 not to exceed $33 million"; strike out "and section 124"; and before the period at the end of the subsection, insert "and functions under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U. S. C. 1691 and the following) performed by any agency or officer administering nonmilitary assistance."

(2) Strike out subsection (c), and redesignate subsections "(d)" and "(e)" as subsections "(c)" and "(d)", respectively.

(l) Repeal section 412, which relates to Chinese and Korean students.

(m) Repeal sections 419 and 421, relating, respectively, to World Health Organization and Food and Agriculture Organization, which repeals shall not be deemed to affect amendments contained in such sections to acts other than the Mutual Security Act of 1954, as amended; and add the following new sections:

"SEC. 419. Atoms for peace: (a) The President is hereby authorized to furnish from funds made available pursuant to this section, in addition to other funds available for such purposes, and on such terms and conditions as he may specify, assistance designed to promote the peaceful uses of atomic energy abroad. There is hereby authorized to be appropriated to the President for the fiscal year 1958 not to exceed $7 million to carry out the purposes of this section.

"(b) The United States share of the cost of any research reactor made available to another government under this section shall not exceed $350,000.

"(c) In carrying out the purposes of this section, the appropriate United States departments and agencies shall give full and continuous publicity through the press, radio, and all other available mediums so as to inform the peoples of the participating countries regarding the assistance, including its purpose, source, and character, furnished by the United States. Such portions of any research reactor furnished under this section as may be appropriately die stamped or labeled as a product of the United States shall be so stamped or labeled.

"SEC. 420. Malaria eradication: The Congress of the United States, recognizing that the disease of malaria, because of its widespread prevalence, debilitating effects, and heavy toll in human life, constitutes a major deterrent to the efforts of many peoples to develop their economic resources and productive capacities and to improve their living conditions, and further recognizing that it now appears technically feasible to eradicate this disease, declares it to be the policy of the United States and the purpose of this section to assist other peoples in their efforts to eradicate malaria. The President is hereby authorized to furnish to such nations, organizations, persons, or other entities as he may determine, and on such terms and conditions as he may specify, financial and other assistance to carry out the purpose of this section. Not to exceed $23,300,000 of the funds made available pursuant to authorizations contained in this act (other than title I, ch. 1, and title II) may be used during the fiscal year 1958 to carry out the purpose of this section."

SEC. 9. Title V, chapter 1, of the Mutual Security Act of 1954, as amended, which relates to general provisions, is further amended as follows:

(a) Amend section 503, which relates to termination of assistance, as follows:

(1) Strike out the subsection designation "(a)"; and in the last sentence of subsection (a) strike out "subsection" and substitute "section."

(2) Strike out subsection (b).

(b) In section 504 (a), which relates to small business, strike out "chapters 2 and" and substitute "chapter."

(c) Amend section 505, which relates to loan assistance and sales, as follows:

(1) In subsection (a), strike out "assistance" in the first sentence and substitute "Except as otherwise specifically provided in this act, assistance"; and after "commodities" both times it appears in the second sentence, insert ", equipment, materials."

(2) In subsection (b), strike out the first sentence; and strike out "shall" both times it appears in the second sentence and substitute "may."

(d) In section 509, which relates to shipping on United States vessels, strike out the first sentence.

(e) In section 511 (c), which relates to retention and return of equipment, after "materials" the first time it appears, insert "on a grant basis"; and strike out "(other than equipment or materials sold under the provisions of section 106)."

(f) In section 513, which relates to notice to legislative committees, after "act" the second time it appears in the first sentence, insert "or acts appropriating funds pursuant to authorizations contained in this act."

SEC. 10. Title V, chapter 2, of the Mutual Security Act of 1954, as amended, which relates to organization and administration, is further amended as follows:

(a) In section 521, add the following new subsection:

"(c) The President shall continue to exercise the powers conferred on him under chapter 3 of title I, relating to defense support, only through the Secretary of State and his subordinates."

(b) In section 523, add the following new subsection:

"(c) Under the direction of the President, the Secretary of State shall:

"(1) coordinate the various forms of assistance authorized by this act so that the foreign policies of the United States may be best served thereby; and

"(2) determine the value of the program under chapter 1 of title I for any country."

(c) In section 524 (b), strike out the second sentence.

(d) In section 525, strike out the first sentence.

(e) In section 527 (c), which relates to employment of personnel, after "shall be entitled" in paragraph (1), insert ", except to the extent that the President may specify otherwise in cases in which the period of the employment or assignment exceeds 2 years,"; and before the period at the end of paragraph (2), insert ": *Provided, however*, That the President may by regulation make exceptions to the application of section 528 in cases in which the period of the appointment or assignment exceeds 2 years."

(f) In section 534, which relates to reports, after "504,", insert "202, 400."

(g) In section 535 (b), which relates to cooperation with nations and international organizations, before "in furtherance of" in the first sentence insert "consistent with and"; and before "nations" where it appears for the first time in the first sentence insert "free."

(h) Amend section 537, which relates to provisions on uses of funds, as follows:

(1) In the opening clause of subsection (a), within the parentheses, strike out "and section 124."

(2) In subsection (a), paragraph (1), strike out "1957" and substitute "1958."

(3) Amend the text of subsection (a), paragraph (10), to read "rental or lease outside the continental limits of the United States of offices, buildings, grounds, and living quarters to house personnel; maintenance, furnishings, necessary repairs, improvements, and alterations to properties owned or rented by the United States Government abroad; and costs of fuel, water, and utilities for such properties;."

(4) In subsection (a), paragraph (17), strike out "or" preceding "(iii)"; and after "another" insert ", (iv) when he is temporarily absent from his post under orders, or (v) when through no fault of the employee storage costs are incurred on such furniture and effects (including automobiles) in connection with authorized travel."

(5) In subsection (c), strike out "$12,000,000" and insert "$18,009,000"; and strike out "in the fiscal year 1957."

(6) Add the following new subsection:

"(e) Funds available under this act may be used to pay costs of training United States citizen personnel employed or assigned pursuant to section 527 (c) (2) of this act (through interchange or otherwise) at any State or local unit of Government, public or private nonprofit institution, trade, labor, agricultural, or scientific association or organization, or commercial firm; and the provisions of Public Law 918, 84th Congress, may be used to carry out the foregoing authority notwithstanding that interchange of personnel may not be involved or that the training may not take place at the institutions specified in that act. Such training shall not be considered employment or holding of office under title 5, United States Code, section 62, and any payments or contributions in connection therewith may, as deemed appropriate by the head of the United States Government agency authorizing such training, be made by private or public sources and be accepted by any trainee, or may be accepted by and credited to the current applicable appropriation of such agency: *Provided, however*, That any such payments to an employee in the nature of compensation shall be in lieu of or in reduction of compensation received from the Government of the United States."

SEC. 11. Title V, chapter 3, of the Mutual Security Act of 1954, as amended, which relates to repeal and miscellaneous provisions, is further amended as follows:

(a) In section 543, relating to saving provisions, insert the following new subsections:

"(d) Funds appropriated pursuant to provisions of this act repealed by the Mutual Security Act of 1956 or the Mutual Security Act of 1957 shall remain available for their original purposes in accordance with the provisions of law orginally applicable thereto. References in any act to provisions of this act repealed or stricken out by the Mutual Security Act of 1957 are hereby stricken out; and references in any act to provisions of this act redesignated by the Mutual Security Act of 1957 are hereby amended to refer to the new designations."

(b) Amend section 544, which relates to amendments to other laws, as follows:

(1) Repeal subsections (a), (c), (d), (e), (f), (g), (h), and (i), which repeals shall not be deemed to affect amendments contained in such subsections to acts other than the Mutual Security Act of 1954, as amended; and redesignate subsection "(b)" as subsection "(a)."

(2) Add the following new subsections:

"(b) Public Law 174, 79th Congress, as amended, is hereby further amended by striking out '31.5' in the proviso at the end of section 2 and inserting '33.33.'

"(c) Section 104 (h) of the Agricultural Trade Development and Assistance Act of 1954, as amended (Public Law 480, 83d Cong., 7 U. S. C. 1704) is amended by changing the period at the end thereof to a comma and adding: 'such special and particular effort to include the setting aside of such amounts from sale proceeds and loan repayments under this title, not in excess of $1 million a year in any one country for a period of not more than 5 years in advance, as may be determined by the Secretary of State to be required for the purposes of this subsection:'."

(c) In section 546 (b), relating to construction, strike out "Atomic Energy Act of 1946, as amended (42 U. S. C. 1801)" and substitute "Atomic Energy Act of 1954, as amended (42 U. S. C. 2011)."

(d) Repeal section 547, which relates to reduction of authorizations.

(e) In section 549, relating to special provision on availability of funds, strike out "chapter 3 of title I," and strike out the comma following "title III."

Mr. JOHNSON of Texas. Mr. President, I have a very brief statement I should like to make in connection with the motion that has been agreed to by the Senate.

First I should like to inform the Senate that it is our plan to hear the presentation of the pending measure by the very able and beloved chairman of the Committee on Foreign Relations, the senior Senator from Rhode Island [Mr. GREEN]. Any other Senator who cares to address himself to the pending measure will have an opportunity to do so this afternoon. I do not anticipate that we will have any votes or that we will have an evening session today.

Tomorrow morning the Senate will meet at 9:30 as usual. Following the morning hour, we may consider some of the noncontroversial bills on the calendar. They are the bills which I enumerated earlier in the day, and which will appear in the RECORD.

I am hopeful that we shall be able to stay late enough tomorrow and on Friday and on Saturday to conclude action on the mutual security authorization bill this week. It was reported last Thursday. We have given ample time for the majority and minority to report their respective views. It will have been before the Senate on Wednesday, Thursday, Friday, and Saturday—4 days—and I therefore appeal to my colleagues to cooperate with us during this month of June and to be diligent in attendance and attentive to this extremely important measure.

Mr. President, if we are unable to conclude consideration of the measure this week, of course it is needless to say that I expect to have the Senate convene early next week and remain late until we get the authorization bill behind us.

Next week I am hopeful that we will have some more appropriation bills to consider. The appropriation bill for the Department of the Interior should be on the calendar.

I commend the distinguished Senator from Rhode Island [Mr. GREEN] and his entire committee, both the majority and minority members, for the very thorough job they did in connection with the pending bill, and for the long hours they spent in an attempt to report to the Senate a measure which would meet with the approval of a majority of the Members of the Senate. They did a thorough job and an effective job. I am hopeful that the bill as recommended to us by the experienced Senators who sit on the great Committee on Foreign Relations may pass without substantial amendments. I look forward to hearing the Senator from Rhode Island.

Mr. GREEN. Mr. President, it is my duty to present to the Senate the report of the Committee on Foreign Relations in support of S. 2130, as amended, the Mutual Security Act of 1957.

Although I speak of the presentation of this bill as a duty, it is also a privilege, because members of the Committee on Foreign Relations have done such a careful job on the proposals of the President. The bill as it is reported from the Committee on Foreign Relations is greatly improved over the version which was submitted to the Senate and introduced by the Senator from Wisconsin [Mr. WILEY] and myself, by request, on May 22.

In view of recent suggestions that the Congress has not acted with sufficient alacrity on presidential proposals, I call attention to the fact that the President's message on the Mutual Security Act was not received this year until May 21. One day later, on May 22, S. 2130 was introduced, embodying the President's proposals, and on that very day the committee began its hearings. The committee has met long hours to receive testimony in public and private session and to mark up the bill. The finished bill was reported to the Senate on June 7, just 18 calendar days after the President's message was received. But if one does not count weekends and a holiday which intervened the committee has reported this bill only 11 working days after its submission and introduction.

It occurs to me that this may be a speed record for the consideration of an important proposal submitted by the President. Had there not been so many suggestions that Congress has been dawdling, I would let the matter drop here. But in all fairness I must add that although the President's message was received on May 21, it was not until June 3 that the committee began to receive from the executive branch the detailed justification for its proposals. This has meant as a practical matter that the committee had only 5 working days to master the details of the President's proposals. That would have imposed an impossible task had it not been for the fact that many of the President's proposals bore the imprint of the earlier work done by the Special Committee To Study the Foreign Aid Program.

I do not mean to cast any reflection whatsoever on the many executive branch employees who worked long hours to help the committee in its consideration of this bill. But I do suggest that those elements in the administration and the press which are so free in their criticism of Congress might bear in mind that delay is not always solely or even chiefly attributable to Congress.

Despite the committee's speed in reporting the bill, the proposal of the President for the authorization of a mutual security program of $3.8 billion for next

year was given most careful consideration. The President's recommendations are entitled to the greatest respect. However, I would be less than candid if I did not say that I believe the work of the committee has greatly improved the President's proposals and that the end product will better serve the interests of the people of the United States.

I believe the legislation as approved by the Committee on Foreign Relations deserves, in turn, the most careful and serious consideration on the part of all Members of the Senate. While I do not preclude the possibility that the Senate may make additional changes in the pending bill which will further improve it, it does seem to me that doubts as to particular amendments which may be offered should be resolved in favor of the committee's recommendations. It may be bold to make such a suggestion. I do so, however, from a conviction that members of the committee during the past year have spent so much time and energy in a total reexamination of the concept of foreign aid that they have to a man become outstanding experts on this subject.

Senators will recall that last July the Senate created a Special Committee To Study the Foreign Aid Progam. The Senate instructed that special committee—on which I have served as chairman since last January—to undertake exhaustive studies to determine the extent to which foreign aid serves, does not serve, or can be made to serve the national interest. I shall not take the time now to review the extensive work of the special committee. Suffice it to say that the report of the special committee served as a guide to the executive branch in the preparation of its proposals on foreign aid this year. That branch, however, did not adopt all the recommendations of the special committee for what seemed to it to be good and sufficent reasons. In some instances, the Committee on Foreign Relations has accepted the administration's judgment, and provisions have remained in the bill which were contrary to the proposals of the special committee. In other instances, however, the Committee on Foreign Relations concluded that the recommendations of the special committee should have been followed by the administration. As a result, a number of important changes have been made in the legislation as proposed by the executive branch.

I do not want to leave this brief discussion of the work of the special committee without paying high tribute to each and every member of that group. As my colleagues know, in addition to all members of the Committee on Foreign Relations, the special committee included in its membership the distinguished chairman of the Committee on Armed Services [Mr. RUSSELL]; the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL]; the outstanding chairman of the Committee on Appropriations [Mr. HAYDEN]; and the able senior Senator from New Hampshire [Mr. BRIDGES]. These members added great strength to the special committee. They were understanding and conscientious in their work. Many of their ideas and suggestions are to be found in the final product.

I turn now to the Mutual Security Act of 1957, to S. 2130 itself. Members will recall that there were grave doubts expressed on the floor of the Senate last year as to the desirability of continuing this type of legislation. Foreign aid was in serious trouble at that time. Many Senator, I am sure, went along with the measure last year only on the assurance that there would be major revisions in the legislation this year on the basis of full study by the special committee and studies by the executive branch.

Mr. President, the bill now before the Senate reflects the results of all those studies. It is a legislative expression of the beginning of a major revision of foreign aid. The impact of the change will be felt this year and increasingly in the years ahead.

What are some of the immediate changes? In the first place, the amount of the authorization is reduced. Last year, Congress appropriated $3.766 billion for foreign aid. This year the President's budget originally called for an increase to $4.4 billion. While the Senate's special study of the program was in progress, however, the President himself reduced that total by $500 million. The Committee on Foreign Relations in weighing this legislation was convinced that the figure could, without damage to the national interest, be reduced by another $227 million. It has, therefore, recommended to the Senate a total figure for fiscal year 1958 or $3.637 billion. This reduction is, in the opinion of the committee, intelligent economy. It is not a meat-ax cut. The committee knew what it was about because its members, as members of the special committee, had studied the foreign aid program from every conceivable angle.

I am convinced that the reduction will not impair the national interest. Indeed, I believe the reduction will work, positively, to the benefit of the national interest. It will compel a tighter administration of the program. It will compel a more careful evaluation of each and every project of foreign aid which may be undertaken.

For the same reasons, Mr. President, I believe that there should not be any further substantial reductions in the authorizations contained in the measure. Depending on future developments, additional economies may be possible in future years. They should be the result, however, of the same kind of careful study which has preceded the committee approval of this measure if they are to serve the national interest. Let us have economy based on facts and not on presumptions. That is the only way in which the Senate can discharge its dual responsibility of helping to safeguard not only the nation's purse, but what is even more important, the nation itself.

Economy is important, but there is something of even greater importance. That is the long-range safety and freedom of the United States and the long-range interests of the people of the United States. If I thought that the freedom of this country or the welfare of its people would be served by a foreign aid program of $6 billion or even $10 billion, I would not hesitate for one moment to recommend such an increase to the Senate and to vote for it myself.

It is because I believe on the basis of our present knowledge that the overall amount proposed in this bill, the amount of $3.6 billion, is an accurate expression of the extent of the national need for this program that I confidently bring this measure, on behalf of the Committee on Foreign Relations, before the Senate.

Let me say further that the improvements in the bill over previous foreign aid legislation do not stop with economy. The committee's changes in the bill have served to clarify the purposes of foreign aid. We have taken the first steps in distinguishing between those aspects of foreign aid vital to national defense or to political interests, and those aspects essentially of a business nature and designed to help ourselves by helping others. I say, "the first steps," because much will depend on how the administration interprets the changes which have been written into the legislation. Congress will set the pattern in this legislation. It is for the executive branch to follow through. I may say that while I am chairman of the Foreign Relations Committee, I will do my best to see that the other branch does carry through.

What are the changes which have been made in this connection? In the first place, the committee has separated military aid and the economic type support necessary to maintain it from the other parts of the proposed legislation. Military assistance and defense support constitute the bulk of the grants of foreign aid. In the bill, $2.6 billion, or 68 percent of the total authorization, is related to defense. We authorize this military-type aid not for 1 year, but for 2 years, with a reduction already provided for next year. We have permitted this 2-year authorization at the urging of the executive branch, which contended that it will make for a far more efficient and economical administration of military aid and its connected economic support. Furthermore, this change will make it possible for military assistance next year to be included in the regular budget of the Department of Defense, which is where it belongs.

One of the important conclusions reached by the special committee was that a larger portion of the funds annually made available for foreign aid should be on a loan basis. The administration agreed with the conclusion of the special committee that assistance devoted to helping underdeveloped countries grow should be provided on a loan basis. This increased emphasis on loans instead of grants as a form of assistance is reflected by differences between the bill this year and the bill last year. Last year 80 percent of so-called development assistance was required to be in the form of loans. The development assistance figure last year was $250 million. This year, however, virtually all funds for development assistance are to be on a loan basis and virtually none on a grant basis. In lieu of provision of some grant funds for development assistance,

the committee has agreed with the administration to centralize all economic development assistance in a revolving fund which will operate on a repayable basis. It is the committee's clear understanding that this means that economic development aid is to be placed on a businesslike basis. The legislation requires loans, as contrasted with the strange admixture of loans and grants, of wisdom and waste, which has characterized these activities in recent years.

The committee expects this fund, which is to start out with $500 million the first year, to operate in close coordination with the Export-Import Bank, the International Bank, and various other agencies concerned with overseas economic undertakings, and with private investment capital which flows abroad. It will also be closely coordinated with our general foreign policy.

Probably I should elaborate briefly on the operation of the development fund. As Members know, for many years the Export-Import Bank and the International Bank have made loans to foreign countries and foreign nationals for development purposes. These have been bankable loans. But at the very same time the administration, with some pressure from the Congress, has also developed what it has called the soft loan. These soft loans have involved tenuous commitments to repay, low rates of interest, and long terms for repayment. They have not been the type of loans which breed self-respect in the borrower. In fact, some of these loans have become devices for giving money away in a form that has involved only lipservice to loan requirements in past legislation. These soft loans will be done away with.

It is the committee's purpose, in calling for the establishment of the development fund, to provide a source of credit which would be available for operations of a type not yet able to command bank credit. The difference between the loan fund and other forms of credit is illustrated by the situation of the honest, able, sincere young man who goes to the bank to borrow $1,000 to get himself started in business. The young man has no assets except his confidence in himself, a willingness to work hard, and a firm intention to repay every cent he borrows.

In this situation, few banks would loan the man enough money to get his business started. But a young man with that kind of promise, with confidence in himself, deserves help. He may be able to find some generous man in the community who is willing to take a chance on the young man's future.

That is precisely the way the development fund is to operate. It will be available for projects which cannot get commercial credit. It will be used in those underdeveloped nations where the people and their governments know that man can make progress if he works hard and is willing to pay his debts. The fund is for the purpose of promoting growth and independence and freedom. It is a device by which the American people can invest in the future development of peoples dedicated to freedom. It should not become a device for international relief.

The President's proposals did not originally provide for the kind of close coordination of the fund with these other activities which the committee believes necessary. The committee therefore wrote into the bill provision for an advisory loan board, which will include representation from the principal interested departments and agencies, and which will be under the chairmanship of the Deputy Under Secretary of State for Economic Affairs.

In my opinion, this addition is one of the most important provisions of the bill. I believe the advisory board is essential if we are to bring about an end to the dangerous and costly confusion of innumberable official agencies competing with each other and with private enterprise in assisting other nations abroad. Not only has this practice been costly; it has held us up to the amusement and the ridicule, if not the contempt of other nations.

As for other parts of this bill, the committee has fully endorsed the United States point 4 program, and raised the authorization for this operation to the figure of $151 million. Of all the foreign-aid measures which this country pursues, point 4 has been the most modest in cost, the least pretentious in operation, and the most consistently successful in results. I believe the program should not be confused with more grandiose undertakings. I believe that the simple person-to-person contact which it promotes does a great deal of good, and should have the full and unswerving support of the people of the United States.

Finally, the committee has provided funds for various forms of special assistance, as requested by the administration. These funds amount to $250 million. These are funds for political and humanitarian purposes. A considerable part of them may be spent at the discretion of the President, since needs and crises cannot always be anticipated. It is my hope that the President will be exceedingly discreet in the expenditure of these funds, and it would be most gratifying if a substantial part of them might revert to the Treasury at the end of the fiscal year 1958. If that were the case, I personally would be more receptive to the executive branch estimates of needs in the future.

Mr. President, I said earlier in my remarks that this bill represents a beginning in major changes in foreign aid, both in concept and in administration. The Congress has built, so to speak, the framework of this new house. It will be the duty of the executive branch to finish it and to furnish it in a fashion best suited to the needs of the Nation.

The study of foreign aid which we have made during the past year has convinced me that a continuance of this program is necessary for the security and welfare of the people of the United States. It has also convinced me, as it has, I am sure, other members of the committee, that the key to its acceptance both at home and abroad lies in the fashion in which its policies are devised and administered by the executive branch.

The Congress cannot run this program on a day-to-day basis, although I must say there is a great temptation to try to do so, in view of some of the poor administrative practices the committee has uncovered. Our Government has a President and an executive branch for that purpose. We cannot do their jobs, but when we do ours, we have a right to insist that they also do theirs.

I believe that if S. 2130 is passed as it has come from the committee, the Senate will have done its share. It will have done so in a nonpartisan way, because I am proud to report there has been no trace of partisanship either in the work of the special committee or in the work of the Foreign Relations Committee. It will have done its work in a responsible fashion. It will have made a major contribution to the foreign policy of the United States, which now has become inextricably interwoven with the safety and welfare of the people of the world.

I feel confident that the Senate and the House of Representatives will do their parts, and that the President and the administration will do theirs in following through.

Mr. KNOWLAND. Mr. President, will the Senator from Rhode Island yield?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Does the Senator from Rhode Island yield to the Senator from California?

Mr. GREEN. I yield.

Mr. KNOWLAND. Speaking as the minority leader of the Senate, and also as a member of the Foreign Relations Committee, I should like to take this opportunity to compliment the distinguished Senator from Rhode Island for his service as chairman of that very important committee of the Senate. He attended, as he always does, most diligently to his duties there. He presided over the sessions, which, as he has quite correctly stated, were not tinged with partisanship in any sense of the word. As is quite proper in our legislative committees, there were some differences of opinion and there were some divided votes. Various Senators serving on the committee had different ideas. But when the bill was put into its final form, it embraced various suggestions which had come from the administration, and many which had come from subcommittees of the Senate, and others which had developed from the discussions in the committee.

I wish to state that in my opinion the committee did an excellent job in protecting the position of the Congress as a coordinate and coequal branch of the Government. In the general consensus, the bill is a good one, and is entitled to receive the support of the Senate.

I wish to say to the Senator from Rhode Island that I think the entire Senate owes him a debt of gratitude for the long hours he has devoted to this important bill in getting it ready for consideration by the Senate. As the Senator knows, it is only a part of the legislative process. In some years in the past the House has originated the authorization bill. The Senate has acted

on it after the House has acted. In this case the Senate is moving first. The bill will have to go to the other House of Congress. It will then have to clear a conference between the two Houses. When that part of the legislative process is completed, then the House Appropriations Committee will start consideration of an appropriation bill dealing with the specific funds to be appropriated. After that committee has cleared the bill, the House will act on it. It will have to come to the Senate and run the gantlet of the Senate Appropriations Committee, and finally of the Senate itself. When the Senate has acted, that bill will have to go to conference.

So the bill before the Senate now in effect will set the outside limits of the funds which are to be provided, and I think all Members of the Senate should keep that fact in mind. However, I want to say that both the minority and majority members of the committee devoted long hours of service to bringing the bill to this stage of the legislative process, and I again commend the Senator from Rhode Island.

Mr. GREEN. Mr. President, I thank the minority leader for his friendly and generous words, which make worthwhile the work the committee has done.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. MANSFIELD. I join with the distinguished minority leader in congratulating the chairman of the Foreign Relations Committee for the outstanding work he has performed in conducting the hearings relative to the bill. Not only has he done fine work in presiding over the hearings connected with this bill directly, but during the past year he has been an excellent chairman in conducting, during most of that period, the investigation of the foreign-aid program called for by the Senate resolution adopted last summer.

As the chairman well knows, there are differences of opinion as to how good this particular bill is. To a large extent, those differences were worked out in committee, but I want the RECORD to show, as the Senator from California has so ably stated, that the hearings had been conducted and the decisions had been arrived at on a nonpartisan basis. The chairman of the committee allowed everyone to have his say. The explanation for every amendment offered was courteously listened to. Every member felt he had been given every consideration.

Again I thank the chairman of the committee for doing an outstanding job, which, of course, is a usual characteristic of the chairman of the committee.

Mr. GREEN. I thank the Senator heartily for his agreeable words of approval, which mean a great deal to me.

Mr. JOHNSON of Texas. Mr. President, there is nothing I could add to what I said when I brought the bill up by motion, about the very fine, patriotic service of the distinguished chairman of the committee. I do wish to commend him for pointing out to the Senate and to the country that, while some of the members of the executive department were talking about a lag in Congress, they were not able to submit their own recommendations on such an important measure as the one now pending before the Senate, namely, the Mutual Security Act of 1957. As I understood the distinguished chairman, it was not until June 3, some 8 or 9 days ago, that the witnesses were ready to appear and testify and give their recommendations on the bill.

Mr. GREEN. That is correct.

Mr. JOHNSON of Texas. It seems to me that people who live in glass houses should not throw stones, and an administration that is lagging as much as this one is in submitting recommendations in such an important field as the Mutual Security Act ought to be somewhat restrained in its observations about the dispatch with which Congress handles the matter.

I am hopeful my colleagues in the Senate will be prepared to discuss the bill the remainder of this afternoon and early in the morning when we assemble, because I want to demonstrate, not only to the Congress but to the Executive, and to the people, that while Congress is unjustly branded, it is efficient and effective, and it acts in accordance with its conscience and what it believes to be in the national interest.

I thank the Senator for the great contribution he has made in maintaining this fine standard.

Mr. GREEN. I thank the Senator for his kind comments, and I yield the floor.

Mr. COOPER. Mr. President, I have enjoyed the very clear presentation of the new mutual aid program by the senior Senator from Rhode Island.

It occurred to me, as I listened to the Senator who spoke as chairman of the Foreign Relations Committee, that the pending bill marks a major advance in the development of the mutual security program and certainly in the field of economic assistance. I speak particularly of the new Development Loan Fund which the bill establishes. During the current debate over the budget Members of Congress—and certainly many people of the country, if I read my mail correctly—have questioned the effectiveness of our economic assistance program. Among other things, they question whether funds are effectively used and go into projects and programs, in the countries receiving aid, which are of value. I think the Development Loan Fund established by this bill will assure, if the bill is finally approved, continuity of aid, and consequently more effective programs. It will provide an answer to some of the questions raised against the mutual security program.

The very fact that continuity of aid is possible, where appropriate, to beneficiary countries will enable them to select wealth-producing projects for the use of our aid funds. This will be more beneficial to them as well as to the United States.

It will enable the United States to assure that aid funds go into wealth-producing projects, and will not be assigned to less effective programs, simply because countries aided could not be sure that aid would be forthcoming when needed to complete their larger and more valuable plans for development. Further, I believe it will be psychologically beneficial if countries can borrow rather than secure needed aid through grants. It will tend to promote good relations between the United States and countries receiving our help.

As the Senator was speaking, I glanced at the list of countries that will be aided by this bill. From a quick calculation, I noted that 14 or 15 countries on the list have become independent in the last 10 or 12 years. A great purpose of our economic assistance is to aid and promote the economic advancement of these countries.

In doing this, we assist them, also, to secure their political independence. If these newly independent countries maintain their political independence and sovereignty, a great purpose of the foreign policy of the United States would have been accomplished. I join with other Senators in congratulating the Senator from Rhode Island and his committee on their fine work.

ARTHUR SEW SANG AND OTHERS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 382, Senate bill 1566.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 1566) for the relief of Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You.

Mr. JOHNSON of Texas. The purpose of the bill is to grant the status of permanent residence in the United States to Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You. The bill provides for the appropriate quota deductions and for the payment of the required visa fees.

The bill was favorably reported by the Committee on the Judiciary. I hope it will be passed by the Senate.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 1566) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Naturalization Act, Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fees. Upon the granting of permanent residence to such aliens, as provided in this act, the Secretary of State shall instruct the proper quota-control officer to deduct five numbers from the appropriate quota for the first year that such quota is available.

ADMISSION INTO THE UNITED STATES OF CERTAIN ALIEN CHILDREN

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 383, House Joint Resolution 289.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 289) to facilitate the admission into the United States of certain alien children.

Mr. JOHNSON of Texas. Mr. President, before action is had on the joint resolution I should like to make a brief statement.

The purpose of the joint resolution is to grant to four minor children adopted or to be adopted by United States citizens the status of nonquota immigrants, which is the status normally enjoyed by the alien minor children of citizens of the United States.

The Committee on the Judiciary has carefully considered the measure, and recommended its enactment. I hope the Senate will act favorably.

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 289) was ordered to a third reading, read the third time, and passed.

SHEW SHEI LAN AND CHOW SHONG YEP

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 384, Senate bill 1581.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 1581) for the relief of Shew Shei Lan and Chow Shong Yep, which had been reported from the Committee on the Judiciary with amendments in line 4, after the word "Act," to strike out "Shew" and insert "Sheu," so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of sections 201 (a) and 202 (b) of the Immigration and Nationality Act, Sheu Shei Lan and Chow Shong Yep shall be deemed chargeable to the quota for the Asia Pacific triangle.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill, as amended, is to enable Sheu Shei Lan and Chow Shong Yep to enjoy the immigration status of persons born within the Asia Pacific triangle. The purpose of the amendment is to correct the spelling of one name.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Sheu Shei Lan and Chow Shong Yep."

CECELIA VACCARO

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 385, H. R. 1451.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 1451) for the relief of Cecelia Vaccaro.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to enable a former native-born citizen of the United States to regain her United States citizenship which was lost by voting in a foreign election on April 1, 1946.

I hope the bill will be favorably acted upon.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 1451) was ordered to a third reading, read the third time, and passed.

ELLEN G. MARINAS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 386, H. R. 1765.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 1765) for the relief of Ellen G. Marinas.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to deem Ellen G. Marinas to be the minor alien child of her father, a citizen of the United States.

I hope the bill will be favorably acted upon. It has been favorably recommended by the Committee on the Judiciary.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 1765) was ordered to a third reading, read the third time, and passed.

ELDA MONDILLO

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 387, H. R. 1837.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 1837) for the relief of Elda Mondillo.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to deem Elda Mondillo to be the minor alien child of her father, a citizen of the United States.

The bill has been favorably reported by the Committee on the Judiciary. I hope it will be acted upon by the Senate.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 1837) was ordered to a third reading, read the third time, and passed.

MRS. THEODORE ROUSSEAU

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 388, H. R. 1359.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 1359) for the relief of Mrs. Theodore (Nicole Xantho) Rousseau, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Mrs. Theodore (Nicole Xantho) Rousseau shall be deemed to be within the purview of section 354 (3) of the said act.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill, as amended, is to place the beneficiary within a category of persons exempt from certain expatriating provisions of the immigration laws, to which exemption she would normally be entitled, were it not for the fact that she was formerly a citizen of the country in which her foreign residence is located. The bill has been amended in accordance with the suggestion made by the Department of State.

The Committee on the Judiciary favorably recommends the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ALESSANDRO RENDA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 407, Senate bill 18.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 18) for the relief of Alessandro Renda.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to grant the status of permanent residence in the United States to Alessandro Renda. The bill provides for an appropriate quota deduction and for the payment of the required visa fee. The bill also provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge.

The bill has been favorably recommended by the Committee on the Judiciary.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 18) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Alessandro Renda shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available. A suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Alessandro Renda in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act.

KYU YAWP LEE AND HIS WIFE HYUNG SOOK LEE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 408, Senate bill 250.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 250) for the relief of Kyu Yawp Lee and his wife, Hyung Sook Lee.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to grant the status of permanent residence in the United States to Kyu Yawp Lee and his wife, Hyung Sook Lee. The bill provides for appropriate quota deductions and for the payment of the required visa fees.

I hope the bill will be approved by the Senate.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 250) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Kyu Yawp Lee and Mrs. Hyung Sook Lee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

SUSANA M. UMANOS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 409, Senate bill 254.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 254) for the relief of Susana M. Umanos.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to grant the status of permanent residence in the United States to Susana M. Umanos. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 254) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Susana M. Umanos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

CONSIDERATION OF CERTAIN MEASURES ON THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it be in order for the clerk to call for consideration measures on the Senate Calendar from Order No. 410 through Order No. 433.

Mr. KNOWLAND. Mr. President, will the Senator from Texas agree to eliminate Calendar No. 415, Senate bill 931?

Mr. JOHNSON of Texas. Yes, eliminating Calendar No. 415, Senate bill 931. I refer to all those Calendar items with the exception of Calendar No. 415.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

FUMIKO SHIKANUKI

The Senate proceeded to consider the bill (S. 255) for the relief of Fumiko Shikanuki.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement on the purpose of the bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to enable the fiancée of a United States citizen veteran of our Armed Forces to enter the United States for the purpose of marrying her citizen fiance and to thereafter reside in the United States.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 255) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Fumiko Shikanuki, the fiancée of Robert George Cartee, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Fumiko Shikanuki is coming to the United States with a bona fide intention of being married to the said Robert George Cartee and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Fumiko Shikanuki, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Fumiko Shikanuki, the Attorney General is authorized and directed to record the lawful admisison for permanent residence of the said Fumiko Shikanuki as of the date of the payment by her of the required visa fee.

GAETANO MATTIOLI CICCHINI

The Senate proceeded to consider the bill (S. 303) for the relief of Gaetano Mattioli Cicchini.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement as to the purpose of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to grant to the minor child adopted by a citizen of the United States the status of a nonquota immigrant which is the status normally enjoyed by alien minor children of United States citizens.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 303) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Gaetano Mattioli Cicchini, shall be held and considered to be the natural-born alien child of Frances Harriet Cicchini, a citizen of the United States.

KATARZYNA SIWIK

The Senate proceeded to consider the bill (S. 252) for the relief of Katarzyna Siwik, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "act," to insert a colon and "*Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Katarzyna Siwik may be granted a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement as to the purpose of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to one who is afflicted with tuberculosis in behalf of the mother of a United States citizen veteran of our Armed Forces. The bill also provides that the beneficiary will submit to any necessary medical treatment for her tubercular condition and provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MIYAKO UEDA OSGOOD

The Senate proceeded to consider the bill (S. 284) for the relief of Miyako Ueda Osgood, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That in the administration of the Immigration and Nationality Act, Miyako Ueda Osgood, widow of John David Osgood, a deceased United States citizen who served honorably in the Armed Forces of the United States, shall be deemed to be a nonquota immigrant.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement as to the purpose of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to grant the status of a nonquota immigrant to Miyako Ueda Osgood which is the status she would be entitled to were it not for the death of her husband. She is the widow of a United States citizen who served honorably in the Armed Forces of the United States.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIA MATILDE PICALLO

The Senate proceeded to consider the bill (S. 286) for the relief of Maria Matilde Picallo, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph 9 of section 212 (a) of the Immigration and Nationality Act, Maria Matilde Picallo may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement as to the purpose of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to the commission of crimes involving moral turpitude in behalf of the mother of a lawful permanent resident of the United States. The bill has been amended in accordance with established precedents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF INTERSTATE COMMERCE ACT, AS AMENDED

The Senate proceeded to consider the bill (S. 939) to amend section 22 of the Interstate Commerce Act, as amended, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment to strike out all after the enacting clause and insert:

That section 22 of the Interstate Commerce Act, as amended (49 U. S. C. 22), is further amended by inserting after the section designation the figure (1) and by adding at the end thereof the following:

"(2) All quotations or tenders under paragraph (1) of this section for the transportation, storage, or handling of property or the transportation of persons free or at reduced rates for the United States Government, or any agency or department thereof, including quotations for retroactive application whether negotiated or renegotiated after the services have been performed, shall be in writing or confirmed in writing and a copy or copies thereof shall be submitted to the Commission by the carrier or carriers offering such tenders or quotations in the manner specified by the Commission. Submittal of such quotations or tenders to the Commission shall be made concurrently with submittal to the United States Government, or any agency or department thereof, for whose account the quotations or tenders are offered or for whom the proposed services are to be rendered. Such quotations or tenders shall be preserved by the Commission for public inspection. The provisions of this paragraph shall not apply to any quotation or tender which, as indicated by the United States Government, or any agency or department thereof, to any carrier or carriers, involves information the disclosure of which would endanger the national security."

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement as to the purpose of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to amend section 22 of the Interstate Commerce Act (49 U. S. C. 22) under which the United States Government and State or municipal governments are allowed free or reduced rates from carriers subject to the Interstate Commerce Act for the carriage, storage, or handling of property. In addition, the section allows the United States Government transportation of persons at free or reduced rates.

The terms of the bill, as introduced, would limit the granting of such free or reduced rates to time of war or national emergency, as declared by Congress or the President. Further, the bill would provide that any rates, fares, and charges, and rules, regulations, and practices made under section 22 "shall be conclusively presumed" to be lawful and not subject to attack, except for fraud or clerical mistake, after the date of their acceptance or agreement by duly authorized Government officials. Further, the measure would provide that such arrangements under section 22 could be canceled upon not less than 90 days' written notice by any of the parties thereto. Finally, S. 939 would prevent consideration of the reduced rates, fares, and charges as evidence of lawfulness of other rates, fares, and charges and would provide that enactment of the bill would have no effect on transactions other than those carried out under its provisions.

The proposal incorporating the terms of S. 939, introduced at the request of the Interstate Commerce Commission, is contained in Interstate Commerce Commission Legislative Recommendation No. 3, page 160, 70th Annual Report to the Congress. Public hearings were held by the Surface Transportation Subcommittee, and all desiring to testify were heard.

In view of the record made in the hearings, the Committee on Interstate and Foreign Commerce cannot approve S. 939 as originally introduced. The provisions of the bill for limiting free or reduced rates on traffic for United States, State, or municipal governments to time of war or national emergency does not seem to constitute necessary legislation because the problems of these governments as shippers are markedly different from those of commercial shippers subject to the Interstate Commerce Act. Likewise, the terms of the bill that would leave these governments practically without recourse upon acceptance of a section 22 quotation are certainly not in the public interest. The taxpayer, we believe, should not be accorded a shorter period of limitation than the 2 years accorded commercial shippers.

The Committee therefore recommends that in lieu of S. 939 a new paragraph be added to section 22 of the Interstate Commerce Act that would require carriers to submit to the Interstate Commerce Commission copies of section 22 quotations simultaneously with their submittal to the agencies and departments of the United States Government. The Commission would not have any regulatory authority over rates made under section 22, but would be required to make such section 22 tenders or quotations available for public examination. Carriers would not be required to submit to the Commission tenders or quotations under section 22 applicable solely for traffic of State or municipal governments. Nor would carriers be required to submit to ICC copies of such tenders or quotations, disclosure of the contents of which the Government agency involved indicated would endanger national security.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF UNIVERSAL MILITARY TRAINING AND SERVICE ACT

The Senate proceeded to consider the bill (H. R. 6548) to amend the Universal Military Training and Service Act, as amended, as regards persons in the medical, dental, and allied specialist categories.

Mr. JOHNSON of Texas. Mr. President, the purpose of H. R. 6548 is to authorize the President until July 1, 1959, to issue special calls for physicians and dentists and other allied specialists who are otherwise liable for induction under the regular draft. Under existing law the President has no authority to induct persons from among the various age groups on the basis of their professional or technical skill. The bill will provide such special authority with regard to physicians and dentists and other allied specialists. It is expected that this legislation will operate in a manner similar to the doctor draft law under which commissions will be offered to all physicians and dentists who are qualified to receive a commission.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 6548) was ordered to a third reading, read the third time, and passed.

PERMISSION FOR RETIRED OFFICER OF THE NAVY TO BE EMPLOYED IN COMMAND STATUS AT PORT LYAUTEY, MOROCCO

The Senate proceeded to consider the bill (H. R. 7505) to permit a retired officer of the Navy to be employed in command status at Port Lyautey, Morocco.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement as to the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of this measure is to permit Capt. Christian Harold Duborg to remain in a command status at Port Layutey, Morocco, after he has been placed on the retired list.

Capt. Christian Harold Duborg is now in command at United States Naval Activities, Port Lyautey, Morocco. He is required to be retired from the Navy on June 30, 1957, after having completed 30 years of service. Captain Duborg has been participating with the Department of State and other elements of the Department of Defense in negotiations with the Moroccan and French Governments on military base rights. It is anticipated that these negotiations will continue for some time after the date on which Captain Duborg will retire. His experience and familiarity with the subjects of the base-rights negotiation make desirable his continued retention in command there.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

AUTHORIZATION FOR APPROPRIATIONS TO CONSTRUCT OFFICE BUILDING FOR ATOMIC ENERGY COMMISSION—BILL PASSED OVER

The bill (S. 1918) to amend Public Law 31, 84th Congress, to increase the authorization for appropriations to the Atomic Energy Commission for the construction of a modern office building in or near the District of Columbia to serve as its principal office was announced as next in order.

Mr. KNOWLAND. Mr. President, I think we should have an explanation of this bill.

Mr. JOHNSON of Texas. I ask that the bill be passed over. The amount involved does not bring the bill within the category of the others, and I ask that action on this measure be deferred.

The PRESIDING OFFICER. The bill will be passed over.

CHRISOULA ANTONIOS CHEGARAS

The Senate proceeded to consider the bill (S. 904) for the relief of Chrisoula Antonios Chegaras.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a statement as to the purpose of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to grant to the child adopted by citizens of the United States the status of a nonquota immigrant, which is the status normally enjoyed by alien minor children of United States citizens.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Chrisoula Antonios Chegaras shall be held and considered to be the natural-born minor alien child of Antonios Chegaras, a citizen of the United States.

ANGELA FERRINI

The Senate proceeded to consider the bill (S. 336) for the relief of Angela Ferrini, which had been reported from the Committe on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 101 (b) of the Immigration and Nationality Act, Angela Ferrini shall be held and considered to be within the purview of section 101 (a) (27) (A) of the said act.

So as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 101 (b) of the Immigration and Nationality Act, Angela Ferrini shall be held and considered to be within the purview of section 101 (a) (27) (A) of the said act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement as to the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to enable Angela Ferrini, the daughter of a United States citizen, to enter the United States as a nonquota immigrant which is the status normally enjoyed by the alien minor children of United States citizens. The purpose of the amendment is to clarify the language of the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELISABETH TROUT

The Senate proceeded to consider the bill (S. 418) for the relief of Elisabeth Trout, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be," to insert "issued a visa and be," so as to make the bill read:

Be it enacted, etc., That, nothwithatanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Elisabeth Trout may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement as to the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to convictions of crimes involving moral turpitude in behalf of the wife of a United States citizen. A further purpose of the bill is to grant to the minor children adopted by a citizen of the United States the status of nonquota immigrants which is the status normally enjoyed by alien minor children of United States citizens. The bill has been amended in accordance with established precedents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILHELMINE ALDRIDGE AND OTHERS

The Senate proceeded to consider the bill (S. 627) for the relief of Wilhelmine Aldridge, and her minor children, Irene S. Aldridge and Ingebert Kathe Aldridge, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Wilhelmine Aldridge may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That the provisions of this section shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of enactment of this act.

SEC. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Irene S. Aldridge and Ingeborg Kathe Aldridge, shall be held and considered to be the natural-born alien children of John Aldridge, a citizen of the United States.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to convictions of crimes involving moral turpitude in behalf of the wife of a United States citizen. A further purpose of the bill is to grant to the minor children adopted by a citizen of the United States the status of nonquota immigrants which is the status normally enjoyed by alien minor children of United States citizens. The bill has been amended in accordance with established precedents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

URSULA ROSA PAZDRO

The Senate proceeded to consider the bill (S. 660) for the relief of Ursula Rosa Pazdro, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, not withstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Ursula Rosa Pazdro may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

Mr. JOHNSON of Texas. I ask unanimous consent to have printed in the RECORD at this point a brief explanation as to the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to a conviction of crimes involving moral turpitude in behalf of the wife of a United States citizen member of our Armed Forces. The bill has been amended in accordance with established precedents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JEFFREY CHARLES MEDWORTH

The Senate proceeded to consider the bill (H. R. 1454) for the relief of Jeffrey Charles Medworth, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Jeffrey Charles Medworth, a British subject who was born in India, shall be deemed to have been born in Great Britain.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to deem Jeffrey Charles Medworth to have been born in Great Britain. The bill has been amended in accordance with established precedents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELEANOR M. HORTON

The Senate proceeded to consider the bill (S. 520) for the relief of Eleanor M. Horton, which had been reported from the Committee on the Judiciary with amendments in line 3, after the word "provisions", to strike out "of paragraphs (9) and (10)"; in line 4, after the letter "(a)", to insert "(9)", and in line 5, after the word "be", to insert "issued a visa and be"; so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Eleanor M. Horton may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraphs known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to the conviction of crimes involving moral turpitude in behalf of the wife of a United States citizen member of our Armed Forces. The bill has been amended to delete reference to section 212 (a) (10) which does not apply and has been amended further in accordance with established precedents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIA MANIATES

The Senate proceeded to consider the bill (S. 1083) for the relief of Maria Maniates, which had been reported from the Committee on the Judiciary with amendments in line 4, after the word "act," to strike out "the minor child,"; in line 5, after the name "Maria," to strike out "Maniates," and insert "Maniates", and in line 6, after the word "natural-born", to insert "minor"; so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Maria Maniates shall be held and considered to be the natural-born minor alien child of Mr. and Mrs. Philip Maniates, citizens of the United States.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement as to the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to grant to the child adopted by citizens of the United States the status of a nonquota immigrant, which is the status normally enjoyed by alien minor children of United States citizens. The bill has been amended to clarify the language. They presently reside in Winchester, Mass.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 272) for the relief of certain aliens.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the joint resolution.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the joint resolution is to grant the status of permanent residence in the United States to 7 persons, and to cancel deportation proceedings in the case of 2 persons. The joint resolution provides for the payment of the required visa fees and for the appropriate quota deductions, where necessary. In two cases included in the joint resolution, provision is made for the posting of bonds as a guaranty that the beneficiaries will not become public charges.

The PRESIDING OFFICER. The question on the third reading and passage of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 308) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the joint resolution.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the joint resolution is to waive the excluding provision of existing law relating to the commission of crimes involving moral turpitude in behalf of four aliens. In one case the joint resolution also waives the excluding provisions relating to one who has been deported and has received a visa by fraud. In one of the cases, the beneficiary is to be admitted to the United States temporarily for the purpose of marrying her United States citizen finance.

The PRESIDING OFFICER. The question is on the third reading and passage of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 274) to waive the provision of section 212 (a),

(9) of the Immigration and Nationality Act in behalf of certain aliens, which had been reported from the Committee on the Judiciary with amendments on page 1, line 11, after the name "Giordano," to insert "and," and on page 2, line 1, after the name "Spensier," to strike out the comma and "and Mrs. Anna Hoczak Aumueller Cathey."

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the joint resolution.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the joint resolution, as amended, is to waive the excluding provision of existing law relating to the commission of crimes involving moral turpitude in behalf of 16 persons who are spouses of United States citizens or lawfully resident aliens. The joint resolution has been amended to delete the name of one alien whose case was included in the joint resolution as it passed the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

JOINT RESOLUTION AND BILL PASSED OVER

The joint resolution (H. J. Res. 290) for the relief of certain aliens was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask that the joint resolution be passed over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 2194) to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I understand that the distinguished senior Senator from Wisconsin [Mr. WILEY], the ranking minority member of the Committee on Foreign Relations and former chairman of that fine committee, is present in the Chamber and ready to address himself to the pending bill.

Mr. WILEY. Mr. President, I rise to support the chairman of the Foreign Relations Committee [Mr. GREEN] who has spoken on the Mutual Security Act of 1957.

The report itself goes into detail and shows the various items, so I shall not attempt to analyze, or even support, the various items specifically.

I have sat in this body time and again and listened to irresponsible criticism and put the label of "giveaway" on foreign aid. Time and again, I have seen magazine and newspaper articles pick up a few instances of mismanagement and then blast the whole aid program as a waste of taxpayers' money. I have seen the results of this irresponsibility in my own State and throughout the country. In fact, I am seeing it now. One of the candidates for the high office of United States Senator says he is coming down to Washington and do away with the whole foreign-aid program.

Let us see what the foreign-aid program is about. Let us go into the question from the standpoint of applying the law of self-preservation to this beloved country of ours.

Because so many people have used the expression "giveaway" there are many who wonder why we give away billions to foreign countries, when we need so many things at home, and when we could all stand a tax cut. I wish to answer that question very briefly.

By and large, the people are not being misled by this Nation. The people are wiser than some give them credit for being.

There are those who are being misled by erroneous statements of those who should know better, to the point where more and more they are ready to jeopardize the security—and I use that word advisedly—and the welfare of the Nation for a mythical saving on this program.

Those who are more interested in the sensational than the sane can take credit for this development. They can also prepare themselves for a fearful retribution from the American people, if their irresponsibility and misinformation should get this Nation into serious trouble.

The Nation is headed for trouble—and serious trouble—unless we get the facts straight on the mutual assistance program. What we need is a little less heat and a great deal more light. Let us have some understanding of what we are trying to do with the aid program before we start shooting at it from the hip. Let us find out in whose interest this program really is before we throw it out the window. Let us ask ourselves some searching questions. Is this program really foreign aid, or is it mostly American interest?

Those are the questions every citizen has a right to ask when he pays his taxes.

Let us take the first charge, that we are giving away billions of the taxpayers' dollars. That is enough to give concern to the American people and to the Congress, and it should.

But what we do find if we look below this sensational charge? We find, first, that almost all the money appropriated under the program is spent here in the United States. These funds are spent for tractors, for conveying, for mining, and for construction equipment, and for other products of our industry. They pay for aircraft, engines, and parts. They are used for shipping charges paid to American merchant marine companies. All in all, it has been estimated that 600,000 workers are employed in the United States, directly or indirectly, as a result of mutual aid expenditures.

These appropriations also go to buy wheat, corn, cotton—yes, and diary products—for shipment abroad. At the present time, this country exports $2 billion worth of agricultural products. Of the principal commodities, 60 or 70 percent are exported under one kind of aid program or another.

What does all that add up to? If we cut off these aid programs, we would have to figure out new ways of supporting the aircraft industry, the shipping industry, agriculture, and other economic activities. We would have to do this unless we were willing to see a serious industrial decline; unless we were willing to see the surplus of wheat and corn and other crops start mounting again.

Let me make it clear that I am not suggesting that the mutual aid program is or ought to be a make-work project or a device for disposing of agricultural surpluses.

The point I am trying to make is that most of the billions of so-called giveaways stay right here at home. They make an impact upon our economy. They provide jobs. They add to our economy. They add to the economic current of the Nation. They serve the American economy, as well as provide aid to friendly nations abroad. I say it is better for us to have this program, which can do some good in the world, instead of seeing American factories stand idle and to have food rotting in the warehouses.

Or perhaps the critics of this program would rather dump the food into the sea or burn it.

When products are sent abroad under the program, what are they used for? They go to feed the hungry. They clothe the naked. They help other nations to rehabilitate and develop themselves. They help our friends. They help them stay free. That is what they did in Western Europe under the Marshall plan. That is what they did in Korea and in Formosa and in the Philippines, and in Indochina. Is that what the critics object to?

Would they rather have this country try to maintain itself as an island of plenty and freedom in a sea of human misery and totalitarianism? How long do they think we could hold out in that kind of fool's paradise?

I might say parenthetically, Mr. President, that today it was my privilege to be the guest at a luncheon where there were some 8 or 9 fine young men from Minnesota, and 1 from my own State of Wisconsin. They are studying foreign relations and foreign policies. They asked some questions. One of them said, "Senator, what is the difference in the world as between now and when you came to Washington some 18 years ago?"

I had to tell him that when I came to Washington it took 45 days to travel around the world; now it can be done in 44 hours. When I came to Washington, Wisconsin and Minnesota were isolated mentally and physically. Now there are only a few mental isolationists left. We are more vulnerable to attack over the great circle route than is New York City.

Then I discussed with these young people the fact that all this was before

the bomb exploded at Hiroshima, when 90,000 lives were snuffed out. Now the H-bomb is many times more powerful. Now we are neighbor to every other nation in the world.

As a consequence, it is imperatively necessary that we appraise the facts and do what is necessary to secure our own safety. It is in the interest of our security that the mutual security program be put into operation.

They asked many other questions. The young mind is alert to the changed world conditions in which we live. I am glad to see it. What we are spending is contained in a budget which, compared to the national income, is the smallest such budget in years.

Then these young people asked, "Senator, are we not self-sufficient ourselves, and able to look after ourselves?"

I said, "Of course not. We do not have on this continent the necessary vital materials with which to build the things which are necessary."

I told them that that is one reason why, under the Eisenhower program, we have said to the Kremlin, "Keep out of the Middle East." That is where 70 percent of the known oil reserves are located. If the Kremlin gets control of that oil and can choke off Europe, it will have a passageway to Africa, where are found the highly vital strategic materials we must have.

Consequently, I had to impress them with the fact that we are not living unto ourselves; that we could not, if we tried. The world has changed. With that change there has come a change in our responsibilities. The mutual-security program is one of those responsibilities.

Let me say to those who contend we can live unto ourselves alone: Will we be able to stand alone in a world in which jet planes span the Atlantic in a matter of hours, when Milwaukee and Minneapolis are natural targets for guided missiles coming over the polar route from Russia, and when those cities are only 5 or 6 hours from the bombers in Siberia?

Therefore we must do the things that are necessary. We are spending from thirty-five to forty billion dollars on our military program. A part of the mutual assistance is the military program.

I say to the critics of the program: Do they object to the fact that it builds a degree of military resistance to communism? Would they rather we tried to provide the resistance all by ourselves? We could not do that.

That is what would be involved if we tried to do it. In the first place, the aid programs help other non-Communist nations to maintain 200 divisions under arms. Do critics know what it would cost to enlarge our own Armed Forces by that number? The cost would run many times the price of the aid program. It costs something like $3,500 a year to feed, clothe, and house the average American soldier under arms. It costs $105 a year to feed a Turkish soldier. I have been told that for the price of maintaining 1 American division, it is possible to maintain 10 Turkish divisions. All these are facts which we must consider in the shrunken world in which we are neighbor to every other nation.

What price do the critics put on the bases in Europe, in the Middle East, and in Asia, which are essential to our military operations in the event of war? Do they think the friendly countries which make these bases available to us will meet us half way if we fail to meet them half way?

But more important than the dollars and cents considerations of foreign aid is the spiritual struggle in which the world finds itself. We are locked in battle for the loyalty and devotion of men to freedom and to totalitarianism. Mutual-aid programs foster an esprit de corps among free peoples everywhere. They strengthen the bonds of freedom. They help to knit the community of free nations closer together. We need friends in this world, just as other nations need friends. We can expect others to be friends and to be considerate of our needs only as we are considerate of theirs.

Let the critics of this program turn inward in their petty and narrow views of this program. They are out of step with the great majority of the American people. What is more, they have blinders on their eyes and do not see what the program has accomplished and will accomplish. They twist and distort the greatness of heart, the nobility of spirit, and the openness of the humanity of the people of the United States.

Once the American people know the whole facts, however; once they know that these programs are not an extravagant giveaway, but are a national necessity, they will support the foreign-aid program. They will know it is a program to keep America free. When the people understand that, they will support the mutual-assistance program. They will support it, as the Senate will support it, because it is in the interest of the United States of America, our Nation, and we in the Senate have the responsibility to make certain that we take the steps which are necessary to preserve our country in this atomic age.

It was not long ago, while the Committee on Foreign Relations was interrogating the Secretary of State, that I called attention to the fact that after Pearl Harbor the United States had 2 years in which to get ready to "pick up the pieces." I asked the Secretary how long we would have to get ready now.

He said, "It is only a matter of minutes. We have to be ready."

So, Mr. President, in considering what is needed for our self-defense, and to make us self-sufficient by building ourselves so strong that no other nation will attack us, the mutual-assistance program is a part and parcel of that defense.

In the interests of freedom, humanity, and peace, I shall vote for the bill.

ADJOURNMENT TO 9:30 A. M. TOMORROW

Mr. KNOWLAND. Mr. President, if there are no other remarks to be made, then, pursuant to the order previously entered, I move that the Senate stand in adjournment.

Mr. JOHNSON of Texas. Mr. President, I had hoped that some other Senators would be present to address themselves to this very important measure. I dislike to have the Senate adjourn so early.

Mr. KNOWLAND. There are some important committee meetings to be held this afternoon.

The PRESIDING OFFICER. The question is on the motion of the Senator from California.

The motion was agreed to; and (at 3 o'clock and 54 minutes p. m.) the Senate adjourned, the adjournment being, under the order entered on June 10, 1957, until tomorrow, Thursday, June 13, 1957, at 9:30 o'clock a. m.

CONFIRMATION

Executive nomination confirmed by the Senate June 12, 1957:

SECURITIES AND EXCHANGE COMMISSION

Andrew Downey Orrick, of California, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1962.

EXTENSIONS OF REMARKS

The People-to-People Foundation

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Wednesday, June 12, 1957

Mr. WILEY. Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD a statement I have prepared regarding the outstanding work of the People-to-People Foundation, together with several exhibits I desire to have printed along with my statement.

There being no objection, the statement and exhibits were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

THE OUTSTANDING WORK OF THE PEOPLE-TO-PEOPLE FOUNDATION

I am pleased to report new evidence of the splendid accomplishments of the people-to-people program.

I had been pleased to discuss this subject. It will be recalled, on April 29, as reflected on page A3131 of the daily CONGRESSIONAL RECORD.

Later I had made reference to it on May 31, as indicated on pages A4210–A4212 of the daily RECORD.

FORTY-TWO OUTSTANDING LEADERS

Since then I have been in touch with many of the 42 committee chairmen—leading figures in all walks of life—who are spearheading two-way international communication in every known area of human activity.

I should like to mention now a few of their responses.

WHAT THE INSURANCE INDUSTRY IS DOING

Mr. Frederic W. Ecker, the distinguished president of the Metropolitan Life Insurance Co., reported that a letter and enclosures on the people-to-people program had been sent to 5,000 insurance companies throughout our country, and to certain organizations overseas.

Mr. Ecker wrote, in a letter of June 6 to me: "The response to my letter of March 4 has been most gratifying. We have heard, in the most enthusiastic terms, from a great many insurance companies all over the country. I feel sure that most of them have taken some positive action along the lines we have suggested in the leaflet, What We Can Do. Also, stories have appeared in the insurance press throughout this country and, in some cases, overseas telling about the people-to-people program and about the activities of the insurance committee."

VARIED PUBLIC RELATIONS COMMITTEE WORK

Mr. Edward L. Lipscomb, of the National Cotton Council of America, described the broad-gaged activity of the public relations committee, of which he is chairman. For example, a four-page leaflet created by his committee is being distributed through the cooperation of the transportation industries committee in no fewer than 1 million copies.

"Within the next few days," he writes, "50,000 companion posters" are being printed.

A helpful four-page bulletin entitled "People-to-People News," produced by the public relations committee, is being sent to the key individuals engaged in this effort throughout our land.

LETTER WRITING OVERSEAS

From the chairman of the letter writing committee, Mrs. Anna Lord Straus, came word that her group will be more than happy to receive requests for overseas correspondents—requests which may come in to various Congressional offices—for overseas correspondents.

These requests from our constituents will be acted upon by arranging for the American letter writers to be put in touch with people of other countries.

GOOD WORD FROM EDUCATION COMMITTEE

From Miss Corma Mowrey, cochairman of the people-to-people education committee, came word: "We are grateful for your comments to the Senate."

And then the encouraging word that "This program has unlimited possibilities."

BOOK COMMITTEE REPORTS

From Mr. George Brett, chairman of the book committee of the People-to-People Foundation, came the good word, "When I say worthy cause, I feel that the PPP is just that. It does seem to me that the people of the United States could, through this magnificent idea of the President, effect a great deal of good will throughout the world." Various publishers, librarians, and other individuals in related fields are working with Mr. Brett.

MANY HOBBYISTS AT WORK

From Mr. Harry L. Lindquist, chairman of the hobbies committee, came a leaflet describing how American stamp collectors, coin collectors, people interested in antiques, models, prints and etchings, outdoor sports, photography, gardening, painting and sculpture, toolwork, printing, needlework, nature studies, ham radio, and many other fields, are beginning to take hold of the immense opportunities available to them to contact their opposite numbers abroad, through the PPP.

These, then, are but a few samples of how these outstanding American leaders are forging ahead in welding constructive links with people overseas.

LATEST FOUNDATION BROCHURE

I attach hereto two items which I believe will further illustrate this program. The first is the brochure which has just been printed by the foundation. I append to it the press release from Mr. Charles E. Wilson, as issued through the office of Mr. Ed Kirby at foundation headquarters, in room 603 of the Carnegie Hall Building, 881 Seventh Avenue, New York City.

The second is an illustration of what one of the committees can do, and is doing. It consists of the leaflet conveyed to me by Mr. Ecker, chairman of the insurance committee, to which I made reference at the outset.

MANY SENATORS INTERESTED

It is my intention at a later date to comment to the Senate on additional progress of the foundation, and I am asking one of the professional members of the Foreign Relations Committee staff as well, to extend further cooperation with this grand program. I know that my brother Senators on this committee and on other committees are proud, as I am proud, of this grassroots good-will effort.

STATEMENT FROM THE PEOPLE-TO-PEOPLE FOUNDATION, INC., ROOM 603, CARNEGIE HALL, 881 7TH AVENUE, NEW YORK, N. Y., MONDAY, JUNE 10, 1957

"People make the world go around, and it's high time people all over the world get to know each other—the sooner the better," said Charles E. Wilson, president of the People-to-People Foundation, Inc., in releasing an information brochure today, telling how it operates.

The "people-to-people" idea was conceived last fall when President Eisenhower appealed to a group of national leaders representing all phases of American social, civic, economic, and religious life to find not one method, but thousands of methods, by which people can gradually learn a little bit more about each other and thus create a friendlier world environment in which governments may find solutions for peace.

The foundation was subsequently chartered as a privately operated and financed corporation, nonpartisan and nonsectarian, designed to assist those agencies with programs and people already at work in the international exchange field, and to stimulate additional two-way communication between the American people and their world neighbors.

"Our American people want to know more about the people and the world we live in. To bring this about, 42 committees have been established to arouse two-way communication in every known area of human activity; 1,000 volunteer workers are now engaged in developing programs which will invite reciprocal action and counterpart organizations in every country of the world," Mr. Wilson declared.

"The work of these 42 committees embraces practically every know field of human interest and human relations. We will start wherever people's interests begin, whether it be in biology or bird watching, farming, 4-H Clubs, fine arts, education, religion, youth activities, music, or in 1 or more of the 62 hobbies being actively pursued

"Our job is to help establish personal connections between these people through their known interests. From such common denominators of interests will come people-to-people understanding about each other's ways of life, jobs, church, children, and hopes for the future," he said.

"The mass-communications industries are also with us," Mr. Wilson added. "We are receiving excellent support from the advertisers, the press, motion pictures, radio, and television. Each has its own way of transmitting ideas, and all are needed in this massive communications effort to make friends for America and to give other peoples the opportunity to be seen and heard and make friends with us," he said.

"We have enlisted the technique of our famous cartoonists as a unique means of conveying ideas, and we are inviting the cartoonists in other countries to bring us their messages, as well.

"Some 35 million foreign-born and first-generation Americans are writing over 200 million letters a year to their relatives and friends in their old countries.

"Additional hundreds of thousands of letters are being written by 'pen-pals' all over the world, arranged through schools, clubs, and churches.

"This year we have 37,000 foreign students in our midst, future prime ministers and national leaders. Hundreds of communities throughout the United States are enlarging their hospitality programs accordingly. Many cities have engaged in affiliations with other cities in Europe, Japan, and the Pacific region, exchanging teachers, pupils, officials, music, and art.

"Our Armed Forces are cooperating with steps to improve community relations in the foreign lands where they are still on duty patrolling the peace of the world.

"The 2 million Americans who are traveling abroad this year have been reminded that they have a face-to-face opportunity to make a friend or an enemy for the 180 million of us who stayed at home.

"We sincerely believe that people all over the world are ready as they never have been to respond to a people-to-people understanding. They are weary of war and rumors of war. And they want each other, as well as their governments, to know it. They know that never again can man resort to war as a means of settling disputes. Neither can they afford much longer the staggering debt of new armaments to build up a Frankenstein machine of defense which dare not be unleased, lest civilization be cremated. I am sure they feel as President Eisenhower felt when he told us, 'Every bomb we can manufacture, every plane, every ship, every gun in the long run has no purpose other than negative: To give us time to prevent the other fellow from starting a war, since they know we won't.'

"I am certain," said Mr. Wilson, "we will find people have more things which draw them together than those which drive them apart. Fear of the atom bomb is one thing which links all men; so is the love of their children. The only sure way to a peaceful as well as to a more pleasant world in which to live is through people-to-people understanding," Mr. Wilson concluded.

WHAT YOU SHOULD KNOW ABOUT THE PEOPLE-TO-PEOPLE PROGRAM—HOW IT OPERATES, WHAT YOU CAN DO

Officers: Dwight D. Eisenhower, honorary chairman; William J. Donovan, chairman; Albert C. Jacobs, vice chairman; Charles E. Wilson, president; George V. Denny, Jr., Richard R. Salzmann, vice presidents; William J. Vanden Heuvel, secretary; John L. Weinberg, treasurer.

Directors: Dr. Louis H. Bauer, Al Capp, William J. Donovan, Albert C. Jacobs, Judge Juvenal Marchisio, Mrs. William Barclay Parsons, Frank Stanton, Charles E. Wilson.

WHAT IS THE PEOPLE-TO-PEOPLE PROGRAM?

It is a program launched by President Eisenhower at a White House conference in September 1956. It is designed to promote contacts and activities among individuals around the world which will further international understanding and friendship. Private in character, the program is distinct from official Government activity. At the White House conference about 50 leaders in various aspects of our economic, social, and cultural life who had been appointed chairmen were asked to organize committees to develop not one, but thousands of methods of people-to-people contacts through every avenue of communication. The President and the Secretary of State, after underscoring the natural limitations of the efforts of governments to maintain peace and to deal with the hazards of the present armaments race, called upon the committee chairmen to help create a climate in which governments can work more effectively toward securing peace with justice and liberty for all.

WHAT ARE THE COMMITTEES ACTUALLY GOING TO DO?

Each committee is autonomous and voluntary and is expected to initiate its own program in its particular field. For example: the letter writing committee is working with those organizations experienced in or desirous of stimulating person-to-person correspondence between individual Americans and individuals abroad. A nationalities committee, working with some 35 million foreign-born and first-generation Americans, is encouraging both letter writing and two-way travel to promote international friendship and understanding. The music, fine arts, cartoonists, books, and writers committees will promote the same objectives through both media and person-to-person exchanges. The advertising organizations, business organizations, business council for international understanding, the sports and youth committees, the transportation agencies and travelers committees will encourage emphasis on these objectives in worldwide conferences and meetings. The women's groups committee is undertaking a study of community reactions and resources concerning the thousands of foreign visitors, both students and leaders, who come to this country each year. The committee on medicine and health plans interchange at medical meetings and exchange of medical information. These are simply indicative of the variety and scope of the activities now in operation or planned by the 41 committees whose membership now includes nearly 1,000 distinguished leaders.

IS THE PEOPLE-TO-PEOPLE PROGRAM SOMETHING NEW?

No, it is not. People-to-people activities have been conducted by private organizations and also by Government for many years. The International Educational Exchange Service of our State Department will handle the exchange of some 6,000 persons this year (1957) and anticipates that this total will reach 8,500 next year. The Institute of International Education, a private, nonprofit agency which administers exchange-of-persons programs involving approximately 5,000 students, teachers, and others annually, has been in operation since 1919. It serves both Government and private organizations. The National Education Association, through its 74 units, conducts international educational conferences, administers an Overseas Teacher Relief Fund, conducts teacher travel tours in more than 50 countries, participates in student exchange programs, publishes pamphlets, guides, manuals, teaching devices which go to all parts of the world, and entertains more than 600 foreign visitors each year. The American National Theater and Academy (ANTA), through the President's fund and in cooperation with the State Department and USIA, sends representative artistic groups and individuals abroad to reflect the cultural side of American life to peoples of other nations, and arranges the appearances of similar groups from abroad before American audiences. Of course, churches and other religious organizations all have, as an integral part of their own life, people-to-people contacts around the world.

HOW THE PROGRAM DEVELOPED

During the past 10 years the National Agricultural Extension Service has developed the National 4-H Club Foundation which has sponsored, organized and carried on the International Farm Youth Exchange (IFYE), under which outstanding 4-H young people from our country are sent to live for some months with farm families in other lands, which in turn send some of their young people to live in farm homes in this country. In 1956 62 young Americans spent 5 months in European and Near East homes under this plan, and 77 from South America, Asia, and Latin America lived with us about the same length of time. The Experiment in International Living, the American Friends Service Committee, Rotary International, and the American Association of University Women are but four of many private American organizations which have pioneered successfully for many years in people-to-people activities. The Institute of International Education census, included in their publication Open Doors, shows for 1956–57 that there are about 38,000 foreign students now in our colleges and universities. With the technicians, specialists, and leaders brought under the International Cooperation Administration and other Government programs, and the foreign students here in secondary schools, the total figure for foreigners in all these categories coming to the United States annually is approximately 60,000.

THE PRESIDENT'S CALL TO THE PEOPLE

When President Eisenhower announced his people-to-people program at a White House conference last September, he was putting an emphatic stamp of approval on these and similar activities. Moreover, for the first time in history, the head of a great State called on the people, as private citizens, "to get together • • • to work out not one method but thousand of methods by which people can gradually learn a little bit more of each other." This is essentially the purpose of the people-to-people program.

WHY THE PEOPLE-TO-PEOPLE FOUNDATION?

It became apparent at once that such a vast program as that called for by the President would require equally substantial financing. The Government, through its various agencies, was spending an estimated $40 million on people-to-people activities, not including the Voice of America. Private organizations, whose activities were almost wholly unrelated, were spending an estimated $20 million. The need was clear for a central agency to raise funds from private sources and to provide machinery for ready exchange of ideas, techniques and inspiration. On February 4, 1957, the People-to-People Foundation, Inc., was formally organized with the committee chairmen serving as trustees, eight of whom were elected to the board of directors.

WILL THE FOUNDATION RAISE ALL THE MONEY FOR THE PEOPLE-TO-PEOPLE PROGRAM?

No. Each committee is independent and autonomous and may work through and with many organizations and institutions. Most of these have long established loyalties and sources of revenue. The foundation will seek financial support for new and effective methods of expanding and strengthening people-to-people contacts around the world, and for the increase and expansion of activities based on the sound principles developed over the years by the pioneers in the field. The foundation will assiduously avoid competition with any established people-to-people enterprises, government or private.

ARE PEOPLE-TO-PEOPLE FOUNDATIONS IN OTHER COUNTRIES ANTICIPATED?

Definitely. The people-to-people program is a two-way program. The United States has a great deal to learn from other cultures and peoples. Mr. Charles E. Wilson, president of the foundation, in a recent speech stated:

"I can envision, in the not too distant future, groups of individuals representing our 41 committees going to the 4 major areas of the world: Europe, the Near East, the Far East, and Latin America—to learn from personal association with the people themselves something of the truth about the situations in these areas. We want to sit down and talk with our world neighbors, to listen to whatever they have to tell us, to attend their sports events, their dances, their schools and churches, and to meet with them on their farms and in their factories. • • •

"And when we have set our programs in motion, may we not expect counterpart organizations to be established in other countries where people share our vision of a peace made secure through people-to-people associations?"

WHAT ABOUT CONTACTS WITH PEOPLE BEHIND THE IRON CURTAIN?

The object of the program is to establish understanding and friendship with people wherever they may be. But we all recognize that difficult problems exist with respect to reaching those peoples now living in police states. President Eisenhower recognized this in his talk last September when he said:

"In short, what we must do is to widen every possible chink in the Iron Curtain and bring the family of Russia, or of any other country behind that Iron Curtain, that is laboring to better the lot of its children—as humans do the world over—closer into our circle, to show how we do it, and then to sit down between us to say, 'Now, how do we improve the lot of both of us?'"

WHAT CAN BE ACCOMPLISHED THROUGH A PEOPLE-TO-PEOPLE PROGRAM?

President Eisenhower put it this way:

"Every bomb we can manufacture, every plane, every ship, every gun, in the long run has no purpose other than negative: to give us time to prevent the other fellow from starting a war, since we know we won't.

"The billions we pour into that ought to be supported by a great American effort, a positive, constructive effort that leads directly toward what we all want: a true and lasting peace."

STATEMENT FROM INSURANCE COMMITTEE, PRESIDENT EISENHOWER'S PROGRAM FOR PEOPLE-TO-PEOPLE PARTNERSHIP, 1 MADISON AVENUE, NEW YORK, N. Y., MARCH 7, 1957

Several thousand insurance chief executives were urged yesterday to integrate their company efforts with President Eisenhower's people-to-people program for better international relations.

In an appeal to the insurance executives, Frederick W. Ecker, president of the Metropolitan Life Insurance Co. and chairman of the Insurance Committee of the People-to-People Partnership Program, proposed a wide range of special activities which the insurance companies and their personnel could undertake toward development of better overseas relations. The proposed undertaking went to the officers of 4,225 accident and health, casualty, fire and life insurance companies, stock and mutual, throughout the country.

"The purpose of the program is to enlist the friendship-making and opinion-molding capacities of individual Americans in order that they and individuals in other countries may become mutually better acquainted," Mr. Ecker said. "The end in view is to help to build the road to an enduring peace. This is a job in international relations which can be done by all of us."

John A. Diemand, president of the Insurance Company of North America, is vice-chairman of the committee; Devereux C. Josephs, chairman, New York Life Insurance Co., is treasurer; and Chester L. Fisher, Jr., Metropolitan Life Insurance Co., is secretary.

The insurance company executives were urged continuously to reemphasize the statement by President Eisenhower, in launching this program, to the effect that "there is no problem before the American people—indeed,

before the world—that so colors everything we do, as does the problem of preserving the peace and providing for our own security."

The President was also quoted as saying that "if our American ideology is eventually to win out in the great struggle being waged between the two opposing ways of life, it must have the active support of thousands of independent private groups and institutions and millions of individual Americans acting through person-to-person communication in foreign lands."

A long list of possible activities for the insurance offices was proposed, including:

Survey of company personnel for language talents and foreign acquaintances.

Use of company house organs for messages.

Promotion of personal correspondence, person to person, by company personnel, to foreign contacts.

Greetings abroad on significant occasions.

Mailing inserts in overseas correspondence.

Contact booklets for personnel, policyholders, and stockholders.

Personnel exchanges.

Encouragement of travel, including possibility of extra vacation time for purpose of making foreign insurance contacts.

Hospitality programs, to welcome foreign visitors in this country.

Establishment of American bookshelves in foreign insurance offices, libraries, schools, and hospitals.

Book and magazine distribution overseas.

Social contacts, including son or daughter exchange-visits.

Insurance press and insurance meeting interchanges. Routing of some foreign-trade publications through the company offices.

Address by Hon. Chapman Revercomb, of West Virginia, Before the Southern Conference of Young Republicans Federation

EXTENSION OF REMARKS
OF
HON. CHAPMAN REVERCOMB
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Wednesday, June 12, 1957

Mr. REVERCOMB. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address I delivered before the Southern Conference of Young Republicans Federation, in Charleston, W. Va., on April 13, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

It gives me real pleasure, indeed, to address this regional conference of Young Republicans. The enthusiastic interest your organization has taken in the political life of the Nation is inspiring indeed, and I commend you for the splendid work you are doing. You are making a great contribution to the Republican Party and to the Nation's progress.

Youth has a very important place in the political life of our country. No institution, however noble its aims and objectives, can long survive or remain strong unless it attracts new vitality. The surest way to kill any institution is to close its doors to young people. You who are assembled here today represent the leadership of the Republican Party of the future. You are wanted—you are needed—for the Republican Party has a place for every American, young or old, from every walk of life, who believes in the basic principles that brought about our party's creation, and which have guided it for more than a century.

The Republican Party can have but one objective if it is to serve its purpose. That objective must be to provide good government in the best interest of all Americans including primarily the maintenance of the liberty of its citizens and the security of the Nation.

Any political party that is to survive for long must be motivated by two things.

One, it must subscribe to a set of basic principles that are vital to the welfare of the country.

Two, it must be capable of meeting new problems as they arise.

Our country is faced with new and serious problems, and we know that they must be solved. This is no time to argue over party labels. This is no time to expend our energies and dissipate our strength in intraparty dissension over trivial issues. We all subscribe to the sound basic principles that have defined the Republican Party from its inception, and as far as I am concerned, these principles are as adequate for meeting the problems of this day as they were for solving the problems that confronted the Nation 100 years ago.

Our first concern as a political party must be to govern well, to meet new problems as they emerge in this rapidly changing age.

Our second concern should be to maintain a strong, united party dedicated to the country's welfare.

Our third concern should be to interest more Americans, particularly young people, in those basic principles on which our party was founded.

Let me say at this point that no political party can justify its existence unless it proves capable of solving new problems as they arise. Eighteenth century thinking is insufficient to cope with 20th century needs. As each case is new, we must think anew and act anew.

The Republican Party was established on principles that provide the framework for achieving the greatest good for the greatest number of people, the old as well as the young, the man who meets a payroll as well as the man who works for a wage. Our concern must be as much for the welfare of those who are physically and mentally unable to care for themselves as for those who captain our industries. And I contend that there is room within the framework of the Republican Party for men and women of every age, of every walk of life, who believe in the basic principles which have guided our party all through the years.

And it is my conviction that within the framework of these basic principles we can find a solution to the problems of this century. However, we must recognize these problems and proceed to meet them headon with effective measures if we are to preserve the kind of America that we would like to leave to our posterity.

The big task facing the Republican Party today, as I see it, is twofold.

First, it is to work toward a condition of peace so that our people may not have to live under a cloud of atomic war. With peace in a practical world goes the necessity of strong defenses lest our desire for peace fails, and we are put to the use of arms for our security.

Second, it is to foster the kind of economic system that provides the greatest good for the greatest number.

In the field of foreign relations, we must recognize the fact that America cannot afford to go it alone. We must recognize the fact that alliances are as vital to our own security as they are to the freedom and security of other nations which subscribe to our way of living.

In the face of the ever-present threat of Communist enslavement, in the face of a constant danger of attack by nuclear weapons, isolationism is as impractical in the field of foreign relations as the horse and buggy are in today's industrial society. We must strive to live at peace with all nations, but to seek refuge in the belief that we can find security as an "island fortress" in this age of H-bombs and guided missiles is folly of the worst sort. We must go out to meet this dangerous expansion before it engulfs our own shores. That is the aim of the Eisenhower foreign policy. I believe that it offers the greatest security for America and, at the same time, provides the best approach to world peace.

We must support a strong national defense, so vital to the security and well-being of every American. It is true that almost two-thirds of the Federal budget now goes for defense purposes—but I say to you, in all earnestness, that so long as our freedom and security are threatened from without by those who would enslave all peoples, we cannot—we must not—weaken our defenses.

Equally as important as a strong defense is the fostering of a sound economy here at home.

In many parts of the world, even in non-Communist countries, the theory that government should be the source of all planning and all control has gained great headway. Yet, when we contrast the remarkable success of a free economic system in the United States with the comparative poverty and dissatisfaction in foreign nations, it is easy to see the superiority of our system of government. Liberty has succeeded in developing original thinking, original methods, and new ideas. It has succeeded in giving wide distribution of property and income to our people. It has brought about a steady rise in the standard of living enjoyed by all the people. We must conclude, therefore, that only the free can solve the problems of production.

During the past 4 years of the Eisenhower administration the country has enjoyed its greatest industrial expansion in history. The output of goods and services has set one record after another. Employment has reached an all-time high. Our people earn higher wages than ever before—they are better fed, better clothed, and better housed than ever before. The Nation's industrial capacity continues to expand at a healthy rate, creating new jobs for a rapidly growing population. According to the latest report from the Department of Labor, nearly 800,000 more people were employed in March of this year than in March a year ago.

I consider it imperative, therefore, that we maintain a climate that is favorable to economic growth and expansion. For, let us remember that it is only by maintaining a strong, healthy productive industrial system that we can hope to improve the living standard of all the people. This country has advanced to a favored position among the nations of the world because the individual has enjoyed the right to keep the proceeds of his own efforts. To destroy that incentive is to invite economic decadence.

At the same time, we must recognize the importance of sound fiscal policies. We must seek to curtail Government spending wherever it can be achieved without weakening our defenses or impairing essential public services vital to the well-being of the people.

Foreign spending for economic aid to others can be curtailed. Not only are those countries now on their financial feet but they have risen to new heights of economic soundness.

We must think not only in terms of operating under a balanced budget, we also must look to retirement of the national debt—and we must look to the earliest possible relief for the tax burden our people are bearing.

In our desire to effect economies, however, we must exercise caution. The meat-ax approach to budget cutting is neither wise nor practical. I am for reducing the budget, to be sure, but I do not favor postponing or eliminating those public-works projects which add to the Nation's wealth, which provided jobs for our people, and which are vital to the economic expansion of the country. Improved highways, for example, are a necessity. They cost a great deal of money, but those who call for great reductions in Federal spending would be the last to say that we should junk the new Federal-highway program. On the contrary, this program should be accelerated as much as possible if our highway transportation system is to keep pace with the Nation's industrial growth. Likewise, conservation of our soil and water, for which a great deal of money is being spent, is too important to the Nation to neglect.

I cite these as examples of Federal programs that should not be eliminated or curtailed.

Living as we are, in a society that is highly industrialized, in which an overwhelming majority of our people must look to industrial employment for a livelihood, it becomes a responsibility of the people, through their government to care for those who are unable to care for themselves. It is a moral obligation of government to provide the minimum needs of the aged and the handicapped.

I believe the American people are convinced that with the tremendous productivity of our free country, we can prevent extreme hardship and poverty in the United States. I favor liberalizing the Social Security Act to permit all permanently disabled workers over 50 to receive benefits. How much better, it seems to me, to have these people qualify for disability pensions under social security than to compel them to depend on public relief, as so many are now required to do under the present rigid provisions of the social security law affecting disability benefits.

Another problem peculiar to our highly industrialized civilization is the decrease in job opportunities for those workers between the age of 40 and retirement. Many industries have shown a greater preference in recent years for younger workers, making it increasingly difficult for the older age worker to obtain new employment after he reaches the age of 40 or 45. This, perhaps, is not a problem that can or should be solved by legislation. However, it is imperative, I feel, that the older age group receive greater consideration in job opportunities if we are to prevent a needless waste in human resources and provide for this great body of citizens a feeling of reasonable security. We must recognize this as one of the human problems of the 20th century and seek its solution. The Government can and should take the lead in encouraging more job opportunities for the older age group on Government works and services, while private industry must be prevailed upon to recognize the growing seriousness of this problem and work toward its solution.

Still another problem we must recognize is that which faces small business in this age. Despite the high level of prosperity the country as a whole is enjoying, this segment of the business community is experiencing hardships.

The smaller business enterprises, employing only a few workers, are as vital to the Nation's economic well-being as the giant corporations employing thousands. They must be given encouragement to grow and prosper. There is no better way to assist small business, in my judgment, than to provide it with much-needed tax relief this year. It is my hope that general tax reductions for the individual can follow no later than next year. That is a goal on which we must set our sights.

I have tried to outline what I believe should be the role of the Republican Party now and in the future. Our big responsibility is to meet and solve human problems, to work toward a stable peace, and to maintain a strong economy here at home. And to achieve those aims, we must enlist the aid of every American who believes in the basic principles of human liberty and a free economy.

John Hanson, of Maryland

EXTENSION OF REMARKS
OF
HON. JOHN MARSHALL BUTLER
OF MARYLAND
IN THE SENATE OF THE UNITED STATES
Wednesday, June 12, 1957

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article entitled "President for a Year," written by Kyle Smith, as it appears in the July issue of American Mercury magazine.

Also, it is requested that this article be followed by a speech on the subject of John Hanson, of Maryland, which I delivered on March 22, 1957, before the Maryland Society of New York.

There being no objection, the article and address were ordered to be printed in the RECORD, as follows:

PRESIDENT FOR A YEAR
(By Kyle Smith)

His likeness stands in Statuary Hall in our Nation's Capitol, yet few of the thousands of annual visitors give it more than a passing glance. He had a rendezvous with destiny in shaping America's future, yet most history books omit mention of his name.

Despite this neglect, those rare students of history who delve into the annals of the Continental Confederation period generally agree that, were it not for the stubborn idealism of this man, Wisconsin might now be a part of Massachusetts, New York could lay claim to Kentucky and part of Ohio, and Illinois, Michigan, and Indiana might be territorial possessions of Connecticut. In fact our entire westward expansion, step by giant step in the form of free and independent States, would have been jeopardized.

The name of the man the history books forgot is John Hanson.

Among his partisans are those who claim he should be officially recognized as our first President. It can be argued that if we were to reckon historical periods as does France, for instance, he would be ranked as the first President of our first Republic.

John Hanson was born at the family estate of Mulberry Grove, Charles County, Md., on April 3, 1721. His family history bears a touch of high romance due to the marriage of his great-great-grandfather, a humble London merchant, to the granddaughter of the Vasa line of Scandinavian kings. Their son, the first John Hanson of the line, was killed in the Battle of Lutsen during the Thirty Years' War while vainly attempting to shield his cousin, King Gustavus Adolphus. In recognition of his heroism his sons were later given grants of land in the colony of New Sweden in the New World.

He grew to manhood during the turbulent years of Maryland's history when she was being passed back and forth among British royal claimants like a shuttlecock in an imperial badminton game. He also had a firsthand chance to observe the conduct of the French and Indian Wars in which incompetent British military leaders were unable to stem defeat without the assistance of young George Washington and his colonial recruits. John Hanson was one of the country's leaders who read the signs of the times aright.

He served the State of Maryland continuously in public office from 1756—when he was elected to the Maryland Assembly—until his death in 1783.

Immediately after the news of Bunker Hill on June 15, 1775, he assumed leadership in organizing two companies of riflemen. All Marylanders, however, were by no means eager to risk their fortunes by plunging into war against Britain. The State was enjoying prosperity, had grown to fourth in population, and suffered no pressing grievances at the moment. But to John Hanson the road ahead was clearly defined. He demonstrated his firmness of purpose at a special meeting of the Maryland Provincial Convention held on the eve of the Revolution.

A resolution was under consideration which, if adopted, would put Maryland in the war forthwith. Opinions pro and con were heatedly aired. The moment was critical. There was even talk of a compromise.

Suddenly a tall, vigorous, middle-aged man rose to address the chair. His air of quiet authority drew the attention of every man in the chamber. It was John Hanson.

"These resolutions ought to be passed, and it is high time," was his terse comment.

He sat down, and, in a characteristic gesture, folded his arms. After a moment of dead silence someone made a motion that the resolutions be adopted without delay. This was done enthusiastically, unanimously. Maryland had entered the Revolutionary War.

Even at the beginning of the war, when the odds against the untried Continental Army seemed overwhelming, he had no doubt as to the outcome.

"We will win the war with George Washington in the field if we do our share at home," he wrote to a friend. "In the end we will establish an Inseparable Union, and ultimately it will become the greatest Nation in the world."

Concurrently with the progress of the war his own greatest battle, the western lands fight, was shaping up.

Love of the grand gesture by European monarchs, and cartography that was more fanciful than accurate, were factors that threatened to disrupt the new Nation while it was a-borning.

In 1609 James of England granted to Virginia a section of land "from Point Comfort 200 miles southward along the seacoast, and all the land throughout, from sea to sea, west and northwest."

In 1662 Charles II gave the State of Connecticut grants for a large part of what is now Ohio, Indiana, Illinois, and Michigan. Two years later he gave his brother James land holdings in Ohio and Kentucky. When James became king he gave this territory to the State of New York.

In 1691 William and Mary gave to Massachusetts what is now southern Michigan and most of Wisconsin.

Other States had lesser claims, and confusion was worse confounded by the superimposed claims of private land companies with loosely drawn charters.

In 1775 the colonies were largely governed by customs that had grown into laws. The organization that existed between them could hardly be called a Congress. In recognition of the need for unity and power in a more centralized government the Articles of Confederation were drafted in 1778 and submitted to the States. It took very nearly 4 years to bring about their ratification.

No provision had been made in the articles for the disposition of the western lands. It was taken for granted they would become the property of the States having the best claim to them. This was the familiar pattern of the times. This was the premise on which the delegates laid their plans.

All but John Hanson. In the free and independent union he envisioned for his country, such a procedure would be an anachronism.

Hastily summoning the Maryland delegation, he set forth his views and, as usual, got their support. They advanced a resolution

which exploded in the convention with bombshell force. It read:

"That the United States in Congress assembled shall have the sole and exclusive power to ascertain and fix the western boundary of such States as claimed, to the Mississippi or South Sea (Gulf of Mexico), and lay out the land beyond the boundary so ascertained into separate and independent States from time to time, as the circumstances of the people may require."

This resolution was promptly buried. It received only one vote. In its place a proviso was added that no State be deprived of property for the benefit of the United States.

This was the signal for furious activity. States, anticipating great profits, set up land offices and prepared to sell off their possessions.

In the midst of the turmoil sat John Hanson with folded arms, adamant against any compromise. The backlands must become the property of the Nation as a whole. Any other course, he maintained, would be attended by "great mischiefs."

As he predicted, the "mischiefs" came about. The scramble for profits caused strained relations between the States. Problems of administration began to pyramid. Tempers flared; claims and counterclaims flew.

Finally Virginia revealed an attitude of compromise. New York followed, and the stalemate was broken. Victory for the Maryland resolution was in sight. On March 1, 1781, ratification was complete. The Continental Congress was a thing of the past, and the Continental Confederation came into being.

Of this event Gilbert Grosvenor, president of the Geographic Society, wrote in the National Geographic magazine of February 1927:

"To the illustrious Marylanders, John Hanson particularly, belong the credit of suggesting and urging a policy that changed the whole map of the United States and the whole course of our national life.

"Ohio, Michigan, Wisconsin, and Minnesota are States in the Union today because of the practical sagacity of these men."

The first action of the Confederation was to elect John Hanson president, on November 5, 1781.

The first communication issuing from this country to bear the constitutionally authorized designation, "President of the United States in Congress Assembled" was a letter sent by Hanson to Louis XVI of France shortly after he took office.

The term "Do-nothing Congress" could hardly have been applied to this first legislative body. In addition to routine matters they accomplished the following:

Established the American consular service by exchange of consuls with France.

Inaugurated a penal system for the States.

Authorized the first United States census.

Granted a charter to the Bank of North America, the first bank in our history under national auspices.

Organized an Inspector's Department of the Army with Baron von Steuben in charge.

Adopted the great seal with its motto, "In God We Trust."

Floated its first international loan.

Endorsed ratification of a treaty between the United States and Holland.

Initiated the franking privilege for Congressmen, and authorized free postage for men in military service.

This strenuous term of office, following as it did upon his arduous war activities, proved to be too great a tax on John Hanson's health, and he became ill. He urged the Confederation to appoint a successor, but this they refused to do. After an absence of a few weeks he returned and served the remainder of his 1-year term.

Shortly after his retirement from office he was again stricken, this time fatally. He died November 22, 1783, at his home in Frederick County. He was buried at Oxon Hills, Md.

A fitting epitaph might be the words of Justice O. W. Holmes, who in referring to him in his speech on heroes and idealists, said:

"Men who never heard of him will be moving to the measure of his thought."

JOHN HANSON, OF MARYLAND

(Address by Senator JOHN MARSHALL BUTLER, Founders' Day dinner, the Maryland Society of New York, March 22, 1957)

Mr. Chairman, distinguished guests, ladies and gentlemen, before proceeding with my prepared remarks, may I take this opportunity to thank you, Mr. Chairman, in particular, and the membership of the Maryland Society of New York, generally, for the lovely treatment accorded my wife and me during our brief stay with you.

Your chairman was most gracious, leaving to me the choice of a subject upon which to speak, so long as it was not political.

Knowing of no people who take greater pleasure and pride in the life and deeds of our founders than we of the Free State of Maryland, I have selected as my subject John Hanson, of Mulberry Grove, one of two great men whose statues honor Maryland in Statuary Hall in the Capitol at Washington; the other being Charles Carroll, of Carrollton, a signer of the Declaration of Independence.

I have chosen to speak of John Hanson, who, as I will point out later, was referred to as "the President of the United States in Congress assembled" for two reasons. First, he was one of the alltime great men of America, and, second, his fame, in my opinion, has never equaled his magnificent contribution to the solid foundation of our State and Nation. John Hanson, of Mulberry Grove, was a descendant of John Hanson who was a second cousin to the King Augustavus Adolphus of Sweden, both of whom fell at Lützen in 1632. The Hanson, who fell at Lützen beside his king, had four sons who, after the death of their father, became the wards of Christiana, daughter of Augustavus Adolphus, who succeeded to the throne of Sweden. It is quite apparent that those four wards of the queen were not overly endowed with worldly possessions, as we find them 10 years later—when the oldest was but 25 and the youngest, 12—shipping off with John Printz, the newly appointed Governor of New Sweden, for adventure in the New World.

Four years earlier, the first Scandinavian colony in the New World had been established when, in the middle of March 1638, two small ships under the command of a Dutch captain named Peter Minuit and bearing immigrants from Sweden and Finland—the latter having been long a part of Sweden—made safe harbor in Delaware Bay, proceeded up the Delaware River to the Brandywine and there made port at what is now Wilmington.

This colony existed under Swedish rule for 18 years when by force of arms it came under Swedish rule and later under British rule until the day of independence. During this whole period New Sweden retained its Scandinavian characteristics and racial basis, and from it went stalwart men and women into the nearby settlements of Pennsylvania, New Jersey and Maryland,the four Hanson brothers being among those who moved over the Elk River trail into Maryland.

The youngest of the four, John Hanson, was the grandfather of John Hanson, of Mulberry Grove. He went first to Kent Island and then to St. Marys, the capital of the Calverts. He did not long stay in St. Marys, for as early as 1656 we find him in Charles County, the newly developing section of the State of Maryland, centering around Port Tobacco where Protestant settlers were clearing land and building homes.

Within a few years he was well established and was spoken of as Col. John Hanson. He had 7 children, the youngest of whom was Samuel—who had 8 daughters and 4 sons—of whom the famous John Hanson of the Continental Congress was the fourth, born in 1715 at Mulberry Grove, the family estate overlooking Port Tobacco Creek in Charles County.

John Hanson of Mulberry Grove spent his early manhood in an atmosphere of revolution. The American revolution has many breeding grounds. Massachusetts was the first. Virginia, Pennsylvania, New York, and Maryland were others. When patriot met patriot brave and wise words were spoken. At no place were there more meetings of this character than in Maryland; at no place in Maryland than in the little group of homes centering on Port Tobacco Creek in the southern part of Charles County. Such men as the Stones, the Jenifers, Hansons, Craiks, Browns, Smallwoods, Howards, Briscoes, Thomases, Mitchells, and Contees lived there. The place was indeed the crossroads of the American colonies, for there were the ferry crossings of the Potomac used by men of affairs from both the North and the South. George Washington was a friend and neighbor of them all. Indeed so close and endearing was the relationship that it was to Dr. Craik and Dr. Brown that Martha Washington, the wife of the first President, turned in his last illness.

Living in this atmosphere, it was but natural that young Hanson took to politics. He was elected term after term to the Maryland House of Delegates. He was there when the share of the tax England sought to levy on the Colonies for the French and Indian War was debated. The stamp tax, the Boston Tea Party, and other issues in quick succession were to result in war. Revolution was brewing. In the midst of all of this John Hanson of Mulberry Grove took a remarkable step. He moved with his family to Frederick, Md.

This was in 1773 on the very eve of the Revolution, and he was then 58 years of age. Why the move was made remains a mystery. But the West was then beckoning and perhaps Hanson saw a better opportunity to serve his State at this western outpost. Charles County—he may well have reasoned—still had the Stones, the Jenifers, and others.

He remained a member of the house of delegates from Charles County until 1773 when, upon his removal to Frederick, he was elected a member to that body from his new county. He became immediately a man of great influence. He had much political experience; he was a man of mature years; he had many friends throughout the State. In addition, he was a man of considerable wealth. Overnight Frederick County had found a man who had no peer in the province, who was loved and respected by all, whom the State could give to the coming Union of States.

Events were moving fast. A meeting over which John Hanson presided at Frederick courthouse in June 1774, adopted a resolution declaring that the cause of the Massachusetts colony was the cause of all, pledging the cooperation of Frederick County and urging the State of Maryland to join the other Colonies to advance this common endeavor. Thereafter delegates, headed by Hanson, were sent to Annapolis to attend a general congress. This general congress, which later became known as the convention, sent delegates to a general congress of the Colonies to be held at Philadelphia.

The British moved out of Boston; Paul Revere made his famous ride; American patriots fell at Lexington and Concord. It was necessary, indeed imperative, that Frederick County have some form of government if it were to render effective and timely help to

a new nation in the making. A committee of observation was formed, of which John Hanson was a member and the guiding spirit. Hanson had been tolerant of debate, patient of delay, but now was the time of action. He hurried back from Annapolis to Frederick County, raised two companies of troops to go to Boston. They were the first armed force ever to cross Mason and Dixon's Line to join up with the Green Mountain and the White Mountain boys in the cause of freedom under the banner of his young friend and neighbor of Charles County days, George Washington.

Hanson was a man of fertile mind. He did not overlook even the slightest detail. As the guiding spirit of the committee for observation, he established patrols of minutemen throughout western Maryland which resulted in the exposure of the Dunmore conspiracy which, had it succeeded, would have brought the Indian tribes into the war against the Colonies. During these trying days John Hanson, between trips from Annapolis to Frederick, was building a gunlock factory and barracks at Frederick.

He never became so immersed in these subsidiary activities as to be out of touch with the debate then going on in the convention at Annapolis touching upon the question of how far Maryland would support the resolutions of the Continental Congress, it having earlier instructed her Delegates not to sponsor a final break with England until so specifically advised. Not until June 1776 were these instructions altered. John Hanson, upon that occasion, closed the debate with these words: "These resolution ought to be passed, and it is high time."

And pass they did, making it possible for Maryland's men in the General Congress of the Colonies to vote for independence.

The Congress, which on July 4, 1776, voted for independence, could not really be considered to be a Congress. Its Delegates had no authority but to debate and advise—each Colony retaining unto itself to act as it pleased, notwithstanding the action of the Congress. It was but a coalition of brave men with a common purpose. The need for a more perfect government was apparent to all; but such was not to be. At least, not for another 5 years, because John Hanson at that time took a stand on principle which he had to win if the peoples of the new Nation then in the making were to live in peace and harmony together.

Hanson's stand was in opposition to the land claims of Virginia, New York, Pennsylvania, and Connecticut. Their claims arose out of the undefined and, therefore, indefinite distance to which they believed their land extended westward.

To fully understand the war of politics which underlay the war of independence, one must make a brief review of the land claims which had grown up in Colonial America. For instance, when Peter Minuit landed at Wilmington, in 1638, he immediately negotiated with the Indians for the purchase of land. The deed of conveyance for the land described the northern, eastern, and southern boundaries of the land with some particularity, but the western boundary of the land conveyed was described as extending westward for an "undefined or indefinite distance." This same language had been used in many of the grants from the King and in others; and it, therefore, seemed that the States of Virginia, Pennsylvania, New York, and Connecticut had valid claims.

This immediately put John Hanson in a very difficult and embarrassing position. He was a close friend of Gen. George Washington, and was devoted to the cause of liberty, yet he was obliged, for the sake of principle, to lead the political opposition which seemed, at that time, to make union impossible. He was to hear it said many times that he was hindering the prosecution of the war for independence.

Twelve of the 13 Colonies had voted to ratify the Articles of Confederation. It was Maryland alone who stood out and refused to ratify. It was John Hanson who introduced the Maryland resolution as an amendment to the Articles of Confederation in this language:

"That the United States in Congress assembled shall have the sole and exclusive right and power to ascertain and fix the western boundary of such States as claimed to the Mississippi, or south sea, and lay out the land beyond the boundary so ascertained into separate and independent States from time to time as the number and circumstances of the people may require."

This resolution was buried and the other 12 colonies pressed their fight for the ratification of the Articles of Confederation which contained a clause that no State should be deprived of any territory for the benefit of the new Union.

As time passed, the pressure on Hanson grew, but he stood firm. He reasoned that in the end his plan to let the Nation grow by federalizing the western lands must prevail. Otherwise, he said those who objected to colonialism, while fighting it from abroad, would be imbedding it in the American system. The opponents of the Maryland resolution accused Hanson and the men of Maryland of blocking union and hindering the war effort. They likewise said that we were using our geographical location to block traffic between the North and the South which, of necessity, must flow through our State if the war were to be prosecuted with effect. Hanson countered by saying: "Suppose Virginia sold her western lands and thereby raised enough money so it would not be necessary for her people to pay taxes, would not Marylanders then desert Maryland and move to Virginia in order to avoid paying the taxes laid upon them by the colony of Maryland?" He also reasoned that if the frontier was to be owned by only a few of the several States of the new Union, would all of the States join together to fight to defend it? He further asked whether the land-rich colonies were ready to be taxed acre for acre with the others for the prosecution of the war. Otherwise, he urged, they should surrender their claim to such lands.

As the dispute wore on, the chance of compromise with England grew more remote; and the idea of perpetual union grew stronger in the minds of all Americans. Hanson's idea of a Nation which would grow in area and numbers, adding new States to the 13 along the seaboard as the population and situation warranted, was beginning to be understood by his fellows in the Continental Congress. The State of New York was first to give in and cede its western lands. Hanson's far-seeing plan for a great America had won approval. The Articles of Confederation were ratified, and a Nation had been born. Hanson had made a monumental contribution to his new country.

John Hanson was elected to the Continental Congress in December 1779. For him, the transition from the local to the national scene was not too sharp because, as I have pointed out, debate had been had in the Maryland Legislature of which Hanson was a leading member on most, if not all, of the issues then before the Congress. But it is not to be assumed that his duties were to be made easy. The western lands question had made Maryland's position difficult and trying. Hanson must do double duty. His State must do more than was asked of it in the prosecution of the war if its position on the lands issue was not to be misunderstood.

Hanson was more than 66 years of age—one of the oldest Members of the Congress. But 3 short years before, his son, Peter Hanson, a lieutenant of the Maryland line, had fallen mortally wounded at Fort Washington. Notwithstanding, the many handicaps under which he labored, his services were of such high order that he was reelected to the Congress for a second term in February 1781—taking his seat on February 22—a birthday then not celebrated and perhaps not even noticed.

On November 5, 1781, John Hanson was unanimously elected president of the Continental Congress. He was the first to ever be elected to that position for a definite and stated term and hence has many times been referred to as the first President of the United States—his title being "President of the United States in Congress Assembled."

While we of Maryland most willingly accept this most glorious appellation for our very distinguished and revered forebear, substantial basis for the claim that he was the first President is not to be found in the history of our State or Nation. But, John Hanson was, nonetheless, one of the great men of his time, one of the great men of our history, one of the founders of our State and Nation. He was almost solely responsible for the fight which made the United States a country which, from the very beginning could live in peace and harmony with itself and his foresight and courage have never been surpassed by any Marylander from his day forward.

Thank you.

SENATE

THURSDAY, JUNE 13, 1957

The Senate met at 9:30 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father, God, with the gates of the morning, open to us, we pray, the portals of a wayside shrine of Thy sustaining grace, for these are times that try our souls, and the margin of our inner strength seems often perilously low. We are standing in the need of courage and fortitude and stability. With the light that never fails upon the way our feet must take, send us forth forgiven, cleansed, and strengthened with might.

As we turn to waiting tasks, may the love of friends, the confidence of those who trust us, the spur of conscience, the vision of our best which lures us, be the high white stars to lead us on o'er moor and fen and crag and torrent, till the night is done and the gates of the morning open into the light of eternal day. We ask it in the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., June 13, 1957.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ALBERT GORE, a Senator from the State of Tennessee, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. GORE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Wednesday, June 12, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Tribbe, one of his secretaries.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committees were authorized to meet during the session of the Senate today:

The Committee on the District of Columbia; and

The Committee on Finance.

On request of Mr. HUMPHREY, and by unanimous consent, the Committee on Foreign Relations was authorized to sit during the session of the Senate today.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF STATE

The Chief Clerk read the nomination of Loftus E. Becker to be legal adviser of the Department of State.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of James M. Langley to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Pakistan.

The ACTING PRESIDENT pro tempore. Without objection, nomination is confirmed.

The Chief Clerk proceeded to read sundry nominations of Foreign Service officers.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations of Foreign Service officers be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE FEDERAL MARITIME BOARD

The Chief Clerk read the nomination of Ben H. Guill to be a member of the Federal Maritime Board.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COAST AND GEODETIC SURVEY

The Chief Clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Coast and Geodetic Survey be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LEGISLATIVE RECORD

Mr. JOHNSON of Texas. Mr. President, this has been a very productive week. The Senate—by hard work and perseverance—has disposed of four appropriation bills.

We now have before us the mutual security authorization bill. It is my hope that we can dispose of it before the end of the week—possibly by late Saturday.

I believe my colleagues are entitled to some warm congratulations—not merely because of the volume of the work, but because of its quality.

The figures thus far disclose that the Senate is meeting the demand of our people for economy in Government—and meeting it intelligently and prudently, without taking "meat-ax" swings.

We have acted upon eight regular appropriation bills. They are the Treasury-Post Office bill; the State-Justice-Judiciary bill; the Commerce Department bill; general Government bill; the District of Columbia bill; the Agriculture bill; independent offices bill, and the Labor-HEW bill.

President Eisenhower, in his budget submitted in January, requested $18,420,419,321 for these measures. The total Senate allowance has been $17,033,469,142. That represents a reduction of $1,386,950,179, or 7.5 percent below the budget estimates.

The Senate figure is also $32,391,570, or 2 percent below the House figure.

The bill now pending before us is some $800 million less in authorization than the President requested in his budget. As I recall, his original request for foreign aid was $4,400,000,000. The bill before us would authorize in the neighborhood of $3,600,000,000. So if the bill as reported by the committee shall be passed, the budget request will be reduced by some additional $800 million, making a total reduction of more than $2,200,000,000.

Mr. President, this is a good start on the question of the budget. The greatest part of it still lies before us—the foreign aid bill, the public works bill, and the Defense Department appropriation bill. I have no crystal ball, and I am not willing to make any predictions as to whether we can maintain the same economy rate. But the work we have done represents more than a fourth of the budget. And a 7.5 percent reduction is a good omen.

These cuts have been made without slashing essential services. I thought it was particularly revealing, for example, that we managed to grant increases in a number of the amounts requested by the Budget Bureau for health research.

In cancer research, the increase amounted to $11,500,000.

In mental health research, it amounted to $4,200,000.

In heart research, it amounted to $5,300,000.

In arthritis research, it amounted to $5,600,000.

In neurology and blindness research, it amounted to $5,100,000.

This is useful money—the kind that helps people ward off pain and death. I personally regret that the state of the world is such that we cannot devote more of our money, energy and resources to such projects.

Mr. President, there are still six appropriation bills that should be passed by June 30. We have a great deal of work before us.

Fewer than 15 working days remain in this month. But if we continue at our present rate, we may be able to dispose of most of the appropriation bills before the deadline, and dispose of them efficiently and in good order.

COMMITTEE SERVICE

On motion of Mr. KNOWLAND, and by unanimous consent, it was

Ordered, That Mr. MARTIN of Pennsylvania be, and he is hereby, assigned to service on the Committee on Post Office and Civil Service.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour for the introduction of bills and the transaction of other routine business. I ask unanimous consent that statements made in connection with the business of the morning hour be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIEN DEFECTORS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain alien defectors (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"Senate Joint Resolution 28

"Joint resolution memorializing Congress to enact H. R. 5538, relative to the withdrawal of public lands for defense purposes

"Whereas the increasing amount of Federal public lands which are being withdrawn from settlement, location, sale, or entry, for the use of the Department of Defense or reserved for such use, is having serious adverse effects in those areas of the State in which a large percentage of the total area is under Federal ownership; and

"Whereas such withdrawals and reservations involve lands in which there are currently being developed rich deposits of many strategic minerals, vital to our defense, which will be lost to the Nation if the lands are withdrawn or reserved for the use of the Department of Defense; and

"Whereas such withdrawals and reservations have further adverse effects on the areas within which they are located by cutting off access roads, by taking more lands off the tax rolls of the counties in which they are located, and by increasing unemployment due to the cessation of mining activities on such lands; and

"Whereas there is now pending before the Congress of the United States H. R. 5538, which would provide that further withdrawals, reservations, or restrictions of more than 5,000 acres of public lands of the United States for use by the Department of Defense must first be approved by act of Congress; and

"Whereas the enactment of this measure would assist in alleviating the serious problems being caused by such withdrawals and reservations: Now, therefore, be it

"*Resolved by the Senate and the Assembly of the State of California (jointly)*, That the legislature of this State respectfully memorializes the Congress of the United States to enact H. R. 5538; and be it further

"*Resolved*, That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution adopted by the National Association of Credit Men, at Miami Beach, Fla., favoring a reduction of governmental expenditures; to the Committee on Appropriations.

A letter, in the nature of a petition, from the Mining and Metallurgical Society of America, New York, N. Y., signed by William F. Boericke, secretary, enclosing a resolution adopted by that society, relating to tax reductions; to the Committee on Finance.

A resolution adopted by the Board of Supervisors of La Salle County, Ill., relating to the Status of Forces Treaty and the trial of Army Sp3c. William S. Girard by a Japanese court; to the Committee on Foreign Relations.

A resolution adopted at the 12th annual convention of the American Defenders of Bataan and Corregidor, Inc., Albany, N. Y., relating to a study of the health conditions of former prisoners of war; to the Committee on the Judiciary.

RESOLUTION OF ASSOCIATED INDUSTRIES OF OSHKOSH (WIS.) ON BEHALF OF TAX REDUCTION BILL

Mr. WILEY. Mr. President, I have received today from M. S. Daily, executive vice president of the Associated Industries of Oshkosh, Wis., a resolution favoring enactment of a bill now pending before the House Ways and Means Committee—H. R. 6452, as introduced by Representative ANTONI N. SADLAK, of Connecticut.

The resolution relates to the overall problems of America's economy, including conserving funds, debt reduction, and also an issue which I personally have been pleased to stress very often, namely, supplying adequate incentive to private enterprise to expand.

I ask unanimous consent that the resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolution in Support of H. R. 6452

Whereas the steeply progressive individual income tax rates which are clearly discriminatory, unfair, and unreasonable tend to destroy individual initiative to produce, accumulate, and invest; and

Whereas the corporate tax rates severely restrict the normal flow of funds into capital investment, so necessary for producing jobs for the citizens who are entering our labor force each year; and

Whereas the constantly increasing trend of Federal spending threatens to absorb the increased revenues which are produced each year from economic growth; and

Whereas a serious threat exists to our free enterprise system, our standard of living, and the stability of our employment, unless Federal spending is by the exercise of economies by Congress and the administration, and Federal revenues reduced through tax reduction: Now, therefore, be it

Resolved, That the Congress of the United States undertake immediate steps to guard against such an economic situation, by enacting into law a realistic tax reduction program as provided through H. R. 6452, introduced March 28, 1957, by the Honorable ANTONI J. SADLAK, of Connecticut, and a member of the Ways and Means Committee; and that Associated Industries of Oshkosh, Inc., endorses the resolution submitted by the Honorable ANTONI J. SADLAK; furthermore

That Federal expenditures be reduced, that revenues derived from economic growth be used first for tax reduction, and that economy in Government be furthered by the adoption and enforcement of the Hoover Commission recommendations; and it is believed

That the steady growth of the economy and the population justify such reductions, and at the same time permit the balancing of the budget, with reduction in the national debt; furthermore

That this resolution, properly inscribed, be forwarded to the Congressional delegation and to the Governor of the State.

Signed this 11th day of June 1957.

JOHN L. VETTE, Jr.,
President, Associated Industries of Oshkosh, Inc.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 28. Concurrent resolution to print a compilation of materials relating to the development of the water resources of the Columbia River and its tributaries (Rept. No. 433);

S. Con. Res. 31. Concurrent resolution favoring the fulfillment of the program recommended by the National Historical Publications Commission for the publication of certain documents (Rept. No. 434);

S. Res. 141. Resolution extending to January 31, 1958, the authority of the Special Committee To Study the Foreign Aid Program (Rept. No. 435); and

S. Res. 147. Resolution to continue on the payroll for a further period the clerical and other assistants of the late Senator Joseph R. McCarthy, of Wisconsin.

By Mr. MCCLELLAN, from the Committee on Government Operations, without amendment:

H. R. 4945. An act to provide for the conveyance of certain real property in West Palm Beach, Fla., to the Port of Palm Beach District (Rept. No. 436).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MARTIN of Pennsylvania:

S. 2278. A bill to make Flag Day a legal public holiday; to the Committee on the Judiciary.

(During the delivery of the speech of Mr. SMITH of New Jersey:)

Mr. NEELY. Mr. President, will the Senator from New Jersey yield?

Mr. SMITH of New Jersey. I yield to the Senator from West Virginia.

Mr. NEELY. Mr. President, on behalf of myself, the Senator from Maryland [Mr. BEALL], and the Senator from New York [Mr. JAVITS], I introduce, for appropriate reference, a bill to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation, in the District of Columbia.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2279) to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation, in the District of Columbia, introduced by Mr. NEELY (for himself, Mr. BEALL, and Mr. JAVITS), was received, read twice by its title, and referred to the Committee on the District of Columbia.

Mr. NEELY. Mr. President, on behalf of myself, and the Senator from Oregon [Mr. MORSE], I introduce, for appropriate reference, a bill to establish uniform qualifications for jurors in the Federal courts.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2280) to establish uniform qualifications for jurors in the Federal courts, introduced by Mr. NEELY (for himself and Mr. MORSE), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. SMITH of New Jersey. Mr. President, I am so happy to see the Senator from West Virginia [Mr. NEELY] on the floor today, and I was more than glad to yield to him that he might introduce bills.

By Mr. IVES:

S. 2281. A bill for the relief of Albert N. Towner; to the Committee on the Judiciary.

By Mr. ALLOTT:

S. 2282. A bill for the relief of Alfred Hafermaas; to the Committee on the Judiciary.

By Mr. McCLELLAN (by request):

S. 2283. A bill to further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. McCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON (for himself and Mr. BRIDGES):

S. 2284. A bill to amend the Rural Electrification Act of 1936, so as to change the interest rate applicable to loans and to provide for the payment by borrowers of a fee to assist in paying the administrative costs incident to loans; to the Committee on Agriculture and Forestry.

By Mr. WILLIAMS:

S. 2285. A bill for the relief of Ching Wol Nyo Ko; to the Committee on the Judiciary.

By Mr. FULBRIGHT:

S. 2286. A bill to assist State programs for small business, and for other purposes; to the Committee on Banking and Currency.

By Mr. CASE of South Dakota:

S. 2287. A bill to amend section 1 of the act of April 16, 1934, as amended by the act of June 4, 1936 (49 Stat. 1458), entitled "An act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes"; to the Committee on Interior and Insular Affairs.

By Mr. NEELY:

S. J. Res. 102. Joint resolution to provide for the designation of a certain parcel of land in Washington, District of Columbia, as John J. Pershing Memorial Park; to the Committee on the District of Columbia.

REPORTS BY EXECUTIVE AGENCIES, RELATING TO PROJECTS FOR CONSERVATION AND DEVELOPMENT OF LAND AND WATER RESOURCES

Mr. MURRAY. Mr. President, on behalf of myself, and the distinguished chairman of the Committee on Public Works, the Senator from New Mexico [Mr. CHAVEZ], I submit a resolution. We are joined as cosponsors by our distinguished colleagues, the senior Senator from Oklahoma [Mr. KERR], the junior Senator from New Mexico [Mr. ANDERSON], the junior Senator from Colorado [Mr. CARROLL], the junior Senator from South Dakota [Mr. CASE], the senior Senator from Nevada [Mr. MALONE], the junior Senator from Michigan [Mr. MCNAMARA], the junior Senator from Oregon [Mr. NEUBERGER], the junior Senator from Wyoming [Mr. O'MAHONEY], the junior Senator from Idaho [Mr. CHURCH], and the senior Senator from Oregon [Mr. MORSE].

This resolution prescribes the procedures for and contents of reports to the Senate by the executive agencies with respect to proposed projects for conservation and development of land and water resources.

It is the intention of the chairman of the Committees on Interior and Insular Affairs and Public Works, the Senator from New Mexico [Mr. CHAVEZ] and myself, to secure the comments of the executive agencies, and then to hold a public hearing on the resolution. It is our hope that during this session we will have endorsement of the Senate in establishing improvements in authorization procedures. The purpose of the improvements is to confirm the exercise of the Congressional responsibility that exists under the Constitution, and to assure full conservation, development, and utilization of the land and water resources of the Nation.

This resolution is submitted in order to achieve two important purposes. The first purpose is to assure continued exercise by the Congress of its constitutional powers to encourage the comprehensive conservation, development, and utilization of the land and water resources of the Nation. There is a tendency for the Congress to lose, in part, its responsibility for determining the program. This tendency develops in the absence of explicit Congressional statement of its requirements. Under those circumstances, executive definition and limitation of the program have restricted the proposed projects that are before the Congress for authorization.

In the 84th Congress, the Senate took note of this situation and adopted Senate Resolution 281. That resolution is a first step to counteract the potential loss of Congressional control. Senate Resolution 281, 84th Congress, called on the Committee on Interior and Insular Affairs and the Committee on Public Works jointly to recommend policies and criteria for the authorization of land and water resource projects.

The resolution submitted today is in response to that direction of the 84th Congress. Today's resolution specifies the basis on which the benefits of proposed projects can be evaluated, and on which fair and equitable allocations of costs can be made. This will provide full information regarding proposed projects, and it will enable the Congress to specify the terms and conditions, particularly with respect to repayments and local contribution. It will provide the basis for fixing rates for sale of electric power generated at Federal projects.

Heretofore, full information on these important matters has not been available to the Congress. As a result, project authorizations have sometimes left the way open for executive action at variance with Congressional intent.

One example of this is the Missouri River basin project. Testimony in the hearings before the Interior and Public Works Committees demonstrated that in the absence of explicit direction from the Congress, that great project is administered under executive regulations unsanctioned by the Congress. The people of the seven States of the basin are deeply concerned by this situation. Their economy and way of life are vitally affected by the uncertain and changing policies regarding operation of the main-stem reservoirs and the marketing of electric energy.

This and similar situations led the Comptroller General to recommend that policies and criteria for land and water resource projects should be established by the Congress. The Bureau of the Budget, the Federal Power Commission, and the Secretary of the Army made similar recommendations. The resolution I have offered today for myself and my colleagues will provide the basis for such criteria and policies.

It should be noted that the resolution deals with procedures of the Senate and its committees. It does not deal with or seek in any way to regulate the proper functions of the executive branch.

The second purpose of our resolution is to assure that proposed projects will provide for full conservation, development, and utilization. The Nation's land and water resources must not be dissipated by inadequate conservation or partial development. This is a present danger. It results from inadequate economic analysis and evaluation.

These inadequate procedures were instituted by a directive of the Bureau of the Budget in 1952. That directive is designated as Bureau of the Budget Circular A-47. It, and its various amendments, made radical changes in long-established policies. These changes in planning procedures and policies that the Budget Bureau set up in 1952 exclude many worthwhile and needed conservation projects. Furthermore, they result in increasing the financial burden on the States and local entities such as irrigation districts, municipal water districts, and the local people generally. The Budget Bureau procedures seek also to increase the financial burden of users of inland waterways. Those policy changes have not been sanctioned by the Congress.

It is not our purpose to tell the executive branch how to conduct its work in planning projects. It is not our purpose to influence the executive branch in any recommendations to the Congress relative to land and water projects. Our resolution does not in any degree have that purpose or effect.

What our resolution does do is to assure that full information is provided to the Congress on these important problems. With such information the Congress can make decisions as to the policy matters, and the Congress can then prescribe the purposes of the projects. This will be done through the regular and established methods of project authorization.

When the Senate considered this matter in the 84th Congress, it directed the Interior and Public Works Committees to study the procedures for authorizing projects so as to provide full information on potential utilizations, costs, allocations, payout, and benefits. This study has been made by the staffs of the two committees. Other committees of the Senate and the House were consulted. The agencies of the executive branch collaborated. State and local governmental agencies were consulted. A wide representation of nongovernmental groups and organizations participated in the studies. A summary of the results of this work have been circulated in four committee prints.

I mention these studies to make it clear that the present resolution is based on a thorough analysis of the problems by all of the interests concerned. It is the consensus that the proposed improvements in authorization procedure will supply the needed information and will expedite the work of the committees. The improvements will also provide for resolving the uncertainties in allocations and electric power rate making at Federal projects.

I ask that the resolution be referred to the Committees on Interior and Insular Affairs and Public Works, jointly.

The ACTING PRESIDENT pro tempore. The resolution will be received and referred, as requested by the Senator from Montana.

The resolution (S. Res. 148), submitted by Mr. MURRAY (for himself and other Senators), was referred to the Committees on Interior and Insular Affairs and Public Works, jointly, as follows:

Whereas the sense of the Senate, stated in Senate Resolution 281, 84th Congress, is that the Congress will continue to exercise its constitutional powers to encourage the comprehensive conservation, development, and utilization of the land and water resources of the Nation, and that reports to the Congress in support of authorization of such projects should (a) include evaluations made in accordance with criteria prescribed by the Congress, and (b) fully disclose the results of studies and analyses of the potential utilizations, costs, allocations, payout, and benefits, both direct and indirect; and

Whereas pursuant to said Senate Resolution 281, the Committee on Interior and Insular Affairs and the Committee on Public Works jointly have reported to the Senate that, in order to evaluate projects proposed for authorization, certain information is needed in addition to that regularly submitted by the executive branch in support of proposed projects, such information being related to selection of plans of development, costs, benefits, reimbursements or contributions required of local interests; and

Whereas such information is needed also for consideration by the Senate in connection with legislation to establish policies and criteria regarding allocations of project costs, and for evaluations of project benefits, which policies and criteria the Comptroller General of the United States, the Bureau of the Budget, and the Secretary of the Army have recommended should be established by the Congress; and

Whereas the program for conservation, development, and utilization of the land and water resources of the Nation is impaired by delay in the delivery to the Congress of reports on projects proposed for authorization: Now, therefore, be it

Resolved, That it is the sense of the Senate that procedures for evaluation of land and water resource projects should be improved, and that the agencies of the executive branch of the Government responsible for the preparation of reports relative to the authorization of land and water resource projects be, and are hereby, requested to furnish, in connection with such reports, the following information in addition to the data now presented in support of project authorizations:

Information relative to alternative plans for the water resource projects that may reasonably be considered physically feasible of construction consistently with the advice of the Department of the Army, or the Department of the Interior, or the Department of Agriculture. With respect to each potential project, in addition to a description of the project, the information should include, but not be limited to—

(1) Estimated costs of construction, operation, maintenance, and replacement, together with a plain and succinct statement of the basis upon which all such estimates are made.

(2) Benefit-cost ratio calculated from direct tangible benefits and costs.

(3) Description and, to the extent possible, computation of indirect and intangible net benefits including but not limited to (a) protection of life and property; (b) improvement of transportation; (c) conservation of water, soil, and forest resources; (d) wildlife conservation; (e) recreation; (f) abatement of pollution, including salinity; (g) control of sedimentation; (h) maintenance and enhancement of the agricultural, commercial, and industrial economy of the area affected.

(4) Physical feasibility and costs of providing capacity in the project works for current needs and future uses that may reasonably be anticipated to develop during the useful life of such project works.

(5) Allocations of costs, to be calculated (a) by at least 3 methods, namely, the separable costs remaining benefits method, the priority of use method, and the incremental cost method; and (b) on at least 2 time periods for amortization, namely, 50 years or the useful life of the facilities, whichever is the lesser, and 100 years or the useful life of the facilities, whichever is the lesser.

(6) Description of the extent to which the Federal, State, and local governmental agencies, and nongovernmental entities have evidenced interest in participating in the construction or operation and maintenance of the potential project, or in obtaining its benefits, including, in the case of electric energy, information relative to the preference status of governmental agencies, municipalities, and cooperatives; and the manner in which it is proposed to accomplish coordination and cooperation, and the estimated Federal costs of such participation.

(7) Estimated schedules of repayments of reimbursable costs that would be within the estimated financial resources of the potential use area, such schedules to show also the deferred repayment of the portion of the costs allocated to uses that may be anticipated to develop in the future.

(8) Probable effects of the potential project on State and local governments, including, but not limited to (a) the costs of local government services; and (b) the enhancement or reduction of tax revenues, together with the amount of potential tax revenue that would be foregone by Federal development in lieu of non-Federal development of the project. The estimated amounts of tax revenue enhancement and tax revenue foregone as a result of the project should be shown in calculations of project benefits and costs.

(9) In support of proposed increases in the authorizations of appropriations for continuation of the construction of basinwide projects, proposed schedules of investigations and construction should be supplied, including descriptions of the units to be undertaken, and deviations in schedules of construction supplied in support of prior authorizations.

SEC. 2. That reports on surveys and investigations or project reports relative to the authorization of land and water resource projects should be delivered to the Congress not later than 6 calendar months after the date on which reports are circulated to the Federal agencies and to the affected States pursuant to section 1 of the act of December 22, 1944 (59 Stat. 887). The agencies of the executive branch responsible for preparation of such project reports be, and are hereby, requested to deliver to the Congress such reports not later than 6 months after they have been submitted for comments to the governors of the affected States.

SEC. 3. That authorizations of water resource projects should specify the method by which the allocation of costs shall be determined.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill which is being introduced at the request of the Administrator of General Services, who states that this proposal is a part of the legislative program of the General Services Administration for 1957.

The bill proposes to establish an Administrative Operations Fund, on a permanent basis, to accord with action taken by the Congress in the Independent Agencies Appropriations Act of 1956, on recommendations of the Committee on Appropriations. According to the Administrator, the creation of this fund has facilitated review of appropriation estimates and is in consonance with Congressional policy as expressed in the Budget and Accounting Procedures Act of 1950.

I ask unanimous consent that the letter addressed to the President of the Senate by the Administrator of General Services on June 6, 1957, outlining the need for this proposed legislation, be incorporated in the RECORD as a part of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2283) to further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes, introduced by Mr. McCLELLAN, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The letter presented by Mr. McCLELLAN is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D. C., June 6, 1957.

Hon. RICHARD M. NIXON,
President of the Senate,
Washington, D. C.

MY DEAR MR. PRESIDENT: There is forwarded herewith draft of legislation "To further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes."

This proposal is a part of the legislative program of the General Services Administration for 1957.

This proposed legislation would amend the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), by adding a new section to title I which would establish an Administrative Operations Fund on a permanent basis.

An administrative operations fund was included in the act of June 22, 1956, making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1957, and for other purposes. The provisions of this act permitted the establishment of a single disbursing account to which amounts included in each program appropriation for staff costs are transferred for purposes of budgetary control and expenditure.

Experience has shown that this fund has facilitated review of appropriation estimates since budget estimates for each program include the amount of staff costs. This proposal is in consonance with Congressional policy as expressed in the Budget and Accounting Procedures Act of 1950 (64 Stat. 832).

During the fiscal year 1957 GSA's operations under this fund have disclosed the need for minor adjustments between sources of funds to keep financing in line with small fluctuations in program workloads. This has been accomplished within the total annual limitation.

The proven advantages of the Administrative Operations Fund confirm the feasibility of continuing this fund on a permanent basis. Operating under the provisions of this fund has simplified GSA's internal budget control and accounting by eliminating the necessity for keeping several sets of budgetary accounts under the old system. Legislative authorization of this fund will give greater assurance of permanence, and not make this fund subject to a point of order annually when appropriation language is under consideration.

The enactment of this proposed legislation would not increase the expenditure of Federal funds.

The General Services Administration urges prompt and favorable consideration of this draft bill.

The Bureau of the Budget has advised that it interposes no objection to the submission of this bill to the Congress.

Sincerely yours,

FRANKLIN G. FLOETE,
Administrator.

MUTUAL SECURITY ACT OF 1957—AMENDMENTS

Mr. MORSE. Mr. President, on behalf of myself, and the Senator from Wyoming [Mr. O'MAHONEY] I submit amendments, intended to be proposed by us, jointly, to the Mutual Security Act of 1957. I ask that the amendments be printed, so they will be available to the Senate tomorrow. The amendments will restrict the development loan authorized for next year to $500 million, and will delete from the bill the proposed authority to borrow $1,500,000,000 through 1960.

The ACTING PRESIDENT pro tempore. The amendments will be received, printed, and lie on the table.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE UNITED STATES AND PORTUGAL CONCERNING CIVIL USES OF ATOMIC ENERGY

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD an amendment to the agreement for cooperation with the Government of Portugal, together with accompanying correspondence. This agreement was signed on June 7, and was received at the Joint Committee on Atomic Energy on June 11. It is a standard research agreement which provides for the lease of up to 6 kilograms of contained U–235 in uranium, enriched up to a maximum of 20 percent U–235.

There being no objection, the amendment to the agreement was ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 11, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, there are submitted with this letter:

1. An amendment, signed in Washington, June 7, 1957, to the Agreement for Cooperation Between the Government of the United States of America and the Government of Portugal Concerning the Civil Uses of Atomic Energy dated July 21, 1955;

2. A letter dated May 14, 1957, from the Chairman of the Atomic Energy Commission to the President recommending approval of the amendment; and

3. A letter dated May 22, 1957, from the President to the Chairman of the Atomic Energy Commission approving the amendment, authorizing its execution, and containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security.

Articles I and III of the amendment include new provisions designed to clarify the responsibilities assumed by the parties to the agreement with respect to liability for any information or data, special nuclear material or fuel elements transferred pursuant to the agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

The amendment will enter into force when the two Governments have exchanged written notifications that their respective statutory and constitutional requirements have been fulfilled (art. IV).

Sincerely yours,

LEWIS L. STRAUSS,
Chairman.

MAY 14, 1957.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of Portugal Concerning Civil Uses of Atomic Energy, dated July 21, 1955, and authorize its execution.

Articles I and III of the amendment include new provisions designed to clarify responsibilities assumed by the parties to the agreement with respect to liability for any causes arising out of the handling or use of information or data, special nuclear material or fuel elements transferred pursuant to the agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Following your approval and subject to the authorization requested, the proposed amendment will be executed by the appropriate authorities of the Governments of Portugal and the United States. In compliance with section 123c of the Atomic Energy Act of 1954, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

LEWIS L. STRAUSS,
Chairman.

I certify this to be a true and correct copy.

LEONARD B. PHILLIPS,
Division of International Affairs.

THE WHITE HOUSE,
Washington, May 22, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission,
Washington, D. C.

DEAR MR. CHAIRMAN: Under date of May 14, 1957, you informed me that the Atomic Energy Commission recommended that I approve a proposed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of Portugal Concerning Civil Uses of Atomic Energy, dated July 21, 1955, and authorize its execution.

Articles I and III of the amendment include new provisions designed to clarify responsibilities assumed by the parties to the Agreement with respect to liability for any causes arising out of the handling or use of information or data, special nuclear material or fuel elements transferred pursuant to the Agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Pursuant to the provisions of Section 123 of the Atomic Energy Act of 1954 and upon the recommendation of the Atomic Energy Commission, I hereby (1) Determine that the performance of the proposed amendment to the agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and (2) approve the proposed amendment to the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Portugal enclosed with your letter of May 14, 1957; and (3) authorize the execution of the proposed amendment for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

I certify this to be a true and correct copy.

LEONARD B. PHILLIPS,
Division of International Affairs, AEC.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF PORTUGAL CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of Portugal, desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of Portugal Concerning Civil Uses of Atomic Energy, signed on July 21, 1955, hereinafter referred to as the "agreement for cooperation," have agreed as follows:

ARTICLE I

Article I of the agreement for cooperation is amended to read as follows:

"A. Subject to the limitation of article V, the parties hereto will exchange information in the following fields:

"1. Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

"2. Health and safety problems related to the operation and use of research reactors.

"3. The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

"B. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application."

ARTICLE II

The following new article is added directly after article III of the agreement for cooperation:

"ARTICLE III (A)

"Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Government of Portugal, including source materials, special nuclear materials, byproduct materials, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of Portugal by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of Portugal by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233."

ARTICLE III

1. Article VI, paragraph A. of the agreement for cooperation is amended by deleting the phrase "uranium enriched in the isotope U–235 leased from the Commission" and substituting in lieu thereof the phrase "special nuclear materials received from the Commission."

2. The following new paragraph is added to article VI of the agreement for cooperation:

"D. Some atomic energy materials which the Government of Portugal may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of Portugal, the Government of Portugal shall bear all responsibility, insofar as the Government of the United States is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of Portugal or to any private individual or private organization under its jurisdiction, the Government of Portugal shall indemnify and save harmless the Government of the United States against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of Portugal or to any authorized private individual or private organization under its jurisdiction."

ARTICLE IV

This amendment shall enter into force on the date on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such amendment and shall remain in force for the period of the agreement for cooperation.

EMENDA AO ACORDO DE COOPERAÇÃO ENTRE O GOVERNO DOS ESTADOS UNIDOS DA AMÉRICA E O GOVERNO DE PORTUGAL SOBRE OS USOS CIVIS DA ENERGIA NUCLEAR

O Governo dos Estados Unidos da América e o Governo de Portugal,

Desejando alterar o Acordo de Cooperação entre o Governo dos Estados Unidos da América e o Governo de Portugal sobre os Usos Civis da Energia Nuclear, assinado em 21 de Julho de 1955, referido neste documento como acordo de cooperação,

Acordaram no seguinte:

ARTIGO I

O artigo I do acordo de cooperação é alterado para se ler como segue:

"A. Tendo em conta as restrições mencionadas no artigo V, deverão as partes contratantes trocar informações sobre as seguintes matérias:

"1. Desenho, construção e operação de reactores experimentais e seu uso como instrumentos de investigação científica de engenharia e de terapêutica.

"2. Problemas de saúde e de segurança relacionados com o funcionamento e uso de reactores experimentais.

"3. Uso de isótopos radioactivos em estudos de física e de biologia, terapêutica, agricultura, e indústria.

"B. A aplicação ou o uso de dados ou informações, qualquer que seja a sua natureza, inclusive os planos de desenhos e especificações trocados em virtude deste acordo, far-se-á sob a responsabilidade da parte que os receber e usar, ficando entendido que a outra parte não garante que tais dados sejam exactos, completos, ou adequados para determinado uso ou aplicação."

ARTIGO II

Após o artigo III do acordo de cooperação acrescentar-se-á o novo artigo seguinte:

ARTIGO III (A)

"Materiais de interesse relacionados com projectos definidos de investigação científica que digam respeito a usos civis de energia nuclear, empreendidos pelo Governo Português, inclusive materiais primários, materiais nucleares especiais, produtos secundários, outros radioisótopos e os isótopos estáveis, serão vendidos ou, em outras circunstâncias, serão cedidos para fins de estudo ao Governo de Portugal pela Comissão, nas quantidades e segundo os termos e condições que se acordarem, quando não seja possível obter os referidos materiais pelas vias comerciais ordinárias. Em caso nenhum, porém, a quantidade de materiais nucleares especiais sob a jurisdição do Governo de Portugal, por motivo de transferência que se efectue de acordo com este artigo, poderá ser em qualquer momento superior a 100 gramas de conteúdo U–235, 10 gramas de plutónio e 10 gramas de U–233."

ARTIGO III

1. É alterado o artigo VI, parágrafo A, do acordo de cooperação eliminando a frase "urânio enriquecido no isótopo U–235 cedido pela Comissão" e substituindo em seu lugar a frase "materiais nucleares especiais recebidos da Comissão."

2. Ao artigo VI do acordo de cooperação acrescentar-se-á o novo parágrafo seguinte:

"D. Alguns materiais geradores de energia nuclear, que o Governo de Portugal possa solicitar que lhe sejam fornecidos pela Comissão, de acordo com este convénio são prejudiciais às pessoas e à propriedade se não forem manejados e usados cuidadosamente. Depois da entrega desses materiais ao Governo de Portugal, este Governo assumirá toda a responsabilidade, em relação ao Governo dos Estados Unidos, para manejar e usar com segurança esses materiais. Com respeito a quaisquer materiais nucleares especiais ou elementos combustíveis que a Comissão, em virtude deste acordo, possa ceder ao Governo Português ou a qualquer individuo ou organização particular sob a sua jurisdição, o Governo de Portugal indemnizará e eximirá o Governo dos Estados Unidos de toda a obrigação e de toda a responsabilidade (inclusive reclamações de terceiros), qualquer que seja o motivo que possa surgir da produção ou frabricação, propriedade, cessão e da retenção e uso de tais materiais nucleares especiais ou elementos combustíveis depois da entrega feita pela Comissão ao Governo de Portugal ou a qualquer pessoa ou organização particular autorizada sob a sua jurisdição."

ARTIGO IV

Esta emanda entará em vigor na data em que cada Governo receber do outro Governo notificação por escrito de que cumpriu com todos os requisitos legais e constitucionais para a entrada em vigor da aludida emenda e permanecerá em vigor pelo periodo de duração do acordo de cooperação.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, in the English and Portuguese languages, this 7th day of June 1957.

Em testemunho do que, as partes contratantes, devidamente autorizadas, assinaram esta Emanda.

Feito em Washington, em duplicado, e nas linguas Inglesa e Portuguesa, aos sete dias do mês de Junho de 1957.

For the Government of the United States of America:

Pelo Governo dos Estados Unidos da America:

C. BURKE ELBRICK,
Department of State.
LEWIS L. STRAUSS,
Chairman, United States Atomic Energy Commission.

For the Government of Portugal:

Pelo Governo de Portugal:

L. ESTEVES FERNANDES,
Ambassador of Portugal.

I certify that this is a true and correct copy.

LEONARD B. PHILLIPS,
Division of International Affairs, AEC.

ATOMIC ENERGY COMMISSIONER THOMAS E. MURRAY

Mr. PASTORE. Mr. President, today the Free World is engaged in a life or death struggle with the Kremlin, as each seeks superiority in nuclear weapons. The competition is equally keen in the development of nuclear energy for peaceful purposes.

Our first concern, then, as a nation is to have in our Atomic Energy Commission men who by their character, ability, and experience have demonstrated the qualities of leadership which will enable us to win in the contest.

Such a man is Thomas E. Murray, whose current term will expire on June 30 next. It is the authority and prerogative of the President of the United States to renew the service of this able man.

Those of us who have been closely associated with Mr. Murray are keenly aware of his ability and his contribution to our common effort in a very difficult field.

We are proud of the fact that we have called to the attention of the President of the United States our feelings in the matter. Otherwise we would be remiss in our obligation as Senators in affairs which so deeply concern our national security.

Apropos of the pending appointment, there appears in the Electrical World, in its issue of June 10, 1957, an article which I highly recommend to the attention of the Members of the Senate. For that reason, I ask that the article be made a part of my remarks and be printed at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILL MURRAY WIN AEC REAPPOINTMENT?

(By V. Craig Richter)

COMMISSIONER'S HOPES FOR RETAINING POST RISE; IKE, THOUGH NONCOMMITTAL, MAY FAVOR SECOND TERM DESPITE STRONG OPPOSITION FROM STRAUSS

Washington experts have been convinced for some time now that there was not a chance in the world that President Eisenhower would reappoint to the Atomic Energy Commission Thomas E. Murray, Democrat, whose term expires June 30.

Basically, this stems from the heated opposition of AEC Chairman Lewis E. Strauss, who is Eisenhower's closest adviser on atomic matters—plus the manner in which Eisenhower gave a brusque but noncommittal reply to a question on the subject at a news conference.

Now Murray and his supporters are campaigning for reappointment. They believe Eisenhower might eventually decide in Murray's favor.

OFTEN A LONE DISSENTER

Murray and Strauss have been at each other's throats on a number of issues. The other two AEC Commissioners, Dr. Willard F. Libby and Harold S. Vance, have not become publicly involved in the squabbles, but invariably they have lined up with Strauss whenever the chips were down. Thus Murray frequently has been the lone dissenter on AEC.

Now the Murray forces contend if Eisenhower can be reached by the proper people, he might override Strauss. They believe, in fact, an indication of utility industry support for Murray would swing the scales in his favor.

Murray's friends point to the advantages to the administration that would stem from his reappointment. It would contribute toward placating congressional Democrats, they say, and stop the Democratic threat to scuttle the administration's atomic power reactor program including the liability insurance bill.

On the other hand, failure to reappoint Murray promises to produce a real donnybrook in Congress to the detriment of the atomic-power program. Certainly congressional Democrats would look with suspicion on an AEC minus Murray—the one Commissioner who has never hesitated to clash with Strauss' policies when he felt they were wrong.

BROUGHT UNWELCOME PUBLICITY

Murray, who believes strongly that Government-industry dealings must be in the open for all to see, has had his worst rows with Strauss over AEC secrecy. He gave aid and comfort to Strauss' foes in the Dixon-Yates and Power Reactor Development Co. cases so Strauss policies in both cases have brought publicity that the industry and AEC would have preferred to avoid.

With regard to reactor acceleration, Murray's position has been consistent. He has argued all along for Federal financial and technological assistance—that the early costs of atomic power are fairly staggering without any guaranty of quick improvement, and that time is of the essence, not for domestic reasons, but for international political prestige reasons.

Representative JAMES VAN ZANDT (Republican, Pennsylvania) said as much in introducing his reactor acceleration bill recently. Murray has said it for 2 years.

Murray doesn't want the Government in business any more than the stanchest Republican does. But he believes it is shortsighted of industry to oppose the Government in undertaking extremely costly gambles in building large-scale prototype power reactors primarily as an instrument of international policy. He argues that stopping the Government today does not insure that there won't be Federal commercial atomic powerplants at some future date under another administration.

The reappointment would solve many problems for the President. The Republicans would have trouble finding another Roman Catholic Democrat with Murray's qualifications.

DEFENDS POWER INDUSTRY

He knows the power industry (and has never hesitated to defend it in principle) first through his father who built many power stations and later through running the family electrical manufacturing business. As a mechanical engineer, Murray has over 200 electrical and welding patents to his name.

His standing in Congress is good. This was demonstrated when he backed Eisenhower's position with regard to the International Atomic Energy Agency. Although the Senate has not yet ratified the treaty, there was noticeable lessening of important GOP opposition to it after Murray spoke. His reappointment would help smooth the way in Congress for resolving the tangled web of future atomic power reactor policy and atomic liability insurance.

Mr. MANSFIELD. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. MANSFIELD. I desire to associate myself with the Senator from Rhode Island in the remarks he has just made.

All of us know that Commissioner Thomas E. Murray, of the Atomic Energy Commission, is filling a term which will expire on June 30 of this year. Mr. Murray has been known as the great dissenter, on occasion. Personally, I think it would be a good idea if a good dissenter were maintained on the Commission, and especially a man of the integrity, the ability, and the capability of Commissioner Murray, who is one of the country's outstanding citizens, and who is a real asset to the Atomic Energy Commission.

I sincerely hope the President will reappoint Commissioner Murray. I also hope the President will form his judgment of Commissioner Murray on the basis of what he has accomplished and the fine and devoted service he has rendered to the country over the past several years. I realize, of course, that the question of Mr. Murray's reappointment is the President's prerogative and responsibility. I venture to express the hope that he will exercise his own good judgment in this matter and recognize the great contribution, the outstanding integrity, and the tremendous asset Mr. Murray is to the Atomic Energy Commission.

Mr. PASTORE. I thank the Senator from Montana.

Mr. President, if we properly evaluate the tremendous development and success and progress we have achieved in the field of developing nuclear and thermonuclear weapons, we properly assess the great value of this great American, Thomas E. Murray, as a member of the Atomic Energy Commission.

Mr. HUMPHREY. Mr. President, the Washington Daily News for Monday, June 10, published a lead editorial entitled "AEC Needs Murray."

Those of us who know Thomas E. Murray's record on the Atomic Energy Commission wholeheartedly agree. I sincerely hope that those who make the final decision will have the good sense to recommend and reappoint Commissioner Murray to the AEC.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AEC NEEDS MURRAY

Thomas E. Murray's first term as a member of the United States Atomic Energy Commission, now nearing its end, has proved him to be a fine public servant.

He is a practical man, dedicated to free enterprise, with a long and successful career behind him. Commissioner Murray is also a philosopher, an articulate defender of what he believes is right. And events have often shown him to be right.

His views have at times clashed with those of Lewis L. Strauss, AEC's Chairman. His occasional dissents have been vital in the final fixing of some of the policies of the great agency upon which the security of our country and that of the Free World so largely depends.

Recent congressional hearings on radioactive fallout from atomic and hydrogen weapons have shown vividly the wide differences of opinion among trained scientists on the dangers involved.

These point up the necessity of insuring that the AEC, above all other Government agencies, shall never become a mere rubber stamp, blindly approving the views of one man or one group of men.

The whole atomic enterprise is so young, so complicated, so vastly important that only out of a clash of opinions can AEC select the proper course toward its twin objectives: first, the military security of our country; and, second, the application of this mysterious force to the advancement of mankind.

Mr. Murray, a devout man, is a strong supporter of the President's atoms-for-peace program which could lead to the establishment of God's peace.

Chairman Strauss doubtless will have great influence in President Eisenhower's decision on whether to reappoint Mr. Murray.

A big man in his own right, Mr. Strauss was himself an occasional dissenter in earlier days of this atomic agency. He will increase in stature when he shuns those who put unanimity above all else, and recommends the reappointment of Mr. Murray.

The country, the Eisenhower atoms-for-peace program, and the AEC need men like Tom Murray.

TRIBUTE TO SENATOR DOUGLAS

Mr. NEUBERGER. Mr. President, our colleague the senior Senator from Illinois [Mr. DOUGLAS] has been performing a remarkably thorough job in documenting his support of effective civil-rights legislation. This feat is a tribute to the Senator and to his capable staff.

On June 12, the Pulitzer prize-winning correspondent of the New York Times, Mr. James Reston, recognized this outstanding work by the Senator from Illinois in a column written by Mr. Reston for his paper.

Regardless of viewpoint, all of us in the Senate respect ability and thoroughness. Furthermore, I myself share the viewpoint of the Senator from Illinois on his civil-rights position. Therefore, Mr. President, I ask unanimous consent to have printed in the body of the RECORD the tribute paid to our colleague from Illinois [Mr. DOUGLAS] by Mr. James Reston, of the staff of the New York Times, which is one of the great newspapers of our country and of the world.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOUGLAS TAKES ON SOUTH—A VIEW THAT THE SENATOR IS EMERGING AS CHIEF CHAMPION OF CIVIL RIGHTS BILL

(By James Reston)

WASHINGTON, June 11.—Senator PAUL H. DOUGLAS, Democrat, of Illinois, is emerging as the most effective advocate of the Eisenhower administration's civil-rights bill in the Senate.

The white-thatched professor from the Middle West is contending with another powerful orator in the Democratic Party, Senator SAM J. ERVIN, Jr., of North Carolina, for domination of what promises to be the most acrimonious debate of the session.

Every few days now, Senator DOUGLAS appears on the floor armed with heavy catalogs of facts, to prove that the Negro in the South is being deprived of his right to vote in Federal elections.

Here is just a sample of his statistical armory from yesterday's installment:

In Alabama, only 10.3 percent of Negroes over 21 years old in the 1950 census were registered to vote.

In Blount County, Ala., "There are 429 potential Negro voters, but not a single Negro has voter registration."

In Bullock County, there are 5,425 potential Negro voters, but only 6 Negroes are registered.

In Clay County, there are 1,010 potential Negro voters, as of 1950, but not one of them is registered.

In De Kalb County, there are 443 potential Negro voters, but none is registered.

In Jackson County, there are 1,242 potential Negro voters, but none is registered.

In Lowndes County, there are 6,512 potential Negro voters, but not a single Negro is registered.

In Marshall County, there are 605 potential Negro voters; not a single Negro is registered.

In Morgan County, there are 4,641 potential Negro voters; not a single Negro is registered.

In Tallapoosa County there are 5,083 potential Negro voters; not a single Negro is registered.

In Wilcox County there are 8,218 potential Negro voters; not a single Negro is registered.

AND ON TO OTHER STATES

On he goes from Alabama to Arkansas and Georgia, reeling off figures compiled by the research office of the Southern Regional Council.

"For the State of Arkansas as a whole," he said, "according to the 1950 census, there are 410,342 nonwhites of 21 years and over, but in the whole State only 67,851 Negroes were registered, or 16.5 percent of those who would be expected to be eligible.

"In Georgia, the total number of potential Negro voters in 1950, 18 years of age and over, was 633,679. • • • In 1956, the number of Negroes was 163,389, or only 25.6 percent of those who are potential voters."

The Senator for Illinois fills the pages of the CONGRESSIONAL RECORD with comparable figures for the other States in the South; only 25.3 percent of those registered in South Carolina; 20 percent in Virginia, and in Mississippi, only a fraction over 3 percent.

Against this torrent of figures, Senator DOUGLAS presents his argument in favor of the administration's bill. It would protect the Negro's right to vote through the use of a Federal court injunction, and authorize the judges in the Federal courts to bring contempt proceedings against anyone who violates the injunction.

This has been characterized by Senator ERVIN as an "insulting and insupportable indictment of a whole people • • • as drastic and indefensible a legislative proposal as was ever submitted to any legislative body in this country."

Accordingly, Senator ERVIN and his supporters have succeeded in getting the Senate Judiciary Committee to amend the bill so that anyone charged with defying a Federal court injunction in a civil rights case would have a jury trial.

DOUGLAS REPLIES

Let's see what this means, Senator DOUGLAS tells the Senate.

"This amendment in practice," he declares, "will nullify the protection of the right to vote which the civil-rights bill is designed to protect. • • • In the State of Arkansas, in the parish of Orleans, which includes the city of New Orleans, and in the States of Mississippi, South Carolina, and Texas, a person must be eligible to vote in order to be competent to serve as a grand or petit juror in the State or parish. • • • Thus, the jury-trial amendment, when coupled with existing denial of the right to vote to thousands of Negroes, merely sets up [this] cycle:

"First. Negroes are denied the right to vote.

"Second. A civil-rights bill, we hope, is passed by Congress to protect and defend that right.

"Third. An amendment is, however, added to provide jury trials for those who have prevented Negroes from voting.

"Fourth. By law, Negroes are excluded from jury lists because these lists are composed, by law in five States and by practice in many others, of those who are on the voting lists.

"Fifth. Therefore, the juries often would be composed predominantly of those whom the defendant has given the privilege of voting and largely excludes those or those groups who have been denied the right to vote.

"Sixth. These jury members in turn would find it very difficult to exercise their fair judgment in civil-rights cases.

"They will be making decisions in many cases where there exists an atmosphere of tension, coercion, threats, and intimidation. If they support a Federal judge's order protecting the voting rights of Negroes, they know they will be exposed to economic pressure and possibly to physical violence. This would be true, in particular, of those jurors who might be willing on grounds alone of justice to support the order of a Federal judge."

None of this, however, persuades Senator ERVIN and his southern colleagues. For every fact presented by the Senator from Illinois, the Senator from North Carolina has a string of citations on the basic right of trial by jury.

He brushes aside Senator DOUGLAS' assertion that trial by jury in such injunction contempt cases is a new, unique, and radical departure from the precedents of our law, and proclaims with great eloquence that government by injunction is abhorrent to those who love our constitutional and legal systems.

Thus the debate is joined, and there are no two more learned nor worthy antagonists in the Senate to lead it.

COST AND DAMAGE ESTIMATES ON THE DISASTER CONDITIONS IN THE STATE OF TEXAS

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter I have received from Mr. Welcome Wilson, Administrator of region 5 of the Federal Civil Defense Administration. The letter is detailed, and I shall not read all of it. It is necessarily an incomplete report of damage suffered by Texans in the recent disastrous series of floods. Included are estimates from FCDA, the Corps of Engineers, the United States Bureau of Public Roads, the Small Business Administration, the American Red Cross, and agencies of the State of Texas. Included also are estimates of the cost of temporary repairs to public facilities.

It is an appalling picture of damage and disaster, much of which could have been prevented by construction of proper flood control facilities. More than half this damage could have been prevented by flood control facilities already authorized but still unconstructed.

The moral is plain: Flood control construction pays for itself in some areas in 1 year.

We have had in the State a total damage of over $150 million. The tabulation shows temporary repairs to the extent of $930,000, to public buildings and structures alone.

The loss in livestock is itemized by counties and by number.

The tabulation also shows that with respect to crops and livestock alone we have suffered damage by more than $27 million.

There is also shown the number of people killed and injured; as well as the number of homes destroyed and damaged. Those losses are all enumerated. More than 9,000 families and more than 36,224 people have been affected. A number in excess of 8,000 have received mass care. Thousands have been injured.

I shall not go into detail but I ask that the report in its entirety be printed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FEDERAL CIVIL DEFENSE ADMINISTRATION,
DENTON REGIONAL OFFICE,
Denton, Tex., June 8, 1957.

Hon. RALPH YARBOROUGH,
Senate Office Building,
Washington, D. C.

DEAR SENATOR YARBOROUGH: We have assembled preliminary cost estimates together with damage estimates developed by State and Federal agencies as a result of the recent and current disaster conditions in the State of Texas. These estimates are divided into the following categories: (1) estimates of cost of temporary repair to public facilities eligible under Public Law 875; (2) agricultural damages; (3) summary report by the United States Bureau of Public Roads; (4) Small Business Administration; (5) Corps of Engineers summary; (6) American Red Cross; (7) general.

I

I am listing below estimates by counties of cost of temporary repair to public facilities eligible for reimbursement under Public Law 875, 81st Congress, which have been surveyed to date. These estimates cannot be considered complete for the following reasons:

1. All applications requesting assistance have not been received at this time.

2. Our regional inspections on damage conditions not directly pertaining to protection of life or health hazards have not been accomplished.

3. Continuing heavy rains causing additional damage make it impossible to make requested second inspections.

For convenience of study, public facilities estimates have been divided as follows:

1. Health and sanitation (includes vector control, mass immunization, decontamination of private water wells, repair of public water and sewer systems and debris clearance).

2. Roads and bridges (includes county-owned and maintained roads and bridges and city streets and bridges. Roads and bridges on the Federal Aid System, of course, are not eligible for assistance under Public Law 875).

3. Preventive construction (includes preventive construction on levees and river embankments to prevent further damage to public and private property).

4. Schools and public buildings:

County	Health and sanitation	Roads and bridges	Protective construction	Schools and public buildings
Bell	$14,333	$278,493.74		
Bexar	12,105			
Brazoria	12,106		$21,650.00	
Briscoe	1,812			
Burnet	2,669	58,382.50		
Caldwell	5,662			
Collin	300			
Rockwall				
Comanche	130	22,640.00		$29,493.10
Dallas	4,050			
Fort Bend	9,475			
Gregg	2,350			
Grimes	822			
Hamilton	1,352			
Hood	1,629	10,279.00		
Houston		20,233.30		
Lampasas	53,021	10,910.00		
Leon	1,368	20,822.00		
Limestone		60,000.00		
Matagorda	1,665			
McLennan	25,727	115,214.00		
Milam	9,844			
Palo Pinto		3,630.17		
Parker	1,883	6,410.22		
Somervell	849	1,232.00		
Tarrant	14,957	6,663.92		
Victoria	25,425	1,970.00	1,970.17	
Williamson	26,414	20,230.00		
Wichita	3,115			
Young	2,994			
Total	237,795	637,020.61	23,619.17	29,493.10

Health and sanitation	$237,795.00
Roads and bridges	637,020.61
Protective construction	23,619.17
Schools and public buildings	29,493.10
Grand total	927,927.88
Round off	930,000.00

II

Following is a listing of agricultural damages by counties compiled by the Agricultural Extension Service, Texas A. and M. College, from questionnaires sent to county agriculture agents. These are estimates from the agent with advice from local people.

County	Crop damage		Livestock damage		Other
	Acres	Amount	Number head	Amount	
Anderson	80,000	$430,000	200	$20,000	
Angelina	10,000	150,000	200	10,000	
Austin	15,000	125,000	1	800	
Bandera	264	8,027	16	355	
Bell	63,750	1,912,500	30	3,000	
Blanco	6,000	150,000	75	11,250	
Bosque	1,000	15,000	100	2,000	
Bowie	7,755	377,250	0	0	
Brazos	5,000	100,000	60	750	
Brown	350	3,000	14	1,500	
Burleson	25,000	1,500,000	25	2,500	
Burnet	15,000	300,000	0	0	
Caldwell	5,000	25,000	1	200	
Calhoun	1,000	10,000	0	0	
Cameron	15,000	6,500	0	0	
Cherokee	34,000	(1)	550	41,250	
Coleman	4,000	75,000	0	0	
Collin	43,000	514,000	40	1,500	
Colorado	1,000	20,000	0	0	
Comanche	0	0	204	2,500	
Cooke	2,000	2,000	0	0	
Coryell	50,000	175,000	0	0	
Cottle	500	3,000	6	500	
Crockett	100	1,000	500	7,500	
Dallas	30,000	800,000	0	0	
Donley	6,000	300,000	40	3,200	
Ellis	15,000	50,000	20	3,000	
Falls	60,000	600,000	0	0	[2] 150,000
Fort Bend	16,250	403,400	0	0	[3] 200,000
Freestone	2,000	20,000	350	43,750	[4] 25,000
Goliad	2,000	15,000	0	0	
Gonzales	1,400	42,000	0	0	
Grayson	10,000	200,000	17	2,000	
Gregg	5,000	75,000	10	1,000	
Grimes	10,000	150,000	0	0	[5] 100,000
Guadalupe	20,000	100,000	25	3,000	
Hamilton	25,000	500,000	1,010	23,250	
Hardeman	15,000	300,000	0	0	
Hardin	3,000	75,000	400	20,000	
Harris	500	2,500	15	1,500	
Henderson	50,000	100,000	70	7,000	
Hill	2,500	45,000	0	0	
Hood	1,000	250,000	0	0	
Hopkins	10,000	250,000	30	7,500	
Houston	18,700	240,280	150	15,000	
Hunt	30,000	300,000	100	10,000	
Irion	0	0	450	5,500	
Jack	1,000	10,000	150	15,000	[6] 120,000
Jackson	2,000	20,000	0	0	
Jones	4,000	200,000	0	0	
Karnes	2,100	65,000	0	0	
Kaufman	125,000	1,675,000	50	600	
Kendall	500	15,000	35	1,000	
Kinney	200	$439	25	$3,000	
Lampasas	4,000	100,000	500	30,000	
La Salle	4,000	50,000	0	0	
Lavaca	1,500	60,000	0	0	
Lee	2,500	150,000	18	1,500	[7] 30,000
Leon	100,000	1,100,000	90	5,000	
Limestone	1,500	22,500	50	3,750	
McLennan	53,000	1,500,000	120	14,640	
Madison	4,400	154,000	27	3,000	
Martin	100,000	250,000	0	0	
Matagorda	300	8,000	0	0	
Milam	20,000	500,000	150	15,000	
Montague	3,500	200,000	0	0	
Montgomery	100	750	0	0	
Morris	3,000	60,000	0	0	
Nacogdoches	500	10,000	13	3,060	
Navarro	111,250	1,982,000	0	0	
Newton	1,000	15,000	500	25,000	
Nueces	2,000	25,000	0	0	
Palo Pinto	9,800	161,700	150	2,500	
Panola	900	30,000	150	10,000	[8] 90,000
Parker	7,500	250,000	100	2,000	
Pecos	300	15,000	200	4,000	
Polk	8,100	2,000,000	0	0	
Rains	12,000	100,000	0	0	
Reagan	150	3,000	1,000	7,000	
Refugio	1,200	60,000	12	720	
Robertson	(1)	850,000	0	0	
Rusk	1,000	20,000	500	25,000	
Sabine	250	5,000	0	0	
Smith	20,000	60,000	4	400	
Somervell	3,000	35,000	12	900	
Tarrant	10,000	125,000	0	0	
Taylor	1,500	15,000	0	0	
Tom Green	4,000	20,000	872	21,300	[9] 40,000
Trinity	15,000	75,000	0	0	
Tyler	500	2,000	0	0	
Upshur	3,000	30,000	0	0	
Upton	0	0	500	10,000	
Van Zandt	60,000	1,200,000	25	2,500	
Victoria	13,000	55,000	70	9,000	
Walker	1,000	50,000	50	5,000	
Waller	10,000	250,000	15	1,500	
Washington	12,000	150,000	0	0	
Wharton	10,000	100,000	50	5,000	
Williamson	30,000	750,000	800	31,250	
Wise	80,000	800,000	200	20,000	
Wood	1,000	50,000	25	2,500	
Young	3,000	180,000	9	950	
Zavala	125	40,000	0	0	
Total, 103 counties	1,567,744	25,964,446	11,070	533,615	761,000

[1] Unknown.
[2] Improve and open pastures.
[3] Loss from beef cattle.
[4] Wildlife loss.
[5] Pasture damage to 20,000 acres.
[6] Fences.
[7] Pastures.
[8] Turkeys lost (20,000).

NOTE.—Total money loss, $27,289,091.

III

The estimates presented by the United States Bureau of Public Roads have been incorporated in the public facilities damages listed under I. However, these figures do not include the second and most recent flood conditions. To date, the Bureau of Public Roads estimates that they have spent $2,500 for salaries, overtime, and travel of engineers. There is no indication at this time what, if any, requests will be made to the Bureau of Public Roads for assistance and debris clearance, temporary repair, and restoration of roads and bridges eligible under the Federal road program.

IV

Of the 29 counties that have been declared disaster counties by the Small Business Administration for the reason of flood and/or tornadoes, applications have been received from the following 7 counties:

County	Number of applications accepted	Amount
Tarrant	5	$14,550
Dallas	20	102,124
Tom Green	4	128,900
Taylor	3	8,000
Hamilton	4	48,600
Limestone	1	1,000
McLennan	1	3,750
7 counties		306,924

V

In addition to the loan of several specialists, the Corps of Engineers has approximately $70,000 which they are using in connection with making aerial surveys, post flood surveys and estimates, and operating flood-control reservoirs on an emergency basis. They are requesting $25,000 for making emergency levee repairs on the East Fork and Middle Trinity River Basin. As these repairs are made, they will be in a position to state value of services rendered by county breakdown.

VI

The American Red Cross statistical report shows the following:

Counties	Killed	Injured	Homes		
			Destroyed	Minor damage	Major damage
Bastrop	0	5	5	5	5
Bell	3	3	13	120	120
Bexar	0	10	0	600	0
Brazoria	0	1	6	20	200
Briscoe	20	46	30	24	18
Brown	0	0	0	25	0
Burnett	0	0	0	20	0
Cherokee	0	0	1	12	0
Collin	0	0	0	5	2
Dallas[1]	1	6	2	441	1
Crosby	0	0	30	12	11
Donley	0	1	5	20	0
Freestone	1	1	1	0	5
Fort Bend	0	0	0	5	0
Gregg	0	0	0	10	0
Hamilton	0	1	0	10	0
Hill	0	5	1	5	5
Hunt	0	0	0	25	0
Lamar	0	3	0	20	1
Lamb	0	16	77	4	5
Lampasas	0	15	38	336	46
Liberty	0	0	0	15	0
Lynn	0	0	10	100	10
McLennan	0	9	0	200	15
Martin	0	0	6	6	4
Matagorda	0	0	0	25	0
Nacogdoches	0	0	0	5	1
Parmer	0	0	1	20	6
Palo Pinto	0	1	3	25	2
Parker	1	0	2	100	5
Smith	0	6	15	40	9
Tarrant	1	1	0	439	146
Taylor	0	4	0	170	15
Tom Greene	0	0	1	135	10
Travis	0	0	0	4	1
Upshur	0	0	0	1	2
Van Zandt	0	0	0	3	1
Victoria	0	10	0	200	5
Wichita	0	0	0	19	1
Williamson	0	5	1	80	10
Young	0	9	0	8	11

[1] Excludes tornado.

The number of persons evacuated cannot be determined at this time. We know that 9,056 families have been affected; 36,224 people affected; 8,080 people received mass care. In the hardest hit areas between 7,000 and 10,000 people have been evacuated from 1 to 4 times due to additional flooding in the same areas. The American Red Cross has received better than 37,038 applications for rehabilitation of homes, furniture, food, clothing and medical care.

VII

We have had extensive help from the military as well as many other major agencies, but at the present time, no estimate of expenses or charges from the military or other agencies can be made for use of helicopters, planes, equipment, and personnel.

Please bear in mind that these estimates are certainly initial or preliminary estimates in the purest sense. There are many areas in the State that are still submerged by flood waters and other areas in which resurveys will be necessary, and most of all, conditions have changed very little for the better. There are areas in the State that received 5 inches of rain Tuesday, June 4.

As we can provide more detailed and complete reports, we will be glad to furnish them to you.

Sincerely,

WELCOME W. WILSON,
Regional Administrator.

SUGGESTION OF PRESIDENT EISENHOWER TO TURN POST OFFICE OVER TO BUSINESS

Mr. NEUBERGER. Mr. President, I was greatly disturbed to learn that the President of the United States, on June 12, suggested to a group of Congressmen of his own political party that the Post Office Department might be turned over to private business for operation.

I am alarmed by this report because, in my opinion, any such policy would mean the early end of the system of rural free delivery which has been such a boon and blessing to the farm population of our country. Let me explain what I mean.

It is obvious that it costs infinitely more to deliver a letter in sparsely settled rural areas than in crowded cities. Yet, under our United States Post Office Department, a standard rate for first-class letters prevails everywhere in the land. It costs me 3 cents to send a personal letter a few blocks to downtown Washington from the Senate Office Building. It likewise costs me 3 cents to send that same letter 3,000 miles to a friend of mine at the remote end of the rural route out of Imnaha, Oreg., in the granite heart of the great Wallowa Mountains.

This kind of policy has made it possible for men and women to go into the American hinterland and to build it up, and yet still to maintain economical and frequent contact with their friends and business outlets elsewhere in the land. But, under a private-business system, would such a system continue? Business is predicated mainly on a profit. Telephone rates, for example, rise for every few miles of distance added to a long-distance call. I do not criticize the telephone company for that. It is not a charitable or service institution; it is a business operated for profit.

But I wonder what would happen to the families in the most farflung and isolated realms of the United States, geographically, if the Post Office Department is detached from our Government and operated under the same rules as private business? I trust President Eisenhower has not ventured his latest proposal seriously. As a member of the Senate Committee on Post Office and Civil Service, I urge him to make it clear that his recommendation was intended in jest and not as a serious advocacy from the White House.

After all, Mr. President, our Post Office Department has been conducted as a governmental function under such illustrious Chief Executives as Thomas Jefferson, Andrew Jackson, Abraham Lincoln, Theodore Roosevelt, Woodrow Wilson, and Franklin D. Roosevelt—and I think they qualify as citizens who have had the welfare of this country at heart.

DEFENSE PLANNING—MORE "ALICE-IN-WONDERLAND"

Mr. SYMINGTON. Mr. President, at the present time the Secretary of Defense is considering the May 31 letter of protest written to him by the Secretary of the Air Force, presenting the shocking impact that Defense Department Directive 7200.4, issued as of May 31, would have on the program of airpower promised the American people by the President.

Unless this directive is revised promptly it may well result in reducing and stretching out this program as follows:

Elimination of orders for the F–106 fighter, the advanced all-weather interceptor.

Reduction of about 200 in the orders placed for the F–104 day fighter.

Reduction of more than 100 F–101B McDonnell all-weather interceptor fighters.

These three aircraft were planned as the main defense aircraft for the continental United States.

A cutback in orders for the F–105 interceptor fighter.

Elimination of one wing of C–130 tactical air transports. This of course further reduces the modernity of the Army.

Elimination of orders during the fiscal 1958 for any B–58's, the new supersonic bomber which is twice as fast as any other bomber produced in the free world.

Production slowup of the KC–135 jet tanker used to refuel the B–47 and B–52 bombers. The shortage of this plane is already acknowledged to be a serious matter.

Cancellation of the Snark intercontinental winged missile.

Cancellation of the Navaho ramjet intercontinental missile.

Cancellation of the Matador tactical winged surface-to-surface missile.

Cancellation of the Rascal air-to-ground missile, plus its newer version with greater range.

Cancellation of the Falcon air-to-air missile.

The Department of Defense has admitted that no analysis of what this

directive would actually do to the program was made before it was issued.

Again we ask therefore—does the President support his own telecasted recommendation to the American people to raise Air Force funds over $600 million—or does he support this directive of the Department of Defense to reduce Air Force funds over $4 billion.

Congress and the people have the right to know—what does the President want?

TWENTIETH ANNIVERSARY OF THE FOUNDING OF THE AMERICAN GUILD OF MUSICAL ARTISTS

Mr. JAVITS. Mr. President, last evening I had the honor of speaking at the 20th anniversary dinner of the American Guild of Musical Artists, which is comprised of some of the most distinguished singers and instrumentalists of our time in the classical music field. I also had the honor of bringing to the dinner the greetings of the President of the United States.

I ask unanimous consent to have printed in the RECORD, as a part of my remarks, the address delivered by Mr. Lawrence Tibbett, the honorary president of AGMA, detailing the distinguished 20-year history of this organization.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH DELIVERED ON 20TH ANNIVERSARY OF FOUNDING OF AGMA AT ROOSEVELT HOTEL, JUNE 12, 1957, BY LAWRENCE TIBBETT

In the beginning of most every organization some one individual is very often spoken of as being the pioneer or the instigator of that organization. Usually I will find upon close and honest scrutiny of the process of organization of any movement involving many people of similar interests—that it's the result of many minds converging simultaneously upon a given idea and surely no movement can come to full fruition until this is so.

Twenty years ago there was nothing novel in the idea of this guild at all and most obviously nothing new in the idea of people in related fields of work banding together to acquire voice, and achieve a balance of negotiating power between the employer and the employee. When, 22 years, ago I saw the immediate necessity of forming a protective, bargaining and negotiating organization for performing artists in the classic music fields, I vainly thought that I was the first among performing musicians in this country, past or present, to give birth to this brain child. But my pride of authorship was soon deflated. When I approached Jascha Heifetz and Frank Chapman and Richard Bonelli about it they said that they too had seen the inevitability of a guild and were on the point of enlisting my aid. Also I found out that four of the most illustrious singers of their time and whom I knew had tried to organize opera and concert artists about 35 years ago. Those artists were Lucrezia Bori, Alma Gluck, Edward Johnson, and John McCormack and probably many more pioneers of whom I know nothing. Anyway, the four before-mentioned artists were real pioneers; were working alone, before others had become fully conscious of the need for organization. Also I should mention that as early as 1864 various groups of performing artists had achieved protective organization in several European countries.

Now let me briefly give you some facts and significant milestones in our 20-year history—really 21 years. In February 1936 I called a meeting in my home of artists of prominence to pass upon and or amend a tentative constitution and bylaws, and to plan a second larger meeting of about 40 of the greatest musical interpreters in our country. The purpose of this second meeting was to raise funds and to discuss the workability of our proposed constitution. Twenty-one artists—all celebrated names—came to my apartment. We passed favorably upon constitution and bylaws and each one of the 21 subscribed $300 to help organize. We elected a temporary board, set a date—April 17, 1936—for a general meeting and selected Henry Jaffe as our counsel. Those 21 artists we now call our founding fathers and yesterday we specially honored those remaining alive. At the first general meeting we enrolled about 200 new members and not long after that we applied for and received a subcharter from the Associated Actors and Artistes of America, which is our parent body in the American Federation of Labor.

Then not long after came our first and today still our most important single employer agreement—the Metropolitan Opera Co. agreement with AGMA. That contract was not all we wanted nor felt we deserved, but it was the most powerful step we have ever taken in our advance to our present status—we now cover practically the whole field of our defined jurisdictions.

We have here tonight official representatives of the powerful AF of M and I cannot let this opportunity pass without acknowledging our debt to the AF of M and its then great president Joe Weber. When we were at an impasse with the Metropolitan and a strike seemed certain and a victory less so, Joe Weber intervened on our behalf and we got the agreement.

For the next 12 to 15 years AGMA went on to many victories, many defeats and many delays. In those early years of AGMA's existence both employer and employee often looked upon one another as enemies bent upon vengeful destruction. But now I can safely say that so-called opponents and proponents in our various struggles in these last 20 years now realize that both sides are basically interdependent. We all know that in most negotiations sharp differences of opinion exist. We all know that abuse of power made unions a necessity. We also know that often when power is achieved in labor unions that they also often abuse that power. Alas, these characteristics are all too human.

Now let me say that to my knowledge, in the whole labor movement, in no union has the power of government remained more firmly in the hands of the working members themselves than in AGMA. Our paid executives and administrators could never be classed as unioners. Mistakes we have made—but they were made in the firm and honest belief that we were doing the best thing for the whole profession.

I must say in closing that nothing in my lifetime has given me greater satisfaction than to see my labors on behalf of the welfare of my colleagues come to happy fruition in our 20-year-old brain child—AGMA.

THE IMPORTANCE OF AMERICAN FOUNDATIONS

Mr. WILEY. Mr. President, one of the very interesting recent phenomena on the American scene has been the tremendous growth of private foundations, designed to foster constructive activities in virtually all walks of life.

The private philanthropic spirit—the voluntary zeal to finance worthy public goals—has long been a characteristic of our countrymen, from men of great wealth to men of humble means. Through foundations, that philanthropic spirit is encouraged, channeled, and facilitated.

If one were to review progress in America during the past decade—scientific progress, cultural, educational, and other progress—one could hardly write a history of such progress without recording the impressive service rendered by innumerable foundations.

In this week's Time magazine is a most interesting article on the varied work of the great Ford Foundation. It is, as we know, now under the able presidency of Dr. Henry Heald, a former president of the Armour Institute, and a former chancellor of New York University. He is the well-qualified individual now responsible for the administration of the Nation's largest foundation, with some $2.7 billions in resources. I feel that Dr. Heald and his associates have a very deep sense of the broad responsibility and trusteeship which is theirs.

Other great foundations also bear the illustrious names and responsibilities of pioneers of American free enterprise—Carnegie, Rockefeller, and so forth. These men accumulated vast wealth. But, contrary to Communist lies, these men recognized their deep social responsibility to use that wealth for the public good. The Rockefeller Foundation, the Carnegie Foundation, and other famed organizations bear the stamp of the greatness of their founders and the greatness of the foundations' contributions to America.

Men may, and do, honestly differ on this or that particular allocation by the Ford or other foundations. But as Dr. Heald points out, in the Time article on this week's newsstands, "the whole function of a foundation is to discriminate, to pioneer, to show by example, to be prudent, but not afraid, to be risky but not foolhardy, to explain fully. It has," he pointed out, "the moral responsibility to be great."

As all of us are well aware, part of the responsibility of all foundations derives from the tax exemption they enjoy. In this age of high taxes burdening 160 million Americans, a tax exemption is a matter of deep significance to all.

I noted with deep interest, therefore, an editorial in this morning's New York Times which points out striking findings in the first annual report of the Foundation Library Center. This is a most valuable organization designed as an assembly point for long-needed information concerning foundations. The Times editorial stresses a phase with which I believe every thinking American will agree. It is this: All foundations owe the public a responsibility for full disclosure—not just bare statistics, but full description—of the way in which tax-exempt funds are utilized. Virtually all of the great foundations, of course, discharge that disclosure responsibility. Some do not. Some foundations have not fulfilled their accountability.

The occasional malfunctioning of some foundation should not result in tarnishing the good name of all foundations. We in America believe that when the light of full public knowledge and understanding is brought to bear on all the foundations in this land, there will be less of a tendency for tax-exemption privileges to be occasionally misused.

I send to the desk the text of the Times editorial, and ask unanimous consent that it be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 13, 1957]

FOUNDATION REPORTING

American foundations control a pool of funds worth some $7.2 billion, out of which they gave away about $600 million in 1956. Gifts to them enjoy tax deductibility by the donors and the income from their investments is given tax exemption by Federal and State laws. But considering the vast power of foundations and the exceptional privileges they and their supporters enjoy, the public knows far too little about most of them.

Striking evidence of this is found in the first annual report of the Foundation Library Center, which was set up last year to help fill the void. A nonprofit educational agency—initially supported by the Carnegie Corp. and directed by F. Emerson Andrews—the center is a repository of all available facts about foundations which it makes freely open to all those who need to use them.

This first report gives some reasons for the public's ignorance—for which the foundations and Government are in part responsible. Many foundation reports are models of what they should be, especially those of the largest ones. But of the 84 foundations with assets over $10 million, only 44 issue any annual or biennial reports at all. Of the 659 with assets of $1 million to $10 million, only 22 make such reports, and but 11 out of the 4,000 with assets under a million.

Government is also remiss. Compulsory periodic public reporting to State agencies hardly exists at all—not even in New York. All tax-exempt foundations must file annual financial statements with the Federal Internal Revenue Service. These may be examined by the public at its district offices—except for donations received, which are kept secret. But the reports are largely statistical and far less revealing than they should be, especially as to details of grants and the purposes for which they are made.

Full disclosure—through Government agencies and their own published annual reports—is sound policy for all foundations. Both their importance in our national life and the privileges they enjoy require it.

SALARY AND EXPENSE ALLOWANCES OF ALBERT F. HARTUNG, PRESIDENT OF WOODWORKERS UNION

Mr. NEUBERGER. Mr. President, the distinguished senior Senator from New Hampshire [Mr. BRIDGES] recently made public a list of the salaries and years in office of American labor leaders, which I am told was prepared by the staff of the Senate Republican policy committee, of which the Senator is chairman.

I have now been sent a copy of a letter from Mr. William Botkin, international secretary-treasurer of the International Woodworkers of America, which offers a correction of the report on this list by the international president of that union, Mr. Albert F. Hartung. Mr. Hartung's salary is not $14,785.13, as reported, but the more modest amount of $9,100, or about $175 a week, according to Mr. Botkin. The remaining sums represent the costs of Mr. Hartung's necessary travels on behalf of his international union.

Mr. President, I mention this matter because the headquarters of the union in question, the International Woodworkers of America, is in Portland, Oreg., near the vast forests from which most of its members win their livelihood, and because I am well acquainted with President Hartung of the woodworkers, who is typical of the best of American trade-union leadership.

I ask unanimous consent to have this letter of correction printed in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERNATIONAL WOODWORKERS OF AMERICA,
Portland, Oreg., June 6, 1957.

Hon. STYLES BRIDGES,
United States Senate Building,
Washington, D. C.

DEAR SENATOR BRIDGES: I have before me a copy of the Daily Labor Report, Special Supplement No. 15, entitled "Salaries and Years in Office of American Labor Leaders," a report of the Senate Republican policy committee staff, dated May 1957 (official text).

In the text of your statement you make the comment that "the salary figures are not derived from any investigation by either lawyers or accountants, but are rather figures furnished by the Unions themselves." It is quite obvious that you gathered this financial information from the forms filed with the Department of Labor and it should be noted on this form that it requests listing the aggregate compensation and allowances exceeding $5,000 during the preceding year of the individual union's three principal officers.

Our organization, the International Woodworkers of America, not only list the three principal officers, but we list all employees of our organization who receive an aggregate compensation and allowances exceeding the $5,000 figure.

I note, however, that in listing the name of our organization, the International Woodworkers of Amreica, under the column listed as salary for our international president, Mr. A. F. Hartung, you have the figure $14,785.13. Now the form filed with the Department of Labor does not request the filing of the salary only of the three principal officers of a labor organization. To the contrary, it requests the aggregate compensation and allowances paid. I have filed the information requested and so stated on the form by the Department of Labor and in the case of A. F. Hartung, president of the International Woodworkers of America, while you state in your compilation that his salary was $14,785.13, the truth of the matter, and as filed on the form with the Department of Labor, this was his salary and in addition, his total expenses for the year. In other words, Mr. Hartung drew a total salary of $9,100, which is based on a rate of $175 per week.

In addition his expenses were paid of $5,685.13, which made a total of $14,785.13. The expenses of $5,685.13 represents plane, train, and lease automobile expense, a per diem of $8 per day for meals and incidentals when away from his international headquarters, telephone, and telegraph expense.

I am therefore requesting that you make a correction to show the true salary paid to our international president, Mr. A. F. Hartung, which is $9,100 per year.

Thanking you for your assistance, I am

Sincerely yours,
WILLIAM BOTKIN,
International Secretary-Treasurer.

Mr. NEUBERGER. In conclusion, we all hope for the early recovery of the Senator from New Hampshire following his hospital confinement.

SENATE SUBCOMMITTEE ON DISARMAMENT

Mr. MANSFIELD. Mr. President, in the June 1, 1957, issue of the Washington Post and Times Herald there appeared an editorial entitled "Keep It Going." This editorial referred to the work of the Senate Subcommittee on Disarmament, of which the Senator from Minnesota [Mr. HUMPHREY] has had the privilege of being chairman during the past 18 months.

I ask unanimous consent that this editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

KEEP IT GOING

On June 30 the Senate Subcommittee on Disarmament is scheduled to go out of existence unless its life is prolonged. We think that in one form or another the work of the subcommittee ought to be continued. Since its creation nearly 2 years ago, the subcommittee under the chairmanship of Senator HUBERT HUMPHREY has conducted extensive hearings and published some extremely useful studies in the general area of arms control. It has been valuable in broadening the knowledge of its members in both parties. The cost has been insignificant, and the subcommittee's contributions to greater understanding of the issues ought to be maintained, especially in view of the hopes for some sort of limited agreement with the Russians.

The simplest course would be to extend the subcommittee as an offspring of the Senate Foreign Relations Committee. If, however, the Foreign Relations Committee is reluctant to continue a standing subcommittee, it might be possible to reconstitute the body as a special committee of the Senate. Notwithstanding the emphasis in the LaFollette-Monroney Act on avoidance of special committees, the disarmament unit already has more or less this status since it cuts across committee lines. It is composed of members from the Foreign Relations and Armed Services Committees as well as from the Joint Committee on Atomic Energy. Whatever the precise formula, the work needs to be kept alive as a symbol of the Senate's concern with a subject that affects every American.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. MORSE. Mr. President, yesterday, several speakers representing the majority side on the mutual-security bill presented their points of view. It has been suggested that I make the first speech this morning and present some of the minority points of view. That I shall do. I thank the Senator from New Jersey [Mr. SMITH] for his courtesy in allowing me to present these minority views, and I understand the Senator from New Jersey will then follow with the presentation of further majority views. Mr. President, I shall make this speech without yielding for

any interruption, so that my views may be presented in continuity in the RECORD, save and except for possible yielding at a later time to the majority leader for a matter not connected with my speech.

I

BACKGROUND OF FOREIGN AID BILL

Mr. President, the Committee on Foreign Relations has reported S. 2130 favorably to the Senate. I voted against this bill in committee and submit herewith, for the consideration of the Senate, the reasons for my opposition.

Let me make clear at the outset that I yield to no member of the committee in my support of the concept of mutual assistance among nations. I am not unaware that in the kind of world in which we live our own safety as a nation is closely linked with the safety of other nations. I am not deaf to the sound of jet bombers and missiles overhead, and their implications for our international relations. Nor am I blind to the dangers to freedom implicit in the expanding power of totalitarian communism. I realize fully that the world changes into an ever-closer unit under the compulsion of technology. I know that these changes have required unusual measures of assistance to other nations and new ties with other nations and I have supported such measures and ties many times in the past. I shall support them again in the future. I shall support them, however, only when it is clear to me that such measures are essential to the national interest and the welfare of the United States. I shall support them only when they do not do violence to the spirit of the Constitution. I shall support them only when the are designed and pursued in accordance with the due processes of our system of government.

When one of these measures or ties contributes, however, to a rising tide of anti-Americanism throughout the world—as foreign aid has contributed in recent years—I believe the time has come to pause and take stock. When foreign aid degenerates into a ritual of annual appropriations of vast sums of the taxpayers' money without clear and adequate understanding or concern as to reasons for the expenditures, it is time to ask, What for? When billions of dollars are used to arm and support nations which have little sympathy with freedom, it is time to look very closely at the course on which we are embarked. When military and political aid goes to Communist or other totalitarian countries of one stripe or another on the theory that we are building alliances in defense of freedom, it is time to ask ourselves what kind of alliances? On what side will these allies be if the bombs begin to fall?

When the Congress goes on year after year delegating ever-increasing authority over vast sums of money to the executive branch, it is time to ask what is happening to constitutional processes. What is happening to the authority of Congress over the Nation's purse strings?

These questions have troubled many Members of the Senate. Read through the debates of the past 2 or 3 years on foreign aid. In page after page the doubts are recited. The amount it too high. Aid in too many instances is making enemies, not friends of their people. Congress is recklessly abdicating its powers to the executive branch. Millions of dollars are being wasted on arms and other aid which may someday be turned against us, as it was in the Chinese Communist aggression in Korea.

All these doubts and others are what has been troubling Congress in approving foreign aid in recent years. It is no wonder that from year to year the votes against this policy have been increasing in both Houses of Congress.

What has been done to remedy this situation? Last year, in an effort to resolve the doubts, the Senate created a Special Committee To Study the Foreign Aid Program. That committee was composed of all the members of the Foreign Relations Committee—including the same members who have voted to report S. 2130 favorably to the Senate—and in addition the chairmen and ranking minority members of the Committee on Appropriations and the Committee on Armed Services.

The special subcommittee spent almost a year in intensive study of every aspect of foreign aid. In the end, it brought in a unanimous report.

I stress that point, Mr. President. The subcommittee brought in a unanimous report. Its report set forth in detail the weaknesses, the fallacies, and the dangers which had accumulated in the aid program. It recommended that the aid program be continued if—Mr. President—if these weaknesses, fallacies, and dangers were eliminated and it outlined a series of recommendations to bring about the necessary changes. Its findings were realistic and its recommendations were constructive.

The administration paid lipservice to the work of the special committee. The administration acknowledged the need for most of the changes which the special committee declared were imperative for the continued usefulness of the aid program. Then the administration proceeded to perpetrate a gigantic hoax on the Senate and the people of the United States. The legislation which it asked the Congress to approve gave the appearance of reform of the aid program in line with the special committee's recommendations. In actuality, however, it perpetuated to a large extent the same kind of bureaucratic structure, the same kind of senseless waste of millions of dollars of taxpayers' money in futile and costly activities throughout the world. And it sought to remove even more of the few remaining restraints and controls which Congress still exercises over this program.

The Committee on Foreign Relations made some improvements in the measure as it was drafted by the executive branch. They are, in my opinion, only superficial improvements. They do not deal with the real problems inherent in this legislation. They do not stop the senseless waste of public funds on dangerous programs. They do not direct the preponderance of this aid into constructive relationships with the peoples of other lands. They do not put an end to the erosion of congressional controls over the aid program.

S. 2130 was a bad bill when it was introduced in the Senate. It is still a bad bill as it comes from the Committee on Foreign Relations. The committee, in its treatment of this legislation, has accommodated the administration but it has done so by ignoring in large measure the key recommendations of the Senate's own Special Committee To Study the Foreign Aid Program.

SPECIAL SENATE STUDY IGNORED IN THIS BILL

I digress to say, Mr. President, that this has been a very interesting bit of behavior on the part of the members of the Committee on Foreign Relations. It is an example of Senators wearing two hats, and two coats, and of exchanging them at intervals. They put on a hat and a coat—each and every one of them—as members of the Special Committee To Study the Foreign Aid Program, and they wore them for 11 months while they made the study. They came forward with a series of very constructive recommendations for the improvement of the foreign-aid program.

Then they took off their hats and coats as members of the special committee and put on their hats and coats as members of the Committee on Foreign Relations to deal with the legislative proposals, and they proceeded, with these hats and coats on, to ignore many of their own recommendations as members of the special subcommittee.

I think the Committee on Foreign Relations had a duty to the Senate either to come forward and carry out the recommendations of the special study, or to proceed to tell the Senate why those earlier recommendations which they had agreed to are not desirable. That is a kind of Dr. Jekyll-Mr. Hyde performance which it is impossible for me to understand in the legislative process.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. No. I said at the beginning of my speech that I would not yield until I had completed it; then I shall be happy to yield.

EXCESSIVE SIZE OF AUTHORIZATION

In the President's budget for fiscal year 1958 the sum of $4.4 billion was projected for foreign aid. After a wave of protest had spread through the United States and the Congress at the size of this figure, the President announced a reduction of $500 million in the military aid aspects of foreign aid. The contention was made before the committee that this was a genuine reduction in foreign aid. No administration witness, however, provided convincing testimony that this was actually the case. I am satisfied, Mr. President, that it was not the case.

The evidence suggested on the contrary that the administration had merely asked for $500 million too much for military aid in fiscal year 1957, which it could not spend in that year. If it were permitted to carry over that amount, it then could do with a budgetary estimate $500 million less in fiscal year 1958.

The administration did ask for the carryover authority, and S. 2130 grants that authority.

This administration has been seeking to give the American people the impression that it has reduced its military-aid program by $500 million. I say that in fact it has not done so. I say that in fact all the administration did was to engage in a little bookkeeping transfer. The truth is that the administration asked for $500 million too much for 1957; it could not spend it. So it sought to have that amount transferred into 1958, and this bill does that. The $500 million saving is a bookkeeping transaction made possible by extravagant budgetary estimates in fiscal year 1957. It is not a reduction in military aid.

It is of the utmost importance that in presenting to the American people our figures about budgetary amounts we should always be completely intellectually honest with them about what we are doing.

The committee did make a real cut in the total request for foreign aid. It reduced the measure overall by about $227 million.

I noticed that the majority leader in his remarks earlier this morning spoke about a saving of an amount of more than $700 million or $800 million. But he is including in that, of course, the $500 million bookkeeping transaction, to which he adds, apparently, the $227 million saving by the committee.

I respectfully say to the Senate that the only real saving in the bill is the small $227 million cut which the committee made, not the alleged $500 million reduction claimed by the administration.

I do not wish to belittle the saving by the committee of $227 million, but I do question its adequacy. It is but a spit-in-the-ocean of foreign-aid waste.

MILITARY AID

The largest grant of foreign aid (as distinct from loans) is contained in title I of S. 2130. This title authorizes $1.8 billion for military aid, a figure which represents only a $100 million reduction in the President's request. To obtain the true picture of what is really available for military aid, however, it is necessary to add the $500 million carryover of military aid from fiscal year 1957 to this figure. What this bill now does is to permit the President to spend $2.3 billion, not $1.8 billion for military aid in fiscal year 1958. It goes further, moreover, and authorizes an additional $1.5 billion for military aid in fiscal year 1959.

How are these funds to be spent? They are to be spent to supply arms and ammunition to nations from one end of the globe to another. They will be used to build up the armed forces of both democratic nations and totalitarian nations, advanced nations and primitive nations, friendly nations and those that are not so friendly—and all in the name of the defense of freedom.

Will the people of the United States know to what nations and in what amounts this military aid is being supplied? They will not know because this information is concealed under the official stamp of secret.

I have lodged a protest in the committee against this practice and I lodge another in this report. The committee has heard, in my opinion, no convincing reason for these figures to be hidden under the imprimatur of secrecy. They are fairly well known in foreign countries. They are often discussed as common knowledge in foreign countries. Yet Congress is enjoined from having them in public. The people whom Members of Congress represent cannot even know what their Representatives are voting for.

It is my opinion that if the American people knew the details about the expenditure of their tax dollars by this administration in foreign aid, their protests would be so vehement and demanding that the Congress would be forced by political repercussions to revise drastically the foreign aid program. I am convinced that if the American people know the facts that are now kept from them by the use of the label of political expediency called top secret, they would demand a cutback in foreign aid expenditures and a revision of foreign aid policies.

Mr. President, I repeat, in a democracy there is no substitute for full public disclosure. If the government of a democracy is to live up to its obligation of being the people's government, the people must know the facts. It is a matter of great regret and deep sadness to me that I have to report today to the American people, "You do not know the facts behind this bill; and the reason why you do not know them is that you have over you an administration which insists that the details of these expenditures and the purposes to which they are to be put in many, many instances must be kept from you, and the administration does so on the pretense that the security of our country would be jeopardized if the American people knew these facts about the administration of their own Government."

Mr. President, I deny that. I do not say that there is not some information so secret that even the American people cannot be given it because the issuance of the information would be an aid to a potential enemy who might threaten the security of the American people. But, Mr. President, after 8 years of service on the Armed Services Committee of the United States Senate, and now with more than 2 years of service on the Foreign Relations Committee of the Senate, I am convinced that at least 85 percent of the information which is kept from the American people under the label of "top secret" is not in fact top secret at all. Instead, it is information which the taxpayers, the voters, the people of the United States, who own the Government should have.

TREND TO ADMINISTRATIVE SECRECY MUST END

Mr. President, this trend is not limited to the present administration alone; instead, the trend toward the adoption of police-state methods in the United States of America has been going on now for too many years; but in the past few years it has taken on the speed of a galloping stampede across the Nation.

Therefore, Mr. President, from my desk in the Senate of the United States, today I tell the American people that they had better be on guard against it, and that they should also remember the lesson and tradition of American history; namely, that in America there is no room for a military junta. There is greater safety for democracy in democratic processes and procedures than in military processes and procedures. I repeat that there is greater safety for the American people and the perpetuation of freedom in America by strict adherence to our democratic processes, based upon our great constitutional system of checks and balances, than there is in the forms and practices of a military organization.

I am not one to say that military support and defense and programs are not important. But the American people are being subjected to a type of fear argument, to the effect that if they do not put their trust in the military, or the military leaders, or executive heads who purport to speak in the interest of military defense, then the security of the American people may become endangered.

In my judgment we have already gone too far, Mr. President, in investing our trust in the military arguments of the present administration and in advancing its military policy. I shall say it later in this speech, from my manuscript, but I now make the point, in connection with this matter, that one of the sacred cows of this administration is the military budget, and it is time for the American people to insist upon the most thoroughgoing investigation of the military affairs of the Government. The military budget must no longer be shrouded in secrecy, as it presently is. The American people had better find out quickly what is happening to them militarily. And so, as one who in the past has voted for adequate military defense, and as one who will continue to vote for adequate military expenditures, I shall, as a constitutional liberal in the Senate, insist that the American people be given more of the facts about military expenditures. When they get the facts, Mr. President, the people will demand two great changes, in my opinion. First, they will demand a cessation of military expenditures in some areas of the world, on the part of the American Government, which do not strengthen freedom in the world, but which strengthen totalitarianism. I hold to the point of view that the time has come when the American Government should be supporting freedom and free governments, not totalitarian governments.

Second, once the American people get the facts about what is happening to their present military expenditures, I am also satisfied they will insist that their Congress eliminate the hundreds of millions of dollars inexcusably wasted in such expenditures.

He undoubtedly will be heard from later in this debate, but I had a conference yesterday with a distinguished Member of the Senate whose judgment on military matters I would not admit is surpassed by that of any other Member of the Senate. He pointed out to me, in our conversation, that his work in the Senate convinces him that one of

the places where millions and millions of dollars, running into the hundreds of millions, are wasted, is in connection with so-called defense contracts. In my opinion, a thorough investigation by the Senate is needed of the procedures presently employed for defense contracts.

Therefore, so long as I feel that the foreign-aid program is not being administered in keeping with a basic safeguard of democratic procedure, namely, full disclosure to the public of governmental facts, I shall continue to oppose the policies of government by secrecy which this administration follows to far too great an extent.

One reason for my dissent from the recommendations of the majority of the Foreign Relations Committee members is my belief that the committee should insist on a greater degree of public disclosure of the facts concerning the places where the money is to be spent and the purposes for which it is to be spent. The money we are dealing with in this bill does not belong to the Congress of the United States; it does not belong to the President of the United States; it belongs to the people of the United States, and they are entitled to know what is being done with it in great detail.

BILL DOES NOT MAINTAIN CONSTITUTIONAL CHECKS

If we are to keep this country free and avoid a trend to government by men instead of strengthening government by law, Congress must not abdicate its constitutional duty to exercise checks upon the executive branch of the government. The majority of the committee cannot cover up with language the fact that in essence it is recommending an increased delegation of arbitrary discretionary power to the executive branch of government, and in particular to the President of the United States. This delegation of power goes far beyond the delegation of administrative duties necessary to carry out congressional policy. The delegation of power to the Executive inherent in the position taken by the majority of the committee is a delegation of legislative policymaking power to the President of the United States over foreign economic and military aid. It is a dangerous principle. It endangers our historic concepts of constitutional checks and balances. It endangers the legislative process because it amounts in part to authorizing the executive branch—under the guise of carrying out administrative functions—to in fact make legislative policy decisions.

The proposal of the majority to require the President to file reports with the Congress advising the Congress as to what action he has taken or in some instances what action he proposes to take in carrying out the foreign-aid program is not an effective check upon rule by the Executive. It is at best a proposal to lock the stable door after the horse has been stolen.

The Presidential report filing procedure involves a serious weakening of a historic policy precious to the rights of free men and women that under our Constitution legislative decisions are for the Congress, and the administration and execution of legislative policies in conformity with the spirit and intent of Congress are for the Executive.

If Senators want proof of the point I make, that the filing of reports by the President is an empty gesture, I invite Members of the Senate to go downstairs to the Foreign Relations Committee room and to examine the reports the Executive has filed on the commitments and expenditures in connection with execution of the Eisenhower doctrine in the Middle East.

What do we find, Mr. President? We find reports filed by the Executive containing the most glittering generalities. When a person gets through reading one of these reports, he knows no more about what has happened to the money than he knew before he started, because he does not have to go to the committee room to know that the money would have to be spent for items in certain categories, such as highways, utilities, arms, and ammunition. When a person gets through reading a report that tells him no more than that, what does he know? He knows next to nothing. But what we are entitled to know, Mr. President, is, in detail and specifically, exactly what the money was spent for or how it is proposed to be spent. That is what we should know.

Of course, if Congress were not abdicating its legislative functions, and if an annual authorization were required, at least representatives of the administration would have to come before a committee and submit a blueprint of the specific details of the proposed expenditures. But in an escape of responsibility, the gimmick and subterfuge is adopted of having the Executive file a report, so the Executive meets the requirement without, in effect, in fact telling us very much about what the administration has done with the money or what it is doing with the money.

No, Mr. President, we cannot justify an abdication of Congressional legislative responsibility by saying, "We vote the money for the President, and we have put in the bill a requirement that the President shall file a report and tell us what he has done with it or proposes to do with it."

Secondly, the weakness in this procedure, Mr. President, is that it does not carry with it any requirement that the President obtain approval of his proposed expenditures when he files his report.

"Oh," says the majority in debate in the committee, "but it means, of course, that at least we have notice and we can take affirmative action, if we wish to, thereafter."

I do not know whom they think they are kidding, other than the American people. They are not kidding me, Mr. President. No Member of the Senate should be kidded by that rationalization, either, because we all know what happens. When we pass a piece of legislation like this it is behind us. Then we are almost smothered with additional pieces of legislation and legislative duties, which come before us each day. The fact is, it is forgotten. Bad practices can continue for a long time under this kind of abdication or delegation of legislative responsibility to the Executive, and the Congress will be quite unaware of them.

That was not what was intended, Mr. President, when our system of checks and balances was established. That was not what was intended when full legislative responsibility and authority were vested in the Congress. What was intended by the constitutional fathers was affirmative action on the part of Congress in regard to each legislative proposal, at the time the request was made for funds to be provided in that proposal and to be spent under it. That was the intention.

The procedure proposed is a way of undercutting the precious check requiring affirmative action on the part of the Congress of the United States in respect to executive activities. We cannot check the Executive in any other way, be he Republican or Democrat. We cannot check him unless we protect and preserve the check. In this bill, I respectfully say, Mr. President, in my opinion, the majority of the committee is voting away one of the most precious checks the American people have against arbitrary, capricious, and discretionary conduct on the part of any Executive.

Mr. President, as one who taught both legislation and constitutional law for years, I cannot walk away from my deep conviction and understanding of the Constitution, as I believe it was intended to be practiced and carried out by the Constitutional Convention which wrote it.

Oh, I know, I am dealing with an abstraction. When we start arguing in the Senate of the United States about these very precious abstract constitutional principles, those who wish to see them eroded away or delegated away are fully aware of the fact that the men and women on the streets, in the factories and in the homes of America will probably not take the time to interest themselves in abstractions, because the vicissitudes of life, constantly thrusting themselves upon the average citizen, are so time consuming that the average American citizen thinks usually in terms of specific personal matters—taxes, broken sidewalks in front of the home, garbage disposal problems, police protection—the day-by-day matters which constitute most of the contacts between the citizen and his government, local, State, and Federal.

But, Mr. President, as abuses continue to accumulate, American history shows that finally there comes a time when people wake up to the fact that mismanagement, malfeasance, and violation of abstract principles of government have been going on for too long, and then the people are heard from. I happen to believe that one of the obligations of statesmanship in the Senate is to try to avoid such periods of serious repercussions in the body politic.

But I warn the Senate today that if the Congress of the United States continues, as it does in this bill, to ignore the precious checks protecting the people from the arbitrary discretion of an Executive, the time will come when the people will rise up and ask the question: "How

come? Where were you? Where were you, as my Senator, when such proposals were before the Senate of the United States?" Then the people will act.

So in this speech today, Mr. President, I am sure I speak more to the American people than I do to the United States Senate, because I am not unaware of the fact that in all probability, although I continue to hope for something better, the die has been cast on this bill. But the record against it must be made, and the record against this delegation of legislative policymaking functions must be made. I shall be perfectly willing to stand on that record, and be judged by it not only in my State but throughout the Nation.

I have heard, Mr. President, from too many scholars in the field of constitutional law to have any doubt as to the soundness of the position I am taking in opposition to this delegation of authority to the executive branch of Government. What we do here today, Mr. President, or when this bill comes to a final vote, will be the basis for a considerable amount of scholarly writing in the field of legislation and constitutional law because, Mr. President, in my judgment this bill cannot be reconciled with sound constitutionalism. If we are to keep this country free and avoid a trend to government by men instead of strengthening government by law, I repeat that Congress must not abdicate its constitutional duty to exercise checks upon the executive branch of Government.

For too many years now, in our country, under both Democratic and Republican administrations, there has been an eroding away of legislative responsibility clearly vested in the Congress by our constitutional fathers. It must stop if we are to preserve the position of Congress in our constitutional system of government. We should start with this foreign aid bill by modifying those parts of it that seek to expand arbitrary and discretionary power of the executive branch of the Government in the determination of foreign aid polices.

The testimony before the committee gives no evidence of any overriding security reason for secrecy on how much money is given to each country for military aid. It may be a convenience for the executive branch not to have to tell the people of the United States how many millions of their hard-earned dollars are going to Yugoslavia, to Spain, to Pakistan, to Formosa, to Japan. It may be a convenience to that branch but it is an inexcusable affront to the democracy of the United States.

DEFENSE SUPPORT ALSO EXCESSIVE

The second largest item of gifts included in the bill is $300 million for defense support for fiscal year 1958. Again, this represents a genuine committee reduction of $100 million from the President's request. But again, the committee has gone further, at the request of the executive branch, and has already authorized an additional $710 million for defense support in fiscal year 1959—2 years hence.

Defense support, as the executive branch emphasizes, is made necessary only because of the military aid we give to other countries.

A substantial part of the defense support program consists of giving economic aid to the countries which have military weapons which we have made available to them under the military aid program. I think I am permitted to say also that a large part of it goes to help pay for their own domestic military expenses—in some instances even the wages of their soldiers. We call that military defense support.

Those countries cannot support the armed forces that our military aid makes possible so we are compelled therefore to give them economic aid to sustain the burden of these forces. Thus, the vicious cycle is complete. The taxpayers' funds are poured out for military aid. Then hundreds of millions more are added for defense support so that military aid can be continued. Thousands of officers of the armed services go overseas at high pay and privilege to administer the military aid. Then hundreds of civilians go over at high pay and privilege to administer the defense support that makes the military aid possible. All the while, most of the peoples of the recipient countries just manage to keep their heads above water while a few manage to get rich on the parade of American military and civilian officials and the streams of dollars pouring into these countries, all at the expense of the American taxpayers. Necessary reforms are put off. Recipient governments are under no pressure to be responsible to their peoples since American aid can always be counted on to rescue them. They are under pressure to keep their armies big so American dollars will keep on coming. This is, to say the least, a fantastic formula for futility.

Is it any wonder that the tempo of opposition to foreign aid quickens among the people of the United States? Is it any wonder that the tide of anti-Americanism rises throughout the world? Is it any wonder that riots against the United States break out in Formosa, one of the chief recipients of aid?—in fact, a recipient so receptive that in many parts of the world Formosa is called a satellite puppet state of the United States. But the puppet broke a string or two a while back, and engaged in a riot against the United States. We know that strong anti-American feeling exists in Formosa, but I ask the question, Do we know all the facts? Have we been given all the facts about unfortunate conditions which exist in that area which, in some parts of the world, is referred to as a satellite of the United States?

Yet, when the Senator from Montana [Mr. MANSFIELD] proposed in committee that military aid and defense support, together, be reduced a total of $800 million, in an effort to curb this strange and costly procedure, his proposal was rejected by the Committee on Foreign Relations. The committee majority contented itself with a mere reduction of $100 million for each type of aid.

In doing so, they accommodated the executive branch but they did not give adequate attention to the observations of the special committee. The report of that committee had raised the whole issue of how well military aid and supporting aid were integrated into our strategic concepts of national defense and our foreign policy generally.

Many of the special committee's observers had raised questions as to the level of armaments being fostered in some countries. They had also pointed out that in some cases the types of arms were ill suited, too complex, and too costly for these countries.

But we continue to send it, at great expense to the American taxpayer.

They had indicated the dangers of military aid promoting a competition among recipients for ever-increasing amounts of arms from the United States and ever-increasing amounts of defense support aid in order to maintain those arms. Finally, the special committee report and the hearings before the Foreign Relations Committee on this bill leave no doubt that unrealistic exchange rates are adding tens of millions of dollars annually to the cost of defense support to the people of the United States while enriching a few speculators and importers in the recipient countries.

This country needs allies and, in some cases, extraordinary military and support aid may be necesssary to assist them in resisting dangerous totalitarian presssures from within and without. That was true when NATO was organized.

I was one of the ardent supporters of NATO. I can remember, as though it were yesterday, the historic speeches made by the great Arthur Vandenberg of Michigan in support of NATO. I was proud, as one of his disciples and students, to participate in that debate, to which he refers in his autobiography, because I knew then, as I still know, that NATO is of great importance to the security of my country. But that does not justify waste in its administration. There is terrific waste in its administration, and there has been terrific waste from the beginning. I want a sound foreign aid and military aid program, not a wasteful one.

This country does not need and should not seek, perpetual dependents anywhere in the world. If our aid tends to produce a continuing and increasingly expensive dependency in any country, then it does violence both to our best interests and to the best interests of the peoples in the recipient countries. Aid in this pattern may help to prop up an irresponsible government which professes friendship for this country and flatters the administrators of this program. Sooner or later, however, the people of this country will pay a terrible price for this unmitigated folly.

CONTINUATION AUTHORIZATIONS IGNORE CHECKS BY ELECTION

As already noted, this bill authorizes not only excessive appropriations for fiscal year 1958, but it goes beyond that and authorizes large sums for fiscal year 1959. What this means is that next year military aid and defense support will not be reviewed by the Foreign Relations Committee and the Armed Services Committee. The amounts which

may be requested in fiscal 1959 will be reviewed only by the Appropriations Committee.

In my judgment, that is an inexcusable delegation of legislative obligation and responsibility. In my judgment, we should annually review these requests and annually take action on them. Why? What is the purpose of a national election? One of the purposes of a national election is to give the people at the voting booths a check upon Congress. We will have a national Congressional election in 1958. Senators must realize what we are doing in the pending bill. We are making commitments beyond that election. We are making commitments for 1959.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). May the Chair inquire what explanation the majority gave for granting the authority into the year 1959?

Mr. MORSE. I should like to say to the distinguished occupant of the Chair that, although I should like to answer his question directly, I stated at the beginning of my speech that I would not yield for questions until I have concluded my speech. I shall come to that point later in my speech. In fairness to other Senators who have asked me questions, I would prefer not to answer that question at this time.

The PRESIDING OFFICER. The Chair did not understand the situation.

Mr. MORSE. I am sure the Chair will get the answer as I proceed with my speech. I should like to dwell a little longer on the point I was making.

One of the things we must keep in mind is the relationship of the ballot box to Congress, as a check on Congress. We need to keep in mind the history of our whole election system. We must not forget that the Founding Fathers and the people of their times not only feared an arbitrary Executive, but they also feared—and had great fear, I may say, Mr. President—of a legislative branch of the Government on which the people did not exercise a direct check. These fears were born of experience.

Therefore they wrote into the Constitution a series of checks. For example, they established limitations on the length of the term in the House and in the Senate. It is very interesting to read the constitutional debate in regard to this check. People had in mind that they wanted to protect themselves by a check on Congress itself, by the requirement that the Members of the House shall stand for election every 2 years, and the Members of the Senate every 6 years.

As we read the debates, we cannot escape the finding that the people looked upon a Representative as the direct representative of the people in his local district, and that they looked upon a Senator, not as the representative of the people of his State alone, but as a representative of the national interest as well. That is why—and I believe this is very interesting in its bearing on the relationship between Members of Congress and their constituents in the early days of our country—there was a time in our history when the common practice was for a Representative to bring a visiting constituent to the office of the Senator. The constituent did not think of going to the office of the Senator, except by first going to the office of his Representative and usually having the Representative take him to the office of the Senator. Now, I sometimes think, the reverse is true. However, that shows the change in protocol, so to speak.

Coming back to the point I was making, the provision for a 2-year election is a very important people's check upon Congress. In the preelection campaigns just such issues as I am talking about are bound to be raised in many parts of the country, if not throughout the country. In those campaigns the people, who, after all, are the reservoir of democracy in America, have the right to express themselves at the ballot box as to what ought to happen in the matter of foreign-aid funds. But under the pending bill we seek to bind them beyond the election, into 1959. I do not believe that is consonant with what I consider to be the American system of checks and balances.

The majority does not satisfy me, any more than did the Secretary of State, with the argument that it is desirable to have a longer period of time in which to make plans for future expenditures.

It is possible to have blueprints for a longer period of time, but the blueprints ought to rest upon our making it clear to every foreign country involved that they depend upon an almost religious adherence to the precious checking principle of democracy. We can say that such is our plan, but it is dependent upon the annual review by the elected representatives of a free people, to determine if it should be changed. I know of no good reason why this Congress or any other Congress, sitting at a given time, should be allowed to proceed with a program which binds not only future Congresses, but binds the American people for future years beyond the time when they have a check on Congress in an election at the ballot box.

That is one of my major points. I happen to believe that foreign-aid appropriations should be in issue in 1958. The people should have a chance to elect their representatives on the basis of what they think the foreign policy should be. They should not be put in the position where they may elect a group of representatives who do not agree with the policy or philosophy of the bill, and then have those representatives bound because Congress has already obligated the money and committed the Nation into 1959. Cannot Senators hear the argument that will be made if we then try to change it after we have made the commitment? Cannot Senators hear the argument that will be made on the floor of the Senate? Mr. President, the eagle up there on the ceiling would almost flap its wings at the arguments that would be made about the honor of our Nation. We would be told that we were honor bound, because we had committed ourselves into 1959. That is an old strategy. We must not let it fool us. That would be the alibi of those who wanted to erode the legislative processes of Congress. There is no reason in the world why we cannot work out a blueprint project into the future and present it as what our plans will be if—I say if—a Congress representing a free people believes that further funds should be authorized and appropriated to extend and carry out that program. But if we can authorize it for 2 years, we can do it for 4 years. If we can do it for 4 years, we can do it for 6 years. Where will we draw the line?

Mr. President, I am not at all convinced by the argument I heard in committee, "Oh, but this is a matter of degree." So often we hear the argument that it is a matter of degree. I say it is either right or wrong. I do not believe in degrees of right or wrong. I believe we have a duty to be right with the Constitution, not half right with it. We ought to keep full faith, not part faith, with the checks and balance requirements of the Constitution.

Oh, Mr. President, I hear another argument being made: "We do it in some other phases of our fiscal policies. The Export-Import Bank does it on a direct loan relationship with other countries." Mr. President, let us be frank about it. We know what we are doing in the Export-Import Bank arrangement. The Government has established a bank to do what I am sure all of us wish could be accomplished by private banking institutions, instead of by a Government banking institution. In establishing a Government bank to make loans to foreign governments, we knew that the bank should be allowed to exercise some of the banking procedures that a private bank would exercise. I hope the time will come when the great banks of the country, under what I have spoken of so many times as a policy of the dollar following the flag, rather than the flag following the dollar, will be able to do much of the financial lending which is now being done through the Government by way of the Export-Import Bank. That is the argument you will hear, Mr. President. But I say it is irrelevant to the principle which is before us in the foreign aid bill.

This is a bill which involves the whole broad scope of governmental policy questions in the field of foreign relations. How long should the American people continue to pour money into Yugoslavia, for example? Or Formosa? Or Spain? Or Italy? Or any other country? By naming these countries, I do not mean to make any invidious comparisons.

How long should the American people continue to pour money into the Arab states, which are, for the most part, complete, absolute, totalitarian governments? That is the question of foreign policy which is before us.

Who should decide it? The President of the United States? My answer is "No." Who should decide it? The Congress of the United States? My answer is still "No," modified by this explanation: Congress should decide it only for the time interval between elections, so that the people will be free to exercise their ballot-box check in the next election.

Yes, that is an abstraction, but it is a pretty precious principle of a democratically controlled government.

SECURITY ARGUMENT DOES NOT JUSTIFY MANY PARTS OF BILL

Mr. President, I am not going to be mesmerized or fooled by the flag-waving security argument. I think now is the time to make these observations about that argument. As we hear the rationalizers of the procedure of almost unlimited power, they wave the flag almost into tatters when they refer to such power being necessary for the security of our country. That argument needs to be analyzed; some questions need to be asked.

In regard to each of the specific proposals, the question needs to be asked, What is the relationship of this proposal to the security of our country? That is why I have been heard to say that the pouring hundreds of millions of dollars, for example, into Saudi Arabia has very little relationship to the security of our country. Saudi Arabia has tremendous oil reserves, which it ought to be willing to put up as collateral for a loan.

I see very little relationship to the security of my country in a foreign aid policy which authorizes the President of the United States to spend money in Saudi Arabia, with the specific expenditures unknown to us.

I see very little relationship to the security of my country in the expenditures of vast sums of money for an airbase in Dhahran, Saudi Arabia, because I doubt that the airbase would be in existence a few hours after the start of an atomic war with Russia; just as I think very little, if any, oil ever would come out of those oil wells if we ever got into a war with Russia.

No; when the flag is waved in justification of such expenditures for the security of our country, we need to ask many penetrating questions about the specific implementation of the program in relation to specific countries. When we do that, then we will come to the conclusion that the security of our country in many instances, undoubtedly would be stronger if we were carrying out a program of sending economic assistance to raise the standard of living of the people of those countries, rather than expecting that the military aid would ever be of very much use to us once the bombs started to fall.

To use a hypothetical, what makes anyone think that a jet plane sent to Pakistan would do us very much good in a war with Russia? We would be lucky if it did not fall into the hands of the Russians immediately.

In my judgment, we are sending millions of dollars of military equipment into some weak countries, countries so weak that the military equipment may prove to be one of our great liabilities; in fact, we may find some of it being shot back at us in case of war.

That is why I shall say later in my speech that we had better analyze the sacred cow of this administration—its military budget—and why the American people had better get the facts about it.

Mr. President, with all due respect to the able members of the Appropriations Committee, they cannot and ought not to be expected to review the strategic and foreign-policy implications inherent in these aid programs. That is a responsibility which falls to the members of the Armed Services Committee and the Foreign Relations Committee who have specialized in these matters.

To grant a 2-year authorization for these programs, as S. 2130 does, amounts to an abdication of responsibility by the Committee on Foreign Relations. Again, it has taken place in order to accommodate the wishes of the executive branch. Again, it has been done by ignoring the unanimous recommendations of the Senate's own Special Committee To Study the Foreign Aid Program.

That committee had this to say of military aid:

> Congress should continue to authorize appropriations annually, pending a clear determination of the role of military aid in the total strategy of national defense.

And of defense support, the special committee had this to say:

> The committee believes that any changes in legislation which would deny to the Senate an annual review of supporting aid would raise dangers of failures to adjust this aid to changing circumstances. It would raise dangers of an undue expansion of supporting aid programs and unnecessary and excessive demands on the resources of this country.

I want to stress this point. It is an interesting position for the Committee on Foreign Relations to find itself in, because, do not forget, the report of the special committee was written with the members of the Committee on Foreign Relations wearing what I previously referred to as their hats and coats as members of the special committee. All of them submitted a unanimous report. In their own special study, while they were wearing their hats and coats as members of the subcommittee, they said this:

> The committee believes that any changes in legislation which would deny to the Senate an annual review of supporting aid would raise dangers of failures to adjust this aid to changing circumstances. It would raise dangers of an undue expansion of supporting aid programs and unnecessary and excessive demands on the resources of this country.

I submit that is a wise recommendation, and it is in accord with existing practices. Until now, the tendency of the executive branch to engage in useless and ever-increasing and costly military and related aid activities abroad has been held in check to some extent by the need to justify their programs each year before the Committee on Foreign Relations. That restraint—that check—is now removed. For 2 years, that branch can do what it pleases, when it pleases, and where it pleases. They need only to come back and ask the Appropriations Committee for more money in fiscal 1959. Will the Appropriations Committee at that time see fit to deny what the Foreign Relations Committee has already authorized?

DEVELOPMENT LOAN FUND

The bill represents an improvement in one respect over past legislation of this kind. It makes an effort in title II to bring together all assistance for the economic development of other countries into a single development loan fund and to place this aid on a self-liquidating basis. It provides $500 million for fiscal year 1958 for repayable loans to get this fund started. In theory, this change is sound and it is in accord with the recommendations of the special committee.

At this time, however, no one knows how the new fund will work. No one knows how the fund will affect other foreign lending activities of this Government. The Export-Import Bank, for example, has several billion dollars outstanding in sound loans to countries all over the world. Will this fund jeopardize or supplement the activity of the Export-Import Bank? How will it affect the International Bank? How will it affect private investment overseas?

Further, no one knows whether all development aid under S. 2130 will in fact be channeled through the fund on a repayable basis as it is clearly the intention of the committee that it should be. Will development aid still go out on a grant basis, camouflaged under defense support or some other title of this bill?

These are highly pertinent questions, Mr. President. Yet, the Committee on Foreign Relations did not receive full and complete answers to them. The committee did write in a desirable safeguard in the form of an Advisory Loan Committee; but that, in itself, is not sufficient to assure that the fund will be run in a sound fashion.

We must remember that it is only an Advisory Loan Committee.

There is no question that a need existed to get this fund started promptly, and obviously all doubts could not be resolved at this time, if that were to be done. If the committee had been content to provide $500 million to get the fund under way in fiscal 1958, it would have been possible for Congress to consider the implications of the fund in detail during the next few months, and then write intelligent permanent legislation for it.

Mr. President, in the course of this debate there will be offered an amendment to seek to carry out the recommendation I have just made. However, that is not what the Committee on Foreign Relations did. This bill does indeed authorize $500 million to begin operations of the fund during fiscal 1958. But again, to accommodate the administration, it goes beyond that. It authorizes the operators of this fund to borrow from the Treasury of the United States $750 million in fiscal year 1959, and another $750 million in fiscal year 1960. It empowers the operators to borrow this $1.5 billion additional without further authority or action on the part of the Congress, regardless of whether elections occur in between. In effect then, this bill places, not a $500 million fund, but a $2 billion fund at the disposal of the executive branch; and Congress will have nothing more to say in the matter unless it raises specific objections.

Oh, yes, Mr. President, it will be said that we can always proceed by subsequent action to repeal action we have previously taken. But, for reasons I have already outlined, that seldom happens. The Congressional proponents of

this kind of expansion of power for the Executive are always wont to say, "But we can always change our minds later. Let us make it the law now. We can change it later, if experience shows that should be done." Mr. President, that is an old, threadbare alibi, too, for the delegation of Congressional power. The fact is that is not the way Congress usually acts. Once a proposal is set forth in black and white on the law books, the tendency in Congress is to become absorbed in new problems, which, as they arise, are as pressing as this problem is pressing today. As a result, in practice, the check is lost.

The Senate is being asked to grant this authority, not after the careful consideration and the passage of the protective legislation which went into the creation of the Export-Import Bank or a Reconstruction Finance Corporation or a Home Owners Loan Corporation. Instead, it is asked to do so in haste, in a title of an omnibus bill designed for a multiplicity of purposes. This proposal is buried in the bill, in connection with a great many issues. It is not before the Senate as a single-bill proposal. Instead, it is a part of an omnibus bill which contains many controversial sections. I wish to say that if the proposal of the special committee is a sound one, let $500 million be authorized this year. Then let us agree that we shall take under study and consideration the question of whether the amount should be increased for 1959 and 1960. There is no hurry in this case. I know of no good reason why we cannot begin with $500 million. I know of no good reason why a commitment of $750 million must be made now, for 1959, over and above one of $500 million for 1958. Similarly, I know of no good reason why at this time it is necessary to make a commitment of $750 million for 1960. Let us take our time in this case. Let us begin with the $500 million, and then examine the matter again next year. Such procedure would be in keeping, too, with the annual review check which I believe is so important.

Mr. President, in order to accommodate the executive branch in this matter, the majority of the Committee on Foreign Relations ignored the advice, as I have said, of the Senate's own special committee. The special committee had endorsed the desirability of a revolving fund, but it had this to say about its organization:

> This fund is too important to be set up in haste. Interim measures may be necessary, but the fund should not be established in permanent form until its implications have been fully examined by the executive branch and the appropriate committees of Congress.

With that recommendation of the subcommittee, I wholeheartedly agree, and I believe that the full Foreign Relations Committee should have taken action consistent with that recommendation.

Mr. President, there is one other major title of the bill to which I take objection. Title IV provides for what is called special assistance. Part of this aid is earmarked for a variety of worthy purposes. Part is for more dubious purposes, such as continued subsidies of tyrannical governments in the Middle East. And part of this aid is not earmarked at all. A total of $100 million is made available, to be used at the discretion of the President. He can use it for humanitarian purposes, for military purposes, for political purposes, or for whatever else may suggest itself. There is no significant limitation on this discretionary power, and little accountability as to how it is exercised.

My objections to this title are two, and they are simple.

Mr. President, there is a delicate matter which I wish to mention in rather broad terms, but at least I want the RECORD to show that I referred to it. There are those who seem to think it is good administrative policy for the United States to adopt some of the tactics of the totalitarian governments—Communist, Fascist, and others—by having a fund of money which can be used in a sort of unaccounted-for way for certain secret activities of American foreign agents. Mr. President, I abhor it. I do not want to vote for the authorization or appropriation of one dollar which could be used, under the discretion of anyone, for bribery.

When the Secretary of State was on the witness stand in the committee, and when he would not tell us how some of this so-called discretionary money is going to be used, I asked whether he thought totalitarian leaders would stay "bought." I think the implication of that question covers the point I have in mind. I do not believe we build a sound foreign policy or win the respect of peoples abroad, whenever it becomes known that we seek to beat communism by the adoption of Communist tactics.

I do not like it, either, Mr. President, because, as a lawyer, I cannot reconcile it with morality. I do not consider it to be a moral policy, and I do not think that temptation should be placed before any President. To the contrary, I think we must see to it that we, the elected representatives of a free people, know how the money is to be used, because the uses to which the money is put cannot be separated from action carrying out a policy.

As I have been heard to say before, government by secrecy frightens me. I do not accept the notion, Mr. President, that it is in the interest of our security to provide a fund of money in the amount of $100 million that can be used by any President, in his own discretion, for any purpose to which he wants to devote it.

Mr. President, when I say that, as one who has been severely critical of the present President I desire to add for the RECORD that my comment is not critical of this President. I am talking about a policy. It would make no difference whether it related to the present President or Harry Truman or Franklin Roosevelt, or any President of the past or any President of the future; but the Senator from Oregon is going on record today as being against any so-called secret fund of $100 million that can be used by a President to apply to his own purposes.

Speaking now of the future far removed from this administration, let me say $100 million, under a certain set of facts existing in the world at a given time, could be used to start a war, if there were in control of the Government a military junta greater than that we already have. A hundred million dollars is not peanuts. One hundred million dollars in a tinderbox area of the world can ignite the tinderbox.

I know when I make that argument the question will be asked, "Are you reflecting, for example, upon the patriotism of any President of the future?" Of course, that is a completely nonsequitur question, because if there is anything, Mr. President, you and I as lawyers know, we know that if a procedure permits of abuses, we had better change the procedure. One of the most important duties we have as United States Senators is to keep the procedures of Government clean and pure in relation to our constitutional system. We need to keep in mind the fact that when the Republic was born, it was born out of a fear, based upon experience, of arbitrary power of a powerful executive. The Republic, Mr. President, was born out of an insistence upon the part of our historic fathers that unchecked powers should not be given to any executive.

Here is a procedure, Mr. President, which would give $100 million of unchecked spending power to a President—but never with my vote.

This is no new position for the Senator from Oregon. The Senator from Oregon protested this procedure when Harry S. Truman was President of the United States, because we also gave him too much unchecked power in my opinion. That is why I said earlier today this tendency has been growing, and we have to stop it. It has been allowed to grow because the American people have been frightened—deliberately frightened—by the security argument, by the argument that "If you do not give this kind of unchecked power, then the security of the country will be risked."

I am always amused in the Foreign Relations Committee when I hear the argument about the calculated risk we have to run, when somebody wants to justify a weakening of a great procedural protection of our people. We are now living in a world, it is said, in which the dangers are so great that we have got to run the risk on some of these things. We have got to run the risk that may be theoretically entailed in giving a President this kind of unchecked power—as though that fallacious argument answers the question we raise. The question is, Can we reconcile what you propose with the constitutional system which was established by the Founding Fathers, who made it perfectly clear that Congress should not give unchecked powers to a President? The answer is, "No."

So far as the security of our country is concerned, I happen to be one who believes our country will be more secure and our Military Establishment will be more efficient and effective and our defenses stronger if we require at all times the kind of a civilian control, through the Congress, for which I am pleading today. So I say I dissent from this proposal of the majority.

I object to the erosion of Congressional authority over the expenditure of public funds which the discretionary power implies. I object to the size of the expenditures which are allowed for this purpose. Not only does title IV place $100 million at the complete disposal of the President, it also permits him to transfer an additional $150 million from other parts of the bill to be used also at his discretion.

The Committee on Foreign Relations reduced the authorization under title IV from $300 million to $250 million. That was, in my opinion, a meritorious action, except that it did not go far enough. It is conceivable that some discretion may be necessary for the President to meet emergency situations abroad. There is nothing to suggest the amount made available for this purpose ought to be as large as is still provided for in this legislation.

By way of conclusion, Mr. President, I wish to say that two of my colleagues, the Senator from North Dakota [Mr. LANGER] and the Senator from Louisiana [Mr. LONG] joined with me in voting against S. 2130 in committee. I have not invited them to join with me in this minority report, because I feel so deeply about what I consider to be a serious weakening of the legislative functions of Congress as symbolized by this bill as it came out of committee, that I decided to present this minority report as my individual views.

The RECORD should be clear that yesterday afternoon I had a conference with the Senator from Louisiana [Mr. LONG], who said he would like to see my report. I said I would be glad to have him see the report, but I wished to make it very clear to him that I was not suggesting he join with me in the report, for the reason that I go into great detail on some of my constitutional views, and to reconcile the language with the position of the Senator from Louisiana on some facets of it I was sure would take so long that we would never get the report in on time; and in addition it would make it necessary for me to modify some of my language so that it would not carry out the point of view I wished to express in my speech today. The Senator agreed with me, before he saw the report, that for this reason he should not join in the report, but should see it only for the purpose of determining what he might wish to add as a supplemental report on his part, which he has done, and about which he can speak for himself.

I should like to say that we shall be shoulder to shoulder on most of the amendments proposed to the pending bill, of some of which the Senator from Louisiana will be the author.

I wish to make clear, however, that I join with the Senator from North Dakota [Mr. LANGER] and the Senator from Louisiana [Mr. LONG] in their major objection to the bill on the ground that hundreds of millions of dollars of taxpayers' money could be saved by reductions in many of the items in the bill. I am convinced that many savings can be made without weakening our defenses in the slightest degree. In fact, it is my judgment that reductions in the bill would strengthen, rather than weaken, the security of my country. I am unable to see how waste of the taxpayers' money strengthens the defenses of America. In the last analysis, a strong economy is essential to a strong defense.

Furthermore, it needs to be stressed that powerful political forces in our country have succeeded in convincing many Americans that our military budget is an untouchable sacred cow. Whenever a Member of Congress suggests that the Military Establishment is in need of a thorough revision, he must expect to be attacked and critized on the basis of the false charge that he advocates a weakening of our defenses and a risking of our national security.

Such charges are nonsense, and the people need to be awakened to that fact quickly. There is no place in America for a military junta. We must not countenance in America any weakening of the historic principle that military affairs must always be subjected to the strictest civilian inspection, control, and policymaking. The time has come to put the military budget on the legislative operating table and remove some of the cancerous growths from our body politic.

The nuclear age is upon us. The military tactics and strategies of World War II and the Korean war, including both combat and the general defense of the Nation, are now obsolete. Yet we continue to pour hundreds of millions of dollars into a military establishment of our own and of foreign nations which are being spent on obsolete programs. We waste manpower, and spend hundreds of millions of dollars of the taxpayers' money in the wasting of that manpower.

One of our allies, Great Britain, appears to be far ahead of us in the recognition of the need for a thorough revision of its military program, with resulting reductions in its cost. It is interesting to note that some of the American officials, in attempting to alibi our failure to reorganize our own defense program as Great Britain is doing, charge that Britain is bringing about great economy in her defense because she is planning to rely upon American defenses for her security. An adequate reply to that false charge is to say "Tell it to the British." I am satisfied that her defense program will not be based upon a national policy of becoming a defense satellite of the United States.

What is happening in fact is that Britain's leaders know that the nuclear age calls for a reorganized defense program. As long as the Congress of the United States continues to appropriate the billions of dollars it is now appropriating to our own and to foreign military establishments with as little control over the actual expenditure of the funds by the military and over determination of the policies upon which the expenditures are based as now exists, we will continue to waste billions of dollars.

This year is the time to call a halt in this waste. This foreign military aid bill is the place to start. It is my hope that the full Senate will adopt amendments reducing substantially the military authorizations called for in this bill.

S. 2130 brings to a head an issue which deeply disturbs many people of my State and many people throughout the entire United States. The issue is whether the Senate is going to go on year after year with a program that has already involved $60 billion in expenditures in a decade and which in recent years has brought the Nation only increasing harvests of ill will abroad. Or is the Senate going to make the kind of thoroughgoing revision of this program that it must have if it is to serve the interests of the people of the United States, the ordinary people of other countries and the peace of the world?

The Senate established the Special Committee To Study the Foreign Aid Program. The report of that committee pointed the way to the kind of revision that is needed.

If the recommendations of the special committee are followed more closely this bill can be revised so as to remake the foreign aid program into an undertaking worthy of the support of the Senate of the United States. The cant and subterfuge which the executive branch has introduced into this legislation can be eliminated. The erosion of congressional powers can be stopped. Hundreds of millions of dollars of the taxpayers' funds can be saved. I submit that this kind of revision has not been made by the majority of the Committee on Foreign Relations. And until it is made this bill is a hoax. It does not fully meet the needs of the citizens of the State of Oregon or any State. It does not warrant the approval of the Senate of the United States.

Therefore, for the reasons I have set forth, I urge the defeat of the bill in its present form, and the adoption of a series of amendments which will be offered by a group of us as the debate progresses.

I wish to thank the Senator from New Jersey [Mr. SMITH] for his patience in waiting for me to conclude my remarks, preparatory to beginning his own. I should like to extend to him the courtesy of a call for a quorum, if he will permit me to suggest the absence of a quorum.

Mr. SMITH of New Jersey. I do not feel we need a quorum, because we are making our record here. I do not think we need to take the time for a quorum call.

Mr. MORSE. I am advised, I may say to the Senator, that the majority leader has requested it. Under those circumstances, I should like to suggest the absence of a quorum.

Mr. SMITH of New Jersey. Very well.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SMITH of New Jersey. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH of New Jersey. Mr. President, it was my great privilege yesterday

to attend the naval review in Hampton Roads, Norfolk, Va. Therefore, I was absent when the mutual security authorization bill was taken up for consideration by the Senate. However, I have read the very excellent presentation made by the distinguished senior Senator from Rhode Island [Mr. GREEN], our beloved chairman of the Committee on Foreign Relations. I note that he bestowed praise upon the members of the Committee on Foreign Relations for their part in the work of the committee, but that he very modestly did not give himself any recognition. I cannot help adding the thought that the Senator from Rhode Island is the man who has been behind not only the studies leading up to the report, but has supported these studies for almost a year, preparatory to developing the whole program of mutual security. Therefore, I desire to have the RECORD show the deep feeling of appreciation and affection we all have for our chairman in his work on the bill this year.

I also wish to commend my colleague, the distinguished Senator from Wisconsin [Mr. WILEY], who spoke yesterday in behalf of the bill.

II

COVERAGE OF THE BILL

Mr. President, the Committee on Foreign Relations has reported a bill which represents a major shift in the administration of the mutual security program and a clarification of its aims and ideals.

Concerning the preparatory work for the program, a word of commendation and appreciation should be spoken in behalf of the staff of the Committee on Foreign Relations. I know my colleagues will agree with me when I say that the work the members of the staff have done during the past year in preparing material and assembling the reports concerning the foreign aid program deserves great praise. I wish to give the members of the staff that credit publicly.

I urge every Senator, before he votes on the measure this year, to read carefully the very excellent committee report, which was prepared largely by the staff, but which was participated in by all the members of the committee before the bill was reported favorably.

Also, I urge every Senator, before he votes on the proposed legislation, to read the report of the special subcommittee, composed of the members of the Committee on Foreign Relations and of other committees, concerning the year-old study of the whole subject of mutual security assistance.

As a result of the study, there is a good possibility of attaining increased efficiency and effectiveness in the program and a clearer understanding of its aims by the American people and by the peoples of other countries.

Personally, I have distributed to the people in New Jersey and elsewhere a great many copies of the report of the special committee. Questions have been directed to me about the program for this year. People have been misled by the references to giveaways. So I felt it worthwhile to send them copies of the report, and I have received very favorable responses concerning the approach which the committee has taken this year.

The mutual security program is acknowledged by all thoughtful Americans to be an integral part of our foreign policy and a positive extension of our responsibility as the foremost free nation in the world. The committee stated in its report:

> The mutual security program • • • has produced results solidly in the American national interest. American foreign aid has played an indispensable part in keeping the free world free.

The question, therefore, is no longer "whether," but "how," and the 1957 act goes a long way in answering this query.

In a recent article in the New York Times, the distinguished junior Senator from Montana [Mr. MANSFIELD] wrote of the need for tripartisanship in the conduct of American foreign policy.

I was so much impressed with the article, although a Senator on this side of the aisle, that I commended the Senator from Montana for his article concerning tripartisan foreign policy. By this was meant not only cooperation between the two parties in Congress, but also cooperation between Congress and the Executive in the formulation of policy. In my judgment, Senate bill 2130, now pending, reflects the benefits of the tripartisan approach. An amalgamation of policies proposed unanimously by the Senate Special Committee To Study the Foreign Aid Program and Policies Proposed by the Eexcutive, it comes to this body for consideration as a measure devoid of attributes of partisanship.

It may well be designated "unpartisan," as our former colleague, the late Senator Vandenberg, used to say, and certainly it can be designated as tripartisan, as the junior Senator from Montana [Mr. MANSFIELD] stated the other day. Among the many other laudable reasons for the passage of the bill, this fact is worthy of our considerate attention.

Mr. President, the able senior Senator from Rhode Island [Mr. GREEN] and the able senior Senator from Wisconsin [Mr. WILEY] have enumerated the major changes in the mutual-security program contemplated by the bill: namely, the separation of military assistance and defense support from long-term economic aid, the 2-year authorization of military assistance and defense support, the creation of the development loan fund, the increase in the technical-assistance program, the clarification of purposes, and the creation of a special assistance title to permit use of funds for emergencies, both economic and political, and for humanitarian purposes.

The Senator from Rhode Island pointed out also that instead of 85 percent of the moneys being authorized for military and defense programs, as was done last year, this amount has been reduced to below 75 percent in this bill.

III

HISTORY OF MUTUAL SECURITY

Let me speak for a minute concerning some of the history of our mutual security programs, which have been under so much fire. I shall not repeat the able explanations which have been made by our colleagues; instead, I wish to speak about the 10th anniversary to the battle for peace and freedom. Ten years ago this spring, the American response to the advance of international communism was first enunciated in the form of the so-called Truman Doctrine of aid for Greece and Turkey. I had the honor to be a Member of the Senate at that time, and I voted for the measure, feeling that it was a new and most significant step. It was a startling and courageous proposal, announced at a time when the forces of the free world were perhaps at their lowest ebb.

It was shortly after that announcement that General Marshall made his famous address at Harvard University, in which he enunciated what ultimately became the so-called Marshall plan, and which has evolved, since that time, into the kind of mutual or foreign aid which has been extended ever since.

Western Europe was then in desperate economic straits. The savage destruction of the war lay as a crushing burden on the prostrate continent. Severe winters had depleted the already dangerously low agricultural stocks.

In the Middle East, Greece was in imminent danger after the announcement by the hard-pressed British that they could no longer continue aid. Turkey was being menaced by Soviet armies on its borders. The Arab countries were sitting on a powder keg labeled Palestine.

In Asia, India and Pakistan were both on the verge of acquiring independence, and a feud over Kashmir, which still troubles their relationships. Fighting was raging in French Indochina, and between the Dutch and the people of Indonesia. China was the scene of brutal carnage.

Peace, a word which had sounded so thrillingly in American ears just 2 years previously, had become a hollow mockery in a world of turmoil.

Ten years have elapsed since that fateful initial decision by the United States—10 years of hope and pain, but really 10 years of progress. America was then being launched into an unknown future. Our experience with foreign relief had been limited to specific emergencies and the aftermath of World War I. Throughout our long history we had never contracted an alliance with a foreign nation during a period of peace. That is a very impressive thought. I have had it checked and, I repeat, throughout our long history, we had never contracted an alliance with a foreign nation during a period of peace.

But gradually we became aware that if the free world, including the United States, was to survive, we would have to fight for peace just as effectively as we had had to strive to win the war. We sensed our opportunity and our responsibility.

The weapons at first were primarily economic, although some military assistance was given to the Greeks and Turks. But the terrain was new and unknown, and knowledge had to be acquired from experience.

IV

THE EXPERIENCE OF 10 YEARS

It was a novel and heretofore inconceivable position for the Nation. After the close of World War II, we had hoped and expected that the other countries in the world would be as desirous of peace as we were, and that aggression would be met by the collective security system of the United Nations. These expectations were premised in the hope that Russia believed in them as ardently as we did. But the years since 1946 have been replete with evidence of increasing duplicity and aggression by international communism. The list is a long one. I need not cite all the instances, but I call attention to Czechoslovakia, in 1948; China, in 1949; Korea, in 1950; Vietnam, in 1953; Guatemala, in 1954; Quemoy and Matsu, in 1955; and Hungary and the Middle East, in 1956.

The record is indisputable proof that the peace which we have sought and wished for will not be obtained until the free world confronts international communism with such strength that the latter finally realizes it cannot gain its ends through either aggression or subversion. We now understand that in order to make this realization effective, an unceasing effort must be maintained by the Free World.

Up to now, our programs have mainly been responsive to crises. Much of our aid has been on what might be called a crash basis.

We have been experimenting with administrative devices, as well.

There was the Marshall plan, then NATO, the Korean war, and military aid to Asia. But there was also point 4 and UNICEF and the World Health Organization and CARE. There was ECA, OEEC, TCA, FOA, and ICA.

There have been trial, and error, and change, as we have recognized the depths of responsibility and the enormity of the mutual effort. Underlying it all has been the gradual dawning that the awful alternative to the containment of communism and the growth of responsible nations desirous of collective security and law, is American hegemony purchased at the price of nuclear war.

During these 10 years we have harvested both experience and victories. From 1944 to 1949, during a period when we had dismantled the most powerful military machine in the world, international communism conquered 14 countries, with a population of over 725 million people, and an area of 5 million square miles. From 1950 to 1956, however, after the mutual security program had been created, international communism has conquered 2 countries, North Vietnam and Tibet, with a population of 12 million people, and an area of one-half million square miles.

The statement of Secretary Dulles before the House Foreign Affairs Committee is an eloquent summarization of these facts. Secretary Dulles said:

> Not one of these seized nations, was at the time of seizure, protected by treaties of mutual security and the common defense system created thereunder. But not one nation which did share in such a common defense has been lost to international communism.

It must be remembered in this connection that some 19 new nations have come into existence since World War II.

Other gains have been significant. The military strength of our allies abroad has substantially increased. A network of defense alliances, supported by local forces, and backed by United States mobile power, has been created. Through the fiscal year 1956, the United States expenditures for military assistance were $17.4 billion. Defense expenditures by our allies amounted in that period to $107 billion. I wish to emphasize that point, because so frequently it is said that we are carrying the entire load. I repeat, that during that period, the defense expenditures by our allies amounted to $107 billion.

Actual figures tell the story even more concretely. In 1950, the active ground forces of our allies numbered about 3½ million not too well trained and inadequately equipped men. Their naval forces numbered fewer than 1,000 combat vessels. Their air forces were equipped with about 11,000 conventional aircraft and fewer than 500 jets.

By the end of 1956, the ground forces of our allies had been increased to 4.8 million, an increase of 37 percent in quantity, and with a far higher standard of quality and morale. Their navies had over 2,300 combatant vessels, an increase of 139 percent. Their air forces were equipped with over 12,000 conventional aircraft; the numbers of their jet aircraft had been increased to nearly 11,000, or 22 times as many as they had in 1950. When the forces of Canada, Australia, and New Zealand are added to these, the total includes active ground forces of over 5 million men, an air force of over 27,000 planes, 12,500 of which are jets, and 2,500 combatant naval vessels.

Mr. President, I refer to those numbers; because, as I have said, yesterday I had the privilege of going to Hampton Roads, Va., where there was the most significant and impressive naval review ever held in western waters. Included in the review were not only a large part of the fleet of the United States in Atlantic waters, but also naval vessels from, I believe, some 18 foreign nations; and in the reviewing group there were not only representatives of our own Government, including the Secretary of Defense, but also the ambassadors of all the nations whose vessels were included in the display.

Moreover, strategic geographical sites have been obtained close to the borders of Russia, where important airfields and locations for guided missiles are being constructed. These gains have not only enormously increased our potential for defense, but they have also meant the saving of untold billions of dollars which otherwise we would have had to spend on defenses here in America.

Besides these triumphs, stemming from the mutual security program, the industrial might and the skilled peoples of Europe have remained in the free world, and the vital resources of Africa and South Asia have been retained. If we had allowed the industrial power of Europe to fall to the Communists and the resources of Africa and Asia to be forbidden to us, the Soviet would have secured a potential infinitely superior to our own. These considerations demonstrate the importance of this program from the standpoint of our own national security.

At the moment we are engaged in a series of disarmament discussions in London. History has proved that the most effective way to deal with Russia is from a position of strength. Because the power of the free world has been built up through the mutual security program, there is greater hope for sincere results now in the disarmament conferences than ever before.

V

ECONOMIC ASPECTS OF THE BILL

Mr. President, these have been the strides accomplished for the military containment of communism.

Of equal importance have been the measures undertaken to foster the economic growth of the underdeveloped nations. With the exception of the Marshall plan aid to Western Europe, economic assistance and technical cooperation have comprised a relatively small part of the entire mutual security program. In this respect, it is important to note, however, that—dollar for dollar—we probably get more from our technical-cooperation program than from any other aspect of the mutual security program.

The efficacy of the Marshall plan is demonstrated by the fact that none of the original Marshall plan nations is now receiving economic assistance. I wish to emphasize that point; namely, that of the original Marshall plan nations which were helped by the first impact of our aid—and we did give them economic assistance—none of them is now receiving economic assistance from the United States. Some 21 countries are receiving bilateral economic assistance from the United States today, and some 28 countries are receiving military and economic assistance. Both groups are outside of the Marshall plan group I mentioned a minute ago.

The advent of the Korean war and Communist aggression in Asia necessitated a curtailment of economic assistance in favor of military aid. In more recent years, due to the mounting strength of our allies and the nuclear stalemate between Russia and the United States, communism has tended to divert a good part of its attention from overt aggression to economic penetration, and, I regret to say, subversion in the underdeveloped countries. The consequent peril to the freedom, independence, and self-determination of these countries has heightened American emphasis on programs designed to foster their economic growth and development. As a result, the new approach to mutual security as set forth in Senate bill 2130, which is now pending, envisions a division of funds for economic aid. In section 400, funds are authorized to be appropriated to the President to be spent "to maintain or promote political or economic stability" or for conjunction with military assistance.

I call especially to the attention of the Senate the fact that in title II—the long-term development loan fund is established, to be administered on a businesslike basis.

We have not heretofore had a loan fund as such. There have been loans, but the loan fund provided under title II is a new departure, and was provided largely as a result of studies made by the committee and the recommendations of practically all the experts we sent into the field.

In recent years about 7 percent of our mutual security funds has gone into development assistance, and about 4 percent into technical cooperation. Under the bill presented this year, about 14 percent will be directed toward development assistance, and about 4.3 percent for bilateral technical cooperation.

Unlike the military area, where numbers of jet planes and soldiers and bases can be counted and actual defense progress determined, the economic assistance program can be evaluated only over a span of years. In Europe, at the end of the Marshall aid era, production had increased over 1938 by some 40 percent. But this was assistance to an already highly industrialized area. Conversely, substantially all economic assistance in the past few years has gone to underdeveloped and relatively underdeveloped nations, and complete statistics in this respect are not yet available, nor will they be in the very near future.

We are cognizant, however, of numerous specific and gratifying examples of production increases in such nations as Thailand, Taiwan—Formosa—and India, agricultural development in Iraq and Vietnam, and currency stabilization programs in Chile and Bolivia.

VI

PURPOSES AND LONG-TERM AIMS

What is essential to keep in mind is the purposes and long-term aims of economic assistance.

First and foremost is the security of the United States, which entails assistance to underdeveloped nations to the end that their very high aspirations for freedom and economic development will be satisfied through orderly and peaceful measures of progress.

Second, vital raw materials will be retained and continually made available to the United States. We do not want those raw materials to get into the hands of Russia or her satellites.

Third, the development of strong, free, and independent nations throughout the world will provide legitimate satisfaction to the desires of rising nationalism and will substantially reduce the danger of conflict arising out of attempts by international communism to penetrate into areas where it suspects power vacuums to exist. That is one of the dangers which is hard for some people to understand who have not been to countries where there is a danger of power vacuums. Where they exist, communism rushes in by subversive methods.

Fourth, a high level of economic activity is, on the whole, more favorable to genuine stability and responsibility in government than are poverty and misery.

We must bear that in mind. If the people of underdeveloped nations are to get on their own economic feet and become self-sustaining, they must be fed and clothed.

Fifth, as these underdeveloped nations grow in economic strength they will be better able to support military programs and utilize advanced weapons, all in the interest of mutual defense.

Sixth, if other countries within the orbit of the free world are better off, they form larger markets for American exports and the development of international trade.

Seventh, as the underdeveloped countries attain higher levels of economic development, their existing inconvertible currencies will secure standing in the world market for the furtherance of investment and trade.

Those of us who have been abroad, are aware of the great uncertainty with regard to currency stabilization. I can remember the days when we could buy bank credits, and every country, whatever it might be, would be listed on our certificates, indicating what the exchange rate of the dollar was in every one of those countries. That is no longer true. Now there is a legal rate and a black-market rate, and one does not really know where he stands.

Of paramount consideration is the undeniable fact that economic progress among the underdeveloped nations will be reflected in greater strength for the free world. There is an exciting and significant relationship between the orderly economic and social progress of these nations, in fulfillment of their cherished aspirations, and the development of forces desirous of achieving a workable system of collective security and of peaceful change.

When a farsighted program of economic assistance promises mutual benefits to the United States and to the underdeveloped nations, it is worthy of our strongest possible support.

Freedom, self-restrained but vibrant and inspired by the guidance of Almighty God, has been won by those who, through history, have recognized and felt the ultimate value of the individual human being. "Ye shall know the truth and the truth shall make you free." These immortal words are the guiding star of our destiny. But God helps those who help themselves, and it is our purpose to help the underdeveloped countries to help themselves and thus to be prepared for full freedom.

Economic assistance combined with local self-help can destroy the insidious weakening effected by illiteracy, poverty, malnutrition, and disease. When these are supplanted by knowledge and strength, confidence and hope will swell the legions of the truly free.

But here again, we must remember, the effort will be long and arduous and the attainment of victory resultant upon the maintenance of eternal vigilance against complacency, apathy, and smug satisfaction.

VII

PRIVATE INVESTMENT

Mr. President, I wish to say a word now about the possibilities of private investment, which has been much discussed.

Why cannot private investment effect at this stage the intended aims of economic assistance under the mutual-security program?

The answer is very precise. A groundwork of social overhead capital—that is, roads, dams, irrigation projects, airfields, railroads, and commmunication systems—must first be created in the underdeveloped nations. Private investment can be of assistance in some of these, but the main burden at this moment will have to be borne by local and foreign public funds.

The analogy is often made to the great amounts of foreign private capital which furnished priceless aid to the economic development of this Nation during the 19th century, in the early years of our history. But, the analogy is not entirely a true one, because we had skilled labor, political stability, trained management, and local industry already in existence. This is not the situation in many of the underdeveloped countries in the world today. A basic framework has to be laid by local and foreign public assistance first.

That, Mr. President, is also one of the primary reasons why it has not been economically feasible to create a long-term businesslike development loan fund prior to this year.

We have gone through the period of experimentation and learning and have reached the point where we think economic growth can profit by the use of long-term loans. Much had first to be done through the medium of economic grants. Much had to be accomplished through technical cooperation in order to instill skills in local labor, introduce knowledge of management, and fiscal and accounting practices, and teach methods of increasing agricultural production so as to enable a shift of labor to be made from farms into industries.

A great deal more effort is necessary in this respect, it is true, but, likewise, much has been done.

For those who have been skeptical of the validity of economic assistance to date, this truth is all important. A level must first be attained in order that a businesslike program of development loans can be established. It is the hope I think of all members of the committee that eventually private investment will be able to be substituted for all of the functions of the development fund. But for the moment, the fund demands the support of all of us as an essential cog in the maturing of our program of economic assistance.

VIII

CONCLUSION

Mr. President, in concluding my remarks I have a few observations to make.

This is the 10th anniversary of our battle for peace and freedom. I have tried to depict the progress and the triumphs which have been attained in the military and the economic phases during the past 10 years.

We are engaged in a great ideological conflict. We are fighting for men's minds. To win, as to triumph in any war, planning, and programing are essential, to the end that the resources and capabilities of the United States and our allies will be used most effectively and efficiently. It is a mutual effort. I have already referred to the military programs of our allies. In the economic field from 1952 to 1955 our allies contributed some $3.2 billion in foreign assistance to underdeveloped countries.

Of this amount some $47 million was contributed to the United Nations activities and about $346 million to the International Bank for Reconstruction and Development. Of course, a fair amount of it went to colonial possessions or former colonial possession, but its purpose and motivation was to increase economic and social development.

We have harvested experience and victories in these 10 years. Today, four concepts stand out with crystal clarity.

First. The struggle of the free world must be unremittingly maintained until victory is secured.

Second. The mutual-security program must be continued until that victory is in sight.

Mr. President, I think I read all the reports which came to our committee from the different experts we had retained, and who were helping us. Every single one of them said that the mutual-security program must be continued until we could see the end of the road of this present ideological struggle.

Third. Both aspects, military assistance for defensive strength, and economic assistance for the orderly and responsible development of underdeveloped nations, are indispensable parts of that program; and

Fourth. Administrative and fiscal policies and institutions must be revised to carry out most effectively a long-term program in the national interest.

To meet the challenge we must adopt modern techniques.

This bill, in my judgment, goes a long way toward bringing our tactics up to date. As the senior Senator from Rhode Island has so ably stated, the bill is by no means perfect, and it will need changes as the years come along. It will, however, enable us to do a far more effective and more efficient job than we have been able to do in the past.

The amounts authorized, as the President has stated, provide the necessary minimum to carry through the program. Wholesale slashes would not only imperil our national security, but endanger the forcefulness of our leadership of the free world. I strongly urge all of my colleagues to support and adopt it.

The bill calls for a program of continuance of strength here at home, and a program of military assistance and economic aid with our allies and the nations in the Free World abroad, in a joint effort to increase the strength of a system of collective security and law. It really can be called a bill for peace and freedom.

Russia has given no indication of a lessening of its unrelenting desire or purpose to conquer the world. For us to relax in the struggle now is to face the horror of war tomorrow, unprepared and substantially weaker than the Communist nations.

We have the planning. We have the program. We have the capabilities. We have the allies and the potential. We can weld these together now with the will to win.

Mr. President, let me close by inviting the attention of my colleagues to the history of our own country. What motivated people from abroad to come to settle in America? It was their aspiration for freedom, self-determination, and the right to follow the dictates of their conscience and follow their God as their God directed. They came here with that flaming spirit. They developed that spirit. They gave to the world a nation which has far surpassed any other nation not only in prosperity but in moral leadership. We are the heirs to that responsibility. We have shown to the world what we can do here. Now the call has come to us to accept our responsibility elsewhere.

I shall close by paraphrasing from Abraham Lincoln's famous Gettysburg Address, when he said the sacrifices were not made in vain, that they were made so that government of the people, by the people, for the people should not perish from the earth.

That is my view of this bill. My belief is that it is our destiny to follow through, despite its imperfections, with the kind of legislation we are now studying so sincerely, so as to find the best way to do that which means so much to the future peace of the world.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I am glad to yield to my distinguished colleague.

Mr. CASE of New Jersey. I wish to congratulate my distinguished colleague, the senior Senator from New Jersey, on the admirably lucid and persuasive explanation he has given of the program before the Senate, which is presented by the Committee on Foreign Relations. It has been most helpful to me.

Even more, I should like to take this opportunity, briefly, to express my personal appreciation for the leadership which my senior colleague has given in the great Committee on Foreign Relations, in the Senate, in our State of New Jersey, and in the country as a whole. As the foreign-aid program, in its various phases, has been worked out and applied, he has been in the forefront of those who understood its purposes, the changing needs to which it has been applied, and the changes in it which have been necessary. A great measure of the success which has attended the joint effort by all people of good will and understanding in bringing this program to us in a form adapted to present needs is due to my distinguished senior colleague from New Jersey. I wish to extend to him, in this brief and inadequate statement on my part, my personal appreciation for his help to me in my efforts to understand the program, to know more about it, and to be helpful in it.

Mr. SMITH of New Jersey. I thank my colleague very cordially.

Mr. President, I yield the floor.

Mr. TALMADGE. Mr. President, permit me to preface my remarks on foreign aid today with a few observations.

A special Senate committee studying the foreign aid program stated recently:

> The committee recognizes that there are Americans who believe that these expenditures have not served the national interest and others who believe that they have.

I am in agreement with the former conclusion but respect the opinions of those who adhere to the latter view, and ask that my thoughts be accorded the same tolerance.

Let me emphasize that my views on foreign aid are not directed at any individual or group.

Rather, they are aimed squarely at the system and at the policy.

Or to be more exact, my criticism is directed at the lack of policy and the lack of system.

I feel strongly that the humanitarian responsibility of feeding hungry people from our great supplies of surplus foodstuffs and the practical responsibility of taking every possible measure for our own military defense are necessary and justified. The only limitation applicable to these efforts should be the extent of our country's capability, as viewed liberally, in the light of unchanging practical experience.

But, certainly, this does not mean that it is the duty of the overburdened American taxpayer to subsidize through foreign aid political or social experimentation or all manner of global projects of doubtful value throughout the earth.

Foreign aid projects which strengthen the defense posture of this nation are necessary and justified and shall have my full support. However, I am equally firm in my opposition to those projects which seek to do for persons in other lands what we are either unwilling or unable to do for our own citizens here at home.

The safeguarding of the economy of this Nation demands that we give careful scrutiny to each foreign aid proposal in order to determine that our country gets full value received for its expenditures. This is particularly true in light of the fact that, as of last March 31, this country had an unexpended foreign aid balance of $7.7 billion which would be more than sufficient to carry on our foreign aid program for some 2 years if not another dime were appropriated for it.

It must further be borne in mind in properly evaluating this program that the Federal Government now is paying 3⅝ percent interest on the money it borrows to finance such undertakings.

It is also my view that in the field of economic aid, assistance should be limited insofar as practicable to loans. Such help, of course, should be coupled with the encouragement of private enterprise to invest its capital in sound business ventures abroad.

In all of our policy, we seem to have overlooked the prime factor that should guide our considerations. It was expressed well the other day by Adm. Arthur W. Radford, Chairman of the Joint Chiefs of Staff, when he declared:

> We cannot trust the Russians on this or anything.

We have been at a loss in thwarting the vigorous and direct approaches of the Khrushchevs and the Bulganins.

Pure idealism, that in many instances has characterized our diplomacy, has been no match for the cunning and calculating practicalists in charge of Kremlin diplomacy.

Our panicky policies have produced negative results.

We have no definable objective.

Nor have we had a stable or consistent policy or plan to achieve it.

A lasting and honorable peace seems further away than ever before. Our present policy presupposes that global war is inevitable—just a matter of time. Yet, time seems to be running against us.

Dollar diplomacy is no substitute for calmness, care, consideration, and cool deliberation in the conduct of our foreign policy.

The fact that we have sacrificed the lives of thousands of American youth on foreign battlefields and have spent over $115 billion in foreign aid during the last 40 years attests our willingness to do more than our part to preserve peace in the world.

The American people have drafted their youth and have given of their material substance without demands, without conditions or without even an accounting.

No people in the history of the world have given so much to others and asked so little in return.

We have jeopardized our economy and mortgaged our future by giving away billions to stop war.

The dread specter of runaway inflation threatens every institution in American life today.

It threatens the home, the church, the school, and business, and it is built into the whole foreign aid undertaking.

It is completely inconsistent to give lipservice to "controlling" inflation while feeding it at the same time with profligate foreign aid ventures and the outpouring of billions of American money for foreign aid giveaways.

The purchasing power of our dollar has shrunk over 50 percent in the last 18 years. It is down 3½ percent in the past 12 months.

We cannot close our eyes to the fact that in the very next decade, if the present trend is allowed to continue, we will have a 25-cent dollar, or one worth even less.

Already our national debt, per capita as well as the sum total, far and away exceeds that of all other countries of the free world combined. This does not count State and local debts.

The tight money policy adopted by the present national administration has sent the cost of servicing the national debt soaring by some $600 millions annually even in spite of the fact that there has been a slight reduction in the amount of the debt itself.

Foreign aid is in a large way responsible for the denial of tax relief to millions of Americans whose earnings have been confiscated in large amounts by the Federal Government to pay the bill for this spending across the seas.

We are paying wartime taxes in peacetime.

From 1792 to 1950 Americans paid $406 billion in taxes to their Federal Government.

From 1950 to 1957 we paid to the Federal Government $433 billion.

For $406 billion we fought and won 6 wars.

For $406 billion we fought an indecisive police action in Korea and have waged what diplomats call a cold war in peacetime.

Today, roughly one-sixth of the gross national product of this country is being paid in Federal taxes.

One wonders how long this Nation will survive such a drain on its economy.

The President's brave pronouncement of stabilizing the cost of living has fallen by the wayside.

During the 1957–58 fiscal year the Federal Government expects to collect out of the United States taxpayers the stupendous total of $75.8 billion.

I say with all candor that unless the present policy of Federal spending is held in check, all hope of a tax cut at any time in the future will vanish and we will be confronted with another round of Federal tax increases and more likely the imposition of new or additional taxes.

During the last 12 years we have spent more than $5 billion a year for foreign aid—a total of more than $62 billion.

It is hard to visualize what this huge amount of money would have done for the people of this Nation.

It would have provided for our every need in the way of schools, hospitals, highways, and permanent improvements of every sort.

There would have been enough to provide a needed increase in presently inadequate pension and retirement payments, and there would have been enough to end the depression on the farm and provide our farmers a fair return for their investment and labor.

We are told that unless we send dollars, we will have to send our youth and pay with blood.

In that statement, we have a clear-cut admission of a total failure in our foreign policy. And we have evidence of a total failure to achieve any concrete results even after the expenditure of all these billions on peacetime foreign aid.

"Send dollars to save sending sons," sounds good as a slogan, but it is nothing more than a delusion. History has proved it so on more than one occasion in the recent past.

Congress should not be deceived by tricky phrases and clever slogans.

Congress should not be stampeded into adopting a course that can only bring us nearer the "brink of war," if not carry us over the brink.

The present policy of weakening this Nation's economy and defenses through ineffective foreign aid, if continued, makes it inevitable that we will be forced again to send our sons to fight and die in foreign lands.

Add to this the unpleasant prospect that our Nation, with her resources dissipated to the four corners of the earth, may lie prostrate, vulnerable to attack.

It is in that light that we must reexamine and readjust the whole field of our present foreign-aid policies from top to bottom.

Mr. President, although I am new in Washington, it is difficult for me to detect any appreciable degree of logic in the foreign economic-aid program.

To make any sense out of some of these giveaways requires that one discard all of the tried and proved maxims of human experience.

It appears to me that in this strange program, truth is inverted and results in a mirage.

I can conceive of no other activity in governmental operations so lax and inefficient where a total of $363 million could be lost for over 2 years without anybody finding out about it.

Perhaps the most alarming aspect to me of our foreign-aid program is that many well-meaning and sincere people have been persuaded that all of this vast array of money is buying us something in the way of future security.

The record shows, and will continue to unfold, the sad fact that we have not bought one iota of the protection we must have in case of necessity, even in spite of the bitter sacrifices we have been called upon to make.

Thousands upon thousands of highly paid American jobholders and their families have been dispersed throughout some sixty-odd nations of the earth to show these nations how to spend our money—and how to get even more to spend.

People do not like to be forced to depend upon charity.

So it is with nations.

Foreign aid, extended to the point of continuous dependency, breeds ill-will.

The truth of this conclusion was demonstrated recently when the Finance Minister of Pakistan publicly expressed grave concern over the harmful effects to his country of continued dependence on United States aid.

A compilation of news dispatches quoting Minister Ali appeared in the May 23, 1957, issue of the Washington Post and Times Herald. By way of illustration, I ask unanimous consent that one of the articles be printed at this point in the RECORD as exhibit A.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXHIBIT A

PAKISTAN AID URGES LIMIT ON UNITED STATES HELP

KARACHI, May 22.—Finance Minister Syed Amjad Ali says Pakistan should "face grim realities" and quit depending so much on United States aid.

Amjad Ali, Pakistan's Ambassador to the United States for 3 years, told newsmen yesterday at Peshawar that "our economic dependence on the United States has grown beyond expectations and the sooner we get to our feet, the better for us and the country."

America, he added, was providing Pakistan with between 700,000 and 800,000 tons of grain this year, while the Government was importing a further 300,000 to 400,000 tons independently. America was also providing foreign exchange to help build Pakistan's foreign exchange reserves as well as giving military and technical aid.

"There must be a limit to our commitments, and it is up to the whole nation to rise to the occasion, face grim realities, and make up what is lost," he declared.

Mr. TALMADGE. Mr. President, we next come to the logical question: Has the expenditure of all these billions of American tax dollars bought any lasting friendships based on this spending and this spending alone?

No. It has brought only adverse criticism and inveterate hatred of the nations involved.

Recent news dispatches from Japan, Formosa, Lebanon, and other countries reporting numerous manifestations of anti-American sentiment are disquieting, indeed. Even Western Europe, according to the United Press, is extending a cool reception to American tourists. I ask unanimous consent that the United Press article entitled "Criticism of Americans by Europeans Has Mushroomed Since the Suez Crisis," marked as exhibit B, be inserted in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXHIBIT B

CRITICISM OF AMERICANS BY EUROPEANS HAS MUSHROOMED SINCE THE SUEZ CRISIS

(By Claire Cox)

(EDITOR'S NOTE.—Criticism of America has mounted in Europe since last fall's Suez crisis. It isn't confined to newspaper accounts and living-room conversations. Even the American tourist abroad this year may hear some of it. United Press correspondent Claire Cox did as she motored with her husband through Britain and the Continent.)

LONDON.—A horde of more than 700,000 Americans are looking forward to trips to Europe this year, but is Europe looking forward to them?

The Italians and French both treat the American tourist as a child—the Italians as their own, the French as someone else's.

Both advertise widely for visits by Americans. Both say they are glad to see Americans. But while the Italians smile when they take your dollars, the French just take them.

COFFEE, CRITICISM

The British don't drink tea so much any more. These days they down American-style coffee and criticize the United States.

British streets and highways are traveled by Britons in American-style automobiles. London shops feature styles fresh from Fifth Avenue. There is an American-style soda foundation at Shakespeare's birthplace at Stratford.

But Britons make it quite clear that while they may buy American, they don't have to be pro-American.

The Swiss are pleased at the chance of a greater income from tourists than watches. The West Germans are glad Americans feel more free to visit their country and they hope for a revival of the friendly exchanges of postwar—World War I—days.

But some Swiss are angry at the United States for its higher tariffs on Swiss watch movements and its decision not to back the British-French invasion of Suez.

Some West Germans resent American efficiency and dislike Yankees because of the presence of the United States Army in Germany 12 years after the war.

These are impressions gained after 2 months' motoring through Britain and the Continent. They came only from dealing with persons who live off the tourist business. A tourist's chances of meeting someone other than a cab driver, a waiter, a tourist guide, or a chambermaid are slim indeed.

Our visit to Britain began with a rocky voyage across the English Channel from France. During that storm-tossed ride I sat fighting off seasickness and was a captive audience for an English woman's attacks on Americans.

"Americans aren't liked anywhere," she said. "They are going to have to find a solution to the Middle East. • • • The Americans didn't do any real ground fighting in World War II. They sent planes to flatten everything and then moved troops in with little fighting."

PREACH FREEDOM

We heard some French criticism of American policies and a Paris cab driver charged us $8 for a $1 ride without batting an eye. But a French Government travel bureau official said, "I guess we can be angry at the United States without being angry at all Americans."

A Swiss travel official said, "We hear the United States preach freedom and then clamp down on Swiss watch imports. Otherwise we have a friendly feeling toward individual Americans."

In West Germany, an American travel representative reported, "the attitude toward Americans here is getting better all the time. They do resent us a little but only the somewhat boisterous draftee types who whoop it up on weekends and paydays."

Mr. TALMADGE. Mr. President, in the future, it would be well for us to remember this lesson that we have learned through hard and costly experience.

Words and dollars can never triumph when national policies are ambiguous, incoherent, and muddled.

Only the continuous vigilance of the American people can stop the powerful forces which are determined to spend us into bankruptcy.

I do not stand alone in my conviction that the irresponsible fiscal policies being followed by our Federal Government pose a continuous and worsening threat to our national existence.

Being such a threat, there is the real danger that a great deal of the agitation for more and more spending on foreign aid and otherwise is prompted, without justification, by some who would hasten the day of our insolvency.

We should remember that the planners have come here year after year asking for more billions, and have promised Congress that if it will just vote this money the world will be safe, that all will be well and American aid can end. Now foreign aid, instead of being sold to Congress as an emergency year-to-year program, has assumed the tag of a permanent obligation of the American taxpayer.

Not being satisfied with giving aid to our friends and allies, we have given billions in aid to the so-called neutralist nations.

We have done this with no questions asked under the fear that some of these recipient nations might take their friendship elsewhere.

We have given millions in economic aid and vast quantities of military supplies to these nations.

No thought has been given to the stark peril that in the future our very arms might be hurled against our own sons.

We have seen Tito, Nehru, Nasser, and others visit and play hosts to the Communists in orgies of friendship and anti-Western demonstration.

Now it is solemnly proposed that we begin a program of "aid" to the Communist satellite countries of Eastern Europe.

How much success can we expect there when Tito has taken our jet fighter planes, our weapons, our food, and other aid totaling a billion dollars, yet, publicly, proclaims himself and his country just as close to Moscow as ever?

It is nothing short of catastrophic for our leaders to be deceived into thinking that a red flag by any other name is a different color.

Do we not know that so long as we are committed to this vast and indiscriminate foreign aid policy, the Reds can shout "Wolf," and off we will have to go in all directions with our checkbook as a cure for the world's problems? We will be made the principal target for anyone who may desire to play international blackmail against us.

Cannot we see that under such circumstances the Communists can whipsaw us to eventual collapse between one contrived "emergency" and another?

Contrast our lack of policy with the firm directness of the Soviets. While they make swaggering promises, they negotiate sharp trades and agreements, paradoxically, in the best capitalist tradition.

In the furtherance of their policy of world trouble-making, bluff and bluster, two tourists from Moscow, Soviet Premier Bulganin and pudgy Communist Party Boss Krushchev, staged a noisy and smiling procession for propaganda through India, Burma, and Afghanistan. Throughout their travels, the two men from the Kremlin acted as canny businessmen. They adhered strictly to capitalistic methods. They gave nothing away. They promised nothing for free. If a prospective buyer was a bit hard up for cash they advanced it at a profitable interest rate.

For example, in neutralist India, which had received $1 billion worth of free goods from the United States, and is now slated to get that much more, the Russians agreed to furnish that country with ore mining machinery, but only on condition that India would purchase a million tons of ferrous metals. Even the widely heralded gift of a Soviet steel mill to their happy and overly gracious host Nehru, was no handout. It is to be repaid to Moscow by 12-year credits at 2½ percent interest.

In Burma, the two traveling salesmen from the Kremlin bought half of the Burmese rice crop and in return arranged to help Burma expand its agriculture and industry, not for free, but at an agreed price for goods and services.

In Afghanistan, the touring capitalists from Moscow offered a $100 million loan to be used for the purchase of goods exclusively from the Soviet Union.

In the face of this new business and financial news, our high-policy makers in Washington panicked. They panicked despite the fact that for the 1954–56 period, Soviet loans to other nations, usually at 2 percent or better interest, totaled only 4 percent of the

United States outlays in dollar values during the same period. During this period the United States gave $12 billion to other nations.

One wonders why this country, with its reputation for ingenuity, organization, and production, cannot secure favorable agreements in carrying out our foreign policy and programs of foreign aid.

The reason, I am afraid, is that the Congress has abdicated much of its constitutional responsibility over appropriations.

By appropriating for economic aid and mutual security larger amounts than possibly can be utilized in a single fiscal year, the Executive has taken control over the purse away from the Congress.

The latest figures published in the May 24, 1957, issue of the U. S. News & World Report, show that over $70 billion in unexpended balances are on hand in various departments and agencies, and $7.5 billion of this amount comprises the foreign-aid backlog.

On May 15, 1957, the International Operations Subcommittee of the Committee on Government Operations, of the House of Representatives, issued a most informative and enlightening report on budgetary procedures of the International Cooperation Administration. There is only one conclusion that can be drawn by any open-minded persons after reading this report, and that is the ICA has no budget procedure.

Congress has been handing this agency, and its predecessor agencies, billions of dollars of the people's money, without any previous determination of how the money is to be spent, and without any audit or accurate check to determine whether the money was spent for the purposes intended.

The information in House Report No. 449 is a shocking revelation of the fiscal instability that seems to have gripped our Federal Establishment. After reading this report, I must say with all candor that I am appalled at this arrogant lack of concern for even minimal bookkeeping requirements. I am appalled at the fertile field this program affords for loose practices and the many loopholes it offers, through its lax administrative requirements, for harmful practices.

So that the people of this Nation may know the free-wheeling method by which their tax dollars are appropriated by Congress and expended by the ICA, I ask unanimous consent that a few representative paragraphs from House Report No. 449 on the budgetary practices of the ICA, as taken directly from this report, be included as a part of my remarks and printed at this juncture in the RECORD as exhibit C.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXHIBIT C

EXCERPTS FROM A REVIEW OF THE BUDGET FORMULATION AND PRESENTATION PRACTICES OF THE INTERNATIONAL COOPERATION ADMINISTRATION

INTRODUCTION

Each year the International Cooperation Administration, flanked by the Departments of State, Defense, and Treasury, and other executive agencies, asks Congress for authority and funds to carry on the mutual-security program for another year. In fiscal year 1958 authority will be requested to continue or initiate mutual-security programs in approximately 60 countries throughout the world and to add an estimated $3.9 billion to the more than $60 billion that has been spent for this purpose over the past 10 years.

Documenting this request, and exhibited under military guard to 4 committees of Congress, will be a highly classified printed presentation in 4 or 5 volumes, setting forth, in more than a thousand pages of charts, graphs, schedules, and narratives, the Administration's expression of how the funds requested might be used. It is on this complicated array of information that Congress must base its judgments to authorize, to finance, and to control the Administration's proposals for foreign aid.

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THE BUDGET CALL

Within ICA the budget formulation is a continuing operation which precedes the presentation by more than a year. Actually, as a budget for a given year is presented to the Congress, preparation of the budget for the ensuing year is already underway.

To begin the assembly of information upon which the budget presentation will be based, ICA issues a budget call to the directors of the various operations missions, located in each country where ICA operates a foreign-aid program.

In response to this call, the mission director submits a proposed country program, and a proposed level of aid—amount of money—required to carry it out. One would expect the compilation of the country program to include detailed advance planning, careful staff review, and full recognition of existing or foreseeable obstacles to carrying out the activities proposed within the period for which funds are requested. Careful consideration should be given to the availability of United States resources—technicians, equipment, and funds. Administrative prudence would seem to require that the compilation be preceded by discussions in considerable detail with appropriate governmental units of the recipient country, so that the mission could supply ICA/Washington with reliable appraisals of that country's receptivity to the proposed program, its ability to execute and absorb the program, and its prospective contributions thereto.

From the committee's review of individual country programs in operation, it must conclude that performance falls short of this ideal. For the most part, country program submissions are based more on imagination than on fact, comprising broadly conceived aspirations and loose estimates of cost more notable for their appeal than for their practicability.

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The committee questioned ICA witnesses in some detail on the extent to which programing was preceded by detailed discussions with the recipient countries. ICA testified that prior to the receipt of appropriations such discussions were only in very general terms, since negotiations on a detailed basis with those countries might give rise to expectations which ICA could not later satisfy, if Congress disapproved the proposed programs or curtailed funds. We find it hard to believe that American diplomatic personnel are so inept at negotiation that they could not explore proposals a good deal more than is now done without irrevocably committing this Government to a course of action prematurely.

As an example of the shortcomings to which lack of fuller discussion contributes, it is clear from the testimony that ICA generally lacks firm assurances, prior to requesting funds from the Congress, as to what contributions the recipient country will make to particular projects or to the overall country program. It would seem that a very precise determination of the size of this contribution would be essential in determining what would be needed in the way of United States funds.

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To explore the correctness of ICA's contention in this regard, the subcommittee reviewed the narrative portions of ICA's 1957 budget presentation. It was found that the narrative supplies labels but not reasons. It tells, in general terms, what the money is to be expended for, but not why. The various proposals made have substantive aims but no apparent quantitative objectives. The statement that a given sum is required to "balance the recipient country's budget" is an explanation, of sorts, of the use intended, but it does not explain why this particular amount of money is required rather than some other amount, how long this process must go on, what United States security or policy objectives are furthered by the activity, or what the alternatives are to proceeding as proposed.

This is not merely a matter of faulty presentation that could be corrected if more care and attention were devoted to the preparation of this narrative material. ICA witnesses testified that there does not exist, anywhere within ICA, a "single statement covering all the reasons why a particular aid level for a particular country was decided upon at the time it was decided upon."

The net result is that the Congress is being asked to authorize and appropriate funds upon the basis of vague generalities, and is not provided with the specific facts and reasons necessary for proper evaluation of the requests made.

As the House Appropriations Committee, after reviewing the 1957 presentation, stated in its report:

"Committee deliberations are made more difficult, too, by the lack of information as to past accomplishments, and the vagueness of data on projected programs. It appears that frequently programs are formulated with little or no consideration of the needs of the country or countries concerned."

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The 1957 budget presentation, for the first time, contained a list of proposed projects for each country. But it did not include sufficient information to permit their evaluation from the standpoint of reasonableness and desirability. And although this list makes it possible to determine what portion of each country program is planned as project aid and which is nonproject aid, it is still impossible to determine the bases upon which the levels of aid were determined.

This in effect asks Congress to take on faith the entire foreign aid program. The alternative is to require more and better information from the agency.

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Substantial amounts of the local currencies received through sales of surplus agricultural commodities by the Department of Agriculture under Public Law 480 (Agricultural Trade Development and Assistance Act of 1954) are allocated to ICA for use in the mutual security program. At March 31, 1956, just before the 1957 budget presentation was made, an aggregate of over $500 million of such currencies had been programed to ICA for use in various countries on the basis of executed Public Law 480 sales agreements. There is no clear indication in the 1957 budget presentation that these funds have been taken into account in ICA planning either on a country basis or overall. At March 31, 1957, the most recent date for which full data is available, this amount has been increased to over $1 billion.

ICA witnesses testified that almost half of the Public Law 480 funds are used in countries where ICA has no aid program. It is not clear whether aid programs might have been established in those countries if there had been no Public Law 480 funds. Congressional committees reviewing the 1957 budget request were concerned by this problem, and ICA witnesses expanded somewhat upon the formal presentation by testimony relating to Public Law 480 fund availability. It does not appear from the published hearings, however, any more than from the presentation material, that ICA supplied a clear, satisfactory answer to the questions we ask here.

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"ILLUSTRATIVE" BUDGET PRESENTATION

The manner of budget presentation used by ICA and its predecessors is very unlike that normally employed by executive agencies in requesting funds from the Congress. Instead of listing the specific activities which will definitely make up the foreign-aid program for the coming year, an activity or a type of activity is set forth as merely illustrative of the kind of program that will be carried out if changing circumstances do not prevent it. This has the effect of not binding the agency to any specific activities, and so the Congress never knows in advance what new activities will be started during the coming year, or what unfinished activities will be continued.

The prior knowledge by ICA personnel, at headquarters and in the field, that the "illustrative" budget presented is neither final nor binding upon the agency may well be a major contributing factor to the inadequacies in planning that we have noted previously. In submitting its budget, ICA seems less concerned with the presentation of a planned program than with securing a lump sum of money for expenditure as the agency sees fit.

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CONCLUSIONS

1. The illustrative method of budget presentation does not bind ICA to carry out any of the activities proposed to the Congress. In fact, it permits the agency complete discretion in the use of funds, free of the restrmints, checks, and balances generally imposed upon the executive branch. It does not provide the Congress with a full understanding of what the agency is doing, what it has done, and what it intends to do.

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11. ICA consistently asks for and receives more money than it has ever been able to use in the year for which requested. This practice has invited the hasty, last-minute obligation of unused funds, which precludes their return to the Treasury.

12. Funds allocated to ICA from the proceeds of sales of surplus agricultural commodities under Public Law 480 have the effect of supplementing the ICA budget. In fiscal year 1957, when the nonmilitary mutual-security budget ran to about $1.5 billion, this supplement amounted to an additional half billion dollars. Neither the 1957 budget presentation nor testimony before this committee makes clear to what extent, if any, ICA considers the availability of these funds in compiling its budget request. The omission of this information makes it difficult for the Congress to determine the amount by which the cost of the foreign-aid program actually exceeds the ICA budget.

Mr. TALMADGE. Mr. President, we have seen the veil of secrecy cloak all of the misdeeds, waste, and extravagance which have been committed in the name of foreign aid. A total blackout has been in effect on military assistance, and it has been hard to get information on other expenditures.

Ordinary care demands that if foreign aid is remotely beneficial, it should not be dribbled away on ill-considered projects all over the world. The taxpayers who pay the bill are entitled to something more than vague assurances that all is well.

It appears to the uninitiated that our foreign-aid planners prefer to speak in an unknown tongue, in order to confuse and confound the average citizen. It is not without significance that ICA Director Hollister confirmed this fact when he appeared before a Senate committee. Mr. Hollister agreed that "there are so many facets to ICA that it is pretty hard to keep up with all of them." It is "very complicated," he said, and added, "I think that perhaps a fresh approach would be very wise."

I have studied diligently a mass of information, such as is available. Finding specific information as to results and finding consistent information as to the amounts of money involved in foreign aid are difficult tasks. It is hard to draw tangible conclusions. Much of the material upon which these huge appropriations have been based ranges between unsupported opinion and monstrous total figures beyond all comprehension.

I detected one thread of truth that seemed to weave in and out of all of these reports—that all claims for positive results are always nebulous. It was with regret that I found that to be the case even in the final report of the Special Senate Committee To Study the Foreign Aid Program, as released May 13, 1957.

A few selected quotations, under the heading "Contribution of Postwar Aid to National Interest," excerpted from this report are indicative of what I mean. Here are a few examples:

Impossible to say with certainty how much better off or worse off the United States is today because of these expenditures.

One can only guess. • • •

One can estimate. • • •

Greece and Turkey might today be behind the Iron Curtain. • • •

Formosa might have fallen. • • •

Western Europe might never have recovered. • • •

Iran might never have survived.

It does seem that the American taxpayer is entitled to a little more concrete information on what his billions of tax dollars have bought.

Semiannual reports to the Congress on activities of the mutual-security program are no more illuminating.

The 26-page printed report of the International Cooperation Administration, for the 6-month period ending December 31, 1956, sent to Congress earlier this year, purports to account for the expenditure of billions of dollars.

Just taking the $3,767,000,000 mutual security appropriations' figure for the current fiscal year, we find that only a page is used to explain $145 million in expenditures. And, at an average of 80 lines to a page, a single line of the report represents expenditures of $1,811,057.69.

Lack of specific information, general vagueness, and absence of coordination of the report is a true index to the nature and character of the program we are being asked to continue.

Without doubt, one of the most shocking and disheartening governmental reports ever made was that rendered earlier this year by the International Operations Subcommittee of the Committee on Government Operations of the House of Representatives.

This report deals with the operation of American-aid programs in Iran and even to the casual observer the findings here must be accepted as reflective to a lesser or greater degree of foreign aid administration in other countries.

It is an eye opener.

It shows beyond all doubt that foreign economic aid, as an effective, instrument of policy, is the epitome of futility.

I ask unanimous consent that certain selected excerpts from this report, taken from pages 54, 55, 56, 57, and 58, and marked as exhibit D be included at this point as a part of my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXHIBIT D

EXCERPTS FROM A REPORT ON UNITED STATES AID OPERATIONS IN IRAN—REPORT OF THE INTERNATIONAL OPERATIONS SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS

What this picture adds up to is simply that we have, from 1951 through 1956, spent over a quarter of a billion dollars of United States tax money in Iran, including 3 years of support to that Government's extraordinarily flexible budget, at an average rate of $5 million a month, with a new set of justifications and a new set of reasons being presented to the Congress each year as to why aid at this level should be continued.

As significant as the statements made in behalf of the program have been, the subcommittee finds that presentations to the Congress have been even more notable for the facts they have omitted. There has been a consistent failure to indicate to the Congress that Iran in many respects, and even during the period of oil nationalization, was essentially a solvent country quite capable of working out its own financial problems.

The essential and secure source of Iran's wealth, namely, her oil, is sufficiently recognized in the world's financial circles to make the negotiation of long-range loans quite feasible. Yet Iran has been reluctant to use its loan opportunities, both through the Export-Import Bank and the International Bank for Reconstruction and Development, and this reluctance is apparently explained by Iran on the grounds that loans are politically unpopular while outright grants are not.

There was, as well, a failure to tell the Congress that $10 million of United States aid funds used to underwrite a currency issue could have been obviated by a change in Iranian law. Expert witnesses before the subcommittee admitted that the Iranian currency, even before this $10 million transaction occurred, was one of the best backed currencies in the world. Moreover, an examination of the gold and foreign exchange holdings of the Bank Melli, Iran's central bank, showed it position to be strong throughout the period of so-called crises.

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The faults of the use of the so-called illustrative program are amply demonstrated in Congressional presentations on Iran.

Illustrative programs are not actually programs in any planned sense. Instead, they are lump-sum requests for funds under broad categories such as agricultural and natural resources, or health and sanitation, supplemented by a general narrative statement of the agency's intentions for the year.

The more significant thing, however, is not the lack of specificity of the justifications,

but rather the fact that they involve no commitment that the money appropriated will be spent for the items mentioned.

The entire presentation is intended to be only illustrative of the way the agency expects the money will be spent. Only after Congress has appropriated the money does the International Cooperation Administration get down to the business of doing firm and specific planning and negotiating with the host country government. The next year Congress will be told, under similarly broad categories, how the expenditures were actually made.

The essential justification given by the agency for continuing the illustrative method of programing and budget presentation is that United States representatives in the field must have a firm allotment of money in hand before they can negotiate programs with aid-receiving governments. According to spokesmen for the International Cooperation Administration foreign government officials will not negotiate agreemets on a hypothetical basis. They must be assured that United States funds will be made available. The subcommittee has no basis for disputing this, but it does feel impelled to point out that not only does it put the United States in the position of accepting hypothetical commitments by host governments but it also involves asking the United States Congress to grant firm amounts of money on the hypothetical basis that a good use will be discovered for it.

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In connection with reports to the Congress on the use of budgetary assistance funds the most glaring omission is the absence of information on what was done with them once they were received by the host country. Reports to the Congress go into considerable detail as to the form in which this assistance was made available, whether in imports of sugar, vehicles, industrial machinery, and so on. Yet, for the most part, this tells the less significant aspect of the use of budgetary assistance funds. What counts most is the way the recipient government spent the money received by it through these imports, and on that side of the picture Congressional presentations are very nearly silent. As an example, the Congressional presentation material describing how the first budgetary assistance funds were used treats this aspect of the picture in the one following sentence:

"The total effect of these various forms of assistance has been to provide the Government of Iran with a source of local currency with which to help meet government operating expenses, and to carry out minimum essential projects in housing, road improvement, water supply, and health."

Nowhere does it mention $3 million used to raise Government salaries, $12 million used to make up deficits of the National Iranian Oil Co., $1.1 million for bonuses to the army, police, and gendarmerie. Nowhere does it mention that after receiving United States aid, the budget deficit increased rather than decreased. Even where the presentation stresses the illegal expansion of the Iranian currency under the Mossadegh regime, in describing the chaotic situation of August 1953 it omits mention of the fact that the currency even after expansion was still sound and that the new government found it necessary to undertake a similar expansion and in that connection to have the currency law liberalized.

In the judgment of the subcommittee, the Congress should require as a condition of all future grants of budgetary aid an accounting not only of how United States dollars were expended in the United States, but how the resultant income was utilized by the receiving country. It is this latter information which affords the only sound basis for judgment as to whether it is being wisely used. Perhaps most noteworthy in this connection is the fact that reports from the field to the Department of State and to ICA in Washington contain this kind of information, but the Congress never gets it without digging for it.

The overwhelming reluctance which key ICA officials have displayed in laying their cards on the table before this subcommittee, indeed the apparent intent of some of the principal witnesses to snow the subcommittee under with irrelevant and gratuitous side issues, has shaken the subcommittee's confidence in the soundness of the reports on which Congress has based its judgments of the entire foreign-aid operation. As a result, the serious deficiencies in the Iran program are not now the principal concern of the subcommittee. With the exercise of a good deal of charity it might be possible to understand many of these as isolated and peculiar to the time and place. But the most far-reaching and disturbing discovery the subcommittee made in the course of this investigation was that the principal officials in charge of this program either could not recognize these deficiencies or were dedicated to the task, especially in dealing with the Congress, of defending by highly questionable means indefensible performances.

The subcommittee recommends, therefore, to the Congress that it give wholehearted support and continuous attention to responsible studies being made or to be made of foreign-aid programs, especially those under congressional auspices. It is apparent that tremendous obstacles will confront every such effort. For this reason, superficial reviews over brief periods of time can be worse than useless. In this field of Government operations, perhaps more than in any other, haste is apt to overlook many essentially black situations which tend to escape notice by being covered with a coat of whitewash.

Perhaps the most sobering thought to be expressed about the Iranian-aid program is that it is inextricably wound up with our foreign policy as a whole in Iran and if our foreign policy today in other lands is as entangled with economic-aid operations of the kind described in this report, it is leaning on a poor kind of instrument indeed. Even more serious is the fact that corrective action, obviously so badly needed, in the conduct of aid operations cannot but severely wrench the whole fabric of our current concepts of foreign policy. To that extent, precipitate action is fraught with difficulty. Yet, if the only way to prevent the further degeneration of foreign aid is to take such action, it would perhaps be well worth whatever risks may appear to be involved.

Mr. TALMADGE. Mr. President, we find that some of those seeking to justify a continuation of foreign aid resort to many reasons for doing so. The chief among them being:

First. It "contains" communism.

Second. It prevents depression at home.

Third. It reduces the need for arms and men in our own forces.

Fourth. It is a vehicle for friendship and humanitarianism.

Fifth. It is a means of winning less-developed nations to freedom.

Sixth. It is the principal bulwark of world peace.

Seventh. It acts as a lid to cap explosive political situations.

Eighth. It is a stimulator of world trade, investment, and free enterprise throughout the world.

If all those things were true foreign aid would be a cure for all world problems.

Unfortunately, we cannot spend ourselves rich.

We cannot give ourselves strong.

And we had best not rely on others at this late date to do our fighting for us.

While some segments of American business, particularly the large industrial groups and some banks have profited from foreign aid, it is a gross absurdity to contend that America's economic well-being is dependent on foreign aid giveaways. Our gross national product now exceeds $400 billion per year.

Foreign aid expenditures are only a fraction of this amount, and in view of a substantial use of some of the money to make purchases of goods and supplies abroad, it contributes even less to our total economy, that standpoint considered.

It is to disregard fact for any person to look upon these expenditures other than a drain on our people, a drain on our country, and a burden on generations of Americans yet unborn.

We have heard much recently about the Fairless report.

While I do not agree entirely with all the conclusions contained in the March 1, 1957, report to the President by the Citizens Committee on Foreign Aid, of which Hon. Benjamin F. Fairless was coordinator, the report, though not a detailed one, did contain several suggestions for improved administration which should have been implemented immediately.

It is a pity that this report, like many others calling for reforms and improved procedures, has been shelved to gather dust.

Apparently the only passage taken seriously was the mild committee conclusion that a collective security program will be necessary for some years to come.

But even this recommendation was tempered by the admonition that assistance in grant form should be given only those exceptional cases where it is clearly in the national interest to do so and when the recipient countries are adjudged unable to repay.

The Fairless committee, expressing concern over recent cutbacks in planned western contributions to Free World armament, urged a higher priority—be given—in foreign assistance programs—to those countries which have joined the collective security system.

Our Government, the report said, should marshal our resources to help those nations which share our apprehension of the threat of the Communist conspiracy and share the same judgment as to the measures necessary to defend against it.

I share that view particularly as regards helping Britain and other allies in maintaining sufficient armament to meet Communist forces whenever and wherever they should seek to move aggressively.

When historians analyze United States post-World War II aid programs they may well conclude that we have scattered our shot and that we would have been far better off concentrating much of our backing behind a few trusted allies, with the primary responsibility upon them for maintaining order in their respective spheres of influence.

Instead, we have tried to make first-rate powers out of fourth-rate powers, all at the expense of our allies and ourselves.

In his message on mutual security delivered to the Congress May 21, 1957, the President called for a new loan policy, if it can rightly be called that.

The President's description of these so-called loans, to be dished by the ICA deserves close scrutiny.

Here is how he defined the ICA loan policy:

> These loans should be made on a reasonable expectation of repayment in dollars or local currencies, even though we should recognize that this expectation would be based on confidence in the long-range development of the borrowing country and of hope for an improved international political climate rather than on presently demonstrable financial soundness.

This policy, of course, does not follow the policy suggested by the Fairless Committee.

The Committee suggested that in loans made to other nations a sound policy be adhered to, as follows:

> In our view loans by the United States repayable in the inconvertible currencies of foreign nations are undesirable and the practice of granting them should be terminated. Our relations with other countries will suffer from United States control of large amounts of their currencies. The soundness of the loan device should not be jeopardized by inviting repayment in foreign currencies which cannot be freely spent by the United States.
>
> Similarly, the validity of international contracts should not be undermined by the granting of loans in circumstances which there is grave doubt as to the ability of the borrower to repay. We recognize, however, that there will be cases in which it is in the interest of the United States to make dollar loans on more liberal terms than those of the established public banks with respect to interest rates and periods of repayment.

Any similarity between the recommendations of the Fairless Committee and administration recommendations is purely superficial.

For instance, the Committee suggested aid programs geared to 2-year periods, to be submitted to each Congress, rather than at each session.

The President's message, however, envisions an indefinite loan program under ICA of unspecified duration with pyramiding amounts necessary to finance it. He asks authority to borrow from the Treasury in succeeding years within stated limits. He requests $500 million for the loan fund for the 1957 fiscal year and $750 million for each of the next 2 succeeding fiscal years.

Director John B. Hollister, of ICA, even urged Congress to go further than it ever has in surrendering its power over appropriations when he appeared earlier this year before the Senate Foreign Relations Committee to argue for authority to spend as much as $2 billion in economic aid to friendly countries over the next 3 years.

Though the President's message to Congress on foreign aid did not come to the House until May 21, 1957, William S. White, of the New York Times, as early as April 8, in a copyrighted dispatch revealed the present concept of indefinite aid. The first paragraph of his article told the story.

> The Eisenhower administration presented to Congress today a fundamentally altered mutual-security program that would commit this country frankly to foreign aid for indefinite years ahead.

Mr. White wrote of Secretary of State Dulles' testimony before the Special Senate Committee To Study the Foreign Aid Program.

Mr. Dulles presented the plan as a new approach, calling for the establishment of a special economic development fund with capital authorization sufficient for several years to extend economic aid on a loan basis, the Times story revealed.

It is the same old "temporary" foreign economic aid program but in new and admittedly permanent dress.

If it is felt that this Nation in promoting its interests must assist other countries in their economic development, there are ways much more effective and considerably less costly than direct handouts from the Federal Treasury.

One way would be to stimulate the flow of American capital into needy and underdeveloped nations through the incentive of fast tax writeoffs, such as are now granted to industries engaged in defense production.

Another way would be to expand the capacity of the World Bank to make long-term, low-interest loans to worthy nations upon the security of such collateral as undeveloped natural resources or industrial potential.

In so doing, the United States would be able to achieve its goal without insulting the beneficiaries of its assistance, and even more important, without bankrupting the American people.

We should not, with tongue in cheek, continue to make outright grants calling them loans.

The question now confronting Congress and all Americans is whether we have learned our lesson from sad experience.

A recent Commerce Department report revealed that the United States has put up more than $62 billion for foreign aid since July 1, 1945, representing an amount equal to $364 for every man, woman, and child living in this country.

What have we bought with all this money?

A total security blackout shields expenditures for military aid from inquiry.

But we do know how some $40 billion in American economic aid and outright grants have been used.

They have been used to subsidize tax cuts in foreign lands while tax reduction has been denied our people here at home.

They have been used to pay off national debts of foreign countries like Norway and Denmark, while our own debt has mounted higher and higher.

They have been used to stabilize foreign currencies while inflation feeds like a brushfire at home.

They have been used to add millions of acres to foreign farm crop production, while acreage allotments for our own farmers have been reduced here at home.

Vast hydroelectric dams and irrigation and river development projects are being carried on all over the world, while floods continue to ravage our land and while our own industries cry for more power.

A million dollars of our tax money is being used in Paraguay for the benefit of a single religious sect while such a practice would be frowned on as unconstitutional and contrary to public policy in our own country.

We are spending billions in foreign countries to reclaim or open up new lands and build all types of new housing while our own people and our veterans are relegated to substandard housing.

Highways and bridges are being built in foreign lands while our own road system has been neglected for many years.

While many of our farmers cannot get their crops to market over muddy roads, we build a huge six-lane turnpike in Portugal to a gambling resort.

While millions of Americans are sweating over their tax returns, our Government sends a "hot-lips" musician on a foreign tour and pays him more than the President.

While unfair foreign competition is closing the doors of numerous American industries, we continue to send our technicians and machines to foreign lands to provide the know-how to produce goods that will destroy markets for our own, due to the vast differential between slave wages and free wages.

Why, we have even built public restrooms in the Philippines, and bathing facilities for Egyptian camel drivers. We have sent collapsible toothpaste tubes to Cambodia, dress suits to Grecian undertakers, and iceboxes to Eskimos.

We are sending our millions to King Saud, who maintains 24 palaces, 250 custom-built Cadillacs, a fleet of private airliners, and whose personal income from vast oil reserves has been estimated at around $48 million a year.

We have sent opera singers to Italy, and ultra-violet ray lamps to India. And we have set up a pension program for overage Chinese Nationalist soldiers.

While rice production is less here than in Korea, our technicians have gone there to try to tell them how to raise rice.

We built a silica processing plant on Formosa, where there was not enough silica to justify its operation.

We are giving free air trips for Arabs who wish to visit Mecca.

We have built iron and steel plants costing nearly a billion dollars in 24 countries.

We spent $2 million to provide water and public bath facilities for 200 Lebanese villages.

We have built an Italian village that nobody wanted to live in.

We have built a road in Iran that leads to nowhere.

We spent 501,097 United States dollars for a wage and position classification study for the Philippine Government while we only spent $205,076.29 for a special Senate committee study of the

effectiveness of the entire $62 billion postwar foreign aid program.

The multitude of foreign aid giveaways which have been carried on by this country includes apartment houses, railroads, rolling stock, mining equipment, steel mills, factories, banks, generating plants, machines, machine tools, building materials, supplies, equipment, commercial airplanes, aviation facilities, storage facilities, warehouses, schools, laboratories, hospitals, power dams, reservoirs, office buildings, telecommunication systems, thousands of irrigation wells, American industrial know-how and engineering techniques and a host of other such items for over 60 countries.

All of these things—and many more—have been financed by the citizens who sent us here to represent them.

Mr. President, I must voice my opposition to such spending abroad—however worthy or needed—which could not, even by the remotest stretch of the imagination, contribute one iota to the strength or security of our country or the free world.

I am opposed to economic aid when it is done at the expense of the already overburdened American taxpayer who today is shouldering the greatest tax load of any citizen in history.

The time has come to seek elimination from the budget of purely foreign economic aid and for a thorough and searching examination of each military assistance project to insure that the American taxpayer is getting his money's worth in national security.

Wise expenditure of military assistance funds could be insured by reducing the appropriation for that purpose for the 1957 fiscal year to an amount not to exceed $1 billion.

Elimination of all economic aid and a ceiling on military assistance would not abruptly curtail present aid programs for there presently remains unspent $7.5 billion of previous appropriations for economic aid and military assistance, besides new money now being sought.

Economic aid could be liquidated without another dollar being appropriated by the Congress. It could be ended this year without substantially disturbing the commitments already made. This could readily be done because there are still approximately $7.5 billion already appropriated, and yet unspent, for supplies and techniques in the many "pipelines" stretching from our Treasury in Washington to the numerous beneficiaries in foreign countries.

Under rigid supervision and strict accounting, these pipelines could flow for several years more to discharge their contents without our putting new money into them.

I am opposed to subsidizing all manner of economic aid projects abroad so long as our own people—our farmers, our veterans, their widows and their dependents, our social security recipients, our retired people, our old people, our disabled citizens, our dependent children, and all those unable to take care of themselves—are not adequately provided for here at home.

Mr. President, on June 23, 1954, one of our greatest living generals, speaking before an assemblage of the Nation's newspaper editors in Washington, D. C., expressed some interesting convictions of his relative to the effectiveness of foreign aid. His remarks are pertinent to the discussion here, and I wish to read them to this body. He said:

> The United States cannot be an Atlas. It cannot by its financial sacrifices carry all other nations of the world on its shoulders, and we should stop giveaway programs.
>
> Now this is very true. You could not keep any other country in the world free merely by money. You can't buy or import a heart, or a soul, or a determination to remain free. Consequently, the statement that American so-called giveaway programs are not going to keep the world free is absolutely true.
>
> Three years' history since those words were uttered confirms their wisdom and truth.
>
> The words of this great military leader do not seem un-American or isolationist to me.
>
> They sound like Jeffersonian democracy.
>
> What general, you ask, made this statement?
>
> It was Dwight David Eisenhower.
>
> It was the same General Eisenhower who said in 1952:
>
> Certainly, I know we must find a substitute for the purely temporary business of bolstering free nations through annual handouts. That gets neither permanent results nor real friends.
>
> That was the general.
>
> That was the President.
>
> That was the Republican who made the statement to the Nation's editors that foreign aid will not buy other nations the determination to remain free, and should be stopped.

I agree with the wise and sagacious words of the Republican general and the Republican President.

It is with regret, and with all due respect, that I must voice my sharp disagreement with the "Modern Republican" President.

The people of America are determined to save the blessings of free government and individual liberty.

To save America, the humanitarianism of old-fashioned democracy must live.

To save America, the stability and security of old-fashioned Republicanism must live.

To save America, all of the faith that is epitomized by the oldtime religion must live.

Let no one be deceived by the cries of those who would destroy us. A return to fundamentals is the key to survival in this day and age even more than was the case in all the other periods of great stress and strain that have marked the life of our Nation.

A militarily impregnable America and an economically invincible America are the world's best and only hope for peace.

If we are to perpetuate our blood-won birthright for ourselves and for our posterity, the welfare of the American people and the solvency, safety, security, and sovereignty of our own country must be our primary concern.

It is mine, Mr. President, and I shall so vote.

I yield the floor.

THE "OPEN CURTAIN" PROPOSAL OF SENATOR JOHNSON OF TEXAS

Mr. FULBRIGHT obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Arkansas yield for that purpose?

Mr. FULBRIGHT. I do not really require a quorum.

Mr. MANSFIELD. I have been asked by several Senators that they be notified when the Senator from Arkansas begins his speech.

Mr. FULBRIGHT. Very well; I yield for that purpose.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, one of the poorest and most disappointing performances I have seen in many years was the reaction of the Secretary of State to the open curtain proposal made by our majority leader.

There are times when a man should be forthright and frank and refuse to take refuge in half-truths and evasions. There are times when a man should seize an opportunity and press it vigorously and boldly.

Those times frequently come to a man who has the responsibility of steering the foreign policy of the strongest nation in the Free World.

The proposal of the majority leader was forthright and bold. It called upon our officials to act at a certain time when events were coming to a dramatic climax.

The majority leader did not blame any fellow American for our present state of affairs. He said that now is the time to act—now is the time to strike when the iron is hot.

I have looked over the Secretary's press conference reaction to the proposal. He says, in effect, that this country made a similar proposal in 1955 and that "we are constantly pressing the Soviets, for example, for these reciprocal facilities to speak to the Soviet people."

Mr. President, I have been associated with the Senate Foreign Relations Committee for many years. I have a reasonable familiarity with the activities undertaken by those who have the responsibility for our relations abroad.

If American representatives have been "pressing" the Soviet Union for the "open curtain" proposal for the past 18 months, it is the best kept secret since the first atomic bomb was made.

Mr. Arthur Krock, one of the most eminent and distinguished journalists of our time, puts the facts succinctly in his column this morning. He says, and I quote:

> This role played by the Senate majority leader, therefore, was of vastly more importance than could be gathered from this comment by the Secretary: "I was very glad indeed to see the strong endorsement of that (point 9) concept by Senator JOHNSON the other day. He made about the same proposal, or at least adapted, you might say, the same proposal that the United States had made (at Geneva). We have been pressing for (it) off and on, with consistency, for the last 18 months." But in reality what JOHNSON did was to move this Government to resume the initiative on this front after a long period of virtual inaction. And his formula is the most precise and detailed in the record.

Even more puzzling is the Secretary's implied claim that the "open curtain" proposal represents administration policy. Apparently he is not aware of the views of his chief—the President of the United States.

The President, in his press conference on June 5, dismissed the Khrushchev broadcast as "a commercial firm in this country, trying to improve its own commercial standing."

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. The Senator from Arkansas is bringing out a very important and very significant aspect of the proposal made by the distinguished majority leader last Saturday evening in New York.

I should like to ask the Senator from Arkansas what connotation he places on the President's reference to the CBS sponsoring of the Khrushchev program as a commercial firm in this country trying to improve its own commercial standing. Does the Senator believe the CBS performed a public service in trying to bring one of the leaders of the Soviet Union into the homes of the American people, so that the American people could see what he looked like and hear what he had to say? Are we afraid of this man? Do we believe that what he has to say will contaminate us? Are we so fear stricken that we are absolutely helpless in the face of a broadcast by a Soviet leader?

Mr. FULBRIGHT. The Senator from Montana has emphasized one of the points which should be considered. I believe CBS performed a public service. I thought it afforded us a great opportunity. The President's remarks clearly show his disapprobation of the whole performance, and he took this particular way to indicate it.

Mr. MANSFIELD. Is not that kind of performance exactly what we have been trying to bring about, under point 9 of the Geneva agreement, since 1955?

Mr. FULBRIGHT. The Senator is quite correct. It was precisely in line with that point. What I am trying to say is that our policy has not been, so far as I know, to follow up on that point; nor has there been any initiative along that line. Here an opportunity was given us by the other side. They gave us a perfect opportunity to say, "That's fine. We would like to do something like that in Russia."

Mr. MANSFIELD. Exactly. However, we have not been pressing, as the Secretary of State says, to bring about this sort of interchange on a mutual basis during the past 18 months.

Mr. FULBRIGHT. Not only have we not been pressing, but the attitude of our own officials has been one of complete inaction. In fact, the President did not even deign to make a direct comment on the broadcast at the time, and Mr. Hagerty, the journalist who is working with the President, said the President was "aware of the broadcast, but did not hear it."

Mr. MANSFIELD. Is it not a fact that there is a possibility that we may have been pressing in reverse? I say that because in 1955 the Soviet Acting Minister of Agriculture, Matskevich, broadcast over the Voice of America from Washington to the Russian people that the American people were their friends. So we have a Government agency, the Voice of America, allowing a minister in the Soviet Cabinet to use our facilities to tell the Russian people what he was observing in this country.

If it was good for this Government to do that then, I see no reason why it was not good for CBS, in reverse, to do what it did in the case of one of the leaders of the Soviet Union. If we could carry the Johnson plan into effect, on a reciprocal basis, I am quite certain that the Russian people, as distinct from their leaders, would be the greater beneficiaries. So far as the American people are concerned, we have nothing to fear. Certainly we cannot be contaminated by what the Russian leaders may have to say.

Mr. FULBRIGHT. I appreciate the Senator's remarks. His last observation is to me practically the core of this situation. The administration has given the impression that it is fearful that these broadcasts will convert the American people to communism, or will weaken their belief in our own system. That, I think, is completely wrong. We ought to welcome broadcasts such as Khrushchev's, because they subject the views of world leaders to critical analysis, not only by our own people but also by the people of the rest of the world. It would be a very interesting debate before all the world, if such an exchange as that suggested by the majority leader could be arranged.

Mr. MANSFIELD. Mr. President, it is my understanding that Khrushchev's CBS broadcast has been rebroadcast in the Soviet Union and in Communist China. It is my further understanding that certain parts of the broadcast have been deleted, so that the people of those two countries did not get the full text of what Mr. Khrushchev said to the American people. That in itself, in my opinion, is an indication of weakness.

The mere fact that deletions were made would seem to indicate that there were some things which the Soviet leaders did not want their own people to hear. So far as we are concerned, anything our leaders say could be said to the entire world, and there would be no deletions made, because we have truth on our side.

Mr. FULBRIGHT. The Senator is quite correct. In any case the suggestion ought to be subjected to discussion and analysis. What I object to is our lack of interest in promoting this approach. I agree that it may be difficult to make the arrangement. I do not know whether the Russians will permit it. However, the only way to find out is to make the proposal and to press for it every day, as the majority leader has suggested.

The President's direct comment on the opportunities offered by the Khrushchev broadcast was as follows:

> I would say this: If the Soviet Union, in return for that courtesy of themselves wanted to ask an American, no matter who it might be, because, after all, you know Khrushchev is not the head of the Russian State—except in power [laughter]—but if they should invite an American to come, and guarantee that there would be no jamming, there would be no interference, that they wouldn't put up counterattractions to take people away from their radios, and all that sort of thing, for that time, if you can believe that that will happen, I can tell you this, that somebody in this Government would be glad to accept.

Mr. President, is this the reaction of an administration that is actively pressing for the open curtain? Is this the kind of response which would meet the call of the majority leader for bold, vigorous action?

Does this represent initiative? Does prying open the Iron Curtain mean that we sit back and wait for an invitation from Khrushchev? Is this a strong demand that Khrushchev permit our leaders to address the Russian people as he has addressed ours?

Apparently, the Secretary has some friends who think it is. Mr. Edson, NEA columnist, said yesterday that the Secretary "punctured the Johnson balloon pretty effectively but the Secretary let it down gently, with more butter."

I agree with Mr. Edson in one respect. It is that the Secretary of State has the habit of letting constructive proposals down gently "with more butter." But, somehow, I do not think that "butter" is the key to prying open the Iron Curtain.

The Secretary of State apparently clings to the idea that his only interest would be in a full-blown agreement for regular weekly broadcasts. I agree that this should be the objective. But I submit that it is far wiser to take whatever steps are possible in the belief that with experience and through trial and error we may break down the antagonisms which now threaten the entire world.

The point is to act when an opportunity is presented, rather than to let an opportunity go by default.

Mr. President, the Secretary repeatedly calls for bipartisanship. He has had it from this Congress—fully, completely, and honorably.

He will continue to have it because foreign policy must not become a political football if the Nation is to survive. But I tell the Secretary frankly that his supercilious reaction to the majority leader's proposal does not inspire confidence.

The best that can be said for him is that he reached back to a proposal made 18 months ago—when the time was not ripe—merely to demonstrate that he was not caught napping.

Instead, he should grasp this opportunity to join in a proposal made for action now. He would have had the

wholehearted and enthusiastic backing of Congress and, I think, of the country.

Mr. President, I refer again to the terse and accurate logic employed by Mr. Krock in his article this morning. He said:

Immediately following the Khrushchev television interview the President, the Secretary, or some high-level representative could have thrown this book at the Kremlin and repeated the proposals. Instead, for a week the administration discussed what countermeasures to take and announced no conclusions.

I ask unanimous consent that Mr. Krock's fine column in this morning's New York Times be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 13, 1957]

A GREAT DEAL MORE "OFF" THAN "ON"

(By Arthur Krock)

WASHINGTON, June 12.—It is a matter of record that point 9 in the 17 principles for broader East-West relations that were presented to the Soviets at Geneva in October 1955, by the French on behalf of the western powers was a proposal that once a month, or thereabouts, the radio communications of all 4 nations be opened to free exchanges of talks on current affairs. This was correctly recalled by Secretary of State Dulles at his news conference yesterday.

But it is equally true that all American-Soviet exchanges on these proposals, including point 9, were terminated by Washington from the time of the brutal Soviet repression of the uprising in Hungary until last April, and that since the exchanges were resumed there has been no pressing by United States authorities with respect to point 9, despite the Secretary's statement to the same news conference that he understood there had been.

It is also true that for the week after the Khrushchev television interview arranged by the Columbia Broadcasting System, the administration, instead of seizing the opportunity to revive point 9, and in full force, was unable to make up its mind on a countermove. After the events in Hungary it was not until Senator LYNDON B. JOHNSON, the majority leader in his branch, made the New York City speech in which, greatly expanding point 9, he urged that we should not let a single day pass without raising the issue of the free flow of information with the Kremlin, the United Nations, and by every other means, that any high administration official pressed this vital proposal in the Geneva principles.

JOHNSON'S ROLE

This role played by the Senate majority leader therefore, was of vastly more importance than could be gathered from this comment by the Secretary: "I was very glad indeed to see the strong endorsement of that [point 9] concept by Senator JOHNSON the other day. He made almost the same proposal, or at least adopted, you might say, the same proposal that the United States had made [at Geneva]. We have been pressing for [it] off and on, with consistency, for the last 18 months." But in reality what JOHNSON did was to move this Government to resume the initiative on this front after a long period of virtual inaction. And his formula is the most precise and detailed in the record.

The Geneva proposals to the Soviets for East-West exchanges were largely the handiwork of William Harding Jackson of Princeton, N. J., who at the time was special assistant to the President in this and other areas. He truly was pressing the 17 principles with heavy accent on points 8, 9, and 10, until the break caused by the Hungarian uprising. Early this year Jackson completed the period for which he had agreed to serve, and promotion of the Geneva proposals is now the task of Ambassador W. S. B. Lacy. He is alert and able, and if immediately put forward as the State Department's spokesman, with the perfect facilities provided by Geneva, he could have taken the initiative that was left to Senator JOHNSON. But this was not done, and for more than a week the only reference to this excellent instrument for hoisting Khrushchev on his own petard was in a State Department handout for which a minor officer was selected as the issuing agent.

THE GENEVA PROPOSALS

The pertinent passages in the Geneva proposals were:

"8. The systematic jamming of broadcasts of news and information is a practice to be deplored. It is incompatible with the directive from the four heads of government [at the summit conference] and should be discontinued.

"9. The Soviet Union and the Western Powers should consider the desirability of exchanging monthly uncensored broadcasts on world developments. This could take the form of half hours for the Soviet Union on the western broadcasting systems with reciprocal arrangements for the Western Powers on the Soviet system.

"10. The censorship of outgoing press dispatches and the denial to journalists of access to normal sources of information are serious barriers to the free circulation of ideas. The four governments, where appropriate, should take immediate steps to remove such barriers."

In November 1955, the Soviets made a counterproposal for a 4-power declaration, and this is how Secretary Dulles analyzed it with respect to the passage above:

"Item 8 * * * is rejected. Item 9 * * * appears also to be rejected, although it is suggested that there might hereafter be an agreement covering broadcast exchanges. Item 10 * * * is rejected."

Immediately following the Khrushchev television interview the President, the Secretary, or some high-level representative could have thrown this book at the Kremlin and repeated the proposals. Instead, for a week the administration discussed what countermeasures to take and announced no conclusions.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I think it ought to be brought out that the Johnson plan has had strong bipartisan approbation. I recall the approval of it given by the minority leader, the distinguished Senator from California [Mr. KNOWLAND], the distinguished junior Senator from New York [Mr. JAVITS], and the distinguished senior Senator from New Jersey [Mr. SMITH].

It appears to me that this is another indication of the responsibility of Congress, and in this case of the Senate. I express the hope that this feeling of responsibility will be recognized and that before too long the majority leader and the minority leader may get together with the Secretary of State, to see what can be done to take advantage of the openings, as they occur, and to get away from the habit of fearing to take the initiative, and of waiting. It seems to me, to react only to the initiative taken by the Soviet Union.

I am bound to confess that sometimes there is not even a reaction. I should think it is about time for the administration to go on the offensive and to come up with some new ideas, such as the Johnson proposal, which is really not a new idea, but is, in effect, a compilation of many ideas, in part, which have been approved by the President from time to time.

I hope we are not so bereft of ideas that we are not able to take the diplomatic, economic, and propaganda offensive. I sincerely hope that the bipartisan endorsement of the distinguished majority leader's plan of last Saturday, June 8, will be taken into consideration by the President, and the Secretary of State, as well.

Mr. FULBRIGHT. I thank the Senator from Montana for his comment. I certainly hope the administration will take courage from his statement.

There is one other thought I should like to leave with regard to the remarks of the Senator from Montana [Mr. MANSFIELD]. It has seemed to me several times in the past that the administration lacked the courage of its convictions. I have heard it said that the administration did not take this or that course, or perhaps this or that suggestion, for fear that Congress might not agree with it. Perhaps in some cases there might have been opposition. However, I do not think that is a sound reason not to make any proposal which the administration believes is justified in the public interest. The Senator from Montana is aware of some of those cases.

If there is anything I can do, or that we can do, as Members of the Senate, to give the administration a little courage or a little conviction to move into this field, I am certain we are ready and willing to do it. I know the majority leader when he made his suggestions was hoping to do that, and had in mind giving the administration some courage to move actively into this field.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. FULBRIGHT. Mr. President——

Mr. GREEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Rhode Island.

Mr. GREEN. The junior Senator from Georgia [Mr. TALMADGE] has just submitted, on page 13 of his statement concerning the Mutual Security Act, an impressive list of alleged misdeeds by the Administration. I am asking the Administration to give me by tomorrow morning its comments on such of those points as the Administration believes are untrue or misleading.

Mr. FULBRIGHT. I thank the Senator from Rhode Island. I shall be very glad to see the comments of the Administration. I happen to know about a few of those cases; I do not know about all of them. Therefore, I shall refrain from commenting upon them at this time.

Mr. President, I desire to speak briefly about the Mutual Security Act of 1957.

We are again considering an authorization for the mutual security program. The fiscal year 1958 program is again a large program, although it is only about half as big as these programs have been in some years in the past.

The mutual security program is very important to the security of the United States. It is a program which has been backed by both political parties over the past 10 years. I see no reason why this measure should not be free of partisanship.

There are three things which I should like to point out which ought to make a difference in the Senate's consideration of foreign aid this year. First, no subject has been studied more thoroughly since the last session of the Senate than foreign aid. Second, we have before us an executive branch bill which has been amended by the Foreign Relations Committee to conform so far as possible to prior recommendations made by the Special Committee To Study the Foreign Aid Program which the Senate established last year. Third, the bill as reported by the Committee on Foreign Relations contains several long-needed basic improvements in the mutual security program.

All of us recall that Senate support was strong for the Marshall plan when it was first begun. Senate support was also strong for military assistance at the time of the Communist attack in Korea and for the next 3 or 4 years after. We also know that opposition to the foreign aid program began to grow in 1954 and 1955 and continued last year when there were 30 votes cast against the mutual security appropriation bill on final passage and these votes were equally divided between the 2 parties. Everybody agreed, I think, last year that it was time to pause and take a hard look at this foreign aid program.

The Senate did take a careful look at the foreign aid program. We established a Special Committee To Study the Foreign Aid Program. I want to emphasize that point of procedure.

The special committee was composed of the entire membership of the Committee on Foreign Relations, plus the ranking members of the Committee on Armed Services, the distinguished senior Senator from Georgia [Mr. RUSSELL], one of the senior Members of the Senate; the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL]; together with the ranking members of the Committee on Appropriations, the distinguished Senator from Arizona [Mr. HAYDEN], the senior Member of the entire Senate, and also the senior member of the Democratic Party, and the senior Senator from New Hampshire [Mr. BRIDGES], the senior member of the Republican Party of this body.

The special committee made exhaustive studies, and the committee's findings were reported to the Senate on May 13, without a dissenting vote. I think it was an excellent piece of work. The report was based not only upon the studies made by the committee itself in open hearings and in private hearings, but also upon studies made by its representatives, some of the leading citizens of the United States in their fields, and some of the finest organizations and institutions which were equipped to study matters in this field.

The Senate was not the only body to study the foreign aid program. The President of the United States created a special executive branch task force headed by Mr. Benjamin Fairless, the former president of the United States Steel Corp. The President's International Development Advisory Board, headed by Mr. Eric Johnston, also made a study. The House Committee on Foreign Affairs, under the leadership of its outgoing chairman, Mr. James Richards, completed a study of foreign aid in December of last year.

All these reports agree on several things. They all agree that mutual security programs have served us well. That military and economic assistance programs must continue for the foreseeable future if we are to protect ourselves in this world.

I may say that none of these reports undertake to say that a mistake has never been made in the administration of this program. In the case of a program so large and so extensive as this one has been—a program covering many different activities, and with many different administrators—it is not difficult to pick out individual mistakes. But I submit that, viewing it in proper perspective, it will be found that the mistakes involve a very small part of the overall operation.

Mr. HUMPHREY. Mr. President, at this point will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. HUMPHREY. Is it not true that in the case of a program of the scope of this one—a program which touches all areas of the world, areas in which there are many developments, both economically and politically, which frequently are beyond the experience of our own people—it is entirely possible that there will be miscalculations, and that one project or another may get out of hand and may end up as undesirable or unnecessary, or that there may be projects in which there is waste. In other words, if one wishes to engage in finding very little blisters on the trunk of the great oak tree, it is possible to make it appear that the oak is almost ready to collapse, or that it never should have been a tree in the first place; whereas if one considers the totality of the program, and does not concentrate upon a little error here or a little mistake there, one finds a rather encouraging picture of a program which should enlist reasonable commendation and support. Does not the Senator from Arkansas agree as to that?

Mr. FULBRIGHT. Yes; I think the Senator from Minnesota is correct.

However, I do not wish to question the right and duty of any Member of the Senate to direct attention to any cases in which there has been either a mistake in judgment or plain stupidity. Attention should be called to such cases. I myself have called attention to some of them; and I welcome statements such as the ones which have been made on the floor today, and I think the public is entitled to an answer in each case.

I do not say that some mistakes have not been made. I think some of them could be explained in such a way that any reasonable man would agree that they were not really serious mistakes, whereas I think some of them were bona fide mistakes.

But I suggest forcefully as I can that, granted that there have been some mistakes, yet, in comparison to the overall program and the vast amount of beneficial activities which have been carried on in a wise manner, the mistakes are relatively small.

Mr. HUMPHREY. Mr. President, will the Senator from Arkansas yield further to me?

Mr. FULBRIGHT. I yield.

Mr. HUMPHREY. I surely wish to join in the statement the Senator from Arkansas has just made, namely, that no one would wish to stifle the investigation of errors of either omission or commission, and no one would wish in any way to diminish the efforts of those who seek to inquire into this program. Personally, I welcome the criticisms. I myself have made some of them. For example, I am not sure that all the military assistance which has been extended to some areas of the world has been as effective as the proponents had hoped it would be. I think sometimes such assistance may generate local armament races, for instance.

But, Mr. President, let me say, by way of a simple analogy, that if one were to hire the finest contractor in the world to build the finest building man's ingenuity and genius could devise, if at the completion of construction it appeared that some of the pipes leaked or certain parts of the building were of faulty construction, that would not mean either that the mistakes should be glossed over or that the entire building should be torn down.

Mr. FULBRIGHT. That is a very good point, Mr. President. Granted that some mistakes have been made, that is no reason for cutting the program beyond a reasonable amount.

I myself have criticized the program in Pakistan. I opposed the military program there; I did so on the ground that it is out of proportion, and that it is beyond the capacity of the country to support it. I hope the agency will take heed of that criticism. But I do not think the proper answer is to eliminate the entire program.

Although I may be in error, nevertheless, I do not agree with some of the projects. But there, again, the Senate as a legislative body is not equipped to administer this program, and to say that this, that, and the other thing must not be done at all. We can use our persuasive powers upon the administration. Goodness knows, Mr. President, I wish the administration were wiser than it is in connection with both this program and many other programs. But the decision was made in November, and this program should be continued; and I believe it should be continued at about the level the committee has recommended. I think the committee reported a very good bill.

Mr. HUMPHREY. Mr. President, will the Senator from Arkansas yield once more to me?

Mr. FULBRIGHT. I yield.

Mr. HUMPHREY. It seems to me that the major mistake which has been made in relation to the mutual-security program is the lack of candor with the American people as to its duration. A calculated effort has been made to have the people believe, year after year, that, somehow or another, the current year would be the last year of the program. I think that is wrong. I welcomed the statement the Secretary of State made during the past week, when he and one of his assistants said that the program may go on for another 10 years.

Certainly there would be better perspective if some long-range planning were done. I do not believe there is much chance of making a major reduction in our defense budget or in our mutual-security budget until the Soviet Union begins to change its attitudes and to curb its appetites. I think we must make up our mind to that. I am of the opinion that the American people are big enough, strong enough, and sufficiently tough-minded to take this kind of news. If one wishes to call it bad news, that is all right with me. But the American people can take the news that they have on their hands a problem which will remain for years to come. I think that is where the greatest mistake has been made; the people have beeen led to believe that, somehow or other, the program would simply wither away because soon the problem would be solved.

Mr. President, the program will be over when the free nations—the United States and our allies—are strong enough, in their collective security, to overcome the Soviet Union unequivocally. The day when the Soviet Union realizes that it cannot win in Africa and Asia, and that it has lost the battle, politically and economically, is the day when it will be possible to cut back our defenses and our mutual-security program. To do it any sooner would be to throw in the towel before the fight was half over.

Or one might say that we have now come to the 5th inning in a 1-game world series. Mr. President, in the 5th inning I am not ready to call off the game and to award the victory to the opposition. But I sense that some of the people are becoming a little tired in the 5th inning. I suggest that we continue in the ball game; and once we have won it, we can cut back on some of the expenditures, as some persons have advocated.

Mr. FULBRIGHT. I thank the Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator from Arkansas for yielding to me.

Mr. FULBRIGHT. Mr. President, as I have said, all the reports agree on several things; namely, that the mutual security programs have served us well, and that the military and economic assistance programs must continue for the foreseeable future if we are to protect ourselves in this world. These reports also agree, however, that the mutual security programs need substantial revision if they are to be fully effective in the national interest.

I would point out again the remarkable agreement of opinion on these fundamental conclusions about the foreign-aid program. I would emphasize that in the Special Senate Committee To Study the Foreign Aid Program, consisting as it did of a complete cross section of Senate opinion, there were no minority views. It seems to me, therefore, that after all these reexaminations, no responsible person should now rise and say that we should stop the foreign-aid program altogether. The question for us today is not whether we should have a foreign-aid program. The question we should debate is whether the pending bill is well calculated to give us the kind of a foreign-aid program which will best serve American interests.

Professors of government are fond of saying, when referring to the relationship of the Congress and the President in the matter of drafting legislation, that "The President proposes and the Congress disposes." The bill before us, S. 2130, is a shining example of the reverse of that generalization. If Senators will study this bill closely, and compare it with the various recommendations made in the several studies of the foreign aid program conducted by Congress and by the executive branch, they will see that the President's proposals for the fiscal year 1958 were profoundly influenced by the report of the Senate Special Committee To Study the Foreign Aid Program. Senators will find that the study of the Senate Committee had a far greater impact on the President's recommendations to the Congress than did the conclusions of the President's own advisory committee on the foreign aid program.

I wish to spend a few minutes discussing one striking new feature of this new mutual security bill. It is a feature which was strongly recommended by the Senate special committee. I refer to the proposed development loan fund. Let me summarize the main features of this loan fund.

First, the fund is a 100-percent loan fund; not 75 percent or 90 percent, but 100 percent. The bill provides that no grants are to be made from the fund's assets.

Second, the development loan fund is separated from any other kind of economic aid. One of the troubles with economic aid in the past has been that it has been all mixed up as between economic aid for defense purposes and economic aid for development purposes. The new loan fund gets away from that kind of confusion. It also gets away from the tendency to administer economic aid as if it were a political slush fund to be used for keeping a friendly government in power or influencing this or that temporary political issue. The proposed development loan fund is insulated from extraneous purposes except that of promoting businesslike development of the resources of friendly countries, in the interest of the United States.

Third, the loan fund will take an investment approach to economic aid. The proposed legislation provides that prospective borrowers must prove to the administrators of the fund that they need capital for sound projects. They must also prove that they cannot obtain the capital they need from private sources or from other public lending agencies. The loans that will be made will be those which we may have a reasonable expectation will be repaid.

Fourth, for the first time we have in this loan fund a part of the mutual security program which is aimed specifically at its own termination. One thing which has always distressed me about other kinds of aid, such as military aid and defense support, necessary as they are, is that it is hard to see the end of them. When the question is asked as to when military aid will end, the answer is that it depends on the Russians, and that answer is not very satisfying.

When the question is asked, however, when this Development Loan Fund will end, the answer is much more satisfying. The purpose of the loan fund is to help less developed countries reach such a stage of economic development that they can generate for themselves, from their own internal resources and from private capital, the necessary investment needed to keep their economies growing. At that point, when a foreign country can sustain its own economic growth development, loans from the fund will stop. In the administration of this kind of aid, for the first time, we know clearly what we are trying to do, and we know that if we administer it wisely it will one day end.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I am glad to yield to the distinguished Senator from Ohio.

Mr. LAUSCHE. The senior Senator from Oregon [Mr. MORSE] this morning made a very vigorous argument claiming that there is a weakness in the bill insofar as it does not follow the recommendation of the special committee which was created by the Senate Committee on Foreign Relations to study the foreign aid program. He pointed out that the committee recommended as follows:

> That Congress should continue to authorize appropriations annually pending a clear determination of the role of military aid in the total strategy of national defense.

He then went on to point out, in regard to the development loan fund, instead of the authorization being confined to 1 year at $500 million, it gives authorization for the years 1959 and 1960, allowing an expenditure of not to exceed $750 million a year.

I should like to hear the Senator's version of that departure from the recommendation made by the special committee.

Mr. FULBRIGHT. Unfortunately, I do not have the recommendations of the special committee before me, but it is my impression—and I was on the special committee—that we accepted—at least I did—the loan fund suggestion from a general recommendation to that effect.

I am glad to give my own reasons for the recommendation. We are seeking to create a new approach—that is, a lending approach—as distinguished from a grant approach, which it has been primarily. The aid was primarily that in the beginning, and only in recent years has there been injected the idea of loans. Last year we required a major part of the aid—not in the military aspect, but in other aspects—to be covered by a lending provision, amounting to 75 or 80 percent. However, we are seeking to create a revolving fund. I think, in order to do that, it is absolutely necessary to create the belief on the part of the countries with which we expect to do business that this is a continuing project, and will be so for a reasonable period of time. The estimate of what that period of time will be has varied all the way from 5 to 10 to 15 years. I personally think it will be at least that long.

The idea is to point out to the other countries that we are really establishing such a fund. I do not mean that we are going to be called upon to appropriate $500 million or $750 million every year. What I think we can do is to create a revolving fund, and as collections from the other countries are made, such funds can be used to replace the money used for loans. If the money is loaned in the proper way, I hope that perhaps we can later—and I am not at all proposing it at this time—use the repayments coming back to us as a result of aid under the Marshall plan to replenish the fund. That is the way I look at it for the future.

I think the Senator will agree with me that we cannot propose to a country a long-time project if we have only a 1-year authorization, and if there is no assurance of the continuity of the program. What we are seeking to do is have people believe we are in earnest about this, that we are going to create this fund, and that they can rely on it, and therefore we should see if we cannot get together and develop a real project, with the prospect of increasing the productivity of the other countries to such an extent as will enable them to pay the loans back. In that sense it may be said that the purpose is a psychological one. I personally would go so far as to say that I doubt we can efficiently lend $500 million the first year. To me, that is no reason why we should not appropriate the money. We are going to have to appropriate the money if we are going to make a break with the past and create the belief and confidence that we mean business in creating the new approach, the lending approach. That is the reason for it.

Mr. LAUSCHE. Let me say to the Senator from Arkansas, that I subscribe fully to the mutual-aid program. However, when the Senator from Oregon quoted the recommendations made by the special committee, and then proceeded to point out that the action taken by the Committee on Foreign Relations, which in effect consisted of the same membership as the special committee, was different, I felt that he had made a very forceful point. He further quoted language from the recommendation of the special committee. I should like to read now from page 7 of the minority views of the Senator from Oregon.

Mr. FULBRIGHT. Before the Senator proceeds to that item, let me try to clear up the point. I believe there is a reasonable interpretation.

On page 26 of the special report, the Senator will notice, near the bottom of the page, is a comment on what I believe he refers to, that the committee further recommended that the appropriate standing committee make a broad inquiry into the present relationship of military aid to the strategic concept of defense.

No, that is not the point. I am wrong there.

Mr. LAUSCHE. Will the Senator permit me to read this?

Mr. FULBRIGHT. Very well; go ahead.

Mr. LAUSCHE. In the statement this morning, the Senator from Oregon made a further criticism of what has been done, and he stated that the special committee made this recommendation:

> The committee believes that any changes in legislation which would deny to the Senate an annual review of supporting aid would raise dangers of failures to adjust this aid to changing circumstances. It would raise dangers of an undue expansion of supporting aid programs and unnecessary and excessive demands on the resources of this country.

The Senator quoted this language as having been uttered by the special committee. Then he laid down the proposition that the members of the Committee on Foreign Relations who were members of the special committee did not follow their own recommendation.

Mr. FULBRIGHT. In the first place, about denying the Senate the power to review, I say that is simply not so under this bill. Certainly I intend to review this lending program, especially, indeed, more carefully than any other, because I have a very special interest in it. I have done all I could to help create it. I intend to see, so far as I possibly can, how it operates. The Congress can do that. I am sure we can call up those who administer it at any time we wish to, and ask them questions.

The bill provides for reports to the Congress. There is no reason at all why at this time next year, if there is anything wrong with the operation of the program, we cannot change it. To say that this procedure is not in accordance with the requirement of annual review, in my opinion, is incorrect. I do not see anything inconsistent between the way this fund is established and the requirement for annual review.

Let me say further, in regard to the appropriations on the military side, that the Committee on Appropriations will have to appropriate the money the second year, if that is what the Senator is talking about. All we do here is authorize a lower ceiling for the second year than we authorize for this year, at the request of the administration, so that as a procedural matter they may include the request in the regular Defense Department appropriation bill, which comes up earlier in the year. Then they would not have to wait.

Mr. LAUSCHE. Let me say to the Senator from Arkansas that I am not subscribing to the argument of the Senator from Oregon, but I believe the challenges he made have a strength which command that we give attention to them, with a view to making certain that under all the circumstances we have reached a final conclusion which will be to the best interest of the country.

The Senator from Oregon complained that instead of having two committees examine the problem in 1958—that is, the Committee on Foreign Relations and the Committee on Appropriations—by projecting this program into 1959 and 1960 we have eliminated the Committee on Foreign Relations and have assigned the responsibility solely to the Committee on Appropriations.

Mr. FULBRIGHT. I do not think, considering the way the bill has been drawn and the fact that there is a very substantially reduced authorization, that there is any great danger in such a procedure. When we consider the history of the program, we realize it has been going on now for a number of years. I can see nothing in the offing which would be unique so far as that aspect is concerned. I am talking about a part of the bill other than that having to do with the loan fund, which is the part the Senator is referring to, I believe—the military-assistance feature.

Mr. LAUSCHE. I am talking about the loan fund.

Mr. FULBRIGHT. Under this authorization, the creation of the fund itself does not in any way insulate those in charge from a periodic examination. The bill itself requires reports. As a member of the committee, I can assure the Senator—and I know the committee feels this way—that the loan provision will be a matter of special interest, until it proves itself.

I have had, as many others have had, considerable experience in this matter. The Senator is also a member of the Committee on Banking and Currency, and knows of the operations of the Export-Import Bank, which operates in much the same way. We receive a report every year. Every time we consider the confirmation of a nomination with respect to the bank we give it special attention. Even without the confirmation of an appointment, we always go over the necessary matters with the bank officers. The procedure has worked extremely well.

I was especially interested in the old RFC, which operated in a similar manner. We certainly investigated them. I invite the attention of the Senator, and of the Senate as a whole, to the report filed the other day, showing the very satisfactory results of that operation. I can see no danger in this provision as to the loan fund.

In regard to the authorization for the military-aid aspect, as the Senator knows, that is in two parts. We authorize a certain amount for this year, and we authorize a lesser amount for next year. That is all, for the 2 years. I see no particular danger in that. It is a great convenience to the Department of Defense in their preparation of the budget and the submitting of it to the Congress.

When we understand, first, that there is a great similarity in the program from year to year and, next, that the

Appropriations Committee next year is going to go over it just the same as this year, I see no particular danger in that aspect of it, either.

Mr. LAUSCHE. The argument of the Senator from Oregon on the same premise was directed toward the military aid, that it had gone to 2 years instead of only 1. My interpretation would be that this is somewhat of a modified form of a long-range program of aid. Instead of having a 5-year program, for which there would be some advance knowledge as to what might be expected, the committee determined that they would advance it for a period of 2 years. Even the 2-year period is not certain, because it is subsequently dependent upon what the Committee on Appropriations may do.

Mr. FULBRIGHT. The Senator is quite correct.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I think one point which needs to be added to the very excellent observation made by the Senator from Ohio is that the 2-year period for military assistance, what is known as the defense-support aid, is the period of this Congress, the 85th Congress, and the membership of this Congress, with no ensuing elections.

As the Senator has pointed out, the Committee on Appropriations consists of very able Members of the Senate. They are equipped both by staff and by experience, background, and general aptitudes to examine most meticulously into the actual dollars which are to be appropriated. What the legislative committee does is to authorize.

I am happy to note for the record that the authorization of military assistance for the first year is $1.8 billion, with a mandate or order to the Department of Defense and the Department of State that they cut it down to $1.5 billion for the second year. If they do not cut it down, then they must come back to the committee for a renewed authorization.

Furthermore, we have never before imposed the requirement of a 6 months' report by the administration. Now the administration must come to the committee with its report every 6 months. I think the Senator from Ohio knows that legislative committees are necessarily and properly jealous of their jurisdiction. When the report comes it will not be filed away and forgotten. It will be gone over meticulously, by examination, inquiry, hearings, and testimony, so that we shall have a concurrent working knowledge, with the administrative agencies, as to what is developing under the program.

Furthermore, in connection with the development loan fund, while it is true that the Foreign Relations Committee was also the special committee to study foreign aid, we should not forget that when the Mutual Security Act for this year was presented to us, it was presented after we had made our recommendations. It was presented to us with excellent testimony, and we commended those who testified. It was presented to us in the light of developments which had come to our attention as the result of private studies which had been made by the Massachusetts Institute of Technology and the Brookings Institution, two of the finest such agencies in the world. In connection with the loan fund, the University of Chicago and other agencies recommended not 1 year, but a capital revolving fund extending over many years. What we have done is to go into the long-term type of planning.

Mr. LAUSCHE. How were the agencies to which the Senator refers enlisted to give their aid?

Mr. HUMPHREY. They were hired.

Mr. FULBRIGHT. We paid them for their services.

Mr. HUMPHREY. Independent research was done, and the research was correlated, compared, and evaluated by members of the committee.

The Senator from Oregon [Mr. MORSE], in pinpointing what he considers to be the weaknesses in the bill, has done a service. He has actually underscored the elements of strength in the bill. For the first time we are to get some reasonably long-term planning. At least 2 years is better than 1.

In connection with the loan development fund, while $2 billion is authorized for a 3-year period, that does not mean that we shall come forward each year with a $750 million appropriation. The fund will be a revolving fund.

The minute we put the assistance on the basis of a loan, those who are responsible for granting the loan will begin to make a much more careful study of the projects. Furthermore, the engineers in the field will make a much more careful study of the program. By pointing out what he believed to be weaknesses, the Senator from Oregon has actually underscored what I consider to be the elements of strength in the mutual security program.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. JOHNSON of Texas. I ask unanimous consent that the Senator from Arkansas may yield to me for the purpose of suggesting the absence of a quorum and subsequently submitting a proposed order, with the understanding that he shall not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, on behalf of the minority leader and myself, I propose an order, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The proposed order will be read.

The Chief Clerk read the proposed order, as follows:

Ordered, That, effective on Friday, June 14, 1957, at the conclusion of routine morning business, during the further consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 3 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders or either of them may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection to the proposed order?

Mr. LONG. Mr. President, reserving the right to object, I should like to suggest to the distinguished majority leader that if the proposed agreement is entered into, and if the Senate convenes at 9:30 tomorrow morning, if amendments are offered at that time very few Senators will be present. I hope we shall not be denied an opportunity in the morning to have amendments considered.

Mr. JOHNSON of Texas. The order for the hour of meeting was entered the first part of the week. There is usually a morning hour, and then a quorum call. Voting on amendments would not come until later. Many Senators would prefer to meet at an early hour in the hope of concluding action on the bill on Saturday.

The PRESIDING OFFICER. Is there objection to the proposed order? The Chair hears none, and it is so ordered.

Mr. FULBRIGHT. Mr. President, the development loan fund, to my mind, is the first bold and imaginative new step which has been taken in our foreign-aid policy since the inception of the Marshall plan and the point 4 program. I think the Senate of the United States can take a great deal of credit for pushing the concept of a development loan fund.

Why do I say that this concept is a bold concept? I say that it is bold because it may come somewhere near meeting the great need which lies ahead. All through the less developed parts of the world—in Asia, Africa, and the Middle East, particularly—millions of people are desperately seeking to find a better life for themselves. We have 19 newly independent nations since World War II. No political leader in these young countries can survive who does not pledge his efforts to create for his people more wealth and a higher standard of living. These underdeveloped countries need two things. They need know-how, and this we are prepared to help provide through the technical cooperation program. They also need capital.

There are two ways to get capital—the Communist leaders in Russia have their way of obtaining capital. In the Soviet Union they squeezed it out of the toil and the very lives of their own people. The Communist Chinese are trying the same method. This method is brutal, and it puts an end to freedom; but it does work, after a fashion, as we have seen in the case of the Soviet Union.

The other way for these countries to get capital is to borrow it. This is the way the industry of the United States was founded. The leaders of these newly independent countries have this choice before them—to develop themselves in the Communist way or in the free way. I say the development loan fund is a bold step because through it we are announcing to these young leaders that if they will formulate intelligent development plans for their countries, if they will marshal their energies and resources into worthwhile projects, the necessary capital will be there. A great deal of this capital can come from private sources. Unfortunately, however, American investment overseas tends to go not to the least developed countries but to the most developed countries. The bulk of our investment has always gone, and probably will continue to go, to Canada, to Europe, and to Latin America. The challenging concept of this development fund is that we are saying to the new countries of Africa and Asia and the Middle East that we are standing ready to assist them with capital loans if they can't get capital elsewhere and if they will make their plans economically so as to justify our loans. This policy, if we resolutely pursue it, may prove to be a major turning point in our effort to achieve a truly peaceful world. This approach is the way to challenge the doctrines of Marx. This is the way to demonstrate the emptiness of Communist dogma.

Mr. COOPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CARROLL in the chair). Does the Senator yield to the Senator from Kentucky?

Mr. FULBRIGHT. I am very glad to yield.

Mr. COOPER. What the Senator is stating about the loan development fund and the continuity of aid it offers, is very important because this fund and its continuity represent the most significant advance which has been made in our aid program since its beginning.

Mr. FULBRIGHT. I thank the Senator.

Mr. COOPER. A few minutes ago a colloquy developed on the issue of waste in the foreign-aid program. I should like to ask the Senator if he does not agree that the loan development fund offers the opportunity to reduce waste and inefficiency in that it affords an opportunity to select the most worthwhile projects, and the mechanism to be established, in the form of a loan board, will be able to allocate projects and to reduce personnel.

Mr. FULBRIGHT. The Senator is exactly correct. We have had several instances of what I would call bad planning, which resulted in some mistakes in the program, because of the way in which the projects had to be undertaken. They had to be undertaken in a short time, sometimes within only a few months. We would rush into a program without adequate preparation. That would cause waste and mismanagement. The Senator is quite correct.

The loan fund will give the planners the feeling that they will have the funds available and that they can take adequate time in which to plan the projects, and to plan them carefully. One great example of what I have in mind is the Helmund Valley project in Afghanistan, which went awry, not under our program, but under their own program, because of lack of planning and coordination. We stepped in and tried to salvage it. Another pertinent incident was described in the House report. That also resulted from much the same thing.

Mr. COOPER. The Senator has pointed out accurately the problem we face in newly established, underdeveloped countries, in connection with their desire to advance industrially. With very limited funds, they select wealth-creating projects. The building of such wealth-creating projects requires expenditures which in some cases must continue for 2 or 3 years or even 5 years. If we continue the kind of aid we have given in the past, as the Senator has said, these countries affected cannot accept aid on a major wealth-creating project which will continue over 1 year. What happens in many of these countries is that our aid is channeled off and diverted into less important projects. These projects are not always wealth-producing. Under the loan development fund, one great effect will be that our aid will become more efficient and much more effective, because it will go into great wealth-producing projects in countries that are trying to advance. In creating wealth, the countries will be able to return money into the revolving fund.

Mr. FULBRIGHT. The Senator has put his finger on one very important consideration, that this fund is to be used primarily for wealth-producing projects, not for social improvement or even humanitarian projects.

Of course, we do not have anything against such projects. But, just as we make distinctions in our own country between certain types of activities, these specially designed projects will increase the wealth and increase the probability of repayment through what is produced.

These funds are not intended to be used for the relief of suffering. We have relief programs for that purpose. We have had very large programs of that type. Certainly our country has done more than its share along that line. This is not a relief program. If the administrators are found to use the program for that purpose, I am sure the Senate will reprimand them. Certainly I would, as would others who are interested in this program. That is not the purpose of it. If we are to do that, we will do it under another program.

Mr. COOPER. Another result would be that the funds would be directed into fewer and more important projects, and in that way there would be an opportunity to reduce personnel. Is that not correct?

Mr. FULBRIGHT. The Senator is quite right. There has been the tendency under the other program to rush forward and undertake a short-term program that looked all right, because it was felt "Something must be done. We cannot let this program bog down." So some mosquitoes were sprayed, or similar programs were undertaken very quickly, which in themselves were all right, but they did not contribute to what should be basically done in these countries.

Mr. COOPER. Many of those projects can be carried out under the technical assistance program.

Mr. FULBRIGHT. Yes; they can be carried out under some other program, not this one.

Mr. COOPER. I should like to point out one other thing, about which the Senator from Arkansas knows so much.

Under the recent change in Soviet tactics, the Soviets are able to move into many countries by reason of the fact that the Soviets are not restricted by considerations of time, with which we are faced, because our appropriations are limited to 1 year. They have been able to direct their funds, even though they may be much smaller in size than those that have been appropriated by the United States, to larger wealth-producing projects, mostly industrial projects, which are most sorely needed in the countries receiving the aid and therefore these projects have received much more attention—and perhaps properly so—than have the projects undertaken by the United States.

Mr. FULBRIGHT. The Senator is quite right.

Why do I say that the development loan fund is the first imaginative foreign-aid policy step since the point 4 program? I say it because it seems to me that this idea is the only strategy which, in the long run, can cause the Communist leaders to give up their ideas about taking over the world. We cannot change the Communist ideas by building bigger armies and navies and air forces. The United States must, of course, have strong military power to deter Communist aggression and to protect ourselves, but the best that these measures alone can lead to is the kind of stalemate which now exists.

We now can destroy the Russians, and the Russians can destroy us. There is a kind of uneasy and precarious military stalemate, but this is not the kind of a situation which is likely to change the Russian minds, because they know that there are other ways, less costly ways, situation which is likely to change the world to become Communist. I think we are realizing more and more that the real struggle ahead lies in the underdeveloped parts of the world which have not yet decided which road to take toward economic progress. They can take the Communist method of development or the democratic methods which have been followed by the free world. The existence of this development loan fund, and the well-considered policy which lies behind it, provides these new countries with a real alternative.

If most of the newly independent nations decide to try to raise their standards of living in a peaceful and a democratic way through their own efforts and by accepting outside help on a loan basis, the Communist powers, sometime during the next 20 or 30 years during which this

development will take place, will come to realize that they are not going to conquer the world by force or by subversion or by persuasion. They will then be forced to realize that they might as well settle down and try to live with their neighbors, because they will have no acceptable alternative. The method here suggested is the way that we may possibly resolve the conflict between the Communist world and the Free World.

The Committee on Foreign Relations proposes that the development loan fund work in the following way: We propose that there be an appropriation of $500 million for the fiscal year 1958 to start the fund off. We propose that in the fiscal year 1959 the fund be allowed to borrow up to $750 million from the Treasury. We propose that in the fiscal year 1960 the fund be allowed to borrow another $750 million from the Treasury, if necessary.

Over a period of 3 years, then, a capital fund could be made available totaling $2 billion, if that much proves to be necessary for making loans for economic development.

The proposal is that the loan fund be administered by the International Cooperation Administration in very close coordination with the other interested agencies of the Government. All basic loan policies and every proposed loan of more than $10 million must be discussed with an Advisory Loan Committee, which would be established by law. The Chairman of this Committee would be the Deputy Under Secretary of State for Economic Affairs. That office is filled at present by an unusually capable and experienced man, Mr. C. Douglas Dillon, who was recently our Ambassador to France. I think this is a very important consideration in getting the loans under way in the proper manner. The committee, I feel, has great confidence in this arrangement.

There would be representatives on the Committee from the Department of Agriculture, the Department of Commerce, the Export-Import Bank, from the United States representation in the International Bank for Reconstruction and Development, and from any other Government agencies which the President feels ought to be represented, in order that the activities of this fund will be completely coordinated with all sources of capital which flows abroad.

The fund will make no grants. Every loan must meet these criteria:

First. The loan will not be made if capital is available from other Free World sources on reasonable terms.

Second. The loan will not be made unless the activity of the project to be financed is economically and technically sound.

Third. The loan will not be made unless the activity proposed gives a reasonable promise of contributing to the development of economic resources or to the increase of productive capacities of the borrowing country. Let me read this additional policy from the proposed legislation:

The fund shall be administered so as to support and encourage private investment and other private participation furthering the purposes of this title, and it shall be administered so as not to compete with private investment capital, the Export-Import Bank, or the International Bank for Reconstruction and Development.

To complete the description of how the new fund will work, I should add that the fund will be governed by the general principles of the Government Corporation Control Act, and the financial operations of the fund will be subject to audit by the General Accounting Office.

Congress will have firm control over the proposed development loan fund. In order to put the matter in perspective, I would remind the Senate that loan funds are not new. Let me cite two successful examples, one in the domestic field and one in the foreign field, both of which were established largely by creating an authority to borrow money from the Treasury to be loaned for purposes and on conditions specified by the Congress. On the domestic side, the Reconstruction Finance Corporation was such a loan-making organization, and a successful one, which earned a profit on its operations. On the foreign side, we still have in operation the Export-Import Bank, which finances its loans out of borrowings from the Treasury, and is doing excellent work in its special field.

Congress would have plenty of control over the proposed development loan fund provided for in the bill. In the first place, the initial capital of the fund will be established through an appropriation. Secondly, the nomination of the administrator of the fund is required by the bill to be confirmed by the Senate.

Next year when the mutual security bill comes to the Congress, the Committee on Foreign Relations will review the authority and will have an opportunity to recommend its repeal or revision if it is not working properly. If the fund needs additional capital in the fiscal year 1959, the bill provides that a budget program must be presented to the Committees on Appropriations and be approved by them before the additional capital can be borrowed from the Treasury. In the following fiscal year, 1960, if additional capital is needed by the fund, the fund must again obtain the approval of the Appropriations Committees for its budget program prior to borrowing capital from the Treasury. Throughout the life of the proposed fund, the appropriate committees of the Congress will receive reports by the President on the operation of the fund every 6 months. In addition to these semiannual reports, the bill before the Senate provides that in any case in which the administrator of the fund follows a course contrary to the advice of a majority of the Advisory Loan Committee of the fund, with respect to any basic policy matter, or with respect to any loan in excess of $10 million, the administrator must furnish to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a statement of his reasons for doing so. It seems to me that these several checks and rechecks by Congress and the reports to Congress provide adequate control over the activities of the proposed fund.

Mr. President, I have talked about one of the virtues of this bill—the Development Loan Fund. I am not, however, in other respects, completely satisfied with the bill. In some parts of the proposed programs, and particularly in some countries, I fear that the emphasis in programing is much too heavy on the military side. As the committee report points out in its concluding paragraph, 94 percent of the assistance program for the Far East is in the form of military assistance and defense support. Of course, this figure does not count whatever part of the Development Loan Fund may go to the Far East, but, even making allowances for that, it strikes me that this is not a proper balance.

The best—or perhaps the worst—illustration of this imbalance is Pakistan, which nation we have, in my opinion, encouraged to take on too heavy a military burden. I think our military planners have a tendency to treat each country as if it alone had to prepare to defend itself against a Russian attack. Many of these small countries cannot possibly do so. They will do well enough, it seems to me, if they are able to maintain an adequate internal security force. They need all the rest of their meager resources in their endeavors to improve their standards of living.

The Committee on Foreign Relations has made two types of changes in the President's bill which go a long way to correct the overemphasis on military programs which I have been discussing. In the first place, the committee has made changes in the existing law which will more clearly place responsibility on the Secretary of State for coordinating the military side of the program with United States economic and foreign-policy objectives. In the second place, the committee reduced the proposed authorization for military assistance by $100 million, and reduced the authorization for appropriations for defense support by $100 million. In authorizing appropriations for the fiscal year 1959—next year—the committee has indicated the downward direction in which we believe these appropriations should go by fixing ceilings of $1.5 billion and $710 million, respectively, for military assistance and defense support for next year.

Mr. President, I close these remarks by saying that the Senate has before it a sound mutual security bill. We are now, I think, on the right track in our economic-assistance programs. The proposed Development Loan Fund is a sound and hopeful plan. It carries with it the seeds of its own termination. I hope the Senate will support this new approach to foreign aid—a conception which conforms to the general recommendations of the Senate Special Committee To Study the Foreign Aid Program, and which has again been reviewed and recommended by the Committee on Foreign Relations.

AMENDMENT PERMITTING SUPPORT TO AMERICAN SCHOOLS ABROAD

Mr. President, I send to the desk an amendment to S. 2130. I regret that I did not offer this amendment when the

Committee on Foreign Relations was considering the mutual security authorization bill. I hope that Senators will study the amendment and that it will prove to be acceptable to the members of the Committee on Foreign Relations.

I may say that the committee took testimony on the subject matter which is dealt with by the amendment, but the committee itself was not given an opportunity formally to pass upon it.

The purpose of the amendment is to permit a small portion of economic assistance funds to be used for assisting American sponsored universities abroad.

If Senators will turn to page 27 of the committee report on the pending mutual security bill, they will find a brief discussion of this subject, and will also find a recommendation of the committee that the executive branch use the authority available to it to extend effective assistance to American - sponsored schools, libraries, and community centers abroad such as the American University in Beirut and Robert College in Turkey. I think it is well known that these institutions play an important part in assisting in the training of teachers, technicians, and others who are so desperately needed in underdeveloped countries.

This statement in the report of the Committee on Foreign Relations on the pending bill is very helpful, but something more is needed. There ought to be a dependable source of funds which the executive branch can use to carry out the recommendations of the committee report. The new category of special assistance provided for in the pending bill is an appropriate source of funds for assistance to these American schools. My amendment would authorize the use of not to exceed $10 million of funds appropriated for special economic assistance to be used for this worthwhile purpose. I hope the amendment will receive favorable consideration by the Senate.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. AIKEN. Mr. President, first let me say that the Foreign Relations Committee, under the leadership of the senior Senator from Rhode Island [Mr. GREEN], and with the services of a very capable and cooperative staff, has reported to the Senate what I consider to be the best mutual security bill ever reported to this body.

Through the investigations and studies of this committee, the public has become more informed as to the purposes and possibilities of foreign-aid programs past, present, and contemplated.

I shall not discuss the provisions of the bill before us in detail because others have already done that or will do so.

I do wish to discusss in a broad sense the question of why we have cooperative aid programs with other nations and why it is unthinkable that we should depart from or weaken those programs at this time.

The search for a formula for survival occupies the attention of much of the civilized world today. It is this hope for survival, as well as humane instincts, that is bringing the world closer in spirit, as well as in distance.

There was a time in the near past when the oceans were considered adequate protection to the United States against any foreign foe. Our national defense programs were predicated on this assurance. At that time, too, the tariff was considered to be adequate protection against foreign competition in the economic field.

Now the tariff wall as a means of insuring economic prosperity has crumbled, and the oceans are scant protection against potential devastation from overseas attack. Instant communication with any part of the world is now possible. Transportation speeds of equally amazing comparison are not far behind.

The earth has become so shrunken that people now living will surely be able to circumnavigate the globe by the light of a single day.

In fact, we are even looking at outer space today, much better informed than our European forebears must have been when they looked westward across the salt water and wondered how far one would have to go before he fell off; and how far he would drop; and what he would land on, if anything.

It is recognition of the omnipotent potentiality for self-destruction which prompts the United States to join with others in the search for a lasting peace. It is this realization that inspires us to try our utmost to make a going and effective concern of the United Nations. For this reason too, we are carrying on programs designed to strengthen other people and their governments, so that they, also, may make a full contribution to the society of nations.

As we become better acquainted with the people in other lands, we find that under the surface all of us are very much alike, having the same ambitions, the same fears, and the same hopes.

We also find, to the surprise of some, that there are countless people in the world who equal us in intelligence and excel us in patience. The fact that they have been content to rely on their patience is one reason that so many of them live today in underdeveloped countries.

Yet, in spite of the patent urgencies of today, we still have in our own country people who see little advantage in our carrying on cooperative programs with those in other lands. One of the favorite indoor sports of some people is writing their Members of Congress demanding that President Eisenhower's budget recommendations for the next fiscal year be drastically cut. Where the cut shall take place, however, is a disputed question. Almost nobody wants his own benefits reduced.

So, inasmuch as the benefits from mutual assistance programs are largely intangible, so far as most people are concerned, there is a tendency to make foreign-aid appropriations the logical target for those who want to reduce taxes and expenses without upsetting their own gravy boat.

However, to those who think that foreign-aid appropriations are a total loss to the American taxpayer, and benefit solely the people of foreign countries, I suggest a further review of the situation.

Most of the money appropriated for mutual-aid programs is spent directly for American goods and services. While I cannot give the exact amount, it is not far from 90 percent of the total.

There is waste in these programs, Mr. President; but the percentage of waste is no greater than the percentage of waste in some of our domestic programs which benefit the critics of foreign-aid programs.

Last year, the gross national product of the United States reached the staggering total of $412 billion. It is expected that it will exceed $425 billion this year. A sizable percentage of this total was generated through direct foreign-aid programs and the greatly increased international trade which they engendered. These programs meant business for our manufacturers, for our shippers on land and on sea, for our shipyards where new ships are constructed. They meant more business for our wheat growers, our tobacco growers, and our cotton growers. They meant infinitely more business for our processors and handlers and suppliers.

Speaking of international trade, this business has now reached enormous proportions, and is still growing.

From January 1, 1956 to January 1, 1957, the total amount of United States exports is reported to have been $17 billion—and I believe the revised figure will exceed $17 billion by a considerable amount—or nearly $5 billion more than the total amount of imports into the United States.

For the calendar year 1957, it is anticipated that United States exports will exceed $20 billion with a continuing large balance of trade in our favor—a far greater export trade than was even dreamed of in past years.

The mutual aid programs, which must continue, have contributed tremendously to the increased export business of the United States. Some persons think Public Law 480 is responsible for the increase in our exports of farm commodities. It is; but Public Law 480 works with our mutual-security programs. Through Public Law 480, we sell surplus farm commodities to other countries, and take their currencies in payment. Then, through the mutual-security program, we lend the currencies back to the countries which bought our surplus farm commodities; or in some cases we contribute the currencies to them as grants. If it were not for the fact that we lend the native currencies back to the countries where they originated through our foreign-aid programs, we could not make, through Public Law 480, the sales we make now, because some of those countries simply could not afford to let such enormous amounts of their own currencies get out of their own hands.

So let us ask ourselves this question: If it had not been for the combination of the programs carried on under Public Law 480 and the mutual security programs, would we have sold almost 8 million bales of cotton, last year—an increase of 2¼ million bales over the sales

the year before? Would we have increased our sales of wheat overseas 100 million bushels over the sales of the previous years?

Would our manufacturers and dealers have sold millions of dollars' worth of wire, pumps, generators, magnetos, and the kind of equipment which they did sell? Would there have been a shortage of ships, causing our shipyards to work overtime to build more ships, had it not been for these programs? Would we have sold millions and millions of tons of coal to foreign countries, giving our coal miners the best season they have had in years, had it not been for programs which some people, ill advisedly, I believe, think we should discontinue or drastically slash?

Mr. REVERCOMB. Mr. President, will the Senator yield at that point?

Mr. AIKEN. I yield.

Mr. REVERCOMB. I wish to say the Senator from Vermont is making one of the clearest and one of the ablest expositions of this subject that I have heard. I compliment him upon it. At this point in his statement, when he is telling of the great advantages that have come to this country and to the people of this country and to those engaged in the various industries of the country as a result of moneys sent abroad, I wanted to call this to the attention of the Senator, and, for my own information, put this question: The bill provides for what is known as the development loan fund. Is that correct?

Mr. AIKEN. That is correct.

Mr. REVERCOMB. That is a new provision in the Mutual Security Act; is it not?

Mr. AIKEN. Yes. I think that is a drastic improvement over the programs of the past.

Mr. REVERCOMB. I want to concur heartily in such a provision, because, instead of direct grants of money by this country, there is now proposed a provision that countries we believe require economic aid may borrow money upon the basis that there will be a repayment. Is that correct?

Mr. AIKEN. That is correct, and most of the countries prefer to pay back the loans. I expect to cover that point a little later on in the statement I am making. I think that is one of the best provisions in the pending bill, and one which will receive a great deal more favor from the people of the United States than some of our programs, and certain provisions of those programs, have received in the past, and very properly so.

Mr. REVERCOMB. May I say to the Senator the provision for the Development Loan Fund is one that brings great satisfaction to the Senator from West Virginia, because for some time, since the countries of the world have more and more gained their economic footing, and since they have been on more solid ground economically than they were before, I have urged time and time again that advancements of funds for economic purposes be placed upon a loan basis. So it is heartening to me, and I believe it is satisfying to the people of this country, that now at last instead of providing grants or, as many persons have described them, handouts or giveaways, there is included in the bill a provision for the lending of money where the Government feels it should be loaned for needed internal development of countries that are our allies. Am I correct in that conclusion?

Mr. AIKEN. The Senator is correct in his assumption.

Mr. REVERCOMB. I thank the Senator very much.

Mr. AIKEN. I have pointed out that, because of a tremendous volume of exports, we have a considerable imbalance of trade. In other words, we are exporting many billions of dollars more of goods and commodities than we are receiving from other countries. This situation cannot go on forever without greatly disturbing world conditions and creating friction between nations.

How to correct this imbalance poses a major problem.

The United States is already one of the low tariff countries of the world.

We cannot throw our gates wide open and admit any and all products from foreign lands without restriction.

To do so would not only jeopardize hundreds of smaller industries in our country, but would probably fail to solve the problem.

Reduction in trade barriers must be more general and not a one-way street for a single nation.

The situation is presently being ameliorated by a large increase in foreign travel by Americans. This gets many dollars into the hands of other people, and to that extent helps to reduce the imbalance of trade. Then there are direct loans to foreign businesses, sales of American surplus commodities for foreign currency, and private investment by Americans in other countries.

It is apparent that only a general strengthening of the economy of free nations will be the ultimate answer to both our economic and political problems.

In 1956, Americans invested two and three-quarter billion dollars in other countries, and this investment is earning money for the Americans who put money into that investment and who spend their income in the United States. However, without our mutual aid programs with foreign countries, we all know that American investors would not have dared to put $2¾ billion into private investments in foreign countries last year.

American investors, contractors, technicians, and operators are now to be found literally from pole to pole and in virtually every country on the globe outside the Iron Curtain.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. HUMPHREY. I am very pleased to hear the Senator from Vermont make this point, because I think it is one of the most telling arguments in behalf of a mutual security program from what one may call the economic viewpoint of our own country. I believe in mutual security on the basis of the interests of our own country, and that is collective security against Communist aggression; but here is an argument that can be documented by facts, in terms of business investments, business opportunities, and what I believe to be the spreading of the finer aspects of the American political and economic system to other parts of the world.

Too often people in and out of Congress condemn American enterprise, either unknowingly or in a way I think unfortunate, by saying every time an American business enterprise goes overseas it is some kind of exploitation. That is not true. We have had examples of exploiting enterprises, but in the main I think it can be said that an American business enterprise going overseas takes with it not only American technology, know-how, and management, but takes with it some of the social standards of employee relationships, and some of the social standards of better working conditions, schools, and hospitals. I think those standards can be seen all over the world, and I think that strengthens our general foreign policy.

Mr. AIKEN. I thank the Senator from Minnesota for his remarks. I am speaking in general terms today, but the Senator from Minnesota and others know everything I have said can be substantiated—and documented, if that is the word to use—by records which are available to all. I am trying to point out some aspects which I feel have not been properly set before the people of the United States, some of whom have been inclined to regard these programs as giveaway programs. At times they have been. We are trying to get away from that. I think the bill before the Senate does help us get away from that.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. REVERCOMB. The Senator was kind enough to yield to me a few moments ago, and we discussed the development loan fund a basic part of this very important bill. To what extent, can the Senator advise us, are there to be grants to countries abroad in addition to the loan development funds for economic purposes?

Mr. AIKEN. That is difficult to tell until we finish action on the bill and also on the appropriations. However, even in the funds which would be available for grants, the trend is toward loans. The committee, for instance, was asked to include $25 million for Latin America. I think that was a good idea. We also provided that 90 percent of the $25 million should be in the forms of loans. We had a similar appropriation of $15 million last year. If I remember correctly, only half of that was required to be in loans.

We are steadily working away from grants and toward loans, except for the purely military aid program. I believe this bill is a further step away from grants and toward loans than any legislation which we have had to consider since the end of World War II.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. REVERCOMB. Let me say, with respect to the military, where the grants are made under mutual security, I do not raise any question and I have no quarrel with that procedure. I again emphasize, if the able Senator will permit me to do so in interrupting him, the importance of the loan feature, which we find here in economic development. I say again it is most heartening, and I believe will be heartening, to the American people throughout the length and breadth of this land to know that at last the Congress is recognizing the fact that while we want mutual security, we have a regard for our people, their property and their money, and that funds advanced will be upon a loan basis rather than upon a grant basis.

I wish to say I concur heartily in the belief expressed by the Senator from Vermont, that those with whom we deal would rather have this upon a sound basis of loans rather than grants.

Mr. AIKEN. If the proposed legislation did not work us in the direction of loans rather than grants, the Senator would not find the Senator from Vermont supporting it quite so vigorously as he is today.

Mr. REVERCOMB. I thank the Senator.

Mr. AIKEN. It is something we must do. It is not only fair to our own people, but it is fair to the people of other countries. Once their economies reach the level where they can deal on a businesslike basis, that is the way we should deal.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. REVERCOMB. And we feel that that time has come, and that under this bill, when it becomes law, we shall then proceed upon the advancement of moneys by loans rather than by gifts, under the provisions of the law, when we deem it best to send money abroad for economic development.

Mr. AIKEN. We are going that way very fast. I will point out a few exceptions before I conclude my remarks, but in general we are going in the direction of businesslike arrangements in the making of loans rather than grants, at a rapid pace. This is the longest step forward we have taken in the last 12 years.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. REVERCOMB. May I express the hope that for soundness, for fair dealing, and for mutual trust between this country and other countries, I hope that soon we may proceed entirely upon the basis of aid to economies by loans.

Mr. AIKEN. I would say almost entirely. There will be a few small countries which will have to be helped in other ways for some time, but we will almost go on a businesslike basis with them.

Mr. REVERCOMB. I thank the Senator.

Mr. AIKEN. Mr. President, I mentioned the Iron Curtain before the colloquy with the Senator from Minnesota and the Senator from West Virginia.

This leads us to the question, What is going on behind the Iron Curtain? Is it beginning to crack and, if so, what can be done to widen the crack?

Totalitarianism in any form is the natural enemy of democracy.

At the present time, international communism is regarded as the most dominant and dangerous form of totalitarianism.

It is a means to an economic as well as a political end.

It controls countries having a total population of some 800 million people.

It has its disciples in most of the other countries of the world.

It has as its goal the domination of the world and the people who live therein.

Yet, today, international communism is wavering in those nations where it was thought to be most strongly entrenched.

I do not mean to imply that Russia, Czechoslovakia, Red China, and the others are going to change their form of government in the near future. Having in mind Mr. Khrushchev's prediction that our grandchildren will be living under a Communist form of government, I think the safer prediction is to say that Mr. Khrushchev's grandchildren will be living under a fairly democratic form of government.

The crack in the Iron Curtain is widening. It first appeared in 1948 when Yugoslavia, ravaged and betrayed and stricken with hunger, appealed to the United States for aid. We gave the Yugoslavs about $38 million worth of food that year. Corn was one of the items—I think the principal item.

This enabled them to come through the winter and to establish and maintain a government which, while still professing to be communistic, vigorously dissents from the international brand of its neighbors.

But for American aid, Yugoslavia would undoubtedly be another controlled and dangerous satellite today. Heaven knows what would then have happened to Greece.

With hardly any exception, the other satellite nations are looking hopefully to the day when they, too, may be free from the control of international tyranny. They cannot win that freedom without our help and encouragement.

We have indicated a willingness to sell goods and commodities on favorable terms to Poland, a nation which has recently taken a step—though a very short step—toward future independence.

We are taking this action with the full knowledge that there is an element of risk involved. There is always the chance that the Communist government in Moscow, seeing its hold on the satellites weaken, may choose to create incidents leading to armed occupation. It is also possible that these same rulers, seeing loss of power lying ahead of them, may choose war rather than risk certain destruction at the hands of those people who have been suppressed by their domination.

So long as the United States possesses the power to deliver total destruction upon any aggressor, it is unlikely that the hazard of an atomic war will be risked by any nation. As a matter of fact, it has been in the news much lately, Mr. President, that we have 250 or more airbases around the world from which counterattacks could be launched against any country which had the temerity to undertake to attack us, or even surprise us. These mutual security programs have played a large part in having those 250 airbases made available to us by many, many nations of the world.

Our information is to the effect that even now millions of people in Eastern Europe and in Russia itself are eagerly seeking news and hope from the Western World. Radio Free Europe and other agencies, public and private, are keeping that hope alive and growing.

Those who have been permitted to travel in these countries and those upon whom we depend for information advise us that there is almost a complete lack of bitterness and hostility towards Americans in those areas today.

We are now considering the mutual security or mutual aid program for the coming year. I wish to point out briefly why this program is so important to the United States.

In the first place, the greater part of the money spent on foreign aid programs is either spent in the United States or returns to the United States.

There are three phases involved in foreign aid programs.

First, there is direct military aid, which is comprised of ships, guns, planes, tanks, and the usual military equipment.

Almost invariably the contribution of military equipment to a foreign country is accompanied by a replacement of such equipment with more modern weapons for the American Armed Forces.

So, actually, in furnishing outmoded or surplus equipment, we are simply charging to a foreign aid program appropriations which would otherwise be required to maintain an up-to-date Military Establishment at home.

Included with the military aid there is the defense support program, through which we contribute food, clothing, facilities, and other equipment necessary to maintain the armed strength of friendly nations.

In this program, too, nearly every dollar spent for material is returned to the United States.

As a matter of fact, almost three-quarters of the cost of all foreign aid programs is in the interest of our own national security.

It is claimed, and with much justification, that instead of being an added expense, foreign aid for military purposes is actually a substantial saving to the United States taxpayer.

This is because of the far lower cost of maintaining armed forces in other countries.

The next phase of our foreign aid program is economic. Last year, this cost us about $250 million. This type of assistance is a comparatively small part of the total, yet it draws the most fire from foreign aid critics. This money is spent largely in construction of roads, ports, bridges, schools and hospitals, and for water supplies and irrigation.

Part of this expenditure also returns to this country, but, in the main, our benefits are derived by strengthening the economy of the participating nation.

The final phase of our foreign aid program is the technical assistance program. This amounted to only $135 million last year—I believe the bill calls for $151 million this year—but dollar for dollar undoubtedly yields greater returns than any other money spent in foreign lands. Through this program, we help other people to help themselves in the fields of management, industrial production, and agriculture.

Through technical assistance, many countries in a short period of years have been able so to improve their own economy and their own standards that they are themselves bearing most of the cost of continuing these programs.

Just as the county agent, the home demonstration agent, and the club worker in the United States have made their contributions to the welfare of our country, so have their counterparts in foreign lands made equally great contributions to raising the living standards of many millions who live in underdeveloped countries.

Although for the first few years of the foreign aid programs, assistance to underdeveloped countries was given largely in the form of grants, we are now reaching the point where most of the assistance in the future, aside from outright military aid, will be made in the form of loans.

The establishment of the development loan fund is a striking departure from former methods. I expect it will not only prove to be effective, but also will be understood and accepted by the American public.

The question is frequently raised—How do you expect to collect a loan from an underdeveloped country? Why not give the cash and let it go at that? The same question was raised 23 years ago, when the Export-Import Bank was organized. The initial purpose of the Export-Import Bank was to lend money to people in foreign countries so they could buy from American industries and businessmen. It was really a domestic-aid program. At the time it was set up, there were some who believed that if we ever collected 50 percent of the loans made we would be doing very well.

What has happened? In the 23 years that the Export-Import Bank has been in existence, the losses from bad loans have not only been negligible, but the bank has accumulated profits amounting to $435 million above all expenses. This has been done on an initial investment of only $1 billion.

We help the other countries which are potentially wealthy, but have no purchasing power so to develop their resources that they can convert some of their mineral wealth, agricultural wealth, or whatever kind of wealth it is, into improved purchasing power, not only for their own people to use at home, but also to enable them to do a greater amount of business in the world market. In the future, I should say that, except for the costs which we incur in South Korea, Taiwan, and South Vietnam, we may expect that a large percentage of loans made in foreign countries from now on will be repayable.

I do not suppose the public generally knows that over the past few years we have received one-hundred-and-sixty-million-odd dollars in interest from so-called soft loans made a few years ago. We are beginning to collect on the principal as well, having received some $14 million or $15 million in principal on loans made a few years ago. The reason we have not collected more on the principal is that when such loans were made there was a provision in the contract which exempted the borrowers from making payments on the principal for the first 5 years. In the case of some countries, the 5 years have expired, and they are not only paying interest, and enabling us to get some income back, but they are paying something back on the principal as well, although it will be a long time before we get it all back.

Many countries in which we have aid programs are rich in resources. They simply have no way at present to convert their resources into purchasing power. Of course, there are some areas where it will be necessary to continue grants for the foreseeable future, but the world at large, including many of the less developed areas, has now reached a point where more businesslike methods may be employed.

Summing up the results of our endeavors over the past 10 years, we find that although there have been failures in the field of foreign cooperation the successes have outweighed the failures. World trade has increased enormously, health and education have made much progress in so-called backward nations. Fear of famine has been mitigated.

The charge that the United States was motivated by imperialistic ambitions has been generally discredited. Several countries which tottered between totalitarianism and the western democracies are definitely on the side of popular government today.

The people of the world are becoming better informed each year. Colonialism is waning, and some governments are attempting to become more democratic. The United Nations is still a going concern and making a considerable contribution to the efforts for world unity and amity.

The danger of war has not been eliminated. It could start from either of two sources. The leaders of international communism, feeling themselves hemmed in from the outside and facing revolution, peaceful or otherwise, from within, could resort to desperate measures. Or, smaller nations, seeking to fulfill nationalist ambitions, might resort to violent methods, thereby striking a spark which could kindle war on a major scale. The United Nations if properly equipped and implemented could do much to obviate the latter risk.

This is no time to abandon or impoverish a program which has already greatly strengthened the world economy, including our own; brightened the future for free people, and enhanced the security of democratic nations.

The bill before us is a good bill, its estimates of cost are reasonable and the long step it takes away from grants toward more businesslike methods is highly desirable.

Let us not emasculate it, either as to policy or the means of implementing that policy.

Let us go forward and not retreat just as the goal comes in sight.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATISTICAL PROCEDURES OF THE CONGRESSIONAL QUARTERLY

Mr. SCHOEPPEL. Mr. President, on July 27, 1956, in volume 102, part 11, pages 15067 to 15072 of the CONGRESSIONAL RECORD, I analyzed the so-called Presidential support scores prepared by Congressional Quarterly, a private organization. I was critical of their statistical procedures, as they are based on the editorial selection of certain rollcall votes which their editors decide should be used to reflect support or opposition to the President's program. Apparently many people are confused and believe that the Congressional Quarterly is an official Government document.

My review of their work a year ago convinced me that they present statistics labeled as factual and nonpartisan to support their own political viewpoint. Since I challenged their statistics, I believed it was my responsibility to make my own study of the entire record of rollcall votes during both the 83d and 84th Congresses. I endeavored to determine the support for President Eisenhower's program by the members of the two parties in the Senate. My study was printed in volume 102, part 11, pages 15618 to 15628 of the CONGRESSIONAL RECORD on July 27, 1956. Unlike the Congressional Quarterly, I reviewed all of the rollcall votes which could possibly involve the President's program over a 4-year period.

Mr. President, my statement of August 17 said:

There were 271 rollcalls in the 83d Congress, and 230 rollcalls in the 84th Congress, or a total of 501 rollcalls. Every rollcall has been reviewed and accounted for so that the record will be complete and all inclusive.

After eliminating procedural votes, as well as issues which were clearly not a part of the President's program, I find that there were 220 rollcalls in the 83d Congress and 203 rollcalls in the 84th Congress which represented a clear test of support for President Eisenhower.

In the 83d Congress on this entire group of issues, the Republican Members cast 7,525 votes in support of President Eisenhower's program or 64.7 percent of the total. The Democrats cast 4,114 votes or 35.3 percent of the total.

In the 84th Congress when the Democrats were in control of the Congress, the Republicans cast 6,682 votes or 59.4 percent of the votes cast for President Eisenhower, and the Democrats cast 4,575 votes or 40.6 percent of the votes for his program. Over the 4-year period on these 423 issues, Republicans cast 14,207 votes for President Eisenhower's program or 62.1 percent of the total. The Democrats cast 8,689 votes or 37.9 percent of the total.

An examination of the votes cast in opposition to President Eisenhower's program shows a sharp party division. During the 83d Congress, Republicans cast only 1,630 votes in opposition to the President's program or 25.7 percent of the total. Democrats cast 4,701 votes or 74.3 percent of the total. During the 84th Congress once again we find Republicans casting only 1,715 votes in opposition to President Eisenhower's program or 29.7 percent of the total opposition votes with the Democrats casting 4,053 or 70.3 percent of the opposition votes. Over the 4-year period, the Republicans cast only 3,345 votes in opposition to President Eisenhower's program or 27.6 percent of the total opposition votes. The Democrats cast 8,754 or 72.4 percent of the opposition votes.

I included a summary table in my remarks which I wish to include at this point in the RECORD. It is self-explanatory.

All Eisenhower rollcalls

Congress	Number of votes	Eisenhower position				Opposed to Eisenhower position			
		Republicans		Democrats		Democrats		Republicans	
		Votes cast	Percent	Votes cast	Percent	Votes cast	Percent	Votes cast	Percent
83d	220	7,525	64.7	4,114	35.3	4,701	74.3	1,630	25.7
84th	203	6,682	59.4	4,575	40.6	4,053	70.3	1,715	29.7
Total	423	14,207	62.1	8,689	37.9	8,754	72.4	3,345	27.6

Mr. President, it is impossible to measure either party support for the President or the position of individual Senators on the basis of a few scattered rollcalls.

On May 14, 1957, I received a letter from the executive editor of the Congressional Quarterly, which I wish to include in the CONGRESSIONAL RECORD at this point:

CONGRESSIONAL QUARTERLY,
Washington, D. C., May 14, 1957.

Hon. ANDREW F. SCHOEPPEL,
Senate Office Building,
Washington, D. C.

DEAR SENATOR SCHOEPPEL: In view of your interest in this subject last year, I am sending you the first interim measure of presidential support done by Congressional Quarterly for the session up to May 12.

Cordially,

THOMAS N. SCHROTH,
Executive Editor.

I have examined this so-called interim measure of presidential support by the Congressional Quarterly. It is an amazing document. It was timed to reach the press when President Eisenhower made his first television address.

The Congressional Quarterly says:

Congressional Republicans have opposed President Eisenhower's legislative program more often than they have supported it so far in the Democratic-controlled 85th Congress.

The opposition Democrats not only have supported the President more than the members of his own party, but also have supported him more than they did in the past two Congresses of his administration.

The Republican level of support, meanwhile, has dropped lower than at any time in the past and has drawn the average Congressional support score to a lower point than it reached in the 83d and 84th Congresses.

These results of Congressional Quarterly's midsession survey of House and Senate voting explain more than anything else why President Eisenhower feels compelled to bypass Congress and take the case for his program directly to the people through nationwide radio and television.

He recognizes the need to light a fire under his fellow Republicans on Capitol Hill, whose support of the Eisenhower budget and legislative program has dropped sharply since the President won his landslide reelection victory last November.

The so-called interim measure of Presidential support released by the Congressional Quarterly as nonpartisan was actually a Democratic Party propaganda piece to give the impression of a deep rift within the Republican Party. The Congressional Quarterly statement to the press continues with the following:

The weakening of Republican support has caused the President some legislative losses. His position was upheld on 19 of the 31 rollcall votes in 1957 for an average of 61 percent. In the Democratic 84th Congress (1955–56), the President's winning average was 72 percent; in the Republican 83d Congress (1953–54) it was 83 percent.

Mr. President, in analyzing the 31 rollcalls, I find that they include votes in both the Senate and in the other body. I do not know how one can combine votes in the two Houses and come up with an overall winning average for the President's program. No one can claim that a measure based on so few votes is an objective statistical procedure.

I shall not concern myself with the votes in the other body. The Senate picture is so distorted that I shall confine my remarks to it.

The Congressional Quarterly release said:

The 9 Senate votes included 3 budget tests, the Mid-East doctrine, and such controversial nominations as those of Scott McLeod and Gen. Ralph Zwicker.

Since the controversy of a year ago, the weekly issues of the Congressional Quarterly indicate on each rollcall the position which they say would support the President's program. I have made a very careful examination of the weekly issues of the Congressional Quarterly and can find only 7 votes, not 9 votes, which, according to their board of editors, measure support for the President.

Mr. President, I have prepared a table listing these votes and the pages of the Congressional Quarterly on which they appear.

Rollcall No.	Date	President's position	Page No.
4	Feb. 18, 1957	Yes	220
6	Mar. 2, 1957	Nay	268
10	Mar. 5, 1957	Yes	269
17	Apr. 1, 1957	Yes	418
18	do	Nay	418
21	May 8, 1957	Nay	553
22	May 9, 1957	Yes	553

Mr. President, the flexibility of the Congressional Quarterly's methods are illustrated by the fact that we now find that 9 Senate votes are included in their support scores while there were only 7 selected in their weekly tabulations.

Obviously it is impossible to reflect the position of any Senator in terms of the President's entire program on either 7 votes or 9 votes. If 9 votes are used, each vote counts for 11 percent of the total score. If only 7 votes are used, each vote counts as 14 percent of the score. The only way a support score or a party-unity score can have any meaning is in terms of the entire session. That is why I prepared my study a year ago based on the entire record.

Through May 12, the cutoff date for the Congressional Quarterly interim measure of Presidential support, there were only 22 Senate rollcalls. Based on past experience, by the time we adjourn there should be sufficient rollcalls to provide some information that might be meaningful. I have examined the past record to see how many rollcalls we normally had taken by May 12 and the number of rollcalls by the end of the session.

Mr. President, I have summarized this data in a table which shows the unfairness of preparing an interim support score at this date. It is self-explanatory.

Number of rollcall votes	By May 12	By end of session
83d Cong., 1st sess	19	90
84th Cong., 1st sess	37	94

In reviewing the issues they selected to measure support for the President, the Congressional Quarterly says:

Two-thirds of the 22 House rollcalls were on the budget. The others included the corn bill, the Mid-East doctrine, and a probe of monetary and fiscal policies.

Mr. President, the corn bill in the House was a part of the President's program. As I said previously, the Congressional Quarterly stated that:

The 9 Senate votes included 3 budget tests, the Mid-East doctrine, and such controversial nominations as those of Scott McLeod and Gen. Ralph Zwicker.

Apparently the corn bill was not considered a part of the President's program in the Senate. This is a further example

of the flexible methods used by the Congressional Quarterly to make the statistics fit their own purposes. Their purpose in this case was to divide the Republican Party and to continue to further the Congressional Quarterly theory that over the years President Eisenhower has been supported by the Democrats in this body and opposed by the members of his own party.

In my remarks on July 27, 1956, I included a letter which I had received from the distinguished senior Senator from Maine. I wish to include at this point the final paragraph of her letter to me, which reads as follows:

I believe that Congressional Quarterly does provide a valuable service. But I think that its publishers have a very serious obligation to avoid editorial slanting in their analyses if for only two reasons: (1) the very name of the publication causes many people to believe that it is an official publication of Congress, and (2) it represents itself to be completely objective.

I then said:

Mr. President, the distinguished Senator from Maine has raised the interesting point, that many people may believe that Congressional Quarterly is an official or semiofficial publication of the Congress. I intend to study this matter fully to determine whether legislation should not be introduced to protect the use of the name "Congressional" just as the Congress has protected the use of such words as "United States" and "Red Cross" from commercial exploitation.

In view of this completely distored "interim measure of Presidential support" which has been so widely quoted in the press, I can understand why there are requests to introduce legislation to protect the name "congressional" from misuse by a commercial organization. This obvious political use of what many consider an official Government publication has gone far enough. It is time to call a halt to these misleading practices.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. JOHNSTON of South Carolina. Mr. President, I believe all Senators know my position on the pending measure even before I speak, because in years gone by I have always expressed myself against the giveaway program, as I call it, which some others call the mutual security program.

The so-called mutual security bill now before the Senate, as I see it, is merely another device to take away from the American taxpayers more billions of dollars for giveaway programs for foreign governments.

There is little mutual security in the bill. In truth, there is little of anything mutual about the bill other than the fact that American taxpayers are mutually sick of paying the full load for the rest of the world. The very term "security" is a misnomer. In fact, it is simply a cloak behind which hides the biggest pork-barrel legislation the world has ever known.

I call attention to the fact that at present we are giving away so much money that we do not know how to distribute it properly. At present, approximately $6 billion has not even been allocated, although its spending has been authorized. That proves to me that the foreign nations have not been begging quite fast enough for us to give out what has been appropriated for them. I noticed in the newspaper today that one small country had refused our money; it did not want any of it.

The moneys being asked for in the name of mutual security are, in the main, nothing more than subsidies for foreign governments to use in building up agricultural and industrial programs in their countries which will be used in competition with American business, industry, and workers. This is exactly what happened in Japan when we—and I say "we" loosely, for I opposed the program when it came up—helped them with subsidies to build up their textile industries.

Oh, it was said that we must build up a textile industry in Japan, in order to get that country back on its feet. Today the whole textile industry of the United States is pleading with our Government to take action to prevent the United States from being flooded with cheap cotton materials made in Japan, where the laborer works for 15 or 16 cents an hour, as against the $1.25 or $1.50, or more, an hour which is paid in America.

We must bear in mind also that when the foreign countries buy our cotton, we are giving them in addition an advantage of approximately 6 cents a pound over our textile industry in the United States. The foreign countries buy on the world market, which is usually 6 or 7 percent below the price on the American market.

The bill is called "mutual security." I do not call it that. There is no doubt that all the money we are dumping into the laps of foreign countries in the sacred name of security will come back to haunt us and our children.

Many persons are wondering today why it is that foreign countries have reduced their purchases of American cotton. I can tell them why. The reason is that we have poured mutual-security money into those countries and have taught them how to grow cotton. They do not need to buy cotton from America when they can grow it at home.

We have given away money, here, there, and yonder to build dams for irrigation purposes. Then we complain when surpluses are built up in the United States. We have helped to build them up. In helping to build up surpluses, we have hurt our own people at home.

There is no doubt that all the money which is being dumped into the laps of foreign countries in the sacred name of mutual security will come back to hurt us and even our unborn children.

We should stop to think of the people who will pay the taxes for mutual security. We do not have the money; we have to borrow it, and we have to borrow it at a high rate of interest. Interest rates have gone up during the last few years by approximately 50 percent. If we do not stop spending and giving away our resources, how can we expect the American people to reduce their personal debts, consumer credit, and the like. We are continuing to give away billions of dollars while the American people are unable to pay off their national debt.

If our national debt were to be reduced by $2 billion a year, I wonder how many Senators realize how long it would take to wipe it out entirely. It would take more than 140 years. We would still be paying off the debt in the year 2097.

Senators who pride themselves on the virtue of prudence should think of what we are doing and of the example we are setting for our people. We should remember that our economic security is just as important as our military security.

I said the other day that if the salaries of the Government workers were increased a little, if the Government paid out a little more money for the benefit of its employees, it would enable the Government employees to meet the rise in the cost of living.

The more we go into debt, the cheaper the dollar becomes. It will continue to become less valuable. The value of the dollar today is already down to 50 cents. I hope Senators will realize that the decline has not stopped at 50 cents, but that the value of the dollar will continue to go down. It will drop to 45 cents, and then to 40 cents, if we do not at some point stop increasing the debt.

Many of the Nation's schoolchildren annually visit Washington to view the National Capitol and all its sacred shrines of liberty. Let us look around us when we are spending money on foreign governments. Every year the Federal Government loses millions of dollars in work hours because the Federal employees must be dismissed from work because inadequate housing makes it impossible for them to continue their work in the national interest in inclement weather.

Let Senators walk down Constitution Avenue. There they will see some little shacks which have been standing for 15 or more years—buildings made of plywood. It is said that the Government cannot afford to construct the necessary buildings in which its employees must work. In the summertime, those buildings are so hot that the employees must be dismissed at 3 or 4 o'clock in the afternoon. In the wintertime, the buildings become so cold that the employees cannot remain in them because of insufficient heat. If the proper kind of buildings were erected, so as to enable the employees to work a full day, the Government would benefit by real economy. But, no; we send our billions of dollars overseas. Some Senators say we cannot afford to correct the situation I have just spoken of. They say we cannot afford to provide adequate housing for the Smithsonian Institution or other agencies of the Government, but now we are asked to authorize giving away money to foreign governments so they can make adequate provisions for their people.

Mr. President, I see sitting before me the Senate pages. It is hard to believe that the House of Representatives and the Senate say the Government cannot afford to build a small home for them. So, instead, they must live in various boardinghouses all over the city of Washington. I have been advocating the construction of a home for the pages. It is said that the Government does not have sufficient funds for that purpose. Yet the Government says it can give billions of dollars to foreign countries. Mr. President, that does not make sense either to me or to my constituents.

Today, the taxes on our people are oppressive. They are still paying for two World Wars and a depression, and now we expect them to support the entire world.

Mr. President, I say "No." We are asking too much of a generous but tired people. What we need to do is to reduce taxes at home. We need to strengthen our economic front at home. While we continue these spending programs in the name of security or any other name, we can never reduce taxes here or reduce the national debt without sacrificing some domestic program the people of our country are in need of.

We shall never satisfy the needs of the world. We shall never be able to satisfy the appetite of some countries that already are playing a game of blackmail—such as Egypt, which is threatening to turn to Russia if we do not come across with more. I say, let them go to Russia for money, if they can get it. In 6 months after Russia cuts them off, they will be right back at our back door. Everyone knows that Russia is in poor economic condition, and that her own people are no better off than those whom we are helping.

Mr. President, only a short time ago England told us she could not pay the interest then due on the money she had obtained from us—one of the first loans we made following the war, in the amount of $3,750,000,000. But at almost the same time, England reduced the taxes on her own people. Yet the United States excused England from making that interest payment, and threw it into the future.

Our course should be one to cut foreign spending, reduce taxes at home, and reduce the national debt by a specified amount each year, until it is wiped off the books.

Mr. President, would any good businessman conduct his affairs in the way our Government is being operated? Think of it.

If we authorize this spending, and later give these foreign governments this money, mark my words, other countries will follow the course of England, which, as I have said, not long ago cut taxes, and then began to trade with Red China, which we would not do.

Instead of making all these gifts to foreign countries, Mr. President, I should like to see the personal exemption for income-tax purposes increased from $600 to $800. That would provide some relief at home; and most of the money the taxpayers would save as a result of that increase in the exemption would be put into circulation, and thus would aid business in the United States. But if the United States continues to send its funds abroad, such an increase in the personal exemption will not be possible.

Mr. President, the enactment of this bill will result in throwing away the money of the people of the United States; and the bill will accomplish nothing more than an increase in our indebtedness.

Mr. President, did you ever loan money to a friend or acquaintance, and then find that he would not pay it back? Under those circumstances, did you ever see him, one day, coming down the street toward you, and find that either he darted into a store, so as to avoid meeting you, or crossed the street, instead of facing you? So it is, Mr. President, with the countries to which we are sending our money—to which we are lending it, so to speak. In many cases, they will never pay it back.

I, for one, do not intend to be a party to giving away the money of the taxpayers of the United States.

Mr. President, I would prefer a bill authorizing the appropriation of the same amount of money that this bill would authorize, and then have that bill submitted to the voters of the United States, so as to learn whether they wish to give that amount of money to foreign countries. I would even be willing to have such a bill provide for double the amount of authorization the pending bill provides, and then have that bill submitted to the voters of the United States, and let them vote on it. We would find that they would not vote on it in the way that some Members of the Senate have been voting.

Mr. President, no good will come from this kind of international pork-barrel legislation.

I hope other Members of this body who think as I do about the pending bill will stick to their guns and will vote against it.

I, for one, intend to vote as I have in the past. I am glad to see that gradually more Senators and more Members of the House of Representatives are beginning to vote as I have voted. I believe it will be found that they will continue to do so, as they become more familiar with the sentiments of their constituents. If the Members of the Senate and the Members of the House of Representatives will only make this question an issue in their States, they will find that the program is not so popular with the voters who are paying the national debt as some persons may think it is.

So, Mr. President, I sincerely hope each Member of the Senate will seriously consider the issue before he votes on this bill, and will reach the same conclusion that I have reached, namely, that the proposal to give the money of the taxpayers of the United States to foreign countries is a bad one.

Mr. JAVITS. Mr. President, I have had in mind making some general observations on the subject of the pending bill. Tomorrow I shall have an opportunity to speak with respect to certain amendments which I shall propose to the bill. They will be amendments designed to fortify the bill in respects which I believe important to the ultimate objectives of the measure.

But, Mr. President, today I should like to confine my remarks—which will be brief—to some of the major objections which have been made to the bill by the Members of the Senate whom I have heard today.

I wish to qualify myself on this point, Mr. President. For a number of years I served in our sister body, across the Capitol, on the committee which was concerned with legislation in this field. From the initiation of the Greek-Turkish aid program in 1947, I became very familiar with the objections which have been voiced here today and with some of the answers to them.

Mr. President, I think it significant that today we hear almost the same objections to this program that we heard back in 1947 and 1948. I am amazed to find that in all this time, apparently nothing has been learned by the opponents, at least as judged from the fact that they continue to make the same arguments they made before. Certainly they are sincere, and they are entitled to have their objections answered; but it is very interesting that their arguments remain much the same. It is also very interesting that, despite those arguments and after the test of 10 years of experience by the American people, the foreign-assistance programs have continued to be supported by the Congress, with substantial majorities in both Houses, year after year.

Mr. O'MAHONEY. Mr. President, will the Senator from New York yield to me?

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Does the Senator from New York yield to the Senator from Wyoming?

Mr. JAVITS. Certainly.

Mr. O'MAHONEY. I was reading the report of the Foreign Relations Committee, when I heard the Senator from New York say that the opponents of the bill are reiterating the arguments which have been made in the past, and apparently the Senator from New York said the opponents of the bill have learned nothing from the past.

I should like to have the Senator from New York know that formerly I was an enthusiastic supporter of the program. I find that it is not the same as it used to be. At the precise moment when the Senator was making his statement, I was reading this sentence from the first page of the committee report. It reads as follows:

A development loan fund is created—

"Created" is the word. That is something new, something summoned out of the atmosphere and given a body and a form for the first time. It never existed before.

A development loan fund is created to make loans and to engage in financial transactions, other than grants or purchase of equity securities.

I repeat the words, "other than grants." The Senator, of course, is aware of the fact that there has been growing opposition to grants and that there has been growing support for limiting aid for foreign nations to loans. But here, apparently, according to the interpretation of the committee:

A development loan fund is created to make loans and to engage in financial transactions, other than grants or purchase of equity securities, designed to promote the

economic development of less developed countries.

The next sentence reads:

Appropriations of $500 million are authorized for fiscal 1958, and in addition the fund is authorized to borrow from the Treasury $750 million in each of fiscal years 1959 and 1960.

Members of the Senate who will be elected in 1958, Members of the House who will be elected in 1958, the new Congress which will be brought into existence by the electorate of the United States, will be bound by the terms of this bill, if the report correctly states the situation.

I thank the Senator for letting me interrupt him to point out that there are new arguments coming up constantly against this bill.

Mr. JAVITS. I thank the Senator for his observation. I think he has helped me demonstrate my point, and for this reason: I said that I hear now the same arguments I heard in 1948, and I think that is true. What the Senator has pointed out is that the proponents of foreign aid have learned a great many things. I hasten to add, indeed we have. We have learned a great many things ourselves, and we are trying to put them into effect. I think this idea of a development loan over a period of time is a distinct improvement. I am for it. I wish to point out that the gentleman from Ohio [Mr. VORYS], a Member of the House of Representatives, advocated it for a very long time and I worked with him on a good many occasions.

As to the Senator's observation that we shall have no control over this authorization because we make it for the years ahead, there, too, I point out that any Congress can annul anything that any other Congress has done. This is only an authorization bill. Not a single dollar can be obligated under this bill until it is appropriated. This Congress and every other succeeding Congress must make an appropriation.

I have a tremendous regard and respect for my colleague the Senator from Wyoming. I think we represent normal differences on a very basic issue. I respectfully submit that an analysis of the arguments will bear out what I have said. I hope my colleague will do me the great honor of standing by and listening to the arguments and himself checking the arguments that have been made before and time and time again since.

I do not want to be absolute and doctrinaire about it and say nothing new has been learned by the opponent and I would withdraw such an absolute statement by the same arguments in substance are still made by most opponents of foreign aid. But the proponents have learned a lot, because their minds have been open to what is happening in the world—I think that is the fundamental issue.

First, it is said we are engaged in giveaways. "Giveaways" is a word that has been used constantly. We hear it all the time. We hear it said there should not be such giveaways at a time when we need schools, housing, help for the aged, help for the youth, public works of various kinds, and when we ought to be reducing taxes. I agre with all of those objectives but I do not see that it means knocking out foreign aid.

Let us test that argument. One engages in a giveaway when he gives something to somebody unnecessarily. It is not engaging in giveaways when we give something to somebody that is conducive to our own security and to furthering our own policy. Also, used in the same context in which it is used in the arguments, we would be giving away something when we give it to somebody who is doing very well and who does not need it. Some of us know the difficulty of trying to give a gift to someone who already has everything. By either analogy, what we are doing is not a giveaway.

First of all, the overwhelming amount of money involved in this measure and in the preceding foreign-aid measures goes directly for military equipment and military preparation on the part of our allies in the Free World, either in terms of hardware, training, or food, or other items which are necessary to equip armies. So it is not a giveaway to fortify our military strength in that way. Practically everybody has agreed that the military assistance phases of the program are all right.

I point out to my colleague, the Senator from Wyoming, that I read with interest the remarks in opposition to this proposal by the very distinguished senior Senator from Oregon, who is a friend of mine, and for whom I have a high regard. He, too, says, at page 6 of the minority views:

This country needs allies and, in some cases, extraordinary military and support aid may be necessary to assist them in resisting dangerous totalitarian pressures from within and without. That was true when NATO was organized.

Every report of every committee that has reported upon this subject accepts that pretty much without question. There are some differences on details, on whether it is being done efficiently or not, but the fundamental principle of military assistance is accepted.

I come now to the question of economic aid. It means $600 million a year, when we strip it of all the military phases of the program. When it is broken down, we find that half of that amount actually will go to the great majority of underdeveloped countries like Korea, Formosa, Vietnam, and Turkey, and similar nations where even nonmilitary economic assistance is directly tied into the overall national security situation.

There is a very interesting article in the New York Herald Tribune of today which illustrates this point. I ask unanimous consent that it be printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TURKEY IS GOING THROUGH A PERIOD OF DIFFICULTIES

(By Metin Ergin)

The Russian diplomats have in the last months been very active behind the scenes in Turkey trying to convince Turkish statesmen to accept a Russian loan which will include technical and economic assistance. But the Turks would rather be without coffee, tea, medicine, and even essential food than accept a Russian hand of friendship. Despite their firm stand against the Soviets, nobody can deny that the Turks are having the most difficult time since the foundation of the republic in 1923 by Kemal Ataturk.

This country is short of foreign currency and so serious has become the financial crisis that the very existence of Western defense is in danger. Turkey, which has been keeping an army of 400,000 for a long time, is inclined to decrease it by one-fourth now. A loyal member of NATO and the linchpin of the Baghdad Pact for the defense of the Middle East, Turkey is also holding the straits, which the Russians have been trying to occupy for three centuries.

The emergency here can be saved by greater and more intelligent United States economic and financial assistance. President Eisenhower's Middle East program came just in time. But American statesmen are still taking things for granted in Turkey, while oil-earning Arabic countries are considered to be the main target.

TURKEY'S TROUBLE WITH WHEAT

In 1954, Mr. Adnan Menderes, the Turkish Premier, asked the United States for a credit of $300 million. This was brushed off in Washington mainly because a program showing how the credit would be spent was demanded by the United States Government.

This was considered interference by Turkey, as it was a loan to be repaid.

The International Cooperation Administration has nevertheless expanded its help to Turkey in obtaining emergency supplies of wheat, fuels, and spare parts.

As a matter of fact, many other factors have contributed to this situation. Grain crops in the last 3 years have been a failure mainly because of the bad weather conditions which forced a wheat-exporting country to import millions of dollars' worth from United States surplus to be paid for in Turkish currency. This year the country will still need to import wheat.

Then suddenly last month a series of earthquakes wiped out several cities and towns in western Anatolia. The second blow came in late May and hit the town of Bolu and many villages.

PREMIER MENDERES PUSHES INDUSTRIALIZATION

Premier Adnan Menderes has faced all criticism since 1950 as the leader of the Democratic Party, which defeated the Republicans, in power for 27 years. Following the Democratic Party's greater victory in 1954, Mr. Menderes increased his tempo of converting Turkey from an agricultural country to an industrial power. If he succeeds, he would become the second greatest statesman in modern Turkey's history, following Kemal Ataturk.

In the face of rising prices, his Government is continuing on a huge industrial development program—dams, powerplants, ports, factories, mills, and highways.

Apart from what the American or Turkish economists say about this industrialization under difficult circumstances, the 1958 elections are going to be the hottest ever and would show whether the 26 million Turks approve the Government's policy or not.

Germans have already given their hands of friendship to Turkey, mainly because they were the first to discover this country's tremendous natural and mineral resources.

The first step toward this was the recent agreement providing for the purchase by Germany of ammunition and small arms made in Turkey amounting to 740 million German marks. Of this sum, 250 million marks will be immediately remitted as an advance payment. Turkey will use this foreign currency to pay its debts to Germany and import badly needed goods for the country's industries.

OIL PROSPECTING BY FOREIGN NATIONS

It should also be noted that 13 foreign oil companies have invested great amounts for oil prospecting. The national oil company in Turkey is already supplying 30 percent of the needs of the country. According to some foreign experts, there is more oil in Turkey than all Saudi Arabia, Iraq, and Iran combined. But the country lacks the necessary capital to direct the research and build the huge plants.

There is such secrecy among foreign oil companies in their search for oil that big news can be expected any day. This factor alone would be enough to change everything and solve Turkey's difficulties.

In the midst of these problems a cable sent to Archbishop Makarios by Governor Harriman of New York stirred up the normally calm Turks. Mr. Harriman's cable saying "The State of New York will shortly have the opportunity of extending to you its hospitality and warm welcome" was considered an invitation in Turkey. The Governor later denied it. But Makarios accepted the bid and wrote to his friends that he would be in New York in late July or early August. The Turkish reaction was bitter, since they blame Makarios for the present terrorism in Cyprus, which has become a great conflict among England, Turkey, and Greece. The Harriman letter was considered to be the policy of the United States Government. The people of Turkey were confused, as their governors represent the central government in their provinces. The American officials spent a lot of effort convincing them that Governor Harriman was elected by the people of his State and has no connection with American foreign policy.

TURKEY ALWAYS ALLY OF UNITED STATES

The Turks appreciate the $700 million in economic aid and approximately $1 billion in military equipment given as United States assistance. This country is also prepared to fight any aggressor at any time. The Turkish brigade in Korea proved that they are among the world's toughest fighters. They hate communism and don't like to play a double game in politics. Turkey is always going to be a friend and ally of America, whatever the situation is.

The Turks know that if a country is not strong enough economically, the best-equipped armies and the toughest soldiers may not mean much. As a nation which has fought thirteen wars with the Russians in the last three centuries, the Turks believe they know more about Russia than any other country. And while trying to develop economically and socially, they hope not to make the mistakes of Egypt and Syria in permitting the Russians to gain a foothold in their country.

Mr. JAVITS. The article is headed, "Turkey Is Going Through a Period of Difficulties."

The first sentence reads:

The Russian diplomats have in the last months been very active behind the scenes in Turkey trying to convince Turkish statesmen to accept a Russian loan which will include technical and economic assistance.

I think there are very few who will deny that one of the stoutest and most militant allies against communism we have in the world is Turkey. So, in respect of Turkey, not only has Turkey been heavily dependent on our economic and military assistance in the foreign aid bills, but we are also facing great competition at a vital strongpoint of the Free World. So far as giveaway is concerned in that respect, it is a question of whether it does or does not contribute to our national security.

In terms of whether it is going to people who are already enjoying lush living, where we are giving them a lot of cream for their coffee, everybody knows nothing could be further from the truth. As a practical matter, most of the people of the Free World—more than a billion people of them—are living on a standard of living which is roughly one-eighteenth of our own. I repeat that figure—roughly one-eighteenth of our own. They have about $100 a year in per capita income, as compared to about $1,800 a year—dollars of the 1947 vintage—for the people of the United States. No fair, decent, and just person begrudges the well-being of the people of the United States, in my opinion. But at the same time it seems to me we must have some comprehension of the responsibilities of the man who earns 18 times more than the other fellow, and yet who lives on the same street. The question is, in very elementary terms, what condition do we want this street to assume; ours, or the standard allowed to the $100-a-year man?

That is essentially, in my opinion, an extremely important element in this question of giveaway.

Finally we have the question of reducing taxes. Again, it is so easy to make sweeping generalizations, but we should consider a few figures. In order to reduce the personal exemption by $100 a year per person under our tax system, we need to have available $3 billion. $3 billion. What Senator in good conscience would cut taxes $3 billion unless there was available at least $5 billion or $6 billion upon which to rely?

Here we are talking, in respect to this economic aid program, about possibly $600 million. Add any figure to that which the opponents of the bill might want. Anything they can develop from this bill certainly will not exceed a billion dollars. So I say again this argument does not hit the mark, and does not give us the true situation.

So much for the giveaway point and the point on taxes. Many of my colleagues have also commented on that subject, but I think it is very important to develop it so none of our people will misunderstand, because I believe we are facing this argument right now, and have every right to meet it head on.

The second big argument that is urged I have heard for 10 years. Again, I respect it, or I would not be speaking to it today. It is the argument that the foreign assistance program does not win friends, that there is much anti-American sentiment in the world, and that we are not necessarily liked merely because we give aid in various countries.

In the first place, I think that is a rather naive standard for us to determine our policy mainly on whether we are liked or not. I do not think we should be too much concerned about whether we are liked or not liked: Everybody prefers to be liked, but that is hardly the standard for an international policy.

I think what we are after is that the world should be such that we can live and develop in it and live out our destiny without running into world war III. We certainly do not want to be hated, but I do not think our particular objective in life is to make ourselves so pleasing and so agreeable to everybody that all will like us. That would hardly demonstrate character on our part, or indicate character in terms of international conduct or international relations.

I rather think that the standard of our policy must be that more nations will remain on the side of the Free World than will go over into the satellite orbit of the Soviet Union. This has been for the last 10 years what we have been trying to do, and I think it is an eminently correct objective.

The major area in the world where this argument is very important, indeed, one of the most critical areas, is India. I had the privilege of visiting in India with my wife last December, and actually going through the country to personally see what our foreign economic-aid program is doing there, in terms of backing up the thesis that we are liked or not liked, or are doing or not doing something, or that the program does or does not contribute to India's capability for remaining in the Free World orbit.

Mr. President, I am here to report personally that our foreign-assistance program is making a tremendous contribution toward keeping India from going over lock, stock, and barrel to Communist China and the Soviet Union, because our foreign-assistance program is getting right down to the grassroots, to the people who live in the villages of India.

Let me state that in words and figures. We are backing, to the tune of roughly $25 million a year, in round figures—which is about one-third of our economic assistance to India—what is known as the village-improvement program, which is reaching currently and has already reached something like 20 percent of the people of the villages of India. That represents a quarter-billion people—250 million—and the program will reach, within the next few years, about 80 percent of all the villages of India.

What does this program do? It does not do anything very elaborate, I assure Senators, but it represents literally a revolution in the Indian villages. It provides a main thoroughfare with a paving of bricks; it concretes a well, instead of leaving it an open hole, as it might have been for centuries; it gives the villager a small cast-iron pipe to take the cooking odors and smoke out of his hut. All of this makes a difference as great as that between day and night in the particular village and particular town of India.

That program is serviced by small teaching centers in a centrally located larger village. At every point I found that it was identified with the activities of the United States of America and with the activities of the Government of India.

We do not purport to send our own people into these particular villages. All we do is to teach the instructors who are actually engaged in this program around the country, and—and this is where people immediately identify it with us—we actually supply jeeps, road equipment, and similar items, which are very clearly American equipment, and which represent the mechanical side, marginal as it is—not very big or elaborate—still

very much in evidence to the villagers as to the participation of the United States.

I respectively submit that where we improve the living conditions of the people who live on such substandard bases as the people of India, in such an apparent and obvious way, very directly to them in their own personal lives, we are striking an enormous blow toward keeping them on the rolls of the free. So far as the people of India are concerned, we know what the penalty would be for our losing them to the Communists, because if we lose India then we will have lost Asia, and the enormous population balance of the world will go over to the Soviet and Communist side instead of being on our side, as it is today. I do not think anybody needs to paint in more lurid colors the result of that in terms of our own national security and in terms of the peace of the world.

The third argument which is made is that we are building up, by our foreign aid program, competition for the United States. The most notable examples which are cited generally are what has happened in Germany as a sequel to the Marshall plan, and what is happening in Japan. My good friend and colleague, the Senator from South Carolina [Mr. JOHNSTON] referred to that a few moments ago.

What is overlooked in that regard is the effect upon the exports and imports of the United States. I was delighted to hear the Senator from Vermont [Mr. AIKEN] this morning make these points and make them very strongly so far as the agricultural community of the United States is concerned. I should like to make them in terms of the industrial community of the United States.

We have a program of economic assistance, as I said before, which, even if it were totalled up to include everything that could conceivably be put under that heading in this bill, would not exceed a billion dollars a year. Yet our aggregate foreign trade is $30 billion a year plus, with exports from the United States forecast for 1958, which is the year in which this bill will be truly effective, at $18½ billion, calculated to employ about 5 million Americans.

We know as a practical matter, because we have discussed exports and imports in this body time and time again—and long before I came here—that the best customers for our own exports are the most highly industrialized nations. We also know that as the well-being, the income, and wealth of particular nations increase, those nations are most likely to buy from us in greater measure, because we sell the kinds of things which the more highly developed countries are very anxious to acquire.

In the case of Japan, for example, it is extremely easy to talk about the competition of Japanese textiles. Nobody, including myself, wants to see that run wild. But we have to consider that in the perspective of the fact that Japan is one of the finest customers for American cotton and is one of the best customers for various other products which are produced by the American economy. We cannot have it without giving it. This is one of the fundamentals which we have learned and are constantly learning in respect to the foreign-assistance program.

The same is true of Germany. Germany has prospered greatly in industrial terms. I ask this question: In terms of the fundamental security of the United States, do we believe that Germany would today be affiliated with the NATO concept of security in Europe, and would we be looking to Germany, for all practical purposes, as the military anchor of Europe, in terms of its potential power as an influence in the NATO security structure, if we had not helped Germany to get on its feet economically? I think the answer is decidedly no.

The fourth argument which we hear very much is that we do not have to do what we are doing in terms of foreign aid, and that the competition of the Soviet Union is not very great in that regard. I have seen some figures quoted on that subject, but I think some facts might be very useful. What is omitted in the generalized statements about Soviet economic and technical assistance to countries like Afghanistan, India, Burma, and other countries to which it is offering this kind of assistance by making what are considered to be modest contributions, is a statement of all the figures with respect to the Soviet Union, in terms of what it does with its satellites, in terms of what it does with Communist China, what it does with Rumania, Hungary, and the various other countries in the Soviet oribt. We have no such orbit. We are seeing, in the bill today, the whole "kit." This is a bill for our foreign assistance, but in comparisons made with the Soviet Union, we do not see the entire picture. We see only what is evident in terms of the Free World, but not what the Soviets do in terms of keeping their own satellites together. I believe that when if we add up all the figures they would be enormous. We would be dealing in terms of hundreds of millions of dollars, and not in terms of the figures quoted with respect to the countries I have named.

In addition, I think it is very important to have on record the work of the Subcommittee on Technical Assistance Programs of the Committee on Foreign Relations, issued on July 12, 1956. I should like to quote one portion of that report as a part of my remarks:

An incomplete compilation by the Department of Commerce of Soviet credits to non-Soviet bloc countries shows specific items totaling $436,600,000. These are, of course, economic development loans, and are therefore very much broader than technical assistance in its strict sense. Secretary of State Dulles has estimated Soviet economic and technical assistance projects to free countries at approximately $600 million. Unconfirmed reports of additional offers would push the total beyond $1 billion.

In addition to the absolute figures, in addition to the contributions which the Soviet Union makes to its own satellites, there is the fact that we are trying to fight this struggle in such a way as to keep the free peoples on the side of freedom, and in such a way as to fortify their well-being, in terms of the weapon with which we can fight best—not coercion and subversion like the Communists but economic attraction.

This represents our long suit, because our gross national product makes it possible for us to fight with this weapon. If we are to apply Soviet standards and techniques to ourselves, we must also add to our armory the weapons of coercion and subversion, which we reject absolutely.

The answer is that the Soviet Union has a gross national product in the neighborhood of $125 billion to $150 billion, and the United States has a gross national product in excess of $400 billion. In other words, we propose to fight the battle—and we are absolutely right in doing so—with the weapon which is best for us, and not the weapon which is best for our declared ideological enemy.

Another argument which is made is that this operation of foreign aid is inefficient, that it is not properly conducted. I think we come back to an age-old discussion on that subject. It is not necessary to go into the details of each particular claim which is made, as to what has been done and what has not been done, and whether what has been done will continue to be done.

I think we come back to an age-old question, which is, shall we cease an activity because it is not conducted exactly to suit us, or shall we try to put it in shape and not eliminate it? I am definitely of the latter school, which say that our obligation and duty, when the program contributes so much to the security of our country, is to try to put it in shape instead of cutting it out.

Upon Secretary Dulles' last appearance before the Committee on Foreign Relations, he was complimented by the great majority of its members in respect to his plans and programs, and what was being proposed to the Congress in this bill. This was done in the very finest bipartisan spirit one could possibly imagine.

There are two further points which I think are very important. First, it is stated that what we ought to do is concentrate our attention upon private overseas investments, and that these would represent an alternative to our foreign aid program.

I had the opportunity, as the chairman of the Subcommittee on Foreign Economic Policy in the other body, during my last term in the House, actually to go into these questions in specific detail with business leaders.

I found this to be the fact: The thesis that we could substitute overseas private investments for the foreign assistance program is not borne out by those who are themselves engaged in foreign overseas private investment. No one has been more devoted to the principle of foreign overseas private investment than I have, and in the other body I worked very hard on that program. I shall be here tomorrow with an amendment which I feel would improve and make more useful the guaranty program for overseas private investment.

However, as a practical matter, those who are doing the investing believe that if we cut off Government foreign economic or technical assistance, we shall be hurting, and not helping the program of overseas private investment, for these reasons:

In such matters as public health, Government administration, the work of private voluntary, nonprofit agencies, the development of roads and similar public works, governmental assistance on our part will continue to be necessary.

Second, business itself, which is being called upon to invest, in a private sense, overseas, feels it necessary to have the comfort that its own activities are being supported by the fact that the Government is giving some aid side by side with it in these very same countries. So I do not believe the argument that we can completely displace our foreign-assistance program—at this time, at any rate—by overseas private investment. This is the judgment of the very people who are themselves engaged in overseas private investment.

I do not think my presentation would be complete without some consideration of the alternative to the foreign assistance idea. We are all very deeply concerned with alternatives. We have been thinking very hard as to what alternatives there are.

I believe that what the opponents of the entire foreign-aid program offer is essentially negative in its aspects. Their philosophy is to strike down what we have, but they do not give us any feasible alternative, under present conditions in the world.

I think the feasible alternatives must actually develop through the very programs we are pursuing. If we are to be successful in establishing a decent level of well-being for our allies, they will themselves be able to maintain their military establishments. This may take time, but it certainly would not be using that time to advantage to strike down what we are now doing, in a constructive sense, toward that very aim.

Second, I believe that we can make great progress, in terms of overseas private investment, with the kind of support we propose to give in the development loan fund. One of the things that interests me very much about the development loan fund is that it is susceptible to joint ventures with private business. Personally I feel that the great areas in which foreign economic assistance can be tremendously important are, first, the presence of United States business as a vital factor in foreign aid, and its very much closer coordination with government. In that respect there have been some suggestions for accelerated amortization of overseas investments, and for tax reforms extending to all the investments made overseas, the same treatment which is given to Western Hemisphere corporations, which by law have a 14-point reduction in their income tax. Also it is felt that there should be a greater coordination of effort between American business and the State Department, so that the implications to our foreign policy of overseas private investment will be clearly understood when investments are contemplated in particular countries.

I might add, too, something to which I am very deeply devoted, and that is a much greater person-to-person exchange and placement program in terms of students and Americans working abroad.

Mr. President, to sum up, I believe that in the first instance there is a great opportunity for alternatives, but alternatives only in the sense that they will look toward pursuing and developing and improving the objectives along the lines set forth in the pending bill.

Second—and I say this with all respect and fundamental regard for the deep sincerity and conviction of the men who utter the arguments—the arguments that are made against the program have been made now continuously over a long period of time, and time, apparently, has not proved them, because we continue as we have right up to now, and undoubtedly will this year with this kind of program.

Lastly, Mr. President, the proponents are learning. I believe that is illustrated by the change in the program this year. I feel, too, that we are becoming more, rather than less, convinced—and I believe the Gallup poll and any other opinion poll bears this out—that the foreign assistance program, within the reasonable compass which it occupies now, is not bleeding us white and is not a give-away, but is a fundamental and essential element in the security of the United States, and should be continued with honesty and dignity with that purpose in mind.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. O'MAHONEY. The Senator from New York has referred to the development loan fund. I should like to call his attention to a sentence on page 31 of the bill, beginning in line 1, reading as follows:

The Administrator of the fund shall furnish——

I do not see any language in the bill providing for the appointment of the Administrator or providing any qualifications that such an Administrator shall have. I am reading from page 31, line 1. He is given tremendous powers. He is required to make a report "on each financing operation or transaction involving more than $10 million of the fund's assets. In other words, anything less than $10 million he can handle himself. However, $10 million, to use the vernacular, "ain't hay."

Then I read the final sentence in that paragraph:

Such report shall be made at the time such financing operation or transaction is consummated.

Therefore, under the langauge of the bill, the loan fund is created and is to be under an Administrator whose qualifications are not set forth and whose appointment is not provided for in the bill. The Administrator can make a loan of $9,999,999, as he pleases, without making any report to Congress. Furthermore, with respect to the reports which he does make, they are to be made at the time the financing operation or transaction is consummated.

I ask the Senator, would he not agree with me, and would he not join me in sponsoring an amendment on line 7, page 31, to insert the word "before" at the end of that line?

In that way, the horse will not be out of the stable before Congress knows about it. Would the Senator join me in offering such an amendment?

Mr. JAVITS. I would like to answer the Senator, if I could. The Senator from New York will read thoroughly every phase of the bill, although I have already read the whole bill. In the meantime, I should like to answer the question substantively, because I would not want to answer the question directly now, while I am on my feet. As I understand—and I am drawing upon my reading of the bill, and without finding now the specific point in the bill that is in question—would be the head of the ICA. All appropriations under the bill are directed to the President of the United States. He actually receives the appropriations. That is the traditional practice.

Secondly, there are other provisions in the bill—again I cannot find them while standing on my feet—which give certain checks and balances and requirements for the reports to the respective committees of the House and the Senate, so far as all operations of the ICA are concerned.

I believe that those checks and balances are adequate to keep Congress on top of the situation.

As to a report prior to the making of any of these transactions involving more than $10 million, I should like to say that I would want to see the other side of that coin. In other words, what is the objection to calling for a report before operations involving $10 million? If it is not covered in the questions and answers, I shall look for it specifically.

Mr. O'MAHONEY. May I say to the Senator that I am reading this bill for the first time, just as he acknowledges he has read it for the first time?

Mr. JAVITS. I did not say that.

Mr. O'MAHONEY. The Senator said that he would read the whole bill. I assumed from that that he had not read the whole bill.

Mr. JAVITS. I am sorry if I gave that impression to the Senator. It is not correct. I have read the bill. I have read the report. I said I could not find at this particular minute, standing on my feet on the floor, the section that is involved. I was drawing upon my general knowledge from a reading of the whole bill.

Mr. O'MAHONEY. Having read the next section—in all fairness I must confess this—I find the last sentence of section 205:

No officer shall be designated to be the administrator of the fund except by appointment by the President by and with the advice and consent of the Senate.

I have been reading the bill while the Senator has been speaking. Of course, that is a concession to the criticism I have been making, although I still see no provision in the bill stating what the qualifications shall be.

However, I find on page 32, in section 204 (b), this rather interesting sentence. It begins in line 20 of page 32, and reads:

The amount of such obligations—

These are the obligations against the fund which the President is authorized to incur—

may not exceed the limitations specified in section 203 (a) of this act except that, to the extent that assets of the fund other than capitalization provided pursuant to section 203 (a) are available, obligations may be incurred beyond such limitations.

That, it seems to me, is a very significant sentence, an explanation of which should be made by the proponents of the bill. Why, or under what circumstances, and for what reason need there be any provision in the bill that obligations may be incurred beyond the limitations which the bill itself seeks to provide? I shall not interrupt the Senator further with any interrogation this afternoon. I am grateful for his readiness to answer my inquiries.

Mr. JAVITS. I thank the Senator.

Mr. O'MAHONEY. Mr. President, I should like to have printed and to lie on the table until called up, an amendment on page 31, line 8, to strike out the word "the" and insert in lieu thereof the word "a," and to add at the end of line 7 the word "before," so as to make that sentence read:

Such report shall be made at a time before such financing operation or transaction is consummated.

I ask that the amendment may lie on the desk, so that the Senator from New York may have an opportunity to become a cosponsor of it.

Mr. JAVITS. I thank the Senator from Wyoming. I pointed out that the development loan fund is a revolving fund. In short, as I understand, the money is to be loaned, and when repayments are made, they will add to the assets in the fund.

Mr. O'MAHONEY. The Senator is quite correct.

Mr. JAVITS. The clue to the question asked by the Senator may be found in that provision.

By way of conclusion, I point out that tomorrow I shall offer two amendments, which are lying at the desk. One is an endeavor to make further progress in the field of international travel, where considerable progress has already been made, but in which we can and ought to do a good deal more. This is the cheapest and most happy kind of foreign aid.

My amendment proposes that we shall look into existing barriers to international travel, which I understand consist largely of the matter of hotel accommodations and housing in Europe and in other areas of the world.

The second amendment proposes that in the matter of private investment, the Government shall guarantee against the contingencies of revolution and internal insurrection, a subject which has been much mooted between the two Houses for some years, and which I hope can be resolved this year.

SP3C. WILLIAM S. GIRARD

Mr. STENNIS.. Mr. President, like many other members of the Senate, I am seriously concerned with the case of Sp3c. William S. Girard.

This young soldier was involved in the death of a Japanese woman in a maneuver area of Japan. The Department of Defense has agreed that he will be tried in a Japanese court.

On the facts now available to me, I believe that the handling of this case is subject to serious criticism.

The terms of the agreement under which jurisdiction was transferred specifically provide that the United States shall retain jurisdiction over its personnel in offenses arising out of any act or omission done in performance of official duty.

In order for jurisdiction to be conferred on the Japanese court there had to be a concession on the part of the United States that the shooting was not an action done in the performance of official duty.

From the facts which are available to me, I do not believe this conclusion was correct. As Senators know and will remember, there is a most difficult and technical line of cases, both in the common law of agency and, more recently, in the interpretation of Workmen's Compensation Statutes in the United States, involving issues presented by factual situations which shade this complicated legal question.

It appears to me that this question turns on the three following points:

First, so far as the time is concerned, the soldier certainly was on duty.

Second, he was at his post of duty as a uniformed member of the Armed Forces, guarding the machine gun and other materiel in the maneuver area.

Third, the action taken by the soldier—and it must be remembered that he was an armed guard at the time the incident occurred—would appear to be within the line of duty.

When these three conditions are met, a decision to the effect that the action was not taken in connection with the performance of his official duty is to prejudge a very vital issue involving fundamental individual rights.

I do not at this time propose to criticize the point of view of the Japanese representative for the position taken by his Government, and, of course, the question of the guilt or innocence of the soldier is not to be tried here. The rights which he has, as an accused person, under our Constitution and under our treaty arrangements are of vital concern here. The manner in which this case was handled is a matter of the utmost importance to all of us. I think the determination at this stage that his action was not an act done in the performance of official duty was wrong.

As a second point of criticism, I point out that in the terms of the agreement controlling this incident, a method was provided for reconciling differences between representatives of the Japanese Government and the United States through the usual diplomatic channels.

This course was not followed, and the concession of jurisdiction at this first level of deliberation by the United States on the instructions received from Washington would seem to imply that this soldier's rights under the agreement providing for the transfer of jurisdiction of his case were not scrupulously observed by his own Government.

I commend the senior Senator from North Carolina [Mr. ERVIN] for his prompt consideration of the issues involved in this case as chairman of the Senate Armed Services Subcommittee on Status of Forces Agreements. His deep interest in the rights of Americans is well known to us all, and is not limited to his activities in the Girard case.

It is reassuring to me to know that he has this matter under consideration and has already developed the best public record available, as contained in the hearings held by his subcommittee on June 5, 1957.

The distinguished junior Senator from Vermont [Mr. FLANDERS] is the other member of that subcommittee which has done this splendid work, and he is entitled to great credit, along with the chairman.

In conclusion, I point out that, in my opinion, grievous errors have already been made in the fundamentals in this case, and a most serious doubt is raised in my mind as to whether the rights of other young soldiers can be adequately protected under such an unfortunate precedent as has been established in this tragic affair.

Mr. GORE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. GORE. I am grateful for the statement made by the able junior Senator from Mississippi, who came to the Senate after making a distinguished record as a presiding judge.

I may say to the able Senator that I supported the Status of Forces Treaty. I did so believing that it was basically sound and that it gave proper recognition to the sovereignty which any self-respecting people would require. I did so on the presumption, however, that the terms of the treaty would be complied with, and that the administration of the agreement would be in good faith and would not be complicated by temporary requirements of international politics.

I think the blunder which has been made in the case to which the Senator calls attention casts reflection upon a treaty which I still regard as basically sound, and raises questions as to the propriety of the votes which we who supported the treaty cast.

Therefore, I am grateful for the statement made by the able Senator from Mississippi. I concur fully in the excellent address he has made.

Mr. STENNIS. I thank the Senator from Tennessee very much, indeed. I am encouraged greatly to know that he agrees with the points raised by me in this grave and serious matter.

I have visited a great number of our military bases in other lands and have seen a large number of our young men who are stationed there. I have traveled more than once on ships with thousands of them. Those experiences bring home very vividly the obligation which we have to those men, and the obligations which we have, too, to the countries where they are stationed.

But it has made me more conscious of our obligation in passing upon these matters; and, with the Senator from Tennessee, I accepted an arrangement which has all the elements of fairness and balance. I accepted it in good faith, and supported it.

To see that treaty applied now in a case like this, on the facts which are available to us, in such a way as to deny, in my humble opinion, fundamental and elemental concepts of justice and rights under our law as reflected in the Constitution and in the agreements, and for the case to be so casually decided without judicial determination or further development of the facts, makes me skeptical of exactly where we stand with reference to the treaties, and just where our young men stand when they leave our shoreline.

Naturally, these matters are of the gravest concern to us and will exert greater influence upon the Senate when in the future it passes on treaties dealing with similar questions as well as other related matters.

Mr. President, I yield the floor.

ORDER OF BUSINESS

Mr. HUMPHREY obtained the floor.

Mr. O'MAHONEY. Mr. President, will the Senator from Minnesota yield to me? He and I had a conference earlier in the day——

Mr. HUMPHREY. Mr. President, has not the Senator from Wyoming addressed the Senate on the subject of the mutual-security bill?

Mr. O'MAHONEY. I have not.

Mr. HUMPHREY. I am sorry; I assumed that the Senator from Wyoming had done so. If he will permit me to make a few insertions in the RECORD at this time, I shall gladly yield to him.

Mr. O'MAHONEY. Certainly.

Mr. HUMPHREY. Mr. President, earlier today I conferred with the Senator from Wyoming. I understood that this afternoon he would address the Senate on the subject of the pending bill, the Mutual Security Act of 1957. I thought he had already done so. During the afternoon I have been in the Foreign Relations Committee.

Mr. O'MAHONEY. I am glad to yield to the Senator from Minnesota.

THE CONTINUING DISCRIMINATION AGAINST AMERICAN JEWISH MILITARY PERSONNEL IN SAUDI ARABIA

Mr. HUMPHREY. Mr. President, I am sure that many of my colleagues will have noted in the press a recent article concerning the State Department's present position on the continuing discrimination against American Jewish military personnel stationed in Saudi Arabia. In a recent letter to our colleague, the Senator from New York [Mr. JAVITS], Assistant Secretary of State Robert C. Hill again recounted all that King Saud is currently doing for us.

One of the things he is not doing for us, apparently, is taking any cognizance whatever of Senate Resolution 323, which the Senate adopted last summer, and which placed the Senate firmly on record against discriminations imposed by foreign governments upon United States citizens.

I ask unanimous consent that the text of an Associated Press dispatch concerning the letter from Assistant Secretary of State Hill be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATE TELLS STAND ON JEWS IN SAUDI ARABIA

The State Department assured Senator JAVITS, Republican of New York, today it will continue its efforts to remove discrimination against American Jewish defense personnel stationed in Saudi Arabia.

Senator JAVITS made public a letter from Assistant Secretary of State Robert C. Hill asserting King Saud has given "and is giving us important support to help combat the menace of international communism."

Mr. Hill wrote that Saudi Arabia "is fully aware of our attitude and position against discrimination with regard to American defense personnel stationed in that country.

"As you so well know, a complete solution in the Arab world is made more difficult by the fact that the area involved is a sensitive and troubled one at the present time," the letter continued.

"We must, of necessity, direct our efforts and conduct our relations with those countries in a manner which will produce the greatest return in stabilizing the peace in that part of the world."

Mr. Hill said Saudi Arabia indicated its support of the Middle East resolution during the recent visit of Ambassador James Richards.

"King Saud has just completed an important state visit to Iraq where the cause of strengthening the Near East against subversion was enhanced," he added. "King Saud has, further, firmly supported the efforts of King Hussein of Jordan to preserve the independence and integrity of his kingdom.

"In our relations with Saudi Arabia, please let me give you my personal assurance that we do not intend to relax our efforts to reach a satisfactory understanding on the question of nondiscriminatory treatment for all Americans. This policy applies to our citizens on a worldwide basis wherever they may be."

Mr. HUMPHREY. Mr. President, I also ask unanimous consent that the text of Senate Resolution 323 be printed at this point in the RECORD.

There being no objection, the resolution (S. Res. 323) was ordered to be printed in the RECORD, as follows:

Whereas the protection of the integrity of United States citizenship and of the proper rights of United States citizens in their pursuit of lawful trade, travel, and other activities abroad is a principle of United States sovereignty; and

Whereas it is a primary principle of our Nation that there shall be no distinction among United States citizens based on their individual religious affiliations and since any attempt by foreign nations to create such distinctions among our citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is inconsistent with our principles: Now, therefore, be it

Resolved, That it is the sense of the Senate that it regards any such distinctions directed against United States citizens as incompatible with the relations that should exist among friendly nations, and that in all negotiations between the United States and any foreign state every reasonable effort should be made to maintain this principle.

Mr. HUMPHREY. Mr. President, those of us who have been outspoken on this issue for months and years now, are becoming a bit impatient over the lack of perceptive progress. I am not one of those who feel that the King of Saudi Arabia is unimportant, or that his contribution to our own foreign policy is negligible. Nevertheless, I wonder just how seriously and persistently the State Department has pressed this matter. I wonder, for instance, whether the text of Senate Resolution 323 has specifically been sent to King Saud, and whether through State Department channels he has been made aware of the strength of Senate sentiment on this issue.

Mr. President, I continue to receive letters such as the following:

Hon. HUBERT H. HUMPHREY,
United States Senator from Minnesota,
Washington, D. C.

MY DEAR SENATOR: On February 18, 1957, I sent a copy of the enclosed letter to the Honorable Foster Dulles. To date I have not received a reply. As an American citizen I feel that such a reply is warranted.

With kindest personal regards, I am,

Respectfully yours,

A CONSTITUENT.

——

FEBRUARY 18, 1957.

Hon. FOSTER DULLES,
Secretary of State,
Washington, D. C.

MY ESTEEMED SIR: I am a World War veteran of the Jewish faith. Were I to reenlist, would I be estopped from being attached to the American bases in Arabia because of my religion?

Yours respectfully,

(Same signature).

Mr. President, it is not surprising that the Secretary of State has delayed answering communications like this one, because in all honesty the answer to the inquiry would have to be "yes," based upon the State Department's present policy.

During the 84th Congress, when the Foreign Relations Committee was considering Senate Resolution 298, a resolution which I was pleased to cosponsor, the State Department opposed its adoption, on the ground that we must take cognizance of local attitudes and traditions. Nevertheless, a revised version of Senate Resolution 298, Senate Resolution 323, to which I have already referred, was adopted unanimously by the Senate. It was the feeling of the Senate that we do not have to take so much cognizance of local attitudes and traditions that the basic rights of American citizens should be sacrificed, with nothing more than a diplomatic protest for the record.

Mr. President, today I wish to say again that, so far as this Senator is concerned, this issue is not going to be allowed to be put to sleep merely upon the receipt of annual reassurances from the State Department that all that can be done is

being done. In terms of results, nothing has been done so far. The American people want, and are watching for, some progress on this matter.

Mr. President——

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

LITHUANIAN FREEDOM

Mr. HUMPHREY. Mr. President, I arise in this Chamber with memories of sadness. On this day, 16 years ago, the Soviet Communist regime started its program of ruthless annihilation and liquidation of the people of Lithuania. On this day in 1941, action which will live in infamy throughout the civilized world began. We shall never forget the millions of men, women, and children unmercifully torn from their homes and their families and subjected to inhuman treatment. To many of them, death was a blessing.

In memory, my sympathy pours out for those innocent victims, just as it did for those of Dachau and Budapest. Perhaps even worse than death, many Lithuanians were forced into slavery, where they were condemned to fates unknown and unimaginable. Mr. President, I raise my voice in memoriam to those brave people.

The people of Lithuania love freedom. Many times they have implemented the human will to be free. They have always rebelled against oppression. They have demonstrated their faith that justice will prevail.

None of us in this Chamber will ever forget the courageous stand which the late Povilas Zadeikis made in defense of his homeland. This great Lithuanian patriot, diplomat, and statesman was a living symbol of resistance to Nazi and Soviet aggression. Through his efforts, he was able to continue to keep alive the flame of freedom in the minds and hearts of millions of his countrymen who are still in Lithuania. He was able to evoke among thousands of his countrymen abroad a conviction that his land and their land would some day be free.

Mr. President, although sadness marks this day, I am proud to say that the victims of that mass deportation and annihilation are not forgotten. Indeed, they will never be forgotten where free men assemble. It is for this reason that I pay tribute to the Americans of Lithuanian descent who are commemorating this day. I join with them in saluting the heroism of their friends and relatives who fell victims to communism. I join, with a spirit like theirs, in anticipating that, just as day follows night, Lithuania and her sister Baltic republics will again be free.

Mr. President, I yield the floor.

FOREIGN AID PROGRAM—COMMENTS BY INTERNATIONAL COOPERATION ADMINISTRATION ON ARTICLE BY EUGENE W. CASTLE

Mr. BENNETT. Mr. President, in the May issue of the American Legion magazine there was an article entitled "Are We Bleeding Ourselves White?" written by Eugene W. Castle. That article contained certain figures and statements which seemed to me to be quite questionable, and I asked the International Cooperation Administration to check the figures. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the statement sent to me by the International Cooperation Administration giving the correction of the figures which Mr. Castle had used.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMMENTS BY THE INTERNATIONAL COOPERATION ADMINISTRATION ON EUGENE W. CASTLE'S ARTICLE IN THE MAY ISSUE OF THE AMERICAN LEGION MAGAZINE ENTITLED "ARE WE BLEEDING OURSELVES WHITE?"

Comments on some of the specific statements:

"In the past 10 years we have given $60 billion to foreign nations which is euphemistically referred to as foreign aid. The avowed purpose, of course, is to win their friendship."

The total amount of United States net foreign grants and credits since July 1, 1945, is $57,632,000,000—of which $10,847,000,000 was in loans, and $18,560,000,00 was for direct military assistance to our allies. The purpose of this so-called foreign aid was not "of course, to win their friendship." The real purpose was, first, to restore the war-torn economy of Europe, a program known as the Marshall plan in the amount of $13 billion and later, after the Korean invasion, to assist our allies in our joint defense against the Communist threat and to strengthen the economies of the world's new democracies—in short to keep the Free World free. The annual cost of doing these things is about one-tenth the cost of maintaining our own defense establishment and about 1 percent of our country's gross national product. If we did not have our military allies, the cost in money and manpower of maintaining global defense by ourselves would be staggering.

"We gave more than a billion dollars to the shaky Government of Indochina before that country capitulated to the Reds."

There was no "government of Indochina," shaky or otherwise; there were three associated states of Indochina: Cambodia, Laos, and Vietnam. Up to the time they became independent, American aid to them amounted to $841.4 million, which includes $728.9 million for military aid, channeled through France. With these funds we helped these countries fight a shooting war with the Communists, and preserved for the free world the states of Vietnam, Cambodia, and Laos.[1] North Vietnam was won by the Communists in the Geneva settlement. Vietnam itself has never "capitulated to the Reds," and does not recognize the Geneva settlement.

"We gave Norway $300 million which was promptly applied to the reduction of Norway's internal debt. We gave Denmark $100 million which the Danes used in the same way."

Net grants and credits to Norway since July 1, 1945, total $297 million, of which $87 million was in loans; for Denmark the total is $282 million, with $48 million in loans.[1] This money was spent for machinery, petroleum products, and other commodities vitally necessary to restore these countries' war-ravaged economies. The Norwegians and Danes paid for these commodities with their local currencies which subsequently were used, in part, for debt retirement to save the countries from inflationary collapse.

"We are providing free airplane excursions for thousands of Arabs visiting their religious shrine at Mecca."

In June 1956, at the request of the Government of Afghanistan, the United States did supply an airplane to help transport Moslems (not Arabs) from that country to the great feat of the Mohammedan world at Mecca. But the pilgrims paid their own way, round trip. They paid their fares in Afghan currency, which was used to further the joint Afghan-United States economic development program in this strategic country.

"We are paying all living expenses and tuition costs for the sons of hundreds of wealthy Persians attending American universities."

Experience has demonstrated that ICA's program of bringing foreign nationals to the United States for 3 to 12 months for advanced technical training is most effective. Some 32,000 have been given such training, 600 of them from Iran (Persia). These 600, like the others, have received training in schools, factories, government, and private offices and many other places where American know-how is to be learned. Participants in this program are selected jointly by the government concerned and ICA's representatives and on the basis of their potential contribution to the country's economic development. They are selected regardless of their net worth from among workers in government, industry, agriculture, or some similar field of activity. All participants in this program are paid fixed sums for living expenses.

"In Portugal we have paid for a 6-lane highway 15 miles long connecting Lisbon with the gambling resort of Estoril."

No United States aid funds, dollars or counterpart, have been used for highway construction anywhere in Portugal. The highway referred to was built by the Portuguese Government and opened to traffic some 6 months before counterpart funds were released.

"Our tax dollars have provided dress suits for Grecian undertakers, public baths for Egyptian camel-drivers, and even iceboxes for Eskimos."

This is a complete fabrication, with no basis of fact whatsoever.

"In India, which has received a billion dollars' worth of free goods from the United States of America, the Russians agreed to furnish that country with ore-mining machinery only on condition that India would purchase, not get for nothing, a million tons of rolled ferrous metals. Even the widely heralded gift of a Soviet steel mill to Nehru was no handout. It was to be repaid by 12-year credits at 2½ percent interest."

India has not "received a billion dollars' worth of free goods from the United States of America." Since July 1, 1945, net grants and credits to India total $468 million, of which $217 million was in grants, $251 million in loans.[2] The total obligated under the program of ICA and its predecessor agencies is $325 million of which $53 million was for technical cooperation, and $82.5 million was in the form of loans.

[1] Source: Office of Business Economics, U. S. Department of Commerce. Country figures do not include direct military assistance, which is classified information.

[2] Source: Office of Business Economics, U. S. Department of Commerce. Country figures do not include direct military assistance, which is classified information.

SPIRALING INTEREST RATES

Mr. O'MAHONEY obtained the floor.

Mr. GORE. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. GORE. Mr. President, on May 28, during consideration of the housing bill, I expressed my deep concern over the policies being pursued by the Eisenhower administration, which have had, and are having, the effect of pushing interest rates higher and higher. At that time I suggested that unless the administration's policies were reversed or modified, interest rates would go still higher.

Mr. President, on the very next day, 91-day United States Government notes sold at the highest rate at which they ever have sold since 1933.

One week later, 2½ percent Government bonds were selling at 87.24, or nearly $13 below par.

Today, one bond issued of 2½ percent interest is selling at 87.16.

Mr. President, on yesterday, so I am advised by the Treasury Department, the long-term 3¼ percent interest bonds sold at an alltime low, below par.

On last Saturday there appeared in the New York Times a very interesting article entitled "Spiraling Money Costs: An Appraisal of Role of Prime Rate and the Source of the Next Increase." The article was written by Albert L. Kraus, and I ask unanimous consent to have it printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SPIRALING MONEY COSTS: AN APPRAISAL OF ROLE OF PRIME RATE AND THE SOURCE OF THE NEXT INCREASE

(By Albert L. Kraus)

Who will make the next move to increase interest rates? That is the question being asked by bankers and securities dealers who have watched some short-term money rates advance to quarter-century highs in the last week.

The Government bill rate, in a sharp rise set off by the Treasury's borrowing of $1,500,000,000 additional in tax anticipation notes, hit a 3.374 percent average. Commercial paper of 4 to 6 months' maturity moved up one-eighth of 1 percentage point to 3¾ percent. And bankers acceptances advanced a like amount to 3⅝ percent for their longest maturity.

The prime rate—the minimum rate on bank loans to top business borrowers—remained, however, at 4 percent. And the discount rate—the rate paid by banks to borrow funds from the Federal Reserve—held at 3 percent. Both rates have held at these levels since last August.

A PASSIVE INSTRUMENT

Ordinarily all short-term rates range around the discount rate. But, although the discount rate has been used to signal changes in credit policy, in recent months it has been used as a passive instrument of credit policy. Changes in the discount rate have tended to follow rather than lead changes in short-term rates.

In a tight money market like the present one, the discount rate has been termed an anchor for the other short-term rates.

At the moment, it appears that what the bankers do about the prime rate holds the key to the pattern of short-term rates in the near future.

Bankers concede that the pressures for increasing the rate on loans to the biggest business borrowers have been strong and continuing that way. Business loans remain at record levels, despite some tapering off in the increase.

At the same time, the bankers observe that they have done about all they can to improve effective rates—the actual return on their money—by urging customers to increase compensating balances and by increasing rates for businesses with other than top credit ratings. The next step, they say, would be a change in the stated rate to the biggest borrowers.

GENERAL FACTORS

Whether this will occur depends on short-term factors and on long-term estimates of business borrowing. It depends also on some noneconomic factors.

The biggest short-term influence is the impending June 15 tax borrowing by corporations. If corporations come to the banks for large additional funds, a move to a higher prime rate now might prove timely.

But the banks were disappointed in March when tax borrowings failed to equal the expected level. And some feel that June borrowings won't prove any greater.

One factor affecting the bill rate, they observe, is the fact that corporations are not investing their balances in bills—or any other short-term obligations—despite the impending tax payments.

Related to the tax payments are the Treasury's cash needs. A rise in interest rates now might add to the Treasury's borrowing problems.

BUSINESS OUTLOOK A FACTOR

Long-term considerations hinge on the future of business. Unless the demand for loans falls off—a situation few bankers think likely—they feel a rise in the prime rate is inevitable.

One question is who will bell the cat? In the latest move to a higher rate, New York banks permitted a bank in Boston to take the first step.

It has been suggested this time that a bank in Chicago, Cleveland or Pittsburgh might take the initial step.

One reason offered is that some out-of-town banks have operated more heavily in loans of 2 to 5 years' maturity, so-called term loans. These have been borrowings by large corporations usually in anticipation of permanent financing.

But because of the extreme tightness in the long-term markets, the banks and their customers have seen some of these loans extended beyond the terms either had expected.

Mr. GORE. Mr. President, I should like to read several sentences from the article, as follows:

Who will make the next move to increase interest rates? That is the question being asked by bankers and securities dealers who have watched some short-term money rates advance to quarter-century highs in the last week.

I read further from the article:

One question is, who will bell the cat? In the latest move to a higher rate, New York banks permitted—

And I emphasize the word "permitted"—

a bank in Boston to take the first step.

It has been suggested this time that a bank in Chicago, Cleveland, or Pittsburgh might take the initial step.

Mr. President, I hope my colleagues will read this article. The writer clearly recognizes the situation facing us today—namely, the monopolistic control being exercised over money policies of the United States by the very forces and interests who benefit most from these higher interest rates.

Again, Mr. President, I warn the Senate that unless the representatives of the people bring about a rectification of these fallacious policies, counties, cities, all our States, and all the people of America who must borrow, and who already are being seriously injured, will be still further harmed by this policy.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. O'MAHONEY. Mr. President, I am very grateful that I yielded to the Senator from Tennessee. I think there could be no better introduction for what I have to say and for the amendment I intend to offer tomorrow than the facts he has pointed out with respect to the fiscal status of the United States Treasury.

Week by week and month by month, the Government of the United States is finding it more difficult to borrow money in order to carry on the activities the Government wishes to undertake, as requested by the President of the United States. Only a week or so ago, the Treasury was confronted with the necessity of refinancing $3 billion or $4 billion of obligations which had fallen due. In exchange for the outstanding obligations, the Treasury offered new obligations, with a higher interest rate. The holder of the maturing obligations, having a face value of approximately $1,500,000,000, refused to accept the new paper, and demanded cash—cash on the barrelhead.

Mr. GORE. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. GORE. I should like to point out that the particular issue to which the Senator from Wyoming refers as maturing was an issue of the present administration, sold only about 3 years ago, at an interest rate of 1⅝ percent. The bonds which the Treasury offered as a substitute for the maturing 1⅝ percent bonds bore an interest rate of 3⅝ percent. But, as the Senator has said, those who are manipulating the money market of the Nation and the credit of the United States Government, to their great benefit, refused to accept them. This was a clear warning that they would demand still higher interest rates; and the prime rate had increased another one-eighth of 1 percent just last week. A moment ago I read from an article written by a distinguished financial reporter, who pictures a few bankers in New York as trying to decide which banks they will permit to take the next step for a still higher interest rate.

DEVELOPMENT LOAN FUND

Mr. O'MAHONEY. Will the Senator be good enough to turn to the pending bill, S. 2130, to amend the Mutual Security Act of 1954, which is the pending business before the Senate at this moment? I call his attention to page 32 of the bill. The language I wish to quote

to him is a part of section 203 dealing with the capitalization of this newly created development loan fund. We are dealing here with a loan fund which for 2 years will amount to $1,500,000,000. This is the precise fund which would be stricken from the bill by the amendment which the Senator from Oregon [Mr. MORSE] just announced he would offer tomorrow. But let us read this sentence:

For purposes of the loans provided for in this section, the Secretary of the Treasury is authorized to use the proceeds of the sale of any securities issued under the Second Liberty Bond Act, as now in force or as hereafter amended, and the purpose for which securities may be issued under the Second Liberty Bond Act are hereby extended to include this purpose.

Here is a precise declaration by the bill that the borrowing power of the United States, under the Second Liberty Bond Act, shall be extended in order to enable the administrator of the fund to make loans for the purposes set forth in the loan fund provision. It is a revolving fund. As the Senator has pointed out, every single security of the Treasury now on the market is selling below par, with the possible exception of two, the interest of which is exempted from Federal taxation.

Mr. GORE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. GORE. Does the Senator realize the enormous harm to a great number of people which has resulted from the wiping out of billions of dollars of equity as a result of bonds of the United States Government being driven further and further below par?

Mr. O'MAHONEY. There is no doubt about that. The title of the pending bill, as reported by the Foreign Relations Committee, is "A bill to amend further the Mutual Security Act of 1954, as amended, and for other purposes." That title ought to be amended so as to read, "to amend further the Mutual Security Act of 1954, as amended, and for other purposes, including the amendment of the Second Liberty Bond Act to expand the authority therein granted to cover the establishment of a revolving loan system."

It is beyond expression what the Congress is being asked to do in this bill.

I rose for the purpose of reading into the RECORD the text of an amendment which, on behalf of myself and certain of my colleagues, I propose to offer at the appropriate time. Before reading the text of the amendment, I wish to ask unanimous consent that there may be printed in the RECORD at this point a tabular statement contained in the New York Times of Thursday, June 13, 1957—that is today—of the current market price of United States Government and agency bonds. This table, particularly with reference to the bonds of the United States shows exactly what the Senator from Tennessee has said with respect to the market price of these bonds being so far below par.

Mr. President, I ask unanimous consent that the table may be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

United States Government and agency bonds

BONDS

Treasury	3:30 p. m. Bid	Asked	Change in bid
2½s 1958 March	99.12	99.14	−0.1
2½s 1958-59 September	98.30	98.1	−.2
2½s 1959-1958 March	97.28	98.0	−.2
2½s 1958 June	98.29	98.31	−.1
2½s 1963-1958 June	100.0	100.4	
2½s 1958 December	98.15	98.17	−.1
2½s 1962-1959 June	98.16	98.20	−.2
2½s 1962-1959 December	98.10	98.14	−.2
2½s 1960 November	98.10	98.14	−.2
2½s 1965-1960 December[1]	100.0	100.8	
2½s 1961 September	98.8	98.12	−.4
2½s 1961 November	98.2	98.6	−.2
2½s 1967-1962 June	90.0	90.4	−.8
2½s 1963 August	93.16	93.20	−.4
2½s 1998-1963 December	88.20	88.30	−.10
2½s 1969-1964 June	88.8	88.12	−.10
2½s 1969-1964 December	88.8	88.8	−.12
2½s 1970-1965 March	88.2	88.6	−.10
2½s 1971-1966 March	88.0	88.4	−.8
2½s 1972-1967 June	88.2	88.6	−.8
2½s 1972-1967 September	87.16	87.20	−.10
2½s 1972-1967 December	88.0	88.4	−.12
2½s 1983-1978 June	95.16	95.24	−.12
3s 1995 February	90.4	90.12	−.18

[1] Exempt from normal income tax. Figures after a period represent 32ds of a point.

TREASURY BILLS

	Bid	Asked
	Percent	Percent
5-60 December—60	4.00	
1,603 June 20	3.10	2.85
3,351 June 24	3.15	3.00
1,800 June 27	3.05	2.90
1,953 July 5	3.15	3.03
1,600 July 13	3.15	3.03
1,600 July 25	3.18	3.06
1,701 Aug. 1	3.25	3.15
1,700 Aug. 8	3.25	3.16
1,700 Aug. 15	3.20	3.18
1,800 Aug. 22	3.28	3.22
1,800 Aug. 29	3.28	3.22
1,800 Sept. 5	3.28	3.20
1,800 Sept. 12	3.28	3.24
1,700 Sept. 19	3.29	3.25

FEDERAL NATIONAL MORTGAGE ASSOCIATION

	Rate	Bid	Asked	Yield
100 August 1957	3.60	99.31	100.2	3.40
200 September 1957	4¼	100.0	100.4	3.61
550 January 1958	2½	99.0	99.8	3.75
250 February 1958	4.0	99.29	99.31	4.01
200 March 1958	4.10	99.30	100.1	4.03
200 April 1958	4.05	99.28	99.31	4.08

TREASURY NOTES

Outstanding (millions)	Rate	Bid	Asked	Yield
12,056 August 1957	2¼	99.28	99.30	3.20
3,702 August 1957	2	99.24	99.26	3.06
824 October 1957	1½	99.12	99.14	2.97
382 April 1958	1½	98.30	98.26	3.02
4,301 June 1958	2½	99.9	99.11	3.54
121 October 1958	1½	97.30	97.28	3.19
5,102 February 1959	1½	97.7	97.9	3.56
118 April 1959	1½	96.16	96.24	3.38
99 October 1959	1½	95.20	95.24	3.35
198 April 1960	1½	94.18	94.26	3.46
2,466 May 1960	3½	99.20	99.22	3.51
277 October 1960	1½	93.16	93.24	3.46
144 April 1961	1½	92.8	92.16	3.61
329 October 1961	1½	91.4	91.12	3.67
647 February 1962	3¼	99.28	99.30	3.68
6 April 1962	2½	90.0	90.8	3.63
Certificates of indebtedness:				
1,312 June 1957	3¼	99.31	100.1	2.33
7,271 October 1957	3¼	99.31	100.1	3.12
10,850 February 1957	3¼	99.28	99.30	3.47
2,351 April 1958	3½	99.31	100.1	3.46

United States Government and agency bonds—Continued

FEDERAL LAND BANK BONDS

Outstanding (millions)	Rate	Bid	Asked	Yield
135.0 July 1957	2¼	99.30	100.2	3.02
214.9 October 1957	1¾	99.8	99.16	3.08
140.0 February 1958	3¼	99.28	100.0	3.80
131.1 May 1958	2¾	98.28	99.4	3.77
78.0 May 1958	2¼	99.28	100.0	3.88
180.1 November 1958	2¼	97.22	98.0	3.73
71.0 May 1959	2¼	96.24	97.2	3.88
124.0 February 1960	2¼	95.14	95.24	3.95
106.5 June 1960	2½	95.20	95.30	3.95
125.0 May 1962	4	99.26	100.0	3.99
60.5 May 1951	3½	95.0	96.0	3.88
72.0 February 1972-67	4¼	99.16	100.16	4.05
110.0 September 1972	3½	98.8	99.8	3.97

INTERNATIONAL BANK BONDS

	Bid	Asked
2½s, Sept. 15, 1960	95.0	97.0
2½s, July 15, 1972	85.0	87.0
3s, Mar. 1, 1976	83.16	85.0
3s, Mar. 1, 1976	83.16	83.0
3¼s, Oct. 1, 1981	83.0	85.0
3¼s, May 15, 1975	88.0	89.0
3½s, Oct. 1, 1985	99.0	100.0
3½s, Jan. 1, 1999	94.0	95.0
3¼s, Oct. 15, 1971	93.0	94.0
4s, Jan. 1, 1977	100.0	100.24
4¼s, May 1, 1978	96.24	97.8

The following quotation for the IB serial issues represents the highest and lowest yields for all maturities:

2s, 1958-62 ..... 4.00 3.15

Mr. GORE. Mr. President will the Senator yield further?

Mr. O'MAHONEY. Yes.

Mr. GORE. I am advised that there are a number of small financial institutions which might well be insolvent today if forced to liquidate their holdings of Government bonds at their current market value. Some institutions might well be insolvent today if the bank examiner listed their holding of Government bonds at the market value rather than arbitrarily, as is the practice, allowing them to be listed at par. Does not the Senator think there is something basically wrong and morally wrong when an institution can go broke buying bonds of the United States Government?

Mr. O'MAHONEY. I think the Senator is quite correct. I point out, however, that under the pending bill, authority is granted to the administrator of the revolving fund to make loans up to $10 million each, without limit, under his own discretion. He is required to make a report on all loans over $10 million after they have been consummated, not before.

I shall offer an amendment to require that the report be made before loans over $10 million are consummated, but there are thousands of banks in the United States in small communities and in large communities, the capital stock of which is not as much as the "ad lib" loans the administrator of this fund may make throughout the world, without the advance knowledge of Congress. It would be unbelievable in any era except this era that such a proposal could be made with a straight face by the President of the United States.

Mr. GORE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. GORE. Would the Senator say that under this provision ad lib loans could be made with ad hoc procedure?

Mr. O'MAHONEY. The Senator is quite correct. I will adopt his language.

DISCLOSURE AMENDMENT

Mr. President, I wish to read into the RECORD today the amendment which I shall offer during the consideration of amendments on the bill when the time comes. This amendment is printed. It is numbered "6-11-57-A." It is intended to be offered on behalf of myself, the Senator from Arkansas [Mr. MCCLELLAN], the Senator from South Dakota [Mr. MUNDT], the Senator from Oregon [Mr. MORSE], and the Senator from Georgia [Mr. TALMADGE]. It proposes, on page 47, line 23, before the period, to insert a semicolon and the following:

And at the end thereof insert the following: "The Secretary of State shall keep the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of State or any agency thereof under this act. The Secretary of Defense shall keep such committees and the Committees on Armed Services of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of Defense under this act. Any Government agency shall furnish any information requested by any such committee with respect to the activities and responsibilities of that agency under this act and it shall be the duty of any officer or employee of the Government having information relating to programs being administered under this act to furnish promptly to such committee or committees, upon request by any such committees, full information with respect to such activities and responsibilities."

The purpose of this amendment, Mr. President, is to preserve the coordinate branch of the Government known as the Congress of the United States. This is the body without whose action in an appropriation bill no money may be drawn from the Treasury of the United States, yet the pending bill by devious language provides for the expenditure of funds belonging to the people of the United States by those whom the President may select. They will be officers and employees of the Government, most of whom have never faced the committee, most of whom are anonymous so far as the Congress is concerned, few of whom have received appointments subject to confirmation by the Senate; yet under the provisions of the bill they will have the power and the authority to go throughout the length and breadth of the whole world disbursing the funds taken from the Treasury of the United States.

There are no safeguards—or few safeguards—in this measure to preserve the knowledge of the people as to the manner in which these expenditures may be made.

Nobody can understand the meaning of a provision of law without reading it. That became clear to me this afternoon when the junior Senator from New York [Mr. JAVITS] rose to speak upon this bill. At the time he was speaking I happened to be reading of the creation in this bill of the new development loan fund. This is an organization which does not now exist. Almost line by line I was amazed by what I found in the proposed measure.

Section 202 is entitled "General Authority." The first portion of the section is designated paragraph (a), and reads as follows:

There is hereby established a fund to be known as the development loan fund (hereinafter referred to in this title as "the fund") to be used by the President to finance activities carried out pursuant to authority contained in this title.

NEW EXPENDITURE PROCESS

This is a clear, unmistakable, unchallengable declaration by Congress, if it becomes law, creating a new way of expending the funds of the people of the United States. This is not a modification of a plan already existing. True, there was development assistance in the past, but that was much more limited than this. This becomes a revolving fund, as the Senator from New York [Mr. JAVITS] so clearly stated in the closing of his speech. Because it is a revolving fund, then whatever money is paid back to the fund from a previous loan becomes available for reuse without reference to the Congress.

Paragraph (b) reads in part as follows:

To carry out the purposes of this title, the President is hereby authorized to make loans, credits, or guaranties, or to engage in other financing operations or transactions (not to include grants or direct purchases of equity securities), to or with such nations, organizations, persons, or other entities, and on such terms and conditions as he may determine.

Here, also, Mr. President, the authorization is made to the President. No member of the Committee on Foreign Relations supposes for a minute that the President is going to supervise these operations. They will be carried on by persons to whom his power will be delegated. There is not sufficient time in the days, weeks, months, or years during which this revolving fund will exist for the President of the United States to take time out from his presidential duties, imposed by the Constitution, to enter into this banking business. It has to be conducted by persons who are selected for that purpose. But observe that the grant of authority is so broad that the loan credits or guaranties which are made in the name of the President of the United States are "on such terms and conditions as he may determine." The Congress does not determine them. It would be an easy matter for the Congress to legislate now what the terms and conditions may be, but we are not willing to take that trouble. We give that authority away to the President, who, in turn, will give it away to someone else, and we, as Members of the Senate and Members of the House, will be in no position to report to our constituents how the money is to be expended.

The only instruction given to the President in this grant of authority to make such terms and conditions is contained in the following language:

Taking into account (1) whether financing could be obtained in whole or in part from other Free World sources on reasonable terms, (2) the economic and technical soundness of the activity to be financed, and (3) whether the activity gives reasonable promise of contributing to the development of economic resources or to the increase of productive capacities in furtherance of the purposes of this title.

It is only necessary to read that language to see that it is wholly within the discretion of the President, or those who administer the fund for him, to determine whether the financing could be obtained in whole or in part from other Free World sources, on reasonable terms.

It seems to me that it is much more important for us, as Members of the Senate, to be checking into whether or not the Treasury of the United States may be able to borrow the funds which will be necessary for this purpose, on reasonable terms from the banks, which, as the Senator from Tennessee showed a few minutes ago, hold such a dominant position in our fiscal economy.

AMAZING PROVISIONS

This title of the bill, on page after page, contains amazing provisions. I have cited some of them already in the colloquy with the Senator from Tennessee. The language on page 32, in section 204 (b) is worth a little attention. Let me read it:

The President is authorized to incur—

Again the authority goes to the President—

in accordance with the provisions of this title, obligations against the fund in amounts which may not at any time exceed the assets of the fund.

This is important—

in amounts which may not at any time exceed the assets of the fund.

The amount of such obligations also may not exceed the limitations specified in section 203 (a) of this act—

I shall read those limitations in a moment—

except that, to the extent that assets of the fund other than capitalization provided pursuant to section 203 (a) are available, obligations may be incurred beyond such limitations.

[Laughter.]

I do not know whether the response of the Senator from Minnesota [Mr. HUMPHREY] was to my reading of the provision of the bill, or whether it was in response to some witticism uttered by the Senator from Oregon [Mr. MORSE].

Mr. HUMPHREY. Let me say respectfully that it was both.

Mr. MORSE. Will the Senator permit me to apologize?

Mr. O'MAHONEY. Let me read the language again.

Mr. MORSE. I should like to hear it.

Mr. O'MAHONEY. This is a sentence taken from section 204 (b):

The amount of such obligations—

Of course, Senators know what "obligations" means—

also may not exceed the limitations specified in section 203 (a) of this act except that, to the extent that assets of the fund other than capitalization provided pursuant to section 203 (a) are available, obligations may be incurred beyond such limitations.

That, I think, is worthy of an outburst by any Senator. Now that the Senator from Oregon has calmed down, he merely nods in the affirmative.

Let us see what the limitations in section 203 (a) are:

SEC. 203. Capitalization: (a) There is hereby authorized to be appropriated to the President without fiscal year limitation, for advances to the fund, not to exceed $500 million. In addition, unless disapproved in the appropriation act appropriating funds pursuant to the authorization contained in the preceding sentence, the Secretary of the Treasury is authorized and directed to make, beginning in the fiscal year 1959, loans to the fund in amounts needed to cover obligations incurred against the fund. Except as provided in section 204 (b) of this act, the maximum amount of obligations incurred against the fund during the fiscal year 1958 shall be $500 million, during the fiscal year 1959 shall be $750 million, and during the period beginning in the fiscal year 1960 shall be $750 million; and any unused portion of the maximum applicable to any period shall be added to the maximum applicable to the succeeding period.

These are the limitations which, under section 204 (b), may, under certain circumstances, not apply to obligations made under the authority of the President.

If I understand correctly the amendment which the Senator from Oregon stated on the floor this afternoon, and which he intends to propose, it would have the effect of eliminating the provision with respect to the funds available for the fiscal years 1959 and 1960 by loans from the Treasury.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MORSE. That is exactly the effect of the amendment. I discussed it at some length in my speech this morning, and I pointed out that the special committee which had studied the subject of mutual security for about 11 months, in its report discusses the question. Its suggestion was that the amount for the next year be included in the bill and that then the entire matter be reviewed thereafter and new authorizing legislation be provided with respect to future amounts.

I think that is a sound proposal, and I believe we ought to carry out the suggestion of the special committee by an amendment to the bill. That is why I have submitted my amendment.

Mr. O'MAHONEY. Let me say to the Senator from Oregon that I believe he is wise in taking advantage of the opportunity presented here. I read this sentence:

In addition, unless disapproved in the appropriation act appropriating funds.

Why wait for the appropriation act to disapprove it? Why not disapprove it now, while we have the opportunity of preventing such loans to be made or advances to be made by the Secretary of the Treasury out of funds which are so heavily obligated that the bond market will not pay the face value of the obligations of the Government? The Government cannot obtain at par the funds that are here proposed to be loaned. It must pay extraordinary rates of interest for them.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MORSE. It would be a great honor to me if the Senator from Wyoming would join me in my amendment. I would be highly honored if he would be a cosponsor of the amendment.

Mr. O'MAHONEY. I shall be very happy to be a cosponsor of the amendment.

Mr. MORSE. With that understanding, Mr. President, I should like to have the clerks at the desk instructed to include the name of the Senator from Wyoming [Mr. O'MAHONEY] as a cosponsor of my amendment.

Mr. O'MAHONEY. Now I am looking at page 33 of the bill, specifically with reference to section 204 (c):

(c) In the performance of and with respect to the functions, powers, and duties vested in him by this title, the President shall prepare annually and submit a budget program in accordance with the provisions of the Government Corporation Control Act, as amended; and he shall cause to be maintained an integral set of accounts which shall be audited by the General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required.

I repeat the last few words and call particular attention to them:

And no other audit shall be required.

NEED FOR AUDITS

Mr. President, it seems to me obvious that the appropriate committees of Congress—the Committee on Appropriations, the Committee on Foreign Relations, the Committee on Banking and Currency, and the Committee on Armed Services—should have the undoubted right, in their judgment, at any time, to call witnesses before it and to recommend, if necessary, audits ordered by the Congress.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY. The bill provides that there shall be reports of all transactions and of all programing every 6 months. That is mandatory in the bill.

Mr. O'MAHONEY. I read from page 31:

Such report shall be made at the time such financing operation or transaction is consummated.

Mr. HUMPHREY. Yes; and also there shall be, every 6 months, a report.

Mr. O'MAHONEY. I have already indicated that I intend to offer an amendment tomorrow requiring that the report shall be made before, not after, consummation of the loan.

Mr. HUMPHREY. There was considerable discussion over that point in the committee. I had sympathy toward that objective myself. However, I do not believe it is right to leave the implication that the committees of Congress are denied the right to interrogate or inquire or look into these operations. At any time a committee of Congress asks ICA to come before it, they will come.

Mr. O'MAHONEY. That was not the experience which the Government Operations Committee had during the past year. I should like to call attention to the language on page 34 of the bill, which seems to indicate the necessity of making this authority of Congress absolutely binding without any quibbling, not as it is in the bill, which provides for reports after the consummation, and with the authority given to the Administrator to make a loan, at his discretion, in any amount under $10 million.

I read from the beginning of the sentence, which is at page 33, at the bottom of the page:

In carrying out the purposes of this title, any officer or agency of the United States designated to exercise authorities provided for hereunder may, in addition to other powers and authorities provided to such officer or agency pursuant to this act or otherwise by law, and as the President may direct: enter into, perform, and modify contracts, leases, agreements, or other transactions, on such terms as may be deemed appropriate, with any agency or instrumentality of the United States, with any foreign government or foreign government agency, or with any person, partnership, association, corporation, organization, or other entity, public or private, singly or in combination; accept and use gifts or donations of services, funds, or property (real, personal or mixed, tangible or intangible); contract for the services of attorneys; determine the character of and necessity for obligations and expenditures under this title, and the manner in which they shall be incurred, allowed, and paid, subject to provisions of law specifically applicable to Government corporations; acquire and dispose of, upon such terms and conditions and for such consideration as such officer or agency shall determine to be reasonable, through purchase, exchange, discount, rediscount, public or private sale, negotiation, assignment, exercise of option or conversion rights, or otherwise, for cash or credit, with or without endorsement or guaranty, any property, real, personal, mixed, tangible, or intangible, including, but not limited to, mortgages, bonds, debentures (including convertible debentures), liens, pledges, and other collateral or security, contracts, claims, currencies, notes, drafts, checks, bills of exchange, acceptances including bankers' acceptances, cable transfers and all other evidences of indebtedness or ownership (provided that equity securities may not be directly purchased although such securities may be acquired by other means such as by exercise of conversion rights or through enforcement of liens, pledges, or otherwise to satisfy a previously incurred indebtedness), and guarantee payment against any instrument above specified; issue letters of credit and letters of commitment; collect or compromise any obligations assigned to or held by, and any legal or equitable rights accruing to, such officer or agency, and as such officer or agency may determine, refer any such obligations or rights to the Attorney General for suit or collection—

Et cetera, et cetera, et cetera.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY. After the Senator has laid down the smokescreen and has read all these legal terms, I would say that the Senator knows that section 201 (b) of the Mutual Security Act of 1954, as amended, the act under which we are now operating, and the authority under which the President is presently carrying out the obligations of the law permits the President to do as follows——

Mr. O'MAHONEY. Permits?

Mr. HUMPHREY. The language authorizes the President.

Mr. O'MAHONEY. The Senator said it permits.

Mr. HUMPHREY. It authorizes the President.

Mr. O'MAHONEY. Authorizes?

Mr. HUMPHREY. It authorizes the President to utilize——

Mr. O'MAHONEY. Does it make it the duty of the President?

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Does it make it the duty of the President?

Mr. HUMPHREY. The President has the duty to carry out this act.

Mr. O'MAHONEY. This is a discretionary act provision.

Mr. HUMPHREY. I should like to say most respectfully to the Senator from Wyoming that he knows full well that the loan development fund is discretionary, because, first of all, it contemplates loans, not gifts. Under the existing law, the President is authorized to utilize funds, to disburse them, and to impose such terms and conditions, including the transfer of funds, as he may specify—period. This is not gobble-dygook; it is plain, simple language, which provides that the President can give it away, with no requirements whatsoever. The difference is that it will be a loan fund as compared with a giveaway fund.

I am rather surprised that some of my colleagues, who have for years been asking that we lend this money on a businesslike basis, are now finding all kinds of little wrinkles in the paper to try to make it look as if it was not a good proposal.

Mr. O'MAHONEY. The Senator has broadened his argument. He is not directing that argument to me. The Senator from Minnesota is very skillful in avoiding the issue. The language which he read, and which I should like to read again, if the Senator will be good enough to hand the document to me—

Mr. HUMPHREY. I shall be delighted to do so.

Mr. O'MAHONEY. I thank the Senator very much. I must first find my glasses.

Mr. HUMPHREY. May I lend the Senator mine?

Mr. O'MAHONEY. I am sure they are too strong for me.

I observe that the Senator was reading from page 40 of the report.

Mr. HUMPHREY. I believe it was the language of the statute, which appears on page 40 of the report.

Mr. O'MAHONEY. Will the Senator explain to me the meaning of the black brackets which surround the language which he just read?

Mr. HUMPHREY. This is the language of the Mutual Security Act of 1954, as amended.

Mr. O'MAHONEY. Will the Senator look over my shoulder at the report?

Mr. HUMPHREY. Yes; I am delighted to do so.

Mr. O'MAHONEY. He will see section 201 (a) and (b).

Mr. HUMPHREY. They are to come out of the act, but they are the controlling language as of today. This is the language under which the President is operating today.

Mr. O'MAHONEY. The Senator is quite correct. When we pass the bill as the Senator recommends it, that language will be eliminated, and there will be substituted for it the language: "Declaration of purpose: The Congress of the United States recognizes," and so forth.

Mr. HUMPHREY. That is correct.

Mr. O'MAHONEY. So the Senator's argument falls by his own act.

Mr. HUMPHREY. I say most respectfully to my delightful friend from Wyoming that this is the year of our Lord 1957, and the language which the Senator from Wyoming is talking about is prophetic for the year of our Lord 1958.

Mr. O'MAHONEY. The bill is prophetic. That is what I am talking about. I am talking about a prophetic bill which lays upon the people of the United States a requirement to produce, by taxation and suffering, funds beyond the present capacity of the Treasury to pay. The Government has been free from the limitation which the Senator so enthusiastically read only a moment ago. The Senator is one of the members of the Committee on Foreign Relations.

Mr. HUMPHREY. That is correct.

Mr. O'MAHONEY. He is an able member and a very vocal member, I may say.

Mr. HUMPHREY. Yes, sir; particularly, when truth is on my side.

Mr. O'MAHONEY. Whether it is or not, the Senator rates that position. His committee has recommended the repeal of the language of limitation.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Yes, indeed.

Mr. HUMPHREY. I say most respectfully to the Senator from Wyoming that the language which the junior Senator from Minnesota read is the language that now applies, the language that is now in effect. It is not a limitation. That language is as wide open as the universe. It provides that the President may use the money as he sees fit.

What I am pointing out to the Senator is that the language of 1958 does have limitations. It is much tighter language than the language at present. The language of 1958 will be language that requires the lending of funds, not the giving of funds.

Mr. O'MAHONEY. That, of course, is recognized.

Mr. HUMPHREY. The taxpayer will get the money back, instead of simply giving it away.

Mr. O'MAHONEY. I may say to my friend from Minnesota that I have never challenged the fact that we shall have now a loan instead of a grant; but I point out to the Senator that the language which I read from page 34, with respect to all of the powers given to the administrator of the loan fund, including the listing of every known physical evidence of debt, is just as broad as the language that was contained in what the Senator read.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY. Is it not true that section 205, starting on page 33 of S. 2130, under the heading "Powers And Authorities," is the very language which applies to Government corporations that are engaged in loan activities or business enterprises?

FISCAL OBLIGATIONS

Mr. O'MAHONEY. It may be, but it is not enough when we are dealing with billions of dollars.

I read from page 1 of the appendix of the committee's report. The cumulative expenditures for these purposes—the purposes contained in the bill—up to June 30, 1956, amount to $31,570,276,000.

Mr. HUMPHREY. The Senator——

Mr. O'MAHONEY. Pardon me.

The unliquidated obligations as of June 30, 1956, amounted to $5,655,467,000. So that sum would be added to the $31 billion.

The actual expenditures from July 1, 1956, through February 28, 1957, amounted, according to the Senator's committee report, to $1,988,396,000. That sum, again, would be added to the $31 billion.

To make the matter explicit, it is $31,570,276,000 added to $5,655,467,000 added to $1,988,396,000. That is what the Senator's committee tells us that we, the people of the United States, are obligated to pay.

Then, the unexpended balance as of February 28, 1957, was $6,576,135,000.

The total estimated expenditures for the fiscal year 1957 amount to $3,395,741,000.

There is an item of estimated unliquidated obligations as of June 30, 1957, which are, of course, obligations which have been incurred but which have not been paid—that is to say, a debt owed by the United States—amounting to $5,168,790,000, according to the report of the committee.

In addition, after having told the United States what a tremendous sum has already been spent and the tremendous sums which must continue to be spent, the Senator's committee has reported a bill calling for additional expenditures amounting to—what?

Mr. HUMPHREY. Three billion six hundred million dollars.

Mr. O'MAHONEY. Three billion six hundred million dollars. I wish the junior Senator from Minnesota would sometime, in his calm days, retire to his office and prepare for me a list of the banks in Minnesota which have a capitalization of $1 billion—all of them. Let me know about all of them.

Let the Senator get from the Minnesota banks the amount of United States Government bonds owned by them. Let him get the price the banks paid for the bonds, and the price they would get for them if the bonds were sold today.

Let the Senator get some information from his own State with respect to the effect upon the economy of his State and the economy of the United States, unless we make it absolutely certain that Congress shall, day by day and week by week, be given supervision of the expenditure of the money of the people of the United States.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Of course.

Mr. HUMPHREY. After this torrential stream of statistics——

Mr. O'MAHONEY. I wish, Mr. President, that the Senator from Minnesota would indulge me for a moment. There is no source more torrential than the Senator from Minnesota. [Laughter.]

Mr. HUMPHREY. Then, the Senator from Minnesota is an expert in torrents.

Mr. O'MAHONEY. Yes.

Mr. HUMPHREY. After the Senator has read the statistical dissertation, I say it still does not apply to what he has argued, because the very figures he has read are the amounts which were appropriated by Congress.

On the one hand he says it is a fantastic sum of money.

Mr. O'MAHONEY. I said that.

Mr. HUMPHREY. In the next moment he says, Congress must have control. Congress has more control——

Mr. O'MAHONEY. Mr. President, Congress must have control of the expenditures which are to be made in the future. That is all I said. The Senator from Minnesota should not misrepresent my statement. I am sure he does not misunderstand me.

Mr. HUMPHREY. I do not misunderstand at all. I know when there is a sort of engulfment of what I would call the innuendo and the fringe issues.

The real issue is whether the Congress has control over the appropriations. The Senator from Wyoming was a member of the Appropriations Committee for years. Once I heard him defend an appropriation of more than $40 billion to the military of the United States—which he did beautifully.

Mr. O'MAHONEY. Mr. President, the Senator from Minnesota is evading the issue.

Mr. HUMPHREY. But in the pending bill, to which the Senator from Wyoming now directs his attention, is a provision for a loan fund. The money is to be loaned, not given away. It is to be returned to the fund. It is not to be scattered over the landscape. The controls provided for in the bill are much greater than those provided for in previous legislation. Yet previously the Senator from Wyoming has voted for bills by means of which more funds would have been given, with less restraints, than those which would be loaned by means of the pending bill.

Mr. O'MAHONEY. But last year, when I found that the State Department was unwilling to allow the Congress to obtain the information, I voted against the bill. And I shall vote against the bill again.

I know the committee has made some hesitant and staggering moves to give the Congress control, but they are only hesitant steps.

In view of the present fiscal condition of the Treasury of the United States, we cannot, in justice to our own constituents, delegate away the power to supervise these expenditures.

The money is being spent all over the world. Unless the State Department has changed the opinion it held last year, it would like very much not to have the Congress monkey too much with the manner in which the expenditures are made.

Mr. HUMPHREY. Mr. President, will the Senator from Wyoming yield again to me?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY. I must say that all Members of Congress——

Mr. O'MAHONEY. Mr. President, the Senator from Minnesota is wearing me out, I must say.

Mr. HUMPHREY. Mr. President, the Senator from Wyoming has the vigor of a giant. I am impressed, and I shall not in any way try to wear him out, because the agility of his mind is exceeded only by the vigor of his body; and I must say that I am impressed with both.

Mr. O'MAHONEY. But, Mr. President, it is exceeded by the competence of the Senator from Minnesota in evading the issue. [Laughter.]

Mr. HUMPHREY. I only request the Senator from Wyoming to be with us either a little later this evening or possibly tomorrow morning.

I wish to say to him that the pending bill authorizes the appropriation of $500 million this year, through the Appropriations Committee, if the Appropriations Committee so desires. The fund will be a loan fund. The taxpayers of the United States should know that, although in previous years grants have been made, this year loans are to be made.

I do not believe the Senate is capable of sitting day after day to consider each project under the terms of this measure, in order to decide whether the loan should be granted. Before now, the Senate never decided whether the gifts were to be made.

Mr. O'MAHONEY. Mr. President, I must resume the floor.

Mr. HUMPHREY. Mr. President, I am delighted to yield the entire Chamber to my friend. [Laughter.]

Mr. O'MAHONEY. Mr. President, several years ago there came to Wyoming a distinguished character from the State of Minnesota. He advertised himself as a loan agent. He borrowed enough money to open an office on the main street. He offered loans to everyone. But he had no money. He was good at offering loans; but when the time came to raise the money, he had no means of raising it.

The United States has the means so long as the credit of the United States is maintained. But I say to the Senator from Minnesota—and I say it in all seriousness—that when the bonds and other securities of the Government of the United States are falling steadily below par, when the Treasury is finding it constantly more difficult to borrow money, when the Treasury finds itself compelled to raise the interest rate to be paid to the big, concentrated banks in the large cities, then we, the representatives of the people of the United States, and the custodians of their welfare, had better watch what is being done. If we do not watch it, the crash will be upon our heads.

Mr. President, I wish to say that the amendment I have sent to the desk has been patterned after the language contained in the Atomic Energy Act. When the Atomic Energy Act was prepared—because Congress felt that atomic energy was an appalling power, over which the people's representatives in Congress should maintain control—the Congress wrote into the law—and the provisions are still there—absolutely airtight requirements to preserve the authority of Congress.

But the pending bill is full of loopholes through which the executive branch can avoid its responsibility to keep the representatives of the people advised.

DEATH WARRANT

Mr. President, in view of the constant delegation away of congressional power to the executive branch of the Government, I say without any hesitation that we may be writing the very death of the Congress of the United States.

The issue in the world is the preservation of government by the people against managerial government, whether it be management by dictators of the Soviet stripe or by dictators of the Fascist stripe. What we are laboring for in the world is to set an example of how the people can govern.

But the bill the committee has reported would show how the people's representatives can give away their right to govern.

So, Mr. President, I want those who have been associated with me in the amendment to know that I have not lost interest in it. I am sure they have not lost interest in it. I wish to make sure that when the time comes to offer the amendment to the pending bill, we shall have well-informed Members, ready to join in the argument in support of the amendment and to vote for it. I believe it is a worthy amendment. I know it is an honest amendment. I know it is conceived only in the thought of preserving the legislative power of the Congress of the United States.

I cannot forget that when the founders of this Government wrote the Constitution, they devoted the first article of that instrument to the legislative power. The legislative power is superior to any other power in our Government.

Mr. MORSE. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. MORSE. Mr. President, I wish to commend the Senator from Wyoming for the brilliant speech he has just made. It comes as no surprise to me that this great constitutional lawyer from Wyoming today stands on the floor of the Senate and raises his voice in a plea for the defense of the legislative process of the Government of the United States, as contemplated by the Founding Fathers.

I wish to say now, as I said earlier today I dwelt at length on the same point. I think he is completely correct. I do not know of any answer which can be made to the legal argument he has made.

I wish to say now, as I said earlier today, that the pending question is whether the Congress will abdicate its constitutional legislative duties.

I am proud to be associated with the Senator from Wyoming in his amendment, and I am proud, as one of his students and disciples in constitutional law, to follow his leadership on this great issue in this constitutional debate.

Mr. O'MAHONEY. The Senator is very kind.

Mr. HUMPHREY. Mr. President, we are just about ready to move an adjournment. However, I should like to say to the Senator from Wyoming that I have read his amendment with considerable interest. I commend him for his amendment. I think the amendment does exactly what section 534 of the present Mutual Security Act requires, with one exception. The Senator's amendment requires a more current reporting than does section 534.

I shall address myself to this question somewhat tomorrow. No one is more desirous than I am of retaining our Congressional power. Members of the committee were greatly concerned over that question. There was much discussion about it. But there are problems relating to a loan agency, as to how much supervision can be given to it by Congress, when we do not know to whom the money is to be loaned. Loans have to be developed in a businesslike manner. The same kind of restriction has not been directed to the Export-Import Bank, which loans billions of dollars, and has a much larger loan authority than the development loan fund will have. The Export-Import Bank has a capitalization of, I believe, about $5 billion; and the Export-Import Bank makes to the Congress regular reports, which are neatly filed away or given study by the appropriate committee, the Committee on Banking and Currency or the Finance Committee.

All I say is that the amendment of the Senator from Wyoming is not what I would call a basic amendment. It is a good amendment. It provides:

The Secretary of State shall keep the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the Senate and House of Representatives fully and currently informed with trespect to all activities of the Department of State or any agency thereof under this act. The Secretary of Defense shall keep such committees and the Committees on Armed Services of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of Defense under this act. Any Government agency shall furnish any information requested by any such conimittee with respect to the activities and responsibilities of that agency under this act and it shall be the duty of any officer or employee of the Government having information relating to programs being administered under this act to furnish promptly to such committee or committees, upon request by any such committees, full information with respect to such activities and responsibilities.

The only reason why that language is not in the pending bill is that there are constitutional problems involved. As every Member of the Senate, whether he is or is not a lawyer, knows, we cannot compel the President of the United States, under the doctrine of separation of powers, to give information to the Congress if he does not want to. The President may be impeached for his failure to do it, but we cannot compel him to do so. Therefore, what is being relied upon is coordination and cooperation between the agencies of Government and the committees of Congress.

I respectfully say that in most instances the agencies of Government, whether under Republican or Democratic administrations, give the committees of Congress information, if we probe for it and go after it. Frequently the agencies give Congress information without such action on the part of Congress.

All I want to say is that the President of the United States is in charge of the respective Cabinet officers, and if the President orders a Cabinet officer not to testify, he cannot be compelled to testify. We have confronted this problem before. We had it under President Truman. We had it under President Jackson. We may have had it under President Eisenhower; I do not recall. But no Member or committee of Congress can compel a Cabinet officer to testify if the President orders him to the contrary, because it is a constitutional question which has already been resolved.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. Yes, I yield.

Mr. O'MAHONEY. May I say to the Senator that what he says now must be construed as meaning that if the Congress yields its power to a President in a bill such as the one before the Senate, and creates an organization which could not exist and which could not be established without the action of Congress, Congress thereby loses all right to be informed. That is not so.

Mr. HUMPHREY. I did not say that.

WAIVER OF PRIVILEGE

Mr. O'MAHONEY. If the Senator will pardon me, the effect of this amendment lies in the fact that if it goes into the bill, and the President signs the bill, that constitutes a waiver of the executive privilege. The executive privilege has been exercised by subordinate officials of Government who never went near the President to ask whether or not the information sought by Congress was secret or not.

We have had officials claiming the executive privilege in matters relating to rapid tax amortization. Nobody knows better than the Senator from Minnesota how important it is for us to know how much has been given away.

Mr. HUMPHREY. I agree with the Senator that it is important to know that, and I surely want every executive officer who comes to the Congress to tell us all there is to know about it; but no statute overrides the Constitution.

Mr. O'MAHONEY. No.

Mr. HUMPHREY. No law can authorize that which the Constitution forbids, and no officer, under the Constitution, can do that which the Constitution forbids.

Mr. O'MAHONEY. The Senator will find difficulty in pointing out that section of the Constitution. I call to the Senator's attention the provision of the Constitution that no money may be taken out of the Treasury without the consent of the Congress. The President cannot take it out, and if we authorize him to take it out, we have the right to compel him to answer about it.

Mr. HUMPHREY. May I say most respectfully to the Senator that even after the Congress appropriates the money and directs the President to spend it, he does not need to do it? President Truman refused to spend money Congress had appropriated for the Air Force——

Mr. O'MAHONEY. The Senator is changing the subject.

Mr. HUMPHREY. I am not changing the subject. I have respect for the Constitution of the United States, as all Senators have, and for the correct interpretation of the Constitution. Congress may write language in a proposed statute which directs the President to do something. Under his constitutional prerogatives he may veto it.

I think what the Senator is really attempting to do by this amendment is what we were trying to do by cross-reference in the bill to section 534 of the Mutual Security Act.

I have been perfectly willing to vote for the committee amendment to S. 2130, provided everybody understands there is no bill we can write whereby we can compel the President of the United States to deliver information, if he feels such is contrary to his duty under the Constitution of the United States.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. HUMPHREY. I yield.

Mr. MORSE. I think we ought to make perfectly clear that we understand what the Senator from Minnesota means, and I am not sure that the language he has used means what he intends it to mean. The Senator from Minnesota is quite right that we cannot pass a statute which will require the President to give us information which, under the so-called executive privilege, based upon the separation of powers, he does not have to give.

Mr. HUMPHREY. The Senator is correct.

Mr. MORSE. But I respectfully point out that the Senator is overlooking the difference between that situation and the situation which is before the Congress with respect to this bill. The Congress of the United States does have the right to enact legislation which seeks to vest a certain power or administrative duty in the President subject to conditions, and unless he complies with the conditions the power does not exist, which is quite a different thing. We have the right to say to the President in legislation, "You cannot have part of it and not all of it. If you are going to exercise any power under the statute then you must comply with the conditions we impose, or the power is not legislated to you."

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. Yes, I yield.

Mr. HUMPHREY. That is not what this amendment says at all. This amendment does not say, "Unless you do these things you get no money."

Mr. MORSE. I am not talking about the amendment.

Mr. HUMPHREY. That is what I am talking about.

Mr. MORSE. I am talking about the statement which the Senator made, if I understood him correctly, that he is of the opinion we cannot pass legislation placing conditions upon the exercise of power.

Mr. HUMPHREY. I did not say that at all. I said we cannot pass legislation here which would compel the President to divulge information that he feels under his constitutional right as President of the United States he does not need to divulge. We can pass legislation which says, "The only way, Mr. President, you can carry out this program is to do as we say in terms of reports." And the President will have to either sign it or reject it.

Mr. MORSE. That is the point I wish to make perfectly clear. I think the Senator will appreciate, when he reads the RECORD tomorrow morning, my interruption. I have helped the Senator, I believe. At least, it was my intention to clarify the statement which I believed was not what he intended.

The position of the Senator from Oregon, as he took it this morning, and as he takes it at the close of the day, is that he thinks we should exercise our legislative power with respect to the President by imposing these conditions precedent, so to speak, and unless there is compliance with them the power itself is not granted.

Mr. HUMPHREY. I wish to thank the Senator. I gather that the Senator from Oregon knows I have the highest regard for his analysis of constitutional law and his statements on it. I wish to say that many a bill has been passed by the Congress which has authorized expenditures of billions of dollars. Let me give the Senators the example of the Missouri River development project, which had a $7 billion authorization. That $7 billion was authorized to the Secretary of the Interior, the agent of the President of the United States, and it was not necessary for the Secretary to come back every year to get a new authorization from Congress; $7 billion was authorized to carry out a program which at best was a compromise, the Pick-Sloan program, which was neither good nor bad. At best, it was admitted to be a compromise.

There are also the Columbia River Basin development, the Tennessee Valley Authority, and others. These are long-term authorizations. It is not necessary to come back to Congress every year for a new authorization.

Mr. MORSE. Will the Senator yield, Mr. President, on that point?

Mr. HUMPHREY. I yield.

Mr. MORSE. I should like to point out—and we will develop it more tomorrow, as the debate proceeds—that those, however, are specific projects.

Mr. HUMPHREY. Yes.

Mr. MORSE. The details of which we have before us at the time. They involve the requirement of committing ourselves to an investment in the totality of a project.

Mr. HUMPHREY. The Senator is correct.

Mr. MORSE. We know what the project is. We have full knowledge of it. We decide in that kind of legislation then and there to buy it, so to speak.

But what we have here is the grant of a blanket authority to the President for expenditures as yet unknown. It is at that point, I think, that some very interesting questions arise with respect to the delegation of policy making legislative decisions, by the language of this bill, to the President of the United States. We did not, in the Missouri Valley project or any of the others that the Senator named, pass any discretion to the President of the United States to make subsequently a policy decision. We made it. We made it with relation to the specific project. But in connection with this matter we would be giving, in effect, to the President of the United States a great many policymaking decisions.

Mr. HUMPHREY. I wish to say, most respectfully, to the Senator from Oregon, that we always give to an Executive a great many policymaking decisions.

In this bill we are setting policy. We are setting policy in this bill as to military assistance; 1 year, 2 years. We are setting policy in this bill as to the development loan fund. We do not propose to give the President $3.6 billion and say, "Do with it what you will." We are saying, "A certain amount of this sum will go for military assistance. A certain amount of this sum will go for development assistance. Next year a lesser amount will go for military assistance, and next year a smaller amount will go for development assistance."

Then we are declaring the policy that, instead of giving our money away, we are going to loan it. We are going to establish an advisory board. We are going to establish a loan administrator. We are going to establish a new kind of development loan fund. We are going to apply some of the principles of the Export-Import Bank. We are going to do what we have been doing but in a different way.

I submit that the Congress of the United States supplied considerable capital to the World Bank. All we get from that bank is a written report once a year. Its funds are taxpayers' money. We supply funds to the International Development Fund. Those funds are taxpayers' money.

Mr. President, let me be very clear about this. I am not happy that the Congress has to relax some of its authority, but I think between the alternatives of having to keep people wondering each year whether or not a project is going to be under way or not under way, as compared to having some long-term planning, which gets more out of the dollars loaned, the latter is better. In other words, millions of dollars have been wasted because each year we have compelled the agencies of Government to obligate every last nickel and get rid of it. Under this proposal we say, "There is time. Do your planning more constructively."

Mr. President, the hour is late. I shall discuss this question in greater detail tomorrow, and I shall do so in the morning hours, because I am of the opinion that what is needed is that the American people shall realize the Committee on Foreign Relations did not open up the gates, but instead put some effective controls upon the use of the public's money.

First of all, the bill as reported orders the administration next year to request a smaller amount than this year. Make no mistake about that. The administration is ordered in this authorization to ask for less next year for military assistance. If they desire to ask for more, they will have to request a new authorization. The administration is ordered to ask for less next year in defense support, which is provided to buttress our military assistance. The bill provides that the Appropriations Committee next year shall have a complete review over the requests for funds for the development loan fund. We have written controls into the bill.

My colleagues would like to have some Americans, or have the American public, believe that we have had all kinds of controls in the past. We have not. We are going to get the same work books before the Committee on Foreign Relations next year that we got this year, as to projects which will be developed under the terms of this bill.

We have not had any firm commitment from the administration for years, Mr. President, as to where the money would be expended in exact dollar amounts in each country. There were limitations on transfers of funds, as there are in this bill. There were limitations upon use of funds, as there are in this bill. But I submit that under careful examination, the bill now before us, providing for the mutual security program for the fiscal year 1957, will be found to contain greater controls of the public purse, greater controls over public funds, than the bills we have had in the past.

Furthermore, we are talking only about authorizations. Ultimately the Appropriations Committees must determine the amounts of money to be appropriated. But I am of the opinion that the Appropriations Committees are a little more careful about funds than are the authorization committees, because the truth is that in almost all legislation more is authorized than is appropriated for. The Appropriations Committees are the ones which are involved in ascertaining the exact number of dollars to be expended in a particular program, or to effectuate a particular policy.

So when I hear of the vast sums of money which have been expended, I say that, indeed, a great deal of money has been expended. But for the first time a substantial amount of money which is to

be appropriated out of the Treasury of the United States will be returned. It will be put on a loan basis.

The Mutual Security Act has not caused the price of American Government bonds to become depressed. The fiscal policies of this administration and not the Mutual Security Act, have brought about that result. I want the record to be crystal clear. I do not want it ever to be said that the United States of America finds itself in a condition so precarious, so weak, so uncertain, that we cannot meet the threat of Communist aggression or Communist pressure.

Remember that for every dollar we appropriate in relationship to our economy, the Soviet Union must put up something, too, because this is a race to the finish. The Soviet Union is not going around blowing bubbles. It is not going around doing nothing. The Soviet Union has an army which makes ours look insignificant in size. The Soviet Union has H-bombs. The Soviet Union has a program of economic aid. The Soviet Union engages in international intrigue and aggression.

Are we going to say that the people of the United States, the richest nation on the face of the earth, the prosperity of which is almost unbelievable as compared with others, are in such a bad financial condition that we cannot take this program?

I realize that there may very well be substantial cuts made at the Appropriations Committee level. I hope not, but that may happen. Whatever the Government is given to use in terms of our foreign-aid program, I want to see it used frugally, prudently, and judiciously. I do not believe we do justice to the bill when we say that it provides no Congressional control.

I ask my colleagues: What control have we now that we would not have under the terms of the bill?

The only difference is that next year the Senate Foreign Relations Committee will not be called to reauthorize; but next year—in fact, twice during the year—the Foreign Relations Committee will be called upon to scrutinize and examine every detail of the operations of the foreign-aid program. At present we do it once a year. Under the proposed program we shall be required to do it twice a year.

I submit that the only difference between the present program and the one we are being called upon to authorize is that under the present policy every year the administration comes to the Senate Foreign Relations Committee. Under the proposed program it will come to the committee once in 2 years for the military-assistance program and for the defense-support program.

With respect to the Development Loan Program, there is a 3-year authorization, subject to cancellation by the committees of Congress 1 month after the program is started, or 1 day.

It requires no more courage on the part of a committee of Congress to cancel something than to authorize it. The President of the United States does not have to ask us to meet for the purpose of canceling a program. At any time the committees of Congress can review this program, amend it, alter it, cut it in half, cancel it out, or expand it. Every Senator knows that.

A smokescreen has been thrown up, in an effort to indicate that Congress has lost its control. The only time Congress loses its control over something is when it loses its will. Congress can at any time, even as of now, cancel the mutual security program.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. O'MAHONEY. Does the Senator mean to say that Congress can cancel an obligation of which it knows nothing until after it has been consummated? Does the bill so provide?

Mr. HUMPHREY. The Congress of the United States can at any time undo what it has done.

Mr. O'MAHONEY. In the past the Congress has authorized the administration, in carrying out the authorization approved by the Appropriations Committees, to enter into obligations which have not been liquidated.

Mr. HUMPHREY. Yes.

Mr. O'MAHONEY. I have read the figures. Such obligations amount to some $6 billion. Those obligations cannot be canceled.

Mr. HUMPHREY. I am saying that the program, as such, can be canceled. The Senator knows what I am talking about.

Mr. O'MAHONEY. What I want the Senator to acknowledge is that the obligations, which amount to billions, cannot be canceled. Is not that correct?

Mr. HUMPHREY. The Congress of the United States, tomorrow morning, if it so desired, could cancel the foreign aid program.

Mr. O'MAHONEY. It can repeal the program, of course; but it cannot cancel the obligations; and the obligations are made as the spenders may determine to make them, and not by authority of Congress. The committee of which the Senator is a very important and a very able member has not laid down terms and conditions.

Mr. HUMPHREY. I say most respectfully to the Senator from Wyoming that the Committee on Foreign Relations has laid down every bit as severe and restrictive conditions in this bill as it ever has done. The Appropriations Committee will determine whether or not there will be any money. I will not permit anyone to take me off into a maze trap of digression. The truth is that every Member of the Congress knows that if we are unhappy with the foreign aid program, and we can obtain the necessary votes, we can pass a resolution to stop it. Let us not be led off into the wilderness.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. O'MAHONEY. This will be my last comment. Let us not compound the mistakes of the past by making the mistakes which the Senator's committee has recommended.

Mr. HUMPHREY. I assure the Senator that the majority of Members of Congress in the past have not felt that the mutual-security program was a mistake. Most Members of Congress have felt that it was constructive and good, and an important part of our national-defense program. That is not to say that it has no weaknesses or that there have been no errors. But I regret to say that the amendments being proposed would not help to correct the errors. The Senator would only provide for more reports. We would learn about the activities more often.

If the Senator wishes to propose that we have no program, we can stop the mistakes; but in order to have the Secretary report them more often to us, when we can call upon him at any time—and many times we have called upon him when we have not received much information—this requirement is placed in the Senator's amendment. I do not think such reports would be half as interesting as the Senator thinks they would. I have heard the Secretary of State upon occasions when the information we received was less interesting than what we read in the morning newspaper.

Mr. MORSE rose.

Mr. HUMPHREY. I yield to the Senator from Oregon.

Mr. MORSE. I desire the floor in my own right.

Mr. HUMPHREY. I was about to move that the Senate adjourn.

Mr. MORSE. I wish to address the Senate. I find the comments of the Senator from Minnesota so stimulating that I cannot resist the opportunity to make a few observations on them.

Mr. HUMPHREY. Mr. President, I have just returned from a brief meeting with the Director of the International Cooperation Administration, John B. Hollister, where I had the pleasure of turning over to Mr. Hollister a check to the United States Treasury from the Peace Fellowship of the Disciples of Christ. This $100 check is the beginning of the disciples' peace budget, and it is a symbol of the desires of a number of their members to increase our United States foreign-aid budget.

This fellowship includes a membership of some 300 Disciples of Christ ministers and lay people throughout the United States, and their support of the foreign-aid budget's nonmilitary provisions is an important expression of confidence by an influential group of American citizens in the continuation and strengthening of an effective program of mutual aid.

With this $100 check, the Disciples of Christ have effectively dramatized the widespread feeling among church groups and other of our citizens concerned with building a peaceful world, that the very small percentage of our national budget now devoted to foreign economic aid and technical assistance should be expanded. The Disciples of Christ Fellowship has told me that they believe that peace grows out of a world that is economically sound and healthy, and that international good will and understanding are fostered by technical and educational-assistance programs without strings attached.

I ask unanimous consent to have printed in the RECORD at this point a letter I received from Barton Hunter, executive secretary-treasurer of the Disciples Peace Fellowship under date of April 29, 1957, bearing on this subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DISCIPLES PEACE FELLOWSHIP,
Indianapolis, Ind., April 29, 1957.

HON. HUBERT H. HUMPHREY,
United States Senate, Washington, D. C.

MY DEAR SENATOR HUMPHREY: The enclosed check for $100 bears a message. What it says is this. Many of us in this country are not happy with the way in which Congress is proposing to cut the budget. We suspect there is plenty of waste in the budget, notably in the field of military expenditures. What we do not believe is that the miserably small percentage of our budget earmarked for foreign economic aid and technical assistance is the place to cut. In fact, if we knew how to go about it, we would like to see this part of our national budget expanded.

Thus, the check. As a symbol of the desire of a number of our Disciples Peace Fellowship members to increase our United States foreign aid budget we are sending this $100 asking if it is possible that you see to it that it gets into the Treasury, earmarked for foreign economic aid.

Incidentally it is our conviction that millions of people in this country, would, if given a chance, be glad to contribute to such constructive aspects of our national budget as technical assistance over and above their taxes.

Will you be kind enough to let us know whether we can actually give over and above support to such portions of the budget as we believe in or whether this simply means that Congress will continue to hack blindly away, cutting even more from these most significant and vital portions of our national financial program.

We of the Disciples Peace Fellowship believe that peace grows out of a world that is economically sound and healthy. We believe further that international good will and understanding are fostered by technical and educational assistance programs without strings attached. Our check is symbolic of our belief. We think it could be more than symbolic if the way was open for others to help. What is the situation?

Please share with your fellow Senators and Congressmen the idea that when they do their budget cutting it should be where the "fat" is, not where the "heart" beats.

Yours for thoughtful and constructive budget planning that points toward world peace. We're tired of listening to budget butchers.

Sincerely yours,

BARTON HUNTER,
Executive Secretary-Treasurer.

Mr. MORSE. I have only a few comments to make. As I said, I always find my very close and intimate friend, the Senator from Minnesota [Mr. HUMPHREY], very stimulating, and it always grieves me when I find myself on the opposite side from him on any issue.

From listening to the Senator from Minnesota today, I would judge that he is laboring under the impression that we are very far apart on the bill. In my opinion, we are not. We are certainly not apart when it comes to the objectives of mutual security. We are certainly not apart when it comes to our desire to strengthen freedom in the world by bringing better economic conditions to the many millions of people in many countries who are now downtrodden and for whom there is no hope of freedom until we do something to help them toward a better economic well-being.

When it comes to the matter of the substance of the objectives of mutual security, I do not believe that the Senator from Minnesota and the senior Senator from Oregon are apart at all. We are apparently of a different mind when it comes to the matter of procedural safeguards, as to what I happen to think ought to be written into the structure of the bill in order to protect the American people in their constitutional and legislative rights.

The Senator from Minnesota said a few moments ago that he does not like it because in the bill we are giving up some Congressional authority. I do not like it, either. But when the Senator from Minnesota says that he does not like it, and then also says we are in a position where he feels it is necessary to give up some of our Congressional authority, he casts a vote that is just opposite to the vote that I shall cast. There is involved in this issue a procedural difference that is very vital. There is implied in the Senator's admission, in my judgment, a course of legislative action that neither he nor I have any right to take under the Constitution.

I say most respectfully that the Senator from Minnesota has not the right and no other Senator has the right to sit in the Senate and vote for a bill that gives up Congressional authority by attempting to grant to the Executive legislative policymaking authority. To the contrary, when we took the oath of office, when we came to this body, we pledged to our constituency the protection of congressional authority under the Constitution. We have no right under that oath to attempt to delegate to the President of the United States Congressional authority. That is one vital difference that exists between us. It is not a difference over the objectives of mutual security but it is a great procedural difference.

Then the Senator from Minnesota, in the course of his remarks, points out certain provisions in the proposed bill that exist in the present Mutual Security Act as well. In his colloquy with the Senator from Wyoming he said on several occasions: "But that is in the act now." To that I ask the question, "So what?"

It is highly fallacious to argue that because a bad practice or procedure is now written into the law we ought to continue it in another bill. To the contrary, we ought to take advantage of our opportunity in the pending bill to get it out of the law. In effect, when we adopt the kind of procedure the Senator from Wyoming and the Senator from Oregon are pleading for we bring to an end what we consider to be a bad procedural practice.

So I shall not be impressed in this debate, may I say to my good friend from Minnesota and to other Senators, by frequent references to the fact that something that we object to is now in the law. My answer to that argument is, "Does it make it right? If we have been guilty of a legislative mistake in the past, should we continue it and compound it?"

To the contrary, we ought to eliminate from the present Mutual Security Act procedures we now discover are bad procedures.

Next, Mr. President, I wish to make a brief comment on what my friend from Minnesota had to say about the need for planning in regard to the loan program. Where I fail to follow him and where he loses me is on his false assumption that in order to have long-time planning it is necessary to have funds authorized for years in advance. I deny it.

I do not believe that authorization of funds years in advance is essential to sound planning at all. Rather, we ought to be joining forces—the Senator from Minnesota and the Senator from Oregon and other Senators—on the requirement that we do get a blueprint of longtime planning from the State Department for a loan program extending over a course of years, so that we can see where we are going. Then we should proceed to authorize funds annually based upon that blueprint of longtime planning.

Mr. President, the requirement that we authorize the funds annually is in no way a handicap to the State Department in long-term planning. It is not a handicap unless someone wants to take the position that we ought to put the State Department in the position with regard to the authorization of funds so that it will make it very difficult for Congress to check the State Department in a waste of funds.

That leads me to the next point I wish to make with regard to arguments just presented by the Senator from Minnesota [Mr. HUMPHREY]. He said that we can act after the fact. He said we can authorize the funds and then we can take them away subsequently if we do not like what develops. He said we have the power of affirmative action, after we pass the act, to take back what we have given in the first place.

Well, Mr. President, that is very plausible, but, I respectfully say, it is highly unrealistic so far as the legislative practice of the Congress is concerned.

Can we not hear the argument that would be made on the floor of the Senate if we authorize funds beyond an annual basis and then at a later date vote to take the funds back? The argument would be made, "Oh, we are honorbound. We are committed. We cannot take the money back because we put these people in the State Department in a position of responsibility. They have gone to foreign countries, and they have had conferences with representatives of foreign governments. They have stated in those conferences that funds are available for loans, and on the basis of those representations they have committed the honor of our country to keep its word."

They would be justified in making that argument if we pass this kind of law, and then said we proposed to take back the authorization.

There would not be the vote of a corporal's guard in Congress for taking it back.

Thus, this is another point over which I part with my good friend from Minnesota. If we expect to keep a check over the funds, we had better keep the funds in our pocket and grant only the authority to go ahead with the longtime planning, based, however, upon annual authorizations of funds.

I move to the next point in my friend's argument. He said, in effect, "Oh, but the Committee on Appropriations will pass on the matter each year. The only difference is that the Committee on Foreign Relations will not go through the authorization procedure."

In the last couple of days I have said something about a trend in the Senate to allow the Appropriations Committee to function too much as a legislative committee. Now I want to apply it to this matter, because what it amounts to, in fact, is delegating legislative power to the Committee on Appropriations. That committee already has become too much of a superlegislative committee in the Senate.

The legislative committees of the Senate having jurisdiction over foreign affairs happen to be the Committee on Foreign Relations and the Committee on Armed Services. I shall not vote for a procedure in the bill which weakens the legislative committees of the United States Senate and increases the fast-growing legislative power of the Committee on Appropriations of the United States Senate. I speak very respectfully of every member of the Committee on Appropriations. I am talking now about Senate procedure.

One of the things I object to in the bill, among many, is the fact that the bill strengthens or increases the tendency of the Committee on Appropriations to take on the legislative functions of the Senate, rather than to make certain that the legislative committees, which have the jurisdiction in the first instance, initiate the legislative recommendations.

I thought the Senator from Minnesota in his comments about Presidential reports argued both ways. In one part of his speech he spoke about the requirement of Presidential reports as though they were an effective check. As I pointed out this morning, I think they are pretty much a gesture. Later in his speech the Senator from Minnesota spoke rather negatively about the effectiveness and value of such reports. I agree with his latter observation.

As I said this morning, if Senators want to see what an empty gesture the reporting requirement is, let them go to the Committee on Foreign Relations and look at the reports which are being filed already in connection with the exercise of discretion by the President over so-called executive emergency funds with respect to the administration of the Eisenhower doctrine in the Middle East. I have looked at some of the reports relating to the President's Middle East policy. They are so general that when one finishes reading them, he does not know any more, practically, than when he started.

So my friend from Minnesota has to make up his mind which way he wants this. I am not going to let him argue, at least unanswered, that there is a check by way of Presidential reports; and then within 10 minutes, as he did this afternoon, let him argue that the Presidential reports, after all, are not very effective. However, on the latter point I agree with him.

Mr. President, I wish now to discuss another point made by the Senator from Minnesota.

I refer to the point which he made in regard to the delegation of power to the President of the United States. His statement is subject to the interpretation that, in his opinion, we cannot under the Constitution, because of the doctrine of separation of powers, impose restrictions upon the President which would require him to give us information which he is not inclined to give to us. I want to stress this. I hope the Senator from Minnesota will clarify his position tomorrow in the RECORD.

I say that Congress has not only the legal right, but I think also the clear duty, to specify the conditions which must be complied with precedent to the exercise of any authority which the President will exercise under the act, and that we have not only the legislative power to do so, but also, in my opinion, the clear legislative duty to do so.

Some of my amendments go directly to that point. I am so seriously concerned about the giving away of congressional authority, which the Senator from Minnesota admits is being done, at least to some extent, in the bill, that I think it is in this bill that we ought to call a halt to so dangerous a tendency on the part of Congress.

I say to the Senator from Minnesota that Congress has the power and the duty to lay down conditions precedent to the exercise of any authority granted to the President in the bill. In other words, I will put it this way, in nonlegal language: Suppose Congress sends to the President a piece of legislation which grants him power, but we say that the exercise of the power is contingent upon his complying with certain conditions which Congress imposes; and that unless the President complies with those conditions, the authority is legally not vested in him. That is a perfectly legal legislative form to follow in enacting legislation. I know of no other way to check arbitrary, discretionary power on the part of the President.

Lastly, I heard practically nothing from the Senator from Minnesota about the inconsistent position in which he must find himself in respect to the great differences between the procedures set forth in the bill which he joined in recommending to the Senate and the procedures contained in the report of the special committee which studied mutual security for more than 11 months, and which the Senator from Minnesota also signed. If he thinks he made a mistake and was in error in signing the report of the special committee, then let him say so to the Senate. But I have not heard any of the signatories to the report of the special committee say that.

Of course, if their position is that although the committee report contains the ideal procedure, but that they are now submitting a bill which they think is based upon legislative practicalities, my answer to them is that they are not very practical, in my judgment, when they propose a bill containing a procedure which one of their most able spokesmen in debate has admitted involves the giving away or the relinquishing of some congressional authority.

Mr. President, because I think it is most important that Congress maintain more effective checks upon the exercise of executive power, I close by sending to the desk and asking to have printed tonight, so that it will be available to Senators tomorrow, an amendment which provides for further restrictions and limitations upon the exercise of discretion by the President of the United States in respect to the so-called special assistance fund.

The PRESIDING OFFICER (Mr. SCOTT in the chair). The amendment will be received, printed, and will lie on the table.

JUVENILE DELINQUENCY

Mr. HUMPHREY. Mr. President, we are all deeply concerned with the problem of juvenile delinquency. It is of concern not only to the older folk but to many of the younger generation themselves.

Feeling that it would be wise to hear from the young people themselves as to ways and means of combating juvenile delinquency, the Minnesota Police and Peace Officers Association recently sponsored an essay contest on the juvenile delinquency problem in the United States. The winning essay which brought Mr. John Roth, a pupil in the Mankato high school, a $300 scholarship award, was printed in a recent issue of the Minneapolis Tribune.

John Roth's emphasis on the positive, his concern with the impact of materialism on the family, and the overwhelming importance of family life is most effective.

I call this essay to the attention of my colleagues as both challenging and stimulating.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the essay entitled "The Juvenile Delinquency Problem in the United States" by John Roth.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

THE JUVENILE DELINQUENCY PROBLEM IN THE UNITED STATES—"DANGEROUS TO HAVE HOME DECLINE"—BOY'S PRIZE ESSAY ON SOLVING DELINQUENCY

(By John Roth)

Juvenile delinquency, like so many of our society's pressing problems, is not a situation that can be attributed to any one cause.

It is a problem with many different facets and one whose causes are many and varied. The majority of the causes, it seems to me, are not ones that can be corrected by legislation or by any method in a short time. They are factors that have arisen over a long period of time because of the slow changes that civilization must make in order to survive.

As a civilization progresses, especially a materialistic one like ours, the great impetus to invent, produce, manufacture, and to make money overshadows the interest in developing the important cultural and domestic

aspects of our daily life. Because emphasis is placed on success in business rather than in the home, it is only natural that this vital institution will deteriorate. It also follows that family ties will become loose, and that children will forget their responsibility to the society of which they are a member and which they must strive to sustain and improve.

Since the home is one of the best places for young people to be taught citizenship and to learn correct conduct by observing others in his or her family group, it is a dangerous one to have decline.

The cause of juvenile delinquency that is found directly in the home will probably resolve itself eventually as these cultural and domestic factors catch up to the materialism which is now being driven along by world tensions and intense competition.

Another cause, I feel, is our standard of living. Science has gone all out to make life as easy as possible for human beings. Instead of using their originality and good sense to choose safe, constructive activities, the youngsters of today are drawn to more commercial forms of entertainment such as movies and television.

These mass media, because of the necessity of drawing a crowd, seem forced to present attractions which contain a good deal of violence and disrespect for authority. Besides, these attractions are what might be called passive entertainment.

The recipients sit, doing nothing original or constructive, and watch spellbound as people of their own age and people who look and dress the same as they do commit crimes and show utter contempt for forces working for law and order.

As young people see this type of thing time after time after time, naturally, they are led to believe that this type of behavior is customary and that they are in a minority group if they don't conform.

Youngsters, by nature, want to be like others in their age group, so they do all they can to conform to this stereotype which they firmly hold to be accurate. Unfortunately the stereotype is not at all accurate and it prompts our young citizens, who are very easily impressed at this age, to conduct themselves in a manner that is not in accordance with the morals and established proper behavior of our society. This cause also is one that we can't easily correct in order to curb juvenile delinquency.

It is quite noticeable that juvenile problems occur much more frequently in large population centers, where housing facilities are marginal, space of any type is at a premium, and where fields, playgrounds, and recreational opportunities are rare or even nonexistent. It is easily discerned how trouble arises in situations of this type.

With no adequate place to spend leisure time and to let off steam through physical activity, young people naturally drift to the streets and into undesirable places of business. There they come in contact with others in the same situation and soon gangs are formed which provide some sort of organized activities, usually of a highly objectionable type. If these gangs spring up in one place, they are bound to spring from many locations having similar conditions. Then the youthful spirit of adventure and competition comes into view.

Adventure, competition, and organized gangs with no responsible adult leadership. What could be a better combination to produce theft, fights, revenge, and in extreme cases, murder? However, as we look at this causative factor objectively, we again see that it is one that is well nigh impossible to dispose of. As long as we manufacture and mass produce, people must congregate around places of production and crowded conditions are almost inevitable.

Although research has demonstrated that as new population centers are created, it is possible to construct them so that recreational facilities are provided, we still have many old areas to cope with which can only be rebuilt over a long period of time and through the expenditure of countless millions of dollars.

These three items seem to be the largest contributors to juvenile delinquency. As you see, it is practically impossible to destroy any of these factors immediately. Must we then be content to say that the juvenile problem is insoluble and give up? By no means. The trouble is of such magnitude that we can't afford morally or economically to give up.

We must do something about juvenile delinquency within a very short period of time because it is dangerous, not only to the young people and the people near them now, but also it is a danger to our whole society when these youths become the leaders and citizens of tomorrow. We should enact measures which will curb juvenile delinquency and perhaps cut down some of the more tangible causes. These steps could partially solve the problem until education of the public and natural changes evolve a generation which realizes the true causes of the situation, and would proceed to solve it at its sources, the home, community and our society.

One effort that could be made immediately and which, in my opinion, would help ease the crisis is publicity. At the present time, in many localities it is illegal to publish the names of juvenile offenders. This is unfortunate.

Youths now know that if they are apprehended for some crime, they will be punished, usually by a warning, fine, or short jail sentence for themselves or their parents. They are confident that they will not have to suffer the disgrace of being ostracized by their friends, neighbors and relatives because their names will not be published in newspapers or broadcast over the radio.

Adolescents are very sensitive to criticism by the group they associate with. They find it especially necessary to belong to and be accepted by the majority of their classmates and other members of their age. Furthermore, I feel that the young people of today, yes, even the group known as juvenile delinquents, are basically good and know the difference between right and wrong. Some of them just don't use their good judgement.

Thus if the names of teen-age offenders were published, I think that the pressure of disapproval from the responsible members of the adolescent group would be a force to discourage the miscreant from repeating his or her misdeed.

Another aspect of publicity that could be improved is that when a minor has been involved in a crime, newspapers often go over every detail of the incident and describe colorfully just how the act was accomplished. Young people, after reading a report of this sort, will discuss it with their friends. Immediately the offender becomes a hero, his mistakes are criticized; his accomplishments are praised. If incidents involving minors were reported by giving merely the names of offenders and avoiding detailed description and pictures, it would definitely be a step in the right direction.

The commendable accomplishments of the young people should be brought to the eyes of the public instead of putting so much emphasis on their misdeeds. Honor rolls, class plays, speech meets, science fairs, sports events and student council activities at a high school would be good subjects for a lot of constructive publicity.

A phase of our juvenile problem that has been getting a lot of attention lately is the practice of punishing the parents of the youthful offender. I am surprised that this practice was ever initiated. It is a very unfortunate state of affairs, both for the youngster and for his family relationship.

Although it is generally conceded by enforcement officials, psychologists, and educators that many juvenile problems originate in the home and that parents could do much to solve it, it is grossly unfair to punish these parents because many of them are unaware of where they are failing and what they should do. Such parents, when punished for the misdemeanors of their offspring, don't understand why they are being blamed and instead of inquiring about it, they will take out their wrath on the youngsters.

After the punishment of such a parent, often the offender has been severely punished by the parent, family ties have been weakened, and, in some extreme cases, parents have even turned their children over to the State rather than be responsible for them if they seem uncontrollable.

The juvenile delinquents are young adults. For this reason, they should be able to make many of their own decisions and held responsible for their actions. If punishment is to be meted out to them and not to their parents, I feel they will think twice before committing a crime.

In looking over the whole problem objectively, it appears to me to divide itself neatly into two parts, causes and preventive measures. It may seem strange to have causes and solutions be separate, but I feel that they must necessarily be that way because the problem has arisen as a result of our rapidly changing civilization and its source can be done away with only when this civilization gains its equilibrium.

In the meanwhile, however, we must take some steps to control these difficult youngsters. Some measures that I feel would be an aid are publishing the names of offenders and giving less attention to the actual details of the incident. Another beneficial measure would be to give more publicity to the good deeds, and accomplishments, of young people. These young people would also think twice before getting into trouble if they realized that they themselves would be punished and not their parents. These steps, in my opinion, would do much to control the irresponsible actions of a small percentage of our adolescent group that are getting so much bad publicity.

ADJOURNMENT TO 9:30 A. M. TOMORROW

Mr. MORSE. Mr. President, I move that the Senate adjourn until 9:30 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 59 minutes p. m.) the Senate adjourned, the adjournment being, under the order entered on June 10, 1957, until tomorrow, Friday, June 14, 1957, at 9:30 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 13, 1957:

IN THE ARMY

Lt. Gen. Robert Nicholas Young, O15068, Army of the United States (major general, U. S. Army), to be placed on the retired list in the grade of lieutenant general under the provisions of title 10, United States Code, section 3962.

The following-named officers for appointment in the Regular Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier general

Maj. Gen. Louis Theilmann Heath, O18060, Army of the United States (colonel, U. S. Army).

Maj. Gen. Andrew Pick O'Meara, O18062, Army of the United States (colonel, U. S. Army).

Maj. Gen. Robert Jefferson Wood, O18064, Army of the United States (colonel, U. S. Army).

Maj. Gen. Robert Highman Booth, O18093, Army of the United States (colonel, U. S. Army).

Brig. Gen. Alva Revista Fitch, O18113, Army of the United States (colonel, U. S. Army).

Maj. Gen. Roy Ernest Lindquist, O18125, Army of the United States (colonel, U. S. Army).

Brig. Gen. Sidney Clay Wooten, O18126, Army of the United States (colonel, U. S. Army).

Brig. Gen. Archibald William Stuart, O18130, Army of the United States (colonel, U. S. Army).

Maj. Gen. Barksdale Hamlett, O18143, Army of the United States (colonel, U. S. Army).

Brig. Gen. Carl Irven Hutton, O18177, Army of the United States (colonel, U. S. Army).

Brig. Gen. Ned Dalton Moore, O18212, Army of the United States (colonel, U. S. Army).

Maj. Gen. Walter Bernard Yeager, O29464, Army of the United States (colonel, U. S. Army).

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general

Brig. Gen. Sam Carroll Russell, O18678, Army of the United States (colonel, U. S. Army).

To be brigadier general

Col. James Wilson Holsinger, O29432, United States Army.

Col. William Whipple, O18024, United States Army.

Col. George Sebastian Speidel, Jr., O18406, United States Army.

Col. Paul Arthur Mayo, O18621, United States Army.

Col. John Tabb Snodgrass, O29670, United States Army.

Col. William Winston Lapsley, O19727, Army of the United States (lieutenant colonel, U. S. Army).

Prof. Gerald Alford Counts, O8556, United States Military Academy, for appointment as Dean of the Academic Board of the United States Military Academy under the provisions of title 10, United States Code, section 4335.

Lt. Gen. Blackshear Morrison Bryan, O15004, Army of the United States, for appointment as senior United States Army member of the Military Staff Committee of the United Nations, under the provisions of title 10, United States Code, section 711.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 13, 1957:

DEPARTMENT OF STATE

Loftus E. Becker, of New York, to be legal adviser of the Department of State.

DIPLOMATIC AND FOREIGN SERVICE

James M. Langley, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Pakistan.

The following-named Foreign Service officers for promotion to the class of career minister:

Vinton Chapin, of New Hampshire.
John Wesley Jones, of Iowa.
Frederick B. Lyon, of Nevada.
Carl W. Strom, of Iowa.

THE FEDERAL MARITIME BOARD

Ben H. Guill, of Texas, to be a member of the Federal Maritime Board for a term of 4 years expiring June 30, 1961.

COAST AND GEODETIC SURVEY

The following persons for permanent appointment to the grade indicated in the Coast and Geodetic Survey, subject to qualifications provided by law:

To be ensigns

Bernard R. Berson	Vello Kilsk
John D. Daly	John J. McCoy
Roy W. Entz	Sidney C. Miller
Robert W. Franklin	Philip L. Rotondo
Duane F. Georgeson	Loyd D. Thurman
Leon W. Heidebrecht	James N. White
Wesley P. James	Bobby S. Woodruff
Bobby W. Jester	Ben Frank Worsham III

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 13, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal and ever-blessed God, beyond Thee the thoughts of our finite minds cannot go and short of Thee the longings of our troubled hearts cannot find rest and peace.

We rejoice that Thou hast revealed Thyself not only as a Sovereign God who rules in majesty but a loving Father whose heart goes out in mercy and compassion to the wayward and the willful, the sinful and sorrowing.

Thou art always near unto us, moving our minds and hearts with noble aspirations, alluring them with lofty visions and stirring them with mighty hopes.

Grant that we may believe that a sense of Thy divine providence, which always provides, protects, and preserves us, is our deepest need and highest joy.

In Christ's name we pray. Amen.

The Journal of the proceedings of Tuesday, June 11, 1957, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 1451. An act for the relief of Cecelia Vaccaro;

H. R. 1765. An act for the relief of Ellen G. Marinas;

H. R. 1837. An act for the relief of Elda Mondillo;

H. R. 6548. An act to amend the Universal Military Training and Service Act, as amended, as regards persons in the medical, dental, and allied specialist categories;

H. R. 7505. An act to permit a retired officer of the Navy to be employed in a command status at Port Lyautey, Morocco;

H. J. Res. 272. Joint resolution for the relief of certain aliens;

H. J. Res. 289. Joint resolution to facilitate the admission into the United States of certain alien children; and

H. J. Res. 308. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 1359. An act for the relief of Mrs. Theodore (Nicole Xantho) Rousseau;

H. R. 1454. An act for the relief of Jeffrey Charles Medworth; and

H. J. Res. 274. Joint resolution to waive the provision of section 212 (a) (9) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6070. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes.

The message further announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. HILL, Mr. ELLENDER, Mr. ROBERTSON, Mr. RUSSELL, Mr. MCCLELLAN, Mr. DIRKSEN, Mr. SALTONSTALL, Mr. MUNDT, Mr. POTTER, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6287. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes.

The message further announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. CHAVEZ, Mr. RUSSELL, Mr. MAGNUSON, Mr. STENNIS, Mr. PASTORE, Mr. THYE, Mrs. SMITH of Maine, Mr. DWORSHAK, Mr. POTTER, and Mr. IVES to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7441. An act making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes.

The message further announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RUSSELL, Mr. HAYDEN, Mr.

HILL, Mr. ROBERTSON, Mr. ELLENDER, Mr. YOUNG, Mr. MUNDT, and Mr. DWORSHAK to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6500. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. MCCLELLAN, Mr. JOHNSON of Texas, Mr. BIBLE, Mr. FREAR, Mr. DIRKSEN, Mr. IVES, and Mr. BEALL to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 18. An act for the relief of Alessandro Renda;

S. 250. An act for the relief of Kyu Yawp Lee and his wife, Hyung Sook Lee;

S. 252. An act for the relief of Katarzyna Siwik;

S. 254. An act for the relief of Susana M. Umanos;

S. 255. An act for the relief of Fumiko Shikanuki;

S. 284. An act for the relief of Miyako Ueda Osgood;

S. 286. An act for the relief of Maria Matilde Picallo;

S. 303. An act for the relief of Gaetano Mattioli Cicchini;

S. 336. An act for the relief of Angela Ferrini;

S. 418. An act for the relief of Elisabeth Trout;

S. 520. An act for the relief of Eleanor M. Horton;

S. 627. An act for the relief of Wilhelmine Aldridge, and her minor children, Irene S. Aldridge and Ingeborg Kathe Aldridge;

S. 660. An act for the relief of Ursula Rose Pazdro;

S. 904. An act for the relief of Chrisoula Antonios Chegaras;

S. 939. An act to amend section 22 of the Interstate Commerce Act, as amended;

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

S. 1083. An act for the relief of Maria Maniates;

S. 1566. An act for the relief of Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You; and

S. 1581. An act for the relief of Sheu Shei Lan and Chow Shong Yep.

COMMITTEE MEETING DURING SESSIONS OF HOUSE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be privileged to sit next week during general debate in the House.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CIVIL FUNCTIONS APPROPRIATIONS BILL

Mr. CANNON, from the Committee on Appropriations, reported the bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 552), which was read a first and second time and, together with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. FENTON reserved all points of order on the bill.

DECLARATION OF RECESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Thursday, June 20, 1957, for the Speaker to declare a recess for the purpose of receiving His Excellency Nobusuke Kishi, the Prime Minister of Japan.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HOUSING

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate, and that the Speaker appoint conferees.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. VURSELL. I object, Mr. Speaker.

CALL OF THE HOUSE

Mr. HEMPHILL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 108]

Bailey	Halleck	Morris
Beamer	Hoffman	Powell
Bowler	Holtzman	Simpson, Ill.
Dawson, Ill.	Kluczynski	Smith, Calif.
Dooley	McConnell	Teague, Calif.
Gubser	Machrowicz	Thomas

The SPEAKER. On this rollcall 421 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS ACT OF 1957

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6127, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. HOLTZMAN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOLTZMAN. Mr. Chairman, there is before the House of Representatives at the present time a bill, H. R. 6127, which is entitled the Civil Rights Act of 1957.

Unfortunately, due to a recent heart attack, it is impossible for me to be on the floor during the debate on this important legislation. However, I am a member of the subcommittee of the House Committee on the Judiciary which did considerable work on the bill. In addition, I had previously introduced a civil-rights bill, which was a companion measure to the bill originally introduced by the chairman of the Committee on the Judiciary, the Honorable EMANUEL CELLER, who is also chairman of the subcommittee which held hearings on the bill.

I believe that each and every member of the subcommittee played a substantial part in bringing this legislation to the floor where I trust it will be passed without any unwarranted delay, or amendments.

I deeply regret my inability to be present on the floor at this time, as I believe this is one of the most urgent pieces of legislation to come before us this session. Since I cannot speak to you personally and urge your support of the measure, I must resort to this means of asking you and my colleagues to give your prompt and favorable consideration to the passage of the bill.

For many years both the Democratic and Republican Party platforms have advocated an adequate civil-rights program, but we have not been successful in having such legislation enacted by the Congress.

Last year, during the 84th Congress, we were able to pass a bill calling for the establishment of a national policy to protect the right of the individual to be free from discrimination on account of race, color, religion, or national origin, but no action was taken on the bill in the Senate.

This year we again have an opportunity to effect a reinforcement of the guaranties contained in the Constitution and to insure the full and equal protection under the law of the rights and privileges of all our citizens. We have a chance to demonstrate to the world, particularly to those people behind the Iron Curtain,

that this country is truly a land of freedom and opportunity.

I therefore respectfully request that the bill be passed as reported from the Judiciary Committee.

The Clerk read as follows:

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $50 per day for each day spent in the work of the Commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

(b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

DUTIES OF THE COMMISSION

SEC. 104. (a) The Commission shall—

(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based.

(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

(b) The Commission shall submit interim reports to the President at such times as either the Commission or the President shall deem desirable, and shall submit to the President a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of the enactment of this act.

(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

Mr. DIES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIES: On page 5, line 21, after the word "vote" on line 21, strike out "by reason of their color, race, religion, or national origin."

Mr. KEATING. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. KEATING. The point of order is that the adoption of this amendment would completely change the character of the legislation. It would leave in the bill simply the power to investigate the right to vote. Such a commission set up in this manner would not normally be created by the Committee on the Judiciary but, rather, by the Committee on House Administration. This bill would not normally come from the Committee on the Judiciary if it were relating only to a deprivation of the right to vote without any constitutional considerations involved. The Committee on the Judiciary has jurisdiction only over the deprivation of the right to vote where the Constitution is involved.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. DIES. Mr. Chairman, the right to vote is a civil right. All my amendment proposes to do is to authorize the Commission to investigate the allegations in writing, under oath or affirmation, that certain citizens of the United States are being deprived of their right to vote. Why limit the investigatory power of the Commission to those cases where the denial is based upon color, race, national origin, or religion? If any citizen is being denied the right to vote anywhere in the United States, his civil rights are being infringed upon and the reason or motive of the denial of the right is immaterial. I would make this liberal and more all inclusive so that we can protect the civil right of every citizen in the United States to vote. It seems to me that the wording of the bill as it is is extremely reactionary and that we ought to liberalize its provisions.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from Texas offers an amendment to the bill now under consideration that would strike out the words "by reason of their color, race, religion, or national origin." The paragraph to which it is offered deals with investigations to be made by the Commission and reads "investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote." Then comes the qualification.

The Chair rules that those additional qualifications are not necessary. The intent of the paragraph is still carried out by virtue of the fact that it authorizes the Commission to investigate the allegation that someone is being deprived of his political right to vote and, therefore, overrules the point of order.

Mr. DIES. Mr. Chairman, I think it is quite apparent what my amendment seeks to accomplish. I hope that the chairman of the committee will agree to the amendment. Will the gentleman from New York [Mr. CELLER], who is a stanch champion of liberalism in the House, agree to my amendment?

Mr. CELLER. I, unfortunately, cannot agree to the gentleman's amendment.

Mr. DIES. Mr. Chairman, it seems to me that this is rather restrictive language in the bill. If John Doe is being denied the right to vote, what difference does it make to him the reason for the denial? We have no evidence here except certain allegations that people are being denied the right to vote.

A few days ago I mentioned a situation in Chicago. My good friend the gentleman from Illinois [Mr. O'HARA] took exception to my remark. I have here the article that appeared in the Reader's Digest and I want to read you some excerpts from it because it seems to me that we need to devote some attention to Chicago and New York and certain other centers of the United States besides the South. And since the article contains a quotation from the sheriff of Cook County, I would assume that the evidence is more reliable and acceptable than the hearsay statements that were made on the floor of the House about a few scattered, isolated communities in the South.

Mr. Chairman, I ask unanimous consent that I may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DIES. Mr. Chairman, I want every Member of this House to listen to these words because this article was first published in the U. S. News & World Report. Then it was reprinted in the Reader's Digest and as I understand is the result of an invitation by the Governor of Mississippi to certain eastern newspaper reporters who had been critical of conditions in the South and made a survey. As a result of this survey this is what they report about Chicago.

A mass migration of southern Negroes to Chicago is producing a racial situation that well-informed Chicagoans describe as "explosive."

Negroes, living in residential areas known as the Black Belt, are pushing out. Tension has been flaring into violence in one neighborhood after another as whites attempt to stem the tide. Serious trouble, white and Negro leaders warn, could erupt at any time. White mobs have gathered on several occasions. People of both races have been assaulted. Negro homes have been stoned and set afire. Fights that had to be quelled by police have broken out among high-school students.

This is the quotation of the sheriff of Cook County that I am going to read now; and where could I offer a more credible witness than the sheriff of that county? Here is what he said:

"One incident, given sufficient publicity and exciting white and Negro emotions, could blow up the city," says Joseph D. Lohman, sheriff of Cook County and an expert on race relations.

I cannot read all of this, but let me read certain excerpts about conditions that exist in Chicago.

Police records show that although whites outnumber Negroes by 4 to 1, the number of Negroes arrested in many types of crime comes close to or exceeds the number of whites arrested.

Why is that?

Negro resentment against whites flares up over the fact that even though equality is often proclaimed publicly in Chicago and in many cases is prescribed by law, something less than that exists in fact. In restaurants and other public places Negroes run up against an unpredictable color bar though a State law forbids discrimination based on color. Hotels, restaurants, saloons, and night clubs in the loop district usually serve Negroes without hesitation. But a few exceptions are noted, and in the outlying neighborhoods Negroes run into a baffling variety of situations.

Some taverns and restaurants reincorporate as private clubs and install locks on their doors; Negroes are never admitted. Some places serve Negroes courteously, others turn them away flatly. Negroes have occasionally met violence.

Negroes therefore never know what sort of reception they will get in a public place. "I'd rather live in Mississippi"——

Here is a Chicagoan who would make a statement like this. He said:

"I'd rather live in Mississippi," a Negro workingman says. "Down there I knew exactly where I stood. Here I never know."

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield to a colleague from Chicago?

Mr. DIES. I will yield briefly. Does that depict the fact?

Mr. BYRNE of Illinois. That does not depict the facts. May I suggest to the gentleman——

Mr. DIES. I do not want a speech.

Mr. BYRNE of Illinois. Will the gentleman just give me a minute? He has been talking about Chicago.

Mr. DIES. I am not talking about it. I know nothing about Chicago.

Mr. BYRNE of Illinois. I do. Will the gentleman give me a chance to say a word?

Mr. DIES. No. The gentleman can get his own time.

Mr. BYRNE of Illinois. Thank you very much, sir.

Mr. DIES. I would like to yield, but I do not have the time. I am sure my friend can answer it.

Mr. BYRNE of Illinois. Thank you.

Mr. DIES. The point I want to make is simply this: This problem that some seem to be so seriously concerned about in the South is not nearly so critical as it is in some of the large metropolitan areas of the United States. We have been spending decades on this problem and we are solving it. There can be no question about that. As I said to this House and as every Representative from Texas will agree, in the State of Texas, which is a Southern State, the Negroes are voting without restriction and without impediment, and their numbers are increasing year by year. There is no instance on record that I know of that any Negro or any Jew or any Catholic or anyone else has been denied the right to vote in our State.

Mr. LONG. Mr. Chairman, will the gentleman yield briefly?

Mr. DIES. I will yield briefly, yes.

Mr. LONG. I notice the gentleman from Chicago says no such thing exists. I just want to make this observation, that everybody votes in Louisiana, too.

Mr. DIES. I know that to be a fact. As a matter of fact, you have a tremendous number of Negro voters.

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield now for a comment on that?

Mr. DIES. No. Get some time, please. I want to be courteous to the gentleman.

Mr. BYRNE of Illinois. I want to be courteous to both of you.

Mr. DIES. I lived through the Ku Klux Klan days and I opposed the Ku Klux Klan. I went over southeast Texas and denounced the Klan. I supported Alfred E. Smith through that period, when there was great religious feelings. As a matter of fact, I was a manager for southeast Texas. I know something about this business of stirring up racial antagonism and hostility.

The truth about it, as I have said many times, is that this is a matter of education, it is a matter of tolerance, it is a matter of adjusting ourselves. This is the only country on earth that has made a success of it. There has never been another country with such a heterogeneous population, made up as it is of people from every country on the face of the earth, that has made the progress we have made in the United States.

In the Soviet Union there are some 80 or 90 nationalities that have been brought under one flag by reason of conquest. But how has Russia succeeded in keeping down the racial conflicts and outbreaks? By despotism under the Czar. No one had any rights. Under the Soviet Union, of course, we have the same despotism carried forward. The Roman Empire had a heterogeneous population but the Caesars ruled with an iron hand.

In the United States we are undertaking the greatest experiment on the face of the earth. That experiment will succeed or fail not by reason of what we are doing in Congress—not by virtue of any summary proceedings—not by reason of reprisals or expressions of hostility or deep-rooted prejudices, but it will come about because people of good will and intelligence and understanding in every community work hand in hand to find a common solution of their problems. The danger in this type of legislation, if it is honestly administered, is not true so far as Texas is concerned. I do not fear a fair and impartial enforcement of this bill because there is no instance that anyone has been denied the right to vote in Texas.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. DIES. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DIES. Mr. Chairman, here is the reason I fear this bill. I fear it because you will only aggravate an explosive condition. You will bring about strife and misunderstanding where it does not exist. I fear some intemperate judge, and we have had them—I have known tyrants on the bench—and there is not a man here who will not admit that this is true—of course, the vast majority of the Federal judiciary are composed of very fine men and patriotic citizens, but I have practiced law before several judges who were utterly lacking in judgment and reason. If you have one judge like that and he undertakes to issue an ill-considered injunction, you will do more to retrogress in race relations and more to halt the tide of understanding and tolerance than you can undo in 50 years. I do not want any Ku Klux Klans. I opposed them when it took courage to oppose them in Texas; and, I do not want any resort to violence, but I say to you gentlemen the reason I believe you ought to have this jury trial amendment and be as careful and as prudent in this bill as you possibly can is to assist all of us, not only in Texas, Mississippi, and Chicago and in New York, but to help all of us solve the most vital question of our era, the question of making a success of tolerance, understanding and love and devotion to the great ideals of our country.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, at this juncture, I wish to express my gratitude to the membership for the high level of intelligence maintained in the debate on this bill. There have been a few occasions of departure from standards of courtesy and good will, but they have been, happily, only a few. In general each debator has naturally and sincerely expressed the views of his own section of the country and of his own constituents. In a great country like ours, all cannot agree, all cannot think alike—exactly alike. But, in this debate, it is refreshing to note that the Members have attempted, and I think very successfully attempted, to be persuasive—they have never been personal—they have been objective and never objectionable, they have been contentious but never contemptuous of their fellows.

Now, as to this amendment before us, I wish to state that it destroys in a measure one of the main purposes of the bill. The main purpose of the bill is, among other things, of course, for the Commission to consider the deprivation of rights due to color, race, religion, and national origin. The bill considers the facets of the whole problem of the so-called deprivation of rights on various levels. There are various facets to this so-called deprivation of rights. The facets to be considered are denials on the grounds of race or color, denials on the grounds of religion and denials on the ground of origin.

The basis of the bill is the consideration, indeed, of these deprivations on all these levels and stations of American life.

There is nothing to prevent this Commission from taking testimony in Chicago, New York, or anywhere in the country; as a matter of fact, I do, indeed, hope that the Commission will do just that. When there are such deprivations in parts of the country other than in the Southland, it should be the duty of the Commission to check and investigate anywhere.

We have heard tell from Members of various Southern States that there has been no deprivation of the right to vote because of a man's color. I like to believe what my colleagues tell me, and I might say that at first blush I do believe them, but there are many contradictions of what these gentlemen state. For example, there is a report by the research office of the Southern Regional Council received from the Legislative Reference Service of the Library of Congress which clearly indicates deliberate attempts to exclude Negroes from voting, and those exclusions are very serious. The Legislative Reference Service of the Library of Congress indicates that those exclusions affect seriously the jury lists. Certainly, therefore, it is mete and proper for this Commission to consider these denials of rights based on race or national origins.

Among the many conclusions reached by this organization which I have received from the Legislative Reference Service of the Library of Congress we have the following, and, mark you well, this quotation from the Federal Statutes, United States Code, volume 228, chapter 28, page 1661, a person may not serve on a Federal jury if: "he is incompetent to serve by the law of the State in which the district court is held."

By law in Arkansas, Mississippi, Texas, and the parish of Orleans in Louisiana.

A person must be eligible to vote in order to be competent to serve as a grand or petit juror in the State or the parish.

The practice in many other States is to select jurors from a list of registered or actual voters.

In all of the Southern States for which figures are available over half the Negroes of voting age are not registered, while in 5 of these States 75 percent of the Negroes of voting age were excluded from the list of voters. In Alabama, Arkansas, Mississippi, and Virginia, virtually 80 percent of the Negroes of voting age were excluded from the voting lists. I shall place in the RECORD figures for those States for which figures are available which indicated Negroes of voting age not registered to vote, and I shall give the percentages.

Mr. DOWDY. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. DOWDY. In Texas, failure to pay a poll tax is not a disqualification to serve as a juror.

Mr. CELLER. That may be. I do not know; but I am glad to get the gentleman's statement in that regard.

Poll taxes actually weigh heavily on the right to vote, and I am very glad to note that in a number of States poll taxes have been abolished.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. BROOKS of Louisiana. I would like to tell the gentleman this as far as Louisiana is concerned, that 159,000 Negroes voted in the last statewide election. So I think the gentleman's comment with regard to jurors is of very little significance.

Mr. CELLER. The figures show varying percentages of Negroes of voting age not registered. The average in Louisiana is 66.5 percent.

Mr. BROOKS of Louisiana. The percentage may be large, but the percentage voting is heavy, too.

Mr. CELLER. That may be.

Mr. BROOKS of Louisiana. A little less than 160,000 voted.

Mr. CELLER. Why should not the Commission look into those very facts? There may be difference of opinion between us, and between others. I think it would be proper for the Commission to investigate to ascertain whether there is such deprivation based on race. I do not want to make the categorical statement there is. I am relying on the reports which I have received from rather authoritative sources. I do not know whether they are true or not, I cannot state, I have not checked personally on it, but I think these records are believable.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Texas.

Mr. DIES. My amendment will not preclude any of the investigations the gentleman is talking about. It is all embrasive. It will include not only discrimination based on color, race, creed, color of your hair or anything else, but in case of a denial of the right to vote, if we are going to do this, let us do it right.

Mr. CELLER. I understand that, but I think we must give emphasis to the deprivation based upon race or national origin and that is why we have to include those words in the bill.

Mr. DIES. Does not the gentleman think there has been too much emphasis on race, color, and religion?

Mr. CELLER. That would be the best thing to do when the Commission gets down to Texas. You can have your say, then you can smooth off these rough edges.

Mr. DIES. Does the gentleman suggest that I should be appointed on the Commission?

Mr. CELLER. I do not suggest that, but I will say that I think we would get a square deal with the gentleman. I am willing to take my chance.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, make it 10.

Mr. MASON. Mr. Chairman, reserving the right to object, I will not interpose an objection to this request but from now on there will be no additional time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, these figures concerning the failure of Negroes to vote are very significant and bolster the opposition to the amendment offered by the gentleman from Texas. If a jury trial amendment is agreed to in the cases where those who are tried for contempt for failing to carry out court orders, the juries in at least five States will be composed exclusively of those who are qualified to vote while those individuals or groups who are denied the vote or who fail to qualify perhaps by the very action of the defendants will be denied the right to be on the jury list.

Thus, the system feeds on itself. The selection of juries by law, in five Southern States and in others by practice, is such that the overwhelming number and in many cases all the jurors will be chosen from the white voters. These jurors, in most Southern States, would probably not convict a fellow white man for preventing a Negro from voting.

I am not so naive to think the contrary.

In those States which require eligibility to vote as a qualification for jury duty—and the practice is more widespread than the actual laws of the States indicate—each discrimination would reinforce the other.

The great proportion of Negroes are denied the right to vote. Because they are denied the right to vote they are ineligible to serve on juries. Because they are ineligible to serve on juries in these Southern States, they would be unable to protect their right to vote by jury action under the so-called jury trial amendment.

Now, that all leads up, certainly, to opposition to the amendment offered by my distinguished friend and colleague, the gentleman from Texas, and we must pause long before we would give any kind of support to such an amendment.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Connecticut.

Mr. MORANO. In other words, what the gentleman is saying is that if you give the Negro the right to vote he will have the ability then to protect all his other rights.

Mr. CELLER. I think he would.

Mr. SIEMINSKI. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Jersey.

Mr. SIEMINSKI. Would it not serve the purpose of this debate and the evaluation of the benefit of your bill, should it pass, to know, in all 48 States, how many people are eligible to register to vote and those who have failed, so that we would know where we stand in the 48 States?

Mr. CELLER. I think the words you utter should be indicated to the members of the Commission when they are chosen.

Mr. SIEMINSKI. We have now, as a matter of record, in the 48 States, a deficiency of the citizens in those States in meeting their voting obligations, have we not?

Mr. CELLER. I yield to the gentleman from Texas to answer that.

Mr. DIES. I read some very interesting statistics not long ago that one-half of the people eligible to vote do not even vote.

Mr. SIEMINSKI. I am talking about registering, so that we would know, as a matter of record, that if there are, for instance, 100,000 people in an area eligible to vote, what percent of them failed even to register to vote.

Mr. DIES. The gentleman is speaking of voting?

Mr. SIEMINSKI. Eligible to register, and how many actually fail to register, either white or colored.

Mr. CELLER. My figures are those who have registered and I give the figures of those who are not registered to vote, who are among the Negro race.

Mr. SIEMINSKI. I simply want to say, Mr. Chairman, that there are many white people who are eligible to register but who have not registered, and we certainly cannot say in every instance that they have been discriminated against, can we?

Mr. CELLER. That should be investigated by the Commission.

Mr. SIEMINSKI. It would be good to know how many are as negligent as the whites are.

Mr. DORN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from South Carolina.

Mr. DORN of South Carolina. I think the gentleman from Texas has offered a very, very good amendment. In that connection I am just wondering if it is not a civil right to be permitted not to vote or not to go to church, if a citizen so desires. In your bill and in the discussion here we have heard a lot of talk about the right to vote. I know of a lot of cases where people have been subjected to economic pressure and intimidated and more or less had to vote, and I wonder if it is not a civil right not to vote or not to go to church if a citizen so desires not to.

Mr. CELLER. I agree with the gentleman.

Mr. DORN of South Carolina. Then, should not your bill include a provision to protect those people who do not want to vote?

Mr. CELLER. I think there is enough language in the bill to cover that.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. ABERNETHY. Mr. Chairman, I should like to get an interpretation from the gentleman on the first part of section 104. Do I understand that subsection 1 of section 104 beginning on line 19, page 5 would prohibit the Commission from making investigations relative to the right to vote in any field other than those of color, race, religion or national origin?

Mr. CELLER. I think you have to read the bill in its entirety and you have to look at the general language in other parts of the bill; also you have to consider the report on the bill, all of which would govern the activities of the Commission.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired.

Mr. SPRINGER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SPRINGER. Mr. Chairman, I have listened with considerable interest for 4 days to the debate on the civil rights bill.

This bill has as its principal purpose the enforcement of Federal constitutional civil rights to which every person in the United States is properly entitled. It appears to me that the bill is a reasonable one and if properly put into effect can guarantee every citizen his basic fundamental rights. The bill in its present form would give the Federal Government power to enforce civil rights guaranteed by the Constitution in the same manner that basic civil rights guaranteed by the constitution of Illinois would be enforced in that State.

If a voter appeared in Champaign County and demanded that he be enrolled in the office of the county clerk, his remedy would be exactly the same as is provided in this bill. His only remedy would be an injunction and a mandamus to force the county clerk to enroll him after a hearing in the proper court in Champaign County.

The bill under consideration would give a citizen the same right to appear in the Federal court and enforce his rights which are guaranteed by the Federal Constitution. Insofar as I can see, the bill provides for no more and no less.

I do not believe anyone here who has listened to this debate would consider this civil-rights bill to be more than mild in nature. It certainly is much reduced from the measure which we voted on last year. However, I do believe that with proper enforcement, the bill can give relief to people presently denied their constitutional rights in certain areas of the country.

For this reason, I do favor the bill as presently written, without any amendments.

Mr. HOFFMAN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, if our purpose is to protect the right to vote, just why do we limit that right, that protection to the case of one who is deprived of his right to vote, because of just those four reasons?

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I would be very, very glad to yield to the gentleman.

Mr. McCULLOCH. If the gentleman wishes to know my reason why it was limited, I would be glad to give it.

Section 4 of article I of the Constitution of the United States provides:

> The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Notwithstanding that section, I am of the opinion that there is some possibility that if this right to investigate on the part of the Federal Government is not limted at least to some of the words in section 1 of article XV of the Constitution, that the bill, if it becomes law, might be unconstitutional.

Mr. HOFFMAN. Now, do you get that? Did you ever hear anything like that? I respect the gentleman's ability. Do not misunderstand me. He and I are warm personal friends. But, boy oh boy—think of it. The only right of the Congress to protect the right to vote must be based on 1 of those 4 reasons.

Mr. McCULLOCH. If the gentleman will yield further, for just a moment?

Mr. HOFFMAN. Surely; and I hope the gentleman asks for time so that we can continue this discussion, because I know I cannot get any more time.

Mr. McCULLOCH. I shall be very happy to try to get some time.

Mr. HOFFMAN. I am asking these things in good faith. Some of the distinguished Members here want to know about this.

Mr. McCULLOCH. Section 1 of article XV of the Constitution provides——

Mr. HOFFMAN. We all know about that.

Mr. McCULLOCH. But I would like to read it for the RECORD, if the gentleman would yield. I quote:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Mr. HOFFMAN. I would be willing to take a chance with the Supreme Court. They go along with a great deal of social legislation.

Mr. McCULLOCH. I end the quotation there.

Section 2 then says:

> Congress shall have power to enforce this article by appropriate legislation.

So I repeat, that unless they were limited to voting for Representatives or United States Senators there is a possibility the law would be unconstitutional.

Mr. HOFFMAN. The Congress has no right to protect your right to vote except for 1 of those 4 reasons? Now, do you swallow that?

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. JOHANSEN. May I ask the gentleman from Ohio, if the restrictions are for the purpose he indicated, to keep it constitutional, how did "religion" get in there?

Mr. McCULLOCH. I would also like to answer that question, and I will answer it with the frankness with which I have tried to answer the other question. I am glad to advise the gentleman that in the Judiciary Committee I proposed to strike the word "religion."

Mr. HOFFMAN. But it is not in the Constitution, the part the gentleman read. You put that one in.

Mr. McCULLOCH. Let me finish answering the gentleman's question because it is so important.

Mr. HOFFMAN. I cannot; I am sorry. But you see what it amounts to. They hold it down to the words of the Constitution because they thought they could not put anything in that was not in the Constitution. They did not dare add protection where the right to vote was denied for any other reason than one of the four given—and protection of the right to vote for any official other than those named because it was thought that it would be unconstitutional.

If my understanding of the argument of the gentleman from Ohio, and other members of the committee who oppose any amendment which would provide "means of further securing and protecting the civil rights or investigating allegations that citizens were deprived of their right to vote for any reason other than because of color, race, religion, or national origin" is correct, it is that such amendments would broaden the bill, and that our right to investigate and bring

charges that the right to vote was denied must be limited by the words of the Constitution.

The gentleman from Ohio [Mr. McCULLOCH] read the 15th amendment in support of his argument, but, read again the 15th amendment:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

And please note that it especially states that the right to vote shall not be denied or abridged on account of race, color, or previous condition of servitude. If the gentleman's argument and the argument of the committee is sound, where, then, did it—or does it—get authority to add the two additional reasons: Religion or natural origin. The argument made against this amendment falls flat. The committee itself added for investigation, and, if justified, subsequent action, both religion and natural origin, neither of which is found in the 15th amendment as just quoted, and read by the gentleman from Ohio.

In the opinion of many, whatever may have been the purpose in the drafting of this bill, it is, on its face, just an attempt to create another snooping agency, through the operation of which a bid is made for the political support of minority racial groups.

Other than the hearsay statement of the Attorney General that there has been some complaint about the right to vote being hindered or restricted because of religion, there appears to be not a single word of testimony in the record that anyone's right to vote has been restricted or any attempt made to restrict that right because of religion.

We hear a great deal about lobbying, but, in effect, here's a bill through which the Congress itself is lobbying for the vote of, let us say, one minority group.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I point out that the original bill introduced as it relates to civil rights authorized and gave to this Commission the authority to investigate allegations in writing as it relates to the right to vote, and the economic pressure that may be exerted on individuals because of race, color, religion, or national origin. The original bill so provided. As it was so provided, we discussed it in the committee. Finally while it had those provisions which would permit it to investigate the economic situation because of race, color, or creed, we eliminated that section from the bill and confined it purely to that of color, race, religion, or national origin.

Mr. ASHMORE. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from South Carolina.

Mr. ASHMORE. We took that out over the gentleman's objections, did we not?

Mr. ROGERS of Colorado. No; I do not know who took that part of it out.

Mr. ASHMORE. The gentleman means he voted to eliminate in committee the clause "due to economic pressure"? Was not the gentleman opposed to eliminating that clause in the committee?

Mr. ROGERS of Colorado. Yes.

Mr. ASHMORE. That is what I thought.

Mr. ROGERS of Colorado. Yes, that is true, but it was taken out. It was before it was taken out I had offered the amendment to eliminate the word "religion." That was originally adopted in the subcommittee but in the full committee "religion" was placed back. But when it was placed back, they eliminated the reason for taking it out in the first place, that is to say, economic pressure as a result of religion. With the result that, as it is now reported to us, it covers the four things—color, race, religion, or national origin. That is the extent of the authority of this Commission to make its investigations. Now, the gentleman raised the question as to why religion is in the bill. The truth of the matter is that those are the words and the verbiage that have been used throughout all of these civil-rights bills that have been proposed, and that is the reason it is left in here. I am sure there is not a Member of this House who would want to deprive an individual of his right to cast his vote because of his religion. That is the reason it is in there.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. JOHANSEN. Of course, I am sure there is not a Member of the House who wants to deprive any citizen of his right to vote. There is no right-thinking American who wants to deprive any citizen of the right to vote, because of a person's religion. But, I raised the question with reference to the argument being advanced by my friend, the gentleman from Ohio, who was arguing that it was because of the necessity of conforming to precise constitutional language, and the question I raise with respect to religion——

Mr. ROGERS of Colorado. Is the gentleman going to ask me a question or is he going to argue?

Mr. JOHANSEN. May I ask the gentleman—accepting the premise offered by the gentleman from Ohio—does not the objection apply also to national origin?

Mr. ROGERS of Colorado. No.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. WHITTEN. Is it not a matter of fact that the Constitution would not or does not limit the authority of the Congress to set up by law a commission to investigate matters which go far beyond the fields set out in this bill? The purpose might be for the assembling of information for use in determining whether to offer a constitutional amendment. The point I make is that the Constitution limits or is supposed to limit what we may control by statute or cover by statute—but the Constitution itself does not limit the Congress in regard to investigations by a commission authorized by the Congress, though of course I believe limits should be set by the Congress.

Mr. ROGERS of Colorado. In reply to the gentleman from Mississippi, I may say that we do limit the authority of the Commission to investigate allegations in writing and under oath or affirmation that certain citizens of the United States are being deprived of their right to vote by reason of race, color, religion, or national origin. That is the extent of the authority as it relates to investigations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. YATES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. MASON. Mr. Chairman, I object.

Mr. YATES. Mr. Chairman, I think it is most unfortunate that the debate which has been going along so expeditiously should suddenly be called to a halt. Until now no Member has challenged the right of any Member to express his views fully. This is as it should be, for it is not easy in a brief time for Members to explain their views on the very intricate and complicated issues that are presented to the House in this bill.

Mr. MASON. Mr. Chairman, will the gentleman yield for an explanation.

Mr. YATES. I yield.

Mr. MASON. We have had this discussion for more than a week. Everything has been said on this that could possibly be said. Anything now that is said is simply a repetition and we do not want repetition—we want to vote.

Mr. YATES. The gentleman is in error. We have been discussing the issues in this bill for much more than a week. The matters in this bill have been under discussion for centuries—since 1619 as a matter of fact, when the first slave ship came to America and discharged its cargo of slaves at Jamestown. Since that time the subject of slavery, of its abolition, of the protection of constitutional liberties for the descendents of the slaves have consumed our people for generations. This is no time for closed minds. Let's not talk about repetition or say that everything has been said. This matter is too vital, too important and we should be permitted to express our opinions on the subject. I think in bills of this nature, we should be able to have a full, fair, and free debate. I regret the gentleman's action.

Mr. Chairman, the gentleman from Texas had occasion to read from an article which talked about certain tensions which exist in the city of Chicago. There is no question but that such tensions do exist in the city of Chicago. Such tensions exist in every metropolitan community in the country. They exist as well in Texas, and throughout the Southland, which the gentleman seemed to infer was singularly free from such tensions.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield.

Mr. DIES. I said we are learning how to deal with the matter in the South.

Mr. YATES. Well, that may be. Certainly, every effort toward progress should be commended. We in the North too are learning how to deal with these tensions, and I think that a part of the difficulty which we are now engaged in trying to solve stems from what is occurring in the South today. But this is not a sectional problem. It is nationwide, because prejudice is nationwide. It can be manifested anywhere in the country.

In 1926 it was manifested in the city of Detroit. An acute housing shortage had compelled some Negro families to enter so-called white districts, only to be driven out by threats of violence. One of those who sought to make his home in such an area was Dr. Ossian Sweet, who had worked his way through college and medical school at the University of Michigan. When a huge crowd attacked his home, he and his relatives, who had provided themselves with guns and ammunition, fired upon it to drive it away. A man was killed. Clarence Darrow accepted the case as defense counsel.

Now, after the long trial, Darrow rose to make his final plea for the defendant's life. It was an eloquent and moving plea. He said:

We come now to lay this man's case in the hands of a jury of our peers—the first defense and the last defense is the protection of home and life as provided by our law. We are willing to leave it here. I feel, as I look at you, that we will be treated fairly and decently, even understandingly and kindly. You know what this case is. You know why it is. You know that if white men had been fighting their way against colored men, nobody would ever have dreamed of a prosecution. And you know that from the beginning of this case to the end, up to the time you write your verdict, the prosecution is based on race prejudice and nothing else.

Gentlemen, I feel deeply on this subject; I cannot help it. Let us take a little glance at the history of the Negro race. It only needs a minute. It seems to me that the story would melt hearts of stone. I was born in America. I could have left it if I had wanted to go away. Some other men, reading about this land of freedom that we brag about on the Fourth of July, came voluntarily to America. These men, the defendants, are here because they could not help it. Their ancestors were captured in the jungles and on the plains of Africa, captured as you capture wild beasts, torn from their homes and their kindred; loaded into slave ships, packed like sardines in a box, half of them dying on the ocean passage; some jumping into the sea in their frenzy, when they had a chance to choose death in place of slavery. They were captured and brought here. They could not help it. They were bought and sold as slaves, to work without pay, because they were black. They were subject to all of this for generations, until finally they were given their liberty, so far as the law goes—and that is only a little way, because after all, every human being's life in this world is inevitably mixed with every other life and, no matter what laws we pass, no matter what precautions we take, unless the people we meet are kindly and decent and human and liberty-loving, then there is no liberty. Freedom comes from human beings, rather than from laws and institutions.

Now, that is their history. These people are the children of slavery. If the race that we belong to owes anything to any human being, or to any power in the universe, they owe it to these black men. Above all other men, they owe an obligation and a duty to these black men that can never be repaid. I never see one of them that I do not feel I ought to pay part of the debt of my race—and if you gentlemen feel as you should feel in this case, your emotions will be like mine.

Gentlemen, you are called into this case by chance. It took us a week to find you, a week of culling out prejudice and hatred. Probably we did not cull it all out at that; but we took the best and the fairest that we could find. It is up to you.

Your verdict means something in this case. It means something more than the fate of this boy. It is not often that a case is submitted to 12 men where the decision may mean a milestone in the history of the human race. But this case does. And I hope and I trust that you have a feeling of responsibility that will make you take it and do your duty as citizens of a great nation, and as members of the human family, which is better still. • • •

Now, gentleman, just one more word, and I am through with this case. I do not live in Detroit. But I have no feeling against this city. In fact, I shall always have the kindest remembrance of it, especially if this case results as I think and feel it will. I am the last one to come here to stir up race hatred, or any other hatred. I do not believe in the law of hate. I may not be true to my ideals always, but I believe in the law of love, and I believe you can do nothing with hatred. I would like to see a time when man loves his fellow man and forgets his color or his creed. We will never be civilized until that time comes. I know the Negro race has a long road to go. I believe that the life of the Negro race has been a life of tragedy, of injustice, of oppression. The law has made him equal, but man has not. And, after all the last analysis is: What has man done—and not what has the law done? I know there is a long road ahead of him before he can take the place which I believe he should take. I know that before him there is sorrow, tribulation, and death among the blacks, and perhaps the whites. I am sorry. I would do what I could to avert it. I would advise patience; I would advise tolerance; I would advise understanding; I would advise all those things which are necessary for men who live together.

Gentleman, what do you think of your duty in this case? I have watched day after day these black, tense faces that have crowded this court. These black faces that now are looking to you 12 whites, feeling that the hopes and fears of a race are in your keeping.

This case is about to end, gentlemen. To them, it is life. Not one of their color sits on this jury. Their fate is in the hands of 12 whites. Their eyes are fixed on you. Their hearts go out to you, and their hopes hang on your verdict.

Mr. Chairman, Darrow won his case. He won his case in the city of Detroit, but one wonders whether Darrow would have won his case in other sections of the country. The gentleman from Texas pointed the accusing finger at Chicago. We have our faults, but we have made much progress in Chicago since 1926. We know much remains to be done. Conflicts may still occur because prejudice still exists in some people. We do our best to prevent such outbreaks through the forces of law and order. If there are violations of the law we do our best to bring the offenders to justice and make sure that those who have been guilty of violating the peace or causing bodily harm or property damage to our citizens are brought to justice.

We in Chicago are making progress in human relations because we recognize that members of minority groups, like all Americans, are entitled to enjoy the blessings which this democracy offers its citizens. All Americans want and deserve equal protection of the laws. Minority groups want no more and no less than is their birthright under the Constitution, together with other American citizens. They want to be able to vote, they want to engage in the selection of candidates for public office and to be candidates themselves. They want to be free from discrimination by employers and by unenlightened labor unions.

We in Chicago know that Negroes want and deserve the end of separate, but equal facilities. As the Supreme Court pointed out so well in the school cases, separate but equal facilities are never equal.

We in Chicago favor the elimination of segregation in transportation. We favor giving the opportunity to all children to obtain a good education in common with children of all other races. We favor fulfillment of the Supreme Court's decision in the school cases calling for desegregation.

In short, Mr. Chairman, we favor the eradication of second-class citizenship.

Let the gentleman from Texas not cast his stone at Chicago, for in our great metropolitan area, as well as in other such communities in the North, Negroes are receiving a greater measure of the blessings of freedom than they receive in the communities for which the gentleman from Texas speaks.

It is true that discrimination still exists in Chicago, but we are moving toward its eradication. We want to help eradicate it not only in our own community, but where it exists throughout the country, because this is a subject of national interest. That is why this bill is on the floor and why we support it.

Mr. Chairman, nobody cherishes the right of trial by jury more than I do. By training, by conviction, by experience, I hold sacred the protection of the right of trial by jury for all Americans. I have listened for days to the very erudite and learned addresses of the brilliant legal minds who oppose this bill. Their argument in favor of according the right of trial by jury to those who breach the court's injunction is a most appealing and persuasive one. I must confess that I was impressed and torn by their presentation. Almost, they persuaded me. Only upon careful analysis did I come to the conclusion that this amendment must not be supported.

It seems to me that we must first decide whether we want to bring the powers of a court of equity to bear in the cases to which the bill is directed. That is the primary decision, not whether a trial by jury should be granted, for historically the right of trial by jury has not been a part of equity procedure. Courts of equity must be permitted the power to enforce their orders. Granting the right of trial by jury in situations contemplated by the bill will prevent the courts from doing so.

It is my personal belief that a court of equity should be given the power to prevent the commission of the type of wrong considered in this bill. The right to vote is of primary importance in our democracy. It is important that the injunctive power of the court should be brought to bear against the imminent deprivation of the right, so that those who are entitled to vote may do so. I respect very much the excellent and articulate arguments advanced by proponents of the jury trial amendment. I cannot believe, however, that they are sincere in their contention that the power of the courts must be curtailed.

Mr. Chairman, I know that their proposal has been so plausible that it has given pause to many Members who had already made up their minds to vote against the jury trial amendment. I would suggest to those of my colleagues who are in doubt that they would do well to remember the statement made by President Lincoln in 1863 when the Emancipation Proclamation was placed before him by Secretary Seward. Lincoln dipped his pen in ink and moved his hand to the place for signature. Then he drew his hand away and dropped the pen. He repeated the process a few moments later. As he dropped the pen again, he said to Seward:

I have been shaking hands since 9 o'clock this morning and my right arm is almost paralyzed. If my name ever goes into history, it will be for this act, and my whole soul is in it. If my hand trembles when I sign the proclamation, all who examine the document hereafter will say: "He hesitated."

Lincoln's hand did not tremble when he signed the document which ended slavery in America.

This bill is fashioned in the cause of freedom. It should be passed. I believe that adoption of the jury trial amendment will do much to hamper its attaining the purposes for which it is intended. I hope, therefore, that the jury trial amendment will not be adopted.

Mr. WHITTEN. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman from Mississippi is recognized.

Mr. WHITTEN. Mr. Chairman, one of the reasons the South resents this bill so strongly is because there is a real feeling in the South that it is directed against the people of the South. The bill itself and the debate seems to confirm that belief. I think the Members of Congress from Southern States, in debating this measure have held themselves far more in check than the feelings of our people back home normally would justify.

Here we have an amendment which really gives the membership a chance to take your stand. If the proponents of this bill are sincere and really wish to protect the right of citizens to vote they will support this amendment. The bill before you authorizes this Commission to investigate denial of the right to vote on four grounds: color, race, religion, or national origin.

If this amendment is adopted you will not be pointing your finger at the South alone, but at the Nation. No longer could we prove it was intended to hit at our section only. This amendment would not prevent the Commission from investigating any denial of the right to vote on account the four grounds set out in the bill but it would leave to the Commission full responsibility and the duty to investigate all denials of the right to vote on whatever basis such denial may have been based.

Let me point out to you one instance with which I am familiar which points out the method of denial of the right to vote in at least one area. Some years ago when the late Vito Marcantonio was a Member of this Congress from New York City, and I understood he came from a district which lacked a whole lot of being the silk stocking area of his city, but in his district he had an area where there were some 12 gigantic and expensive apartment buildings, the residents of which were largely wealthy people who were not always prone to vote for Mr. Marcantonio, according to him. He told that on several occasions on election day his workers would go to those apartments and juggle the cards posted there to inform the residents where to vote and, finally, after the people went to 2 or 3 different places and when each was the wrong place, they lost interest and did not vote and of course their votes went uncounted against Mr. Marcantonio. He enjoyed telling those facts.

If the pending amendment is adopted, such actions as that would come within the purview of the investigation of the Commission. I repeat, this Commission would retain all the power that the bill gives it to investigate denial of the right to vote by reason of color, race, religion, or national origin. On the other hand, if the amendment is adopted, not only does that right continue but they have the right to look into these other bases on which the right to vote may be denied. The only reason this amendment will not be supported by some is if you take out the restriction to denials because, "race, religion, color" it has lost its political benefits to those groups. No longer could you point out to these minority groups what you say you are doing for them only by this bill, which is patently directed toward the South. What is the real purpose of this bill? Can you not see? May I remind you that in the last three national elections, just prior to the election, the Attorney General of the United States announced in the press all over the country that he was sending the FBI into various Southern States to check up on violations of the law, denials of the right to vote, but without exception there never was a report to Congress or anywhere else. Once the announcement was made and the benefits received from the publicity incident to it, there was no followup.

I am being repetitious, but I would like to point out what I said the other day. The real reason the Negroes in the South have not registered and voted to a greater degree is because after the Civil War the Congress passed this same kind of legislation. In self-defense, to protect life and property and our very Government, following the Civil War when the slaves were freed, the white people of the South went into a white primary. That was legal until a few years ago. Everything was settled in the white primary and we did not have enough of an election in November to count. There was no incentive for a Negro to vote because his vote in effect did not mean anything. Through the years he was not accustomed to voting. When the white primary was outlawed by the Supreme Court we began to have some interest shown by the Negro citizens in voting and more registered and more voted. Then the Supreme Court came along with the school integration cases, resulting in all the agitation by a few people in the South largely from outside and the right-thinking Negroes have hesitated to identify themselves with such individuals or with the NAACP which has been behind much of the agitation, and there was a slowing down once again in their desire as well as in any effort to vote.

There is another factor which I pointed out the other day and which I would like to repeat. Really we have profited by watching you folks. We have seen you people in the northern cities go out and herd up disinterested people to see that they were registered, then bid against each other for their votes on election day. This bill before us today is another bid, a bid being made by the leaders of both parties with the South the whipping boy. If this bill should pass, like blackmail, next year, both parties will have to raise the offer all over. Each time we have a convention of the national parties, each 4 years they try to outbid each other for these Negro votes. I say to you that here is the test of your sincerity in the amendment before you. If you are sincere and want to protect the right to vote in all sections, if you do not intend to hit at the South for political purposes or benefits at home you will support this amendment.

If you adopt the amendment you have every right to investigate violations of the denial of the right to vote on these four grounds. You also would have the right, if the amendment is adopted, to go across the board and investigate denial or any and all grounds. Mr. Chairman, it is tragic to see a majority of this Congress willing to take away the right to trial by jury even if thereby they may receive political benefit in their districts back home. I dread to think how high you will make the bid 4, 8 or 12 years from now in your efforts to get the Negro vote.

Mr. Chairman, as I said Wednesday, Lord Benchley, I believe it was, speaking in the British Parliament, in the early days of the United States, offered the observation:

A democracy cannot long endure, for the elected representatives of the people will give the country away in order to keep being elected.

This measure certainly makes one wonder if Lord Benchley might not have been a real prophet.

Mr. FORRESTER. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, I want to address myself particularly to the statements made by the gentleman from Ohio [Mr. McCULLOCH]. Before I do so I want to stand in the well and pay tribute to him as a lawyer, as a gentleman, and as a wonderful American. On account of the feeling I have toward him I want to discuss with him a proposition of law that he raises. As I understood the gentleman from Ohio, he said that he objected to the pending amendment on account of the fact that he was of the opinion that this type of legislation must be restricted to the 14th and 15th amendments. Is that correct?

Mr. McCULLOCH. Generally speaking, that was my opinion, yes.

Mr. FORRESTER. Now, I want to call the attention of the gentleman and of the House to a decision rendered by the United States Supreme Court in the case of United States against Classic, and I am reading now from page 317, volume 313, United States Reports:

> Obviously, included within the right to choose, secured by the Constitution, is the right of qualified voters within a State to cast their ballots and have them counted at Congressional elections. This Court has consistently held that this is a right supported by the Constitution.
>
> Citing cases.
>
> Then it says:
>
> And since the constitutional command is without restriction or limitation, the right, unlike those guaranteed by the 14th and 15th amendments, is secured against the action of individuals as well as States.

Now, I ask the gentleman, in view of that decision, does the gentleman still object to what I think is a most salutary amendment offered by the gentleman from Texas [Mr. DIES]?

Mr. McCULLOCH. I remain of the tentative position, and I cannot support the amendment offered by the gentleman from Texas. I think it casts some constitutional doubt upon this legislation, or I would not have said it in the first place. I do not think that the case which the gentleman has cited and which I read before I came here this morning, would be grounds for changing the tentative conclusion which I have reached.

Mr. FORRESTER. I appreciate the gentleman's opinion, but here is what that decision says: It says that every qualified voter is protected under the Constitution of the United States; that it even descends down to individuals and not States. It is just as plain as human language can make it.

Now, that is in accord with history. Prior to the War Between the States the people of the North and the East and the South were citizens. The amendments that he referred to simply brought the Negro race into the Constitution as citizens. You have always had those rights. Now, I just do not see any harm whatsoever in putting into our legislation now some protection where the old-fashioned Yankee and the old-fashioned southerner can have some of their rights now that you are talking about according to other groups. By way of passing, I would also like to say to you that if you will go back to the Constitution, the word "religion" has got to come out, and the words "national origin" has got to come out, because neither of those phrases is in the Constitution.

I hope you will give us our constitutional rights, also. I hope the minority groups will not deny us rights they seek.

Mr. DELLAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to read a part of the statement from the AFL–CIO executive council on civil-rights legislation dated May 21, 1957, endorsing without reservation H. R. 6127, and also read an editorial by George Meany, president of the AFL–CIO, which appears in the current issue of the American Federationist, official magazine of the AFL–CIO. In the interest of ascertaining whether there have been any changes from the position as stated in these documents, I took pains to check with representatives of organized labor the past few days and up to this very morning. I find that without a shadow of a doubt the position remains identical now to that which is outlined in both of these documents.

There are those of us who may still have an open mind on the subject and would like to feel that we do not doubt the sincerity of the statements by various Members of this House up to the present time. There should be no question that labor is nonpartisan. It represents no one section of the country as against another. There are no lines of difference so far as race, color, or creed are concerned and we feel that this is the one voice that should be heard in the field of civil rights.

Mr. Chairman, I now read that part of the statement of the executive council of the AFL–CIO.

> STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON CIVIL-RIGHTS LEGISLATION, MAY 21, 1957
>
> Civil-rights legislation is a must for the 85th Congress. It must not be permitted to die again in 1957—as in years past. Results are still possible this year—but only if decisive action is taken without further delay.
>
> The AFL–CIO endorses without reservation H. R. 6127, the bill finally reported out by the House Rules Committee, even though we prefer stronger action. H. R. 6127 is a minimum, but a meaningful, bill which has bipartisan support. It is based upon recommendations of President Eisenhower and former President Truman. Democrat EMANUEL CELLER and Republican KENNETH KEATING, ranking members of the House Judiciary Committee, both deserve credit for steering it through to the floor.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will proceed in order.

Mr. DELLAY. Mr. Chairman, I was reading a statement on civil rights legislation by the AFL–CIO executive council. I shall revise my statement to comply with the rules of the House.

Continuing this statement:

> The anti-civil-rights forces this year have injected two new issues:
>
> 1. They are shedding tears for the violators of civil rights court orders because such violators would not be guaranteed a trial by jury. But they carefully ignore the fact that the proposed law is entirely consistent with 28 other laws and with basic constitutional guarantees. They know that their demand for trial by jury in civil rights cases is designed to guarantee violation of court orders with impunity. They know all the teeth of the proposed law would be removed by the addition of a "trial by jury" amendment.
>
> 2. They are prepared to offer a "right-to-work" amendment to the civil rights bill. This is intended only to divide the liberal forces, who resist a "right-to-work" amendment because they know its one purpose is to destroy the labor movement. The Congress must not permit this transparent tactic to work if there is to be any civil rights legislation at all.
>
> The President has asked for civil rights legislation. Both political parties say they are for it. The great majority of the American people certainly support it. The time for statements and pledges is long past. The time for action is here.
>
> The AFL–CIO calls upon the 85th Congress once and for all to break the civil rights roadblock. Let 1957 be the historic year.

And I now read an editorial by George Meany, president of the AFL–CIO, entitled "Time for Action":

> Once again the perennial questions face us: Will a small minority of Congress again be able to prevent the enactment of civil rights legislation? Will the normal processes of Congress again be inadequate to overcome southern committee chairmanships and filibuster threats?
>
> Let us hope that 1957 will be different. The great majority of our people want to extend cherished American freedoms to all citizens of our country. Both political parties say they want to. The President says he wants to. Is it too much to hope that this desire will be backed up by determination and action?
>
> The anti-civil rights forces this year have shown new imagination and skill in their injection of two phony issues. Their crocodile tears for the right to trial by jury is fooling nobody. It is just their scheme to guarantee that civil rights laws could be ignored with impunity. And their injection of the fake "right to work" issue is a transparent move to divide the civil rights forces. "Right to work" laws have nothing to do with civil rights; they are designed only to cripple the labor movement.
>
> Let's get on with the job. Civil rights legislation is a must for the 85th Congress.

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Chairman, I rise in opposition to H. R. 6127 now before the House for consideration.

In my opinion, the fundamental issue with which the House is confronted in considering this bill is whether or not we should consent to intrude the authority of the Federal Government over matters which traditionally and constitutionally have been reserved to the States and the people.

The bill before you provides under part I for the establishment of a Commission on Civil Rights in the executive branch of the Government and under part II for an additional Assistant Attorney General in charge of Civil Rights in the Department of Justice. Under parts III and IV, this bill provides for amendments and supplements to existing civil-rights statutes and for Federal intervention in determining the right to political participation.

The chief advocates of H. R. 6127 state that they are for this bill because it guarantees equal protection of the law. Let us quote a very few words from the Constitution on that subject. Here they are:

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

So it is clear from the words of the Constitution and from the jurisprudence from time immemorial up to date that the limitations or prohibitions of the 14th amendment to the Constitution are aimed at State action and not upon the acts of individuals. Yet the subject matters that the Civil Rights Commission will investigate are attuned mostly with private individuals' actions.

The creation of this Commission in this bill under part I is inconsistent with the reorganization of the civil rights activities of the Department of Justice headed by a new Assistant Attorney General, since the Department of Justice will proceed on the assumption that all allegations made by the Commission have been proven.

Now, if it is necessary to create this Commission at all, why should we not await its report before reorganizing the Department of Justice under a new Assistant Attorney General and directing this new setup to prosecute?

Parts III and IV of H. R. 6127 propose to strengthen existing civil-rights statutes and to further secure the right to vote. The truth of the matter is that if these provisions are enacted into law, they would constitute a flagrant violation of States rights. They would result in further concentration of powers in the Federal Government. They would result in investing in the hands of the Department of Justice unprecedented powers and would result in intruding the Federal Government in matters which under our Constitution are presently reserved to the States and people. This bill speaks of the right to vote as though the Federal Government has unlimited and exclusive jurisdiction in that area. The law is exactly the reverse because we all know that the time and place and manner of elections and the qualifications of persons voting are matters within the jurisdiction of the several States. It has been passed on by the Supreme Court in the case of Minor against Happerset in which the Court held that under the Constitution women had no federally protected right to vote and it required a constitutional amendment to grant that federally given right. The President has proposed that persons 18 years of age should have the right to vote but he wants to do it by constitutional amendment. So the Federal constitutional limitation in this area means this and this only—you have to start with the premise that the States have the right in matter of qualification of voters. Once this is done, then the 14th and 15th amendments step in and prohibit discrimination. Stated differently, the States provide the rules and the 14th amendment forbids discrimination in the application of the rules. However, according to H. R. 6127, Congress is entering boldly into this entire area of voting and voting rights.

The right of the Department of Justice to intervene under this bill in matters of legislation is not restrained. Under this bill the Attorney General can file suit when a person is about to engage in an attempt to do something. He can foresee when a person is about to engage in an attempt to threaten. When is a person about to engage in an attempt to threaten? This is not direct action, an attempt is not direct action, but to engage makes it worse. Still the Attorney General, under this bill, may proceed when a person is about to engage in an attempt to threaten.

I certainly share the view of those who maintain that the passage of this bill would shake the very foundation of law enforcement by subjecting States to Federal supervision and making local police afraid to arrest people. This bill could very well lead to a national police force and seriously impair the morale and efficiency of State and local police. It would be an open invitation to any complainant to circumvent local governmental facilities by dealing directly with Federal authorities merely by claiming that some civil right is endangered or violated.

It is my carefully considered opinion that the Department of Justice and the Federal courts of this country now have ample authority under the Constitution and existing laws to protect the rights and privileges of all our citizens, no matter what their race, color, or creed may be. Further efforts to pyramid Federal authority in the field of civil rights will only serve to foment further strife and discord among our citizens. We do not need at this time to continue to incite race against race through retaliatory measures against the white citizens of the South.

Mr. DOWDY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I support the amendment offered by the gentleman from Texas [Mr. DIES].

Mr. Chairman, late one Sunday night the phone rang in a newspaper office. Upon the phone's being answered a voice said, "Are you the religious editor?" An affirmative reply brought this further statement: "I am the Reverend Jones. Do you have the notes on my sermon tonight?" An answer of "yes" brought this statement, "will you please take Daniel out of the fiery furnace and place him in the den of lions?'"

The statements that are being made here on the floor by the proponents of this bill that they do not believe in a jury trial and that the jury trial ought not to be permitted to the people of the United States in any kind of case are some day going to make them wish they could call up an editor and ask that he be taken out of the fiery furnace and placed in the den of lions.

I rise mainly because of a statement made by the gentleman from Illinois [Mr. YATES] a while ago that jury trial should be denied in equity cases. I also want to correct a statemade made a few days ago by the genial chairman of our Committee on the Judiciary, that in the NAACP case in Texas that organization was denied the right of trial by jury. That is not a fact. They did have the right of trial by jury. In Texas you have the right of trial by jury in any kind of case, whether in law or equity.

I want to get back to the statements about the people complaining about jury trials here in the United States. Let me ask you this question: What is so awful about trial by jury? Are we to take no measures to protect ourselves against the despotic judgment of courts which set aside the Constitution and enjoin whole communities, imply threats against State legislatures, and blandly announce that were a case before the court today the case would be thrown out of court? Such a brand of justice is administered in Russia where the defense of the accused is heard just before he is taken out and shot.

I realize that trial by jury is old-fashioned and does not meet with the progressive notions and thinking of the modern liberal, but a step to strengthen trial by jury is a step to slow the decline of our form of government and stay the advent of rule by a central committee, which this bill would set up.

The proponents of this bill make their attack upon the integrity of the men and women who sit on juries in this country, the effect of which is to say that a jury will not follow and enforce the law. I want to come to the defense of those men and women. The persons advancing those arguments are deluded.

The jury in every case is carefully limited to the function of deciding only between conflicting testimony. If there is no conflict in the testimony, the matter is one for the application of the law to the uncontroverted facts, and in such event our law requires that the judge make the application of the law and consequently decide the case. No jury decides what the law is, what facts must exist to base a judgment, or what facts are relevant. They are carefully limited by our system of law, by our mechanism of pleading, and by the control of the judge over the admission of evidence, to a choice between conflicting testimony.

Who is the politically appointed judge to say that his skill has brought him to the point where he is better qualified to choose between conflicting testimony? Who is more accurate in seeking out discrepancy and contradiction than a parent, and especially a mother, listening to the protestations of her teen-aged daughter or son? I may not be a good fabricator, but in my own case, many years of practice as a lawyer and prosecutor has not made me as skillful at detecting inaccuracy as my secretary when I seek to put her off by excuse, and that is even more true as to my wife.

Would any of us argue that the businessman confronted with daily need to evaluate, criticize, and analyze is less well equipped to make this choice between conflicting testimony than a politically appointed judge. It is this fund of day-to-day experience in weighing and evaluating that the jury brings to a

determination of the truth. Once they have determined the truth, their primary function is at an end, because from that point onward they are bound by instruction to apply the law as given to them in charge by the court to the truth as they have found it. Of course, a lazy or incompetent attorney general would much prefer not to have to establish the merits of his contention to the satisfaction of a jury, but my vote is for the jury system, and I think the proponents of this bill should not thus reflect upon the character and integrity of the men and women of America.

Mr. DAVIS of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. ROGERS of Colorado. Mr. Chairman, I would like to see if we can get to an early vote on this amendment. I would like to see if we can agree on a time limitation.

Mr. McCULLOCH. Mr. Chairman, 20 minutes would be agreeable.

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment, and all amendments thereto, close in 20 minutes, after the gentleman from Georgia [Mr. DAVIS] has spoken.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. DAVIS of Georgia. Mr. Chairman, for many years the people of my section have had the finger of criticism pointed at us on account of the matters which are being discussed here today. Now the shoe is beginning to pinch the feet of some other people. We recall that on Tuesday, the gentleman from Illinois [Mr. O'HARA] was prodded to his feet by some remarks which were made and by newspaper articles which refer to the treatment of Negroes in Chicago. Today, some resentment has manifested itself in the person of the gentleman from Illinois [Mr. O'BRIEN] and the gentleman from Illinois [Mr. YATES] on account of an article which appeared, I believe the gentleman from Texas said, in the U. S. News & World Report and in Reader's Digest, both national magazines. I would say to you gentlemen, you are now experiencing some of the things which I have experienced and which Members of the Southern States have experienced throughout the years. I think from the trend of the news items which appear from time to time with a good deal of regularity about what is happening in Chicago, you are going to experience more and more of this. You are going to have people point to you more and more and say, you are not—not you—but that your section is not giving the Negroes the treatment which they are entitled to as citizens of the United States.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. YATES. May I say to the gentleman that we, in Chicago, and I am sure all sections of the country, are doing our best to meet this very complex problem.

Mr. DAVIS of Georgia. That is what we have been doing in our section all these years.

Mr. YATES. May I point out to the gentleman that we who support this bill recognize that this bill offers only a measure of relief. There is more involved than the right to vote, although that right is of paramount importance. It should be pointed out that part of our problem relates to housing, for example. We are far behind in providing housing facilities for our burgeoning population. We could use an expanded public housing program to help house the many people of inadequate incomes who are coming into the large cities and swelling our population. We just do not have the housing facilities to take care of them and this contributes to the formulation of tensions. We want the gentleman from Georgia to help us provide housing for all segments of our population. Other social welfare measures will help, measures which will give all our people the opportunity to make a decent living, to earn enough to provide food, clothing, and shelter for their families, to pay for adequate medical care, the opportunity to give their children the opportunity for a good education together with all other American children. Certainly, we would welcome the gentleman's support for measures to provide such programs. These will do much to eradicate tensions all over the country in Chicago, in other metropolitan areas, and in the gentleman's area as well.

Mr. DAVIS of Georgia. The gentleman may have some complaint on that account, but that is not the basis of the criticism which has been directed toward Illinois and toward Chicago. You cannot escape the fact, for instance, in Cicero, which is a suburb of Chicago, in 1951 or 1952 a mob of 10,000 people milled around a residential section out there because of what—because of the fact that a Negro family was undertaking to move into that white section.

You may say "We have improved since that time," when the Illinois National Guard had to line up four deep to hold back the crowd with guns and fixed bayonets; but in 1954, which was 2 years later, you had a mob again which required 2,000 policemen out there in the South Deering section to restrain the white people who were threatening the lives and liberty and property of the colored.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I cannot yield, for I have only 5 minutes.

Mr. YATES. I agree the time is limited. I wish the gentleman had more time which would permit us to debate his statement.

Mr. Chairman, I ask unanimous consent that the gentleman's time be extended 5 minutes.

Mr. MASON. Mr. Chairman, I object.

Mr. DAVIS of Georgia. I thank the gentleman and I would like to say that I am not pointing the finger of criticism at you; I am talking about things that exist and which you must admit have existed; and the finger of criticism is being pointed to conditions that at least could be improved.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. DAVIS of Georgia. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. DAVIS of Georgia moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman from Georgia is recognized for 5 minutes in support of his motion.

Mr. DAVIS of Georgia. In passing I would just like to say that this is not confined to our section, it is not confined to yours. It exists in Detroit, it exists in Dearborn, Mich., it exists in Ontario, it exists in New York City. It exists all over this country.

One way in which this racial problem could be corrected is for the people of the United States in these States where they have a fractional part of 1 percent of the Negroes in their population to open up your arms and accept them. We in the South have kept and cared for them and have done the best that could be done under the circumstances for two-thirds of the Negro population of this country. One-third has been divided throughout the other sections of the United States. Now, we in the South have done more than our part in caring for these people. Open up your arms to them and do your part by them. Do not just expect us to keep them and always point the finger of criticism at us; open up and do your part for them, then you will be on better ground to criticize us.

Now, to get down to this amendment, the gentleman from New York [Mr. CELLER] gave as authority for some statement he made on the floor here a few minutes ago the Southern Regional Council, Inc. I want to tell you something about the Southern Regional Council. It started off as that organization which was designated as a Communist-front organization by the Attorney General, the Southern Conference for Human Welfare.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. VANIK. I dislike to interrupt the gentleman's trend of thought at this point but I wanted to call the gentleman's attention to the charge which was made by him last Monday that a certain Alabama resident had been discriminated against by my city of Cleveland and ordered deported from Cleveland to Alabama because she was not entitled to relief and was found guilty of contributing to the delinquency of her children.

Mr. DAVIS of Georgia. I am sorry, I cannot argue that out now.

Mr. VANIK. I want to report to the gentleman that she has returned to Cleveland with her daughter and is living very happily.

Mr. DAVIS of Georgia. I am glad that mistake has been corrected.

The Southern Conference for Human Welfare was designated as a Red front, and the American Legion publication The Firing Line, of May 15, 1957, gave this list of former directors of the Southern Regional Conference who were connected with the Southern Conference for Human Welfare: Charlotte H. Brown, Louis E. Burnham, George E. Clary, Herbert Davidson, J. M. Ellison, Clark H. Foreman, Guy B. Johnson, David D. Jones, George S. Mitchell, Howard W. Odum, F. D. Patterson, Edwin A. Penick, Homer P. Rainey, Ira DeA. Reid, Forrester B. Washington, and Aubrey Williams.

Any organization that has such a long string of directors who have a long record of connection with subversive and front organizations in the House Committee on Un-American Activities, I say is not a respectable source of information for us to use when we are dealing with the bill before us.

Getting down to this amendment, what is wrong if we are investigating the rights of citizens to vote, what is wrong with broadening it out so that if any citizen is deprived of the right to vote this Commission could investigate it? Why restrict to just this small percentage of the American population to which it will be restricted if this bill passes without the Dies amendment when the right to vote is just as sacred in one person as it is in the other?

We are not dealing with this thing on the proper basis when we say that we will investigate the right to vote which one person is being deprived of or one class of persons is being deprived of, yet anything may be done to the remainder of the people of this country and this Commission which is set up specifically for the purpose of investigating the deprivation of the right to vote will have no jurisdiction whatsoever to deal with that. Is that American? Is it commonsense? Is it really acting in good faith?

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from New York.

Mr. CELLER. Will the gentleman look on page 6, lines 3, 4, and 5. Among the duties of the Commission are the following:

To study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

That is a pretty broad provision and I think the Commission could investigate the things the gentleman has made reference to.

Mr. KEATING. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, the amendment offered by the gentleman from Texas would completely change the character of this legislation. Indeed, I say with perfectly good feeling that is its purpose. It is not offered by a friend of the legislation nor are the other amendments which have been offered. They are all offered by those who will not, under any circumstances, vote for the bill on final passage. Let us bear in mind, as we consider these amendments, the source from which they come. If this bill cannot be defeated by a frontal attack, every effort will be made to whittle away at it, amendment by amendment. There is nothing improper about such procedure. It is a simple fact.

Mr. Chairman, the purpose of the amendment is to strike out the words "color, race, religion or national origin" as a result of which this Commission would be empowered to investigate any deprivation of the right to vote on any ground anywhere in the United States. I am rather surprised that this amendment would be offered by the gentleman from Texas who is such a stanch adherent of States rights, because if you are going to investigate the deprivation of the right to vote on any ground, you will get into such things as the age of the voter, the literacy tests covering voting, the poll tax, and all of those matters which our committee felt we should keep away from, inasmuch as the qualifications of voters are fixed by State law, not by Federal law.

This would give to the Commission the power to go into many matters which are and should be governed by State laws. It would further give the Commission the power to investigate such matters as were referred to as happening in the city of New York where people in an apartment house had their cards mixed up so they did not know where to go to vote. Those things should be investigated.

Any deprivation of the right to vote on any ground should be investigated either by a Federal or State agency, probably in such cases by State agencies. Today every State is constantly investigating election irregularities and bringing action to try to prevent that sort of thing.

This bill has a specific purpose and is within the four walls of the Constitution, and indeed is designed to strengthen the words of the Constitution, which say that no one shall be deprived of his right to vote on the ground of race or color. The bill has nothing to do with other scandals or irregularities which should be investigated under appropriate legislation. This amendment, as suggested, would be an invasion of States rights; it would be seriously open to a question of constitutionality as has been suggested by the gentleman from Ohio. This amendment should be defeated.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman from Georgia and other Members in this debate have inferred, if not said directly, that bills of this kind are stirred up by subversive elements. The gentleman and I know that that is not true. We know that there are people who want to provide legislation which will give the birthright of the Constitution to all American citizens.

A few years ago Jackie Robinson was called to testify before the House Committee on Un-American Activities about this question of Communists stirring up the Negroes to unrest, and this is what he said:

Just because Communists kick up a big fuss over racial discrimination when it suits their purpose, a lot of people try to pretend that the whole issue is a creation of Communist imagination. But they are not fooling anyone with this kind of pretense and talk about Communists stirring up Negroes to protest, only makes present misunderstanding worse than ever. Negroes were stirred up long before there was a Communist Party, and they'll stay stirred up long after the party has disappeared—unless Jim Crow has disappeared by then as well.

Mr. KEATING. I thank the gentleman, and I know that all Members here realize that there are sincere and well-intentioned men on both sides of this important controversy.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Georgia [Mr. DAVIS].

The motion was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. MATTHEWS].

Mr. MATTHEWS. Mr. Chairman, there is not much time, but I want to rise in support of the amendment offered by the gentleman from Texas. I plead with you not to look upon this bill as sacrosanct, and I hope that you will consider every single amendment upon the basis of its merits. I think this amendment is a good one, even though I must be fair to say that even if it is adopted I will not vote for the bill.

Mr. Chairman, this amendment suggests that the right to vote is the right of the majority of the United States as well as the minority and, if this amendment is passed, it takes away some of the sting, the vicious import of this bill, directed at the heart of the Southland which I have the honor to represent.

If you would indulge me in a little philosophy, Mr. Chairman, a great many of our people think one of the great problems with us today is the fact that our people do not accept responsibility. Now, if we extend the right of this Commission, to look into more aspects of the voting problem, maybe this idea of the acceptance of responsibility will receive some measure of contemplation. Some years ago a great English jurist by the name of Lord Moulton said: There are three areas in a democracy. The area of positive law, the area of free choice, and the area of obedience to the unenforcible, and he said if it were not for the obedience to the unenforcible, democracy could not endure.

You cannot by legislation change the hearts of men, Mr. Chairman, but you can change the hearts of men by religion and by common understanding and by tolerance and common acceptance of responsibility. We do not ofter hear the word "responsibility" used in the well of the House, and I think it is time as we discuss the great problems facing America that we do. I hope that some commission might look into this idea that with every right we demand, with every privilege we demand, there goes with it corresponding responsibility. I am sincere in supporting this amendment offered by the gentleman from Texas, because I think if it were passed the investigating Commission would be charged with the responsibility of safeguarding the rights of the majority of our people as well as the rights of the minority. Further, the Commission might well pinpoint the necessity of every American citizen accepting his responsibilities as well as his privileges if this Republic is to endure.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, I rise in opposition to the Dies amendment

and I shall confine my remarks to just that. The amendment would fatally destroy the legislation and the very purpose of it. It would open the door to every kind of capricious or arbitrary complaint that could be lodged with the Commission. For example, if one citizen said to another, "I will pick you up and take you to the polls," and then forgot to do it, he might be hailed in on an affidavit and brought before the Commission to explain the deprivation by him of another citizen's right to vote.

Election officials would be plagued all over the country with failure to keep the polling places warm on a cold day or cool on a warm day. They would be charged with failure to provide a sufficient number of officials to expeditiously handle all the people waiting in line so that voters would not be compelled to wait. Any citizen, on almost any kind of arbitrary or capricious charge could sign an affidavit and burden the Commission with functions and responsibilities that are not comprehended in any aspect of this legislation. Good election officials are very difficult to recruit and the liability of exposure to facetious and ill-conceived complaints would deter good citizens from this vital service.

The only purpose of the amendment is to destroy the effectiveness of a proper commission to do the functions that this Congress shall direct be done under the law, as set forth in the committee recommendations. We must not expose this Commission to the necessity of doing anything else than what is set forth in the legislation as it has been reported out by the committee.

I hope that my colleagues will vote against this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. Mr. Chairman, I had asked for this time in order to explain an amendment which I propose to offer to cover a portion of the bill set out in the last printed page of the bill. Two and one-half minutes, the time allotted me, is not sufficient to explain that, so I am merely going to use this time to say that I am very much in favor of the Dies amendment and expect to support it; and I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Chairman, I ask that the Members of the Committee give very serious consideration to the amendment proposed by the gentleman from Texas [Mr. DIES]. The very caption of the bill itself says:

A bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The language of the section sought to be amended in subsection 1 of section 104 is very limited. It limits the application of this legislation to the deprivation of the voting rights only for four reasons: color, race, religion, and national origin. If civil-rights legislation is proposed, do not restrict its language as this section seeks to do.

There are none so blind as those who will not see. There are none so deaf as those who will not hear. If the sponsors of this legislation are insisting upon ramming this legislation through this House and down the throats of the Southern States and the people of those States, at least use fair play and vote for the Dies amendment to open up the work of this Commission to every phase of civil rights whenever and wherever anybody is being deprived of those rights.

The Southern States are not by any manner of means or any stretch of the imagination the only area where civil rights are being denied. A few moments ago I tried to get the gentleman from Illinois [Mr. YATES] to yield to me; and right after he declined to yield he said that he was trying to solve the problems which existed in his area and gave credit to the South for trying to solve our problems. I want to say to him and to those Members who share his views that I believe that the people in that section of the United States are better qualified to solve their problems than we are to solve them for them. But I say to you, I think you should grant us the same privilege of solving our problems for ourselves, because we can solve them much better than they can be solved by outsiders who have only a smattering of ignorance of the problems they profess to know so much about.

I urge the adoption of the amendment offered by the gentleman from Texas [Mr. DIES].

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, I support the amendment.

Mr. Chairman, I see by the papers that the President is inviting our Republican colleagues for breakfast. That brings us right into the heart of the subject before us. In the midst of this heated debate on civil rights, I must protest the violation of the civil rights of the Democrats by President Eisenhower. He invites only Republicans for breakfast. The White House is a Federal institution operated by public funds, and the laws which have been issued by the Supreme Court do not allow segregation in such facilities. Yet we find the Republicans openly practicing segregation there against the Democrats.

Mr. Chairman, we from the South would be content with separate but equal time at the White House dining tables, but we are not allowed even that. This is discrimination of a most serious character.

I am directing the whole matter to the attention of Attorney General Brownell, with a strong plea for prompt and efficient action to protect the civil rights of the Democrats in Congress. As a Democrat, Mr. Chairman, I demand my civil rights.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. MCCULLOCH].

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. MCCULLOCH. I yield to the gentleman from Illinois.

Mr. BOYLE. Mr. Chairman, clear thinking depends on the ability to recognize distinctions in things that might be confused or confounded. Although I have great regard for the gentleman from Florida [Mr. SIKES], I think he has confused social amenities with civil rights. I want the RECORD so to disclose. That when we discuss civil rights, they have to do with a person's security, liberty, and his right to vote, and not to mere social visits. I respectfully request that the amendment be not agreed to.

Mr. MCCULLOCH. Mr. Chairman, it is my opinion that the amendment should be rejected.

The CHAIRMAN. All time has expired on the amendment.

The question is on the amendment offered by the gentleman from Texas [Mr. DIES].

The question was taken; and on a division (demanded by Mr. DIES) there were—ayes 96, noes 123.

Mr. DIES. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. DIES and Mr. CELLER.

The Committee again divided, and the tellers reported that there were—ayes 119, noes 139.

So the amendment was rejected.

Mr. TUCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TUCK: On page 5, line 22, strike out the word "religion."

Mr. TUCK. Mr. Chairman, I ask unanimous consent to proceed for 10 additional minutes.

Mr. MASON. Mr. Chairman, regretfully, I object.

The CHAIRMAN. Objection is heard.

The gentleman from Virginia is recognized for 5 minutes.

Mr. TUCK. Mr. Chairman, I respectfully suggest to my amiable, able, and distinguished colleague from Illinois that he withdraw his objection because while I have been a Member of this body nearly 5 years, this is only the third time I have come to the well of the House under the 5-minute rule or otherwise.

Mr. MASON. I am sorry.

Mr. TUCK. Very well, sir.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. TUCK. I yield.

Mr. FULTON. I will be glad to ask for time immediately succeeding the gentleman and will yield to him.

Mr. TUCK. Thank you, sir, that is very generous.

Mr. Chairman, the amendment I have offered is not frivolous; it is a serious amendment. It is, however, a simple one, is easily understood, and requires little or no explanation.

All it does is to take out the word "religion" in the last line on page 5 so that, if my amendment is adopted, the paragraph will read as follows:

1. Investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote by reason of their color, race, or national origin.

The amendment, if adopted, will in no way impair what I understand to be the original purpose of the proponents

of this legislation—and that is to gain votes—but on the contrary the amendment will greatly improve the bill and make it less objectionable and distasteful to a host of patriotic American citizens.

Shortly after the House resolved itself into the Committee of the Whole on last Tuesday, the gentleman from Georgia and the gentleman from Louisiana both adverted to this provision in the bill and pointed out some of the reasons why it is objectionable.

In the first place, there is absolutely no necessity for placing the word "religion" in the bill. I have read or heard of no allegations or evidence in the record or elsewhere indicating that anyone in this country has been deprived of his right to vote by reason of his religion. There was quite a heated exchange last Tuesday between two members of the Judiciary Committee as to whether or not there were any allegations or evidence before the Committee upon the subject. I am very much inclined to the belief that the gentleman from Georgia is entirely correct in his statement that there was none. But the best evidence is the record itself which is available to and before us all and we can look at it to determine the facts for ourselves.

In offering this amendment, I want it distinctly understood that I am not in any way opposed to religion. On the contrary, I very much favor religion. I wish I could put some religion in the bill for it is needed, but I fear that I cannot. I shall certainly not now undertake to boast of what little religion I have because down in the section from which I come one who boasts of his honesty or religion immediately becomes suspect.

When this bill was first considered by the subcommittee, the word "religion" was in it; the subcommittee took "religion" out, and then the full committee put "religion" back in.

As to why the word "religion" was put in the bill in the first place and then taken out by the subcommittee and then put back in by the full committee, I am unable to say. There was no real discussion of it in the full committee except that a few of the members, including myself, indicated that we were opposed to putting the word "religion" back into the bill. As to why it was done, I am left to wander out into the field of conjecture and speculation. I am strongly inclined to the view that it was put into the bill to make it a little more palatable and appealing and to let this word "religion" be a sort of piece of window decorating, and thus put a little perfume on the bill to suppress some of the bad odor. What the whole bill needs is not perfume but a real fumigation and extermination, and I hope it will get both before we are through. The zeal of the proponents of this bill to promote these political proposals is such that they are utterly careless and reckless of the preservation of our fundamental liberties.

Mr. Chairman, the very first sentence of the first amendment to the Constitution of the United States says:

Congress shall make no laws respecting an establishment of religion or prohibiting the free exercise thereof.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. FULTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to my good friend the gentleman from Virginia [Mr. TUCK].

Mr. TUCK. Mr. Chairman, I thank the gentleman from Pennsylvania for his very excellent conduct. His conduct accords with that which is very characteristic in the great Commonwealth of Virginia from which I come.

Hordes of people fled to this country to escape religious persecution and the country literally was established by those who wished to enjoy freedom of religion and to establish a government where there would be absolute separation of church and state, but we had and still have a goodly number of the Puritans here.

I know that it will be maintained that this is an innocuous provision and does no violence to anyone's religion and that it on the other hand protects one in the enjoyment of his civil liberties who may be denied the full participation in the civil government because of religion. That is a false and spurious argument and the danger is that once we open the door to religious legislation there will be no end to it or the lengths to which it may go.

The love of religious freedom is strong and great. Men and women have bared their backs to the loathsome lash and have been burned at the stake rather than surrender any part of their religious liberty.

In the past some of our colonies had laws that would put one to death for no less an offense than defaming the Sabbath. I will read you one such law:

Whosoever shall profane the Lord's day, or any part of it, either by sinful servile work, or by unlawful sport, recreation or otherwise, whether wilfully or in a careless neglect, shall be duly punished by fine, imprisonment, or corporally. But if the court, upon examination, find that the sin was proudly, presumptuously, and with a high hand committed against the known command and authority of the blessed God, such a person therein, despising and reproaching the Lord, shall be put to death.

No religion, in my opinion, deserves to exist if it is necessary for it to depend for its protection upon the Government or upon law. The army of truth travels on its own power and needs neither sword nor shield. True religion never knocks at the door of Caesar's chamber seeking legislative sanction or security.

It has been repeatedly said on this Floor, and not denied, that the principal purpose of this bill is to gain the votes of certain minority groups in pivotal States in order to control presidential, senatorial, and gubernatorial elections in those large States. If that is the object of the bill, and it is obvious that it is, let me warn you that you will alienate more votes by leaving the word "religion" in there than you will attract by the words "race, color, or national origin." In other words, you will be thrown for a loss.

There are millions of people in this country whose shibboleth and watchwords are religious freedom and separation of church and state. Their burning wrath will be aroused when they learn what has been done in this bill. If there are any amongst us who would subvert the Constitution to catch votes, I suggest that you beware of this action. I have already been in communication with representatives of some of these various religious groups and I know whereof I speak. They will be cognizant of what goes on here today.

Probably the first effective and certainly the best known exponent of religious freedom in this country was Roger Williams. He came to the Massachusetts Bay Colony sometime prior to 1630. He was persecuted by the Puritans here and in England. On account of his beliefs, he was finally driven from his home and from his wife and infant babe on a cold wintry night, enduring the rigors and hardship of a horrible winter without bread or bed, and living as he did upon such food as he was able to find in the wilderness. He was the apostle of religious freedom and the founder of the State of Rhode Island. He imbedded into the hearts and minds of the people of that State a firm belief in religious liberty and the absolute separation of church and state. He charted the course of religious freedom in this country.

As I pointed out during the general debate last Monday, the State of Rhode Island was the last of the colonies to adopt the Constitution and to come into the Union. The Constitution had been effective for nearly 3 years before Rhode Island adopted it. Some of the other States had undertaken to compel her by boycotting and other means. Even George Washington became irked and impatient at Rhode Island's delay. Alexander Hamilton thought she ought to be coerced to ratify. In Congress legislation was proposed and by threat of force to bring her into line with the rest of the States. But Rhode Island stood firm in the rocky strength of her convictions. She was ready to arm herself and to fight, if need be, "1 man against 60."

This was a critical juncture. Thomas Jefferson had earlier expressed the wish and hope that some of the States would refuse to ratify the Constitution until proper guaranties of human rights and religious freedom had been annexed. Mr. Jefferson was an ardent disciple of the principles enunciated by Roger Williams. Jefferson and Madison finally persuaded President Washington to recommend the annexation of a Bill of Rights to the Constitution. They succeeded in this and as a result of their efforts and this action Rhode Island at last adopted the Constitution.

But even though the first ten amendments guaranteeing the autonomy of the States and religious freedom had already been established and adopted, the followers of the great Roger Williams living in that little State were so determined to protect their religious rights that they appended to the resolution of adoption language substantially as follows:

That religion or the duty we owe to our Creator, as well as the manner of discharging it, can be directed only by reason and conviction, not by force or violence and, therefore, all men are entitled to the free exercises

of religion according to the dictates of conscience, and that it is the mutual duty of all to practice Christian forbearance, love, and charity toward each other.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FULTON. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. MASON. I object, Mr. Chairman.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last 5 words.

Mr. Chairman, I yield to the gentleman from Virginia, Mr. TUCK.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that this is a circumvention of the rule which limits debate to 5 minutes.

The CHAIRMAN. The gentleman from Massachusetts is recognized to proceed in his own right.

Mr. McCORMACK. The gentleman from Michigan is not aware yet as to what is in the mind of the gentleman from Massachusetts. By the way, Governor, that is typed very nice, is it not?

Mr. TUCK. Yes; it is fine.

Mr. McCORMACK. I yield to the gentleman from Virginia.

Mr. TUCK. I thank the gentleman. I want to say that it is not my desire to circumvent the rules of this House or to transgress unduly upon the rights or the wishes or desires of other Members of the House.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. TUCK. I shall be glad to.

Mr. HOFFMAN. I was not making any such charge as far as the gentleman is concerned.

The CHAIRMAN. Just a moment. The gentleman from Massachusetts has the floor. The gentleman from Virginia cannot yield.

Mr. TUCK. Mr. Chairman, it is obvious I have already taken up more time than I should.

Let me remind you also that Jefferson when nearing the age of 90, and walking heavily under the burden of his years, realizing that the grim messenger with the inverted torch was lurking nearby and would soon beckon him on to that long and eternal home, wrote his own epitaph. In it he ignored the fact that he had been ambassador to several of the foreign countries, had served as Vice President and as President of the United States, and had controlled the destiny of the Nation for a period of approximately 24 years. He wished only that posterity would remember him for three things and thus his brief and simple epitaph is as follows:

Thomas Jefferson, founder of the University of Virginia, author of the Declaration of Independence, author of Virginia's statute for religious freedom.

If it is necessary to insult the South in order to appease minority groups, in the sacred memory of Roger Williams and of Thomas Jefferson and others of like heart and mind, I call upon you to think carefully before voting to leave the word "religion" in this bill. I ask you regardless of whether or not you are Protestant, Catholic, or Jew, and even if you embrace no religion, to join with me today in taking this word out of this pernicious piece of legislation. I appeal to you as Americans, whether northerners, southerners, westerners, Republicans, or Democrats to stand with us in our efforts to preserve religious freedom and liberty in this country and to save inviolate the Constitution of the United States.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in nearly all of the statutes relating to or dealing with the question of discrimination, one word has consistently been included. That is the word "religion." Whenever we have been confronted with such civil rights legislation or other legislation dealing with the great question of alleged discriminations in this country, there has been the inclusion of this word.

It has been said here that there was no evidence of any deprivation of the right to vote on the ground of religion. That is not accurate. It is true that most of the evidence which was taken by our committee related to discriminations based upon race or color. But the Attorney General has stated that he had had a number of complaints that people were denied the right to vote based upon religion.

The question could be put to me, "Do you know of such a case?" and I would have to say, "I do not know of such a case." But the Attorney General has told us there are such cases.

Certainly it can do not harm to include this word in the bill. There has been a very great desire on the part of many groups to include discrimination based upon religion among those matters to be investigated by this commission.

It has been true historically that many of the more rabid organizations, such as those to which the gentleman from Texas said he was so much opposed, as I know he is, have discriminated against people on account of race or color and have also discriminated against others because of their religion. It is, therefore, quite possible that there could be such discrimination, which should be the subject of a study by this Commission.

Let me remind you that this Commission has no power to legislate. All it does is to investigate. Certainly, it seems to me, it would be a salutary thing in this country to investigate any deprivation of the rights to vote because of one's religion, of written and sworn allegations of that are filed. I hope the Commission finds there is no discrimination anywhere against anyone on the ground of religion. I think it would be a great mistake to deny this Commission the right to investigate in this area which has been the subject of complaint, although perhaps not to the same degree as some others.

I can see no possible harm which can come from the inclusion of this word. I therefore oppose the amendment and hope it will be defeated.

Mr. CHUDOFF. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, since I proposed the amendment to put the word "religion" into the bill when it was taken up in the Committee on the Judiciary, I feel I would be remiss in my duty as a Member of the House not to say a word or two about the reasons why the word "religion" should be in this bill.

As I said when we were reading the bill for amendment in the committee, I felt the words, "race, creed, color, religion, and national origin" all belong together in all legislation of this type.

We have heard alike from all of our good friends from the South about Thomas Jefferson and about the Civil War, but I think that if you really think this thing out you will agree that this Nation had as one of its bases the right of religious freedom. William Penn received a proprietorship from the Crown so he could bring the Quakers to Pennsylvania so they could worship the way they wanted to. Many other States were established on the basis of religious freedom. The Constitution states that the Congress may make no law respecting the establishment of religion or respecting the free exercise thereof. The Declaration of Independence speaks about it.

I think one of the keystones of our Nation is that each man and each woman can worship in the way he sees fit. If the religion would do any harm to this legislation, I would be the first one to take the floor to protest against it. Even if there have not been any cases on the books, even if there have not been any court decisions stating that an American citizen has been deprived of his right to vote because of his religion, I think you all agree that no matter how we shout, no matter how we beat our chests, no matter how we yell about how liberal we are and how we respect other people's religions, all through the Nation in the various professional schools, especially the medical schools, there is an unwritten quota for people of one religion and an unwritten quota for people of another religion. I believe it is important to give this commission the right to investigate the possibility of any person being deprived of the right to vote because of his or her religion. Of course, because it has not happened before, it does not mean it will not happen in the future sometime. I think if we want to get a bill that gives this commission the right to do a real job, the word religion should be in the bill and this amendment should be defeated.

Mr. ABERNETHY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the more than 20 years of my political life I have been accused of almost everything—but I have never been charged with being a religious bigot. There are 435 men and women in this House. I do not believe anyone could point a finger at any Member and truthfully charge a single one of them with being a religious bigot. Religious bigotry in America is a myth. It does not exist.

The most intolerable thing that a commission of the Federal Government, a snooping commission if you please, could do would be to subpena, to cross-examine, and investigate in the field of

religion. The object of this bill is to investigate allegations that people are denied their right to vote because of what—because of race, color, religion or national origin. There is some testimony in the hearings and statements have been made in the well of the House that some people have been denied the right to vote because of race and color. These allegations are in the hearings. They are in the CONGRESSIONAL RECORD. I do not agree with them but at least they have been made. Now on the subject of religion we have quite a different picture. For 3 days during this debate, I propounded questions to the distinguished chairman of this committee who is my friend, Mr. CELLER, of New York; and also to the member of the committee, Mr. BOYLE, of Illinois; and also to the member of the committee, Mr. KEATING, of New York, to point out the testimony in support of a commission investigating deprivations of the right to vote because of religious faith. I asked who brought the testimony? What were the names of the witnesses that told this committee that there was a necessity for such a commission to investgate in this delicate field? Until now they have never supplied the House with the answers to these questions. The facts are they cannot cite any instance or even as much as a charge that any citizen of any faith has ever been denied the right to vote because of his faith.

Does any Member of this House believe that anyone is being denied the right to vote because he is a Protestant? If so, let him rise and speak out. No one has arisen.

Does any Member of this House believe that anyone is being denied the right to vote because he is a Catholic? If so, have the courage to rise in your place and speak out. No one has arisen.

Does any Member believe that anyone in this country from Maine to California, from Canada to Mississippi where I live, is being denied the right to vote because he is Jewish? If he does, let him rise in his seat and speak out. No one has arisen.

Or because he might be Greek Orthodox, or the follower of any other of the religious faiths of the world? If so, let him rise and speak out. No one has arisen.

So it seems that this provision in the bill is nothing more than window dressing and is undoubtedly put in the bill as a political sop to some group or some faith.

One of the great reasons this country was settled was the desire of people to worship in their own manner, according to their own faith; and we have done mighty well in establishing and preserving that privilege. We have made great and terrific progress throughout the years.

Now why should we because of some silly political inference and because this word religion has been associated with the words race and color, as has been contended by previous speakers—why should we give a mandate to a commission of the Federal Government to investigate in this field when we know it may destroy, obliterate, and put to end the good will and tolerance that has been builded in these United States among peoples of all faiths?

Let us not make this mistake.

I asked the questions of my colleagues the other day only because I was concerned about the dangers involved. I was afraid we were going to make a serious mistake. Let us not do it. Let us not give a strong Federal commission the power to meddle with and possibly destroy the good will and the tolerance that exists among the people of the great faiths found in our great country.

Mr. SMITH of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have had a splendid debate on this bill and I think it has been a wonderful thing that it has been handled in the way it has been handled. There are differences of opinion about it, of course.

I want to say that I was deeply moved a few minutes ago in the debate over the Dies amendment when the gentleman from New York [Mr. KEATING] rose and said in effect that the amendments that were proposed to this bill should be regarded and considered not on their merits but by the person by whom the amendment was offered.

I hope the gentleman will not leave that inadvertent statement in the RECORD when the time come to revise.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I want to believe, I hope to believe, and to continue to believe that this bill and all the amendments offered thereto in good faith may be considered on their merits irrespective of whether offered by Democrat or Republican, by southerner, northerner, or westerner. That is the way this Congress operates and should operate.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. KEATING. I certainly agree with the gentleman.

Mr. SMITH of Virginia. I am glad to know that.

Mr. KEATING. I regret it if my words carried any implication to the gentleman that was a reflection in any way on the gentleman from Texas.

Mr. SMITH of Virginia. No, sir; I beg your pardon, there was not any implication. I reported almost your own words.

Mr. KEATING. My words in debate speak for themselves. I intended nothing at all derogatory to the gentleman from Texas, nor do I believe he considered them as such.

Mr. SMITH of Virginia. I am glad the gentleman has apologized.

Let me say this in respect to this particular amendment striking religion from this bill: The history of it is that when this bill was introduced it carried the word "religion" and when it was considered, as it was considered so thoroughly in the subcommittee, the gentleman from New York was not only a leading advocate in the subcommittee—and the gentleman from New York [Mr. CELLER] was chairman of that committee, so they controlled absolutely every word and comma and period that went into that bill—those gentleman, I believe by unanimous consent, voted to strike out the word "religion." Now, if you please, after the full committee had put it back and it comes to the floor, the gentleman from New York opposes the amendment, not because it was not a meritorious amendment, not because it ought not to be done, and not because the full committee did put it back when his committee had struck it out, but he opposed it because it was offered by my colleague the distinguished gentleman from Virginia [Mr. TUCK].

Mr. KEATING. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I certainly want to correct the imputations left by the gentleman from Virginia and to say that I have said nothing whatever for which I should or do apologize to the gentleman from Texas [Mr. DIES]. I only regret that the gentleman from Virginia has completely misinterpreted my remarks.

Mr. RIVERS. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. RIVERS. Mr. Chairman, I make the point of order that the gentleman has already spoken on this amendment.

The CHAIRMAN. The gentleman rose in opposition to a pro forma amendment, therefore is within the rules.

Mr. KEATING. Mr. Chairman, I assure the gentleman from Virginia I did not oppose the Dies amendment nor am I opposing this amendment on any basis of personality. This amendment is offered by my good friend from Virginia, Governor TUCK. The author of the amendment knows that, because of our pleasant relationship in committee, I would never oppose an amendment because it had been offered by him.

I opposed this attempt to strike out the word "religion" in the subcommittee. The gentleman from Virginia is quite incorrect in his statement that by unanimous consent it was stricken. There were two of us who opposed the amendment in the subcommittee. It is true that an amendment was carried to strike it, but my position has always been that the word "religion" should be in the bill. It can do no possible harm, and it might do a great deal of good.

I call attention the fact that allegations which are to be investigated under this bill, must be in writing and must be under oath. If there are no allegations filed in writing or under oath pointing out a discrimination or deprivation of the right to vote on the ground of religion, then there will be nothing for the Commission to investigate. It is my hope that there will be no such allegations filed.

One other word of correction as to what the gentleman from Virginia said with regard to my opposition to the amendment offered by the gentleman from Texas [Mr. DIES]. I share completely his position that we have kept this debate on a high level. I am sure that all of us want to keep it on a high

level. My opposition to the amendment offered by the gentleman from Texas has nothing whatever to do with the authorship of the amendment. I hold both the gentleman from Virginia and the gentleman from Texas in the highest regard and I intend to continue to do so.

Mr. LONG. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Louisiana.

Mr. LONG. In view of the statement the gentleman made, I wonder if he would like to strike from the RECORD his statement "that we will consider these and the sources from which they come," speaking of the gentleman from Virginia.

Mr. KEATING. As I pointed out, the amendments that will be offered to this bill come from those who are opposed to it. I think that is an appropriate observation to make because it has been happening here right along and it will happen in the future. Very few of the amendments are offered by those who intend to support the bill on final passage. That is in no way a reflection upon any of the authors of amendments. It is a procedure which we have frequently seen in this House; namely, if a bill cannot be defeated directly, it will be sought to be torn to pieces by amendment. It is a perfectly legitimate effort on their part, and I have not alleged otherwise. Nothing I have said in any way indulges in personalities.

Mr. TUCK. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Virginia.

Mr. TUCK. Does not the gentleman from New York agree with me that those of us who oppose this bill, who seem to be receiving very rough treatment here, are at least entitled to a few of the crumbs that fall from the table of plenty?

Mr. KEATING. The gentleman is very persuasive; he is very able; and there is no one in the House for whom I have a deeper affection than I have for the gentleman from Virginia. I do not think, however, we can consider, in dealing with a matter of principle, making concessions which strike at the very heart of the legislation.

Mr. CELLER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. MORRIS].

Mr. MORRIS. Mr. Chairman, I just want to read amendment 15 of the Constitution of the United States.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

You will notice in amendment 15 there is no mention whatsoever of religion; none at all. So, if it is intended to firm up that section, the bill has put a word in there that was never intended to be in there by the makers of the Constitution. There is no reason in the world why this amendment should not be adopted. We ought to strike out that word because there is no proof anywhere that anyone is being discriminated against because of his religion; no proof; absolutely none by anybody, and there is nothing in the Constitution that would indicate that such a word should be put in there. I think that the amendment is one of the most valid and one of the most important, perhaps, that will be offered and can be offered to this legislation.

Mr. CHUDOFF. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield to the gentleman from Pennsylvania.

Mr. CHUDOFF. Will the gentleman tell me, after reading that article of the Constitution, that his interpretation would be that if any State or the Federal Government prevented anyone from voting because of his religion, that that would be constitutional?

Mr. MORRIS. I think the Dies amendment would have been an answer to that, and it should have been adopted. I think the Congress would have the power under the general scheme of our Government and the Constitution to authorize a commission. I am not for this bill, but I think they have the power to authorize a commission to investigate as to whether anybody is being discriminated against in regard to their voting. I think proper legislation could be written.

Mr. CHUDOFF. Well, in view of what the gentleman has just said, is it not true that there is more need than ever for the commission to have the right to investigate an allegation that some one has been barred from voting because of his religion?

Mr. MORRIS. I say you are deviating from the Constitution in doing that. If you had adopted the Dies amendment, you would have been all right, because you could investigate from any standpoint, but when you refused to do that and put some restrictive language in it, then you ought to stay within the 15th amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. BOYLE].

Mr. BOYLE. Mr. Chairman, I was a member of the full committee, and I concurred in the restoration of the word "religion" as it referred to discrimination. I submit the word "religion" in its etymological sense is taken from the Latin word "religio" which means—I believe—it is a very simple and matter of fact term—there is nothing of cult, nothing mysterious, nothing abstruse about it. Incorporating such an area should not provoke such a terrific stream of opposition. It is not going too far to look at those individuals who are now urging that it be deleted. The votes of the last few days and the voting record in the last 84th Congress indicates that the individuals now urging the amendment are not in sympathy with any measure that is designed to protect civil rights. Since they are out of sympathy with any measure that does protect civil rights under our scheme of doing things, it is perfectly natural, it is perfectly logical, and it is perfectly legal that they try to load the bill with as many restrictions or limitations as possible, or take away as much from the bill as possible.

You had one of the finest exhibits of that situation offered just a couple of minutes ago when the gentleman from Mississippi [Mr. ABERNATHY] said that there has been evidence adduced that people were deprived of their right to vote by reason of their color and by reason of their national origin.

Mr. ABERNETHY. No; I did not say anything about national origin. There was no testimony in this RECORD about national origin or religion. There is testimony about race or color.

Mr. BOYLE. If I misquoted the gentleman, I stand corrected. The gentleman said that there was evidence that people were being deprived of the right to vote. One of the most necessary ingredients of citizenship is the right to vote, and certain citizens are being deprived of the right to vote on the ground of race or of color. In the 84th Congress and through all of these last several days of debate the gentleman has marched dutifully down the line still standing firmly on the proposition that he did not feel that a civil-rights bill should be enacted into law by this House; and that is his right, although his conduct is a good yardstick as to his state of mind.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. Surely, I yield to the gentleman.

Mr. ABERNETHY. I am sure the gentleman would not intentionally misquote me. I stated that I asked the gentleman to provide the names of witnesses and their faith who had been denied the right to vote because of their faith. The gentleman promised to do that, but he has not done it. I did not concede that anyone was being denied the right to vote because of race or color. I did say that statements had been made to that effect in the well of this House and before the committee. That is what I said. I did not then agree with the statements nor do I agree with them now.

Now I would ask the gentleman again, since he committed himself a few days ago to do so, to bring us the names of witnesses and their faith, who were allegedly denied the right to vote because of their faith.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. BOYLE] has expired.

The CHAIRMAN. The Chair recognizes the gentleman from New York, [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I yield back my time.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Virginia [Mr. TUCK].

The question was taken and the Chair announced that the ayes appeared to have it.

Mr. DINGELL. Mr. Chairman, I demand tellers.

Tellers were refused.

Mr. KEATING. Mr. Chairman, I ask for a division.

Mr. CHELF. Mr. Chairman, the request comes too late.

Mr. COLMER. Mr. Chairman, a point of order. The request does come too late.

Mr. TUCK. Mr. Chairman, I make the point of order that the Chair had already ruled.

The CHAIRMAN. This is the situation. The request for a teller vote was turned down. The gentleman from New York [Mr. KEATING] made a request for a division vote. He is within his rights.

The Committee divided; and there were—ayes 106, noes 114.

Mr. COLMER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COLMER. Would it be in order to have tellers?

The CHAIRMAN. Tellers have been refused.

Mr. BASS of Tennessee. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BASS of Tennessee. Mr. Chairman the tellers were refused after the Chair had ruled and said that the amendment was agreed to. Then tellers were demanded, and those people who now want tellers felt that the amendment was agreed to, so they did not rise to ask for tellers; and I can get the House to agree with me. I make that point of order and ask the Chair to rule on it.

The CHAIRMAN. The Chair will rule that on the demand for tellers an insufficient number of Members rose to their feet.

Mr. BASS of Tennessee. I disagree with the ruling of the Chair and ask for a vote on the ruling of the Chair. I say that he had already ruled on the vote.

The CHAIRMAN. Does the gentleman appeal from the ruling of the Chair?

Mr. BASS of Tennessee. I appeal from the ruling of the Chair.

Mr. GREEN of Pennsylvania. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GREEN of Pennsylvania. Mr. Chairman, it is too late for the gentleman to appeal from the ruling of the Chair.

The CHAIRMAN. The gentleman has appealed from the ruling of the Chair.

The question is, Shall the decision of the Chair stand as the judgment of the Committee?

The question was taken, and the Chairman announced that the ayes apparently had it.

Mr. BASS of Tennessee. Mr. Chairman, I demand a division.

The Committee divided; and there were—ayes 222, noes 4.

So the decision of the Chair stands as the judgment of the Committee.

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. HOFFMAN. Mr. Chairman, is it now in order to ask for tellers after the rising vote?

The CHAIRMAN. It is not in order. The question was taken on the amendment and the question was decided.

Mr. BROOKS of Louisiana. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to explain an amendment which I expect to offer a little later in the course of debate on the bill. I have the amendment all written out here, and I am going to ask that Members of the Committee turn to the last page of the bill, page 12 on line 6. I propose at the proper time to present this amendment on page 12, line 6, at the period to insert the following:

No person shall be tried for contempt of any such restraining order or injunction except within the judicial district wherein the alleged attempt occurred.

If you will turn to page 11 and page 12, you will find that portion of the bill provides, quoting partially from the bill:

(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order.

Mr. Chairman, rule 65 of title 28 of the United States Code permits the enforcement of a restraining order or an injunction by summary process by the court issuing the restraining order or the injunction throughout the entire United States and in some cases overseas, unless the law itself creating this authority limits the authority to the judicial district from which the order emanated. It is the purpose of the amendment to say, in effect, that since the court signing a restraining order may sign it without a hearing and may sign it in chambers, that no person shall be tried for violating that restraining order save within the jurisdiction where the act is supposed to have occurred. What could you have if you did not have this particular amendment? You may have a great national election in progress, you may have a restraining order issued out of the Federal court—somebody said the other day the District of Columbia—but we will say the courts of Virginia. Over here in Arlington a Federal judge issues a restraining order without any trial, without any public hearing, without any opportunity on the part of the opposition, to resist that restraining order. If that order is published in the paper and somebody out here in California or maybe down in Florida, a man in Washington State, or Minnesota, or any other State in the union can be cited at once by summary process by that particular court and brought clear across the continent to be tried in a summary proceeding for a contempt of a court. Perhaps he may be brought as much as 3,000 miles away from the place where the act occurred. I do not believe this Congress wants that type of proceeding to occur.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to my distinguished friend from Colorado.

Mr. ROGERS of Colorado. The gentleman realizes that under the Civil Code in order for a district judge to have jurisdiction of the matter the defendant must be within that district?

Mr. BROOKS of Louisiana. No. May I say this to the distinguished gentleman from Colorado: Under the judicial code, rule 65, the court signing the restraining order has the power to cite for contempt regardless of where the individual may be residing or where the act may have occurred, unless the statute itself contains a restriction requiring the trial to be in the jurisdiction where the act is supposed to have occurred.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further?

Mr. BROOKS of Louisiana. I yield.

Mr. ROGERS of Colorado. Prior to the time that the injunction may be issued it will be necessary to get jurisdiction of the individual against whom the injunction is granted.

Mr. BROOKS of Louisiana. May I point out to my friend that under the law at the present time a person is construed to have notice merely by reading it in the newspaper or hearing it by word of mouth? That is all that is necessary under the law at the present time.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 5, line 21, after the word "vote", insert "and have that vote counted".

Mr. HOFFMAN. Mr. Chairman, earlier today the gentleman from Florida [Mr. SIKES] referred to breakfasts at the White House. The precedent for presidential entertainment of the party faithful was set long ago.

We recall that when President Roosevelt was in the White House he had breakfasts and social gatherings on some of the islands in the bay. Members who were Democrats were transported—their transportation paid both ways. Someone in contact with the White House ought to advise the President that it would be just as well to take a little longer trip and have a little more enjoyable time by going over Saturday and Sunday—that is if he wishes to follow precedent.

As to certain statements that have been made to the effect that amendments were offered only by Members who intended to vote against the bill, Members who wished to weaken the bill—my vote will be against this bill—but that is not the reason for offering this amendment.

The alleged purpose of this bill is to protect the right to vote, although it is entitled a bill "to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States." No other civil right, though citizens possess many, is mentioned in the bill.

If additional, and what is considered by many to be unnecessary, legislation is to be enacted—legislation creating a new Federal agency at an unestimated

cost—it is obvious that voting is futile unless the votes are fairly and accurately counted.

That the right to have one's vote counted is a civil right, and the protection of which falls within the jurisdiction of the Congress is evident, as shown by the decision of the United States Supreme Court in United States against Classic.

That case, which was argued in April, decided in May, of 1941, according to Justice Stone, who wrote the opinion of the Court, involved the charge that commissioners of elections, conducting a primary election, had "willfully altered and falsely counted and certified the ballots of voters cast in the primary election"—Justice Stone said that "the questions for decision are whether the right of qualified voters to vote in the Louisiana primary and to have their ballots counted is a right secured by the Constitution" and whether the acts charged violated sections 19 and 20 of the Criminal Code.

After referring to article 1, section 2, of the Constitution, which established the House of Representatives, and to section 4 of the same article, which granted the States the right to fix the time, places, and manner of holding elections for Senators and Representatives, and which authorized the Congress to make or alter such regulations except as to place of choosing—among other things, the Court wrote, 313th United States Reports, page 314:

> The right of qualified voters to vote at the congressional primary in Louisiana and to have their ballots counted is thus the right to participate in that choice.

And over on the next page the Supreme Court said this:

> Obviously included within the right to choose, secured by the Constitution, is the right of qualified voters within a State to cast their ballots and have them counted.

The purpose of this amendment is to give adequate protection to the citizens to have their vote, when cast, fairly and accurately counted.

What is the use of bringing in a bill saying one may vote if the vote is not counted?

Some of us recall that not so long ago down in Missouri—you remember there were quite a number of votes cast and it was alleged there was a conspiracy to suppress the true result of the election there and it was charged that the vote was fraudulently counted. When President Truman went down to see about it—perhaps more accurately, when he was in that vicinity at that time do you remember what happened to the ballots? He did not have anything to do with what happened. Notwithstanding the nearby presence of the President of the United States, someone broke into the courthouse and stole the votes and nothing ever came of the criminal charge. If we are trying to give to citizens the right to vote should we not do what the Supreme Court says here, see to it that the votes are fairly counted?

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield for a correction.

Mr. ROOSEVELT. I want to make a correction. In the circumstance the gentleman refers to, I was responsible for arranging that.

Mr. HOFFMAN. You mean those visits?

Mr. ROOSEVELT. Yes.

Mr. HOFFMAN. Well, the gentleman can put that in the RECORD.

Mr. ROOSEVELT. They were paid for by the Democratic National Committee that paid those expenses each time.

Mr. HOFFMAN. Both going out and coming back? If I have misstated the matter of expense the RECORD may stand corrected, that is as to who picked up the check. My information is that a Government vessel manned by Government officers was used.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Florida.

Mr. CRAMER. The gentleman made a reference with regard to discrimination by the President.

Mr. HOFFMAN. That was a sort of pleasantry.

Mr. CRAMER. I would like to comment on that.

Mr. HOFFMAN. If it is important, I yield to the gentleman.

Mr. CRAMER. The gentleman from Michigan referred to the remarks by the gentleman from Florida [Mr. SIKES] in which Mr. SIKES suggested that the President was practicing political discrimination by inviting members of his own Republican Party to break bread with him and objected to this practice. Apparently what he considers discrimination in Washington would not be considered the same when applied to Florida. I have been a Member of the Florida Congressional delegation for nearly 3 years and I have never received an invitation to break bread with our Democrat Governor at the State mansion. Of course, even Mr. SIKES does not suggest that the President fails to consult the ranking Democrat Members on matters of national concern but Florida's Governor discriminates even here because even as the ranking Republican Member of the Florida delegation I have never been invited to break bread with the Governor of my State.

Mr. HOFFMAN. Is the gentleman feeling badly because the Governor of Florida did not invite him?

Mr. CRAMER. Not necessarily, but I am the ranking Republican Member from Florida and I have never been invited under any circumstances.

Mr. HOFFMAN. Mr. Chairman, this amendment is offered in good faith and all seriousness. Look at it. If you want the votes counted, vote for it. If you do not care, let it go.

A vote for it will be at least a pious indication of good faith.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The question was taken, and on a division (demanded by Mr. HOFFMAN) there were—ayes 99, noes 53.

So the amendment was agreed to.

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN. Mr. Chairman, if a Member wanted to, he could ask for tellers on the vote?

The CHAIRMAN. The gentleman's request comes too late.

Mr. HOFFMAN. I was not requesting it.

Mr. COLMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. COLMER: On page 6, line 5, after the word "laws", insert "and the rights reserved to the States and the people".

Mr. COLMER. Mr. Chairman, I have a companion amendment to the next provision, and, in the interest of time, I ask unanimous consent that they be considered together.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The CHAIRMAN. The Clerk will report the second amendment.

The Clerk read as follows:

> Amendment offered by Mr. COLMER: On page 6, line 7, after the word "laws", insert "and the rights reserved to the States and the people".

Mr. COLMER. Mr. Chairman, I have asked that these amendments be considered together, otherwise I would be entitled to 10 minutes instead of 5, but I want to get along.

Now, we have heard in this debate many, many times the 14th amendment read by those who are supporting this bill. Now, all I am asking you to do, if I may have your serious consideration, is to also consider the 10th amendment to the Constitution, which provides:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

Let me say before I go any further, I recognize, coming from the section of this country that this is aimed at, and in view of what has happened and what has been said on the floor today, that it possibly is futile for me to offer this amendment. If we are going to measure the merits of an amendment by geography, then, of course, I might just as well sit down. But, may I say to my friends over on the left—and I would like to have the attention of the distinguished minority leader, if I may, just for the moment—I remind this committee and my friends on the left that there have been times in the history of this Congress in recent years, during the Roosevelt and the Truman administrations, as well as the Eisenhower administration, when support from that section of the country known as the South has not only been welcomed but it has been sought. I think if I could say just one thing that might have a little appeal to you, it is that when fundamental, basic questions affecting not the South, not the North, the East,

or the West, but the whole Republic, have arisen in this House, that little band of people from that section of the country, which has contributed so much to the freedom of not one group but of all the citizens of this great common country of ours—that little band from the South has been found in support of those basic constitutional bills and amendments that affect the welfare of all our people. I do not like to consider legislation on party lines. To me that is most deplorable if not despicable. And I do not have to tell you that I follow what I preach. Certainly it is deplorable that we should consider it on sectional lines. What this amendment does in both of these sections is simply to provide—and I hope Members will hear me and heed me—that this Commission when it is studying these matters that are set out, which you say are embraced in the 14th amendment, also consider those that are set out in the 10th amendment.

Mr. Chairman, I am alarmed, as I am sure all serious-minded citizens are, over the strides that have been made in the past quarter of a century in the concentration of power in the Federal Government at the expense of the rights of the sovereign States and the resultant destruction of the liberties of all of the people that the 10th amendment sought to protect. I repeat that the Jeffersonian doctrine embodied in the 10th amendment, to the effect that that people is best governed who is least governed, is gradually but surely disappearing. The liberties of the people are consequently being whittled away by the concentration of power of Government here in Washington.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to make certain that the gentleman from Mississippi [Mr. COLMER] recognizes definitely what his amendment will do, because on page 6, line 3, the bill authorizes and directs the Commission to "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution."

Now the gentleman proposes to say "reserved to the States and the people."

Mr. COLMER. And the rights reserved to the States and the people, which are the liberties of the people.

Mr. ROGERS of Colorado. The question I want to ask the gentleman is this. Would it be an obligation of the Commission then to examine the State laws in various States and ascertain whether or not those laws give equal protection to the citizens within those States? Would that be an obligation of the Commission?

Mr. COLMER. Does the gentleman want me to answer that question now?

Mr. ROGERS of Colorado. Yes.

Mr. COLMER. I shall be very happy to. It would require the Commission to make the same type of study and collect the same type of information concerning legal developments that is provided for this particular group; in other words, that would bring to the forefront, through this Commission, the unfortunate tendency to concentrate all of the power of the Government in the central Government here in Washington at the expense of the sovereign States and the liberties of the people as provided in the 10th amendment to the Constitution.

Mr. ROGERS of Colorado. Will the gentleman now answer my question as to whether or not it would be the obligation of this Commisssion to examine the laws of each of the 48 States to ascertain whether or not there is a denial of equal protection of the laws reserved to the States and to the people? Would they be obligated to do that?

Mr. COLMER. If the gentleman will read the provision under section 3 with the amendment, he will see what I mean. I shall read it:

> (3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws.

And here is my amendment:

> And the rights reserved to the States and the people under the Constitution.

Mr. ROGERS of Colorado. Then I come back to my original question. Would the Commission in appraising the laws or policies of the Federal Government—that is the first part of it—with respect to equal protection of the laws under the Constitution do what I have asked?

Mr. COLMER. That means the Constitution of the United States; that is right.

Mr. ROGERS of Colorado. Would it be the duty and responsibility of this Commission also to examine every State law and every State constitution in the 48 States? Does the gentleman's amendment do that?

Mr. COLMER. I would say that the amendment does not require that. It is not mandatory. If the Commission saw fit to do it, that would be up to them.

Now may I ask the gentleman this question: Does not the gentleman regard the sacred provisions of the 10th amendment, which reserved to the sovereign States and the people the liberties that are provided in the 10th amendment, as fully as sacred as what he has written here that they should do, under this bill?

Mr. ROGERS of Colorado. I would say that we all recognize that when the Founding Fathers established the Constitution and adopted the Bill of Rights they reserved to the States and to the people all rights not heretofore granted to the Federal Government. However, after that conflict that resulted in the adoption of the 13th, 14th, and 15th amendments there was an inhibition placed upon the States. The 13th amendment was against slavery, the 14th was to the effect that native-born and naturalized citizens should be considered equally, and further that—

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. ROGERS of Colorado. May I point out further that the 13th, 14th, and 15th amendments were adopted after the 10th amendment, and after their adoption were a limitation upon the States. That is the question to be investigated here. I thank the gentleman.

Mr. KEATING. That is right.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I want to use a minute or 2 of my time, then I will yield.

Mr. Chairman, I am going to start off by saying that the gentleman from Mississippi is to be commended for feeling that the rights reserved to the States and the people should be the subject of investigation by a commission. It simply is not appropriate to tack that onto this bill, which has a different objective entirely. We have already set up a Commission on Intergovernmental Relations. That Commission has investigated this very thing, the relationships between the States and the Federal Government.

I share with the gentleman from Mississippi, in some respects, the fear that too much power in being centralized in the Federal Government. It is a perfectly appropriate subject to be investigated. However, it has no pertinency to the work of this Commission, which is to conduct investigations to determine whether any citizens are being deprived of their civil rights.

The result of tacking on an amendment such as this to the duties of this Commission would simply be to cause it to bog down in a great multitude of jobs, which it was never set up to do. There would immediately be flooded in upon this Commission allegations that the Federal Government was assuming too much jurisdiction over matters belonging to the States, and many of those allegations would probably be sound. However, the result of adding this amendment would be to change to a large extent, or to nullify the work which this Commission is intended to accomplish.

Now that I have completed my statement, I will be happy to yield to the gentleman from Mississippi.

Mr. COLMER. I wanted the gentleman to yield to me so that I could ask the gentleman from Colorado a question. That question is this: Is it the gentleman's contention that the 13th, 14th, and 15th amendments repeal the 10th amendment?

Mr. KEATING. No; that is not my contention.

Mr. COLMER. That is the question I wanted to ask. Of course, as I said in the beginning, to be perfectly frank with you, I do not expect to get anywhere with this amendment. But, I just want to point it up, to show what is being done here. We want to look after the interest of some aspects of this thing, but we are not interested in other aspects which to some of us are even of greater

import than the ones that are being pointed out here.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment is quite extraneous to the purposes of the bill. The bill primarily is to protect the constitutional rights—rights that we read of in the 15th amendment which is 87 years old and which has been more honored in the breach than in the observance in various States, particularly, in the State whence comes the gentleman who has propounded the motion. That amendment reads:

> The rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

And then it says:

> Congress shall have the power to enforce this article by appropriate legislation.

That is what we are doing. We are seeking to enforce the constitutional rights given among other things by the 15th amendment. This amendment offered by the gentleman from Mississippi would just clutter up this bill. I wonder if we were even to go so far, and I am sure we will not, as to adopt this amendment whether the gentleman from Mississippi would vote for the bill. I am quite sure he would not vote for the bill.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. COLMER. In view of the philosophy behind this bill and the purposes of the bill, and in view of what this bill is aimed at, I will say to the gentleman in all candor and frankness that I would not be a party to enacting any such bill into law.

Mr. CELLER. That is a fair statement.

Mr. COLMER. I want that on the record so that there will be no mistake about it.

Mr. CELLER. That is a fair statement of the gentleman's position. Therefore, Mr. Chairman, I wonder with what grace we can accept this suggested amendment offered by the gentleman from Mississippi. The States have had their chances on these matters in connection with equal rights concerning voting, education, transportation, and housing, but I fear that the States have, certain States have, woefully been lacking in doing what I humbly consider their duty. They have given us what we call equal but separate facilities. Now the Supreme Court has struck down that shibboleth "equal but separate." That was a sort of exemplification of States rights I do not think that that type of States rights needs very much protection. It is the constitutional rights that need protection. It is the constitutional rights that have been struck down by the failure on the parts of certain States to act—or where they have acted, they have acted injudiciously and have flagrantly corroded those constitutional rights. That is the import of the bill.

Mr. ALGER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. ALGER. I would like to ask the distinguished gentleman from New York if under paragraph 2 of section 104 where it states:

> Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

In the opinion of the chairman, would this be the place where violence, the brutalities, and the flagrant violence of labor picketing and fighting that has been going on as in the Kohler situation and others—is this the part in the bill where the Commission has the right to study?

Mr. CELLER. I suppose the gentleman would want to put in there what we call the union-busting provision, the right to work amendment. This is not a labor-baiting statute. Certainly an amendment of that sort carrying out what the gentleman has stated would not be germane to this bill.

I hope the gentleman is answered.

Mr. ALGER. The gentleman has answered.

Mr. CELLER. I cannot yield further because I do not agree with the philosophy of the gentleman, and those observations have no place in this argument.

I think the gentleman from Mississippi would turn back the clock of time Wherever there is a vacuum something rushes in to fill that vacuum. There has been a vacuum created in southern States with reference to according proper rights to people of a certain color and to people of certain origins. However, because the States have failed it is essential for the Federal Government to step in and say "These are constitutional rights and they must be accorded to these people." That is what this bill aims at, the constitutional rights. For that reason I believe it would be wrong to graft onto this bill the amendment offered by the gentleman from Mississippi.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. GROSS. Mr. Chairman, I have no intention of taking the full 5 minutes. It has been asserted and reasserted on this floor, particularly by the gentleman from New York [Mr. CELLER] that this is basically a right to vote bill. Let me read the title of the bill:

> To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Then I turn to page 6, paragraph (2) and (3), and I think everyone is well acquainted with the language of paragraphs (2) and (3):

> (2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and
>
> (3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

What limitation is there in paragraphs (2) and (3) with respect to the right to vote?

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. ROGERS of Colorado. What the gentleman has reference to deals with the Commission.

Mr. GROSS. I beg pardon?

Mr. ROGERS of Colorado. That which you are talking about deals with the right of the Commission to conduct hearings. It has nothing to do with the right to vote. That is dealt with later in Section 4 of the bill where the attorney is authorized under certain conditions to go in and get certain injunctions.

Mr. GROSS. Let me ask the gentleman this question, and the gentleman from New York [Mr. KEATING] made quite a point of it earlier this afternoon, and that is that the Commission shall investigate allegations made under oath or affirmation that certain citizens of the United States are being deprived of the right to vote, and so on and so forth. Does that carry over into paragraphs (2) and (3) on page 6 of the bill? Must the information referred to in paragraphs (2) and (3) be obtained under oath or affirmation?

Mr. ROGERS of Colorado. If the gentleman will read, he will see that subsection (1) of section 104 gives the right to investigate allegations in writing that certain citizens are deprived of the right to vote. On page 6, line 3, under subsection (2) they study and collect information.

Mr. GROSS. Yes; all right. Now, must that information be obtained under oath or affirmation?

Mr. ROGERS of Colorado. No.

Mr. GROSS. No; so it is as wide open as all outdoors, is it not, for this Commission?

Mr. ROGERS of Colorado. They are under a duty and obligation within a 2-year period to make a report to the President.

Mr. GROSS. I do not care what the tenure of their office; the fact is it is as wide open as all outdoors.

Mr. ROGERS of Colorado. No, it is not.

Mr. GROSS. Of course it is.

Mr. ROGERS of Colorado. I disagree with the gentleman for the simple reason that under section 1 they investigate the case of persons who have been denied the right to vote by reason of color, race, religion, or national origins. It is there the information must be given to them under oath and in writing. They are given additional responsibilities as set forth in subsections (2) and (3) on page 6.

Mr. GROSS. Just a minute. I would like to hear the other side of the picture. I yield to the gentleman from Georgia [Mr. FORRESTER] who I believe would like to say something.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield there that I may answer his question?

Mr. GROSS. I am glad to yield.

Mr. FORRESTER. The only thing that will be under oath is as stated in that provision, that the allegation starting off the investigation must be under oath. Thereafter no one will be under oath. I wonder if anybody wants to deny that? Thereafter, sir, it is as wide open as anything on earth can be. The gentleman is absolutely correct.

Mr. GROSS. I thank the gentleman.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. MASON. Some 50 or 60 years ago the Supreme Court ruled that if a State segregated its schools and gave equal educational opportunities to the colored and the white, it was perfectly constitutional. The present Court has ignored that previous decision and reversed it and said it is not constitutional. My question is, Which Court is the better qualified to interpret the Constitution, the present Supreme Court or the one in the past?

Mr. ROGERS of Colorado. It would be a part of the duty of this Commission to study and collect information concerning the legal developments. They make that study. No doubt in their study they would come up and show perhaps the thing the gentleman from Illinois said.

Mr. CELLER. Mr. Chairman, I move that all debate on the pending amendment now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Mississippi [Mr. COLMER].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 78, noes 91.

Mr. COLMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ROGERS of Colorado and Mr. COLMER.

The committee again divided and the tellers reported that there were—ayes 95, noes 128.

So the amendments were rejected.

Mr. ALGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ALGER: On page 6, line 5, strike out the semicolon and the remainder of line 5 and insert "including the denial of the right to obtain and keep employment regardless of membership or nonmembership in a labor or trade organization."

Mr. CELLER. Mr. Chairman, I make a point of order that the amendment is not germane to the bill. It is purely extraneous and does not come within the four squares or purview of the main purposes of the bill and relates to a subject matter entirely different from the bill itself or any provisions thereof. A similar amendment was offered on the last occasion of the consideration of a civil rights bill and the amendment was declared out of order.

Mr. ALGER. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. ALGER. Mr. Chairman, I directed a question a few moments ago on paragraph (2) under Section 104. Read the paragraph. Does it or does it not say "equal protection of the laws under the Constitution"?

I was privileged to sit in a committee, not asking for this particular information but it was thrown at me, and learned last year that the civil rights of this country have been violated in ways that no Americans should try to wish away, by turning their back on it; men have been beaten half to death, with police standing nearby, all under union activities, such as picketing.

Mr. CELLER. Mr. Chairman, I make the point of order that the gentleman is arguing the merits of his amendment and not the germaneness of it.

The CHAIRMAN. The gentleman must confine his remarks to the point of order.

Mr. ALGER. Mr. Chairman, I directed a question a few moments ago as to whether this particular paragraph of the bill did or did not cover the matter of violence, and the loss of one's constitutional rights. The question was brought up in this debate on civil rights, and now I rephrase that to ask, what are civil rights? I asked that here on the floor of the House Friday afternoon, and nobody has told me anything except, under this bill, the right to vote. I want to know what the other civil rights are. When a man is beaten half to death by the pickets of labor organizations because they have an immunity from the law, is that an equal protection of the law? Are a man's civil rights taken away from him when he is beaten half to death? I simply ask, does that come under this section of the bill? Read section 104. It says that the Commission shall do certain things. It does not say anything about the right to vote. This is a civil rights bill. It says that the Commission shall "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution."

I simply say that the laws under the Constitution are violated under the circumstances I have related.

Mr. HIESTAND. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HIESTAND. Mr. Chairman, this is essentially a civil-rights bill. It is a civil-rights bill in some 14 places. Only in 1 or 2 places, prior to the very close, does it discuss even the right to vote. Webster's dictionary defines the word civil in several ways, but the legal part of it says:

> Relating to the private rights of an individual in a community under legal proceedings in connection therewith as distinguished from criminal and political.

I suggest that criminal rights might include the much-discussed right to trial by jury, and political might include the right to vote. But what is civil? Obviously, the right to work, the right to earn a living. So, Mr. Chairman, I suggest that that certainly is a civil right, even more than any of the others.

Mr. WILLIAMS of Mississippi. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the amendment that has been offered by the gentleman from Texas seeks to add to the duties of the Commission which is created under this proposed legislation, that of investigating the so-called right to work without having to join a trade union. The title of the bill is not limiting in scope but rather makes a general reference to securing and protecting the civil rights of persons within the jurisdiction of the United States. It makes no reference whatsoever to limiting the bill solely and exclusively to the right to vote.

On page 5 of the bill the duties of the Commission are enumerated under section 104.

First, the Commission shall investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote. If this bill were limited to the right to vote there would be no necessity whatsoever for the inclusion of subsections 2 and 3. However, subsection 2 states that in addition to investigating alleged denials of the right to vote this Commission shall study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

Under subsection 3 the scope of the bill is broadened even further by including among the duties of the Commission an appraisal of the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

I submit, Mr. Chairman, that the right to work being a civil right, it may be properly included as an amendment to this bill.

Mr. HOFFMAN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair is ready to rule, but if the gentleman wants to be heard the Chair will hear him.

Mr. HOFFMAN. I do want to be heard, Mr. Chairman.

The title of the bill is "To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States." That is the title. It is not limited to the right to vote; that is, the title does not limit the purpose of the bill to the right to vote.

Certainly the right to earn a livelihood is a property right. Section 1 of the 14th amendment provides in part as follows:

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; or shall any State deprive any person of life, liberty, or property.

If the right to work, to earn a livelihood, is not property, then it is difficult to understand just what it is. If you hold that the right to work is not a civil right, when you compare it with the right to vote, I wonder what the choice of the average citizen would be if he had to choose between the right to work and earn a livelihood to get food and clothing and the right to vote. Which is the more important? Which is the greater civil right?

One other thing: This amendment proposes to add and only adds additional duties to the Commission. Certainly it is germane to that provision.

Mr. KEATING. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from New York.

Mr. KEATING. As to the position taken by the chairman of the committee, almost this precise question was raised and passed upon when a similar bill was before us last year, CONGRESSIONAL RECORD, volume 102, part 10, page 13552, where the provision was ruled not germane because the thing sought to be investigated did not come within the four walls of the bill. It seems to me that is a clear precedent in this case.

Mr. DOWDY. Mr. Chairman, today the amendment offered has to do with something entirely different, an entirely different provision of the bill. As I recall, it was not even in the bill last year, under something that is not limitation as to color, race, religion or national origin, but merely concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield.

Mr. KEATING. It is, however, all under section 104 which designates the matters which the Commission is authorized to investigate.

Mr. DOWDY. Since there is limitation on it in this bill today we have to provide means for further securing and protecting the civil rights of persons within the jurisdiction of the United States, and it does not limit it to color, race, religion, or national origin.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield.

Mr. CELLER. Yes; but the gentleman must realize that the amendment is to the entire section, and section 104, subdivision (1), speaks of deprivation of the right to vote by reason of color, race, religion—and counting of votes based on national origin. That is a limitation. You cannot take subdivision (2) and subdivision (3) and separate them from subdivision (1).

Mr. DOWDY. The bill itself separates them.

Mr. CELLER. No; it does not. They must be read together.

Mr. DOWDY. Subdivision (2) does not put any limitation as to color, race, or religion. It says only to study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

Mr. CELLER. Mr. Chairman, will the gentleman yield further?

Mr. DOWDY. I yield.

Mr. CELLER. The same distinguished gentleman who is presiding as Chairman of the Committee of the Whole was in the chair when this bill was considered in the last Congress. This almost identical amendment was offered. I made the point of order that it was not germane. I am happy to report that the distinguished gentleman from Rhode Island who was then presiding as Chairman held that the amendment was not germane since the subject matter of the bill concerned certain civil rights which were not embraced within the amendment offered by, I think it was, the gentleman from California [Mr. JACKSON]. And with reference to the similar amendment which is now offered by the gentleman from Texas [Mr. ALGER], I hope that the Chairman, the gentleman from Rhode Island, will rule the same today as he did 2 years ago.

Mr. DOWDY. It is not an identical situation.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The Chair has examined the amendment offered by the gentleman from Texas [Mr. ALGER], and the Chair has also been examining the bill. The Chair finds the bill has to do with political rights and the amendment has to do with labor rights. The labor item comes within the jurisdiction of the Committee on Education and Labor and not within the jurisdiction of the Committee on the Judiciary. In support of that position, the Chair refers the Members to the CONGRESSIONAL RECORD, volume 102, part 10, page 13552, wherein he ruled on a practically similar question and the Chair also refers the Members to the precedents dealing with that subject.

Therefore, the Chair, following the decision of July 19, 1956, rules that the amendment is not germane and the point of order is sustained.

Mr. RIVERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. RIVERS. Mr. Chairman, did I understand the Chair to rule that for the purposes of this bill the rights referred to are political rights and not civil rights?

The CHAIRMAN. The Chair did not say that.

Mr. RIVERS. I understood the Chair to say that. He said what the amendment refers to are political rights as contained in the bill and not civil rights.

The CHAIRMAN. The Chair was distinguishing the amendment as being a labor amendment rather than a political amendment which deals with voting.

Mr. RIVERS. I understood the Chair to say that the amendment had to do with political rights.

The CHAIRMAN. The right to vote is a political right.

Mr. RIVERS. Mr. Chairman, I ask unanimous consent that we have read back what the ruling of the Chair was. If I misunderstood, I want to get it plain.

The CHAIRMAN. That is not in conformity with the rules of procedure.

Mr. RIVERS. I understood the Chair to say the gentleman's amendment had to do with political rights.

Mr. MULTER. Mr. Chairman, a point of order.

Mr. RIVERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from New York raises a point of order.

Mr. MULTER. Mr. Chairman, since the Chair has ruled on the point of order, I do not believe any Member is in order in questioning the ruling of the Chair in this manner.

The CHAIRMAN. The gentleman from South Carolina is propounding a parliamentary inquiry.

Mr. RIVERS. Mr. Chairman, my parliamentary inquiry is to ask the Chair if he made the statement that these were political rights, in reference to the Member's amendment, that they were political rights.

The CHAIRMAN. The bill deals with political rights. Voting is a political right.

Mr. RIVERS. I understood the Chair to say that the bill dealt with political rights. I am asking the Chair if the Chair holds that the bill does not deal with political rights?

The CHAIRMAN. Political rights and the right to vote are part of the civil rights.

Mr. RIVERS. Does the Chair hold that the bill deals with civil rights?

The CHAIRMAN. Both.

Mr. RIVERS. Both political rights and civil rights.

The CHAIRMAN. That is right.

Mr. DOWDY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DOWDY. Is religion a political right?

The CHAIRMAN. It is a religious right.

Mr. DOWDY. The bill deals with it.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 6, line 3, strike out lines 3, 4, and 5.

Mr. HOFFMAN. Mr. Chairman, since the political issue has been injected into the debate—at least that is my understanding, permit me to stand on a plank in the Republican platform. One of the principal planks of which was that the country was in danger of inflation and we should economize.

I go along with that. And because we have regular standing committees of the House authorized and qualified to perform the duties outlined for the Commission in lines 3, 4, and 5, this amendment is offered.

The language asked to be stricken provides that the Commission shall "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution."

We have a regular standing committee of the House, the Committee on the Judiciary, which has jurisdiction and authority to do everything the Commission is authorized to do. We have another committee, the Committee on Government Operations, which has jurisdiction and which has ample funds to make investigations, hold those hearings on the matters referred to in this bill. Now do we want to turn loose a new group and create a new Federal commission, to render a like and unnecessary service. This bill also provides for an additional district attorney and of course a new staff. Is there any use, is there any sense in talking economy? And then creating a new group to spend unknown sums to duplicate the investigation and hearings now delegated to regular standing committees. Should we not go along with the President of the United States, your President, the President your leaders support 95 percent of the time—I should say on 95 percent of his measures, not 95 percent of the time—go along with him when he asks for economy, when he warns us that the danger of inflation is right with us all the time and that we should be very very careful of the taxpayers' dollars. That when we make appropriations here they should be carefully considered by the committee? That no unnecessary authorization should be made?

This is not an appropriation; I realize that. It is an authorization, but no estimate has been made, no one has given us any idea as to the cost of the operations of this Commission which can snoop and inquire into almost every subject anywhere in the continental United States: I admit this is not an appropriation bill, but when the appropriation bill comes along Members on this floor will be told, if we object to the amount of money requested, why did we authorize the expenditure if we did not want to appropriate the money. That is a question that always confronts us.

When we have regular standing committees of the House to perform these duties to protect the taxpayers of this land—I should say citizens, rather than taxpayers—why authorize a new commission and permit that commission to have an advisory board, and the Lord Himself is the only one who knows who will be on it, advisers to the commission to go out and take testimony, call in witnesses, incur unlimited expense?

All right, I will go along with the platform—I cannot go along 100 percent, and nobody ever did go along with all the planks in a platform, but here is one that I can go along with, and if I understand the temper of the people at the present time, if I understand the statement of the President, he and they want economy. Then why do we authorize millions, nobody knows how many, why do we write a blank check for a new commission to go out and inquire into the citizens' activities and see what they are thinking and doing? We have heard plenty of complaint about the activities of those in the Revenue Service. They, going about their duties, are called snoopers. Do we want more? We will hear from home if we authorize this new unneeded duplication after they get started on their expedition.

Mr. CELLER. I move that debate on the pending amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York [Mr. CELLER].

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes, 99, noes, 60.

Mr. GROSS. I demand tellers.

Tellers were ordered and the Chair appointed as tellers Mr. CELLER and Mr. GROSS.

The Committee again divided, and the tellers reported that there were—ayes, 99, noes, 68.

So the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan [Mr. HOFFMAN]. You will recall that when this bill was first considered under the 5-minute rule I offered an amendment to strike out this commission believing, as does the gentleman from Michigan, that the President of the United States wants some economy in Government, and he is not going to get it this way.

I should like to conjure up as a witness in behalf of the amendment offered by the gentleman from Michigan, for whatever good it will do to cut down the expenses of this commission, the gentleman from New York, Senator Herbert H. Lehman, an ardent champion of civil-rights legislation who testified before the Committee on the Judiciary of the Senate in the last session of the Congress, stating this:

> There are three bills pending before you reflecting the same proposal to create a Federal commission to study, conduct investigations, and report on the status of civil rights in our Nation today. I myself do not give this proposal a top priority at this late stage of the Congressional session. Civil rights have been extensively studied in previous years by many Congressional committees, including this one, by many private groups, and by the President's Committee on Civil Rights in 1947. All of this study material is available.

That is from one of the most ardent supporters of civil rights who says that this commission and its work is not necessary, and that testimony was given a year ago.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, the gentleman from Iowa who has just spoken and the gentleman from Michigan are consistent in their positions. They are both opposed to part I of this bill. The gentleman from Iowa, as he says, moved to strike out completely the authorization for the Commission, and the gentleman from Michigan has moved to whittle away at the powers of this Commission, at the areas in which it shall be entitled to investigate.

Now, these three provisions here as to what this Commission would investigate were the subject of hours of study and work by the subcommittee and much discussion again in the full committee. And, I believe we are presenting to this body a workable set of areas in which this committee is to conduct its investigation.

It has been said here that this will cost something, and it will, but I submit, Mr. Chairman, that the right to vote and the right to equal protection of the laws, if they can be strengthened by this legislation, are priceless. The relatively small cost of this Commission, if it does the job that the proponents of this legislation hope it will do, will be money very well spent.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I want to confirm what the gentleman from New York [Mr. KEATING] has stated. We had many more provisions in this bill, many more powers that could be exercised by the Commission, but we cut them down almost to the bone, to the principles that are outlined in the bill before you.

I will say to the gentleman from Michigan [Mr. HOFFMAN] that the Executive has the right to investigate. He is the gentleman's President; he is my President. I do not always agree with him, but I think he has a perfect right to set up a Commission.

This section that is sought to be eliminated provides for the study and collection of information concerning legal developments constituting a denial of equal protection of the laws under the Constitution. That is a very important provision and if we take that provision out we would be hampering to a very marked degree the work of the Commission.

I would say this. We cannot have too many entities focusing the pitiless light of publicity on wrongs envisaged by this subsection (2). Some of them are dreadful wrongs and they must be righted and information concerning them must be spread all over the Nation so that the public consciousness might be aroused to these wrongs.

For that reason I do hope the amendment will be voted down.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired. All time has expired. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 68, noes 109.

So the amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 6, line 6, strike out lines 6, 7, and 8.

Mr. HOFFMAN. Mr. Chairman, the lines I seek to strike out read as follows:

> Appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

Mr. Chairman, it is all very well to promise economy. It is all very well to argue against duplication of activities. But talk is one thing and voting is another.

I regret that it is impossible to get a record vote on this amendment. It would be helpful to the people in our districts if they could learn, when the question of expenditure of Federal funds for a Commission to snoop into their political and religious thinking, their private activities was before us, who votes for the inquiry and who votes against it.

The Reorganization Act of 1946 expressly confers full power upon the Committee on Government Operations to do everything this section authorizes the Commission to do. Why duplicate that service? What we are doing is establishing anther group to carry on the duties of the Committee on Government Operations and of the House itself. I do not believe there is a single publication of the daily press that does not each day carry a story about some investigation by a Congressional committee, either of the

House or of the other body. The amendment is offered not only to keep my record clear but to keep clear the record of those who want to vote as well as talk economy. We are not given even an estimate of what the Commission will cost.

It will be the tool of special groups—some of which will advocate the overthrow of the Government by the denial of civil rights which we now enjoy.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

Mr. WALTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am seeking this time because the Committee on Un-American Activities will hold hearings in San Francisco and it will be necessary for me to leave tomorrow.

Mr. Chairman, I wish to voice my approval and support of an amendment to provide for a jury trial in contempts arising out of the issuance of an injunction as authorized by the Celler bill.

As a lawyer, of coure, I do not maintain that there is a constitutional right to a jury trial in a contempt case. But I am also cognizant of the broad and sweeping power which a judge has in issuing and enforcing his own injunction. It is for that very reason that I believe that a jury should be placed between the judge and his judgment. Make no mistake about it, under the provisions of this bill, most of the contempts, if not all, will be violations of State or Federal penal laws. Therefore, a person charged with a contempt would, under those penal laws, be entitled to a trial by jury. But when the person is tried for a contempt of the court, he is being tried for a criminal act, an act made criminal not by statute but by court order. In both instances, the result is the same—a deprivation of liberty through confinement to jail, and note here that such confinement is within the discretion of the judge.

Ordinarily an act is made criminal by the exercise of the legislative function, but here in a contempt the judge assumes the robes of the legislature and makes criminal an act which need not be a crime under existing law. Once he has exercised his role of the legislature he then dons the robe of the prosecutor and having done that, he assumes the role of the jury and ascertains guilt, then he places upon his head his judicial crown and passes sentence in which he was the tryer of the facts and law. Under such circumstances, the defendant is entitled to the utmost care and protection of his liberty for, after all, that is what is really at stake. What difference does it make to a defendant whether he serves time in a prison for violating a penal law or violating a court order?

I do not wish to cast any aspersion upon the members of the Federal judiciary, but it must be remembered that Federal judges, as all judges, are human beings. As such, they are subject to the frailties and weaknesses of human nature. That should be remembered particularly with regard to contempt cases, for in such cases the order of the judge himself is the order which has been violated. It indeed requires great effort to maintain that judicial objectivity which is necessary in passing judgment in a subsequent contempt proceeding. We recognize in existing law that possibility, for we provide for the disqualification of a judge when the charge is made that a contempt arises from an attack upon the character or conduct of the judge. Surely that is a sound principle of justice.

And I believe it is a sound principle of justice that where a man is to be confined to jail, that he be entitled to that fundamental right of a trial by jury. It was the denial of a right to trial by jury through subterfuge such as contained in this bill that brought about the formation of the United States of America. I see no difference between a denial by a king through subterfuge of the right to trial by jury and one where we substitute an attorney general for a despotic king. Tyranny is tyranny, regardless of who exercises it, and politics is politics for the same reason. We should never permit the slightest opportunity to arise which will undermine so fundamental a right as trial by jury. This bill presents a grand opportunity for the substitution of tyranny by a politician for the American principle of trial by jury. As one who believes as strongly as anyone in civil rights, I am a much stronger supporter and advocate of our Constitution, the basic doctrine from which these rights flow. Destroy the Constitution and you destroy civil rights.

Mr. KEATING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I was happy to hear the gentleman from Pennsylvania, with commendable candor, say that there is no constitutional right to a jury trial in these cases. Therefore, his reference to the Constitution toward the end of his remarks would seem somewhat inconsistent with the beginning of his address when he stated that there was no constitutional right to a jury trial. It is very clear that there is not.

The question before us is—shall we grant the right to a jury trial under the provisions of this bill? Shall we do here something which we do not do in any of the other many Federal statutes dealing with similar situations?

There are many other instances in our Federal laws where a person can commit an act that constitutes a crime and which not only gives rise to the right of the Government to indict and try him for that crime but, also gives rise to a right of the Government to bring an injunction proceeding. The Government has the right to bring a proceeding to restrain him from continuing the commission of his wrong.

Let me refer, for instance, to the proceedings under the antitrust laws. If several businessmen get together and conspire with each other to raise prices, or to fix prices, they are committing a criminal act and can be prosecuted criminally.

After they have been indicted, they have a jury trial because they are being tried for a crime. The Government has the alternative, however, of proceeding against them by injunction and may bring a proceeding to stop them from the continued commission of the wrong. If, after a full-scale trial in which it is found that the injunction should issue, they then defy the order of the court, they are tried for contempt by the court, not by a jury. They have no right to a jury trial in the contempt proceedings. Therefore, businessmen, under our existing laws, do not have this right.

Under the labor laws, representatives of unions have no right to a jury trial if an action is brought to restrain them from doing certain illegal acts and, in the face of a court order, they then go ahead and do them. They do not have any right to a jury trial.

Under the Atomic Energy Act a person who willfully violates or conspires to violate any provisions of that act is subject to criminal prosecution, and, if he is proceeded against criminally by the Government, he has a right to a jury trial. The act also provides that, whenever the Commission feels that any person has engaged in, or is about to engage in, any acts or practices, which will constitute a violation of the provisions of the law, he may be proceeded against by injunction. The proceedings are brought by the Attorney General on behalf of the United States. If the person then continues, after he has been ordered to stop, he can be held in contempt of court, and he is tried by the court, not by a jury.

Under the Natural Gas Act, a person who willfully commits an act that is prohibited by that law subjects himself to criminal prosecution. It is also provided that the Federal Power Commission may, through the Attorney General, proceed by injunction against this person. He can do this whenever anyone has engaged, or is about to engage, in the commission of acts which are criminal in their character, and it is felt by the Government that the best thing to do is to restrain those criminal acts before they take place, rather than to punish them after they have taken place. The accused has a right to a trial, as does anyone under this bill, but, after he has been tried and the injunction has issued, if he then violates it, he becomes subject to the order punishing him for contempt, and in these proceedings he can have no jury trial.

You can go through the bill relating to the interstate transportation of petroleum products, and through the Federal Power Act, and through the act governing the landing of marine cables, and the acts governing the acquisition of public lands, and through the Civil Aeronautics Act. In every one of these acts you will see that the right of trial by jury is preserved only if the defendant is proceeded against criminally, and not otherwise. Why should we single out this particular legislation for treatment different from that accorded other similar bills? Why should we single out one small group, a handful of election officials who choose to defy a court order, for especially solicitous treatment, not accorded to businessmen, union officials, security dealers, or any of the other groups against whom injunctions to restrain illegal or criminal acts may be obtained by the Government?

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

In connection with the so-called right of trial by jury being injected into this bill, I should like to read a statement signed by the dean of the Yale Law School, E. V. Rostow; the dean of Columbia University Law School, William C. Warren; the dean of the University of Pennsylvania Law School, Mr. Jefferson B. Fordham; the dean of Harvard Law School, Mr. Griswold. The statement is as follows:

GUILFORD, CONN., *June 9, 1957.*

IRVING FERMAN,
Bethesda, Md.:

The civil-rights bill, is in our opinion creating an erroneous impression with respect to the necessity for jury trials in contempt proceedings which may be brought by the Government to insure the effectiveness of injunctions safeguarding constitutional rights. The bill in its present form is not exceptional. Many provisions of law authorize the Federal courts to exercise their traditional power to punish willful violations of injunctions obtained by the United States Government. There is no denial of due process of law. The injunction itself can be obtained only after a full and fair hearing with a right of appeal. If the injunction is then violated, and contempt proceedings are brought, the Government must satisfy the court beyond a reasonable doubt, that the party charged, willfully disobeyed the court's orders. While we fully support trial by jury in its proper sphere we fear that its unnecessary injection into this legislation will only hamper and delay the Department of Justice and the courts in carrying out their constitutional duty to protect voting and other rights of citizens.

E. V. ROSTOW,
Dean, Yale Law School.
WILLIAM C. WARREN,
Dean, Columbia Law School.
JEFFERSON B. FORDHAM,
Dean, University of Pennsylvania Law School.

The gentleman from New York has very wisely and properly instanced quite a number of statutes where the contemnor is punished by the court without trial by jury. I remember during the prohibition era when there were something like 42,000 padlock injunctions filed against citizens of the United States for violation of injunctions. I heard no murmurs of discontent, no opposition at that time. Those padlock injunctions were obtained without jury trials. Millions of dollars were involved in many instances. Yet the Nation stood by and felt it was proper and appropriate where there were violations of solemn decrees of the court that those who had violated the law and were contemnors who held the court in contempt, who did not give any consideration to the court's injunction, should be punished.

That is the situation here. As to the injection of trial by jury, I certainly want to protect the right of trial by jury. But this bill is not a jury-trial bill. This bill seeks to implement an old statute that goes back to 1871, which gave individuals the right not only on the legal side but on the equity side. The individual could obtain injunctions for wrongs and for deprivation of rights, but in those States where there were deprivation of rights, the one deprived was either too ignorant to assert his rights or he feared economic reprisals or he did not have the wherewithal to hire a lawyer. So that these old statutes became dead letters and there was no action taken under them.

Now, we seek to give the Attorney General the right to go into the equity side of the court for what reason? To prevent the commission of these crimes, to prevent the deprivation of these rights and jury trial has nothing to do with it whatsoever.

Mr. HYDE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have heard a great deal in answer to this argument on the right to a trial by jury about these many other statutes that we have on the statute books which do not give the right to trial by jury in certain cases.

Mr. Chairman, this argument is beneficial for at least one reason. It will call upon us, and certainly I would do so, to make a review of these many statutes which we now have on the statute books that gives the Federal Government the right to put people in jail through contempt actions for violations. I intend to make that review and I think it will be very salutary to have an amendment to the Code that in those cases where the act or thing done or omitted constitutes a crime, then the person so charged should have the right to trial by jury, not only here but in all of these other cases. So for that reason, this particular debate has been beneficial because it has highlighted for the benefit of the whole House these things we now have on our statute books which are probably, and in my opinion, certainly not good or worthwhile.

To get to the specific acts about which the two gentlemen from New York have been speaking so much at length. These acts of Congress which were passed created new rights belonging to the Federal Government in its capacity as a sovereign nation. In those cases the Nation assumes to enforce these natural rights belonging to the Federal Government as a sovereign government. They are not cases which are for the benefit of private individuals as this is supposed to be.

Moreover, assuming that there is no right to a jury trial in some equity cases, under such cases as the antitrust laws, it is submitted that that argument would destroy this bill, because there has never been a law yet which allowed the United States to bring equitable actions for the benefit of private individuals as this bill does.

So, Mr. Chairman, I submit there is now a distinction between all these statutes about which they have been speaking which they use as an excuse and as a precedent for what they are doing now. Moreover, to get to the nub of it, the thing about which the gentleman from Pennsylvania was speaking. Let us look at the language of the gentleman from New York in his own argument to find out just what exactly we are doing. He has said time and time again on the floor of this House that all we are doing here is to provide for the issuance of an injunction to prevent the commission of a crime. That is what he says we are doing. Well, what follows from that? If the order of the injunction is disobeyed, that means that there has been a crime committed; there is no other logical conclusion. There has been a crime committed, and because they are afraid that juries will not convict for that crime, they suggest this procedure to do away with juries. It is just as simple as that.

Mr. WILLIS. Mr. Chairman, I move to strike out the last word.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I gladly yield to the gentleman from Florida.

Mr. CRAMER. Particularly in context to what has just been said by my distinguished colleague from New York stressing the points that in these statutes that have been cited they involve the sovereign and the protection of the rights of all the people of America and that there has never been a law yet which allows the United States to bring equitable actions for the benefit of private individuals. I want to carry that one step further and ask my distinguished colleague if it is not true that that is the reason why, under title XVIII, if contemptuous act is not committed in the presence of the court or the United States is a party to the action, there is no trial by jury, and does it not follow that the reason for that is exactly the same as is cited here, because the United States is exercising its power as a sovereign nation and secondly there was at the time of the passage of that statute no law on the books where the United States had authority to bring equitable actions on behalf of private individuals.

Mr. WILLIS. The gentleman could not be more right, and he has put his finger on the very problem.

Now, we have heard discussions here about constitutional right of trial by jury in contempt cases. What difference does it make whether the right springs from the Constitution or from an act of Congress? The fact of the matter is that since 1914 in cases of this kind the right of trial by jury has been guaranteed. We are not asking for a single solitary right that the people do not now enjoy, and the proof of the pudding is the Clinton, Tenn., case that you do not hear anything about from the opposition. There the Federal court after trial on the merits issued an order commanding the school board to admit certain colored people to school. They won the case; they went to school; they are in school today.

Now, under the broad sweep of that injunction, however, the Federal judge provided that if anyone in the community violated his order—and got him mad, that is—and the words were "by words, acts, or otherwise"—they would be in trouble. So, today 16 people who were not involved in the lawsuit, not members of the school board, not defendants in the case, but 16 people in the community are charged with having offended the judge or committed contempt. They asked for a jury trial and under the law today—and this suit is pending in the Federal court—they were granted a jury trial and will be tried by a jury. Under this bill, however, if

the same suit had been brought they would not be entitled to a jury trial because the device, the purpose, the design, the object, the effect of this bill is to lug in the Government as a party in order to take advantage of a loophole in the law and thus deprive people of the right to a jury trial that they enjoy today and they have enjoyed that, as I said, since 1914.

Our good friend the gentleman from New York [Mr. CELLER] by the way, when the act of 1914 was passed as the law of our land, was a great advocate of the right to trial by jury because, as he expressed it, they were the days of the yellow-dog contracts and the abuse of the power of injunction, and Congress saw to it that the people, not only the laboring people under the Clayton Act, but everyone, was entitled to the right of trial by jury for contempt of court.

We are not asking for the injunction to be tried on its merits before a jury. We are simply saying that if after the decree has issued the judge feels that someone has violated it, and then a charge is filed against that man, which charge constitutes a crime we say at that point that the man is entitled to a trial by jury because it makes precious little difference to a man whether he is sent to jail on purpose or by design or by accident.

Mr. CURTIS of Massachusetts. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I bring before this Committee a statement made by a distinguished constitutional lawyer, Prof. Paul A. Freund, of Harvard University Law School, as published in the New York Times of last Sunday:

> The debate over the pending civil-rights bills has come to turn increasingly on a proposed amendment for trial by jury in contempt proceedings where the defendants are charged with having violated an injunction. The discussion has unfortunately converted what should be a straightforward practical issue of law enforcement policy into a spurious struggle over constitutional rights. * * *
>
> The real constitutional issue has not been over a supposed right of jury trial in this class of cases. It has been quite the reverse—namely, whether the judge may be deprived of his historic power to punish for contempt without a jury.

Then the professor goes on to cite cases, many of them from the States of the gentlemen on my right who have been most active in this debate, holding it unconstitutional in their States to pass a law providing for a jury trial in contempt proceedings.

Mr. Chairman, let us for a moment consider what a jury trial in contempt proceedings means, what it amounts to. I am going to submit to you that it is destructive of the orderly administration of justice.

Let us consider how the judgments and decrees of courts in this land are enforced. Take the ordinary case of a judgment at law for damages. Suppose the defendant refuses to pay that judgment. Of course the majesty of the law must be upheld. There is an ancient writ which authorizes the sheriff to go out and seize his property on order of the court. There is no further trial. The sheriff is authorized to seize that property, and sell it, and convert it into the necessary money to pay those damages.

On the equity side of the court we have special remedies not provided at law where historically the suit is heard by a judge without a jury. An injunction may issue ordering the defendant to take some action. Suppose the defendant thumbs his nose at the court and says, "Despite the order of the court, I refuse to take that action." Of course the majesty of the law must be upheld. So the judge from ancient days has been permitted to bring that man before the court for contempt, and if he does not obey the lawful order of the court, the judge may fine him or put him in prison.

What would it mean to require a jury trial in such a case? It would mean that before the order of the court could be enforced there would have to be a separate, second, jury trial.

It has been stated before, but I am going to state again, what a great American, later Chief Justice of the United States, said about such a proposition. I quote from William Howard Taft when he was a candidate for President in 1908.

> Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court made after full hearing and the enforcement of such orders.

Mr. Chairman, the gentleman from Pennsylvania suggested that whenever the court in contempt proceedings had the right to put a person in jail for disobedience of an injunction, that man should have the right to a jury trial. Think what that means, Mr. Chairman. Do you realize that if you go into an equity court and get an injunction against some swindler who has welshed on his deal to convey property to you, ordering him to convey that property, and he refuses, he may be put in jail for contempt of court? Now, sir, would you have it that after you have gone to court, summoned your witnesses, tried your case maybe for days, and won your case, and got an injunction from the court—that then the injunction shall amount to nothing unless you go for a second time to the court and try the issue before a jury?

Mr. Chairman, that is not a sound procedure. It is destructive of the orderly administration of justice. It should not be injected into this bill.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the face of the statements made by the gentleman from Maryland [Mr. HYDE] and the gentleman from Florida [Mr. CRAMER] and the gentleman from Louisiana [Mr. WILLIS], I should like to find out if their interpretation of this bill would authorize the Attorney General to appear on behalf of a private individual and, if so, where in the bill it is outlined. As I recall, the gentlemen spoke of the right of the Attorney General to appear for private individuals. I direct their attention to the fact that that matter was considered in the subcommittee and that one time the bill provided that the Attorney General should appear on behalf of private individuals. I was of the opinion that we had eliminated it in either the subcommittee or the full committee. The only place I know of is on page 10, line 1:

> The Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding.

Now I want to know, do you interpret that to mean that he may appear on behalf of BYRON ROGERS and institute a suit or civil action?

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. HYDE. If BYRON ROGERS had been prevented from voting because of unlawful conduct of some register of elections, does not that section then give the Attorney General the right to go in and start this action if he is made aware of that violation?

Mr. ROGERS of Colorado. In the name of the United States just the same as he would in any other proceedings where he is authorized to represent the United States.

Mr. HYDE. That is right, but this bill gives him the right to appear in the name of the United States and in that proceeding he is appearing for the benefit of BYRON ROGERS; is he not?

Mr. ROGERS of Colorado. No.

Mr. HYDE. For whose benefit is he appearing?

Mr. ROGERS of Colorado. The pleadings would be drawn up to read "In re: BYRON ROGERS against Voting Commission" instead of "United States against Voting Commission."

Mr. HYDE. Oh, well, now the gentleman is giving us some legal technicalities. As a matter of fact, he is appearing for you; is he not?

Mr. ROGERS of Colorado. No.

Mr. HYDE. I do not know who else he is appearing for.

Mr. ROGERS of Colorado. The point I am trying to make is this. The gentleman said he could appear on behalf of a private individual, and I believe and thought we had cut that out. If we did not cut it out, I would like to cut it out because that has been the source of a great deal of controversy.

Mr. HYDE. I did not say that he would appear on behalf of—I said for the benefit of. And would not that be for the benefit of BYRON ROGERS.

Mr. ROGERS of Colorado. It may be—to give me my civil rights, if I was entitled to vote.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. VORYS. I thought that this action was constructive to make it appear in this form that the Attorney General would appear on behalf of the United States because the Government had an interest in the rights of suffrage and in civil rights not for the benefit of the particular voter, but because that is the way we think we can get good government, and that is the way we get democracy and representative government. I thought that that was the sort of thing involved.

Mr. ROGERS of Colorado. I have the same conclusion in mind, but when the members of the committee said he appears on behalf of, or to represent private persons, I just wanted the record to be straight.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. McCULLOCH. I completely agree with the statement of the gentleman from Colorado. As a matter of fact, the Attorney General, when these facts would come to his attention, would be bound to bring the suit in the name of the United States of America whether he had the consent of one or more people involved or not. To use the language or phrase of my colleague, the gentleman from Ohio [Mr. VORYS], it is a suit in the public interest.

Mr. ROGERS of Colorado. That is right and because we did discuss the matter and because the question arose, we tried to limit it so that it would only be by the United States and no other party. If that has not been accomplished in this bill, then let us cut it out.

Mr. ROGERS of Texas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time in order to propound some questions to the gentleman from New York, chairman of this committee, also the gentleman from New York [Mr. KEATING]. I was very much interested in the remarks of the gentleman from New York [Mr. KEATING], also the remarks of the gentleman from New York [Mr. CELLER], including the statement the gentleman from New York [Mr. CELLER] read, signed by the deans of several law schools.

The question I want to ask in keeping with what the gentleman has said about jury trials is simply this: If I were charged with a crime under the present laws of the United States and at the same time an injunction was issued against me by the Attorney General of the United States, subsequently I was tried on that criminal charge and was acquitted by a jury, that afternoon, that same day, would it not be possible that I could be brought before the judge who presided at the trial at which I had been acquitted, called up for contempt of court and sent to jail for the same identical offense of which the jury had acquitted me? Is not that correct?

Mr. CELLER. The gentleman is addressing his question to me?

Mr. ROGERS of Texas. Yes, to the chairman of the committee and also to the gentleman from New York [Mr. KEATING].

Mr. CELLER. Yes; that is correct.

Mr. ROGERS of Texas. Does that not repeal the provisions of the Constitution which states that a man shall not be put twice in jeopardy of his life or limb?

Mr. CELLER. No; because the violation of an injunction is not a crime and is not double jeopardy.

Mr. ROGERS of Texas. That is the gentleman from New York talking. I am talking about the Constitution and laws of this Nation. Is it not a fact that you could adopt the same identical procedure that has been adopted insofar as this bill is concerned, lift out the language you have in here about voting and insert a murder statute and change your penalty and send a man to the electric chair without a jury trial?

Mr. CELLER. That is rather far-fetched.

Mr. ROGERS of Texas. Let us see if it is.

Mr. CELLER. The gentleman does not let me answer. I gave him an opinion which is the opinion of the United States Supreme Court which indicates that the violation of an injunction is not a crime; it is a violation of an equity order of the court, which is not a crime.

Mr. ROGERS of Texas. Which case does the gentleman have in mind? Will the gentleman give me the benefit of the citation? I am seeking information because I am very much interested in this question.

Mr. CELLER. I have not the citation offhand, but I will be glad to put it in the RECORD.

Mr. ROGERS of Texas. I will be very happy if the gentleman will put it in the RECORD.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. Just one second. Let me make this statement. The gentleman states that a violation of an injunction is not a crime. Is it not a fact that the way this bill is drawn you have used the language that is the criminal language presently in the statute and if a man does an act which is violation of an injunction under this, can he not also be prosecuted in a criminal suit and be tried before a jury in the Federal court?

Mr. CELLER. No. That is not quite accurate. In part 4 we use language similar to that which constitutes a crime to endeavor to prevent the crime, and we seek to get the injunction so that the crime will not be committed. That is the purpose of part 4 of the bill.

Mr. ROGERS of Texas. The point I am making is simply that what you are doing is putting the language of the criminal law into an equity statute, denying him a trial by jury, repealing his right to not be placed twice in jeopardy of life or limb as is guaranteed under the Constitution.

Mr. CELLER. No.

Mr. ROGERS of Texas. Let us just look at that and see. I am concerned with this. It involves vital rights.

Mr. ROGERS of Colorado. May I say to the gentleman that that is not double jeopardy under the decisions. In other words, the entering of a court order where the court has jurisdiction is one thing that he must adhere to or be in contempt of court. Now, if he wants to violate a dozen different laws that is his responsibility, but when he does he violates the court order and the statute in question and it may be possible that he can be punished twice. An example is the State of Texas may have a statute which would prohibit certain persons from voting and the official was enjoined by the Federal court and at the same time it was a violation of the Texas law he could be prosecuted in a Texas court.

Mr. ROGERS of Texas. The gentleman is saying that what is done is such as to place a man in jeopardy twice.

Mr. ROGERS of Colorado. No. To begin with his first offense is violating the injunction. That is one thing. If he wants to violate some other law, that is another thing.

Mr. ROGERS of Texas. I am talking about the same identical set of facts.

Mr. IKARD. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Texas.

Mr. IKARD. Let me ask the gentleman this: His concern, I take it, is an expression over being put twice in jeopardy for the commission of one act?

Mr. ROGERS of Texas. That is right.

Mr. IKARD. As the gentleman from Colorado says, the courts have held that a violation of a restraining order or an injunction is a violation for which the person is punishable to the court. It is not a violation of the law. In this instance, is it not true that by amending certain criminal statutes, they have in effect written criminal law into restraining orders or injunctions, they have done so in effect, so you could conceivably and in all probability be put twice in jeopardy for the commission of one single act?

Mr. ROGERS of Texas. And by the devious method that was adopted and used in drawing this legislation, you could repeal the right of a man to trial by jury in these United States and do away also with his plea against double jeopardy.

Mr. McCULLOCH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise simply to say that I do not agree with the statement made by my good friend and colleague from Texas, nor do I agree with the conclusion which agreed with that statement. There will be more said on this question, I hope, on tomorrow.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

SURPLUS FARM COMMODITIES

Mr. COAD. Mr. Speaker, today I have introduced two bills which have a similar nature in that they attempt to strike at one of the major problems facing America. That problem exists in the fact that we have a surplus in our farm commodities which is depressing the market prices to a drastic level.

These bills seek to offer certain aids and benefits to small business in order to get these small businesses to use surplus commodities for new industrial items or uses. If we can get these surplus stocks channeled into new industrial uses we will be saving the taxpayers in storage

costs and will reduce the amount of the surplus which will not only create the setting for a price rise for the farmer but will save the taxpayer still more money in the reduced costs of a farm support program.

There have been studies made on new industrial uses which might be made of farm commodities and many of the conclusions reached in these studies should be implemented with a program which will denote real progress in this regard.

One of the bills which I have offered today offers those small businesses which will use surplus stocks for new industrial purposes the opportunity to borrow money from the Small Business Administration for the purpose of constructing new facilities and for expansion, at the same rate of interest which the Government has to pay for it. At the present time the Government interest rate is approximately 3¼ percent. This, as can readily be seen, would be an incentive to small-business men to venture into a new program.

The second of these companion bills would offer those small businesses which qualify the added incentive of a fast tax writeoff on new installations and expansion which is made necessary to utilize surplus commodities for new industrial purposes.

Now, neither of these two ideas is new. We have made all kinds of reduced interest loans and, in fact, interest-free loans even including foreign governments. This program is nothing more than an incentive to the small-business men of our Nation to venture into a vast new program which will be of benefit to every American citizen.

We have seen the tax writeoff program through the years and just recently viewed the grant by the administration of a rapid tax amortization to the Idaho Power Co. under circumstances which are not in the best interests of all the people. But this program would give a tax benefit which would be more than paid for in savings dividends in the long run to the taxpayer.

Here, also, is a program offered to help the small-business men establish themselves in an entirely new field which will do the job which the Government cannot do.

Therefore, Mr. Speaker, I solicit consideration of these bills for in this approach we will have found a businesslike approach for the beneficial consumptive use of our surpluses which now only plague us.

NEW IMMIGRATION PROPOSAL

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, I have introduced today a bill designed to take care of certain emergent situations which have arisen in the field of immigration and nationality. My bill contains several points of my own legislative program which, due to delays encountered in the Senate, failed of enactment by the time the 84th Congress adjourned sine die. In addition, I have included in my comprehensive bill certain provisions of two bills, which I introduced earlier this session, namely, H. R. 4008 and H. R. 7965, as well as certain amendments to Senate bills, unanimously recommended by the Subcommittee on Immigration and Nationality of the Judiciary Committee.

Briefly, my new proposal, analyzed section by section, is as follows:

First. My bill will admit under nonquota immigrant visas alien ophans, under 14 years of age, adopted by United States citizens or coming for adoption. This new orphans admission program would run for 2 fiscal years beginning July 1, 1957, and upon close scrutiny conducted by the Congress, a determination would be made whether the program should be curtailed, modified, or canceled. In order to save inconvenience to adoptive parents, it is provided in my bill that a nonquota immigrant visa issued to a child residing with adoptive parents who remain abroad on military duty, or on business, or in employment by the United States, shall be valid until the adoptive parents return to the United States, but not in excess of 3 years. Similarly, in order to avoid that an adopted child remains in an alien status although made part of an American household abroad, my bill would permit expeditious naturalization of such child immediately after its first entry into the United States is made. Further, my bill would permit the adjustment of status of 839 minor allen children adopted by United States citizens who entered the United States within the last few months under discretionary provisions of the Walter-McCarran Act. These are orphans adopted under the now expired Refugee Relief Act of 1953, as amended, who were found eligible to come to the United States except for the fact that the 4,000 visas allocated to such orphans were used before the 1953 law expired.

Second. My proposal will give the illegitimate child the same status under immigration laws—relating to the mother of such child—as the legitimate child has under existing law. In this instance, I am attempting to correct an erroneous interpretation of the Walter-McCarran Act.

Third. The Attorney General is given authority under my bill to adjust the status of about 400 highly skilled specialists who are in the United States temporarily but whose services have been determined to be urgently needed in the United States. The adjustment of status will not entail a quota charge and spouses and children of the beneficiaries of this section of my bill are also to be granted nonquota immigrant status. This section of my bill would apply only to foreign skilled specialists who were in the United States as of May 1, 1957, and are not subject to restrictions imposed upon exchange students and exchange visitors under an act of Congress enacted on June 4, 1956—Public Law 555, 84th Congress.

Fourth. My bill will forgive the displaced persons and refugees as well as some close relatives of United States citizens the misrepresentations made while applying for immigration visas or for entry into the United States. The majority of aliens affected by this section of my bill are those displaced persons and refugees who were prompted to make the misrepresentations by their fear of being forcibly repatriated to countries under Communist domination.

Fifth. My bill would permit the Attorney General—after consultation with the Surgeon General of the United States Public Health Service—to admit, under proper safeguards, the spouses, parents, and minor children, including adopted children of United States citizens or of lawful residents, notwithstanding the fact that such relative is afflicted with tuberculosis. The effect of this particular provision of my bill, written very carefully so as not to endanger the safety and welfare of our people, is primarily designed to prevent separation of families and alleviate hardship. This program, similar to the orphans admission program, is a temporary one. It is designed to run for two fiscal years beginning July 1, 1957, and in order to permit the Congress to scrutinize carefully its application, the Attorney General is directed to make a detailed report to the Congress in any case in which the provisions of this particular section of my bill are applied.

Sixth. Cognizant of the fact that a certain number of immigrants entered our country recently, mostly under the Refugee Relief Act of 1953, as amended, without their wives, parents, and children, my bill provides for the granting of nonquota immigrant status to their relatives if the immigrant's petition was approved by the Attorney General prior to March 1, 1957. According to the estimates by the Department of State, approximately 18,000 persons would be admitted to the United States under this provision of my bill, again designed to prevent hardship which ensues the separation of families.

Seventh. According to a report filed with the Congress by Secretary Dulles, 15,960 visas remain unissued to German expellees residing in West Germany or in Austria under the Refugee Relief Act of 1953, as amended. Similarly, 1,597 visas remained unissued under the same act to Dutch nationals and 1,099 visas remained unissued to refugees in the Far East who are not indigenous to that area. Under my bill, these 18,656 unused nonquota immigrant visas would be made available by the Department of State to the category of immigrants for whom they were originally intended.

Eighth. My bill would wipe out the "mortgages" imposed on certain small immigration quotas by the Displaced Persons Acts of 1948 and 1950, as well as under two acts affecting the "mortgage" imposed upon the immigration quota for Spain.

Ninth. My bill will clarify the application of those provisions of our immigration laws which exclude immigrants who committed petty offenses and would provide for a yardstick in determining whether an offense committed abroad could be classified as a misdemeanor or as a felony. I propose that the determination shall not be based on the applicable foreign law but on the provisions of the United States Code and whenever that code fails to define a crime comparable to the one committed abroad, the criminal code of the District of Columbia, which has the approval of the Congress, would provide the basis for the determination of the nature of the crime.

In addition, exceptionally meritorious cases in which the spouse, parent, or the child of a United States citizen or of an alien lawfully admitted for permanent residence is involved, the Attorney General would be vested with discretionary authority to admit such alien notwithstanding the commission by him of a crime involving moral turpitude if it is determined that the alien's exclusion would result in extreme hardship to his relatives in the United States and that his admission would not be contrary to the national welfare, safety, or security.

I have worked out my emergency immigration program very carefully, and I believe that it is the only program which combines a sound, humanitarian approach to immigration problems and all due consideration to our national, economic, and social interests.

PAN AMERICAN WORLD AIRWAYS

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JARMAN. Mr. Speaker, the National Safety Council has just announced that Pan American World Airways was named today as a winner of the 1956 aviation safety award.

Pan American received the award for operating 5,502,560,000 air miles during 1956 without a passenger or crew fatality.

This, Mr. Speaker, is an incredible record and considering that Pan American flies to all corners of the world without benefit of domestic services it is a tremendous tribute to this great airline.

Pan American flies to more than 80 countries in this universe. No two countries have exactly similar civil air regulations. That Pan American could amass a performance record of such great magnitude is a tribute to each 21,000 conscientious employees and its farseeing president, Mr. Juan Terry Trippe.

This national safety award, Mr. Speaker, is based on official records of the Civil Aeronautics Board. These awards are given to scheduled domestic, territorial, and overseas carriers that have had no fatal accidents during the year.

We of the Interstate and Foreign Commerce Committee have a consuming interest in what transpires in civil transport and we share some of Pan American's great pride in this outstanding accomplishment.

REVISION OF THE STATUS OF FORCES AGREEMENT

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Speaker, I have introduced today a joint resolution providing for the revision of the Status of Forces Agreement between the United States and other nations so that foreign countries will not have the jurisdiction over American Army personnel stationed overseas.

As an American citizen, as an American veteran, and as a member of the Armed Forces Reserve, I protest the surrender of the American citizen, or the subjugation of the American uniform, to any foreign government or any foreign courts. Every American who wears a uniform of his country wears it in order that his country may be protected. Then should it not follow, as the night follows the day, that his country should protect him by its agreements or treaties rather than subject him to foreign dogmas and to the powers of a government which does not subscribe to our ways of Christian freedom.

This legislation is identical to that introduced by Congressman Bow, whose permission I have, to join him in this fight for rights of American Armed Forces personnel.

The Girard case is a specific and condemning example of what can happen to an American soldier because of these ill-advised agreements. If America would tell the world that the flag of America flies over and protects each American soldier at home or abroad, no foreign nation would question it. A strong nation can well afford to stand stalwart in the protection of its citizens.

I hope the Congress of the United States will pass this legislation and that the President will sign it.

COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Mrs. CHURCH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. CHURCH. Mr. Speaker, I am today introducing a bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense, and for other purposes.

This bill is the seventh in a series seeking to implement the proposals for better budgeting and better Government operations, which are primary prerequisities for Government efficiency and economy.

The other six bills which I have introduced in this session of Congress for this purpose include—

H. R. 211, to establish a Joint Committee on Foreign Intelligence;

H. R. 3961, to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations;

H. R. 5793, to create a Supply and Service Administration as a Department in the Department of Defense, and for other purposes;

H. R. 5812, to amend section 602 of the Federal Property and Administrative Services Act of 1949 with respect to the utilization and disposal of excess and surplus property under the control of executive agencies;

H. R. 5813, to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes; and

H. R. 6128, to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States.

I again express the hope that favorable action will be taken on this vital legislation before adjournment of this session of the Congress.

LETTER FROM CHAIRMAN OF STEPHEN FOSTER MEMORIAL COMMISSION

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, on July 22, 1957, in a speech before the House of Representatives, I opposed the newly imposed censorship by major radio and TV networks against certain musical compositions. These censorship measures were made at the request of certain minority pressure groups.

The music and history of Stephen Foster is being perpetuated in a shrine known as the Stephen Foster Memorial at White Springs, Fla., on the banks of the famous Suwannee River. This shrine is an indication of the great respect afforded the composer's works by music lovers all over the world.

To further establish that injustice is being imposed by the radio and TV networks, I would like to submit a letter from Mr. Earl Brown, chairman, Stephen Foster Memorial Commission, an organization established by an act of the Florida Legislature.

The letter follows:

STEPHEN FOSTER MEMORIAL COMMISSION,
White Springs, Fla., July 24, 1957.

Hon. ROBERT L. F. SIKES,
House of Representatives,
Washington, D. C.

DEAR BOB: I am pleased to note in the morning press your support of our position

in regard to Florida's State song and other of the Stephen Foster compositions, which are in the process of being permanently disfigured by an unofficial network committee.

As you well know, it was by legislative enactment that the State of Florida adopted Way Down Upon the Swanee River as the Florida State song; and in a similar manner My Old Kentucky Home was adopted as the State song of Kentucky. But the importance of Foster as a composer and the durability of his songs goes far beyond the confines of the United States, as it is the most universally loved and used music of the world today, and has been for the past 100 years. These lyrics, as originally composed, were the basis on which Foster was elected to the hall of fame, the only composer ever having been accorded this high honor.

The memorial we are building to Foster, on the banks of the Suwannee, has tremendous public approval, primarily by people from all sections of this Nation, as well as Canada and a number of foreign countries.

At this memorial we maintain a register for visitors, who can sign or not, as they may elect. Following the signature column is one for remarks; and of the million four hundred plus people who have signed this register, not a single objection was raised as to the words of the music, the memorial, or the composer. In fact, all remarks are most complimentary and as they must be brief, the majority of remarks follow these trends:

"The most wonderful thing we have visited in the South."

"A great contribution by Florida to American history with Foster's folklore music."

"Beautiful and reverent."

"Our fourth visit and we are coming again."

And early this year when the President's wife visited the memorial she stated: "This is wonderful; I am going to bring my grandchildren to see it when school is over."

There is absolutely nothing in the music of Foster that is in any way derogatory to the colored race; in fact, this greatest collection of American folklore music contributes to the important place occupied by Negroes in the development of this Nation.

All visitors hear the music of Foster when they visit the memorial. And as long as I am chairman of this memorial commission, all renditions of Foster's music, and he composed some 200 plus, will be in the original lyrics, as composed by Foster and not desecrated by some committee who have so easily fallen under some minority group, more concerned with showing their authority than they are with the preservation of this great music which is part of America's history. To my mind this music is the greatest living documentation of the important part played by the Negro in the development of the South.

I also call your attention to the fact that Stephen Collins Foster was born and reared in Pittsburgh and that these songs today, as they have for the past hundred years, contribute to musical programs throughout the world. Never before, by any person or group, has public expression been given to anything of an objectionable nature in connection with same. As one Florida journalist editorializes, "If carried to its ultimate conclusion, this order we suppose will sooner or later demand the rewriting of the Star Spangled Banner, on the grounds that the pacifists might object."

Your continued effort in behalf of retaining the Foster compositions as written and used for a hundred years, will be deeply appreciated by we of the Foster Memorial Commission who are seeking to preserve this greatest collection of this American folklore for posterity.

Sincerely yours,

EARL W. BROWN, *Chairman,*
Stephen Foster Memorial Commission.

IMPROVING MANAGEMENT AND TECHNICAL PERSONNEL IN THE SUPPORT ACTIVITIES OF THE DEPARTMENT OF DEFENSE

Mr. BROWNSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BROWNSON. Mr. Speaker, on March 11, I introduced two pieces of legislation resulting from the deliberations of the second Hoover Commission. Today, I have placed in the hopper a bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense.

Support activities are those provisions of materiel and services needed by the military effort as differentiated from combat, combat training, and other activities of military operational character. They would include procurement, maintenance of equipment, supply and warehousing, transportation, and such administrative activities as budgeting, accounting, legal, medical, personnel administration, and public relations. Estimates show 1.3 million of the 4.3 million defense force are engaged in support activities or 30 percent of the total defense personnel. Personnel costs and materials procured for support activities account for 63 cents of every defense dollar. They require about three times as much manpower as the world's largest corporation. Any possible savings which could be derived from better management of these activities should not be overlooked.

The bill I am introducing today would amend the National Security Act to provide that—

The Secretary of Defense establish which management and technical posts be filled by civilians, and which by military personnel thus eliminating existing dual staffing;

The civilian personnel be utilized increasingly in management and technical positions in support activities;

Military personnel would be assigned in the support activities for longer tour of duty periods;

The practice of assigning tactical officers just for reasons for rotational convenience would be discontinued; and, finally,

The Secretary shall prepare for the emergency expansion of such activities as the selection, development, training, and assignment of civilian management personnel reserve.

The essential difference between national defense today and that of any previous period in our history is that the support activities of research and development, procurement, supply, and so forth, have assumed a much greater significance in the defense effort and in turn in the economy of the Nation. This continuing and greater significance of support activities has produced personnel problems which arise both from the sheer magnitude of support operations and from the fact that the importance of these operations is not fully realized.

Sixty and three-tenths percent of our 1958 budget goes for national security; 7 percent of our national active labor force is employed directly by the Department of Defense, and at the same time this number represents 77 percent of the Federal Government work force. The support activities constitute a significant part of the total defense effort. They require about one-half of the total defense force when you include the support activities which are organized as an integral part of combat or tactical units.

The Nation is faced with keeping underway a mobilized research and development program which goes all out to maintain our military superiority. This means that modern supply and technology requires specialization which makes new demands on the military department to keep pace with the vastly increased importance of support activities.

Military-civilian personnel problems for the support activities then is one of the most important in the country today. One provision of my bill provides for the elimination of dual staffing which would bring about a savings of $110.4 million each fiscal year. Of the 2,979 organizational entities of the Department of Defense, 372 are staffed with both a military and a civilian supervisor. Most of these instances were found in our supply activities. From an opinion survey conducted among support personnel, 33 percent felt there were duplicate military and civilian positions, and of this number 67 percent or 995 people said their supervisory position could be eliminated. If this duplicate staffing of military and civilian positions could be eliminated, estimates by the Hoover Commission show a $110.4 million savings.

By instituting the third provision of this bill, calling for the abandonment of rotating tactical officers to support assignments as a matter of rotation convenience, another possible savings of $50.1 million could be accomplished. Even if the average tour of duty was extended from 2 to 3 years, it is estimated that the direct savings would be at least $33.4 million.

I was very encouraged to read excerpts from Deputy Secretary of Defense, Reuben B. Robertson's speech before the Third National Reorganization Conference of the Citizens Committee for the Hoover Report, on February 4 of this year and find that the Defense Department is receptive to these recommendations. He said at this meeting:

> We must reduce the turnover of military personnel in support assignments, and must provide better incentives for the performance of an effective management job by both military and civilian managers.
>
> One of the most important of the Commission's recommendations in the personnel area was that we delineate the kinds of management and technical jobs which, in effect, should be filled by military and by civilian personnel and develop definitive staffing criteria.

The possibilities for monetary savings by enacting this legislation are considerable. If we can improve management and reduce the financial outlay for support activities alone in the Defense Department by 1 percent, there would be an annual saving of $245.7 million. A 4 percent improvement would mean close to $1 billion saved.

TRADE WITH RED CHINA

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, there may well be implications of a political nature regarding reopening United States trade with Red China which are unknown to me. From reports of the President's recent press conference it is apparent that study is being made of such policy factors, and may I say I leave such policy matters to the executive branch where they belong, and to the Foreign Affairs Committee. But I want to point up some aspects of trade with Red China which are of particular interest to the Pacific Northwest.

First, however, I doubt if the American people—and an informed public opinion is important in such a matter—realize that American goods are and have been continuously going to Red China over an extended period. I have information that strategic materials have been shipped in substantial quantities through western Canadian ports on British ships. I am told the Canadians have been openly laughing at us over this situation. I have been shown dates and itemized lists of such shipments to Shanghai and Taku Bar. But I am sure such details are fully known to our State Department.

What I desire to point up, however, is the trade potential based on former existing markets. For example we have such a huge surplus of wheat. I am told during the period 1922 to 1949, excluding the years 1942 to 1944 of World War II, China was among the top six importers of flour from Oregon and Washington. In 1939, China imported 8 million bushels of flour from these 2 States, and at one time, back in 1923, the volume was almost 13 million bushels—more than the export from these States to all other countries of the world in 1954.

Lumber is, of course, another important product of the Pacific Northwest. Here Canada is our competitor and can be expected to take over our former market which was very substantial. Right now there is need for exports as we have a depression situation in our forest products industries. Last year the total Oregon and Washington lumber export to all nations was less than 300 million feet—less than the average shipments to China alone in depression years.

These are two examples, without a lot of detailed statistics, which indicate the effects of our trade embargo with China.

Mr. Speaker, full and open discussion before the bench and bar of American opinion on trade with China is timely.

MILITARY AID TO TITO

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, at the very time that Congress is striving so earnestly to reduce the Federal budget, the State Department has announced that it will reinstate military assistance to Tito. Whereas the President has felt that the overall foreign aid program is of such consequence as to warrant a special message to Congress and a nationwide television and radio address on the subject, our so-called department of diplomacy issued a statement asserting that resumption of the shipment of various items, including aircraft, to Yugoslavia has been authorized.

When I introduced H. R. 7142 on May 2, I explained to the Congress that this bill to increase individual income tax exemptions would summarily require the Federal budget to be reduced, thus eliminating many of the extravagances that have attached themselves to both the domestic and foreign programs. Meanwhile Members of Congress have devoted their efforts to the diligent study of the proposed budget and all its ramifications. Yet, in flagrant defiance of the attitude exhibited in Congress, the State Department has arbitrarily gone on record with a pledge to contribute military equipment to Tito.

Is this to be our answer to the heroic patriots who sought to deliver their native soil from totalitarian enemies? What is the justification for rewarding the despot who executed Mikhailovich and persecuted Archbishop Stephanic? Furthermore, it should not be necessary to remind the State Department that the dictator to whom they would give airplanes is the same Marshal Tito responsible for the shooting down of two American transport planes in the summer of 1946. In a speech on the day of the second incident, which took the lives of at least four airmen wearing the uniform of the United States, Tito boasted that he himself had witnessed the murder in the skies. He defended it on the premise that the American craft did not respond to signals ordering the pilot to land. This is the man to whom the State Department would now present with some 200 jet planes and other lethal weapons.

I do not question for one moment the attitude of the vast majority of the people of Yugoslavia, those who by birthright and by religious inculcation could never achieve peace of soul under the domination of communism's godless doctrine. To build up their Red master's arsenal will only make their course more difficult when their burning desire for freedom can no longer be contained.

Mr. Speaker, I want to go on record to the effect that I consider our giving military aid to Tito a breach of faith to those in his servitude. I believe it a brutal setback to the millions of others in the world who are at the mercy of Communistic brutality—regardless of what brand of communism it may be. I charge that it is a retreat from morality, and I ask that Congress think seriously about whether this diabolical deal should not be repudiated in fairness to the American taxpayer, to the people of Yugoslavia, and to all Christianity.

THE SACRED RIGHT TO VOTE

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OSMERS. Mr. Speaker, it has become increasingly clear in recent years that present laws fail to protect the constitutional rights of all our citizens and that Congress must act to correct this situation. The Federal Government lacks the authority at present to sue in the courts in behalf of those citizens whose civil rights have been violated and who are unable or afraid to seek such court assistance.

To overcome this problem, President Eisenhower has recommended that Congress authorize the Federal Government to bring civil suits to protect and insure the rights of all our citizens. The President's proposal, embodied in H. R. 6127, is designed to give legal effect and vitality to the 15th amendment to the Constitution of the United States, which provides:

> SECTION 1. That the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have the power to enforce this article by appropriate legislation.

I am certain, Mr. Speaker, that we all agree with the wisdom of this section of the Constitution. I am certain, too, that we all agree that the right to vote is a sacred right which is the very foundation of our form of Government. For this reason, it is essential that the Congress make certain that every American citizen—regardless of his race, creed, or color—is protected in the exercise of his right to vote.

Among its provisions, H. R. 6127 provides for the granting of an injunction by a district court judge which, in effect, prohibits anyone from discriminating or interfering with the right of another to vote because of his color, race, or religion. If the person against whom the court order has been issued, obeys that order, that's the end of it. If he doesn't, he may then be cited for contempt of court and tried by the court.

This provision has given rise to charges that the proposed civil-rights legislation would abolish trial by jury and has prompted some members to introduce amendments to provide for a jury trial in such contempt cases.

Let us take a look at these charges for a moment. The framers of the Constitution guaranteed the right to trial by jury in all criminal cases and in common-law

actions where the amount involved exceeded $20. This guaranteed the accused the right to jury trial only in those cases where he had traditionally possessed that right.

When the Constitution was adopted, all courts had the inherent power to punish for contempt of their authority any act which offended the dignity of the court or which obstructed the proper administration of justice. This inherent power permits the courts to retain the independence and respect they now have.

Historically, then, our courts have been charged with the enforcement of their own orders. If they could not enforce their orders, the very power of the court to make the order would become a mockery.

The framers of the Constitution recognized the need for these inherent powers in the courts and therefore did not write into the Constitution a provision for trial by jury in contempt cases. Upholding this view, the Supreme Court of the United States has stated that the power of courts to punish for contempt is a necessary and integral part of the independence of the judiciary and is absolutely essential to the performance of their duties.

In addition, a review of our laws reveals that Congress has granted the Federal Government the right to seek injunctive relief to enforce provisions of at least 28 separate statutes. In every one of these laws the courts have the power to punish for contempt without a jury trial. It is significant, I think, that these statutes have never been attacked as depriving a citizen of the right to trial by jury.

The choice, Mr. Speaker, boils down to this: Shall we insist upon extending the right to trial by jury to cases in which it has never been guaranteed before, to the point where such action might jeopardize the rights of many American citizens guaranteed by the Constitution? Or shall we retain our trust in the courts to fairly safeguard and insure the rights of our citizens as they traditionally have in the past?

To accept the proposition demanding a trial by jury in contempt cases would weaken the power of the judiciary and, with it, the proper administration of justice. I am confident, on the other hand, that the courts, given the power to protect and enforce the rights of one citizen, will not violate those of another in doing so.

By way of summary, let me emphasize that the Congress, by the enactment of this legislation, without the crippling jury-trial amendment, can carry out better than any other way its solemn obligation to defend and uphold the Constitution—in particular the sacred right of all our citizens to vote freely and without interference from anyone.

UNITED STATES INTERNATIONAL AIR TRANSPORT POLICY

Mr. BOW. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, at the end of World War II the United States and England signed an aviation agreement at Bermuda which set out the ground rules of our international air transport operations. Principles were established which became the cornerstone of the entire structure of United States policy in this field. These principles and our policies have been repeatedly reaffirmed since 1946.

United States airline managements and their stockholders invested their energies and their capital in the industry believing they knew our Government's position and the rules of the game.

In view of the national interest aspects of the United States air transportation industry, both domestic and international, it is fitting to ask whether the ground rules are being changed—and whether the guide lines are being altered.

One of the cardinal principles of our policy has been that the services authorized in any agreement with another country should have as their primary objective the provision of capacity adequate to the demands of the traffic between this country and the country of the other party to the agreement.

The purposes and objectives of this principle were to give the airlines of the partners to the agreement a favored position in regard to the traffic between their two countries, to give them equal economic opportunity and to provide for growth and development of the services as indicated by the increase in traffic demand.

This made for a fairly normal business climate. Our airlines have expanded and the traffic has grown. The investors, while perhaps not getting rich, were at least in a growth situation—their investment reasonably secure—and they knew where they stood.

There are two recent developments in the international air transport picture which are disturbing. They are important because they could jeopardize our air transport industry at home and abroad at a time when the commerce and the defense aspects of their services are more vital than ever before.

The first of these developments is the increasing tendency to abandon the cardinal principles I mentioned before. Instead of granting routes based on the traffic between this country and the other party to the agreement, we are opening the doors to third parties who do not have a primary interest in the traffic. The recent KLM-Dutch award is the outstanding example of the abandonment of our traditional policy.

Now a liberal position on the part of our Government might make sense in certain areas if it were met with similar liberalism and consideration abroad. This brings me to the other development that bothers me.

Our airlines, which are now almost entirely free of subsidy, are being exposed to unwarranted competition from government-owned and government-subsidized foreign lines without getting equal treatment overseas.

There is a trend toward restrictionism, toward pooling of services and of controlling and splitting the markets overseas which is designed to freeze out the American line. Our carriers are subjected to restrictions on routes and limitations on frequency of service and other artificial handicaps once they leave our shores.

We are in the paradoxical position of handing over our own traffic to others and then being frozen out of foreign markets when we seek to compete there.

The most unfair aspect of this whole situation is that half the time the passenger we are trying to carry somewhere overseas is an American tourist spending his dollars abroad.

One classic example of this restriction abroad is the continued inability of TWA to operate the short little route segment between Frankfurt, Germany, and Zurich, Switzerland.

TWA now has one route segment that goes through London and reaches a dead end at Frankfurt.

TWA also has a second route that goes through Paris to Zurich and on through the Middle East and India all the way to Manila.

These two routes could be joined very simply. All that has to be done is to continue their London flights beyond the dead end at Frankfurt to connect at Zurich with their Paris route.

It is a distance of less than 200 miles. If this were done, it would allow them to gain maximum use of personnnel and equipment—and to effect a substantial savings in what is otherwise a double-cost operation. They would be able to offer a single carrier service to passengers desiring a circle tour of Europe and beyond.

As many of you are aware, TWA applied for permission to operate the Frankfurt-Zurich route.

They got an order from the CAB granting them that permission.

But despite the fact that they have the permission—and have had it for about 2 years—they have been unable to bridge the gap of a mere 200 miles—unable to fly the route from Frankfurt to Zurich.

This is not because the Germans object or because the Swiss object. It is because the British object. Yet the British earned $100 million from the American tourist in 1955—a sum equal to 15 percent of their entire balance of trade deficit for that year.

Another example is that India allows our airlines only two services each per week. This constitutes an unnecessary bottleneck on United States participation on round-the-world travel.

I believe we must expect and secure treatment for our United States airlines overseas at least as favorable as that which we accord to foreign airlines operating in this country. If this is not forthcoming, we have been heading in the wrong direction and we had better stop and consider if this makes sense.

PROPOSED JURY TRIAL AMENDMENT TO CIVIL-RIGHTS LEGISLATION

Mr. RADWAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RADWAN. Mr. Speaker, it is with a heavy heart that I rise briefly to participate in this debate. I am saddened that in this historic legislative body, representing the greatest democracy the world has ever known, we should have to legislate, debate, or even discuss, a matter so fundamental as the right of every qualified citizen of this Nation to cast his ballot.

When there is added to this, the suggestion that an equally fundamental and traditional pillar of our democratic way of life, the right to trial by jury, is being threatened by this legislation, I am indeed shaken to the roots of my being. As an attorney, a former State Senator and now as a United States Representative, I cherish our constitutional guaranty of trial by jury as a sacred right.

That is why, when I see the inviolate right of trial by jury introduced as a bogus, phony, sham issue in a cynical, callous effort to deny a large segment of our population the right to vote, I must rise to set the record straight. Let us label this phony jury-trial amendment for what it really is, an effort to thwart the reasonable enforcement of the law in the traditional American way—in fact, in the only way in which effective enforcement is possible.

An examination of the record reveals the true purpose of this jury trial gimmick, and perhaps the best way to illustrate this is by a few pertinent questions. Last year another civil rights bill was debated in this chamber. By the standards of those who oppose the universal enjoyment of civil rights, it was a tougher bill than this year's proposal. For obvious reasons which I will later touch upon, it contained no jury trial provision.

Question No. 1: Then why was not the bogus jury trial issue raised last year as it has been this year?

Everyone would agree that the legal profession represented by hundreds of local, State, and Federal bar associations would be in the forefront in attacking any effort to erode our constitutional rights, particularly the right to trial by jury as it exists. The hearings on this bill before a subcommittee of the Committee on the Judiciary, consume some 1,300 pages of testimony. Only one witness appearing before the subcommittee purported to represent a bar association and he was the chairman of the executive committee of the South Carolina Bar Association. Examination of his testimony reveals that he made no mention whatever of this proposed jury trial amendment.

Question No. 2: Why has not a single bar association come forward to support the proponents of the jury trial amendment?

The motive of those who have masterminded this new roadblock in the enactment of civil rights legislation is obvious. They know it has nothing to do with the case, but they hope to so confuse the issue in the public's mind, that everyone who opposes their amendment can be accused of being against trial by jury, which is like being opposed to motherhood. But if they hope to embarrass us with our constituents, I think they vastly underestimate the intelligence of the American public.

The type of proceeding involved in this proposed legislation has never, since the inception of our legal system, involved a jury trial. A simple example serves to illustrate this. There is ample evidence that some Americans are unjustly deprived of their right to vote. Both political parties recognized this by pledging in their respective platforms that they would enact civil rights legislation. Now suppose a citizen feels that an election official or board has unjustifiably denied him the right to register, and hence the right to vote. Under the proposed legislation, he would seek an injunction against the official on the ground that he is failing or refusing to perform his official duties.

An injunction is simply a "stop" order; a legal means of preventing a wrong before it occurs. The Federal Constitution guarantees a jury trial in criminal proceedings. But this is not the trial of a crime. No one has been accused of a crime. It is a proceeding to prevent a wrong before it occurs. From time immemorial injunction proceedings have been brought on the equity side of our courts, before a judge without a jury. In fact, a Federal law which required a jury in such cases might very well be held unconstitutional.

A classic example of this proceeding which we all remember occurred when an injunction was issued against the United Mine Workers and John L. Lewis and they received a huge fine for refusal to comply with the injunction. All this was before a judge, without a jury. Under the antitrust laws, Du Pont was very recently ordered to divest itself of its control of General Motors. The trial was before a judge, without a jury. We have passed in this House, in the last few decades, some 28 or 29 specific measures of tremendous importance, where the court is given the right to issue injunctions, or "stop" orders, and if these injunctions are violated, to mete out punishment by fine or sentence, without trial by jury.

And now let us compare the laws of the various States. I have prepared a short legal brief on this subject which I cannot, for lack of time, review in detail, but which I will insert in the RECORD at this point. The brief is short, because the legal proposition is simple and firmly established. It illustrates that the constitutional guaranty of a jury trial is construed to give no right to a jury trial in equity cases, including injunction proceedings.

At this point in the brief, I cite decisions of the United States Supreme Court and of the highest courts in 24 different States.

Now suppose this person who has applied for an injunction to prevent an official from denying him his vote, is successful, and a court has decided he is entitled to that injunction. If the official complies, that is the end of the matter. But suppose the official, having been served with a court order, refuses to obey it. He is now in contempt of court—and the proponents of this jury trial amendment say that he should have a jury trial to determine whether he is in contempt of court.

Question No. 3: What question of fact is this jury to decide?

Is this jury to decide for the judge whether he did in fact issue a stop order. Perhaps he dreamed it all up. Inserting a jury between a court and the enforcement of its own order is an insult to the court, is contrary to law, and is the height of legal hyprocisy. The brief which I mentioned notes that the constitutional guaranty of a jury trial does not apply to proceedings to punish for contempt of court, whether in a court of law, a court of equity, a court having criminal jurisdiction or any other court, citing many cases.

I do not wish to appear to be chiding my colleagues from below the Mason-Dixon line, but a great many of these cases cited in my brief originated in the fine courts of their States, and are supported by the excellently prepared opinions of judges elected or appointed from their areas, gentlemen who were schooled in the culture and traditions of those areas.

Question No. 4: Do the proponents of this jury-trial amendment now hold that these judges and the courts over which they preside are incompetent?

Our President recently drew attention to an opinion of our former President and Chief Justice of the Supreme Court, William Howard Taft, who said in 1908: "Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court, made after full hearing, and the enforcement of such orders."

And where were these pious platitudes and this lofty attempt to introduce jury trials into an area where they have never existed, when in recent months court injunctions were obtained barring all activity of the National Association for the Advancement of Colored People in Alabama, Georgia, Louisiana, and Texas until all of its records were turned over to the State? There were no jury trials. In Alabama, a fine of $100,000 was levied against that association, without trial by jury, for so-called violation of an injunction requiring them to divulge membership lists.

Gentlemen, let us recognize this jury-trial amendment for what it really is, not an effort to preserve our constitutional right to a jury trial, but an unconstitutional effort to deny the Government the power to give its citizens

effective protection of their right to vote, and of their fundamental right to equal protection and liberty and security under law. Let us defeat this amendment and get on to the consideration of legislation which has the endorsement of both political parties in their announced platforms.

THE SUPREME COURT

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, an increasing number of recent Supreme Court decisions have created turmoil in the lower courts, amongst the States, and within the legislative and executive branches of Government.

These decisions include: Limiting congressional power to ferret out subversion racketeering, and crime; opening FBI files to criminal case defendants; emasculating State antisubversion laws; restrictions on firing security risks; making it lawful to advocate overthrow of the Government.

This freewheeling disregard of precedents and procedures, developed during the almost 1¾ centuries of the Nation's history, has aroused a storm of protest mail to Congress and the White House. Legislation is being written to overcome the effects of some of these decisions and constitutional amendments offered to overcome others.

Proposals to limit the Supreme Court's decisionmaking power in the future also have been made. One means would be legislative implementation of certain obscure constitutional provisions permitting Congress to limit what cases the Court can hear. Another is that Congress refuse to appropriate money for the Court to operate, or to have its judges elected. One wag has even suggested a 10th member to be added to the Court—a psychiatrist for the other 9.

But before radical measures are adopted to spike radical opinions, perhaps more moderate remedies should be tested. Complete independence of the judiciary is one-third the keystone of our constitutional separation of powers between legislative, executive, and judicial branches of Government. This division of authority has protected the freedoms of each generation of Americans and fostered the tremendous growth of our country.

It has worked best when the Supreme Court has not regarded its complete independence as a license to invade the constitutional prerogatives of the executive and legislative branches, but exercised a strict responsibility to stick to its own business. That business is using past decisions and precedents to determine what the law is, what the Constitution says, and applying it to the facts before it.

Storms of public protest have arisen whenever the Court has not stuck to business: that is, when its decisions say the law is something different than the meaning of the language in which it is written, or that provisions of the Constitution mean something other than what they generally have been conceded to mean.

When the Court does that, its majority is made up of men who conceive their duty to be not primarily judicial, but in the fields of social science, economics, human relations, and a host of other places. They simply do not understand the Constitution which says these fields are the provinces of the executive and legislative branch, not the Court.

Thus the answer lies in carefully determining what a man thinks about the Constitution and the duties of the Court before appointing him to it for a lifetime. That means the President, who appoints him, and the Senators, who confirm him, must only permit a man to occupy the bench who convincingly demonstrates his fundamental understanding of the Constitution and an unswerving concept of the true nature of a judge's duty.

If this caution is heeded, deaths and retirements will soon remand the Supreme Court to such hands.

FEDERAL COOPERATION WITH STATE WITHHOLDING LAWS

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. DAWSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DAWSON of Utah. Mr. Speaker, today I have introduced a bill to permit the Federal Government to cooperate more closely with our respective State governments in the withholding of State income taxes.

An effort to foster this cooperation was made in Public Law 587 of the 82d Congress, in connection with which the House committee reported that "every practicable step should be taken to cooperate in the area of withholding with the State and Territorial governments in view of their cooperation with the Federal Government in fiscal matters generally, and particularly in withholding the Federal income tax from their employees."

The remedial legislation which was passed, however, has proved to be only a partial remedy, as Utah discovered this year after the State legislature plugged up a gaping loophole in its income tax law with a withholding provision applied to workers who have not been domiciled in the State for 1 calendar year or who did not file a State tax return for the preceding year.

But administration of the law has run into an imponderable roadblock: the Federal Government—which happens to be the largest employer in Utah—says it cannot cooperate because the Federal law permits the Secretary of the Treasury to enter into withholding agreements with a State only if "such duty to withhold is imposed generally with respect to the compensation of employees who are residents of the State."

According to my information, four other States—New York, California, Iowa, and Indiana—also have withholding laws with which the Federal Government cannot comply.

What, I wonder, would be our reaction if the largest private employer in one of our States were exempted from abiding by State tax law? If we rail against preferential treatment in tax enforcement, can we ignore a dispensation to an employer because it happens to be the Federal Government?

The bill which I have introduced would put the Federal Government on a par, where State withholding laws are concerned, with other employers, but maintains the present provision that State withholding shall not apply to members of the Armed Forces.

I hope we may act soon upon this defect in the enforcement of State income tax laws.

TRUJILLO

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. PORTER] is recognized for 15 minutes.

Mr. PORTER. Mr. Speaker, if ever the day comes when an American Congressman cannot publicly, and anywhere in the world, proclaim his love for freedom and democracy and his hatred for dictatorships, then I shall no longer want to be a Congressman.

Beginning on page 8868 of the CONGRESSIONAL RECORD for June 11, 1957, my distinguished colleague, the gentleman from Tennessee [Mr. REECE], deplores the "unbridled and concerted attacks upon our ally and good neighbor, the Dominican Republic."

The gentleman speaks of "unwarranted assaults upon our Dominican friends" and states:

> A veritable barrage of insults and invective has been leveled at this little country both on this floor, in our press, and on our radio and television broadcasts.

Without naming me, the gentleman from Tennessee [Mr. REECE] says:

> In the vanguard of the severest critics stands a Member of this body lending the weight and dignity of his office to the castigation of this neighboring country.

He further states that "words are not within my grasp to express the sickening, appalling horror" he felt on reading in the Sunday New York Times that I had told a group of Dominican exiles in Puerto Rico last Saturday that I was sympathetic "with the revolutionary ambitions of this mob against the de jure factor government of the Dominican Republic."

Let us consider these two questions: the nature of the Dominican Government, on the one hand, and the propriety of my "castigating" such a government and sympathizing with its opponents, on the other.

The Dominican Republic, despite its name, is a dictatorship and has been for 27 years. It is a bloody dictatorship which has not restricted its terror and corruption to its own territory. It killed, I am convinced, one of my constituents last December and lied to our Government in trying to hide the facts.

I told the Dominican exiles that if I were a Dominican, I'd be a revolutionary, and that this would be true if I were a Pole, a Hungarian, a Russian, a Czechoslovakian, or the citizen of any dictator-burdened country. I also said that almost everybody in the United States was strongly against dictatorships and strongly for democracy and freedom.

My colleague refers to my Dominican audience in Puerto Rico as a "mob," an extremely inaccurate characterization, then again as "a group of dissident, disjointed, and frustrated Dominican expatriates." I suppose our American revolutionaries could have been so described.

Does my colleague believe that "freedom fighters" are only to be given moral support if they fight for freedom and democracy outside the Western Hemisphere? Many of us proudly encourage revolution in Iron Curtain countries. I think there is a difference between actively participating in a revolution and encouraging one by expressing the highest and most fundamental traditions of your own country. Moral support, along with economic and military aid, should go to our friends, not our enemies.

Do I foment revolution against dictators? Yes, gladly and until I die. As a Congressman, I certainly do have, as the eminent gentleman from Tennessee correctly declared, "the unqualified right and, on occasion, even the duty to voice" my "sentiments toward our Nation's management of international relations."

My colleague claims that I "transgressed all reasonable limits of authority and propriety in waging my campaign of vituperation against our Caribbean friends."

I must dissent.

First, I do not campaign by vituperation whereas my opponents do. My facts have been confirmed by our State Department and the facts speak for themselves. They are readily available.

Second, the dictator is no friend of ours and never has been. These same facts prove that. Friendship is more than politeness. I really cannot comprehend how the gentleman can find it in his heart to defend Trujillo.

Finally, and most important, I do not believe I am going beyond "all reasonable limits of authority and propriety" considering that all I am doing is stating that I love democracy and that I hate dictators. Would my illustrious colleague have me say such things only in Oregon or in Washington, D. C.? Or dare I say them in Puerto Rico? And dare I apply them to countries on our doorstep? I do not fancy double standards, hypocrisy, or pussyfooting, so I dare.

Trujillo has been emboldened by the respectability accorded him by many Americans, some of them prominent. His audacity was such that he believed he could get away with murdering Gerry Murphy and rendering a fantastic explanation to our Government. Now he refuses to allow Gen. Arturo Espaillat, recently Consul General for the Republic in New York City, to return for investigation and possible trial. This is the same Espaillat who not long ago righteously proclaimed the innocence of himself and his government and who offered to cooperate in every way possible.

Our coddling of dictators south of the border has already cost us dearly in prestige and capacity for leadership in Latin America. The American people love democracy and hate dictators. When I testify to this fact I am sure I accurately represent the opinions of the citizens of my district. By making these opinions, which are not lightly held, known and incorporated into our foreign policy, it may well be that many other American boys may be saved from the fate of my constituent, Gerry Murphy.

Another result may be that the United States will attain a position of moral leadership commensurate with its economic power and its political responsibilities in the world.

NEEDED REVISIONS IN AID TO THE BLIND UNDER THE SOCIAL SECURITY ACT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. KING] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KING. Mr. Speaker, I have today introduced a bill to amend title X of the Social Security Act to enable the States to provide more adequate financial assistance to needy individuals who are blind and to encourage and stimulate needy blind individuals to become self-supporting.

Twenty years of experience with the Federal-State program of aid to the needy blind has given us a greater understanding of the needs, problems, and capabilities of the men and women whose welfare is the concern of this program. The blind assistance provisions of the Social Security Act were adopted at a time of depression. The primary objective then was relief from the distress of poverty. We now know that assistance can be granted to needy blind people on terms that inescapably perpetuate poverty and dependency. The importance of more adequate relief from poverty among the blind than we now grant cannot be overemphasized. But relief alone is not enough; rather it must be given on terms which assist, encourage and impel the recipient to achieve independence and self-support by offering to him hope and opportunity.

A new approach in providing aid to the blind under title X of the Social Security Act has become imperative. This public assistance program will soon become one entirely for blind men and women in the productive years of life. Owing to the greatly expanded coverage and increased benefits under the Old-Age and Survivors Insurance system, those who lose their sight from diseases associated with the aging process will almost exclusively be old-age insurance beneficiaries. Blind workers who have succeeded in securing employment or self-employment in covered occupations will likewise be entitled to old-age benefits upon retirement.

The fact emerges that the category of blind people to be helped by public assistance is in consequence composed predominantly of those who still have ahead of them years of possible productive effort and contribution to their communities and their families. It is of the utmost importance to these individuals as well as to the country that their productive powers be preserved from atrophy. This can only be done by granting assistance to them under conditions which save and promote their sense of personal worth, individual dignity and self-respect as valued members of a democratic society. Aid to the blind can be made into a program which extends to recipients the American tradition of opportunity. Reshaping the law to accomplish this end in addition to affording greater security from want is the principal purpose of this bill.

The amendments adopted by the Congress last year contained important additions to the purpose clauses of the provisions relating to aid to the blind in the Social Security Act. The Congress recognized that much can be done by agencies administering blind assistance programs to encourage and help blind recipients to attain self-support and self-care. The changes in the law which were then adopted clearly authorized these State agencies to include as regular parts of programs, services by case workers and specially trained personnel designed to assist recipients to regain self-support and self-care. The amendments of 1956 also authorize—but less clearly—State agencies to assist recipients in the development of individual plans to attain self-support by utilizing whatever income and other resources they may possess in efforts to become established in occupations for which they may be fitted or in small business undertakings as well as whatever other ways may be feasible.

It appears unfortunate that, although a goodly number of State agencies are laying plans to add personnel to their staffs for the purpose of providing self-support services, the possibilities of encouraging and helping blind aid recipients to utilize their resources in fulfilling their need to be restored to gainful activity have been neglected. The fault perhaps lies with the inadequacy of the amendments of 1956. The Congress should make it unmistakably clear that the law contemplates and requires the widest possible use by recipients of individual resources in plans to achieve self-support and self-care. The need of every person to be a productive and contributing member of his community should be recognized as fundamental and as of equal importance and vitality to the need for food and shelter. The bill I have introduced would accomplish this objective by proposing several new provisions intended to give a wholly new conception and perspective to public assistance for the blind.

First, the bill proposes that all blind recipients be given incentive by granting them increased exemptions of earned income up to $1,000 per year, and that

incentive to gain complete economic independence be retained by gradually reducing aid payments to them through the device of taking into consideration only 50 percent of each earned dollar above $1,000 per year. The existing law was amended in 1950 to provide that $50 per month of earned income be disregarded in determining the amount of monthly assistance. Thousands of blind recipients took advantage of this exemption to improve their slender economic status and some were stimulated to achieve self-support.

But the ceiling on incentive is still retained and the amount of exempted earnings has proved to be too low to gain a firm foothold on the economic ladder. For most it has been impossible to make in a single bound the immense leap from economic dependence to complete self-support which the present exemption necessitates. For fear of losing what little security blind assistance affords, others have been discouraged from making the effort. The method proposed in the bill for a larger exemption and for reducing aid payments gradually as independent earnings increase will at one and the same time enlarge the economic opportunities of the blind, stimulate them to greater efforts to become self-supporting, and enable them to achieve total economic independence.

Second, the bill provides that every aid to the blind recipient shall be entitled to possess at least the assessed valuation of $3,000 of real and personal property; and additional possessions of real and personal property may be approved for individuals whose individual plans for attaining self-support may require their use. The requirement in the present law that all property and income of a blind individual must be utilized exclusively for his maintenance as a prior condition for receiving assistance has succeeded only in either impoverishing the individual who becomes a recipient or compelling him to live in impoverished circumstances without assistance.

To permit individuals to retain and enjoy modest amounts of property while being eligible for assistance is to preserve a basis for rehabilitation. To enable recipients to utilize their own property and other resources to gain self-support and independence from aid is to put constructive purpose into the law.

Implementing the self-support purpose further the bill prohibits any public assistance agency from requiring blind recipients to subject their property to liens or transfer to these agencies title to their property as a condition of receiving aid. Encumbering the property of blind aid recipients deprives these individuals of an ability to use their own possessions for self-restoration and rehabilitation. We cannot successfully help the blind to return to productive and useful lives if we permit their futures to be mortgaged or their property to be taken from them because they received assistance in time of need.

Third, the bill also requires that the ability of relatives to contribute to the support of recipients be entirely disregarded in determining eligibility for public assistance. The enforcement of the legal responsibility of relatives to support dependent blind persons has never been financially significant in reducing public assistance expenditures. It has, however, demoralized recipients by constantly emphasizing in their minds their dependent status and sense of helplessness. The enforcement of relatives' liability is unjust to aging parents of blind individuals still in the productive years of life and unfair to their youthful children endeavoring to become established in the world, and generally results in spreading poverty rather than relieving it. The enforcement of relative responsibility is frequently disruptive of family relations, creates bitterness and resentment where hope and affection should be fostered and saves little or nothing in the cost of assistan e to the blind. Accordingly, it has no place in a welfare program which ought to maintain the sense of importance and belonging on the part of a recipient within the atmosphere of good family relations as a sound basis for his adjustment to blindness and restoration to normal life.

Fourth, the bill further provides for equal minimum payments to all eligible blind individuals except that the minimum would be specified by each State, and could, therefore, vary with local conditions.

But the present system of individually budgeting recipients on the basis of individual need individually determined by a wide exercise of discretion on the part of individual social workers would be in a large measure replaced. Individual budgeting inescapably leads to the gradual assumption by social workers of control over the affairs and lives of recipients. If every bit of income must be searched out and every resource tracked down before the amount of each month's payment can be determined on the basis of the budgetary deficiency which then exists, the inevitable result is that the blind recipient, already oppressed by a sense of helplessness, soon loses all direction of his supposedly free consumption choices. The fibers of self-reliance are quickly sapped and loss of self-management is the unavoidable consequence. Under these conditions, the personal qualities of morale and enterprise which are indispensable to rehabilitative effort are undermined and destroyed.

The payment of fixed minimum amounts of aid to which all eligible persons are equally entitled as of right will reduce administrative overhead and preserve and promote the moral and psychological well being of recipients. It will restore to them a power to manage their own affairs. It will nourish initiative and stimulate self-improvement. In contrast to the rigid means test and individual budgeting, equal minimum payments determined by law will provide a floor of security and foster economic independence and social reintegration.

Finally, to assure that aid-to-the-blind payments will more adequately meet the actual financial needs of recipients while they are in distress, the bill raises the ceiling on the matching of State funds by the Federal Government from the present maximum of $60 per month to a maximum of $75 per month. When the Social Security Act was first passed in 1935 the maximum payment to any blind recipient in which the Federal Government would participate was fixed at $50 per month, of which the Federal Government would pay one-half. The maximum amount in which the Federal Government will share has been increased by only $10, although the cost of living has nearly doubled since 1935 and the standard of living to which the people have become accustomed has sharply risen.

The consequence of the Federal Government's failure to keep pace with rising prices has been that even greater poverty and distress has been imposed upon the blind who must depend on public assistance. They have been compelled to eat and dress and live in a manner markedly different from the rest of the community. Many of the States have demonstrated their willingness to meet in part the challenge of the desperate situation thus brought about and have raised payments substantially above the Federal matching ceiling, but others have fallen far behind. The latest figures available show that average payments throughout the United States are but $63.12 per month, and this includes average expenditures for medical care not authorized prior to 1950.

The time has been long overdue for the Federal Government to attempt more reasonably to meet its responsibilities for raising the level of aid to the blind in every State. The bill therefore proposes that, in addition to raising the matching ceiling to $75, $30 out of the first $35 of average monthly payments to the blind shall be paid by the Federal Government. Accordingly, even the States which have the least ability to raise assistance payments without additional Federal participation because they have the smallest taxable resources, will be enabled to meet the actual needs of the blind recipients more adequately.

Adoption of these amendments will mean that the rehabilitative approach will be put in the core of the Federal law providing aid to the blind. We now know from the examples of increasing numbers of blind men and women who successfully work at a wide variety of occupations ranging from mechanics and farmers to businessmen and college professors that every blind person who is sound of body and mind is capable of completely normal living and productive usefulness. By revising the Federal law we can materially enable and impel the one-third of the Nation's 300,000 blind which is dependent upon public assistance to take their places in the economy as taxpayers rather than as tax consumers. It is high time that the Nation's laws providing aid to the blind catch up with the facts.

RAPID TAX AMORTIZATION CERTIFICATES

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. ULLMAN] is recognized for 10 minutes.

Mr. ULLMAN. Mr. Speaker, today I introduced a bill which would amend section 168 of the Internal Revenue Code so as to invalidate any rapid tax amortization certificates issued to public utilities after October 22, 1956.

Mr. Speaker, on October 22, 1956, Senator HARRY F. BYRD, the distinguished chairman of the Senate Committee on Finance, wrote to the Director of the Office of Defense Mobilization, Mr. Arthur S. Flemming, requesting that no further action be taken regarding pending applications for the issuance of rapid tax amortization certificates. Senator BYRD wrote:

> As chairman of the Senate Finance Committee, I am asking you not to grant those applications which you have held up, or any others about which there is the slightest question, until this committee can complete its review of the situation under existing defense and business conditions and make its report.

Senator BYRD made this request because he was concerned over the danger of creating unfair competition, overexpansion, and damage to small business. He also expressed his concern over the loss of revenue resulting from the issuance of such certificates. He stressed that under present peacetime conditions, this special privilege can be justified only in exceptional and rare cases.

The Office of Defense Mobilization chose to ignore this request. It has continued to issue rapid tax writeoff certificates. Among the largest recipients since Senator BYRD's request was made, has been the Idaho Power Co. Issuance of certificates to the Idaho Power Co. was, as Senator BYRD pointed out, an utterly indefensible act.

Mr. Speaker, the bill which I introduced specifically applies to public utilities. If the issuance of tax writeoff certificates can be justified at all, their issuance can be justified only to private corporations which are not guaranteed a certain profit on their investment, as are utilities. The issuance of rapid tax writeoff certificates has usually been justified as a special privilege which would be needed if private industry was to undertake the construction of certain installations necessary for the national defense. It was contended that unless this special treatment was accorded to private industry, such installations would not be sufficiently remunerative to warrant construction.

Certainly, this argument in support of the issuance of these certificates has little bearing on their issuance to public utilities. Public utilities who occupy a monopoly position, who are regulated by Government agencies and who are guaranteed a fixed profit on their expenditures, have no legitimate claim to this special treatment.

A second reason for introducing a bill which applies specifically to public utilities is the fact that these utilities are in a unique position to take advantage of the American taxpayer. They are in a position to utilize these certificates as a tax bonanza—a bonanza which can be passed on to corporate stockholders, not to ratepayers. Under the guaranteed profit system in which they operate, they merely pass this windfall on to corporate stockholders. In certain instances, power companies are attempting to pass these savings directly on in the form of capital dividends, with specific instructions that such dividends do not need to be reported as regular income and that they can be listed as capital gains.

Mr. Speaker, I have been advised that such tax amortization certificates are both administratively and legislatively terminable. Under the provisions of section 168 of the Internal Revenue Code, 1954, the taxpayer is authorized to discontinue the amortization deduction unilaterally. Clearly there is no mutuality of obligation between the party issuing the certificates and the party receiving the certificates. If the taxpayer is authorized to discontinue amortization deductions, it would certainly seem to follow that the Government would have a similar right.

Mr. Speaker, certainly one of the chief reasons for the introduction of my bill today was the issuance by the Office of Defense Mobilization of rapid tax amortization certificates to the Idaho Power Co. There was absolutely no justification for the issuance of these certificates to this power company. Seldom have the American people witnessed such a wanton and inexcusable giveaway of the taxpayers money. The bill which I have introduced gives Congress an opportunity to correct this wrong and cancel these certificates.

The extent of this giveaway has been adequately documented by the chief accountant of the Federal Power Commission. Testimony of the Commission's chief accountant, Mr. Russel C. Rainwater, before the Senate Subcommittee on Antitrust and Monopoly, indicated that I, and other Members of Congress, had been too conservative in evaluating the extent of this bonanza to the Idaho Power Co.

Mr. Rainwater testified that tax writeoff certificates granted to Idaho Power Co. would cost the Government $83.5 million, that being the amount that the United States Government must pay in interest to borrow the money to make up for the tax postponement granted to Idaho Power Co.

This is what these certificates will cost the United States Government. But Mr. Rainwater did not stop there, for he also spelled out the cash benefits which would be realized by the Idaho Power Co. as a result of the issuance of these tax writeoff certificates. Over the 50-year life span of the two dams for which these certificates were issued, the Idaho Power Co. will realize an interest-free loan of $339 million.

And Mr. Speaker, let us keep in mind that the recipient of this gift is the same power company which contended that construction of these dams on the Snake River would not cost the taxpayer a single dime. Mr. R. C. Parry, company counsel for the Idaho Power Co., during hearings held before the Federal Power Commission, stated

> The applicant [Idaho Power Co.] is here before you asking the privilege of constructing solely with its own money and without one cent of cost to the taxpayers of the United States.

The utter emptiness of that contention was made apparent when the Office of Defense Mobilization issued these certificates. Even Jerome K. Kuykendall, Chairman of the Federal Power Commission, conceded the inconsistency of the Idaho Power Co.'s position as a result of the issuance of these certificates.

Mr. Speaker, I believe prompt enactment of the bill I have introduced is required if we are to stop the giant giveaway now being perpetrated on the American taxpayer. Failure to do so can only mean the continued subsidization of the utility monopoly.

THE THEORY AND PRACTICE OF FREE TRADE

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the theory of free trade is attractive. The greater the exchange of goods between, and among, the nations of this world, the greater the economic activity, and resulting progress that is supposed to benefit all.

The practice of free trade, in the world of today, is not mutually beneficial. It leads to one-sided competition, that down-grades the wage levels and employment opportunities in many industries of the prosperous countries, without proportionately improving the standards of the backward countries.

In effect, it calls upon some American industries, with their investors, and their employees, to make ruinous sacrifices just to benefit other nations.

It is not that we would close the door completely to the products they manufacture at slave-labor wages, and want to sell here at such low prices that our people cannot possibly compete with them. We would like to help them to a reasonable extent, but not to the point where we would kill off some of our own industries. International charity as practiced by the United States, is inspired by the best of motives. It should not, however, "go overboard" and become self-destructive.

We cannot help other nations by bankrupting ourselves.

Rather, we should help them to improve their own industrial processes and raise their own standards of wages, and of living, and then permit them to compete in our domestic market on a fair and relatively equal basis. Similar to the healthy competition between one American manufacturer and another American manufacturer. Sound competition in place of disastrous competition.

Until there is progress in this direction, our first duty is to provide some protection for imperiled American industries. Failure to do so would be nothing less than a betrayal of our own people.

Responsible men, who have long struggled with this problem, have come to the inescapable conclusion that a sliding

scale of import quotas is the only solution. One that provides some share of the American domestic market for imports, while insuring that this share does not grow and grow, to the point where it threatens the survival of American factories and American workers.

Our conscientious colleague, Representative LANHAM, of Georgia, by introducing H. R. 2815, to be known as the General Import Quota Act, has given us the opportunity to solve this problem in a fair and practical way.

As one who has tried to offset the steady deterioration in the textile industry of New England, which was due in part to the ruinous competition of textile imports, I am wholeheartedly in favor of Congressman LANHAM'S bill.

Let me document this with cogent facts from the statement of the Wool Manufacturers Council, Northern Textile Association, Boston, Mass., on woolen and worsted imports:

Hundreds of American mills have been forced to liquidate and over 100,000 wool textile jobs have been lost in the past decade. During this period, when half of the weaving capacity of the United States has been lost, the principal foreign producers of woolens and worsteds have enjoyed a growing market in the United States. The Japanese have built a woolen and worsted industry which now operates almost twice as many looms as the United States. In the past 3 years Japan has increased its imports of woolens and worsteds to the United States by 650 percent.

The New England mills have borne the brunt of an attack which comes from many countries in increasing amounts. While United States imports of English wool fabrics have increased since 1954 from 50 percent in certain categories to 120 percent in other categories, Italy has increased her share of the United States market by even greater amounts, and United States imports of Japanese medium-priced goods have increased by over 600 percent, and imports of higher-priced fabrics by over 1,200 percent. In 1956 imports of lightweight woolen and worsted fabrics equaled about 60 percent of total United States production of such fabrics. Imports of these fabrics have almost doubled since 1954.

Import duties on woolens and worsteds were cut by various amounts from 28.5 percent to 44.4 percent 10 years ago. As a result of tariff-cutting sessions with foreign low-wage producers, the duties on higher-priced woolens which require more labor to produce, have been cut by even higher amounts, thus discriminating even further against American labor and in favor of the lowest-wage foreign producers who pay wages as low as 12 cents an hour.

The woolen and worsted industry, suffering from serious readjustment problems, losses, and unemployment, has been required to carry an undue burden of unfair competition from abroad. Among the textile industries, woolen and worsted imports are relatively 3 times greater than cotton imports, and 10 times greater than in synthetic textiles. Compared to many growing and prosperous nontextile industries, woolens and worsteds, like other textiles, bear a wholly disproportionate burden of imports. * * * A comprehensive program should immediately be undertaken by the Federal Government to bring about a curtailment of woolen and worsted imports, with particular reference to import ceilings on individual types of fabrics to prevent harmful concentrations.

There you have a report of the difficult struggle for survival being waged by one important American industry, as a result of our irresponsible tariff policies.

H. R. 2815, by reversing this trend, will help to save those American industries that are being pushed to the wall by the giveaway concessions that masquerade under the beguiling but destructive policies implicit in reciprocal trade.

Experience has revealed these weaknesses in our tariff policies: First, the present remedies against injury from imports have been ineffective despite all legislative efforts to make them serviceable; second, they will continue ineffective unless and until the stranglehold of the State Department on foreign trade policy is broken; third, until the regulation of our foreign trade policy is restored to Congress where it belongs under the Constitution.

The Lanham bill will eliminate these defects.

Furthermore, the Lanham bill is designed to improve the quota system by combining it with the tariff. As a result, the benefits of both methods of protection can be achieved, while the rigidity and the administrative burden of the absolute quota and the inadequacy of the tariff by itself to overcome the inequality of competition from different countries can be eliminated.

Moreover, it seeks to encourage the improvement of wage standards in countries that export to us, by offering those that increase their wage levels in relation to ours, a bonus in the form of an increase in the volume of exports that they could ship to us. This is the constructive and balanced approach that shows consideration for their needs as well as ours without undermining our own industries.

This bill eliminates rigid quotas and Presidential vetoes.

It protects threatened industries, even as it recognizes the value of trade with other nations based on fair standards of competition.

It makes it possible to set aside a reasonable share of the market for imports, and then holding imports within that limit or very near it. The domestic producer is then freed of the fear of what imports will do to him, and is enabled to plan his production, or plant renewal, or expansion, without worrying about the uncertainties of import competition.

It measures the impact or the magnitude of imports, not merely by absolute volume, but, first, by the share of the domestic market supplied by imports; and second, by the trend of this share.

In other words, an absolute quota could not be imposed unless imports supply 25 percent or more of the domestic market. If imports do supply 25 percent or more of the market, either a tariff quota or an absolute quota could be imposed. This would be left to the discretion of the Tariff Commission, where threatened industries could present their appeals for relief.

I believe this to be a just and workable solution for a difficult problem.

Congressman Lanham's bill is constructive legislation that commands our respect and support.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SIMPSON of Illinois (at the request of Mr. ARENDS), for the balance of this week, on account of death in the family.

To Mr. WALTER, for 10 days, on account of hearings in San Francisco, Calif.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PORTER, for 15 minutes, today.

Mr. SIKES, for 15 minutes, on Monday next.

Mr. ULLMAN, for 10 minutes, today.

Mr. THOMPSON of New Jersey, for 1 hour, on Monday next.

Mrs. ROGERS of Massachusetts, for 5 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. DAGUE and to include extraneous matter.

Mr. SAYLOR and to include extraneous matter.

Mr. GRIFFIN and to include extraneous matter.

Mr. SCHENCK and to include extraneous matter.

Mr. MILLER of Nebraska on the subject of chemicals in food and also to include a speech by the Governor of Alaska.

Mr. PELLY and to include extraneous matter.

Mr. BURDICK and to include extraneous matter.

Mr. SCRIVNER in three instances and to include extraneous matter.

Mr. HOSMER and to include extraneous matter.

Mr. VAN ZANDT and to include extraneous matter.

Mr. MARTIN.

Mr. ASHLEY (at the request of Mr. MULTER) and to include extraneous matter.

Mr. ANFUSO (at the request of Mr. MULTER) in two instances and to include extraneous matter.

Mr. YATES the remarks he made in the Committee of the Whole today and to include extraneous matter.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 18. An act for the relief of Alessandro Renda; to the Committee on the Judiciary.

S. 250. An act for the relief of Kyo Yawp Lee and his wife, Hyung Sook Lee; to the Committee on the Judiciary.

S. 252. An act for the relief of Katarzyna Siwik; to the Committee on the Judiciary.

S. 254. An act for the relief of Susana M. Umanos; to the Committee on the Judiciary.

S. 255. An act for the relief of Fumiko Shikanuki; to the Committee on the Judiciary.

S. 284. An act for the relief of Miyako Ueda Osgood; to the Committee on the Judiciary.

S. 286. An act for the relief of Maria Matilde Picallo; to the Committee on the Judiciary.

S. 303. An act for the relief of Gaetano Mattioli Cicchini; to the Committee on the Judiciary.

S. 336. An act for the relief of Angela Ferrini; to the Committee on the Judiciary.

S. 418. An act for the relief of Elisabeth Trout; to the Committee on the Judiciary.

S. 520. An act for the relief of Eleanor M. Horton; to the Committee on the Judiciary.

S. 627. An act for the relief of Wilhelmine Aldridge, and her minor children, Irene S. Aldridge and Ingeborg Kathe Aldridge; to the Committee on the Judiciary.

S. 660. An act for the relief of Ursula Rose Pazdro; to the Committee on the Judiciary.

S. 904. An act for the relief of Chrisoula Antonios Chegaras; to the Committee on the Judiciary.

S. 939. An act to amend section 22 of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.; to the Committee on Public Works.

S. 1083. An act for the relief of Maria Maniates; to the Committee on the Judiciary.

S. 1566. An act for the relief of Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You; to the Committee on the Judiciary.

S. 1581. An act for the relief of Sheu Shei Lan and Chow Shong Yep; to the Committee on the Judiciary.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 48 minutes p. m.), the House adjourned until tomorrow, Friday, June 14, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

945. A letter from the Under Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to provide for the numbers of Medical Corps and Dental Corps officers of the Navy that may be selected for promotion to the grades of captain and commander"; to the Committee on Armed Services.

946. A letter from the Under Secretary of the Interior, transmitting a proposed concession contract with Dr. Avery E. Sturm, which, when executed by the Director of the National Park Service, will authorize him to provide medical, surgical, and hospital service, and conduct a medical plan for the benefit of employees of the Federal Government, concessioners and their contractors, in Yosemite National Park, Calif., for a period of 10 years from January 1, 1957, pursuant to the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

947. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases where the authority contained in section 212 (d) (3) of the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to section 212 (d) (6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

948. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of certain aliens who have been found admissible into the United States, pursuant to section 212 (a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

949. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the 43d Annual Report of the Board of Governors of the Federal Reserve System covering operations for the year 1956, pursuant to section 10 of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

950. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation entitled "A bill to establish a temporary Presidential commission to study and report on the problems relating to blindness and the needs of blind persons, and for other purposes"; to the Committee on Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANNON: Committee on Appropriations. H. R. 8090. A bill making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes; without amendment (Rept. No. 552). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 4748. A bill to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made, without amendment (Rept. No. 553). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. H. R. 5953. A bill to provide for the construction of sewer and water facilities for the Elko Indian colony, Nevada; with amendment (Rept. No. 554). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. H. R. 7963. A bill to amend the Small Business Act of 1953, as amended; without amendment (Rept. No. 555). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 1058. A bill to preserve the Key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida; without amendment (Rept. No. 556). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 6587. A bill to amend the Sockeye Salmon Fishery Act of 1947; with amendment (Rept. No. 557). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 6710. A bill relating to Canal Zone money orders which remain unpaid; without amendment (Rept. No. 558). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 7734. A bill to exempt certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries; without amendment (Rept. No. 559). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation; without amendment (Rept. No. 560). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 3604. A bill to amend section 831 of title 5 of the Canal Zone Code to make it a felony to injure or destroy works, property, or material of communication, power, lighting, control, or signal lines, stations, or systems, and for other purposes; without amendment (Rept. No. 562). Referred to the House Calendar.

Mr. WALTER: Committee of the Judiciary. House Resolution 21. Resolution to continue in effect House Resolution 190 and House Resolution 386, 83d Congress; without amendment (Rept. No. 563). Referred to the House Calendar.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 7050. A bill to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes; without amendment (Rept. No. 566). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 6900. A bill to amend section 206 of the Legislative Reorganization Act of 1946, so as to enable the Comptroller General more effectively to assist the Appropriations Committees in considering the budget; with amendment (Rept. No. 567). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 1794. An act to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; without amendment (Rept. No. 568). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 6623. A bill to provide for the conveyance of certain real property of the United States in Massachusetts to the Woods Hole Yacht Club; with amendment (Rept. No. 561). Referred to the Committee of the Whole House.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 1319. An act to renounce any right, title, and interest which the United States may have in certain lands in Montana; without amendment (Rept. No. 564). Referred to the Committee of the Whole House.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 7522. A bill to authorize the extension of certain rights to

remove timber from lands acquired by the United States; without amendment (Rept. No. 565). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON:

H. R. 8090. A bill making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes.

By Mr. BENNETT of Florida:

H. R. 8091. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. ASHLEY:

H. R. 8092. A bill to amend the Internal Revenue Code of 1954 to provide a deduction in certain cases for disabled veterans who replace automobiles furnished by the Administrator of Veterans' Affairs; to the Committee on Ways and Means.

H. R. 8093. A bill to amend the Internal Revenue Code of 1954 so as to permit amounts paid for the institutional care of a disabled person to be deducted as medical expenses; to the Committee on Ways and Means.

By Mr. BALDWIN:

H. R. 8094. A bill to provide for the removal of the naval magazine at Port Chicago, Calif., to a site at Tubbs Island, Calif.; to the Committee on Armed Services.

By Mrs. BOLTON:

H. R. 8095. A bill to authorize the restoration of times taken from patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by governmental controls; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H. R. 8096. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. BROWNSON:

H. R. 8097. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. BURDICK:

H. R. 8098. A bill to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of the Louisiana Indians of the State of Louisiana; to the Committee on the Judiciary.

H. R. 8099. A bill to amend title II of the Social Security Act to permit retirement by all persons in the United States at the age of 60 years with benefits that will assure full participation by elderly persons generally in prevailing national standards of living, to provide like benefits for disabled persons, and to provide benefits for certain female heads of families and for certain children; to provide for the establishment and operation of this system of social security by an equitable gross income tax; and for other purposes; to the Committee on Ways and Means.

By Mrs. CHURCH:

H. R. 8100. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. COLE:

H. R. 8101. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. CURTIS of Missouri:

H. R. 8102. A bill to amend the Internal Revenue Code of 1954 to provide a special method of taxation for real estate investment trusts; to the Committee on Ways and Means.

By Mr. DAVIS of Tennessee:

H. R. 8103. A bill to amend section 5 of the Flood Control Act of August 18, 1941, as amended, pertaining to emergency flood-control work; to the Committee on Public Works.

By Mr. DAWSON of Utah:

H.R. 8104. A bill to amend Public Law 587 by permitting the withholding by the Federal Government from wages of employees of certain taxes imposed by States; to the Committee on Ways and Means.

By Mr. HIESTAND:

H. R. 8105. A bill amending the Bankhead-Jones Farm Tenant Act and certain other acts to provide that loan and insurance programs administered by the Farmers' Home Administration and the Federal Crop Insurance Corporation be administered on a self-supporting basis; to the Committee on Agriculture.

H. R. 8106. A bill to terminate section 702 of title VII of the Housing Act of 1954, as amended, relating to reserve of public works; to the Committee on Banking and Currency.

H. R. 8107. A bill relating to the premiums to be charged for insurance issued by the Federal Crop Insurance Corporation; to the Committee on Agriculture.

H. R. 8108. A bill to provide for control by the Interstate Commerce Commission of the reformation of rates on fourth-class (parcel post) mail, and for other purposes; to the Committee on Post Office and Civil Service.

H. R. 8109. A bill relating to the transportation of personal motor vehicles for military or civilian personnel; to the Committee on Armed Services.

By. Mr. LANHAM:

H. R. 8110. A bill to amend title II of the Social Security Act so as to permit the State of Georgia to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. MASON:

H. R. 8111. A bill to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; to the Committee on Ways and Means.

By Mr. MILLER of Nebraska:

H. R. 8112. A bill to protect public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of food additives which have not been adequately tested to establish their safety; to the Committee on Interstate and Foreign Commerce.

By Mr. PORTER:

H. R. 8113. A bill to amend section 168 of the Internal Revenue Code of 1954, so as to restrict the issuance of certificates for rapid amortization of emergency facilities to those facilities producing new defense items for use by the Department of Defense or the Atomic Energy Commission in the national defense program; to the Committee on Ways and Means.

By Mr. ROBESON of Virginia:

H. R. 8114. A bill to authorize the payment from the employees' life insurance fund of expenses incurred by the Civil Service Commission in assuming and maintaining the assets and liabilities of certain beneficial associations; to the Committee on Post Office and Civil Service.

By Mrs. ST. GEORGE:

H. R. 8115. A bill to define service as a member of the Women's Army Auxiliary Corps as active service under certain conditions; to the Committee on Armed Services.

By Mr. SANTANGELO:

H. R. 8116. A bill for the relief of certain relatives of United States citizens and lawfully resident aliens; to the Committee on the Judiciary.

By Mr. SAYLOR:

H. R. 8117. A bill to increase the income limitation applicable to veterans eligible for pension under part III of Veterans Regulation No. 1 (a), and the Veterans' Benefits Act of 1957; to the Committee on Veterans' Affairs.

By Mr. SCRIVNER:

H. R. 8118. A bill to provide that the Secretary of the Interior shall investigate and report to the Congress as to the advisability of establishing Huron Cemetery, Kansas City, Kans., as a national monument; to the Committee on Interior and Insular Affairs.

By Mr. SELDEN:

H. R. 8119. A bill to make the evaluation of recreational benefits, and fish and wildlife conservation, resulting from any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ULLMAN:

H. R. 8120. A bill to amend the Internal Revenue Code of 1954 to terminate, in the case of public utilities, the deduction allowed for amortization of emergency facilities; to the Committee on Ways and Means.

By Mr. VINSON:

H. R. 8121. A bill to establish the Office of the Deputy Judge Advocate General of the Navy, and for other purposes; to the Committee on Armed Services.

H. R. 8122. A bill to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes; to the Committee on Armed Services.

By Mr. WALTER:

H. R. 8123. A bill to facilitate the entry into the United States of certain adopted children, and other relatives of United States citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H. R. 8124. A bill to exempt certain aspects of professional team sports from the antitrust laws; to the Committee on the Judiciary.

By Mr. COAD:

H. R. 8125. A bill to amend the Internal Revenue Code of 1954 to provide an amortization deduction for small businesses which establish or expand facilities utilizing surplus agricultural commodities in new industrial products or uses; to the Committee on Ways and Means.

By Mr. O'BRIEN of New York:

H. R. 8126. A bill to amend section 16 (c) of the Revised Organic Act of the Virgin Islands; to the Committee on Interior and Insular Affairs.

By Mr. PILLION:

H. R. 8127. A bill to provide certain basic salary increases for employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. RADWAN:

H. R. 8128. A bill to provide certain basic salary increases for employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. TOLLEFSON (by request):

H. R. 8129. A bill to amend title XI of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. COAD:

H. R. 8130. A bill to amend the Small Business Act of 1953 to provide a reduced rate of interest for business loans made to small-business concerns to establish or expand facilities utilizing surplus agricultural commodities for new industrial products or uses; to the Committee on Banking and Currency.

By Mr. KING:

H. R. 8131. A bill to amend title X of the Social Security Act to enable the States to provide more adequate financial assistance to needy individuals who are blind and to encourage and stimulate needy blind individuals to become self-supporting; to the Committee on Ways and Means.

By Mr. MICHEL:

H. R. 8132. A bill to amend the Railroad Retirement Act of 1937 to modify existing restrictions on an individual's right to receive monthly survivor benefits simultaneously under that act and the Social Security Act, so that such an individual will in effect receive the larger of such monthly benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SHELLEY:

H. R. 8133. A bill to amend section 302 of the Defense Production Act of 1950 to authorize loans to certain public agencies directly connected with activities essential to the national defense; to the Committee on Banking and Currency.

By Mr. ABERNETHY:

H. J. Res. 363. Joint resolution to continue for an additional year the Commission on Increased Industrial Use of Agricultural Products; to the Committee on Agriculture.

By Mr. BURDICK:

H. J. Res. 364. Joint resolution for the freedom of the mind; to the Committee on the Judiciary.

By Mr. HEMPHILL:

H. J. Res. 365. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. GEORGE:

H. J. Res. 366. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to enact H. R. 5538, relative to the withdrawal of public lands for defense purposes; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYKIN:

H. R. 8134. A bill for the relief of certain employees of the Department of the Air Force, Mobile Air Materiel Area; to the Committee on the Judiciary.

By Mr. BYRD:

H. R. 8135. A bill for the relief of Mohamad Khalil Smidi; to the Committee on the Judiciary.

By Mrs. CHURCH:

H. R. 8136. A bill for the relief of L. Balkin Builder, Inc.; to the Committee on the Judiciary.

H. R. 8137. A bill for the relief of the legal guardian of Richard J. DeYoung, a minor; to the Committee on the Judiciary.

By Mr. CRETELLA:

H. R. 8138. A bill for the relief of Giovanni Giuseppe Masucci; to the Committee on the Judiciary.

By Mr. DEMPSEY:

H. R. 8139. A bill for the relief of Mrs. Catherine Pochon Dike; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. R. 8140. A bill for the relief of Sister Carolina (Antonietta Vallo), Sister Noemi (Francesca Garbone), Sister Luciana (Gemma Antonello), Sister Marta (Sabina Guglielmi), Sister Rafaella (Angela Sicolo), Sister Maria Annunziata (Teresa Carbone), and Sister Marisa (Carolina Nutricati); to the Committee on the Judiciary.

By Mrs. DWYER:

H. R. 8141. A bill for the relief of Domingos Jose Silva Belo; to the Committee on the Judiciary.

By Mr. FOGARTY:

H. R. 8142. A bill for the relief of Sister Leonie Aurelia Esquivel; to the Committee on the Judiciary.

By Mr. HASKELL:

H. R. 8143. A bill for the relief of Saing Kum Ko alias Chong Wol Nyo Ko; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 8144. A bill for the relief of Violet E. Weekes; to the Committee on the Judiciary.

By Mr. KING:

H. R. 8145. A bill for the relief of Mrs. Lidia Concepcion Lorenzana Castro; to the Committee on the Judiciary.

By Mr. McDONOUGH (by request):

H. R. 8146. A bill for the relief of Sandor Korosi and Illona Korosi; to the Committee on the Judiciary.

By Mr. McINTOSH:

H. R. 8147. A bill for the relief of Kenneth W. Lenghart; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 8148. A bill for the relief of Hugo Tarantino; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. R. 8149. A bill for the relief of Kazue Ikeda; to the Committee on the Judiciary.

H. R. 8150. A bill for the relief of Jose Ramirez-Medina and his wife, Socorro Bernal-Valancia de Ramirez; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 8151. A bill for the relief of Heidi Marie Berger; to the Committee on the Judiciary.

H. J. Res. 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; to the Committee on the Judiciary.

H. J. Res. 368. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

278. By Mr. HOSMER: Petition of certain residents of the 18th Congressional District of California, who request enactment by Congress of legislation to prohibit the transportation of alcoholic-beverage advertising in interstate commerce, and its broadcasting over the air, a practice which nullifies the rights of the States under the 21st amendment to control the sale of such beverages; to the Committee on Interstate and Foreign Commerce.

279. By Mr. McGREGOR: Petition to remove alcoholic-beverage advertising from our homes; to the Committee on Interstate and Foreign Commerce.

280. By the SPEAKER: Petition of the national commander, American Defenders of Bataan and Corregidor, Inc., Jersey City, N. J., petitioning consideration of their resolution relative to insisting that the study be continued relating to the health of former prisoners of war; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

The President of the Republic of the United States

EXTENSION OF REMARKS
OF
HON. ERRETT P. SCRIVNER
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1957

Mr. SCRIVNER. Mr. Speaker, a few days ago each Member of Congress received a brochure relating to the coming visit of Mr. Coty, President of the Republic of France.

Noting that the brochure repeatedly used and emphasized "republic," realization came that we do not, but should, emphasize that the United States is a republic. In a recent weekly newsletter, I commented as follows:

"The President of the Republic of the United States"—that, I feel, is the way our Presidents should be introduced.

This Nation is the oldest and most successful Republic in the history of the world. Kingdoms, duchies, dictatorships, whatever there may have been have fallen. In many instances, in recent years, the successor has been a republic, many of which I have visited. There has always been great pride in the reference by these citizens to their republic. It is never Korea—it is always the Republic of Korea. It is never Panama—it is the Republic of Panama—and so it goes all over the world.

Last week, Members of Congress received a brochure in advance of the visit of Mr. Coty, President of the French Republic.

The outer cover said, "State Visit to the United States of M. Rene Coty, President of the Republic of France. (Of course, to be consistent, I feel they should have said, "visit to the Republic of the United States.")

In a 3-page biography, 4 references were made to the French Republic.

In a four-page summary entitled "Functions of the President of the Republic," the words "President of the Republic," "Constitution of the Republic," and similar phrases are found.

The word "republic" is found 38 times on those 4 pages, and always it is "the President of the Republic," never just "the President."

If these newer, and less successful or stable, republics are justly proud of their status as a republic and stress it so much, do we not have even more reason to be proud of the fact that we, too, live in a republic and so refer to it? It is a little more cumbersome—that's true—but it is worth it.

So, to the citizens of this republic, it should be the Republic of the United States of America; and to us it should always be the President of the Republic of the United States of America.

And, after all, it should not be forgotten either that every one of our States is guaranteed a republican form of government by the Constitution of the Republic of the United States of America.

During this state visit, there will undoubtedly be many toasts. One toast, I hope, will be to the bright future of the Republic of the United States of America.

Felix E. Wormser Leaves Government Service

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. HOSMER. Mr. Speaker, Assistant Secretary of the Interior for Mineral Resources Felix E. Wormser leaves Government service on the 15th of this month. At a great personal and financial sacrifice to himself he accepted the assistant secretaryship in 1953, agreeing to serve for 1 year. The difficulties and challenges of the post kept Secretary Wormser at it for over 4 years.

There are probably few responsibilities in Government more important and more deserving of attention from men of courage, knowledge and decision than those dealing with the Nation's basic minerals supply problems. Secretary Wormser brought all these qualities and more to the execution of his duties. Particularly, he brought to them a deep understanding of the American political and economic system: both its benefits and its workings. As a consequence the welfare of our Nation and its people have been enhanced by the personal sacrifices Secretary Wormser has made over these years of devoted, patriotic service to our country.

There were often points of difference between Secretary Wormser and members of the Congress of the United States on matters affecting our mineral programs. But these points always were those on which patriotic men might differ honestly according to their own beliefs as to what is in the highest and best interests of our country. I am sure that there is not one amongst us in the Congress of the United States who does not feel an abiding respect and affection for Secretary Wormser, nor who does not most sincerely wish him well on his return to private life. Probably our individual feelings were summed up by President Eisenhower on June 4 when he wrote as follows in accepting Secretary Wormser's resignation:

DEAR FELIX: I deeply regret that the time is so near when you must leave Government service. However, I understand the personal reasons that led to your decision, and I must accept your resignation as Assistant Secretary of the Interior, effective June 15 as you requested.

You can well be proud of the important public service you have rendered during the past 4 years. The mineral resources of the United States constitute a significant part of our national wealth. Their conservation and development merit at all times the close attention of experienced Government officials to insure that the strength they provide will be of maximum benefit for present and future generations. As Assistant Secretary for Mineral Resources, you have made a large contribution to the formulation of administration policies in this regard, and tangible evidence of your highly effective work will be available to the American people as they continue to benefit from these resources in the decades ahead.

My thanks go to you for your numerous accomplishments and for your willingness to remain at your post long beyond the period originally specified. I wish you continued success and happiness in the future.

With warm regard.

Sincerely,

DWIGHT D. EISENHOWER.

Anniversary of Communist Deportation of Lithuanians to Slave Labor Camps

EXTENSION OF REMARKS
OF
HON. JOSEPH W. MARTIN, JR.
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. MARTIN. Mr. Speaker, during a period of 1 week, beginning June 14, 1941, thousands of liberty-loving Lithuanians were uprooted from their homes by Russian troops and secret police and deported to Siberia and other Arctic territory to work in Communist slave-labor camps.

The exact number of people from this helpless little nation to be the victims of this ruthless and horrible treatment is probably undetermined, but the best estimate is that more than 34,000 were seized and spirited away during a period of only 7 days.

This is one of the blackest pages in the long, dark history of Communist terrorism. It points out in bold relief the total disregard for human liberty and human dignity of Communist dictatorship.

On the anniversary of this sordid event, it is well to remind ourselves of these unfortunate Lithuanians and the thousands of other long-suffering victims of Communist ruthlessness behind the Iron Curtain. This wholesale herding of human beings into slavery occurred in 1941. But if anyone has been lulled into the mistaken belief that the Communist leopard has changed its spots, we have only to look at what happened in Hungary as recently as last year.

This establishes the indisputable fact that communism follows a consistent pattern of crushing all resistance to its aims by ruthless and merciless force wherever it feels strong enough to do so.

This ought to be—and I hope will be—conclusive evidence to our own people and the people of the Free World that as long as the Communist menace lives in the world, our only chance for survival in freedom is our strength.

Beware of Psychiatrists

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. BURDICK. Mr. Speaker, one way to destroy any people is to destroy their health. The destruction of the mind is less obvious and not an open act of murder, but the millions who have had their minds destroyed by this sly Fascist and communistic scheme of controlling the people are as dead as they ever will be.

Listen to what Dictator Georgi Malenkov said when he succeeded Stalin:

There will be no more lobotomies while I am dictator of Russia.

Now let us see what a lobotomy is. First, the patient is strapped to an operating table. The straps must be tight and very strong. Then electrodes are clamped to the temples of the person about to be lobotomized. Next, three jolts of electricity are shot through the patient's brains—enough to start violent convulsions, which give way to an anesthetic coma. Now the doctor takes his leucotomes—pick-like instruments—and inserts them under the patient's eyelids. With a hammer he then drives them through the eye sockets of the skull and into the forepart of the brain. Finally, with a few deft sweeping motions back and forth, the doctor severs the prefrontal lobes of the brain from the rest of it. Hitler used this method on millions of his subjects and Stalin had over 10 million slaves or prisoners operated upon and turned into mere beasts of burden.

It takes only 5 minutes to perform this operation and the subject does not know what has been done to him. He loses his animation as a living object and becomes a zombie. His productive organs wither up and he is incapable of resistance.

This same practice is used here in the United States on persons said to be mentally ill, and it is estimated that 100,000 persons in the United States have been subjected to this operation upon the advice of some psychiatrist. This is murder per se, although the patient may be hopelessly incurable. It is another way of putting the patients to death under the advice of skilled psychiatrists. In the United States today a large percentage of the psychiatrists are foreign-

ers, most of them educated in Russia. The percentage runs as high as 80.

What does this mean? Does it mean that the Russian finesse of human destruction is introduced in America to further weaken our people so that there will be less resistance to communism? It means nothing short of that.

Here are two statements of the many Beria made when he addressed a group of American students at Lenin University in Russia:

You must labor until we have dominion over the minds and bodies of every important person in our nation. You must achieve such disrepute for the state of insanity and such authority over its pronouncement that no one statesman so labeled could ever again be given credence by the people. You must work until suicide arising from mental imbalance is common and calls forth no general investigation or remark.

With the institutions for the insane you have in your country prisons which can hold a million persons and can hold them without civil rights or any hope of freedom. And upon these people can be practiced shock and surgery so that never again will they draw a sane breath. You must make these treatments common and accepted. You must sweep aside any treatment or any group of persons seeking to treat by effective means.'

There you have the Communist assault on the minds of men. Is this the practice this country is going to follow in mental health cases? It would seem that some of these methods are already being used here, judging from some of the cases which have recently been brought to my attention.

Postal and Federal Pay Raise

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. ANFUSO. Mr. Speaker, under leave to extend my remarks, I am inserting into the RECORD a statement I submitted to the House Post Office and Civil Service Committee expressing my views in support of pending legislation for an increase in salaries for postal workers and Federal employees.

The text of my statement is as follows:

STATEMENT BY CONGRESSMAN VICTOR L. ANFUSO, OF NEW YORK, TO THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE

Mr. Chairman and members of the committee, I wish to thank you for giving me this opportunity to express my views on pending legislation concerning an increase in salaries for postal and Federal employees.

Among the many bills before your committee there are two which I introduced in the current session. One, H. R. 1907, provides for an increase in the rates of basic compensation for all postal workers. The other, H. R. 4738, provides for a salary increase of $1,000 per annum for all classified Government employees. I believe that the proposals contained in my bills are not out of proportion. If anything, present postal and Federal salaries are out of proportion and should be increased to a more realistic level.

I shall be glad, however, to support any measure recommended by your committee, provided it advocates adequate compensation for all Government and postal workers.

When Congress enacted Public Law 68, 2 years ago, postal and Federal employees were well aware of the inadequacies of that law. They were especially aware of the fact that the salary increases provided in that law were too low. It is a well-established fact by now that pay increases granted in recent years by the Government have not kept pace with the steady upward movement of the cost of living, which in the past few months has reached its highest level.

In many instances it was found that the wage scale for postal workers and the salary rates for Federal employees have lagged behind those doing comparable work in private industry. In some instances, unskilled laborers in private industry were being paid higher wages than postal workers. For example, in 1939 the average weekly wage for all factory workers was $23.86, while the entrance salary for postal workers at that time was $30.76. At the present time, the average weekly wage for factory workers is $82, but the entrance salary for letter carriers and postal clerks is only $70.36. Thus, in 1939 postal workers' salaries were about 30 percent higher than the wages paid to factory workers, today postal workers receive about 15 percent less pay than factory workers. This is a substantial difference.

Under these circumstances, it is not surprising to find that our Government agencies and the Post Office Department encounter difficulties in recruiting competent employees. Low salaries are no inducement for a family man to make a career in the postal or Government service when he can earn more money in private industry and provide his family with a better standard of living.

In order to augment their earnings, it has become customary for many postal workers in recent years to take on a second job or to encourage their wives to seek employment. Many employees in the lower-income brackets find this situation intolerable as they struggle to maintain their family, upkeep of the household, education of the children, and a decent standard of living.

Adequate pay increases for postal and Federal workers are long overdue. These people are a conscientious, loyal, and hard working group. They deserve greater consideration. They deserve fair remuneration for the important services they perform in keeping our Government functioning smoothly and efficiently. I think we take them and their services too much for granted.

Congress should grant them a substantial pay increase and afford them the fullest opportunity to maintain a decent standard of living commensurate with the rest of the country. Your prompt action today will be worth more than all the promises of tomorrow.

Enslaved Lithuania

EXTENSION OF REMARKS
OF
HON. PAUL B. DAGUE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. DAGUE. Mr. Speaker, it was 16 years ago, today, that the Communists launched their ruthless enslavement of the Baltic States and subjected Lithuania in particular to a most brutal program of annihilation.

In this wave of terror and the persecution of a proud people some 60,000 Lithuanians were deported to Siberia or sent to other slave-labor camps throughout Russia. And during this wave of brutality the one thing that stood out so strikingly was the fact that Russia had guaranteed the freedom of the Baltic countries and by this terroristic act revealed herself as incapable of keeping her solemn commitments.

Our hearts go out to these brave people and especially to those survivors of Soviet brutality who have found sanctuary in this country. We are joined with them in mourning the loss of their loved ones; and, unless our dedication to freedom for all men is to prove meaningless, we must work for the restoration of Lithuania as a free and sovereign nation.

Alaska Statehood

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. SAYLOR. Mr. Speaker, long before I ever considered running for the office of Representatives to the United States Congress, I was interested in the Territories of our country, and especially the Territories of Alaska and Hawaii. Little did I dream that when I came to Congress I would be a member of the Committee of the House of Representatives that would handle the affairs of these great territories. I sought membership on the House Committee on Interior and Insular Affairs because it handles all matters concerning mines and mining, this being one of the principal industries in my Congressional district.

But one of the most fascinating parts of the work of this great committee are the problems of Alaska, and I have taken a keen interest in this Territory, her people, her vast land areas, her unlimited resources and the desire of a vast majority of Alaskans to have their home become a State in the United States, another star in the field of blue of the Stars and Stripes.

Therefore when the House Interior and Insular Affairs Committee on May 28 considered and acted favorably to report the Alaskan statehood bill to the House of Representatives, I was indeed pleased. The committee voted overwhelmingly in support of statehood—24 in favor of the bill with 6 members opposed to statehood.

One of the items that was most impressive in this vote was the almost solid support of the legislation by the Republican members of the committee. While statehood is not a political issue, and while statehood will only be achieved by bipartisan support, the Republican members supported this bill to a greater degree than did the Democrats.

There are 13 Republican members on the House Interior and Insular Affairs Committee and 11 members, or 85 percent, voted in favor of statehood, while only 13 of the 17 Democratic members, or 76 percent, of the committee voted

for statehood. I am proud of the manner in which the Republican members of the committee supported the President in his endorsement of this long overdue legislation.

There can be no doubt about the position of President Eisenhower or his administration because he has stated in his budget message of 1957, and many times to the press, that he favors immediate statehood for Alaska. The administration's position was later affirmed by the statement of the Secretary of the Interior in his testimony before the House committee.

The area limitations for the conducting of defense activities, as proposed in the Department of the Interior's amendment to create special national defense withdrawal areas in the northwestern region of Alaska, have been included in the bill passed by the committee. The legislation as it now stands, in my opinion, is in accord with the wishes of the great majority of the people of Alaska. This opinion is strengthened by a news item in the Anchorage Daily Times of May 28 which indicates that the Governor of Alaska, native-born Michael A. Stepovich, has expressed his accord with the actions of the Congress thus far on this bill. The Governor is quoted as saying:

> It's really encouraging that Congress is moving right along on the bill. As Alaskans, we are grateful.

I vigorously urge the support of this statehood legislation by everyone so that it will successfully pass and become law, thus fulfilling a long wished-for objective on the part of the citizens of Alaska and the United States.

Tax Relief for Sick and Disabled Citizens

EXTENSION OF REMARKS
OF
HON. THOMAS L. ASHLEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. ASHLEY. Mr. Speaker, I have today introduced two bills—H. R. 8093 and H. R. 8092—which seek to provide a measure of tax relief for certain of our sick and disabled citizens. The first bill logically supplements existing provisions of the Internal Revenue Act that allow deduction of medical expenses. It would grant a tax deduction for money spent for the institutional care of a disabled or sick dependent who requires continuous personal attention. Under the provisions of my bill, a person would qualify as disabled only if he is unable to engage in any substantially gainful activity by reason of any determinable physical or mental impairment which can be expected to be of indefinite or long-continued duration. In everyday practice, Mr. Speaker, this would allow the cost of rest-home or similar treatment and care to be deducted, for tax purposes—just as hospital expenses are deductible under the present law.

The second bill offers a very limited and very meritorious segment of our society an important deduction. As you know, the Veterans' Administration may furnish those who have lost the use of their legs because of service-connected injuries, specially designed vehicles to facilitate their rehabilitation. Often, a veteran finds his redesigned auto a means of livelihood which he would otherwise be without. By allowing these veterans the right to deduct the cost of replacing such vehicles, Congress would again manifest its intention to assist their rehabilitation in every way possible. Certainly, there can be no question that this relief is both necessary and humane—or that the need for encouraging these men to better and more useful lives continues to be of paramount interest to society.

It had been my hope that the 85th Congress might be able to enact a broad tax relief bill benefiting all our citizens. However, as the prospect for a general tax cut diminishes, I feel that it has become all the more imperative for us to pass the legislation I have introduced today. Indeed, these two bills would grant only the minimum relief so long awaited by these most deserving citizens.

Too Many Americans in Formosa

EXTENSION OF REMARKS
OF
HON. ERRETT P. SCRIVNER
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. SCRIVNER. Mr. Speaker, one of the causes of our troubles in the Far East is that there are just too many Americans, military and civilian, in those countries.

In a recent weekly newsletter, I commented on the Formosa riot, as follows:

> The riot and raid on the American Embassy in Formosa came as a surprising shock.
>
> In the first place, while Chinese, as I have observed, are a most curious and voluble people, violence is not a usual characteristic.
>
> Perhaps we, as Americans, are not without fault. Orientals are proud people. We are proud, too. Orientals set a great value on face—or pride—the position they may occupy in the opinion of the friends and neighbors. Humiliation carries loss of face.
>
> The wife of the Chinese, an American sergeant killed, had suffered a loss. Had some American officer visited her, expressed sorrow over the incident, made an offer of retribution, perhaps as much as $1,000 American, perhaps the aftermath of the trial—the raid—would not have happened. Another incident, adding fuel to the fire, was the demonstration of Americans at the trial—the shouts and handclapping—when the verdict of not guilty was announced. To the Chinese present this was further injury.
>
> Even so, had this been the only incident, the raid would not have happened but for other events. The widow probably would not have picketed our Embassy. Crowds of curious Chinese would not have gathered to see what was going on—and some overzealous hothead could not have stirred up the crowd over this lone incident.
>
> The last time I was in Formosa we had about 500 Americans there. Military men for the most part—living in the hills with Chinese troops at work on their job of making good soldiers of the Chinese troops—which they did. No families—no big American cars. Reports show now right at 10,000 Americans on that small island.
>
> Streets and roads in Formosa are narrow and winding. Heavy hauling is by means of clumsy carts drawn by oxen, or water buffalo. Lighter travel is by bicycle or pedicabs—rickshas with bicycle attachments. Even the wealthiest Chinese travel this way, which is all too slow for the impatient, speed-loving Americans, who with their big cars, shipped to Formosa at Uncle Sam's expense, want to be on their way. Horns honk, brakes squeal, drivers shout, and they move rather recklessly through these narrow ways, scattering pedestrians and cyclists to each side. Repeat such incidents day in and day out, not only in China, but around the world, and it is a little easier to understand some of the bitterness and enmity.
>
> Americans overseas live better, have more than many of the wealthiest natives. We bid up the prices, bringing inflation, which makes it harder and harder for the natives to meet their daily needs. We look down our noses at them as being backward—brag about what we have and the way we do things in the United States. We pay little heed to the history or customs of the nations where we are guests, not victorious conquering troops.
>
> If we, as Americans, would conduct ourselves in these countries, as we would if we were guests in someone's home, being courteous and considerate, many of these little irritations, which, piled one on the other, finally reaching the breaking point, incidents such as the one in Formosa could be avoided.

Character Building for Our Youth

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. ANFUSO. Mr. Speaker, we have been hearing and reading so much adverse comment about our teen-agers that one stops to wonder at times whether there are any good, civic-minded, and responsible young people left in our schools and communities. Unfortunately, we uphold to public criticism the wrongdoers, but we tend to overlook those who perform good work and pursue wholesome activities.

Perhaps if we emphasized more of the latter type it would serve as an example and an inducement to all teen-agers. The overwhelming majority of our young people are cooperative with the community, are law-abiding, civic-minded, and assume responsibility when the time is ripe for them to do so. It is therefore important that we get a true picture of these youngsters, their problems, their activities, their character-building efforts, and so forth.

I am glad to call attention at this time to one of the finest character-building programs for our citizens of tomorrow conducted by Eastern District High School, located in my Congressional District in Brooklyn, N. Y. The school organized a neighbhorhood youth council whose purpose it it is to promote cooperation among organizations and citizens interested in making the community a more wholesome place in which to live. It also sponsors the study of social resources, seeks to advance the education of the general public regarding conditions which need to be improved, to secure democratic action in meeting local needs, expand youth activities, and foster human relations.

This is quite a tall order, and even if this group is only partially successful it will have accomplished a great deal and will have contributed much to the community. The following are some of the activities sponsored by the Eastern District High School Neighborhood Youth Council in its efforts to achieve the above goals:

(a) Conduct annual block-by-block surveys of the area to check on needed improvements.

(b) Picture story exhibits, highlighting sore spots in the community are displayed in public places.

(c) Spearhead rallies for modernization and improvement of school in cooperation with parents association and civic council.

(d) Organize and produce annual Keen Teen shows to spotlight local talent.

(e) Encourage teen-agers to participate in activities sponsored by local YMCA, YM and WHA, Williamsburgh Settlement and Williamsburgh Health Center.

(f) Community on Trial, a round-table forum, dramatized the need for coping with teen-age gang problems and led to initial work with Neighborhood Youth Council youth board.

(g) Organized the first pilot project in conducting community dances sponsored by Neighborhood Youth Council youth board.

(h) Annual Arbor Day tree planting program adds a tree each year to the first 50 trees planted in 1950.

(i) Actively participate in the work of the Citizens Committee To Keep New York City Clean.

(j) Conduct annual civic awards ceremony and dance to recognize and reward a graduate of Eastern District High School for outstanding community service and achievement.

(k) Initiate the "Easternite of the year" contest among the students of Eastern District High School to stimulate more active participation in school and community affairs and award achievement trophies to the "teen-agers of the year."

(l) Acts as a cooperating agency for its original parent group, the Williamsburgh Neighborhood Council.

Mr. Speaker, the activities described above are supervised by Mrs. Harriet S. Zucker, who is faculty adviser. The principal of Eastern District High School is Louis K. Wechsler, a noted educator. On May 29, 1957, the Neighborhood Youth Council held its eighth anniversary civic awards ceremony in the Biltmore Hotel in Brooklyn at which many awards were made to the young people, whose cooperation and services to the community were thus recognized.

I believe that many of our large and medium-sized communities throughout the country would benefit from the experiences and the activities of Eastern District High School Neighborhood Youth Council. By adapting these activities to their local needs, they would help shape the lives and thoughts of American youth, building character, and giving them the opportunity to absorb lessons in citizenship which would be of inestimable value in later life and help keep juvenile delinquency to a minimum. I am very proud of the achievements of this group in my district.

Tungsten Stockpile Program No Longer Needed

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. PELLY. Mr. Speaker, I have in my hand a clipping from this morning's Washington Post. This article refers to two programs for which funds will be voted up or down tomorrow, when we consider the House-Senate conference report on the third supplemental appropriations bill.

My purpose in calling this newspaper article to the attention of Members is because it reports a possible trade between the advocates of two expenditures which are in the report, but which previously were not included by the House.

While this is not the first reference to such a floor trade of votes that I have heard about, I have never believed that any Member would vote other than on the basis of the merit of the items. And, therefore, I am led to extend these remarks, since a careful reading of the original report of the House committee, together with the record of the debates held at both ends of the Capitol, firmly convinces me that the other body was wrong when it inserted $30 million for stockpiling tungsten. In other words, in opposing the item of $30 million, as I do, it is my thought hereby to review the facts with the hope that the membership here will not overlook them.

I wish, Mr. Speaker, that the taxpayers of this great Nation of ours could have the full information that is available to Congress on the present situation having to do with the stockpiling of strategic minerals and especially tungsten. Public opinion would never support such a subsidy to private mining interests. In fact, I fail to see how anyone can justify an expenditure of an additional amount of $30 million when the Office of Defense Mobilization has testified we have already stockpiled more than would be used in 5 years of a hot war—and some even say we have an 18-year supply. In any event, the Defense Department says our stock is sufficient. So what we will be debating is a pure subsidy.

The price which the Government pays, it will be recalled, is $55 a ton, while the domestic market for imported tungsten is $33 a ton. Testimony shows that one big steel company with its own tungsten mines uses the foreign mineral costing $33 for its own use, but sells the product of its own mine to the Federal Government at $55 a ton. That does not seem right.

How are we going to effect a tax reduction if the Federal Government undertakes to subsidize industry in this way? We are overburdening the small-business man, in particular; $30 million may not seem much in the overall picture, but it is from the combination of many such proposed expenditures that substantial savings can be effected. In the national interest we have to face up to the situation. We must economize; and, based on the information and background of the tungsten program, I believe here is an item on which Members of the House can stand pat.

We should not overlook that the United States Government was paying $63 a ton from 1951 until 1956, and the open-market price dropped from $64.63 in 1952 to $35 in 1956. Yet our Government continued last year paying $63.

I hope Members will reread the committee report and the discussions in this Chamber on February 5, 1957. It seems to me, if one has a sense of trusteeship and responsibility in handling other people's money, in all conscience one is bound to oppose the continuation of the subsidy program.

Let us reject this item in disagreement. If enough Members remain firm on this and similar boondoggles, we can stand up one of these days and vote for a tax-relief measure without increasing inflation because it will be within the honest framework of a balanced budget.

Let us cut out subsidizing fish ponds for farmers and giving free fertilizer and supporting the price of peanuts and other products at above the housewife's ability to pay. These many opportunities to cut Federal spending, along with the $30 million for tungsten the Government does not need, are the way to smaller budgets and lower taxes.

Schedule of Grassroots Conferences in Third Ohio District

EXTENSION OF REMARKS
OF
HON. PAUL F. SCHENCK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. SCHENCK. Mr. Speaker, it is my great privilege and honor to represent the people of the Third District of Ohio here in the Congress of the United States. I am humbly grateful for this opportunity to be of service, and it is my constant aim to serve my constituents in the very best way possible. As their Representative in Congress it has been my constant policy to keep in close contact with the people of the Third District so that I may know how they feel about the many important issues facing us here in Congress.

Our Third District is the largest Congressional District in Ohio and one of the largest in the United States. Its great importance, however, is not dependent on size alone, but rather on the outstanding contributions of its fine citizens to the general welfare of our Nation. Not only is it the birthplace and cradle of aviation, but many of its other products and inventions are serving people throughout the world. Our people are highly skilled in many ways, and we have a district in which scientific projects, manufacturing, and agriculture are developed to an unusually high degree.

As the Representative of this great district, I have considered it my duty not only to be well informed of the opinions of my constituents, but also to be of the greatest possible service to persons having problems dealing with agencies or departments of our Federal Government.

Six years ago I initiated the idea of holding grassroots conferences throughout our district, and I have continued this practice each year during the time Congress is in adjournment. I also have a full-time Congressional service office at the United States post office building, in Dayton, where I can meet with people personally at any time that my official duties permit me to return to the district.

During the time I am in Washington, attending to legislative and official duties, a competent secretary is in charge of my district service office to assist callers and to help them with requests for aid in dealing with the Federal Government so that I can be of every proper assistance to them.

In these ways I have sincerely tried to keep well informed as to the personal opinions of my constituents, and I have also tried continuously and sincerely to be of every proper service to them.

Members of Congress are constantly called upon to give careful and earnest consideration to legislation dealing with many complex national and international problems. These day-to-day decisions often affect the lives and living of every citizen in our Nation. Consequently, these personal and private conferences help me to serve all of the people in my district in a much more effective manner.

This year during our official Congressional recess, I am again taking time to hold these "grassroots conferences" throughout our district at convenient public buildings. I deeply appreciate the fine cooperation of the many officials who have made these meeting places available to me as an aid in rendering this public service.

This is the schedule I have arranged:

Dayton Post Office, room 314, August 19 and 20, 9 a. m. to 4 p. m.

Miamisburg City Building, August 21, 4 p. m. to 8 p. m.

Germantown City Building, August 22, 4 p. m. to 8 p. m.

Brookville City Building, August 23, 4 p. m. to 8 p. m.

Phillipsburg School, August 24, 4 p. m. to 8 p. m.

Hamilton Courthouse, August 26, 9 a. m. to 4 p. m.

Middletown American Legion, August 28, 9 a. m. to 4 p. m.

Oxford Municipal Building, August 29, 4 p. m. to 8 p. m.

Fairfield City Building, August 30, 4 p. m. to 8 p. m.

Each year an increasing number of our folks have visited with me at these conferences, and the attendance has been most encouraging. It is sometimes surprising to see how much can really be accomplished when a citizen and his Congressman can sit down face to face and talk over problems of mutual concern.

Special appointments are not necessary for these conferences, and I sincerely urge individuals or groups to meet with me on the date and at the place most convenient to them. The knowledge obtained through these grassroot conferences will help me to render better service—both legislative and personal—to all of the people of our important Third District here in the Congress of the United States.

Too Many Americans Too Long in Japan

EXTENSION OF REMARKS
OF
HON. ERRETT P. SCRIVNER
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. SCRIVNER. Mr. Speaker, the Girard case in Japan demonstrates that we have too many Americans in Japan, and that we have had them there too long.

The Girard case, which has caused so much comment, was recently discussed in one of my weekly newsletters, which follows:

TOO MANY AMERICANS TOO LONG IN JAPAN

The Girard case in Japan, and the Formosa riot, proves that we have overstayed our welcome and clearly demonstrates that we should bring American military personnel home just as soon as we can, and the sooner, the better.

The Girard case has created much confusing comment, and is now subject to inquiry by at least three congressional committees and one Federal court.

Let's go back and look at a few facts. Our troops are no longer in Japan as victors, or in time of war. We are there at the invitation of the Japanese Government under a treaty entered into under Truman's Secretary of State, Dean Acheson, by the United States and Japan in 1951, and ratified by the United States Senate.

This treaty did not specifically refer to the status of our troops, but left that open for agreement to be reached by our Ambassadors as a diplomatic transaction. The first agreement gave the United States exclusive jurisdiction over our troops until NATO agreements were made. In September 1953 a later agreement, similar to agreements with NATO countries, provided that off-duty offenses by American soldiers should be tried in Japanese courts, and on-duty offenses would be tried by United States military courts. A two-man commission—one American and one Japanese—was created to determine whether the offenses were on-duty or off-duty. Sometime prior to the Girard incident, it was further agreed by this commission, that if there was any dispute as to whether an incident was on- or off-duty, the decision would be made by a Japanese court. Why this was agreed to by our American representative, I cannot understand.

At first, after the trespassing Japanese woman was unintentionally killed following a disregarded warning shot, American authorities refused to turn Girard over to Japanese authorities. Japan claimed it was an off-duty event, since the incident occurred during a lunch period, and that the use of the empty cartridge case was outside the line of duty and unauthorized. We claimed—and still claim—it was on-duty, since he had been placed on guard by a superior officer. The 2-man Commission was deadlocked for 3 or more weeks. Someone, as yet not identified, somewhere decided that the agreement having been made should be kept, and that since there was a deadlock, a Japanese court should decide. (Had I been on this assignment, some mighty hot places could have frozen over before I gave in.) Delivery of Girard to Japanese authorities was held up, due to protests from Congress and other sources. After much discussion, our American representative was finally authorized to turn Girard over to the Japanese. Secretary of State Dulles and Secretary of Defense Wilson jointly decided that to avoid an international breach, we should keep our promise, and the Japanese court should be allowed to take jurisdiction.

I cannot, for the life of me, understand how there could be any doubt about the fact that Corporal Girard was on duty and acted in line of duty. Any soldier who has ever been on guard knows that his general orders require him to take charge of and protect all Government property in view. There is some question in my mind as to why and how, in view of the fact that Girard had been issued blank cartridges to frighten off trespassers, he had a cartridge case in his grenade discharger. However, that is a question that should have been left to the determination of a United States military court.

The petition filed for habeas corpus here in Washington has served to hold up immediate physical delivery of Girard to the Japanese and will provide an opportunity for development of facts and the constitutionality of the agreement. At this writing, no decision has been made.

It is too late for Congress to remedy the Girard situation, but the case will serve to demonstrate the need for treaty revision, amendment to the agreements and laws relating to the status of our military personnel overseas so such incidents cannot again arise.

Additives in Food

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. MILLER of Nebraska. Mr. Speaker, one of the most significant changes in the past two decades in the American way of life has been that of the scientific improvement in the dynamic and rapidly growing business of food technology.

Science has been dealing in research which has opened up new frontiers. Science has helped to create new industries, new and better jobs, and more and better things for a growing America.

The American standard of living has been greatly benefited because of the new things research has been able to accomplish. There will always be unexplored horizons waiting for someone to unlock the mysterious door to future projects. The field of chemistry is vast, its potential only tapped.

There is no question that chemicals are needed in the preparation, preservation and use of food. Much progress has been made through research in the field of nutrition and the American public can take pride in the manner in which science and industry have handled the delicate problem.

The number of chemicals entering the food supply of the nation has increased tremendously in the past decade. More

progress is to follow. Chemical substances are being introduced into the production, processing, storing, packaging and distribution of food at an ever increasing rate. There is hardly a food sold on the market today which has not had some chemical used in or on it at some stage between production and consumption.

In the past few years a large number of bills have been introduced dealing with chemicals in food—the so-called food additives. These bills had hearings but because there was difficulty in getting industry and the Food and Drug Administration to compromise their differences, the bills fell by the wayside.

I have introduced another bill on the subject of additives in food. This is the fourth such bill in the last three sessions of Congress. In my opinion many of the controversies in this complicated legislative procedure have been ironed out. I do not claim that the bill is perfect. It does represent many hours of study and conferences between industry, the Food and Drug Administration and myself. In my opinion it could act as a helpful vehicle for good, sound legislative procedure in governing the use of chemicals in the processing and handling of all food. It attempts to keep in mind two things: First, protect the public; second, to work out procedures between the Food and Drug Administration and industry that will bring this important and sensitive field into proper perspective. There must be a balance between those who are in the business of processing and developing and producing food. There must be a rather clear-cut line of demarcation as to how far the Food and Drug Administration may go in working out the proper regulations. The most important thing is the proper protection of the public.

In my opinion the present laws do not provide adequate safeguards to guarantee a food supply absolutely free of additives which might bring injury to the public health. The consuming public requires greater protection.

While industry has done a good job, we all know that in a tough economic world there is always someone ready to cut corners. That is why the public needs protection from those who might be less scrupulous than the vast majority of the food and chemical industry. The public needs protection, too, from mistaken ideas in food additives.

The several bills before the Committee on Interstate and Foreign Commerce now generally concede that a panel of experts can be helpful in giving advice on food additives, particularly when industry and the Department disagree.

In the bill I have just introduced, a change has been made in terminology. I have purposely called the additives food additives instead of chemical additives, in an effort to get away from a mistaken idea that all chemicals may be harmful. Undoubtedly some of the food additives are chemicals, but frequently the public becomes alarmed at the word and considers a chemical something in the nature of nitric acid, arsenic, or some other potentially dangerous substance.

Under the present laws, the Food and Drug Administration can wield arbitrary and unlimited authority capable of strangling any industry. It is also true that industry, under the current laws, is capable of thwarting the rules and regulations of the Food and Drug Administration.

Industry has the power to put an additive or chemical in food and notify the Department that it is being used and, if there is no negative answer from the Department, proceed to use the additive without limit.

The American people can be thankful that in this rapidly changing field of food technology that industry has been most cautious and diligent in protecting the consuming public. There has been what I consider very fine cooperation between the present Food and Drug Administrator and the industries. However, I believe both industry and the Food and Drug Administration realize that the present law is inadequate and that industry has outrun the present old procedure.

My bill attempts to protect long-used additives under the so-called grandfather clause. In other words, if some known chemical or other additive has been used without ill results over a long period of years, it is presumed to be not harmful.

There are now about 750 different kinds of food additives and chemicals being used in the production, processing, and packaging and handling of food. There is no question but what some of the additives find their way into the blood and food stream of the American people. Of these 750 additives there are probably 150 to 200 which have not been adequate tested or passed upon by the Food and Drug Administration. New food additives show up almost daily. One of the big fields just now being developed is that of the use of various isotopes in the preservation of food.

The bill I have introduced provides that in relation to any additive now being used on which there may be any question, the Administration may require that industry shall furnish sufficient and ample scientific evidence that the additive is not harmful before the use of such additive is continued. In other words, the bill provides that all chemicals and additives be adequately tested before such chemicals or other additives are permitted to enter the blood stream of the American people through food.

The bill seeks to strike a balance between industry and the Food and Drug Administration, always keeping in mind the paramount interest lies in the general public.

In a previous Congress I introduced a bill covering pesticides which is known as the Miller bill. The committee reported that bill favorably and it is now a law. It gives needed added protection to the public. It is based on sound principles.

I feel the same about the current bill. It tends to create a balance we have not had before.

It is my opinion that the horizons of tomorrow will show still further progress for the food and chemical industry. The scientists are uncovering the secrets of nature and helping us to weave a new fabric of life.

The interest in food and drug administration is countrywide and it is a subject that needs careful handling. We should do nothing which tends to make the public hysterical. We should approach the problem with an objective view.

We should have a law which will forbid untested chemicals or other additives to be introduced in food. We lack that protection now.

I believe the primary responsibility for evaluating the safety of new food additives should rest with an advisory committee, composed of scientists. Any firm or individual proposing to market a new food additive, after submitting a report on pretesting to the Food and Drug Administration may request the aid of the advisory committee.

The independent and impartial committee could act as a brake upon any inclination of the Administration to exercise arbitrary and unreasonable control over industry. The committee can also serve as an arbiter between industry and administration. The bill also provides for public hearing and the report of the advisory committee becomes a part of the record in the public hearings. The bill further provides for a judicial review either by industry or by the Department.

We all agree the public health is paramount. We all agree that the food industry has made magnificent progress and should not be blocked by an unwise delegation of power and I think we also agree there should be a system of checks and balances which will give ample protection to the American people. With that in mind I submit this bill for your earnest consideration.

Two Hundred and Twelfth Annual Feast of Roses Observed by the Tulpehocken Evangelical and Reformed Church Near Richland, Pa., June 9, 1957

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. VAN ZANDT. Mr. Speaker, one of the most historical religious observances in the Nation was held Sunday, June 9, 1957, by the Tulpehocken Evangelical and Reformed Church located near Richland, Pa., when the 212th red rose was tendered as annual rent to a descendant of Caspar and Katharine Wistar, who in 1745 conveyed 100 acres of land for use as church property. This annual feast of roses has been observed since that time without interruption.

This year's observance was of twofold significance since it marked the date of the dedication of a modern church school building erected by the members of the Tulpehocken Evangelical and Reformed Church under the

leadership of their very capable and energetic pastor, the Reverend J. Donald Backenstose.

It was my great privilege to participate in the annual feast-of-roses service, June 9, 1957, at which time I delivered the following message:

FEAST OF ROSES MESSAGE BY REPRESENTATIVE JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, JUNE 9, 1957, RICHLAND, PA.

It is a distinct honor to be invited to participate in this annual service commemorating the Feast of Roses which originated in 1745 when Caspar and Katharine Wistar conveyed 100 acres to this church.

During the succeeding years I am informed that a red rose has been tendered each year as annual rent and that since 1901 the Feast of Roses has been observed yearly without interruption.

The beautiful custom of presenting a white rose to the descendants of Caspar and Katharine Wistar was also inaugurated and has added to the solemnity of this annual service.

Today we are privileged in being able to witness the payment of the 212th red rose and the 55th white rose.

This year's Feast of Roses is of added significance since it marks the date of the dedication of the rose building.

This modern church school building is not only a credit to the loyal and faithful members of this congregation but also to your able and distinguished pastor, my good friend the Reverend J. Donald Backenstose.

Truly it may be said that the rose building is a fitting monument to the zeal and piety of the members of this church and their beloved pastor.

Above all it demonstrates their wholehearted cooperation in extending God's kingdom on earth.

Today we are forcibly reminded, through observance of the Feast of Roses, that there is a natural and age-old connection in man's mind between the rose and religion.

No one can look upon the beauty of roses in their varied forms and colors without an uplifting of the heart and mind.

Countless tales have come down to us through the ages associating the rose with the gods or attributing magical and supernatural qualities to roses.

Through the centuries Christianity has used the rose as a symbol of prayer and its thorns as a symbol of sacrifice and suffering.

One of the most constant features of the Christian cathedral is the rose window.

Roses have in all ages of Christianity been thought most suitable for the decoration of any part of a church.

We find them as wood carvings in the form of rose vines on the pews, as great rose flowers ornamenting pulpit or altar.

In Christian symbolism numerous saints are known by a rose or roses.

They are portrayed in single or double form pink or gold or white or red on vine or bush or rose-tree.

Yes they are shown being held in the hand, worn in a wreath or showering through the air.

Roses, chief among flowers, are brought to decorate our churches and altars as tokens of our devotion and service to God.

The very crown and center of our religion is, of course, Christ himself.

The closer we approach to that center in Christian art and symbolism the more roses do we find.

Finally, we come to the very person of Christ himself symbolized as a red rose.

Realizing that the red rose stands for the suffering and the love and the triumph of Christ, one might think that there could be no comparable grandeur of religious meaning for the white rose.

However Christian symbolism has placed the white rose in a place equal in honor to the red.

Where the red rose means the suffering of martyrdom, the white rose means the virtue of innocence and purity.

Where the red rose shouts of triumph the white rose speaks softly of peace.

Where the red rose pulses with the humanity of Christ the white rose silently proclaims His divinity.

We who know and love roses are sure that what is termed in religious literature "The Odor of Sanctity" must be one of the many beautiful perfumes that we know in roses.

Christianity as well as other forms of world religions, and even ancient paganism associates holiness and virtue with roses.

It is, therefore, beautifully appropriate that this church annually should be scented with the perfume of roses.

This annual feast of roses is not alone a reminder of the debt of gratitude owed Caspar and Katharine Wistar.

It is likewise an occasion to voice our gratitude to Almighty God for our churches.

For truly they are the nation's first line of defense.

Through our churches we, as a nation, have been able to maintain a standard of honesty and decency without which the nation would not be worth saving nor would its citizenry care for any interest beyond their own selfish personal gratifications.

It is an accepted fact that a nation with strong moral convictions and a deep reverence for God is able through his divine grace to defend itself against all enemies, foreign and domestic.

Did you ever stop to realize that should our churches fall into decay and ruin America would become overwhelmingly pagan in a few years?

That fact should make an indelible impression on our minds and hearts and urge all of us to appreciate more fully the church as a spiritual powerhouse whose beacon of light and goodness encompasses the entire globe.

If we have a fuller appreciation of the indispensable position the church plays in our everyday lives, then, as individuals and as a nation, we will be better able to discharge our responsibility of actively supporting the church and all it is defending in the fields of moral and spiritual development.

Religious groups through the church are carrying the Gospel to the four corners of the earth and in so doing creating an atmosphere of confidence and good will that is of more value than costly armaments or diplomatic maneuvering which so often leads to meaningless peace pacts between the nations of the world.

Let us never forget America was built upon the church.

All of us are familiar with the picture depicting the pilgrims on their way to church carrying both Bibles and rifles.

There were many reasons why the New England pioneers might have remained near their primitive homes and worshiped under the sheltering trees with one eye on the prowling Indians.

The well-known painting, however, shows them—men, women, and children—trudging along the snow-piled forest path on their way to the rudely constructed meetinghouse their reverent hands had fashioned for divine worship.

The pilgrims on their way to church remind us, as these spiritual ancestors of ours fought for their very lives, that Sunday morning for them was not a time to catch up on sleep, not an opportunity to clear more needed land or plant crops, not a time to indulge in sports and amusements.

In spite of the hazards and the hardship of it, Sunday morning was a time to go to church.

The Pilgrims went, and by so doing they contributed their physical presence as a witness to their faith in God by which they lived.

It is a serious indictment against our generation that for literally millions of Americans church attendance is ignored.

With three global wars engulfing our Nation in the short span of 33 years, it is little wonder that there has been the growing realization that the church is the bulwark and arsenal of all that makes our Nation great.

Even the radio and television stations across the land signify this truth as they sandwich between commercials the devotional song called "Let's Go To Church Next Sunday Morning."

We profess to be a Christian Nation, but deserted churches give the lie to the creed we claim to profess.

When we remain away from church it does something to that fragile plant called reverence which needs watering at least once a week.

Surely there can be no question that unless we give regular expression to an emotion or conviction it will die or grow dim.

As we thank God for our churches, let us do it in church, and not from some reclining place as we deny our Creator 1 hour of worship on Sunday.

This annual Feast of Roses is, therefore, an opportune time to examine our own conscience and at the same time to keep in mind that in the Communist world churches of every denomination are being ruthlessly persecuted in the diabolical effort to destroy man's belief in God.

It is encouraging to know that religion in America today is a mighty and increasing force.

Statistics may sometimes seem hard to understand, or inconclusive, or dull, but today's religious statistics are as clear an indication of the way the wind blows as a million straws all blowing one way.

These statistics are as conclusive as the force of that wind and exciting as its impact.

In 1850, or 105 years after this church was established, only 16 percent of the population of America were church members. By 1900 the percentage had climbed, slowly and with setbacks, to 36 percent. Through the first half of the twentieth century the increase continued, up to 57 percent.

Recent figures show that approximately 61 percent of all Americans are now church members.

In actual numbers the American church membership has now for the first time passed the 100 million mark. In 1906, half a century ago, there were 209,266 churches of all denominations in the United States.

Though both the shift of population from the country to the city, and the increasing tendency to consolidate churches where possible, tended to reduce the total number of churches that number, after sinking to 199,302 in 1936, rose to 300,056 for 1954.

The result is that we now have not only more members in each congregation, but also more actual church buildings.

In 1955, 5,393 new church buildings were reported and the money spent on new construction during that year is said by the national council to constitute a new record.

The total financial contribution of members to their churches continued an upward trend, per capita contributions rising 7 percent in 1955, to reach the sum of $48.81 annually.

If money talks they are surely good words that we hear from that money.

Both the increase in church membership and the growing concern for the education and moral training of our youth are reflected in a 3.4 percent increase in Sunday School enrollments.

Newspapers and magazines are full of discussions of the religious boom.

Book publishers find that the sales of religious books are large and steadily increasing.

Political actions, reflecting both the popular feeling and the convictions of individuals in the Government, include the provision of the Prayer Room in the Capitol, the addition of the phrase "under God" to the pledge of allegiance, the issuance of a stamp bearing the words "In God we trust," the provision by law that the same motto is to appear on all our coins designed in the future, and most recently the adoption of the statement, "In God We Trust" as the official motto of the United States.

Besides the increase in church membership there is a remarkable increase in both the number of prayer groups and the number of members in established prayer groups.

In Government agencies, in businesses, in neighborhoods, it is becoming more and more the custom to meet occasionally to pray together and to conduct programs of speaking or reading or discussion on the subject of prayer.

In magazines and newspapers and in the public transportation vehicles, we have grown familiar with the advertisements urging people to attend the churches of their choice, to take their families to church, to go to Sunday school with their children, to pray together as families.

I am not sure how much effect this sort of advertising has, but I feel sure the advertising is itself the effect of an urge among all the American people to deepen their religious experience and to give tangible evidence of the faith that is in them.

Ministers and other theological thinkers have published many articles criticizing the current popularity of religion as superficial and tainted with self-interest.

But the very fact that such critical articles are published in great numbers shows that a deep and honest interest must be somewhere in the American public.

Surely those who are indulging in superficial emotionalism do not welcome searching criticism of their motives and it is farfetched to suppose that those who are dropping more money in the collection basket are doing it in the expectation of any financial or material return.

Some of the criticism too, it must be remarked, is more superficial than any of the religious manifestations toward which it is directed.

Of course there are superficial religious manifestations in America today. There always were such manifestations in this country and in every other country.

However, for perfectly practical reasons the superficial manifestations will become greater when it becomes more profitable for the hypocrites and self-servers to pretend to real religious feeling, and that is precisely when a real ground swell of religion is manifesting itself.

It is my opinion there is no complacency in the religion of America today.

We have the forward movement and the forward urge.

We are striving to bring our actions into closer accord with our professions of moral principle and to submit our individual good to the good of all.

There will always be those who will rest content with the system of morality expressed by the motto "Honesty is the best policy."

But I believe that America today and the world today need a heroic virtue reaching far beyond that feeble and petty sentiment.

We shall not hold our earth and sky together nor each individual of us keep his own soul and body together unless we adopt that heroic virtue expressed in the old saying, "Let justice be done though the heavens fall."

And we shall not save our individual souls if we consider it fashionable merely to be seen going to church.

We need the rock-ribbed faith of our forefathers, men and women with the faith of Caspar and Katharine Wistar, who helped to build this Nation under God and who never tired of constantly seeking His protection.

We should never forget that the atomic-hydrogen age in which we live had its birth when Almighty God first entrusted the secrets of the atom to our Nation.

Therefore, we owe Him not only our allegiance, but our constant prayers of thanksgiving that this Nation was spared from the unhappy fate of Japan which became the testing ground for the devastating atomic attack in World War II.

Let us, during this annual feast of roses, resolve to make an earnest effort to stimulate interest in church membership, and above all, regular church attendance.

Let us, with our friends and loved ones, turn our thoughts more frequently to church, and by prayer and devotion acknowledge our utter dependence on the God who hath made and preserved us a nation.

Thus we will be doing more than thanking God for the church.

We will be conducting our spiritual lives in such an edifying manner that the church will thank God for our aid in its mission to extend the kingdom of God on earth.

Let us joyfully look forward to fulfilling our obligation to the church by regular attendance and as we enter its portals may our hearts be attuned to the true spirit of God enabling us to say in all sincerity, and from the innermost recesses of our hearts:

"Sweet hour of prayer! Sweet hour of prayer!
That calls us from a world of care,
And bids us at our Father's throne
Make all our wants and wishes known.
"In seasons of distress and grief
Our souls have often found relief,
And oft escaped the tempter's snare
By thy return sweet hour of prayer."

Address Delivered by President Eisenhower at the Republican National Conference Held in Washington, D. C., at the Sheraton-Park Hotel, on June 7, 1957

EXTENSION OF REMARKS
OF
HON. ROBERT P. GRIFFIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. GRIFFIN. Mr. Speaker, there follows the text of an address delivered by President Eisenhower at the Republican National Conference held in Washington, D. C., at the Sheraton-Park Hotel, on June 7, 1957:

Mr. Chairman and fellow Republicans, just a few hours ago I stepped ashore from an American warship—one of the mightiest that this world knows: the aircraft carrier *Saratoga*.

During my 2 days aboard that vessel, living with her men and officers, I was impressed anew by the skill, patriotism, and selfless devotion of Americans serving in our Armed Forces. Their dedication to duty reminded me again of that wonderful observation by Gen. Robert E. Lee. He said: "We cannot do more than our duty; we would not wish to do less."

As I talked with these young men, I couldn't help feeling as though I were talking with all Americans—about their homes, their ambitions, and their problems. And, believe me, every American family can feel proud and secure in the knowledge that these young men—our Nation's best—are being equipped with and supported by the finest weapons in the world. I know that the American people will continue to see to it that the defense budget is adequate to provide every fighting man the best our scientists, our workers, and our industry can produce.

Now, you who are in this room today, as key officers of the Republican Party, also have a duty that vitally affects your country's well-being. That duty, which you are daily performing, is to help make representative government work in this country.

Representative government can succeed only where there are healthy, responsible political parties. These parties must have at the center and core of their being the same dedication to the service of our Nation as inspires the men of our uniformed services.

This sense of patriotism is felt by both of America's great parties—in this matter let no one anywhere in the world think that Americans are divided.

But one thing more is necessary: A political party must stand for something—policies that it believes will advance the best interests of the entire Nation. It must stand for principles and programs that the sovereign voters of the country can clearly see and identify and judge.

What do we as Republicans stand for?

Why have we joined together in a national organization? And why do hundreds and thousands of Republicans work side by side—often without recognition or reward—in tasks assigned by this organization to which we all belong?

We do this because we have been drawn together by a set of common beliefs and principles respecting government and its relationships to other governments, to our own economy, and to each citizen.

These beliefs are plainly stated in the agreed declarations of faith and determination which are the Republican national platform of 1956. As we read and reread that platform—a practice which I commend to all of you—it becomes very clear that the modern Republican Party stands 100 percent for the basic principles of Republicanism that have been its guide since the days of its founding.

We believe in integrity in government—not government by crony.

We believe that whatever can be done by private effort should be done by private effort rather than by government—and not the other way round.

We believe that, if a job must be done by government, it should whenever possible be done by State or local government rather than by the Federal Government—and not the other way round. We oppose unnecessary centralization of power.

We believe in a sound dollar—not a rubber dollar.

We believe that a government should operate on a balanced budget and not go into debt except in emergencies—we reject deficit spending as a fiscal policy for America.

We believe that we should work to reduce taxes—not raise them; as we also seek to reduce our huge national debt.

We believe in vigorous and impartial enforcement of the laws.

We believe that private business is a healthy force which is the foundation of our prosperity, and should be respected and encouraged—not bullied and abused. And the fact that the period since the reintroduction of this attitude into government has also been the period of the greatest sustained growth in jobs, production, and incomes of modern peacetime is not, may I say, a mere congenial coincidence.

We believe that government can and should discharge its constitutional duty to promote the general well-being of its citizens—and can do so without excessive centralization.

We believe that to preserve our own freedom we must concern ourselves with the security of other free nations constantly exposed to the threat of domination by international communism. Nothing today can present more danger to us than a return to the folly of isolationism.

We believe in the preeminence of the individual citizen and his rights—with the government his servant, not his master or his keeper.

It is principles like these, then, that not only draw us together, but also set us apart from the easy-spending, paternalistic, business-baiting inflationists who were so influential in the years before 1953.

But, while our principles have remained unchanged for a hundred years, the problems to which those principles must be applied have changed rapidly.

Fortunately, one of the most all-pervading principles of our party—and one most important to us today—is the willingness to adapt our basic convictions imaginatively to current problems.

We recall those ringing words spoken by Lincoln at a time of great tension and change: "The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew and act anew."

It comes to this: It is the problems that change; the principles do not.

Let us look at several examples.

AGRICULTURE

The principle: Because of the unique exposure of the farmer to economic forces over which he has no control, and the dependency of the Nation upon our agricultural economy, the Federal Government must concern itself in practical ways to assist in assuring a sound farm economy and income.

One application of this principle a hundred years ago: A Federal Homestead Act providing free quarter sections of land to settlers.

The application today: A new set of Federal actions, such as sensible price supports, the soil bank, and stepped-up Federal research and development of markets.

It is the problem that has changed; the principle has not.

EDUCATION

The principle: Education is vital to free government and is a local matter; the Federal Government should do only what has to be done toward provision of adequate education that State and local governments cannot do and which will never allow the Federal Government to be a controlling factor.

One application a hundred years ago: The Land Grant Act sponsored by Congressman Justin Smith Morrill, one of the organizers of the Republican Party of Vermont. That Federal act made possible the growth of higher education in many places where it otherwise would have had great difficulty.

The application today: Emergency Federal help to assist the States to knock out a schoolroom deficit resulting from the national—not local—disasters of depression and war.

It is the problem that has changed; the principle has not.

MUTUAL AID

The principle: concern for the fate of other nations, and the conviction that our prosperity at home is aided by two-way trade with flourishing free economies abroad.

The application in President McKinley's time: Here are his own words of 1901: "The period of exclusiveness is past. * * * Reciprocity treaties are in harmony with the spirit of the times. * * * Isolation is no longer possible or desirable."

The application today: Not merely encouraging the maximum flow of mutually profitable trade, but also employing programs of mutual aid. Why? Because around the globe new nations have sprung up which must make industrial progress if they are to continue to live in freedom. Because godless dictatorship is bent on seeking their destruction—and ours. And because we know that as they prosper, we not only prosper but enjoy greater assurance of world stability and peace.

It is the problem that has changed; the principle has not.

OVERSEAS INFORMATION ACTIVITY

The principle: We have a responsibility to explain our motives and actions to the people of the world.

The application, at the dawn of our history as a country, is in the eloquent words of our Declaration of Independence. "Let facts be submitted to a candid world," it said, "* * * out of a decent respect to the opinions of mankind."

The application now must recognize that almost every action we take has an impact on the interests of other countries. At the same time, unfriendly powers use every device of communication to misrepresent our actions and purposes. So the modern application of the old principle requires us to maintain a first-rate overseas Information Agency.

It is the problem that has changed; the principle has not.

DEFENSE

The principle: The Federal Government must provide for the common defense, using those methods that are most effective and economical.

The application a century ago: Almost exclusive dependence on State militias, with tiny and inexpensive Federal forces.

The application today is changed because the nature of defense requires military forces of great size armed with costly equipment. To lessen the cost, we participate in a system of mutual military aid with friendly nations. This costs far less than if we tried to provide the same amount of effective defense by direct accumulation of military might at home.

But the principle remains the same: The most effective defense for the least cost.

Now, although we are agreed on our underlying principles, when we try to apply them to a fast-changing and highly complex world, it is not surprising that we develop among ourselves real disagreements, some of them sharp.

But let us not talk and act as though our disagreements concerned our basic principles. I believe they do not. I believe they concern the application of the principles to new facts, through specific measures and proposals.

Let's look squarely at this question of internal disagreement within the party. Let's not react to it as though something unheard-of and catastrophic had suddenly appeared for the first time in the history of political parties.

You know, some of us Republicans have a talent for magnifying and advertising our differences. Our opponents then seize on these statements to throw up a smoke screen to conceal their own deep division. Should we help them play that game?

The true fact is that it is our opponents who are hopelessly split. In their case the split is not mainly one of methods, but is one of basic philosophy and principle. They combine long enough to seek election—but when they are sent to Washington they tend to cancel each other out at the expense of actions.

And so, if our opponents say we suffer from splinters, let us remind them that a splinter in a party's political structure is one thing; but a political house divided against itself is quite another.

The real question for the Republican Party is: accepting the existence of some disagreement as normal, how do you then go on as a party to take the decisive and unified action that a party must take if it is to survive and play its proper part in representative government?

The answer seems obvious: by carrying out loyally the pledges and promises of the party platform.

Let us remember that the platform itself is not the product of one mind or of one group of minds. It is a consensus of party thinking.

We argue and debate and hold hearings, at which everyone is welcome to express himself.

Then we do our best to iron out our differences, through compromises, concessions, and the application of good will and restraint on all sides.

As a result of just such a process, the Republican platform of 1956 was drawn up. It was unanimously adopted by the national convention. It was then overwhelmingly endorsed by the country's voters—by a margin of almost 10 million votes.

On the pledges of this platform, your administration was returned for another 4 years.

Now, there may be some cynics who think that a platform is just a list of platitudes to lure the naive voter—a sort of facade behind which candidates sneak into power and then do as they please.

I am not one of those. Anyone who talks like that about party platforms is, in effect, saying that the whole principle of representative government is a pretense and a sham.

So far as I am concerned, the Republican platform of 1956 is a solemn commitment to the people of this Nation. It was accepted as such by them and endorsed by them—and I am going to use every power at my disposal to see to it that their hopes and expectations are honored.

The first step in carrying out a party platform is its translation into legislative proposals. I do not know how this may have been done in the past, but in this administration there have been each year earnest consultations between the executive branch and our leaders of the legislative branch to devise a program giving legislative effect to the platform.

This is the administration's legislative program. And so far as the budget is concerned—that budget represents the cost of conscientiously fulfilling those pledges—nothing more and nothing less. Our need for economy must be balanced against the things that need to be done.

We must not forget that to be truly conservative today is to be alert to the dangers of loose spending and of tampering with our Nation's fiscal integrity. It involves also providing those things which would keep this country healthy, strong, growing, and secure.

My fellow Republicans, we all want to see victory in 1958 and 1960. And we can have victory in 1958 and 1960.

To bring this about, one thing is necessary.

That one thing is to subordinate our differences on specific methods or measures, and to unite as a party to forward those basic principles which the country has so overwhelmingly endorsed at the polls.

Although we may have disagreed on some of the platform pledges before they were adopted, we did adopt them unanimously, and we did commit ourselves and our party to them before the public.

It follows that there must be general support within our party, either for the administration's specific measures to carry out these pledges, or else for some other measure that equally carries out these pledges. Otherwise the entire concept of party responsibility, and indeed of representative government, collapses.

Republican leaders, whether in Congress, in the executive branch, in the party organization, have a special responsibility for carrying out these pledges. None of us can afford to allow his personal preference as to detail to blind him to the need of loyally supporting our party's platform.

Suppose, during the huddle of the team in a football game, an argument develops on what the next play should be. The halfback wants an end run. However, the play finally called is a plunge through the line by the fullback. He gets through and has only one tackler between him and the goal. The dissenting halfback is in a position to block out the tackler. Does he say, "I disagreed with this play; therefore, I won't throw this block"? Of course not. He does his part, and the team goes on to score.

In the infinitely more important business of producing good government and good legislation, surely it is not too much to expect the same degree of selflessness in a joint cause.

We've got a good team. Let's look like one.

Now, I have talked of our principles, of how we use them to meet changing problems, and of how we must deal with the inevitable disagreements that develop. Let me make just one point more.

If we are true to our principles and pledges, and if we rise above these detailed disagreements, there is every reason for the most buoyant and enthusiastic confidence in the success of the Republican Party, not only in 1958 and 1960, but in the years beyond.

As we work out our troubles, let us never for a moment forget our tremendous assets.

Let's look and talk like winners.

Let's not forget that only a few months ago a Republican administration was returned by a majority of almost 10 million votes—which majority included millions of independents and Democrats attracted by our platform.

Let's not forget that, in the meantime, business has continued to grow and flourish, wages and employment have continued strong, and steady progress has been made toward easing of world tensions and toward the hope of some start on disarmament.

Let's not forget that thousands of young people have caught the excitement of our forward-looking program, and have cast in their lot with us. This is particularly heartening for the long-range future of the party—a great gain that we must maintain and enlarge.

We believe that our principles and our program truly reflect the aspirations of the overwhelming majority of Americans. There are those who rationalize a narrower point of view by saying they would rather be right than win. If such were the issue, all of us would agree. But this is not the issue. The Republican Party will be right and it will win. It will do so because its central core of conviction is what America believes and wants today.

If we unite behind those principles and programs that the American people have so emphatically endorsed—my friends, we just can't lose.

The key to victory is unity.

As for myself, I welcome every person who believes in the principles our platform expresses.

The great main stream of our cause is broad enough to include the oldest and finest of our conservative traditions, along with the most up-to-date application of those traditions to the age of automation and the atom.

Certainly none of us will be guilty of the supreme suicidal folly of forfeiting victory for vital principles, in order to indulge too long our differences as to the tactics to use.

Consider the alternative.

Suppose we go down to defeat because of these tactical differences. Will the administration that follows be more to the liking of any Republican?

Who wants to go back on the New Deal-Fair Deal toboggan of loose spending, centralization, punishment of business, and fiscal irresponsibility?

Of this there is no danger if we close ranks now.

Lincoln said, in one of his most powerful statements: "We succeed only by concert. It is not 'Can any of us imagine better' but 'Can we all do better'."

Certainly, each of us thinks he can imagine better than the platform on which the party has agreed. But that is not the question. The time is here for doing.

My fellow Republicans: I believe in the Republican Party, with all my heart. I believe in its capacity, in positions of political leadership, to serve our country today more effectively than can any other. I accepted nomination for this office, and again renomination, because I believed this, and because I believed in Republican principles of good government. I still believe those things. Every act of this administration, of all my principal associates and myself, stands witness to this fact.

Above all, I sincerely believe, as I said at last summer's convention, that the Republican Party can be the party of the future. It can and should be an instrument through which the American people, by the grace of God, carry our country forward to new heights of well-being, justice, and harmony.

SENATE

FRIDAY, JUNE 14, 1957

The Senate met at 9:30 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father, God, we come this day in the spirit of solemn dedication as in the name of the Lord our God we set up the starry emblem of our Nation's life—the banner that proclaims liberty in all the earth. We gratefully remember that its folds are woven of a thousand strands of memory, of affection, and of hope—that in it are recollections of a glorious past and of immortal deeds.

It speaks to us of an awful sense of divine destiny as our Republic now plays its full part as the prepared instrument of Thy providence to make tyranny tremble wherever its ruthless head is lifted.

As this day a nation proudly salutes its flag, may no attitude, word, or act of ours stain its white, shame its red, betray its blue, or dim its stars, as it waves wherever it is lifted, the symbol of freedom, equality, brotherhood, and justice.

We ask it in the name of that One whose invincible truth goes marching on. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent the Journal of the proceedings of Thursday, June 13, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Tribbe, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Charles A. McDonald to be postmaster at Galesburg, Illinois, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

AUTHORIZATION TO FOREIGN RELATIONS COMMITTEE TO FILE REPORT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be permitted to file its executive report on Executive I, the International Atomic Energy Agency Treaty, while the Senate is in adjournment.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE ACTIVITY

Mr. JOHNSON of Texas. Mr. President, I have a very brief report of the legislative activity which I should like to insert in the RECORD for the information of Members of the Senate. It gives a summation of the number of days the

Senate has been in session during the 1st session of the 85th Congress, namely, 77 days, 397 hours. The Senate passed 449 measures, and confirmed 30,231 nominations.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a summary of the legislative activity, showing comparisons from the 80th Congress through the 85th Congress, up to June 12.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Legislative activity through June 12

	80th Cong., 1st sess.	81st Cong., 1st sess.	82d Cong., 1st sess.	83d Cong., 1st sess.	84th Cong., 1st sess.	85th Cong., 1st sess.
Days in session	89	95	87	87	71	77
Hours	452:48	548:01	451	405:39	342:03	397:01
Total measures passed by Senate	288	432	342	376	450	449
Senate bill	86	175	102	171	220	250
House bill	50	147	91	59	112	60
Senate joint resolution	20	15	7	9	11	8
House joint resolution	14	14	9	5	7	17
Senate concurrent resolution	2	20	14	12	11	14
House concurrent resolution	4	7	8	11	7	11
Senate resolution	55	54	81	70	62	86
Public laws	80	91	66	57	52	48
Confirmations	17,265	42,603	16,740	16,132	32,025	30,231

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour. I ask unanimous consent that statements made in connection with the business of the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PROMOTION OF CERTAIN NAVAL OFFICERS

A letter from the Under Secretary of the Navy, transmitting a draft of proposed legislation to provide for the numbers of Medical Corps and Dental Corps officers of the Navy that may be selected for promotion to the grades of captain and commander (with an accompanying paper); to the Committee on Armed Services.

PROPOSED CONCESSION CONTRACT, YOSEMITE NATIONAL PARK, CALIF.

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in Yosemite National Par Calif. (with accompanying papers); to the Committee on Interior and Insular Affairs.

PRESIDENTIAL COMMISSION TO STUDY PROBLEMS RELATING TO BLINDNESS

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to establish a temporary Presidential Commission to study and report on the problems relating to blindness and the needs of blind persons, and for other purposes (with an accompanying paper); to the Committee on Labor and Public Welfare.

THE LATE PRESIDENT RAMON MAGSAYSAY OF THE PHILIPPINES—LETTER

The VICE PRESIDENT laid before the Senate the following letter, which was ordered to lie on the table:

MANILA, *May 6, 1957.*

The PRESIDENT,
Senate of the United States,
Washington, D. C.

MY DEAR SIR: It is with a feeling of deepest gratitude for me to acknowledge the receipt of copies of Senate Resolution 115.

I would like to request you to please convey to each and every Member of that august body my heartfelt gratitude for their kind expression of sympathy over the tragic loss of the late President Ramon Magsaysay. Their manifestation of high esteem and regard for my beloved husband is truly heartening to my children and myself and it has, to a great measure, brought us much comfort in bearing our sorrows.

With sincerest appreciation, I remain,

Gratefully yours,

LUZ B. MAGSAYSAY
Mrs. Ramon Magsaysay.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on the Judiciary:

"Concurrent resolution memorializing Congress to enact legislation designed to secure for the country a body of judicially experienced and in every respect qualified persons for positions on the United States Supreme Court

"Whereas the General Assembly of South Carolina believes that it is a matter of the gravest importance to the entire Nation that the United States Supreme Court be composed of a body of judicially experienced and in every respect qualified persons, and

"Whereas the General Assembly further believes that in order for the United States Supreme Court to hold the national respect that it is essential that the selection of the members of the Court be made for reasons of competency rather than sectional or political: Now, therefore, be it

"*Resolved by the senate (the house of representatives concurring)*, That Congress is hereby memorialized to make the following legislation:

"'*Be it enacted, etc.*, That when a vacancy occurs in the United States Supreme Court, Congress shall request of the American Bar Association a list of not less than 50 American-born men of adequate experience and in every respect qualified for this important position, and in addition thereto Congress shall request each legislature of the 48 States to furnish a list of 5 American-born residents of the State making the recommendation who are considered to be in every respect qualified for a seat on the Court; and

"'That the Senate shall present the list of the American Bar Association along with the lists from the legislatures of the 48 States to the President for his consideration in filling said vacancy'; and be it further

"*Resolved*, That a copy of this resolution be forwarded to the Clerk of the United States Senate and the Clerk of the House of Representatives of the Congress in Washington."

The petition of L. Langhaar, of Hackettstown, N. J., relating to witnesses who invoke the fifth amendment while testifying before Congressional committees; to the Committee on the Judiciary.

A resolution adopted by the executive committee of the Sons of the Republic of Texas, Houston, Tex., relating to the death of the late Senator Joseph R. McCarthy, of Wisconsin; ordered to lie on the table.

By Mr. JOHNSTON of South Carolina (for himself and Mr. THURMOND):

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on Agriculture and Forestry:

"Concurrent resolution requesting the Secretary of the United States Department of Agriculture to extend the time for redeeming the 1956 loan cotton notes

"*Be it resolved by the Senate of the State of South Carolina (the House of Representatives concurring)*, That the Secretary of the United States Department of Agriculture is hereby requested to extend the time for redeeming the 1956 loan cotton notes; be it further

"*Resolved*, That a copy of this resolution be sent to the chairman of the Agriculture Committee of the United States Senate and the chairman of the Agriculture Committee of the House of Representatives in the Congress of the United States, and that a copy of this resolution be also sent to each Member of the United States Senate from South Carolina and each Member of the House of Representatives of the Congress of the United States from South Carolina."

RESOLUTION OF ONONDAGA COUNTY (N. Y.) YOUNG REPUBLICAN CLUB

Mr. JAVITS. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Onondaga County Young Republican Club, of Onondaga County, N. Y., on May 16, 1957, supporting the President's budget, particularly in the area of national defense.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Recognizing that sound government and adequate national defense must not be bartered for short-run budgetary and taxation benefits; and

In expression of our support for President Eisenhower and his administration: Be it

Resolved, That the Onondaga County Young Republican Club, in general assembly on May 16, 1957, expresses its wholehearted support of President Eisenhower's budget recommendations now under consideration by Congress. Budgetary cuts not concurred in by the President, particularly in the area of national defense, are to be strongly condemned; be it further

Resolved, That a copy of this resolution be transmitted to the President, to Congressman R. WALTER RIEHLMAN, to Senator JACOB JAVITS, and to Senator IRVING IVES.

RESOLUTION OF EXECUTIVE COMMITTEE OF NEW YORK REPUBLICAN STATE COMMITTEE

Mr. JAVITS. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD a resolution adopted by the executive committee of the New York Republican State Committee, at a meeting held on June 6, 1957, in New York City. The resolution fully supports the President's civil-rights program.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

RESOLUTION PASSED BY THE EXECUTIVE COMMITTEE OF THE NEW YORK REPUBLICAN STATE COMMITTEE AT A MEETING AT THE HOTEL ROOSEVELT, NEW YORK CITY, JUNE 6, 1957

Whereas the Republican Party in the State and Nation has, since its beginning, always championed the civil rights of all citizens; and

Whereas the Republican Party in the State of New York has remained in the forefront in fostering and advancing the civil rights of all its citizens; and

Whereas President Eisenhower's civil rights program is now threatened in Congress by a proposed amendment which could nullify the effect of the entire program: be it therefore

Resolved, That the executive committee of the New York Republican State Committee, in session assembled, does hereby unanimously endorse and support President Eisenhower's civil rights program, and strongly supports the President in opposing any weakening amendments to his civil rights program now pending in Congress; and does hereby urge all Members of Congress from the State of New York to vote for the civil rights program advocated by President Eisenhower.

RESOLUTION OF WHITEFISH BAY (WIS.) WOMAN'S CLUB

Mr. WILEY. Mr. President, I have received from Mrs. John E. Smart, corresponding secretary of the Whitefish Bay Woman's Club, a resolution expressing the strong support of the board of managers of that organization, of the objectives of the Hoover Commission on Federal reorganization.

The club urges action by the Congress toward carrying out the Hoover Commission findings.

I know my colleagues are deeply sympathetic with this approach, in view of the enormous and well-deserved prestige of the Hoover Commission.

I present the resolution and ask unanimous consent that it be printed in the RECORD, and be thereafter appropriately referred.

There being no objection, the resolution was referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Whereas the efficient and economical conduct of governmental affairs is vitally important to the maintenance of our American tradition of free self-government; and

Whereas the Whitefish Bay Woman's Club has consistently supported and endorsed the principles of sound management and economy in the operation of government; and

Whereas the first bipartisan Commission on Organization of the Executive Branch of the Government (Hoover Commission) made a study of government (1947–49), which resulted in many important improvements and economies in Federal operations; and

Whereas the bipartisan new Hoover Commission, unanimously created by Congress in 1953, has completed a comprehensive and factual 2-year study of the Federal Government and has submitted a report containing 314 specific recommendations for reducing waste and duplication, increasing efficiency, and eliminating needless Government competition with private business: Now, therefore, be it

Resolved, That we, the members of board of managers of Whitefish Bay Woman's Club, this 13th day of May in Milwaukee, Wis., endorse and commend the objectives of the Hoover Commission and urge the administration and Congress to work together, on a bipartisan basis, toward prompt and full consideration of the recommendations of the Commission; and be it further

Resolved, That Whitefish Bay Woman's Club and its members give support to all efforts to inform citizens concerning the findings of the Commission and to induce greater citizen participation in governmental affairs through expressions of interest in official discussion and action on the Commission's recommendations; and be it further

Resolved, That copies of this resolution be forwarded to (a) national headquarters of the organizations (b) Senator ALEXANDER WILEY, representing the State of Wisconsin, and Representative HENRY REUSS, of this Congressional District; and (c) the Citizens Committee for the Hoover Report, 777 14th Street NW., Washington, D. C.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ANDERSON, from the Joint Committee on Atomic Energy, with amendments:

S. 2243. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 437).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 2212. A bill to amend the North Pacific Fisheries Act of 1954 (Rept. No. 439).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1718. A bill to amend section 201 (a) of the Civil Aeronautics Act of 1938, as amended, relative to the terms of office of members of the Civil Aeronautics Board (Rept. No. 441); and

S. 1856. A bill to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes (Rept. No. 440).

AMENDMENT OF SECURITIES ACT OF 1933

Mr. LAUSCHE. Mr. President, from the Committee on Banking and Currency, I report favorably an original bill, to amend section 3 (b) of the Securities Act of 1933, and I submit a report (No. 438) thereon.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar.

The bill (S. 2299) to amend section 3 (b) of the Securities Act of 1933, reported by Mr. LAUSCHE, from the Committee on Banking and Currency, was read twice by its title, and placed on the calendar.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. FULBRIGHT, from the Committee on Banking and Currency: Albert James Robertson, of Iowa, to be a member of the Federal Home Loan Bank Board.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MARTIN of Iowa:

S. 2288. A bill to extend the period for amortization of grain-storage facilities; to the Committee on Finance.

By Mr. JAVITS:

S. 2289. A bill to permit suit to be brought on the claims of the estates of Arthur F. Saladino, Joseph Spivak, and Irving Weinberg against the United States; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (by request):

S. 2290. A bill to provide for improvement in the system of personnel administration through the establishment of a Senior Civil Service in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government; and

S. 2291. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving efficiency and increasing economy in the basic employment practices of the Federal Civil Service System; to the Committee on Post Office and Civil Service.

S. 2292. A bill to establish a court of record with special jurisdiction which shall be known as the Administrative Court; to the Committee on the Judiciary.

S. 2293. A bill to create a Federal Advisory Council of Health in the Executive Office of the President in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government, to evaluate and advise on reorganizing the conduct of the several medical programs in respect necessary to achieve a maximum of economy and to eliminate duplications of efforts and competition among the several departments and agencies; to the Committee on Labor and Public Welfare.

S. 2294. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. SMITH of New Jersey when he introduced the above bills, which appear under a separate heading.)

By Mr. SMITH of New Jersey:

S. 2295. A bill for the relief of Danuse Kovalikova Mohr and her three minor children, Frederica Mohr, Vaslav Mohr, and Daniela Mohr; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 2296. A bill for the relief of Jacob Eliezer Chinio; to the Committee on the Judiciary.

By Mr. FREAR:

S. 2297. A bill to provide for annual reduction of the public debt limit; to the Committee on Finance.

By Mr. POTTER:

S. 2298. A bill for the relief of Shizuko Nakanishi; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 2299. A bill to amend section 3 (b) of the Securities Act of 1933; placed on the calendar.

(See the remarks of Mr. LAUSCHE when he reported the above bill from the Committee on Banking and Currency, which appear under a separate heading.)

By Mr. McCLELLAN (for himself, Mr. BUTLER, Mr. FULBRIGHT, Mr. JACKSON, Mr. JENNER, Mr. HUMPHREY, Mr. LANGER, Mr. MAGNUSON, Mr. MORSE, Mr. NEUBERGER, Mr. SPARKMAN, and Mr. YOUNG):

S. 2300. A bill to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. McCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. BUTLER:

S. 2301. A bill for the relief of Genevieve M. Scott Bell; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2302. A bill for the relief of James Charles McCain (Kim Keun Shik); to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina:

S. 2303. A bill for the relief of Panayiotis Mickel Mavroyiannis; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2304. A bill to amend the Public Health Service Act to provide an emergency 5-year program of grants and scholarships for postgraduate education in the field of public health, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG:

S. 2305. A bill to define service as a member of the Women's Army Auxiliary Corps as active service under certain conditions; to the Committee on Armed Services.

By Mr. COTTON (for himself, Mr. MARTIN of Pennsylvania, and Mr. HILL):

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the "Flag of Liberation"; to the Committee on Rules and Administration.

(See the remarks of Mr. COTTON when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BEALL:

S. J. Res. 104. Joint resolution declaring June 14th in each year to be a legal public holiday; to the Committee on the Judiciary.

PRINTING OF ADDITIONAL COPIES OF A LABOR DEPARTMENT PUBLICATION ENTITLED "THE AMERICAN WORKERS' FACT BOOK"

Mr. THYE submitted the following concurrent resolution (S. Con. Res. 34), which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That there be printed 20,000 additional copies of the publication of the United States Department of Labor entitled "The American Workers' Fact Book" as a Senate document and for the exclusive use of the Congress in giving wider free distribution to its interesting content.

IMPLEMENTATION OF RECOMMENDATIONS OF SECOND COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH OF GOVERNMENT

Mr. SMITH of New Jersey. Mr. President, I introduce, for appropriate reference, five bills which former President Hoover has asked me to introduce on behalf of the second Commission on the Organization of the Executive Branch of the Government—the second Hoover Commission. Along with other Members of this body, I have endeavored to introduce proposed legislation which would implement the Hoover Commission's recommendations, in order that they might be considered by the appropriate committees.

The bills I am introducing provide for the establishment of a senior civil-service system; for the revision of many other procedures of the Civil Service; for the establishment of an Administrative Court; for the establishment of a Federal Advisory Council on Health; and for the revision of personnel management in the support activities of the Department of Defense.

I believe these bills, which are the result of the extensive and able work of the Hoover Commission, should receive careful consideration by our committees. They should certainly result in considerable savings to the Government.

I ask unanimous consent that an explation of each of the bills, prepared by the Citizens Committee for the second Hoover Commission report, be printed in the RECORD.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the statements accompanying the bills will be printed in the RECORD.

The bills, introduced by Mr. SMITH of New Jersey, by request, were received, read twice by their titles, and referred as indicated:

To the Committee on Post Office and Civil Service:

S. 2290. A bill to provide for improvement in the system of personnel administration through the establishment of a Senior Civil Service in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government.

(The statement accompanying Senate bill 2290 is as follows:)

EXPLANATION OF A BILL TO PROVIDE FOR IMPROVEMENT IN THE SYSTEM OF PERSONNEL ADMINISTRATION THROUGH THE ESTABLISHMENT OF A SENIOR CIVIL SERVICE

The Government of the United States cannot be any better than the men and women who make the Government function. One of the great problems is to get competent people and keep them in the employment of the Government. The Hoover Commission made a 2-year study of this basic problem. They found the annual turnover in Government employment reached as high as 25 percent. This could not be tolerated in private business where the rate is frequently less than 10 percent.

They found that the same problem did not exist in the armed services where promotion to the higher ranks was based, not upon seniority, but upon merit. This explains why lieutentant colonels like Eisenhower and Patton were chosen and promoted to command our troops in Europe in World War II and win us the victory. The Commission found satisfaction within the services themselves and the public generally for this system in the armed services. The Commission felt that the same principle could be applied effectively in the other areas of Government.

This bill provides for the establishment of a senior civil service group. This proposal is in accordance with a recommendation of the second commission. It would provide for a highly competent group of career administrators, neutral in politics, who would work under the direction of a carefully selected and independent board.

The bill would first create this Senior Civil Service Board, to be an autonomous unit within the Civil Service Commission. The Board would consist of the Chairman of the Civil Service Commission, a representative of the Executive Office of the President, and three members to be appointed from private life by the President. No more than three members of the Board could be adherents of the same political party.

The Senior Civil Service Board would immediately make surveys of all executive departments and agencies to determine the number and kinds of positions which should be filled by senior civil service personnel and the number of career employees in each who meet senior civil service requirements. To qualify, an employee must have had at least 5 years of Federal civilian civil service, hold a position as GS-15 or higher, and meet such other requirements as the President, upon recommendation by the Senior Civil Service Board, may from time to time prescribe.

The Board would report to the President as to the number to be appointed initially and thereafter such survey would be kept up to date, with the Board maintaining a senior civil service list containing the names of all persons in the service. They would be nominated to the service of department and agency heads and appointed by the Board with the consent of the President.

At present there is no system for identifying men and women of great capacity within the Government. Demonstrated competence is not officially recognized, nor is there any incentive provided toward a career within the civil service. The Government is dependent upon men who will make our national public administration their life work. A senior civil service would give these men status, rank, and salary as individuals where they could be employed flexibly in various positions calling for high administrative talents.

The primary objective here is to have on hand a group of competent, faithful career administrators who could permit noncareer executives to discharge their duties more easily. A second, but most important objective, would be to make the civil service more attractive as a career to able men and women.

S. 2291. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving efficiency and increasing economy in the basic employment practices of the Federal Civil Service System.

(The statement accompanying Senate bill 2291 is as follows:)

EXPLANATION OF A BILL TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVENMENT WITH RESPECT TO IMPROVING EFFICIENCY AND INCREASING ECONOMY IN THE BASIC EMPLOYMENT PRACTICES OF THE FEDERAL CIVIL SERVICE SYSTEM

OVERALL PERSONNEL AND CIVIL-SERVICE BILL

The Government needs improved management not only in top positions but also at middle and lower levels. The second Hoover Commission made a thorough study of this problem and concluded that substantial improvement is necessary and possible. A basic cause of the existing weakness is a degree of neglect. There have not been adequate systematic attempts to find and develop skilled personnel. The restrictions, regulations and procedures which constitute the system do not produce enough efficiency and economy on the part of individual employees.

Private industry takes great pains to develop skilled workers through training programs, and that it has succeeded cannot be denied. For example, the Ford Motor Co., General Motors, and United States Steel provide training at all levels and have developed a line of employees with capable vocational and managerial knowledge and skills. Why, then, should not the Federal Government do the same?

This bill is designed to improve efficiency and increase economy in the basic employment practices of the Federal Civil Service System. The bill provides that each department, within 180 days after the effective date, complete a review of its needs and requirements for the training of employees under its jurisdiction. Then, within 1 year of the effective date, each department head shall establish and maintain a program for the training of these employees. The Civil Service Commission would issue regulations prescribing the principles, standards, and related requirements for training of employees to be observed by each department. The Commission would cooperate with the departments in the review of their training needs and the establishment and maintenance of their training programs. These programs, once established, would also be subject to periodic review by the Civil Service Commission, and also to withdrawal or suspension of approval by the Commission in instances of noncompliance with the regulations.

The Civil Service Commission is also directed to prepare and put into effect a new general schedule covering the first 11 grades of the general schedule of the Classification Act of 1949, as amended. This new general schedule would provide for regrouping the 6 existing grades, GS-1 to GS-6, inclusive, into 3 new grades, and for regrouping existing grades GS-7 to GS-11 into 3 new grades.

A new policy would be put into effect whereby at least five names would be available for consideration for appointment to a vacant position. The Civil Service Commission would be authorized to devise a simplified performance rating system to be used by all departments and agencies in evaluating the work performance of their employees, and to establish certain procedures in connection with the reduction in force of personnel in executive departments and agencies.

Federal employees must be prepared to meet all employment requirements. The content and method of many occupations is changing rapidly. Employees are constantly confronted with these changes. This bill would provide the necessary continuous training needed to provide and improve job skills and to develop employees for a career in the public service. Career training is essential to the efficient continuity of Government operations. It makes sense to take advantage of the skill potential in the present Federal work force and develop it to the maximum extent.

To the Committee on the Judiciary:

S. 2292. A bill to establish a court of record with special jurisdiction which shall be known as the Administrative Court.

(The statement accompanying Senate bill 2292 is as follows:)

EXPLANATION OF A BILL TO ESTABLISH A COURT OF RECORD WITH SPECIAL JURISDICTION WHICH SHALL BE KNOWN AS THE ADMINISTRATIVE COURT

The growth of administrative functions of government has brought about a substantial modification of the traditional doctrine of the separation of powers among the executive, legislative, and judicial branches. In some areas, these three powers have been commingled in a single instrumentality.

This bill would set up an Administrative Court of the United States. It would carry out the recommendation of the Hoover Commission for a complete separation of the judicial functions of administrative agencies from their other functions, wherever possible.

The court would be established in three sections: (a) A tax section to have the limited jurisdiction now vested in the Tax Court of the United States; (b) a trade section which would have the limited jurisdiction in the trade regulation field now vested in the Federal Trade Commission, the Interstate Commerce Commission, the Federal Communications Commission, the Civil Aeronautics Board, the Federal Reserve Board, the United States Tariff Commission, the Department of the Interior, and the Department of Agriculture; and (c) a labor section which would have the jurisdiction now vested in the National Labor Relations Board by the National Labor Relations Act over the adjudication of cases involving unfair labor practices.

The Hoover Commission pointed out that where a proceeding before an administrative agency is strictly judicial in nature, and where the remedy is one characteristically granted by courts, "there can be no effective protection of private rights unless there is a complete separation of the prosecuting functions from the functions of decision."

At the present time, the Tax Court of the United States is the only strictly executive tribunal in the United States. Under this bill it would be removed from the executive branch and would become a legislative court comparable to the court of claims.

The trade section of the court would eliminate the present confusing situation which exists relative to the enforcement of trade regulations. Presently, a number of agencies and executive departments attempt to enforce, through injunctions, statutes declaring unlawful unfair methods of competition and unfair or deceptive trade practices. Transfer of this function to a special court would bring more uniform and effective enforcement of fair trade laws.

As stated in the Hoover Commission Report on Legal Services and Procedure:

"Ours is a government of law and not of men. The concept of supremacy of the law is that certain established precepts should rule the actions of men and of governments. It is the basis of the protection of individual rights, preventing the servants of the people from becoming masters of the people. Arbitrary actions by governments or men are inconsistent with the rule of law. Extreme violation or disregard of the law results in tyranny."

To the Committee on Labor and Public Welfare:

S. 2293. A bill to create a Federal Advisory Council of Health in the Executive Office of the President in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government, to evaluate and advise on reorganizing the conduct of the several medical programs in respects necessary to achieve a maximum of economy and to eliminate duplications of efforts and competition among the several departments and agencies.

(The statement accompanying Senate bill 2293 is as follows:)

EXPLANATION OF A BILL TO CREATE A FEDERAL ADVISORY COUNCIL OF HEALTH

Government responsibilities for helping to safeguard the health of every American are fairly well defined and understood. Less understood, perhaps, and certainly less clearly defined are Government responsibilities for providing specific health services to many millions of our citizens.

Full or partial medical care at Government expense is extended to some 30 million Americans. They include:

Four million persons, mostly military personnel on active duty, who are entitled to complete medical care.

Three and a half million veterans with service-connected disabilities who are eligible for complete medical care.

Twenty million persons, including 17.5 million veterans with no service-connected disabilities, who are entitled to care on a facilities-available basis.

Some 2.9 million dependents of military personnel, and retired military personnel, who are eligible for Government health care.

About 2.5 million Federal employees who are eligible for limited on-the-job health services for occupations injuries and disease.

The bipartisan second Hoover Commission found that 26 Federal agencies and departments engage in these health programs. Within these agencies 66 administrative units were found to have health functions.

However, the Hoover Commission found further that there is no central coordinating or planning group to eliminate duplication and develop basic policies for this vast program. The Commission recommended the establishment of an agency to be known as the Federal Advisory Council of Health, to assume the vital responsibilities of planning, coordinating, and reviewing.

This agency would be created within the Executive Office of the President, and would be composed by Presidential appointment of members of the medical profession and citizens with distinguished records in other fields. The Council would employ a small staff, but rely largely upon other Government agencies for information.

Specifically, the functions of the Council would include, in part:

1. Making recommendations and continuous evaluation of policies and programs relating to Federal medical care and national health.

2. Advising on measures for assuring adequate health manpower and hospital facilities for the Nation's health.

3. Reviewing proposals and programs, and advising the President on all hospital construction involving Federal funds, including Federal grants.

4. Advising on coordination of regional hospital services of all agencies.

5. Advising on more systematic cross-servicing between the various Federal medical agencies.

6. Advising on measures for the adequate training and selection of medical staffs of all Federal services.

7. Advising the executive departments and agencies on all Federal medical policies and programs.

8. Advising the Selective Service System on the mobilization of medical personnel.

9. Advising in regard to systems of project grants for health research programs of the Federal Government.

10. Reporting periodically to the President and to the various executive departments and agencies on the results of Federal health programs and policies.

11. Reporting to the President and advising the Bureau of the Budget and the Congress on such matters as they may request.

12. Assisting the Secretary of Defense to develop recommendations for revision of the Selective Service Act, as amended, so as to effect maximum utilization of medical personnel.

13. Reviewing the manner in which the hospital facilities of the Veterans Administration are employed and making recommendations for more economic utilization or disposal of such facilities.

14. Reviewing and making recommendations to the President with respect to the health research programs of the Federal Government.

Some $4 billion yearly is expended for Federal medical services. Concealed in this outlay is the cost of a considerable amount of waste and inefficiency. Creation of the Federal Advisory Council of Health, as the Hoover Commission recommended, would point the way to greater efficiency and economy in this tremendous program.

To the Committee on Armed Services:

S. 2294. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense, and for other purposes.

(The statement accompanying Senate bill 2294 is as follows:)

EXPLANATION OF A BILL TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT WITH RESPECT TO IMPROVING MANAGEMENT AND TECHNICAL PERSONNEL IN THE SUPPORT ACTIVITIES OF THE DEPARTMENT OF DEFENSE

As Congress well knows, some $2 out of every $3 in the Federal budget are spent for national defense. While ways are sought to reduce expenditures, it would be well for Congress to examine carefully the nonstrategic support activities of the Department of Defense as a possible area for important economies which would not impair our defensive capabilities.

The second Hoover Commission found what it described as unjustifiable waste resulting from the vague delineation of military and civilian assignments in defense support services, overstaffing, utilization of military personnel in civilian-type positions, and duplicate supervision by military and civilian personnel.

The Hoover Commission estimated the number of duplicated assignments in defense support services at 16,000, representing an unnecessary annual payroll expenditure of more than $110 million.

This bill would draw a clear line of distinction between the duties of military and civilian personnel in support activities. This bill spells out the logical criteria for determining the most effective relationship between military and civilian staffs, as follows:

Military personnel should be utilized in (A) positions in combat-related support activities and positions in organizations immediately in support of operational forces exposed to potential enemy action; (B) positions in supplier-related support activities necessary for the training of officers for combat-related support; and (C) positions necessary to provide military experience to supplier-related support.

Civilian personnel should be utilized in (A) positions requiring management and technical skills which are usual to the civilian economy; (B) positions in which continuity of management and experience can be more readily provided by civilians; and (C) positions which meet both of these criteria and do not require the exercise of military command over tactical forces.

To implement these criteria, and effect more effective and efficient personnel practices, the bill would require the Secretary of Defense to take several steps.

First, he would analyze all supervisory positions, both military and civilian, in the support activities to identify the number and types of positions to be filled by each group.

Next, he would report to Congress each year for a total of 5 years on the number of positions formerly filled by military officers which had been opened to civilians.

In addition, he would extend the assignment of military management personnel in support activities for longer periods of time, in order to gain greater efficiency from the specialized skills of such personnel. At the same time, he would discontinue the assignment of tactical officers to support activities for reasons of rotational convenience.

Lastly, the Secretary would establish a personnel system for the support activities which would provide comparable standards of selection, training, promotion, and compensation of both civilian and military managers and technical personnel.

The Hoover Commission, while expressing admiration for both civilian and military officials in the Defense Department, pointed to the possibilities for significant savings in defense costs by modernizing outmoded systems of organization and administration to conform to the far-reaching structural changes in our Military Establishment brought by the National Security Act of 1947. This bill would help put that policy into actual practice.

PROPOSED FEDERAL CONSTRUCTION CONTRACT PROCEDURES ACT

Mr. McCLELLAN. Mr. President, I am pleased to join with 11 of my colleagues on both sides of the aisle in again introducing for appropriate reference the proposed Construction Contract Procedures Act.

Joining with me as cosponsors of this measure are the Senator from Maryland [Mr. BUTLER], my colleague, the junior Senator from Arkansas [Mr. FULBRIGHT], the junior Senator from Washington [Mr. JACKSON], the Senator from Indiana [Mr. JENNER], the Senator from Minnesota [Mr. HUMPHREY], the senior Senator from North Dakota [Mr. LANGER], the senior Senator from Washington [Mr. MAGNUSON], the senior Senator from Oregon [Mr. MORSE], the junior Senator from Oregon [Mr. NEUBERGER], the Senator from Alabama [Mr. SPARKMAN], and the junior Senator from North Dakota [Mr. YOUNG].

This bill is a companion measure to H. R. 7168. That bill was favorably reported by the House Judiciary Committee and recently was granted a rule by the House Rules Committee. A few days ago the majority leader of the House announced that it would receive House consideration in the very near future.

The bill, if enacted, would prescribe policy, improve existing procedures and practices in connection with the letting of lump-sum Federal construction contracts, and place the awarding of such contracts on a more efficient basis. It is also designed to eliminate the unfair trade practices of bid shopping and bid peddling in connection with Federal construction contracts.

The bill simply prescribes fair bidding procedures to govern the award of Federal lump-sum construction contracts which are in excess of $100,000 and will be performed in the United States.

It requires a general contractor to list in his prime bid the names of the subcontractors which he will engage to perform each major category of mechanical specialty work. These include plumbing, heating, piping, air conditioning, ventilating, electrical work, and the like.

In the event a general contractor does not receive a definite and complete bid for a major category of mechanical specialty work after requesting it from at least 3 responsible subcontractors, he may so state in his bid and is thereby relieved of listing the name for such category at the time of submission of the prime bid. But within 5 business days thereafter the name of the person to be engaged to perform such major category of mechanical specialty work must be submitted to the Government.

Also, within 5 business days after the opening of the prime bids, a general contractor may change a listed subcontractor without any permission or assigning any reasons therefor simply by notifying the Government of the name of the substitute subcontractor in writing. This provision is to enable a general contractor to evaluate all subbids received and to make whatever checks are needed with respect to the competency, ability, and responsibility of each mechanical specialty subcontractor.

Thereafter, except for default or disqualification, a change may not be made unless the money savings resulting therefrom, if any, accrues to the benefit of the Government.

I am glad to state that the entire construction industry generally, including general contractors, is united in the belief that the bill as now drafted will provide an efficient and beneficial system for both industry and the Federal Government.

I wholeheartedly favor the proposed legislation because I believe it will improve the contracting procedures of the Federal Government, encourage additional general contractors and subcontractors to bid on Federal Works, give the benefit of final, low subcontract prices to the Government and eliminate the unfair trade practices of bid shopping and bid peddling which are so prevalent on Federal construction under present procedures.

It is my hope that the Senate will take early action and pass the measure prior to adjournment. It is needed, and enactment into law should no longer be delayed.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2300) to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes, introduced by Mr. McCLELLAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF PUBLIC HEALTH SERVICE ACT, RELATING TO PROGRAM OF CERTAIN GRANTS AND SCHOLARSHIPS

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a

bill to be known as the Emergency Public Health Training Act of 1957. This bill, similar to S. 1859 of the 84th Congress, provides for grants and scholarships in postgraduate education in the field of public health. The need for legislation such as this is urgent, and it is my hope the Senate Labor and Public Welfare Committee will begin hearings on this bill and on the whole problem of Federal aid to medical and dental education in the very near future.

The bill provides for direct grants through the Public Health Service to all accredited schools of public health on the basis of their enrollment to a total not exceeding $1 million for each of the next 5 fiscal years. Further grants are also provided for construction needs not in excess of $1 million a year and for an additional sum for scholarships not to exceed $250,000 per year. The purpose of the bill and of these grants is to make it possible to continue and extend the training of personnel for public service in the field of public health.

There are today 11 accredited schools of public health in the United States and its possessions: California, Columbia, Harvard, Johns Hopkins, Michigan, Minnesota, North Carolina, Pittsburgh, Tulane, Yale, and University of Puerto Rico. Six of these schools are supported by private philanthropy and five by the taxpayers of their States or of Puerto Rico.

I have had a series of discussions with representatives of these schools of public health. It is their feeling—and I agree with them—that the training of personnel to protect the public against disease is just as essential a public responsibility, as is the training of personnel for the military forces to protect our Nation against a military aggressor. The request of the schools for Federal assistance to help support and expand their facilities, and to aid such new schools as may be established, is based on the recognition that our Government has a responsibility for the promotion of such training. The present plan for support of our public health institutions places an undue burden upon 6 privately supported institutions and upon the taxpayers of 4 States. Since our Nation gains from the training which these schools afford, it is desirable to equalize to some degree the financial cost which is now unevenly distributed.

The evidence is clear that the schools of public health are physically overcrowded. Their physical plant is bursting at the seams. The sum provided in this bill is a small fraction of what is needed, but it will help materially to provide facilities.

The scholarship section of this bill, section 376, is most desirable although it is less essential than the grants for maintenance and construction.

With specific regard to maintenance funds, a study of the facts makes it unmistakably clear that a number of the schools of public health are faced with the prospect of having to curtail or discontinue their operation unless financial relief can be found for them. In this critical period in our Nation's history, our Government cannot sit back and allow this to happen.

The formula for assistance submitted in this bill is the product of careful study by the schools of public health and by other experts in the field. This bill provides for grants on the basis of 15 percent of basic operating costs of graduate instructions plus an additional $500 for each full-time student in excess of average past enrollment.

This proposed formula was arrived at on the assumption that a grant based on a certain fraction of the total operating cost will cover a unit of about 30 students regardless of the size of the school. In addition, we all agreed that the larger the student body the greater is the need for additional funds. When new students arrive in a school—and the need is great, so we must encourage the enrollment of new students—the expansion of school facilities is necessary and hence my bill provides for a bonus clause of $500 for each new student.

As a safeguard, the Emergency Public Health Training Act of 1957 would provide that the total grant to each school may not exceed 50 percent of the basic operating cost of the school. Furthermore, the maximum amount spent shall not exceed $1 million a year. It is also noteworthy that we determine average past enrollment on the basis of a sliding scale considering preceding fiscal years rather than any given calendar or academic years.

Finally, I wish to make it clear that in introducing this proposed Emergency Public Health Training Act of 1957, I am in no way minimizing the importance or the desirability of enacting an omnibus Federal aid to medical-dental education bill. We have tried to enact such legislation for a number of years and to no avail. It is my hope that Congress will soon enact S. 1922. But the time to act in the field of public health is also now. It is for that reason I introduce this special legislation designed to cover the public-health phase of the medical problem on its own merits. At this point in my remarks I ask unanimous consent to have the text of the bill printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2304) to amend the Public Health Service Act to provide an emergency 5-year program of grants and scholarships for postgraduate education in the field of public health, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as the "Emergency Public Health Training Act of 1957."

SEC. 2. Title III of the Public Health Service Act, as amended (42 U. S. C., ch. 6A, subch. II), is amended by adding at the end thereof the following new part:

"PART H—ASSISTANCE FOR THE EDUCATION OF PUBLIC HEALTH PERSONNEL

"Declaration of policy

"SEC. 371. The Congress hereby finds and declares that—

"(a) there is a shortage of public health personnel essential to meet the immediate and prospective requirements of the Armed Forces and of the civilian public health agencies, Federal, State, and local, and this shortage is likely to increase during the present emergency unless present facilities and opportunities for training such personnel are strengthened and expanded;

"(b) the cost of providing adequate public health training, and facilities therefor, is so high and the sources of income for schools affording such training are so limited as to render it impossible for such schools to operate at present capacity on a financially sound basis, and as to discourage the construction and equipment of new schools and the expansion of existing schools necessary to relieve the shortage of trained public health personnel;

"(c) it is, therefore, the policy of the United States to encourage the training of adequate numbers of qualified individuals in public health by (1) assisting schools which provide such training in meeting their costs of instruction and by giving financial assistance for the construction and equipment of new schools and for the improvement and expansion of existing schools, with a view to providing additional opportunities for qualified indivduals to obtain such training, and (2) by providing scholarships to induce greater numbers of qualified graduate students to train for public health work; and

"(d) it is also the policy of the United States that the financial assistance made available to schools under this part shall be used to supplement, and not to replace, their existing income and resources.

"Authorization of payments to schools for costs of instruction

"SEC. 372. (a) In order to assist schools of public health that provide training leading to a graduate degree in fields relating to public health (which may include training leading to a graduate degree in hospital administration) to maintain and increase their enrollment of graduate students, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1958, and each of the next 4 fiscal years, $1 million to enable the Surgeon General to make the payments provided in this section. Payments to schools from appropriations under this section may be used to meet the costs (herein referred to as 'basic operating costs of graduate instruction') of establishing, maintaining, and enlarging staffs and of maintaining and operating their facilities (including the acquisition of equipment) for such training.

"(b) Payment to each school of public health for any fiscal year shall be as follows:

"(1) a sum equal to 15 percent of the amount determined by the Surgeon General to be the basic operating costs of graduate instruction in such school for such year (excluding from such costs, the cost of special training projects which are outside the school's regular curriculum and are financed through public or private grants made specifically for such projects, and the cost of research projects);

"(2) an additional sum of $500 for each full-time student regularly enrolled for the fiscal year for graduate work in public health in excess of 30 such students; and

"(3) an additional sum of $500 for each full-time student regularly enrolled for the fiscal year for graduate work in public health in excess of its average past enrollment of such students.

The total payment to any school pursuant to this section for any fiscal year shall not exceed 50 percent of the amount determined by the Surgeon General to be basic operating costs of graduate instruction in such school for such year (excluding from such costs, the cost of special training projects which are outside the school's regular curriculum and are financed through public or private grants made specifically for such purposes as the cost of research projects).

"(c) If sums appropriated for any fiscal year for the making of payments under this

section are insufficient to permit payments to all schools in the full amounts provided by subsection (b), the total amount to be paid to each school shall be reduced by the percentage by which the sum appropriated is less than the amount necessary to make the payments provided by such subsection.

"(d) (1) The average past enrollment for any year shall be the average of enrollments for the period consisting of the 3 fiscal years immediately preceding such year, except that if training was not provided by a school during 1 or 2 of the fiscal years in such period, such fiscal year or years shall be excluded in determining the average past enrollment.

"(2) If training was provided by a school during none of the 3 fiscal years immediately preceding any fiscal year for which payments are made from appropriations under section 372, all students enrolled for training for such year shall be counted on as 'enrolled in excess of average past enrollment' for purposes of subsection (b).

"(e) For purposes of this section, the number of students enrolled for training in a school for a fiscal year means the number enrolled full time in such school for such training, as determined by the Surgeon General in accordance with regulations, for the first semester or other school term which commences after the beginning of such fiscal year, except that in the case of any school which during a fiscal year provides periods of training less than or in excess of or different from periods of training customarily provided in schools of the same class, regulations, shall provide for the determination of enrollments in such school for such fiscal year in such manner as to take reasonable account of the difference in the rate at which or the period during which students are thus trained.

"(f) No school shall be eligible for payments from appropriations under this section unless it is a public or nonprofit institution, located within one of the States or within Alaska, Hawaii, or the Commonwealth of Puerto Rico, exempt from Federal income taxation, and approved or accredited by a recognized body or bodies approved for such purpose by the Surgeon General after he has obtained the advice and recommendation of the National Advisory Health Council.

"Authorization of appropriations for grants for construction and equipment

"SEC. 373. (a) There are also authorized to be appropriated for the fiscal year ending June 30, 1958, and each of the next 4 fiscal years, $1 million, to enable the Surgeon General to make grants for construction and equipment to assist in the establishment of new schools and in the improvement and expansion of existing facilities (including equipment thereof) necessary to carry out the purposes of section 371. The Surgeon General, after obtaining the advice and recommendation of the National Advisory Health Council, shall make such grants in the order of the estimated importance or value of the construction and equipment in alleviating the shortage of personnel adequately trained in public health: *Provided, however*, That the Surgeon General shall give priority to areas in which facilities are either nonexistent or inadequate. No such grant—

"(1) shall be in excess of 50 percent of the cost of the construction and equipment with respect to which it is made; and

"(2) shall be made with respect to any construction and equipment for which application is not submitted, in accordance with the provisions of this part, prior to July 1, 1960.

Funds appropriated pursuant to this section shall remain available for the fiscal year in which appropriated and the 2 succeeding fiscal years.

"(b) Applications for grants under this section may be approved and amounts may be allocated for approved construction projects on the basis of priorities established in accordance with subsection (a) up to the aggregate amount authorized to be appropriated for the 5 fiscal years in advance of the annual appropriations therefor.

"Condition for grants

"SEC. 374. (a) No payments from appropriations pursuant to section 372 for any fiscal year may be made to any school unless such school has filed an application therefor for such year which contains adequate assurance, as determined by the Surgeon General, that—

"(1) such school provides and will provide reasonable opportunity for the admission of out-of-State students;

"(2) such school will, during the period in which it receives such payments, make every reasonable effort to maintain its income for operating expenses from sources other than the Federal Government at a level at least equal to that which it was receiving before such payments began (or, in the case of a new school, at the highest possible level); and

"(3) such school will submit from time to time such reports as the Surgeon General may reasonably require to carry out the purposes of this part.

"(b) Payments from appropriations under section 373 may not be made for the construction and equipment of any new school or of any addition to or improvement in an existing school except upon the filing of an application therefor which the Surgeon General determines contains adequate assurances that the school will, upon completion of the construction and equipment and for a period of 10 years thereafter, be operated within one of the States or within Alaska, Hawaii, or the Commonwealth of Puerto Rico as a public or nonprofit institution exempt from Federal income taxation, and be approved or accredited by a recognized body or bodies approved by the Surgeon General after he has obtained the advice and recommendations of the National Advisory Health Council.

"Payments and withholding or recapture of payments

"SEC. 375. (a) The Surgeon General, in accordance with regulations, shall determine from time to time the amount to be paid to each school from appropriations under sections 372 and 373 and shall certify to the Secretary of the Treasury the amounts so determined. Upon receipt of any such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with such certification.

"(b) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to a school, finds with respect to payments from appropriations under section 372 or 373 that there is a failure to carry out any assurances given pursuant to section 374 or to comply with regulations under this part, the Surgeon General shall notify such school that further payments will not be made to it from appropriations under such section until he is satisfied that there is no longer any such failure. Until he is so satisfied the Surgeon General shall make no further certification for payments to such school from appropriations under such section.

"(c) If any school with respect to which payments have been made from appropriations under section 373 for the construction and equipment of any building or other facility shall, within 10 years after the completion of such construction, fail to carry out any assurances given pursuant to section 374 (b), the United States shall be entitled to recover from the owners of such building or other facility the same percentage of the then value of such building or facility as the amount paid with respect thereto from appropriations under section 373 was of the total cost of such building or facility, such value to be determined by agreement of the parties or by action brought in the district court of the United States for the district in which such building or facility is located.

"Appropriations authorized for scholarships

"SEC. 376. In order further to increase the number of individuals adequately trained in public health (including hospital administration), there are hereby authorized to be appropriated for the fiscal year ending June 30, 1958, and each of the next 5 fiscal years, $250,000 for scholarships awarded pursuant to this part. No funds appropriated pursuant to this section shall be available for any scholarship unless the course of study or training for which it is awarded is begun in or before the first semester which commences after June 30, 1961.

"Determination of funds available for scholarships in each field of public-health training

"SEC. 377. Of the sums appropriated pursuant to section 376 for a fiscal year, such amounts as the Surgeon General shall determine, after obtaining the advice and recommendations of the National Advisory Health Council and after considering the relative need for scholarships in each of the fields relating to public health in which graduate training is provided by the schools of public health referred to in section 372 (a), shall be available for scholarships to be awarded to individuals for the pursuit of such training.

"Awarding of scholarships

"SEC. 378. The selection of individuals to be awarded scholarships from funds appropriated pursuant to section 376 shall be made in accordance with regulations providing for such selection on the basis of ability, and on the basis of such other factors as are appropriate to carry out the purposes of this part. To the extent practicable and consistent with the purposes of this part, such regulations shall also provide for the selection of individuals in a manner which will tend to result in a wide distribution of the scholarships among the States, Alaska, Hawaii, and the Commonwealth of Puerto Rico.

"Conditions for award of scholarships

"SEC. 379. (a) Any student to whom a scholarship has been awarded shall be entitled to continue receiving the amounts thereby provided for only so long as his work continues to be satisfactory, according to the regularly prescribed standards and practices of the educational institution which he is attending.

"(b) (1) No scholarship shall be awarded to any individual for any period during which he is receiving education and training under title II of the Servicemen's Readjustment Act of 1944, as amended, or under title II of the Veterans' Readjustment Assistance Act of 1952.

"(2) Any scholarship awarded under this part to any individual shall be conditioned upon acceptance by a school of his choice which provides the training for which the scholarship is awarded and which is approved or accredited, as provided in section 372 (e).

"Scope of scholarships

"SEC. 380. Scholarships awarded under this part shall include the cost of tuition and educational fees customarily charged by the school, the cost of books, and equipment not customarily furnished by the school without charge, and such amount for maintenance as the Surgeon General, after obtaining the advice and recommendation of the National Advisory Health Council, determines for each school. Such scholarship shall be for a period of time not in excess of that customarily required for completion of the standard course offered by the school.

"Regulations

"SEC. 381. All regulations under this part with respect to payments to schools of public health, and with respect to scholarships, shall be made only after obtaining the advice and recommendation of the National Advisory Health Council.

"General provisions

"SEC. 382. (a) Except as otherwise specifically provided in this part, nothing contained in this part shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any control over, or prescribe any requirements with respect to, the curriculum or administration of any school, or the admission of applicants thereto.

"(b) Nothing in this part shall be construed to authorize the Surgeon General to exercise any influence upon the choice of an applicant for, or a recipient of, a scholarship under this part of a course of training or study or of the educational institution at which such course is to be pursued."

FLAG DAY—PRESERVATION OF THE FLAG OF LIBERATION

Mr. COTTON. Mr. President, on this Flag Day, the 180th anniversary of the Stars and Stripes, I introduce, for appropriate reference, on behalf of myself, the Senator from Pennsylvania [Mr. MARTIN], and the Senator from Alabama [Mr. HILL], a joint resolution to provide for the proper display and preservation of the United States flag, which is known as the flag of liberation.

I ask unanimous consent that the joint resolution may remain at the desk until the close of business on Monday, June 17, so that other Senators may have an opportunity to join in sponsoring it.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, it will lie on the desk, as requested by the Senator from New Hampshire.

The joint resolution (S. J. Res. 103) to provide for the permanent preservation and proper display of the flag of liberation, introduced by Mr. COTTON (for himself, Mr. MARTIN of Pennsylvania, and Mr. HILL), was received, read twice by its title, and referred to the Committee on Rules and Administration.

Mr. COTTON. Mr. President, the original flag of liberation was the flag which was flying over this Capitol at the time of the bombing of Pearl Harbor, December 7, 1941.

The flag also flew over the United States Capitol at the time war was declared against Japan, December 8, 1941, and again when war was declared against Germany and Italy on December 11, 1941.

President Franklin D. Roosevelt turned the flag over to the Army of the United States, and issued orders that it should be raised in every country which had been overrun by the enemy, when that country was liberated. It was his announced plan that this flag, which he named the "Flag of Liberation," should be brought back and flown over the Capitol in the hour of victory.

President Roosevelt himself became a casualty of the war, and his successor, President Harry Truman, continued faithfully to carry out the expressed wishes of the former Executive.

The flag was displayed. It was flown over Rome, Italy, July 4, 1944. It was flown over Germany at Potsdam on July 20, 1945, at ceremonies attended by President Truman. It was carried through the islands of the Pacific. It was displayed in Japan, and it flew over the battleship *Missouri* during the ceremonies attendant upon the surrender of the Japanese on September 1, 1945. It was brought back to this country and presented by the United States Army, as a part of an Army Day ceremony, to the Congress of the United States. The acceptance was made by the Speaker of the House and by the late Senator Vandenberg on behalf of the Senate, on April 6, 1948.

This flag is in the possession of the Architect of the Capitol. My resolution provides that the flag shall be deposited in the Archives, and the Archivist of the United States shall be authorized and instructed to see that it is permanently preserved and properly displayed.

I ask unanimous consent that the joint resolution be printed in the RECORD at this point, as a part of my remarks.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

Whereas a certain American flag flew over the Capitol of the United States on December 7, 1941, when Pearl Harbor was attacked by Japan, and on December 8, 1941, when the Congress declared war against Japan, and on December 11, 1941, when war was declared against Germany and Italy; and

Whereas this flag was preserved by President Franklin D. Roosevelt as the "Flag of Liberation" and as a symbol of hope to the people of the countries overrun by the enemy and to the people of the United States of America; and

Whereas it was the intention of President Franklin D. Roosevelt that the flag should be raised in the various countries as the tide of allied victory progressed and then finally returned by the Chief Executive to the Congress where it could be displayed for the American people; and

Whereas in accordance with these instructions the flag was flown over Rome, Italy, on July 4, 1944; and

Whereas though death came to President Franklin D. Roosevelt on April 12, 1945, before the Nazi Government of Germany fell, his intentions were carried out, and on July 20, 1945, this flag was flown over Potsdam, Germany, at a ceremony attended by his successor, President Harry S. Truman, who issued instructions that this original flag should continue to be flown on its tour of the world, and eventually returned, as intended by President Roosevelt; and

Whereas this flag was flown from Germany by airplane into the United States, back through Pearl Harbor, the scene of American disaster, on to Guam, and to the Philippines, and up into Japan; then transferred to the battleship *Missouri* where it was flown during the ceremony of the surrender of the Japanese on September 1, 1945; and

Whereas this flag was then displayed in the dome of the Capitol in Washington in celebration of Allied victory in World War II and the return of peace to the world; and

Whereas this flag was formally returned to the Congress with appropriate ceremonies on April 6, 1948, and is now in the possession of the Architect of the Capitol; and

Whereas it is essential that this flag be permanently preserved and properly displayed; Therefore be it

Resolved, etc., That the Architect of the Capitol is hereby directed to transfer said flag to the custody of the National Archives.

SEC. 2. The Archivist of the United States is hereby directed to suitably display said flag where it shall be available for viewing by the public and to permanently preserve it as the flag of liberation and the symbol of hope.

Mr. COTTON. Mr. President, a previous joint resolution dealing with this flag was introduced in the Senate on September 11, 1945, by the former Senator from Maine, Mr. Brewster, the Senator from Alabama [Mr. HILL], and the former Senator from Oregon, Mr. Cordon, as Senate Joint Resolution 91, 79th Congress. I ask that the remarks of former Senator Brewster, which appear in the RECORD of July 26, 1945, together with a letter from President Franklin D. Roosevelt, in this connection, and certain affidavits regarding the authenticity of this flag, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the matters referred to were order to be printed in the RECORD, as follows:

THE FLAG OF LIBERATION

(Extension of remarks of Hon. Owen Brewster, of Maine, in the Senate of the United States, Thursday, July 26 (legislative day of Monday, July 9), 1945)

Mr. BREWSTER. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD a statement dealing with the flag of liberation, together with letters and newspaper comment on the same subject.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"THE FLAG OF LIBERATION

"This is the story of the American flag which flew over the Capitol on the day that the United States declared a state of war to exist between the United States and Japan. This same flag flew over the Capitol when the United States took the same action against Germany and Italy.

"Since then the flag flew on July 4, 1944, over Rome; it was taken to Algiers, Casablanca, and other places by the late Franklin Delano Roosevelt. On July 20, 1945, President Truman raised this same historic flag over Berlin.

"The story of how the flag was acquired by Maury Maverick is told here along with affidavits identifying the flag. The flag now is the property of the United States, being given to the late President Roosevelt and now is in the care of President Truman.

"This flag—so proud in war—shall become a symbol of a nation united for peace. It may truly be called the flag of liberation."

WASHINGTON, D. C., *July 21, 1945*.

Concerning flag flown over Berlin on July 20 by President Truman.

Concerning this, the news referred to this as Maury Maverick's flag. It is not mine. I did get the original flag. However, I gave it to President Roosevelt as trustee.

He accepted it, and I spoke to him about it twice afterward. He was very much interested.

Following is—

1. The letter that I wrote the President;
2. Copies of his memorandum to me; and
3. The affidavits which show the flag flew over the Capitol when war was declared against Japan, Germany, and Italy.

MAURY MAVERICK.

SMALLER WAR PLANTS CORPORATION
May 30, 1944.

The Honorable the PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: When Pearl Harbor struck, I got the official flag that flew

over the Capitol. It was there during the entire time that you addressed Congress for the declaration of war against Japan. Thereafter, it flew all day on December 11, 1941, when the United States declared war on Germany and Italy.

This I treasure very greatly, but I realize it should not be my personal possession. It should be the possession of the American people. I should like to give it to you, as trustee, so it may come to be known as the flag of liberation.

It would be fine for our friend Eisenhower to have wherever he goes; and finally when the armies of liberation march under the Arc de Triomphe in Paris. Being the flag of liberation, it would be a symbol that, once we declare war, we win that war, and that this flag really means liberation.

The original affidavits about getting the flag are attached. It is correctly identified.

This flag is of regulation size and could now be used at whatever headquarters we have in England. Later it could be transferred to the Continent, and eventually to Paris, and, I hope, Berlin.

I want it understood that I don't want any credit. If there is any, I want you to have it. Then when the flag has gone through Europe and is returned, I think it should be hung under the Dome of the Capitol on a fairly high place, where for coming centuries it will symbolize freedom and liberty.

With best wishes for your health, I am,

Sincerely your friend,

MAURY MAVERICK,
Chairman and General Manager.

THE WHITE HOUSE,
Washington, June 5, 1944.

Memorandum for Hon. Maury Maverick:

I like that idea of yours of the flag of liberation. I am writing to General Marshall and will let you know what he says.

F. D. R.

THE WHITE HOUSE,
Washington, June 19, 1944.

Memorandum for Maury Maverick:

For your information.

F. D. R.

SUPREME HEADQUARTERS,
ALLIED EXPEDITIONARY FORCE,
OFFICE OF THE SUPREME COMMANDER,
June 13, 1944.

The Honorable FRANKLIN D. ROOSEVELT,
President of the United States,
Washington, D. C.

DEAR MR. PRESIDENT: I have received, through the Chief of Staff of the Army, the flag presented to you by Mr. Maverick.

I shall communicate with General Devers in the Mediterranean to see whether he would like the flag to fly in Rome, say on July 4. After that I hope, one day, to have the honor of flying it in one of the other European capitals.

With best wishes for your continued good health and with respectful regard.

Sincerely,

DWIGHT D. EISENHOWER.

ARCHITECT OF THE CAPITOL,
Washington, D. C.

AFFIDAVIT OF HON. DAVID LYNN, CAPITOL ARCHITECT

CITY OF WASHINGTON,
District of Columbia, ss:

Before me, a notary public in and for Washington, D. C., on this 6th day of February A. D. 1942, there appeared David Lynn, Architect of the Capitol of the United States, who after being by me duly sworn, deposes and says:

That on the afternoon of December 8, 1941, the American flag which was then flying over the Capitol, which had been flying there for several weeks and during the time President Roosevelt addressed the joint session of Congress on that day, asking them for a declaration of war against Japan, and during the time the war resolution was adopted by both the Senate and the House of Representatives, was taken down, and another official flag of the same size and quality which was purchased by Mr. Maverick was flown from the Capitol in its place.

The flag which was taken down was delivered to Mr. William B. Blanchet, representative of Mr. Maverick who was then present at the Capitol, who marked it for identification by printing the small letter "M" in the double-stitched canvas hem, opposite the first star of the first row. In addition on the rope hem in back of the flag opposite the bottom red and white stripes, but off the true field of the flag these words have been inked in:

"American flag owned by Maury Maverick, which flew over the United States Capitol, December 8, 1941, when the United States declared war on Japan, and later on December 11, 1941, when the United States declared war on Germany and Italy."

During the morning of December 11, 1941, Mr. Blanchet brought the same flag to the Capitol. This was the day on which the United States of America declared war on Germany and Italy. This flag was again flown over the Capitol over the east front by Sgt. Donald Murphy of the Capitol Police, accompanied by Mr. Blanchet. The flag was then returned to Mr. Maverick.

DAVID LYNN,
Architect of the Capitol
of the United States.

Subscribed and sworn to before me this 6th day of February A. D. 1942, to certify which I have hereunto subscribed my hand and affixed my official seal of office.

[SEAL] ARTHUR E. COOK,
Notary Public in and for Washington, D. C.

AFFIDAVIT OF MR. WILLIAM B. BLANCHET

CITY OF WASHINGTON,
"District of Columbia, ss:

"Before me, the undersigned authority, on this day, personally appeared Mr. William B. Blanchet, who, after being by me duly sworn, did depose and say:

"'My name is William B. Blanchet. I am an assistant to the Honorable Maury Maverick, Washington, D. C.

"'On December 8, 1941, about 3 p. m., I went to the United States Capitol, Washington, D. C. I contacted Hon. David Lynn, Capitol Architect, and purchased a new United States flag and substituted it for the flag which was then flying over the east front of the Capitol and which had been flying there for several weeks. It was in very good condition but bore some marks of the weather, including coal dust.

"'The flag was taken down by Mr. George Keller, of the Capitol Police, and personally delivered to me for Mr. Maverick. It is a woolen flag 7½ by 14 feet in dimension, made by the Dettra Flag Co., of Philadelphia, Pa. This flag was then marked for identification by myself in the presence of Mr. Lynn. I printed the small letter 'M' in the double-stitched canvas hem, opposite the first star of the first row. In addition, on the rope hem in back of the flag opposite the bottom red and white stripes but off the true field of the flag these words have been inked in:

"'American flag owned by Maury Maverick, which flew over the United States Capitol, December 8, 1941, when the United States declared war on Japan, and later on December 11, 1941, when the United States declared war on Germany and Italy.'

"'On December 11, 1941, the day that the United States of America declared war on Germany and Italy, I went to the United States Capitol and accompanied Sgt. Donald Murphy, of the Capitol Police, to the east front of the building, taking the identical flag that flew over the Capitol on December 8, 1941. This flag was flown during the day of war declaration against Germany and Italy, then lowered and returned to me. I then returned the flag to Mr. Maverick.

"'WILLIAM B. BLANCHET.'

"Subscribed and sworn to before me this 6th day of February, A. D. 1942, to certify which I have hereunto subscribed my hand and affixed my official seal of office.

"[SEAL] ARTHUR E. COOK,
"Notary Public in and for Washington, D.C."

"AFFIDAVIT OF MR. GEORGE E. KELLER, CAPITOL POLICE

"CITY OF WASHINGTON,
"District of Columbia, ss:

"Before me, the undersigned authority, on this day, personally appeared, Mr. George E. Keller, who after being by me duly sworn, did depose and say:

"'My name is George E. Keller. I am a member of the Capitol Police, Washington, D. C. On December 8, 1941, the day President Roosevelt addressed a joint session of Congress asking for a declaration of war against Japan, which Congress then enacted by joint resolution. Mr. William B. Blanchet, a representative of Mr. Maury Maverick, came to the Capitol and personally delivered to him the flag which had been flying over the east front of the Capitol for several weeks and during the address of the President before the joint session of Congress, and the adoption of both Houses of the war resolution.

"'It is a woolen flag 7½ by 14 feet in dimension made by the Dettra Flag Co., of Philadelphia, Pa. The flag was then marked for identification by printing the small letter "M" in the double-stitched canvas hem, opposite the first star of the first row. In addition on the rope hem in back of the flag opposite the bottom red and white stripes, but off the true field of the flag these words have been inked in:

"'"American flag owned by Maury Maverick which flew over the United States Capitol, December 8, 1941, when the United States declared war on Japan, and later on December 11, 1941, when the United States declared war on Germany and Italy."

"'GEORGE E. KELLER.'

"Subscribed and sworn to before me this 6th day of February A. D. 1942, to certify which I have hereunto subscribed my hand and affixed my official seal of office.

"[SEAL] ARTHUR E. COOK,
"Notary Public in and for Washington, D. C."

"AFFIDAVIT OF MR. DONALD MURPHY, CAPITOL POLICE

"CITY OF WASHINGTON,
"District of Columbia, ss:

"Before me, the undersigned authority, on this day, personally appeared Mr. Donald Murphy, who after being by me duly sworn, did depose and say:

"'My name is Donald Murphy. I am a member of the Capitol Police, Washington, D. C.

"'I took the flag belonging to Hon. Maury Maverick, identified as herein shown, on December 11, 1941, and flew it over the east front of the Capitol which was the same day war was declared against Germany and Italy.

"'It is a woolen flag 7½ by 14 feet in dimension, made by the Dettra Flag Co., of Philadelphia, Pa. The flag has been marked for identification by printing the small letter "M" in the double-stitched canvas hem, opposite the first star of the first row. In addition, on the rope hem in back of the flag opposite the bottom red and white stripes, but off the true field of the flag, these words were inked in:

"'"American flag owned by Maury Maverick which flew over the United States Capitol, December 8, 1941, when the United States declared war on Japan, and later on December 11, 1941, when the United States declared war on Germany and Italy.'

"'WILLIAM B. BLANCHET.'

"Subscribed and sworn to before me this 9th day of February A. D. 1942, to certify which I have hereunto subscribed my hand and affixed my official seal of office.

"[SEAL] HENRY S. THOMPSON,
"Notary Public in and for Washington, D. C.

"My commission expires January 15, 1944."

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. MARTIN of Pennsylvania. We all owe very much to the distinguished junior Senator from New Hampshire for bringing to our attention, on this Flag Day, the great symbol of liberty, which is the subject of his joint resolution. It is something which should be preserved as one of the most historic treasures of our great country.

Mr. COTTON. I thank the Senator.

I should like to have the opportunity afforded to many Senators to join immediately in sponsoring the joint resolution, particularly the distinguished Senator from Alabama (Mr. HILL), who was one of the sponsors of the previous resolution concerning this subject.

I learned the details of the history of this flag of liberation only yesterday, when I was preparing certain remarks for Flag Day. I thought this was the proper time to take this step. I felt that the schoolchildren and others who know the historic documents in the Archives should have the opportunity to view there, properly displayed, this historic flag.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. GOLDWATER:

Address delivered by Senator CURTIS at a luncheon meeting of the National Association of Manufacturers, at Detroit, Mich., on June 12, 1957.

By Mr. HUMPHREY:

Editorial entitled "Salute to Two Unions," published in the New York Times of June 14, 1957; and remarks by him at Madison Square Garden celebration for David Dubinsky.

NOTICE OF CONSIDERATION OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the nomination of Val Peterson, of Nebraska, to be Ambassador of the United States to Denmark, vice Robert D. Coe, resigned.

Notice is given that the nomination will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

NOTICE OF HEARINGS ON PROPOSED CHANGES IN SENATE RULE XXII

Mr. TALMADGE. Mr. President, for the Senator from New York [Mr. JAVITS] and myself, I wish to announce that a special subcommittee of the Senate Committee on Rules and Administration has been constituted to hold hearings on proposed changes in Senate rule XXII.

It is the plan of the subcommittee to begin taking testimony on Monday, June 17, at 10 a. m., with subsequent sessions to be held at that hour on Friday, June 21, and on each subsequent Monday and Friday for as long a period of time as is deemed necessary by the subcommittee to hear both sides of this question. All sessions will be held in the rules committee room.

The first two sessions will be devoted to hearing members of the Senate, and I wish to extend, on behalf of the Senator from New York and myself, an invitation to each interested Senator to appear in person or to submit a statement for the record. For those who may not be prepared to participate in the hearings next week, let me state that the subcommittee will be pleased to hear them at any subsequent date which suits their convenience.

The Senator from New York and I would appreciate it if each interested Senator would have someone from his staff contact the subcommittee counsel, Mr. Langdon West, in order that a time and date for his appearance might be scheduled.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. TALMADGE. I am glad to yield.

Mr. JAVITS. I had not quite understood that the Senator from Georgia and I had fully agreed upon the schedule he has announced; but, in any case, I am more than happy to proceed expeditiously.

I may state for the record that I reserve the right to see how long the hearings will take, or how long it is intended to carry them on, in terms of the length of the session of Congress and in the interest of the proposed legislation.

I hope very much that those who are interested, similarly to myself, in supporting one of the measures seeking to change rule XXII, will cooperate in that regard.

For the moment, although we have not personally conferred about it, I understand it is not final about opening the hearings on Monday next, as stated by my colleague from Georgia.

I hope very much that in spite of our differences on the substantive proposed legislation, perhaps because of them, we can move expeditiously with the hearings. I did not, however, wish the RECORD to stand as concluded upon the subject of holding only two hearings a week for as long as the hearings would take, because from present appearances that could easily take until well into the next session of Congress.

I hope my colleagues will understand my reservation on that score.

Mr. TALMADGE. Mr. President, yesterday, a member of my staff met with two members of the staff of the distinguished Senator from New York, and I thought we were in agreement.

To correct any erroneous impression which the junior Senator from New York may have received, let me say I stated that the hearings would continue as long as the subcommittee thought necessary in order to perfect the record.

Mr. JAVITS. Mr. President, I was informed of the staff meeting, but I did not understand that was final as to me. As a matter of fact, last night my own administrative assistant submitted this proposal to me, and said I could determine whether it was satisfactory to me.

However, I do not think the Senator from Georgia and I will ever have any difference upon any such point. I am quite satisfied and happy to have the hearings proceed on Monday, but I did not wish to be bound by any idea that there would be only two hearings a week and that they would go on ad infinitum. I wanted to make that clear, and I think the Senator from Georgia is familiar with my position on the subject.

Mr. TALMADGE. Mr. President, if the distinguished Senator from New York desires to have more than two hearings held a week, I have no objection. I think this is a very important issue, one on which the grassroots sentiment of the country should be taken; and certainly that has not been done heretofore. At previous hearings which were held by the Committee on Rules and Administration—in 1949, I believe, and again in 1951—a very few organizations which have been agitating this issue for so long, with highly paid attorneys who were ready to testify at the drop of a hat, were the only organizations represented; and in addition to that testimony, the only other testimony which was heard was from a few distinguished Members of the Senate who took the time to appear before the Committee on Rules and Administration and testify.

Mr. JAVITS. Mr. President, I should like to complete the colloquy by pointing out that upon three successive occasions there have been hearings which were quite voluminous, and which are available to every Member of the Senate, and at which everyone could be heard; and there is reason to believe that every argument on this issue, either pro or con, has been debated on the floor of the Senate and in committee.

Therefore, I shall dedicate myself to seeing to it that this perfecting proposed legislation is not killed by a filibuster in the committee, which is trying to end filibusters.

RISING INTEREST RATES AND ADDRESS DELIVERED BY SENATOR JOHNSON OF TEXAS

Mr. GORE. Mr. President, I regret to call to the attention of the Senate a new and alltime high interest rate on the securities of the Federal National Mortgage Association. This governmental agency has now sold its securities for 4¼ percent. Only 30 days ago this same agency sold its securities for 4.05 percent.

That demonstrates, Mr. President, the spiral in interest rates under the

impetus of the policies being pursued by the administration.

I regret to have to call to the attention of the Senate the fact that yesterday, according to my records, Victory bonds sold at a new alltime low below par. Yesterday, Mr. President, Victory bonds, which many people and many small institutions hold were quoted at 87⅞.

I wish the Senate would think for a moment of the equities which have been wiped out by this trend downward below par of Government securities.

On May 28 I offered an amendment on the floor of the Senate which at least in one category would have brought a halt to the spiraling interest rate on Government obligations. Unfortunately, the amendment was not adopted. The very next day a new and higher interest rate went into effect. More such rises in interest rates are in store, unless the Government takes action to rectify these damaging trends.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. SMATHERS. I should like to congratulate the able Senator from Tennessee upon the views which he has expressed this morning, particularly upon the consistent vigor which he has evidenced in pointing out to the American people the high interest rate, and what it is doing to injure the average citizen of the United States.

Last night, at the Hamilton Hotel, about 350 of us had the very great privilege of hearing our majority leader make a splendid speech, in which he touched on this same point, in addition to others.

If the Senator from Tennessee will permit me to do so, I should like to read three paragraphs from the speech of the majority leader, and ask the distinguished Senator from Tennesese if he does not agree with the views expressed by the Senator from Texas.

Mr. GORE. I shall be glad to yield to the Senator.

Mr. SMATHERS. The majority leader said:

> Since 1952, this administration has refinanced $76 billion of our national debt. The refinancing has been at a steadily rising rate of interest.
>
> The result has been a penalty of an additional $1,200,000,000 annual interest payment on the public debt.
>
> If the balance of the public debt is refinanced at the same increase, the ultimate penalty will be $4,500,000,000 a year.

Mr. GORE. I thoroughly agree. Not only do I agree with those statements, but I applaud the distinguished majority leader for making them.

I wish to point out to my able friend from Florida, however, that the end is not yet. Interest rates are going higher and higher because of the determined policy of the administration, and the movement is having adverse effects upon counties and towns that are trying to sell their bonds in order to build hospitals and schools and make other improvements. It is having very adverse effects upon the holders of United States Government securities. I am advised that many small institutions would be insolvent today if their holdings of Government bonds were treated at market value instead of at par.

I say there is something basically and morally wrong when a small institution can "go broke," so to speak, because it purchased bonds of the United States Government.

Mr. SMATHERS. Mr. President, will the Senator yield further?

Mr. GORE. I yield.

Mr. SMATHERS. I should like also to read one further statement made by the majority leader last evening. I believe it coincides with what the Senator from Tennessee is now saying. After talking about the interest rates, the majority leader said:

> This is the issue which it becomes increasingly apparent the Democratic Congress must join. Some way must be found of halting the constantly rising price of money.
>
> We cannot exist indefinitely as a Nation in which the most profitable activity is lending money. Does the able Senator agree with that statement?

Mr. GORE. I agree thoroughly. I hope the Senator will include the whole speech in the RECORD. I am sorry that I missed the dinner last evening. I wanted to attend it, but I had a previous engagement elsewhere. I am delighted to have the Senator read these excerpts, and I hope he will have the whole speech printed in the RECORD.

Mr. SMATHERS. If the Senator will permit me to do so, I should like to offer for publication in the RECORD the speech delivered by our majority leader last evening, which I and others thought so well pointed up the pressing issues which face both our country and our party.

The majority leader discussed not only the question of interest rates, but the question of accepting the challenge and availing ourselves of the opportunity which had been given to us by the Khrushchev broadcast, and the failure we see now on the part of the administration to do anything about getting a breach through the curtain by which we can give to the people of Russia our side of the picture.

I ask unanimous consent that the entire speech of the majority leader be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR JOHNSON OF TEXAS

Mr. Chairman, fellow Democrats, I am greatly honored tonight by this reception from Democrats whose hair is still uncurled by George Humphrey's depression.

Personally, I think this meeting is a tribute to the resourcefulness of the American people. After all these years of tight money, rising interest rates, and the high cost of living, there are still folks who can pay $6 for their dinner.

We had better enjoy this one while we can. At the present rate, it will not be too long before the only $6 dinner available will come on white or rye with mustard extra.

For 14 consecutive months, the cost of living has risen steadily. For 14 consecutive months, the value of the dollar has gone down and down for those who spend it.

But this administration has managed to perform an impossible task. While the value of the dollar has gone down and down for those who spend it, it has gone up and up for those who lend it.

And in the course of this process, the taxpayer has been socked with one of the heaviest financial penalties—and it is a penalty—in our history.

Since 1952, this administration has refinanced $76 billion of our national debt. The refinancing has been at a steadily rising rate of interest.

The result has been a penalty of an additional $1,200,000,000 annual interest payment on the public debt.

If the balance of the public debt is refinanced at the same increase, the ultimate penalty will be $4,500,000,000 a year.

And just recently, our Government offered $4 billion at the highest rate in the past 20 years. And it should bring a blush of shame to the face of every American that we were able to sell only about 75 percent of them.

Why? Because the lenders knew that if they just waited a little while longer, they could get a better rate for their money.

For the past 6 months, Treasury issue after Treasury issue has been sold only by increasing the bait. That means increasing the interest rate—apparently to whatever the traffic will bear.

Our Government is skating on thin ice financially and unless the trend is halted there can be no end—other than the legal limit on the cost of financing the public debt.

This is the issue which it becomes increasingly apparent the Democratic Congress must join. Some way must be found of halting the constantly rising price of money.

We cannot exist indefinitely as a Nation in which the most profitable activity is lending.

Neither can we exist as a Nation unwilling to face up to the realities of the modern world.

In the domestic field, our greatest issue is the constantly rising prices of everything—including money. In the international field, our greatest issue is breaking the Iron Curtain that permits the Communist leaders to withhold the truth from their own people.

We cannot break that Iron Curtain by sitting back and waiting for an invitation from the Communist leaders. It will be broken only when we seize the initiative and act boldly and courageously in the spirit of the Founding Fathers.

The broadcast to this country by the Communist leader Nikita Khrushchev should have been seized upon boldly. It should have been welcomed as an opportunity to lead from strength—our strength.

It is not too late and I hope the administration will seize the initiative—and not just leave the advantage to the Russians.

I do not believe that the Communists gained any advantage from the broadcast itself. Khrushchev could not convert the average American into a Sunday afternoon nap—let alone into a Communist.

But the Soviets will gain an advantage if we tell the world that we are too timid and too unsure of ourselves to answer.

The only adequate answer is to press now—right now—for full access to the Soviet people.

The Soviet propagandists are already making hay out of the fact that we did not respond to the challenge. They are telling the people of the world that official circles in Washington have displayed only "uneasiness" at the "favorable reaction" to the Khrushchev broadcast.

Those are the statements that are being made right now over radio Moscow.

There is before us a clear and direct challenge. It is to demonstrate our faith in our own people and our faith in people everywhere.

And we must realize that we will not reach any agreement for disarmament or on control of nuclear weapons until we find a means of cracking the Iron Curtain.

There is only one certain safeguard to any disarmament agreement. It is the opportunity to inform the people of the world of the facts.

The alternative to prying open the Iron Curtain is more months of dreary negotiations that will end in little or nothing. The morning headlines carried the story that Soviet negotiators have poured cold water on the hopes of our representatives for partial agreements on disarmament.

As long as the Communist leaders can conceal the truth from their own people, they can continue to reject reasonable proposals. We must act boldly or resign ourselves to continuing the arms race which threatens disaster.

Mr. MANSFIELD. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. MANSFIELD. I wish to join the Senator from Florida in commending the Senator from Tennessee, not only on the basis of the remarks he has made on the floor of the Senate today, but also for the remarks he has been making for many months about the economic condition and the financial situation which affect our country.

Although the Senator from Tennessee had another engagement last night and could not be with us at the overflow dinner honoring the majority leader, I felt that, as the majority leader spoke, the Senator from Tennessee was there in spirit, because he too has been emphasizing not only the increasingly high rate, but the fact that month by month the cost of living is rising, and month by month the value of the dollar is declining, so that the dollar which was worth about 50 cents, based on its 1947–1949 value, when the present administration took over in 1953, is worth, if my information is correct, about 44 cents at the present time.

Therefore, we have before us what I consider to be the greatest domestic problem of the moment. I again wish to commend the able and distinguished Senator from Tennessee for making that subject one of constant interest so far as the Senate and the country are concerned. By his steady publicizing of our precarious economic position, he is performing a valuable service to the Nation.

Mr. GORE. I am very grateful for the generous comment made by my able friend, the distinguished junior Senator from Montana.

The value of the dollar has steadily decreased for those who spend it, but it has been greatly increased under this administration and by this administration for those who now lend it.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. SMATHERS. In view of the fact that we talk about the high interest rates and the penalty which they impose upon municipalities which seek to finance hospitals, or States which seek to build roads, and then we speak in general terms about the cost to the taxpayer in America, but do not make that point very specific, I ask the Senator from Tennessee, how do the interest rates affect, for instance, the person who buys a refrigerator, a television set, or an automobile, and who customarily does not have sufficient money to pay the full price? What effect do high interest rates have on such persons and the markets for the sales of those particular items?

Mr. GORE. It is a very practical effect. The housewife who buys a refrigerator, a television, or a radio, pays more per month for a larger number of years for the same quality product.

Mr. SMATHERS. So the effect reaches down into every level, even the lowest level; and the interest rate imposes possibly a greater penalty on those having the lowest incomes than it does on anybody else.

Mr. GORE. That is correct. The interest rate adds to the cost of living. In some way, many people have been misled into thinking that the alternative to higher interest rates is higher prices. The record does not sustain that canard.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. TALMADGE. I desire to compliment the distinguished junior Senator from Tennessee on the very great fight he has been making on the continual upward spiral of the cost of money. I desire to associate myself with his remarks, and also those of the distinguished junior Senator from Florida [Mr. SMATHERS] and the distinguished junior Senator from Montana [Mr. MANSFIELD].

As they have indicated, and as our majority leader in his speech last night pointed out, the continued upward spiral in the cost of money has placed staggering additional burdens upon the taxpayers and on the servicing of the national debt. It is impeding and handicapping every State in the Union in the building of adequate schools, hospitals, and roads. It is also doing the same thing to every county and municipality in the Nation.

In addition, every citizen who must, for one reason or another, borrow money, whether it be for the purpose of paying a hospital bill or buying a refrigerator, a television set, an automobile, or a home, likewise has to pay a large sum in the way of interest.

The only ones who I can see are benefiting are the large banks and large insurance companies, which have tremendous assets to lend. The increased interest rates certainly are not benefiting the rank and file of the people.

Mr. GORE. I thank the Senator from Georgia for his observation which demonstrates his keen perception.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CARLSON. I appreciate the statement made by the junior Senator from Tennessee, and I compliment him upon the fight he has been making on high interest rates. But I wondered, as I listened to some of the discussion, if he was not getting himself into a very inconsistent position. He stated that higher interest rates make the money lenders richer; at the same time——

Mr. GORE. Does the Senator from Kansas deny or dispute that statement?

Mr. CARLSON. But, at the same time, the Senator stated that many of the banking and other lending institutions of the Nation are insolvent. Is not the Senator inconsistent on one point or the other?

Mr. GORE. I do not think so.

To the distinguished Senator from Kansas, I say that different people, and in many respects different institutions, are involved. Those who are pushing up the interest rates are not the small bankers in Kansas. I daresay they are as much concerned about high interest rates as are the small bankers in Tennessee.

The spiral of interest rates is being dictated by concentrated financial interests who are now making fast money, not on the Government bonds sold during the war, with which the banks to which the able Senator referred filled their vaults, but on the new obligations of the towns, counties, States, and the United States Government.

Mr. CARLSON. I am certain the distinguished Senator from Tennessee and I will have plenty of opportunity to discuss this subject fully when we get into hearings in the Committee on Finance. But I assume that even the small banks throughout the country do not want to buy long-term bonds. They do not buy bonds because they are sold at high interest rates. They are trying to get income, although, as the Senator says, they are suffering because of some of the securities in their portfolios. They cannot have it both ways.

Mr. GORE. The able Senator has put his finger on a very vital point. He says the financial institutions do not want to buy long-term bonds any more. They are uneasy about them. They are afraid that by next year bonds bought now will be below par. There is no stability in Government credit. We need to restore confidence in bonds of our country.

Mr. President, I realize that we are in the morning hour and that I must bring this discussion to a close. But I point out to the able Senator from Kansas, with whom it is my pleasure to serve on the Committee on Finance, that the financial statement of the Secretary of the Treasury, which I understand was supposed to be filed with the Committee on Finance at the beginning of his term, is missing from the file. It must be restored and brought up to date.

THE IMPORTANCE OF TUNGSTEN

Mr. MANSFIELD. Mr. President, on three occasions the Senate has acted on a proposal for the appropriation of funds to be of assistance to the tungsten producers and the producers of other scarce minerals in the United States.

At the present time, the latest measure dealing with tungsten is again in the House of Representatives. It is my hope that on this occasion the House Appropriations Committee will take the measure to the floor of the House, for a record, yea-and-nay, vote.

In this connection, I ask unanimous consent to have printed at this point in the RECORD, an article entitled "Tungsten—A Word for Tomorrow," which was published in the Miles City Star, of Miles City, Mont., on June 10, 1957.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TUNGSTEN—A WORD FOR TOMORROW

Continuing efforts of a stubborn group in the House Appropriations Committee to thwart the Mineral Purchase Act of 1953, designed to protect United States production of strategic metals against imports from low-wage foreign countries, assume graver proportions as new Communist diversions appear in Formosa, in Japan, in Latin America, and the Red threat continues to grow in Korea.

The purpose of the act originally passed in 1953 was extended by new legislation in 1956, authorizing the expenditure of $91 million for the purchase of tungsten, fluorspar, columbium, tantalum, and asbestos through 1958. But the extension merely authorized the expenditure, it did not appropriate the money, just before adjournment, Congress appropriated $21 million for the balance of 1956, promised $30 million more for 1957, and the balance of $40 million for 1958.

Since 1953 America has been able to develop a tungsten mining industry capable of making us independent of foreign sources—in Red China, Korea, and elsewhere behind the Iron Curtain or close to it—sources that hostilities would quickly cut off. But, since January, and at a time when tungsten is fast becoming our most critical defense material, there has been no money. Most of our tungsten mines are closed, others are closing, and hard-rock miners are idle or drifting away to other jobs.

Three times the Senate has sought to keep faith on the promise of 1956. Twice that wilfull group in the House committee has cut the $30 million strategic-minerals item out of the $300 million urgent deficiency appropriations bill. At this writing, it is back in committee, among those who are deaf to the earlier pledges of their honorable body, and blind to the facts of defense. This obstinate opposition has claimed that but 20 pounds of tungsten is used in a modern jet engine when the fact is nearer 145 pounds (in the J-57). To produce the higher temperature engines of the future, and the planes they will drive above Mach Two, alloys of 50 percent of tungsten or more are the engineers' best bet to crack the heat barrier. In the light of predictable demand the 6-year stockpile of last June is now estimated as sufficient for a year and a half. When it takes 1,500 pounds of tungsten to build a 5,000-pound engine, a year's production could use up as much of this metal as was mined in the United States in our best year.

Tungsten is synonymous with tomorrow. And the gentlemen of the committee must let us have a tomorrow—even if it does cost $30 million.

PROSPECTIVE CURTAILMENT OF POSTAL SERVICE

Mr. CARLSON. Mr. President, during the past few days I have received a large number of letters from citizens in Kansas and other sections of the Nation in regard to a proposed reduction in mail service, effective July 1.

The Postmaster General has stated that unless Congress votes additional funds for the operation of his Department, it will be necessary for him to curtail some of our present mail service.

The people who write me state that the closing of post offices on Saturday and the elimination of Saturday delivery service will result in great inconvenience and hardship to our citizens. I share this view, and cannot conceive that we in Congress will not give the Postmaster General sufficient funds to carry on the Saturday mail service.

The Saturday rural delivery service means much to our rural population, and it is unthinkable that Friday's newspapers would be received on Monday morning.

The Postmaster General also advises us that if funds are not made available, it will be necessary to close approximately 2,000 fourth-class post offices.

While it is true that in many instances the fourth-class post offices do not serve a large number of individual patrons, they are important adjuncts to rural community life; and I sincerely hope it will not be necessary to force a general closing of these offices. In many instances, if these post offices should be closed, rural citizens would be required to drive miles, in order to take advantage of other post-office services, such as mailing packages by parcel post, securing money orders, and registering letters.

Earlier this year, when the Postmaster General was confronted with the same situation, he found it necessary to curtail several operations of the Post Office Department. Congress acted at that time, and I hope it will not be necessary to have a repetition of that situation.

At that time the Postmaster General, in addition to the curtailment of Saturday delivery service and other phases of the mail operation, placed an embargo on the delivery of third-class mail. At the time, I questioned the authority of the Postmaster General to embargo the delivery of any class of mail.

It is my contention that once a patron of the Post Office Department buys a stamp, he has entered into a contract with the Department to deliver the mail on which the stamp is placed, and that goes for third-class mail as well as first-class mail.

I know the Postmaster General does not want to curtail any of the services our citizens want, but he is caught between an anti-deficiency statute which Congress has passed—providing penalties for expenditures of funds in excess of those voted by Congress—and insufficient funds to carry on full operations of the Department.

I cannot stress too strongly the urgency of securing early action on sufficient appropriations to give our people the mail service they want and are entitled to.

CREATION OF PERMANENT UNITED NATIONS PEACE FORCE

Mr. JAVITS. Mr. President, I have joined with a group of my colleagues, both Republican and Democratic, in sponsoring Senate Concurrent Resolution 29, which calls for the creation of a continuing United Nations force similar in character to the United Nations Emergency Force now on duty in the Middle East.

It is the hope of the sponsors of the resolution that at this session the Senate Foreign Relations Committee will hold a hearing at which the many problems inherent in this proposal can be discussed by persons both in and out of Government. Eventually, a permanent force will be created within the United Nations. It would be extremely helpful if the Congress could make a study of the problem and come up with recommendations for use by the United States delegations to the United Nations.

There recently appeared in the Post-Standard, of Syracuse, N. Y., a letter written by Paul Shipman Andrews discussing resolutions of a similar nature introduced in the House. Mr. Andrews is a distinguished leader of the bar in Syracuse. He is former dean of the Law School of Syracuse University, former chairman of the New York State Law Revision Commission, former assistant attorney general of the United States, a soldier, statesman, and scholar.

Mr. President, I ask unanimous consent to insert in the RECORD the letter written by this distinguished Syracuse attorney.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Syracuse (N. Y.) Post-Standard of May 28, 1957]

TO THE EDITOR OF THE POST-STANDARD:

May I call your attention to two House concurrent resolutions introduced on May 2; No. 165 by Representative A. S. J. CARNAHAN, and No. 166, an identical resolution, introduced by Representative PETER FRELINGHUYSEN.

Both of these propose support for a permanent United Nations police force, to be specially trained, armed, and equipped, for such duties as observation and patrol.

I have talked about the proposal for a United Nations police force with some scores of persons from points on the east coast and as far west as Minneapolis, as well as here. In the case of Minneapolis, Chicago, Cleveland, and Akron, this was as late as last week.

Every one of them without exception, understood how the events in the Middle East since last October, and recently in Jordan, demonstrated the necessity for such a police force, favored it, and recognized its urgency.

In my opinion and in that of wise and informed men to whom I have talked it would be a substantial step toward maintaining peace in the time of tensions through which we are passing, which may last at least for some years to come.

PAUL SHIPMAN ANDREWS.

SYRACUSE.

THE PASSING OF THE RIGHT REVEREND MONSIGNOR PETER E. BLESSING, D. D.

Mr. PASTORE. Mr. President, the city of Providence, R. I., mourns today the passing of a great citizen and a great churchman, the Right Reverend Monsignor Peter E. Blessing, D. D.

At the time of his death, he was vicar general of the diocese of Providence and pastor of the Roman Catholic Church of St. Michael the Archangel, a church with a proud history that began just 100 years ago this month of June.

For more than half of that century—for 53 years—Monsignor Blessing has been a priest whose parish was truly the entire diocese of Providence, since his participation in public causes was not limited as to creed. Gifted of voice and personality, his friendliness and philosophy graced thousands of occasions and his admirers were of every faith and color and class.

Because of his unusual powers, privileges and even preferences—because of his attachment to the education work of the diocese of Providence which is coextensive with the State of Rhode Island, because of his particular devotion to fraternal and organizational interests—multiplied by the golden years of his service, Monsignor Blessing has had more friendships with more thousands, probably, than any other personality in the history of our State.

He has been the counsel of the lowly and he has had the confidence of the mighty. Time and again, the bishops of Providence to whom he owed obedience have honored him with responsibilities and dignities in keeping with the dimensions of a great and growing diocese. They reach their fullest in the honors he has enjoyed from the present bishop of Providence, the Most Reverend Russell J. McVinney.

His highest honor he has held longer than any priest of our diocese—the office of vicar general. As vicar general—on 3 different occasions in his 58 years of service, as bishop succeeded bishop—Monsignor Blessing has exercised the authority and been endowed with the responsibility of that exalted command—the direction of the diocese of Providence.

Rhode Island records a great loss in the passing of such a noble figure.

Monsignor Blessing has been an apostle of light, an archangel of leadership, a commanding figure of years of war and days of peace. We are a fortunate Rhode Island to have possessed so devoted a citizen. We are a happy State to have known so kindly a shepherd to his flock.

If ever a name was divinely inspired, it was that of Blessing. Affectionately, we called him "our Peter" and no one will think me sacrilegious if I speak of our Peter as a rock upon which he built citizenship in its finest expression—humility and charity as a symbol of our society; truth and tolerance as seeds planted in fertile ground; peace and patriotism as the harvest of our firesides.

All Rhode Island prays for Monsignor Blessing.

May he rest in peace.

THE BRICKER AMENDMENT

Mr. WILEY. Mr. President, while we are approaching the conclusion of the debate and voting on the vital mutual security bill, it is well to note that an important step—a well-merited step—was taken this week on behalf of sound constitutional principle and sound foreign policy. The Supreme Court dealt another well-merited blow against unwise attempts to tamper with the Constitution by needlessly and dangerously amending the treatymaking provisions.

The Court once more affirmed the Constitution and its Bill of Rights as the supreme law of the land.

I send to the desk a brief statement on this subject, and ask unanimous consent that it be printed at this point in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SUPPLEMENTARY VIEWS OF SENATOR WILEY

Once more the case for opposition to what has come to be known as the Bricker amendment has been completely confirmed.

On Monday of this week, Justice Black, in an opinion on the case of two service wives overseas who had killed their husbands, fully backed up contentions which I and others have made down through the years. The Court's opinion freed the two wives, declaring that they had been denied their constitutional right to a jury trial.

NO AGREEMENT CAN VOID CONSTITUTION

Justice Black rejected the Government's claim that military trials for the two women were authorized by agreements with Great Britain and Japan.

"The obvious and decisive answer to this," Justice Black wrote, "is that no agreement with a foreign nation can confer power on the Congress, or on any other branch of Government, which is free from the restraints of the Constitution."

This is precisely what we who opposed the Bricker amendment have contended all along.

As a matter of fact, it is precisely what the Supreme Court has ruled in every single case involving this treaty-Constitution issue throughout the entire length of American history.

Never has the Court held otherwise.

I note, however, that my good friend, the senior Senator from Ohio, now asserts that somehow the Court's comment allegedly help chances for passing his proposed constitutional amendment to limit the President's treatymaking power.

Senator BRICKER asserts that while he approves Justice Black's language, it is not binding for all time on the Supreme Court. My industrious colleague maintains, therefore, that the Congress must enact his amendment in order to clarify the supremacy of the Constitution over treaties.

SHALL WE HAVE A CONSTITUTION WITH 1,000 AMENDMENTS?

Actually, no further clarification is one bit necessary. For my friend of Ohio to contend that some day the Supreme Court might possibly reverse itself would be equivalent of saying that "some day a thousand other types of legal events might indeed occur," and that, therefore, we must write a constitutional amendment so as to cover every one of these contingencies.

Some day, someone might propose (for example) that the Congress cut off appropriations from the judicial branch because of pique at some particular Court decision. But that is no excuse to write a constitutional amendment against that very improbable danger.

On the contrary, far from being unusual, the long unbroken line of past Supreme Court decisions is in complete conformity with what Justice Black, writing the Court decision, held on this particular issue on Monday.

The Justice rightly pointed out that if the Congress doesn't like some provision of a treaty of executive agreement, it can nullify it simply by passing a superseding law.

What more do we need? Actually, we have a whole series of other legal protections, as well, against abuse of the treaty power.

I repeat—if we were to try to write a constitutional amendment so as to cover the possibility that the Supreme Court might reverse itself on various constitutional issues, we might end up with a Constitution 1,000 amendments long.

Actually, one of the great strengths of our Constitution is that it is so comparatively short and flexible. We have wisely resisted the tendency to encumber the Constitution with dozens of unneeded amendments.

In the last few Congresses, there have been an average of 125 new constitutional amendments proposed. But, fortunately, Congress has had the wisdom to refuse to tamper with the supreme law of the land and needlessly extend its length.

In effect, the Supreme Court's decision on Monday says:

The Bricker amendment is not necessary.

It was not necessary before the decision Monday. It is not necessary now. And I doubt if it will ever be necessary in the future.

The amendment should not be brought up on the Senate floor for consideration, because there is no need for it.

WASHINGTON POST EDITORIAL

As the Washington Post said in its Wednesday, June 12 editorial:

"In some respect the most significant pronouncement of the four justices was an assertion that no treaty adhered to by the United States may encroach upon the Constitution. The Government unwisely contended that the act permitting military trials for the dependents of servicemen could be defended as legislation which is necessary and proper to carry out this country's obligations under the status of forces treaties with Japan and Great Britain. To this the four justices emphatically replied that 'no agreement with a foreign nation can confer power on the Congress, or on any other branch of Government, which is free from the restraints of the Constitution.'

"For several years Senator BRICKER has been attempting to drive through Congress an amendment to the Constitution limiting the President's treatymaking powers with the argument that treaties may override the Constitution. At least four justices say emphatically that there is no such danger. No doubt other justices would have joined in this conclusion if they had thought the issue was properly before the Court, for the Court has made similar pronouncements in the past."

Let the treaty-paralysis amendment remain, therefore, in committee, rather than take up more time on the Senate floor—time which had best be reserved for genuine, not imaginary or hypothetical, issues.

RUSSIAN TRANSPORTATION OF LITHUANIANS TO SLAVE LABOR CAMPS

Mr. KENNEDY. Mr. President, June 13 and 14 have been set aside by Lithuanian Americans to honor the memory of those Lithuanians who have been deported to Soviet Russia and to slave labor camps in the Arctic and Siberia.

It was 16 years ago, in June of 1941, that the Soviet Union occupied the Baltic States and packed off thousands upon thousands of citizens, many never to be heard from again. Many are still in exile. Unknown numbers have died, and Baltic families to this day are broken up with little hope of ever being reunited.

Three years ago the Select Committee To Investigate the Incorporation of the Baltic States into the U. S. S. R. of the House of Representatives heard testimony of hundreds of eyewitnesses, and and issued the following report:

The U. S. S. R. has been and is now engaged in a ruthless program of sovietization

in Estonia, Latvia, and Lithuania, employing the well-known Communist tactics of arrest and detention without cause, torture chambers, mass deportations to slave labor camps, population transfer, and wide-scale political murders.

After a detailed analysis of the facts, the committee concluded:

The evidence is overwhelming and conclusive that Estonia, Latvia, and Lithuania were forcibly occupied and illegally annexed by the U. S. S. R. Any claims by the U. S. S. R. that the elections conducted by them in July 1940 were free and voluntary and that the resolutions adopted by the representing parliaments petitioning for recognition as a Soviet Republic were legal, are false and without foundation in fact. (Third Interim Report, 1954, p. 8.)

Mr. Khrushchev recently appeared on American television screens to proclaim the good will of the Soviet Union toward the rest of the world, and his belief that the Soviet's aim of communization of the whole world can be carried out without violence or enslavement of peoples. Let him demonstrate his sincerity by first returning to freedom these unfortunate peoples of the Baltic States.

No action of the Soviet Union has shocked the free world more than the practice of genocide which Russia has carried out so boldly. We take these 2 days of prayer and special services to reaffirm our pledge to the Lithuanian people that the victims of Soviet tyranny will not be forgotten.

INCREASED TRADE WITH RED CHINA

Mr. BUTLER. Mr. President, the controversy with respect to trade with Red China is again with us, and has been intensified by the recent action of the United Kingdom, which I consider to be ill advised.

In this connection, Assistant Secretary of State for Far Eastern Affairs, Walter S. Robertson, made a number of pertinent observations in the course of his recent commencement address to the graduates of Duke University—which I ask unanimous consent to have printed in the RECORD as a part of my remarks.

Also, Mr. President, I ask that Mr. James Reston's background article entitled "United States and China Trade," as it appeared in the New York Times on June 4, 1957, be printed following the address.

There being no objection, the address and the article were ordered to be printed in the RECORD, as follows:

GRADUATION RESPONSIBILITIES

(Commencement address by the Honorable Walter S. Robertson, Assistant Secretary of State for Far Eastern Affairs, at Duke University, Durham, N. C., June 3, 1957)

President Edens, members of the faculty, members of the graduating class, distinguished guests, ladies, and gentlemen, when he was a young man, John Barrymore wrote a letter to his brother, Lionel, observing that, while he was not a confirmed reader of the calendar, it had come to his attention that he had that day reached his 21st birthday. Similarly, it may be assumed that you who belong to the class of 1957, while perhaps not having been slavishly addicted to the curriculum during the past 4 years, will not have failed to note that today is your graduation day.

It is, I am sure, a very happy day for you. May I add my felicitations to those you have already received. I should like to say also how glad I am to be with you today. It is always very pleasant to talk with youth. It is like being up early in the morning. A cynical voice inside may tell you that the day ahead is not going to be very different from other days. Nevertheless you feel a glow of anticipation.

It is impossible to look at a youthful audience like this one without feeling hopeful. And perhaps there are very good grounds for hope. At least you are going to start out knowing more than your predecessors did about some very important things. When the generation which is now at the controls came of age, the American people considered their continent as set almost wholly apart from the Old World and from its interminable diplomatic maneuvers, national jealousies, and fratricidal wars. Even Woodrow Wilson, whom we recall as a great internationalist, did not once refer to foreign affairs in his first inaugural address. It required two world wars and a frightful toll in blood and in treasure to make your grandfathers and fathers understand that the United States had very great responsibilities in the world as a whole. It is easy for you to understand this; you have grown up with that knowledge. It would probably be difficult for you to imagine otherwise.

The whys and wherefores of responsibilities are difficult to define. About all we can say of them is this—responsibilities seem to be apportioned among men and among nations in strict accordance with their ability to bear them. You can say that providence has arranged it so or that it is a matter of definition. Our capabilities and our responsibilities are always in exact balance. It is like double-entry bookkeeping: every time you acquire an asset, you acquire a matching liability. We may say that all human progress is the result of men devoting their capabilities to the discharge of their responsibilities.

All the needless strife, bloodshed, and suffering that has made human history to so considerable an extent a thing of horror have resulted from men's failure to do just that—from their inability to perceive, and their predilection for ignoring, their responsibilities. The willingness to face up to responsibility is the test of maturity among men and among nations. The United States is facing this test in an acute form in the world today. And you on this, your graduation day, are acquiring as adult Americans opportunities and responsibilities probably greater than those that have ever fallen to the lot of any people in history. Charles Dickens, in what is perhaps his most frequently quoted passage, said of a period almost 200 years ago: "It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness * * *, it was the season of light, it was the season of darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us." It was, he concluded, a period very like the one in which he was then living 100 years later.

In the face of Dickens' assertion that all ages were alike in combining the best good and the worst evil, the brightest promises and the direst threats, and that each age thinks itself unique in such a paradox, one hesitates to claim this character especially for one's own. Yet Dickens himself, as much as anyone, would surely be overawed by the extremity of the alternatives that confront us in the middle of the 20th century. Scientific discovery and invention are continually opening up new possibilities and they are doing so at a rate of progress that seems to be constantly accelerating. This progress is not only rapid; it appears to be gathering speed. Each year we see ever greater possibilities more clearly before us.

On the one hand, we can perceive ahead of us an age of plenty in which poverty and disease will finally have been conquered: we shall have come to control our environment, our horizons shall have been extended deep into the heart of matter and far out into space. On the other hand, we can perceive as an equally plausible possibility the destruction of civilization—conceivably life itself—by atomic devastation and the poisoning of the atmosphere or, if that is avoided, possibly the triumph of a barbarism of the spirit welling up in modern totalitarian form that could overwhelm our civilization as Rome was overwhelmed by a more innocent barbarism, ushering in a new Dark Ages.

Whether, as Dickens put it, we are all going direct to Heaven or are all going direct the other way is likely to be decided primarily by the way the United States exercises the leadership that has inescapably come to rest upon it. We have stanch and powerful partners in the trials we are having to meet and shall go on having to meet—the vast majority of nations that share our values. Indeed, we have as a potential ally the mass of mankind whose hopes and longings depend upon us for their fulfillment more than upon anyone else.

Recent dramatic events in the great ideological struggle through which the world is now passing have been centered in the Middle East. There is a reason for this and an equally cogent reason why, from time to time, the backdrop of world drama will shift as international communism continues to probe for weak spots in the free world's armor. As the Far East is the area of my official responsibilities, it is there that I propose to ask your attention while I endeavor to develop the theme of America's responsibilities, responsibilities which on this day become your own.

For the sake of our discussion today, I shall ask you to visualize the Far East as a place where two forces are in collision, like two air masses of opposing character that meet in what I believe is called an occluded front. This kind of front, if I am not mistaken, is characterized by rain, hail, sleet, lightning, and thunder.

In the Far East, the front reaches from Japan and Korea through southeast Asia, from whence it extends to Kashmir and Afghanistan. On almost all parts of its 7,000-mile length there are turbulences of one kind or another.

At the risk of overdoing our image, we might say that the warm air mass represents the resurgence of Asia, the movement of the Asians to throw off foreign rule and foreign domination; to catch up with the 20th century; to win recognition and respect for their importance; to realize their capabilities; to achieve tolerable conditions of life for their oppressed, ill-nourished, illiterate fellow beings; and, above all, to achieve the right to be themselves and to be answerable only to themselves. The other air mass, pushing its cold wedges down from the north, represents the force of aggressive, expansionist world communism, the object of which is antithetical to the object of the Asian revolution. If successful, it would bring the whole vast Asian world into the icy grasp of an alien tyranny.

The results of this collision will influence the climate of the world for as far into the future as we can see. Up to now, the cold air mass, relying at times upon assault and at others upon insinuation, has overspread mainland China, Tibet, North Korea, North Vietnam, and North Laos, and has established pockets out ahead of the front in many areas. It has also had signal reverses. It overreached itself in Korea and was thrust back at heavy costs to the Koreans and to us, but at even heavier costs to itself. Its bids for control in Formosa and most of southeast Asia have so far been frustrated.

Far Eastern policy has been a subject of particular controversy in the United States.

In certain camps it is today. However, I believe that the vast majority of our countrymen is now pretty generally of one mind in its appraisal of the situation in the Far East and its meaning for us. At long last I believe it is generally recognized that the Communists are dedicated to the proposition that in the long run it must be we or they, the Free World or their world. This position was made clear long ago by Lenin. He wrote: "We are living not merely in a state but in a system of states, and the existence of the Soviet Republic side by side with imperialist states for a long time is unthinkable. One or the other must triumph in the end. And before that end supervenes, a series of frightful collisions between the Soviet Republic and the bourgeois states will be inevitable." And I believe we also recognize that having been frustrated in Europe by the Marshall plan and the North Atlantic Treaty Organization, the Communists have been giving major attention to the Asian world, from Japan westward all the way to the Near East. The situation in this vast area has offered them distinct advantages. What are these advantages? Broadly speaking, they are twofold.

On the physical side, there is the Communists' possession of the great base of operations offered by Russia and mainland China, to which the rest of Asia is geographically peripheral. Just as the position Russia achieved in Manchuria at the end of World War II gave the Communists an invaluable base for operations against China proper, so the addition of mainland China gives them an invaluable base for operations against the rest of Asia. It has given them, moreover, an army of perhaps 2½ million men and exposed the Chinese minorities in southeast Asia to Communist penetration and intimidation. These minorities number between 10 and 12 million or more and play a key role in the economic life of the countries in which they live.

On the psychological side, Asia has offered the Communists the opportunities that an absolutist, ruthless, highly disciplined, self-sure movement always finds in a situation of widespread disorder of insecurity, doubt, confusion, discontent, and suffering. But the greatest psychological advantage the Communists have reaped arises from the fact that the Asians had traditionally looked upon Western Europe as the outstanding obstacle in the way of their revolution. It was European domination and European privilege that in the eyes of the Asians blocked the avenues of advance to a more rewarding and self-respecting future. By contrast, the Communists were in their eyes fellow revolutionaries and allies in the struggle with western imperialism. In one sense it has been asking a great deal of the Asians to expect that they would be able, in the short period since World War II, to see the West as an ally of their revolution and Communist imperialism as the outstanding threat to their new independence.

Perhaps the remarkable thing is not that many Asians have been unable to readjust almost overnight to the radically altered circumstances of the present, but that so many have done so.

The Communists, although absolutely fixed in their thinking with respect to ultimate objectives, are notorious improvisers in strategy and tactics. For this reason a discussion of Communist blueprints of action is therefore generally fruitless. We are justified in surmising, however, that what the Communists are now aiming at is to utilize their assets in China to gain control of southeast Asia with its strategic resources and its rice surpluses on which Japan depends. They would then dominate Japan's natural trading area and be able to dictate the terms on which the Japanese could make a livelihood. Completing the consolidation of their control over the whole Asian world, with its manpower, resources, and industry, (Japan's industrial capacity is now 50 percent of that of the Soviet Union) they would be able to turn upon the Middle East and Western Europe with great strength and formidable prestige. This latter element—the factor of psychological momentum—is one that we should never underestimate. Success—as Hamlet said of appetite—grows with what it feeds on, and resistance which could stand off 10 or 20 or 100 divisions may crumble before a name.

It is well to recall Lenin's blueprint for world domination:

"First we will take Eastern Europe, then the masses of Asia. Then we will surround America, the last citadel of capitalism. We shall not have to attack. She will fall into our lap like an overripe fruit." His blueprint has been followed with clocklike precision by his disciples. Starting from zero in our generation, the International Communists now hold in a grip of ruthless power 16 nations, 900 million people—a circumstance recently described by the Secretary of State as "the most frightening fact history records."

Faced with these ugly facts, we have become increasingly aware that Asia must be held against the pressures of all kinds the Communists are bringing to bear against it.

However, it is only the Asians who can hold Asia. That statement does not lose force if we go on to recognize, as we have recognized, that the Asians need our help. This help we have been giving and are continuing to give to those who are seeking to preserve their national independence. First, we have been helping with the military defense of Asia. Our major assistance has gone to those countries under the most pressing threat. We have contributed substantially to building up effective military forces in the Republic of Korea, Taiwan, and the Republic of Vietnam. In our view, those forces serve to defend not only those three areas but the whole of free Asia. The presence of competent military forces anywhere on our side of the Iron Curtain in the Far East must make the Communists that much more reluctant to attack overtly anywhere else. The military forces of the Republic of Korea, the Republic of China, and the Republic of Vietnam are defending the countries of southeast Asia, as well as their own countries, simply by maintaining their present impressive capabilities—even if they never budge from their present positions or fire a shot. The long-range American striking forces called for by our present strategy of defense are also calculated to deter aggression by the mere fact of their existence.

Now it is essential of course for the Asians to have something to fight with, but it is even more important for them to have something to fight for—or rather for them to realize how much they have to fight for, including the chance to achieve something better. However, it is much easier for us to provide weapons, however costly the operation may be, than to provide conviction and faith. You may ask whether the Asians do not recognize that any people menaced by communism have everything to fight for, above all for their independence. My answer would be that the Asians are passionately attached to their independence. I would further submit that the vast majority of Asians are profoundly opposed to what communism consists of. I would even hazard the guess that nowhere in Asia, including China and Vietnam, could Communists, running as such, poll as heavy a percentage of the vote in a fair election today as they have in parts of the West. But I would also point out that while a growing knowledge of realities in the Communist world has gone a long way in disabusing the Asians—as it has the rest of the world—of illusions about communism there are still many Asians who do not know what communism is and who accept its pretensions uncritically, deriving no small satisfaction from the discomfiture the Communists apparently cause the West. For those Asians who have had experience of Western overlords and of feudal overlords of their own but who have seen nothing of Communist tyranny, it is not unnatural to think of communism in terms of economic and social radicalism—which is appealing to them—rather than in terms of Soviet Russian and Communist-Chinese reactionary imperialism. At the same time, most of the population of Asia is living in circumstances that even by Asia's own pathetic standards are desperate.

This means that the Asian revolution, insofar as it is a nationalist revolution, is today living on borrowed time. An improvement has got to be shown in the conditions in which the vast majority of Asians live. Such an improvement cannot be taken for granted. Human beings cannot be expected to aubmit to starvation because they are told that communism would be worse.

What the United States is trying to do in the economic field is to extend aid and technical assistance where it will count for the most, where the economic and social structures of the new Asian nations are weakest. We cannot give aid of a magnitude that would industrialize Asia in a matter of years or cause dramatic changes in the standards of living of 700 million people. But we can help bring about specific improvements—say in transportation systems, in small industries, in public administration, in agricultural methods, in the diversification of production—we can help to create a constructive atmosphere, an atmosphere of hope, a climate of confidence in free Asia's present nationalist, moderate leadership. Further, we can take the lead in reducing those arbitrary barriers to the wider development of Asia's resources and the world's resources—high tariffs, quota systems, and the like—by which a nation seeks to live in a world apart when the survival of all depends on common effort.

Any illusions we may have that the Communists would genuinely like to reestablish peace and relieve sources of friction on any terms other than the progressive destruction of our world should be dispelled by a knowledge of the vilification and abuse that the Communists are constantly pouring upon us.

It is important for us to keep constantly in mind the fact that the Asians are continuously exposed to this unceasing barrage of anti-American propaganda. The objective, of course, is to picture the United States as the archenemy of everything the Asians are struggling for. Actually, the United States emerges from Communist propaganda as having all the essential features of international communism. The chief effect is probably not so much to win friends for communism as to strengthen the view of some Asians that the two sides in the cold war are equally overbearing and equally wrong and that therefore they, themselves, can stand aside from the conflict. This is a comforting notion, bringing release from all responsibility.

I always have two reactions to neutralist views. First, I wonder how we can make clearer the origins of the cold war and the reasons for programs of American foreign aid. It is so clear to us that the United States has come into conflict with the Communists not because we have any desire to extend our influence beyond our borders, not because we have been immediately and directly threatened by Communist imperialism, but because we have responded to requests for assistance from those nations which, neighboring on the Communist world, have been immediately threatened,

It is hard to see how the facts could be made plainer. My second feeling is one of curiosity as to whether the neutralists ever stop to wonder what would happen to them if we followed their example and also stood back from the conflict between Communist imperialism and the rest of the free world and allowed nature to take its course.

However, we must not be too discouraged by neutralist sentiment in Asia. We must remember what our objective is. It is not to achieve popularity or win admirers. Our purpose is to see that the independence of the Asian nations is preserved and that they are able to stand on their own feet. Moreover, it would not be very becoming to us to be too shocked by the phenomenon of neutralism. We must remember that for the first century and a half after our own achievement of independence, our foreign policy was devoted to keeping out of the affairs of the Old World and keeping the Old World out of the affairs of the New.

Fortunately for us, during our first century, we were geographically remote from the theaters of major conflict—unlike the Asians today—and mercifully were threatened with no such worldwide conspiracy as the Communist International. And further, the security of the Western Hemisphere had an effective defender in the form of the British Navy. Nevertheless, we were too long in discovering that in the 20th century no nation is geographically remote. We learned in 1917 and again in 1941 that for nations today, the cost of escaping involvement in a world at peace is apt to be involvement in a world at war from which they cannot escape.

It is to avoid a repetition of two world wars that we are now striving to help develop in the free world, east and west, a strength sufficient to stay the aggressor's hand. It is to avoid having once again to fight to the death for our survival in circumstances of the aggressor's choosing—in a war that this time we could not see the end of. It is our responsibility to contribute all we can to the creation of that strength because without us it cannot be created. It remains our responsibility no matter what anyone says about us—enemy, friend, or neutralist. And we may be sure that the more we succeed in acquitting ourselves of this responsibility, the more vituperations we shall have from our enemies—who will see their opportunities fading—the more frankly our friends will speak their minds, and the sharper the criticism will be from some of the neutralists. That will all be evidence that we are achieving our ends.

We are fond of saying in speeches that we must help in the defense of freedom everywhere because it is in our self-interest to do so, because, so long as freedom is in danger anywhere, our own is not safe. That is quite true. I find it tiresome, however, and unworthy of us to invoke exclusively our own self-interest. Our responsibilities are not primarily to ourselves but to the past and to the future. Our freedom was bought not at Yorktown and Midway alone but on a thousand battlefields from Thermopylae to the Marne, Lake Ladoga and the skies of Britain. Our material possessions go back to Archimedes, the Arab algebraists, and Galileo. We Americans, unlike the Russians, did not invent everything. Much of the inspiration of our art and our religion is to be found among the ancient peoples of the East.

As we look about us at our heritage of incredible blessings, spiritual and material, and at the magnificent continent we inhabit, we must continually remind ourselves how much we owe not only to our own efforts but to our forefathers, to other peoples, and to Providence. This is a debt we can repay only to the fellow inhabitants of our world and to the future. For my own part, I feel that nowhere more than in Asia, where so many are struggling against such heavy odds for one-hundredth part of the rewards we take for granted, will assistance from us be productive of important returns for all mankind. All nations have immense responsibilities today. As the structure of civilization grows more complicated and integrated and more charged with explosives, its tolerance of mistakes grows less and less. A reckless policy by a single nation—even a small one—can do far more damage today than it would have done 50 years ago. The latitude we can allow ourselves is particularly limited because we carry so much weight. Our responsibilities are greater than anyone's because we have more to give. Other nations when hard pressed and in desperate need of support can look behind them and find us there. And the postwar years have shown that other peoples in their extremity do not look to us in vain. But behind us there is no one. It all stops with us. If we fail, there will be no one to fill the breach. That suggests the nature of our responsibilities.

And with one further word on the general subject of responsibilities I shall end: the only way to get rid of responsibilities is to discharge them.

[From the New York Times of June 4, 1957]

UNITED STATES AND CHINA TRADE: A STUDY OF THINKING BEHIND DIFFERENCES IN POLICY IN WASHINGTON AND LONDON

(By James Reston)

WASHINGTON, June 3.—Britain's decision to increase her trade with Communist China has not had the slightest effect on the thinking of the top officials here who are principally concerned with planning United States China policy.

If anything, London's move to ease the embargo on trade with Peiping has merely hardened the belief of these officials, particularly Walter S. Robertson, Assistant Secretary of State for Far Eastern Affairs, in the importance of maintaining Washington's total trade embargo.

Here is the theme these officials are now developing:

The objective of the Communists in Asia, as Mr. Robertson said in a commencement day address at Duke University today, is the conquest of all southeast Asia and Japan. And if we fail to stop them, he added, "there will be no one to fill the breach."

Under these circumstances, sending machine tools and other strategically important goods to Communist China is equivalent to the prewar policy of sending scrap iron and high-octane gasoline to the dictators of prewar Japan.

The United States must keep effective military forces in South Korea, Taiwan (Formosa) and South Vietnam, for these forces not only help maintain the independence of the areas where they are stationed but help defend the whole of free Asia.

Some elements of the press are giving the impression that the present administration's China policy is highly controversial in the United States, whereas no other aspect of United States foreign policy is so widely supported as the present China policy.

NOT DEVOID OF CONTROVERSY

This does not mean that the administration's China policy has not produced a great deal of controversy and second thoughts here, particularly since the anti-American rioting in the Chinese Nationalist capital recently, but it does mean that State Department officials are saying there is very little controversy.

In support of this, Mr. Robertson pointed out in a recent speech in Bloomington, Ill., that the Kelly resolution, opposing the recognition and United Nations membership of the Peiping regime, passed the House of Representatives, 391 to 0, and the Senate, 86 to 0. This was cited by Mr. Robertson in support of his contention that the present China policy had stronger political support here than any other.

Despite these statements, however, the administration in general and Mr. Robertson in particular are visibly worried about possible cuts in military and economic aid for Formosa, South Korea and South Vietnam.

The official line now is that "the [Nationalist] army on Formosa [Taiwan] of some 400,000 men, trained and equipped by the United States, is a powerful deterrent to Communist overt aggression in Korea and elsewhere in Asia. If Formosa should fall to the Communists, Japan, the Philippines and all of Southeast Asia would be seriously threatened."

NEWS BAN MAY BE CHANGED

Only on the question of permitting some United States reporters to go to Communist China is there any evidence of modification of Washington's Asia policy. Current discussions in the State Department may lead before long to a temporary and limited lifting of the ban on firsthand reporting by Americans on the mainland of China but elsewhere the policy remains the same.

On the British decision to put its trade with Peiping on the same basis as trade with Moscow, the State Department issued a formal statement saying: "The United States is most disappointed by this action. * * * For its part, the United States contemplates no change in its policy of total embargo on trade with Communist China."

There is strong feeling in the State Department on two aspects of this problem. The first is against the British for going against what the State Department feels was the sentiment of most of the governments concerned for the maintenance of a tougher trade policy toward Peiping than toward Moscow.

The second is a feeling of resentment in the State Department toward the press for what Mr. Robertson regards as a failure to give adequate display to the official statement of the United States on the trade-with-China question.

Mr. Robertson is speaking a great deal in public and in private and repeating statements that emphasize the unchanging attitude of the United States Government toward Peiping.

Here are a few representative quotes from the published texts of his recent speeches:

"Let no one say we are denying representation of 600 million Chinese. The defiant Marxist imposters in Peiping come no closer to representing the true interests, aspirations and will of the Chinese people than William Z. Foster, [leader emeritus of the United States Communists] comes to representing the will and aspirations of the American people."

"Our Government is opposed to any action which would create international prestige for this Peiping regime * * *."

"The National Government [of China] is a symbol, the only rallying point in the world for non-Communist Chinese, the only alternative to communism for millions of Chinese on the mainland and throughout southeast Asia.

"If the National Government should be liquidated, some 12 million overseas Chinese would automatically become citizens of Red China and potential cells of infiltration and subversion against the governments of the countries where they reside."

The PRESIDING OFFICER (Mr. CORTON in the chair). Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, we have worked out a unanimous agreement in an attempt to accommodate the Members of the Senate. Under that consent agreement we have 3 hours on the bill, to be equally divided and controlled by the majority and minority leaders. We try to work very cooperatively together in regard to the allocation of that time so that we can accommodate our various colleagues.

It is my information that the distinguished Senator from Indiana [Mr. JENNER] desires to address the Senate at this time, and if the distinguished minority leader will yield him time first, if the Senator from Indiana has not received sufficient time when that time expires, I shall be glad to yield him additional time.

Mr. KNOWLAND. Mr. President, I yield 45 minutes to the Senator from Indiana out of the time on the bill.

The PRESIDING OFFICER. The Chair inquires if morning business is concluded.

Mr. JOHNSON of Texas. Morning business is concluded, and I ask that the unfinished business be laid before the Senate.

MUTUAL SECURITY ACT OF 1957

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. The committee amendment is a substitute for the text of the bill. Under the precedents of the Senate, it is not regarded as an amendment but as original text for the purpose of amendment. The committee amendment is open to amendment.

The clerk will read the unanimous-consent agreement which has been entered:

The legislative clerk read as follows:

Ordered, That effective on Friday, June 14, 1957, at the conclusion of routine morning business, during the further consideration of the bill, S. 2130, to amend further the Mutual Security Act of 1954, as amended, and for further purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader——

Mr. JOHNSON of Texas. Mr. President, was it necessary to have the unanimous-consent agreement read?

The PRESIDING OFFICER. The Chair was acting on the prompting of the Parliamentarian.

Mr. JOHNSON of Texas. I do not know any reason why it should be read. It is available to all Senators.

The minority leader has yielded 45 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 45 minutes.

STILL A GIVEAWAY

Mr. JENNER. Mr. President, Congress is involved once again in its annual struggle to decide how much of our earnings should be given away to foreign governments.

This is the 10th year in which we have wrestled with foreign aid, though we were told it was to be a temporary measure.

Since the end of World War II, we have given to other countries a total of nearly $19 billion for military assistance, and over $28 billion for economic aid.

In addition to the $47 billion in gifts, we have extended loans amounting to $11 billion—of various degrees of softness.

The executive branch is asking for $3.8 billion for the coming year, but that is far from the total request.

We must add to the authorization the $1.5 billion to be borrowed from the Treasury for the development fund during the 2 following years, which will never be returned to us, even if it is repaid to the fund.

To find the total charge against our resources, we must add $6 billion still unspent, from foreign aid appropriations of earlier Congresses.

Sales of surplus agricultural commodities provide additional funds for ICA spending.

In March 1956, this amounted to more than $500 million.

In March 1957, it had risen to a billion dollars, and it is still going up.

Almost half of these extra funds are now used in countries which Congress has never included in the program.

That is how our aid to Poland and Hungary can be legally financed.

Congress may be opposed to our aiding captive nations, while their economies pay tribute to the Soviet Union and its war machine, but we gave the foreign aid officials such vast, unspecified powers that they can do virtually what they wish.

If we add these unspent funds to the present request, we get a total of about $12 billion which ICA will have to spend after July 1, 1957.

What reason can we give our people, to justify authorizing five and a half billion dollars more for foreign aid at this time, when our national debt approaches $280 billion and our bonds must be refinanced in a tight market?

Mr. President, we could not sell the last $4 billion of bond offerings. We have $16 billion more coming due in August, and in the years from 1965 to 1967 it will be necessary to refinance by the issuance of new bonds to the extent of $201 billion.

Furthermore, our people are cruelly pinched by our enormous taxes.

What chance would we ever have for tax reductions?

We must remember that practically every dollar of money we give to other nations is added to our debt load.

Expenditures for our own affairs have, in general, used up all, or more than all of our huge tax collections.

Foreign aid has been financed by adding to our debt.

Frankly, I cannot find any good reason to justify Congress in taxing our people to give away more money for the foreign aid follies. It will be said that our military assistance is supposed to help firm anti-Communist nations, face to face with the Red armed hordes.

No one has urged more strongly than I, that we give help, as they need it, to our proven allies, who live with the threat of Communist fire and sword hanging over them every moment of their lives.

I know the Koreans, the Free Chinese, and the Vietnamese cannot pay for jet-age weapons out of their crippled economies.

It will be argued that the purpose of our economic aid is to block Communist plans for world conquest by subversion. No one is more concerned than I over the danger of the Communist fifth column, in this country or any other. But I still say I cannot find any good reason to justify Congress in taxing our people to give away more money through foreign aid channels.

Beautiful visions of a great and glorious crusade against communism are fed to Congress and the people. But I say, the realities of foreign aid are totally different from these beautiful pictures.

I say that there is no slightest possibility that new appropriations will improve the real situation, or bring us any nearer to the promised goal.

I say that our foreign aid follies do not serve in any way as a threat to communism, or strengthen our ability to defend ourselves.

I say that the new program, for the coming year, is worse, not better, because it is skillfully directed to give less and less hard military help to genuine anti-Communist nations, and to waste more of our substance on economic aid to nations which care nothing for us, and care little about blocking the Communist onslaught.

The able chairman of the Senate Foreign Finance Committee has pointed out:

This country is mortgaged to the hilt at this moment.

The 275 billion Federal debt—that you and I owe—equals the full assessed value of all the land, all the buildings, all the mines, all the machinery, all the factories, all the livestock, everything of tangible value—in the United States of America.

Stop and think what that means, Mr. President.

While we were giving away over $47 billion during the last 10 years, how much of our debt did we retire?

According to the annual report of the Secretary of the Treasury, we put not quite one and one-half billion dollars into the sinking fund, to retire our own gigantic debt.

Our national debt in 1916 was a little over a billion dollars.

By 1932, it had climbed to approximately $19½ billion; by 1940, it had risen to nearly $43 billion; by 1945, it had approached $259 billion. A year later, it jumped $10 billion to a new high of $269 billion.

In 1948, when we started our foreign-aid giveaway, our debt was down to 252

billion. Since then it has climbed over 20 billions more.

Mr. President, more than 10 percent of our budget is used to pay interest on our national debt. Our citizens carry a heavy tax burden merely to pay the interest, which rises every year.

In 1948, when we started giving away our resources, every man, woman, and child owed over seventeen hundred dollars as his share of the debt. Today, with all our phenomenal increase in productivity, every man, woman, and child in this country owes more than sixteen hundred dollars on the debt.

Yes; to quote the chairman of the Finance Committee, "This country is mortgaged to the hilt."

The chairman of the Finance Committee also pointed out that—

> The debt of the United States is 2½ times as great as the combined debt of 12 European nations that we have been helping.
>
> They have a smaller per-person debt than we have, but we are still contributing to them.

I ask, if we cannot pay our Government debt now, when will we be able to pay it? How will we finance another war if we have to?

Spruille Braden pointed out in January:

> If the entire national income of the United States were spent to improve the living conditions of the hundreds of millions of unfortunate people in the undeveloped areas, their living conditions would not be raised even 1 percent; and the benefits would not be lasting, because of their fast-growing populations.

And for this, we tax the earnings of the American people. We take their dollars from them in direct taxes.

We reduce their living standard by depreciating the value of the dollars they have left, after they pay 27½ percent of the national income for Federal, State and local taxes.

In the last year the dollar has fallen more than 2 cents, and that is almost 4 percent of its purchasing power. Yes; we had inflation because of deficit financing in World War II, and because of World War II. But what are we going to do about the inflation of the past year, when there was no deficit financing?

The living standards of our people are being reduced. The process is going on every day. Their living standards are reduced by depreciating the value of the dollars our people have left after they pay 27½ percent of the national income for Federal, State, and local taxes.

While we are on the financial picture, I think the Senate should know that not only do we have a $278 billion Federal debt, but we have a $50 billion State, municipal, and local debt. We have a $254 billion corporate debt, and a $115 billion individual debt. That makes more than three-fourths of a trillion dollars, which is much more than all the money we have in this country. We have only $32 billion. There has been an increase in the past 4½ years from $29 billion to $32 billion.

The Government has about $24 billion worth of gold, but $14 billion of that is committed to foreign countries to whom we owe it. So what have we? A few billion dollars working against three-quarters of a trillion dollars worth of debt, and the dollar going down every day.

What are our friends doing? Look at our ally, Great Britain. She reduced taxes for her people, but she could not afford to pay the principal, or even the interest due us on her outstanding loan; and only a few weeks ago we stood here and, by our vote, forgave the British that interest for this year.

She is cutting back on her defenses. She is pulling her troops out all over the world and bringing them home. She says glibly, "If you want any kind of defense, let the Americans pay for it."

How silly can we get? How long are we going to be idiots?

France uses NATO divisions and NATO equipment in Algeria, and there are mysterious delays in German rearmament.

Iceland tolerates our forces stationed to protect her from attack, but makes no bones about her hostility to Americans.

Tito is still on top of a balanced seesaw with the United States in the air on one side of it, and Russia sitting on the other side.

But we send our latest jets to Tito.

This year, it is true, the executive branch has proposed three important changes in its use of these funds.

But let us face it. Let the people look at the facts. I am sure the Senate is not interested.

They recommend that military assistance and defense support for military purposes shall be carried in the appropriations for the Defense Department. Is that not a beautiful thing? Let us see what that means.

They suggest that foreign aid, that is, outright grants for economic assistance to other countries, shall be closed out. That is a fooler, too.

They propose setting up a new program, to make soft loans rather than grants, and to stress help for the underdeveloped nations of Asia and Africa, those which are neutral in the struggle we are carrying on against Communist tyranny.

These changes should be carefully examined.

I, myself, have repeatedly proposed that military assistance—which goes largely to firm anti-Communist nations like Korea, Free China and Vietnam—should be assigned to the Defense Establishment, and that help to neutral nations should take the form of loans instead of outright gifts.

Why, then, do I oppose these new recommendations?

Because they are not improvements in policy or operations, but window-dressing to confuse Congress and the people.

Let us look at military assistance.

Here the obvious change is the request that the defense appropriations be made a separate title in the regular Department of Defense budget.

Military aid will, however, remain under the direction of the International Cooperation Administration, subordinate to the State Department.

The new funds, though charged to the Defense Department, are not to be appropriated to the Defense Department, but to the President. I call particular attention to that point.

Policy decisions on military aid are to be made by the State Department, not the military.

I have repeatedly called attention to the way in which the foreign policy planners have been extending their control over the Military Establishment.

This is no technical question of intergovernmental relationships.

The question is: Shall we have the kind of military protection for our country which is satisfactory to our defense officials, or the kind which is preferred by the foreign policymakers?

Since 1940 or so, a fierce struggle has been waged far out of sight, between the people who wanted a strong military program tightly meshed with American national objectives, and those who wanted American military strength dispersed to serve the ends of the internationalists and one worlders.

This roughly corresponds with the difference between the State Department and Defense, although the power of the foreign policymakers over the Defense Establishment, itself, increases every day.

The struggle is deep in the upper reaches of the National Security Council, and hidden from Congress and the people by our curtain of secrecy.

I have, repeatedly, called attention to the steps in this attempt to harness American military power to supernational ends.

No one answers my arguments.

No one echoes my questions.

I almost wonder whether someone wants the issue to be kept out of the public eye.

So far, this growing power of the foreign policy planners over defense, has been without legal justification.

In this new foreign-aid bill, the secret is out.

The bill adds a new subsection 521 (c) which provides:

> The President shall continue to exercise the powers conferred on him under chapter 3 of title 1, relating to defense support, only through the Secretary of State and his subordinates.

Our military are not supposed to know about railroads and port improvements and radio transmitters.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JENNER. I decline to yield at this time. I am on limited time, and I must hurry along to complete my remarks in time.

Mr. MORSE. I merely wished to support the Senator's argument.

Mr. JENNER. I thank the Senator. The military may not decide whether military facilities are to go to Korea or to Yugoslavia.

Another new subsection, 523 (c) provides:

> Under the direction of the President, the Secretary of State shall:
>
> 1. Coordinate the various forms of assistance authorized by this act, so that the foreign policies of the United States may be best served thereby; and
>
> 2. Determine the value of the program under chapter 1 of title 1 for any country.

"Any country," the bill says. This means the Secretary of State, and not the Secretary of Defense or the Joint Chiefs of Staff, shall decide how much of the appropriations made by Congress for military aid to anti-Communist nations, shall go to Korea or Free China or Vietnam or Greece or Yugoslavia.

The doctrine of "civilian control" properly refers to the principle that control of decisions on when to make war, and which nations to trust, should be made by elected political leaders, but it has been distorted for years to justify the control of our defense policies by permanent officials of the foreign policy agencies.

The distortion is now to be made permanent, with the formal approval of Congress.

There is another major policy issue hidden in the simple words of this new proposal.

The way is opened to a gradual shift of our foreign aid from military assistance to anti-Communist nations to economic aid to those who are "neutrals" in the cold war.

The executive branch says the new loans are to be "nonpolitical," which is a fancy way of saying our money is to go less and less to the countries which would stand by us in resisting Communist arms or Communist blandishments.

Our capital is to go increasingly to what are called the "undeveloped" nations, but which are, politically, the nations which refused to support our policy of resistance to communism.

Even if we do not wish to see what is happening, we must realize that this new trend is clearly visible to the firm anti-Communist leaders of Asia and of Europe.

There is still another hidden effect of the appropriation of military aid "to the President."

This is a change of constitutional significance. When funds are appropriated "to the President," this means such funds are not assigned by Congress to an agency set up by them in statute form.

The public money can be assigned by the President, or his assistants, to any improvised emergency agency, with virtually unlimited powers, powers so vague and blurred that Congress can never check on what it does.

If we vote this change, Congress waives its legislative duty to decide, by statute, on the powers and duties of the executive agency which is to spend our military assistance money.

No policy or prohibitions are set by Congress on whatever they may choose to do. The sky is the limit.

This so-called improvement is then merely one more step in the transfer of Congressional functions to the executive branch.

In 1795 James Madison wrote:

> The Constitution expressly and exclusively vests in the legislature, the power of declaring a state of war * * * the power of raising armies * * * the power of creating offices * * *.
>
> The separation of the power of creating offices from that of filling them, is an essential guard against the temptation to create offices for the sake of gratifying favorites or multiplying dependents.

I may say that the Federal bureaucracy now is the largest it has ever been.

The obligation on Congress to define and limit the powers of executive agencies cannot be surrendered unless we are prepared to surrender the legislative power itself.

To sum up the first of the new proposals: The provision to charge military aid to the defense appropriations is, at best, nothing but a bookkeeping device.

In fact, this apparent concession to criticisms by Congress makes matters worse in two important ways:

By transferring a large share of the foreign-aid appropriation to the defense budget, it will be possible greatly to increase economic aid while it is made to look as if total foreign aid is going down. That is the gimmick.

The way is cleared for a major shift in foreign policy, by which we shall continually reduce our grants for hard military aid to firm anti-Communist nations, and transfer most of our help to the neutralist nations.

The dangerous claim of the State Department that it should control top military policy is now made permanent by statute.

The trend to executive assumption of legislative powers is intensified by the plan to appropriate military aid, though charged to defense, directly to the President.

Now we come to economic aid.

In this regard the current bill apparently proposes the closing out of the old "foreign aid" grants, but the changes again are different from what appears at first glance.

The appropriation of $300 million dollars for the new category of "special assistance" is, however, a continuation of the old grants.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JENNER. I do not have the time; I am sorry. I am speaking on limited time.

The economic-aid program has $318 million still unspent. We know how Federal executive agencies can prolong their last days almost to eternity.

The third new step in economic aid is to set up a "bank" for loans to the "undeveloped nations." This is the most fantastic proposal yet.

The loans are to be "soft" loans, loans that none of the public or private lending agencies would be willing to make.

The first request is for $2 billion, but they admit it will not be the last.

Any repayments—get this, Mr. President—will go to the foreign-aid program. They will never be repaid to the Treasury.

Congress is asked to commit our funds now, for at least 3 years.

This is a clear violation of the constitutional rule that no Congress may legislate for over 2 years, and bind a Congress not yet elected.

To permit appropriations which would be binding on a future Congress would make elections a farce, because the people could vote changes in the Congress, but the new Congress could not make changes in policies.

We have had a great deal of experience with foreign loans—loans, I said; not grants and gifts—which we thought would be paid back, but were not. We still have loans on our books from World War I. As my memory serves me, the only country which ever repaid a loan was little Finland.

Perhaps nothing caused more bitter feeling from other nations than our belief these loans were to be repaid as agreed.

How does this new plan propose that our Government is to collect loans which the borrowers do not wish to repay? Is there any way for governments to get repayment of overdue loans to foreign countries, except by a show of force against other nations? Is that the road to peace?

How does this new colonialism differ from the old colonialism, unless the fund was never meant to be anything but a giveaway?

O Mr. President, I know these one-worlders and internationalists do not like the word "giveaway"; but let them prove to me that that is not exactly what the fund is.

We are told by Government officials that our people must give billions of dollars for construction of power lines, transportation, communication systems, and educational facilities for these undeveloped countries.

Why should we give away American capital, which we need for our own roads and schools? Why should we, in effect, pay the school and road taxes in foreign countries, to save private industries in new areas their proper share of the costs of progress?

At best, this is outrageous discrimination against the people of our own country, who are struggling to raise taxes enough to pay their own way. It is a system by which we shall buy all the "cats and dogs" clever government officials and financiers of other countries would like to unload.

We are told in justification that private investors cannot make such loans because of the risk. Is it not true that investors are paid for the risks they take? Is it not true that the great fortunes are made at times of great risk?

The Rothschilds made their fortune during the confusion of the Napoleonic Wars. Great British fortunes were built up in Asia, long before British rule could protect them. American fortunes were built up out of the risks of the sea, of the fur trade in the wilderness, of the Civil War, and of both World Wars.

What are we supposed to believe, when we are told that no one can make a fortune in gold or diamonds or minerals or waterpower, in the undeveloped nations, because the people do not have electric iceboxes and voting machines? How can adult, educated Americans swallow such childish twaddle?

Is there hidden here even greater danger? Are these soft loans a clever plan by which the taxpayers of the United States will pay the cost of modernizing and developing the territories of undeveloped areas, and then let favored private investors get a windfall?

Wherever there is easy money, there is graft and collusion.

Our Government could, under this scheme, take over the risks of investment in undeveloped nations, and then let favored private lenders come in and take the profits. Do they plan to issue equity stocks to innocent investors, after they have taken theirs?

Very powerful voices have been heard for years, delicately urging such plans. If this is the purpose of the new ICA bank, then foreign aid will end in an orgy of graft more malodorous than anything we have seen in this country. Sam Insull's financial empire will be like child's play when this game is up.

Last year, I called the foreign-aid program the "foreign-aid follies." We now have plenty of testimony from Members of Congress, and from independent observers such as Eugene Castle, whose book, The Great Giveaway, has helped so much to tell our people what they are not supposed to find out.

Let me remind the Senate that the officials who are responsible for the foreign-aid follies, are the same officials who are to operate the new development fund.

A silk purse cannot be made out of a sow's ear.

The PRESIDING OFFICER (Mr. MORTON in the chair). The 45 minutes yielded to the Senator from Indiana have expired.

Mr. JENNER. Mr. President, I was yielded 45 minutes by each side.

Mr. KNOWLAND. Mr. President, I am authorized by the majority leader to yield an additional 15 minutes to the Senator from Indiana.

Mr. JENNER. Mr. President, I shall need an additional 45 minutes, I believe. However, I will do my best to complete my remarks in less time than that.

Mr. KNOWLAND. Very well. Mr. President, at this time I yield an additional 15 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for an additional 15 minutes.

Mr. JENNER. Mr. President, the administration turned down every suggestion to put this capital fund into the hands of banking agencies.

They want these billions of dollars of American capital to be handled by the same people who handled the great giveway. If they build more barns at $128,000 apiece, and send electronic microscopes to Indonesia, where no one knows how to use electronic microscopes, do not be surprised. Even that is not the worst.

We know, well, the plans of men like Gunnar Myrdal to achieve the world-state by forcing a rapid scheme for economic integration. This has been proposed under U. N., under the name of SUNFED; but, as we say in Indiana, there is more than one way to skin a cat. They can build the world-state from the top down, or from the separate nations, up; or, even better, they can advance first by one road, and then by the other, confident that the innocent will not see what is going on.

At this time I cannot give you proof that this is the ultimate objective of the development fund. But I can assure you that world political integration can be achieved most quickly, most quietly, and most finally by a series of innocent-sounding, economic proposals, carefully cut to fit the ultimate design.

Every dollar of the money we give for foreign economic aid, is taken from our own people. Every billion dollars is capital for roughly 10,000 jobs in this country; and once given away, it will be lost forever.

Congress has had great difficulty in getting any reliable information about what is really done with foreign-aid money. Now, thanks, to the House Committee on Government Operations, we know how much we do not know. This committee prepared the famous Iran report, which described how indifferent ICA was to arithmetic, accounting, correct paperwork for control of supplies, and other irritating restraints on the imagination of the planners and the writings of public-relations men.

Now the committee has brought out a report on budget preparation in ICA. I hope every Member of this body will read that one report, if no others, during this debate.

The committee says, in substance, that Congress knows virtually nothing about what is done with public money, and has, as yet, no power to bind the ICA to any activity or country.

If Congress cannot find out what is done with public funds, appropriated to American agencies which are doling out grants, how is Congress ever going to find out about what is done in the dark places where our foreign-aid funds are lent to people whose names we never hear, and whose moves we never see?

Congress has a chance to close up this new sinkhole to drain away American wealth, before it becomes a permanent fixture. If we cannot cut off all new appropriations, we can certainly cut off appropriations to start new kinds of waste and extravagance. We have never done it yet, but now is the earliest we can begin.

Every time one foreign aid plan becomes obviously silly, our planners start a new spending plan, which keeps growing larger year by year. Military assistance rose, as aid to Europe was proved unnecessary. Now the planners intend to let military assistance taper off. Therefore, aid to neutrals must be pushed up.

Our people are told they must, like Atlas, carry most of the 2 billion people of the world on their weary shoulders. There is no end in sight. This is the old, old story.

In midsummer of 1951, the Senate Foreign Relations Committee was wrestling with a foreign aid authorization for India. The Senators were puzzled by the confusion of tongues. Let us listen to what they said:

Senator LODGE. Why don't you have one agency doing one function everywhere? Why have two agencies doing the same function?

Senator FULBRIGHT. ECA—

That is another one. It is ICA now. ECA was the forerunner of it.

Senator FULBRIGHT. ECA is running out of something to do in Europe and they have to go somewhere else or go out of business.

Senator LODGE. Why not have them go out of business?

Senator FULBRIGHT. They don't want to go out of business.

Is not that beautiful, Senators? It is still going on. That was in 1951.

Now, 7 years later, we are where we came in.

I believe it is time for Congress to stop, now, the futile task of cutting foreign aid spending, a few millions here and a few millions there. That is busy work, meant to keep Congress so occupied with the trees that it can never see the wood.

There is only one important issue. Does foreign aid spending weaken Communist strength? Does it help defend the United States? The answer to both questions is, "No."

Our assistance is not a deterrent to communism, nor does it protect the security of the United States. To believe it does is the grand illusion.

If our foreign spending is not a deterrent to communism, then it is a national diet of tranquilizer pills, fed to our people to convince them that tensions are being relaxed, while the danger comes ever nearer. Precious time is being lost and, when we learn of the real danger, it will be too late. The political road to Miltown is the road to national extinction. No responsible man can remain silent if he believes we are being propagandized to our ruin.

Let us refer to Korea for a moment. I do not know how much we have given Korea for military aid. The figures are top secret. But the vast area called Asia and the Pacific received only $4½ billion of military grants out of a total of nearly $19 billion since the end of World War II.

The countries on the long border stretching from Afghanistan to Japan were given only one-quarter of what we gave for all military assistance.

Korea is separated from the armed might of the Communist bloc only by an imaginary line, in the neighborhood of the bloody 38th parallel.

Free China is separated from the Communist land mass by a narrow strait.

The Philippines are in the direct line of aggression today, as they were in 1941.

Each of these valiant small nations is a roadblock barring the spread of Communist power to Japan, southeast Asia, and Australia.

The little war-torn nation of free Korea has drafted and trained her manpower to establish an armed force of about 700,000 men. It is the largest armed force in the Free World, except that of the United States. It is meant to protect them against conquest, but it is also our shield against a sudden attack directed at the conquest of all Asia. Two of our best divisions are also in Korea.

Here is a recent story from the Associated Press, as reported in the Washington Evening Star, for May 27:

United States forces in Korea are woefully weak. Their unmanned battle positions are overgrown with weeds—an invitation to Communist attack. In contrast, the North Koreans and Red Chinese across the demilitarized zone, have built up an army in 4 years of armistice far more powerful than at any time during the Korean war.

The Communists have new jetplanes, new tanks, new artillery, and in the opinion of South Korean intelligence officers, they may also have atomic weapons. All the weapons in South Korea are either obsolete or obsolescent.

These programs are supposed to stop Communists. Listen to this—I am still reading from the Associated Press article—

This is how the opposing sides stand today:

In the south, there are about 700,000 South Korean troops, about 80,000 Americans, including 2 infantry divisions and logistics and command units, and fewer than 5,000 other United Nations troops, including a British regiment in the process of being withdrawn.

In the north, according to intelligence reports, the North Koreans have reorganized and reequipped a 400,000-man army and the Chinese Communists have a 350,000-man garrison.

There are also, at least, a million Red Chinese troops across the Yalu River in Manchuria.

Senators will remember the Yalu.

The Communists have ignored the ban on new weapons.

They have shipped in 1,672 pieces, 340 new tanks, 500 jets, and 300 propeller-driven planes.

There are recurrent—but unconfirmed—reports that their new artillery includes atomic cannons with a range of 15 to 20 miles, which are manned by Soviet technicians.

That is from the Washington Star of May 27.

The report says that in the south there are 150 Sabres but all bombers have been withdrawn because of their age; and they have not been replaced.

The PRESIDING OFFICER. The additional time of 15 minutes yielded to the Senator from Indiana has expired.

Mr. KNOWLAND. Mr. President, I am authorized by the majority leader to yield an additional 15 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 15 additional minutes.

Mr. JENNER. Mr. President, I should like again to quote from the article:

South Korean generals, however, feel sure the Communists will invade the country again as soon as they feel able.

In that event, some officers here say, American troops on the scene might, of necessity, be expendable, if evacuation proved impossible.

Mr. President and Members of the Senate, if that story seems incredible, let me read from the official report prepared by Dr. John A. Hannah for the Senate special committee:

There still exists in Korea a state of suspended war.

The United Nations forces have continued to comply with the terms of the armistice agreement, which specifies that old equipment may be replaced only by equipment of the same type.

In consequence, we now have an assortment of largely obsolete World War II type military weapons.

We have not added to the number of airfields, and we have replaced wornout aircraft with aircraft of the type in vogue during the Korean war.

The Communists, however, have openly, flagrantly, and continuously violated the terms of the armistice agreement.

They have built new airfields and have moved into North Korea large numbers of modern jet aircraft and other modern military equipment.

They have actually fortified some of the positions within the neutral zone.

That is from the report of the Senate special committee.

The Communists have the newest jetplanes only 3 minutes of flying time from Seoul.

Our men and the Koreans can fly prejet planes of 1953, against the Communist jet planes of 1957, or they can sit and wait 40 minutes until our jet planes arrive from Okinawa—if our planes are not stopped on the way.

This is like asking the fighting men of World War II to meet the German panzers with the weapons of World War I.

If there is a surprise attack on our men and their Korean comrades they are doomed—and there are 80,000 American boys sitting there as I talk this forenoon.

Perhaps the Red Chinese will send us a Western Union message, telling us in advance they plan to strike at Korea, but they are chivalrously giving us a few hours warning so we can get our planes over, in time.

That method has been used before. Perhaps they will. But do Senators think it likely?

I have sat in meetings of the Senate Subcommittee on Internal Security and listened to the stories, one by one, of our men who lived for years in Chinese prison camps. I remember among others, a young Negro, who came out broken and shattered. He felt his mind slipping into darkness. One of the older captives said to him, "dig your nails in the dirt, as hard as you can, so you won't lose hold." So he dug his nails in the dirt until they bled, and kept on digging and digging, so that he could hold to that little thread of reality and not break down, even after he was freed.

When I read in the newspapers that someone has decided we must observe the "cease-fire" in Korea, even if the Communists do not, I see young Americans, drafted by Congress to defend their country in this distant outpost, and I know their Government has deserted them.

Their Government is fussy about its agreement with the Red Chinese, but quite indifferent to whether its own men are killed without a chance, or left to be tortured in some Red prisoner-of-war camp.

Some people may be indifferent, but I am not. I cannot vote the money of my people in Indiana, and other States, for such a program, no matter how skillfully public relation writers say it is fighting communism.

Who is responsible for giving millions of dollars of American money to the free Koreans for military aid, but tying the gift up in knots so Koreans and Americans would be unable to defend themselves if the Communists attacked?

Secretary Wilson said several times, during the discussion, that Secretary Dulles was making up his mind to do something about it.

Why does the Secretary of State make the military decision on what kind of military weapons to give our fighting men?

Here we are coming to the heart of the matter.

I have pointed out, again and again, that effective control of our Military Establishment has been taken over by the State Department.

To make defense policy subordinate to State Department policy is, as I have said, to make it impossible for the United States to have a policy to defend our country by military strength, if diplomacy fails.

We know that important officials have stated, sometimes in doubletalk, and sometimes in plain English, that that is exactly what they wish to do.

They do not want our country to have the military power to insist on its rights, or to disagree with the majority in the United Nations, whatever their demands. They do not intend to present this issue clearly to the American people.

What we learn from our foreign-aid studies is this: Somehow our military assistance programs are strong at every point but one. In Korea the weakness is lack of jet-age equipment. In Free China, it is lack of amphibious equipment.

Germany is being urged to build up its military power, but it is not allowed to have the two things it could use most skillfully—the general staff, and the atomic and other weapons, produced by the most modern industrial skill.

In Italy, the weak link is a treaty made too early, which bars rearmament.

In Austria, it is a treaty made too late, which imposes compulsory neutralization.

I call attention to the similarity with those novels and movies in which the hero is a marvelous performer on the trapeze. The poles and wires and other equipment are of the best, but the evildoer has found a way, in the night, to make the wires on the last lap of the performance an inch or so short.

Everything goes beautifully, with the greatest skill until the last moment. Then the performer, with all his art, is not quite able to reach the bar, and he crashes to death.

Is that the real pattern behind our large, expensive, energetic military programs, each of which falls short by a tiny margin, each of which falls short in a different place, but all of which will not be quite able to reach the bar, in the last act?

Do Senators see the resemblance to the carefully planned errors and omissions in our postwar policies in China and in Korea, by which we were to let China and Korea fall, but not let it look as if we were directing the play?

In an article in the Washington Daily News for June 10, 1957, Fred Sparks described the "silent crisis" in the Far East.

He said:

The new crisis has been created, not by bullets, but by talk and hesitation.

Talk of free trade with Red China, talk of neutralizing Formosa.

Hesitation to strengthen South Korea—while acknowledging North Korea's build-up • • •

While we were occupied with spectacular doings in the Middle East—the endless frictions between Arab and Israeli, the Soviet grab for power in the oil deserts—the prestige of Red China, which spoonfeeds its young a "hate America" diet, has been elevated to new arrogant heights.

What are the fresh fever points?

Why does the patient weaken?

Free Asians are not too discouraged by England's turn to trade with Red China.

The foreigner they depend on is the United States • • •

Just the other day, President Eisenhower (under terrible pressures) opened wide the possibility of American trade with Red China.

What now if (the free Asian soldier) hears of Detroit peddlers offering wares to this same Communist enemy.

Who can distinguish between military and nonmilitary cargo?

Cannot a civilian truck transport troops?

Cannot a shovel spade a fox-hole as well as a garden?

In Saigon, in Bangkok, the Red underground [asks] "Well, see how it's going? America is shifting. Make the best deal you can, while you can."

[In Korea] we refuse to send in modern tools.

Our infantrymen, watching the bleak armistice line, are threatened with brutal beating when it should please Peiping again to push south.

You can assume, then South Korea's declining morale.

A militarized partisan Formosa is a club of peace.

That late giant, Philippine President Ramon Magsaysay, predicted that, without the shield of Formosa, communism would chain his own country in 3 years.

[Inside Red China] priests hold clandestine prayer meeting like ancient Christians in Roman caves. Today's "two Chinas" campaign means their slavery will never end.

If Formosa collapses, or if American merchant ships anchor in Shanghai [the overseas Chinese] resistance would be snipped like a ribbon before a new bridge.

They'd be a prefabricated fifth column.

These people are depressed.

Their mood is spreading.

The silent crisis is now.

The PRESIDING OFFICER. The time of the Senator from Indiana has again expired.

Mr. JENNER. I can finish in 2 minutes.

Mr. KNOWLAND. Mr President, I yield an additional 2 minutes from my time on the bill.

Mr. JENNER. If we add to Asia the firm leaders of Germany, France, Italy, Austria, Scandinavia, Latin America, we have the story.

If we add together the atoms for peace treaty, the plans for disarmament, and the fadeout of our military assistance under State Department pressure, we have the picture.

Is that defense for America? Does that fool the smiling Khrushchev?

I hope Senators will look long and carefully at this authorization bill. It is a brilliantly drafted grant of elastic powers, which will cost us more in years to come than we could save by cutting 20 appropriation bills.

We, in Congress, have the ultimate power. The planners can never destroy our Constitution, our freedom, or our ability to defend ourselves, unless we give them our money.

Foreign-aid spending is the means to give the planners their easy money. It is nothing else.

Congress stands at the crossroads. If we do not vote to give them our money, their plans cannot succeed.

If we vote to give them billions more to spend, where in the world is anyone strong enough to stand against them?

Mr. KNOWLAND. Mr. President, I yield 15 minutes to the distinguished junior Senator from Oregon [Mr. NEUBERGER].

Mr. NEUBERGER. Mr. President, I intend to vote for final passage of the mutual security bill, because I do not believe the American people would prefer the alternative of defending the far corners of the Free World against Soviet aggression entirely with our own young servicemen. I shall speak only briefly on the mutual security bill before us, because there are many Senators who, by virtue of their experience and their service on Senate committees concerned with these programs, can contribute far more than I to this debate. I intend only to review, for the RECORD, some of the considerations which guide my votes on this bill and amendments offered to it. I think similar beliefs must also be in the minds of many thoughtful men and women in the State which I help to represent here, and who share my convictions of the need for the affirmative approach to mutual security represented by the bill now before the Senate.

Mr. President, I have studied the report of the Committee on Foreign Relations, both majority and minority views. I have listened to a good many of the speeches which have been given on this occasion and on past occasions on various phases of the overseas programs of our foreign policy which are popularly categorized under the general head of foreign aid.

I want to say at the outset that I am impressed with the report made by the Committee on Foreign Relations, which very plainly reflects the results of the most thorough, penetrating and far-reaching review of our overseas-aid policies to have been in Congress for many years. At the same time, I am also impressed by the vigorous minority report of my able senior colleague [Mr. MORSE] on the subject of how far the present bill falls short of the full conclusions and implications to be drawn from this thorough review made by the Special Committee To Study the Foreign Aid Program during the past year. However, I regret that I cannot agree with his conclusion of opposition to the entire bill. The report of the Committee on Foreign Relations recommending the present bill, in fact, itself recognizes that the bill only begins to approach the reorientation of our overseas programs which must be undertaken during the coming years. It offers a series of substantial changes in existing mutual security legislation, and it anticipates further changes in mutual security bills in future sessions of Congress.

Mr. President, I have confidence in the work which has been done and will continue to be done by the distinguished Senators who serve on our Committee on Foreign Relations, and on the subcommittee of the Committee on Armed Services which have joined in the review of our foreign-aid programs, and I have confidence in their intention that the American people should get for our tax dollars overseas programs which will be adapted as well as can be assured to the changing needs of our national security and our foreign policies in the modern world. There is a difference between the majority and minority reports as to how far the present programs, incorporated in S. 2130, depart from this goal. Speaking for myself, Mr. President, I do not see how we can resolve the differences between the present program and an ideal program on the Senate floor. The committee has done much work on this bill. We can make some additional changes by amendment. But on the final vote, we shall not have a choice between S. 2130 and a perfect bill—we shall have to choose between essentially the program presented in S. 2130 or no mutual-security program at all. Those are the conditions under which we alone can and must exercise our responsibility as Senators. I believe, within the limits of these conditions, our responsibility is plain. It is to maintain the continuity of our essential overseas programs of our foreign policy. On this belief, I shall, after the votes on whatever additional amendment may be offered, vote for final passage of S. 2130.

MUTUAL SECURITY PROGRAM HAS PROTECTED AMERICA'S OWN SERVICEMEN

I have been among those, Mr. President, who have been disturbed over the overwhelming priority which has been given to funds for purely military programs abroad over more constructive, long-range programs of basic economic development—peaceful programs designed to help raise living standards of the peoples among whom the next generation of Americans will live as a small minority on a shrinking globe. In this military emphasis, we have often ignored essential differences between totalitarian governments and free democracies—differences which should be basic to our whole philosophy of international relations—as my senior colleague points out in his minority report. We seem to have been indifferent to the internal nature of foreign regimes, and to the consequences in foreign nations of our military assistance to those regimes, in our eagerness to build or maintain national resistance to Soviet and Chinese communism throughout the world. In the light of the revolutionary changes in the means of defense which are today taking place almost before our eyes—actually faster than their implications can be evaluated—we shall need repeatedly to re-examine this relative emphasis, to determine how fast we can and must make a change from outmoded military to modern political and economic goals for our programs of international cooperation.

But, Mr. President, as far as our present, immediate program is concerned, I

cannot agree with those who would end completely or drastically cut our mutual security program before the new programs we need have been developed. As I have listened to the very able and sincere speeches which have been made, in the name of economy, against the mutual security program, I have thought of our soldiers stationed in the farflung sectors of the Free World. I have wondered why some of the opponents of foreign aid, who are so disturbed and aroused over sending our dollars overseas, seem to express none of these same worries about sending our soldiers overseas. Are we more concerned about dollars than about our flesh and blood? I refuse to believe that, Mr. President—and yet, why do we hear such concentrated attacks against mutual security with money while we accept the policy of committing our soldiers, sailors, and airmen to remote and distant bases?

Have we reached the stage where the United States Senate is asked to be internationalist with soldiers but isolationist with dollars?

Let me cite a few of the places beyond our own shores and borders where Americans in uniform are now stationed. They include Western Europe, north Africa, countries in the Far East near Communist China. I asked the staff expert on this bill of the Committee on Foreign Relations, Mr. Pat Holt, to give me some data on the relationship between our own military overseas manpower commitments and the military aspects of the mutual security programs. I ask unanimous consent that paragraphs of his very helpful memorandum, which have a direct bearing on the point I am presenting, be included in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Most of the detailed figures which would tend to bear out your point are classified. However, the following unclassified information might be useful:

1. As of December 31, 1956, the United States had 731,623 Army, Navy, or Air Force personnel in foreign countries or on ships based in foreign ports. Figures by countries are classified, but the most important countries so far as numbers are concerned would be Germany, Japan, Korea, and Italy. In addition, there are important Air Force units in the United Kigdom, Iceland, Greenland, Morocco, and Libya. This listing is by no means all inclusive.

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3. In 1950, the ground forces of nations receiving military assistance numbered about 3.5 million men, not very well equipped and with varying degrees of training. At the end of 1956, these ground forces totaled 4.8 million men, better equipped and better trained. In 1950, these allies had less than 1,000 combat naval vessels; at the end of 1956, they had more than 2,360. In 1950, the allies had 11,000 conventional military aircraft and less than 500 jets; at the end of 1956, they had more than 12,000 conventional aircraft and nearly 11,000 jets.

4. The annual cost of maintaining a Turkish soldier is $105. For a Korean soldier, it is $117; for a Nationalist Chinese, $172, for an American, $3,511.

5. All but 2 of the 8 United States divisions at one time in Korea have been withdrawn. Admiral Radford testified this was made possible by the buildup of 21 Korean divisions.

6. Military aid to Europe in the period 1950–56 totaled $12.3 billion, or 4.5 percent of total United States defense expenditures in the same period. European NATO countries have contributed 85 percent of the total cost of their defense programs and have supplied 60 percent of the equipment. In 1956, European NATO defense expenditures were at an alltime high of $13.3 billion, as compared to $11.9 billion in 1955, $12.2 billion in 1954, and $6.0 billion in 1949.

7. Aside from the NATO forces themselves, the NATO infrastructure program has built more than 140 airfields, some of which are occupied by United States forces, and all of which would be available in an emergency.

Mr. NEUBERGER. Mr. President, I think these facts speak for themselves. I cannot debate whether or not there have been ill-considered programs, inefficiency, waste, or other failures within the overall scope of our foreign-aid programs. But the mutual security policy, and before it the Marshall plan, have been the keystones of our foreign policy for 10 years. To abandon mutual security by defeating this bill is not a question of authorizing this or that expenditure of money. It is, rather, to attempt to legislate a new foreign policy for the United States—some new policy which has not been prepared by any responsible official in our Government and of which we would have no way of knowing what it really might be. In many respects, many of us want the President, the Secretary of State, the National Security Council to prepare new policies—but until this is done, I think it cannot be done by a vote of the Congress to end the present programs which are central to our existing policy.

ADMINISTRATIONS OF BOTH PARTIES HAVE RELIED ON MUTUAL SECURITY POLICY

There has been great continuity in this policy throughout changes of administration. Presidents and Secretaries of State of both great political parties have stated flatly and unequivocally that mutual security is essential to preserve the peace and to strengthen the Free World. Surely men as diverse in outlook and background as George C. Marshall, Dean Acheson, Harry S. Truman, John Foster Dulles, and Dwight D. Eisenhower cannot all be completely wrong.

If these leaders of our Nation are willing to stake their reputations on the efficacy of foreign aid, I am not going to eliminate that aid as long as I am helping to commit, with my vote, some young American to military duty in a distant land where our President or Secretary of State contends that aid may be necessary.

When I was brought up as a high-school boy in the State of Oregon, I used to hear speeches by leaders of veterans' groups that, if ever there was another war, there would be no more war millionaires. It was claimed that we would be more concerned about men than about dollars. It was said we would draft capital as well as human beings. Today, however, we appear to have arrived at an opposite pole. Senators are asked to accept complacently the drafting of young Americans for overseas military service, but at the same time opponents of foreign aid in and out of Congress object strenuously to the appropriation of about 10 percent of our own, national defense budget for mutual security assistance to foreign nations to make more secure the realms in which these soldiers of ours may be stationed in our own defense. What kind of logic is that?

Mr. President, as the memorandum I have placed in the RECORD shows, in 7 years there has been great progress in the military strength and effectiveness of the forces of our allies which have received mutual security assistance. And it is clear that, even if there has been occasional inefficiency, there is economy in this strength. Turkey, for example, has been one of our stanchest allies receiving mutual security funds, which are at stake in the present bill. Turkey has in being a strong, valiant, and resourceful fighting force in a strategic area of the globe, a bulwark against Russian aggression in the Near East. Our funds help to maintain these Turkish forces. It costs about $100 a year, the memorandum shows, to supply and support a Turkish soldier. By contrast, it costs about $3,500 annually to provide for an American soldier, because our soldiers receive far more ample pay, food, clothing, medical care, and other benefits than Turkish soldiers.

If our funds were not to be used to help keep in existence that Turkish Army, should we surrender the eastern Mediterranean to the Soviet Union? Should we put an American Army into that region over the opposition of the people of those countries themselves?

Even if this should be feasible, which I think it is not, would the opponents prefer to send American soldiers abroad, at much higher cost than mutual-security funds, to guard those distant lands, or would they prefer to abandon them to the Soviets? These are the hard questions which must be answered by those who would have us vote against continuing the mutual-security program by this bill.

MUTUAL-SECURITY AND TECHNICAL-ASSISTANCE PROGRAMS HAVE SUPPORT IN OREGON

In conclusion, Mr. President, I want to refer to some of the expressions of support for our foreign-aid programs which I have received from men and women in Oregon. I am sure all Senators shared my own experience of having received a great many letters in opposition to continued foreign aid earlier this year, when the attack on the President's budget was at its peak. At that time, on March 29 to be precise, I stated publicly that the President alone, by a strong public statement of the importance and value of our overseas programs, could save them from destruction in the name of supposed economy. I was glad that, early in May, the President did go on a nationwide television program to defend the foreign-aid program he had sent to the Congress.

Unquestionably, President Eisenhower brought the importance which he attaches to this program home to a great many people, whether or not he convinced many of those who had opposed foreign aid. In any case, Mr. President, I have received in recent weeks many

letters in support of the principle of mutual security, technical assistance, and related programs, and I think the extent of that support in Oregon will be of interest to the Senate. I ask unanimous consent, therefore, to have a representative selection of some of these letters placed in the CONGRESSIONAL RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CORVALLIS, OREG., *May 20, 1957.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: I urge your support for foreign economic aid in voting for adequate appropriations for economic aid to underdeveloped countries, long-range development funds, and that no cut be made in appropriations for U. N. technical assistance.

We cannot refuse to be concerned with the needs of new nations in Asia and Africa. They have little capital of their own to raise their standards of living. Easy-term loans from the United States would lessen the need for forced savings of already impoverished people, which is the way of the Soviet Union and China.

Our failure in assistance will force these nations to accept help from communistic governments. We need to give them aid to prevent further spread of communism and strengthen our own security.

Will you kindly send me a copy of the final report of the Senate Special Committee To Study the Foreign Aid Program? I would also appreciate being added to your mailing list of your newsletter.

Sincerely,

ETHEL N. SMITH.

NORTH BEND, OREG., *May 20, 1957.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: I feel very much concerned for the fate of our foreign-aid program in view of the wave of sentiment for a reduction in the budget which is sweeping the country. The amount now spent on economic aid and technical assistance is already small—it should not be reduced. I hope the Congress will not be misled. There is a large segment of the people in favor of more rather than less aid to underdeveloped countries, but not organized into a pressure group.

Yours sincerely,

PEARL BEAGLE.

P. S.—I enjoy the letter "Washington Calling" very much.

CORVALLIS, OREG., *May 19, 1957.*

Senator RICHARD L. NEUBERGER,
Senate Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: I am glad that you are supporting the continuance of our foreign aid. It seems to me the best economy in the long run, for it offers the best hope of our being able to cut on large military spending if we can help reduce some of the causes of war.

Very sincerely yours,

MRS. KATHERINE H. READ.

May 18, 1957.

Senator RICHARD NEUBERGER,
Washington, D. C.

DEAR MR. NEUBERGER: We believe that President Eisenhower's budget request should be granted. We believe this for we remember the sad results of other defense economy drives after World War I, in the years before Pearl Harbor, after World War II, and on the eve of Korea—when great harm was done in the name of economy.

The country is prosperous now and we think it can stand a tax to back this budget which may very possibly prevent another war. Since we can survive a stiff tax but we cannot survive another war, we ask that you use your influence to vote our President the budget of $71,800,000,000, which he believes necessary. Please vote the budget.

Thank you.

MR. and MRS. MARK LAFKY.

PORTLAND, OREG., *May 18, 1957.*

DEAR SENATOR NEUBERGER: With respect to the current argument over the budget, I want you to know that I think Federal tax money which I pay is money well spent. I'll continue to think so as long as Federal spending contributes to the general welfare (and that includes Federal power developments). I think it would be a great mistake to sacrifice any foreign policy objective (such as economic aid) for the sake of a tax cut. Wars and maintaining overseas defenses are much more expensive than the economic aid necessary to enable some of these countries to pay their own way (and provide new markets for us).

I think, as I'm sure you do, that the test should be, is the money being well spent. There is no doubt that the country can afford the taxes—indeed they should be higher as a counterinflationary measure, with the difference put into paying off the national debt to increase the investment capital available. I hope you will stand firm against this whining by the commercial interests who can't see anything further away than their own cash register and bank account. As for the rest of the country, I think most people like Federal benefits and understand that it takes money to provide them. These people probably aren't writing letters, but that doesn't mean they don't feel this way.

Sincerely yours,

ALAN S. MAREMONT.

COOS BAY, OREG., *May 16, 1957.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: I've been hearing consternation over the feared cut in point 4 and economic aid in the most unlikely places lately—from persons not in the League of Women Voters or other politically active groups—and apparently because of the wider great decisions participation.

There's a feeling among more people than ever here that we must unquestionably maintain at least our present level of assistance (even if private investment needs to be added) if our own Nation is to survive. Some insight has been achieved into the attitudes and demands—and power for good or ill—which resides in peoples entirely outside our control.

This may be overoptimistic, but it seems possible that among people who think at all (even if they don't think like us), there may be more understanding about our foreign relations than there is courage among Senators. Why, I know one State PTA board member who actually doesn't believe in social security, yet gives the pitch for point 4 and economic and military assistance with all the conviction of the saved.

As usual, you will be showing courage for several years to make up the deficit. Please don't take time to answer my letter, though I would appreciate it if you would send me the final report of the Special Committee To Study Foreign Aid, when it is completed.

With my appreciation.

MAXINE CHAMBERS.

FIRST METHODIST CHURCH,
Eastside, Oreg., June 2, 1957.

Senator RICHARD NEUBERGER,
United States Senator,
Washington, D. C.

DEAR MR. NEUBERGER: The official board of the Coos Bay Methodist Church authorized me to contact you stating our position on technical and foreign aid to underdeveloped countries. We hope that you will use your influence on this very important matter.

We urge that the United Nations program of technical assistance and the United States program of foreign aid be supported on a long-range rather than annual basis. We urge that safeguards be provided to insure against such aid being used for either military or political expediency.

We believe that economic assistance which seeks to make the benefits of scientific advance and industrial progress available for the improvement of underdeveloped areas in an example of both Christian love and practical international brotherhood.

We believe the personnel employed in these projects should be of the highest character and should ever seek, through the implementation of the aid program to develop better human relations as well as better economic conditions.

Very truly yours,

MRS. ALBERT KELLEY,
Secretary, Christian Social Relations.

THE LEAGUE OF WOMEN
VOTERS OF OREGON,
Corvallis, Oreg., May 21, 1957.

The Honorable RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: The League of Women Voters of Oregon is seriously concerned with the current drive for economy and for drastic cuts in the President's budget. Among the most vulnerable targets are the United States economic aid and United States and United Nations technical assistance programs.

It is businesslike and farsighted to recognize that our own growth demands ever expanding markets for our goods. Such markets are not found in underdeveloped and unstable countries, though their population and resources make their potential great. It is in our national self-interest to invest in the future of such countries, in order to make them good training partners. It is well to remember that within these countries lie 73 percent of the strategic raw materials that we must have access to in order to keep our industrial plants going and our defenses strong. Budgeting millions for aid now is one line of defense against spending billions for war later. Economic aid is the best insurance policy we can buy.

The League of Women Voters of Oregon unanimously reaffirms strong approval of economic aid to underdeveloped countries, and requests that no cut be made in appropriations for United Nations technical assistance.

I would appreciate very much receiving a copy of the final report of the Senate special committee to study the foreign-aid program.

Sincerely,

MRS. CHARLES FORD,
President, League of Women Voters of Oregon.

THE LEAGUE OF WOMEN
VOTERS OF EUGENE,
Eugene, Oreg., May 13, 1957.

The Honorable RICHARD NEUBERGER,
United States Senate,
Washington, D. C.

DEAR SIR: We are writing to urge your support of the foreign-aid program in President Eisenhower's budget. The League of Women Voters has been vitally interested in international relations since the league's beginning. We have studied many phases of foreign affairs with special emphasis in later years on aid to underdeveloped countries. We believe that help given now may prevent war later. This is our primary consideration.

Our trade survey of 2 years ago showed that most businesses are aware of the importance of world trade. Areas which are at present unable to take their places in the

Free World markets will be assisted through the foreign-aid program. We believe that economic aid to these countries is just good business. We also realize that economic aid alone will not do the job, but that the people must be taught modern methods of agriculture, engineering, and manufacturing; therefore we strongly support the United States and the United Nations technical-assistance programs.

May we urge your full support of the President's foreign-aid program? We are aware of the great pressures for across-the-board cuts, but we feel that this is one area in which the American people cannot afford to spend less—we have too much to lose.

Thank you for your consideration of our opinions and your cooperation.

Very truly yours,

MRS. A. W. ROECKER,
President, League of Women Voters of Eugene.

THE LEAGUE OF WOMEN
VOTERS OF CORVALLIS,
Corvallis, Oreg., May 16, 1957.

The Honorable RICHARD NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: Please send me a copy of the final report of the Senate Special Committee To Study the Foreign Aid Program.

The League of Women Voters of Corvallis is concerned that the pressure Congress is receiving for budget cuts may endanger the foreign-aid program.

League members believe that economic aid is the best insurance policy we can buy. Also it is good business and in the national self-interest to remember that within these countries lie 73 percent of the strategic raw materials necessary to keep our industrial plants going and our defenses strong. For the security and peace of the world, it is necessary for us to help the underdeveloped countries meet human needs and achieve economic and political independence.

Very truly yours,

MRS. JOHN W. WOLFE, *President.*

MR. NEUBERGER. Mr. President, I think I have about 2 more minutes of the time yielded to me by the Senator from California [MR. KNOWLAND].

Before I relinquish the floor, I simply wish to say that, as I see it, the bill now before the Senate, S. 2130, is not a perfect piece of proposed legislation. Undoubtedly, if some other group of Senators had drafted it, it might be somewhat different. But, as I see it, the choice before the Senate is whether we shall have S. 2130 or no mutual-security program at all.

I believe the mutual-security program, notwithstanding all its defects and deficiencies—and any program drafted or proposed by human beings will contain defects and deficiencies—has helped to contain Communist aggression and has helped to save and protect large areas of the Free World.

I again desire to emphasize that the proponents of the bill have raised thus far no objections to the commitments of American soldiers to far-flung areas of the globe. Young men are being drafted—husbands, fathers, sons, nephews, and grandsons are being taken from their homes—and are being sent to defend remote parts of the world. The opponents of S. 2130 accept that fact. Yet when it comes to sending some of our dollars to those areas in an effort, perhaps, to reduce the likelihood of those young men having to participate in a dreadful atomic war, we hear strong objections and bitter opposition raised in the United States Senate.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. MORSE. I want the junior Senator from Oregon to know that his colleague is calling for a complete reorganization of the military manpower program. I think there is a terrific waste of manpower under the draft law. I do not think there is any justification for sending abroad as many men as are being sent.

Mr. NEUBERGER. I am very much pleased to know that the distinguished senior Senator from Oregon has requested such a review of the military program.

Mr. President, I close with the statement, however, that as we occupy our seats in the Senate, it is a fact that young Americans are manning and garrisoning bases and outposts in distant parts of the world. So long as we commit them to those outposts, I shall not flinch from being willing to vote money if the President, the Secretary of State, and the overwhelming majority of the members of the Committee on Foreign Relations are of the very firm opinion that those dollars may perhaps make it less likely that American Armed Forces in distant places will have to fight a war which might not only cost their lives, but might ultimately result in civilization being wiped from the face of the globe. I trust opponents of S. 2130 are not going to be internationalist with soldiers but isolationist with dollars.

Mr. KNOWLAND. Mr. President, I yield 2 minutes to the distinguished Senator from Rhode Island.

Mr. GREEN. Mr. President, yesterday during the course of the debate on S. 2130—the proposed Mutual Security Act of 1957—the junior Senator from Georgia [Mr. TALMADGE] enumerated a series of alleged mistakes and unwise expenditures in the mutual security program.

At the conclusion of the remarks of the junior Senator from Georgia I announced that I was requesting representatives of the executive branch to investigate the allegations and to prepare comments on them.

I have now received from the International Cooperation Administration comments prepared by the executive branch on a number of the charges made by the junior Senator from Georgia. I regret that the distinguished Senator did not see fit to check the accuracy of many of his statements before he made them.

Mr. President, I ask unanimous consent that the executive branch comments on the statements made yesterday by the junior Senator from Georgia be printed at this point in the RECORD as part of my remarks.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

TURNPIKE IN PORTUGAL

Senator TALMADGE: "While many of our farmers can't get their crops to market over muddy roads, we build a huge six-lane turnpike in Portugal to a gambling resort.

Executive branch comment: "No United States aid funds, dollars or counterpart, have been used for highway construction anywhere in Portugal. The highway referred to was built by the Portuguese Government and opened to traffic some 6 months before counterpart funds were released."

JAZZ MUSICIANS

Senator TALMADGE: "We have sent hotlipped musicians abroad who have earned more money than the President."

Executive branch comment: "Public Law 860, 84th Congress, which is not part of the mutual security program legislation, authorized the President to provide for tours abroad by creative and performing artists and athletes from the United States to strengthen the ties which unites us with other nations by demonstrating the cultural interests, developments, and achievements of the people of the United States.

"Out of 86 cultural groups assisted since the inception of this program under supplemental appropriation in 1954, only 4 have been jazz orchestras. While jazz has occupied a very small place in the program, it has proved unexcelled in reaching important segments of foreign audiences—particularly the younger stratum of the population often susceptible to Communist blandishments.

"To insure that groups selected for tours abroad represent America's cultural best, a selection panel of private independent experts in the field of music passes on the artistic qualifications of each group proposed. Groups assisted on the recommendation of this panel include orchestras led by: Dizzy Gillespie, Benny Goodman, Wilbur DeParis, and Ray McKinley.

"The Department believes that substantial benefits have accrued to the United States as a result of these tours. It is generally conceded abroad that American jazz has made a unique contribution to the world of music, and to young people in almost every country it represents freedom, vitality, and a new kind of musical expression.

"Recent news stories have widely misstated the costs to the Government of these tours. Some attention has focused particularly on the tour of the Dizzy Gillespie band, in the Near East. This orchestra normally performs in the United States at a cost of from $8,000 to $10,000 per week, but agreed to this tour for an 8-week period at a weekly fee of $6,250. Even the normal fee of this orchestra is considerably smaller than those commanded by other top-ranking jazz groups. Revenues obtained from the tour reduced the cost to the Government. From the salary paid to the leader of the orchestra, he was required to employ a road manager and to defray that individual's salary."

USE OF AMERICAN KNOW-HOW

Senator TALMADGE: "While unfair foreign competition is closing the doors of numerous American industries, we continue to send our technicians and machines to foreign lands to provide the know-how to produce goods that will destroy markets for our own due to the vast differential between slave wages and free wages."

Executive board comment: "The more developed the country, the better customer it is, as the following table shows:

"Value of United States exports in 1955 per inhabitants of the country

Developed countries:	
Canada	$205.27
Netherlands	44.47
United Kingdom	17.99
Germany	11.90
Japan	7.16
Underdeveloped countries:	
Egypt	3.40
Iran	2.55
Indonesia	0.91
Pakistan	0.70
India	0.49

ICEBOXES TO ESKIMOS

Senator TALMADGE: "Why, we have even built public rest rooms in the Philippines and bathing facilities for Egyptian camel drivers. We have sent collapsible toothpaste tubes to Cambodia, dress suits to Grecian undertakers and iceboxes to Eskimos."

Executive branch comment: "With regard to the "rest rooms in the Philippines, dress suits for Grecian undertakers, public baths for Egyptian camel-drivers, and even iceboxes for Eskimos" charge, this is a complete fabrication, with no basis of fact whatsoever. With respect to toothpaste tubes, which of course are always collapsible, it may be that among commodities imported into Cambodia with ICA financing, toothpaste tubes were imported for filling in Cambodia, ICA cannot definitely check this item in the short time available."

ASSISTANCE TO SAUDI ARABIA

Senator TALMADGE: "We are spending millions of dollars for King Saud who maintains 24 palaces and has a fleet of 250 Cadillacs."

Executive branch comment: "The United States has maintained important and special relations with Saudi Arabia since World War II when King Ibn Saud permitted the United States to construct a strategic airfield at Dhahran. The United States, on April 2 of this year, concluded a new agreement with Saudi Arabia which provides for the use of facilities at this important airfield for an additional 5 years. The United States thus retains operation of the only landing and refueling point for aircraft between Libya and the Philippines. The recent round-the-world flight of B–52 bombers, for example, refueled over Dhahran.

"As part of the same agreement, the United States will continue to supply training services to the Saudi Arabian armed forces and will continue to assist in the operation of the civilian airport at Dhahran. Saudi Arabia will be permitted to purchase military equipment from the United States under the provisions of section 106 of the Mutual Security Act of 1954.

"The United States will also provide economic assistance for projects of mutual benefit such as a new air terminal at the Dhahran airfield and an expansion of the nearby port of Damman. This represents the extent of United States assistance to Saudi Arabia.

"It is also pertinent in this connection to note the significant role which King Saud is currently playing in the Near East. Saudi Arabia has given and is giving important support to help combat the menace of international communism. The United States welcomes this and has received substantial support from Saudi Arabia for American foreign policy objectives. Saudi Arabia has no relations with the Soviet bloc. King Saud has indicated his support for the American doctrine. He has just completed an important state visit to prowestern Iraq and is now on a visit to King Hussein of Jordan, whom he has supported against the opposition of subversive elements in Jordan."

RICE PRODUCTION IN KOREA

Senator TALMADGE: "While rice production is less here than in Korea, our technicians have gone there to try to tell them how to raise rice."

Executive branch comment: "The United States has not sent technicians to Korea to tell them how to raise rice. The principal occupation of Koreans is, of course, agricultural production; and through mutual security programs we have assisted in the general increase of agricultural production through demonstration of pest control, fertilizer utilization, and other technologies—none of them specifically directed to production of rice, although no doubt the rice farmer has been benefited from this assistance along with other farmers."

SILICA PLANT ON FORMOSA

Senator TALMADGE: "We built a silica processing plant on Formosa where there was not enough silica to justify its operation."

Executive branch comment: "1. Probable project referred to: Treatment plant at Suao for concentrating and finishing mica and quartz products from a mine nearby in Ilan Prefecture.

"2. United States aid furnished: $37,000 in United States dollars for machinery and equipment. Loan of local currency of equivalent to approximately $40,000 at current exchange rate for rehabilitation of mine and processing plant.

"3. Project development: Studies undertaken prior to the obligation of United States aid funds indicated that there were sufficient deposits of mica to justify undertaking this project. Construction of plant was completed in July 1954. Extensive exploration subsequently failed to locate sufficient quantities of mica for a commercial mining operation. By this time about half the equipment had been installed. The other half has been stored pending allocation to other needs, and for this the Chinese Government has been requested to refund $18,323.03 to the United States Government. The half that was installed is being usefully utilized in pulverizing talc and limestone."

PENSION PROGRAM FOR CHINESE NATIONALIST SOLDIERS

Senator TALMADGE: "We have set up a pension program for overaged Chinese Nationalist soldiers."

Executive branch comment: "Over the last 2 years through the mutual security program the United States has found it in its interest to contribute to the rehabilitation of retired Nationalist Chinese soldiers. This program has met a specific military and political objective in Taiwan and been considered a successful solution to the matter which has been of some concern to Formosan and United States representatives there for some time."

AIRLIFT OF MOSLEM PILGRIMS

Senator TALMADGE: "We have provided free trips for Arabs who wish to visit Mecca."

Executive branch comment: "In August 1952, the Lebanese Government appealed to our Embassy in Beirut for help to provide emergency transportation for approximately 9,000 Moslem pilgrims who were stranded in Beirut on their way to Mecca. Local airlines had oversold tickets on the normally scheduled and special flights that were to take Moslem pilgrims from all over the Moslem world to Mecca in time for the yearly pilgrimage ceremonies. When it was found that private American airlines could not fill the gap, the Department of State consulted with the Secretary of the Air Force, and it was determined that Air Force transport planes could be made available.

"The fact that the most powerful Christian nation in the world had come to the rescue of stranded Moslem pilgrims received considerable publicity in the Middle East and brought a grateful response from numerous prominent Moslems, many of whom had previously been hostile to the United States. The airlift also demonstrated to the people of the area the capabilities of the United States Air Force in an unmistakable manner. At the time it was made clear to the Lebanese Government that the United States could not be expected to repeat such an operation in the future and it was impressed upon those responsible that adequate planning for commercial transportation had to be undertaken during future pilgrimage seasons.

"In June 1956, at the request of the government of Afghanistan, the United States did supply an airplane to help transport Moslems from that country on their pilgrimage to Moslem Mecca. But the pilgrims paid their own way. They paid their fares in Afghan currency, which was used to further the joint Afghan-United States economic development program in this strategic country."

WAGE STUDY IN PHILIPPINES

Senator TALMADGE: "We spent $501,097 United States dollars for a wage and position classification study for the Philippine Government, while we only spent $204,076.29 for a special Senate committee study of the effectiveness of the entire $62 billion postwar foreign-aid program."

Executive branch comment: "Over a 5-year period a contract with a leading United States management organization has been under operation, dedicated to the establishment of study of Philippine Government organization. This has included study and advice regarding wage and position classification but in reality has been a much broader undertaking since it provided technical help to the Reorganization Commission of the Philippine Government. This Commission has been very similar to the Hoover Commissions in the United States studying the full Civil Service System in the country and the structure of government. From this study there has followed the establishment of a civil service and from it have flowed some 33 reorganization bills, over two-thirds of which have been passed by the Philippine Congress. In addition, a security and intelligence organization has been established, a civil aeronautics authority, and a department of commerce.

"The studies financed with this contract and the resulting improvements in the organization and management of the Philippine Government have constituted a necessary first step in strengthening the Philippine capacity to manage its own resources, meet its security objectives, and make a maximum contribution to the same objectives in which the United States has a major interest.

"Regarding the amount of money which the Senate Special Committee devoted to a study of the entire foreign aid program, this was of course a matter of entirely up to the Senate, which elected to devote $300,000 to a short-term study."

OPERA SINGERS TO ITALY

Senator TALMADGE: "We have sent opera singers to Italy."

Executive branch comment: "Under the Fulbright Act (not the Mutual Security Act) grants are offered to American students for graduate study abroad. These grants provide for study in any field, including music, for which facilities exist for profitable study in the countries concerned. Study of voice is one of the fields in which grants are available in Italy. The young singers receiving these grants go to Italy for training, rather than performance. During the current academic year there are seven young vocalists now studying in Italy."

Senator TALMADGE: "We have built an Italian village that nobody wanted to live in."

Executive branch comment: "Presumably the reference is to the new village of La Martella, built in the province not far from the old city of Matera, in southern Italy, which was comprised of notorious cave dwellings. A number of the peasants of Matera lived in caves under wretched conditions. The caves were not owned by them, but rented. The rehousing project in the new village was only part of a rehabilitation project of land reclamation and resettlement in order to improve the economic opportunities of the inhabitants. The project was carried out with Italian-owned local currency counterpart funds (Italian lire paid by Italians to purchase Marshall-plan-provided commodities).

"Actually, the resources available were not sufficient to eliminate cave dwellings entirely, but the worst of them were evacuated by

resettlement. The new village of La Martella provided housing for peasants close to the land they worked.

"Some of the people had to continue to live in caves because the new village could not accommodate all of them. The new village is definitely inhabited."

Senator TALMADGE: "We spent $2 million to provide water and public bath facilities for 200 Lebanese villages."

Executive branch comment: "The village water supply program in Lebanon is part of that country's own development program. It is a byproduct of the Litani River Basin development project, the first phase of which is being financed by an IBRD loan of $27 million.

"The village water supply improvement program is an undertaking of the Lebanese Government now in power, a Government which is strongly prowestern and which is now being voted on by the Lebanese people, and is a program designed to do something to improve the standards and living conditions for the Lebanese people. Its purpose is to improve living conditions in the villages so Lebanese will be encouraged to stay in their villages rather than move to Beirut and Tripoli and thus bring about slum conditions in these urban centers.

"The United States has contributed about $2 million of materials, supplies, and equipment for water supply improvements in about 175 villages. The Lebanese Government itself has spent more than $7 million.

"The primary purpose of the project is to provide the villages with safe drinking water supplies.

"If there are any public baths connected with the projects it is simply because that where you have running water, a bath or water closet is a natural result."

Senator TALMADGE: "We have built iron and steel plants costing nearly a billion dollars in 24 countries."

Executive branch comment: "In the first period of the Economic Cooperation Administration's program in Europe the United States contributed substantially to the reconstruction of the iron and steel plants of almost a dozen European countries. This steel capacity obviously required rebuilding if Europe was to get on its own feet, which, of course, it has done very successfully. In other parts of the world through the Mutual Security Program there has been no assistance provided for the building of iron and steel plants. As a matter of fact very few of the less developed countries are in a position to finance and sustain a large industrial plant of this kind. There have been isolated instances of equipment provided under the aid program for scrap collecting plants but no iron or steel plants themselves."

CHAPTER III—ALICE-IN-WONDERLAND DEFENSE PLANNING

Mr. KNOWLAND. Mr. President, I yield 4 minutes to the distinguished Senator from Missouri.

Mr. SYMINGTON. Mr. President, 22 days ago, on May 23, Secretary of Defense Wilson, in a prepared statement before the Senate Military Appropriations Subcommittee, asserted that unless the Senate restored most of the millions which the House recently took out of the Air Force program, Congress would be "gambling unwisely" with the security of the Nation because some of the cuts made by the House "would have an immediate impact on our defense program."

But now the Senate has discovered that, through fiscal manipulation, Mr. Wilson has made arrangements to take some $4 billion out of the Air Force, although only a few days ago he was asserting that unless millions were restored we would be gambling with the security of our Nation.

Only yesterday he told the press, "I have not got elastic dollars", and he also forecast a "gradual reduction in armed forces because of money difficulties."

This statement is made exactly 22 days after he announced in a prepared statement to the Senate:

I cannot foresee, at this time, any justification for a reduction in the Military Establishment, nor in the total annual military expenditures of the Department of Defense below the present level, short of a drastic improvement in the international situation.

And only 22 days ago he pleaded with the Senate as follows:

Don't take the cards and chips away from the people who have to try to work something out with the Russians.

Surely we are now entering the realm of Alice in Wonderland.

Apparently the high level conference now going on at Quantico is to include more than military discussion, because Mr. Wilson also announced to the press yesterday that Air Force Secretary Douglas was too hasty in making his carefully analyzed protest about Mr. Wilson's directive 7200.4 Mr. Douglas stated that this directive, plus the other recent fiscal restrictions, would impede Air Force procurement about $4 billion in planned production of planes and missiles.

In addition to a discussion of military matters at Quantico, apparently there is to be some brainwashing, because the Secretary of Defense also announced in the press today that "the Air Force Secretary was hasty in making that statement and will correct it."

It is now becoming more and more clear as to just how the Department of Defense plans to handle this military budget. The Secretary believes that when his Comptroller brings over to the Senate the "telephone book" size volume that contains the budget, there will be no real detailed interest on the part of Congress. One can almost hear Mr. Wilson saying to his staff, "These Congressional people really don't understand the problem. We will go over there and talk to them a bit, and pretty soon they will be out of town—they are plenty anxious to get out anyway—and after that we will apportion this money the way we believe best, regardless of what they think."

It is now very clear what Mr. Wilson believes.

But what does President Eisenhower believe? Does he believe that the defense program he presented to the Congress earlier this year as vital to our security, in the face of growing Communist strength, is one of dollars; or one of planes and ships and tanks and trained people?

What does President Eisenhower really want?

Does he support his own telecasted recommendation last month to restore Air Force funds over $600 million—or does he support the more recent directive of his own Secretary of Defense to reduce Air Force funds over $4 billion?

The Senate has the right to know before it votes.

Equally important, the people have the right to know: What does the President want?

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RABAUT, Mr. PASSMAN, Mr. NATCHER, Mr. CANNON, Mr. WILSON of Indiana, Mr. JAMES, and Mr. TABER were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SPENCE, Mr. BROWN of Georgia, Mr. PATMAN, Mr. RAINS, Mr. TALLE, Mr. KILBURN, and Mr. MCDONOUGH were appointed managers on the part of the House at the conference.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that at this time there may be a quorum call, without having the time required for it charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, I call up my amendment identified as "6–12–57–C."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 26, in line 15, beginning with the word "There", it is proposed to strike out the remainder of the paragraph through line 19 as follows:

There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1959 to carry out the purposes of this action not to exceed $710,000,000, which shall remain available until expended.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 hour.

Mr. LONG. Mr. President, I shall take much less than 1 hour for my opening statement on the amendment.

The amendment proposes to strike from the bill the second year's authorization of not to exceed $710 million for so-called defense support.

The reason for the amendment is that this program has not been justified by a single line of testimony before the committee. The defense support, as the study committee itself so well recognized, is, for most part, nothing more than economic aid.

This provision of the bill is a proposal by the committee to hide away in the military budget a program for $710 million of economic aid for the second year, without having any testimony to justify the authorization of such a program. There was testimony about the proposed defense support for the fiscal year 1958, but there was no testimony about the proposed defense support for the fiscal year 1959.

It is my judgment and that of other Members of the Senate that Congress should not relinquish its control of the purse strings and should not make it unnecessary to look into the proposed economic support, which is nothing more than economic aid on a completely grant basis, without knowing what it is for and how it is to be expended. Congress should understand the foreign-policy considerations to justify such a program.

Lest Senators be under the misapprehension that the second year's authorization is a defense authorization, let them examine page 784 of the hearings, where they will see what the defense support for Korea was during the present year. They will see there, listed project by project, how this defense-support program includes the development of agricultural and natural resources, the development of industries and mining, the development of transportation, health and sanitation expenditures, education expenditures, public administration expenditures, and also expenditures for community development, social welfare, housing, and other projects of a general nature. These have not been justified for 1959. They have no place in any nation's defense budget, and they should not be authorized as a part of a military budget, on the basis of a blank check for $710 million, without a single line or word of testimony, before the committee to justify any of it.

Furthermore, Mr. President, I should like to point out that the committee itself, while acting in the capacity of a study committee—the so-called Special Committee To Study the Foreign Aid Program—recommended throughout its report, time after time, that the so-called defense support be called what it actually is, namely, supporting assistance, rather than defense support, because much of it is completely unrelated in any direct sense to a nation's defense.

Mr. REVERCOMB. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Does the Senator from Louisiana yield to the Senator from West Virginia?

Mr. LONG. I yield.

Mr. REVERCOMB. I am very much interested in the argument the Senator from Louisiana is making. I should like to ask him if there is any relationship in the bill between defense support, which we are now discussing, and development assistance, which is provided for in another part of the bill.

Mr. LONG. In many countries persons are completely confused, and cannot tell one from the other. Many of our groups have said exactly that. In some foreign countries persons cannot tell whether they are being given development assistance or defense support. They are confused. The study group said it ought to be called development or supporting assistance rather than defense support.

Mr. REVERCOMB. Is the money to be used for defense support based on loans or direct grants?

Mr. LONG. Direct grants; none of it whatsoever is repayable.

Mr. REVERCOMB. Does the Senator feel that under development assistance the same aid would be given as has been given in practice under defense support?

Mr. LONG. Much of the defense support is given entirely on that basis. Many of the recipient countries will never be able to repay it in any event. Much of the defense support goes to Korea, Formosa, Vietnam, Cambodia, Laos, and such countries, where it is regarded as dubious that they will ever be able to repay it. It seems to me, inasmuch as we are spending money to develop the fishing industry in Korea, and to develop upper watersheds, livestock, and other such projects, we could just as well distribute the money on a loan basis, and have some hope of getting it back, rather than give it all away, as proposed in the bill.

Mr. REVERCOMB. I am very much impressed with the inclusion in the bill this year of a provision for lending rather than direct grants. I think it is a great improvement in the bill, and a very necessary one.

Mr. LONG. I agree with the Senator.

Mr. REVERCOMB. I think it is necessary to put an end to the direct granting of funds, but defense support comes in another category, as I understood the Senator. Is that correct?

Mr. LONG. Yes. While I approve of the loan principle, I should like to point out to the Senator that there is at present available for direct grant, under the name of defense support, an unexpended amount of $1,700,000,000. The bill authorizes an additional $800 million for such direct grant for this year. It authorizes an additional $710 million of such direct grant next year, without hearing a word of testimony about the need for the second year's authorization.

Mr. REVERCOMB. Is the purpose of the amendment of the Senator to strike out completely the defense support provision?

Mr. LONG. Not at all. The amendment I am offering is merely an amendment to strike out the second year's authorization, that for fiscal 1959. I anticipate that in 1959 we will have an authorization and an appropriation for defense support. What I am contending is that it is irresponsible and that Congress is not discharging its responsibility to the public or performing its duty when it authorizes $710 million for defense support, most of which will be for economic aid, for the next fiscal year—fiscal 1959, 2 years from now—without ever hearing one word of testimony to justify any of it.

Mr. REVERCOMB. Will the Senator yield further?

Mr. LONG. Yes.

Mr. REVERCOMB. Does the Senator contend that some of the funds which would be directly granted under defense support as a matter of fact properly come under development assistance, for which loans are provided?

Mr. LONG. Yes, that is quite correct, and the reports that came back from all our study groups were to the same effect.

Mr. REVERCOMB. To what extent would that occur? In other words, to what extent would defense support be taken care of, as now practiced, under development assistance?

Mr. LONG. I regret to say that the statement which I hold in my hand has been labeled secret. I can see no reason why it should be labeled secret, but this is the current program for the fiscal year 1958. It is an itemized statement of defense support for Korea. The report is available to the Senator, although it is not available to the public. He will see that a large amount of the money—a major portion of it—is for development of agriculture, industry, mining, transportation, health facilities, sanitation, education, public administration, community development, social welfare, and housing. Every bit of that could be just as well under development assistance as under defense support, and should be, and the special groups that studied the matter said it should be under some such title.

Mr. REVERCOMB. I thank the Senator.

Mr. FLANDERS. Mr. President, will the Senator from Louisiana yield for a question?

Mr. LONG. I yield for a question.

Mr. FLANDERS. The Senator from Louisiana has criticized the appropriation at this time for assistance extending into fiscal year 1959.

Mr. LONG. I am criticizing an authorization for 1959, for which no testimony or evidence has been presented.

Mr. FLANDERS. I may say, from my own investigations into the effectiveness of our assistance, much of the criticism is directed at foolish and lavish expenditures. There is, however, another type of criticism, which seems to me valid, and that is that much of our assistance has been of a haphazard nature—available this year, withdrawn next year, and something else undertaken somewhere else. Some of the items of assistance require continued support and some assurance of such support. I can conceive that the extension of authorization into 1959 might assure a better continuity.

Therefore, I should like to ask the Senator from Louisiana whether he would be favorable to a policy of continuity of assistance, where that is evidently required, even though he is against implementing it by authorizations for the succeeding fiscal year.

Mr. LONG. I suggest to the Senator that the precedent of the Marshall plan would be a good example of the way this program should be administered. The Senator will recall that under the Marshall plan we were told that it was going to be a 5-year program, and we were asked to vote for the first year's increment.

We were told after the first year we would have an opportunity to look at the program and see whether we were willing to go along with a second year's increment, or with the third, fourth, or fifth year's increment. It was a 5-year program. We recognized it as such, and we voted for it on that basis.

I am saying in this instance if additional authorization is wanted, let those who want the additional funds come before Congress and state what they want funds for in 1959.

As the Senator perhaps knows, we have been told of inexcusable waste, inefficiency, and mismanagement of these funds. Now Congress is asked to vote $800 million for next year and $710 million for a second-year authorization without even having a chance to look into the mismanagement that might occur in the first year, to see whether the funds are necessary in the second year, and without any knowledge of what the final costs might be.

While it is desirable in some cases to have a continuing program, with increments year by year, when there has been no testimony as to what the second year's cost will be there is no justification for providing such an authorization without knowing or without having any evidence on what the cost for the second year may be.

Mr. FLANDERS. Am I to judge, I will ask the Senator, that his attitude would be sympathetic toward any sensible continuing program?

Mr. LONG. I believe it would make very good sense if the administration would come to Congress and attempt to have adopted a program which had some ultimate end to it, some final conclusion, or which held out some hope that eventually the program would be concluded, rather than for the Government to be spending money year by year without any hope whatever of ever arriving at some definite result. That would be a very fine idea. If we could have some indication of something of that sort happening, I would be very favorable to it; but I see no reason why we should authorize the foreign-aid program more than on a year-to-year basis. We do not do it for our own programs.

The loan program, as I pointed out to the Senator, could be effective on that basis. In other words, $500 million could be made available for development loans, and that should certainly be considered on a long-term basis, with a loan repayment schedule which would be related to the program and make possible the repayments.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me, on my own time?

Mr. LONG. I was asked previously to yield to the Senator from Georgia [Mr. TALMADGE]. I will yield to the Senator from Wyoming immediately thereafter.

(At this point Mr. LONG yielded to Mr. TALMADGE, to corroborate some statements made by him yesterday which had been questioned. On request of Mr. LONG, and by unanimous consent, Mr. TALMADGE'S remarks were ordered to be printed in the RECORD following Mr. LONG'S speech.)

Mr. O'MAHONEY. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. O'MAHONEY. A short time ago, before he yielded to the Senator from Georgia, the Senator from Louisiana was holding in his hand a document which he said was classified. I find, on page 784 of the hearings before the Foreign Relations Committee, at the bottom of the page, a list of fiscal year 1957 defense support program items for Korea. This seems to be a list of projects involving agriculture and natural resources, industry and mining, transportation, health, sanitation, education, public administration, and so forth, including food, feed, and fertilizer.

Am I to understand from the Senator that these expenditures for the defense program in Korea in 1957, which are listed in the hearings, are the same character of expenditures as are contained in the program for 1958, and which are enumerated in the list which the Senator has on his desk, but which is marked "classified"?

Mr. LONG. The Senator is entirely correct. The secret document contains the same items for the next year at slightly reduced figures. It contains almost exactly the same items, all of them economic in character.

Mr. O'MAHONEY. Who made the document secret?

Mr. LONG. I have no idea who made the document secret. I assume it was someone in the State Department who classified it.

Mr. O'MAHONEY. Was it made secret by the President?

Mr. LONG. Someone acting for the President, I assume, in the State Department.

Mr. O'MAHONEY. Was there any allegation at the hearing that the President had made it secret?

Mr. LONG. I regret to say that I cannot answer the question as to who made it secret. Personally I do not believe it should be.

Mr. O'MAHONEY. Is it not a fact that this document is available to all the members of the Foreign Relations Committee?

Mr. LONG. Yes. It is available also to Members of the Senate, generally.

Mr. O'MAHONEY. Who made it available to Members of the Senate?

Mr. LONG. In most cases the procedure has been that a Senator has been regarded as a sufficiently safe security risk to see secret information. I must say to the Senator, in all candor, that there is a great deal of information we are never permitted to see. The Senator knows that as well as I do. In this case I do not believe there is any objection to a Senator seeing the list.

Mr. O'MAHONEY. But the objection is to the public seeing it.

Mr. LONG. Yes. The objection is to the public knowing it.

Mr. O'MAHONEY. It may be revealed to the public next year, however?

Mr. LONG. Yes.

Mr. O'MAHONEY. Just as the 1947 expenditures were made public after the fact.

Mr. LONG. To be completely fair, it is contended by the Department that if the foreign country sees a statement of the funds it is supposed to get, if it does not get quite as much as is shown on the sheet, it will feel that it has been shortchanged. The Senator will recall that some years ago the French complained bitterly that we did not give them as much money as they had been promised.

There is a considerable amount of flexibility in the operation of the program. Funds may be transferred from one country to another. The main argument for secrecy is that once a country learns that a certain sum has been placed upon the sheet, if any of the money is transferred to some other country it will object, because it did not receive what it expected to receive.

Mr. O'MAHONEY. It is not the people of the foreign countries who are being shortchanged. It is our own people.

Mr. LONG. I quite agree with the Senator.

Mr. O'MAHONEY. It is our people who put up the money for these expenditures.

Mr. LONG. I quite agree with the Senator.

I read from the committee study report. This is the same group of Senators who reported the foreign-aid bill. I read from page 25 of the study committee report on foreign aid:

> The committee believes that any change in legislation which would deny to the Senate the full review of supporting aid—

It is called supporting aid in this report—

> would raise dangers of failure to adjust this aid to changing circumstances. It would raise dangers of an undue expansion of supporting aid programs, and unnecessary and excessive demands upon this country.

This is the same Foreign Relations Committee, sitting as a study group, saying, "Do not do a thing like this. It is bad," and then bringing us a bill exactly the opposite of what they recommended as a study group.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. KNOWLAND. Is it not a fact that an annual review will occur in connection with the appropriation bills?

Mr. LONG. Here we are with the committee's report. The committee says that this supporting aid should not be hidden away in a defense bill. The report terms it "supporting aid" and the committee says that it should not be hidden away in a defense bill, but it should be set forth as economic aid, where it can be revealed as such.

(At this point Mr. LONG yielded to Mr. DIRKSEN, who commented on the statement of Mr. TALMADGE. On request of Mr. LONG and by unanimous consent Mr. DIRKSEN's remarks were ordered to be printed in the RECORD following Mr. LONG's speech.)

Mr. LONG. Mr. President, I have just a few words to say in conclusion. Let me just make this further statement. In addition to this money being loosely handled—and perhaps there are some charges about the program which cannot be sustained—in this particular program for defense support, our money is being frittered away all over the world—and I make this statement advisedly, and I can prove it—by the hundreds of millions of dollars, because we are permitting ourselves to be shortchanged on the exchange of currencies. I refer Senators to pages 651 and 652 of the hearings before the Committee on Foreign Relations.

I should like to tell Senators what is supposed to be done. This is how $710 million is supposed to be disposed of. First, we would buy the commodities. Then we would ship the commodities to foreign countries. The commodities would then be sold for local currencies. The local currencies would be used for the purposes set forth in the statements and justifications, to develop resources and various other purposes. The point is that when we ship the commodities, we permit a handful of merchants in the foreign countries to take the commodities and to sell them into the foreign economy. When they sell them, they do not give us a fair exchange on the currency.

I refer to the administration's own witness as his testimony appears on page 651. He explained that in Vietnam we get back from the merchants less than 50 cents on the dollar for the support of the Vietnamese Government, instead of what we should be receiving. That is the administration's own witness making that admission. I point out to Senators that in that one country alone there is a loss of about $120 million a year for the benefit of 2,000 Indochinese merchants. That does not benefit their country at all.

The same thing is true—perhaps to a lesser extent, but nevertheless true—in Korea.

The same thing is true—perhaps to a lesser degree, but nevertheless true—in Formosa.

I was talking to a person who had just returned from Korea. He explained to me that he was not permitted to pay for his hotel bill in their local currency, which is the hwan. He was required to pay his bill in American dollars, because of the exchange rate that is in effect, under which the American taxpayer is being shortchanged. The shortchanging is not perpetrated on the local citizens, because they know about it.

Therefore, Mr. President, no other program is more in need of being reviewed and studied every year on a yearly basis than this one.

There is no justification for supporting a second year authorization. This is an economic program. This authorization is contrary to what the committee itself recommended when it was studying the matter.

For that reason, the second year authorization should be stricken until it is justified by responsible testimony.

Mr. President, although there are very few Senators on the floor at this time, I should like to ask for the yeas and nays on my amendment.

Mr. JOHNSON of Texas. I join in the request of the Senator. I think the Senator should have the yeas and nays on his amendment.

The yeas and nays were ordered.

During the delivery of Mr. LONG's speech.

Mr. TALMADGE. Mr. President, will the Senator from Louisiana yield to me at this time, for the purpose of enabling me to corroborate some of the statements I made on the pending bill yesterday and which appear in the RECORD.

Mr. LONG. I yield.

Mr. TALMADGE. Yesterday in my address on the pending bill, I made several statements which indicated to me doubtful expenditures of the taxpayers' money concerning the security of our country or of the Free World. The accuracy of some of those statements has been questioned by an insertion in the RECORD yesterday on page 9003, by the distinguished Senator from Utah [Mr. BENNETT]. The accuracy has also been questioned by the distinguished chairman of the Committee on Foreign Relations, the Senator from Rhode Island [Mr. GREEN].

For both Senators I have great love, affection, and respect. In view of the questions raised, I believe, I should cite my authority for the content of some of the illustrations I used yesterday.

I made the statement that $60 billion had been spent since the conclusion of World War II on aid of all sorts to foreign countries. The accuracy of that statement has been challenged. The distinguished senior Senator from Louisiana [Mr. ELLENDER], on the floor of the Senate on June 28, 1956, as appears in the CONGRESSIONAL RECORD, volume 102, part 8, page 11208, stated that our foreign aid expenditures up to that date totaled $53,151,468,000, with more than $9 billion still in the pipeline.

I hold in my hand the U. S. News & World Report of February 22, 1957. In that issue is a special report on foreign aid. The style is, "This article represents the result of an extensive research on a problem of outstanding importance." In this article it is pointed out that we have spent in loans and gifts to foreign countries during the past 40 years some $115,737,000,000. The article points out in detail where the money has gone.

Mr. President, I ask unanimous consent that this article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONE HUNDRED AND SIXTEEN BILLION DOLLARS IN FOREIGN AID—AND MORE TO GO

Let trouble arise almost anywhere, and the solution seems to call for a new outlay of American dollar aid.

It all started back in 1917, and, since then, the net cost has climbed almost to $116 billion—with no end in sight.

Now tensions in the Middle East are threatening to send the cost of helping other countries on a global scale even higher.

Over the last 40 years the American people have extended to people in other countries nearly $116 billion in aid through gifts and loans.

Yet there is no signs of a letup in the steady succession of crises that generate this flow of aid. The trend in the total of assistance continues to be upward.

It was 4 decades ago, during World War I, that the program of supplying help to other nations began. The aid in that period was in the form of loans—most of which remain unpaid.

Today, with interest added, the portion of World War I loans outstanding is carried on the Government's books at $17.8 billion.

Between wars, assistance provided by the United States to others went mainly to relieve suffering in areas hit by famine, floods, earthquakes and hurricanes.

The really big program of American aid got underway with lend-lease just before the United States entered World War II. Aid has continued on a large scale ever since, with Congress now considering a special program for the countries of the Middle East.

The mounting cost: Help for people abroad now averages between 4 and 5 billion dollars a year. By next June 30 the aid total will be above $120 billion—and still climbing.

At that time, there will be $8 billion in available funds unspent and probably $4 billion more in new money authorized by Congress. This means that the long-range total is likely to pass $130 billion in the next few years and will mount even higher unless the need for aid abroad ends.

All of these figures are net totals, after deducting repayments of loans and interest. Much of the money has been distributed in the form of grants—or gifts—which are not repayable.

The American people, during and since World War II, have paid out nearly $86.25 billion in outright grants to scores of countries. During the calendar year ending next December 31, this total will reach 90 billion or more. It could, eventually, exceed 100 billion on the basis of money available now, or requested.

In addition to these gifts, more than 11.6 billions in loans has been channeled abroad in the years since the start of World War II. And new loans to nations in troubled parts of the world are being proposed.

DOLLAR MAGIC?

Americans, over the years, have been called upon to provide the outside world with dollars as the magic that will help to solve problems that develop.

Billions were provided immediately after World War II, distributed by the United Nations, to relieve suffering in war-torn regions. Then came the Marshall plan and aid to Greece—help that enabled nations in Europe to overcome the effects of war and to regain economic strength. These billions are credited with having saved much of Western Europe from communism.

As Europe recovered, the direction of aid shifted. Economic aid to Europe turned rapidly to military aid. Instead of butter, United States billions provided guns to strengthen nations willing to stand against aggressive moves by Soviet Russia. The direction of aid shifted in still another way. Asia now became the recipient of economic aid on an increasing scale.

Today, a new shift in emphasis is developing. Attention is centered on the Middle East, where help is measured in millions of dollars instead of in billions. At the same time, the whole range of aid abroad is under study by a special White House Commission headed by Benjamin F. Fairless, the former chairman of United States Steel Corp. Recommendations of this group can be expected to influence the direction and character of spending in the years ahead.

WHERE THE MONEY GOES

If you look at the following table you can see which nations have received the bulk of the aid that Americans have given to the outside world in 40 years.

United States foreign aid in the last 40 years	$115,737,000,000
How aid dollars mounted up:	
World War I loans, unpaid principal and interest	17,882,000,000
World War II gifts, including Lend-Lease	40,256,000,000
Economic aid after World War II	27,741,000,000
Military aid after World War II	18,249,000,000
Loans during and since World War II	11,609,000,000

Where the dollars went [1]

	Amount	Share
		Percent
Britain	$38,464,000,000	41.1
France	12,580,000,000	13.7
Russia	11,750,000,000	12.6
Italy	5,200,000,000	5.6
Germany	4,240,000,000	4.5
China	2,560,000,000	2.7
Japan	2,500,000,000	2.7
Korea	1,533,000,000	1.6
Greece	1,464,000,000	1.6
Belgium	1,182,000,000	1.3
Netherlands	1,130,000,000	1.2
Austria	1,013,000,000	1.1
Total for 12 nations getting biggest gifts	81,613,000,000	80.7
Other nations	9,469,000,000	10.3

[1] Excludes $18,240,000,000 military aid since World War II, not reported by country, and $4,655,000,000 for advances to international organizations and other expenses.

Great Britain has received the largest share of aid dollars—in both loans and grants. The British, in two wars, exhausted reserves of wealth built up over centuries. Aid from the United States has enabled the British people to gain time to deal with their problems. That aid, so far as anyone can foresee, will need to be continued if Britain is to maintain her position as a major power in the world. The aid that this country extends today is largely military aid, which relieves Britain of part of an expense that its people find increasingly burdensome.

The story is somewhat the same for France. Two world wars plus war in Indochina, and now in Algeria, have strained the French economy. American aid has enabled France to overcome a series of crises. Again, there is no present prospect that aid to France can be stopped without resulting problems of the kind that the United States Government does not want to face.

Russia it can be noted, is third on the list of nations that have been helped by Americans. That aid was large during World War II when Lend-Lease provided many weapons and other supplies for the Soviet war effort. In the early postwar period, aid to Russia was in the form of food and U. N. relief work. This relief ended when the Soviet Union was denied a huge loan sought by Stalin. When the Marshall plan was proposed, Stalin balked at accepting and aid ended.

Something else shows up on the accompanying chart. Germany, an enemy of this country in 2 wars, and Japan and Italy, enemies in 1, are large-scale recipients of American aid.

Dollars have helped the Germans and Japanese to overcome the effects of defeat in war and to rise to positions of greater strength than those of some of America's allies in the two wars. Neither West Germany nor Japan has to support a big military force.

In both Germany and Japan, huge war debts have been wiped out. Dollars have been used to give industry a boost and to rebuild shattered factories.

In fact, all over the non-Communist world dollar gifts and loans have been provided. More billions of dollars are to continue flowing out to such places as India, Iran, Turkey, Egypt, and Pakistan, where some aid has been given and more is wanted.

LENGTHENING QUEUE

There are no indications at this time of a cutback in existing programs of aid. If anything, the requests for United States assistance are increasing.

Communist Poland has joined the queue with an appeal for a loan on lenient terms. The Soviet satellite is said to be asking about $400 million—as a start—to buy machinery and surplus agricultural commodities in the United States.

Morocco, its independence newly won from France, is asking—and may win—a grant of $37 million for public-works projects. Tunisia and Libya, also in North America, are angling for aid.

President Eisenhower has won substantial support in Congress for his plan to spend $600 million on special projects in the Middle East in the next 2½ years. That would be in addition to regular aid to the Middle Eastern countries, which has been running at the rate of about $200 million a year.

CUSTOMERS FOR UNITED STATES

Aid sent abroad is more than just a means of assuring friends for the United States in a troubled world. In international trade, this country sells more than it buys. The rest of the world would run out of dollars with which to buy goods in the United States unless some means were found to give or loan enough dollars to make up the difference in the balance of United States trade with other nations. This difference runs about $5 billion a year.

Any program of foreign aid—in whatever form devised—is intended to help prevent dollar shortages from occurring abroad. Such shortages are viewed here as tending to lead other countries to turn to the Communist bloc of nations for trade.

American aid sent abroad has become, in effect, one more bulwark against economic trouble at home. For that reason, even after 40 years that have produced a total bill of nearly $116 billion for aid, a big cut in the help given to other people is not likely at this time.

Mr. TALMADGE. Mr. President, another statement I made in my remarks yesterday was that some of the money we had given to Norway and Denmark had been utilized to apply on their national debts. I hold in my hand an Associated Press newspaper clipping from the Atlanta Journal, dated Wednesday, December 21, 1955. The Senator from Virginia [Mr. BYRD] is quoted as saying that "United States Aid Cut British Taxes." The article states:

BYRD, a strong advocate of thrift in Government, said in an interview he wants economic aid ended, but that he will go along with foreign military assistance at the level the administration proposes—about 3 billions. Under administration plans, economic aid funds next year would rise to $1,900 million.

"While I was in Europe this fall, I confirmed through the officials concerned that we gave Denmark $100 million to help pay off her debt," BYRD said.

I also hold in my hand a book entitled "The Great Giveaway," written by Eugene W. Castle, a prominent author, who has several times traveled around the world at his own expense investigating this matter. I read from page 142 thereof:

We gave the Government of Norway $300 million which they promptly applied to the reduction of their internal debt.

Another remark I made yesterday on the floor of the Senate which was challenged was that our taxpayers' money had been utilized to transport a religious sect to Mecca. I hold in my hand an Associated Press dispatch dated June 19, 1956, which bears the headline "United States To Send Plane To Aid Afghans To Visit Mecca." It goes on with the details, stating that they will make approximately 15 or 20 round trips, that the distance of the round trip is about 3,500 miles, that the cost to the taxpayers is $150,000, to transport some Moslems to Mecca for the purpose of worship.

Mr. President, I ask unanimous consent that the article may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES TO SEND PLANE TO AID AFGHANS TO VISIT MECCA

As a gesture of friendliness to Afghanistan, the United States is sending a passenger plane to take more than 1,000 Afghan Moslems on their pilgrimage to Mecca.

A Pan-American World Airways plane carrying three air crews and ground personnel is due to arrive Wednesday in Kandahar, Afghanistan trading center, to start the 3,500-mile round-trip flights to the birthplace of Mohammed.

The International Cooperation Administration, announcing the arrangement yesterday, estimated about 15 to 20 round trips will be made during the next 2 months at a cost of about $150,000. The Afghanistan Government is chipping in on the expenses by providing the fuel.

The Pan-American plane, capable of carrying 64 passengers, will supplement the regular Afghan airline, Aryana, in transporting the pilgrims. ICA said a similar assist was given to Lebanon in 1953.

The great pilgrimage to Mecca is required of every Moslem at least once in his lifetime if he is able to go.

Mr. TALMADGE. Mr. President, I hold in my hand a press release from the International Cooperation Administration, for release in the a. m. newspapers, June 19, 1956, reporting on the same subject of the transportation of

Moslems to Mecca for the purpose of worship. I ask unanimous consent that the press release may be printed in the RECORD at this point.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

ICA TO HELP TRANSPORT AFGHAN PILGRIMS TO MECCA

WASHINGTON, June 18.—The United States Government will help to transport more than 1,000 Afghan Moslems to Mecca for the annual "great feast" ceremonies, the International Cooperation Administration announced today.

ICA, acting upon the request of the Afghanistan Government, has contracted with Pan American World Airways of New York to send a 4-engine airplane to Kandahar in south central Afghanistan for 60 days, during which it will make 15 to 20 round trips to Jidda, the port of Mecca, on the Red Sea. The aircraft will be used to supplement the capacity of the Afghan airline, Aryana, to transport the pilgrims.

The plane left Idlewild Airport Sunday and is expected to arrive in Kandahar Wednesday. It carries three air crews and ground personnel. Pan American is the only United States airline certified by the Civil Aeronautics Board as an international flight carrier in and through Afghanistan.

The Hadj, or great pilgrimage to Mecca, is one of the most important events in a Moslem's life. Every Moslem is required to make this pilgrimage to the birthplace of Mohammed at least once during his lifetime, if he is able.

United States aid to Afghanistan is designed to help encourage the strengthening of a stable government, which will be able to maintain the nation's independence, and to help meet the aspirations of the Afghan people for a better standard of living.

Mr. TALMADGE. Other statements in my speech yesterday the authenticity of which has been challenged were that we had sent dress suits to Grecian undertakers, that we had built public bath houses for Egyptian camel drivers, and that we had sent iceboxes to Eskimos.

I hold in my hand a clipping from the Los Angeles Examiner of Sunday, October 23, 1955, written by an eminent columnist, whose article is syndicated, Mr. George Dixon, whom many of us know, love, and respect. He quotes in detail on that matter.

I ask unanimous consent, Mr. President, that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ZANY GIFTS IN GIVEAWAY

(By George Dixon)

WASHINGTON, October, 22.—Just about the time I catch up with the latest alphabetical metamorphosis of our giveaway agency it goes and metamorphoses itself again.

When it first came to my attention it was called the ECA. It took me weeks to memorize that this stood for Economic Cooperation Administration.

Then it changed to MSA, which stood for Mutual Security Administration; then to FOA, which stood for Foreign Operations Administration, and then to ICA, which stood for almost anything, including $3 million worth of raisins for Britain.

DUE TO CHANGE

The last I heard of it, it was still ICA, or International Cooperation Administration. But I figure it is about time for it to change its name again because it has just authorized 150,000 collapsible toothpaste tubes for Cambodia.

The ICA withholds any explanation of why we are sending collapsible toothpaste tubes to Cambodia, or why the Cambodians crave them.

You would think there were enough collapsible things in that country already.

Under its various guises, our foreign aid agency has provided public baths for Egyptian camel drivers, dress suits for Grecian undertakers, and literally, iceboxes for Eskimos. We have also sent stage comedies to France, opera singers to Italy, and drama groups to Germany.

CULTURE

We ship culture as freely as commodities. Among cultural projects administered by the State Department in recent months were: Jose Limon dance troupe in South America; Porgy and Bess tour of the Balkans; Isaac Stern performances in Iceland; Jubilee Singers tour of Far East and Near East, and the United States track, field and swimming stars tour of Latin America.

But the giveaway to the English intrigues me even more. When I was a kid there was another commodity that always went with raisins, I will say it: "Nuts."

Dean William E. Reed, the distinguished Negro who heads up the agriculture department at the all-Negro Agricultural and Technical College in Greensboro, N. C., was reminiscing about his recent tour of Russia as a member of the United States farm delegation. He said the Russians had practiced discrimination.

This caused lifted eyebrows. Dean Reed pretended to be oblivious of the sensation he had created and went placidly on:

"There were seven members of our delegation. I was the only Negro. But everywhere we went I was put in second place. I was always second in every reception line and No. 2 honor guest at every reception."

"Then it was discrimination?"

"Yes," continued the 41-year-old educator, "but not because of color. The Russians have become exceedingly education-conscious. They are particularly conscious about college degrees. Whoever holds the most doctorates is, in their opinion, the most distinguished VIP.

BY DEGREES

"I hold a bachelor of science from Southern University, in Scotlandville, La.; a master of science from Iowa State College, and a doctor of philosophy from Cornell. But the chairman of our delegation, Dean W. V. Lambert, of the University of Nebraska College of Agriculture, holds one more than I do—and the other schoolteacher in our party holds one less.

"So the Russians placed Dean Lambert first—which they should have done anyway as he was head of the delegation—and Prof. David Gale Johnson, of the University of Chicago, third."

Mr. TALMADGE. I also stated in my speech yesterday that we had built a six-lane highway in Portugal from Lisbon to a gambling resort, with our taxpayers' money. The authenticity of that remark has been challenged.

My authority for that statement is Mr. Eugene Castle, the author of the book, The Great Giveaway. I called him on the telephone this morning and asked him for his authority. He told me he was there, that he rode on the road, that he spoke the language, that he asked the people how they got it, and that they all told him the Americans built it for them. He stated that he is prepared at any time to appear before any committee of the Congress to substantiate that statement.

Another remark which I made yesterday was that we had given a billion dollars to India since the conclusion of World War II. The authenticity of that statement has been challenged, and the International Cooperation Administration states that they did in fact give India the sum of $468 million. Now, that is not complete, because in addition to that we have given them vast stores of food under Public Law 480, some of which is charged to the farm price supports, but in fact is foreign aid, because we either give them or sell them that food at nominal prices.

In addition, over a 3-year period, India agreed to buy, at somewhat more than 50 cents on the dollar of what it cost the United States, the following commodities: 130 million bushels of wheat, 5,000 bales of cotton, 6 million pounds of tobacco, and assorted dairy products costing $3½ million.

Furthermore, India agreed to buy, during a single year, 4,400,000 bags of rice, each weighing 100 pounds. These products were to be shipped to India, at the expense of the United States Government. The ocean freight charges were figured at $54,200,000.

For this package, India agreed to pay $360 million, not in dollars, but in rupees. The cost to the American taxpayers, including freight, was $706,500,000; the selling price was $360 million. The loss to the American taxpayers was $346,500,000.

Since that issue has been raised, from time to time I have listed the chronology of some of our foreign-aid expenditures, the wisdom of which appeared to my mind to be very doubtful. I should like to read some of these items into the RECORD.

Item No. 1: Building 200 public restrooms in the Philippines and sending a team of technical assistance experts to demonstrate their use to confused Filipinos. This was reported by Representative H. R. GROSS, Republican, of Iowa, in a newsletter of January 4, 1956.

Item No. 2: Hiring a pasture production consultant and financing a study of the food value of British grass for Great Britain. This item was reported in the Chicago Tribune press service of January 21, 1956.

Item No. 3: Consulting services in social insurance for Haiti, reported in the Chicago Tribune Press January 21, 1956.

Item No. 4: Shipping of 150,000 collapsible toothpaste tubes to Cambodia, reported by Columnist George Dixon on October 23, 1955.

Item No. 5: Building public baths for Egyptian camel drivers, reported by Columnist George Dixon on October 23, 1955.

Mr. President, I have listed some 60-odd similar items, showing the sources of the authority, and I ask unanimous consent that the list be printed in the RECORD at this point as a part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

1. Building 200 public rest rooms in the Philippines and sending a team of technical assistance experts to demonstrate their use to confused Filipinos. (Reported by Congressman H. R. GROSS, Iowa Republican, in Newsletter of January 4, 1956.)

2. Hiring a pasture production consultant and financing a study of the food value of British grass for Great Britain. (Chicago Tribune Press Service, January 21, 1956.)

3. Consulting services in social insurance for Haiti. (Chicago Tribune Press Service, January 21, 1956.)

4. Shipping of 150,000 collapsible toothpaste tubes to Cambodia. (Columnist George Dixon, October 23, 1955.)

5. Building public baths for Egyptian camel drivers. (Columnist George Dixon, October 23, 1955.)

6. Giving dress suits to Grecian undertakers. (Columnist George Dixon, October 23, 1955.)

7. Shipping ice boxes to Eskimos. (Columnist George Dixon, October 23, 1955.)

8. Sending opera singers to Italy, Spanish dance troupes to South America and stage comedies to France. (Columnist George Dixon, October 23, 1956.)

9. Conducting a wage and position classification survey for the Philippine Government. (Chicago Tribune Press Service, January 21, 1956.)

10. Hiring a trade union consultant for Europe. (Chicago Tribune Press Service, January 21, 1956.)

11. Training French industrialists in American psychology methods in industry. (Chicago Tribune Press Service, January 21, 1956.)

12. Establishing a pension program for overage Chinese Nationalist soldiers. (Representative OLIN E. TEAGUE, Texas Democrat, as quoted by United Press, October 22, 1955.)

13. Underwriting the reduction of taxes in Great Britain and paying off the national debt of Denmark. (Senator HARRY F. BYRD, Virginia Democrat, as quoted by the Associated Press, December 21, 1955.)

14. Building of multi-million-dollar luxury apartment houses for American bureaucrats in Germany, France and Yugoslavia. (Eugene W. Castle in his book, "Billions, Blunders and Baloney," and subsequent speeches.)

15. Bringing traffic cops from foreign countries to study how to be better traffic cops in the United States. (Eugene W. Castle.)

16. Study of the human behavior of the Dutch people. (Eugene W. Castle.)

17. Sending railroad coaches to Korea. (Associated Press, April 16, 1956.)

18. Underwriting UNESCO script to the tune of $6,500,000 a year. (Congressman H. R. GROSS in the CONGRESSIONAL RECORD, April 10, 1956.)

19. Insuring American investment abroad, including $17 million worth for Ford Motor Co. alone. (Columnist John B. Crane. ICA Bulletin No. 93.)

20. Modernizing Thailand's revenue service and budgetary procedures. (ICA press release No. 96, February 6, 1956.)

21. Training the Thai in peaceful uses of atomic energy. (ICA press release No. 96, February 6, 1956.)

22. Building bridges over South American rivers, including one costing $460,000 over the Piray River in Bolivia. (Eugene Castle.)

23. Constructing and equipping nitrophosphate plant, cement plant, polyvinyl chloride plant, urea plant, sulfuric acid plant, sugar mills, artificial wood board plant and other private industrial development on Formosa. (ICA Bulletins No. 100, 99, 90, 71, and 62 and press release No. 101.)

24. Shipping raisins to Great Britain. (Columnist George Dixon, October 23, 1955; ICA Bulletin No. 89, April 4, 1956.)

25. Financing the commercial development of jet aircraft in Great Britain. (Eugene Castle.)

26. Sending ultra-violet lamps to India. (ICA Bulletin No. 76, March 6, 1956.)

27. Study of the carrying capacity of India's railway transportation system. (ICA Bulletin No. 69, February 15, 1956.)

28. Training newsprint mill operators in India. (Chicago Tribune Press Service, January 21, 1956.)

29. Giving landing craft to Indonesia. (ICA Bulletin No. 83, March 20, 1956.)

30. Expanding cotton mills in Iran. (ICA bulletin No. 75, March 5, 1956.)

31. Building low-cost housing and health centers and paving of city streets and developing municipal water supplies in Iran. (ICA press release No. 102, February 15, 1956.)

32. Sending audio-visual mobile units to Iran. (ICA Bulletin No. 63, February 2, 1956.)

33. Underwriting deficit of Japanese Government. (Eugene Castle.)

34. Establishing agricultural schools in Jordan. (ICA Bulletin No. 92, April 10, 1956.)

35. Providing advisory services in the operation of railroads for the Korea National Railway. (ICA Bulletin No. 72, April 24, 1956.)

36. Equipping Korean fishing boats. (ICA Bulletin No. 70, February 16, 1956.)

37. Paying rent on use of Korean facilities by American Armed Forces protecting the country. (Time magazine, January 2, 1956.)

38. Sending vegetable seeds to Laos. (ICA Bulletin No. 65, February 6, 1956.)

39. Circulating publications of Organization for European Economic Cooperation in this country to acquaint Americans with foreign products and processes. (ICA Bulletin No. 74, March 1, 1956.)

40. Paying the salaries of an army of half a million bureaucrats to administer American foreign aid and propaganda projects abroad. (Eugene W. Castle.)

41. Spending more than $30 million a year to turn out propaganda films, magazines, newspapers and news services to compete with the competent products of private American enterprise abroad. (Eugene Castle.)

42. Paying off the Norwegian national debt. (Eugene W. Castle.)

43. Building fertilizer factory and grain elevators in Pakistan. (ICA press release No. 105.)

44. Developing a modern civil airways system and building public water supplies in Pakistan. (ICA press release No. 105.)

45. Digging 1,800 wells in the Philippines. (ICA bulletin, No. 142, April 23, 1956.)

46. Establishing farm cooperatives in the Philippines. (ICA Bulletin No. 142, April 23, 1956.)

47. Underwriting geophysical exploration in the Philippines. (Chicago Tribune Newa Service, January 21, 1956.)

48. Engineering and economic survey of domestic transportation facilities in the Philippines. (ICA Bulletin No. 60, January 19, 1956.)

49. Land development demonstration projects in the Azores. (ICA Bulletin No. 87, March 30, 1956.)

50. Paying salary of investment adviser to the Federation of Rhodesia and Nyasaland in Central Africa. (ICA Bulletin No. 91, April 6, 1956.)

51. Livestock improvement and disease control projects in Thailand. (ICA Bulletin No. 97, April 19, 1956.)

52. Tank irrigation and water conservation projects in Thailand. (ICA Bulletin No. 81, March 16, 1956.)

53. Contract with Pan American World Airways to send 25 technicians to Thailand to assist Thai Airways Co. in establishing a personnel training program. (ICA Bulletin No. 79, March 13, 1956.)

54. Establishing and equipping Foot and Mouth Disease Vaccine Laboratory in Thailand. (ICA Bulletin No. 65, February 6, 1956.)

55. Thirty-mile extension of the state-owned Thai State Railway, including the gift of rolling stock and the installation of necessary telecommunications equipment. (ICS press release, No. 96, February 6, 1952.)

56. Training program to teach Thai how to operate and maintain motor vehicles given them. (ICA press release, No. 96, February 6, 1956.)

57. Importing breeding stock to improve cattle herds in Thailand. (ICA press release, No. 96, February 6, 1956.)

58. Undertaking marketing surveys in Thailand to attract private industry. (ICA press release, No. 96, February 6, 1956.)

59. Audiovisual mobile units for Vietnam. (ICA Bulletin, No. 100, April 25, 1956.)

60. Providing newsprint for Vietnam newspapers. (ICA Bulletin, No. 92, April 10, 1956.)

61. Building homes and clearing land for Vietnam refugees. (ICA press release, No. 83, January 18, 1956.)

62. Self-propelled water and oil-carrying barges for Vietnam. (ICA Bulletin, No. 63, February 2, 1956.)

63. Underwriting recruiting campaigns for the Vietnamese Army. (Eugene Castle quoting testimony of USIA Director Theodore Streibert.)

The principal preoccupation of the International Cooperation Administration (ICA) at this time seems to be building roads and dams. For example, it already has built a 15-mile long, 6-lane superhighway, linking the city of Lisbon, Portugal, with the gambling casino at Estoril (authority: Eugene Castle), and presently has underway these projects:

1. A 200-mile highway through the jungles of central Thailand to connect the capital city with that country's underdeveloped northeast. (ICA press release, No. 96, February 6, 1956.)

2. A highway of undisclosed length to be carved out of the rugged mountains and hacked out of the tangled jungles of Cambodia, connecting that country's capital city with a new seaport being built on the Gulf of Siam by the French. (ICA press release, No. 91, January 27, 1956.)

3. A 145-mile highway across the island of Formosa to open up virgin territory for the development of agriculture, forestry, and mining. (ICA press release, No. 101, February 14, 1956.)

4. Five hundred miles of rural roads opening up undeveloped territory in the Philippines. (ICA Bulletin, No. 142, April 12, 1956.)

These roads are being constructed where roads never before existed. They are located in countries where motor transport is a luxury and automobiles are a rarity. The excuse for their construction is their "military necessity," but it appears that their sole military advantage will accrue to the hordes of Mao Tse-tung whenever he may decide to send them surging into Southeast Asia, a conquest which we are aware Communist China can make at will.

According to a breakdown printed in the February 23, 1956, issue of the CONGRESSIONAL RECORD by Congressman A. L. MILLER, of Nebraska, the ICA and its predecessors during the period April 3, 1948, to March 31, 1955, spent a total of $288,582,000 on overseas power, irrigation and river development projects. These include projects in Denmark, France, Iceland, Italy, the Netherlands, Portugal, Spain, Austria-Germany, Belgian Congo, Algeria, Dutch Surinam, Malta, Jamaica, British Somaliland, Cyprus, Cambodia, Laos, Vietnam, Formosa, Korea, the Philippines, Thailand, Greece, Iran, Iraq, Israel, Jordan, Lebanon, Turkey, Egypt, Ethiopia, Liberia, Afghanistan, India, Nepal, and Pakistan.

Those figures do not include such current projects as:

1. The $50 million dam, powerplant, and irrigation system at Shihmen on Formosa (ICA Press Release No. 101, February 14, 1956).

2. The $65 million multipurpose dam on the Karnafuli River in east Pakistan (ICA Press Release No. 105, February 19, 1956).

3. Two million dollar development project in the Rapti River Valley in Nepal (ICA Press Release No. 94, February 2, 1956).

4. Thirty million dollars to build steam-power plants in Korea (Chicago Tribune Press Service, January 21, 1956).

5. Five million eight hundred sixty-six thousand and five hundred dollars for an electric power project in Greece (Chicago Tribune Press Service, January 21, 1956).

These projects all will provide power for expanded industry to compete with American industry and water for increased irrigation to produce more basic crops to compete with American produce.

Mr. TALMADGE. I thank the distinguished Senator from Louisiana for his graciousness in yielding to me.

During the delivery of Mr. LONG's speech.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. DIRKSEN. I appreciate the kindness of the Senator in yielding at this point.

I think it is only fair and appropriate to make one comment on the statements made by the distinguished Senator from Georgia [Mr. TALMADGE]. Frankly, I am amazed at the statements which appear in the Reader's Digest, the American Legion Monthly, and elsewhere, which are absolutely without foundation. Such statements are frequently quoted on the floor of the House or the Senate. The Senator from Georgia read from the Castle book. The following statement is quoted from the book:

In Portugal we have paid for a 6-lane highway 15 miles long connecting Lisbon with the gambling resort of Estoril.

The comment of the International Cooperation Administration is as follows:

No United States aid funds, dollars or counterpart, have been used for highway construction anywhere in Portugal. The highway referred to was built by the Portuguese Government and opened to traffic some 6 months before counterpart funds were released.

It was indicated, in a speech on the floor of the House that—

Our tax dollars have provided dress suits for Grecian undertakers, public baths for Egyptian camel drivers, and even ice boxes for Eskimos.

What is the fact? ICA says, "This is a complete fabrication, with no basis in fact whatsoever."

I shall answer all of these allegations that were made, because they are not founded in fact.

It seems to me that Members of the House and of the Senate ought to be a little more careful, a little more mindful of the whole story, before these stories are so carelessly disseminated to the press.

Mr. LONG. Mr. President, I ask unanimous consent that the remarks of the Senator from Georgia [Mr. TALMADGE], and the remarks of the Senator from Illinois [Mr. DIRKSEN] be placed at the conclusion of my remarks, in order that my remarks may have continuity.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Without objection, it is so ordered.

Mr. DIRKSEN. I shall amplify my statement later.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. LONG].

Mr. JOHNSON of Texas. Mr. President, I yield 4 minutes to the distinguished chairman of the Committee on Foreign Relations.

Mr. GREEN. Mr. President, the pending amendment would eliminate from the bill the authorization for appropriations for defense support for the fiscal year 1959.

The President of the United States recommended to the Congress that authorizations for appropriations for both military assistance and defense support should be changed from a 1-year basis to a permanent authorization basis. The President made this recommendation for two principal reasons. First, a continuing authorization for these programs would facilitate proper long-range planning. Second, a continuing authorization would demonstrate the fact that these programs are an important part of the defense effort of the United States.

The Committee on Foreign Relations decided to put authorizations for both military assistance and defense support on a 2-year basis rather than a permanent basis. The committee believes that the relationship between these programs and foreign policies of the United States is so close as to require periodic review by the Committee on Foreign Relations. The committee has, however, been reviewing such authorizations for 10 years now. The objectives of defense support and the main patterns of such assistance are now fairly well agreed upon. The Committee therefore concluded that it could safely change from an annual authorization to authorizations covering 2 years. The committee believes that this change will permit better planning and will improve the administration of the programs.

Mr. President, I hope that the amendment will be defeated.

Mr. JOHNSON of Texas. Mr. President, I wonder if it would be agreeable to the Senator from Louisiana for each of us to yield back all of our time except 5 minutes on each side, and then to have a quorum call, the time for the quorum call to be charged to neither side. Following the quorum call, the Senator from Louisiana would have a chance to represent his amendment; and then we would use time on this side.

Mr. LONG. That is agreeable.

Mr. JOHNSON of Texas. Mr. President, with the understanding that all time has been yielded back with the exception of 5 minutes on each side, I ask unanimous consent that I may suggest the absence of a quorum, the time for the quorum call to be charged to neither side.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Is there objection to the request of the Senator from Texas that there be a quorum call, the time for the quorum call to be charged to neither side? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the distinguished minority leader.

Mr. KNOWLAND. Mr. President, I rise to support the position taken by the chairman of the Committee on Foreign Relations, the distinguished Senator from Rhode Island [Mr. GREEN], who has heretofore spoken in opposition to the first amendment offered by the junior Senator from Louisiana [Mr. LONG].

If Senators will examine page 26 of the bill, they will see that the effect and intent of the amendment of the Senator from Louisiana is to strike out beginning with the word "There", at the end of line 15, through the remainder of the paragraph. That will eliminate the authority for the following fiscal year, 1959, for both the military support and the defense support.

When the administration first presented its recommendations to the Congress, it requested in effect, unlimited authority in the case of both the military features of the bill and the defense-support features. The committee, with all the facts before it, believed—and quite properly so, in my opinion—that it would be unwise to authorize such unlimited support which in the future would require action by the Appropriations Committee. But the committee felt that a strong case had been made for giving authorization for a limited period of 2 years in the case of these 2 fields, namely, military support and defense support.

On the other hand, that military appropriation could not be included in this year's military appropriation bill because the military appropriation bill for United States forces has already cleared the House of Representatives, and is before the Senate Appropriations Committee, before the Senate has even acted on the mutual aid authorization bill. If the Senate is to be given an opportunity to experiment with that plan next year, it is necessary to make the 1959 authorization now, so that next year, when the appropriation bill comes before us, this feature may be included.

The testimony has very clearly shown that the forces in Republic of Korea, in Turkey, in Formosa, and in Vietnam are all parts of the mutual defense perimeter of the free world, of which the United States is a vital part. Under these circumstances, particularly when the evidence shows that it costs $105 to maintain a Turkish soldier, $117 to maintain a Korean soldier, and $142 to maintain a Chinese Nationalist soldier——

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. I should like to have 1 additional minute.

Mr. JOHNSON of Texas. Mr. President, I yield an additional minute to the Senator from California, if that will be agreeable to the Senator from Louisiana; and, if so, I shall also yield an additional minute to the Senator from Louisiana.

Mr. LONG. Very well.

The PRESIDING OFFICER. The Senator from California is recognized for one additional minute.

Mr. KNOWLAND. On the other hand, Mr. President, it costs $3,511 a year to maintain a United States soldier. So, from the point of view of the defense of those countries, and from the point of view of the defense of our own country, more divisions will be available for the common defense if we use the soldiers of other countries. I believe that situation amply justifies including that part of the item in our military appropriation bill next year. But unless this item is included in the pending bill, we shall not be able to follow that procedure.

For that reason, Mr. President, I hope the amendment of the Senator from Louisiana will be rejected.

Mr. LONG. Mr. President, let me point out that my amendment does not at all affect the fiscal year 1958. In other words, it does not affect the fiscal year which will begin on the 1st of July of this year, and will end on the 30th of June, 1958.

My position is that the Congress should not vote for an economic program, to be hidden inside the defense budget, when that economic program would be for the fiscal year 1959, which will begin more than a year from now on July 1, 1958, and will end on June 30, 1959.

If Senators wish to consider a sample of such an economic program, let them examine pages 784 and 785 of the hearings, which shows a typical program—in this case, the one in Korea. From those pages of the hearings, Senators will find that the program is primarily an economic-aid program. In the case of Korea, the program is for the purpose of developing agricultural and natural resources, industry and mining, transportation, health and sanitation, education, public administration, community development, social welfare, housing, and so forth.

If Senators would like to consider further what is happening under this program, let them also examine pages 651 and 652 of the hearings, from which they will see that a great portion of the money used for this program is absolutely being frittered away—according to the administration's own testimony—by permitting these foreign nations to shortchange us by as much as 50 percent in the exchange of currencies. In other words, as much as 50 percent, or half, of the money is simply being frittered away in connection with a vast exchange of currencies; and the administration admits it. In the case of Vietnam alone, that is going on to the tune of $120 million, or 50 percent of $240 million annually.

Mr. President, this type of economic aid program should not be hidden away in the military budget. When the committee was sitting as a study group, what did the committee say about it? On page 16 of the report we find that the committee discusses supporting assistance, as the commitee calls it; and at that point in the report the committee points out that in many cases it is nothing more than outright economic aid. Then the committee says that the administration had made the suggestion that the military-aid provisions might be placed in the defense budget without having any further authorization bill, as is proposed in this case.

Then the committee says:

On the other hand, such legislation might result in a loss of some congressional control over the largest element of foreign aid, by burying it in the budget of the Department of Defense.

Then let us examine the next paragraph. I am lifting it out of context, but I am not doing violence to the point the committee had in mind:

While the committee believes that there may be merit in the proposal to place military aid funds with the Department of Defense, it knows that this proposal deals with only one part of the problem.

In the second paragraph of page 25, we find the following:

The committee believes that any changes in legislation which would deny to the Senate an annual review of supporting aid—

The committee calls it supporting aid—

would raise dangers of a failure to adjust this aid to changing circumstances. It would raise dangers of an undue expansion of supporting aid programs and unnecessary and excessive demands on the resources of this country.

Elsewhere in the report Senators will find that the statement that to continue the supporting aid indefinitely creates ill will between nations and causes nations not to do for themselves the things which we can properly rely upon them to do.

That report was unanimous. My amendment recommends the accomplishment of exactly what the same Foreign Relations Committee unanimously recommended when the committee was sitting as a study group on this program.

Mr. President, Senators can recommend one thing when they are studying a program, and they can vote the other way when the administration suggests they do so. But I suggest that, by the administration's own admission, in the case of a single country, and when $240 million was involved, as much as 50 percent of the money was absolutely being thrown away by means of a quick exchange of currencies.

Mr. President, why should these things be hidden away in the defense budget, when they are most wasteful and most inexcusable.

Therefore, Mr. President, I say that a 1-year authorization is enough; it would be inexcusable to make such an authorization for a second year, without further study.

Mr. RUSSELL. Mr. President, will the Senator from Texas yield to me, so that I may ask a question of the Senator from Louisiana?

Mr. JOHNSON of Texas. I yield to the Senator from Georgia, from the time available on the bill.

Mr. RUSSELL. The Senator from Louisiana knows that the Senate authorized the expenditure of $300,000 for the purpose of conducting the study to which reference has been made; and in that connection, various study groups were sent forth, foundations were employed, and voluminous reports were received and analyzed. In the light of what the Foreign Relations Committee has recommended now, contrary to that report, does it not appear that that money has gone down the drain, along with a great deal of the foreign aid we have provided?

Mr. LONG. Not only that, but one of the experts pointed out that $120 million is being wasted, in the case of Vietnam; and yet the committee now proposes that all this sort of thing be continued.

Mr. MALONE. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG. I have no further time.

Mr. JOHNSON of Texas. Mr. President, if agreeable, I will yield 1 minute on the bill to the Senator from Nevada.

Mr. MALONE. Is the Senator from Louisiana aware that Secretary Dulles, the Secretary of State, testified before the committee, last year, that foreign aid is a permanent policy as long as our security is threatened? Our security has been threatened ever since we have been a nation. I suppose, from that, it will be a continuing thing, but is the Senator aware of that fact? Of course he is; he was a member of the committee.

Mr. LONG. Yes. Here is a case of asking Congress to authorize $710 million without ever looking into the subject. If we approve this authorization, we may next be asked to authorize aid 10 years in advance. Someday Congress, I suppose, will be asked to authorize foreign aid forever, without any control.

Mr. MALONE. It was said in 1948 that if we started the Marshall plan and appropriated money for it, it would definitely become just as much a part of our budget as the State Department is.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Do we have 3 minutes remaining on the amendment?

The PRESIDING OFFICER. The majority leader has 3 minutes remaining. The proponents of the amendment have no time.

Mr. JOHNSON of Texas. Mr. President, I desire to make a statement, at the conclusion of which I shall suggest the absence of a quorum, because I want all Senators to be on notice, so they can be present when the vote is taken.

I rise in opposition to this amendment.

First, the pending bill is an authorization measure. It does not deal directly with spending, but only the ceilings upon spending when we get to the actual money bill.

The mutual-security bill, as reported by the chairman of the Foreign Relations Committee [Mr. GREEN], must go through two stages every year. We are engaged in the first stage now, that is,

consideration of the policy question involved, and determination of the maximum effort this country is willing to make.

The second stage—which cannot even begin until we conclude the first stage—is when we consider the actual amount of money that will be appropriated. This is a far different question.

The difference is so great that there has been only one instance in the past 10 years where the executive branch has asked for as much in appropriations as it asked in authorizations, and there has been no instance in which Congress has granted as much in appropriations as it has in authorizations.

For fiscal 1957, the administration requested $4,860,000,000 in authorization. The Congress actually granted $4,034,600,000. Then, when we reached the appropriation bill, the sum actually appropriated was $3,766,500,000.

For fiscal 1956, the situation was as follows:

The Executive authorization request was $3,408,000,000.

The congressional authorization was $3,285,800,000.

The Executive appropriation request was $3,266,600,000.

But the congressional appropriation was down to $2,703,000,000.

By the combined action of the President and the Senate Foreign Relations Committee, this measure has been cut already by 16⅔ percent. We customarily operate on the assumption that some flexibility has been left for the operations of the Appropriations Committee.

That committee has the exhausting—and usually thankless—job of going over the justification in detail.

It seems to me that we will be approaching the peril point if we make another substantial cut in the authorization. We will leave the Appropriations Committee without sufficient elbow room.

Prudent judgment on spending is best made when the men who must make the judgment do not have their hands tied.

I have great confidence in the ability of the Senate Appropriations Committee to make prudent judgments as to the use of the taxpayer's money. If the authorization is too high—in terms of specific projects—I believe they will determine that fact and make appropriate recommendations.

It is my belief that the Senate Foreign Relations Committee has performed its duties ably and well. I believe the ceiling authorizations they have brought to us are realistic and in line with the national interest.

For that reason, I cannot see my way clear to vote to reduce the authorization, as proposed by my delightful friend from Louisiana. It is my belief that it would be an unwise restriction which we might regret in the days ahead.

I ask unanimous consent to have printed in the RECORD a table setting forth the history of congressional action on the mutual-security bill for the past 10 years.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Fiscal year	Executive branch authorization request	Authorization by Congress	Executive branch appropriation request	Mutual security program appropriations adjusted	Amount of reduction—comparing appropriation granted with authorization request	Percentage reduction appropriations compared with authorization request
1948–49	8,499.0	7,892.0	6,897.0	6,396.8	2,112.2	0.248
1950	5,756.0	5,650.0	5,342.2	5,173.2	582.8	.101
1951	8,172.5	7,922.5	7,835.7	7,339.4	833.1	.099
1952	8,500.0	7,583.1	7,527.5	7,282.3	1,217.7	.143
1953	7,900.0	6,492.7	6,492.7	6,011.9	1,888.1	.236
1954	5,927.1	5,253.6	5,124.5	4,724.9	1,202.2	.203
1955	3,676.4	3,024.6	3,188.5	2,894.5	871.9	.2369
1956	3,408.0	3,285.8	3,266.6	2,703.5	704.5	.20
1957	4,860.0	4,034.6	3,766.5	3,766.5	1,093.5	.225
1958	4,400.0					

Mr. JOHNSON of Texas. Mr. President, I think the vote on the pending amendment is a test, and I want to suggest the absence of a quorum, so Senators can be present when there is a vote on it.

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. All the time of the Senator from Texas, the 3 minutes which he allowed himself, has expired.

Mr. JOHNSON of Texas. I yield 1 minute on the bill, if it is agreeable.

Mr. ELLENDER. Is it not a fact that the amendment offered by the junior Senator from Louisiana does not touch on the defense support authorization for the fiscal year 1958, but affects only the authorization for the fiscal year 1959?

Mr. JOHNSON of Texas. The Senator from Louisiana proposes to whittle away $300 million of military aid by this amendment.

Mr. ELLENDER. The Senator from Texas is in error. This amendment simply strikes out the authorization for defense support funds for fiscal year 1959, and does not in any manner reduce or otherwise affect the amount of defense support authorized for fiscal year 1958.

Mr. JOHNSON of Texas. Mr. President, I think that if the amendment of the Senator from Louisiana shall be adopted, our whole foreign military-aid program will be affected, indeed, will be dangerously affected, and I think it will result in many extra dollars having to be appropriated, not only in the next year, but in the years to come, because I am convinced of one thing: The money we have spent in foreign and defense aid has saved our spending many times that amount on our own forces.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. I yield.

Mr. LONG. Is the Senator from Texas sure which amendment he is referring to?

Mr. JOHNSON of Texas. I understood the Senator from Louisiana, when he offered the amendment, was offering an amendment that would reduce the authorization . seven-hundred-million-odd dollars in the year 1958.

Mr. LONG. No; the Senator has been discussing the wrong amendment. I am offering the amendment identified as "6–12–57—C." That amendment would strike out the authorization for 1959.

Mr. JOHNSON of Texas. I understand.

Mr. MANSFIELD. If the Senator will yield, the majority leader is correct, because if the amendment is adopted, it will mean the second year's appropriation in defense support, which is nothing but economic aid support, amounting to $710 million, will be liquidated.

Mr. LONG. I anticipate that next year it would be justified. The burden of my argument is that the committee ought to hear evidence to justify the authorization of $710 million, rather than have the Congress authorize it without hearing any support for it or any evidence for it or a single word of testimony.

Mr. JOHNSON of Texas. Let me see if I can make clear to the Senator from Louisiana and other Senators what we are voting on. As I understand, the Senator proposes to strike from the bill the amount authorized to be appropriated for the fiscal year 1959, which is $710 million.

Mr. LONG. That is correct.

Mr. JOHNSON of Texas. I think that is a whittling away of our whole foreign-aid program. In my opinion, this is a dangerous amendment. I believe that if we take the step today of adopting this amendment, we will pull the whole house down on our heads. I hope the vote on the amendment will be a test, and that every Senator will be present and recorded.

I suggest the absence of a quorum.

Mr. ELLENDER. Mr. President, will the Senator yield for another question?

Mr. JOHNSON of Texas. I will yield for a question. We agreed to 5 minutes to each side. We have taken that much time.

Mr. ELLENDER. Take it on the bill. I have a number of amendments.

Mr. JOHNSON of Texas. Will the Senator take it on his amendment?

Mr. ELLENDER. Yes; I will take it on my amendment.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

Mr. ELLENDER. Will the Senator withhold the suggestion and answer my question?

Mr. JOHNSON of Texas. Yes.

Mr. ELLENDER. Should we not proceed with respect to this bill in the same manner as we have in the past, namely, to authorize funds for defense support on a 1-year basis, so that we can examine the program each year and determine each year the level at which it should be continued, if at all?

We are departing today from the usual procedure in authorizing these funds. We are establishing a dangerous precedent—one which may haunt us in future years, when we endeavor to shut this program off, or at least substantially curtail it. We are extending the authorization not only into the next fiscal year but into the fiscal year beyond that—fiscal year 1959, to be exact. That is what I am objecting to.

Mr. JOHNSON of Texas. The Senator's statement is correct. I understand his position.

Mr. ELLENDER. How can the Senator argue that the amendment of the junior Senator from Louisiana is going to hurt the program, when for the past 10 years we have proceeded in the same manner now sought to be followed?

Mr. JOHNSON of Texas. Because I think all the testimony adduced before the committee—the very responsible committee and the very prudent committee—indicated that our national interest rested in the terms reported in the pending bill.

Mr. ELLENDER. I do not think that the committee as a whole, at least those members who made a study of the subject, desired to make the period longer than 1 year. It is the administration which is attempting to force the 2-year authorization on us. I say to the Senator that if we adopt this amendment we will be sorry.

As a matter of fact, the special Senate subcommittee which studied the foreign-aid program recommended specifically that no change be made in the present practice of making the defense support appropriations available for 1 year only. I say to the Senator that I think the subcommittee's recommendation in this instance should be followed.

Mr. JOHNSON of Texas. I thank the Senator for his observations. I regret that the committee which heard all of the evidence and testimony does not concur in his views.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Morse
Allott	Gore	Morton
Anderson	Green	Mundt
Barrett	Hayden	Murray
Beall	Hennings	Neuberger
Bennett	Hickenlooper	O'Mahoney
Bible	Hill	Pastore
Bricker	Holland	Payne
Bush	Hruska	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Ravercomb
Capehart	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Chavez	Kefauver	Smathers
Church	Kennedy	Smith, Maine
Clark	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ellender	Martin, Iowa	Wiley
Flanders	Martin, Pa.	Williams
Frear	McClellan	Yarborough
Fulbright	McNamara	

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

The PRESIDING OFFICER. A quorum is present.

Mr. REVERCOMB. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. REVERCOMB. What is the question on which the Senate is about to vote?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG], amendment designated 6–12–57–C. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from West Virginia would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

If present and voting, the Senators from North Dakota [Mr. LANGER and Mr. YOUNG] would each vote "yea."

The result was announced—yeas 34, nays 55, as follows:

YEAS—34

Anderson	Frear	Mundt
Barrett	Goldwater	O'Mahoney
Bible	Hruska	Ravercomb
Bricker	Jenner	Robertson
Butler	Johnston, S. C.	Russell
Byrd	Kerr	Schoeppel
Case, S. Dak.	Long	Stennis
Chavez	Magnuson	Talmadge
Curtis	Malone	Thurmond
Dworshak	Mansfield	Williams
Eastland	McClellan	
Ellender	Morse	

NAYS—55

Aiken	Hayden	Murray
Allott	Hennings	Neuberger
Beall	Hickenlooper	Pastore
Bennett	Hill	Payne
Bush	Holland	Potter
Capehart	Humphrey	Purtell
Carlson	Ives	Saltonstall
Carroll	Jackson	Scott
Case, N. J.	Javits	Smathers
Church	Johnson, Tex.	Smith, Maine
Clark	Kefauver	Smith, N. J.
Cooper	Kennedy	Sparkman
Cotton	Knowland	Symington
Dirksen	Kuchel	Thye
Douglas	Lausche	Watkins
Flanders	Martin, Iowa	Wiley
Fulbright	Martin, Pa.	Yarborough
Gore	McNamara	
Green	Morton	

NOT VOTING—6

Bridges	Langer	Neely
Ervin	Monroney	Young

So Mr. LONG's amendment was rejected.

Mr. KNOWLAND. Mr. President, I move that the vote by which the Long amendment was rejected be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from California [Mr. KNOWLAND] to reconsider the vote by which the Long amendment was rejected.

The motion to lay on the table was agreed to.

Mr. LONG. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Louisiana will be stated.

The LEGISLATIVE CLERK. On page 26, lines 14 and 15, it is proposed to strike out "$800,000,000" and insert "$710,000,000."

Mr. LONG. Mr. President, I shall need very little time to discuss this amendment. I see no need whatever for consuming the entire time available to me. I believe I can explain it in 6 minutes.

The amendment proposes to hold the ceiling figure for 1958 to the same figure which the committee recommended for 1959. In other words, the committee, after hearing the justification with respect to 1 year, without hearing any testimony with respect to the subsequent year, recommended that for 1959 the sum of $710 million should be the ceiling.

It was the committee's wish and hope that the economic-aid program, which goes under the name of defense support, could be carried in the year 1959 at $710 million. My question is, If we think that $710 million is the right figure for next year, without any testimony on the subject at all, and without any testimony as to what the difference will be between next year and this year, why should we not use the same figure this year.

I sat through most of the hearings, Mr. President, and I am frank to say that this whole authorization is nothing more than an educated guess. That is why all the figures on these items are secret. No one knows whether the administration will spend this much money or not. However, we can see what the figures were for Korea, so far as last year is concerned, although not for this year. The administration will not reveal the figures for this year because they think the Koreans, for example, might expect all this money to be expended, whereas it might be desirable to transfer the money to some other nation or to spend it somewhere else.

Furthermore, there is also an unexpended balance in this program of $1,714,000,000, as of February 28 this year. In other words, as of the last day of February there was sufficient money on hand to carry the program for more than 2 years into the future.

What I am saying is that we should make an additional reduction of about 10 percent, which is the same reduction the committee recommended be made in the following year.

I pointed out that if the administration will carefully use these funds it can get better results with the $710 million than the amount authorized in the bill.

I call attention to the testimony at pages 652 and 653. Some of the Senators who are on the floor now may not have heard my previous statement in this connection. An administration witness explained that in connection with this program in Vietnam we are losing as much as half the value of our money, because we are pegging the piaster at 35 to the dollar, when the rate should be at least 70, and perhaps more. Therefore we are losing half of our money for the benefit of about 2,000 native merchants.

Merely by pegging the piaster to a completely fictitious rate, we are losing the benefit of half the funds we are giving to that country.

The same thing is happening in Korea. The same thing is happening in Formosa. The committee that studied the program states at page 27 of the report that this kind of thing should be stopped and we should insist on getting full value for the funds we send there, rather than having most of its value squeezed out in the exchange of the currency.

Everything the administration seeks to have accomplished can be accomplished, and more, if they will peg the foreign currencies to their actual value, and if they will bring about a free exchange of the currencies. The administration's own witness testified that that ought to be done. All I say is, let them do it. If they will do it, they will have more funds available than they need. As a matter of fact, they already have enough money to carry the program forward for the next two and a half years out of funds already appropriated.

There is no reason why this program cannot stand a small reduction. The committee recommended a reduction of about 5 or 6 percent. I say it should be about 15 percent.

Furthermore, when the administration sent their requests to Congress and stated that they had reduced their requirements for the foreign aid program, nowhere in the reduced requirements did I see that they had reduced this most wasteful part of the program, the so-called support program.

I point out that, in addition to the $710 million which is proposed to be authorized, the President also has available to him $250 million in his special fund, most of which will be spent for the same purpose. Therefore about a billion dollars would be available in addition to the $1,715,000,000 already available and appropriated previously.

Mr. President, I yield 5 minutes to my distinguished colleague.

Mr. ELLENDER. Mr. President, I hope that this small reduction will be made. Depending on what happens to the pending amendment, I shall propose an amendment, to cut the amount even more.

As my distinguished colleague has pointed out, more than a billion dollars is available for expenditure in the future. The defense support title is a misnomer. It is simply a disguise for economic aid. Not one nickel of this entire amount, although it is referred to as defense aid, will be used to buy a gun or a tank or anything else of a military nature. The entire sum will be used in the same manner as the billions of dollars we have been appropriating since 1948 for economic aid to the nations of Western Europe.

Mr. MORSE. Mr. President, will the Senator yield for a quick question?

Mr. ELLENDER. I yield.

Mr. MORSE. Not only is it economic aid, but it is in the form of economic grants. Is that not correct?

Mr. ELLENDER. That is exactly correct. This money is made available even to countries which have very small military establishments. Any country with which we do have a joint military program in operation is entitled to share in this money. But the money, when granted, will be used to construct dams, to build roads, even to erect flour mills, as was the case in Korea.

Mr. MORSE. Mr. President, will the Senator yield for another quick question?

Mr. ELLENDER. In Formosa defense support grants are being used in order to try to balance agriculture with industry, in spite of the fact that Formosa does not have the basic resources essential for such a program. In Formosa alone we employ hundreds of people in carrying out this grandiose scheme. Defense support allocations to Formosa are to be used, so our planners tell us, to build up the economy of the island. More than $5 million in cash of the amount which will be allocated to Formosa will be used to build a dam in Formosa, although, as the report I filed with the Senate Appropriations Committee earlier this year shows, the revenues from electricity on the island would be more than ample to finance the project. We have already given assistance in that area to the extent of some twenty-million-odd dollars, in order to build a new dam not far from T'ai-pei. We have contributed enough to subsidize electric-power rates on Formosa. Our taxpayers deserve a respite.

Mr. President, I repeat that not 1 cent of the defense support funds authorized in the pending bill will be used to buy guns or anything resembling hardware for our allies' defense forces.

I yield to the Senator from Oregon.

Mr. MORSE. When we grant them this money for dams, it amounts to giving them the dams. Is that not correct?

Mr. ELLENDER. There can be no question about that. As I pointed out in my report to the Senate Appropriations Committe, the rates paid for electricity on Formosa are so low as to be almost scandalous. They are much cheaper than they are in our own country. When I talked to the administrator of the Taiwan Power Co., he boasted of the fact that they could produce electricity in Formosa cheaper than we could in the United States. I replied, "We could, too, if we had a rich uncle to give us all the money with which to build the facilities."

In South Korea the same situation exists. Things have never been so good in South Korea as they are now. Their agriculture has so increased that it surpasses anything they have ever had in the past. Yet in Korea, too, we are trying to balance agriculture with industry, with little or none of the essential natural resources to work with.

Mr. President, of the vast sum of money we made available last year to South Korea, $65 million to $70 million was used to subsidize railroads which we ourselves, at our own expense, had rehabilitated in the previous 2 or 3 years. If Korean railway rates, both passenger and freight, had been increased to a reasonable level, the United States subsidy could have been done away with altogether.

When I asked why railway rates were not increased, the answer was that it was a political matter; the legislature or the general assembly of South Korea had to pass upon it. Since all the Members had to go before the people in order to be elected, it was a touchy subject for the members of the legislature to increase the rates; therefore, it was not done—unless it has been done since I was in Korea.

The PRESIDING OFFICER. The 5 minutes of the senior Senator from Louisiana have expired.

Mr. LONG. Mr. President, I yield an additional 4 minutes to the senior Senator from Louisiana.

Mr. ELLENDER. Mr. President, in Korea we have given $8 million in United States dollars to repair the huge dam located about 25 or 30 miles north of Seoul. The facility produces electricity in abundance. We have already paid for the building of several steam plants to generate electricity—plants which have been erected with United States funds. It seems to me that the proceeds from the sale of electricity generated in those plants could have been used to finance the dam to which I have just referred and other improvements to the Korean power system. But no, the Koreans will not do that, because the rates cannot be increased unless the general assembly passes upon them. It is a ticklish question. Much politics is involved in the matter. If only the legislature would increase the rates and make the people pay approximately the same rates we pay in this country, they could easily have financed the cost of the dam—in fact, the whole output of electricity.

I could cite many more instances of our lavish spending in South Korea. Some of the money we are now appropriating will be used to complete the construction of 4 flour mills which we are building in that country. The South Koreans have no technicians to assist in building the flour mills. The United States must furnish its experts and technicians not only to build, but to operate them as well. Remember, too, that Korea does not produce one pound of wheat. It produces rice in abundance, but no wheat. So our planners contemplate that we will also furnish them the wheat with which to make the flour.

What justification do Senators think was given to me for the erection of these flour mills? The justification given by our people in Korea was that the mills were needed to change the eating habits of the Koreans—to teach them to consume wheat products, instead of rice, so that the Korean rice crop can be exported. Can Senators imagine anything so silly as that?

Mr. President, our planners have squandered huge sums for such purposes. We have given away money to pay for four flour mills being erected in South Korea, but that is not all. We have already spent, and we will be asked to spend huge sums in order to erect businesses in South Korea, in a starry-eyed scheme to balance South Korean industry with South Korean agriculture. The project of course is doomed to failure—it is something which cannot be accomplished, simply because the people of South Korea do not have the raw materials with which to work. The Japanese tried it before us, and they failed, but that does not stop our so-called experts.

I wish Senators could see the huge docks which the United States has built in South Korea, and the elevators which our Nation has built to store the wheat about which I have spoken—all at our own expense. Much of the defense support money which is authorized in the pending measure is intended for additional expenditures of that type.

I repeat, Mr. President, with all the force that is in me, that not one single, solitary dime of the defense support funds in this bill will be used for anything other than economic aid. I hope, therefore, that the Senate will cut this item by the tiny amount suggested by my distinguished colleague.

Mr. KNOWLAND. Mr. President, I yield 4 minutes to the Senator from Rhode Island.

Mr. GREEN. Mr. President, this amendment would reduce the authorization in the bill for an appropriation for defense support from $800 million to $710 million. It must be remembered, however, that the Committee on Foreign Relations, after long study and hearing witnesses, had already reduced the amount from $900 million, which had been asked by the President, to $800 million. I know of no good reason why those who suggested the amendment should stop at $710 million. Why did they not propose a deeper cut and say how much the country would save if the amount were reduced to $600 million or $500 million?

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. GREEN. No. I do not yield. I did not interrupt the Senator; I do not want the Senator to interrupt me.

The committee has already looked into the matter, and it thought the most it could reasonably suggest was a reduction of $100 million, from $900 million to $800 million. A further cut would, in our judgment, not be wise, to use a mild term.

Defense support is a category of assistance which goes hand in hand with military assistance. That statement may not be in accord with the exact terminology, but it is certainly much less misleading than the language which has been used in the past. The additional expense was incidental to the military.

Defense support makes it possible for our friends to raise the military forces which we and they believe are essential in the common defense effort. It is the common defense which concerns us. That is the theory on which these appropriations are made. The money is provided not only to defend the countries where the money is spent; it is also intended to defend ourselves, here at home.

The bulk of the defense support goes to Korea, Formosa, Vietnam, Turkey, and Pakistan—all stanch allies of the United States. We want to help our allies to defend themselves. We have already spent huge sums of money in Korea, as an illustration. Was that entirely because we loved the Koreans? Or was it partly because we thought of the interests of the United States that we spent all that money in Korea during the past years?

The defense-support program has been substantially altered this year by the elimination of items which are not directly related to the military effort of the foreign country being supported.

I do not say that the program as now constituted is perfect, but I do say there have been important changes in programing and in the concept of defense support, so as to put this category of aid on a sound basis for the future.

Mr. President, I urge that the amendment be defeated.

Mr. KNOWLAND. Mr. President, I yield myself 2 minutes.

I oppose the amendment, and support the position of the chairman of the Committee on Foreign Relations in opposition to it. As he has already pointed out, the Committee on Foreign Relations has already decreased the item by $100 million.

In this category we are helping stanch non-Communist nations, nations with whom we have been allied, nations which the last administration, as well as this administration, believed to be vital for our defense perimeter in the Western Pacific.

These are not neutralist nations; they are not Communist nations. They are the stanchest non-Communist nations in that whole area of the world.

It has been stated previously in the Senate that the Republic of Korea, a small nation with a population of 25 million, a nation which has been ravaged by the Communist aggression, and has suffered a million and a half casualties among their civilian and military population, receives some of the defense support. I believe Korea should receive it. They need to get some of it, because they are manning the frontline of defense in Korea with some 700,000 troops.

This is the largest non-Communist army in the world today, save and except that of the United States of America. It is a larger force than that of Great Britain or that of France. It is a larger force than that of any other non-Communist nation in the world, save and except that of the United States of America. Of course it is a much larger force than the economy of that little country can maintain. But I submit that in manning that part of the defense perimeter, it is far better to have the Republic of Korea stand with us there, with that force, and for us to give them some of the economic and defense-support aid which is necessary in this circumstance. Those funds cannot be loaned and repaid in the way that normal economic aid can be repaid. These funds are to help them carry this burden until the Communist threat has been eliminated.

Mr. LAUSCHE. Mr. President, will the Senator from California yield to me?

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Does the Senator from California yield to the Senator from Ohio?

Mr. KNOWLAND. I yield.

Mr. LAUSCHE. Can the Senator from California give the comparative figures in the case of the troops of Vietnam and Pakistan and Taiwan?

Mr. KNOWLAND. The approximate figure in the case of Formosa, the Republic of China, is 500,000. I cannot now state for the Senator from Ohio the figure for Vietnam; but I shall obtain it for the Senator, and shall supply it to him.

Mr. LAUSCHE. Does the same argument which applied to Korea apply to these other nations, with respect to the maintenance of troops and the great cost burden?

Mr. KNOWLAND. Yes, I would say that, relatively speaking, and in proportion to the size of the country and its economy, the same argument, in my judgment, applies both to Vietnam, which also is on the frontline, with a hostile Communist force to the north, and to the Island of Formosa, where the free Chinese are facing large Communist forces across the straits.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 2 additional minutes.

Mr. KNOWLAND. Mr. President, under these circumstances I submit that this type of defense support is not only necessary, but it is highly desirable, because if we pull the rug out from under these people in view of the circumstances confronting them, we shake the very foundations of the defense of the Free World in the Western Pacific. I do not think that would be in the vital interest of our Nation or of our own national defense, and I do not think it would be in the interest of maintaining a free world of free men.

The Senator from Louisiana has asked why we should not automatically authorize $710 million for the next fiscal year, inasmuch as the committee suggested that amount. I think it is only fair to give a little legislative history in that regard. I think the reason why the committee reduced the amount at that particular time was that it wanted to give a second year's authorization—for reasons which have already been outlined—and also wanted to serve notice on the administration that it is the hope that next year these items can be reduced, rather than expanded. I think

It is the hope of every Member of the Senate that ultimately it will be possible to get away from the necessity of providing mutual-aid support. I do not wish to see it become a permanent institution fastened on the American people; and as soon as world conditions permit, I hope we can get out of this type of support. But certainly so long as the danger exists, I believe it is in our own interest to furnish this type of assistance.

Mr. JAVITS. Mr. President, will the Senator from California yield to me?

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. Mr. President, I yield 1 additional minute to myself.

The PRESIDING OFFICER. The Senator from California is recognized for 1 additional minute.

Mr. KNOWLAND. Mr. President, now I yield to the Senator from New York.

Mr. JAVITS. I should like to make a contribution to the point the Senator from California has made so well, in replying to the Senator from Ohio. I was in both Thailand and the Philippines only a few months ago. In Thailand, they consider that the front against communism should be Vietnam, and they said so; and they gave evidence of their concern about weakness in Laos and Cambodia. The only reason why they felt there was any stability on that front—which is what they call it—is that they feel that the Vietnamese Army is tough and dependable. The same position was taken by President Magsaysay, of the Philippines, whose untimely death was so unfortunate.

I think those facts underlie and support all the Senator from California has said.

Mr. KNOWLAND. I thank the junior Senator from New York for his remarks.

I think it can fairly be said, without any disparagement of other countries, that when the chips are down, the people of the countries to whom we have just been referring know what communism is, and they are prepared to stand up and be counted.

Mr. DIRKSEN. Mr. President, will the Senator from California yield to me?

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. Mr. President, I yield myself a little time on the bill; and now I yield to the Senator from Illinois.

Mr. DIRKSEN. The Senator from Louisiana insisted that this is economic aid, and he pointed out what we had done for the Korean railways. But what would be the use of landing military equipment at Pusan Harbor if there were no railroads to transport it to where the real action was occurring?

Mr. KNOWLAND. That is an excellent example. Another good example of the importance of defense support would be the building of docks at Pusan, to land the equipment necessary to maintain the defenses, which we hope will always be north of Seoul, and not in the area of Pusan.

Mr. ELLENDER. Mr. President, I did not say anything about the docks or railroads which have been built. That work was done with previous funds, not only with the funds for economic aid, but with direct military funds.

In the case of the railroads, I was saying that today the people of South Korea can raise the rates for the passenger traffic and can raise the rates for the transportation of freight, and thus can make it unnecessary for the United States to subsidize those railroads. That is what I was talking about. Last year the United States subsidized the railroads of South Korea to the tune of $65 million. If the rates were raised, so as to make the people there pay what they should, the United States would not have to subsidize those railroads.

Mr. DIRKSEN. Mr. President, my friend knows——

The PRESIDING OFFICER (Mr. FREAR in the chair). Which side yields time?

Mr. DIRKSEN. Does the Senator from California have any time remaining?

Mr. KNOWLAND. Mr. President, I yield to the Senator from Illinois one-half minute.

Mr. DIRKSEN. My friend, the Senator from Louisiana, knows how uneasy and shaky the economy of Korea has been. I have examined the justifications and items in the classification sheets which come with the 1958 budget for foreign aid. They are downstairs; they are classified documents. If my friend will take the trouble to examine them, I think he will be fairly well "sold" as to the necessity for this defense aid in the interest of the effectiveness of the military effort we make in Korea.

Mr. LONG. Mr. President, several points should be made clear.

The PRESIDING OFFICER. How much time does the Senator from Louisiana yield to himself?

Mr. LONG. So much time as may be necessary.

The PRESIDING OFFICER. The Senator from Louisiana may proceed.

Mr. LONG. Mr. President, certain points should be made clear. This defense-support program is largely and primarily an economic-aid program. I do not particularly object to many of these items, but we should recognize what is being done. In that connection, let me read from the list for Korea:

Agricultural and natural resources, including agricultural research improvement, flood control, irrigation development, upper watershed development, livestock improvement, forestry development, fisheries rehabilitation and development, geophysical survey and drilling, mine development—and that does not refer to military mines which explode; instead, it refers to mines dug into the earth.

I read further from the list:

Distribution of maintenance vehicles, development of domestic building materials plant, highway and bridge construction and rehabilitation, city paving rehabilitation, streetcar system rehabilitation, railroad construction, rolling stock; health and sanitation, including disease control, waterworks rehabilitation, construction of wells and sanitary facilities, city drainage, public health facilities improvement; and in the field of education, vocational education, university operating facilities, teacher training, classroom construction, and so forth. A large number of items in connection with education are included; and the list also includes items of community development, social welfare, and housing.

No one will argue that those are not items of economic aid. I am not arguing against the desirability of doing those things for Korea, at the expense of the American taxpayers. What I am disputing is the desirability of legalized graft, running into the hundreds of millions of dollars, as admitted by the administration in its own testimony, and as recommended against by those in the field, and as recommended against by the Foreign Relations Committee, on the basis of its own study of the matter.

Perhaps Senators do not understand how this legalized graft takes place. Again, Senators can refer to the same pages of the hearings to which I have been referring.

How do we go about administering this defense support to the nation of Vietnam? There we had the proof. Oddly enough, administration witnesses do not admit these things until we send someone into the field to investigate, and learn the charge is true.

When we have the proof, they admit it as to Vietnam. They will not admit it as to Korea. A man came to me today and said it is true in Korea, that he could prove it to my satisfaction. When they see the proof, the administration witnesses may admit this also. Up to that time, they try to get every dollar of their requests.

If Senators will take a moment, they can see how this legalized graft is going on, and why we have given much too much money. We sent $240 million worth of commodities to Vietnam. We did not send dollars.

Why? It was said it would result in inflation if we sent paper currency or gold, and that it would be better to use local currency. So we sent $240 million in American manufactured commodities. This was not a part of the P. L. 480 transactions; but these were commodities produced in this country and paid for by American taxpayers.

Our $240 million worth of commodities were sold to 2,000 merchants licensed by the Government who make this legalized graft. They allowed us 35 piasters to the dollar. That makes 8,400,000,000 piasters that we have turned over to the Vietnamese Government for the purposes stated in the defense support program. That money is available for troops, to build highways, to erect electric stations, and to do anything else they desire.

We received approximately 8 billion piasters when we should have received at least 17,400 million piasters, because the testimony of the administration witnesses themselves showed that the piasters should have been trading at something more than 70 for a dollar, rather than 35 for a dollar.

Furthermore, the man we sent to that area from the chamber of commerce said a dollar should be traded for 100 instead of 35 piasters. The administration admits it is getting only half what it should get.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. LONG. Not at this point. Let me explain this first.

I have indicated how we are handling the program. So out of every dollar we are sending there, only 50 cents gets to the foreign government.

An average native merchant dealing in our commodities could make $70,000. I assume they are. Some may be making only $2,000 or $3,000. Others may be making $2 million or $3 million. But that is what is happening with our money.

In the study of the committee it was recommended that this practice should be stopped. If we stopped it, we could do just as much for Vietnam as we are doing now—every bit as much—and we could reduce our expenditures by one-half.

We had testimony on that point. The committee unanimously agreed that the practice should be stopped, but it has not been stopped. I say, why do we not reduce the funds and make the officials stop what they have been doing in that respect? It was agreed that stopping it is desirable. Everybody in the field agreed that it would be desirable to stop it. Why do we not do it?

The same thing is happening in Korea. The same thing is happening in Formosa. All I am doing is recommending that our program there can be accomplished with 30 to 40 percent less money if an honest exchange of currency is insisted upon. It is just that simple. I have yet to hear a single Senator answer and explain the argument that we ought to get our money's worth when we endeavor to support the economy of a foreign country. Why should a few private merchants grab for themselves from one-quarter to one-half of our money before they let their government see it? That is why we should reduce this item. Nobody has answered the argument made for the amendment. All we have had are admissions that the argument is correct.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. LONG. I yield.

Mr. KNOWLAND. Mr. President, I will take 2 minutes out of my time on the bill.

When the Senator refers to "legalized graft," I think it is necessary that the RECORD be correct on this point, because I am sure the Senator wants to reflect neither on the International Cooperation Administration nor on the Government of Vietnam. The Senator is dealing with an exchange problem. He is dealing with the exchange problem of a sovereign country. I quite agree that, based on the testimony the committee had before it, it would be highly desirable for the Government of the United States and its agencies to negotiate with the Government of Vietnam and get a more realistic exchange rate. I think that should be done. We have done it on several occasions with respect to the Republic of Korea.

However, the Senator must not try to oversimplify the problem, because, due to the fact that wartime condition have existed in Vietnam, and the fact that the country is facing a Communist enemy a few miles to the north, there are strict economic controls in effect in that country. Consequently, it is felt in Vietnam that the inflation of its currency by changing the exchange rate from 35 to 70 piasters to the dollar would in effect double prices. Therefore, it would mean that merchants selling their goods in Vietnam would have to double their prices. That would bring about inflationary pressure which might undermine the country, and bring about catastrophic results.

Exchange controls cannot be changed overnight. There is no question that a great many countries of the world, in Europe and in Asia, have unrealistic controls, and that we should try to work out problems in that connection. I refer to that matter because the Senator from Louisiana used the term "legalized graft."

Mr. LONG. As I was saying, the explanation given by the Senator from California is the explanation we get in Washington, and it is the theoretical argument that we have heard for so long. Hundreds of millions of dollars are being spent in Vietnam, and not a soul who has had any connection with administering the funds in Vietnam has said that what I have suggested should not be done. The man we sent to that area said that it was the unanimous recommendation of those working for us in that area that the present practice should be stopped.

It must be remembered that we are giving all this money away; we are not lending it. All of this money goes as a gift to the foreign government, anyway. If we are giving it away, why should we not insist on a realistic exchange of currencies and a realistic value being placed upon the commodities we are sending to that area, instead of some theoretical argument? Continuation of the present practice means that half our money is lost before those whom we seek to help ever start spending it.

A mere 2,000 merchants in Vietnam are getting half our defense-support money in their pockets, which causes the other 18,000 merchants who are not permitted to get in on the deal to say that the whole program is crooked.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MORSE I think the country is indebted to the Senator from Louisiana for bringing to the attention of the country, not only today, but many times, one of the gimmicks in the foreign aid program which is very much misunderstood by the American people.

We are selling a certain quantity of material to some foreign governments for their local funds, and those funds are in turn supposed to be available for expenditure in their own country to pay for other items. But the fact is that in the Committee on Foreign Relations, as the Senator from Louisiana very well knows, when some of us propose to make use of the huge funds we have in storage, so to speak, in these countries as a result of this practice, we are told, "We cannot do that. We promised them we would not do that, because that might disrupt their local currency."

The fact is that under the name of sale we are giving the people in the foreign countries these goods, because unless the funds are used to pay for goods and services in those countries it means, in effect, the payment they have made is of no use to the United States at all.

I do not believe in that kind of deception and subterfuge. I think the American people need to be told the facts about the amount of goods we are supposed to have sold to these countries and for which we are supposed to have received their currency. Then we put their currency in hock, so to speak—make it untouchable—because our State Department representatives apparently give them the promise that we are not going to use that currency within their own country.

I agree with the Senator from Louisiana. This is one of the issues he has raised over and over again. If we are to tell the American people we are selling the property for soft currency abroad, we ought to insist that that soft currency be used by the United States, as the Senator said in an illustration he used in the committee, to buy buildings in some foreign country to house an American contingent, an embassy, or a mission.

What is actually happening is that we are making these goods available to a country and telling the American people we are getting foreign currency for them, yet we are told by the State Department that we cannot use the currency because it might disrupt the local economy of the country involved.

I say it is time to tell the American people the truth. The State Department cannot have this both ways. Until that money is used or until they free it from the kinds of restrictions they put on it, we are in fact giving away the materials we sent and telling the American people they have been sold.

I submit that is not an honest representation to the American people, and it bears out the point I made yesterday. I say the majority of the committee and this administration do not dare to disclose to the American people the facts which are covered up and kept secret behind the doors of the Committee on Foreign Relations in respect of the expenditure of these funds, because if the American people were given this secret information—to which I respectfully say they are entitled—they would demand that the Senate follow a different course of action than I predict the majority of the Senate is going to follow today.

Mr. LONG. I have available a report of overseas operations by the United States Government, made by my distinguished colleague at the time he visited Vietnam. At page 290 of that report, Senators will find a quotation from a document entitled "Changes in the USIS Program in Vietnam," and a statement that the diplomats in Vietnam for their personal and official use insist on a 75 to 1 ratio on the piasters, and that for the limited use of such tourists as there are, they get 75 to 1. Yet these same diplomats watch us give away the money of the United States Government, and at a mere 35 to 1 ratio. All I say is that if we are going to help this country, let us recognize how much we are

getting, and not let a few native merchants get most of the money. We can accomplish just as much with half the money in that country.

Mr. President, I merely say that the reduction suggested is not intended to reduce the amount of effective aid. It is intended only to accomplish a better accounting and result in a better use of our funds.

The distinguished chairman of the committee asked why it was not suggested that the amount be reduced below $710 million. I think it should be reduced far below $710 million for next year. I took that figure because the majority of the committee, who voted to report these high figures themselves, said that for the following fiscal year the appropriations ought to be held within $710 million. That is what the bill provides.

The whole appropriation is nothing more than an educated guess. The committee's educated guess is that in 1959 $710 million ought to be enough. I ask, why should it not be enough for 1958? For this year they have guessed $800 million, and for next year $710 million. I was accepting the committee's figure, rather than going below that amount.

I am frank to say that I believe the $710 million is excessive. I believe it could be reduced, and I believe we would get just as much in the way of results.

Mr. President, I should like to invite the attention of the majority leader to my next statement. I should like to suggest that the yeas and nays be ordered on this amendment.

Mr. JOHNSON of Texas. Mr. President, I think the Senator is entitled to have the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient number of seconds?

The yeas and nays were ordered.

The PRESIDING OFFICER. Is the time yielded back?

Mr. JOHNSON of Texas. Mr. President, I yield back all my remaining time.

Mr. LONG. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has either been consumed or yielded back.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Magnuson
Allott	Flanders	Malone
Anderson	Frear	Mansfield
Barrett	Fulbright	Martin, Iowa
Beall	Gore	Martin, Pa.
Bennett	Green	McClellan
Bible	Hayden	McNamara
Bricker	Hennings	Morse
Bush	Hickenlooper	Morton
Butler	Hill	Mundt
Byrd	Holland	Murray
Capehart	Hruska	Neuberger
Carlson	Humphrey	O'Mahoney
Carroll	Ives	Pastore
Case, N. J.	Jackson	Payne
Case, S. Dak.	Javits	Potter
Chavez	Jenner	Purtell
Church	Johnson, Tex.	Revercomb
Clark	Johnston, S. C.	Robertson
Cooper	Kefauver	Russell
Cotton	Kennedy	Saltonstall
Curtis	Kerr	Schoeppel
Dirksen	Knowland	Scott
Douglas	Kuchel	Smathers
Dworshak	Lausche	Smith, Maine
Eastland	Long	Smith, N. J.
Sparkman	Thurmond	Williams
Stennis	Thye	Yarborough
Symington	Watkins	Young
Talmadge	Wiley	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. LONG], designated as "6-12-57-B." On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from West Virginia would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

If present and voting, the Senator from Arizona [Mr. GOLDWATER] and the Senator from North Dakota [Mr. LANGER] would each vote "yea."

The result was announced—yeas 40, nays 49, as follows:

YEAS—40

Anderson	Hruska	O'Mahoney
Barrett	Jackson	Revercomb
Bible	Jenner	Robertson
Bricker	Johnston, S. C.	Russell
Butler	Kefauver	Schoeppel
Byrd	Kennedy	Smith, Maine
Case, S. Dak.	Kerr	Stennis
Chavez	Long	Talmadge
Curtis	Magnuson	Thurmond
Dworshak	Malone	Williams
Eastland	Mansfield	Yarborough
Ellender	McClellan	Young
Frear	Morse	
Gore	Mundt	

NAYS—49

Aiken	Green	Murray
Allott	Hayden	Neuberger
Beall	Hennings	Pastore
Bennett	Hickenlooper	Payne
Bush	Hill	Potter
Capehart	Holland	Purtell
Carlson	Humphrey	Saltonstall
Carroll	Ives	Scott
Case, N. J.	Javits	Smathers
Church	Johnson, Tex.	Smith, N. J.
Clark	Knowland	Sparkman
Cooper	Kuchel	Symington
Cotton	Lausche	Thye
Dirksen	Martin, Iowa	Watkins
Douglas	Martin, Pa.	Wiley
Flanders	McNamara	
Fulbright	Morton	

NOT VOTING—6

Bridges	Goldwater	Monroney
Ervin	Langer	Neely

So Mr. LONG's amendment was rejected.

Mr. KNOWLAND. Mr. President, I move that the vote by which the Long amendment was rejected be reconsidered.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from California [Mr. KNOWLAND] that the vote by which the Long amendment "E" was rejected.

The motion to lay on the table was agreed to.

Mr. ELLENDER. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER (Mr. FREAR in the chair). The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 24, lines 7 and 8, it is proposed to strike out "$1,800,000,000" and insert in lieu thereof "$1,300,000,000."

Mr. ELLENDER. Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, the purpose of the amendment is to cut the foreign military assistance authorization; that is, the money to be used for purchasing hardware for our allies by a half-billion dollars. The bill provides for $1,800,000,000. If my amendment is adopted, that amount would be reduced to $1,300,000,000.

Mr. President, I have no apology to make to the Senate or to the people of my State for having supported the Marshall plan at its inception. I thought then, and I still think, that it was to our best advantage to adopt the Marshall plan in order to help rehabilitate our friends across the seas who had suffered severe and crippling damages from a cruel war.

The Marshall plan, as will be remembered, was created by act of Congress in 1947, and was administered by the Economic Cooperation Administration. It remained as such until 1951, when the Mutual Security Agency was formed. In the meantime, the Mutual Defense Assistance Act was passed, under which military aid was made available to our friends. Under this Agency were consolidated the functions authorized in the Economic Cooperation Act of 1948, as amended, and the Mutual Defense Assistance Act of 1949, as amended.

Then, in 1951, the Mutual Security Agency was enacted which consolidated the military, economic, and technical assistance programs.

Under Reorganization Plan No. 7, set up in 1953, an independent agency entirely removed from the State Department was created and it was known as Foreign Operation Administration—FOA—under which the military, economic, and technical assistance programs were administered.

FOA administered these programs for 1 year, and under Executive Order No. 10610 it was abolished and its economic and technical aid functions transferred to the Department of State and the military aspect of the program was transferred to the Department of Defense, and it has been functioning under that setup until now.

Mr. STENNIS. Mr. President, may we have order? Will the Chair make a special effort to have order in the Senate?

The PRESIDING OFFICER. Will the Senators who must converse please go to the cloakroom? The Senate will be in order.

Mr. ELLENDER. Under the same order, there was established within the State Department a semiautonomous agency known as the International Cooperation Administration—ICA—with the Secretary of State in charge, and he in turn placed authority into the hands of an administrator to administer the program.

The pending measure does not materially change the manner and method of administering these programs except that the military appropriation for hardware and defense support is to be included in the Defense budget, with the proviso that all funds generated from defense support will be administered by ICA.

In last year's bill, an item for an appropriation for Development Assistance was authorized. There is no Development Assistance in this bill. It is evidently replaced by the Development Loan Fund. This Development Loan Fund will be operated under the general jurisdiction of ICA but according to the committee report, a special unit, headed by a special administrator, will be created within ICA to conduct loan operations. The administrator will operate under the general jurisdiction of an Advisory Loan Committee which will consist of the Deputy Under Secretary of State for Economic Affairs, the administrator of the fund, representatives from the Export-Import Bank, the Department of Agriculture, the Department of Commerce, the International Bank for Reconstruction and Development, and representatives of any other Federal agencies the President determines should be represented thereon.

Mr. President, under these programs we have spent in Western Europe alone more than $30 billion for economic and military assistance. Included in the pending authorization for foreign military assistance is approximately $500 billion for our allies in Western Europe. It is this sum that I am seeking to eliminate from the authorization. It is high time for us to refuse to give further aid to Western Europe. It may be said, "They need it. It is necessary. They are stanch allies of ours."

I admit they are friends of ours. The purpose of the economic-aid program, however, was to put the countries of Western Europe on their feet, so that they could help themselves; so that they could carry their own loads and assist us in resisting Communist aggression in other areas of the world. But the program is not operating that way. Although, as I have just indicated, we have spent more than $30 billion for military and economic aid in Western Europe, we are now being called upon to pay a portion of their current military expenses, notwithstanding the fact that we are carrying the entire cost of the Free World's military and economic aid effort in southeast Asia, including the three countries of former Indochina—Loas, Cambodia, and South Vietnam.

Additionally, we are carrying the whole load in Formosa, and we have been carrying the whole load in South Korea since last year. Two years ago, when I was in Korea, the British had about 7,500 soldiers stationed there. When I returned last year to the lines in Korea the British had reduced the number of their troops to about 500. Now they have withdrawn all of them.

So we are paying the entire expense of maintaining forces in South Korea, in Formosa, and in Southeast Asia. In spite of this drain on our Nation's Treasury, we are authorizing $494.4 million—almost $500 million—in this bill to provide more military assistance to our friends in Europe.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. WATKINS. Does the amendment which the Senator is proposing have the effect of striking out the proposal for aid to Europe?

Mr. ELLENDER. Yes. I may say to my friend from Utah, however, that of the amount which would remain, $1,300,000,000, if the military authorities saw fit to use or felt that they must use some of it for Europe, they would not be precluded by my amendment from doing so.

I feel very strongly, Mr. President, that since Europe has been placed on her feet by us, through the expenditure of $30 billion up to now, Europe ought at least to carry its own load for the military, especially in view of the fact that we are carrying the whole load in Southeast Asia, Formosa, Korea, and have also added the Middle East to our list of recipient countries.

Mr. WATKINS. Mr. President, will the Senator further yield?

Mr. ELLENDER. I yield.

Mr. WATKINS. I quite agree. I think Europe is in a position to carry its part of the load. I had hoped that the Senator's amendment would relate directly to Europe and strike out any aid there.

Mr. ELLENDER. That is the burden of my argument, and that would be accomplished by my amendment. I am seeking to reduce the military assistance authorization by $500 million, which is some $5 million more than is contemplated for expenditure in the next fiscal year in Europe. I point out to my friend from Utah that the pending bill contemplates our spending $20 million for the item of facilities assistance.

Mr. WATKINS. Is that in Europe?

Mr. ELLENDER. In Europe. Let me quote from the committee report what that is:

> In the fiscal year 1958 program, it can be anticipated that in the future the facilities-assistance program will be directed toward the development of facilities for the production and maintenance of new weapons.
>
> That is in Europe.
>
> This will include missiles, electronic equipment, such as radars for defense and advanced types of communications equipment essential to NATO. It is estimated that the United States share of the cost for the fiscal year 1958 program will be $20 million. This includes continuation of mission projects, which for engineering reasons were not concluded in fiscal 1957.

The Senator from Utah well remembers that only a few months ago the British said they would withdraw many of their troops from Western Europe, and they are in the process of doing that. But are we withdrawing our troops from Europe? The answer is "No." The number of our troops in Europe is the same today as it was 4 or 5 years ago. I do not know of any attempt which is now being made to reduce our forces in Europe.

What did the French do? The French removed practically all of their infantry from the front where they were working side by side with ours, and transferred them to North Africa. But the good old United States is still there in full measures, and now we are providing facilities in order further to assist the French.

I say we have been entirely too soft with our friends in Western Europe. If a threat were made to force them to spend their own money and to assist themselves in their own defenses, I think they would respond to it.

Mr. WATKINS. Mr. President, will the Senator further yield?

Mr. ELLENDER. I yield.

Mr. WATKINS. Is it not true that by 1953, Western Europe had recovered to such a point that she was enjoying much greater prosperity than before the war?

Mr. ELLENDER. The Senator is correct. As I have pointed out on many occasions, the Marshall aid program was supposed to have lasted for 5 years. The goal for industrial production, was 125 percent of the prewar production. Today it is 166 percent. Agricultural production has gone up to about 125 percent of prewar.

Mr. WATKINS. I was in Europe in 1953, and spent some time there. One of the matters I investigated was the ability of Europe to take care of its own problems from that point on. After I returned to the United States, I voted against any help for Europe, in connection with the next mutual security bill which was considered.

I have seen nothing since that time which would indicate that Europe cannot carry its share of the load. I have always had the feeling that if the time ever came, those nations, close as they are to Russia, were likely to be completely neutral in any war which might develop between the United States and the Communists.

Mr. ELLENDER. The burden of my argument is that we should eliminate all of the funds that would be used in Western Europe.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. STENNIS. When the Senator refers to the amount we are spending in any particular country or area, does he not refer to the amount in the aid program? He does not include the many hundreds of millions of dollars we are spending in those countries or areas for our regular troops and our regular organizations. I wonder if the Senator would be certain to clear that point as to each different country or area of the world.

Mr. ELLENDER. I am glad my friend from Mississippi has brought that out, because we are spending hundreds of millions of dollars, to build great air

fields all over the world, for the protection of our Western European allies as well as ourselves.

Mr. STENNIS. And we furnish all the money for the facilities of the Armed Forces and the other installations which we build.

Mr. ELLENDER. All those things were built by us, and paid for by us.

Mr. STENNIS. Except some of the NATO installations in Europe, as to which we share in the cost.

Mr. ELLENDER. Exactly, and sometimes we have had to absorb more than our share. For example, in England 4 years ago we entered into a contract with the British to repair X number of airfields. The British were to furnish 50 percent of the cost, plus any additional amounts necessary to complete the airfields. At the end of about 18 months Britain said she could not pay any more. What does the Senator think happened? Good old Uncle Sam took over the project as a whole. In order to finish X number of airfields—I know the number, but I cannot state it—we spent $320 million over and above our 50 percent share of the original estimated cost.

We are too easy. If we continue to carry the whole load throughout the world, then the whole world will continue to shove the burden onto us.

The point made by my good friend from Mississippi applies to France, where we are building a number of airports. We are building pipelines to carry gas to the front lines. All of this is being done at our own expense.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. WATKINS. Have not those gas and oil lines been finished?

Mr. ELLENDER. I do not know; but they were to be extended.

Mr. WATKINS. I noticed that the Senator made his statement in the present tense. I wondered if the work had not been finished some time ago.

Mr. ELLENDER. My statement was in response to the question whether we were doing other things than maintaining our troops and assisting our friends in Western Europe.

Mr. STENNIS. Mr. President, if the Senator from Louisiana will yield to me, I should like to ask a question.

Mr. ELLENDER. I yield.

Mr. STENNIS. I think the pipeline is virtually completed, except in Spain, where we continue to build and complete the line.

On the point of the failure to include in this category the cost, in United States dollars, of these military programs, let me point out that in the case of England, we are asked to authorize and to appropriate funds for the construction of school buildings and similar facilities to take care of the children of our officers and enlisted men who are stationed in England. But the entire expense of even such items is falling on the construction program.

Mr. ELLENDER. Absolutely; and we are also bearing all the cost of the construction of airfields, which will revert to the countries in which they are built.

Mr. President, as I pointed out a while ago, the nations of Western Europe have never been better off than they are at present. Industrially, they have increased their production by an average of 66 percent over prewar production; and agriculturally, they have increased their production approximately 20 percent or more over prewar. Yet we are being called on to furnish more and more aid.

If security restrictions could be raised, I should like to tell the people about our NATO program there. The contributions of our allies to the NATO forces are constantly being decreased. It is my hope that this year, when the request for appropriation of the NATO funds is made, I shall be able to expose the extent to which the NATO forces of our allies have been decreased in the past and are still being decreased. However, insofar as the United States is concerned, our forces are there in the same numbers, and we are carrying our load at home and also in Western Europe and in the rest of the world. Also, we are appropriating more funds to reequip our own and our allies' NATO forces with more powerful weapons, in an effort to supply the deficiency. Anyone with commonsense knows that we cannot maintain our present global spending pace and hope to retain our way of life. If we continue to spend at the rate we now are spending, just as surely as my colleagues and I are in the Senate Chamber at this time, the United States will lose her way of life, and communism or some other kind of ism will be brought to our shores.

Mr. President, I return to the proposition that I have enunciated in this Chamber before. I say again that I have no regret for having voted to help put Western Europe on her feet. But now that she is better off than she has ever been before, I think it is downright criminal for us to continue to assist the countries of Western Europe. It is time for us to ask those whom we have aided so abundantly in the past to help us defend freedom. If we have no help, we will do violence to our economy here at home.

The next item of benefit to Western Europe is the mutual weapons development program. Today, the United States is spending about $5 billion each year for military research and development for our own Armed Forces. Notwithstanding that huge sum, we are being called upon—and this bill does so—to authorize and to appropriate $65 million, to assist the countries of Western Europe in carrying on their military research and development programs. Think of that, Mr. President. The $5 billion that is being spent here at home for research development in the United States will redound to the benefit of our Western European allies, but they are not satisfied with that. They will not pay their own research costs. Here in this bill as in the past, we are providing $65 million more to assist them in their research development.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD excerpts from the hearings, to show how this item of $65 million is being spent in Western Europe for military research.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

MUTUAL WEAPONS DEVELOPMENT PROGRAM

1. Objectives of program: The mutual weapons development program (MWDP) was established by a special provision of the Mutual Security Act of 1953 with the primary objective of increasing the defensive capability of our allies and improving our mutual security through the provision of United States financial and technical assistance to selected highly promising projects for weapons of advanced design in their research and development programs.

* * * * *

4. Countries participating: Initially six countries entered into bilateral agreements in 1954 with the United States on this program. They were Belgium, Italy, France, Norway, the Netherlands, and the United Kingdom. Last year Western Germany also agreed to participate and negotiations have been underway for some time with the Japanese Government which has already submitted several projects for consideration.

* * * * *

10. Fiscal year 1957 program: Obligations on fiscal year 1957 projects have not yet been completed. An effort was made to complete the obligations early this year and bring the program into phase with the United States budget cycle and considerable progress toward this desirable objective was made. It is expected that approximately $45 million will be approved and obligated by June 30.

11. Fiscal year 1958 program: MWDP project proposals for fiscal year 1958 have increased both in numbers and importance. Our allies have gained confidence in the validity of the announced objectives of the program and are submitting more of their highest quality projects for consideration. They recognize that our efforts to support the maximum use of new weapons evolved from the MWDP are leading toward elimination of unnecessary duplication and the accomplishment of increasing standardization. These are important objectives which should contribute materially to the improvement of our mutual defenses and the saving of considerable money in the future. Projects totaling nearly $100 million were submitted for consideration this year; 75 percent of the total was for new projects and the remainder for continuance of support of projects already in the program.

The Department of Defense MWDP steering group reviewed these projects in detail early in May 1957. During these hearings, these experts studied and analyzed the projects and reviewed the comments and recommendations of the field agencies and of the three military departments. The program now under final consideration will involve a United States contribution of approximately $65 million.

Mr. ELLENDER. Mr. President, one of the countries in the list of those to receive these benefits is Belgium. Although Belgium is small in size, she has a healthy economy. Today she is better off than is the United States. Belgium has unbounded resources in Africa, in the fabulously wealthy Belgian Congo. Yet the United States is being called upon to provide Belgium with money for military research. Also included in the list are Italy, France, Norway, the Netherlands, and the United Kingdom. Our tax money will be spent to aid those countries in weapons development, although in the last 7 or 8 years we have given those countries more than $30,500,000,000 in economic and military aid.

When, Mr. President, will Europe be able to stand on her feet?

Next, we have the item of $282,400,000 for new weapons.

Mr. WATKINS. Mr. President, will the Senator from Louisiana yield for a question?

Mr. ELLENDER. I yield.

Mr. WATKINS. Is that for European forces or for our own forces?

Mr. ELLENDER. That is for weapons we are furnishing to our European allies. In other words, it is to make up for the deficiency which will occur as a result of France pulling troops out of Europe into north Africa—a matter to which I have adverted in the past few minutes—of defense cuts by the United Kingdom and armament cuts by our other so-called allies. This item is for missiles and other defenses to protect the countries of Western Europe—something which they themselves, not the United States, should do.

Mr. WATKINS. Whose troops will use these weapons?

Mr. ELLENDER. European forces.

Mr. WATKINS. The British forces and the forces of the other Western European countries?

Mr. ELLENDER. Yes. And this item amounts to $282,400,000.

If my colleagues will examine page 384 of the hearings, they will find that the fiscal year 1958 program of weapons assistance for Western Europe—that is what it is—has been developed for the purpose of modernizing the forces there. I read from the hearings at that point:

MILITARY ASSISTANCE PROGRAMS FOR WESTERN EUROPE

The fiscal year 1958 program of military assistance for Western Europe has been developed for the purpose of modernizing the forces of NATO, maintaining the needed conventional forces, and carrying on our essential air programs in several non-NATO European countries. Our fund request for all of these countries, excluding the new weapons program for which country allocations have not yet been made, is $338.5 million. Of this amount, $282.4 million is for the support of the NATO countries of Western Europe, less Greece and Turkey.

Mr. WATKINS. Are the countries named at that point in the hearings?

Mr. ELLENDER. No; but there are 16 of them.

Of course, my amendment does not affect Greece or Turkey. The amount of money it includes is for the sole use of our NATO allies in Western Europe.

On page 384 my colleagues will find that the total amount for the new weapons program is $338.5 million; but of that amount, $282.4 million is to be used for NATO countries of Western Europe. The rest is for Greece, Turkey, Spain, and Yugoslavia, I presume. I am not complaining about the situation in the case of Greece and Turkey, but I do think Western Europe can and should stand on her own feet.

Mr. WATKINS. Is Spain included in that category?

Mr. ELLENDER. No; Spain is not. Spain is not a member of NATO.

Mr. WATKINS. This fund is only for the NATO countries, is it?

Mr. ELLENDER. Yes; the NATO countries in Western Europe. The difference between the $338.5 million and the $282.4 million will be used for the other European countries we plan to assist.

Mr. WATKINS. Is any of the money to be used for the building of more airports in Western Europe, for the use of our own air fleets?

Mr. ELLENDER. No; none of this will be used for that purpose.

Mr. WATKINS. This is entirely for the use of our allies and their forces; is it?

Mr. ELLENDER. Yes; it is entirely for the use of our NATO friends.

Mr. WATKINS. Even though they are now pulling their troops out of Germany and, in the case of France, are sending them to Africa? Even so, they still want us to provide more money; do they?

Mr. ELLENDER. That is correct.

Mr. WATKINS. The Senator from Louisiana has been a member of the Appropriations Committee for a long time. Is it not a fact that the arms these countries now have, have come largely from the United States?

Mr. ELLENDER. Yes; most of them have. For instance, last year, when I was in London, I noticed a number of old weapons which were piled up in our depots there. I asked the reason for it. I was told that the British were replacing all the old military hardware we had given them, 2 or 3 years ago; it was being replaced by new weapons. The British were producing the new weapons with our funds, furnished by us to the British under the category of "offshore procurement." In other words, what we did was give to the British millions of dollars to make, in their own factories, or in factories built by us under "facilities assistance," new weapons to be used by their armies. We also did the same thing with respect to France and other NATO countries in Western Europe.

After we had spent the huge Marshall plan sums for economic aid, we spent almost $3 billion for offshore procurement. The Senator will recall when airplanes were sent from France to Israel. Those planes were built in France, with money we ourselves furnished the French under the offshore procurement program. Israel got those planes indirectly from us, since our money paid for their production. Of course, Israel repaid France. But the point I wish to make is that in the past 3 or 4 years we have been spending in Western Europe, after economic aid had supposedly been cut off, almost $3 billion, in order to give those countries an opportunity to produce in their own factories, with our money, munitions, hardware, and other materiel to equip their forces.

Mr. WATKINS. Mr. President, I wish to observe that as I recall, during the debate on the Marshall program, it was claimed that none of the money or other aid we were giving to the European countries would go to help maintain their colonial possessions. Is it a fact that France is sending some of the weapons for which we have paid, or which we have given them, or which they have been manufacturing under the offshore procurement program, to north Africa?

Mr. ELLENDER. I do not know the exact extent to which the weapons are being used there, but I was informed that a good many of the lighter weapons, excluding artillery and equipment of that kind, as well as munitions, were used for that purpose. As a matter of fact, there are some references in the hearings to that situation and they indicate that arms we gave to the French are being used in Algeria. I was told, when I was in Paris last fall, that a good deal of the munitions and lighter hardware we had made available to France were used in North Africa.

Mr. WATKINS. I should like to ask the Senator another question. I really am not too well informed on this subject. That is why I am asking the questions. What about atomic weapons? Are we furnishing almost exclusively to our allies those weapons, or is that a question the Senator cannot answer?

Mr. ELLENDER. The item of $282.4 million would include those weapons.

Mr. WATKINS. It is true, is it not, that we manufacture all the ammunition that would be used with the type of weapon?

Mr. ELLENDER. It is assumed that if countries are furnished with atomic weapons, the funds for such items will be taken out of this fund for new weapons.

Mr. WATKINS. I take it the Senator would not object to our furnishing some of that ammunition, since we have seen our way clear to furnish our European allies with atomic weapons.

Mr. ELLENDER. I would not object to making such materiel available, but I believe those countries can well afford to pay for it.

Mr. WATKINS. There may be something to that point.

Mr. ELLENDER. That is the point I have been making. That is the burden of my argument for reducing the military aid budget by this half a billion dollars.

Mr. WATKINS. I can see the necessity of aiding our Asian and other allies who want to remain free, because of their inability to buy modern weapons; but, since we are engaged in a common enterprise, it seems to me our European allies ought to assume a part of the burden, after we have helped them get back on their feet. I had understood that for the past several years there was no money authorization in the budget or appropriations to help them any further.

Mr. ELLENDER. The Senator was misinformed. I wish to reiterate that in the past 3 years we have obligated for offshore procurement a total of $2.7 billion. Of that total, $2.57 billion were for weapons made in Europe. That money was furnished by us to the factories operated by British interests, French interests, and individuals in other NATO countries in order to manufacture ammunition, military hardware, and airplanes, not for our use, but for the use of our NATO friends. The Senator will agree, I am sure, that if that is not economic aid, it would be difficult to tell what it is, because it certainly bolstered the local economy. It helped them keep their factories open. All that

was done at the expense of good old Uncle Sam.

Mr. President, we have in this bill another item for offshore procurement. I ask unanimous consent to have printed in the RECORD at this point the details from the hearings on offshore procurement of new weapons.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

OFFSHORE PROCUREMENT

Background: There are three sources of supply for items included in the approved military assistance materiel program. Some of the items can be furnished from supplies on hand in the Army, Navy, or Air Force. Additional amounts come from new production in the United States. The third source is "offshore procurement" (OSP), a term used to describe purchase by the United States of military equipment and supplies from sources outside the United States for delivery to other friendly countries, as part of the military assistance program. This type of procurement was first undertaken in a relatively small way in connection with aid to Greece in 1947 because the United Kingdom was then the only source of supply for replacements, spare parts, and ammunition for the British types of military materiel with which the Greek armed forces were equipped. If this equipment had not been procured offshore in the United Kingdom, it would have been necessary to completely reequip the Greek armed forces with United States type of equipment, an extremely costly undertaking.

When the military assistance program was initiated in 1949, it was planned to supply United States types of equipment to our allies, mainly from existing United States stocks. It was also planned that any new procurement would, in part, be delivered to United States forces to replace stock items previously shipped to our allies. At that time, this seemed to be the most expeditious way of getting weapons into the hands of Allied soldiers, and thereby strengthening the overall capability of the free world to resist aggression. The attack in Korea, however, upset these plans; and the stocks of military equipment and ammunition which had been programed for delivery under the military assistance program were necessarily diverted to meet the urgent requirements of the Korean war. A new source of production had to be found and OSP was introduced to supplement United States production, which was straining to meet the needs of the Korean conflict.

Equally important were the logistic and strategic considerations. From the military point of view, it was considered essential, in the case of war, that the maximum capability to produce replacements, spare parts, and ammunition be available from sources close to the actual fighting, and not be subject to the hazards and delays of a long and precarious pipeline from the United States. In addition, there were other benefits flowing from this action which were important to the United States:

1. The opportunity to save money for the United States taxpayer. In many instances, especially in shipbuilding, it was possible to procure in Europe or Japan military equipment of types suitable for use by the recipient countries' forces at a cost less than that for purchasing equivalent equipment in the United States.

2. The furtherance of United States political and economic objectives abroad. As the Marshall plan was diminishing in size, many of our European allies still had balance of payments difficulties, particularly with the dollar area, which were in part overcome by OSP. Our OSP program was also instrumental in some countries as a means of combating Communist influence in the trade-union movement.

The four basic limiting factors which have always governed, and continue to govern, the placement of offshore procurement contracts are set forth in a Department of Defense directive, dated August 17, 1951. These limitations are that such procurement will not result in one or more of the following:

1. Unjustifiable cost in comparison with procurement in the United States.

2. Militarily unacceptable delays in delivery.

3. Serious adverse effects upon the United States economy, employment, or industrial mobilization base.

4. Threat to the security interests of the United States.

Fiscal year 1951–57 program: Since 1951 the United States has purchased in Europe and the Far East a selected portion of the materiel to be furnished to friendly foreign nations under approved military assistance programs. During the period, military assistance program offshore procurement contracts totaled about $2.71 billion, with expenditures as of December 31, 1956, amounting to $2.12 billion, or 78 percent of the value of contracts placed.

The greatest volume of offshore contracts was placed in fiscal year 1953 when the amount totaled about $1.6 billion. In fiscal year 1956, the amount of new procurement offshore was only $62 million. Of the total orders placed to date, $2.57 billion has been placed in Europe, largely in NATO countries, with the remainder awarded to the Far East area, principally Japan.

The largest single procurement category is conventional ammunition. The orders for conventional ammunition have been important in meeting training and war reserve requirements in friendly foreign countries. Ammunition orders to date total $1.18 billion, or 43 percent of the total orders placed. In the main, ammunition procured has been of United States types and the bulk of orders was placed at a time when United States industry was engaged in fulfilling the requirements of the Korean campaign.

The second largest category of procurement is aircraft, spare parts, and supporting equipment in the amount of about $460 million. Many of the aircraft contracted for under this program were of European types.

The third largest category of materiel procured offshore, amounting to about $360 million, is ships and harbor craft. These items are principally of foreign design and were produced in foreign shipyards at costs appreciably less (in some cases as much as 50 percent less) than United States costs for comparable items.

With the exception of ammunition, offshore procurement orders involved primarily items of non-United States design, e. g., British Centurion tanks, European-type radar, BOFORS, L 70 40 mm. antiaircraft guns, naval craft, and aircraft of foreign design and British-type weapons.

On the basis of the end items included in the materiel program, the status of service stocks and the state of the United States industrial mobilization base, it is estimated that about $110 million may be obligated in fiscal year 1957 for offshore procurement on a worldwide basis.

Fiscal 1958 program: It is estimated that the fiscal year 1958 program will be in the same general order of magnitude as that for fiscal year 1957. In contrast to previous years, it is anticipated that a larger percentage of the offshore procurement orders in 1958 will be placed in the Far East and, in addition, the total orders will involve little or no ammunition. In general, OSP will be used primarily to (a) obtain foreign-type items of materiel needed to meet an approved military requirement, or to (b) develop arrangements of special benefit to the United States, such as cost-sharing production schemes or production capabilities in soft-currency areas for use on a regional basis.

The reduction in ammunition orders will undoubtedly result in some of the ammunition plants in both Europe and the Far East being put in mothballs. The United States will assist these countries in placing these plants in a standby status with the understanding that the governments concerned will agree to maintain the plants on a standby basis for future use in the event of war.

Mr. ELLENDER. We have already spent and obligated in the past $2.7 billion for offshore procurement. The pending measure authorizes about $110 million to continue that program. Where is that money to be spent? First and foremost, it will be spent in the countries of Western Europe, in their own arsenals, to produce weapons for themselves, not for us, but for troops of those countries.

Mr. WATKINS. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. WATKINS. Is it true that the item the Senator has mentioned, new weapons for Europe, is included in the offshore procurement program?

Mr. ELLENDER. No; that is a separate program.

Mr. WATKINS. It is independent of that item?

Mr. ELLENDER. It is separate; that is in addition. The new weapons program involves an item of $282.4 million for NATO countries and there is another item for offshore procurement of about $110 million. Those two items alone amount to almost $400 million.

Mr. WATKINS. They are for the same purpose—new weapons for our allies?

Mr. ELLENDER. Yes. I say those countries are able to carry their own load. In view of the fact that we have carried and are carrying the load for the rest of the world, and our own at home, they should be made to help us.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield for an observation?

Mr. ELLENDER. On the Senator's own time, yes.

Mr. SMITH of New Jersey. I shall be glad to speak in my own time.

Mr. ELLENDER. Very well.

Mr. SMITH of New Jersey. I shall wait until I get the floor in my own right.

Mr. ELLENDER. If the Senator desires to ask me a question, I shall gladly answer, but the Senator has an hour of his own. My time has almost expired.

Mr. SMITH of New Jersey. I shall wait.

Mr. ELLENDER. There is another little item in this bill involving $5 million in expenses for administering the offshore procurement program. The justification appears on page 425 of the hearings, and reads as follows:

Funds in the amount of $5 million for fiscal year 1958 are required for administrative support incident to offshore-procurement activities devoted to purchasing and contracting under the military assistance program.

That is an administrative cost which is in addition to the $110 million of which I have been speaking.

The next item, Mr. President, is an item of $12 million for logistical support of the United Nations forces in Korea.

Mr. President, I ask unanimous consent that the justification be printed in the RECORD at this point.

There being no objection, the justification was ordered to be printed in the RECORD, as follows:

UNITED NATIONS LOGISTICAL SUPPORT IN KOREA

Since the beginning of the Korean war in June of 1950 and through June of 1956, the United States has furnished logistical support to the other United Nations forces operating in Korea. The value of this support totaled $385 million, with reimbursements from the participating countries of only $91 million. The appropriations of the military departments provided this logistic support through fiscal year 1956. Beginning with fiscal year 1957 the logistical support of some of these foreign forces, still under the command of the U. N. commander, has been financed by the appropriations made available to the military assistance program.

Fiscal year 1957 program: The budget estimate for this program in fiscal year 1957 was $12 million.

Fiscal year 1958 program: Each of the nations participating has such a small contingent in Korea that it has been determined that it would be uneconomical and inadvisable to establish a separate logistical base for each country's force. Therefore the United States has agreed to provide the logistical support. To assure continued support in fiscal year 1958, $12 million is included for this item.

The fiscal status of the program follows:

[In thousands of dollars]

	July 1, 1956, to Feb. 28, 1957	Mar. 1, 1957, to June 30, 1957	Total
Obligations	4,929	4,071	9,000
Expenditures	4,929	3,071	8,000

Mr. ALLOTT. Mr. President, will the Senator from Louisiana yield for a question?

Mr. ELLENDER. I yield.

Mr. ALLOTT. What page is that, please?

Mr. ELLENDER. Page 429, at the bottom of the page.

The Senators heard me say a while ago that there are a few British troops in South Korea; there are also some Ethiopian, and Greek troops in South Korea, and I think there are soldiers of 2 or 3 other countries there, too. This item of $12 million is to take care of the logistical support for those troops. It has nothing to do with assisting Korea as such. It is not aid to Korea but it is to be used to pay logistical support for soldiers in Korea other than the United States and ROK troops.

Mr. President, why we should do that is something beyond my comprehension. We cannot maintain our freedom—we cannot maintain our way of life—if we continue to spend at the rate we are now spending. It seems to me that the more we do for the people of Western Europe the more they expect from us. That is why a moment ago I said a few words in support of the first amendment introduced by my distinguished colleague, when he desired to place this program on a year-to-year basis instead of putting it on a 2-year or 3-year basis as the bill now authorizes it. The bill, as it now stands, will simply make Europe and other areas more and more dependent upon us. They would help themselves much more if they felt that support from the United States would be curtailed at some time.

By this procedure we are abandoning the method which we have used in authorizing this program since its inception.

Mr. LONG. Mr. President, will my colleague yield for a question?

Mr. ELLENDER. I yield.

Mr. LONG. Does the Senator not know that in this bill the Development Loan Fund is already on a 3-year basis?

Mr. ELLENDER. I am prepared to offer an amendment to rectify that abominable situation.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 16 minutes remaining.

Mr. STENNIS. Mr. President, will the Senator yield 5 minutes to me?

Mr. ELLENDER. I yield 5 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I thank the Senator for yielding 5 minutes to me.

Mr. President, I have no prepared speech or address on this subject, but my connection with the general subject matter is such that I feel I owe it to the Senate to say a few words.

I intend to support the amendment of the senior Senator from Louisiana [Mr. ELLENDER].

Mr. President, let me point out that all the expenses of construction, of maintenance and operation of all our military bases and air bases of whatever kind, all over the world, are paid for by us. That includes salaries of personnel, transportation costs and all other costs. That is entirely all right. That is for our protection and theirs.

Then, in addition, there is a second fund for NATO, to which we make our part of the contribution, as a military program, and our percentage of contribution is rather high.

Then there is a third fund, the fund we are talking about now, which is made up of what may be called "loose" money appropriated to the President. I have no objection to a discretionary use of a reasonable amount, but this bill authorizes $1.8 billion for this third fund alone.

Mr. President, a very wise and influential Senator—he is no longer a member—stood on the floor of the Senate a few years ago and in a powerful speech, in opposition to the first bill authorizing military aid, pointed out with great logic that once it was started it would be very, very, very difficult to stop the program. I rejected his thinking then, on the ground that there should be some kind of a military assistance program, and I voted for the program. I shall vote for it, to an extent, now. However, the wisdom of his words about the difficulty of terminating any major part of the program has certainly been proved.

I am not opposing entirely the third fund, which I now speak of, but certainly the Senator from Louisiana, with his very fine knowledge of the practical phase of this program, has conclusively proved that at least the part of the third fund which is for Western Europe is no longer necessary.

I ask the question: If we are not going to reduce that part now, then when shall we reduce it? If we do not move in that direction now, in my humble opinion, we will continue to indefinitely postpone action to reduce it.

The reduction proposed by the Senator from Louisiana will not interfere with certain strategic areas which, I think, must continue to have support, such as Greece and Turkey, which are right under the Russian guns, which occupy strategic places on the globe, and whose economies cannot possibly sustain them in providing adequate defense. They must continue to have aid from several sources. But we are giving all the other areas tremendous aid with our own forces.

Mr. LONG. Mr. President, will the Senator yield?

Mr. STENNIS. I have only a few minutes. I should like to make one more point.

If the Senator's amendment is agreed to, the third fund will still have $1.3 billion in new obligational authority in it, to be used by the President in such places as he sees fit. If something unexpected should develop, of course, he could use it in Western Europe.

Then there is a fourth fund. The fourth fund is the fund already passed on this afternoon, by a close vote. It is going to stay in the bill. I am not complaining about that vote; it is a part of the picture. That fund is going to be available.

Mr. ELLENDER. May I invite the attention of my good friend to the fact that in addition to the amount of new authority which will be available if my amendment is adopted, the $1.3 billion, there will also be approximately $3.9 billion carried over into fiscal year 1958.

Mr. STENNIS. That is a very good point. There is $3.9 billion in the pipeline, and, if this amendment is agreed to, there will be in this fund $1.3 billion more, or a total of $5.2 billion.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield the Senator further time.

Mr. STENNIS. I yield to the Senator from Louisiana [Mr. LONG].

Mr. LONG. Is it not true that we are giving additional military aid to the French? We thought we had helped them enough, and now they have taken the equipment to Africa, thus weakening the NATO defense forces, while they go to fight the Arabs with that equipment.

Mr. STENNIS. The Senator is correct. But my point is that now, with fund on top of fund on top of fund, financed at our expense, continuing on and on and on, ad infinitum, here is an area of the world where the expenditure can be stopped.

Mr. President, I yield back any time remaining.

Mr. MORSE. Mr. President, will the Senator from Louisiana yield me 2 minutes?

Mr. ELLENDER. I yield the Senator from Oregon 2 minutes.

Mr. MORSE. I wish to associate myself with the arguments made by the senior Senator from Louisiana [Mr. ELLENDER] on this amendment, the junior Senator from Louisiana [Mr. LONG] on the previous amendments, and the Senator from Mississippi [Mr. STENNIS] on this amendment.

I wish to say, so that it will be in the RECORD, that I think the majority of the committee is making a most serious mistake in its adamant refusal to adjust this program downward to the amounts provided by these amendments, because I am satisfied the majority of the committee is quite out of touch with the growing feeling of the American people about the program.

The American people know that they are not being given the facts. The American people know that this bill is being passed, in large part, by having vital material kept secret from the American people. There is a growing question being raised among the American people which I think may jeopardize our whole mutual-security program. As one who does not want to see the mutual-security program destroyed, but regularized, brought within procedural safeguards, and brought within financial reason, I wish to express today my great regret that the majority of the committee has gone as far as it has gone.

I think this is the moment to say that in the meetings of the Foreign Relations Committee there were members of that committee who said that they were voting for the higher figures, not because they thought they were the figures that should be adopted, but because they thought that the House, the Senate Appropriations Committee, and the conferees would cut them. I stated in committee that I would say on the floor of the Senate that when the Foreign Relations Committee takes the position that it will send to the floor of the Senate a bill which does not represent the exact figure which members of the committee think, in their own consciences, they should recommend, the Foreign Relations Committee is not keeping faith with the United States Senate.

In my opinion, as Senators we have a right, on the floor of the Senate, to believe that when a committee brings us a report involving authorization figures, they are the figures which the members of the committee honestly believe are justified. I do not think we should have a committee bringing to us a report with figures higher than some members of the committee say, in committee, are the figures they would recommend. I do not believe in that kind of juggling of figures with the Senate or with the American people. That is why I am disappointed that the majority of the committee is so adamantly fighting these amendments, because I am satisfied that, at least, in the case of some members of the committee, they honestly believe that the figures should be lower, but they are not recommending lower figures because they think cuts will be made by the House, by the conferees, or by our Appropriations Committee.

I wish to say, respectfully and sadly, that if we do not stop that kind of committee reporting, when reports come from committees we will take the attitude, "How much is in here for bargaining purposes, for horse-trading purposes, for conference purposes, which does not represent the true conviction and intent of the individual members of the committee?"

I do not like to have to make that prediction, but I said in committee that I would make this statement, and I protested submitting to the Senate a report which did not report the true recommendations as to the amounts which individual members of the committee thought ought to be recommended to the Senate.

Mr. ELLENDER. Mr. President, I yield 4 minutes to my good friend from Wyoming [Mr. O'MAHONEY].

Mr. O'MAHONEY. Mr. President, I wish to make clear, in a very brief statement, why I intend to support the amendment of the Senator from Louisiana. In the New York Times this morning there is a report from Quantico, Va., where a meeting of high officials in the Government of this country is being held. The Secretary of State was to be there. The Vice President was to be there. The Secretary of Defense was there, in preparation for the meeting. Yesterday there were some secret conferences, with respect to which no press releases were made.

In his statement to a press conference when the Secretary left the meeting, he made the announcement that because of the increased cost of military procurement he felt it would be necessary for him to order a stretchout of the expenditures available and to be made available for the Department of Defense.

Not only is that so, but he ordered an expenditure of $500 million at present available for military procurement, for the defense of the United States with its own forces, to be withheld for at least 60 days.

So the question arises in my mind: How can we possibly undertake to authorize huge appropriations for defense, to be expended by foreign countries, when we do not know what we are going to be able to do to defend our own country? If we cannot provide adequate defense for the United States and the territory of the United States, how do we dare to continue with this wild authorization of vast expenditures abroad?

Let me read a few lines from the story by Jack Raymond, in the New York Times for today:

QUANTICO, VA., June 13.—Charles E. Wilson forecast today a stretchout in procurement of weapons and gradual reduction of Armed Forces because of money difficulties.

If the Secretary sees money difficulties on the horizon, to prevent the defense of our own people and our own territory, why in heaven's name are we taking the risk of making excessive authorizations for expenditure abroad, when we know, from the evidence offered by the Senator from Louisiana, that much of the military equipment which we have afforded to France, for example, is being used in a civil war in Algeria? Is that working for peace? Let us be realistic. Let us protect America, instead of wasting our substance, we know not how, with governments which we cannot measure, and which are not stable.

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. O'MAHONEY. May I have 1 minute more?

Mr. ELLENDER. I yield 1 minute further to the Senator from Wyoming.

Mr. O'MAHONEY. I point out that we have only what amounts to a "caretaker" government in Italy. The Premier there had to resign because he did not have a majority. There was a miscount.

The new Premier of France is not expected to have an administration that will last for 6 months.

The Government of Great Britain is undertaking to make economical reductions in its military operations. And here we are, trying to provide for the countries abroad, the governments of which are not stable. Let us make sure that we have the material with which to defend ourselves, if the need comes, including submarines and bombs, which otherwise we cannot build here if we waste our funds abroad.

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the article to which I have referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 14, 1957]

WILSON PREDICTS CUT IN UNITED STATES FORCES—ASSERTS MONEY DIFFICULTIES WILL CAUSE STRETCH-OUT IN ARMS PROCUREMENT

(By Jack Raymond)

QUANTICO, VA., June 13.—Charles E. Wilson forecast today a stretch-out in procurement of weapons and gradual reduction of Armed Forces because of money difficulties.

"I have not got elastic dollars," the Secretary of Defense said. He was discussing problems that have forced the rate of spending up by $4 million in 6 months.

Mr. Wilson emphasized, however, that a reasonable modification in the present military program would not drastically affect the Nation's economy.

Besides, he added, he had never subscribed to the thesis that the defense program bolstered the economy. It is a drag on it, he said.

Secretary Wilson discussed fiscal problems of the Pentagon in a news interview at the Marine Corps School here.

TO ATTEND PARLEY

He was among the early arrivals for a high-level Armed Forces policy conference of military and other Government officials. About 170 officials, including John Foster Dulles, Secretary of State, and possibly Vice President Richard M. Nixon are expected to join the military chiefs in panel discussions in the next 3 days.

Mr. Wilson attributed the unprecedented secrecy imposed on the meetings to the nature of the discussions. The press will not receive summarized versions of the papers presented at the meetings, as it has in other years.

The civilian chief of defense denied that the Pentagon had forced the Government to back-track on some of the administration's disarmament proposals.

It was natural, said Mr. Wilson, for the military leaders to be conservative, even overcautious, in dealing with a "risk to the security of our country."

NO LINE OF ITS OWN

But he emphasized that the Pentagon "has no line of its own" in the Nation's disarmament policies.

Secretary Wilson said he was studying several presentations, made by the military services, on the possible effects of his recent orders to stay within the $38 billion spending program originally planned for the next 12 months.

When his studies are finished, he will present the alternatives to President Eisenhower, he said. The President must make the final decision, he said. Mr. Wilson said he expected to do this after the end of the month.

However, on the basis of preliminary studies, it is clear that the Government is spending more than the President had intended in his budget message of 6 months ago, Mr. Wilson said.

Mr. Wilson pointed out that the spending program for the fiscal year 1957, ending at the end of this month, had gone over $38 billion when it was intended to be $36 billion.

The rate of the present spending showed that the $38 billion program for fiscal year 1958 was being exceeded, he continued.

He appeared to agree with the recent statement by Wilfred J. McNeal, the Pentagon controller, that at the present rates, defense spending would reach $42 billion in the next 12 months.

TEMPORARY HALT

To put a temporary halt to the flow of expenditures, Mr. Wilson said, he ordered the withholding of $500 million in available procurement money for about 60 days.

James H. Douglas, Secretary of the Air Force, has protested this order, as well as an accompanying memorandum to hold total defense spending to the $38 billion figure.

Secretary Douglas has formally asserted that the Wilson directive would impede the Air Force program and affect about $4 billion in planned procurement of planes and missiles.

Secretary Wilson said today that his Air Force Secretary "was hasty in making that statement and will correct it as time goes on."

Mr. LONG. Mr. President, will the Senator yield to me 2 minutes?

Mr. ELLENDER. I yield 2 minutes to the junior Senator from Louisiana.

Mr. LONG. In line with the argument made by the Senator from Wyoming, I believe there is no more dangerous mistake we could make than to conclude that the gifts of funds to foreign nations, even for their own military establishments, is in the defense of the United States.

I should like to give a good illustration of how we may be sadly disappointed by spreading our wealth and strength among 68 different nations, expecting them to help defend us in the event we find ourselves forced into war.

Let us assume for a moment that Communist China, with its 600 million people, and aided by all the strength of the Soviet Union, decided to move on the island of Formosa. If that eventuality should come about, we would be at war with two of the largest powers in the world. We would not have any reason then to think that any one of the countries to whom we have given our wealth and resources would join us in that war. In fact, we would have every reason to assume that they would not be there, because they have not been willing to commit themselves to any such war.

It is the height of folly to think that any country which does not possess an atomic weapon would engage in a war between powers that do have atomic weapons when they are not committed to do so. They would decide to sit it out, knowing very well that in any event they would not contribute very much to the success of either side in such a war.

It is entirely possible that not more than one small nation would be at our side in the event we were forced to fight.

It is often argued that we can support five soldiers in a foreign country for what it costs to support one American soldier. The case of Turkey has been cited. The question I ask is what reason have we to believe that those troops would be on our side if fighting should break out? There is no reason to depend on that.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GREEN. I am very sorry that I missed a part of the debate, particularly because as I came into the Chamber one of our colleagues, in speaking on this subject and in discussing the figures, particularly as to which 1 of 2 figures was correct, sought to impute unworthy motives to some of the members of the Committee on Foreign Relations, because they had decided on the figure which the committee has recommended.

There should be no place on the floor for any such intimation. I do not know toward whom exactly the criticism was leveled; but I resent it so far as any members of the Foreign Relations Committee are concerned.

It is well enough for us to wonder how an individual Senator may reach a conclusion, but I do not think that we should go into the motives or the opinions of the separate Members.

The figure that came to use from the President was $1,800,000,000. Of course, that is an astronomical figure. I cannot comprehend that figure. I cannot comprehend such large figures. I doubt whether any Senator on the floor can comprehend them.

We thought a certain amount of reduction was desirable, and we reduced the authorization by $100 million. To me, at least, $100 million sounds like quite a substantial sum. We thought that amount should be deducted from the figures submitted by the President.

Now it is proposed to take an additional $500 million from that amount. No justification has been shown for it. Therefore, I do not see why any weight should be given to the proposal, or why that figure should be accepted instead of the figure decided upon by the whole Committee on Foreign Relations.

I doubt whether we can reach a better conclusion in that regard than was reached by the Committee on Foreign Relations. It must be remembered that some of the most important items—and I do not believe any reference has been made to this point—are foreign bases, on which a part of this money will be spent. Undoubtedly some of the money used for those purposes will benefit foreign countries as well as our troops, but our interest in those foreign countries is very great.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KNOWLAND. Mr. President, I yield 5 additional minutes to the Senator from Rhode Island.

Mr. GREEN. Our facts are tied up together. There is no good in going back into our early life span and saying, "What tremendous changes there have been." The changes have been so great that we cannot comprehend them. And new inventions are being made every day. We cannot comprehend what happened 5 years ago. How can we comprehend what will happen a generation from now? We must take things with some imagination, based substantially on the changes which have already occurred. We may have to change all our fundamental ideas. We will certainly have to change our fundamental ideas if we allow the Communist group of nations to outwit us or to outbid us in our effort to be the dominant country in the world.

We have arrived at that point in the United States, not willfully, but by force of circumstances, and we must rise up to the duties imposed upon us by that position in the world. The other nations of the world to whom we have looked up, now look up to us for guidance. We must be generous in our guidance, and not seek to take advantage of them or expect those who are weak and small to give us of what they have left, when they believe that we can afford to pay them for what we take. Our interest, in the last analysis, is almost as great as their's in every instance.

So I hope the Senate will support the Foreign Relations Committee in voting for what the committee has decided is probably the best from the point of view of our country's interest.

I trust that the amendment offered will be rejected.

I do not ascribe any unworthy motives to any Senator who may vote to reduce the amount, but I hope such Senator will express equal confidence in those who differ with him as to the exact figure.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. CARROLL. I wish to say to the Senator from Rhode Island that on every amendment so far I have voted with the committee, and therefore I put this question in good faith. I am concerned, and the people of Colorado with whom I have talked are concerned, about the technical-assistance program. There is a feeling that there ought to be greater emphasis on technical assistance and less on military support and military defense. I put this question in good faith. I know the committee, from the very excellent presentation just made by the distinguished Senator from Rhode Island, made a cut in the amount. Am

I to understand that an additional cut of $500 million is proposed by the distinguished Senator from Louisiana?

Mr. GREEN. I believe so.

Mr. ELLENDER. That is correct.

Mr. CARROLL. From what particular fund will that come?

Mr. GREEN. From the military authorization fund.

Mr. ELLENDER. From the military hardware fund.

Mr. CARROLL. From what area would that come? Do we know that?

Mr. GREEN. I do not know. I was out of the Chamber during a part of the debate. I am sorry that I was out of the Chamber at the time.

Mr. ELLENDER. If the Senator will permit me to do so, I should like to say that I demonstrated during the course of my remarks that of the $1,800,000,000 authorized in the pending bill, $494,400,000 would be aid to our friends in NATO countries in Western Europe. I say they are able to take care of themselves. Thus I take the position that the $1,800,000,000 military aid amount can be reduced by $500 million with no harm to our weaker allies. The entire cut can be made in aid to Europe.

Mr. CARROLL. Is it the Senator's contention that the $500 million comes out of NATO funds, or does it come from other areas not specified?

The PRESIDING OFFICER. The Senator from Rhode Island has 1 minute remaining.

Mr. ELLENDER. As I pointed out a while ago, $3.9 billion still remain from earlier programs in the military hardware fund, even if we should not appropriate one more dollar. The new program which is being authorized in this bill is in the amount of $1,800,000,000. I am asking that that amount—$1,800,000,000—be reduced by half a billion dollars, the amount of aid which is now scheduled to be extended to Western Europe.

The PRESIDING OFFICER. The time of the Senator from Rhode Island has expired.

Mr. KNOWLAND. Will the Senator from Louisiana use some of his own time?

Mr. ELLENDER. I have only 2 minutes remaining.

The burden of my argument is that the military would have enough money with the $1,300,000,000 which my amendment would authorize.

Mr. CARROLL. I thank the distinguished Senator from Louisiana. I should again like to ask a question of the distinguished Senator from Rhode Island, unless the Senator from Louisiana cares to answer it.

I am trying to emphasize the fact that in Colorado the people are more interested in technical assistance and economic assistance than they are in military assistance—that is, according to the people with whom I have spoken. I recently campaigned there, and I campaigned on that basis. The people of Colorado feel there is too much emphasis on the military aid, and not enough on the economic assistance, upon which they place great reliance.

Mr. ELLENDER. The amendment I have offered does not affect economic aid or technical assistance. It simply reduces the military hardware program.

Mr. CARROLL. I should like to ask a further question.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. KNOWLAND. I yield 1 additional minute to the Senator from Rhode Island.

Mr. GREEN. One hundred million dollars, I think, was cut from military aid, and $100 million from other sums for military support, but nothing was cut from technical assistance.

Mr. CARROLL. Did the committee consider whether there ought to be an increase in the amount of funds for economic assistance?

Mr. GREEN. I cannot answer the question directly. There was a discussion back and forth on those items. We discussed pro and con what the President requested, and we reduced in a number of instances the amount the President recommended; but we did not cut the amount he requested for technical assistance.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I am sure there is very little which can now be added to the debate, but I wish to make a comment or two upon the approach of the critics of the bill and those who sponsor the amendment.

The crucial question, it seems to me, Is whether the program is for the defense of the United States. If one accepts the thesis advanced by the junior Senator from Louisiana and the senior Senator from Wyoming that the program is not for the benefit of the United States or is not for the defense of the United States, then it ought to be eliminated. I cannot understand Senators voting even for $1,300,000,000 if we accept the thesis which has just been advanced by the Senators I have mentioned. That is the basic question which all Senators must decide.

The committee decided, the administration has decided for some 10 years, and Congress has decided that the program is for the defense of the United States.

The last witness we heard on the subject was General Norstad, who is a leading general of this country, is also the commander of the NATO forces in Europe. He was very positive—more so than I have ever heard any leading military figure—about the capability of the NATO forces to destroy any significant military objective in Russia. He made these statements, which appear in the printed hearings. I call attention particularly to page 839, where I asked him a question.

> Did you say that NATO had the capability of destroying everything of significance in Russia?
>
> General NORSTAD. I meant anything of military significance. Yes, I believe that to be true.
>
> Senator FULBRIGHT. Any thing of significance?
>
> General NORSTAD. I think we have that capability.

I submit, Mr. President, if this is not for the defense of the United States, then we are all wrong, and we ought to eliminate the whole bill. But it seems to me to be the most utter nonsense to say that this appropriation is not for the defense of the United States. It most certainly is for our defense.

The way the program is set up is simply our best judgment as to how we shall distribute our available resources. Of course, we could use all the money for our forces in this country, as someone has suggested. But the committee believes, our own military people believe, and the administration believes that it is more economical and more effective for our defense to distribute our resources in this manner—that is, to provide, in this instance, $1,800,000,000 for military assistance. That is for hardware to our allies abroad. That is a matter of judgment, and that is all there is to it. If Senators disagree, they have the privilege to vote against it.

I do not understand why Senators want to chisel away at this item on the thesis that this program is not for our defense. That seems to me to be an unacceptable excuse for the amendment even though it might be an excuse for voting against the whole bill or for saying we are not for the program.

The next question is—assuming the program is for our defense, as I believe to be the case—should the amount be exactly $1,800,000,000, or could we get along with $1,799,000,000? Maybe we could, but nobody knows absolutely. We all know that these matters must certainly be, at this stage, matters of estimates resulting from the exercise of our best judgment.

As to this particular item, the administration itself reduced by $500 million its original estimate of what was needed. They told us they were able to do that because of the rearrangement of certain schedules, particularly by the elimination of some of the long-lead time necessary, and a different and more efficient method of handling spare parts, and so forth. I shall not now go into details as to that. But the administration gave us an explanation of why they were able to reduce their own request by $500 million. We were presented by the administration with a request for $1,900,000,000, and we cut the amount by $100 million. I cannot pretend to stand up and state that that is precisely the amount which is needed. I do not know. The best estimate which the administration could give was $1,900,000,000.

We also, to some extent, had the feeling of the Senator from Colorado that because of the necessity to try to be a little more economical and to save as much as possible, if we could cut anywhere, this would be the place to cut. The committee did cut here and in defense support, $100 million each. That is the best estimate we can make.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CARROLL. The Senator from Arkansas has made a very clear statement. I intend to go along anyway with the committee's recommendation. The point I make is, if my information is correct, that we will still have, even with the cut recommended by the Senator from Louisiana in his amendment for this purpose, about $500 million. I am not saying that is too much. The question I raise is, Are we out of balance with the military hardware?

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. KNOWLAND. I yield 2 additional minutes to the Senator from Arkansas.

Mr. CARROLL. Are we out of balance with the military hardware when we really have a deep conviction that there ought to be more emphasis on technical assistance, and not so much reliance on military assistance? I agree with the Senator from Arkansas that it is a matter of judgment.

Mr. FULBRIGHT. All I say is that we did not go into that field. I think it is very important over the long run. I have tried to defend economic and technical assistance. I cannot say that the committee cut the request by exactly the right amount. I can say we exercised our best judgment. Therefore, we recommended this amount to the Senate.

There is one other point I wish to make. I believe it was the Senator from Oregon who raised the question about this not being exactly the amount, and that the committee was not entirely frank in recommending this amount. I do not know how to comment upon the charge made by the Senator from Oregon other than to say that the committee simply used its best judgment. Whenever there is before us a bill which involves our best judgment as to what should finally be provided, how influential that aspect has been on the Senator from Oregon, I do not know. But I do not think that is particularly significant, in either one way or another, in connection with this debate.

In this case we are dealing with the authorization of a program of reasonable defense for our forces abroad. If General Norstad is not completely in error, I think we have a reasonably good defense. It is very expensive. He explained why that is so. Many of the items are confidential; but all of us know about the type of defense we have, involving many complicated items. There is no doubt that the equipment is extremely expensive.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The time yielded the Senator from Arkansas has expired.

Mr. KNOWLAND. Mr. President, I yield 2 additional minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 2 additional minutes.

Mr. FULBRIGHT. Mr. President, it is reassuring to know that General Norstad assured us that NATO has a capability which will deter the Russians from engaging in any military adventure at the moment. I think that is very significant, and I regret that all Members of the Senate could not have heard his testimony. I think it puts a somewhat different light on the matter.

Mr. KNOWLAND. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 5 minutes.

Mr. KNOWLAND. First, Mr. President, I wish to commend the distinguished Senator from Arkansas for the very fine statement he has made regarding this matter.

Of course, as a matter of judgment, the administration, after consulting the Defense Department and the National Security Council, recommended $1,900,000,000. That was the amount recommended by the President of the United States.

The Foreign Relations Committee, after holding its hearing on this matter—as has been pointed out by the chairman of the committee and also by one of its other distinguished members on the majority side—proposed the cut of $100 million.

Now the Senator from Louisiana proposes that an additional $500 million be slashed from this military item.

I wish to say to the Senator from Colorado, who has raised a very interesting point, that I do not think any Member on either side of the aisle would fail to agree with him when he says we hope the time will soon come when we shall be able to move from the military applications into the technical assistance programs, which personally I believe—and I have believed so for a long time—constitute one of the most constructive aspects of our entire foreign and mutual aid program; and we look forward to the day when more emphasis can be given to technical assistance. But that item was not cut by the committee, which is very sympathetic with that point of view.

I wish to point out to my colleagues something we dare not lose sight of. With all the talk of the men in the Kremlin and all their smiles and attempts at persuasion, nevertheless the Soviets are maintaining the largest military establishment in the world. That is a fact; I am not indulging in fantasy. This fact is not one which we can take lightly. The fact is that, despite all the propaganda the Soviets are issuing at present, today the Soviets have on the land, on the sea, and perhaps in the air a very large military establishment—the largest in the world. On page 150 of the hearings we find the testimony of the representatives of the Defense Department. I now read from that part of the hearings:

> Senator FULBRIGHT. Before you go into that, in land area how does that compare? What percentage of the land area is Communist?
>
> Mr. SPRAGUE. It is slightly more than one-quarter. At the present time Russia has approximately 20,000 operational aircraft, 175 well-equipped ground divisions and the second largest navy in the world, consisting of over 400 submarines, and some 20 cruisers.

Here let me say that the Soviet's submarine force at present is larger than that of Nazi Germany at the height of Nazi Germany's power, when the Nazi submarines interrupted the sealanes of the Atlantic.

I read further from the hearings:

> These forces are increasingly becoming equipped with modern weapons, including atomic capability.
>
> The satellite countries of Eastern Europe have in their forces about 80 ground divisions,

They are in addition to the 175 already mentioned—

> 2,500 operational aircraft, and while these forces are not probably as effective as those of Soviet Russia, they would complement those forces and have a considerable capability anywhere in Europe.
>
> China has 200 ground divisions and about 2,500 operational aircraft. The forces are increasingly, probably mostly, equipped with Soviet modern equipment.

That is the testimony of responsible representatives of our defense establishment.

It is true that the pending bill is only an authorization bill. The House Appropriations Committee and the Senate Appropriations Committee will have an opportunity to examine this program, after more detailed hearings are held. The distinguished Senator from Louisiana [Mr. ELLENDER]—and no member is more diligent in his work on that committee than is he—will sit on the Appropriations Committee and will have an opportunity to ask his probing questions, as I have heard him do time and time again, of the representatives of the defense establishment and the mutual aid program, when they testify before the committee. He will be able to say to them, "The Congress has authorized, at the outside, $1.8 billion; but we insist that you justify, within that amount, these funds."

That is proper procedure. If, after the hearings, the committees feel that this amount can safely be reduced, I would be in favor of doing so. But I do not believe it would be wise to do so at this time, in view of our national-defense requirements.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 2 additional minutes.

Mr. KNOWLAND. Mr. President, today, when the Government of the United States is engaged in delicate negotiations, no man is wise enough to know whether the Soviet Union is willing to agree to some disarmament proposal which will have adequate safeguards. In view of the record of the last quarter of a century, during which the Soviet Union has violated every agreement into which it has entered with a major power, I know of no prudent Member of this body and no prudent person elsewhere in the country who would favor having the United States take the word of the Soviets, unless there were some effective check to make sure that they would live up to their agreement. I think that is essential to the preservation of the world of free men.

Mr. President, under these circumstances, it seems to me that it would pull

the rug from beneath the feet of our negotiators today, if, with no more facts than those presented by the Senator from Louisiana, word were to go out that the Senate of the United States had rejected the recommendation of the administration and the best recommendations of the Defense Department and the recommendations of the Senate's own Foreign Relations Committee, which has given long hours of study to this matter, and had cut $500 million from this item, which is so vital to our common defense.

Mr. HUMPHREY. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. Yes. But, Mr. President, first I yield myself an additional 5 minutes, in order to have time to yield for the question the Senator from Minnesota desires to ask.

The PRESIDING OFFICER. The Senator from California is recognized for an additional 5 minutes.

Mr. KNOWLAND. Now I yield to the Senator from Minnesota.

Mr. HUMPHREY. First, I wish to concur fully in what the minority leader has just said; and I desire to say to him that if the Senate were asked today to vote on a resolution to provide for partial, unilateral disarmament, I am sure the Senate would unanimously reject it. In other words, if today the Senate were asked to vote to cut United States military manpower and military strength and United States weapons strength in every area, the Senate would vote against it, in terms of unilateral disarmament. In short, the Senate would be opposed to having the United States agree to be the first to cut her military equipment and military manpower. If asked to vote on such a measure, I am sure the Members of the Senate would vote "no"—if not unanimously, then at least by an overwhelming majority.

Yet we must realize that a cut of $500 million in this item would be a kind of unilateral disarmament, because this item is a part of the mutual-security program.

In the light of what we know is going on in Korea, with the Communists arming in North Korea, and violating the armistice agreements—as we know they are doing—is not a good deal of the assistance under this program dedicated to the defense of South Korea?

Mr. KNOWLAND. Yes, to the defense of South Korea or anywhere else where trouble might break out.

Mr. HUMPHREY. Is not a good deal of it for Turkey?

Mr. KNOWLAND. That is correct.

Mr. HUMPHREY. In other words, a good deal of it is for Turkey, one of our most stalwart and valiant allies.

Mr. KNOWLAND. Yes. Both of them were at our side during the Korean War. The Turks had sent their forces around the world, in order to stand by our side in Korea. Turkey was one of 17 nations to do that.

Mr. HUMPHREY. Is it not true that a portion of this military assistance is intended for our friends in Vietnam?

Mr. KNOWLAND. The Senator is correct.

Mr. HUMPHREY. Where can we find areas in the world which are more critical to the defense of the Free World than the areas referred to? We are not free to divulge point by point or dollar for dollar what these countries are to receive, but, as the Senator from California pointed out, this is not a giveaway program. This is a mutual aid security program. I say one of the most foolish things we could do would be to throw away our trump card before we sat down to complete negotiations with the Soviet Union. It is tough enough to deal with the Soviet Union when we have power. I say we should never sit down with the Soviet Union unless we can deal from strength. We should not cut our strength. Of all the times to cut the strength of American military power, this is the worst. We have Mr. Stassen in London negotiating with the Soviet Union, and here we are talking about pulling half the rug out from under the military aid program.

Mr. KNOWLAND. I fully concur in what the Senator from Minnesota has stated. I think it would be highly detrimental at this time for an amendment such as that offered by the Senator from Louisiana to be adopted.

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. KNOWLAND. In a moment. First, Mr. President, I yield myself five additional minutes.

As I believe the Senator from Arkansas [Mr. FULBRIGHT] and other Senators on the floor earlier expressed it, I am sorry every Member of the Senate could not have been in the room with the members of the Foreign Relations Committee when General Norstad testified. Here is a very able and competent American military official, a man who had wide wartime experience in World War II, a man who is one of our younger officers, who has been given the high and very responsible task of being the supreme commander in Europe of all the allied forces. He came before the committee and gave us a picture which I wish every Member could have heard described, of how the work we had done under the mutual assistance program had vitally strengthened the entire defense concept of the West.

The very fact that we have been able to strengthen ourselves and our allies to the extent he was able to demonstrate with his classified charts before the committee is itself one of the greatest deterrents to war we could possibly have, because in my judgment, the men in the Kremlin are not going to take the calculated risk of another aggression unless they become convinced that their chances of winning are greater than are their chances of losing. If they once come to the conviction that we ourselves or our allies have reduced our strength while they have maintained theirs, as indicated in the testimony before the committee, that will be the hour of greatest danger to the Free World. So far as I am concerned, I do not want to weaken our defense, or that of our allies at this point.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. KNOWLAND. First I yield to the Senator from Mississippi [Mr. STENNIS]. I had promised to yield to him.

Mr. STENNIS. Reference has been made to pulling the rug out from under our military aid program and running out on our military allies. Does not the Senator know that if the amendment were adopted, there would still be $1.3 billion in the bill to be added to what I understand is a pipeline of $3.9 billion for this one fund alone? This fund is one part of a four-pronged fund. The amendment would not affect NATO funds. It would not affect the military aid program. It would not affect our defense program. It would not take a single dime away from Vietnam, Turkey, Greece, or Korea. The Senator from Louisiana pointed out there is room for this program to operate in Western Europe, under our military program, and there will be provided aid which we have continued to give over and over again to our worthy allies.

I thought the figures I have given should be brought out.

Mr. KNOWLAND. I say to the distinguished Senator, again it becomes a question of judgment. I have the highest respect for the Senator from Mississippi. He and I served together on the Armed Services Committee for a time; but, unfortunately, when we get into the area of military hardware—and I yield myself 5 additional minutes, Mr. President—it is not merely a question of purchasing and delivering something today and then being through for the next 4 or 5 years. For example, if we delivered a propeller plane, as we did during the Korean war, to the Republic of Korea, and the Communists in the meantime equipped their Communist forces with jet planes, or if we delivered to our allies planes that fly, for example, only 100 miles an hour, and the enemy had planes that fly 200 miles an hour, the equipment we had furnished would become obsolete.

Mr. STENNIS. I merely wanted to bring out those figures for the record. I thank the Senator for letting me bring them out.

Mr. KNOWLAND. I say to the Senator, that is one of our problems. When we get into the field of missiles, they are very expensive. If I had a son in the European theater of operations and he was in an American division, I would not want the division on his left and the division on his right to be equipped with obsolete weapons, because all the Soviet forces would have to do, if they determined to do it, would be to make an end run around the well-equipped American division and run through our allies on the left or right flank. Certainly, that would not be in the interest of our defense.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. AIKEN. I wish to point out that, in carrying out our foreign aid program, both economic and military, since the enactment of Public Law 480, about $1¼ billion of the cost of the program has been paid for by foreign currencies received from the sale of surplus American farm products. It is expected that during the next year or so as much or more will be paid from foreign currencies received from the sale of American surplus commodities, mostly cotton and wheat. We had better think the matter over, because if we abandon the program, we are not going to get the sales for our surplus commodities that we have had in the past.

Mr. BUSH. Mr. President, I yield myself 4 minutes on my own time.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 4 minutes.

Mr. BUSH. I oppose the amendment which is now under consideration. I shall vote against it, and shall vote for the bill to amend the Mutual Security Act of 1954, because it is essential to the maintenance of American freedoms, and to the realization of our hopes for ultimate victory in the Free World's struggle against Communist imperialism.

The Senate Committee on Foreign Relations, by its year-long study and report, has performed an invaluable service in helping to drive away the fog of misunderstanding which has threatened to obscure the essential purpose of our mutual security program.

The term "foreign aid" is an unfortunate one. It creates thoughts of "giveaways" and "hand-outs" when, in reality, mutual security is as much in our own self-interest as it is in the interest of other nations who have joined with us in a common defense against a common peril.

By clearly defining and separating the separate programs heretofore lumped together under so-called "foreign aid"—military assistance, development assistance, technical assistance and special assistance—the Administration and the Committee have done much to remove causes of misunderstanding and confusion.

The mutual security program has been developed over the past 10 years. It has produced solid results in the American national interest. As the committee said in its report on the bill:

> American foreign aid has played an indispensable part in keeping the Free World free. Those who would abolish or emasculate the program because of its past mistakes frequently overlook this simple and eloquent fact.

I think, Mr. President, that is the answer to the distinguished Senator from Louisiana, the proponent of this amendment, who said that we had spent in this area $17 billion, and asked, "What was the result?" He wished to know, what did we have to show for it? I think we have much to show for it. I think we have peace to show for it, which we would not have, had we not been engaged in this type of program in the past.

Mr. President, in closing I should like to say that I wish to offer my compliments to a great Secretary of State, John Foster Dulles, for the statement which he made before the committee. It was so good that he was commended by members of both great political parties, by Senators who have served on the Foreign Relations Committee for many years, and who have not always been friendly to him.

I think it is a remarkable tribute to the Secretary of State that with this controversial measure before us this year, after 5 stormy years as Secretary of State, he enjoys the measure of respect that he now enjoys with the Senate Committee on Foreign Relations and the Members of this body. These have indeed been stormy years, Mr. President, because, as the President has so often said, we live in an age of peril and not simply in an instant of danger.

So, Mr. President, if the statement by Secretary of State John Foster Dulles has not yet been printed in the RECORD as a part of this debate, I ask unanimous consent that it now be printed, at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. JOHN FOSTER DULLES, SECRETARY OF STATE

Secretary DULLES. Mr. Chairman and members of the Foreign Relations Committee, I have come before you to discuss the authorization which we are requesting for our future mutual security programs.

TYPES OF FOREIGN AID PROGRAMS

As noted by the Senate special committee, to which you, Mr. Chairman, just alluded, the money we spend abroad is not on a single program. So-called foreign aid is a term that is given to several quite distinct programs. Each of these is addressed to different purposes. Each employs separate means. Each must be considered on its own merits.

It is to these distinctive programs that I address myself.

I shall try, in each case, to tell what foreign policy purpose the program serves.

I shall explain how the executive branch believes that these purposes can, in the next fiscal year, be better, defined and better served.

There are, in essence, four major programs.

First, the mutual defense assistance program, which provides weapons and military equipment and economic support for Allied military forces and facilities;

Second, the development assistance program, which helps free countries achieve economic growth;

Third, the related technical assistance program through which we share our skills with these countries;

Fourth, the special assistance programs, through which we meet particular needs and emergencies that cannot be met by the three preceding programs.

COLLECTIVE SECURITY SYSTEM

I do not have to review with this committee the magnitude of the Soviet and Chinese Communist military threat, or the fact that no free country can obtain adequate security through its own resources alone.

This fact has led to the creation of a collective security system which binds us and 42 other free countries in a common defense against a common peril.

Since 1950, we have provided around $17 billion in military equipment plus supporting economic assistance to our allies' military programs. During this same period, our allies have spent over $100 billion for defense, and they have provided manpower for the armed forces of the Free World, and they have provided sites for highly valuable bases for our and their forces.

Without our assistance, these allies' military programs could not have been carried out. With these programs, we are enabled to spend far less on our own military programs—and to achieve far greater security—than would otherwise be the case.

MILITARY AID AND DEFENSE SUPPORT

Collective security is truly a case in which the whole is greater than the sum of the parts. And the instrument which creates the whole out of these parts is our mutual defense assistance program.

This program consists of two elements:

First, the provision of military equipment to friendly forces. This is what, in the past, has usually been called military aid.

Second, economic aid given to allied countries to compensate their economies for contributions made to the common defense, when these countries cannot unaided make the contribution judged necessary. Many of the less-developed countries, such as Korea, Formosa, and Vietnam, cannot maintain the desired forces without some outside help, and sometimes the provision of essential facilities for the common defense involves burdens for which compensation is appropriate.

In the past, much, but not all, of this aid, has been called defense support. But the phrase has also been used to include assistance to some of these same countries for other purposes, such as economic development and growth.

This labeling produced misunderstanding, both at home and abroad. We believe that what in the past has been called defense support should hereafter be confined to what is distinctly related to an effective military contribution.

Development assistance to stimulate economic growth should be dealt with separately.

For fiscal year 1958 we are asking for $1.9 billion for the provision of weapons and military equipment, and $900 million for true defense support. This totals $2.8 billion. It is approximately three-fourths of what we are asking the Congress to appropriate for all the mutual security programs.

Both these types of defense assistance—military equipment and support—have more in common, in point of purpose, with other elements of our own defense program than they do with other types of so-called foreign aid. They contribute to and maintain our military security just as expenditures for our own forces do.

That is why the President has recommended that defense assistance should be recognized and treated as an essential element of our own worldwide national defense effort. To do this effectively, he requests that appropriations for military assistance and for related defense support should now be so authorized that hereafter they may be included as a separate part of the regular appropriationss for the Department of Defense. Both would continue under the policy guidance of the President and the Secretary of State.

SEARCH FOR REDUCTION OF ARMAMENTS

Requirements for defense are substantial, but they are necessary. We are, of course, actively seeking a sound and safeguarded basis for reciprocal reductions of armaments, which weigh heavily upon our country, the Soviet Union, and indeed nearly all nations.

It is not easy to reach such an agreement. Experience has demonstrated that agreements with the Communists are not dependable so long as they are merely based upon paper accords. Good faith is not a factor which can be relied on to assure continued adherence by Communists to the terms of an agreement. Therefore, the free nations cannot safely reduce their military strength merely in reliance upon promissory agreements by the Soviet rulers to reduce correspondingly. We do not, and will not, rely upon Soviet promises alone. There must be adequate means to verify performance and to gain increased protection for the Free World against surprise attack. We do seek an agreement that will be in the mutual interest of the parties, an agreement that would decrease the danger of war.

We find it hard to believe that the Soviet rulers will not in their own self-interest eventually accept such mutual supervision

and control as will permit of lightening the burden of armament, and will provide to both sides a better prospect for a just and durable peace.

We do not know today whether the Soviet leaders consider that the benefits of an armaments agreement justify their submitting to a system of adequate inspection.

But even on the most hopeful estimate, the first steps of armaments reductions will have to be carefully calculated and carefully taken. It would be folly now, in the absence of a safeguarded agreement for the inspected reciprocal reduction of armaments, to weaken in any manner the collective-security system which provides the greatest deterrent against aggression at the least cost.

ASSISTING ECONOMIC DEVELOPMENT OF INDEPENDENT NATIONS

I turn now to the economic development aspect of mutual security.

We propose the establishment of a development-loan fund to assist the economic development of other independent nations. The Senate special committee has found that this, and I quote from their report, "is in the interest of the United States." This statement is particularly, though not exclusively, applicable to 19 new nations which have come into existence since the end of World War II. These nations contain nearly a third of the world's population. Most of them are close to the Soviet-Communist China bloc. They are nations where poverty is age old. The per capital annual incomes of most of the peoples of these nations is well below $100 a year. Their food production is at levels of bare subsistence inadequate for hard productive work.

It is important to us that the people of these nations should remain free, that their strategic lands should not fall under Communist control, that their resources should be available to their own people and in commerce with other free nations.

For generations these people have fatalistically accepted stagnation. But now their mood is different. Two intense emotions now grip the peoples of these new nations. The first is a desire to maintain and strengthen their newly won political freedom. The second is a determination to raise their pitifully low standards of living and get started quickly on the inevitably long road to economic betterment.

FREEDOM AND ECONOMIC GROWTH

But the obstacles to growth are substantial. There is a shortage—sometimes an absence—of technicians. The governments are inexperienced. With incomes at the barest subsistence levels, very little can be saved and invested. Without outside help, the prospects of economic growth are indeed very slim.

These people are determined to move forward. If they do not succeed, there will be increasing discontent which may sweep away their moderate leaders of today and bring to power extremist leaders who will resort to extremist measures fostered by international communism.

Today hundreds of millions in these countries seek the answer to this simple question: Do political independence and freedom mean economic growth? If these peoples do not feel that in freedom they get growth, then freedom will be on its way out in much of the world.

It is in our interest to help to demonstrate that freedom and growth go hand in hand. That is the conclusion of your special committee as it is of the President.

The question then becomes what is the most economical and effective way to do this?

DEVELOPMENT LOAN FUND PROPOSAL

The recommendation of the President and the conclusion of your own special committee is that this should be done through the establishment of a development loan fund.

How should such a fund work?

For the past few months the executive branch has given lengthy and detailed study to many aspects of this question. We have had advice from many quarters. We have reached a number of conclusions. These conclusions are sufficiently firm, detailed, and well founded to make us feel that the fund should be founded now, without another year's delay.

What are some of the essentials?

First, the recognized purpose of the fund should be to assist the less-developed free countries to get economic growth underway.

Second, the fund would operate on terms of repayment. A substantial part of its activities should be in loans, but it should also be empowered to use other banking and financing arrangements, such as credits, and guaranties, in carrying out its purposes. It could not, however, make grants. Its loans would be made available on repayment terms less rigid than those of existing institutions. Repayment could be in foreign currencies, as well as dollars, and interest could be waived or suspended.

The fund would primarily be an instrumentality of foreign policy, and as such take greater financial risks than those acceptable to existing institutions. The fund's expectations of repayment would be based, however, on confidence in the long-range future of the nation it is helping. If the fund achieved its object, as I believe it would, then confidence would prove justified.

Third, the fund would seek cooperation with private investors and established lending institutions. It could participate in joint financing with private investors, the World Bank or the Export-Import Bank, adjusting its own repayment claims to those of these others. It would not loan its funds where other loans and private investment were available. Properly administered, the fund would not reduce but would increase the effective flow of activity through normal channels of finance.

Fourth, the fund could be used only for development projects and programs which seem technically and economically sound and which could be expected to contribute to the economic progress of the borrowing country and to the long-range interest of the United States in the welfare of that country. It would not be used to meet emergencies or other needs for short-term assistance. Continued financing by the fund to any country would depend upon that country's record of performance.

Fifth, a substantial part of the financing undertaken by the fund would be devoted to basic works such as transport, communication systems, power installations, harbors, irrigation and drainage projects—the capital needed to create the economic environment in which private initiative can come into play. The fund could also use its resources to support local development banks and private enterprises engaged in developing the countries we seek to help.

Sixth, the fund should be established upon a basis of continuity with sufficient capital for several years' operations. As I said here last month, economic development is a long-term process. It is not an annual event. If our assistance is to be useful at all, it should be provided on a sustained basis that is consistent with the long-term nature of the job to be done.

It is not necessary that all the capital of the fund be provided at once. But it is essential that there be initial provision for future availability. For this reason the President has asked that there be provided this year an appropriation of initial capital and the authority to borrow additional capital from the Treasury in the second and third years. Such borrowing authority has been used to capitalize other United States lending agencies. These additional funds which would be borrowed from the Treasury would not be available for obligation until such second and third year. However, the fact that they would be available will give the countries we wish to help and our own administrators the assurance they need to plan ahead.

This new approach we contemplate requires that we get away from annual authorizations or appropriations. These inevitably tend toward a system of illustrative programs as a basis for justifications. These are not compatible with the assurance of continuity essential to good planning and to the new long-term loaning concept. They are not compatible with cooperation with such organizations as the International Bank for Reconstruction and Development and Export-Import Bank, which operate on a long-term businesslike basis with established capital.

AUTHORIZATIONS AND APPROPRIATIONS REQUESTED

The President has requested an appropriation of $500 million to be available for the fund in fiscal year 1958, and authority to borrow $750 million in fiscal year 1959 and the same sum in fiscal year 1960. Any unobligated balances of any year would be carried forward as part of the fund's working capital.

The sums the President has requested are, we believe, conservative figures. The two reports made to your special committee which relate to a development financing program both conclude that a loan fund to be effective should be able to finance development activities at a higher rate than at present. This was also the conclusion of the International Development Advisory Board, which recommended that "the initial Congressional appropriation for the fund should be sufficient for a substantial increase in capital investment and technical assistance programs." Another study, that of the Research and Policy Committee of the Committeee for Economic Development, has suggested an initial 5-year program at the rate of $1 billion per year in addition to our existing level of expenditures for economic assistance.

One of the witnesses before your special committee rather aptly compared economic development with getting an airplane off the ground. You have to achieve a certain minimum rate of speed to take off. It would not be prudent to invest our resources in development programs which are too small to offer any hope of eventually achieving a self-sustaining rate of growth.

FUTURE COST AND DIRECTION OF FINANCING UNDER THE FUND

What of the future cost and direction of financing under the fund? There is a popular idea that the underdeveloped areas are a bottomless pit. In reality, as the Committee on Economic Development says in its report: "The amount that can be productively invested in the underdeveloped world is not enormous but is in fact rather strictly limited." The duration of the need for financing of the kind the fund would supply is also reasonably limited. It is not our purpose to finance the development of these nations to the level of our own economy. It is rather our purpose to help them gain a momentum of economic progress which will make it possible for them to go forward on their own capital formation, with outside assistance confined to private investment and other normal sources of financing.

We should think of the funds as a long-term operation but not as going beyond the time when it serves the enlightened self-interest of the United States. As it serves its purpose, the calls upon it should decline.

TECHNICAL ASSISTANCE RECOMMENDATIONS

I turn now to the third program, technical cooperation.

There is universal agreement that the technical cooperation program is valuable and should be continued on substantially the present basis. The exectuive branch so recommends.

We believe, furthermore, that this program has proved its worth as a long-term instrument of United States policy and that it should be authorized on a continuing basis.

The President has recommended an appropriation of $168,900,000 for this program next year.

This figure includes, in addition to our regular bilateral program, our contribution to the technical assistance program of both the Organization of the American States and the United Nations.

Last year the Congress recommended that our proportionate contribution to the United Nations expanded program of technical assistance should be reduced in fiscal year 1958 to 33⅓ percent from the present level of 49 percent. Since that date, the Subcommittee on Technical Assistance of the Foreign Relations Committee has recommended in its final report that this proviso be reconsidered. This report favored a reduction of the percentage of the United States contribution but urge that "precipitous action to this end should not be taken," and noted that a reduction to 33⅓ percent in 1 year might have deleterious effects on this important United Nations activity. We agree with these conclusions and believe that any reduction should be phased over several years. The President has accordingly recommended that the level of our contribution be set at 45 percent for fiscal year 1958, compared to 49 percent at present.

SPECIAL ASSISTANCE

The final category of our aid is special assistance.

There are some programs, like the malaria eradication program, that do not fit into any of the preceding categories.

There will inevitably be occasion when it will be in our national interest to furnish assistance to friendly nations—assistance which is not designed to support our common defense effort and which could not properly be handled through the development fund or technical assistance.

There are bound to be emergency situations which we cannot foresee and there are bound to be efforts we need to support without prospect of repayment.

International communism is constantly probing to discover and exploit weak points within the Free World. We cannot tell in advance where these weak points will develop or the amount of pressure which international communism will bring to bear. We must have reserve funds which can be thrown into the breach if we are to conduct successfully the cold war which international communism has forced upon us.

During the past few years there have been emergency situations in many places where immediate grant aid was necessary. Such situations have arisen in relation, for example, to Iran, Jordan, Hungarian refugees, and Guatemala. It can be soberly estimated that international communism would have gained spectacular victories, and that freedom would have suffered tragic defeats, if the President had not had substantial discretionary funds to use to meet unpredictable emergencies. The fact that the President has had such funds has meant on net balance a vast saving to the cause of freedom to which we are dedicated.

AMOUNT REQUESTED FOR SPECIAL ASSISTANCE

Aid of this nature is designed to meet immediate needs, not to finance long-term programs. It is appropriate that it should be authorized anew each year.

The President has asked for the authorization of an appropriation of $300 million for special assistance.

This figure includes three separate elements. Approximately one-third of it has already been programed for firm requirements, such as our malaria eradication plan and certain special country programs. Another third is designed to provide for recognized but unprogramed needs, including further assistance for the Middle East under the American doctrine. In addition, we need continuation of the special Presidential fund to meet unforeseen contingencies.

FOREIGN AID STUDIES

The total program which I outline reflects the results of the intensive study which has been given to this subject during the past year. Such study has been given by the executive branch of the Government, by both Houses of Congress, and by special groups of qualified persons who have been asked by the President and by the Congress to study this problem.

These studies indicate no substantial disagreement as to the need of mutual security programs dealing both with military and nonmilitary matters. There is also, we believe, an unusual consensus as to the general order of magnitude which these programs should assume. There is also a large measure of agreement that our mutual security programs can be better organized than has been the case heretofore. The executive branch of Government shares that view and it is reflected in the President's special message, which is before you, and the proposed legislation, in this presentation.

Let me recall, in conclusion, that the Constitution of the United States specifies as among the basic purposes of our Government to "provide for the common defense * * * and secure the blessings of liberty to ourselves and our posterity." Under today's conditions a common defense is most effectively promoted, and the blessings of liberty most effectively secured, by the mutual security programs I have described.

We know full well that this committee has ably and conscientiously studied this whole problem. We have taken into account its views, particularly as expressed in the report of the Senate special committee, published on May 13. The executive branch of Government welcomes, and will seek to merit, the cooperative spirit which is manifested by this committee.

Thank you, Mr. Chairman.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. President, I will take only a very few minutes. I regret the remark made by my distinguished colleague, the Senator from Oregon, with regard to the activities of our committee, because I feel it was unfortunate to suggest that we had any unworthy motives. I saw no evidence of any unworthy motives by members of the committee in arriving at our conclusions in the committee.

What I wish to speak of especially is the participation by the other nations of the world in this joint effort. The question seems to be, are we paying for everything ourselves, with no one else paying for anything?

I wish to place a few things in the RECORD, to indicate what we are doing. In the first place, I should like to give a breakdown of how the military funds for the fiscal year 1958 mutual-security program are intended to be expended. The table I have here, which is printed on page 4 of the committee report, shows for Europe, $338,509,000; for the Near East, South Asia, and Africa, $390,407,000; for the Far East and Pacific, the area which is so much in trouble today, $689,829,000; for Latin America, which is, of course, in less trouble, $25,956,000; and for nonregional programs, which mean administrative expense and new weapons, especially the missile weapons, $955,299,000. That makes a total for the fiscal year 1958—and these figures came to us from the administration—of $2.4 billion, with an unobligated carryover from fiscal year 1957 funds—which needs to be reappropriated—of $500 million, making the authorization request $1.9 billion, the figure which came to us from the administration.

It has been stated here that we fully considered that figure very carefully. The committee felt that $100 million could be taken off the amount, without impairing the effectiveness of the program.

The detail for each one of those figures which I have placed in the RECORD, as I say, was presented to us by the experts from the military department and by the experts from the State Department. We asked every question we wanted to ask. We stated in our report that it is possible for any Member of the Senate to go downstairs into the Foreign Relations Committee office to see the charts and figures given to us, in detail. Nothing has been concealed. There is no purpose in concealing anything, and there are no blank checks.

Mr. WATKINS. Mr. President, will the Senator yield for me to ask him a question on that very point?

Mr. SMITH of New Jersey. First, let me point out, with regard to participation by other countries in the world in these mutual security pacts with us, that from the time of the beginning of NATO through the fiscal year 1956, the United States expenditures for military assistance have been $17.4 billion, and the defense expenditures by our allies have amounted in that period of time to $107 billion, nearly 10 times as much. So the feeling that we are carrying the entire load is one with which I must take issue.

Furthermore, if we limit consideration to European NATO defense, I can give the same breakdown of figures, reading from page 140 of the hearings before our committee. This is the explanation of a chart which was presented, and appears on page 140, under the title, "The Mutuality of Our Defense Efforts"; it shows the European NATO defense, and the way it is broken down between European NATO countries and the United States:

The contribution which we have made to the Free World defense efforts of our allies, important as it has been to encourage and stimulate those efforts, has been very small compared to their own defense expenditures. For example, our expenditures for aid to European NATO countries amounted to $300 million in 1950; these countries themselves made defense expenditures of $6.5 billion that year. In 1953, when our expenditure for aid increased to $3.2 billion, they expended for defense $12.8 billion, or 80 percent of the $16 billion total of their effort and our contribution combined. And in 1956, when our contribution to their efforts amounted to $1.7 billion, the NATO nations of Europe spent $13.1 billion for defense; their share had thus risen to almost 90 percent of the total of their defense expenditure and our military assistance combined.

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Mr. KNOWLAND. Mr. President, I yield the Senator 2 additional minutes.

Mr. SMITH of New Jersey. Mr. President, those figures speak for themselves. I am glad to give them for the RECORD at this point.

There is one thing more to which I wish to invite attention. Reference has been made to General Norstad. We all know that his duty is to act as the Supreme Allied Commander in Europe, of SHAPE, the head man of the NATO operation. In his testimony, he spoke about the airfields, the acquisition of which has represented a large part of our expense.

Let us see how much our allies did in contributing to these air forces. Going back, to bring it up to date, General Norstad said:

> In 1951 we had information on about 20 airfields which might possibly be made available to NATO in the event of hostilities. Some were civilian airfields that we planned on taking over. Some were not too useful to us, but about 12 or 15 could be used for our purposes.

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Mr. KNOWLAND. Mr. President, I yield 1 additional minute to the Senator from New Jersey.

Mr. SMITH of New Jersey. General Norstad said further:

> In the course of developing the NATO airfield program, we had to run the full play of problems met in an alliance. In the first place, we had to have a general concept or a strategy. We had to develop the force requirements necessary to carry out this strategy. Then we had to determine what bases were required. We had to get agreement of the 15 countries. * * * We now have a substantial number of NATO airfields—some 150 of them.
>
> These are fields that have been built for our account by allied decision with allied money.

The percentages I have mentioned show that for the most part, the expenses for the airfields, which we have sought and which we are supporting, will be paid by the allied group. I want to make that clear. This is not a give-away program. We are not supporting the security of the world. We are contributing our share—and a large share—but I want to give credit to the other countries which have worked so ably, and are contributing a large share in developing the whole concept of mutual defense. I also give credit to the President of the United States.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the distinguished Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, I wish to address myself very particularly to my very genial colleague on the Appropriations Committee, the Senator from Louisiana [Mr. ELLENDER].

When I think of the amount he wishes to cut from this bill, I try to keep it in relevant perspective. There are very few absolute values in the world; but I remind him that on Wednesday of this week we had before us a certain appropriation bill. We completed action on it in an hour and fifteen minutes. It contained 1 item, for only 1 function, which was 9 times as great as the entire amount projected in the present bill for military assistance to all of Europe. I refer to the item for pensions and compensation for more than 3 million veterans. The estimate was $3 billion.

The minority leader has dealt persuasively with the danger that is still in the world, but I like to think also of the effect in case anything should happen. I do not want to charge my spirit or my conscience with any dereliction of any kind which might result some day in forfeiting the life of young Americans.

Let us think about the expenditure which will be made, and which will be a continuing expenditure for a long time, and then seek to reconcile it, in relative terms, with the amount of authorization carried in this bill.

The distinguished Senator from Mississippi [Mr. STENNIS] stated that this measure would have no effect on NATO. Frankly, I do not understand his reasoning. I am at liberty, I think, to use the figure of $338 million of the funds in this bill, for aid to Europe. That figure involves military aid to 12 countries. Nine of those countries are NATO countries.

I was not a Member of the Senate when we joined the North Atlantic Treaty Organization, but we are there. If it is to be of any value whatever to this country it must be an effective line. That is the eastern perimeter.

I share the sentiment expressed by the Senator from Arkansas [Mr. FULBRIGHT]. If I were persuaded that this program was not in the interest of the security of the United States, I would be against the bill, and against every amendment that is offered. But I have never been of that persuasion. I believe, on the basis of the advice and information which has come from our constituted military leadership, that this program is in the interest of our national defense.

Nine NATO countries will share in the $338 million which will be in this bill for 1958 for military assistance. So how can it be argued that this program has no impact upon our NATO responsibility?

Why was the figure of $338 million selected for this item? Incidentally, there are six large volumes in the security storage of the Appropriations Committee. The facts and the bewildering figures are almost enough to confound any finite mind. Yet when the appropriation bill goes to the Appropriations Committee, we shall be expected to have all the testimony of our experts, and to examine every one of these items, and then report to the Senate the opinion of the Appropriations Committee, within the framework of this authorization, as to how much should be appropriated for 1958.

Why was the figure of $338 million selected? There are three reasons. The committee said, "This is the amount which is necessary on the basis of what we estimate to be the importance of forces in Europe to our own security."

Secondly, they said, "There is an essentiality of equipment." The Senator from California mentioned it more concretely when he spoke of the possibility of his son serving in a division in the middle, flanked by weaker divisions, inadequately equipped. The military leaders had that possibility in mind. They cited the essentiality of equipment as a second consideration.

Finally, they pointed out the inability of the respective countries, either because of political, economic, or technical reasons, to procure particular types of equipment abroad.

It is just that simple. So I earnestly hope that, because of the persuasiveness of the case against this amendment, it will not only be rejected, but will be roundly rejected by a very preponderant vote. It is not enough to tell the world that by a vote of 48 to 40, or thereabouts, we rejected this kind of an amendment. I think there should be a resounding voice from the Senate of the United States, in a rather feverish hour, to let the world know—and particularly those who dominate the policies of the Soviet Union—that we speak pretty well with one mind, one heart, and one spirit, and that we are united in our determination to make adequate provision for the security of the United States, whether it involves that portion of the perimeter in Korea, or along the 17th parallel in Vietnam, or whether it involves the NATO line in Europe; and, of course, the NATO line is going to share in the appropriations authorized by the pending bill.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the junior Senator from California.

Mr. KUCHEL. Mr. President, I very much doubt if there is a single Member of the Senate who does not recognize international communism as a constant and continuing menace to the peace, the security, and the dignity of the people of the United States—and, indeed, to the people of the entire Free World.

I very much doubt if there is more than a handful of people in the country who would disagree with that position. I think it is generally conceded, too, that the overwhelming reason why international communism has been deterred in its history of aggression has been the possession by the Free World, and particularly by the people and the Government of the United States, of a powerful arsenal of nuclear weapons of defense.

But there are other reasons, too. One outstandingly important one lies in the collective security system which has been generated in great part by the American Government among like-minded free nations in Europe, as well as in Asia, and in our own Western Hemisphere.

I had an opportunity last year, with half a dozen other Members of the Senate, and a like number from the House of Representatives, to participate in the North Atlantic Treaty Organization parliamentary conference. It was a stimulating and moving experience to see members of the parliamentary governments of 15 nations, with their divergent views on many questions, some of whose countries had been at war a few short years before, nevertheless united in a common goal, standing together in the face of danger in order successfully to deter communism in western Europe, or, if necessary, to repel it.

Western Europe, with its 200 million people, is important to the cause of freedom. The proponents of the pending amendment made an error in alluding to NATO in this debate. NATO is the preeminent example of effective mutual security. Our collective security system of the North Atlantic nations, in my judgment, has contributed materially and mightily to the cause of freedom here and elsewhere around the globe by its growing defensive strength to deter aggression. We should not now by our vote here undermine or weaken that strength.

The American people can be grateful that we are at peace; a vital part of the reason for that peace, in my judgment, is the system of mutual security for which this bill will be a further implementation.

For my part, I am proud to follow the membership of the Committee on Foreign Relations which in overwhelming numbers put its faith in the recommendations of the President of the United States. A year ago we had a debate on the floor of the Senate, and there were some Senators who wanted to overrule Dwight D. Eisenhower with respect to his recommendations for the defense needs of the country. I made no apology for following him on that occasion. I make no apology for following him on this occasion. It will be to the credit of the overwhelming majority of the membership of the Senate on both sides of the aisle that when the roll is called, in good comradeship we will stand up and vote for the pending bill. We will defeat this crippling amendment in a demonstration of the faith the people of this country have in the cause of peace and freedom, through the defensive strength of the Free World.

Mr. KNOWLAND. Mr. President, if there is no further time to be used, I am willing to yield back the remainder of my time.

The PRESIDING OFFICER (Mr. BIBLE in the chair). No time remains for the Senator from Louisiana.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time on the amendment.

The PRESIDING OFFICER. All time is yielded back. All time for debate has expired.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Magnuson
Allott	Flanders	Malone
Anderson	Frear	Mansfield
Barrett	Fulbright	Martin, Iowa
Beall	Gore	Martin, Pa.
Bennett	Green	McClellan
Bible	Hayden	McNamara
Bricker	Hennings	Morse
Bush	Hickenlooper	Morton
Butler	Hill	Mundt
Byrd	Holland	Murray
Capehart	Hruska	Neuberger
Carlson	Humphrey	O'Mahoney
Carroll	Ives	Pastore
Case, N. J.	Jackson	Potter
Case, S. Dak.	Javits	Purtell
Chavez	Jenner	Reverconb
Church	Johnson, Tex.	Robertson
Clark	Johnston, S. C.	Russell
Cooper	Kefauver	Saltonstall
Cotton	Kennedy	Schoeppel
Curtis	Kerr	Scott
Dirksen	Knowland	Smathers
Douglas	Kuchel	Smith, Maine
Dworshak	Lausche	Smith, N. J.
Eastland	Long	Sparkman
Stennis	Thurmond	Wiley
Symington	Thye	Williams
Talmadge	Watkins	Young

The PRESIDING OFFICER. A quorum is present. The question is on the amendment offered by the Senator from Louisiana [Mr. ELLENDER]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

On this vote the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from North Carolina would vote "yea" and the Senator from West Virginia would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

If present and voting, the Senator from Maine [Mr. PAYNE] would vote "nay."

On this vote the Senator from Arizona [Mr. GOLDWATER] is paired with the Senator from North Dakota [Mr. LANGER]. If present and voting, the Senator from Arizona would vote "nay," and the Senator from North Dakota would vote "yea."

The result was announced—yeas 26, nays 61, as follows:

YEAS—26

Anderson	Hruska	Morse
Bible	Jenner	O'Mahoney
Byrd	Johnston, S. C.	Robertson
Chavez	Kerr	Russell
Curtis	Long	Stennis
Dworshak	Magnuson	Talmadge
Eastland	Malone	Thurmond
Ellender	Mansfield	Young
Frear	McClellan	

NAYS—61

Aiken	Gore	Mundt
Allott	Green	Murray
Barrett	Hayden	Neuberger
Beall	Hennings	Pastore
Bennett	Hickenlooper	Potter
Bricker	Hill	Purtell
Bush	Holland	Reverconb
Butler	Humphrey	Saltonstall
Capehart	Ives	Schoeppel
Carlson	Jackson	Scott
Carroll	Javits	Smathers
Case, N. J.	Johnson, Tex.	Smith, Maine
Case, S. Dak.	Kefauver	Smith, N. J.
Church	Kennedy	Sparkman
Clark	Knowland	Symington
Cooper	Kuchel	Thye
Cotton	Lausche	Watkins
Dirksen	Martin, Iowa	Wiley
Douglas	Martin, Pa.	Williams
Flanders	McNamara	
Fulbright	Morton	

NOT VOTING—8

Bridges	Langer	Payne
Ervin	Monroney	Yarborough
Goldwater	Neely	

So Mr. ELLENDER's amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the amendment of the senior Senator from Louisiana [Mr. ELLENDER] was rejected.

Mr. KNOWLAND. I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. LONG. Mr. President, I call up my amendment designated "6-12-57-D" and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 24, lines 7 and 8, it is proposed to strike out the figure "$1,800,000,000" and insert in lieu thereof "$1,500,000,000."

Mr. LONG. Mr. President, I yield myself as much time as I may require.

I now modify my amendment by striking out "$1,500,000,000" and inserting in lieu thereof "$1,700,000,000."

This would represent a reduction of a mere $100 million from the amount recommended by the committee. It is a reduction of approximately 5 percent.

I offer this amendment in an effort to see if there is any disposition on the part of a majority to make any reduction within the bill.

I am frank to say that members of the majority of the committee would have been willing to support a reduction of the bill if there had been a disposition on the part of those in the minority to go along with them in recommending a lesser figure. Some members of the majority of the committee indicated a willingness to vote for a lesser figure if the committee could unanimously report a bill to the Senate, but they felt that if the bill faced further reductions on the floor they should hold out for the figure reported to the Senate.

My amendment, as modified, would make a reduction of a mere 5 percent in the funds available for military assistance, or a reduction of approximately 2½ percent in the overall amount provided in the bill.

I point out that in most of the appropriation bills which have been going through the Senate, there has been a disposition on the part of the Senate to make reductions greater than that made by the Committee on Foreign Relations in this bill. The average reduction appears to have been 7 percent. That would be the reduction the Senate would have made in this authorization if it adopted my amendment, as modified.

If Senators feel they do not wish to vote without making some reduction, I may say that more than $6 billion is already available with which to carry out the program. Therefore, I believe this reduction could be made and should be made.

Furthermore, I suggest to Senators something of which I am convinced myself, namely, that in years gone by Congress has always made reductions in this program, usually in the authorization bill and in the appropriation bill, as well. Undoubtedly there is a tendency on the part of the executive branch to ask for more money than is absolutely necessary, with a realization that there will be some reduction made by the Senate or at least by the House—in one House or the other.

I feel that some Senators would like to vote for a minor reduction in the appropriation, at least. For that reason, I offer the amendment.

Mr. REVERCOMB. Mr. President—

Mr. LONG. I yield to the Senator from West Virginia.

Mr. REVERCOMB. I thank the Senator from Louisiana.

My question is as follows: The reduction in the amount of $100 million, which would be the effect of the amendment of the Senator from Louisiana, if it were agreed to, would be a reduction in the authorization for direct military aid, is that correct?

Mr. LONG. Yes. I should like to point out that if we make this minor reduction, then, when those in charge of the program are subsequently required to testify before the Appropriations Committee, they would be required to explain how this much reduction could best be made in the appropriations for the program. Otherwise, in carrying out the policy of the administration, they would be bound to fight for every last cent of the administration's request.

Mr. AIKEN. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG. I yield.

Mr. AIKEN. If the pending amendment is agreed to, then, when the corresponding appropriation bill is subsequently before the Senate, will the Senator from Louisiana support, in connection with that bill, the amount of the appropriation which his amendment now would authorize?

Mr. LONG. I believe it would still be excessive, so I would fight for some reduction. Even if we are unable to persuade some of our colleagues to vote for what, in your judgment, would be a more appropriate figure, we should not be asked to vote for an excessive figure. The argument which was made in the committee appeared to suggest that if Senators are unable to get their colleague to vote for the figure which they believe to be warranted, they should then vote for a larger figure than the one they would otherwise recommend. I will not yield to that suggestion.

Mr. AIKEN. Will the Senator from Louisiana indicate what he regards as an appropriate amount for this item, for inclusion in the appropriation bill, when it comes before the Senate?

Mr. LONG. I voted for the amendment of my colleague from Louisiana [Mr. ELLENDER]; I think it would have been much more in line. If his amendment had been agreed to, I would have voted for the bill, on the question of final passage. But since his amendment has been rejected, I am frank to say that I do not intend to vote for the bill, on the question of final passage.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment of the Senator from Louisiana.

Mr. LONG. On this question, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LONG. Mr. President, I yield back the remainder of my time.

Mr. KNOWLAND. Mr. President, I hope the modified amendment will be rejected, along with the others.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the modified amendment of the Senator from Louisiana, on page 24, in lines 7 and 8.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Arizona [Mr. HAYDEN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from Arizona [Mr. HAYDEN]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from Arizona would vote "nay."

The Senator from West Virginia [Mr. NEELY] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from West Virginia would vote "nay," and the Senator from Virginia would vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

If present and voting, the Senator from North Dakota [Mr. LANGER] would vote "yea."

On this vote, the Senator from Arizona [Mr. GOLDWATER] is paired with the Senator from Maine [Mr. PAYNE]. If present and voting, the Senator from Arizona would vote "yea," and the Senator from Maine would vote "nay."

The result was announced—yeas 33, nays 52, as follows:

YEAS—33

Anderson	Gore	Mundt
Bible	Hruska	O'Mahoney
Butler	Jenner	Russell
Byrd	Johnston, S. C.	Schoeppel
Case, S. Dak.	Kerr	Smith, Maine
Chavez	Long	Stennis
Curtis	Magnuson	Talmadge
Dworshak	Malone	Thurmond
Eastland	Mansfield	Watkins
Ellender	McClellan	Williams
Frear	Morse	Young

NAYS—52

Aiken	Fulbright	McNamara
Allott	Green	Morton
Barrett	Hennings	Murray
Beall	Hickenlooper	Neuberger
Bennett	Hill	Pastore
Bricker	Holland	Potter
Bush	Humphrey	Purtell
Capehart	Ives	Revercomb
Carlson	Jackson	Saltonstall
Carroll	Javits	Scott
Case, N. J.	Johnson, Tex.	Smathers
Church	Kefauver	Smith, N. J.
Clark	Kennedy	Sparkman
Cooper	Knowland	Symington
Cotton	Kuchel	Thye
Dirksen	Lausche	Wiley
Douglas	Martin, Iowa	
Flanders	Martin, Pa.	

NOT VOTING—10

Bridges	Langer	Robertson
Ervin	Monroney	Yarborough
Goldwater	Neely	
Hayden	Payne	

So Mr. LONG's amendment, as modified, was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the amendment of the Senator from Louisiana [Mr. LONG] was rejected.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I call up my amendments at the desk, labeled "6-13-57-B," and ask the clerk to state them.

The PRESIDING OFFICER. The amendments will be stated.

The CHIEF CLERK. It is proposed on page 31, beginning after the period in line 12, to strike out through line 9 on page 32; and on page 32, beginning after the period in line 20, to strike out through line 2 on page 33.

Mr. MORSE. Mr. President, in a moment I shall yield to the Senator from Minnesota. Before I do so, I want to advise the Senate what my plans are so far as my amendments are concerned, because I think it is fair to notify the Senate in advance. Of the amendments I have sponsored and co-sponsored, there are two on which I should like to have yea and nay votes. The pending amendment is one of them.

Therefore, before Senators leave the floor to attend engagements they have, and pending this debate, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, before I turn to the amendments, I should like to discuss a couple of ancillary matters. I should like to have the attention of my junior colleage for a moment, and the attention of the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Rhode Island [Mr. GREEN] as to the second ancillary matter.

I wish to say, for the RECORD and for my good friend, the junior Senator from Oregon [Mr. NEUBERGER], that I want the RECORD to show that the closest personal relationship exists between the two Senators from Oregon. I think it would be proper to describe our relationship as one of very deep, intimate friendship.

I am perfectly aware of the fact, as is the junior Senator from Oregon, that there are in our State political forces opposed to each one of us which would seek to give the impression, whenever we differ on an issue in the Senate of the United States, that the hour has arrived for the break between MORSE and NEUBERGER.

I wish to say, Mr. President, they are going to be just as disappointed over the disagreement that exists between the two Senators from Oregon in regard to this particular matter as they have been in the past, and I wish to assure them that in the future they will continue to be disappointed.

The junior Senator from Oregon and I have a very sincere difference of opinion over the terms of this bill. We particularly have a very sincere disagreement over an argument the junior Senator from Oregon made this morning, which I respectfully say is going to be misinterpreted and twisted by our

respective and mutual political enemies in our State. In part it already is being twisted into meaning that we have broken with each other personally.

Therefore, I intend to make the RECORD perfectly clear here and now as to my position on my colleague's argument. I want him to know, as I present my point of view on his argument, that I do so on the basis of the same professional differences that exists between us on this issue as it does on a very few others, although in most cases we stand shoulder to shoulder, of one mind, on legislation before the Senate.

Mr. NEUBERGER. Mr. President, will the Senator yield to me?

Mr. MORSE. I am glad to yield to my colleague.

Mr. NEUBERGER. Before the senior Senator from Oregon commences his presentation, with which it is possible I might disagree, I should like to corroborate his statement that between us there is the friendliest of personal relationships, in spite of any particular differences we might have on the policy involved in this bill.

I think I can best emphasize that by an illustration from my own career. I believe I had the unusual privilege or experience of serving several terms in the Oregon State Legislature when Mrs. Neuberger happened to be a member of that same body. There were occasions when Mrs. Neuberger and I voted differently on issues before the Oregon State Legislature, but I might say, in conclusion, that I am still married to Mrs. Neuberger.

Mr. MORSE. Which makes you very fortunate.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. NEUBERGER. Is there any doubt of that statement?

Mr. HUMPHREY. I merely wanted to say that the Senator is extremely lucky.

Mr. NEUBERGER. I thought maybe the Senator from Minnesota had different information.

Mr. MORSE. I wish to say to my friend, the Senator from Minnesota—and I hope this will not be considered in violation of rule XIX—that although I am exceedingly fond of my junior colleague, I think he got the better of the bargain in that marriage. [Laughter.]

Mr. President, this morning my junior colleague made an argument to the effect that those who oppose this mutual security bill seem more interested in saving American dollars than American blood. He referred in the course of his remarks to the bitter opponents of this measure, and unfortunately that phraseology has been picked up by representatives of the Oregon press, and I have been asked what I have to say about my colleague's reference to me as a bitter opponent of this measure. I have jokingly replied that I am satisfied my colleague does not consider me a bitter opponent of this bill. I have said further than neither did my colleague make personal reflection upon the senior Senator from Oregon by his comments this morning. But we do have a very honest difference of opinion as to the effect of the position taken by the opponents of this bill on the security of American boys overseas.

My colleague's argument left with some, at least, the impression that the opponents of this bill in its present form are strongly in favor of drafting young men for warfare overseas, but not for drafting dollars.

I think it ought to be clear, Mr. President, without having to say it, that there is not a Member of this body who would not place the value of American lives far above the value of American coins. Those of us who are opposed to this bill, Mr. President, are opposed to it because we think improvements in the bill would better protect American lives overseas.

Therefore I wish to stress, Mr. President, that my colleague and I are not in disagreement at all about the desirability of seeing to it that American lives overseas are protected. We are in disagreement, apparently, as to the best means and procedure to assure such protection. That is the main point, Mr. President. That is my difference of opinion with my junior colleague on this specific issue.

I wish to stress that those of us opposing this bill in its present form think that there would be better protection for our boys overseas if this bill were modified along the line of the amendments we are proposing. The danger in this bill, as we see it, Mr. President, is that unless essential Congressional controls over foreign aid are maintained and extended, and unless some of the authorizations for appropriations are modified or reduced, we may very well find in the future that we have followed a course of action which in fact endangered American boys overseas.

If there is any doubt, Mr. President, about why we take this position, let us take a look at the record to date on this point. What has happened to aid in the past?

We shipped enormous quantities of military aid to Nationalist China, when that Government was still on the mainland—hundreds of millions of dollars worth, or perhaps more. No one, apparently, will ever know how much. And we shipped hundreds of millions of dollars worth more of military aid to Korea. Then what followed? How much of that military aid, in the form of guns, tanks, and bullets which went to the Chinese, to the Koreans, and others—was used against our young men when they had to fight in Korea? How many hundreds or thousands of casualties did our own equipment in enemy hands cause among our own forces in Korea—among the young men about whom my colleague, the junior Senator from Oregon, is so rightly concerned? How many of them suffered because of past mistakes we made with respect to aid?

Yet my colleague, I am afraid, has left the impression that some of us, when we want to put this aid under what we think is a necessary, better control, are more interested in saving dollars than in saving lives.

Mr. President, we also sent to Formosa hundreds of millions of dollars' worth of military aid. What happened after that?

I suggested the other day that in some parts of the world Formosa is referred to as an American puppet state. We are not going to change that attitude by a verbal denial of it, Mr. President, because that view is held in many parts of the world. But this puppet got out of our hands the other day and broke some strings and put on it's own show and that riotous show did not increase our prestige either in Formosa or in other parts of the world. That is not the only trouble we have had with Formosa, Mr. President.

After we had given hundreds of millions of dollars worth of military aid to Formosa, we had to send the 7th Fleet with thousands of Americans into the Formosa straits to keep those arms from falling into the hands of the Communists. That fleet is still there, Mr. President, and it is still hovering on the brink of war—an achievement which the Secretary of State regards as his diplomatic masterpiece.

Let us go from there to the Middle East, Mr. President. What happened there? The President and the Secretary of State came to Congress a few months ago and asked for dollars—dollars for military aid and dollars for political handouts in the Middle East. He got the dollars and a free hand to use them—over the protests of some Senators, including the senior Senator from Oregon. The President and the Secretary of State have doled out tens of millions of these dollars to one Middle Eastern state after another—to decent states and abominable states, to friendly states and unfriendly states, as well as to dictatorial states.

And then what happened? The President had to move the 6th Fleet—I underline "6th," Mr. President, lest it be confused with the 7th Fleet which, as I already have noted has thousands of Americans on the brink of war off Formosa—the President moved the 6th Fleet with more thousands of Americans abroad closer to the brink of war in the Middle East.

Take a look at what is happening in South Asia, Mr. President, if you want to know why there are opponents of this bill. We have sent tens of millions of dollars of military aid to Pakistan and tens of millions more for defense support so that the Pakistanis can maintain the swollen military establishment that the military aid makes possible. What repercussion does this have across the border in India? The Indians got worried about the expansion of Pakistan's military forces so they divert their scarce resources to expanding their own military forces. Then the Communist threat grows in India because the Indians are spending so much on their military that they do not have enough to make progress in an economic sense as fast as they should. So we send economic aid to India to make up for diversions to their military establishments and thereby to halt the growth of communism in that country.

All this, Mr. President, and military aid to Yugoslavia and to Spain—all this, Mr. President, in the name of freedom, in the name of America's security and interests. All this, Mr. President, in the garb of Mr. Dulles' peculiar international morality.

I said it before and I say it again. There are opponents of this measure, not because of a greater interest in American dollars than American lives. There are opponents because foreign aid, in its present form, is a fantastic formula for futility. It is costing us our dollars, our prestige in many places, and unless we make the changes that must be made in this legislation, I fear it is going to cost us American lives.

Tonight from this desk in the Senate I wish to say to the people of the State of Oregon that the reason for my opposition to the bill in its present form is not that I care more for dollars and less for the lives of American boys, but because I care so much for the lives of American boys that I think the Senate should act after much greater scrutiny and pass a much sounder bill than this bill is in order better to protect American boys.

If we were to follow the course of action which those of us who have opposed the bill are recommending, we would not be sending so many American boys abroad. In my judgment we are sending too many.

I wish to say further that if we were to follow the course of action which some of us are recommending by way of amendments to the pending bill, we would have a sounder mutual security program, a program which would strengthen America abroad as well as at home, and which would therefore result, in my judgment, in greater defense of our country, and also in greater protection of the lives of American boys.

Likewise, we would strengthen freedom abroad, because the amendments which some of us propose would at least seek to taper off our giving so much encouragement to totalitarian states abroad.

I wish to say, as I said to my colleague earlier today, that for quite some time I have advocated a thorough overhauling of the American military program. As I said on the floor of the Senate yesterday—and I will not repeat it in detail today—we should recognize that we have entered the nuclear age. In recognizing it, we ought, therefore, to recognize the need for a complete overhauling of our Military Establishment. We are wasting manpower. In our Military Establishment, in many respects, we are following an obsolete program. We ought to take an example from Great Britain, which has recognized the nuclear age ahead of her, and is already overhauling her military establishment. She recognizes that the world has entered the nuclear age.

I repeat what I said yesterday. I am a little amazed at the rationalization of those who are trying to say that Great Britain is making her military savings at the expense of the taxpayers of the United States. My answer is, "Tell it to Great Britain."

I believe that so long as there is a Great Britain, her history will continue to be, as it has always been, one of defending herself. She does not propose to rely upon the United States, or any other nation, for her national security. She is willing to cooperate in a joint effort toward mutual security, such as that represented by the NATO organization, in the common defense of freedom; but she does not propose to substitute America's defense for Great Britain's defense, so far as her own security is concerned.

I make these remarks because I think they are due not only to myself and to my colleague, but also to the people of the State of Oregon who might be confused by those partisan critics who would read into our difference of opinion over this particular issue a personal split between us.

My comments to my friend from Arkansas [Mr. FULBRIGHT] and to the chairman of my committee [Mr. GREEN] will be exceedingly brief.

In reply to the chairman of the committee and the Senator from Arkansas, who have expressed some little resentment over certain comments I made as to the basis, in part, of the vote in the committee recommending this bill to the Senate, let me say that I am sorry that they resent my comments. However, I made it perfectly clear in committee that I did not think a bill should be reported by the committee with a single vote based upon the idea that there ought to be authorized a figure higher than the members of the committee thought the figure should be. We ought to send to the floor of the Senate the exact figure which we think ought to be in the bill. If we do not do so, in my judgment we destroy the committee procedure of the Senate, because if Senators cannot be sure when a bill comes before them for consideration, that the figures in the bill represent the true views of the committee, our committee reports will become worthless. If committees are going to put figures in a bill for bargaining purposes, the result is deception and confusion. I do not believe that a committee submitting a report to the Senate has any right to place in it a figure for bargaining purposes. I cannot square such a practice with honest committee reporting.

I have before me the transcript of the views of my friend from Arkansas, to the effect that legislative processes in the Senate would break down if Senators followed what he referred to as the purity of motives of the Senator from Oregon.

In my opinion, my motives are no different than the motives of the Senator from Arkansas. I dislike to think that the procedures of the Senate would break down if committees were to submit to the Senate reports based upon what each member of the committee, when he comes to vote in the committee, believes is a report containing recommendations for expenditures which should be made. We should be motivated in committee by the motive of reporting to the Senate the true figures in an authorization bill that we think the Senate should approve. Nothing more or less.

If that is an unreasonable purity of motives, I shall always be perfectly willing to plead guilty. But I say to my friend from Arkansas that I am satisfied the American people expect exactly that kind of action from Senate committees.

I turn now to the amendment, on which I shall be exceedingly brief. I discussed it at some length yesterday. The amendment limits the development fund to the authorization of $500 million for the next fiscal year.

It strikes out the authorization given the fund to borrow $750 million from the Treasury in fiscal 1959 and $750 million more in fiscal 1960.

This is in line with the recommendation of the Special Committee To Study Foreign Aid that the development fund is now to be a permanent fund for repayable lending operations, and therefore should be set up in separate legislation:

> The committee does not believe that such a fund can be established on a businesslike basis unless it is treated apart from the other types of aid. The one possible exception is technical assistance, whose purposes while presently distinct, in the long run dovetail with those of economic development.
>
> Further, the committee believes that this fund is too important to be set up in haste. Interim measures may be necessary, but the fund should not be established in permanent form until its implications have been fully examined by the executive branch and the appropriate committees of Congress (p. 30 of special committee report).

The report then lists seven criteria for the fund, which, in my judgment, are only vaguely met in S. 2130, in section 202.

Also, S. 2130 calls for operation of the fund as a special unit within the International Cooperation Administration under an Administrator who will be appointed by the President and confirmed by the Senate. If he got the full $2 billion to manage, by 1960 he would be handling more than is proposed for school construction over the same period, for example. One would think Congress would be as painstaking in setting up a foreign loan program as it has been over school construction.

Mr. President, in order to save time, I ask unanimous consent to have printed in the RECORD at this point in my remarks certain excerpts from the report of the special task force groups—I think that is a proper phrase to use to describe them—which the Committee on Foreign Relations asked to assist in preparing the report in regard to the mutual security program.

I hold in my hand the hearings on the bill. There are available to all Senators the individual reports on the individual subjects involved in the mutual security program from the so-called task force committees. However, on page 725 of the hearings before the Committee on Foreign Relations there are some quotations from these studies and from the Report of the Special Senate Committee To Study the Foreign Aid Program which raise questions concerning military aid.

One of the task force committees made some comments in regard to the military assistance as aiding totalitarianism. I ask unanimous consent that the statement on that subject found on pages 725 and 726, be printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MILITARY ASSISTANCE AS AIDING TOTALITARIANISM

It is nevertheless important to be fully cognizant of the limitations on the effectiveness of military aid in situations where the recipient is an authoritarian regime, a caudillo-type one-man government, or a military dictatorship. It matters not that we have no intention for the grant of aid to constitute a seal of approval on the government in power. What does matter is the interpretation put on our action by the people of the recipient country, and by the community of democratic nations, especially those that are near neighbors of the dictatorial regime. Especially as regards their own publics, dictatorships often show real imagination in exploiting American assistance as evidence of full United States approbation.

The implications of military aid in this situation are a great deal more serious than would be the implications of economic or technical aid. The act of "standing up and being counted" which military air requires, and which makes neutral countries refuse that aid, works in reverse for the local strong man. From military aid, he and his government get an identification with the United States; the dictator can take countless opportunities to impress his people with the fact of American backing. But apart from the propaganda value the regime is able to extract from military assistance, the people are reminded, whenever they see American equipment, of the internal impact of United States assistance. For the planners in Washington, the half dozen light tanks or propeller-driven fighter planes, the obsolete field pieces and well-used Army 6-by-6's, supplied by the United States, may have some slight meaning in overall defense strategies; or they may have been used in bargaining tools in negotiations over base rights. To the people in certain recipient countries, they are instruments that entrench the ruler in power and make his removal that much more difficult. (The Military Assistance Program of the United States, Institute of War and Peace Studies of Columbia University, p. 72.)

Mr. MORSE. In essence, what the task force committee said was that we need to study the military-aid program from the standpoint of what we are doing to strengthen, not freedom, but totalitarianism, in the world, and the extent to which our military aid is weakening the cause of freedom and strengthening the cause of totalitarianism. No Member of the Senate is more opposed to the dangers of international communism than is the senior Senator from Oregon. However, I wish to say that we ought also to be equally concerned about the dangers of international fascism. When we see military and economic aid going to many totalitarian governments of a Fascist nature—and in some instances of a Communist nature too—I believe we ought to take the advice of our special committee to carefully analyze the effects of the mutual-security program, and this year go as far as my amendment proposes to go in regard to the development loan matter, and proceed during the year to study the subject before we bring forth, the permanent legislation the special committee recommends.

The next subject in this summary is military assistance as a factor in slowing down economic development. Our task force committee has some very interesting things to say in its report as to the weaknesses of some of the aspects of our military-assistance program in slowing down economic development in the very countries to which we are sending the military aid.

I ask unanimous consent to include these quotations from the report in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

MILITARY ASSISTANCE AS SLOWING DOWN ECONOMIC DEVELOPMENT

Finally, it has been noted in this inquiry that the creation of military establishments through military and beyond the capacity of less developed countries to maintain out of their own resources stimulates demands on this country for additional nonmilitary aid for their economies and in some cases retards their economic development. (Final report, p. 12.)

One wonders also whether it is not possible that existing military aid objectives in Turkey may partially run counter to existing nonmilitary aid objectives: Whether Turkey can fulfill present military objectives and at the same time achieve a stable and expanding economy. One could envisage a situation, I do not say that it exists now, where Turkey's military effort plus United States military aid might be working against the United States purely economic objectives in Turkey. (Greece, Turkey, and Iran—Norman Armour, p. 7.)

If Greece were not spending $130 million annually on military expenses, it would probably allocate part of that figure to economic development—to industrial expansion, water development, reclamation, and agricultural production. The United States mission felt, I think, that Greece's military expenses were not a seriously negative factor in Greece's economy, so long as United States assistance is available. But I am inclined to feel that this particular question needs further study. For in the end, United States military aid objectives for Greece and NATO force goals and requirements will not be realized or will be self-defeating if, at the same time, the Greek economy is weakened or its development deterred as a result. One wonders to what extent these economic factors are sufficiently considered at the time that force goals and military requirements are established by NATO. (Greece, Turkey, and Iran, Norman Armour, p. 21.)

Moreover, in the treaty areas (notably, Korea, Vietnam, Taiwan, and Pakistan) the conditions under which this [military support] aid was granted—linked as it was to the maintenance of military forces much larger than could be supported by the economies of these countries—diverted energy, administrative talent, and resources away from the tasks of long-term economic development * * *.

On the other hand, it is equally clear that the attempt of an underdeveloped country to maintain an excessively large military establishment can be a serious handicap to economic development. Under such conditions limited resources are diverted from investment and the inflationary pressures which result cannot be checked by increased production. Any large defense budget is bound in some degree to conflict with the goals of a development program by diverting resources to military purposes which could otherwise be used for developmental investment. (The Objectives of United States Economic Assistance Programs—Center for International Studies, MIT, pp. 13, 29.)

The impact of military buildup on the economic life of a country has been a recurrent theme through these pages. In order to avoid certain undesirable or damaging consequences of the military program, it often proves necessary to complement military aid with other carefully coordinated American assistance programs. Thus we can accomplish less within an overall foreign aid figure set by the Congress than would be the case if some part of those funds were not required "to cover the damages," as it were, occasioned by the military program. (The Military Assistance Program of the United States—Institute of War and Peace Studies of Columbia University, p. 69.)

Mr. MORSE. It illustrates what I said all through this debate, that we ought to take a good long look on what is happening by way of results to our mutual security program, rather than to take the bill with what I consider to be many of its extravagant provisions and adopt it without any kind of modifications that even our special committee respectfully suggested, that we ought to take into account.

Mr. President, next, one of our task force committees gave us findings on the subject of the possibility of military aid being diverted to uses other than those contemplated. They bear out what I have said in some of my speeches on the floor of the Senate, that our military aid has been diverted in many instances to purposes not contemplated by Congress.

That is why I think we ought to modify the bill this year, as some of us have been seeking to do, in order to avoid this kind of weakness which expert task forces and our own special committee have warned us about.

I ask unanimous consent that that material be inserted in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

POSSIBILITY OF DIVERTING MILITARY AID TO USES OTHER THAN CONTEMPLATED

"It has also been brought to the committee's attention that military aid intended for defense against Communist aggression may act inadvertently to stimulate rivalries among non-Communist countries, including those which are recipients of aid. The net result may be the development of competitive demands for military aid, with consequent unnecessary increases in the cost of the program" (final report, p. 12).

"It is disconcerting to an American, who considers all-important the Communist menace, find officers of a non-Communist country also thinking in terms of possible military operations against a neighboring people of the same faith. More than one of these nations is using United States funds to build and equip armed forces, some of whose officers and men seem to think of their mission only in terms of ancient hostilities and rivalries. Communism and Communist aggression obviously do not constitute the primary menace, nor provide alone a sufficient challenge to motivate current military training programs" (Southeast Asia—Clement Johnston, pp. 9–10).

"Indian statesmen express an aversion to armaments and military alliances as more likely to lead to war than to peace. They claim that their own defense budget, a drain on scarce resources, has to remain high because of the American military aid to Pakistan" (South Asia—Lewis Webster Jones, p. 18).

Mr. MORSE. Then, Mr. President, we had a very interesting report from one of our task committees dealing with the subject of adverse psychological impact of military aid. One need only to read the committee report on this matter to know that here again those of us who have been urging modifications in the mutual security program have been thinking about the interest of our country and have been thinking about the interest of the boys whom we are going to put into the military service to carry out by military operations, if necessary, this program. In calling for modifications in the mutual security program, one must expect to be charged with being an isolationist, and I wish to say again, as I said yesterday, that I am asking for these modifications in the mutual security program not as an isolationist, but as an internationalist who yields to no man in his recognition of the importance of free nations standing together in mutual security against the threat of international communism, against the possible threat of international fascism.

I ask unanimous consent to have that excerpt printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

ADVERSE PSYCHOLOGICAL IMPACT OF MILITARY AID

"Most Western European nations have long military traditions and have largely succeeded in harmonizing a large military establishment with the institutions of parliamentary government, individual freedom, and civilian supremacy. * * * But over the long run, the outcome is unpredictable with respect to the underdeveloped countries of the Near East, south Asia, and the Far East. Many of these nations are newly independent and without experience in keeping large armed forces from playing a decisive role in their internal politics.

"The intention here is not to imply that the countries of Asia will, necessarily or for any inherent reason, prove less capable than the advanced nations of the West of maintaining military forces in being for long periods. The point is to suggest that the situation is full of imponderables. If the size of the forces is so large as to bear little relation to the country's potential, are the economic, political, and psychological centers of gravity likely to shift from the civilian into the military sector of national life? What are the implications for future internal peace and stability of teaching larger numbers of citizens to handle small weapons and perhaps accustoming them to eating, dressing, and being paid better than they would be if there had been no military aid or if it were to stop?" (The Military Assistance Program of the United States—Institute of War and Peace Studies of Columbia University, pp. 56–57.)

"The number of American jeeps, American uniforms, American faces, which one encounters on the principal streets of the principal cities seems disproportionately large to a native population that has an innate mistrust or resentment of anything alien or nonnational.

"No 'Americans Go Home' signs have yet appeared and they may not appear as the people are both well mannered and grateful, but a marked reduction in the numbers and ubiquity of American personnel and in overmeticulous American supervision of local operations seems clearly desirable" (Southeast Asia—Clement Johnston, pp. 11–12).

"The underdeveloped countries face a further problem with respect to their citizens who have received military training, served their tours, and are then released. The critical factor is their successful reabsorption into the civilian economy, for the alternative is potentially threatening to political stability and internal security. During their army tours these men receive a sort of dual conditioning: on the one hand, to appreciate a standard of living frequently higher than they enjoyed before (however low the standards in the local armed forces might appear by our criteria); and, on the other, to handle small arms with facility. Turning on the country substantial numbers of men conditioned in this way may provide numerous potential recruits for armed guerrilla and bandit gangs" (The Military Assistance Program of the United States—Institute of War and Peace Studies of Columbia University, p. 70).

Mr. MORSE. Then we have another report from a task committee on the subject of military aid as a benefit to the ruling class against the people.

One of the great weaknesses of some of the aspects of the mutual security program has been that too much of it has been used in too many countries to strengthen the domination and control of the ruling class over the masses of the people in the country, and thereby keeping down the freedom of those people.

I ask unanimous consent that there be included in the RECORD at this point the excerpt from the task force report on that subject.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

MILITARY AID AS BENEFITING THE RULING CLASS AGAINST THE PEOPLE

"United States aid is termed by another respondent as constituting 'a type of intervention in favor of the political party in power and against the "outs".' Inevitably, such intervention would worsen relations."

"* * * In Thailand arms aid is felt to enhance the power of politicians" (views of private American citizens abroad on the foreign-aid program, pp. 5, 10).

"There is one situation requiring prompt action and immediate correction. Conditions which existed at the time have justified the United States decision to support the currencies of Vietnam, Laos, and Cambodia at the arbitrary rate of 35 piasters or other local currency to the dollar. Today that figure is utterly unrealistic, as becomes apparent when we examine the need for monetary reform in Vietnam. The added and unnecessary cost to the United States taxpayer is approximately $20 million a month. This money is not going into public treasuries; it is going into private pockets. Of even more importance, the faith of the newly freed people of the area in the integrity of democratic government is being shaken by the spectacle of the undeserved enrichment of a favored group" (Southeast Asia, Clement Johnston, p. 10).

Mr. MORSE. Lastly, I ask unanimous consent to have printed in the RECORD a task force report on general questions concerning military aid.

The PRESIDING OFFICER (Mr. CLARK in the chair). Is there objection?

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

GENERAL QUESTIONS CONCERNING MILITARY AID

The success of the United States aid program from this point on would seem to depend not so much upon the number of divisions trained and equipped and ready for the field, nor upon the number and diversity of economic aid programs, nor upon the impressive totals of United States dollars expended. It must rest upon the enduring conviction of the people themselves that United States aid was and is offered to help them do the things best calculated to improve their lot and make their people healthier and happier. To succeed, it also must be followed by a permanent, self-sustaining, stable economy. (Southeast Asia, Clement Johnston, p. 4.)

The committee urged the President to continue to examine the budgetary estimates for military aid for fiscal year 1958 with a view to additional reductions. In this connection the committee calls attention to three specific questions: (1) The suitability of the level of military aid and the types of arms being provided to less developed countries; (2) the possibility that competition for arms aid among recipients is adding unduly to the cost of the program; (3) the possibility that in planning foreign aid programs, insufficient consideration is given to the impact of arms aid as a factor in generating increased needs for supporting aid. (Final report, p. 26.)

Mr. MORSE. These excerpts deal primarily with military aid, but they point up the interrelationship of military aid upon economic development. They support, I think, my contention that we should modify the development loan fund to the extent of taking the time, as my amendment proposes, for a study this year before we adopt further authorization for the development fund.

The last point I make is an answer to the argument of the State Department. The major argument of the State Department is that my amendment would prevent long-time planning. I said yesterday, and I repeat this evening, that that is pure nonsense. There is not anything in my amendment which prevents long-time planning, just as there has been nothing up to now that would have prevented long-time planning on the part of the State Department. The State Department ought to come forward with long-time blueprints. I think we have the right to ask them to prepare long-time blueprints.

But, Mr. President, long-time planning does not mean that we have to give them carte blanche authorization now to carry over until after the 1958 election, at which time the American people, at the polls, should have the opportunity to register their opinion of this foreign policy issue as well as other issues.

We ought to say to the State Department, "Give us your longtime plan, and we will proceed to help you implement it. But we will help you proceed to implement it on the basis of annual authorizations, because we believe that if we are properly to represent the American people, we ought to authorize funds for projects year by year in keeping with the longtime blueprint."

I am at a loss to understand the argument of the State Department. They say that unless they can have funds authorized and pledged in advance, so that they can negotiate agreements with foreign countries, they will have difficulty in getting foreign countries to enter into agreements with them. I guess the foreign countries do not want the help very much, if that is true. The State Department will not have any difficulty, in my judgment, in getting understandings and agreements on the basis of the blueprint plan if the State Department will prepare one.

What the State Department really wants, in my judgment, is to have these funds authorized. Then they will commit the funds by way of understandings, so that if subsequently Congress should change its mind in regard to the feasibility and advisability of the plan, the State Department can come forward, as I said last night, with the argument, "Ah, but we are in honor bound. We have given our Nation's word."

I repeat, as I close, the argument which is made that we can repeal the course of action we take under this bill; that we can subsequently change our mind; that we can take action which would deauthorize the funds, in effect. That argument would not result in a corporal's guard in the Senate voting for such deauthorization after we got through listening to the argument, "But we have given our word to the representatives of the foreign governments that this was going to be a program of the United States, and we have pledged the money on that basis."

Mr. President, we have time. We have plenty of time. Let us follow what I think was the clear import of the special committee, which happened to be composed of the members of the Committee on Foreign Relations, the chairman of the Committee on Armed Services, and the chairman of the Committee on Appropriations, when they submitted to us the special report containing the language I cited earlier in my speech, recommending that we ought to take under advisement the matter of the longtime program, study it, and properly prepare permanent legislation in respect to it, if that is what our study should suggest. But this year we ought to do our authorizing on an annual basis.

Therefore, in effect, I have cut out 1959 and 1960, not with any intention at all that we will not carry forward with a long-time plan for 1959 and 1960, but simply that we will not authorize any funds for those years as of now.

Mr. President, I ask unanimous consent that I may have printed at this point in the RECORD a statement prepared, I understand, by the State Department, in opposition to my amendment, a statement which I believe I have answered in my presentation of my amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

We are informed that Senator MORSE will introduce an amendment which would deprive the proposed Development Loan Fund of authority to borrow $750 million in each of the fiscal years 1959 and 1960.

1. We believe that this amendment would effectively destroy the concept of the proposed development fund. The major change represented by the fund is the assurance that specific future resources will be available for development financing after fiscal year 1958. This assurance is the essential characteristic of any financial institution, particularly one devoted to assisting a long-term process like economic development. If this change is not made, the fund will not be a fund at all; it will be only a new name for continuing existing practice.

2. If we are thus forced back into dependence on annual appropriations for development financing, all the major deficiencies in the present system will be perpetuated. These deficiencies have been emphasized in virtually all the studies of development aid made for the Congress, the executive branch, and by competent public groups:

(a) The United States cannot plan ahead with the receiving countries for the resources which we and they provide for development purposes. These countries are not encouraged to prepare or to embark on needed long-term programs for which our continuing help is required. And yet short-term uses of their and our resources are wasteful.

(b) It is difficult for the United States to work with private investors and existing public lending institutions in ways which might increase their activity. Here again effective results depend to a crucial extent on our being able to provide convincing assurance that we will stay the course.

3. Only if the fund is assured of future resources can it employ businesslike procedures which will stimulate the receiving countries and other financing sources to greater activity. Without this assurance, they will be as reluctant to work with the fund on a long-term basis as private individuals would be to work with a commercial bank if they did not know whether from one year to another it would be in business. And yet our development financing is too limited in amount to achieve its purpose unless it has a marked catalytic effect in mobilizing these other resources.

4. Convincing assurance of future resources can only be secured by legislative action which sets specific sums aside for use in future years. If the fund were provided with only $500 million, this would suffice for only fiscal year 1958, and the fund would have to seek new annual appropriations thereafter. A general declaration in the law, or even an advance authorization for these appropriations would provide no reasonable assurance that they would be forthcoming.

5. The proposed method of capitalization would not impair Congressional control of the fund's resources—particularly in the initial testing period. Should the Congress decide to end the fund's existence before fiscal year 1959 or 1960, it could do so—without the fund having obligated any of the money which it would have borrowed from the Treasury in those years. For the fund would not be allowed to obligate this money until fiscal year 1959 and fiscal year 1960, respectively. If its existence came to an end before then, the money would be intact. This limitation, which was not placed on the annual drawing power of the Export-Import Bank, would insure that the Congress retained the power to make any changes in the scale of the fund's activity shown to be needed by unfolding experience.

Mr. JOHNSON of Texas. Mr. President, would the Senator from Oregon desire to yield back the remainder of his time, if we yielded back the remainder of our time?

Mr. MORSE. Yes; although I think my colleague desires some time.

Mr. JOHNSON of Texas. Does the junior Senator from Oregon desire 10 minutes in opposition to the amendment?

Mr. NEUBERGER. Yes; I am opposed to the amendment.

Mr. JOHNSON of Texas. I yield 10 minutes to the junior Senator from Oregon.

But first, Mr. President, I should like to yield 1 minute to the distinguished junior Senator from New Jersey.

Mr. CASE of New Jersey. Mr. President, yesterday the distinguished junior Senator from Georgia [Mr. TALMADGE] discussed our program of economic aid. He cited several examples which he said had occurred under this program.

I have asked the International Cooperation Administration to comment on several of these. I do not believe the RECORD would be complete without clarification of those examples.

I should like also to call attention to the statement in the Senate Foreign Relations Committee report that, so far as military assistance is concerned, "complete, detailed figures are available in the Foreign Relations Committee room to any Senator and will be available in the Senate Chamber during consideration of this bill for confidential examination by any Senator."

I therefore ask unanimous consent to have printed at this point in the RECORD the statements consisting of quotations from the statement made yesterday by the junior Senator from Georgia and the comments on those statements by the ICA.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

Statement: "While many of our farmers can't get their crops to market over muddy roads, we build a huge 6-lane turnpike in Portugal to a gambling resort."

Comment: No United States aid funds, dollars or counterpart, have been used for highway construction anywhere in Portugal. The highway referred to was built by the Portuguese Government and opened to traffic some 6 months before counterpart funds were released.

Statement: "While unfair foreign competition is closing the doors of numerous American industries, we continue to send our technicians and machines to foreign lands to provide the know-how to produce goods that will destroy markets for our own due to the vast differential between slave wages and free wages."

Comment: The more developed the country the better customer it is.

United States experts in 1955 per inhabitant of the country

Developed countries:	
Canada	$205.27
Netherlands	44.47
United Kingdom	17.99
Germany	11.90
Japan	7.16
Underdeveloped countries:	
Egypt	3.40
Iran	2.55
Indonesia	.91
Pakistan	.70
India	.49

Statement: "Why, we have even built public rest rooms in the Philippines and bathing facilities for Egyptian camel drivers. We have sent collapsible toothpaste tubes to Cambodia, dress suits to Grecian undertakers and iceboxes to Eskimos."

Comment: With regard to the "dress suits for Grecian undertakers, public baths for Egyptian camel drivers and even iceboxes for Eskimos" charge, this has no basis of fact whatsoever.

Statement: "We have set up a pension program for overaged Nationalist Chinese soldiers."

Comment: Over the last 2 years through the mutual security program the United States has found it in its interest to contribute to the rehabilitation of retired Nationalist Chinese soldiers. This program has met a specific military and political objective in Taiwan and been considered a successful solution to the matter which has

been of some concern to Formosan and United States representatives there for some time.

Statement: "Was a plant built for processing silica and then allowed to stand idle when the anticipated silica deposits did not materialize?"

Comment:

1. Probable project referred to: Treatment plant at Suso for concentration and furnishing mica and quartz products from a mine nearby in Ilan Prefecture.

2. United States aid furnished: $37,000 in United States dollars for machinery and equipment. Loan of local currency of equivalent to approximately $40,000 at current exchange rate for rehabilitation of mine and processing plant.

3. Project development: Studies undertaken prior to the obligation of United States aid funds indicated that there were sufficient deposits of mica to justify undertaking this project. Construction of plant was completed in July 1954. Extensive exploration subsequently failed to locate sufficient quantities of mica for a commercial mining operation. By this time about half the equipment had been installed. The other half has been stored pending allocation to other needs, and for this the Chinese Government has been requested to refund $18,323.03 to the United States Government. The half that was installed is being usefully utilized in pulverizing talc and limestone.

Statement: "We have built iron and steel plants costing nearly a billion dollars in 24 countries."

Comment: In the first period of the Economic Cooperation Administration's program in Europe the United States contributed substantially to the reconstruction of the iron and steel plants of almost a dozen European countries. This steel capacity obviously required rebuilding if Europe was to get on its own feet, which, of course, it has done very successfully. In other parts of the world through the mutual security program there has been no assistance provided for the building of iron and steel plants. As a matter of fact very few of the less developed countries are in a position to finance and sustain a large industrial plant of this kind. There have been isolated instances of equipment provided under the aid program for scrap collecting plants but no iron or steel plants themselves.

Statement: "We spent $2 million to provide water and public bath facilities for 200 Lebanese villages."

Comment: The village water supply program in Lebanon is part of that country's own development program. It is a by-product of the Litani River Basin development project, the first phase of which is being financed by an IBRD loan of $27 million.

The village water supply improvement program is an undertaking of the Lebanese Government now in power, a Government which is strongly pro Western and which is now being voted on by the Lebanese people, and is a program designed to do something to improve the standards of living conditions for the Lebanese people. Its purpose is to improve living conditions in the villages so Lebanese will be encouraged to stay in their villages rather than move to Beirut and Tripoli and thus bring about slum conditions in these urban centers.

The United States has contributed about $2 million of materials, supplies, and equipment for water-supply improvements in about 175 villages. The Lebanese Government itself has spent more than $7 million.

The primary purpose of the project is to provide the villages with safe drinking water supplies.

If there are any public baths connected with the projects it is simply because that where you have running water, a bath or water closet is a natural result.

Statement: "We have built an Italian village that nobody wanted to live in."

Comment: Presumably the reference is to the new village of La Martella, built in the province not far from the old city of Matera, in Southern Italy, which was comprised of notorious cave dwellings. A number of the peasants of Matera lived in caves under wretched conditions. The caves were not owned by them, but rented. The rehousing project in the new village was only part of a rehabilitation project of land reclamation and resettlement in order to improve the economic opportunities of the inhabitants. The projects were carried out with Italian-owned local currency counterpart funds (Italian lire paid by Italians to purchase Marshall plan-provided commodities).

Actually, the resources available were not sufficient to eliminate cave dwelling entirely, but the worst of them were evacuated by resettlement. The new village of La Martella provided housing for peasants close to the land they worked.

Some of the people had to continue to live in caves because the new village could not accommodate all of them. The new village is definitely inhabited.

Statement: "We are giving free air trips for Arabs who wish to visit Mecca."

Comment: In June 1956, at the request of the Government of Afghanistan, the United States did supply an airplane to help transport Moslems (not Arabs) from that country to the "great feast" of the Mohammedan world at Mecca. But the pilgrims paid their own way, round trip. They paid their fares in Afghan currency, which was used to further the joint Afghan-United States economic development program in this strategic country.

Statement: "We have built a road in Iran that leads to nowhere."

Comment: The road to which the Senator presumably refers is the access road leading to the Karaj Dam construction project in Iran. This road is an arterial highway running from Teheran to the vital Caspian area. It was necessary to relocate this road from a position which will eventually be covered by the Karaj Dam reservoir. The road also serves as an access road to the construction site during the building of the dam. The Iranian Government is proceeding with the construction of the Karaj Dam; the road therefore not only leads somewhere but is an essential link in the Iranian network since it is the only direct road linking the capital to the Caspian seacoast.

Statement: "We spent $501,097 United States dollars for a wage and position classification study for the Philippine Government, while we only spent $204,076.29 for a special Senate committee study of the effectiveness of the entire $62 billion postwar foreign aid program."

Comment: Over a 5-year period a contract with a leading United States management organization has been under operation, dedicated to the establishment of study of Philippine Government organization. This has included study and advice regarding wage and position classification but in reality has been a much broader undertaking since it provided technical help to the reorganization commission of the Philippine Government. This commission has been very similar to the Hoover Commission in the United States studying the full civil-service system in the country and the structure of government. From this study there has followed the establishment of a civil service and from it have flowed some 33 reorganization bills, over two-thirds of which have been passed by the Philippine Congress. In addition, a security and intelligence organization has been established, a civil aeronautics authority, and a department of commerce.

The studies financed with this contract and the resulting improvements in the organization and management of the Philippine Government have constituted a necessary first step in strengthening the Philippine capacity to manage its own resources, meet its security objectives, and make a maximum contribution to the same objectives in which the United States has a major interest.

Regarding the amount of money which the Senate special committee devoted to a study of the entire foreign aid program, this was of course a matter entirely up to the Senate, which elected to devote $100,000 to a short-term study.

Statement: "They have been used to pay off national debts of foreign countries like Norway and Denmark, while our own debt has mounted higher and higher."

Comment: Dollars were not used to retire national debts of these countries. A total of some 1.9 billion kroner in Norwegian-owned counterpart funds (equivalent to $292.7 million) was released for this purpose during the Marshall plan.

Similarly, a total of some 699 million Danish kroner (equivalent to $130.1 million) was released for debt retirement in Denmark.

The local currency funds were generated in Europe by the Marshall plan, which provided the respective nations with various commodities needed for reconstruction of their war-torn economies. In Norway and Denmark, such commodities as petroleum products, grains, industrial machinery and iron- and steel-mill materials predominated. Recipients of these commodities paid for them in the local currency equivalent of their delivered cost.

The local currency paid by the Norwegians and Danes for these commodities was placed in the counterpart fund of each country, as provided in the original legislation creating the Marshall plan. These special local currency accounts, the ECA Act of 1948 provided, were "held or used within such country for such purposes as may be agreed to between such country and the administration in consultation with the National Advisory Council on International Monetary and Financial Problems * * * for a variety of purposes consistent with the objectives of the act."

Among these purposes for which local currency counterpart funds were used were various measures to promote monetary and financial stabilization, and among those measures was the release of some of the locally owned counterpart for debt retirement.

In 1954, some years after the releases of counterpart for debt retirement in these two countries, Congress provided in the Mutual Security Act that counterpart could not henceforth be used for debt retirement.

Statement: "They have been used to stabilize foreign currencies while inflation feeds like a brush fire at home."

Comment: A natural consequence of war and a period of reconstruction is a serious condition of economic instability, usually accompanied by some degree of inflation. This condition also tends to take place in the initial stages of a country's independence and growth as rates of investment beyond capacity of the country lead to scarcity of foreign exchange and domestic goods as well. The foreign-assistance programs since the end of World War II have been devoted, sometimes in the context of maintaining a defense contribution and sometimes to simply prevent economy of a country from going under, to efforts to stabilize the economies of many countries whose future is of interest to the United States. In the process of providing import items and contributing capital for development frequently the monetary system of a country is stabilized along with other elements of the economy. Relative to some of the inflationary instances in foreign countries, the United States has of course had a period of price stability.

Statement: "They have been used to add millions of acres to foreign farm-crop production, while acreage allotments for our own farmers have been reduced here at home."

Comment: While millions of acres is somewhat of an exaggeration, it is true that the assistance programs have been used to increase foreign farm-crop production. All but a very few countries of the world are basically agricultural and, if population increases, there is an increased burden on already inadequate food supplies resulting in privation, political, and economic instability and opportunities for Soviet exploitation. Basic to the technical assistance program and much of what we have done with economic and defense support aid in the less developed countries has been and must continue to be effort to increase crop production for domestic consumption purposes. The improving of strains of seedcorn, technique of fertilizer production, the supplying of agricultural machinery where it can appropriately contribute to a country's needs are part of a pattern of assisting countries in their own efforts to solve domestic food problems. If it is in the interest of the United States to support or to help support a country's economy for either military or long-term development purposes, it is therefore essential to help support the agricultural sector of the economies.

Statement: "A million dollars of our tax money is being used in Paraguay for the benefit of a single religious sect while such a practice would be frowned on as unconstitutional and contrary to public policy in our own country."

Comment: Under terms of the Mutual Security Act of 1956 and particularly the "Smathers amendment," the Government of the United States is prepared to make loans to foreign governments, the purpose of which is to permit those governments in turn to develop more fully the productive capacities and natural resources of their countries.

Agreement was reached late in April 1957, for a $1 million loan to Paraguay, whereby the Government of Paraguay will in turn make loans to the Mennonite Colonies in Paraguay for development purposes. The Government of Paraguay agrees to repay the loan to the United States within 20 years.

The situation is essentially this: The Mennonite Colonies are made up of energetic and ingenious people. They have developed some small industries of their own and are good farmers. With capital, they can set up such industries as manufacture of glass jars, processing of fruits, vegetables and other products, slaughterhouses, shoe manufacture, and so on. With bulldozers and other equipment, they can clear land and increase agricultural acreage. All these things will contribute to economic development in Paraguay.

Paraguay is a predominantly Roman Catholic country but relations of the Government with the Mennonite Colonies are friendly and cooperative. Recently when a refrigerator in a Mennonite hospital burned, the president of Paraguay gave the hospital a new one and the gift was inscribed as a gift from the president.

The Mennonites were the first agricultural settlers to attempt, on a relatively large scale, the utilization of the central part of the Paraguayan Chaco. The Paraguayan Government gave them a very liberal charter with guaranties of noninterference and various economic concessions.

The basic economic problems of the area are poor transportation and inadequate markets for most products that are grown. Mennonite colonists, generally speaking, are farming the best land yet found or cleared in the Chaco, from the standpoint of soil fertility, slope, drainage, and general suitability for farming.

Highway transportation in Paraguay contributes only 1 percent to the gross national product and there is not a single completed transcountry road. Until recently there were only 50 miles of hard-surface highway in the country. Under these circumstances, the Government of Paraguay has given highway construction high priority and the Trans-Chaco road project has brought together the Government of Paraguay, the Mennonites, the Chaco ranchers. In 1955, ICA entered into a contract with the Mennonite Central Committee to supply operators of heavy machinery and to help train Paraguayans in roadbuilding and highway maintenance.

Statement: "Vast hydroelectric dams and irrigation and river development projects are being carried on all over the world, while floods continuing to ravage our land and while our own industries cry for more power."

Comment: As in the case of contributing to agricultural production, where river development projects have been financed with United States funds, this is done because there is an economic problem, the solution of which is important to the security interests of the United States. As a matter of fact, there have been relatively few instances of significant financing of large hydroelectric dams, although individual equipment items have been provided in a number of cases.

Where there is a need for further agricultural land, the United States, through technical cooperation and other programs, is making some contribution to irrigation projects.

Like many joint-purpose projects, there is sometimes a flood-control benefit resulting from the undertaking of a construction project. Although the loss of life frequently runs into thousands in some countries where floods are serious and the United States might be justified from a humanitarian point of view in helping to curb these floods, direct assistance has not been directed to the end.

Statement: "We are spending billions in foreign countries to reclaim or open up new lands and build all types of new housing while our own people and our veterans are relegated to substandard housing."

Comment: In spending millions, not billions, for reclamation and housing abroad we do so only when an outlay of United States funds for these purposes contributes significantly to economic growth. In Africa, for example, the reclaiming of swamplands is of basic importance to attempts to raise productivity is well as production itself.

Mutual security funds are not generally allocated for purposes of housing construction, since there are normally higher priority uses for limited funds in such fields as agriculture and industry. There have been cases, of course, where local currency "counterpart funds" have been used for housing at the discretion of the country which owns those currencies and some other instances of minor assistance to basic housing projects where that project had very specific political importance.

Statement: "Highways and bridges are being built in foreign lands while our own road system has been neglected for many years."

Comment: Highway improvement is a very high priority item in the mutual security program for any of the following reasons:

(a) The importance of the highway system to the defense of a country with which we are mutually allied and supporting for common defense objectives.

(b) The construction of highways for farm to market roads in the less developed countries where the lack of transportation is commonly considered to be a principal deterrent to economic growth.

It must be understood of course that the highways noted above are actually constructed by foreign countries and the United States role is that of providing technical advice, which we as the leading road building country have in ample supply, and the supplying of certain construction items such as steel or roadbuilding equipment. Normally for the relatively little United States dollar output for this activity a very substantial local contribution is made. Again, where the economy of a country for military or other purposes is important to the United States it may well be in our interest to contribute to the construction of highways and bridges.

The total amount of mutual security funding for highway and bridge construction is running at the rate of $65 to $75 million per year and it is not felt that this amount, which contributes substantially to our national security, would make a very substantial difference in the quality or length of the United States highway network.

Mr. DIRKSEN. Mr. President, I understand the junior Senator from Oregon has been yielded 10 minutes.

The PRESIDING OFFICER. The junior Senator from Oregon is recognized for 10 minutes.

Mr. NEUBERGER. Mr. President, as always, and as is characteristic of him, the senior Senator from Oregon was extremely able in presenting the case for his amendment. I desire to comment briefly on his reference to my speech earlier in the day, in which I supported S. 2130, and in which I expressed my general opposition to various amendments which have been proposed to the bill.

I sincerely regret that the senior Senator from Oregon thought I was referring to him particularly when I made mention of bitter opponents of the bill. I have assiduously tried to avoid, as best I could, any personal references of any sort in my comparatively short career as a Member of the Senate.

I am certain the senior Senator from Oregon will agree with me that there are a substantial number of opponents of the bill, and that if some of them have not said some bitter things about the bill, certainly they have made some very sharp and caustic comments about the bill.

But I wish to emphasize very strongly that I had no reference to any opponent of the bill in particular, but I merely made mention of the fact that there are a substantial number of Senators who have been, to say the least, highly critical of this piece of proposed legislation.

The senior Senator from Oregon made mention of the fact that I referred to what seemed to me to be a disproportionate amount of opposition to our overseas aid in terms of dollars as compared with similar antagonism to overseas aid in the form of soldiers. It may be that I have misinterpreted the events of the past 2½ years since I became a Member of the Senate, but I think there was the famous editor in New York, Horace Greeley, of the old New York Tribune, who once said, "What the good Lord lets happen, I will put in my paper." I have felt that what the good Lord lets happen in the Senate is perfectly legal to be discussed later on in the Senate.

My memory may be faulty, but it is my recollection that in the past 2½ years there have been repeated Senate debates

seeking to cut down our overseas aid in terms of dollars. I can recall no comparable debates in the Senate seeking to repeal our overseas aid in the form of American GI's. That certainly does not mean, and I certainly would not give the impression, that those who have sought to curtail our aid in terms of dollars are any less concerned than I am or any less worried than I am about the destiny and protection of the American soldiers. Of course they are concerned. Of course they are worried about them. Of course they feel a deep solicitude about them. I emphasize that if I gave any other impression, I deeply regret it.

Again I repeat this basic circumstance, however, which seems to me to be very evident and very clear—namely, that while the Senate is engaged in many debates over overseas aid in terms of dollars, there has not been a parallel amount of discussion or speeches or forensics with respect to the commitment of our soldiers to farflung overseas outposts.

Before I close, I wish to make brief reference to the specific amendment before the Senate. I certainly do not share the knowledge of many Members of the Senate about overseas aid. It so happens that I am not a member of some of the committees, such as the Committee on Foreign Relations or the Committee on Armed Services, which have been directly involved in this great problem. But I am impressed by the fact that the vast majority of the membership of the Committee on Foreign Relations felt it was wise to have allowed within the bill this 3-year planning period for the development fund.

I have based my support of this particular proposal on a somewhat collateral interest which I have in another subject. For the past 2 months I have been engaged, with the encouragement of the distinguished senior Senator from Alabama [Mr. HILL], who is the leading Senate exponent of health legislation, in supporting a bill of my own to provide $500 million for the National Cancer Institute, on a continuing basis, to be carried on from year to year, for special research projects, until the funds are completely expended, regardless of how long a time or how short a time that may be.

The reason I have done so is that doctors engaged in this vital research have told me they have to know whether funds will be available for them over a long period of years, so that they can train the personnel, build the laboratories, and prepare the very mysterious and difficult chemicals for experimentation and discoveries in chemotherapy, and so forth.

It seems to me that while there may be no direct comparison, it is wise to have, perhaps, a 3-year planning period for the overseas development fund, so that preparations can be made over a sustained period of time for such programs.

In conclusion, I wish to emphasize one thing, which I am very much pleased that my senior colleague expressed when he began his address a short time ago.

The fact that the senior Senator from Oregon [Mr. MORSE] and I happen to disagree on the question of foreign aid and mutual security which is now before the Senate certainly does not mean in any way that there is any personal difference at all between us. If my memory is not faulty again, I believe that 2 years ago we did not wholly agree on some of the amendments to the measure extending for 3 years the Reciprocal Trade Agreement Act. That issue was not quite the same as the pending one, but it might be said to have had a somewhat comparable basis. Despite the fact that the senior Senator from Oregon and I did not vote quite alike on all phases of the question of extending on a 3-year basis the Reciprocal Trade Agreement Act—and, as I recall, I voted against one of his own amendments—yet in 1956 the senior Senator from Oregon and I campaigned in practically every county of Oregon—one of the largest States of the Union in area—shoulder to shoulder, and, I may add—if somewhat modestly—with quite a bit of effectiveness. I think that speaks for itself.

I wish to emphasize that the fact that we have disagreed on this particular mutual security bill does not alter in any way, so far as I am concerned, the basic political agreement and friendly relations between the senior Senator from Oregon and myself. It is part of maturity, I think, to be able to separate political issues from personal friendship.

Mr. President, that is all I have to say on this particular amendment.

Mr. MORSE. Mr. President, I yield back the remainder of the time available to me.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished junior Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. Mr. President, the Senator from Oregon has frankly stated to us his purpose in connection with the amendment; and we should note it carefully, because I believe it is decisive in connection with our decision on the pending issue, and is the decisive reason why the amendment should be rejected.

This part of the pending bill would establish a new approach to the program of foreign economic assistance. For that reason, I think the bill should be passed by the Senate and enacted into law, because it represents a new business basis for giving our economic assistance. But if, Mr. President, in supporting the general provisions of the bill, we vote to strike from the bill the provision which will make the fund a true businesslike development fund, then we shall be voting to destroy the very new approach which the administration is trying to make in this connection, and which we should very much approve. It is the result of what has gone before and the result of value from what we have learned and experienced.

Second, I think the economic-aid provisions are among the most vital portions of the bill, because by means of this unique weapon we are attempting to avoid a third world war. If the United States has in her armory anything which is at all different from what the Russians have, it is our power of economic production. Insofar as the Russians are trying to give economic and technical assistance to other countries of the world outside the Communist bloc, the Russians are throwing dust in the air and are trying to compete with us even though they know full well that in this area we have superiority—this is our strongest offensive weapon in the struggle for freedom.

Finally, Mr. President, let me say that in connection with the extension of aid to other countries in the U. N. General Assembly debates we stood in opposition to SUNFED—the Special United Nations Fund for Economic Development. We have stated that our objection to that proposal is that it would not place economic aid on the solid basis which we favor but make it subject to "fuzzy" decisions.

Mr. President, despite our unwillingness to support that SUNFED proposal, which certain underdeveloped nations considered extremely important to their future, by supporting the pending bill we are making up in a big way for our disagreement with them on SUNFED; and we are demonstrating that when such aid is put on a sound, businesslike basis, in the way that the fund now proposed is put, we expect to achieve in substance much of the objective sought at the United Nations.

Finally, Mr. President, let me point out that in the present case we are putting this program on a loan basis.

The PRESIDING OFFICER. The time yielded to the Senator from New York has expired.

Mr. DIRKSEN. Mr. President, I yield 1 additional minute to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for one additional minute.

Mr. JAVITS. I thank the Senator from Illinois.

Mr. President, the United States had had remarkably good experience with loans in this field. Since the end of World War II, the United States has extended $47 billion in grants, including all forms of aid, including military aid; and approximately $11 billion in credits—in other words, in loans. Of the $11 billion in credits, .046 percent—less than one-half of 1 percent—has been found to be uncollectible, and approximately one-half of 1 percent is about 90 days overdue. Therefore, I think the record demonstrates the constructive character of what we are seeking to do in the present case.

Mr. DIRKSEN. Mr. President, I yield 4 minutes to the Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 4 minutes.

Mr. COOPER. Mr. President, the purposes and most of the details of Senate bill 2130 have been clearly stated by the chairman and the other members of the Foreign Relations Committee, but I should like to make a few comments about the amendment which has been submitted by the senior Senator from Oregon [Mr. MORSE].

I join with my colleague, the Senator from New York, in saying that if the pending amendment should be adopted, it would strike from the bill the provision for the most significant development which has occurred in the field of foreign aid perhaps since the Marshall plan.

I know that a great many persons characterize the program of economic aid as a giveaway program, and speak of it as though it had no good purpose.

In the past 6 months I have received a great deal of mail stating that position.

Mr. President, I believe the bill should be passed, but I think the experience we have had in the past few months makes it imperative that in the future the President and the administration and the Members of Congress make clear the purposes of our foreign-aid program.

I think it worthwhile now to examine the proposal of the senior Senator from Oregon in the light of the background of the creation of the development loan fund. I do not believe I need remind the Senate that since World War II, a great many countries in Asia and, more recently, in Africa have become free and independent, and have chosen to adopt democratic institutions. Today, they are engaged in the task of achieving economic independence. Their task is an immense one, because in their efforts to secure economic independence they are faced with conditions which make the achievement of that goal much more difficult than was our success in developing industrially and economically in the past.

I believe that all of us know that the first requirement of industrial development and expansion is to secure for capital formation, savings from the income of the people. Many of these countries, in which the people have very small incomes, have very limited means of saving. When the people of a country have small annual incomes only a few of them are able to contribute savings for capital formation. But even if such countries are able to obtain limited internal savings they will not be sufficient to permit the purchase of the machine tools, steel, and other capital goods required for the construction of factories and other industrial facilities and the production of industrial goods.

The great purpose of our foreign-aid program is to provide some foreign exchange, so as to make possible in these countries the purchase of the tools, machines, and steel required for the construction of wealth-generating industries and facilities.

However, one fault of this program has been that underdeveloped countries cannot be assured that the small amount of foreign exchange which comes to them from our foreign-aid program will continue from year to year. That is so because our appropriations are necessarily made on a 1-year basis, as provided by our Constitution. These countries, therefore, have not been able to make plans to use in the most effective and efficient way the aid we have provided. In many instances they have not been able to use our aid to build the steel plants, the cement plants, the iron foundries, and the railroads which are the basis of industrial expansion. As a result, our aid has been diverted into a multiplicity of less important projects. I know that is true from my own observations and from my own experience.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired. Does the Senator from Illinois wish to yield additional time to the Senator from Kentucky.

Mr. DIRKSEN. I yield the Senator from Kentucky 2 additional minutes.

Mr. COOPER. I know it is the purpose of the Congress that the money for our foreign-aid program shall be used economically from the standpoint of the United States, and that it shall be used most effectively in the countries to which it is directed.

If there has been one great fault with our foreign-aid program, as I have indicated, it has been the lack of any assurance of continuity.

The proposal for a development-loan fund, however, does assure some of this necessary continuity. The program is, first, a loan rather than grant program. It assures a more economical use of the funds, from our own standpoint, because we can better select the most important projects in the beneficiary countries. From the viewpoint of the recipient countries, it will mean that they can better manage their own resources and the foreign exchange reserves which are available to them, that they can plan ahead, and that they can place orders for materials they need 2 or 3 years in advance. This could not be done under any system whereby appropriations are made from year to year.

I believe the development-loan fund affords the best opportunity our country has had to make its program really effective, to provide for the most economical use of the money we make available, and to give the greatest benefit to the countries receiving our help.

Soviet Russia has been able to obtain the fullest effect from its assistance programs because it could marshal all its resources at will, because it could assure continuity of aid, and because it could guarantee the delivery of capital goods and the training of industrial personnel. We have not been able to accomplish this, because we have not had a program which promises continuity. The development-loan fund assures continuity. I think that fact is most significant. I think it is the major provision in the bill before the Senate.

For these reasons, I strongly believe that the bill should be passed in the form in which it has come from the committee, and that the amendment of the senior Senator from Oregon should be defeated.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I wish to say I favor the pending amendment. I had intended to propose one along the same lines. It strikes me that if we adopt the bill as now written we will be underwriting a program that will never end. The program should continue, if it continues at all, on a year-to-year basis. I propose to offer an amendment to authorize appropriations for the loan program on a yearly basis, and also to authorize appropriations for economic aid on a yearly basis. When I offer my amendments, I shall give a further explanation of them, but I wish to stress that by authorizing appropriations, particularly those for loans for a period of 3 years, as it is proposed to do, we shall be committed to continue such assistance for many, many years to come.

In the case of the loan fund, it would continue for 3 years. An apropriation would be needed only for the first year. The subsequent 2 years would require only that the fund ask the Treasury for a loan.

This is supposed to be a revolving fund—but let us be realistic, Mr. President. It will not revolve for three reasons:

First, there will be a moratorium on loan payments for the first 3 or 4 years after the loans are made.

Second, payments will be very small during a loan's early years, and,

Third, because the currencies we will receive in payment are soft and not really convertible into dollars, the assets of the fund will not be replenished as some of my colleagues so readily assume.

Mr. President, I am opposed to this subterfuge. It is an effort on the part of the administration to mislead our people and the Senate. This is not a revolving fund at all. It is only a device to commit Congress to a long-range economic-aid program under the guise of 3-year loans.

I think the following excerpts from the hearings are pertinent. For example, Mr. Hollister, the Administrator of ICA, admitted that this new approach will deprive Congress of its control over the aid program. He said:

> 4. Finally, we hope that the use of the development loan fund will help us get away from the present necessity of establishing annual overall country programs at a specific level. Under the present system, a country often learns of the amount illustratively programed for it. Notwithstanding the fact that conditions may change greatly before the year is over, making it unwise or unnecessary to allocate to that country the specific sum, the country regards this sum as something to which it has a vested right. Furthermore, a level established for a country 1 year is most difficult to reduce in later years without political repercussions.
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> I think it is a mistake in most cases to have an exact figure which is presented for a particular country in all the areas of operation. Since conditions may change very materially between the planning stage and the final expenditure stage or even the obligating stage of funds, it is a mistake to get a country committed, to get us committed to feel we have an obligation to give a certain amount to a country. We think it would be much better to have discretion.
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> Now admittedly there has to be a certain amount of confidence placed in the administrator of this fund, and with a review every so often so that any time Congress thinks it is being done wrong, Congress can of course completely change the whole thing.

Later, he admitted that the loan fund would not revolve for some time. He refused to predict when it would, if ever.

The CHAIRMAN. I am sorry I am obliged to leave. I have another engagement. There

is one question I would like to ask. That is whether you can give any idea when this development loan fund will be self-sustaining. I understood you have a hope that it will become self-sustaining, and held out that hope to us.

Mr. HOLLISTER. Senator, that is of course something that no one will try to predict, because it depends on two things. It depends on what the needs for it will be in the future and how well the payments will come in from the past. If the needs of the future stop, then it is automatically self-sustaining because you don't need much money. If the needs of the future still continue, whether or not it is self-sustaining depends on to what extent payments may be made of loans or guaranties or whatever it may be that we have used the fund for in the past. It is something that I would not want to predict.

Mr. President, I refuse to go along with a proviso such as this. It is a blanket delegation of congressional power to a band of bureaucrats who, as past experience has shown, have only scant respect for the American taxpayer, the state of our Treasury, or the condition of our economy.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I hope the Senate will reject the amendment. The amendment would really destroy the character of this whole proposal as a lending operation. It is necessary to give the program the additional years of borrowing authority so as to set it apart from the existing program, to make a break from the past, to demonstrate that we are now seeking to move away from the grant program to a lending program. I think it is extremely important that these 2 additional years be added to the original authorization of $500 million in order to make that break. Otherwise I am sure no one will be convinced that we have done anything toward arriving at a new approach to the economic assistance program, and the program may well be rejected.

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the Senator from Rhode Island [Mr. GREEN].

Mr. GREEN. Mr. President, it is not too much to say that this amendment would cut the heart out of the proposed loan development fund. The amendment has two parts. First, it would delete the authorization for borrowings from the Treasury during the fiscal year 1959 and the fiscal year 1960, totaling $1.5 billion, toward the capitalization of the fund. Second, it would eliminate a crucial part of the technical language designed to make the development loan fund a revolving fund.

Economic development is a long-term process. All the careful studies which have been made during the past year about foreign aid agree that it does not make sense to continue development assistance on a year-to-year basis. If foreign countries are properly to plan their development programs, and if we are to put our development assistance on a businesslike basis, it is necessary to set up a fund which will have some continuity.

One of the features of the fund which has also received nearly universal acceptance has been the concept that repayments on loans made from the fund, whether in dollars or in local currency, should become part of the assets of the fund and be available for additional loans.

Mr. President, the amendment would radically change the character of the proposed loan fund and undermine the purposes of the proposed new development loan program. I urge that the amendment be defeated.

The pending amendment would destroy the continuity of the fund and also destroy its revolving character. A vote against the bill would be a more logical and shorter process.

Mr. DIRKSEN. Mr. President, I yield myself 30 seconds.

There have appeared from time to time, in all sorts of magazines and in newspapers, various assertions and allegations with respect to the practices of the International Cooperation Administration. I have kept one man busy a great deal of the time running down and verifying those matters. I thought it would be rather interesting to insert in the RECORD comments by the International Cooperation Administration on the allegations which have been made, notably in one article in the Reader's Digest and 1 article in the American Legion magazine, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

INTERNATIONAL
COOPERATION ADMINISTRATION,
Washington, D. C., April 25, 1957.

Hon. EVERETT M. DIRKSEN,
United States Senate,
Washington, D. C.

DEAR SENATOR DIRKSEN: In accordance with your request, I am pleased to enclose memorandum just issued in which we have attempted to answer the specific criticisms of the International Cooperation Administration and predecessor organizations which were contained in Congressman MEADER's article in the April issue of the Reader's Digest entitled "Our Foreign Aid Program: A Bureaucratic Nightmare."

The instances which Mr. MEADER cites covers a period of some 10 years and 11 different countries, and certain operations for which ICA has no responsibility. You will note that many of them occurred several years ago.

But these instances, important as they are, nevertheless are relatively small details in comparison to the total program. Since the entire article is concerned only with these instances, it necessarily presents a distorted picture of the total program.

The International Cooperation Administration, which is charged with handling the mutual security program, is first of all concerned with getting the maximum security results possible for the American taxpayer from expenditures for this program. The Agency now maintains in all countries where it operates a careful system of auditing and review. Nevertheless, ICA is the first to admit that in such a highly complex program, involving some 60 different nations overseas thousands of employees and hundreds of millions of dollars, hindsight will always show that from time to time mistakes have been made. The Agency, from the experience of the past, is constantly taking further steps to eliminate errors and waste.

We do not feel that the implications are justified that the mutual security program on the whole is wasteful or inefficient.

With assurances of my highest esteem, I remain,

Sincerely yours,
GUILFORD JAMESON,
Deputy Director for Congressional Relations.

COMMENTS BY THE INTERNATIONAL COOPERATION ADMINISTRATION ON REPRESENTATIVE GEORGE MEADER'S ARTICLE IN THE APRIL READER'S DIGEST ENTITLED "OUR FOREIGN-AID PROGRAM: A BUREAUCRATIC NIGHTMARE"

LEBANON

Page 94: "In the name of foreign aid our Government has built a $128,000 cowbarn in Lebanon to demonstrate to average farmers living on $100 or less a year the equipment they should provide themselves with in order to get ahead."

Comment: This so-called cowbarn is part of an overall animal husbandry program for which the Lebanese Government requested United States assistance. The request was approved over 4 years ago. Funds were made available to the program in 1953, 1954, and 1955. No allotments have been made to it by the United States in 1956 or 1957.

ICA records show that the United States contributed $48,265 toward the construction of an experimental barn, sheds, yards, silo, etc. This is almost $30,000 less than the article states. The Lebanese Government itself spent $100,000 Lebanese pounds (about $30,000) in addition.

Pure-bred Holstein bulls were imported to improve the strain of Lebanese cows in order to increase milk production and thereby enable Lebanese dairymen to earn more than $100 a year. The crossing of pure-bred bulls with native cows has resulted in such a great increase in milk production that new pasteurizing and milking plants have been built in Lebanon which have helped to develop the economy and create employment. These plants were financed wholly by private capital.

ETHIOPIA

Page 94: "But at last report everyone (in Ethiopia) was too busy to put to use 2,000 plows and a store of tractors rusting away since UNRRA days."

Comment: Thousands of tons of agricultural equipment were left in Ethiopia by UNRRA (the United Nations Relief and Rehabilitation Administration, which had no connection with ICA or its predecessor agencies) in the immediate post-World War II period, and before that by the Italians when the British drove them out in 1941. By the time the United States technical cooperation mission was established in 1952 this equipment was in such poor condition, through mismanagement, lack of repair and insufficient storage space that it was unusable. Therefore, one of the earliest (and still continuing) projects was to assign an ICA technician to the job of training and supervising Ethiopians in rehabilitating it. Some of it now is in use in joint United States-Ethiopian projects, and the rehabilitation work is still continuing under American guidance.

AFGHANISTAN

Page 94: "• • • the United States advanced $39,500,000 of loans to complete two dams in the most isolated part of Afghanistan. The idea was to produce industrial hydroelectricity and pour out water to reclaim a million acres of desert on which to resettle the nomads. Today, 2 to 5 years after completion of these dams, there still is little power equipment installed and no electricity has been generated."

Comment: This is a reference to the Helmand Valley development project, an undertaking of the Government of Afghanistan, and not of ICA or its predecessors. Some work on this land reclamation project was done prior to World War II. Shortly after the end of the war, the Afghan Government resumed work and retained the American engineering firm of Morrison-Knudson to carry it out, the Afghanis paying the costs.

The Export-Import Bank in 1950 made a loan of $21 million to Afghanistan to continue work on the project and in 1954 made a second loan of $18.5 million. As of today two large storage dams and related irrigation canals have been completed. The primary purpose of the dam was not to generate electrical energy immediately, but to provide land for resettlement. Unfortunately, the whole project was not adequately planned by the Afghan Government. However, so much had already been done that ICA has tried to help the Afghan Government realize as much as possible on its investment and has provided Afghanistan with technicians as advisers on the project. ICA also financed a survey by the Tudor Engineering Co. of San Francisco, designed to assist the Afghans to complete the development as well as possible.

Page 94: "Courtney Kimler said, 'Show them how to make a $5 weaving rack so the rugmakers can bring their work inside during the winter months in which they now sit idle. • • • No one would listen'." (Presumably meaning ICA.)

Comment: Mr. Kimler was sent to Afghanistan in 1955 by ICA, and again in 1956 by ICA. His reports recommended that assistance be given to the rug-weaving industry and this proposal was adopted by ICA. One of the foremost authorities on rug weaving in the United States was sent to Afghanistan by ICA, and he has been working there on a rug-weaving project for almost a year.

Page 95: "Instead of starting with wheel and axle, ICA gave $14,500,000 last year to start 5 airports and provide electronic equipment for a sixth which Russia is constructing."

Comment: The United States believes that it would be highly advantageous to the free world to direct the trade and travel of Afghanistan, long an object of Russian expansion, southward instead of northward to Soviet Russia. Therefore, ICA is planning to assist in highway development between Afghanistan and Pakistan. The terrain makes railroad development of doubtful wisdom.

The civil aviation program was requested by the Government of Afghanistan. Under this program the United States will help Afghanistan expand its domestic airlines, supplies, build new airports and improve air to ground communications. As a result of the development with part of these funds of an international airport at Kandahar, Afghanistan's second largest city, United States commercial planes will be able to link Afghanistan with the other countries of the Free World.

INDIA

Page 95: "• • • ICA spent little on these community-development projects last year."

Comment: Many present ICA technical cooperation projects are connected in one way or another with the community-development program in India. ICA has supported the following activities in India in this field: extension and home science advisers; the services of five land-grant colleges to aid agricultural education and research institutions; projects in agricultural information; livestock improvement, irrigation, marketing, and dairy development; pesticides and equipment in support of the malaria-control program; pipe and other supplies to the national water supply and sanitation programs; health experts and demonstration equipment which will help train a quarter million doctors and a half million nurses; help in the development of home science departments in universities and aid in the reorientation and expansion of the secondary school system.

Page 95: "A United States mission of more than 400 works hard" (in India).

Comment: As of February 1957 there were 160 Americans on ICA's payroll in India and 82 under contract in India, making a total of 242. In addition, there were 174 Indian nationals working for the mission. Mission employees are assigned to live and work in all parts of India, not just in the mission headquarters.

Page 96: "In 1954, after telling Congress that it intended to spend but $639,000 on all transportation and communications in the country, the mission made India an outright gift of $20,500,000 worth of new railroad equipment alone."

Comment: Congress had continuously recognized the authority of ICA and its predecessor organizations to transfer funds from one program to another. The figures presented to the Congress are the result of planning which has to be developed months ahead of time. Often when the time comes to put the program into effect, conditions in a country have changed materially, and the best results can be achieved by changing the program to meet the then existing conditions.

In making the illustrative presentation to Congress in the summer of 1953, the Foreign Operations Administration (predecessor to ICA) listed $639,000 for "transportation, communications, power" for India. More than 6 months after this illustrative program had been presented, the Foreign Operations Administration approved an Indian railway program of $20.5 million.

The reason for this change was that during the summer of 1953 food production in India and grain harvests far exceeded expectations. As a result, the Indian Government urgently asked assistance be given to their railroad rehabilitation program so that this food and other materials could be properly distributed through the nation. Funds were therefore transferred from proposed agricultural programs into the more pressing railway program.

Page 96: "• • • our foreign aid officials in India decided to donate $1,539,000 worth of prefabricated steel for 52 easy-to-erect grain silos and warehouses • • • ICA approved a request from its office in India for an additional $4 million of United States taxpayers' money for 600 more warehouses—in spite of the fact that in 2 years the Indians hadn't got around to putting up the buildings we had already sent."

Comment: To avert the threat of repeated local famine conditions, the Government of India is in the process of establishing a grain reserve of some 2 million tons. This reserve requires a greatly expanded storage capacity.

The 50 prefabricated buildings for flat storage of grain and 2 silos arrived in India in December 1955. In April 1956, at India's request, ICA agreed to supply an additional 500 storage buildings at a cost of $4 million contingent, however, on the erection of the first 52 buildings by the Indian Government. Unfortunately, there were delays on the part of the Indian Government, so that early in 1957 ICA reduced the number of buildings to be constructed under this program from 500 to 100. In March 1957, not having received the previously requested assurances with respect to the construction of the 52 buildings, the entire $4 million project was canceled by ICA.

Page 96: "Nearly $4 million worth of motor vehicles was given away."

Comment: Motorized transport equipment has been one of the major United States contributions to India's community development program which the article earlier describes as India's best project. The value of this equipment over the 5 years since the United States aid program began totals nearly $8 million and includes nearly 2,000 jeeps which are the only motorized transport equipment which can be used in many parts of India; 236 jeep station wagons; 30 health vans; 34 motor graders; 163 tractors, some of them fitted with bulldozers; 38 road tillers; and 350 trailers.

Page 96: "G. Corson Ellis, vice president of the Association of Consulting Management Engineers, • • • told the House Foreign Affairs Committee that he was not permitted to serve private businesses—just government undertakings; that he had to wait 7 months before the Indian Government would let him have any people to train; that his job was impossible because of a resistance to criticism and to the idea of a free economy."

Comment: Mr. Ellis, a partner in the management engineering firm of A. T. Kearney Co., of Chicago, went to India in 1955 under an ICA-financed contract between his firm and the Government of India to set up a management development program. In 1956, a little more than a year later, the contract between Ellis and the Indian Government was mutually terminated. The principal reason why ICA originally sponsored the contract was in an endeavor to bring about a more enlightened attitude on the part of the Indians toward private management which would alleviate some of the problems of which Mr. Ellis complained. Other United States management engineering firms are still carrying on management development programs in India, and have been able to work effectively with Indian private industry.

GREECE

Page 97: "In Greece Marshall plan tractors rusted on the docks 2 years after arrival because the country couldn't absorb all the aid we insisted upon giving."

Comment: The tractors referred to were sent to Greece by UNRRA in early 1946, and had no connection with ICA or its predecessor agencies. Because of the civil war in Greece and because a number of the tractors were unusable in that country without certain modifications in their equipment, the tractors were not used immediately. Eventually, however, the tractors were converted and were absorbed by the Greek economy.

LAOS

Page 97: "Recently, in Laos, a country of 1½ million inhabitants, Congressmen saw a depot crammed with enough expensive drugs, hypodermic needles and other medical supplies to care for much of Southeast Asia."

Comment: ICA has supplied $83,000 worth of first-aid kits for the Laotian villages and $150,000 worth of pharmaceuticals for use in the malaria eradication program.

The Philippine-Laos junior chamber of commerce has jointly sponsored a project called Operation Brotherhood which supplies medical items donated by pharmaceutical houses. Dr. Thomas A. Dooley, a young ex-United States Navy doctor, is also operating a small private medical team in Laos and has enlisted the aid of many American drug supply houses to help him carry out his mission.

Private importers have also been allowed, by the Laos Government, to purchase pharmaceuticals through normal trade channels.

THE PHILIPPINES

Page 97: "Expensive pieces of electrical equipment, including electronic microscopes, were purchased for the Philippines when no power or personnel to operate them was available."

Comment: When arrangements were made to send an electronic microscope to the Los Banos College of Agriculture—about 30 miles from Manila—verbal agreements had been made to get power from the Philippine National Power Co. Later it was deemed not economically feasible to put a power line

into the college. The college had been generating its own power from outmoded and obsolescent equipment. ICA supplied some new generators. These supplied power not only for the new microscope, but also for the entire college. A Filipino operator for the electronic microscope has been trained in the United States and is working for the Los Banos College.

Page 97: "Distilled water was ordered from the United States to be shipped to Manila, despite the fact that stills to produce such water on the scene had already been supplied."

Comment: Two hundred and fifty dollars worth of distilled water was sent to the Philippines in 1951 by the Mutual Security Agency (predecessor to FOA and ICA). This was specially prepared distilled water to be used for intravenous injections. There was an inadequate supply of vials in the Philippines at the time—the vials of water from the United States cost 10 cents each—and it would have cost approximately the same to have sent empty vials and to have had the Philippines fill them.

WASHINGTON

Page 97: "In the current fiscal year $1,749,000,000 was appropriated for nonmilitary assistance—an increase of $68 million over 1956, even though ICA ended the year with a backlog of nearly two billions it had been unable to spend."

Comment: Because it operates on the basis of year-to-year appropriations, ICA must always have a pipeline of unexpended obligations to pay for commodities and goods on order, and to finance previously approved projects and contracts. At the end of 1956 fiscal year, ICA's unexpended balance was $1,760,200,000, but of this amount $1,617,600,000 was unexpended obligations. The remainder included $97,200,000 in special Asian economic development funds which Congress authorized to be obligated over a 3-year period and a congressional reappropriation of $45,300,000 in Palestine refugee funds which remained unobligated at the end of the 1956 fiscal year. Under law, ICA unobligated funds remaining at the end of a fiscal year in annual appropriations accounts automatically revert to the Treasury unless specifically reappropriated by Congress.

Page 97: "By 1953 the foreign-aid bureaucracy had become so swollen and topheavy that Congress ordered a 10-percent cut in its 7,000 personnel. Yet today it has more employees than ever—more than 8,000."

Comment: Total employment in ICA has risen from 7,556 on January 31, 1953, to 8,616 as of January 31, 1957, but these figures do not reflect the significant changes that have taken place in the nature of the program and the composition of its personnel. The following figures are provided for comparative purposes:

	Jan. 31, 1953	Jan. 31, 1954	Jan. 31, 1957
Americans:			
Administrative	2,784	1,952	2,101
Program	1,990	2,055	3,088
Total	4,774	4,007	5,189
Foreign nationals:			
Administrative	1,664	1,121	1,197
Program	1,118	883	2,250
Total	2,782	2,004	3,427
Grand total	7,556	6,011	8,616

The number of employees paid from administrative funds has been substantially reduced, while those paid from program funds (technicians) have increased. This change is primarily because ICA is no longer concerned with the economic rehabilitation of the developed countries of Europe but has turned toward the less developed areas of the world. This has necessitated a change in the type of employee required by the program. Increasing emphasis has been given to the employment of qualified American technicians who can transmit American techniques and methods to the indigenous population of the underdeveloped countries.

JORDAN

Page 97: "Jordan, a poor, arid country with 1,500,000 population, has an overwhelming problem: a half million Arab refugees from Palestine. Our major cure has been to construct throughways for the country's fewer than 9,000 automobiles."

Comment: The major cure for the Palestine refugee problem has never been road building but development of the Jordan River. To this end the President 3 years ago designated Eric Johnston as his special representative to try to get the four countries involved—Israel, Jordan, Syria, and Lebanon—to agree to develop the river, to date without success. The United States has for the past several years contributed millions of dollars to the U. N. to feed the Palestine refugees. The road program is not part of a direct attempt to relieve the refugee problem.

Jordan has only 225 miles of railroad, so it must also depend on highway transportation. Following the establishment of the State of Israel, transportation which had formerly flowed east-west from Jordan to the Mediterranean was cut off and had to be diverted into a north-south movement. There was a need for connecting links with roads leading northward to Lebanon and Syria and southward to the port of Aqaba, and for roads connecting the four areas of Jordan containing the bulk of the country's 1½ million population, including the Arab refugees. A total of 13 projects involving 72 miles of road were undertaken. The largest stretch is about 30 miles long. Most of these roads are only gravel.

THAILAND

Page 97: "In Thailand a 200-mile asphalt road was undertaken as a 1-year $6½ million dramatic demonstration of United States efficiency in peaceful pursuits, but after 2½ years the estimated cost has skyrocketed to $18 million for just the first 100-mile stretch, with completion not due before 1958. Meantime, ICA has expanded this demonstration into a series of Thai highway projects which by June will have cost us $45 million and no end in sight."

Comment: The purpose of this road was not basically to provide a dramatic demonstration but was instead one of the first elements of the new defense support program undertaken in midfiscal year 1955 in response to increased Communist penetration of the neighboring countries of Vietnam, Cambodia, and Laos. This highway is part of a program to increase the mobility of Thailand's defense and internal security forces.

At an early stage, a preliminary cost figure of $6½ million (plus a $1 million Thai contribution) was suggested, based on generally unchecked Thai data. However, before ICA undertook to contract for any of this work, an engineering survey was arranged in order to secure more realistic cost figures. This resulted in an estimate of $22 million for a 200-mile highway. Consequently, it was decided to build only the first, more critical, 100-mile segment, which costs about $18 million because it is all new construction through difficult terrain. The second 100-mile stretch was to have been only the rehabilitation of an existing highway.

A general highway improvement program was also undertaken to improve key segments of the Thai highway system. This was not a mushrooming into a series of other projects with no end in sight, but constituted instead a comprehensive plan for highway improvement for primarily defense and internal security reasons. Over a 3-year period the cost will be approximately $45 million.

Page 98: "The American contractors' 150 employees (working on the highway project) have to be paid during the 6-month rainy season when they can only sit • • • the boss of one team collects $27,750 a year • • • 14 other engineers get $17,400 each."

Comment: Engineering and construction operations in Thailand proceed throughout the rainy season with comparatively little lost time because much of the highway is being built through a semiarid part of the country.

ICA carefully screens all salary contracts to insure that they are equitable and necessary in order to secure competent highway engineers and construction personnel in the present highly competitive United States market for these critical specialists. Personnel of substantial experience and competence are needed for this difficult work.

BURMA

Page 98: "Meanwhile, Burma, 4 years ago, rejected further wholesale gifts from the United States."

Comment: In 1953, after nearly 3 years of technical cooperation with the United States, Burma, for political reasons not related to the United States aid program, requested that the program be phased out. This was done gradually over a period of months, and Burma contracted with some of the United States technicians to stay on and work in the employ of the Burma Government.

However, we are again carrying on a program in Burma. The Burmese on March 21, 1957, concluded 2 loan agreements with the United States totaling $42.3 million, $17.3 million of which is in Burmese currency received from Burma for the purchase of United States surplus agricultural products. All these loan funds are to be used to further economic development in Burma, and are to be repaid with interest over a 40-year period.

COMMENTS BY THE INTERNATIONAL COOPERATION ADMINISTRATION ON EUGENE W. CASTLE'S ARTICLE IN THE MAY ISSUE OF THE AMERICAN LEGION MAGAZINE ENTITLED "ARE WE BLEEDING OURSELVES WHITE?"

Comments on some of the specific statements:

"In the past 10 years we have given $60 billion to foreign nations which is euphemistically referred to as foreign aid. The avowed purpose, of course, is to win their friendship."

The total amount of United States net foreign grants and credits since July 1, 1945, is $57,662,000,000—of which $10,847,000,000 was in loans, and $18,560,000,000 was for direct military assistance to our allies. The purpose of this so-called foreign aid was not, of course, to win their friendship. The real purpose was, first, to restore the war-torn economy of Europe, a program known as the Marshall plan in the amount of $13 billion and later, after the Korean invasion, to assist our allies in our joint defense against the Communist threat and to strengthen the economies of the world's new democracies—in short to keep the free world free. The annual cost of doing these things is about one-tenth the cost of maintaining our own Defense Establishment and about 1 percent of our country's gross national product. If we did not have our military allies, the cost in money and manpower of maintaining global defense by ourselves would be staggering.

"We gave more than a billion dollars to the shaky Government of Indochina before that country capitulated to the Reds."

There was no government of Indochina, shaky or otherwise; there were three Associated States of Indochina: Cambodia, Laos, and Vietnam. Up to the time they became independent, American aid to them amounted to $841.4 million, which includes $726.9 million for military aid, channeled through France. With these funds we helped these coutries fight a shooting war with the Communists, and preserved for the free world the states of Vietnam, Cambodia, and Laos. North Vietnam was won by the Communists in the Geneva settlement. Vietnam itself has never capitulated to the Reds, and does not recognize the Geneva settlement.

"We gave Norway $300 million which was promptly applied to the reduction of Norway's internal debt. We gave Denmark $100 million which the Danes used in the same way."

Net grants and credits to Norway since July 1, 1945, total $297 million, of which $87 million was in loans; for Denmark the total is $282 million, with $48 million in loans.[1] This money was spent for machinery, petroleum products, and other commodities vitally necessary to restore these countries' war-ravaged economies. The Norwegians and Danes paid for these commodities with their local currencies which subsequently were used, in part, for debt retirement to save the countries from inflationary collapse.

"We are providing free airplane excursions for thousands of Arabs visiting their religious shrine at Mecca."

In June 1956, at the request of the government of Afghanistan, the United States did supply an airplane to help transport Moslems (not Arabs) from that country to the "great feat" of the Mohammedan world at Mecca. But the pilgrims paid their own way, round trip. They paid their fares in Afghan currency, which was used to further joint Afghan-United States economic development program in this strategic country.

"We are paying all living expenses and tuition costs for the sons of hundreds of wealthy Persians attending American universities."

Experience has demonstrated that ICA's program of bringing foreign nationals to the United States for 3 to 12 months for advanced technical training is most effective. Some 32,000 have been given such training, 600 of them from Iran (Persia). These 600, like the others, have received training in schools, factories, government, and private offices, and many other places where American know-how is to be learned. Participants in this program are selected jointly by the government concerned and ICA's representatives and on the basis of their potential contribution to the country's economic development. They are selected regardless of their net worth from among workers in government, industry, agriculture, or some similar field of activity. All participants in this program are paid fixed sums for living expenses.

"In Portugal we have paid for a six-lane highway 15 miles long connecting Lisbon with the gambling resort of Estoril."

No United States aid funds, dollars or counterpart, have been used for highway construction anywhere in Portugal. The highway referred to was built by the Portuguese Government and opened to traffic some 6 months before counterpart funds were released.

"Our tax dollars have provided dress suits for Grecian undertakers, public baths for Egyptian camel-drivers, and even ice boxes for Eskimos."

This is a complete fabrication, with no basis of fact whatsoever.

"In India, which has received a billion dollars' worth of free goods from the United States of America, the Russians agreed to furnish that country with ore-mining machinery only on condition that India would purchase, not get for nothing, a million tons of rolled ferrous metals. Even the widely heralded gift of a Soviet steel mill to Nehru was no handout. It was to be repaid by 12-year credits at 2½ percent interest."

India has not "received a billion dollars' worth of free goods from the United States of America." Since July 1, 1945, net grants and credits to India total $468 million, of which $217 million was in grants, $251 million in loans.[2] The total obligated under the program of ICA and its predecessor agencies is $335 million of which $53 million was for technical cooperation, and $82.5 million was in the form of loans.

[1] Source: Office of Business Economics, U. S. Department of Commerce. Country figures do not include direct military assistance, which is classified information.

Mr. DIRKSEN. Mr. President, if the Senator from Oregon is willing to yield back the time remaining to him, I am prepared to do so.

Mr. MORSE. I yield back the time remaining to me.

Mr. DIRKSEN. I yield back the remainder of my time.

The PRESIDING OFFICER. All time remaining on the amendment has been yielded back.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time on the amendment has expired. The question is on agreeing to the amendment proposed by the Senator from Oregon [Mr. MORSE], for himself and the Senator from Wyoming [Mr. O'MAHONEY]. The yeas and nays have been ordered. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY].

If present and voting, the Senator from North Carolina [Mr. ERVIN] would vote "yea," and the Senator from West Virginia [Mr. NEELY] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Arizona [Mr. GOLDWATER] and the Senator from Michigan [Mr. POTTER] are necessarily absent.

If present and voting, the Senator from Maine [Mr. PAYNE] would vote "nay."

On this vote, the Senator from North Dakota [Mr. LANGER] is paired with the Senator from Michigan [Mr. POTTER]. If present and voting, the Senator from North Dakota would vote "yea," and the Senator from Michigan would vote "nay."

The result was announced—yeas 32, nays 54, as follows:

YEAS—32

Anderson	Frear	O'Mahoney
Barrett	Hruska	Revercomb
Bible	Jenner	Robertson
Bricker	Johnston, S. C.	Russell
Butler	Kerr	Scott
Byrd	Long	Stennis
Chavez	Magnuson	Talmadge
Curtis	Malone	Thurmond
Dworshak	Mansfield	Williams
Eastland	McClellan	Young
Ellender	Morse	

NAYS—54

Aiken	Gore	Martin, Pa.
Allott	Green	McNamara
Beall	Hayden	Morton
Bennett	Hennings	Mundt
Bush	Hickenlooper	Murray
Capehart	Hill	Neuberger
Carlson	Holland	Pastore
Carroll	Humphrey	Purtell
Case, N. J.	Ives	Saltonstall
Case, S. Dak.	Jackson	Schoeppel
Church	Javits	Smathers
Clark	Johnson, Tex.	Smith, Maine
Cooper	Kefauver	Smith, N. J.
Cotton	Kennedy	Sparkman
Dirksen	Knowland	Symington
Douglas	Kuchel	Thye
Flanders	Lausche	Watkins
Fulbright	Martin, Iowa	Wiley

NOT VOTING—9

Bridges	Langer	Payne
Ervin	Monroney	Potter
Goldwater	Neely	Yarborough

So the amendment offered by Mr. MORSE, for himself and Mr. O'MAHONEY, was rejected.

Mr. KNOWLAND. Mr. President, I move that the vote by which the Morse-O'Mahoney amendment was rejected be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON] to lay on the table the motion to reconsider made by the Senator from California [Mr. KNOWLAND].

The motion to reconsider was laid on the table.

Mr. MORSE. Mr. President, I offer the amendment which I send to the desk and ask to have stated. It is identified as "amendment 6–13–57–A."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 39, it is proposed to strike out lines 1 to 4, inclusive.

On page 40, line 7, after the quotation marks and before the word "to" it is proposed to insert "$150,000,000, in addition to the funds authorized."

On page 40, line 9, it is proposed to strike out "for such use by section 400 (a) of this act" and insert "$100,000,000."

On page 40, it is proposed to strike out line 13 and insert the following:

(3) Amend subsection (b) to read as follows:

"(b) The authority contained in subsection (a) shall not be exercised in any case until 15 days shall have elapsed while the Congress is in session after the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and House of

[2] Source: Office of Business Economics, United States Department of Commerce. Country figures do not include direct military assistance, which is classified information.

Representatives have been furnished a report showing the purpose for which and the country or countries with respect to which such authority is intended to be exercised and the particular appropriation from which the funds proposed to be used are derived."

On page 40, it is proposed to strike out line 14.

Mr. MORSE. Mr. President, I shall be exceedingly brief on the amendment. This is the second of the two amendments on which I desire a yea-and-nay vote. Therefore, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. The amendment affects the President's so-called special fund in two ways: It reduces from $250 million to $100 million the amount he is permitted to use at will, without regard to provisions of the act; and it requires him to report to Congress first, before doing anything with it.

It is important to note that this makes no absolute saving, because it only reduces the amount he may use at will.

The bill has a complicated arrangement for giving the President his special fund. Section 400 as proposed in the bill gives him $250 million to use for assistance designed to promote political or economic stability.

Mr. President, the word "political" may have some very interesting implications. It does not say "to promote political freedom." It says "political or economic stability."

I am skeptical of using American taxpayer dollars to promote the political stability of totalitarian states, because I happen to believe in freedom. I think the time has come when we ought to stop giving to any President, of any party, the discretionary power to use $250 million to promote his notions in respect to the political stability of any foreign state. I talked about this matter at great length yesterday.

Mr. HUMPHREY. Mr. President, will the Senator refer to the page of the bill about which he is now talking?

Mr. MORSE. My amendment relates to section 400 of the bill, which would give $250 million to the President to use for assistance designed to maintain or promote political or economic stability.

Mr. HUMPRHEY. I thank the Senator.

Mr. MORSE. I spoke yesterday on the subject, and I shall be very brief today. This is nothing new for me. I have opposed blanket authority to a President under a Democratic administration as well as a Republican administration.

This money is subject to the general limitations of the other sections of the law, except that $100 million of it plus $150 million from anywhere else in the bill may be used as he sees fit without regard to the other parts of the act.

This amendment would leave him the entire $250 million in section 400 to use subject to the general limitations of the law. It would then authorize him to take $100 million from anywhere in the mutual security program—from the above-mentioned $250 million, if he wishes—to use without regard to the act, after first notifying Congress.

The prenotification requirement is a little different from the language used in the Middle East resolution; the legislative counsel thought this would be a little simpler.

Mr. President, the chief basis of the amendment is my belief that there should be written into the bill more of a check on the exercise of arbitrary power by the President. As the Senate should know, if it does not know already, the State Department opposed me in committee on this matter. It is opposed to me now on the floor. It has sent a memorandum to the committee in opposition to my amendment. In fairness to them, I believe the memorandum should be printed in the RECORD at this point in my remarks. I make that unanimous-consent request.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

AMENDMENTS TO SECTIONS 400 AND 401

It is understood that an amendment, or several separate amendments, are proposed to S. 2130 which would have substantially the following effects:

(a) Reduce the authority to waive provisions of the Mutual Security Act, etc., which is now provided by section 401 (a) of the Mutual Security Act of 1954, as amended, from $150 million to $100 million.

(b) Eliminate the similar authority which is included in the proposed new section 400 to waive provisions of this Mutual Security Act, etc., with respect to $100 million of the $250 million which would be authorized for special assistance in the Senate committee's version of this section.

(c) Require 15 days' advance notice to interested congressional committees before each use of the $100 million waiver authority which would still remain under section 401 (a) of the Mutual Security Act of 1954. The executive branch strongly opposes each of these changes; the first two because they would unduly and dangerously limit our ability to meet emergencies and to keep the program continuously responsive to the requirements of our national security; and the third, among other reasons, because it would shackle the use of our remaining emergency power with preconditions that might delay or hinder its use to the point where its use would come too late to be effective.

In fiscal year 1957, the President has the authority under section 401 (a) of the Mutual Security Act of 1954, as amended, when he determines that such "use is important to the security of the United States," to use an aggregate of $250,000,000 of the funds made available under the Mutual Security Act "without regard to the requirements" of that act or any other act for which funds are authorized by the Mutual Security Act—the $100,000,000 appropriated pursuant to section 401 (b) plus $150,000,000 of any other funds made available under the act. Under the proposed bill the amount of this authority would simply be continued at the $250,000,000 level; there is no proposal to increase it. However, the amendments in question would, on the contrary, reduce this $250,000,000 by $150,000,000, or by 60 percent, to $100,000,000.

The accumulation of experience over the past few years has indicated that $250 million represents the minimum safe level of authority of this kind in a world in which recurrent emergencies and other important unforeseen developments frequently call for major adjustments in the character of the program, create new requirements which, in terms of total United States security interests, should be met, and presents situations in which it is not possible to meet all the normal requirements of law in providing needed assistance. This authority both (a) enables us to use funds for forms of aid or in areas for which they were not initially made available, and (b) permits us, where this is necessary to the effective extension of the aid in question, to waive the requirements that normally govern the provision of such assistance, as for example, requirements with respect to agreements.

Whether we like it or not, it is one of the facts of life that the world in which we live is characterized by a constant flow of new developments, many of which greatly affect the security of the United States and some of which can only be dealt with adequately through the prompt provision of previously unplanned assistance. Needs for assistance of this kind can normally be met in one of three ways:

First. By seeking new Congressional action, which will be desirable if the new demand for aid is very large or involves major new issues of national policy, but which is hardly a practical course in the usual situation, even assuming, as one cannot do, that the Congress happens to be in session.

Second. By diverting for the new need, based on an assessment of relative priorities, funds from the purposes for which they would otherwise have been used.

(3) by utilizing contingency funds if such are available. The $250 million authority to to which reference is here made enables one to shift funds to meet new needs in those cases where the new needs cannot be met within the framework of the appropriation account from which the funds are to be taken—for example, the funds are available only for military equipment and the need is to help another government finance the support of troops or to meet requirements in the wake of a hurricane. Its use for this purpose has, in the past, been extensive and for purposes which, with very minor exception, we have heard no criticism of whatsoever, and this in spite of the fact that each such case has been promptly and fully reported to four committees of the Congress and then, subsequently, described and accounted for in the annual presentation of the program to the Congress.

The use of this authority to remove limitations of law that would otherwise be applicable has been far more limited than its use as a means of shifting funds from one use to another, but the cases in which it has been used for such a purpoee have often been very important ones. For example it was this authority which, in fiscal year 1957, made it possible to extend some $40 million in aid for Hungarian refugees; which enabled us to make a contribution toward the cost of clearing the Suez Canal; which permitted us to contribute to the support of the United Nations emergency force sent to the Near East; which gave us the authority to provide funds in the most effective fashion to the Bolivia stabilization fund; and which made it possible to extend aid in a number of cases where there was not time to obtain, or it was otherwise impossible to obtain, the kind of agreements that would normally be necessary.

The full $250 million authority was not completely used in fiscal year 1956 and probably will not fully be used in fiscal year 1957, but its use in both years has been such that it is clear that it represents, or is certainly close to, the minimum amount that can be safely accepted. As a matter of fact, in the absence of the special, somewhat broader, additional $200 million authority provided in the Middle East resolution, this $250 million authority would have been more than exhausted. The nature of the contingencies now on the horizon, as well as the character of certain of the problems that we know now will have to be met, indicate that the need for authority of this kind will be as great in the immediate future as in the past.

As to the provision concerning notice, we have at least two objections. The first is the fact that it is unwise, and seems particularly inappropriate, to reduce the useability in emergencies of an authority which has, as one of its major specific purposes, the meeting of emergencies—to run the peril of delaying or hindering the provision of assistance in the kind of situation where delay or hindrance may destroy or reduce the value of such assistance. The second is the fact that it divides and diffuses responsibility in a way that is inconsistent with sound principles of management and administration. The task of administering laws belongs to the Executive, who is required, within the conditions, etc., provided in the legislation, to make the necessary determinations and other decisions, and to take all other actions, which proper execution of such legislation necessitates. The Executive should be responsible for their effective implementation and held accountable to Congress and the people therefor. His responsibility cannot be divided or shared, as the suggested notice provision appears to contemplate, if good administration is desired. Moreover, his authority must be commensurate with such responsibility, and it cannot be diluted by provisions such as the one in question without eventually reducing responsibility and producing less efficient and less effective Government.

Mr. MORSE. Mr. President, I have only a few brief comments to make in answer to that memorandum.

Under my amendment, the President retains the authority over a fund of $250 million which he may apply to various programs in the act as he sees fit. That is not inconsiderable power, and can be used for many emergency situations that may arise for which the specifically authorized funds are not enough.

The memorandum seems to indicate that the special fund has been used in the past for aid to Haiti after a hurricane, although the committee report on the bill is not clear on that. Another purpose it was used for was in clearing the Suez Canal. Is either of these so important that Congress could not first have been notified?

What is the objection to notification in advance?

The memorandum also says:

The nature of the contingencies now on the horizon, as well as the character of certain of the problems that we know now will have to be met, indicate that the need for authority of this kind will be as great in the immediate future as in the past.

I do not doubt it. But what is wrong with requiring the President to notify us first? If he has anything specific in mind, why does he not want to put it in the bill and ask for the money? Or is this, as I suggested yesterday, designed as some kind of foreign policy strategy, of which I completely disapprove and never want to see my country be a party to? Bribery, for example. I do not think we ever strengthen American foreign policy by using a dollar to bribe someone in an effort to further our foreign policy. The same goes for other well-known techniques which we as individuals, when we sit down in communion with our conscience, cannot square with moral principles.

Second, if some great crisis develops in the international scene, as implied by the memo, Congress undoubtedly should be called into session to pass judgment on it.

What is wrong with that? I hope that this is still a constitutional government.

As for the argument that $100 million is not enough, as set forth in the State Department memorandum, Congress will always be available, and, under the terms of my amendment, Congress can provide an additional amount of money if the State Department can make out a case.

I am never impressed by the State Department's argument that a particular proposal does not provide enough funds. One would think that Congress is in recess many months of the year. Everyone knows that it has not been for a good many years, and it will not be for a good many years to come. And when we are, the President can always summon us back.

Nor am I impressed with the argument of the State Department that there shall not be included a requirement for advance notification. They say, "Trust the President." That is the cry of the State Department. It is always "Trust the President." They say, "He has told you that he will keep in daily touch with Congress."

I said to the Secretary of State, "Why not write that into the bill?" These public statements of the President are not parts of the bill. They are not commitments in the bill. If that is what they intend to do, then why does the State Department oppose a requirement for prior notification?

The objection of the State Department to requiring a preliminary report to Congress has, I think, little validity. My amendment does not require congressional approval. I wish I could secure the adoption of the amendment in a form requiring congressional approval. I think that is the check we ought to have, but every Senator knows I cannot get it. Every Senator knows I have failed when I have insisted on that check in the past. I made what I am certain will be recorded as a historic fight for that kind of check in connection with the Eisenhower Middle East doctrine.

What this amendment does require is prenotification. It is very similar to the language in the Middle East resolution, except that it requires that Congress be called into session if it is not sitting.

The argument that the executive would be unduly limited in his execution of the act if my amendment were adopted is, I respectfully submit, irrelevant, because this is a grant of money to the President to be used above and beyond any law. Congress need not give the President any special fund at all and that would in no way be an encroachment upon his executive power to administer foreign aid.

My amendment continues to allow the President $250 million to apply in his discretion to various programs authorized in the act in addition to the amounts authorized for them. That is where provision is made for Executive leeway. If Congress enables the President to use $100 million for any purpose not circumscribed by statute, I respectfully submit that if we believe in the system of checks and balances, Congress has every right to insist that it be told first how the money will be used.

That is the check the amendment provides. I have tried to be exceedingly accommodating to my majority friends on the committee in regard to this matter. They know I think my amendment should be stronger, but I feel that if I can get consent to go this far, we may at least pay homage once again to a vital principle of constitutional government, namely, that a President should never have any unchecked power. Certainly there ought to be some semblance of a requirement for a check before the expenditure. This is legislation defining a certain program and authorizing an appropriation of money to carry it out. We ought to set a standard for the spending of it by the executive, or call on him for an explanation of cases where no standard can be set.

As I said yesterday when I argued this point at greater length, I am not referring to President Dwight D. Eisenhower singularly; I am referring to Presidents of the United States for the years to come as I fight for this sound constitutional principle in the amendment, namely, the principle that a legislative body, the Congress of the United States, owes it to the American people to keep at the barest possible minimum the exercise of arbitrary, capricious, discretionary power on the part of any President in the use of the taxpayers' money. It is just that simple.

I say without any personal implications at all that I think the majority of the committee should accept my amendment, because my amendment does not reduce one iota the money available under the act. But it does put a prenotification check upon the President's use of $100 million of undesignated funds.

There are some of us—I speak, for example, of the great constitutional lawyer who sits behind me in the Senate, the distinguished junior Senator from Wyoming [Mr. O'MAHONEY], and of the distinguished senior Senator from Louisiana [Mr. ELLENDER]—who share the same point of view. But how can the Senate justify being divided on the historic principle that unless a dire emergency really confronts the Nation in connection with a specific matter, the President should not be given unchecked power?

Two hundred fifty million dollars is a considerable sum of money over which to give the President complete discretionary power, without even requiring prenotification to Congress as to what he intends to do with it.

All I am doing is restoring $150 million to purposes authorized, and saying that as to the remaining $100 million, the President must give Congress prenotification of what he intends to do with it.

Do not forget what the Secretary of State said. The Secretary of State told us this year—as the Senator from Minnesota [Mr. HUMPHREY] knows very well, because we had a colloquy in a private conversation at the time of the hearing—that the President had pledged to keep in hourly contact with Congress. If that is the attitude of the administration, why are they not willing to accept in the bill—and this is the test—my check requiring prenotification?

Again, without reference to the present President, and without reference to any particular Presidents, I happen to think we owe this consideration to the office of the presidency. I do not believe we should support a bill which, in my judgment, does violence to our duty to protect and preserve the constitutional system of checks and balances, by putting any President into such a position—even though he may want to get himself into it—that any considerable number of American people can say, "I suspect that he wants to use these funds for purposes of which we would not approve, because he is not even willing to accept a procedure which would require prenotification to Congress."

Mr. President, I submit the amendment.

Mr. SALTONSTALL. Mr. President, as the acting minority leader, I yield 3 minutes to the Senator from Rhode Island.

Mr. GREEN. Mr. President, this amendment would reduce from $250 million to $100 million the amount of funds which the President is authorized to use under the act in any fiscal year without regard to certain requirements of the act if he determines that such a waiver is important to the security of the United States. The amendment would also require the President to give notice to certain committees of the Congress 15 days prior to exercising this waiver power.

The Mutual Security Act has for a number of years contained the authority which this amendment would sharply restrict. This special authority of the President has proved extremely important to the United States on a number of occasions, the most recent of which was the Hungarian revolt. Using this special authority, the President was able quickly and effectively to rush assistance to the Hungarian refugees. This is only one example of the uses to which this power has been put. Some of the other exercises of this power have been for purposes which have a high security classification and cannot be discussed on the floor.

I do not believe the President of the United States has abused the special authority which is his under the act. In my judgment, it would not be wise to limit this discretion now.

I point out that this amendment is not an amendment to reduce the amount of funds which may be appropriated under the bill. It would not save any money. It would merely restrict a special power of the President which has proved important to the security of the United States.

Mr. President, I urge the defeat of the amendment.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. GREEN. I yield.

Mr. MORSE. The Senator from Rhode Island has properly described my amendment, as I myself stated it. Does the Senator know of any expenditure in the past year which has cost more than $100 million? With the funds which were available to him, the President had plenty of money to carry on the Hungarian relief program. If he had needed more money, the President could have got it quickly by asking for it. Does anyone think the Senate would not have voted to supply the President with more money for Hungarian relief?

The "emergency" argument is a sound one to the extent that there is not sufficient money in the emergency fund to carry out a program. If that be so, then Congress should be asked to supply more money. If the emergency program is a sound one, let the executive department ask for funds, and they will get them.

Mr. GREEN. The President found it very expedient to act quickly and to use already appropriated funds which might be used for that purpose.

Mr. HUMPHREY. Mr. President——

The PRESIDING OFFICER. The Senator from Texas is in charge of the time now available.

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield 5 minutes to the Senator from Minnesota, if that will be sufficient. How much time does he wish to have?

Mr. HUMPHREY. I was waiting for the Senator from Missouri [Mr. SYMINGTON], in connection with a matter we wished to discuss. However, he is temporarily out of the Chamber.

At this time, I should like to have 3 minutes yielded to me.

Mr. JOHNSON of Texas. I yield 3 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 3 minutes.

Mr. HUMPHREY. Mr. President. I think it understandable that every Member of the Senate would wish to have provision made for the closest possible check upon the use of the funds. However, it is not unusual to trust the President of the United States—I speak now of the office of the President—with rather wide authority when it comes to national defense and national security matters.

The amount now under consideration is $250 million, which was exactly the amount available for this purpose in 1957, and also, I believe, in 1956.

As has been indicated, this sum of money has not been spent without due consideration. Furthermore, as I understand, there has never been a time when a project has been undertaken under this program or this special assistance fund without prior notification to the committee.

Mr. GREEN. I believe that has been the case.

Mr. HUMPHREY. That has not been a requirement, but the Executive has notified the committee; is that correct?

Mr. GREEN. Yes; that has been the practice.

Mr. HUMPHREY. Mr. President, the principle of executive use of special assistance funds is acceptable, as is shown by the fact that, under the provisions of the pending amendment, the President would be allowed to use as he sees fit $100 million of the $250 million. Consequently the question relates to the remaining $150 million.

So the question is not one of principle; the principle is agreed upon. Instead, the pending question is simply whether we shall trust the President with $250 million or with $100 million.

In view of the world in which we live, I say that if the President is to be trusted with $150 million, it would be prudent to trust him with the additional $100 million. After all, the cost of living has gone up, and the operation with which we are dealing is an expensive one.

Mr. JOHNSON of Texas. Mr. President, does the Senator from Oregon yield back the remainder of the time available to him?

Mr. MORSE. No, Mr. President; first, I wish to answer the Senator from Minnesota.

Mr. President, whenever my friend, the Senator from Minnesota, gets on the wrong side of an issue, I always like to reply to him.

His argument is that if we can trust the President with $100 million, we can trust him with $250 million.

Mr. President, I prefer not to give the President even $100 million to use without prenotification.

All this assurance about notification is, in my judgment, a weak argument. If the President is going to keep in hourly contact with Congress, as the Secretary of State has said he will, it takes only about 20 minutes to travel from the White House to the Capitol; and if, the Congress is not in session, it takes not more than 24 hours to have Congress reassemble in session. Therefore, I am not very much impressed by the argument of emergency, as a justification for having the Congress relinquish the checking power upon the Chief Executive, no matter who he may be. Mr. President, that is the principle which is involved in this instance.

The Senator from Minnesota knows very well that I would prefer that the President not be given the $100 million at all. But it seems to me that if he is given the $100 million, the Congress will have given him enough to permit him to get started, until the Congress can provide more money, if in fact he does need more money. That is why this amount should be limited to $100 million.

Mr. President, according to the argument of the Senator from Minnesota, if we are to give the President $250 million, we could equally well give him $2 billion.

However, I say that certainly $100 million should be considered the maximum amount under any circumstances that we should give the President to use without any Congressional check upon him by way of legislative standards.

For the reasons I stated in my previous remarks, we should also keep in mind something I would have my friend, the Senator from Minnesota, never forget; it is a very elementary principle of legal procedure. It is that if a procedure is subject to abuse, we should clean up the procedure in the first instance.

I wish to say that when we provide for more than the $100 million, we greatly increase the possibilities and the temptations of abuse.

So, Mr. President, the question becomes one of whether we are satisfied that the amount we are allowing in the first instance is enough to let the President get started in handling an emergency. The Hungarian refugee problem has been referred to as an example. Mr. President, does anyone think that $100 million was not enough to permit a start to be made in handling the Hungarian refugee problem? Does anyone believe that amount was not sufficient to permit the President to get started until Congress could provide more money?

It was said that perhaps the President had already used a part of the money; but if he had $10 million left in the special fund, it would have been enough to get started with.

Mr. President, I have stated the checking principle upon the Executive of the country that I shall continue to insist on, so long as I am a Member of the Senate, in opposition to what I say most respectfully and seriously is one of the most dangerous trends today in American Government, namely, the trend to build up government by men, rather than government by law. We have an example of government by men whenever we give to any Government administrator an unchecked power.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. In a moment. I shall take just half a minute longer on my amendment.

If I understood the Senator from Minnesota, he also said, in the course of his argument, it is the practice to make, or that in practice reports are made in advance to the Foreign Relations Committee. If that be true, he ought to be over here with his arm around me, assuring me of his proposal to write it into the law. If the practice is good, let us make it a legal requirement. That is all my amendment does. I think it is a good practice, but I think it ought to be a legal requirement.

Mr. HUMPHREY. Mr. President, will the majority leader yield me 2 minutes? I know the majority leader is reluctant to do so, but he is a kindly man. [Laughter.]

Mr. JOHNSON of Texas. I yield the Senator 2 minutes.

Mr. HUMPHREY. What I have to say will hardly require 2 minutes. The Senator from Oregon has said it is perfectly all right to give the President $100 million because he says so. The Senator from Minnesota says it is perfectly agreeable to give the President $250 million because the committee says so. This is not an argument over principle; it is an argument over price; it is an argument over amount. We shall have to see whether or not the amount suggested by the Senator from Oregon, $100 million, is the correct figure, or whether the committee's figure of $250 million is the correct figure.

I want to make the record perfectly clear that the Senator from Oregon says it is fine and good to give the President $100 million, with no controls. The Senator from Minnesota says, "Let us make it $250 million," because this seems to be the combined judgment of a majority of the Foreign Relations Committee, plus the judgment of an overwhelming majority of the Senate in fiscal 1956 and 1957.

Finally, I should like to add this statement: The President of the United States is also elected. He is an elected official. Sometimes we in the Senate forget that. Every President we have ever had has been elected. The President is elected for 4 years, not 6. He may be even a little more sensitive to public opinion than we are. Furthermore, whether we like it or we do not—and I gather we do not—the President of the United States, whoever he may be, has a great deal more to say about foreign policy and national defense than we do.

There are times when I do not agree with the President's policies, and I have been sharp in my criticism; but I must confess I have found little to criticize about the way in which the President has used his special fund. What I have criticized is the people the President has had to administer the program. I submit it is not the program that is wrong; it is the administration of the program that is wrong.

I have disagreed in this instance with the Senator from Oregon. I shall await his documentation to show why $100 million, unfettered, uncontrolled, is better than $250 million, because, I repeat, it is not a question of principle; it is a question of amount.

Mr. MORSE. One of the most stimulating men I know is the Senator from Minnesota. Even when he is wrong, he is very pleasant. I want to tell him there is a principle involved. Without any reference now to anything but the position of the Presidency, let me say as a teetotaler some people can handle one cocktail, but a few more make them pretty drunk. I think it is one thing to allow $100 million, but I think some Presidents could get very drunk with power if they were offered $250 million.

I have already said I prefer prior approval for the expenditure of any money in any amount, but, as the Senator knows, I recognize that there is a necessity for legislative compromise. We have to try to iron out, on the anvil of discussion, a reasonable settlement of our principles. However, there is a pretty important principle involved, and that is whether or not we are going to give the President power by which he can proceed, without check by the Congress of the United States, to follow a course of action, by way of abuse of that power, which might endanger the welfare of this country abroad. That is the abuse I am seeking to prevent.

The President is elected, as the Senator from Minnesota has pointed out, but our constitutional fathers who provided for his election also provided for constitutional procedures of checking an elected President. That is the principle I am fighting for, Mr. President.

I want to say I do not think we can justify giving any President the amount of money the Senator from Minnesota is agreeing to give without the exercise of the prenotification check.

Mr. President, at this time, I yield 5 minutes to my good friend, the Senator from Illinois [Mr. DOUGLAS], who asked me to yield 5 minutes to him.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The Senator from Illinois is recognized for 5 minutes.

THE CIVIL-RIGHTS BILL

Mr. DOUGLAS. Mr. President, for myself and on behalf of Senators HUMPHREY, PASTORE, HENNINGS, MURRAY, GREEN, MORSE, NEELY, JACKSON, SYMINGTON, MCNAMARA, NEUBERGER, CARROLL, CHURCH, and CLARK, I wish to make the following statement:

It now seems evident that a civil-rights bill will be enacted by the other body. All of us who sincerely believe in, and have long fought for, the promotion and extension of civil rights in this country, cannot help but be gladdened by the prospect of this event. However, our joy is tempered by the knowledge that a civil-rights bill was passed by the other body in the last session of Congress, only to die for want of any action by the Senate of the United States. It is imperative that this sad page of history not be allowed to repeat itself at this session of the Congress. For this reason, it is hoped that the Judiciary Committee, which now and for so long has had civil-rights proposed legislation pending before it, will act promptly, so that the Members of the Senate will be given an opportunity to express themselves and, at long last, to vote on a civil-rights bill.

However, in order to insure the consideration and passage of a meaningful civil-rights bill at this session of the Congress, we stand ready to join with, and to cooperate fully with, any other Senator or any group of Senators on either side of the aisle, to retain a House-passed civil-rights bill (H. R. 6127) on the Senate calendar, so that Senators may have an opportunity to consider and express their judgment on that bill or on a Senate bill, or on either, as it may be amended after floor consideration.

We would prefer to act on the bill S. 83, which has been pending in the Senate Judiciary Committee since January 7, 1957, and we strongly recommend that it be reported out forthwith by the Committee. However, if this is not done before H. R. 6127 reaches the Senate, then we shall be compelled, under rule XIV, after the second reading of H. R. 6127, to object to further proceeding thereon so that it may go to the Senate calendar, to insure Senate consideration of this important legislation at this session.

We are taking this action because the passage of a meaningful civil-rights bill has been too long delayed and because we believe that such action is necessary if the rights, duties, and privileges of citizenship are to be guaranteed to all our citizens regardless of race, creed, or color.

Because of this belief, we therefore give notice at this time that when the civil rights bill, H. R. 6127, comes to the desk of the Presiding Officer of the Senate from the other body, and before any action to refer it or to dispose of it in any way occurs, we shall make certain parliamentary inquiries of the Presiding Officer of the Senate as to the rules of

the Senate and his interpretations of those rules.

We give this notice in order that our rights as Senators of the United States, which under our rules and traditions are equal to those of all other Senators, will be fully protected.

Further, we announce that we shall not give unanimous consent to any motion to refer the House-passed civil rights bill to any committee, and before such motion is made, or such action to refer is taken, we request that we be notified that the bill is to be laid before the Senate for a first or second reading or for referral, so that we may be in our places and prepared to propound certain parliamentary questions or to make certain motions.

Specifically, we wish to draw this notice to the attention of the Vice President, the Majority Leader, the Minority Leader, the Whips on both sides of the aisle, and to the Parliamentarian, and to whoever may be in the Presiding Officer's chair when H. R. 6127 arrives at the desk.

We are certain that, having given this notice, the leadership of the Senate will insure that our rights, as well as the rights of all other Senators, will be fully protected.

Mr. JAVITS subsequently said: Mr. President, I take 1 minute only to associate myself with the statement made by the Senator from Illinois, which I think goes to the heart of the effort to get civil-rights legislation in this session of Congress. He has extended an invitation for others to join with him, and I accept that invitation. I hope others will, also.

ORDERS FOR THE SENATE TO CONVENE AT 11 A. M. ON MONDAY, AND FOR CONSIDERATION OF THE ATOMIC ENERGY TREATY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate convenes on Monday, it convene at 11 a. m., for the purpose of considering the atomic energy treaty, and that it remain the pending business until disposed of.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Without objection, it is so ordered.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Does the majority leader yield back his remaining time?

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH], are absent on official business. On this vote the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from North Carolina would vote "yea" and the Senator from West Virginia would vote "nay."

I further announce that if present and voting, the Senator from Florida [Mr. SMATHERS] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Michigan [Mr. POTTER] are necesasrily absent.

If present and voting, the Senator from Maine [Mr. PAYNE] would vote "nay."

On this vote, the Senator from North Dakota [Mr. LANGER] is paired with the Senator from Michigan [Mr. POTTER]. If present and voting, the Senator from North Dakota would vote "yea," and the Senator from Michigan would vote "nay."

The result was announced—yeas 22, nays 61, as follows:

YEAS—22

Anderson	Jenner	O'Mahoney
Bible	Johnston, S. C.	Robertson
Byrd	Kerr	Russell
Chavez	Long	Talmadge
Eastland	Magnuson	Thurmond
Ellender	Malone	Young
Frear	Morse	
Gore	Murray	

NAYS—61

Aiken	Fulbright	McNamara
Allott	Green	Morton
Barrett	Hayden	Mundt
Beall	Hennings	Neuberger
Bennett	Hickenlooper	Pastore
Bricker	Hill	Purtell
Bush	Holland	Revercomb
Capehart	Hruska	Saltonstall
Carlson	Humphrey	Schoeppel
Carroll	Ives	Scott
Case, N. J.	Jackson	Smith, Maine
Case, S. Dak.	Javits	Smith, N. J.
Church	Johnson, Tex.	Sparkman
Clark	Kefauver	Stennis
Cooper	Kennedy	Symington
Cotton	Knowland	Thye
Curtis	Kuchel	Watkins
Dirksen	Lausche	Wiley
Douglas	Mansfield	Williams
Dworshak	Martin, Iowa	
Flanders	Martin, Pa.	

NOT VOTING—12

Bridges	Langer	Payne
Butler	McClellan	Potter
Ervin	Monroney	Smathers
Goldwater	Neely	Yarborough

So Mr. MORSE's amendment was rejected.

Mr. GORE. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER (Mr. PASTORE in the chair). The amendment will be stated.

The LEGISLATIVE CLERK. On page 30, line 13, after the period, it is proposed to insert the following:

Loans shall be made from the fund only on the basis of firm commitments by the borrowers to make repayment and upon a finding that there are reasonable prospects of such repayment.

Mr. GORE. Mr. President, in order that the Senate may understand the amendment, I take the privilege of reading it. I propose to add a new sentence on page 30, after period in line 13:

Loans shall be made from the fund only on the basis of firm commitments by the borrowers to make repayment and upon a finding that there are reasonable prospects of such repayment.

I support the movement from a grant program to a loan program, but I should like to have the assurance of this amendment written into the law, that the program will be administered as a loan program rather than as a grant program.

I find in four places in the report of the committee references indicating that this program will be a loan program, but I do not find the requirement in the bill. For example, on page 11, about the middle of the page, I find the following language in the report:

The fund will operate on the basis of firm commitments to repay all loans either in dollars or other currencies.

I will not burden the Senate by citing the other instances in the report in which this principle is spelled out. I hope the committee will accept the amendment, because it would place in the bill provisions which the report describes as the purpose and intent of the bill.

Mr. GREEN. Mr. President, I am happy to join the junior Senator from Tennessee in support of this amendment.

To answer the question some Senators have raised, it would make clear that this is to be a true loan fund, and that it cannot be used for loans in cases in which eventual repayment cannot be expected, which would only be disguised grants.

Under the terms of this amendment, when the fund made a loan the borrower would have to undertake a firm commitment to make repayment, and at that time a finding would have to be made that there were reasonable prospects that the borrower would live up to such commitment.

As Senators know, the President is authorized to determine the terms and conditions of repayment. I am sure the Senator has in mind, as I do, that the development loan fund would be used to make loans involving greater risks than those which would be financed by

the Export-Import Bank, the World Bank, and private investment capital. That lies at the very heart of the concept of this fund. It is intended that it shall be used to make loans which other sources would not make, so that the fund would not compete with those other sources, but rather would supplement them.

The proposed finding referred to in the amendment would, of course, take into account the basic idea that loans from the fund would involve greater risks than those assumed by other financial institutions. Also I am sure that the proposed findings would recognize that the fund's expectation of repayment would generally be based upon the country's overall prospects of long-range development which would produce resources from which repayment would be made, rather than on the revenue prospects of the particular projects involved.

The amendment is consistent with the attitude of the Committee on Foreign Relations in its treatment of the development fund. I have consulted with various committee members, but not all of them. In my capacity as chairman, I am willing to accept the amendment.

Mr. GORE. I thank the Senator.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. KENNEDY. I am interested in the Senator's amendment. It deals with an important element in the bill. I hope no Senator will vote for this loan program—and I am in support of it—with any firm conviction that the money will be paid back in dollars. If the country in question has dollars, under the provisions of the bill, it is more likely that it will turn to private sources, or to the World Bank. The fund comes third on the list of the sources which should be used. So it is rather doubtful if borrowers will turn to this fund unless their dollar balance is in stress, and there is a prospect that they could pay back only partly in dollars and partly in local currency. Then we should be faced with the question of what we could do with the local currency.

The Senator from Arkansas considers the desirability of having excellent administration. He was very strong in his support of former Ambassador Dillon. I agree with him. I think the program will have difficult days before it becomes a vital part of our foreign policy. Unless the administration of the program is one in which all of us can have confidence, the administrator will be exposed to charges of not fulfilling the purpose of Congress.

I do not anticipate that it will be possible for the administrator of the loan fund always to be paid back in dollars. For that reason, I think the fund will become depleted as time goes on, and that it will not be a revolving fund, as the World Bank fund is.

Even realizing that, I am in support of the bill and in support of the Senator's amendment.

Mr. GORE. I thank the able junior Senator from Massachusetts. My amendment does not change the concept of the bill as to the manner of repayment. That will be left untouched. The amendment does write into the bill the intent spelled out in the committee report, but omitted from the bill.

It is particularly important that this amendment be written into the bill because, if Senators will read the additional sentence in the paragraph in the middle of page 11, of the report, they will find:

Advances for this purpose may be made to private individuals and entities, quasi-public organizations, governments, and regional and international organizations.

If we are to undertake a program by which we authorize our Government to use a revolving fund from which to make loans even to private individuals and entities, then I think we should write into the bill the requirement that loans from the fund be made only after there is a finding that there is a reasonable prospect of repayment and assurances of repayment.

I appreciate the support of the distinguished junior Senator from Massachusetts. I concur in his statement. I appreciate the acceptance of the amendment.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. BUSH. Does the Senator's amendment contemplate that loans under this provision must be repayable in dollars?

Mr. GORE. It does not.

Mr. BUSH. It does not?

Mr. GORE. No.

Mr. MANSFIELD. Mr. President, I am prepared to yield back the remainder of my time, if the Senator from Tennessee is disposed to do likewise.

Mr. GORE. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time has been yielded back. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. GORE].

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, I would not impose myself upon the Senate at this late hour, except for the deep conviction that, unless we take prompt action to keep Congress advised in all respects about the programs and steps which are taken for the expenditure of the people's funds, we are in danger of losing the battle in which we are engaged for the preservation of free government.

I therefore call up my amendment 6-11-57-A.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 47, line 23, before the period it is proposed to insert a semicolon and the following:

And at the end thereof insert the following: "The Secretary of State shall keep the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of State or any agency thereof under this act. The Secretary of Defense shall keep such committees and the Committees on Armed Services of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of Defense under this act. Any Government agency shall furnish any information requested by any such committee with respect to the activities and responsibilities of that agency under this act and it shall be the duty of any officer or employee of the Government having information relating to programs being administered under this act to furnish promptly to such committee or committees, upon request by any such committees, full information with respect to such activities and responsibilities."

Mr. O'MAHONEY. In order to expedite action on the amendment, I now ask for the yeas and nays.

The yeas and nays were ordered.

Mr. O'MAHONEY. I thank Senators for granting the yeas and nays. I yield myself 15 minutes.

Mr. President, an examination of the bill reveals that while it provides in various places for reports to Congress, it does so in language that makes it clear that reports will be made after the fact, instead of before the fact. The best illustration of this is to be found in the provision of the measure dealing with military aid to Yugoslavia.

When the proposal was made, at the time the mutual security bill was before Congress a year ago, opposition was raised to any sort of aid to Communist Yugoslavia. I felt at that time that if the interest of the United States required such aid, and Communist Yugoslavia was not a part of the Communist conspiracy, the President should be permitted to report to Congress. The amendment which I offered was adopted. I shall read it. It is section 143, and will be found on page 39 of the committee report. It is near the bottom of page 39, and reads as follows:

SEC. 143. Notwithstanding any other provision of law, no assistance under this title or any other title of this act, or under any provision of law repealed by section 542 (a) of this act, shall be furnished to Yugoslavia after the expiration of 90 days following the date of the enactment of this section, unless the President finds and so reports to the Congress, with his reasons therefor, (1) that there has been no change in the Yugoslavian policies on the basis of which assistance under this act has been furnishd to Yugoslavia in the past, and that Yugoslavia is independent of control by the Soviet Union, (2) that Yugoslavia is not participating in any policy or program for the Communist conquest of the world, and (3) that it is in the interest of the national security of the United States to continue the furnishing of assistance to Yugoslavia under this act.

The amendment was warmly received and adopted by the Senate at that time. However, the bill sent to Congress this year, and introduced by request by the distinguished Senator from Rhode Island [Mr. GREEN] and the distinguished Senator from Wisconsin [Mr. WILEY], provided for the repeal of section 143. I am happy to note that the Committee on Foreign Relations was unwilling to repeal it. However, it is reported to the Senate as a substitute, which has been

carefully drawn to eliminate prior report to Congress. Let me read it. It is section 143 and reads as follows:

SEC. 143. Assistance to Yugoslavia: In furnishing assistance to Yugoslavia, the President shall continuously assure himself (1) that Yugoslavia continues to maintain its independence, (2) that Yugoslavia is not participating in any policy or program for the Communist conquest of the world, and (3) that the furnishing of such assistance is in the interest of the national security of the United States. The President shall keep the Foreign Relations Committee of the Senate, the Foreign Affairs Committee of the House of Representatives, and the Appropriations Committees of the Senate and of the House of Representatives fully and constantly informed of any assistance furnished to Yugoslavia under this act.

Senators will note that the word "furnished" is in the past tense, making it clear that the purpose of the amendment is to advise Congress only after the act has been taken.

That is not the sort of information the legislative body of a free government should require.

The great contest that is going on in the world is a contest between free government and totalitarian government, headed by managerial officials of one kind or another. Sometimes they are Communist and sometimes they are Fascist, but they conceive that they, and they alone, are competent to deal with what the people ought to take. In our Government, the sole legislative authority is the Congress of the people. When we, in the interest of national defense and in the interest of economic aid to nations of the world, are granting broad powers for the expenditure of moneys of the people, we ought to be careful that we know in advance what is being done.

Let me give another illustration of how the reports to Congress are reports after the fact. On page 31 of the bill, in section 202 (b), beginning at the bottom of page 30, I find these words:

Guaranties under this subsection shall be subject to the provisions of section 413 (b) (4), except subparagraph (F) thereof. The administrator of the fund shall furnish to the Foreign Relations Committee of the Senate and to the Foreign Affairs Committee of the House of Representatives a report on each financing operation or transaction involving more than $10 million of the fund's assets and involving an activity requiring longer than 1 year to complete. Such report shall be made at the time such financing operation or transaction is consummated.

I emphasize the last sentence:

Such report shall be made at the time such financing operation or transaction is consummated.

There is no requirement for a report on any transaction involving less than $10 million, or, indeed, strictly speaking, involving $10 million. The language is "more than $10 million." So the administrator of the fund, in the language of the bill, is free to make commitments for any number of operations and transactions for $10 million or less, without making the slightest report hereafter to Congress.

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I yield.

Mr. CASE of South Dakota. I should like to ask the distinguished Senator from Wyoming if the final sentence of the amendment which he has offered would permit the President or a member of the executive branch to plead privilege in case the information sought were of such a nature that, in the judgment of the President, it would impair the security of the United States. Certainly it must be recognized that in the administration of the act the President and the ICA will be dealing with many sensitive matters. I was wondering what interpretation the Senator would put upon that language.

Mr. O'MAHONEY. I am certain that no committee of Congress, either of this body or of the House of Representatives, would wish to make any disclosure of any really sensitive material. I think that if the President of the United States should claim the executive privilege with respect to the expenditure of the funds which are delegated to him, the committee would never raise a question at all. But the sad fact is—and the bill proves—that while we grant the authority to the President, the bill contains language which puts the spending authority really in the hands of underlings of the Executive.

Such officials, my belief is, are the ones who are required to come before the committees and answer questions. If they are dealing with a sensitive matter, a classified matter, one which would involve the security of the United States, and the President said so, there would be no difficulty at all under this language. But the sad fact is that the claim of Executive privilege has been greatly expanded in recent years.

Mr. CASE of South Dakota. The junior Senator from South Dakota is perfectly sympathetic to the purpose of the amendment, with respect to such information as Congress might desire with respect to the activities and the responsibilities of any agency under the act. I think the statement of the Senator from Wyoming perhaps provides assurance as a part of the legislative story in the consideration of the amendment.

Mr. WILEY. I think it does. It was intended to do so.

Mr. CASE of South Dakota. I should like to read the final sentence of the amendment and then have the Senator from Wyoming elaborate upon the statement, if he cares to do so. The amendment proposes, in the final sentence, this requirement:

Any Government agency shall furnish any information requested by any such committee with respect to the activities and responsibilities of that agency under this act and it shall be the duty of any officer or employee of the Government having information relating to programs being administered under this act to furnish promptly to such committee or committees, upon request by any such committees, full information with respect to such activities and responsibilities.

Having read that sentence, I ask the Senator from Wyoming, the sponsor of the amendment, this direct question: Would that language, in the Senator's judgment and in his interpretation, constitute a waiver of executive privilege, when the bill has been passed by Congress and signed by the President?

Mr. O'MAHONEY. It would constitute a waiver of executive privilege by any subordinate of the President, unless the President himself exercised his privilege.

Mr. CASE of South Dakota. But if the President exercised the privilege, then the subordinate or the employee of the agency could cite it.

Mr. O'MAHONEY. It is generally agreed that the President has the constitutional right, in matters of foreign relations, to decline to give out information when he believes that such information would impair the national security. I am not dealing with that matter at all. A statute could not overrule a constitutional right.

But where, as we know in this case, the power that we grant to the President must be exercised by subordinate officials who never see the President, then I want to be certain that the executive privilege is not extended to such persons.

There were examples before the Committee on Government Operations last year. The distinguished Senator from Arkansas [Mr. MCCLELLAN], who is a cosponsor of the amendment, related some of those facts. There was a program to expend a large amount of money for the construction of a wheat warehouse in the country of Pakistan. Competitive bids were sought. They were received, but they were rejected. Even the best bid was rejected.

Mr. CASE of South Dakota. The Senator from South Dakota remembers the incident.

Mr. O'MAHONEY. The Senator recalls that incident.

Mr. CASE of South Dakota. Yes, I do.

Mr. O'MAHONEY. Before the information was secured, which prevented the expenditure of that fund, it became necessary for the committee to summon before it the chief official.

Mr. CASE of South Dakota. I think the record now is clear, but I want to shorten the question, and then I shall ask the Senator from Wyoming to comment on it. Then I think we will have solved the problem. Does the Senator think that when the bill is passed and is signed by the President, the signing of the bill by the President will constitute a waiver by him of his right to voice and claim executive privilege with respect to the matters in the act?

Mr. O'MAHONEY. I do not think it would constitute a waiver of the President's executive privilege; no.

Mr. CASE of South Dakota. Even though he signs the bill?

Mr. O'MAHONEY. Even though he signs the bill.

Mr. CASE of South Dakota. I thank the Senator.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY The Senator from Wyoming recalls that we had a colloquy last evening about this very amendment. At that time it was the contention of the Senator from Minnesota that Congress could not pass legislation which would compel the President to divulge information which he felt, under his constitutional right as President of the United States, he did not need to divulge. I read from page 9012 of the RECORD of June 13, 1957, as follows:

Mr. HUMPHREY. I did not say that at all. I said we cannot pass legislation here which would compel the President to divulge information that he feels under his constitutional right as President of the United States he does not need to divulge. We can pass legislation which says, "The only way, Mr. President, you can carry out this program is to do as we say in terms of reports." And the President will have to either sign it or reject it.

My feeling was that the language in the sentence to which the Senator from South Dakota made particular reference is a language which, if left in the bill as now written, or in the amendment as now written, might very well compel the President, after he seeks legal advice from the Department of Justice, to have to veto this measure, because I am afraid it goes further than the intent of the Senator from Wyoming, since the bill is written to place all these funds under the jurisdiction of the President.

I say to the Senator from Wyoming that it is true—and I concur fully with his observation—that the funds will not be spent directly by the President, but will be spent by agents of the President who are responsible to him. For example, the President appoints the Director of the loan development fund, and the nomination of the Director must be confirmed by the Senate. It is a Presidential appointment, and the appointee is subject to removal by the President. The President also appoints the ICA Director, who is in full charge of the program. That appointment is likewise subject to confirmation by the Senate, and the appointee is subject to removal by the President.

Mr. O'MAHONEY. Mr. President, I invite the attention of the Senator from Minnesota to the language dealing with southeast Asia, appearing on page 28, beginning in line 16, as follows:

The President or such officer as he may designate shall report each instance of such waiver—

The waiver is explained a little before that—in line 14—by the words—

The President may waive specific provisions of section 142 to the extent he may deem necessary in the national interest to carry out the purposes of this act.

Those words are followed by the sentence I began to read, which in full is as follows:

The President or such officer as he may designate shall report each instance of such waiver to the Foreign Relations, Appropriations, and Armed Services Committees of the Senate and the Foreign Affairs, Appropriations, and Armed Services Committees of the House of Representatives within 30 days.

My point is that this information should be obtained before the act; and there is here a clear indication of the delegation to a subordinate by the President; and those subordinates do act.

Mr. HUMPHREY. I fully concur.

Mr. O'MAHONEY. Again I say, as I said to the Senator from South Dakota, that a statutory provision cannot waive the constitutional power of the President. But I am speaking of the constitutional power of the President, not the constitutional power of subordinates, because there is no such power.

Mr. HUMPHREY. Mr. President, will the Senator from Wyoming yield.

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY. I agree with the Senator's analysis. The agents act in the name of the President. But this is what causes me some concern. I wish to say that I am very sympathetic with the objectives of the amendment, and basically I believe that the purpose of the amendment is covered by the proposed legislation as now prepared, but perhaps not as specifically as we need to have it covered.

Mr. O'MAHONEY. That is exactly the case.

Mr. HUMPHREY. Therefore, I am trying to work with the Senator from Wyoming, in hopes that we can arrive at language which, at least from my point of view, I can support wholeheartedly.

I wonder whether the Senator will refer to the language on page 1 of his amendment, in line 7, where the amendment directs the Secretary of State to keep these committees informed. The amendment uses the words "fully and currently informed."

It appears to me that if the words "fully" were included, but if the words "and currently" were deleted, that would be helpful. The directive is that the committees must be kept fully informed. But to be kept currently informed might imply almost a day-to-day type of reporting, which I believe would impair the administration of foreign policy.

Mr. O'MAHONEY. But we have a precedent which I believe should relieve the Senator from Minnesota from his doubt. The language to which he is referring relates back to the precise language of the Atomic Energy Act. When Congress was passing that measure, Congress was dealing with a great, new natural power, the destructive quality of which Congress was not fully informed about. But in the present case we are dealing with the expenditure of the people's money all over the globe, and in many ways which the President is utterly unable to supervise.

Let us consider, for example, the language on page 30, at the beginning of paragraph (b) of section 202, as follows:

(b) To carry out the purposes of this title, the President is hereby authorized to make loans, credits, or guaranties, or to engage in other financing operations or transactions (not to include grants or direct purchases of equity securities), to or with such nations, organizations, persons—

That means individuals—

or other entities.

What sort of an entity is meant? This language is so broad that it places the entire revolving fund created for economic aid—and I am strong for economic aid, rather than the furnishing of military equipment to be used for the destruction of life—in such a position that it is subject to loose expenditure. When we are dealing with a measure of this sort, we should be able to protect the people of the United States from the loose expenditure of the billions of dollars which in this measure are authorized for appropriation.

Mr. HUMPHREY. Mr. President, I wish to say that every Member of the Senate is deeply indebted to the Senator from Wyoming for his diligence in having adequate checks placed upon any officer of the Government who is authorized to spend large sums of money; and it is important that such checks be provided in the pending bill.

Mr. O'MAHONEY. I am confident that if the amendment is adopted by the Senate and is placed in the searchlight of the conference, the necessity for such an amendment will be recognized; and if in conference a change is desired, it can be worked out there.

The important thing is to make sure that the Congress of the United States, which is the custodian of the money of the people, shall not be deprived of a prior look at the projects which are to be adopted.

Mr. HUMPHREY. Mr. President, will the Senator from Wyoming yield, to permit me to make a final observation and to ask a question? I know that other Senators wish to interrogate him.

Mr. O'MAHONEY. I am glad to yield.

Mr. HUMPHREY. I feel most sincerely that if the sentence on page 2 of the amendment, in line 4, to which the junior Senator from South Dakota [Mr. CASE] referred, could be modified or deleted or in some way clarified by language included in the amendment, so as not to impinge upon what I believe to be prerogatives of the Executive—which Senators should guard just as zealously as they guard their own Congressional prerogatives—then I would be in accord with the amendment.

I know the State Department feels that the language about keeping the Congress "fully and currently informed" may lead to some troubles in administration. But I doubt that; I am convinced that the Congressional committees would not ask for undue activities on the part of the State Department, but would ask only for proper reporting.

However, I am concerned about this matter from the constitutional point of view. Every Senator has his own viewpoint regarding what is a constitutional question.

Mr. O'MAHONEY. I am very happy that the Senator from South Dakota and the Senator from Minnesota have pursued this matter. I think we are making a valuable legislative history in regard to construing the meaning of the language; and inasmuch as the amendment has been supported, I think the RECORD contains ample evidence of the fact that the amendment is needed.

Let us consider, for example, the language on page 36, beginning in line 24;

it is part of section 206. I now read the sentence beginning at that point:

If the administrator of the fund follows a course contrary to the advice of a majority of the committee—

And of course that is the Advisory Committee, which is established by the language on page 36, in lines 7 to 18—

with respect to any such subject, he shall furnish to the committee and to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a statement of his reasons for doing so.

There again it is after the fact, because if it were intended to be before the fact, the words "before acting" would be inserted on line 2, after the word "shall." That would make it certain that it was before the fact, but as it is written, it is after the fact. That is why it is necessary for us to protect the power of Congress with respect to subordinates.

In the case to which I started to refer, and which the Senator from South Dakota [Mr. CASE] said he recalled vividly, the President was not vaguely connected with the matter. It was all under the control of one of his subordinates, and that subordinate, having ordered rejection of the bids, then ordered that the contract be awarded to one of the low bidders, a corporation which had not been in business as much as a year. That is obviously not in the public interest, and it is so obvious that when finally the Committee on Government Operations was able to get that officer before it, the committee got the information and stopped the deal. We have made a legislative record.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. O'MAHONEY. May I ask the Presiding Officer how much time I have left?

The PRESIDING OFFICER (Mr. PASTORE in the chair). The Senator has 30 minutes remaining.

Mr. O'MAHONEY. I yield myself sufficient time to answer the Senator from Indiana.

Mr. CAPEHART. My question is this: Why is there any more reason to have this language in the bill than to have similar language in the Export-Import Bank Act, under which the Export-Import Bank loans literally billions upon billions of dollars, or in the International Bank Act, or in the Housing Act, or in the Defense Department appropriation bill, because the Defense Department spends literally billions upon billions of dollars?

Mr. O'MAHONEY. Because none of those agencies could refuse a request.

Mr. CAPEHART. Or the old ICA Act, under which we are working at the moment. My question is: Why is it necessary to have this language in the pending measure when it is not in all those other acts?

Mr. O'MAHONEY. Because the President is not acting in the other cases.

Mr. CAPEHART. I do not understand what the Senator means.

Mr. O'MAHONEY. We are dealing here with foreign relations under the direction of the State Department. We are making authorizations for expenditure by the President, but we know there is not time enough in a month for the President to give any attention to any part of the transactions.

Mr. CAPEHART. Is the Senator not now being technical, because all appropriations, regardless of what they are for, are under the direct responsibility and supervision of the President of the United States?

Mr. O'MAHONEY. Not at all.

Mr. CAPEHART. How long has that been going on?

Mr. O'MAHONEY. Since the very beginning of the Government, when the constitutional fathers wrote into the Constitution that no money could be expended from the Treasury except by an appropriation of Congress. Congress has the power of the purse, and the minute we lose the power of the purse we shall lose free government and sacrifice the authority of the people.

Mr. CAPEHART. My point is: Why is it so important to write this sort of language in the bill before the Senate when we have never done it before?

Mr. O'MAHONEY. Because we now are at the point where the Treasury of the United States is finding itself unable to borrow money without paying high interest rates. We are now at the point where we know that the bonds of the United States have sunk away below par. The Second Liberty Loan Bonds on the market today are not quoted at more than 88. That is the reason. Because, while other governments are using our appropriations to pay their debts, we are appropriating money to increase our debt.

Mr. CAPEHART. The able Senator does not want us to believe that the Congress is going to pass on every individual loan and every individual transaction, does he?

Mr. O'MAHONEY. Of course not. The amendment does not so provide.

Mr. CAPEHART. The amendment provides that Congress can call before it any disgruntled employee of the executive department, who will be able to say whatever he pleases; and we shall no longer have orderly government.

Mr. O'MAHONEY. The Senator is not talking seriously.

Mr. CAPEHART. Yes; I am very serious.

Mr. O'MAHONEY. The Senator from Arkansas desired to ask me a question.

Mr. CAPEHART. I am talking very seriously.

Mr. O'MAHONEY. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I have 2 or 3 questions. I wonder why the Senator from Wyoming did not submit the amendment to the committee, so the committee could have some idea how much the adoption of the proposal would cost, and how much of an additional staff would be required.

Mr. O'MAHONEY. I wanted to do it, but time passes on so rapidly. I am a member of the Judiciary Committee, I am a member of the Joint Economic Committee, I am a member of the Interior and Insular Affairs Committee. I was busy day and night with tasks assigned to me by those three committees, and I did not have time. I was disappointed when I found the report had been submitted by the committee last week, instead of this week. I thought I would have ample time to appear before the committee. I have appeared before the Foreign Relations Committee, as the Senator well knows, when he and I were in agreement.

Mr. FULBRIGHT. Has the Senator had any estimate made of how many additional staff members would be necessary if there were a requirement to file current reports of such activities? Does the Senator not know it would require an enormous number of people?

Mr. O'MAHONEY. Is the Senator making an argument for the maintenance of executive secretary?

Mr. FULBRIGHT. No.

Mr. O'MAHONEY. That is what it amounts to.

Mr. FULBRIGHT. We have been functioning for a number of years without this particular amendment.

Mr. O'MAHONEY. And a lot of money has been expended, and many proponents of the bill have acknowledged on the floor during the debate that there has been waste and extravagance—necessarily so. I am seeking to protect against the unnecessary expenditure of Government funds.

Mr. FULBRIGHT. We are coming to the point now. I do not wish to stand here and say the administration is without fault. As a matter of fact I have often said it has been. Unfortunately, under our system, we have an executive and a legislative branch——

Mr. O'MAHONEY. "Unfortunately," does the Senator say?

Mr. FULBRIGHT. Because the Senator feels disappointment——

Mr. O'MAHONEY. Does the Senator say "unfortunately"? If he does, he answers my case.

Mr. FULBRIGHT. If the Senator does not want me to ask questions, I shall not do so, but shall speak on my own time.

Mr. O'MAHONEY. When the Senator says it is unfortunate that we have a legislative and an executive branch, I want to know what he means. It is not unfortunate. It is a free government.

Mr. FULBRIGHT. Of course, as the Senator well knows, I did not mean it is unfortunate that we have a legislative and executive branch. What I started to say was that under our system of Government the very fact that we have a legislative and executive branch necessitates that one branch must, occasionally, accord to the other branch a certain degree of trust. If the amendment of the Senator from Wyoming means anything, it means that he is not satisfied with the way the executive branch is administering the law, and he wants the legislative branch to take over that function by requiring full and current reports, why does the Senator want that if it is not to assume the responsibility which is in the Executive? If we are to be fully informed, then I suppose we should take the responsibility of administering the law day by day. It is a wholly unworkable approach to this problem.

Mr. O'MAHONEY. I do not agree with what the Senator concludes at all, because the same language is in the Atomic Energy Act, and it has not resulted in any day-to-day assumption by the Congress of the functions of the Atomic Energy Commission.

Mr. FULBRIGHT. This provision is not restricted to any one agency. It is practically the whole Government the Senator wishes to have brought up here.

Mr. O'MAHONEY. The Senator knows it is restricted to those carrying a responsibility under this bill.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Oregon.

Mr. MORSE. Is it not true that the Export-Import Bank was established under very detailed legislation, setting forth a great many legislative standards, controls, and regulations, whereas the proposal in this bill does not begin to provide the kind of checks we have on the Export-Import Bank.

Mr. O'MAHONEY. The Senator is quite correct.

Mr. President, there are innumerable quotations from the bill which I could read to prove my point that the Congress should retain its power to know what is being done with the people's money. That is all I ask.

For almost 50 years we have been watching the Congress delegate away its powers to the Executive. We did it after the "crash," when we first appropriated some $3 billion to repair some of the damage caused by the depression in 1933. There was a grant of legislative power to the Executive, there is no doubt about it. It was exercised. But this practice is becoming so habitual now that we are bound to lose our legislative power. We are sacrificing the great distinction between our Government and every other government on earth, except perhaps the British Government. We have a legislative power that is still dominant. We do not have managerial government. But we are drifting into it.

Mr. President, I reserve the remainder of my time.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I yield to the Senator from Ohio.

Mr. LAUSCHE. If the amendment offered by the Senator from Wyoming should be adopted, would the Senator be so kind as to describe to me what the procedure would be, what the Senate and the House committees would do after the reports were filed, and why this procedure is suggested?

Mr. O'MAHONEY. The point is this, I will say to the Senator from Ohio: the Committee on Government Operations would be assured that when it called any officer or employee to testify with respect to a fact, the answer would be promptly given without reluctance. The Department of State says in its letter that it is willing to cooperate with the Congress. It says it comes down and tells these things. But the provisions of this bill, which I have read clearly call for reports only after the act has taken place.

Mr. SALTONSTALL. Mr. President, as the acting minority leader I yield 5 minutes to the distinguished chairman of the committee, the Senator from Rhode Island [Mr. GREEN].

Mr. GREEN. I thank the Senator.

Mr. President, I should like to make a few comments about this proposed amendment.

This amendment would require any executive branch official to furnish, on request, any information, whether documents or testimony, desired by any committee of Congress as to any mutual-security activity or responsibility.

This amendment in substantially the same form was offered during floor debate on the mutual-security program authorization bill last year, was thoroughly debated, and was rejected by a vote of 58 to 23.

I hope we will be faithful to the action taken by our predecessors, and do as well as they did.

This amendment raises a delicate question of the constitutional relations between the Congress and the President. It would set an important precedent on a problem not peculiar to the mutual security program. It should be debated on its merits in a general bill and not be dealt with as a rider to a mutual-security bill.

The amendment is not necessary. The Committee on Foreign Relations and the Committee on Appropriations have always been able to get all the information they need about mutual-security programs. Moreover, if the matter is important enough the Congress can always get the information it wants from the Executive by denying appropriations to the Executive. This kind of action, however, should be taken by the Congress and not by a single committee of Congress.

It is doubtful whether the amendment is constitutional. Our Government is one of separated powers. The Congress should be jealous of its power, but it should also jealously guard the power of the President. A committee of Congress is not the Congress, and should not act as if it were the Congress. The Congress may ask the President to report to the Congress, but a committee of Congress should not ask the President to report to it.

The amendment is very broad in its scope. It applies not only to documents, but directs that no oral testimony shall be withheld from a committee. Any information asked for by a committee of Congress must be furnished. It does not matter whether the information is unclassified or top secret; whether it is a conversation between the President and the Secretary of State or whether it is a conversation between two janitors; or whether a document consists of preliminary notes or whether it is a final document—all must be handed over at the demand of a committee, whether the disclosure of the information would injure the national security or not.

For all these reasons, Mr. President, it seems to me that the amendment should not prevail.

Mr. SALTONSTALL. Mr. President, I yield myself 2 minutes.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter dated June 13, 1957, from the Director of the International Cooperation Administration, Mr. John B. Hollister, addressed to the chairman of the Committee on Foreign Relations, the Senator from Rhode Island [Mr. GREEN].

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERNATIONAL COOPERATION ADMINISTRATION,
Washington, D. C., June 13, 1957.

Hon. THEODORE F. GREEN,
Chairman, Committee on Foreign Relations, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: This is in reply to the letter of June 12 from Mr. Marcy of your staff requesting our comments on the amendment which Senator O'MAHONEY plans to propose during floor debate on S. 2130. That amendment would add at the end of section 534 of the Mutual Security Act of 1954, as amended, the following new language:

"The Secretary of State shall keep the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of State or any agency thereof under this act. The Secretary of Defense shall keep such committees and the Committees on Armed Services of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of Defense under this act. Any Government agency shall furnish any information requested by any such committee with respect to the activities and responsibilities of that agency under this act and it shall be the duty of any officer or employee of the Government having information relating to programs being administered under this act to furnish promptly to such committee or committees, upon request by any such committees, full information with respect to such activities and responsibilities."

1. The first two sentences of this new language would require that the designated committees be "fully and constantly informed" with respect to "all activities" under the Mutual Security Act of 1954, as amended. We oppose such a requirement as unnecessary and inadvisable.

We fully agree on the vital importance of keeping Congress fully informed with respect to the mutual security program. We believe the present arrangements and requirements for informing Congress with respect to the mutual security program amply serve that purpose. Each year the executive branch makes a full presentation on this program to the Senate Foreign Relations Committee and to several other committees. This presentation includes the submission of extensive written materials with respect to the program, as well as the personal testimony of numerous witnesses from the executive branch. The content of these presentations is determined in consultation with representatives of the various committees before which we appear. So far as I know, we have included in these presentations all of the information the committees have requested us to submit, including classified information.

In addition to this annual presentation to the Congress, we submit to the Congress semiannually, as required by section 534 of the Mutual Security Act, reports covering each 6 months of operations under this act. These reports include detailed information

on the implementation of several sections. Also, as required by section 513 of the act, we specifically inform the Congress of all substantial changes from the illustrative programs submitted during the annual presentations to Congress, and report each action taken under specified sections of the act.

And beyond these regular procedures for informing and reporting to the Congress, we furnish additional information in response to the frequent requests we receive from congressional committees and from individual Members of the Congress.

In light of these existing requirements and arrangements for furnishing information to Congress, we do not believe the first two sentences of the O'Mahoney amendment would serve any useful purpose.

Furthermore, it is not clear what those two sections require. Read literally, they could require extensive daily or weekly reports to the congressional committees on every minute detail of operations in some 65 countries under the mutual security program. This would patently impose an impossible administrative burden on executive agencies as well as deluging the committees with far more information than could usefully be absorbed. If, as we presume is intended, the amendment contemplates reports at less frequent intervals and in less minute detail, it would appear to add nothing useful to the present reporting and information requirements and arrangements described above.

2. With respect to the final sentence of the proposed amendment, I would like to call to your attention the following statements made by Secretary Dulles in a letter of June 28, 1956, to Senator George regarding an amendment advanced last year by Senator O'MAHONEY on this same subject (although differing in some respects from the present amendment):

"Such an amendment would not be in the national interest to the extent that it is intended to require officers and employees of the executive branch to make available information which, in the judgment of the President, should not be disclosed. Any such provision would adversely affect the conduct of our foreign relations, the administration of the mutual security program, and the operations of whole areas of this and other departments, only incidentally related to mutual security activities. Moreover, the questions raised by the proposed amendment, raise substantial constitutional questions, in that the amendment would purport to withdraw from the President the authority to determine when and under what circumstances the disclosure of information relating to the conduct of foreign affairs and national security would be in the public interest. Such a provision would be inconsistent with the theory of separation of powers of the legislative and executive branches as it has been understood and followed since the administration of President Washington. For these reasons the Department of State is opposed to the enactment of this amendment.

"I wish to make it clear nevertheless that the Department is ready as it has always been, to inform the appropriate committees of Congress fully as to actions taken and determinations made in implementation of the mutual security program and the considerations upon which they are based. As you and members of your committee are aware, officers of the Department, the International Cooperation Administration, and the Department of Defense appear before your committee for several weeks of testimony each year on these matters and discuss them periodically during the year with your committee and other interested committees. As much of the information as possible has been provided on an unclassified basis. Sensitive information which could not be made public has been provided to the appropriate committees on a classified basis.

"The proposed amendment, however, would purport to require any officer or employee of the Government having information, or having custody of documents or other data relating to programs being administered under the act to furnish such information and documents promptly on request to any appropriate committee of either House or joint committee of the Congress, or any subcommittee of such committee. The material which could be requested under the amendment would involve substantially every file in the Department containing foreign or domestic political or economic information, as well as considerable foreign military and intelligence information held by this Department, the Department of Defense, and other agencies.

"Such an amendment, if enacted, would pose grave problems in the conduct of our foreign relations. It has always been recognized that the day-to-day process of diplomatic communication and consultation, both formal and informal, through which the President is informed of current and prospective developments in foreign countries, must necessarily be carried on in confidence. For instance, private conversations between the President, or the Secretary of State, and our Ambassadors and the heads of foreign states and their representatives cannot be carried on with frankness except on the assumption that memorandums of such conversations will be given the most limited and discreet distribution, even within the executive branch. The same is true of much of the informal contact at lower levels which plays so essential a role in the conduct of foreign relations. In the absence of ability to respect such confidences in the manner which has been traditional in relations between nations for centuries, the conduct of diplomacy would be well nigh impossible.

"It is equally essential to the efficient and effective administration of the mutual security program that the President have the benefit of confidential advice from the officers primarily responsible and answerable to him within the executive branch, and that they, in turn, have the same complete and candid advice from their subordinates. This frank exchange of views would not be possible if the provisions of the proposed instructions required by the amendment were put into effect. I am sure the practical necessity for such relationships in deliberation and staff administration has been demonstrated in the experience of the legislative and judicial branches as well as in the executive branch of the Government. Some reasonable line must be drawn between the interest of Congress in carrying out investigations in furtherance of its legislative functions, and the responsibility of the President to administer the laws. It is not to the interest of the Government, or of the Nation as a whole, that the responsibilities of any branch be carried out by methods which would seriously impair the ability of any other branch to function effectively."

We would consider the present amendment proposed by Senator O'MAHONEY to require the furnishing of information to the Congress only in conformance with the principles described in the foregoing passages from the Secretary's letter. As such, the amendment would add nothing to the present arrangements and requirements for furnishing information to Congress, and we oppose it for this reason. If the amendment were intended to go beyond this and have the sweeping, unrestricted effect of last year's O'Mahoney amendment, then we would vigorously oppose it for the reasons set forth in the Secretary's letter.

While urging that this amendment not be adopted, I want at the same time to assure you that we intend to continue, as we have in the past, to cooperate to the fullest extent consistent with the principles set forth above in furnishing information to the Congress.

Yours very sincerely,

JOHN B. HOLLISTER.

Mr. SALTONSTALL. I invite attention of Senators particularly to the second item at the bottom of page 2, marked with the number 2, which refers to a letter from Secretary Dulles to Senator GEORGE, dated June 28, 1956, regarding an amendment advanced last year by the distinguished Senator from Wyoming [Mr. O'MAHONEY] on this same subject. He says, in substance, that such an amendment would not be in the national interest to the extent that it is intended to require officers and employees of the executive branch to make available information which, in the judgment of the President, should not be disclosed. That, it seems to me, is a very significant sentence in connection with this amendment.

Mr. President, does the Senator from Wyoming [Mr. O'MAHONEY] yield back the remainder of his time?

Mr. O'MAHONEY. Yes, I am ready to yield back the remainder of my time.

Mr. SALTONSTALL. I shall do likewise, Mr. President.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Florida [Mr. SMATHERS] and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from West Virginia would vote "nay."

I further announce, if present and voting, the Senator from Florida [Mr. SMATHERS] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE], are absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Michigan [Mr. POTTER] are necessarily absent.

If present and voting, the Senator from Maine [Mr. PAYNE] and the Senator from Michigan [Mr. POTTER] would each vote "nay."

The result was announced—yeas 31, nays 53, as follows:

YEAS—31

Anderson	Jackson	Mundt
Barrett	Jenner	Murray
Bible	Johnston, S. C.	O'Mahoney
Byrd	Kefauver	Revercomb
Carroll	Kerr	Russell
Chavez	Long	Scott
Church	Magnuson	Symington
Douglas	Malone	Talmadge
Eastland	Mansfield	Thurmond
Ellender	McClellan	
Frear	Morse	

NAYS—53

Aiken	Gore	McNamara
Allott	Green	Morton
Beall	Hayden	Neuberger
Bennett	Hennings	Pastore
Bricker	Hickenlooper	Purtell
Bush	Hill	Robertson
Capehart	Holland	Saltonstall
Carlson	Hruska	Schoeppel
Case, N. J.	Humphrey	Smith, Maine
Case, S. Dak.	Ives	Smith, N. J.
Clark	Javits	Sparkman
Cooper	Johnson, Tex.	Stennis
Cotton	Kennedy	Thye
Curtis	Knowland	Watkins
Dirksen	Kuchel	Wiley
Dworshak	Lausche	Williams
Flanders	Martin, Iowa	Young
Fulbright	Martin, Pa.	

NOT VOTING—11

Bridges	Langer	Potter
Butler	Mahoney	Smathers
Ervin	Neely	Yarborough
Goldwater	Payne	

So Mr. O'MAHONEY's amendment was rejected.

Mr. FULBRIGHT. Mr. President, I call up my amendment identified as "6–13–57–C."

The PRESIDING OFFICER. The Secretary will state the amendment.

The CHIEF CLERK. On page 40, line 2, it is proposed to insert the following:

(c) The President is authorized to use not to exceed $10 million of funds appropriated pursuant to subsection (a) of this section for assistance on such terms and conditions as he may specify, to schools, libraries, and community centers abroad, founded or sponsored by citizens of the United States, and serving as study and demonstration centers for ideas and practices of the United States, notwithstanding any other act authorizing assistance of this kind.

Mr. FULBRIGHT. Mr. President, the amendment is permissive to the President. It does not increase the amount of the funds authorized by the bill, but merely gives authority to the President to use them for this particular purpose. As is well known, there are two or three outstanding institutions in the Middle East. For example, there is the American University at Beirut, the Robert College in Istanbul, the Pearce College just outside Athens, Greece, and the Athens College in Athens.

That type of institution would be eligible for assistance under the amendment. It is not a mandatory amendment. The President would not have to use these funds, if he did not wish to do so. However, at the present time the President does not have authority to use appropriated funds for this purpose. He does have the authority to use Public Law 480 funds for this purpose, but unfortunately, in Lebanon there are no such funds.

The chairman of the board of trustees of the American University of Beirut came before our committee and testified as to the need of these funds. I believe the evidence is quite clear that the activities of these universities are beneficial to the interests of the United States and the Western idea of society as anything we are doing. I hope the Senate will accept the amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. LAUSCHE. Is there any precedent for this suggested activity?

Mr. FULBRIGHT. There is authority, as I have just stated, for the use of Public Law 480 funds, the only difference being that those funds refer to foreign currencies, whereas this amendment would permit the use of dollars. Such assistance is already being given to Robert College in Istanbul.

Mr. LAUSCHE. Would this be a precedent under which other areas would be asking us to help finance their colleges where such funds would be available?

Mr. FULBRIGHT. There is no geographical limitation under the amendment, if that is what the Senator has in mind. There is not now under existing law either. The question is whether such assistance would be beneficial to the interests of this country. There are many precedents for assistance to activities similar to that which is contemplated in the amendment. Some of them go back into the Boxer indemnity fund, which was in this general field, but not specifically limited to American students abroad. There are no additional funds required by the amendment. It gives authority for the use of funds if the administration sees fit to use them for that purpose.

Mr. LAUSCHE. Throughout the day the argument has been made that the people do not understand the salutary benefits that accrue to our country through the military assistance program. My belief is that that impression of the public is rooted in the fact that we have entered many fields which to the ordinary citizen have no relationship to the defense of the country. We have two objects to obtain. The first is to help defend our country. The second is to make certain that we are offering to the citizens a program which has some semblance of acceptability.

With all due deference to the lofty motives of the Senator from Arkansas, I have the fear that a program of this type will give opponents of what we are trying to do additional fuel with which to set fire to these efforts.

Mr. FULBRIGHT. I must say in reply, that I regret I am unable to agree with the Senator, that military assistance is the only way in which we can contribute to the security of our country.

I believe there are many ways by which we can contribute to it. Perhaps the military way, under the situation which is developing, particularly in the light of atomic energy developments, may be one of the ways that is proving to be obsolescent. There are many ways that are more important to the future protection of the interests of this country.

Mr. LAUSCHE. I subscribe fully to that statement. However, there is a limitation on what we can do. If we were to explore to the limit the statement just made by the Senator, we could bring within the purview of that statement almost any activity. Certainly we cannot begin to do that.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CASE of South Dakota. It may be desirable to have a definition of the term "community centers." What would "community centers" embrace?

Mr. FULBRIGHT. I do not know that there is any community center I can think of at the moment other than the institutions I mentioned, such as the American college, as well as the other institutions, which have community centers associated with them. They would be eligible under the authority granted in the amendment.

The language in the amendment was taken from the Smith-Mundt Act, and has a history of administration. That is the reason this particular language was used. At the moment I cannot think of a particular center. As I said, however, this amendment would give the President authority to do what is contemplated; it is not mandatory, but permissive.

In the hearings we received testimony only from a representative of the university in Beirut in Lebanon, although Robert College at Istanbul is also in great need of funds, as are the other institutions. I do not, at the moment, recall what community centers are involved in the Smith-Mundt Act. I wonder whether the Senator from New Jersey can enlighten us in that regard.

Mr. SMITH of New Jersey. I cannot answer the question with respect to community centers. However, I call attention to the fact that we have pursued the policy of exchanging students, as the Senator knows, under the Smith-Mundt Act and under the Fulbright Act. So we have established precedents for bringing youngsters from other countries to this country, and sending our students abroad. Under those programs selections are made without regard to race or creed, and without any discrimination whatever. We have supported, as the Senator has stated, colleges like the American University at Beirut, but unfortunately there are no Public Law 480 funds available with which to assist that institution. Funds would be available under the amendment, as I understand it, for Robert College, for example.

The fund might be used for the benefit of the Chinese in the university in Formosa, for example, if it were needed in an emergency.

All those institutions, I am advised, have been taken care of by private funds or private donations, and they probably still will be. There was some need for funds for colleges in the Middle East, where funds were not available, and it was felt that some of these funds could be brought in.

I am very glad to support the Senator in this amendment.

Mr. FULBRIGHT. I thank the Senator from New Jersey.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CAPEHART. My observation has been that most of the Embassies or most of the so-called American colonies in the foreign countries—it is true in Latin America—have what are called community centers. I do not think the language particularly strengthens the bill. I suggest that the author of the amendment should strike out "community centers."

Mr. FULBRIGHT. If the Senator thought that was important, I would have no hesitancy in modifying my amendment by deleting those words.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CASE of South Dakota. I think the source, at least, should be defined; otherwise the language is pretty broad. If the language were stricken out, I do not think the amendment would be weakened.

Mr. FULBRIGHT. It is not particularly what we had in mind. We took the language from the other act, in order not to make the provision too extensive, although, as the Senator well knows, the President would still have to approve this sort of program and would have to define what "community center" itself meant.

Does the Senator from South Dakota feel that the language ought to be eliminated?

Mr. CASE of South Dakota. I think so.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that I may modify my amendment by deleting the words "community centers."

The PRESIDING OFFICER. The Senator from Arkansas has a right to modify his amendment, and it is modified accordingly.

Mr. CASE of South Dakota. Would the term "abroad" make the fund applicable to schools and libraries in South America, as well as in other areas of the world?

Mr. FULBRIGHT. That is correct.

Mr. HUMPHREY. Mr. President, I wish to offer an amendment to the amendment offered by the Senator from Arkansas. I have discussed my amendment with the Senator. I ask that the amendment be stated.

The PRESIDING OFFICER (Mr. CLARK in the chair). Is there objection to the request of the Senator from Minnesota?

Mr. KNOWLAND. Mr. President, I should like to know what the Senator from Minnesota is proposing by way of modification of the amendment.

Mr. HUMPHREY. Mr. President, I ask that my amendment to the amendment of the Senator from Arkansas be stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the conclusion of the amendment offered by the Senator from Arkansas [Mr. FULBRIGHT], it is proposed to add the following:

Further, in addition to the authority contained in this subsection, it is the sense of Congress that the President should make a special and particular effort to utilize foreign currencies accruing under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, for the purposes of this subsection.

The PRESIDING OFFICER. Is there objection to receiving the proposed amendment at this time?

Mr. FULBRIGHT. I am perfectly willing to accept the amendment. It is almost identical with the language contained in the bill of last year.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, I should like to have a little time yielded to me in opposition to the amendment.

Mr. KNOWLAND. I yield 5 minutes to the Senator from Louisiana.

Mr. ELLENDER. I think the amendment would establish a dangerous precedent. In the past, efforts have been made to provide cash grants or similar subsidies to colleges built abroad by Americans. Two years ago we put on the statute books authority whereby proceeds derived from the sale of surplus agricultural commodities under Public Law 480 could be made available to colleges abroad. Throughout the world there are a number of such colleges, some of which were established by various religious denominations.

The amendment makes no distinction between religious and nondenominational schools. A school, to be eligible for this aid, merely need be "founded or sponsored by citizens of the United States, and serving as study and demonstration centers." Any school meeting that test would be entitled to the money, even if controlled or operated by a religious denomination.

I fear that if we give dollar aid to religious schools we will run afoul of the constitutional requirement requiring separation of church and state.

In addition, I think we are going just a little too far in making such funds available, because once we start such a practice, there will be no end to it. The Fulbright program is a good example.

I voted for the so-called Fulbright program authorizing the use of proceeds from the sale of surplus properties to stimulate foreign educational exchange programs. That was a very good program. But it was not long until Congress passed an act supplementing with dollars the surplus foreign currencies so realized. As a result, today we are spending more than $30 million in dollars to assist the educational exchange program.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. FULBRIGHT. The Senator is talking about establishing a precedent. I call his attention to section 203 of the Smith-Mundt Act, passed in 1948. I read one sentence from that act:

The Secretary is authorized to provide for assistance to schools, libraries, and community centers abroad founded or sponsored by citizens of the United States, and serving as demonstration centers for methods and practices employed in the United States.

That is almost identical with the language of my amendment. It is from the Smith-Mundt Act, which has been in effect since 1948. The exchange program about which the Senator is talking was passed in 1946. So there is plenty of precedent.

Mr. ELLENDER. The 1946 act contemplated using proceeds derived from the sale of surplus property.

Mr. FULBRIGHT. But not this.

Mr. ELLENDER. I understand. I remind the Senator however, that besides dollars for educational exchange, we are providing vast sums for libraries operated by the Information Service. As I pointed out several days ago, we have 11 libraries in Italy which are being supported under the information program. We have libraries in London. As a matter of fact, we have libraries all over the world.

I say, Mr. President, that there is another effort to support libraries which have been established by philanthropic societies in the United States or by persons who had money to invest abroad.

I say this is simply going too far. I hope the amendment will be rejected.

Mr. LAUSCHE. Mr. President, may I have time yielded to me?

Mr. JOHNSON of Texas. Does the Senator from Ohio desire to oppose the amendment?

Mr. LAUSCHE. Yes; I do.

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, throughout the whole day the argument has been made that the moneys designated in the bill were absolutely needed as a minimum to carry out the program of the President and to insure the defense of our country from the standpoint of mutual security.

The argument that we can take $10 million of this money for new purposes belies the argument which has been presented throughout the day. I subscribe to the words of the Senator from Louisiana [Mr. ELLENDER]. Ten million dollars today will mean $50 million 5 years from now.

If we contemplate giving this type of aid to the nations throughout the world, what answer will we give to the colleges of the United States when they ask us for money?

I stretched my judgment a bit today and yielded to the argument that we should listen to our military men, although my experience has been that they have not learned the value of the dollar. But now, at the end, we have the specter that is frightening the people of the country being brought into the well of the Senate. It is an innocent phrase—starting a new program.

The President does not have to spend the $10 million. It will lie within his discretion to determine whether he will do so.

Mr. President, how much pressure will be brought upon the President by various agencies to provide money? Will he yield here and yield there? What will be the picture in the Senate a year from now, when the argument will be made, "There is a deluge of applications", and when they will not be confined to those being sponsored by American citizens?

I think adoption of this amendment—innocent and appealing as it seems to be—would create the groundwork for a

new program which would multiply each year.

Pardon me, Mr. President, for the fervor with which I speak on the subject; but I believe it is the responsibility of each one of us to recognize that the policy in Washington has been "Trot onto the field a new program; give it the facade of innocence, charity, and sympathy; and when once you have it in the paddock, then expect that as it moves out, you will get more and more money for it."

Mr. President, I say to you that this year Congress is passing the bill for the mutual security program; but if activities of this type continue to be added, there will be revolt against any future programs to carry into effect activities of this type.

Mr HUMPHREY Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. How much time does the Senator from Minnesota wish to have yielded to him?

Mr. HUMPHREY. I should like to have 5 minutes.

Mr. FULBRIGHT. Mr. President, I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. HUMPHREY. Mr. President, I listened with interest to the very appealing and moving remarks of the Senator from Ohio [Mr. LAUSCHE]. I am sure every Member of the Senate has had to stretch his views and his convictions and curb his prejudices and his doubts, as he has voted on the various amendments to the mutual security bill.

I am delighted to have this opportunity to say that my gravest doubt about the mutual security bill is regarding the effectiveness of some parts of the military-assistance program. I do not refer to military assistance to the North Atlantic Alliance; I favor that. I do not even mean military assistance in Korea, where we are confronted with a visible enemy armed with modern airplanes, whereas, under the provisions of the armistice agreements, the planes we have there are not permitted to be modernized. By the way, Mr. President, I believe those armistice agreements should be reexamined, if we are to keep our commitments in that area.

Mr. President, I have refused to vote for any increase in the military-assistance program beyond what the committee favored, because I think we should keep the program in reasonable balance in light of the testimony given before the committee and the action taken by the committee. The committee action was always a compromise, Mr. President; and as a member of the committee, I have felt an obligation to go along with the program as voted for by the committee.

However, Mr. President, military assistance in some areas in the world may be much less effective today and tomorrow, and at least in the long run, than the objectives proposed in the amendment submitted by the Senator from Arkansas [Mr. FULBRIGHT]. It is one thing to have mobs on the street corners cheering the American flag on Monday, and it is another thing to have mobs tearing the American flag to pieces on Tuesday. It is one thing to give military equipment to people in the Middle East, for example, who do not even know how to use it; and it is another thing to educate the young ones, so that 10 years from now there may be serving in governments, as civil servants, persons who remember American ideals and American experiences and some of the treasures of American literature, art, and science.

If I had my choice, and if I were compelled to make a choice tonight, and if I were compelled to cut the bill in half, it would not take me even one-half a minute to make up my mind what to do. I would throw out the military provisions; and I would choose the scientific, humanitarian, and educational provisions.

The amendment of the Senator from Arkansas [Mr. FULBRIGHT] authorizes the President to use not to exceed $10 million of the funds appropriated pursuant to subsection (a) of this section of the bill for assistance to schools and libraries. We have already authorized that program, Mr. President. As a matter of fact, last year, in the 1957 act, we directed that special emphasis be placed upon translation, books, libraries, and education. We directed that unused foreign currencies, which have piled up to the extent of $1,800,000,000, in dollar equivalent, be used in part for education. I regret to say that very little of the money has been used for that purpose. I regret to say that in some circles of the administration, there is less enthusiasm for promoting education with this money than there is for promoting military assistance. A military-assistance program is, at best, a calculated risk, in the case of people whose effectiveness, let me say, is at times a calculated risk.

Mr. LAUSCHE. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. LAUSCHE. Does the amendment the Senator from Minnesota offered to the amendment of the Senator from Arkansas [Mr. FULBRIGHT] supplement the provision of $10 million, as made by the amendment of the Senator from Arkansas; and does it authorize the President to have an unlimited right to use the foreign currency?

Mr. HUMPHREY. All my amendment would do, as I have offered it to the amendment of the Senator from Arkansas, would be to repeat to the administration what is already provided in the law, namely, that it is the sense of Congress that the Government should get busy with that program. It is only a reiteration of existing policy. But it is over and above.

Mr. LAUSCHE. It provides no limit as to the amount of money the President may use, does it?

Mr. HUMPHREY. It is over and above the use of the foreign currencies.

Mr. ELLENDER. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. ELLENDER. Is it not also over and above the proceeds which may come from Public Law 480?

Mr. HUMPHREY. No; it is out of the proceeds from Public Law 480.

Mr. ELLENDER. But are not there other currencies, outside of those generated under Public Law 480?

Mr. HUMPHREY. My amendment to the amendment of the Senator from Arkansas uses the words "under title I of the Agricultural Trade, Development, and Assistance Act of 1954, as amended."

Mr. ELLENDER. Does the Senator from Minnesota know how much money is involved?

Mr. HUMPHREY. If the rate of expenditure would be no more than it has been, it would be such a rate as to please the most economy-minded Member of the Senate.

Mr. ELLENDER. But I refer to the amount which could be spent. As I recall, we have sold in the neighborhood of $2 billion of surplus agricultural products under title I of Public Law 480, and approximately 90 percent of the $2 billion in local currencies generated by the sales has been loaned back to the various buyer countries; I assume it is that money the Senator from Minnesota would like to have used in order to carry out the purposes of the amendment of the Senator from Arkansas.

Mr. HUMPHREY. No; my amendment applies to the following—and I read now from the committee report, on page 27:

There is authority in Public Law 480, 83d Congress, in the Smith-Mundt Act and in the Mutual Security Act to assist these institutions through contracts for training and through loans and grants.

That authority already exists; the Senate has already voted it, and it has been in the law.

I read further from the committee report, on page 27:

The committee expects the Bureau of the Budget in carrying out its responsibilities for the allocation of Public Law 480 foreign currencies, and the Department of State in carrying out its responsibilities under the other two acts, to exert imaginative and complementary efforts to extend effective assistance to these centers of learning.

So the authorization is already in the law.

All my little amendment does is to say to the President, in effect, "Get busy and use the funds which are already there." That is what I hope to have done.

The PRESIDING OFFICER. The time yielded to the Senator from Minnesota has expired.

Mr. HUMPHREY. I believe that I have 1 more minute in which to conclude, inasmuch as I have an amendment of my own.

The PRESIDING OFFICER. The amendment of the Senator from Minnesota was accepted by the Senator from Arkansas.

Mr. HUMPHREY. Then, Mr. President, I will say that I trust that the amendment will be adopted, because I submit it is a sound amendment for long-term purposes which will yield effective dividends.

Mr. SALTONSTALL. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. SALTONSTALL. As one who has been through the American University at Beirut, who has talked with the former distinguished president of it, Mr. Dodge, who was president of the university for more than 20 years, as one who has been through the Robert College in Istanbul, as one who has been through the free library founded by the Americans in Berlin, I simply wish to say that I think this discretion to the President should be permitted, and that, from my knowledge of these three institutions alone, this is a fine amendment and should be adopted.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas, as modified by the amendment of the Senator from Minnesota. Is the remaining time on both sides yielded back?

Mr. HUMPHREY. Yes; I yield back the time remaining to me.

Mr. KNOWLAND. I yield back the time remaining to the opposition.

The PRESIDING OFFICER. All time remaining has been yielded back. The question is on agreeing to the amendment, as modified. [Putting the question.] The "ayes" appear to have it.

Mr. ELLENDER. Mr. President, I ask for a division.

On a division, the amendment, as modified, was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. ELLENDER. Mr. President, I send to the desk an amendment, and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed on page 37, beginning with the colon in line 20, to strike out through the word "period" in line 5 on page 38.

Mr. ELLENDER. Mr. President, I will ask the attention of Senators for a few moments. I shall not ask for a yea-and-nay vote on this amendment. For the past 4 or 5 years strenuous efforts have been made by the committee——

Mr. FLANDERS. Mr. President, may we have the amendment read again? There was a good deal of noise, and I did not hear it.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed on page 37, beginning with the colon in line 20, to strike out through the word "period" in line 5 on page 38.

Mr. ELLENDER. Mr. President, I was in the process of explaining what the amendment provides. There is an appropriation, I may say to my good friend from Vermont, of $15½ million to be used for the technical-assistance fund in the United Nations. For the past 4 or 5 years the Senate Appropriations Committee has been making a valiant fight to reduce percentagewise the amount of contribution we make to the United Nations fund in reference to technical assistance. When the U. N. was first organized, we contributed for its support in excess of 60 percent, merely to operate the organization. Over a period of about 6 years, the Appropriations Committee was able to have the contributions reduced from 60 percent to one-third.

Three or four years ago the Senate Committee on Appropriations took the same position with respect to our contribution for technical assistance. We were told 3 years ago that that should not be done at once, but should be done gradually. Two or three years passed by and no effort was made to reduce appreciably our contribution percentagewise. So last year the Appropriations Committee wrote into the bill a provision—and it is now the law—that for 1958 the amount of contribution for technical assistance should not be more than one-third of the entire amount contributed by other nations than us.

The committee amendment seeks to nullify that law, a law which was enacted last year and in the appropriation bill, to make the contribution for the years 1958 and 1959, and on, one-third. The committee amendment provides that for 1958, instead of having the contribution percentagewise fixed as it is now by law, the contribution shall be raised to 45 percent. The following year, 1959, the contribution shall be 38 percent. Only in 1960 will the contribution go back to one-third, which is now the law.

I feel that the Senate Appropriations Committee has been very diligent, as I said, in the past 3 or 4 years in warning the State Department that we expected it to cut the contribution to one-third. As I said a while ago, it was allowed 3 or 4 years in which to attain that goal, but the Department did not do it. So last year we wrote into the law that the contribution should be one-third.

I hope I shall hear a heavy "Yea" vote for this amendment, so as to let the law remain as it is now, and provide that the United States contribution shall not be more than one-third.

If that were all we were doing in the technical aid field, I would say, good and well, we might be able to give more; but do not forget that we have provided in this very bill more than $156 million for technical aid. We are managing that aid ourselves; we are paying for it.

We have had in the past a development assistance fund, which has been reduced this year to a loan fund. I think our contribution to the technical aid fund should certainly not be more than one-third.

I hope the Senate will at least vote for this amendment, so as to sustain the action it took last year in providing that the amount shall be not more than one-third.

Mr. MANSFIELD. Mr. President, there is a good deal of merit in what the Senator from Louisiana has just said, and he has been quite accurate. It is true the Congress last year did decree that beginning with calendar year 1958, which starts next January, the amount of our contribution, on a percentage basis, to the U. N. technical-assistance fund should be 33⅓ percent.

However, after deliberations within the Committee on Foreign Relations, it was decided, on the basis of evidence presented to us, that the drop from 49 percent to 33⅓ percent in 1 year would be entirely too great.

I wish to say to the Senator from Louisiana, that insofar as I can recall, every member of the Foreign Relations Committee was and is in accord with the objective, but we felt, in this vital cooperative program, it would be too much of a break to drop from 49 to 33⅓ percent in 1 year, and on the basis of an amendment offered in the committee, we decided to try it out in 3 gradual stages.

I hope the Senator from Louisiana, who has been entirely truthful and consistent, will recognize we did try to do something to alleviate the situation, and that we thought this was the best way to come to a logical conclusion.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. ELLENDER. The Senator is familiar with the action taken by the Committee on Appropriations for the past 4 years on this very subject.

Mr. MANSFIELD. I am, indeed.

Mr. ELLENDER. We warned the State Department to cut down the contribution percentagewise. We threatened on two occasions, before we wrote a special provision into the law last year, that the percentage would be fixed by Congress unless it was done voluntarily.

Mr. MANSFIELD. That is true.

Mr. ELLENDER. I think the State Department has had ample time to get our contribution down to one-third.

Mr. MANSFIELD. Mr. President, I cannot argue with what the Senator from Louisiana has stated. He has stated the truth. However, begging the indulgence of the Senate, I ask it to consider the action taken by the Senate Committee on Foreign Relations, which seeks, within a 3-year period, to bring about a decline from 49 percent to 33⅓ percent. I hope that the Senate in its wisdom will reject the amendment offered by the Senator from Louisiana.

Mr. ELLENDER. I yield back any time remaining to me, Mr. President.

Mr. KNOWLAND. I yield back my remaining time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER].

The amendment was rejected.

Mr. ELLENDER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 31, beginning after the period in line 1, it is proposed to strike out all down to and including the period in line 7 and to insert in lieu thereof the following:

The administrator of the fund shall furnish to the Committee on Foreign Relations of the Senate, to the Committee on Foreign Affairs of the House of Representatives, and to the Committees on Appropriations of the Senate and House of Representatives, a report on each financing operation or transaction involving the fund's assets.

Mr. ELLENDER. Mr. President, the purpose of this amendment is to make certain that the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House, as well as the Committees on Appriprations of the House and Senate, are kept informed as to how these loans are being made, and to whom. This information need not be given in advance of the making of the loans.

The bill, as reported, does not require the administrator to make any report to any Congressional committee unless the transaction involves a sum in excess of $10 million, or the project it finances will require more than 1 year to complete.

It strikes me, Mr. President, that since this loan fund as now created is to involve the expenditure of $500 million for this year and $1½ billion in the 2 subsequent years, it is asking very little of the administrator that he be required to report to the Committees on Appropriations of the House and Senate, as well as the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House. This is not a new approach. We imposed an even more strict requirement with respect to funds implementing the so-called Middle East resolution. Senators are familiar with that.

Mr. MANSFIELD. Mr. President, may we have order.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The Senate will be in order.

Mr. ELLENDER. When the so-called Eisenhower doctrine was adopted the act provided that "none of the additional authorization contained in this section shall be used until 15 days after the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committees on Appropriations of the Senate and House of Representatives and, when military assistance is involved, the Committees on Armed Services of both Houses of Congress be notified."

What this amendment envisions is that the committees be notified either before or after the loans are made; there is no requirement that the notification be furnished 15 days before they are made. I think the committees of both Houses should be kept informed as to any loan which is made from this huge sum that is here provided.

The fund, as I have indicated, will aggregate in the course of 3 years, if this bill passes without further amendment, over $2 billion. It is a revolving fund.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CAPEHART. The President will make an annual report to the Congress, as the Export-Import Bank does, as to exactly the loans which are made.

Mr. ELLENDER. My amendment would not apply to the President's fund at all, I may say to my good friend, the Senator from Indiana. It would apply solely to the development loan fund. It is provided in this bill we are now considering that all loans over $10 million or loans for projects extending over more than 1 year be reported to the committee. What I am asking is that all loans be reported to the appropriate committees of Congress.

Mr. CAPEHART. The President makes a yearly report, reporting all loans, but he makes a daily report, if loans for more than $10 million are made.

Mr. ELLENDER. Oh, no.

Mr. CAPEHART. At the end of the year he will report, like the Export-Import Bank does.

If he does not, I think we have overlooked something in the bill.

Mr. ELLENDER. I am sure the committee did.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. I wish to say that I am sure the suggestion of the Senator is constructive. I was never quite sure why we had a cutoff at $10 million. Again, as I stated a while ago when I was debating with the Senator from Oregon, it is not a matter of principle but it is a matter of degree. To my mind most of these loans will be for substantial sums, anyway, because they will be Government loans. In a sense, the report will not impede the making of loans.

Mr. ELLENDER. The Senator is correct.

Mr. HUMPHREY. Since it is a matter of reporting and keeping the Congress informed, I cannot help but think the amendment offered by the Senator from Louisiana should be adopted. I would encourage the committee to accept it. It seems to me this is the kind of amendment, with a very constructive purpose, that ought to be accepted.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. SPARKMAN. I have a good deal the same feeling as that expressed by the Senator from Minnesota. However, there are 1 or 2 points to which I should like to invite the attention of the Senator from Louisiana. I may say that the provision which is written into the bill was taken from an amendment I myself offered, in order to assure some kind of report being made. However, I think when it is required that those in charge submit to the four committees every individual item, as they move along——

Mr. ELLENDER. Every loan.

Mr. SPARKMAN. Every loan; that is what I mean.

Mr. ELLENDER. Only the loans.

Mr. SPARKMAN. Of course, this bill requires that every loan in excess of $10 million be reported.

Mr. ELLENDER. Yes.

Mr. SPARKMAN. And if it involves an activity requiring more than a year to complete. However, there is some feeling that the word "and" ought to be changed to "or" so that both types would be covered.

The point I wish to make is that the more numerous the items reported to the committees the less effect they are going to have on the committees. As an illustration, let me say that we wrote into the Mideast resolution a requirement that every transaction be reported to the committees at least 15 days in advance. We got letter after letter from Dr. Marcy, the staff director of the Committee on Foreign Relations, telling us that this arrangement was bad.

What member of the Committee on Foreign Relations ever looked at a single one of them? I did not. If any member of the Committee on Foreign Relations looked at a one of them, I hope he will say so.

Mr. KNOWLAND. I did.

Mr. ELLENDER. I did. I looked at each one.

Mr. SPARKMAN. The same thing is true with respect to the Committee on Appropriations. It would be interesting to poll the members of the Appropriations Committee.

My thought is that if we restrict the requirement to the larger items more attention will be paid to them.

By the way, one other point is that a report is to be made of every transaction every 6 months, I believe.

I have no objection, myself, to the provision as written.

Mr. KNOWLAND and Mr. CAPEHART addressed the Chair.

Mr. ELLENDER. I yield to the Senator from California [Mr. KNOWLAND].

Mr. KNOWLAND. In the committee I think it was the general feeling of both the Republicans and Democrats that there was a great deal of merit to the reporting proposal. As a matter of fact, I very strongly supported that provision in connection with the Mideast resolution. The mere fact that all Senators may not take advantage of the opportunity to look at the reports does not, in my judgment, detract from the importance of that kind of provision, because every Senator is on notice that certain things have taken place. He knows that he can obtain the facts. I believe that such a provision keeps a coordinate and coequal arm of the Government in a position where it can know what is going on.

I think there is great merit in such a provision. Personally I cannot see any objection to the amendment of the Senator from Louisiana. It will involve a little additional volume of business which will come into the Foreign Relations Committee of the Senate, the Committee on Foreign Affairs of the House, and the Appropriations Committees of the two bodies. However, personally I should be willing, if the acting chairman were willing to accept the amendment, to have the amendment adopted providing for this additional information.

Mr. CAPEHART. Mr. President, the able Senator from Louisiana was never more right in his life than he is in advocating what he is advocating. However, it is my best judgment that under section 534, which provides for reports, the President is required to report every 6 months every loan transaction. In addition, he is required to report daily, or as the transactions occur, any transaction of $10 million or more. So I think the situation is fully covered. Section 534 relates to reports.

Mr. ELLENDER. This is an entirely new loan program. It will create a revolving fund, which may be on the books for years to come.

Mr. CAPEHART. Yes.

Mr. ELLENDER. I do not see why the Congress should not be informed.

Mr. CAPEHART. It is.

Mr. ELLENDER. The Senator is referring to a report which will be made every 6 months, and to the Senate as a whole. What my amendment seeks is to require that reports be made as the loans are made, to the Senate Foreign Relations Committee, the Foreign Affairs Committee of the House, and the Appropriations Committees of the two bodies.

Mr. CAPEHART. Under the bill as it is written, the report would be made every 6 months; and if a transaction of $10 million or more were involved, the report would be made when the transaction occurred. The Senator does not wish to go further than that, does he?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. It seems to me that not only are we interested in the amount of a loan, but we are interested in the character of a loan, and what kind of operation is proposed under an individual loan, which may mark a real departure in the nature of operations.

Let us assume that the loan is for less than $10 million, or, if it is more than $10 million, that it involves an activity which does not require more than a year to complete. In either case the transaction would not come under the provisions of the pending bill.

It seems to me that the Senate committees might be much more concerned with a departure in the type of operations being started than merely in the amount of the transactions. An operation might have a very far-reaching effect. If we become committed to a certain type of loan for a certain kind of operation with one ally, it might lead to a great volume of such operations, taking them all as a whole.

I think the distinguished Senator from Louisiana is completely right in his suggested amendment—not only in eliminating the $10 million limitation, but in eliminating the other portion of the condition stated in the present bill, because the present bill provides that the transaction, in order to be required to be reported immediately, must involve more than $10 million of the fund's assets, and must involve an activity requiring longer than 1 year to complete. I think both those limitations might well be eliminated. I believe it would be in the interest of sounder information and better control of the program to have the distinguished Senator's amendment accepted.

Mr. KNOWLAND. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. KNOWLAND. I think there is great merit in the contention made by the Senator from Florida and by the Senator from Louisiana.

However, the Senator from Indiana [Mr. CAPEHART] is correct to this extent, that certain reports are required. I can see no reason why the committee should not accept the amendment. The bill will ultimately be in conference, and we shall be able to find out how detailed the reporting is in connection with the annual report. I think a very strong case could be made for the contention that the Congress ought to be kept informed more than semiannually, or annually, with respect to certain types of activities. So far as I personally am concerned, I am willing to accept the amendment.

Mr. CAPEHART. Would the Senator from Louisiana be willing to modify his amendment so as to provide for a report every 3 months?

Mr. ELLENDER. No. The reports should be made as the loans are made.

Mr. FULBRIGHT. After they are made.

Mr. ELLENDER. Yes.

Mr. CAPEHART. Is not every 3 months often enough?

Mr. FULBRIGHT. Mr. President, as acting chairman of the committee, before I agree to accept the amendment, I remind the Senate that the Senator from Louisiana is noted for his attention to economy in the administration of committees. I ask him to take note of the probability that if his amendment is accepted a very large increase in the staffs of various committees will be necessary in order to take care of the added paperwork, find storage space for the reports, and process them. I hope that next year, when the recommendation of the Committee on Rules and Administration comes before this body, the Senator from Louisiana will recall that his amendment imposed a great additional expense on the committees, and that he will not oppose the recommendation of the Committee on Rules and Administration.

With that understanding I am willing to accept the amendment and take it to conference.

Mr. ELLENDER. Even if it should require more money, which I doubt, I think it would be money well spent.

The PRESIDING OFFICER. Does the Senator from Louisiana yield back the time remaining to him?

Mr. ELLENDER. I yield back all time remaining to me.

Mr. KNOWLAND. Mr. President, I yield back all the remaining time on our side.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. ELLENDER].

The amendment was agreed to.

Mr. CASE of South Dakota. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 40, line 20, it is proposed to strike out "$200 million" and insert in lieu thereof "$225 million."

Mr. FLANDERS. Mr. President, I have a suggestion for the reading clerk. It is that he first give the page number, and then wait a moment until we can find the page before proceeding with the reading.

The PRESIDING OFFICER. The amendment has not been printed, and the Chair understands that it does not contain any page reference.

Mr. CASE of South Dakota. The amendment is on page 40, in line 20, to strike out "$200,000,000" and insert in lieu thereof "$225,000,000."

Lest anyone misinterpret the amendment, this amendment does not propose an increase in the appropriation. This amendment provides for the earmaking of the amount of the fund which would be available for the financing of the export and sale for foreign currencies of surplus agricultural commodities.

The present law reads as follows:

> Of the funds authorized to be made available pursuant to this act for the fiscal year 1956, not less than $300 million, and of the funds so authorized for the fiscal year 1957, not less than $250 million, shall be used to finance the export and sale for foreign currencies of surplus agricultural commodities or products thereof produced in the United States—

And so forth. The bill reported by the committee substitutes for the $300 million figure used in 1956, and for the $250 million figure used in 1957, the figure of $200 million. My amendment would make the figure $225 million instead of $200 million, of the amount made available by the act to be used for the financing of the export and sale for foreign currencies of surplus agricultural commodities.

The action of the committee would reduce the $300 million figure which was used last year to $200 million. That is, it would cut down the surplus agricultural commodity program by one-third, from $300 million to $200 million. My proposal is that instead of cutting it by that much, it be cut by only 25 percent, from the current-year figure, or by $75 million from the figure used last year.

The surplus disposal program, as Senators know, is being carried on under the authorization of two acts. One is the Foreign Aid Act, with which we are now dealing; the other is Public Law 480. Under the proviso in the Foreign Aid Act, in the past 3 years $1 billion worth of agricultural products was disposed of. Under Public Law 480, about $2 billion worth was disposed of. The total, therefore, disposed of, was $3 billion worth of agricultural products.

In the report to the Committee on Agriculture and Forestry the other day, with respect to exports under Public Law 480, it was stated that the average price received by farmers for 1956 wheat was about 9 cents a bushel higher than for 1957, and corn averaged about 2 cents a bushel higher. The credit for it was given to the program of using some surplus commodities in the foreign-aid program.

I am hopeful that the committee will accept the amendment. I understand that during its deliberations the committee, at one time had tentatively adopted $250 million, which would have continued the program on the level of the present year.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. FULBRIGHT. It is true that it would have continued it at that level. The difficulty is that the funds under defense support would be reduced, and the percentage would be much higher if the $250 million figure were retained.

Mr. CASE of South Dakota. I point out that to go from $300 million in 1956 to $225 million is a reduction of $75 million, or a reduction of 25 percent, or one-fourth. A reduction from $250 million to $225 million would be a reduction of 10 percent, even taking the $225 million figure. The State Department, I understand, has prepared a memorandum on this subject, and has recommended $175 million. It pointed out that they might be able to handle $50 million worth through triangular loans, which would make it $225 million, which is the figure I have suggested.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Vermont.

Mr. AIKEN. Mr. President, all of us want to dispose of surplus agricultural commodities as rapidly and as advantageously as we can.

The mutual security program has proven to be a very useful vehicle with which to dispose large amounts of them. We disposed of a large amount of agricultural surplus in fiscal 1954. We included a proviso that $350 million worth should be used for fiscal 1955. That was reduced to $300 million for fiscal 1956. That was brought down to $250 million in fiscal 1957.

When the Budget Bureau and the ICA made their recommendations this spring, they recommended that $175 million would be the amount which they could dispose of to good advantage. The committee did not see—at least not on the first day—why they could not use just as much in surplus commodities as they did the year before. Therefore we voted to restore the amount to $250 million for fiscal 1958, the same as it was for fiscal 1957.

Then the next morning we studied the matter a little more, and we came to the conclusion that we had made a mistake in putting it back to $250 million. So we brought it down again to $200 million.

The reason for it is this. There is only a limited number of programs in which we can apply the surplus commodities in payment to good advantage. It is quite obvious that we cannot use too much of this type of money in military assistance programs, because many of the countries which can use surplus commodities do not produce anything in the way of military hardware and other military equipment. We could not use it, except in countries like France and Germany and England and Italy, where we have used a considerable amount in that way.

That left the defense support program, and the development assistance program, where we could try to work off surplus commodities. For this fiscal year the defense support appropriation and the money available amounted to somewhere around $1,100,000,000 or $1,200,000,000. I am not exactly sure of the figure. At any rate, it is about $1,200,000,000.

The development assistance program, as I recall, called for $293 million. That was the amount appropriated last year. That made a total of about a billion and a half dollars on which we could work off surplus commodities.

The bill this year is quite different. In the first place, the agency asked for only $900 million for the defense support program. That in itself is substantially less than last year. The development assistance is now the Development Loan Fund. There, obviously, we cannot work off surplus commodities on a 40-year loan program. Therefore, instead of having a billion and a half dollars worth of programing to use surplus commodities on, as there was last year, we now have only about $800 million this year. In fact, they had $900 million originally, when we set the figure at $200 million. After we had set the $200 million figure, the committee reduced the $900 million to $800 million.

Therefore, instead of a billion and a half dollars of programing to work off surplus commodities on, as we had last year, there is now only about $800 million. There may be a little more available from somewhere else. How much they can work off in the limited program, as compared with former years, I cannot say. I do not know whether they can use $225 million worth of surplus commodities.

I do know, however, that last year in defense support they used surplus commodities amounting to approximately 16 or 17 percent of the defense support and development assistance provisions. This year we are asking them to use 25 percent. Whether they can do it, I am not in a position to say. They said they could work off $175 million worth in a $900 million program. I think they can do something, although I do not know how much. I frankly admit that I do not know whether they can do it or not. I do not know whether they know whether they can do it or not.

The PRESIDING OFFICER. The time of the Senator from Vermont has expired.

Mr. KNOWLAND. Mr. President, does the Senator from Vermont require more time?

Mr. AIKEN. No, I am not asking for more time.

Mr. CASE of South Dakota. I have some additional time I can yield to the Senator from Vermont if necessary.

Mr. KNOWLAND. I have also agreed to yield some time to the Senator from North Dakota [Mr. YOUNG].

Mr. CASE of South Dakota. Mr. President, I should like to address a question to the Senator from Vermont. How much of an increase did they use during 1957?

Mr. AIKEN. I believe for this year they are going to work off possibly $10 million above the $250 million requirement.

Mr. CASE of South Dakota. In other words, the Senator believes that this year they will be able to use about $260 million for this surplus commodity disposal plan?

Mr. AIKEN. That is for the fiscal year which ends on June 30 of this year, 3 weeks from now.

Mr. CASE of South Dakota. It seems to me they could use $250 million in the fiscal year ending June 30.

Mr. AIKEN. They had about a billion and a half worth of programing to work on.

Mr. CASE of South Dakota. That may be, so far as the amount of programing is concerned, but the point is as to the volume of agricultural commodities which can be disposed of to the countries with which we are dealing.

We have found the program to be very helpful in supplying military housing, as well as other requirements of the military overseas, and dollars have been saved thereby.

If they could use $260 million in the fiscal year now closing they certainly ought to be able to use as much as $225 million in the year ahead.

Mr. AIKEN. I should think so, although I do not know; and I do not know what they know.

Mr. CASE of South Dakota. I am sure they will try to. If the figure is placed at $225 million, and they cannot dispose of more than $215 million, I do not think they will be held responsible.

Mr. FULBRIGHT. This is about all they can do. The language is "not less than" that.

Mr. AIKEN. That is correct.

Mr. FULBRIGHT. If they can do more, they have the authority to do more.

Mr. AIKEN. Dr. Fitzgerald of the International Cooperation Administration assured me that they would work off all they could under the circumstances, and regardless of what the minimum might be.

Mr. YOUNG. It is not a question of working off $200 million or $250 million, or any amount like that. Dr. Butz, of the Department of Agriculture, testified before our committee that approximately $1,200,000,000 of Public Law 480 exports took the place of foreign aid. They are saddling off foreign aid in an agricultural appropriation bill.

I think giving foreign countries some of our agricultural surplus is a pretty good program; it is the very best kind of foreign assistance we can give. But what they are doing is reducing the appropriation for foreign aid for agricultural purposes under the foreign-aid program and are substituting Public Law 480. It accomplishes the purpose, but it charges something to agriculture that really belong in a foreign-aid program.

Dr. Butz testified, as did Secretary Benson, that approximately $1,200,000,000 of exports under Public Law 480 took the place of foreign aid. I hope

this amendment of the Senator from South Dakota is adopted.

Mr. AIKEN. I do not question the assertion of the Senator from North Dakota that a great deal was charged to agricultural appropriations which ought to be charged to other appropriations. I believe, however, that in the long run the Department of Agriculture is better able to dispose of agricultural surpluses than is any agency which is closely allied to the State Department.

Mr. CASE of South Dakota. Mr. President, I am prepared to yield back the remainder of my time. I should like to say that, of course, the State Department might find it easier to use dollars; but we will serve two purposes if we can use agricultural commodities.

I hope the amendment will be agreed to.

Mr. President, I ask unanimous consent that the material submitted by me earlier in the day may appear in the RECORD following the disposal of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

The PRESIDING OFFICER. Do the Senators yield back the remainder of their time?

Mr. CASE of South Dakota. I yield back the time remaining to me.

Mr. CAPEHART. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota. (Putting the question.) The "ayes" appear to have it.

Mr. CAPEHART. A division, Mr. President.

On a division, the amendment was rejected.

(During the course of Mr. MORSE's remarks on his amendment identified as "6–13–57–B":)

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. MORSE. I shall be glad to yield.

Mr. CASE of South Dakota. Later in the evening I desire to offer an amendment. I have a report from the Library of Congress which at that time I shall ask to have printed in the RECORD as part of my remarks. In order to accommodate the printer, I now ask unanimous consent that I may have printed as a part of my remarks a report from the Library of Congress on the history of legislation providing for the exchange of surplus agricultural commodities for foreign currencies.

The PRESIDING OFFICER. Is there objection?

There being no objection, the report was ordered to be printed in the RECORD, as follows:

EXHIBIT 1

HISTORY OF LEGISLATION PROVIDING FOR THE EXCHANGE OF SURPLUS AGRICULTURAL COMMODITIES FOR FOREIGN CURRENCIES

THE FIRST BILL (S. 1230)

The first bill providing for exchange of surplus agricultural commodities for foreign currencies was offered in the Senate on March 9, 1953:

S. 1230, a bill to provide for the strengthening of the Republic of Korea as an ally against aggression and for the reconstruction of that country from the ravages of war in resisting aggression.

Introduced by Mr. CASE (for himself and Mr. MUNDT), referred to Committee on Agriculture and Forestry, March 9, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 2, pp. 1723–1724.) (Statement of Mr. CASE.)

[The above bill provided for the sale of surplus domestic supplies of wool, cotton, grains, dairy, poultry, and meat products to the Republic of South Korea, payment to be made in the local legal currency of that Republic.]

Senate Joint Resolution 56, to provide for the creation of an international food reserve.

Introduced by Mr. Murray (for himself, Mr. Case, Mr. Douglas, Mr. Eastland, Mr. Fulbright, Mr. Hennings, Mr. Hill, Mr. Hoey, Mr. Humphrey, Mr. Hunt, Mr. Kerr, Mr. Kilgore, Mr. Langer, Mr. Lehman, Mr. Magnuson, Mr. Mansfield, Mr. Maybank, Mr. McClellan, Mr. Morse, Mr. Mundt, Mr. Neely, Mr. Sparkman, Mr. Stennis, and Mr. Young) and referred to Committee on Foreign Relations, March 11, 1953.

[The above bill proposed to establish an International Food Reserve using national currencies paid to the Reserve by purchases of agricultural products for the purchase in the same countries of other raw materials needed by food exporting countries.]

In offering Senate Joint Resolution 56, Mr. MURRAY on March 11, 1953, stated:

"Mr. President, on behalf of myself and a large bipartisan group of other Senators, I have introduced today a joint resolution which aims at the creation of an international food reserve under the auspices of the Food and Agriculture Organization of the United Nations.

"This resolution is not a new idea. It is the product of long years of study by farmers, economists, Members of the Senate and the House of Representatives, and leaders in international affairs. The general idea of an international food reserve first came to public attention back in 1946 when Sir John Boyd Orr, the head of FAO, proposed a World Food Board. It came to public attention again in 1949, when a committee of distinguished economists from various countries including the United States proposed the creation of an International Commodity Clearing House." (CONGRESSIONAL RECORD, vol. 99, pt. 2, p. 1852.) [Note: Former President Herbert Hoover, in May 1946, in an address before FAO urged the creation of the United Nations Food Administration with an advisory committee—the majority of which would represent the surplus food producing nations—for the direction of the destination of marginal quantities of food supplies. See CONGRESSIONAL RECORD, vol. 92, pt. 11, p. A2785.]

House Joint Resolution 224, to provide for the creation of an International Food Reserve.

Introduced by Mr. SMITH of Mississippi and referred to Committee on Foreign Affairs, March 12, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 2, p. 1916.)

[The above bill is identical to Senate Joint Resolution 56.]

House Resolution 4087, to amend the Agricultural Act of 1949 to authorize the Secretary of Agriculture to sell certain agricultural commodities to the Republic of Korea, and for other purposes.

Introduced by Mr. POAGE, referred to Committee on Agriculture, March 18, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 2, p. 2116.)

This bill authorized the Secretary of Agriculture to sell to the Republic of Korea certain surplus commodities in the possession of the Commodity Credit Corporation in an amount not exceeding $300 million and accept as payment currency of that republic. It authorized the Secretary to purchase with the Corporation's funds up to $200 million worth of beef and beef products and to sell them on the same terms accepting as payment therefor Korean currency. Currency thus acquired would be deposited in a "Korean Food and Rehabilitation Fund" for retirement of debentures of the Corporation at the exchange rate granted to the republic by the Secretary.

S. 2048, to provide for the use of surplus agricultural commodities in paying for offshore purchases of military supplies and other goods and services.

Introduced by Mr. YOUNG (for himself, Mr. EASTLAND, Mr. MUNDT, and Mr. ELLENDER), referred to Committee on Agriculture and Forestry, June 4, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 5, pp. 6041, 6044.)

[The above bill provides for use of up to $2 billion of surplus agricultural commodities in making expenditures or donations in foreign countries, including bartering or selling such commodities for foreign currencies.]

PUBLIC LAW 77 (S. 2112) 83D CONGRESS

On June 10, 1953, Mr. Aiken (for himself, Mr. Knowland, Mr. Smith of New Jersey, and Mr. Taft) introduced a bill (S. 2112), which became Public Law 77. This bill was recommended by the President (H. Doc. 171, 83d Cong.) on the same day as introduced. It authorizes the Commodity Credit Corporation to make up to 1 million long tons of wheat acquired through price support programs available to the President for transfer in the nature of a grant to Pakistan, during the period ending June 30, 1954, upon such terms as he should see fit. Appropriations are authorized to reimburse the Commodity Credit Corporation. The terms upon which the transfer of the wheat to Pakistan is to be effected were set forth in the bill as follows:

(a) Distribution of the wheat without discrimination, and in case of needy persons—free.

(b) Full publicity for United States assistance.

(c) United States observers.

(d) Utilization of local currency received for the wheat as agreed upon by the United States and Pakistan to increase food production in Pakistan and other projects in the mutual interest of the two countries, to wit, "to deposit in a special account amounts of the currency of Pakistan equivalent to the amounts of such currency accruing to the Government of Pakistan from the import and sale of commodities furnished as a grant hereunder, this account to be utilized as may be agreed upon by the United States and the Government of Pakistan for the benefit of the people of Pakistan in programs to increase food production and in other projects and programs in the mutual interest of the United States and Pakistan."

(e) Allocation of 5 percent of the local currency receipts to the United States for its local currency requirements.

(f) Appropriate measures to reduce and forestall further relief needs.

(g) Transportation of at least 50 percent of the wheat in American ships. (See S. Rept. No. 404, 83d Cong., 1st sess.)

S. 2112 passed the Senate June 16, 1953, and passed the House June 23, 1953, in lieu of H. R. 5659. Three identical bills had been introduced in the House on June 10, 1953, and hearings had been held thereon on June 15 and 16, 1953, by the House Committee on Agriculture. The bills were H. R. 5659 by Mr. Hope, H. R. 5660 by Mr. Javits, and H. R. 5661 by Mr. Judd. (See H. Rept. No. 570 and P. L. 77, 83d Cong. 2d sess. and CONGRESSIONAL RECORD, vol. 99, pt. 5, pp. 6292, 6445, 6507, 6611–6619, 7109, 7122.)

USE OF CURRENCY FUND

The following excerpts from the colloquy had between Mr. AIKEN and Mr. CASE at the opening of the debate on the bill (S. 2112) in the Senate points out the extent to which the local currency fund created by the bill could be used in the interests of the United States as originally suggested by Mr. CASE in his proposal (S. 1230) of March 9, 1953, for the rehabilitation of Korea (CONGRESSIONAL RECORD, vol. 99, pt. 5, pp. 6613, 6616):

"Mr. CASE. The bill provides for the establishment of a special fund in which the Government of Pakistan will deposit in the form of its own local currency the money received in the disposition of the wheat. Is that correct?

"Mr. AIKEN. That is entirely correct. The people of Pakistan are not out of funds, but they are out of dollars. They have rupees, but unfortunately the rupees will not buy United States and Canadian wheat.

"Mr. CASE. Ninety-five percent of those funds will be available for expenditure within Pakistan, for the improvement of the food-producing ability of the country. Is that correct?

"Mr. AIKEN. That is correct.

"Mr. CASE. My reason for bringing out that point is that for sometime there has been pending before the Committee on Agriculture and Forestry, of which the Senator from Vermont is chairman, a bill which I introduced many weeks ago, proposing a program somewhat similar to this, but for the benefit of the people and the armed forces of the Republic of South Korea. The principle underlying the pending proposal seems to me to be worthy of application to other situations, not only from the humanitarian standpoint, but also that the interests of the United States itself may be served.

"When General Van Fleet appeared before the Committee on Armed Services, he spoke at some length of the relative ration of food given to the South Koreans who were in their armed forces, and the ration which was provided for the prisoners of war. He stated repeatedly that the South Korean soldiers who were guarding the prisoners of war were receiving much less in the way of food rations than were those they guarded, the Red soldiers, who were being fed by us under the terms of the Geneva Convention.

"It seemed to me, therefore, that we could appropriately make available to the Republic of South Korea foodstuffs and fiber, to be paid for in their own currency. They, too, are out of dollars. We could thereby strengthen the ability of the South Korean soldier to stand in the line and to resist aggression. We also could make the dollars do double duty by making the Korean currency thus paid available for the rehabilitation of Korea.

"Everyone knows that we simply cannot walk away from Korea, after it has been devastated by armed conflict, and their public buildings, hospitals, and schools have been destroyed. Sooner or later we shall have to provide some funds for the purpose of rehabilitating Korea. We cannot do less for an ally, Korea, than we have done for such former enemy countries as Japan and Germany. If at the same time we use funds for the purchase of grains, meat, and fiber products to be made available to the South Koreans, we receive in return therefor the local currency and set it aside for the rehabilitation of Korea, we will get double duty from the dollars.

"I take this occasion to point that out, because what we are doing for Pakistan is something we ought also to do, it seems to me, for the Republic of South Korea. It would strengthen the ability of the South Koreans to maintain their position, and it would assist in the discharge of the obligation to rehabilitate the country, an obligation which we will recognize when the truce is signed. I should like to urge upon the distinguished chairman of the Senate Committee on Agriculture and Forestry the importance of early action on that subject.

"Mr. AIKEN. The Senator from South Dakota has aptly pointed out one way by which American food surpluses could be used in the promotion of good will and better economic conditions throughout the world. There are several bills pending which have that general objective in view. However, it is my understanding that the White House expects to send to the Congress very soon, possibly this week, a proposal to authorize the President to use some of our surplus commodities for the purpose of promoting international good will and preventing distress in friendly nations, and, at the same time, to authorize the disposal of some of our very large surpluses of certain commodities within the United States. I think it likely that the bill will be referred to the Committee on Foreign Relations for consideration. I have not seen it, but I assure the Senator from South Dakota that, so far as it is possible for the Senator from Vermont to cooperate to that end, an end which he has very fittingly pointed out at this time, he will do so. But I do not feel like stepping in ahead of the President's own proposal, when that proposal is expected to reach Congress soon, possibly within the next day or two.

"Mr. CASE. Mr. President, will the Senator yield further?

"Mr. AIKEN. I yield.

"Mr. CASE. I may state that following the Van Fleet hearings and my introduction of the bill to which I have referred, I discussed the Korean situation with the Ambassador from the Republic of Korea at considerable length. The information was so important that I asked him to put in writing, in the form of letter addressed to me, a summary of the statements he had made in our visit. It should be of interest to all Senators. I ask permission of the Senate to have that letter printed in the RECORD at this point in my remarks.

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"Mr. CASE. In order that the record may be clear, there are two questions I wish to ask, since there has been some discussion of the bill.

"First, in response to a question asked by the Senator from Arkansas [Mr. MCCLELLAN], I think the record will give the impression that all the local currency will become available for the purposes which have been discussed by the Senator from Minnesota. Is it not correct that the bill provides that 5 percent of the local currency account is to be available for the local currency requirements of the United States within Pakistan?

"Mr. AIKEN. The Senator is correct.

"Mr. CASE. So 95 percent is to be available for the other program, and 5 percent would be available for our own expenses in Pakistan.

"Mr. AIKEN. That is correct.

"Mr. CASE. In addition, the committee has an amendment providing that at least 50 percent of the gross tonnage of wheat shall be transported 'on United States-flag vessels to the extent practicable,' as I read the bill, and I simply wish the RECORD to be clear about the fact that the Commodity Credit Corporation is not to pay the transportation. The Commodity Credit Corporation is to deliver the wheat on board vessels in United States ports, as directed by the President.

"Mr. AIKEN. The Commodity Credit Corporation is not to pay the transportation. I think the Mutual Security Administration is to pay the transportation. It is intended that Pakistan pay the cost of nondollar bottoms as far as possible, and that the dollar bottoms will be paid for out of MSA funds.

"Mr. CASE. But the Commodity Credit Corporation does not pay it?

"Mr. AIKEN. It is to be paid by whichever agency is designated by the President to handle the wheat. We are told that the President will designate the Mutual Security Agency. The provision that at least 50 percent of the wheat shall be carried in American bottoms, if available, is substantially the same provision as appears in the Mutual Security Act. As a matter of fact, it is doubtful if 50 percent will be carried in American bottoms, because I understand that they are not available at this time.

"Mr. CASE. While the Senator from South Dakota is in support of this particular measure, at the same time I think we ought to be a little careful about turning such measures into subsidies for the merchant marine or anything else, unless they are clearly labeled as such.

"Mr. AIKEN. I know just what the Senator from South Dakota means, because we have debated that subject on the floor frequently in the past few years.

"Mr. CASE. Should it not be clearly understood that the appropriations authorized in this measure will be to make payments to the Commodity Credit Corporation for the commodities supplied, and not for transportation, and that the transportation costs, if paid for by the Mutual Security Administration, should come from Mutual Security Administration funds?

"Mr. AIKEN. That is correct.

"Mr. CASE. Reverting for a moment to the Korean situation, in my discussion with the Korean Ambassador he pointed out that the South Koreans would be happy if the commodities intended for them were simply made available f. o. b. port of departure. If, in addition, we were to lend them some of our idle Liberty ships which are in mothballs at the present time, they would provide the sailors and provide the operating expenses. If we would place the food on our docks and lend them some ships, they would man the ships and take care of the transportation.

"Mr. AIKEN. I have not the slightest doubt that generous treatment will be accorded South Korea in this respect, as it should be. If we contribute the commodities at shipside to the foreign government, then it is up to the foreign government to furnish the transportation."

At the hearings on S. 2112 before the Senate Committee on Agriculture and Forestry, Secretary of State John Foster Dulles explained why the President had requested a grant rather than a loan:

"The CHAIRMAN (Mr. AIKEN). Thank you, Mr. Secretary.

"I have a couple of questions I would like to ask, and there may be other questions from other members of the committee, too. First, is it correct to infer from your testimony that you believe that the gift of the wheat itself would have a greater sentimental value and a greater value toward solidifying the international friendships than a loan of the money would have?

"Secretary DULLES. A much greater value, Mr. Chairman. A loan of money for a purpose of this sort, which did not create in itself any capital investments which increased the possibility of repayment, is not likely to be repaid, and a loan which exists on paper and which we may feel under obligation to try to collect and which they may feel under obligation to try to pay but where the economic situation does not permit of it, is apt to create disturbances between friends.

"I believe that wherever possible the United States should make aid available in the form of loans that are repayable. When I say 'wherever possible,' I include as making it possible a reasonable prospect that the debtor can repay, and repay without such a strain upon its own economy that the result is to destroy both the friendships

which we want to create and the economic strength that we want to create.

"I do not see, in the case of Pakistan, the possibility of making a loan which would be repayable without having those risks that I referred to.

* * * * * *

"Secretary DULLES. The reason, as I understand it, is this: There is no reason from a purely domestic standpoint to provide a charitable operation of this magnitude. As I say, the people have got the rupees to pay for their own food.

"Senator ANDERSON. Then why not sell them the wheat?

"Secretary DULLES. The wheat will be sold to them for rupees, which they have.

"Senator ANDERSON. Then really we do not need to give them wheat at all. Why not give a Federal grant of money to the Government, if that is what we are trying to do? Why confuse it with wheat?

"Secretary DULLES. Because what they want is wheat and what we have is a surplus of wheat. If you would rather make a gift of $100 million instead of a million bushels of wheat, and then they would use the $100 million to buy wheat with——

"Senator WELKER. Where would they buy it?

"Secretary DULLES. They would buy it from us. We would end up just where we are now proposing to go. This is not a situation where you need to pauperize the people of Pakistan. They are perfectly capable and able to pay in rupees but there is no wheat available to purchase in rupees. There is no reason why this has to be made a pauperizing operation as far as Pakistan is concerned. They are perfectly willing and able to pay rupees for wheat if there is some wheat in the country that can be bought for rupees. This would go on the markets and be disposed of just as would be the case if they had a normal wheat crop.

"Senator ANDERSON. Will we get the rupees that they will pay?

"Secretary DULLES. I have explained that. Yes, those rupees will go into a blocked account over which we have control."

S. 2127, to authorize the Commodity Credit Corporation to transfer certain surplus agricultural commodities to the Director for Mutual Security for sale to countries participating in the mutual security program.

Introduced by Mr. SCHOEPPEL, referred to Committee on Agriculture and Forestry, June 11, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 5, pp. 6380, 6425, and pt. 8, p. 10080.)

[This bill (S. 2127) providing for acceptance of foreign currencies for surplus agricultural commodities sold through the mutual security program, was reported as S. 2475 on July 24, 1953. (See S. 2475 and the report thereon, S. Rept. No. 642, 83d Cong.) Mr. ANDERSON explained: "There is a difference between this bill (S. 2475) and the bill on which there is a report. The report is on Senate bill 2127. This is Senate bill 2475 which was recommended as a result of many discussions. It was decided it was more simple to try to combine several bills into one than to try to deal only with Senate bill 2127."]

The following statement on the bill was made by Senator SCHOEPPEL, on June 11, 1953:

"* * * a proposal to sell up to $1 billion worth of Commodity Credit stocks to reinforce the mutual security program. This proposal would authorize the Secretary of Agriculture to transfer Commodity Credit Corporation stocks available for expanding world markets to the Administrator of the mutual security program.

"It would authorize the Administrator of the mutual security program within limitations to be set by the Congress to offer such stocks for sale through private traders to cooperating nations under conditions negotiated by him with receiving countries in exchange for local currencies. The Administrator would be authorized to accept such currencies for the United States and use them to reinforce the mutual security program and further its objectives by using these funds under mutual agreement, either, first, as loans to banking institutions in cooperating countries which in turn would use the funds to increase production and encourage international trade, or, second, to pay United States obligations such as contributions to cooperative defense establishments, for economic development, for aid to other cooperating countries and for strategic material to augment United States stockpiles above currently planned levels." (CONGRESSIONAL RECORD, vol. 99, pt. 5, p. 6426.)

The committee on June 12, 1953, requested the Secretary of Agriculture to report back to the committee with respect to this bill. The Secretary gave his views on the bill in a letter to the committee on July 24, 1953. (See S. Rept. No. 642, 83d Cong., 1st Sess.)

H. R. 5714, to authorize the Commodity Credit Corporation to transfer certain agricultural commodities to the Director for Mutual Security for sale to countries participating in the mutual-security program.

Introduced by Mr. BURLESON, referred to Committee on Agriculture, June 15, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 5, p. 6569.)

H. R. 5954, to authorize the Commodity Credit Corporation to transfer certain surplus agricultural commodities to the Director for Mutual Security for sale to countries participating in the mutual security program.

Introduced by Mr. JUDD, referred to Committee on Agriculture, June 26, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 6, p. 7402.)

S. 2128, to further amend the Mutual Security Act of 1951, as amended, and for other purposes.

Introduced by Mr. WILEY, from the Committee on Foreign Relations (S. Rept. 403) on June 15, 1953.

After conference between Senator WILEY, chairman of the Committee on Foreign Relations and Senator SALTONSTALL, chairman of the Committee on Armed Services, was referred to the latter committee "in order that an examination may be made of the arms feature of the bill." (CONGRESSIONAL RECORD, vol. 99, pt. 5, pp. 6445, 6446, 6456.)

USE FOR MILITARY PURPOSES

After hearings in executive session the Senate Armed Services Committee reported S. 2128 (S. Rept. 444) on June 18, 1953, with an amendment striking out that part of section 521 of the Mutual Security Act of 1951 which read as follows:

"Any currency of any nation received by the United States for its own use in connection with assistance furnished by the United States may be used by any agency of the Government without reimbursement from any appropriation for [the administrative and operating expenses of] carrying out the purpose of this act."

That portion enclosed in brackets had been stricken by the Foreign Relations Committee. The Agriculture Committee also added by way of amendment the following new action (sec. 549), and S. 2128 contained this section when debate actually began on the bill in the Senate on June 29, 1953:

"SEC. 549. Use of Foreign Currency or Credits. Foreign currencies or credits owed to or owned by the United States shall be used to carry out the provisions of this act but only after reimbursement is made therefor to the Treasury from funds appropriated to carry out such purposes: *Provided*, That such currencies or credits are authorized to be made available for use without reimbursement to the Treasury for liquidation of obligations legally incurred against such currencies prior to July 1, 1953."

With respect to this amendment the Committee on Armed Services reported:

"The committee believed that foreign currencies or credits owed to or owned by the United States should be covered into the Treasury and that any expenditures of these funds should come only through authorized appropriations to carry out specific purposes." (S. Rept. 444, 83d Cong., 1st sess.)

THE M'CLELLAN AMENDMENT

On June 29, 1953, at the beginning of debate on S. 2128 Mr. MCCLELLAN offered an amendment with the following statement:

"Under this amendment the President would authorize the Mutual Security Agency to enter into agreements with the governments of countries eligible to receive military assistance under the Mutual Security Act of 1951, as amended, to convert their local currencies into United States dollars for the specific purchases of surplus agricultural commodities produced in the United States which the Secretary of Agriculture has declared to be currently in surplus supply. The dollars used in this conversion would then be utilized by the Mutual Security Agency and the United States Department of Defense for purchasing military equipment, materials, and services in such countries." (CONGRESSIONAL RECORD, vol. 99, pt. 6, p. 7556.)

The text of the McClellan amendment as modified by the Case proposal and then adopted by the Senate on July 1, 1953, was as follows:

"On page 2, line 1, after 'SEC. 540.', insert '(a)'; strike out the quotation marks at the end of line 13; and between lines 13 and 14 insert a new subsection as follows:

"'(b) Such amount of the funds authorized to be appropriated by subsection (a) of this section as may be specified in the act appropriating such funds shall be used by the President, under such rules and regulations as he may prescribe, to provide military assistance to countries eligible to receive such assistance under this act through currency conversion agreements entered into in accordance with this subsection. The President is authorized to enter into an agreement with any such country which shall provide—

"'(1) for the conversion into currency of the United States of such amounts of the currency of such country as may be specified in such agreement, and for the use of such United States currency for the purchase of agricultural commodities, livestock, meat, and meat products, produced in the United States which are determined by the Secretary of Agriculture to be in surplus supply;

"'(2) for the use of the currency of such country received by the United States under such agreement to procure military equipment, materials, and services in such country for the purpose of carrying out the provisions of this act;

"'(3) satisfactory assurance that an amount of dollar exchange, equivalent to the dollar exchange used by such country during the fiscal year beginning July 1, 1952, for the importation from the United States of each commodity covered by the agreement, will be made available by such country during the fiscal year beginning July 1, 1953, from sources other than dollar exchange made available under this section of the act for the purchase of each such commodity; and

"'(4) that the purchase of agricultural commodities produced in the United States with dollar exchange provided under such agreement shall be conducted through private trade channels.'" (CONGRESSIONAL RECORD, vol. 99, pt. 6, p. 7555 [as offered by Mr. MCCLELLAN] and p. 7777 [as adopted with the Case modification].)

CASE INCLUDES MEAT PRODUCTS

On July 1, 1953, during debate on the McClellan amendment, Mr. CASE stated he had an amendment which he would offer "in the event the Senator's amendment is not agreed to, which acts on the same principle." Mr. CASE, joined by Messrs. BARRETT and MUNDT, also offered a modification to Mr. MCCLELLAN'S amendment which was accepted so as to specifically include surplus "meat products and livestock" with the coverage of the amendment. (CONGRESSIONAL RECORD, vol. 99, pt. 6, pp. 7774–7775.)

Since at this time, July 1, 1953, the House had already passed H. R. 5710 (the Mutual Security Act of 1953, and companion bill to S. 2128), it was necessary to include the Case proposal in the McClellan amendment because the bill as it passed the House contained no such proposal as the McClellan amendment or Case modification and such a modification could not be inserted in conference. Ibid.

S. 2128 passed the Senate on July 1, 1953, and H. R. 5710 was substituted therefor and a conference report (H. Rept. 770) was filed July 10, 1953, which explained that the Senate plan for converting dollars authorized for military assistance into foreign currencies was retained:

"Both the House bill and the Senate amendment included provisions for the use of surplus agricultural commodities in connection with supplying assistance to foreign countries. The language of the House bill stated the intent of Congress that surplus agricultural commodities should be substituted for other forms of economic aid to the extent feasible. The Senate provision authorized an arrangement for converting military assistance into foreign currencies. The dollars received by the foreign nations were to be spent by agreement for United States farm products and the local currencies received by the United States would be spent for military and items in the purchasing countries.

"The committee of conference agreed to a modification of both provisions. The conference agreement requires that of the funds authorized not less than $100 million and not more than $250 million 'shall be used directly or indirectly to finance the purchase of surplus agricultural commodities.' The provision for 'indirect' financing is to permit reimbursement of the Commodity Credit Corporation for commodities supplied from its stocks.

"Sale of agricultural surpluses for local currencies is authorized. Such currencies are to be kept in a special United States account and may be utilized for the purposes set forth in the legislation without appropriation by Congress.

"Local currencies so acquired may be spent only for the purposes of the Mutual Security Act, giving particular regard to the providing of military assistance to countries or mutual defense organizations and to other specified purposes.

"Special precautions are to be taken to prevent disposing of surpluses in a manner which would displace normal market arrangements and to insure that maximum use will be made of private trade channels.

"The conference agreement carries out the objectives of the provisions of the House bill and the Senate amendment while providing more specific and detailed procedures for the attainment of these objectives." (Rept. No. 770, also printed at CONGRESSIONAL RECORD, vol. 99, pt. 7, pp. 8683–8689.)

The conference report on H. R. 5710 was agreed to in the Senate on July 13, 1953, and at that time Mr. WILEY and Mr. KNOWLAND, both Senate conferees, explained the effects of the revision by the conference of the McClellan amendment with the Case modification. The colloquy was as follows (CONGRESSIONAL RECORD, vol. 99, pt. 7, pp. 8642–8643):

"Mr. MCCLELLAN. Mr. President, before we leave the subject of the conference report, I should like to ask the distinguished Senator from Wisconsin for an explanation of the provision which was substituted for the amendment, which the Senate agreed to, with respect to the disposal of some of our surplus agricultural commodities by the conversion of dollars into the currencies of foreign countries.

"Mr. WILEY. Mr. President, the conferees battled for about 3 days. Half the time was taken up in discussing the amendment referred to by the Senator from Arkansas. In the statement which I have submitted on the conference report the following language appears:

"'Surplus agricultural commodities: The House bill expressed the intent of Congress that surplus commodities be substituted for other economic assistance wherever feasible. The Senate bill contained an amendment offered on the floor by the senior Senator from Arkansas (Mr. MCCLELLAN) providing for the use of military-assistance funds to finance the export of surplus commodities for local currency which, in turn, would be used for military procurement.

"'The conferees agreed on an amendment which provides that between $100 million and $250 million of the funds authorized in the bill shall be used to finance the purchase of surplus agricultural commodities. The amendment authorizes the President to negotiate agreements with friendly countries for the sale of these commodities for local currencies which he may then use to carry out the purposes of the Mutual Security act.'

"Mr. MCCLELLAN. As I understand the effect of that amendment is that the surplus commodities, under the amendment adopted by the conferees, will come out of the stock of surplus commodities now owned by the Commodity Credit Corporation, and not out of the channels of private trade. Is that correct?

"Mr. WILEY. I am informed that they might come either directly or indirectly from that source.

"Mr. MCCLELLAN. It would be in the discretion of the President in working out these arrangements.

"Mr. WILEY. That is correct.

"Mr. MCCLELLAN. Then it will be possible to carry out the original purpose of the amendment which I offered, and which the Senate adopted, if the President will exercise the authority which is granted him by the amendment which the conferees agreed to.

"Mr. KNOWLAND. Mr. President, will the Senator yield?

"Mr. WILEY. I yield.

"Mr. KNOWLAND. Is it not substantially a fact that it makes very little difference which way it is done, because if these commodities come out of stocks held by the Commodity Credit Corporation, for example, the Commodity Credit Corporation will then be in a position to take on more agricultural products. So there is very little difference in the overall agricultural picture.

"Mr. MCCLELLAN. That is probably true; but what we should do, insofar as we can, is to encourage the resumption of normal trade through normal channels. I am not saying that it should come out of surplus stocks that we may have on hand, but if it leaves the way open for the President to negotiate an arrangement whereby it can still come out of private trade in regular trade channels, I am glad to know it.

"Mr. WILEY. If the Senator will look at section 550 he will find it provides that the President shall take special precaution to safeguard against the substitution or displacement of usual marketings of the United States or friendly countries, and to assure to the maximum extent practicable that sales prices of such commodities are consistent with maximum world market prices of like commodities of similar quality, and so forth. The section also provides that private trade channels shall be used to the maximum extent practicable.

"I believe that answers the question of the Senator from Arkansas.

"Mr. MCCLELLAN. I wanted to be sure that that principle is preserved so far as is practicable.

"I note that a number of different uses may be made of the currencies we acquire in exchange, whereas the amendment which was sponsored by me provided only that they should be used for procuring offshore purchases of military supplies in the country issuing the currency. Is that correct?

"Mr. WILEY. Yes. If the Senator will refer to the same section he will find that it specifies 4 or 5 activities.

"Mr. MCCLELLAN. I believe there are 6.

"Mr. WILEY. Six different activities for which the money can be used.

"Mr. MCCLELLAN. It is to some extent watered down.

"Mr. WILEY. Or watered up.

"Mr. MCCLELLAN. I believe it is watered down. For instance, the currencies can be loaned back to the issuing country, and we know from experience that most loans are nothing but gifts. Unless sound discretion is used with respect to the various provisions as to how the funds may be used, and our interest is given paramount consideration, those currencies can be used and disposed of so they will actually not return any benefit to our country, other than the giving away of mutual aid.

"Mr. KNOWLAND. Mr. President, will the Senator yield?

"Mr. MCCLELLAN. I yield.

"Mr. KNOWLAND. I believe the distinguished Senator from Arkansas is not quite correct in that regard. I should not like to have his statement to stand in the RECORD without my saying, to the contrary, that the language worked out by the conferees had very much in mind that we wanted to make certain there was an opportunity for the Government at least to get in exchange material which would be helpful and of value to the American people:

"'(1) for providing military assistance to countries or mutual defense organizations eligible to receive assistance under this act;

"'(2) for purchase of goods or services in friendly countries;

"'(3) for loans, under applicable provisions of this act, to increase production or goods or services, including strategic materials, needed in any country with which an agreement was negotiated, or in other friendly countries, with the authority to use currencies received in repayment for the purposes stated in this section or for deposit to the general account of the Treasury of the United States;

"'(4) for developing new markets on a mutually beneficial basis;

"'(5) for grants-in-aid to increase production for domestic needs in friendly countries;

"'(6) for purchasing materials for United States stockpiles.'

"Mr. MCCLELLAN. I understand. It seems to be that No. 5 is another giveaway proposition.

"Mr. KNOWLAND. Except I am sure the Senator understands it is surrounded with certain limitations, so the minimum amount that can be used is $100 million and the maximum amount is $250 million. It is circumscribed within those limitations.

"Mr. MCCLELLAN. That is correct. I am not critical of the conferees. I realize they had a difficult task, probably, in working out an agreement. I hope that it means we

have in the bill a start and a tangible effort toward stopping complete giveaways and an effort to try to reestablish trade and commerce between us and other countries, so we will provide aid to our friends by trade, not aid by gifts.

"Mr. CASE. Mr. President, I desire to ask a question of the chairman of the Committee on Foreign Relations.

"Mr. WILEY. I shall be glad to answer the Senator's question, if I can.

"Mr. CASE. During the consideration of the McClellan amendment, or when it was being discussed before it was formally presented, the junior Senator from South Dakota suggested that following the words 'surplus agricultural commodities' there be inserted the words 'livestock, meat, and meat products.' The Senator from Arkansas incorporated that language in his amendment, and the McClellan amendment was adopted in that form. I note on page 9 of the conference report, in section 550, the words 'surplus agricultural commodities, or products thereof.' Apparently the conferees substituted the words 'or products thereof' following the words 'surplus agricultural commodities' for the words which were included in the McClellan amendment, namely, 'livestock, meat, and meat products.'

"Clearly the language used has eliminated the term 'livestock.' So, the Senator from South Dakota would like to ask the chairman of the conference committee whether it would be his interpretation that the words 'or products thereof' following the words 'surplus agricultural commodities' would include meat and meat products.

"Mr. WILEY. My recollection of the discussion on that point is rather vague. So much was said in 3 days I am not clear in my recollection.

"Mr. GEORGE. If the Senator will permit me, I should like to say that we were told that meat and meat products would be included. They said they were actually already furnishing lard and oil and certain meat products.

"Mr. CASE. Canned meats and gravies.

"Mr. GEORGE. Yes. That is my understanding.

"Mr. KNOWLAND. Mr. President, as one of the conferees, I will say, for what it may be worth, that the language is sufficiently broad to cover meat and meat products as an agricultural commodity.

"Mr. CASE. I appreciate the contribution which has been made by the remarks of the chairman of the conference committee, by the Senator from Georgia, the ranking minority member of the Committee on Foreign Relations, and by the acting majority leader. Their statements, made here in direct answer to my question, should provide the interpretation which will guide the administrators of the act. I thank the Senators for their contribution."

The Mutual Security Appropriation Act of August 7, 1953, made provision for section 550 as follows:

"Sec. 104. Of the funds appropriated by this act, except funds appropriated for assistance under sections 541 and 548 of the Mutual Security Act of 1951, as amended, not less than $100 million shall be used to carry out the provisions of section 550." (67 Stat. 481, Public Law 218, 83d Cong.)

PUBLIC LAW 216 (S. 2249, IN LIEU OF H. R. 6016), 83D CONGRESS

On June 30, 1953, President Eisenhower sent a message to Congress asking for general legislation giving to the President authority to make available to friendly and needy countries surplus agricultural commodities under such terms and conditions as the President sees fit. Such commodities were to be turned over to the President by the Commodity Credit Corporation and that Corporation reimbursed to the extent of its investment in the commodities. Bills (S. 2249 and H. R. 6016) were immediately introduced, June 30, 1953, by Mr. AIKEN in the Senate and Mr. HOPE in the House to carry out the desires of the President as stated in his message. Both bills carried an unlimited authorization for appropriations and an expiration date of June 30, 1955. (CONGRESSIONAL RECORD, vol. 99, pt. 6, pp. 7614–7615; text of Message of President, June 30, 1953, printed at p. 7614 and in S. Rept. 642 on S. 2475 and in H. Rept. 983 on H. R. 6016 and separately as H. Doc. 202, 83d Cong.)

S. 2249 became Public Law 216, upon being approved August 7, 1953. As enacted there were only three changes of importance, namely (1) the termination date was shortened to March 15, 1954, (2) the appropriation was limited to $100 million, and (3) the Flanders amendment made it possible to give aid to friendly but needy populations without regard to the friendliness of their government. Mr. FLANDERS first offered his amendment on July 8, 1953, and it was referred to the Senate Agriculture Committee and later appeared as committee amendments to S. 2249 and H. R. 6016 when the respective bills were reported. (See CONGRESSIONAL RECORD, vol. 99, pt. 6, p. 8173 for text of the Flanders amendment; also see S. Rept. 631 and H. Repts. 963 and 1070, 83d Cong., 1st sess., Public Law 216, 83d Cong., ch. 349, 1st sess.)

At the Senate Agricultural Committee hearings on July 16, 1953, the spokesman for the State Department explained that aid under S. 2249 would normally "be in the form" of a grant "but the language was sufficiently flexible to allow the President "in certain cases to provide for the establishment of a special fund of local currencies from the proceeds of local sales of the commodities." Senate Committee on Agriculture. (Hearings on S. 2249, July 16, 1953, 83d Cong., 2d sess., p. 3.)

On July 13, 1953, just 3 days prior to hearings on this bill (S. 2249), the conference report on the Mutual Security Act of 1953 [S. 2126 and H. R. 5710] had been reported back to the Senate by the Foreign Relations Committee conferees and there was a colloquy engaged in by Messrs. CASE, WILEY, and KNOWLAND to determine whether the Case modification of the McClellan amendment had been approved in conference. The Case modification would have included meat and meat products as well as livestock in the program authorized by section 550 of that act. The modification had been approved by the Senate. At the hearings on July 16, 1953 on S. 2249 this question was again raised as to whether S. 2249 would apply to cattle and it was determined it did not include cattle. Senate Committee on Agriculture. (Hearings on S. 2249, p. 17.)

S. 2249 also lacked any specific provision for requiring payment for the surplus commodities though Mr. MUNDT at the hearings suggested that the bill be amended by adding:

"• • • a second title provides that a mechanism be established whereby we can assure foreign countries that nothing is going to be dumped upon them because we will then require them to pay for certain amounts of Commodity Credit Corporation stocks which they might desire and require, but which their conditions of urgency do not justify giving to them free.

"Therefore, we make it possible for them to pay for them in the currency of their own land or in products which they have in surplus or in products which they have that we require." Hearings (Ibid., p. 18).

The hearings held by the Agriculture Committees of both the House and Senate on these bills (H. R. 6016 and S. 2249) indicated that sentiment in both Houses had shifted toward the idea originally incorporated in the Case bill (S. 1230), that of "trade not aid" by exchanging surplus agricultural commodities for foreign currencies rather than giving them away. The Senate Agriculture Committee, therefore, expressed this caution in reporting S. 2249 favorably on July 24, 1953:

"The committee realizes that the furnishing of assistance of this sort must necessarily have some effect on the economy of the recipient country, as well as exporting countries, commercial suppliers, and others. The desire of the committee is simply to furnish aid on behalf of our Nation to those in need, and such aid should be furnished in such manner as to avoid all possible injury to the domestic economy of any friendly country or the channels of commercial trade. To the maximum extent practicable consistent with good business practices and the purposes of the act, the normal channels of trade should be utilized in carrying out the act.

"In order that Congress may be fully advised on the manner in which any programs under the bill may be working the committee intends to request a full report thereon shortly after Congress convenes in January." (S. Rept. 631, 83d Cong., 1st sess.)

S. 2249 passed the Senate July 27, 1953, after its title had been amended to read: "A bill to enable the President, during the period ending March 15, 1954, to furnish to peoples friendly to the United States emergency assistance in meeting famine or other urgent relief requirements." (CONGRESSIONAL RECORD, vol. 99, pt. 8, pp. 9905–9926.) H. R. 6016 passed the House on July 29, 1953, but the proceedings were vacated and the House pass S. 2249 in lieu of H. R. 6016. (CONGRESSIONAL RECORD, vol. 99, pt. 8, pp. 10382–10407.) S. 2249 was approved by the President on August 7, 1953, and became Public Law 216, 83d Congress (67 Stat. 476).

Public Law 216 authorized the President to use not to exceed $100 million of Commodity Credit Corporation commodities to meet famine or other urgent relief requirements in other countries.

No program of assistance was to be undertaken after March 15, 1954. An appropriation to the Corporation for the commodities so disposed of was authorized. No provision was made for selling the commodities; rather they were to be given away. (CONGRESSIONAL RECORD, vol. 99, pt. 8, pp. 9906 (Mr. AIKEN) and 10399 (Mr. JUDD); and H. Rept. (conference) 1070, 83d Cong., 1st sess.)

The legislative history of H. R. 6016 (companion bill to S. 2249) shows that during the debate on this bill it was pointed out that an amendment to the Mutual Security Act of 1952 permitted the use of $100 million to furnish food supplies to foreign countries. Although the question of selling surplus commodities for foreign currencies was discussed in the House in connection with H. R. 6016 no amendment was actually offered. It will be noted that on July 28, 1953, the day before the House passed S. 2249 (in lieu of H. R. 6016), the Senate passed S. 2475, providing for the sale of agricultural commodities in foreign countries in accordance with the provisions of the Mutual Security Act of 1951, as amended by Public Law 118 of the 83d Congress, with an amendment by Senator GORE to remove language placing limitations on funds available for conversion of foreign currencies into dollars to pay for surplus commodities. (CONGRESSIONAL RECORD, vol. 99, pt. 8, pp. 10075–10088, 10398.)

During the debate on H. R. 6016 on July 29, 1953, Mr. JUDD advised the House as he had previously advised the House Agriculture Committee on July 23, 1953, concerning his draft of a bill similar to S. 2475. Mr. JUDD had not yet introduced his bill at the time but he did so later on August 3, 1953, his bill being H. R. 6845. (See p. 68 ff., hearings on H. R. 6016, entitled "Famine Relief" held on July 22, 23, and 24, 1953, by House Committee on Agriculture for statement by Mr. JUDD on his version (H. R. 6845) of S. 2475.) Later, during the second session,

on March 8, 1954, Mr. JUDD introduced a revised version of his own bill (H. R. 6845), his later bill being H. R. 8270.

"I submitted a bill as a second title to the bill before us which would use agricultural surpluses to expand our foreign markets by expanding free world economies by promoting additional trade and strengthening the economies of cooperating nations. It would authorize the President to make agreements with friendly countries to sell surplus commodities for foreign currencies where that can be done without displacing usual markets, at not less than maximum world prices, and where he can use the currencies received to expand production in friendly countries, increase trade between them and between them and ourselves. It would use private trade channels wherever practicable.

"The bill in substance was adopted in the conference on the Mutual Security Act. But it is limited there to funds appropriated under that act. The bill was adopted by the Senate yesterday. Unfortunately, the Committee on Agriculture decided not to act upon it at this time and to put it over until next session • • •." (CONGRESSIONAL RECORD, vol. 99, pt. 6, p. 10399 (statement of Mr. JUDD, July 29, 1953).)

On July 23, 1953, at the hearings before the House Committee on Agriculture during the first session of the 83d Congress Representative JUDD gave an analysis of the legislative situation at that time in regards to the bills and acts relating to surplus agricultural commodities. He was testifying on his bill (not yet introduced) which he offered the committee in mimeographed form as an amendment to H. R. 6016. The Committee failed to adopt his amendment and he later explained that on July 29, 1953, when H. R. 6016 passed the House in lieu of S. 2249. At the hearings of the Agriculture Committee Mr. JUDD stated:

"Mr. JUDD. • • • I understand this bill [H. R. 6016] is primarily for relief of people in urgent need. In the foreign-aid bill that was passed a year ago there was an amendment sponsored by Mr. Ribicoff, of Connecticut, and myself, which covers that very item referred to yesterday, of use of agricultural commodities, or anything else for that matter, for psychological purposes.

"It provided that—

"'Not more than $100 million of the funds made available under the Mutual Security Act of 1952, of which not more than $20 million may be allocated to any one country, may be used or supplied without regard to any conditions as to eligibility contained in this act.'

"The language is broader than the language of this bill [H. R. 6016] because that allows aid to be given even to people in unfriendly countries, and we did that deliberately because we hoped that something might develop like what is happening in East Germany. • • •

"The President was required to notify the Committee on Foreign Affairs in the Senate and House on making such determinations. His offer of a grant of $15 million of food to people in East Germany was made under that authorization passed just about a year ago.

"Mr. ANDRESEN. Is that the first time that has been used?

"Mr. JUDD. Yes. It has been there a year, and this is the first time it has been used.

"Mr. ANDRESEN. So they have that $100 million not used?

"Mr. JUDD. They have $85 million still unused. As I say, that is broader than this bill because he can even give it to unfriendly countries, unless you modify this bill, as Senator FLANDERS has done in the Senate, to make it possible to give aid to peoples that are friendly, even in a country whose government is not friendly. If this bill is passed, I certainly think that Flanders' amendment or something comparable should be included.

• • • • • •

"Mr. JUDD. • • • the other limitation—and this is the main one in which I am interested today—that I think ought to be added to the Hope bill would be in the form of another title. I have passed around mimeographed copies of what I suggest as a second title to the bill. On the bottom of the first page, section 103, I would put a limitation in the Hope bill [H. R. 6016] to provide that the President should use the Hope bill [H. R. 6016] to give these surplus commodities away only after he has determined that it would not be better to use the method of transfer on a trade basis, which is provided in the new title. • • •"

At the beginning of the debate on S. 2475 in the Senate Mr. SCHOEPPEL explained:

"The Committee on Agriculture and Forestry, having considered the bill, as it is specifically stated in the report [S. Rept. 642], reports the bill [S. 2475] and recommends that it do pass without amendment. Senators who serve on the Committee on Agriculture and Forestry and other Senators also, I am sure know that the Senate had before it during this session a number of bills authorizing the barter or sale for foreign currencies, of surplus agricultural commodities.

"Farm organizations, various Senators, and others have evidenced considerable interest in these proposals; and section 550 was added to the Mutual Security Act of 1951 at this session [first] to provide for such sale. While the Department of Agriculture, as set out in exhibit A of this report, believes that section 550 is sufficient at this time, your committee feels that the additional authority provided by the bill is necessary if we are to make an adequate attempt to discover whether sale for foreign currencies presents a profitable avenue for disposing of surplus agricultural commodities and for expanding world trade.

"The Commodity Credit Corporation has in prospect by the end of the year an investment in stocks owned or under purchase agreement of approximately $5 billion. S. 2475 is the only proposal brought before this body this session that comes to grips in a realistic way with this very urgent problem.

"In dealing with surplus agricultural products we have 1 or 2 alternatives—either shrink the agricultural plant of this country to existing markets, which we have learned in the last few weeks is a most unsatisfactory approach politically and is dangerous economically. The other alternative is to seek to develop means to increase exports and reinforce the mutual security program, to protect our existing markets and create new ones. S. 2475 with an authorization would achieve these objectives. • • •

"The recently enacted Mutual Security Act of 1953 contained a provision to authorize the President to enter into agreements with friendly countries for the sale and export of surplus agricultural commodities and accept for them local currency for the account of the United States. It provides that in the negotiation of the agreements, the President would take special precaution to safeguard the existing markets.

"The section further provides that the local currencies received by the United States for agricultural products sold are to be used (a) for providing military assistance, such as to the North Atlantic Treaty Organization and for Indochina; (b) for the purchase of goods or services needed in other friendly countries; (c) for loans for increasing production, including strategic materials; (d) for developing new markets for agricultural products; (e) for grants-in-aid to increase production; and (f) for stockpiling materials needed by the United States.

"Section 550 of the Mutual Security Act sets the framework within which agricultural markets can be expanded. S. 2475 authorizing $500 million will give sufficient money to give this new concept of expanding agricultural markets a full test.

"Senate bill 2475, in addition to providing the half billion dollars to effectuate section 550, establishes a procedure which will assure that the majority of the sales will be made through private traders rather than on a State trading basis." (CONGRESSIONAL RECORD, vol. 99, pt. 8, pp. 10077–10078.)

PUBLIC LAW 480 (S. 2475), 83D CONGRESS

The Senate passed S. 2475 during the 1st session of the 83d Congress on July 28, 1953. Final action was had during the second session and the bill became Public Law 480.

S. 2475, to authorize the President to use agricultural commodities to improve the foreign relations of the United States.

Introduced by Mr. Schoeppel (for himself, Mr. Anderson, Mr. Clements, Mr. Eastland, Mr. Hoey, Mr. Johnston of South Carolina, Mr. Mundt, Mr. Aiken, Mr. Thye, Mr. Welker, and Mr. Young); referred to Committee on Agriculture and Forestry, July 24, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 7, p. 9723.)

The bill, being a committee bill, was immediately reported (S. Rept. 642), July 24, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 7, p. 9724.)

Objected to, July 27, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 8, p. 9892.)

Debated, amended, and passed Senate, July 28, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 8, pp. 10075–10088.)

Referred to House Committee on Agriculture, July 29, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 8, p. 10433.)

Reported (H. Rept. 1776) with amendment, June 9, 1954. (CONGRESSIONAL RECORD, vol. 100, pt. 6, p. 7981.)

Debated, June 15–16; amended, passed House, and title amended to read "An act to increase the consumption of United States agricultural commodities in foreign countries, and for other purposes," June 16, 1954. (CONGRESSIONAL RECORD, vol. 100, pt. 6, p. 8380.)

Senate asks for conference, June 22, 1954. House agrees to a conference, June 22, 1954.

Conference report (H. Rept. 1947) submitted to House, June 29, and adopted June 30, 1954, by the House after an explanation by Mr. HOPE of the changes made in conference in section 302. (CONGRESSIONAL RECORD, vol. 100, pt. 7, pp. 9335–9338.)

Conference report (H. Rept. 1947) submitted in Senate with explanation by Mr. AIKEN and adopted without debate, June 30, 1954. (CONGRESSIONAL RECORD, vol. 100, pt. 7, pp. 9258–9259.)

Signed by President, July 10, 1954, becoming Public Law 480, 83d Congress.

Public Law 480 authorizes the disposal of up to $1 billion worth of surplus agricultural commodities as follows:

"1. Authorizes negotiations of agreements with friendly nations and organizations abroad for sale of surplus commodities for foreign currencies. This section authorizes spending up to $700 million over the next 3 years to reimburse the Commodity Credit Corporation for such transactions.

"2. Makes $300 million worth of such commodities in the same period available to friendly nations in meeting famine or other emergency requirements.

"3. Authorizes the CCC to make surplus commodities available in the United States in areas declared by the President to be distress areas. It also broadens existing authority to permit these commodities to go to the Bureau of Indian Affairs, school lunch programs, and public and private agencies for assistance to needy persons."

In the Senate, Mr. AIKEN, on June 30, 1954, explained how the bill had been rewritten in conference:

"S. 2475 as it passed the Senate provided for the sale of surplus agricultural commodities for foreign currencies, and for the use of the foreign currencies so acquired for the purposes set out in subsections (b), (c), (d), and (e) of section 550 of the Mutual Security Act of 1951. The House amendment, which was in the nature of a substitute for the Senate bill, consisted of three titles. Title I revised and refined the provisions of the Senate bill. Title II added provisions for the transfer of up to $300 million worth of surplus commodities for famine and other foreign relief. Title III added (1) permanent provisions for the use of surplus agricultural commodities for domestic and foreign relief and for barter for strategic materials, (2) a limitation upon sales and transfers which might aid Iron Curtain countries, and (3) a provision for the appropriate marking of relief packages. Programs under titles I and II could be undertaken only until June 30, 1957.

"The conferees agreed upon a substitute for the House amendment which, while following generally the language of the House amendment, would—

"1. Require the President to take reasonable precaution that sales for foreign currencies under title I would not unduly disrupt world prices;

"2. Provide for the sale and financing of exportation of such commodities by the Commodity Credit Corporation in accordance with regulations, rather than directions, of the President;

"3. Provide for financing the exportation of privately owned commodities, even though Commodity Credit Corporation might be in a position to supply such commodities, upon condition that the private stocks then be replenished from the Corporation's inventory;

"4. Reduce the amount authorized for sales for foreign currencies from $1 billion to $7 million;

"5. Limit the purposes for which the foreign currencies could be expended without regard to section 1415 of the Supplemental Appropriation Act, 1953 (which requires their appropriation), to the purposes enumerated in section 104, rather than to all of the purposes set forth in section 2;

"6. Make said section 1415 applicable to all foreign currencies used for grants under subsections (d) and (e) of section 104 and for payment of United States obligations involving grants under subsection (f) of section 104;

"7. Provide that in making grants under section 202 the President should avoid displacing or interfering with sales that might otherwise be made;

"8. Strike out section 203, which would have permitted the use of $100 million worth of surplus agricultural commodities without regard to the Mutual Defense Assistance Control Act of 1951;

"9. Enlarge section 301 to permit relief in domestic distress areas in the form of products (such as Cheddar cheese and nonfat dry milk solids), as well as farm commodities, and give the Department of Agriculture the responsibility of supervising distribution of commodities under this section consistent with the supervision that it exercises under section 32 of Public Law 320 of the 74th Congress;

"10. Perfect the amendment made by section 302 to section 416 of the Agricultural Act of 1949 and strike out State or Federal penal and corrective institutions as eligible recipients;

"11. Strike out section 303, which would have made State penal and corrective institutions eligible recipients for commodities distributed with section 32 funds;

"12. Enlarge section 304 (sec. 303 of the conference substitute) to provide for barter for materials required in foreign-assistance programs or offshore construction and to require procurement agencies to cooperate in disposing of surplus commodities by means of such barter; and

"13. Revise section 305 (sec. 304 of the conference substitute) to require the President to exercise the authority contained in the act (A) to assist friendly nations to be independent of trade with Iron Curtain countries for food, raw material, and markets, and (B) to assure that commodities sold or transferred under the act do not result in increased availability to unfriendly nations of those or like commodities.

"The conference committee also made several minor changes in language and amended the title of the bill to read: 'An act to increase the consumption of United States agricultural commodities in foreign countries, to improve the foreign relations of the United States, and for other purposes.'" (CONGRESSIONAL RECORD, vol. 100, pt. 7, p. 9259.)

On the same day Mr. Hope explained to the House the changes made in conference in section 302:

"Mr. HOPE. There was a slight change made in conference in section 302. It broadens the authority somewhat to use surplus commodities to barter for strategic and other materials not produced in adequate quantities in the United States. That is the only difference that is made as far as strategic materials are concerned.

"Mr. BAILEY. The strategic materials we can trade for are those not produced in the United States.

"Mr. HOPE. Not necessarily those not produced in the United States. I will read the language to the gentlemen. In the statement of the conferees we made it clear that the interpretation is that surplus commodities may be bartered for materials which are not produced in adequate quantities in the United States. That is the interpretation which the House put on the language contained in the bill.

"Mr. BAILEY. There is no other change made affecting section 302?

"Mr. HOPE. There are some other slight changes in section 302, but not affecting strategic materials.

"Mr. Speaker, to more directly answer the gentleman's question as to the provision in the conference bill, the language which relates to barter reads as follows:

"'To barter or exchange such commodities for strategic or other materials as authorized by law.'

"Then in our report of the House conferees, we state that that is to apply to strategic materials which are not produced in adequate quantities in the United States. So I think that protects the gentleman in the respect in which he is interested." (CONGRESSIONAL RECORD, vol. 100, pt. 7, pp. 9335–9338.)

In addition to the above bills the following bill was introduced during the first session of the 83d Congress:

H. R. 6845, to authorize the President to use agricultural commodities to improve the foreign relations of the United States, and for other purposes.

Introduced by Mr. JUDD, referred to Committee on Agriculture, August 3, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 8, p. 11164.)

During the second session of the 83d Congress, the House, besides passing S. 2475, received the following bills for the "Agricultural Trade Development Act of 1954": H. R. 8267 (Mr. Harrison, March 8, 1954); H. R. 8268 (Mr. Harrison, March 8, 1954); H. R. 8269 (Mr. Burleson, March 8, 1954); H. R. 8270 (Mr. Judd, March 8, 1954); H. R. 8271 (Mr. Ponge, March 8, 1954); H. R. 8278 (Mr. D'Ewart, March 8, 1954); H. R. 8327 (Mr. Horan, March 10, 1954); H. R. 8396 (Mr. Springer, March 15, 1954); and H. R. 9389 (Mr. Hill, June 1, 1954).

The bills (H. R. 8268, etc.) for the "Agricultural Trade Development Act of 1954" are summarized as follows:

"Agricultural Trade Development Act of 1954, declares policy of Congress to expand international trade between the United States and friendly nations, to facilitate the convertibility of currencies, to promote the economic stability of American agriculture and the national welfare by stimulating and facilitating the expansion of foreign trade in agricultural commodities produced in the United States by providing a means whereby surplus agricultural commodities in excess of the normal trade in such commodities may be sold through private trade channels, and foreign currencies accepted in payment therefor. In furtherance of this policy the President is authorized to negotiate agreements with friendly nations, and to make loans to such nations to finance the sale and export of surplus agricultural commodities from the United States. The Secretary of Agriculture is directed to (1) designate the quantities and qualities of private or Commodity Credit Corporation stocks which may be offered for sale and the terms of such sale, (2) order the transfer of funds from the Commodity Credit Corporation to the Export-Import Bank of Washington to convert foreign currencies into dollars, (3) to order the Commodity Credit Corporation to sell to domestic exporters, surplus agricultural commodities acquired in the administration of its price-support programs, and to deliver such commodities as may be sold at such places within the United States as may be prescribed. For the purpose of making payment to Commodity Credit Corporation for costs incurred by it to carry out the provisions of this act, the Secretary of the Treasury is authorized to cancel notes of the Commodity Credit Corporation in amounts equal to funds transferred under (2) above. The authority to make sales and loans under this act terminates June 30, 1957; and the amount of such sale and loans shall not exceed $1,500,000,000."

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD some brief remarks I have prepared, giving my reasons for supporting the bill. Because of the lateness of the hour I shall place the statement in the RECORD, without speaking.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SALTONSTALL

I shall vote in favor of S. 2130 because I believe it is a bill which will improve our programs for mutual security and the development of freedom and economic progress in other nations.

The report of the Committee on Foreign Relations on this bill is one of the best committee reports I have ever read. Under the legislation now before us the mutual security program will be simplified and clarified and it will carry out better than it has in the past the purposes for which the program is intended.

The provision giving an authorization for 2 years for military aid and defense support will permit better planning and better coordination of our programs with those of free nations. The new arrangement for administration of military and supporting aid by the Department of Defense, with stronger foreign policy direction by the Department of State, will give clearer and more appropriate administration.

The proposal for a development loan fund will improve the efficiency of the economic assistance programs and will also remove the possibility of embarrassing some of our friends by the so-called gift aspects of foreign aid. Here again is an opportunity for better

planning through the establishment of this fund. For example, our own planning can be tied in with such other programs as the 5-year development program in Pakistan and in other instances where we have been handicapped in the past through lack of flexibility under a 1-year limitation on this type of planning.

Technical aid is continued under the bill. I have always been in favor of technical aid because of what I have seen of it in other countries and because I support the theory under which it operates. It operates not only to increase the abilities of countries receiving it to better their standards of living and thereby to govern themselves more capably, but it also provides better opportunities for mutual trade and commerce between these nations and the United States.

As a member of the Special Committee To Study the Foreign Aid Program, I believe that the bill reflects the increased knowledge which the Congress and the executive department have concerning our mutual security program and the necessity of continuing it.

In my opinion the bill is an effective instrument of reducing the threat of Communist aggression. I shall look forward with a great deal of interest to the hearings on the appropriations to carry out these authorizations.

I would like to repeat the last two paragraphs of the report of the Committee on Foreign Relations which fully reflect my own feelings.

"Considering the enormous size and complexity of the mutual security program, it is rather remarkable that it has been possible, in the space of a year, to make as much improvement as S. 2130 represents. Continuing improvements can reasonably be expected.

"The committee, which has devoted most of its time for almost a year to the study of this problem, sees no reasonable alternative to the bill herewith submitted to the Senate. It is likewise convinced that the American people are sufficiently mature and aware of the world situation which they face to give their support to a program of this character."

Mr. JAVITS. Mr. President, I call up my amendment designated "6–10–57–D" and asked that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 43, between lines 15 and 16, it is proposed to insert the following new subsection:

"(m) At the end of section 416, which relates to facilitation and encouragement of travel, add the following: 'To this end, under the direction of the President, the Departments of State and Commerce, the agency primarily responsible for administering nonmilitary assistance under this act and such other agencies of the Government as the President shall deem appropriate, in cooperation to the fullest extent practicable with private enterprise concerned with international travel, shall conduct a study of barriers to international travel and ways and means of promoting, developing, encouraging, and facilitating such travel in the mutual interests of the United States and countries assisted under this act.'"

Renumber subsequent subsections.

On page 47, line 23, after "400," insert "416."

Mr. JAVITS. Mr. President, I yield myself 5 minutes in which to explain the amendment.

Section 416 relates to the facilitation and encouragement of travel, and was included in the Mutual Security Act of 1954. I had the honor of being the author of the section when I served in the other body.

Under that section, the President designated the Department of Commerce to do all it could to promote and develop travel by citizens of the United States to countries receiving assistance under the act, and travel by citizens of such countries to the United States. Such an office was financed with a modest appropriation, which I think at that time amounted to about $35,000 a year. I think the office has been continued at that rate.

The purpose of my amendment is simply to apprise Congress again of the progress that has been made, of the barriers still existing, and of what Congress can do about those barriers.

International travel is the cheapest kind of foreign aid. One and one-half million Americans spend $1,500,000,000 abroad. Lest we underestimate what that means to a particular country, this is the greatest single export of Great Britain. Great Britain received $134 million from this invisible export, which involves investment in the occupancy of rooms, the consumption of some food, and the use of the great and beautiful country of the British by many Americans in the year 1956. That was about $58 million more than its other largest export, which was machinery.

It might interest my colleagues to know that the third largest export was Scotch, which came to $71 million a year.

The purpose of my amendment, which will cost no money, because the agency already exists and is functioning, and is already financed, is to bring us up to date on this critical problem. There are a number of areas to which our attention should be directed.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. JAVITS. Certainly.

Mr. GREEN. I think I told the Senator from New York a short time ago that I would be glad to accept the amendment. I have not had an opportunity to consult with all the members of the committee, but I spoke with several of them, and I am sure their views represent those of the majority, probably all of them.

Mr. JAVITS. I am very grateful to my colleague. I appreciate his consideration very much.

The PRESIDING OFFICER. Do the Senators yield back the remainder of their time?

Mr. JAVITS. I yield back the remainder of my time.

Mr. CAPEHART. I yield back my remaining time.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from New York [Mr. JAVITS] is agreed to.

Mr. ELLENDER. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 24, line 8, it is proposed to strike out all after the period, beginning with the word "There", down to and including line 12.

Mr. ELLENDER. Mr. President, the Senate has already passed on a similar amendment affecting another appropriation, and the purpose of this amendment is to limit the authorization to 1 year instead of allowing 2 years in which to make appropriations.

I point out that the amendment is in conformity with the recommendations of the Senate Special Committee To Study the Foreign Aid Program.

Mr. REVERCOMB. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. REVERCOMB. Will the Senator state the page of the bill to which his amendment applies?

Mr. ELLENDER. It applies to page 24, line 8.

Under the bill as presently written, an appropriation of $1,800,000,000 is authorized for fiscal 1958. The language I seek to strike from the bill is the portion which would authorize an appropriation for fiscal year 1959. As I have just indicated, the Senate previously passed upon a similar proposal relating to defense support funds—and I may say it did so adversely. But in this case I wish to call attention to the fact that when the Senate Special Committee To Study the Foreign Aid Program made its report, it stated in no uncertain terms as follows:

Congress should consider this carefully—

In other words, when speaking of the Department of Defense—

but such appropriations should be authorized annually, and should be clearly earmarked.

Mr. President, the amendment is simply for the purpose of carrying out the views of the special committee which we created during the last session of Congress, and which as I recall had authority to spend as much as $300,000 for the purpose of making its study. The amendment I am now offering is in conformity with that study.

Mr. FULBRIGHT. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. FULBRIGHT. Earlier today the Senate voted on a very similar amendment applying to the defense support, and relating to $710 million.

This part of the bill deals with the military and the purpose is to enable the administration to try the suggestion of integrating this military program with its own military budget, and bringing them together, next year, rather than to wait until this authorization has been made.

It will be noted that the amount authorized for 1959 is reduced from $1,800,000,000 to $1,500,000,000. If any more than $1,500,000,000 were sought, a further request would have to be made of the Congress.

But this language provides an opportunity, within that authorization, to include this provision in the regular Defense Department appropriation. The committee feels it is certainly worth a trial—I do not see how it could possibly do any harm—to see whether these can be melded together and brought before

the Congress in connection with the regular appropriation.

Therefore, Mr. President, I hope the Senator from Louisiana will not insist upon his amendment.

Mr. ELLENDER. Mr. President, I have no doubt that if the amendment is rejected, its rejection will simply have the effect of informing our allies in Western Europe and our allies everywhere else in the world that we have authorized funds for fiscal year 1959. In that event, our allies will do less and less for themselves, and will be more and more dependent upon us.

I sincerely believe that the special committee was absolutely correct when it stated that these authorizations should be made on an annual basis, rather than for 2 years, as proposed in the pending bill.

Mr. CAPEHART. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. CAPHART. The committee referred to the appropriations, and the appropriations will be made annually.

Mr. ELLENDER. But in this case we are dealing with authorizations. The bill, as it now stands, will give our allies notice that they will not have to do very much themselves in 1959 because we shall already have provided the funds in advance.

Mr. CAPEHART. Those of use who have been fighting to get this into the hands of the military have been trying to arrange things so that next year, when the appropriation for the military is provided, what we may call the domestic and the foreign will be in the same appropriation bill, and will be handled at the same time by the Appropriations Committee, so that both can be considered at the same time. Unless we include this language in the bill, that purpose cannot be accomplished.

Mr. ELLENDER. I say to the Senator that the Defense Department now administers military aid. The Defense Department makes the aid budget. This bill would not change in any way the function of the Defense Department in that regard. Be that as it may, it is my hope that this appropriation will continue to be made separately from the appropriation for the Defense Department, and I have an amendment to accomplish that purpose.

Mr. CAPEHART. It will be in a separate chapter.

Mr. ELLENDER. I much prefer that these authorizations be made annually, and in the same manner as they have been made in the past.

Mr. AIKEN. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. AIKEN. This authorization of $1,500,000,000 for 1959 is not for the purpose of advising our allies that plenty of money will be available next year. Instead, it is for the purpose of advising our allies, and our own Military Establishment, that less money will be available next year, and that they should make their plans accordingly.

Mr. ELLENDER. Mr. President, let me say to my good friend, the Senator from Vermont, that 2 years ago, we spent, as I recall, two billion, eight hundred million and some-odd thousand dollars. That was the appropriation we made for the fiscal year 1955. For the fiscal year 1956, President Eisenhower requested an increase of nearly 600 million. Instead of having this aid program of our taper off, it is on the increase.

The suggestion to our allies that we are providing funds for 2 years, instead of for one—as we have done in the past, will simply be an invitation to them not to do as much for themselves as they ought to do.

Mr. HUMPHREY. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. There is an old adage that there's many a slip between the cup and the lip. There is another adage in the United States Senate that there is a great deal of difference between authorizations and appropriations.

Mr. ELLENDER. Yes.

Mr. HUMPHREY. As a matter of fact, many projects have been authorized for years, but not a nickel has ever been appropriated for them.

So if our allies need any assurance that there is a difference between authorizations and appropriations, we can present them with a very effective list.

The point which needs to be made is that the Joint Chiefs of Staff, in preparing the military budget for the United States of America, will, under the provisions of the bill as it now stands, be preparing only one budget, the annual budget. As a result, it will be possible to have before the Appropriations Committee the entire military requirements of the Nation.

At the present time there is a military budget which relates to the Armed Forces, and there is a military budget which relates to our military assistance.

By means of the pending bill, we shall place squarely on the Joint Chiefs of Staff the responsibility of deciding whether Andrews Field, in nearby Maryland, should be improved, or whether an airfield in Turkey should be improved, or whether an airfield in Spain should be improved; everything of that sort will be included in one bill.

Mr. ELLENDER. But the military already prepares the foreign military assistance bill, and does it separately from our own Defense Department appropriation bill.

Mr. HUMPHREY. But my point is that when they are treated together, the judgment which will be arrived at will be different from that which is reached when they are considered months apart, as separate items.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana.

Does the Senator from Louisiana yield back the remainder of the time available to him?

Mr. ELLENDER. Yes, Mr. President; I yield back the remainder of the time available to me.

Mr. CAPEHART. I yield back the time remaining to the opposition.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER].

The amendment was rejected.

Mr. ELLENDER. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 24, beginning in line 14, it is proposed to strike out through line 5, on page 25, as follows:

(3) In subsection (c), add at the end thereof the following new sentence: "When appropriations made pursuant to this section are used to furnish military assistance on terms of repayment within 3 years or earlier, dollar repayments, including dollar proceeds derived from the sale of foreign currency received hereunder to any United States Government agency or program, may be credited to the current applicable appropriation and shall be available until expended for the purposes of military assistance on terms of repayment, and, notwithstanding section 1415 of the Supplemental Appropriation Act, 1953, or any other provision of law relating to the use of foreign currencies or other receipts accruing to the United States, repayments in foreign currency may be used for the purposes of this chapter: *Provided*, That the authority in this sentence shall apply to repayments from not to exceed $175 million of the appropriations used for such assistance."

Mr. ELLENDER. Mr. President, the purpose of this amendment is to strike out the portion of the bill which creates a revolving fund for the military.

Section 103 (c) of the present law now provides that when military assistance appropriations are used to furnish assistance upon terms of repayment within 10 years or earlier, such aid may be rendered without regard to certain other requirements of the law, to nations from which the President has received satisfactory commitments regarding the use of the military equipment.

Under this committee bill, it is provided that when military assistance appropriations are used to furnish assistance upon 3-year terms of repayment, repayments in dollars will continue to be available to finance further sales. In other words, in the case of any of the military hardware sold under the provisions of this bill, the cash can be reinvested, without having to return to the Congress for an appropriation. This means that since military aid is on a no-year basis, this revolving fund can go on forever. In addition, I wonder if it might not run afoul of the constitutional prohibition against providing money for the military for more than 2 years.

I believe as this military equipment is sold, the money should revert to the Treasury and then should be reappropriated, so that we can keep up with it. I hope the Senate will adopt this amendment.

Mr. President, I yield back all the time remaining to me.

Mr. CAPEHART. I yield back all the time remaining to the opposition.

The VICE PRESIDENT. All remaining time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER].

The amendment was rejected.

Mr. JAVITS. Mr. President, I call up my amendment identified as "6-10-57-C," which is at the desk, and I ask unanimous consent that the amendment be printed in the RECORD at this point, without being read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The amendment offered by Mr. JAVITS was on page 43, between lines 15 and 16, to insert the following new subsection:

"(m) Amend section 413 (b) (4) (B) (ii), relating to guaranties of investments in approved projects, by inserting after the word 'war' a comma and the following: 'revolution, or insurrection'."

Renumber subsequent subsections.

Mr. JAVITS. Mr. President, it is my intention, after making a brief statement, to withdraw the amendment and yield back the time remaining to me, but I should like to make reference to it. The amendment would propose to add, under the guaranty program for foreign-private investments, an additional item of risk—revolution or insurrection.

It is quite interesting that this body of Congress has never been willing to meet the other body on that question. We do now guarantee against inconvertibility, expropriation, and war. We do not guarantee against revolution or insurrection. Nevertheless, our guaranty program, which now has an authorization of $500 million, has been used only to the extent of $150 million. There are a good many applications pending, amounting to about half a billion dollars. This proposal is very much to our interest. Everybody realizes the importance of private investments overseas.

Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks a letter I received from the ICA, which shows the kind of pending applications existing today, and some of the difficulties of getting the loan fund in use.

My reason for not pressing the amendment is that I know now, after discussion it will not be accepted. There has been a rather longstanding difference between this body of Congress and the other body on this point. I hope very much, however, that some of my colleagues will take enough interest in this situation to use their influence with the conferees, in the hope that if the House puts the provision in the bill, the Senate will at long last agree to it, because I think it is an extremely desirable and important provision for encouraging private investments overseas on the part of United States citizens. I therefore ask unanimous consent that the letter from the ICA to which I have referred, and which is dated June 10, 1957, which bears on this subject, be printed in the RECORD as part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERNATIONAL COOPERATION ADMINISTRATION,
Washington, D. C., June 10, 1957.

Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D. C.

(Attention: Mr. Roy Millenson.)

DEAR MR. JAVITS: In the telephone conversation, June 5, with Mr. Charles B. Warden of the investment guaranties staff, Mr. Millenson asked whether we had any evidence of the part investment guaranties played in encouraging an investment.

Investors, as a rule, simply file applications and only infrequently make the type of collateral statement which would provide a good answer to this question. Presently, we have over 200 applications for contracts of guaranty, a great majority of them from well-known American companies, many the outstanding leaders in their fields. We can only assume that guaranties are important to them. Additionally, the desire to qualify, the willingness to modify investment plans if necessary to do so (longer term loans, for instance), are further indications.

We charge a fee of ½ percent for each separate guaranty. It is a significant charge. We believe these companies would not request investment guaranties and indicate willingness to incur such charges unless this insurance was an important factor and of some necessity.

We have had, however, some instances of applications wherein the agreement to invest is conditioned upon the American investor receiving the protection of the investment guaranties. Our best current examples occur in applications which are now pending. Our working rule is not to reveal the name of the investor or other information which might identify the pending project. This is for the investor's protection in circumstances of competition.

1. An American company controlling assets in excess of $100 million stated in its application that "• • • applicant entered into an agreement with • • • a German limited liability corporation • • •" covering the project. "The applicant's obligation under the agreement is conditioned upon its obtaining the ICA guaranties hereby requested."

2. A very large company in the mining field with regard to a project in Africa, conditioned its performance under the agreement as follows: "Upon receipt of ICA guaranties for which it might apply." Our current information is that the financial concern which will be the principal source of funds is insisting upon the protection of the investment guaranties.

3. A major international banking firm with many years of experience in foreign investing and interested in a wide range of projects, in explaining the value of the investment guaranty program to a foreign embassy stated that their company was considering several substantial industrial investments and that their board of directors was greatly impressed with the virtues of an investment guaranty. Whether the company would go ahead with the new investments might well depend upon having such an agreement. Additionally, they stated in a memorandum the following:

"It is a fact that the financial community in the United States tends to downgrade investments outside of the United States, the result being that it is more difficult to finance foreign projects than it is to finance domestic projects. The convertibility program made available by the International Cooperation Administration in Washington has a definite tendency to create a better climate for foreign investments and to facilitate the financing of projects abroad.

"Many United States investing firms feel that their favorable decision regarding the particular investments would be facilitated if there were available the type of contract offered by the ICA guaranteeing investors abroad against possible inconvertibility of local currencies into dollars. Other investing firms, while not expecting to avail themselves of such guaranties, feel that the availability of the program would be of positive benefit to the economy by encouraging a greater inflow of United States investment capital."

4. Another company conditioned its license agreement as follows:

"It is agreed between the parties hereto that, as a consideration precedent to this contract's becoming effective and binding, the Mutual Security Agency shall have given a guaranty with respect to the conversion into United States dollars of the royalty paid by the licensee to the licensor."

5. Again a company seeking to establish a project in a middle eastern country not now in the investment guaranty program stated that it believed that financing for its project amounting to about $5 million could be obtained from certain New York financial houses provided "• • • an investment guaranty from the United States is received under the terms of the investment guaranties program."

6. Another company in the mining field in Latin America conditioned performance thus, "• • • of the present contract and all rights resulting from this shall be subject to the regulations of the investment guaranties program."

7. Recently, we completed an expropriation guaranty contract with an American oil company for an investment in exploration and drilling for petroleum in the country of Jordan. This contract was executed on January 3 of this year. There should be little question that the offer of an investment guaranty and the consistent encouragement of this investment by the two governments combined to bring about this investment in Jordan.

8. The fact that an investment guaranty is available has encouraged investors in numerous instances, whether or not they take the guaranties, as witnessed by the following quotation from a letter received this last week from an old line New York City company:

"We have received your letter of May 10 in which you ask why our company has decided to abandon its application for investment coverage under the ICA guaranty program.

"Basically we decided not to use your program because in our particular case we found the cost too high for the coverage afforded our investment. We hasten to add that we would be the last to generalize from our one case. We believe that the availability of the ICA guaranty encouraged us to make this investment and we shall give serious consideration to acquiring coverage for other foreign investments which we may make in the future.

"For the foregoing reasons we decided not to acquire either form of coverage under your program. In so doing, however, we wish explicitly to restate our belief that the ICA guaranty program serves a useful purpose in encouraging foreign investment by American industry and that, while we decided not to acquire coverage in this one instance, we may, in the future, wish to acquire coverage when making foreign investments either in Italy or elsewhere."

We believe these instances provide an interesting cross section on the attitudes of American investors toward the usefulness of the investment guaranties in encouraging foreign investments.

Sincerely yours,

GUILFORD B. JAMESON,
Deputy Director for Congressional Relations.

Mr. JAVITS. I also call attention to a splendid report on the question of overseas private investments by the American Enterprise Association. Two outstanding recommendations were made, but not acted on, and I strongly recommend them.

The first recommendation is that any country that requires foreign aid assistance from the United States should sign

a bilateral agreement, relating to guaranties for private investments overseas, which will be receptive. At this time we are making them in countries with which we do not have any such agreements. I think that is a mistake.

Second, we should consider the advisability of dropping the requirement that the Government give approval to projects under consideration in the guarantee program, because it is inhibiting the whole program.

I hope the committee will give their full consideration to the matter.

I withdraw the amendment.

The VICE PRESIDENT. The Senator from New York withdraws his amendment.

Mr. ELLENDER. Mr. President, I send an amendment to the desk, and ask to have it stated.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 51, after line 24, it is proposed to add the following:

(f) After section 549 add the following new section:

"SEC. 550. It is the policy of the Congress in authorizing appropriations for carrying out the provisions of this act that such appropriations shall be made in a separate appropriation act, and that nothing contained herein shall be construed to authorize the making of such appropriations as a part of the appropriations for the Department of Defense."

Mr. ELLENDER. Mr. President, this amendment is self-explanatory. There has been much said about appropriations for foreign military aid and defense support being put in the Defense Department appropriation bill.

The committee states, in its report, that—

It is contemplated that defense support will be appropriated, along with military assistance, in a separate title of the Department of Defense budget, but the committee has added language to the bill (sec. 10 (a)) specifically requiring that defense support activities continue to be carried out only through the Secretary of State and his subordinates. This will insure that defense support will continue to be administered under the policy guidance of the Secretary of State. It will further reinforce the foreign policy aspects of the mutual security program.

This language is simply a declaration of policy that the appropriations to implement the bill will continue to be handled in one measure, as they are now.

I hope the amendment will be adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER].

The amendment was rejected.

The VICE PRESIDENT. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on final passage of the bill.

The yeas and nays were ordered.

Mr. MALONE. Mr. President——

Mr. CAPEHART. How much time does the Senator from Nevada wish?

Mr. MALONE. Fifteen minutes.

Mr. CAPEHART. I yield 15 minutes to the Senator from Nevada.

The VICE PRESIDENT. The Senator from Nevada is recognized for 15 minutes.

Mr. MALONE. Mr. President, what we are adopting tonight has been part of the program for 24 years.

Mr. AIKEN. Mr. President, what amendment is pending?

Mr. MALONE. Would the Senator like to have the floor?

Mr. CAPEHART. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CAPEHART. We are on the bill now, are we not?

The VICE PRESIDENT. The Senator from Nevada is being recognized on the question of the passage of the bill. There is no amendment pending. The Senator from Nevada is recognized.

MARSHALL PLAN—ECA—MUTUAL SECURITY—1934 TRADE AGREEMENTS ACT—PAPER MONEY INFLATION—FREE TRADE—INFLATION—BILLIONS TO EUROPE AND ASIA—INTERNATIONAL SOCIALISM—EXPENSE OF AMERICAN TAXPAYER

Mr. MALONE. Mr. President, in 1948 the Marshall plan was adopted. The 1948 Marshall plan drifted into the European Cooperative Administration—ECA—and merged into the Mutual Security Administration—MSA—which has been before the Senate for 2 days' debate. The name of the organization is changed often enough to throw the uninformed off the track—but the international Socialist principle of division of the wealth has never changed.

TRADE TREATIES—SO-CALLED ALLIES WITH RUSSIA AND HER SATELLITES

In 1948 the Senator from Nevada put a list of trade treaties into the RECORD that the beneficiaries under the Marshall plan had made with the Eastern European countries later to be named by Mr. Churchill in a Missouri speech the Iron Curtain countries—principally Russia and the Balkan countries under her control.

Mr. President, I ask unanimous consent to have included in the RECORD as a part of my remarks an amended list of these treaties up to early 1957.

There are about 211 of these trade treaties presently in effect, Mr. President, that the nations within the Organization for European Economic Cooperation (so-called allies), the OEEC countries, have with the countries of Eastern Europe and Russia.

Mr. President, I submit the list for the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LATEST TRADE AND/OR PAYMENTS AGREEMENTS IN EFFECT BETWEEN COUNTRIES OF THE SOVIET BLOC AND THE FREE WORLD DURING 1955 AND 1956 [1] AS AMENDED FOR 1957 [2]

A. UNION OF SOVIET SOCIALIST REPUBLICS

I. Europe

Austria: "October 17, 1955, to October 16, 1960."
Belgium: "February 18, 1948-indefinite."
Denmark: May 15, 1956 to May 14, 1958.
Finland: January 1, 1956 to December 31, 1956.
France: January 1, 1956, to December 31, 1956.
Greece: July 28, 1955, to December 31, 1956.
Iceland: January 1, 1956, to December 31, 1956.
Italy: January 1, 1956, to December 31, 1956.
Netherlands: July 2, 1948-indefinite.
Norway: January 1, 1956, to December 31, 1956.
Switzerland: "April 1, 1948-indefinite."
Yugoslavia: January 1, 1956, to December 31, 1956.
Turkey added, 1957.

II. Western Hemisphere

Argentina: January 1, 1955, to December 31, 1955.
Uruguay: "July 28, 1954, to July 27, 1956."
Canada: "February 29, 1956, to February 28, 1959."

III. Near East and Africa

Afghanistan: July 1, 1955, to June 30, 1956.
Egypt: March 27, 1955, to March 26, 1956.
Iran: April 1, 1955, to March 31, 1956.
Israel: "February 18, 1954—indefinite (payments only)."
Lebanon: September 11, 1955, to September 10, 1956.
Syria: "April 3, 1955, to April 2, 1957."
Yemen: March 8, 1956.

MOROCCO

IV. South and southeast Asia

Burma: July 1, 1955, to June 30, 1960.
India: January 1, 1956, to December 31, 1956.
Pakistan, Cambodia, Indonesia.

B. ALBANIA

I. Europe

Italy: "October 1, 1955, to September 30, 1956."
Yugoslavia: January 1, 1956, to December 31, 1956.
Africa-Syria.

C. BULGARIA

I. Europe

Austria: November 1, 1955, to October 31, 1956.
Belgium: "April 21, 1947"; extended to April 1956.
Denmark: "January 26, 1948"; extended to January 27, 1956.

[1] Based on information available through May 18, 1956. Quoted data indicates first postwar agreement. Data in parentheses indicate date of signature, exact duration not specified.

[2] All agreements listed above include government to government trade and/or payments agreements as well as nongovernmental agreements when they assume the practical characteristics of the government to government agreements. Barter agreements and contracts are not included. In effect as of June 15, 1957.

Finland: January 1, 1956, to December 31, 1956.
France: July 28, 1955, to July 27, 1956.
German Federal Republic: April 1, 1955, to March 31, 1956.
Greece: January 1, 1956, to December 31, 1956.
Italy: January 1, 1956, to December 31, 1956.
Netherlands: "June 15, 1947"; extended to December 31, 1955.
Norway: December 2, 1955, to May 31, 1957.
Sweden: April 1, 1955, to March 31, 1956.
Switzerland: January 1, 1955, to December 31, 1955.
Turkey: "March 10, 1955, to March 9, 1956."
United Kingdom: "September 23, 1955, to December 31, 1957."
Yugoslavia: January 1, 1956, to December 31, 1956.

LATIN AMERICA-URUGUAY

II. Near East and Africa

Egypt: March 17, 1956—3 years.
Israel: "December 20, 1954, to December 31, 1955."

III. South and southeast Asia

India: April 18, 1956, to December 31, 1959.
Indonesia: "December 14, 1954."

D. COMMUNIST CHINA

I. Europe

Finland: May 1, 1955, to April 30, 1956.
Yugoslavia: (February 17, 1956) to December 31, 1956.

II. Near East and Africa

ISRAEL

Egypt: (April 16, 1956)—1 year.
Lebanon: "(December 31, 1955)"—1 year.
Syria: "(November 30, 1955)"—1 year.

III. South and southeast Asia

Ceylon: January 1, 1956, to December 31, 1956.
India: October 14, 1954, to October 13, 1956.

IV. Far East

Japan: May 4, 1955, to May 31, 1956 (nongovernmental).

E. CZECHOSLOVAKIA

I. Europe

Austria: January 1, 1956, to December 31, 1956.
Belgium: April 1, 1956, to March 31, 1957.
Denmark: June 1, 1955, to May 31, 1956.
Finland: January 1, 1956, to December 31, 1956.
France: July 1, 1955, to June 30, 1956.
German Federal Republic: January 1, 1956, to December 31, 1956.
Greece: January 1, 1956, to December 31, 1956.
Iceland: September 1, 1955, to August 31, 1956.
Italy: "July 2, 1947"; extended to September 30, 1955.
Netherlands: February 1, 1956, to January 31, 1957.
Norway: January 1, 1956, to December 31, 1956.
Portugal: "March 1, 1956, to February 28, 1957."
Sweden: August 1, 1955, to October 31, 1956.
Switzerland: April 21, 1955, to December 31, 1956.
Turkey: July 1, 1954, to June 30, 1955.
United Kingdom: August 19, 1949; extended to August 18, 1956 (payments only).
Yugoslavia: January 1, 1956, to December 31, 1956.

II. Western Hemisphere

Argentina: February 11, 1955, to February 10, 1958.
Brazil: May 17, 1955, to May 16, 1956.
Mexico: November 9, 1949, to December 31, 1954; annual tacit renewal.
Paraguay: "November 15, 1953, to November 14, 1954"; annual tacit renewal.
Uruguay: September 12, 1955 (3 years).

COLOMBIA

III. Near East and Africa

Afghanistan: August 22, 1954 (1 year).
Egypt: July 19, 1955, to July 31, 1956.
Ethiopia: April 25, 1956.
Iran: January 1955.
Lebanon: November 20, 1954, to November 19, 1955.
Sudan: May 20, 1955 (indefinite).
Syria: March 27, 1953, to March 26, 1954; annual tacit renewal.

IV. South and southeast Asia

Burma: February 14, 1955, to January 31, 1958; supplement (May 26, 1955).
Ceylon: December 16, 1955 (trade); March 13, 1956 (payments).
India: January 1, 1956, to December 31, 1956. Pakistan, Cambodia.
Indonesia: July 15, 1955, to July 14, 1956. Yemen.

F. GERMAN DEMOCRATIC REPUBLIC

I. Europe

Austria: January 1, 1956, to December 31, 1956 (nongovernmental).
Finland: January 1, 1956, to December 31, 1956. Denmark added, 1957.
France: March 1, 1955, extended to June 30, 1956 (nongovernmental).
German Federal Republic: January 1, 1956, to December 31, 1956 (nongovernmental).
Greece: January 1, 1955, to December 31, 1955 (nongovernmental).
Iceland: January 1, 1956, to December 31, 1956 (nongovernmental).
Italy: January 1, 1955, to December 31, 1955 (nongovernmental).
Netherlands: January 1, 1956, to December 31, 1956 (nongovernmental).
Norway: January 1, 1956, to December 31, 1956 (nongovernmental).
Portugal: "March 1, 1956, to February 28, 1957" (nongovernmental).
Sweden: January 1, 1956, to December 31, 1956 (nongovernmental).
Turkey: May 1, 1955, to June 30, 1956 (nongovernmental).
Yugoslavia: August 25, 1954, to June 30, 1955 (supplement, September 22, 1955), extended to June 30, 1956 (nongovernmental). (Technically no.)

II. Western Hemisphere

Colombia: February 14, 1955, to March (nongovernmental).
Uruguay: "June 29, 1954, to June 28, 1955" (nongovernmental).

III. Near East and Africa

Egypt: November 10, 1955, to December 31, 1956.
Lebanon: (November 12, 1955)—5 years.
Sudan: July 10, 1955, to December 31, 1956.
Syria: "April 17, 1956, to April 16, 1957."
Yemen.

IV. South and southeast Asia

Burma: February 27, 1955—3 years.
India: "October 16, 1954, to October 15, 1955."
Indonesia: June 9, 1954, to December 31, 1955 (nongovernmental).

G. HUNGARY

I. Europe

Austria: September 1, 1955, to August 31, 1956.
Belgium: February 1, 1956, to January 31, 1957.
Denmark: March 1, 1956, to February 28, 1957.
Finland: January 1, 1956, to December 31, 1956.
France: January 1, 1956, to December 31, 1956.
German Federal Republic: February 1, 1956—indefinite (payments); July 1, 1956, to June 30, 1956 (trade).
Greece: May 3, 1955, to December 31, 1955.
Iceland: January 1, 1956, to December 31, 1956.
Italy: April 1, 1956, to March 31, 1957.
Netherlands: To March 31, 1957.
Norway: February 1, 1955, to April 30, 1956.
Portugal: "March 1, 1956, to February 28, 1957."
Sweden: October 1, 1955, to September 30, 1956.
Switzerland: October 1, 1955, to September 30, 1956.
Turkey: June 1, 1949; extended to May 31, 1956.
United Kingdom: September 1, 1954, to August 31, 1956.
Yugoslavia: January 1, 1955, to December 31, 1955.

II. Western Hemisphere

Argentina: September 8, 1953, to September 7, 1956. Uruguay added 1957.
Brazil: "April 26, 1954, to April 1955."
Paraguay: November 1, 1953, to October 31, 1954; annual tacit renewal.

III. Near East and Africa

Iran (June 4, 1955): 1 year.
Israel: February 26, 1954; extended to February 25, 1957.
Sudan: "May 20, 1955, to May 19, 1956."
Syria: "(May 3, 1956)"—1 year.

IV. South and Southeast Asia

Burma: February 21, 1956, to February 20, 1957. Lebanon, Ceylon, Pakistan added 1957.
India: January 1, 1956, to December 31, 1956.
July 1, 1955, to June 30, 1956.

H. POLAND

I. Europe

Austria: April 1, 1955, to March 31, 1956.
Belgium: January 1, 1956; extended to March 31, 1956.
Denmark: January 1, 1956, to December 31, 1956.
Finland: January 1, 1956, to December 31, 1956.
France: December 1, 1955, to November 30, 1956.
German Federal Republic: January 1, 1955, to June 30, 1956.
Greece: January 1, 1954; extended to March 31, 1956.
Iceland: March 1, 1956, to February 28, 1957.
Italy: July 1, 1949; extended to December 31, 1956.
Netherlands: August 1, 1955, to July 31, 1956.
Norway: May 1, 1956, to April 30, 1957.
Portugal: "March 1, 1956, to February 28, 1957."
Sweden: May 1, 1956, to April 30, 1957.
Switzerland: July 1, 1949, to June 30, 1954; annual tacit renewal.
Turkey: "July 1, 1948"; extended to June 30, 1955.
United Kingdom: January 1, 1956, to December 31, 1956.
Yugoslavia: January 1, 1956, to December 31, 1956.

II. Western Hemisphere

Argentina: January 1, 1955, to December 31, 1955.
Paraguay: November 23, 1955—1 year.
Uruguay: April 24, 1953, to April 23, 1954; annual tacit renewal.

III. Near East and Africa

Egypt: April 1, 1955, to March 31, 1956.
Iran: April 16, 1956, to April 15, 1957.
Israel: July 1, 1954, to June 30, 1955; annual tacit renewal.
Lebanon: "(January 4, 1956)"—1 year.
Sudan: "May 20, 1955, to May 19, 1956" (payments).
Syria: May 1956 to May 1957.

IV. South and southeast Asia

Burma: "November 1, 1955, to October 31, 1958."

Afghanistan.

NORTH KOREA—INDONESIA

India: April 1, 1956, to December 31, 1959.

Pakistan: February 4, 1956, to February 3, 1957.

I. RUMANIA

I. Europe

Austria: April 1, 1955, to March 31, 1956.

Belgium: "September 3, 1948," extended to December 31, 1955.

Denmark: April 1, 1954, to March 31, 1956.

Finland: January 1, 1956, to December 31, 1956.

Iceland added 1957.

France: January 1, 1956, to December 31, 1956.

German Federal Republic: January 1, 1956, to December 31, 1956 (nongovernmental).

Greece: July 1, 1955, to June 30, 1956.

Italy: December 20, 1950, extended to December 19, 1956.

Norway: June 1, 1955, to May 31, 1956.

Sweden: April 1, 1956, to December 31, 1956 (nongovernmental).

Switzerland: August 1, 1953, extended to July 31, 1956.

Turkey: April 15, 1955, to April 14, 1956.

Yugoslavia: January 1, 1956, to December 31, 1956.

LATIN AMERICA—ARGENTINA

II. Near East and Africa

Egypt: January 18, 1954, to January 17, 1955; annual tacit renewal.

Israel: "September 9, 1954, to December 31, 1955."

Lebanon: "January 6, 1956"—1 year.

Syria: "January 14, 1956"—1 year.

III. South and Southeast Asia

Burma: "February 7, 1956"—3 years.

Ceylon: "March 16, 1956"—1 year.

India: "March 23, 1954, to December 31, 1954," annual tacit renewal for 1 additional year.

Indonesia: July 1, 1955, to June 30, 1956.

J. DEMOCRATIC REPUBLIC OF VIETNAM

I. Europe

France: July 1, 1955, to June 30, 1956.

India and Indonesia.

Mr. MALONE. Mr. President, in 1950 Mr. Acheson, who was then Secretary of State, had a very significant statement to make before the House Ways and Means Committee. It should interest the Senate. It is a good deal like Mr. Hitler writing a book and telling what he intended to do to the world. Everybody had a good laugh and nobody believed it. This is what Mr. Acheson said, first:

The European recovery program (Marshall plan or ECA)—

Mutual security, or whatever it will be called next year—

extends immediate assistance on a short-term basis to put European countries back on their feet.

2. The Trade Agreements Act program is an integral part of our overall program for world economic recovery. (The 1934 Trade Agreements Act, as extended to 1958.)

3. The International Trade Organization, upon which Congress will soon be asked to take favorable action, provides a long-term mechanism—each part of this program is important. Each contributes to an effective and consistent whole.

It will be remembered that Congress refused to approve the International Trade Organization in 1951. Now we have been offered the Office of Trade Cooperation, which is exactly the same as the International Trade Organization. That proposal is now before Congressional committees, and it is before the Senate Committee on Finance.

THIRTY-FOUR COMPETITIVE NATIONS REGULATING OUR FOREIGN TRADE

The OTC would approve the General Agreement on Tariffs and Trade—GATT—under which 34 foreign competitive nations are now regulating our foreign trade and national economy at Geneva.

ACHESON TIES FOREIGN TRADE TO FOREIGN POLICY

Mr. President, the former Secretary of State, Dean Acheson, said at that time:

It is hardly possible any longer to draw a sharp dividing line between the economic affairs and political affairs.

Each complements and supplements the other. They must be combined in a single unified and rounded policy.

Mr. President, the 1934 Trade Agreements Act and subsequent extensions of that act, the 24-year plan, tied together the foreign policy and the regulation of foreign trade and the national economy, contrary to the Constitution.

The Constitution of the United States pointedly separates the fixing of foreign policy and the regulating of our foreign trade and national economy. It definitely puts the regulation of our foreign trade and national economy in the hands of Congress, under article I, section 8.

It puts the regulation of the foreign policy in the hands of the Executive, the State Department. The 1934 Trade Agreement Act tied them together under the Executive—thus amending the Constitution without submitting it to the people as provided by the Constitution.

To enumerate and describe all of these steps in detail I will defer until the appropriation bill is before the Senate.

CONGRESS ABROGATED ITS RESPONSIBILITY

The Congress has transferred its principal constitutional responsibility for the regulation of the economy of the Nation to the executive branch and has abrogated its duty to the people of this Nation.

First, in 1933 we went off the metal standard for money and made it a crime to possess the metal which had held spendthrift Congresses and administrations in check for 145 years. Inflation was inevitable.

Billions of dollars annually to the European and Asiatic nations accelerated inflation.

Moving the rights of the States to a strong central government simply made the people helpless to successfully oppose such a march to international socialism.

The 1934 Trade Agreements Act simply transferred the constitutional responsibility of Congress to regulate our foreign trade and national economy to the executive branch—with full authority to transfer that responsibility to Geneva under 34 foreign competitive nations operating under GATT.

MR. LINCOLN AND A LONG-RANGE PLAN

Now, Mr. Lincoln had the following to say about the recognition of a long-range plan:

We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places and by different workmen, and when we see these timbers joined together, and see they exactly make the frame of a house or a mill, all the tenons and mortises exactly adapted to their respective places, and not a piece too many or too few, not omitting even scaffolding—or, if a single piece be lacking, we see the place in the frame exactly fitted and prepared yet to bring such piece in—in such a case, we find it impossible not to believe that all worked upon a common plan or draft drawn up before the first blow was struck.

Mr. President, the President of the United States could just as well have put it in Russia or Peiping, and still could, according to the testimony of the Secretary of State before the Senate Committee on Finance. All of this under the 1934 Trade Agreements Act as extended to June of 1958.

INTERNATIONAL SOCIALISM

Mr. President, it adds up to international socialism; a division of the wealth of this country, a division of the markets of this country, and a complete lack of background or stability for the money and the economic system of this country.

So we give lipservice to stopping inflation. We call the 1934 Trade Agreements Act reciprocal trade. So, Mr. President, that is the long-range plan to destroy this country, and it is time that the Congress took a look at the whole picture before it is too late—and not to take each part of the plan as a separate proposal and, although unpalatable, accept it.

On December 15, 1956, the Nevada Republican State central committee recognizing the 24-year plan of the international socialists, passed the following resolution:

The Republican Party of the State of Nevada strongly advocates the return to constitutional government by adopting the following principles which have been the basic tenets of the Republican Party since its inception more than 100 years ago.

We believe the Republican Party must advocate a free market for gold, with removal of all restrictions upon its purchase, sale, and ownership, and a return to the traditional hard-money standard using gold and silver certificates redeemable in the respective metals.

We believe the Republican Party must urge the Congress of the United States to resume its constitutional responsibility of regulating foreign commerce through the adjustment of duties, imports, and excises, through its agent, the Tariff Commission, and allow the so-called Reciprocal Trade Act, which transferred such responsibility to the President, to expire in 1958.

We believe the Republican Party should urge Congress to respect the rights of the individual States in all those matters which have been historically matters of State concern.

On May 4, 1957, the 10 Western States Republican regional conference passed this following resolution:

Whereas 34 foreign, competitive nations are sitting in Geneva, Switzerland, regulating our foreign trade through multilateral trade agreements under the auspices of the

General Agreements on Tariffs and Trade; and

Whereas, this distribution of our foreign trade between such foreign competitive nations is being carried on under the 1934 Trade Agreements Act, as extended (so-called reciprocal trade); and

Whereas, under this act more than $30 billion of American capital has been invested in such foreign low-wage standard of living nations to compete in American markets with American labor and investors in the textile, livestock, mining, crockery, glass, precision instrument machine tool, chemical and electro-chemical, and several hundred other fileds: Therefore be it

Resolved, That the 10-State Republican regional conference, including the States of Arizona, California, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming urge the Congress to resume its constitutional responsibility of regulating foreign trade and the national economy through the adjustment of the duties, imposts and excises (art. I, sec. 8) through its agent, the Tariff Commission, and allow the 1934 Trade Agreements Act to expire in June 1958.

These States believe as Mr. Lincoln said, "Each of the timbers exactly fitting" over a period of 24 years, we have a right to suspect, as Mr. Lincoln said, that "all worked upon a common plan or draft drawn up before the first blow was struck."

THE PERMANENT PLAN

Mr. President, in Mr. Dulles' statement before the Committee on Foreign Relations as to the Marshall plan-ECA of the mutual security, in 1956, he said, on page 26 of the hearings:

It may be asked whether this mutual security program will have to go on forever. The answer, I think, is that that part of the program which contributes to the security of the United States will have to go on as long as our security is threatened.

Mr. President, I should like to say that we have been a Nation for 180 years and our security has always been threatened. The nations of the world, in Europe and Asia, have had a continuous war for 2,000 years.

In 1948 the Senator from Nevada said that if we adopted this policy the Marshall plan, as a part of the foreign policy, a distribution of our wealth and the tax money of the people of the United States, it would become a permanent plan and just as much a part of the appropriations each year as the appropriations for the State Department.

Mr. President, it is the opinion of the Senator from Nevada that the State Department should be set back where it belongs under the Constitution of the United States—and where is that? The forming and informing the Congress of the foreign policy of the United States of America; and not determining the economic policy of the United States or regulating the foreign trade which the Constitution places in the legislative branch of our Government in article I, section 8.

What has the Congress done in 24 years? The senior Senator from Nevada has been a Member of this body for 11 years. In the years since 1933 the Chief Executive of the United States, whoever he might have been, has directed the Congress. We say we are going to vote economy; we are going to cut down on appropriations; we are going to help small business.

There has never been a time within the past 24 years when the Congress of the United States did not appropriate within 5 percent of the recommendation which came from the White House, regardless of any talk to the contrary. All one has to do is to look at the votes.

The Marshall plan was voted upon March 13, 1948. The vote was 69 for and 17 against. In 10 years we have about doubled our vote. This afternoon there were 34 votes on the side of cutting this proposed appropriation—from the White House. At that, we are gaining, and at this rate of gain should finally win if that is not too late for the taxpayers of America.

It is high time that the Congress regained its constitutional responsibility to regulate our money system, our foreign trade and national economy—and return to the States their rights under the Constitution.

The senior Senator from Nevada will have more to say when the appropriation for this grandiose distribution of the wealth of the greatest Nation on earth comes before this body.

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall it pass?

Does the Senator from Texas yield back the unused time?

Mr. JOHNSON of Texas. I am ready to yield back the unused time.

Mr. BRICKER. Mr. President, will the Senator yield me about 3 minutes?

Mr. JOHNSON of Texas. I yield 3 minutes to the Senator from Ohio.

Mr. BRICKER. Mr. President, it is with considerable reluctance that I announce that I cannot vote for the bill.

I should be glad to support the military provisions, because I think this administration is most sincerely working for peace in the world. I am devoted to that cause, as is the President of the United States, and the administration generally. I should be glad to support the technical-aid provisions which are incorporated in this authorization, for the reason that I think they have been very helpful in aiding the people of the world to help themselves to a better way of life.

I am most reluctant, however, to vote approval of a program which would authorize a new lending program involving $500 million of borrowing power in the first year, $750 million borrowing power in the second year, and $750 million of borrowing power in the third year.

We already have the Export-Import Bank. We have the International Bank, which can take care of legitimate loans and needs of the nations of the world. I can see no need for any additional program involving any softer loans than those which are provided for. I do not look for the repayment of most of these loans for a long time, at any rate.

These lending programs have a way of increasing from year to year, and being extended at every opportunity Congress has had to extend them in the past. We had experience with the RFC, which was instituted to bring ourselves out of a depression period. It was continued and could not be abandoned or ended until the fraud and corruption in the organization itself made it almost necessary for the Congress to act in that field.

Furthermore, I believe that the time has come to begin to contract our international obligations in the monetary field, in the interest of the taxpayers of the country.

Likewise, I doubt the constitutionality of the provision which would deprive the Congress of the United States of the power to appropriate money, and turn it over to the executive branch of the Government, which this authorization for loans would do.

For that reason I feel compelled, reluctantly, to vote against this authorization. If it were limited to military aid and technical aid, I should be very happy to vote for the authorization.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CASE of South Dakota. Several Senators have said to me that they thought that the vote on the amendment which I offered had carried the amendment. They thought that perhaps there was some confusion in the way the vote was taken, as to whether or not Senators were counted properly. I should like to inquire whether or not it is now too late to ask for reconsideration of the vote by which that amendment was rejected.

The VICE PRESIDENT. At this stage reconsideration can be obtained only by unanimous consent. Does the Senator desire to ask unanimous consent?

Mr. CASE of South Dakota. I am reluctant to delay the proceedings, and I certainly would not ask for a yea-and-nay vote; but I do ask unanimous consent that the vote by which my amendment for increasing the earmarking in the bill for disposal of surplus agricultural commodities be reconsidered.

The VICE PRESIDENT. Is there objection?

Mr. JOHNSON of Texas. Mr. President, I was not present when that vote was taken. The situation is rather unusual. Was there a standing vote?

Mr. CASE of South Dakota. On the first announcement, the Chair declared that the "ayes" appeared to have it. Then a division was asked for, and a division was had. Some Senators came in from the cloakrooms, and there seemed to me to be some confusion in the way they were counted. Several Senators said to me that they thought the amendment had been agreed to.

Mr. JOHNSON of Texas. I would not want to think that the Chair did not know how to count.

Mr. CASE of South Dakota. It was not a matter of the Chair not knowing how to count. It was a question whether certain Senators were confused by the way the question was put.

Mr. GREEN. Mr. President, this is an unprecedented situation. I object.

The VICE PRESIDENT. Objection is heard.

Mr. NEUBERGER. Mr. President——

Mr. JOHNSON of Texas. Does the Senator desire to speak before the yea and nay vote on final passage of the bill?

Mr. NEUBERGER. Will the Senator yield to me 1 minute in order that I may insert an editorial in the RECORD.

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Oregon.

Mr. NEUBERGER. I thank the Senator.

Mr. President, as we make ready to vote on S. 2130, I ask unanimous consent to have printed in the RECORD an effective editorial on this subject entitled "Ten Years of Foreign Aid," from the Pendleton East-Oregonian of June 6, 1957. In this editorial, one of Oregon's ablest editors, Mr. J. W. Forrester, has emphasized strongly the reasons which undoubtedly will motivate a majority of Senators tonight when we pass S. 2130. I think it is appropriate that Mr. Forrester's views be made available to my colleagues at this particular time. They are highly pertinent right now.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TEN YEARS OF FOREIGN AID

"It is logical that the United States should do whatever it is able to do to assist in the return of normal economic health in the world, without which there can be no political stability and no assured peace."

The words were spoken 10 years ago, on June 5, 1947, on the campus of Harvard University. The speaker was the United States Secretary of State, Gen. George C. Marshall, who was receiving an honorary degree, but the address received in the American press little more than routine coverage by the usual campus correspondents. All this was ironic, for in that address and even in that one sentence lay the gist and promise of the Marshall plan and the whole United States postwar foreign aid program.

Foreign Secretary Ernest Bevan of Great Britain called it "one of the greatest speeches made in world history." Prime Minister Winston Churchill was to declare of the Marshall plan and United States military aid, in 1949: "Nothing like this has ever been seen in all history." The address was equally hailed in Europe; a recent commentator, David Schoenbrun, notes that it "inspired Europe and shook Russia as much as the power of the American invasion forces had thrilled Europeans and shaken Hitler 3 years before."

The voice in that address of 10 years ago was the voice of Marshall, but in a sense the hand was the hand of Dean Acheson. In a little noticed speech at Cleveland, Miss., almost a month earlier, Marshall's Under Secretary of State had outlined a concept of continuing United States economic aid concentrated "in areas where it will be most effective in building world political and economic stability, in promoting human freedom and democratic institutions, in fostering liberal trading policies, and in strengthening the authority of the United Nations."

Even after the Marshall speech at Harvard, the United States intention had to be spelled out and the plan formulated. Europe was tempted but reluctant until Marshall said, a week later, that his invitation to European nations to join in the planning specifically included Russia.

Russia's interest was brief, ending when Foreign Minister Vyacheslav M. Molotov walked out of a preliminary conference in Paris in July, but the satellites were tempted. The bear had to pull at least three of her cubs—Czechoslovakia, Poland, and Hungary—away from all that United States honey.

Eventually, 16 European nations formed the Organization for European Economic Cooperation to furnish "the initiative * * * from Europe" which Marshall had invited. Congress in December 1947 authorized an emergency short-term aid program and then in the Economic Cooperation Act of April 1948 established the program for European recovery.

The Marshall plan phase of the United States foreign-aid program covered the period from 1948 through 1950. During that time, European industrial production rose 35 percent above the 1938 level. Agricultural output bettered prewar harvests. Inflation was brought under effective control. And international trade increased 86 percent in volume.

Fears of Communist military aggression caused a shift in emphasis to programs of military assistance beginning with the Mutual Defense Assistance Act of 1949. From the end of World War II through the Marshall plan era, the United States spent $28.6 billion on foreign aid. Subsequent spending and appropriations through the end of this fiscal year bring the total to more than $78 billion.

This is the program that is causing President Eisenhower so much grief in the Congress. He feels strongly that world peace can be maintained only by continuance of the program. Those who disagree look at the program in terms of dollars, not in terms of war and peace. The President's stand can be adequately defended. It needs no apologists.

Mr. SPARKMAN subsequently said: Mr. President, many people think that our foreign-aid program is a giveaway program. In a recent issue of the Congressional Quarterly, there was published a very interesting discussion under the title "Will Foreign Aid Loans Be Repaid?"

It contains some tables which show the very fine record that has been made in the repayment of loans that have been made to various countries during the past 16 years.

I ask unanimous consent that the article and tables may be printed in the body of the RECORD just prior to the final vote on the bill.

There being no objection, the article and tables were ordered to be printed in the RECORD, as follows:

WILL FOREIGN AID LOANS BE REPAID?

The President's May 21 request for the creation of a development loan fund to handle the bulk of American economic assistance to foreign countries has renewed interest in the record of prior United States loans to other nations (Weekly Report, p. 624).

Secretary of State John Foster Dulles May 22 reported to the Senate Foreign Relations Committee the record of repayment on previous loans and the chances for repayment on the proposed loans. He said: "There are 1 or 2 cases where interest is in arrears or has not been pressed, but I don't think that is surprising. * * * We all recognize there are conditions where interest has to be forgone or suspended.

"That does not mean you are not going to get it. * * * The main thing is * * * if you have a well-founded faith in the future of the country and do enough to get it well started then you can get your money back. * * * I would hazard the guess that a very large part, most probably, of what will be loaned by this development fund, will at some time or other, in some way or other, inure correspondingly to the benefit of the United States. * * * Nations, when they think they have to repay, are not going to be so eager to borrow, unless they are quite sure they are really going to get the benefit out of the loan which will enable them to repay."

This fact sheet surveys the past loan record to answer the question: Is Dulles' confidence warranted?

SIXTEEN-YEAR RECORD

The table on pages 666 and 667 shows the loan record of every country that has received credit from the United States from July 1, 1940, through December 31, 1956. It includes loans and credits made available under all these wartime and postwar programs: the Export-Import Bank, the British loan of 1945, mutual security, overseas surplus property sales, prior grants converted into credits, lend-lease, strategic and defense materials development, United Nations headquarters loan, Philippine funding, loans of the Institute of Inter-American Affairs, loans of the Reconstruction Finance Corporation, the occupied-areas commodity programs, and the Army's natural fibers revolving fund. Following is a summary of the repayment record on United States loans from July 1, 1940, through December 31, 1956, in thousands of dollars:

	Amount	Percent
Net loans, credits authorized	$18,273,228	100.000
Loans not used	1,981,620	10.844
Loans repaid	4,631,122	25.344
Loans outstanding	11,652,123	63.766
Loans charged off as uncollectible	8,363	0.046

Source: Publication, Foreign Grants and Credits, Department of Commerce, Office of Business Economics, April 1957.

The preceding chart shows that of the $18.2 billion in loans and credits made available to foreign countries since mid-1940, less than one-twentieth of 1 percent has been written off as uncollectible. Almost half of this amount—$4 million of the $8.3 million total—was written off because of devaluations in local currency after the granting of loans repayable in that local currency. All the remaining loss came on loans to "nongovernmental foreign entities"; i. e., private firms, including branches of American firms, doing business in foreign countries.

The chart also shows that on December 31, 1956, an additional $75,180,000 in principal—0.41 percent of the net loans authorized—was more than 90 days overdue. Of this total, $70.6 million was owed by foreign governments and $4.5 million by private firms. The governments that were more than $1 million in arrears on principal repayment were: Nationalist China, Hungary, Indonesia, Iran, the Philippines, Poland, Turkey, and Russia.

From 1940 through 1956, interest payments and commissions on the $18.2 billion in authorized loans totaled $1,860,776,000. Another $32,097,000 of interest was more than 90 days overdue on December 31, 1956.

CAN FUND BE SELF-SUSTAINING?

In the last 3 years principal payments alone on old credits have exceeded new loan utilizations by $235 million, as shown in this table of principal repayments and new loan utilizations in millions of dollars:

Year	Repayments	New loan utilizations
1954	$501	$387
1955	503	409
1956	509	482
Total	1,513	1,278

In the next 6 years (1957–62) principal repayments scheduled on existing loans will total $2,701,644,000 and interest payments will total $1,471,894,000. The availability of these sums has led Senator HOMER E. CAPEHART, Republican, of Indiana, to suggest that if they were allocated to the proposed development loan fund, it could become a self-sustaining institution, without further appropriations of tax moneys.

Administration officials have informed CAPEHART that his suggestion is not practical for repayments on loans made before 1955. "Receipts of principal and interest on these credits go, by law, into miscellaneous receipts in the Treasury or to retire notes previously given to the Treasury," according to an April 22 letter to the Foreign Relations Committee from Deputy Director Guilford Jameson, of the International Cooperation Administration.

In fiscal 1959, however, repayments will begin on loans and credits authorized by the Mutual Security Act of 1954 and Public Law 480 (surplus agricultural disposal) of 1954. These repayments, in local currency, are scheduled to increase from $12 million in fiscal 1959 to $41 million in fiscal 1960 and $89 million in fiscal 1961. They will continue to grow at a diminishing rate over the next 34 years. Congress has not yet provided for the use to be made of these local currencies and it is possible they might be integrated into the proposed development loan fund.

Balance sheet on foreign loans: Loans authorized, outstanding, losses charged off, payments overdue, July 1, 1940–Dec. 31, 1956

[In thousands of dollars]

Country	Net authorized loans, credits	Principal charged off as uncollectible	Payments 90 days or more overdue: Principal: Foreign governments	Payments 90 days or more overdue: Principal: Private firms	Payments 90 days or more overdue: Interest: Foreign governments	Payments 90 days or more overdue: Interest: Private firms	Principal outstanding
Argentina	$262,065						$70,685
Bolivia	47,042	$1,922					34,446
Brazil	1,139,022	31		$162			457,375
Chile	180,183						64,437
Colombia	95,366	28	$20				21,837
Costa Rica	21,225						10,359
Cuba	82,443						12,000
Dominican Republic	3,885						
Ecuador	42,129	4	53				27,964
El Salvador	1,503						
Guatemala	2,303						1,631
Haiti	37,891		115	32		$1	27,209
Honduras	1,201						
Mexico	344,553	57		677		49	112,308
Nicaragua	7,886						415
Panama	6,518						935
Paraguay	14,000						467
Peru	155,190						40,476
Uruguay	19,448	10					8,106
Venezuela	23,403	278					5,916
Unspecified	142,597						9,380
Afghanistan	45,934						36,334
Australia	22,909						9,620
Austria	50,670						8,546
Bahrein	17,048						
Belgium	294,972						137,162
Luxembourg	3,000						2,946
Belgian Congo	1,550						
Burma	5,043						1,925
Canada	198,701	17					547
Nationalist China	387,858		24,187		$17,382		178,262
Czechoslovakia	30,377		974		466		4,870
Denmark	56,677						48,013
Egypt	25,464						3,685
Ethiopia	31,707		71				3,929
Eritrea	50			50			50
Finland	152,313						93,110
French Union	2,489,954	1,497		692		217	1,699,855
Germany	1,355,706			277		43	1,161,133
Greece	144,000	1,021		592		71	91,057
Hungary	15,917		2,350				11,890
Iceland	10,254						5,448
India	$446,446	$2,729					$380,226
Indochina	25,000						25,000
Indonesia	180,770			$1,111			139,701
Iran	130,177			15,260		$3,287	76,655
Iraq	1,149						64
Ireland	128,200						127,556
Israel	196,288						154,180
Italy	456,909			225	$458	12	291,796
Japan	798,913						145,399
Korea	24,928					1,493	20,850
Latvia	11						
Lebanon	1,550						
Liberia	44,773						23,700
Morocco	13,409						5,552
Netherlands	472,172						263,924
New Zealand	20,497						14,883
Norway	140,835		88				86,832
Pakistan	61,136						26,766
Philippines	219,650			7,000		1,398	73,393
Poland	51,268			1,408	2		57,822
Portugal and possessions	58,482		32		887		50,906
Rhodesia and Nyasaland	60,686				103		55,658
Saudi Arabia	31,826						20,016
Spain	142,826						94,650
Sweden	28,337						19,670
Syria	102						50
Thailand	18,587						7,658
Turkey	180,189			1,143		920	128,878
Union of South Africa	152,343						123,297
U. S. S. R.	222,495			16,667		6,529	222,495
United Kingdom and dependencies	5,741,316	431			650		4,445,937
Yugoslavia	79,900	217				51	48,293
European Coal and Steel community	100,000						100,000
U. N. Headquarters loan	65,000						56,000
Total	18,273,228	8,363	70,604	4,581	31,486	611	11,652,123

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall it pass? Does the Senator from Texas yield back any remaining time?

Mr. JOHNSON of Texas. I yield back any remaining time on our side.

Mr. KNOWLAND. I yield back any time remaining on our side.

The VICE PRESIDENT. All time has been yielded back.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Washington [Mr. JACKSON], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from Florida [Mr. SMATHERS].

If present and voting, the Senator from North Carolina would vote "nay," and the Senator from Florida would vote "yea."

I further announce that if present and voting, the Senator from Washington [Mr. JACKSON], and the Senator from Texas [Mr. YARBOROUGH], would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Michigan [Mr. POTTER] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

On this vote, the Senator from Maryland [Mr. BUTLER] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Arizona would vote "nay."

The Senator from Maine [Mr. PAYNE] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Maine would vote "yea," and the Senator from Nebraska would vote "nay."

The Senator from Michigan [Mr. POTTER] is paired with the Senator from North Dakota [Mr. LANGER]. If present and voting, the Senator from Michigan would vote "yea," and the Senator from North Dakota would vote "nay."

If present and voting, the Senator from New Hampshire [Mr. BRIDGES] would vote "yea."

The result was announced—yeas 57, nays 25, as follows:

YEAS—57

Aiken	Gore	Martin, Pa.
Allott	Green	McNamara
Anderson	Hayden	Morton
Beall	Hennings	Mundt
Bennett	Hickenlooper	Murray
Bush	Hill	Neuberger
Capehart	Holland	Pastore
Carlson	Humphrey	Purtell
Carroll	Ives	Revercomb
Case, N. J.	Javits	Saltonstall
Case, S. Dak.	Johnson, Tex.	Schoeppel
Church	Kefauver	Scott
Clark	Kennedy	Smith, Maine
Cooper	Knowland	Smith, N. J.
Cotton	Kuchel	Sparkman
Dirksen	Lausche	Symington
Douglas	Magnuson	Thye
Flanders	Mansfield	Watkins
Fulbright	Martin, Iowa	Wiley

NAYS—25

Barrett	Frear	Robertson
Bible	Jenner	Russell
Bricker	Johnston, S. C.	Stennis
Byrd	Kerr	Talmadge
Chavez	Long	Thurmond
Curtis	Malone	Williams
Dworshak	McClellan	Young
Eastland	Morse	
Ellender	O'Mahoney	

NOT VOTING—13

Bridges	Jackson	Potter
Butler	Langer	Smathers
Ervin	Monroney	Yarborough
Goldwater	Neely	
Hruska	Payne	

So the bill (S. 2130) was passed.

Mr. KNOWLAND. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON].

The motion to lay on the table was agreed to.

ACCELERATED TAX WRITEOFFS

Mr. KEFAUVER. Mr. President, I was interested to read in this morning's Wall Street Journal the following story:

ODM ANNOUNCES FAST WRITEOFFS WILL BE PUBLICIZED ON DAY ISSUED

WASHINGTON.—The Office of Defense Mobilization said from now on it will publicly announce fast writeoff certificates on the same day they're issued.

The time gap between issuance of these tax-help certificates and the time they're announced came up for criticism recently before a Senate Judiciary subcommittee headed by Senator KEFAUVER, Democrat, of Tennessee, in connection with Idaho Power Co.

Previously, the ODM announced only every 2 weeks the recipients of the certificates, which permit companies to depreciate for tax purposes the cost of new facilities over a shorter than usual period. The bi-weekly announcement will be continued, recapping the certificates that are announced during each period, an agency spokesman said.

Under the new policy, the agency announced it issued 14 fast writeoffs yesterday. The biggest involved a transfer to World Wide Tankers, Inc., from its parent, Skouras Lines, Inc., of a certificate covering 40 percent of the $12.5 million cost of an ocean-going oil tanker. Others included: United Aircraft Corp., Pratt & Whitney division, 75 percent on $4,700,000 of facilities for military jet engines, and American Brake Shoe Co., 65 percent on $6,620,655 of facilities for steel castings.

I want to commend ODM for this decision. Of course, it is a case of locking the barn after the horse is gone, as far as the Idaho Power Co. is concerned. The insiders have already had their day on the market. But it may stop future inside speculators from this golden opportunity that they have had in the past.

For clarity, let me explain to the Members of the Senate that in the case of the Idaho Power Co., Gordon Gray, ODM Administrator, testified before out Antitrust Monopoly Subcommittee that he made his mind up to give Idaho Power a rapid tax-amortization certificate on April 9 or 10. The certificates were signed April 17. They were not announced publicly until a press release, dated April 25, was issued. But they did tell the company's representative—Ebasco—and telephone records show that a call was made from Ebasco to Idaho Power Co. on April 16, the day before the certificates were actually signed.

On the very next day—the day it was signed—4,500 Idaho Power shares on the New York exchange changed hands, whereas the average daily sale during the previous year was only 600.

Somebody got the word.

The staff of our subcommittee is now engaged in analyzing market behavior in the case of other rapid tax amortizations. They have not completed their work, but what they have done thus far certainly shows me that the behavior of the Idaho Power stock was not an isolated case by any means. Others also took their rise before the granting of the certificates have ever been announced to the public.

CIVIL RIGHTS

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DOUGLAS. Is my understanding correct that when the Senate convenes on Monday the unfinished business will be the atomic energy treaty?

The VICE PRESIDENT. The Senator is correct.

Mr. DOUGLAS. Is it my understanding that the treaty will be considered in executive session?

The VICE PRESIDENT. The Senator is correct.

Mr. DOUGLAS. And that it will remain the unfinished business until it is disposed of?

The VICE PRESIDENT. Except by unanimous consent; that is correct.

Mr. DOUGLAS. The parliamentary inquiry I wish to address to the Chair is this: Let us assume that the civil-rights bill comes over from the House. Will it be in order to have that bill brought up for the first and second readings while the Senate is in executive session?

The VICE PRESIDENT. It will not be in order.

Mr. DOUGLAS. It will not be in order. What will be the status of that bill during that period? Will it be in limbo?

The VICE PRESIDENT. It will be held at the Secretary's desk until the Senate is in legislative session.

Mr. DOUGLAS. At the desk of the Secretary of the Senate?

The VICE PRESIDENT. That is correct.

Mr. DOUGLAS. Then, when the Senate returns to legislative session, what will be the situation so far as the civil-rights bill is concerned?

The VICE PRESIDENT. Either by motion or at the discretion of the Chair, when the Senate is in legislative session the message will be laid before the Senate.

Mr. DOUGLAS. The proposed legislation will be laid before the Senate for such action as the Senate may care to take?

The VICE PRESIDENT. That is correct.

Mr. DOUGLAS. I thank the Chair.

Mr. HUMPHREY. Mr. President, the House is about to complete action on a civil rights bill. It has been clear not only from the House debate, but from preliminary statements which have been made here in the Senate, that the so-called trial by jury issue is a major one in this year's debate. The distinguished Senator from Illinois [Mr. DOUGLAS] has already made a monumental contribution to the clarification of the confused and muddy issue in various statements which he has made on the floor or inserted in the CONGRESSIONAL RECORD. I think his arguments on the question are unanswerable in law, in ethics, and in policy.

Mr. President, it is not only the friends of civil rights who should be dismayed over the injection into the debate of the jury trial dispute, but also all friends of procedural due process and clarity in legislation. The purpose of the jury trial amendment is obvious on all sides: it would cripple law enforcement by introducing into the proceeding the very local prejudice against which protection is sought. In providing the injunctive relief, the civil rights bills which I and others have introduced in this Congress as well as previous Congresses properly place the procedure within the historic area of equity jurisdiction. As everyone knows, jury trials have never been an integral part of equity proceedings.

An injunction is a court order to do or to refrain from doing certain things. A party dissatisfied with the decree has full rights of appeal and review. In the unusual case where a party refuses to honor the court's decree, the court has always had power to punish him for contempt. The contempt powers of equity court are founded on the fundamental sanctity and authority of the court to enforce its own decree and not on any theory of crime against the State, the area where jury trial rights obtain.

All of this is perfectly clear from the judicial decisions of all the Southern States themselves. Southern States even now are using the injunction against those who are working in behalf of school integration in accordance with the Supreme Court's decision. At this very minute, a representative of the National Association for the Advancement of Colored People in Atlanta, Ga., is under a 1-year suspended jail sentence for failing to produce certain papers demanded by a southern court. He was convicted of contempt and sentenced without jury trial.

Mr. President, the jury trial issue is clearly understood for what it really is by most of the enlightened newspapers of the country. In the Minneapolis Star for June 5, 1957, there was published an editorial entitled "Operation Stymie." I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OPERATION STYMIE

Southern Members of Congress are up to their old tricks on civil-rights legislation. Southern Senators have succeeded in writing a jury-trial amendment into the bill in the Judiciary Committee and, as Attorney General Herbert Brownell points out, this amounts, for all practical purposes, to nullification of the bill's plain intent.

As originally drawn, the bill provided for contempt of court proceedings against civil-rights violators. Such cases usually are tried by a judge without a jury. A great howl went up from Dixie that this was a denial of constitutional rights. The cry, of course, was a mere subterfuge. The people who pleaded loudest for jury trials in such cases oppose the civil-rights bill in toto.

It is a demonstrable fact that it would be impossible to get convictions in the South. Southern juries, the administration has argued, would be unlikely to convict persons accused of violating civil rights. The South's record on trials of Negroes indicates that it is virtually impossible to get justice where the racial question is concerned.

The jury trial is of a piece with other frustrating tactics indulged in by southerners in both Houses of Congress. In the Senate, southern members of the Judiciary Committee have held up action for weeks by absenting themselves from committee meetings, thus causing a lack of quorum. Others have indulged in long-winded speeches, another stalling operation. Altogether, it is a sorry record.

This will not end the matter, however. A temporary setback, yes, but only a setback. Ultimately we will have civil rights both in theory and in practice. This is a moral universe and, as Emerson once said, man puts himself in tune with right and justice or he is "pulverized by the recoil."

Mr. HUMPHREY. Mr. President, it would be the highest kind of irony if civil-rights legislation, now 80 years overdue, were to be rendered ineffective by an appeal for the inclusion of an institution which we all cherish—the jury trial—in an area where it has not historically operated, where its sole function would be to prevent the very progress which the legislation is intended to promote.

Mr. President——

The VICE PRESIDENT. The Senator from Minnesota has the floor.

TIGHT MONEY

Mr. HUMPHREY. Mr. President, this morning's Washington Post and Times Herald contains a column written by Bernard Nossiter which gets right down to the hard facts concerning the effects on the economy of the administration's tight-money policy. I recommend it to anyone who seriously desires to understand monetary policy, which is probably the most important domestic issue which we face today.

Mr. Nossiter's column reviews a recent article written by John Kenneth Galbraith, the noted Harvard economist, in which he argues that the present monetary policy is aiding and abetting economic concentration at the expense of the small- and medium-size businesses. Professor Galbraith maintains that the continuation of the present tight-money policy will do as much to speed up business concentration as would the repeal of the antitrust laws. Such a warning is not to be lightly dismissed, Mr. President, when it comes from so authoritative a source.

I ask unanimous consent that the article, entitled "Tight Money Policy," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIGHT MONEY POLICY: UNLIQUIDATED MONOPOLY PROFITS AND CONCENTRATION

(By Bernard Nossiter)

George M. Humphrey, the Treasury Secretary, and William McChesney Martin, Federal Reserve Board chairman, who are scheduled to testify today before the Congressional Joint Economic Committee may collide with an academic missile just launched at Cambridge, Mass.

There, John Kenneth Galbraith, the Harvard professor, has buttressed the major criticisms of the Government's anti-inflation policies with theoretical supports stronger than any yet advanced.

Galbraith's rocket appears in the May issue of a professional journal, Harvard's Review of Economics and Statistics.

Its conclusion—that the so-called tight money policy is increasing economic concentration by discriminating against small, competitive firms—is not startling. It has been voiced repeatedly by "liberal" Democrats, small-business spokesmen and trade union professionals among others. The facile Galbraith himself has previously published a popular version of his ideas in a middle-brow magazine.

But in the learned journal, he has come up with what appears to be a new concept—unliquidated monopoly profits. He uses this tool to explain why pricing in some industries apparently amends the "law" of supply and demand.

From there, he reasons that Treasury-Federal Reserve policy reinforces concentration.

Galbraith argues that in the economy's competitive sectors, an increase in demand promptly and automatically brings forth an increase in price for the available supply. But in concentrated industries, he says, where a few producers operate and the price decisions of any major producer can affect the industry's price level, prices are held steady for longer periods of time. If demand is stepped up, Galbraith says, a big firm producing at capacity will at first experience an increase in its orders backlog; if the firm is under capacity, the increased demand will enlarge its unit sales.

For examples of competition, Galbraith cites agriculture, bituminous coal, forest products, and some cotton textiles; concentrated or administered price industries are steel, autos, electrical machinery, oil, and others.

Economists assume that business firms set prices to maximize profits—to squeeze out the last bit of profit available. But in concentrated industries, says Galbraith, this just isn't so. There, he argues, prices are deliberately set and held at less than the point at which maximum profits can be realized.

This gap between actual prices and profit-maximizing prices makes up Galbraith's unliquidated monopoly profits.

Galbraith does not argue that this corporate restraint is a reflex of the higher corporate conscience.

Big firms hold back on prices, he says, to avoid angering customers; to avoid tempting new, competitive firms to try for the plums; to avoid antagonizing the public; to avoid the slings and arrows of Government trustbusters; and most of all to restrain union demands. Once granted, wage increases are much harder to slice back when demand falls than prices or output.

What have unliquidated moncpoly gains to do with Messrs. Humphrey and Martin? Plenty, says Galbraith, because their policies to allow rising interest rates on borrowed funds and limiting the total supply of lendable funds strikes the small and barely touches the big firms.

During inflation or increasing demand periods, says Galbraith, the big firm can, if it wants, pass on higher interest rates through higher prices. Because, he claims, its prices are less than the maximum profit position, this company's price increase won't reduce unit sales. For the same reason, he contends, higher interest charges won't discourage the large firm's investment in new plant and equipment.

But if wheat farmers try to increase prices to cover higher interest costs, says Galbraith, the total demand in bushels for wheat will shrink.

The other major, anti-inflation weapon, curbing the total of funds available for borrowing, also favors the big, says Galbraith. If banks must ration loans, he argues, they will favor the most credit-worthy. And if large firms can pass on higher interest charges better than small ones and the profits of the large are less likely to be hit by a drop in overall demand, they are more credit-worthy, says Galbraith.

And if the credit rationing is really tough, he says, the large firm need not borrow to expand its plant and equipment; it can raise extra capital internally by boosting prices. In fact, this internally financed expansion plays a bigger role than raising capital in the stock market or borrowing from banks.

Thus, says the Harvard economist, inflation is controlled by denying credit to what are, in a general way the least powerful firms. At the same time, more powerful firms are exempted from the policy * * * the effect of monetary policy has been to ration credit from all sources away from smaller firms in the competitive sector and to larger firms in the oligopolistic (concentrated) sector.

No wonder, says Galbraith, that large firms like tight money. Its continuation, he argues, will do as much to speed up concentration as a repeal of antitrust laws.

ECONOMIC POLICY OF THE ADMINISTRATION

Mr. HUMPHREY. Mr. President, in order to keep faith with a press release I issued today, but which I was unable heretofore to place in the RECORD, I ask unanimous consent that my statement concerning the economic policy of the administration be printed at this point in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

NATION'S FISCAL MESS LITTLE SHORT OF SCANDALOUS, SENATOR HUMPHREY SAYS

The Nation's fiscal mess was called to the attention of the Senate today by Senator HUBERT H. HUMPHREY (Democrat, of Minnesota), who termed it "little short of being scandalous."

Senator HUMPHREY, who has been a persistent critic of the administration's higher interest rate hard-money policies ever since 1953, continued his protests by quoting two of the country's most authoritative financial journals—the Wall Street Journal and Barron's National Business and Financial Weekly—as concurring in his appraisal of the fiscal mess.

From the Wall Street Journal of June 3, Senator HUMPHREY read:

"The plain, simple, and incontrovertible fact is that the Government of the United States is in a fiscal mess."

From Barron's, also on June 3, he quoted:

"It (the Treasury) has been compelled to raise money with distressing frequency and at steadily rising costs. At the same time, its serious financial straits have posed a mounting threat to overall economic stability. In short, while the Nation remains as solvent as ever, debt-management policy has come perilously close to bankruptcy."

Commented Senator HUMPHREY:

"Isn't this an incredible record for an administration which campaigned for economy in government, a return to sound money policies, and an end to inflation?

"After 4 years of Republican mismanagement we have a bigger debt than before, we have inflationary money rates, and we are paying well over a billion dollars a year extra in interest on the debt.

"The present fiscal situation is little short of being scandalous.

"As an example, Treasury short-term bills in the first week of June rose to 3.374 percent—the highest rate since the bank holiday period of 1933. A year ago the Treasury sold short-term bills at 2.562 percent, and 2 years ago the rate was 1.390 percent. This amounts to a jump in interest rates of 142 percent in 2 years.

"The much ballyhooed efficient and businesslike Republican administration is leading the country into the gravest money crisis since the GOP ran the Government in the twenties and early thirties.

"The reason for the current fiscal mess is not difficult to explain. It is the logical result of administration policies designed to assist the financial interests of the country, rather than the people of the country whom the Government is supposed to serve."

MUTUAL SECURITY ACT OF 1957

Mr. JOHNSON of Texas. Mr. President, I wish to pay a very deserved tribute to my delightful friend, the chairman of the Committee on Foreign Relations [Mr. GREEN], for one of the finest job I have ever seen done in the United States Senate.

The first testimony on the mutual security bill, the so-called foreign aid bill, was given before that committee on June 3. Some 8 days later, that very comprehensive measure, which affects all the people of the Free World was reported by an overwhelming vote of that committee.

Although numerous amendments were offered to the bill by my friends the distinguished Senators from Louisiana [Mr. ELLENDER and Mr. LONG], by the distinguished senior Senator from Oregon [Mr. MORSE], and many other Senators, the Senate did not accept a single amendment to reduce below the committee recommendation the authorized amount of dollars in the bill.

I can think of no finer tribute which could be paid to the statesmanship, the trust, the confidence, and the esteem in which the Senate holds the chairman of the committee than the tribute which the Senate paid him today by their votes when the roll was called.

I am grateful for the spirit in which this very important debate was conducted. I appreciate the differing viewpoints. I am in the debt of my friends, the Senators from Louisiana [Mr. ELLENDER and Mr. LONG], for their conscientious presentation of their viewpoints, and I am indebted to the Senate for the dignity in which the Senate conducted itself during the entire debate.

I think the Senate owes a debt of gratitude to the distinguished minority leader and the other Senators of the minority who have sat here long and late to aid in discharging the responsibilities which the Senate has in this matter.

Mr. President, we have had a very fruitful week. The Senate has passed, after thorough debate in this Chamber, four appropriation bills and the bill authorizing appropriations for mutual security.

On Monday the Senate will convene at 11 o'clock. I am hopeful that we can give adequate and thorough consideration to the report of the Committee on Foreign Relations concerning the atomic energy treaty.

I expect on Tuesday, or at the earliest date possible, to have the Senate proceed to the consideration of the Hells Canyon bill.

It is hoped that the Senate may have before it next week the Department of the Interior appropriation bill, as well as several conference reports on appropriation bills.

In view of the fine record the Senate has made, and in view of the harmony which exists at this late hour, I think all Senators should be rewarded by having at least 1 day off to catch up with their mail and to attend to any important committee duties which they may have.

Therefore, Mr. President, when the Senate adjourns, it will adjourn, pursuant to the order previously entered, until Monday at 11 o'clock a. m.

Mr. HUMPHREY. Mr. President, I wish to associate myself, as I know every member of the Senate Committee on Foreign Relations would wish to do, with the well-deserved and very fine remarks of the majority leader referring to the chairman of the Committee on Foreign Relations.

I may add that the staff of that committee, also, has been exceedingly diligent and very helpful in every possible way to make the bill a reality of legislation, so far as the Senate is concerned. I pay tribute to all those who have worked so hard on the bill.

Mr. JOHNSON of Texas. Mr. President, I concur in the statement made by the Senator from Minnesota concerning the valuable contribution made by the extremely able staff of the Committee on Foreign Relations. I have never known more conscientious, capable, dedicated, or devoted public servants than Carl Marcy and those who are associated with him. It will be necessary to go a long way before it will be possible to find men equal to these staff members who have helped us pilot this bill through.

Mr. CHAVEZ. Mr. President——

Mr. JOHNSON of Texas. I yield to my friend, the Senator from New Mexico.

Mr. CHAVEZ. I wish to associate myself with those who pay tribute to the chairman of the Foreign Relations Committee, in connection with the authorization bill which the Senate passed tonight. I would remind him that irrespective of the authorization bill, the appropriations must still be made, before the operations can "click." I wish all concerned to be informed that, so far as the Appropriations Committee is concerned, I do not know what is going to happen. [Laughter.]

EXHIBITION OF THE ROBERT LEHMAN ART COLLECTION AT THE LOUVRE

Mr. JOHNSON of Texas. Mr. President, Robert Lehman, senior partner of Lehman Bros., deserves great credit for a generous act which has done much to promote good will between our country and France.

Mr. Lehman has permitted his famous collection of art treasures to be placed on display at the Louvre in Paris. During the first 4 days of the exhibit, more than 8,000 people came to see the paintings.

Because I believe that Mr. Lehman is to be highly commended for this act, I ask unanimous consent that there be printed in the body of the RECORD a statement which has been prepared describing the exhibit and the French reaction, and a number of articles from the press.

There being no objection, the statement and articles were ordered to be printed in the RECORD, as follows:

At the request of representatives of the French Government, Mr. Robert Lehman, of New York, sent most of his famous collection of paintings and works of art for public exhibition at the Louvre National Art Gallery in France. In this collection are paintings by the old masters of all schools, including Rembrandt, Greco, Goya, Botticelli, and others; also paintings by Renoir, Van Gogh, Cezanne, Gauguin, Seurat.

The collection was begun by the late Philip Lehman and continued by his son, Robert, who is senior partner of Lehman Bros. and president of the Lehman Corp. Much of it was brought to Paris at the invitation of George Salles, director of French museums, who saw many of the major items in New York when they went on public display there for the first time 3 years ago.

In addition to paintings, an unrivaled collection of drawings is on exhibit at the Orangerie. It ranges from Pisanello through Durer and Fragonard to the moderns.

Notable examples of 15th century majolica are included. There also is a large collection of Renaissance jewelry, as well as bronzes, snuffboxes, book bindings, aquamanalia, Limoges enamels and Renaissance furniture.

Mr. Lehman has won the hearts of people of France and has done much to cement friendly relations between Americans and Frenchmen. Thousands of Frenchmen and tourists wait in line each day to see this wonderful display of art.

On the radio, on television, and in the newspapers, the French people have expressed their gratitude to Mr. Lehman and the American people for this act of friendship. This exhibition demonstrates to the

the French people that Americans are not primarily a nation of materialists as they have been led to believe but that they are cultured and generous people.

Among the statements made in the French newspapers and over television and radio are the following:

"This will do more for good relations between France and America than anything that's happened in recent years."

"It shows that you people in America have long been interested in our art and our culture, have collected it, are proud of it. How can we help but be pleased to have you come here to show us this great collection?"

"I'm most impressed by the fact that this has been done not for any personal gain or Government propaganda, but simply as a gesture of friendship from one American toward France."

"It certainly is something that's rare to us and shows the high affection with which they regard the people of France."

"Incomparable—have never seen a private collection like it."

"Art collectors over here rarely show their collections this way—your M. Lehman must be a very generous man and very interested in other people to have done all this."

"You know, we French have always had a somewhat mixed reaction to American culture. We often think your interests are primarily commercial. This collection shows us a completely different side of your national personality, one very close to us here in Paris where everyone is interested in art. The showing—a gesture of American friendship to France—can't help but bring us closer together."

Mr. Lehman is not only the head of the oldest investment banking firm in the United States, but he devotes most of his time to philanthropy, education and the arts. He is a trustee of the Metropolitan Museum, trustee of New York University, trustee of leading hospitals and a member of many public and private philanthropic and civil organizations. Our country indeed owes Mr. Lehman a debt of gratitude. We hope that more Americans will follow Mr. Lehman's example and thereby through private effort cause the people of the world to be our friends.

[From the New York Herald Tribune of June 9, 1957]

LEHMAN ART SCORES HIT AT LOUVRE—FIRST EUROPEAN EXHIBIT CROWDED

(By Frank Kelley)

PARIS, June 8.—In 4 days at the Orangerie, a branch of the Louvre, more than 300 works of art from the internationally famous collection of Robert Lehman, New York investment banker, have drawn nearly 8,000 visitors, officials reported today.

"This surpasses all our expectations," an official of the museum, which is used for private and special showings, said.

It is the first time that any of the Lehman collection, previously seen at the Metropolitan Museum of Art in New York, has been shown in Europe. Reports in French and British newspapers have praised the richness of the collection.

TWO THOUSAND VISITORS A DAY

After a press preview Monday and a "vernissage" (varnishing day) for notables Tuesday, the exhibit was opened to the public Wednesday at 200 francs (about 55 cents) a ticket. Since then, officials said, nearly 2,000 persons a day have visited the Orangerie.

They quoted Mr. and Mrs. Lehman, who came here to help prepare the display, as "enchanted" with the reception the $20 million collection has been given by Parisians and thousands of tourists.

Included in the collection are 80 paintings, 77 drawings, 38 illuminations and 141 miscellaneous art objects. The exhibition will be open to the public until mid-September.

PAIRED PAINTINGS

The Orangerie's interior was completely redone to display to best advantage this first showing from a private American collection ever held there. Red brocades were hung on the walls, the ceiling lights were softened with white cloth and the interior was rearranged into a series of rooms that lead to a "boutique" at one end, where jewelry and smaller pieces are being shown in illuminated glass showcases.

On display are paintings by Renoir, Matisse, Van Gogh, Cezanne, Bonnard, Gauguin, Seurat and Modigliani. There is Rembrandt's portrait of Gerard de Lairesse, Botticelli's The Annunciation and El Greco's St. Jerome as a Cardinal.

The collection was begun by the late Philip Lehman and continued by his son, Robert, who is senior partner of Lehman Bros. and president of the Lehman Corp. Much of it was brought to Paris at the invitation of George Salles, director of French museums, who saw many of the major items in New York when they went on public display there for the first time 3 years ago.

In addition to paintings, an unrivaled collection of drawings is on exhibit at the Orangerie. It ranges from Pisanello through Durer and Fragonard to the moderns. There are works by Goya, Ingres, Degas, and Rubens, among many others.

Notable examples of 15th and 16th century majolica are included. There also is a large collection of Renaissance and baroque jewelry, as well as bronzes, snuffboxes, book bindings, aquamanalia, Limoges enamels, and Renaissance furniture.

[From the New York Times of May 27, 1957]

LOUVRE TO SHOW UNITED STATES COLLECTION—WORKS OWNED BY LEHMAN, NEW YORK BANKER, WILL GO ON DISPLAY IN PARIS SOON

PARIS, May 26.—What is said to be the largest and most valuable private art collection ever sent from the United States to Europe will go on view here June 4.

The art treasures, from the Lehman collection, will comprise the summer show at the Orangerie, just off the Place de la Concorde, where the Louvre holds its special exhibits. The collection, sent here at the invitation of George Salles, director of French museums, is the first single American collection to be shown at the Orangerie.

Robert Lehman, senior partner of Lehman Bros., New York investment banking house, owns the collection. Mr. Lehman, who added to works originally assembled by his father, the late Philip Lehman, is in Paris for the opening.

More than 325 pieces will be on display. They were selected from the full collection in New York by representatives of the Louvre for their special interest to the French public. Officials declined to reveal the value of the works.

The showing here will probably include 80 paintings, 77 drawings, 38 illuminations and 141 other miscellaneous art works, among them, Renaissance Italian pottery, baroque and Renaissance jewelry, some bronzes, goldsmith work, tapestries and a few pieces of Renaissance furniture.

The paintings and drawings in the collection represent a wide variety, from old masters to modern French. They were selected from Mr. Lehman's house, apartment and office in New York. Some also were picked from the works now on loan at the Metropolitan Museum of Art in New York.

Visitors to the Orangerie will see on display such famous paintings as The Legend of Saint Eligius by the Flemish artist Petrus Christus; The Annunciation by Botticelli; the portrait of Countess Altamira and her daughter by Goya, and St. Jerome as a Cardinal by El Greco.

[From the New York Herald Tribune (Paris) of May 28, 1957]

LEHMAN ART COLLECTION ON SHOW IN PARIS JUNE 5

(By Frank Kelley)

More than 300 works of art selected from the internationally famous collection belonging to Robert Lehman, New York investment banker, will be exhibited in Paris at the Orangerie, in the Tuileries Garden, beginning June 5.

Included are 80 paintings, 77 drawings, 38 illuminations and 141 miscellaneous art objects conservatively valued by Louvre experts at more than $20 million.

The Orangerie has been completely redone to display to best advantage this first showing from a private American collection ever held there.

Red brocades have been hung on the walls, the ceiling lights have been softened with white cloth and the interior has been rearranged into a series of rooms that lead to a boutique at one end, where jewelry and smaller pieces will be shown in illuminated glass showcases.

Mr. and Mrs. Lehman have been hard at work with Louvre officials for the last week arranging the display. Some of the Lehmans' furniture was shipped especially from New York to display paintings and other works to best advantage.

A press preview will be held June 3. The formal vernissage is set for the following day, and June 5 it will be opened to the public until mid-September.

Included are paintings by Renoir, Matisse, Van Gogh, Cezanne, Bonnard, Gauguin, Seurat, and Modigliani. There is Rembrandt's portrait of Gerard de Lairesse, Botticelli's The Annunciation, and El Greco's Saint Jerome as a Cardinal.

The collection was assembled by the late Philip Lehman and by his son, Robert Lehman, who is president of the 107-year-old New York banking house of Lehman Bros. and also is head of the Lehman Corp.

PICKED BY LOUVRE

Much of it has been brought to Paris at the invitation of George Salles, director of French museums, who saw many major items at the Metropolitan Museum in New York when they went on public display for the first time nearly 3 years ago.

Louvre representatives selected the items they believed of most interest to the public here.

Mr. Lehman said he considered it a great compliment to have been invited by France to send the works and added: "Having been a constant visitor to France for many years, I felt that this invitation would give me the opportunity of showing my gratitude in some small way for the great enjoyment my family and I have derived from the museums and homes of France."

In addition to paintings, an unrivaled collection of drawings will be seen. It ranges from Pisanello through Durer and Fragonard to the moderns. There are works by Goya, Ingres, Degas and Rubens, among many others.

[From Newsweek of June 3, 1957]

ROUNDABOUT TO PARIS

An American collection hung in the Louvre this week for the first time in history. It was not, however, an exhibition of American paintings, but mainly of European art, back on the Continent for the first time since its purchase by Americans. The show, assembled from the collection of the Lehman family, which numbers more than 1,000 works, is the biggest private collection ever sent to Europe. It made the trip without any official United States sponsorship and will remain abroad until mid-September.

The late New York banker Philip Lehman started acquiring art a few years before the First World War, and his son, Robert, now

president of the investment banking house of Lehman Bros., became quite as devoted a collector as his father. What father and son accumulated is now one of the world's most valuable private collections. Its most important items were publicly shown for the first time at the Metropolitan Museum of Art 3 years ago, and on that occasion were seen and admired by France's director of public museums, George Salles. The exhibition which opened at the Louvre this week is an outgrowth of that experience. Salles later invited Lehman to exhibit. Lehman accepted, and Louvre representatives in time came to New York to make their choices. They were given a free hand, and took their material from the Lehman family's former midtown house (which holds most of the collection) as well as from Robert Lehman's Park Avenue apartment and his office.

Gratitude: The result is a show of paintings, drawings, and miscellaneous treasures with a total value estimated at $14 million. On display are 300 items, including 80 paintings and 77 drawings. Among those present: Botticelli, Holbein the Younger, Rembrandt, Cranach, Rubens, Tintoretto, El Greco, Goya, Renoir, Degas, Seurat, Van Gogh, Gauguin, Matisse, and Modigliani. The items were selected chiefly on the basis of what would be of greatest interest to the Parisians. Collector Lehman has a special interest in modern French paintings, but comparatively few are in the show; modern French citizens are, after all, pretty familiar with their painters.

The exhibition, says Lehman, is to a certain extent an expression of his "gratitude for the great enjoyment my family and I have derived from the museums and homes of France" and also of his confidence in world stability.

CERTIFICATION FOR CERTAIN AIR CARRIERS OPERATING BETWEEN THE UNITED STATES AND ALASKA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 438, Senate bill 1873.

The VICE PRESIDENT. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 1873) to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1873) to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska, which had been reported from the Committee on Interstate and Foreign Commerce, with amendments.

Mr. JOHNSON of Texas. Mr. President, it is not my purpose to have the Senate proceed further with this measure tonight.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL GRANTS-IN-AID TO STATES AND PAYMENTS TO INDIVIDUALS (S. REPT. NO. 442)

Mr. BYRD. Mr. President, pursuant to section 601 of the Revenue Act of 1941 (55 Stat. 726), as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report entitled "Federal Grants-in-Aid to States and Payments to Individuals," which I ask to have printed.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Virginia.

ADDITIONAL EXECUTIVE REPORT OF A COMMITTEE

By unanimous consent the following additional executive report of a committee was submitted, as in executive session:

By Mr. GREEN, from the Committee on Foreign Relations:

Executive I, 85th Congress, 1st session, the statute of the International Atomic Energy Agency: with an interpretation and understanding (Ex. Rept. No. 3).

PRINTING OF REVIEW OF REPORTS ON BELLINGHAM HARBOR, WASH. (S. DOC. NO. 46)

Mr. CHAVEZ. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated April 18, 1957, from the Chief of Engineers, United States Army, together with accompanying papers and an illustration, on a review of reports on Bellingham Harbor, Wash., requested by a resolution of the Committee on Public Works of July 24, 1953. I ask unanimous consent that the report be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL RECORD MATTER

By Mr. MUNDT:

Address delivered by him at the Elk Flag Day Celebration at Constitution Hall on June 14, 1957.

LEGISLATIVE PROGRAM — ADJOURNMENT TO MONDAY AT 11 A. M.

Mr. JOHNSON of Texas. Mr. President, as I understand, under the order previously entered, on Monday the Senate will convene at 11 a. m., as in executive session. Is that correct?

The VICE PRESIDENT. That is correct.

Mr. JOHNSON of Texas. Then, Mr. President, pursuant to the order previously entered, I move that the Senate stand in adjournment until Monday.

The motion was agreed to; and (at 11 o'clock and 1 minute p. m.) the Senate adjourned, the adjournment being, under the order previously entered, to Monday, June 17, 1957, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 14, 1957:

DIPLOMATIC AND FOREIGN SERVICE

Val Peterson, of Nebraska, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

UNITED STATES ATTORNEY

James Major Baley, Jr., of North Carolina, to be United States attorney for the western district of North Carolina for a term of 4 years. He is now serving in this office under an appointment which expired June 9, 1957.

UNITED STATES MARSHALS

Roy A. Harmon, of North Carolina, to be United States marshal for the western district of North Carolina for a term of 4 years. He is now serving in this office under an appointment which expires July 17, 1957.

Thomas J. Lunney, of New York, to be United States marshal for the southern district of New York for a term of 4 years. He is now serving in this office under an appointment which expires July 17, 1957.

Albina R. Cermak, of Cleveland, Ohio, to be collector of customs in customs collection district No. 41, with headquarters at Cleveland, Ohio. Reappointment.

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

To be captains

Franklin R. Gossett
Ernest B. Lewey
John C. Mathisson

To be lieutenant commanders

Harley D. Nygren
Hubert W. Keith, Jr.

To be lieutenant

Howard A. Garcia

To be lieutenants (junior grade)

J. Frank May, Jr.
John H. Bennett

To be ensigns

Gerald D. Bradford — John J. Vlastelicia, Jr.
Morris J. Rothenberg — Gene A. Weir

FEDERAL CIVIL DEFENSE ADMINISTRATION

Leo Arthur Hoegh, of Iowa, to be Federal Civil Defense Administrator, vice Val Peterson, resigned.

FARM CREDIT ADMINISTRATION

The following-named persons to be members of the Federal Farm Credit Board, Farm Credit Administration, for terms expiring March 31, 1963:

Marshall H. Edwards, of Florida. (Reappointment.)

George W. Lightburn, of Oklahoma, vice H. W. Clutter, term expired.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of colonel:

Jino J. D'Alessandro	James B. Moore
Melvin D. Henderson	Louis L. Frank
Elliott B. Robertson	Thomas V. Murto, Jr.
George F. Gober	Frank H. Collins
John D. Howard	Howard E. King
Cecil W. Shuler	Walte W. Worden
Glenn R. Long	James R. Anderson
Samuel D. Mandeville, Jr.	Harold S. Roise
	James R. Christensen
William G. Thrash	Randall L. Stallings
Louis Metzger	Roger C. Power, Jr.
Luther R. Seibert	Robert D. Heinl, Jr.
Wendell H. Best	Robert C. McDonough
John I. Williamson, Jr.	Richard D. Strickler
Robert S. Riddell	James W. Keene
George T. Fowler	John F. Kinney
Warner T. Bigger	Francis W. Benson
Charles A. Rigaud	George R. Stallings
Roger S. Bruford	William J. McKennan
Edwin C. Godbold	Claude S. Sanders, Jr.
Warren P. Baker	Walter H. Stephens
James Taul	Clarence R. Schwenke
Homer E. Hire	John P. Mallard
Richard Quigley	George B. Thomas
Royce W. Coln	John E. Rentsch
Alfred T. Greene	Charles T. Hodges
Wayne M. Cargill	Kenneth H. Black
Homer G. Hutchinson, Jr.	Howard I. Dunlap
Allen H. Anderson	Nicholas P. Lengyel
Elkin S. Dew	Dewey D. Raynor
Erwin F. Wann, Jr.	Wilson D. Haigler
Otis V. Calhoun, Jr.	John C. McClelland, Jr.
Talbott F. Collins	William O. Adams
John H. Partridge	Stephen K. Pawloski
Frederick J. Karch	Henry M. Turner
Lawrence F. Fox	Robert W. Wilson
Horace H. Figuers	Norman D. Glenn
Joseph S. Skoczylas	Henry A. McCartney
John W. A. Antonelli	Lynn N. Kelso
George W. Herring	Clyde H. Davis, Jr.
David C. Wolfe	Richard E. French
	Philip E. Booth
	Thomas J. Matthews
	Stanley V. Titterud
	George E. Farrell
	Edmond P. Hartsock
	Howard J. Finn
	William A. Weir
	Frank H. Simonds
	Charles R. Metzelaars
	Winfred O. Reid
	Reinhardt Leu
	John F. Bolt
	John B. Piper
	Eugene S. Roane, Jr.
	Richard B. Elliott
	Robert T. Moore, Jr.
	William D. Regan
	John F. Paul
	William L. Eubank
	Lawrence F. Snoddy, Jr.
	Carl T. McLean
	David H. Simmons
	William R. Bennett
	Hartwell V. Scarborough, Jr.
	Marshall R. Tutton
	Samuel A. Hannah
	David E. Wiley
	Andrew M. Zimmer
	Alaric W. Valentin
	Raymond L. Abel
	John R. Stevens
	Frederick W. Barnes
	William Geftman
	Clarence L. Zeiger, Jr.
	James Antink
	Warren H. Simpson
	Lawrence R. Cloern
	Harry E. Dickinson
	William J. Kohler
	Donald G. Saunders
	James A. Apffel
	James E. Garner
	James R. Stockman
	William J. Sullivan
	Orlando S. Tosdal
	Donald T. Olson
	Floyd C. Haxton
	Richard W. Johnson
	William W. Wander, Jr.

William C. Humberd	Homer G. Hutchinson, Jr.	Ernest L. Engelkes	Daniel Greene	Riley E. Cruse	John R. Bradley
Robert R. Burns	Allen H. Anderson	Ernest R. Doyle, Jr.	Thomas R. Egan	Richard I. Sudhoff	Richard S. Hartman
Marion E. Carl	Elkin S. Dew	Joe B. Stribling	Charles E. Street, Jr.	Hillmer F. Deatley	Raymond B. Ingrando
Charles W. Somers, Jr.	Erwin F. Wann, Jr.	Nicholas M. Seminoff	Donald H. Foss	John J. Unterkofler	Frank G. Perrin
Arthur H. Adams	Otis V. Calhoun, Jr.	Donald H. Campbell	Cecil B. Lafayette	Thomas V. A. Wornham	Richard W. Smith
Angus M. Fraser	Talbott F. Collins	Robert H. Cook	George D. Kew		Charles W. Tonnacliff
Robert Hall	John H. Partridge	Robert J. Craig	James T. Cronin	Haig Donabedian	Harold E. McKinney
Donald J. Robinson	Frederick J. Karch	Cloyd V. Hines	Lawrence C. Norton	John G. Word	William F. Hohmann
Alfred M. Mahoney	Lawrence F. Fox	James W. Luther	Poul F. Pedersen	David D. Francis	William A. McMahon
Erik W. Ritzau	Horace H. Figuers	Marshall S. Campbell	Harold L. Haley	Charles H. Cullum	Phillip E. Megna
John C. Brewer	Joseph S. Skoczylas	Victor E. Johnson, Jr.	George H. Green, Jr.	Frederick E. Grube	Duncan D. Chaplin III
James M. Watkins, Jr.	John W. A. Antonelli	Dewey F. Durnford, Jr.	Thirl D. Johnson	John H. Cobb, Jr.	Charles L. McElheny
William E. Clasen	George W. Herring	Noble L. Beck	Russell A. Davidson	Garrett J. Fitzgerald	William Banta
J. Frank Cole	David C. Wolfe	Leroy V. Corbett	Roy B. Whitlock	Richard M. Wadsworth	Charles R. Casey
		Clyde P. Guy	James R. Johnson		Stuart T. Clark
The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel:		Henry A. Checklou	Donald G. Prier	Henry J. Conlin	James D. Bailey
		Leslie L. Davenport	Ernest E. Poor	Robert E. B. Palmer	Paul C. Mogensen
Herbert A. Peters	Howard I. Dunlap	James P. Bruce	James L. Dumas	Broman C. Stinemetz	Frederick F. Mallard
Fred F. Harbin	Nicholas P. Lengyel	Clyde B. Shropshire	Coleman C. Jones	Kenyon J. Frazier	Jerome W. Stranahan
John V. Downs	Dewey D. Raynor	John D. Cotton	Roger C. Lawson	Robert W. Howland	Dean H. Morley
Edward L. Roberts	Wilson D. Haigler	Robert W. Minick	Harry P. Abbott	Lavern W. Larson	William R. Maloney
Walter Gall	John C. McClelland, Jr.	Anthony Edwards	Jack A. Adam	Robert L. Christian, Jr.	Paul L. Siegmund
Thomas D. Stockwell, Jr.	William O. Adams	Lud R. Tucker	John V. Hanes		Merton J. Batchelder, Jr.
Henry M. Bourgeois	Stephen K. Pawloski	William H. Kellogg	William M. Crooks	Rowland M. Murphy	William R. Beeler
Fred J. Gilhuly	Henry M. Turner	Marion H. Deckard	James R. Coltrane	William H. Thousand	Gilbert C. Hazard
Henry P. Huff	Robert W. Wilson	Charles H. Ludden	Joseph S. Heitzler	Robert Schueler	James B. McMath
John E. Worlund	Norman D. Glenn	Lawrence McGlade	Arthur T. Hill	Eric B. Parker	Paul A. Shrader
John N. Swartley	Henry A. McCartney	John P. Flynn, Jr.	Richard H. Fairchild	Frederick H. Kruck	Joseph T. Smith
Marshall C. Gregory	Lynn N. Kelso	Stanley B. Voth	Wilbourn Waller	John L. Woods	Raymond F. Schramel
Herbert E. L. Zastrow	Clyde H. Davis, Jr.	John Padach, Jr.	Edward A. Koster	John J. Donahue	John R. Love
Thomas L. Randall	Richard E. French	Thomas G. Elder	Eldon C. Stanton	Richard P. Johnson	Herbert M. Hart
Joseph S. Gardner	Philip E. Booth	Harold V. Deering	Thomas A. James	Lee C. Reece	William A. Lawrence
Robert G. McMaster	Thomas J. Matthews	Eugene T. Card	Leo R. Jillisky	Hiram B. Crosby III	Donald P. Young
Herman Poggemeyer, Jr.	Stanley V. Titterud	Calvin Wall	Howard Wolf	Ralph Thuesen	Thomas J. Culkin
	George E. Farrell	Wesley C. Blake	Arthur F. Shupe	Philip N. Frazier	Marc A. Moore
Allen C. Hendley	Edmond P. Hartsock	Charles A. Broudy	Eugene M. Oster	Val R. McClure	John J. Grace
Robert H. Twisdale	Howard J. Finn	William W. Bryant	James R. Jones	Donald E. Newton	Fred D. MacLean, Jr.
Robert B. Laing	William A. Weir	Allen L. Phillips	Jack K. Knocke	Robert P. Chaney	John J. P. Reddy
John W. Bowman	Frank H. Simonds	Warren E. McCain	Ralph F. Estey	Stephen G. Olmstead	Philip J. Dooley
Richard L. Sullivan	Charles R. Metzelaars	Grover S. Stewart, Jr.	Byron J. Melancon	John L. Coffman	Tom G. McCreless, Jr.
George W. McHenry, Jr.	Winfred O. Reid	Herschel G. Connell	Clarence M. Hurst	Robert C. V. Hughes	Robert E. Harris
	Reinhardt Leu	Curtis D. Jernigan	Rex A. White	Richard C. Marsh	Robert J. Millie
Angus J. Cronin	John F. Bolt	Willard C. Olsen	Max F. Brumfield	Elvyn E. Hagedorn	Robert M. Searles
William C. Chip	John B. Piper	Harry B. Stuckey	Joseph O. Compton, Jr.	Thomas R. Kelly	Thomas C. Fields
Joseph F. Donahoe, Jr.	Eugene S. Roane, Jr.	Rex A. Deasy	Patrick D. Boyle	Malcolm S. Jolley	Robert A. Fuller
Morris R. Snead	Richard B. Elliott	Robert N. Welch	Arthur W. Latta, Jr.	Gerard E. Lawler	David B. Barker
Ralph H. Spanjer	Robert T. Moore, Jr.	Dean Caswell	Fred F. Eubanks, Jr.	Dallas P. Brewton	Thomas E. Mattimoe
Harold A. Langstaff, Jr.	William D. Regan	Harold R. Foltz	Adlin P. Daigle	Billy R. Standley	Robert E. Haebel
	John F. Paul	John B. Mason	James W. Robinson	Carroll T. Deal	Pat Morgan
Arthur R. Boag	William L. Eubank	Danny W. Johnson	Francis K. Tomlinson, Jr.	Peter A. Wickwire	Harry U. Carpenter
Ernest P. Freeman, Jr.	Lawrence F. Snoddy, Jr.	Murray V. Harlan, Jr.		Howard P. Robinson	Albert L. Yunko, Jr.
Stanley S. Hughes	Carl T. McLean	William H. Mulvey	George Kuprash	John E. Dornan	Harold E. Cottrell
Robert E. Kelly	David H. Simmons	Robert S. Robertson	Frank S. Crawford	John W. Clayborne	Tullis J. Woodham, Jr.
William N. Case	William R. Bennett	John H. Cavalero	James Leon	Dale N. Davis	Charles T. Williamson
Charles W. Korf	Hartwell V. Scarborough, Jr.	Walter Panchision	Ted J. Foster	William C. Holmberg	John C. Cawthron, Jr.
John E. Hays	Marshall R. Tutton	James M. McGee	William D. Watson	Edward H. Utley	Charles B. Webster
Archie D. Simpson	Samuel A. Hannah	Marshall S. Austin	Donald H. Edwards	Vincente T. Blaz	Speros D. Thomaidis
Richard M. Cook	David E. Wiley	Chester J. Poppa	Ray Connelly	Richard A. Pape	Branch Jordan
John H. Carroll	Andrew M. Zimmer	Lewis C. Street III	Kenneth G. Hadcock	Samuel P. Berzon	Donald R. Navorska
Robert G. Fritch	Alaric W. Valentin	Leo J. Corboy, Jr.	Nelson E. Brown	Ben C. Rowe	Joseph F. Inman
Eugene P. Claude	Raymond L. Abel	Glenn L. Ferguson, Jr.	Lloyd F. Childers	Charles E. Nicholas	Brooke F. Read, Jr.
John Lowman, Jr.	John R. Stevens	William J. Long	James W. Smith	Frank S. Cannon	Donald E. McQuinn
John M. Kusiak	Frederick W. Barnes	Joe B. Henson	Billie E. Loos	Gerald C. Thomas, Jr.	Stanley J. Loferski
John K. Hogan	William Geftman	James R. Weaver	John Browne	William E. Hutchison	Robert J. Hurley
George E. Wasson	Clarence L. Zeiger, Jr.	Clarence H. Pritchett	John P. Baden	Chester T. Jones	Frank J. Murray
Percy F. Avant, Jr.	James Antink	William L. Walker	Herman L. Mixson	David E. Jones, Jr.	Ronald M. Proudfoot
Jefferson D. Smith, Jr.	Warren H. Simpson	Thomas O. Weghorst	William G. Carter	Robert G. Riddle	Edward B. McDonald
John I. Loy	Lawrence R. Cloern	Floyd H. Butler, Jr.	Gerald C. Armstrong	Jack E. Dausman	James H. Landers
Frank C. Caldwell	Harry E. Dickinson	Richard H. Bushnell	George L. Davis, Jr.	William B. Duncan	Gary L. Yundt
John A. Conway	William J. Kohler	Douglas D. Petty, Jr.	Breen G. Lanaford	William P. Heim	William P. T. Hill, Jr.
David W. Thomson	Donald G. Saunders	Wayne H. Hoereth	Richard P. Greene	Joseph P. Goodson	Richard E. Hawes, Jr.
Harry V. Leasure	James A. Apffel	James H. Berge, Jr.	William G. Joslyn	John P. O'Mara	Robert E. Eidson
David W. McFarland	James E. Garner	James M. Weidner		Leonard E. Wood	Thomas C. Edwards
John J. Jarvis, Jr.	James R. Stockman			Landon W. Parker	Guy C. Packard
Robert B. Prescott	William J. Sullivan	The following-named officers of the Marine Corps for permanent appointment to the grade of captain:		James P. Connolly II	Samuel M. Morrow
Maynard W. Schmidt	Orlando S. Tosdal			Donald L. Sellers	Thomas G. Davis
Carl E. Walker	Donald T. Olson			Francis G. Balderston	James B. Vanairsdale
John L. Tobin	Floyd C. Haxton			Hugh R. Bumpas, Jr.	David J. Maysilles
Michael Mosteller	Richard W. Johnson			Drew I. Matthews	Milton D. Drummond, Jr.
Frank E. Sullivan	William W. Wander, Jr.	Jack G. Woolery	Charles Fimian	John R. Collin	
Robert E. Baldwin		Donald H. Hildebrand	Jack W. Cain	Cowles Andrus, Jr.	
Horace W. Card, Jr.		William H. Stoetzer	Richard B. Twohey	Richard B. Taber	Bernard J. Ypelaar
Charles S. Rumbold		Edward R. Mahoney	James Everett, Jr.	Charles D. Roberts, Jr.	Eugene R. Howard, Jr.
		William O. Butler	William C. Simanikas	Bernard E. Trainor	Harry E. Atkinson
The following-named officers of the Marine Corps for permanent appointment to the grade of major:		Edward Z. Grabowski	Thomas C. Smith	Charles G. Boicey	Victor G. Fortin
		Joseph A. Swartz, Jr.	Walter F. Glowicki	Richard C. Stockton	Richard E. Wray III
		Lester E. Bazinet	Karl E. Moore	Robert R. Meeker, Jr.	William G. Bates
Robert N. Losse	Robert Wade	Charles M. Chidester	William S. Daniels	Vernon L. Sylvester	Warren P. Kitterman
Dwain Wise	William A. Lutnick	Theodore H. Watson	William R. Kephart	Edward K. Maxwell	Roderick M. Stewart
Charles C. Ward	Owen V. Gallentine	Louis Z. Siawter, Jr.	Lowell R. Burnette, Jr.	Maurice B. Lynch	John D. Baylor
		Joseph D. Jackson	John W. Parchen	William L. Buergey	Jerry P. Chene
		Bernard J. Mulligan	Richard K. Jones	Lewis H. Abrams	Frederick R. Bowie
		John B. Carr, Jr.	Dale E. Shatzer		
		Charles G. Little	John G. Metz		

Paul H. Westenberger
William R. Rice
Frank J. Mulholland
William P. Gorski
Kent D. Hollen
Oliver W. Van Den Berg, Jr.
Jack D. Rowley
Eugene A. Silverthorn
Richard L. Anderton
Martin E. Farmer
Thomas F. Qualls
William H. Rice
William D. Shippen
David B. Hayes
James L. Black, Jr.
Chester J. Stanaro
Walter H. Kelly, Jr.
William F. Farley
Albert M. Deselle
Robert D. Rosecrans
Cederic C. Gifford
Wilbur W. Dinegar
Paul E. Pearson
Clarence E. Hogan
George H. Gentry, Jr.
Clark R. Wozencraft
Peter L. Hilgartner
Thomas R. Stuart
Daniel K. Macklin
Ronald G. Lutako
Thomas A. McPheeters
Robert E. Benson
Robert W. Dyer
Oswald O. Paredes
William M. Kull
James R. Quisenberry
Henry T. Cook
Thomas B. Epps, Sr.
Henry L. Harmon
John E. Fahey
Alfred J. Croft, Jr.
Jack L. Norman
Jacob H. Duran
Orville L. Mitchell, Jr.
Cecil E. Woodcock, Jr.
John J. Peeler
Albert R. Bowman II
Richard L. Etter
Dudley N. Kyle
Robert A. Elder
James B. Wilkinson
Harold B. Roth, Jr.
John J. Keefe
Clarence E. Watson, Jr
Carl W. Skaugen
David H. Tinius
William Netka
Theodore J. Willis
George G. Long
Joseph V. Manis, Jr.
Philip A. E. Leigh
Robert O. Barnes
Charles R. Swilley, Jr.
Thomas M. Kauffman
Ernest H. Graham
James F. Mahoney
George Hubbard
David S. Tolle
John J. Walsh, Jr.
Jack W. King
Max McQuown
Paul R. Hunter
Glenn A. Stephens
Robert F. Ritchie III
William E. Wilson, Jr.
Charles F. Jones
John Havlik
Frank Diello, Jr.
Lewis C. Habash
Thomas E. McNally
Stanley H. Rauh
Charles E. Pangburn
Larry R. Van Deusen
Ernest C. Brace
Horace A. Bruce
Kyle W. Townsend
Bobby R. Wilkinson
William H. Heintz
William J. Longshaw
Billy D. Bouldin
Darold D. Parrish
Louis A. Gulling
John D. Shoup
John Colia
Carroll R. Vorgang
James W. Quinn
Frank D. Topley
Michael E. Spiro
William A. Scott, Jr.
Richard E. Hemmingway
Donald K. Cliff
James B. Ryckman
David A. Clark
Harry H. Holmberg
Emil W. Herich
Maurice H. Ivins, Jr.
Morgan W. West
William J. Livingston
Walter W. Grant
Richard A. Mueller
Charles C. Chisholm, Jr.
Rondell K. Wood
Lawrence R. Seamon
Lawrence F. Sullivan
Herbert G. Fischer
William C. Drumright
Richard L. Woodruff
Roy L. Doering
James W. Hanker
Harlan C. Chase
Bruce G. Brown
Anthony G. Waite
Charles R. Poppe, Jr.
Benjamin B. Skinner
Roy E. Moss
Nell A. Nelson
Walter F. Rogers
William M. Cryan
Duane W. Chisman
Robert C. Rice
Robert J. Keller
Donald G. Robison
Roy A. Seaver
Joseph F. Paratore
James L. Richard
Charles N. Dezer III
Harold R. Anker
Henry J. Huntzinger
William C. Britt
James K. Coody
William F. Sheehan
Kenneth C. Garner
Wylie W. Taylor, Jr.
Charles P. Cresswell
Cecil J. Bennett
Delos M. Hopkins
William L. Robbins
Willard J. Suits, Jr.
George L. Bruser
Max J. Hochenauer
Vonda Weaver
William R. Hutchisson
Lytton E. Bulwer, Jr.
John B. Richards IV
Edward B. Corrigan
Raymond J. Start

WITHDRAWAL

Executive nomination withdrawn from the Senate June 14, 1957:

POSTMASTER

Charles A. McDonald, at Galesburg, Ill.

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 14, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, who art the strength and support of heroic souls in every generation, we beseech Thee to give us a clearer vision of Thyself, a presence to inspire and guide us, a light to cheer and encourage us.

Grant that we may be more acutely sensitive and more eagerly responsive to Thy voice of wisdom and counsel as we face difficult decisions.

Thou art the wisest of all counselors, the nearest of all companions, and the ablest and most willing to help in finding a just and righteous solution to all our problems.

Deepen within us the confidence and the conviction that the time is coming when men everywhere shall clasp hands in friendship and brotherhood.

In Christ's name we offer our prayer. Amen.

The Journal of the proceedings of yesterday was read and approved.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1958

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. RABAUT, PASSMAN, NATCHER, CANNON, WILSON of Indiana, JAMES, and TABER.

AMENDMENT OF ATOMIC ENERGY ACT

Mr. DURHAM. Mr. Speaker, I ask unanimous consent to have until midnight tonight to file a report on the bill (H. R. 7992) to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

CALL OF THE HOUSE

Mr. COLMER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 109]

Bailey	Gubser	Porter
Barden	Gwinn	Powell
Beamer	Holtzman	Sadlak
Blatnik	Kluczynski	Simpson, Ill.
Blitch	Lesinski	Smith, Calif.
Bowler	McConnell	Springer
Dawson, Ill.	Machrowicz	Teague, Calif.
Diggs	Miller, Md.	Walter
Dooley		

The SPEAKER. On this rollcall 408 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HOUSING ACT OF 1957

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. SPENCE, BROWN of Georgia, PATMAN, RAINS, TALLE, KILBURN, and McDONOUGH.

CIVIL RIGHTS

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6127, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the Clerk had read through section 104 of the bill. If there are no further amendments to this section, the Clerk will read.

Mr. CELLER. Mr. Chairman, I rise to present a unanimous consent request.

Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and that it be open to amendment at any point in the bill.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. SMITH of Virginia. Reserving the right to object, Mr. Chairman, and I do not expect to object, I should like to know and I am sure the Members of the House should like to know what latitude we are going to permit in the matter of discussion of some important amendments that are yet to follow. I am wondering what the gentleman from New York has in mind with respect to that question.

I have special reference to the jury-trial amendment, on which I am sure the House will want several hours of debate. I also have in mind the amendment related to States rights, the exhaustion of remedies, which it seems to me is of considerable importance. I also have reference to a further amendment which I mentioned in the first day's debate, that is, an amendment to that provision which gives to the Attorney General arbitrary power to give relief or withhold it in any individual case.

Those three amendments seem to me of vital importance to the House and to the country, and I am in hopes that the gentleman from New York, and I am sure he will, will agree to liberal debate so that Members may have the opportunity to address themselves to those questions.

Mr. BROOKS of Louisiana. If the gentleman will yield, I also have an amendment which I certainly want carefully considered before it is disposed of.

Mr. CELLER. In answer to the gentleman from Virginia, I wish to state that I have no disposition in any wise to cut off debate on an important issue like the jury trial, or the exhaustion of State remedies, or the power of the Attorney General, as indicated by the gentleman from Virginia, but I wonder whether we could not nonetheless agree that, aside from those amendments, on all other amendments there be very brief debate, say of 20 minutes, or 30 minutes at the most, to be divided equally on either side.

Mr. SMITH of Virginia. That sounds pretty reasonable to me, but I still insist on these very important amendments there ought to be ample time for Members who want to speak.

Mr. CELLER. Would the gentleman take my assurance that I would not seek to invoke cloture? I would enter into a so-called gentlemans' agreement with him not to hurt him or hurt his cause in any way.

Mr. SMITH of Virginia. The gentleman's suggestion is entirely satisfactory to me.

Mr. MASON. Mr. Chairman, reserving the right to object, I simply want to say that while I do not want to curtail debate on these important amendments, maybe 10, 15, or 20 people will want to speak on them, but I do feel that we have listened long enough on this and I will curtail each person to 5 minutes.

Mr. SMITH of Virginia. I would hope that the gentleman would permit reasonable exceptions to that.

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. Mr. Chairman, do I understand the request of the gentleman from New York to be that the bill be considered as read and be open to amendment at any point?

The CHAIRMAN. That is correct.

Is there objection to the request of the gentleman from New York?

There was no objection.

The remainder of the bill is as follows:

Powers of the Commission

SEC. 105. (a) Within the limitations of its appropriations, the Commission may appoint a full-time staff director and such other personnel as it deems advisable, in accordance with the civil-service and classification laws, and may procure services as authorized by section 15 of the act of August 2, 1946 (60 Stat. 810; 5 U. S. C. 55a), but at rates for individuals not in excess of $50 per diem.

(b) The Commission may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission (or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12). Not more than 15 persons as authorized by this subsection shall be utilized at any one time.

(c) The Commission may constitute such advisory committees and may consult with governors, attorneys general, and other representatives of State and local governments, and private organizations, as it deems advisable.

(d) Members of the Commission, voluntary and uncompensated personnel whose services are accepted pursuant to subsection (b) of this section, and members of advisory committees constituted pursuant to subsection (c) of this section, shall be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U. S. C. 99).

(e) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

(f) The Commission, or on the authorization of the Commission any subcommittee of two or more members, at least one of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such chairman.

(g) In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Appropriations

SEC. 106. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this act.

PART II—TO PROVIDE FOR AN ADDITIONAL ASSISTANT ATTORNEY GENERAL

SEC. 111. There shall be in the Department of Justice one additional Assistant Attorney General, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall assist the Attorney General in the performance of his duties, and who shall receive compensation at the rate prescribed by law for other Assistant Attorneys General.

PART III—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "Fourth" and "Fifth" and to read as follows:

"Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs First, Second, or Third, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 122. Section 1343 of title 28, United States Code, is amended as follows:

(a) Amend the catch line of said section to read,

"§ 1343. Civil rights and elective franchise"

(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

(c) Add a paragraph as follows:

"(4) To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote."

PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

(a) Amend the catch line of said section to read, "Voting rights."

(b) Designate its present text with the subsection symbol "(a)."

(c) Add, immediately following the present text, three new subsections to read as follows:

"(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right of privilege secured by subsection (a) of (b), the Attorney General

may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 141. This act may be cited as the "Civil Rights Act of 1957."

Mr. GARY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the right of trial by jury is deeply rooted in the history of democratic government. It is a concept which goes back to Biblical times, but in the experience of the English-speaking peoples, the great milestones are considered to be the Magna Carta and the Constitution of the United States.

I hold in my hand a photostat of a copy of the Magna Carta which has come down from the 13th century. It was at Runnymede in 1215 that King John was forced to sign the first charter guaranteeing certain rights to the people. In 1297, King Edward I, in confirming the provisions of the Magna Carta, sent a copy to each of the area rulers and bishops in England. The copy sent to the Duke of Lancaster was the first to be recorded in the state rolls of England and therefore the first to have official standing. It has been graciously loaned to us by the British Government, and is now on display at Jamestown, where this year we are celebrating the 350th anniversary of the establishment of the first permanent English settlement of the new world with a magnificent array of exhibits which all Americans should see.

Translated from the Latin of the Magna Carta we find the stirring phrase "nor condemn him but by lawful judgment of his peers."

The right of trial by jury, of course, has since been set forth and developed, in both law and practice, in much more specific fashion. The Magna Carta was the first great written guaranty of it in Anglo-Saxon jurisprudence. The colonists brought the trial by jury concept of justice to Jamestown in 1607 almost 400 years later.

We have since built upon it, rather than undermined it, as this bill would do today. Our colonial declaration of rights of 1765 said that—

Trial by jury is the inherent and invaluable right of every British subject in these Colonies.

In 1776 the Declaration of Independence cried out against the actions of the King depriving us in many cases of the benefits of trial by jury. The guaranty of this great bulwark of the liberty of the individual was then written into the Constitution of the United States.

Mr. Chairman, the Members of this House have heard, in recent days, some of the most brilliant and compelling legal arguments that have ever been set forth in this Congress, in support of an amendment which would guarantee trial by jury to persons who may be brought before the courts on charges arising out of the enactment of the bill before us. I am opposed to the bill in any form, of course, because I believe that our State and local governments are the proper guardians of our civil rights, and I resent Federal interference in this field. As I have said before, I consider that the enactment of this bill will produce many more wrongs than it will protect rights. For this reason, I have generally referred to it as the "civil wrongs bill." But, Mr. Speaker, if it is to be the will of this House to enact legislation under this title, we must at least improve it by inserting a guaranty for jury trials for our people.

The eyes of the world are on us today, as we approach a vote on this jury trial amendment. In dictatorships, and in Fascist and Communist states, the people have no rights to trial by juries of their peers. They look longingly upon our system of government and justice. Their masters, however, are fearful that their oppressed subjects will get ideas of real democracy from us.

On Sunday an Associated Press dispatch from Moscow related that the Soviet Army newspaper had attacked our Jamestown Festival in Virginia as a propaganda plot, one of the goals of which, it was said, was to convince other peoples of the superiority of our, and I quote, "notorious way of life."

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. GARY. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

Mr. MASON. Mr. Chairman, I object. I am very sorry.

Mr. BOYLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. BOYLE. Mr. Chairman, I yield such time to my friend as he may need to complete his statement.

Mr. GARY. I certainly thank the gentleman for his courtesy.

Mr. Chairman, as I was stating, on Sunday an Associated Press dispatch from Moscow related that the Soviet Army newspaper had attacked our Jamestown Festival in Virginia as a propaganda plot, one of the goals of which, it was said, was to convince other peoples of the superiority of our, and I quote, "notorious way of life." Our American way of life appears notorious to Communists and dictators, because it is the best example of true self-government in the history of the world, protecting the rights of individuals and guaranteeing liberty and justice to all.

As I view this copy of a hand-written Magna Carta, and reflect on the meaning of Jamestown, and the Declaration of Independence, and the Constitution, and the American way of liberty and life, I cannot help but reflect on an act of the British Parliament, shortly before the American Revolution. They tried to extend the jurisdicton of the admiralty courts beyond their ancient limits, so that our American colonists could be tried for various offenses without a jury. We did not permit Parliament to take this precious right from us then; let us not permit the Congress of the United States to take it from us now.

I thank you.

Mr. BOYLE. Mr. Chairman, I purposely gave the fine gentleman from Virginia, VAUGHAN GARY, an opportunity to conclude his remarks because I know he has sat here patiently for 7 days to tell his story about this bill. When I took the floor the other day and told you I was in sympathy with the jury trial in every criminal case I meant it. When the gentleman from Virginia exhibited the Latin version of the Magna Carta, in the Chambers he inferentially proved part of my previous remarks.

If you will recall, I said that the right to a trial by jury represents a 700-year struggle for human rights. That is a long and heroic conquest. In every criminal case throughout the length and breadth of our country, I hope we will always accord an individual the right to a trial by jury in criminal cases. However—and this is the crux of the whole matter—to accord an individual who is flagrantly in violation of a court order the right to trial by jury is to turn back the clock as far as constitutional government is concerned. The law has reached its highest moment when it has saved and freed people from one-man rule. The law has reached its superior dignity when it has protected people from intolerance, from hate, from sectionalism; and I plead with you today, do not permit any shades or shadows of thinking to interfere with the simple proposition that is involved in this case. The procedure set out in the bill when an alleged violation of a civil right under the 15th amendment of the Constitution takes place, the individual aggrieved, or any individual, might bring the alleged infraction to the Attorney General. The Attorney General, after looking at all the physical facts decides whether in his judgment there is a violation or a threatened violation of this civil right guaranteed by our Constitution. Satisfied that there has been in fact an alleged violation, or a violation to take place, the Attorney General then prepares a petition, goes before a court of competent jurisdiction, recites the physical facts, among including an affidavit or verified statement which means under oath, setting out the fact that a citizen's right has been violated or will be violated, introduces other testimony and after a full hearing a judge does or does not issue the writ.

If the injunction is granted the person or people against whom it is issued are put on notice if they violate its terms they possibly will be cited into court to absolve themselves for violating the decree of injunction.

To remove the right of the judge to adjudicate the question of a violation of his order is to weaken the sanction of its decrees.

Mr. KEENEY, Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEENEY: On page 10, line 5, after the word "order", strike out the period, insert a semicolon, and add the following: "*Provided*, That in all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any action or proceeding instituted under this act, and the act or thing done or omitted also constitutes a criminal offense under any act of Congress, or under the laws of any State in which it was done or omitted, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

"This proviso shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court."

Mr. CELLER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CELLER. Mr. Chairman, I make the point of order that the amendment offered by the gentleman from Illinois is not germane, and I should like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. CELLER. Mr. Chairman, the instant bill provides authority in Attorney General to file an action for injunction for the enforcement of civil rights created under old statutes, particularly the Ku Klux Act of 1871 and under part IV of the bill. We stop there. As to part III and part IV we do naught else; we just give authority to file suit. We give commission to the Attorney General to go into court. We do not tell the court what to do or what not to do. We lay down no conditions. The court can say yes or no to the Attorney General when he applies for the injunction. In other words, we simply say that in addition to the causes of action the individual may have under the old statute, the Attorney General may now have authority to go into equity and sue out an injunction. We do not tell the court how to proceed. We lay down no rules. It is presumed that the practice governing injunctions prevails. We provide no method of procedure after the injunction is applied for. We provide no penalty for the enforcement of the injunction. We provide no method of imposition of penalty for violation of the injunction. Failure to provide all these factors is highly important, to wit, first, failure to provide method of procedure after injunction is applied for; second, failure to provide any penalty; third, failure to provide method of imposition of penalty.

These failures are of paramount importance because of the precedents set in the Volstead Act discussion in this House where an amendment for jury trial was sought and was declared out of order as not being germane. I should like to read parts of the debate in the House at that time. Section 23 of the so-called act which was considered by the House at that time reads as follows:

SEC. 23. That an action to enjoin any nuisance defined in this title may be brought in the name of the United States by the Attorney General of the United States or by any United States attorney or any prosecuting attorney of any State or any subdivision thereof or by the Commissioner or his deputies or assistants. Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases. If it is made to appear by affidavits or otherwise, to the satisfaction of the court or judge, or judge in vacation, that such nuisance exists, a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the trial. Where a temporary injunction is prayed for, the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or fixtures, or other things used in connection with the violation of this act constituting such nuisance. No bond shall be required in instituting such proceedings.

Section 23 goes on further and in detailed manner prescribes what the court may or may not do.

Section 24 of the act then being considered by the House provided as follows:

SEC. 24. That when it appears in any criminal proceeding that any common nuisance as defined herein exists it shall be the duty of any officer authorized to enforce this act to proceed promptly in a court of equity to abate such nuisance, and in case the defendant is adjudged guilty in such criminal trial shall, unless reversed, be conclusive evidence against such defendant of the facts adjudged therein as to the existence of the nuisance. For removing and selling the property in enforcing this act the officer shall be entitled to charge and receive the same fee as the sheriff of the county would receive for levying upon and selling property on execution, and for closing the premises and keeping them closed a reasonable sum shall be allowed by the court.

Any violation of this title upon any leased premises by the lessee or occupant thereof shall, at the option of the lessor, work a forfeiture of the lease.

Section 25 of the act then being considered by the House in Committee of the Whole provides as follows:

That any person violating the terms of the injunction as provided for in this title shall be punished for contempt by a fine of not more than $1,000, and by imprisonment of not less than 30 days nor more than 1 year; and the court shall have the power to enforce such injunction by such measures and means as in the judgment of the court may be necessary.

An amendment was offered by the gentleman from Ohio, Mr. Gard, and the Clerk read that amendment as follows:

Amendment by Mr. Gard: Page 24, line 17, after the word "court", strike out the balance of the section and insert: "May try—

That is the court—

"May try the accused or, upon demand of the accused, the trial may be by jury, in which latter event the court may impanel a jury from the jurors then in attendance on the court, or a judge thereof in chambers may cause a sufficient number of jurors to be selected and summoned, as provided by law, to attend at the time and place of trial, at which time a jury shall be selected and impaneled as upon a trial for misdemeanor, and such trial shall conform as near as may be to the practice in criminal cases prosecuted by indictment or upon information."

Mr. Volstead addressed the Committee as follows:

Mr. Chairman, I make the point of order that that is not germane to the section. This does not deal with the trial. It simply provides for a penalty. The section that dealt with that has been passed. That is section 23. This deals only with the enforcement of the penalty. It does not provide anything about the trial at all.

Mr. GARD. Mr. Chairman, this amendment is absolutely germane. We have here in section 25, page 24, this very remarkable language, and I desire to ask, if I may, some calm consideration of the members of this committee to this language:

Then he quotes the amendment in part.

And the court shall have the power to enforce such injunction by such measures and means as in the judgment of the court may be necessary.

Then he goes on and in additional language seeks to support the amendment.

The CHAIRMAN. The Chair is ready to rule. Section 25 of the bill provides for a penalty. The amendment offered by the gentleman from Ohio, Mr. Gard, provides for a method of trial. It has been repeatedly held that where a provision in the bill provides for a penalty, it is not in order to offer an amendment simply providing for a penalty, it is not in order to offer an amendment simply providing for a method by which that penalty may be inflicted.

Mr. IGOE. Has the Chair considered the fact that the punishment here is for contempt, and that the amendment is for the finding of whether the defendant is guilty of that contempt or not? It is not merely a question of the sentence. The injunction is in another paragraph, and the violation of the injunction is construed here, and that is all that the amendment of the gentleman from Ohio seeks to give.

The CHAIRMAN. That would make it all the more out of order, and the Chair sustains the point of order.

Now, Mr. Chairman, in the Volstead Act case under section 23 authority was granted to the Attorney General or his deputy to file for an injunction and the court was authorized to issue the same under a specified procedure, including a specified judgment and detailed order enforcing said judgment.

Secondly authority was granted to any law-enforcement officer to file suit for an injunction under section 24. That is, there was a double authority. Section 23 was the authority for the Attorney General and his assistant, section 24 was authority for any law-enforcement agency to apply and secure an injunction.

Section 25 set forth a penalty for violation of an injunction issued under either section 23 or 24, including fine and imprisonment. Further, an elaborate method of judgment was provided.

An amendment authorizing a jury trial for violation of the injunction issued under section 23 or section 24 was held not to be germane on the score that the amendment provided for a method by which a penalty could be imposed. The amendment was to the penalty section. It was declared out of order as not germane, because it provided for procedure for the imposition of a penalty whereas the section was limited to the penalty. Procedure and penalty were considered two separate subjects by the Chair and not to be mixed, that is, not joined together. That is, one was not germane to the other.

When the proponents argued the germaneness and attempted to anchor the

amendment of procedure, jury trial, on previous sections relating to the application for injunction, there authorized by the bill, plus the violation of such injunction, the Chair said that would make it all the more out of order. It was out of order as related to the penalty. It would have been out of order as related to application for the injunction as in the present bill before us.

The instant bill before us states only that the Attorney General may file a suit in equity under an existing cause of action and the court can entertain jurisdiction.

Parts III and IV of the bill before us do not do anything else. There are no words of procedure for the injunction in any part of the bill before us. There are no words concerning the judgment or the nature or kind of judgment in any part of the bill. There are no words for penalty for violation of the injunction in any part of the bill. There are no words of methods of imposition of penalty for violation in any part of this bill. Yet in the Volstead case, where all these four elements were present, an identical amendment for jury trial for violation of the injunction was ruled by the Chair not to be germane.

In other words, there is nothing in the instant bill before us to which you can relate or anchor the jury trial amendment. In the Volstead precedent, even, where you had the provisions for procedure for the injunction, nature of the judgment, and the penalty for violation of the injunction the provision for jury trial for contempt was not germane.

Actually, the proponents now seek by a jury-trial amendment to except the operation of this bill, the instant bill, from the provisions of the existing law as contained in title 18 and title 28 covering issuance of injunctions and procedures and penalties for contempt, none of which are mentioned in the instant bill. This cannot be done save by a separate bill. But, to put the matter another way, under the proposed amendment offered by the gentleman from Illinois for a jury trial two factors, for example, must be assumed so that the amendment could possibly be related and made germane.

First, it would have to be assumed that an injunction had been issued by the court. Second, it would have to be assumed that the injunction had been violated. The trial by jury concerns the violation of the injunction. The issue to be tried is whether the injunction had been violated. All the bill before us does is to authorize application for an injunction. We just give a license to the Attorney General to file. You cannot graft a jury trial for a violation of an injunction onto a license to file an injunction. You cannot have a jury trial unless, first, there has been an injunction issued; and second, there has been a violation of it.

We neither provide for the method of the injunctions issued nor for its violation. One cannot assume the restraining order nor can one assume the violation of the order.

This amendment offered by the gentleman from Illinois is not related to the bill even in the second or the third degree. You just cannot use the mere permission, authority, or license to apply for an injunction as provided in this bill, as a foundation for relevancy of a jury trial. Under the precedent of the Volstead Act case, one cannot use a penalty for violation of an injunction as the basis for an amendment for a jury trial for such violation. The Chair went further and said you could not use section 23 and section 24 of the Volstead Act providing for elaborate procedures for the issuance of injunction or the terms of the injunction and for punishing violations of the injunction as the basis for amendment of trial by jury in contempt.

Mr. Chairman, are we not on firmer ground in saying germaneness of the jury trial amendment cannot be attached to a mere grant of authority or license to apply for injunction? On that ground, Mr. Chairman, I rest my case that the amendment offered by the distinguished member of the Committee on the Judiciary is not germane to the bill and the amendment is, therefore, out of order.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. KEENEY. Yes, Mr. Chairman.

Mr. Chairman, that part of the brief which was just read to you, which is germane to the point in question, I will resubmit to the Chair in the course of my argument. The amendment that I proffered had to do with procedure and not penalties. The measure before this body has to do with procedure and not with penalties. It has always been my firm belief that a jury is a component part of any court and that there is nothing extraneous when it comes to a jury being in a courtroom and being part of our system of justice.

I resubmit to the Chair that part of the brief of the gentleman from New York that is germane to the amendment.

Mr. WILLIS. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will be pleased to hear the gentleman.

Mr. WILLIS. Mr. Chairman, we, of course, did not expect this point of order to be made. But, I will try to answer the arguments made by the distinguished gentleman from New York [Mr. CELLER]. The title of the bill provides that its purpose is to further secure and protect civil rights, not only one kind of right but all civil rights. The bill is divided into four parts. What is pertinent in one section is necessarily a part of the scheme of the whole bill.

Part I deals with the establishment of a Commission on Civil Rights. If you will look at page 2 of the bill you will find rules of procedure for the Commission. It contains a lengthy set of rules of procedure to guide the Commission. In other words, we not only create the Commission, but then restrict its powers and indicate the mode of procedure under this bill.

So procedure is part and parcel of this bill.

In the second place, parts 3 and 4 create a cause of action. These parts empower the Attorney General to file suits. In other words it creates a cause of action and then designates who shall pursue that cause of action—the Attorney General; and that is certainly a procedural device.

Furthermore, the bill provides that the cause of action shall be exercised by the district courts. So again we go on with procedure for the pursuance of that cause of action.

The gentleman from New York said that upon application being made to a Federal judge for an injunction the judge can say "Yes" or "No." That is correct. But we have a right to tell the judge: "If you do say 'Yes' and agree to hear the injunction, here is how you are going to proceed: You will have to impanel a jury in cases of contempt arising under the act."

So this is a restrictive provision, directing the judge to hear the contempt proceedings before a jury. And that same restrictive device is contained on page 10, line 5. Let me read it all:

> Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

Here, then, under this bill we are restricting the court in the administration of the procedure for the achievement of the objectives of the bill, so we have restrictive language at that point, we have rules provided for the commission in another part; and the whole idea of the bill, according to the proponents, is to further protect and secure civil rights. The bill is designed to create the cause of action, to provide who shall pursue the cause of action—the Attorney General; and then we do not leave it in the air, we designate the courts that have jurisdiction of the cause of action.

The amendment would go one step further to say that in pursuing the cause of action for contempt the trial will have to be by jury.

I submit that the point of order should be overruled.

Mr. KEATING. Mr. Chairman, will the Chair hear me in support of the point of order?

The CHAIRMAN. The Chair will hear the gentleman from New York.

Mr. KEATING. Mr. Chairman, there is very little I can add to the excellent analysis given to the Chair by the gentleman from New York, but I might briefly state our position in a little different way.

The precedent on which we rely is embodied in volume 8 of Cannon's Precedents at page 540. I am referring to decision No. 2977. That decision holds that an amendment authorizing jury trial to determine the imposition of a penalty was not germane to the section of a bill providing that penalty.

The decision I am referring to was made during debate on the Volstead Act.

It is a clear precedent. I have the impression that if there can be degrees of germaneness, certainly the amendment offered here is less germane than was the amendment which was ruled out in the Volstead case. In that case, the bill

to which this amendment was offered went very much further than our bill does. It set up the procedure to be followed in the injunction proceedings and specified the penalty for contempt.

That bill not only authorized the Attorney General to go into the equity side of the court, but also provided just how the judgment in the injunction suit was to be framed, and just what the punishment for contempt should be.

In spite of the fact that the bill set up all of that procedure, when the amendment was offered to provide for a jury trial, it was held by the then presiding officer that it was not germane. The reason given for the decision was that it was not in order to offer an amendment providing for a method by which the penalty was to be inflicted to the section of the bill providing for the penalty. Under the very unusual circumstances there, an appeal was taken from the decision of the Chair, and the House sustained the Chair's ruling.

It seems to me that the proffered amendment in the case before us is far less germane to the bill than was the one in the case we have cited.

Mr. HYDE. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HYDE. Mr. Chairman, it is difficult for me to see how any amendment to this section could be more germane than is the amendment offered by the gentleman from Illinois.

The gentleman from New York says that in this section to which the amendment is offered we "do not tell the Court what to do or what not to do or how to proceed." That is all the section is about. And, as a matter of fact, the particular language in the section which provides that the Attorney General may institute for the United States or in the name of the United States a civil action or other proper procedure, has a twofold purpose.

First, it tells the Court that the United States may be a party to these actions; and, second, because of the provision in section 402, title 18, of the United States Code, that particular language tells the Court that a defendant in the case is not entitled to a jury trial.

The purpose of this amendment is to modify those words. It is to work on the same purpose, the same subject matter, as those words "in the name of the United States."

Mr. Chairman, I have not had an opportunity to read the cases or the authorities cited because, frankly, no one on our committee ever dreamed there would be a point of order raised to this particular amendment. We just could not conceive of such a thing. But from listening to the citations, it would appear that the sections to which the cases and the rulings refer dealt with penalty sections and attempts to modify those sections or to amend those sections with procedural provisions. The particular section involved here is entirely procedural. The amendment that is being offered involves procedure.

Now, finally, the gentleman from New York said "There is nothing in this section to which you can relate or involve the jury trial." Now, Mr. Chairman and members of the Committee, if that statement is true, this Committee on the Judiciary, this Congress, the press, the entire United States has been laboring under the most serious misapprehension for many, many months, because that is all that has been talked about.

I submit, Mr. Chairman, that there could not be any amendment more germane to this section than that offered by the gentleman from Illinois.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Louisiana.

Mr. WILLIS. For whatever significance it may have, this same amendment was offered before the full Committee on the Judiciary and this point of order was not urged; is that correct?

Mr. HYDE. That is correct, sir.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from Illinois [Mr. KEENEY], offers an amendment on page 10, line 5, of the bill H. R. 6127, the title of which is "A bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States."

The Chair has examined the amendment and has listened to the arguments in support of and against the point of order. The Chair holds that the amendment is a restriction upon the Attorney General and the courts. It deals with procedures and not penalties, and in the opinion of the Chair is germane.

The Chair is sustained in that position by the decisions in Cannon's Precedents, volume 8, page 584, section 3022, which reads:

> To a provision delegating certain powers a proposal to limit such powers is germane.

Section 3023 reads:

> To a proposal to grant certain authority an amendment proposing to limit such authority is germane.

The Chair therefore holds the amendment germane and overrules the point of order.

The gentleman from Illinois may proceed.

Mr. KEENEY. Mr. Chairman, I shall now proceed to retrieve my amendment from the multiplicity of words that have descended upon it. From time immemorial, ever since we have had a United States of America, the right to a trial by jury has been the haven and the refuge of our citizenry. It has fallen to my lot in life to have had a great deal of experience with juries, and it is because of that and my belief in the jury system that I proffer this amendment.

Mr. Chairman, in my profession, as a lawyer, for years I was a prosecuting attorney and I have tried before juries of men and juries of men and women cases involving almost every known sort of crime that man can commit. And, I have tried many, many civil cases both for the plaintiff and for the defendant, and I have a very high regard for our citizenry when they sit in the jury box to do justice. I testify to that because it is my firm belief, and that is why I have offered this amendment. To the accused who is being prosecuted, the rights and the processes of law are very sacred, but those who designed this particular measure, those who fabricated its words and its theory and its ideas were very careful not to give to the American citizen the right to be tried by a jury of his equals or his peers. This is what this measure does with respect to the procedural method.

The plaintiff under this measure is the Government of the United States of America. The prosecutor is the Attorney General of the United States of America. And who appoints the Attorney General? Why, the President of the United States, and I mean no disrespect whatsoever. And before whom is the measure heard? Before a Federal judge appointed by the President of the United States. The plaintiff is the United States; the prosecutor is the United States; and the judge is the United States. But just to make sure, as sure as it can be, that the accused will become a convicted defendant, they proceed to strip him of his right to a trial by a jury of his equals or his peers.

And so we have to look at this as Americans. I could be tried under this proposed act. Maybe you could, too. But we would like to have the right to a trial by a jury. The reason, I hear rumblings that would indicate that no one should have a right to a trial by a jury is because in some parts of the United States maybe they would not get the right kind of a trial by a jury. But day in and day out, every day in the year, all over the United States and including those States, juries are passing judgment upon people; they are fining people; they are sending people to the penitentiary and even taking their lives. And that goes on day after day. But for some reason or other, under the measure that is before this Committee, no one is entitled to the right of a trial by a jury.

I think the people from my home State of Illinois are entitled to the right of a trial by a jury under this measure. Just because someone may think that someplace else there would not be the right kind of a trial by a jury is no reason why the citizens of Maine, of California, or of Illinois, should have to forego or be denied the right of a trial by a jury.

The only reason this is not in the Constitution of the United States is because our Constitution was based on the common law, and the common law from the Magna Carta; and at the time that the nobility on the fields of Runnymede wrested from King John the Magna Carta no one ever thought of a civil-rights bill. At the time that we adopted the Constitution of the United States no one ever thought that the mind of man would conceive a procedure such as is before you today.

Mr. Chairman, I submit to you that a trial by jury is the American system; it represents American thinking, and it is the American way of life.

Mr. COOLEY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this has been a very interesting and brilliant debate. We have heard many splendid speeches and

arguments. I congratulate and commend the author of this amendment for having offered it and for the splendid presentation of his views.

Certainly, all of us must have been impressed with the remarks of our friend from Virginia, Mr. VAUGHAN GARY, who took us back to the Plains of Runnymede. As I listened to his brilliant discussion I was mindful of the fact that we might even go back beyond Runnymede to the controversies in the great forests of Germany more than 2,000 years ago.

The jury trial as we know it today had its origin in Anglo-Saxon civilization. The right of trial by jury is well imbedded in the legal jurisprudence of our country. Actually, it is one of our cherished institutions and a very vital part of the form of our Government. I believe it was Blackstone, the great teacher at whose shrine all lawyers with humility and respect must, in deference, bow, who said that "our jury system is the palladium of liberty and the glory of law." Certainly, the right of trial by jury is a sacred and precious right, a right that has come down to us through the ages. This precious right was purchased by the blood of heroes and dedicated to humanity by the prayers of patriots.

This bill was not prompted by partisan politics but rather by putrid politics. There is not one scintilla of evidence to warrant its enactment. It is calculated, if not indeed intended, to cause trouble and to stir up strife; but be not deceived, the American people will not long tolerate its provisions. The bill is not only ill-considered and unwise, but its provisions are obnoxious and reprehensible. This proposal challenges our intelligence and the very finest virtues of our patriotism. In wanton fashion this sacred right of trial by jury is here challenged not by some judge, not by some court, but by the representatives of the people, representatives who have taken an oath of office and by that oath of office have sworn to support the Constitution of the United States, our Magna Carta, which guarantees to every citizen, however humble, the right of trial by jury. This is the saddest and the sorriest part of this performance.

When Jesus Christ was on earth and wanted to make His presence and His purpose known, He, with great and divine intuition and with sublime wisdom, selected a jury of 12 men to witness the evidence of His divinity and to proclaim the great verdict to the world. Jesus had a jury. It is true that among the 12 jurors selected He had a Peter to deny the truth and a Judas to betray the cause. The fact remains, however, that the great Saviour of man selected a jury of 12. When Peter realized that he had betrayed a trust, he poured out his heart in grief. When Judas realized the enormity of his offense, he threw down his 30 pieces of silver, fled from the sight of man and hanged himself. This is not however an indictment of our jury system. Certainly no human institution is perfect nor is it infallible.

All of our jurors may not be honest, brave and courageous, but certainly most of our jurors are prompted by the highest purposes of life and are unswerving in their vitality to truth and in their unyielding devotion to duty. Under our system of Government no man shall be deprived of life, liberty or property except by due process of law, which contemplates a fair and an impartial trial by jury and only after a unanimous verdict has been rendered against him. In all of our system of Government there is no office more important than that of a juror. Members of petit juries hold in their hands the golden scales of justice and they and they alone pass upon the grave issues of life and death. Neither potentate nor prince ever exercised higher functions than those exercised by members of petit juries. Jurors not only deal with life and death and property but they deal with individual liberty, which under our system and our traditions is even more precious than life itself.

How could we trifle with such serious and sacred rights which mean so much to all of our citizens in all walks of life and in all jurisdictions of our great Republic. This Magna Carta, this great Constitution of ours, was signed by the father of his great country, George Washington, and my recollection is that it was signed by 39 other men, perhaps of less distinction but representing all of the grand States that existed at that time on this continent, and every State thereafter admitted to the Union in a duly constituted convention has ratified that great document which means so much to all of us.

Mr. SCOTT of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. SCOTT of Pennsylvania. Does the gentleman contend that the right of trial by jury does exist in contempt proceedings?

Mr. COOLEY. No. I do not contend that jury trials exist in ordinary contempt proceedings. As lawyers, we know that in ordinary proceedings certain individuals are subjected to injunctions and restraining orders and such injunctions and restraining orders are entered against certain named individuals, firms, or corporations, but here we are dealing with an entirely different matter.

Mr. SCOTT of Pennsylvania. If the gentleman regards it as a right of such importance, I wonder how the people of the United States have gotten along without it for 175 years?

Mr. COOLEY. As I have pointed out, in ordinary contempt proceedings the individuals involved have already had their day in court and all persons so involved have either already had a trial by jury or thereafter have a right of trial by jury. Here we are dealing with no ordinary case. Individuals are enjoined and restrained in ordinary litigation with which we as country practitioners are familiar. In the matter under consideration, individuals might unwittingly violate the terms of some restraining order and might without even knowing violate some alleged civil right.

Again, I emphasize the importance of a citizen having the right of having a jury of his peers to pass upon the question of this guilt or of his innocence. This right of trial by jury has through the ages been trampled upon but it is still one of the most precious rights of our citizenship. The Saxons carried the right of trial by jury to England and there they were ever ready to defend it with their life's blood. It was crushed out by the Danish invasion. All that the people suffered of tyranny and oppression during the period of their subjugation resulted from their want and from their denial of trial by jury. As the day follows the night, a great reaction came and the Danes were driven back to their frozen homes in the North.

Alfred the Great, the greatest of revolutionary heroes and the wisest of monarchs, made the first use of his power after the Saxons had restored it to reestablish their ancient laws. Not all of this was done with great ease; the courts were opposed to it, the judges were opposed to it, for it limited their power—the kind of power that is coveted by tyrants, the power to punish without regard to law. In reestablishing the right of trial by jury, it was necessary for Alfred the Great to cause to be hanged 44 judges in one year for refusing to give his subjects a trial by jury. Alfred did not hang them without a trial. They were impeached before the grand council of the nation, the Parliament of that day.

The right of trial by jury was again trampled down by the Norman conquerors. The evils resulting from the want of it and the denial of it united all classes in the one great effort which compelled King John to restore the right of trial by jury when the great Carta was rung from his hands on the plains of Runnymede.

Wonderful and mysterious have been the vicissitudes of the right of trial by jury. American citizens want no part of a star chamber trial by a one-man court. Every citizen is a part of our Constitution and our Constitution is a part of the life of every citizen. Every man who had taken public office in this country from the time the Constitution was ratified until this very good hour has taken an oath that he will support and defend the Constitution and all of its provisions. The Attorney General of the United States became a party to that great document when he laid his hand upon the great gospel of God and swore solemnly that he would give every citizen the great benefit and protection of all of its great provisions. Everyone of you are likewise a party to this the greatest instrument yet devised by the mortal mind of man.

Those of you from other sections of the country seem to think that for some reason you are not involved in this controversy. You seem to think that you are directing your efforts toward the Southland. For some reason you seem to be under the erroneous impression that in the South we are running rampant over the rights and sacred privileges of citizens. You have been challenged and I again challenge you to name a single man or woman in all of the Southland who has, because of race, color, creed, religion, or national origin, been denied the privileges of citizenship or the right to vote, if you please. Yet you are making much ado about nothing.

The very fact that you are willing to deny the accused the right of trial by jury is positive proof of the fact that you actually intend for judges to conduct star chamber trials, to render decisions, to impose punishment, and to exercise and influence their own decrees. One-man courts will not be tolerated either in the Southland or elsewhere in America.

Let us contemplate for one moment the far-reaching effect of such tribunals. Suppose some citizen in your district or in my district is summarily summoned before the court and is summarily convicted and imprisoned, without a public trial and without a trial by jury. Can you not understand how the people would be aroused and can you not understand how, in great indignation, citizens might even storm our jails to free those who have been wrongfully imprisoned? The majesty of the law as we have known it through the years may very well be challenged by the best citizens of our country if such wrongful acts should be perpetrated.

In summary of this iniquitous measure, I need only to say that it is a desperate effort, a political effort, if you please, to rape the Constitution and to ravish the rights of freemen, and the sorry part of it all is that it is being proposed here in the Congress of our great country. Please do not believe for one moment that the American people will tolerate such treatment. We cannot afford to play with precious rights. I urge the adoption of the pending amendment. Frankness requires me to admit that even if the pending amendment is adopted I shall not vote for this iniquitous bill. I will not vote for it for a thousand reasons, which time will not permit me to discuss.

Mrs. CHURCH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this has been an amazing week. It has been a week of great brilliance and great oratory, and a week, to my mind, of complete submergence of the actual issue before us. I went home after 3 days of general debate, Mr. Chairman, almost brainwashed myself into thinking that perhaps this extraneous issue of jury trial in a civil contempt case—an issue valuable in other circumstances, but a secondary issue in this case—might be necessary. But, Mr. Chairman, you could never brainwash me on the need for legislation that would remove the last vestige of second-class citizenship in this country.

I would like to say that of course I believe in all American rights. In criminal cases, I would, of course, support a trial by jury; but I believe even more in the American right for men to govern themselves through the ballot; and where that ballot is refused or the exercise of it is not granted to any segment of our eligible population, no government of the people is safe; no government of the people is secure. I would go so far as to say, Mr. Chairman, no government which denies the right to vote to any large segment or to any small segment of its eligible population can hope to survive.

So, Mr. Chairman, I would like to say just this. I think we should wipe away the trees, the bushes, and the hedges raised by proposed amendments to this bill. We are talking here of an issue which is so fundamentally American that we should not seek to rely on oratory or sophistry or legal brilliance, and there has been much of it.

I know that this legislation is needed. I myself have had only one personal experience illustrating the need for such legislation to protect civil rights, but it was a potent one. My personal experience dealt not with a case of mere refusal of the right to vote—but with the failure adequately to determine and punish those who had taken young life. I refer, of course, to the Emmett Till case, in which a young boy from Chicago went down to visit in another State; and whatever the reason, was kidnaped in the middle of the night from his relatives' comfortable but perhaps poor home and was later found murdered. I had sent an official request, never acknowledged, to the Governor of that great State, urging him to use his powerful influence to insure a fair trial and apprehension of the guilty. The case is too well known to require any recounting of the later circumstances of the jury trial, the acquittal, or the failure further to apprehend the guilty. I knew then, Mr. Chairman, that action must be taken to protect the civil rights, at least, of certain of our citizens who are as much American and who are as much entitled to the protection of their rights as anyone who sits in this Chamber as a Member of Congress.

I have been constantly thinking during this debate, Mr. Chairman, that if we could only have had 10 percent of the brilliance and the legal knowledge and the oratory that has been expended against this bill used to protect civil rights—including the right to vote—we never would have needed this legislation. I hope that we can still enlist such aid to help this worthy cause.

Mr. Chairman, I would like to discuss a little more fully this proposal to inject a jury trial. The fifteenth amendment, adopted more than 80 years ago, declares: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." This, however, did not, as anticipated, secure the franchise for citizens in some areas. Before and after the last election, it is argued that repeated, specific charges were made that registration lists were being purged of certain voters. Since efforts to deal with such violation of the law were ineffective after the action had once taken place, the Department of Justice offered the suggestion embodied in this bill that it be permitted to proceed to prevent denial of rights by the use of the injunction process. This is the same process currently used to enforce antitrust laws and in many other instances, by permitting the granting of a temporary order or injunction. No permanent order could be obtained until full opportunity had been given to present evidence and cross-examine witnesses. Disobedience of the court decision then reached, however, would make the guilty individual punishable for contempt.

When the amendment to provide a trial by jury, in place of the proposed contempt proceedings before a judge, was first suggested, /strong suspicion arose that such action would merely nullify the act. At the very least, jury trials would cause delays that might, in many cases, prevent in time any action against denial of the voting privilege.

I think that it is only fair to point out, Mr. Chairman, that the right to trial by jury, a right that Americans cherish and guard, is not provided in the Constitution for this type of litigation—nor does such a provision appear for the same type of court action in the constitutions of those States from which there is now coming the greatest pressure for a jury trial amendment. Constitutional lawyers whom I have consulted go so far as to question the constitutionality of including a trial by jury provision in the legislation under consideration, inasmuch as it would deprive the courts of their historic power to protect themselves by contempt action. My own main objection to the proposed jury trial provision is that it would nullify this bill—that there is double reason for its rejection in the danger that it might, at the same time, flaunt the authority of the judiciary.

Mr. Chairman, what we need today is to consider the basic issue before us: The issue of whether freemen, American born or naturalized, who are entitled under the Constitution to vote, shall be deprived of that vote or of any other civil right guaranteed by our Constitution. Personally, I think it is as simple as that. Both parties in their platforms promised this right. The Constitution guarantees this right. We, ourselves, most of us, have said we believed in that right. It is almost, Mr. Chairman, a simple question of whether we keep faith—keep faith with the fundamental principles of this country; keep faith with our declaration that men can live here in equality and brotherhood; keep faith with what we are trying to say—and what we are spending billions of dollars to say to the world—that we believe in freedom, equality, justice, and equal rights.

Mr. Chairman, the first question I was asked in India 20 months ago was how I could account for our failure to let all American citizens who are entitled to vote, do so. I heard that stories about the expulsion of Autherine Lucy were published in Cairo, Egypt, before they were published here in Washington.

Mr. Chairman, in days like this, when all the world is looking toward us, we cannot afford to take a step backward nor can we refuse to take a step forward. It is a question of keeping faith, as I said, with our constitutional beliefs: it is even a question of keeping faith with the moral law.

As far as I am concerned, Mr. Chairman, I shall keep that faith. I shall vote for no amendment which would nullify the effect of this law. I shall vote for no amendments which would weaken its essential purpose.

Mr. ELLIOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise now in support of this amendment to provide a jury trial

in contempt cases. I think I will speak to begin with to my friends on the Democratic side of the aisle. I will soon have finished 10 years of service in this body and I think during that time I have made the reputation of being, among other things, a good Democrat. I have voted the ticket, so to speak; I have supported the leadership of my party wherever I possibly could. I remember very distinctly the days back in 1949 when the public housing law that has meant so much to the large cities of our country. Then it was that I joined that little band whose efforts resulted in the passage of that bill in the Committee of the Whole by only two or three votes.

When matters have been before this House that I judged to be of a punitive nature against the laboring men and women of this country, I have joined with my Democratic friends from other sections of the country to vote against those measures.

I mention these things, Mr. Chairman, not as creating any bond of obligation or indebtedness between the friends to whom I am speaking and myself. I have no apology for the way I have voted. I voted the way I did because I thought that the best interests of all the country required that I vote the way I did. Instead, I mention these things as showing certainly that my attitude toward my fellow Members of my party from other sections of my country have not been one of antagonism.

At this point, Mr. Chairman, I think perhaps I should say that I may have made a mistake in saying that I am talking primarily to the Members of my own party; maybe my remarks should be directed to my friends on the other side of the aisle. A recent compilation of my votes by the Congressional Quarterly indicates that I have a better voting record in support of the President of the United States than does a very large percentage of the members of his own party in the United States House of Representatives. Again, Mr. Chairman, I do not apologize for my votes that have been friendly to the President. I shall always support him when I think he is right.

However that may be, Mr. Chairman, I want to talk this afternoon about a matter that I feel is of the gravest importance. I propose to discuss the historic role of the Democratic Party in the Congress in winning for the American people the right of trial by jury in injunction contempt cases. In preparation of what I am going to say I have done considerable research; I have read the record.

The truth is that about 65 years ago the injunction as a legal remedy for use in labor-management disputes had its origin. It was such an effective instrument, and its use spread so rapidly throughout the industrial areas of the Nation that many people were convinced that judges were abusing its use.

In a very few years it could be clearly proven that the injunction had been used as a weapon to break 500 strikes. Its indirect effects were immeasurable.

The great Democratic Party was early to sense the abuse of the injunction processes and just as Bryan was crying out "You shall not press down upon the brow of labor a crown of thorns" the Democratic Party, in its platform of 1896, boldly announced:

> We especially object to government by injunction as a new and highly dangerous form of oppression " • •; and we approve the bill now pending in the House of Representatives • • • providing for trials by jury in • • • cases of contempt.

The Democratic Party adopted a course and pursued it. In 1900, the platform of our party said and I quote:

> We are opposed to government by injunction.

Sentiment was building up. Opposition to these injunctions was growing. Opposition to the heavy hand of the Federal judge as he meted out punishment for alleged violations of his injunctions was becoming cemented in the consciences and the hearts of the American people.

In its platform of 1904, the Democratic Party said:

> We approve the measure which passed the United States Senate in 1896, but which a Republican Congress has ever since refused to enact • • • providing for trial by jury in case of indirect contempt.

The moving finger writes.

In 1908 the Democratic platform proclaimed:

> Experience has proved the necessity of a modification of the present law relating to injunctions, and we reiterate the pledge • • • in favor of the measure • • • providing for trial by jury in cases of indirect contempt.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. ELLIOTT. Mr. Chairman, I offer a privileged motion.

The Clerk read as follows:

> Mr. ELLIOTT moves that the Committee do now rise and report the bill back to the House, with the recommendation that the enacting clause be stricken out.

Mr. ELLIOTT. Mr. Chairman, in 1912 the Democratic Party offered the country Woodrow Wilson and a platform pledge that a law would be enacted providing for a trial by jury in injunction contempt cases.

Then came the enactment of the Clayton antitrust law of 1914, which continues today as the bulkwark of many of the economic liberties that we now enjoy.

In that day, Henry D. Clayton, of Alabama, filled the chair now occupied by the gentleman from New York [Mr. CELLER], when the historic debate which led to the passage of that law occurred in this very Chamber 43 years ago, in May and June of 1914.

Now, Mr. Chairman, go back with me those 43 years and hark to the debates of those times.

Mr. Henry of that day, from the State of Texas, stood on the floor of this House and said of the Clayton antitrust law:

> Then follows ample provisions for jury trial in cases of indirect contempt, such is our platform promise and thus by this strong language • • • we redeemed it • • • in this bill labor has secured more rights • • • than in all the legislation afforded it in 100 years • • • a wonderful record for democracy.

On the same day, Congressman Bartlett said:

> We boast, Mr. Chairman • • • that the system of jury trials • • • handed down to us from English jurisprudence is the greatest palladium of the liberty of the English-speaking people, yet in a case which provides punishment and fine, we have been struggling in Congress for 20 years or more in order to have enacted into a statute of the United States the right of the American citizen to be tried by a jury of his peers.

In this same debate, from the State of Illinois, Congressman Graham wisely said:

> True, juries sometimes make mistakes • • • [but] it is the judgment of many of our wisest and most experienced jurists that fewer mistakes are made in ascertaining • • • facts • • • by 12 men from the ordinary walks of life than by one, of even by 12, experienced lawyers or judges.

On that same day of June 2, 1914, Representative Quinn, of Mississippi, said:

> I believe that this bill will give the people of the country more confidence in the courts. It will give them more respect for the courts, and it will give the courts to understand that the people have rights and that these rights can be passed upon by their peers.

In this same historic debate, Representative Taggart, of Kansas, said:

> In these nine sections are contained a charter of liberty and a bill of rights for the whole American people. The people of this country are not satisfied to have their sense of justice expressed wholly through the decisions and decrees of • • • [judges] • • • with a life tenure of office. While many of these men are of the highest character and interpret the law fearlessly, as it has been provided for them, there are those among them • • • who have earned the reputation of being the • • • faithful guardians of big business. These provisions will come as a relief of the conscience of every wise and truthful judge in the whole land.

Now, I know there are those among you today who feel that the judges themselves can more expeditiously, and perhaps you feel they can even more wisely, hear and dispose of injunction contempt cases. However, I call your attention to Senator Pomerine's statement in the debate on the antitrust law in the United States Senate. He said:

> The Court can have no knowledge, of the contempt, save such • • • as the testimony produced before it affords; and in these cases we know, as a matter of fact, that often there is the most intense feeling prevailing on both sides of the case, and, I regret to say, that it sometimes extends even to the court, whose order it is alleged has been trampled underfoot.

Mr. Chairman, out of the welter of the debate which I have reviewed, there came the Clayton antitrust law. Now let's see what Mr. Clayton himself said about the law. In his report to the House, he said:

> But no one has shown, jury trials in contempt cases, amount to anything more than a change of procedure • • • the methods of ascertaining the facts in certain cases is changed, but their ascertainment is still under supervision of the court.

Mr. Clayton further stated:

> This committee—

Referring to the House Committee on the Judiciary—

> confidently believes that, so far from weakening the power and effectiveness of the Federal court, this bill will remove a cause of just complaint and promote that popular affection and respect which is in the last resolve the true support of every form of governmental activity.

So, Mr. Chairman, we trace the tortuous course by which, finally, in 1914 the people's representatives, under the firm position established in the Democratic platform of 1896, reiterated in 1904, reemphasized in 1908, and rededicated in 1912, enacted this monument of the people's liberties, the antitrust law of 1914, which, with respect to the trial of contempt citations under court injunctions said:

> In all cases • • • such trial may be • • • by a jury.

Now, Mr. Chairman, up to this point I have not mentioned the bill before the House.

Now, I want to say to my friends in my party and to all my friends in the House that we stand on the threshold this week of doing a greater violence to the people's basic rights in the bill before us than they can ever gain from the so-called civil rights which the bill allegedly guarantees. What difference does it make that the man who seeks the guaranty of trial by jury in contempt cases lives either in the South, the West, the North, or the East? Trial by jury is an elemental right, a cornerstone of our liberties. It has been true since the barons wrung that precious privilege from King John at Runnymede in 1215. It will be true when the problems with which we wrestle today have become a part of the dust of time.

What difference does it make that the law relating to parties to the suit must be changed a bit when such a great human right is at stake?

The members of my party and the members of the Republican Party who sponsor this legislation have the power to pass it through this House. The legislation is unwise. It is unsound. If it must be passed, God forbid that in the exuberance of your enthusiasm you sweep aside the time-tested and time-honored civil right of trial by jury.

Mr. VORYS. Mr. Chairman, I rise in opposition to the motion, and to the jury trial amendment.

Mr. Chairman, let us get this thing in perspective. The only constitutional issue involved in this legislation is the denial of voting rights guaranteed by the Constitution to American citizens. There is no constitutional issue involved in this jury trial question.

Our forefathers said, "Taxation without representation is tyranny." Government without representation is tyranny. And the 14th and 15th amendments carry out the principle that representation is dependent upon the right to vote. When we find that thousands, perhaps millions, of American citizens do not have the right to vote, then it is time for Congress to do something about it. This denial involves not only the rights of the individuals concerned, but it involves the fundamentals of representative government, and therefore it is not merely a private question but a public question, and we very properly have the Attorney General bringing an action in behalf of the United States, a civil action to protect civil rights.

Here is what Attorney General Brownell said at page 15 of the report:

> The present laws affecting the right of franchise were conceived in another era. Today every interference with this right should not necessarily be treated as a crime. Yet, the only method of enforcing existing laws protecting this right is through criminal proceedings. • • •
>
> Criminal cases in a field charged with emotion are extraordinarily difficult for all concerned. • • • Civil proceedings to forestall denials of the right may often be far more effective in the long run than harsh criminal proceedings to punish after the event.

In any criminal proceeding, of course, a jury trial will be preserved, but in a case like this, where the actions are complicated, many different persons may be involved, and speed is required, it is the fundamental principle of our law that we use the injunction process where traditionally no jury is required.

Under our Anglo-Saxon system of law, justice is administered by the courts. A jury is only part of the court's system, but the judge is fundamental to our court system. In a jury trial the judge instructs the jury. In a jury trial the judge sentences the defendant. In short, the judge gives all the orders in all kinds of court proceedings. We have spent most of our time talking about what shall be done with these judges' orders. These orders can be reviewed and attacked by appeal to higher courts. It must be obvious, even to a layman, that we cannot have a jury reviewing a court's orders, yet that is what is proposed by the jury amendment.

Now, the jury system is important, but for every one article you would find, I suppose, in the Library of Congress, or the law magazines praising jury trials, you will find articles criticizing the many faults, frailties, and abuses of the jury system. And, therefore, one of the sacred rights of a defendant is the right to waive a jury.

Let us bear in mind as we try to get this matter in perspective that right now, under our American system, in almost every State, we deny a jury trial to a union man in a labor dispute under the Taft-Hartley Act, and we do it under our State laws. We deny a jury trial to a businessman in an antitrust case. We deny a jury trial to a married man or a married woman in a divorce case or an alimony case. We deny a jury trial to a property owner whose home or whose building is charged to be a nuisance. We deny a jury trial to a man in military service for an offense committed when in military service.

What, then, makes a jury trial suddenly so sacred when someone, even if it be a southerner, attempts to keep someone, probably a Negro, from voting? What makes it so sacred under such circumstances? Nothing. Neither the Constitution nor our traditions. If we will keep this thing in perspective and remember what we are trying to do, to get civil remedies for denial of civil rights guaranteed under the Constitution, we will dispose of this amendment and the jury amendment and enact this proposed legislation without further delay.

Mr. CRETELLA. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CRETELLA. Mr. Chairman, in the discussion of H. R. 6127, the House is concerning itself with a matter of the greatest importance both to all citizens of the United States and to our Nation as a unit in its relation to other nations of the world.

I have given my full support to civil rights legislation, being one of the majority of Members voting for the bill last year. I have no doubt that the bill before us today will likewise be voted on favorably by this body.

This past winter, I had the opportunity to appear before the House Judiciary Committee in support of civil rights legislation and, more specifically, my bill, H. R. 3481. In order to register my thoughts on this subject in the RECORD, I include at this point some observations from my testimony.

It has been generally agreed that the progress made by the present administration in the general field of civil rights has excelled that of previous administrations in the last 20 years. The proposal for the integration of our Armed Forces has been tremendously successful. An end has been put to discrimination in our Government departments and agencies when based on reasons of color, creed, race, and religion. Discrimination has been stopped in private enterprises having contracts with the Government and in Federal housing. In short, where and when the Government is directly concerned it has gone forward in great strides to erase any and all degree of racial hate and discrimination in the United States.

Indeed the complexities of integration as related to the sovereignty of the States are many, and needless to say, there are many States which are employing their powers of sovereignty solely as a means to obstruct the fullfillments of the order of the United States Supreme Court to integrate our public schools. We have learned that in the efforts to resolve this problem and carry out the true meaning of the Court decision, extremism on either side of the argument is not the sensible approach. The decision, nevertheless, is the law of the land and it must be abided by, by all the States, not just by those so inclined. I am assured that the Eisenhower administration will do everything possible to bring about peaceable integration in our public schools, for that is the only method by which all citizens can attain equality of opportunity in education, to which they certainly are entitled.

The denial of inherent rights of United States citizens has taken place in other areas outside our schools, Armed Forces, and Government. It is the denial of such a basic right as voting that this legislation which I propose will correct.

Let us look to the tenets and principles upon which this Republic was founded. The cornerstone of the greatness of America is equality under law. Our Constitution, as written, provides for the freedom of equality of all our citizens, in the right to vote, hold public office, speak and worship. Privilege, when based on color, race, or birth should always be abhorrent to the American standards of democracy, and it is these impurities in our system which make a mockery and hypocritical gesture of our ideals in the eyes of other nations of the world, whether they be free or not.

And speaking of other nations of the world, it has become especially incumbent upon us to exercise our concepts of justice, freedom, and tolerance. Whatever injustices may arise within our boundaries, no matter how minor, it is now greatly magnified and distorted by Russia and the other Russian controlled countries who are trying to propagandize the rest of the world into recognizing the benefits of communism. American prestige in the cold war is seriously damaged by the Russian inspired tactics in their struggle for world position.

Only a certain amount of the propaganda can be disclaimed through the dissemination of truthful information to nations overseas. The rest must be disclaimed through action on the part of our Government through adequate legislation, and through action on the part of the people within our Government in abiding by the provisions of those laws which are designed to protect individual civil rights.

Laws are but one means for the establishment of standards which do justice to the principles of democracy, morality, and decency. It has been proven to be an effective instrument toward this objective. This existence of uniform Federal law in the enforcement of civil liberties is essential. The difference of opinion between Connecticut and Mississippi is, of course, not in itself a basis for Federal law, but when certain inalienable rights as given by the Constitution are abridged, no matter how prevalent or confined the denial is, we must have some common adequate regulatory power. And that power belongs to the Federal Government, in fulfillment of its obligation to defend and uphold the rights granted under the Constitution.

Congress must recognize that infringements upon the American principle of freedom, justice, and equality endanger our form of government and are destructive to our basic doctrine of individual dignity and integrity. It is this recognition of the individual as a creature of God which sets us apart from the doctrine of totalitarian dictatorships.

It is essential that the gap between principle and practice be filled through law, and adequate safeguards be enacted to preserve our American heritage and to protect those things given us under the Constitution and our moral, economic, social and political existence.

I have every confidence that this committee, under the able guidance of Chairman CELLER, will report effective civil rights legislation to the House and that such a proposal will be passed by a sizable margin.

If such action does come to pass, I think it will be incumbent upon all of us in this body who want such a law for the protection of all United States citizens, to enlist all possible assistance from our colleagues in the Senate toward the objective of effecting final passage. We should all try to avoid the shelving of good civil-rights legislation which occurred in the 84th Congress, after House passage.

Much has been said recently of the possible denial of rights to trial by jury if the civil-rights bill is enacted into law. It appears that the sudden concern for constitutional rights on the part of some consists of nothing more than an attempt to becloud the entire subject and thereby cause undue delays and confusion which might endanger passage of the proposal.

It has been pointed out that there is no constitutional guaranty of jury trial in contempt proceedings and, furthermore, it is very questionable whether Congress could, within the requirements of the Constitution, provide for trials by jury as called for by the opponents of civil rights legislation.

I hope this Congress will not be deceived by this or any other devious tactics from the realization that enforcement of civil rights is a necessity today where thousands of Negroes in the South are being denied the right to vote and other rights which belong to them as United States citizens.

The CHAIRMAN. The question is on the motion of the gentleman from Alabama to strike the enacting clause.

The motion was rejected.

Mr. WILLIS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, much has been said that the purpose of the bill is solely in the area of voting rights. That is just as wrong as wrong can be. This amendment occurs at page 10 of this bill and would amend part III. Part III does not have one single, solitary thing to do with voting rights. It amends statutes on the books according private right of actions to private citizens against other private citizens to vindicate their own rights in the whole area of civil rights. The statute which this part of the bill amends refers to all rights, privileges, and immunities arising under the laws and the Constitution of the United States.

Do you know what that means? That means, for example, that the right of a labor union to choose a bargaining agent under the Wagner Act and the Taft-Hartley Act arises under an act of Congress. This bill refers to that relationship and these injunctions may project themselves against labor union elections. Make no mistake about that. Do not think that this bill has only to do with voting rights. It strikes at all conceivable civil rights under the statute amended—I do not have it here, but you can look it up. The statute is in the report under the Ramseyer rule. This bill amends the statute. It affects all rights, privileges, and immunities under the Constitution.

Mr. Brownell testified before our committee and before the Senate committee that he must have the power under this bill, because it is too hard to convict in a criminal prosecution. Mr. Olney has said the same thing through the newspapers. We have all heard and read time and time and time again and every day in the newspapers that this bill is needed because juries in certain sections of the country will not convict.

How can these people look you straight in the eye and say that this bill does not take away rights? How can they pretend honestly that no rights are taken away, when the very purpose of the bill by making the Attorney General a party to the suit is to take away jury rights. Under this amendment we are not asking for one single, solitary right that the people, all the people, not only labor unions but all the people of the United States, do not presently enjoy in practically every conceivable case that will arise under this bill. This bill is designed to take away that right, depriving everyone of the right to trial by jury in civil-rights cases by the simple and cynical and ugly device of making the Attorney General the guardian of all personal rights of the peoples.

Here is what this amendment would not do: It would not require the trial of an injunction on the merits before a jury. The trial of the application for injunction will be before the judge without a jury. It will not deprive the judge of the right to punish for contempt occurring in the presence of the court. On the contrary, the right of a judge to punish for contempt occurring in the presence of the court is preserved.

It would not deprive the judge of the right to punish for contempt occurring so near the court as to obstruct the administration of justice. The judge would still have the power to punish for such contempt.

It would not deprive the judge of the right to punish for civil contempt, that you have been hearing about. The judge would still have the right to protect the dignity of the court in cases of contempt committed in the presence of the court or so near thereto as to obstruct the administration of justice, and the judge would still have the right to punish for civil contempt.

The one and only thing we are asking for is the right to trial by jury when the alleged violation of the injunction decree also constitutes a crime.

Mr. POWELL. Mr. Chairman, I rise in opposition to the amendment, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. MASON. Mr. Chairman, I have to object, regretfully.

Mr. POWELL. Mr. Chairman, strip the opposition to this bill of all hypocrisy, dishonesty, and subterfuges and only one reason stands out why anyone is opposed to this bill and that is because a minority in this country has made up its mind that under no circumstance is it going to allow colored citizens the right to vote—even in a Federal election. Clothing their arguments in sheep's garments of high-sounding phrases, nevertheless, the heart of their approach is one of hypocrisy and dishonesty. The tragedy is that so many Members of this body, from both sides of the aisle and from areas outside of the southern section, are susceptible to the arguments being presented.

I want to leave the legal side of this debate to the eminently qualified chairman of the House Judiciary Committee, the gentleman from New York [Mr. CELLER], and to the ranking Republican member, the gentleman from New York [Mr. KEATING]. I want to leave the logical presentation to other Members of this body. As for me, I would like you to face your conscience and make the choice between hypocrisy and honesty.

First, the opponents say that they are opposed to the Commission established by this bill. Yet, on page 1034 of the House hearings, we find a comment from the Jackson, Miss., Daily News of May 15, 1956, in which the State of Mississippi does set up a commission; appropriates $250,000; takes the chief of the highway patrol to head the force—one Mr. L. C. Hicks. I ask the question, "If Mississippi can spend a quarter of a million dollars on a commission and employ a sheriff to deprive citizens of their constitutional rights, how can anyone argue against the establishment of a commission to uphold the constitutional rights as set forth by our Government?"

Second, the opponents of this bill have made much of the so-called jury trial issue. Their acknowledged leader is a former supreme court justice of the State of North Carolina. I have here a memorandum which states that in North Carolina not only a justice of the peace but even a clerk can exercise contempt powers without a jury trial. How does it happen that those who do agree with North Carolina law giving a clerk the power to exercise contempt power are here today fighting against proper judicial procedures and insisting with their tongue in their cheek that they believe in trial by jury?

I have before me a list of those States of the Union which have enacted laws guaranteeing a trial by jury in contempt cases. Only one State, Oklahoma, provides for a jury trial in all cases of indirect contempt and 14 States guarantee trial by jury in contempt cases involving an injunction issued in a labor dispute only. Of these, only one is a southern State and that is Louisiana. If we were to be faced with the kind of juries that we find in Wisconsin, Utah, Pennsylvania, Oregon, North Dakota, New York, New Jersey, Minnesota, Massachusetts, Maine, Indiana, Idaho, and Colorado—which are the States that have such trial by jury laws—then we would be willing to take our chances with such juries. But when American citizens are faced with juries in the southern section of this United States we know that a colored citizen cannot get equal justice.

On January 10, of this year of our Lord, 1957, six pieces of property owned by houses of God were bombed in Montgomery, Ala. On May 30, Memorial Day ironically, the two young white men who bombed these churches and virtually admitted that they did, were acquitted by an all-white jury.

Is this the kind of justice that you men and women have sworn to uphold? Do you believe that houses of God can be bombed in the United States of America in the year of our Lord, 1957, and men go free even though they have confessed to the crime? Is this what you are going to vote in favor of today? If so, then may God have mercy on your souls.

This amendment—trial by jury—is the acid test of your vote. It does not matter if you vote on the final passage in favor of civil rights and on this amendment you vote in favor of trial by jury. The eyes of America are upon you, and American citizens—black and white, Jew and gentile, Protestant and Catholic—will know that you voted hypocrisy if you vote for trial by jury and then turn around and vote in favor of civil rights. There can be no civil-rights bill if the amendment—trial by jury—is in it and no one knows this better than the gentlemen from Mississippi, Alabama, Georgia, South Carolina, and the other States of the South.

Your vote today must transcend party, transcend race, transcend section, transcend religion. We must vote today as Americans.

Our colleagues from the South do not have the numerical strength to defeat a civil-rights bill in this House or in the other body. They do not have the numerical strength to include in it the hypocritical amendment for trial by jury. Therefore, if that amendment is included in this bill, America will know that it was done through the help of Republicans and Democrats from the North, the Middle West, and the Far West.

President Eisenhower has consistently followed a course of what he calls moderation. He would not put his stamp of approval on any civil-rights bills that even remotely threatened the constitutional rights of the people of this country. His Attorney General would not have come out against the trial by jury amendment if there was the slightest possibility that the Federal Government was usurping the rights of American citizens. The distinguished majority and minority leaders of this House would not be seeking passage of this bill if it would take away from any United States citizen any right which they now possess under the Constitution. We finally know that my colleagues from New York who have piloted this measure through the Judiciary Committee have consistently supported the rights of all people. With this great testimony behind us of the President, the Attorney General, the leaders of this House and our colleagues of the Judiciary Committee, only one answer then remains. If trial by jury is adopted, it will be adopted because we are not voting with honesty and with our conscience.

This is an hour for great moral stamina. Away with the pettiness and divisiveness of cheap political compromising. America stands on trial today before the world and communism must succeed if democracy fails.

Speak no more concerning the need of free elections in East Germany while here in the United States millions of Negroes and poor whites are disfranchised.

Speak no more concerning the bombed and burned and gutted churches behind the Iron Curtain when here in America behind our "color curtain" we have bombed and burned churches and the confessed perpetrators of these crimes go free because of trial by jury.

Speak no more concerning the imprisonment of Cardinal Mindszenty and others in godless atheistic Russia when here in so-called Christian America we have arrested, fingerprinted, and indicted 30 men of God. Why? Because they want to obey the law of the land.

God sits in judgment here today as He sits everywhere when a moral question arises and God knows our cause today is right, is just, is honest, is holy, is legal, and is moral. Let us therefore face this question with honesty not hypocrisy. Let us stop revealing ourselves before the American public and the world as cheap political puppets. Let us realize that at our best we are nothing but spittled clay grown arrogant with breath and each one of us at the undisputed barricade has a rendezvous with Him who dispenses equal and exact justice without regard to race, creed, color, religion, or trial by jury.

May we, therefore, with all humility and honesty approach that day when we meet the Great One that we may meet Him with at least a clean conscience and not with hearts and minds of sordid and shoddy hypocrisy.

Mr. MASON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise mainly not to answer the gentlewoman from Illinois but at least to offset the impression I fear she has made. She made a very eloquent, emotional, and persuasive talk, as she always does. I have great admiration for the gentlewoman from Illinois. I have introduced her on three occasions to audiences as the best-informed, the best-posted woman in America on national problems; and I still feel that is true. She was, however, very emotional and very persuasive.

I am not inclined to be emotional; I am inclined to be very positive, but not emotional, but I feel I must be a little emotional on this occasion.

I was born in the old country, across the big pond. I was brought to this country by my parents when I was 6 years of age, the 12th child in a family of 13. I had to go to work at the age of 14 years to help earn a living for the family; I had to start from scratch, and this Government gave me the opportunity to climb the ladder of success—an opportunity I would never have gotten in any other nation on earth. I therefore feel that I can never pay that debt of gratitude to this Government of ours and this Nation of ours. So I propose to do everything I can to defend the Constitution of the United States as I interpret it, and to defend our American way of living. That is the reason I have spoken 3

times in the 20 years I have been in the House, on constitutional questions, although I am not a lawyer. The Constitution means more to me, perhaps, than it does to the majority of lawyers, because of my life and because of the privileges I have enjoyed under that Constitution.

Now, this is the question I have been leading up to, this is the question that weighs heavily on my heart: What confidence can we have in a politically appointed Attorney General? For the last 50 years I have been paying attention to those appointments and, during that time, we have had nothing but politically appointed Attorneys General.

My question is, Does this House have more confidence in a politically appointed Attorney General, to give proper justice to the citizens of America, or in 12 good men and true in a jury box, selected from a proper venue, representing the grassroots of America—which of these two methods would you have the more faith in to provide proper justice? Oh, I know we have had some juries that did not do what was right, but we know from past experience that court injunctions have been so terribly abused that we had to do something about it, and we did.

I just put that question to you, which? A politically appointed Attorney General to hand out justice or 12 good men and true?

Mr. WHITTEN. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, I do not think it particularly appropriate here, but some reference has been made to a case in the South involving a boy from Chicago, and I would like to have the attention of the members of the Committee to make some comment with reference to that type of matter.

It is so easy to read the press and accept their version of the facts as these speakers have done. I would not say that my information would be more accurate than what the press had, because mine would be second hand too. It is easy to second guess either a jury or a judge when one does not know all the facts or even when the facts are known.

May I say to the members of the Committee that I served in that section for 8½ years as district attorney. I handled a case in the adjoining county to the county referred to where a Negro man was killed by a white citizen, a veteran. The defendant came into court and asked that he be permitted to plead guilty and accept imprisonment in the penitentiary for life. His request was refused because the evidence clearly showed the commission of a horrible murder. The defendant was tried in that county before a jury of 12 white citizens. That jury brought in a verdict of guilty, which meant he received a death sentence. I mention that case to show what southern juries do when the facts are sufficient to warrant a guilty verdict.

I pointed that case out in hearings before the Senate and House committees; I pointed it out to the press, but there is no political benefit to the proponents of this measure in showing that the southern people do carry out their responsibilities, as they did in that case so no note was made of it. The facts in the case I have just referred to appear in the hearings of the Judiciary Committees of the House and Senate. Though these facts have been pointed out to the members of the press, this is news to you because it served no purpose to publicize that case or others like it back in areas where votes are being sought today.

Involved in this matter is not a case of the proponents of this amendment trying to provide jury trials. Involved in this amendment is an effort to prevent the bill that you have from taking away a jury trial which now exists. May I say to you that involved in this is not a jury trial as to contempt of court, where the defendant is a party to the case or where the action is in the presence of the judge and the judge sees it. This amendment would retain a jury trial to determine the issue of fact, where the occurrence took place out of the presence of the judge, as to whether in fact such contempt occurred. This amendment would retain the rights now existent in the case of Clinton, Tenn. There the board of education was ordered to take certain actions. But it did not stop there. The Federal judge, in his order, directed that, in addition to the school board, all persons in the community must refrain from interfering with his order, "by words, acts, or otherwise." These 16 defendants were arrested and charged with criminal contempt for violating the order. I do not know whether for alleged violation by words or by act or merely "otherwise."

Under present law these defendants are entitled to trial by jury as to whether in fact they committed the act alleged. If this bill had been the law, the judge would serve as prosecutor, jury, and judge as to defendants and on facts which happened beyond his presence.

This amendment would retain the rights which now exist. Perhaps it makes no difference, may I say to my lay friends in the Congress, if a man has violated the law it might not make much difference to him whether he went to jail by act of the judge or by act of the jury and confirmed by the judge. But I say what you do in this bill, in the absence of this amendment, you say to those 16 defendants or others who may face the same problem, the judge shall not determine solely and alone the issue as to whether there was really a violation. There could be no more controversial issue than whether the acts constituting contempt really happened or not. This is not a case of what the penalty should be, and that would be determined by the judge, but this amendment would preserve the right to have 12 men pass on whether such defendant did, in fact, violate the judge's order "by act, by word, or by otherwise."

Now, let me point out something else. You know, lawyers, when they get in this field, are artists at muddying the waters, sometimes you just have to rake away what they say and get down to brass tacks. You have seen it in the courtroom; I have, many times. The proponents of this measure have built up an atmosphere that puts us from the South in a position of trying to get jury trials when, in fact, we are trying to preserve that right which now exists. Technically it was pointed out that this bill would not provide double jeopardy, and I agree, if you express it that way, because the Supreme Court has said that to have a double shot at a man to send him to jail for violating the law and to have another chance to send him to jail for violating an injunction is not, technically, double jeopardy.

But, let me put it this way, and I think this will be uncontradicted. The effect is the same. This bill in the absence of this amendment will give the Attorney General two chances at the same individual on the same facts to send him to jail, and I do not care whether technically the Supreme Court says that is not double jeopardy or not, the defendant can be tried twice for the same action. This bill, on the same set of facts, one action by the same individual, would give the Attorney General two cracks at sending him to jail.

I regret that the debate has led to a level where the general feeling of many speakers seems to be that there is no question of the guilt of southern people. I regret that many Members seem to take it for granted that southern juries would not convict. How do they know, when the present laws, with present safeguards, haven't been tried?

No, my friends, it is tragic to see the right of trial by jury erode away under the pressures of political expediency. Unless you save that right, believe me, you will regret it.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this time would not be taken were it not for the fact that in the press and in this debate a whole section of the country has been indicted as lawless. It has been charged that southern juries will not convict in certain cases. From my experience of more than 30 years as a trial attorney, I cannot go along with that charge. Naturally there are exceptions to every rule. I do not believe there is any justification for the general charge that has been made. I have had it demonstrated time and again that juries will convict regardless of what they think the law should be if it is pointed out to them what the law is and what the facts are.

Never have I been able to completely forget the admonition of St. Matthew:

> And why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?
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> Or how wilt thou say to thy brother, Let me pull out the mote out of thine eye; and, behold, a beam is in thine own eye?
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> Thou hypocrite, first cast out the beam out of thine own eye; and then shalt thou see clearly to cast out the mote out of thy brother's eye.

There is another reason: Years ago in Michigan we had a subversive group in my own district in Berrien County. They were convicted. The Supreme Court reversed the conviction, because the law was unconstitutional and that was that. Since that time we have had other troubles there, of which we are ashamed. I noticed in yesterday's paper that in Detroit there was another murder of a child, and that has been happening, I think, on an average of something like once a month. Only a few years ago the body of a murdered child was found in my home county, within 15 miles of my home. For some of the murders in Michigan no one has been arrested or tried. It is with a great degree of regret that I venture to call the attention of our very delightful colleague from Chicago, who referred to the "Till case in the South"—and no one can justify that murder—to the fact that in Chicago some time ago three boys were murdered—their bodies thrown in a ditch. There has been no arrest, no trial, no conviction. Scarcely a week goes by that someone is not murdered in Chicago. And the same might be said of New York and Brooklyn, from whence comes the gentleman [Mr. POWELL], who made such a moving emotional appeal. Emotion is all right. It is a good thing we have so much of it. But it should not lead us to broad general unjustified charges. But why criticize another community, another section of the country without admitting our own need for reforms. At times, Chicago has been a wicked city, a vice-ridden, lawless city. I am not talking from hearsay. I lived there when attending Northwestern law school, in the early 1890's. It is no worse than other cities—but it is not without its professional criminals, nor have I forgotten that a committee of this House not long ago held hearings on the pardoning of the Capone gangsters. One of them had a residence in the Fourth Michigan Congressional District, although he operated in Chicago. He wanted a little peace and quiet, so he came to Michigan. Should Michigan be charged as lawless because it harbored members of the Capone crime syndicate? We had no choice. They behaved themselves while there. The Capone gangsters were convicted, sent to prison, later paroled. Within the past week, the court has just gotten around to ordering the deportation of Ricca who was one of the five who was paroled by the Federal Government.

It is all right to complain. It is good for our moral health to call attention to these situations. But that is no justification for the charge that a whole community, State, or section approves lawlessness or violence. Does anyone think for one moment that there is not as much crime in New York City or Chicago in proportion to the population as there is in the South? If they do just let them read the papers.

The gentleman from New York [Mr. POWELL] makes a very eloquent, religious plea. But what about the waterfront in New York? Murder after murder and the State of New York and the State of New Jersey are successfully defied by gangsters and racketeers.

It is not a bad plan for one condemning crime and criminals, advocating a housecleaning in some other community, to first take a look at his own hometown, city, or State. This is especially true before citizens of Chicago and New York tell the South, or any other section, to do a worthwhile, good, needed, and thorough job of cleaning out the crooks. Permit me to quote from a talk made on April 15, 1937.

When the chairman of the committee responsible for bringing in this bill, the gentleman from New York [Mr. CELLER] was advocating another bill which he said was designed to protect minority groups—in that case, from lynching. Mr. Biermann, who had the floor, among other things, made this statement:

> Mr. Chairman, this bill is not calculated to stop lynching. I have listened to most of the debate and I have not heard a single person say on this floor how this bill is going to diminish lynching. If it is not calculated to diminish lynching, what excuse is there for passing it?
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> The gentleman from New York [Mr. CELLER] asked what had been done to punish the perpetrators of the eight lychings last year. I do not know what has been done. He said that in New York they have crime, but they punish crime. Let us see: In the years from 1930 to 1934, inclusive—I got these figures from the World Almanac—there were in the city of New York 2,582 homicides. The police records of the city of New York show that for these 2,582 homicides there were 2,080 arrests; in other words, the arrests for homicides in New York City were 502 less than the homicides themselves. There were 502 killings for which no one was so much as arrested. The gentleman says that they punish these criminals in New York City. In these 5 years, when there were 2,582 homicides in the city of New York, there were, according to the police records of that city, 428 convictions. [Laughter.] In other words, according to the records, less than one person was punished for every 6 murders in New York City from 1930 to 1934, inclusive.
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> Mr. CELLER. Mr. Chairman, will the gentleman yield?
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> Mr. BIERMANN. Yes.
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> Mr. CELLER. The gentleman does not mean to presume that there were 2,582 felonious homicides. There are all manners and kinds of homicides, homicides by destruction by automobile, for instance.
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> Mr. BIERMANN. I mean criminal homicides.
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> Mr. CELLER. Will the gentleman classify them?
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> Mr. BIERMANN. If the gentleman wants me to, I will put that in the RECORD.
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> Mr. CELLER. I have it right here. Put it in—classify them.
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> Mr. BIERMANN. Felonious homicides. This leaves out accidental killings, and leaves out suicides. It includes only felonius homicides and the figure is 2,582 for the years 1930 to 1934, inclusive.
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> Mr. CELLER. I have it right here before me, felonious homicides in New York, 376.
>
> Mr. BIERMANN. In 5 years?
>
> Mr. CELLER. In 1 year. I am speaking about a year.
>
> Mr. BIERMANN. I said from 1930 to 1934, inclusive.
>
> Mr. CELLER. Then the gentleman should indicate the felonious homicides in contradistinction to manslaughter by negligence.
>
> Mr. BIERMANN. The gentleman cannot take up my time in that way. I do not refer to accidental killings and I do not include suicides; but I mean criminal killings, of which there were 2,582 in the city of New York during these 5 years, with only 428 convictions of murder. If we are going to pass unconstitutional legislation to prevent killings, let us do something to deal with the wholesale killings in New York City. Lynching in the United States has declined from 226 in 1892 to 8 in 1936, but New York City still has a situation in which less than one-sixth of its murders are followed with convictions.

The FBI report shows that in 1956 there were 315 murders in New York, 293 in Chicago; in 1955, 306 murders in New York, 292 in Chicago; in 1954, 315 murders in New York, 277 in Chicago. Other figures are not at hand.

If anyone will read the record that was established by a committee of this House about the Capone conviction, the crimes involved and the parole of those gangsters, he will hesitate to say very much to people in other communities about cleaning their house until his own community has had a bath. At those hearings we had two police officers, captains, who were on the trail of the gangsters and the murderers and who gave us aid. They were threatened. Told they would be killed if they continued to give testimony. Later when one of those two police captains, Thomas E. Connelly and William J. Drury, was on his way to testify, to meet the staff of the Kefauver committee, that police captain in Chicago was shot to prevent his testifying. I do not recall that anyone was convicted. That was but one murder of many when an attempt was made to enforce the law—punish gangsters.

The record is full, not only of beatings, but of murders, if you want to look at it, that have occurred in Chicago and New York and have gone unpunished. Have we already forgotten the Riesel case where witnesses because of fear refuse to testify? So I say that I for one do not propose in view of my own section's record over the years—and I think we have as fine, loyal, decent, and law-abiding a community as there is in the United States—to criticize any other section of the United States as a community as being lawless or immoral until the record of our own State is clean.

Mr. BOYLE. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I was happy to see several of the other Members from our proud city of Chicago up on their feet vying for the opportunity to defend the fair name of our city. The reason I was recognized and accorded that high privilege and the honor is that I am a member of the Committee on the Judiciary.

Several times during the course of this debate the name of that great city of the Middle West has been injected into the debate and has been featured very prominently. During those times when my city's fair name was challenged I was not on the floor. A reading of the CONGRESSIONAL RECORD discloses what was alleged. In reading those passages, I felt that there was much calculated to incite the imagination of people who were looking for an out to vote against this legislation. Looking at those remarks, and their utter irrelevance detached from the heat of debate, I remembered again and again the policy employed by astute trial lawyers in courts of law.

They try the facts when the facts are on their side, and if the facts are not favorable the lawyer seeks to try the litigants. If there is nothing in the background, the history, or in the personalities permitting attack, they proceed to go ahead and try the opposing lawyers. If still none of these categories does not permit a peg on which to hang their hat, the lawyer proceeds to try the court.

So much of this debate has been a real studied effort to go off to the Southwest or off on a tangent. The opponents, all of whom, with few exceptions, are against any legislation, want you to look at the shades and look at the shadows and thereby diverting your attention from the brass tacks of this legislation.

In simple terms, the bill provides only for a strengthening of those constitutional guaranties that should be accorded to everyone, white and black, Jew and gentile, Catholic and Protestant, and all minority groups throughout the whole United States. In the bundle of civil rights we think in terms of people's right to security, their right to personal liberty, and, of course, their right to participate in the conduct of their Government, which is one of the greatest and noblest rights of free people. Any law that negatives those rights, of course, is unconscionable. Any group of people who would consciously or even unconsciously, by reason of malfeasance or nonfeasance, set up a procedure or course of conduct that has as its end result the deprivation of those guaranties of the Federal Constitution, are really un-American.

I submit that the bill today, apart from any sectionalism, apart from any emotionalism, is merely an honest effort on the part of the Congress to shore up the guaranties of the Federal Constitution.

At no time during the 84th Congress, when I was a member of the subcommittee processing the civil-rights bill, was the question of a jury trial as suggested or discussed a possible amendment to this legislation even discussed. Why? Because the lawyers on that subcommittee were much too good lawyers to attach such a device in a civil proceedings. Who was on that committee? None other than the ranking minority member of the judiciary committee of the Republican Party, the late beloved Chauncey Reed. He bowed to nobody when it came to knowledge of constitutional law. The rest of the lawyers on that subcommittee were equally high in standing.

Apart from the composition of the subcommittee, the lawyers on the full Judiciary Committee in the last session of Congress never raised the jury-trial issue. This bill provides a civil remedy if you examined this bill, and the bill does name this law for the deprivation of the right to vote. There is no legal basis to dangling before the minds of the Members of this House the notion that this bill imposes a criminal penalty.

Mr. YATES. Mr. Chairman, I move to strike out the last word.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Illinois.

Mr. BOYLE. As I have said, time and time again, the bill seeks only to give a civil remedy, a more effective remedy as you know back in your neighborhoods, back in your hometowns, back in those local environments, it is difficult after a set of facts has transpired to get good people to convict under the criminal statutes, particularly when the establishment of certain elements of willfulness and wantonness are a necessary part of the crime. Is it too unusual a situation where the Attorney General says to a voting registrar "You leave Mr. Green's name on the polling list or you are going to be enjoined." After the proper application to the proper court an injunction is issued restraining the registrar from taking Mr. Green's name off the list. In the following election Tuesday, Mr. Green's name is taken off the list in derogation of his right, of course, under the 15th amendment. The Attorney General furnished with a signed complaint showing the disregard and disobedience of the previous court order proceeds to get a rule to show cause. That may be the jargon of the law, or so-called words of art, but a rule to show cause merely means that the voting registrar must come in open court and show why he took that name off the list. The voting registrar may say, "Well, I did it inadvertently. I did not mean to do it." And that may satisfy the court. But the fact remains he is in contempt of court. The nature and extent of the punishment, if any, including any mitigating circumstances will be resolved and determined by the court.

Mr. YATES. Mr. Chairman, I agree with my colleague, the gentleman from Illinois [Mr. BOYLE]. We have witnessed most adroit diversionary tactics by the opponents of the bill to take the battleground of this bill from the national scene and to move it to Chicago, or New York, or some other inappropriate area. This bill is designed to assure the right to vote to American citizens who are denied that right now. This may happen anywhere in the country—in some sections more than others. But let us not point the accusing finger at Chicago in this instance. All American citizens can vote in Chicago. The battleground for this bill is not the city of Chicago or the city of New York or any other metropolitan community. It applies to the whole country. I would suggest to the gentleman from Michigan who said he knew Chicago well because he lived there in 1890, that he ought to visit it now. I would say to him, "Do not judge present-day Chicago by an ancient memory." Chicago is a modern, thriving, growing community. Yes, criminal acts do occur in Chicago. Offenders are punished. Chicago has done much to clean up its blots. If the gentleman investigated today, he would discover just what we have done. Criminals are punished. No killing to which the gentleman referred, which he said resulted in no conviction, is still unsolved. When these killers are found they will be brought to justice. We are proud of our record for punishing crime and enforcing our criminal laws. The gentleman would find that Chicago has moved forward very well toward becoming a good law-enforcing community—one of the best in the country today for a city of its size.

But, Mr. Chairman, I rose to speak to a more important point. The gentleman from Illinois, my good friend [Mr. MASON], rose a few minutes ago and gave us a choice, the choice between accepting a politically appointed Attorney General or a trial by 12 good and true men. It was not an accurate choice. This is not our choice in the bill at all. I think the choice, too, is another example of camouflage. The choice which this bill gives us is not between the Attorney General and a jury but between a judge and a jury. We are to choose whether to let the judge continue to exercise his historic and ancient rights or whether to require him to be subject to a jury's decision, where the law makes no such requirement today.

As you review this debate, you will find that those who favor the jury trial amendment have sought to impeach the judiciary directly or by reference by seeking to impart a lack of confidence in the judiciary.

Through so many of the speeches this note of doubt has been sounded, this tone of lack of confidence in the judges, this tearing down of the courts. This is a most unfortunate development. The strength of the judiciary is essential to our Government and to our way of life. Let me read an excerpt from the debate on April 8, 1954, a statement by the beloved Speaker of our House, Mr. RAYBURN. This is what he said on that day:

Mr. RAYBURN. Now let me say this, and I can say it for all Members of the House. It matters not to me how they vote today; I know that we are all seeking the same end, and that is to protect, defend, and perpetuate the great institutions of this, the greatest of all governments ever instituted by man.

Then the Speaker went on to say:

I said 40 years ago on the floor of this House, and I repeat it today, that, next to the Representatives of the people, the bulwark and safety and perpetuity of these institutions of ours rests in the courts of our country. When I come to the point where I do not have faith in the courts of the country, then I will lose faith in the perpetuity of this Government. It is true that a judge is appointed by the President of the United States, just as is an Attorney General, but he goes upon the bench, and I think I can say for all Presidents—and I have served many years under both parties; 12 years under a Republican administration—I think they have made few mistakes; very very few mistakes in selecting men of high character and of great legal ability.

So, Mr. Chairman, I say as we move through this debate, let us not listen to those who would tear down the integrity of our courts. Let us not listen to those who would impeach the courts, let us not permit the impression to go out from this House that the integrity of the courts is being questioned. Let us not preach anarchy by even inferring, let alone declaring that the courts are not worthy of support.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, I rise in support of the amendment which would provide for the right to a jury trial in contempt proceedings growing out of injunctions issued under this bill.

Under the Constitution the Congress has the duty to prescribe the powers of all inferior Federal courts. That this power extends to the authority of Congress to provide for right of trial by jury in contempt cases, particularly where the contempt was not committed

in the presence of the court or so near thereto as to obstruct justice, is I believe, well settled in our law. The question here is not whether there is a constitutional right to a jury trial in contempt cases. The real question here is whether the Congress would deprive an accused of a jury trial in contempt proceedings which are essentially criminal in nature and substitute instead the injunctive remedies known by every lawyer to be harsh in nature and historically limited in application. In any substantive sense the bill before us is a criminal statute. The contempts contemplated in this bill will be violations of penal laws as well as court orders. Under such laws the offender would be entitled to a jury trial. Under this bill men will be jailed for the same offenses, not upon the verdict of a jury but within the discretion of a Federal judge.

The right to trial by jury is a sacred right, a right as sacred as the right of suffrage itself. Here, Mr. Chairman, we are talking about cases where the issue is between freedom and bondage. We are dealing with the liberties of men. I ask you who are for this bill: How can you be selective in your appraisal of human rights? How can you say that one man's rights are more valuable than another's? Are you willing here to launch this Government upon a policy which holds that the end justifies the means?

Our criminal jurisprudence has always been jealous of its legal safeguards for those accused of crime. It has always held that when a choice must be made, it is better to acquit the innocent than to convict the guilty. Upon this principle our criminal law has developed. Upon this principle a man cannot be held to answer for a crime except upon information or upon presentment or indictment by a grand jury. Upon this principle a man cannot be convicted except upon proof beyond a reasonable doubt. Upon this principle a man may not be cast into prison without a trial by a jury of his peers.

The question here, I repeat, Mr. Chairman, is not whether there is a constitutional right to trial by jury in contempt cases. The question here is whether we should be restrictive or liberal in the application of the principle of the right to jury trial when human liberty is the issue. Are we not in danger of setting a precedent that may come back to haunt us. If we are going to deprive one group of Americans of a jury trial now, who is going to be next? I have already received correspondence recommending that we go back to government by injunction in labor disputes. The time and place to stop this trend is here and now. Should we by defeating this amendment say that we are going to enlarge injunctive remedies and narrow the field in which jury trials are applicable?

A vote for the jury trial amendment is a vote for human rights. It is a vote of confidence in the American way of life. I hope and trust that this amendment will be adopted.

Mr. SAUND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it has been said that behind every human edifice there lies the shadow of someone who cared. In the United States of America today we have built a splendid and glorious edifice of human rights and moral values. In the history of the United States someone has cared and, thank God, there are many of us here today who can see some others who do care.

Mr. Chairman, whatever you say about the gentleman from New York, Mr. EMANUEL CELLER, let me bear testimony to this fact: It is not today, it was not yesterday, but 15 years ago when some Cellers were loose and my colleague from New York, EMANUEL CELLER and Hon. Clare Boothe Luce offered a bill to give the right of citizenship to Hindus in the United States of America. There were not more than 50 Hindus living in the State of New York then, so he was not seeking votes. Yes, we have had many Mr. Cellers and Mrs. Churches—Hon. Mrs. MARGUERITE STITT CHURCH, of Illinois—and others to guarantee human rights.

My good friend from Illinois, Mr. NOAH MASON, said he was born in a foreign country and came over here. Today he is a Member of the United States Congress. My own case is also a parallel one. I was born in India. My position was a little more difficult. Ten years ago I was not only a foreigner, but I was an alien, ineligible to citizenship in the United States of America. Because of the opportunities that were open to me and that are open to everybody in this country, I, with the help of great Americans, acquired the right of citizenship. I received my citizenship papers, and today I have the honor to sit in the most powerful body of men on the face of this earth.

During the campaign, my opponent said that if I were elected to Congress, because of the color of my skin, the southern Members in Congress would not accept me. When the judge in El Centro gave me my citizenship papers he said, "From now on you are a full fledged member of Uncle Sam's family." And I wanted to show the world that in Uncle Sam's family there are no foster children.

I bear testimony to the fact that the gentleman from Oklahoma, CARL ALBERT came from his State and campaigned for me during the election; the gentleman from North Carolina, HAROLD COOLEY, sent telegrams on my behalf; and the gentleman from Tennessee, JERRY COOPER, put me on the powerful Foreign Activities Committee. They all come from southern States. So no one can say that the people of the South have not been good and affectionate and kind to me.

But, Mr. Chairman, I wish to plead with my good friends from the South. You do not go far enough. The gentleman from Illinois, Mr. NOAH MASON, said he was born in a foreign country, and because of the rights enjoyed by everybody in the United States he is a Member of Congress today. I ask him the question, "If he had been born in the State of Mississippi and born with a black skin, would he be a Member of the United States Congress today?" No amount of sophistry or legal argument can deny the fact that in 13 counties in 1 State in the United States of America in the year 1957, not one Negro is a registered voter. Let us remove those difficulties, my friends. I wish to stop with this story, and I am talking to my friends from the South.

My wife and I play tennis in the morning. We set our alarm at 6 o'clock. My wife lets me sleep until 6:15, but when the clock goes beyond that, the sheets and the blankets are off of me. She stands there and she says, "Honey, you are holding up the game." My friends, I know the gentlemen from the North in this Congress. No one is against those leaders from the South who have shown so much brilliance and patriotism in their service in the Congress of the United States. All we are saying is: Please modify your way of thinking. Look at the clock. Go ahead, and do not hold the game up.

Mr. COLMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I shall start my brief remarks where the distinguished gentleman from California left off. Let me say to him and to you that this race of people whom so much interest is being manifested in has made the greatest progress that any race of people ever made in a similar period of time in the history of the world, in the United States, and particularly in the South, to which they were imported. I shall not go into the history of those people, but they have made great progress, and I say to the gentleman from California and the rest of you who are interested that the greatest tragedy of all of these force bills is that you are disturbing the progress that has been made. You are the ones who are setting back the clock, not us. The worst thing that has happened in all of this is that that fine relationship that exists in that section of the country is being disturbed and being agitated by all of this force legislation. Those good relations and the progress that was being made are being disturbed and set back.

Mr. Chairman, I agree with the gentleman from Illinois that this should not be considered upon a sectional basis, and I decry it, whether it is aimed at Illinois or Mississippi or any other State. But, let us not get off the track. The important thing before us now is a jury trial and whether we are going to have a jury trial or not. And, again, I appeal to my liberal friends, those who attend the Jackson Day dinners, those who render lip service to the great cause of justice and liberalism. You, the proponents of this legislation, are the centralists, you are the Tories in this type of legislation.

What is going to happen, as a matter of fact, whether you write this amendment into the bill today or tomorrow, when it passes here, or not—mark these words now—if the bill passes the other body, that provision will be in it. And the leadership and the White House and special groups to the contrary notwithstanding, if a bill is enacted into law, this provision for the jury trial will be in it. Mark those words.

I saw on the floor here a moment ago a great liberal from the other body, my warm personal friend, a man with whom

I served in this body, a member of the Committee on the Judiciary, one of the chief proponents of this legislation in the other body. It is a matter of record that he is advocating this very amendment that we have under consideration. I refer to the distinguished Senator from Missouri [Mr. HENNINGS]. Another great, distinguished liberal from the West, I will say to my western Democratic friends, is advocating this amendment, Senator O'MAHONEY.

The amendment, is sound, it is liberal. When this debate first started, I believe I made the first speech. I hope this will be the last one. I pointed out the history of the jury trial in labor legislation. There has been a lot said about that. But again I call to the witness stand the gentleman from New York [Mr. CELLER], whose name appears as the sponsor of this bill. It was the distinguished and able and versatile gentleman from New York [Mr. CELLER], who pleaded with the Congress in 1932 to give a special group this right of trial by jury—the labor people; and he has never been able to get away from it.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. LANDRUM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it seems somewhat ironic to me, with more than 70 percent of the membership of this body privileged to be members of the legal profession, and a great number of that percentage also subscribing to membership in the American Bar Association, that today not all of them would be here supporting a jury trial while the movement is afoot in this country by the bar associations to get subscriptions to go to Runnymede and establish a monument to the granting of the right of trial by jury. We are not here asking for the right of trial by jury. We are here seeking to preserve that right which we already have and we seek to do it only in the area, that where the Mr. Green to whom the gentleman from Illinois [Mr. BOYLE] referred earlier is or might be charged with the violation of a restraining order put upon him by the court and there is a question whether or not he violated that order, then all we seek to do is to let the facts in that sort of a situation be determined by a jury of 12 men. That is all we seek to do. That is not the purpose of this bill, however. It has been admitted throughout the discussion of it, it has been alleged by word and design and otherwise, that the reason they want to strike down this right to a trial by jury is that some of our southern juries may not convict exactly as an Attorney General would like them to. But not until today have I heard it stated on this floor, flatly pointing the finger of accusation at every southern State, that "We are not going to support a jury trial amendment because you people down there will not convict"—that in spite of the fact that you have the dirtiest of trash in your own backyards.

We are not happy about all the things that have occurred in the South, but let me tell you a few of the good things that are happening. Members from Illinois, Members from Wisconsin, Members from New York, Members from California, great wealthy States with far beyond the average per capita income, come here to tell you that they cannot educate their boys and girls, "We have got too many, we have to have the Federal Government do it." But you come down to my State and you come down to South Carolina, and you come down to Alabama and Mississippi, and what are we doing? I can report for my State of Georgia. We are not asking you to do it. We are not denying the Negro the right to vote. In Atlanta, Ga., 3 weeks ago in an election for mayor more than 76 percent of the registered Negro voters voted, and only 36 percent of the white voted. In that same election a Negro sought office as a councilman contesting against two white men in Atlanta. A run-off was required between the Negro and a white man, and the Negro received more than 22,000 out of approximately 53,000 votes cast. Does that evidence denial of voting rights?

Coming to schools, what are we doing for them there, and mind you, they are paying only a small part of the expense of it? Within the last 6 years the State of Georgia has spent more than $175 million in a school-building program, with money raised within the boundaries of that State. Not a dime of it has come from the Federal Government or been asked of the Federal Government. More than 50 percent of that $175 million has gone into the construction of the most modern school buildings for Negro children that there are in this country. Yet the gentlewoman from Illinois talked so viciously and scathingly of the way we do things in the South. All we are asking you to do here to keep it from being so hard on us, leaving our citizens the rights we now have.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. LANDRUM. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I should like to inform the gentleman that from the day I was born there has been no viciousness in my heart on any issue with anyone.

Mr. LANDRUM. I will say to the gentlewoman that I had always thought that until I heard her speech a few minutes ago. I never in my life have heard a section of the country denounced so viciously as the gentlewoman, for whom I have had a high regard, did a while ago.

Mr. ROOSEVELT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is no secret that I have not blindly ignored the appeal of the trial by jury amendment. Indeed, I have urged the search for a middle ground, if one could be had, which would allow the enforcement of the basic purposes of this bill. But none has been found by the advocates of this jury trial amendment. Instead, a proposal is before us which would destroy the bill utterly and completely. It would establish the most evil of precedents. It would ruin the judicial system of justice in our country. For if this amendment were to be adopted every would-be evader or violator of the law would feel free to laugh at and to ignore the orders of the court. Let us remember once again that this bill and the debate on this issue emphasizes that everyone held in contempt under this bill holds the key to escape or avoid all punishment by simply obeying the order of the court. Punishment here can truthfully be said to be self-imposed and self-continued. If, as is claimed, one held in contempt under this bill should later be held for trial for violation of the statute, the situation is no different from many other situations where the Government is a party to the action and the accused has wilfully violated the law. I have not ruled out the possibility, as has been brought up here, of judicial abuses in the future. But, as has been so well said by the chairman of the committee, the gentleman from New York [Mr. CELLER], we reserve the right to meet that question as it was once before met if—and I believe it is most doubtful if—it should arise. So, after listening carefully to almost every argument given on this floor, I am most emphatically of the opinion that this amendment must be defeated. The purposes of this bill are so important to the individual rights of our citizens, so important to the ideals of democracy itself, which we all cherish, so vital to the winning of millions elsewhere to the side of freedom in its fight against communism, these indeed must be triumphant.

Mr. HYDE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, one great good that has come out of this debate might be said to be this. It is obvious how easy it is, technically and legally, to get around certain provisions in the Constitution. There is no question about the legal or technical accuracy of the position of the proponents of this bill. It is constitutional. But, for you laymen, I submit it is a good example of how very easy it is, legally and technically, to get around certain of our basic principles and provisions of our Constitution. Let me try to reduce this to its bare essentials.

There are two great fundamental rights involved in this bill and the pending amendment that are of basic importance to a free people—the right to vote and the right to a jury trial in criminal cases.

The right to vote is guaranteed in our Constitution. The people through their Congress, have assured to themselves this guarantee by making the violation of this right a crime, and by giving a citizen a civil action in damages against anyone who unlawfully attempts to deny them this right. Also, in their Constitution, the people said they shall be entitled to a jury trial in a criminal case and in such a damage suit.

Now, this brings us to the pending bill. We are told that the Negroes in the South are being unlawfully denied the right to vote, and that the laws we have just mentioned are not adequate to protect that right because southern juries will not convict—therefore, we need this bill which will give the court the authority to enjoin anyone from committing these acts which constitute a crime and are the basis of a civil damage suit. By this means we can avoid the juries

because if the violator commits the unlawful act which the court has enjoined him from committing, he can be tried for contempt before a judge without a jury; and if found guilty, sentenced to the same punishment that he could be sentenced to in a criminal trial.

It should be clear at this point what is meant by the majority report when it states:

> The legislation merely substitutes civil proceedings for criminal proceedings in the already established field.

It should also be clear that the effect of this bill is to make it possible to send the person to jail for committing the crime of violating the right to vote without giving him the right to trial by jury.

If the proponents of this bill are right as to the necessity for this legislation, it would appear that we are faced with the dilemma of deciding which is the more important, to preserve the right to vote or to preserve the right to a trial by jury. Many people here, including the gentleman from California [Mr. ROOSEVELT], talk about the horrors of interposing a jury between a judge and the defendant in an injunction case.

Mr. Chairman, this Congress has done that in section 402, title 18, of the code, where we said that persons have a right to a jury trial in criminal contempt cases. Congress has decided that issue. So we are confronted with the question: Which is more important, the right to vote or the right to a jury trial?

I will concede that the right to vote in a free society is the more fundamental of these two. Therefore, should this amendment be defeated, I shall be obliged to vote for the bill. But I submit it is unnecessary to make such a fearful choice.

The jury amendment will provide for a jury trial in contempt cases only when the act or thing done or omitted also constitutes a criminal offense under any Federal or State law.

This will not require a jury in order to get an injunction; it will not require a jury for a contempt which is not also a crime. It will merely assure a jury trial for a crime.

The right to vote will be protected by injunction, which is an order of the court ordering the accused to cease and desist from violating this right to vote.

So here is the issue: Will you vote to eliminate a jury trial for this particular crime or will you vote to preserve the right to a jury trial as well as the right to vote?

When you vote on the pending amendment, you will make this choice according to your own conscience. As for me, I will vote to preserve the right to a jury trial while protecting the right to vote.

Give them the light and the people will find their own way; there is no other power on earth that can find it for them.

Mr. CELLER. Mr. Chairman, I rise to suggest—and I emphasize suggest—a unanimous consent request by way of testing the feeling of the membership as to the time the membership of the Committee desires to vote on this amendment—perhaps one hour of debate?

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. SMITH of Virginia. The gentleman from New York has been very patient and I know he does not want to be in the slightest unfair in this matter, but it does seem to me that on this amendment which is the most vital thing so far as the membership is concerned, that the Members who desire to speak on it should have at least 5 minutes. I hope time for debate can be worked out in that way. I know the gentleman wants to be fair and he has been very patient.

Mr. CELLER. Can the Chair tell me how many Members are standing?

The CHAIRMAN. The Chair will count those standing. [After counting.] There are 40 Members standing.

Mr. CELLER. I think we had better run on as we have been, then.

Mr. UDALL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it does seem to me that the debate today has served to narrow down the real issues which confront us. To me the essential issue is a very narrow one, and I think there should no longer be any room for argument about it.

I am opposed to the pending amendment, and I am opposed to it on the ground of logic. I hope that emotion will not enter into my presentation here today.

It is the tradition of our American law and jurisprudence that in the use of the injunctive power of the court, the court makes its orders and the court carries out the enforcement of its orders. I take that as an indisputable fact. We have had a lot of smoke thrown around this issue, but I proceed upon that basic premise.

So, proceeding from that point, then, since there is no constitutional or statutory right to a jury trial in injunction proceedings, we then must determine whether or not there are special circumstances in this particular case which would require us to grant a special remedy. That is the essential question here. It is not a matter of depriving anyone of a right that he now has. We are addressing ourselves to the question of whether there are circumstances which require us to grant special rights to violators of court injunctions. That is the very essence of this dispute, in my opinion.

In the early history of the American labor movement, which culminated in the Norris-La Guardia Act, there were a lot of judges—a substantial number of Federal judges—who proceeded upon the theory that a strike of workingmen was a criminal conspiracy, and these judges undertook to use their inherent injunctive power to break up strikes. The gentleman from Alabama [Mr. ELLIOTT] discussed this problem quite fully a few minutes ago. The Congress then voted the right of trial by jury in labor injunction proceedings as a result of the abuses that had occurred by Federal judges. Had I been in Congress at that time I would have voted for it, just as today I would vote against the same proposition because I think there is no reason to fear such abuses now.

So, therefore, to me the burden of proof on this issue lies with those who say that we should supply an additional remedy, who say that we cannot trust the judges of our Federal courts to handle these cases. In essence, they contend that we should displace the dispassion of a judge with the passion of a jury.

I ask you all to examine your own congressional districts and the Federal judge or judges who sit there. Where can you find in all our vast country men who are more divorced from political pressure, men who are more above the passions of the moment and extraneous matters than this body of men jurists who will administer the proceedings authorized under this act?

Why can not we trust these men to enforce and carry out the orders they themselves have made? That is the bedrock question. I say to my friends who have proposed the jury trial amendment that had you made out a case that these judges are biased, or cannot be trusted somehow to carry out their responsibilities, I might have gone along with you.

This legislation, I hope, will have a beneficial use in my own State. I have the largest American Indian constituency of any Congressman, and I have had complaints from time to time from these people with regard to their voting rights. This will give them a remedy. They can go to the Federal court to protect their rights. That is the orderly way to proceed.

In listening to this debate, and having read the hearings quite fully, I find that no case has been made out against relying on the integrity of the Federal judges to fulfill their responsibilities under this act. So I say that unless someone can show me that our Federal judges cannot be trusted, I cannot support this amendment. I say to you that if we cannot trust these men—these judges—to do justice, to love mercy and to walk humbly with their God in solving this problem, we cannot trust anyone at all.

Mr. MORRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to read to you a precedent in this matter for what, if anything, you might think it is worth. We in the great State of Oklahoma are celebrating this year our 50th anniversary. We were born as a State in November 1907. Article 2, section 25, of our constitution in Oklahoma reads as follows:

> The legislature shall pass laws defining contempt and regulating the procedure and punishment in matters of contempt; provided that any person accused of violating or disobeying, when not in the presence or hearing of the court, or judge sitting as such, any order of injunction or restraint made or entered by any court or judge of the State shall before punishment or penalty is imposed, be entitled to a trial by jury as to the guilt or innocence of the accused. In no case shall the penalty or punishment be imposed for contempt until an opportunity to be heard is given.

Now, title 21, section 567, Oklahoma Statutes Annotated, in firming that up, reads as follows:

> In all cases of indirect contempt the party charged with contempt (shall) be notified in writing of the accusation and have a reasonable time for defense; and the party so

charged shall upon demand have a trial by jury.

That has been our constitutional and our statutory provision for many, many years in Oklahoma. So, I would certainly be going against the constitution of Oklahoma and our laws of Oklahoma if I did not support a trial-by-jury amendment, which I am going to do. I realize that that would not prevent this bill if it becomes a law from being constitutional from a Federal standpoint. I was admitted to the bar when I was 21 years of age. I am 58 now. I served as a court clerk, as a prosecuting attorney and practiced law for about 10 years in the general practice. Also I was on the bench for 12 years as a trial judge, a district judge in Oklahoma, and I have served in this honorable body now for over 6 years. I have spent my entire adult life either in the courtroom or in this legislative body here. And, I say to you that although I realize that the great State of Oklahoma is no better than any of our other great States, and it is smaller than some, but there are those who love it, and I am one who does; but I do believe that since we are rather a young State, having been born only 50 years ago, that we have made progress in this field; and we have set down indelibly in our fundamental law, in the constitution, a thing that if you do not come to now, you must come to eventually, and that is to afford every man a trial by jury when he is accused of anything that may sentence him to jail.

Now, I will of course admit as a lawyer, and as a former judge, that if a contempt occurs in the presence of the court, he must, of necessity, have the right immediately, without waiting for anybody, to fine for contempt or jail for contempt; otherwise the jury trial thus could be destroyed.

Yes; otherwise the jury trial itself could be destroyed, because a bunch of ruffians could come into a courtroom, disrupt the orderly procedure in a civil or criminal case, at any time, and destroy the trial by jury if the court did not have the right to punish for contempt when it occurred in his presence. But when it is alleged that it occurs out of his presence, the question of fact as to whether the man actually did or did not violate the order of the court ought to be left to a jury. And when you deny that right you absolutely go against the best legal philosophy, the best experience of mankind in dealing with the liberties of people, in my judgment.

I suggest to those of you who are urging that a jury trial not be allowed that it probably will come back and haunt you on other issues that may arise, because you are going to set a precedent here that you may be ashamed of later.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CHUDOFF. I move to strike out the last word.

Mr. Chairman, I am not going to burden the committee by speaking for 5 minutes. Usually I have great difficulty when I come into the well of the House taking as many as 5 minutes. I have in this envelope the results of quite a bit of research on contempt of court, criminal contempt, civil contempt, contempt in the presence of the court, contempt outside the presence of the court, and the rights and privileges afforded a defendant who is charged with any of these violations.

I think we have listened to practically every lawyer in the House. I am very happy to have had the privilege of hearing them because it has been 25 years since I went to law school. Some of you know that I am a candidate for judge back in Philadelphia and I might be elected, and if I am, I will probably have some contempt cases to worry about. It is good to have my memory refreshed to the point where I can understand this problem.

What I want to talk about today is this. This is not a political problem. I think it is a local problem. I do not think there is a Member of this House, either in the Democratic Party or the Republican Party from the South who wants this bill in any way, shape, form or fashion; and I think it is a shame to have had to sit through the greater part of last week and all of this week and listen to speeches about jury trials and trials without jury, fair judges and honest judges and judges who will not listen and what a jury will do or will not do, when I know from my experience as a lawyer that nobody knows what a jury is going to do. I say to you that if the only issue were the question of a trial by jury, it would be well worth spending the time discussing it, but what is the use of kidding ourselves? You gentlemen from the South who have stood up on the floor of this House and so ably defended the Constitution and the right to jury trials in contempt cases know in your hearts that if this amendment should carry, and it will not carry, you will not vote for the bill anyway. So I do not know why we are making such a fuss about it. I think we have all heard all that we should hear about this. We know what it is all about, we know what the right to a jury trial is in criminal contempt. We know that there is no right to a jury trial in civil contempt except in certain specific acts of Congress. I think we ought to stop talking and vote on this amendment one way or the other, because if my friends in both parties from the South find that this amendment is carried they will vote against this bill, anyway.

Mr. Chairman, I want to vote against this amendment and vote against it as soon as possible.

Mr. MILLER of New York. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the simple point made repeatedly and truthfully by the proponents of this legislation is that it creates no new substantive rights, and, of course, conversely creates no new wrongs.

Speaking solely to the question of the individual's right to vote to which I, of course, like everyone else wholeheartedly subscribe, the Attorney General may now proceed to indict, convict, and institutionalize anyone in this country who intimidates another in his right to vote or in any way obstructs or prevents that right. To do so is now a Federal crime within the penal statutes of our country and has been for a long, long time. But, of course, in such a proceeding the defendant is entitled to a jury trial which has not only been on the statutory books of our country for a long, long time but is in the Constitution of the United States. Also, today, any individual who is intimidated in the exercise of his right to vote or prevented from voting may sue the person responsible for money damages or may bring an injunction restraining that individual in his actions. But, of course in all such cases by statute for a long, long time the defendant is entitled to a jury trial.

Now through this legislation the Attorney General has stated that he wants new remedies by which he may reach the same defendant for the very same act and send him to the very same jail for the very same length of time, but in this new remedy he asks us to eliminate for the benefit of such defendants a jury trial. We are not here now talking of civil contempt or court orders requiring appearances or the production of documents or the invasion by the Government of new fields such as atomic energy, monopolies, Securities Exchange Commission, and so forth. We are talking of an old field concerning old rights and old wrongs long governed by our Constitution and statutory laws but which the Attorney General now wishes to preempt and circumvent through a new and novel arrangement in this field.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAVIS of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I yield to the gentleman from New York [Mr. MILLER].

Mr. MILLER of New York. I thank the gentleman.

Mr. Chairman, as reasons for requesting this new and dangerous precedent, the Attorney General says its aim is preventive and not punitive. He wishes the authority to restrain the wrong before it occurs. If that is so, then he should be in support of this amendment, for with this amendment, the Attorney General may still secure a temporary injunction, a permanent injunction without any recourse to a jury trial. But only when it gets in the punitive field where the Attorney General brings into a United States courthouse a defendant charged with already having committed the act the Attorney General wished to prevent and starts to try him for his freedom, then and only then does this amendment apply, by simply securing to the defendant his right to trial by jury.

As another reason for asking for this permission to circumvent the present existing provisions of the penal law, the Attorney General says that a jury trial would cause unnecessary and perhaps fatal delay. Since this amendment does not apply to the proceedings relating to temporary or permanent injunction but relates only to the trial procedure of a defendant already charged with the crime, it is hard to see how the issue of delay is relevant. For depending on the type and nature of the defense entered in behalf of a defendant, who is there to say or how can it be proven that a trial without a jury takes less time than a trial with a jury? After the presentation of evidence, I have seen cases where judges take four times longer to make up their minds than does a jury in reaching a verdict. But even if delay were a valid argument, it would be a mighty foreign argument to our system of government. When my constituents complain of the apparent delay and cumbersome aspects of our Government such as committee hearings, deliberation by both bodies, conference reports, President's signature, overriding the veto, Supreme Court interpretation of congressional action and so forth, I admit to them the cumbersome nature of our system of checks and balances as compared to the streamlined nature of totalitarian governments but that the very preservation of our free and democratic institution rests in this deliberate and preconceived propoundness and so does it also rest in the system of no penal incarceration without jury trial. Is the real reason, therefore, that it is felt but not openly alleged that in certain sections of our country, Americans who accept the responsibility of sworn oaths as jurors are not fairly and impartially discharging their obligations? Having sat through hearings on this legislation in the subcommittee a year ago and this year, it is my sincere belief that the record to this date does not warrant that conclusion. But in any event, by this very legislation we are creating a commission at great cost to the taxpayers which for the next 2 years will be in operation and in a position to study this very question. If at the conclusion of their study they report that this jury trial amendment effectedly sabotages the efforts of the Federal Government to guarantee voting rights, even I at that time might be willing to subscribe to such a drastic measure as the elimination of jury trials in this field like I have always been willing to yield certain inalienable rights in time of war or national emergency. Hoping then that it would not be a precedent for future Congresses applying similar legislation to different areas or groups on the whispered charges that Polish people cannot be depended upon to convict a Polish person, that Irishmen cannot be depended upon to convict an Irishman or that laboring men and women cannot be counted on to convict laboring men and women, but in this particular field at this particular time and in this hour of our country's history, I urge you not to destroy the constitutional and statutory rights of trial by jury belonging to some on the allegation that it is necessary in order to preserve the civil rights of others. With the adoption of this amendment, we can preserve both cherished rights.

Mr. PRESTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PRESTON. Mr. Chairman, on a recent television program millions of Americans heard Nikita Khrushchev, the boss of the Russian Communist Party, predict that our grandchildren would live under a government of Communist socialism.

Our reactions varied from amusement at such an apparently absurd prophesy to shock that the head of the godless Communist Party should have the effrontery to make such a ridiculous statement.

Sober second thought, however, leads me to the conclusion that perhaps this Soviet tyrant was better informed than we give him credit for. In fact, his brash prediction offers the suggestion at least that he has followed the hearings and the testimony on H. R. 6127 more closely than we thought.

It is readily conceivable that the astute masters of the Kremlin see in this iniquitous civil-rights bill an enormous stride in the United States toward the police state under which the oppressed people of Russia now exist.

Khrushchev's optimism about the adoption in this country of the Russian mode of government by tyranny is further explained when it is considered that this police-state legislation is not sponsored by a subversive group or organization, but by the President of the United States and the administration which he heads.

Let us examine briefly some of the broad provisions of this proposed law that may easily give credence to Khrushchev's bold prediction.

We see in this law the enormous grant of power to the executive branch of the Government. The power of freedom or jail vested in the chief law-enforcement officer of the executive branch of the Government.

The historic rights and duties of the States to protect their citizens is destroyed in one fell blow. And further, the rights of individual citizens and the protection of individual citizens afforded by the Constitution are thrown into the discard.

You men and women of this Congress, individuals of judgment and maturity, know full well that the enforcement of these sweeping provisions will require a horde of bureaucrats and Federal police that will be needed to ferret out every imaginary infraction of this proposed statute.

Under whatever innocuous name this force may officially be designated, its functions inevitably will be that of secret police.

Mr. Chairman, by this legislation we are inviting, if not directing, the establishment of an American gestapo to spy and snoop and terrorize American citizens in every village and hamlet in the 48 States.

Is it any wonder that Khrushchev predicts so confidently that the Socialist system under which his tyranny thrives will be established in this country in two generations?

If the wisdom and judgment and spirit of American fair play does not cause this body to reject overwhelmingly the oppressive proposals in this bill, we may see that sad day come to pass in our own time.

Another shocking similarity between this bill and the prevailing mode of government in Russia is the abandonment of our historic right of trial by jury. This bill substitutes justice by injunction for the precious right of trial by jury.

I invite your attention to the language of the bill which very skillfully determines that the citizens against whom these civil rights injunctions are issued shall not have the right of trial by jury. I say these provisions are wicked and deliberately malicious in stripping our citizens of this great judicial right.

It is shocking to think that the American people are being deprived of this right, not by some occupying army of a conquering force, not by some revolutionary junta that has seized power, and not even by our own military authority under some disrupting enemy attack.

This successful assault upon the right of our citizens to a trial by jury would be perpetrated by the elected Representatives of the American people in Congress assembled.

Can this be happening in the United States of America?

Can this be occurring in the Halls of the United States Capitol?

Are our people being stripped of the right of trial by jury by the Congress of the United States which has historically upheld and extended the rights of all Americans?

Many of you may recall a novel written by Sinclair Lewis many years ago which was entitled, "It Can't Happen Here." This book went on to trace the establishment of a dictatorship in our country. This tragic event was accomplished, of course, by zealous subversives.

Today we witness the solemn consideration in the Congress of legislation that opens the doors to the destruction of individual liberty, as surely as night follows day.

If an assault on our freedoms were being made by an outside power we would all be up in arms. Even today our servicemen are stationed in all parts of the world to protect our Nation against attack and to protect our country from the loss of our freedom that would be entailed by our conquest by a foreign power.

But in the face of our vigilance against outside attack, here today we are ourselves, elected representatives of the American people, perpetrating a blow against American freedom that the hordes of Communist Russia dare not attempt by military violence.

The very fact that we are considering this legislation: That it has been reported favorably by a powerful committee of this House demonstrates the sad lengths to which this body has already gone to strip our people of our liberty.

That we consider this measure is shocking and can only cause rejoicing among our enemies. That we should pass this legislation in the light of our own history is unthinkable.

I have noted that the committee which has considered civil rights legislation in the other House of the Congress was careful to include in its draft a provision that trial by jury would be preserved. I hardly have to point out that H. R. 6127, as reported, does not include such a safeguard.

In my opinion the fact that this legislation is impractical and unworkable is almost beside the point. The fact that such alien legislation can be favorably recommended for passage is the tragedy.

We have had experience with the Federal Government seeking to police the individual citizens of this country. Although the 18th amendment was passed by due constitutional process and had the force of the Constitution behind it, we all know that its enforcement by the Federal Government was an utter failure.

The citizens of this Republic would not stand for the Federal Government enforcing police measures against them that had historically been the province of State and local government.

We know how difficult it was to get convictions under this law when violators of the 18th amendment were prosecuted.

The 18th amendment, lawfully and constitutionally projected the machinery of Federal law enforcement into the States and towns and cities. It forbade the traffic in beverage alcohol. The police power of the Federal Government was restricted to this one phase of American life.

This civil-rights legislation, without the sanction of a constitutional amendment, goes much further in its invasion of the rights of American citizens.

The legal authorities who drafted this legislation undoubtedly had in mind the failure of national prohibition when they withdrew in this legislation the right of a victim of this law to be judged by a jury of his peers.

Most of us recall with dismay the widespread contempt for law and law enforcement that grew out of the attempt to impose national prohibition upon this country. Such police legislation was recognized to be beyond the powers delegated to the Federal Government. Therefore, the processes of amendment were sought and complied with to legalize national prohibition. Still it didn't work.

Now there are those who would enforce this unauthorized police power conceived in the name of civil rights by denying American citizens the right of trial by jury.

Mr. Chairman, I submit that today we are witnessing an ouslaught against American liberties that may well herald the change in our form of Government that Khrushchev so boldly predicted.

I say to you that we face tragedy such as this Nation has never experienced when judicial stupidity and legislative zeal unwittingly combine to become the strong arm of Communist Russia and thus accomplish the disruption and division of this Nation in a manner that the Communist Party could never achieve.

Mr. GROSS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I am glad to see the distinguished gentleman from New York [Mr. CELLER] on the floor as well as the distinguished gentleman from New York [Mr. KEATING]. I have something I would like to direct to their attention.

First of all I want to say I have great respect for the House Committee on the Judiciary, but having said that let me then say that this is not the first time in recent years that the committee has not been zealous in protecting the right of trial by jury. I would take you back 2 or 3 years ago to a bill that was brought to the floor of the House by Mr. CELLER and Mr. KEATING that would have provided that American citizens, having been in certain foreign countries, and having violated even a minor law, allegedly guilty of even a misdemeanor, could be extradited and returned to foreign countries for trial. A serviceman who had been discharged, a tourist who might have stolen some article or sold a ration book, could be extradited from the United States and tried in a foreign court.

It was my privilege to start the fight in the House on the rule on that bill. The distinguished gentleman from Georgia [Mr. DAVIS] and the distinguished gentleman from Texas [Mr. KILDAY] carried the brunt of the fight in opposition to the bill, and there were others, the gentleman from Wisconsin [Mr. SMITH] among others, but those gentlemen in particular performed a splendid service in the fight against the bill.

In the consideration of that bill I personally raised the question of whether these citizens, having been extradited, would be assured of a jury trial? And, of course, the answer is that they would not be assured of a jury trial. The gentlemen from New York would not say that these Americans would be assured of a jury trial. Why? Because in some foreign countries there is no jury trial for certain offenses, and in others there is no jury trial for any offense committed against the law.

What was the fate of that bill? The gentleman from Michigan [Mr. HOFFMAN], who was opposed to the bill, in an effort to obtain time on the floor, offered a motion to strike out the enacting clause. I take it he was seeking time, for I do not think he or anyone else in this House thought that such direct action as adoption of a motion to strike the enacting clause would prevail; but he offered the motion and this House by a vote of 228 to 68, a rollcall vote, adopted it. I think it is the only time in my 9 years in the House of Representatives that a bill has been killed by the process of striking the enacting clause. That is what you thought about the failure to provide a jury trial in that legislation of some 2 years ago.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I am happy to yield to the gentleman from Mississippi.

Mr. COLMER. I would like again to call the attention of the House and the attention of the gentleman from Iowa to the fact that under present law these fifth-amendment pleaders are entitled to a jury trial.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Georgia.

Mr. FORRESTER. I would like to say to the gentleman that so far as the House Committee on the Judiciary is concerned, in connection with this particular bill the vote of the Members present on the jury amendment when it was offered in committee was 15 for the amendment and 11 against the amendment. The reason why the bill did not come out with the jury amendment is that 6 proxies were voted.

Mr. GROSS. Let me amend the statement I made at the start of my remarks when I said that not always in the past had the Judiciary Committee been too zealous in protecting the right of trial by jury. Let me say that some members of the Judiciary Committee have not been zealous in their efforts to protect the right of trial by jury no matter what statements they may have made in connection with this bill.

Mr. Chairman, trial by jury is a constitutional and sacred right in this country. This bill deals specifically with individual rights and the safeguards of the precious right of jury trial ought to be inserted. I support the amendment.

Mr. CELLER. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto close at 6 o'clock.

Mr. SMITH of Virginia. Mr. Chairman, I thought we had agreed that certain Members who have been sitting here all day waiting to be heard on this amendment would have not less than 5 minutes. The gentleman's motion would abrogate that understanding.

Mr. CELLER. That would give over 2 hours of general debate, which would take in almost every Member and give him at least 4 minutes. Would that not be sufficient?

Mr. SMITH or Virginia. I wanted 5 minutes.

Mr. CELLER. I will yield my time to the gentleman.

Mr. SMITH of Virginia. I am not disposed to be quarrelsome about it.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close at 6 o'clock.

The CHAIRMAN (Mr. FORAND). Is there objection to the request of the gentleman from New York?

Mr. LONG. Mr. Chairman, I object.

Mr. CELLER. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto close at 6 o'clock.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, at the time that I spoke in the well of the House last Friday I had fully intended to introduce an amendment to strike section 121 of part III of this bill. As you well know, section 121 provides for certain injunctive powers for the Attorney General in cases in which some of the present civil-rights statutes are allegedly violated and authorizes the Attorney General to file suits in behalf of the United States and to apply for an injunction in those cases.

I am firmly convinced that this section will bring labor-management relations into the middle of politics. I am firmly convinced that this section not only applies to those subjects which have been commonly designated as civil rights but also applies to the various rights which are provided for in the Wagner Act and in the Labor-Management Relations Act of 1947. I am convinced that the right

to join a labor organization and the right to refrain from joining a labor organization, the right to engage in collective bargaining, and the right to refrain from engaging in collective bargaining are all rights which are covered by the term "equal protection of the laws" as it is spelled out in the Constitution and in the present civil-rights statutes.

However, because it might muddy the water, so to speak, in this case, if I were to offer this amendment, in view of the controversy which has developed over the jury trial amendment, I am not going to offer my amendment. But I do want to invite the attention of the Members of the House to the fact that I made the statement last Friday that who knows but that a year or so from now the same Members who are supporting this bill will be coming back in here begging the repeal of this very legislation. I commented last Friday that I would not be at all surprised if that happened. I am afraid it will happen and that next year I will be up here telling the many proponents of this legislation that "I told you so."

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, as you know, I happen to be the youngest Member of this House. I had the pleasure of growing up in these Halls. I have known many of the Members since boyhood and come to know many more personally since I came to Congress. I have a great, deep, and abiding affection for the many Members who are on the other side of this particular issue.

However, Mr. Chairman, I want to rise in opposition to this amendment, well knowing the strong feeling of my friends who take the other view. I first want to assure them that we approach this great moral and constitutional issue with no rancor in our hearts, and a sincere desire only to do right here and to carry out the Constitution. I happen to share with many of the Members of this House the honor of being a member of the bar, and I have listened to many distinguished Members of this House, and many able Members, tell us about the right of trial by jury. In my last remarks on this subject I showed that there is no constitutional right to a jury trial in cases arising under injunctive proceedings, contempt proceedings, in our courts as we know it today. Indeed, our forefathers at the time of the Constitution did not know of such a right, and accepted the fact of the court's power to act in such cases as contemplated by the bill before us, without intervention of a jury.

Indeed, the courts of this country have consistently and plainly pointed out that such a right is not present and that the Federal Constitution and most, if not all, State constitutions similar today make provision.

I want to try to get at this in the quickest way I can. This amendment will pull the heart and lungs and liver out of this bill.

You may say what you want about it, but the fact of the matter is this simple: Southern juries will not convict a man charged with contempt of court in cases contemplated by this particular piece of legislation. That is the reason we seek to avoid jury trial here.

I know that my friends and colleagues from the South will take issue with me on that, but what I am saying is not meant to be punitive toward the South—my remarks are not directed at the South—but it is merely recognition of a fact, a situation which happens to exist in our Nation today. Indeed, this bill applies to all parts of our dear land.

Mr. Chairman, we have a situation today where almost 100 years ago our Negro people achieved the right of citizenship with the passage of the 14th and 15th amendments. Today they are still waiting in some States for certain very basic rights and one which is the right to vote. I hope that we will see to it that this bill will pass so that they will achieve that right, so that they will achieve full citizenship and will not have to look to us in Congress in the future and say, "When are we Negro citizens to have this right accorded to us?"

Mr. Chairman, the last point I want to mention is the possible constitutionality of this bill if it becomes law with the jury trial amendment in it. I cite to you in that connection the case of *Michaelson* v. *United States* (266 U. S. 42) and in that case the Court used these words:

"But it is contended that the statute materially interferes with the inherent power of the courts and is therefore invalid. That the power to punish for contempt is inherent in all courts, has been many times decided and may be regarded as settled law. It is essential to the administration of justice. The courts of the United States, when called into existence and vested with jurisdiction over any subject, at once become possessed of the power. So far as the inferior Federal courts are concerned, however, it is not beyond the authority of Congress (*Ex parte Robinson* (19 Wall. 505, 510–511); *Bessette* v. *W. B. Conkey Co.* (194 U. S. 324, 326)); but the attributes which inhere in that power and are inseparable from it can neither be abrogated nor rendered practically inoperative. That it may be regulated within limits not precisely defined may not be doubted. The statute now under review is of the latter character. It is of narrow scope, dealing with the single class where the act or thing constituting the contempt is also a crime in the ordinary sense. It does not interfere with the power to deal summarily with contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice, and is in express terms carefully limited to the cases of contempt specifically defined. Neither do we think it purports to reach cases of failure or refusal to comply affirmatively with a decree—that is to do something which a decree commands—which may be enforced by coercive means or remedied by purely compensatory relief. If the reach of the statute had extended to the cases which are excluded a different and more serious question would arise."

What the court says here is that there is real doubt as to the constitutionality of statutes going any further than did the rather narrowly circumscribed legislation it considered then, the Clayton Act. The Court expressly indicated that if attempt were made to legislatively extend the right of trial by jury to cases of failure or refusal to comply affirmatively with a decree of the Court, as in cases arising under this bill, that such attempt would probably be unconstitutional.

This is in accord with the rule set forth in the State of Virginia where in *Carter's Case* (96 Va. 791, No. 32 SE 780), which is everywhere the leading case, the Supreme Court of Virginia held there that an attempt by the legislature to require jury trials for contempts was unconstitutional as violative of the doctrine of separation of powers.

The courts of Alabama, Arkansas, Florida, Georgia, Mississippi, Louisiana, North Carolina, South Carolina, Tennesse, and Texas have all held no constitutional right to trial by jury exists in contempt cases.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The Chair recognizes the gentleman from Georgia [Mr. PILCHER].

Mr. PILCHER. Mr. Chairman, as I am not a lawyer, I had not intended to say anything on this jury trial amendment, because it is technical. But when my good friend the dear lady from Illinois [Mrs. CHURCH] and my good friend, Judge SAUND, from California, with whom I serve on a committee and for whom I have the highest regard, make such statements against my section of the country, about how we treat people, I feel that I should make some reply.

I do not believe there is a Member of this Congress who loves or has done more for the Negro than I have. I have nursed them when they were sick. I have carried them to the hospital and paid their bills without any hope of remuneration. I have worked them; I have them on my payrolls, some who have not done a lick of work for 5 years, old Negroes, and they draw their money every week, because they have been faithful.

My section of the country is the southwest portion of Georgia bordering on Florida and Alabama. The Negroes there have made more progress in the past 20 years than the white race made in 50. The Negroes are in better shape in my section today by far than I was when I was a boy, educationally, financially and otherwise.

There is not a Negro schoolchild in my section who does not get on a modern school bus every morning and go to school in a modern school. The assistant county agent of my county is a Negro, put on years ago when I was on the board of county commissioners. We have Negro 4–H Clubs, Negro Future Farmers, Negro Future Homemakers. What this bill is doing is only creating strife and hate. We had four classes of people in my section of the country a few years ago. We had good white people and good Negroes working together. We had sorry white people and sorry Negroes. But you are driving us into two groups, the white and the black.

There are thousands and thousands of good white people in the South just like me, hundreds of thousands of them, that have fought the battles of the Negroes for years, but you are putting us in a shape where we cannot help the Negro anymore. You are only going to hurt the person you are trying to help.

This is going to come about, as the gentleman from Illinois said, in an evolutionary way. It is going to take time. It is going to take patience.

Of course we believe in civil rights. There is not a Member in this House who believes in civil rights any more than I do, but a Gestapo under a political attorney general, Democrat or Republican, is not the answer.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, this is my first discussion of this bill. I rise particularly to call attention to the debate yesterday following the statement of the gentleman from Pennsylvania [Mr. WALTER], who had to leave because of work with the Committee on Un-American Activities.

The gentleman from New York [Mr. KEATING], in remarks that appear on page 9042 of the CONGRESSIONAL RECORD of June 13, 1957, listed a number of statutes providing a criminal remedy but where, at the same time, the Government was given the right to proceed by injunction. He mentioned the enforcement of the antitrust laws, the Atomic Energy Act, the Natural Gas Act, and various others.

Statutes authorizing the United States Goverment to seek injunctive relief are as follows:

Antitrust laws, restraining violation—by United States attorney, under direction Attorney General—title 15, United States Code, section 4, July 3, 1890.

Associations engaged in catching and marketing aquatic products restrained from violating order to cease and desist monopolizing trade—by Department of Justice—title 15, United States Code, section 522, June 25, 1934.

Association of producers of agricultural products from restraining trade—by Department of Justice—title 7, United States Code, section 292, February 18, 1922.

Atomic Energy Act, enjoining violation of act or regulation—by Atomic Energy Commission—by Attorney General—title 42, United States Code, section 1816, August 1, 1946.

Bridges over navigable waters, injunction to enforce removal of bridge violating act as to alteration of bridges—by Attorney General—title 33, United States Code, section 519, June 21, 1940.

Clayton Act, violation of enjoined—United States attorney, under direction of Attorney General—title 15, United States Code, section 25, October 15, 1914.

Electric utility companies, compliance with law enforced by injunctions—by Federal Power Commission—title 16, United States Code, section 825m, August 26, 1935.

False advertisements, dissemination enjoined—by Federal Trade Commission—title 15, United States Code, section 53, March 21, 1938.

Freight forwarders, enforcement of laws, orders, rules, and so forth, by injunctions—by Interstate Commerce Commission or Attorney General—title 49, United States Code, section 1017, May 16, 1942.

Fur Products Labeling Act, to enjoin violation—by Federal Trade Commission—title 15, United States Code, section 69g, August 8, 1951.

Enclosure of public lands, enjoining violation—by United States attorney—title 43, United States Code, section 1062, February 25, 1885.

Investment advisers, violations of statute, rules and regulations governing, enjoined—by Securities and Exchange Commission—title 15, United States Code, section 80b-9, August 22, 1940.

Gross misconduct or gross abuse of trust by investment companies, enjoined—by Securities and Exchange Commission—title 15, United States Code, section 80a-35, August 22, 1940.

Use of misleading name or title by investment company, enjoined—by Securities and Exchange Commission—title 15, United States Code, section 80a-34, August 22, 1940.

Violation of statute governing, or rules, regulations, or orders of SEC by investment companies, enjoined—by Securities and Exchange Commission—title 15, United States Code, section 80a-41, August 22, 1940.

Fair Labor Standards Act, enjoining of violations—by Administrator, Wage and Hour Division, Department of Labor, under direction of Attorney General, see title 29, United States Code, section 204b—title 29, United States Code, sections 216 (c), 217, June 25, 1938.

Longshoremen's and Harbor Workers' Compensation Act, enforcement of order by injunction—by United States attorney, see title 29, United States Code, section 921a—title 33, United States Code, section 921, March 4, 1927.

Import trade, prevention of restraint by injunction—by United States attorney, under direction of Attorney General—title 15, United States Code, section 9, August 27, 1894.

Wool products, enjoining violation of Labeling Act—by Federal Trade Commission—title 15, United States Code, section 68e, October 14, 1940.

Securities Act, actions to restrain violations—by Securities and Exchange Commission—title 15, United States Code, section 77t, May 27, 1933.

Securities Exchange Act, restraint of violations—by Securities and Exchange Commission—title 15, United States Code, section 78u, June 6, 1934.

Stockyards, injunction to enforce order of Secretary of Agriculture—by Attorney General—title 7, United States Code, section 216, August 15, 1921.

Submarine cables, to enjoin landing or operation—by the United States—title 47, United States Code, section 36, May 27, 1921.

Sugar quota, to restrain violations—by United States attorney under direction of Attorney General, see title 7, United States Code, section 608 (7), and title 7, United States Code, section 608a-6, May 9, 1934.

Water carriers in interstate and foreign commerce, injunctions for violations of orders of ICC—by ICC or Attorney General—title 49, United States Code, section 916, September 18, 1940.

Flammable Fabrics Act, to enjoin violations—by Federal Trade Commission—title 15, United States Code, section 1195, June 30, 1953.

National Housing Act, injunction against violation—by Attorney General—title 12, United States Code, section 1731b. This code citation was repealed.

Defense Production Act—title 50, United States Code, appendix 2109, July 31, 1951.

National Labor Relations Act (Taft-Hartley Act)—title 29, United States Code, section 160(L), June 23, 1947.

Rent Control Cases—title 50, United States Code, appendix 1896, March 30, 1949.

Federal Food, Drug, and Cosmetic Act—United States Code, title 21, section 332, June 25, 1938.

Trademark Infringement—United States Code, title 15, section 1116, July 5, 1946.

Rubber Act of 1948—title 50, United States Code, appendix 1933, March 31, 1948.

International Wheat Agreement Act—title 7, United States Code, section 1642, October 27, 1949.

Natural Gas Act—title 15, United States Code, section 1717s, June 21, 1938.

Perishable Agricultural Commodities Act—title 7, United States Code, section 499k, June 10, 1930.

Shipping Act of 1916—title 46, United States Code, section 828, September 7, 1916.

I call attention, in addition, to the large number of administrative tribunals created in the last few decades whose orders are enforced by the contempt powers of the courts.

The discussion of this jury-trial amendment, I think, has served to alert the Members of Congress to the growing tendency to use the extraordinary remedy of injunction and contempts of courts for the enforcement of the policies and programs of the Federal Government.

It may be that in this instance the criminal remedy, that is, punishment through prosecution for violation of a statute, is not adequate to enforce the 15th amendment, which of course is a part of the Constitution; and that this extraordinary remedy is the only effective way of accomplishing the objective of the 15th amendment. But let me warn those who want the easy way that if we extend government by injunction from this field to another field, pretty soon we will be living under a police state, and the protection of individual liberties, which are the very essence of our form of government, will be gone.

I suggest that a comprehensive survey be made of the use of these extraordinary remedies of injunction and the contempt powers of the courts to execute national policies where rights of the individual, constitutionally available to him in criminal and civil legal proceedings, do not exist.

Let us see when this trend began. The abuses which led to the Norris-LaGuardia Act were injunctions sought by individual citizens and corporations. In the instances cited by the gentleman from New York [Mr. KEATING], it is the Government itself using this unusual power of the sovereign in derogation of the rights of its citizens and circumventing

the protections of their liberties which we have built up at great cost over a long period of time.

In the labor field, National Labor Relations Board orders to cease and desist issued against employers are enforced by the decree and contempt proceedings of the circuit courts of appeal.

The Federal Trade Commission combats unfair trade practices with court injunctions. Many other recently created boards and commissions have been given similar authority by the Congress.

Does this mean that the historic method of compelling observance of national policy, in which inhere the protections of the Bill of Rights, is no longer efficient and workable in the complicated society of our time; or, does it mean that the proponents of the new activities which the Federal Government is increasingly undertaking are impatient at the delays and difficulties attending criminal and civil legal proceedings where alleged violators are guaranteed due process of law and, in criminal cases, the presumption of innocence and the requirement of admissible proof establishing guilt beyond a reasonable doubt as found by a jury of his peers?

All students of law know that chancery courts developed only because the common law had become so rigid and inflexible as to result in miscarriages of justice simply because no forms or procedures existed to grant relief. This gave rise to the unusual and extraordinary intervention of the King, which came to be exercised through his chancellor, in granting relief to individuals on their petition for equitable and just redress, which they were unable to obtain in the law courts. Thus was established the basic principle that no action in equity will lie where there is an adequate remedy at law.

Many equity cases have held that a crime will not be enjoined by an equity court because the punishment for the crime should be an adequate deterrent to the wrong sought to be prevented. Some courts have added a refinement to the principle of adequacy of the remedy of law in that the remedy at law must be as adequate as the remedy possible in an equity proceeding.

There is no question of the constitutional power of the Congress to authorize the Attorney General to commence injunction proceedings to enforce the 15th amendment or of the power of Congress to grant jurisdiction to the Federal courts to issue injunctions in this field. Whether the Congress should do so or not, in my judgment, should be determined as a matter of policy. In determining for myself this question of policy, I am guided by the basic principle of adequacy of existing legal remedies, that is to say, criminal prosecution, under sections 241 and 242 of title 18, United States Code, and civil suits for damages under section 1983 of title 42, United States Code.

The 15th amendment to the United States Constitution became effective March 30, 1870, and provided:

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

The basic laws Congress passed pursuant to the 15th amendment were adopted shortly thereafter.

For over 80 years, therefore, we have had on the books legislation in addition to the 15th amendment to the Constitution designed to prevent the denial of voting privileges for reasons of race, color or previous condition of servitude. Yet, the evidence is overwhelming that in many sections of the country Negroes, even today, are being deprived of the right to vote. One need not look further than the statistical section of the Congressional Directory to find that there were total votes cast in the congressional election of 1956 as low as 16,000 or 19,000 for some congressional districts where many congressional districts cast votes in excess of 200,000, or 10 times as much. In this connection, it should be remembered that Representatives in Congress, as the direct representatives of the people under article I, section 2, and the 14th amendment, section 2, each should represent approximately equal segments of our population.

There is, of course, other evidence before the Congress that the 15th amendment is not being observed, and that the amendment itself and the laws passed pursuant thereto have not been effective in the past and will not be effective in the future. Believing that the 15th amendment, which is just as much a part of our Constitution as the Bill of Rights, ought to be observed, it is my judgment that a case has been made for the intervention of the courts and their extraordinary remedy of injunction to prevent an integral part of our Constitution from being nullified.

I, therefore, intend to vote against the so-called jury-trial amendment.

The granting, however, of the power of injunction in this field for the first time in our history points up the necessity for taking stock of the distance we have traveled on the road of government by injunction and should give us warning that this unusual and autocratic remedy must not be lightly granted in the future. We in the Congress should scrutinize with extreme care representations by those advocating some new program by the Federal Government involving regulation of our citizens in which enforcement is sought through injunction rather than the traditional criminal and civil remedies in which constitutional guarantees of procedural rights are granted to defendants. This is particularly true where a mandatory injunction, as contrasted to a restraining order, is authorized.

As I view our philosophy of Government, we prohibit citizens from doing those things which are thought to be against the public interest, but in all other activities not so prohibited, the individual is free to do as he chooses. This is the reverse of a system of government where the citizen is ordered by his Government affirmatively to perform certain actions. The latter method is typical of totalitarianism and tyranny.

Because of the recent growth of the use of court injunctions and contempt proceedings for carrying out national policy, I believe a review of such special grants of authority should be made, including a reexamination of the basis for authorizing the injunctive remedy. Such a study would form a foundation for resisting further growth of government by summary proceedings and might possibly lead to repeal or modification of some such grants of authority in the past.

The CHAIRMAN. The Chair recognizes the gentlewoman from Georgia [Mrs. BLITCH].

Mrs. BLITCH. Mr. Chairman, I am appalled at the sectional attitude that has crept into this discussion of the use of the injunction power. This is a Federal law which is under discussion here today. This is a law that will apply equally to every State in the Union and to every individual in every State. I am not standing here to plead for the people I represent—I stand here to plead for all the people of the United States—everyone of them, every citizen—every citizen who has inherited the right to freedom that their forefathers—our forefathers fought and bled for. I ask you—I plead with you in voting for this, do not try to excuse yourselves for voting for this by saying you are condemning one section of the country, a section of the country which I happen to be a part of—and yet, a country whose spirit is so big that it can withstand even that kind of injustice. That is a little matter to us. But, the thing that so worries me is the fact that you are not realizing your responsibility to the people you represent wherever you may come from. I beg you—I beg you and I plead with you to realize that this bill will affect you and your constituents the same as it will affect me and my constituents.

Mr. JONAS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS. Mr. Chairman, there are many landmarks along the path men have traveled through the years in their search for liberty and in their struggle against oppressive government. Among these landmarks are: the Magna Carta of 1215, the Petition of Right of 1628, the English Bill of Rights of 1689, the Declaration of Independence of 1776, the American Bill of Rights of 1791.

Foremost among these basic rights men have won for themselves through centuries of struggle is the right to be tried by a jury whenever charged with the commission of a crime.

The passage of this legislation in its present form will deny defendants charged with its violation the protection of this safeguard against oppression.

I do not argue that defendants in contempt cases, where the United States is a party, are entitled to jury trials as otherwise specifically guaranteed by the sixth amendment to the Constitution. What I do say is that this legislation is so drawn that it undertakes to make acts,

which are crimes under the United States Criminal Code and for the violation of which no person could be denied a jury trial, matters of civil contempt for which jury trials are not provided.

By this tactic the legislation seeks to do indirectly what would be unconstitutional if attempted by direct means, namely to deny a jury trial to defendants who are charged with the commission of a crime.

I believe that every citizen should enjoy all the rights and privileges guaranteed him under the Constitution. I would never condone the act of any government—local, State, or Federal—that would deny him a single one of those rights. The right to vote is indeed one of those precious privileges, and I believe that every eligible voter should be protected in his right to cast that vote and to have it honestly counted. This is so fundamental that I do not see how anyone could deny it. The sole question is whether the proposed legislation provides the proper method of protecting those rights and privileges.

It seems to me that legislation which denies the equally precious right of trial by jury does as much violence to basic rights guaranteed by the same Constitution as the proponents seek to protect.

The pending amendment providing for a jury trial will not scuttle the bill as has been contended during the debate. It would not prevent or delay the issuance of an injunction. It would merely interpose the use of a jury in finding the facts following the alleged violation of any injunction that might be issued. It would prevent the un-American situation arising in which the Government, through appointed officials, is complainant, prosecutor, judge, and jury in the same action.

Let us not, in our zeal to protect some of the basic rights of our citizens, violate other and equally basic rights. Two wrongs do not make a right.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT of Pennsylvania. Mr. Chairman, perhaps one matter ought to be clarified for the record. I hope that the gentleman who introduced this amendment is here. I certainly have nothing critical to say of him, but I would like him to hear this. But, to make the record entirely clear, I think it ought to be stated publicly that the introduction of this amendment is not an action of the leadership on this side of the aisle, and so far as I have been able to ascertain by asking a great many questions of a number of people, the introduction by the Member involved was occasioned on his own initiative solely and without any notice—advance notice—to anyone else. I think the evidence will show that the support for this amendment will come very largely from the other side of the aisle. But, wherever it comes from, I certainly respect the integrity and the honesty of belief of Members who vote for the bill and the amendment, and of all those who vote against it. I hope in neither case will we rely on imputations of politics, but confine ourselves to facts. Among those facts are these: That in the State of Alabama, and we have heard some comments from our respected Members from that State, there are many counties where negroes simply do not vote and where there is very strong evidence to believe that they are actively discouraged from voting, and at the very least there is a certain amount of understanding in that county that no Negro will be registered and in other counties very few Negroes are permitted to register.

In Alabama only 10.3 percent of Negroes over 21 years old in the 1950 census were registered to vote.

In Blount County, Ala., there are 429 potential Negro voters, but not a single Negro has voter registration.

In Bullock County, there are 5,425 potential Negro voters, but only 6 Negroes are registered.

In Clay County, there are 1,010 potential Negro voters, as of 1950, but not one of them is registered.

In De Kalb County, there are 443 potential Negro voters, but none is registered.

In Jackson County, there are 1,242 potential Negro voters, but none is registered.

In Lowndes County, there are 6,512 potential Negro voters, but not a single Negro is registered.

In Marshall County, there are 605 potential Negro voters; not a single Negro is registered.

In Morgan County, there are 4,641 potential Negro voters; not a single Negro is registered.

In Tallapoosa County there are 5,083 potential Negro voters; not a single Negro is registered.

In Wilcox County there are 8,218 potential Negro voters; not a single Negro is registered.

Therefore, when I hear someone plead for the right of the citizens of that or of any other State, I would like to know whose rights they are advocating. Are they advocating the rights of those who would be sworn as a blue-ribbon jury of the voters? Or are they advocating the rights of those people who in many States cannot serve on juries because they are not registered voters and who, in turn, cannot become registered voters?

Therefore, seen in this light, it would seem to me that the trial-by-jury amendment, so-called, is a bogus issue. The proponents are not upholding the sacred rights of the accused, but their effort is to weaken and thwart the reasonable enforcement of the law in the traditional manner, and that is the only way in which effective enforcement is possible, because such an amendment would thwart the Government in its purpose which is to afford protection to the citizen in his right to vote.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the bill H. R. 6127 and all amendments thereto close not later than 6 o'clock p. m., on Monday next.

Mr. SMITH of Virginia. Mr. Chairman, reserving the right to object, I understand there is no objection to the request by the opponents of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Chair recognizes the gentleman from Illinois [Mr. NIMTZ].

(By unanimous consent, Mr. NIMTZ yielded his time to Mr. KEATING.)

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I would like to state clearly at this time my position with regards to proposed right-to-vote legislation, for my position on the matter, if understood, certainly would repudiate any thought that I am a narrowminded race baiter. I wish our committee had voted on a bill I could support. I tried to get the committee to report out a straight right-to-vote amendment to title 42 and stated that I would support it if it did not deny right of trial by jury, and did not preempt State laws and administrative remedies. Thus, I would support a simple right-to-vote bill amending existing title 42 without all the political implications and overtones inherent in this measure. I would also support a constitutional amendment to eliminat the poll tax.

Fundamentally, I believe that every American should have the right to vote, in a free and untrammeled atmosphere, and I consider this one of our fundamental rights. I do not consider it paramount to the right of trial by jury, or to the recognized rights of the States to establish election procedures as guaranteed by the reserved powers doctrine of the Constitution. Actually, it would have been very simple for the Judiciary Committee to have voted out a bill that met both of these objections. This could have been done by providing a trial by jury in contempt cases under the bill as was done in Norris-La Guardia for labor even though the United States is made a party to the suit by this bill, and also by remaining silent on the question of exhausting administrative remedies. But, instead of taking this realistic approach, this less controversial approach—admittedly this less spectacular approach—this approach that would offend few southerners, instead of this, the proponents have seen fit to place every Member of Congress in the position of having to choose between the civil right, and constitutional right to vote on the one hand and the civil and constitutionally protected right to a trial by jury and reserved powers doctrine on the other. This is the crux of the problem.

If I am to serve any purpose in this debate, I believe I should like to follow the route so magnificently paved by my distinguished colleagues, Mr. POFF, of Virginia, and Mr. HYDE, of Maryland—to attempt to get down to rock bottom, to simplify the issues here—for I am sure every Member desires to know exactly what the choices are and the effects and what the reasons for the jury trial amendment, really are.

First. What is the present posture of the law? It is very simple. And it is not controverted. Let us examine the law in two parts: First, the conspiracy

amendments and then the right-to-vote amendment. Under title 42 of the United States Code, section 1985—section 1980 of the revised statutes—provides for a civil remedy in damages brought by the person injured for conspiracies—which means more than one individual—who is acting under color of law in the following instances: First, where justice is obstructed; second, where an officer is prevented from doing his duty; third, where a person is deprived of his rights to equal protection of the laws and equal privileges under the law.

Thus, the present so-called conspiracy act, passed in 1871, provides for a cause of action for damages, in civil action, where a conspiracy occurs and where the person being complained against is acting under color of law—in any of the three enumerated instances. I hasten to add though, that other statutes make these same acts crimes and thus provide the United States, through the Attorney General with criminal process to protect the citizen aggrieved. This section is being amended by this bill.

Now, let us examine the other significant amended section under this bill—the right-to-vote section. Presently, title 42 of United States Code, section 1971—section 2004 of the Revised Statutes of the United States—is a criminal statute, providing for criminal action against individuals—as compared to more than one person in a conspiracy—who again, act under color of title to deprive a person of his right to vote in a discriminatory manner, that is because of race, color, or previous condition of servitude. Again, this is a criminal statute.

Thus, under the present law both sections being amended require that the act either sued for in civil action under the conspiracy section 1985 or prosecuted in a criminal action by the United States under section 1971 must be done under color of law, some State or Federal law. But, most significant, in all existing legislation a trial by jury is necessary.

Now let us examine the proposed amendments. They look simple, and they are so easily justified on the surface. But, are they justified upon a close examination—and, in particular, are they justified so far as they result in denial of trial by jury?

Part 111 of the bill amends the conspiracy section 1985 act by, first, providing that the same acts as are now subject to a civil suit by the person aggrieved may be also brought by the Attorney General in equity for special equitable relief; second, provides the district courts with jurisdiction to hear these cases, even without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law; third, adds words "about to engage" to existing law.

Part IV of the bill amends the right to vote—section 1917—section by, first, providing that the Attorney General, where he under the present law must bring a criminal action under this section, can now invoke equity jurisdiction; second, providing district courts with jurisdiction to hear these cases, without exhaustion of administrative or local remedies; third, providing that the person accused need not be acting under color of law; fourth, providing for a broader crime than discrimination by broadening the crime of denial of right to vote to include intimidation, threaten, coerce, or attempt to intimidate, threaten or coerce the right to vote.

Now we come to the crux of the matter. On the surface, the amendments as explained thus far seem somewhat harmless. But, examined in the light of the fact that any court of equity order issued under the proposed bill can be, and will be enforced by the further court power of contempt. Indirect contempt, which act would constitute a crime under State or Federal law. And, what is wrong with this? An examination of title 18, United States Code, section 3691, when contempt of course is punishable by fine or imprisonment, where this contempt is also a violation of Federal or State law, which it would be in every instance under this bill, the accused is guaranteed the right to demand a trial by jury, and with the exception of where the United States is a party to the suit. The latter exception thus denies the right of trial by jury in every case under this bill because the United States would always, obviously be a party to the suit. Thus, a seemingly harmless bill amending existing law, by principally changing the procedure from criminal to equity as in the case of the right-to-vote section and from civil action in damages, to equity action in case of the conspiracy statute, and by making the United States a party to the suit have brought about the apparently desired result of circumventing the right of trial by jury.

But as to this amendment, I am very much in favor of this amendment and feel that it is absolutely essential if we are to retain the constitutional guaranties which we have. I believe this is a fair and reasonable compromise that is being offered in this particular amendment. I previously reviewed some of the provisions that will still be in the bill even if the pending amendment providing trial by jury is adopted; and I want again to stress the fact that in my opinion it is a fair and reasonable compromise. It relieves Members of the dilemma of having to vote against the trial by jury in order to support the right to vote.

When this bill came to the subcommittee on the Judiciary and then to the full committee we were advised that the administration realized there were many weaknesses in the bill so far as the right to vote was concerned. Many of them will be cured by the adoption of this bill. If this trial by jury amendment is adopted it will apply only in criminal contempt cases; it does not apply in civil contempt cases. I for one want to see it adopted. I want to see the right to trial by jury preserved in America as well as the right to vote.

The only question or issue involved is, Are you willing at this time to make an offering as a sacrifice upon the altar of the right to vote the equally important constitutional right of trial by jury? That is the issue, as I see it.

Do you want to travel the precipitous path that is being suggested in this bill up to the summit, which we all hope to gain at some time of having everyone guaranteed the right to vote unrestricted, and then after we reach the summit and we are all there, the American people are prostrated as a result of having their constitutional lifeblood sapped by being denied the right of trial by jury.

As I started to say a while ago, there is no question but what the other provisions of the right-to-vote portions of the bill would remain intact. They will remain in the bill even though this amendment is adopted. It seems to me this is a fair and reasonable compromise on a matter which admittedly is a heated one, one that has been strenuously debated and as presented in the bill requires that a choice be made between the right to vote and the right to a jury trial. It gives you the right of a preliminary injunction, it provides for permanent injunction even under this proposed compromise.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. FORRESTER. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Florida.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CRAMER. I thank the gentleman.

Mr. Chairman, this bill takes the existing statute, section 1985, title 42, which is at the present time a conspiracy statute, involving certain basic constitutional rights which are presently triable by a jury in a civil case, and it takes the second section, which is a criminal right to vote statute, section 1971, they take that section which is presently a criminal section and triable by jury, there is no question about it, and do so in order to get away admittedly from this requirement of going before jurors, not trusting jurors. I cannot believe myself that the people of this Nation would take the position that people who swear to uphold their oath as jurors will not do so in any section of the country—but be that as it may, in this instance it takes section 1971, a criminal statute, where the defendant has a constitutional right of trial by jury, and in order to get around the trial by jury the bill provides an equitable remedy, to be brought in the name of the United States, and the bill transposes from another section of the statutes, title 18, a procedural section, section 3691, adds it to these two existing statutes in which trial by jury is guaranteed to the people under our Constitution, and the denial of trial by jury results. How? Because the United States is made a party to a proceeding where otherwise the defendant would have a right to trial by jury. The compromise would retain the jury trial despite the fact that the United States is a party.

Let me bring another fact to your attention, and I ask you to consider this most seriously. By this legal legerdemain, by this sleight of hand, you take existing criminal statutes and bring

them under a civil procedure in equity, you take what presently would be a crime under which a person would be entitled to trial by jury and eliminate the jury trial for the same substantive offense because the United States is a party. I suggest this word of caution if you can do that, that same procedure and that same legislative manipulation can be applied to almost any criminal statute which involves any constitutional right, and nearly all criminal statutes do, and thus deny a right of trial by jury to the defendant although the same substantive set of facts exist and the same act has been committed.

Mr. FORRESTER. Mr. Chairman, I want to use this minute to reply to a statement made by the gentleman from Arizona [Mr. UDALL] when he said the burden was upon those who proposed this amendment to prove their case. The truth of it is that the burden is upon those who are sponsoring this bill to prove the case on account of the fact that as the law now stands all of these contempt cases are triable by a jury and have been triable by a jury since the Clayton Act and the Norris-LaGuardia Act.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. LONG. Mr. Chairman, I ask unanimous consent to yield the time allotted to me to the gentleman from Georgia [Mr. FORRESTER].

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FORRESTER. I appreciate very much the gentleman yielding me this time.

In 1831 a judge by the name of Peck put a lawyer in jail for 18 hours and disbarred him for 18 months. President Jackson was so incensed that he had the man impeached and tried by the United States Senate. He was acquitted by the narrow margin of 22 to 21. Mr. Buchanan, a Senator at that time, and later President of the United States, was instrumental in passing the Judiciary Act of 1831 providing that all contempt cases should be tried by juries except where the offense was committed in the presence of the court or so near thereto as to obstruct justice, and Mr. Buchanan said that this will be the last time that Judge Peck or any other judge would trifle with a man's liberty and that Attorney Lawless would be the last victim of such tyranny. That this was the last time a judge would be accuser, judge, and executioner. Sad. Sad. I wish that Mr. Buchanan was living now and that President Andrew Jackson was living now, and could see that their own Government was asking for a right to deny the people of this country the sacred right of trial by jury in criminal contempts. How far is our Government going to destroy our liberties? How far will Congress permit it to be done?

Mr. SIKES. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Chairman, it is a preposterous thing that there should be questions of trial by jury in this legislation. Of course, trial by jury should be a part of the bill. It is inconceivable that the Department of Justice of the Government of the United States would sponsor legislation of this grave significance without the guaranty of personal rights and liberties provided by jury trial. Yet we find that great agency of government actually opposing trial by jury in the tremendous field of litigation opened by this measure. We live in strange times indeed.

The amendment to insure trial by jury should have the unanimous support of the House. Freedom and democracy are precious things. But they can be lost. They can be lost little by little in bills like this one. Failure to preserve the right of trial by jury can speed the process.

We have had outstanding debate—nearly 2 weeks of it. Much of that debate has centered around the amendment now before us. But not even the great ability of the debaters has obscured the clear necessity of trial by jury if this measure is not to become the tool of prejudice and the vehicle of bigotry. Persecution could become rampant under its terms.

I see no good in the measure before us. But without the safeguard of jury trial it becomes a much more evil thing. I urge the adoption of the amendment.

Mr. FISHER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISHER. Mr. Chairman, it seems almost incredible that there is any serious resistance to the pending jury trial amendment. Just think of it. Here we are in the 20th century and find people resisting one of the most cherished of all civil rights—that of trial by jury in cases where defendants are about to be sent to jail for an alleged violation.

It is now the law, by act of Congress, that if any laboring man is accused of violating an injunction growing out of any labor dispute, that laboring man cannot be forced to trial before any judge. He is entitled to a trial by a jury of his peers for alleged contempt of the court in regard to any alleged violation of that court order. But what about others who are not members of unions who are hailed before a Federal judge for contempt of a court injunction? Does he have that same privilege as does the union member? No, not unless this amendment is adopted.

Mr. Chairman, the progress of man through the long march of civilization has been marked by some outstanding landmarks. Among them have been the Ten Commandments, the Sermon on the Mount, St. Paul at Rome, the Magna Carta, the voyages of Columbus, the Declaration of Independence, and the establishment of our Constitution.

One of the most outstanding of these was the Magna Carta, because among other things it set the stage for the right of trial by jury in Anglo Saxon jurisprudence. The Bill of Rights was achieved later, and carried forward that right and made it more meaningful. Since that time in America and elsewhere around the world where the light of liberty has gained prominence, the right of trial by jury has been upheld as one of the most fundamental of all civil rights.

And yet today we see here in this Congress, here in this enlightened age, here in the 20th century, an assault being made upon that cherished civil right of our citizens.

It has been thoroughly developed here how by an ingenious gimmick the right of trial by jury in contempt cases will be taken away from our citizens, if this bill is approved. If an individual should seek an injunction against someone who attempts to prevent him from voting or from doing something of a different nature included in this measure, and if the injunction should be granted by a judge, and if a person against whom such injunction applies should be accused of doing some act in violation of that court order, then that person could be hailed into court and tried for contempt. But, except for the clever gimmick, that accused person would be allowed a jury trial on the question of fact as to whether his alleged conduct was actually violative or whether it actually occurred as charged.

But by this gimmick, he is not allowed such right. The gimmick is the provision in this bill allowing the Attorney General of the United States to be a party to all lawsuits involving grievances by those who claim their rights included in this bill are being violated. And where the United States is a party to such a proceeding, then under existing law no jury trial is allowed.

Mr. Chairman, at this point I wish to quote briefly from a recent editorial which appeared in the Evening Star on April 16:

> The bill provides that the Attorney General may seek injunctions against violations of civil rights. Defendants in contempt cases arising out of this provision would not be entitled to trial by jury. This is true even though the penalty might be a fine or a jail sentence. It is argued that this is not a new departure, since there are other instances, labor injunctions excepted, in which there is no right of trial by jury in criminal contempt cases to which the United States is a party. This is correct. But it does not follow that the practice is one which should be extended, perhaps widely extended, by the legislation now pending in Congress • • •
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> This, it seems to us, contemplates a radical and even dangerous projection of the Federal judicial power. In principle, why should not the defendants in civil-rights disputes be entitled to at least the same jury protection as defendants in labor disputes? If it is argued in the case of the former that the end justifies the means, an unpalatable doctrine in any circumstances, the fact is that experience has not yet shown the existence of such justification.

As I see it, it will not be an easy thing for a Member of Congress to explain away a vote against one of the most sacred and cherished of all civil rights—that of trial by jury when accused of an offense, civil or criminal, for which he may be imprisoned.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA of Minnesota. Mr. Chairman, this is the first time that I have spoken on this bill, which I have tried to follow generally in all of its debate. It is a disturbing bill to me, and this amendment is a very crucial one as far as my judgment is concerned as to what I shall do upon final passage. The reason I am concerned about it is that I, too, have been a victim of intolerance and bigotry, and I think I know some of both of those elements. But, I never urged or even thought that it was necessary that they pass a law that I might not be discriminated against through either bigotry or intolerance. I remember as a young man coming back from World War I when we had the great 18th amendment which became law shortly thereafter. And, I thought it was a good law, but I saw it live to become a tragedy to this country. Why? Because it made for so much disregard for law and order, and if such a bill as you have here is passed, if it does become law and unless it is administered most wisely and fairly, then you are going to have a further decline and a disruption of respect for law and order and that respect is so very necessary in this great country of ours. Mr. Chairman, I hope that in the judgment which you render upon this all-important amendment you will remember one thing also, the importance of trial by jury. Remember that the Communist who is in contempt of Congress, the Communist who is out to destroy the country we love so much is entitled under the Constitution to a trial by jury. But under this bill, if some judge is overzealous he may not treat some citizen of our country fairly and decide to send him to jail, or fine him, or both, without a trial by jury when the Communist who has violated the law is given the right of a trial by jury. Think seriously about it before you finally vote on this all-important issue.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Chairman, there has been much said on the floor today concerning the jury trial amendment to the effect that if it were adopted it would tear this bill to pieces. That leads us to the inevitable conclusion that the very purpose of this bill was to deny an American citizen the right of trial by jury.

Let us go on from there. Let us look back through the pages of history and see what happened during those periods when people were subjected to persecution. There were edicts handed down by individuals, not by juries. If we go back to the beginning of the Christian era, when Pontius Pilate did what he did to Christ, Christ did not have a jury. As we go on down through the ages, people who were persecuted were not given the right of a jury trial. That was the case under Hitler. That was the case under the Communists. That is the case under every form of dictatorship in the world today. They all refuse to give a man charged with crime the right to appear before a jury of his peers.

Yesterday I made a few remarks concerning double jeopardy and it was called to my attention that the Court had said at one time that punishment for contempt was not involved in double jeopardy. The Supreme Court has not held any such thing, and so far as the principle laid down in this bill is concerned, it has never been up before that Court to this time. But if this bill passes, you will create a situation where the constitutional right of a plea of double jeopardy will be lost to an American citizen. You will create a situation where a man may be tried not twice but 20 times for the same identical offense. Do not fool yourselves, because that is exactly what can happen. He may be acquitted by a jury of his peers in the morning and in the afternoon he could be tried for the same identical offense and sent to jail.

What do we mean by jeopardy? It is jeopardy of life and limb and the deprivation of his liberty Whether a man is convicted of an offense under a criminal statute and sent to jail or he is sent to jail by a judge in a contempt proceeding makes little difference so far as his life or limb or liberty is concerned. They have been jeopardized.

Mr. Chairman, I plead with you to look well before you adopt a bill that not only creates a situation which will subject a citizen to double jeopardy, but one also which shifts the burden of proof. In the morning when a man is tried for a crime the State must prove his guilt beyond a reasonable doubt. In the afternoon, the man who supposedly is presumed innocent until he is proven guilty must come into court and do what? Show cause why he should not be sent to jail for contempt. If that is the kind of democratic principle that this Nation is built upon, and the people in this Congress are going to put anything like that on the statute books, I do not believe this country could have survived this long and I do not believe that with legislation of this kind it can survive much longer. I hope you will consider well before you do such a thing.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Chairman, human freedom is on trial here today. Those who will, let them vote to deny American citizens the right to trial by jury; but let them also answer to themselves, their children and their children's children for this denial of a fundamental, sacred and basic civil right. If freedom in this great Nation is to be preserved for future generations of Americans, then fundamental concepts must be zealously guarded. We who are charged with directing the course of our Government, if we are to bequeath a legacy of freedom to our children, must be true to the principles of Americanism, and stand foursquare against those who would destroy or compromise those principles.

In a letter to Thomas Paine in 1789, Thomas Jefferson wrote:

> Trial by jury, I consider as the only anchor yet imagined by man, by which a government can be held to the principles of its Constitution.

Surely there is no one in this great body who would admit to a desire to destroy the Constitution of the United States of America—we are sworn to uphold and defend it against all enemies, whether foreign or domestic—yet many in this body either wittingly or unwittingly do contribute to its destruction.

Surely the record, by this time, is clearly obvious to anyone who takes the time and trouble to read it. Surely no one can deny conscientiously that this bill was cleverly drafted with the purpose in mind of by-passing the constitutional right of trial by jury in the cases arising under it. Can there be any doubt, after the speeches by the gentlewoman from Illinois [Mrs. CHURCH], the gentleman from Michigan [Mr. DINGELL], and others, that proponents of the bill had a complete lack of confidence in the integrity and sense of fair play of southern juries? Is this not a confession of lack of confidence in our time-honored jury system? Would the distinguished gentlewoman from Illinois [Mrs. CHURCH] publicly express such a lack of confidence in the integrity of juries drawn from the city of Brookfield, or Oak Park, Ill., in her own great State, where Negroes are not permitted to reside? Or would the distinguished gentleman from Michigan [Mr. DINGELL] be willing publicly to express a similar lack of confidence in the integrity of juries drawn from among the all-white suburbs of his great city of Detroit where the same conditions prevail, such as the cities of Dearborn and Owosso, where members of the Negro race are not permitted to remain after sundown? Would the distinguished minority leader, Mr. MARTIN, be willing publicly to express a similar lack of confidence in a jury drawn from the all-white towns of Massachusetts, including the city of Gloucester, where Negroes are not even able to purchase property? Would the distinguished minority leader express a similar lack of confidence in juries drawn from the city of Boston, where, in the district of our distinguished majority leader, Mr. McCORMACK, a Negro was lynched on the streets by four white men in broad open daylight, following which neither he nor Mr. McCORMACK raised their voices, not even in a whisper? Would these distinguished gentlemen, who are so intent on guaranteeing convictions of persons charged under this bill, assure us that the criminals who committed this dastardly crime will be convicted, or, as a matter of fact, even indicted?

No, Mr. Chairman, the subject matter of this legislation is so saturated with politics that even those who profess a deep belief in the right of the accused to

a trial by jury find themselves compromising those views in order to placate, pander, and inculcate the political support of racial minorities seeking special favors at the hands of the Federal Government.

That we should be here considering such a basic and fundamental matter as the right to trial by jury grieves me deeply. Have we so forgotten the lessons of history as to be oblivious to its teachings? Must we distinguish between the civil rights of citizens, so as to deny our citizens the enjoyment of one civil right in order to permit their enjoyment of another? Must we commit ourselves to reactionary policies in one field in order to guarantee liberal policies in another? Can not the two live together; and if not, why not?

Article III of the United States Constitution guarantees the accused of a right to a trial by jury. Amendments VI and VII further secure this right. Who are we, sitting in judgment under the heat of political pressure, to say that these Constitutional guaranties do not mean what they say? Surely we will not submit to a devious gimmick, such as is written into this bill, to abrogate those rights!

Mr. Chairman, in any criminal trial, and more especially in those fraught with emotion and hysteria, a jury must decide the facts if the ends of justice are to be met.

Recently, there have occured instances in litigation instigated by the Department of Justice which were obviously inspired by political considerations.

In Clinton, Tenn., the Department of Justice intervened in a case involving 16 persons charged with contempt of a Federal Court injunction. The Department asked to be made a party to the litigation. After public sentiment throughout the nation indicated that the persons charged should have a jury trial, the Department stated it was a good idea. In other words, Mr. Brownell, in the Clinton case, took a position directly contrary to the position he is taking with reference to this bill.

Even the judge in the Clinton case has confessed that his restraining order contained "unfortunate choice of language." What is to keep judges in the future from issuing restraining orders which include "unfortunate choice of language?" The right of trial by jury is the only method whereby such mistakes can be rectified by an impartial decision of a jury on the facts.

Incidentally, in the Clinton case, these people were cited for contempt in December, 1956, but they have not been brought to trial as of this date. Why?

The Justice Department is acquiring quite an unsavory record of enthusiastic prosecution of certain cases when there is lack of evidence. There is a very recent one—one currently under investigation by a committee of this body. The Justice Department preferred charges and secured a conspiracy indictment against a resident of the District of Columbia and a citizen of Kentucky. A politically appointed district attorney in Louisville, had to prosecute the case which apparently arose from the fact that the Small Business Administrator had a personal dislike for an individual. The judge threw the case out of court without even hearing the defendant's side because the Government failed wholly to make a case.

Although there was a jury in this instance, attention to the case is important because the Justice Department tried to prosecute for the sole reason, apparently, to placate an ambitious Federal bureaucrat.

What will happen if this bill becomes law? The Kentucky case will be multiplied thousands of times if the jury trial amendment is not adopted.

Innocent people will suffer endless harassment at the hands of ambitious Attorneys General. No one will be beyond the long arm of Federal persecution, and political, as well as personal freedom will soon disappear.

Mr. Chairman, the issue before the House is simply whether the Congress of the United States will surrender the rights of the people to an organized selfish-interest minority group; or whether it will stand on those deathless principles of human freedom which made this great Nation the world's citadel of liberty. Will we surrender the precious right of our citizens to trial by jury, or will we surrender to the pressure of momentary political expediency and reestablish the foundations of tyranny which prompted the original emigration to our shores of freedom-seeking people? Generations of Americans, yet unborn, await your reply.

Mr. Chairman, I ask unanimous consent that the time allotted to me may be used by the gentleman from Mississippi [Mr. ABERNETHY].

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. DIES].

Mr. WINSTEAD. Mr. Chairman, I ask unanimous consent that the time allotted to me may be used by the gentleman from Texas [Mr. DIES].

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DIES. Mr. Chairman, I hesitate to intrude myself upon the House at this late hour. I know you are weary with the protracted debate. But I regard this as one of the most serious issues that has confronted the House of Representatives during my 20 years of service in this great body.

From the beginning of this bill I have tried to determine for myself the reason for the opposition to the jury amendment. Certainly this is a drastic proceeding even with a jury amendment. No one can deny that. It is unprecedented, unprecedented in a field as delicate and explosive and difficult as the field of race relationship. With the jury amendment you are still giving tremendous power to the Attorney General of the United States. Then why do the advocates of this measure oppose so strongly the jury amendment? I think they have made that perfectly clear. They are opposed to it because they fear that southern juries will not convict. That is exactly what the Attorney General said quite frankly. In all of the pamphlets I have received from organizations supporting this measure they have denounced what they call the crippling amendment of a jury trial. Is not that about right? I am sure the other Members of the House will agree with me that the basis of this objection to the jury trial amendment is the fear that southern juries will not convict.

Is there any basis for that fear? The record is silent insofar as any testimony to show that any southern Federal jury has failed to convict anyone for violation of civil rights.

There is not any evidence in the record and I defy any Member of this House to stand on this floor and cite one jury trial where a southern jury refused or failed to do its duty in a civil-rights case. There is no such evidence, and therefore this committee made no attempt to collect any such evidence. The Attorney General stated that he had had some complaints about the violation of civil rights in the Southern States. If the Attorney General received the complaints, why did he not do his duty under the law, as it now exists? It was his duty to bring action under the criminal statutes against the persons who had deprived someone of their civil rights. All of the Federal courts were available to him. He had an opportunity. He had a positive duty to proceed against the guilty individual. Is there anything in the record that any member of the Committee on the Judiciary can point to that the Attorney General has ever acted under the laws that are now on the statute books? Who made the complaints? Where are the complaints? What became of the complaints? Were they pigeonholed in the Attorney General's office? Who is there who can truthfully or honestly say that southern juries will not do their duty in civil-rights cases? How are the juries selected in the Federal courts? They are selected by commissioners appointed by the Federal judges. They are often referred to as silk stocking juries. They come from substantial people in every community and they usually represent the business class of people. To indict the South without any evidence whatsoever seems to me is clear proof of prejudice against the Southern States. Who is the real minority in this fight? Is it the Negro or is it the South? Is it the South as a result of the propaganda that has been distributed for years and years throughout the eastern and western sections of this country? What is the cause of this? You would naturally assume that a committee as important as the Committee on the Judiciary would first want to ascertain whether there was any need for this kind of legislation. They would go to the statute books and they would say: What laws do we now have? And they would find that every State has

laws on their statute books. There are Federal statutes dealing with every aspect of civil rights. They would then conclude: Well, we certainly have ample laws. Now let us determine whether or not that law is being enforced. They would find out whether it is enforced and if it is not enforced, they would call the Attorney General and say: "Now, Mr. Attorney General, you say that you have received complaints and you distrust southern juries. Why have you not made a test of it? If there are counties in Alabama and Mississippi and certain other States where Negroes do not vote; what is the cause of it?" There is no evidence here that their failure to vote can be attributed to any violation of anyone's civil rights. Would it not be natural and reasonable that evidence would have been produced before the Committee on the Judiciary proving that you cannot trust southern juries? There is no such evidence in this record.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Chairman, I lament that one Member of this body embarked upon the Till case to justify taking from 170 million people the right to a trial by jury. In all sections of this Nation, at least in almost every section, we can find cases of violence. I have before me an article from a paper where two men were killed as guns blazed along the Alabama picket line of the United Mine Workers strike in Alabama. Six sticks of dynamite were found in the picket's car. Is that any reason to put those union representatives in jail without a trial by jury? Think of Cicero, Ill., not from where the distinguished lady, the gentlewoman from Illinois [Mrs. CHURCH] calls home. Have you found one southerner to get up on this floor and tell you to abolish the State of Illinois or to get up and say all people in and around Chicago are worthless, good-for-nothing hoodlums? I have not heard about it; have you heard the Southerners get up on this floor and say that because two white men killed a Negro on the streets of Boston, Mass., not long ago because he was walking along the street with a white woman, and the two white men killed him—lynched him on the streets of that great city, had you heard us say that law and order in Boston, Mass., had broken down?

I say to you we ought to be made of sterner stuff, sterner stuff.

In my part of the United States, South Carolina, you have not heard of people being denied voting rights. Some of you would take away from 170 million people this sacred right because of some little small isolated incident, going to take from them the precious right of trial by jury because it is expedient, because on your back now there is the whiplash of the NAACP. I say to you the records do not sustain such an allegation.

I call as witness one Justice Brennan. Mr. Justice Brennan of the Supreme Court had this to say in an American Bar Association regional meeting at Denver recently:

> Another nostrum is that, because jury trials take more time than trials before a judge without a jury, the easy answer is to get rid of jury trials.

As the distinguished gentleman from New York [Mr. MILLER] said, we have to pay the price.

The distinguished Justice continues:

> They pay the price, and willingly, of the imperfections, inefficiencies, and, if you please, greater expense of jury trials because they put such store upon the jury system as a guaranty of the preservation of their liberties.

Do not do this to yourself to punish us folks from my part of America.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, at the outset of my remarks I wish to personally express my thanks to Chairman Celler of the Judiciary Committee who has since the early days of this session endeavored to be very fair regarding this bill. I know he was under tremendous pressures from certain groups, politicians, and others, to ramrod the bill through this House and down the throats of the people of the South without even a hearing in the committee. We thank him for his courage; without which we would not have had as much as an opportunity to present our case to his great committee.

I have but one criticism to make of the manner in which this bill has been handled. I do not say it was deliberate, but we were sorely disappointed that the bill was assigned to a subcommittee on which there was not one Member who lived farther south than New Jersey. There were 4 Members from New York, 1 from Ohio, 1 from New Jersey, and 1 from Colorado. That seemed to us to be unfair. We have no complaint as to opportunity and time in presenting our case to the subcommittee. We would have felt much better, however, had the South, against whom the bill is directed, been assigned at least 1 seat on this very important subcommittee. I leave it to your own good consciences and sense of fair play to judge whether or not we were treated as you would want yourself to be.

I think this debate has been very good up until today. But today is a black one in the House of Representatives. Prejudice, the like of which I have never witnessed, has been revealed in the well of this House—prejudice against the South. Some of the words, the charges, the finger pointing and the indictments have been most unfortunate. If in order to remain in the House of Representatives I would be compelled to spew from my mouth the bitter venom about the North the like of which has been spewed upon the land of Dixie in the debates of today, then I would be pleased to surrender my commission, return to Mississippi and resume the life of a private citizen. In spite of some of the venom I have listened to today, I still have faith in the people of the North and I know those who have been berating the South do not speak the sentiment of northern people in general.

I would like to say for the benefit of the distinguished gentlewoman from Illinois [Mrs. CHURCH] who in my judgment made a very vicious speech against southern people, that it is much easier to get a conviction by a southern jury of a white man charged with a crime against a Negro than it is to get a conviction of a Negro in the District of Columbia charged with a crime against a white woman. Why, oh why, Mr. Chairman does the gentlewoman not raise her voice about that. Her own Chicago has come in for considerable debate on this bill. And it has also come in for considerable adverse publicity on the racial question. She might do well to take a look at her own backyard, her own hometown, before casting aspersions against the people of the South about whom she seems to know nothing and undoubtedly cares less.

We hear much about racial prejudice. Now we have a new type of racial prejudice—prejudice against the white people of the South. I hope that after the sun sets tonight you will return to your places of abode and attempt to throw it off. If you find yourself unable to do so, I am confident that the One who created you will assist if but asked.

The object of this bill is to circumvent southern people, to circumvent southern juries, get around them, to dodge and avoid them, even though they have never yet been once tried or tested on an issue of this kind, not one time. If that was not the object of the bill, the bill would not be here. The distinguished gentleman from Maryland [Mr. HYDE] the distinguished gentleman from Louisiana [Mr. WILLIS] and others have made that charge, and it is undenied. The Attorney General himself stated that is the reason the bill was sent here, the chairman of the committee said during the debate, and so did others, that the reason for the bill is because they cannot get a conviction from a southern jury. So the bill is designed to avoid a southern jury, to take away a right, a civil right if you please. Otherwise there is no objective to the bill. Your confidence in us, in our acceptance of an organized society, is so lacking. You insult us.

I do know of instances when you have tested and accepted the confidence and responsibility of southern people. When our democracy is threatened from outside, you do not hesitate to take our men into arms. I recall in 1943, when I came to the Congress, I lived in a hotel near the Capitol. After the dinner hour I would often find myself walking over to the Union Railway Station so that I might talk with some of the young men who poured through that station by the thousands every 24 hours headed for the bloody trenches of Africa and Europe. There was a constant shuffle all hours of the day and night of America's youth through that station en route to war and some to death. Most of those who passed through came out of the South. I spent many evenings in conversation with them while they awaited their trains.

They came from Texas, from Louisiana, Mississippi, Alabama, Carolina, Georgia, Virginia and Tennessee—from all sections of the South. From some I received letters after they had crossed the waters. Several requested that I send messages back to their families, telling them that they had passed through, were all right and so on.

One night I ran into a fine looking boy from my home district. He was about 6 feet tall, weighed maybe 190 pounds, was erect and very handsome. He was a fine young man. He had a premonition he would never see family or home again.

He said, "Mr. ABERNETHY, I am on my last march. If word should come back that I am never to return home alive, I want you to tell my daddy that I passed through this station with my head up ready to die for my country." He did not say he was ready to die for the South, or for the North. He said "My country."

In 3 weeks he was dead.

Well, you trusted him with a gun. You likewise trusted thousands of others from my State and thousands more from the South. Most of them are home now, thank God. For some reason some of you do not want to trust them, or me, with jury duty, or with the preservation of the peace and tranquility of our own communities. Why such a lack of confidence in us? You are trusting Poland, a Communist government, this very hour, with a hundred million dollars worth of American money and goods. That decision has just been reached in the Department of State.

You have trusted Tito, an undemocratic dictator, with about $2 billion worth of foreign aid with the expectation of his using it against Communist Russia. But some of you and Mr. Brownell and even Mr. Eisenhower will not even trust a southerner to serve on a jury. You say we will not do the right thing. That is a nice way of just saying we are dishonest and irresponsible. Why, our Government is even at this very hour trusting a Japanese court to try an American boy, but you will not trust a southern jury to do that.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SELDEN. Mr. Chairman, I ask unanimous consent that the time allotted to me may be used by the gentleman from Mississippi [Mr. ABERNETHY].

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ABERNETHY. Mr. Chairman, I thank my friend, the distinguished gentleman from Alabama.

Mr. Chairman, I am afraid we are about to take a very dangerous step here today. Yes, you will trust Gomulko; you will trust Tito. Your Government will trust the Japanese courts, but a southerner, who is willing to stand in blood up to his waist in defense of the democracy that you and I enjoy, you do not trust as a juror under oath. And, you have the effrontery to come into this well and tell us so. It hurts me deeply. It hurts my people, too. I am wondering if you are ashamed of the southern Members in this body who were sent here by these people whom you refuse to trust. Why do you pat us on the back, telling us we are good fellows? Why do you greet us so cheerfully every morning? Do you really mean it? How could you when you have so little confidence in the people who sent us here? With so little confidence in them how could you have any confidence in or respect for their Representatives in this body? It has put me to wondering, seriously.

Now, after you have abolished trial by jury there will be other steps to follow. Next it will be the elimination of the right of bail, and next the elimination of the right to be confronted by the witnesses, and to be informed of the charge. One by one, a little at a time, these rights, these great civil rights, will be whittled away. The dictators of Europe eliminated juries, too. A little at a time, men like Hitler took away other safeguards.

The minorities in this country should have more to fear from the elimination of a jury trial than any other segment of our population. Yet it is they who are taking the lead here today in removing this right. But of course they intend for it to be taken only from the people of the South. They may some day regret it.

I believe the Members of this House know that I am no religious or racial bigot. I believe they know that I hold the kindliest of feelings toward every Member of this House regardless of where he comes from and regardless of his religion or race. But let me remind my minority friends who are now leading the fight in this House for a bill to deny my people the right of a trial by jury, you had nothing to fear from the juries of Germany. It was Hitler's abolition of juries which led to the erection of two gruesome monuments, Buchenwald and Dachau.

Let us not in our emotion and zeal to please a few unthinking people, in order to gain their political favor, emulate the late Adolf Hitler by taking the first step toward abolition of the sacred right of trial by jury.

Mr. SELDEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Chairman, I rise in support of the amendment guaranteeing the right of trial by jury.

The proponents of H. R. 6127 have stated throughout this debate that the right to trial by jury is not guaranteed by the Constitution in contempt cases. This statement, as far as civil contempt proceedings are concerned, is correct. But, when the power of injunction is used as an ultimate means of depriving persons of their liberty, without trial by jury, as is the obvious purpose of H. R. 6127, then the spirit, if not the letter, of the constitutional guarantee of jury trial would be violated. In any event, Congress in 1914 inserted in the Clayton Act a stipulation that whenever an act charged as contempt of court is of such character as to constitute a criminal offense under any statute of the United States, or under the laws of any State, the person accused should be tried by a jury if he so requests. Congress at the same time made an exception to this general rule which provides that the right to jury trial in contempt cases should not pertain to suits brought in the name of the United States. It is under that exception that the right to trial by jury will be denied if H. R. 6127 is enacted into law. This legislation does not give to individuals the right to file suit for alleged violations of their civil rights. Only the Federal Government is given that right under H. R. 6127. Therefore, since the Federal Government will constitute the plaintiff in all suits, the right to trial by jury is purposely wiped out by this ill-conceived legislation.

Those who oppose the trial by jury amendment have made statements during the present debate that might lead one to believe that southern juries convict only when it is expedient to do so. Such an implication cannot be supported by the vast preponderance of evidence.

I am quite certain, Mr. Chairman, that there have been miscarriages of justice under the jury system in my State. I am equally certain, however, that there have been similar miscarriages of justice in the States of every Member of this body. But, in spite of those miscarriages of justice under the jury system, would anyone on this floor advocate the abolition of trial by jury? I think not.

Mr. Chairman, while the advocates of H. R. 6127 evidently believe that the measure will correct a wrong, this legislation may well prove to be much more vicious than the wrong itself. I therefore urge this body to improve H. R. 6127 by adopting the amendment now under consideration.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, it is very difficult for a person who is not a lawyer to be sure of just what is right when making up his mind on an issue like this which is very important and with seemingly cogent and compelling arguments being presented on both sides of it.

I have listened long and hard during this debate. I certainly have no desire or disposition to deprive any person of any right that he has under our Constitution, and certainly not the right of trial by jury. So, at the outset, my general learning was to vote for this trial-by-jury amendment. But the more I have listened, the more I changed to the decision to vote against it.

When there are complicated legal and technical arguments, and equally able men of both parties, men who are real legal experts, men who know the facts better than I can know them, men of equal ability and stature, integrity and character, men whom all of us respect—and these experts come to exactly opposite conclusions, 180 degrees apart,

then an ordinary person like myself has got to try to reduce the technicalities to simpler terms, it seems to me, and make up his mind on them.

Certain facts seem to be clear. The first is this, that some civil rights are prescribed and granted under State and Federal statutes; but there are also certain civil rights that are guaranteed in the Federal Constitution. One is the right of every citizen to vote.

A second fact is that the constitutional right to vote is not being enjoyed by literally hundreds of thousands, if not millions, of our citizens. As to the reasons for that, I am not here trying to determine the blame. It is enough to point out that obviously their local agencies of justice and law and order have not succeeded in insuring to those citizens the right to vote that is guaranteed them in our Federal Constitution.

So it seems to me inescapable that the Federal Government has a responsibility and a duty to devise and take appropriate actions to prevent the denial to any citizen of the right to vote guaranteed him in the Federal Constitution. This bill is designed to accomplish that purpose.

Among other things the bill authorizes the Attorney General to bring action in Federal courts to enjoin and try to prevent violations of the constitutional right to vote. Any person who defies the court's order to stop such violations can be held in contempt of court and punished accordingly.

The hue and cr[illegible] has been raised that this procedure authorized in the bill to insure to citizens their constitutional right to vote will deprive other citizens of the right to trial by jury, those accused of violating the court's order.

Now, if to protect one constitutional right, the right to vote, it were proposed that we take away another constitutional right, the right to trial by jury, I certainly could not go along. But it seems established that the right to trial by jury in contempt cases is not a constitutional right. It is not guaranteed in the Constitution of the Federal Government, as is the right to vote and the right to trial by jury in criminal cases. The constitution of at least one State, Oklahoma, I heard today, does guarantee the right of trial by jury in contempt cases. It is provided also in various statutes in some other States. But it is not a right guaranteed in the Federal Constitution.

Therefore, since the right to trial by jury in contempt cases is not guaranteed in the Federal Constitution, this bill does not take away any constitutional right. It is not convincing that in order to protect the unquestioned constitutional right to vote we must grant by statute rights to trial by jury where they do not now exist. The constitutional right to vote must be given precedence. Therefore, I shall vote against this amendment.

Mr. DOWDY. Mr. Chairman, we have today heard the American jury as being an evil thing by the gentleman from California [Mr. ROOSEVELT]. During this debate we have heard statements from both sides of the aisle by top members of the Judiciary Committee that they have no intention to hedge the right of trial by jury. Those statements are either honest or dishonest. If the statements were honest, they will adopt this jury trial amendment; if dishonest, they will oppose it. We are drawing near to the day of action, the hour of decision, the moment of truth.

It should be known to all of you I support this jury trial amendment. I want to make a few more remarks regarding that issue before the time it is voted on.

Prior to that, a while ago the gentleman from Illinois read a statement by the Speaker, leaving the impression that our Speaker is opposed to the jury trial. I have no authority to speak for him, and I guess he will speak for himself, but if he does not, I will not believe that the Speaker of the House is opposed to the jury trial.

Another thing that is pleasing to me is the fact that I do not have to here apologize for the district I have the honor to represent, as have the Members from Chicago and elsewhere. That sort of misconduct does not take place in our part of the Nation.

But to return to the pending amendment. The proposed government by injunction is bad enough, but taking away the jury trial is unthinkable.

It appears from the Attorney General's testimony in the hearings that he really wants this power because under the present statutes he must prove to a jury that the act complained of was willful, in order to get a conviction. This, it seems, he considers to be too burdensome and too difficult.

If Congress gives him the authority he asks, he would not have to prove anything. He can drag a private citizen or a public official into court on mere suspicion, for the measure provides that he can proceed against a person who is about to engage in any acts or practice which would give rise to cause of action.

Without evidence, merely on the basis of malicious misinformation provided by faceless informers, such as agents of some of the subversive organizations, the Attorney General would be able to get an injunction restraining any person or group that the informers merely suspect is about to do something, or about to attempt to do something.

Then, if either the persons named in the injunction, or other persons not parties to the action, should happen to commit an act of claimed discrimination, that might be construed as violating the injunction, whether innocently, inadvertently, unintentionally, or otherwise, they could be found guilty of contempt without trial by jury, and fined, or jailed, or both.

The gimmick is that the purpose of this bill is to deprive the American people of the right of trial by jury. The Attorney General and proponents of the bill have been so brazen in their statements about it that they cannot deny this bare statement of fact.

By such proceedings, State and local officials and ordinary citizens can be denied their fundamental constitutional rights of free speech, free press, free assembly, and trial by jury, and deprived of their liberty or property, or both, without due process of law.

Most amazing of all is the fact that the Attorney General seeks the right to act on behalf of individuals without their consent, or even without their knowledge. This procedure is so unethical that if a lawyer in private practice tried to get away with it, the court would disbar him for life.

When the Attorney General can haul a citizen into court, enjoin him because of what somebody thinks he is thinking, deprive him of his legal rights, convict him without due process, and subject him to criminal punishment for an alleged civil offense, we will have achieved the ultimate of absurdity and the height of tragedy.

Apparently, the elements who initiated and are demanding this so-called civil-rights legislation will stop at nothing, no matter how outrageous or how vicious to gain their ends. This is a brazen attempt to substitute government by men for government by law.

Before having made such a request of Congress, and before giving his testimony, the Attorney General should have pondered the inscription cut in granite on the front of the Justice Building, which reads:

No free government can survive that is not based on the supremacy of law.

If anyone believes that the Attorney General can be trusted not to abuse such powers, then I can only say such person can only be naive to the extreme extent.

Even the chairman of the Judiciary Committee in his testimony before this committee, recognized the probability, or at least the possibility that he would have to come back to place bars across this power; and provide a jury trial. I say we should not take a chance on it. I say weld the bars in place right now.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Chairman, this amendment upon which we are about to vote is one of the most crucial amendments to come before this House during my service here. Early today I heard a very fine presentation of his side of this argument by the gentleman from California, in which he asked us not to turn back the clock. I want also to ask this House not to turn back the clock. Do not turn back the clock to the days of a tyrant named Hitler who sought not only to deny the right of trial by jury, but he sought to deny to millions of his countrymen who happened to be of a particular religious faith not only the right of trial by jury but the right to life itself, without a trial of any kind, with or without a jury. And his name is infamous today.

I do not want to see this House turn back the clock to the days of Judge Jeffreys, who often donned his black cap in the court of the Bloody Assizes and sentenced to death men whose only crime was to speak their own thoughts and their own minds and to speak out against

tyranny. I hope that this body will never turn back and deny to the American citizen those sacred rights which were written into our Bill of Rights and into the sixth amendment of our Constitution by the man whose likeness appears on the wall over my left shoulder, to your right, George Mason of Gunston Hall. He is the same George Mason who never gave up in his fight for the rights of the individual, and who never gave up his determined fight to have included in the basic instrument of government of our Nation the right of trial by jury and the other constitutional rights of free men. Without the sixth amendment, without the other nine amendments which go to make up our Bill-of Rights, Mr. Chairman, it is highly possible that this country of ours would not have survived the tests which it has survived and under which our Nation and our people have prospered.

I ask you in complete humility and at the same time with all pride in the basic instrument of our Government, the Constitution of the United States, to join those of us who believe in the freedom of the individual, who believe in the American Bill of Rights contained in the first 10 amendments of our Constitution, to uphold the dignity of trial by jury, to uphold one of the most basic rights of man, and to vote for and adopt in this Committee of the Whole House the amendment now pending before this committee.

Both gentlemen from New York [Mr. CELLER and Mr. KEATING] have urged the rejection of this jury-trial amendment and given as justification for its rejection many pieces of legislation heretofore passed by this Congress which have authorized injunctive powers in enforcing such legislation. I have tried to review the legislative history of each of these pieces of legislation to which they have referred, and I find that the injunctive power contained therein was part of the original legislation of those particular subjects. That is not the case in civil-rights legislation. The injunction power is new.

To the best of the information which I have been able to gather this legislation, H. R. 6127, is the first time in the history of this body that the right of trial by jury is sought to be denied where it has heretofore existed beyond question.

The inclusion of broad powers of injunction in this amendment under existing civil-rights legislation is fraudulent, and it is a subterfuge to grant injunctive trials without benefit of jury in cases of criminal contempt. When an act presently criminal under our statutes is made the basis for an injunction, it becomes a criminal prosecution by whatever name it may be called. To deny the right of trial by jury on this or any other criminal prosecution is to reject the words, provisions, and the intent of amendment six of the Constitution of the United States, a part of the American Bill of Rights. Our Union of States might never have been formed into our compact of States under the Constitution without the inclusion of the Bill of Rights in that Constitution. It is doubtful that the required number of States would have ratified the Constitution without the assurance that the Bill of Rights would be added. No one can deny that one of the basic and most important provisions in the American Bill of Rights is the language of the sixth amendment, which is as clear as the English language can make it:

AMENDMENT VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

That portion of our Constitution, like many portions of it, should remain sacred and inviolate until the same authority that wrote it in shall write it out and that authority is two-thirds of both Houses of Congress and three-fourths of the States. It cannot be done by Congressional act alone within the language of our Constitution.

Let there be no destruction of our Constitution or deprivation of constitutional rights by subterfuge, device, or design. If this House sees fit to reject this jury-trial amendment, this will be one of the darkest days in the history of our Nation. It is unbelievable that American men and women who have read, observed and been a part of the history of our constitutional form of government will vote to reject the preservation of existing rights to trial by jury in criminal prosecution or quasi-criminal prosecution. I respectfully urge the adoption of the pending amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. SMITH].

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Mississippi. I yield.

Mr. COLMER. I would like to point out to the gentleman from New York who just spoke that John L. Lewis was entitled to a jury trial, but he elected to take his trial by a judge. He just bet on the wrong horse.

Mr. SMITH of Mississippi. I am glad the gentleman from New York has brought up this matter involving contempt powers and involving labor unions because in this whole question of jury trials I have been somewhat disappointed in some of my friends who fervently espouse, and properly so, the cause of labor in the halls of Congress. This great issue involving jury trials was primarily a labor issue down through the years. We have heard as the foremost citation of why a jury trial in a contempt case is not a constitutional right, the Supreme Court decision involving the great labor leader Eugene Debs before the turn of the century who was denied a jury trial. That was when the issue was first brought before the Nation. The issue became active again before World War I. Then it became a part of party politics. One of the great quotations that has been so often used on the other side of the aisle against the jury trial has been this statement of presidential candidate William Howard Taft defending the position of the Republican Party in opposition to jury trials in contempt cases. That idea was overridden by the country when the Clayton Act was passed in 1912. But, there were still abuses with regard to labor issues which came into focus in the twenties, and which reached a crisis in the late twenties. In the years that followed, bills were introduced up to 1931, and after years of agitation the Norris-LaGuardia Act was passed to provide a jury trial in labor disputes which was heretofore held unconstitutional or illegal. That was provided by law by vote of this Congress in 1932. The Norris-LaGuardia Act was passed because it was a matter of simple justice and this law having to do with labor, which today we regard as a part of the bill of rights of the American laboring man, was adopted by almost unanimous vote on this side of the aisle. I think only one Democrat opposed it. This overall issue of the jury trial is something that should be separated from the idea of civil-rights legislation. There is room for differences of opinion so far as the value of civil-rights legislation is concerned, but as to the jury trial there should be no differences of opinion.

Mr. O'HARA of Illinois. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Chairman, we are nearing the close of a debate that has gone on for many days. It is significant that the debate on civil rights has consumed much more legislative time than that which has been given to any other measure or any other subject by the House of Representatives of the Congress of the United States in the year 1957. In this is the proof that something has reached deeply into the conscience of the American people, who are now as they always have been, men and women of good intentions, good will and good hearts.

In good conscience we cannot divide our neighbors by any other rule than that of character and moral worth. We cannot live in the world of today, with its broadened horizons, by the concepts of a social order that once flourished but now is gone forever. For the wrongs that were done the Negro slaves brought for a profit to our shores we owe to their descendants full recognition of their dignity as neighbors and their rights as American citizens.

The amendment now under consideration is supported in most part by those who would not vote for the bill even if the amendment was adopted. A few Members who support the amendment seem to be confused in drawing a line between courts of law and courts of equity.

A court of equity is a court of conscience. It had its origin in ancient days

when subjects suffering from wrongs incapable of being remedied otherwise came to appeal to the conscience of the king or overlord. Thus courts of equity became a part of our administration of justice, as places to which citizens could come when suffering from wrongs for which there was no remedy in the law, to such redress in an appeal to conscience.

The issue here involved is certainly in the domain of conscience. That is, in good conscience we cannot stand idly on the sidelines when the right to vote is not accorded equally to all American citizens. As long as that continues there will be something weighing heavily on the national conscience. No remedy in existing law has been found. It would seem self-evident that this is exactly the place for equity, or conscience, to step in.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. ABBITT].

Mr. ABBITT. Mr. Chairman, it is inconceivable to me that this House, one of the greatest legislative bodies of all the world, would even consider legislation that would deprive a single American individual of the time-honored right of a trial by jury. I am not unmindful of the assertions by the proponents of this legislation that this is simply additional remedies on the equity side of the court and that, therefore, a party brought under its provisions is not entitled to a jury trial. If that was all that was involved, it would not be so bad, but we have here a bill which has provisions that I am convinced have never been enacted into law in an English-speaking country. It gives to the equity side of the court jurisdiction over criminal acts and then provides that a political hatchetman can step in and deprive an individual of a jury trial by simply bringing the action in the name of the United States of America.

I think perhaps you people would be interested to know that, as far as the records show, the first English-speaking man to be tried in the United States was tried by a jury upon his insistence and demand that, as an Englishman, he had such a right. Capt. John Smith, who was among the first settlers to embark on these shores in 1607, brought ashore in chains and as a prisoner relying upon the Magna Carta and the charter granted to the London Co. by Queen Elizabeth in 1606, demanded to be tried by a jury of his own peers. Under the provisions of this charter, he was entitled to a jury trial and it was granted him. From that day until this, American citizens have always understood that, in matters affecting their individual acts and matters affecting their rights and freedoms, they would have a right to a trial by jury of their own vicinage.

The first representative assembly in America met at Jamestown on August 9, 1619. That very assembly established the jury trial and representative government upon a lasting foundation in America. This bulwark of freedom came as a gift but once given our people have resisted forcefully later attempts to withdraw this right.

King George of England attempted to do to the American Colonies what this bill attempts to do to the American people. The American Revolution resulted from King George's abortive attempts and I say to you today that if you foist upon the American people this ill-conceived, ill-advised, detestable, outrageous, reprehensible, abominable legislation you may expect the American people to react as did their noble ancestors and throw off the chains of slavery and cast aside the people who attempted to enslave them and deprive them of their rights.

I pray to He who guides the destiny of the universe that this House will not at this late date by devious means deprive our people of that precious possession and right. I say to you that you are not fooling anyone. I am sure that the people of America know that it is a political legislative gimmick that is depriving them of this precious heritage and I say to you that an attempt was made only recently to deprive certain citizens of Tennessee of the right of trial by jury but the attempt was too late and the public pressure was so overwhelmingly against such dastardly action that even the Justice Department at the last minute admitted that the defendants were entitled to a jury trial.

I say to you in all candor, if this bill is passed in its present form, and I am not unrealistic enough to think that anything I might say will change it, it will be the blackest day for liberty and freedom in America in a century. It will set the Federal courts up as the administrator of the police powers of the State, the operator of the public schools of the localities with the possibility of the greatest judicial tyrants ever known to mankind. There will be no limitation upon their authority, power, or ability to intimidate and browbeat not only individual citizens but entire communities. Our people realize that it is well-nigh hopeless to appeal any case coming under this legislation to the Supreme Court of the United States as presently constituted.

I realize that the granting of the right of a trial by jury will not soften much of the obnoxiousness of this bill, but it will at least give our citizens the right of a public trial—yes, a trial before a jury of Americans picked by commissioners appointed by the Federal judge. It will be some deterrent upon certain segments of the Federal judiciary who are determined to change the habits, customs, and mores of an entire section of this great country. Even if a jury trial were granted, this bill would still be evil, immoral, liberty-destroying, and in violation of almost every concept of the American jurisprudence or our way of life.

In my opinion, this body should forthwith adopt an amendment referring this legislation to the Un-American Activities Committee for their study and consideration because never in all of my experience have I known of legislation that was more un-American or un-democratic.

The CHAIRMAN. The gentleman from Michigan [Mr. JOHANSEN] is recognized.

Mr. JOHANSEN. Mr. Chairman, I favor this amendment and also am in favor of the right to vote.

I yield back the balance of my time.

Mr. HILLINGS. Mr. Chairman, since I have already participated in debate on this bill, it is not necessary for me to further clarify my views. I am opposed to the jury-trial amendment and I favor the passage of the bill.

There is no place in modern-day America for laws and actions to prevent any of our citizens from voting because of race, creed, or color. I congratulate my distinguished colleagues on the Committee on the Judiciary who have worked and voted for civil-rights legislation, and I have been honored to join with them in this most important battle.

Great credit is also due President Eisenhower and Attorney General Brownell who have consistently urged enactment of civil-rights legislation by the Congress. It is my hope that we will be successful in enacting this legislation into law before the end of the present Congressional session.

Mr. ASHLEY. Mr. Chairman, the merits of this jury-trial amendment have been discussed at great length and from every possible point of view during each of the days that this civil-rights bill has been under consideration. There is little that anyone can now add to discussion of this proposal, and I take the floor only to comment briefly on the reasons why my own position on this amendment has changed.

Some weeks ago, when it became apparent that opposition to civil-rights legislation would be based—in large measure—on the alleged deprivation of the right to trial by jury, I presented a statement to the House Committee on Rules in which I suggested an amendment granting alleged violators of this civil-rights bill the right of trial by jury in cases involving criminal contempt.

In arriving at this suggestion, I was mindful of the fact that the constitutional guaranties of jury trial have never applied to cases brought in courts of equity—but only to cases brought in courts of law. Hence, I knew that this would be a marked departure from established legal procedure and, indeed, a significant extension of our constitutional and statutory provisions relating to the right to trial by jury.

The reason that I suggested this amendment nearly 5 weeks ago was essentially negative in character. It seemed to me at that time that the principal concern should be in compelling compliance with the provisions of this bill which seeks to protect the right to vote. Generally speaking, compliance to a court order can be achieved through civil contempt proceedings where the punishment is not punitive—but remedial in nature. It was my belief, when I suggested an amendment to allow jury trial in criminal contempt proceedings, that effective compliance—in fact, the only effective compliance possible—would be secured through the power of our Federal judges to punish for civil contempts of court. I say that my amendment was negative in character

because its main purpose was simply to prevent a more sweeping amendment—one granting right to jury trial in both civil and criminal contempt cases—which would leave it up to southern juries, for example, to protect the right of the Negro to vote in Federal elections.

What I overlooked, Mr. Chairman, was a provision of law which would, in effect, transform all violations of court orders arising under this bill into criminal-contempt violations. This provision of law provides that where the contempt involves an act which also violates either State or Federal criminal statutes, the defendant is entitled to a jury trial unless the United States is a party to the suit.

As I am sure the authors of this legislation will admit, the existence of this statutory provision presented a major problem. Certainly, it is true that defendants in the contemplated civil-rights suits under this bill would be entitled to a jury trial if it were not for the fact that the suits are to be instituted by the Attorney General. Proponents of the jury-trial amendment must, on their part, admit that the grant of right to a jury trial in all criminal-contempt cases arising under this legislation would actually mean that every case would result in jury trial.

Personally, I am convinced that enforcement of civil-rights legislation, and particularly the right to vote, can best be secured not by jury trial, but by means of court orders, together with the flexible authority of the court to compel compliance with such court orders. It is for this reason that I have alined myself with those in opposition to the amendment under consideration.

In closing, Mr. Chairman, let me simply say that the only real issue before us is the question of equality of citizenship. This issue cannot be disguised or camouflaged by dramatic gestures or stirring oratory. Nor can it be avoided by raising collateral questions such as the ones we have been considering.

If we believe in equality of citizenship for all Americans, then we must have the courage and the wisdom to secure the protection of these rights for all. This can best be accomplished, in my view, by enacting the bill before us as it is and by defeating the jury-trial and other crippling amendments.

The CHAIRMAN. The gentleman from Virginia [Mr. SMITH] is recognized for 3½ minutes.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia may proceed for an additional 1½ minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Virginia.

Mr. MARTIN. Mr. Chairman, reserving the right to object, we have already heard called a second time the names of a number of Members. Are we going to get into the practice of going back to Members who did not answer when their names were first called?

The CHAIRMAN. The Chair is endeavoring to be fair insofar as the time has not elapsed.

Mr. MARTIN. But the practice of the House is that when a Member's name is called and he does not answer he has lost his time.

The CHAIRMAN. If the time has not elapsed the Chair intends to give everybody an opportunity to speak and recognize them if they are present.

Mr. MARTIN. The Chair may be fair, and I do not doubt that, but the Chair is not consistent with the regular rules of the House.

Mr. BARDEN. Mr. Chairman, I resent that statement for the Chairman. I think it is very much uncalled for.

Mr. MARTIN. Does not the gentleman think it is the truth?

The CHAIRMAN. The question is, Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DOWDY. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Virginia.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, this shows what a nice, gentlemanly, kindly debate we have been having. Everybody has been so generous in yielding time that I have more than I can use and I have not enough breath to go round. I am grateful to see the House approaching the end of this very serious debate in such a fine spirit of good humor and good fellowship.

Mr. Chairman, I want to get down to the logic of this thing, and there is some underlying logic to it, notwithstanding all the other stuff that has been spread around here for the last 2 weeks.

This bill has been debated upon the premise and upon the assertion of those who favor the bill that it does not deprive anybody of any right to trial by jury that he now enjoys. That is what the debate has been all about. I challenge that statement, and I hope that anyone who follows me will undertake to disprove what I am going to say, and it has been said here frequently. A lot of Members did not hear it, but it has been said frequently, it is no secret.

At present the civil rights law consists of two parts. There is a criminal law by which a man for violation of civil rights may be indicted by a grand jury and tried by a petit jury. There is the civil damage suit in a separate statute. Under that he may bring his suit, if he is damaged under this civil action, and he will have a trial by jury. Under every civil-rights statute that exists today, civil or criminal, the party accused is entitled to trial by jury. Does anybody challenge that? I pause for a reply. Nobody can challenge it.

Why are we disturbed about the provision in this bill on page 10? If a man were accused of contempt of a Federal court today, and the thing with which he was accused is a crime, and the United States is not a party—keep that in mind, the United States is not a party—then he is entitled to a jury trial under section 3691 of title 18 of the Code, which is the United States Code. Does anybody challenge that statement? Of course not, because it is obviously the law and written in the books. So, if he was charged with one of these things that will arise under this act, if it is ever passed, he would today be entitled to a trial by jury.

These gentlemen have asserted and argued they are not by this bill depriving anybody of any right of trial by jury that he now enjoys. But he does enjoy the right of trial by jury for these very offenses, and is entitled to it today. If you pass this bill, the insertion of that clause on page 10, which tells the Attorney General to bring the suit in the name of the United States, the minute you do that you deprive him of his right of trial by jury for offenses under the civil-rights and criminal statutes. Does anybody deny that assertion? I again pause for an interruption. Of course, nobody denies that assertion because they cannot deny it. So, let us dispel this foolish claim that you are not depriving anybody of any right which he now enjoys, because the law is so simple and so plain that a man does not have to be a lawyer to understand it.

Then there has been a lot of discussion here concerning why give a man a jury trial in this instance. He does not have a right to trial by jury in a State for contempt. It has just been referred to a minute ago. I recall so many of these gentlemen who have gotten up here and said that the State does not give a man any right of trial by jury in contempt cases. I just want to show you what it does do. In the first case, we have the Norris-LaGuardia Act, and much has been said about it, which gave labor the right of trial by jury in contempt cases in so many words. I was here when that law was passed. I voted for that law. The two gentlemen from New York who are conducting this bill on the floor claim that it has been repealed. I cite you the latest expression of the Congress on that subject, which is found in section 3692 of title XVIII of the code, which gives labor not only the right to trial by jury in criminal cases but in every legal dispute over labor questions they have the right of trial by jury. The two distiguished gentlemen, my friends from New York, have claimed that the States do not give any right of trial by jury. It has just been referred to, but I want to nail it down. The State of New York, from which these two distinguished gentlemen come, in its code—and I hold it in my hand—section 882–a says:

SEC. 882–a. Contempt of injunction order to be tried by jury:

1. Notwithstanding any other provision of law, no person shall be punished either by fine or imprisonment for any alleged contempt arising out of any failure or refusal to obey any mandate of the court contained in or incidental to an injunction order granted by said court in any case involving or growing out of a labor dispute except after a trial by jury to which the defendant shall be entitled as a matter of right; provided, however, that this section shall not apply to any alleged contempt of such an injunction order committed in the presence of the court.

Now, there is the law of New York. And, there are a lot of Members from New York who say they will not vote to give their constituents a jury trial in civil rights cases. I want to know how many gentlemen from New York are willing to repeal their own statute on the books giving to labor the right of trial by jury. Does anybody speak up? All right.

Now, that is the law of New York. How many of you want to go back to your constituents in any State of this Union and say that we, the Congress, have voted to give the right of trial by jury in labor disputes arising under the laws of the United States, but we refuse to give it to you, our own constituents, when you are charged with a violation of civil rights? How are you going to answer that question in the next campaign, my friends? I know you will be cajoled by your Republican leaders over there; you are being cajoled. It is being insisted that we do not even have the right of a motion to recommit so that you may be put on record, to soften the impact on what you are fixing to do. How many of you want to go home and explain to your constituents that you give labor the right of trial by jury but refuse it to your own people? Let us see what the States have done. The gentleman has contended that the States have not done anything about trial by jury, that they do not give a trial by jury.

I hate to have to stand up here and talk about things that some of you fellows do not want to hear. I know you do not want to hear them. You never want to hear any more that you have voted to refuse a jury trial to your own people and yet you have given that right to labor unions all over the United States. I know you do not want to hear that, but please keep quiet until I get through, because it will not be but a very few minutes.

New York has given the right to labor to a trial by jury. Here are other States that have the same kind of law on their statute books.

Colorado: I am looking at the distinguished gentleman from Colorado who is a member of the Committee on the Judiciary. I am shocked.

Idaho: Idaho gives the right to trial by jury in labor disputes. How about the members from Idaho?

Indiana: That is the State of a great leader in this House, the gentleman from Indiana [Mr. HALLECK]. His State gives labor the right to trial by jury in contempt cases. What has he got to say? How is he going to talk to his constituents when he goes home and has to say, "Yes, I gave that right to labor, but I refused to give it to you, to my own constituents."

Here is Louisiana. Of course, Louisiana is a good State and is standing by its rights now.

Maine: The little State of Maine up there. I doubt if we are going to get many votes for a trial by jury from the Members from the State of Maine. But what are you going to say to your people when you have given the right of trial by jury, through your State legislature, to labor in those cases, but you have refused it to your own citizens in civil-rights cases?

Massachusetts: Oh, Massachusetts. And I am looking at the distinguished gentleman, my old, longtime friend, with whom I have served so many years, the minority leader of this House, Mr. MARTIN. I want to know what Mr. MARTIN is going to say to his constituents when he goes back there and says that, "Like HOWARD SMITH, I was in the House in 1932 and I voted, as he did, to give labor the right of trial by jury, but I will not give it to you, my constituents."

The CHAIRMAN. The time of the gentleman from Virginia [Mr. SMITH] has expired.

The Chair recognizes the gentleman from Ohio [Mr. MCCULLOCH].

Mr. MCCULLOCH. Mr. Chairman, I find myself in that most unhappy situation that one finds one's self when one has to follow a speaker of the stature of my great and good friend, the distinguished gentleman from Virginia [Mr. SMITH].

At the outset, by reason of the fact that the geographical location of the members of the subcommittee has been mentioned, I would like to say that the minority did not set up the subcommittee. And notwithstanding the fact that we all happen to be north of the Ohio River, with one exception, I should like to say that I lived in one of the great Southern States for approximately 4 years after I was graduated from Ohio State University, and in that great southern State I made the first money with which I paid the debt that I incurred in going to my State university.

I have tried to be free from prejudice in this matter, Mr. Chairman, from the time that it came to our subcommittee until today and I shall try to be free from prejudice until I cast my final vote on the passage of the bill.

I am opposed to the amendment under the conditions we face today which would write into this bill provisions for a jury trial after one has been cited for contempt of court. I hope that we can all be tolerant down through the years so that by education, by understanding, by determined gradualism, and by following the golden mean we may achieve the goal that every person in this country who is qualified to vote may exercise the right, which means so much in our representative Republic.

I have no desire for the extremes of troops or orders or causes of action that may bring us and our traditions into disrepute, but I do think that the record shows that we should move forward with the trend of the times, as they are evidencing themselves all over the world.

I noticed how my great friend from Virginia, Judge SMITH, called the roll of the States which made mandatory jury trials in citations for contempt in labor disputes. I am sure you noted that he did not call the name of Ohio and he did not call the names of some 36 States.

I should like to ask Judge SMITH, my great and esteemed colleague, this question: Since he has laid so much stress on this position, would he agree to an amendment providing for a jury trial in State courts in labor cases where it is not now granted?

Mr. SMITH of Virginia. The answer is "yes."

Mr. MCCULLOCH. In all State courts?

Mr. SMITH of Virginia. I could vote in only one State, but I would vote in Virginia, where I have my franchise.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN. Mr. Chairman, my beloved and distinguished friend from Virginia called the roll of States. There is one State he did not call, that of his own, Virginia. Perhaps there was a good reason for his failure. I find upon inquiry that an attempt to require jury trial in contempt cases was ruled unconstitutional by Virginia's Supreme Court of Appeals.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. SMITH of Virginia. Perhaps the gentleman would be good enough to put a reference to that case in his remarks.

Mr. MARTIN. I shall be very glad to do that.

Mr. Chairman, the Republican National Convention endorsed a platform which specifically pledged the Republicans to this legislation. It did more than that. It specifically named the legislation that it supported and this resolution conforms to the pledge. This legislation was supported in the campaign by President Eisenhower, and he is against this amendment because he knows that the amendment would nullify the purposes of the bill.

Mr. Chairman, I now yield the balance of my time to the gentleman from New York [Mr. KEATING].

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, it is rather curious that we are confronted at all by this amendment. I have looked up the debate last year when this question was before us, and I find that there was, during that long debate, only two references at any time to this question of a jury trial. One was by the gentleman from Virginia [Mr. TUCK] who made the statement in the CONGRESSIONAL RECORD, volume 102, part 9, page 12960 that under these procedures citizens would be deprived of the basic right to trial by jury. And following him, our good friend, the gentleman from Virginia [Mr. SMITH] referred to this statement reiterating that a man would be deprived of a jury trial under this bill. That is all that took place in this last Congress when we passed a bill which was similar to this. We never heard anything more about this question of a jury trial. No amendment such as that before us was ever offered.

Able lawyers serve not only on the committee which prepared the bill, but extremely able lawyers like our friends, the two I have mentioned from Virginia, were here, alert to this problem. Literally dozens of amendments were disposed of, but we never heard a peep about jury trial, except as I have stated. It was not until a few months ago, when an excellent lawyer, one of the Members of the other body opposed to this legislation, devised the theory that in this bill we were seeking to take away some right which exists. That has been ballooned into a really serious effort to defeat this bill by amendment.

Mr. Chairman, I want to say 1 or 2 words about the basis of this legislation and the motives behind it, because it has been alleged here that the purpose, the very purpose of this bill, was to take away the right to a jury trial. It has been said that that was the reason why this civil remedy was added to already existing criminal law remedies under which a jury trial would be held.

Let us look at the practical situation we are facing here today as dealt with in this legislation. Suppose we have a State statute which provides that applicants to register to vote must be able to read and write a section of the Constitution. Let us suppose that in some particular county where the population is 26,000 whites and 14,000 Negroes, the registrar of voters in his administration of this law has been doing it in such a way that the result is that there are 9,000 whites and 100 Negroes registered to vote. Suppose this has resulted from the fact that he has required less than 10 percent of the white applicants to demonstrate their ability to read and write a section of the Constitution, but has required every Negro applicant to do so. As a result, very few Negroes have been able to satisfy him.

Now what are these people to do to gain the right to vote? They can sue for damages under the present law. But that will not give them the right to vote. They can sue for an injunction under present law, but it costs money to go to court and usually those who cannot afford to go to court are the ones involved in these cases. And sometimes they just do not dare to bring an action.

Under present law this registrar can be prosecuted criminally, but that will not get the applicant the vote. And who is this registrar, after all? He is not what we ordinarily think of as a criminal. He is very likely to be a senior citizen of his community, perhaps living his last years on his pay as registrar. In most cases, he has merely done as he has been told.

Criminal prosecution is simply not the way in most instances to go about the enforcement of the law in this area. The thing Congress can and should do to meet this situation is to authorize the Federal Government to step in to see to it that all qualified voters are allowed to go to the polls before they are prevented from doing so. That is what this legislation seeks to do. It seeks to restrain the act of keeping them off the rolls rather than to prosecute criminally for keeping them off after the act has been done.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I cannot yield at the moment.

The remedy provided by this bill is a civil suit for an injunction. If this were the first time that this had been done there might be some merit to the position taken by the proponents of this amendment. I have no objection, in fact, I think it would be a salutary thing for the Judiciary Committee to consider the granting of jury trials in all contempt cases under all the Federal statutes that we have. I would be opposed to it for reasons which I will point out. But I would understand that approach to this problem.

Today we have many parallels to this legislation. Again and again under various Federal statutes a person who does a wrongful act can be proceeded against criminally by the United States Government and at the same time, or as an alternative, the Government can bring an injunction suit to stop him from doing this. He has a trial. If after that trial the court issues an order and then he defies that order he is in contempt and is proceeded against as such If he is proceeded against criminally he has a jury trial. If he is proceeded against by injunction suit and then defies the order of the court he is tried by the court without a jury.

For instance, in the Securities and Exchange Act if a company is swindling investors through some shady deal the Government can step in and prosecute those people criminally. Then they have a jury trial. Likewise the Government in an action brought by the Attorney General can sue to restrain these acts and then if the people continue to commit these acts they are tried for contempt of the court. Then they have no right to a jury trial.

It is made a crime, indeed a capital offense in some instances, to violate the Atomic Energy Act, but right in the same act it is provided that the Government can, if it elects so to do, proceed against one who threatens to violate the act by civil suit for an injunction rather than criminally and it can bring this proceeding to stop them from engaging in the acts or practices which also constitute a crime. In the one case there is a jury trial, in the other no jury trial.

Under the Interstate Commerce Act It is illegal for a railroad to give an undue preference to one shipper over another. If the railroad does that, it can be proceeded against criminally and they are entitled to a jury trial. If they are tried by a court in a civil action for an injunction and then defy the order of the court they are proceeded against in a contempt proceeding without a jury.

There are numbers of other similar cases. This bill does nothing new. It simply permits the Government to make use of the most effective remedy available to protect the constitutional right to vote.

It sets up no gestapo. It makes no despot of the Attorney General. The accused is accorded every Constitutional protection. Every proceeding will be conducted as all court proceedings are conducted and must be conducted, or they will be set aside on appeal.

Finally, there is a principle involved here which extends far beyond the issues in this legislation. I view this proposal embodied in this amendment as a calculated attack on the integrity and power of our courts. The courts must have the power to enforce their decrees. Take that power away and we are on the road to anarchy.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for an additional 1½ minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, the right to trial by jury is one Americans cherish and should be vigorously safeguarded. But trial by jury is not provided by the Constitution for contempt of court. All this oratory about the noble right of trial by jury is irrelevant. This bill does not even mention the words "trial by jury."

We seek to protect the right to vote and other constitutional rights for individuals, too long deprived of those rights, a deprivation that cannot be permitted to continue. The ends of justice will not be served, if in an effort to insure a jury trial for those who flouted a court order, both the authority of the courts and the right to vote are destroyed.

There has been some extravagant, almost irresponsible, talk about the looseness of procedure and arbitrary conduct on the part of the judges issuing injunctions. Let me say, and I support what I am going to say by decisions, the accused must be advised of charges, he must have the aid of counsel, have the right to call witnesses, have the right of cross examination in all cases where the individual is tried for the violation of an injunction order. There is protection against double jeopardy—*Bradley* v. *United States* (318 U. S.). There is protection against self incrimination—Gompers against Buck Stove Co. There must be adequate notice and opportunity to defend and to be heard—Blackmer against United States. There must be a speedy and public trial—Cook against United States. There must be protection against cruel and undue punishment. The contemnor is presumed to be innocent and he must be proven guilty beyond all reasonable doubt, and the burden in that regard is upon the Government. I again cite *Gompers* v. *Buck Stove Company* (221 U. S. 418). These are the cases reviewable on the law and on the facts and the reviewing authority are most careful and cautious in this type of case.

Thus, every constitutional safeguard is thrown around the defendant in a proceeding for violation of a court order.

We have heard much about labor. It is interesting to note that the American Federation of Labor and the Congress of Industrial Organizations have this to say about the bill:

> The proposed legislation, it is argued, would deprive citizens of the cherished right of trial by jury. We in organized labor are particularly sensitive to this issue and have, therefore, given the matter our serious consideration.
>
> It is our considered judgment that the present practices with respect to jury trials are not impaired by any provision of H. R. 6127. We believe that the issue is raised for the purpose of defeating the very objective of the legislation, namely, the protection of voting and other rights of all persons.

Mr. TELLER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. TELLER. I thank the gentleman from New York. The gentleman from Virginia [Mr. SMITH] made a charge of inconsistency against those from New York who would vote against the right to trial by jury.

The gentleman from Virginia declined to yield for the purpose of correction, and I should like to point out that we are not being inconsistent in voting against the jury trial proposal because our court of appeals has construed our anti-injunction act not to apply to any case in which the Government is the plaintiff. Moreover, section 876 (a), applying to labor injunction cases only, applies where a private party is the party-plaintiff and never applies when the union objective is illegal. And, I might say this is true for every other State that has a little Norris-LaGuardia Act, such as New Jersey and Massachusetts. It only applies where a private party is plaintiff and never where the Government is party plaintiff, and this is not inconsistent on our part.

There is no situation, moreover, in Federal law where trial by jury exists in contempt cases arising out of proceedings where the Government is the plaintiff. There is no trial by jury in injunction proceedings under the Taft-Hartley Act where a union or an employer is enjoined from committing an unfair labor practice. In other words, the Norris Act is amended by the Taft-Hartley Act so as to withdraw the right to trial by jury because the Government, as in the civil-rights bill, is the party plaintiff. I deny the charge of inconsistency made by the gentleman from Virginia [Mr. SMITH]. The inconsistency is his.

Mr. RAY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RAY. Mr. Chairman, the issue raised by this jury-trial amendment can be reduced to simple terms and it can, and I think it should, be decided upon layman's reasoning, rather than upon lawyer's reasoning.

Clearly, the Congress has the power to adopt the jury-trial amendment. Equally clear, in my mind, is the proposition that a jury trial has seldom been provided for those accused of disobeying an injunction issued by a court. The problem, therefore, is simply a question of judgment. Under all the circumstances, is it wise to adopt the amendment? In my judgment it is.

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired.

The question is on the amendment offered by the gentleman from Illinois [Mr. KEENEY].

Mr. YATES. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. KEENEY and Mr. CELLER.

The Committee divided and the tellers reported that there were—ayes 167, noes 199.

So the amendment was rejected.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, may I ask the majority leader if he will kindly advise us as to the program for next week?

Mr. McCORMACK. On Monday there will be the continuation of the civil rights bill, under an agreement that there will be a vote on the bill and all amendments thereto not later than 6 o'clock. Also on Monday there will be the call of the Consent Calendar.

For Tuesday and the balance of the week there will be first, on Tuesday, the call of the Private Calendar. Then the following bills will be taken up:

H. R. 7221, the conference report on the third supplemental appropriation bill for 1957.

H. R. 8090, the public works appropriation bill for 1958.

H. R. 7125, the Excise Taxes, Technical Changes Act of 1957.

H. R. 6974, to extend the Agricultural Trade Development and Assistance Act.

S. 469, relating to the termination of Federal supervision of the Klamath Indians.

H. R. 7168, the Federal Construction Contract Procedures Act.

H. R. 3753, an Agricultural bill relating to loans to homesteaders and desertland entrymen.

House Concurrence Resolution 172, relating to a survey of the growth and expansion of the District of Columbia.

H. R. 72, relating to guardians and gratuities with reference to veterans.

I make the usual reservation that any further program will be announced later and that conference reports may be brought up at any time.

Mr. ARENDS. I thank the gentleman.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DOMINICAN REPUBLIC

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, on June 11, 1957, I arose in the House to criticize some of the recent attacks which have been made against our good neighbor and ally, the Dominican Republic. In particular, I criticized the succor and encouragement given to Dominican revolutionaries by my distinguished colleague from Oregon.

My primary interest in this controversy is centered around the recent documented warnings that the Communists are making significant inroads in attempting to secure control of the governments of some of our Caribbean neighbors. The State Department after an exhaustive study, has printed a booklet warning of the imminent danger brought about by the ever-increasing infiltration of Communists into positions of authority in certain Caribbean countries. The gentleman from Oregon is a new Member of Congress and he is perhaps unfamiliar with the machinations of the Communist conspiracy particularly with regard to its mode of operations in areas of instability. The State Department reports that this problem is most acute in Cuba and Haiti due to the internal turmoil and relative lack of control by the central governments in those countries. I must remind the gentleman from Oregon that the Dominican Republic is contiguous to both of these countries and that all three lay athwart

the strategic approaches to the southeastern United States and the Panama Canal.

I do not desire to indulge in a personal exchange with the distinguished gentleman, but rather I would like to call the attention of the House to the elementary facts in which this entire situation should be viewed.

What is the status of our relationship with the Dominican Republic? Whether the gentleman from Oregon likes it or not, the Dominican Republic has granted to the United States, free of charge, a guided missile base and a radar base essential to the national security of the United States. In surrendering their sovereign territory for essential American installations, the Dominican Republic has acted in a generous spirit of complete cooperation. The record is clear that under the leadership of Trujillo the Dominican Republic has given the United States the fullest cooperation in bilateral and international relations. In addition to being a stanch ally they have not been the beneficiary of large loans or grants and as such, it cannot be said that we have bought their friendship and this fact has been demonstrated again and again. On the basis of the present and past political and diplomatic relations between the United States and the Dominican Republic, the most cordial and friendly intercourse is justified.

If the gentleman from Oregon will study the Latin American political arena, he will discover that there are many friendly governments of which he personally might not approve. I dare say that no Member of Congress would be in favor of terminating our relationships with these Latin American countries because the gentleman from Oregon personally disapproves of their governments. I strongly suggest that the gentleman from Oregon should discard the sensational approach and assume a sober and responsible attitude toward the conduct of United States foreign affairs in our Inter-American relationships. The course of action suggested by my distinguished colleague from Oregon would be disastrous toward our continued maintenance of friendly relations with our neighbors which is essential to our mutually beneficial inter-American defense system. Our Department of State has great responsibility for maintaining good relations with our neighbors and allies in Latin America for such relations are essential to our national security. I cannot sit idly by without bringing to the attention of the House the responsibility of Congress to encourage and assist the executive branch of the Government in its endeavors to preserve our alliances and thus ultimately safeguard our national security.

I want to close with a little bit of advice to the distinguished gentleman from Oregon. I need not remind him that he is a Member of Congress and a Representative of the American people and as such he possesses a high office and a high responsibility. In the conduct of foreign affairs with other nations, irresponsibility may have grave consequences. As a Member of Congress, I strongly suggest that the gentleman from Oregon cannot be a revolutionary or incite revolution against our Latin American neighbors for the sole reason that the distinguished gentleman is not in accord with their governments. Before the gentleman became a Member of Congress, we passed a law making it a crime to advocate the violent overthrow of the Government of the United States. I and the great majority of the Members of Congress strongly favored such legislation. If it is illegal to advocate the overthrow of our Government, then is it not reprehensible to advocate revolution in a friendly neighboring country?

We have a right to choose our form of Government and a duty to protect it. The nations of Latin America have the same right and we have a duty to respect that right, whether or not the gentleman from Oregon likes it. As a strong believer in inter-American cooperation and harmony, I say that the gentleman is irresponsible in his statement linking the tyranny of communism with the governments of those Latin American countries which have most vigorously fought the Red conspiracy. I would like to apologize to our good neighbors for the reckless statements made on the floor of this House.

DOMESTIC MINING INDUSTRY

Mr. DIXON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. DIXON. Once again, Mr. Speaker, I feel it is my duty to call to the attention of this House the deplorable condition of our domestic mining industry and to point out the unfair manner in which American citizens are being forced to compete with foreign metals producers. This unfair competition which exists to the detriment of our own domestic mines will continue until imports are regulated.

When we allow our domestic metals to compete freely on the domestic market with the same metals produced anywhere else in the world, we are in fact pitting the wage, living, and economic standing of our American miners against some of the cheapest labor in the world.

We cannot allow 10- and 15-cent-per-hour labor in Asian countries to erase our domestic mine production. This is the labor that is competing against $16 and $18 per day American miners. How long can our mines remain open in the face of this type of competition?

The answer to that question is that many of our mines have not remained open. Many have shut down, the miners have moved away and found other employment. Some of these pits fill with water and fall into almost irreparable states of disrepair. In some instances it would take years to get some of them back into production.

This spectre of mine closure is not something that those of us from the mining States have conjured up from a mystical crystal ball. It is a very real fact.

I think many of you will be startled to learn that in my own State, Utah, the records of the State tax commission indicate that in 1947 there were 21 mines producing lead-zinc ore. The latest figures—1955—indicate there were only 9 of the 21 still in operation. It is highly possible that even more mines have shut down in the period since 1955.

These statistics show that in 9 years in Utah 12 mines have ceased operation—more than half of our producing lead-zinc mines have closed their shafts.

We have lost nearly half of the experienced miners employed in this industry. The Utah Department of Employment Security listed as employed in lead-zinc mining in Utah in 1947 3,000 men. By 1956 this figure had dropped to 1,732.

These are something more than mere figures. They represent to me a human tragedy of breadwinners out of work, moving from their homes and hometowns to seek new employment. Translate these statistics into the insecurity and struggle they mean for hundreds of American families and you can glimpse a sad picture.

The lead-zinc industry is sick and it needs our help. How can these operators and miners compete with 10 cents per hour labor in Asia or 21 pesos per day Mexican labor?

Technical reports now available to the Congress plus the testimony of numerous American mining engineers show that a high grade miner in India is paid from 12 to 15 cents per hour for a 12-hour day. In some instances the pay ranges in some mining activities as little as 11 or 12 cents per day for inexperienced miners and women. Women in India for example receive as little as 10 cents per day for mining manganese and in Korea a good day's wages for a miner is a cup of rice.

In South America wage standards are higher. Nevertheless miners in Bolivia are paid wages ranging from $1 to $1.50 per day. In Mexico a highly efficient miner, and I might add parenthetically, a very lucky one, might be paid as high as $3 per day although the average daily wage was only $1.68 in 1956.

A report recently published by the Tri-State Lead Producers Association graphically illustrates the wage differential. In 1956 the Tri-State Association estimated that the typical wage structure of a given company would reflect a payment of something over $2.09 per hour for an American lead-zinc miner. This figure includes indirect hourly wage benefits such as pensions, hospitalization, vacation pay, etc. This company had experienced an increase of 35 percent in its wage scale since 1950.

The same company can operate its mines in Mexico and pay the Mexican miner the average pay of 21 pesos per day or the equivalent of about $1.68 in United States coin. This averages out at about 21 cents per hour. This is the equivalent of 10 percent of the United States miner's pay.

This illustrates the fact that by moving next door to Mexico a lead-zinc producer can cut labor costs 90 percent. If he purchased a mine in Korea he could save even more and his profits would be greatly compounded. In the meantime, what happens to our own industry? In the event of a war or emergency that would curtail or cut our foreign supplies our Nation would suffer seriously, perhaps disastrously.

I firmly contend that we cannot afford, as a matter of self preservation, to become more dependent upon foreign metals suppliers than we are now. As a matter of fact, perhaps some of you may think we are already too dependent upon foreign producers after hearing some of the following metals statistics: Prof. Hollis W. Barber, of the University of Illinois, published in 1953 his book titled "Foreign Policies of the United States," in which he states:

> Each M-47 tank demands 1,915 pounds of chromium, 100 percent of which is imported; 520 pounds of nickel, 99 percent of which is imported; 100 pounds of tin, 100 percent of which is imported; 6,512 pounds of bauxite (aluminum ore), 65 percent of which is imported.

The United States Bureau of Mines estimates that in 1955 42 percent of our total consumption of zinc was imported. In 1956 their estimate of zinc imports is 45 percent. The Bureau estimates that our imports of lead for 1955 and 1956 averaged approximately 35 percent and 34 percent respectively, of the total amount consumed.

A historical review of the tungsten situation as it pertains to imports shows that since 1925 the United States has been able to supply from domestic production approximately one-half of the amount actually consumed by American industry. This was generally the case until 1952. Since that time the Bureau of Mines reported to me that most of our domestic production has gone into the stockpiling program of strategic metals and most of the tungsten consumed by industry has been derived from foreign sources.

These figures provide us food for thought and should act as a slowing brake for those who would have us speed toward low or no metals tariffs or excise taxes which can ultimately result only in the wreckage of a significant segment of our own mining industry.

These foreign operators seldom use mechanical equipment. The reason is not that they cannot afford it, as it is because mechanical equipment, as efficient and fast as it is, cannot begin to compete with labor that can be bought for 10 to 15 cents per day or even per hour. Much of this foreign mining is accomplished by hand shoveling with the most primitive tools.

Metals produced in this fashion under the conditions described are in competition with the same metals produced in such States as Utah, Colorado, Kansas, Wyoming, Nevada, and others, where miners receive wages commensurate with the rest of our economy.

The net effect of this type of competition has been the abandonment and closure of many American mines. If this trend continues, there will surely come a day when this Nation will regret the fact that we put our crucial metals eggs in the basket of foreign suppliers. The shifting winds of international politics cannot blow so constant as to insure us these sources of supply in perpetuity.

Our domestic industry needs not only protection in the form of tariffs and/or excise taxes, but it desperately needs a forward looking exploration and development program.

A paradoxical situation exists in the fact that during the years of World War II and during the Korean war in the years 1950–53 when our Government desperately needed domestic lead-zinc production and when these producers could have made substantial profits had the market sought its natural level, the Government imposed price ceilings for both metals. These producers helped the Government and now they look to us for protection from foreign competitors so that in times of stress they will again be able to supply the needs for our American defense. They are not asking for a dole or a handout or for subsidies. They are asking us for protection from the sort of labor I have described.

A fair question at this point would be, "What has caused our domestic mines to become noncompetitive on the world market with foreign producers?" I can answer that query by citing for you some figures that have been supplied to me by my friend Miles P. Romney, manager of the Utah Mining Association. Mr. Romney reports that in 1947 the base wage per day for a lead-zinc miner in Utah was $9.42. This figure does not include indirect wage benefits such as vacation, pension, or hospitalization. In January of this year the base pay in Utah was $15.96, an increase since 1947 of 69 percent. An operator could purchase 100 pounds of blasting powder in 1947 for $13.16. In January of this year the same amount of powder cost $18.70, an increase of 42 percent. The mine operators could purchase cold rolled steel plates for $3.60 per pound in 1947 and the estimated price per pound in January 1957 was $6.12, an increase of 70 percent. Dimension timbers were purchased for $68 per 1,000 board feet in 1947 and cost in January of this year $107, an increase of 57 percent. In addition, their smelter costs, freight charges, and other operational costs have greatly increased while the price for their metals has drastically dropped due to competition with foreign metals under existing conditions.

In a few days, gentlemen, we will have before us and our committees for consideration, the administration's metals policy in legislative form. The substance of this policy was released to the Congress last week by Secretary Seaton. Many of our mine operators and miners have grave fears that this minerals program will meet with delays here on the Hill. I sincerely hope this is not the case.

A few days ago, I had a prominent mining man say, "We have been waiting for such a program for a long time. I hope that Congress will not fail us in this session. We have operated with losses as long as we can." If this minerals policy is not enacted speedily and before adjournment, I can only conclude that the majority party—the Democratic Party—does not want a program that will help our mining industry. I appeal to them to push this program through the Congress as rapidly as possible.

EQUAL RIGHTS LEGISLATION

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MAY. Mr. Speaker, over the past 2 weeks we have been debating the civil-rights bill in the 85th Congress. For some period of time now, there has been a great deal of interest in this bill and in previous, similar bills dealing with civil rights, on the part of the people in my congressional district—the First District of Connecticut.

There is no doubt in my mind that the present bill, as backed by the administration, is the type of legislation my constituents desire. I have discussed this at great length with a good cross section of the people in my district, both during the election campaign of last fall and since then. I say that now is the time to act. This bill must be passed without crippling amendments that will weaken the basic fiber of this important legislation. This will be an important step forward in the elimination of second-class citizenship, in whatever areas it may occur.

The assertion and preservation of equal Constitutional rights and liberties for every American is a moral duty incumbent upon the Members of this Congress. The prompt passage of this civil-rights bill is the rightful discharge of that duty.

FLAG DAY CEREMONIES AT THE STONEY RIDGE SCHOOLHOUSE

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, at 4:30 this afternoon at the Stoney Hill Schoolhouse, near Fredonia, Wis., the National Fraternal Flag Day Foundation will commemorate the 180th anniversary of the adoption of the flag of the United States of America by the Continental Congress, and the 72d anniversary of the institution of Flag Day.

The observance of Flag Day was originated at the Stoney Hill Schoolhouse on June 14, 1885, for the purpose of awakening greater devotion to our flag and to the Republic for which it stands in the hearts of the American people.

I believe it is appropriate that we pause today in our deliberations and join with the people gathered at the Stoney Hill Schoolhouse in proclaiming our allegiance to our flag and our adherence to the democratic principles of our great Nation.

At this point I would like to read into the RECORD the proclamation of Flag Day

1957 issued by the President of the United States of America:

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, A PROCLAMATION

Whereas June 14, 1957, marks the 180th anniversary of the adoption by the Continental Congress of the flag of the United States of America; and

Whereas this banner has become the symbol of our freedom and unity as a nation, our way of life as a people, and the principles which have guided us throughout our history, and

Whereas we have adopted the custom of observing June 14 each year with ceremonies designed to commemorate the birth of our flag and to demonstrate our gratitude for the blessings we enjoy as American citizens; and

Whereas the Congress, by a joint resolution approved August 3, 1949 (63 Stat. 492), has designated June 14 of each year as Flag Day and has requested the President to issue annually a proclamation calling for its observance:

Now, therefore, I Dwight D. Eisenhower, President of the United States of America, do hereby call upon the appropriate officials of the Federal Government, and State and local officials, to arrange for the display of the flag of our Republic on all public buildings on Flag Day, June 14, 1957; and I urge the people to display our colors at their homes or other suitable places on that day, and to recall whenever they see the flag the privileges and responsibilities of citizenship symbolized by the Stars and Stripes.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 31st day of May in the year of our Lord 1957, and of the Independence of the United States of America the 181st.

DWIGHT D. EISENHOWER.

By the President:

CHRISTIAN A. HERTER,
Acting Secretary of State.

The National Fraternal Flag Day Foundation, composed of representatives from various fraternal organizations, is working toward establishing a national shrine at the Stoney Hill School House. Their patriotic efforts should receive the wholehearted support of Americans from coast to coast.

In commending the National Fraternal Flag Day Foundation for their constructive endeavors, I would like to read into the RECORD the list of the foundation's officers and of the various fraternal organizations which they represent. The list reads as follows:

Mr. Fred A. Johnson, honorary chairman of the board, Royal League, Chicago, Ill.

Mr. Norton J. Williams, chairman of the board emeritus, Equitable Reserve Association, Neenah, Wis.

Mr. Joseph F. Walsh, president emeritus, Catholic Knights of Wisconsin, Milwaukee, Wis.

Mr. Alex O. Benz, president, Aid Association for Lutherans, Appleton, Wis.

Mr. August Springob, vice president, Catholic Family Life Insurance, Milwaukee, Wis.

Mr. Julius P. Michalski, secretary Polish Association of America, Milwaukee, Wis.

Mr. Albert Pawlak, treasurer, Federation Life Insurance of America, Milwaukee, Wis.

Board of directors: Mr. Alex O. Benz, Mr. Joseph F. Walsh, Mr. Julius P. Michalski, Mr. R. L. Blodgett, National Mutual Benefit, Madison, Wis.; Mr. Elmer Anderson, Scandinavian American Fraternity, Eau Claire, Wis.; Mr. August Springob, Mr. Albert Pawlak, Mr. R. Gordon Pope, Equitable Reserve Association; Mr. E. E. Bertram, Aid Association for Lutherans; Miss Pearl Bohm, Royal Neighbors of America; Miss Lillian Sharen, Degree of Honor Protective Association; Mrs. Glady Podkomorski, Polish National Alliance; Mr. Harry E. Bertram, general council.

Mr. Speaker, I sincerely hope that the efforts of this group of patriotic citizens will be supported by our people in every State and Territory of the Union.

THE CURE FOR ECONOMIC ILLS OF DISTRESSED AREAS

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, as a pioneer for legislation for assistance and redevelopment for distressed areas, I am convinced that we must blaze a new trail in order to solve the paradox of declining economies in scattered areas that become more pronounced during an era of national prosperity.

No matter how prosperous the United States may be at any given time, there will always be some areas where the old industrial patterns are breaking up, while the ones to replace them have not yet been found.

On May 25, 1954, I called attention to this problem by asking support of my bill, H. R. 9137, originally titled "The Industrial Development Act of 1954."

In it I proposed the formula to define labor-surplus areas that would be eligible for assistance.

My bill was based on the concept that local communities unaided are in no position to handle the job of economic redevelopment with their own limited resources.

It further specified that a separate agency of the Federal Government should be established with authority to advance loans to help distressed areas to build small modern plants that would encourage growth industries to fill the economic void.

Local redevelopment committees would retain initiative and control.

These committees on their own have already accomplished much.

It is obvious from their practical experience, however, that they cannot modernize their industrial pattern to the extent that is required.

They will be fortunate if a large and diversified corporation decides to build a branch in their locality, but such a decision will be that of the corporation rather than the community.

Labor-surplus areas cannot sit back and wait for chance to solve their problems.

Neither can they depend upon a halfway program of filling up ancient and obsolete mill buildings with shoestring industrial ventures that hope to exploit the labor surplus.

It is not enough for these communities to acquire industries that will put their unemployed back to work at severely depressed wages that barely meet the legal minimum.

This is not economic recovery in the full and genuine meaning of the term and in relation to the level of economic activity throughout the Nation. This is only partial recovery that does not meet the needs of economic transition.

Most of these so-called distressed areas, because they were one-industry communities that failed to diversify or to keep up with economic progress, have to make the big leap from the past to the progressive present. Old factories, filled up with industrial odds and ends, will arrest the decline and give a false flush of recovery but they will not cure the basic ailment.

We must build new plants or die.

That is the objective of communities that realistically face up to the problem.

As the New York Herald Tribune business and financial editor stated in his column of April 26, 1957:

> Most economists are agreed on the fact that the principal prop supporting America's historic prosperity is the reinvestment, annually, in new plants and equipment, by the Nation's privately owned corporations.

But what about those scattered areas where there has been little research and little or no industrial construction for a third of a century or more?

Modern industry, interpreting this as a lack of initiative for which the community is not mainly responsible, cannot be blamed if it is not attracted to such areas.

As old industries die or move away, the communities that are burdened with with these ancient plants must assume the initiative in a big way.

They must build new plants in order to move forward into modern competition.

But they cannot do the job alone.

An area-redevelopment bill, providing a well-rounded and cohesive solution to this problem, should be passed at this session.

Legislation along this line is inevitable.

Because it will be largely self-supporting—on a revolving loan basis—I believe that we should decide now to come to the aid of those communities needing our help.

As the original advocate of such legislation, I strongly urge its enactment, for I am convinced, more than ever before, that this is the only fully effective way to restore labor-surplus areas to sound economic health.

THE GIRARD CASE

Mr. BOW. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, Robert Dechert, General Counsel of Defense, was recently quoted as saying that the actions of Sp3c. William Girard in carrying out his duty assignment was "such a complete departure from his duty that he could not have been considered on duty." As usually happens when a storm breaks over a bureaucrat who has made an unseemly remark, he promptly claimed he was misquoted.

Having examined his testimony to the Subcommittee of the Senate Armed Services Committee, however, I believe he was quoted correctly. It was part of the pattern of conditioning the American people to an acceptance of the premise that Girard was guilty of some crime. This trial and conviction started with the joint statement of Secretary Dulles and Secretary Wilson confirming the decision to surrender Girard to the Japanese authorities for trial. Subsequent leakage of adverse claims is calculated to bolster the conclusions in the statement. It is obvious that the purpose is twofold—to cover up the fact that the Japanese put something over on the State Department when the agreement was made, and that the Defense Department erred in its handling of the Girard case.

General Counsel Dechert has in my opinion failed to carry out his responsibilities. If he has no regard for the rights of our servicemen he should resign. In his position he should be a bulwark of protection to servicemen, not their public prosecutor. Furthermore, as a lawyer he should know enough to keep silent about the details of a case that is pending or will be pending in a court. He violates the ethics of his profession.

The absurdity of this new principle to determine when a man is on duty is apparent to all. If a serviceman exceeds the probable actions required by his duty assignment then he is no longer to be considered on duty. Must a soldier now cogitate over the probable result to him before discharging an order—that is determine if it might not subject him to trial in a foreign court? Is the military going to say further that when a man exceeds his instructions, then he is not on duty and cannot be court-martialed for his actions?

I need hardly remind you that the damage to the morale of our troops by the actions of the executive departments in the Girard case is incalculable and irreparable. There has been some hint of deterioration in the morale of our forces abroad because of the status-of-forces agreements, but now that it is demonstrated that our Government will not protect its soldiers on duty, the situation will grow increasingly worse.

AMERICAN ENTERPRISER HERSCHEL MILLS DUNCAN

The SPEAKER. Under previous order of the House, the gentlemen from Texas [Mr. PATMAN] is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, the recent untimely passing of Herschel Mills Duncan, of Houston, Tex., was a tremendous shock to all of us who knew him. I should like at this time to extend to his widow and other members of his family heartfelt sympathy in their great loss.

Mankind is indebted much more than it is inclined to admit to a relatively few restless spirits that are born among us each generation. These are the uncommon men who furnish the added power by which we go forward. To their character, industry, courage, ingenuity, pride, and humility we owe much of the progress we make. Our own great country spawns but few of them each decade.

Such a man was Kentucky-born Herschel Mills Duncan. He was not a scholar or a scientist but an American businessman. Testimony to his stature and character remains behind in the spirit of the institution which he created and among the people who comprise it.

Herschel Duncan was universally recognized as a man who made a phenomenal success from a meager beginning. He built the Duncan Coffee Co. from a two man team into a great organization among those in the Southwest today. His is the story of the small-business man in every respect.

But it is the character of the forces at work within him as he was achieving that success that compel us to honor him today.

At first he worked for an uncle who was in the coffee business. Because of a fierce pride and a conviction that he could do anything that anyone else had done, as an ambitious young man in 1918 he started his business in his uncle's abandoned plant with a pair of overalls and a few dollars capital raised from various people on the promise that their investment would be repaid with an attractive rate of return.

Mr. Duncan was a man of many contrasts. He felt that man must fight—even if only with his own conscience—just to be sure of following the right course. He was restless. The complacent idea that all was well was disturbing to him. He was most sure that it was not. He was convinced that nothing was constant except change. He made an effort to enjoy personally the wealth which his industry and drive had created but could only find genuine pleasure in concerning himself with the problems of his people.

And although his permanent concern was for his own people, he was concerned also for the local banker, the local businessman, and the communities where he sold his coffee. Because of his fierce pride, he exerted great energy to assure that his product had no peer on the market.

His life was spent in the pull and haul of economic tides; in meeting payrolls; in standing up to the emery wheel of competition; in meeting emergencies; in lending and helping; and in concerning himself with the welfare of the people who followed him into that adventure. Those fights which he won, he laughed about; those fights which he lost, he also laughed about.

Truly, all who loved him agree that he has earned the assurance of rest inherent in the epitaph he chose for himself: "To die, to sleep; To sleep! Perchance to dream."

I would also like to include as a part of my remarks an article about the enterprising characteristics of Mr. Duncan. It appeared in the Preview of Texas, May 1951. In that article Mr. Duncan was featured as the "Man of the Month."

The article follows:

MAN OF THE MONTH: COFFEE KING H. M. DUNCAN

In 1907, a hulking, 18-year-old laborer at the Cheek-Neal Coffee Co. plant at 1200 Carr on Houston's north side drew his first week's salary check—$9.

He took his check to a store down the street a block, cashed it, bought two pairs of overalls, then went back to work.

This incident of 44 years ago was a forecast of the life and success of Coffee King Herschel Mills Duncan.

Ever since then, he's been working at—and plowing his profits back into—the hard, speculative, fast-moving, interesting coffee business.

Three times when many others went broke and dropped out of the tough competition in this field due to factors they couldn't control, lusty, lone-wolf Herschel Duncan grabbed economic trouble by its throat and made it build him bigger, serve him better, than good times.

This month with a typically lusty and definite zip, Herschel Duncan is setting his now huge and rich coffee company on a new course.

He's offering the investing public its first chance to get aboard his profitable Duncan Coffee Co., sixth largest coffee roaster in the Nation and overlord of the retail coffee market in Texas, Louisiana, Arkansas, Oklahoma, and part of New Mexico.

He's put on the counter 150,000 shares of non-voting, class A common convertible stock at $9 per share with a 60-cent minimum dividend promised before the other 350,000 shares of common convertible or the 500,000 shares of common stock (family-owned and carrying voting power) can get their returns.

His reasons for doing this are various. Largely, they grow out of the present-day tax policies of the Federal Government.

The preferred 6-percent-plus return backed by Duncan Coffee's $25 million sales of last year, its ever-expanding retail activities, and the sound organization built over the past 33 years, gave the stock offering a pleasing blue-chip appearance to many investors.

With this new policy in effect but with his finger still firmly on his booming baby's pulse, 62-year-old Herschel Duncan is now preparing to retire.

"I guess I have bought more coffee than any living man," he said "I've sent hundreds of men into Latin America to buy coffee and check on statistics, weather, crops, and so on.

"But I've never been to any coffee-growing country except Mexico.

"Now that I'm going to have some time, I believe I'll visit 'em all."

If he does, his staff won't be surprised if a telegram comes back: "Just bought $3 million Santos 2's" (coffee grade). Or maybe simply: "Just bought Rio de Janeiro. Very pretty place."

Mr. Duncan, it may be fairly inferred, is a doer. And when he does things, he does them in a big way.

As it has to many another, misfortune gave Mr. Duncan his first boot toward success—and several other nudges since then.

A grandson of the noted Scotch educator, Dr. John Green Duncan, and son of a daughter of the wealthy, landowning Neal family of Kentucky, Herschel Duncan was born and raised on his family's Kentucky tobacco plantation. He entered the University of Kentucky at Lexington at 17 with $1,800 in his poke that he had saved from selling calves and pigs.

That would have been enough money easily to see him through to a college degree, for he already had skipped several requirements by

taking special examinations and was breezing through his studies.

But he heard an older student bragging about a "clean up" at the racetrack in Lexington, winning $200 on a $2 bet. A few days later, Mr. Duncan had some high-priced expert knowledge of racetrack betting, but his $1,800 was gone.

"I was just too damned proud to tell my folks what happened or to take a job washing dishes and earn my way through the rest of the university course," he growled.

"So I quit and came to Houston. My uncle, J. W. Neal, was here and I thought I could get a job."

Mr. Duncan now spends a million dollars a year huckstering Admiration, Maryland Club, and his other fine coffees and teas. But when he came to Houston, his financial condition was such that he sat up overnight in a chaircar.

And when he drew that first $9 from working a week as a laborer for his uncle's Cheek-Neal firm, he needed those two pair of overalls to work in.

Mr. Duncan doesn't think it at all remarketable that his firm today is rated as being worth in excess of $9 million and that the whole coffee world tips its hat in admiration.

"I haven't been successful like, say, Mr. Jesse Jones," he said, "but I have worked hard—and I've been very fortunate."

In 1918, the Cheek-Neal company moved from its old location at 1200 Carr to a new plant. In its old location, it abandoned old roasters, furnaces, and other such heavy, obsolete equipment—leaving almost a whole coffee plant. But who in their right mind would move into such a plant, Cheek-Neal officials reasoned.

Mr. Duncan then was superintendent of the Cheek-Neal plant, had a fine job, was married to the former Miss Linnie Dunn, and they had started a handsome family of four youngsters. It would have been the easy way for Mr. Duncan to refuse to hear opportunity beating a tattoo on his skull. If he had, there would have been no 500 employees of Duncan Coffee Co. today, no $250,000 annual Christmas bonus for them, no orchids flown in from the Philippines to every Dallas housewife last month who bought a pound of Maryland Club coffee, just one of many sensational promotions by Duncan.

But Mr. Duncan couldn't stand the chance. He resigned from his Cheek-Neal job, leased the old plant, worked out a quick deal with the Government to use part of the plant as a warehouse for World War I flour which financed his start, then swung into the coffee business with all his lusty, hard-hitting power.

A month later, J. W. Neal drove past the home of Lester Bland, Mr. Duncan's good friend and Mr. Neal's efficient secretary. He saw Mr. Duncan's car parked there, reasoned correctly that Mr. Bland was helping his nephew out with his business-beginning paperwork.

"Next day, I was fired," said Mr. Bland.

"I was over at Herschel's house before dawn. He said: 'Well, I don't know how two can live on what we can make, but come on to work. We'll manage somehow.'"

Looking at Mr. Duncan in his handsomely furnished office on Carr Street today and thinking back on the stories told of him as a millionaire socialite, it is hard to realize he is the same man who came to work at 5 a. m., fired his own furnaces, and roasted his own coffee in the mornings, then went out in a model T Ford in the afternoons and sold that coffee, pound by pound, to his first customers.

Yet, that's actually what happened.

"I made my first sale across the street there to Weinberg's Grocery—$2.62 worth of coffee on August 12, 1918," said Mr. Duncan. "The store is still there—and they still are our good and valued customers."

Today the company markets 28 million pounds a year and Admiration is far and away Texas' largest seller.

Mr. Duncan hit a rising market. Prices were zooming including those of coffee. He had to either sell shares in his new company, or borrow. He went to the Union National and the board, with William Rice taking a lead, made him a $50,000 capital loan.

"We've made money every year we've been in business—we've never been forced to borrow since then," said Mr. Duncan.

In 1921, Mr. Duncan faced his first real opportunity to go busted. Prices tumbled terrifically. Coffee dropped from 62 to 22 cents a pound on grocers' shelves.

"I set my price a nickel a pound below everybody else's and cleared out my expensive stocks, repurchased at lower figures, cut prices some more, and rode the market right on down," he recalled.

This misfortune (to the rest of the coffee world) actually gave Duncan Coffee Co. its big start.

The depression in 1930–33 gave it its expansion. Cheek-Neal and its Maxwell House products had been sold by J. O. Cheek and Mr. Duncan's uncle, Mr. Neal, to General Foods for $42,500,000. The coffee world was badly shaken up—here and in the financially panicky coffee countries. It was an ideal time to pull in your horns, but Mr. Duncan didn't see it that way.

"Good salesmen were walking the street or taking jobs as janitors, and merchants were begging for any sort of service and credit they could get," he said. "Instead of laying off people, we decided to put them on and expand. We've still got exclusive accounts that we sold in those days, and we've got many a fine salesman who went with us then and is still doing a good job for us."

Next crisis was posed by World War II. The Government put on a 75-percent rationing program, but left it up for grabs among coffee men as to who got what share of the 75 percent of the business permitted. Mr. Duncan hit for Washington in a hurry, got a list of all persons holding coffee importing licenses on which the rationing was based, wound up increasing his volume when the rest of the industry was rationed.

"Boy, did the competition boil and holler," he said with that grim satisfaction that comes particularly to a successful lone-wolf operator.

The postwar period, the development into top executives of his sons-in-laws, Malcom Cummings, sales manager, and Paul Taft, production manager, and his son, Mills Duncan, Jr., as chief in the vital San Antonio area, set the stage for the stock issue and Mr. Duncan's thoughts of retirement.

Will he retire?

Well, last month his coffee-sharp eye caught a flutter in the world coffee market that spotted to him a new "position" as a buyer assumed by the A. & P. Tea Co. which Mr. Duncan unblushingly rates as second only to Duncan as "smartest" in the coffee field.

"Bill Busse (his chief statistician, buyer and interpreter) and I got into a room with only a long-distance telephone and in 2 days we had bought $3 million worth of coffee from all 11 producing countries," said Mr. Duncan.

"Turned out we were right. Prices went up right after that."

Having dealt with all sorts of governments in the Latin American countries, Mr. Duncan is acutely politics-conscious. He is quietly influential in both Austin and Washington, although his loyalty to his friend, Coke Stevenson, set him back slightly in both places when LYNDON JOHNSON nosed out Coke for United States Senator. As do most business executives, he feels the United States is headed hellbent into socialism.

"Used to be that when a Government man came out here to the office to look at the books, we'd get all excited," he said testily.

"Now there's one of the so-and-so's here all the time, always prowling around looking for something wrong and never finding it. But they don't bother us."

Few things can bother Herschel Mills Duncan for long. He is so charged with restless, high-powered energy that worrying is just too tame an occupation to keep him busy. He's got to do something else.

When he works, he hits the ground running at 5 a. m., begins telephoning his men long before most executives have even thought of getting up. When he plays, he may suddenly have an idea which might sell more Maryland Club, Bright & Early, or Admiration—or perhaps save a bit of their cost. Right off, play stops. He buttonholes whomever is nearest or handiest to the telephone—and off they go. Quite naturally, his sons-in-law feel like their wartime combat assignment in the Navy were restful.

The Duncans maintain a farm at Alief, a bayshore home at Bayshore Terrace near the Yacht Club, rank high in every social field.

They are proud of the overalls-to-riches achievement of Herschel Duncan and his younger brother, Charlie, who in 1921 quit a fine job as a bank cashier in Kentucky to become a shipping clerk under his brother in the coffee business.

The international flavor of their activities, the hazards, the constantly expanding sales, the rigors of handling a packaged food product to please critical housewives—all these make the game as well as the return pleasing.

As for Mr. Duncan, he seems to be able to rise to any occasion—maybe, even, retirement, although the odds are harder against him on that than they were that long-ago day when he went to the Kentucky racetrack.

In 1925, the Salesmanship Club was Houston's most noted soundingboard and gathering spot.

They put on the gridiron dinners of that period, entertained visiting celebrities, and otherwise kept the town and the members on their toes. One day the club had a large group of honored guests. Members were identifying themselves and their companies.

Multimillionaire coffee king, J. Robert Neal, operator then of the world's mightiest coffee firm, stood up, and said: "J. Robert Neal, Maxwell House Coffee, good to the last drop."

Up bounced Herschel Duncan, operator of a small, struggling local coffee plant: "Herschel Duncan, Admiration Coffee, even our last drop is good."

CASE OF SP3C. WILLIAM S. GIRARD

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the following is a resolution by the city council of the city of Lowell, Mass., regarding the case of Sp3c. William C. Girard.

CITY OF LOWELL, MASS.,
OFFICE OF THE CITY CLERK,
June 12, 1957.

Hon. EDITH NOURSE ROGERS,
House of Representatives,
Washington, D. C.

DEAR MRS. ROGERS: At the regular meeting of the Lowell city council held on Tuesday, June 11, 1957, the following motion by Councillor George B. Murphy, Jr., was unanimously adopted:

"That the city council go on record as protesting to the State Department, the Department of Defense and the President of the United States of the turning over to the Japanese authorities for trial the case of Sp3c. William S. Girard."

Will you kindly see that the city council's protest is forwarded on to the proper authorities.

With best wishes, I remain,

Respectfully,
WILLIAM H. SULLIVAN,
City Clerk
(For the City Council.)

Mr. Speaker, the following is a telegram I have received from the William P. Connery Jr. Post, No. 6, of the American Legion, of Lynn, Mass.:

LYNN, MASS., *June 13, 1957.*

Congresswoman EDITH NOURSE ROGERS,
House Office Building,
Washington, D. C.:

At a regular meeting of William P. Connery Jr. Post, No. 6, American Legion, Essex County's largest veterans organization, held on June 13, 1957, it was voted to urgently request that you take drastic action to keep airman Girard out of Japanese courts and protect his rights as a member of the United States Armed Forces. Our members did not fight at Guadalcanal and Iwo Jima to give Japan jurisdiction over our Armed Forces.

THOMAS H. DRISCOLL,
Americanism officer, William P. Connery Jr. Post No. 6, American Legion.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. MCINTOSH, for June 17–June 21, inclusive, on account of subcommittee hearings in San Francisco of the Committee on Un-American Activities.

Mr. COUDERT (at request of Mr. MARTIN), for an indefinite period, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 15 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. SIKES, for 30 minutes on Tuesday next.

Mr. THOMPSON of New Jersey, for 1 hour on Tuesday next.

Mrs. ROGERS of Massachusetts, for 5 minutes on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. SHUFORD and to include an address by Mr. ALEXANDER.

Mr. PATMAN in three instances and to include extraneous matter.

Mr. JARMAN.

Mr. REUSS and to include extraneous matter.

Mr. HOLLAND and to include extraneous matter.

Mr. MCFALL in two instances and to include extraneous matter.

Mr. HÉBERT and to include extraneous matter.

Mr. FEIGHAN and to include extraneous matter.

Mr. LANE.

Mrs. CHURCH to revise and extend remarks made in the Committee of the Whole and to include extraneous matter.

Mr. FLOOD (at the request of Mr. JONES of Missouri) and to include extraneous matter.

ADJOURNMENT

Mr. JONES of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 9 minutes p. m.) under its previous order, the House adjourned until Monday, June 17, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

951. Under clause 2 of rule XXIV, a letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation entitled "A bill to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to correct errors" was taken from the Speaker's table and referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 7708. A bill to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing, equipment, or other permanent improvement of public buildings at the capital of said State; without amendment (Rept. No. 569). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. H. R. 7540. A bill to amend Public Law 815, 81st Congress, relating to school construction in federally affected areas, to make its provisions applicable to Wake Island; without amendment (Rept. No. 570). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Joint Committee on Atomic Energy. H. R. 7992. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; with amendment (Rept. No. 571). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 8152. A bill to authorize a special milk program, a veterans and Armed Forces dairy products program, and an accelerated brucellosis eradication program; to the Committee on Agriculture.

By Mr. BARRETT:

H. R. 8153. A bill to authorize the Secretary of the Army to lease to the city of Philadelphia, Pa., certain piers and other facilities of the United States located in such city; to the Committee on Armed Services.

By Mr. BROOMFIELD:

H. R. 8154. A bill to amend title II of the Social Security Act so as to permit the State of Michigan to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. COOLEY:

H. R. 8155. A bill to assist the United States cotton textile industry in regaining its equitable share of the world market; to the Committee on Agriculture.

H. R. 8156. A bill to amend the Agricultural Trade Development and Assistance Act of 1954; to the Committee on Agriculture.

By Mr. DORN of New York:

H. R. 8157. A bill to permit the flying of the flag of the United States for 24 hours of each day at certain places; to the Committee on the Judiciary.

By Mr. FLOOD:

H. R. 8158. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

H. R. 8159. A bill to authorize the sale of five coal-burning Liberty-type vessels to Belgium or its citizens for use in the exportation of anthracite coal from Philadelphia to ports in Belgium and The Netherlands; to the Committee on Merchant Marine and Fisheries.

By Mr. GRANT:

H. R. 8160. A bill authorizing a survey of the Tensaw River, Ala., in the interest of navigation and allied purposes; to the Committee on Public Works.

By Mrs. KNUTSON:

H. R. 8161. A bill to revive and reenact the act of December 21, 1950, authorizing the construction, maintenance, and operation of a toll bridge across the Rainy River, at or near Baudette, Minn.; to the Committee on Public Works.

By Mr. MAILLIARD:

H. R. 8162. A bill to amend section 302 of the Defense Production Act of 1950 to authorize loans to certain public agencies directly connected with activities essential to the national defense; to the Committee on Banking and Currency.

By Mr. PILLION:

H. R. 8163. A bill to amend title II of the Social Security Act to include New York among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mr. PRESTON:

H. R. 8164. A bill to amend title II of the Social Security Act so as to permit the State of Georgia to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. ULLMAN:

H. R. 8165. A bill to provide for the construction of minimum basic recreation facilities in the Owyhee Reservoir area, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 8166. A bill to make the evaluation of recreational benefits resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LONG:

H. R. 8167. A bill to provide for the payment of claims for supplies and services furnished the irregular, or guerrilla, forces of

the former Commonwealth of the Philippines during World War II; to the Committee on the Judiciary.

By Mr. SILER:

H. R. 8168. A bill to provide that the provisions of the Natural Gas Act shall not apply to the sale of natural gas, as an incident of its production and gathering, by an independent producer not engaged in the interstate transmission of natural gas; to bring under Federal Power Commission jurisdiction direct sales of natural gas made by natural gas companies; and to prevent below-cost sales of natural gas in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. WITHROW:

H. R. 8169. A bill to amend the Watershed Protection and Flood Prevention Act with respect to measures for erosion control; to the Committee on Agriculture.

By Mr. BERRY:

H. R. 8170. A bill to provide authority to make payments for all damages and losses suffered by those displaced by the acquisition of property required for or affected by the construction of navigation, flood control, or related water development projects under the jurisdiction of the Department of the Army; to the Committee on Public Works.

By Mr. MAGNUSON:

H. R. 8171. A bill to authorize the Secretary of the Army to sell certain lands at the McNary lock and dam project, Oregon and Washington, to the port of Walla Walla, Wash.; to the Committee on Public Works.

By Mr. MERROW:

H. R. 8172. A bill to provide that active military or naval service performed during the period beginning on November 12, 1918, and ending on July 2, 1921, by any individual who served in Germany or Russia during that period shall be deemed to be World War I service for the purposes of all laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H. R. 8173. A bill to authorize the Secretary of Commerce to sell war-built vessels and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HOSMER:

H. J. Res. 369. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. J. Res. 370. Joint resolution to extend the time limit for the Secretary of Commerce to sell certain war-built vessels for utilization on essential trade routes 3 and 4; to the Committee on Merchant Marine and Fisheries.

By Mr. MOORE:

H. J. Res. 371. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. SCHWENGEL:

H. J. Res. 372. Joint resolution to establish a Lincoln Sesquicentennial Commission; to the Committee on the Judiciary.

By Mr. PATMAN:

H. Con. Res. 188. Concurrent resolution authorizing the printing as a House document of the document entitled "Congress and the Monopoly Problem; 56 Years of Antitrust Development, 1900–1956"; to the Committee on House Administration.

By Mr. DAWSON of Illinois:

H. Res. 278. Resolution authorizing the printing of additional copies of the report on intergovernmental relations; to the Committee on House Administration.

By Mr. TEAGUE of Texas:

H. Res. 279. Resolution to provide funds for the investigations and studies made by the Committee on Veterans' Affairs pursuant to House Resolution 64 and House Resolution 65; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H. R. 8174. A bill for the relief of Giuseppe Berlicchi; to the Committee on the Judiciary.

H. R. 8175. A bill for the relief of Maria Proscia; to the Committee on the Judiciary.

By Mr. BARTLETT:

H. R. 8176. A bill for the relief of Yannoula (Gianoula) M. Lapa; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. R. 8177. A bill for the relief of Angelos Vlasios Patsis; to the Committee on the Judiciary.

H. R. 8178. A bill for the relief of Comdr. Cook Cleland; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H. R. 8179. A bill for the relief of Rufo Hermano Ganir; to the Committee on the Judiciary.

H. R. 8180. A bill for the relief of Mrs. Kin Kogawara; to the Committee on the Judiciary.

By Mr. DELLAY:

H. R. 8181. A bill for the relief of Mrs. Rosalie Pasqua Lima; to the Committee on the Judiciary.

By Mr. DOYLE:

H. R. 8182. A bill for the relief of Ingeborg Stromeier Wilkes; to the Committee on the Judiciary.

By Mr. HOSMER:

H. R. 8183. A bill for the relief of Mrs. Anna (Borbat) Borbatova; to the Committee on the Judiciary.

By Mr. KING:

H. R. 8184. A bill for the relief of Mr. and Mrs. Robert B. Hall; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H. R. 8185. A bill for the relief of Beatrice Ozolins; to the Committee on the Judiciary.

By Mrs. CHURCH:

H. Res. 280. Resolution providing for sending the bill and accompanying papers on H. R. 8136, a bill for the relief of L. Balkin Builder, Inc., to the United States Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

231. By Mr. ADAIR: Petition of Mrs. Robert J. Johnson and members of the Epworth Methodist Church of Bluffton, Ind., favoring the passage of legislation to prohibit the transportation of alcoholic beverage advertising in interstate commerce, and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

282. By Mr. HOEVEN: Resolution of the Board of Supervisors and Board of Social Welfare, Plymouth County, Iowa, protesting the Federal ban on old-age assistance payments to persons domiciled in a county-operated home; to the Committee on Ways and Means.

283. By Mr. SMITH of Wisconsin: Resolution of the Veterans of Foreign Wars, Junker-Ball Post 1865, of Kenosha, Wis., unanimously expressing opposition to our Government entering into status of forces agreements giving jurisdiction over American servicemen to the vagaries of foreign justice and foreign courts and specifically expressing opposition to the release to Japanese courts of Army Sp3c. William S. Girard, which was passed unanimously at a regular meeting of the Veterans of Foreign Wars, Junker-Ball Post 1865, Kenosha, Wis., on June 5, 1957; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Importation of Foreign Oil

EXTENSION OF REMARKS
OF
HON. JOHN JARMAN
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. JARMAN. Mr. Speaker, the ability of the United States to develop intelligently its great natural resources has played the major role in this Nation's survival and victories in the great wars of this century. Success in these conflicts preserved our unique political freedoms.

In no field of industrial development has this talent manifested itself with greater force than in the dynamic progress of the oil and gas industry of this Nation in time of war or peace. This industry and its advancements in exploration and development have been and will be of vital significance, not only to the oil-producing States, but to the entire Nation, for oil and gas today account for 70 percent of the energy consumed by the United States. It must be obvious that nothing could be more important to the adequate national defense of this country than the continued healthy development of this industry and the guaranty of a continued source of domestic oil at all times.

It was recognized by the President of the United States and a Special Cabinet Committee in 1955 that the importation of foreign oil, above the 1954 ratio of 1 barrel for every 10 produced domestically, could threaten the national security by retarding future exploration, discovery, and production of oil and its derivative products within the continental boundaries of the United States. The Congress, in this same year, by the inclusion of the Defense Amendment to the Trade Agreements Extension Act, provided the Chief Executive with a power to prevent such a danger from occurring. Despite this legislative and executive recognition of the seriousness of the problem, the menace has continued with imports rising steadily above the 1954 ratio, being interrupted only by the closing of the Suez Canal, and importations this year are expected to be the highest ever. The sole efforts made to curb the flood of imported oil have been the futile attempts of the Office of Defense Mobilization to beg the large importing companies to voluntarily reduce their imports. This approach has been and will be a vain and fruitless effort. Now, again in 1957, 2 years later, the Office of Defense Mobilization has declared that there is evidence that importations are increasing at a rate which could threaten our national security and the President has merely called for still another investigation.

Can any man dispute the danger of increased dependence upon the tenuous supply of the Middle East in the face of the recent Suez crisis and the ever threatening situation still existing? Surely, the memories of the Second World War and the complete success of the Nazi U-boats in greatly reducing tanker shipments have not completely faded.

With every barrel of imported oil over the prescribed ratio, we do violence to our domestic industry. How long can this Congress, with the best interests of this country in mind, continue to allow such a situation to go unchecked? It is now too late for investigations or volunteering and the time has come to act decisively to control a condition which is too vitally significant to ignore. The authority granted the President by the Defense amendment should be exercised immediately to curb this rising tide of oil imports, or the Congress as a body responsible for the general welfare of one hundred and seventy million citizens of this country must act affirmatively and at once to legislate a formula of limitations which will forever operate to prevent the endangering of the future development of one of our greatest natural resources.

Government Bond Market in Slump—National Disgrace

EXTENSION OF REMARKS
OF
HON. WRIGHT PATMAN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. PATMAN. Mr. Speaker, there is no reason why Government marketable bonds should sell below par. The bond market can be supported without cost to the Government, the taxpayers, or the Federal Reserve System.

I am inserting herewith copy of a letter I have received from the president of a bank in Davenport, Iowa. It is as follows:

NORTHWEST BANK & TRUST CO.,
Davenport, Iowa, June 6, 1957.

Congressman WRIGHT PATMAN,
Washington, D. C.

DEAR CONGRESSMAN PATMAN: The Des Moines Sunday Register of June 2, 1957, published an article headed "Bond Market Slumps Again." It gave some very interesting, but sad news about the Government bond market and it quoted as follows:

"Chairman WRIGHT PATMAN, Democrat of Texas, of the House-Senate Economic Committee urged the Federal Reserve Board to resume purchasing of Government bonds until they were restored to par and end what he called a 'national disgrace.'"

I certainly am very happy to learn that someone is trying to correct this disgraceful situation.

Our bank was organized in July of 1941. We are located in the northwest section of Davenport which is made up of business and residential property. This section, like many others throughout the United States, has had and is having a very rapid development. Our people are strong believers in savings accounts. Our bank now has over $7,400,000 in savings accounts on which we pay 2 percent interest semiannually. We also have $1,200,000 of savings certificates on which we pay 3 percent interest semiannually. This represents about 60 percent of our total deposits.

Our board of directors has always recommended the purchase of substantial amounts of United States Government bonds. We have from time to time stressed the fact in our advertising of the fine Government bond portfolio carried in our bank. We have always felt that such investments made for a sounder bank and created additional security beyond the Federal Deposit Insurance; however, with the present trend of downward prices we hesitate to stress this investment to our depositors and it is my firm belief that the disgraceful situation now existing is also affecting the sale of other bonds such as E, H, and K.

I am in hearty agreement with your recommendations and do hope you will be successful in the correction of this very, as you put it "national disgrace."

Yours very truly,
W. P. MEIBURG,
President.

Small banks all over the Nation are in a squeeze. Many of them have 50 percent and more of the funds they can invest in Government marketable bonds. These bonds have gone down, many of them to 88 or 12 points below par. A large number of the banks of the country would have a substantial amount of their stock wiped out entirely if they were to sell their bonds in the present market.

The law favors the banks in this matter and permits the examiners to carry the bonds on the books of the bank at par although they are selling much below par. This is done on a logical and reasonable theory that if they are retained until maturity, the bank will collect 100 cents on the dollar.

But this does not help them at the present time. Too many banks have too much of their funds invested in United States Government bonds which are frozen in their possession, and they cannot be disposed of to enable these banks to make local loans to local businesses and otherwise furnish the credit needed for local communities. If holders of Government marketable bonds other than commercial banks, could sell their bonds at par, there would be plenty of money available for residential housing. Under the present tight money market, big concerns are not inconvenienced in the least in getting all the funds desired at a reasonable rate of interest, but small concerns are unable to get adequate credit. The banks—the large ones in particular—are rationing and allocating credit. This situation poses an important question, and that is, are the banks allocating this credit in a way that the public interest is considered? If the people only knew, and if the Members of Congress knew, how few banks and how few businesses control so much of the credit and money of the country, it would be shocking to them.

INTERNATIONAL DISGRACE

Among the many letters I have received on this subject, in which comments were made anonymously, one from a large city in Florida and from one of the largest banks in that city, enclosing a statement showing the closing trading quotations on United States Treasury bonds, is of interest. The closing quotation, 87.24, for 2½ percent Government bonds was circled, with this notation: "An international disgrace."

A Day of Memory for the Baltic Nations

EXTENSION OF REMARKS
OF
HON. HENRY S. REUSS
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. REUSS. Mr. Speaker, for 17 years the people of the Baltic nations, Estonia, Latvia, and Lithuania, have suffered in bondage under the tyrannical power of the Soviet Union. The events of June 1940—when many thousands of men, women and children were deported from their homelands to the barren steppes of Siberia—will always be impressed on the minds and hearts of free people.

As we pause to mark the anniversary of these tragic deportations, we salute the people of the Baltic States. We in America are proud of the contributions of Americans of Estonian and Latvian and Lithuanian ancestry to making our Nation strong and free. We feel too a deep responsibility toward their brothers still behind the Iron Curtain. It is to our country's credit that the United States has never recognized Russia's forceful annexation of these independent nations.

That the spirit of freedom still burns brightly in these lands we know well by the frequent reports of renewed resistance. The Baltic peoples, like the people of other satellite nations, have proven that they will not remain passive under the Soviet's iron heel.

For 10 years America and her Western allies have been building the strength of the Free World. Today we have a great opportunity before us to use that strength on behalf of a new settlement in Eastern and Central Europe which will lead to the restoration of the freedom and independence of the captive nations. I hope, Mr. Speaker, that the memory of the deportations of June 1940 will spur us ever onward toward that goal.

Salute to Unions

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Friday, June 14, 1957

Mr. HUMPHREY. Mr. President, yesterday an event of special importance to our Nation and to the labor movement occurred in New York City with the celebration of David Dubinsky's 25th anniversary as president of the International Ladies Garment Workers' Union.

This morning's New York Times contains an editorial relating to this subject and to the 20th anniversary of the Amalgamated Laundry Workers' Union. I ask unanimous consent that this editorial entitled "Salute to Two Unions," be printed in the RECORD.

Mr. President, I had the honor yesterday of addressing some brief remarks to the Madison Square Garden celebration in honor of Mr. Dubinsky.

I ask unanimous consent that the text of my statement be printed in the RECORD.

There being no objection, the editorial and the remarks were ordered to be printed in the RECORD, as follows:

[From the New York Times of June 14, 1957]

SALUTE TO TWO UNIONS

Two events this week call attention to the achievements of American unionism at its best—to be weighed heavily in the balance against the shortcomings which the McCLELLAN committee has disclosed. We refer to the 25th anniversary of David Dubinsky's presidency of the International Ladies Garment Workers' Union, and the 20th anniversary of the Amalgamated Laundry Workers' Union—a sharp contrast to the other laundry workers' union which faces expulsion from the AFL–CIO for corrupt practices.

It is a tribute to Mr. Dubinsky's enlightened statesmanship that a general work stoppage this week, blessed by the employers, was the first that has taken place while he has been president—unlike the turbulent years of economic warfare that went before. Through the peaceful processes of collective bargaining, backed by effective organization, a sprawling group of workers, torn by factionalism, debt-ridden and unable to meet their own payrolls—has become a well-knit organization of close to half a million members whose wages are more than three times what they were, whose working hours have gone down from 16 a day in sweatshops to 35 hours a week in regulated factories and who have a quarter of a billion dollars in their union treasuries and welfare funds. But the achievement cannot be measured in such figures alone. The union has been a crusader against corruption and a pioneer in the full disclosure of its financial affairs, honestly administered.

Twenty years ago the laundry workers of New York were poverty-stricken, overworked, tuberculosis-ridden, exploited by both Communists and racketeers—orphans of the labor movement. While other international unions refused to enroll them, the Amalgamated Clothing Workers, under the leadership of the late Sidney Hillman, offered them the Amalgamated's protection, strength, and prestige. Today, with no discrimination as to race or color, their wages have trebled, their hours of work have gone down from 60 to 40 a week. They enjoy life, health, and retirement insurance benefits and can get free medical care at their $1.5 million health center. As with other ACW affiliates, their finances are a well-audited open book.

Accolades to the garment and laundry workers for their outstanding accomplishments and to Mr. Dubinsky for his distinguished services in a dedicated cause.

MESSAGE OF SENATOR HUMPHREY TO TESTIMONIAL TO DAVID DUBINSKY, MADISON SQUARE GARDEN, NEW YORK CITY, JUNE 13, 1957

David Dubinsky has always been to me the finest symbol of the heart, the soul, and the intelligence of the labor movement. The 25 years he has spent as president of the International Ladies Garment Workers' Union has permeated the economic, social, and political life in America with the spirit of humanitarian democracy. The consequences of his leadership have been felt beyond the confines of the garment industry. The strength of his personality and the intensity of his idealism have affected all aspects of our Nation's life.

In labor relations, his union has set the pattern for a harmonious industrial stability while attaining the highest standards of working conditions and wages for its members.

The significance of David Dubinsky's political leadership can best be expressed by noting the great careers of Franklin Roosevelt and Herbert Lehman, both of whom owe a large measure of their political success to the ILGWU.

The ethical life of America has been strengthened by the high standards of morality which have been identified with David Dubinsky.

The cultural life of America has been enriched by the pioneering services of the ILGWU in bringing the arts and the members of the ILGWU together.

The ILGWU was an early leader in workers' education. Democracy here and abroad has had no finer friend, nor more loyal champion, than David Dubinsky. His energies and the resources of his union have been responsible for the preservation of free trade unionism all over the world.

It is indeed an honor to be permitted to join the Nation in paying tribute to David Dubinsky on his 25th anniversary as head of his union. I consider it a great privilege to be his friend.

Address Before Democratic Governors Conference

EXTENSION OF REMARKS
OF
HON. WRIGHT PATMAN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. PATMAN. Mr. Speaker, I am inserting herewith an address delivered by me before the Democratic Governors Conference at the Mayflower Hotel here in Washington, May 4, 1957.

It is as follows:

Mr. Chairman, distinguished participants in this National Conference of Democratic Governors. It is a great honor and pleasure to be here with you today.

I have been asked to talk to you about the administration's tight money and high interest rate policy, particularly how it has affected the economy of your States and your financing of urgently needed public facilities.

Until recent years, the debt-management and monetary policies of this Nation, under Franklin Roosevelt and Harry Truman, were directed toward strengthening the credit standing of the Federal Treasury as well as that of the State and local governments. Their policies were directed toward maintaining high levels of economic expansion by keeping capital costs low. They supported an ample but not excessive supply of credit at all times, available at reasonably stable interest rates.

Under those policies we achieved full employment and a fair and equitable distribution of purchasing power among the broad masses of the population.

In 1953, a new Republican administration came to power in Washington. One of the first things the Secretary of the Treasury did was to announce that interest rates were too low. Since early 1953, he has been raising rates up and up and up.

We are in a period of the greatest manipulation of fictitious interest rates and credit that this country has ever seen.

For the first time in the history of this country we have a Secretary of the Treasury who has stated he does not consider it to be his responsibility to get the lowest interest rates possible for the people on their public debt.

The Secretary of the Treasury says that all he does is follow the market. Apart from the fact that there is abundant evidence that he has led the market on numerous occasions, the truth is that he regularly invites the big investment bankers, the life insurance companies, and the commercial bankers in to advise him what terms to set on his forthcoming issues.

Has the Secretary of the Treasury ever invited the Governors to advise him what interest rate to set on his securities; or consumers; or small-business men? The answer is "No."

But he has invited in the past 5 years the Investment Bankers Advisory Committee on Governmental Securities, whose chairman is also chairman of the First Boston Corporation, the largest dealer and investor in State and local government obligations in the country. And, coincidentally, the recommendations of this group as to the terms of new Treasury issues have been followed exactly with few exceptions.

In 1953, when the Secretary broke the 2½ percent rate on new long-term bond issues, who were his principal advisers? The former chief executive officer of the First National City Bank of New York and the head of the bond department of the Continental Illinois Bank in Chicago.

What have the recommendations of these advisers and actions of the Secretary of Treasury cost the States?

The inflation of interest rates since 1952 has sharply eroded the value of the State tax dollar for purposes of paying interest charges on their debts.

The most spectacular impact of recent monetary and debt-management policies has been the sharp rise in interest rates paid by States and local governments and the failure in a large number of cases of those governments to sell the bonds which they offered.

Increases in interest rates on State and municipal bonds have been greater than increases on AAA corporate bonds and United States Treasury bonds.

For the first time in a great many years the rate on high-grade tax-exempt municipal bonds is greater than the yield on taxable United States Government bonds.

Since 1952 the yield on high-grade State bonds has nearly doubled; and high-grade municipal yields have risen by 35 percent. This compares with an increase in yields on AAA corporate bonds of 17 percent and United States Treasury taxable bonds of 24 percent.

Despite these higher interest rate increases for State and local bonds, there was a heavy

volume of postponed or unsold issues of authorized bonds in 1956.

Soaring interest rates are bound to be reflected in a curtailed State-local government capacity to meet construction needs over the longer run.

For example, the extra interest to be paid on a school bond issue sold by a New York State school district last year, due to the rise in rates over the past 4 years, would be enough to build a school for 900 pupils.

The most recent reports of the Census Bureau show that interest paid on State debt in fiscal 1956 totaled almost one-third of a billion dollars, more than double the fiscal 1952 sum and three times the fiscal 1950 figure. An indirection of the disproportionate rise in State interest charges may be seen by this comparison. From fiscal 1955 to fiscal 1956, direct expenditures of the States on current operations rose 8.4 percent whereas interest payments rose 24 percent or nearly three times as fast.

It is well known, of course, that the rise in rates was sharpest in the last 6 months of calendar 1956 and consequently was not reflected in the census figures.

From fiscal 1952 to fiscal 1955, interest paid by local school districts on school bond issues rose 25 percent faster than direct general expenditures by local school districts for education.

These are only samples of what we may expect if present monetary policies continue. According to estimates of the United States Departments of Labor and Commerce, the overall need for State-local public facilities in the next decade amount to about $200 billion, including $92 billion for highways, $42 billion for education buildings, $22 billion for hospitals and institutional buildings, $25 billion for water and sewerage works, and $23 billion for other non-Federal public works. To meet these needs will require capital outlays in the next 10 years at an annual rate of $20 billion compared with present spending of $12 billion a year.

By 1965, State-local debt is expected to exceed $60 billion or about 50 percent higher than it is today. On a $60 billion debt a 1 percent interest rate differential would mean $600 million in additional interest payments annually. If State-local interest rates advance over the next decade only at the same rate as they have from December 1952 to March 1957, the additional annual interest payments on the debt in 1965 could be $1.2 billion. This is what the Eisenhower monetary policies may cost you.

Under present monetary policies, many urgently needed State-local projects of high social priority will be cut off and pressures will grow for the Federal Government to undertake directly the financing of construction that has heretofore been financed at the State-local level.

We need to create a market at reasonably stable and low-interest rates for State and local bond issues. This function had been satisfactorily served in the past by the RFC. Recent events have demonstrated that access by the States and local governments to loanable funds at reasonably low and stable rates is of the greatest importance. Some facility must be created to perform this function.

Mass Deportations From Lithuania

EXTENSION OF REMARKS
OF
HON. ELMER J. HOLLAND
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. HOLLAND. Mr. Speaker, today Lithuanians commemorate the anniversary of a great national tragedy. Sixteen years ago this mid-June an estimated 34,260 persons were deported by Soviet Russia to remote areas in Siberia and the Arctic region.

That this act of singular brutality reflects an inner sickness within the Communist system goes without saying. It is incomprehensible that a system of government which perpetrates such terrible acts of inhumanity could have any genuine message for mankind. And yet, the Communists have succeeded beyond all expectations in spreading their gospel of violence, desecration, and decay throughout the world. Many uninformed persons have unfortunately accepted the false words of this Communist anti-Christ as a doctrine of salvation.

On this anniversary of the mass deportation of Lithuanians we commemorate a tragic occasion. But the sacrifice of those thousands of people would not have been in vain if we of the Free World cite their deportation as a classic example of Communist tyranny.

Let all those who are tempted by the false doctrine of communism examine carefully the case of Lithuanian deportations. Let them see communism in action; and then, let them ponder if this is a fit instrument of government for mankind.

Veterans of World War I

EXTENSION OF REMARKS
OF
HON. JOHN J. McFALL
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. McFALL. Mr. Speaker, under leave to extend my remarks, I wish to discuss the veterans of World War I.

A great many of my constituents in the 11th Congressional District of California have expressed deep concern that there is not at the present time in existence an organization which would represent exclusively the veterans of World War I, a group of individuals who have truly proven their allegiance to their country. I wish to mention especially the following among my correspondents: J. R. McDonald, Herbert E. Vandervoort, Mr. and Mrs. Walton Harris, Ward E. Bettinger, G. A. Betz, Wesley Clark, Hiram B. Smith, Fred Farlow, all of Stockton; Roy A. Filloon, commander of Stockton Barracks of World War I Veterans; Manuel D. Kappos and Nick Vakakis, of Lodi; E. L. Healey, of Manteca; F. G. Patterson, commander of Modesto Barracks of World War I Veterans; Philip O'Brien, commander of Turlock Barracks of World War I Veterans; and Vic Sanders, adjutant of Riverbank Barracks of World War I Veterans.

As the Civil War differed from the Spanish-American War, World War I in turn differed from World War II and the Korean conflict.

The veterans of each war have special viewpoints, interests, and identities that separate one from the other. Each group speaks for its own generation. Each group has unique memories and loyal comradeship that cannot be shared fully and freely with veterans of other wars.

Today, 39 years after the end of World War I, we still do not have an organization to represent exclusively the veterans of World War I.

I urgently request official recognition for the veterans of World War I, as well as congressional approval of a national charter for this nationwide organization, whose objectives are admirable, as well as patriotic, and whose membership has contributed greatly to the strength, freedom, and prosperity of our great country.

A national charter would advance the cause of this worthy organization; I feel the veterans of World War I have earned this honor.

It's Father's Day and That Means the Day for Wembley Ties

EXTENSION OF REMARKS
OF
HON. F. EDWARD HÉBERT
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. HÉBERT. Mr. Speaker, Sunday is Father's Day and once again every Member of the House and Senate, the President of the United States, his administrative assistants, the attachés of the House and, this year for the first time, the pages of the House, will wear a Wembley tie.

It was 3 years ago that my friends, Sam and Emanuel Pulitzer, the creators of Wembley ties and the world's largest manufacturer of men's neckwear, asked me to distribute to the Members of the House and Senate a tie for Father's Day. So widespread was the acceptance and reaction to the presentation that the Pulitzer brothers announced they would like to do a repeat performance the next year and for as many years as possible. This year it is the third go round and with bigger and better coverage. Today, 1,500 Wembley ties are being distributed on Capitol Hill.

Now, perhaps it seems a bit strange for some who are not fathers to get a Father's Day gift but there is justification for each one of you.

Now, for instance, take the case of Speaker SAM RAYBURN, one of Washington's most famous bachelors. In truth Speaker RAYBURN is the "father" of 435 problem children, not the least among whom is me. I know I am a headache to him more times than either of us would like to have it so but I share the mutual admiration and respect for Speaker RAYBURN of his 434 other "kids" in the House. He deserves recognition on Father's Day.

And now how about the distaff side of the House—those female of the species who each session seem to increase more and more. Of course they really can't be fathers but certainly they are the daughters of fathers and what better justification would there be to get

a Wembley tie for Father's Day. One thing for sure, the ties, while not worn by the ladies—God bless them—will find their way around the neck of either a current father or a hopeful.

And then there are the pages in the House. Father? No. But each one is the father of tomorrow, so as future fathers they most certainly do deserve to share in the wearing of a Wembley tie so they will get accustomed to such choice neckwear.

The following letter was enclosed with each tie which perhaps tells the story as well as it can be related:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 12, 1957.

DEAR FRIEND: Sunday is Father's Day and that man is here again.

My friends Samuel and Emanuel Pulitzer, owners of Wembley Ties, the world's largest manufacturer of neckwear (and from New Orleans, of course) have again asked me to remember my colleagues in the Congress, the attachés of the House, and my personal friends in the radio and press galleries, on Father's Day.

This Father's Day remembrance is getting to be a habit and one which I know you hope will continue. It is the third consecutive year Wembley ties have been distributed, and I hope you like this year's selection as well as you did the others.

It is my wish this Father's Day tie matches your individuality and personality. If it doesn't then swap it because the Pulitzers and myself want each of you to be absolutely happy and satisfied with your New Orleans manufactured Wembley tie.

From New Orleans it has got to be right. Best wishes to you.

F. EDW. HÉBERT.

Lithuanian Deportation: A Commemoration

EXTENSION OF REMARKS
OF
HON. DANIEL J. FLOOD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. FLOOD. Mr. Speaker, in mid-June 1941, a terrible tragedy befell Lithuania. At that time over 34,000 Lithuanians were ruthlessly seized by their Soviet conquerors and deported to distant parts of the U. S. S. R.

Few spectacles in the history of mankind can compare to the gross inhumanity of these deportations. And yet this mode of mass suppression is a cardinal principle in the Communist way of life.

It is sad to contemplate the future of the Lithuanian people; they have managed somehow under great odds to keep the body and soul of their nation together during this period of great national trial. How they have withstood the corrosive oppression of communism for so many years is a source of wonder and admiration to their many friends and relatives across the seas. To assist and support them in every way we can is one of our most solemn and constant obligations.

On this anniversary of Baltic deportations we of the Free World express the hope that the supreme tragedy of Lithuania will never be forgotten; that those who were responsible for this crime of deportation will know the wrath of God's eternal justice and that the people of Lithuania, dedicated as they are to the spirit of their nation, will never succumb to their enemies.

May the light of eternal hope forever burn within the soul of Lithuania.

Address by Hon. Carl T. Curtis, of Nebraska, to the National Association of Manufacturers

EXTENSION OF REMARKS
OF
HON. BARRY GOLDWATER
OF ARIZONA
IN THE SENATE OF THE UNITED STATES
Friday, June 14, 1957

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address delivered by the Senator from Nebraska [Mr. CURTIS] at a luncheon meeting of the National Association of Manufacturers, at Detroit, Mich., on June 12, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE LABOR-MANAGEMENT INVESTIGATION REMARKS OF SENATOR CARL T. CURTIS AT NOON LUNCHEON, NATIONAL ASSOCIATION OF MANUFACTURERS, AT DETROIT, MICH., JUNE 12, 1957

When the Senate of the United States created the Select Committee on Improper Activities in the Field of Labor and Management they gave to that committee a broad, important, and direct mandate that calls for an extensive investigation in the entire field. The resolution which created that committee carried the following language: "To conduct an investigation and study of the extent to which criminal or other improper practices or activities are, or have been engaged in in the field of labor-management relations or in groups or organizations of employees or employers to the detriment of the interests of the public, employers, or employees."

That committee has made an excellent start. As a Senator who has just recently become a member of the committee, and who was not in on its early deliberations, I can, with propriety, praise the work that has been done. Senator JOHN MCCLELLAN, of Arkansas, is an able, fair, and fearless chairman. He is deserving of the support of all. The entire committee is serving with diligence and loyalty.

I urge patience for the task is difficult and complex. Weeks and months of tedious effort on the part of the committee staff are essential to a complete and fair presentation of evidence in public sessions.

The committee began with an investigation of the misuse of the funds belonging to the union members. It has been revealed that the rank and file of the union members are without power to correct the financial problems that exist in their union. They apparently do not even have access to information concerning all the transactions. I shall not take time to reiterate all the evidence taken by the committee. The misuse of funds is not the only evil and perhaps not the greatest.

It appears that this committee will have a lot of work to do. Reports of violence such as beatings, fires, dynamiting and shootings have come in from many of our major cities. Only last week, a small-business man in the city of New York, who operates a bakery, testified under oath concerning the threats that were made to his supplier of eggs. The farmer reported that certain unknown individuals crossed the State line from New York to Pennsylvania and informed him that if he sold any more eggs to that bakery they would burn his farm. Likewise, the committee received testimony of the beating of a 14-year-old boy in Los Angeles by two thugs, one of them using a blackjack. The union boss brazenly stated in his testimony that he heard about the beating, that he did nothing toward investigating it, that the beating was a problem for the police. It is hard to believe that here in our America a man in a position of such power and responsibility as that union boss would express this callous attitude toward children.

Among reports of shootings reaching our committee is one case where the victim was a mere baby. Other reports indicate that a goon was transported across a State line to engage in a beating that resulted in death and the accused has not been returned to be brought to trial. Speaking for myself only, I cannot see how our responsibility to the Senate of the United States and to the public can be fulfilled unless we make a thorough investigation of such violence. Violence begets violence and both sides should be investigated.

When the Taft-Hartley law was passed the Congress made it unlawful to apply pressure against employees of a third concern who was not party to an industrial dispute. Time and experience have proved that we did not make the law broad enough. Today there is a practice carried on in all parts of the country of applying pressure on neutral employers. This is known as the secondary boycott.

I want to tell you about a small business located in a county seat town of about 2,500 people in my home State of Nebraska. The Coffey Transfer Co. had been in business for 26 years and it employed 27 drivers. On August 25, 1955, the transfer company received a demand that they compel their 27 drivers to join the teamsters union. The drivers didn't want to join. I will not take time to enumerate the legal moves and the redtape that followed. It took 5 months to hold an election of 27 drivers. When the election was held, the teamsters union did not receive the vote of a single driver.

However, in the meantime, a secondary boycott was applied to the Coffey Transfer. Other carriers were prevented from turning over freight to Coffey. Without freight to haul no business could be transacted. As a result, 1 month before the teamsters lost their election, Coffey Transfer went out of business. Twenty-seven drivers had to look for employment elsewhere.

I could recite a long list of Nebraska cases that I personally know about. I want to mention a few reports of secondary boycotts that have come to me from other places.

In New York City a new weekly newspaper, the New York Sunday Graphic, was boycotted out of business before it could get out of the pressroom. Why? Because the editor did not obtain advance permission from a circulation union that he could go into business.

Also in New York, folks who owned Royal typewriters were picketed if they attempted to have the typewriters repaired while the union at the Royal Co. was on strike against the firm.

In Akron, Ohio, the Burt Manufacturing Co., has a certified union, men who are members of the AFL–CIO Steelworkers. But the AFL–CIO Sheet Metal Workers refuse to install Burt ventilators because they do not make the ventilators. Architects, contractors and subcontractors are notified that if they use Burt products there will be trouble on the job site.

The Benjamin Electric Company of Des Plaines, Ill., reports that although 80 percent of its employees are union members, their products cannot be sold in St. Louis and several other cities because the company refuses to apply the union's label to its product. The company's merchandise is kept off the market by a threat of a secondary boycott.

In St. Louis, Swift & Co.'s products were kept from meat market counters because of a secondary boycott by the meatcutters union. The union insisted that Swift salesmen join it.

In Newcastle County, Del., the construction of an airport was held up nearly 5 months because the county gave the electrical work to the lowest bidding contractor. It happened his employees chose to remain outside of the International Brotherhood of Electrical Workers.

As one member of the select committee, I shall urge that an investigation be made of secondary boycotts. I cannot see how we can carry out the instructions that have been given to us without so doing.

About a half century ago, the Congress made it unlawful for corporations to make political contributions. The debates of that time reveal that one of the motivating reasons for such legislation was the protection of the rights of stockholders. It was determined that a stockholder of a corporation should not have his money used by its officers to support candidates and issues in which he did not believe. There was, of course, the additional factor of the power of the corporations and the misuse of that power. Today, 50 years later, we find the need for making effective the prohibition of the use by union leaders of the money belonging to the rank and file of the workers to support candidates and issues in which many of those workers do not believe. Likewise, there is also the factor of the misuse of such power and influence.

The political activities of unions is not a partisan question. It is a concern to both the Democrat and Republican Parties. The basic freedom of the workers it at stake. When the Congress authorized compulsory unionism, it was never intended that that should carry with it compulsory party membership. There is evidence on every hand, not only of the spending of tremendous sums of money belonging to the workers, but of the use of manpower in both primaries and general elections. These practices ought to be looked into. Let the facts speak for themselves. If there are no improper practices that fact should be determined. The responsibility of the select committee cannot be met unless we do investigate these political activities including not only money contributions and the use of manpower, but the question of whether or not intimidation and violence has been used in seizing political power. We owe it to the workers of the country to study these charges and to let the public have the facts.

It is too early to suggest what remedies ought to be applied or what laws ought to be enacted. We need to examine and reexamine the basic causes of whatever improper practices are shown to exist. It may well be that long and complicated laws are not the answer—the answer may be found in some simple and direct changes in the law.

We must never lose faith in the integrity and fairness of the rank and file of all people. When the facts are fairly and completely presented a proper solution will be reached. The basic freedoms of the individual workers must be preserved. The rights of the worker to know what is going on in his union, to be able to control the finances of his union, and to make the officers of the union the servants of the members and not their masters, are basic American rights. The question should be asked, "Should a worker be compelled to lose his job if he withdraws from the union as a protest to thievery and mismanagement of his funds, or to protest acts of violence, or to protest the use of his money by the union leaders to defeat his own political convictions?"

All sides and all parties must be treated alike. Neither side is entitled to special immunities. One of the basic cornerstones of our prized American system is equal treatment under law. Within such a framework we can and will find the just and fair answers to the problems that we face in the field of labor and management.

American Know-How Knows How

EXTENSION OF REMARKS
OF
HON. JOHN J. McFALL
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. MCFALL. Mr. Speaker, under leave to extend my remarks, I include the following, relative to the Tri-Valley Packing Association of California. Organized in 1932, the Tri-Valley Packing Association this month celebrates its 25th anniversary as one the biggest grower-canner organizations in the State of California.

AMERICAN KNOW-HOW KNOWS HOW

This is a story, a familiar story of progressive and dynamic American enterprise.

This is the story of industry born in the economic darkness of a ruinous depression of 25 years ago.

This is the story of the Tri-Valley Packing Association of California; but, it is also the same story reflected time and again in the annals of our Nation's economy when hopeful, ambitious, purposeful men defy untold obstacles to prove that American know-how is more, much more, than just an oft-used expression.

1932 was a historic year for California's canning industry and specifically for that State's great San Joaquin Valley. Shortly before this time, the United States Supreme Court compelled the Nation's large meat packers to discontinue the marketing of processed fruits and vegetables by upholding the packer's consent decree; thereby, in one stroke, wiping out the California cooperative canneries, which for 13 years had used one of the meat-packing firms for distribution of its canned foods.

With the collapse of the Association, its grower members were left without an outlet for their farm products at a time when black depression was upon the land and both business and industry were struggling for survival.

Grimly, a group of 89 growers, spurred by the leadership of George N. Pfarr, of Modesto, Calif., set about to salvage its economic future, banded themselves together in a new association which they called Tri-Valley after the State's three greatest food-producing areas—the San Joaquin, Sacramento, and Santa Clara Valleys—and began operations.

They had little besides produce to work with—no money in the bank, only limited credit, a single carload of sugar and enough cans on hand for only a few days packing.

They did, however, have an abundant quantity of hope and determination. The "depression" baby survived its first year.

It was not an impressive beginning. The initial pack consisted of only 5,300 tons of fruit—all yellow cling peaches—which produced 248,000 cases. But it was a start, and by season's end, all bills and employees had been paid. The growers had received the first installment of a return that eventually mounted to a figure of 57 percent above the current market price.

The second year marked a bigger advance. Production more than doubled to 546,000 cases and included eight different food products.

Each year since 1932, Tri-Valley has shown growth—both in quantity and in the variety of fruits and vegetables packed. By 1956, the total pack was more than 4 million cases, representing approximately 100,000 tons of 30 different kinds of fruits and vegetables from the lush valleys of California.

This year, according to a prediction by General Manager Philip N. Mark, Tri-Valley will pack an estimated 5 million cases of food, representing a 15 percent increase over last season's record.

Today, 25 years later, the Tri-Valley Packing Association of California maintains three large modern food-processing plants—in Modesto, Stockton and San Jose, Calif.

Out of the original 89, 12 growers are still supplying products to Tri-Valley. Tri-Valley honors these growers: W. F. Beard, Frank Goodwin, I. W. Hardie, G. O. Hollingsworth, George Kounias, Joe Vieira, and George N. Pfarr, all of Modesto, Calif. Also, F. H. Caulkins and E. J. Caulkins, of Ceres, Calif.; H. A. Codoni, Empire, Calif.; A. W. Oberg and C. E. Oberg, of Hughson, Calif.

The president of Tri-Valley is Edgar Jackson, of Saratoga, Calif. The directors include Franklin Beard and Alfred Terry, of Modesto, Calif.; John M. Doherty, Acampo, Calif.; and George A. Johnson, Patterson, Calif.

Twenty-five years later, Tri-Valley Packing Association celebrates its silver anniversary as one of the biggest independent grower-canner organizations in the State of California.

Third Supplemental Appropriation Bill for 1957

EXTENSION OF REMARKS
OF
HON. MICHAEL A. FEIGHAN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. FEIGHAN. Mr. Speaker, tomorrow the House will consider the conference report on the third supplemental appropriation bill for 1957—H. R. 7221.

There will undoubtedly be an effort to have a rollcall vote on amendment No. 17 which provides for a $30 million give-away to the producers of tungsten. The Senate and House conferees are in disagreement and a motion will be made to recede and concur in the Senate amendment No. 17.

I strongly urge that the Members read House Report 24, dated February 1 of this year—pages 11 and 12, and also House Report No. 145, dated February 21 of this year—pages 3, 4, and 5. Perusal of the pages of these two reports should certainly convince every Member of the House that we should support the House conferees and vote against the motion to recede and concur in the Senate amendment No. 17. I will vote against such an amendment and I sincerely hope that the vast majority of the Members of the House will do likewise for the reasons set forth in the reports.

A Pay Raise Is Mandatory for Underpaid Postal Employees

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. LANE. Mr. Speaker, under leave to extend my remarks, I include my statement of today before the House Committee on Post Office and Civil Service in support of H. R. 2474, the Morrison bill to provide an increase in salaries for employees of the United States Post Office Department.

The statement follows:

A PAY RAISE IS MANDATORY FOR UNDERPAID POSTAL EMPLOYEES

(Statement for House Committee on Post Office and Civil Service, in support of H. R. 2474, the Morrison bill to provide an increase in salaries for employees of the United States Post Office Department, June 14, 1957)

Mr. Chairman, postal employees cannot strike in an effort to win a living wage from their employer, the United States Government.

But they can resign to secure better paying jobs in private industry, as they are doing in larger numbers, not because they wish to, but because they are forced to by the inexorable operation of economic facts.

The tight-fisted attitude of the Government toward its own employees, and its stubborn refusal to help them in their economic predicament, is endangering the functioning of the most important civil agency of the Government upon which all business and all citizens rely.

There is a very real possibility of curtailment in mail service by July 1, unless we rid ourselves of certain comfortable illusions that have carried over from the past, but simply cannot be maintained in the light of present facts.

Not the least of these is the constantly deteriorating position of postal workers who cannot support their families on their "mark time" salaries, that decline in purchasing power as the cost of living edges ever * * * upward.

Nearly half of our postal workers are compelled to take outside jobs to supplement their regular salaries, in order to make both ends meet.

And the turnover of employees has reached an alarming stage. False economy that denies them a living wage is forcing experienced employees out of the service, to be replaced by new men who must be trained at expense to the Government. The result of this short-sighted policy is waste and extravagance that could have been avoided in the first place, by paying adequate salaries.

The Post Office Department has been kicked around for generations, but the time for playing games with it is running out. If we expect good service, we must pay for it. You cannot expect skilled employees to stay with the Department when they can get much better pay in private industry. No amount of subtlety, or delay, or rationalization, can get around that fact.

Take this situation that happened in my own district. A little more than a month ago, three new employees were appointed to the postal service in one of the cities. Two of the three have already quit. Just a few weeks' work was enough to convince them that the pays, in relation to the split hours that they worked, were not good enough in this year 1957. They both secured better jobs in private industry.

The cost of living has gone up for the eighth straight month.

But the postal employees have received only one pay raise since 1951.

The Post Office Department is not a discretionary or a luxury service, to be expanded or contracted at will. It is absolutely essential to industry, business, and the needs of private communication.

As the President noted in this year's budget message, there has been an increase of 11 percent in the volume of mail handled in the past 4 years, with only a 3-percent increase in personnel. But the postal workers have not shared in this increased productivity. There is reason to believe that some of the users have profited at their expense, and have not been paying for the service that they are getting.

Even these special interests dare not challenge the fact that the postal workers deserve an increase, and a substantial one at that, for the ground they have lost since 1939.

The shrinking purchasing power of their salaries, as compared with the gains made by workers in private industry, inevitably leads to a weakening of morale, a lessening of efficiency, and wholesale resignations.

Are we going to play political hide-and-seek with this issue until it results in a breakdown of the postal service? The consequences of such a crisis would cause irreparable harm, and would eventually cost many times the amount of the contemplated pay increase.

Even the Cordiner report (Defense Advisory Committee on Professional and Technical Compensation) headed by a distinguished leader of industry, after analyzing the impact of inadequate Federal and postal salaries, stated that: "The net effect is a progressive lowering of the level of competence of the Department's civilian work force." Concerning the Government's moral obligation to pay adequate salaries, it found that: "Employees must receive sufficient compensation to enable them to establish and maintain a standard of living which will allow them to discharge their responsibilities to their families and to their employers."

Since 1939, postal workers have received pay increases of 103.8 percent.

The 10 highest representative groups in private industry have gone up 275 percent.

The middle 11 representative groups in private industry have enjoyed wage increases of 239 percent.

The lowest 11 representative groups in private industry show a 188 percent increase.

Or, from another point of reference, the average postal worker's net spendable pay after all deductions for taxes, social security, and so forth, is 83 percent above 1939. The BLS cost of living index stands at 98.3 percent above 1939. This means a 15 percent reduction in net spendable income (or buying power) for postal workers since 1939. The only people with a lower average weekly wage today, are those in sweatshop or depression type industries.

We are fighting a losing battle in trying to recruit competent people to work as carriers or clerks at $1.82 per hour when they can secure anywhere from 20 to 45 cents more per hour in private industry without prior skill or training.

The Cordiner committee has described Federal salaries as second rate. That is what the Post Office Department will become, if we ignore the necessity of upgrading salary levels to the realities of 1957, instead of keeping them forever below the average paid to workers in private industry.

The warning signals are flashing from all directions.

Young men laugh when we advise them to seek permanent employment in the postal service.

"For peanuts?" they mock.

The assistant postmaster at Wichita, Kans., said: "The shortage of clerks and carriers in the Wichita post office is growing more acute. * * * In the last 3 or 4 months the post office has been unable to obtain enough personnel to fill vacancies."

In New York City they had to take unprecedented action. For the first time in history, the United States Civil Service Commission opened continuous filing for clerk-carrier positions in the post office.

Mr. James P. Googe, the regional director of the second United States civil-service region, admitted that: "Postmasters frequently reported increasing difficulty in securing enough eligibles to fill substitute clerk and substitute city carrier vacancies. In some areas, high wage scales and fringe benefits offered by private industry make it almost impossible to fill positions in the local post office."

The salary crisis in the postal service must be faced and solved, without equivocation.

I believe that H. R. 2474, by raising postal salaries to a level consistent with modern standards, will restore the morale of our indispensable civil servants, and enable the Post Office Department to fulfill those responsibilities that are vital to every person and to every economic enterprise in the Nation.

A raise of at least $500 per employee at this session is the irreducible minimum.

Otherwise, we shall risk a serious deterioration in the quality of the personnel * * * who are essential to the functioning of Government and private enterprise.

This pay raise for postal workers is long overdue.

Independent Scrap Dealers Approve Small Business Committee's Investigation

EXTENSION OF REMARKS
OF
HON. WRIGHT PATMAN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. PATMAN. Mr. Speaker, the Select Committee on Small Business is conducting an investigation of the iron and steel scrap industry. This is an extremely important investigation from

the standpoint of several thousand small businesses. Secondary iron and steel are, of course, vital raw materials in the operations of the steel mills, many of which are small, semi-integrated producers, without ore mines and blast furnaces of their own.

In addition, there are approximately 4,000 independent scrap-yard dealers in the United States whose business consists of collecting, processing and selling iron and steel scrap. These scrap-yard dealers are, in reality, small manufacturers. In addition to serving as collection points for the assembly of scrap materials—which is one of the functions of any manufacturer—the scrap-yard dealers serve the indispensable functions of sorting, grading, processing, compressing, and bundling the scrap materials—in short, putting these materials into forms which make them usable in still other manufacturing processes.

SCRAP FIRMS ARE FAMILY BUSINESSES

The scrap-yard dealers business is perhaps unique among American businesses, in that almost all of these firms are individual family enterprises. In fact, there is an old saying in this industry that the size of the business depends upon how many brothers there are in the family, to help run the business. Within the last few years however, one or more very large corporations have arisen to tower over all the smaller competitors in this industry. Furthermore, not only have organizational changes been taking place, but new trade practices have been taking place which pose serious threats—or so it seems—to the welfare and even to the continued existence of independent scrap-yard dealers. These have occurred in both domestic and foreign markets. The Small Business Committee of the House is, as I have said, looking into these matters; and it is hoped that when the Committee has learned all of the pertinent facts it will have some constructive recommendations to make. Further hearings will be held next week, on June 18 and 19.

SCRAP DEALERS EXPRESS "THANKS"

The National Federation of Independent Scrap Yard Dealers, Inc., has expressed its approval of the committee's investigation, and expressed its thanks for the committee's work on this matter to date. The committee is in receipt of a letter of June 7, from Mr. Stanley Asrael, president of the National Federation of Independent Scrap Yard Dealers, Inc., attaching a resolution which was adopted on that date by the board of directors of the National Federation of Independent Scrap Yard Dealers, Inc. I believe that other Members may be interested in this letter and resolution, which are as follows:

NATIONAL FEDERATION OF INDEPENDENT SCRAP YARD DEALERS, INC.,
New York, N. Y., June 7, 1957.

Hon. WRIGHT PATMAN,
Select Committee on Small Business,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN PATMAN: I take pleasure in enclosing herewith text of a resolution adopted by the board of directors of the National Federation of Independent Scrap Yard Dealers, Inc., at its meeting in New York City on Monday, June 3, 1957.

It not only expresses the views of the board but, I feel, fairly reflects the attitude of the approximately 4,000 independent scrap-yard dealers in the United States.

We have had several meetings with members of your staff. I take this opportunity to state to you the great regard which I have for their work and to note the high level of efficiency and courtesy on which the current study is being conducted, judging from my personal experience.

Very truly yours,

STANLEY ASRAEL,
President.

Resolved, That the board of directors of the National Federation of Independent Scrap Yard Dealers, Inc., at a meeting assembled, extends its thanks to Hon. WRIGHT PATMAN, chairman of the House Small Business Committee, for the splendid work being conducted by the committee and its staff in its trail-blazing study of the vital scrap industry, composed for the greatest part, numerically, of small-business men; and be it further

Resolved, That it is the sense of the board of directors of the National Federation of Independent Scrap Yard Dealers, Inc., that the current study fills a sorely needed review of this industry which has too long been regarded as being merely on a standby basis and has been denied proper recognition for the indispensable role which it plays in our national economy as one of the few remaining major "noncaptive" components of the steel industry.

Commencement Address—Catawba College

EXTENSION OF REMARKS
OF
HON. GEORGE A. SHUFORD
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. SHUFORD. Mr. Speaker, on Monday, June 3, 1957, Catawba College, Salisbury, N. C., observed its 106th commencement program. My colleague, Hon. HUGH ALEXANDER, of the Ninth District of North Carolina, delivered the commencement address which is a challenge to the youth of America. Because of its timeliness and general interest, under unanimous consent, I include Congressman ALEXANDER's address in the RECORD:

Mr. President, members of the faculty, graduates, students, and friends of Catawba Colleges, I share with you the deep regret that our distinguished senior Senator from North Carolina, the honorable SAMUEL J. ERVIN, Jr., cannot be with us today. He is an outstanding American, a gifted speaker, and a devoted public servant, whose service in the United States Senate has been recognized by the entire Nation. I am honored to substitute for him on this auspicious occasion.

I shall long remember this day as one on which I had the honor to meet with my Catawba College friends and neighbors and share with them the joy of seeing their sons and daughters receive their college diplomas.

I am proud of Catawba College. I have known and count among my friends, many of her outstanding faculty members and graduates. I have watched with pride her outstanding growth and widening spheres of influence until today Catawba College is regarded and accepted as being in the forefront of the educational system of our State and Nation. Her high scholastic requirements and deep religious atmosphere are known in educational circles throughout our land.

This is a matter of deep satisfaction to all of us as we join together in celebrating the 106th commencement of Catawba College.

I can understand and appreciate in the fullest sense that great feeling of personal pride that swells the hearts and gladdens the souls of the parents who have come here this morning to see their sons and daughters honored. You have a right to be proud; a right to be happy; and I rejoice with you in the splendid scholastic achievement of your sons and daughters.

To the young men and women assembled here today I want to extend my heartfelt congratulations. Your attention to your studies, your perseverance and steadfast devotion to duty are deserving of the highest praise and commendation. You have gained a victory and your life henceforth will be blessed and shaped by the years that lie behind you.

I know there is a feeling of sadness among you this morning. It is natural that it should be so, for we do not lay aside the happy associations and fond memories of this life without a sense of sadness. While perhaps you are not aware of it today, yet tomorrow you will awaken to a glorious sunrise of a new day and a new order of things.

Graduation is a necessary phase of our growing up. It is a part of that mantle of maturity which must settle on the shoulders of each and every one of us if we are to assume our rightful place in the world. While we hesitate to break the golden cords that bind us to the happy past, yet the cord must be loosened and we must march ahead. In so doing we grow up and assume the rights, duties, and responsibilities of maturity.

It is in connection with those new responsibilities which you are about to inherit that I want to talk for a few minutes this morning. Some of you will go on to pursue further study at the postgraduate level; some of you will immediately take your place in life and assume the responsibilities of a career and a home of your own. At some point in your lives many of you young men here this morning will have to fulfill your military obligations to your country.

But regardless of what the next few years will bring one thing is certain—all of you are about to shoulder new and more demanding responsibilities. The world you are about to enter as responsible young men and women is vastly different from what it was when I graduated from college; vastly different from what it was even 5 years ago. The conditions under which we live today are continually shifting. Ours is an age of great progress—great advancements on all fronts—in the arts and in the sciences.

In all things our civilization is moving ahead. Today mankind has more of the necessities and the luxuries of life than the greatest minds could possibly foresee in the past. As you take your place in tomorrow's world you graduates will step into a dynamic society—a society which holds untold promise for the future and the richest of blessings for mankind if made to conform to Christian morality.

Throughout America this week we have observed Memorial Day. It is altogether fitting and proper for us to pause a moment this morning and reflect on the significance of this day on which we honor the memory of, and pay tribute to, the heroism of those Americans who fought and made the supreme sacrifice that we might assemble here today in the full enjoyment of our liberties.

America and its free institutions is not an accident. It is the result of the sacrifices in blood and treasure of dedicated men

and women who had the dream of a better tomorrow for their children. Their dream is our reality. Their sacrifice is now our blessing.

America and its free institutions has been handed down to us by our forefathers as a sacred trust. We must not in any way impair our free institutions but so preserve them that our children's children, in all the ages that lie before us, will bless us for our devotion to liberty.

Therefore, as you young men and women face the future it is well to keep in mind the fundamental principles upon which our Nation was founded and which have enabled it to reach its great position of world leadership. It is well, also, to remember that the character and strength of any nation is commensurate with the character and strength of its citizenship.

Our forefathers did not have the idea that the world—that society, in general—owed them a living. They had to depend upon themselves for food, shelter, clothing and the defense of their homes against the hostile Indian and white man, and thus developed an independence of character and spirit that has distinguished our Republic down through the ages among the nations of the world. The individualistic nature of our forefathers was the great force that wrested America from a vast wilderness and made the desert bloom. The unfettered freedom of our democratic institutions enabled every American to reach the fullest development of his talents.

Had the men and women of 1776 been afraid to face an unknown future, the Thirteen Original States of this Union would have stagnated and suffocated along the eastern seaboard.

We are living in an age of great change. Our age has produced in certain areas of our national life a feeling that the ideas and principles of our forefathers will not work in the 20th century. There is a school of thought in America today—and unfortunately some of it has been translated into positive action—that America has outlived its heritage of the past; that a new way of life must be initiated.

Such a philosophy is false and dangerous to our liberties. The great principles upon which our forefathers fashioned this Republic are as vigorous and vital today as they were 150 years ago. For the United States to forsake its glorious past of individualism and free enterprise, is to invite destruction.

I, therefore, urge you young people to cling fast to the fundamental principles of government as embodied in the Constitution of the United States. Your right to develop your individual talent in the way you see fit in a precious liberty that has been purchased at great sacrifice. To surrender that right is to give up your freedom and ultimately our American way of life.

Now, since the dawn of recorded history, every age has had its problems. Fortunately for mankind, most of these problems have been overcome and civilization has moved forward to the light of a new and a better day.

As for our present era, it will take no great amount of searching in order to find the problem that plagues modern society. It is a problem that circles the globe and has our great peace-loving Nation and the free countries of the world living in a virtual state of siege. That problem is international communism, the godless doctrine that has stalked the world with rapid strides since the end of World War II and brought misery and enslavement to hundreds of millions of people.

Only our great strength has kept that calamity from engulfing our Nation and destroying our precious liberty. Though we may never have to fire another gun—and I pray God that such may be the case—in the defense of our way of life, yet we will have the shadow of international communism to face for many years to come. It will force us to spend our treasure and place our young men in uniform for many years. It will keep the world in a constant state of tension and agitation and will tax the patience of free men.

There is no immediate solution to this problem. The only thing we can do is to keep our Nation's defenses strong and keep ourselves educated to the dangers of the ever-present menace. The burden of this tremendous task to maintain our liberties will rest in a short time with you young men and women. If ever there was a period in our national existence when young people should be conscious of their liberties and the blessings of their American citizenship, it is the age in which we are now living.

So, I say to you young graduates that you have a solemn duty to perform. It has been thrust upon the Free World by causes over which we have no control. But nevertheless, we must cope with it and conquer it, or our way of life will be destroyed. We must, therefore, be vigilant of our liberties and on guard against any material force or philosophy that would destroy our democratic institutions. We should glory in our Americanism and should never give our allegiance to any false doctrine however noble it may sound on the surface. So long as young America understands, appreciates, and loves Americanism, so long then will we maintain the blessings of liberty for ourselves and our posterity.

Let us realize here today that America is the last great hope of the world. If we fail in our mission civilization will be set back a thousand years. Let us resolve, therefore, to face the greatest challenge of our age with determination and courage and in so doing we cannot help but have a brighter tomorrow.

As we face the coming challenge of the future we must have a firm foundation upon which to ground our hopes, our ambitions, and our spiritual aspirations. Nothing of value in this life has ever resulted without plan or purpose. It has been said that man cannot live by bread alone. I know of nothing truer than that fundamental statement. Man, in brief, needs Christ.

As we walk the pathways of life we must travel hand in hand with Him if we are to have inner peace and material success in its truest sense. In our modern world, beset on all sides with the forces of atheistic materialism and spiritual doubt, we need to keep Him near. The great power and moral force of His teachings are the sure foundation upon which every successful life must rest.

In my work in Washington I meet many men who have risen to places of power, wealth, and fame. One thing has always impressed me in connection with their character. They have been men with spiritual convictions; men in whose bosoms the glory of Christ has manifested itself.

Let us remember, always, that a life shared with Him is a happy life—a rich life—a full life. As you begin your march into the future, take along His companionship. There is nothing that I could say to you today that carries so much meaning and so much promise for your future well being.

Life will challenge you on all sides. That is natural. Every day many situations will arise in which you must make decisions. In making these decisions you will often have an inner struggle as to what you should do. You will be tempted to do the so-called smart thing, or that which is more advantageous to you from the standpoint of profit or gain.

But the smart thing—the advantageous thing—should never be the rule by which you govern your life.

There is only one thing which you should do—in fact, you must do—that is the right thing. Only the right thing—that which is just and proper—will ever be the smart thing in life for any of us.

It has been said that if we are true to ourselves then we cannot be false to any man. There is much wisdom in that statement, and it would be wise for us to carry it with us in the days ahead.

We should strive at all times to be ourselves. The Creator shaped each of us in His own image and endowed us with a separate and distinct personality. There is no need in this life for any of us to effect the ways and attitudes of others. Only by developing our own personalities and coming to know and appreciate the strength and weakness that is inherent in our nature, can we find happiness and lead successful lives.

I do not know what success means to the young men and women assembled here this morning. Possibly each of us in our own way has a definition of success. Some of us may look upon success as wealth. Some may consider fame as success, while others would consider success as having enough of the essential things of life as to be free from want.

But to me the successful man or woman is the person who grows each day a better and more useful citizen. The successful man, to my way of thinking, is the individual who gives without thought of reward to others, and strives to build a better community in which to live.

I might add that there are unlimited possibilities for young people today. It is true that the frontier in America has disappeared and it is no longer possible for vigorous youth to pack his family in a wagon and set out across the mountains to virgin territory. But keep in mind that not all frontiers can be marked off in miles on the ground. The world is full of unknown, uncharted realms waiting discovery by mankind. There is a great need for prepared young people in the fields of science, government, education, business, and engineering. The shortage is so great in many of these fields that I understand recruiting from our colleges is a common practice today. In my opinion the opportunities of today are perhaps greater than at any time in our history. I am sure that I do not need to remind you that the traits of character that have marked heroes throughout history are still very necessary in our competitive living. Courage, initiative, hard work, enthusiasm, and honesty are just as valuable today as in the past.

May I suggest that even with all the demands that are made upon you—take time to live.

Take time to think—it is the source of power.

Take time to give—it is too short a day to be selfish.

Take time to play—it is the secret of perpetual youth.

Take time to read—it is the fountain of wisdom.

Take time to pray—it is the greatest power on earth.

Take time to love and be loved—it is a God-given privilege.

Take time to be friendly—it is the road to happiness.

Take time to laugh—it is the music of the soul.

Take time to work—it is the price of success.

In conclusion, I would like to sum up briefly what I have endeavored to put across to you young men and women this morning. As you leave here for the last time as a class I would like for you to carry with you a realization of your responsibility as a young American in a world that is to a great extent hostile to the ideals upon which your Nation rests. I would like for you to go out into the mainstream of life dedicated to your country and to the principles for which it stands. I would like for you to hold fast to the Cross of Jesus Christ, for it will ever be a source of strength and comfort to you, in victory and in defeat.

And, in conclusion, I would like for you to know yourself and to be true to yourself in all things. If you will remember these things and keep them ever before you, your paths will ever be bright and your lives a success.

Again, I want to say it has been an honor and a privilege to be with you this morning. Thank you for your kindness in inviting me here, and may God bless each and every one of you.

Flag Day Address Delivered by Hon. Karl E. Mundt, of South Dakota

EXTENSION OF REMARKS
OF
HON. KARL E. MUNDT
OF SOUTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Friday, June 14, 1957

Mr. MUNDT. Mr. President, this evening in Constitution Hall I had the high honor of representing the Congress of the United States in the Flag Day ceremonies sponsored by the Benevolent and Protective Order of Elks. A great many Members of the House were present. However, due to the evening session of the Senate, not very many of our colleagues could be present.

Mr. Fred Bohn, the exalted ruler of the Elks, was in charge of a very educational and inspiring and patriotic program. I was privileged to deliver the Flag Day address.

I ask unanimous consent that my address may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

FLAG DAY ADDRESS

Officers, members, and guests of the Benevolent and Protective Order of Elks, your guests, and my colleagues from the Senate and the House, today, June 14th is Flag Day. It is also known as Elk Day. It is my understanding that the grand lodge of the order of Elks was the first fraternal order to decree that every subordinate lodge should observe Flag Day each year with appropriate services. As a result all Elk lodges have been observing Flag Day since 1911. Your enthusiastic promotion of these ceremonies is a natural endeavor for our order. Elkdom has always been an active exponent of American patriotic principles.

Time will not permit the mention of the numerous activities which our great order promotes for the good of all America. The record speaks for itself.

But may I humbly remind you of the necessity of your continued active participation in the greatest of all organizations—the United States of America.

It is 180 years since Congress authorized the use of a new flag for a new nation. The colors and design were well chosen, and this banner would be beautiful to the eye even if no meaning could be read into it. Nor have the changes since June 14, 1777, impaired its beauty, although star after star has been crowded into a field originally intended for 13.

A simple resolution was adopted by the Congress in session at Philadelphia on June 14, 1777. It read as follows:

"*Resolved*, That the flag of the 13 United States be 13 stripes, alternate red and white; that the Union be 13 stars, white in a blue field, representing a new constellation."

Unfortunately the Journal of Congress makes no mention of the Member who introduced this resolution or the committee that reported it; neither is there any record of the discussions that undoubtedly preceded the adoption of our national ensign.

Philadelphia's Betsy Ross House, on lower Arch Street, continues to give youngsters and sightseers a soul satisfying contact with the Stars and Stripes which would otherwise be denied. Philadelphia is also credited with having launched the first public school celebration of Flag Day on June 14, 1893.

A woman from our great Middle West once made a flag to be used as the prize in a State dairy contest. She embroidered a cow standing in a pasture. Then she added an eagle carrying a ribbon on which she inscribed the motto, "Our liberties and our rights we will maintain."

Whether she knew it or not, this woman was following a good old American tradition of flagmaking, for in the early days of the Revolutionary War, before we had our national emblem, there were colonial flags that expressed the same idea in much the same way. For instance, there were the famous rattlesnake flags, a sample of which we have seen here tonight, some of which bore beneath the figure of the dangerous serpent the legend "Don't tread on me." It was plain that the people who used these flags intended to maintain their rights. The flag of Virginia was a rattlesnake flag. So was a flag carried by the ships of our early Navy.

The pinetree flags, used by the New England Colonies, formed another famous group of banners. It is probable that one of the earliest was raised during the Battle of Bunker Hill at the beginning of the revolution. A later pinetree flag bore the words "Liberty tree" above the pine, and "an appeal to God" below it. The Colonists felt that they were fighting for their just rights and that God was surely on their side.

Had it not been for the War of 1812 and a certain diplomatic mission performed by a scholarly young Baltimore lawyer toward the close of that war, the attention of the whole country might not have been focused upon the flag. This was effectively accomplished while our Nation was still suffering growing pains and badly in need of a stirring symbol.

Francis Scott Key saw the first rays of dawn catch the flag over Fort McHenry on the morning of September 14, 1814, after a night of bombardment, and was moved to compose a victorious battle hymn dedicated to the flag and the land over which it waved. The hymn he wrote, The Star Spangled Banner, has inspired millions of Americans, but it was not until 1931 that Congress officially designated it as our National Anthem.

It was natural to call our flag the "Stars and Stripes" from the beginning, and the poetic inspiration of Francis Scott Key added the beloved title of Star-Spangled Banner.

It was a people of strong character who built this Nation and only a strong people can be trusted with its preservation for years to come.

May I remind you that the passage of time since the days of Washington and Jefferson has in no way lessened our responsibilities to our flag. We cannot rest on the achievements of our Founding Fathers. It is part of the price we must pay to keeep our flag as the symbol of this free Republic.

We need to instill in the minds of young America a consciousness of the forces of freedom which are symbolized in the red, white, and blue. As disciplined American citizens, we need to demonstrate continuously that we understand the institutions that are epitomized by our flag.

Man's emotions are most poignantly aroused by the use of the flag in war. But as the years pass, and as we hope and pray to avoid war, we should thrill to the sight of the flag flying over peaceful and humanitarian enterprises. We give the flag meaning when in our endeavors we rise above narrow partisanship or ignoble self-interest. We can give it meaning in our daily living just as others gave it meaning at Yorktown and at Iwo Jima—and during all the crises in between. Our flag is seen and recognized today in every civilized country as the banner of the world's best hope for permanent peace and for enduring progress.

The patriotism that is aroused in us on special occasions when we witness our flag must be directed to our everyday living. I sometimes wonder whether, in teaching American history, we do not over-emphasize the flavor of the spectacular and neglect to emphasize the solid foundations of hard work and continuous courage and discipline which have brought us into this year 1957.

Today is an opportune moment to stop and say, "What kind of citizen am I?"

We in America frequently use the words liberty, freedom, Republic, and democracy without thinking exactly what they mean. They are all difficult to define. Some of the ideas that these words suggest will appeal to one person and not to another. Some of the privileges of the liberty that Old Glory represents are so commonplace we take them for granted. But there are certain duties that go with the enjoyment of liberty, freedom, democracy, and the preservation of our free Republic. The duty of the citizen to protect his country with his life, if necessary, are familiar words to all of us. In times of peace the less spectacular duties are often overlooked.

Since the time of Plato, students of government have known that the greatest danger confronting a democracy or a republic is an apathetic citizenry. Indeed, the failure of a nation's citizens to exercise their political powers ultimately brings collapse. One of our great American pastimes has been to sit back in smug complacency and say "It can't happen here."

Flag Day is an excellent time to take a long, searching look at the facts, to examine the bad along with the good. It is an appropriate time to single out disturbing influences and to rise up against the forces of evil that would divide our people and sap our strength. Two forms of government are struggling for supremacy as we celebrate this Flag Day. In one form of government, the State is supreme master of the people. The citizen is told where to work, when to work, and what he is to receive for his labors. In the other form of government, the individual is the source of power. He is master of his government—a government based upon God's greatest gift to mankind, freedom of the individual and respect as well as responsiveness to the dignity of the human being.

In one form of government, worship of that government is enforced as the religion of the people. In ours, religion is the free choice of the individual. He worships God according to the dictates of his own conscience.

In the one form—the government of godless communism—all property rights have been wiped out. In the other—our form—the individual is entitled to enjoy the results of his ability, his energy, and his sacrifice.

What do we need to do in order to preserve our great Republic and to keep its flag secure and inviolate?

We must see that America is fully and correctly informed about the true objectives and methods of communism and its danger to all we hold dear.

We must take an active interest in public affairs. Always vote in elections—get others out to vote—and cast that vote intelligently.

We must be fair with our Government. In the interest of fair play and sound economy, we must promote and work for what we feel is best for our country. Our Government will be only as strong as we make it.

We must take a vital interest in the education of our children—get to know their teachers—know how schoolbooks are selected and what they contain. We must be sure that Communist poison is not being administered right under our very eyes, and supported by our own tax dollars.

We must not join groups or sign petitions unless we first investigate them. Communists have so perverted such appealing words as "peace," "freedom," "youth," and "mother" that any organization or document using these or similar words should be questioned until we know who is behind it.

We must strengthen the moral and spiritual fiber of America.

Under the shadow of the flag there is no limitation for our good works—no room for abridgment of our fidelity—no place to pause in our eternal vigilance.

America is still in the making. Its future destiny depends on the loyalty, the devotion, and the character of each citizen. To call men and women and children aside and remind them of their responsibilities to God and country on this Flag Day is the best devotion we can pay our flag.

As we count the blessings that have come since June 14, 1777, we cannot fail to recognize our debt to our flag. The high principles which it has continued to represent in war and peace should be studied, appreciated, and honored until they become part of our lives.

We can strengthen the structure of America if we work with renewed patriotism, increased courage, and firm determination to maintain high moral and spiritual standards.

On this Flag Day anniversary the love of the Stars and stripes should be our steadfast guide to better citizenship, better Americanism, and a deeper appreciation of the rich heritage and the glorious future that is ours.

SENATE

MONDAY, JUNE 17, 1957

The Senate met in executive session at 11 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou God of wisdom, in all our fallible, willful ways Thou hast called us to be fellowworkers with Thee—channels through which Thy will may be done on earth, as it is in heaven. While we come praying for our ailing world, with a realization that our strength is unequal to our tasks and that our insights are not deep enough for the solving of the tangled problems which confront us, we would pray most of all for ourselves—that the golden glory of the June flowers and foliage may be a parable of the blossoms of the divine grace of meekness, gentleness, charity, and forgiveness which shall make the barren wastes of our own lives as the garden of the Lord. In all, and through all, in the newness of life may our glad hearts sing with the singing birds:

This is my Father's world—
And though the wrong seems oft so strong,
God is the ruler yet.

We ask it in the Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 13, 1957, the President had approved and signed the following acts:

S. 895. An act for the relief of Josefa Kusiak;

S. 1203. An act for the relief of Lydia Anne Foote; and

S. 1463. An act to amend the Medals of Honor Act to authorize awards for acts of heroism involving any motor vehicle.

ORDER OF BUSINESS

The VICE PRESIDENT. Under the unanimous-consent order of Friday last, the Senate convened at 11 o'clock a. m. today for the purpose of considering the Atomic Energy Treaty. Under the rule, treaties are considered in executive session, and not in legislative session.

Therefore, in the opinion of the Chair, the Senate when it convened, automatically resolved itself into executive session for the purpose of considering the treaty in question.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings:)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GREEN, from the Committee on Foreign Relations:

Roy Richard Rubottom, Jr., of Texas, to be an Assistant Secretary of State, vice Henry F. Holland, resigned.

By Mr. EASTLAND, from the Committee on the Judiciary:

Darrell O. Holmes, of Washington, to be United States marshal for the eastern district of Washington.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The VICE PRESIDENT. The clerk will state the treaty by title.

The LEGISLATIVE CLERK. Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency, which was open for signature at United Nations Headquarters in New York, from October 26, 1956, to January 24, 1957, and during that period was signed in behalf of the United States of America and 79 other nations, reported favorably from the Foreign Relations Committee with an understanding.

The VICE PRESIDENT. Without objection, the treaty will be read the second time and considered as in Committee of the Whole.

The Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency, which was open for signature at United Nations Headquarters in New York, from October 26, 1956, to January 24, 1957, and during that period was signed in behalf of the United States of America and 79 other nations, which was read the second time, as follows:

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY [1]

Article I

Establishment of the Agency

The parties hereto establish an International Atomic Energy Agency (hereinafter referred to as "the Agency") upon the terms and conditions hereinafter set forth.

Article II

Objectives

The Agency shall seek to accelerate and enlarge the contribution of atomic energy to peace, health, and prosperity throughout the world. It shall ensure, so far as it is able, that assistance provided by it or at its request or under its supervision or control is not used in such a way as to further any military purpose.

Article III

Functions

A. The Agency is authorized:

1. To encourage and assist research on, and development and practical application of, atomic energy for peaceful uses throughout the world; and, if requested to do so, to act as an intermediary for the purposes of securing the performance of services or the supplying of materials, equipment, or facilities by one member of the Agency for another; and to perform any operation or service useful in research on, or development of practical application of, atomic energy for peaceful purposes;

2. To make provision, in accordance with this statute, for materials, services, equipment, and facilities to meet the needs of research on, and development and practical application of, atomic energy for peaceful purposes, including the production of electric power, with due consideration for the needs of the underdeveloped areas of the world;

3. To foster the exchange of scientific and technical information on peaceful uses of atomic energy;

4. To encourage the exchange and training of scientists and experts in the field of peaceful uses of atomic energy;

5. To establish and administer safeguards designed to insure that special fissionable and other materials, services, equipment, facilities, and information made available by the Agency or at its request or under its supervision or control are not used in such a way as to further any military purpose; and to apply safeguards, at the request of the parties, to any bilateral or multilateral arrangement, or, at the request of a State, to any of that State's activities in the field of atomic energy;

6. To establish or adopt, in consultation and, where appropriate, in collaboration with the competent organs of the United Nations and with the specialized agencies concerned, standards of safety for protection of health and minimization of danger to life and property (including such standards for labor conditions), and to provide for the application of these standards to its own operations as well as to the operations making use of materials, services, equipment, facilities, and information made available by the Agency or at its request or under its control or supervision; and to provide for the application of these standards, at the request of the parties, to operations under any bilateral or multilateral arrangement, or, at the request of a State, to any of that State's activities in the field of atomic energy;

7. To acquire or establish any facilities, plant, and equipment useful in carrying out its authorized functions, whenever the facilities, plant, and equipment otherwise available to it in the area concerned are inadequate or available only on terms it deems unsatisfactory.

B. In carrying out its functions, the Agency shall:

1. Conduct its activities in accordance with the purposes and principles of the United Nations to promote peace and international cooperation, and in conformity with policies of the United Nations furthering the establishment of safeguarded world-wide disarmament and in conformity with any international agreements entered into pursuant to such policies;

2. Establish control over the use of special fissionable materials received by the Agency, in order to insure that these materials are used only for peaceful purposes;

3. Allocate its resources in such a manner as to secure efficient utilization and the greatest possible general benefit in all areas of the world, bearing in mind the special needs of the underdeveloped areas of the world;

4. Submit reports on its activities annually to the General Assembly of the United Nations and, when appropriate, to the Security Council: if in connection with the activities of the Agency there should arise questions that are within the competence of the Security Council, the Agency shall notify the Security Council, as the organ bearing the main responsibility for the maintenance of international peace and security, and may also take the measures open to it under this statute, including those provided in paragraph C of article XII;

5. Submit reports to the Economic and Social Council and other organs of the United Nations on matters within the competence of these organs.

C. In carrying out its functions, the Agency shall not make assistance to members subject to any political, economic, military, or other conditions incompatible with the provisions of this statute.

D. Subject to the provisions of this statute and to the terms of agreements concluded between a State or a group of States and the Agency which shall be in accordance with the provisions of the statute, the activities of the Agency shall be carried out with due observance of the sovereign rights of States.

Article IV

Membership

A. The initial members of the Agency shall be those states members of the United Nations or of any of the specialized agencies which shall have signed this statute within 90 days after it is opened for signature and shall have deposited an instrument of ratification.

B. Other members of the Agency shall be those States, whether or not members of the United Nations or of any of the specialized agencies, which deposit an instrument of acceptance of this statute after their membership has been approved by the General Conference upon the recommendation of the Board of Governors. In recommending and approving a State for membership, the Board of Governors and the General Conference shall determine that the State is able and willing to carry out the obligations of membership in the Agency giving due consideration to its ability and willingness to act in accordance with the purposes and principles of the Charter of the United Nations.

C. The Agency is based on the principle of the sovereign equality of all its members, and all members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with this statute.

Article V

General Conference

A. A General Conference consisting of representatives of all members shall meet in regular annual session and in such special sessions as shall be convened by the Director General at the request of the Board of Governors or of a majority of members. The sessions shall take place at the headquarters of the Agency unless otherwise determined by the General Conference.

B. At such sessions, each member shall be represented by one delegate who may be accompanied by alternates and by advisers. The cost of attendance of any delegation shall be borne by the member concerned.

C. The General Conference shall elect a President and such other officers as may be required at the beginning of each session. They shall hold office for the duration of the session. The General Conference, subject to the provisions of this statute, shall adopt its own rules of procedure. Each member shall have one vote. Decisions pursuant to paragraph H of article XIV, paragraph C of article XVIII and paragraph B of article XIX shall be made by a two-thirds majority of the members present and voting. Decisions on other questions, including the determination of additional questions or categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting. A majority of members shall constitute a quorum.

D. The General Conference may discuss any questions or any matters within the scope of this statute or relating to the powers and functions of any organs provided for in this statute, and may make recommendations to the membership of the Agency or to the Board of Governors or to both on any such questions or matters.

E. The General Conference shall:

1. Elect members of the Board of Governors in accordance with article VI;

2. Approve States for membership in accordance with article IV;

3. Suspend a member from the privileges and rights of membership in accordance with article XIX;

4. Consider the annual report of the Board;

5. In accordance with article XIV, approve the budget of the Agency recommended by the Board or return it with recommendations as to its entirety or parts to the Board for resubmission to the General Conference;

6. Approve reports to be submitted to the United Nations as required by the relationship agreement between the Agency and the United Nations, except reports referred to in paragraph C of article XII, or return them to the Board with its recommendations;

7. Approve any agreement or agreements between the Agency and the united Nations and other organizations as provided in article XVI or return such agreements with its recommendations to the Board, for resubmission to the General Conference;

8. Approve rules and limitations regarding the exercise of borrowing powers by the Board, in accordance with paragraph G of article XIV; approve rules regarding the acceptance of voluntary contributions to the Agency; and approve, in accordance with paragraph F of article XIV, the manner in which the general fund referred to in that paragraph may be used;

9. Approve amendments to this statute in accordance with paragraph C of article XVIII;

10. Approve the appointment of the Director General in accordance with paragraph A of article VII.

F. The General Conference shall have the authority:

1. To take decisions on any matter specifically referred to the General Conference for this purpose by the Board;

2. To propose matters for consideration by the Board and request from the Board reports on any matters relating to the functions of the Agency.

Article VI

Board of Governors

A. The Board of Governors shall be composed as follows:

1. The outgoing Board of Governors (or in the case of the first Board, the Preparatory Commission referred to in Annex I) shall designate for membership on the Board the five members most advanced in the technology of atomic energy including the production of source materials and the member most advanced in the technology of atomic energy including the production of source materials in each of the following areas not represented by the aforesaid five:

(1) North America.
(2) Latin America.
(3) Western Europe.
(4) Eastern Europe.
(5) Africa and the Middle East.
(6) South Asia.
(7) South East Asia and the Pacific.
(8) Far East.

2. The outgoing Board of Governors (or in the case of the first Board, the Preparatory Commission referred to in Annex I) shall designate for membership on the Board two members from among the following other producers of source materials: Belgium, Czechoslovakia, Poland, and Portugal; and shall also designate for membership on the Board one other member as a supplier of technical assistance. No member in this category in any one year will be eligible for redesignation in the same category for the following year.

3. The General Conference shall elect ten members to membership on the Board of Governors, with due regard to equitable representation on the Board as a whole of the members in the areas listed in subparagraph A–1 of this article, so that the Board shall at all times include in this category a representative of each of those areas except North America. Except for the five members chosen for a term of one year in accordance with paragraph D of this article, no member in this category in any one term of office will be eligible for reelection in the same category for the following term of office.

B. The designations provided for in subparagraphs A–1 and A–2 of this article shall take place not less than 60 days before each regular annual session of the General Conference. The elections provided for in subparagraph A–3 of this article shall take place at regular sessions of the General Conference.

C. Members represented on the Board of Governors in accordance with subparagraphs A–1 and A–2 of this article shall hold office from the end of the next regular annual session of the General Conference after their designation until the end of the following regular annual session of the General Conference.

[1] Conference on the statute held at headquarters of the United Nations, September 20 to October 26, 1956.

D. Members represented on the Board of Governors in accordance with subparagraph A–3 of this article shall hold office from the end of the regular annual session of the General Conference at which they are elected until the end of the second regular annual session of the General Conference thereafter. In the election of these members for the first Board, however, 5 shall be chosen for a term of 1 year.

E. Each member of the Board of Governors shall have one vote. Decisions on the amount of the Agency's budget shall be made by a two-thirds majority of those present and voting, as provided in paragraph H of article XIV. Decisions on other questions, including the determination of additional questions or categories of questions to be decided by a two-thirds majority, shall be made by a majority of those present and voting. Two-thirds of all members of the Board shall constitute a quorum.

F. The Board of Governors shall have authority to carry out the functions of the Agency in accordance with this statute, subject to its responsibilities to the General Conference as provided in this statute.

G. The Board of Governors shall meet at such times as it may determine. The meetings shall take place at the headquarters of the Agency unless otherwise determined by the Board.

H. The Board of Governors shall elect a Chairman and other officers from among its members and, subject to the provisions of this statute, shall adopt its own rules of procedure.

I. The Board of Governors may establish such committees as it deems advisable. The Board may appoint persons to represent it in its relations with other organizations.

J. The Board of Governors shall prepare an annual report to the General Conference concerning the affairs of the Agency and any projects approved by the Agency. The Board shall also prepare for submission to the General Conference such reports as the Agency is or may be required to make to the United Nations or to any other organization the work of which is related to that of the Agency. These reports, along with the annual reports, shall be submitted to members of the Agency at least 1 month before the annual session of the General Conference.

Article VII

Staff

A. The staff of the Agency shall be headed by a Director General. The Director General shall be appointed by the Board of Governors with the approval of the General Conference for a term of 4 years. He shall be the chief administrative officer of the Agency.

B. The Director General shall be responsible for the appointment, organization, and functioning of the staff and shall be under the authority of and subject to the control of the Board of Governors. He shall perform his duties in accordance with regulations adopted by the Board.

C. The staff shall include such qualified scientific and technical and other personnel as may be required to fulfill the objectives and functions of the Agency. The Agency shall be guided by the principle that its permanent staff shall be kept to a minimum.

D. The paramount consideration in the recruitment and employment of the staff and in the determination of the conditions of service shall be to secure employees of the highest standards of efficiency, technical competence, and integrity. Subject to this consideration, due regard shall be paid to the contributions of members to the Agency and to the importance of recruiting the staff on as wide a geographical basis as possible.

E. The terms and conditions on which the staff shall be appointed, remunerated, and dismissed shall be in accordance with regulations made by the Board of Governors, subject to the provisions of this statute and to general rules approved by the General Conference on the recommendation of the Board.

F. In the performance of their duties, the Director General and the staff shall not seek or receive instructions from any source external to the Agency. They shall refrain from any action which might reflect on their position as officials of the Agency; subject to their responsibilities to the Agency, they shall not disclose any industrial secret or other confidential information coming to their knowledge by reason of their official duties for the Agency. Each member undertakes to respect the international character of the responsibilities of the Director General and the staff and shall not seek to influence them in the discharge of their duties.

G. In this article the term "staff" includes guards.

Article VIII

Exchange of Information

A. Each member should make available such information as would, in the judgment of the member, be helpful to the Agency.

B. Each member shall make available to the Agency all scientific information developed as a result of assistance extended by the Agency pursuant to article XI.

C. The Agency shall assemble and make available in an accessible form the information made available to it under paragraphs A and B of this article. It shall take positive steps to encourage the exchange among its members of information relating to the nature and peaceful uses of atomic energy and shall serve as an intermediary among its members for this purpose.

Article IX

Supplying of Materials

A. Members may make available to the Agency such quantities of special fissionable materials as they deem advisable and on such terms as shall be agreed with the Agency. The materials made available to the Agency may, at the discretion of the member making them available, be stored either by the member concerned or, with the agreement of the Agency, in the Agency's depots.

B. Members may also make available to the Agency source materials as defined in article XX and other materials. The Board of Governors shall determine the quantities of such materials which the Agency will accept under agreements provided for in article XIII.

C. Each member shall notify the Agency of the quantities, form, and composition of special fissionable materials, source materials, and other materials which that member is prepared, in conformity with its laws, to make available immediately or during a period specified by the Board of Governors.

D. On request of the Agency a member shall, from the materials which it has made available, without delay deliver to another member or group of members such quantities of such materials as the Agency may specify, and shall without delay deliver to the Agency itself such quantities of such materials as are really necessary for operations and scientific research in the facilities of the Agency.

E. The quantities, form, and composition of materials made available by any member may be changed at any time by the member with the approval of the Board of Governors.

F. An initial notification in accordance with paragraph C of this article shall be made within 3 months of the entry into force of this statute with respect to the member concerned. In the absence of a contrary decision of the Board of Governors, the materials initially made available shall be for the period of the calendar year succeeding the year when this statute takes effect with respect to the member concerned. Subsequent notifications shall likewise, in the absence of a contrary action by the Board, relate to the period of the calendar year following the notification and shall be made no later than the first day of November of each year.

G. The Agency shall specify the place and method of delivery and, where appropriate, the form and composition, of materials which it has requested a member to deliver from the amounts which that member has notified the Agency it is prepared to make available. The Agency shall also verify the quantities of materials delivered and shall report those quantities periodically to the members.

H. The Agency shall be responsible for storing and protecting materials in its possession. The Agency shall insure that these materials shall be safeguarded against (1) hazards of the weather, (2) unauthorized removal or diversion, (3) damage or destruction, including sabotage, and (4) forcible seizure. In storing special fissionable materials in its possession, the Agency shall insure the geographical distribution of these materials in such a way as not to allow concentration of large amounts of such materials in any one country or region of the world.

I. The Agency shall as soon as practicable establish or acquire such of the following as may be necessary:

1. Plant, equipment, and facilities for the receipt, storage, and issue of materials;
2. Physical safeguards;
3. Adequate health and safety measures;
4. Control laboratories for the analysis and verification of materials received;
5. Housing and administrative facilities for any staff required for the foregoing.

J. The materials made available pursuant to this article shall be used as determined by the Board of Governors in accordance with the provisions of this statute. No member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific project in which they must be used.

Article X

Services, Equipment, and Facilities

Members may make available to the Agency services, equipment, and facilities which may be of assistance in fulfilling the Agency's objectives and functions.

Article XI

Agency Projects

A. Any member or group of members of the Agency desiring to set up any project for research on, or development or practical application of, atomic energy for peaceful purposes may request the assistance of the Agency in securing special fissionable and other materials, services, equipment, and facilities necessary for this purpose. Any such request shall be accompanied by an explanation of the purpose and extent of the project and shall be considered by the Board of Governors.

B. Upon request, the Agency may also assist any member or group of members to make arrangements to secure necessary financing from outside sources to carry out such projects. In extending this assistance, the Agency will not be required to provide any guaranties or to assume any financial responsibility for the project.

C. The Agency may arrange for the supplying of any materials, services, equipment, and facilities necessary for the project by one or more members or may itself undertake to provide any or all of these directly, taking into consideration the wishes of the member or members making the request.

D. For the purpose of considering the request, the Agency may send into the territory of the member or group of members making the request a person or persons qualified to examine the project. For this purpose the Agency may, with the approval of the member or group of members making the request, use members of its own staff or employ suitably qualified nationals of any member.

E. Before approving a project under this article, the Board of Governors shall give due consideration to:

1. The usefulness of the project, including its scientific and technical feasibility;
2. The adequacy of plans, funds, and technical personnel to assure the effective execution of the project;
3. The adequacy of proposed health and safety standards for handling and storing materials and for operating facilities;
4. The inability of the member or group of members making the request to secure the necessary finances, materials, facilities, equipment, and services;
5. The equitable distribution of materials and other resources available to the Agency;
6. The special needs of the underdeveloped areas of the world; and
7. Such other matters as may be relevant.

F. Upon approving a project, the Agency shall enter into an agreement with the member or group of members submitting the project, which agreement shall:

1. Provide for allocation to the project of any required special fissionable or other materials;
2. Provide for transfer of special fissionable materials from their then place of custody, whether the materials be in the custody of the Agency or of the member making them available for use in Agency projects, to the member or group of members submitting the project; under conditions which ensure the safety of any shipment required and meet applicable health and safety standards;
3. Set forth the terms and conditions, including charges, on which any materials, services, equipment, and facilities are to be provided by the Agency itself, and, if any such materials, services, equipment, and facilities are to be provided by a member, the terms and conditions as arranged for by the member or group of members submitting the project and the supplying member;
4. Include undertakings by the member or group of members submitting the project: (a) that the assistance provided shall not be used in such a way as to further any military purpose; and (b) that the project shall be subject to the safeguards provided for in article XII, the relevant safeguards being specified in the agreement;
5. Make appropriate provision regarding the rights and interests of the Agency and the member or members concerned in any inventions or discoveries, or any patents therein, arising from the project;
6. Make appropriate provision regarding settlement of disputes;
7. Include such other provisions as may be appropriate.

G. The provisions of this article shall also apply where appropriate to a request for materials, services, facilities, or equipment in connection with an existing project.

Article XII

Agency Safeguards

A. With respect to any Agency project, or other arrangement where the Agency is requested by the parties concerned to apply safeguards, the Agency shall have the following rights and responsibilities to the extent relevant to the project or arrangement:

1. To examine the design of specialized equipment and facilities including nuclear reactors, and to approve it only from the viewpoint of assuring that it will not further any military purpose, that it complies with applicable health and safety standards, and that it will permit effective application of the safeguards provided for in this article;
2. To require the observance of any health and safety measures prescribed by the Agency;
3. To require the maintenance and production of operating records to assist in ensuring accountability for source and special fissionable materials used or produced in the project or arrangement;
4. To call for and receive progress reports;
5. To approve the means to be used for the chemical processing of irradiated materials solely to ensure that this chemical processing will not lend itself to diversion of materials for military purposes and will comply with applicable health and safety standards; to require that special fissionable materials recovered or produced as a by-product be used for peaceful purposes under continuing Agency safeguards for research or in reactors, existing or under construction, specified by the member or members concerned; and to require deposit with the Agency of any excess of any special fissionable materials recovered or produced as a by-product over what is needed for the above-stated uses in order to prevent stockpiling of these materials, provided that thereafter at the request of the member or members concerned special fissionable materials so deposited with the Agency shall be returned promptly to the member or members concerned for use under the same provisions as stated above;
6. To send into the territory of the recipient state or states inspectors designated by the Agency after consultation with the state or states concerned, who shall have access at all times to all places and data and to any person who by reason of his occupation deals with materials, equipment, or facilities which are required by this statute to be safeguarded, as necessary to account for source and special fissionable materials supplied and fissionable products and to determine whether there is compliance with the undertaking against use in furtherance of any military purpose referred to in subparagraph F–4 of article XI, with the health and safety measures referred to in subparagraph A–2 of this article, and with any other conditions prescribed in the agreement between the Agency and the state or states concerned. Inspectors designated by the Agency shall be accompanied by representatives of the authorities of the state concerned, if that state so requests, provided that the inspectors shall not thereby be delayed or otherwise impeded in the exercise of their functions;
7. In the event of noncompliance and failure by the recipient state or states to take requested corrective steps within a reasonable time, to suspend or terminate assistance and withdraw any materials and equipment made available by the Agency or a member in furtherance of the project.

B. The Agency shall, as necessary, establish a staff of inspectors. The staff of inspectors shall have the responsibility of examining all operations conducted by the Agency itself to determine whether the Agency is complying with the health and safety measures prescribed by it for application to projects subject to its approval, supervision or control, and whether the Agency is taking adequate measures to prevent the source and special fissionable materials in its custody or used or produced in its own operations from being used in furtherance of any military purpose. The Agency shall take remedial action forthwith to correct any noncompliance or failure to take adequate measures.

C. The staff of inspectors shall also have the responsibility of obtaining and verifying the accounting referred to in subparagraph A–6 of this article and of determining whether there is compliance with the undertaking referred to in subparagraph F–4 of article XI, with the measures referred to in subparagraph A–2 of this article, and with all other conditions of the project prescribed in the agreement between the Agency and the state or states concerned. The inspectors shall report any noncompliance to the Director General who shall thereupon transmit the report to the Board of Governors. The Board shall call upon the recipient state or states to remedy forthwith any noncompliance which it finds to have occurred. The Board shall report the noncompliance to all members and to the Security Council and General Assembly of the United Nations. In the event of failure of the recipient state or States to take fully corrective action within a reasonable time, the Board may take one or both of the following measures: direct curtailment or suspension of assistance being provided by the Agency or by a member, and call for the return of materials and equipment made available to the recipient member or group of members. The Agency may also, in accordance with article XIX, suspend any noncomplying member from the exercise of the privileges and rights of membership.

Article XIII

Reimbursement of Members

Unless otherwise agreed upon between the Board of Governors and the member furnishing to the Agency materials, services, equipment, or facilities, the Board shall enter into an agreement with such member providing for reimbursement for the items furnished.

Article XIV

Finance

A. The Board of Governors shall submit to the General Conference the annual budget estimates for the expenses of the Agency. To facilitate the work of the Board in this regard, the Director General shall initially prepare the budget estimates. If the General Conference does not approve the estimates, it shall return them together with its recommendations to the Board. The Board shall then submit further estimates to the General Conference for its approval.

B. Expenditures of the Agency shall be classified under the following categories:

1. Administrative expenses: These shall include:

(a) Costs of the staff of the Agency other than the staff employed in connection with materials, services, equipment, and facilities referred to in subparagraph B–2 below; costs of meetings; and expenditures required for the preparation of Agency projects and for the distribution of information;

(b) Costs of implementing the safeguards referred to in article XII in relation to Agency projects or, under subparagraph A–5 of article III, in relation to any bilateral or multilateral arrangement, together with the costs of handling and storage of special fissionable material by the Agency other than the storage and handling charges referred to in paragraph E below;

2. Expenses, other than those included in subparagraph 1 of this paragraph, in connection with any materials, facilities, plant, and equipment acquired or established by the Agency in carrying out its authorized functions, and the costs of materials, services, equipment, and facilities provided by it under agreements with one or more members.

C. In fixing the expenditures under subparagraph B–1 (b) above, the Board of Governors shall deduct such amounts as are recoverable under agreements regarding the application of safeguards between the Agency and parties to bilateral or multilateral arrangements.

D. The Board of Governors shall apportion the expenses referred to in subparagraph B–1 above, among members in accordance with a scale to be fixed by the General Conference. In fixing the scale the General Conference shall be guided by the principles adopted by the United Nations in assessing contributions of member states to the regular budget of the United Nations.

E. The Board of Governors shall establish periodically a scale of charges, including reasonable uniform storage and handling charges, for materials, services, equipment, and facilities furnished to members by the Agency. The scale shall be designed to produce revenues for the Agency adequate to

meet the expenses and costs referred to in subparagraph B–2 above, less any voluntary contributions which the Board of Governors may, in accordance with paragraph F, apply for this purpose. The proceeds of such charges shall be placed in a separate fund which shall be used to pay members for any materials, services, equipment, or facilities furnished by them and to meet other expenses referred to in subparagraph B–2 above which may be incurred by the Agency itself.

F. Any excess of revenues referred to in paragraph E over the expenses and costs there referred to, and any voluntary contributions to the Agency, shall be placed in a general fund which may be used as the Board of Governors, with the approval of the General Conference, may determine.

G. Subject to rules and limitations approved by the General Conference, the Board of Governors shall have the authority to exercise borrowing powers on behalf of the Agency without, however, imposing on members of the Agency any liability in respect of loans entered into pursuant to this authority, and to accept voluntary contributions made to the Agency.

H. Decisions of the General Conference on financial questions and of the Board of Governors on the amount of the Agency's budget shall require a two-thirds majority of those present and voting.

Article XV

Privileges and Immunities

A. The Agency shall enjoy in the territory of each member such legal capacity and such privileges and immunities as are necessary for the exercise of its functions.

B. Delegates of members together with their alternates and advisers, Governors appointed to the Board together with their alternates and advisers, and the Director General and the staff of the Agency, shall enjoy such privileges and immunities as are necessary in the independent exercise of their functions in connection with the Agency.

C. The legal capacity, privileges, and immunities referred to in this article shall be defined in a separate agreement or agreements between the Agency, represented for this purpose by the Director General acting under instructions of the Board of Governors, and the members.

Article XVI

Relationship With Other Organizations

A. The Board of Governors, with the approval of the General Conference, is authorized to enter into an agreement or agreements establishing an appropriate relationship between the Agency and the United Nations and any other organizations the work of which is related to that of the Agency.

B. The agreement or agreements establishing the relationship of the Agency and the United Nations shall provide for:

1. Submission by the Agency of reports as provided for in subparagraphs B–4 and B–5 of article III;

2. Consideration by the Agency of resolutions relating to it adopted by the General Assembly or any of the Councils of the United Nations and the submission of reports, when requested, to the appropriate organ of the United Nations on the action taken by the Agency or by its members in accordance with this statute as a result of such consideration.

Article XVII

Settlement of Disputes

A. Any question or dispute concerning the interpretation or application of this statute which is not settled by negotiation shall be referred to the International Court of Justice in conformity with the statute of the Court, unless the parties concerned agree on another mode of settlement.

B. The General Conference and the Board of Governors are separately empowered, subject to authorization from the General Assembly of the United Nations, to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of the Agency's activities.

Article XVIII

Amendments and Withdrawals

A. Amendments to this statute may be proposed by any member. Certified copies of the text of any amendment proposed shall be prepared by the Director General and communicated by him to all members at least 90 days in advance of its consideration by the General Conference.

B. At the fifth annual session of the General Conference following the coming into force of this statute, the question of a general review of the provisions of this statute shall be placed on the agenda of that session. On approval by a majority of the members present and voting, the review will take place at the following General Conference. Thereafter, proposals on the question of a general review of this statute may be submitted for decision by the General Conference under the same procedure.

C. Amendments shall come into force for all members when:

(i) Approved by the General Conference by a two-thirds majority of those present and voting after consideration of observations submitted by the Board of Governors on each proposed amendment, and

(ii) Accepted by two-thirds of all the members in accordance with their respective constitutional processes. Acceptance by a member shall be effected by the deposit of an instrument of acceptance with the depositary Government referred to in paragraph C of article XXI.

D. At any time after five years from the date when this statute shall take effect in accordance with paragraph E of article XXI or whenever a member is unwilling to accept an amendment to this statute, it may withdraw from the Agency by notice in writing to that effect given to the depositary government referred to in paragraph C of article XXI, which shall promptly inform the Board of Governors and all members.

E. Withdrawal by a member from the Agency shall not affect its contractual obligations entered into pursuant to article XI or its budgetary obligations for the year in which it withdraws.

Article XIX

Suspension of Privileges

A. A member of the Agency which is in arrears in the payment of its financial contributions to the Agency shall have no vote in the Agency if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two years. The General Conference may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member.

B. A member which has persistently violated the provisions of this statute or of any agreement entered into by it pursuant to this statute may be suspended from the exercise of the privileges and rights of membership by the General Conference acting by a two-thirds majority of the members present and voting upon recommendation by the Board of Governors.

Article XX

Definitions

As used in this statute:

1. The term "special fissionable material" means plutonium 239; uranium 233; uranium enriched in the isotopes 235 or 233; any material containing one or more of the foregoing; and such other fissionable material as the Board of Governors shall from time to time determine; but the term "special fissionable material" does not include source material.

2. The term "uranium enriched in the isotopes 235 or 233" means uranium containing the isotopes 235 or 233 or both in an amount such that the abundance ratio of the sum of these isotopes to the isotope 238 is greater than the ratio of the isotope 235 to the isotope 238 occurring in nature.

3. The term "source material" means uranium containing the mixture of isotopes occurring in nature; uranium depleted in the isotope 235; thorium; any of the foregoing in the form of metal, alloy, chemical compound, or concentrate; any other material containing one or more of the foregoing in such concentration as the Board of Governors shall from time to time determine; and such other material as the Board of Governors shall from time to time determine.

Article XXI

Signature, Acceptance, and Entry Into Force

A. This statute shall be open for signature on 26 October 1956 by all states members of the United Nations or of any of the specialized agencies and shall remain open for signature by those states for a period of ninety days.

B. The signatory states shall become parties to this statute by deposit of an instrument of ratification.

C. Instruments of ratification by signatory states and instruments of acceptance by states whose membership has been approved under paragraph B of article IV of this statute shall be deposited with the Government of the United States of America, hereby designated as depositary government.

D. Ratification or acceptance of this statute shall be effected by states in accordance with their respective constitutional processes.

E. This statute, apart from the Annex, shall come into force when 18 states have deposited instruments of ratification in accordance with paragraph B of this article, provided that such 18 states shall include at least 3 of the following States: Canada, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. Instruments of ratification and instruments of acceptance deposited thereafter shall take effect on the date of their receipt.

F. The depositary government shall promptly inform all states signatory to this statute of the date of each deposit of ratification and the date of entry into force of the statute. The depositary government shall promptly inform all signatories and members of the dates on which States subsequently become parties thereto.

G. The Annex to this statute shall come into force on the first day this statute is open for signature.

Article XXII

Registration With the United Nations

A. This statute shall be registered by the depositary Government pursuant to article 102 of the Charter of the United Nations.

B. Agreements between the Agency and any member or members, agreements between the Agency and any other organization or organizations, and agreements between members subject to approval of the Agency, shall be registered with the Agency. Such agreements shall be registered by the Agency with the United Nations if registration is required under article 102 of the Charter of the United Nations.

Article XXIII

Authentic Texts and Certified Copies

This statute, done in the Chinese, English, French, Russian, and Spanish languages, each being equally authentic, shall be deposited in the archives of the depositary Government. Duly certified copies of this Statute shall be transmitted by the depositary Government to the Governments of the other signatory States and to the Governments of States admitted to membership under paragraph B of article IV.

In witness whereof the undersigned, duly authorized, have signed this Statute.

Done at the Headquarters of the United Nations, this twenty-sixth day of October, one thousand nine hundred and fifty-six.

[Here follows a list of signatures in behalf of 80 countries. See summary.]

Annex I

Preparatory Commission

A. A Preparatory Commission shall come into existence on the first day this statute is open for signature. It shall be composed of one representative each of Australia, Belgium, Brazil, Canada, Czechoslovakia, France, India, Portugal, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, and United States of America, and one representative each of six other States to be chosen by the International Conference on the Statute of the International Atomic Energy Agency. The Preparatory Commission shall remain in existence until this statute comes into force and thereafter until the General Conference has convened and a Board of Governors has been selected in accordance with article VI.

B. The expenses of the Preparatory Commission may be met by a loan provided by the United Nations and for this purpose the Preparatory Commission shall make the necessary arrangements with the appropriate authorities of the United Nations, including arrangements for repayment of the loan by the Agency. Should these funds be insufficient, the Preparatory Commission may accept advances from Governments. Such advances may be set off against the contributions of the Governments concerned to the Agency.

C. The Preparatory Commission shall—

1. Elect its own officers, adopt its own rules of procedure, meet as often as necessary, determine its own place of meeting and establish such committees as it deems necessary;

2. Appoint an executive secretary and staff as shall be necessary, who shall exercise such powers and perform such duties as the Commission may determine;

3. Make arrangements for the first session of the General Conference, including the preparation of a provisional agenda and draft rules of procedure, such session to be held as soon as possible after the entry into force of this statute;

4. Make designations for membership on the first Board of Governors in accordance with subparagraphs A–1 and A–2 and paragraph B of article VI;

5. Make studies, reports, and recommendations for the first session of the General Conference and for the first meeting of the Board of Governors on subjects of concern to the Agency requiring immediate attention, including (a) the financing of the Agency; (b) the programs and budget for the first year of the Agency; (c) technical problems relevant to advance planning of Agency operations; (d) the establishment of a permanent Agency staff; and (e) the location of the permanent headquarters of the Agency;

6. Make recommendations for the first meeting of the Board of Governors concerning the provisions of a headquarters agreement defining the status of the Agency and the rights and obligations which will exist in the relationship between the Agency and the host Government;

7. (a) Enter into negotiations with the United Nations with a view to the preparation of a draft agreement in accordance with article XVI of this statute, such draft agreement to be submitted to the first session of the General Conference and to the first meeting of the Board of Governors; and (b) make recommendations to the first session of the General Conference and to the first meeting of the Board of Governors concerning the relationship of the Agency to other international organizations as contemplated in article XVI of this statute.

SUMMARY OF THE STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

Articles I and II

The statute upon its entry into force will establish the International Atomic Energy Agency, the basic objective of which is to seek to accelerate and enlarge the contribution of atomic energy to peace, health, and prosperity throughout the world without at the same time furthering any military purpose.

Article III

The functions of the Agency set forth in article III of the statute are (a) to encourage and assist research on, and development and practical application of, atomic energy for peaceful purposes throughout the world; (b) to make provision for materials, services, equipment, and facilities needed to carry out the foregoing purpose; (c) to foster the exchange of scientific and technical information on, and the exchange and training of scientists and experts in, the peaceful uses of atomic energy; (d) to establish and administer safeguards to ensure that fissionable or other materials, services, equipment, facilities, and information with which the Agency deals are not used to further any military purpose; (e) to participate in the establishment, adoption, and application of standards of safety for the protection of health and the minimization of danger to life and property from activities in the field of atomic energy; and (f) to acquire or establish any facilities, plant, and equipment useful in carrying out its authorized functions.

In carrying out its functions, the Agency is required by the statute (a) to conduct its activities in accordance with the purposes and principles of the United Nations and, in particular, in conformity with United Nations policies furthering the establishment of a safeguarded worldwide disarmament; (b) to control the use of such fissionable materials as are received by the Agency so as to insure that they are used only for peaceful purposes; (c) to allocate its resources so as to secure efficient utilization and wide distribution of their benefits throughout the world, bearing in mind the special needs of the underdeveloped areas; (d) to submit annual reports on its activities to the General Assembly of the United Nations; (e) when appropriate, to submit reports and information to the Security Council, Economic and Social Council, and other organs of the United Nations; (f) to refuse to give assistance to member countries under political, economic, military, or other conditions that are inconsistent with the statute; and (g) subject to the terms of any agreements that may be made between a state or group of states and the Agency, to give due observance to the sovereign rights of states.

Article IV

Initial members of the Agency are to be states members of the United Nations or of any of the specialized agencies which signed the statute within 90 days after it was opened for signature and which deposit instruments of ratification. The following 80 states signed the statute during the period it was open for signature:

Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Federal Republic of Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Israel, Italy, Japan, Korea, Laos, Lebanon, Liberia, Libya, Luxembourg, Mexico, Monaco, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippine Republic, Poland, Portugal, Rumania, Spain, Sudan, Sweden, Switzerland, Syria, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vatican City, Venezuela, Vietnam, Yugoslavia.

Other states may become members of the Agency if their membership is approved by the General Conference upon recommendation of the Board of Governors. In making their recommendations and approvals, the Board of Governors and the General Conference are directed to "determine that the State is able and willing to carry out the obligations of membership in the Agency, giving due consideration to its ability and willingness to act in accordance with the purposes and principles of the Charter of the United Nations."

Article V

The General Conference of the Agency is to be composed of representatives of all the members of the Agency, each member having one vote therein. The General Conference is to meet annually and in such special sessions as are called by the Director General at the request of the Board of Governors or a majority of the members of the Agency. Each member is to be represented at the sessions of the General Conference by one delegate who may be accompanied by alternates and advisers.

The General Conference is to have powers of discussion and recommendation on any matters within the scope of the statute. In addition, it is to elect 10 members of the Board of Governors, approve states for membership, suspend members for persistent violations of the provisions of the statute (art. XIX), and consider the annual report of the Board of Governors. The General Conference is also to be responsible for approving, or recommending changes in, the budget submitted to it by the Board of Governors; approving reports to be submitted to the United Nations except reports to the Security Council of noncompliance with Agency safeguards (art. XII (C)); approving, or recommending changes in, agreements between the Agency and the United Nations or other organizations; approving rules regarding the exercise of the borrowing power, acceptance of voluntary contributions, and use of the general fund (art. XIV (F)); approving amendments to the statute; and approving the appointment of the Director General. The General Conference may make decisions on any matter referred to it for that purpose by the Board of Governors and may propose matters for consideration by the Board or request reports from the Board on any matters relating to the functions of the Agency.

Article VI

The Board of Governors is to have primary responsibility for carrying out the functions of the Agency. In particular, it is to have responsibility for determining the quantities of source of materials, as defined in article XX, and other materials the Agency will accept and the use of such source and special fissionable materials, as are made available to the Agency (art. IX); for approving projects for the peaceful use of atomic energy (art. XI); for imposing sanctions against members which do not comply with Agency safeguards (art. XII); for submitting to the

General Conference an annual report (art. VI) and the annual budget estimates, apportioning administrative expenses among members in accordance with a scale to be fixed by the General Conference, and establishing periodically a scale of charges, for materials, services, equipment and facilities furnished to members by the Agency (art. XIV); for negotiating agreements establishing the relationship of the Agency to the United Nations and other organizations (art. XVI); for requesting, when necessary, special sessions of the General Conference (art. V); for designating nonelected members to the succeeding Board and for establishing necessary committees (art. VI); for appointing with consent of the General Conference the Director General (art. VII); and for preparing such reports as the Agency is required to make to the United Nations or other organizations (art. VI).

In forming the composition of the Board, the outgoing Board (or in the case of the first Board, the Preparatory Commission referred to in the annex to the statute) designates (a) the 5 members most advanced in the technology of atomic energy including the production of source materials; (b) the member most advanced in the technology of atomic energy including the production of source materials from each of the following areas not represented by the aforesaid 5: North America, Latin America, Western Europe, Eastern Europe, Africa, and the Middle East, South Asia, Southeast Asia and the Pacific, and the Far East; (c) 2 members from the following producers of source materials: Belgium, Czechoslovakia, Poland, and Portugal; (d) 1 other member as a supplier of technical assistance; in addition, the General Conference elects (e) 10 members, having due regard to the equitable representation on the Board of those areas listed above (category (b)) so that the Board at all times includes in this category a member from each of those areas except North America. Members designated under categories (d) and (e) (except for 5 members elected to the first Board) are ineligible for redesignation or reelection in the same category the following year. Each member of the Board has one vote, and decisions are taken by a majority of those present and voting, except for decisions on the Agency's budget which require a two-thirds majority of those present and voting.

Article VII

The staff of the Agency is to be headed by a Director General appointed for 4 years by the Board of Governors with the approval of the General Conference. He is to be responsible for the appointment, organization, and functioning of the staff subject to the control of the Board of Governors and in accordance with regulations they adopt. The Agency staff is to be kept to a minimum. In recruiting the staff and determining the conditions of service, the paramount consideration is to be to secure employees of the highest standards efficiency, technical competence, and integrity. Subject to that consideration, due regard is to be paid to members' contributions to the Agency and to the importance of recruiting staff on as wide a geographical basis as possible.

The Director General and the staff are forbidden to disclose any industrial secret or other confidential information coming to their knowledge by reason of their official duties for the Agency. The international character of the responsibilities of the Director General and the staff are recognized.

Article VIII

Article VIII of the statute contains provisions for the exchange and dissemination of information relating to the nature and peaceful uses of atomic energy. It provides that each member should make available such information as would, in the judgment of the member, be helpful to the Agency, and requires each member to make available all scientific information acquired as a result of assistance extended by the Agency. The Agency is to make information thus acquired available in accessible form and to encourage the exchange of information among its members. The statute in no way requires a government to transmit classified information.

Article IX

Provisions governing the supply of special fissionable, source, and other materials by members to the Agency are detailed in article IX. Members are required to notify the Agency annually of the quantities, form, and composition of the materials that they will voluntarily make available to the Agency during the succeeding calendar year. The materials are to be supplied on terms agreed to between the Agency and the members supplying them. The Board of Governors is to determine the use to be made of materials supplied by members, and no member has the right to require the Agency to keep separate the materials that it supplies or to designate the specific project in which they may be used. The materials supplied may, in the discretion of the member supplying them, be stored by that member or by the Agency. The Agency is to be responsible for storing and protecting the materials in its possession, and, to that end, the Agency is required to establish or acquire such facilities (storage, laboratories, housing, etc.), safeguards, and health and safety measures as are necessary.

Article X

In addition to special fissionable, source, and other materials, members may make available to the Agency services, equipment, and facilities that may be of assistance in carrying out the Agency's projects.

Article XI

Agency participation in projects for peaceful uses of atomic energy may be requested by any member or group of members. Agency participation takes the form of supplying, or arranging for the supply of, necessary materials, services, equipment, and facilities, as well as assisting in securing financial support from outside sources. A member or group of members requesting the assistance of the Agency is required to submit an explanation of the purpose and extent of the project and, in considering the request, the Agency may send qualified persons into the territory of the member or members making the request to examine the project. The Statute states specific criteria that are to be considered by the Board of Governors before approving a project: (1) usefulness and technical feasibility; (2) probability of successful completion; (3) adequacy of safeguards: (4) need for Agency assistance; (5) equitable distribution of materials and other resources available to the Agency; (6) special needs of the underdeveloped areas. In addition the Board is directed to consider "such other matters as may be relevant."

If the Board approves a project, an implementing agreement is concluded between the Agency and the member or group of members submitting the project. The statute requires that the agreement shall include provisions covering the following topics: (1) allocation of required special fissionable or other materials to the project; (2) transfer of such materials, under appropriate safeguards, to the member or group of members submitting the project; (3) terms and conditions on which any materials, services, equipment, and facilities are provided to the member or members submitting the project; (4) an undertaking that the assistance provided will not be used to further any military purpose; (5) the relevant safeguards applicable under article XII of the statute; (6) rights and interests of the Agency and of the member or member concerned in any invention or discoveries arising from the project; (7) settlement of disputes; and (8) such other provisions as the Board of Governors considers appropriate.

Article XII

Article XII, dealing with safeguards, is crucial to the achievement of the Agency's objectives. It was debated at great length in the Conference that drafted that statute. By incorporating article XII in the statute, the Conference gave recognition to the need for safeguards designed to prevent source and fissionable material used or produced in Agency-sponsored projects from being diverted to use for military purposes.

The safeguards are applicable only "to the extent relevant to the project or arrangement" in question. For example, if the Agency were to supply radioisotopes for medical diagnosis, there would be neither occasion nor need for any safeguards other than those relating to the protection of health and safety. The first safeguard specified in article XII (A) gives the Agency the right and the responsibility to "examine the design of specialized equipment and facilities, including nuclear reactors, and to approve it only from the viewpoint of assuring that it will not further any military purpose, that it complies with applicable health and safety standards, and that it will permit effective application of the safeguards provided for in this article."

Approval or disapproval of a design on the basis of criteria that are not relevant to the problem of safeguards would be improper under article XII, although it should be pointed out that questions of scientific and technical feasibility, etc., are to be considered by the Board of Governors in approving the project as a whole (art. XI).

The second listed safeguard, requiring observance of health and safety measures prescribed by the Agency, is aimed at the protection of life and property.

The third and fourth listed safeguards, dealing with the making of operating records and progress reports in order to insure accountability for source and special fissionable materials used or produced in Agency products, are necessary to prevent diversion to military purposes as well as to achieve sound management and administration.

The fifth listed safeguard provides that the means used for chemical processing of materials irradiated in an Agency-sponsored project must be approved by the Agency. It is necessary that the Agency have its right, for the dangers to health and safety and the possibility of diversion to military purposes during the chemical processing are great. The Agency is also given the right to require that any special fissionable materials recovered or produced as a byproduct of an Agency-sponsored project be used for peaceful purposes under continuing Agency safeguards or, if such byproducts are in excess of current needs for peaceful purposes, to require that they be deposited with the Agency until such time as the member or members concerned can put them to peaceful uses. There requirements provide the basis for preventing the accumulation by members of stockpiles of special fissionable materials from Agency projects. Such provisions are essential, since a stockpile honestly intended for future peaceful use is indistinguishable from one intended for future military use and could, in fact, be turned to military uses. However, the fact that a nation producing byproduct fissionable materials in an Agency-sponsored project cannot stockpile them itself does not mean that it cannot make full use of them for peaceful purposes at some future time, for the statute expressly provides that such materials deposited with the Agency shall "at the request of the member or members concerned * * * be returned promptly * * * for use under" continuing Agency safeguards.

The sixth listed safeguard is inspection. After consultation with the state or states concerned, the Agency has the right to send into recipient states inspectors selected in accordance with the standards set forth in article VII. They are to be given access at all times to all places and data and to any person who by reason of his occupation deals with materials, equipment, or facilities which are required by the statute to be safeguarded, as necessary to account for source and fissionable materials and to verify compliance with the applicable health and safety measures, with the undertaking against use in furtherance of any military purpose, and with any other conditions prescribed in the agreement between the Agency and the State or States concerned.

The inspectors are also charged with the responsibility (art. XIII (B)) for examining all operations conducted by the Agency itself in order to insure that the Agency's activities, equally with those of the recipient countries, comply with the appropriate health and safety measures and that adequate measures are taken to prevent source and special fissionable materials in the custody of the Agency or used or produced in its operations from being used in furtherance of any military purpose.

Subparagraph C of article XII spells out the procedures by which sanctions are brought to bear in the event of noncompliance with the applicable safeguards and undertakings. The inspectors report noncompliance to the Director General, who in turn transmits the report to the Board of Governors. The Board is required to report the noncompliance to all members of the Agency and to the Security Council and General Assembly of the United Nations. If the recipient state or states fail to take corrective action within a reasonable time, the Board may curtail or suspend Agency assistance and call for the return of materials and equipment made available to the state or states concerned. In accordance with article XIX, the Agency may also suspend any noncomplying member from the exercise of the privileges and rights of membership.

Article XIII

Article XIII provides that, unless otherwise agreed upon between the Board of Governors and the member furnishing to the Agency materials, services, equipment, or facilities, the Board shall enter into an agreement with such member providing for reimbursement for the items furnished.

Article XIV

Provisions regarding finance are set forth in article XIV. Annual budget estimates for Agency expenses are to be prepared initially by the Director General and submitted by the Board of Governors to the General Conference for approval. If the General Conference does not approve the estimates, it may make recommendations to the Board so that the latter may submit further estimates.

Administrative expenses of the Agency will include costs of administrative staff, costs of meetings, expenses of preparing Agency projects and distributing information, together with such costs of implementing safeguards and of handling and storing special fissionable material as are not otherwise recoverable. The scale to be used in apportioning administrative expenses among the member states is to be fixed by the General Conference, which is to be guided by the principles followed in assessing contributions of member states to the United Nations budget.

The cost of materials, facilities, plants, and equipment furnished by the Agency and expenses (other than administrative expenses) incurred in connection therewith are to be financed through charges. The scale of charges is to be worked out periodically by the Board of Governors. In addition, voluntary contributions received by the Agency may be applied, at the discretion of the Board of Governors, to meet such expenses. A separate fund is to be set up to receive the proceeds of the operational charges assessed against members. Out of this fund, members furnishing materials, services, equipment, or facilities are to be reimbursed and operational expenses of the Agency in connection with these items are to be met.

If the revenues of this type exceed operational expenses and costs, the excess is to be placed in a general fund, together with any unobligated voluntary contributions received by the Agency. The general fund may be used as determined by the Board of Governors, with the approval of the General Conference.

The statute provides also for borrowing powers on the part of the Agency. It makes clear, however, that members of the Agency are not legally or financially liable for repayment of the money borrowed.

A two-thirds majority of those present and voting is required for decisions of the General Conference on financial questions and of the Board of Governors on the amount of the Agency's budget.

Article XV

Article XV concerns legal capacity, privileges, and immunities to be enjoyed by the Agency in the territory of each member, and the privileges and immunities to be enjoyed by delegates, alternates, advisers, the Director General, and the Agency staff in exercising their official functions. Provision is made for special agreements on this subject between the Agency and its members.

It is anticipated that such privileges and immunities as may be granted in the United States will be pursuant to the International Organizations Immunities Act (22 U. S. C. 288 et seq.).

Article XVI

Establishment by special agreement of the relationship between the Agency and United Nations is provided for by article XVI with special reference to submission of reports to the United Nations and consideration of United Nations resolutions. The article also anticipates the establishment by special agreement of an appropriate relationship between the Agency and other organizations with related interests.

Article XVII

Article XVII calls for reference to the International Court of Justice of disputes concerning interpretation or application of the statute, unless the parties concerned agree on another mode of settlement. In addition, the General Conference and the Board of Governors are separately empowered, subject to authorization from the United Nations General Assembly, to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of the Agency's activities.

Article XVIII

Amendments to the statute are provided for in article XVIII. Proposals for amendment may be made by any member and will be communicated to all members at least ninety days before being considered by the General Conference. Amendments come into force for all members when they have been approved by the General Conference by a two-thirds majority of those present and voting and have been accepted by two-thirds of all the members in accordance with their respective constitutional processes.

If a member is unwilling to accept an amendment to the statute, it may withdraw from the Agency by notice in writing to the depositary government. In addition, a member may withdraw for any reason at any time after 5 years from the date the statute takes effect. Withdrawal does not relieve a member of its contractual obligations with regard to assistance received from the Agency, or budgetary obligations for the year in which it withdraws.

This article also provides that the question of a general review of the statute is to be placed on the agenda of the fifth annual session of the General Conference. If approved by a majority of members present and voting, the review is to take place at the next General Conference. Thereafter, a proposal for general review may be submitted at any General Conference session.

Article XIX

If a member of the Agency becomes in arrears in its financial contributions to the Agency in an amount totaling 2 years' contributions, it is to lose its vote in the Agency unless the General Conference is satisfied that failure to pay is due to conditions beyond the member's control (art. XIX).

Persistent violation of the statute or of any agreement made under it may result in suspension of the offending member from privileges and rights of membership. Decisions on suspension are to be made, upon recommendation of the Board of Governors, by a two-thirds majority of members present and voting in the General Conference.

Article XX

Article XX defines the terms "special fissionable material," "uranium enriched in the isotopes 235 or 233," and "source material."

Article XXI

In accordance with article XXI, the statute was opened for signature on October 26, 1956, by states members of the United Nations or of any of the specialized agencies and remained open for 90 days. Ratification by signatory states is called for.

The United States is named depositary Government for receipt of instruments of ratification by signatory states and instruments of acceptance by states approved for membership in conformity with the statute. It is specified that ratification or acceptance by states is to be effected in accordance with constitutional processes.

The statute, apart from its annex, comes into force on deposit of instruments of ratification by 18 states, including 3 of the following: Canada, France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States. The annex, by the terms of article XXI, came into force October 26, 1956, the day on which the statute was opened for signature.

Article XXII

Article XXII provides for resignation of the statute pursuant to article 102 of the United Nations Charter. In addition, agreements between the Agency and any member or members, agreements between the Agency and any other organization or organizations, and agreements between members subject to the approval of the Agency are to be registered with the Agency and, if required by article 102 of the United Nations Charter, are also to be registered with the United Nations.

Article XXIII

Article XXIII provides for equal authenticity of the five language texts in which the statute is drawn up and for transmittal of certified copies of the statute to the governments concerned.

Annex I

The annex to the statute establishes a Preparatory Commission, which is composed of 1 representative each of Australia, Belgium, Brazil, Canada, Czechoslovakia, France, India, Portugal, Union of South Africa, Union of Soviet Socialist Republics, the United Kingdom, and the United States, and 1 representative each of 6 other states which were chosen by the International Conference on the Statute of the International Atomic Energy Agency (Argentina, Egypt, Indonesia, Japan, Pakistan, and Peru). The Preparatory Commission is to remain in existence until the first General Conference of the Agency is convened and a Board of Governors has been selected in accordance with

article VI or the statute. The Commission elects its own officers, adopts its own rules of procedure, establishes such committees as it deems necessary, and determines its place of meeting. It has appointed an Executive Secretary and a small staff in accordance with the provisions of the annex. The expenses of the Commission are being met by a loan negotiated by the Commission with the United Nations. The loan is ultimately to be repaid by the Agency. If the funds from this source should prove insufficient, the Commission is empowered to accept advances from governments; if such advances are made, they may be set off against contributions of the governments concerned to the Agency.

The functions of the Preparatory Commission are (a) to make arrangements for the first session of the General Conference of the Agency including the preparation of a provisional agenda and draft rules of procedure; (b) to designate certain members of the first Board of Governors of the Agency in accordance with subparagraphs A-1 and A-2 and paragraph B of article VI of the statute; (c) to make studies reports and recommendations for the first session of the General Conference and for the Board of Governors on subjects requiring immediate attention including financing programs and budget technical problems relevant to planning Agency operations establishment of a permanent staff of the Agency and location of permanent headquarters for the Agency; (d) to make recommendations for the first meeting of the Board of Governors concerning the provisions of a headquarters agreement; (e) to negotiate with the United Nations regarding a draft agreement to define the relationship between the United Nations and the Agency; and (f) to make recommendations concerning the relationship of the Agency to other international organizations.

REPORT BY THE CHAIRMAN OF THE UNITED STATES DELEGATION

Report on the Conference on the Statute of the International Atomic Energy Agency

I. Background

A Conference of 81 States and observers from 7 specialized agencies of the United Nations (enclosure 1) met at United Nations Headquarters in New York between September 20 and October 26, 1956, to consider the draft statute of April 18, 1956, for the International Atomic Energy Agency. The Agency was originally proposed by President Eisenhower on December 8, 1953, to foster the peaceful uses of the atom and to provide a positive new approach to the solution of international problems.

The text of the statute debated by the Conference had been drafted and unanimously adopted as a whole by the 12 states sponsoring the Conference (Australia, Belgium, Brazil, Canada, Czechoslovakia, France, India, Portugal, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom, United States) at a Working Level Meeting held in Washington during the winter and spring of 1956.

The United States, acting on behalf of the sponsoring group, invited all 87 members of the United Nations and its specialized agencies to the Conference, one of the largest international gatherings held to date. Previously this community of nations had had an opportunity to review an earlier draft of the statute circulated for comment by the original 8 negotiating states (Australia, Belgium, Canada, France, Portugal, Union of South Africa, United Kingdom, United States) on August 22, 1955. The comment received in response was carefully studied by the Working Level Meeting in addition to views expressed on the proposed Agency at the sessions of the General Assembly of the United Nations in 1954 and 1955. Thus prior to the Conference, opportunity had been given to interested countries to have their ideas and suggestions incorporated into the draft statute of April 18, 1956.

II. Conference Organization

(a) Officers and Secretariat

The two candidates supported by the sponsoring states, Ambassador Muniz, of Brazil, and Ambassador Winkler, of Czechoslovakia, were unanimously elected President and Vice President of the Conference, respectively. Their able and impartial direction contributed much to the success of the Conference. Much credit must also go to the Secretary General of the Conference, Mr. Dag Hammarskjold, his Deputy, Mr. Ralph Bunche, and supporting members of the United Nations Secretariat, who provided the Conference with exceptionally efficient services.

(b) The agenda of the Conference

The agenda (enclosure 2) was a simple one, the most important item being the discussion of the draft statute of April 18, 1956.

(c) Rules of Procedure

The Rules of Procedure, based generally on those of the United Nations General Assembly and, therefore, familiar to most of the participants, were originally agreed upon by the sponsoring states and were adopted unchanged (enclosure 3) by the Conference. Rule 26, requiring a two-thirds majority vote on decisions to amend the statute and a simple majority for all other decisions, occasioned some criticism and debate. The rule was defended on the grounds that there should be a presumption in favor of the standing text of the statute, which had been carefully drafted by a representative group and which already reflected views expressed by a large number of interested countries.

(d) Conference proceedings

In accordance with the Rules of Procedure, amendments to the statute could be submitted up through midnight of October 2, unless the Conference decided otherwise. Since it would not have been practical to consider specific articles of the statute until all amendments had been submitted, during the first 8 working days (September 20 to October 2) the Conference met in 13 plenary sessions in the General Assembly Hall of the United Nations to debate the statute as a whole. Representatives of 63 counties took advantage of this opportunity to express their general views on the statute and the Agency.

Between October 3 and October 22, the Conference met in Conference Room 4 in 24 sessions as a Main Committee (equivalent of Committee of the Whole) in which all states attending the Conference participated. During this time, the statute was considered article by article, either in terms of amendments to articles or requests for clarification in cases of articles to which there were no amendments. With reference to more controversial articles, such as articles III and XII, there were first and second readings but in most instances the articles were voted upon after one reading.

Some 80 amendments were submitted to all but 6 (arts. I, VIII, XIII, XVI, XIX, and XXIII) of the articles. Of the approximately 60 amendments voted upon, one-half were adopted by the Conference, evidence of the fact that the Conference was not of a "rubber stamp" nature.

The Coordination Committee, consisting of the 12 sponsoring states, was the only other Conference Committee. The main work of the Committee was to review amendments approved by the Conference and the statute as a whole in order to correct drafting errors and eliminate inconsistencies in terminology. The Committee accomplished its review between October 20 and October 22.

III. Major Conference Issues

(a) Agency functions

The largest number of amendments was submitted to article, which outlines general Agency functions. The basic problem in this connection was to determine to what extent authority for specific activities should be spelled out in a broad constitutional document such as the statute or be left to the discretion of the Board of Governors and the General Conference after the establishment of the Agency. Amendments authorizing the Agency to engage in projects such as sponsoring international technical conferences, publishing an international periodical, and establishing a world atomic university, were finally withdrawn after their sponsors were persuaded that a legislative record had been made for these activities which the Agency could undertake under the wide grant of authority contained in the statute if it so desired later on.

Specific authorization, however, for the Agency to encourage the training of scientists and experts in the field of peaceful uses of atomic energy was incorporated into the statute. Atomically less advanced countries were particularly anxious that this Agency activity of special usefulness to them should be explicitly covered by the statute.

The most important amendment to article III adopted by the Conference gives the Agency enabling authority to apply its safeguard system upon request of a member state to the atomic energy activities of that state. The Agency would thus be in a position to apply its safeguards universally in the event of future agreement among countries with atomic weapon programs to safeguard their atomic energy activities against diversion to military purposes. The inclusion of this objective as a possible Agency activity helped ameliorate the fact that for the time being safeguards will be applied only to countries requesting and receiving assistance.

(b) Composition of Board of Governors

Considerable criticism developed of the composition of the Board of Governors (art. VI) in which the atomically advanced countries would have the dominant position. The 12 sponsoring powers, however, maintained a united front against any change on the grounds that the present formula was the most equitable and practical solution that could be attained after long and arduous negotiations of the Working Level Meeting. They stated that in such a compromise formula, even a small change could not be made without impairing the whole structure. To attempt such changes could set off a chain reaction which would delay or even frustrate the establishment of the Agency. Although the present formula might not be perfect, they pointed out that it did provide for wide representation both in terms of geographic areas and of countries that would be the recipients of Agency assistance.

After a useful debate in which issues were clarified and assurances given on points not actually written into the statute (such as support for 2 seats for Latin America and 1 seat for Africa and the Middle East from among the 3 elected but geographically unassigned seats under par. A-3 of art. VI), the formula for the Board's composition was approved unchanged.

(c) Relationship of the Board of Governors to the General Conference

There was also initial criticism of the limited authority which the General Conference, representing the total membership of the Agency, had in relation to the more complete powers of the Board of Governors. This criticism was met by amendments clarifying and increasing the authority of the General Conference without, however, upsetting the balance of power between the Conference and the Board of Governors necessary for efficient operations of an essentially technical agency. For example, language based on article X of the United Nations Charter containing a more clearly defined and comprehensive grant of authority to the General Conference was adopted; authority for making decisions referred to the General Conference for that purpose by the Board of Governors was spelled out; appointment by the Board of the Director General was made subject to the approval of the General Conference, etc. Criticism was thus mollified and the structural balance between the General Conference and the Board of Governors maintained.

(d) Safeguard provisions

The extent and depth of the safeguard system contained in article XII of the draft statute proved the most controversial issue of the conference. Two joint amendments submitted by Ceylon, Egypt, India, and Indonesia struck at the heart of the safeguard system. One would have removed source materials from Agency accountability (art. XII A-3); the other would have crippled Agency ability to prevent the accumulation of national stockpiles of weapon-grade fissionable materials produced as byproducts in Agency assisted projects (art. XII A5). The sponsors claimed this curtailment of Agency authority in applying safeguards was necessary to prevent burdensome, unnecessary and possibly dangerous interference by by the Agency in the economic growth of member states, especially the poor and undeveloped members most in need of Agency assistance. The U. S. S. R. supported these amendments, alleging that safeguard provisions as they stood were uncalled for in the absence of agreement on the abolition of nuclear weapons and that these provisions constituted an invasion of sovereign rights.

Following an extensive debate that revealed misconceptions and fears arising from some ambiguity in the language of the draft statute on the issues concerned, Canada, the United Kingdom, and the United States introduced 2 clarifying and qualifying amendments: 1 clearly limiting accountability for source materials to those used or produced in Agency projects and the other making it explicit that in deciding upon retention by member states of byproducts fissionable materials or their deposit with the Agency, the Agency should be guided by only two criteria—whether the materials were to be used for peaceful purposes and in such a way as not to endanger health and safety. These amendments had the effect of removing any possibility that the Agency would seek to judge the economic merit or technical feasibility of projects or programs when reaching decisions concerning the retention of byproduct fissionable materials.

Agreement of India and her cosponsoring states after further negotiations was finally obtained to the Canadian, United Kingdom, and United States amendment on source materials and to a mutually acceptable Franco-Swiss amendment further clarifying and defining Agency rights and objectives regarding the deposit of byproduct fissionable materials to prevent national stockpiling. In both instances, therefore, the basic principles were retained but were couched in new language aimed at dispelling fears that Agency authority would be greater than required to discharge its responsibilities and would be used to interfere beyond its competence in domestic arrangements of member states.

The adoption of a number of Swiss amendments delineating more specifically the Agency's inspection rights (art. XII A-6) also helped to allay misgivings, both among the underdeveloped countries and certain countries of Western Europe. In this connection, it was pointed out that the more technically advanced countries in Western Europe and elsewhere would be the first with programs requiring more comprehensive type safeguards. Hence underdeveloped countries would have an opportunity to observe the effect of the application of such safeguards before having to experience them.

As the result of willingness on both sides to discuss and negotiate original differences, agreement was thus achieved on unimpaired and textually improved safeguard provisions, which were unanimously approved by the Conference.

(e) Finances

Considerable concern was expressed by the underdeveloped countries as to their ability to finance atomic development programs. Hope was expressed that the Agency would either grant financial assistance to poorer countries or make services and materials available free of charge. On the other hand, there was a general desire to avoid making Agency membership too costly. The principle of article XIV (finance) was successfully maintained that the Agency should be operated on a nonprofit business-like basis and should not engage in financing operations. An amendment to article IX sponsored by the Latin American countries was adopted, however, by which the Agency would lend its good offices in assisting members in securing the necessary financing of desired projects from sources outside the Agency. It was the understanding of the Conference that the Agency would not assume responsibility for any such financial arrangements.

In the debate it was pointed out that the Agency would have discretion to take into consideration the financial position of countries in fixing the scale of charges for Agency assistance. Clarifying amendments were also adopted concerning the Agency's authority to accept voluntary contributions and applying the proceeds to reduce the scale of charges.

An attempt by the U. S. S. R. to eliminate the Agency's borrowing authority and restrict the financing of Agency facilities to voluntary contributions, the effect of which would have been seriously to hamper the future development of the Agency, was defeated by a substantial majority.

(f) Definitions

France, supported by India, attempted to incorporate a definition of military purposes in article XX, but withdrew its amendment to this article when the seeming impossibility of finding satisfactory language became apparent. The French delegation, however, wished its understanding included in the record that the Agency should not refuse assistance in the peaceful uses of atomic propulsion solely on the grounds that such propulsion could also be used for military purposes.

(g) Chinese representation and Agency membership

Both at the opening of the Conference and during the discussion of the Secretary General's report on credentials, the U. S. S. R. injected the Chinese representation issue but with fruitless results. The great majority of the delegations believed that the Conference should not be used as a forum for vituperative substantive debate on this issue.

The U. S. S. R. was equally unsuccessful in its attempt to delete membership in the United Nations or its specialized agencies as a requirement for initial Agency membership.

(h) Sovereign rights

The U. S. S. R. did not itself introduce an amendment regarding sovereign rights as it indicated it would do at the Working Level Meeting. It did, however, attempt to make ideological capital from this issue, especially with reference to safeguards. Although solicitude for sovereign rights would naturally have especial appeal to the large number of newly independent countries at the Conference, manipulation of this issue did not strike a responsive chord. Thus a Polish amendment to article III D, as a result of which the issue of protection of sovereign rights could have been pleaded as an excuse for avoiding legitimate Agency obligations, was decisively defeated.

(i) Preparatory Commission

Annex I of the draft statute provided for a Preparatory Commission, composed of the 12 nations which had drafted the statute plus 6 elected members, to come into being on the day the statute was opened for signature and charged with responsibility to arrange for the first General Conference of the Agency and to make designations to the first Board of Governors. An amendment expanding the Commission's activities to include organizational and operational planning was adopted by the Conference as a means of expediting the establishment of the Agency. This amendment was introduced by all of the sponsoring states except Czechoslovakia, India, and the U. S. S. R. While the latter supported the substance of the amendment, they did not join in introducing it because of the opposition of the other sponsoring states to a U. S. S. R. amendment to increase the number of elected members on the Commission from 6 to 7. The object of the Soviet amendment was to obtain another seat for Eastern Europe on the Commission. The other sponsoring states firmly opposed the Soviet move on the grounds that two seats for Eastern Europe were adequate representation and that to start increasing the number of elected seats might result in endless election difficulties and an oversized Commission. The United States proposed that no European country should have any of the six seats, which, to ensure equitable representation, should be divided among the Latin American and Afro-Asian areas exclusively. A last minute Syrian amendment, supported by the U. S. S. R., for increasing the number of elected states to nine, was defeated. The present Commission is thus a reasonably sized body of 18 members, representing all areas of the world.

IV. Final Acts of the Conference

On October 23, the Conference, reconvening in plenary session, approved the Coordination Committee's report recommending the draft statute and then unanimously adopted the statute by a standing vote of approval.

At this same session, the Conference also elected Argentina, Egypt, Indonesia, Japan, Pakistan, and Peru as members of the Preparatory Commission, and passed a resolution recommending the establishment of the Agency headquarters in Vienna.

V. The Signing of the Statute and Closing Session of the Conference

The Conference opened its 16th and final plenary session on October 26, 1956, with a message to the Conference from President Eisenhower read by the Chairman of the United States Atomic Energy Commission, Admiral Strauss. In this message it was announced that the United States will make available to the Agency, on terms to be agreed upon with that body, 5,000 kilograms of a nuclear fuel uranium 235, and would make available additional amounts to match the sum of all quantities of such materials made similarly available by all other Agency members, and on comparable terms, for the period between the establishment of the Agency and July 1, 1960. Substantial initial support for the Agency is thus assured. The statement was regarded as tangible proof of the United States willingness to support the Agency based on the statute as adopted.

To date, representatives of 71 countries have signed this new instrument of peace. The statute has thus been signed by all but 16 of the 87 countries eligible for initial membership and will come into force when ratified by 18 countries, which must include 3 from the following: Canada, France, United Kingdom, U. S. S. R., and the United States.

In a closing address, the President of the Conference, Ambassador Muniz, eloquently summed up the significance of the accomplishments of the Conference. The Secretary General of the Conference, Mr. Hammarskjold, presented Ambassador Muniz with the Conference gavel in recognition of his services. The President then declared closed the Conference on the Statute of the International Atomic Energy Agency.

VI. United States Participation at the Conference

(a) United States preparations for the Conference

The United States played a leading role in drafting the report of the Working Level Meeting, which was sent as an enclosure to the invitations to the Conference, and which contained the provisions agenda and rules of procedure for the Conference. The United States also worked patiently and diligently in arriving at a formula by which the United States could issue the invitations to the Conference in the name of all 12 members of the sponsoring group. The position taken by the U. S. S. R. in particular, regarding invitations to China, Korea, Vietnam, and Germany, made this a thorny negotiating problem.

During the summer and early fall, the United States both through approaches at capitals and through extensive consultations with foreign representatives in Washington and New York, briefed countries invited to the Conference on the position the United States intended to take on the statute. The main points which the United States sought to make were:

1. The draft statute as it stood was acceptable to the United States, which was prepared to give wholehearted support to an Agency based on such a statute.

2. While the United States would sympathetically consider amendments which would improve the statute, it would oppose amendments based on reservations made at the Working Level Meeting as contained in the report of that meeting.

(b) United States representation at the Conference

Ambassador James J. Wadsworth, deputy United States representative to the United Nations, was the United States representative and chairman of the delegation (see enclosure 4 for delegation list), consisting of four congressional advisers (Senators JOHN O. PASTORE, and JOHN W. BRICKER, and Representatives W. STERLING COLE and PAUL J. KILDAY) and a larger number of political and technical advisers from the Department of State and the Atomic Energy Commission.

(c) United States Conference objectives and achievements

The basic United States objective was to obtain the adoption of the draft statute without substantial alteration and with the widest possible international support so as to encourage maximum membership and participation among the 87 countries eligible for initial membership. With the unanimous adoption by the Conference of an improved but basically unaltered text of the statute, this United States objective was fully attained. In achieving it, the United States followed a flexible approach based on willingness to negotiate differences or to explain and clarify issues on which it was necessary to remain firm. The success of this policy is attested to by the fact that the resulting statute not only enjoyed the broadest international approval but also should make possible the establishment and operation of an Agency that the United States can generously support on a continuing basis.

More specifically, the statute contains all those features which the United States worked to include. Functionally, it will make possible an Agency with broad authority to assist in research and development in the peaceful uses field; possess and distribute nuclear materials; carry out the pooling of such materials at the request of member states as proposed by the President; establish and operate its own facilities; organize and apply a system of minimum safeguards in the interest of health, safety, and international security; apply such safeguards on request to bilateral or multilateral arrangements or the atomic energy activities of a member state; conduct its financial management on a flexible but business-like basis in the interest of the entire membership; establish an appropriate relationship with the United Nations and other international organizations; and take into consideration recognized standards of international conduct in connection with the admission of new members. Organizationally, the statute should make possible an Agency with a technically competent but broadly representative Board of Governors responsible for the managerial operations of the Agency and responsive to the General Conference, through which the Agency membership as a whole will be able to speak in connection with the formulation of broad Agency policy.

The unusually cooperative and harmonious atmosphere of the Conference, which made these achievements possible, gives substance to President Eisenhower's hope that the Agency will provide a new and promising avenue to the solution of international problems. The success of the Conference would thus seem to assure the swift translation of the President's Agency proposal from a hopeful idea to a useful, working reality.

DECEMBER 6, 1956.

[Enclosures not transmitted]

REPUBLICA DE VENEZUELA
DELEGACION A LAS NACIONES UNIDAS
NUEVA YORK, *25 de octubre de 1956*

Excelentísimo Señor Presidente:

Tengo a honra llevar a conocimiento de Vuestra Excelencia que, de acuerdo con las instrucciones que he recibido del Gobierno de Venezuela, la Delegación que presido, ha sido autorizada para firmar el Estatuto del Organismo Internacionel de Energía Atómica, dejando constancia textual de la siguiente declaración:

"La Delegación de Venezuela firma *ad referendum* el presente Estatuto en la intelligencia de que:

1) En cuanto al artículo XVII° del mismo, la firma o ratificación del presente Instrumento por parte de Venezuela no implica por ésta aceptación de la jurisdicción de la Corte Internacional de Justicia sin su consentimiento expreso en cada caso.

2) Que ninguna modificación del presente Instrumento, a que se refiere el párrafo C del artículo XVIII°, podrá ser considerada en vigor por Venezuela, sin el previo cumplimiento de sus disposiciones Constitucionales acerca de ratificación y depósito de tratados públicos."

Asimismo, me es grato confirmar a Vuestra Excelencia que han sido autorizados para firmar el referido Estatuto los siguientes miembros de la Delegación: el que suscribe, el Doctor Francisco Alfonzo Ravard y el Doctor Marcel Granier.

Válgome de esta oportunidad para reiterar a Vuestra Excelencia el testimonio de mi más alta consideración.

DR. HUMBERTO FERNÁNDEZ-MORÁN,
Dr. Humberto Fernández-Morán,
Presidente de la Delegación de Venezuela a la Conferencia sobre el Estatuto del Organismo Internacional de Energía Atómica.

Al Excelentísimo Señor JOAO CARLOS MUNIZ,
Presidente de la Conferencia sobre el Estatuto del Organismo Internacionel de Energía Atómica
Presente

[Translation]

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REPUBLIC OF VENEZUELA
DELEGATION TO THE UNITED NATIONS
NEW YORK, *25 October 1956*

SIR, I have the honour to inform you that in accordance with instructions I have received from the Venezuelan Government my delegation has been authorized to sign the Statute of the International Atomic Energy Agency, subject to the terms of the following declaration:

"The Delegation of Venezuela signs the present Statute ad referendum and on the understanding that:

1) As regards article XVII, the signing or ratification of this Instrument by Venezuela does not imply Venezuela's acceptance of the jurisdiction of the International Court of Justice without its express consent in each individual case;

2) No amendment to this Instrument under paragraph C of article XVIII shall be regarded by Venezuela as operative until its constitutional provisions concerning the ratification and deposit of public treaties have been complied with."

I also have the honour to confirm that the following members of my delegation have been authorized to sign the aforesaid Statute; the undersigned Dr. Francisco Alfonso Ravard and Dr. Marcel Granier.

I have the honour to be, Sir, etc.,

(signed) HUMBERTO FERNÁNDEZ-MORÁN,
Chairman of the Venezuelan Delegation to the Conference on the Statute of the International Atomic Energy Agency.

His Excellency Mr. JOAO CARLOS MUNIZ,
President of the Conference on the Statute of the International Atomic Energy Agency.

The VICE PRESIDENT. The treaty is open to amendment.

THE JOURNAL

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Texas will state it.

Mr. JOHNSON of Texas. I desire to make a unanimous-consent request without in any way displacing the present order of business of the Senate, except as applied to that specific request. May I request unanimous consent that the Journal of the last day's proceedings of the Senate be approved without reading, with the understanding that its approval will in no way displace the present order of business?

The VICE PRESIDENT. By unanimous consent, that may be done.

Mr. JOHNSON of Texas. Then, Mr. President, I ask unanimous consent that the Journal of the proceedings of Friday, June 14, 1957, be approved without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, now I should like to make the same request with respect to the morning hour, with the understanding that in connection with the transaction of routine business that statements be limited to 3 minutes.

The VICE PRESIDENT. Without objection——

Mr. MORSE. Mr. President, reserving the right to object——

Mr. JOHNSON of Texas. Mr. President, that would require the Senate to return to legislative session, and thereafter to resume the consideration of executive business; but if I can obtain unanimous consent to have that done, by means of this request, I should like to have it done.

The VICE PRESIDENT. The Chair assumes that the Senator from Texas would include in the request the reference of any bills.

Mr. JOHNSON of Texas. Yes, I would.

Mr. MORSE. Mr. President, reserving the right to object, I should like to have 5 minutes in which to discuss a matter of personal privilege.

Mr. JOHNSON of Texas. Then, Mr. President, I modify my request by proposing that the limitation on statements be 5 minutes, instead of the usual 3 minutes.

The VICE PRESIDENT. Does the request, as modified, meet the desires of the Senator from Oregon?

Mr. MORSE. Yes.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that, without displacing the present order of business, the Senate may proceed as in legislative session, with the introduction of bills and other routine business, and that the statements be limited to not to exceed 5 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

FISHING OPERATIONS IN TERRITORY OF ALASKA

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF SECTION 239 OF IMMIGRATION AND NATIONALITY ACT

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 239 of the Immigration and Nationality Act, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files and several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Public Works:

"Senate Joint Resolution 36

"Relative to pollution of San Francisco Bay

"Whereas historically San Francisco Bay was world renowned for its San Francisco Bay shrimps, oysters, and other marine delicacies, but presently these delicacies are becoming extinct since their breeding grounds are being destroyed by pollution from jettisoned oil, chemicals, and other foreign material so that the shorelines of San Mateo, Alameda, San Francisco, Marin, Santa Clara, Contra Costa, Solano and Napa Counties are almost devoid of their previously plentiful population of crabs, shrimp, and oysters; and

"Whereas the oil, chemicals, and other foreign substances in the watera of San Francisco Bay are destroying the recreational value of the bay and the surrounding beaches to the detriment of the health and welfare of the citizens of the area and of the whole State; and

"Whereas present fines for violation of existing laws prohibiting such pollution are, in relation to the cost of otherwise disposing of such material, extremely minor and such pollution is not properly publicized so as to carry with it the public opprobrium deserving such wasteful practices; and

"Whereas the United States Coast Guard could greatly alleviate this deplorable situation by more adequate policing: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the United States Coast Guard is respectfully requested to immediately increase its efforts to prevent pollution of the San Francisco Bay area by any means but particularly by any person, firm, or corporation who may be violating existing prohibitions by dumping oil, bilge, and other chemicals into the waters of the bay; and be it further

"Resolved, That the Congress of the United States is respectfully requested to investigate and take the necessary steps to insure that the penalties for violation of Federal statutes and regulations in relation to the cost of other means of disposal are great enough to prevent pollution of the waters of San Francisco Bay; and be it further

"Resolved, That the secretary of the senate is directed to transmit copies of this resolution to the Vice President of the United States and to the Speaker of the United States House of Representatives, to each Member of Congress representing the State of California, and to the Governor of the State of California."

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on Foreign Relations:

"Resolutions memoralizing the Congress of the United States to adopt legislation providing that United States Armed Forces have complete criminal jurisdiction over all members thereof who are in service in a foreign country

"Whereas members of the Armed Forces of the United States who are serving abroad, their civilian components and the dependents of each, are subject to the criminal jurisdiction of certain countries in which they are on duty, by reason of the NATO Status of Forces Treaty, the administrative agreement with Japan, and executive agreements with other nations; and

"Whereas said treaty and agreements penalize our servicemen in foreign service by depriving them of many of the rights granted by our constitution, which they are sworn to defend; and

"Whereas legislation has been introduced in both the Senate and the House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its Armed Forces for all purposes, or if such a modification is refused, then to terminate said agreements; therefore, be it

"Resolved, That the General Court of Massachusetts respectfully urges the Congress of the United States to enact the legislation now pending, or similar legislation, so as to secure a modification of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen; and be it further

"Resolved, That copies of these resolutions be transmitted by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of the Congress and to each Member thereof from this Commonwealth.

"Senate, adopted, June 6, 1957.

"IRVING N. HAYDEN,
"Clerk.

"House of representatives, adopted in concurrence, June 11, 1957.

"LAWRENCE R. GROVE,
"Clerk.

"A true copy.

"Attest:

"EDWIN J. CRONIN,
"Secretary of the Commonwealth."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Interior and Insular Affairs:

"Senate Concurrent Resolution 6

"Whereas one of the amendments proposed to Senate bill 50, 85th Congress, entitled 'A bill to provide for the admission of the State of Hawaii into the Union,' reads:

"'It is further agreed that neither the State of Hawaii nor any subdivision thereof shall enact or enforce any law or regulation which imposes a tax, requirement or restriction which unreasonably discriminates directly or indirectly against nonresident persons, firms or corporations, their business, property, or occupational activities or opportunities'; and

"Whereas such a provision either reiterates constitutional limitations on the sovereign powers or States which presently exist or would impose a restriction on the sovereignty of the State of Hawaii not imposed upon any other State, thus denying to the State of Hawaii the right of admission to the Union on a basis of equality with other States; and

"Whereas the Constitution for the State of Hawaii, already approved by the people of Hawaii, contains, in article 6, section 2, the traditional provision which has been required of other States whose enabling or admission acts called for a provision relating to rights of nonresidents, such provision being inserted pursuant to the terms of previous enabling bills for the admisison of the State of Hawaii into the Union: Now, therefore, be it

"Resolved by the Senate of the 29th Legislature of the Territory of Hawaii, in special session assembled (the House of Representatives concurring), That the Congress of the United States be, and it is hereby, respectfully requested to omit from Senate bill 50, 85th Congress, or from such other bill to admit the State of Hawaii into the Union as may be enacted, the provision referred to in the first paragraph of this concurrent resolution or such other provision of similar purpose as may be proposed; and be it

"Resolved, That certified copies of this concurrent resolution be transmitted to the

President of the United States, to the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States, to the chairmen of the respective House Committees on Interior and Insular Affairs, to the Secretary of the Interior and to the Delegate to the Congress from Hawaii."

Resolutions adopted by the National Federation of Settlements and Neighborhood Centers, at Philadelphia, Pa., relating to social security, and so forth; to the Committee on Finance.

Resolutions adopted by the American Unitarian Association, at Boston, Mass., relating to the Government of Hungary, and so forth; to the Committee on Foreign Relations.

The petition of Al Gaumer, Red Bluff, Calif., relating to the manufacture and sale of cigarettes; to the Committee on Labor and Public Welfare.

By Mr. THURMOND (for himself and Mr. JOHNSTON of South Carolina):

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on Armed Services.

"Concurrent resolution requesting the Representatives of this State in Congress to exert their efforts in behalf of Alc. Paul E. Bell, of Beaufort, S. C., and requesting Congress to enact legislation relating to status-of-forces agreements.

"Whereas this general assembly believes that members of the armed services of the United States upon their entry into such services relinquish neither their citizenship nor their right to the fullest protection by the Government which they and others like them have made great and powerful; and

"Whereas although members of the armed services may be shot for desertion, their desertion by the Government of the United States is being excused as being necessary, under certain 'status of forces' agreements inadvisedly entered into by the United States, to 'preserve the integrity of the United States'; and

"Whereas it is the opinion of this general assembly that the entry into such 'status of forces' agreements by this Government with foreign governments whose laws and entire way of life differ immeasurably from ours constitutes an unwarranted and inexcusable surrender of the sovereign rights of this Government and the rights of its citizens; and

"Whereas this general assembly deplores the abject surrender by the Government of the United States to pressures brought to bear by alien and foreign powers in their quest for control over the individual members of our Armed Forces; and

"Whereas a young citizen of this State stationed in Japan, Alc. Paul E. Bell is one of the more recent victims of this outrageous policy of spineless cringing and fawning: Now, therefore, be it

"*Resolved by the house of representatives (the senate concurring)*, That the Representatives of this State in Congress be hereby urged to exert every effort to assure Alc. Paul E. Bell, of Beaufort, S. C., of a fair trial under the laws of the United States and before a court composed of United States citizens; be it further

"*Resolved*, That this general assembly hereby goes on record as being opposed to the status-of-forces agreements entered into by the Government of the United States and requests the Congress of the United States to enact such legislation as will terminate all such agreements presently existing and will prohibit the making of such agreements in the future.

"Copies of this resolution shall be sent to the presiding officer of each House of Congress and to each Member of Congress from South Carolina.

"State of South Carolina in the House of Representatives, Columbia, S. C., June 13, 1957.

"I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the South Carolina House of Representatives and concurred in by the Senate.

"INEZ WATSON,
"*Clerk of the House.*"

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of South Carolina, identical with the foregoing, which was referred to the Committee on Armed Services.

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on Interstate and Foreign Commerce:

"Concurrent resolution memorializing Congress to refrain from the passage of legislation concerning registration of trucks crossing State lines

"Whereas there is presently pending before the Congress a bill which would require all trucks crossing State lines to be registered with the Interstate Commerce Commission; and

"Whereas such legislation would work an undue and unreasonable hardship upon farmers and small truckers; Now, therefore, be it

"*Resolved by the House of Representatives of the State of South Carolina (the Senate concurring)*, That the Congress of the United States is hereby memorialized to reject any and all efforts to obtain the passage of any legislation which would require the registration of trucks with the Interstate Commerce Commission which casually cross State lines; be it further

"*Resolved*, That a copy of this resolution be forwarded to the President of the Senate of the United States, the Speaker of the House of Representatives, and to each Member of Congress from South Carolina.

"State of South Carolina, in the House of Representatives, Columbia, S. C., June 13, 1957.

"I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the South Carolina House of Representatives and concurred in by the senate.

"INEZ WATSON,
"*Clerk of the House.*"

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of South Carolina, identical with the foregoing, which was referred to the Committee on Interstate and Foreign Commerce.

RESOLUTION OF KANSAS PUBLIC HEALTH ASSOCIATION

Mr. CARLSON. Mr. President, on January 7, 1957, I introduced Senate bill 68, providing for the issuance of a commemorative stamp for Dr. Samuel J. Crumbine.

Dr. Crumbine spent practically his entire lifetime in public-health service. Our Nation and the entire world are benefiting today from many of the public-health practices that he initiated and carried into fulfillment.

The Kansas Public Health Association at its annual meeting on April 4 of this year adopted a resolution urging that a special stamp be issued commemorating Dr. Crumbine and thereby honoring the public-health profession for its contribution to the well-being of mankind.

I ask unanimous consent that the resolution be referred to the appropriate committee, and be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

RESOLUTION RE CRUMBINE STAMP

Whereas Dr. Samuel J. Crumbine started his medical practice in Dodge City, Kans., in 1885, spent a great portion of his professional life in this State, served for 19 years as the State health officer of Kansas, and for 8 of these years also served as dean of the Kansas University School of Medicine; and

Whereas Dr. Crumbine while in Kansas introduced many new public-health programs and reforms including the elimination of the public drinking cup and common roller towel and measures for the control of tuberculosis and other communicable diseases; and

Whereas these programs were adopted throughout the world and were the foundation of many present-day public-health practices; and

Whereas Dr. Crumbine exhibited the qualities of courage, modesty, personal leadership, and human understanding which made him a great leader and health educator: Therefore be it

Resolved, That the Kansas Public Health Association requests the Postmaster General to issue a special stamp commemorating Dr. Crumbine and thereby, honoring the public health profession for its contribution to the well-being of mankind.

Approved April 4, 1957. Annual meeting of Kansas Public Health Association.

INCREASES IN STEEL PRICES—RESOLUTION

Mr. HUMPHREY. Mr. President, I have just received a resolution adopted by the United Steel Workers of America, District No. 33, 13th Annual Conference held in Duluth, Minn., May 25–26, 1957. The resolution opposes proposed increases in steel prices.

I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Resolution 28, Oppose Steel Price Increase

Whereas the steel corporations are again requesting another price increase; and

Whereas the steel corporations have just announced a recordbreaking profit after taxes; and

Whereas if such price increases are granted to the steel corporations, it would have a tendency to raise the price in all building industries, and our everyday living standards; and

Whereas it has always been the policy of our steelworkers' organization to oppose all price increases, which would wipe out the gains of organized labor: Therefore be it

Resolved, That this district 33 conference go on record as opposed to the proposed price increase as requested by the steel corporation. Copy of this resolution to be sent to our international president, the President of the United States, and Members of Congress.

Passed at the Steelworkers, District No. 33, conference held May 25 and 26, 1957, Spalding Hotel, Duluth, Minn.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 651. A bill for the relief of Sister Clementine (Ilona Molnar) (Rept. No. 443);

S. 960. A bill for the relief of Fotina (Theresa) Wardini (Rept. No. 445); and

S. 1102. A bill for the relief of Adolfo Camillo Scopone (Rept. No. 446).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 140. A bill for the relief of Jan Szpytman (Rept. No. 447);

S. 850. A bill for the relief of Stavros Manousos (Rept. No. 444);

S. 957. A bill for the relief of Calogero Maniscalco (Rept. No. 448);

S. 1048. A bill for the relief of Matilda Hajos (Rept. No. 449);

S. 1082. A bill for the relief of Katina Apostolou (Rept. No. 450);

S. 1251. A bill for the relief of Florinda Mellone Garcia (Rept. No. 451); and

S. 1253. A bill for the relief of Myung Ok Shin (Rept. No. 452).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 875. A bill for the relief of Vuokko A. Bingham (Rept. No. 453); and

S. 1310. A bill for the relief of certain aliens (Rept. No. 454).

By Mr. BYRD, from the Committee on Finance, with an amendment:

H. R. 6191. An act to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes (Rept. No. 455).

By Mr. SCOTT, from the Committee on Agriculture and Forestry, without amendment:

S. 609. A bill to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes (Rept. No. 456); and

H. R. 7259. An act relating to marketing quotas and price supports for fire-cured, dark air-cured, and Virginia sun-cured tobacco (Rept. No. 457).

By Mr. WILLIAMS, from the Committee on Agriculture and Forestry, with an amendment:

S. 959. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes (Rept. No. 458).

By Mr. YOUNG, from the Committee on Agriculture and Forestry, with amendments:

S. 606. A bill to permit the transfer of wheat-acreage allotments of lands taken by any Federal, State, or other agency having the right of eminent domain (Rept. No. 459).

By Mr. CLARK, from the Committee on the District of Columbia, without amendment:

S. 2032. A bill to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia (Rept. No. 462).

By Mr. CLARK, from the Committee on the District of Columbia, with amendments:

S. 969. A bill to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor (Rept. No. 460); and

H. R. 3400. An act to provide full and fair disclosure of the character of charitable, benevolent patriotic, or other solicitations in the District of Columbia; and for other purposes (Rept. No. 461).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS (for himself, Mr. CAPEHART, Mr. HRUSKA, Mr. ALLOTT, Mr. BEALL, Mr. BRICKER, Mr. BUTLER, Mr. CARLSON, Mr. CASE of South Dakota, Mr. EASTLAND, Mr. FLANDERS, Mr. FULBRIGHT, Mr. HICKENLOOPER, Mr. JAVITS, Mr. JENNER, Mr. LAUSCHE, Mr. MARTIN of Iowa, Mr. MORTON, Mr. MUNDT, Mr. POTTER, Mr. SMITH of New Jersey, Mrs. SMITH of Maine, Mr. THYE, Mr. WILEY, and Mr. YOUNG):

S. 2306. A bill to provide for the increased use of agricultural products for industrial purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. CURTIS when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 2307. A bill to amend section 1461 of title 18 of the United States Code, relating to the mailing of obscene or crime-inciting matter; to the Committee on the Judiciary.

By Mr. DIRKSEN (by request):

S. 2308. A bill for the relief of Irmgard Dittler Peschke; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2309. A bill for the relief of Elaine Elva Oliver (Lee Myung Sook); to the Committee on the Judiciary.

By Mr. YOUNG (for Mr. LANGER):

S. 2310. A bill for the relief of William Reinke; to the Committee on the Judiciary.

By Mr. CURTIS:

S. 2311. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on Rules and Administration.

By Mr. MORSE:

S. 2312. A bill for the relief of Edeltraud Watson; to the Committee on the Judiciary.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. J. Res. 105. Joint resolution designating the golden corn tassel as the national floral emblem of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. DOUGLAS when he introduced the above joint resolution, which appear under a separate heading.)

PROPOSED AGRICULTURAL RESEARCH AND INDUSTRIAL ACT OF 1957

Mr. CURTIS. Mr. President, on behalf of myself, and Senators CAPEHART, HRUSKA, ALLOTT, BEALL, BRICKER, BUTLER, CARLSON, CASE of South Dakota, EASTLAND, FLANDERS, FULBRIGHT, HICKENLOOPER, JAVITS, JENNER, LAUSCHE, MARTIN of Iowa, MORTON, MUNDT, POTTER, Mrs. SMITH of Maine, SMITH of New Jersey, THYE, WILEY, and YOUNG, I introduce a bill for appropriate reference.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2306) to provide for the increased use of agricultural products for industrial purposes, introduced by Mr. CURTIS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. CURTIS. Mr. President, I ask unanimous consent that the proposal may remain at the desk for 2 days for other sponsors.

The VICE PRESIDENT. Without objection it is so ordered.

Mr. CURTIS. Mr. President, I may best speak on this proposal by referring to a few remarks which appeared in the summary of the report of the President's Bipartisan Commission on Increased Industrial Uses of Agricultural Products.

SUMMARY OF THE REPORT

In Public Law 540, the 84th Congress established a five-man bipartisan Commission charged with the duty of making recommendations designed to bring about the greatest practicable increase in the industrial use of agricultural products.

In carrying out this assignment the Commission obtained the assistance of 188 of the country's outstanding leaders in agriculture, industry, and science, drawn from a wide range of private and public agencies. The 18 task groups or special committees in which they were organized represented all the agricultural products useful or potentially useful in industry. In addition, a number of technical experts served the Commission as consultants or staff members, and the United States Department of Agriculture and other Government organizations were unstinting in providing help and information.

THIS IS THE PROBLEM

American farmers have succeeded so well in the necessary effort to increase their efficiency that they now consistently outrun the capacity of the economy to consume what they produce.

To cope with this situation, which has widespread disrupting effects on markets, Government has resorted to costly programs for restricting land use, controlling production, and disposing of surpluses.

Though population is growing and living standards are rising, the productive capacity of our agriculture promises for many years to keep increasingly ahead of both.

An increase in exports seems unlikely as other countries become more and more self-sufficient.

It is widely agreed that American agriculture should for many reasons be kept at high levels of production and efficiency. Since there seems to be little prospect of a sufficiently large expansion of food markets in the next decade to use all the excess, the question becomes:

Can the economy develop profitable industrial markets capable of absorbing enough of the excess farm production to minimize, possibly even to eliminate, the need for costly restrictions, supports, and surplus-disposing operations?

THIS IS THE ANSWER

The Commission believes the answer is an emphatic "Yes" provided the necessary steps are taken to make possible and encourage such a development.

This conclusion is based on painstaking study, including the testimony of the scores of individuals with wide experience in the practical and scientific aspects of product utilization who made up the task groups and committees.

To make possible and encourage such a development there are four main needs.

The first is a sufficiently sharp sense—lacking so far—of the importance, the

possibilities, and the urgency of the industrial utilization approach to farm surplus problems.

The second need is a greatly expanded program of fundamental and applied research—physical, chemical, biological, economic—to learn far more about the nature of agricultural raw materials and to determine what existing or new industrial products and processes might profitably use them. This work would not end in the laboratory; in promising cases it would go through the development stages of pilotplant experiment and trial commercialization, which must precede full commercial use. The research and development program would mobilize the efforts of many scientific institutions—private, public, State, Federal and perhaps even some in other countries; and in some cases the Government would share the cost of the research with private industries.

The third need is to insure, through fellowships, scholarships, grants, and other means, that much more scientific talent is trained for and channeled into this neglected field of farm-product research and development than it has engaged so far.

The fourth need is to provide in certain cases, suitable financial incentives during a temporary trial or development period—for example, new products or processes that are expensive to launch or that seem less promising than alternative uses of risk capital, or that might lead to especially rapid disposal of surpluses.

The initial step in launching such a program is sound legislative action by Congress.

WHAT INDUSTRY HAS DONE

The expanded program of utilization research and development proposed by the Commission would enable agriculture to do what industry, with its bigger, better-integrated units and larger resources of money and men, has long been doing.

Industry is currently investing at least $3 billion a year, 3 percent of gross sales, in research. The result is obvious in a constant flood of new and improved products—fabrics, plastics, building materials, surface coatings, detergents, chemicals, and many others.

Many of these so-called miracle products of modern research have provided the foundation for vast new industries and the stimulus for new consumer demands. Most of the products are based on nonagricultural raw materials—particularly chemicals derived from petroleum—which are chemically taken apart and rebuilt—synthesized—in new forms. This search by industry is continuous, systematic, and intensive.

By contrast, agriculture spends not over $375 million on research—about 1 percent of gross sales; and most of this goes to improve and increase production. Federal and State Governments spend $190 million of the total, of which no more than $18 million goes for utilization research.

In recent years agriculture has been researched out of a good part of its natural markets. Nearly half the market for natural fibers—cotton, wool, flax, silk—has been taken over by synthetic fibers. Two out of three pairs of shoes are now made partly or wholly of leather substitutes. Two-thirds of the soap has been replaced by detergents, which do not use natural fats. Much of the paint and varnish bypasses linseed and other vegetable oils.

AGRICULTURE CAN DO

Raw materials produced by farmers are made of chemical components just as are most of the nonagricultural materials used to make the products mentioned. Coal and petroleum, in fact, are plants that died a long time ago.

Farm-produced materials, too, can be modified, tailored to particular needs, taken apart and recombined to make new products with new properties—plastics, films, fibers, coatings, and all the rest.

With but few exceptions materials from the farm have not had the intensive and systematic laboratory attention that has been given to those from other sources. When utilization research in agriculture has had the benefit of adequate expenditures and large teams of workers, the results have been outstanding—as in the case of commercial methods for producing penicillin, frozen concentrated fruit juice, nylon from corn cobs, various products from soybeans.

But because in the past food was never abundant enough, because manpower had to be released from the farms to run industry, because great wars created great necessities, most of the research funds in agriculture have always gone into production research—with revolutionary results in such fields as plant and animal breeding, control of diseases and pests, soil management, mechanization.

Partly because of the success of these efforts the time has come to create a better balance by giving more attention to utilization research.

The problems are not fundamentally different. Scientific brains of the kind that have so greatly expanded industrial markets can accomplish similar results with farm-grown materials.

But the problems are knotty, and it is not enough to learn from research that this or that agricultural product would be good for certain industrial uses. Other questions are equally important. Can it compete with products from nonfarm sources, giving as good results at less cost or better results at a cost not too much higher? Will the price remain fairly stable? Will an adequate, reasonable steady flow of supplies be available? Can they be obtained without too much trouble? Can the quality be depended on? The possibility of favorable answers to such questions as these, which determine market acceptance, also depends to a large extent on research.

WITH A DYNAMIC APPROACH

The Commission's Report outlines 188 broad fields of research and development, including hundreds of product uses, that seem to promise fruitful results.

The proposals are drawn from the reports and recommendations of the task groups and committees, which repeatedly emphasized the need for an approach to farm product utilization as dynamic and imaginative as that which characterizes the best work in industry.

The products dealt with include cereal grains, cotton, oilseeds, meat and animal byproducts, tobacco, wool and mohair, dairy products, sugar, fruits, vegetables, edible tree nuts, white potatoes, poultry and eggs, crop residues, forest products, and new crops.

A few promising new crops get special attention largely because of their possibilities as new sources of farm income and as replacements, for industrial use, on a certain amount of land now growing foods or feeds in surplus supply. Not many years ago soybeans were unknown in this country. Now they are a mainstay of farming in large areas. There are literally hundreds of thousands of wild plants about which nothing is known regarding potential uses.

The Commission also made a detailed study of the possibility of utilizing surplus grain for the manufacture of alcohol for industrial uses, for conversion to butadiene to make synthetic rubber, and for blending with gasoline as motor fuel. From the evidence now available, it was not possible to reach any clear-cut conclusions in favor of a large-scale program of this sort at this time.

In the case of industrial alcohol and butadiene, however, the picture is sufficiently promising to warrant extensive research for accurate determination of costs. This could be carried out by reactivating a number of alcohol and butadiene plants, some publicly and some privately owned, that are now idle.

Another promising possibility in this field is the further development of processes for converting corn into alcohol, with protein as a byproduct. The protein could be sold for food or feed at relatively high prices, which would make it possible to provide starch for alcohol at relatively low prices.

BASED ON SOUND LEGISLATION

Following the instructions of Congress, the Commission drew up specific recommendations for achieving the objectives it proposes.

Seven of the ten recommendations deal with points previously discussed in this summary—participation by many public and private institutions in an effective research network; fostering basic research; grants, fellowships, and scholarships to increase the supply of scientists; government-industry sharing of research costs; research and development work with new crops; commercial-scale trials of new products; economic incentives.

The other three recommendations are concerned with financing and administration.

The amount now available for industrial utilization research in the United States Department of Agriculture is $16,145,000. The Commission recommends that this be increased at least threefold, with additional sums for new crops, development and trial commercialization, and incentives.

It recommends that in lieu of direct appropriations, 15 percent of the annual gross receipts from customs revenues be allotted for the industrial utilization program. This would be in addition to the 30 percent from the same source now available to the Secretary of Agriculture, under Public Law 320, for other designated purposes.

For the administration of the program, two alternative recommendations are made.

The first is to establish a five-member, nonpartisan Agricultural Research and Industrial Board to be appointed by the President with the advice and consent of the Senate. This Board would allocate funds, make contracts with research institutions, and direct and coordinate the program but would not itself engage in research.

The second alternative is to place the responsibility for the program in the Department of Agriculture, under a director with the title of Assistant Secretary of Agriculture who would be in charge of research and education within the Department and would coordinate all agricultural research in the Federal Government. The proposed Board would in that case be appointed by the President, but would be responsible to the Secretary of Agriculture.

In proposing this pattern of procedures, the Commission had in mind the need to achieve effective results as promptly as possible, to maintain and expand the excellent research operations of the Department of Agriculture and the land-grant colleges and experiment stations, to make effective use of the talent and facilities of other institutions, and to add as little as possible to the structure of government.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. CURTIS. I yield to the Senator from Nebraska.

Mr. HRUSKA. I should like to commend my colleague from Nebraska for service to the Nation's farmers of constructive and long-range value. His introduction of this bill, the proposed Agricultural Research and Industrial Act of 1957, is another milestone in his continuing efforts to find a sound solution to our problem of agricultural surpluses. I am happy to join as a cosponsor of this measure.

This bill is the result of a year's study of increasing the uses of our farm problems undertaken by the President's Commission on Increased Industrial Use of Agricultural Products. The Commission was established by legislation introduced by my colleague from Nebraska.

Under the leadership of Mr. J. Leroy Welsh, a distinguished citizen of my hometown of Omaha, the Commission has made a splendid record. It is my hope that the recommendations of the Commission can be started on their way to fruition through enactment of this bill.

The American farmer can be heartened by the ringing "Yes" with which the Commission answers the question of whether industrial utilization of farm products holds promise in cutting down our surpluses.

The problem, as summarized by the Commission, is clear. Agriculture has simply been researched out of its natural markets by industry's more intensive, better coordinated research programs.

The answer, as envisioned by the Commission, is a multipronged offensive to find ways to utilize farm products in industry, to coordinate these efforts to make this research more efficient, and to get new ideas, products, and processes from the laboratory into operation.

At the heart of this effort, as proposed by this bill, would be a 5-member Agricultural Research and Industrial Board. To carry out this program, the Board would administer expenditure of certain portions of the duties collected under the customs laws as recommended by the Commission.

Mr. President, as supported by the findings of the Welsh commission, this proposed legislation has bright promise. It is my hope that it be enacted into law so that work may begin to fulfill that promise.

When we consider, Mr. President, that since 1932, farm price supports have cost the American taxpayer some $11.7 billion, we can envision how great is the need for this constructive approach to the problem of farm surpluses and a healthy agricultural economy.

In connection with the second century jubilee, currently being celebrated by the city of Omaha, a meeting was held in that city a week ago to launch an appeal for congressional action to get this program underway.

Mr. President, I ask unanimous consent to have printed as part of my remarks a news story and an editorial on that conference, both taken from the Omaha World-Herald of June 11, 1957.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Omaha World-Herald of June 11, 1957]

AG GROUP MAPS NEW SALES WAY—LEGISLATIVE CHART TO AID CONGRESS

(By Don Muhm)

Agriculture officials from 15 States Monday afternoon launched efforts they hope will help Congress chart a legislative course to help the Nation's farmers recover lost industrial markets.

The action took place at the Jubilee Governors' Conference in the Blackstone Hotel.

J. Leroy Welsh, Omaha grain official and chairman of the President's Commission on Increased Industrial Use of Agricultural Products, told the group:

"The agricultural problem can be solved by intensified utilization research to find industrial markets for our ever-expanding farm production."

NEW POSITION SUGGESTED

He suggested that agriculture be placed in a position where it can compete in the expanding market for synthetic rubber and not compete for existing production.

Farm products, he added, can fill the needs for products now being processed from nonrenewable, natural deposits.

Mr. Welsh predicted the future of agriculture will see increased production and accumulating surpluses unless utilization research is conducted.

RECOMMENDATIONS GIVEN

Wheeler McMillen, the executive director of the Commission, said the group recommends:

Creating a five-member nonpartisan agricultural research and industrial board.

An adequate annual investment in research and development for new crops.

Incentives be extended to both farmers and industry to hasten the establishment of new crops or new industrial uses of farm products.

A cost-sharing program be set up with private industry for research.

Funds be provided to increase the supply of trained scientists who can seek new uses for farm products.

On hand for the conference were Nebraska's Governor Anderson and South Dakota's Joe Foss.

States represented were Nebraska, Iowa, North Dakota, South Dakota, Kansas, Wyoming, Minnesota, Illinois, Idaho, Washington, Oklahoma, Ohio, Louisiana, Colorado, and Texas.

Representatives of both the University of Nebraska and Iowa State College took part.

The governors' conference was called to help enlist aid toward early legislation.

[From the Omaha World-Herald of June 12, 1957]

THE WELSH REPORT

Representatives of 15 States met in Omaha Monday to discuss the agricultural prospectus that has been outlined by the Commission on Increased Industrial Use of Agricultural Products.

It was appropriate that this conference was held as a part of Omaha's Second Century Jubilee. Nebraskans have played a considerable role in the development of chemurgy since Henry Ford organized the first chemurgic conference in Dearborn, Mich., in 1935. J. Leroy Welsh of Omaha is president of the present commission.

Leading chemurgists have contended for 20 years that a Government-enforced economy of scarcity would never solve the problems which bedevil agriculture when agriculture produces too much. How right they have been.

A search for new uses of agricultural produce, and for new crops that could be made useful industrially, has proceeded sporadically, mainly through the efforts of scientists such as the late Leo M. Christensen of Omaha.

These men contend that the ultimate prosperity of farmers lies in their ability to produce in abundance for industries which are eager to transform their products into many usable articles and pass them on to consumer markets.

Mr. Welsh's Commission, in a few months, has come up with a chart for the future. It has enlisted the help of leaders in many industrial fields. And it suggests a whole new realm of research from which a bright future for farmers could emerge.

In its interim report to the President, Mr. Welsh's Commission noted that 250 species of higher plants have been identified since man started farming, but only about 150 plants account for virtually all of the world's cultivated crops. The usefulness of thousands of plants which might supplant crops now being produced in huge surplus remains to be explored.

If anyone thinks there is anything starry-eyed about this approach, let him consider the soybean. It was a brandnew plant, imported from the Orient, only a few decades ago. Last year it was grown on 22 million acres. It produced half the protein feed for America's livestock and 30 percent of the Nation's food fats, as well as the raw material in many industrial processes.

We hope the governors and their representatives departed from Omaha convinced that Mr. Welsh and his panel of experts are on the right track. We hope they will support legislation in Congress to give the Welsh Commission a green light.

Mr. CURTIS. I thank my distinguished colleague, the Senator from Nebraska.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. CURTIS. I yield to the Senator from South Dakota.

Mr. MUNDT. I also wish to congratulate the Senator from Nebraska for his leadership in connection with this proposed legislation. I am happy to be a cosponsor of this bill, as I was a cosponsor of the Senator's original resolution which created the Commission to study industrial uses for agricultural production, which has done such a wonderful job, under the leadership of Mr. Welsh, of Omaha.

I believe it is clear, from the statistical record and from the history of the farm problem, that among those things which have contributed to our great farm surpluses are the developments of engineering, chemistry, and the associated sciences. I am perfectly convinced that if we devote the proper amount of attention, money, thought, effort, and energy we can also solve our farm surpluses by the developments of engineering, chemistry, and the associated sciences. I have long and often advocated that we can find the industrial uses and the industrial markets which will provide a full demand for a full production of farm products in this country. This means our farmers will receive that to which they are entitled—full parity income for a full program of production. Anything less than that, Mr. President, is an injustice to the American farmer.

I should like to have the RECORD show, Mr. President, that our distinguished colleague from Minnesota, Representative AUGUST ANDRESEN, ranking GOP member of the House Agriculture Committee, is today introducing a companion bill on this same subject in the House of Representatives. I hope both Houses will take action at this session to enact this "crash" program for the permanent solution of the farm problem on an economic basis of reality. As a member of the Senate Committee on Agriculture and Forestry, I shall do my best to induce the chairman of our committee to hold early hearings on this important and realistic proposal.

Mr. CURTIS. I thank the distinguished and able Senator for his remarks and his help.

Mr. WILEY. Mr. President, will the Senator yield

Mr. CURTIS. I yield to the Senator from Wisconsin.

Mr. WILEY. Mr. President, I received this morning a letter from the distinguished Senator, asking that I join in sponsorship of this proposed legislation. I am happy to say I am very grateful for the request, and very happy to join as a cosponsor of the bill.

Let me say that the proposed legislation is along the line of a bill I introduced in relation to creating, in Madison, Wis., a laboratory to discover better uses for that great volume of milk which is being produced more and more in America. I trust my bill and the Senator's bill can be considered together, before the Committee on Agriculture and Forestry, and that we can arrive at, let us say, some agency or some mechanism which will study the problem and find the solution necessary.

We have these surpluses. We also have great need for production. We need better distribution. We need better utilization. And of course we need markets.

Over and above that, in this atomic age, where we utilize unknown forces, so to speak, we need to find that unknown quantity which will give the answer to what the Senator is seeking.

I congratulate the Senator from Nebraska for introducing this fine measure.

Mr. CURTIS. I thank the distinguished Senator.

EDELTRAUD WATSON

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill for the relief of Edeltraud Watson.

This bill is for the relief of an Oregon resident's wife, Mrs. Alexander B. Watson, whose husband is in the Army and is at present stationed at Denver, Colo.

Mr. Watson was on duty in Germany and we helped him get his wife (a German national) over here on a 6-month visitor's visa when the examiners discovered that she had a spot on one lung. There were conflicting reports about whether she had active tuberculosis. She has been a patient at Fitzsimons Army Hospital and the medical officers now say they feel she does not have tuberculosis.

Mrs. Watson's visa has been extended for another 6 months to December 1957, so we are introducing this bill to give her permanent resident status. Otherwise she would have to go back to Germany at the expiration of her visitor's visa.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2312) for the relief of Edeltraud Watson, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938—AMENDMENT

Mr. WILLIAMS submitted an amendment, intended to be proposed by him, to the bill (S. 959) to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes, which was ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. REVERCOMB:

Address delivered by him before Disabled American War Veterans Convention at Charleston, W. Va., on June 16, 1957.

By Mr. KEFAUVER:

Address prepared to be delivered by him before Tennessee Bar Association meeting on June 14, 1957.

NOTICE OF CONSIDERATION OF A NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the nomination of Jacob D. Beam, of New Jersey, a Foreign Service officer of class 1, to be Ambassador of the United States to Poland, vice Joseph E. Jacobs, resigned.

Notice is given that the nomination will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

JOHN FOSTER DULLES

Mr. KNOWLAND. Mr. President, Secretary of State John Foster Dulles first took part in foreign policy 50 years ago last Saturday. On June 15, 1907, the Second International Peace Conference opened at The Hague, and John Foster Dulles, a 19-year-old Princeton undergraduate, was a participant as a secretary to one of the delegations.

It is significant that Mr. Dulles' first exposure to diplomacy was at a peace conference, for in the subsequent half century no man has labored harder or traveled more widely in the quest for peace and security for the United States and the free world.

The Hague Conference met from June to October of 1907. Forty-four countries were represented; and the Conference represented the most comprehensive effort, up to that time, to promote the maintenance of peace and to restrict the savagery of war.

I believe a review of Mr. Dulles' remarkable record is in order on this occasion.

In 1908, a year following his work at the Hague Conference, he was graduated from Princeton, valedictorian of his class, and a member of Phi Beta Kappa. After a year's study at the Sorbonne, in Paris, he returned to Washington, where he studied law at George Washington University, again earning top scholastic honors.

He joined the New York law firm of Sullivan & Cromwell, specializing in international affairs, an association which was to continue, with interruption for military service in World War I and frequent diplomatic assignments, until his appointment as a United States Senator from New York in 1949.

Early in 1917, President Wilson sent him to Panama to help bring about the alinement of Panama and other Central American States for defense of the Panama Canal. In that year, too, he was a United States member of the Pan-American Scientific Congress.

In 1918, after military service as captain and major, he was appointed assistant to the Chairman of the War Trade Board, and then joined President Wilson's advisory staff at the Versailles Peace Conference. That led to assignments with the Reparations Commission and the Supreme Economic Council.

He was next called away from his practice in 1927, to serve as legal adviser on the Polish plan of financial stabilization; and in 1933 he was a representative at the Berlin debt conference.

In 1938, Mr. Dulles made a detailed study of the political and economic situation in the Far East.

When Gov. Thomas E. Dewey, of New York, campaigned for the presidency in 1944, Mr. Dulles served as his adviser on foreign policy. During that campaign, he became a close associate of Senator Arthur Vandenberg, with the result that the latter recommended Mr. Dulles for appointment to the United Nations Conference at San Francisco in 1945. At that Conference he helped draft the Charter of the United Nations.

Subsequently, Mr. Dulles was a delegate to the United Nations General Assembly in 1946, 1947, 1948—when he was acting chairman of the United States delegation—and in 1950. In addition, he was an adviser to three Secretaries of State—Secretaries Byrnes, Marshall and Acheson—at meetings of the Council of Foreign Ministers in 1945, 1947, and 1949.

In 1950 he was appointed consultant to the Department of State, and a year later he was named special representative, with the rank of Ambassador, to negotiate the Japanese Peace Treaty, an assignment which culminated in the signing of the treaty at San Francisco in September 1951.

The following are some of the diplomatic achievements for which John Foster Dulles will, I believe, be remembered as a great Secretary of State.

IN THE FAR EAST

He played a decisive role in the final stages of the negotiation of the armistice of 1953 in Korea. He has continued the effort to bring about the unification of Korea by peaceful means.

He played a major part in the negotiation of the treaty of 1954 which established SEATO, and also the bilateral treaties of collective defense with the National Government of China, 1954, and the Republic of Korea, 1953, as well as the agreement of 1954 with Pakistan, for the provision of military assistance.

IN THE MIDDLE EAST

He guided American policy in promoting stable conditions in the Middle East, and supported the United Nations emergency force, which in 1956–57 took over certain areas in Egypt and Gaza. He was also largely responsible for the establishment in 1956 of the principles proposed as a basis for settling the controversy over the Suez Canal.

He guided the development of United States collaboration with the signatories of the Baghdad Pact of 1955, aimed at protecting the northern tier of Middle Eastern states bordering on the Soviet Union.

IN EUROPE

He exercised effective leadership in the London and Paris Conferences of 1954, which concluded agreements for the restoration of sovereignty to the Federal Republic of Germany.

His persistent efforts contributed greatly to the consummation of the Austrian State Treaty of 1955 which resulted in the first withdrawal of Soviet troops from Central Europe.

He played a leading part in the negotiations leading to the settlement in 1954 of the status of Trieste.

He has carefully explored the possibilities for relaxing tensions with the Soviet Union.

IN LATIN AMERICA

He was a chief mover in helping Guatemala recover after that state threw off the bonds of Communist penetration.

He played a leading role in the adoption by the Caracas Conference, in 1954, of the proposal (a) to recognize the international Communist movement as constituting intervention in American affairs and (b) to hold a meeting of consultation in the event of the domination of an American state by the international Communist movement.

IN RESPECT TO THE OPERATIONS OF THE DEPARTMENT OF STATE

He supported the strengthening of the organizational basis of our foreign policy, and to that end was instrumental in bringing about the Wriston program of 1954 for integrating the personnel of the Department of State and the Foreign Service.

HIS TRAVELS IN THE QUEST FOR PEACE

Intent upon the necessity of dealing with our foreign relations problems in the most effective way, wherever they exist and without regard to the sacrifices required in personal hardship, Secretary Dulles has attended some 12 NATO meetings, 10 Foreign Ministers meetings, 4 SEATO meetings, and a host of other conferences abroad in which United States national interest was importantly involved. These meetings and the good will trips he has made have taken him to 41 different countries during the past 4½ years.

In accomplishing this, he has traveled a third of a million miles to every quarter of the globe. At home, he has logged some 64,000 miles of travel in reporting to the people, through public addresses, attending United Nations meetings, conferring with the President, and attending other types of gatherings.

Those of us on both sides of the aisle who know him recognize John Foster Dulles not only as being a great Secretary of State, but a great American.

LOOPER ET AL. AGAINST GEORGIA SOUTHERN & FLORIDA RAILWAY CO. ET AL.

Mr. GOLDWATER. Mr. President, my colleagues will be interested in a decision just handed down by the Supreme Court of Georgia in Looper et al. against Georgia Southern & Florida Railway Co. et al.

In this case the court held that, although it was bound by the decision of the Supreme Court of the United States in the Hanson case, upholding a union-shop agreement made pursuant to the Railway Labor Act, nothing in the latter Court's decision required it to sanction compulsory membership in a union which uses the dues of its members for political purposes, saying:

We do not believe one can constitutionally be compelled to contribute money to support ideas, politics and candidates which he opposes. We believe his right to immunity from such exaction is superior to any claim the union can make upon him.

I ask unanimous consent that the findings of the court be printed at this point in my remarks in the body of the RECORD.

There being no objection, the findings were ordered to be printed in the RECORD, as follows:

IN THE SUPREME COURT OF GEORGIA—LOOPER ET AL. V. GEORGIA SOUTHERN & FLORIDA RAILWAY CO. ET AL., 19685, C. J. 4, APRIL TERM 1957.

By the Court: Decided June 10, 1957.

1. Where pursuant to terms of the employment contract petitioners were notified that unless they became members of a labor union within 60 days their employment would be terminated, the suit to enjoin such action and to decree the contract void was not prematurely filed.

2. While we must follow the holding of the Supreme Court that closed shop employment contracts under section 2, of the Railway Labor Act, are valid, yet since that Court has not held that an employee can by such contract be required as an alternative to losing his job to join a union which will use contributions he makes to it to promote ideological and political issues and candidates he opposes, we hold that the petition of these employees seeking to enjoin the enforcement of the employment contract and decree it void because of such uses of their contributions alleges a cause of action and it was error to dismiss the same.

STATEMENT

This is an action for injunctive relief to prevent the defendants, composed of a number of railroad companies and various labor organizations which are the bargaining agents of the employees of such railroad carriers, enforcing a closed or union shop agreement entered into by the defendants and discharging the petitioners who are named employees of said railroad carriers unless they join or remain members of a union. The petitioners also pray that the so-called union shop agreement be declared void. The petitioners allege that the agreement requires the employees to join or remain members of the various labor organizations applicable to their craft or trade as a condition precedent to the continued employment with the various carriers by whom the petitioners are now employed and are threatened with discharge unless the actions of the defendants in enforcing such contract is enjoined. The contract is set out as an exhibit attached to the petition and requires all employees to become members of the labor organization party to this agreement representing their craft or class within 60 days after the effective date of the agreement. The contract is attacked as being illegal, unconstitutional and void, and in direct violation of the Georgia right to work laws (Code, Ann. Supp. secs. 54-801 through 54-906; Ga. L. 1947, pp. 616–620), the 5th and 14th amendments of the Federal Constitution, and certain named sections of the Georgia constitution.

By amendment petitioners further allege that the initiation fees, periodic dues and assessments which they would be required to pay under the closed shop agreement will be used in substantial part for purposes not germane to collective bargaining but to support ideological and political doctrines and candidates which they are not willing to support and cannot lawfully be forced to support, thus violating their constitutionally guaranteed rights of freedom of association, thought, liberty, and property; and the contract and section 2, 11th, of the Railway Labor Act (45 U. S. C. A. sec. 152, 11th), to the extent that it authorizes such union shop agreement, are violative of the first, fifth, and

ninth amendments of the Constitution of the United States.

After consideration of a written motion to dismiss brought by counsel for the labor union defendants which states that petitioners fail to state a claim against any defendants upon which relief can be granted, citing decisions of the Federal Supreme Court in support thereof; the lower court sustained the motion, dissolved a temporary injunction previously granted, and dismissed the action as to all defendants. The exception here is to this final judgment.

OPINION

Chief Justice Duckworth: 1. The contract complained of was effective April 15, 1953. These petitioners were notified that unless they became members of the union within 60 days from the effective date of the contract their employment would be terminated. This notice accords with a clause in the contract. Thus is alleged and shown by the petitioners definite impending danger of losing their jobs unless this procedure which conforms to the alleged void contract is halted. While a mere apprehension will not authorize resort to equity, *Railway Emp. Dept.* v. *Hanson* (351 U. S. 225, 76 S. Ct. 714, 100 L. Ed. —); *Mayer etc. of Athens* v. *Co-op Cab Co.* (207 Ga. 505 (2) (62 S. E. 2d 906)); *Nottingham* v. *Elliott* (209 Ga. 481 (3) (74 S. E. 2d 93)); *Armed Forces Service Co.* v. *Petree* (211 Ga. 857 (1) (89 S. E. 2d 486)), yet one is not required to await the infliction of the injury before seeking to prevent it by injunction. Indeed these petitioners would have appealed to equity too late if they had awaited the completion of the 60-day notice period and the overt act of discharging them. *Mount* v. *The Great International Brotherhood of Locomotive Engineers* (226 Fed. 2d 604); *Sandt* v. *Mason* (208 Ga. 541 (67 S. E. 2d 767)).

While as indicated above this appeal to equity for injunctive relief is based upon facts and not mere apprehension and is therefore not premature, there is an additional reason why the judgment dismissing the amended petition cannot be sustained upon the ground it is premature, and that is the prayer that the contract be decreed illegal and void.

2. Section 2, 11th, of the Railway Labor Act (45 U. S. C. A., sec. 152, p. 481) plainly authorizes the embodiment of a closed-shop clause in contracts of employment, and in sweeping terms, nullifies all State laws in conflict therewith. The Supreme Court upheld the constitutionality of such a contract under the act in *Railway Emp. Dept.* v. *Hanson* (351 U. S. 225, supra). To uphold a closed-shop contract necessarily approved a denial of one's right to work because he is not a member of a labor union. We do not see a possibility of reconciling that ruling which is based solely upon the status of the individual which is that of nonunion and is entirely lawful, with the following chain of decisions of the same court holding that one could not be lawfully denied the right to work because of his status as indicated therein—because he was a Roman Catholic Priest, *Cummings* v. *State of Missouri* (71 U. S. 277, 4 Wall. 277, 18 L. Ed. 356); a Chinese immigrant, *Yick Wo* v. *Hopkins* (118 U. S. 356, 6 S. Ct. 1064, 30 L. Ed. 220); a teacher of German, *Meyer* v. *Nebraska* (262 U. S. 390, 43 S. Ct. 625, 67 L. Ed. 1042); a freight train conductor, *Smith* v. *Texas* (233 U. S. 630, 34 S. Ct. 681, 58 L. Ed. 1129); a State employee, *Wieman* v. *Updegraff* (344 U. S. 183, 73 S. Ct. 215, 97 L. Ed. 216); a Negro, *Steele* v. *Louisville & N. R. Co.* (325 U. S. 192, 65 S. Ct. 226, 89 L. Ed. 173); a teacher in a municipally supported school, *Slochower* v. *Bd. of Higher Ed. of City of New York* (350 U. S. 551, 76 S. Ct. 637, 100 L. Ed. —). It strikes us as being a futile gesture to solemnly declare the sacred and indestructible constitutional right of one to freedom of speech and freedom of worship, and then sanction a denial of that same one's right to work, which is the indispensable economic support without which neither freedom could endure. One could not for long enjoy speaking and worshiping freely if he was hungry and was denied bread or the means of obtaining it.

Anyone familiar with the experiences of the Thirteen Original Colonies under the dictatorial powers of the King as expressed in the Declaration of Independence, the reluctance of the States to surrender or delegate any powers to a general government is evidenced by the Articles of Confederation, and the demonstrated need for more powers in the area where jurisdiction was given the General Government, will have no difficulty in clearly understanding the meaning of the Constitution when it defines those powers and by the 9th and 10th amendments removes all doubt but that powers not expressly conferred were retained by the States. Even the schoolchildren in these original States know that solely because of the erection by individual States of trade barriers inimical to other States, and the inability to remove this evil by State action, the commerce clause, article 1, section 8, paragraph 3 (code sec. 1-125), invested the General Government with exclusive jurisdiction of interstate commerce to insure the free flow of commerce across State lines. But claiming authority under this clause the Congress, with the sanction of the Supreme Court, has projected the jurisdiction of the General Government into every precinct of the States and assumed Federal jurisdiction over countless matters, including the right to work, which are remotely, if at all, related to interstate commerce. By this unilateral determination of its own powers the General Government has at the same time and in the same manner deprived its creators, the States, of powers they thought and now believe they retained. But State courts, irrespective of contrary opinions held by their own judges which, by law, are required to have had experience as practicing attorneys before they can become judges of the law, must obey and accept the decisions of the Supreme Court of the United States pertaining to interstate commerce. We believe that a single person armed with right—the right to work—should in all courts of justice be able to defeat the selfish demands of multitudes, though they be members of a labor union who seek to deprive him of that right. We would so rule in any case where we are allowed jurisdiction. When the Supreme Court has, as seen above, held the Closed Shop Labor Contract Act valid we must likewise hold, not upon our own judgment, but solely because we are required to follow the Supreme Court ruling. We have made these observations to indicate our deep distress over the utter helplessness of a free American under this law, and our inability to judge his cause according to our understanding of the Constitution.

We go now to the single point raised which the Supreme Court has, we believe, clearly indicated is still open for decision. The petition of these nonunion employees alleges that they have been notified in accordance with the law and the contract of employment that unless they become members of a union within 60 days their employment will be terminated. It is alleged that the union dues and other payments they will be required to make to the union will be used to support ideological and political doctrines and candidates which they are unwilling to support and in which they do not believe, and that this will violate the 1st, 5th, and 9th amendments of the Constitution. While *Railway Emp. Dept.* v. *Hanson* (351 U. S. 225, supra), upheld the validity of a closed-shop contract executed under section 2, 11th, that opinion clearly indicates that that court would not approve a requirement that one join the union if his contributions thereto were used as this petition alleges. It is there said, "Judgment is reserved as to the validity or enforcibility of a union or closed-shop agreement if other conditions of union membership be imposed or if the exaction of dues, initiation fees, or assessments is used as a cover for enforcing ideological conformity or other action in contravention of the first and fifth amendments." We must render judgment now upon this precise question. We do not believe one can constitutionally be compelled to contribute money to support ideas, politics, and candidates which he opposes. We believe his right to immunity from such exactions is superior to any claim the union can make upon him.

Accordingly, the trial court erred in dismissing the amended petition which alleges that such uses will be made of dues and other money which as a member of the union petitioners would be required to contribute to the union.

Judgment reversed. All the Justices concur.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. JOHNSON of Texas. Mr. President, if my colleagues will indulge me, I should like to finish with the routine requests and some statements I must put in the RECORD when we open the Senate each day. This morning the minority leader sought recognition before I secured approval for certain committee meetings. I think we should as early as possible have the consent of the Senate to these meetings, so that all Senators will be on notice.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following subcommittees were authorized to meet today during the session of the Senate:

The Special Subcommittee To Hold Hearings on Rule XXII, of the Committee on Rules and Administration;

The Special Subcommittee on Welfare Pension Plans Legislation of the Committee on Labor and Public Welfare; and

The Subcommittee on Aviation of the Committee on Interstate and Foreign Commerce.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Finance, which is scheduled to hear Secretary of the Treasury Humphrey testify tomorrow morning may have permission to sit during the session of the Senate tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

FLOOD CONTROL AND DEVELOPMENT OF WATER RESOURCES

Mr. JOHNSON of Texas. Mr. President, in all its national history the United States has spent a total of $16.8 billion in Federal funds for flood control and development of our water resources.

Since the end of World War II, the United States has spent approximately $60 billion for aid to other countries.

I do not state that these latter expenditures were not wise and necessary. I do say that the former expenditures—those for water projects in our own country—constitute a shamefully small investment for this purpose.

Ours is a growing population. Ours is a dynamic, expanding economy. Our investments for the control of floods and the development of water resources have lagged far behind the increase in population and the expansion of the economy.

Between 1950 and 1956, our population increased by 11.6 percent and the national income increased by 42.6 percent. But Federal expenditures for water projects actually were 14.9 percent less in 1956 than in 1950.

Mr. President, that decrease does not make sense to me. I do not see any justification for it. At a time when, by every sound standard, we should have been doing more—we have been doing less. And our failure to do more rather than less has been costly in lost opportunities, in heavy flood damage, in loss of human life.

WATER IS NO. 1 RESOURCE

Water—for consumption by human beings, for use by industry, for agricultural irrigation, for generation of power—is our number one resource in this country. Also, control of water, when the rains came too fast and too heavily, often becomes for a time our number one problem.

We must develop that resource wisely and well. We must meet that problem soundly and efficiently.

Mr. President, Congress has a constitutional responsibility for the national land and water resources program. It is a responsibility we must accept and fulfill.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to invite the Senator's attention to another item at that point. The value of the dollar has been going down also, which makes the comparison the Senator has presented even more striking.

Mr. JOHNSON of Texas. I thank the Senator. I have a statement I should like to make in that connection at a later time.

Mr. President, I now desire to speak on another subject.

The VICE PRESIDENT. The Senator from Texas has the floor.

THE TIGHT MONEY POLICY AND INCREASING INTEREST RATES

Mr. JOHNSON of Texas. Mr. President, the most self-defeating policy that any administration has ever adopted in this Nation is the present "tight money" and increasing interest rate policy. It should be clear to all who wish to see that its continuance can lead only to a depression which will actually curl everyone's hair.

I have already pointed out the great additional burden imposed on the Federal Treasury. We have had presented to us undisputable evidence of the disastrous effect this policy has had on Federal fiscal operations.

This, however, is only one facet of the results of this ruinous policy. At the same time it is threatening the continued existence of our State and local governments by making it impossible for them to carry out the functions which have been wisely and expressly reserved to them by our Constitution.

The population of our public schools has increased and is increasing year by year. Yet the fiscal policy of our national Government thwarts every effort of the States and municipalities to meet the needs created by those increases.

From fiscal 1952 to fiscal 1955 interest paid by local school districts on school bond issues rose 25 percent faster than the direct general expenditures by these local districts for education. Since fiscal 1955 the interest rates paid by these local governing bodies has increased even faster.

Just last year one New York school district sold a bond issue and the extra interest it will be required to pay because of the increase in interest rates in the past 4 years, would be sufficient to build an additional school housing 900 pupils.

Our school systems are in grave peril. There is insistent demand that the Federal Government come to the rescue of the States and municipalities.

It is nothing less than fantastic that, at the time that the administration is strongly urging the Congress to enact an educational construction aid bill, at the very same time, it is pursuing a financial policy which is the greatest deterrent to the ability of the States and municipalities to carry out their constitutional responsibilities for themselves.

DEATH OF CHIEF JUSTICE ARTHUR T. VANDERBILT

Mr. CASE of New Jersey. Mr. President, today's papers carry the news of the untimely death of the chief justice of the Supreme Court of New Jersey.

My senior colleague, who is unavoidably absent today, has expressed very well the loss which our State and Nation have suffered. I ask to include here the text of his statement:

The death of Chief Justice Vanderbilt comes as an overwhelming shock to the people of New Jersey, and especially to those with whom he had been intimate for many years.

I have known Arthur Vanderbilt as a warm personal friend, especially during recent years and since I have been in public life. Arthur Vanderbilt was not only a great jurist, but was primarily responsible for the reorganization of the judicial system of New Jersey in the new State constitution, which was adopted in 1947. He served with outstanding distinction as chief jurist of the highest court in our State and has left a lasting monument of judicial procedure and efficiency of our courts, which is not exceeded by any other State in the Union. He will be missed sorely both in New Jersey and throughout the United States, and also in other countries of the world where our Anglo-Saxon jurisprudence is predominant.

I feel the personal loss of the warm friend for whom I had the deepest affection. Mrs. Smith joins me in sending to Mrs. Vanderbilt and to all the members of his family our deepest affections and sympathies.

On my own behalf I may say that the death of Chief Justice Arthur Vanderbilt is a great loss to the people of New Jersey and to all advocates of effective and expeditious justice.

Chief Justice Vanderbilt was a forceful leader in the area of judicial reform. His work has made the New Jersey court system a model which has been widely drawn on throughout the Nation and, indeed, the world. His insistence on high standards of practice was accompanied by his interest in legal education.

There are thousands of lawyers who have gained much through personal association with Justice Vanderbilt. There will be many thousands more in the future who will benefit from the lasting impression of his thought and his work.

VISIT TO THE SENATE BY ALEXANDER HAMILTON BICENTENNIAL COMMISSION SCHOLARSHIP WINNERS

Mr. MUNDT. Mr. President, I am happy to announce that the Senate has some very distinguished guests in the galleries. I am sure my colleagues will wish to greet them.

There are seated in the galleries the State scholarship winners of the Alexander Hamilton Bicentennial Commission scholarships. The scholarship program has been operated and administered by the Alexander Hamilton Bicentennial Commission. It has however been financed by generous contributions from private donors in the field of business and in the field of the professions. The chairman of the Alexander Hamilton Commemorative Scholarship Fund which has raised the money to make the scholarship program possible, is Mr. Frederick C. Crawford, of Cleveland, Ohio, the chairman of the board of Thompson Products, Inc.

There are in the galleries 55 young Americans who will go from here to Independence Square, Philadelphia, where, for the remainder of the week, they will sit in meetings as a student congress in Constitutional Hall, amid the hallowed surroundings in which the Constitution was born. They will compete against one another to be chosen among the 13 national Alexander Hamilton fellowship winners. Each of these national scholarships will be worth $4,000. Each of these scholarships will be named for one of the 13 original Colonies.

Each of these young Americans in the galleries has achieved distinction by the virtue of the fact that he or she has won a $2,000 State scholarship, entitling him or her to go to a college or a university of his or her individual choice.

In addition to a representative from each of the 48 States, there are representatives in the galleries from associated areas, to make up the magic constitutional number of 55 to correspond with the 55 original fathers of our Constitution. There are representatives from the District of Columbia, Alaska, Hawaii, the Canal Zone, Guam, Puerto Rico, the Virgin Islands, and from each of the 48 States.

I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a statement, including the names and addresses of

these distinguished young Americans, and some data on this week's program for them.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ALEXANDER HAMILTON BICENTENNIAL STUDENTS CONSTITUTIONAL CONVENTION

WASHINGTON, June 16.—The Alexander Hamilton Bicentennial Students Constitutional Convention will open its proceedings Tuesday morning, June 18, in Philadelphia's historic Independence Hall and will continue its deliberations through Friday, June 21, it was announced today by Senator KARL E. MUNDT, Republican, of South Dakota, Chairman of the Alexander Hamilton Bicentennial Commission, under whose auspices the convention is being held.

The convention will have as delegates 55 high-school boys and girls, each a winner of a Hamilton scholarship contest conducted in a State, Territory, or possession of the United States. Each winner is receiving a $1,000 scholarship, with an additional $1,000 award to the college or university. At the Philadelphia convention the 13 delegates judged the best, this number set to correspond to the original 13 States, will each receive an additional $2,000 scholarship with an equal amount to be awarded to the university or college the student elects to attend. The June 18 opening date of the convention is the 170th anniversary of Hamilton's great speech in the Philadelphia Convention of 1787 which wrote the United States Constitution, a speech which led to the formation of a national government.

En route to Philadelphia, the delegates will stop off in Washington. On Sunday evening, June 16, they will attend a reception and dinner in the National Press Club ballroom. Monday morning, June 17, they will visit the Hamilton Bicentennial Exhibition in the United States Treasury Building, a remarkable collection from public and private sources of historic paintings, documents, and other Hamiltonia. At noon they will visit the Capitol. They will be introduced to the United States Senate by Senator MUNDT and afterward they will call upon their individual Senators and Representatives.

At 3 o'clock Monday afternoon the delegates will be received at the White House by President Eisenhower. Following the White House visit, they will leave by bus for Philadelphia.

Funds for the Hamilton scholarship program are being raised from private sources by a special committee headed by Frederick C. Crawford, of Cleveland. Other members of this committee are: James J. Newman, of Akron, vice chairman; Fred F. Florence, of Dallas; James S. Kemper, of Chicago; and Aksel Nielsen, of Denver.

"This Alexander Hamilton Bicentennial Students Constitutional Convention is of unique significance in the history of American education," said Senator MUNDT. "It is the first such convention ever to be held as the outcome of contests held in every State, Territory, and possession, contests in which many thousands of high-school boys and girls have participated. The Hamilton Commission takes special pride in the fact that this is the first time, so far as we can ascertain, that a Federal agency program of this kind has been financed entirely by private funds. We have done this in the Hamilton tradition and we feel that we have set an excellent example for future Federal commissions to follow."

The convention's official opening on Tuesday morning in Philadelphia will be preceded by formal ceremonies in which Senator MUNDT will take part. The delegates will then settle down to the business at hand. Each delegate is sponsoring at least one amendment to some part of the Constitution which will be introduced at the opening session. The convention will then be split into five committees, each of which will consider amendment proposals referred to it and report back to the full meeting. One committee report will be considered and acted upon at each of five sessions. The convention will be brought to a formal close on Friday afternoon.

On Friday evening, June 21, the convocation will be concluded with a dinner in the Bellevue Stratford Hotel at which the 13 top scholarship winners will be announced.

In the course of their 4-day stay in Philadelphia, time will be taken out to allow the student "delegates" to inspect the Philadelphia Navy Yard and to visit Valley Forge and other historic points of interest.

On Saturday morning, June 22, the "delegates" will be brought back to Washington. They will visit Mount Vernon and participate in a ceremony placing a wreath at the tomb of George Washington. After this ceremony the "delegates" will disband.

The details of the State contests and the Philadelphia convention were developed for the Alexander Hamilton Bicentennial Commission by its Committee on Contests and Awards, of which Dr. Bower Aly, of the University of Missouri, is chairman.

Following is a complete list of "delegates" and a copy of the schedule of convention activities.

ALEXANDER HAMILTON BICENTENNIAL COMMISSION, AMERICAN STUDENTS CONSTITUTIONAL CONVENTION

June 16, Sunday, Lafayette Hotel, Washington, D. C.: 4 p. m., registration, lobby; 6 p. m., reception, National Press Club; 7 p. m., dinner, National Press Club; 8 p. m., afterdinner program, Sea Chanters and MUNDT speech.

June 17, Monday: 9:30 a. m., Alexander Hamilton Bicentennial Exhibit; 11:15 a. m., leave for Capitol; 2 p. m., reassemble at buses in front of Capitol; 2:45 p. m., White House, Presidential reception: 3:30 p. m., leave White House for Philadelphia; 7 p. m., arrive Philadelphia, Penn Sherwood Hotel, 39th and Chestnut Streets; 7:30 p. m., dinner at Hotel Penn Sherwood.

June 18, Tuesday: 8 a. m., breakfast at Hotel Penn Sherwood; 8:45 a. m., leave Hotel Penn Sherwood; 9:15 a. m., Independence Hall ceremonies; 9:30 a. m., first session, American Students Constitutional Convention; 12 m., first session adjourns; 12:15 p. m., lunch at Benjamin Franklin Hotel; 2 p. m., committee meeting at Benjamin Franklin Hotel; 7 p. m., dinner at Benjamin Franklin Hotel; 8 p. m., Krout's speech, "George Washington and Alexander Hamilton," 8:45 p. m., bus to Hotel Penn Sherwood.

June 19, Wednesday: 8 a. m., breakfast at Hotel Penn Sherwood; 8:45 a. m., bus to Independence Square; 9:15 a. m., second session, report of committee on article I; 11:45 a. m., adjourn; 12 m., lunch at Benjamin Franklin Hotel; 1 p. m., examination on Alexander Hamilton; 2:30 p. m., examination ends; 2:45 p. m., bus to navy yard; 3:15 p. m., naval demonstrations; 5:30 p. m., leave navy yard by bus; 6 p. m., dinner at Penn Sherwood; 7:15 p. m., bus to Independence Hall; 7:30 p. m., third session, report of committee on article II; 10 p. m., adjourn; 10:15 p. m., bus to Hotel Penn Sherwood.

June 20, Thursday: 8 a. m., breakfast at Penn Sherwood; 8:45 a. m., bus to Independence Hall; 9:15 a. m., fourth session, report of committee on article III; 11:45 a. m., adjourn; 12 m., lunch at Benjamin Franklin Hotel; 1:15 p. m., fifth session, report of committee on articles IV and V; 3:45 p. m., adjourn; 4 p. m., bus to Valley Forge; 5 p. m., arrive Valley Forge; 6:30 p. m., Freedom Foundation; 6:45 p. m., leave Valley Forge; 7:15 p. m., dinner, Conestoga Inn, Bryn Mawr; 8:30 p. m., bus to Hotel Penn Sherwood; 9:15 p. m., arrive Penn Sherwood.

June 21, Friday: 8 a. m., breakfast at Penn Sherwood; 8:45 a. m., bus to Independence Square; 9:15 a. m., sixth session, report of committee on article VI; 11.45 a. m., adjourn; 12 m., lunch at Benjamin Franklin Hotel; 1:15 p. m., University of Wisconsin Hamilton film, Benjamin Franklin Hotel; 2 p. m., seventh and final session, reconsideration of votes taken and miscellaneous resolutions; 4 p. m., adjourn; 4:15 p. m., bus to Penn Sherwood; 6:15 p. m., bus to Bellevue Stratford Hotel; 6:30 p. m., reception and dinner, awards to winners, Bellevue Stratford, Burgundy Room; 10:15 p. m., bus to Penn Sherwood.

June 22, Saturday: 7:30 a. m., breakfast at Penn Sherwood; 8:15 a. m., bus to Washington, D. C.; 11:45 a. m., lunch, Collingwood; 1 p. m., arrive Mount Vernon, place wreath on Washington's tomb; 2:30 p. m., bus from Mount Vernon to airport and Union Station; 3 p. m., arrive National Airport, D. C.; 3:45 p. m., arrive Union Station, D. C.

ALEXANDER HAMILTON STUDENTS CONSTITUTIONAL CONVENTION—STATE CONTEST WINNERS

Alabama: Craig Bamberger, 805 Fifth Avenue, Selma; Albert G. Parrish High School, Selma.

Arizona: Carlisle H. Dick, 2615 E. Manchester Street, Tucson; Tucson High School.

Arkansas: Earl L. McCarroll, Jr., 4817 Lafayette St., Little Rock Central High School.

California: Dan E. McCall, 1122 Trinity, Modesto; Modesto High School.

Colorado: Joseph C. Bell, 2000 South Cook St., Denver; South Denver High School.

Connecticut: Thomas A. Musante, 9 Stiles St., Stratford; Stratford High School.

Delaware: Walter S. Rowland, 46 Dickens Road, Claymont Tower Hill School, Wilmington.

Florida: Joyce Linda McKee, 722 Garden Plaza, Orlando; Edgewater High School.

Georgia: Roma Durrance Thomas, Jr., Patterson; Patterson High School.

Idaho: Gordon R. Chester, 2268 Gekeler, Boise; Boise High School.

Illinois: Katherine F. Hunley, Rural Route No. 2, Auburn; Auburn High School.

Indiana: Samuel J. Stegman, 135 East Fifth St., Peru; Peru High School.

Iowa: Harlan D. Hahn, 620 Vine St., Osage; Osage High School.

Kansas: Constant Poirier, 3324 W. 19th St., Topeka; Topeka High School.

Kentucky: Linda Brown Rue, Moreland Ave., Harrodsburg; Harrodsburg High School.

Louisiana: Barbara Mary Breaud, 4759 Franklin Ave., New Orleans; Mount Carmel Academy, New Orleans.

Maine: Edward D. Berman, 34 Highland Ave., Lewiston; Lewiston High School.

Maryland: G. Robert Jackall, 3101 Ardee Way, Dundalk; Loyola High School, Towson.

Massachusetts: Joshua A. Young, 70 Elm St., Andover; Holderness School, Plymouth, N. H.

Michigan: James M. Copeland, Jr., 3717 Vorhies Road, Ann Arbor; Ann Arbor High School.

Minnesota: Harold P. LeVander, 2323 Thompson Avenue, South St. Paul; South St. Paul Senior High School.

Mississippi: Floyd Dean Copeland, 4025 Pine Hill Drive, Jackson; Murrah High School.

Missouri: Karen E. Ordahl, 963 South Delaware, Springfield; Greenwood High School.

Montana: Reese C. Johnson, 2203 Pine St., Billings; Billings Senior High School.

Nebraska: Harvey W. Nelsen, 3740 No. 53d Street, Omaha; Benson High School.

Nevada: Byron Bartlett, 1212 South 9th St., Las Vegas; Las Vegas High School.

New Hampshire: Robert A. Backus, 24 Summer St., Goffstown; Holderness School, Plymouth.

New Jersey: Michael Marenchic, 305 Lawrie St., Perth Amboy; St. Mary's High School, Perth Amboy.

New Mexico: Frederick D. Gutierrez, Post Office Box 75, Los Lunas; Los Lunas High School.

New York: Richard F. Whearty, 6 Laurel St., Garden City; Chaminade High School, Mineola.

North Carolina: Augustus M. Burns III, Crestwood Drive, Roxboro; Roxboro High School.

North Dakota: Thomas R. Christofferson, 237 Fourth St., N.E., Valley City; Valley City Public High School.

Ohio: Allen R. Rule, 330 Lenappe Drive, Columbus; North High School.

Oklahoma: Lee Nash, 2619 Elgin Ave., Muskogee; Muskogee High School.

Oregon: Owen Meredith Wilson, Jr., 2315 McMorran Drive, Eugene; Eugene High School, Eugene.

Pennsylvania: Joseph C. Glass III, R. D. Box 150, National Pike East, Brownsville; Brownsville Senior High School.

Rhode Island: William P. Newman, 58 Forest St., Providence; LaSalle Academy, Providence.

South Carolina: Hastings Wyman, Jr., 2708 Highland Park Drive, Aiken; Aiken High School.

South Dakota: Mary Ann Butterbrodt, 909 Second Street NW., Watertown; Watertown High School.

Tennessee: Charles G. Adair, Jr., Rural Route No. 1, Pegram; West End High School, Nashville.

Texas: Shannon H. Ratliff, Box 5576, Sonora; Sonora High School.

Utah: Carol Lynn Wright, 630 North Sixth East, Provo; Brigham Young University High School, Provo.

Vermont: George M. Saiger, 406 South Winooski Avenue, Burlington; Edmunds High School, Burlington.

Virginia: Carole M. Johnson, 166 Marshall Terrace, Danville; George Washington High School.

Washington: Walter T. Toy, West 234 Franklin Court, Spokane; North Central High School.

West Virginia: Carl G. Adler, Jr., 1818 Jefferson Boulevard, Point Pleasant; Point Pleasant High School.

Wisconsin: Mary-Anne Smoler, 515 70th Street, Kenosha; Mary D. Bradford High School.

Wyoming: Mary Jo Anne Blower, 736 West 12th Street, Casper; Natrona County High School.

District of Columbia: John Kirby, 609 Knollwood Drive, Falls Church, Va.; Gonzaga College High School, Washington, D. C.

Alaska: Robert D. Montgomery, Box 650, Fairbanks; Fairbanks High School.

Canal Zone: Caroline E. Zirkman, Box 1636, Balboa; Balboa High School.

Guam: Oscar A. Mendiola, Agana.

Hawaii: Richard Y. Mitsunaga, 840 15th Avenue, Honolulu; St. Louis High School, Honolulu.

Puerto Rico: Horacio Cordero, Santurce; Perpetuo Socorro Academy, Miramar, Santurce.

Virgin Islands: Winston A. Hodge, Christiansted, St. Croix; Christiansted High School.

Mr. MUNDT. Mr. President, I ask our distinguished young guests in the galleries to rise in order that Members of the Senate may greet them. As Chairman of the Alexander Hamilton Bicentennial Commission, it is my pleasure and privilege to present these distinguished young Americans to the Senate.

(The guests of the Senate rose in the galleries and were greeted with applause.)

The PRESIDING OFFICER (Mr. CURTIS in the chair). The Chair wishes to extend a welcome to our distinguished guests in the galleries. We congratulate them on their achievement, and wish them much success.

PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, some minutes ago I obtained unanimous consent to speak for 5 minutes on a matter of personal privilege.

When I make a mistake of judgment, in my opinion I owe it to my colleagues in the Senate and to the people of my State to admit my mistake. Embarrassing as it may be to me and my colleagues, I wish to bring up for brief discussion today a subject in connection with which I think I made a mistake.

Last week I was taking an active part in the consideration of what I believed to be an exceedingly bad and unfortunate mutual-security bill, which took all my time. A meeting was held by some of my colleagues on a matter of procedure in the Senate, involving civil-rights legislation. I was represented at the meeting by a member of my staff but could not personally attend. I assume full responsibility, and place no responsibility on the shoulders of anyone else, for the inclusion of my name on a statement of a course of action which was recommended as a result of that conference.

For 13 years in the Senate I have insisted upon leaning over backward in the exercise of fair parliamentary procedure. I can very well recall, at the time the famous Flanders resolution on the McCarthy issue was before the Senate for consideration that I subjected myself to a considerable amount of criticism by my liberal colleagues because I felt there should be included in that resolution a bill of particulars. My colleagues who were then in the Senate know that I insisted, in the debate, that a bill of particulars be filed, and I filed one along with others. The record shows that was the final course of action taken by the Senate, and I am perfectly willing to stand on that record.

We have before us, in connection with the civil rights legislation, that may come over from the House of Representatives, another procedural problem. To my liberal colleagues let me say, in my judgment, it would be wrong for us, as liberals, to take any advantage of the rules which we might have procedurally or parliamentarywise available to us under rule 14. If the interpretation being given to rule 14 proves to be correct, as set forth in the statement of a group of Senators, which was issued last Friday, I nevertheless think it would be a mistake to take advantage of it. I think we should resolve all doubts in favor of letting the House bill go to committee and then move to discharge the committee if it bottles up the bill. However, I have studied this question over the weekend, I have serious reservations as to the interpretation being made of rule 14 by my colleagues who signed the Friday statement.

At least I am satisfied that I am right in telling the Senate that after studying this problem over the weekend I have changed my opinion about it. I think that when a bill comes over from the House, as a matter of sound procedure in the Senate it should be referred to a Senate committee. I think that is what the committee system in the Senate is for. I think we would do great damage to the entire committee procedure of the Senate if we were to follow any different course of action with regard to civil rights or any other issue.

We liberals, in particular, I think, should lean over backward in procedural matters, so that no one can say that, as liberals, when it is to our advantage, we will take advantage of some procedural or parliamentary weapon to win our ends. In the long run we will not win with such a course of action. Expediency is no synonym for liberalism.

There is another phase of this matter which I wish to stress. Suppose a right-to-work bill should come over from the House, or suppose a gas bill should come over from the House, or any other bill with respect to which liberals think there should be a thorough committee examination. What would we liberals say then to such a proposal? Plenty. We certainly would be heard from if an attempt were made to place such a House bill directly on the calendar of the Senate. In my judgment, we never make a mistake in the legislative process if we always resolve all doubts in favor of the full and fair exercise of the customary procedures of the Senate.

Let us assume hypothetically, for a moment, that under rule XIV a civil-rights bill could be placed directly on the calendar. We could also discharge a committee by the same majority vote that it would take to place the bill directly upon the calendar.

I happen to believe that the Judiciary Committee of the Senate—and I speak respectfully of its respective members—has delayed a civil-rights bill too long. I think it has had adequate time to consider a civil-rights bill. I think such a bill ought to be on the calendar. It is not on the calendar. But merely because I think the committee has delayed too long in connection with a Senate civil-rights bill, that is no reason why, in my opinion, we, as liberals, should take advantage of any procedural right we may wish to exercise by the elastic stretching of the rules of the Senate and placing immediately on the calendar a House bill coming over from the House of Representatives.

I think such a House bill should be referred to the Judiciary Committee. I serve notice now that if it is referred to the Judiciary Committee, and the Judiciary Committee does not consider it within a reasonable length of time, I myself will make a motion to discharge the committee from further consideration of the bill.

I have struggled with this question over the weekend. I have studied the rules. I have given a great deal of reflection to this question, and as a result my conscience says to me, "You are wrong, as a matter of long time Senate procedure

and practice in seeking to take advantage of anyone or of any rule by having a House civil rights bill placed directly upon the calendar."

Let me make clear again that there is very grave doubt that the rules permit it anyway. But assuming we can—even if we can—I do not believe that we should, because we liberals ought to remember that we are frequently in the minority, and when we are in the minority we do not like the whiplash of a majority exercise of strict construction of Senate rules.

I believe that the best way to get sound civil-rights legislation at this session of Congress is for us at all times to make a record that shows we never sought to take advantage of anyone by any strict and technical use of the rules of the Senate.

Oh, but it is said, the opposition can filibuster three times if we allow the House bill to go to the committee. Let them filibuster three times, if men have the will to do it, and let us break the three filibusters; but let us keep our record for complete parliamentary fairness perfectly clear. Let us give to our opposition all procedural rights by leaning over backwards to resolve doubts as to procedure in favor of our opposition. Let us win the final analysis, as I think we can by avoiding any semblance of parliamentary expediency. If the Senate committee bottles up the bill let us then move to discharge the committee if it holds this bill beyond a reasonable length of time.

I wanted to make these remarks, Mr. President, early today so as to serve notice of my change of opinion on this matter. I am sorry to disappoint some dear friends of mine in the Senate who may think that this is some sort of pulling of the carpet from under them. I do not have that in mind. I have my conscience to live with, and I cannot associate myself with what I consider to be a taking advantage of the rules of the Senate to accomplish a legislative end.

I am in favor of civil rights. I am going to fight for civil-rights legislation. But I am going to carry the fight to the opposition within the long-established, historic practices of the Senate. The common practice, Mr. President, is when a bill comes to the Senate from the House to pay respect to the House by sending the bill to committee for due consideration and deliberation, having it reported by the committee, and then fighting the battle on the floor of the Senate on the basis of either the committee report or by discharging the committee.

Mr. JOHNSON of Texas. Mr. President, I wish to commend the Senator from Oregon for his very forthright statement. It is in keeping with his customary conduct in the Senate.

I share the view the Senator has expressed concerning rule XIV. I appeal to each Member of the Senate carefully to review paragraphs 3 and 4 of rule XIV.

Over the weekend I have had an opportunity to give some study to the provisions of rule XIV. In that connection I have a brief statement I should like to make concerning my views on that question.

The question whether a bill goes to the Senate calendar upon objection after its second reading under rule XIV is controlled by the proper interpretation of paragraph 4 of the rule itself, without considering the fortifying significance of the mandatory reference language in the Reorganization Act.

Paragraph 3 of rule XIV makes it abundantly clear that a bill received from the House can be considered for passage on the same day only by unanimous consent.

It is equally clear that if no objection is raised to second reading, it does not require unanimous consent to consider it for reference to committee. This is extremely important in reaching a proper interpretation of paragraph 4.

I believe the intent and purpose of paragraph 4 is consistent with paragraph 3, and I think it is a further protection against precipitous action on passage of legislation that may be received from the House. In my judgment, the provision of paragraph 4, which reads—

and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar—

is intended to protect an individual Senator against precipitous passage of legislation by affording him an opportunity to object to such consideration, if the Senate has not by earlier action referred the bill to committee.

This is all that paragraph 4, in my opinion, can be consistently and intelligently construed to do. I am convinced that it was intended to cover only those situations where the Senate wanted to pass a bill rather than refer it to committee but where a minority did not want that to happen immediately after its second reading.

To sum up, I believe that a referral to committee after the second reading of a bill, which is mandatory under the Reorganization Act, cannot be defeated by a single objection. I believe that a motion immediately to consider a bill after its second reading, without its reference to a committee, can be defeated by a single objection which, in the absence of referral to committee, has the effect of placing the bill on the calendar and deferring Senate action by at least another legislative day.

In my opinion, it takes unanimous consent not to refer a bill to committe after its second reading, as well as unanimous consent to consider a bill without referring it to committee. This I submit is the full and consistent meaning of paragraphs 3 and 4 of rule 14.

Before we are confronted with making this responsible and important decision in this body, I ask each Member to examine the consequences that would flow from this decision and the interpretation placed on the rule by the Senator from Illinois [Mr. DOUGLAS] and his colleagues the other day.

If we decide that one Member can object to the referral of a House bill, or referral of a Senate bill, then we are saying that 1 Member of this body can cause 95 others to sit here until a motion is made to debate a bill before any bill can be referred.

Let us take the illustration offered by the able Senator from Oregon [Mr. MORSE]. Suppose the House of Representatives passed a right-to-work bill tomorrow, or an appropriation bill or a tax bill. Are we going to say that one Member can destroy the committee system? Are we going to say something that has never been held in a single precedent since rule 14 was adopted in 1877, that 1 Member can arise and object and keep that bill from going to committee?

I submit for the mature and deliberate consideration of my colleagues in this body that the rule was intended to say and does say—and the precedents in my opinion confirm it, and the judgments of the Senate in the past confirm it—that while one Member may object to a House bill being brought up for consideration, no one Member by objection can prevent referral of a bill to committee.

Mr. KNOWLAND. Mr. President, I did not intend to take the time to engage in a general debate on the question which I realize we shall probably meet tomorrow afternoon, according to the information I have received from the distinguished majority leader. I would not want my silence to be construed as acquiesence in the general statement which the majority leader has made.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. Not at this point.

Mr. JOHNSON of Texas. But the Senator has mentioned my name. I would not want my statement to be construed as expressing the opinion of any other Senators.

Certainly their silence must not be construed as agreeing with me. I merely agreed with the Senator from Oregon [Mr. MORSE], as I felt I should do.

Mr. KNOWLAND. As I have said, I did not want my silence here today to be construed as acquiescence in the general statements which have been made. Certainly in this field there is room for an honest difference of opinion. Undoubtedly differences of opinion will be presented tomorrow and at other times when these questions are raised. They are very real questions. We do have precedents, however, on this procedure, which, it has been suggested, might possibly be followed by the Senate.

It is true that the Reorganization Act, to which reference was made, was passed in 1946, which was after I came to the Senate. I was here during the entire period of the debate on the so-called reorganization bill while it was under discussion. The Reorganization Act became effective January 2, 1947.

(See sec. 142.)

It was on May 3, 1948, a year subsequent to the taking effect of the Reorganization Act, that the so-called Downey precedent on the tidelands bill came up for consideration by the Senate. I was in the Chamber at that time. I was a member of the Committee on Rules.

I was here when the distinguished Senator from Arkansas [Mr. FULBRIGHT], on the same day, raised the question and wondered why the same procedure

should not be followed on the oleomargarine bill.

That matter was discussed, and finally the issue arose, not as to whether the previous precedent was sound, not as to whether a previous precedent which had been established should fall, but it arose over whether the Senator from Arkansas should have priority to get his point of view before the Senate, in view of the fact that the then Senator from Nebraska, Mr. Wherry, who was at that time the Republican leader of the Senate, had in the meantime raised the question of the jurisdiction dispute as to which committee the oleomargarine bill should be referred to.

I agree with my distinguished friend from Texas that all Senators not only should read the rules, but they should read the debate, which will be found in the CONGRESSIONAL RECORD, volume 94, part 4, of the 80th Congress, 2d session. I particularly invite their attention to pages 5168–5172 of the RECORD of May 3, 1948, and suggest that they read the discussion which took place on a subsequent day, May 4, 1948—CONGRESSIONAL RECORD, pages 5219–5239—I am certain all Senators will find that debate to be of tremendous interest.

I call their particular attention to the discussion which also includes the remarks by the then Presiding Officer of the Senate, the distinguished former Senator from Michigan, the President pro tempore, Mr. Vandenberg.

This is a matter of great importance. It is a matter as to which all Senators should express their concern. It is a procedure which, as I pointed out in 1948, as a member of the Committee on Rules, can lead to a great deal of difficulty; there is no question about that. It is a procedure which, I think is provided for in the rules. But I think there is a perfectly valid reason why that provision is included. It is a provision which I think should not be used except under great provocation.

But the fact of the matter is that we are in the month of June. Six months have gone by. The Committee on the Judiciary has shown no indication that the bill which is before it will be reported to the Senate.

A bill which has been given consideration by the House is coming to the Senate. It is not a circumvention of the rules that this procedure be used. I think this is a case in point. I think it will give Senators an opportunity to have a bill before them; it will enable the present 95 Members of the Senate—there being 1 vacancy—representing the 48 States of the Union, an opportunity to express themselves on a very important matter of public policy.

Mr. JOHNSON of Texas. The Senator from California says the procedure he proposes is not a circumvention of the rule. I want to ask the Senator this question: Rule XIV was written in 1877. Can the Senator point to a single instance where the procedure he now seems to suggest, and perhaps embrace, has ever been a decision of the Senate, and where that procedure has ever been followed?

Mr. KNOWLAND. I think the procedure was not used, so far as I know, until 1948, when it was raised by my then colleague from California in the matter of the so-called tidelands bill.

Mr. JOHNSON of Texas. Was a point of order or an objection raised?

Mr. KNOWLAND. No; there was not; but the Senate, by acquiescence and with knowledge of the facts, proceeded in that manner.

Mr. JOHNSON of Texas. The Senate may do that. The Senate may do it by unanimous consent. That is the contention of the Senator from Texas. But where a single Senator objects to the immediate consideration of a bill, that Senator is protected by having the bill go to the calendar.

Mr. KNOWLAND. I think the Senator is correct in that had the objection been made that day to both the first and second readings the procedure followed by the Senate when the Senator from California, my then senior colleague, Senator Downey, raised his objection to further proceedings would not have taken place on May 3. It would have had to go over to the following legislative day before it went to the calendar.

Mr. JOHNSON of Texas. Is it fair to say that the Senator from California relies on the Downey precedent alone?

Mr. KNOWLAND. No; I rely also on the Fulbright precedent, which was established the following day.

Mr. JOHNSON of Texas. But the Senate decided, 56 to 15, that that bill should go to the committee.

Mr. KNOWLAND. No; the only issue involved in the Fulbright precedent was whether a priority should be given to the desire of the Senator from Arkansas over the request by the Senator from Nebraska, Mr. Wherry.

If the Senator will read the opinion of the President pro tempore and the debate at that time, he will find that it dealt with the priority of consideration as between the two points of order which had been raised.

Mr. JOHNSTON of South Carolina. Mr. President, I notice that a remark was made by the Senator from California to the effect that the Committee on the Judiciary probably would not report a bill. I may say that the full committee is holding meetings on a civil-rights bill. I think the original bill has been greatly perfected by some amendments which the Committee on the Judiciary has placed in the bill. I do not think those amendments could be given the same consideration on the floor as they have received in committee.

When we started on this bill, I did not think there was much likelihood that the members of the committee would have voted for the amendments to be included. But I think today the bill is in much better shape as result of committee amendments. I can only say that two-thirds of the committee are in favor of reporting the bill. As far as I am concerned, I am opposed to this legislation.

Mr. RUSSELL. Mr. President, I wish to commend the distinguished Senator from Oregon for the statement he has made. The Senator from Oregon and I are as far apart as the poles in our basic philosophy with respect to the proposed legislation, which is called civil-rights legislation. But we have both been Members of the Senate long enough to know what will happen when the Senate is driven by expediency to depart from the procedures of the Senate which are prescribed in rules.

It has often been said that the Senate can do anything by unanimous consent. I will carry that statement further. If the majority of the Senate, are so devoid of principle or respect for the law, the rules of the Senate or of the Constitution, the majority of the Senate can do anything. A majority can even doctor the Journal and make it appear that a proposed constitutional amendment has been approved by a two-thirds vote, whereas it might have been approved by a bare majority. Under the holdings of the Courts, the Courts do not go behind the Journal. The Journal is accepted as conclusive evidence as to what transpires here.

So these matters address themselves to our consciences and our judgment, without regard to our position with respect to the basic legislation which might be involved.

I am glad the distinguished minority leader invited the attention of the Senate to the discussion which occurred on this floor in 1948. I trust that the Members of the Senate—this being a very important matter—will read the RECORD which was made at that time.

It so happened that at that time I was strongly supporting the bill which was introduced by the Senator from Arkansas [Mr. FULBRIGHT], relating to taxes on oleomargarine. I was just as strongly in favor of that bill as was the Senator from Arkansas. But Senators will note from the RECORD that I stated on the floor then that I would not—even though I favored that bill—approve any course of action in the Senate which would be calculated to destroy the Rules of the Senate and the committee system on which all our legislation is predicated. I think I concluded my remarks by stating something like this: that though sick at heart over being compelled to take that action with respect to a bill I heartily favored, in my opinion orderly procedure in the Senate was of paramount importance to every Member of this body, and I therefore would vote to establish the precedent that the bill should be referred to the committee rather than to bypass the committee and place the bill on the calendar.

Mr. President, from reading the press, I understand that the distinguished Senator from California is to support the proposed rather remarkable and unusual procedure; and the article further stated that he and the distinguished Vice President of the United States have completely agreed upon it. I shall not at this time go into the reasons which are ascribed in the article, for this agreement between the Senator from California and the Vice President. But when the minority leader and the Vice President are quoted in the press as joining together to enforce this unusual procedure, that is almost like the Biblical story of the time when word went out from Shushan, the palace, that Mordecai, the Jew, must die.

Those of us who are insisting on orderly procedure here may be in the position of Mordecai.

We may be less fortunate than Mordecai. We may suffer—a parliamentary hanging on the gallows designed by the Vice President and the minority leader in their zeal to bypass committees with this specific legislation. I predict, however, that the administration and its leadership here will often appear in the role of Haman. They will be hanged time and again with the demands of a single Senator to place bills on the calendar that should go to committee. This precedent will arise to haunt them. I cannot conceive of anything likely to be so destructive of orderly procedure and the effectiveness of leadership than to pervert the Rules of the Senate by this kind of procedure.

If Senators adopt the philosophy that the end justifies the means, when the Senate has a process of orderly procedure which will enable Senators to reach their objective, they will be setting a precedent, in the Senate, which can only lead to chaos.

In that connection, I thank the distinguished Senator from California for giving me that word; that was the description he applied in 1948, during the debate at that time, when he said that departure from the committee system would lead to a great degree of legislative chaos. It is unnecessary and is contrary to the rules of the Senate and it can lead only to legislative chaos.

Mr. JOHNSON of Texas. Mr. President, at this point will the Senator from Georgia yield to me?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Georgia yield to the Senator from Texas?

Mr. RUSSELL. I yield.

Mr. JOHNSON of Texas. Because of the fact that only a limited number of copies of the 1948 RECORD are available, I wish to ask unanimous consent that at the conclusion of the remarks of the distinguished Senator from Georgia, there be inserted in the RECORD the discussion of this question which occurred in the Senate on May 3, 4, and 5, 1948. Therefore, I ask unanimous consent to have printed in the RECORD, at the conclusion of the remarks of the Senator from Georgia, the entire debate of May 3, 4, and 5 on this question.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit A.)

Mr. RUSSELL. Mr. President, the distinguished Senator from California referred to what he chose to call the Downey precedent. I have said that a reading of the RECORD will show that it was no precedent at all, because no point of order was raised. The Senate did not pass upon it. The Chair did not rule upon it, for it was not challenged by a point of order; and, therefore, it constitutes no precedent.

The precedent was created by action on the motion of the Senator from Arkansas that he be accorded the same privilege as that which had been accorded the Senator from California in sending the bill to the calendar by a single objection.

I was not on the floor of the Senate at the time when the so-called Downey motion was made, wherein he objected to further proceedings on the bill. At that time, I did not have either the time or the occasion to study the rule, to see just what is implied by this section of rule XIV. I am frank to say that I was somewhat at a loss to understand this provision of section IV of rule XIV until I had studied the matter very carefully.

I assert here and now, Mr. President, and I ask that all Members of the Senate read rule XIV—that every provision of rule XIV is written to protect the rights of individual Senators; no provision of rule XIV is written with any intent to bypass the other rules of the Senate or to expedite the consideration of bills. Every provision of this rule is written to serve as a restraint upon the majority of the Senate.

Now I ask the consideration of my colleagues of all of rule XIV, beginning with section 1, which reads as follows:

1. Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for 1 day.

What is the purpose of that provision? It is clear to any man who can read and think that it is to allow any Senator the right to object for 1 day to the introduction of a bill. It can have no other purpose. It is to protect the rights of each individual Senator to inform himself as to bills.

Now I invite the attention of my colleagues to section 2 of rule XIV, as follows:

Every bill and joint resolution shall receive 3 readings previous to its passage, which readings shall be on 3 different days, unless the Senate unanimously direct otherwise.

What is the purpose of that rule? It is to give every individual Senator a right to object to two readings on the same day, in order that he may consider the matter which is at issue, and to protect his rights as a Senator of the United States. The rule contains nothing to expedite legislation or bypass other rules. It was written to protect individual Senators, whereby one objection could prevent three readings on the same day or more than one reading on the same day. And further to protect the rights of Senators, the remainder of the rule reads as follows:

and the Presiding Officer shall give notice at each reading whether it be the first, second, or third.

So that every Senator might be apprised of the status of the bill and fully protected in the exercise of his right to prevent two readings on the same day.

Now let us go to section 3:

3. No bill or joint resolution shall be committed or amended until it shall have been read twice, after which it may be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to.

What is the purpose of that part of the rule? It is to give every individual Senator a right to interpose objection, to prevent the measure from being read twice on the same day.

I read further:

for reference, but shall not be considered on that day nor debated, except for reference, unless by unanimous consent.

Every line, every purpose, every objective of that section of the rule is to protect the individual Senator in the exercise of his rights, to secure him a delay of 1, 2, or 3 days, by requiring that these steps in the parliamentary process cannot be taken, save and except by unanimous consent.

Mr. President, those rules come down to us from Jefferson's Manual.

The language which is relied on as the basis for this unusual procedure to bypass the committees by the objection of one Senator—in other words, to have one Senator and the Chair take charge of the Senate and the 95 other Senators—was added in 1877; and at first I was puzzled to know why this language got into the rule. I shall now proceed to demonstrate and illustrate to the Senate why it was included.

I now read section 4 of rule 14:

4. Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to—

There is the protection for the individual Senator; he can object to the second reading, and have it go over until another day—

on the same day, and placed on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

Mr. President, if Senators will analyze that rule, they will see that it was intended to protect a Senator from the third reading and the precipitate passage of a bill if the bill was not referred to a committee. In other words, one objection, under subsection 3, to a reading of the bill caused it to be referred to a committee. If a Senator did not desire the bill to be referred to a committee, but was not quite ready to consider it, he could interpose his objection under subsection 4 to have it go to the calendar, whereby he would have another legislative day to study the bill. But section 3 and section 4 of this rule, when considered together, make it clear that the bill would be referred to committee except by unanimous consent.

This rule has been used one other time, back in 1928. The Senate was trying to proceed to the consideration of a House bill without reference to a committee. A Senator interposed objection to a third reading on the same day and consideration of the bill and it went to the calendar.

This rule was never designed, when we tie in subparagraph 4 to subparagraph 3, to do other than to allow one Senator who did not wish to have a bill go to a committee, but who was not quite ready to have action on it, have the bill placed on the calendar instead of going to a committee. If the Senator had so desired he could have had the bill referred to committee as a matter of individual right, rather than have it placed on the calendar.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. Yes.

Mr. KNOWLAND. In the normal procedure under the Senate rules, a bill is not referred to a committee except after a second reading. Is that correct?

Mr. RUSSELL. That is correct, although it may be referred after one reading. There is nothing in the rules to stop it.

Mr. KNOWLAND. If the Reorganization Act of 1946, which went into effect in 1947, meant that this procedure was not to be used at all, then, I ask the distinguished Senator from Georgia why Congress did not take the trouble to amend the section of the rule to clear up that point.

I think a clear reading of it shows that the provision was left in so that a bill coming from the House could, after its second reading, go to the calendar. It is true that a single objection could prevent a third reading of the bill, and, as the Senator has pointed out, our rules are established so as to protect an individual Senator. A Senator could object. The bill could go to the calendar. Then the only way the bill could be taken up would be by motion, which is subject to the protections with which the distinguished Senator from Georgia is well acquainted, and which gives to a minority of the Senate the opportunity to protect itself from being overridden by the majority.

Mr. RUSSELL. But the difference in the interpretation the Senator from California and I place on the rule is this: I said it was intended to protect the individual Senator's right. One objection would send the bill to committee. If no objection was made to bypassing the committee under subsection 3, under subsection IV he could send the bill to the calendar. Under the construction of the Senator from California, it would give one Senator, and the presiding officer, control over the Senate with power to bypass the committee. That was not the intention.

Mr. KNOWLAND. I am frank to admit, as I said in 1948, it is a procedure which should be used only sparingly. I think if used constantly it would create a chaotic condition. Under normal circumstances, I believe the Senate should follow the normal procedure; but, in addition to the rule being a protection to individual Senators—a view in which I concur—I think the Senate as an institution has some right to be protected. In my opinion this is one paragraph in rule XIV of the Senate of the United States under which 96 Members, representing 48 sovereign States, have some protection in a situation in which they would seem justified in proceeding in this way.

Mr. RUSSELL. I shall deal with the Reorganization Act shortly, but I may say I view with great sorrow the day when the Senator from California argues that the end justifies the means, when nobody knows better than does the Senator from California that there is a procedure that permits the Senate to adhere to the rules, to follow orderly committee procedure and at the same time to control committees. No situation exists where a committee controls the Senate. The committees are creatures of the Senate. There are rules for the discharge of committees.

I say the interpretation the Senator from California seeks to put on rule XIV would bring about chaos. The Senator from California says it should not be used except sparingly. That is a declaration that the end justifies the means, when the Senate has plenty of authority under its rules to discharge a committee if it wants to do so, and when there is a majority vote for it.

Mr. KNOWLAND. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. I submit that is not the doctrine at all. I submit this is not a contravention of the rules. This is a rule which is in the rule book of the Senate, which has been there, and on the basis of which a precedent has been established. If the Senator in his judgment desires to proceed under the rule, I think he has a perfect right to do so. In 1948 I suggested that the Rules Committee should examine the rule and see whether there should not be further clarification of it, because there is a conflict between this rule and the Reorganization Act. There is no question about that. But I submit again the precedents of 1948 were made subsequent to the passage of the Reorganization Act.

Mr. RUSSELL. If the Senator contends there is a conflict between the Reorganization Act and the rule, then he has not a leg to stand on. I shall read from the Reorganization Act. The Reorganization Act says, in rule XXV, which outlines the jurisdiction of committees:

Committee on the Judiciary, to consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects.

Included in that category is the category of civil liberties.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. Yes, I yield.

Mr. KNOWLAND. Yes, the Reorganization Act says that, and if such a bill is to be referred, that is the committee to which it should be referred.

Mr. RUSSELL. That is not what the language of the rule says. It says, "to which committee shall be referred." It does not say "maybe," "if," "perhaps," or if it suits the minority leader or this group or that group. It says the bill shall be referred to the committee. It says that in the case of all bills coming within the jurisdiction of the committee.

Mr. KNOWLAND. I recognize that is the Senator's honest interpretation of the rule. I had not anticipated we would get into a general debate on this subject today, but there is another interpretation which is in conformity with the rules, and which does not do violence to the rules, and which is in conformance with the precedents.

Mr. RUSSELL. I did not intend to discuss this question today at any length. I did discuss rule 14, and I wish to have my interpretation of it appear in the RECORD, since I am convinced I am right about it.

I read from the Reorganization Act, section 101 (a):

As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectfully, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith.

That section goes on to say that there is full recognition of the constitutional right of either House to change such rules.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. I might also invite attention to the fact that the concurrent resolution creating the Joint Committee on the Organization of the Congress, which resulted in the La Follette-Monroney Act, the so-called Reorganization Act, is to be found on page 69, the Journal of the Senate, February 12, 1945.

It states:

Provided, That nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendations with respect to the rules, parliamentary procedure, practices, and/or precedents of either House, or the consideration of any matter on the floor of either House.

Mr. RUSSELL. But of course the Senator will concede that title I, section 101, which refers specifically to the rules, was a part of that legislation and the bill passed both Houses and was enacted into law. It is nothing new for one Congress to repeal the action of a previous Congress.

Mr. KNOWLAND. Would the Senator not agree that under the previous provisions, where a bill, as I recall the language, "may be referred", at that point the custom and the precedents of Senate were such that the Presiding Officer could not determine whether or not he would make the referral or would leave it up to the Senate to make the referral?

Mr. RUSSELL. Oh, yes.

Mr. KNOWLAND. In the discussion by the then Senator from Michigan, Mr. Vandenberg, his interpretation, as I read it, and reread it on several occasions, was that "shall" referred to his responsibility as the Presiding Officer to make a referral.

Mr. RUSSELL. I do not agree. If the Senator from Michigan, the then President pro tempore, asserted that, he was dealing with section 137. It was agreed that the bill was to be referred, and the whole discussion took place as to which committee should receive the bill. The Senator from Michigan never raised any question about referral of the bill. The issue was as to which committee it would go, at the time the question was raised by Senator Wherry on the floor of the Senate.

Mr. President, I should now like to advert to one other matter, briefly. We

will undoubtedly be discussing this subject tomorrow—for a few hours, at least, if we are permitted to get in the RECORD our view point on the rules, without having a legislative lynching applied to us in the form of a motion to table. We wish to make a record on this matter.

I should like to advert for a moment to the development of the rules of the Senate. Of course, the first Senate did not have committees as such. They appointed at times special committees to consider specific items of legislation. Being a very small body, they generally proceeded as a Committee of the Whole to consider legislation. We must bear that in mind when we consider the background of rule XIV.

This rule grew up out of that procedure, when ofttimes the Senate would consider legislative matters without reference to a committee, because it was a small group, and it proceeded somewhat as a Committee of the Whole Senate. Since then the Senate has grown from 26 Members to 96 Members, and the committee system has become a fixed part of the legislative process.

In my opinion, Mr. President, we would do violence to a proper construction of rule XIV itself if we should bypass the committee under any such procedure as is proposed. I know we would ravish the Reorganization Act, which says that legislation shall be referred to the separate committees. I shall not at this time belabor the point any longer.

I regret very much, suspecting I am in the minority in this matter, that this procedure perhaps is to be adopted, instead of the regular, legitimate procedure of discharging a committee. I can see a justification, ofttimes, for the discharge of a committee, when a majority of the Senate wishes to act, but I can see no justification for adopting any such procedure as this, that can only lead to confusion and chaos in the Senate time and time again, when we establish a precedent that one Senator and the Presiding Officer can defeat the will of the whole Senate by sending a bill to the calendar instead of having it follow our ordinary committee procedure.

EXHIBIT A

[From the CONGRESSIONAL RECORD, vol. 94, pt. 4, pp. 5168–5172]

OWNERSHIP OF LAND BENEATH WATERS

Mr. DOWNEY. Mr. President, I ask that the President pro tempore lay before the Senate House bill 5992.

The PRESIDENT pro tempore. The Chair lays before the Senate House bill 5992, just received from the House, which will be read by title.

The LEGISLATIVE CLERK. A bill (H. R. 5992) to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources.

The PRESIDENT pro tempore. Without objection, the bill will be regarded as having been read the second time, as is the usual procedure, for the purpose of permitting the Senator from California to be heard.

Mr. DOWNEY. Mr. President, I desire to object to any further proceedings on this measure at the present time.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. What is the status of the bill at present?

The PRESIDENT pro tempore. The bill has been read the second time; and under rule XIV, paragraph 4, objection to further proceedings results in placing the bill on the calendar instead of referring it to a committee. From the calendar any Senator at any time the bill is before the Senate for consideration can move to have it sent to the committee.

Mr. LUCAS. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. Am I to understand that at the present time the bill will not go to the calendar?

The PRESIDENT pro tempore. The bill goes to the calendar and not to a committee, under the objection of the Senator from California.

Mr. LUCAS. Then it will be necessary for some Senator to move to take it from the calendar and refer it to a committee?

The PRESIDENT pro tempore. Yes.

Mr. TOBEY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. TOBEY. Is this the bill which would nullify, cast aside, and destroy the decision of the Supreme Court of the United States?

The PRESIDENT pro tempore. The Chair would say that in its staggering impact that is hardly a parliamentary question. The Chair does not undertake to meet that impact.

Mr. AIKEN. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. AIKEN. Can a bill be placed on the Senate Calendar without reference to a committee by simple majority vote?

The PRESIDENT pro tempore. The bill is placed on the calendar, under the rules of the Senate, on objection by any single Senator to further consideration of it when it has been read twice.

Mr. AIKEN. Then, under this procedure, all further hearings on the part of the Senate are bypassed?

The PRESIDENT pro tempore. Unless some Senator in his own right moves at the parliamentary point when he can, to refer the bill to a committee.

Mr. AIKEN. Then does he have to have a majority vote in order to take the bill off the calendar and refer it to a committee?

The PRESIDENT pro tempore. The Senator is correct.

Mr. DOWNEY. Mr. President, it is not my disposition nor I think that of any other Senator, so far as I know, to attempt at this time to make the bill the business of the Senate or in any way preclude the Committee on the Judiciary from bringing in a report upon the bill which is pending before it. This action merely places the bill upon the calendar. There is no disposition to force it out onto the Senate floor at this time.

Mr. AIKEN. Then, Mr. President, does it have the same position as any other bill on the calendar and does the same right exist to have it brought up at any time?

The PRESIDENT pro tempore. That would be the view of the Chair.

Mr. LUCAS. Mr. President, one further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. Am I correct in my understanding now that a similar bill is pending before the Committee on the Judiciary?

The PRESIDENT pro tempore. The Senator is correct.

Mr. LUCAS. And is being considered by the Committee on the Judiciary?

The PRESIDENT pro tempore. That is correct.

Mr. LUCAS. I merely want to say now that I serve notice on the Senate now that I shall move to refer the bill to the committee.

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HATCH. I merely wish to inquire whether the bill, respecting which the Senator from New Hampshire [Mr. TOBEY] made such a pertinent inquiry, is the so-called tidelands bill?

The PRESIDENT pro tempore. It is.

Mr. DONNELL. Mr. President, will the Senator from Illinois repeat what he said, so as to enable those of us on this side of the Chamber to know what was the purport of his remarks? I did not hear what the Senator said.

The PRESIDENT pro tempore. The Senator from Illinois gave notice that at the proper time he would move to take the bill from the calendar and refer it to committee.

Mr. AIKEN. Mr. President, if I may, I should like to say, not in the nature of a parliamentary inquiry, that I think this procedure is one of the most highhanded, outrageous procedures ever attempted on the part of any Member of the Congress. I cannot conceive of anyone attempting to bypass committee hearings, or do anything of this nature which would have the effect of robbing the people of the country of the naval oil reserves, and of overthrowing the decision of the Supreme Court.

The PRESIDENT pro tempore. The Chair trusts that the able Senator from Vermont will acquit the Chair of any part in his indictment. The Chair is following subsection 4 of rule XIV, as required.

Mr. AIKEN. I was not questioning the action of the Chair in the least. I simply say that it is an outrageous proceeding.

Mr. Downey obtained the floor.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I decline to yield.

Mr. TOBEY. Will the Senator give me 30 seconds?

Mr. DOWNEY. No; I decline to yield.

Mr. President, I am sure the distinguished Senator who last spoke would not characterize this as an outrageous proceeding if he understood it. In the first place, nothing has been done here except in accordance with the well-established Senate rule. There is no chicanery about it. There is no disposition to bypass the Judiciary Committee.

I should like to recall to the Senate these facts: This same bill was passed by a substantial majority of the House and Senate last year, but we had no opportunity to vote upon the veto because the President vetoed it too late. It has now passed the House of Representatives by a vote of 10 to 1; and it is my personal opinion that there is not only a substantial majority in the Senate for this bill, but a two-thirds vote for the bill.

Pending before the Judiciary Committee in the past 2 or 3 months has been a similar bill. I shall urge the Senate to keep this bill upon the calendar so that if for any reason the Judiciary Committee does not bring in some kind of a report in time for the Congress of the United States to express its opinion, the Congress of the United States, and not a small minority, may have its will prevail.

Mr. TOBEY. Mr. President, Charles Dickens wrote many books. One of the most interesting was a book entitled "Great Expectations." I think the distinguished Senator from California must have been reading the book when he indulged in the gift of prophecy and stated that in his judgment the bill would pass by a tremendous majority

or by a two-thirds vote over the President's veto.

I wish to tell the Senator—I cannot use the word, but if I could I would use the word "damndest"—the Senator is going to have that kind of a fight on this flood, such as we have never seen before. Some people who believe in the decisions of the Supreme Court, and believe that it is greater than the State of California, are going to fight tooth and nail to stop this thing. To use the language used in the Battle of the Marne, It shall not pass. I give notice that the Senator is in for an interesting time.

Mr. DOWNEY. Mr. President, all I desire is to have a majority of the Senate given the opportunity to express itself. If the distinguished Senator has in mind, by a filibuster or any other method such as he uses, and I will not use——

Mr. TOBEY. What is the Senator referring to? I challenge the indictment. I challenge the Senator to name an instance when I filibustered in the 15 years I have been a Member of Congress. I challenge the Senator to name such an instance. He cannot do it.

Mr. DOWNEY. Mr. President, I have no desire to——

Mr. TOBEY. The Senator made the charge. Now let him answer my challenge.

The PRESIDENT pro tempore. The Senator from California has the floor.

Mr. DOWNEY. If the Senator from New Hampshire or any other Senator has no desire to filibuster this bill, there is no reason for heat or emotion. If the Judiciary Committee does not report the bill in time for the Senate to express its will upon it, the Senate will then have two methods by which to proceed—either a motion to discharge the committee, or, if this bill is still upon the calendar, a motion to make it the business of the Senate. Why all this heat and excitement, I do not understand, unless Senators are afraid to give the Senate an opportunity to express its majority will.

Mr. TOBEY. Mr. President, will the Senator yield for a moment? He made a charge against me.

The PRESIDENT pro tempore. The Senator from California has the floor.

Mr. DOWNEY. Mr. President——

Mr. TOBEY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. TOBEY. It is this: The distinguished Senator from California, within the last 2 minutes, made a charge against me by referring to my stopping the bill by a filibuster, "as the Senator has done" or words to that effect. I challenge that statement. I challenge him to cite one instance during my 10 years in the Senate, when I have used dilatory tactics or resorted to a filibuster. I asked him to name it. He is on the spot.

Mr. DOWNEY. Mr. President, I did not have the slightest intent to use any language with the interpretation which the Senator has in mind.

Mr. TOBEY. The record will speak for itself.

Mr. DOWNEY. The Senator used certain language on the Senate floor within the past 5 minutes that I do not care to use.

Mr. TOBEY. The Senator is ducking the question. The Senator from California made the statement that he could not understand the reason for heat or emotion. I will tell the Senator why there is some heat here. It is because there will be in America some righteous indignation against the tremendous lobby which has been working on the bill for several years, formerly represented by the gentleman from California, Mr. Ed Pauley, of unsavory reputation, and his cohorts. This is only the beginning. Do not ever again challenge me and impute to me filibustering tactics or unfair procedure.

REPEAL OF OLEOMARGARINE TAXES

The PRESIDENT pro tempore. While the President pro tempore is holding court this morning, he would like to conclude the "hangover" responsibilities at the desk by taking up House bill 2245 for reference. This is the oleomargarine bill which has come over from the House.

In the opinion of the Chair, the situation is as follows: The Chair would be very desirous, if it were possible, to submit the question of reference to the Senate for its own decision, because the point is so close that a persuasive argument can be made both ways in respect to reference, as between the Committee on Finance and the Committee on Agriculture and Forestry.

Under the old rules of the Senate it was possible for the Chair to submit a question of reference or a point of order to the Senate without himself ruling. However, under the Reorganization Act, when a question of jurisdiction arises, the act provides:

"The question shall be decided by the Presiding Officer of the Senate without debate, in favor of that committee which has jurisdiction over the subject matter which predominates in the proposed legislation, but such decision shall be subject to an appeal."

Therefore, the only way, in the judgment of the Chair, that he can submit this question to the Senate for its judgment is for the Chair to make a preliminary ruling of reference, and then let an appeal be taken to determine the Senate's position on the question of reference if an appeal is desired.

Mr. WHERRY obtained the floor.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. FULBRIGHT. Is there any reason why House bill 2245 cannot be placed on the calendar in the same way that House bill 5992 was placed on the calendar?

The PRESIDENT pro tempore. The Chair thinks so, in view of the fact that the question of reference has been reached, and submitted to the Senate by the Chair himself.

Mr. FULBRIGHT. Does this action of the Chair preclude the operation of rule XIV?

The PRESIDENT pro tempore. The Chair thinks so.

Mr. FULBRIGHT. Has the bill been read the first and second time?

The PRESIDENT pro tempore. It has not.

Mr. FULBRIGHT. May I be permitted to make an objection to further action?

The PRESIDENT pro tempore. The Chair recognized the Senator from Nebraska. The Chair will have to ask the Senator from Nebraska if he yields to the Senator from Arkansas for that purpose, because the situation must be left in the hands of the Senate, under the rules.

Mr. WHERRY. Mr. President, the Chair has laid down the business. It is the desire of the Senator from Nebraska that the ruling be made on the question of reference of the bill.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. Am I to understand the Chair to say that a point of order cannot be made under any circumstances, against what is now being attempted by the Chair?

The PRESIDENT pro tempore. The Chair does not understand the Senator's inquiry.

Mr. LUCAS. Do I correctly understand the Chair to rule that simply because the Chair recognized the Senator from Nebraska, a point of order cannot be made or a statement cannot be made by the Senator from Arkansas in respect to a situation which, it seems to me, is on all fours with the similar situation which arose a few moments ago?

The PRESIDENT pro tempore. The Chair did not intend to rule to that effect. The Chair was trying to indicate that, inasmuch as the Senator from Nebraska had been recognized, the Chair thought any affirmative action should be in the hands of the Senator from Nebraska until he had at least concluded his right to the floor.

Mr. WHERRY. Mr. President, inasmuch as this is a highly controversial issue in regard to reference, this bill is not in the same category as the bill which was brought up before. So I restate my request that ruling be made by the President pro tempore in regard to the reference of this bill.

The PRESIDENT pro tempore. It is the opinion of the Chair that when the question of jurisdiction is raised, it is necessary for the Chair to rule. The other rule to which the Senator is referring is subordinate to the necessity for the Chair to rule under the Reorganization Act.

Mr. LUCAS. Mr. President, I cannot quite agree with the distinguished occupant of the Chair. I cannot see why a matter of mere reference, a question as to whether a bill shall be referred to the Committee on Agriculture or whether it shall be referred to the Finance Committee, should make any difference in regard to the fundamental proposition. When a bill which has been passed by the House of Representatives comes to the Senate and when the Senator from Arkansas desires to do the same thing regarding it that the Senator from California did in regard to the other bill—namely, make an objection, to the effect that the bill be placed at the end of the calendar, rather than have reference made—it certainly is beyond my comprehension how in one case a ruling can be made whereby there is no reference at all to a committee, and yet in another case, simply because some Senator raises a question of jurisdiction, reference is made. I do not follow the logic of that procedure.

The PRESIDENT pro tempore. Let the Chair make a further observation, because the Chair can understand the confusion of the Senator from Illinois.

Section 137 of the Legislative Reorganization Act reads as follows:

"In any case in which a controversy arises as to the jurisdiction of any standing committee of the Senate with respect to any proposed legislation, the question of jurisdiction shall be decided by the presiding officer of the Senate, without debate, in favor of that committee which has jurisdiction over the subject matter which predominates in such proposed legislation; but such decision shall be subject to an appeal."

It is the view of the Chair that the question of precedence in a case of this character depends entirely upon which point is raised first. Since the question of jurisdiction has been raised first, it is the view of the Chair that the question of jurisdiction takes priority.

Mr. RUSSELL. Mr. President, section 137 was in effect just as much in regard to the tidelands oil bill as it was in regard to the oleomargarine bill. Both bills came to the Senate under identically the same circumstances.

I have the greatest possible respect for the Chair. I have never seen a fairer Presiding Officer. But we are adopting a very dangerous precedent in the Senate if the Chair can raise a question of jurisdiction and thereby deny to one bill the same rights which are inherent in respect to another measure, simply because the Chair does not see fit to raise any question of jurisdiction as to the other measure.

The PRESIDENT pro tempore. Let the Chair interrupt the Senator from Georgia for a moment, to say that in the view of the Chair, the Chair did not raise the question of jurisdiction. The Senator from Nebraska, Mr. Wherry, raised the question of jurisdiction.

Mr. WHERRY. Yes.

Mr. RUSSELL. Mr. President, I have been here on the floor. If the Senator from Nebraska raised any question or point of jurisdiction, I did not hear him do so. The Chair announced that there was a question of jurisdiction; and after making that announcement, the Chair recognized the Senator from Nebraska. The Senator from Georgia heard the Senator from Nebraska state only that he hoped the Chair would go ahead and rule on the question of jurisdiction. He made that statement once or twice or three times.

Mr. WHERRY. Mr. President, I raised the question of jurisdiction and I pointed out the difference between the bills. The bill which came to the Senate and as to which the Senator from California objected to any further proceeding, after it had been read twice—with the result that the bill then went to the end of the calendar—was in regard to an entirely different matter.

In this case, the question is one of jurisdiction. I stood on my feet and said that I felt that inasmuch as the measure was a highly controversial one, the question of jurisdiction should be decided, and I asked for a ruling by the Chair.

Mr. RUSSELL. Mr. President, the Chair had already stated that a question of jurisdiction was involved in regard to the bill. I respectfully submit that a question of jurisdiction is involved in regard to any bill. It may not be controversial in some cases, but a question of jurisdiction is involved in regard to every bill which comes to the Senate.

In this case two bills have come to the Senate from the House of Representatives. They did not come to the Senate under different rules or circumstances. Both of them came to the Senate under section 137 of the Reorganization Act and under rule XIV of the standing rules of the Senate. With all deference to the Chair and with great respect which I have for the Chair, I say it is very unfortunate that the Chair raised a question of jurisdiction before the Senator from Arkansas had an opportunity to submit with respect to the oleomargarine bill the same point which was submitted by the Senator from California with respect to the tidelands bill.

The PRESIDENT pro tempore. Let the Chair make this additional observation: In the initial statement made by the Chair, the Chair was not trying to raise a question of jurisdiction. On the contrary, the Chair was trying to disclose to the Senate why it was necessary for the Chair to make a preliminary ruling if he wished to submit the question of jurisdiction to the Senate.

The whole purpose of the Chair is to avoid the necessity of ruling on the question of jurisdiction, but there seems to be no way of doing so, under the rule. What the Chair was anxious to state was that after the ruling had been made, the Chair hoped the Senate would take its own jurisdiction without prejudice or respect to the Chair's ruling, and thus settle the problem for itself. The Chair was not raising the question of jurisdiction himself.

Mr. RUSSELL. Mr. President, the Chair stated that a question of jurisdiction was involved; and when the Senator from Arkansas rose to his feet and addressed the Chair, the Chair asked the Senator to defer until the Chair had an opportunity to make a statement concerning the jurisdiction of this bill.

With all respect to the Chair, I say it is a most unfortunate precedent that different rules should be applied with respect to these two bills.

Mr. Fulbright and Mr. Maybank addressed the Chair.

Mr. DONNELL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President——

The PRESIDENT pro tempore. The Chair wishes to state that the Senator from South Carolina [Mr. Maybank] has been on his feet for some time, addressing the Chair. Does the Senator from Arkansas yield to the Senator from South Carolina at this time?

Mr. FULBRIGHT. Not just at this time.

Mr. President, I do not believe House bill 2245 has been read the first and second time by the clerk.

Mr. DONNELL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. Does the Senator from Arkansas yield for a parliamentary inquiry?

Mr. FULBRIGHT. Mr. President, I should like to propound my own parliamentary inquiry first.

Mr. DONNELL. Mr. President, I insist that a parliamentary inquiry is always in order.

The PRESIDENT pro tempore. The Senator from Arkansas does not have to yield for a parliamentary inquiry unless he wishes to do so.

Mr. FULBRIGHT. Mr. President, as I understand the situation, House bill 2245 has not been read the first and second time. Is that correct?

The PRESIDENT pro tempore. The Senator is correct.

Mr. FULBRIGHT. As soon as it is, at that point is it in order for me to object to further proceedings in regard to the bill?

Mr. WHERRY. Mr. President, will the Senator from Arkansas yield for a parliamentary inquiry?

Mr. FULBRIGHT. I should like to obtain an answer to my inquiry, first.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. Does the Senator from Arkansas yield for that purpose?

Mr. FULBRIGHT. Not until I have an answer to the inquiry I have propounded.

The PRESIDENT pro tempore. Will the Senator from Arkansas restate his inquiry?

Mr. FULBRIGHT. It is this: After House bill 2245 has been read the first and second times by the clerk, is it in order for me at that time to object to further proceedings in regard to the bill?

The PRESIDENT pro tempore. If the Senator is recognized, he can do so. The sole question is one of priority in respect to recognition because either procedure is in order.

Mr. FULBRIGHT. In other words, regardless of whether rule XIV applies, it is within the discretion of the Chair, is it not, to recognize the Senator from Nebraska? Is that the situation?

The PRESIDENT pro tempore. The Senator is correct.

Mr. FULBRIGHT. It seems to me that is a rather odd situation respecting the application of rule XIV.

The PRESIDENT pro tempore. There is scarcely anything odd in permitting the Chair to recognize Senators. That is what the Chair is here for.

Mr. FULBRIGHT. But, for the purpose of applying rule XIV, it seems to me, under the California case, the objection to further consideration should be in order, before that action is taken.

Mr. DONNELL. Mr. President, will the Senator from Arkansas yield for an inquiry?

The PRESIDENT pro tempore. Does the Senator from Arkansas yield for a parliamentary inquiry?

Mr. FULBRIGHT. I yield.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. DONNELL. I should like to inquire as a matter of information whether or not the oleomargarine bill has yet received a first and second reading?

The PRESIDENT pro tempore. It has not.

Mr. DONNELL. Then, Mr. President, I make the point of order that it cannot be placed on the calendar at this time because of the fact that rule XIV, subdivision 4, says:

"Every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee shall, if objection be made to further proceeding thereon, be placed on the calendar."

My point is that the Chair is entirely correct in proceeding to make his ruling, and that this bill cannot now be placed on the calendar because a first and second reading of the bill has not yet been had.

The PRESIDENT pro tempore. The Senator is correct, up to this point.

Mr. WHERRY. Mr. President, may we have the first and second reading of the bill?

The PRESIDENT pro tempore. Under the rule bills may be read twice by title.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. LUCAS. I respectfully present this hypothetical question: When the Senate is considering any bill which comes from the House, would it be in order to question committee jurisdiction of the bill, in order to keep it from going to the calendar?

The PRESIDENT pro tempore. Will the Senator repeat his question?

Mr. LUCAS. My question is, With respect to any bill coming from the House, would it be in order for any Senator to question to which committee the bill should be referred, in order to keep it from going to the calendar?

The PRESIDENT pro tempore. It would be, after the second reading.

Mr. LUCAS. And if the Senator could obtain recognition?

The PRESIDENT pro tempore. That is correct.

Mr. MAYBANK. Mr. President, as I understand the parliamentary situation, the bill cannot be placed on the calendar.

The PRESIDENT pro tempore. Will the Senator repeat his question?

Mr. MAYBANK. As I understand the parliamentary situation, the bill is not to be placed on the calendar without reference.

The PRESIDENT pro tempore. The bill has not yet been read.

Mr. MAYBANK. Mr. President, I should like first to suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken, Baldwin, Ball, Brewster, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Connally, Cooper, Cordon, Donnell, Downey, Dworshak, Eastland, Ecton, Ellender, Ferguson, Flanders, Fulbright, Gurney, Hatch, Hawkes, Hayden, Hickenlooper, Hoey, Ives, Johnson of Colorado, Kem, Kilgore, Knowland, Langer, Lodge, Lucas, McCarthy, McClellan, McFarland, McGrath, McKellar, McMahon, Maybank, Moore, Morse, Murray, O'Conor, O'Daniel, O'Mahoney, Overton, Reed, Revercomb, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Stewart, Taylor, Thomas of Oklahoma, Thomas of Utah, Thye, Tobey, Tydings, Umstead, Vandenberg, Watkins, Wherry, White, Wiley, Williams, Wilson, Young.

Mr. WHERRY. I announce that the Senator from Ohio [Mr. Bricker], the Senator from South Dakota [Mr. Bushfield], the Senator from Indiana [Mr. Jenner], and the Senator from Colorado [Mr. Millikin] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent on official business.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness in his family.

The Senator from Nevada [Mr. MALONE] and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. Barkley], the Senator from Rhode Island [Mr. Green] the Senators, from Alabama [Mr. Hill and Mr. Sparkman], the Senator from South Carolina [Mr. Johnston], the Senator from Washington [Mr. Magnuson], and the Senator from Pennsylvania [Mr. Myers] are absent on public business.

The Senator from Georgia [Mr. George] is absent because of illness in his family.

The Senators from Florida [Mr. Pepper and Mr. Holland] are absent by leave of the Senate. The Senator from Nevada [Mr. McCarran] and the Senator from New York [Mr. Wagner] are necessarily absent.

The PRESIDENT pro tempore. Seventy-five Senators have answered to their names. A quorum is present.

The Chair lays before the Senate, House bill 2245, the oleomargarine bill, which has come from the House and which will be read the first time by title.

The LEGISLATIVE CLERK. A bill (H. R. 2245) to repeal the tax on oleomargarine.

The PRESIDENT pro tempore. Is there objection to the second reading of the bill?

Mr. FULBRIGHT. I object.

The PRESIDENT pro tempore. The bill will go over automatically until tomorrow or the next legislative day.

Mr. MAYBANK. Mr. President——

The PRESIDENT pro tempore. The Senator from South Carolina is recognized.

Mr. MAYBANK. Mr. President, I regret that the situation is such that the Chair could not rule today on the question. The bill, which came from the House of Representatives, was introduced by the Representative from my home district and from my home, Representative RIVERS. After a long fight the bill was finally passed by the House, and I was hopeful that today the Senate would take it up and that the Chair would rule on the committee to which the bill should be referred.

In 1943 and 1944 a similar fight took place in the Senate I submitted to tax bill after tax bill amendments proposing to repeal the taxes on oleomargarine. Extensive hearings were held by the Finance Committee, of which the Senator from Georgia [Mr. George] was at that time chairman. The distinguished President pro tempore of the Senate was at that time the ranking Republican on the Finance Committee. The oleomargarine interests and other witnesses testified. Through all those hearings the measure was handled by the Finance Committee. Of course I should like to see the bill placed on the calendar, as was done in the case of the tidelands oil bill. I hope that the Chair, who has always been fair in the reference of bills, will not forget that the hearings on oleomargarine were held before the Finance Committee in 1943, 1944, and 1948, which committee already has a great deal of information on the subject. I therefore trust that the bill as passed by the House will be referred to the Finance Committee.

The Senator from Colorado [Mr. Millikin], the chairman of the Finance Committee, recently made the statement in the Senate, in answer to me, that he considered it to be a tax matter and that the Finance Committee would take it up in due time.

So, Mr. President, without further statement, I trust that when the matter comes up tomorrow, unless the bill can be placed on the calendar, the distinguished President pro tempore will refer the bill to the Finance Committee which heard the arguments in 1943, 1944, 1947, and 1948.

[From the CONGRESSIONAL RECORD, vol. 94, pt. 4, pps. 5219–5239]

REPEAL OF OLEOMARGARINE TAXES

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken, Baldwin, Ball, Brewster, Brooks, Buck, Butler, Byrd, Cain, Capper, Chaves, Connally, Cooper, Cordon, Donnelly, Downey, Dworshak, Eastland, Ecton, Ellender, Ferguson, Flanders, Fulbright, Green, Gurney, Hatch, Hayden, Hickenlooper, Hoey, Ives, Johnson of Colorado, Johnston of South Carolina, Kem, Kilgore, Knowland, Langer, Lodge, Lucas, McCarthy, McClellan, McFarland, McGrath, McKellar, McMahon, Magnuson, Malone, Martin, Maybank, Millikin, Moore, Morse, Murray, Myers, O'Daniel, O'Mahoney, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Thomas of Oklahoma, Thomas of Utah, Thye, Tobey, Tydings, Vandenberg, Watkins, Wherry, Wiley, Williams, Wilson, Young.

Mr. WHERRY. I announce that the Senator from Ohio [Mr. Bricker], the Senator from South Dakota [Mr. Bushfield], the Senator from New Jersey [Mr. Hawkes], the Senator from Indiana [Mr. Jenner], and the Senator from West Virginia [Mr. Revercomb] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent on official business.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness in his family.

The Senator from Maine [Mr. White] is absent because of illness.

Mr. LUCAS. I announce that the Senator from Georgia [Mr. George] and the Senator from Tennessee [Mr. Stewart] are absent because of illness in their families.

The Senator from Kentucky [Mr. Barkley] and the Senators from Alabama [Mr. Hill and Mr. Sparkman] are absent on public business.

The Senators from Florida [Mr. Holland and Mr. Pepper] and the Senator from Idaho [Mr. Taylor] are absent by leave of the Senate.

The Senator from Nevada [Mr. McCarran], the Senator from Maryland [Mr. O'Conor], the Senator from Louisiana [Mr. Overton] the Senator from North Carolina [Mr. Umstead], and the Senator from New York [Mr. Wagner] are necessarily absent.

The PRESIDENT pro tempore. Seventy-four Senators have answered to their names. A quorum is present.

Under authority of paragraph 1 of rule VII the Chair lays before the Senate for its second reading, H. R. 2245, which the clerk will read by title.

The LEGISLATIVE CLERK. A bill (H. R. 2245) to repeal the tax on oleomargarine.

The PRESIDENT pro tempore. The Chair wishes to make a general statement of the parliamentary situation so that all Senators may be fully advised of the procedure which is contemplated. There is an unfortunate conflict in construction between rule XIV of the Senate and section 137 of the Reorganization Act. At the moment it is needless to go into the details of this conflict, but it turns finally, apparently, upon the pure question as to who is first recognized by the Chair to assert his rights under these two conflicting rules.

This situation has never heretofore arisen. Therefore, we are making an entirely new precedent—a point which can be of very serious moment to the conduct of the business of the Senate. Therefore, the Chair proposes that the Senate shall settle the matter for itself.

In order to accomplish this result, the following procedure is necessary. The Chair will first recognize the Senator from Nebraska, Mr. Wherry, to raise the question, which he is entitled to raise under section 137 of the Reorganization Act, which requires the Chair, without debate, to make a reference of the pending bill to the committee which in his judgment has appropriate jurisdiction. When that motion has been made by the Senator from Nebraska, and recognized, the Chair will recognize the Senator from Arkansas [Mr. FULBRIGHT] to raise a point of order regarding the priority of his rights under rule XIV of the Senate. When the Senator from Arkansas has made his point of order, the Chair, under rule XX of the Senate, will submit to the Senate itself, for decision, the question whether the Senator from Arkansas is entitled to priority under rule XIV, or whether the Senator from Nebraska is entitled to priority under section 137 of the Reorganization Act. This procedure has been discussed with all concerned, and seems to be the fairest way to resolve an exceedingly difficult and perplexing parliamentary impasse.

The Chair recognizes the Senator from Nebraska.

Mr. WHERRY. Mr. President, from a reading of the discussion and proceedings in the CONGRESSIONAL RECORD of yesterday concerning House bill 2245, there appears to be a difference of opinion as to which committee of the Senate has jurisdiction over the proposed legislation. In view of the fact that such a controversy has arisen in this case, it is my belief that under the provisions of section 137 of the Legislative Reorganization Act of 1946, it now becomes the duty of the President pro tempore of the Senate to decide the question of jurisdiction, and I ask the Chair to rule on that question of jurisdiction and on the question of reference to the committee to which the bill should be referred.

The PRESIDENT pro tempore. The Chair is prepared to rule, but first recognizes the Senator from Arkansas [Mr. FULBRIGHT].

Mr. FULBRIGHT. Mr. President, I make the point of order that under rule XIV, paragraph 4, after the second reading of the bill, if objection is made to further proceedings, it shall be placed on the calendar. The language of that rule is very clear. I also submit that under the interpretation requested by the Senator from Nebraska that every bill——

The PRESIDENT pro tempore. The Senator is not entitled to debate the point of order until it is submitted to the Senate.

The Senator from Arkansas raises the point of order that he is entitled under rule XIV of the Senate to exercise his priority of right to ask that after the second reading of the bill, which has just occurred, it shall go to the calendar. The Chair proposes to submit that question to the Senate under rule XX. The question submitted to the Senate is as follows: Is the point of order of the Senator from Arkansas well taken? Upon that the Senate will vote yes or no.

The question now submitted under rule XX is subject to debate, and the Chair again recognizes the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I might cite as the first authority for the point of order, the ruling of the Chair on yesterday by which the Senator from California [Mr. Downey] was recognized for a similar purpose respecting a highly controversial bill. In fact I am sure it will arouse and has aroused already as much controversy as the oleomargarine bill. I refer to the so-called tidelands bill. On yesterday that bill was

sent directly to the calendar by the ruling of the Chair under rule XIV.

The language of rule XIV is very clear. It is not for me to justify that rule on its merits, because I can see that there is possibility of its use to circumvent the committees in many instances. The rule has not been often employed, but it stands, and I think that the ruling, under the present conditions, must be in accord with the provisions of paragraph 4 of rule XIV.

For the benefit of some of the Members of the Senate who were not present yesterday, I should like to read the provision. It is as follows:

"4. Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee—"

And this is the important part—

"shall, if objection be made to further proceeding thereon, be placed on the calendar."

That last sentence is the whole crux of the matter. It seems to me that in the interpretation and application of the rule there is only one reasonable way to apply it, and that is that after the second reading of a bill the Chair then would be in the attitude of saying to the Senate, "Is there objection?", which would give an opportunity for objection at that point; otherwise the rule would be meaningless; and at that point, if any Senator does object—exactly as happened on yesterday when the Senator from California [Mr. Downey] did object to further proceedings on the tidelands bill—the bill should be sent to the calendar. I think that is the only reasonable interpretation of rule XIV.

The alternative, I should say, is that the Chair, by recognizing any Senator who might raise a point of controversy respecting a bill—something which is inherent in every bill, of course—would completely nullify the rule. I think the rule must be abided by and interpreted reasonably; otherwise it stands there as a possibility for such action in respect to all legislation, and it is very important that the Senate clarify the application of the rule. If it is applied as it is written, then we shall know how to proceed. If it is applied as the Chair has indicated it may be—by recognizing some Senator to raise the point of controversy under section 137—we shall be in an indefinite position at all times. The Senate will be subject at any time, when any bill comes to the Senate from the House, to having it placed on the calendar without going to a committee. So the only reasonable way for it to be applied is by the recognition under rule XIV of an objection after the second reading.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. FERGUSON. If the point of order were well taken, would it not mean that from now on all bills coming from the House would go on the calendar?

Mr. FULBRIGHT. If objection were made after the second reading; that is correct.

Mr. FERGUSON. Any Member of the Senate could have the bill placed on the calendar.

Mr. FULBRIGHT. That is correct. I invite the Senator's attention to the fact that that is exactly what happened yesterday in connection with the tidelands bill.

Mr. FERGUSON. That happened yesterday because no Senator had taken the initiative to refer it to a committee. Now we have a motion for a decision on the question of reference. According to the Senator's interpretation of the rule, any Member of the Senate could have the bill placed on the calendar, and then the only way to get it to a committee would be by majority vote.

Mr. FULBRIGHT. On motion.

Mr. FERGUSON. On motion and by a majority vote.

Mr. FULBRIGHT. Yes.

Mr. FERGUSON. A tie vote would still leave it on the calendar.

Mr. FULBRIGHT. Is that not the real meaning of the rule? Is that not what the rule says?

Mr. FERGUSON. I do not so interpret the rule.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CORDON. My question has no application to yesterday's situation. As I understand the RECORD of yesterday, there was no attempt by the Chair to refer the tidelands bill. Yesterday, when the bill was read for the second time, there was no action on the part of the Chair to refer that bill to any committee. The Senator from California [Mr. Downey] then objected to further consideration. So my question would not be applicable to that situation, but it would be applicable to this situation.

I shall go a little further, if I may, with the Senator's indulgence. Assuming that the bill is read the first and second time, and having in mind the provisions of section 137 of the Reorganization Act, which now directs the Chair to refer bills to committees, giving the Senate only the right of appeal—in view of that section of the Reorganization Act and the provisions of paragraph 4 of rule XIV, assuming that a bill is read twice, and at that time, even though a Senator has risen to his feet seeking recognition, the Chair, pursuant to his duty under section 137 of the Reorganization Act, seeks immediately to refer the bill to a committee. In that event, would not the provisions of paragraph 4 of rule XIV permit that to be done?

The point I make is that the right of the Chair with respect to reference to a committee is a prior right to the right of a Member of the Senate to object to further consideration.

I now come to the reading of the paragraph to which I wish to invite the Senator's attention. Frankly, I feel that the problem here is of far greater importance than any bill that can ever come before the Senate. It is a question of orderly procedure. That is the only reason I am taking the Senator's time. I hope he will indulge me for a few minutes longer.

Mr. FULBRIGHT. Does the Senator interpret section 137 of the Reorganization Act as directing the Chair to make the reference in the absence of a controversy having been suggested by a Member of the Senate? The language seems to provide that he shall exercise this duty only when some Senator has raised the question.

Mr. CORDON. I shall come to that question in a moment. However, in order to have the two provisions together, permit me to read a portion of paragraph 4 of rule XIV. I shall skip the first portion and start with the second line from the bottom, at the comma, which brings out all that is pertinent to my argument:

"And every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar."

I invite the Senator's attention to the clause "without being referred to a committee." To me the use of those words in that sentence indicates that after the first and second reading there may be a reference to a committee; but if such reference be not made, then any Member of the Senate may object to further proceedings, and objection being made, the bill goes on the calendar. That would seem to me to be perfectly clear. If that interpretation were followed it would lead to a far more orderly handling of the business of the Senate.

Mr. FULBRIGHT. Mr. President, I do not see where the Senator finds the duty imposed upon the Chair to make such reference when no controversy has been suggested by a Member of the Senate at that point. Such an interpretation would leave bills coming over from the House in a very indefinite situation. The Chair may, on his own motion, make the reference; or, if he neglects to do so, any bill may be placed on the calendar, with the possible exception of appropriation bills. I believe it is specifically provided under the rules that they shall go to a committee. I believe that all other bills might be placed on the calendar, which is something very unexpected, I think to all Members of the Senate.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HICKENLOOPER. I should like to ask a question of the Senator from Arkansas, the Parliamentarian, or anyone else who has been examining the question. The language "which shall have received a first and second reading without being referred to a committee" raises this question in my mind: Does that mean that if a first and second reading of a House bill or joint resolution is had, and then it is intended to proceed to a vote or to a third reading of the bill, objection can be made and the bill can be placed on the calendar, rather than proceeding to a third reading? The statement is not clear, but it seems that that language might lend itself to such an interpretation. I am wondering if that phase of the question has been explored.

Conceivably, a House bill coming over here could go to its first and second reading and then proceed immediately to a third reading, which would be preliminary to passage of the bill. My question is whether or not the rule in Jefferson's Manual means that objection can be interposed immediately after the second reading and before the third reading and passage and the bill placed on the calendar rather than proceeding to a third reading and passage.

It seems to me, with the meager knowledge I have of precedents, that the general connotation of the rule is that after the first and second reading of the bill it is referred to a committee unless an attempt is made to bring it to a third reading and passage immediately. I am making inquiry of the Senator from Arkansas as to the interpretation of the rule. I am not versed in the precedents. However, I think the rule might well be subject to that interpretation.

Mr. FULBRIGHT. Mr. President, I do not wish to take up too much time. Being a relatively new Member of the Senate, I do not profess to be an authority on the subject. I shall not undertake to explore the other possibilities in regard to the significance of the rule. It seems to me that generally it would be unfortunate for bills to be acted upon indiscriminately, without notice, under rule XIV. But the point is that the rule has been interpreted in this way; and, in all fairness, I think that, inasmuch as the rule was applied that way yesterday, if the rule means anything it all, it should be applied in exactly the same way in this case. If later on the Senate wishes to revise the rule, that will be a different matter.

But I do not think it would be proper to make a distinction in this case, based solely upon the question as to whether the Senator has raised the point under section 137 of the Reorganization Act. That would leave the matter in a wholly unsatisfactory situation. I believe the Senate must follow the language as it is written.

I should like to close my part of the debate and leave the remainder of the debate to other Senators who have had longer service and are much better versed in the Senate rules, and I shall be glad to have them elaborate on this subject.

Mr. WHERRY. Mr. President, first, in raising the question of committee jurisdiction under section 137 of the Reorganization Act, it is my contention that a portion of a paragraph which I shall read later is in contradiction of rule XIV. I think there can be no doubt of that, if we consider the language itself, rather than the background under which the Reorganization Act was passed.

Let me state in the beginning that I am not passing on the merits of this bill when I take the position that I should like to have it referred. The question of the merits of the bill is not at this time before the Senate. Senators may be in favor of or may be opposed to the bill, or they may be in favor of having the bill referred to the Committee on Agriculture and Forestry or they may be in favor of having it referred to the Finance Committee, but those questions are not now before the Senate. What is before the Senate is in reality an interpretation by the Senate of paragraph 137 of the Reorganization Act. That is why it is vital that the decision be made today, because we shall be establishing a precedent, which, if adopted, will place section 137 in conflict at least with rule XIV; and if it is not, then I think either the section or the rule should be clarified.

So I should like to have the RECORD show that there is to be no determination on the merits of the bill in this connection. Neither is there to be a determination now as to whether the bill should be referred to one committee or another committee, until the ruling is made. After the ruling is made, if any Member of the Senate disagrees with the ruling as to the reference of the bill, of course he can appeal from the decision, and that question can be debated.

There was a difference between the status of the so-called tidewater lands bill and the oleomargarine bill at the time when the points as to procedure were made. In answering the question asked by the Senator from Iowa, which I think is very pertinent, let me say that we have to read paragraph 4 and all the other paragraphs in order to understand the full import of rule XIV. Let me suggest that paragraph 2 of that rule provides that—

"Every bill and joint resolution shall receive three readings previous to its passage, which readings shall be on three different day—"

That means three different legislative days—

"unless the Senate unanimously direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third: *Provided*, That the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order."

So, Mr. President, each bill requires three readings, and requires that those readings be had on different days. I point out to the Senate that they must be different legislative days.

The third paragraph of rule XIV provides that—

"No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee—"

Please note that it is not mandatory that a bill be referred to a committee. It may be referred to a committee, but, as I understand, there is no precedent which makes it mandatory that a bill be referred to a committee. It simply may be referred to a committee, after the second reading.

I read further from paragraph 3 of rule XIV:

"Bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to—"

Of course—

"for reference, but shall not be considered on that day nor debated, except for reference, unless by unanimous consent."

I think that clarifies the situation. In other words, it is not mandatory for the Presiding Officer to refer a bill to a committee after the second reading, but that may be done. That is discretionary with the occupant of the chair.

The portion of the fourth section of rule XIV on the basis of which the Senator from Arkansas relies in making his point of order reads as follows:

"And every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceedings thereon, be placed on the calendar."

The senior Senator from California invoked this rule for the first time since I have been a Member of the Senate. He had a perfect right to do so. He stood on the floor and was recognized, and then said, "Mr. President, I object to any further proceedings in connection with this bill."

Then what happened? What is provided in the rule happened. The bill went to the calendar; and when the bill is on the calendar it takes its place with all other bills on the calendar; and the only way it can be brought before the Senate is by motion. In other words, it would have to be made the pending business, and that could be done by means of a motion for the consideration of the bill, as in the case of any other bill.

After the proceedings in reference to the tidelands bill, the President pro tempore referred to House bill 2245, the oleomargarine bill, and the question relative to the committee to which the bill should be referred. At that point the Senator from Arkansas inquired about the operation of rule XIV in that connection and inquired whether the bill had been read either the first or the second time. At that point it had not been read either the first or the second time. I myself stated that it was my desire that a ruling be made on the question of reference of the bill. I requested such a ruling.

Finally, after much discussion and controversy, which the Senator himself admits in his remarks today, the Chair was asked by the acting majority leader if the bill could be read. After the first reading had occurred the Senator from Arkansas took advantage of the same rule of which the senior Senator from California [Mr. Downey] also took advantage yesterday in connection with the tidelands bill, and asked that no further proceedings be had on that day in regard to that bill.

Yesterday the Senate adjourned, thus ending that legislative day, with the result that today we have a new legislative day.

Now we have the second reading of the bill. If the Senator's objection is sustained it will mean that after the second reading of the bill is had the bill will go to the calendar.

But prior to all that I raised once again the question of reference. The President pro tempore, who occupied the chair yesterday, as he does at this time, recognized the acting majority leader, the junior Senator from Nebraska, and I made the same statement that I made yesterday; namely, that a controversy had arisen with reference to which standing committee should have jurisdiction of the bill and the standing committee to which the bill should be referred, and I asked the Chair to rule. Of course, if no objection had been made the Chair would have ruled; and regardless of whether the ruling thus made might have been favorable or unfavorable to any particular Senator, each and every Senator would have had the right, of course, to appeal from the ruling of the Chair, on the basis of the committee to which he preferred to have the bill referred. But a point of order was raised in keeping with the Legislative Reorganization Act of 1946. Section 137, to be found on page 24, which I should like to read at this time, contains the following language:

"In any case in which a controversy arises"—I want Senators to note the language—"In any case in which a controversy arises as to the jurisdiction of any standing committee of the Senate—"

"The jurisdiction of any standing committee of the Senate"—not of this committee, not of that committee. It means, in any case, no matter what it is, when a controversy arises. It does not say a controversy here, or a controversy there, but if any controversy arises "as to the jurisdiction of any standing committee with respect to any proposed legislation."

First, in any case; second, any controversy; third, jurisdiction; and last, with respect to any proposed legislation. It seems to me that covers the whole book. Then what happens? When the point is raised, according to section 137, the Chair makes the ruling. Section 137 provides:

"The question of jurisdiction shall be decided by the Presiding Officer of the Senate, without debate—"

What else?—

"in favor of that committee which has jurisdiction over the subject matter which predominates in such proposed legislation; but such decision shall be subject to an appeal."

It may be argued that that particular section has nothing to do with anything except the jurisdiction of a committee, or of a particular committee. That is what we have got to decide this morning. Does this paragraph mean what it says? Does it mean that the only question that can be raised, in the light of the Legislative Reorganization Act, is the question, to which committee shall a bill be referred? If it means what it says, it seems to me that when a controversy arises and it is pointed out to the Presiding Officer that there is a question of the jurisdiction of a standing committee with respect to any legislation, the Presiding Officer is called upon to make a ruling. If the Presiding Officer in making the determination rules that it shall go to one committee over another, which is a part of his duty, then of course Senators have a right to appeal.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. WHERRY. After one more statement I shall yield to the Senator from Georgia.

Of course, each and every Member of the Senate can do what he thinks proper. It is for Senators to decide whether there is any meaning in section 137. I am convinced that the arguments advanced by the distinguished Senator from Arkansas are correct. I believe a Senator who invokes rule XIV has a right to object to the first reading or the second reading, and that if objection is made, it is mandatory upon the Presiding Officer to have the bill placed on the calendar. I think there can be no dispute about it, if we look only to rule XIV, which I interpret as I see it.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. WHERRY. In a moment, if the Senator please. I do not feel that that interpretation was intended by rule XIV, for the reason suggested by the Senator from Michigan [Mr. FERGUSON]. There cannot be orderly procedure in the Senate if each and every bill must go to the calendar upon objection. If that rule should be followed, the Senate would have to provide that a motion should be made that each and every bill so placed on the calendar should come off the calendar and onto the floor as the

pending business, for assignment to a committee. That is my first point.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WHERRY. In a moment. I have refused to yield to other Senators. I shall yield later. My second point is, if all bills go to the calendar, then the work of the standing committees would be bypassed. That was not intended. Certainly if we are to put all bills upon the calendar, thus bypassing the committees, which I have an idea is what was done by the distinguished Senator from California yesterday, the rule could be invoked for the benefit of one Senator, overriding the wish of other Senators, in the event of a tie vote, to prevent the Senate, in an orderly manner, sending bills to the standing committees, where they can be considered, where they can be discussed, where evidence may be taken, and the bill reported to the Senate in an orderly fashion, for debate and a third reading, to be followed in turn by either passage or rejection. If that is the correct interpretation of rule XIV, and if we are to invoke that rule each and every time a Senator does not want a bill referred to a standing committee, we shall then have utter confusion and chaos in our legislative procedure. It cannot be argued otherwise.

Mr. President, I am not sure that my interpretation of section 137 will be sustained by the Senate, but we are doing something more than simply passing judgment on the interpretation of section 137. We are in reality determining whether if and when there comes before the Senate a bill in respect to which a controversy arises, and any Senator asks the Presiding Officer for a ruling on the question of jurisdiction, and the Presiding Officer makes a ruling, there shall be an orderly determination of whether or not the bill shall be referred to this committee or that committee. In so doing we shall set a regular pattern that will obviate the difficulties which we now experience.

Just one more point, and then I shall conclude my remarks. Question might arise as to whether or not there was a controversy, and as to how the controversy should be raised. That point was made I think by one of the Senators yesterday, because at the time the Senator from Arkansas made his point of order, the complaint was made that no controversy had arisen, and there was no motion before the Senate. I should merely like to refer Members of the Senate to the CONGRESSIONAL RECORD of yesterday. There certainly was a controversy in the Senate about this bill. There was a controversy concerning whether it should be referred to any committee. There certainly was a controversy implied with respect to its reference to a certain committee. We all know that that is what is involved in respect to this bill, just as it was involved in respect to the bill which the Senator from California had placed on the calendar, as the result of his having invoked this particular rule. I do not know that it is necessary to read all the colloquy, but I shall read a portion of it:

"Mr. WHERRY. Mr. President, the Chair has laid down the business. It is the desire of the Senator from Nebraska that the ruling be made on the question of reference of the bill."

I raised that question before a point of order was ever made. As for the ruling under section 137 of the Legislative Reorganization Act, which I think I had a right to ask——

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. WHERRY. If the Senator will wait a moment, I shall yield.

Mr. FLANDERS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. Does the Senator from Nebraska yield?

Mr. WHERRY. I do not yield at this time for a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Nebraska declines to yield.

Mr. WHERRY. I should like to finish my observations, after which I shall be glad to yield to any Senator.

In the next place, as showing the existence of a controversy, I read the following statement by the Senator from Illinois:

"Mr. LUCAS. Am I to understand the Chair to say that a point of order cannot be made under any circumstances, against what is now being attempted by the Chair?"

The President pro tempore of the Senate replied:

"The Chair does not understand the Senator's inquiry."

The Senator from Illinois:

"Mr. LUCAS. Do I correctly understand the Chair to rule that simply because the Chair recognized the Senator from Nebraska, a point of order cannot be made or a statement cannot be made by the Senator from Arkansas in respect to a situation which, it seems to me, is on all fours with the similar situation which arose a few moments ago?"

Of course, the Senator from Arkansas had a perfect right to invoke rule XIV, paragraph 4, if and when it is in order at any time. But I want to say to the distinguished Senators from Arkansas and Illinois that the Senator from Nebraska had already requested a ruling by the Chair, under section 137 of the Legislative Reorganization Act.

From that point, on page 5170 of the RECORD, there was continuous debate. Several times a demand was made for a ruling, and each time it was denied or foreclosed. The point is this: There was a difference, at the time the ruling was made, between the status of the tidelands bill and the status of the oleomargarine bill, although I agree that, at the proper time, in the reading of the bill, the rule could be invoked. That was after the Senator from Nebraska had asked for a ruling on the reference of the bill under section 137, which provides that where a controversy has arisen the Chair shall make a determination of jurisdiction and a further determination as to the committee to which the bill shall be referred.

I first yield to the Senator from Georgia, and then to the Senator from Vermont [Mr. FLANDERS].

Mr. RUSSELL. Mr. President, I largely agree with the Senator's able argument as to the inherent dangers of bypassing committees of the Senate. I would not favor a policy of parliamentary procedure which would deprive standing committees of their jurisdiction in the case of a bill which I favored any more than I would in the case of a bill which I opposed. Our whole parliamentary system is built upon the investigations conducted by committees. The detail work of legislation is done in the committees, and there should be no device which would enable a Senator to bypass a committee and deny it proper jurisdiction.

Mr. President, I think that some of the Senator's argument is somewhat specious and does not finally settle the question which is here involved. If the Chair had recognized the Senator from Nebraska yesterday, and if the Senator from Nebraska had insisted on the application of rule XIV to the oleomargarine bill, if I correctly understand the Senator's argument, the Chair would have been compelled to order the bill to the calendar without any right——

Mr. WHERRY. Mr. President, I think I could have objected, as did the Senator from Arkansas [Mr. FULBRIGHT]. I could have made my appeal and could have brought the question to an issue under section 137, which we are doing today, in reverse.

Mr. RUSSELL. Under the Senator's argument, the Chair and one Senator could bypass a standing committee of the Senate as was done in the case of the tidelands oil bill. It would be left absolutely in the discretion of the presiding officer as to whom he should recognize. That would not be an effective way of complying with section 137 of the Reorganization Act.

Mr. WHERRY. I think the Senator has improperly stated the situation. It would not have made any difference whether the Chair recognized the Senator from Nebraska under section 137 of the Reorganization Act, or had recognized the Senator from Arkansas, under rule XIV. Each one would have had the right to object and to appeal from the decision of the Chair if a ruling were made.

Mr. RUSSELL. Oh, no. Under the Senator's argument, if the Chair had recognized the Senator from Arkansas first and the Senator had asserted his right under rule XIV, the Chair would have had no option but to order the bill to the calendar. Then how could the Senator raise the question under section 137?

Mr. WHERRY. Would not the junior Senator from Nebraska have had a perfect right to disagree with the Chair's action sustaining the objection, to appeal from the decision of the Chair, and to argue and debate the question under section 137?

Mr. RUSSELL. I do not say that the Senator from Nebraska did not have the right to insist on section 137 when he was recognized. The point I raise is that if the Senator from Nebraska had insisted that the bill go to the calendar under rule XIV, there would have been no way to prevent it. There would have been no method of raising the question of jurisdiction under section 137. We have really done nothing toward deciding the question, in the way it is now presented to the Senate, except to say that the Chair and one Senator can operate under rule XIV to keep a bill from a standing committee, but that no single Senator can do so unless he is recognized, and that if a controversy is raised under section 137 the Senator raising it must be recognized first. That does not settle this very grave question.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. WHERRY. I shall yield next to the Senator from Vermont [Mr. FLANDERS], if the Senator from Georgia has concluded.

Mr. RUSSELL. I should like to ask the Senator some questions as to what would have happened when the Senator was first recognized if he had said, "Mr. President, I insist that this bill be read the second time and go to the calendar."

Mr. WHERRY. In other words, what would have happened if I had taken the same position as was taken by the Senator from Arkansas? Is that the question?

Mr. RUSSELL. Yes.

Mr. WHERRY. The bill would have gone to the calendar. I could have disagreed with the decision of the Chair. I could have appealed and presented in my appeal section 137. But I think the Senator from Nebraska is in a better position than he otherwise would have been under that procedure, because section 137 provides for the event of a controversy. I think the Senator from Nebraska was recognized even before the Senator from Arkansas had a right to make his objection, because the bill had not been read even once when he made his objection. So at the time I brought up the issue that there was a controversy and asked for a ruling, I did it under the provisions of section 137 of the Reorganization Act, which I had the right to do. At that time the President pro tempore made a ruling, and if his ruling had not been satisfactory an appeal could have been taken.

I now yield to the Senator from Vermont.

Mr. RUSSELL. Will the Senator indulge me for one further observation before he yields to the Senator from Vermont?

Mr. WHERRY. Yes; I shall be glad to.

Mr. RUSSELL. I am not complaining that the Senator from Nebraska asserted his rights

under section 137. I am insisting that we are not making any progress in this matter when the Chair and one Senator can deny the jurisdiction of a standing committee of the Senate if the Chair recognizes a Senator to insist upon rule 14 rather than to raise the issue of jurisdiction under section 137 of the Reorganization Act.

Mr. WHERRY. The only way we can make progress, if we are to invoke rule XIV, is to change the rule. Otherwise any Senator can object to a reference being made; and the only way we can get a bill off the calendar is to get a special order. That certainly would cause chaos in the Senate. By asking an interpretation of section 137 when the Senator from Nebraska was recognized and requested that the bill be referred, a ruling would have been made. If it was a question of reference, we would have had a vote yesterday and the bill would have been referred yesterday. Today where is it? If the objection is sustained, it goes to the calendar. We can get it off the calendar only if there are sufficient votes to bring it up for consideration.

I now yield to the Senator from Vermont.

Mr. FLANDERS. Mr. President, in reading rule XIV, paragraph 4, I find a certain vagueness in the last sentence: "which shall have received a first and second reading without being referred to a committee."

The inquiry I wish to make is, At whose discretion is a bill which is introduced referred to a committee or not referred to a committee?

The PRESIDENT pro tempore. The Senator is reading a section of the rule which is one of the imponderable factors in this entire contemplation. What the language probably means is that if a bill has received a first and second reading, but has not yet been referred in the interlude, this right can be invoked.

Mr. FLANDERS. That means, if the Presiding Officer had not spoken quickly enough.

The PRESIDENT pro tempore. If the Senate procedure had unrolled in due course. It is perfectly obvious, from the discussion, that the language is subject to various interpretations, and perfectly clearly, under the general situation with which the Senate is confronted, it is very important that the Committee on Rules and Administration should take rule XIV within its jurisdiction for a bit of laundering.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. SALTONSTALL. Mr. President, I rise respectfully to say, in answer to the statement which the Chair has made, that I believe the rule should be interpreted in the light of the second paragraph on page 330 of Jefferson's Manual. I point out to the President pro tempore that yesterday, when the tidelands bill was being read, the President pro tempore said:

"Without objection, the bill will be regarded as having been read the second time, as is the usual procedure, for the purpose of permitting the Senator from California to be heard."

In paragraph 4 of rule XIV this language occurs:

"Every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee shall, if objection be made to further proceeding thereon, be placed on the calendar."

I submit, Mr. President, that the Chair should have said yesterday, before permitting the Senator from California to speak, "The question before the Senate is, Shall this bill be referred?" In the case of a contested bill, if no Senator makes such a motion, then the question may arise as to whether the bill should be read the third time, and at that point the Senator from California could object to its being read the third time.

The Senate is proceeding now under difficulty because of section 137 of the so-called La Follette law. If we adopt the procedure that was adopted yesterday, we shall get into a very difficult situation, because of what may be done in the future, perhaps, if Senators are not aware of what is happening.

I believe that the Chair is entirely correct in recognizing the Senator from Nebraska this morning to make a motion to refer. I agree with the Senator from Georgia that if the ruling of yesterday shall stand, no Senator should be deprived of a fundamental right, the right to object, by the exercise of the Chair's discretion in recognizing A or in recognizing B.

But I submit, Mr. President, that section 137 of the Reorganization Act and paragraph 4 of rule XIV can be interpreted together. If, when such a question arises, the Chair puts the question, Shall this bill be referred? And if there is no motion that it shall be referred, then any Senator, as in the case of the Senator from California yesterday, can object to a third reading. But if we leave the procedure as it now seems to be, any bill coming over from the House can be read the second time, and if some Senator is on his toes, it can be objected to and placed on the calendar. This may be a very dangerous proceeding, because there will then be no reference to a committee.

I agree with the Chair that the two provisions should be correlated by an amendment to rule XIV, but I submit that in the present situation the Senate should follow the Chair in recognizing the Senator from Nebraska to make a motion to refer the bill to a committee. I personally shall so vote. I hope that then the Senator from Arkansas will appeal from the ruling of the Chair on the reference if he desires to do so, in order that the issue of the reference of the oleomargarine bill may then be debated and decided on the merits.

As I see it, the question before the Senate is one of procedure, and I say most respectfully that I believe the Chair yesterday should have put the question, Shall this bill be referred to a committee? If that had been done and the Senator from California not just permitted to have an opportunity to be heard, then the question as to whether the Senator from Arkansas today was losing a parliamentary right, the right to object, would not have been raised. I say that most respectfully and most humbly.

The PRESIDENT pro tempore. The Chair may make a simple comment, in order to keep the record straight.

The interpretation submitted by the able Senator from Massachusetts is one of several interpretations that could be made of the rule. It may be a preferable interpretation. There should be no preference left to the Presiding Officer in the application of a rule, and in that aspect the Chair totally agrees with the Senator from Georgia, and the sole purpose of the Chair this morning is to relieve the Chair of the privilege of outlawing the parliamentary rights of one Senator by recognizing another.

Mr. LUCAS. Mr. President, I appreciate very much the statement just made by the distinguished Presiding Officer. Obviously if we follow the rule now attempted to be invoked under section 137 of the Reorganization Act, what the Presiding Officer has stated is evidently correct. I know of no way by which the situation can be cured, under the present rules of the Senate and under the Reorganization Act.

The Senator from Illinois, like the Senator from Nebraska, is not at this time interested in the merits of the case; he is not interested in anything but orderly procedure from the standpoint of parliamentary law in the United States Senate.

In view of the fact that this is the first time any question has been raised under rule XIV during the life of any Senator now a Member of this body, so far as I know, and the distinguished Presiding Officer having made a ruling under rule XIV, thereby establishing a precedent on yesterday, the Senator from Illinois insists that in order for the Senate to be consistent as the result of that ruling, the Presiding Officer cannot make a different ruling the following day on a similar bill.

Mr. President, let me call attention to what happened yesterday. I refer to page 5168 of the CONGRESSIONAL RECORD under the caption "Ownership of Tideland Waters." The Senator from California [Mr. Downey] was recognized, and the following debate followed:

"Mr. DOWNEY. Mr. President, I ask that the President pro tempore lay before the Senate House bill 5992.

"The PRESIDENT pro tempore. The Chair lays before the Senate House bill 5992, just received from the House, which will be read by title.

"The LEGISLATIVE CLERK. A bill (H. R. 5992) to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources.

"The PRESIDENT pro tempore. Without objection, the bill will be regarded as having been read the second time, as is the usual procedure, for the purpose of permitting the Senator from California to be heard.

"Mr. DOWNEY. Mr. President, I desire to object to any further proceedings on this measure at the present time."

Then the Senator from Illinois propounded a parliamentary inquiry as to the status of the bill, and the President pro tempore said:

"The bill has been read the second time; and, under rule XIV, paragraph 4, objection to further proceedings results in placing the bill on the calendar instead of referring it to a committee. From the calendar any Senator at any time the bill is before the Senate for consideration can move to have it sent to the committee."

Mr. President, there is the precedent which the distinguished Presiding Officer laid down yesterday in connection with the tidelands bill. In other words, the Presiding Officer recognized the objection made by the Senator from California as valid under rule 14, and sent the tidelands bill to the calendar. That is the first precedent we have had under rule XIV for many, many years; no Senator can find any precedent prior to this time with respect to it.

Mr. President, I agree with the distinguished Presiding Officer that the conflict is an unfortunate one. I agree with the Presiding Officer that this is one of the serious moments in the history of the Senate, so far as parliamentary law is concerned, and I agree with all that has been said with respect to rule XIV, insofar as the creation of chaos and confusion is concerned as a result of some Senator coming forward at the proper time, making an objection, and having a bill sent to the calendar.

On the other hand, that is not the point before the Senate. The question is one of following a precedent laid down by the Presiding Officer yesterday, and if chaos and confusion result under this rule, the Committee on Rules and Administration should meet at once and do exactly what the Presiding Officer has suggested; namely, prepare an amendment to the rule so that chance for such difficulty in the future will be eliminated.

Mr. President, this is the position in which the Senate finds itself at the moment: Yesterday the tidelands bill went to the calendar upon objection. I agree with the Senator from Massachusetts [Mr. SALTONSTALL] in what he has said. In my humble opinion, under the strict construction of rule XIV, after the second reading of the bill the Chair should have asked whether there was

objection to it, and if there had been no objection, then it should have been referred to the proper committee.

Mr. President, in what situation do we find ourselves today? The Chair, instead of following the precedent he set on yesterday, instead of recognizing the Senator from Arkansas, which would have been consistent with his recognition of the Senator from California, so that the Senator from Arkansas could have made objection and the bill have gone to the calendar—instead of that, the distinguished Presiding Officer recognized the able Senator from Nebraska for the purpose of telling the Chair that a controversy exists as to what committee the oleomargarine bill should be referred. In my humble judgment, if we follow rule XIV strictly, and follow the precedent laid down on yesterday, before a bill can reach the point of reference it must have a first and second reading, and there must be a pronouncement by the Chair requesting whether or not there is objection to the bill, and if so, it goes to the calendar, and if no objection is made, then the reference is in order.

Mr. President, I totally disagree with the meaning which is ascribed to section 137 as taking any priority over the rule XIV of the Senate. Why is section 137 in the Reorganization Act?

Mr. CORDON. Mr. President, will the Senator yield?

Mr. LUCAS. I should like to finish the point if I may. Under the old system in vogue before the Reorganization Act came into being, a Senator would arise, receive recognition, and introduce a bill, and request that it be referred to, let us say, the Committee on Agriculture and Forestry. If there was any question about it at all the Senator himself had to raise the question. He could request or he could move that the bill be referred to the Committee on Agriculture and Forestry. The only difference between the old system and the system which prevails under section 137 of the Reorganization Act is simply that section 137 places the responsibility upon the Chair in the first instance of making the order of referral, and then if a Senator is not satisfied with the decision of the Chair he has the right to appeal. It seems to me that that is the only distinction between what we did in previous days and what we are doing at the present time under the Reorganization Act.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. DOWNEY. I was not on the floor when the distinguished Senator from Illinois began his remarks. I do not know whether he called to the attention of the Senate the fact that I adopted a somewhat unusual procedure in asking the Chair to lay the bill before the Senate. The ordinary procedure is that when a bill comes to the Senate from the House, as a matter of routine action, unless some Senator calls for its presentation to the Senate, it automatically is referred to committee. A Senator has, however, under the rules, the right to ask that when a bill comes from the House it be presented to the Senate. I made that request. I held the floor. The distinguished Presiding Officer did what seems to me is clearly provided for; he followed the usual routine of asking unanimous consent to have the bill read the first and second times. I was then in possession of the floor. As I understand, I had three alternatives. I could have asked unanimous consent to have had the bill read the third time, and it would then have been on the Senate floor and open to amendment. I had the opportunity to ask that it be referred to a particular committee, and have raised the issue, or, clearly under the rule, I had the right, as I stated, to object to further proceedings, to prevent the bill going to a third reading, or to prevent it going to a committee, thus having it placed upon the calendar.

I might add that I cannot see that the Senate has been placed in difficult situation. There is a bill on the subject now pending before the Committee on the Judiciary of the Senate. A majority of the Senate must consent to the bill being made the business of the Senate before any action can be taken. If a majority of the Senate wants to refer the bill to the committee it can do so.

I should like, with the kindness of the Senator from Illinois, to add one further thought.

Mr. LUCAS. Mr. President, I hope the Senator from California will not take too much of my time.

Mr. DOWNEY. I shall take only 2 or 3 minutes. The course I followed may be considered to be an unusual one, but I took it in order to avail myself of my right or remedy. I think I was clearly entitled to do what I did. I did it for one reason. By a heavy majority vote the House and the Senate passed a similar bill last year. By a vote of 10 to 1 the House this year passed the bill we are discussing. Without any reflection upon members of the Committee on the Judiciary, I will say that I understand that there is a question whether they will be able, for reasons of their own, and I am not critical, to report the bill now in committee in time for the Senate to act upon it. I have no desire to bypass the committee. I still think the committee has ample time to report the bill they have before it. I hope they will do so. But believing, as I do upon good ground, that there is a strong majority of the House and Senate now for the bill, I think I was entitled to use the ordinary parliamentary procedure to place the Senate in a position where a majority of the Senate could pass upon this question, if so desired, or if a majority of the Senate wanted to abide by the decision of the Committee on the Judiciary, and not even vote to have the bill taken up, a majority of the Senate could do that. In any event, I want to assure the distinguished acting majority leader and the Senate that there is not the slightest disposition on my part to fail to give the Committee on the Judiciary full opportunity either to report the bill now in committee favorably, or table it, or take whatever action it desires.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. LUCAS. In one moment. I thought the Senator from California was going to ask me a question. However the statement made is perfectly all right in my time. Let me assure the Senator from California that I am not one who has been complaining about the procedure he took on yesterday. In my judgment he did what was within his right under the rules of the United States Senate. Criticism of what he did came from the other side, and I think it was unjustified. I will say to the Senator from California, so far as the rules of the Senate are concerned.

Mr. DOWNEY. I thank the Senator from Illinois.

Mr. LUCAS. I wish to make one further observation, Mr. President, and then I shall yield the floor, so far as the present discussion is concerned. I am still talking about orderly procedure in the United States Senate, and I am talking about fundamental parliamentary law. I seriously contend that when we adopt a policy one day and then repudiate it the next day we are not making substantial parliamentary law for the future of the Senate. That, however, is exactly what is being done here. In other words, the power is left in the hands of the Presiding Officer as to whom he shall recognize, and if the Presiding Officer is to be consistent with his ruling made on yesterday he must recognize the Senator from Arkansas because the Senator from Arkansas was on his feet yesterday to make the objection at the proper time, and the Senator from Arkansas was following yesterday the precedent which had been laid down by the Presiding Officer a few minutes before.

So what has happened? This great power has been left in the hands of the Presiding Officer, to be exercised as between one Member of the Senate and another, according to his whim, his caprice, his prejudice, or his political views. I say that with the utmost kindness to the distinguished Presiding Officer who is now in the chair, the President pro tempore, because in the time I have been in the Senate I have seen four Presiding Officers, and I will say to the Senate and to the country that the distinguished present Presiding Officer is one of the most fair and one of the most just men we have had to preside over the deliberations of this body.

The point I make, however, is that the President pro tempore laid down yesterday a precedent for the first time respecting rule XIV, and on the following day the same Presiding Officer, the President pro tempore, instead of recognizing the Senator from Arkansas in order to be consistent with what he did the day before, recognized the Senator from Nebraska, in order to get away from the point that the Senator from Arkansas was going to make.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. FULBRIGHT. Mr. President, I wish to clarify one point which was made by the Senator from Nebraska with respect to the timing of this action. Actually the question of controversy was raised by the Chair himself in the first instance. I invite attention to page 5170 of the RECORD of yesterday, in the second column. I submitted a parliamentary inquiry:

"Mr. FULBRIGHT. Is there any reason why House bill 2225 cannot be placed on the calendar in the same way that House bill 5992 was placed on the calendar?"

This was before the Senator from Nebraska made any point about a reference or a controversy. The Presiding Officer answered.

"The Chair thinks so, in view of the fact that the question of reference has been reached, and submitted to the Senate by the Chair himself."

The question had not been presented by the Senator from Nebraska at that point at all. The Chair had raised the question in a preliminary stage. It was not subsequent to the statement of the Senator from Nebraska.

"Mr. FULBRIGHT. Does this action of the Chair preclude the operation of rule XIV?"

I may say for the information of the Senate that I had inquired of the Parliamentarian on last Friday if rule XIV would apply. He informed me that he did not think so. I am referring, of course, to the operation of the rule with respect to placing the bill on the calendar. I may say further that the conditions are quite similar to those in connection with the tidelands bill, because a bill identical with the oleomargarine bill is now pending before the Finance Committee of the Senate. I introduced the bill last December. Similarly, there is a tidelands bill pending before the Committee on the Judiciary. So the argument that the bill is already before the committee, and that our action makes no difference, would apply in this instance.

I may add further that I had no real intention of placing this bill on the calendar, or even attempting to do so, until the action taken with reference to the tidelands bill. I had prepared no motion and had no intention of doing so.

I agree with everything the Senator from Illinois says about the merits of this rule. I seriously doubt that any bill should bypass the committee. I join in this appeal today largely because of the wish to clarify the situation, and not because of its bearing upon the oleomargarine bill. I hope Senators will understand that in my mind this has no bearing whatever on the merits of the oleomargarine legislation. This is purely a question of parliamentary law, and I do not want the Members of the Senate to be confused.

Mr. LUCAS. Mr. President, I shall conclude with one further observation. I agree with everything that has been said with respect to rule XIV. Rule XIV is ambiguous; it is vague; it is uncertain; it is cookeyed, so far as reaching any agreement upon its proper interpretation. However, I undertake to say that we are not helping the situation by what we are about to do in connection with using section 137 to get around the rule. An interpretation of rule XIV has been made. That interpretation should be sustained if we are to have orderly procedure, and for obvious reasons the Chair should be relieved of the difficult situation involved in recognizing individual Senators on the floor of the Senate, when recognition amounts to a decision as to what may be done.

I sincerely hope that the point of order made by the Senator from Arkansas will be sustained; and I hope that after that the oleomargarine bill will go to the proper committee so that hearings may be held upon it. I am not trying to place the oleomargarine bill on the calendar in order to avoid hearings. What I am attempting to do is to sustain parliamentary procedure in the United States Senate, in order that we may avoid weaving all over the place, with a decision one day and, because of the power of the Chair, doing just the opposite the next day. That is not good for Senate procedure. It is not good for the country.

Mr. KNOWLAND. Mr. President, I do not intend to detain the Senate long. I think it should be perfectly clear, however, that my colleague, the senior Senator from California [Mr. DOWNEY] should not be subject to any criticism for invoking a rule which is plainly a rule of the Senate, albeit it has apparently not been used for a considerable time.

Every protection we enjoy on the floor of the United States Senate rests on the rules, and usually there are good reasons for the rules. As a new member, I have at times differed with my colleagues as to the advisability of some of the rules; but until they are changed, the Senate should, of course, follow them.

However, I believe that the able Senator from Massachusetts [Mr. SALTONSTALL] has raised a point which has not been given sufficient consideration. It involves the background of the rule which was invoked by my colleague, the senior Senator from California.

Those of us who have from time to time read the early proceedings of the United States Senate know that the committee system which we have gradually built up has been the result of evolution. In the early days of the Republic Senators did not have the volume of business that confronts the Senate today. Therefore in those days it was not customary to have standing committees. After the first and second reading of a bill, in many cases it was the procedure of the Senate to go to the third reading of the bill. The Senate might have adopted the alternative of meeting in Committee of the Whole, or referring the bill to a special committee. Our present system of numerous standing committees is something which has evolved over the years.

With particular reference to the rule which has been invoked, I invite attention to what the Senator from Massachusetts has already referred to, namely, page 330 of Jefferson's Manual. I read:

"In the Senate of the United States, the President reports the title of the bill, that this is the second time of reading it; that it is now to be considered as in a Committee of the Whole; and the question will be whether it shall be read a third time, or that it may be referred to a special committee."

In the Senate we operate according to a great many precedents. Apparently the rule under which we are proceeding, rule XIV, paragraphs 3 and 4, grew out of Jefferson's Manual.

I agree with the sentiments which have been expressed on the floor today. I speak as a member of the Committee on Rules and Administration. I think we have uncovered a rule, which, unless it is corrected, will obviously lead to a great deal of legislative chaos. Therefore, regardless of the result of the vote on the pending question, I sincerely hope that the able chairman of the Committee on Rules and Administration, the junior Senator from Illinois [Mr. Brooks], will call a meeting of the committee at the earliest possible time so that we may correct this situation. However, so long as the rule exists as it is now written, the senior Senator from California was merely standing on his rights as a Member of the United States Senate.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MILLIKIN. I should like to address an inquiry to the distinguished Senator from California. I was not present yesterday, and my question may duplicate questions which arose yesterday. If so, I am sorry to intrude on the time of the Senator.

I notice that section 101 (a) of the Reorganization Act states that the rules contemplated by it shall supersede other rules only to the extent that they are inconsistent therewith. The referral provision in section 102 with respect to each standing committee contains the following language:

"To which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:"

The distinguished Senator from Nebraska [Mr. WHERRY] has pointed out section 137 of the Reorganization Act. I should like the opinion of the Senator from California as to whether or not the language which I have read supersedes other matters in the rules which might be in conflict.

Mr. KNOWLAND. I think the Senator has posed a $64 question in that regard. I am not seeking to evade the question, because I think it is one to which the Senate must give very careful consideration at this time. So far as legislative procedure is concerned, I think there is very little doubt in the minds of most of us that if as a matter of common practice we prevent committees from considering legislation, we shall develop a great degree of legislative chaos. I call the attention of the able Senator from Colorado, however, to the fact that the Constitution itself gives to each House—I do not have the exact language before me now—the power to establish its own rules and procedures. The Legislative Reorganization Act, of course, is an act of both Houses of Congress. I assume that to that extent the Senate rules may be amended by that act; and if that be the case, that has the effect, as I think the Senator from Colorado will agree with me, of having the House participate in an amendment of the Senate rules, inasmuch as the bill was passed by both Houses of Congress.

Mr. MILLIKIN. Mr. President, the Reorganization Act itself takes full recognition of that constitutional provision, when it says, in section 101 (b):

"With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House."

My point is that these rules supersede the previously existing rules, to the extent that they have not been changed since and to the extent that there is conflict. These rules say without equivocation that all proposed legislation shall be referred to the respective committees, according to the jurisdiction outlined in the act.

Mr. KNOWLAND. Mr. President, I say to the Senator from Colorado that I think he has raised a very important point and one which I believe might very well be taken, namely, that inasmuch as the Reorganization Act came later than the particular rule referred to, the Reorganization Act, in effect, to that extent amended rule XIV.

Mr. MILLIKIN. If it did not, then there is no validity in the Reorganization Act.

Mr. KNOWLAND. And if so, then certainly there is a conflict between the Reorganization Act, particularly section 137 to which the Senator has referred, and the existing rules of the Senate.

Mr. MILLIKIN. Section 137 fits in perfectly with the language which I have read, which makes it mandatory to refer bills to these committees.

Mr. WHERRY. Mr. President, I had not intended to go into a discussion of this matter at this time.

Mr. SALTONSTALL. Mr President, will the Senator yield to me at this point?

Mr. WHERRY. I yield.

Mr. SALTONSTALL. I should like to say, in further answer to the Senator from Colorado, that I believe the provisions of the Reorganization Act to which he has referred does not directly supersede rule XIV. The purpose of rule XIV is to give the Senate notice that the bill has been received at the desk, and it is read once so that the Senate has notice, and then it is read twice so that the Senate has notice. Then the question arises whether the bill should be referred under rule XIV. If there is a reference under rule XIV, then a bill which relates to agricultural matters must be referred to the Committee on Agriculture and Forestry.

Mr. WHERRY. Mr. President, the whole burden of the debate on the part of those Senators who support the objection, and who are thus opposed to a refere: .ce of the bill, seems to be that we are violating a precedent under rule XIV; and that under all the precedents if objection was made a bill went to the calendar; and that therefore we are in complete violation of rule XIV if we make a determination under section 137 of the Reorganization Act.

I should like to state that if that is all that is at stake in reference to this particular bill, it seems to me that the Senate might act on the question of eliminating rule XIV entirely or making some amendment to it. If the acting majority leader were now to request unanimous consent that rule XIV be suspended for the purpose of permitting a decision to be made in regard to the reference of this particular measure, would such unanimous consent be given? Would any Senator object to such a request, which would be made solely for the purpose of permitting a determination to be made in regard to the reference of this one bill?

Mr. MILLIKIN. Mr. President, I would object, because I think the Reorganization Act has already rendered that part of rule XIV inoperative, for the simple reason that the Reorganization Act says that all bills shall be referred to, this, that, or the other committee, according to its jurisdiction. That provision conflicts with placing the bill on the calendar, without referral. By the express language of the Reorganization Act, anything which conflicts with it shall be governed by its terms.

Mr. WHERRY. Very well.

Mr. DONNELL. Mr. President, will the Senator yield to me?

Mr. WHERRY. I yield.

Mr. DONNELL. Mr. President, I have been greatly impressed by the point which has been made by the Senator from Colorado, and I think it well deserves the study and the respectful consideration of the Senate.

However, before considering that point, I should like to address myself to this proposition: It seems to me that clearly by the terms of subdivisions 3 and 4 of rule XIV it is

contemplated that an opportunity to refer the bill shall have been afforded. Mention has been made today that subdivision 3 of rule XIV provides that—

"No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee."

Obviously, that portion of rule XIV means that there may be an opportunity for the reference of a bill to a committee, before some Senator may say that he instantaneously objects to any further proceeedings, and may ask that the bill be placed on the calendar.

Therefore, it seems to me that both paragraph 3 and paragraph 4 of rule XIV obviously contemplates that before any Senator immediately following the second reading of a bill shall have a right by mere objection to prevent any further proceedings, with the result that the bill is then placed on the calendar, opportunity must be afforded to the Senate or to the Presiding Officer of the Senate, or both, to refer the bill.

I was greatly impressed by the point made by the Senator from Massachusetts [Mr. SALTONSTALL], and it seems to me that in substance it is precisely the point I have referred to, namely, that when a bill has been read the second time, it does not follow, therefore, that the instant after it has been read, during the momentary drawing of breath before there is a referral, some Senator may, by means of objecting to further proceedings, cause the adoption of a course contrary to reference. It seems to me that clearly there should be afforded both to the Presiding Officer and to the Senate an opportunity, first, to determine whether the bill shall be referred. I think that is doubly true because of the provisions of paragraph 3 of rule XIV, which distinctly contemplate, not that after a bill has been read the second time it may then be placed on the calendar as a result of the action of one Senator, but, obviously, as I have indicated, that no bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee. Clearly that opportunity is not afforded if the construction urged by the Senator from Arkansas is to be applied.

With respect to section 137 of the Reorganization Act, I do not see that there is any conflict between it and rule XIV. It would appear to me that if an opportunity to have a bill referred must be afforded before the remedy which was invoked yesterday by the Senator from California may be applied, then it likewise follows that an opportunity to present a controversy in regard to a decision as to the committee to which the bill shall be referred must likewise be afforded to the Senate before the course of action taken by the Senator from California can be properly taken.

So it appears to me that the Senator from Nebraska is perfectly within his rights and that the Senate is protected by the position he takes today. Therefore, I think that under the terms of both section 3 and section 4 of rule XIV of the Senate Rules, it is clearly the intention, not that instantly after its second reading the bill can be placed on the calendar simply because one Senator makes such a request, but that at that moment there shall be an opportunity during which, to quote section 3 of rule XIV, the bill or joint resolution may be referred to a committee.

It would appear to me, inasmuch as that inference obviously follows, that today the Senate has a right to consider whether the bill shall be referred, and that as an ancillary right, it may consider which committee shall receive the bill.

Mr. President, as I have indicated, I think the point raised by the Senator from Colorado is likewise exceedingly interesting. It had not occurred to me, and I have not given it sufficient thought to express with any finality an opinion upon it, but it would seem to me that certainly the fact that the language of the reorganization plan as applied, for illustration, to the Committee on Banking and Currency, which I think is illustrative of all, namely, "Committee on Banking and Currency, to consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects," at least raises a very strong point in favor of the proposition suggested by the Senator from Colorado.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. MILLIKIN. The language is precisely the same in connection with every other standing committee.

Mr. DONNELL. I assumed it was, though I had not taken the time to see.

Mr. MILLIKIN. No exceptions are carved out. It does not say "subject to an exception contained in rule XIV." The language is completely mandatory that all bills shall be referred to the committees having jurisdiction.

Mr. DONNELL. Mr. President, I would say in that regard that I am greatly impressed by that proposition, though I do not think it necesary to rely upon that in order to sustain the action taken here by the Senator from Nebraska this morning. It would appear to me, therefore, that on the ground that the rules of the Senate, rule IV, subdivisions 3 and 4, clearly contemplate an opportunity being afforded to Senators to seek reference of a bill before one Senator can block reference, and inasmuch as it logically follows from that that the opportunity to present a controversy as to which committee the reference shall be made likewise exists, the action taken this morning, the suggestion made, and the motion made by the Senator from Nebraska should be sustained, and the point of order raised by the Senator from Arkansas should be overruled.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. DONNELL. I yield.

Mr. FULBRIGHT. I accept the Senator's argument sustaining the position of the Senator from Nebraska. I was not clear how the Senator sustained the correctness of the ruling of the Chair yesterday with regard to my point of order.

Mr. DONNELL. Mr. President, with great respect to the Chair, my judgment is that the ruling was in error. I think, as does the Senator from Massachusetts, if I may answer the question, that the proper position to have been taken at that moment was to have given the Senate the right to determine whether the bill should be referred.

Mr. FULBRIGHT. I may say to the Senator from Missouri that it was because of that ruling that the point of order was made.

Mr. DONNELL. I am sorry; I could not hear the Senator.

Mr. FULBRIGHT. It was because of that ruling, which was made immediately preceding the bringing up of this matter, that the whole point arose. I think the Senator will admit it is rather difficult procedure to have 2 rulings so inconsistent in the course of 2 days. That is really the only reason for the argument today. It is not to try to settle the question involved on the real merits of oleomargine legislation.

Mr. DONNELL. Mr. President, as has been pointed out, I think the situation today is different, in fact, from what it was yesterday, because, as I understand, the motion of the Senator from Nebraska was made after the second reading.

Mr. WHERRY. That is correct.

Mr. DONNELL. But I am free to say that in my judgment—and I understand it is also the judgment of the Senator from Massachusetts, who has spoken—the proper procedure yesterday would have been not to permit one Senator to take the bill beyond the control of the Senate with respect of reference and place it upon the calendar. I think the proper procedure would have been to give to the Senate the opportunity, which is clearly contemplated, I think, by rule XIV, to itself exercise the right of determining whether a reference should be made. Today the Senator from Nebraska has presented that proposition. He has presented it along the line of a controversy as to which of two committees shall have jurisdiction over this particular bill. But what he has presented is clearly a corollary of and arises by virtue of the right of the Senate to pass upon the question as to whether the bill shall be referred.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. WHERRY. The morning hour will be concluded at 2 o'clock, will it not?

The PRESIDENT pro tempore. The Senator is correct.

Mr. WHERRY. If a vote is not had between now and 2 o'clock, then the pending business would automatically be set aside, and the Science Foundation bill would be the pending business before the Senate, would it not?

The PRESIDENT pro tempore. That is true, as the Senator from Nebraska well knows.

Mr. WHERRY. Mr. President, I hope the Senate will realize that fact. If possible, I should like to have a vote between now and 2 o'clock on the motion which is before the Senate.

The PRESIDENT pro tempore. The Chair does not wish, of course, to engage in any controversy with any Senators regarding their interpretation of the RECORD in the last 24 hours, but inasmuch as there is considerable importance attaching to what the RECORD will disclose, and without intending to be controversial but merely to state the other side of the situation, the Chair would like to say he thinks there is no collision whatever between the precedent of yesterday and the precedent of today. The Chair thinks that the tidelands bill was in a totally different parliamentary situation from the oleo bill, that there was no question of reference to a committee involved, no question of controversy regarding what committee had jurisdiction, that there was nothing of the sort involved, and that therefore paragraph 137 of the Legislative Reorganization Act was not even a part of the first precedent to which Senators have referred.

Therefore the Chair, preserving his own reputation for some degree of alleged logic and consistency, respectfully states for the RECORD that he thinks the precedents do not collide.

The question before the Senate is, the point of order raised by the Senator from Arkansas, and the precise point upon which the Senate will vote is this: Is the point of order of the Senator from Arkansas well taken?

May the Chair undertake in just two sentences to indicate to Senators precisely what they are voting on, in that connection. If the point of order raised by the Senator from Arkansas is sustained, the bill (H. R. 2245) will not be referred to a committee but will go to the calendar.

If the point of order raised by the Senator from Arkansas is not sustained, the Chair will then rule upon the reference of the bill (H. R. 2245) to the committee he thinks has jurisdiction under the instructions of the Reorganization Act. That reference, if unsatisfactory to the Senate, will in turn be subject to an appeal. The pending question is, Is the point of order of the Senator from Arkansas well taken?

Mr. MAYBANK. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. RUSSELL. Mr. President, if there is to be a record vote on this question, I feel I must make a brief statement.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WHERRY. I realize that the Senator has a perfect right to debate this question. If a yea-and-nay vote is insisted upon, it will go beyond the hour of 2 o'clock. I wonder if the request for a yea-and-nay vote may not be withdrawn, so as to permit us to vote on this question before the hour of 2 o'clock.

Mr. MAYBANK. Mr. President——

The PRESIDENT pro tempore. The Senator from Georgia has the floor. Does he yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. Mr. President, due to the lateness of the hour, it being 10 minutes to 2, I ask unanimous consent to withdraw my request for the yeas and nays.

The PRESIDENT pro tempore. The yeas and nays have already been ordered. Is there objection to rescinding the order?

Mr. WATKINS. I object.

The PRESIDENT pro tempore. Objection is heard. The Senator from Georgia is recognized.

Mr. RUSSELL. Mr. President, every sympathy I have in connection with this question is with the distinguished Senator from Arkansas [Mr. FULBRIGHT] regarding the point of order he has made. I do not see any difference between the situation existing in this case and that obtaining in the case of the tidelands oil bill. The question of jurisdiction is inherent as to any piece of legislation coming before the Senate. It is there, whether the point be raised by a Senator or whether it be not raised. If section 137 of the Reorganization Act takes precedence over the Senate rules, there can be no question that the Senator from Arkansas will have been done an injustice with respect to the point of order he has raised simply because he was not recognized before the Senator from Nebraska.

I further sympathize with the Senator because I am strongly committed to the proposition which he seeks to espouse; namely, the repeal of taxes on oleomargarine. I shall not debate the merits of that question further at this time other than to say that I do not think such taxes can ever be justified by either reason, justice, or logic. In my mind, the overweening question before the Senate today is whether we shall establish a system whereby the jurisdiction of standing committees of the Senate can be bypassed. Under the precedent of yesterday, in the tidelands bill case, if the Chair sees fit to recognize any Senator for the purpose of interposing an objection, such jurisdiction can be taken from committees. If I happen to be upon the floor at any time in the future when an objection is lodged under rule 14, I shall respectfully appeal from the decision of the Chair, because it is manifestly unfair to have a rule that the Chair can recognize one Senator for the purpose of defeating the wishes of the Senate or for the purpose of denying a Senate committee of jurisdiction, or that the Chair can, at his option, recognize another Senator for the purpose of raising the question of jurisdiction. It should be settled. I regret very much that on yesterday we were all caught somewhat off our feet and did not give the ruling the serious consideration to which it was entitled. An appeal should have been entered to the Chair's ruling. I believe that if it had been fought out on the floor of the Senate the Members of this body could have seen the irreparable injury that would be worked on our committee system and would have established definitely the proposition that section 137 had precedence over rule 14 and that all bills should be referred to committee. I sympathize with the Senator from Arkansas. I know he has not been treated exactly fairly as a Member of the Senate when he is denied the same treatment which was accorded to the Senator from California yesterday. I shall take every step possible to have his bill dealt with fairly but I cannot by my vote, even in this situation, establish a precedent which will destroy the committee system of the United States Senate and of the Congress, because if that be done we shall have destroyed our parliamentary system. So, reluctantly and sick at heart at being compelled to do so, I shall vote against the motion of the Senator from Arkansas.

The PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, I want to say that I certainly did not enter into this controversy with the idea of its having any bad effect upon the oleomargarine bill. Personally, I think the rule is a bad rule, and I so stated yesterday. I entered into the controversy today largely with a view of clarifying a point which I think the Senate now admits involves a serious danger. I think it is well to have the Committee on Rules and Administration consider it. A vote not to sustain the point of order, in my own view, is certainly not a bad vote. I was not approaching it from that standpoint. I think the question has been clarified. It has nothing to do with the merits of the oleomargarine bill.

Mr. CORDON. Mr. President, will the Chair restate the question?

The PRESIDENT pro tempore. The question upon which the Senate will vote is this: Is the point of order of the Senator from Arkansas [Mr. FULBRIGHT] well taken? Those Senators who agree with the viewpoint of the Senator from Arkansas will vote "yea"; those who disagree will vote "nay." The clerk will call the roll.

The legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from New Jersey [Mr. HAWKES], the Senator from Indiana [Mr. JENNER], and the Senator from West Virginia [Mr. REVERCOMB] are necessarily absent. The Senator from South Dakota [Mr. BUSHFIELD], if present and voting, would vote "nay," and the Senator from New Jersey [Mr. HAWKES], if present and voting, would vote "nay."

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent on official business.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness in his family.

The Senator from Maine [Mr. WHITE] is absent because of illness.

The Senator from Vermont [Mr. FLANDERS] is absent on official business. If present and voting, the Senator from Vermont would note "nay."

The Senator from Idaho [Mr. DWORSHAK] is unavoidably detained on official committee business.

Mr. LUCAS. I announce that the Senator from Georgia [Mr. GEORGE] and the Senator from Tennessee [Mr. STEWART] are absent because of illness in their families.

The Senator from Kentucky [Mr. BARKLEY] and the Senators from Alabama [Mr. HILL and Mr. SPARKMAN] are absent on public business.

The Senator from Louisiana [Mr. ELLENDER] is absent on official business.

The Senators from Florida [Mr. HOLLAND and Mr. PEPPER] and the Senator from Idaho [Mr. TAYLOR] are absent by leave of the Senate.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Maryland [Mr. O'CONOR], the Senator from Louisiana [Mr. OVERTON], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The result was announced—yeas 15, nays 56, as follows:

Yeas, 15: Connally, Fulbright, Green, Hatch, Johnston of South Carolina, Kilgore, Lucas, McClellan, Maybank, Moore, Murray, O'Daniel, O'Mahoney, Thomas of Oklahoma, Tydings.

Nays, 56: Aiken, Baldwin, Ball, Brewster, Brooks, Buck, Butler, Byrd, Cain, Capper, Chaves, Cooper, Cordon, Donnell, Downey, Eastland, Ecton, Ferguson, Gurney, Hayden, Hickenlooper, Hoey, Ives, Johnson of Colorado, Kem, Knowland, Langer, Lodge, McCarthy, McFarland, McGrath, McKellar, McMahon, Magnuson, Malone, Martin, Millikin, Morse, Myers, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Thomas of Utah, Thye, Tobey, Vandenberg, Watkins, Wherry, Wiley, Williams, Wilson, Young.

Not voting, 25: Barkley, Bricker, Bridges, Bushfield, Capehart, Dworshak, Ellender, Flanders, George, Hawkes, Hill, Holland, Jenner, McCarran, O'Conor, Overton, Pepper, Revercomb, Sparkman, Stewart, Taft, Taylor, Umstead, Wagner, White.

So the Senate refused to sustain Mr. FULBRIGHT'S point of order.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the unfinished business, the so-called National Science Foundation bill, is in order.

Mr. WHERRY. Mr. President, I ask unanimous consent that the unfinished business, Senate bill 2385, be temporarily laid aside and that the Senate proceed to the consideration of House bill 2245, the oleomargarine bill, in order that the Senate may have a ruling from the Chair on the reference of the bill.

The PRESIDENT pro tempore. Is there objection to the request?

Mr. RUSSELL. Reserving the right to object, Mr. President, would that mean that we would follow through to a conclusion of the matter?

Mr. WHERRY. I should like to see that done, if it meets with the approval of the Senate. We might just as well go through with it.

Mr. FULBRIGHT. Mr. President, if the Senator will yield, I had hoped to have an opportunity to consult the chairman of the Committee on Finance, but he is temporarily absent from the Chamber. I thought we were to proceed with the science bill. I personally am ready to proceed, but I notice the chairman of the Committee on Finance is not in the Chamber at present. He was here a moment ago.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska?

Mr. WHERRY. I hope there will be no objection. I should like to get a ruling in the RECORD, and if there is to be an appeal there will be plenty of time to debate the question, and opportunity to consult with the chairman of the Committee on Finance.

Mr. RUSSELL. I shall defer to the wishes of the Senator from Arkansas.

Mr. FULBRIGHT. I do not want delay. I am prepared to proceed.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska?

Mr. BALL. Mr. President, reserving the right to object, I ask the Senator from Nebraska whether it is his intention, if a controversy shall develop over the ruling of the Chair on the reference of the bill, to proceed to dispose of that controversy immediately, or merely to get the ruling of the Chair in the RECORD, and then let it go over a day.

Mr. WHERRY. I should like very much to get a ruling from the Chair, and of course if we proceed to that point, there will be nothing to prevent an appeal being taken. I cannot guarantee that some Senator will not appeal from the ruling, but I should like at least to have a ruling. Furthermore, I must ask unanimous consent and in a unanimous-consent agreement it is not possible to make provision of the kind suggested by the Senator.

Mr. AIKEN. Mr. President, should not the Senator from Nebraska divide his request into two parts, first, to have the bill referred, and then, if an appeal is taken, would not further unanimous consent be required to permit debate on the appeal and the reaching of a decision?

The PRESIDENT pro tempore. If the unfinished business shall be temporarily laid aside to conclude the process of reference, that will be a conclusive agreement on the part of the Senate to finish that particular task this afternoon.

Mr. WHERRY. Mr. President, that is my hope. I do not wish to mislead the Senate. So long as the question has been raised, I think it would be well to conclude the discussion. That is the only good method of procedure. I should like very much to have a ruling, and if any Senator then cares to take exception to the reference, he can appeal, and we can proceed to conclude the consideration of the appeal. That is my intention.

Mr. MAYBANK. Mr. President, reserving the right to object, I had intended to ask the very question the Senator from Nebraska has answered. In other words, we should conclude consideration of the question of reference this afternoon, if possible.

Mr. WHERRY. That is correct.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska?

Mr. FULBRIGHT. Reserving the right to object, I wonder if the Senator could delay his request until I have an opportunity to locate the chairman of the Committee on Finance.

Mr. WHERRY. I hope the Senator will not object.

Mr. FULBRIGHT. I shall not object.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. Does the Senator from Nebraska yield for that purpose?

Mr. WHERRY. Yes; I yield. I will do anything I can at all times.

Mr. RUSSELL. I did not ask the Senator to yield for that purpose. I make the suggestion in my own right.

The PRESIDENT pro tempore. The Senator from Nebraska has the floor.

Mr. RUSSELL. I shall wait until the Senator surrenders the floor, and then suggest the absence of a quorum.

Mr. WHERRY. I yield for that purpose.

Mr. RUSSELL. Very well.

The PRESIDENT pro tempore. The Senator from Georgia is recognized.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Georgia suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken, Baldwin, Ball, Brewster, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Connally, Cooper, Cordon, Donnell, Downey, Dworshak Eastland, Ecton, Ferguson, Fulbright, Green, Gurney, Hatch, Hayden, Hickenlooper, Hoey, Ives, Johnson of Colorado, Johnston of South Carolina, Kem, Kilgore, Knowland, Langer, Lodge, Lucas, McCarthy, McClellan, McFarland, McGrath, McKellar, McMahon, Magnuson, Malone, Martin, Maybank, Millikin, Moore, Morse, Murray, Myers, O'Daniel O'Mahoney, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Thomas of Oklahoma, Thomas of Utah, Thye, Tobey, Tydings, Vandenberg, Watkins, Wherry, Wiley, Williams, Wilson, Young.

The PRESIDENT pro tempore. Seventy-two Senators having answered to their names, a quorum is present.

Is there objection to the request of the Senator from Nebraska [Mr. Wherry]? The Chair hears none, and the Chair will proceed to rule, under the requirements of section 137 of the Reorganization Act, in respect to the reference of House bill 2245.

The Chair confronts the parliamentary duty of referring this bill to the appropriate committee under the rules. There is a strong argument to be made in favor of reference either to the Committee on Finance or to the Committee on Agriculture and Forestry. Under such circumstances, the Chair wishes to afford the Senate an opportunity, so far as possible, to decide the reference for itself. This could have been done, under the old rules, by direct submission. But the Reorganization Act provides that a question of jurisdiction "shall be decided by the Presiding Officer of the Senate, without debate in favor of that committee which has jurisdiction over the subject matter which predominates in the proposed legislation." But "such decision shall be subject to appeal."

Confronting this injunction of law, the Chair will proceed to make an initial reference in open session, without presuming, of course, to pass upon the merits of the legislation in any aspect whatever. But the Chair specifically invites an appeal without prejudice if the Senate desires a different parliamentary disposition of the measure.

The Chair's decision is moved by the following considerations:

Reference of the bill to the Finance Committee may be strongly urged on the basis of its oversimplified title, "An act to repeal the tax on oleomargarine," because the first duty assigned to the Finance Committee under the Reorganization Act is jurisdiction over revenue measures generally. On the other hand, it can, in the opinion of the Chair, be even more persuasively contended that revenue is only incidental in the purposes of this bill; and that "the subject matter which predominates"—that being the controlling phrase in the Reorganization Act—is the agricultural economy, which clearly lies within the jurisdiction of the Committee on Agriculture and Forestry.

House hearings on the bill disclose a statement by Under Secretary of the Treasury Wiggins that "revenue considerations are not involved." This is particularly significant since the Supreme Court itself has said in *Millard* v. *Roberts* (202 U. S. 429) that "revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue."

Again reference of the bill to the Finance Committee may be strongly urged on the basis of the fact that two previous Senate bills, S. 985 and S. 1907, for this same purpose have been referred in the Senate during the present Congress, to the Finance Committee although no action has ever been taken on them in that committee. This was done on the basis of their titles in usual routine at the legislative desk when no occasion arose to examine the full text of the bills to determine the subject matter which predominates.

On the other hand, it can, in the opinion of the Chair, be even more persuasively contended that the most recent full exploration of this subject matter in the Senate was made in connection with S. 1744 in the 78th Congress which was referred to the Committee on Agriculture and Forestry which held hearings that have been used in these current debates.

On this point, it is significant to note that when this same legislation originally came to the Senate on June 7, 1886, precisely the same sort of controversy which still reigns today was settled by a Senate vote of 22 to 21 in favor of reference to the Committee on Agriculture.

It is further significant to note that though the House Ways and Means Committee is particularly tender of its revenue prerogatives, the present bill was handled in the House by the Committee on Agriculture.

In the Senate there is a mixed record of reference over the years in respect to various types of oleo legislation. As a result, the precedents are far from clear. But it seems clear to the Chair, after a faithful examination of the entire subject, that the pending bill is not a revenue measure in the appropriate sense of that phrase as defined in the Reorganization Act; but that the subject matter which predominates—the controlling phrase in the Reorganization Act—lies preponderantly within the jurisdiction of the Committee on Agriculture and Forestry.

The Chair rules that the House bill H. R. 2245 is referred to the Committee on Agriculture and Forestry. The Chair invites an appeal, if the Senate disagrees, so that the will of the Senate may control.

Mr. FULBRIGHT. Mr. President, is the time appropriate to enter an appeal?

The PRESIDENT pro tempore. Certainly. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, I had hoped that members of the Committee on Finance might have been sufficiently interested in this bill to have raised this point. I wish to take only a few minutes of the time of the Senate to invite attention to a few very interesting questions.

On December 18, 1947, 6 months ago, I introduced Senate bill 1907, which is identical with the Rivers bill, House bill 2245. My bill, without question, was referred to the Finance Committee of the Senate, which was in accordance with the practice of the Senate for many years; and I have a great many precedents which I shall cite a little later.

I believe that the files of the Senate Finance Committee will reveal a great many letters and petitions addressed to the Senate in this connection, which were referred to that committee.

Soon after the introduction of my bill in December, which, as I say, was identical with the bill we are now considering, I wrote to the chairman of the Senate Committee on Finance, the Senator from Colorado, Mr. Millikin, requesting hearings. He replied as follows, under date of January 21, 1948:

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
January 21, 1948.

Hon. J. W. FULBRIGHT,
Senate Office Building,
Washington, D. C.

DEAR SENATOR FULBRIGHT: Thank you very much for your letter of January 15, requesting that hearings be scheduled on S. 1907, which relates to taxes on oleomargarine.

The subject matter of the bill is directly connected with the revenues of the Federal Government and, therefore, under the Constitution such legislation must originate in the House. Since the Senate Committee on Finance is not advised as to whether the House will take action no proposed legislation of that kind, or what the action might be if it should be gone into on the House side, I doubt whether the committee would consider it as practical or desirable to start hearings on the Senate side.

With very best regards, I am,

Sincerely,

EUGENE D. MILLIKIN,
Chairman.

That happened on January 21 of this year. Of course, the Senator from Colorado had in mind article I, section 7, of the Constitution, which provides that bills for the raising of revenue shall originate in the House of Representatives. After the experience in the House Committee on Agriculture with this legislation, it seems very peculiar to me that suddenly, within the course of 2 or 3 months, this bill has changed its character to such an extent that today the subject matter which predominates is agriculture.

No one doubts that the chairman of the Committee on Finance is an expert on taxation. We recall that a few weeks ago he persuaded the Senate, largely by his own

eloquence, I think, to support his position on the reduction of income taxes. He certainly knows, if anyone knows, what a tax measure is.

As the Constitution provides that the Senate may propose amendments, I offered my bill, the same bill which I had introduced as an original bill, as an amendment to the income tax reduction bill. On March 18 of this year my amendment and that of the Senator from South Carolina [Mr. Maybank] were debated on the floor of the Senate. A reading of the debate on these amendments will convince one, if he has an open mind, that they were resisted and defeated largely because they were excise tax measures, and should not be attached to the income tax bill. It will be recalled that many times it was stated that excise taxes were being considered by the House, and that our amendments were proper amendments or features to be included in that kind of a bill. Let me read a few excerpts from the debate on the floor of the Senate on the 18th of March of this year:

"Mr. MILLIKIN. Mr. President, I strongly urge that the pending amendment be rejected. A series of amendments of this type came before the Senate Finance Committee. We did not go into the merits of those amendments, and I wish to emphasize that the vote on the amendment is not at all to be considered a necessary reflection of the opinion as to the merits of the amendment of those who, for example, may vote against it. This amendment and the related amendments have to do with excise and occupational taxes. That is a subject which is not directly related to the business of the bill now before us. The Senate Finance Committee necessarily had to delineate the scope of the bill which the committee wished to bring before the Senate. It was perfectly apparent that if we commenced to open up this bill in order to take care of excise taxes and other forms of taxes, we would wind up in a state of complete scatteration. There are many, many inequities in our excise-tax structure. Many of our present excise taxes cannot be justified from the standpoint of logic, or from the standpoint of the competitive situation in which the articles concerned are placed by the taxes thus imposed upon them, or from the standpoint of equity. For that reason, I believe there is sound opinion that all those taxes should be considered together and dealt with in a revision bill.

"However, if we make any other approach to the subject, it seems to me clear that every Senator would have an amendment to propose; and if we allow the pending amendment to come into the bill now before us, there no longer will be any valid reason for keeping out other amendments with respect to which claims for justice can also be made."

Those are the words of the Senator from Colorado [Mr. Millikin]. At no time during that debate or in the preceding consideration before the committee, when I appeared in support of the bill, did any member of that committee raise the question that this was not a proper tax bill for the consideration of that committee in any respect.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MAYBANK. What the distinguished Senator from Arkansas has just read was in answer to a question which I propounded, as he suggested, to the distinguished Senator from Colorado on March 18.

I join with the Senator in saying that although I appeared before the committee, as he did, at no time did any member of the committee suggest that his bill or my amendment should not be considered by the Finance Committee. In 1943, and again in 1944, similar amendments to the tax bill were referred to the Committee on Finance, and at that time extensive hearings were held. Copies of those hearings are available, as the distinguished President pro tempore of the Senate well knows, because he was a member of the Finance Committee at that time, and as other Senators well know. Former Senator Bennett Champ Clark, of Missouri, was chairman of the subcommittee which held hearings. Hearings were held in 1943 and 1944 on the repeal of the oleomargarine tax.

I thank the Senator from Arkansas for bringing this question before the Senate. Since I have been a Member of the Senate, beginning in 1941, the Senate Committee on Finance has had charge of this legislation. It seems to me that some members of that committee should join the Senator from Arkansas, as I am joining him, in asking for consideration of the bill by the Committee on Finance.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. WHERRY. I did not hear all the preliminary remarks made by the Senator from Arkansas when he took the floor. Did I correctly understand him to say that he was appealing from the ruling of the Chair? I ask this question because I should like to know whether there will be anything before the Senate if the appeal is not made. I do not wish to cut off the Senator, but I merely wish to ascertain what he proposes to do.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. FULBRIGHT. Is it necessary for me to make the appeal at this time, in order to address myself to the question?

The PRESIDENT pro tempore. The Chair thinks not, because the Chair will not conclude the process of committee reference until the Senator from Arkansas has had an opportunity to make an appeal.

Mr. FULBRIGHT. Mr. President, as a part of my next statement I should like to present other excerpts from the CONGRESSIONAL RECORD for March 18, at the point where the Senator from South Carolina asked the following specific question:

"Does the Senator agree that it is a tax question?"

The Senator from Colorado replied:

"I agree with that."

Later in the same debate, other Senators joined in making statements very similar to that one. I wish to quote some of them:

"Mr. SALTONSTALL. There are many people in Massachusetts who are very much in need of a repeal of this tax. I have expressed my sympathy with their purpose many times. I understand the distinguished Senator to say that their cause will not be helped at the present time by voting for the pending amendment. Is that correct?

"Mr. MILLIKIN. That distinctly is my opinion, and that gives me the opportunity to make clear something that I intended to come to. Neither the majority nor the Senate Finance Committee is taking any position on the policy involved in the merits of the amendment. A Senator may vote to keep this amendment out of the bill, without prejudicing his position in favor of removing the taxes from oleomargarine. We are not going into the merits of that. Our position is that it has no place in the pending bill, and that if it were put in the bill, it would necessarily be dropped in conference; that it is unwise to put it in this bill, because if we opened the door to extraneous matters, we would wind up here in a state of complete scatteration, instead of getting the kind of bill we wish to get.

"Mr. SALTONSTALL. The bill it is proposed to pass is strictly an income-tax bill, is it not?

"Mr. MILLIKIN. That is correct."

Later, the following occurred:

"Mr. CAIN. If the pending amendment is defeated, can the Senator from Colorado recommend a course of action which would result in bringing the subject of oleomargarine taxation to the floor of the Senate so that it could be thoroughly studied and explored?

"Mr. MILLIKIN. I am very glad the Senator has asked that question, and I shall discuss it at once.

"Mr. President, I can understand the desire of those who favor this amendment to have it added to this bill. I understand there have been some difficulties in advancing an amendment of that kind in the House of Representatives.

"I wish to say that the House of Representatives Ways and Means Committee is considering a general revision bill. Not only do I understand that it is to take care of administrative provisions, but I also understand that inequities in the taxes and rates of tax at various points along the line are likewise being considered.

"Of course, I am not in position to promise what will happen in the House of Representatives with respect to an amendment of this kind."

Here is a repetition on the floor of the Senate of the same sentiment:

"But I believe it is clear that, under the Constitution, the House of Representatives has the initiating jurisdiction in respect to taxes; and I am thoroughly convinced that in a major matter of this kind, no matter what the Senate did in the way of amendment its action would not meet with the approval of the House of Representatives. The House cherishes—and properly so—its right to initiate tax legislation. It is true that we have a right to amend such legislation; but when we propose revolutionary amendments, particularly amendments which at the time do not meet with the sentiment of the House, we are simply wasting time.

"I am quite sure that if an amendment of this kind were adopted by the Senate and were sent to conference, it would be rejected in conference, because the House does not intend that the Senate shall have the initiating power in these important matters of legislation, and especially where there is such a substantial deviation from the bill which the House of Representatives has sent to us."

Mr. President, I cannot see how we could have a more positive statement than that as to the opinion of the very able chairman of the Finance Committee in regard to the character of this bill.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I shall yield, although I should like to finish my statement. I yield for a question.

Mr. MAYBANK. I was going to ask the Senator if he had put in the RECORD today a statement in regard to the tax on uncolored oleomargarine.

Mr. FULBRIGHT. Last year the tax was approximately $7 million, as represented by income to the Government. It is 10 cents a pound on colored margarine, which is approximately 25 percent of its present retail price. It is one-fourth of a cent a pound on uncolored margarine. For colored margarine there is an annual license tax of $600 on manufacturers, $480 on wholesalers, and $48 on the retailers, and there is a license tax of $600 for manufacturers of uncolored margarine, $200 for wholesalers, and $6 for retailers.

Mr. MAYBANK. So the tax on colored margarine is 10 cents a pound; is that correct?

Mr. FULBRIGHT. That is correct.

Mr. MAYBANK. If that is not a heavy tax on the poor people of the United States, then I do not know what such a tax is, because it amounts to about 10 percent or more on the poor man's income. Poor people must fill their stomachs with bread, and a family of five will consume 2 pounds of oleo a week. That means at least a $10 Federal tax, not to mention as much as $15 State and other oleo

taxes which are passed on to the low-income consumer annually. I do not know of any tax now on the statute books which is more regressive. Certainly this is an important consideration in connection with this legislation and should be a concern of the Finance Committee, not the Agriculture Committee.

Mr. FULBRIGHT. I thank the Senator.

Mr. President, after the procedure in the House and the great controversy on this subject, if the bill were now referred to the Committee on Agriculture and Forestry such action would establish a precedent which, in my opinion, would cause great difficulty in the future.

I think reference should be made to the attempt to set a precedent yesterday. Today the Senate, by overwhelming majority, has refused to follow that action as a precedent. That is the way I interpret the vote which has recently been had. I think the real significance of that vote is that the Senate disapproves having that procedure regarded as a precedent for future application. If we do not follow the obviously proper procedure of referring the bill to the Finance Committee, but, instead, if the bill is referred to the Committee on Agriculture and Forestry, in view of the obviously difficult tax problems in connection with the bill and the necessity of giving certain interests an opportunity to study the bill at great length, as they have studied it at great length when the bill was before the House, I think it will be a precedent which we shall regret.

We should consider that one result of such action would be that if a bill of this sort is referred to the Committee on Agriculture and Forestry, then, I assume, if there is such a thing as consistency in the Senate, in the future any bill concerning agriculture would be subject to a tax amendment similar to the one we have been discussing, because such an amendment then would be germane to an agricultural bill. I see no way to avoid that conclusion, for I assume we would be consistent.

There is no question that the oleomargarine taxes are discriminatory, and that they affect one aspect of agricultural economy as against another. Even the proponents will admit that, though they claim in all sincerity that the discriminations are justifiable. But they also affect the consumer as tax measures. And they discriminate by means of taxes. The whole structure of the discrimination is based upon taxation—from the manufacturers, to the wholesalers, to the retailers, and to the consumers.

So, if the precedent of this referral is to stand, we should follow it to its logical conclusion. Remember that, as a revenue measure, it was referred to that committee which has jurisdiction over that constituent of our economy which it most directly affects. For that is the essence and the basis of the referral.

Thus, tobacco and liquor taxes should be under the jurisdiction of the Committee on Labor and Public Welfare, as that committee has jurisdiction over matters affecting public health, to which those articles are related. Everyone knows that the taxes on liquor, for example, are much higher percentagewise than are taxes on other articles, because there is a feeling that they have a direct bearing upon public health; so, if we were to follow the reasoning in this case as to which subject matter is predominant, a very excellent case could be made for sending matters related to liquor and tobacco taxes to the Senate Committee on Labor and Public Welfare. I think the same reasoning could be applied to gasoline taxes. Gasoline taxes, most directly affecting interstate commerce, should go to the Committee on Interstate and Foreign Commerce, or perhaps to the Committee on Public Works, which handles matters concerning roads.

Tariffs and tariff agreements should be handled by the Interstate and Foreign Commerce Committee.

Withholding taxes on wages should be handled by Labor and Public Welfare, which, under rule XXV, as amended by the Reorganization Act, should have all "measures relating to labor." Certainly with respect to such taxes the predominating subject matter is their influence on labor.

Likewise, an exemption in favor of servicemen should be under the jurisdiction of the Armed Services Committee, because, under rule XXV, the Armed Services Committee is charged with matters relating to pay and other benefits and privileges of members of the armed services.

On the other hand, taxes on almost everything should be handled by the Committee on Banking and Currency, for, under rule XXV, all matters should be referred to it which relate to "control of prices of commodities, rents, or services."

This goes on in endless progression, until it results in complete lack of jurisdiction of the Finance Committee. For that matter, the same analogies can be made with reference to matters handled by the Appropriations Committee. For there is no tax or appropriation that does not affect an article, a profession, a class, an industry, or an element of the Nation's economy, as the margarine taxes affect agriculture, directly or indirectly.

The significance of all this, I think, is that what is intended by the organization of the Senate and its committees is that jurisdiction should be determined in the cases of taxes, appropriations, and perhaps other functions, not by the effect particular proposed legislation has upon a particular element of the economy, but, rather, the method of affecting it. And where the method chosen is by taxation, the Finance Committee should have jurisdiction.

Thus, there is nothing to prevent the Agriculture Committee, within the limits of the Constitution, from legislating, or considering legislation, dealing with the margarine and butter question, so long as it does so by general legislation and not taxation.

If price controls on meats were to be reimposed, would that question be handled by the Committee on Agriculture? It certainly affects the agricultural economy. I think it would affect it to a much greater extent than would the taxes on margarine. But what is the method of affecting it? Control of prices—which is a subject within the jurisdiction of the Committee on Banking and Currency.

The fact is that each committee has general jurisdiction over matters expressed within its title, with special jurisdictions added. But that jurisdiction extends to general measures of regulation, assistance, and so forth, only, and in any case where the method of legislation is within the purview of another committee, the latter should have and does have jurisdiction.

Mr. WHERRY. Mr. President, will the Senator yield for an announcement?

Mr. FULBRIGHT. I yield.

Mr. WHERRY. Mr. President, I inquired a few moments ago from the Senator from Arkansas whether or not an appeal is to be taken, my reason being that several Senators had asked whether it was the intention to have a calendar call. By reason of the lateness of the hour, I think it should now be announced that the calendar will not be called today. Announcement will be made later of the time at which it will be called.

Mr. MCCLELLAN. Mr. President, will my colleague yield?

Mr. FULBRIGHT. I yield.

Mr. MCCLELLAN. I think a decisive test on the issue as to where the bill should be referred can be made by inquiring where the bill would be required to originate. If we were now attempting to impose an initial tax, would the bill have to originate in the House of Representatives? In other words, could a bill imposing a tax on oleomargarine, under the Constitution, have originated in the Senate?

Mr. FULBRIGHT. I just read to the Senate the opinion of the chairman of the committee and his remarks on the floor. No one at that time raised the question about his statement. It was so clear that no one ever debated or questioned it.

Mr. MCCLELLAN. Then if that be true, the tax provisions of the bill are bound to predominate.

Mr. FULBRIGHT. I do not think there is any question about it. I am coming now to cases showing what the Supreme Court said about the original bill. As the Senator knows, the oleomargarine tax bill originated in the House in 1886, and later came to the Senate. Of the two cases I am about to discuss, the first one deals with the act of 1886, the second, with the act of 1902. The cases specifically dealt with the point that it was a tax measure.

Mr. MCCLELLAN. I am glad the Senator is approaching it from that viewpoint. I think that would be controlling.

Mr. FULBRIGHT. I want to reinforce the opinion of the chairman of the Committee on Finance with the opinion of the Supreme Court. These cases are referred to as the famous oleomargarine cases. I think they are directly in point. The first case is entitled *"In re Kollock, petitioner* (165 U. S. 526)." It was decided in 1897, and it involved the 1886 oleomargarine tax of one-fourth of a cent per pound. The 1902 act related to taxes imposed on manufacturers, wholesalers, and retailers, in the form of special tax on colored margarine. The second case deals with that particular law.

Kollock, the appellant, appealed on the ground that there had been an unconstitutional delegation of power, vesting in the Commissioner of Revenue the power to determine what acts should be criminal, and empowering him to provide stamps to be placed on particular articles, and to prescribe regulations for enforcement of the tax.

I desire to read a few excerpts from the Kollock case, for the benefit of Senators. I shall read first from page 536.

This is a unanimous decision. I realize that it is almost unbelievable, but at one time the Court did hand down a unanimous decision.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. For what purpose?

Mr. BREWSTER. I thought that possibly, while the Senator was looking up his authorities, he might yield to me for a moment to make a statement regarding an insertion in the RECORD.

Mr. FULBRIGHT. How long will it take? I have my authorities here, and I prefer to put them in at this time.

The PRESIDENT pro tempore. In order to protect the Senator from Arkansas, lest a point of order be made subsequently, the Chair will say that if the Senator contemplates making a point of order, he must do it consecutively with the ruling of the Chair, and that if any matter intervenes he has lost his right.

Mr. FULBRIGHT. I thank the Chair. I must decline to yield.

I read from page 536 of the Kollock case. This has reference to the original oleomargarine act. The Court said:

"The act before us is on its face an act for levying taxes, and although it may operate in so doing to prevent deception in the sale of oleomargarine as and for butter, its primary object must be assumed to be the raising of revenue. And, considered as a revenue act, the designation of the stamps, marks, and brands is merely in the discharge of an administrative function and falls within the numerous instances of regulations needful to the operation of the machinery of particular

laws, authority to make which has always been recognized as within the competency of the legislative power to confer."

I continue reading from the next page, page 531:

"The oleomargarine legislation does not differ in character from this, and the object is the same in both; namely, to secure revenue by internal taxation and to prevent fraud in the collection of revenue."

I remind the Senate that in addition to its character as a tax bill or revenue bill, the object is to prevent fraud in the collection of revenue, not the alleged fraud of the substitution of oleomargarine for butter, which is often cited as one reason for the continuation of the tax, but it was to prevent fraud in the collection of such revenue.

The opinion of the Court continues as follows:

"Protection to purchasers in respect of getting the real and not a spurious article cannot be held to be the primary object in either instance, and the identification of dealer, substance, quantity, etc., by marking and branding must be regarded as means to effectuate the objects of the act in respect of revenue."

Mr. President, I cannot conceive how there could be a more direct ruling by the Supreme Court of the United States on oleomargarine legislation as to its character as a revenue measure in the sense in which we are dealing with it here.

The next case is the *McCray* case (195 U. S. 27). I should particularly like to call the two cases to the attention of the chairman of the Finance Committee, because I know he is a great constitutional lawyer and will have some respect for the opinion of the Supreme Court and its views as to the character of the legislation practically at the time the original legislation was passed and put into force.

I should like to give a little of the background by reading the statement of the case:

"The judiciary is without authority to avoid an act of Congress lawfully exerting the taxing power, even in a case where to the judicial mind it seems that Congress had, in putting such power in motion, abused its lawful authority by levying a tax which was unwise or oppressive, or the result of the enforcement of which might be to indirectly affect subjects not within the powers delegated to Congress, nor can the judiciary inquire into the motive or purpose of Congress in adopting a statute levying an excise tax within its constitutional power.

"While both the 5th and 10th amendments qualify, insofar as they are applicable, all the provisions of the Constitution, nothing in either of them operates to take away the grant of power to tax conferred by the Constitution upon Congress, and that power being unrestrained except as limited by the Constitution. Congress may select the objects upon which the tax shall be levied, and in exerting the power no want of new process of law can possibly result, and the judiciary cannot usurp the functions of the legislature in order to control that branch of the Government in exercising its lawful functions. • • •

"The Oleomargarine Act of 1886 (24 Stat. 209), as amended by the act of 1902 (32 Stat. 93), imposing a tax of one-quarter of 1 percent on oleomargarine not artificially colored any shade of yellow so as to look like butter and 10 cents a pound if so colored, levies an excise tax and is not unconstitutional as outside of the powers of Congress, or an interference with the powers reserved to the States, nor can the judiciary declare the tax void because it is too high, nor because it amounts to a destruction of the business of manufacturing oleomargarine, nor because it discriminates against oleomargarine and in favor of butter."

The facts were that the defendant had sold some oleomargarine in which there had been incorporated some color.

I read from page 29 of the statement of the case:

"From these averments it was charged that if the law imposed a tax of 10 cents upon the oleomargarine in question the statute was repugnant to the Constitution, because it deprived the defendant of his property without due process of law; because the levy of such a burden was beyond the constitutional power of Congress, since it was an unwarranted interference by Congress 'with the police powers reserved to the several States and to the people of the United States by the Constitution of the United States.'"

In that case that very point was raised. In the argument for the plaintiff-in-error it was said:

"The tax is so large that it is evident that it was imposed, not as an excise for revenue, but as a prohibition."

That is the point, I assume, that must be involved in the reasoning that the bill should go to the Committee on Agriculture. That point was raised by the plaintiff-in-error.

Reading from page 50, in the opinion of the Court itself, it is stated:

"Did Congress in passing the acts which are assailed exert a power not conferred by the Constitution?

"That the acts in question on their face impose excise taxes which Congress had the power to levy is so completely established as to require only statement."

On page 51 the Court quotes from the Kollock case from which I read a moment ago, and reaffirms it. I read only a part of that and shall pass on to the original decision in this case:

"The act before us is on its face an act for levying taxes, and although it may operate in so doing to prevent deception in the sale of oleomargarine as and for butter, its primary object must be assumed to be the raising of revenue.

"We might rest the answer to the contention as to the want of power in Congress to enact the laws in question upon the foregoing cases. But in view of the earnestness with which the validity of the acts is assailed in argument and the assertion that the necessary effect of the amendment to the act of 1886 by the act of 1902 is to make both of the laws in question so peculiar as to cause them to be beyond the reach of the previous rulings of this Court, we propose to review and dispose of the propositions pressed upon us at bar as indubitably demonstrating that the acts in question were beyond the power of Congress to adopt.

"That the power of internal taxation which the Constitution confers on Congress is given to that body for the purpose of raising revenue, and that the tax on artificially colored oleomargarine is void because it is of such an onerous character as to make it manifest that the purpose of Congress in levying it was not to raise revenue but to suppress the manufacture of the taxed article."

On page 52, the Court continues:

"Whilst it is true—so the argument proceeds—that Congress in exerting the taxing power conferred upon it may use all means appropriate to the exercise of such power, a tax which is fixed at such a high rate as to suppress the production of the article taxed, is not a legitimate means to the lawful end, and is therefore beyond the scope of the taxing power."

I read these excerpts to point out that these very questions as to the character of the tax were raised by the plaintiff in error before the Court, and it was not a matter which was ignored or was not before the Court. Those are the arguments of the plaintiff in raising the question.

Now I wish to read two paragraphs giving the Court's views, on page 59:

"Undoubtedly, in determining whether a particular act is within a granted power, its scope and effect are to be considered. Applying this rule to the acts assailed, it is self-evident that on their face they levy an excise tax. That being their necessary scope and operation, it follows that the acts are within the grant of power. The argument to the contrary rests on the proposition that, although the tax be within the power, as enforcing it will destroy or restrict the manufacture of artificially colored oleomargarine, therefore, the power to levy the tax did not obtain. This, however, is but to say that the question of power depends, not upon the authority conferred by the Constitution, but upon what may be the consequence arising from the exercise of the lawful authority.

"Since, as pointed out in all the decisions referred to, the taxing power conferred by the Constitution knows no limits except those expressly stated in that instrument, it must follow, if a tax be within the lawful power, the exertion of that power may not be judicially restrained because of the results to arise from its exercise."

It seems to me that the theory that the pending bill should go to the Committee on Agriculture and Forestry has reference entirely to the results which may arise from the exercise of the power of taxation, which is predominantly characteristic of this legislation.

One more statement from the court in the McCray case, on page 61:

"The right of Congress to tax within its delegated power being unrestrained, except as limited by the Constitution, it was within the authority conferred on Congress to select the objects upon which an excise should be laid. It therefore follows that, in exerting its power, no want of due process of law could possibly result, because that body chose to impose an excise on artificially colored oleomargarine and not upon natural butter artificially colored. The judicial power may not usurp the functions of the legislative in order to control that branch of the Government in the performance of its lawful duties. This was aptly pointed out in the extract heretofore made from the opinion in *Treat v. White* (181 U. S. 264)."

Mr. President, it seems to me that those two cases, directly concerning the legislation which this bill would repeal should certainly settle the question as to the characteristics of the legislation.

I wish to say a word or two about the case cited by the Chair in support of the position that the bill is not predominantly a tax measure.

The referral of H. R. 2245 to the Senate Committee on Agriculture was made, I understand, in reliance upon the decision of the Supreme Court in the case of *Millard v. Roberts* (202 U. S. 429), decided May 21, 1906.

This case did not, of course, decide that the oleomargarine legislation was a tax measure. The cases I have cited did that specifically. Therefore, even if this case, as a matter of general law, could not be distinguished, the oleomargarine cases would be controlling. Those cases were made upon the very question here involved:

Is the oleomargarine legislation which would be repealed tax legislation?

Millard v. Roberts (202 U. S. 429), decided May 21, 1906, involved these facts:

The Congress had passed three acts providing for the abolishment of dangerous grade crossings of railroads and removing railroad tracks from the Mall and for the construction of Union Station.

The Court said:

"The case is practically that of a contract between the United States and the District of Columbia on the one side and the railroad companies on the other, whereby the railroad companies agree to surrender certain rights, • • • and to construct a work of great magnitude, • • • which Congress deems to be demanded for the best interests of the National Capital and by the public at large; and for this surrender of right • • • Congress agrees to pay a certain sum, partly out of the funds of the United States and

partly out of the funds of the District of Columbia. It is a simple case of bargain and sale, like any other purchase."

That is what the Supreme Court said about that case, that is was simply a case of bargain and sale.

Mr. McMAHON. Mr. President——

The PRESIDING OFFICER. (Mr. KNOWLAND in the chair). Does the Senator from Arkansas yield to the Senator from Connecticut?

Mr. FULBRIGHT. I yield.

Mr. McMAHON. Has the Senator examined the legislative history of these oleomargarine acts, the debates which occurred when they were first written on the statute books?

Mr. FULBRIGHT. I have here a great many instances of, referrals of bills, to which I shall come in a moment.

Mr. McMAHON. My question is, When the matter was originally debated, what were the reasons given by the Members of the House and the Senate for being for this tax?

Mr. FULBRIGHT. Being for the tax on its merits, or for the referral?

Mr. McMAHON. On its merits.

Mr. FULBRIGHT. The motive was to use the taxing power to protect the butter industry.

Mr. McMAHON. I know that was the underlying motive, but what I was getting at was what constitutional basis did the sponsors lay in the debate for using the taxing power? Did they claim that oleomargarine was deleterious to health?

Mr. FULBRIGHT. In the arguments on the floor?

Mr. McMAHON. Yes.

Mr. FULBRIGHT. They did claim that. Until very recently the proponents of the legislation have so claimed. They have abandoned it lately, I would say within the last 10 years.

Mr. McMAHON. They have abandoned it because of the placing of vitamins in the product, I suppose.

Mr. FULBRIGHT. And the refinement, purity, and improvement of the product. I think that is correct.

Mr. McMAHON. Does the Senator claim that there is any limitation on the taxing power?

Mr. FULBRIGHT. I think what I read from the Kollock case and the McCray case indicates that there are limitations in the Constitution itself as to the apportionment of direct taxes. But outside of those two limitations, the power of the Congress to tax I think is practically unlimited. The Court states, by way of obiter dicta, that there might be a case so unreasonable that it might be unconstiutional.

Mr. McMAHON. They have never come up with such a case.

Mr. FULBRIGHT. I do not know of such a case, but in the case mentioned they said there might be, but that this was not one of them.

Mr. McMAHON. I may say to the Senator that some years ago I was arguing in the Supreme Court the constitutionality of a tax upon firearms. The Senator remembers the machine guns and shotguns and sawed-off shotguns.

Mr. FULBRIGHT. Yes.

Mr. McMAHON. They had to be registered and a tax paid on them. An attack was made on the constitutionality of the statute on the ground that it was an improper use of the taxing power. I well remember during the argument of the case that the late Mr. Justice McReynolds asked me the question, "Suppose Congress put a $10,000 tax upon each package of cigarettes?", and knowing the Justice's aversion to tobacco, I rather felt he might have thought it was a good thing to do, but the very absurdity of the example rather stopped me, and I stated that I believed it would be open to question. He thereupon stated that he did not think it would be. That always made an impression upon me as to at least one Supreme Court Justice's interpretation of the wide extent of the taxing power. I was curious whether in the Senator's argument he was making any point that the Congress did not have the right to put on any tax it saw fit.

Mr. FULBRIGHT. No; I hope I did not leave that impression. If the Senator did not hear the first part of my argument I shall say that I was reading the statement of the plaintiff-in-error merely to lay a foundation for the conclusion of the Court, which was that the Congress did have the power. The point is that the oleomargarine legislation, the very legislation that is now sought to be repealed, was the subject of those two cases, and in both cases the Court emphasized time after time that the law was a tax measure, an excise tax measure.

The question had been raised before the Senator came in that the chairman of the Finance Committee refused to hold hearings on a bill identical to the one now being referred to the Committee on Agriculture and Forestry on the ground that it was a revenue bill and had to originate in the House. That has been the common feeling, I know, around the Senate. That is one specific example of what is contended by some, that such a measure is a revenue bill, and must originate in the House. The two cases referred to very clearly state that the original law was a tax measure and must be considered as a tax measure, in the words of the Supreme Court which I just read into the RECORD.

Mr. McMAHON. Mr. President, will the Senator yield to me for another question?

Mr. FULBRIGHT. I yield.

Mr. McMAHON. I was detained in my office and did not hear the ruling of the President pro tempore upon the reference of this bill. Will the Senator give me, if he can briefly, the reasons the President pro tempore gave for the referral to the Committee on Agriculture and Forestry.

Mr. FULBRIGHT. I would not undertake to do it precisely, for I might do some injustice to the ruling. The President pro tempore gave it a short while ago and I have not seen it in writing. But under section 137 of the Reorganization Act, which says that the Presiding Officer shall refer bills about which there is a controversy to the committee having jurisdiction of the subject matter which predominates, the President pro tempore felt that the bill should go to the Committee on Agriculture and Forestry.

Mr. McMAHON. It is the Senator's position that what predominates in this measure is the tax?

Mr. FULBRIGHT. It is the method of dealing with the subject matter, not the effect, which predominates. I have gone over this point previously, but for the Senator's information I will say that we can take the analogies of taxes on white sulfur matches, on liquor, on tobacco, or on any agricultural product. Let us consider the various tariffs. They all affect agriculture. They were intended to affect agriculture. Matters relating to them go to the Finance Committee.

Mr. McMAHON. Does the Senator know of any precedents for the referral to the Committee on Agriculture and Forestry of any other piece of taxing legislation?

Mr. FULBRIGHT. The only precedent I know of, in a case which was an out-and-out tax bill, was the original oleomargarine bill, which was referred, after a very bitter fight, to the Committee on Agriculture and Forestry by a vote of 22 to 21. That was long before the present Reorganization Act, as the Senator knows, and the action then taken in the Senate was inspired, in my opinion, by the judgment on the merits of the bill, just as I know the same action was inspired in the House. It was the belief that the agricultural interests concerned could protect themselves better by such a referral. But subsequent to that time in the Senate practically every bill which on its face and in its title purported to be a tax bill affecting margarine went to the Finance Committee. If the Senator wishes, I can give him some examples. Here is one to which the Chair referred a moment ago which was referred to the Committee on Agriculture and Forestry in 1944. The bill was introduced by the chairman of the Committee on Agriculture and Forestry, the late Senator Smith of South Carolina. Following is the title of the bill:

"A bill to provide for the more efficient utilization of the agricultural resources of the Nation during peace and war, to regulate the production and distribution—"

Regulate, not tax—

"to regulate the production and distribution of margarine, a product of certain agricultural commodities in interstate commerce, to remove certain obstructions to the distribution of such product in interstate commerce, and for other purposes."

That was the title of the bill. The bill was referred to the Committee on Agriculture and Forestry. On its face it appears to be just what it is, a regulatory measure. There is no question that a regulatory measure coming before the Senate which provides that no colored margarine shall be produced should go to the Committee on Agriculture and Forestry. In my opinion, that is the proper committee to which to refer such a bill. That is general legislation affecting agriculture.

Mr. McMAHON. There is a tax on railroad tickets. If an interpretation similar to that made by the President pro tempore in his ruling is made with respect to that tax, a bill dealing with it should be referred to the Committee on Interstate and Foreign Commerce, should it not?

Mr. FULBRIGHT. Certainly it should. That is the point I made.

Mr. McMAHON. There has never been any suggestion that such a thing be done, has there?

Mr. FULBRIGHT. The Senator knows that Congresa had before it legislation concerning withholding taxes on members of the armed services. Certainly that was legislation which was not greatly concerned with income taxes. The Chair's theory would seem to be that if the bill would provide for the raising of a considerable amount of revenue it would be a revenue bill; that if it would raise only a little revenue it would not be a revenue bill. If the theory of the President pro tempore were to be followed legislation affecting withholding taxes on members of the armed services obviously should be referred to the Committee on Armed Services. I cannot imagine that the amount of the tax raised, that is the absolute dollars and cents amount, should be the consideration which determines whether it is a tax measure or not.

Mr. McMAHON. If that ruling or theory were to be followed it would result in destroying the integrity of the whole system.

Mr. FULBRIGHT. I agree with the Senator. I think if the Senator will examine the bills dealing with margarine he will find that wherever such a bill appeared on its face and in its title to be a regulatory measure it was referred to the Committee on Agriculture and Forestry. But practically every bill except the first, the original bill dealing with oleomargarine, was referred to the Committee on Finance whenever it purported to concern a tax on any kind on margarine. There have been many such bills. There were such bills dealing with margarine during practically all the years following the original bill. I shall give an example. The gentleman from Georgia [Mr. Davis] presented a petition of the Pomona Grange, of Butler, Pa., favoring legislation to regulate the composition of margarine. It was prefectly proper that such a bill should be referred to the Committee on Agriculture and Forestry, for that was a regulatory measure. That petition was presented in 1942. In 1943 Mr. Gillette presented a resolution of the National Cooperative Milk Producers' Association opposing legislation to repeal Federal commodity and license taxes on margarine. That resolution was referred to the Committee on Finance. Resolutions of various kinds, as well as bills were submitted year after year, and whenever they had to do with repeal of the tax or increase of the tax, or stated on their face that they had anything to do with a tax on margarine, they were referred to the Committee on Finance. If a bill was a regulatory one it was referred to the Committee on Agriculture and Forestry. That is the distinction the Senate has followed in the past.

Mr. President, I want to make a distinction between the case cited by the Chair, Millard against Roberts, and the cases which dealt with margarine itself. In the Millard against Roberts case the court said:

"The titles of the acts are the best brief summary of their purposes."

Here are the titles of the acts—the acts referred to in the case of Millard against Roberts:

"An act to provide for eliminating certain grade crossings or railroads in the District of Columbia, to require and authorize the construction of new terminals and tracks for the Baltimore & Ohio Railroad Co. in the city of Washington, and for other purposes.

"An act to provide for eliminating certain grade crossings on the line of the Baltimore & Potomac Railroad Co., in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes.

"An act to provide for a union railroad station in the District of Columbia, and for other purposes."

Only so far as the contribution by the District of Columbia is concerned was a tax involved. A levy or assessment upon properties in the District was made to effect this contribution. The decision was summed up in this sentence:

"Whatever taxes are imposed are but means to the purposes provided by the act."

Contrast this language with that of In re Kollock, which involved the very laws which this bill would repeal, and the very issue here involved, namely, whether the oleomargarine legislation is tax legislation. I quote again from In re Kollock:

"The act before us is on its face an act for levying taxes, and, although it may operate in so doing to prevent deception in the sale of oleomargarine as and for butter, its primary object must be assumed to be the raising of revenue; and, considered as a revenue act, the designation of the stamps, marks, and brands is merely in the discharge of an administrative function and falls within the numerous instances of regulations needful to the operation of the machinery of particular laws, authority to make which has always been recognized as within the competency of the legislative power to confer.

• • • • •

"We concur with the Court of Appeals that this provision does not differ in principle from those of the internal-revenue laws, which direct the Commissioner of Internal Revenue to prepare suitable stamps to be used on packages of cigars, tobacco, and spirits; to change such stamps when deemed expedient; and to revise and regulate the means for affixing them."

I may say further that with regard to the act respecting the District of Columbia under standing rule XXV of the Reorganization Act, the Committee on the District of Columbia has jurisdiction over taxes in the District of Columbia. In other words, the Congress exercises a direct police power and a special taxing power over the District of Columbia, and I cannot think of a weaker example than that case to support the theory that this bill is not a tax measure.

The Chair also made reference to the Treasury report on this bill as supporting the Chair's view about the character of the legislation. The Treasury Department says in its report on the bill:

"The basic issue raised by the oleomargarine taxes is the propriety and desirability of using the tax laws to affect the relative position of competing industries, both of which use domestic agricultural raw materials."

In other words, the question is, Should the tax laws be used to discriminate between agricultural products? The question of when and under what circumstances the tax laws should be used is properly one for the committee which has jurisdiction over tax laws.

Here it should be pointed out that the Internal Revenue Bureau of the Treasury Department has sole responsibility for administration of the laws which this bill would repeal. The regulations are made by that Bureau, and they are directed solely, as the Supreme Court has held in the Kollock case, toward enforcement of the tax provisions.

The laws themselves are parts of the Internal Revenue Code.

Inasmuch as that report of the Treasury Department on the proposed legislation now before the Senate has been urged in support of the reference made, I think I should read 1 or 2 excerpts from that report, which I believe supports the view that this is predominantly a tax bill. I quote from page 2 of the report:

"The basic issue raised by the oleomargarine taxes is the propriety and desirability of using the tax laws to affect the relative position of competing industries, both of which use domestic agricultural raw materials. In the case of oleomargarine the taxing power is used as a punitive measure against one industry to advance the interests of another. In the process the public is deterred from the free exercise of its consumer preferences. Without passing judgment on the relative merits of the two products from the viewpoint of the public health, it is the view of the Treasury Department that the use of the taxing power to distort the normal development of competing industries and to deprive them of the full benefit of the free-enterprise system conflict with the public interests and, in the absence of compelling considerations, should be avoided."

I quote further:

"The Department is not qualified to appraise the validity of these assertions. They illustrate, however, that the punitive use of the taxing power can result in the inefficient use of resources and support the principle that the tax system should not be used for these ends, except where the objective is clearly in the public interest.

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"The tax burden, however, reflects only part of the cost of these taxes to consumers. The existence of the oleomargarine taxes interferes with the availability of oleomargarine in certain areas and induces individuals who would otherwise buy oleomargarine to forego table fats or buy butter. Where, for example, as a result of the occupational taxes, consumers with equal preference for the two products are unable to procure 40-cent oleomargarine and are obliged to purchase 90-cent butter, the burdern of these taxes approximates the difference between the selling prices of these items."

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. WHERRY. May I ask once again, Does the Senator intend to appeal? I wish to formulate the program for the remainder of the afternoon.

Mr. FULBRIGHT. I will say to the Senator that I am approaching the end of this discussion. I shall not be much longer.

I quote further from the report of the Treasury Department:

"The legislative history of these taxes indicates that they were first enacted to assist in preventing the fraudulent sale of oleomargarine as butter. The taxing power has on several occasions been used for regulatory purposes. Taxes imposed on the production or distribution of narcotics, white sulfur matches, firearms, and national-bank notes are examples. In these cases, the taxing power supports the Government's control over certain activities in the public interest. However, in the case of oleomargarine, the need for regulation through the taxing power has been affected by several developments in recent years."

That excerpt, I may say, is so clearly on the point of whether this is a tax bill that I think it goes far to offset, and does offset, the idea that because these taxes do not produce a great deal of revenue in the aggregate, the measures, therefore, are not tax bills.

I read further from the report of the Treasury Department:

"In summary, it is the Treasury Department's view that the present oleomargarine taxes distort the competitive position of two domestic industries, interfere with the optimum utilization of national resources, and unnecessarily burden consumers far in excess of the amount paid in taxes. Revenue considerations are not involved."

The last five words are relied upon by the Chair in saying that this is not a tax bill—

"Revenue considerations are not involved."

This report is signed by the Secretary of the Treasury. It was presented by the Under Secretary of the Treasury when he appeared before the committee. I believe that if the last five words are read in connection with the entire report, it will be perfectly obvious that what the Secretary meant was that there was not a great deal of money involved in these taxes. The testimony had revealed that back in the 1930's the revenue amounted to $2 million or $3 million. It has gradually grown to about $7 million. Although that is not an entirely immaterial or insubstantial sum, in terms of present-day finances it is not a very large sum. I am quite confident that is the only meaning which could properly be attached to that particular expression on the part of the Secretary of the Treasury. So I believe that fact meets and explains the point upon which the Chair based his ruling.

Let me give a few other references to some of the precedents in the Senate. This afternoon we have had quite a lengthy debate on the value of precedents, and I think the Senate very decisively by its vote upon the point of order decided that the precedent as of yesterday was not a correct one, and I believe that will be the way the action of the Senate will be interpreted. However, I know the Senate values consistency in its rules and in the interpretation of its rules. I wish to mention a few instances in that connection, for the benefit of the Senate, going back some years, and referring to the reference of various bills.

For example, in the 64th Congress, 1st session, in 1915, a resolution of the Farmers Booster Club, of Renville, Minn., opposing the proposed repeal of the tax on coloring of oleomargarine, was referred to the Committee on Finance.

In the 65th Congress, 1st session, in 1917, Senate bill 294, to reduce the tax on oleomargarine was referred to the Committee on Finance.

In the 65th Congress, 1st session, in 1917, bill 461, to reduce the tax on oleomargarine, was referred to the Committee on Finance.

The same action was taken in the 67th Congress and in the 68th Congress.

Mr. President, to show the distinction between a bill which had to do with the taxing

of margarine and a bill relating to the regulation of the sale of margarine, I wish to refer to the first case of that sort we come to: In the 69th Congress, 1st session, the Vice President laid before the Senate a joint resolution of the Legislature of the State of Wisconsin favoring legislation to prohibit the manufacture or sale of oleomargarine in the United States. That joint resolution properly was referred to the Committee on Agriculture and Forestry because it was an outright prohibition of the manufacture or sale of oleomargarine, and it dealt directly with that subject matter. That shows the real distinction which we find running all through the various references of such measures. I hold in my hand a list showing the references of a great many measures of that sort, but I shall not take the time of the Senate to read the entire list. A number of measures were referred to the Committee on Agriculture and Forestry, but in practically every case the bills referred to that committee called for amendments of acts defining butter and "also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine." As an example, I refer to Senate bill 5745, in the 3d session of the 71st Congress. That was a bill to amend the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine, approved August 2, 1886, as amended." As will be seen from the title, the purpose of that bill was to amend that act. The bill did not provide for a repeal or change in the tax itself.

At another time, a bill which prohibited the interstate shipment of margarine in certain cases was introduced. That bill was referred to the Interstate Commerce Committee, where it might very well have gone, because the purpose of the bill was to prohibit the transportation of oleomargarine in interstate commerce.

But I think in no case except the first one—and in that case the decision was made, as the Chair has stated, by a very close vote of 22 to 21—has a bill similar to this one, relating to either the imposition of the tax or the repeal of the tax, as does the bill now before the Senate, been referred to any committee except the Finance Committee.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HATCH. I noticed that the Senator from Arkansas said he had a statement giving various additional references to such measures and their reference. I do not know whether the Senator has referred to all of them, but I suggest that if he has not, at least he insert the statement in the RECORD.

Mr. FULBRIGHT. I shall be glad to insert the entire statement at the conclusion of my remarks. There are several pages of the statement, and of course I do not like to take the time of the Senate to read all of it.

Mr. President, I ask unanimous consent that the complete statement may be inserted in the RECORD at the conclusion of my statement, as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. FULBRIGHT. Mr. President, I may say to the Senator from New Mexico that I think under the former procedure the decision as to the reference of the bill was not based upon the entire bill. That point is brought out by the statement to which I have just referred. When it appeared from the title or face of the bill that it was a tax bill, the bill almost invariably was referred to the Finance Committee. When it appeared on the face of the bill that it was a regulatory bill, it was referred to the Committee on Commerce, in one case, or the Committee on Agriculture. I think that was the theory behind the reference of such bills, in all those cases.

Mr. HATCH. Mr. President, will the Senator further yield to me?

Mr. FULBRIGHT. I yield.

Mr. HATCH. My only thought in suggesting that the statement be placed in the RECORD was that undoubtedly the Senator from Arkansas has done a great deal of work on this matter, and I thought that for the sake of future reference it would be well to have the entire statement available in the RECORD.

Mr. FULBRIGHT. I thank the Senator.

Mr. AIKEN. Mr. President, will the Senator yield to me?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. In regard to the statement by the Senator from Arkansas that tax bills on this subject were referred to the Finance Committee and that other bills relating to oleomargarine were referred to the Committee on Agriculture and Forestry, I wish to point out that the bills which were referred to the Committee on Agriculture and Forestry did not call for the removal of tax on oleomargarine, but simply called for removal of obstructions to the free distribution of that commodity. That was the fact in the case of the last oleomargarine bill upon which the Committee on Agriculture and Forestry held extended hearings some 3 or 4 years ago. In that case, the bill did not provide for removing the tax on oleomargarine, but simply provided for removing the obstructions to the free distribution of that commodity.

Mr. FULBRIGHT. Mr. President, may I say that I did not read the full text of all the bills, but from their face it is obvious that the decision as to their reference was based solely upon a brief reading of what the bill purported to be, particularly as shown by its title. Whenever it was obvious that the bill was a tax bill, it was referred to the Finance Committee. I think the Senator will agree that that is the case, and that in practically every case where a cursory examination of such a bill showed that it related to tax matters, the bill was referred to the Finance Committee.

One of the best examples was a bill relating to the shipment of oleomargarine in interstate commerce. That bill was referred to the Committee on Interstate Commerce. That fact further illustrates, I think, the theory applied in the reference of such bills.

Mr. President, a further point which I think the Senate should consider here as a matter of pure, practical fairness in regard to this proposed legislation is that, as everyone knows, this subject has been before the Senate, on and off, for 62 years. Everyone also knows that the Senate never has had an opportunity to vote upon such proposed legislation to repeal these taxes, on its merits, by itself.

After the vote on the amendment I offered to the tax bill, several Senators came to me and said that they felt obligated to do what they could to have the Senate pass the income-tax-reduction bill, the so-called Knutson bill, by itself, and that they felt obligated to oppose any controversial amendments which might jeopardize the final passage of that bill. But several of those Senators said, "We are in favor of the repeal of these oleomargarine taxes, on the merits of the matter, and we shall support a bill which does that."

Today, after the unprecedented action of the House of Representatives in taking the proposed legislation, by petition, from the Committee on Agriculture, and passing it by a vote of nearly 3 to 1, with the result that now the proposed legislation comes to the Senate, we find that the same officials of the Senate, after having referred an identical bill to the Finance Committee in December, now decide that the bill presently under consideration must be referred to the Committee on Agriculture and Forestry. Mr. President, that fact in itself raises a question as to the reason for such action. If they are interested in the bill on its merits and in an objective way, why was not the question raised in December in connection with the reference of the other bill? That is the question which bothers so many of us who are solely interested in presenting the bill to the Senate for a vote—a vote on the merits of this issue alone.

It seems to me that after all that has been going through and after all the trouble that has been taken by the proponents and, no doubt, also by the opponents, it would be a very sorry and sad thing for this measure to be buried in a committee. Of course, I do not say that I believe the Committee on Agriculture and Forestry will not proceed to consider the bill on its merits, but I call attention to the fact that an identical bill already has been the subject of hearings before the Finance Committee. I appeared before the Finance Committee in support of the bill I introduced, which is the same as the Rivers bill which now is before the Senate. The Senator from South Carolina [Mr. Maybank] also appeared before the committee, not only this year but in 1944 when he had an amendment very similar to this measure. In other words, during the past several years, and in modern days, let us say, in connection with the matter of taxes, the Finance Committee has considered this proposed legislation.

I may say that the Committee on Agriculture and Forestry is now deeply engaged in the consideration of the long-term agricultural program; and after consultation with some of the members of that committee, I am informed by them that they could not proceed to hold hearings on this proposed legislation this week. They say they might get to it next week.

Mr. President, when we consider how close we are now to the end of the present session of Congress, and in view of the fact that the leadership of the House, I know—and I believe this is also true of the leadership of the Senate—has said they hope to have the Congress adjourn by the 18th of June, and in view of the further fact that we know that practically all the major appropriation bills are yet to be acted upon or are just now beginning to come before the Senate, obviously it may well happen that if this proposed legislation is sent to a committee which already is burdened with the consideration of other important legislation and is not familiar with the recent hearings on this subject which have been held by another Senate committee, the result may be that there will be a fatal delay in the consideration of the bill by that committee.

I therefore submit that today there is no excuse for shifting the reference of this measure to the Committee on Agriculture and Forestry and to deprive the Committee on Finance of the jurisdiction which it so long has exercised. Incidentally, I believe it can be correctly stated that the Finance Committee at the present time has practically no important legislation pending before it. If it has, I am not aware of it. I know one member of the committee told me yesterday he knew of no important tax legislation now pending. It would, therefore, be logical and reasonable to assume that this bill could be considered by the Committee on Finance and reported in time to be acted on at the present session. If the bill is not acted upon, if it should in accordance with the ruling of the President pro tempore go to the Agriculture and Forestry Committee and should not be acted upon, it seems that the Senate and the committee in so voting will have taken the responsibility of denying the right of the Senate to have an opportunity of voting on this legislation. The legislation has been, it may be said, pending on and off for 62 years. This is the first opportunity in all that time we have had of voting upon it. That is assuming the committee will report it to the Senate.

"EXHIBIT A

"OLEOMARGARINE TAXES

"1947

"S. 985 (Mr. JOHNSTON of South Carolina). A bill to repeal the tax on oleomargarine. Referred to Committee on Finance.

"S. 1907 (Mr. FULBRIGHT). A bill repealing certain provisions of the Internal Revenue Code relating to the tax on oleomargarine, and for other purposes. Referred to Committee on Finance.

"1946 AND 1945

"None.

"1944

"S. 1744 (Mr. Smith of South Carolina). A bill to provide for the more efficient utilization of the agricultural resources of the Nation during peace and war; to regulate the production and distribution of margarine, a product of certain agricultural commodities, in interstate commerce; to remove certain obstruction to the distribution of such product in interstate commerce; and for other purposes. Referred to Committee on Agriculture and Forestry.

"1943

"S. 1426 (Mr. Maybank). A bill to provide that certain taxes imposed with respect to the sale or manufacture of oleomargarine which is yellow in color shall be suspended until the expiration of 6 months after the termination of hostilities in the present war. Referred to Committee on Finance.

"Mr. Bushfield presented a resolution of the South Dakota State Dairy Association opposing H. R. 2400, relating to taxes on oleomargarine and license taxes on manufacturers. Referred to Committee on Agriculture and Forestry.

"Mr. Gillette presented a resolution of the National Cooperative Milk Producers Association, opposing legislation to repeal Federal commodity and license taxes on oleomargarine. Referred to Committee on Finance.

"Mr. Capper presented a similar resolution. Referred to Committee on Finance.

"1942

"Mr. Davis presented a petition of Pomona Grange of Butler, Pa., favoring legislation to regulate the composition of oleomargarine. Referred to Committee on Agriculture and Forestry.

"1941

"S. 1921 (Mr. Gillette). A bill to promote and protect the public welfare by prohibiting the shipment and sale in interstate and foreign commerce of oleomargarine containing any milk or its products, or which is yellow in color, or which is in semblance or imitation of butter as to color, flavor, or appearance; to regulate the advertising of oleomargarine; to provide for the enforcement of this act; to provide penalties, and for other purposes. Referred to Committee on Agriculture and Forestry.

"1940

"Resolution of the National Cotton Council of America remonstrating against the penalties imposed on the use of margarine. Referred to the Committee on Finance.

"1939 AND 1938

"None.

"1937

"Mr. Duffy presented a joint resolution of the Legislature of the State of Wisconsin opposing the passage of House bill 3905, relating to the sale of oleomargarine. Referred to the Committee on Agriculture and Forestry.

"1936

"Resolutions adopted by milk producers' locals of New England opposing interstate shipments of oleomargarine, favoring the retention of duties on foreign vegetable oils for domestic purposes, and an additional tax on oleomargarine. Referred to Committee on Finance.

"Resolutions of New York branch of Dairymen's League Cooperative Association, asking for a tax of 5 cents per pound on fats used in producing oleomargarine. Referred to Committee on Finance.

"1935

"Mr. La Follette presented a joint resolution of the Legislature of the State of Wisconsin favoring an increase in the tariff on foreign fats and oils used in the manufacture of oleomargarine. Referred to Committee on Finance.

"1934

"The Vice President laid before the Senate a resolution of the St. Lawrenceburg (N. Y.) Pomona Grange favoring the passage of H. R. 6612, relative to the manufacture and sale of products manufactured for butter substitutes. Referred to Committee on Agriculture and Forestry.

"S. 3203 (Mr. Smith of South Carolina (by request)). A bill to amend an act entitled 'An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine,' approved August 2, 1886, as amended, and for other purposes. Referred to Committee on Agriculture and Forestry.

"1933

"None.

"1932 AND 1931 (72D CONG., 1ST SESS.)

"S. 2846 (Mr. Dill). A bill to prohibit the interstate shipment of oleomargarine in certain cases. Referred to Committee on Interstate Commerce.

"S. 2950 (Mr. HÉBERT). A bill to authorize the packing of oleomargarine and adulterated butter in tin and other suitable packages. Referred to Committee on Agriculture and Forestry.

"S. 4065 (Mr. HÉBERT). A bill of the same title as S. 2950. Referred to Committee on Agriculture and Forestry.

"(NOTE.—This bill became a law.)

"SEVENTY-FIRST CONGRESS, THIRD SESSION (DECEMBER 1929–MARCH 3, 1931)

"S. 5745 (Mr. Townsend of Michigan). A bill to amend the act entitled 'An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, exportation of oleomargarine,' approved August 2, 1886, as amended. Referred to Committee on Agriculture and Forestry.

"(The above bill was reported from the committee, and H. R. 16836, a bill of an identical title, was subsequently passed. S. 5745 was postponed indefinitely.) H. R. 16836 became a law.

"S. 5750 (Mr. Howell of Nebraska). A bill of the same title as the two preceding bills. Referred to the Committee on Agriculture and Forestry.

"(Did not get out of committee.)

"(Several petitions in favor of above legislation were referred to Committee on Agriculture and Forestry.)

"SEVENTY-FIRST CONGRESS, SECOND SESSION (1929 AND 1930)

"S. 3838 (Mr. HÉBERT). A bill of the same title as the foregoing. Referred to the Committee on Agriculture and Forestry.

"H. R. 6. A bill to amend the definition of oleomargarine contained in the act defining butter, etc., approved August 2, 1886, as amended. Referred to the Committee on Agriculture and Forestry.

"(This bill passed the Senate by a vote of 44 to 32 and became a law.)

"SEVENTY-FIRST CONGRESS, FIRST SESSION (1929)

"S. 560 (Mr. Schall). A bill of the same title as H. R. 6. Referred to the Committee on Agriculture and Forestry.

"(Not reported.)

"S. 1552 (Mr. Norbeck). A bill of the same title as S. 560. Referred to the Committee on Agriculture and Forestry.

"A resolution of a local grange in the State of Connecticut remonstrating against any change in the oleomargarine laws. Referred to the Committee on Agriculture and Forestry.

"SEVENTIETH CONGRESS, SECOND SESSION (1928–29)

"None.

"SEVENTIETH CONGRESS, FIRST SESSION (1928)

"S. 3737 (Mr. Tydings). A bill to amend the definition of the words 'manufacture of oleomargarine' and to amend the limitation upon oleomargarine taxable at one-fourth of 1 cent per pound in the act entitled 'An act defining butter, etc.,' approved August 2, 1886, as amended. Referred to Committee on Agriculture and Forestry.

"SIXTY-NINTH CONGRESS, SECOND SESSION (1927)

"None.

"SIXTY-NINTH CONGRESS, FIRST SESSION (1925–26)

"The Vice President laid before the Senate a joint resolution of the legislature of the State of Wisconsin favoring legislation to prohibit the manufacture or sale of oleomargarine in the United States. Referred to Committee on Agriculture and Forestry.

"SIXTY-EIGHTH CONGRESS, SECOND SESSION (1924–25)

"None.

"SIXTY-EIGHTH CONGRESS, FIRST SESSION (1923–24)

"S. 392 (Mr. McKellar). A bill to reduce the tax on oleomargarine. Referred to the Committee on Finance.

"SIXTY-SEVENTH CONGRESS, SECOND, THIRD, AND FOURTH SESSIONS

"None.

"SIXTY-SEVENTH CONGRESS, FIRST SESSION (1921)

"S. 329. (Mr. McKellar). A bill to reduce the tax on oleomargarine. Referred to the Committee on Finance.

"SIXTY-SIXTH CONGRESS, SECOND AND THIRD SESSIONS

"None.

"SIXTY-SIXTH CONGRESS, FIRST SESSION, (1919)

"S. 461 (Mr. McKellar). A bill to reduce the tax on oleomargarine. Referred to Committee on Finance.

"SIXTY-FIFTH CONGRESS, SECOND SESSION (1918)

"None.

"SIXTY-FIFTH CONGRESS, FIRST SESSION (1917)

"S. 294 (Mr. McKellar). A bill to reduce the tax on oleomargarine. Referred to Committee on Finance.

"SIXTY-FOURTH CONGRESS, SECOND SESSION

"None.

"SIXTY-FOURTH CONGRESS, FIRST SESSION (1915)

"A resolution of the Farmers Booster Club, of Renville, Minn., opposing the proposed repeal of the tax on coloring of oleomargarine. Referred to Committee on Finance."

Mr. President, I wish to propound a parliamentary inquiry in regard to this bill. As I understand, the Chair referred it to the Committee on Agriculture and Forestry.

The PRESIDING OFFICER (Mr. YOUNG in the chair). That is correct. The bill was so referred.

Mr. FULBRIGHT. I have indicated I might appeal from the decision of the Chair. May I inquire what would be the effect of my doing that? Could a vote be had immediately upon the decision, or might it be expected that it would result in further parliamentary entanglement similar to that which was encountered today as the result of the question raised yesterday? In other words, I should

like the Chair to state what would be the parliamentary situation if I were to appeal from the decision of the Chair.

The PRESIDING OFFICER. The appeal, if made, would be debatable.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. WHERRY. Of course, the appeal would be open to debate, and if the Senator desires, the debate could be continued. If that is the desire of the Senator, it would be perfectly agreeable to me. Otherwise, I should ask for the regular order, in the hope of accomplishing the very thing the Senator has been talking about—the expediting of the program, so we can go on with other legislation and get it out of the way. But if the Senator is going to appeal, it means we shall debate this question until it comes to a vote. That would be perfectly within the rights and prerogatives of the Senator.

Mr. FULBRIGHT. Does the Senator feel that we may get to a vote?

Mr. WHERRY. Oh, yes. As indicated earlier when I made a request for unanimous consent, my hope is that we may be able to terminate this matter definitely one way or another.

Mr. FULBRIGHT. Mr. President, I appeal, then, from the ruling of the Chair, and I request that the bill be referred to the Committee on Finance.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

[From the CONGRESSIONAL RECORD, vol. 94, pt. 4, pp. 5283–5294]

REPEAL OF OLEOMARGARINE TAXES

The Senate resumed the consideration of the appeal of Mr. FULBRIGHT from the decision of the President pro tempore referring to the Committee on Agriculture and Forestry the bill (H. R. 2245) to repeal the tax on oleomargarine.

The PRESIDENT pro tempore. The matter under consideration by the Senate is the appeal of the Senator from Arkansas [Mr. FULBRIGHT] from the decision of the Chair referring to the Committee on Agriculture and Forestry the bill (H. R. 2245) to repeal the tax on oleomargarine.

The question is, Shall the decision of the Chair stand as the judgment of the Senate? Under the unanimous-consent agreement of yesterday the Senate will proceed to vote on the question at 2 o'clock p. m. today, and the intervening time will be equally divided between those favoring the appeal and those opposed thereto, and controlled, respectively, by the Senator from Arkansas [Mr. FULBRIGHT] and the ranking majority members of the Committee on Agriculture and Forestry, the Senator from Vermont [Mr. AIKEN].

Mr. WHERRY. Mr. President, I have been asked to suggest the absence of a quorum, and with the permission of the distinguished Senator from Arkansas [Mr. FULBRIGHT] in charge of the time for the proponents, and if there is no objection by the opponents that the time be charged equally, I ask that a quorum be called.

The PRESIDENT pro tempore. The Senator from Nebraska suggests the absence of a quorum, the time required to be charged equally, one-half to each side. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken, Baldwin, Ball, Barkley, Bricker, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Connally, Cooper, Cordon, Donnell, Downey, Dworshak, Eastland, Ecton, Ellender, Ferguson, Flanders, Fulbright, Green, Gurney, Hatch, Hayden, Hickenlooper, Hill, Hoey, Holland, Ives, Johnson of Colorado, Johnston of South Carolina, Kem, Kilgore, Knowland, Langer, Lucas, McClellan, McFarland, McGrath, McKeller, McMahon, Magnuson, Malone, Martin, Maybank, Millikin, Moore, Morse, Murray, Myers, O'Conor, O'Daniel, O'Mahoney, Pepper, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Taft, Thomas of Oklahoma, Thomas of Utah, Thye, Tobey, Tydings, Vandenberg, Watkins, Wherry, White, Wiley, Williams, Wilson, Young.

Mr. WHERRY. I announce that the Senator from Maine [Mr. Brewster], the Senator from South Dakota [Mr. Bushfield], the Senator from New Jersey [Mr. Hawkes], the Senator from Indiana [Mr. Jenner], the Senator from Massachusetts [Mr. Lodge], the Senator from Wisconsin [Mr. McCarthy], and the Senator from West Virginia [Mr. Revercomb] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent on official business.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness in his family.

Mr. LUCAS. I announce that the Senator from Georgia [Mr. George] and the Senator from Tennessee [Mr. Stewart] are absent because of illness in their families.

The Senator from Alabama [Mr. SPARKMAN] is absent on public business.

The Senator from Nevada [Mr. McCarran], the Senator from Louisiana [Mr. Overton], the Senator from Idaho [Mr. Taylor], the Senator from North Carolina [Mr. Umstead], and the Senator from New York [Mr. Wagner] are necessarily absent.

The PRESIDENT pro tempore. Seventy-nine Senators having answered to their names, a quorum is present.

Mr. FULBRIGHT obtained the floor.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MAYBANK. Does the Senator from Arkansas expect to speak at this time?

Mr. FULBRIGHT. I expect to speak for a short time now, and to reserve a short time in which to speak at the end of the debate, before the vote.

Mr. MAYBANK. Mr. President, day before yesterday I made a brief statement on the subject now pending before the Senate. I ask the Senator if he will be kind enough to permit me to make a request for inclusion of that statement in the RECORD at this time.

Mr. FULBRIGHT. I yield for that purpose.

Mr. MAYBANK. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the statement I made on day before yesterday respecting the pending bill. In it I gave the reasons for my belief that the bill should be submitted to the Committee on Finance. Inasmuch as I have asked to have the speech included in the RECORD at this point, and since a vote is to be taken on the question of reference of the bill at 2 o'clock today, I do not intend to make any remarks at this time on the subject.

There being no objection, Mr. Maybank's statement was ordered to be printed in the RECORD, as follows:

"Mr. MAYBANK. Mr. President——

"The PRESIDENT pro tempore. The Senator from South Carolina is recognized.

"Mr. MAYBANK. Mr. President, I regret that the situation is such that the Chair could not rule today on the question. The bill, which came from the House of Representatives, was introduced by the Representative from my district and from my home, Representative RIVERS. After a long fight the bill was finally passed by the House, and I was hopeful that today the Senate would take it up and that the Chair would rule on the committee to which the bill should be referred.

"In 1943 and 1944 a similar fight took place in the Senate. I submitted to tax bill after tax bill amendments proposing to repeal the taxes on oleomargarine. Extensive hearings were held by the Finance Committee, of which the Senator from Georgia [Mr. George] was at that time chairman. The distinguished President pro tempore of the Senate was at that time the ranking Republican on the Finance Committee. The oleomargarine interests and other witnesses testified. Through all those hearings the measure was handled by the Finance Committee. Of course I should like to see the bill placed on the calendar, as was done in the case of the tidelands oil bill. I hope that the Chair, who has always been fair in the reference of bills, will not forget that the hearings on oleomargarine were held before the Finance Committee in 1943, 1944, and 1948, which committee already has a great deal of information on the subject. I therefore trust that the bill as passed by the House will be referred to the Finance Committee.

"The Senator from Colorado [Mr. Millikin], the chairman of the Finance Committee, recently made the statement in the Senate, in answer to me, that he considered it to be a tax matter and that the Finance Committee would take it up in due time.

"So, Mr. President, without further statement, I trust that when the matter comes up tomorrow, unless the bill can be placed on the calendar, the distinguished President pro tempore will refer the bill to the Finance Committee which heard the arguments in 1943, 1944, 1947, and 1948."

Mr. YOUNG. Mr. President——

The PRESIDENT pro tempore. Let the Chair state that the Senate is proceeding under a division of time, and all the present proceedings are being charged to the time of the Senator from Arkansas.

Mr. FULBRIGHT. Under those circumstances, I do not yield further at this time.

The PRESIDENT pro tempore. The Chair was about to suggest to the Senator that, without objection, if the Senator is willing to continue to yield, the time now being consumed may be divided. However, if the Senator prefers to proceed, he is entitled to do so.

Mr. FULBRIGHT. Under those circumstances, I think I shall proceed.

Mr. President, under the existing parliamentary situation, I am sure that the opponents of this repeal legislation will argue that a vote to sustain the ruling of the Chair is not a vote on the merits of the bill. Senators will recall that the same argument was made when this measure was offered as an amendment to the tax bill. Technically, that argument is correct; but practically, as a matter of fact, a vote on this referral may well be the only opportunity to vote on the bill at this session.

I have already heard that representatives of the butter interests are seeking to have held hearings lasting a month. One rumor which I heard this morning from a representative of the press is that they expect to present at least 100 witnesses. I have on my desk a copy of the hearings which have already been held on this question during the past 5 years. The record consists of approximately 2,000 pages. It is perfectly obvious that almost all that could be brought out by further hearings is already in evidence. There may be other ways to kill a cat than by choking it with butter; but the experience of 62 years clearly demonstrates that that is the favorite way to kill an oleomargarine tax-repeal bill. It is plain to anyone that by the simple device of delaying the hearings or permitting them to be long, drawn out, the Senate would be denied an opportunity to vote on the bill. I realize that members of the Committee on Agriculture and Forestry cannot guarantee any precise time; but the real difficulty in my position and that of others who propose this legislation is the feeling that there may be long delay during the last few days of this session.

Mr. President, much emphasis has been placed upon the fact that the bill under consideration was referred to the Committee on Agriculture of the House. However, we

should not overlook the fact that that committee did not actually report the bill, and in that sense did not handle it. By a majority of 2 to 1 in the House, the House itself took the bill from the committee and acted upon it directly. So in a very real sense by that action the House disapproved the reference of the bill to the Committee on Agriculture.

One basis for the decision of the Chair is the fact that the original bill which created the oleomargarine tax in 1886 was referred to the Committee on Agriculture. That action is cited by the Chair in support of his decision. In that instance the referral was made by the closest possible vote of 22 to 21, and was made, as will be disclosed by an examination of the debate, by very evident exception as to the action proposed by the committee.

The motion to refer the House-approved bill to the Senate Agriculture Committee was made by Senator Miller, of New York, the chairman of the Senate Agriculture Committee.

Senator Beck, of Kentucky, immediately objected in these words:

"I think if Senators will look at the bill they will readily understand that if the bill as it came from the House does not go to the Finance Committee it is hard to imagine any bill that ought to go to that committee. A tariff bill might as well go to the Committee on Agriculture, for that has to do with farmers, with their shoes and stockings, their sugar, their salt, and everything else."

Senator Miller, of New York, then stated the first of the two main arguments for sending the bill to his own committee—the Agriculture Committee. He said:

"The bill comes to us from the other House, having been perfected there in the Committee on Agriculture, having passed the House entirely under charge of that committee, as the RECORD will show, never having been referred to the Ways and Means Committee which corresponds to the Finance Committee of this body."

Senator Miller, who was to lead the fight for the original antimargarine law, then dropped this curious—and I think we must say misleading—suggestion into the debate:

"What will be the condition of this bill when it shall reappear from that committee (the Agriculture Committee), if referred there, I cannot tell—whether there will be anything of a tax in it or not."

This was misleading because only a few months before the dairy interests had held a great convention in New York City at which the whole antimargarine campaign had been planned. That campaign had as its end purpose the drastic curtailment or destruction of the margarine industry—an industry whose chief crime was that it dared to make a food product which competed with butter. That curtailment or destruction, it was generally agreed by the butter interests, could most effectively be achieved through the imposition of an excessive tax. I call attention to the further fact, as evidence of the dairy interests' real purpose, that the original bill, as presented in the House, proposed a straight 10-cent tax on all margarine—a tax which, if approved, would have probably wiped out the whole margarine industry.

Senator Aldrich, of Rhode Island, then rose to challenge Senator Miller, who had just told the Senate that his committee was already considering this subject. Senator Aldrich said:

"It is a tax bill and nothing else and refers in every one of its provisions to the taxation of an article of merchandise and the regulation of its sale by the Internal Revenue Bureau of the Treasury Department."

Senator Aldrich continued—and I think his argument is equally valid today:

"The Senator from New York says that the bill affects the agricultural interests of this country. Does not the tax upon whisky affect the agricultural interests of this country?

"If we are to send every tax bill that relates to, or interests, or affects the agricultural interests of this country to the Committee on Agriculture they would usurp all the functions of the Committee on Finance and all other committees of the Senate."

Senator McPherson then asked Senator Miller this question:

"Is the Senator from New York ready to say that it is not a revenue bill?"

Senator Miller, with what can only be called deceptive frankness, gave this amazing reply:

"As I said before, I do not care to go into a discussion of the bill or any other that we may pass—no revenue will be derived at all."

That was the language of the principal proponent of the original bill. Mark that statement by the chairman of the Agriculture Committee in 1886:

"No revenue will be derived at all, for I hope the legislation passed here will forever make such a fraudulent manufacture as the imitation of butter impossible in this country, and I will state that frankly."

Senator Blair, who also worked manfully for the passage of the original antimargarine law, then rose to supplement Senator Miller's argument. He said:

"If after a primary consideration of the main question, which is that of some method of affording a remedy for this great evil of substituting a fraudulent manufacture for the genuine article to be purchased in the market as an article of food, if after the general question has been considered, the matter of tax should still be retained in the bill and it should come from the Committee on Agriculture as a bill involving taxation to some extent then there could be no impropriety in referring it to the Committee on Finance."

That is the language of Senator Blair and of Senator Miller. In other words, the entire theory of that referral was that the original bill was not expected to involve any revenue. It was expected to be strictly and purely a prohibition against the manufacture of margarine. I need not say that the bill was never referred to the Committee on Finance, and I suppose it would be difficult to prove what I think is obviously the case, that it was never intended that it be done. The whole maneuver, by which the original margarine tax bill was referred in 1886 to the Agricultural Committees of the two Houses—which were supposed to be favorable to the butter cause—rather than the tax committees which would normally have considered them, was most unusual. Today we should look at the facts as they are and act in the light of realities.

The value of this action as a precedent cannot be greater than the value of any previous or subsequent referral. As I have shown, this precedent broke older and previously unbroken precedents. Further, it has not been followed with any consistency since that time.

Mr. ROBERTSON of Virginia. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. ROBERTSON of Virginia. The Senator will recall that the housing bill which was recently before us contained a provision repealing or waiving a tax. Is it not a fact that provision went out on a point of order on the ground that a bill to repeal a tax is as much a tax bill as a bill to impose a tax?

Mr. FULBRIGHT. I think the Senator is entirely correct. I cannot see any basis for argument about the matter in any other way.

Mr. ROBERTSON of Virginia. I think it has been consistently held in both the Senate and the House of Representatives that a bill to repeal a tax is as much a tax bill as is a bill to impose a tax. I wish to say to my colleague the Senator from Arkansas that during the 10 years I served on the Ways and Means Committee of the House of Representatives, I always insisted that any bill relative to taxes, either a bill to impose a tax or a bill to repeal a tax, should be referred to the Ways and Means Committee, because of necessity the tax feature had to be the major feature of the bill and in considering the reference of a bill the indirect effects which might flow from a given piece of legislation should not be given the major consideration.

No doubt the Senator from Arkansas recalls that when the House of Representatives framed a bill to provide a pension for railway employees, that bill was referred to the House Committee on Interstate and Foreign Commerce. It carried a tax. The Supreme Court declared that bill unconstitutional, because the tax was not properly levied. When the House came to remedy that defect, it split the proposed legislation, and sent the tax phase of the Railroad Retirement Act to the Ways and Means Committee, and in that committee we framed a tax which stood up in the courts.

The Senator from Arkansas also will recall that when it was proposed in the House of Representatives to pass a Bituminous Coal Act, the purpose of which was, as was claimed, to eliminate cutthroat competition and the stabilize the coal industry and provide more stable employment in that industry, although the tax on the producers was only a nominal tax, that bill was referred to the Ways and Means Committee because the bill carried a tax.

The same situation applies in the case of the Social Security Act, I may also point out.

Mr. FULBRIGHT. Mr. President, let me say to the Senator from Virginia that I covered that matter at great length yesterday. There are endless examples. The question of jurisdiction is determined by the method by which such matters are reached and not by the indirect or ultimate effects. I could not possibly agree with the Senator from Virginia more fully than I do.

Mr. ROBERTSON of Virginia. I simply wish to make clear why I shall support the appeal of the distinguished Senator from Arkansas, with all due deference to the ruling of the Chair, because the Chair plainly left the decision up to the Senate on a close issue. So, without any reflection upon the Chair, we may decide how we shall vote on the question of having this bill referred to the Finance Committee.

Mr. FULBRIGHT. That is true.

Mr. ROBERTSON of Virginia. I should like to ask the Senator from Arkansas one question. He is opposed to this tax because he says it is unfair competition to put an excise tax upon a competing food product. Does not the Senator think it would be unfair competition to an established product not to require in any new law on the subject that those who sell the competing product shall put their customers on notice as to what they are being served?

Mr. FULBRIGHT. Mr. President, I say to the Senator from Virginia that I am in thorough accord with that position. I have discussed it with those who oppose this proposed legislation; and I have told them that certainly, for myself, and, I think, for everyone else who is supporting this matter, we shall support any kind of direct regulation, with any kind of penalties they wish, that will prevent any deception in the sale of oleomargarine. But that should not be done through the taxing power. The approach should be the same as the approach in connection with the pure-food laws.

Mr. ROBERTSON of Virginia. Mr. President, I wish it understood, because the Senator from Arkansas is leading the fight here on this matter, that when this bill is referred to the Finance Committee, if it is, he will not oppose a provision in this proposed law which will require those who sell margarine to notify their customers what they are selling them.

Mr. FULBRIGHT. Mr. President, I have already submitted to the Senator from Vermont two proposed amendments framed on the idea that we shall work out something of that sort. I certainly shall not oppose it.

Mr. ROBERTSON of Virginia. I thank the Senator very much.

Mr. FULBRIGHT. Mr. President, time is passing. I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a short summary of some further history of this legislation.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

"In summary of the statements made by those who support the appeal from the reference of this bill to the Committee on Agriculture and Forestry, I should like to restate, point by point, the reasons advanced by the Chair for referral to that committee. The statement of the Chair, I think, is the best possible case which can be made for the decision, and contains all arguments which have been made.

"The Chair in referring a bill to a committee is actually performing a judicial function. He examines a bill, without regard to its merits, and with due regard to the law, the precedents, and the rules of the Senate, refers it to a committee.

"By the same token, then, the Senate of the United States is performing a judicial function, in the nature of an appeal. And it, too, in all justice, should be bound by the law, the precedents, and the rules, without regard to the merits of the bill.

"Indeed the Chair, in referring this bill, has cited precedent, rules, and one case in the Supreme Court of the United States.

"The Chair says, first, that the bill has an oversimplified title. What is the title? Quoting, 'A bill to repeal the tax on oleomargarine.' True this is simple, but is it not precisely what the bill does? Of course it does not tell precisely what effect its enactment will have upon any segment of our economy. But could any possible title of any bill do that?

"Next the Chair makes the point that 'revenue is only incidental in the purposes of this bill, and that "the subject matter which predominates"—that being the controlling phrase in the Reorganization Act—is the agricultural economy.' If this be true, is it not equally true of any tax bill, particularly any excise tax bill, and any tariff? The essence of this interpretation is that a bill should be referred to that committee which has jurisdiction over that constituent of our economy which it most directly affects. By this same interpretation, tariffs and tariff agreements should be handled by the Interstate and Foreign Commerce Committee.

"Withholding taxes on wages should be handled by Labor and Public Welfare, which, under rule XXV, as amended by the Reorganization Act, should have all measures relating to labor. Certainly with respect to such taxes the predominating subject matter is their influence on labor.

"Likewise, an exemption in favor of servicemen should be under the jurisdiction of the Armed Services Committee, because, under rule XXV the Armed Services Committee is charged with 'matters relating to pay and other benefits and privileges of members of the armed services.'

"This goes on in endless progression until it results in complete lack of jurisdiction of the Finance Committee. For that matter, the same analogies can be made with reference to matters handled by the Appropriations Committee. For there is no tax or appropriation that does not affect an article, a profession, a class, an industry, or an element of the Nation's economy, as the margarine taxes affect agriculture, directly or indirectly.

"The significance of all this, I think, is that what is intended by the organization of the Senate and its committees is that jurisdiction should be determined in the cases of taxes, appropriations, and perhaps other functions, not by the effect particular proposed legislation has upon a particular element of the economy, but, rather, the method of effecting it. And where the method chosen is by taxation, the Finance Committee should have jurisdiction.

"Thus, there is nothing to prevent the Agricultural Committee, within the limits of the Constitution, from legislating, or considering legislation, dealing with the margarine and butter question, so long as it does so by general legislation and not taxation.

"If price controls on meats were to be reimposed, would that question be handled by the Committee on Agriculture? It certainly affects the agricultural economy. I think it would affect it to a much greater extent than would the taxes on margarine. But what is the method of affecting it? Control of prices—which is a subject within the jurisdiction of the Committee on Banking and Currency.

"The fact is that each committee has general jurisdiction over matters expressed within its title, with special jurisdictions added. But that jurisdiction extends to general measures of regulation, assistance, and so forth, only, and in any case where the method of legislation is within the purview of another committee the latter should have and does have jurisdiction.

"The next point made by the Chair is that 'revenue considerations are not involved,' quoting from a statement by the Under Secretary of the Treasury in House hearings on this bill.

"I shall not dwell upon the dangers of misinterpretation by quoting out of context, with which all Senators are familiar. But I should like to quote also, from the report of the Secretary of the Treasury on my bill—which is identical to this one—as follows:

"'The basic issue raised by the oleomargarine taxes is the propriety and desirability of using the tax laws to affect the relative position of competing industries, both of which use domestic agricultural raw materials. In the case of oleomargarine the taxing power is used as a punitive measure against one industry to advance the interests of another. In the process the public is deterred from the free exercise of its consumer preferences. Without passing judgment on the relative merits of the two products from the viewpoint of the public health, it is the view of the Treasury Department that the use of the taxing power to distort the normal development of competing industries and to deprive them of the full benefit of the free-enterprise system conflicts with the public interests and, in the absence of compelling considerations, should be avoided.'

"In the light of this quotation, I think the Treasury's statement, as quoted by the Chair, can only be interpreted as meaning that there is insufficient revenue derived from the taxes to have a material effect. Certainly it is not the Treasury's position that the laws are not tax laws. And cannot the statement quoted by the Chair be applied with evident truth, to practically all tariffs and many, many excise taxes?

"The Chair next cites the Supreme Court case of *Millard* v. *Roberts*, as holding that 'revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue.' I attempted to analyze that case yesterday and shall not repeat. Suffice it to say that the court, in that case, held that the acts in question were best described by their titles, which are as follows:

"'An act to provide for eliminating certain grade crossings or railroads in the District of Columbia, to require and authorize the construction of new terminals and tracks for the Baltimore & Ohio Railroad Co. in the city of Washington, and for other purposes.

"'An act to provide for eliminating certain grade crossings on the line of the Baltimore & Potomac Railroad Co., in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes.

"'An act to provide for a Union Railroad Station in the District of Columbia, and for other purposes.'

"Furthermore, the case in no way involved, directly or remotely, the oleomargarine taxes. On the other hand the cases I cite: *In re Kollock and McCray* v. *United States*, hold that the very laws in question are tax laws, and so depend for their existence.

"Only so far as the contribution by the District of Columbia is concerned was a tax involved in the case of *Millard* v. *Roberts*. A levy or assessment upon properties in the District was made to effect this contribution. The decision was summed up in this sentence:

"'Whatever taxes are imposed are but means to the purposes provided by the act.'

"Contrast this language with that of *In re Kollock*, which involved the very laws which this bill would repeal, and the very issue here involved; namely, whether the oleomargarine legislation is tax legislation. I quote again from *In re Kollock*:

"'The act before us is on its face an act for levying taxes, and, although it may operate in so doing to prevent deception in the sale of oleomargarine as and for butter, its primary object must be assumed to be the raising of revenue; and, considered as a revenue act, the designation of the stamps, marks, and brands is merely in the discharge of an administrative function and falls within the numerous instances of regulations needful to the operation of the machinery of particular laws, authority to make which has always been recognized as within the competency of the legislative power to confer.

* * * * * *

"'We concur with the court of appeals that this provision does not differ in principle from those of the internal-revenue laws, which direct the Commissioner of Internal Revenue to prepare suitable stamps to be used on packages of cigars, tobacco, and spirits; to change such stamps when deemed expedient; and to revise and regulate the means for affixing them.'

"The Chair cites the precedent of the referral of S. 1744, in the 78th Congress, to the Committee on Agriculture. In reply, I call your attention to the great preponderance of bills on the subject which were referred to the Committee on Finance. I also call your attention to the fact that in practically every case of referral to the Committee on Agriculture, the bills and other matters can be distinguished by a preponderant purpose to prohibit, regulate, and affect oleomargarine otherwise than by taxes.

"The Chair next cites the fact that this bill, in the House, was handled by its Committee on Agriculture. We are not in any respect bound by that peculiar circumstance, and I am sure the Chair does not mean to imply that we are. Nor should this reason have any effect, for it has not affected the referral of my bill in this body, nor was it made upon the basis of anything other than precedent created by special rule of the House, without regard to the nature of the bill. We should also not overlook the fact that the House, by a large majority, took the bill from the committee, against the will of the committee, and acted upon it."

Mr. FULBRIGHT. Mr. President, I now yield to the Senator from Washington [Mr. CAIN] the 2 minutes which I think he requested.

The PRESIDENT pro tempore. The Senator from Washington is recognized for 2 minutes.

Mr. CAIN. Mr. President, the junior Senator from Washington represents a State in which there are large and very successful

dairy interests. He is being urged by those interests, among which are many of his personal friends, to support the maintenance of the oleomargarine taxes and to vote in favor of referring House bill 2245 to the Committee on Agriculture and Forestry.

The junior Senator from Washington has not committed his vote on the margarine-tax problem because his study of the facts involved is far from being completed. He is only convinced that in this day of high prices charged to housewives and other consumers, the margarine-tax question should be decided on the floor of the Senate at an early date.

A companion bill to House bill 2245 has, as I understand, been before the Senate Finance Committee for some time, where presumably, no doubt, it has received some consideration. This is one reason why I shall vote in favor of referring House bill 2245 to the Finance Committee. I should like to believe that that committee will report a bill to the Senate in time for the Senate to take action during the present session of Congress.

In referring House bill 2245 to the Committee on Agriculture and Forestry, the President pro tempore said that his decision to refer the bill to that committee, rather than to the Finance Committee, was extremely close. It seems to me that he ruled in favor of the subject of food, rather than taxes.

I strongly feel that the tax question should be granted priority consideration. For this second reason, I shall vote to support the appeal made by the Senator from Arkansas to the referral decision laid down yesterday by the President pro tempore of the Senate. In so voting, Mr. President, the junior Senator from Washington believes he is helping to insure a floor debate on House bill 2245, out of which, as an individual Senator, he can register his vote on the merits of an important public question.

Mr. YOUNG. Mr. President, will the Senator yield to me?

Mr. CAIN. Certainly.

Mr. YOUNG. The Senator from Washington seems to be quite concerned about the position of the Committee on Agriculture and Forestry. The Senator from Arkansas met, the night before last, with four members of that committee who represent the butter industry. At that time we gave him assurance that our committee would not hold up this bill, but would report it to the Senate in time for consideration of the Senate. I think anyone interested in the dairy industry should favor the reference of the bill to the Committee on Agriculture and Forestry, where the dairy interests can receive due consideration.

Members of our Agriculture Committee are considering amendments which may be acceptable to the oleomargarine interests themselves. In fact, there is one which I think is entirely reasonable and which is predicated on the thinking that oleo has been sold for years and years, and is a good product, and ought to be able to stand on its own feet now. There is no reason, in my opinion, why oleo could not be colored just a little different shade than butter, and sold on its own merits, rather than to be colored and sold as butter.

The PRESIDENT pro tempore. The time of the Senator from Washington has expired.

Mr. AIKEN. Mr. President, I yield to the Senator some of the time allotted to the proponents of reference of the bill to the Committee on Agriculture and Forestry, particularly to permit the Senator to answer a question which I should like to ask him. My question is this: Does the Senator from Washington believe that the amendment to the long-range agricultural program bill which was submitted by his colleague, the senior Senator from Washington [Mr. MAGNUSON], and which, in effect, would give the President the right to raise the tariff against Canadian apples—which now are coming into the United States in very large quantity, seeking a market in this country, should be referred to the Finance Committee and not be considered by the Committee on Agriculture and Forestry? Certainly it would affect the revenue of the United States.

Mr. CAIN. Mr. President, will the Senator permit me first to reply very briefly to the Senator from North Dakota, who addressed an observation to me?

Mr. AIKEN. Yes. I think there is sufficient time for everyone, Mr. President.

Mr. CAIN. The junior Senator from Washington feels that the Senator from North Dakota and himself have no quarrel on the subject of sharing a deep concern and interests in the dairy interests of the country. I have such an interest. My vote will be cast in favor of the appeal taken by the Senator from Arkansas, primarily for two reasons. Either rightly or wrongly, I think the matter will be more rapidly brought to the floor of the Senate through referring the bill to the Finance Committee. Secondly, I think primarily the subject under discussion is a tax matter and should be given prior consideration by the Finance Committee. After its action has been taken, and on the assumptions of the Senator from North Dakota and myself that that committee will report a bill to the floor of the Senate, it seems that every Senator will be given ample opportunity to express his personal convictions and feelings on the merits of the proposal which is offered to the Senate.

Mr. YOUNG. Of course, that argument, advanced by the oleo interests, has made the whole situation as complicated and uncompromising as it has been. What greater assurance could the oleo interests have than the assurance by the majority of the Committee on Agriculture that they would report the bill? We were even considering a certain date. If they have no more faith in the Members of the Senate than that, it indicates there is no settlement of this question at all. It seems to me that the Senator from Washington ought to consider the dairy interests of his State, who would prefer having the Agricultural Committee work out a compromise, rather than a tax committee not dealing directly with agricultural interests.

Mr. CAIN. I may say to the Senator that I have had not a single minute of conversation with any representative of what he refers to as the oleomargarine industry. I am basing my decision on what seems to me to be a clear need to send this bill, in the interest of speed and of tax consideration, to the Finance Committee. That is not precluding what all Senators want, which is a thorough and full-scale debate on the subject as soon as some committee sends the approved measure to the floor, so we can decide it in the public interest at the earliest possible time. If the bill goes to the Agricultural Committee, I hope it will report the bill.

Mr. YOUNG. Mr. President, will the Senator yield further?

Mr. CAIN. I yield.

Mr. YOUNG. There is far more involved in this measure than simply taxes. It involves the interests of the dairy industry, which goes back for centuries. There is also involved soil conservation and diversified farming. Further, it seems to me only reasonable to believe that the oleo interests themselves would agree that anyone eating in a public place ought to know whether he is eating oleomargarine or butter. It would be to their best interest. The color would be slightly different from butter. It may even facilitate the sale of their product and probably result in a greater sale of it.

Mr. CAIN. As I understand, we are not debating the subject of oleomargarine at the moment. We are debating which committee ought to have jurisdiction over the subject.

Mr. YOUNG. That is correct.

Mr. CAIN. But the statement by the Senator from North Dakota impels me to ask this question: As I understand, an identical bill introduced by the Senator from Arkansas has been before the Finance Committee for some time. I am not aware of the fact that any question has been raised publicly on the floor of the Senate by the Senator from North Dakota or by any other Senator, or that any exception has been taken to where the bill has been for quite some time. If this matter is so important, according to the terms of the definition of the Senator from North Dakota, where have all Senators been, for some weeks past, that they have not expressed themselves concerning the matter?

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. CAIN. I yield.

Mr. YOUNG. I probably would have raised the question at the time this bill was referred to the Finance Committee, had it been appropriately introduced. The Senator well knows that a revenue or tax measure cannot be initiated in the Senate, anyway; it must originate in the House. So we were not concerned about the reference of the bill of which the Senator speaks.

Mr. CAIN. I was taking it for granted that nothing would happen, one way or another, in connection with the measure.

Mr. YOUNG. It could not. Under our rules nothing could happen.

Mr. CAIN. The Senator from North Dakota was equally aware with me that in due course, when the House took action on the oleomargarine bill, of that sort, a committee in which a bill on this subject had been held for some time would immediately be called into sturdy action.

Mr. YOUNG. I think the remarks of the distinguished President of the Senate are in point.

Mr. THYE. Mr. President——

The PRESIDENT pro tempore. The Senator from Vermont is in control of the time.

Mr. AIKEN. Mr. President, I yielded time to the Senator from Washington, to enable him to answer a question of mine. I should be glad to yield further time to other Senators. I asked the Senator from Washington if he believed that the plea of the applegrowers of the State of Washington to the Agricultural Committee, to seek a solution to their problem so far as the heavy importation of Canadian apples into this country is concerned, should be referred to the Finance Committee, and no further consideration be given to it by the Agricultural Committee? In my opinion it is analogous to the present situation. It concerns a tariff imposed in order to regulate the amount of apples and the price at which apples can be imported into this country. I should like to know whether the Senator thinks the Agricultural Committee also should relinquish jurisdiction of that matter.

Mr. CAIN. If the Senator from Vermont will permit, I should like to express my gratitude for his willingness to allow me to reply to the question of the Senator from North Dakota.

Mr. AIKEN. The Senator from Vermont was very glad indeed to yield the time.

Mr. CAIN. With reference to the question of the Senator from Vermont, I may say that I do not feel qualified to answer it. However, I am glad the Senator has called to my attention the matter of the jurisdiction of that particular bill, which was introduced by my colleague the Senator from Washington [Mr. MAGNUSON]. I shall very promptly study it and give the Senator my opinion for whatever he may think it to be worth.

Mr. AIKEN. I shall be glad to have the opinion of the Senator from Washington. I had hoped that he would be sufficiently

familiar with the situation to enable him to give his opinion at this time.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr FULBRIGHT. Is it not true that reciprocal trade agreements go to the Finance Committee?

Mr. AIKEN. The reciprocal trade agreements go to the Committee on Foreign Relations.

Mr. FULBRIGHT. Why are they sent there, instead of to the Committee on Agriculture? The Committee on Foreign Relations does not handle agricultural legislation.

Mr. AIKEN. I was asking the junior Senator from Washington if he thought the Committee on Agriculture could turn down the plea of the apple growers of the State of Washington, with reference to apples?

Mr. FULBRIGHT. I think it confuses the issue. No one is saying that general legislation, in the form of a tax bill, designed to promote agriculture, including the dairying industry, should not go to the Committee on Agriculture and Forestry.

Mr. AIKEN. I do not think it confuses the issue at all. It may possibly confuse some of those who are insistent that the Chair erred in his reference of the oleomargarine bill, but the issue is the same in each case. That issue is, Where does the preponderance of interest lie—with agriculture or elsewhere?

Mr. FULBRIGHT. I think the issue generally is in respect to the manner in which a particular subject matter would be affected. For example, when a bill came to the Senate to prohibit the shipment of oleomargarine in interstate commerce, it was referred to the Committee on Interstate and Foreign Commerce. The bill specifically provided that the power to control interstate commerce should be invoked. No objection was raised. I think the means by which a thing is to be regulated is determinative of the issue.

Mr. AIKEN. The Senator from Arkansas says that certain bills were referred to the Finance Committee. I may say that of about 40 bills relating to oleomargarine, which have been introduced during the past few years, only 4 or 5 of them have been referred to committees other than that on Agriculture and Forestry.

The Chair, however, yesterday answered the question which has been raised this morning, as to why one or two Senate bills introduced previously this year were referred to the Finance Committee. I quote from the statement by the Chair, which is found in the CONGRESSIONAL RECORD, volume 94, part 4, page 5230.

"Again reference of the bill to the Finance Committee may be strongly urged on the basis of the fact that two previous Senate bills, S. 985 and S. 1007, for this same purpose have been referred in the Senate, during the present Congress, to the Finance Committee although no action has ever been taken on them in that committee.

"This was done on the basis of their titles in usual routine at the legislative desk when no occasion arose to examine the full text of the bills to determine the subject matter which predominates."

In other words, no one knew when the bills were referred. They were referred in a routine manner.

Mr. WHERRY. Mr. President, will the Senator yield for a point of order?

Mr. AIKEN. I yield to myself to complete my statement. When the bill was referred, I doubt that the Chair himself was aware of the reference in view of the routine manner in which it was handled, based on scanning titles.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. AIKEN. I will yield to the Senator from Minnesota [Mr. THYE], because the Senator from Arkansas has an hour's time, and I would rather that some of the yielding be on his time.

Mr. FULBRIGHT. I should like to correct that statement.

The PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Mr. THYE. Mr. President, I wanted to ask the junior Senator from Washington a question. Is the tax which we are now discussing placed on the food content in a pound of oleomargarine?

Mr. CAIN. I have never before heard such a question raised. I presume the tax is placed upon the sale price of oleomargarine.

Mr. THYE. I did not think the Senator had ever thought that question out. That is the reason I asked him the question. The tax is placed upon the color which is in a pound of oleomargarine, and not on the food content. The food itself is always tax free. But if it is colored and camouflaged as butter there is a tax placed upon the pound of oleomargarine. I did not think the Senator from Washington had given that question a complete study.

Mr. CAIN. The Senator from Washington had been previously so informed, but he had not considered the question in exactly the form in which the Senator raised it. It seems to me we are all talking about exactly the same thing, and that is the need for discussing the problem publicly on the floor of the Senate.

Mr. FULBRIGHT. Mr. President, will the Senator yield to me for an observation?

Mr. AIKEN. I will yield very briefly to the Senator from Arkansas. If he takes over a minute he will have to have the time taken out of his own time.

Mr. FULBRIGHT. I shall not take more than a minute.

The Senator from Vermont made the statement that I introduced a bill and no one knew anything about it. I made a speech of, I think, 1 hour's duration in explaining the bill on the day I introduced it in the Senate. I am sure that any Senator who read the RECORD had full notice of the character of the bill. There was no secret about it. A similar bill had been previously introduced. It did not slip by unnoticed.

The next observation I wish to make is to correct the statement of the Senator from Minnesota, that white oleomargarine is sold tax free. There is a tax of one-quarter of a cent. There is no tax on the housewife who puts the yellow color into the oleomargarine. Therefore, I do not see why the Senator argues that the color is what is being taxed, because he is perfectly free, as I am, to buy the oleomargarine and put the color in it. It is the colored margarine that bears a tax.

Mr. THYE. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. THYE. In reply to the remarks of the junior Senator from Arkansas regarding color and the housewife placing color in the product, of course there is no penalty against the housewife putting the color in the product, because the product comes with a capsule or some sort of container with the color in it. But there is no food content in the color. The Senator will admit that.

Mr. FULBRIGHT. It is exactly the same color that is put into butter.

Mr. THYE. The fact is there is no food content in the color. Therefore the tax does not deprive the consumer of the benefit of the food contained in the pound of oleomargarine.

Speaking of excise taxes and the one-quarter-of-a-cent tax on oleomargarine, the processors of all other commodities have to pay a license fee or an excise tax in order to do business. So that subject could be debated from now until sundown, and we could both be correct. The one-quarter-of-a-cent-a-pound tax on the uncolored food content of a pound of oleomargarine is mostly an identification of the product's having been sold. Of course, that is an argument which I would say is minor and is not a question on which we should take any time. But, getting back to the main question, there is no tax on the food content if the product is sold uncolored. It is entirely a question of whether one should be permitted to color it in the form of a camouflaged product to be placed on the tables in public eating places in the form of what might well be butter, where there are more than 62 million meals served every day. The processor has found the greatest opportunity of sales promotion in continuing fighting and feuding between legislative Members representing the dairy interests and legislative Members representing the Deep South or the Cotton Belt and, in more recent years, those who produce soybeans. They have come in for a little share in the debate on the question of whether the product should be camouflaged to deceive the public when it is placed on tables in public eating places, or when it is openly placed and served on the tables.

I might well say, Why the importance of the argument? The housewife, if she were using oleomargarine in her mashed potatoes, would not care what color it was. It would not make any difference, because the mashed potatoes would melt it and the color would disappear, whether she used butter or colored or uncolored oleomargarine. If the housewife wants to use oleomargarine for cooking purposes, the color makes no difference. If she were serving it as a sandwich spread the color, again, would make no difference. If she served it on the table to have it used as an open spread for a slice of bread, then the color would become a factor in connection with having it look like the real thing. The housewife does not want to say to her family or to her neighbors, "We are eating oleomargarine today." That is the reason she comes back to the idea that when she openly serves oleomargarine on the table she wants to have the color in it, so that no one will raise the question of whether it is butter or an imitation product.

So I say to the Senators from the South, and especially to the junior Senator from Arkansas, the processor has found it to be the best publicity, the best advertisement he can possibly conceive of or develop or write, to continue this fighting and feuding which has been so successfully carried on between the dairy and cotton interests and, in more recent years, the soybean producers.

I warn the Senate that if this tax is removed the housewife is going to pay just about the same for the product colored as she is now paying for the product; that she will not be really the beneficiary of the removal of the tax on the colored product; and that so far as the producer in the South, or the soybean producer in the Middle West, is concerned, he will not be much better off financially at the end of the year than he is at the present time.

I also wish to call attention to the fact that if and when the processor can import coconut oil at a cost a little below what the soybean oil and the cottonseed oil now cost him, he will import coconut oil and process his oleomargarine with that, and the cotton producer and the soybean producer will not be the beneficiary of the color, so to speak, in the product.

I wish to say further, in speaking about the entire question, Mr. President, that there is nothing that has lent itself, in the way of general assistance, to diversification of agricultural operations of the South, so much as the dairy cow has lent itself to the general diversification and soil-building practices being followed. In the event the butter market is ruined by the competition which colored oleomargarine will make possible and will bring to it, then I would say that the

diversification and progress made in agriculture in the Southern States will have a setback. As a Nation we have spent a great deal of money in the support of soil-conservation programs and payments in order to bring about that diversification, and if the attempt is successful to throw on the market in competition with butter a camouflaged product it will have a tendency to destroy the splendid progress which has been made in soil conservation in recent years.

I thank the Senator from Vermont.

Mr. AIKEN. Mr. President, I rose to take about 5 minutes of the hour which was allotted to the friends of agriculture in the Senate, to debate the question as to whether the reference made by the Chair of the oleo bill should be upheld.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. AIKEN. I would rather not yield until I make a short statement. I am not going to take much time, because I do not think it is necessary to do so.

The arguments of the Senator from Arkansas and the other Senators who maintain that the bill should not be referred to the Committee on Agriculture and Forestry are based on two assumptions, both of which are false. The first assumption is that the President of the Senate is not familiar with the legislative processes. The President of the Senate has been around here a long time, longer than those who criticize his reference have been.

Mr. FULBRIGHT and Mr. MAYBANK addressed the Chair.

Mr. AIKEN. Mr. President, the opposition has an hour of its own. I wish to get in some time on behalf of the friends of agriculture.

The PRESIDENT pro tempore. The Senator from Vermont declines to yield, and under the division of time, it is not fair to impose on his control of his own time.

Mr. AIKEN. The inference was made that the President of the Senate referred the oleomargarine bill yesterday practically not caring what the decision was on his reference. That is not so, and if one will study the RECORD of yesterday and read what the President pro tempore said, he will learn that he had very definite reasons for referring the bill to the Committee on Agriculture and Forestry.

The reasons which the President pro tempore gave are unanswerable. Let me read his summary. He said:

"But it seems clear to the Chair, after a faithful examination of the entire subject, that the pending bill is not a revenue measure in the appropriate sense of that phrase as defined in the Reorganization Act; but that the subject matter which predominates—the controlling phrase in the Reorganization Act—lies preponderantly within the jurisdiction of the Committee on Agriculture and Forestry."

In reaching the decision he did reach, the Chair was absolutely correct. The opposition goes back to the days before the Reorganization Act was passed, and the arguments against the decision of the Chair in themselves are not sound, for all bills relating to oleomargarine for 20 years have been referred to the Committee on Agriculture and Forestry, and they have been referred to that committee because the oleo interests wanted them referred to it, and they got honest and fair treatment and full hearings, and no one can successfully say they did not.

The other argument of the Senator from Arkansas is based on an equally false assumption, namely, that the Committee on Agriculture and Forestry cannot be trusted to give a fair hearing to a bill of which some of its members may not personally approve. That is a sad reflection to come from those who hold that attitude toward the Committee on Agriculture and Forestry. Why is it that the Committee on Agriculture can be trusted with everything except this oleomargarine bill? Why is it that when the citrus growers of Florida get into a desperate condition, they come to the Committee on Agriculture and trust that committee? Why is it that when the peanut growers of Georgia get into trouble, they come to the Committee on Agriculture and trust that committee to help solve their problems? Why do the apple growers from the State of Washington come to the Committee on Agriculture and trust that committee to help them with their problems, as well as the cotton growers, the wool growers, and the meat producers? These all seem to trust the Committee on Agriculture, and in fact, Mr. President, during the past year the Committee on Agriculture has virtually been the lifeline of the agriculture of those States whose representatives here now question the right of that committee to deal with the subject of oleomargarine, and question that the committee will be fair.

The Senator from Arkansas stated a few minutes ago that the Committee on Agriculture was going to have a hundred witnesses and prolong the hearings indefinitely. I should like to know who made that statement. I will yield him time to answer. Who said the Committee on Agriculture would hear a hundred witnesses and prolong the hearings indefinitely?

Mr. FULBRIGHT. I believe the Senator did not hear my remark. I said that I got the rumor from a newspaperman that it was planned by the butter interests to have a hundred witnesses. I did not say the committee planned that. I said the butter interests planned to produce a hundred witnesses. That has been the practice in the past, so it did not seem unusual. It was not any reflection on the committee.

Mr. AIKEN. Has the Senator from Arkansas so little regard for the Committee on Agriculture that he thinks it will be influenced by this unknown source, some nebulous rumor which he has heard?

Mr. FULBRIGHT. Let me say to the Senator——

Mr. AIKEN. Does the Senator think the committee would not give a fair hearing?

Mr. FULBRIGHT. We have had such a recent demonstration of the conditions which may arise in the Committee on Agriculture in the House that I thought it would be proper to take notice of it. The real situation is that the great Committee on Agriculture has so much other important legislation now pending before it that we really fear it may not have a chance to get around to the consideration of this legislation. The Senator himself told me only yesterday that the Committee on Agriculture and Forestry had before it the long-range agricultural program, and it was doubtful whether hearings could be called for in the immediate future because of the pressing business before the committee. That was the whole reason for the statement.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. AIKEN. Not just now.

The Senator from Arkansas has referred to the conversation which he had with certain members of the Committee on Agriculture and Forestry. I will say that the Senator from Arkansas was insistent that we bring the oleomargarine bill out on the floor not later than May 17, and we were not in any position to promise that, and we are not now in any position to promise it. There are 13 members of the committee. Some of us have talked with the Senator from Arkansas on the subject. We told him we would not sit on this bill, but would try to bring it out in ample time for the Senate to vote on it. That is as far as we could go and can go. We made that statement as individuals and not as an official report of the committee, because we had no right to report on behalf of the committee.

I should like, however, to have the Senator from Arkansas or any other Member of the Senate point out one single instance since the first of January 1947 when the Committee on Agriculture and Forestry has sat upon a bill or refused to let the Senate vote on a bill that was of national interest.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. AIKEN. I now yield to the Senator from South Carolina.

Mr. MAYBANK. I merely wish to state that naturally I believe the bill should be referred to the Committee on Finance, where the original oleomargarine tax bill and the amendments to that bill were referred. It is my understanding from a conversation I had yesterday with the distinguished Senator from Vermont—and if I have misunderstood the Senator I wish he would correct me—and from one even at the late hour of 12:30 today, that the Senator intends to get the bill out on the floor, so that the Senate may vote on it, with or without amendments on it.

Mr. AIKEN. The Senator is entirely correct about that. The Senator from Vermont said to the Senator from South Carolina, and he says to anyone who may be listening now, that so far as he is concerned the bill will be brought out on the floor of the Senate in ample time for the Senate to vote on it.

Mr. MAYBANK. I thank the Senator from Vermont.

Mr. AIKEN. But the Senator from Vermont will further say that he does not believe that all other business of the Senate should be dropped to one side to take up the oleomargarine bill at once. We are working in committee day and night. Many of us met last evening until late in the evening trying to hurry through a good, workable, long-range farm program, and I would be less than frank if I do not say that I believe that farm program should have precedence over the oleomargarine bill.

Mr. MAYBANK. Mr. President, will the Senator yield further?

Mr. AIKEN. I yield.

Mr. MAYBANK. I do not wish to be misunderstood on the Senate floor. I believe that since 1943 and 1944 legislation dealing with the tax on oleomargarine has been referred to the Finance Committee. I shall vote to have the bill referred to the Committee on Finance. I appreciate what the Senator from Vermont has told me, and I want to express my opinion to him that no committee has done more for agriculture in the South than has the Committee on Agriculture, and no Senator has done more for parity and such things in agriculture than has the Senator from Vermont. But I want to say that I think the Senator from Vermont is wrong in this matter, and I shall oppose him and vote to have the bill sent to the Committee on Finance. I want to thank the Senator from Vermont, however, for being so frank and honest with me in the period of the past 2 or 3 days.

Mr. AIKEN. I thank the Senator from South Carolina. Mr. President, I think the Senator from South Carolina understands the situation. I appreciate his words of kindness as regards myself. I have always had a very deep concern for the agriculture of the Southeast. It does need consideration, and will receive consideration so far as it lies within my power to give it. But I do not believe that we should overthrow the decision of the Chair, which is an absolute correct decision, by taking away from the Committee on Agriculture that type of legislation which it has in the main been considering for the past 20 years. This is no time to start taking bills away from one committee and giving them to another simply because one thinks he can receive more votes in some other committee. That is

not good legislative practice. It is merely a perversion of legislative practices.

Mr. President, I do not think I have anything more to say, and I yield the floor.

How much time have we left on our side, may I ask?

The PRESIDENT pro tempore. The time remaining under the control of the Senator from Vermont is 15 minutes, and the time remaining under the control of the Senator from Arkansas is 30 minutes.

Mr. AIKEN. Mr. President, may I make one further remark? Considerable reference has been made to two bills which were referred to the Finance Committee early in January. Am I correct in the month?

Mr. FULBRIGHT. One of them was referred to the committee in December.

Mr. AIKEN. And the fear has been expressed that the Committee on Agriculture would not hold hearings on this latest oleo bill, and that therefore it should be referred to the Finance Committee. I may point out that the Finance Committee has had since December to consider those other bills. The bills have been in that committee during January, February, March, April, and May, 5 months, without consideration, and I do not think the Committee on Agriculture and Forestry should be expected to bring the present bill out within a week.

Mr. JOHNSON of South Carolina. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Mr. President, will the Senator from Vermont yield to me to correct him in that statement?

The PRESIDENT pro tempore. Does the Senator from Vermont yield, and if so to whom?

Mr. FULBRIGHT. I ask the Senator to yield for a correction.

Mr. AIKEN. The Senator from Arkansas has more time than I have. Let him answer in his time.

The PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, with regard to the last remark made by the Senator from Vermont, I will say that I have previously placed in the RECORD the reason why the Senate Finance Committee would not hold hearings on the bill referred to it in December. The reason was that the bill was a tax bill, and under the Constitution it must originate in the House. That is a complete answer to the ruling of the Chair. If it is a tax bill, then it ought to go to the Committee on Finance. The bill under discussion, which has come from the House, is identical to my bill. It is a tax bill, and, under the Constitution, it properly originated in the House. The reason the Committee on Finance did not hold hearings on my bill was because it had not originated in the House.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr AIKEN. In line with the Constitution, the rule of the House provides that tax bills shall originate with the Ways and Means Committee of the House.

Mr. FULBRIGHT. That is correct.

Mr. AIKEN. Did the present bill originate in the Committee on Ways and Means?

Mr. FULBRIGHT. Mr. President, I placed in the RECORD a statement of the way the House perverted that rule, and has succeeded, for 62 years, in preventing any bill being reported on this subject.

Mr. President, I thoroughly believe that the Senator from Vermont is sincere in his attitude of wanting to bring the bill out from the Committee on Agriculture and Forestry, but he has just stated that that committee is working day and night on important legislation which they have before them. It is for that reason I feel they may be unable to get around to the pending bill in time for action at this session. We have only a little over a month left until the time for the adjournment, according to the statements of the leadership in, I think, both Houses. Therefore, the time is very short. The Senate Finance Committee has nothing on its agenda I am informed, of any great importance, and could proceed immediately to consideration of the bill. The Committee on Finance has already held hearings on the proposed legislation in the past several years, and are very well equipped to handle it promptly now.

Mr. President, I have the greatest respect for the Committee on Agriculture and Forestry, but I may say that I believe all committees have certain pet subjects which, for one reason or another, have been difficult to deal with in the past, and I think this is one of them. That is in no way due to the influence of the Senator from Vermont. I have no criticism to make of his integrity or the integrity of the committee.

I may say further that I certainly did not say or intimate in any manner or form that the Chair is not acquainted with and perfectly familiar with the procedures of the House and the Senate—of the whole Congress. I have the greatest respect for his judgment in all matters of importance to the Congress, and particularly in matters of legislation of national interest. But I think it is also well known that the Chair has not the time to investigate every point of order that is raised or every request for a ruling which is made. We have a parliamentarian who takes care of such matters. I believe it is quite proper to question a ruling which is made under these circumstances purely as a matter of his not having had opportunity to give sufficient consideration to the subject, as thoroughly as is possible. I do not think it is any reflection on either his judgment, his intelligence, his integrity, or any other characteristic to make a point of order against his ruling.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. I wish to say that I agree with the Senator from Arkansas that the Chair does not have time to read all bills and to determine what shall be done with them. He made it clear yesterday when he stated that the oleomargarine bills introduced last December and January were sent to the Finance Committee in a routine manner on the basis of their titles.

Mr. FULBRIGHT. Last December when I introduced the bill I explained at great length to the Chair and to the Senate—and it is in the RECORD for all to see—exactly what the bill meant. Furthermore, I doubt whether either the Senator from Vermont or the Senator from Michigan has any doubt about the contents and purposes of these bills. As the Senator well knows, similar bills have been introduced every year for 40 years.

Mr. President, I now yield 5 minutes to the Senator from Florida.

Mr. PEPPER. Mr. President, section 137 of the Reorganization Act provides that "in cases in which a controversy arises as to the jurisdiction of any standing committee of the Senate with respect to any proposed legislation, the question of jurisdiction shall be decided by the Presiding Officer of the Senate without debate, in favor of that committee which has jurisdiction over the subject matter which predominates in such proposed legislation, but such decision shall be subject to appeal."

In defining the jurisdiction of Senate committees under section 102 of the Senate rules, jurisdiction is conferred upon the Senate Committee on Agriculture and Forestry over the subject of agriculture generally, as well as over the subject of animal industry and diseases of animals. By the same section, subparagraph 8, jurisdiction is conferred upon the Senate Committee on Finance respecting revenue measures generally before the Senate.

In the RECORD of May 4, yesterday, the distinguished President pro tempore of the Senate, in his reference of this bill to the Committee on Agriculture and Forestry, used the following language:

"The Chair confronts the parliamentary duty of referring this bill to the appropriate committee under the rules."

Skipping a little, the Chair further said:

"Under such circumstances, the Chair wishes to afford the Senate an opportunity, so far as possible, to decide the reference for itself."

Subsequently the distinguished President pro tempore said, after reading section 137 of the Reorganization Act, which I have just read:

"Confronting this injunction of law, the Chair will proceed to make an initial reference in open session, without presuming, of course, to pass upon the merits of the legislation in any aspect whatever. But the Chair specifically invites an appeal without prejudice if the Senate desires a different parliamentary disposition of the measure."

The distinguished President pro tempore has made it clear that this is not a matter of prestige on the part of the President pro tempore. The Chair has not put himself in a position where it would in any sense of the word be regarded as a rejection of our distinguished President pro tempore or a repudiation of his construction of the issues involved if the Senate itself should accept his invitation to refer the pending measure to the Committee on Finance instead of to the Committee on Agriculture and Forestry.

Did I not feel that way about the matter, I would feel some personal embarrassment in voting, as I intend to vote, that this bill should properly be referred to the Committee on Finance, because I have the honor to be a member of the Senate Committee on Agriculture and Forestry. If I felt that the integrity or prestige of my own committee were involved, I certainly sufficiently appreciate membership on that committee, and I am sufficiently loyal to it and to my eminent colleagues on the committee, to vote with them. But, Mr. President, under the Reorganization Act and the rules of the Senate there is involved a question of divided jurisdiction. Obviously the bill pertains to agriculture generally and to animal industry generally, but it is a revenue measure as well. Therefore, the Chair could appropriately refer the bill either to the Committee on Agriculture and Forestry or the Committee on Finance.

Mr. President, what has been the precedent of the Senate since the Reorganization Act has been in effect? If I may say so without impropriety, I had the honor to be a member of the Joint Committee on the Reorganization of the Congress, and I think that act has achieved a salutary improvement in the procedures of the Congress in the interest of a more efficient democracy. However, the Reorganization Act, recognizing that jurisdiction lay in both these committees, gave authority to the Senate itself, upon appeal, to make the decision as to which committee could more effectively, and in the opinion of the Senate more promptly, and perhaps more properly, deal with the legislation.

If I am not in error about the parliamentary history, since the Reorganization Act has been in effect I believe there have been at least three bills on the subject introduced in the Senate. If I correctly recall, the junior Senator from South Carolina [Mr. JOHNSTON] introduced two of the bills. He informed me this morning that both those bills were referred to the Committee on Finance, because it was made to appear that they were revenue measures. The eminent Senator from Arkansas [Mr. FULBRIGHT] was joined by the distinguished junior Senator from South Carolina [Mr. Maybank], who has been so active in this entire effort, in the introduction of a similar bill in December. That bill is identical with the pending bill. It was referred to the Committee on Finance,

and is now pending in that committee. It has been there since December.

The PRESIDENT pro tempore. The time of the Senator from Florida has expired.

Mr. FULBRIGHT. Mr. President, I yield another 5 minutes to the Senator from Florida.

The PRESIDENT pro tempore. The Senator from Florida is recognized for an additional 5 minutes.

Mr. PEPPER. Mr. President, if the Senate Committee on Finance has had referred to it by the distinguished occupant of the Chair three bills identical with the pending bill, under the rules under which we are now operating, and under the Reorganization Act, it seems to me that it can with propriety be said that a fair precedent has already been established for the jurisdiction of the Finance Committee over this piece of legislation.

So, Mr. President, the Finance Committee already having three bills before it, one of them being a bill identical with the pending bill, which is a House bill, it seems to me that we might continue the jurisdiction of that committee without divesting the committee of jurisdiction and conferring jurisdiction upon another committee, which would approach the subject de novo so far as the present session of Congress is concerned, it not having had prior jurisdiction of the subject since the Reorganization Act has been in effect.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to my distinguished colleague on the Committee on Agriculture and Forestry.

Mr. AIKEN. Does the Senator from Florida maintain that the bills to which he refers as being before the Finance Committee are properly before the Finance Committee?

Mr. PEPPER. I am saying that there is a divided jurisdiction. This is a revenue measure, and in that sense it may properly be referred to the Committee on Finance. It is also a bill affecting agriculture generally and animal industry, because it affects the dairy industry. Therefore, it might with propriety be referred to the Committee on Agriculture and Forestry. There being a proper jurisdiction in either committee, the Chair might have referred the bill to either committee. The Chair referred three identical bills to the Committee on Finance. That committee has already exercised jurisdiction. Such jurisdiction having been conferred, I believe that it would be in the interest of the progress of this legislation to continue that jurisdiction rather than divest the Committee on Finance on such jurisdiction and confer jurisdiction upon another committee, although that committee might with propriety have had the bill referred to it in the first instance.

I am in favor of this proposed legislation. I believe that it would correct a discrimination which long ago should have been removed from the statute books of this land. What does the present law do? It penalizes one section of American agriculture and prefers another by the power of the Congress to tax. It discriminates against oleomargarine, which is made from vegetable oils—oils from soybeans, peanuts, or cottonseed, which are products which are legitimately and honorably grown in our land. Also, I am told, it contains a milk product, either natural milk or skim milk, some manufacturers using one and some the other.

That commodity is penalized by a tax of 10 cents a pound if it happens to be colored a certain color, whereas there is no penalty upon butter, which is similar in character and food value, but bears no tax.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. FULBRIGHT. I yield 5 minutes more to the Senator from Florida.

The PRESIDENT pro tempore. The Senator from Florida is recognized for an additional period of 5 minutes.

Mr. PEPPER. Mr. President, this is one land and we are one people. It is not in the interest of American prosperity or integrity or solidarity for us to tax a product which comes from one part of the country in order to give preference to a product produced in another part of the country. If we do that, we go back to the very divisive and selfish influences which our Constitution was established to circumvent and prevent. Mr. President, when our Nation was founded, our Constitution, setting up our present system, was placed in effect, because, among other reasons, there was an attempt to tax the commerce on one waterway at the expense of the people interested in another waterway in this country. There were conflicting economic interests. Let us permit the several commodities involved to compete for the American market, for the American table, according to the appeal they make to the people, who are the market.

Mr. President, today in the United States three-quarters of the families have incomes under $3,000 a year, and one-half of the families have incomes under $2,300 a year. This tax is a tax upon the food of the poor. It is a tax upon the diet of the American families, one-half of whom have gross incomes of less than $2,300 a year. Therefore, it is not fair to make the American consumer, the American housewife, and those who sit at the American family table pay a tax or tariff which will subsidize a product of the agricultural interests of one part of the United States at the expense of an equally legitimate and equally honorable agricultural product of another part of the United States.

Believing in those principles, I favor the appeal from the decision of the Chair. Believing that with propriety the Committee on Finance has jurisdiction, I shall support the appeal, in favor of reference of the bill to the Finance Committee.

Mr. THYE. Mr. President, will the Senator yield to me?

Mr. PEPPER. Yes; if I have time.

Mr. THYE. I wish to ask the Senator a question: In what manner does the 9¾-cent tax on color deprive the housewife of any food product?

Mr. PEPPER. In the first place, I am informed that there is a considerable difference between the price of butter and the price of oleomargarine on the market today.

Mr. THYE. My question is, In what manner does the 9¾-cent tax on the color which may be placed in a pound of oleomargarine deprive the housewife of a food product?—realizing, on the other hand, that she might buy the pound of oleomargarine without color and without the tax.

Mr. PEPPER. It simply means that if she desires to purchase a commodity that has a certain color, she has to pay 10 cents a pound more for it because of the efforts of some persons to penalize that product in order to give preference to another product of American agriculture. In other words, that principle, if applied to Florida, would mean a preferential-tax treatment for uncolored oranges as against colored oranges. There are certain of our oranges which, although they may be better in content, may not have the golden luster which some persons prefer to see in the skin of an orange. Under our laws, we are permitted to color the skin of oranges, and there is no deception because color is attached or applied to the orange in that way. But it would be unfair if those who colored the skin of oranges were required to pay a tax, when those oranges were in competition in the market with other oranges which were not colored.

Mr. President, the American housewife is not deceived. She knows when she is buying butter and she knows when she is buying oleomargine. But there is no right to tax her 10 cents for each pound of colored oleomargarine simply because she prefers oleomargarine which is yellow in color, instead of white.

The PRESIDENT pro tempore. The time of the Senator has expired.

The Senator from Arkansas has 11 minutes remaining. The Senator from Vermont has 14 minutes remaining.

Mr. FULBRIGHT. Mr. President, is the Senator from Vermont willing to proceed to use his time now?

Mr. AIKEN. No other Senator on my side of the question is requesting time just now. If I thought the Senator from Arkansas had used his time, I would suggest the absence of a quorum, so that we might get ready for the vote at 2 o'clock.

Mr. FULBRIGHT. Mr. President, I have just a few observations to make, to sum up some of the points which seem to me to be of interest in this debate.

I should like to point out the result of a vote sustaining the referral of this bill to the Committee on Agriculture and Forestry.

I and other Senators, who have introduced bills identical to that now in question, are denied hearings on the bills because they are revenue measures which must originate in the House. Yet, the Committee on Finance, which has jurisdiction over revenue measures, is denied that jurisdiction because an identical bill is not a revenue measure.

To put this situation in another way, it has this effect: The Senate of the United States is denied the right to initiate a bill, which it would otherwise have the right to initiate, because it is a revenue measure. Yet, it is not a revenue measure.

The only logical conclusion which can be reached from these circumstances is this: The bill is a revenue measure for the purpose of denying hearings, but it is not a revenue measure for the purpose of referral to a committee.

Also, according to the Supreme Court of the United States, the laws which would be repealed by this bill are revenue measures, but the bill which would repeal them is not a revenue measure. The judicial function of examining and sustaining the laws results in a determination that they are tax laws. But the judicial function of examining a bill repealing those laws and referring it to a committee results in a determination that they are not tax laws.

These are the rather peculiar results of a vote sustaining the referral to the Committee on Agriculture. If it is the decision of the majority that the bill should go to that committee, the issue will be settled. But can the reasons for the decision be satisfactorily explained to the majority of the people, who, I am convinced beyond the slightest doubt, favor the repeal of the margarine taxes? I think the evidence in the House of Representatives a few days ago is conclusive as to that particular subject. As the Senate well knows, the vote there was nearly 3 to 1; it was well over 2 to 1.

Mr. President, I merely wish to reiterate that, as has been intimidated, our position is not that the Committee on Agriculture and Forestry has no desire to be fair and to give consideration to this proposed legislation. A great many matters are involved in the decision relative to the referral of the bill to the Committee on Finance, if that is done. One of the principal ones, insofar as the Committee on Agriculture and Forestry is concerned, is the fact that the committee now is so busy, as the acting chairman of the committee has just stated, that it has to meet at nights during this week. The committee is so busy that there is no probability that it will be able to initiate hearings on this measure in the near future. I think that fact alone is sufficient to justify the Senate in not breaking a precedent which has been so firmly established under the Reorganization Act, as was pointed out yesterday, and as was pointed out just a few moments ago by the senior Senator from Florida.

I hope the Senate will consider this question in its proper perspective, and will realize that we are dealing with a procedural matter, and are setting precedents that will be used in connection with the future legislation. I believe great confusion would result from the precedent which would be set by a referral of a tax bill to the Committee on Agriculture and Forestry. I can well imagine that in the future bills affecting other phases of agriculture, such as bills to tax liquor or tobacco, may be met in each case with the question of where the bill shall be referred. Under the precedents, I think it is very clear that the pending legislation should be referred to the Committee on Finance.

Mr. AIKEN. Mr. President, I yield 5 minutes to the Senator from Minnesota [Mr. THYE].

The PRESIDENT pro tempore. The Senator from Minnesota is recognized for 5 minutes.

Mr. THYE. Mr. President, if because I objected to a product I should attempt to impose upon it a tax which would deprive the public of an opportunity of purchasing the product, I should be wrong. My reason for objecting to color in oleomargarine is that it would become utterly impossible to police the product if it were sold in a form perfectly imitating butter. There would be no way of determining the nature of the product when served in public eating places. As I have previously stated, about 62 million meals are served daily in public eating places.

We know, of course, that the processors of oleomargarine desire that their product shall imitate the color of butter, for in that manner it could be sold and served indiscriminately. The question then would be whether the public in buying and consuming a product would be unable to determine whether it was really a true dairy product. The cost of processing butter is actually more than double the cost of producing oleomargarine, when made of coconut oil, which in most instances is cheaper than either cottonseed oil or soybean oil. The only question with which we are all concerned is, Is the public to be protected, or is it to be permitted in some manner to be deceived?

Those who have had experience in legislative bodies in previous years know there was a necessity for regulating the sale of oleomargarine. They imposed a tax on color only, which tax deprives no one of any of the food content of a pound of oleomargarine. The processors of oleomargarine concede that the color has nothing to do with the food content. The color plays only one minor part, and that is to deceive the public. When colored oleomargarine is placed on the table its appearance deceives the eye, though, as I have said before, when used in cooking it makes no difference, it is not noticed. The only time a person would notice whether it was white or yellow would be when he proceeded to spread it on a slice of bread. He could then tell whether it had the color of butter, or whether it was white, indicating that it was something other than butter.

I repeat, Mr. President, I would be wrong if I tried to deprive the public of any food. It is not the purpose of the pending legislation to deprive the public of any food. It is to cause the product to be marketed on its own merits rather than through coloring it to make it simulate butter. Butter has been known to man from the first day that butterfat was separated from milk.

That is the real argument. The feuding and fighting that have been carried on legislatively have been a profitable source of advertisement to the processors of oleomargarine, who could never have purchased the publicity afforded by headlines in the press and by discussions on the radio and in the Senate. I repeat, color does not materially affect the intrinsic value of a pound of oleomargarine; it merely makes it impossible to police it in channels of trade, whether it be on the shelf of the grocery store or elsewhere. That would become utterly impossible.

The PRESIDENT pro tempore. The time of the Senator from Minnesota has expired.

Mr. THYE. I thank the Senator from Vermont for yielding to me.

Mr. AIKEN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken, Baldwin, Ball, Barkley, Bricker, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Connally, Cooper, Cordon, Donnell, Downey, Dworshak, Eastland, Ecton, Ellender, Ferguson, Flanders, Fulbright, Green, Gurney, Hatch, Hayden, Hickenlooper, Hill, Hoey, Holland, Ives, Johnson of Colorado, Johnston of South Carolina, Kem, Kilgore, Knowland, Langer, Lucas, McClellan, McFarland, McGrath, McKellar, McMahon, Magnuson, Malone, Martin, Maybank, Millikin, Moore, Morse, Murray, Myers, O'Conor, O'Daniel, O'Mahoney, Pepper, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Taft, Thomas of Oklahoma, Thomas of Utah, Thye, Tobey, Tydings, Vandenberg, Watkins, Wherry, White, Wiley, Williams, Wilson, Young.

The PRESIDENT pro tempore. Seventy-nine Senators having answered to their names, a quorum is present.

The Senator from Arkansas [Mr. FULBRIGHT] has 3 minutes remaining. The Senator from Vermont [Mr. AIKEN] has 4 minutes remaining.

Mr. FULBRIGHT. Mr. President, I yield 3 minutes to the Senator from Illinois.

Mr. LUCAS. Mr. President, I have so far taken no part in the debate on the question which is pending before the Senate. It so happens that the Senator from Illinois is a member of the Committee on Agriculture and Forestry and is also a member of the Committee on Finance, so that whatever the decision of the Senate may be, the Senator from Illinois must participate in committee hearings before the bill finally comes back to the floor of the Senate.

I wanted to pay tribute, before the debate closed, to the distinguished chairman of the Finance Committee, my good friend from Colorado [Mr. Millikin] for the very vigorous, progressive, and persuasive way in which he has championed the rights of the Senate Finance Committee. I could not let the opportunity pass without some commendation, because the Finance Committee is one of the most, if not the most, important committee in the Senate. It has great powers. It has the power of handling all revenue questions before the Senate. In view of the fact that this bill has a revenue feature in connection with repealing a tax, many Senators thought that the able chairman of the Finance Committee would defend the authority, the right, and the power of the Finance Committee to consider it. It is seldom that any committee wants to lose power or be discharged from its rightful and legal obligation. Under the circumstances I shall be compelled to vote for the motion of the Senator from Arkansas [Mr. FULBRIGHT] to refer the bill to the Finance Committee.

Mr. AIKEN. Mr. President, before the Senate votes on the question I should like to point out that it will not be a vote on the merits of oleomargine versus butter. It will be a vote on whether the Senate shall sustain the ruling of the Chair in referring the bill to the Committee on Agriculture and Forestry. In my opinion, the reasons given by the Chair for referring the bill to the Committee on Agriculture and Forestry are completely unanswerable. Before the vote is taken I wish to read from the statement which was made by the Chair yesterday in referring the bill to the Committee on Agriculture and Forestry:

"House hearings on the bill disclose a statement by Under Secretary of the Treasury Wiggins that 'revenue considerations are not involved.' This is particularly significant since the Supreme Court itself has said in *Millard v. Roberts* (202 U. S. 429) that 'revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue.'"

Mr. President, I think the logic used by the Chair yesterday in referring the bill to the Committee on Agriculture and Forestry is completely unanswerable. The bill is properly an agricultural bill. The revenue created is purely incidental. Only by being a tax measure could it be referred to the Finance Committee.

I hope the decision of the Chair will be sustained, because that decision was absolutely correct and is backed by all the force of argument.

The PRESIDENT pro tempore. The Senator from Vermont still has 1 minute remaining.

Mr. AIKEN. The Senator from Vermont has run out of anything more to say. That is all there is to say, Mr. President.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. AIKEN. I am sorry. I have thought of something else. [Laughter.] I want to repeat to the Members of the Senate that this is not a vote on the merits of the bill or on the merits of oleomargarine versus butter. It is purely and simply a question of whether the Senate shall sustain the correct and just decision of the Chair.

The PRESIDENT pro tempore. All time for debate has expired. The question before the Senate is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. AIKEN. Mr. President, I ask for the yeas and nays.

The PRESIDENT pro tempore. The yeas and nays have been requested. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. TOBEY (when his name was called). I have a pair with the distinguished Senator from Alabama [Mr. SPARKMAN], who is absent on public business. If he were present and voting he would vote "nay." If I were free to vote, I would vote "yea."

Mr. VANDENBERG (when his name was called). Present.

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from South Dakota [Mr. Bushfield] is necessarily absent, and is paired with the Senator from New Jersey [Mr. Hawkes], who is necessarily absent. If present and voting, the Senator from South Dakota would vote "yea," and the Senator from New Jersey, if present and voting, would vote "nay."

The Senator from Wisconsin [Mr. McCarthy] is necessarily absent, and is paired with the Senator from Massachusetts [Mr. Lodge], who is necessarily absent. If present and voting, the Senator from Wisconsin would vote "yea," and the Senator from Massachusetts, if present and voting, would vote "nay."

The Senator from Indiana [Mr. JENNER] and the Senator from West Virginia [Mr. REVERCOMB] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent on official business.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness in his family.

The Senator from Maine [Mr. Brewster] is necessarily absent. If present and voting, the Senator from Maine would vote "yea."

Mr. LUCAS. I announce that the Senator from Georgia [Mr. George] and the Senator from Tennessee [Mr. Stewart] are absent because of illness in their families.

The Senator from Alabama [Mr. SPARKMAN] is absent on public business.

The Senator from Nevada [Mr. McCarran], the Senator from Louisiana [Mr. Overton], the Senator from Idaho [Mr. Taylor], the Senator from North Carolina [Mr. Umstead], and the Senator from New York [Mr. Wagner] are necessarily absent.

If present and voting, the Senator from Georgia [Mr. George], the Senator from Nevada [Mr. McCarran], the Senator from Louisiana [Mr. Overton], the Senator from North Carolina [Mr. Umstead], and the Senator from New York [Mr. Wagner] would vote "nay."

The yeas and nays resulted—yeas, 30, nays 47, answered "present" 1, as follows:

Yeas—30: Aiken, Ball, Bricker, Butler, Capper, Chavez, Cordon, Donnell, Downey, Dworshak, Ecton, Ferguson, Flanders, Gurney, Hickenlooper, Ives, Langer, Magnuson, Malone, Morse, Reed, Robertson of Wyoming, Thomas of Utah, Thye, Watkins, Wherry, White, Wiley, Wilson, Young.

Nays—47: Baldwin, Barkley, Brooks, Buck, Byrd, Cain, Connally, Cooper, Eastland, Ellender, Fulbright, Green, Hatch, Hayden, Hill, Hoey, Holland, Johnson of Colorado, Johnston of South Carolina, Kem, Kilgore, Knowland, Lucas, McClellan, McFarland, McGrath, McKeller, McMahon, Martin, Maybank, Millikin, Moore, Murray, Myers, O'Conor, O'Daniel, O'Mahoney, Pepper, Robertson of Virginia, Russell, Saltonstall, Smith, Stennis, Taft, Thomas of Oklahoma, Tydings, Williams.

Answered "present"—1: Vandenberg.

Not voting—18: Brewster, Bridges, Bushfield, Capehart, George, Hawkes, Jenner, Lodge, McCarran, McCarthy, Overton, Revercomb, Sparkman, Stewart, Taylor, Tobey, Umstead, Wagner.

The PRESIDENT pro tempore. On this vote the yeas are 30, the nays are 47. The decision of the Chair does not stand as the judgment of the Senate. The Chair refers H. R. 2245 to the Committee on Finance.

Mr. HUMPHREY and Mr. TALMADGE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota [Mr. HUMPHREY] is recognized.

Mr. HUMPHREY. Mr. President, I have listened with great interest, and I trust enlightenment, to this very interesting and complex situation relating to the rules of the Senate—rule XIV and rule XXV—rules which control or at least lay down principles for the direction of the Senate in the consideration of bills and resolutions which may come before it.

Mr. President, I invite the attention of the Senators to the statement of the senior Senator from Illinois, of Friday, June 14. I should like to read one or two pertinent portions of that statement as it relates to the discussion this morning and as it refers and relates to the rules of the Senate.

The Senator from Illinois [Mr. DOUGLAS], speaking for himself and several of his colleagues—the junior Senator from Minnesota being one of those colleagues—had this to say:

> It is imperative that this sad page of history not be allowed to repeat itself at this session of the Congress.

The Senator was referring to the House action last year on civil rights legislation, and its death here in the Senate. Then the Senator from Illinois went on to say:

> For this reason, it is hoped that the Judiciary Committee, which now and for so long has had civil-rights proposed legislation pending before it, will act promptly, so that the Members of the Senate will be given an opportunity to express themselves and, at long last, to vote on a civil-rights bill.

Then I skip down two more paragraphs, to where the Senator from Illinois said:

> We would prefer to act on the bill S. 83, which has been pending in the Senate Judiciary Committee since January 7, 1957, and we strongly recommend that it be reported out forthwith by the committee. However, if this is not done before H. R. 6127 reaches the Senate, then we shall be compelled, under rule XIV, after the second reading of H. R. 6127, to object to further proceeding thereon so that it may go to the Senate calendar, to insure Senate consideration of this important legislation at this session.

Further on the Senator from Illinois [Mr. DOUGLAS] says:

> Because of this belief, we therefore give notice at this time that when the civil-rights bill, H. R. 6127, comes to the desk of the Presiding Officer of the Senate from the other body, and before any action to refer it or to dispose of it in any way occurs, we shall make certain parliamentary inquiries of the President Officer of the Senate as to the rules of the Senate and his interpretations of those rules.

Mr. President, the senior Senator from Illinois, speaking for himself and other Senators, had no intention of bypassing any rule of the Senate. That is No. 1.

No. 2 is this: It is stated specifically that our purpose is to inquire as to the application and the interpretation of those rules of the Senate when the House bill comes to the desk of the Presiding Officer for its first reading, its second reading, and then for its ultimate disposition.

Also, it should be noted by the wording of the language of the statement that those of us who joined with the Senator from Illinois in this statement would much prefer—in fact, we had long hoped—and we still hope—that the Senate Committee on the Judiciary would report to the Senate a bill upon which it could take action.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. In a moment I will yield.

We are not even mentioning the nature of the bill—I know the bill has been amended in the committee by amendments which I personally do not feel are desirable—but I prefer the Senate Committee on the Judiciary report to the Senate a bill.

We have heard a great deal about the rules this morning. One of the rules of the Senate is to act. A quorum of the Senate is a majority, and a majority of the Senate has as its mandate and as its duty under the Constitution to act—not to procrastinate, not to delay, but to act. I submit to any reasonable person that inaction has characterized the Senate of the United States in the field of civil rights. The Senate has been the burial ground of civil rights legislative proposals.

I must say to the Senator from California, who has engaged in the colloquy today, that he is correct when he says that a rule of the Senate, namely, rule XIV, provides, in paragraph 4:

> Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

That is the rule. Therefore whatever procedure may be engaged in, it is not an avoidance of the rule, or an effort to circumvent the rule. Whatever is done, the rule will be applied, whether the rule be desirable or undesirable.

The learned Senator from Georgia told us that rule XIV applied at a time, and was written at a time, when the Senate generally met in Committee of the Whole, when it was small in numbers and the number of bills to be considered was limited. Therefore it was feasible, and often was the practice, to consider bills in the Senate as in Committee of the Whole, before reference to any special committee.

That is good history, and I concur in its authenticity. But the rule is still on the books. I say this most respectfully that I have noticed, in connection with other debates, that when certain Members of this body wished to make a point they applied the rules of the Senate. The rules have been used again and again to obstruct action on civil rights.

For example, rule XXII has been applied in the Senate again and again. It protects the system of rules as now written. It protects the filibuster.

I believe in the protection of minority rights. The rules of the Senate are full of the methodolgy for the protection of minority rights. This is fitting and proper. I commend the Senator from Oregon for his deep concern about procedure in the Senate. He is consistent in his concern. He is consistent to the point of being sharply criticized, at times, by those who ought not to criticize him. But I say that rule XIV is a rule, whether it is a good one or a bad one. It can be applied and no one can justly say that the rules are being bypassed.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HUMPHREY. In a moment.

I am no expert on the rules of the Senate, and I do not claim to be. I want the rules of the Senate to be applied so as to expedite reasonably the work of this body. I want the rules of the Senate to be applied in such a manner that there will be opportunity for meditation, consideration, hearings, and testimony. I want the rules to be applied in such a manner that minority rights will be protected; but the majority should act. This is a body of action, not procrastination and inaction. I repeat that the great albatross around the neck of the Senate has been the failure of the Senate to act in the field of civil rights.

The rules of the Senate are sacred to some. At least they are important to all. However, I invite the attention of Senators to the 15th amendment to the Constitution. The 15th amendment to

the Constitution is a part of the supreme law of the land. That amendment reads:

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

I have heard a great deal about the rights of Senators. I ask my colleagues, What about the rights of the people? What about the right of the individual citizen to cast his vote without fear of coercion, intimidation, or violence?

I will go along with any Senator in protecting the rules of this body. In the light of the discussion today, I shall reserve final judgment in regard to my attitude on the rules, as I have heard them interpreted. I wish to be fair. I will not engage in legislative lynching or any other kind of lynching. I will not deal recklessly with the rules of the Senate.

However, I say to my colleagues that there are other rules. There is the rule of justice. There is the rule of fairness. There is the rule of decency. There is the rule of law. The rule of law is clear. If the 15th amendment is not enough, I read the 14th amendment.

My limited knowedge of constitutional law reminds me that at one time the 14th applied to persons, to people—p-e-o-p-l-e—or, as my distinguished friend, the majority leader, said the other night in jest and fellowship, "peepul."

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State where in they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

There is enforcement machinery written into this amendment, such as denying States representation in the House of Representatives under certain circumstances. But we are confronted with an issue which goes far beyond rule XIV or rule XXV. I do not want that statement to be misinterpreted. I want the proper rule to be applied in the Senate. When the vote comes, I shall vote according to my conscience, not political expediency. I shall vote what is in my heart, and I shall not be at all concerned about the political effects or aftereffects.

The Senate is more important than any particular rule. But there is something even more important than the Senate—a Government to serve the people. Yes, a Government which owes its obligation to the people. We are a part of that Government. The Senate must not become so concerned with itself that it begins to serve itself at the expense of the public. He who would destroy himself serves himself. I remind my colleagues not to serve themselves, but to serve others. This is a message which needs to be understood. Let us have no doubt about that.

The issue is joined. We shall argue the question of jury trials. We shall argue civil rights amendments. We shall argue—I do not know why it should be necessary to do so—the right to vote. I thought we lived in the 20th century. I thought the right to vote was one of the precious heritages of the American people. I never dreamed that we would have to stand on the floor of the Senate some day and argue about the right to vote; but apparently we shall have to do so. When we do, we shall win, because in this struggle, whatever rule is applied will be fair. Whatever rule is applied, we shall win, because we are in the 20th century, and the people are on the march. We can delay them, but we cannot stop them. The day is at hand when the right to vote, unfettered, unabridged, with no coercion, no violence, and no intimidation, will be recognized as a fundamental right to be protected and guaranteed by a majority of the people's representatives.

Some of us in the Senate, year after year, have fought for civil rights. We have had to be patient. Sometimes we have been not quite as forceful as others would like to have us be. But let the RECORD be crystal clear. This is a continuing struggle. We have not, nor shall we, retreat or give up.

I appreciate the assistance of those who join us, whether early or late.

The distinguished Senator from Illinois [Mr. DOUGLAS] is present, and he can speak for himself. However, speaking for myself, as one of the cosigners of the statement which was made, one of the reasons why the statement was made was that those of us who have worked in the vineyard of civil rights when the going was hard do not intend to have some procedure intervene and put us out—deny us action, again.

In other words, we are prepared to accept the help of everyone on legitimate procedure, and we are likewise prepared, I may say, not to let something happen which will make for nought the efforts of those who have stood up in good times and in bad times in this struggle on civil rights.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FLANDERS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The Senator will state it.

Mr. FLANDERS. Is the Senate proceeding under the morning hour?

The PRESIDING OFFICER. It is.

Mr. FLANDERS. I should like to make a unanimous consent request.

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

Mr. FLANDERS. Are we in the morning hour?

The PRESIDING OFFICER. We are.

Mr. HUMPHREY. I might say that we are accommodating ourselves.

Mr. FLANDERS. Are we following the morning hour procedure?

The PRESIDING OFFICER. We can do so if the Senator calls for the regular order. In that event Senators would be limited on statements to 5 minutes.

Mr. FLANDERS. I should like to request the regular order.

The PRESIDING OFFICER. The Senator may make a point of order, if he wishes to do so.

Mr. HUMPHREY. I merely wish to yield to the Senator from Oregon. Then I shall be happy to yield the floor. We have had a rather free and open discussion without the application of the rule relating to the morning hour.

Mr. FLANDERS. I shall defer my request until the Senator has concluded his remarks.

Mr. HUMPHREY. I had practically concluded my remarks. I merely wish now to yield to the Senator from Oregon.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Do I understand correctly that the Senate is now proceeding in the morning hour?

The PRESIDING OFFICER. The Senate is in the morning hour.

Mr. MORSE. All I wanted to say was that I commend the Senator from Minnesota for another one of his great speeches. He has made a speech with which I find myself in agreement. The question I wanted to ask him is—and ask the question because I started this whole discussion—does he not agree with me that if a majority is in favor of civil rights legislation—and I pray they are—we have the votes to prevent an adjournment of Congress until such time as we dispose of the civil rights issue?

We have a majority of votes to discharge the committee. As I said in my speech, I shall favor the discharge of the committee, and I shall favor sitting here as many weeks as it takes to pass what I consider to be fair legislation, resolving all doubts on procedures in favor of our opposition, but insisting that before we adjourn we pass civil-rights legislation. Does not the Senator think that there is some merit in that approach to this problem?

Mr. HUMPHREY. Not only do I think there is merit in it, but I think it is absolutely important that it be concluded on that basis. We should proceed on that basis. Whatever the rule may be, we should proceed on that basis. I think the group which has signed the statement should meet again. I say this in the presence of the Senator from Illinois, and I want the majority leader to know that we respect the rules of this body. If we are in error, we shall publicly say so, as the Senator from Oregon has so stated, because there is a matter of personal relationship in the Senate, and a matter of personal integrity, that goes beyond the winning of an argument.

Whether we apply rule XIV or not, it is my personal feeling that it would be preferable to discharge the committee. If the committee does not act by the time the House bill comes to the Senate, we should discharge the committee. So that the RECORD may be clear, I believe that when the House bill comes to the Senate, we should wait 48 hours or 2 days, and then discharge the committee. We can discharge the committee, I understand, by a majority vote. I would give this thought to my colleagues. Let us think it over. The committee has had a long time to act. This is no personal reflection upon any member of the committee.

The Senate deserves a bill—it deserves action.

Mr. JAVITS subsequently said: Mr. President, I am delighted that the Senator from Minnesota [Mr. HUMPHREY] has returned to the Chamber. I wish to compliment him upon his magnificent speech.

I should also like to point out to him that this very morning, the Senator from Georgia [Mr. TALMADGE] and I opened hearings on amendments to rule XXII. So if any Member of the Senate does not like a Senate rule, he knows exactly what to do about it. Some of us do not like rule XXII as it is, and we are proceeding the hard way to try to change it.

Second, by way of bearing out what the Senator from Minnesota has said, let me point out that the rule book has been thrown at civil-rights legislation time and again. In the committee, when the bell rings at 12 o'clock, the committee sessions end. The chairman of the committee exercises his absolute right, under the rule, to recognize whom he chooses and statements are made for as long as he will allow. That is what has brought the situation to its present pass. For those reasons, no committee action has been taken.

So I think it is only fair that the proponents of civil-rights legislation use the rule book, too; and that is all we will be doing by using rule XIV.

Finally, let me say, that I heard with some uncertainty being created in my mind, the Senator from Minnesota state that he will think about the matter, and that he will be perfectly fair, but that in effect he does not commit his vote in advance on this matter of rule XIV.

Mr. President, I know that the Senator from Minnesota is one of the best friends of civil-rights legislation; but let me say to him that I believe no legislation of that character will be considered and passed without the necessary votes from both sides of the aisle in committee and on the floor. So I ask him to bear that much in mind. In that connection, that there is an obligation to the people superior to any party. I intend to vote that way, and to act that way.

Let me say that I hope very much that the Senator from Minnesota will do the same; and knowing him as I do, I feel very deeply that he will. However, I was worried about the matter.

I know he will forgive me for saying this publicly in this way, but I have done so because I know he is as deeply conscious of the importance of this matter as of any other subject.

Mr. HUMPHREY. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield.

Mr. HUMPHREY. I do not quite understand. This morning I said that those of us who signed the statement of the Senator from Illinois [Mr. DOUGLAS] want to be fair, and do not want to bypass any rule; and that whether it is a good rule or a bad rule, it is still a rule. But I said I will be open-minded about it, and will reexamine it.

Let me say that we hope for success, and there is plenty of room on the success train.

Mr. JAVITS. Good.

Mr. HUMPHREY. So I wish to make clear that we shall welcome every bit of help we can get, and I shall extend every bit of help I can to every Senator. On this side of the aisle there are Members who are deeply committed to the consideration and passage of civil-rights measures. We are trying to have action taken; and I assure the Senator from New York that is my desire.

I hope he will not feel that one needs to be admonished about partisanship in connection with this matter, because I have worked with his distinguished senior colleague [Mr. IVES] year after year. When the Republicans had control of the Congress, the bill was known as the Ives-Humphrey bill for equality of opportunity and employment; and when the Democrats had control of Congress, the bill was known as the Humphrey-Ives bill. Nothing could please me more if the same relationship can exist with the junior Senator from New York.

Mr. JAVITS. The same relationship can exist and will exist.

Mr. HOLLAND subsequently said: Mr. President, I am sorry that my distinguished friend, the senior Senator from Oregon, is not on the floor, because I rose primarily to compliment and congratulate him upon the soundness of his thinking, which was disclosed to us earlier today when he made his very fine, logical, and completely defensible statement.

Let me say that the taking of the course which was suggested the other day by 15 of our colleagues on this side of the aisle would have led to the destruction of stability in the Senate in a greater way than could have been accomplished by any other measure suggested since I have been a Member of this body, except by following the ill-timed and unfortunate suggestion which sometimes has been made in the Senate that at the beginning of each Congress the Senate may rewrite, by simple majority vote, its rules of conduct—its standing rules—so it could carry out the avid hopes and program of a simple majority at that time or perhaps the recommendations of an ambitious and strong Executive.

I warmly congratulate the Senator from Oregon upon his adoption of the cardinal principle of soundness and stability as the quality which should characterize the Senate, because anyone who reads those Federalist Papers which have to do with the Senate and describe its intended function in our Government will remember that it is stability, stability, stability, that is described over and over again as the unique quality which the setting up and the functioning of the Senate was designed to subserve.

The second thing I want to say is this. It is quite apparent that instead of the big contest confronting us being the battle for civil rights, the real contest is, Who is going to get the credit for the passage, as the majority seems determined it shall pass, sooner or later—and I hope it will be very much later—of a so-called bill on so-called civil rights? The critical question now seems to be, Who is going to get the credit for killing cock robin?

Our 15 ambitious liberal friends on this side of the aisle apparently made a bid for that credit the other day. The administration, through its Executive leadership, is making a bid for that credit. If I understood the very brief remarks I heard from the minority leader when I first reached the floor today, the Senate minority is now seeking to claim that credit. I am sure I understood the very clear exposition of his position by the junior Senator from New York a few minutes ago. It was quite clear he wants to be in on the claiming of the credit, and I fear that he is not too greatly concerned with the means by which the action will be taken.

As one who is not impartial in this matter, but who still seeks to preserve his sense of humor, I want to call to the attention of the whole country—particularly the Members of the Senate who think they have made up their minds what they are going to do on this civil-rights matter—that this issue of who is going to have the credit, who is going to claim the corpse, seems now to be the matter of greatest concern. I want to suggest that there is no certainty there is going to be a corpse because many Senators feel very keenly that this measure, miscalled the civil-rights measure, would so operate as to defeat the cause of civil rights, States rights, and individual rights upon so many different levels and fronts that it is not worthy to have the name civil rights applied to it.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. PASTORE. I am not trying to exercise my sense of humor; but I speak seriously when I say, as one of the signers of the petition, I do not care who gets the credit for civil rights legislation. I am interested only in seeing that civil rights are assured. I signed the petition honestly and sincerely, as one believing in civil rights, recognizing also that the Senator from Florida has an opposite point of view, which he has the perfect right to express. It is not my concern who gets credit for it; it is my concern that we have a civil-rights law. I think something should be done about civil rights, and this is the opportunity to do it.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The time of the Senator from Florida has expired.

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may proceed for 3 minutes longer.

Mr. MANSFIELD. Mr. President, I must object, because I objected to the request of the Senator from Indiana.

Mr. FLANDERS. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The regular order is called for. The Senate is proceeding in the morning hour.

THE UNDERTOW IN MODERN EDUCATION

Mr. FLANDERS. Mr. President, it has become clear to me, more so as the

months go by, that public education in the United States is headed in a direction which is bad for the students and bad for the country. How bad it is, and what can be done about it I endeavored to express in a talk before the alumni of Haverford College in Haverford, Pa., last Saturday evening.

Being convinced of the danger of having the organized educationists use the school-construction program as a means of extending their influence, it seems to me to be timely to have this material printed in the RECORD at this time in advance of our consideration of this important legislation. I am hopeful that ways can be found to support much-needed schoolroom expansion without having Federal funds diverted to plant and equipment for other purposes than teaching and learning the essentials.

I therefore ask that the text of my address be printed in the body of the RECORD as an extension of my remarks. I have omitted the introductory language suited to the time and place.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE UNDERTOW IN MODERN EDUCATION

(Address at Haverford alumni dinner, Haverford, Pa., June 15, 1957, by RALPH E. FLANDERS, United States Senator)

Until 20 years ago or so college graduates tended to marry late and have small families. That seems to be no longer true. The biological revolution which swept the Nation during World War II and the following years found willing cooperation in the ranks of college men and women. Many of them, like our own son, finished college as a GI student with a wife and two children, and postgraduate work with a wife and three.

Children have to be educated. Many of you like other graduates have one or several children. You are, therefore, interested in education and that is what I am going to talk about. The announced subject is the Undertow in Modern Education. Most of us have some knowledge of progressive education and have formed some opinions as to its public phenomena. Let us go a little deeper and observe the force and direction of its subsurface currents.

Modern education in America has a definite ancestry and line of descent. Its characteristics may be traced from the philosopher, John Dewey, through the University of Chicago to his pupil, William Heard Kilpatrick, to Teachers College at Columbia, and thence through George Sylvester Counts and many pupils to the councils of the National Education Association, and thence to every nook and corner of the United States. The standard of the advance guard of this massive movement is now being carried by Theodore Burghard Hart Brameld, who is professor of educational philosophy at New York University. Let us sample the writings of each of these men so that we may get a rough idea as to the influence of each on the education to which our children are subjected.

We must consider two lines of influence streaming from John Dewey, one of educational theory and the other of basic philosophy.

The classic source of Dewey's purposeful effect on education is to be found in a series of three lectures delivered before an audience of parents and others interested in the University Elementary School at Chicago University while he was a professor of pedagogy there. These lectures were published in book form as long ago as 1899. Here is first enunciated the purposes and principles on which his successors have built up their system.

Very properly Dewey makes the child—not the teacher, not the school—the center of the educational process. But this is carried so far as to deny emphasis to teaching and learning. Instead the emphasis is placed on providing such conditions as will encourage the social characteristics and bring forth artistic capacities. Great stress is laid on manual training as a means of learning by doing—and doing together.

Said Dewey: "Such work engages the full spontaneous interest and attention of the children. It keeps them alert and active, instead of passive and perceptive. * * * The mere absorption of facts and truths is so exclusively individual an affair that it tends very naturally to pass into selfishness." The picture which he paints of his ideal school is charming. It is idyllic. Whether it ever was, could be, or should be realized in practice is another matter. It did seek values which can be recognized without discarding others which have been tested by time.

Concurrently a strong but indirect influence on education was flowing from the philosophy of John Dewey. There is dispute as to some of his doctrines but not about his support of the pragmatic philosophy. This word "pragmatic" is derived from a Greek word meaning business and relates to practical affairs. Webster says that pragmatism has "as its characteristic doctrine that the function of thought is as a guide to actions and that the truth is preeminently to be tested by the practical consequences of belief." All of this sounds quite reasonable. We would naturally say "Well, let those who are interested in such things discuss them with each other while we pragmatically tend to our everyday affairs." Unfortunately we cannot shrug off this philosophical doctrine quite so easily. Its continuing effect on our children demands that we, in Webster's words, see that it is "tested by the practical consequence of belief."

It has indeed become basic in modern education that truth is relative to the situation in which and for which it is sought. In particular, for moral judgments there are no basic standards, whether determined by authority or set by the accumulated experience of the ages. We may look for novelties and inventions in ethics as in the world of matter and energy. This doctrine, by the way, is an American one. It is widely held on this side of the Atlantic. It has not appealed to Europeans. Its effects on the education of our children will be mentioned later.

Kilpatrick took Dewey's ideas from Chicago to Columbia. They remained the same, only more so. Under the influence of Teachers' College a great elaboration took place in Dewey's doctrine that the individual pupil and his progress is the proper subject of our school system. To apply that doctrine in the large classes of an American public school was time-consuming and impractical. The solution of that problem was very simple. The individual pupil (and the problem) was swept under the rug of a new educational cliche. It was decided that "man is a social animal." This is undeniably true. But the educationists (not the educators) mutter under their breath "man is a social animal and nothing else."

By acting on this principle it is possible to discharge a very limited responsibility for the individual pupil by concentrating on the progress of his "group." In too large a measure your child ceases to be trained to the limit of his own powers and he progresses only as the group progresses. Serious results for the pupil and the country flow from this practice. It results in standards of scholarship which are low enough to give everybody a chance. It tends to concentrate the selection of studies on those which are easiest so that the group may be kept together and no harm be done to the self-respect of those whose abilities lie in lines other than those of true scholarship.

An example of what this leads to was related to me by a Washington official whose friend has a son who was having a hard time as a freshman in a local university. At the request of his friend the official had the boy in to dinner and a talk afterward. He was amazed at the list of studies in which the boy had been given credits in high school entitling him to graduate and go on in higher education. One of these courses was entitled "Orientation with respect to the school buildings." In plain English this means instruction in how to go from the cafeteria to the toilet. For his proficiency in this abstruse subject the boy was entitled to a credit which went toward his record of a satisfactory completion of his course. There was more of this, though not quite so fantastic. No wonder the boy was not well prepared.

Under Kilpatrick a contempt for learning begins to develop. One Samuel Tennenbaum is the official biographer of Dr. Kilpatrick. He reports the Doctor as saying:

"There are linguistically gifted people for whom the study of languages is profitable. But even for them, I begrudge the time it takes to master the language. If it could be done quickly and easily, and if they could begin the study of literature or whatever else they plan to do with the language, my objection would not be so strong."

Asked if this applied to modern languages, he said that "It holds in less degree" because they are quicker and easier to learn, but he still believed that for the average student it was a great waste of time. In terms of rich, vital interests that might lead to individual growth, languages offer meager possibilities.

Some of the more modern of educationists (not educators) go further yet. Here is a stated opinion of a junior high school teacher of recent years in Champaign, Ill., a university town, by the way. His name is A. H. Lauchner, and there can be no doubt about his being a full-fledged educationist of the new order at the time of writing. He thinks the "3 R's" are too hard. Writing in the local paper, he says:

"Through the years we've built a sort of halo around reading, writing, and arithmetic. We've said they were for everybody—rich and poor, brilliant and not so mentally endowed, ones who liked them and those who failed to go for them.

"We shall some day accept the thought that it is just as illogical to assume that every boy must be able to read as it is that each one must be able to perform on a violin, that it is no more reasonable to require that each girl shall spell well than it is that each one shall bake a good cherry pie."

No wonder that parents are wondering why Johnny can't read. It's because it is unimportant. As to spelling, it doesn't take much sleuthing to discover that most graduates of today's schools are miserable failures in spelling. Why be concerned? Spelling is too hard. Try something easier.

There was implicit in Dewey's doctrine the idea that modern education was adapted to a modern society. It is not clear that he conceived of the schools as being the instrument by which educationists (not educators) formed the coming society by forming the scholars, as Soviet communism undertook to do. The implicit idea becomes explicit purpose under George S. Counts, the third of our four horsemen of the educational apocalypse. He led a study of the social sciences which produced in 1934 17 volumes. The final volume of the study carried its recommendations. The following quotation summarizes them pretty succinctly:

"Cumulative evidence supports the conclusion that, in the United States as in other countries, the age of individualism and laissez-faire in economy and government is closing and that a new age of collectivism is emerging."

These world-remodeling educators weren't quite sure what exact form this collectivism of theirs would take, but they didn't mind hazarding a guess, a prophetic one, too:

"Almost certainly it will involve a larger measure of compulsory as well as voluntary cooperation of citizens in the conduct of the complex national economy, a corresponding enlargement of the functions of government, and an increasing state of intervention in fundamental branches of economy previously left to individual discretion and initiative—a state intervention that in some instances may be direct and mandatory and in others indirect and facilitative."

Now, this may be taken as a temporary point of view—an emotional response to the great depression. There has, however, been no recanting that has come to your speaker's attention, and all further developments at Teachers College fit into this framework. Furthermore, the purpose of changing the word by indoctrination of our children is clearly stated by Brameld, the fourth of the four horsemen.

Before coming east to New York University, Dr. Brameld carried on an experiment in a Minnesota high school. The curriculum was turned over to him and he has recorded the experiment in a little book entitled "Design for America." Let us pick out of this book just a brief sample and note that in examining his students he asked such questions as: Should there be government ownership or control of radio stations and does the Constitution need some radical modifications? If the student answered "Yes" to these, he got a good mark. If he was doubtful, he got a bad one. Now note in these questions that the teacher has begun to indoctrinate the pupil. He is teaching him to support certain detailed policies in government on which reasonable men may disagree. He is not satisfied with teaching the pupil how to decide on national policy, he teaches him what to do—amend the Constitution.

Dr. Brameld's latest book is entitled, "Toward a Reconstructed Philosophy of Education." Its flavor can be tasted in a few quotations. Here is his opening statement:

"The Culture of America and the world is passing through one of the greatest periods of transformation in the history of mankind. This is our major premise.

"Our minor premise is that education, broadly understood, is a fundamental agency of culture."

In still simpler language this means that teachers and their students are to remake American life and institutions. Did you know that this is going on? Here is some more:

"What we contend is that it is possible to determine the goals that are important to most people in the world of our time. These known goals can then become dependable guides in reorganizing our culture."

This is a typical statement. Under the important heading of "Goals" what emerges is that our future lies in getting what we happen to want. Pragmatism discards the accumulated wisdom of the ages as to what is good or bad, right or wrong. Dr. Brameld emphasizes that the standard is simply what people want, without reference to reason. He says that the utopian order "should be organic, earthwide, and geared to the satisfaction of the maximum number of wants of the maximum number of people. Its characteristics should be apprehended as fully as possible, and therefore scientifically tested. But, in accordance with our discussion above, it should be prehended and inspired by the unrational as well."

Finally, we come back to the pragmatic test. He says:

"The final test of the truth of the consensus would be made, of course, in determining whether its promise is fulfilled in the actual life of that culture."

With no standards of morals or reason accepted, our children are invited to decide what people want, then to experiment with life and see what happens. Does this explain the recent increase in venereal disease? Does this explain the fact that the increase is to be found mostly in teen-age boys and girls? Does this furnish any clue to the cases in which little girls 10 years of age have been the carriers of a disease which has afflicted many scores of adults?

As to what Brameld has in mind for the family, here are scattered sentences, taken out of context—but the context is terrifying.

"So also are proposals to establish a world-wide system of nursery schools in order that little children may be cared for properly if their mothers choose to devote half-days or more to wider affairs of the community through creative work.

"When the mother remains throughout the day with her children in the belief that she is thus realizing herself fully, attendance is optional until the age of about three and a half years; from that age until he is six the average child must attend for a minimum of 3 hours daily. The assumption here is that a combination of home and school experience for very small children is desirable—that, although the mother's care is of course needed, it should be supplemented by expert guidance in habit formation, for example, during these crucially formative years."

These later passages should give an idea as to the position the family holds in the estimation of the educationist (not the educator). In his earlier work, by the way, the teachers and pupils discuss the best ways of running a family, and presumably start a selling campaign on their parents.

Many evenings could be filled with such quotations from the works of the educationists (not educators) but this is enough. Let us now consider the problem for ourselves. First, what are the results of the Dewey-Fitzpatrick-Teachers' College-Counts-National Education Association-Brameld campaign?

The first result is the construction of a monopoly in education. In most States no teacher can be certified unless he or she has taken training in a Teachers College type of pedagogy. It matters not that the teacher knows his subject. It matters not that he can transmit that knowledge to his students. It matters not that he can arouse enthusiasm for his subject. That fits him to be a college professor. It leaves him unfitted to teach our children in the public schools. It leaves him without status, hope of promotion and prospect of pension after retirement. To achieve status, he must have qualified himself in a pseudoscience of education which is largely a training in propaganda and apologetics for a highly dubious type of pedagogy. This education taxes the intelligence but little. For an intelligent man it only requires a surrender of intellectual integrity.

The second result is a complacency toward sloppy teaching and—via pragmatism—toward sloppy morals.

The third result is a purposeful subversion of children toward a society which happily does not now exist and hopefully never will. The educationist's (not educator's) ideal is the anthill. The American ideal is to train every American child to the best and highest use of his faculties and character, so that he may play his own personal part in making his country's future; and to open up to him the enduring satisfactions to be found in the art and wisdom of the past. This is not the natural occupation of the anthill, whose citizens busy themselves with little routines.

At this point a word of warning must be said. What has been described is the powerful undertow in the current of modern education. It will not be found in its full strength in all places at all times. There are, we hope, some parts of our Nation not yet subjected to its powerful pull. Furthermore, where the pull is in full force, there are to be found countercurrents of commonsense, in teachers and in citizens, which for that time and place diminish the dangers. This is fortunate. But the pull is always there, ready to be effective when effort and attention are relaxed.

The question now arises, what can we do about it? The first thing to do is to get acquainted with our local situation. How "progressive" is our own school? Here are some suggested inquiries:

Do our child's report cards give him and give us a measure of his personal achievement? If not, he is unprepared for the world in which he must live, where personal achievement has great importance.

Is promotion dependent on achievement? If not, the child is being conditioned one way or another for rude shocks in the outer world.

Are reading, writing, penmanship, spelling, and grammar treated as being unimportant? This is the modern way. Does it satisfy us? Will it satisfy the child's future employers?

Is mathematics taught as an organized science, one of the great achievements of the human mind, or is it left to "soak in" by some vague, unspecified channel? If so, our children are unprepared to contribute to the world's scientific progress.

Are history, geography, civics, and current events taught as separate subjects, or are they lumped together in "social studies"? If they are so lumped, how can we expect our children to know much about geography, for instance?

If automobile driving is taught in our high school (and that is not a bad idea provided no credits are given), does the superintendent require that the teacher have a master of arts degree? If so, and if this is typical, there may be a chance to redistribute the trained teachers, do more instructing with a smaller staff, and raise the teacher's pay.

One can go on like this indefinitely, but this is enough to demonstrate the general line of inquiry. Should you find that the educationists (not educators) have your children in their grip, what can you do about it? Here are two suggestions.

The first thing to do is to become familiar with your local situation, inform other parents and see what can be done to improve conditions in your own locality. Don't expect this to be an easy thing to do. You are in the grip of the nationwide monopoly of the National Education Association and of the normal schools based on Teachers' College at Columbia. Besides this, you will find yourself opposed by the parents of pupils who are slower mentally, and who are pleased to have them ranked as equal with those having greater intellectual gifts. There is here an unsolved problem. How shall we make available to society the solid virtues of many of the less gifted, without at the same time smothering the contributions of the gifted? We must face this problem.

The next undertaking is to put commonsense into the requirements for teacher certification. The good teacher must have no difficulty in getting certified. Depending on the form of Government which applies, it may be necessary to change a law or perhaps only an administrative procedure. This must be done at the lowest political level applicable, whether city, county, or State. Here again is no mean task set before you.

But the task is imperative. Unless we are successful we will lose our democratic form of Government for one imposed on children by indoctrination; we will lose the services for society of the most gifted among us in favor of the leveled-down, nonprogressive life of the anthill.

"Aux armes, citoyens."

TWENTY-FIFTH ANNIVERSARY OF THE CHARTERING OF THE DISABLED AMERICAN VETERANS

Mr. JOHNSTON of South Carolina. Mr. President, 25 years ago today, on June 17, 1932, the Congress granted a charter to the Disabled American Veterans, a group that had been organized 12 years previously in 1920 to aid and assist worthy wartime disabled veterans, their widows, orphans, and dependents. It is indeed a pleasure to greet this splendid veterans' organization on this memorable occasion.

The title of the association of war veterans originally was "Disabled American Veterans of the World War," and it was so chartered—title 36, chapter 6–A, United States Code—but on July 15, 1942, Public Law 668, 77th Congress, was approved, deleting the words "of the World War." The present national commander is Joseph F. Burke, a veteran of World War II who lost an arm in combat in Italy.

The Disabled American Veterans is composed of veterans, or persons still in the Armed Forces, who were wounded, gassed, injured, or disabled in line of duty while serving with the United States forces during a war of the Korean conflict. It also includes those United States citizens who are otherwise eligible for membership whose disability was incurred in or aggravated by service in the armed forces of those nations associated with the United States as allies during a war of the United States and who were honorably discharged.

In view of the war, disability requirement for membership in the Disabled American Veterans cannot hope to rival the two leading veterans' organizations in point of numbers although it is third in size. The current year of 1957 will show the largest membership in its history. The auxiliary of the Disabled American Veterans is a vital force and is given due credit by the officers of the parent organization for the success so far attained.

The national adjutant of the Disabled American Veterans is Mr. Vivian D. Corbly and he and his staff are located with the national headquarters at 5555 Ridge Avenue, Cincinnati, Ohio. The Disabled American Veterans idento-tag activities are also at that address. Practically every automobile owner in the United States is familiar with the millions of Disabled American Veterans miniature auto license tags mailed out each year and many of the recipients have good reason to bless the Disabled American Veterans when their lost keys are found and returned through the remarkable system operated by idento-tag.

At Washington, D. C., 1701 18th Street NW., is located the national service headquarters. The national directors of claims, employment and legislation, and their staffs, are housed at the above address. The Washington claims staff members contact the Veterans' Administration, its appellate and adjudicating activities, the Veterans' Benefits Office, the Department of Defense and other Government agencies. In addition, national service officers of the Disabled American Veterans are on duty full-time in every regional and district office of the Veterans' Administration to assist veterans and their families with claims.

This service is rendered without charge to the recipients and the fact that they are not Disabled American Veterans members does not affect the relationship in any way.

The Disabled American Veterans service foundation is located at 631 Pennsylvania Avenue NW., Washington 4, D. C., under an executive director. This activity has been of great aid in the furtherance of the rehabilitation program.

The national executive committee and the national finance committee are very important parts of the Disabled American Veterans.

In conclusion, I believe that every American owes a debt of gratitude to the fine veterans' organization we honor today whose members bear the scars of service bravely and unselfishly rendered to this great land of ours in time of war and national emergency.

CIVIL RIGHTS

Mr. ERVIN. Mr. President, some Senators seem to be under the impression that the so-called civil rights bill is restricted to the matter of voting. I should like to state that both in the House bill and the Senate bill, in their present form, the Attorney General of the United States can litigate at public expense, on behalf of any citizen, alien, or private corporation in any of the 48 States, as to any matter coming under the equal protection clause of the 14th amendment, which covers virtually all fields in which States are authorized to legislate.

I ask unanimous consent to have printed at this point in my remarks an editorial entitled "Jury Trials Denied," which was published in the Washington Star of Sunday, June 16, 1957.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JURY TRIALS DENIED

The attempt to add a jury-trial amendment to the so-called civil-rights bill has been beaten down in the House by a vote of 199 to 167. This 32-vote margin, according to Representative WILLIS, Democrat, of Louisiana, resulted from White House pressure on Republican House Members.

We do not know whether this is correct. If it is, it means that the President, who carried 5 Southern States last year, does not trust Southern jurors to live up to their oaths. For the real reason behind the drive against the jury-trial amendment was the fear, real or professed, that Southern juries would not convict defendants in civil rights contempt trials, regardless of the evidence.

Whatever the case with respect to the President, it is clear that the House has prejudged, and adversely prejudged, an entire area of the country. In effect, this was a vote of no confidence in the South, and that, we think, is a high price to pay for some supposed political advantage among Negro voters outside the South.

The jury-trial amendment was offered by Representative KEENEY, a freshman Republican House Member from Illinois. He said he submitted the amendment because as a judge in Illinois he had always considered a jury trial as an integral part of any court.

It required political courage for Mr. KEENEY to take this stand, and, with respect to cases in which punishment for criminal contempt is comparable to punishment for other crimes, we think he is right. We do not believe that considerations of expediency, especially considerations based on speculation, justify bypassing the jury trial, and we trust that this matter will receive more earnest consideration in the Senate.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. JOHNSTON of South Carolina. Is it not true that the Attorney General can take such action even against the wishes of an individual?

Mr. ERVIN. Oh, yes; the Attorney General is allowed to appoint himself the guardian of all Americans in those fields, even though they are 21 years of age and are in full possession of their mental capacity. He is allowed to act for them without their consent and against their will.

INCREASED INDUSTRIAL USE OF AGRICULTURAL PRODUCTS

Mr. CAPEHART. Mr. President, I ask unanimous consent that I may read a four-page speech which I have prepared.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The Senate is operating under a limitation of 5 minutes on speeches in the morning hour. The Senator may proceed under that limitation.

Mr. WATKINS. Mr. President, I have two short matters I wish to present. I have been waiting since 11 o'clock.

Mr. MANSFIELD. Mr. President, I must object. The Senator is operating in the morning hour, and some Senators have been waiting since 11 o'clock. I suggest that the regular order be maintained.

Mr. JOHNSON of Texas. Mr. President, the Senator from Indiana has 5 minutes under the consent agreement.

The PRESIDING OFFICER. The Senator from Indiana is recognized for not to exceed 5 minutes.

Mr. CAPEHART. Mr. President, I am sure that by now all Senators have received a copy of the report of the Commission on Increased Industrial Use of Agricultural Products submitted to Congress pursuant to Public Law 540 of the 84th Congress.

Additionally, all of us have received, I assume, a copy of a press release dated June 15 and a summary of the Commission's report.

First, I wish to extend my heartiest congratulations to the five members of the Commission and my deep appreciation for the hours and hours of hard work which they obviously have devoted to the production of what I consider to be a very excellent report.

It is a report which I hope will be a stepping stone to the permanent solution of one of the most important problems facing our Nation today—assurance of a market which will guarantee in all of the years to come a sound and prosperous agricultural economy in this country.

The Commission has done an admirable job and has my commendation, despite the fact that there are in the Commission's report some features with which I disagree.

Basically, however, the Commission has wisely answered with an emphatic "yes" the fundamental question whether it is possible to develop profitable industrial markets capable of absorbing enough of the excess farm production to minimize, possibly even to eliminate, the need for costly restrictions, supports and surplus disposing operations.

That emphatic yes by the learned members of the Commission is a matter of very great satisfaction to me, Mr. President. It represents the first real official approval of the fundamental farm problem solution which I first proposed to the Congress in the form of S. 3503 on March 21, 1956, and which is now pending before the 85th Congress in the form of S. 724, an identical bill introduced by me on January 17 of this year for myself and 33 other Senators. Both of these bills carry out in principle the provisions of the Commission's report.

I ask unanimous consent to have printed in the RECORD at this point in my remarks the text of S. 724, now pending before the Senate Committee on Agriculture and Forestry.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

DECLARATIONS AND FINDINGS

SECTION 1. The Congress of the United States hereby makes the following declarations and findings concerning the development of new and additional industrial uses for agricultural products:

(a) Current productivity of farms in the United States is substantially in excess of current markets for their products at price levels which provide fair and substantial income to farmers.

(b) National defense and the security interests of the United States require increasing and expanding agricultural productivity to meet possible emergency needs of the United States and its allies, which productivity cannot be achieved or maintained at depressed farm prices resulting from overproduction or with acreage curtailments to avoid overproduction.

(c) It is in the national interest of the United States to increase the level of farm income in order that farmers may continue to share to a greater degree in the general prosperity of the Nation.

(d) No program has been developed, and none can be foreseen, that can successfully shrink farm production for an extended period of time; but research programs provide known means potentially to increase substantially the industrial uses of agricultural products, and thereby to achieve farm prosperity based on full, rather than curtailed, production.

(e) Research facilities, both private and public, including those of land-grant colleges and universities, can and should be utilized for an all-out attack on the development of inceased and additional industrial uses of agricultural products to enlarge opportunities for increased production by farmers and to reduce Government costs for the acquisition, storage, and ultimate disposition of agricultural commodities which are now a substantial financial burden to the Government.

(f) The cost to the United States of such a research program may be expected to be more than offset by increased tax revenues resulting from increased earnings of both farmers and those who sell goods, wares, and merchandise to farmers, as well as by savings to the United States in costs of current agricultural assistance programs.

PURPOSES

SEC. 2. The purposes of this act are to find and develop through research, sponsored and financed by the United States, new industrial uses, and increased use under existing processes, of agricultural products.

ADMINISTRATION CREATED

SEC. 3. There is hereby created in the executive branch of the Government an Industrial Agricultural Products Administration (hereinafter referred to as the Administration), in which is vested the duties, powers, and responsibilities hereafter set out in this act. Such powers, duties, and responsibilities of the Administration shall be vested in an Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall serve during the pleasure of the President. The Administrator shall receive compensation at the rate of $22,500 per annum.

DUTIES, POWERS, AND RESPONSIBILITIES OF THE ADMINISTRATION

SEC. 4. The Administration shall conduct research, both scientific and chemical, make field studies, conduct both laboratory and field experiments, test production procedures on a commercial basis, maintain and expand pilot plants whenever necessary, maintain and operate manufacturing facilities where necessary to prove the commercial feasibility of volume production, and otherwise promote the finding, development, and commercial use of new, increased, extended, and perfected processes, techniques, and programs for industrial uses of greater quantities of agricultural products.

POWERS OF THE ADMINISTRATION AND THE ADMINISTRATOR

SEC. 5. The Administration is authorized to:

(a) Utilize such existing facilities of the United States, and such trained personnel employed by the United States, as the President finds can feasibly be transferred to the Administration for carrying out the purposes of this act. The President is hereby authorized to (1) transfer any such facility, facilities, or personnel to the Administration, or to (2) make any such facility, facilities, or personnel available to the Administration for carrying out the purposes of this act.

(b) Build, purchase, or lease plant facilities, or necessary equipment, suitable for research, pilot plant, manufacturing, or other needs of the administration in carrying out the purposes of this act.

(c) Employ such personnel as may be necessary to carry out the purposes of this act; and all technical or scientific employees engaged for research by the administration shall be exempt from the civil-service laws and regulations.

(d) Employ or retain on a contract basis individuals, firms, institutions, and organizations, public and private, including land-grant colleges and universities, to conduct research programs for the administration pursuant to this act.

SEC. 6. The administration is authorized to pay incentive awards to private citizens for suitable and acceptable suggestions to implement the program established by this act, such payments to be made in accordance with previously published rules stating the amounts of, criteria for determining, and subjects of, such awards.

SEC. 7. The administrator is authorized to appoint Industry Advisory Committees and to employ consultants without compensation or at rates of compensation not to exceed $50 per diem.

SEC. 8. The administration may make grants to accredited schools, colleges, and universities for fellowships and scholarships in research for the purposes of this act.

INDUSTRIAL AGRICULTURAL PRODUCTS AGENCY

CREATED

SEC. 9. There is hereby created in the Department of Agriculture an Industrial Agricultural Products Agency (hereinafter referred to as the "Agency." The duties, obligations, and responsibilities of the Agency shall be carried out by and under the direction of the Secretary of Agriculture.

DUTIES AND RESPONSIBILITIES OF THE AGENCY

SEC. 10. Under the delegations, directives, and policy determinations of the administrator, the Agency shall carry out all of the duties, obligations, and responsibilities imposed upon the administration by this act, including the making of research contracts, employment of personnel, contracts for the construction, purchase, lease, or other acquisition of real or personal property, and the maintenance of all records, files, studies and other data undertaken pursuant to this act. Notwithstanding any other provisions of this act, the Administrator may delegate any power given him hereunder to the Agency, and he may control, supervise, and direct all Agency action permitted by law under this act.

SEC. 11. The Administrator shall report semiannually to the Congress progress on research programs undertaken pursuant to this act to find and develop new and increased industrial uses for agricultural products.

SEC. 12. The Agency may license, at a fair and reasonable royalty, any person, firm, or corporation to use any process developed by the Agency or to make and sell under any patent, or application for patent of the Agency. Such royalties shall be based upon fair compensation to the Government for its investment and shall be nondiscriminatory. Whenever the Administrator finds it in the public interest to do so, he may grant royalty-free licenses for processes developed under this act, including the right to make and sell under any patent or application for patent of the Agency.

APPROPRIATIONS

SEC. 13. There is hereby authorized to be appropriated to the Department of Agriculture, for the Industrial Agricultural Products Agency, the sum of $100 million for the fiscal year beginning July 1, 1957, and the same amount annually thereafter. There shall be paid out of such appropriations the salary of the Administrator as well as all other expenses of his office. The President is authorized to transfer to the Agency $1 million out of unexpended Agricultural Department funds to initiate promptly this program following the enactment of this act for and during the fiscal year ending June 30, 1957.

Mr. CAPEHART. Mr. President, I am happy to say that the junior Senator from Nebraska [Mr. CURTIS], who was the principal author of the resolution creating the Commission, likewise was a coauthor of the bills I proposed in both the 84th and 85th Congresses.

It is my understanding, likewise, that the junior Senator from Nebraska is prepared to introduce another bill seeking to carry out the recommendations of the Commission and he has very graciously permitted me to join him as a coauthor. While there are differences in some of the provisions of our bills, both are aimed at accomplishing the same thing.

I should like to go back now to March 21, 1956, when, in introducing the bill for the first time, I said to the Senate:

I am about to propose a far-reaching permanent solution of the farm problem so vast that its potential is virtually unlimited.

Mr. President, I am sure that the 33 Senators who joined with me in the introduction of the bill in the 84th Congress, and those who are cosponsors with me on S. 724 in the 85th Congress, share my elation at the substantiation in the Commission report of the theory and fact which form the basis of our bills.

There is no argument between me and those who seek now to implement the recommendations of the Commission as to the soundness of the program. We agree that this proposal—a vast program of research and development aimed at discovering, developing, and proving new industrial uses for farm products—is the only permanent answer to what we commonly call the farm problem. It just has to be the answer.

We do, however, have some differences as to the mechanics of administration and financing. While I wish to repeat my commendation of the Commission, at the same time I want it to be plainly understood that as between the administrative and financing proposals in the Commission's report and the bills which I have twice proposed to the Congress, I continue to favor and support the recommendations in S. 3503 of the 84th Congress and S. 724 now before us.

Mr. President, my bill recommended that this program be administered by an agency to be known as the Industrial Agricultural Products Administration to be headed by an Administrator appointed by the President with the advice and consent of the Senate. My bill also creates within the Department of Agriculture an Industrial Agricultural Products Agency to do the spadework under the direction of the Administrator who, as I envisioned the position, would be vested with powers comparable to those vested in the late Mr. William M. Jeffers, who was the "czar" of the program which resulted in the emergency development and perfection of synthetic rubber in this country.

This program is so important and so vast that it just must be handled in that way.

The Commission, on the other hand, has suggested the creation of a five-member agricultural research and industrial board to be appointed by the President with the advice and consent of the Senate. As an alternate, the Commission has suggested that the responsibility for the program be placed in the Department of Agriculture under a Director with the title of Assistant Secretary of Agriculture.

Now I am very frank to say that I would have no objection at all to this whole program being administered by the Department of Agriculture under an Assistant Secretary of Agriculture if the department had, at any time in the past or even now, shown a real inclination to accept and do something about the fact that this is and just has to be the real solution to the farm problem.

Unfortunately, the Department has not shown such an inclination, and, as Senators will recall, provided even in the budget which we passed just the other day a wholly inadequate sum for utilization research. Certainly I do not care to belittle the research which the Department and a great many colleges have been doing in this field but, very frankly, the program has been wholly inadequate.

The second major point of difference in the Commission's recommendations and the provisions in my bill has to do with financing. I proposed an appropriation of $100 million with which to get the program underway.

Bear in mind that this is less than one-third of the annual cost of just storing the surpluses which eventually would be completely eliminated under the provisions of my bill and of the Commission's recommendations. I do not wish to take an arbitrary position about $100 million being the amount which should be provided. Perhaps we need only $50 million—perhaps we need $150 million. I shall not argue that point, but at least I believe that in the interest of business-like procedure and good fiscal housekeeping, the Congress should know exactly what is to be spent on the program.

The Commission, on the other hand, recommended that the program be financed by earmarking 15 percent of the gross receipts from duties collected under the customs law, with a carryover provision permitting an accumulation of a fund not exceeding $150 million. This represents a simple disagreement on the mechanics of financing, and is a matter obviously to be decided by the Congress.

Mr. President, I dislike to burden the RECORD, but in my opinion this proposal is so important to the future of this Nation and to the world that I ask unanimous consent to have reprinted at this point in my remarks the speech I made on the Senate floor on March 21, 1956, when the research program in this form first was introduced to the Senate.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SENATOR CAPEHART POINTS OUT UNLIMITED MARKET FOR FARM PRODUCTS—PROPOSES A VAST $100 MILLION RESEARCH PROGRAM TO DOUBLE THE DEMAND FOR FARM PRODUCTS THROUGH DISCOVERY OF NEW INDUSTRIAL USES AND UTILIZATION OF NEW PROCESSES ALREADY KNOWN

(Speech of Hon. HOMER E. CAPEHART, of Indiana, in the Senate of the United States, Wednesday, March 21, 1956)

Mr. CAPEHART. Mr. President, I am about to propose a far-reaching, permanent solution of the farm problem so vast that its potential is virtually unlimited.

While the economic, industrial, and social implications of this program cannot, with any degree of accuracy, at this moment be estimated, it is clear that this program will tend to solve, if not wholly solve, the farm problem for all time.

After months of painstaking examination of its possibilities, I have reached the altogether justifiable conclusion that this plan would, within a few years, create a demand for farm products in industry at least equal in amount to that now consumed for human consumption in the United States. It would double the farm market.

Essentially, this is a solution of the farm problem based, not on the negative theory of curtailing production, but on the positive approach of creating new markets demanding complete and full utilization of our total agricultural capacity.

We have worked long and hard in the Senate for weeks on a farm bill to meet the contingencies of the moment. Out of all the debate, committee findings, staff studies, and my own personal research, I have reached the conclusion that any farm plan, to solve the problem on a permanent basis, must do three things:

First. It must provide for quick disposition of existing surpluses. Our Government is attacking this problem now with admirable vigor. I would like to see it move faster. But we are making substantial progress.

Second. The plan must provide, at the moment, for curtailed production until such time as we can create new demands to prevent accumulation of future surpluses based on normal production. This, too, is a part of the existing plan. This effort will be furthered, somewhat, by provisions of what we have called the soil-bank program.

Third. Most important and almost untouched in relation to its real possibilities, any such plan must include a tremendous research and development program—a program which should be started immediately, and financed by whatever Government funds are necessary—to develop to the utmost the industrial uses we already know about for farm products—and they are considerable—and at the same time find new uses creating a demand for at least double what we have considered the normal farm production of the United States.

It is this third point which I now propose. I know enough about its potentialities to convince me that if we in the Congress will face our responsibility to authorize and order such a program, we shall help to bring about 50 years of the greatest agricultural prosperity in the history of our Nation.

I know enough about it that I have been saying to the farmers of my State of Indiana: Do not sell your farmland. Buy more. The next 50 years on the American farm will see unprecedented prosperity.

Mr. WELKER. Mr. President, will the Senator from Indiana yield to me?

The PRESIDING OFFICER (Mr. ALLOTT in the chair). Does the Senator from Indiana yield to the Senator from Idaho?

Mr. CAPEHART. I yield.

Mr. WELKER. As one of the cosponsors of the bill which is being introduced by the distinguished senior Senator from Indiana, I wish to say to him that I commend him very highly for this very wonderful bill, which will solve the agricultural dilemma, and again will make it possible for farmers to live. I can pay to the Senator from Indiana no higher tribute than to say that he has done this job extremely well.

Mr. CAPEHART. I thank the Senator from Idaho very much for his remarks.

Mr. ANDERSON. Mr. President, will the Senator from Indiana yield to me, or does he prefer first to finish his statement?

Mr. CAPEHART. I prefer first to finish my statement, Mr. President.

Imagine, if you can, what it would mean to this country—to all segments of our society—if we of the 84th Congress should be responsible for creating a farm market at least twice as great as any we ever have known.

It can be done if we will legislate a program to take the blinders off, as it were, of our agricultural research and development program, and throw the full white light of technical research and development, experimentation, test facilities, pilot plants, and unexcelled American know-how into an all-out effort to create new industrial uses for just the everyday products of our land.

First, of course, it would mean to the farmer a new life of productivity. It would provide prosperity for him. It would permit him to follow his natural instinct to get everything he can out of his land.

Second, it would create new jobs. Obviously, the demand for farm labor would increase. But its effect on industrial labor generally would be even more phenomenal. Entire new industries with millions of new jobs would come into being—industries to manufacture new products. The demand for new transportation facilities—automobiles, trucks, buses, railroads, airlines, and so forth—would be tremendous. The demand for new farm machinery alone would provide an industrial and labor stimulus almost beyond our comprehension.

Third, the increase in retail business would mount into the billions of dollars. Farmers, laborers, and, I am convinced, just about every other category of business customer in the United States would have more money to spend for just about everything business has to sell.

Fourth, such a program would, in my opinion, mean the end of a tremendous tax burden now imposed to finance our vast agricultural assistance and storage programs of the moment—a burden which we gladly bear as long as it is necessary, but a burden which all of us will agree would be a welcome deletion from our national budgets. If we can bring this about, and I believe we can, it would enable us to reduce taxes substantially and to make it easier to retire the national debt at a faster pace.

Mr. President, the ramifications of such a plan are staggering. It is brandnew. At the outset, it would cost a little money, but, by comparison, only a drop in the bucket. After all, when it begins to cost more to repair your automobile, your tractor, or your furnace than a new one would cost, what do you do? You buy a new one.

I say to you, Mr. President, that it is high time this Congress bought a new approach to the farm problem, in the form of this research and development plan.

It meets the essential test. It is good for the farmer. It shows every promise of proving economically sound. It is, at the same time, good for all of the people.

What would such a plan replace eventually? This year, our agricultural assistance programs will represent a total investment of three billion, four billion, or perhaps five billion dollars. Yet, that assistance program has contributed to the accumulation of some $9 billion in farm surpluses, for which not only has the Government paid with the taxpayers' money, but which is costing in storage charges a million dollars a day—$365 million a year.

By means of this bill we are only asking for $100 million or less than one-third of the cost to store for 1 year the surplus agricultural commodities the Government of the United States now owns.

At this point, I want to take full cognizance of the good work being done toward working out the surplus disposal problem. The Government has sold, or otherwise disposed of, much more of our surpluses than generally is known. I do not want to criticize the good work which has been done, but I am firmly convinced that the program should be expanded and accelerated. Whenever possible, more and more of our surpluses should be made available to the needy at home and elsewhere. I believe that program is being speeded up. It must be.

Meantime, these surpluses hang over farm prices like a sword. They depress farm prices. This means lower farm income. It means less farmer spending for consumer goods. It means less tax revenue for the Government. And it means increased investments in agricultural assistance programs.

The plan I am proposing would reverse that situation. It would insure the American farmer his rightful share of an otherwise bountiful prosperity, by requiring full production in an economy guaranteeing fair prices. It would put an end to the unsound practice of spending billions of dollars to preserve a bad situation, when a great deal less would provide a permanent cure.

No, Mr. President, we cannot solve our farm problem permanently by curtailing production. We must increase consumption; we must find new markets. Since, generally speaking, the vast majority of our people are well fed, our only alternative is to find new and increased industrial uses for our agricultural products.

There is no question that this can be done.

It is my opinion that the Department of Agriculture and our research and development people know enough now, so that, given a real opportunity to prove it, they can find industrial uses for 5 billion additional bushels of grain, such as corn, wheat, rye, barley, oats, rice, sorghum grains, and potatoes, each year. Let us remember that at present our total production of these grains is only about 6½ billion bushels. This entails a total of 180 million acres of grain cultivation. If another 5 billion bushels are added to that, we can see what that would mean in terms of additional cultivation for the American farmers.

Under capable and efficient management, the great chemical and oil industries of the United States, have found, through research, many new industrial and commercial uses for their products. They now make everything from rubber to clothing materials from chemicals. The plastics industry has had a phenomenal growth through research.

All of this came about in the same degree as these companies invested their profits in research. You will agree that our more successful corporations spend millions of dollars each year seeking new and better products through research.

It is exactly this type of program which must be carried out in discovering new markets for farm products. Yet, no farmer or group of farmers can themselves afford to establish the vast laboratories necessary to carry out that research. It is simply impracticable and impossible for 6 million individual farmers to get together to carry out the kind of research and development program required to keep agriculture abreast of the rest of the economy.

Let me give you one example of a failure to keep pace with an important loss of consumption in farm products. Not so many years ago farm power was provided by horses and mules. This animal power consumed the production equivalent of some 80 million acres of feed grains. For lack of research, in my opinion, we have failed to produce a new market to take up the slack of that displaced production.

We have fewer tillable acres in production today than we had 50 years ago. I think the tillable acres today are about 350 million. Fifty years ago, when the only power on the farm was horses and mules, the horses and mules consumed the equivalent of 80 million acres of feed grains. Therein lies the difference between our surplus today and full consumption.

Mr. President, I come now to the point of proposing the most important program I ever have sponsored in my almost 12 years in the Senate of the United States.

The United States must undertake—and undertake at once—a $100-million-a-year research and development program to find new and increased industrial uses for agricultural products.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. ANDERSON. I hope the Senator will take into consideration, in introducing his bill, that in 1946 the Congress of the United States enacted the Agricultural Research and Marketing Act of 1946, and made provision that various sums might be appropriated in succeeding years, increasing the amount year by year. The amount that could be used in 1947 for research and marketing was $9½ million. In 1948 it was $19 million. In 1949 it was $33,500,000. In 1950 it was $48 million. In 1951 it was $61 million. Thereafter the sky was the limit. One hundred million dollars could have been appropriated under the act.

I invite attention to the fact that in 1950, when $48 million could have been appropriated for research in marketing, the Congress appropriated $19 million. I suggest to the Senator that the problem is to get Congress to appropriate the money, or authorize it, to the extent of the figure of $100 million, which the Senator has suggested.

Mr. CAPEHART. I am thinking in terms of $100 million in addition to that which the Congress has already appropriated, or might appropriate.

I am also thinking in terms of establishing an organization which will really function and get the job done. Unfortunately, in the past, while the Department of Agriculture has done a good job in developing many programs, it has not had the capacity really to organize and promote a program of research, including the construction of pilot plants, the making of field tests, and doing the job in the spirit called for by the proposed legislation.

As the Senator will see when he reads the bill——

Mr. ANDERSON. I have read it.

Mr. CAPEHART. As an inherent part of the legislation, we wish to set up an administrator who will have almost the title of czar. He will proceed to get the job done, in the same fashion in which the Government developed synthetic rubber during the war. One of the weaknesses of the present plan is that everybody's business is nobody's business.

What we propose is to get the job done immediately. The proposed program might well be called a crash program.

I am mindful of what the able Senator has said. Unfortunately the Congress, both in Democratic and Republican administrations, did not take sufficient cognizance of the existing legislation. In my judgment, the job should have been done by this time. At least, we should be well on the road toward accomplishment of it.

What we are now advocating is that we give this program everything we have, and get the job done. We should spend whatever money is necessary, and take whatever time is necessary.

Let me say to the able Senator from New Mexico—and no one knows it any better than he does—that if and when we solve the farm problem, it will be solved on the basis of more uses for farm products in industry. We shall never solve the farmer's problem by producing for food uses alone. He will have to produce for industrial uses.

The question is, shall we solve the problem over a period of 10, 15, or 25 years? Or shall we solve it as we solved the synthetic rubber problem during the war period, by doing the job immediately? That is the purpose of the proposed legislation.

Mr. ANDERSON. I am not opposed to solving the problem.

Mr. CAPEHART. I know the able Senator is not opposed to it.

Mr. ANDERSON. On the contrary, under the terms of the Agricultural Research and Marketing Act of 1946, a special agricultural research administration was established in the Department of Agriculture. Many of us have tried repeatedly since to get sufficient appropriations for that agency.

Mr. CAPEHART. Later in my speech I shall name the laboratories we now have. I shall mention some of the things the Department has been able to accomplish, and I shall cite some of the programs which they are about ready to bring to a successful conclusion. With a mandate from the Congress such as is contemplated in the proposed legislation, I am sure the programs will be accomplished more quickly, and that we shall relieve the farm situation by producing more instead of less. I hope we shall be able to do something really worth while for the country and the people. I know that the able Senator is 100 percent in accord with that aim.

Mr. ANDERSON. Mr. President, would the Senator object to my asking unanimous consent that, at the conclusion of his remarks, there be printed a table with reference to

the previous legislation, showing that it requires steady, constant pushing by the Congress to get the necessary appropriations by the Bureau of the Budget?

Mr. CAPEHART. I shall be delighted to have the table printed in the RECORD at the conclusion of my remarks.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the table which the able Senator from New Mexico has in his hand.

The PRESIDING OFFICER. Without objection, the table will be printed in the RECORD, as requested.

(See exhibit 2.)

Mr. CAPEHART. Mr. President, speaking for a moment about that $100 million figure, it is less than one-third the amount we now spend merely to store surpluses which, as long as they exist, can have no effect other than to cause low farm prices.

I can think of nothing more economically sound than to buy for $100 million a year a program that would eventually replace an assistance program running into the billions and at the same time eliminate the costly surplus situation which makes such an assistance program necessary.

Some may ask why the Government should finance industrial research for one segment of our economy. There are several reasons.

First. Many years ago we "crossed the bridge" in establishing as public policy that the Government had a responsibility to see to it that farmers shared fairly with all others in the national economy. Our farm-assistance program is now public policy. That decision has been made. Our job now is to determine whether we are doing so in the most efficient and economical manner.

Second. We now are spending billions of dollars a year on programs which, on the record, do not face up to our basic farm problems. That is evidenced by the fact that farm productive capacity is far greater than existing markets for farm products.

Third. Industry has proved the value of research in finding new uses and new markets for surplus products. Why, then, should we spend billions of dollars to curtail production and reduce farm income when, as I will show, a few hundred millions of dollars spent on research can be expected to find new markets, sufficient not only to consume our present normal productive capacity but double it?

Fourth. It is just good, sound business for the United States Government and all of its people. The Government now owns $9 billion of farm surpluses. Such a program as the one we propose would enable us to realize at least something on the investment we now have in surpluses. But, much greater than that is the probability that such a program should save billions in support programs, increase farm income, boost tax revenues, stimulate business through increased farm purchasing power, and create millions of new jobs. All of this adds up to greater and greater national prosperity to be shared by every man, woman and child in the United States.

So, I say this is the responsibility of the United States Government, which makes it the solemn duty of the Congress. This Congress and the executive branch of the Government never have had a greater opportunity to serve the welfare of the farmers and all of the people than by extending overwhelming approval to this bill. As far as the Congress is concerned, we should arrange quick hearings and pass the bill promptly.

There are a good many specific examples of benefits, through research already done, which accrue from such a program as this one. Let me recite a few:

Some years ago, the citrus fruit industry was in bad shape. Then, our Department of Agriculture, through research, aided in the perfection of the quick-frozen food process. I am told that this virtually saved the citrus-fruit industry. Consumption went up, income went up, and a great new phase of this industry resulted—from what?—from research.

The Department of Agriculture is said to be on the verge of perfecting powdered, whole milk. All commercial powdered milk at the moment is skim milk. I believe that perfection of powdered whole milk would go a long way toward doing for the dairy industry what the freezing process did for the citrus industry.

I understand the Department is about ready to perfect the research on powdered, whole milk. If they are, it means that there will be twice as much whole milk sold as now. It will require twice as many cows as now. It will give the dairy industry twice as much business. If and when the Department of Agriculture perfects powdered whole milk, that is what will happen.

Someone may say to me, "You say they have perfected it." Possibly that is true. However, even after it is perfected, under the provisions of the bill, pilot plants will be built to prove its worth. Field tests will be given, and its worth will be proven. Then private industry will be licensed to proceed with the production of powdered whole milk.

Agriculture is now working on a high-protein food for cattle that would, if perfected, revolutionize animal feeding and consume an additional 150 to 160 millions of bushels of wheat a year, the production equivalent of 7½ million acres. From a 56-pound bushel, we would get 16 to 20 pounds of high protein feed.

Think of that, Mr. President. One hundred and fifty million to 160 million bushels of wheat. That is almost enough wheat to take up the surplus of wheat at the moment. That is only one item.

Work is progressing to develop metallurgical oils from grain.

I am told that the researchers are near perfection of an oil made from grains which can be used in the manufacture of paint.

We know that synthetic rubber can be made from grain. True, the process is more expensive, at the moment, than rubber made from crude oil. Agriculture is working now to bring that cost down. It would take 350 bushels of grain to make 1 ton of rubber. If we used ethyl alcohol from grain to produce all of the 900,000 tons of synthetic rubber a year, it would require the consumption of 315 million bushels of grain, or the production equivalent of about 7 million acres.

That is 315 million bushels of grain. At the present time we produce only about 6½ million bushels each year. That 1 item alone would take 315 million bushels.

One of the great potentials in the field is the production of microba rubber, a natural rubber, from the gluten in grain. There is another great possibility.

All of these, if finally perfected, would require the production equivalent of hundreds of thousands—yes, millions of acres of grain. Who can tell just how many acres?

There is no limit, as the population increases and new uses are found for the products of the farm.

We have known for many years that ethyl alcohol can very successfully be blended with the gasoline used in an automobile. If just 10 percent of the blend was ethyl alcohol made from grain, it would require more than 2 billion bushels of grain a year and there would be no grain surplus. Actually, a blend of 25 percent of such alcohol could be used without major adjustments to the engine.

At the moment it would cost more, but know-how in America always gets the price down, as we well know. If we had a 10 percent blend, it would take more than 2 billion bushels of grain. The total production at the moment is only 6½ billion bushels. That is the entire production in the United States. That is just one item, Mr. President, and it is a matter of bringing the price down.

Now, if such a program should be undertaken, it might reduce temporarily the consumption of crude oil. But my best judgment is that in the long run this reduction would be more than offset by increased consumption in the hundreds of thousands of new tractors, trucks, transport vehicles, automobiles, and other petroleum-burning equipment in use because of this very program.

The petroleum industry might lose 10 percent and retain 90 percent. However, the 90 percent in only a few years time would be so much bigger in volume and so much more important to the industry, that the two are hardly worth comparing. It shows what can be done, if only we in Congress would have the same imagination now, and get that same imagination and push and zip into the Department of Agriculture, to do the job that private industry is doing. We would not have to appropriate money for subsidies for the farmer, and we would not have to worry about the farm bill.

We could put the farmer into a very prosperous position. We are not going to help the farmer very much by reducing his production. We can help him only by increasing his production, and this bill provides for that. The White House is already behind it. It is very enthusiastic about the objectives and purposes of the bill.

As many Senators know, it was an Englishman who first discovered penicillin. But, it was our Department of Agriculture that developed the means for its commercial production. So, Mr. President, what I am here proposing already is going on at a snail's pace, while we spend billions on an agricultural surplus program. This must not be a snail's pace program.

This must be a crash program as an investment in agricultural and even greater national prosperity and economic health.

It is the only way I know to achieve a permanent farm prosperity based on full production rather than costly acreage curtailment.

Such a crash program in research will, of course, require pilot plants, field tests, and commercial plant-testing facilities. This type of operation is not new to the United States Government either.

The Government owns a now idle plant in Omaha, Nebr., for making ethyl alcohol from grain. This should be reactivated immediately.

This and possibly other similar plants should at least make into grain alcohol the surplus grains which are available. Yet the plant at Omaha is standing idle, and it should be reactivated.

Plants are being operated under the system about which the Senator from New Mexico was speaking, but they have not a sufficient appropriation. They do not have one man thinking about the problem day and night. They are dragging. They are not going forward. Partially, of course, it is because Congress has not given them sufficient money, and likewise, partially, because they do not have the imagination in the Department which they should have in order to accomplish this objective. In my opinion, they should have advocated the same thing which some 35 Senators are advocating here today. They know the situation and they know what can be done.

Mr. BRICKER. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. I yield.

Mr. BRICKER. Some 10 or 15 years ago there was a great deal of activity in this field by a private organization supported by industry, and known as the Chemurgic Council. They were on the point of success, when the war came on, and the project was temporarily abandoned because of the war. Does the Senator from Indiana know whether there has been any revived activity?

Mr. CAPEHART. I do not.

Mr. BRICKER. I have heard of none.

Mr. CAPEHART. It was financed, I think, by private industry.

Mr. BRICKER. It was. The Ford Motor Co. was interested in it, and there was a great deal of interest in my State. It is centrally located, in Columbus, Ohio. It was operated along the line of developing food and fiber products into commercial uses, not only in the field of gasoline, about which the Senator has been speaking, which is entirely practicable except dollarwise, but in every field of utilization for construction, for the building of automobile bodies, as I remember, and soybean utilization. They were manufacturing cloth out of milk. One man had a hat made out of milk. It seemed to be as good as any other hat. It was made by Stetson, as I remember.

Mr. CAPEHART. We should do what we did during the war with reference to synthetic rubber. Once the Government perfects and approves each of these products, it can then be immediately turned over to private industry for production.

Mr. BRICKER. The synthetic rubber program was really perfected by private industry with Government money.

Mr. CAPEHART. That is correct. Private industry is working on many, many uses for farm products. If we can pass this bill, it will help the farmers. The project could be concentrated under one man in Washington whom I am willing to call a czar, to do whatever is necessary—bumping whatever heads are necessary to be bumped in the Government in order to find new ways to use farm products so that the farmer can increase instead of decrease his production and be on an equal footing, so far as profit is concerned, with industry.

Mr. BRICKER. I am happy to join the Senator in sponsoring the bill. I think it offers great possibilities. In the years ahead, I believe the possibilities will become greater and greater. It is a field in which the Government should interest itself.

Mr. CAPEHART. There are 6 million farmers, and they cannot all get together.

Mr. BRICKER. Industry is not interested at this time, because there is no dollar return.

Mr. CAPEHART. They have about all the business they can handle at this time.

Mr. BRICKER. So long as they have the resources available to them to coal and fuel oils, out of which they can make so many of the products which are now being made synthetically, they will not turn to farm products, because of the dollar cost.

Mr. CAPEHART. They are selling about everything they can make. Only the Government can help the farmers at this time. Only the Government can do what is proposed, and it should do it.

Mr. BRICKER. I think it is comparable to an observation I heard yesterday with respect to the fiber-glass development in this country. It started in one small plant, and fiber glass is now used in 101 different ways. There was an adequate return to justify investing capital in the project. But the Senator feels that cotton fiber and the like can be utilized.

Mr. CAPEHART. I shall show that 11 probable uses can be made of agricultural products. The Department estimates that these uses will take nearly 3 billion bushels of grain. I shall name the 11 products in just a moment.

Mr. BRICKER. It becomes more important as the years go by, because our other resources, such as oil, coal, minerals, and so forth, are becoming depleted. We shall ultimately have to have some kind of synthetic substance.

Mr. CAPEHART. It will have to be done some day if we are to solve the farm problem. The question is, Will it be done over a period of 50 years, or are we going to just sit down and think about the money, the time, and the effort required to do the job quickly, instead of spending billions of dollars in subsidies paid to the farmer to keep him from producing something? If we spent a small fraction of the money in helping the farmer to find new uses and new markets for his products, everyone would be better off.

Mr. BRICKER. I think we all agree with the Senator's statement of a moment ago that the farm bill is not satisfactory to anyone. It has been hampered by expediency, and we are not happy about the situation existing in agricultural areas.

There is not only a department of research in the Federal Government, but in practically every State there is an agricultural research station bent upon increasing production. They are developing better crops and new things for the farmer to develop in the conventional agricultural line.

Does the Senator from Indiana know of any research work going on, either federally or at State levels, or in the universities, to transfer to industrial uses some of the food and fiber now used in normal consumption?

Mr. CAPEHART. I think there is considerable work going on, possibly in private enterprise. Our Government departments are doing some work in universities. The Federal Government has been spending hundreds of millions of dollars, as have the agricultural universities, to help farmers to grow more, but they have completely forgotten about where the market can be found. This bill would provide that the Government shall spend money and time finding a market for that which they have been showing the farmers how to produce.

Mr. BRICKER. The Senator anticipates, then, in this program, that emphasis would be laid upon the new utilization of farm products, and he would also encourage a continuation of the research now being done in State institutions.

Mr. CAPEHART. The administrator would encourage private industry, the universities, and the Department of Agriculture all to go forward with more research. Everybody would get to work on the problem in an effort to solve it.

Private agencies have been spending large sums of money on research for many years. Consider Purdue University in my home State of Indiana. Purdue has helped the farmers of Indiana to produce more and more and more; but no one is spending the money or taking the time to find out where the farmer will be able to merchandise or sell his increased production. The proposed legislation would do that.

American farm production has been built to a very high level. There is too much on hand. There is overproduction. Vast surpluses exist. Now let us spend the time, money, and effort—and it can be done—to find new uses and new markets for the farm products. When that has been done, the farm problem will have been solved.

Mr. BRICKER. I congratulate the Senator from Indiana upon his leadership in the program, which I think is of great interest to all of us. I am very happy to join with him, and I hope we may successfully start the program.

Mr. CAPEHART. I thank the Senator from Ohio.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. ELLENDER. I had occasion to read the remarks of the Senator from Indiana, which he kindly sent to my office yesterday, and I also have scanned the bill.

I am wondering what is the difference between his proposal and the proposal submitted by the Senator from Nebraska [Mr. CURTIS], which is a part of the bill that was passed by the Senate on Monday.

Mr. CAPEHART. I think the big difference is that the proposal of the Senator from Nebraska, which was made a part of the farm bill, called for a commission to study the problem and to report to Congress in June 1957.

My bill calls for getting busy now—today—because now is when the farmers need the help. The program ought to be started now. I do not think a study is needed to learn what should be done. I am a farmer; I know what ought to be done. Only one thing needs to be done, and that is to find more markets for that which is grown on the farm.

Mr. ELLENDER. That was why I opposed the Curtis amendment. It sought to make studies which already have been made. The Senator is aware of the fact that about 12 years ago, as a result of studies made, Congress authorized the establishment of 4 huge laboratories, 1 of them in New Orleans.

Mr. CAPEHART. Before the Senator from Louisiana came to the Chamber, I named them. They are located in New Orleans; Peoria, Ill.; Albany, Calif.; and Philadelphia.

Mr. ELLENDER. That is correct. Those four research laboratories ought to be required to make the studies. Why is it necessary to spend more money for further research?

Mr. CAPEHART. The bill goes beyond research. It calls for the building of pilot plants. It calls for additional studies to be made by the State universities.

I am not criticizing what has been done in the past. I know that in 1946 a bill was passed, in which a certain sum was authorized, and the laboratories were set up. The compaiint I have is that in 10 years——

Mr. ELLENDER. Nothing has been done.

Mr. CAPEHART. There has not been accomplished what I think should have been accomplished. I think that through the proposed legislation Congress ought to mandate the administration, especially the Department of Agriculture. An administrator, whom I should like to call a czar, should be appointed to get the job done. I want to see one appointed who will start bumping heads together. Let us get the job done. The farmers are in a bad sitaution.

A real farm problem exists. We worried about it on the floor of the Senate for days and days. It is costing billions of dollars.

There is no one who knows anything about business who does not know that a person's income cannot be increased by cutting back production. It is necessary now to do it temporarily under the farm bill, in order to reduce surpluses, so that prices can be brought up higher. But that is not the real answer; it is only a temporary answer.

Mr. ELLENDER. I simply wish to remark that research as a rule, is a very slow process. What the Senator from Indiana seeks is a continuation of the utilization of the surpluses on hand, without any method having been found for their use.

Mr. CAPEHART. I do not follow the Senator's line of reasoning. I am trying to have Congress and the administration do for agriculture that which was done for the rubber industry during the last World War. During the war and in a hurry, the Government developed a synthetic-rubber industry to the point where today more synthetic rubber can be produced in the United States than can be used.

I do not want to delay the expenditure of the money. The program ought to be what might well be termed a crash program, and the administration ought to be mandated to proceed with it. We should insist that the administration move ahead promptly with such a program. It ought to be accomplished twice, 3 times, or 4 times as fast as any similar program that has been undertaken.

Mr. ELLENDER. There must be a basis from which to start. It is not possible to say that wheat or that cotton should be used unless a process has already been devised, and that requires research.

Mr. CAPEHART. Of course, it does; and that research will not be done in 1 month or 1 year. But if a start is not made, the research never will be done.

I am going to discuss some 11 projects on which the Department of Agriculture is working at the moment, and which the Department feels reasonably certain can be accomplished and will use 3 billion bushels of corn a year.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. MUNDT. It seems to me the difference between the approach which the Senator from Indiana is taking—and I commend him for his constructive thinking, and am happy to be one of the sponsors of the bill—and the approach discussed by the chairman of the Committee on Agriculture and Forestry, is simply that we find ourselves today where we were in 1943, 1944, and 1945 in the development of atomic energy and the atomic bomb. A large amount of research was in progress in a great number of laboratories for many years. Dr. Lawrence, of South Dakota, one of our distinguished sons, was engaged upon that project for a great many years. When the war began, it was put on a crash basis.

Under the bill which is now proposed, the research program will be put on a crash basis, and will be given new impetus. Discoveries, which have already been made in the Peoria Laboratory, and in other laboratories and institutions, will be developed further in pilot plants, in an effort to give publicity to the new uses which can be made of farm products, and thus to speed up the disposal of farm surpluses.

I am certain that no one expects that a bill which will be passed this year will solve the problem next year; but it will certainly shorten the time which otherwise would be taken if we relied solely upon the normal processes of exploration, investigation, and study in Government laboratories. Am I correct?

Mr. CAPEHART. I think the Senator from South Dakota is 100 percent correct. We are trying to make a start and to arouse enthusiasm on the part of the Department of Agriculture to accomplish this job.

Who would have said 50 years ago that today there would be radio, television, and plastics? Who would have said 75 years ago that there would be automobiles to the extent that they exist today? Who would have said at the beginning of the century that we would have all the new products which we enjoy today?

I think that what we are talking about, will eventually be worked out. I think eventually enough uses will be found for farm products. But it will take too long to find them unless the Government becomes interested in the matter, because 6 million farmers cannot do the work by themselves; they have no way of doing it.

Mr. MUNDT. What is sought to be done by the bill is to take the program of farm chemurgy out of low gear and to put it into high gear.

Mr. CAPEHART. That is exactly correct.

Mr. MUNDT. There is a very good historical background for doing this. Senators will recall that in World War I the United States found itself without a dye industry. We were at war with Germany, who had a great deal of experience and know-how in the making of dyes. But by putting the program of dye-making on a crash basis, by stimulating the program for the research and development of raw products in laboratories and chemical factories, and in the clothing industry, before the war was over the United States has acquired a first-class dye industry, in a short space of time. What we did in wartime from the standpoint of dyes we can do in peacetime from the standpoint of farm products. We did that in the matter of synthetic rubber produced from industrial alcohol obtained from corn, molasses, and a great number of other products. We did it from the standpoint of utilization of atomic energy as a weapon of war in the more recent war. America's history is replete with evidence of our capacity to get a job done when we concentrate our money, energy, and know-how on the problem. The only way to get ahead is to make a start.

Mr. CAPEHART. There is not any question that the American researcher and American engineer and the American people and this Congress and the Department of Agriculture and our great universities and our great research laboratories can do the job if somebody—and that somebody has to be the Congress of the United States—mandates them and tells them to do it, and helps them to do it with appropriations and with direction, and with an administrator for the whole program.

Mr. MUNDT. The difficulty has been that we have been nibbling away at the whole problem, when it takes a man-sized bite to get going. The bill would provide enough latitude for the Secretary of Agriculture, or the man he appoints to administer the program, not only to enter into contracts with colleges and universities, not only to stimulate American genius in laboratories at Peoria and elsewhere, but to enter into contracts with our great chemical corporations and great industrial laboratories, whereby their genius would be devoted to this problem. It that correct?

Mr. CAPEHART. That is correct.

Mr. MUNDT. So we would bring into the picture not only our scientific scholars and students in the laboratories at colleges and universities, but some of the most hard-headed businessmen who for years have utilized their production with scientific discoveries in the laboratory, and who could devote their efforts to the problem.

Mr. CAPEHART. That is correct.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. BRICKER. It seems to me the parallel between atomic energy and the production of synthetic rubber during the war does not wholly follow. We are not faced with a great need for a product; we are faced with the need for a new utilization of the surplus production of the farms of the country. The problem becomes not one of scientific development, because that is generally understood. Formulas have been arrived at and the research has been done, but not to the degree of determining the economy of such a process. One of the problems of our scientific and research organizations is to work out the economic problem, because, in our economy, we have to bring the cost of production down to the point where it can compete with products conventionally used.

Mr. CAPEHART. Which means that we must have pilot plants built and field tests must be conducted in order to prove the products.

Mr. BRICKER. It is an engineering and a production problem rather than a scientific and research problem.

Mr. CAPEHART. Possibly it is more of an engineering and production problem.

Mr. BRICKER. I think that is correct.

Mr. CAPEHART. We already know how to proceed. It is a question of ways and means to operate economically.

Mr. BRICKER. Those engaged know how to do many things with the products, but new developments may come.

Mr. CAPEHART. There are more developments we have not heard of than there are that we know of.

The Government owns four going research and development laboratories as follows: First, Southern Utilization Branch, New Orleans, La.; second, Northern Utilization Branch, Peoria, Ill.; third, Western Utilization Branch, Albany, Calif.; and, fourth, Eastern Utilization Branch, Philadelphia, Pa.

We now have an oil-from-shale pilot plant at Rifle, Colo.

We have operated two coal hydrogenation plants from which a great deal has been learned about the economics of making gasoline from coal.

Senators all know, of course, that the Government perfected the process of making synthetic rubber during World War II. Recently, we were able to sell the plants we used in this process at a profit and create a whole new series of income-producing, taxpaying properties.

In this connection, it is my belief that as fast as the Government proves the practicability of each new farm product in industry, the process should then be turned over to private industry for production.

Mr. President, there can be no justification for further delay in starting this program.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. MUNDT. There is one item the Senator may have mentioned before I came to the floor, but I did not hear him touch on it. We have also developed a very successful method of utilizing industrial alcohol as a gasoline blend.

Mr. CAPEHART. Yes; I mentioned that.

Mr. MUNDT. During the great depression days of the thirties we had, in South Dakota, in Sioux City, Iowa, and in that general area, half a hundred filling stations which were at that time selling an alcohol-blend gasoline, and it worked very satisfactorily in the automobiles of motorists. It was sold, that long ago, at competitive prices.

I have under preparation at this time a bill I intend to introduce in the Senate which would provide some kind of method whereby, from tax or some other concessions, we would make it possible to utilize alcohol from farm products for fuel. We do now have a way to cut into the surpluses.

Mr. CAPEHART. The administrator, under the bill, would be authorized immediately to get busy. The Government now owns an alcohol plant in Omaha. We wish to have that reactivated and have it start making grain alcohol. We wish to have a pilot plant to start blending alcohol and gasoline in order to get the price down and prove its worth. We ought to have all sorts of programs of that kind.

Mr. MUNDT. I presume one of the responsibilities and duties of the new administrator would be to make legislative suggestions to Congress so that Congress could be helpful, perhaps in the way of granting tax concessions for the manufacture of alcohol-gasoline blends for automotive purposes, or perhaps granting tax concessions to factories engaged in the production of industrial goods made from agricultural products. There are many ways in which a man dedicated to this responsibility could function, in addition to handling the contracts and the general scientific and exploratory functions of the office.

Mr. CAPEHART. The Senator is absolutely correct.

When it reaches the point of productivity which I envision for it—the point at which it will obviate the necessity for our present agricultural assistance programs—it will have accomplished the dual purpose of reducing Government expenditures and increasing farm and national prosperity and the social, economic, and industrial welfare of our Nation. As I see it, this thing is nearly all pluses and almost no minuses. I cannot see any minuses in it at all.

What we have been doing up to now is based upon a hope that some day conditions may improve to such a point that we shall have an adequate market for our farm products.

I wish to repeat that thought, and I want the officials of the Department of Agriculture to read it, and I should like to have the Secretary of Agriculture to read it. What we have been doing up to now is based upon a hope that some day conditions may improve to the point at which we shall have an adequate market for our farm products.

What we are proposing is a concrete program to create that kind of a market. Much of this program can and should be carried on in existing public and private laboratories, particularly in our schools and colleges. The Department of Agriculture has been working with many such educational institutions for years. Moreover, the Department now has a limited research staff in its several experimental stations working on these and related projects.

The program we propose should be built on the framework of and within the existing research activities of the Department of Agriculture. It would not be well to disrupt the Department's existing organization or disregard the value of its experience.

The program here suggested must use all of the existing research and experimental facilities of the Government. In the past, it seems to me, one of the weaknesses has been a lack of funds for pilot plants and field tests. These are, of course, necessary to test the commercial feasibility of any new process or product. My proposal would make such funds available.

So we propose to utilize to the fullest every existing Government facility. But the larger and more dynamic program which we contemplate cannot be accomplished on any business-as-usual basis.

For that reason, we propose that this entire research and development program be placed under the direction of a full-time Administrator at the White House level.

He must be the most competent man available, a man of great stature, who would have the complete confidence of the President. No other man in the executive branch of the Government would have a more important job to do for his country. We are convinced that this program, under such dynamic leadership, would go a long way toward permanent solution of the farm program.

For want of a better term, we might call this man the czar of the agricultural industrial products development program.

Who knows what miracle products such a program might develop? The possibilities are challenging to the Congress, to the executive department, to our best scientific research brains, to the American people, and, more particularly, to the American farmer.

There are many industrial uses for agricultural products on which some research has already been done. I shall read a list of 11 probable industrial uses for agricultural products, on which the best available estimates indicated a likely annual use of 2½ billion bushels of agricultural products, whereas we now produce only 6½ billion yearly. This list was given to me by the Department of Agriculture:

"1. High-protein food by fermentation, 150 million bushels a year.

"2. Paint from vegetable oil, if 5 to 10 percent of potential market is reached, 15 to 60 million bushels a year.

"3. Synthetic rubber, 365 million bushels a year.

"4. Microbia rubber, if 10 percent of the potential market is reached, 25 to 30 million bushels a year.

"5. Increased use of starch in paper, 40 to 100 million bushels a year.

"6. Industrial exploitation of oxystarch, 10 million bushels a year.

"7. Raising disease-free poultry for export, 13 million bushels a year.

"8. New drug plants, 4½ million bushels a year.

"9. Hardboard, boxboard, and building board from wheat, 20 to 40 million bushels a year.

"10. Development of high-amylose corn, 10 million bushels a year.

"11. Blending 10-percent grain alcohol with gasoline, 2 billion bushels a year.

"Total, 2.6 to 2.7 billion bushels."

Other possible uses for grain derivatives include smokeless powder, plastics, medicinals, toilet preparations, soaps, cleaners, anesthetics, antifreeze, dyes, varnishes, power, and fuel.

If we keep at this research job, I can foresee in time our using in industry 6 billion bushels or more a year of agricultural commodities.

This program has been under study by a great many persons other than myself. It is the product of a great deal of serious consideration of one of the most serious problems in the United States.

The potentialities are so vast that any attempt to evaluate the benefits to this Nation and its people dollarwise is an almost hopeless task. I have been unable to select any segment of our economy—any group of our people—who would not lead more comfortable lives and enjoy higher standards of living and benefit generally from the fruits of such a program.

It would mean the assurance of a full market for full farm production.

It would end our farm-surplus problem.

It would save the Government money.

It would help to relieve the tax burden and give us a chance to reduce the national debt.

It would create new industries.

It would create new jobs.

It would stimulate retail sales.

It would provide better incomes for our people, including the Nation's 6 million farmers.

It is, in our opinion, in all modesty, the most constructive approach to the farm problem yet devised.

Mr. President, in conclusion, let me say we have no time to waste. I hope the bill will be referred to the Committee on Agriculture and Forestry, that the committee immediately will hold hearings on the bill, and that representatives of the Department of Agriculture will be prepared to testify in behalf of the bill before the committee. I am certain they will favor it, because, in my opinion, this program, as I said a moment ago, is one which the Department of Agriculture itself should have begun and should have suggested to the Congress 1 or 2 years ago, or perhaps longer ago than that. After all, the solution of this problem is the responsibility of the Department of Agriculture, which does have, as it should, the best interests of the farmers at heart; and the Department of Agriculture should be enthusiastic about any plan which shows any chance whatsoever of helping the American farmers, particularly under existing conditions.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Indiana yield to me?

The PRESIDING OFFICER (Mr. Laird in the chair). Does the Senator from Indiana yield to the Senator from New Jersey?

Mr. CAPEHART. I yield to the distinguished Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, I should like to say to the Senator from Indiana that I appreciate very much the presentation he has made on this very interesting subject. Some 15 years ago, as the Senator from Ohio has stated recently, there was a chemurgic movement, which I believe was a private activity. The Senator has said he is familiar with it.

Mr. CAPEHART. Yes.

Mr. SMITH of New Jersey. I was very much interested then, as a layman, in the field of farming. I think there are many more commercial uses of farm products.

I desire to commend the distinguished Senator from Indiana for the very fine presentation he has made; and I wish to say that I can well understand the reason for the great success he has had in the business world, because the zip he has shown in his presentation of this bill demonstrates a positive approach to the problem of finding increased uses for our agricultural products, with the result of greater prosperity for the farmers of the Nation.

I am very happy to be a cosponsor of the bill, along with the distinguished Senator from Indiana.

Mr. CAPEHART. I thank the Senator from New Jersey.

It is so obvious to me that this plan is the only way to solve the farm problem. That problem will be solved only by finding new uses and new markets for our agricultural products. The problem will not be solved—at least, not in a satisfactory way—by paying subsidies or by reducing production or by anything of the sort.

The problem will be solved only by increasing production—by having the farmers produce more and by having an increased economy, rather than a decreased economy. That simply must be the answer; there cannot be any other.

The only question is whether the Congress and the administration wish to go along as usual in regard to this matter; or whether we really want to do a proper job, and do it quickly.

As the able Senator from New Mexico [Mr. ANDERSON] stated a moment ago, in 1946 the Congress set up the laboratories. But perhaps both the Democratic administrations and the Republican administration since that time should be blamed, and perhaps the Congress itself should be blamed for not appropriating enough money and not requiring the administration to get this job done.

Today, I plead that we do the job. I plead that all of us get behind this program. Let us give the farmer some hope. Let us say to the American farmer, "We are going to get this job done for you. We are going to create new markets for your products. We are going to make it possible for you to grow more, instead of less."

By doing that, the farmer will be able to buy—and will buy—more farm implements and more of all other kinds of products; and the railroads will carry more grain and other farm products, and so will the trucking lines. The retail stores in the small towns in the farming communities will sell more. Everyone will gain; no one will lose.

Mr. SMITH of New Jersey. Mr. President, I thank the distinguished Senator from Indiana for the excellent presentation he has made.

Mr. CAPEHART. I thank the Senator from New Jersey.

Mr. President, I cannot conceive that anyone would be against this plan. In fact, I do not know of anyone who is against it. Some persons have said, "At the moment there are not enough engineers or scientists to make it possible for such a program to be carried out." However, Mr. President, in my opinion, those are alibis and excuses; they are not good reasons.

I have always said that when handed a lemon, make lemonade out of it.

In this case the farmers and the country generally are faced with a great problem because of the overproduction of agricultural commodities. We have encouraged the farmers to produce more and more. We have spent hundreds of millions of dollars for our agricultural schools, which have worked diligently to show the farmers how to produce more and more and more. The seeds have been improved. Today there is huge production; but the markets for it are insufficient. Let us be just as enthusiastic in helping the farmers find new markets as we have been in increasing agricultural production. Once we do that, we shall really be doing something for the American farmer, and we shall really solve this problem. Unless that is done, the problem will not be solved, in my opinion.

I do not want anyone to get the impression that I am criticizing the farm bill we

passed the other night, or that I am criticizing the Department of Agriculture, the Congress, or any individuals. I am simply trying to point out what is so obvious to me as a businessman and a farmer.

We ought to start on this program tonight. Possibly the Senate should remain in session tonight to pass this bill and set ourselves on the road toward accomplishment of this program.

Mr. CAPEHART. Mr. President, since I have heretofore introduced an identical copy of the 1956 bill, I will not repeat the text at this point.

In conclusion, I wish again to commend the Commission for its fine work, to express appreciation for its unselfish devotion to the major task which has claimed its attention, and to repeat my own gratification that the Commission's studies have approved the soundness of the recommendations I have been making over and over in the Senate.

The time for action by the Congress is long overdue.

HUMANE SLAUGHTER OF LIVESTOCK

Mr. PURTELL. Mr. President, earlier in the session I joined with the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Oregon [Mr. NEUBERGER] in introducing S. 1497.

Recently the then Acting Secretary of Agriculture, True D. Morse, returned an unfavorable report to the Chairman of the Senate Committee on Agriculture. I was furnished a copy of this report, and have replied to Chairman ELLENDER expressing my disagreement with the Agriculture Department's views on this subject.

I ask unanimous consent that my communication to the chairman of the Senate Agriculture Committee, as well as a copy of the Department's unfavorable report, be printed in the RECORD at this point.

I sincerely hope that my colleagues after reading the report and my reply will agree with me and press for action on this worthy legislation.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., May 13, 1957.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, United States Senate.

DEAR SENATOR ELLENDER: This is in reply to your request of March 6, 1957, for a report on S. 1497, a bill "to require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes."

The Department is in accord with the objective of humane handling of animals as proposed in S. 1497, but opposes the enactment of such bill. Our opposition to this bill is due to the mandatory aspects of the bill. We believed that the end result could best be obtained through scientific research and development and cooperation of the public, producers, farm organizations, industrial groups, and humane associations.

S. 1497 defines the terms "commerce," "Secretary," "person," "slaughterer," "livestock," "poultry," and "approved method." The bill provides that livestock and poultry must be slaughtered by an approved method. The term "approved method" means (1) in the case of livestock, rendering such livestock insensible before bleeding or slaughtering, by mechanical, electrical, chemical, or other means determined by the Secretary of Agriculture to be rapid, effective, and humane; (2) in the case of poultry, instantaneous severing of the head from the body or, if poultry is otherwise cut or stuck, by first rendering such poultry insensible by mechanical, electrical, chemical, or other means determined by the Secretary of Agriculture to be rapid, effective, and humane; and (3) slaughtering in accordance with the requirements of any religious faith. In addition, livestock and poultry could not be shackled, hoisted, cast, or otherwise brought into position for slaughter by any method that causes pain to the animals or fowl. The bill provides penalties for violations of its provisions. The bill further provides for the Secretary of Agriculture to appoint an Advisory and Research Committee composed of not more than 10 members and this Committee would advise him concerning any questions arising in the administration of the proposed legislation. The bill would be effective 2 years after its enactment. Upon a showing of good cause and upon the recommendation of the Committee, the Secretary of Agriculture could, by order, exempt any person from compliance with any provision of the proposed legislation for such period of time, not exceeding 1 year, as he determines to be reasonable.

The attitude of this Department is that a practical approach should be made to devise improved methods for the humane handling of livestock and poultry. Judgment of a procedure or method to determine whether it is in fact "humane" is extremely difficult, since all food animals must be killed and the act of killing is at best an unpleasant business. Wide differences of opinion are usually expressed about the practicality and the humaneness of any method of slaughter. Each method, in our opinion, must be most carefully considered and tested in the plants to determine these issues.

It is also apparent that much fundamental knowledge is lacking upon which to base an opinion as to the acceptability of one method over another from the standpoint of humaneness. It seems evident that research is needed to develop information which may shed light on this aspect of the problem.

It would appear from the title of S. 1497 that the bill is intended to apply to the slaughter of livestock and poultry in interstate or foreign commerce. It is noted, however, that section 2 of the bill is not limited in its applicability to slaughterers as defined in the bill, but is applicable to any slaughtering of livestock or poultry.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

JUNE 12, 1957.

Hon. ALLEN J. ELLENDER,
Chairman, Agriculture Committee,
United States Senate,
Washington, D. C.

DEAR MR. CHAIRMAN: I thank you for sending me a copy of Acting Secretary True D. Morse's report dated May 13 on S. 1497 which was introduced by Senator HUMPHREY for himself, Mr. NEUBERGER, and me. As you know, this bill would require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce and for other purposes.

I have read and reread Secretary Morse's report and failed to find a scintilla of substantive reasoning in opposition to this bill. I think, too, it is lacking in constructive criticism, other than that contained in the next to the last paragraph concerning the applicability of the bill. Of course, section 2, to which he refers, can easily be revised in committee. The Secretary points out in his report that "the attitude of this Department is that a practical approach should be made to devise improved methods for the humane handling of livestock and poultry. Judgment of a procedure or method to determine whether it is in fact 'humane' is extremely difficult, since all food animals must be killed and the act of killing is at best an unpleasant business. Wide differences of opinion are usually expressed about the practicality and the humaneness of any method of slaughter. Each method, in our opinion, must be most carefully considered and tested in the plants to determine these issues."

Of course, there are differences of opinion as to which would be the most humane method of slaughter; but I feel, since the bill would not become effective until 2 years after its enactment, this 2-year period of time would certainly give the Department ample opportunity to explore these methods and reach some consensus as to the means determined to be the most humane.

Secretary Morse goes on to point out that "fundamental knowledge is lacking upon which to base an opinion as to the acceptability of one method over another from the standpoint of humaneness." He goes on further to say that research is needed to develop information.

Obviously, research is needed, but is not a period of 2 years sufficient in which to conduct this research? Can we not draw upon the experience of other countries who have put humane slaughter into effect? And, as a matter of fact, it is my understanding that at least one very well known packing house in this country already employs humane methods of slaughter. Cannot some research information be obtained from this company?

In other words, I feel this report is more a statement of trying to find out how not to effect humane slaughtering methods, rather than getting to work and finding out how best we can accomplish this job.

Mr. Chairman, I have received literally hundreds of letters and many petitions from my own constituents and other people throughout the country urging the enactment of this legislation. Letters come from people in all walks of life, as well they should, because humaneness is not confined to any particular group of individuals in this country but, thank heaven, is shared in by all of us.

I plead most strongly that your committee proceed with action on this worthy legislation and report it favorably to the Senate.

Sincerely yours,

WILLIAM A. PURTELL,
United States Senator.

A MIDCENTURY APPRAISAL OF WATER AND POWER NEEDS

Mr. WATKINS. Mr. President, one of the greatest needs of the day in the field of natural resources in the United States is an abundant supply of water and electric energy. Recently the Farmers Union, under the direction of President Douglas Simpson, of Kamas, Utah, conducted a Western Water and Power Conference in Salt Lake City. This conference was widely attended. Under the very able and effective direction of President Simpson, it presented to the people of the Intermountain West and the whole United States some very excellent papers and addresses on ways and means of developing and using our water and power resources.

One of the notable addresses on that occasion was given by the Honorable George D. Clyde, Governor of the State of Utah. Governor Clyde has had an extensive background in water and power development. He was formerly dean of engineering at the Utah State University at Logan, Utah. He was also Director of Irrigation and Power Research for the United States Department of Agriculture in the 17 Western Reclamation States. In this field he has achieved national eminence for the able and efficient manner in which the research was directed and far-reaching results produced.

Later he became executive director of the Utah Water and Power Board. He accepted this position, although it seemed a step downward, because he believed the time had arrived when an all-out campaign should be made to develop the water and power resources of the State of Utah and the four upper Colorado Basin States. He was one of the strongest advocates of advancing the cause of the upper Colorado River storage project. I believe it would be to the advantage of all the Members of Congress to read the address of Governor Clyde. Therefore, I ask unanimous consent that the address be printed in full in the RECORD, as a part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A MIDCENTURY APPRAISAL OF WATER AND POWER NEEDS

(Address by Gov. George D. Clyde, Western States Water and Power Conference, University of Utah Campus, Salt Lake City, Utah, May 10, 1957)

Trying to appraise the Nation's and the world's needs for water and power in the next century, or even the next 50 years, gives one the feeling of unreality, of living in the world of Alice in Wonderland.

It is not only that rapid advancements of scientific progress leave one figuratively gasping. It is also because the requirements both for water and for power are increasing at such a fantastic rate that it is hard to relate them to the known and recorded experience of the past. Plotted on a graph, the curve swings upwards at such a steep angle that the analyst's feeling in following it is akin to that of being out into space in one of the new ultrafast jet airplanes, or perhaps even a rocket.

Quantities which used to supply the world's needs for centuries, and even millenniums, will soon be sufficient for only a few years. It has become necessary, in discussing power consumption and future power needs, to invent a new unit of measurement—something comparable to the megatons of equivalent TNT power in terms of which we discuss the energy release of A-bombs and H-bombs; and some alert newspaperman came up with the suggestion that we need "megabucks," dollars in comparably large quantities, to pay for the nuclear weapons program. Certainly it is that we are getting used to thinking and talking casually of quantities that used to be virtually beyond imagination, whether we are referring to Government finances, the production of home appliances, or the number of motorists crowding the highways when we go out for a Sunday drive. The once-awesome word "million" has become archaic in talking about our Federal budget—like including the odd pennies when we discuss the price of a new car. Already the word "trillion" is creeping into our everyday language in referring to future Government spending. The world population has left the millions class and gone into the billions.

In looking forward to the water and power requirements of the next 100 years, we similarly have to free our minds from the confining bounds of past experience and we think in entirely new terms.

We in this semiarid western region have long been familiar with the problem of securing sufficient water to meet our needs. So far, we have managed to stay a jump or two ahead of disaster, and right now we are beginning a tremendous undertaking, the Colorado River storage project, designed to develop our last available water source of any size, and put it to beneficial use. But we know, all too well, that there is a final limit on the water we can develop, save, reclaim, or otherwise lay our hands on—and that when that final limit is reached, our growth and industrial expansion must come to an end. There is no substitute for water, in the home, on the farm, or in industry.

Other areas, particularly the relatively humid eastern half of the United States, have had an abundant supply of water from the beginning of their history. The people take water for granted, and have not yet grown accustomed to thinking in terms of water conservation and full use. But even in the East, conditions are fast changing.

Just a few years ago, the great city of New York was getting panicky because a prolonged dry spell had caused the reservoirs which supply water to the city to run low. New York City has since acted to acquire supplemental supplies of water and is temporarily secure, but New Yorkers have learned the importance of water and that the supply of it is definitely not inexhaustible, even in the relatively humid East.

Cincinnati, Ohio; Peoria, Ill.; and many other eastern and midwestern communities have been encountering problems of water shortages in the past few years. Farmers in some areas of eastern United States have found it advantageous to follow the western practice of irrigation—and some of them have had a rough time of it, because eastern water law differs from western water law, it being based on riparian rights, without contemplating the impact of agricultural consumptive use of most sources of water supply for municipal purposes.

I venture to say that there are very few places in the world that do not have serious problems involving water. If it is not a problem of water shortage, it is one of water in too great abundance, producing damaging floods. Only a very few places are so blessed as to have a perfectly balanced water supply. Even in India, where the annual monsoon rains bring water from the skies in incredible quantities, there are extended periods of drought between rainy seasons, and vast areas of that nation are drought-stricken because the flow of water has not been adequately regulated.

As the population increases, this Nation and the world at large will face in increasingly serious problem of producing sufficient food. Right now, with our vexing agricultural surpluses, it is hard for most Americans to think in terms of food shortages—but even today there is not enough food produced to provide an adequate diet for all the people in the world. And in this Nation, our best agricultural economists estimate that we shall srtike a balance in food production about 1962. After that, we shall have little concern with shortages, but will be hard-put to bring every available and suitable acre of land into production to feed our population. And this, of course, will require water. Water will make the arid lands the breadbaskets of the world.

Our expanding industrialization will require tremendous quantities of water, and, as I shall discuss more fully in considering our power requirements, industrial expansion is likely to exceed the wildest estimates of a few years ago.

Aside from these special uses for water, we must have water for its own sake. No animal or vegetable life can maintain itself without water, and the demands of human beings for water is steadily increasing. It is not merely a matter of having enough water to drink but of having plenty for removing sanitary wastes, cooling, bathing, for our automatic washers, for washing our automobiles and to grow the grass and flowers and trees that beautify our homes. Not only do we have many millions more people than we had 50 or 100 years ago, but our per capita consumption of water has also increased substantially. And we can expect it to increase correspondingly in the years ahead—or, at least, we can expect the per capita demand for water to increase. We may have to restrain it artificially as we approach the limit of our available supply.

In a dry region such as this, I think there is no doubt that we must approach, and eventually arrive at, total consumptive use of our available water supply. To make full consumptive use of any source of water, requires complete control and regulation of the source of supply. This involves reservoirs, either on the surface or below the surface of the ground. Both manmade surface reservoirs and our natural subterranean reservoirs must be utilized fully and intelligently to reach our goal.

As we approach the limit of our available water supply, the problem of effective regulation becomes more complicated and the cost correspondingly greater.

The complexities and the costs can be met, if we plan intelligently for the multiple uses and distribute the financial burden proportionately. Storage of water for flood control, production of hydroelectric power, recreational uses such as fishing and boating—as well as storage of water for consumptive use in cities and towns, agriculture and industry, may be provided by the same regulating system.

The complexities, and cost of regulating our larger and more difficult streams and rivers, places the task out of the reach of private enterprise, acting alone and unaided. Multiple use development of our water resources, from here on out, can be best done under the partnership principle which has been enunciated by President Eisenhower, and under which agencies of local, State, and Federal Government work closely and in cooperation with private enterprise on projects that are in the permanent interest of all the people.

The comparatively recent action of the Federal Government in recognizing the principle of the basin account makes the partnership operation easier and greatly assists in solving the problem of river regulation. The principle of the basin account is that net revenues from the generation of hydroelectric power sold at competitive rates, from multiuse projects may be used to pay that portion of the cost of such projects that is beyond the ability of consumers of water to pay. Through this procedure, the costs of developing our remaining water and hydroelectric power resources may be shared by the direct beneficiaries, through their payments for water and power, and the indirect beneficiaries through the general expansion of the economy which always follows the creation of new wealth.

I think the program being formulated and followed in this semiarid region, where the ultimate utilization of every available drop of water is already in sight, can serve as a model for other areas where the problem may be further away in terms of full, ultimate impact, but is basically the same.

In other areas, where conditions differ, solutions may also differ—although they will not depart from the principle of developing, conserving and using all available water.

One of the most interesting programs of all time is now in the final planning stage in California, where the fabulous Feather River project contemplates taking millions of acre-feet of water from the rivers of northern

California, where it is not needed and is wasting into the ocean, and carrying it down to the parched southern end of the State. This is engineering on the grand scale, and shows what can be accomplished by modern tools and modern daring—and under the spur of necessity.

Another big source of water for the future is the desalting of the waters of the ocean. This is already an actuality, and the only remaining problem is to refine the process so as to bring down the cost. According to an article in the Saturday Evening Post 2 full years ago, the process had already been refined to the point of being very close to commercially feasible. In fact, it was even then being used under certain extreme conditions, where water was so urgently needed that it justified the cost that would be prohibitive in other parts of the world.

I am sure that before too many years have passed, the conversion of sea water will be a common practice and can meet the needs of seaside areas which do not receive sufficient rainfall. The limitation on this source of water will be the obvious one; it will not be practical to take it any great distance from the seacoast or to lift it to high elevations.

Water will become a more and more critical factor in the next 50 or 100 years. Many areas will reach their ultimate limit of development within that period. Other areas, where water supply has never been a problem, will have to begin careful husbanding of their supplies and careful planning for the future.

In turning, now, to appraise our future power requirements we find the picture, if anything, even more startling. This is because the rapidly increasing demands for power in the highly civilized and industrialized countries is soon going to be augmented by swelling demands from the vast areas of the globe that are now classified as "backward" in terms of industrial progress and of standard of living.

For many centuries, man's use of power was extremely limited. He simply did not know how to develop it and turn it to use. When man, back in the predawn of history, learned to use the wheel and the lever, the basic principles of mechanics, he increased his own productive capacity tremendously. Later, he learned to harness sources of power outside and beyond his own strength and that of his draft animals to these wonderful machines. The water wheel and the windmill were marvelous helps, but their application was limited, their operation sometimes uncertain, and their capacity for work comparatively small. Until the mid-19th century, these were the only genuine power sources man had at his disposal.

During this time, he did use comparatively limited quantities of the fossil fuels and the renewable fuels which are important sources of power in the modern world, but they were used mainly to produce heat, rather than power. And the rate of consumption, in terms of today's—and especially in terms of tomorrow's—use was extremely small.

In adding up the consumptive use of power fuels in the past, the present, and the future, it now becomes necessary to provide ourselves with a unit of measurement adequate to the task. As you know, the energy content of any fuel or other source of power is normally expressed in British thermal units. But in discussing the world power consumption and requirements, we should be lost if we tried to talk in terms of British thermal units. We should quickly get into the trillions, the quadrillions, the quintillions, and beyond. Even our modern minds, accustomed as they are to enormous numbers, would get lost. It would be like trying to discuss the Federal budget in terms of mills instead of dollars.

The unit of measurement which has been devised for our purpose is simply called "Q." But this one-letter appellation covers a lot of energy. "Q" represents the energy content of 38 billion tons of coal. Accepting this as our unit of measurement, we can talk in terms of world requirements, and make some revealing comparisons, without getting lost in a maze of ciphers.

From the time of Christ, which is just about the earliest date from which we have even reasonably accurate records, until 1850, it is estimated that the total consumption of power in the world was about 9 Q. This is the equivalent of some 340 billion tons of coal and a very impressive figure—when considered by itself. But when we came to comparing it with the consumption of power at the presently accelerating rate, it takes on a different aspect. If we were to continue our power use at the pre-1850 rate, we should have no worries about the future. At the rate of less than 5 Q per 1,000 years, our use of energy would not deplete our known sources, even of fossil fuels alone, for so long a time that we should not have to worry.

About the middle of the last century, however, the situation changed drastically. The invention of the steam engine placed a tremendous new source of power at man's disposal, and caused a corresponding increase in the consumption of fuel to produce the steam. As the 19th century ran its course and we turned into the scientific age of the 20th century, new sources of power were developed and their applications and uses multiplied. We learned to turn the power of steam into the much more versatile and useful power of electricity, and also to produce electricity from the energy of falling water. The internal combustion engine and the diesel engine were developed and improved, to provide conveniently mobile sources of power.

All of these new applications of power did wonders for man's productivity, and his standard of living rose to standards undreamed of in past centuries. They also used quantities of fuel that were fantastic by all past standards. The use of falling water to produce electricity did not, of course, deplete the earth's store of usable energy, for falling water is a renewable resource. But the other applications of power consumed "mined" fuels, whether coal or petroleum or some other fossil fuel; and these fuels, once used, are gone forever. They cannot be replaced.

The total consumption of power in the century from 1850 to 1950 was 4 Q—almost half the total that had been consumed in the 18½ centuries from the birth of Christ to 1850. The rate of consumption was almost 10 times greater than it had been in the days before the steam engine and the electric generator.

Even this new and accelerated rate, however, would not be cause for serious concern if it were to remain static. Our supplies of fossil fuels would hold up for a long time at the rate of 4 Q a century. But our rate of power production and corresponding fuel consumption is a long way from being static. It is accelerating at a breathtaking pace.

The population, both of the Nation and the world, is increasing steadily, of course. It is now estimated that world population—now a little more than 2 billion—will reach 8 billion in the next 100 years. This alone would account for a tremendous increase in the demand for power. But this is not the sole factor to be considered. The per capita consumption of power is steadily increasing, too.

Per capita consumption of power is not measured merely in the amount each individual utilizes directly. The use of all forms of power and power fuels by the individual, in operating home appliances and automobiles and the various other things that go into our comfortable modern way of life, is steadily increasing, of course. But the power requirements for manufacturing the appliances and the automobiles and for turning all the wheels of our vast and complicated industrial system also must be reckoned in.

It is most instructive, incidentally, to compare the consumption of power with the standard of living in various parts of the world. There is a very close connection between the two. A recent study by the United States Statistical Office presents a most interesting picture. A graph charting the position of the nations of the world in relation to their per capita consumption of energy and their per capita national income shows a virtually straight line, slanting from the lower left-hand corner where Burma, with a per capita annual energy consumption of only 0.3 metric tons of coal equivalent, has a per capita annual income of only 40 United States dollars, to the upper right-hand corner, where the United States leads the world in per capita energy consumption—the equivalent of more than 8 metric tons of coal—and in per capita income, at almost $2,600. Very few nations are off the straight line of the graph, and the deviations are minor. It is a basic fact of economic life that the use of energy in any nation is a measure of its standard of living.

Now, it should be noted, for it is important to the future of world development, that many of the backward areas—where the people have not yet learned to utilize energy in substantial quantity—hold substantial stores of energy fuels. The Middle East, with its tremendous oil reserves, is a classic example. The Middle East is supplying a large part of the petroleum requirements of the world at the present time. But the day is not far off when the people of the Middle East will want to use substantial quantities of their oil for themselves. This will automatically make it unavailable for the already industrialized areas that now depend on it, and put a further strain on other available energy sources.

If the increase in the use of power around the world continues at the rate of 4 percent each year—and in many areas it is now much greater than that—the next 50 years would see a total power consumption of 16 Q. That is almost double the total use of power from the beginning of the Christian era to 1850. More fantastic yet, if that same rate of increase continued through the second half of the century just ahead, the 100-year total power consumption would be 187 Q. That is 187 times the energy equivalent of 38 billion tons of coal. Expressed in terms of coal alone, that would be more than 7 quadrillion tons of coal—if your mind can grasp what so fantastic a figure implies.

There just isn't that much coal in the world, of course. And when we take all of our known sources of energy, and particularly of fossil fuels, we see more and more clearly the enormous size of the problem ahead.

Total world coal reserves, exclusive of Russia and Red China, where we cannot get accurate information, and in terms of coal that can be mined at not more than double the 1950 production cost—which is a pretty liberal estimate of how far we can stretch our economic pattern—are estimated at 16 Q. The estimates of recoverable oil and gas in the world are about 5 Q. Our oil shales can provide another 1 Q to the energy pool, and our petroleum sand a fraction more. But the total of all our known fossil fuels in the world, outside Red China and Russia, add up to something less than 40 Q in terms of energy content.

Compare this to the 187 Q we should need to maintain a normal 4 percent a year increase in power consumption, and you can see how short is the life expectancy of our fossil fuel reserves.

We are now beginning to develop atomic power for general use, and, while this development is in its infancy, there is no doubt at all that it will play an increasingly important role as time goes by. In fact, if it were not for this new source of power, the outlook might be bleak indeed, for the end of our store of fossil fuels is already in sight.

Just what is the total reserve of nuclear power cannot at this point be estimated, due to the incompleteness of available data and to the fact that so much of the information concerning atomic energy development has been classified. We do know, however, that the potential is tremendous—and this is most fortunate.

At the same time, we must not lose sight of the fact that nuclear power also has its definite limitations. To begin with, nuclear fuel is a mined fuel, just as are the various fossil fuels. That means that once it has been used, it is gone forever. It is nonrenewable. Whatever the total reserves of fissionable materials, they can eventually be exhausted.

Another limitation to the use of nuclear power lies in the problems growing out of the very action of fission that creates the power. It also creates radiation that is highly dangerous to human beings, and an atomic power plant must be shielded by tremendous layers of lead, concrete or other materials that form effective barriers to radiation. This makes for a heavy, ponderous installation that is fine for stationary powerplants, and for heavy transportation, but far less suited to light transportation and various other mobile uses.

The limitations on our mined fuels, plus the fact that our hydrocarbon fossil fuels have vitally important uses as sources of chemicals as well as their use as fuels, places obvious and heavy emphasis on the importance of our renewable sources of power. There are such things as wood, which has relatively small importance as a source of power, and which is renewable but over a long cycle of years. There are farm wastes that can be burned. There is the potential power of burning accumulated and dried algae from stagnant waters, but at present the price of processing is prohibitively high. There is the power of ocean tides in a few favorable locations. Where air movement is heavy enough and consistent enough to make it reasonably reliable, wind becomes a source of power. There is solar power, which we are just beginning to develop and which is still too expensive for commercial application, but which may have importance in the future. And, of course, there is the power of falling water: Not used, as our forefathers used it, to turn a simple water wheel, but to turn giant dynamos and create hydroelectric power.

The total potential over the next 100 years of all these renewable sources of power put together is estimated at only 8 Q. This may look small, compared to the tremendous demand for power which we have and which is so rapidly increasing, but its importance can hardly be over-emphasized. Our mined or so-called capital fuels must be conserved as much as possible, both for their advantageous use as fuels and for their value as sources of important chemicals, and maximum use of renewable or "income" fuels offers our best hope of conserving them for the longest possible time. It should be remembered, too, that the 8 Q energy potential of our renewable fuels is not a lump sum that can be utilized once and then is gone forever. It is a recurring figure, that can be used in calculating our energy potential into the future indefinitely. There will be another 8 Q energy content—probably considerably more as some of these renewable sources are further developed—for use in each succeeding century.

The development, and maximum utilization, of hydroelectric power is particularly important in the year ahead, for it is closely tied to the development and full use of water supplies.

As we approach and reach total consumptive use of water in the inland arid and semi-arid areas of the world, as I have indicated that we must and will, the water available for generating hydroelectric power will not be reduced, but will actually increase. If water is to be put to full consumptive use, it must be stored to prevent its loss during the high-runoff seasons of the year. When water is stored, it is ready to perform the function of generating hydroelectric power as it is released from the storage reservoir to be put to consumptive use. Many streams now running uncontrolled or partly controlled will be brought under full control, and in most cases it will be possible to construct multiple-purpose reservoirs, from which power in varying quantities can be generated.

Hydroelectric power is of particular value for "peaking" purposes—as a standby to a steam-generating plant, for example, to supply power needed for the periods of the day when peak or maximum demand for electricity are encountered. Steam-generating plants are comparatively inefficient for this purpose. When the demand for electricity drops, the furnaces cannot immediately be shut down or reduced, and considerable fuel is burned wastefully. But when the demand drops, the outlet gates of a reservoir are shut almost instantaneously, and the potential energy of the stored water is saved for use in another period of peak demand.

To sum up, the water and power needs of this Nation, and for the world, in the next century will require maximum efforts if they are to be successfully met.

In all but a few very humid areas, water will have to be most carefully conserved, and even many areas which have heretofore been considered humid will have to revise their thinking and start appraising water in terms of maximum consumptive use.

In the arid and semiarid areas, water will inevitably be the final limiting factor on growth, and many of these areas may reach their ultimate limit of development comparatively soon. Antipollution efforts will be increased, wasteful practices eliminated, and every available source of water developed to the fullest practical extent. It is more than probable that the water supply, rather than any other factor, will place a curb on the use of power also, for all of the manufacturing processes that require extensive quantities of power also require great quantities of water. Except for the conversion of sea water to fresh water, there is no unlimited source of water in the world; and even this potential supply is limited by the cost of the conversion process and the fact that it could be utilized only in close proximity to the shore and would not ease the problem of inland areas.

In assessing our power requirements, I think we should be conservative in estimating the rate of growth of our power output. While the 4 percent a year increase I used earlier as a basis of calculations is not large in terms of present trends in many areas—right here at home, the Utah Power & Light Co. increased its output at the rate of 9 percent a year in the first postwar decade—and while there will be great pressure from the backward areas of the world to move ahead on a program of industrialization, I believe the competition for available power sources will force some slowdown in the tempo. I believe 3 percent, rather than 4 percent, a year will be the probable average rate of expansion around the world. But that 3 percent increase, compounded annually, will bring a total demand for energy in the neighborhood of 72 Q's, which is considerably beyond the total of our fossil fuels, but can be effectively met through judicious use of fossil fuels where conditions make them particularly desirable, through steady expansion of our nuclear power resources, and through maximum utilization of the hydropower and other renewable sources of energy.

The key to the future, I believe, is the development of our water resources through efficient multiple use projects constructed under a partnership program between Government and private enterprise. Nothing should be wasted, and nothing improperly used.

This will require clear thinking and careful planning. Conferences such as this show that the problem is fully recognized and is being attacked in orderly and intelligent fashion.

May success attend your efforts.

COMMENDATION OF THE PASSPORT OFFICE

Mr. CARLSON. Mr. President, every Senator's office receives many calls from his State in regard to visas and passports. My office is no exception; and during the past several years I have noticed a marked improvement in the speed with which passports are processed.

For some time I have wished to express my appreciation for the fine service we receive from the Director of the Passport Office, Miss Frances G. Knight, and her staff.

I know personally of occasions when citizens have telephoned me from Kansas, and have stated they were on their way to New York, and hoped to have a passport on arrival. Those who are familiar with the securing of passports know it takes time to check on all the details and to issue a passport.

On one occasion, one of my friends had a passport which had expired, but he did not find out about it until he landed in Newfoundland. It was necessary for him to return to the United States, and to have his passport renewed. Through the kindness and assistance of Miss Knight and her staff, he was delayed only a very short time in New York, and was practically back on his airline schedule in a matter of 1 or 2 hours.

An article by Phil Casey, published in this morning's issue of the Washington Post and Times Herald, encouraged me to make this statement to express my appreciation to Miss Knight and the Passport Division. From the article I am interested to note that despite the fact that they are now issuing passports in from 4 to 5 days during the rush travel season, they expect to reduce the time to 2 days within the next year.

In this jet age in which the world has shrunk in size, we are fortunate in having in our Government an agency that is keeping step with the progress of transportation.

DEATH OF LUTHER PATRICK

Mr. KEFAUVER. Mr. President, I know that many of my colleagues who knew him as I did shared my grief at the death of former Representative Luther Patrick, of Alabama.

I served with Mr. Patrick in the House of Representatives, where he represented the Birmingham district for four terms.

Although he has been in ill health during recent years, he continued an active interest in his community life and

in the affairs of the Nation. He will be greatly missed. Our sympathies go to his widow and daughter, Mrs. Patricia Brasher, of Birmingham, who survive him.

Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee has the floor.

NOTICE OF MEETING OF ANTITRUST AND MONOPOLY SUBCOMMITTEE AT 10:30 O'CLOCK A. M. TOMORROW

Mr. KEFAUVER. Mr. President, I wish to give notice that at 10:30 o'clock tomorrow morning, at room 457, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary will continue its hearing in connection with its consideration of rapid tax amorzation and its effect on monopoly and small business. At that time particular attention will be given to the legality of rapid tax certificates to industries which have a guaranteed income, of which the Idaho Power Co. is one. Also, Mr. Gordon Gray has been invited to testify further at this meeting in connection with a memorandum he received from Dr. Flemming in connection with the Idaho Power certificate, which would throw a good deal of information on the issue, if he is willing to tell about it.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. DIRKSEN. I should like to ask the Senator from Tennessee a question. It is likely that the Senate may meet early tomorrow morning, in which event the committee session would be very short. If there were a request for permission to sit, I would almost be constrained to object, because of the business to be transacted on the floor of the Senate. I understand the Hells Canyon bill is coming up for action.

Mr. KEFAUVER. It was not my understanding the time of the meeting of the Senate for tomorrow had been fixed.

Mr. DIRKSEN. That is correct. I was basing my statement entirely on anticipation.

Mr. KEFAUVER. I hope that if the Senate meets early the subcommittee will have permission to meet.

Mr. DIRKSEN. I would object. I think we should be present on the Senate floor if the Senate should convene early.

Mr. KEFAUVER. That is a contingency.

JURY TRIALS IN CIVIL RIGHTS LEGISLATION

Mr. NEUBERGER. Mr. President, on this day, when the House of Representatives is likely to pass a civil-rights bill, I believe it might be appropriate to present to the Senate an illuminating and penetrating article on this vital question by Gen. Telford Taylor, noted lawyer and author. In the New York Times magazine for June 16, 1957, under the title of "Crux of the Civil Rights Debate," General Taylor has effectively answered the claim of opponents of the civil-rights bill that this legislation should contain a jury-trial amendment in injunctive suits brought in Federal court to require that the voting privileges of Negro voters be respected. He is against such an amendment.

General Taylor has demonstrated, in this New York Times article, that there are no comparable questions of fact at stake in prospective voting-right suits in the South, to relate in any way to the suits which took place concerning strikes by trade unions in the era when the Norris-LaGuardia Act first was adopted.

While I realize that this is a highly controversial issue, General Taylor is a brilliant lawyer, and I believe his article should be made available for the information of Members of the Senate. I ask unanimous consent that it appear in the body of the RECORD as a contribution to the whole civil-rights question, which is one of the central issues of our time.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CRUX OF THE CIVIL RIGHTS DEBATE

(By Telford Taylor)

By far the most important provisions of the administration's civil rights bill are those which authorize the Attorney General to bring Federal court proceedings in behalf of persons whose rights are being threatened or denied. Should this bill (S. 83, introduced by Senator EVERETT M. DIRKSEN for himself and 36 other Republican Senators) become law, the Attorney General could obtain Federal court injunctions directing State officials to registered qualified Negroes as voters, to eliminate segregation in a school system or to observe other civil rights.

Racial discrimination is a social ailment, and many of its manifestations lie beyond the proper reach of court proceedings. The law cannot stamp out the physical differences between races, nor can it eliminate the low standards of living, lack of education, and other disabilities which are both cause and consequence of anti-Negro discrimination, especially in the South.

Furthermore, since the ultimate object is to cultivate friendly relations based on mutual respect between the races, litigation is not the most propitious avenue to this end. Regardless of their outcome, lawsuits rarely foster harmony and trust between the parties. Therefore, litigation to enforce civil rights is not a desirable first step toward their fulfillment, but rather is a last resort when the prospects of voluntary remedial action by the community appear hopeless.

Unhappily, in the South these prospects remained remote for three-quarters of a century, and in several States progress is still distressingly slow. In many parts of Mississippi, for example, State election officials simply refuse on one pretext or another to register Negroes on the voting rolls. The individual Negro, however clearly qualified to vote, is virtually helpless. So, at the present time, is the Federal Government, for even if the Negro should persuade the United States attorney to prosecute the officials, the election would be over long before the case would come to trial, and local juries would probably acquit the officials in any event. Under the administration bill, however, the United States attorney could obtain a Federal court order directing the election officials to register the Negro and record his vote, and disobedience could be promptly punished by imprisonment for contempt of court.

In the field of racial segregation, the courts have been of more help to the Negro. If he has the temerity he can apply for a court order granting him admittance to a school, or access to other public facilities, on an unsegregated basis. Indeed, this is why the courts have in recent years played so crucial a role in the civil-rights controversy.

The current phase of that controversy stems from the Supreme Court's decision 3 years ago in the school segregation cases. When the Court spoke, there was reason to hope that its decision would be given general effect by voluntary, even if gradual, action by local school authorities. In some localities—notably Louisville and Charleston, W. Va.—this is just what happened. But in large areas of the South, the aftermath of the segregation cases has been a wave of repressive prosegregation sentiment and organized activity. The Supreme Court's decision is not self-enforcing, and instead of spelling the end of an era of civil-rights litigation, it has marked the beginning of a new and even more bitter phase.

In such an unhappy impasse, it is at least better that the issue be dealt with by courts and lawyers than by bullets and fiery crosses. If we must resign ourselves to the prospect of a new series of Court actions to enforce the law of the land and vindicate the dignity of man, then the legal principles and procedures to be applied in this tense and touchy milieu are indeed a matter of deep national concern. They must be effective to achieve the end in view—equal access to public facilities regardless of race—but only by methods which commend themselves to our sense of justice.

In these terms, the administration's proposal that the Attorney General be authorized to sue in the name of the United States is thoroughly sound. Under our Constitution and laws, the elimination of racial discrimination—whether in public education, transportation, recreation or the franchise—is the national policy. It is fitting and proper that the Attorney General should be charged with the advancement of that policy within the ambit of his duties as the Nation's chief law officer.

The Attorney General's participation has great practical as well as symbolic value. In general, those deprived of their civil rights are those least able to assert them. It takes fortitude, and a willingness to face physical and economic hazards, for a Negro to bring a civil-rights action. Not a single school-integration suit has yet been instituted in Senator EASTLAND'S State of Mississippi.

Because the individual southern Negro rarely has the resources to go to law, most of the southern civil-rights cases have been sponsored or supported by protective organizations such as the National Association for the Advancement of Colored People (NAACP). Indeed, the NAACP's legal spokesmen have been so effective in focusing the attention of bench and bar on the civil-rights problem, and in bringing their cases to a successful outcome, that this association is now the target of a wave of new southern State legislation designed to harass and cripple it, or even to drive it completely out of the South.

At once the most interesting and alarming among these recent laws are those relating to barratry, the old and almost forgotten crime of instigating disputes and lawsuits. The rare prosecutions for this offense in the past always involved malicious harassment, or venal schemes to profit from other peoples' quarrels. But now Virginia, Georgia, and South Carolina have enacted new barratry statutes, intended for specific application to the NAACP and like organizations, which forbid any person to encourage or finance litigation in which he has no personal or direct interest.

The dangerous implications of these measures are clear and numerous. Their underlying principle might as well be applied to the American Society for the Prevention of Cruelty to Animals and the Society for the Prevention of Cruelty to Children, and to all sorts of organizations to suppress vice and obscenity or to maintain professional and business standards, as well as to groups dedicated to the safeguarding of human rights. The result of such laws is not only to throw the individual victim back on his own resources, however slender, but also to deny every citizen one of the most precious of all rights: To concern himself that justice be accorded his fellow men. As the Supreme Court of South Carolina declared in a barratry case decided in 1830: "The pursuit of right, whether public or private, can never be an offense where justice alone is the end in view."

Southern legislatures have also passed statutes requiring registration of organizations such as the NAACP and public disclosure of the names of their members and contributors, and providing for the disbarment of attorneys involved in "barratrous" cases. Thus the repressive impact of these laws, and of the public temper which they reflect, is felt not only by the Negro, but also by the white man who departs from accepted southern attitudes. Indeed, one of the most distressing social consequences of the civil-rights crisis has been the pressure for conformity of word and deed among white southerners, and the accompanying erosion of freedom of speech and press.

It is these circumstances that make the Attorney General's participation in civil-rights litigation so necessary. If southern legislators are determined to make it hazardous and often impossible for civil rights to be enforced by private action, then there is no alternative (other than nullification) to enforcement by the Federal Government as a litigant in behalf of those whose access to the courts is thus obstructed.

While some southern legislators are openly hostile to any such measure, the more effective opposition has come from those who, like Senator SAM J. ERVIN, JR., of North Carolina, have directed their shafts at the administration bill's most controversial feature: the method of enforcing court injunctions. Under the Attorney General's proposal, if, for example, State officials should be accused of failure to comply with a Federal court order for school integration, the judge who issued the injunction would hear the case himself and, if he found the officials guilty, could jail them for contempt of court. This procedure, says Senator ERVIN, amounts to "robbing our citizens of their right of jury trial." Accordingly, he and other southerners have argued that persons accused of violating such injunctions should be punished only after a jury trial and a verdict of guilty.

The issue thus drawn has great practical significance, for in the public temper now prevailing in many parts of the South, juries would not convict in such cases, even if the violation of the injunction were open and notorious. Indeed, Assistant Attorney General Warren Olney has publicly characterized the southern jury-trial proposal as a clever device to nullify the civil-rights program.

No doubt nullification is the real purpose in the minds of at least some of the jury-trial proponents. But this circumstance is not a solution of the issue in either legal or social terms. Obviously, we should not make exceptions to the jury system in order to enforce locally unpopular laws, any more than we should exceptionally require jury trials in order to obstruct such enforcement. Justice does not require absolute logic and utter symmetry, but it does call for stability of principle.

Nor is the answer to be found in the Bill of Rights. Senator ERVIN has tried to blow the constitutional trumpet, but in this case it sounds a false note. The sixth and seventh amendments respectively guarantee the right of jury trial in criminal prosecutions, and in suits at common law (generally speaking, for money damages). Injunctions, however, are issued under a court's equity powers, to which these amendments do not apply. Even during colonial times, American judges tried injunction violation cases without juries, and the seventh amendment did not change that procedure.

But if those accused of violating civil-rights injunctions may constitutionally be tried and punished by a judge alone, it does not necessarily follow that this would be a wise practice. Undoubtedly Congress also has power to provide for jury trials in such cases. The problem now at hand is to determine what course is preferable as a matter of legal and social policy.

Until about the turn of the century, the suggestion that a jury be used in injunction-violation cases would have been regarded as preposterous. But at that time, as now, the Federal court injunction became the focus of social controversy. During the turbulent labor disputes that marked the early growth of trade unionism, employers often obtained injunctions against picketing, boycotts, and other union practices. Some of these were drawn in sweeping terms, and strikers and union organizers were haled into court and jailed for contempt under circumstances that aroused bitter labor opposition.

As a result, in 1914 Congress passed a statute requiring jury trials, as a safeguard against judicial severity, in certain Federal injunction-violation cases. In 1932 the Norris-LaGuardia Act imposed numerous other restrictions, including jury trial, on all injunction cases "involving or growing out of a labor dispute." However, these laws of 1914 and 1932 have now lost most of their practical significance in the labor field. Under the National Labor Relations Act, Federal participation in labor-management disputes is largely committed to the National Labor Relations Board. Court orders affirming the board's decisions may be enforced by judges without the use of juries, as is the practice with numerous other Federal agencies.

But if the labor-injunction legislation is no longer important, its history teaches lessons that may usefully be applied in resolving the present controversy. It was the vague and sweeping language of the old labor injunctions—prohibiting a broad and undefined range of conduct and purporting to bind not only the parties to the suit but all the world as well—that was their essential vice. Where there may be substantial doubt whether or not a person has in fact deliberately disobeyed an injunction, the impaneling of a jury may be an appropriate safeguard, for juries customarily decide such questions of fact.

In the usual civil-rights injunction case, however, there will be no such factual issues. Most of them will apply only to local officials, whose compliance or noncompliance will be a matter of public record. For example, if a county school board should refuse to comply with a court order to integrate the schools, it would be absurd to require a jury trial, for there would be no question of fact for the jury to decide. Those who advocate jury trials in such situations can only intend that southern juries be allowed to nullify civil-rights laws by refusing to convict even flagrant violators. It is to be hoped that responsible southern legislators and other leaders will not take so anarchic and indefensible a position.

There may, however, be exceptional situations where a court issues a broad injunction—for example, forbidding anyone to obstruct or interfere with the integration of a school or transportation system. In such cases (the Clinton, Tenn., school fracas is a good example) there may be real doubt about what a person actually did, and whether he intended to disobey the court order. In line with the labor-injunction experience Congress might profitably consider making provision for jury trial under carefully specified conditions.

From the foregoing some conclusions may be drawn:

1. There is ample reason for authorizing the Attorney General to obtain Federal court orders for the enforcement of civil rights, as is proposed in the administration's civil-rights bill.

2. There is no reason to require jury trials in civil-rights injunction-violation cases generally. Such a requirement would be wholly out of keeping with judicial practice and experience, would encourage flouting the law and would undermine the national policy in the civil-rights field.

3. Civil-rights injunctions should be enforced, if possible, in the same way and under the same safeguards as other Federal court injunctions. It is not the subject-matter but the scope of the injunction and the nature of the questions which its enforcement may raise that should determine whether or not a jury should be impaneled.

4. Congress might usefully re-examine the laws which presently govern Federal injunction enforcement, some of which are outmoded. It may be reasonable to require jury trials where guilt or innocence of contempt involves substantial factual questions. Another possible safeguard would be an upper limit on the penalties which may be imposed by judges, to insure that the contempt power will be used primarily for remedial rather than punitive ends.

It is along these lines that the current controversy about the administration's bill may perhaps be resolved. Certainly it should be possible for Congress to find a way to promote the national policy against racial discrimination by means which are consonant with the constitutional requirements of due process and which will strengthen the fabric of justice.

THE SENATE RULES

Mr. NEUBERGER. In conclusion, Mr. President, I should like to propound a parliamentary inquiry. When the Senate is in the morning hour, how many minutes is each Senator supposed to be allotted for each item which he discusses?

The PRESIDING OFFICER. The Chair is advised that it varies, depending upon the request of the majority leader. This morning the request, to which unanimous consent was given, was for 5 minutes.

Mr. NEUBERGER. This is a parliamentary inquiry which I am stating. I think it bears upon what we discussed this morning. If a Senator speaks longer than 5 minutes on any subject, without asking unanimous consent to continue, is that Senator in violation of the rules?

The PRESIDING OFFICER. Not unless some other Senator objects or calls for the regular order, which was done this morning. He would not be in violation of any rule.

Mr. NEUBERGER. I should like to have the RECORD show that there were many Senators who spoke on the floor this morning, demanding strict adherence to the rules of the Senate to the last single letter of the rule—rule XIV, XXII, I do not remember all of the exact numbers. Yet those very Senators who spoke took longer than the time allotted. I clocked one of them at 26

minutes. One of them spoke 26 minutes during the morning hour without asking unanimous consent, on the subject of strict compliance with the Senate rules.

I am a very new Member of the Senate, but I have observed that the rules are very flexible; that one holds with the hounds and runs with the hare, as he chooses.

I think the RECORD should show there were many speeches urging strict compliance with the rules that were far beyond the normal time which the rule allows.

The PRESIDING OFFICER. However, the fact is that the Chair was bound by the objection raised from the floor. Since that time no Senator has exceeded the time limit.

Mr. MANSFIELD. Mr. President, I wish to state that it is the custom for the Chair to be lenient. So long as no objection was raised, the Chair, I believe, was acting in a perfectly proper manner. When objection was raised and the regulard order called for by the junior Senator from Vermont, then, of course, the procedures of the Senate went into action, and the Chair has acted circumspectly since that time.

THE SENATE RESTAURANT

Mr. TALMADGE. Mr. President, as chairman of the Subcommittee on the Senate Restaurant, I should like to report that the subcommittee held a meeting on Wednesday, June 12, 1957, to consider ways and means of diminishing the financial deficit in the operations of the restaurant facilities in the Senate. At that meeting, the Senator from Montana [Mr. MANSFIELD], the Senator from New York [Mr. JAVITS] and myself met with representatives of Nationwide Food Service, Inc., the Senate restaurant contractor, and staff personnel of the Senate Committee on Rules and Administration, to consider a comparative study and analysis of the individual prices listed on the Senate menus. In our deliberations, we received valuable counsel from the Senator from Illinois [Mr. DOUGLAS] and the Senator from Oregon [Mr. NEUBERGER], both of whom had demonstrated admirable interest in the problems which beset the restaurant. In behalf of the subcommittee, I want to thank them and others of my colleagues who have offered helpful suggestions in connection with the senatorial cuisine.

The Senate restaurant contractor recommended upward price adjustments in many of the items carried on the menu. Those recommendations were predicated on a comparison of the prices charged for food in similar local restaurants. As I am sure all of my colleagues realize, any endeavor to compare prices involves intangibles and the peculiarities of varying facilities. Despite these factors, however, it was apparent that our restaurant here in the Capitol was, in most cases, charging less than the going rate. In those circumstances, the members of the subcommittee unanimously decided to approve the price increases recommended by the restaurant contractor. I can assure my colleagues that the increases are both modest and justified.

In a further attempt to lower the cost of operation of the Senate restaurant, the Restaurant Subcommittee also approved another recommendation of the restaurant contractor, to allow adjustments in the annual leave plan for employees in the Senate restaurant. For the information of those Senators who may not be fully acquainted with the background of the Senate restaurant operations, the dining room facilities, prior to 1947, were operated by the Architect of the Capitol, and the employees of the restaurants were Government employees. As such, under the leave system then in effect, all those employees enjoyed 26 days' annual leave. Since 1947, the employees of the Senate restaurant are no longer employees of the Federal Government. In the beginning, the restaurant contractor, who retained practically all of the restaurant employees, allowed the privilege of 26 days of annual leave to continue. In the intervening years, since 1947, the Federal Government has revised its own leave system so that the 26 days' leave, previously granted to all employees, is now reserved for those employees with at least 15 years of Government service. Other Government employees receive 20 days a year, if the employees have at least 3 years of service, and for employees with less than 3 years' service, the current allotment is 13 days a year. It was Nationwide's recommendation that a parallel adjustment in the vacation time of restaurant employees was long overdue. After careful consideration, the Senate Restaurant Subcommittee gave its consent.

Admittedly, Mr. President, the action taken by the Restaurant Subcommittee at is recent meeting does not solve entirely the financial problem of operating an essentially "one meal" type of eating facility, with all of the other comparatively unique features attendant upon the operation of a restaurant in the United States Senate. It is estimated, however, that the subcommittee's decisions will reduce the restaurant's operating costs by approximately $22,000 during the coming year. This is a step in the right direction.

We of the Restaurant Subcommittee wish to assure all Senators and Senate employees that we will continue to exercise diligence and vigilance in the interest of providing the best quality of food with the maximum of service and at reasonable prices. It is our hope that, with the establishment of more adequate and modern cafeterias and dining-room accommodations in the new Senate Office Building, the Senate restaurant can eventually be maintained without an operating deficit. This is a goal which apparently has not been reached in our generation. With the cooperation of all concerned, positive advances toward that objective can reasonably be expected. In closing, I wish to thank again all of those who labor daily with us and who have demonstrated their understanding interest in our common problem.

Mr. CAPEHART. Mr. President, I am not a member of the Committee on Rules and Administration, and I have nothing to do with the cost of operating the Senate restaurant. However, I think the wrong impression has gone out to the country in respect to the Senate restaurant.

I believe the restaurant serves approximately 5,000 meals a day; and yet less than 250 of those meals—possibly only about 200 of them—are served to Senators. The best way to eliminate the expense would be to permit Senators to have their own club, pay the Government rent for the restaurant, and let Senators sustain the full cost, eliminating the serving of meals to employees, members of the press, and visitors who come to Washington.

The employees of Senators, members of the press, and visitors consume about 5,000 meals a day, whereas the average number of meals consumed by Senators, I am told, is about 200. So the expense is not the result of serving meals to Sentors. It is the result of serving meals to visitors, employees of the Senate, employees of Senators, and members of the press.

I do not know why so much fuss is being made over the question. If we wish to be perfectly fair and honest, we can easily understand the cause of the expense. There are only 96 Senators. If they all took their breakfasts, lunches, and dinners here, there would be less than 300 meals a day served to Senators. As Senators know, Senators do not take their breakfasts in the Senate restaurant, and very seldom have supper there, unless the Senate is in session late.

So possibly 150 meals a day are actually served to Senators. I think those who have been criticizing and causing the Senate itself and individual Senators to be criticized for this subsidy, ought to be fair. It should be pointed out that it is the visitors and employees of the Senate, along with the members of the press, who consume the food. If there is any subsidy, it is going to those people, and not to Senators.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 12 o'clock noon tomorrow; and that in the event action has not been concluded on the treaty, the Senate convene in executive session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I give notice that if by remaining in session until a reasonably late hour this afternoon, perhaps 5 or 6 o'clock, we can conclude action on the treaty, we will do so; if not, we will go over until 12 o'clock tomorrow.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. Under the order now entered, the Senate will convene in executive session, will it not?

The PRESIDING OFFICER. The Senator is correct.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. THOMAS, Mr. YATES, Mr. EVINS, Mr. BOLAND, Mr. CANNON, Mr. VURSELL, Mr. OSTERTAG, Mr. JONAS, and Mr. TABER were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WHITTEN, Mr. MARSHALL, Mr. NATCHER, Mr. BOWLER, Mr. CANNON, Mr. ANDERSEN, Mr. HORAN, Mr. VURSELL, and Mr. TABER were appointed managers on the part of the House at the conference.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

THE ATOMIC DILEMMA

Mr. MANSFIELD obtained the floor.

Mr. FULBRIGHT. Mr. President, will the Senator yield in order that I may suggest the absence of a quorum?

Mr. MANSFIELD. I yield.

Mr. FULBRIGHT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I ask unanimous consent that 2 speeches which I delivered on atomic and nuclear weapons 2 years ago, as well as certain excerpts from 4 commencement-day addresses which I delivered in Montana and Iowa within the past 3 weeks, together with certain statements by radio commentators and newspaper editors, as well as certain articles from various publications, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, the material referred to may be printed in the RECORD, as requested.

(See exhibit 1.)

Mr. MANSFIELD. Mr. President, 12 years ago the United States detonated the world's first atomic bomb in New Mexico. Since then there have been close to 100 nuclear explosions. The United States has exploded about 65 bombs. The Soviet Union has tested 20 or more, and the United Kingdom has tested at least 7, including its first 2 hydrogen bombs in the vicinity of Christmas Island in the Pacific. The British have now joined the ranks of those capable of producing thermonuclear weapons, capable of unheard of destruction. Recent tests by the United States, the Soviet Union, and the United Kingdom, have added fuel to a growing controversy in this field.

During the last presidential campaign, the testing of thermonuclear weapons was one of the dominant issues of the campaign, and in the past several weeks the subject has again come sharply into the public eye. The problem of H-bomb tests and radioactive fallout is perhaps the most dangerous problem that confronts the world.

This issue, so important to mankind and for so long shrouded in secrecy, has been brought into the open for discussion. The scientists and leaders of the free world who have had the courage to tell the public of the great risks involved in the continuation of nuclear tests deserve our gratitude. As I have said on a previous occasion, "to accept the thesis that this subject should not be discussed with the American people is to lay open the possibility that history and science may bring about the era of the last man."

The discussion of hydrogen-bomb tests and their aftereffects is not something that can be treated lightly. It is an issue which must be reckoned with seriously and speedily. It is not, I repeat, not, a partisan issue.

I believe that we are approaching the saturation point insofar as the number and destructiveness of the large thermonuclear weapons are concerned. If we continue these tests, we will be gambling with future generations of mankind. We will be pushing toward the brink of total destruction.

The distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON] in a recent New York address presented what I consider to be one of the finest recent statements on American foreign policy. It was extremely well timed in view of the current disarmament talks and the worldwide debate over the continued testing of hydrogen weapons.

The majority leader has offered a sound, shrewd program to counteract Soviet propaganda. The plan he has put forward calls for the systematic presentation of American views on Sovietwide uncensored radio and television facilities. This proposal, if followed, would beat —or at least meet —Khrushchev and the Soviet leaders at their own game.

If adopted by the administration, this open-curtain idea would effectively put on the Soviets the burden of proof whether they are sincere in their profession for ending the nuclear-weapons race.

The senior Senator from Texas proposed that we as a nation take action on five objectives, all leading toward the ultimate of a worldwide agreement on disarmament. I am particularly interested in his third objective, a frank and open search for a method of suspending tests of the bigger nuclear weapons, under airtight conditions which give full protection against violations.

As the majority leader states, "we must create a new world policy. Not just of open skies, but of open eyes, ears, and minds, for all peoples of the world." He insists that the case must be submitted to the people of the world and I am sure that if this great issue is freely discussed the people of the world will demand an end to the testing of large thermonuclear weapons.

Again, I want to say that the speech of the Senate majority leader has provided a firm and constructive position on the greatest issue of the day.

In 1955, I expressed my views to the Senate on nuclear and thermonuclear weapons, their development, and their part in our domestic and foreign policies.

At that time, I tried to examine in an objective way the various ramifications of the radioactive fallout and destructiveness of these weapons. I discussed the pros and cons of continuing atomic and hydrogen bomb tests and the part those tests play in our defense. I suggested some means by which we might develop an effective program to combat the threat of worldwide destruction in nuclear warfare.

MULTILATERAL BAN ON TESTS

In the two years that have passed since I first expressed myself on this issue, I have given it a great deal of thought, and everything leads me to feel that a multilateral ban on nuclear tests is an essential first step if mankind is to survive.

Some two weeks ago, Mr. President, in a commencement address at Clarke College in Dubuque, Iowa, I proposed that the President give consideration to the urgent convening of the heads of state of the Soviet Union, the United Kingdom, France, and the United States for the sole purpose of seeking a multilateral agreement for stopping tests of the big hydrogen weapons whose very testing threatens the future of mankind.

Let me make one thing very clear at this point. I do not propose that the United States unilaterally stop testing these big, world-destroying weapons. I propose only that we attempt to reach a multilateral agreement with other nations producing atomic weapons whereby we would jointly agree not to test bombs over a certain size—the bombs which are so large that virtually any nation in the world with scientific talent would automatically know if such a bomb is exploded.

I do not propose that the United States agree to limit or stop such tests unless and until the Soviet Union also agrees.

I do not propose at this time that the agreement extend to small nuclear weapons.

I did not lightly reach the conclusion that the time had come for the President of the United States to make an all out effort to get multilateral agreement to stop testing the big weapons.

I do not now view lightly my repeated request that the time has come when the No. 1 problem of survival requires forthwith a concerted effort to agree on a multilateral basis that the tests of the big ones be stopped.

It has been 2 years, Mr. President, since the heads of state met to discuss peace. Much has happened in these 2 years which might shape the thinking of such a meeting. Britain has a new Prime Minister. President Eisenhower has been reelected by a great majority. The leaders in the Soviet Union have faced the crisis of rebellion in the satellite nations. The Middle East crisis has warned us that war lurks around the corner for nations not ever mindful of the terrible consequences that might flow from what might start out as a relatively isolated military action.

I believe that another summit conference is due and we have one big problem for the agenda. Our ultimate goal in such a conference should be a multilateral agreement to suspend tests of all nuclear weapons over one megaton in strength.

A binding agreement of this kind accompanied by reasonable inspection would tend to be self-enforcing. We know from reading the daily press that our detection devices, as well as those of many other countries, can infallibly detect hydrogen test explosions when they exceed a certain strength. It follows therefore that if any party to a multilateral agreement not to test the biggest bombs were to violate that agreement, the violation would instantly be known to the entire world.

I grant that such an agreement would not be without its dangers. But I believe the time has come when the dangers of further uncontrolled big tests outweigh the dangers of agreement to suspend such tests.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. GORE. Is it the essence of the able Senator's advocacy that the United States, itself the first to harness the strength of the atom, the first to detonate an atomic weapon, and the first to detonate a hydrogen weapon, be foremost in seeking to bring about a multilateral agreement to cease the testing of larger and ever larger hydrogen weapons?

Mr. MANSFIELD. The Senator from Tennessee, a member of the Joint Committee on Atomic Energy, is correct. The strength level I have in mind, above which a suspension of tests could be undertaken on a multilateral basis, would be one megaton, which I understand is the equivalent of 1 million tons of TNT. I believe that this administration, which has been reacting, rather than acting toward the moves of the Soviet Union, ought to take the initiative in this field, and ought to implement what the President did in 1953 in his appeal before the United Nations in his atoms-for-peace speech, and which he is asking us to ratify in the International Atomic Energy Agency Treaty, which is before the Senate today.

I certainly think we ought to cease allowing the Soviet Union to seize the advantage and keep it. The times call for leadership, courage, and initiative.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. MANSFIELD. I yield.

Mr. GORE. I am not advised as to the secret instructions which Mr. Stassen may have, as our representative at the London conference, and I shall not undertake to speculate on those instructions. However, at least publicly, the Soviet Union seems to have seized the initiative before the bar of world public opinion in bringing about a cessation of the testing of superhydrogen bombs by a specific proposal. In the battle for the minds of men, waged by contending concepts of life, liberty, and pursuit of happiness, do not the United States stand to be the great loser by allowing the initiative to be seized by the Soviet Union in this field, about which more and more elements of world public opinion are becoming aroused?

Mr. MANSFIELD. The Senator is absolutely correct. Once again the Russians have taken the initiative. Once again we do not seem to know how to react. I think it is about time we began to exhibit some of the leadership which our friends throughout the world expect of us. I am in full accord with what the Senator from Tennessee has said, that on the basis of the most recent Soviet proposals, they have, of course, once again taken the initiative in the struggle for the minds of men throughout the world, both free and slave.

Mr. GORE. Mr. President, will the Senator yield once again?

Mr. MANSFIELD. I yield.

Mr. GORE. I wish to congratulate the able Senator for his suggestion earlier that the President of the United States consider the convening of another summit conference for this purpose. Whether this be the particular method of seizing the initiative and maintaining American leadership in this vital area, or whether it be some other, which I take it might be agreeable to the Senator from Montana, I join with the Senator in a very deep and sincere feeling that the United States is damaging its leadership of the free world by continuing to remain on the defensive in this very potentially dangerous field.

Mr. MANSFIELD. I think on the basis of the meetings which have been held in the postwar period, the United States has gone to those meetings with a number of problems to discuss, and the result is that, by and large, nothing was accomplished except a lot of talk.

My proposal this time is that we meet to discuss this one problem, which I think constitutes a dilemma, indeed a terrible dilemma, so far as the future of mankind is concerned. I hope that if we can emphasize and concentrate our energies on this one particular question, maybe the heads of state, recognizing their responsibilities, can come up with a reasonable agreement, which will, in turn, insure some degree of safety and security for mankind in the future.

Mr. GORE. Again I thank the able Senator. His thoughts are provocative. His leadership in this field is very valuable, and I am grateful to him.

Mr. MANSFIELD. I thank my good friend, the Senator from Tennessee.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. I also am very much impressed with any suggestion made by my distinguished colleague from Montana. But looking back to the previous conference at the summit, where the heads of state met, shook hands with one another, smiled at one another, toasted one another with vodka, and what have you, and then left it to their ministers to meet a few months later to work out the arrangements, which the Russians always knew they would never carry out, what is the Senator's observation as to that? Does he think more will come of his proposed meeting than came from the previous Geneva meeting at the summit?

Mr. MANSFIELD. Because of the lack of success attendant upon the summit meeting at Geneva 2 years ago, at which time many problems were discussed, it is my idea that if the chiefs of state would meet together and discuss one big problem, the chances of success would be that much better.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. First of all, so far as the recommendations which the able Senator from Montana makes to the Senate and the country are concerned, they are always impressive. I regard the Senator from Montana as one of the ablest Members of the Senate, as I think he knows.

I completely disagree with the comment made by the Senator from Tennessee [Mr. GORE] to the effect that this country has lost the leadership in the cause of disarmament, with particular reference to the control of atomic missiles. Let me ask the Senator a couple of questions.

Mr. MANSFIELD. We are not discussing atomic missiles.

Mr. KUCHEL. I should have said nuclear warheads of a certain size.

First, is it not true that the President of the United States at the summit Conference demonstrated a great leadership for the hopes and aspirations of the free world in advocating that steps be taken, through the appropriate ministers of the countries represented there, in the interest of an enforcible disarmament?

Mr. MANSFIELD. Yes, indeed.

Mr. KUCHEL. I can well recall—and I think the Senator from Montana will recall with me—that Members of the Senate who are my senior stood up and cheered the news, as it came over

the ticker, concerning what the President of the United States had indicated at the summit conference.

Second, as the Senator from Montana was having his colloquy with the Senator from Tennessee, a thought passed through my mind concerning the speech which Winston Churchill made toward the end of his tenure as Prime Minister, when he said it was his considered judgment that an overwhelming deterrent to Communist aggression in free Europe was the possession by the United States of a nuclear arsenal. Does the Senator from Montana recall that?

Mr. MANSFIELD. Yes; but Mr. Churchill also said that when the Soviet Union finally caught up with us, or almost caught up with us, on the basis of nuclear might on the part of both nations, we would be confronted with a peace by terror, based on the fact that if anything happened to either nation in the field of nuclear aggressiveness, it might be the end of both. I shall refer to that later in my speech.

Mr. KUCHEL. I recall that, too. I shall not detain the Senator except to say that I believe the record of this administration in this field and its leadership in the cause of peace and in the cause of disarmament is magnificent. I think that what has been done by the Eisenhower administration in those causes redounds to the credit of all our people. I should like to have proof of the statement that this Nation has lost the leadership to the Soviet Union in that field.

Mr. MANSFIELD. There is room for a difference of opinion. I certainly do not doubt the peaceful intent of this administration, nor do I doubt the peaceful intent of the President of the United States. I shall say so during the course of my speech. But I am worried about the fact that we seem to have lost the initiative in so many aspects in the field of foreign policy, whereas I think, considering what has transpired so far, we should have seized the initiative, and instead of reacting to what the Soviet Union is doing, we should have the Soviet Union reacting to what we do.

Mr. KUCHEL. The Senator from Montana is entitled to that opinion. However, there are some of us who recall the whole series of conferences in which this Government participated and urged that steps for disarmament be taken. One after another of those steps has met with delay, frustration, and rebuff by the representatives of the Soviet Union. So I do not think it is fair to suggest that this country has lost the initiative in this field, merely because the leaders of Soviet Russia have consistently made recommendations and have then tried to becloud the issue and have tried to avoid any forward steps on their part.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. BUTLER. Is it not also true that there has been no complaint whatever about the explosion by the Soviet Union of bombs having a high megaton content, whereas all the criticism has been directed to the United States, largely by our own people, so that we automatically have to go on the defensive?

Mr. MANSFIELD. That is true, so far as both the United Kingdom and the United States are concerned. There have been many protests to the Governments of both countries, but we have no knowledge that there has been any protest to the Soviet Union. I ask, however, so far as our own people are concerned, to whom should they protest except to their own Government? So far as the United Kingdom is concerned, to whom should the British protest except to their own Government? I certainly would not expect the British or our own people to protest to the Soviet Union.

Mr. BUTLER. Who are the persons who are doing all the protesting? This matter first started with a plant by a person who now admits that he did not know what he was talking about when he made his original statement, and who is a little sorry he made it. Now the situation has been blown up out of all proportion as being something wicked on the part of the United States.

I think the Senator knows there is a great divergence of opinion among our experts as to whether atomic testing, or further atomic testing, is detrimental to the human race.

Mr. MANSFIELD. That is correct.

Mr. BUTLER. Does the Senator think it is detrimental to the health or detrimental to the well-being of the world, in that a bomb may be developed which will be so powerful as to blow up the earth?

Mr. MANSFIELD. I shall touch upon that point in the course of my speech. But does the Senator from Maryland mean to imply that if anybody raises a protest against the continued testing of bombs, he is for some reason suspect?

Mr. BUTLER. No; I do not mean that at all. I made myself perfectly clear.

It is my information that the whole question arose from a statement made by one man, who later admitted he did not know what he was talking about, but who made the statement that to continue the atomic explosions would be detrimental to the well-being of the people of the world.

If it be true that he made such a statement, I say it was a plant. The Senator from Montana can treat it in any way he wants to treat it. To me it is bad information, which should never have been disseminated. It has been blown up out of all proportion.

Mr. MANSFIELD. May I ask the Senator exactly of whom he is speaking?

Mr. ANDERSON. Yes; will the Senator tell us so that we can have the information in the RECORD?

Mr. BUTLER. It was Professor Schweitzer, was it not? Did he not later say that he was unfamiliar with the problem at the time he made his declaration? It seems to me he started the whole affair and caused it to be blown up out of all proportion.

Mr. MANSFIELD. Oh, no; it was not only Professor Schweitzer who made such a statement. Even the Pope had something to say about the testing of nuclear weapons.

Mr. ANDERSON. Mr. President, I wish to say to the Senator from Maryland that if he is complaining about Dr. Schweitzer, he would have to indict the Pope, because the Pope made his statement far ahead of Dr. Schweitzer's statement, and I do not believe anyone would claim that the Pope is a member of a communistic organization.

Mr. BUTLER. Mr. President, the Senator from New Mexico is imputing to me something far different from anything I had in mind.

I wish to say that Dr. Schweitzer was the first scientist who made this declaration, was he not?

Mr. ANDERSON. No, he was not. Senators who complain about statements by one who does not know what he is talking about, should be careful not to fall into the same error. I say to the Senator from Maryland that Dr. Schweitzer was not the first to make the statement. The Federation of American Scientists, with approximately 1,900 members, made the statement long before Dr. Schweitzer did, and that organization has supported the statement.

Mr. BUTLER. But did the Senator from New Mexico hear of the building up of any real expression of united opinion or united thought on the subject until Dr. Schweitzer made his announcement? Let us be fair about the matter. When did it begin to take on any real proportion in the minds of the people?

Mr. MANSFIELD. As a layman—and in that respect I think the Senator from Maryland and I are on equal footing, as compared with members of the Joint Committee on Atomic Energy, which is represented here today by the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. GORE], and the Senator from Rhode Island [Mr. PASTORE]—let me say that I believe Dr. Schweitzer is a johnny-come-lately in the matter of these protests, which from time to time have been heard by the Joint Committee on Atomic Energy and carried in the press of the Nation.

Mr. BUTLER. But was there any real public reaction to that until he pinpointed it?

Mr. MANSFIELD. Oh, yes; there has been a building up for a long time.

Mr. PASTORE. Mr. President, as a matter of fact, the question of radiation fallout and contamination has been under consideration for a long time. A special committee, under the auspices and aegis of the United Nations, and with the aid of scientists from almost every nation in the world, has been studying this matter. There is no doubt in the mind of anyone that the potential danger is essentially one of degree. Everyone admits that such contamination is bad. Some say the amount thus far is not injurious to human life; but there is agreement—indeed there is unanimity on this point—that if the United States and other nations continue with the tests, there is no telling how long it will be before everything of substance on God's earth is contaminated. There is no question about that. The question is only as to how much and when.

Of course we should be concerned with the problem and we should take all proper safeguards. The question foremost in the minds of those in the scientific world is how far one can go. It is not in our power to decide that, because other nations are engaging in these tests—for instance, Russia and Great Britain; and perhaps other nations will begin to make tests. But if this matter gets out of hand, only God knows what will happen.

Mr. BUTLER. Is it not true that Russia is exploding bombs which have fallout with greater effect on the world than that from any bombs the United States has exploded?

Mr. PASTORE. I do not think anyone can answer that question. All these things are relative. The United States has exploded some large bombs, and so have the Russians. We do not know whether the United States has exploded larger bombs than the Russians have.

Mr. BUTLER. Has the Senator from Rhode Island heard any great amount of complaint about the explosion of atomic bombs by the Russians? In other words, when the Russians propose to explode one or do explode one, has the Senator from Rhode Island heard of complaints about that and of a great to-do about it?

Mr. PASTORE. Where; in Russia?

Mr. BUTLER. Anywhere in the world.

Mr. PASTORE. Yes; in the United Nations; and all the nations of the world are represented there.

Mr. BUTLER. But how about the demonstrations by Japanese students and students in other countries?

Mr. PASTORE. Yes; they have occurred.

Mr. BUTLER. Then such complaints do not get into the newspapers.

Mr. PASTORE. Of course they do; they are reported in the newspapers, even in United States newspapers. The Japanese are concerned with this problem, because they have been victims of atomic fallout.

Mr. BUTLER. The Japanese are concerned when we explode such a bomb, but they do not seem to be concerned when other nations explode one.

Mr. PASTORE. No; the Japanese complain against such activities by any nation. If the Senator from Maryland is trying to tell me that, as of the moment, there is more free speech in the United States than there is in any other country, of course that is understandable, because free speech is the basis of our whole concept of government. But the Senator from Maryland need not tell me that only the American people are concerned about this problem. Every person on earth is concerned about it.

If nuclear explosions ever get out of hand, everything on earth stands a chance of becoming contaminated. The question is how far one can go.

Mr. ANDERSON. Mr. President, will the Senator from Montana yield to me?

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Does the Senator from Montana yield to the Senator from New Mexico?

Mr. MANSFIELD. I yield.

Mr. ANDERSON. In trying to be helpful, I hope I may say that the point raised by the Senator from Maryland has some validity. The Russians made tests, and there were very, very few demonstrations.

But I think the Senator from Montana made a correct statement when he said the United States has lost the initiative. The Japanese students did not protest nearly so vigorously against the Russian tests, because the Russians kept saying, "Yes; we test weapons but we want to stop, and to get out of this business." That propaganda has made people believe that the Russians sincerely want to be out of it. On the other hand, the British and the Americans have said, "We must go ahead"; and those expressions caused Japanese riots.

I do not believe the Russians are any more sincerely desirous of stopping the ill effects of atomic energy, whatever they may be, than is the United States. But the Russians state, "We will immediately stop testing; and if that works out well, we will disarm," whereas the United States seems to say, "We would like to have you disarm, and then we will stop testing." As I have said to a newspaperman who asked me about that, it reminds me of a man who knew a lovely woman, and wanted to marry her. But he was an awful drinker; and she would not marry him until he stopped drinking, and he would not stop drinking until she married him.

Similarly, the Russians say, "We will stop the tests if you will disarm," and the United States says, "We will disarm if you will stop the tests." I hope that, as a result of that situation, the United States will not lose all the psychological advantage.

Mr. PASTORE. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. PASTORE. Mr. President, I dislike to disagree with the distinguished former chairman of the Joint Committee on Atomic Energy; but I am not too much impressed by the argument that the Russians have been convincing the rest of the world that they are sincere in the proposal they have made. My experience in the United Nations was entirely to the contrary. It is true, and everyone admits, that the Russians are making these proposals; but if we may judge by the performance of the Russians in the past, inasmuch as they have regularly broken all the promises they have made, I do not believe the people are convinced that the Russians really believe in eliminating the tests. I do not believe the Russian leaders have even convinced the Russian people of that. I think the people of the world know they can rely on the morality of America, and that America must take the leadership in this matter.

I quite agree with the distinguished Senator from Montana that we must assume the leadership in this matter, because it involves the question of life or death. But I am not convinced that public opinion in the world in connection with this question is on the side of Russia.

Mr. MANSFIELD. Not at all; and I certainly hope that if someone advocates a suspension of the tests or a limitation of the tests, he will not become politically suspect. I say that because I hold in my hand an Associated Press dispatch from London, dated May 21, reading as follows:

> Lord Cherwell, former top scientific adviser of the British Government, said today that Pope Pius XII was establishing a "dangerous precedent" by taking sides in expert dispute over the possible danger to humanity from H-bomb tests. Cherwell told the House of Lords that the Pope has been "taken in" by the followers of the Communist Party line.

Mr. COOPER. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. COOPER. I understand that the distinguished Senator from Montana has said that this administration has lost the initiative in the field of nuclear weapons, their control, and the suspension of nuclear tests. I am not an expert——

Mr. MANSFIELD. Neither am I.

Mr. COOPER. But it seems to me that two questions are involved. Does the Senator from Montana say that the United States has lost control to Russia of propaganda over the suspension of testing nuclear weapons; or does he mean that the United States has lost the initiative in regard to the ultimate issue, which is the control and limitation of the weapons themselves?

Mr. MANSFIELD. I do not think they have undertaken the initiative in either field.

Mr. COOPER. Mr. President, will the Senator permit me to respond?

Mr. MANSFIELD. Yes.

Mr. COOPER. I speak first of the initiative taken by this administration. Today we are considering a proposal which grows out of an initiative taken by the President of the United States in 1953, when he proposed that we turn our faces and minds to the peaceful use of the atom.

Mr. MANSFIELD. That is correct.

Mr. COOPER. One purpose of his proposal was that public opinion, directed to its peaceful uses, would assist in moving toward limitation and control of nuclear weapons.

I also remind the Senator that at the Geneva Conference in 1955, the President took a second initiative; another great step. He made the open-skies proposal.

Mr. MANSFIELD. That is correct, but——

Mr. COOPER. That was intended to create confidence so that some kind of disarmament could come to pass.

Mr. MANSFIELD. The atoms-for-peace proposal is now being considered by the United States Senate after eight nations, including Soviet Russia, ratified it. It was our idea.

Mr. COOPER. If there was a delay, that delay can be charged to the Congress of the United States, including the Senate, as much as to the executive branch.

Mr. MANSFIELD. The Senator may be right.

Mr. COOPER. It would appear from the speeches made in the Senate today—and I assume the Senator has spoken in that vein, although I did not hear him—that nothing has happened because of our initiative in the committee which is dealing with the question of disarmament in London. It would appear from what has been said by some of my friends on the other side, that the proposals made by the Soviet are new proposals, initiated by them, when the Senator knows they are partial agreements to positions taken by the United States in the past. For example, on the question being debated just now—the suspension of nuclear tests—as I said in the beginning, the first, the real question, is whether we want a suspension of nuclear tests without some concurrent progress, some agreement by the U. S. S. R. toward a limitation of nuclear armaments that can destroy the world.

What has happened in the disarmament conference? The Government of the United States has itself suggested a suspension of tests, but—if I read the newspapers correctly—with the condition that there be technical experts and adequate inspection to assure that there is an actual suspension of nuclear tests; also a limitation as to the time of suspension, so that if the Russians did not move forward in the direction of disarmament during that time we would know their intention. I am sure the Senator knows those ideas have been advanced.

Now the Soviet Union has made a modification of the position it has taken in the past, but one which has nothing to do with true control, and limitation of the weapons themselves.

I desire to ask the Senator and some of my other friends on the other side of the aisle; What are they for? Are they merely for the suspension of the tests? Do they want the United States to lose its full influence in the negotiations, by giving up an instrument we can bring to bear upon the negotiations, that is agreeing immediately to the suspension of tests; or do they want to see if at the same time we can reach some agreement upon the limitation and control of nuclear weapons?

Mr. MANSFIELD. I will say to the Senator I hope he is not misinterpreting what I have said.

Mr. COOPER. I hope I have not.

Mr. MANSFIELD. I hope the Senator is not saying things which I have not as yet said. Certainly, I hope we can go ahead with disarmanent. I think on any occasion we can sit down with our friends and enemies to discuss disarmament we should do so. My proposal has not been suspension per se. I have suggested it might be a good idea for the heads of state of all of the nuclear nations to get together and consider one problem, and that is the suspension of nuclear tests above one megaton. As the Senator knows, 1 megaton is the equivalent of 1 million tons of TNT. I have not proposed a unilateral proposal; this would be a multilateral agreement. I think it would be a big step forward. I think we should take the initiative now, as the President did in 1953, when he advanced the atoms for peace proposal. The Senator has suggested that perhaps Congress may have been responsible for a delay in the consideration of the proposal made in 1953. Perhaps Congress has been. So far as the Senate is concerned, there has been no delay in getting this particular proposal to the floor of the Senate.

Mr. COOPER. I am not talking only about this one.

Mr. PASTORE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield to the Senator from Rhode Island.

Mr. PASTORE. I ask the Senator from Montana, and also the Senator from Kentucky, if America's leadership in this very delicate and sensitive area was not dealt an irreparable and severe blow when the President of the United States seriously damaged the prestige of his personal representative in the personality of Harold Stassen when he relieved him as special assistant at the White House and relegated him to an inferior position in the State Department? Does not the Senator think American leadership and its activities in this field were given a severe blow when that happened?

Mr. MANSFIELD. Yes; I do.

Mr. PASTORE. That is what we are talking about.

Mr. MANSFIELD. Mr. Stassen has been undermined all the way through. He does not know whether he is coming or going.

Mr. PASTORE. Will the Senator yield for a further observation?

Mr. MANSFIELD. Yes.

Mr. PASTORE. We pictured to the entire world that the question of disarmament and cessation of hydrogen and nuclear tests was so important to mankind that the President undertook to name a special assistant from the White House to represent him before all the governments of the world. Before we knew it, there was a clash between the special representative of the President and the Secretary of State. Who won out? Did the Nation win? Did the world win? Did disarmament win? No; the Secretary of State won. Here is that person representing us at London, and he does not carry the prestige he should carry in that very vital field.

Mr. GORE. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield to the Senator from Tennessee.

Mr. GORE. As one demonstration of the reaction of people of other nations, we read this morning that Mr. Hugh Gaitskell, the leader of his party in Great Britain, endorses the proposal in this field made by the Soviet Union. I read one sentence from today's issue of the Washington Post:

> Mr. Gaitskell's stand on the proposal will find strong support in virtually every segment of his party and among many other Britons who are eager to see a start toward disarmament.

I say, along with the junior Senator from Montana, the United States of America should maintain the initiative, in reality, and also before the bar of world public opinion, to bring a halt to the testing of multimegaton hydrogen bombs, which the scientists of the world have agreed contain potential dangers for all the human race.

I agree with the junior Senator from Rhode Island that there is disagreement as to the extent of the danger, as to the amount of contamination that will bring about a given hazard, the severity of hazard, but there is no disagreement among scientists, so far as I have heard, that there is a potential danger from the continued testing of hydrogen bombs.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I should like to continue my statement. I have read only about a third of it, but I yield to the Senator from Kentucky.

Mr. COOPER. I wish to respond to the statement of the Senator from Rhode Island. First, I should like to say to my friend the Senator from Montana that I think he knows I listen to every suggestion he makes in the field of foreign policy. I do that because of the great respect I hold for him and for his views.

Mr. MANSFIELD. I thank the Senator.

Mr. COOPER. I would say the proposal which has been made is worthy, but it seems to me that, as a committee of the United Nations is engaged with this question today, an attempt to take a part of the issue away from the committee might effectively stop the present negotiation.

Mr. MANSFIELD. The Senator has a point.

Mr. COOPER. That is a matter of argument.

Mr. MANSFIELD. I shall meet that point later, because I think the two can go together simultaneously.

Mr. COOPER. Answering "No" to the Senator from Rhode Island, I must say that I do not share his feeling that dire consequences are in store because of the title of the position Mr. Stassen may hold. I think he has worked hard, conscientiously, and with real optimism and faith toward a great purpose, and deserves support.

I do question and challenge the suggestion from the other side, and stated a few minutes ago by the Senator from Tennessee [Mr. GORE], that the United States has lost the initiative. I repeat, it is not clear in my mind whether those who have spoken on the majority side wish to suspend tests now without any assurance of progress toward the actual control of nuclear weapons. I do not agree that we merely suspend tests, lose one of the instruments we have available toward security agreement on the actual control of nuclear weapons. I am not clear what my distinguished friends desire.

I wholly disagree when they say this country has lost the initiative. Every important initiative that has been taken with regard to the question of the control of nuclear weapons and the control of armaments since 1952 can be traced to the Geneva Conference and the proposals made there by the President.

I believe the facts will bear out the statement I have made.

Further, I hope when the time comes, when it seems there is a possibility of agreement, the leadership of this body, both Republican and Democrat, will serve in any capacity, whether it be as observers or consultants or otherwise, to help in finding a solution of this fateful problem of the world, the control of and eventual abolition of nuclear weapons.

Mr. MANSFIELD. I may say to the Senator from Kentucky that he has interposed a question which is not connected with the subject we are discussing at the present time. The Senator says we do not seem to know what kind of an agreement we want. I made some remarks at the start of my speech today, referring to a speech by the distinguished majority leader in New York a week ago Saturday night. In the course of those remarks I stated that the senior Senator from Texas proposed that we as a nation take action on five objectives, all leading toward the ultimate end of a worldwide agreement on disarmament.

I said I was particularly interested in his third objective:

> A frank and open search for a method of suspending tests of the bigger nuclear weapons, under airtight conditions which give full protection against violations.

I do not see what is wrong under those conditions for the heads of state—the individuals who have the destinies of millions of people in their control—to get together to discuss the suspension of testing bombs above a strength level of one megaton, one million tons of TNT. How long are we to continue polluting the air? How long are we to create the circumstances which may well have a bad genetic effect, not on us but on our children and our children's children? What about our responsibility?

The Senator from Kentucky talks about observers. Of course, if the administration desires to have observers and there is a chance they will be put to use, they will be sent. But the idea of having Mr. Stassen return from London, apparently to receive some kind of a reprimand, and to be sent back with what he refers to as new instructions, and then to suggest that a couple of Senators attend the conference—I think we had better wait to see how much is being accomplished before we let any Member from this body leave his seat here, because we have a responsibility, too, and I think we ought to live up to that responsibility.

Then, when there is a chance we can do some good—but not before—let us consider the possibility of participating.

I was shocked and surprised to read in this morning's paper the analysis of what the majority leader is supposed to have said. He did not shut the door. He said, "Under the right and proper circumstances, they will be sent over if need be."

The idea of two Senators going over at this particular time, I think, is ill advised and cannot be useful. Everyone recognizes the importance of this conference, but I think we had better make some progress, before we disrupt the continuation of this body to send some of our Members over there to participate in some way or another with Mr. Stassen.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JOHNSON of Texas. Mr. President, I should like to have the RECORD show that the majority has and will always be anxious to meet the Executive more than halfway when it can make any constructive contribution whatever to the disarmament plans that this Nation may propose or may be confronted with deciding upon.

Only a few days ago, with the approval of the majority and minority leaders, we met at some length in the Committee on Foreign Relations and heard a detailed report first from the Secretary of State and later from the Special Assistant, Mr. Stassen. It has been suggested that perhaps we might want to decide whether or not it was advisable for certain Senators to accompany Mr. Stassen on his return to London.

I have told the Secretary of State that it was not the wish of the majority party ever to usurp the prerogatives of the Executive; that when we could, by advice and counsel, make any contribution, we were ready, willing and eager to do so; that it has been the custom over the years. I have occupied the responsibility of leadership in this body to discourage Senators attending conferences during the last months of a session, because we have found it almost impossible to get Senators to leave during that period; but if it were felt matters were of sufficient urgency so that senatorial presence was required, or if we could uphold the hands of some of our representatives there, we would be glad to pursue that course when Congress concluded.

I disclose no secret when I say that we arranged for a meeting with a high official of the State Department at 3 o'clock this afternoon. It is going to be our suggestion that the State Department be informed that the appropriate committee of the Senate, the Committee on Foreign Relations, and particularly the Special Subcommittee on Disarmament, headed by the junior Senator from Minnesota [Mr. HUMPHREY] is ready, willing, and anxious to review all developments, to consult and counsel in connection with any problems that may occur or any proposals that may be made or received, and that we shall be glad to go over the cables day by day and make any contributions we can make.

After the conclusion of the session, if it is felt by the leadership of both sides and the Executive that the presence of Senators is desired, then the Senate leadership, so far as I am concerned, is prepared to make the proper recommendations.

I know of no administration in history which has received greater cooperation from the opposing party in the field of foreign policy than the Eisenhower administration.

I did not have the privilege of continuing my conversation with Secretary Dulles as long as I had hoped the other day, because the mutual-aid bill was under consideration in the Senate, and I was too busy trying to prevent certain amendments to that bill being adopted. I did not wish to miss any of the yea and nay votes.

I can assure the Senator from Kentucky, if he does not already know it—and I think he does—that any administration which has the cooperation of the loyal opposition in the foreign-policy field to the extent this administration has had cooperation from this opposition has every reason to be glad. I may add that I think the country has every reason to be proud.

Mr. COOPER. Mr. President, I wish to make it clear—as I am sure the Senators knows—that I cast no aspersions upon the loyalty and helpfulness of the Senator from Texas. In my statement a moment ago, I said that when the time comes, and when it appears that there is a possibility of reaching agreement, I hope the leadership will give every assistance. I think that is what the Senator from Texas has said, in effect.

Mr. MANSFIELD. If I misunderstood the Senator, I am sorry. I now see that he and the majority leader are in full accord.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ANDERSON. Since the Senator quoted a statement by a top scientist of the British Government to the effect that Pope Pius XII was establishing a dangerous precedent, with the permission of the Senator I should like to place in the RECORD exactly what His Holiness said upon that occasion.

In his Christmas message of 1955 he said:

> We propose to direct our attention to a recent proposal which aims at putting a check on experiments in nuclear weapons by means of an international agreement.

The able Senator from Montana had an opportunity to look at the testimony given by those at the Los Alamos Scientific Laboratory, who have given the closest study to the question of the effects of the dropping of nuclear weapons, and the testing of nuclear weapons.

It was the conclusion of that scientific body that there should be a limit on the total amount of fissionable products put into the atmosphere each year—something in the neighborhood of 10 megatons. It strikes me—and I hope the Senator from Montana will agree with me—that this is in full conformity with what has been suggested about a check on experiments in nuclear weapons by means of an international agreement.

Pope Pius went further and said:

> There has been talk also of taking further steps toward conventions, through which the use of those weapons would be renounced, and all states subjected to an effective arms control. Thus, there would be question of three steps: Renunciation of experimentation with atomic weapons, renunciation of the use of such, and general control of armaments.

It strikes me that Pope Pius XII was suggesting that we might obtain some control over the experiments, and that such control might lead toward general control of the weapons themselves, and finally, toward a general control of armaments. I think that was a fine statement. I am not a member of the Catholic Church, but I certainly subscribe to it as a desirable statement.

It was poor taste for the representative of the British Government to suggest that the Pope had had bad advice, because in the long run this will prove to be very sound doctrine.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. First, I join my colleagues in commending the Senator from Montana for his vision, courage, and sound judgment. It is heartening and refreshing to the American people to know that on this crucial issue there is this kind of imaginative initiative and leadership in the person of the Senator from Montana. A few days ago we witnessed distinguished leadership on the part of the majority leader, in expressing the idea of the "open curtain." I regret that minds of members of the administration are not sufficiently open to accept the doctrine of the "open curtain." I regret, too, that we have found ourselves vacillating and being anything but convincing in recent disarmament negotiations.

I notice from the press that Commissioner Willard F. Libby, of the Atomic Energy Commission, in opposing a halt to the nuclear tests, said a week ago that weapons development could be crippled by putting an end to the tests, and that such a move thus would be a form of disarmament.

That statement has been quoted widely, not only in the American press, but throughout the world. On the one hand, one of the top authorities of this Government states that to limit or ban the tests may very well cripple some of the scientific development, particularly of the intercontinental ballistic missile.

What do we see? I have before me an item from the Washington Post and Times Herald. However, it appeared in every newspaper in the land. The headline reads as follows: "Pentagon Chief Feels Missile Does Not Depend on Atom Test—Wilson Sees Test Ban No ICBM Bar."

Here we have statements by two of the most prominent officials of the Government. One, who is the Commissioner of the Atomic Energy Commission, which possesses all the secrets, issues one statement. The other, who is the Secretary of Defense, in whose department there are supposedly some secrets, issues another statement. One says that to ban the tests may very well cripple development. The other says that it does not really matter at all—"Wilson Sees Test Ban No ICBM Bar."

The question is: Who is right? I suggest that this is a very pertinent question for the Joint Committee on Atomic Energy, and, since it enters the field of disarmament, I think it is a pertinent question for the Senate Subcommittee on Disarmament.

The Commissioner may say, "I was talking about a total ban." The Secretary may say, "I was talking about a limitation of tests." However, in the minds of the public it sounds like conflict. I submit that it is.

Mr. MANSFIELD. I should say the Senator is correct. I hope his committee will look into the question, and I hope the committee of the senior Senator from New Mexico, the Joint Committee on Atomic Energy, will also look into it.

Mr. HUMPHREY. I assure the Senator that it will be a matter of high priority for the committee to look into the question at once.

Furthermore, when a disarmanent adviser is called home for the purpose, as was stated in the press, of receiving new instructions, and he is publicly—in the newspapers, on the radio, and on television—dressed down and chastised, scolded by the Secretary of State, regardless of whether the Secretary was right or wrong—I am not in a position to know—it certainly does not enhance the adviser's prestige when he returns to London.

If Mr. Stassen did bypass our allies, and if he went first to the Soviet Union, he committed a diplomatic blunder, and he should be chastised. If he did not, then, indeed, nothing should have been said. But whatever was said should have been said privately—either that or the adviser should be removed. The adviser now goes back to his post, with Admiral Radford being very suspicious or critical of some of the efforts being made. Again, I am not giving any value judgment. All I know is that Admiral Radford sees the disarmament question from a different point of view than does Mr. Stassen.

Mr. Dulles asserted his authority. He put Mr. Stassen back in his place, whatever place that may be. So we see a member of the Atomic Energy Commission and Admiral Radford, on one side, contradicting Mr. Stassen. On the other hand, we see Mr. Dulles chastising Mr. Stassen, and in between we see Eisenhower, saying, "Boys, boys, let us all behave," unwilling to make a choice.

I think we ought to know what are the instructions to Mr. Stassen. Are his instructions along the lines of the Radford doctrine, or not? Are his instructions coming from the President or the Secretary of State? Did Stassen negotiate with the Soviet Union and bypass our allies? We ought to know.

In passing, let me say that it might not be a bad idea to find out whether there is really any conflict of attitude as between Commissioner Libby and the Secretary of Defense.

I gather that the Senator from New Mexico has some observations to make on the subject.

Mr. ANDERSON. Mr. President, I wish to say to the Senator from Minnesota and the Senator from Montana that this is a matter on which the Joint Committee on Atomic Energy has conducted some hearings and received some testimony. We have had full information with reference to intermediate range missiles and intercontinental ballistics missiles. If I were to make a choice as of this day, I would agree with Secretary Wilson, that we could go ahead with missile testing without in any way putting large amounts of nuclear energy into the atmosphere so a ban on testing of nuclear weapons would not bar the missile development. I do not believe that real delay in the development of missiles is based upon progress on a nuclear warhead, but something entirely different from that.

If the Senator from Minnesota had heard the testimony given before the Armed Services Committee of the kind that we have heard, he would come to the same conclusion. That is a matter of opinion, but I can arrive at no other opinion after hearing such definitive testimony.

Mr. HUMPHREY. Mr. President, I want the RECORD to note that some of the things which are being discussed at so-called high levels in the London conference have been discussed openly and publicly before the Disarmament Subcommittee. Let us take, for example, one of the problems involved, namely the Soviet proposal to limit the tests. Immediately the issue arises, How would inspection be made within the Soviet Union? I do not know how many observers would be required, but I warn the Senate that it is a matter of record that the Government is not prepared, by manpower and by training, or by the number of people available, to put very many observers into the Soviet Union.

This is one of the serious manpower problems. That has been testified to by the top officials of the Atomic Energy Commission and the Department of Defense. Furthermore, if this is a Soviet propaganda move, as has been suggested, why do we not find out? Why do we not find out by putting them in the position at the negotiation table of having them read the fine print?

Mr. MANSFIELD. That is what should be done.

Mr. HUMPHREY. Let us ask them for the details. However, what does the administration do? It states three reasons why we should not do it. That is no way to influence people or make friends. Apparently the administration needs to have a Dale Carnegie as a member of its administration, to get into the right frame of mind. That is one way it could get its right foot forward. Certainly it is not any way of putting our best foot forward. Certainly the world leaders are not of the opinion that the Soviet Union is right. I am sure that the leaders of the world are not being duped by the Soviet propaganda. However, I submit that we make the Soviet propaganda look half way plausible. We cannot have political arthritis in this kind of world. We should have a little flexibility and mobility when we are dealing with the Soviet Union.

I suggest the place to have it is at the London conference. Let us stay on the home base, but at least let us have some room in which to maneuver.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. POTTER. I am sorry that I came in after the Senator had concluded his remarks.

Mr. MANSFIELD. I am just starting my remarks.

Mr. POTTER. I should like to ask the Senator this question. From the observations the Senator from Montana has made, I have received the impression that the Senator believes that we should accept the Soviet Union's bait—

Mr. MANSFIELD. Bait?

Mr. POTTER. To negotiate on the basis of eliminating our weapons test without going into the real issue of eliminating the production of atomic weapons.

Mr. MANSFIELD. No.

Mr. POTTER. I want to make sure that I understand the Senator's position.

Mr. MANSFIELD. I am not advocating that we snap at the bait offered by the Soviet Union in its most recent proposal, because I think it is suspect. What I am advocating is that the heads of the nuclear nations of the world get together at a summit meeting to consider one problem, and that is the elimination of the testing of the huge thermonuclear devices above a strength of 1 megaton, or above the strength of the equivalent of 1 million tons of TNT. That would be done mulilaterally, not unilaterally. If we can sit down with the Soviet Union, the United Kingdom, and perhaps also France, and put our cards on the table, we will know whether the Russians are bluffing, and whether we are right in believing that what they are offering is suspect.

Mr. POTTER. I agree it is a very serious problem so far as all civilization is concerned.

Mr. MANSFIELD. It is indeed.

Mr. POTTER. Thermonuclear explosions constitute a serious problem. I agree, but a far more serious consideration is whether we should enter into an agreement to eliminate the testing of weapons without any agreement as to the production of weapons.

Mr. MANSFIELD. If the Senator will allow me to continue with my speech, I am sure some of the questions in his mind will be answered by what is brought out. If not, I shall be glad to answer them later.

Mr. POTTER. I thank the Senator.

Mr. MANSFIELD. Mr. President, as I said, I grant that such an agreement would not be without its dangers. But I believe the time has come when the dangers of further uncontrolled big tests outweigh the dangers of agreement to suspend such tests. Surely this is an important enough issue for the heads of state to explore together ways and means of agreeing to limit or stop altogether the testing of hydrogen bombs so large that their fallout of radioactive material seriously threatens mankind.

President Eisenhower has been highly acclaimed for the "atoms for peace" proposal he presented to the United Nations. In the words of President Eisenhower, when he addressed the General Assembly of the United Nations on December 8, 1953:

> The United States pledges before you and, therefore, before the world, its determination to help solve the fearful atomic dilemma, devoting its entire heart and mind to find a way by which the miraculous inventiveness of man shall not be dedicated to his death, but consecrated to his life.

I commend the President for seizing the initiative at that time in the promotion of world peace.

President Eisenhower has taken an active part in the promotion of the ratification of the statute of the International Atomic Energy Agency which embodies the basic ideals of his original "atoms for peace" plan.

Our President on behalf of all Americans is the foremost champion of peace and a man of tremendous prestige through the world. What better way could he attempt to promote his desire to dedicate the miraculous inventiveness of man to the betterment of mankind than to again take the initiative and actively explore, in cooperation with the heads of the other nuclear nations, the feasibility of calling a conference to consider a multilateral international agreement to ban the testing of thermonuclear weapons of more than one megaton in strength.

In my opinion such a conference would not hinder the progress of the current disarmament discussions in London. Such an international conference would cement and make even stronger the results that we all pray will be forthcoming.

Let me set forth briefly my reasons for asking for this kind of initiative on our part and then develop in more detail the promises and the admitted dangers in such an approach.

THE THREAT OF CONTINUED TESTS

Today, as I did 2 years ago, I note that I am a complete amateur in the field of the nuclear sciences and without access to classified documents. As a layman, I have developed a tremendous interest in atomic energy as it affects the Nation's welfare and security. My source material has always been, and continues to be, public sources—radio, TV, newspapers, magazines, and other printed matter.

On this basis, I feel that a multilateral nuclear test ban would be in the best interests of the United States and the world.

Only a year ago anyone proposing an agreement to limit tests of H-bombs would have been accused of plotting disaster. But each day more people add their voices to the world chorus demanding an end to the testing of superhydrogen bombs. The brilliant and world-renowned Dr. Albert Schweitzer and Pope Pius XII have warned in solemn pronouncements against the menace of nuclear weapons. Pope Pius XII recently noted that increased radioactivity in the face of the yet unknown margin of biological security threatens horrors of monstrous offspring and possibly even more dangerous hidden shocks to parental genes.

A recent Gallup poll reported that "a majority of the American people today believe that this country should agree to stop making more tests of nuclear weapons—if all nations, including the Soviet Union, agree to do so."

This was the stated point of view of 63 percent of all adults questioned in a nationwide survey. It is interesting to note that in April 1954 only 20 percent were in favor of abandoning these tests.

The Japanese Government has renewed its plea to end such tests, and recently the National Academy of Sciences was told by a leading biologist that total radiation from all sources may now be approaching 50 percent of the permissible dosage for human beings.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JOHNSON of Texas. On the basis of the Senator's study, can he state it as his opinion that it would be possible to work out arrangements whereby the testing of the larger weapons could be banned and the nations involved in such an arrangement could know at once whether the ban was being violated?

Mr. MANSFIELD. Yes, indeed. It is my understanding that any explosion above a megaton in strength can be detected infallibly throughout the world, and that anything above 100 kilotons—well, I should like to ask the Senator from New Mexico to answer that.

Mr. ANDERSON. I was going to say I do not believe there is any question at all about the Senator's statement that explosions caused by weapons of a megaton in size can be detected anywhere in the world. As a matter of fact, we have detected explosions of bombs which were a tiny fraction of that in size, and the instruments with which they were detected were primitive compared with what we now possess.

I do not try to establish the range, but when the Senator speaks of weapons running to a 100 kilotons, that is far above what I think the practical range for detection is.

So he does not have to worry about 1 megaton. One can just barely sneeze aloud, and the world will be able to detect it. We do not have to worry about a 1-megaton bomb; there is no possibility it cannot be detected.

Mr. JOHNSON of Texas. I am very happy to have the Senator's statement.

I think the Senator from Montana is making a constructive speech and an outstanding contribution. I deeply appreciate also the contribution to the discussion which the Senator from New Mexico has made.

I shall follow the remainder of the address of the Senator from Montana with great interest, as I have followed him as he delivered the early portion of his remarks.

Mr. MANSFIELD. I thank the Senator from Texas.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. FULBRIGHT. I dislike to interrupt the Senator from Montana any further, because I know he has been diverted by a long series of questions. But I should like to say that I am very much interested in his speech; it is a very excellent one.

One thought has occurred to me growing out of the colloquy he has just had, namely, that for some reason or other we must not make an agreement to stop testing without making an agreement to limit manufacturing.

Does the Senator from Montana feel that the elimination of the testing of large weapons is, by and in itself, a good thing? Or is it a bad thing? Or is it a significant thing?

Mr. MANSFIELD. I should say it is a significant thing, because it could be very good or very bad depending upon the interpretation one wants to place on it. If testing is necessary for defense, it is a good thing, if I may use "good" in that sense. But if it is not necessary, and there is a possibility that some agreement on a multilateral basis can be arrived at, then I think the continued testing of large thermonuclear weapons can well be construed as a bad thing.

Mr. FULBRIGHT. If it is a bad thing, not necessary for our defense, it is likewise bad for anything else.

Suppose, for the purpose of argument, we assumed we could do nothing else at this time except to stop testing. Would or would not the Senator do that?

Mr. MANSFIELD. I cannot make a direct yes-or-no answer to that question, because I would have to qualify any answer I gave.

If it were a case of simply stopping the testing and being secure in the belief that nothing would happen to the Free World, I would say the tests should be stopped, because I think the harmful effects of radiation and fallout are such that it is necessary to move cautiously and carefully. But, as has been pointed out several times today, we should also think of our own defense in relation to the development of thermonuclear devices by other nations.

Mr. FULBRIGHT. Does the Senator feel that because this matter became an issue in the campaign last year, the members of the administration have become so frozen in their attitude that they are unwilling to do anything about stopping the tests?

Mr. MANSFIELD. I should hope not, because I think that even before the matter became an issue in the campaign last year, there had been certain intimations by persons in the administration itself that they looked with favor upon the idea of possible suspension.

Mr. FULBRIGHT. I did not really ask the Senator whether he hoped that or not; I asked him whether he thought it. It strikes me that the administration is extremely sensitive to the proposal made, and is reluctant to consider it favorably, whatever the reason may be.

Practically every other country, as has been demonstrated by the Senator from Tennessee [Mr. GORE], including England, and certainly Japan, is desirous of discontinuing the testing. I know of no other country which takes the same attitude toward this matter that we take. I was searching for a reason, if there is a reason, why the United States is so reluctant to stop the tests, even for 1 year.

Mr. MANSFIELD. Frankly, I do not know. I do not like to imply anything which may not be fairly accurate. There may or there may not be some reaction left over from the issue of the bomb tests which was discussed in the presidential campaign of last fall. However, I think what it really adds up to is another indication of the fact that we seem to be afraid to take the initiative; that we are willing always to let the Soviet Union make the first move, and then we will react or will not react to it.

I hope there is no political implication in the fact that we seem to be so unwilling to consider such a proposal at this time.

Mr. FULBRIGHT. I thank the Senator from Montana.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. LAUSCHE. Further pursuing the thoughts developed by the Senator from Arkansas, may I ask whether the Senator from Montana, in making this proposal, considered only the dangerous impact which strontium and other fallout might have upon the people of the world, and therefore makes his proposal in an attempt to perform a moral obligation?

Mr. MANSFIELD. Yes, I agree with the Senator from Ohio. I am thinking of the dangers to future generations. I am making that statement on the basis of testimony I have heard and testimony I have read. I wish to reiterate that there is a great deal about atomic energy and its various aspects about which I know little. But I think some of us ought to take the initiative ourselves in the hope that the administration might, in turn, take the initiative on a worldwide scale, to see if something cannot be done on a multilateral basis, with full safeguards, to bring an end to the atomic arms race, which if not stopped may well wreak destruction upon the whole world in the long run.

Mr. LAUSCHE. Mr. President, if the Senator will further yield, I should like to state that my familiarity with this problem is rather limited. However, I felt a bit encouraged to note that the source of the information of the Senator from Montana is practically from the same agencies from which I got mine. But I have looked at the situation in this way:

First, it must be admitted that there is a moral obligation on the part of all of the nations of the world not to contaminate the air with this highly poisonous material.

Second, from a militaristic and defense standpoint, it is essential that we try to ascertain what the comparative advancement is which has been made by the Soviet Union and ourselves in the development of the size of fissionable bombs.

Third, we have to compare the advances made in using the great power in bombs having an explosive content of a megaton or more.

With regard to the moral obligation, that is simple to answer. However, I find myself at an impasse when I try to limit our efforts to defense, not knowing the extent to which the Soviet Union has advanced.

May I have the Senator's views on those thoughts?

Mr. MANSFIELD. I would agree with the Senator from Ohio. I find myself in an impasse, too. I think the only way to break the impasse is to get those who are responsible to hundreds of millions of people—the heads of the nuclear nations—to sit down and see whether they can work out something in this one field only which will give some hope and some security to future generations of all nations in the world, including those not yet in a position to be considered nuclear nations.

I would point out to the Senator from Ohio that ideas and hypotheses cannot be hid behind a curtain, be it a lace curtain, an Iron Curtain, a Bamboo Curtain, or an open curtain, because ideas will break through.

Mr. President, the time is not too far off, according to some of my scientific friends, when other nations will have some of these secrets. Then we might be in trouble, because if the wrong people got hold of these particular phenomena, they might use them unwisely, and then all of us would pay the price. But the Senator from Ohio is correct. Morally, there is no right. But the way to break the impasse is to have a summit conference. I hope the President will once again take the lead in carrying forward the proposal he made in 1953, which showed his great interest and his great concern, insofar as atomic energy is concerned.

Mr. BUSH. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield for this question; but after it, I wish to conclude my speech.

Mr. BUSH. I thank the Senator from Montana.

I entered the Chamber a little late, as the majority leader was speaking, after the Senator from Montana had yielded to him. The discussion appeared to be in regard to an invitation from the administration or from the Secretary of State for the Senate to send observers to the present disarmament conference. Is that the case? Did the Senate or the majority leader or the Senator from Montana receive such an invitation from the State Department?

Mr. MANSFIELD. I did not; but the Senator from California, the distinguished minority leader, and the Senator from Texas, the distinguished majority leader, both did; and I understand that they are in agreement on the matter of not sending observers at this time, because, for one thing, of the press of Senate business—although that is of secondary importance—and primarily because it seems there is a long way to go before agreement will be reached in London.

Mr. BUSH. I have not had an opportunity to discuss this matter with the minority leader or with anyone else. But I believe the Senator from Montana attended the SEATO Conference, along with the Secretary of State, did he not?

Mr. MANSFIELD. Yes; while Congress was not in session, in September 1954. At that time the Congressional session—including the 2 heaviest months of the session—had ended; consequently, conditions were different.

Mr. BUSH. I thought the Senator from Montana, along with the Senator from New Jersey, rendered very useful service in that connection; and I thought it very appropriate that the Senate was invited to send two representatives to that very important conference.

My point is that the present conference is equally important. So I wish to take this opportunity to suggest that the decision not to send Senators to the present disarmament conference be reconsidered, because of the extreme importance of the conference. I believe the Senate would do well to send two of its own Members there. Certainly the Senate has a constitutional responsibility in connection with treatymaking.

Mr. MANSFIELD. I am quite sure the Senator from Texas and the Senator from California are both fully aware of that fact, and that the door has not been closed. I am also quite sure they recognize that there is such a thing as Executive responsibility under the Constitution, and the Executive must know that on the basis of the events of the past week—with Mr. Stassen returning to the United States, and with Mr. Stassen evidently being reprimanded, and with Mr. Stassen then being sent to London, with new instructions—he still has a long way to go. I think the majority leader and the minority leader are wise in saying, "All right; we will go, if needed, but we do not think this is the time to send observers." I think they are correct; and I think the Senator from Connecticut should recognize that fact, because the Senate now has important legislative matters awaiting its action; and if Senate representatives are needed at the conference, they can be sent on short notice, since London is only 14 hours away by ordinary airplane transportation, and only 8 hours away by transportation by jet plane.

Mr. BUSH. I believe they would be needed now, as much as at any future time. The purpose of going there would be to observe and to try to get the feel of the situation.

Mr. MANSFIELD. Then why so late? If it is important, why did they not go with Mr. Stassen in the beginning?

Mr. BUSH. I do not know the circumstances which existed at that time, or whether they were invited to go. The Senator from Montana, being a member of the Foreign Relations Committee, would know more about that than I would.

But if the administration thinks that at this time it would be advisable or helpful to have two Senators go to the conference, I hope Senators will be in favor of sending them, because of the usefulness which has been demonstrated of having Senators present at such conferences in the past.

Mr. MANSFIELD. If there is a possibility that a contribution will be made, then I hope the advisability of sending Senators as observers will be considered. But I should like to point out that we have a Disarmament Subcommittee which should be kept in close contact with what Mr. Stassen is doing in London. Furthermore, both Mr. Stassen and Mr. Dulles appeared before the Foreign Relations Committee, and brought the committee up to date on the progress of the negotiations up to that time. In addition, the situation looked more encouraging then than it seems to look at the present time.

Mr. WILEY. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. WILEY. I have listened with a great deal of interest to the Senator from Montana. I do not agree with a great deal he has said. When the proper time comes, I shall be happy to express my own views in regard to many of the things he has discussed.

I think the term "advice and consent" does not always mean what we have seen occur on the floor of the Senate time and time again. In my view, "advice and consent" means something else.

In view of the serious situation to which the Senator from Montana has referred, I think we had better reconsider what the term "advice and consent" means.

Mr. FULBRIGHT. Mr. President, will the Senator from Montana yield for a further question?

Mr. MANSFIELD. I yield.

Mr. FULBRIGHT. Does the Senator from Montana believe that the urgency of having a Senator attend the London conference exists because of the realization that we have no leadership in the executive, and that those in the executive are incompetent to carry out the duties of the executive under our Government?

Mr. MANSFIELD. A lack of confidence in Mr. Stassen seems to be indicated, because in addition to wanting two Senators sent to the conference, I think the administration has sent an able career diplomat, Mr. Julius Holmes, to advise Mr. Stassen in London.

Mr. President, as I was saying, the Japanese Government has renewed its plea to end such tests, and recently the National Academy of Sciences was told by a leading biologist that total radiation from all sources may now be approaching 50 percent of the permissible dosage for human beings. It is unreasonable to think that all of these pleas—many from patriotic and eminent scientific sources—are based on manufactured fears, and should be ignored.

In addition to the threat of radioactive fallout, we must consider whether a multilateral large H-bomb test ban would damage our defense.

WEAPONS FOR DEFENSE?

It is difficult to understand why we should develop bombs more powerful than those we now have. We already have more than are necessary to bring utter destruction to the world. Our defense may require the testing of small tactical nuclear weapons and devices, but there is serious doubt whether our defense requires more perfect big bombs.

It has been demonstrated that an H-bomb with an explosive power of 10 to 15 megatons or 10 to 15 millions of tons of TNT is capable of wiping out a city of hundreds of thousands of people. This can be done with one bomb successfully dropped from the air.

In May 1956, the Atomic Energy Commission detonated an H-bomb over a deserted atoll in the Pacific, at an altitude of 10,000 feet. According to reports, the bomb was believed to have released energy equivalent to 10 million tons of TNT.

At the time when this test explosion was reported, the New York Times illustrated the scope of the destruction of such a bomb, had it been dropped on a large city, as follows:

> Virtually every building, even those of reinforced concrete construction with 10-inch thick walls and 6-inch thick floors, outward for more than 2 miles from Ground Zero, would have been crushed by the smashing blow of the explosion. Even at a distance of more than 9 miles, there would have been serious damage to steel-frame buildings. Homes like those found in any suburb would have been heavily damaged as far as 12 miles away.
>
> This would have been the effect only of the blast. Aside from this, the flashing many-thousand-degree heat from the explosion would have set off a "fire storm" like that which burned Tokyo and Berlin in World War II.
>
> The instantaneous radiation of the bomb's burst would have produced no visible damage to structures. But any person close to Ground Zero or outward for several miles would have been radiated to the point of early death or longlingering illness.

Incidentally, Mr. President, we must keep in mind that this test explosion lacked the force of the superbomb exploded in the 1954 Pacific tests.

Need we develop more destructive weapons than these? I sincerely hope not.

A full-scale attack on Russia with these nuclear weapons by American bombers would kill "several hundred million" people, including many in surrounding Free-World countries, according to a statement made by Lt. Gen. James M. Gavin before a Congressional subcommittee. The Army's Research and Development Chief said, depending on "which way the wind blew," the lethal dust would fall on Western Europe or across Asia and hit Japan and possibly the Philippines. Let us not forget that an attack on the United States would wreak similar destruction.

The production of nuclear weapons is not something new. We have been stockpiling and testing the weapons for over 10 years. It is reported that this country already has put untested 20-megaton bombs in its stockpile. These are 1,000 times or more the size of the bomb which leveled Hiroshima—equivalent in explosive power to from fifteen to twenty million tons of TNT. I believe, if I am correct, that in Mr. Stewart Alsop's column this morning in the Washington Post and Times Herald he made the statement that tested 40-megaton bombs may be in the stockpile at the present time.

The development of so-called clean thermonuclear weapons has become one of the major points in the justification of additional tests of large nuclear devices. The Atomic Energy Commission is concentrating on efforts to cut the superbomb's fission products of radioactivity. There has been some success in this field.

However, scientists say so long as fission exists, so long as bursts are big, and so long as earth particles are sucked up into the fireball, there will inevitably be radioactive fallout.

Despite this assertion, there has been little interest shown in clean bombs by our defense agencies. In fact, the New York Times reported on May 28, 1957, that a Department of Defense booklet warns that "with the development of the hydrogen bomb radioactive contamination has become a new offensive weapon." If there were a nuclear war, I am quite sure the Russians would not use clean bombs unless it were in their own interest to do so. Also, short of a self-enforcing agreement, there is no way to prevent the Russians from contributing to the radiation hazard with tests of big dirty weapons, irrespective of what we do.

Winston Churchill has clearly described the relationship of nuclear power to defense. He has stated the inescapable truth that both sides now possess nuclear power to such an extent that the use of heavy nuclear weapons by either side would result in mutual annihilation. Defense for both the United States and the Soviet Union is therefore reduced to a matter of stalemated mutual deterrence. Does this not rule out the need for further testing of heavy weapons?

As President Eisenhower has indicated, the United States is now interested in defense against the aerial delivery of heavy nuclear bombs. It may be presumed that this is also a principal interest of the Soviet Union. Testing weapons for such tactical purposes is relatively harmless compared to testing of the heavy nuclear weapons. Tests for tactical purposes might be continued, even though there were a multilateral agreement to ban tests of a magnitude greater than 1 megaton. Under existing circumstances, the testing of nuclear weapons larger than 1 megaton would not seem to be essential to the defense of the United States, in view of our existing stockpile of big weapons.

Furthermore, in this day and age, these massive weapons could be used only in the kind of war which no one could risk. It would be a tragic error if our military policy were to lead us into the blind alley in which our only alternatives were massive retaliation or appeasement. An infatuation with big bombs may put us in just that position.

SOVIET INITIATIVE

The Soviet Union has seized the initiative in proposing to ban atomic tests and to outlaw the possession of atomic bombs. The Russians made these proposals some time ago; and as recently as May 9 the Moscow radio reported that Russia was willing to halt nuclear bomb tests, if the United States and Britain would do likewise. Premier Bulganin made this overture to a Japanese Peace Committee. I might say that proposal has once again recently been reiterated.

Russia's motives are suspect, but she has seized and held the initiative in the field in which the United States pioneered. Russia is making headway in world opinion.

I am convinced that United States initiative in seeking on a multilateral basis to limit or prohibit future nuclear tests would be in the national interest. It would serve to reestablish a feeling of international confidence in the peaceful intentions of the United States.

President Eisenhower, in his press conference of June 5, set forth in clear, distinct terms the official position of the United States. He said, in effect, that fallout results from tests and tests are necessary if we are to continue to maintain an adequate defense. He observed that the United States cannot agree to any ban on tests unless there is a concurrently effective ban on the use of nuclear weapons. In other words, any ban on testing must be linked to an effective disarmanent agreement.

I cannot agree with what is in effect a position of all or nothing. We must not rule out the possibility of a step by step attack on the threat posed by bigger and more bombs. We must not rule out the possibility of agreements upon partial or restricted limitations on testing.

THE EFFECTS OF RADIATION

The strongest argument for suspending tests of nuclear weapons is based on the knowledge that to some extent these nuclear tests have already poisoned the atmosphere. Whether this poisoning has yet reached a dangerous amount we do not know with certainty. However, it is known with certainty that more big nuclear tests will add to the amount of contamination and increase the possibility of genetic damage.

The first witness to appear before the recent Joint Atomic Energy Committee hearings on radiation hazards, Dr. Charles L. Dunham, Medical Director of the Atomic Energy Commission, said that production of some undesirable fallout was an inevitable result of nuclear explosions.

As we know, in this atomic age, nuclear bomb tests create radioactivity which may register its impact virtually any place in the world. The big question is how much the human race can absorb safely and what effect such absorption will have on future generations.

The heaviest fallout of a nuclear bomb occurs within approximately 100 miles of the test site. It produces radiation sickness and death as the radioactive debris gradually settles to earth.

The concern of many of our top scientists today, however, is not with the local fallout but with the remote fallout of radioactive particles which are carried high into the stratosphere by the violence of the explosion. It is only now becoming clear, and increasingly so, that man cannot go on testing more and more, and bigger and bigger, bombs without the stratosphere becoming loaded with radioactivity, with consequent unknown damage to life.

Much radioactive debris comes to earth in a short time, some of it brought earthward by rain and snow, as in the case of the radioactive rain which fell on Washington, D. C., on May 14, 1957. Even though the radioactive content of that rainfall was not considered dangerous by the Atomic Energy Commission, and even though, as the atomic physicist, Dr. Ralph E. Lapp, has explained, fallout does not necessarily mean that mankind will be bombarded by penetrating rays which might threaten the future of civilization, there is a chemical element called strontium 90, which is spawned by uranium fission. Strontium 90, within a comparatively few years, could become a grievous woe to mankind.

Even Dr. Willard Libby, of the Atomic Energy Commission, one of the Federal Government's defenders of the position that continued tests will not hurt too much, has admitted that there is a risk in the tests. He has stated that "excessive dosages" of strontium 90 can cause bone cancer and leukemia in animals, "so we should not casually dismiss the possibility of harmful results from fallout." But the risk appears to be remote, according to the findings of Dr. Libby. I cannot help asking, "What about people?"

Despite Dr. Libby's optimism, the Federation of American Scientists, a group of 2,100 scientists and engineers, has been a strong force in urging agreement on the cessation of H-bomb tests. In addition, the federation has been seriously concerned about the effect radioactive fallout might have on the genetic makeup of mankind. When Commissioner Thomas E. Murray appeared before the Senate Foreign Relations Committee several weeks ago he concurred in my feeling that continued testing of weapons producing strontium 90 as a byproduct presents clear and present danger for us and an even greater danger for our children.

During the course of this hearing Commissioner Murray summed up the problem when he stated that "the situation that confronts you and the whole world and all of us is how much of this strontium 90 can you deposit around the world and not get yourself into some very serious trouble. There is no backtracking."

In this connection, I noted with considerable interest the recent report by scientists of the United States Weather Bureau indicating that there is a greater hazard to residents of some areas than the AEC has apparently believed to be the case.

These Weather Bureau scientists concluded that "some areas of the United States, particularly the northern tier of States, has received and will receive 2 to 3 times more strontium 90 fallout than Southern States."

Their report also stated that "Strontium 90 fallout patterns are more complex than the AEC believed, being related to certain intricate wind, rain, and other meteorological factors not previously taken into account."

Even though the present degree of saturation is still below what the AEC considers a danger point, this information as to fallout pattern does upset predictions of future dangers.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GORE. What good will the statistics or averages be to the man, woman, or child who happens to be the victim of unusual precipitation and thereby receives a dangerous amount of strontium 90? The fact that the average overall for humanity of the world does not show a large per person content may be of little consolation to the man who will die because he has received more than average.

Mr. MANSFIELD. He may not even know it. Averages are not of great value, but they are the only guidesticks we have at the present time. Of course, we know there are great differences between scientists themselves, but there is no disagreement so far as the fact that the stratosphere is becoming loaded is concerned, and that the danger to mankind is increased with each experiment being carried on.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. MANSFIELD. Yes, indeed.

Mr. GORE. Those who take a sanguine attitude toward this potential danger refer to uniform fallout. I think the hearings before the Joint Committee have demonstrated conclusively that there is no uniform radioactive fallout. As the able Senator has just stated, the Weather Bureau gives conclusive testimony to that effect.

Mr. MANSFIELD. The Senator is correct.

Mr. President, the future testing of nuclear weapons is a topic of major international concern. I find it more disturbing that the positions of the opponents and the proponents of continued testing are hardening.

The American people are entitled to know the risks they face. The Iron Curtain of the Atomic Energy Commission does not contribute to an understanding of the problem.

The Joint Committee on Atomic Energy has recently conducted hearings on the effects of radioactive fallout. The committee has performed an enormous service in promoting an intelligent discussion of the subject. I sincerely hope they will give consideration to the views of some of the eminent scientists from other nations of the Free World who have done so much pioneering work in atomic energy.

I should hope that this committee study will be the first step in a program to bring about a multilateral agreement to halt large nuclear tests.

NEED FOR POSITIVE ACTION

Mr. President, as I urged earlier, the time has come for the President to move with courage and vigor. There can be little doubt of the positive response among the people of the world should the United States assume the leadership in this direction. A multilateral limitation upon testing can be separately negotiated and need not interfere in the slightest with present disarmament negotiations.

The first need is for agreement in broad principle among the heads of the nations advanced in the production of nuclear power, the United States, the Soviet Union, Britain, and possibly France. Such a meeting of the heads of state should concentrate upon an agreement limiting nuclear testing to weapons for 1 megaton or less. On this basis there is reasonable hope for agreement. The far-reaching benefits that would accrue from this—like an atomic chain reaction—are imponderable. And not the least of these would be restored confidence in the positive leadership of the United States.

At a recent press conference, the President linked proposals to stop tests with the conclusion of an all encompassing disarmament agreement. The President was speaking however of a total ban on testing. The President has left open the possibility for a multilateral agreement limiting tests. Of course, an effective disarmament is to be desired. But to make one agreement unequivocally dependent upon the prior conclusion of the other seems unreasonable to me. It seems evident to me that the blocks to a multilateral limitation upon testing are not unsurmountable. The Soviet Union has voiced a desire for such a limitation. If, in negotiation, the Soviet Union were to block agreement, it would be clear to the people of the world where the responsibility lay.

THE INTERNATIONAL ATOMIC ENERGY AGENCY

Mr. President, last week the Committee on Foreign Relations unanimously recommended approval of the Statute of the International Atomic Energy Agency. Let this Nation follow that action by action in the field of atomic weapons.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HICKENLOOPER. I am somewhat confused by the Senator's reasoning in the last statement. I understand what he means and says about the Soviet Union's blocking attempts by the United States to obtain these agreements, and about the world understanding it was the Soviet Union, and where they stood. I recall, ever since the Baruch plan was put forward by the United States, the subsequent constant striving by the United States to obtain realistic and workable agreements for the reduction of atomic weapons and armaments, and that in every instance it has been the Soviet Union which has blocked these plans; yet day by day we hear that if we will do this and the Soviet blocks it the world will know it is the Soviet acting as the big obstruction to this objective.

The Soviet has blocked every proposal the United States has made. I suggest that the fact that the probability that the Soviet would block another proposal of the United States would not cause me to believe there was any great promise of convincing the world of the perfidy of the Soviet Union. I think it might be contributory and cumulative, since they have blocked everything we have tried to do in the past.

Mr. MANSFIELD. That is true. I would not disagree with the Senator from Iowa, but I would still take the chance of sitting down with them around the table and considering a proposal which would seek to bring about some degree of limitation, with safeguards, so far as experiments are concerned.

Mr. HICKENLOOPER. Mr. President, will the Senator yield further?

Mr. MANSFIELD. Yes.

Mr. HICKENLOOPER. I submit that has been our constant effort, the effort to get the Soviet Union to sit down around a table and discuss practical solutions to the problems which have arisen.

Mr. MANSFIELD. The Senator is correct.

Mr. HICKENLOOPER. We have always observed them make sometimes rather attractive but still chimerical statements. When it gets down to negotiation, the details of the contracts and the reliable terms upon which a program will operate, they have always walked out from under and gone about their business otherwise, without being cooperative at all.

Mr. MANSFIELD. Mr. President, I cannot disagree with what the Senator from Iowa has stated, but I would say in reply—and I am not being facetious—that while there is life there is hope.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes, indeed.

Mr. ANDERSON. I feel, if the Senator from Montana will permit me to say so, that there has been a slight change in the situation around the world. When the Baruch proposal was made, the Government of the United States was the only possessor of atomic bombs. It was not known how many bombs this country possessed, but I think the number was fairly limited. We were not actively engaged in production of them for quite a while. But at least we had the only weapons; and when we made our proposal to the Russians, as I recall, Mr. Baruch's proposal required that there be full inspection. It seems to me that the Russian reply was that we had to destroy our facilities for the production of bombs. I think the record will bear me out. They insisted upon the destruction of the facilities at Hanford and Oak Ridge and Los Alamos, where we had facilities for construction of the bombs. That would have brought us down to a position in which the land armies of Russia would have been superior in numbers to anything we might have had, and would have made it easy for Russia to overrun a war-weary Europe. It was our bombs which made it possible to prevent the overrunning of Europe.

Now the situation is quite different. The Russians have a stockpile of bombs in fairly substantial number, if our reports may be believed. They have a family of weapons, as we have, and we do not have a situation in which we can say to them, "We hold the power, and can do as we please."

Therefore, I feel that the situation has changed.

I ask the Senator from Montana, who is a member of the committee which would deal with this question, whether or not he knows of a positive program which the United States Government has

looking either toward the elimination of bombs or the termination of testing.

Mr. MANSFIELD. I know of no such program.

Mr. ANDERSON. I cannot find any program for the termination of testing.

Mr. MANSFIELD. I do not know of any.

The basic purpose of the International Agency, as we know, is to advance international development of the peaceful uses of the atom. The approval of this statute will be the first step in realizing the great benefits to be derived from peaceful consultation and cooperation in the field of nuclear energy.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GORE. I am prompted by the last question of the distinguished junior Senator from New Mexico to ask the able Senator from Montana, who is a member of the Committee on Foreign Relations of the Senate, if he knows whether or not Governor Stassen is under instructions to propose, at the London conference, some step or some method by which an agreement might be reached to bring to a halt the testing of multimegaton hydrogen bombs?

Mr. MANSFIELD. Not along the lines of the question asked by the Senator from New Mexico. Specifically, I know of no such instructions.

There are other points, of course, about which we have been informed in the committee.

Mr. GORE. I am not asking the Senator to divulge any secrets.

Mr. MANSFIELD. The answer to the direct question raised by the Senator from New Mexico is "No." The ranking member of the Foreign Relations Committee and the chairman of the Foreign Relations Committee are present, and I think they will corroborate what I have just said.

The International Atomic Energy Agency will begin on a modest scale. But it has a great future in the development of power. It will have a vital role in research, in the disposal of atomic waste, in health, and it will promote the exchange of scientific information among member states.

The International Atomic Energy Agency is not a cure-all. The provisions of the statute will, however, serve to help bring the power of the atom under control and to direct its tremendous energy to peaceful purposes.

The established purpose of the Agency as set forth in the statute reads as follows:

> This agency will seek to accelerate and enlarge the contribution of atomic energy to peace, health, and prosperity throughout the world. It shall insure, so far as it is able, that assistance provided by it or at its request or under its supervision or control is not used in such a way as to further any military purpose.

This Agency will serve as a world atomic bank, a storehouse of the basic nuclear fuels such as U–235 and plutonium. These fuels may be made available to the Agency by the atomically advanced nations and allocated to non-military projects in member nations. The United States has offered to make available to the Agency, when it begins operation, 5,000 kilograms of U–235 and has agreed to match the contributions made by other nations until July 1, 1960.

The details of the statute of the Agency are discussed fully in the report of the Committee on Foreign Relations. The point I want to emphasize is that the creation of this Agency gives the world an opportunity to begin to twist the atom from a fearful path of destruction to a path of peace. We cannot expect the Agency to succeed overnight. But the creation of this instrumentality of international collaboration may give mankind a way to wrench itself free from the headlong rush toward sure disaster which has characterized warborn, atomic thinking of the past 10 years.

The atomic world has become too large and its possibilities of earthly destruction are too great for us to go it alone.

Eight nations have already ratified the statute of an Agency conceived by the United States. It is time that we were rid of an attitude of indifference, of fear, of hesitation.

It is my earnest hope that Members of the Senate and the American people will support our President as he pushes ahead on the path he charted in 1953 when he submitted his "atoms for peace" proposal to the United Nations. He deserves our wholehearted support in this effort to develop the atom as an instrument for the welfare of all mankind.

While supporting the President in this endeavor to help mankind by promoting the peaceful uses of the atom, at the same time, I urge him and his advisers to try to help mankind by demoting the fearful threat of the military use of the big bombs. The time has come when the President and his advisers must in a nonpartisan, nonpolitical atmosphere examine the premises which seem to underlie a reluctance seriously to embark on negotiations to limit by multilateral agreement the testing of big weapons of mass destruction which are already stored in deadly quantity.

There is no perfect weapon of mass destruction. The most imperfect weapon we could develop would be the one which might hurl into the atmosphere the final debris of full saturation and thus destroy that which God had wrought.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. FULBRIGHT. I congratulate the Senator on a very thoughtful and interesting speech, which I think will be of great benefit to Members of the Senate. Particularly I should like to commend him for his suggestion to the administration that it should not wait until an overall, complete, and perfect settlement of the disarmament problem is reached before making any agreement at all. That is what I had in mind when I addressed a question to the Senator a little earlier. If the cessation of testing of large bombs is in itself a good thing, why should not that be the first step? If we can take one step in this field, would not that tend to inspire confidence in the next step? We must make a beginning somewhere.

Mr. MANSFIELD. There is no question about the thesis of the Senator from Arkansas. Certainly the idea of "take it or leave it; all or nothing," means that we are further away from disarmament, further away from reaching an agreement which might protect the future of mankind.

Mr. FULBRIGHT. The Senator will recall that when the Secretary was before our committee he discussed the question of applying the "open skies" concept to a limited area. It was limited, on the theory that this was merely the first step. If we can take the first step, we shall have placed ourselves in a position to take the second step.

I think I interpreted the feeling of the committee to be that we were favorably impressed with that idea and that particular thought.

Mr. MANSFIELD. Yes, indeed.

Mr. FULBRIGHT. I cannot understand why there is so much reluctance to take the first step toward the cessation of tests in the big bomb field, as a preliminary to the cessation of manufacture of weapons in the future, along the line of the question of the Senator from Michigan. There seems to be the feeling that we should not take this step under any circumstances unless we get the further step of the cessation of manufacture of weapons. I am unable to follow that reasoning. I wonder if the Senator can throw any particular light on that question.

Mr. MANSFIELD. No. All I can say is that the majority leader—and I am speaking strictly in a nonpartisan sense—has advanced a plan which contains a great deal of hope. I express the hope that the administration will discuss with the majority leader his proposal, in an effort to determine what the administration and the Congress, together, could do to further the five points enunciated by the majority leader, the third of which, of course, has to do with the cessation of thermonuclear experimentation, under proper safeguards.

Mr. FULBRIGHT. Let me make one last observation. As the Senator knows, the Committee on Foreign Relations has been meeting practically every day. In any event, it is available for consultation. Also the Subcommittee on Disarmament is meeting. There is no reason whatever why they should not be consulted at any time the administration wishes to consult them in any manner respecting the disarmament question, is there?

Mr. MANSFIELD. None whatever. The full Foreign Relations Committee and the Disarmament Subcommittee, under the very able chairmanship of the Senator from Minnesota [Mr. HUMPHREY], stand ready and willing, as they have been at all times, to discuss with the administration any questions which might be of interest to the security and welfare of the country and of the entire Free World.

Mr. FULBRIGHT. I thank the Senator.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of my speech the colloquy between the Senator from New Mexico [Mr. ANDERSON] and myself, contained in the CONGRESSIONAL RECORD of June 11, at page 8792 be printed in the RECORD.

There being no objection, the colloquy was ordered to be printed in the RECORD, as follows:

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. ANDERSON. I will yield to the able Senator from Montana, if the able Senator from Georgia will permit me to do so.

Mr. RUSSELL. I yield.

Mr. MANSFIELD. Mr. President, I wish to ask the Senator from New Mexico, the former chairman of the Joint Committee on Atomic Energy, and at the present time the ranking member and vice chairman of the committee, if I understood correctly that what he said on the matter of the suspension of bomb tests was not to call for a total suspension, but instead for a multilateral suspension above a certain level of strength?

Mr. ANDERSON. Yes. I wish to say to the able Senator from Montana, I was in support of the proposals made by scientists. We know the safe level of fissionable material which can be put in the atmosphere by all countries. It is something in the neighborhood of from 4 megatons of fission products to 10 megatons of fission products. Somewhere in between is the safe limit. I have said that so long as we stay within the 4 to 10 megatons of fission products—not the total tonnage of bombs, but of fission products—we ought to be able to secure an international agreement among Russia, Britain, and ourselves, which would still leave plenty of room to test all of the devices now being tested at Las Vegas Proving Ground or in the far Pacific, all of the devices the Russians want to test, and all the devices the British want to test, provided we try to use cleaner bombs—not totally clean bombs, but cleaner bombs than we have been using. I believe it can be done. It should be done. I believe this country ought to move boldly in that direction.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. COOPER. I should like to say, first, as I said a few minutes ago, that when the distinguished Senator from Montana speaks on a question of foreign policy, or on any issue, I listen to him carefully, because I know that he speaks sincerely, and what he says proceeds from a good heart and fine mind.

I must say, however, that I believe it would be unfortunate if he leaves the impression that the United States has lost the initiative in the matter of disarmament and, second, if we accept an assumption that the President of the United States has taken the position in the disarmament negotiations that we must have all or nothing. I do not believe the facts bear out either of these assumptions.

First, let us examine the question of whether the United States—whether the President of the United States—has shown initiative in this field. The Senator admitted in his speech a few minutes ago, that the treaty we are preparing to ratify, is the consequent of the initiative the President of the United States took in January 1953, in his speech before the United Nations.

Mr. MANSFIELD. That is true.

Mr. COOPER. The tribute the Senator paid the President at the end of his speech shows his generosity. At the same time, he confirmed that the initiative was taken by the President of the United States.

Second, as the Senator has also admitted the President of the United States proposed at the Geneva Conference aerial inspection by the United States and Russia. He did more than that. He offered to exchange with the Soviet Union full information about our Armed Forces. Although tentative responses have been made to his proposal by the Soviet Union, it has not accepted the initiative of the President. Again, the Senator's speech was based upon an assumption, which I do not believe correct. It is that the United States has adopted a fixed position in the negotiations at London, that if we cannot reach complete agreement with Russia respecting complete control of nuclear weapons, we will not agree to any suspension of tests.

Mr. MANSFIELD. Not at London; at the last press conference downtown.

Mr. COOPER. But the negotiations at London express the policy of the United States. I point out that the Soviet Government has made a proposal, according to the newspapers. It is that they are willing to suspend tests for 2 or 3 years, and to establish international control posts to observe whether the agreement is being kept.

However, we do not know whether control posts would actually be established, or where they would be established. It is not known whether any reports from the control agency would be subject to veto in the Security Council. It is at most, at this time a tentative proposal.

Mr. MANSFIELD. Are we making inquiries?

Mr. COOPER. I am certain that we are inquiring. I am certain that Mr. Stassen is inquiring, although I have no official information. I read the newspapers. We are not foolish about this. We must assume that Mr. Stassen has gone back to London for this purpose.

There is another assumption in the Senator's speech, that I believe incorrect, if the Senator will permit me to say so, and that refers to the position of the United States. What is our proposal? According to the newspapers—and I assume the newspapers are correctly reporting—and this I have read in the New York Times, the Washington Post and Times Herald, the New York Herald Tribune, and other newspapers. A few weeks ago the Government of the United States proposed at London that we would agree to a suspension of tests, provided that Soviet Russia would agree to a joint suspension of the production of fissionable material for nuclear weapons. I do not know whether the report is correct but I believe it is true.

Mr. MANSFIELD. Neither do I.

Mr. COOPER. At least it has been stated. The Senator is a member of the Committee on Foreign Relations, and he has an opportunity to inquire. He has made a speech on the issue. And he has proceeded upon the assumption that the United States has presented only one alternative to the suspension of tests—that of absolute control of nuclear weapons. I do not believe the assumption to be correct. Again, according to reports in the newspapers, the United States has presented other alternatives. It has said it would agree to the suspension of tests for a shorter period—10 months or a year—if the Soviet Union would agree to facilities which would assure that tests had actually been suspended, and arrangements to commence plans and steps toward actual control of nuclear weapons.

There are two issues at stake. One is, do we want to suspend nuclear tests and nothing else? The world would like to see and we would like to see them ended. Our dilemma is whether we should do this without assurance of the security of our country, and unless there is reason to believe that we can go further and take steps toward agreement with Russia to control the destructive weapons themselves. As I understand the position of the United States, it is that as much as we would like to see the suspension of nuclear tests, we must use all the influence that we have, to move forward, not for complete control and disarmament in one step, but at least some step, some beginning, in the control and disarmament of the weapons which threaten life and civilization. Suspension of tests will not give such assurance.

The question I ask is not based on a partisan view. But today, an attack has been made on the administration, and certain assumptions of its position and purpose have been ascribed to it which I do not believe are correct. What I should like to know is whether those who criticize the President want to stop nuclear tests now without any provision and any safeguards toward the actual control of nuclear weapons.

Mr. MANSFIELD. Nobody has been advocating that.

Mr. COOPER. It has not been clear.

Mr. MANSFIELD. If I can say it again——

Mr. COOPER. The Senator opposes the President——

Mr. MANSFIELD. We say the administration lacks initiative.

Mr. COOPER. The Senator would attack the President if he suspended the tests. And he has attacked because he has not agreed to suspend tests.

Mr. MANSFIELD. No, not at all, not under the right conditions. If he were to do it per se, yes. We have made the suggestion that the heads of the nuclear states meet and take cognizance of their great responsibility—I think the President recognizes his—to see what they can do about limiting the experimentation in thermonuclear devices above 1 megaton in strength. What is wrong with a plan like that?

Mr. COOPER. It is a suggestion that should be considered. What I object to is the statement to the world that the

administration has not offered alternatives—that it is without initiative.

Mr. MANSFIELD. What have they offered? I would like to know what they have offered. I see members of the Joint Committee on Atomic Energy on the floor. What has been offered by the administration?

Mr. COOPER. We cannot all sit in the meeting at London. I would assume that the members of the Joint Committee on Atomic Energy and the members of the Committee on Foreign Relations could inquire about our position. It is in the newspapers.

Mr. MANSFIELD. We will inquire.

Mr. COOPER. The reported proposals are in the newspapers every day.

Mr. MANSFIELD. Members of the Joint Committee on Atomic Energy and of the Foreign Relations Committee are present on the floor.

I assure my friend from Kentucky that we will look into that. To the best of my knowledge, I do not know. We have not received any reports as to what they would indicate.

EXHIBIT 1

INTRODUCTION TO SPEECH OF SENATOR MIKE MANSFIELD, OF MONTANA, ON ATOMIC BOMBS TO U-BOMBS IN 10 YEARS, APRIL 18, 1955

Mr. President, few subjects are of greater importance to the Nation and, for that matter, to the world, than the rapid development of the destructive power of atomic weapons. A great deal of information on this subject has been published in the press both in this country and abroad. Yet we do not have this information collected in a form that brings home to those of us who are not specialists the full impact of developments in this field.

We need not approach the subject of atomic weapons with fear. On the other hand, we cannot pass it off as just another innovation in military science. Either of these approaches, it seems to me, can lead us into very serious errors of foreign policy.

What we require are the facts on the potentialities of atomic weapons development. We require them, moreover, in a perspective which will enable us to understand the life and death issues that are involved. Then, perhaps, we may have a chance of devising effective policies for dealing with the enormous forces which scientific knowledge is setting loose in the world.

As a step in my own education on this subject I have compiled a study of developments in atomic weapons, as reported in the public press and it is the information so obtained that I wish to make available to the Senate.

I reiterate that the material for this study has been drawn solely from public sources. Enough has been published, however, to make clear that there is an urgent need for a most penetrating study by the Senate as well as the executive branch of the implications of atomic weapons developments for our foreign policy. The time of decision on the question of the survival of civilization, if not human life itself, appears to be drawing uncomfortably close.

It is almost 10 years since the second atomic-fission bomb killed 70,000 people and destroyed 2 square miles of the city of Hiroshima in Japan. Since that fateful day the scientists of the Free World and those of the Communist world have made astounding advances in the physical sciences. Advances in this atomic age have been so great that it is predicted that it is now possible to build 1 bomb equivalent to 60 million tons of TNT. This prediction was made by Val Peterson, Civil Defense Administrator, in a speech in Chicago on January 25, 1955.

Nine years after the bombing of Hiroshima, on March 1, 1954, the Atomic Energy Commission task group detonated a thermonuclear device of monstrous size. In its widest implications that explosion has not yet ceased to reverberate. A long chain of incidents, ranging from the curious to the tragic, has made it clear that peacetime nuclear explosions may be a possible threat to our well being. Storm signals from earlier atomic tests such as fogged photographic fields and radioactive rain have given way to the storm—which has already resulted in the radioactive poisoning of several hundred people, according to news releases. The March 1, 1954, explosion also blasted the lid of secrecy from the AEC's thermonuclear experiments, giving the public its first real look behind the uranium curtain; thus it is now known that the AEC touched off three prior explosions, the third of which was detonated in November 1952. Likewise, we have been told that the Russians have set off three more atomic explosions since August of last year.

The March 1, 1954, bomb was expected to explode with a force of 4 to 6 megatons or, from 4 to 6 million tons of TNT. Instead, according to Joseph and Stewart Alsop, New York Herald Tribune, April 7, 1954, the force of the explosion was 14 megatons. It left scientific measuring instruments unable to record its full effects. The magnitude of this test can best be illustrated by comparison with previous explosions. The earlier hydrogen blast set off at Eniwetok equaled at least 1 megaton, or 1 million tons of TNT. The atomic bomb dropped on Hiroshima equaled about 20,000 tons of TNT. The largest blockbuster of World War II equaled 10 tons of TNT. Today, according to Hanson Baldwin in the New York Times, March 17, 1955, "our least powerful atomic weapon has an explosive force equivalent to about 3,000 tons of TNT." Sound waves from the March 1, 1954, blast were detected in London, and an American astronomer said the flash could have been seen from Mars. President Eisenhower admitted that the explosion astonished and surprised the scientists, but the AEC called it a routine atomic test, and clamped on the tight lid of secrecy. Then word leaked out that there were some inhabitants of the Pacific islands who were unexpectedly exposed to radiation.

On March 13, 1954, a grave new consequence of the routine atomic test was reported. The Japanese fishing trawler *Fukuryu Maru* docked in Yaezu, Japan, with its 23 crew members showing symptoms of acute radiation exposure. They told how on March 1, 1954, they were some 80 to 90 miles from Bikini, when at 4 a. m. they fancied they saw the sun rising prematurely in a strange manner. Six or seven minutes later they heard a roar, and 2 hours later they were showered with a white ash, which continued to fall for several hours. The ash was fallout from the explosion, consisting mainly of irradiated coral dust. Only after they had become quite ill did they suspect that they had been rained with "ashes of death" and headed for port. They had on board 40 tons of freshly caught tuna and shark, which according to the New York Times exhibited radioactivity sufficient to be fatal to any person who remained for 8 hours within 30 yards of the fish. Two of them were in worse condition than the rest, having eaten some of the fish. The crewmen were hospitalized, the trawler was ordered burned at sea and sunk, and the fish buried but not before several thousand pounds of the contaminated fish had been unloaded and shipped to market. A "hot fish" panic ensued in Japan, and police, in a frantic effort to track it all down, ordered a thousand tons of other fish destroyed.

Soon after the mishap, Dr. John Morton, head of the Atomic Bomb Casualty Commission (ABC) at Hiroshima, reported concerning the 23 fishermen, "they will recover completely within a month." But by the 23d of March 1954, five of the fishermen were reported in serious condition.

About March 25, 1954, it was reported that the United States Navy tanker *Patapsco*, operating with the H-bomb task force group, had received light but not dangerous contamination by radioactive fallout.

On March 27, 1954, two more atom-dusted Japanese trawlers came into port and were quarantined. One had been operating about 780 miles from the test site and the other 200 miles away. There were numerous other ramifications, of varying degrees of gravity, from the first March explosion.

On March 29, 1954, Newsweek magazine wrote:

"The subject isn't discussed openly around the AEC but scientists are worried about the whereabouts of the radioactive mushroom cloud generated by the March 1st H-bomb explosion. • • • Within a few days after all previous tests, laboratories around the United States have reported detecting traces of radiation in the atmosphere. So far no traces have been spotted from the March 1 bomb, which shot its mushroom an unprecedented 20 miles into the air."

Against this turbulent background, the AEC detonated an even larger H-bomb on March 26, 1954. The March 26th bomb was intended to have been dropped by parachute from a B-36 superbomber, according to reports, but for reasons of caution this plan was abandoned. This was probably for the best since the bomb, expected to develop 3 megatons, exploded instead with about 17 (according to the Alsops). And Newsweek later reported on April 12, 1954 that "Air Force officials refuse to talk about it, but a giant B-36 superbomber observing the March 26th H-bomb explosion was flipped completely over by the blast." The AEC had by now taken many new precautions, such as extending the restricted zone to an area 450 miles wide, covering several hundred thousand square miles. It had searched the area carefully, to make sure no ships were there. Nevertheless two Japanese fishing boats came into port on April 8, 1954 with cargoes of radioactive tuna.

The guarded secrets and facts about the H-bomb were gradually coming out and, as we know, a vast clamor rose about the tests around the world. It seems that the test model we now have is a far cry from the H-bomb ordered by President Truman in 1950. Thus, we now have a sketchy résumé of the highlights following the March hydrogen bomb tests.

Strange incidents continued to show up in the newspapers but each received less notice than the last, until it was practically forgotten. Then on September 23, 1954, Aikichi Kuboyama, a humble Japanese fisherman, died—the world's first fatality from a hydrogen bomb blast. He died in Tokyo Hospital, reportedly of jaundice brought on by radiation sickness. This one death brings very close to home the horrifying aspects of the hydrogen bomb.

I admit to being a complete amateur in the physical sciences. My entire source of information has been a large number of our national magazines, quarterlies, reviews, and daily newspapers. The material on the atomic and hydrogen bombs, guided missiles, the cobalt bomb, radioactivity, and the various aspects of nuclear warfare that I have accumulated has been authored by eminent scientists and laymen. The end result has been enlightening but disturbing.

It is difficult to realize that science has progressed to such a point that 1 hydrogen bomb can destroy 200 square miles of a city and kill several million city-dwellers. New York, London, Moscow, or Peking could be effectively destroyed by a single H-bomb.

As I understand it, each exploded nuclear weapon sends into the atmosphere its share of radioactive byproducts. One result of this is an increase in the radioactivity of the gases which make up the earth's atmosphere. The other is "fallout." The increase is radioactivity now appears inconsequential and will remain so unless there is a general war with the all-out use of nuclear weapons, in which case the matter could become serious, according to the experts. Unless such a war occurs, radioactivity will continue to be less of a menace to humanity than automobile exhausts and cigarettes. (The Commonweal, December 10, 1954.)

Fallout, according to an article in the Commonweal, December 10, 1954, is quite another matter. When a nuclear explosion occurs, particles of radioactive matter—vaporized metal, sand, etc.—are thrown into the upper air and carried by the winds until they cool and resolidify. Then they drop like rain. It was such an unexpected fallout which struck the *Fukuryu Maru*.

Atomic weapons, particularly those in high-penetration missiles and "small" bombs, do not produce fallout of any drastic consequence. But the Commonweal article says that a strategy of attacks on industrial complexes would almost inevitably mean the large-scale employment of air burst hydrogen bombs. Judging from published reports, an all-out air-burst hydrogen attack on a scale intended to cripple a modern state could render uninhabitable an area equivalent to the populated portions of Russia or North America. Unexpected winds, like those which affected the Japanese fishermen, could bring the fallout down upon the attacking—or an innocent—nation. The combination of these two dangers, general radioactivity and fallout, not to mention the incredible physical destruction involved, would mean that a nation launching all-out nuclear war would be toying with human suicide.

Overshadowed by the official announcements and speculation about the hydrogen bomb and the atomic bomb is the so-called C-bomb or cobalt bomb.

According to a New York Times article, March 28, 1954, "This in itself will not be an explosive weapon designed primarily for mass destruction by blast and heat, but a vehicle of radiological warfare. It would be an additive to powerful explosive weapons. The explosion would disseminate the radioactivity impregnated in the element cobalt."

In an all-out war situation, there might be a need for other means of incapacitating enemy troops or war workers or of rendering a big area uninhabitable for a period. In such a case the natural "fallout" of radiated material from an atomic cloud, with its short life, would be inadequate. The problem seems to be to keep alive, at a high level, the radioactive contamination. The mineral element cobalt is providing the answer.

Cobalt, according to the New York Times, is not fissionable. That is, its atoms cannot be split readily like uranium, nor fusioned, driven together, like hydrogen. But some forms, such as the element cobalt 60, have a prolonged radioactive life when impregnated. The contamination can last for several years. Of equal significance militarily, other atomic forms of the element have much shorter life spans, so the contamination can be imposed for days or even years.

Prof. Otto R. Frisch, the noted British professor of nuclear physics at Cambridge University issued a warning in a speech in January, 1954, that he believed that a "cobalt bomb" could wipe out all civilization. Frisch helped build the first American atom bomb.

According to a February 13, 1955, news release from Hamburg, Germany, Nobel prize-winner Otto Hahn, first man to split uranium, declared that the explosion of 10 cobalt-coated hydrogen bombs could endanger continuation of human life, "no matter where they are dropped." The scientist said radioactive explosion dust, coated with cobalt 60, would retain its fatal effects for years and destroy all life. He said the danger for mankind is even bigger since the price of radioactive cobalt is only a small fraction of that of the same amount of radium.

As a finale to the intrigue and speculation over the atomic and hydrogen tests, the Washington Post and Times Herald reported on March 5, 1955, that, "The 'thermonuclear device, detonated on March 1, 1954, in the Pacific was more than a single hydrogen bomb, it was an incredibly enriched superbomb offering the most potent weapon of death and destruction thus far known."

"It was not the long-dreaded cobalt bomb, either, but its fire-ball blast and lethal radioactive fall-out quickly outdated even the concept of the C-bomb."

The International News Service has learned authoritatively the March 1 blast used a hydrogen bomb core surrounded by a deadly jacket of natural state uranium (U-238), a relatively inexpensive substance. The result of this new superbomb, the U-bomb, surpasses the death potential of the theoretical C-bomb. This conclusion has been verified by top nuclear scientists.

The February 15, 1955 AEC report revealed that the death zone from radioactive fall-out in the March 1 blast covered a cigar-shaped area up to 7,000 square miles.

According to the press the same principle works in both the U- and C-bombs. A cobalt jacket would surround the bomb core and, when exploded, lay down a lethal radioactive blanket of dust over large areas. The difference, as already noted, is that cobalt decays very slowly while uranium decays rapidly. Since the rate of decay is related to the radioactivity given off, this means that cobalt has a relatively low lethal value per day. On the other hand, uranium gives off a high dosage in the first few hours.

So, while cobalt can contaminate an area for a long period of time, its low radioactivity gives populations a chance to evacuate. With uranium, enough radioactivity is laid down to give an immediate lethal dose. One of the advantages, if that can be said, is that the new U-bomb is cheap and very effective. There is no need to refine uranium into the preccious U-235. Scientists have been unable to experiment with the cobalt bomb because it would leave a large area contaminated for a long period of time, years perhaps.

The United States is far advanced in many respects as compared to the Soviet Union. While their military strength is considerable and increasing, we outstrip them in most fields except mass manpower.

Published estimates of comparative nuclear strength in the New York Times, March 4, 1955, indicates that the United States stockpile of all types of nuclear weapons is probably more than 5,000. The Russian stockpile may be more than 500, perhaps as many as 1,000. If a more accurate yardstick is used, the total yield of the two stockpiles, the combined power of available Russian weapons today is between twenty and forty megatons, or the equivalent of 20 million to 40 million tons of TNT. One United States thermonuclear test device, detonated a year ago in the Pacific released the equivalent of 20 million tons of TNT.

Moreover, according to the New York Times, there is no clear-cut evidence that Russia yet has an operational hydrogen bomb, one that can be carried by plane. There is no physical evidence that the Russians have practiced air refueling. Another illustration, the bulk of their long-range bomber fleet is still composed of more than 1,000 B-29 type propeller-drive aircraft, which are obsolete in our service except for special missions.

My immediate concern is not that the Russians are going to take the lead in this race very soon or that the United States will ever take a secondary role.

The danger which has disturbed me above all the mysteries of the atomic age is whether or not there is worldwide cutoff or danger point. Will the abnormal amount of radioactivity released in each explosion have a very slow but definite cumulative effect upon the earth's atmosphere and/or upon its vegetable and animal life, and hence upon human life?

There are many scientists and lay people who are worried about this possibility and they do not know the complete answer. According to a November 8, 1954, article in the New York Times, "The increasing worry—and it is nothing more definite than that—is primarily about the ingestion and inhalation and absorption of tiny radioactive particles—not at the moment about the external menace of these particles to the human body."

According to the press, there seems to be a real possibility that continued explosions could slowly raise radioactive levels around the world to the detriment of health and human genetics, and there is the sure knowledge that the area of immediately dangerous fallout is much larger than had been expected before the last tests in the Pacific. Views on this topic extend from one extreme to the other. Nevertheless there is a genuine concern about this problem, and I am in complete sympathy with that concern.

In November of 1954 Prime Minister Winston Churchill stated in the House of Commons that it was his understanding that the radioactivity released by the explosions of nuclear devices might be cumulative and that the detonation of an undue number might have serious effect upon the earth's atmosphere for 5,000 years. This statement may have created unnecessary fear, but at the same time no one has the answer.

During the CBS Years of Crisis broadcast on January 2, 1955, correspondent David Schoenbrun, spoke of the great scare that was raised in France last December when Nobel Prize-winning physicist Prince Louis de Broglie claimed that the danger point in atomic saturation of the earth's atmosphere has already been reached, perhaps it has even been surpassed, by the result of 10 H-bombs being exploded experimentally in the last 2 years. He warned that life on earth might be changed or even wiped out if 10 or 15 more bombs are exploded in the next year or two, even without war.

Is there a biological threat? As nuclear tests go on, will the earth's atmosphere become contaminated? Will animals and humans occasionally subjected to small but more than normal amounts of radioactivity, absorb, breathe, or eat these particles to such an extent that development, growth, or life itself might be effected?

In a series of articles in the Washington Evening Star by science editor, Thomas R. Henry, he writes of the threat to the continued existence of man on earth during this atomic age.

What is involved in this threat is not the frequently voiced fear of slaughter and destruction in war on an unprecedented scale, but of the effects of a hidden, insidious, largely undetectable and uncontrollable poison which perhaps is capable of destroying the human race as a biological genus.

According to this thesis, which admittedly is far from satisfactorily established, it is not members of the present generation who are being injured. It is their unborn descendants for generations to come.

These implications were stated forcefully by Prof. A. H. Sturtevant in an address before the Pacific division of the American Association for the Advancement of Science. "There is no possible escape from the conclusion that the bombs already exploded will ultimately result in the production of numerous defective individuals—if the human race survives for many generations. The risk is one to which the entire human race, present and future, is being subjected," the California professor said.

Scientists are very concerned over the possible effect of radiation on the genetic structure of man. The series of articles by Thomas Henry is only one of many attempts to bring the problem to the general public in words they can understand.

In the fact of warning from some of the world's foremost geneticists that the human race may suffer serious deterioration over a course of generations because of the inevitable buildup in the background radiation of the earth due to atomic-bomb detonations, experiments to date indicate the danger may be quite exaggerated.

This is reassuring but at the same time there is no positive proof that future generations will not be affected.

On February 15, 1955, Lewis L. Strauss, Chairman of the Atomic Energy Commission, announced officially that a hydrogen bomb such as was exploded in the Bikini Atoll last March is capable of blanketing a 7,000-square-mile area, the size of New Jersey, with deadly radioactive fallout.

According to the Washington Post: "Such a bomb, if exploded over Norfolk, for example, could shower enough fallout particles to—

"Kill all the unprotected persons living as far north as the southwest edge of Washington.

"Kill half the unprotected persons living between Washington and the outskirts of Baltimore.

"Kill 5 or 10 percent of the unprotected living between Baltimore and the Maryland-Pennsylvania line.

"Allow the residents of Harrisburg, Pa.—more than 220 miles away from Norfolk—the dubious privilege of being left alive to gaze at the holocaust within the deadly fallout ellipse.

"The projections, drawn from figures in the report, are extremes," based on the assumption that the inhabitants remained fully exposed to the radioactivity over a 36-hour period, taking no shelter or other protective measures. Even simple shelters, Strauss said, greatly reduce the danger from radioactivity.

This belated admission of this new atomic hazard has come long after unofficial analyses had described the newest danger. It is assumed by some that this report was planned to coincide with the start of the new series of atomic tests in Nevada and may have been intended to assure the American people that the Nevada tests represented only a very slight danger. As I understand it, atomic weapons, particularly those in high penetration missiles and small bombs, do not produce fallout of any drastic consequence. Presumably these are the type atomic weapons which are being tested in Nevada. The second test of the 1955 series in Nevada, a small nuclear device—the probable protype—exploded on February 22 with a force that jarred cities 135 miles away. The predawn flash was seen 400 miles away, according to the February 23 edition of the Washington Post and Times Herald.

The device tested on the Yucca Flats is said to have been one of the smaller weapons. The shot rattled windows in Las Vegas, 75 miles away, and jolted St. George Utah, 135 miles eastward. It gave the Congressmen, AEC scientists, and 200 military observers a sharp jolt or two, depending on where they were standing. Wind and atmospheric conditions were such that the rumble of the blast was heard in Bishop, Calif., about 140 airline miles west, but skipped the Charleston range where many observers were watching the tests.

The orange flash was reported to have lit up the morning sky in Los Angeles, about 250 miles away, and was visible in Sacramento, Calif., and the San Francisco Bay area, 400 miles distant.

The biggest blast of the new atomic test series on March 7, this year flashed forks of light visible in a dozen States including Montana, caused an earth rumble 360 miles away, and sent scientists and soldiers scurrying for safety from the Nevada test site. The predawn flash of a nuclear device believed to be at least 1½ times the strength of the standard A-bomb was seen in the Black Hills of South Dakota, more than 800 miles northeast, south of the border in Mexico and in all Western States. The fireball lasted 20 seconds, according to the Washington Post and Times Herald.

Incidentally, in statements to the press, two Colorado University professors said that fallout from the Nevada tests can no longer be ignored by persons concerned with public health and safety. Dr. Ray R. Lanier and Dr. Theodore Puck were not suggesting that necessary nuclear tests be discontinued but stressed the importance of continued study of the effects of these experiments on the human race.

I recognize the necessity and value of tests and experiments, but at the same time it is difficult to reconcile this with the possibility of miscalculation and the number of hydrogen and atomic bomb explosions that it will take to make the atmosphere radioactive, if there is any basis to the numerous fears of some of the world's greatest scientists. In addition to the remarks of scientists and stateamen and I have already cited, a statement made by Dr. Edgar D. Adrian has been brought to my attention. He is quoted as saying last fall, "We must face the possibility that repeated atomic explosions will lead to a degree of general radioactivity, which no one can tolerate or escape." Adrian, president of the royal society, is a former Nobel prizewinner and serves officially as the master of Trinity College, Cambridge University in England.

President Eisenhower and Chairman Strauss have answered the question: Should we continue to test hydrogen weapons? Their answer was "Yes." There is a great element of risk in this decision, but at the same time it is the only answer at the moment, for it might very well be disastrous if the Soviet Union was allowed to gain an advantage over us.

There are those who feel that continued atomic and hydrogen bomb tests are a crime against humanity and will only intensify the jeopardy to the human race. Others feel the program should be expanded and accelerated in this race with the Soviet Union. Few will argue against forging ahead in the nuclear sciences, but relying on the hydrogen bomb as our principal offensive weapon is something else again. It is definitely a deterrent but complete reliance on such a suicidal weapon may lead to self-destruction.

The latest move along this dangerous path is the new doctrine of "limited" atomic war with tactical weapons, recently expounded by Secretary of State Dulles, with the endorsement of President Eisenhower. This new doctrine has merit in time of war when considering our present nuclear power superiority when faced with the Communist advantage in ground forces. But this argument seems to be rather shortsighted.

Tactical atomic weapons used on military targets only is a wishful attempt at minimizing the dangers of nuclear warfare. Can we rely entirely on this increased precision and accuracy? We must not overlook the unpredictable changes in weather, human error and mechanical failures. Military targets, particularly airfields, are usually near towns and cities. A weapon large enough to insure the destruction of such targets will almost inevitably take a toll of nonmilitary areas. To completely paralyze an enemy it would be necessary to hit the cities, the centers of industry. The nuclear bombardment of cities might well turn war into suicide. I find very little assurance in the possibility of limiting an atomic war once it was started.

It is not my intention at this time to discuss the merits and demerits of the present military and defense program in general. An excerpt from an address by Sir Winston Churchill in the House of Commons on March 1, 1955, at this point might be very timely. He said:

"The hydrogen bomb has made an astounding incursion into the structure of our lives and thoughts. Its impact is prodigious and profound, but I do not agree with those who say, 'Let us sweep away forthwith all our existing defense services and concentrate our energy and resources on nuclear weapons and their immediate ancillaries.' The policy of the deterrent cannot rest on nuclear weapons alone. We must, together with our NATO Allies, maintain the defensive shield in Western Europe."

We do not have the answers to substantiate or discredit the fears about continued hydrogen tests, or if answers do exist, they are kept under a tight lid of secrecy. Until such time as we know of these things, we should not for one moment forget the earth-shattering and destructive power that we are placing so much confidence in.

The working paper before the United Nations sponsored by the United States proposes the establishment of a United Nations disarmament and atomic-energy-development authority composed of the members of the Security Council and Canada. The objectives in establishing this authority were:

1. To provide international control of atomic energy so as to enforce compliance with the prohibition of atomic and hydrogen weapons and insure that nuclear materials are used for peaceful purposes.

2. To supervise programs for limitation and balanced reduction of armed forces and conventional armaments, and prohibition and elimination of major mass-destruction weapons.

3. To supervise the various safeguards necessary to enforce a disarmament program, including disclosure and verification.

4. To assure each participant that the other states are observing the various agreements.

It is the opinion of many that such a disarmament program as this is somewhat of a lost cause in many respects. The Soviet Union has placed many obstacles in the course of any plan which would meet the approval of the Western World. The most recent was the new Soviet demand, made public almost on the eve of the latest London negotiations, for a preliminary "freeze" on armed forces and armaments as of last January 1. Such a "freeze" would prevent the armament of Japan and, more particularly, West Germany. This is unacceptable to both the United States and Great Britain. At this point it is very unlikely that any system of inspection can be arranged to meet the approval of all nations concerned.

In recent months a great deal of interest has been rallied around a proposal to seek an international moratorium on experimental detonations of hydrogen bombs. • • •

Such a moratorium was suggested last fall by David R. Inglis, of the Argonne National Laboratory, and proposed informally to the President and the Secretary of State by Pierre Mendes-France during his premiership. It also has the backing the Asian Prime Ministers who met at the Colombo Plan Conference in Jakarta last December, though they suggested it not only because they thought it would be a substitute for disarmament but because so many of them do not like the nearness of the Pacific proving grounds.

The Washington Post and Times Herald, on February 11, 1955, suggested in its editorial columns five significant advantages of such a proposal. They are briefly: (a) The plan would be a step, even though a small step, away from war; (b) the ban would be self-enforcing, no elaborate enforcing machinery; (c) it would tend to curb the development of new nuclear devices; (d) the ban would relieve fears about the further accumulation of radioactivity in the atmosphere; (e) a careful proposal would help convince the world of the sincerity of this country's efforts to reverse the drift toward war.

Before I conclude I wish to make note of a proposal sponsored by the Federation of American Scientists which would establish a United Nations commission to study the effects of atomic and hydrogen bomb tests. The 2,000-member federation suggests that the U. N. commission examine the extent of radioactive contamination as the result of past tests, evaluate the potential genetic effects on human beings of future tests and attempt to establish a "danger threshold." This proposal is more or less a modification of the plan I have just discussed.

If the United States were to initiate a program along these lines, it would undoubtedly have a great effect in quieting many fears.

It is difficult to understand how a great nation, such as ours, which has shown such genius in the fields of science and nuclear warfare and, at the same time, has had such poor success in charting a path away from the destruction brought on by these discoveries. Need we advance beyond the point of no return?

NUCLEAR WEAPONS AND THE FUTURE OF MAN, JULY 11, 1955

One of history's recurrent tides for peace may again be flowing in the world today. In the United States, among our allies and possibly even in the Communist bloc there is a deep realization that a nuclear world war would mean only mutual destruction and there would be no victor. Advances of fantastic proportions have been made in the nuclear and thermonuclear sciences in the past 10 years. If utilized to the detriment of man, they could very easily erase these achievements and those of past centuries in a matter of days. We have harnessed a new energy, the atom, that can destroy cities and complete armies, against which there is little defense. Yet, if used properly, this new energy can be utilized for the benefit of mankind in industry, transportation and power.

Almost a year ago I began to take particular note of these new problems and dangers confronting us with the advent of the atomic and hydrogen bombs. In April I compiled my views and thoughts in a speech to the Senate. My entire source of information at that time as it is today was from newspapers, magazines, quarterlies and public documents. The results of my first efforts to analyze the situation evolved around a chronology of events occurring since the first atomic bombs were dropped on Nagasaki and Hiroshima in Japan at the end of World War II.

Today I wish to expand on the more recent developments, the program for the future and some of the serious problems facing the policymakers of the world. These are three general areas which I wish to discuss:

1. Radioactive fallout.

2. The position of atomic and hydrogen weapons in our military program and defense system.

3. An effective program to preserve peace and to combat the threat of world-wide devastation in nuclear warfare.

Radioactive fallout is a shower of dust after a thermonuclear explosion. The mushrooming cloud in an atomic or hydrogen explosion is made up of dust particles which are spread by the winds after an explosion. They settle down over wide areas with the winds or they are carried down in rain or snow.

It was this dust that fell on the Japanese fishing boat that was contaminated by fallout 100 miles from the Bikini hydrogen explosion March 1, 1954.

According to reports the fallout peril depends upon how much radioactive dust is created in the moments following the explosion. In an air burst, dangerous fallout dust is made up of fragments of the casing of the bomb and its vaporized mechanical components plus the end products of the fission and fusion reactions. A wide range of chemical elements is involved, a field in which I am strictly an amateur.

Also, according to correspondence with scientists and newspaper sources, some stray dust particles floating in the air may become irradiated to a high degree. But the total amount of air burst dust is relative small. The fallout hazard, as I understand it, is much greater with an explosion near or at the surface. Tons of earth and rock and other terrestrial objects destroyed by the explosion are sucked up into the great mushroom. Intense radiation transforms these particles into hot radiation emitters. The great force of the explosion blows the radioactive dust very high. The heavier particles may fall soon, while the light particles may stay in space for a long period of time. The radioactive "hot" particles which fall in a matter of hours after the explosion are the deadly menace.

The perplexing problem is what effect do these experimental explosions have on the human race, today and in the future. It is generally recognized that the immediate fallout of radioactivity after a test explosion in the immediate area is dangerous and deadly. Inadequate answers remain to the problem of the long-range possibility of increasing the natural background radiation of the world as a whole. Another question unanswered is how much effect does the fallout have internally on human beings? There have been opinions of one extreme to the other coming from scientists and public figures. Only recently has there been any official pronouncements coming from the Atomic Energy Commission.

Late in May, this year, a Yale physicist charged the AEC with giving what he called misleading information about the danger to mankind from atomic test blasts. He warned that the radioactive fallout from such blasts is producing genetic effects in mankind that will be showing up for thousands of years to come. The expression of these fears has diminished somewhat in recent weeks.

Prof. Milton S. Livingston of the Massachusetts Institute of Technology, also chairman of the Federation of American Scientists, says that those people who say H-bomb tests are a danger to mankind and that they must be stopped are making these statements on an uninformed basis and that time will have to pull the picture into perspective.

Eminent scientists such as Dr. Ralph Lapp and Dr. H. J. Muller show concern about the long-lasting effect these experimental tests may have upon the human race in the future. However, they feel that we cannot jump to conclusions and it is important to have more complete information from authoritative sources.

Dr. Willard F. Libby, Commissioner of the AEC, speaking at the Alumni Reunion at the University of Chicago, on June 3, 1955, said that: "Tests, therefore, do not constitute any real hazards to the immediate health." Incorporated in his speech was a statement on the genetic question prepared by the Advisory Committee for Biology and Medicine to the AEC. The last two paragraphs of this report read as follows:

"No measurable increase in defective individuals will be observable at any time as the result of current weapons' tests, since the few radiation-induced defectives will not change measurably the number of about 40,000 defectives who will occur spontaneously among the 4 million births of each year in the United States. It may be pointed out that no significant change in the percentage of malformed children has been observed among those conceived after the war whose parents had been exposed to the atomic bombs in Hiroshima and Nagasaki.

"The foregoing conclusions apply only to the genetic effects of weapons' tests carried out at the present level and of foreseeable peacetime uses of atomic energy. The genetic effects of a generalized nuclear war would be one of many catastrophic consequences of such a disaster."

More intensive studies are needed and more information must be made available before any sound conclusion can be reached on the question of radioactive fallout.

In my April speech I expressed my concern, about the theoretical cobalt bomb, its vast destructive power and its threat to all mankind. The C-bomb has never been tested. My concern over this mythical bomb has been minimized by the now numerous reports of the superbomb or U-bomb. This new weapon was detonated in the March 1954 test on Bikini. This was no A-bomb such as was dropped on Hiroshima and Nagasaki in 1945; nor was it an H-bomb such as was tested at Eniwetok atoll in 1952. It was a U-bomb triggered by fissionable uranium 235, fanned up by a fusionable hydrogen ingredient and finally split asunder by enormous fissioning of ordinary uranium 238. This has been verified by the recent report made by Dr. Libby of the AEC.

I believe that ordinary atomic bombs are measured by "kilotons" and thermonuclear weapons are measured by "megatons." A kiloton is equivalent to 1,000 tons of TNT; a megaton to 1 million tons. It has been estimated that the Bikini explosion equalled 14 to 16 megatons.

According to Dr. Libby's recent report, the energy is released by fission rather than fusion. This indicated that ordinary, cheap uranium 238 was the major explosive content and was responsible for fallout over a vast area.

One of the most significant things about this newly released information on the H-bomb is that it means that Russia or any other nation capable of making atomic bombs can, with a little more effort, create superbombs.

This cheaper weapon is tremendously more deadly than a pure hydrogen bomb. The destructiveness of a hydrogen bomb is produced by heat and blast. By adding ordinary uranium to this weapon, the additional lethal radioactivity is created. Dr. Libby's report has confirmed, at long last, the speculations and deductions of eminent scientists like Dr. J. Rotblat, British physicist and Dr. Lapp, as well as many others.

There are several conclusions that can be drawn from the information made available to the general public. The U-bomb is cheap. The weapon can be made in any size because of its comparative simplicity and the cheapness of uranium 238. The only restriction on the size of the bomb is the method of delivery. One of the results is that the fallout persists for days, weeks or months. In addition to its direct or external radiation effects, the weapon creates toxic products like strontium 90 and radioactive iodine in large quantities, which are internally damaging.

The information finally coming out is material which is vital in our civil defense setup. It has been almost 16 months since the superbomb was detonated. But for the fallout that sickened the Japanese crew 100 miles from the explosion site, the nonofficial scientific world might not have learned that the United States had achieved a vastly more powerful weapon.

Until Libby's talk to the Chicago alumni, AEC's comments on fallout had been pretty well limited to the much-publicized news release by AEC Chairman Lewis L. Strauss last February 15, 1955. In it, he officially conceded the existence of fallout and described the pattern it took at the Bikini test. Admiral Strauss did not discuss persistence—how long and to what extent fallout radioactivity can deny humanity a normal aboveground existence. This is the information which is necessary to have made known in order to prepare any type of defense.

Dr. Libby has now testified that fallout radioactivity becomes one-tenth as intense 7 hours after the burst, one-hundredth after the first 2 days, one-thousandth after the first 2 weeks, and one ten-thousandths after the first 3 months.

The AEC has been very reluctant in releasing official facts about atomic and hydrogen bomb tests, the aftereffects, persistence of fallout or any recommendations for protection against the heat, blast and radioactive fallout, products of these thermonuclear blasts. The first official facts about the March 1, 1954, blast were released by the AEC on February 15 of this year, almost a year later. In fact the AEC denied the existence of the new superbomb until the recent Libby report. I fear that the administration has failed to take the public into its confidence. We must face up to the facts and adequate information must be available if we are to carry out any realistic program of defense.

The people must have all the facts possible so that they can understand the nature of the problems which confront them. We in America do not need a glossy coating on unpleasant material. If we are supplied with the necessary information, there will be no panic or hysteria. I think perhaps some of the lack of interest in our civil defense program is due to the fact that people do not realize what we are faced with in thermonuclear weapons.

I wish to voice my unqualified support for the United States proposal that the United Nations evaluate the effects of nuclear radiation and fallout from atomic and hydrogen bomb tests. I spoke of such a plan in my previous speech. The proposal was originally suggested on March 6, 1955, by the Federation of American Scientists, a group of 2,200 United States scientists and engineers concerned with science's role in world affairs.

This proposal is a major step forward. An assemblage of radiological information from all sources will make it much easier to answer the questions raised throughout the world about the possible harmful effects of nuclear tests.

This United States proposal was announced by Ambassador Henry Cabot Lodge, Jr., at the United Nations commemorative session at San Francisco. This proposed study is essential to insure that humanity is not endangered by these tests. A general study of this nature has already been undertaken by the federation with a grant from the Rockefeller Foundation.

At this point I think it appropriate that I speak briefly about several problems involving our scientists—namely, security and the shortage of capable scientists and engineers.

In the May 27 issue of Science, a bulletin of the American Association for the Advancement of Science, Dr. M. Stanley Livingston said great difficulty had been met in finding scientists willing to talk in public about the problem of nuclear radiation hazards.

"This experience illustrates," Dr. Livingston reported, "one of the political dilemmas in which we find ourselves. • • • Those who know won't speak and those who don't know cannot speak with authority." Security regulations, fear of controversial issues and administrative restriction on speaking by employees were cited by Dr. Livingston as the reasons that a scientific-political program was difficult to arrange.

It is unfortunate that in this Nation of ours that men who attempt to voice an opinion run the risk of being accused of having Communist leanings or lack of professional competence. We are fortunate that there are a few who are willing to take the risk and express their particular viewpoint. Without these few we would be lost because solutions can be arrived at only after proper discussion.

Insecurity in the field of science has a definite bearing on the appeal and inducements to bring new and fresh talent into the science and engineering fields.

In an address before the Alumni Federation of Columbia University, Allen Dulles, Director of the Central Intelligence Agency, said that in the decade from 1950 to 1960, the Soviet Union would graduate 1,200,000 scientists and engineers, compared to 900,000 in the United States. He warned that unless something was done at once, Soviet scientific manpower might well outnumber ours in many key areas.

In an article in the May 31, 1955, issue of the Washington Evening Star, Ben H. Bagdikian brought forth some very enlightening figures. This article cites a 1953 poll of science Ph. D.'s graduating from research universities which showed them equally divided where they would like to work, one-third each in Government, industry and universities. In 1954—after the investigation of Fort Monmouth and the case of Dr. J. Robert Oppenheimer—a poll of Ph. D.'s showed that the 33 percent who wanted to work for the Government had dropped to 8 percent. The chief reason given: security.

The Nation cannot afford to discourage young scientists. At a time when its requirements for trained men are rising sharply, bachelor degrees in science have been dropping, 20 percent in 1950–51, another 25 percent in the next year. In 4 years all bachelor degrees in science and engineering have dropped from 80,000 to 34,000. We cannot underestimate the quality of Russian scientists and engineers. If this trend is not diverted we will be threatened with the loss of the battle for scientific manpower. In addition the Federal Government cannot afford to encourage public contempt of highly trained and skilled men in the sciences.

I plan to discuss this matter of scientist and engineer shortages more completely at a later date. Briefly, there are a number of things which can be done to give new life to the incentives in the science fields. Encourage the study of science at the high-school level; better teaching methods and facilities; a correction of the selective-service laws; a Federal scholarship program to help worthy students meet expenses; and finally a better public relations and security program.

Theoretically, the entire human race can for all practical purposes be eliminated for the small sum of about 40 cents per human, give or take a few cents either way. The authority for this statement is credited to Dr. Leo Szilard, a distinguished physicist, by columnist Stewart Alsop. This statement is somewhat misleading since it makes no allowance for the cost of delivery or the attrition of defense. It assumes, in effect, a deliberate, unopposed effort to commit global suicide, for which I presume the human race is not yet ready.

However accurate this statement by Dr. Szilard may be it makes it very plain that this enormous scientific advance opens up the possibility of genuinely unlimited destruction at very low cost. Combined with the fallout phenomenon it basically transforms the whole world situation.

The second question which faces our policy makers who must deal with these new advancements in science and warfare is—What part do the atomic, hydrogen, and super weapons play in our overall military and defense program?

At the height of the debate over our foreign policy in the Formosa Straits, Secretary of State Dulles put forth a new policy, endorsed by President Eisenhower—the doctrine of "limited" atomic war with tactical weapons. This approach seemed plausible at first glance, but further examination brings a considerable number of doubts to mind.

In 1949 this doctrine may have been a great deterrent to war, because of our great superiority in the development of nuclear and thermonuclear weapons. We no longer have this great advantage. The Soviet Union has advanced much faster than predicted. We do not know whether they have the U-bomb, but we do know that they have tested the H-bomb. It is likely that they will have the superbomb in the near future if they do not have it already, because of the general simplicity in development of this new force, once you have mastered the atomic bomb, which they have done.

Tactical weapons used on military targets only is a wishful attempt at minimizing the dangers of nuclear warfare. Can we rely entirely on this increased precision and accuracy? These nuclear weapons, large and small, are subject to error, human and mechanical. Weather conditions can change at the last moment. Military installations are usually near towns and cities. A weapon large enough to insure the destruction of such a military target will almost inevitably take a toll of nonmilitary areas. To paralyze an enemy it would be necessary to hit the centers of industry, which are heavily populated.

We may use a small atom bomb on an aggressor, but we can expect retaliation. The enemy may not have perfected a tactical atomic or hydrogen weapon, so they will drop several large ones. The next step would be a thermonuclear holocaust out of which would emerge no victor.

I find little assurance in the possibility of limiting an atomic war once it was started.

We have geared our national defense policy to nuclear weapons to such an extent that we are not really prepared to fight a nonnuclear war. We are cutting the budgets of our armed services and reductions are planned in manpower. The consequences of a cutrate-defense policy can be disastrous.

I am pleased with and wholeheartedly endorse the increase in the Defense Department's funds, being granted for fiscal year 1956. At this point I wish to take the opportunity to commend my colleagues here in the Senate who have taken it upon themselves to warn the people against the complacency about our air superiority over the Soviet Union. Extended debate and testimony indicate that we are not necessarily in the lead in every respect in air superiority. Our advantage today is in means of delivery, but Stewart Alsop reported on May 16, 1955, that the Russian type 39 and type 37 do the same jobs as our B–47's and B–52's with half the number of engines. This means that the Soviet engineers have developed jet engines with twice the thrust of any yet achieved in this country. All indications are that we are neck and neck in the race to develop the intercontinental missile. Perhaps our biggest asset is our industrial capability and an advantage in offense and defense due to our air bases around the world.

A revulsion to the use of nuclear weapons is developing throughout the world. It is not very different to that which eventually was followed by the banning of poison gas and bacteriological weapons after the First World War. When that revulsion is added to the prospect of mutual annihilation, it may be that atomic weapons may also be headed for outlawing. If that should be the case, we are playing into the hands of the Russians by relying almost exclusively on nuclear weapons in our plans for massive warfare.

Recently Brig. Gen. Thomas R. Phillips, military analyst of the St. Louis Post-Dispatch, called for the abolition of nuclear weapons and proposed in effect that the NATO countries, which have 160 million more people than the Communist bloc, match the armed strength of the Russian and satellite forces.

Phillips said that "a nuclear war is so destructive that no one could possibly win." He continued: "Such a war has no relation to any war that ever has been fought before. It is necessary to prevent it before mankind destroys itself. A single thermonuclear bomb today can release more explosive energy than has been used in all wars since gunpowder was invented."

The greatest problem that we face in the future is setting up a world-wide program for the advancement of peace and an operative disarmament program. It seems much more difficult, however, to chart a positive and constructive future than the negative one that we have been following, up to this time.

As Albert Einstein once said, "Every step appears as the unavoidable consequence of the preceding one. In the end there beckons more and more clearly general annihilation."

Man has developed the means to destroy himself. A satisfactory nuclear disarmament agreement may take years to reach. Our first objective should be to get on at once with the discussions which may lead to an agreement.

In considering the possibilities of an arms control program there are several things which must be considered. Huge bomb stockpiles in themselves are no longer of any great advantage because of the unlimited destructive power of these superbombs. As Dr. Libby said in his report, 30 10-megaton U-bombs could blanket the entire continental United States with radioactive fallout and, of course, cause enormous blast, burn, and localized radiation in the immediate areas hit.

The value of numerical superiority in nuclear weapons has declined considerably. The American lead in the stockpile of atomic and hydrogen weapons is of less significance today. If the enemy has enough bombs to destroy us, there is little advantage in our having enough to destroy him 3 or 4 times over. Scientists moreover now believe we are approaching the ultimate weapon in the ICBM—the intercontinental ballistic missile—which will soar through the stratosphere to bring death and destruction from blast, radiation, fire, and fallout. The earth is of a limited size and the ICBM is believed to be virtually unlimited in distance and destructive powers.

International inspection, as first proposed in the Acheson-Lilienthal-Baruch plan, no longer provides foolproof knowledge of a nation's nuclear buildup. With natural uranium as the basic ingredient, only a minimum amount of the costly uranium 235 and plutonium need be produced and could be easily hidden. There will be no need for many huge power sources, no need for enormous gaseous diffusion plants, such as that at Oak Ridge, Tenn.

As so pointedly stated by the Washington Post and Times Herald columist, Chalmers Roberts, leaders on both sides of the Iron Curtain are beginning to alter their thinking and policies because of the nuclear facts of life.

It has become quite obvious that absolute control of all fissionable material—including each and every weapon—is now impossible. It is impossible because it has become relatively easy for any nation which has mastered the original technique to manufacture fissionable material and to create A- and H-bombs.

There have been a number of proposed disarmament programs. It is generally agreed that in this day and age, a relative, rather than an absolute program of controls over all types of arms and armed forces might be obtainable. A prerequisite to any effective arms control would have to be a relaxation of world tension. There is some indication that there may be a general relaxation of tensions at the present time. That possibility will be put to a test at the forthcoming summit meeting of the Big Four.

Any effective arms control plan may also require a ban on nuclear tests. There are arguments, pro and con in this respect. Continued tests of nuclear weapons are probably of less value to the United States than they were several years ago, prior to the testing of the H-bomb. Now our scientists and defense officials are primarily interested in greater weapon efficiency. Continued tests would be more useful to nations who have not progressed as far in nuclear weapons as America. Tests would be necessary for all countries which are attempting to develop the intercontinental ballistic missile. As I have said, the ICBM is believed to be the ultimate in weapons and it is the goal which the United States must reach first, unless an effective arms control can be perfected.

A ban on tests would introduce an element of uncertainty into the development of guided missiles. The scientists could not be sure that the missile would perform as calculated. Concealment of tests might be possible in deep mines, though it would limit their usefulness. I seriously doubt that anyone could conceal an H-bomb explosion.

One of the greatest problems in any arms control program would be the question of how to make use of atomic energy for peaceful purposes and at the same time eliminate bomb-making potentialities.

In addition it is necessary that reductions in conventional weapons proceed along with nuclear disarmament. If arms control were limited to nuclear weapons, the Soviet would hold a decisive advantage with its massive ground forces and new advancement in air power.

Our country has been the target of much harmful propaganda abroad, due to the shift in winds at the March 1, 1954, H-bomb test at Bikini and the accidental injury to Japanese fishermen and some of the Marshall Islanders. It is clear that we will suffer further harmful propaganda if we continue tests without having the approval of friendly and neutral nations. As long as we must compete with the Soviet Union in the race for superiority in thermonuclear weapons we must continue to test these weapons.

Therefore, I wish to emphasize again that a United Nations study which would confirm the AEC assurances that well-safeguarded tests in small numbers would not exceed the danger threshold, would do much to quiet fears among our allies and friends.

Ambassador Lodge could not have chosen a better way to relieve fears about radioactive fallout than to propose a survey through the United Nations. I sincerely hope that the administration will press for support of the Ambassador's proposal before the United Nations in September.

In the meantime it would be most appropriate for the Senate Foreign Relations Committee to begin consideration of Senate Concurrent Resolution 22, a resolution favoring United States participation in a scientific commission within the United Nations to study certain effects of nuclear explosions. This resolution was introduced by the distinguished Senator from Maine, Mr. PAYNE. I am proud to be one of the cosponsors. Before adjournment, I feel that it would be a big help if the Senate went on record overwhelmingly in favor of Senator PAYNE's resolution.

In conclusion, let me say that it would be foolish of us in America to relax any sound nuclear and military preparations until we can actually bring the Communist bloc nations to terms by getting them to agree to accept conditions under which there can be really effective international control of armaments of all kinds.

A fitting statement to end my remarks is credited to Albert Einstein. When asked what he felt the weapons of world war III would be, he replied something to the effect that he did not know what weapons would be used in the next world war, but he was sure that the weapons used in world war IV would be rocks.

THE NATION'S FUTURE IN THE WORLD

(Excerpts from address of Senator MIKE MANSFIELD of Montana, commencement exercises, Central Catholic High School, Billings, Mont., 8 p. m., Sunday, May 26, 1957)

This world of today is also a world of instant communications. And it is a world in which space is losing its meaning. In aviation, distances are no longer calculated in miles but in hours of flying time; with the coming of the jet age they will soon be calculated in minutes and seconds.

It is a world in which nations depend intimately upon one another for the food, the minerals, the countless products which are essential to their existence. It is a world in which no one part is far from or can be separated from the rest.

It is, in short, a greatly different world from that of a century or a half century ago. It is a world of new dangers. You graduates know from your science studies the grim possibilities which it contains. You know the implications of the threat of atomic war.

Even the testing of nuclear weapons let alone war with these weapons, raises complex questions. When a single hydrogen bomb is set off in a test in the Pacific, for example, it is necessary to close off over 400,000 square miles of the ocean to all ships to guard against accidental death or injury. And we dot not yet know with any degree of certainty what the long-range effect of the so-called radio-active fallout from nuclear explosions will be on human life and future generations. We do know, however, that like X-rays, the effect of this fallout is cumulative and that it can be highly dangerous to mankind in concentrated amounts. Moreover, no nation is immune from it, even though the nation may be hundreds or thousands of miles from the scene of the explosions.

Three countries are already testing these nuclear weapons—the United States, Soviet Russia, and Great Britain. Others will in all probability have them in the not too distant future. The level of radioactive fallout in the atmosphere will increase as testing increases.

That is the kind of new danger which confronts us in the present world. If testing of weapons alone is such a serious matter, it is not too difficult to imagine the danger posed by such weapons in the hands of an aggressor nation capable of delivering them in jet planes and guided missiles.

GRADUATES IN 20TH CENTURY WORLD

(Excerpts from address of Senator MIKE MANSFIELD, of Montana, commencement exercises, Butte Public High School, Butte, Mont., 8 p. m., Tuesday, May 28, 1957)

Ladies and gentlemen of the Class of 1957, distinguished faculty and friends.

All of you, whatever your interests, can look forward to a future of promise. It is not, however, a future without problems. And perhaps the greatest problem which the Nation will face in the next 25 years is to see to it that our technological progress does not run away with us, overwhelm us and, in the end, destroy those things in our way of life which make it most worthwhile.

The great power of the United States places us in a position of great responsibility. It is first of all a responsibility to ourselves and to future generations. If we no longer have the immunity of distance and remoteness from developments in the rest of the world—and technological progress has ended that immunity—then we must take steps to safeguard the Nation in its new contacts. What we do or fail to do in our relations with others has a great influence throughout the world. Our actions are an important factor in determining whether the world will keep a measure of peace or whether it will be plunged into a great war from whose destructiveness no nation will escape. What we do or fail to do in our relations with others also has a great influence on the continued progress of all mankind and ourselves as a part of it.

These are new problems to which a short time ago people in this country gave little thought. Now we have no choice but to give a great deal of thought to them. We will have to use our great power with wisdom, with restraint and with economy to safeguard peace or we shall be compelled to use it recklessly in the terrible waste of war. As your Senator, I have tried as others have tried to give these international problems the attention they must have if your Government is going to handle them successfully. I have done so because they involve the safety and well-being of the people of this State, of all the people of the United States; in fact, of civilization itself. They are the major problems confronting us today and they will become even more important tomorrow.

A FOREIGN POLICY FOR PEACE

(Excerpts from address of Senator MIKE MANSFIELD, of Montana, commencement exercises, College of Great Falls, Great Falls, Mont., 8 p. m., Wednesday, May 29, 1957)

Yet the shadow of war still hangs above the earth. The shadow today, moreover, is darker than that which preceded World War II. It is a darker shadow than any in the history of mankind. It is the shadow of a war which threatens not only the Soviet Union and this country but all countries. It is the shadow of a war which threatens not solely civilization but the human race itself; not merely this generation but all generations to come.

I shall not dwell at length, today, on the terrors of this war of the future. You have read of them. You have heard of them. Sufficient to say that each year its potential destructiveness grows larger as atomic weapons are brought to an ever higher state of perfection. We have already reached the point where is is necessary to clear an area three times the size of the State of Montana in order to test a hydrogen bomb. Think of it for a moment. Over 400,000 square miles of the Pacific Ocean must be emptied of unprotected shipping before a single explosion can be set off safely. Even then, there must also be a prayer that the winds hold and that there has not been a miscalculation. If we have already reached this state merely in testing nuclear explosives, it is not difficult to imagine what would happen if such explosives were released in actual warfare.

The United States, Soviet Russia, and Britain already have these weapons. It will not be long before other nations add them to their arsenals.

And we are only at the beginning. Guided missiles are commencing to replace piloted planes for delivering nuclear explosives in warfare. These missiles now travel several hundred miles with uncanny accuracy. Both Russia and the United States are already experimenting with new models that will speed to targets 1,500 miles away in a matter of minutes. It is only a question of a few years until these devices will have been developed to the point where they will carry nuclear explosives between the continents and reach speeds of 15,000 miles or more per hour in their flight.

This is not science fiction but scientific fact. These are the realities of the world in which we live in this second half of the 20th century.

It is no wonder that the conscience of humanity has begun to speak out. We have heard it in the words of His Holiness Pope Pius XII. We have heard it from the depths of Africa in the words of that great missionary, Albert Schweitzer. We have heard it from other religious leaders throughout the world.

The words of each may differ but the message in every case is the same. The warning is clear: Mankind is walking blindly on the brink of an overwhelming catastrophe. There is little margin for error. There is little margin of time.

I said that I would not dwell at length today on the dangers inherent in war and I shall not. What is essential is that we recognize these dangers as very real. What is essential is that we do not close our minds to them as being beyond our comprehension. What is essential is that we seek to understand the problems that these weapons pose for the Nation and do what we can to deal with them.

The danger to peace arises from the fact that these men—these men without fixed responsibility to their peoples—control vast forces of destruction. They can unleash these forces in a moment of fear, in a moment of miscalculation, in a moment of whim.

Strangely enough the hope that peace shall not give way suddenly in these circumstances lies in the fact that these Soviet rulers are not only ruthless men, they are also intelligent men. They are fully aware of the dangers to themselves as well as to others in modern warfare. They know something of the power of nuclear weapons since they themselves have them and they are fully aware that these weapons are held by the United States and other free nations. They know that if they launch a military aggression it will be met by retaliation. Since such is the case, if they act as intelligent men, they will not invite their own destruction by precipitating a war.

That is not much of a hope for peace. It is a delicate fulcrum on which to balance the fate of civilization. For the moment, however, there is no other. That is one of the realities of the situation which confronts the Nation, and we have no choice but to live with it.

What, then, does the situation within the Soviet system add up to in terms of a foreign policy for peace? What attitudes and actions on our part does it suggest? It suggests, first of all, that we cannot underestimate the continued danger of aggression from the Soviet system. It also suggests, however, that if we can do anything to lessen the threat which a potential war with the scientific weapons of today represents to all mankind, we ought to be prepared to do it. We should be prepared to negotiate at any time and at any place and on any matter which relates to the control of this warfare of the future. These negotiations must be pursued not with blind optimism but with all the soberness we can command, with a full awareness that there is no room for false steps or empty promises.

I am confident that we can trust the President of the United States to negotiate in that fashion. It amazes me when people say that the President, our representatives or other Americans cannot talk with the Russians without being contaminated or without getting the worst of the bargain. If we ever reach the point where we fear negotiations on any matter because we believe we are less capable, less competent or more subject to contamination than others, or because we regard ourselves less able to distinguish between what is good or bad for this Nation then we shall indeed have reached a sorry state.

YOUR HERITAGE OF FREEDOM

(Excerpts from address of Senator MIKE MANSFIELD, of Montana, commencement exercises, Clarke College, Dubuque, Iowa, 3 p. m., Saturday, June 1, 1957)

THE WORLD YOU FACE

What is this world you face? Is it likely to be a peaceful world?

Last year I delivered an address to the graduating students of Montana State University. I told them that for the first time in my experience I could state my belief that a world war in their lifetime might be avoided. I said that I believed this was possible because of things done by men and women from many nations.

I reminded them of the discovery of atomic power—a discovery which was a threat and still is—but which may also be a benefit in disguise because any nation which might start a war may now reasonably expect to bring about its own destruction. Nations of the world have realized in the past 2 years that another war might destroy all life. We live at peace as the result of what Sir Winston Churchill has described as the mutual terror resulting from the threat of atomic destruction.

Two years ago, at the summit conference, the United States and the Soviet Union crystallized an unspoken and unwritten understanding. The understanding was that neither country on pain of self-destruction could start a major war or permit a situation between other powers to deteriorate to the point where a major war might threaten.

Today if we get into a world war, it is not likely to be because the great powers

want war, but because they will have slipped into war inadvertently.

Recall, for a moment, the most serious situation of last fall, the situations in the Middle East. Israeli troops had moved on Suez. France and Great Britain brought force to bear in the same area. The situation was fraught with danger that a small war might become a big war.

I cannot go into the details of those historic months. But I call your attention to the fact that the world stood virtually united in demanding that the use of force cease. The United States and the Soviet Union—with no understanding between them—found themselves on the same side. Together, unwillingly together, they worked through the United Nations to snuff out the fire of military action in the tinderbox of the Middle East.

I do not attribute the stopping of hostilities in the Middle Eastern crisis to any great diplomatic finesse on the part of the United States, the Soviet Union, or any other nation. I attribute it to the overriding, but unspoken, threat posed by the existence of weapons of mutual terror. These weapons might inadvertently have been unleashed had the use of force in the Middle East continued unrestrained.

A NEW SUMMIT MEETING?

It has been 2 years since the President met at Geneva with the Chiefs of State of France, the United Kingdom, and the Soviet Union. It may well be that the time is approaching for another such meeting.

Much has happened in these 2 years which might shape the thinking of such a meeting. Britain has a new prime minister. President Eisenhower has been reelected by the greatest majority of any President. The leaders in the Soviet Union have faced the crisis of rebellion in the satellite nations. The Middle East crisis has warned us all that war lurks around the corner for nations not ever mindful of the terrible consequences that might flow from relatively isolated military action.

It seems to me that the people of the earth have the right to expect that the chiefs of state of these great powers should gather at least once every 2 years to discuss the issue of war or peace.

I believe that another Summit Conference will soon be due, and I suggest a new technique for such a conference. Past conferences of this kind have been followed by disillusionment and disappointment, I believe partly because they tried to do too much.

Would it not be advisable then in devising an agenda for such a conference to limit it to one important problem? Could the nations not agree, for example, to consider only one question on which agreement might be expected?

One of the difficulties in past conferences of this type has been that the agenda has been as wide open as the problems that face the great powers. Such an agenda tends to concentrate discussions on all the problem areas on which we disagree.

Why could not the chiefs of state take up just one problem—a big one I must admit—but one upon which there is some chance of agreement?

LIMIT HYDROGEN BOMB TESTS

I have felt for some time now that real progress might be made toward agreement for the suspension of testing of hydrogen bombs of great size.

This should not be a suspension of tests on our part only. I propose instead that we endeavor to reach agreement with the Soviet Union and the United Kingdom on suspending tests of bombs over a certain strength level.

An agreement of this kind would be self-enforcing. We know from reading the daily press that our detection devices as well as those of many other countries can infallibly detect hydrogen test explosions when they exceed a certain size. It follows therefore that if any party to an agreement not to test the biggest bombs were to violate that agreement, the violation would instantly be known to the entire world.

I grant that such an agreement would not be without its dangers. But I believe that the time has come when the dangers of further uncontrolled big tests outweigh the dangers of agreement to suspend such tests. Surely this is an important enough issue for the heads of state to explore together ways of agreeing to limit or stop altogether the testing of hydrogen bombs so large that their fallout of radioactive material poses a threat to mankind.

LEADERSHIP

It is a strange thing that the United States, which has been the leading nation in the development of military uses of the atom, has somehow failed to occupy a leadership in the development of the peaceful uses of the atom. It is a strange thing that this Nation somehow failed to convince much of the world that we are in the forefront in seeking to control the devastating effects of the atom and to put it to peaceful uses.

The time has now come for a vigorous and vital effort, led by the President of the United States, to begin to roll back the dangers of atomic warfare.

The President cannot exert this leadership by occasionally authorizing his press secretary, Mr. Jim Hagerty, no matter how competent, to respond to pronouncements by Bulganin or Khrushchev. Neither can Mr. Dulles counter the propaganda moves of the Soviet Union by authorizing his press secretary, Mr. Lincoln White, to answer Mr. Gromyko. The voice of our leaders must be heard, not the voice of their press secretaries.

Moreover, leadership can never be exerted by waiting for the other side to make a statement to which this Nation can then respond.

An essential element of leadership on the part of a man or a nation is willingness to take the initiative, to move out ahead. Leadership requires imagination and boldness and coolly calculated assessment of alternatives in any course of action.

Leadership is not based on big talk, big size, or big emotion. I am sure that you have had experience enough to know that some men are assumed to be leaders, just because they are big, strong, and have a powerful voice. But you also know that real leadership among men or nations is not based on appearances, but rather is based on performance. Acts speak louder than words, as the saying goes.

Can we look at our Nation today and know that we are willing to face the issues? Are we able to look a fact in the face and recognize it as a fact? Or do we look at facts and call them fancies because we aren't willing to face them? Do we see the Russians as they are, or as we would like to think them to be? Do we recognize the threat of hydrogen weapons, or do we hide from it? Do you read the comic section of your newspaper because you are unwilling to face the hard issues of the editorial page? Do you say, "Let those in Washington worry about that one—they're the experts"?

In asking these questions, I have intentionally mixed together those we should ask as a Nation with those we should ask as individuals because what we are as a group of individuals, we are as a Nation. If we as individuals adopt an attitude of "Let George do it," if we as individuals are unwilling to face facts, be honest, and do the best we can with what we've got, then we as a Nation cannot expect to exercise the leadership essential to the creation and maintenance of a world in which freedom shall not perish.

EDWARD R. MURROW WITH THE NEWS, CBS RADIO NETWORK, JUNE 7, 1957

A member of the Atomic Energy Commission, Dr. Willard Libby * * * today told the Joint Committee investigating radiation dangers that the weapons development program of the United States would be "crippled" by a cessation of tests. "There is no substitute," he said, "for testing to determine the reliability of a weapon—conventional or atomic." He added that the United States should limit its test shots, however, "to those essential for the survival of the free world."

Probably the biggest event of the last days has been the decision of the British not to explode the final hydrogen bomb in their current tests, and President Eisenhower's hint that we, too, are through with the testing of the biggest hydrogen bombs. In the atomic age, these are the first retreats being publicly made in development of atomic weapons.

We need more information to judge how much the retreats are due to public pressure. They have been made at a time when the opposition to nuclear explosions is being vigorously expressed. The labor opposition in London has been vehement in arguing for curtailment of the tests. The hydrogen-bomb issue was injected into the last presidential campaign by Adlai Stevenson. Scientists of all kinds have voiced opinions. To some extent the issue has been taken over by organized propaganda, for protest demonstrations abroad have been held only against British and American tests, and were singularly missing when the Russians exploded their last hydrogen bombs, which may have been the most dangerous yet set off in respect to fallout. Lord Cherwell, British nuclear scientist is quoted as saying: "The efficiency of the Communist propaganda machine is shown by the fuss. It is really shameful to see how many decent people are being taken in by it." The Russian radio continues to demand an immediate end to all tests.

But it is safe to say that neither the British nor American Governments retreated in the matter of the H-bomb because of Communist propaganda. Indeed it would be more than unfortunate—it might be highly dangerous—if all criticism of the tests was to be swept aside simply because there is such propaganda. What is happening is that science and governments alike are both feeling their way into the new powers of nuclear energy, and still cannot be sure what is safe and not safe. The retreat from the big hydrogen bomb may have been hastened by public pressure—as in the House of Commons—but it is essentially the result of the growth of scientific knowledge.

The fact that scientists themselves disagree makes it harder for governments to know what risks to run. Mr. Eisenhower said yesterday that he accepted the findings of the American Academy of Sciences. But Dr. H. Bentley Glass, of Johns Hopkins University, one of the geneticists responsible for the academy's estimate of the safety level last year, told the joint congressional committee that this estimate might have to be revised, as the danger now appears to be greater. An atomic scientist, Dr. Walter Selove, of the University of Pennsylvania, told the committee that the academy's estimate is "seriously out of date." Dr. Shields Warren, of Boston, disagreed. Warren, who helped write the academy report, said there are at present "no available facts which would warrant a change to a significant degree, as far as the pathological effects are concerned."

Mr. Eisenhower stressed the greater cleanliness of American bombs, and the British are elated to find that their hydrogen bombs have been remarkably clean. The British radiologist who rode through the atomic cloud after the last explosion to take samples said: "There was no fallout at all." But he added: "Ultimately the fallout will come down, sometime in the next year or two." And that assertion is a reminder that the radiation is there, ready to do the injury that radiation causes.

One fact the public is beginning to understand is that there are two kinds of damage from radiation. One is to bones and tissues, the other is to genes. When some scientists speak of a safety level below which radiation does not injure humans, they refer to injury to the tissues and bones of persons now living. The geneticists, the scientists of heredity, say there may be no level of safety whatever, because the damage to genes is transmitted to persons not yet born. The geneticists talk in a different time-span. That explains the sensational figures they give the vast numbers that will be damaged by nuclear tests.

Dr. James Crow of the University of Wisconsin told the Congressional joint committee that the tests so far made will produce 80,000 cases of gross genetic abnormalities, 300,000 childhood deaths and stillbirths, 700,000 embryonic deaths, plus an unknown number of minor defects. Now governments and scientists have to decide whether it is more justifiable to kill or maim millions over a prolonged period than over a short period. At any rate the geneticists argue that the risks taken have to be justified.

This is Ed Murrow. I'll be back in a moment with the word for today.

Regarding the effects of radioactive fallout, there is disagreement—even among the experts. This is an issue in which the distinction between what is known, and what is not known, needs to be clearly drawn. Thoreau said, "To know that we know what we know and that we do not know what we do not know, that is true knowledge." It might in this case be survival itself.

Goodnight and good luck.

[From the St. Louis Post-Dispatch of June 15, 1957]

THE APOCALYPTIC QUESTION—ERIC SEVAREID IN A RADIO NEWS ANALYSIS, COLUMBIA BROADCASTING SYSTEM

(Congressional fallout hearings involved not just our country but whole world and future generations; burden of proof now lies on those who want to continue bomb tests; could administration say today that Adlai Stevenson was wrong on issue?)

Science may not yet be the master of human affairs; but it is no longer the simple servant of human will; it must now be met on its own terms.

A row of mortals. Members of Congress, sat in a row on what was once the high judicial bench of the Supreme Court in the old court chamber of the Capitol Building. They were trying to find out what terms science has set for the continuity of a healthy human race.

But they sat there rather helplessly; the real judges, good or bad ones, were the witnesses, the sedate-looking physicists—biologists, geneticists come out of their laboratories to explain to the political sovereignty the demands of the scientific sovereignty, one of whose findings already is that nature has no special interest in the survival of Americans.

For the implicit political decisions, a new element has been added; indeed, the final element. The responsible officers of one country now face decisions affecting not just their own country, but all countries; not just the generation they inhabit, but all generations to come.

The atomic energy subcommittee in the old chamber has been hearing from the geneticists; these are the men who deal with heredity. And they are neither very complacent nor very divided about radioactive fallout; less so than the physicists or the biologists; and one of them, Muller of Indiana, told the committee that the bomb tests already held, have, in all probability, impaired—that is diseased, deformed or prematurely shortened—hundreds of thousands or even millions of lives to come in future generations.

The sheer weight of scientific testimony is getting too heavy for the previous official position here to hold—the position that there is no reason for serious concern. When Mr. Adlai Stevenson a year ago raised the alarm and proposed an American initiative, at an unknown risk to security for stopping the big bomb tests, the administration denounced his attitude; it could not do so today; the climate of opinion has swung a long way in that direction.

The area of scientific doubt about fallout effects, present and future, is still considerable. Atomic Commission officials used to occupy that breach by insisting that the pessimists prove their case; now their opponents are filling the breach, insisting that the optimists must prove their case; on the simple proposition that if the optimists turn out to be wrong, it will then be too late.

No magic scientific finding is expected to resolve the whole question neatly and finally; too little is known about other possible injurious substances besides strontium 90; too little is known about how the winds will concentrate the fallout now in the stratosphere upon the earth; too little can be forecast as to how many additional nations will be exploding how many additional bombs as time goes on.

Therefore the decisions that must be made are not scientific decisions, they are political and moral.

If we can get little new scientific information now, we probably can have new military-security information, and this may help. Always, our atomic and military authorities have balanced the fallout risk in testing, against the military-security gain. But what is this gain? They have not told us; and it is hard to see how the wisest legislators can reach even first-stage decisions about the most apocalyptic question ever faced by legislators unless they can have a look at the security side of this coin. Several moves now seem almost inevitable:

The administration is providing that look. An independent authority established to judge the world effect of bomb testing, with official advocates no longer doubling as official judges; a serious new initiative for an enforceable test ban with Russia; and—if Russia will not agree to enforcement procedures—facing again the Solomon's question; of whether, as a civilized people, we shall take a present security risk upon ourselves in the name of everyone's descendants?

[From the Christian Science Monitor of June 7, 1957]

HUMANITY OWNS THE AIR

President Eisenhower and Prime Minister Macmillan bear a heavy responsibility for defense of their respective nations and the free world. It is understandable that they express unwillingness to halt nuclear tests which they believe contribute to that defense—unless a ban can also be made effective on Soviet tests. Yet this cannot be the final word on this tremendous question.

For in two respects the atomic tests—especially the big bomb tests—differ from ordinary defense and disarmament problems. For one thing, we are dealing here with something quite different from practice on an artillery range or mock airplane battles. The situation is more like one where artillery practice or plane battles would involve penetrating across a neighbor nation's border. For the effects of big bomb tests cannot be confined to any nation's territory.

A second distinctive factor is that tests of big bombs cannot be hid. No new inspection system would be required to insure detection of any violation of an agreement to ban such tests. So nations honestly adhering to a test ban would run relatively minor risks from treacherous violators. The chief risk—a timelag—could be sharply reduced by continuing laboratory experiments.

Of course, Moscow is carrying on a propaganda campaign against British and American tests while continuing its own tests. But that is no reason for not trying to ban big bomb tests. Indeed, it is a reason for doing so—to spike the hypocritical Soviet propaganda. And it is foolish to try to label as Communist inspired all the worldwide concern about fallout. The United States Atomic Energy Commission itself has finally conceded that all testing involves some danger.

Indeed, it is apparent that both Britain and America are recognizing the weight of humanity's mounting feeling about big bombs. Tacitly the Eisenhower administration appears to have modified the official position held during the last election. At his last press conference the President let the information fall that the United States is not likely ever to explode another 14-megaton bomb (like the big Bikini one). And Mr. Macmillan has been emphasizing that Britain's test bombs are unusually clean.

It seems to us that both Washington and London should go further than this informal and one-sided curb. Even from a defense standpoint they have more to gain than to lose from getting formally on the right side of this question. We believe that many of the predictions of disaster from fallout are guesses that should not be accepted. But there is agreement that tests—even the cleanest—do involve some dangers. America and Britain cannot afford to act as if the Pacific were a private lake. Even less can they afford to act as if they owned the earth's atmosphere.

Instead they would be well advised to take the initiative in affirming that no nation has a right to contaminate the air humanity must breathe. Let them cut through the shilly-shallying over the complexities of disarmament with a simple demand for a feasible ban on big bomb tests.

[From U. S. News & World Report of June 14, 1957]

HERE ARE EISENHOWER'S VIEWS ON THE FALLOUT SCARE—FROM THE TRANSCRIPT OF PRESIDENT EISENHOWER'S NEWS CONFERENCE OF JUNE 5, 1957

MARVIN L. ARROWSMITH (Associated Press). Mr. President, in the last few days some top geneticists and other scientists have testified that fallout radiation from nuclear-weapons tests will damage hundreds of thousands, and perhaps millions, of the yet unborn in terms of physical deformities and shortened life spans.

Could you, as the man who must make the final decision on these tests for our country, tell us what your scientist advisers tell you on this matter?

The PRESIDENT. Well, first of all, last October we published a very long report from the National Academy of Sciences which gave a very full discussion of this whole matter, bringing up the amount of radiation you get from natural sources, the sun and X-ray

pictures and all the rest of it—I believe down even to include phosphorus on the dial of your watch—and things of that kind.

That is the authoritative document by which I act up to this moment, because there has been no change that I know of.

Now, on the other hand, here is a field where scientists disagree.

Incidentally, I noticed that—many instances—scientists that seem to be out of their own field of competence are getting into this argument, and it looks like almost an organized affair.

I am concerned just as much as I am of this fallout—I am concerned with the defense of the United States. I have tried, and this Government has tried, to make the abolition of tests a part of a general system of disarmament—controlled and inspected disarmament.

If we can do that, we will be glad enough, and very quickly, to stop tests. But we do have the job of protecting the country.

Our tests in recent years, the last couple of years, have been largely of the—in the defensive type of armament to defend against attack from the air and, particularly, to make bombs cleaner so there isn't so much fallout.

We have reduced the fallout from bombs by nine-tenths. So that our tests of the smaller weapons have been in that direction to see how clean we can make them.

MERRIMAN SMITH (United Press). Mr. President, could you elaborate a little for us, sir, on your saying that among the disagreeing scientists on the question of fallout that some of them are out of their field of competence, and it looks like an organized affair?

Why do you say that, sir? Who is organizing it, in your opinion?

The PRESIDENT. I don't know. I haven't any idea, but I just say it seems to come up so many places and so many different speeches, and you find scientists of various kinds other than geneticists and physicists in this particular field that have something to say about it.

Robert E. CLARK (International News Service). Mr. President, can you tell us what you think about Khrushchev's television interview Sunday, including his offer to withdraw Russian troops from Europe if the United States would do likewise?

The PRESIDENT. Well, this is what I say, of course, about such an appearance:

Now, let's make no mistake, that appearance was not the same as taking a kinescope of one of these press conferences and broadcasting it completely in Russia.

We know that there are no prepared questions here and no prepared answers. It is a matter of trying to deal honestly with each other, and then putting it on—in the papers and on the radio and in the television—on the television screen; and this other performance of last Sunday afternoon was far from that.

Now, with respect to his proposal: He took one part of a proposal that affects not especially our country, but countries of our allies. And it is an old method, when you are dealing with a number of allies, to try to propose something which seems to be to the obvious interests of one in order to drive a wedge between them.

What is done in Europe, what we do there, is always going to be the subject of consultation between us and our allies before we do anything about it.

So this matter—I noticed he didn't say that Germany would be reunified or anything of that kind—just merely withdraw the troops.

JOHN SCALI (Associated Press). Mr. President, Mr. Khrushchev, in answering questions on disarmament, said that Russia, in his words, was quite prepared to seek a first step of partial disarmament agreement rather than to hold out for the comprehensive disarmament agreement, which has been their policy in the past.

Since this objective also is what we are seeking, do you think that his words, at this particular time, add encouragement to the possibility that an agreement along these lines is really possible at this time?

The PRESIDENT. Well, I think that we can only say we can only hope so.

As I told you before, all the reports are that this time at London the conference reflects, apparently on all sides, a more serious, a more definite purpose to get ahead with substantive matters than ever before, and to use it, the occasion, less as mere, as a mere platform for propaganda.

So every word that indicates a desire to meet sensibly on a step-by-step basis—which is the only way, by the way, I think it can ever be done—I welcome it, and certainly don't reject it until it's been explored to the full.

JAMES B. RESTON (New York Times). Mr. President, the comments here this morning, sir, about the fallout are, I think, open to the inference that this is just an organized campaign, and that the scientists who are——

The PRESIDENT. Oh, no.

Mr. RESTON. Disturbed about it——

The PRESIDENT. Oh, no; I didn't say that at all. I said there does seem to be some organization behind it. I didn't say a wicked organization.

Mr. RESTON. I think it is, the way it is left right now—this is merely an opinion—as open to that inference.

NO REFLECTION ON SCIENTISTS

The PRESIDENT. Well, I don't mean that at all.

There are as many of these people just as honest as they can be, there is no question about that. But, as I say, when they begin to talk a little bit out of their field, then I would rather go myself to the Academy of Sciences, which has no ax to grind of any kind, is not looking for publicity, and say, "Now, what do you people think?"

I made mention that I was living by the document that they have given at this moment.

Mr. RESTON. May I ask two questions about this: whether you have any plans to deal with anxiety of the country about the fallout and, second, whether in any way you are modifying your plan about testing?

The PRESIDENT. Well, I wouldn't say I have got a plan, because the plans that we have for testing are all bound up in the plans we have for disarmament, which we think is necessary. We think if you are going to include these weapons as a positive or almost-certain weapons of war in any future global thing, we would be foolish indeed to be behind anybody else.

Now, that means testing, because the scientists in your laboratories each year believe they have found something that makes them cleaner, better, more efficient, or particularly what we are working on so hard, as you know is defense against hostile aircraft. So those people cannot continue to work unless they can test them.

On the other hand, I would like to allay all anxiety in the world by a total and complete ban of all testing—based upon total disarmament in this field, is what I'd like.

CHALMERS M. ROBERTS (Washington Post). In speaking, sir, of your desire for what I believe you call the total and complete ban on tests under disarmament agreement, do you mean that you would be willing to agree to such a ban under this first-step agreement, as part of this first-step agreement, with the Soviet Union?

The PRESIDENT. Only you could do that, I think, in toto the way I expressed it there—in a complete thing—you could do that only if the same agreement were so couched, so made, that you could see there would be no more atomic bombs used in war.

Mr. ROBERTS. But it could be as part of the so-called first step if it were firm enough—

WHY INSPECTION IS ESSENTIAL

The PRESIDENT. Well, only if it brought in that other part, though, that we were going to eliminate these things as weapons of war, and there were an inspection system that could make sure that was coming about; otherwise, you couldn't do it.

Mr. ROBERTS. I am not clear, sir. Are you speaking of the so-called fourth-country problem?

The PRESIDENT. No; not at all. Other fourth countries have got a right to do as they please.

I am saying that we couldn't enter into any program which forever banned tests unless we also had a system which we knew would—and could be convinced would—forever ban the use of weapons, of these weapons in war.

RICHARD L. WILSON (Cowles publications). Mr. President, it seems to me that the discussion on testing of H-bombs has left a lot of vacant spaces that we don't completely understand, at least I don't understand.

You have said that our tests are going toward the point of testing clean weapons at the present time——

The PRESIDENT. Yes.

Mr. WILSON. Does this mean that we will not test any more H-bombs, which create a great fallout?

The PRESIDENT. Well, as a matter of fact, I don't think your statement is correct. I think we have found that the H-bomb, in proportion to its size, is probably one of the cleanest. I don't think that your statement is correct.

Mr. WILSON. Let me ask it again: Will there be any more tests of H-bombs similar to the large one in the Pacific which caused such a wide fallout?

The PRESIDENT. The early one, you mean?

Mr. WILSON. Yes.

The PRESIDENT. I would doubt that anything like that would ever be repeated. But I want to say this again: Our plans, and even our thinking on this, we are trying to weave into programs which we must concert with our allies before they are of great value, and if I have not been as frank in this one subject as you people think I should, remember this: If I say something that Britain or France or some other great ally, or Canada, cannot accept, and they get irritated or embarrassed by it, then our whole program of trying to achieve real disarmament and real cessation in all these terrible fields is hurt. So I have told you what I think is public property, and what I think is proper to say.

[From U. S. News & World Report of June 14, 1957]

WHAT'S ALL THIS ABOUT "STRONTIUM 90"?

(There's a strange term—strontium 90—that is heard more and more in the growing argument over fallout from atomic tests. What is strontium 90? Why is there concern about it? How dangerous is it? Here are answers to these and other important questions about atomic radiation.)

Just what is strontium, anyway?

Strontium itself is a harmless element with a close chemical resemblance to calcium. It looks like a silver-white metal and is used, among other things, to give some fireworks a reddish flame.

Is strontium 90 something else?

This is a radioactive form of strontium, not found in nature but produced by nuclear reactions of an atomic blast.

Then is it like radiation?

In a way. Fallout from an atomic blast contains strontium 90 in the form of tiny radioactive particles. These continue to emit radioactive rays for a long time. Strontium 90 serves as a vehicle for radioactivity, in other words.

Can you see strontium 90 in atomic fallout?

No. The particles are much too small.

Is it possible to taste it, feel it, or smell it?

Not in the quantities in which it drops as fallout. It is not like the radioactive "ash" that fell on Japanese fishermen in the Pacific after the first big H-bomb test.

Is strontium 90 deadly if it falls on you?

No, it will not kill you by falling on your skin.

Then why all the talk about it now? What is dangerous about it?

The danger in strontium 90 is that, if it is absorbed into the body in large-enough quantities, it might cause a form of cancer.

How can strontium 90 be absorbed into the body?

A good bit of the strontium 90 that falls on leaves or on the soil is absorbed into the plant. Some of these plants might be eaten directly by human beings. Others may be consumed by cows which, in turn, could produce milk that would contain minute quantities of strontium 90. People thus can take in the radioactive substance in their food.

Could it be hazardous to eat meat from cows that have grazed where strontium 90 has fallen?

Not particularly. Strontium 90 so closely resembles calcium that the amount retained by the animals goes automatically to the animals' bones, which are not used as food for human beings.

What do officials say about the danger of strontium 90 from atomic tests?

The amounts involved are far too small to be dangerous, officials insist. Dr. Willard F. Libby, scientific member of the United States Atomic Energy Commission, says:

"At the present time, the radiation dosage to bone from the most worrisome part of radioactive fallout, which is strontium 90, is about the same as what the Denver resident would receive as additional radiation from cosmic rays if he moved from Denver proper about 200 feet up on the mountainside."

What are some scientists so concerned about, in that case?

The thing to watch out for, they say, is what would happen if a lot of strontium 90 would get into the air and fall on farm crops and grazing land. The minute, radioactive particles of strontium 90 may be carried great distances—sometimes around the world—before coming down to earth. And strontium 90 remains radioactive for many years after it drops to earth.

Is the amount of strontium 90 from fallout being watched carefully now?

Yes. A very elaborate sampling program is being carried out now, known as Project Sunshine. It consists of daily samplings of particles in the air, collected on gummed paper at 200 stations in the United States and around the world. Also, there are monthly tests of milk sold in each of 6 milksheds in the United States, monthly sampling of sea water and of air in the stratosphere. In addition, annual checks are made of the soil at 17 points around the United States, and of pastures, vegetables, and animal bones in 7 areas in this country.

Just how much more radiation are people getting now from strontium 90?

Latest findings show that the radiation absorbed by children's bones in this country from strontium 90 amounts to 1 or 2 percent of the dose received regularly from natural background radiation—or less than the variation you get by moving from one altitude to another.

What would happen if a lot of strontium 90 were absorbed in a human body?

Scientists say it would tend to concentrate in the bones. There it would continue to emit faint radioactivity for years. Although scientists do not yet have all the necessary data, some experiments indicate that too much strontium 90 in the bones might cause bone cancer, because of this radioactivity.

There is a suspicion that it could also cause leukemia, a form of blood cancer, by the effect of radioactivity on the marrow in the bones. There is an argument now over how much strontium 90 it would take to cause these effects.

Could strontium 90 have an effect on future babies?

Apparently not. Dr. Libby says: "It is well to note that, since radiostrontium [strontium 90] is assimilated in the bones, it constitutes essentially no genetic hazard, because its radiations do not reach the reproductive organs."

How long does strontium 90 stay radioactive?

Roughly 40 years, with its radiation decreasing gradually over that period.

About how much strontium 90 is there in the atmosphere at this time?

An AEC commissioner stated recently that: "If all the radioactive fallout which still is airborne should come down suddenly, there would be about one-third more total radioactive strontium on the ground than we now have in the United States. It falls so slowly, however, that there is expected to be relatively little increase over the present amount deposited—the extra fallout just about compensating for the natural radioactive decay of the radiostrontium already deposited."

Is there any natural defense against the dangers of strontium 90?

Yes, evidently both plants and animals get rid of most of it. The calcium in milk and cheese, for example, is only one-tenth to one-fifth as radioactive with strontium 90 as the grass that the cows ate. The human body rejects much of its intake of strontium 90 as well.

Is there a difference between strontium 90 from A-bomb tests and that from H-bomb tests?

The strontium 90 is the same, but the distribution is different. In the case of big H-bombs, the fallout is injected into the earth's upper atmosphere and is distributed around the world. But strontium 90 from smaller atomic bursts comes back to earth quickly, concentrated in the same general area in which the bomb was exploded.

How about future tests—will they increase the amount dangerously?

This is the subect of a big argument now, among scientists and laymen alike. Some scientists recommend an end to big tests, on the ground that it is better not to take a chance. But the top AEC scientists say this is unnecessary and add: "The cause for real concern is not the deleterious effect of radiation resulting from weapons tests, but rather what would be the effect of the infinitely greater amount of radiation which would result from the massive use of nuclear weapons in warfare. Here we would be dealing with excessive radiation, not to all the people of the world as has been suggested, but quite probably to large numbers of people residing in areas of substantial contamination."

[From the New York Daily News of June 4, 1957]

CAPITAL CIRCUS

(By Michael O'Neill)

WASHINGTON, June 3.—If most of us ordinary citizens are befuddled by the merry-go-round of conflicting opinion which has featured the Congressional hearings on atomic fallout, we should be pardoned. Nearly everyone else is in the same sorry condition.

The members of the Senate-House Atomic Energy Subcommittee, all well-informed men, said they have heard so many pros and cons and do's and don'ts the last few days that they're slightly dizzy. And it is universally admitted the scientists themselves are confused.

There are many reasons for this state of affairs. Although it seems to be human nature to expect order and agreement among scientists, the reverse is more often the case.

High-school texts on physics or chemistry may be smugly certain, but modern men of science actually operate far out on the frontiers of knowledge, beyond the known and simple. For them, speculation, opinion, and confusion are not the exception; they are the very essence of their way of life.

DANGERS MAGNIFIED, SAYS AEC EXPERT

Dr. Charles L. Dunham, head of biology and medicine for the Atomic Energy Commission, suggested in his testimony that some scientists are magnifying the dangers of atomic tests not because of proved facts but because of their political opposition to anything promoting the possibility of nuclear war.

On the other hand, another prominent scientist who appeared before the subcommittee asserted privately today that the AEC is dismissing the fallout risk simply because it feels it has to back President Eisenhower's policy of pushing atomic weapons development so long as there is no disarmament agreement with Russia.

Whether or not there is any merit to these views, most observers feel the basic reason for the confusion lies much deeper. Senator CLINTON P. ANDERSON, Democrat, of New Mexico, a leading member of the subcommittee, put it this way to us: The overwhelming fact is that science still hasn't come up with enough hard data—the kind you can't deny—to provide sure answers to the life-and-death questions involved.

WE'RE RUNNING AHEAD OF OUR FACTS

In his headlong rush into the atomic age, man has resembled an overeager general: He has run far ahead of his support troops. Although he is test-firing bombs, he is not precisely certain what they are doing to him or to his environment and, for the moment, he leans heavily on such unsatisfactory props as educated guesses and theory. This is especially true of atomic fallout and its biggest villain, radioactive strontium.

All hands concede that of all the by-products of nuclear fission strontium 90 is far and away the most worrisome. A single tablespoonful could theoretically injure or kill everyone in the world. It has a long life—about 28 years—and when it is hurled into the stratosphere in the bigger atomic blasts it gradually spreads around the entire globe, slowly sifting to earth over a period of years. Even more important, Sr-90 is a close chemical relative of calcium so that it passes through plants and animals and lodges in man's bones, where it is capable of causing cancer.

The current great debate over atomic testing and the hazards of Sr-90 has centered on three crucial questions: How much Sr-90 can man take without serious injury? How much Sr-90 is now being absorbed by adult and, more important, children's bones? And how much strontium can be injected into the stratosphere in the next 10, 20 or 30 years without posing a threat to all humanity?

On the first question there are nearly as many opinions as scientists. The AEC says the Sr-90 limit for the average adult should

be 100 sunshine units, a measure of strontium in relation to body calcium. The National Academy of Sciences favors a 50-sunshine maximum while the British have been lobbying for 10.

One critical issue is how much allowance to make for individual variations and for children, who are especially susceptible. Another is whether there is or is not a threshold beneath which Sr-90 does no detectable bone damage. The controversy remains unresolved because medical research still hasn't produced solid data on the precise relationship between Sr-90 and body damage.

On the second question—man's present burden of strontium—there is even more controversy. AEC Commissioner Willard F. Libby, acknowledged leader of the no-danger school, insists the present bone levels of Sr-90 are 200 times less than the AEC's 100-sunshine safety limit. The increased radiation, he says, is no more than a man would get by moving to a higher altitude, or about 400 feet closer to the sun and its cosmic rays. At the present rate of atomic testing, Libby asserts, the general public would never hit the safety limit.

UNIFORM DISTRIBUTION THEORY CONTRADICTED

Despite the assurance with which these estimates have been advanced, they have come under heavy attack. A Government meteorologist revealed new evidence during the hearings that the stratosphere drops most of the Sr-90 on northern countries, contradicting Libby's assumption of uniform distribution. Another medical scientist cited findings suggesting that the body absorbs Sr-90 at a far greater rate than Libby has supposed. Many unknowns remain to be cleared away before the conflicts can be resolved.

Regarding the question of how much Sr-90 will be visited on man in the future, there is again uncertainty and dispute. All AEC estimates are based on the present rate of testing. The commission's critics insist it has closed its eyes to the fact that atomic testing probably will continue to increase, greatly multiplying the dangers of Sr-90. During the hearings, AEC experts finally conceded there would be trouble if testing were not limited to 10 megatons of fission material a year.

[From The Hartford Times of May 25, 1957]

FALLOUT PERIL: A PROPOSAL

The number of thinkers who believe man is committing murder and suicide by making tests of nuclear weapons is growing daily. These men include philosophers, theologians, physicians, physicists—men of many occupations and all political beliefs. They are desperately afraid.

Their fear is that test explosions of nuclear weapons have been creating, and are still creating, clouds of radioactive dust in the upper air, dust that settles in a gentle, deadly fallout over the whole earth. This dust cannot be disposed of. It will be dangerous for many generations to come. It poisons water, food, the very earth itself. Settling into the bones of humans, especially children, it starts incurable cancers.

Who are these fearful men? Dr. Albert Schweitzer, the medical missionary who works in isolation in Africa and has been given international recognition as a moralist and a musician. Pope Pius XII, voicing his thoughts through radio, public audiences and the columns of the Vatican newspaper. The Atomic Scientists Association of England. Dr. Linus Pauling, a chemist at California Institute of Technology and a Nobel Prize winner. An association of German physicists, banded together to beseech their government's opposition to continuing nuclear tests. The Japanese Government, which sent a special envoy to London and Rome for a similar purpose.

There are many others, whose knowledge and authority cannot be gainsaid. All are afraid—not for themselves but for humanity.

Every nuclear explosion carries aloft many dangerously radioactive elements. Some of these elements decay very quickly, a few in a matter of seconds. Some are dangerous for several lifetimes. Others will be deadly for as much as 260,000,000 years. There is no way to rid the earth of them. They fall into rivers, fields and oceans, and are absorbed by plants and eaten and drunk by animals. When a fish dies from their lethal emanations, the radioactivity does not cease. It can kill another fish or a human.

Never before, until now, has man had in his hands the means of bringing about his own total destruction. Knives, clubs, guns, fire bombs, all the weapons of the past—these can kill only in the vicinity of the place in which they are used. Once used, they are harmless until used again.

The dust from nuclear bombs can kill again and again and again, and there is no way to stop it from killing. Every nuclear explosion is more dangerous than the last, because the accumulation of dust is that much heavier.

Spokesmen for the Atomic Energy Commission say the danger is not yet great enough to menace mankind. They cannot deny that it exists. The layman, without scientific training or physical equipment to assess the peril, may hope that the AEC is right, but he must give great weight to the opinions of the men who disagree. And the terror is contagious.

Atomic Energy Commissioner Willard F. Libby announces that the United States now has a "clean" H-bomb, in which health hazards are minimized. He does not say they are eliminated. The difference is only one of degree. Each H-explosion adds much or little to the accumulation of poison.

Is there any hope for mankind under this terrible and progressively worse threat of death? Yes. Man can survive the present level of artificial radioactivity. Thousands will die, but man will live. Dr. Pauling says 10,000 persons have died or are dying from the effects of the explosions already set off, but the prospect of cancerous death is not yet universal. It is only an increase in radioactivity, contributed by more and more explosions, that can kill the human race.

Protection, then, lies in a halt to nuclear explosions large enough to throw deadly dusts into the upper air. This means stopping tests of the H-bomb.

Up to now, H-bombs have been tested by three nations, Russia, the United States, and Great Britain. It is unlikely that any other nation can develop an H-bomb. Therefore, if Russia, the United States, and Great Britain stop testing their bombs, humanity will be safe from the effects unless war breaks out and the bombs are put to military use.

The horribleness of the H-bomb is the best deterrent to its use. The problem of nuclear disarmament is outside our scope in this discussion of the tests and their effects. But there is a way to approach an international halt to testing.

It would not involve any great danger to any nation's security. There would be no need for international inspection of nuclear production. There need not even be a formal agreement. All that is required is a statement from President Eisenhower:

"The United States will not again explode any nuclear device capable of poisoning the atmosphere unless it has evidence that such a device has been exploded, after this date, in a foreign country."

What would happen if the President made that statement? In one short sentence he would take a long step toward safety. Russia would be put into a position in which, if she is sincere in her many protests of horror at the continued poisoning of the atmosphere she must do the same thing or lose great face. Great Britain would be in a similar position. Who would wish to be responsible for continuing the pollution of the world?

Would the security of the United States be endangered? There might, of course, be some risk. But we now have a usable H-bomb, big enough to serve our military purposes in a future war. If Russia stops testing, we are still ahead. If she does not stop, we can resume our tests.

Would there be danger that Russia might outstrip us in the arms race if tests were stopped in both countries? No; for nothing would be said about laboratory research and mathematical investigations of H-weapons. Each side would continue that kind of work.

Could we trust the Russians to stop tests if we did? There would be no need for trust, because an H-bomb explosion is impossible to hide. Instruments that monitor the upper air over America reveal in a few days an explosion anywhere on the globe. If they indicated that Russia was again, or still, exploding H-bombs, we could start our tests again. The Russians know this, of course.

It would take courage for the President to stop the tests. For one thing, such a proposal was one of the chief points of the campaign of Adlai E. Stevenson, his recent opponent for the Presidency. The President would have to expect jeers from both his own party and the Democrats for adopting Mr. Stevenson's suggestion. We believe he is big enough to ignore them.

If tests stopped, the world could relax a little. It is impossible to forecast whether the door to disarmament might also open a little wider. That, if it happened, would be wonderfully welcome.

But the goal of greatest immediate importance, the result we must achieve, is a stop to the deposit of one tiny layer after another of deadly poison on the earth.

[From the Washington Post and Times Herald of June 15, 1957]

VACCINATION SUGGESTED FOR IKE—SCIENTIST SAYS RADIATION FROM A-TESTS MAY HAVE CAUSED NEW FLU EPIDEMIC

The seeds of a new influenza virus sweeping Southeast Asia already have spread to the North American Continent, the World Health Organization said yesterday at its Geneva headquarters.

In London, British biochemist Norman Pirie said the new strain might have been born under the influence of nuclear radiation fallout from test explosions conducted all over the world.

Dr. Pirie's suggestion that the virus might be a consequence of nuclear radiation fallout was published in The Lancet, a leading British medical weekly.

He explained that "viruses share the ability to mutate (change) under the influence of radiation." He added that East Asia "is the area that has already suffered most from fallout."

All reports received stress that the disease caused by the virus remains mild, the United Nations agency reported.

The new strain, officially dubbed "Virus A/Singapore-1/57" because it first was identified by laboratory tests in that city, has felled thousands in Asia. In the Philippines, about 185,000 cases have been reported, with 441 deaths ascribed to influenza.

In Australia, virus authority Sir MacFarlane Burnet said he believes the Asian epidemic will spread to nearly every country in the world—especially during the winter months.

The risk of Americans catching the flu is "considered to be a distinct possibility" because of the large numbers of Americans who have been in Asia recently and now are scattered all over the United States, the agency said.

In Britain, the liberal Manchester Guardian suggested it might be a "good idea" if President Eisenhower was vaccinated against influenza. It added that Mr. (Premier Harold) Macmillan is another problem; the stock markets are less sensitive to his state of health.

In stressing the mildness of the new flu strain, the U. N. agency said:

"Very few deaths have been scientifically proved to be due to this cause and are mostly among elderly people suffering from chronic bronchitis."

[From the Phillips County News, Malta, Mont, of June 13, 1957]

WHICH RISK SHOULD WE TAKE?

The leading scientific minds of the world are presently engaged with a problem as perplexing as any ever faced in the entire history of mankind. The continued existence of the human race and of the world as we know it may well depend upon the final decision which is reached by the scientists and endorsed by statesmen, soldiers and political leaders.

The question is: Should testing of thermonuclear weapons be continued?

Negative answers have been voiced by most of the world's humanitarians and by the scientists who understand fully the destructive potentialities of the hydrogen bomb and of other even more powerful devices which might yet be built. Considering the H-bomb as the weapon which could ultimately destroy 20th century civilization, those who oppose continued testing and development of nuclear weapons are right by any standards.

Applying the yardstick of military practicality, however, we find that if the United States were to discontinue H-bomb development today it would probably be subjecting itself to a bigger risk than by going on with the tests.

Regrettable as it is, we must face the fact that as long as the Soviets have the nuclear weapons we must continue our nuclear development. We must stay ahead of the Russians in retaliatory power. It is an unpleasant prospect to think of what will happen if the Kremlin rulers ever decided that they are far enough ahead of us in weapon strength to launch an offensive while we do not have the material to retaliate in kind.

A stalemate seems to be the only victory in this new kind of cold war. An equal or very nearly equal balance of power between East and West will prevent either side from foolishly detonating an explosion which could destroy the world.

Atomic Energy Commissioner Willard F. Libby last week asked a House-Senate Atomic Radiation Subcommittee, "• • • Would we prefer to run the risk of annihilation which might result if we surrendered the weapons which are so essential to our freedom and our actual survival?"

There is only one possible answer to Commissioner Libby's rhetorical question.

The human race right now is being measured against the most demanding standards ever applied to any generation. Can we find the international means to control nuclear weapons so that all nations will be safe and so that no nation can secretly develop a striking force which will make the rest of the world its prey. The continued existence of the human race demands that a method be found to control the power of the atom for all people. The solution rests in the hands of the diplomats. May God grant them the wisdom and the strength to get the job done.

[From the Washington Post and Times Herald of June 17, 1957]

POINT OF NO RETURN

(By Stewart Alsop)

The National Security Council, the Nation's top policymaking body, has been pondering in recent weeks the basic question of American national strategy: How much should the United States rely on the terrible multimegaton nuclear weapons as instruments of national power? To put the question another way: Under what circumstances, short of all-out Soviet nuclear aggression, would an American President authorize the use of such incredibly destructive weapons?

The NSC has decided in principle that the United States must not become exclusively dependent on the big nuclear weapons. But such decisions in principle have a way of fading into meaninglessness, and the decision has resulted in no visible changes in American defense planning. Such changes are inevitable, if the trend toward ever-increasing reliance on the multimegaton weapons is to be reversed.

Recent testimony on Capitol Hill points up what the issue with which the NSC has been grappling is all about. A few days ago, Gen. Lauris Norstad, able NATO commander, testified that this country had the power of "destroying everything that is of military significance in Russia." Norstad was talking, of course, of the power to launch an all-out nuclear attack on the Soviet Union, which is the heart of the western strategy of deterrence.

Such an attack would require the explosion of many hundreds of high-yield nuclear weapons. The Soviets presumably, would reply in kind. Thus the kind of war Norstad was talking about would mean the explosion of nuclear weapons with a total power of something like 2,500 to 3,000 megatons.

Only a few days before Norstad spoke, leading scientists had also testified on Capitol Hill. They disagreed on a lot of things, but almost all agreed that, in the interests of global safety, there must be an upper limit on the testing of nuclear weapons. Most put this limit at around 10 megatons of fission products, which would be released by a single large and dirty hydrogen bomb.

In an all-out nuclear war, much would depend on dirtiness of the bombs used. But in such a war, the amount of fission products released would be enormously greater, probably hundreds of times greater than the upper limit set by the scientists. What would be the effect of such a war, not only on the nations directly involved, but on the whole human race?

Atomic Energy Commissioner Thomas Murray has stated that such a war would endanger a whole generation, embracing tens of millions of people, in Russia, in the United States, in all the countries of the world.

Others, like Murray's colleague, Commissioner Wilson Libby, have disputed this view. The plain fact, which came out very clearly in the testimony of the scientists, is that nobody knows. The human race might survive an all-out nuclear war without suffering permanent and essential damage. On the other hand, it might not.

Yet an all-out nuclear war is the kind of war the United States is preparing to fight. More and more it is threatening to become the only kind of war the United States will be able to fight. We are in real danger of passing a nuclear point of no return.

As Murray has said, the whole emphasis in the AEC is on producing bigger and bigger bombs. A device with the power of 40 megatons has already been tested. The current Air Force requirement is for a deliverable bomb of 50 megatons. The newest Air Force bomber, the B-58, is designed to carry very high-yield nuclear weapons and only such weapons. All long-range and medium missile designs call for a multimegaton warhead.

The Navy is also becoming a multimegaton Navy. The Sixth Fleet, for example, is equipped with high-yield bombs, in cruisers as well as carriers. And the Army has put a heavy proportion of its resources into an effort to get in the multimegaton act, with its medium missile, while its nonnuclear capabilities steadily decline.

Obviously, the United States must be capable of fighting an all-out nuclear war. However globally disastrous the consequences, the President of the United States must at all times be capable of ordering a devastating retaliation for nuclear aggression.

But under what circumstances short of aggression would a President, aware of the possible global consequences, order the use of the multimegaton weapons: Would he order their use if, say, the Soviets blockaded Berlin again, or the Chinese Communists invaded Burma?

As Commissioner Murray (who is to be fired for his pains) has said, in any situation short of all-out Soviet nuclear aggression "the danger is that • • • our only recourse will be to moral indignation." This danger becomes daily greater, as the United States becomes daily more dependent for its defense on the terrible weapons which may never be used.

[From U. S. News & World Report of June 21, 1957]

IF YOU'RE STILL WONDERING ABOUT FALLOUT DANGER, HERE ARE DEFINITE ANSWERS FROM WORLD'S TOP AUTHORITIES

(In what follows, you get the last word, so far as it is known, on the hazards of fallout and other sources of atomic radiation. Here are answers to questions now being raised about the effects of bomb tests, as prepared by independent panels of leading scientists in this country and Great Britain. President Eisenhower has recommended the report by the National Academy of Sciences and has said that it has influenced his views and policies on atomic matters. The study made by the British Medical Research Council is regarded as the most authoritative one on the subject in that country.)

The National Academy of Sciences, in a 1956 report to the public on The Biological Effects of Atomic Radiation, concluded: "Thus far, except for some tragic accidents affecting small numbers of people, the biological damage from peacetime activities—including the testing of atomic weapons—has been essentially negligible. Furthermore, it appears that radiation problems, if they are met intelligently and vigilantly, need not stand in the way of the large-scale development of atomic energy. The continuing need for intelligence and vigilance cannot be too strongly emphasized, however."

The Medical Research Council of Great Britain, in a 1956 report to Parliament on The Hazards to Man of Nuclear and Allied Radiations, had this to say: "The general conclusion to be drawn from a consideration of the hazards inseparable from the application of ionizing radiations in peacetime is that at present there is no cause for alarm; but that, as all such radiations are potentially dangerous, their use should be the subject of constant and close scrutiny, and that adequate justification should be required for their employment on however small a scale."

EFFECTS ON HUMAN BEINGS

National Academy of Sciences:

"At present the United States population is exposed to radiation from (a) the natural background, (b) medical and dental X-rays, (c) the fallout from atomic-weapons testing. The 30-year dose to the gonads received by the average person from each of these sources is estimated as follows:

"(a) Background: About 4.3 roentgens.

"(b) X-rays and fluoroscopy: About 3 roentgens.

"(c) Weapons tests: If continued at the rate of the past 5 years would give a probable 30-year dose of about 0.1 roentgen. This figure may be off by a factor of 5, i. e., the possible range is from 0.02 to 0.5 roentgen. If tests were conducted at the rate of the 2 most active years—1953 and 1955—the 30-year dose would be about twice as great as that just stated."

British Medical Research Council:

"From the bombs exploded up to the present time, the population of this country [Great Britain] may expect to receive, over the next 50 years, additional radiation amounting to between 0.02 percent and 0.04 percent of the radiation which will be received over the same period from natural sources.

"If the firing of bombs were to continue indefinitely at the same rate as over the past few years, radioactivity would gradually accumulate to a level at which an inhabitant of this country would receive an average dose of 0.026 roentgen over a period of 30 years, or about 1 percent of that which he would receive in the same period from natural sources."

SAFE LIMITS OF EXPOSURE

National Academy of Sciences: "Individual persons should not receive a total accumulated dose to the reproductive cells of more than 50 roentgens up to age 30 years, and not more than 50 roentgens additional up to age 40. (About half of all United States children are born to parents under 30, nine-tenths to parents under 40.)"

British Medical Research Council: "During his whole lifetime, an individual should not be allowed to accumulate more than 200 roentgens of whole body radiation, in addition to that received from the natural background, and this allowance should be spread over tens of years; but every endeavor should be made to keep the level of exposure as low as possible."

EFFECTS OF FALLOUT

National Academy of Sciences:

"Radiation in the general environment has not yet become a serious problem. In a few decades, however, radioactive waste products from atomic powerplants will represent an enormous potential source of contamination.

"Radiation from fallout inevitably contaminates man's food supply. Radioactive elements in the soil are taken up and concentrated by plants. The plants may be eaten by humans, or by animals which in turn serve as human food.

"At present the contamination is negligible. But the maximum tolerable level is not known. There is not nearly enough information about the long-term biological effects on man or animals from eating radiation-contaminated food."

British Medical Research Council:

"It is unlikely that the inhalation of radioactive particles present in the air as a result of fallout would constitute a problem in ordinary civil life.

"Account must be taken, however, of the internal radiation from the radioactive strontium which is beginning to accumulate in bone. At its present level, no detectable increase in the incidence of ill effects is to be expected. Nevertheless, recognizing all the inadequacy of our present knowledge, we cannot ignore the possibility that, if the rate of firing increases, and particularly if greater numbers of thermonuclear weapons [H-bombs] are used, we could, within the lifetime of some now living, be approaching levels at which ill effects might be produced in a small number of the population."

WHAT X-RAYS CAN DO

National Academy of Sciences:

"The average dental X-ray delivers 5 roentgens to the patient's jaw, but only five-thousandths of a roentgen of stray radiation to more remote parts of the body such as the gonads.

"Radiologists die 5 years earlier on the average than physicians having no known contact with radiation.

"The medical use of X-rays should be reduced as much as is consistent with medical necessity."

British Medical Research Council: "The amount of radiation reaching the reproductive organs of the people of this country [Great Britain] through diagnostic radiology is as much as 22 percent of that derived from natural sources. Indeed, in view of the minimum figures adopted in these calculations, the contribution of diagnostic radiology may well be very considerably higher than 22 percent. It undoubtedly forms the most important source of man-made radiation and its application has been steadily increasing in recent years."

SHORTENING OF LIFE

National Academy of Sciences: "Doses up to about 100 roentgens, when spread over years, have not been shown to shorten human life. On the other hand, we cannot yet say that there is a minimum amount below which the effect does not take place. If very large numbers of people were exposed to a gradually accumulated dose of 100 roentgens, or even less, their life expectancy might well be lowered by a minor, but statistically observable, amount."

British Medical Research Council: "A number of reports based on observations made on animals suggest that exposure to ionizing radiations may lead to a reduction in the expectation of life. No evidence has yet been published that this occurs in man."

GENETIC EFFECTS

British Medical Research Council: "The genetic effects to be expected from present or future radioactive fallout from bombs fired at the present rate and in the present proportion of the different kinds are insignificant. They might not be so, if present rates of firing were increased and particularly if a greater number of thermonuclear weapons were tested."

LUMINOUS WATCH DIALS AND TV SETS

British Medical Research Council: "The contribution of radiation from watches and clocks with luminous dials is also small but real. The main hazard is to workers in the luminizing industry, but the risk from the widespread use of such instruments is not entirely negligible.

"We recognize that there are circumstances which require the use of instruments with self-luminous dials. For the majority, however, there is no such necessity and their wider use constitutes an avoidable, if small, risk which could be minimized for all concerned if the amount of radioactive material in these instruments was reduced to the lowest possible level.

"It has been recognized that television sets give rise to very small amounts of X-rays but at the present time radiation from this source does not constitute either a personal or a significant genetic hazard. • • • So far as sets used by the general public are concerned, most of the radiation is normally absorbed in the apparatus itself and is insignificant at the usual viewing distances."

BOMBS AND THE WEATHER

National Academy of Sciences:

"Ever since the first atomic explosion, people have wondered about the possible effect of these superpowerful blasts on the weather and climate.

"The meteorology committee has considered the matter in the light of all the information collected over the past decade. Its conclusion:

"'No evidence has been found which indicates that the climate has been in any way altered by past atomic and thermonuclear explosions. The amount of study given to the problem is sufficient to indicate that it is unlikely that any test explosions conducted in the number and along lines similar to past tests will have any important effect on the weather. However, this conclusion is based on our present knowledge and the importance of the subject requires continued study.'"

A TOP UNITED STATES SCIENTIST SAYS THIS

Dr. Shields Warren, Harvard pathologist and one of the leading United States scientists who directed work on the 1956 report issued by the National Academy of Sciences, testified before the Joint Committee on Atomic Energy of Congress on June 6, 1957, as follows

"I would say that at the present time, so far as the report [of the National Academy of Sciences] on pathological effects is concerned, that there are no points that as yet are sufficiently well established to warrrant a significant change in that report as it stands."

[From the New York Times of June 17, 1957]

CONFERRING ON THE ATOMIC DANGER

(By C. L. Sulzberger)

PARIS, June 16.—The Swiss Government is now considering whether to take the initiative in convening an international scientific meeting to discuss whether nuclear tests menace mankind's future. This is a praiseworthy idea. For, until the scientists themselves can get together, it is surely not reasonable to expect untutored politicians to agree.

At this stage the subject of radiation, fallout, and other repercussions, both direct and indirect, is generally regarded in the world as sorcery and witch doctory were viewed centuries ago. There is as little apparent agreement among the learned as among the uninformed on what evils the atom should be held responsible for.

The current Lancet, British medical journal, speculates that the virulent grippe epidemic sweeping westward from the Orient may result from nuclear experiments. Hotel proprietors from Italy to Scandinavia, disturbed by this spring's cool, moist weather, blame the bomb.

The ignorant little man who comprises 99.44 percent of this earth's population is deeply disturbed by bewildering experiments taking place around, beneath, and above him. A correspondent for the Times of London reported a farmer saying recently in Twin Springs, Nev.:

"You can't help feeling uneasy when you look up an see one of those clouds. You don't know what the hell it is all about—and as for the AEC—I wouldn't believe them on a stack of Bibles."

RADIATION RISE NOTED

Who and what are we to believe? Dr. Takanobu Shiokawa, professor at Shizuoka University in Japan, says the accumulation of fallout on the surface of Asiatic lands has more than doubled since 1955—because of weapons tests. Dr. Merrill Eisenbud of the AEC claims that within the same period there has been a tenfold increase in the amount of radiostrontium in American milk.

Dr. Alvin C. Graves, chief of AEC weapons testing, admits a really clean (fallout proof) superbomb is impossible to make. And everybody who has them—Russia, America, and Britain—is experimenting with superbombs. The 1954 Bravo explosion at Bikini is estimated at 15-megatons force by Dr. Ralph Lapp.

Dr. Lapp and Dr. Jack Schubert of the University of Chicago claim that by last January the energy exploded in experiments had already approached 100 megatons in value—50 times the total explosive tonnage dropped on Germany in World War II. With all three possessor powers busily touching off bombs since then—in Siberia, in Nevada, and on Christmas Island—that limit has surely been surpassed.

What this is doing to present and future generations simply cannot be said. There has not yet been serious international consultation on the matter such as the Swiss are contemplating. Dr. Willard Libby of AEC thinks the present rate of testing can safely go on for decades. Dr. William F. Neumann, a biochemist, believes the earth's atmosphere is already near the permissible saturation point for strontium 90.

SCIENTISTS DISAGREE

Geneticist James F. Crow insists tens of thousands of people will be diseased, deformed, or doomed by fallout if the present rate continues. Prof. C. H. Waddington of England remarks of tests: "My personal view is that the biological cost of them is not large."

The most lurid account of dangers ahead was given in last spring's Oslo broadcast from Dr. Albert Schweitzer. But Schweitzer's grimmest warning concerned the menace of waste from the Hanford, Wash., atomic plant, flowing into the Columbia River. He foresaw a kind of geometric progression of radioactivity multiplying its venom from plankton to fish to insects to birds to the yolks of those birds' eggs.

In fact, the danger to mankind is possibly as great from unwise peaceful use of nuclear energy as from excessive testing of weapons. (Naturally, if the latter are ever put to work in a business sense, finis will be written to both problems.)

What we must get used to—and quickly—is the potential danger of all atomic energy. Last year a thoughtful report on "The Hazards to Man of Nuclear and Allied Radiations" was published in England by the Medical Research Council and signed by such distinguished scientists as Sir John Cockcroft. This concluded:

"The hazards to health are qualitatively the same, however, whether they arise from nuclear weapons or from the use of ionizing radiation for peaceful purposes. The difference is one of degree or intensity only."

Obviously, such being the case, it would be wise if the Swiss, before formulating the invitations to their conference, were to broaden its contemplated scope. The danger to humanity arises not merely from the explosion of nuclear arms. It derives from the atom itself. This is a very small entity but still immensely unknown to most of us, including statesmen, whether we wish to use it for good or ill.

FEDERATION OF AMERICAN SCIENTISTS,
Washington, D. C., June 14, 1957.

Hon. MIKE MANSFIELD,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MANSFIELD: Enclosed is a copy of a statement released June 12 by our executive committee, in regard to our proposal for a ban on the further testing of large nuclear weapons.

We believe that this is a practical step which can and should be taken soon, and which may greatly facilitate further disarmament negotiations. We have urged Congressional action in the form of the draft resolution sent to you with my letter of May 23. We shall be interested in receiving your reaction to our proposal, and would welcome an opportunity to discuss it with you in more detail.

Respectfully yours,

PAUL M. DOTY,
Chairman.

TEXT OF STATEMENT FAVORING BAN ON LARGE NUCLEAR WEAPONS TESTS BY THE EXECUTIVE COMMITTEE OF THE FEDERATION OF AMERICAN SCIENTISTS

The Joint Committee on Atomic Energy has just completed extensive hearings on the potential dangers of radioactive fallout from nuclear weapons tests, and the information revealed at these hearings should make a valuable contribution to public appreciation of this aspect of the nuclear testing problem. While there is uncertainty as to the extent of the hazard, it is clear that the three nations currently involved must carefully weigh their reasons for further testing of large nuclear weapons against the damage that may be done by such testing. On the other hand, decisions regarding limitation of future bomb-testing programs must ultimately rest on other factors of a political and strategic nature, and the current concentration on the radiation hazard problem should not be allowed to obscure these other considerations. The executive committee of the Federation of American Scientists (FAS) wishes to call attention to a number of points which may help to place the question of a nuclear weapons test ban in proper perspective, and which argue for a ban on the testing of large nuclear weapons at the present time:

1. It is of the greatest importance in discussions of a nuclear weapons test ban to distinguish clearly between small and large bombs. Only the large bombs can be detected with assurance by monitoring systems outside national boundaries, and for this reason, they are the only bombs subject to a self-enforcing ban. The testing of large bombs is by far the major source of fallout radiation; testing of small, tactical weapons adds little to already existing radiation levels.

AEC Commissioner Libby has stated the importance of continuing our nuclear weapons testing program until international agreements to cease all nuclear weapons development are reached, together with the necessary inspection provisions. However, the requirements for international inspection appear to be an insurmountable obstacle in reaching an agreement concerning all nuclear weapons at the present time. On the other hand, a ban specifically limited to the testing of large nuclear weapons would not depend on inspectors stationed within national boundaries, and would more likely be acceptable to the major powers.

From the unclassified information available, an estimate can be made of the size of weapons detectable with extranational monitoring systems like those currently in operation. Our scientists are confident that there should be no difficulty in detecting explosions above the level of 100 kilotons. Even much smaller explosions can be detected with a high degree of probability, and might be excluded also, since the high probability of detection would discourage attempts to circumvent the agreement. Monitoring techniques that would insure the detection of violations are already available, and responsibility for supervising monitoring operations could be vested in an appropriately constituted United Nations agency.

2. Since 1945, this country has worked unceasingly in the U. N. to find a formula for disarmament that would remove the threat of a catastrophic third world war. In the absence of a satisfactory international disarmament agreement, we have continued to build up our retaliatory power to a maximum, as a deterrent to aggression, and to test nuclear weapons as an essential part of this buildup. Our production facilities have been in operation longer and we have conducted more tests than other countries. Now, there is good reason to believe that we already have, or can soon have without further testing, more than enough large nuclear weapons capacity to deter any potential aggressor. We could, until further disarmament agreements are reached, continue to stockpile large nuclear weapons, thus preserving the deterrent value of our atomic arsenal.

3. A ban at this time might have an important effect in slowing down the development of refined nuclear weapons, particularly H-bomb warheads of a size deliverable with the intercontinental ballistic missile (ICBM). The slowdown of development along these lines would be at least as great for the Russian program as for our own. Perfection of this terrifying weapon would put all countries, including our own, at the mercy of an aggressor nation that could launch a surprise attack against which there would be no adequate defense. Once this weapon has been developed and produced, it will be extremely difficult to devise practical inspection systems to disclose the stockpiles, and it will be far more difficult to reach international agreement on the detailed inspection systems that would be necessary.

4. The potential hazard from radioactive fallout has become a moral problem which has attracted critical comment and discussion from responsible people around the world. A moratorium on large bomb tests would minimize this threat, and would allay the present worldwide anxiety over radiation hazards from fallout.

5. So far, only three countries have produced and tested A- and H-bombs: the United States, Britain, and the U. S. S. R. Many other countries are building or soon will be building atomic piles, and some anticipate producing nuclear weapons material. In a very few years, several such countries will be in a position to make bombs and to conduct tests. The danger of a worldwide conflagration from a mistaken judgment or hasty act on the part of a nation armed with nuclear weapons will be minimized if the number of nations possessing such weapons does not increase.

In view of these considerations, the FAS renews its proposal that the United States Government take the leadership in the United Nations for negotiation of an international agreement prohibiting further test explosions of large nuclear weapons. We propose that the initial agreement be restricted to nuclear weapons above a size-limit to be specified after discussions among the technical delegations of the nations negotiating the agreement, and we urge that a U. N. agency be established to supervise the monitoring procedures necessary to detect violations.

If an international agreement to ban further tests of large nuclear weapons could be obtained without first attempting to solve the other more difficult problems requiring complicated inspection and control schemes, all the nations of the world would benefit, and a first step would have been made toward further disarmament agreements. The ban would test the sincerity of the participants in the negotiations, and, most important of all, it would offer hope to the peoples of the world that some progress is being made toward a workable, effective technique for the international control of nuclear weapons. Our representatives at these negotiations would make an important contribution to world peace if they could obtain agreement on stopping large nuclear weapons tests as a first small, practical step toward the ultimate disarmament which is the goal of our national policy.

Mr. GREEN. Mr. President, I rise to present to the Senate the report of the Committee on Foreign Relations recommending that the Senate give its advice and consent to the ratification of the statute of the International Atomic Energy Agency.

It gives me especial satisfaction to do so at this time, since the Senate has been, for some hours, impressed with the dangers of the present situation. This report provides the means by which we can undertake to meet and overcome those dangers.

Only infrequently in the past has it been given to Members of the Senate to exert upon the international community that degree of influence which is commensurate with the responsibilities of the United States as a world power. Under our Constitution, of course, that influence, whether benign or adverse, is largely dependent upon policies followed by the Chief Executive acting through his Secretary of State; whereas, the impact of Senate action is not always readily apparent.

The role of the Senate, while indispensable in the treaty process, is normally a subordinate one in foreign affairs. But every so often we are asked to give our consent to a document which has such pervasive significance for our people, and also the people of other nations, that what the Senate does—or fails to do—may be of critical importance for the future of our Nation. In such a situation, the impact is direct and profound.

Mr. President, the statute of the International Atomic Energy Agency, which we are now considering, offers the Senate such an occasion. We are given an opportunity to make a positive contribution, not only to the prestige and authority of the United States but also to the betterment of human welfare throughout the world.

When, on December 8, 1953, the President of the United States announced to the General Assembly of the United Nations a proposal to create an international authority for the peaceful development of atomic energy, the nations of the world were electrified. The response was inspiring. Here, at last, appeared to be a way to break the atomic impasse which threatens to engulf us all. At last, for the first time, the attention and energies of the world community were focused upon methods to advance the peaceful potential of the atom in a great cooperative effort.

The statute now before the Senate is the outgrowth of President Eisenhower's proposal. It seeks to introduce a semblance of international order in the development of nuclear energy, a field which cries out for relief from the condition of anarchy which the world has allowed to develop.

At the present time, each nation is proceeding with its atomic energy program without any let or hindrance upon its activities, without commonly accepted standards of health and safety, and without protection against the careless use of fissionable materials by other nations. Chaos reigns.

On the other hand, there are many nations whose resources are so limited that without the assistance of an international agency their peoples must long remain deprived of the great blessings which are locked within the atom. For these peoples the power of the atom holds out hope for economic advancement and the promotion of human welfare. It means electrical energy. It means revolutionary improvements in agriculture and industry. It means progress in the diagnosis and treatment of disease. It is in these fields that the true promise of the atom lies, rather than in its use for military weapons and destruction.

These, in general, are the objectives of the statute before us. They would be achieved through the creation of an international agency, vested with responsibility for advancing the peaceful uses of the atom, in the interest of the general welfare of humanity. To that end it is contemplated that source materials and fissionable elements will be pooled, and that member nations will provide the means of cooperative action in the interest of all members. As a necessary adjunct to this program, the treaty provides a mechanism of inspection and controls against the use of atomic energy for military purposes by any nation receiving fissionable materials from the agency.

I cannot emphasize too strongly the importance of this mechanism. It may come to pass that the system of inspection and controls instituted by the statute will one day prove to be its greatest accomplishment. This is because the statute provides, on a modest scale, a realistic testing ground for the feasibility of a more extensive inspection system.

In this way, Mr. President, what has been designed essentially as an instrumentality to advance the peacetime use of the atom, may also provide the basis for a reliable system of restraints upon its wartime utilization.

A great many allegations have been made concerning the statute of the international Agency which the Committee on Foreign Relations found wholly lacking in substance. It has been charged, for example, that the United States would be giving away millions of dollars' worth of fissionable materials. It has been charged that these materials could be used without question by the recipient nation for the manufacture of atomic weapons. It has been charged that the Agency would be given classified information on nuclear energy which would prejudice the security of the United States. The committee weighed all these charges, and dismissed them as unfounded.

It has been charged, furthermore, that the United States, with only 1 vote in an organization of 80 members, would be outvoted, and that the policies of the agency would be dominated by unfriendly nations. I can assure the Members of the Senate that this will not be the case. Anyone who takes the trouble to examine the method adopted in article VI of the statute for selecting the Board of Governors, will quickly realize that this body is so constituted that the United States is unlikely to be overwhelmed by adverse votes. The predominant influence in the Board is in highly responsible and friendly nations.

It is not my purpose, Mr. President, to review here the provisions of the statute of the new international agency. Those provisions have been summarized with considerable care in the report of the Committee on Foreign Relations. In that report is also to be found a discussion of some of the more common misconceptions concerning this treaty.

For example, contrary to an impression which somehow seems to have made headway, the United States does not obligate itself to put even a single kilogram of uranium 235 at the disposal of the Agency. The statute specifically declares in article IX that "members may make available to the Agency such quantities of special fissionable material as they deem advisable." Paragraph C of that article makes it plain that any such contribution by the United States would be in conformity with the laws of our country, so that if Congress at any time chooses to modify or increase the limitations under which uranium 235 or any other material may be made available to foreign governments, it may do so, notwithstanding any earlier provision of law to the contrary. It is true that we have indicated to the rest of the world that we are prepared to make available for the program of the Agency, 5,000 kilograms of U–235 of not to exceed 20 percent enrichment. But we are not formally bound to do so, and the times and amounts of this material to be delivered are entirely within our discretion. These matters will be appropriately dealt with in agreements to be entered into by our Government with the Agency for that purpose. Moreover, the agreements must satisfy the conditions of our own Atomic Energy Act of 1954, including the requirement that agreements must be submitted to the Joint Committee on Atomic Energy for a period of at least 30 days.

A second misapprehension is that fissionable or other material we may make available to the Agency will not be paid for. Nothing in the statute requires the United States to donate any uranium-235 to the Agency or to any government. In other words, this is not a giveaway program. Here, again, the statute expressly provides that one of the terms of any arrangement for transfer will be an agreement on the price to be paid.

There are 1 or 2 other aspects of the statute which deserve particular notice. One of these relates to the system of safeguards established by the statute to insure that a recipient nation will not divert to a military purpose the material it acquires. Article XII of the statute, which deals with this question, was drawn with great care. The more one reflects upon it, the more admirable these provisions seem. Under article XII, grantee states accept some very important restrictions upon their sovereignty, in favor of an international control of their domestic activities. I should add, in parentheses, that these restrictions do not apply to a grantor government.

It is my conviction, Mr. President, that the system of safeguards to be applied by the Agency is such as to render most unlikely any misuse for military purposes of the materials furnished. The fissionable materials to be furnished by the United States are far below the quality required for weapons use. To convert them to weapons quality would require construction of a most elaborate plant, a costly enterprise which could not escape detection. The committee, after all the evidence was in, was satisfied that the risk of misuse does not present a serious objection to the treaty.

Those who examine the system of article XII will see that it parallels very closely the principles adopted in our own bilateral agreements concluded under section 123 of the Atomic Energy Act.

This was another reason why the committee, after thoroughly considering the matter, came to the conclusion that there would be no undue risk to the national security from United States participation in the work of the Agency.

Another comment I desire to make bears upon the need for a multipartite agency, in view of the relative success which is being realized under our bilateral program. What advantages do we obtain from the Agency, it may be asked, which are not available under the bilateral arrangements being negotiated by the United States?

The great weakness of the bilateral program lies in its inability to establish worldwide standards in the handling of nuclear materials, and in safety and health measures which must be adopted to safeguard all nations. Intensification of competition between various supplying countries proceeding upon a bilateral basis must inevitably result in depressed standards of health and safety.

On the other hand, we have already learned that there are definite limitations upon the extent to which the United States may go in its bilateral programs. Many nations which are intensely eager to take advantage of atomic developments for the advancement of their peoples, are nevertheless reluctant to compromise their neutralist position in the East-West rivalry. This is particularly so because the inspection and control safeguards which we insist upon in these treaties are distasteful to these nations when administered by another power; but they would be accepted under the authority of an international body.

There remains one further aspect of the statute which I must mention. I refer to the provisions of article XVIII on amendments. Under paragraph C of that article, amendments to the statute which have been approved by two-thirds of the member states in accordance with their constitutional processes, come into force for all members, even those which fail to ratify the amendments. However, in virtue of paragraph D of article XVIII, any member who is unwilling to accept an amendment to the statute may withdraw from the agency. Failure to exercise the right to withdrawal necessarily means that a nonratifying member is bound by the amendment in exactly the same way as all members who have approved it.

This feature of the statute was the object of a penetrating examination by the committee. That which disturbed its members was the legal possibility that the United States might find itself bound by an obligation rejected by the Senate, unless the executive branch took affirmative action by exercising the right of withdrawal. In the view of some members of the committee, this situation was fraught with future difficulties arising from a possible difference of views between the executive and legislative branches as to whether the United States should or should not accept a given amendment.

For my part, Mr. President, I believe this concern to be exaggerated because of the position which the United States would occupy in the agency. It is hardly conceivable that an amendment unacceptable to the United States would be adopted by two-thirds of the membership over our determined opposition. If that eventuality ever materialized, I am sure that it would evidence such a state of affairs that we would no longer desire to participate in the agency. I have no doubt that if the national security were threatened by any such development, the President and Congress would move swiftly to terminate our membership.

Nevertheless, the committee believes it to be important that no uncertainties exist as to the Senate's intention with respect to the effect of any amendments which it refused to approve. For this reason, we have recommended that the resolution of ratification embody an interpretation and understanding containing two elements: First, that any amendment to the statute would be submitted to the Senate for its advice and consent; and, second, that the United States will not remain a member of the agency in the event of adoption, as a part of the statute, of an amendment which is rejected by a formal vote of the Senate.

The second element constitutes something in the nature of a condition subsequent. The Senate's consent to the statute is made effective until the time that an amendment is adopted which fails of Senate approval. When that happens, United States membership will terminate. Thus, the interests of the United States are completely protected.

Let me add that this understanding was not adopted out of any distrust or lack of confidence in the executive branch. Something far more fundamental was involved in the committee's action. We believed that article XVIII contained a potential hazard to the constitutional division of responsibility between the Chief Executive and the Senate in the treaty process. To acquiesce in any procedure which permitted a treaty to be amended without senatorial advice and consent would, in the view of the committee, be an abrogation of the Senate's duties under article II, section 2, of the Constitution. The understanding recommended by the committee eliminates any such implication.

In conclusion, Mr. President, it is my fervent hope that the Members of this body will not merely approve the present treaty by the necessary two-thirds vote, but that they will endorse it overwhelmingly. Such support would constitute a sign to the rest of the world that we are joining the new Agency without timidity, in the full endorsement of its lofty and humanitarian objectives.

In all candor, Mr. President, I would be deeply saddened if it ever could be said that the opportunity which now lies before us was lost. American resourcefulness, joined to the surging tide of history, has given us an unparalleled opportunity to make an affirmative contribution to the welfare of humanity. In my judgment, if we repudiate the proposal which we conceived, and which kindled the hopes and imagination of peoples everywhere, the effect upon United States prestige throughout the world would be most serious. We would stand discredited in the eyes of other nations, while the Soviet Union, which has already ratified the statute, would present itself as the apostle of atomic peace.

I, therefore, urge the Senate to give its wholehearted approval to the statute of the International Atomic Energy Agency.

During the delivery of Mr. GREEN's speech,

Mr. JOHNSON of Texas. Mr. President, will the Senator yield for a request?

Mr. GREEN. I yield.

Mr. JOHNSON of Texas. Mr. President, as is our universal practice when a treaty is under consideration, the leadership asks for the yeas and nays on its ratification. Therefore, in order that all Senators may be on notice that there will be a yea-and-nay vote, I ask that the yeas and nays be ordered on the resolution of ratification.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. I thank the Chair, and I thank my distinguished friend from Rhode Island. I ask that these remarks appear in the RECORD at the conclusion of his speech.

I commend the Senator from Rhode Island for his diligence and promptness in bringing the treaty before the Senate. I do not know how his committee has done as much as it has done, by having brought the mutual-security bill and the treaty before the Senate at almost the same time. The Senator from Rhode Island and his committee are to be congratulated. I appreciate the fine work they have done.

I enjoyed the very constructive and intelligent address made today by the assistant majority leader, the distinguished Senator from Montana [Mr. MANSFIELD]. I am very proud of the work the Committee on Foreign Relations has done in this field.

Mr. GREEN. I thank the majority leader for his gracious remarks.

Mr. WILEY. Mr. President, it is my purpose today to join in support of the historic treaty which now is pending before the Senate for ratification.

The unanimous action of the Senate Foreign Relations Committee in approving this treaty indicates the well-deserved degree of its acceptance.

Executive Report No. 3 by our committee well summarizes the case of American participation in this Agency.

At any time, the case would be strong for America joining in an organization devoted so crucially to the betterment of mankind.

At any time, America would be glad to give its support to so fine an opportunity for service by harnessing the miracles of science to mankind.

But at this particular time in history there is a special case for ratification of this treaty. The reason is because, at this very moment, we are endeavoring to agree upon some form of mutual inspection system with the Soviet Union, so that there could not be a surprise attack against one or the other.

To reach agreement on such an inspection system requires the greatest of care.

We must have ironclad safeguards to prevent Soviet abuse of this right.

But almost everyone is agreed that inspection is one of the answers to prevent a potential aggressor from preparing his forces in such a way as to get a surprise advantage for world war III.

So it is our hope that out of the inspection provisions of the Atomic Energy Treaty may come a practical method, practical experience, which can be expanded into a larger inspection system.

FEARS HAVE BEEN DISCOUNTED

In the course of the committee hearings on the treaty, administration witnesses effectively answered the numerous fears which had been raised concerning this treaty. All sorts of such fears had been presented to the committee.

There were fears that the donated fissionable materials might be diverted from their intended peaceful use. There were fears that a country which the United States would regard as ineligible to receive fissionable materials, that is, like Red China, might receive fissionable materials through the back door. Other fears as well were expressed.

Each and every one of these doubts was effectively answered in the course of the committee hearings. That does not mean, however, that the treaty is foolproof. It does not mean that this instrument, as in the case of other instruments, might not potentially be abused.

Actually, we know that any treaty is no better than the men who carry it out. If a treaty is to be fulfilled in its letter and spirit, then there must be the will, intent, and purpose on the part of those who are fulfilling it to genuinely achieve its objectives.

A treaty can be a mere scrap of paper, or it can be a great tool for a man's benefit. I believe that the pending treaty will not be a mere scrap of paper. I believe that it may well prove to be a great landmark in the history of mankind.

Three and a half years have elapsed since President Eisenhower's great address before the United Nations General Assembly on December 8, 1953.

During those 3½ years men have been working toward implementing that great address.

Today we have the results of their work. I say that these results are worthy of our support.

The world looks to the United States for atoms-for-peace leadership. We must not disappoint the world.

The Soviet Union had originally attacked the idea of an atomic-energy treaty, but when it found virtually all of mankind aroused against it, the Soviet Union changed its tack. That is why it was one of the first to ratify this treaty.

I do not doubt that the Soviet Union may still try to change the treaty, to use this treaty for its own purposes. But that is no reason why we should be filled with fear. Instead, we must be vigilant to prevent such abuse.

We have a tool. We have an instrument. It depends upon how we and like-minded nations now use it.

I earnestly hope, therefore, that my colleagues will join in overwhelming approval of the treaty, as I believe they will. By doing so, we will not simply be making a propaganda gesture to mankind, for we are not interested in mere token activities for atoms for peace. We are interested in solid results, and this treaty, if wisely applied by men of prudence and care, can help achieve that great objective.

Mr. PASTORE. Mr. President, the Statute of the International Atomic Energy Agency is before the Senate by virtue of the action and recommendation of the Committee on Foreign Relations, which has had the statute under consideration.

I must preface the remarks I intend to make on the statute by an expression of gratitude and congratulation to my colleague the senior Senator from Rhode Island [Mr. GREEN] and to the committee of which he is chairman.

Let me thank the Senator from Rhode Island and his committee, first of all, for their courtesy in permitting me, as a member of the Joint Committee on Atomic Energy, to sit with them, with the privilege of participating in the discussions and of examining witnesses. It was a vantage point from which I could witness the competence of the chairman and the committee, their industry and integrity, their high patriotism and sense of international responsibility in this day of decision.

All of these are qualities which have always been evident to their fellow Senators, and perhaps need no embellishment from me. They are emphasized in the report the committee has submitted, which, in itself, may well be treasured as one of the important documents of this nuclear age. But I would be remiss to myself if I did not thus record another demonstration of the dedicated statesmanship of my colleague the senior Senator from Rhode Island, and his committee, as I have seen it in this important measure that moves toward world cooperation and world peace.

I add my voice to those speaking in support of the statute for the International Atomic Energy Agency. I can understand something of the fears of those who are not certain that they can commit themselves to its support, and I want them to understand something of the faith I have in this statute as a great forward step to world peace.

I am not one who can be characterized as being starry eyed. I, too, am intent that any special nuclear materials supplied by the United States for reactors may not be diverted from peaceful uses. It is my belief that an adequate system for inspection and control to prevent such diversion can be set up, and I believe that it is set up in the statute.

This conclusion is reached, in part, from my own personal practical experience derived from my 4 years as a member of the Joint Committee. In particular, I have in mind a trip I took last winter to a number of atomic energy installations.

On that trip I saw and studied some 19 different reactors of all kinds and descriptions. Among my stops were the Argonne National Laboratory at Chicago; Sandia at Albuquerque; the University of California at Los Alamos; the North American Aviation Company in Los Angeles; General Electric Company at Vallecitos; University of California at Livermore; Hanford Works at Richland in the State of Washington; and the National Reactor Testing Station at Idaho Falls.

Those operations are not haphazard. By their very nature they could not be. Techniques of inspection and control had to be set up, and those techniques must be adequate even for operations that have no immediate relation to other nations.

For the fuel involved is immensely valuable. It is powerful in process, and it is radioactive when extracted. For its worth as uranium alone, it could not be handled with more care if it were pure gold. Its movements are checked and double checked.

Then consider the construction of those reactors that I saw—those that were capable of producing energy in an appreciable amount. The fuel is locked up as safely and securely as though it were in a vault. The metal containers around the fuel are liquid tight and gas tight, and around the containers are immense concrete walls and other walls.

One can imagine the effort it requires to remove the fuel from the core. It involves a major, if not a complete, shutdown of the reactor.

The fuel, when extracted, is so hot—radioactively speaking—that it has to be handled at a great distance and with infinite care. For safety reasons, each reactor has many interlocking and overlapping devices. Most of these register even minor changes in the reactor operation, let alone major variations. Nothing is left to chance.

In the statute these techniques of inspection and control are expanded. They would preclude the diversion of the fuel from the purposes intended by this Government.

Moreover, these reactors, because of their intricacy and immensity, can be had only at great expense. A nation would have to undergo real financial stress to establish one. It seems unlikely that such a nation would try any devious means to siphon off any materials for military purposes.

After all, if any such nation, prepared to make such a financial commitment, wanted to get into the military end of the atomic energy game, it could do so on its own without any strings whatsoever. America does not hold a monopoly on the laws of nature.

That, Mr. President, I think is a point on which we can lay especially strong emphasis. Many who are opposed to this statute are living, I believe, under the mistaken impression that we have a monopoly of all this knowledge and all this material, and now we are ready to open up the Pandora's box and expose it to the rest of the world.

Mr. President, I might suggest that the Pandora's box is already open. The knowledge we possess today is not exclusively within our own keeping. The material we possess today is not material to be found alone in the United States of America. There are other nations in the world which possess and own similar material. They possess and have the knowledge of which we are speaking today. Principally I refer to Russia itself.

So let us not delude ourselves into believing that we are sitting tight on all this knowledge, all this technology and all this material, and that now we are going to let the rest of the world in on it. There is not a blessed thing this international agency can do or give that some of the other nations today cannot go to Moscow and get. That is a very important consideration we must bear in mind, because if we forget that, we forget the very spirit, the very keystone and the very inspiration that gave birth to the idea which is being developed on the floor this afternoon.

I have said our precautions as to inspection and control are expanded under this statute, and I have studied those provisions very carefully.

These precautions make it possible for the Agency to watch and approve the entire project of any reactor from its first design, through its construction and operation—and up to the extraction, processing and further use of its materials. The controls under the statute are as alike to the controls in our power bilaterals as they could be.

They afford every opportunity not only to detect diversion if it should be tried, but even to plan to prevent diversion before it is undertaken.

The Atomic Energy Commission has stated emphatically that the inspection and control factors of the statute are adequate. This is the assurance of its Chairman, Mr. Strauss, the assurance of Mr. Murray, and the assurance of its officer—a scientist—responsible for this phase of the Agency operations. Their statements have been made without any disagreement or contradiction from any quarter. No person—much less any scientist of any repute—ever challenged any of these statements before the Foreign Relations Committee. Indeed, the only additional testimony from scientists who appeared before the committee corroborated this belief. All these assurances are sufficient for me, and I feel they should allay any fears on the part of any Member of this body.

So much for fears. Now let me speak of my faith. With an international system of inspection and control, I believe the peaceful uses of atomic energy can develop on a uniform and adequate and worldwide basis.

I believe such uniformity would minimize the possibility that this field, by competitive undercutting, could turn into "atomic anarchy" as it was described by Mr. Strauss and by Mr. Murray.

In this I see the most important advantage of the Agency over bilateral agreements.

I should like to digress again for a moment, to make another point which I think needs to be emphasized. One of the arguments which will be made by those who oppose—if there is any opposition—is, "Why get into this international agency if we have bilateral agreements with all the countries with which we are friendly?" I have heard that argument.

That is a very cogent, a very strong, and a very valid argument, but we must remember that the line which demarcates the difference between using this material for peace or for war is only fictional. Therefore, the inspection of this material and the inspection of the geography which may be concerned with the development of these projects is essentially the same if one inspects for peace as if one inspects for war.

If we can develop this international attitude toward inspection and control, which will give us the bedrock and the foundation for further expansion, so that one day we can use these procedures, use this technique, and use this knowledge in order to inspect and control against the purposes of war, we possibly will find the key which will open the door for peace in our time and for generations to come. That to me represents the entire efficacy of the whole idea. If we only will develop an international attitude which will lead to international cooperation for inspection and control of atomic energy, so that it will be used exclusively for peace and not for war, we may in our time be guaranteeing peace to ourselves and to our children.

Inspection and control provisions for these international programs can be similar for similar projects, and competing nations will not try to cut under these provisions in their bilaterals merely for the sake of making another sale. The international standards would prevail.

While these provisions would apply primarily to the ability to prevent the diversion of materials for military purposes, they would also apply to the standards of health and safety which will be used by nations as they undertake new programs.

This will be a source of protection to their own peoples and to other peoples of the world, as well, since winds and ocean currents could carry radioactive debris from operations that might otherwise be unsupervised and unsafe.

Regardless of the existence of the Agency, atomic-energy plants will be built around the world. I emphasize that statement. We cannot stop science. Under the Agency, the world would have the assurance of safe operation.

However, my faith in the Agency goes beyond these advantages. Senators will remember that the Agency was suggested by President Eisenhower at a time when there was no hope among nations for disarmament talks. Gloom and despair of ever solving the atomic dilemma had seized upon the world.

The President made the suggestion in an effort to find some part of the atomic program on which international agreement could be reached. To the extent that the inspection and control features of this Agency begin to work and work successfully, we will have begun to find the answer to the inspection and control problems of atomic arms.

This Agency is not established to police weapons. I do not expect that it ever will. But the experience of this Agency can prepare the way for the science and law and public acceptance of international arms control.

To me, this is the best hope for the future.

It cannot be realized under any system of bilaterals.

My faith is reinforced by what I would call the spirit of the Agency—the inspiration it has given to men. It is an inspiration to find the matters upon which they can agree rather than to emphasize attitudes that lead to division and disintegration.

This inspiration seems to have started with the President's speech before the General Assembly of the United Nations on December 8, 1953. A spark was kindled in the heart of all nations who heard him—and hope was kindled in the heart of every man, woman, and child in the world.

For over 2 years I have had the privilege of living and working very close to the spread of that flame of hope. The earliest draft of the statute was fully described by Ambassador Morehead Patterson before the Subcommittee on Agreements for Cooperation of the Joint Committee. This was before the 1955 draft was given to the Soviet Union and to those nations who are members of either the United Nations or its specialized agencies.

That very fall of 1955 I was honored to be designated as a delegate to the 10th General Assembly of the United Nations. There I had the responsibility of presenting the views of the United States on the method of arriving at a final draft of the statute. It was at that time that the United Nations decided upon the full international conference to be called in the fall of 1956.

I debated the future course of the Agency in the First Committee of the General Assembly and I talked to a great many of the delegates from other nations.

After the working level group had finished revising the draft statute in Washington in the spring of 1956, Ambassador James J. Wadsworth came before the Subcommittee on Agreements for Cooperation and discussed the draft statute in its revised form.

Lastly, I had the honor to be named as one of the congressional advisers to Ambassador Wadsworth at the conference on the statute held at the United Nations last September and October. This was when the final draft was agreed upon.

I cannot let this moment pass without expressing my own personal approval of the manner in which Ambassador Wadsworth and his staff handled the negotiations at the conference. It was due to their integrity, patience, and skill that the statute reached its present form.

The other Members of Congress who were named to be congressional advisers were Senator BRICKER and Representatives COLE and KILDAY. At the invitation of the Foreign Relations Committee, both Representative COLE and Represenative KILDAY, as well as Representative DURHAM, chairman of the Joint Committee, filed with the Foreign Relations Committee statements in support of the statute.

If I seem to speak with the authority of experience, it is an authority that this

Congress vested in me serving as your agent as a member of the Joint Committee and attending, as congressional adviser, the conference last fall. It was a privilege so to act, but with it goes the responsibility of bringing to Senators my beliefs, which could be their own if they had served in my place.

I am satisfied with the efficacy of controls under article XII. Suspicion as to the possibility of nuclear materials leaking to unfriendly nations is purely academic. There is no shortage of fissionable materials in possession of a nation that might give us concern. Bilateral agreements could give small nations the impression that we are dealing from a position of power, dictating as we deal out our generosity. The international statute is a call to cooperation in an atmosphere of trust and respect. The peaceful progress of the world and the prestige of America depend on the promptness with which we join.

This is the deep American thinking of devoted individual minds. This is the hopeful cooperative thinking of representatives of the 81 nations in attendance at the conference. As the 24 articles of the statute received individual consideration, there was no negative vote cast. The statute, as a whole, was approved unanimously. Eighty nations signed the pact. It awaits the signature of the United States, which inspired it.

The accomplishment, to date, is the culmination of what I have called the spirit of the Agency. Never in my life have I seen a group of Government officials, representing so many different points of view, so intent upon coming to reasonable agreement on any subject. It made an indelible impression on me. It reflected the world longing to reach a reasonable accord.

Now that the Senate has had opportunity to study and examine the statute, I pray that the same spirit will move the Senate to grant its advice and consent to the ratification of the treaty by a vote that will recall our enthusiasm of 1953.

We invited the world to a wide and wonderful field of peaceful cooperation. Let us accept our own invitation.

Mr. GORE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. GORE. I congratulate the able junior Senator from Rhode Island, my friend and esteemed colleague on the Joint Committee, for one of the most eloquent speeches I have listened to in this body. I appreciate the opportunity of working with him. His probity, his intellect, and his character are an inspiration.

Mr. PASTORE. I thank the Senator. He is very generous and very kind.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. GREEN. In the first place, let me thank my distinguished colleague, whose kind words about my address are highly appreciated. Even more, I was moved by his admirable exposition of the situation in which we find ourselves today. It seems to me that he shows a great grasp of the situation, and a fine conception of what our actions should be.

Mr. PASTORE. I thank my colleague.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. HUMPHREY. I join my colleagues in commending the distinguished Senator from Rhode Island for his statement, and most of all, for the work which he did before the statement was made; for the work which he performed as a delegate to the United Nations, the fine efforts he made, and the effective contributions he made as an adviser in connection with the consummation of this treaty. It was a work of statesmanship, and all his colleagues are very proud of his contribution.

Mr. PASTORE. I thank my colleague from Minnesota. However, I think I should emphasize—and it needs emphasis and reemphasis—that I was amazed, impressed, and exhilarated by the devotion and dedication of Ambassador Wadsworth and his staff, and the excellent work they did at the United Nations.

They were imbued with a deep sense of patriotism the like of which is rarely seen in individuals. They were very patient. They were very judicious. They were cooperative. The contribution which they made was made in a spirit of cooperation, a spirit of devotion to the interests of humanity, and seeking, if possible in this dark hour, to find some lamp to light the road to peace.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. DOUGLAS. I join my colleagues in congratulating the Senator from Rhode Island for his eloquent, moving, and logical statement. It is one of the best expositions I have heard of the nature of the Atoms-for-Peace Treaty, and the problems connected with it. I think the Senator from Rhode Island deserves the thanks of the entire Nation for the work he has done in the years which have gone by. We know that in the years ahead a great career of even increased usefulness will open up before him.

Mr. PASTORE. I thank the Senator from Illinois.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CASE of New Jersey. I join my colleagues in their expression of appreciation to the Senator from Rhode Island for a very learned and persuasive, and, as the Senator from Illinois has said, moving address on this most important subject. It is in the highest traditions of the Senate that he has served as a member of the Joint Committee on Atomic Energy, as a Senator, and as our delegate to the United Nations in this most important field. All of us share with him the belief that this is the right and proper and only way in which we can make progress toward bringing within the control of reasonable men of good will this awful force which has been unleashed.

I am grateful for the bipartisanship he has shown and for the fairness with which he has dealt with this problem, without any considerations of party, or anything like that. Here we are Americans, and Americans only. I cannot too strongly express my appreciation to the Senator from Rhode Island for his splendid address.

Mr. PASTORE. I thank the Senator from New Jersey.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. WILEY. I, too, would like to commend the Senator for what I call a speech of a real statesman. His was a constructive address, which expressed the efforts of those who had a job to do, and gave credit where credit was due. Besides that, he outlined his own conviction so dynamically and so clearly that anyone who listened to it or who will read it will find in it the words of wisdom.

Mr. PASTORE. I thank the Senator.

Mr. HUMPHREY obtained the floor.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may yield to the Senator from Oregon [Mr. NEUBERGER]. I wish to say to my good friend from Illinois that I shall be glad to yield to him also, because I know he has a statement he wishes to make.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Is there objection to the request of the Senator from Minnesota? The Chair hears none, and the Senator from Oregon is recognized.

THE ACCELERATED WRITEOFF

Mr. NEUBERGER. Mr. President, I wish to call to the attention of the Senate a letter to President Eisenhower from one of the Nation's outstanding engineers and scholars—a former dean of the Harvard Engineering School—which confirms in precise mathematical terms the size and appalling ramifications of the quick tax writeoff given the Idaho Power Co. so that it may carry on its inadequate underdevelopment of the Hells Canyon area.

This information is of importance to the Senate, not only because of its source, but because it reveals the extent of what is perhaps the largest and most unjustified invasion of the public treasury for the exclusive benefit of our economy's most-favored corporations—the private electric utilities. This is a subject which has brought action from two Senate committees—in the Finance Committee, under the able direction of the senior Senator from Virginia [Mr. BYRD] and in the Judiciary Committee, through the tireless efforts of its Antitrust Committee chairman, the senior Senator from Tennessee [Mr. KEFAUVER]. I present this information to the Senate now because it affirms—from a learned outside source—some of the material developed so ably by these committees.

On June 10, 1957, Dr. Comfort A. Adams of Philadelphia, founding president of the American Institute of Electrical Engineers and one of the engineering members of the National Academy of Sciences, addressed a lengthy report to President Eisenhower on the subject of the tax writeoffs to Idaho Power Co. The writer, Dr. Adams, was not unknown to the President. On April 8, 1957, Mr. Eisenhower had joined in lauding him for outstanding contributions to American technology and for his meritorious achievements in electrical science.

A copy of the letter from Dr. Adams, the 1956 recipient of the Edison medal, to President Eisenhower was forwarded to me. To the best of my knowledge, the content of Dr. Adams' letter has not been made public. Because Dr. Adams is so admirably qualified to comment on the subject, I am taking this opportunity to bring his views to the attention of the Senate.

Through a mathematical formula, Dr. Adams has shown the President that the quick tax writeoff to the Idaho Power Co. "would cost the Government at least $81.5 million of the taxpayers' money."

And Dr. Adams added:

The sum of these two certificates is $65.2 million. The interest free loan is $30.5 million and the long time subsidy over the 50-year period is $329 million.

Mr. President, these are not guesses as to the results of the administration's gift to Idaho Power. They are carefully considered computations based on facts.

The President was told by Dr. Adams that—

Although the calculations involved are far from simple, I can guarantee that they are sound and based on premises accepted by all reliable experts, even by Ebasco Services, Inc., as employed by the power companies.

Although Dr. Adams' letter was aimed mostly at the results of the Idaho Power tax writeoff, his report to the President also develops an indictment of the entire fast depreciation program as it was applied to the private electric utility industry.

According to the calculations of this leading engineer, certificates granted to private power companies prior to July 11, 1956, will have a total accumulated cost to the Federal Government of $2.65 billion. And, he adds, the total subsidies to private power companies accumulated over 33⅓ years is $7.2 billion. I venture to say, Mr. President, that never before in the history of this Nation has a segment of the economy—existing under monopoly franchise with guaranteed profits—been given such a bonanza of benefactions at such great expense to the taxpayers.

In his letter to the President, Dr. Adams declared:

I cannot believe that any honest legislator who has these facts before him would vote for continuance of the system which brought this about and which is "totally indefensible" as stated by Senator BYRD and is a reckless and utterly unfair handout of the taxpayers' money to the power corporations.

I wish to commend Dr. Adams for his courageous action in pointing up the responsibility for continued existence of the fast writeoff system. He told the President:

The granting of these certificates is in the hands of the ODM which is part of the executive branch of the Government of which you are the head. The ODM director is one of your appointments which does not require Congressional approval. The strong corporation bias of the present director is amply demonstrated by the results of his early decisions to grant certificates to the Idaho Power Co. against the advice of Mr. Seaton, the Secretary of the Interior.

Thus these important grants to the power companies which have already resulted in a giveaway of several billion dollars of the taxpayers' money without any return to the Government or any reduction in the power rates to the consumer, is practically in the hands of a single man appointed by you without the consent of Congress. You cannot honestly shirk this responsibility.

Before submitting for the RECORD the details of the precise formula by which an esteemed engineer has reached these disturbing conclusions, I would like to quote a few portions of the report he has made to the President. His words, derived from a background of objectivity and long study, cut to the core of how the compounded results of quick tax writeoffs to private utilities are adverse to the public interest.

Dr. Adams wrote:

As an illustration covering the average of the whole private power industry at the present time, the fast tax writeoff for each of the first 5 years reduces the average Federal income tax paid from 12.9 of the operating revenue to approximately 9 percent.

This fantastic policy described by Senator BYRD as utterly indefensible is not only a deceptive financial trick but also not strictly honest. It practically forces these companies to keep two sets of books, one for computing their rates and profits, both of which take no account of the subsidy but is for public scrutiny and is published in Federal Power Commission reports, and the other for computing the taxes which they must pay the Government which are largely reduced by the fast tax writeoff.

Mr. President, I would like to mention in conclusion an important point emphasized by Dr. Adams. The final paragraphs of his report to the President made it clear that this is a matter of significant public policy. He wrote:

If this were a little matter, this letter would never have been written, but since grants already made amount to a long-run subsidy of more than $7 billion to the private-power group, this is a very big matter of vital importance to the financial soundness of our Government. Thus, Mr. President, I am convinced that if you have any faith in my ability and if you accept the unquestionable validity of the figures presented, you cannot continue to support this fast tax writeoff application to the private-power companies in general or the Idaho Power Co. plan for development of Hells Canyon.

Mr. President, I ask consent to include in the RECORD with my remarks a portion of the letter to President Eisenhower from Dr. Comfort A. Adams and brief biographical information from Who's Who in America so that the Senate may know the background and accomplishments of the distinguished engineer who has analyzed so thoroughly the effects of the fast tax writeoff program.

There being no objection, the letter and biography were ordered to be printed in the RECORD, as follows:

Although the body of this letter deals largely with the Hells Canyon project and the ODM certificates to the Idaho Power Co., I shall add later on a brief statement of significant facts concerning the relative cost of private and public power prior to 1951 when no such certificates had been granted the private power companies.

ODM CERTIFICATES OF NECESSITY AS GRANTED TO PRIVATE POWER COMPANIES

These certificates are variously labeled, accelerated amortization, accelerated depreciation, tax-free loans, etc.

Their value to the recipient is briefly the interest on the deferred tax payments compounded at 6 percent over the period of deferment. The 6 percent is the minimum guaranteed net profit to the private power companies concerned and is not likely to be reduced over the period of contract. If increased the accumulated benefit to the recipient would be increased accordingly.

It is also assumed that the corporate income tax is 52 percent. If it is reduced after the first 5 years of accelerated depreciation it will increase the net subsidy to the recipient. If it is moderately decreased during the first 5 years and stays reduced during the remainder of the contract period, its general effect will not be significant; that is it may be either slightly plus or minus, depending upon unknown factors including the dates and amounts of income tax reduction.

The cost of the certificate to the Government is computed in practically the same way except the interest is figured on the basis of a long time loan to the Government, which is at present 3½ percent.

This certificate device was developed under war conditions in 1951 and was intended as a kind of subsidy to the producers of war material, the demand for which might stop rather abruptly after the war was over, leaving the producer with a large plant which would be much less useful in peacetime. The period of rapid depreciation granted by the certificate, namely 5 years, was an outside estimate of the probable length of a war. Thus the basis for such grants was the assumption that the cost of the plant or a considerable part thereof was chargeable to war mobilization.

In applying them to the private power-plant extension or construction, the only excuse was the possibility that some portion, usually very small portion, of the plant output might be used at some questionable time or place, to supply this small excess of power to the war industries.

As a matter of fact, the ODM set up a criterion which has so encouraged the power companies that their total grants up to July 1st, 1956, are literally appalling as indicated in the statistics presented below. Although the calculations involved are far from simple, I can guarantee that they are sound and based on premises accepted by all reliable experts, even by Ebasco Services, Inc., as employed by the power companies.

The granting of these certificates is in the hands of the ODM which is a part of the executive branch of the Government of which you are the head. The ODM Director is one of your appointments which does not require Congressional approval. The strong corporation bias of the present Director is amply demonstrated by the results of one of his early decisions to grant certificates to the Idaho Power Co. against the advice of Mr. Seaton, the Secretary of the Interior. Thus these important grants to the power companies which have already resulted in a giveaway of several billion dollars of the taxpayers' money without any return to the

Government or any reduction in the power rates to the consumer, is practically in the hands of a single man appointed by you without the consent of Congress. You cannot honestly shirk this responsibility.

VALUE TO THE RECIPIENT

Let F_1=face value of a certificate, or the amount amortized at 6 percent. Then the interest free loan will be—

$I_{33\frac{1}{3}}$=.442 F_1 when amortized for 33⅓ years, and
I_{50}=.468 F_1 when amortized for 50 years.

Each of these tax free loans accrue during the first 5 years and is thus practically independent of the duration of the period of amortization.

$S_{33\frac{1}{3}}$=The accumulated benefit to the recipient over 33⅓ years at 6 percent equals 1.503 F_1.

S_{50}=the same over 50 years equals 3.05 F_1.

COST TO GOVERNMENT

$F_{3.5}$=face value of certificate or the amount amortized at 3.5 percent.

$D_{33\frac{1}{3}}$=total accumulated deficit over 33⅓ years =0.988×10⁸ $F_{3.5}$.

D_{50}=total accumulated deficit over 50 years=1.25 $F_{3.5}$.

APPLICATION TO THE IDAHO POWER CO. WITH F=$65.2 MILLION

Applying these to the Idaho Power Co. with F=65.2×10⁶ we get—

I_{50}=0.468×65.2×10⁶=30.5×10⁶.
S_{50}=5.05×65.2=329×10⁶.
D_{50}=1.25×65.2×10⁶=81.5×10⁶.
$D_{33\frac{1}{3}}$=0.988×65.2×10⁶=64.4×10⁶.

RESULTS OF ALL THE CERTIFICATES GRANTED TO PRIVATE POWER COMPANIES PRIOR TO JULY 11, 1936

The total face value of these certificates is $3.14 billion and the following results are based on an amortization period of 33⅓ years.

The total of the interest-free loans is approximately $1.39 billion which accrues during the first 5 years of amortization.

The total accumulated cost to the Government is $2.65 billion.

The total subsidies to private power companies accumulated over 33⅓ years is $7.2 billion.

These are not exaggerations but soundly determined facts which represent the present situation and which cannot be readily changed without some revolutionary legislation. But the process which brought this about can be stopped, since if it continues it will only mean a further pouring out of the taxpayers' money into increased corporation profits without the slightest reduction of the cost of power to the consumer.

Even from the purely governmental point of view, can this picture be justified as representing sound financing instead of a contribution to inflation?

For example, consider the increase in the interest rate which the Government must pay for its long-term loans. Is it not fairly obvious that the reason for that increase is the fact that loose capital can often be invested at much higher rates, particularly in loans to installment purchasers at at least 10 percent which now amount to about $30 billion? Moreover if this subsidizing process continues the real earnings of the electric utilities will be increased as to make the purchase of their stock more attractive.

I cannot believe that any honest legislator who has these facts before him would vote for a continuance of the system which brought this about and which is "totally indefensible" as stated by Senator BYRD and is a reckless and utterly unfair handout of the taxpayers' money to the power corporations.

Assume that one of our legislators would propose a bill providing for a fully amortized loan to one of our public power agencies, for an amount only a small fraction of this appalling free gift to power corporations. What would happen is perfectly obvious from past experience. Shouts of "socialism," in contrast with cheers for a policy which hands over billions to the private power companies, which already are natural monopolies not only fully protected by our Government, but also guaranteed a net profit nearly twice as great as that to the owner of savings bonds. Then we wonder why prices and interest rates are rising.

Please note also that since the private power companies are guaranteed a minimum of 6 percent net earnings which now include at least $1.39 billion of the taxpayers money, and since the power companies are not allowed to pass on the corresponding savings to their customers, the latter are obliged to pay rates which are based not only on the actual cost of private power development but which also include a 6 percent interest on the part of their assets contributed by the taxpayers of the country, of which these consumers are a part.

The minimum estimate of this Government contribution to the assets of the utilities is the interest-free loan which accrues during the first 5 years, namely, $1.39 billion, 6 percent of which is $83.4 million per year. This is a minimum estimate of the amount which our power consumers are now paying as interest on that part of the assets of the private power companies which are provided as a free gift by the taxpayers of the country.

This fantastic policy described by Senator BYRD as utterly indefensible is not only a deceptive financial trick but also not strictly honest. It practically forces these companies to keep 2 sets of books, 1 for computing their rates and profits both of which take no account of the subsidy but is for public scrutiny and is published in Federal Power Commission reports, and the other for computing the taxes which they must pay the Government which are largely reduced by the fast tax writeoff.

As an illustration covering the average of the whole private power industry at the present time, the fast tax writeoff for each of the first 5 years reduces the average Federal income tax paid from 12.9 percent of the operating revenue to approximately 9 percent.

Return now to the Hells Canyon situation in order to compare briefly the relative advantages of a single high dam built by the Government and the two dams to be built by the Idaho Power Co.

GOVERNMENT HIGH DAM

The estimate of its cost is about $380 million. This will be so amortized over the 50-year period that at the end, the Government will have received back not only its initial investment but also the interest during that period, at the end of which the Government would own the dam and everything connected therewith without any final cost.

Moreover, at the end of this period the cost of the power to the consumers need not include any interest on the investment. Even during the 50 years the annual amortization payments would be at Government interest rates or roughly about one-half of those which would be charged by a private corporation. This would add little to the cost of power.

TWO DAMS TO BE BUILT BY THE IDAHO POWER CO.

I have not included the third dam in prospect since the two certificates were granted only for the first two dams. The sum of these two certificates is $65.2 million. The interest-free loan is $30.5 million and the longtime subsidy over the 50-year period is $329 million.

The contract with the Idaho Power Co. provides an equivalent rental which represents the equivalent payment of roughly .004 cents per kilowatt hour.

In addition the Idaho Power Co. will pay both Federal and local taxes, but at what rate is not yet known. In any case it is obvious that such taxes would be collected from the consumers and with a comfortable margin. As a matter of fact this would be more than absorbed by the subsidy.

At the end of the 50 years the whole plant would belong to the Idaho Power Co. but it would cost the Government at least $81.5 million of the taxpayers' money whereas the Government-built dam at the end of the same period would cost the Government nothing.

But this is not all since the consumers of the Idaho Power Co.'s power would be obliged to pay several million dollars a year more than with the high dam. This is of course only roughly approximate but generally sound.

On this basis it would certainly be much sounder business for the Government to build the high dam. In other words, the avoidance of a temporary loan fully amortized may sound good to our economy politicians when it is related to the budget, but at an appalling final cost. Note also that the necessary amount of this borrowing is chickenfeed as compared with the billions already given away to the power companies of the country without any possible return. The only result is to increase the profits of those companies and to force the consumers to pay millions of dollars in excess of the cost from the Government high dam.

The following is a quotation from the remarks of Representaitve ALBERT C. ULLMAN, Democrat, Oregon, who credits his election largely to the Hells Canyon issue:

"I think it is high time that the American people took stock of what they can expect to receive as a result of this deal. The American people lose $30,500,000 in taxes over a period of 5 years. They must pay $22,900,000 in interest charges over a period of 50 years. Idaho Power receives a net windfall of $329 million.

"And for this dubious exchange, what does the Pacific Northwest receive:

"We lose 500,000 kilowatts of year-round cheap power by destroying the possibility of a high Hells Canyon Dam.

"We lose 2,800,000 acre-feet of vitally needed storage for flood control and downstream power generation.

"We lose the possibility of irrigating 1 million acres of upstream land through potential power revenues from a high dam at Hells Canyon.

"We lose recreation and fish and wildlife facilities for millions of Americans.

"We lose, at a time when the region is undergoing an economic slump, thousands of jobs and new industries that would produce more goods and pay more taxes to Federal Government."

COMPARISON OF NORMAL RATES FOR PRIVATE AND PUBLIC POWER

By normal rates I mean those which did obtain before any certificates or other subsidies were granted.

INTRODUCTORY NOTE CONCERNING TVA AND ITS DISTRIBUTORS

The TVA proper sells only wholesale power to its distributors, who are mostly municipalities and REA cooperatives with relatively small consumers.

Taxes: Neither TVA nor its consumers pay any Federal income tax, but together they pay 6.1 percent of their combined revenue for State and local taxes, which although less than the average of those paid by the utilities throughout the Nation (8.9 percent) meets all the State and local laws of the TVA area. The average private power company in the same area would pay no more. But this difference is much overbalanced by the much lower rates to the municipalities.

The REA cooperatives were started by amortized Government loans and the record of the annual payments is excellent. The purpose of these cooperatives was to bring electric power within the reach of farming or thinly settled districts which had no access to other power sources.

At the beginning the percentage of electrified farms was less than 10 percent, whereas

now it is more than 95 percent. The farmer members pay less for their power than most of our city residents even when the cooperative buys its power wholesale from a private power company. For years prior to the inauguration of this "socialistic" institution the farmers had begged for electric power, but the utilities concerned demanded prohibitive rates.

There are now nearly a thousand of these cooperatives scattered all over the country, many of them supplied with power purchased wholesale from private power companies. Thus this institution has been responsible for the revolutionizing of farm life and by this producing a huge increase in the market for electrical equipment, the demand for which increases as the power rates decrease.

It is this same amortized borrowing from the Government which I have recommended for the building of the Hells Canyon high dam and which was applied to the Hoover Dam and the Grand Coulee Dam, which proved to be lifesavers during the Second World War.

Moreover, our TVA development is known throughout the world, and several similar developments have been made in India.

In fact, TVA has thousands of visitors every year, many of them from foreign countries. A similar but smaller development has actually been suggested for Palestine and that region and supported by some of our Americans who call TVA socialistic.

Since the only difference in taxation between private and public powerplants is in the Federal tax, the resulting differential is so small as compared with the difference in rates as presented below that it cannot be considered as explaining that difference in rates. Moreover, the tax differential is many times overbalanced by the savings to the consumer, including those in the municipalities and in the REA cooperatives.

Thus the use of this tax differential in explaining the difference in rates is not only grossly exaggerated but is almost ludicrous, even when no subsidies are involved. When such subsidies are involved it becomes worse than ludicrous.

RESIDENTIAL CONSUMER

Private power

Rates vary from 2.5 cents to 4 cents per kilowatt-hour. There may be a few companies in the general neighborhood of TVA with rates lower than this, but they are all subsidized and are forced down by competition with TVA.

Public power

The average rate of the ultimate consumer in the several TVA distributors is 1.16 cents per kilowatt-hour. These are either residents of municipalities or farmers on the REA cooperatives.

BULK OR WHOLESALE POWER

Private power

This varies from about 1 cent to about 2 cents per kilowatt-hour, depending upon the size of the industry involved.

Public power

This varies over the same range from one-half cent to 1 cent per kilowatt-hour.

These figures do not include a few special plants built especially for the supply of power to the AEC since, when the power supply is from private corporations the AEC pays all the taxes, whereas, the TVA is not so thoroughly covered. However, in both cases the rates are about the same; namely, 0.4 cent or even a little less per kilowatt-hour.

Thus for residential consumers, private power costs about double that of public power and this difference decreases to a very small amount under similar conditions of taxation. Actually some special private plants for AEC cooperate with a lower tax allowance than the tax equivalent paid by TVA.

Finally, Mr. President, since I have always had great respect for your integrity, I have been forced to believe that you have been grossly misled by your advisers who are practically all primarily concerned with the financial interest of our great corporations.

It is on this account that I have devoted weeks of study and computation in order to be able to present to you vital facts that cannot honestly be contested by any intelligent and informed expert in this field. I have just read an item in the New York Times of today, June 14, 1957, in which the head of the Idaho Power Co. scores persecution over tax writeoffs for his two dams, in which he makes many loose and inaccurate statements concerning this important problem. He even challenges as "astronomical" the estimate of $83.5 million as the ultimate cost to the Government presented by Russell C. Rainwater, chief accountant for the FPC, and suggests that in making his calculations simple interest without compounding over this long period should be employed which would result in a $16 million cost to the Government instead of $83.5 million.

This is not only contrary to all financial methods employed by industry but is absolutely dishonest and terribly misleading not only to the public, but to our legislators who ultimately will decide the issue.

Thus I wish to assure you since this is the kind of testimony which will influence the decision of our Congress concerning these fast tax writeoff certificates and that this decision will affect the continuance of the policy which has already resulted in a real giveaway of billions of dollars to our private corporations.

If this were a little matter, this letter would never have been written, but since grants already made amount to a long run subsidy of more than $7 billion to the private power group, this is a very big matter of vital importance to the financial soundness of our Government.

Thus, Mr. President, I am convinced that if you have any faith in my ability and if you accept the unquestionable validity of the figures presented on page 3 of this letter, you cannot continue to support this fast tax writeoff application to the private power companies in general or the Idaho Power Co. plan for development of Hells Canyon.

Sincerely yours,

COMFORT A. ADAMS.

THE LIBRARY OF CONGRESS,
Washington, D. C.

COMFORT AVERY ADAMS

Adams, Comfort Avery, electrical engineer: born, Cleveland, November 1, 1868; son of Comfort Avery and Katherine Emily (Petticolas) A.; bachelor of science, Case School of Applied Science, Cleveland, 1890, E. E., 1905, doctor of engineering, 1925; honorary doctor of engineering, Lehigh University, 1938; student mathematics and physics, Harvard, 1891–93; married to Elizabeth Challis Parsons, June 21, 1894; children, John, Clayton Comfort. Assistant in physics, Case School of Applied Science, 1886–90; designing engineer, 1890–91; instructor, 1891–95, assistant professor, 1896–1905, professor, electrical engineering, 1906–16, Lawrence, professor of engineering, Harvard University, 1914–36, Gordon McKay, professor of electrical engineering, 1935–36, emeritus since 1936; dean, Harvard Engineering School, 1919; chairman, division engineering, National Research Council, 1919–21; consulting engineer for American Tool & Machine Co., Boston, 1905–30, the Okonite Co. since 1915, Okonite Callender Cable Co. since 1925, Babcock & Wilcox Co. since 1926, General Electric Co., 1927–32, the Budd Co., 1934–47. Member International Jury of Awards (department of electricity), St. Louis Exposition, 1904. Unitarian. Fellow, American Academy of Arts and Sciences, American Institute of Electrical Engineers (president 1918–19) American Society of Mechanical Engineers, A. A. A. S.; member, National Academy of Sciences, Institution Electrical Engineers, Société Francaise des Electricienes, American Society of Civil Engineers, Society of Promotion of Engineering Education, American Physical Society, American Welding Society (president, 1919–20), American Bureau of Welding (director, 1919–36), Engineering Foundation (honorary chairman, Welding Research Council since 1949), American Engineering Standards Committee (chairman, 1918–20). Member, John Fritz Medal Board of Award (president, 1922), Edison Medal Board of Award (chairman, 1920). Chairman, General Engineering Committee of Council of National Defense, during war period, also as chairman, Welding Committee of Emergency Fleet Corporation Clubs: Engineers (Philadelphia) (New York); Cedarbrook Country. Author: Dynamo Design Schedules; also articles on kindred subjects. Received first award of Miller medal for conspicuous contributions to the art of welding, 1929; Lamme medal from American Institute of Electrical Engineers for contributions to theory and design of alternating current electrical machinery and to electric welding, 1940. Home: 417 West Price Street, Philadelphia 44, Pa.

Source: Who's Who In America, volume 29, 1956–57, page 21.

Mr. NEUBERGER. I thank the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I now ask unanimous consent that I may yield to the Senator from Illinois [Mr. DOUGLAS].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Illinois is recognized.

CIVIL RIGHTS

Mr. DOUGLAS. Mr. President, the statement of the senior Senator from Oregon [Mr. MORSE] this morning, that he had changed his mind about the statement which 15 of us submitted on Friday, has created some doubt as to the present position of the remaining members of the group. It will be remembered—and I summarize the situation again for the sake of the record—that 15 Democratic Members of the Senate from the North and the West on Friday stated that they wished to have the question of civil rights brought to the floor of the Senate at as early a date as possible for full debate and for final decision.

We stated that we would prefer to have the Judiciary Committee report out a bill. However, in view of the fact that the Judiciary Committee has been sitting on such a bill for over 5½ months, and shows no evidence of proceeding to report out any bill, these 15 Members stated last Friday that it was their intention, when the House bill came to the Senate, to object to the reference of that bill to a committee, and to insist instead that it be placed upon the calendar. The Senator from Oregon agreed to that decision.

Over the weekend he changed his mind. I suppose that is the right of everyone. This morning, without consulting the group as a whole, he announced that he no longer favored this position, that he would oppose it, and that he believed instead that they try to discharge the committee.

This afternoon a meeting was called of all the original signers, and a considerable majority of the 15 attended. It is proper to say now, I believe that it was the unanimous decision of the group, aside from the Senator from Oregon, that we would stand on what we announced last Friday; namely, that we want the Senate to have a chance to vote on civil rights; that we do not propose to be whipsawed any further and to have this bill bottled up in committee, with no possibility of getting it on the floor; and that, therefore, representatives of our group will seek recognition when the House bill is laid before the Senate. If recognition is granted, we will object, after second reading, to the reference of that bill to a committee, so that instead it may go on the calendar.

If another Senator should be recognized, and if the Chair makes a ruling, and an appeal is taken from the ruling of the Chair, we will support any group which believes that the House bill should be placed upon the calendar.

If, as a result of this, the Senate Committee on the Judiciary decides that at long last it will break the logjam and report a civil-rights bill, we naturally will favor that. But we know that we are acting within our rights. We call attention again to the last clause in paragraph 4 of rule XIV, which I think should be clearly understood:

> Every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee shall, if objection be made to further proceeding thereon, be placed on the calendar.

That means the calendar of the Senate. Some Senators may say that that rule never should have been adopted by the Senate. I am not arguing that matter. It is now a part of the rules of the Senate. We northern liberal Democrats, who have the rule book thrown at us every time we try to further human rights on the floor of this body, propose to take proper advantage of the rules of the Senate. We say this without the slightest malice.

We want the press and the Senate to know that this procedure has been invoked successfully before; that it was invoked by Senator Downey, of California, in 1948, when he objected to the so-called tidelands oil bill being referred to a committee. He was successful, and the bill was placed upon the calendar. We are assembling other precedents.

Our purpose in this matter is to use the rules of the Senate, for once, to enable the Senate to decide this crucial issue, instead of having the rules of the Senate continuously used to prevent the Senate from considering important issues.

I make this statement in order that the position of the group of northern Democrats may be made clear. We have no hard and fast caucus. We have no powers of control over our Members except their consciences. We cannot, of course, speak for every Democratic Member of the North and the West. But we can say, I think, as a result of the caucus we have held this afternoon, that the Senator from Oregon [Mr. MORSE], in his statement this morning, did not represent the considered judgment of the vast majority of northern and western Democrats.

Our position is as it was announced last Friday. I wish to assure our friends across the aisle that although they come somewhat tardily into this struggle, we welcome them, and we will cooperate with them to the fullest.

We hope that we may be granted the courtesy of recognition; but if we are not granted that courtesy, we will support what we believe to be right without regard to who gets the credit, because tremendous human issues are involved in the matter, issues which far transcend party or personal advantage.

We are moving without animus in this matter. We esteem our Southern colleagues; individually, we like them very much. I think I, myself, would be willing to be tried before a tribunal composed of those men as individuals. We have no sense of self-righteousness in the North as compared with the South. We know that our race problems have been less acute because the Negro population is a much smaller fraction of the North than it is of the South, and because, through the accidents of climate and history, the South has been cursed with the institution of slavery in the past.

So I do not want our Southern friends to feel that we are making any personal indictment of them. We simply say that this is a time in history when the people of the United States must insist that all men—all men—in the words of Jefferson and the Declaration of Independence, should be given those elemental human rights for which, supposedly, this country was founded. One of the most elemental of those rights is the right to vote. If the right to vote be given, which should be the right and privilege of every American of proper age, many of the other abuses which exist will be self-correcting.

Mr. President, many strange things happened last year after the House passed its civil-rights bill. I was watching that situation pretty closely. I went over to the House to escort the House bill to this Chamber. I reached the House Chamber just after the House bill had been passed. I went to the desk of the Secretary of the House and asked if I might see the House bill. I intended to accompany it to the Senate in person. The bill, however, has disappeared. I wondered where it was, and I feared the worst. So I rushed back through the corridors, only to find, when I got into the Senate Chamber about 4 minutes later, that the bill had been received, had been read the first and second times, and had been assigned to a committee.

In the parliamentary procedures of this body, there is a zone of mystery between the time a bill is passed by the House and the time it appears in the Senate and is laid before the Senate by the Presiding Officer of the Senate. The Speaker of the House has jurisdiction of the bill until it leaves the House. The Secretary of the Senate has jurisdiction over it, presumably, when it reaches the Senate. Into how many pockets it may, however, be placed, and what delays can occur in its handling, only the human imagination can conjure up.

I think we might see some rather peculiar dealings with the present House bill. I urge my friends on the other side of the aisle to be very alert in this matter, and we on our side of the aisle will try to be alert, too.

But I think this is a matter in which we should not try to outwit each other. We have served notice twice that we intend to object, after the second reading, to the reference of the bill to a committee, and to move, under the rules of the Senate, to place the bill on the calendar.

We ask our colleagues not to try any "hidden ball" tricks. I remember that when I was a youngster the Carlisle Indians played Harvard and scored a touchdown against Harvard because the football was slipped under the jersey of one of the Carlisle Indian players, where it was held in suspense by contrivances which had already been placed there. Nobody could find the ball, but it was underneath the jersey. Therefore a touchdown was scored.

We may run into such an occurrence after the passage of the House bill, which probably will occur tomorrow. So I should like to have the chronology and the history of that bill from the time it is passed by the House until it appears in the Senate. I hope that no one will try any Carlisle Indian "hidden ball" tricks. I hope the bill may be brought into the Senate, placed on the desk under the custody of the Presiding Officer, and brought out openly; that it will not come by submarine, by airplane, or by devious passages, but will come in a straightforward manner, down the corridors and down the center aisle, and that at each and every moment we will know where the bill is.

I hope very much that as soon as the bill arrives, the Presiding Officer will call it up after a prior quorum call. Then I suspect there will be a few Senators who will seek recognition in order to object after the second reading to its referral to a committee.

So, my friends, I felt I should make this frank declaration of purpose, and also to make it clear that the Senator from Oregon, who exercised his right to change his mind, does not represent the considered judgment of the northern and western Democrats.

Mr. HUMPHREY. Mr. President, I join with the Senator from Illinois in the statement he has made in reference to the procedures which will be followed. I said today that I felt the group who signed the statement last Friday should gather together for the purpose of further discussion. I want the RECORD to show that that discussion was held. We had a meeting in the room of the Committee on the District of Columbia. The meeting was well attended. At the meeting there was a frank and open discussion relating to the rules of the Senate, particularly with respect to rule XIV and its application.

The members of the group also discussed the precedent which might be established—if any such precedent is to be established—and what would be the continuing effects of our action.

We want it to be crystal clear that our preference has been, and continues to be, that the Senate Committee on the Judiciary report a bill to the Senate. We would prefer to see a Senate bill on the Senate Calendar. That has been our plea not only today, yesterday, and the day before, but also for months.

I believe it can be truly said that the distinguished senior Senator from Illinois [Mr. DOUGLAS] has again and again reminded the Senate of the interest which many of us have held in seeing such action taken by the Senate committee. So his statement of today and his statement of last Friday were not hastily conceived and were not spontaneous utterances. Instead, they were considered in both their words and meaning, and surely they are backed up and supported by a record of long and continuing interest in civil-rights legislation.

Mr. President, some of us truly regret that these procedures must be followed. However, as has been stated, the rules of the Senate have been used again and again to block action; and now the rules of the Senate will be used to expedite action.

Let us make no mistake about it, Mr. President: Every rule is subject to interpretation. As was indicated on Friday, questions will be asked and parliamentary inquiries will be made of the Presiding Officer, for the purpose of ascertaining the proper interpretation of the rules, particularly of rule XIV. I am sure it is fully appreciated that an appeal will be taken from the ruling of the Chair, no matter what the ruling may be. It may be that in connection with that appeal, the first vote on proposed civil-rights legislation will be cast, because the vote will be taken on the question of whether the Senate will have an opportunity to take up proposed civil-rights legislation at this session of Congress.

Mr. LONG. Mr. President, will the Senator from Minnesota yield to me?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Louisiana?

Mr. HUMPHREY. I yield for a question.

Mr. LONG. I am sure the Senator from Minnesota would not wish to suggest that Members of the Senate should not vote in accordance with their honest convictions when a vote is taken on the meaning of rule XIV.

Mr. HUMPHREY. Of course not.

Mr. LONG. But the Senator from Minnesota said that the vote on that question would be the first vote taken on proposed civil-rights legislation.

Mr. HUMPHREY. I meant to say it would be the first vote pertaining to Senate action on proposed civil-rights legislation. The Senator from Louisiana is correct, of course. I did not mean to say that a Senator who might vote in opposition to the position I take on the proper interpretation of the rule would necessarily be opposed to civil-rights legislation. But I think it should be crystal clear that unless that vote is one which upholds what is now the interpretation of rule XIV, action by the Senate on civil-rights measures will be very difficult to obtain at this session.

I want the RECORD to show clearly that if we are blocked by the application of rule XIV, we shall then proceed to what is left for us, namely, a motion to discharge the committee from the further consideration of the bill. In other words, the attempt in connection with the interpretation of rule XIV will be the first attempt; and if, by majority vote of this body, it is held that rule XIV does not apply, then an effort will be made to discharge the committee from the further consideration of the bill, and that effort will be made within the rules of procedure of the Senate.

Mr. LONG. Mr. President, will the Senator from Minnesota yield further to me?

Mr. HUMPHREY. I yield.

Mr. LONG. I believe the Senator from Minnesota knows—since he came to the Senate at the same time I did—that although I may differ with him on the merits of pieces of proposed legislation, I have never voted to deny any Member of this body his rights under the rules of the Senate, based upon a fair estimate of what the rules are. I certainly hope that all Senators will conduct themselves in that fashion, because it seems to me it is the duty of every Senator to give each Member of the Senate his rights under the rules of the Senate, just as they were written and just as they were intended.

Mr. HUMPHREY. Exactly.

Mr. LONG. I wish to state that I believe that a vote on the question of the proper interpretation of the rule should not be held to be a vote on the question of what action should be taken by the Senate on such measures, but should be held to be a vote in regard to what should be the application of the rule.

Mr. HUMPHREY. I accept the amendment of the Senator from Louisiana. There will be Members of the Senate who, on the question of the proper interpretation and application of the rule, may have a point of view different from their position regarding the substance of the legislative policy involved in connection with this matter.

Mr. ANDERSON. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. ANDERSON. I would also remind the Senator from Minnesota that when we had a discussion of this matter in the early days of the session, when the question was one of a change in rule XXII, there was considerable discussion about the rules of the Senate and the rights of Senators. At that time I tried to make it clear that that was probably the only chance any Member of the Senate would have at this session to vote in regard to anything even remotely resembling that subject. Since then, a number of months have come and gone; and now it is apparent that my prediction was not too bad.

Mr. HUMPHREY. Mr. President, the Senator from New Mexico was a good prophet.

Mr. ANDERSON. I said to the Senators who stood beside me then that we might not have another chance to vote on that subject at this session or, indeed, at any session, until we vote on a proposal to change rule XXII.

Mr. JAVITS. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. JAVITS. I am very glad to have heard what has just been said, and it is very gratifying. I thought as much, and I know it puts our colloquy of this morning in proper perspective.

Mr. HUMPHREY. It does, indeed.

Mr. JAVITS. I commend very strongly the great sincerity of the Members on the other side of the aisle; and I know that those Members, who are as deeply interested in the matter as are we on this side of the aisle, will not permit themselves to be distracted by comments such as those made today. I have as great respect for the sincerity of the senior Senator from Florida [Mr. HOLLAND] as I hope he has for those of us on this side of the issue. But we will not permit ourselves to be distracted by comments about who is going to get the credit. There is more credit to be had in accomplishing the things the Senate has been striving for years to accomplish; and I am delighted to hear the subsequent remarks of the Senator from Illinois [Mr. DOUGLAS] and the Senator from Minnesota [Mr. HUMPHREY] on a matter so highly important to the general public.

Mr. HUMPHREY. I am sure the Senator from New York will agree with me that on this great issue, which goes far beyond party—even though both parties are committed to the adoption of an effective program in regard to civil rights—there is great need for bipartisanship, just as in the case of foreign policy. This is one of the overriding issues of our time, and it has international repercussions and implications. Surely, we need the most closely coordinated and effective type of bipartisanship, if we are to succeed. We will work together as a team and as a solid force for the fulfillment of the objectives of our civil-rights program.

Mr. JAVITS. I agree entirely, and I thank the Senator.

Mr. NEUBERGER. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. NEUBERGER. I thank the Senator from Minnesota.

Mr. President, as I am sure some of my colleagues understand, this has been a rather difficult situation for me. I have high esteem and affection for my colleague, the senior Senator from Oregon [Mr. MORSE]. I wish it understood that I do not share in any criticism which may have implied of the senior Senator from Oregon because he changed his mind. To change one's mind is the prerogative and right of all conscientious legislators. A person who cannot ever change his mind, regardless of the circumstances, has a closed mind. I respect and honor the right of any person who, in all conscience and sincerity, does change his mind.

In conclusion, I merely wish to state that I, myself, have stayed with the original statement entered into by our group of liberal Senators; I have done so because of one fundamental reason, namely, that for many decades, in my opinion, archaic and unfair rules of the

Senate have been invoked to prevent the United States Senate from voting directly on the civil-rights issue. I do not believe that is consistent with the reputation of what is colloquially known as "the greatest parliamentary body in the world." It is not consistent, as I see it, with the traditions of our great, free democracy.

I would not have joined in supporting what might be called a rather extraordinary procedure except for the context of history in which it has been proposed. That context is that for many decades the Senate of the United States has been unable to vote on the question of protecting the rights of millions of Americans in various parts of the country who may be in minority groups.

I thank the Senator from Minnesota for yielding to me.

Mr. CLARK. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. CLARK. I should like to associate myself with the views so ably expressed by the Senator from Minnesota [Mr. HUMPHREY] and the junior Senator from Oregon [Mr. NEUBERGER], and to reaffirm my conviction that the statement made last week on the floor of the Senate, on behalf of all of us, by the distinguished senior Senator from Illinois [Mr. DOUGLAS] was correct. I have not had any occasion to change my view.

Mr. HUMPHREY. I thank the Senator.

Mr. President, I ask unanimous consent to yield for 5 minutes to the Senator from New York, who had inquired earlier during the day as to his privilege of addressing the Senate. I ask unanimous consent to do so without losing my right to the floor.

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, how long is this going to take?

Mr. HUMPHREY. The Senator desires to address himself to the treaty.

Mr. JAVITS. Will the Senator yield so that I may explain?

Mr. JOHNSON of Texas. I have no objection, but I had an understanding with the minority leader that the session would not go past 5:30.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Without objection, the Senator from New York is recognized.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. JAVITS. Mr. President, the International Atomic Energy Treaty represents an historic issue of policy for the President, the most important single measure upon which the President has seized the initiative in his peace leadership of the world and a question of confidence among the 80 nations which have been led by the President in entering into the treaty. Under these circumstances, it is vitally important to determine the objections which have been made to the treaty and whether they have any validity.

On December 8, 1953, in his dramatic personal appearance before the General Assembly of the United Nations on this subject, the President said:

> The United States would be more than willing—it would be proud—to take up with others "principally involved" the development of plans whereby such peaceful uses of atomic energy would be expedited. Of those "principally involved" the Soviet Union must, of course, be one. I would be prepared to submit to the Congress of the United States, and with every expectation of approval, any such plans.

Since that time the opposition to the treaty has developed the following arguments: That it would place the United States, a "have nation" in terms of fissionable materials, under the control of "have not" nations; that it would make possible the admission of Communist China to the treaty; that it would provide an inadequate safeguard for the conversion of the fissionable material which might be furnished from civilian to military uses; and that it would provide inadequate sanctions in the event of a breach of the treaty.

Other arguments made against the treaty are that it would be a logical development if world tensions were resolved, and that the bilateral agreements which the United States has already made with 40 friendly countries looking to cooperation in atomic research and in the construction of power reactors is adequate for the purpose. It is even argued that we ought to be suspicious because the Soviet Union has hastened its approval of the treaty, even before we have approved it. Of course, an equally valid argument could be made that the Soviet's speed is designed merely to scare us off.

The basic point, however, is whether what has been done is important and worth while to the United States, and the answer to that I believe is an unequivocal "yes".

Let us take up the opposition arguments in turn. The first is that we are a "have" nation of atomic materials and will be under the control of "have not" nations. This is invalidated by our desire to make similar agreements on a bilateral basis with the nations of the Free World, which we certainly should not do if we feared that eventuality. The only remaining question, then, is why should we make any agreements with nations behind the Iron Curtain? In that respect I think our answer is different than it is for the free nations, but nonetheless as persuasive, for the treaty provides a system of inspection and control by UN personnel. This is the very principle we are fighting for in the disarmament negotiations in London. If accepted for the peaceful uses of atomic energy, it is nevertheless an indispensable precedent for the disarmament negotiations and at the same time gives an opportunity for experience where it cannot do us too much harm.

It must be remembered that in any case the Soviet Union could furnish its satellites with fissionable materials, so that we would not be depriving them of it by excluding them from the treaty. In short, we have far more to gain than we have to lose.

The safeguards of the treaty to prevent conversion to military purposes of fissionable materials are very tight. Both inspection and control are provided for by United Nations technicians, who would inspect the sites, design, and plans before approval and thereafter. Record maintenance and periodic reports are required on all critical operations. Surplus nuclear byproducts must be stored with the agency established under the treaty, and U. N. inspectors are given access at all times to places, persons, and data concerned with the operation. The composition of the 23-man board of governors, which is the real control body, is so tight that not more than 3 Communist countries will probably serve on it. Its actions are by a majority vote, and are not subject to veto.

As to the possibility of the admission of Communist China, the 81 nations will all be represented by one vote in the General Conference established under the treaty, but new members are not admissible except on recommendation of the Board of Governors. The problems of keeping out Communist China are the same, therefore, with this conference as they are with the United Nations General Assembly, and there the vote has been constantly against admitting Communist China to membership.

As recently as November of last year, the United States position was sustained in the General Assembly by a vote of 47 to 24, with 8 abstentions.

It must also be emphasized that there will not be any great amounts of fissionable materials affected. The United States is putting up 11,000 pounds of U-235, and the aggregate pool available is estimated as not exceeding 30,000 pounds. In addition, the only nations eligible to receive fissionable materials are those which are unable to obtain the materials otherwise, and the U. S. S. R. would not qualify.

As to the question of sanctions for a breach of the agreement, technically they would be referred to the United Nations for action; but, practically, the reaction of the Free World would be so severe that no nation would undertake to breach the treaty unless ready to accept war as a consequence and, in addition, the amounts of fissionable materials involved could not be a major factor in war against any major atomic power.

The treaty does have the great advantage, however, of reducing the incentive for nations other than those now engaged in making fissionable material to engage in the process.

The strongest objections which have been made relate to the fact that continuance of our program of bilateral agreements is sufficient for the purpose with the possibility of amendment of the statute of the treaty itself, presenting us with a new situation.

Though we shall undoubtedly continue to make bilateral agreements, we gain a great advantage in ratifying the treaty because of the acceptance of the all-important principle of inspection and control by the Soviet Union and its satellites, while we really give up nothing more than fissionable material which the Soviet Union could itself supply.

We do not increase, but rather reduce, the risk as to the misuse of this material that we run under the 40 existing bilateral agreements, because under the treaty there are 80 nations to back us up in redressing violations.

It is a fact that the statute which the treaty authorizes can be amended by a two-thirds majority in the General Conference and acceptance by two-thirds of all the members, in accordance with their respective constitutional processes. But in our case this would require the consent of the Senate as well as the approval of the President, and if the Senate refused its consent under the ratifying legislation now in contemplation, our country would withdraw forthwith from the agency itself. We must be careful that the amendment process safeguards us while it is not so rigid as to make it possible for the Soviet bloc to veto necessary and desirable changes in the statute.

To sum up, the risks we run in the International Atomic Energy Agency do not measure up to the benefits we gain in terms of peace and world economic development; and at the same time we make successful the single greatest initiative in foreign policy taken by President Eisenhower, by bringing about acceptance of the principle of inspection and control, for which we have fought since 1945, and establish in the conscience of the world the beneficent aspects of the use of the atom rather than concentrating attention exclusively upon its destructive aspects.

In conclusion, Mr. President, I think this historic redemption of the initiative taken by the President of the United States is one of the greatest developments in mankind's history and emphasizes the beneficent aspects of the atom instead of its war potentials. I think that is all to the good, and I hope the treaty will receive a resounding vote in the Senate.

DETERIORATION IN VALUE OF UNITED STATES BONDS

Mr. GORE. Mr. President, it is my unpleasant duty to call to the attention of the Senate the further deterioration in the value of bonds of the United States Government. I have taken upon myself the unpleasant task of advising the Senate when, unfortunately, there is a new alltime low reached in Government bonds, or when there is a new high in interest rates on obligations of the United States Government. On last Friday, the last marketing day before today, five issues of United States Government bonds fell to a new alltime low. Victory bonds for the first time were bid below 87.

The economic consequences of this unfortunate trend are far reaching. They reach into every home, every factory, every business and onto every farm in America.

A hearing will begin tomorrow on the economic policies, the credit policies, the tax policies, and the fiscal policies of our Government. It would seem to me that the first task would be to analyze and understand what the policies are, and their interrelationship to each other.

Secondly, we need to examine the effects of those policies. The administration asserts those policies are good. Good for whom? Bad for whom? What are their effects on the whole national economy?

Third, it seems to me our task will be to examine remedies.

It is said that these policies are pursued to combat inflation. Let us examine the areas of inflation and the areas of deflation, and we will find the imbalance in our economy—in some instances brought about, in some instances complicated by, and in some instances multiplied by the high interest rate, tight money policies, and their interlocking relationship with other economic and fiscal policies pursued by the administration.

I should like to invite the attention of the Senate to a compilation I have made on the losses sustained by the holders of marketable bonds and obligations of the United States Government. This compilation shows that losses amount to $6,432,888,755. Those are losses of the American people brought about by fallacious monetary and fiscal policies. Some large institutions can hold long term bonds to maturity. Many cannot, and they suffer serious losses in liquidation.

I ask unanimous consent, Mr. President, that there be printed at this point in the RECORD a compilation of the loss in value of United States bonds, Treasury notes and United States certificates of indebtedness; these being, of course, marketable securities.

The PRESIDING OFFICER (Mr. CLARK in the chair). Is there objection?

There being no objection, the compilation was ordered to be printed in the RECORD, as follows:

Loss in value of United States bonds, treasury notes, and United States certificates of indebtedness

Issue	Amount outstanding	Market, June 14, 1957	Loss in value
BONDS			
2½s March 1958	1,448,747,650	99.11	$9,507,414
2½s September 1959	3,819,287,500	96.27	120,546,265
2½s March 1959	926,811,000	97.24	20,850,740
2½s June 1958	4,244,811,000	98.27	40,080,620
2½s June 1963	918,780,000	99.30	574,237
2½s December 1958	2,368,366,000	98.10	39,965,190
2½s June 1962	5,271,446,500	93.8	345,822,638
2½s December 1962	3,460,625,000	92.30	244,406,641
2½s November 1960	3,806,484,000	95.0	190,324,200
2½s December 1965	1,485,383,100	99.28	1,856,779
2½s September 1961	2,239,262,000	95.30	90,970,019
2½s November 1961	11,177,153,000	94.24	556,700,532
2½s June 1967	2,114,132,700	89.14	223,305,267
2½s August 1963	6,754,665,500	93.0	472,826,685
2½s December 1968	2,823,103,500	88.6	333,468,464
2½s June 1969	3,749,832,000	87.24	459,374,420
2½s December 1969	3,824,888,000	87.22	470,989,335
2½s March 1970	4,710,795,000	87.18	585,905,038
2½s March 1971	2,955,233,500	87.16	369,404,188
2½s June 1972	1,965,775,000	87.16	253,221,875
2½s September 1972	2,716,011,200	86.28	366,476,470

Loss in value of United States bonds, treasury notes, and United States certificates of indebtedness—Continued

Issue	Amount outstanding	Market June 14, 1957	Loss in value
BONDS—continued			
2½s December 1972	3,779,648,000	87.16	$472,456,000
3½s June 1983	1,605,523,500	94.24	84,288,984
3s February 1995	2,744,147,500	89.8	294,995,857
			6,067,250,858
TREASURY NOTES			
2¾s August 1957	12,056,000,000	99.28	15,070,000
2s August 1957	3,792,000,000	99.24	9,480,000
1½s October 1957	824,000,000	99.12	5,150,000
1½s April 1958	382,000,000	98.20	5,252,500
2⅜s June 1958	4,391,000,000	99.9	31,560,324
1½s October 1958	121,000,000	97.18	3,045,000
1⅞s February 1959	5,102,000,000	97.4	145,807,500
1½s April 1959	118,000,000	96.12	4,277,500
1½s October 1959	99,000,000	95.14	4,516,884
1½s April 1960	198,000,000	94.14	11,015,750
3½s May 1960	2,466,000,000	99.17	11,278,125
1½s October 1960	277,000,000	93.12	18,351,250
1½s April 1961	144,000,000	92.0	11,520,000
1½s October 1961	332,000,000	90.20	31,125,000
3⅛s February 1962	647,000,000	99.23	1,819,688
1½s April 1962	316,000,000	89.18	32,982,500
			342,250,021
CERTIFICATES OF INDEBTEDNESS			
2¼s June 1957	1,312,000,000	99.31	410,000
3¼s October 1957	7,271,000,000	99.30	4,544,376
3⅛s February 1958	10,850,000,000	99.27	16,953,125
3½s April 1958	2,351,000,000	99.30	1,469,375
Total			23,387,876
Total loss in value			6,432,888,755

Mr. GORE. Mr. President, the tight money policy is multiplying many of the distortions to which I have referred. As the hearing proceeds, I shall seek to demonstrate that big business is growing bigger, that the rich are growing richer, that small business is having growing difficulty, that unemployment is rising, as is the cost of living.

I am delighted that the investigation is getting under way. Basic questions must be asked. Truthful answers must be obtained. A solution must be sought, and I hope found, because as the bonds of the United States Government deteriorate daily—almost daily, if not daily—and as interest rates increase in an accelerating spiral, the hardships are spreading across the land to the extent that we have the highest bankruptcy rate since the early 1930's, that farm income is collapsing, small-business profits are tending to the vanishing point, unemployment is rising and hardships are multiplying.

This will be an important study.

Mr. President, I yield the floor.

RELATIONSHIP OF AMERICAN FOOD AND FIBER TO AMERICAN FOREIGN POLICY

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a press release I issued on the American foreign policy and the relationship of American food and fiber to that foreign policy, with 10

recommendations concerning the improvement of our foreign policy as related to the use of food and fiber.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

UNITED STATES FAILING TO APPRECIATE VALUE OF FOOD ABUNDANCE AS FORCE FOR FREEDOM

If American foreign policy, not only in the Middle East but also in southern Europe, is to be of maximum effectiveness, "a drastic revision is required in the prevailing official concept regarding disposal of our food and fiber in the world," Senator HUBERT H. HUMPHREY (Democrat, Minnesota), will advise the Senate this week in a report on his recent study mission in the Mediterranean area for the Senate Foreign Relations Committee.

Senator HUMPHREY's report, which will present a series of specific foreign policy conclusions and recommendations regarding the Middle East, will also include a section on the Role of Food and Fiber in Foreign Policy.

Highlights of his recommendations regarding use of food to bolster foreign relations were made public yesterday in advance of the more complete report:

"We have an abundance of one resource unequaled, as yet, by that in the hands of any other world power: our food and fiber; and our ability to produce it in abundance," Senator HUMPHREY comments.

"Other powers in the world are matching us in the production of weapons of destruction; none, however, have equaled us in producing the basic essentials of life. We have either failed to grasp the full significance of that advantage, or lacked the imagination and boldness to make the most of it.

"It is becoming ever more apparent that Russia recognizes the advantage we hold, and is deliberately setting out to offset it. It would be tragic if we allowed our own eyes to remain closed to some obvious facts of life to which the Russians have shown they are alert—the basic necessity of people getting food, and the vital impact on relations between countries involved in fulfilling that basic need.

"From my own personal observations, I am convinced that our Government policy has been far too shortsighted about how powerful a factor sharing our abundance of food and fiber can be in our foreign relations," he declared. "The principal object in the use of our food stocks should not be simply to get rid of them, but to promote the foreign trade and foreign policy of the United States.

"We have cheapened the spirit behind our humanitarian food contributions abroad, and weakened our own bargaining power in negotiating trade agreements for food and fiber, by continually proclaiming it is just something we have no use for, and want to get rid of anyhow, at any cost."

Senator HUMPHREY outlined 10 specific recommendations on food and fiber policy. The recommendations, with some of Senator HUMPHREY's comments about them, are:

1. New emphasis is urgently needed at the highest levels of government on our national food and fiber utilization policy as a valuable and integral part of our foreign aid efforts. "If either Congress or the executive branch expects to obtain proper public understanding so necessary for the support of such policies, they must be emphasized either by a Presidential Executive Order or by a policy declaration from the Congress itself."

2. More intensive training of all our country's overseas missions is needed in the broad concept of Public Law 480 (basic legislation governing foreign sale and utilization of surplus U. S. farm products) and encouragement to make greater use of the potential it offers. "Regional schools or conferences of foreign service, ICA, USIS, and Defense personnel might be necessary. Touring teams of instructors from the major participating agencies at the Washington level—and possibly representatives from both the Foreign Relations and Agriculture Committees of the Congress—might be helpful in emphasizing the overall objectives that go far beyond individual Department lines."

3. The period of authorization for the program should be lengthened at least to 2 years, and preferably to 5 years, instead of its current year-to-year basis. "Participating countries need more assurance of continuity to encourage longer-range planning of requirements and development programs."

4. Congress should consider eliminating a fixed total dollar amount in the authorization and establish instead new criteria for the executive branch to conduct the program (within some reasonable safeguarding annual limitations, subject to review) on the basis of available supplies of commodities beyond estimated domestic needs, anticipated requirements for dollar exports, and a safe reserve for our own security. "Establishment of the fixed dollar total carries the misleading implication of indicating expenditures up to that amount. Actually the program provides constructive uses for commodities in which the Government has already committed its investment as part of domestic farm policies."

5. Foreign currencies obtained through sale of farm commodities under Public Law 480, in addition to other constructive uses now provided, should be made available for loans to American private enterprise interested in establishing businesses or industries overseas. "Encouragement of private American investment abroad is one of our foreign policy objectives • • • American business firms say that they are handicapped in borrowing local currencies in various countries, and indicate that availability of loans out of Public Law 480 funds would be a valuable incentive to increasing expansion of United States private enterprise abroad. Broadening the scope of Public Law 480 for such a purpose would help establish the legislation as basic foreign trade policy serving business and industry as well as serving agriculture and American foreign policy."

6. The Department of Agriculture, in the light of world food needs and our country's commitments around the world, should reevaluate its policies of determining what it regards as surplus production. "No longer is effective cash demand the end-limit to which food and fiber can usefully serve our Nation's interest. For that reason there is no legitimate reason to regard as surplus all production beyond immediate need for effective cash demand. Perhaps we need an annual appraisal of our supply picture in terms of degrees of need, such as estimated effective domestic demand, estimated effective export demand (cash sales), adequate security reserve stockpiles, at home and abroad, as determined by the National Security Council; estimated availability for concessional export under Public Law 480 in support of the Nation's foreign policy; estimated availability for emergency humanitarian use at home and abroad through voluntary agencies."

7. Military and Defense officials should immediately review food and fiber needs for our own forces and those of our allies in event of total war, and institute new means of making sure adequate supplies are available where they will be needed if an emergency arrives. "It is foolish to prepare for mobilization in terms of men, guns, and tanks, and neglect proper preparation for feeding the men who have to man the guns. Dependence on military forces of our allies in food deficit areas requires advance assurance of these other countries having adequate food reserves they do not now possess."

8. Greater recognition should be given to the constructive people-to-people advantages resulting from use by American voluntary agencies of relief commodities provided under the donation provisions in title III of Public Law 480. "Such programs do and should carry the American humanitarian spirit abroad without any political strings; they offer a chance to get directly to the people in countries where for international policy reasons we as a government may not want to be directly helping the government of another country. Perhaps the Department of Agriculture should annually arrive at some quantity of food and fiber available for this purpose. This amount could be set aside at the discretion of the President for implementing our international relations on a people-to-people basis through voluntary agencies such as CARE and our church organizations now doing such valuable work overseas."

9. The Department of Agriculture should immediately explore ways and means of making available to the voluntary agencies some form of fats and oils for inclusion in relief feeding programs. "Such products are urgently needed for healthful diets, and offer an opportunity to provide maximum nutritional value in a most condensed form. None are now being made available for overseas relief feeding purposes, although they are in surplus supply in the United States."

10. The Bureau of the Budget should immediately explore accounting procedures with a view toward better disbursing costs of food and fiber utilization programs among various agencies of our Government to avoid the unfair piling of costs upon agriculture that in reality serve Government objectives far afield from the American farmer. "Public Law 480 is not just a farm program. The law places authority under it in the hands of the President. The President, by Executive order, has disbursed that authority widely through almost every Department of our Government. For that reason the public should not be led to believe that 'costs' under this program are just to help agriculture."

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. HUMPHREY. Mr. President, in the few moments before the Senate recesses I should like to make a few comments concerning the statute of the International Atomic Energy Agency, reported favorably by the Senate Committee on Foreign Relations, and also a few comments in line with the theme established today by the distinguished Senator from Montana [Mr. MANSFIELD].

We have been very fortunate today in the Senate to hear three remarkable addresses. First was the address of the distinguished and able chairman of the Committee on Foreign Relations, in the presentation of this statute of the International Atomic Energy Agency, in support of the action of the Committee on Foreign Relations recommending that the resolution of ratification be agreed to.

Second was the brilliant, imaginative, and courageous address of the Senator from Montana [Mr. MANSFIELD], wherein he called upon the four great powers and their heads of state to sit down again to discuss and negotiate a limitation upon the testing of the large nuclear and thermonuclear weapons.

Third was the splendid and statesmanlike address of the junior Senator from Rhode Island [Mr. PASTORE].

This has been a feast of discussion, debate, and thought-provoking analysis of some of the great problems of our time. Indeed, one of the greatest of those problems is the peaceful use of atomic energy and, on the reverse side, the destructive power of nuclear energy.

Mr. President, I shall support the statute of the International Atomic Energy Agency. I believe it represents a very constructive and hopeful development. I commend the President of the United States for his leadership in the development of the program for the peaceful use of atomic energy. I surely wish to commend those who negotiated this very difficult and complex agreement. It will all lend itself, in the long run, toward a better world.

I should like to direct my attention now for a few moments to some of the discussions that are taking place in London on the part of the membership of the Subcommittee on Disarmament of the United Nations, and to the role of the American Government in that subcommittee, and in particular the role of our adviser on disarmament, Mr. Harold Stassen.

I invite the attention of Senators to the fact that as far back as last September, in a preface to staff study No. 4 of the Senate Subcommittee on Disarmament, a staff study relating to technical problems of disarmament, as chairman of the subcommittee I suggested that the executive branch explore the ending of H-bomb tests with the Soviet Union. This was before any presidential candidate had made any such suggestion.

This was recommended because an agreement would be self-enforcible, since the large tests, the kind referred to by the Senator from Montana [Mr. MANSFIELD] today, can be detected with present detection techniques.

The administration has been reluctant to give open consideration to this proposal. I regret to say that it became a political issue. This was most unfortunate. Because it became a political issue there has been a type of stickiness and inflexibility on the part of the administration spokesmen in discussing this subject with the candor which is deserves.

Recently the Soviet Union forged out in front, at least on the propaganda front, with its proposal to limit atomic and hydrogen weapons tests for at least 2 years. The present Soviet proposal is for a ban on all atomic tests, with the inspection devices to be located within the Soviet Union.

I suggest to my colleague that this is a great departure from the previous position of the Soviet Union. The Soviet Union has, parrot-like repeated again and again that it wanted a ban on all atomic bombs. Do away with the bomb; end the bomb. That was the slogan.

In recent months it has talked more or less about stopping all atomic tests, but it did not propose inspection.

The Soviet representative at the United Nations, in discussing some of the Soviet foreign policies, has now proposed not only a limitation on atomic tests, but also inspection, to be located within the Soviet Union.

On the surface, this offer should be accepted in negotiations now going on in London.

Let me interpolate for a moment. When I say accepted, I mean accepted for purposes of discussion, at least initially. It should be negotiated with a view to acceptance, because if all atomic bomb tests were to be banned the detection devices would probably need to be located within the country or the area of testing.

If the United States, Great Britain, and the Soviet Union were to agree to stop all tests, and provide for the necessary inspection to insure that the bomb tests were being observed, the United States should also propose that all nations agree to observe such a ban. This would prevent a fourth, fifth, or tenth power from developing, testing, and stockpiling atomic weapons.

It is important to have all countries included in such a ban or limitation, because with the spread of fissionable material and the knowledge of producing atomic energy, many nations would soon possess the capability of experimenting with atomic weapons. This would probably happen regardless of the existence of an International Atomic Energy Agency, such as is proposed in the statute we are discussing today. But with the International Atomic Energy Agency and its inspection provisions, we would have an opportunity to protect all of us from the spread of nuclear weapons and nuclear weapons testing.

To affirmatively consider the Soviet proposal, does not mean that we should grab it without examining the fine print. Firm international commitments are not made through propaganda. The Soviet Union often proclaims its interest in a certain aspect of disarmament, and then promptly reneges on its offer when questioned in close negotiation. The Communists use this method to win propaganda battles without undertaking serious treaty obligations. We ought not to let the Soviets get away with this technique in connection with the most recent offer. We should offer to negotiate and see what they really have in mind. In other words, we should call their bluff, if that is what it is. We should meticulously negotiate and examine down to the last detail, and compel the Soviet Union to outline in detail, in specifics and particulars, what it means when it calls for international observers and inspection within the Soviet Union.

I submit that if the Soviet Union is willing to permit effective inspection within its territorial limits, this represents a fundamental change in Soviet foreign policy. If the Soviet Union is willing to permit any type of effective inspection, by inspectors who are free to move within the country, inspectors who are capable and ably trained, and are men of competence and scientific knowledge, that represents a break through the solid wall of Soviet foreign policy which has characterized that nation since 1918.

Therefore, it is my personal view that the suggestion of the Soviet Union should be explored to the utmost, knowing full well that any kind of limitation upon nuclear testing must be supported by the most effective type of inspection—and preferably both ground and aerial inspection.

Although a halt to bomb tests would be a first step toward stopping the arms race, there are other aspects of the question that should be negotiated with the Soviet Union. If we were to agree to stop nuclear weapons tests, we also ought to negotiate a cut-off date for the production of nuclear weapons. Such an agreement would be more complicated than a halt to weapons tests, because it involves the institution of a widespread inspection system to insure that fissionable materials are not going into the production of weapons.

If we agree to stop tests for 2 years we should also agree to work with the Soviet Union and other countries during this period to evolve an inspection system to prohibit the production of nuclear weapons. Actually the United States should have such an inspection system already prepared.

I suggest here today that our Government press forward in the United Nations Subcommittee on Disarmament for a proposal to establish a committee or a commission of top grade scientists to perfect and evolve a system of inspection designed to prevent the production of nuclear weapons, in case an agreement should be entered into. As I have said, the United States should have such an inspection system already prepared; but if we do not, we should get busy to see that one is perfected.

I repeat what I said earlier today, that one of the problems in inspection is the lack of available skilled scientific talent. The need in this country for nuclear scientists is very urgent. There is great need for a much more comprehensive system of recruitment of personnel if we are to have the kind of inspection system that is needed.

Also, a halt to bomb tests and a ban on the use of future production of fissionable materials for weapons purposes ought to leave the United States adequately ahead of the Soviet Union. I shall submit a chart which will indicate that since 1945 the United States has conducted approximately 68 atomic weapons tests. The chart shows 19 for the Soviet Union, although the Atomic Energy Commission has stated that it does not announce all Soviet tests, but only those of special significance. Therefore, the Soviet number should be well above 19, but very likely not close to the United States today of 68 tests, which have been announced.

I believe I am correct in saying that for the first time our subcommittee on disarmament has tabulated the tests which have been recorded by international agencies or by our own Government; and we are able to report that, so far as the official reports are concerned, the Soviet Union has had 19 such tests, and the United States has had 68.

We do not want to have the proposal of the Soviet stand by itself as if we were unconcerned, or at least as if we did not have adequate interest to examine it in more detail.

RADIOACTIVE FALLOUT

A halt on bomb tests would put an end to contaminating the atmosphere through radioactive fallout released through the detonation of nuclear weapons tests. We do not know how harmful or harmless these tests are but we do know that they increase the amount of radiation in the atmosphere and we also have been told that radioactive particles fall unevenly over the earth with the highest concentrations in such places as the upper Midwest of the United States.

I call to the attention of my colleagues that the upper Midwest of the United States is an area of potential heavy contamination in case there is a serious threat from fallout.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GORE. Does the Senator believe that his constituents will be greatly consoled by the averages we hear about?

Mr. HUMPHREY. Not a bit; certainly not when the scientific knowledge reveals that the area of the country known as the upper Midwest is potentially an area of high contamination due to the explosions of H-bombs and A-bombs.

The attached charts indicate that the rate of testing certainly has not slowed down and has increased during the period of the last 4 years greatly over the previous 8 years. We must not be complacent about ignoring possible dangerous genetic and pathological effects of nuclear weapons testing.

The President and the Atomic Energy Commission have stated that they rest their case on continued testing on the report on radiation of the National Academy of Science released in June 1956. However, Warren Weaver, the chairman of the section on genetic effects of the committee report, admitted that a great deal more research should be conducted. He also asserted that the British did a more thorough job than the United States committee on the pathological effects and that the United States committee was now undertaking a more comprehensive study of the question. In the view of this admission, how can the President and the Atomic Energy Commission dismiss the problem as casually as they do? Weaver's statement is as follows:

> The British group, on the whole, did a more detailed piece of research on the strontium 90 problem than we did. They have good reason to be more concerned with it than we have. As I suppose you are doubtless familiar, there have actually been examples of sheep in England, some from Wales and some from up in Scotland, where the strontium content of the bones of these sheep had already reached practically a dangerous level * * *. We are now doing a better job on the strontium problem than we did before. (Pp. 1949–50, pt. 12, of the subcommittee hearings.)

When a noted scientist testifies before a committee of Congress that the British have done a better job on the pathological effects and on the strontium 90 problem than we have in the United States, and then proceeds to show that radioactivity in the bones of sheep in pastures in Wales and Scotland have already reached practically a dangerous level, then indeed there is something to be concerned about.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GORE. The Senator referred a moment ago to the rather easy dismissal of this question by certain officials. Does not the Senator take pride in the fact that one of the nominees for President of the United States last fall had the courage to speak frankly and forthrightly to the American people about these potential hazards?

Mr. HUMPHREY. I surely am. It was, if not a political service, a great moral service to the American people and to humanity.

DEVELOPMENT OF THE ICBM AND IRBM AND ATOMIC TESTS

The administration is really trying to keep us guessing about whether atomic tests are needed to perfect long-range ballistic missiles. Atomic Energy Commissioner Willard F. Libby said to the Joint Committee on Atomic Energy: "Unfortunately, there is no substitute for testing to determine the reliability of a weapon, conventional or atomic. To cut off testing, therefore, means the cutting off of the introduction of improved nuclear weapons systems." This implies that we could not perfect the development of the intercontinental ballistic missile without tests. However, the Secretary of Defense on June 15 was reported to have said that the United States would continue developing the intercontinental ballistic missiles regardless of any prohibition of nuclear tests.

The administration unfortunately uses its information depending on how it wishes us to think. We have been told that whether atomic tests were necessary to perfect long-range missiles was a highly classified secret. No Member of Congress was to date to talk about the problem in public. Then when Mr. Libby wants to oppose a test ban he states we must have the tests to develop the missiles. When Mr. Wilson wants us to believe an atomic test is not essential he comes out with his viewpoint. What is the Congress and the public expected to believe in the fact of such contradictions of what should be either an unclassified or classified matter, but not both?

I repeat that the administration cannot have it both ways.

Why cannot the Atomic Energy Commission and the Defense Department agree on what should be a clearly ascertainable fact?

In the development of the ICBM and the IRBM we should assume the Russians will never agree to controls on these missiles until they have also perfected them. Therefore, we have an important decision to make in the near future. Either we must negotiate now for effective controls on these missiles or wait for the day when both the United States and the Soviet Union have them. If the latter is our choice then I am told that the cost of perfecting protective devices against these missiles will be in the billions and the present defense budget will seem like peanuts compared to what it will be then. I hope that I can be proven wrong. But I do not think we should dismiss this matter lightly.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD the preface to Staff Study No. 4.

There being no objection, the preface was ordered to be printed in the RECORD, as follows:

PREFACE

(By Senator HUBERT H. HUMPHREY, chairman)

Increasingly, the assumption is being made that the "balance of terror" may spare the human race the catastrophe of nuclear war. Even if this assumption were correct, and there is no assurance that it is, the harrowing race to maintain the balance prevents civilization from developing its fullest potentialities. The nuclear race channels a large share of man's resources, energy, and genius into destructive ends. It denies to the people of the world that sense of security and faith in the future which individuals need to achieve their maximum growth. The fear it breeds may be suitable for tyranny. It is not conductive to an atmosphere of freedom.

It seems to me that control and reduction of armaments is imperative. The attainment of international disarmament, however, is not made easier by its urgency. The political problems involved are as difficult as ever. The technical problems continue to grow more complex as weapons and military organizations become more intricate. Disarmament will be safe and practicable only to the degree that progress is made in solving the political and technical problems.

This staff study, the fourth in a series being prepared at my request on various aspects of the disarmament question, outlines the scope of the technical problems involved in achieving disarmament.

As this study points out, there would be many difficulties in obtaining a satisfactory disarmament program, even without the complication of political issues which stand between the Communist and non-Communist worlds. Is there, for example, any formula by which a balanced reduction of forces and armaments can be devised which will be equitable and acceptable to all sides? How many submarines would equal an aircraft carrier in such a formula? These are the types of questions with which this study is concerned. Such questions bring to mind, moreover, an even more fundamental question. Can a system of inspection and control be devised which is sufficiently foolproof to make it possible, in theory at least, to reduce arms even in a period when suspicion, not trust, dominates relations among many states?

The study reemphasizes that one of the great technical problems confronting us is that there is no feasible method at present of detecting hidden stockpiles of nuclear weapons. Awareness of this fact makes it reckless to consider an agreement to destroy all stockpiles when there would be no way of ascertaining whether the agreement had been observed. It leaves disarmament planners with several alternatives; they can wait until some method of detection is found and concentrate scientific knowledge on this search; they can bypass this barrier in controlling nuclear weapons by working along other avenues such as reduction of armed forces and conventional weapons; they can attack the nuclear threat from a different direction by working to prevent the stockpiles from growing bigger; and they can attempt to control the methods by which nuclear weapons are delivered.

The technical roadblock created by our inability to detect stockpiles of bombs warns us of the need to seek agreement with all possible speed on those aspects of disarmament where technology presents a gateway, rather than a roadblock. One such area which is already available is that of detection of large nuclear-test explosions. Although the Soviet Union does not announce its tests to the world, as the United States does, we are not only able, according to competent testimony received by the committee, to detect large tests that occur but we also have the ability to determine, to a considerable extent at least, their magnitude. The significance of this technical knowledge is that if the United States and the Soviet Union were to agree to ban the testing of large nuclear weapons, it would not be necessary to rely on the Soviet's word alone that the agreement was being observed. Nor would such an agreement, to be effective, require an elaborate inspection system. Our detecting methods are presently located outside the Soviet Union. Many other nations have means to detect large nuclear explosions wherever they occur. Any violation of an agreement would, therefore, be almost instantly known to the world at large. Certainly our negotiators should not overlook these facts in attempting to reach agreement with the Russians on the control of armaments.

This study also points up another aspect of the disarmament problem. With scientific research continuing in a technological race between the United States and the Soviet Union, new weapons systems may soon be devised which will render present disarmament proposals obsolete or, at least, inadequate. This applies to the race for the development of the intercontinental ballistic missile as well as weapons yet unknown.

Staff Study No. 4: Control and Reduction of Armaments, Technical Problems, is a valuable introduction for those of us who are not military experts but who, nevertheless, are faced with the challenge of finding an arms-control agreement which will enhance rather than jeopardize our security. This study was prepared under the direction of the subcommittee staff, by Col. Charles H. Donnelly, senior specialist in national defense, Legislative Reference Service, Library of Congress. It does not necessarily reflect the views of the subcommittee or any of its members.

OCTOBER 7, 1956.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an analysis of all the nuclear-weapons explosions.

The following table has been compiled principally from press releases of the United States Atomic Energy Commission. However, reports in the press as to the size and nature of various explosions have been included when available.

On April 12, the United States had announced 19 Soviet tests. The AEC has pointed out that this country does not disclose all of the U. S. S. R. shots of which it has knowledge but limits itself to statements about explosions of special interest. The actual number of Soviet detonations is therefore significantly higher than those announced.

As of June 17 the AEC has announced 68 tests by the United States. However, the total number of detonations made by this country has never been announced.

The United Kingdom has announced 11 tests to date, June 17, which is understood to be the total number of tests made by that country.

Mr. President, I have had compiled by the staff of the Subcommittee on Disarmament a complete record of all the tests to date on which there are any reports from the Atomic Energy Commission, the Library of Congress, and the press services of the United States. There is also included not only the tests and the year and the date, but also something about the size of the tests and any other descriptive material that may be helpful.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Year	United States		U. S. S. R.		United Kingdom		Remarks
	Date	Place	Date	Place	Date	Place	
1945	July 16	Alamogordo					1st test of A-bomb.
	Aug. 6	Hiroshima					Air burst, energy release about 20,000 tons of TNT.
	Aug. 9	Nagasaki					Do.
1946	July 1	Operation Crossroads, Bikini Lagoon.					Air burst, Nagasaki-type bomb.
	July 25						Underwater detonation.
1948 (spring)		Operation Sandstone, Eniwetok Atoll.					3 explosions announced May 17, no details given.
1949			Sept. 23	Soviet territory			1st atomic explosion in U. S. S. R. announced by President Truman.
1951 (winter)	Jan. 27	Operation Ranger, Nevada Flats.					5 tests primarily for tactical information. Air bursts.
	Jan. 28						
	Feb. 1						
	Feb. 2						
	Feb. 6						
1954	Mar. 1	Operation Castle, Bikini					Hydrogen bomb reported to have had a yield of 15 megatons. Radioactive fallout over 7,000 square miles.
	Mar. 26						No information released concerning this test. 3d test in the series. Presumably an H-bomb.
	Apr. 6	Eniwetok					Announcement made by the AEC of a series beginning in September.
			Oct. 28	Soviet territory			
1955	Feb. 18	Operation Teapot, Nevada Flats.					14 air, tower, and underground tests. Included atomic trigger for detonating H-bombs, also civil defense test and "air-killer" test.
	Feb. 22						
	Mar. 1						
	Mar. 7						
	Mar. 12						
	Mar. 22						
	Mar. 23						
	Mar. 29 (2 tests)						
	Apr. 6						
	Apr. 9						
	Apr. 15						
	May 5						
	May 15						
	May 17	Operation Wigwam, off west coast.					Small underwater atomic weapon exploded, probable yield 1,000 to 5,000 tons of TNT.
1951	April and May	Operation Greenhouse, Eniwetok.					4 tests described as "experiments contributing to thermonuclear research."
			Oct. 3	Soviet territory			2d explosion. Reported by the United States, later confirmed by the Kremlin.
			Oct. 22	do			President Truman announced evidence of a 3d nuclear explosion by the U. S. S. R.
	Oct. 22	Operation Buster Jangle, Nevada Flats.					7 air, tower, and surface or underground bursts. Low yield. Tactical.
	Oct. 28						
	Oct. 30						
	Nov. 1						
	Nov. 5						
	Nov. 19						
	Nov. 29						
1952	Spring and summer.	Operation Tumbler Snapper, Nevada Flats.					8 air and tower bursts. Troop participation in some tests.
	Apr. 1						
	Apr. 15						
	Apr. 22						
	May 1						
	May 7						
	May 25						
	June 1						
	June 5						

Year	United States		U. S. S. R.		United Kingdom		Remarks
	Date	Place	Date	Place	Date	Place	
1952	Fall	Operation Ivy, Enlwetok					2 tests. 1 was the 1st hydrogen bomb ever exploded. Yield 5 megatons.
					Oct. 3	Monte Bello Islands.	Nature of bomb not disclosed. Probably of Hiroshima type.
1953	Mar. 17	Operation Upshot Knothole, Nevada Flats.					11 tests. Air, tower, and 1 shot from a 280-millimeter gun. The largest explosion, that of Apr. 18, was reportedly equal to 30,000 to 40,000 tons of TNT.
	Mar. 24						
	Mar. 31						
	Apr. 6						
	Apr. 11						
	Apr. 16						
	Apr. 25						
	May 8						
	May 19						
	May 29						
	June 4						
			Aug. 12	Soviet territory			[Initial hydrogen bomb (nondeliverable).
			Aug. 31	do			Fission explosion in same range of energy release as Nevada Flats tests.
			Aug. 4	do			AEC announced that the Soviets had resumed testing of nuclear weapons.
			Sept. 24	do			Announcement by AEC of another Soviet nuclear explosion.
					Oct. 15	Woomera Rocket Range, Australia.	2 tests, the 1st equivalent to 20,000 tons of TNT. No data for the 2d test.
			Nov. 10	Soviet territory			Announcement by AEC of a further test in the 1953 series.
			Nov. 23	do			Hydrogen bomb in the range of megatons. Khrushchev announced on Nov. 27 that it was a hydrogen bomb and that it had been dropped at a great height from an airplane.
			Mar. 21	Soviet territory, probably central Asia.			AEC announced another Soviet nuclear explosion.
			Apr. 2				Another explosion in current series announced by AEC.
	May 5	Operation Red Wing, Enlwetok.					Relatively small device exploded, about 10 kilotons.
					May 16	Monte Bello Islands.	Test expected to supply data for triggering of H-bomb.
	May 21	Bikini					1st H-bomb dropped by U. S. Air Force. Yield at least 15 megatons.
			Aug. 24	Southwestern Siberia.			A series of small explosions.
			Aug. 30				
			Sept. 2				
					Sept. 27	Maralinga Proving Ground, South Australia.	4 tests, tower and air; new and cheaper kinds of A-bombs tested.
			Nov. 17	Southwestern Siberia.			Small explosion.
			Jan. 19				
			Mar. 8				
			Apr. 3				
			Apr. 6	do			Moscow announced these tests were designed to perfect atomic warheads for tactical purposes.
			Apr. 10				
			Apr. 12				
			Apr. 16				
					May 15	Christmas Islands.	H-bomb dropped from Vickers Valiant jet bomber. Energy release 1,000,000 tons of TNT.
							Probably a warhead for small rockets or missiles. Yield about 10,000 tons of TNT.
	May 28	Beginning of Operation Plum Bob, atomic test site, Nevada. The tests are scheduled to continue into September.			May 31	do	2d hydrogen bomb exploded by the British.

[1] 1 of a series.

Prepared for the use of the Subcommittee on Disarmament by Janie E. Mason, of the subcommittee staff, on loan from the Library of Congress, June 6, 1957.

Mr. HUMPHREY. I also ask unanimous consent to have printed in the RECORD at this point an article entitled, "Atoms for Peace: The Challenge to Us," written by Thomas E. Murray, Commissioner of the Atomic Energy Commission, published in the New York Times magazine of yesterday.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times Magazine]

ATOMS FOR PEACE: THE CHALLENGE TO US—ONE WAY TO ATOMIC DISARMAMENT, AN AEC MEMBER ARGUES, IS TO DEVELOP ATOMIC INDUSTRY—HERE HE PRESENTS A PROGRAM FOR EXPORTING NUCLEAR KNOW-HOW TO A WORLD SORELY IN NEED OF IT

(By Thomas E. Murray)

WASHINGTON.—The benefits that will accrue to mankind from peaceful uses of atomic energy need not be described in lyrical terms, as if we now had at our disposal a force that could renew our civilization throughout all its fabric, and banish from the earth all mankind's ancient enemies—famines and wars, physical disease and social inequalities. Even on a more sober view the prospects are exciting enough.

If men consent to act reasonably (it is a big "if"), atomic energy can powerfully assist in creating certain conditions in the world which men commonly acknowledge to be at least the earthly conditions of human welfare: for instance, the advancement of man's understanding of nature, the improvement of human health, and the provision of a decent standard of living on a worldwide scale. These are authentically human purposes sanctioned by the high imperatives of the moral order. There are two chief areas in which peaceful uses of atomic energy can further them.

First, there is the large, and rapidly expanding, area in which uses are being found for radioactive isotopes. These byproducts of atomic processes can be applied to many purposes in medicine, genetics, technology, and agriculture. They are useful in the diagnosis and treatment of certain diseases, including cancer; they provide a sure and rapid way of testing industrial materials; they can serve in the production of new plants through genetic mutations. Perhaps their most important use so far has been as "tracer elements." By adding a small amount of radioactive isotope to a given element it is possible to follow the fate of this element in chemical reactions, and even in living organisms, by observing the radiation emitted. The use of this method has already marked a new epoch in our understanding of the processes of nature.

The beneficent possibilities inherent in the use of radioactive isotopes present an immense challenge to the scientific intelligence. But the exploitation of these possibilities raises no issue of national policy. It is otherwise in the second great area in which atomic energy can make an incalculable contribution to human betterment. I mean the use of nuclear energy to generate industrial power. It is in this area that the famous phrase, "atoms for peace," can acquire its full meaning. The use of radioactive isotopes is a splendid opportunity; the use of atomic energy for industrial power is an urgent need.

Two recent developments emphasize the urgency of the need. The first was the formation of EURATOM, the European Atomic Energy Community, composed of six nations. The second was the constitution of the International Atomic Energy Agency, the work of eighty nations. These two new institutions have a common premise. The report, "A Target for EURATOM," lays the premise down with all bluntness: "The shortage of energy threatens to become a major brake on economic growth [in Europe]." A new source of energy, other than conventional fuels, is needed with a critical urgency that the cold figures in the report make altogether clear. The basic inspiration of the International Atomic Energy Agency is the same—the increasingly urgent international need of this new source of energy to heat water to make steam to drive turbines to operate generators to produce electricity, and thus to get on with the business of civilization.

The word "civilization" brings me to an even more important aspect of the present situation. The fact is that our scientific, technological, and industrial civilization now has a global destiny. Less than one-third of mankind presently enjoys the material advantages that it affords. But it has set norms of human welfare in terms of adequate food supplies, health, and a standard of living of which the remaining two-thirds of the world is more or less acutely aware. There no longer exists a society which does not wish to partake of the material benefits which industrial development sets within the reach of the general population. Men everywhere now realize that it is no longer necessary to live in wretchedness. They are determined to lift themselves out of the subnormal conditions which have hitherto been their lot. The achievement of the industrialized way of life has become a fundamental imperative for practically the whole world. In many regions the political form of government is of less concern than the promise of a better economic way of life. Marxism is made to seem more acceptable than misery.

This situation is fraught both with danger and with opportunity. We stand at a turning point in the economic history of the world. And the crisis is intensified by the fact that the world's population in the year 2000 may well be more than 4 billion, as against 2½ billion in 1955. If no deliberate international effort is made, perhaps only a quarter of these 4 billion will be able to live on or near the level of human welfare set by our privileged civilization.

What is at stake here is the common good of mankind, which must now be defined in the same terms in which an industrial civilization defines its own common good. The challenge is more than scientific and technological, or even political. It is profoundly a moral challenge. And upon our success in meeting it, steadily and over the long haul, will depend everything that is meant by peace as the work of justice.

The key to success is industrial power. Providentially, we have the key in our hands—atomic energy. If we exploit its possibilities with energy and foresight, we can avoid the explosive situation that wide economic inequalities in the world will increasingly intensify. More importantly, we shall seize the historic opportunity to establish a level of material civilization that will be truly universal. This will, of course, be only a technical and industrial achievement. But it will establish in the world the particular kind of order that is the indispensable foundation of the more noble edifice of international stability, unity, and peace.

We face here a task that will have to be finished by a generation yet unborn. In any case, I am convinced that our own generation will not find sufficient stimulus to vigorous action in the present unless we view our instant responsibilities in these larger and longer perspectives.

What then should our policy be? What kind of program should it inspire, right now? It seems to me that there are two alternatives and that the choice between them depends on your conception of American national interest. Briefly, is the dominant American interest simply power, or is it peace?

An industrialized nation can regard atomic energy merely as a fortunate means for maintaining and expanding its existent industrial complex and thus consolidating or increasing its power position in the world. This, in great part, seems to be the attitude assumed by Great Britain. A heavy investment in atomic industrial power offers her the means of maintaining her status as a first-class industrial and commercial world power. Moreover, the pressure to seize this opportunity was powerfully augmented by the critical power shortage in England. An emergency existed, and it imparted a sense of urgency to the British program.

In contrast, no immediate emergency exists in the United States. Enormous as our power needs are, they can still be satisfied by the use of conventional fuels. Moreover, nuclear technology has not yet reached the point where it can put electric power on the lines in competition with power from conventional generators. Hence, if the national self-interest is narrowly identified with the supply of America's own power needs, there is no compelling incentive to embark on a large-scale nuclear power program.

Our present program is inadequate. There is only one large reactor from which power may be expected before 1961. For the rest, the Atomic Energy Commission's activities in this country are confined to research and development, to the construction of small pilot plants, and to the granting of limited assistance to utility groups. The responsibility for setting the pace of large reactor development is left to private industry. Under the limitations imposed by the large costs and risks involved, private industry is doing all it can. The international aspect of the program consists in the negotiation of bilateral agreements with other countries concerning the exchange of technological information, partial financial assistance for research reactors, and provision of nuclear materials for scientific research and for reactor construction.

For my part, I think that this program is much too limited. It falls woefully short of the demands of the current world situation. Moreover, I cannot accept the narrow view of the national self-interest which presently commands our policies. In my view, our national interest is basically identified not with power on the national scene but with peace on the international scene. At the moment it is difficult for me to see that we have developed an atoms-for-peace program that will realize the great human promise in this phrase.

An effective policy, one that will make the phrase a reality, must find its first premise in the conviction that the international atomic-power economy, which has now begun to develop, offers a firm hope of peace. This is true in two senses. It will help to create among the nations an order of interdependent economic life; it will unite them in pursuit of the new international common good which I have briefly described; it will assist in correcting the wide social inequalities in the world, which are a source of unrest and hostility. What is even more important, this whole development, if rapidly pushed, will help to diminish the dire threat now posed by nuclear weapons. This, to me, is the point of central significance.

What we now confront in the field of nuclear weapons is a state of anarchy. Each nation is acting as a law unto itself. There are no common norms or standards binding on all; there are no common agreements accepted by all. The present race for armaments is literally ungoverned. The situation is fraught with disaster. Until this international lawlessness and anarchy are resolved into some measure of order, neither America nor the world at large can enjoy even that basic security which consists in the assurance of continued national existence. In speaking of order I mean the institution of procedures of regulation, control, supervision, and inspection of the development and production of nuclear weapons.

We are attempting to work toward the conditions of order through direct disarmament negotiations. This is necessary; but it is by no means enough. More solid progress would be made by a genuine program of atoms for peace; that is, atoms for an international atomic-energy economy. Such an economy can only come into being under some supranational standards of regulation and control, whose enforcement would require supervision and inspection. The result would be experience in the workings of these procedures; and this experience would be invaluable in the problem of international weapons control.

Moreover, a receptivity to the whole idea of control and inspection would be created. It would be recognized that restraints upon nations in the nuclear field are necessary, and, what is more, the experience of such restraints would be ultimately beneficial. The whole notion of orderly cooperation among nations would be powerfully strengthened. The principle of order would have been introduced into the nuclear field in the interest of a common prosperity, which is at once a condition of peace and a force for peace.

But this development could not fail to effect the weapons field. Into it, too, the principle of order would find its way in the form of widening and more efficient systems of regulation and inspection. And as the program of atoms for peace gains momentum, the pace of the present mad rush of atoms for war would be brought under a due measure of rational control. This, I maintain, is not mere fancy. I believe that controls can most successfully be introduced into the field of nuclear armament by this indirect method—through an experience of the success and value of controls in the development of an international atomic-power economy.

From all this, the outlines of a sound American policy, adequate to the present crisis in economic history, begin to appear. If American self-interest is to be identified with the cause of peace through worldwide industrial development, it requires that we immediately take up the task of giving solid substance to the present international movement toward the utilization of atomic power for industrial purposes. This task is ours; only we can do it. Without us, the whole movement will stall. Or, if it moves, it may move in directions that we shall regret.

There is only one way of giving solid substance to the movement, and that is by putting industrial reactors into operation as soon as possible and as widely as possible. This in turn means that we must ourselves immediately undertake the construction of 2 or 3 large power reactors of different types in what would be the first phase of an accelerated construction program. At least

two basic designs give us points of departure—the Shippingport pressurized water reactor and the gas cooled reactor. Advanced versions of these two basic types should at least be constructed as a matter of highest priority in the first phase of the accelerated program. In later phases the results of our research into other reactor types could be utilized.

This construction program will not look to the satisfaction of America's own present power requirements. Its essential purpose looks beyond any day-by-day demands to a more basic need, namely, to develop an atomic-power industry in America. By this I mean the technological know-how and manufacturing capacity that will be the source and the strong support of the international movement toward an atomic-power economy, a peaceful economy that will itself undergird a peaceful and prosperous international community.

This extension of America's industrial potential into the new area of atomic power is the immediate goal. The way to set this development afoot is by a reasonably substantial program of reactor construction, in the course of which American industry will acquire the new nuclear dimension that must be added to it in this critical moment of history. The achievements of this new industrial capacity will then become a major article of export from American shores, to the advancement of American national interest and to the common good of the wider community of nations.

This proposal can and should be carried out without disturbing traditional patterns of American industry. Without initial Government assistance an American atomic-power industry cannot be created in time to meet the demands of the present crisis. However, in certain phases of America's newest and biggest business we have already proved that this initial reliance on Government need not create any dangers to the American system.

For instance, the uranium ore industry, orginally a governmental initiative, is now in the hands of private corporations. The present private-capital investment amounts to well over $100 million. Within a few years the annual production will have a market value of several hundred million dollars. This is the pattern of development that I envisage for the whole American atomic-power industry, as it comes into being. The industry would eventually be private enterprise in the full American sense.

Today we are accustomed to call the American system responsible capitalism. The name will be more deservedly bestowed when the American system fully shoulders its new responsibility, which is both economic and moral, for the creation of an international atomic power economy. To the assumption of this responsibility America is summoned by the vision which must guide the American people and their Government in this decisive moment of history—the vision of a strong and confident America using its resources of strength and its sense of moral purposes to lead the nations of the world toward the common goal of public prosperity in a peaceful international order.

DESIGNATION OF GOLDEN CORN TASSEL AS NATIONAL FLORAL EMBLEM OF THE UNITED STATES—RESOLUTION

Mr. DOUGLAS. Mr. President, I introduce, for appropriate reference, a joint resolution that the golden corn tassel be designated as the national floral emblem of the United States, and that the President be requested to declare such fact by proclamation.

The PRESIDING OFFICER (Mr. CLARK in the chair). The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 105) designating the golden corn tassel as the national floral emblem of the United States, introduced by Mr. DOUGLAS, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. DOUGLAS. Mr. President, while no less than 30 countries have official national flowers to represent them, we do not. I am, therefore, proposing that the golden corn tassel be designated as our national floral emblem.

Two questions naturally arise in this connection. First, is it worth while to have a national floral emblem? Second, is the golden corn tassel the most appropriate emblem we can choose?

Any national floral emblem is a symbol, and proper symbols are extremely important and highly valuable. The cross focuses and intensifies the religious devotion of hundreds of millions. The lamb is the symbol of compassion. The flag stirs and deepens our patriotism. A national flower or floral emblem will, if it is appropriate, add legitimate grace and still further depth to our patriotism. The Irish properly pride themselves on the shamrock. The thistle, while perhaps unlovely to others, is beloved by the Scoteh, while the fleur-de-lis symbolizes the beauty and the crowded history of the proud people of France.

Most of our States have State flowers, but we have no national floral emblem. Surely it would be better if we did. But if we choose such an emblem, we should take care that it be characteristic of our country; that it be meaningful and that it be beautiful. The golden corn tassel meets all three of these requirements.

It is certainly characteristic of the United States. The Indians had developed corn long before Columbus discovered the New World. It was corn given by the Indians which saved the Pilgrims from starvation during that first terrible winter at Plymouth. Along with tobacco and the potato, corn was one of the New World plants which were carried back to Europe and incorporated into the consumption and agriculture of the Old World.

The early colonists used corn as a staff of life and as the settlers moved westward, it furnished the food for man and beast. Cornmeal was the basis for the bread and corn on the cob was the harvest delicacy. If, therefore, there is a floral emblem which is completely American, it is the golden corn tassel.

But the corn tassel also has real meaning. Its Indian name was maize—which is the term still given to it in Europe. But maize was also the Indian term for mother. So, according to the Indians, corn was the lifegiver and life creator. Today, it is the best evidence of the fertility of our soil and the ability of our farmers. Over 3 billion bushels a year are normally produced with an annual value of over $4 billion.

Corn not only helps to nourish man directly through cornmeal and corn sirup, but it also feeds man indirectly, since it is the chief animal food of the country. Fed to hogs and cattle, it produces the pork and the beef which enrich our tables and give strength to our bodies.

Its industrial uses are also manifold, from cornstarch to industrial alcohol to fiberboard and to a myriad of other products. Fertility and abundance in a world of scarcity is blessed in itself and if wise use is made of that abundance, it can be of priceless value to humanity. The golden corn tassel will thus have deep significance and meaning.

Finally, the golden corn tassel has a unique beauty. Those who have seen endless rows of corn in the field, with the pale green tassel waving in the early summer breeze as an emblem of the coming victory of the fruitfulness of the earth over the despair of hunger, know how beautiful that phase is. Then, as the late summer and early fall approaches, the tassel turns a beautiful gold representing the wealth to come after the harvest. Not only is the tassel beautiful in the field, but that beauty is recorded on film, as witness the picture I hold and for which I am indebted to the Department of Agriculture. I will let the beauty speak for itself, as mere words will only be gilding the lily.

As we all know, many States and most nations have floral emblems representing them, and not all of these emblems are flowers in the strictest sense of the word. Maine is represented by the white pine cone and tassel, Vermont by the red clover, and Oregon the Oregon grape. While Illinois has as its State flower the violet, let me assure the Senate that we are far from shrinking in extrolling the virtues of this great State, particularly when it comes to the production of corn.

Turning to the floral emblems which represent other great countries of the world, we find that here, also, not all are flowers, strictly speaking. Mexico has its prickly pear, Wales its leek, and—being a Douglas—I must not forget Scotland and its thistle. Australia proudly displays her golden wattle, renowned for both its beauty of pale gold in flower and for the timber used in decorative wood wares, as her national floral emblem. Many of the flowers which represent their countries are either native to the land or have historical or religious significance. We see that the fleur-de-lis of France was proudly carried in battle as the emblem of their kings, and the shamrock was used by St. Patrick to illustrate the unity of the Trinity; and, hence, these became national emblems. Therefore, it is altogether fitting and proper that we select the golden corn tassel, native to our shores and having an important place in our lives, as our emblem.

While the rose has been suggested by both the Senator from Maine [Mrs. SMITH] and the Senator from New Mexico [Mr. CHAVEZ], and while I like the rose both in a vase or on the bush as well as my good friends do—indeed, in a modest way, I grow a few roses—I feel that it does not truly represent the whole Nation as does the golden corn

tassel. The rose was, as we all know, imported from England, where the Houses of York and Lancaster fought the War of the Roses, so-called for the red and white emblems of those two royal houses. Furthermore, it is already the national emblem of at least two other countries—Iran and Rumania—and it is the State flower of several of our States. And while I hope I do not cause the wrath of the rose fanciers to be lowered on my head, I believe the golden corn tassel better represents us all and should be our choice.

We in Illinois are particularly proud of our corn crop. Last year, we produced approximately 550 million bushels, more than any other State in the Union.

In view of all this, perhaps our Iowa friends will be willing to allow us to take over their State song so that it will read:

Illinois, Illinois,
That's where the tall corn grows.

I should like to give a little background on how I became interested in making the golden corn tassel our national floral emblem. A great lady, often called the Jane Addams of Peoria, Ill., Julia Proctor White, offered the suggestion that I look into this matter. I did, and found that Miss Margo Cairns, of Minneapolis, Minn., was the originator of the idea of honoring both our country and the important place corn has in our economy by choosing the golden corn tassel as our emblem. Miss Cairns has spent much time and money of her own in publicizing her idea. To attest to her devotion to this idea, the Minnesota Legislature has memorialized Congress to make the golden corn tassel our emblem. Not to be outdone, my good friend, Paul Simon, is introducing a resolution in the Illinois House of Representatives to do the same. Therefore, I invite both the senior Senator from Minnesota [Mr. THYE] and the junior Senator from Minnesota [Mr. HUMPHREY] to join me in introducing this joint resolution, even though Minnesota does not rank with Illinois in the production of corn. Representative JUDD has introduced a companion resolution in the House.

Mr. HUMPHREY. Mr. President, will the Senator permit me to do that at this point?

Mr. DOUGLAS. Certainly.

Mr. HUMPHREY. The only reason why the junior Senator from Minnesota did not proceed forthwith was that he had mentioned to him the sad statistical fact which the Senator from Illinois has just recorded, namely, that Illinois now ranks first in the quantity of corn grown.

Mr. DOUGLAS. That is correct.

Mr. HUMPHREY. I suggest most humbly that Minnesota ranks first in quality.

Mr. DOUGLAS. I invite the Senator from Minnesota to come to Illinois and see whether this statement is really correct.

While Mrs. White has, in her characteristic way, insisted that Margo Cairns receive all due credit for her idea, Mrs. White has given me permission to use a poem written by her aunt, Miss Edna Dean Proctor, also a native Illinoisan, published first in 1892. I feel this poem sums up the argument for the golden corn tassel becoming our national floral emblem very well, and with which I close. The last stanza reads as follows:

The rose may bloom for England,
The lily for France unfold;
Ireland may honor the shamrock,
Scotland her thistle bold;
But the shield of the great Republic,
The glory of the West,
Shall bear a stalk of tasselled corn—
The sun's supreme bequest!
The arbutus and the goldenrod
The heart of the North may cheer,
And sunflower, cactus, and poppy
To sierra and plain be dear.
And jasmine and magnolia
The crest of the South adorn;
But the wide Republic's emblem.
Is the bounteous, golden Corn!

SENATE PROCEDURE ON CIVIL-RIGHTS BILL

Mr. MORSE. Mr. President, I wish to make a few more remarks about the civil rights procedure problem which is pending before the Senate.

The lightning of personal criticism has been crashing around my head most of the day, I understand, from various quarters. But I am accustomed to that, and I have pretty much of a lightning-rod resistance to it.

However, I wish to make these comments for the RECORD, so that those who do not now understand will have a statement on the basis of which to arrive at a correct understanding.

I think I covered the matter adequately in my comments of this morning. I said then, and I repeat now, that the fact that my name appears on the statement which was issued last Friday is 100 percent my responsibility, and I assume full responsibility for it, although I was unable to participate in the meeting at which it was agreed among some of my very dear friends and colleagues to frame such a statement. Although my work on the floor of the Senate prevented me from studying such a statement, nevertheless I certainly gave permission to include my name on any understanding which my colleagues reached at that meeting. I respectfully say that I assume that carried with it, in this parliamentary body, no responsibility to continue to underwrite what I subsequently decided is a mistake, because any Senator who would do that would, from that moment on, betray the trust he owes the people of his State.

I have always taken pride in the fact that whenever I find myself wrong, I change my opinion. I recall that it was about 2 weeks before the end of the last session, I believe, before the last campaign, that the distinguished Senator from Illinois [Mr. DOUGLAS]—and, as I have said in many places, I consider him to be not only the greatest economist in the Congress, but also one of the greatest economists in the country—took the floor of the Senate, after I had completed a speech on a fiscal matter. I thought I was correct; I was representing a point of view shared by a considerable number of my colleagues. We thought we were correct, as we prepared for Senate action on that issue. But as I listened to the speech of the Senator from Illinois, more and more I became convinced that I was wrong; and, finally, when he came to several statistical tables which he read, I said to myself, "If I heard what I think I heard, I know I am wrong." Whereupon, I left my seat, and walked over to the seat of the Senator from Illinois. He was still reading his manuscript. I sat beside him, and looked at the tables he had read. The CONGRESSIONAL RECORD will show—I do not have it before me now, but I assure my colleagues that I summarize it with accuracy—that I asked the Senator from Illinois whether he would yield. He yielded. Then I asked him several questions; and then I told him I was satisfied that he was right and I was wrong, and that I wanted him to know that in view of the facts he had set forth, during the remainder of the debate I would be on his side of the issue. The Senator from Illinois, who always is very courteous, made it, I felt, rather easy for me to "eat crow" regarding the change of my opinion; and I returned to my seat.

It was rather interesting that during the next hour, several of my colleagues came to me and laughingly asked, "How do you expect to be reelected, when you publicly admit you were wrong?" We joked a little about that; and then I said, "I owe it to my constituents and also to my colleagues to change my position, even in the last few hours of a debate, when I become convinced that I am wrong."

Mr. President, I say that because, during my 13 years of service in this body, my record shows that I have never hesitated to change my position if I have become convinced I was wrong.

Of course, I also hold to the opinion that no Senator has the right irrevocably to commit himself in the case of a given issue, so that he cannot change his position, even if he becomes convinced he is wrong. I have said this before, and I thought all Members of this body knew it: I never hold the view that any Senator has the right to make an irrevocable commitment. I never ask for it, and I never give it.

Mr. President, my name was used properly on the statement, and I studied the issue after the statement was made. I wish I had had time to attend the meeting last week. I wish I had had time to study the statement. But I wish to make clear that none of the Members of the Senate who signed the statement are subject to the slightest criticism because my name was on it, inasmuch as they had the right to put my name on it, and they had the right to expect that I would share their point of view.

However, having convinced myself that I was wrong, I did the only honorable thing that, according to my code, I could do—when I walked onto the floor of the Senate this morning and gave the Senate publicly my reasons for changing my opinion.

Mr. President, it has been said today that I did so without going back to the

group which issued the statement. Of course I did that, and I did it for two principal reasons. First, I think it would have been very embarrassing to those concerned if I had asked them to hold another meeting, so that I could tell them exactly what I would tell the Senate. I could see no good to be accomplished by doing that. In fact, if I were to ask that a meeting be held so that I could announce that I changed my opinion, I think that would have been an unjustifiable imposition upon the time of those of my colleagues.

In the second place, I did not think, and I do not now think, that there was any obligation on my part to call the group together, in order to obtain their permission—and I can see no reason why any of them should want me to have them called together again—to announce publicly my reasons for a change of opinion in regard to the recommendation made by the group last week. They can sincerely differ with me about whether I am right in taking that course of action; but what I have stated is the reason for my taking it.

Mr. President, honest men can differ on this procedural matter; but my study of it leads me to certain conclusions. Unless someone can show me, during the debate which will follow, when this matter comes up on its merits, that I should hold a contrary view, this will be the way I shall decide the issue:

There is no doubt that rule XIV in its present wording justifies, I think, the literal interpretation that if a bill is read twice when it comes from the House of Representatives, and if, at that point, some Senator objects to having it go to committee, the bill goes on the calendar. But, as was pointed out this morning by the Senator from Georgia [Mr. RUSSELL], that is an old rule, coming from Jefferson's Manual; and it is an old rule which was modified into its present form in rule XIV, as I understand from the parliamentarian, in about 1877.

Since then, the Reorganization Act has become law. As I read rule 25 and such precedents as have been made to date on rule XXV, in relation to rule 14, I cannot escape the conclusion that under rule 25, proposed civil-rights legislation is to be referred to the Judiciary Committee; and that when the Senate adopted the LaFollette-Monroney act, in effect it modified rule 14. I think that position is supported—as the Senator from Georgia [Mr. RUSSELL] pointed out this morning—by the procedure on the day in 1948 when both the tidelands bill and the oleomargarine tax bill were before the Senate. When the tidelands bill came before the Senate from the House, Senator Downey, of California, at the time of the second reading of the bill—as the RECORD will show—objected to having the bill go to committee, and insisted that it go on the Calendar. The bill went on the Calendar. There was no discussion about it, no debate on it, and no objection was raised; and there was no parliamentary ruling on it. As the Senator from Georgia [Mr. RUSSELL] said this morning, and also in my judgment, it is not a precedent; it is merely an historical fact which shows what happened to that bill when no objection was raised.

But on the same day, the oleomargarine tax bill came before the Senate. It was suggested by the Senator from Arkansas [Mr. FULBRIGHT] that the same procedure which was followed in the case of the tidelands bill be followed in the case of the oleomargaine tax bill. I do not know what had happened in the intervening time, but I have a hunch that somewhere in the various precincts of the Senate some Senator had had discussions with other Senators, and I can imagine that there was plenty of cloakroom discussion about what had transpired in the case of the tidelands bill. But that is all conjecture.

The RECORD is perfectly clear what happened when the oleomargarine tax bill came before the Senate, with the request on the part of the Senator from Arkansas that it go to the calendar. There was objection. The then Senator from Michigan, Mr. Vandenberg was in the chair. I paraphrase again, but it will be printed in full in the CONGRESSIONAL RECORD of tomorrow, and the RECORD will show that, in effect, was the first incident, since the passage of the Reorganization Act, in which a precedent was to be established. The Senator from Michigan felt that the question should be determined by the full Senate. He referred it to the full Senate, and the full Senate, by a substantial vote, voted against the position taken by the Senator from Arkansas.

There is the precedent. I happen to think it was a correct precedent. I think we established a precedent in 1948 by the vote of the Senate in the oleomargarine case, and Senators cannot erase it. Although promises have been made that other precedents will be cited, I am waiting for a precedent which will erase the precedent established in 1948 in the oleomargarine case.

So far as strict legal technicalities are concerned, I rest my case there; but I do not rest my full case there. I want to rest my case on a much broader foundation—personal, subjective, if one wants to call it that, but pretty deep with me so far as concerns the course of conduct I think I should follow in connection with parliamentary procedure.

There is not a southern Senator on this floor—and certainly the Senator from Georgia [Mr. RUSSELL] could be my witness on this point—who does not know I disagree with those who seek to prevent the passage of what I consider to be adequate civil-rights legislation. I do not yield to any Member of the Senate when it comes to my record on civil-rights legislation, but I cannot accept the contention, which is being advanced in the press today, that the acid test of a Senator's convictions on civil-rights legislation is going to be shown by how he will vote in the Senate on the interpretation of rule XIV.

I respect these gentlemen for their point of view, but their point of view on procedure is not going to be the acid test of my position on civil rights, because I happen to believe, as I said to the Senator from Minnesota this morning when he made his brilliant speech covering the 14th and 15th amendments, that the Senator from Minnesota set forth a very sound public policy, as well as a sound legal position, with regard to civil-rights legislation. I happen to hold to the point of view that as Members of the Senate we ought to lean over backward whenever there is a question raised as to whether we are being completely fair with respect to procedure in the Senate. As I said earlier, and I repeat now, parliamentary expediency is no synonym for liberalism. I would much prefer to take the longer way and make the harder fight, if necessary, but at the same time lean over backwards and grant every doubt to our opponents on this issue so far as procedural rights in the Senate are concerned.

I am not going to ignore the fact that throughout the history of the Senate the custom and the practice has been to refer bills automatically to the committees to which they should be appropriately assigned. Oh, yes, there have been some exceptions, Mr. President, but not on contest; not when a colleague in effect says, "I do not think you are treating the opposition fairly."

I talked to the Parliamentarian about this. I may be wrong in my recollection of what he said, but my recollection of the figure he gave me is this: I want him to listen to me, because I shall correct the RECORD if this figure is not accurate. My recollection is that the Parliamentarian told me he did not think there had been more than 18 cases throughout the long history of the Senate, since the rule of 1877, where there had been any exception to the practice I am now outlining, namely, the practice of bills messaged from the House almost automatically going to the appropriate Senate committees. Even if we did not have the precedent established in 1948, by a yea and nay vote of the Senate on the oleomargarine tax case, I do not think we should adopt that practice merely because it might be to our parliamentary advantage to follow that precedent. We would leave colleagues in the Senate thinking we had not been fair to them procedurally. I know it is said we, too, at long last ought to be somewhat out of patience, because many times we fight for human rights legislation and we find we have obstacles of parliamentary procedure to overcome. My answer to that is that if we do not like the rules of the Senate, we ought to change them.

My southern friends did not like the position I took on rule XXII. Some years ago, it will be recalled, I took the position that we ought to change rule XXII; my position was not based on any issue as to whether or not the Senate is or is not a continuing body. I said then, and the RECORD will so show, I thought that was an argument on form much more than substance. I thought the substance of the issue was that, under the rules as they are written, the Senate was in a difficult position in attempting to reach consideration of civil-rights legislation. I was in favor of an outright, forthright changing of the rule. I still am, but by a vote of the Senate, and not by what I consider to be, speaking respectively, at best, a narrow technical interpretation of the rules.

Therefore, in this fight, Mr. President, I am for civil rights legislation, but I am for the House bill, if and when it comes over to the Senate, going to the Judiciary Committee, as the Reorganization Act, I respectfully said, clearly contemplated and intended, in my opinion. I am for giving that committee a reasonable length of time to consider it. We are not going to be fooled by any committee that uses technical procedure to bottle up pending legislation. If that committee tried to bottle up the bill, I would then be in favor of a resolution to discharge the committee from consideration of the bill. By the same majority vote, we can discharge a committee.

It is said that we shall still be in parliamentary difficulty, because it means that has to be done during the morning hour, and Senators can speak until 2 o'clock, and by dilatory tactics, they can prevent the motion from coming up for some time. Mr. President, they lose in the long run, unless they have the conviction I have. I happen to hold to the view that when people use tactics of that kind, they destroy the very case they are seeking to defend, if the opposition has the will and determination to stick to the issue and hold fast until finally sound civil rights legislation can be enacted.

People say, "Senators become tired. They want to go home. They want to do this, and they want to do that." I know of nothing more important, so long as we sit in the Senate, than carrying out the full obligations of our oath of office.

As I said to the Senator from Minnesota this morning in my colloquy with him, when I commended him for what I thought was another one of his great speeches, I think we ought to fight, on the basis of procedure, so no one can say we used any form of parliamentary expediency. We should give the Judiciary Committee an opportunity to consider the House bill and give it a reasonable time to report the House bill. Then, if we are satisfied the committee is not keeping faith with its obligation to the Senate, namely, to report the bill, either with approval or without approval, we can then move to discharge that committee, and keep that issue before the Senate until we finally get a vote on it, and use our majority, if we have a majority. If we have a majority, we can use it to discharge the committee and then to pass fair civil rights legislation. That is my case.

To all of the other 13 Members whose names are on the statement Friday I wish to say I am exceedingly sorry if I have offended them in any way. I said this morning, however, that I would presume that some of them would think I had pulled the rug out from under them, but I want them to know I reached no conclusion on this matter, as a member of my office staff can tell them, until midafternoon yesterday, when I finally told my staff member that I thought the procedure proposed was not the sound procedure we ought to follow and that I was going to have to reverse myself on that issue.

I have made this statement, Mr. President, because I thought the record ought to be clear. I am perfectly willing to be judged by my conscience on this matter.

To those 13 colleagues of mine, let me say they can count on me to fight with them for good civil-rights legislation. However, I do not intend to go along with a course of action which, in my judgment, has some of the characteristics of parliamentary expediency, which I think will be at the cost and expense of complete fairness to all our colleagues in the Senate on this issue.

Mr. JOHNSON of Texas obtained the floor.

Mr. DOUGLAS. Mr. President——

Mr. JOHNSON of Texas. Does the Senator desire to address the Senate?

Mr. DOUGLAS. I would appreciate it if I might be recognized.

Mr. JOHNSON of Texas. I was recognized, let me say to the Senator.

Mr. DOUGLAS. I beg the Senator's pardon.

Mr. JOHNSON of Texas. I had planned to make a motion to adjourn.

Mr. DOUGLAS. I wonder if the Senator from Texas would be willing to withhold his motion and yield to me for a brief moment.

Mr. JOHNSON of Texas. That is the reason I asked the question, as to whether the Senator desired to address the Senate. I am happy to yield to the Senator.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DOUGLAS. Mr. President, I should like to say, not in reply to my friend, the Senator from Oregon, but in comment upon what he has said, that of course a man's conscience is his most sacred possession and it is very important that one should follow one's conscience at all times.

If upon careful examination of the issues and careful scrutiny of one's conscience a man believes he was in error, it is perfectly proper and acceptable for him to so declare immediately. I wish to assure the Senator from Oregon that I understand and appreciate his motives and have no criticism of those motives. I have expressed myself privately to him that I thought it would have been better if the rest of our group had received advance notice of what he intended to do. I still feel that way but this is a matter for him to decide.

I wish to say that the views which the Senator from Oregon holds on most public issues are so close to the beliefs of the Senator from Illinois, and I think of the vast majority of northern and western Democrats, that I hope he will not feel this difference constitutes any permanent breach between us. We happen to believe, on our side of the fence, as strongly as he does on his side that we are proceeding properly. We have arrived at this opinion after reading what happened on both the tidelands and oleo bills. While we may have some temporary differences of opinion, which I am sure some would like to encourage, I hope these differences will not be permanent between us and that after this immediate issue is decided that the Senator from Oregon, the Senator from Illinois and others of the same faith may move together on the many issues which we hold in common.

I shall be very glad to talk to the Senator from Oregon off the floor on this subject, and to assure him of the deep and continuing friendship of the Senator from Illinois, and of my hope that this friendship may be continued in the future.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Oregon.

Mr. MORSE. I wish to say to my friend, the Senator from Illinois [Mr. DOUGLAS], that I never had the slightest idea our difference over this matter would have any effect on our personal relations whatsoever. I told the Senator earlier this afternoon that I consider him one of my dearest friends. I shall always hold for him the high regard and respect I now entertain for him, and keep him on my list as one of my dearest friends.

THE STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY—RESERVATION

Mr. BRICKER submitted a reservation, intended to be proposed by him, to the resolution of ratification of the statute of the International Atomic Energy Agency, which was ordered to lie on the table and to be printed.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. The Senate is now in executive session?

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. Pursuant to the order previously entered, when the Senate convenes tomorrow it will convene at 12 o'clock, in executive session?

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that the Senate will convene in executive session.

ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, pursuant to the order previously entered, while we have such a wonderful atmosphere existing, I move that the Senate stand in adjournment until tomorrow.

The motion was agreed to; and (at 6 o'clock and 26 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until Tuesday, June 18, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 17, 1957:

DIPLOMATIC AND FOREIGN SERVICE

Jacob D. Beam, of New Jersey, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Poland.

ATOMIC ENERGY COMMISSION

John S. Graham, of North Carolina, to be a member of the Atomic Energy Commission for the term expiring June 30, 1959, vice John Von Neumann, deceased.

John Forrest Floberg, of Illinois, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1962, vice Thomas E. Murray, term expiring.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 17, 1957

The House met at 12 o'clock noon.

Dr. Ralph M. Sharpe, minister, Francis Asbury Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hid: cleanse the thoughts of our hearts by the inspiration of Thy holy spirit, that we may perfectly love Thee, and worthily magnify Thy holy name; through Christ our Lord.

We rejoice today that the things which gladden, enrich, and perfect life are Thy gifts. Thou, O Lord, art the supreme giver and the source of all our blessings. We pray that our thoughts and affections may be centered on Thee, forgetting not Thy benefits. Give us possession of ourselves, sustain us with Thy presence, and gladden us in the increase of our strength.

Let not the spirit of thankfulness die in our hearts, thankfulness for a great heritage worth living and dying for; gratitude for abiding faith that will survive all disaster and rise triumphant above the wrecks of time. Let us be attentive to Thy voice that we may know the things which belong to our peace and the peace of the world. We ask in the Redeemers's name. Amen.

The Journal of the proceedings of Friday, June 14, 1957, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2130. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 7441, making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments, disagree to the amendments of the Senate and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. WHITTEN, MARSHALL, NATCHER, BOWLER, CANNON, H. CARL ANDERSEN, HORAN, VURSELL, and TABER.

INDEPENDENT OFFICES APPROPRIATION BILL, 1958

Mr. THOMAS of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 6070, making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments, disagree to the amendments of the Senate and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. THOMAS, YATES, EVINS, BOLAND, CANNON, VURSELL, OSTERTAG, JONAS, and TABER.

COMMITTEE MEETINGS DURING SESSIONS OF THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Small Business may be allowed to sit this week after today during general debate in the House.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE HOUSE TALLY CLERKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the gentleman from Pennsylvania [Mr. FULTON] referred to the fact that in only 4 instances in his 13 years of service in the House has he been recorded incorrectly on rollcalls. May I say that in 32 years as a Member of this House in only 1 instance have the tally clerks made an error in recording my vote? I think this is a very fine record and I congratulate them for their accuracy.

SUBCOMMITTEE ON LABOR

Mr. KELLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent that the Fair Labor Standards Subcommittee of the Committee on Labor may have permission to sit during general debate for the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

WORLD WAR VETERANS' ACT, 1924

The Clerk called the bill (H. R. 72) to amend section 21 of the World War Veterans' Act of 1924, to provide for the disposition of certain benefits which are unpaid at the death of the intended beneficiary.

Mr. ASPINALL. Mr. Speaker, a rule has been granted on this bill. I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

KLAMATH TRIBE OF INDIANS

The Clerk called the bill (S. 469) to authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, a rule has been granted on this bill; therefore I ask unanimous consent that it may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EQUIPMENT AND SERVICES TO BOY SCOUTS FOR JAMBOREE

The Clerk called the bill (H. R. 6881) to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use at the Gold Rush 1957 Jamboree of the Boy Scouts of America, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. VINSON. Mr. Speaker, I ask unanimous consent that this bill be stricken from the calendar.

Mr. CUNNINGHAM. I concur in that request, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

MEAT PROMOTION PROGRAM

The Clerk called the bill (H. R. 7244) amending the Packers and Stockyards Act, 1921, to permit deductions for a self-help meat promotion program.

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

SERGEANT BLUFF CONSOLIDATED SCHOOL DISTRICT

The Clerk called the bill (H. R. 1942) for the relief of the Sergeant Bluff Consolidated School District.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not

otherwise appropriated, to the Sergeant Bluff Consolidated School District, of the State of Iowa, the sum of $15,217.53. The payment of such sum shall be in full settlement of all claims of the said school district against the United States for tuition for children of Air Force personnel stationed at Sioux City Air Force Base, Iowa, for the school year 1951–52, 1952–53, 1953–54, which tuition payments the said school district failed to receive because of erroneous information given to them by an Air Force representative: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 4, strike out "in excess of 10 percent thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE 10 OF THE UNITED STATES CODE

The Clerk called the bill (H. R. 1061) to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title 10, United States Code, is amended as follows:

(1) Chapter 163 is amended—

(A) by adding the following new section at the end thereof:

"§ 2736. Property loss; personal injury or death; incident to use and operation of Government property and not cognizable under other law.

"(a) Under such regulations as the Secretary of a military department may prescribe, he or any officer designated by him may settle, and pay in an amount not more than $1,000 a claim against the United States, not cognizable under any other provision of law, for damage to, or loss of, property, or for personal injury or death, caused by a civilian officer or employee of that department or a member of the Army, Navy, Air Force, or Marine Corps, as the case may be, incident to the use or operation of Government property.

"(b) Under such regulations as the Secretary of Defense may prescribe, he or any officer designated by him has the same authority as the Secretary of a military department with respect to a claim for damage to, or loss of, property, or for personal injury or death, caused by a civilian officer or employee of the Office of the Secretary of Defense, incident to the use or operation of Government property.

"(c) A claim for personal injury or death under this section may not be allowed for more than the cost of reasonable medical, hospital, and burial expenses actually incurred, and not otherwise furnished or paid by the United States.

"(d) No claims may be allowed under this section unless it is presented in writing within 2 years after it accrues."; and

(B) by adding the following item at the end of the analysis:

"§ 2376. Property loss; personal injury or death; incident to use and operation of Government property and not cognizable under other law."

(2) Chapter 651 is amended—

(A) by repealing section 7625; and

(B) by striking out the following item in the analysis:

"Claims against the United States; private property; loss or damage."

With the following committee amendments:

Page 3, line 3, strike out "accrues" and insert "accrues."

Page 3, line 6, strike out "651" and insert "653".

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, the Secretary of the Navy now has power to settle claims for damages to or loss of private property not in excess of $500. The proposed bill would expand this settlement power to include the settlement of claims for personal injury and death and would increase the top limit of such settlement from $500 to $1,000. Furthermore, it would apply to the Secretary of Defense and the Secretary of the Army and Air Force as well as to the Secretary of the Navy. The Secretary of the Navy has had this power for more than 25 years and in practice it has worked well.

In the opinion of the committee there is a very practical need for the Secretary of the military departments to exercise the authority to settle the type of claims contemplated under this bill and the possession of this authority would eliminate the introduction of numerous private bills every year, for as it is expressly stated in the bill the claims to be settled under this proposed measure would be only those which are not provided for under any other law.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

FEDERAL PROBATION ACT APPLICABLE TO DISTRICT COURTS

The Clerk called the bill (H. R. 7261) to amend the Federal Probation Act to make it applicable to the United States District Court for the District of Columbia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of title 18, United States Code, section 3651, shall apply to the United States District Court for the District of Columbia. Accordingly, the first paragraph of section 3651 of title 18, United States Code, is amended by striking therefrom the words, "except in the District of Columbia", so that said paragraph shall read as follows:

"Upon entering a judgment of conviction of any offense not punishable by death or life imprisonment, any court having jurisdiction to try offenses against the United States when satisfied that the ends of justice and the best interest of the public as well as the defendant will be served thereby, may suspend the imposition or execution of sentence and place the defendant on probation for such period and upon such terms and conditions as the court deems best."

SEC. 2. The act approved June 25, 1910 (36 Stat. 864; sec. 24–102, D. C. Code) is repealed insofar as it applies to the United States District Court for the District of Columbia but nothing contained in this act shall be construed to amend or repeal the provisions of the act entitled "An act to provide for the suspension of the imposition or execution of sentence in certain cases in the Municipal Court for the District of Columbia and in the Juvenile Court of the District of Columbia," approved June 18, 1953 (67 Stat. 65).

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

PROVIDING REASONABLE NOTICE FOR CERTAIN INTERLOCUTORY RELIEF

The Clerk called the bill (H. R. 6789) to provide for reasonable notice of applications to the United States courts of appeals for interlocutory relief against the orders of certain administrative agencies.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the third sentence of subsection (b) of section 9 of the act of December 29, 1950 (64 Stat. 1132; 5 U. S. C. 1039), is amended to read as follows: "In cases where irreparable damage would otherwise ensue to the petitioner, the court of appeals may, on hearing, after reasonable notice to the agency and to the Attorney General, order a temporary stay or suspension, in whole or in part, of the operation of the order of the agency for not more than 60 days from the date of such order pending the hearing on the application for such interlocutory injunction, in which case such order of the court of appeals shall contain a specific finding, based on evidence submitted to the court of appeals, and identified by reference thereto, that such irreparable damage would result to petitioner and specifying the nature of such damage."

SEC. 2. The second sentence of subsection (d) of section 1006 of the Civil Aeronautics Act of 1938 (52 Stat. 1024; 49 U. S. C. 646), as amended, is further amended to read as follows: "Upon good cause shown and after reasonable notice to the Board, interlocutory relief may be granted by stay of the order or by such mandatory or other relief as may be appropriate."

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, under the present law—section 1039 of title V of the United States Code—where irreparable damages would otherwise ensue to the petitioner, the court of appeals may, after not less than 5 days' notice

to the agency involved and to the Attorney General, order a temporary stay of the operation of the order of the agency for not more than 60 days. It has been felt that to require the petitioner to give the agency and the Attorney General 5 days' notice in certain urgent cases prevents the court of appeals from staying the operation of the agency's order in sufficient time to avoid undue hardship to the person involved.

This bill, which has been recommended by the Judicial Conference of the United States, would simply change the requirement of not less than 5 days' notice to a requirement of "reasonable notice" to the agency and the Attorney General.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTEREST CHARGES ON CIVIL SERVICE RETIREMENT DEPOSITS

The Clerk called the bill (H. R. 3048) relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mrs. PFOST. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 601, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

The Clerk read the Senate bill as follows:

Be it enacted, etc., That section 4 (e) of the Civil Service Retirement Act, as amended, is amended by adding at the end thereof the following: "No interest shall be charged for any period of separation from the service which began before October 1, 1956."

SEC. 2. The amendment made by this act shall take effect as of October 1, 1956.

Mrs. PFOST. Mr. Speaker, I offer the first of two amendments.

The Clerk read as follows:

Amendment offered by Mrs. PFOST: Strike out all after the enacting clause and insert in lieu thereof the following: "That section 4 (e) of the Civil Service Retirement Act, as amended, is amended by adding at the end thereof the following: 'No interest shall be charged for any period of separation from the service which began before October 1, 1956.'

"SEC. 2. Section 403 of the Civil Service Retirement Act Amendments of 1956 (70 Stat. 760; 5 U. S. C. 2251, note) is amended by adding at the end thereof the following sentence: 'The beginning date of the annuity of the surviving widow of any Member described in the immediately preceding sentence who shall have died on or after January 1, 1957, shall be the first day of the month in which such Member shall have died or the first day of the month in which this sentence is enacted, whichever day occurs later.'

"SEC. 3. The amendment made by the first section of this act shall take effect as of October 1, 1956."

The amendment was agreed to.

Mrs. PFOST. Mr. Speaker, I offer a second amendment.

The Clerk read as follows:

Amendment offered by Mrs. PFOST: Amend the title so as to read: "A bill relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, and for other purposes."

Mr. BYRNES of Wisconsin. Mr. Speaker, I move to strike out the last word, and I do so to inquire of the gentlewoman as to whether or not these amendments bring the Senate bill in conformity with the bill reported out of the House committee.

Mrs. PFOST. Yes.

Mr. BYRNES of Wisconsin. So these amendments all have committee approval?

Mrs. PFOST. Yes. The first amendment is to the text of the bill. The second amendment conforms the title and the change in the text. The effect of the amendment to the text of the bill is to incorporate in the bill the language in the text of H. R. 3048 as reported by the Post Office and Civil Service Committee, which is explained in House Report No. 540, accompanying H. R. 3048. The amendment to the text of S. 601 conforms the title of this bill and the title of H. R. 3048 as reported.

S. 601 and H. R. 3048 as introduced are identical.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended to read: "A bill relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, and for other purposes."

A motion to reconsider was laid on the table.

H. R. 3048 was laid on the table.

EXTENDING TITLE II, FIRST WAR POWERS ACT, 1941

The Clerk called the bill (H. R. 7536) to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act of January 12, 1951 (64 Stat. 1267), as amended, is further amended by striking out "1957" and inserting in lieu thereof "1959".

With the following committee amendments:

Page 1, line 4, strike out "1267" and substitute "1257".

Page 1, line 5, strike out "1959" and substitute "1958".

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, under the provisions of title II of the First War Powers Act, the President may authorize any department or agency of the Government, which is dealing with national defense, to make contracts and negotiate with respect to the contracts, without regard to the provisions of the law relating to the making, performance, or amendment of such contracts. The President can authorize this whenever he deems that it would facilitate the national defense.

Pursuant to this act the President has conferred the powers authorized upon the heads of a number of departments including Defense, Commerce, Agriculture, Interior, and the Atomic Energy Commission.

It is felt that continuation of these emergency powers is important to assist the various departments in the prosecution of the national mobilization program. Under this act, for example, an executive department could modify a Government contract without requiring additional consideration where a threatened loss on the contract might force the contractor out of business.

Title II was reactivated for the Korean emergency in 1951 and has been extended ever since. Unless extended now it will expire on June 30 this year. This bill would extend it for another 1-year period until June 30, 1958.

The bill as referred to the Committee on the Judiciary provided for an extension until 1959. It was, however, the opinion of a majority of the committee that emergency legislation such as this should not be automatically extended for long periods of time without sufficient study and understanding by the committee. For this reason, the committee amended the bill so as to extend the act for a period of only 1, rather than 2 years. Meanwhile, it is my hope that the committee will make the proper study to determine whether this act should be further extended next year.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

GRANTING CERTAIN LANDS TO THE TERRITORY OF ALASKA

The Clerk called the bill (H. R. 3940) to grant certain lands to the Territory of Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby granted to the Territory of Alaska all right, title, and interest of the United States, in and to section 16, township 13, north, range 3 west, Seward meridian, containing 640.08 acres, and in and to the minerals in said lands, including all rights, title, and interest under any lease, permit, or contract covering said lands and minerals.

SEC. 2. Notwithstanding the provisions of section 1 of the act of March 4, 1915 (38 Stat. 1214; 48 U. S. C. 353), as amended, the Territory of Alaska may manage and dispose of the lands and minerals described in section 1 of this act in any manner as the Legislature of Alaska may by law direct: *Provided*, That the proceeds or income hereafter derived from said lands and minerals, over and above their cost of management or disposal, shall be set apart as permanent funds, to be invested and the income expended for the

exclusive use and benefit of the public schools in Alaska in the same manner as provided for in section 1 of the act of March 4, 1915, supra.

SEC. 3. Nothing in this act shall affect any valid rights and obligations under the laws of the United States and under the laws of the Territory of Alaska existing at the date of enactment of this act.

SEC. 4. Enactment of this act shall not entitle the Territory of Alaska to designate other land for reservation in accordance with section 1 of the act of March 4, 1915, supra, in lieu of the land granted by this act.

SEC. 5. The Secretary of the Interior is authorized and directed to issue to the Territory of Alaska, a patent for the lands and minerals described in section 1 of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SETTLEMENT AND ENTRY OF PUBLIC LANDS IN ALASKA CONTAINING COAL, OIL, OR GAS

The Clerk called the bill (H. R. 4635) to provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of March 8, 1922 (42 Stat. 415; 48 U. S. C. 376), is hereby amended:

(a) By striking out the words "from and after the passage of this act" and by inserting in lieu thereof the following: "Claims under section 10 of the act of May 14, 1898 (30 Stat. 413), as amended (48 U. S. C. 461), and"

(b) By striking out the phrase "settler who has initiated a homestead claim" and by inserting in lieu thereof "claimant who has initiated such a claim."

SEC. 2. Section 2 of the act of March 8, 1922 (42 Stat. 416; 48 U. S. C. 377) is hereby amended by striking out the last proviso of that section.

SEC. 3. The act of May 14, 1898, as amended, supra, is further amended by inserting immediately after the words "coal lands" and "gas lands" where they appear, the following: "except as provided under the act of March 8, 1922 (42 Stat. 415; 48 U. S. C. 376)."

SEC. 4. Any person who heretofore settled or entered on lands made subject to the provision of the act of March 8, 1922, under the terms of this act shall be entitled to credit toward the requirements of the act under which settlement or entry was made to the full extent that he complied with such requirements prior to the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

REVISION OF TRIBAL ROLL, EASTERN BAND OF CHEROKEE INDIANS

The Clerk called the bill (H. R. 4830) to authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That nothwithstanding the act of June 4, 1924 (43 Stat. 376) and the act of March 4, 1931 (46 Stat. 1518), the Tribal Council of the Eastern Band of Cherokee Indians, under such rules and regulations as it prescribes subject to the approval of the Secretary of the Interior, is authorized to revise the roll of the Eastern Band of Cherokee Indians of North Carolina, prepared and approved pursuant to such acts of June 4, 1924, and March 4, 1931, (1) by removing from such roll the name of any person who is not living on the date of enactment of this act, (2) by placing on such roll all members of the Eastern Band who on the date of enactment of this act are not on such roll, and (3) by making from time to time such other changes in, additions to, and deletions from the roll as the tribal council determines to be necessary. The tribal council shall, subject to approval by the Secretary of the Interior, prescribe the requirements (including the degree of Cherokee Indian blood) for membership in the Eastern Band of Cherokee Indians for persons born on or after June 4, 1924.

SEC. 2. The Secretary of the Interior is hereby authorized to prescribe such rules and regulations as may be necessary to carry out the purposes of this act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That completes the call of the eligible bills on the Consent Calendar.

CALL OF THE HOUSE

Mr. MASON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 110]

Adair	Fogarty	Porter
Bailey	Griffin	Powell
Baker	Hillings	Scherer
Beamer	Holtzman	Simpson, Ill.
Bentley	James	Steed
Blitch	McConnell	Teague, Calif.
Bowler	McGovern	Walter
Brownson	McIntosh	Williams, N. Y.
Coudert	Machrowicz	Yates
Evins	May	

The SPEAKER. On this rollcall 406 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS ACT OF 1957

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H. R. 6127, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the committee rose on Friday the bill was considered as having been read and open to amendment at any point. It was also agreed that all time for debate on the bill and all amendments thereto would close not later than 6 p. m. today.

Are there any further amendments?

Mr. SMITH of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 10, line 5, after the period add a new sentence as follows: "It is hereby declared to be the policy of the Congress that in the trial of charges of criminal contempt of court in any proceedings pursuant to this act no person shall be deprived of a trial by jury who would be entitled to such trial by jury in the absence of this act."

Mr. KEATING. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. I make the point of order that this amendment, providing for jury trial, has already been dealt with.

Mr. SMITH of Virginia. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair must state that the amendment is in an entirely different form than the one already considered and must hold that it, too, is germane and overrules the point of order.

Mr. SMITH of Virginia. Mr. Chairman, this is a very simple amendment and it is designed to illustrate the sincerity or lack of sincerity of those who debated the jury trial amendment. The entire debate was predicated upon the assertion by the ranking minority member of the Committee on the Judiciary, the gentleman from New York [Mr. KEATING], the author of the bill, and by the chairman of the committee, the gentleman from New York [Mr. CELLER], that there was no intention on the part of the authors of this bill or the Congress to deprive a person of a trial by jury who would otherwise be entitled to it.

Now, it is well known that ordinarily a person cited for contempt under section 3691 of the code is entitled to a trial by jury unless the Government is a party. In this case the Government is a party, for whatever purpose I will not discuss, but it was affirmatively asserted that there was no intent on the part of the gentlemen who propose this bill to the Congress that it should deprive any person of the right of trial by jury who would otherwise be entitled thereto. Now, this amendment simply says what they say. If they meant it, all right; if they did not mean it, let them come up on the floor and say they did not mean it.

I want you to pay particular attention to this language, because what it says is to say what they said when they were proposing the bill and debating for the bill. The amendment simply says:

It is hereby declared to be the policy of the Congress that in the trial of charges of criminal contempt of court in any proceedings pursuant to this act no person shall be deprived of a trial by jury who would be entitled to such trial by jury in the absence of this act.

Now, is that not simple? Is that not what you intended to do, or did you have your tongue in cheek when you voted against the trial by jury amendment? I am just putting you to the test. Did you mean it or did you not mean it? All this says is that it is the policy of the Congress—there is nothing affirmative about it except to express what the gentlemen expressed—that no person would be deprived of a jury trial by this bill who would otherwise be entitled to it.

In closing I want to again call attention to the language at page 8501 of the RECORD of June 6.

First the gentleman from New York [Mr. KEATING].

I will say to the gentleman that I was the author of this provision as it came to me from the Justice Department.

Which meant the Justice Department was the author, really.

I say to the gentleman categorically—

Categorically, mind you—

that, while it may be an admission of ignorance, it never entered my mind that I was taking away anybody's right to a jury trial when I introduced the measure or when I voted for it in committee and in the last Congress. Such a motive was never in my mind. I do not know whether it was in the mind of anyone else or not.

He was followed by the distinguished chairman of the committee, the gentleman from New York [Mr. CELLER] who said:

I want to say at the outset I agree with what the gentleman from New York [Mr. KEATING] said with reference to our motives. As I said before, I am a libertarian, and I would not want by any stretch of the imagination to take away any rights from anyone.

Gentlemen, there it is. I have laid it on the line. You either meant it or you did not mean it. Your vote will test your sincerity.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment offered by the distinguished gentleman from Virginia [Mr. SMITH]. We have already passed on the substance of this amendment by a very decisive vote. The amendment, which in substance is this very amendment now offered by the gentleman from Virginia [Mr. SMITH] was decisively defeated. Let me read the amendment that we defeated here Friday:

Provided, That in all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any action or proceeding instituted under this act, and the act or thing done or omitted, also constitutes a criminal offense under any act of Congress, or under the laws of any State in which it was done or omitted, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

All the gentleman does is state it in another way. He uses different language, but the import and meaning are exactly the amendment which we defeated on last Friday.

I will state that nobody acted with tongue in cheek. I would say beyond that that the gentleman from Virginia [Mr. SMITH] is as wrong as a 2-foot yardstick in proposing this amendment at this time and saying that it is different than the amendment that we defeated.

Mr. HOFFMAN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the gentleman from Virginia [Mr. SMITH] sometimes has a very, very unpleasant way of pointing down the highway we are traveling. The result is that we are shown to be inconsistent—a disagreeable feeling. He made the statement a few moments ago that during the debate the contention had been all through—and that is my understanding of it—that we were not taking away from anyone anything at all by rejecting the amendment providing for a trial by jury.

Notwithstanding the statement of the very distinguished gentleman from New York [Mr. CELLER] that this was the same amendment, different only in words, from the jury-trial amendment—previously offered—my understanding, as I listened to the ruling of the Chair is that it was a different amendment. If I am wrong I want to be corrected.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from New York.

Mr. CELLER. I think the Chair said it was only different as to form.

Mr. HOFFMAN. Different words? Well, different as to form. Do you mean it? As the gentleman from Virginia said, did you mean it the other day when you said this bill would not deprive anyone of a trial by jury? All this amendment does is to make clear that it was not the intent of this bill to deprive anyone of a civil right.

Mr. CELLER. Is the gentleman asking me?

Mr. HOFFMAN. Last Friday one of our colleagues said that we had to make the choice between the right to vote and the right to trial by jury. That was not and is not the issue. But I wonder, if that was the real issue, what Girard, awaiting trial in Japan, would say. Would he rather have a trial by jury, an American jury, or the right to vote? A vote may not do him much good if he cannot get a trial by jury.

Then another thing, some of us have grown a little bit weary of having our actions characterized in a certain way. Let me read from the RECORD: Of those who oppose this bill, it was said:

Clothing their arguments in sheep's garments of high-sounding phrases, nevertheless, the heart of their approach is one of hypocrisy and dishonesty.

I apologize to the House for sitting here and letting a Member get away with that statement. A point of order should have been made. I just did not ask to have the words taken down, as I should have.

Here is another quote:

As for me, I would like you to face your conscience and make the choice between hypocrisy and honesty.

Some are getting a little bit tired of listening to accusations of hypocrisy and dishonesty every time he does not agree with what someone, especially from those who preach the Gospel, has to say.

The gentleman from Virginia has put it right on the line. Do you mean what you said the other day when you said you were not by this bill taking away any right that was vested in a citizen?

Mr. BOYLE. Mr. Chairman, I rise in opposition to the amendment, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BOYLE. Mr. Chairman, this is the ninth day of debate. A lot has been said on both sides of this issue. When this bill cleared the committee it was evident the only amendment to the total bill of any significance or consequence was the so-called trial-by-jury proviso.

Transmitting all of those sad and bitter charges of hypocrisy and dishonesty, I am going to ask you to bear with me in these last hours of discussion to see if we can divorce emotionalism from this bill and figuratively put it in a bag, remove it from the Chamber and hang it out in the cloakroom, because its removal will help the deliberations. A cold, calm, and dispassionate view will help us discern the jury issue fairly and factually according to the dimensions of the bill itself.

Every Member who voted in favor of this measure last Friday is strong in support of the right of a trial by jury in criminal cases. They realize, like you and I, that the right to a trial by jury represents a 700-year struggle for human rights. Nobody who voted against the amendment offered by the gentleman from Illinois [Mr. KEENEY] would in anywise want that wonderful guaranty to be taken away from the American people because that right is the very cornerstone of American jurisprudence.

As I have stated on this floor on at least two occasions, this civil-rights bill provides a civil remedy in the hope of shoring up the guaranty of the 15th amendment. Being only a civil proceedings, it provides for a civil remedy permitting the Attorney General to go in and represent to the court that some one individual or a group of individuals' rights to vote are being jeopardized. On that representation by verifying complaint or by an affidavit, the court in its wisdom will or will not issue an injunction writ. If granted, the writ is served upon an individual or individuals. The party or parties are enjoined, restrained, or directed by the injunction writ to do or not to do a certain act. In the event that the individual or individuals designated and served with process decided to thwart the decretal order of the court, of course, the court then cites that individual into court under a rule to show cause and asks him in substance—did he or did he not violate that injunction writ. The opponents of the bill inject the legal proposition called criminal contempt. Criminal contempt which takes place outside the presence of the court is separate and distinguishes it from another type of contempt called civil or direct contempt which takes place in the very presence of the court. Up to this moment the opponents have conceded they have no quarrel with the inherent right

of the court to try and sentence any individual who commits a contempt in the presence of the court. What would be an example of direct or civil contempt? Assume as a lawyer I am trying a case or law suit. In the course of the trial, the court would hold against me on a question of evidence. In the face of the ruling I might observe, "Well, I think the court is silly here. I do not think the judge knows what he is doing." This colloquy having taken place in the presence of the court constitutes contempt—it is directed against the dignity of the the court and its ruling. The court could deal with me summarily and hold me in contempt of court. There is no right to a trial by jury under this hypothesis.

I respectfully submit the amendment should be voted down.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEATING. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, the gentleman from Virginia has presented a very ingenious and adroit amendment. Although it raises the same issue as the jury trial amendment, it has been ruled by the Chair to be in order. This whole question of a right to a jury trial is presented here exactly as it was in the matter which we voted on last Friday. This amendment, as it is worded, could cause some confusion. I am going to assume it means that it would permit anyone who was brought up for violation of an injunction issued pursuant to this bill to have a jury trial, because I am sure that is the intention of the author. Certainly, we must face that as the issue here.

In this field, as in many other fields, an individual who is injured and is deprived of the right to vote can today sue for damages or for an injunction. If he sues for damages, it is a suit for damages involving over $20, which comes squarely within the four walls of the Constitution. The defendant, therefore, gets a jury trial. If, however, as we provide in this bill, in order to protect and strengthen these civil rights, including the right to vote, the Attorney General, in the public interest, brings suit for an injunction, the defendant does not get a jury trial in a proceeding to punish for any contempt of the court order.

In the bill we had before us last year it was said that the Attorney General could bring an action for damages in the name of the real party in interest. That has been struck out in this bill. The only proceeding here is a suit by the Attorney General in the public interest to sustain and strengthen civil rights.

The situation is exactly the same, for instance, as it is under the Sherman Act and the Clayton Act. There, competitors who are injured by an illegal or criminal act can bring a suit for damages and in that suit for damages the defendant is entitled to a jury trial.

Likewise, the United States Government, through the Attorney General, can bring a civil suit to prevent or restrain these acts from being done. If the businessmen involved go ahead and commit these acts in violation of that injunction they can be held for contempt of court. There is no trial by jury.

The same applies under the Securities and Exchange Act, under the Public Utilities Act, and, for instance, under the Fair Labor Standards Act. Employees who are injured by a criminal violation of the Fair Labor Standards Act may sue for double damages. In such suit they would be entitled to a jury trial. On the other hand, the Attorney General may bring an action to restrain employers from continuing to violate the act. The acts may be criminal in their nature, but if the Attorney General proceeds by the injunctive process it is a civil suit; and if the person involved defies the order of the court and is held in contempt, he does not have a jury trial.

The same is true under the Interstate Commerce Act. It is true throughout our Federal jurisprudence that an injured individual may bring an action to recover damages, in which case a jury trial is required.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield for a question?

Mr. KEATING. Not at the moment.

On the other hand, if the Attorney General proceeds through the injunctive process, as is envisioned in this bill, then there is no jury trial.

The amendment before us, Mr. Chairman, is in essence and in substance exactly the amendment which we had before us on Friday, and it should be defeated.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GROSS. Mr. Chairman, I move to strike out the last word and yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I do not care for time, but I thank the gentleman for his generosity. I will state, however, since the gentleman has yielded to me, what I wanted to ask the gentleman from New York when he declined to yield for me, and after I state the question he may wish to reconcile his position. The question I wished to ask is this:

Will the gentleman describe the difference between his own statement in the RECORD which I read:

And I say to the gentleman categorically that while it may be an admission of ignorance, the thought never entered my mind of taking away anybody's right to a jury trial when I introduced this measure or when I voted for in this committee. Such a motive was never in my mind.

Now, I would like the gentleman to state what the difference is between his statement to the House which I have just read, and the amendment I have just offered.

Mr. KEATING. I shall be very happy to respond if the gentleman from Iowa will yield.

Mr. GROSS. Certainly I yield to the gentleman.

Mr. KEATING. There is no right to a trial by jury that is taken away by this bill. This bill provides that an action may be brought in the public interest by the Attorney General of the United States in accordance with a long line of other Federal statutes. In such an action there is never given a right to a jury trial to one who defies the order of the court and is cited for contempt. The statement I made to the gentleman from Maryland still stands, as does the explanation I have given.

Mr. SMITH of Virginia. I am sorry the gentleman did not see fit to answer my question categorically.

Mr. ALGER. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, I take this brief moment only to tell some of my colleagues that maybe one reason we like a jury trial is because some of us are very puzzled over the scope of this bill. I have not yet heard defined in this House, and I have listened to almost all of the debate, what the civil rights are that are involved, if we take out the right to vote. And I point out to you the language at the bottom of page 10, which reads as follows:

Providing for the protection of civil rights, including the right to vote.

Does that language include freedom of worship? The bill mentions religion. Does it include the right of free assembly, the right of free speech, the freedom of the press, or all of the first 10 amendments as well as the 14th and 15th amendments? Should we not be further covered by having this right to trial by jury, or, at least, not have a right taken away from us. I am saying nothing new from what I said the other day, last Friday and again Thursday, however, these questions have not been answered.

Mr. Chairman, when I expressed this earlier I was told by the chairman of the committee that such observations have no place in this argument, that they would not be germane to the bill. I directed my remarks, for example, to the right of a laboring man, whether he joins a union or not, to work. I tested that matter by offering an amendment. The Chair ruled that this bill dealt with political rights and that my amendment covered labor rights, therefore was not in order. In the debate we have not differentiated between political and labor rights and civil rights. Refer to section 104, paragraphs 2 and 3. Are civil rights involved in the first 10 amendments to the Constitution? Should we not, therefore, be protected by having the right to trial by jury? Do we dare take away any of these rights, such as the right to trial by jury for criminal contempt if we are tampering with these civil rights? Regardless of the merits of the present bill, should we not be accorded the protection of a trial by jury?

Having been ruled out of order and noting that my colleagues have not introduced any other amendment along this line, I do not intend to introduce any further amendment; but I rise to ask your support for the jury trial amendment and leave you with this one unanswered question which I think ought to be in the RECORD: What are specifically these civil rights that the Civil-Rights Commission is supposed to investigate? If we do not spell them out what protection do we have?

Mr. Chairman, I conclude by simply saying that unless and until we define just what the civil rights are that are

to be protected, other than the right to vote which is perfectly clear to us, there should be the right of trial by jury so that all of these are protected.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CELLER and Mr. SMITH of Virginia.

The committee divided and the tellers reported that there were—ayes 141, noes 163.

So the amendment was rejected.

Mr. RAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RAY: On page 10, line 12, strike out the words "or other" in line 12 of page 10 and insert at the end of said line the following sentence: "The district courts shall not exercise jurisdiction in proceedings authorized by this section if a plain, speedy, and efficient remedy may be had in the courts of the State or Territory in which the party aggrieved resided at the time the cause of action arose."

Mr. RAY. Mr. Chairman, I have a duplicate amendment on page 12. I ask unanimous consent that the two amendments be considered en bloc and that I may be allowed to proceed for 10 minutes on both amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. CELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. Where does the second amendment come in the bill?

The CHAIRMAN. The Clerk will report the second amendment.

The Clerk read as follows:

Amendment offered by Mr. RAY: On page 12, lines 12 and 13, strike out the words "or other" in lines 12 and 13 on page 12 and add at the end of line 13 on page 12 the following sentence: "The district courts shall not exercise jurisdiction in proceedings authorized by this section if a plain, speedy, and efficient remedy may be had in the courts of the State or Territory in which the party aggrieved resided at the time the cause of action arose."

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. ROOSEVELT. Reserving the right to object, Mr. Chairman, will the gentleman from Illinois allow 10 minutes to a speaker in rebuttal?

Mr. MASON. Where there are two amendments to be discussed; yes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RAY. Mr. Chairman, in my mind these amendments reach the most serious defect, and it is a very serious defect, in the bill before us, H. R. 6127.

Last year I voted for th civil-rights bill. After its passage here, I talked with many who had supported and many who had opposed the bill, in an effort to find out for myself what its advocates thought most important in the bill and what its opponents thought was most damaging. Both sides emphasized the same thing and that was the sweeping power given the Attorney General to bring injunction proceedings in Federal courts to the exclusion of the State courts. Further study led me to believe that there was a middle ground which would provide an adequate remedy where one did not exist, and which would not destroy the proper functions and the sovereignty of the States where adequate remedies did exist. Those with whom I had talked earlier, both pros and cons, thought the suggestion had merit.

The portions of H. R. 6127 which I would amend are in parts III and IV.

The amendments have both been read, and I will not repeat them here.

The idea for the proposed amendment came from section 1342 of title 28 of the United States Code which forbids the Federal courts to grant injunctions in certain cases raising constitutional questions otherwise within their jurisdiction "if a plain, speedy, and efficient remedy may be had in the State courts." It has been on the books for many years and it has worked well. Prior law had permitted many utilities to go into the Federal courts for injunctive relief when they thought their property was being confiscated by order of a State regulatory commission. This procedure aroused much controversy and finally Congress enacted the language above quoted. Now the companies merely proceed directly in the State court, or, if they start in the Federal court, must show that the remedy available in the State court does not meet the specifications above stated.

Before the Congress adjourned last summer, I had talked with my distinguished colleague, the gentleman from New York [Mr. KEATING], about what I was working on. His comment was that the committee's studies had been very exhaustive; that no such idea had been placed before the committee by anyone, and that he did not believe the change I proposed would make the bill any more palatable to those who had opposed it.

I discussed the idea further in last year's campaign wherever I had occasion to speak or answer questions about the civil-rights bill.

Later I talked separately with the Attorney General and the Deputy Attorney General; and with several members of the White House staff who referred me to the Department of Justice. At that Department I was told frankly, perhaps bluntly, that they wanted the bill as is.

When the bill came before the subcommittee of the Judiciary Committee, I was given a full and fair hearing but the subcommittee did not accept the amendments. They were later presented to the full committee by my distinguished colleague from Maryland [Mr. HYDE] and others—and the vote of those present was 14 in favor and 12 against the amendments. Five proxy votes held by the chairman swung the ballot against them.

That history makes clear, I submit, that this is not a last-minute idea or one introduced for purposes of debate. Neither can these be considered crippling amendments. They represent a sincere effort to find a way by which civil rights, particularly the right to vote, can be protected and given reality where necessary, and this with a minimum interference with the rights of States to make and enforce their own laws.

Where a right is assured by the Constitution, it is fitting that the Department of Justice is authorized to take action in the courts to prevent infringement or loss of that right. It is not essential and it seems to me wrong to authorize the Attorney General to take action only in the Federal courts as is provided in the sections of the bill to which my amendments relate. If the laws of a State provide plain, efficient, and speedy remedies in its courts, the Attorney General should use those courts rather than the Federal courts for the actions authorized in the bill. That is the purpose and that is the effect of the amendments I propose.

If a State does not provide remedies of that sort, the Attorney General should be permitted to go into Federal court. If there are any States whose laws do not provide such remedies, the amendments under discusssion would permit them to change their statutes in order to protect the proper sovereignty of the State, if they wish to do so.

The relationship which should exist between Federal and State laws and Federal and State Governments in fields of mutual interest was discussed clearly and effectively last year by the Department of Justice and the Judiciary Committee of the House, on pages 4 and 5 of Report No. 2576 filed by that committee on July 3, 1956, to accompany H. R. 3. I quote first from the letter signed by the Deputy Attorney General as follows:

There can be no question of the paramount, although not exclusive, interest of the Federal Government in the prevention of sedition and advocacy of violent overthrow of government, and if Congress considers it in the public interest to do so it may expressly displace State laws on these subjects. The converse is also true and Congress may elect to share its power in this area. This Department believes that the Congress should do so.

Some time ago the Attorney General stated publicly that "Experience has shown that both in theory and in result this dual system of sovereignty possesses the necessary degree of flexibility to meet the crises of the present and future as successfully as it has met them in the past.

It is the view of the Department of Justice that in the fields of sedition and subversion, the Federal and State Governments can work together easily and well supplementing each other with that degree of flexibility to which the Attorney General referred. This legislation would clearly express the Congressional intent that such cooperation between the Federal and State Governments in this field is to be encouraged.

Beyond that the committee said in its report:

As stated above, the amendment to H. R. 3 recommended by this committee deals specifically with the subject of Federal-State relationships in connection with laws relating to subversion against the governments of the States and the Government of the United States. In recommending this amendment this committee recognizes the interests and rights of the individual States to deal with criminal acts of that category within their respective jurisdictions. It has concluded that the most effective way to meet the threat of subversion and sedition, is to make it clear that Congress recognizes the right and the power of each State to enforce criminal penalties for acts, attempts, or conspiracies to commit sedition against that State or the United States, or for acts, attempts, or conspiracies to overthrow the Government of the State or of the United States.

The views of the Department of Justice and of the Judiciary Committee as to H. R. 6127 seem harsh and grasping when compared with the reasonable and cooperative statements they made regarding H. R. 3.

I appreciate that the two situations differ on facts, but there is every bit as much need to have cooperation and coordination in the field of civil rights and their protection as there is in the criminal law enforcement provisions.

The platforms of both parties contain strong assertions of the importance of preserving and strengthening the rights of States and of restoring to the States powers which have been taken over by the Federal Government in so many cases. No program has come to my attention under which our already overgrown central government would be expanded, largely duplicating existing State organizations, to the extent which would be inevitable under H. R. 6127.

I submit that the adoption of the amendments under discussion is the only way yet suggested by which, in this bill, H. R. 6127, the proper authority of the States can be fully respected and at the same time the Constitutional rights of individuals be safeguarded. I hope the amendments will be adopted.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in opposition to the amendment, and wish to ask the author of the amendment a question to see if we can arrive at a mutual understanding of the effect of his amendment.

Do I understand that the gentleman's amendment is to the effect that if there is a plain, speedy, and adequate remedy at law or in equity in the State courts, then the Attorney General is prohibited from proceeding with an injunction as provided by this law until he has gone into the State court and exhausted that plain, speedy, and adequate remedy in the State court? Is that the gentleman's amendment?

Mr. RAY. Down to the last clause, yes. When the gentleman began to say "Until he has exhausted" I would have to take exception to it.

Mr. ROGERS of Colorado. Would the gentleman's amendment then require the Attorney General of the United States to go into a State court before he could exercise the authority vested in him by this law?

Mr. RAY. It is not a question of first or second. If the Attorney General alleges in his bill that he files in the Federal Court that there is not a plain, speedy, and efficient remedy in the State courts, and the court upholds that contention he can stay in the Federal court.

If the Federal court decides that there is a plain, speedy, and efficient remedy in the State courts the trial would take place there. There would not then be a later suit in the Federal court, but there would be an appellate procedure taking the case ultimately to the Supreme Court, if necessary.

Mr. ROGERS of Colorado. Will the gentleman respond to this question? Do I understand correctly the gentleman's amendment to mean that before the Attorney General could establish the right to go in under this amendment in the Federal court he must allege that there is no plain, adequate, or speedy remedy at law in a State court?

Mr. RAY. Yes; exactly.

Mr. ROGERS of Colorado. What does the gentleman propose that the Attorney General do in the case of the violation of a law as it may relate to the Federal Government?

Mr. RAY. Just exactly what other people have had to do who have constitutional rights that have been referred to trial in State courts in the first instance. It worked well there. The rights have been protected.

Mr. ROGERS of Colorado. The gentleman has reference to those cases where State law requires public utility companies before they can go into Federal court to exhaust remedies in the State court, and as we have passed in the Congress; is that true?

Mr. RAY. It is not a question of exhausting remedies, or one remedy; it is either one or the other.

Mr. ROGERS of Colorado. But what the gentleman has in mind is that Congress has limited them to exhaustion of the State remedies before they get into the Federal court?

Mr. RAY. They never get back into Federal court except by appeal. They try the case in the State court if proper machinery does exist. It is not a case of exhaustion of remedies at all.

Mr. ROGERS of Colorado. I thank the gentleman so much for answering my question, because it is very apparent from the amendment that what the gentleman is attempting to do is to take from the Attorney General the duties and responsibilities imposed upon him by this act which would say that he should go into a State court or that he must allege in his petition for injunction that there is not an adequate, speedy remedy at law in the State courts.

Mr. RAY. May I reply to that?

Mr. ROGERS of Colorado. Was that not the gentleman's statement?

Mr. RAY. No. To start with, the Attorney General now has no right to go into a court of equity for an injunction. You are giving him that right.

Mr. ROGERS of Colorado. Yes.

Mr. RAY. And I propose a limitation upon that gift. That is all this is.

Mr. ROGERS of Colorado. In other words, what the gentleman wants to say to the Attorney General is that he has a right to do something but we are going to hamstring the Attorney General so that he cannot operate under this procedure.

Mr. RAY. Perhaps I can make it clear this way: In a large majority of the States there are adequate, speedy and efficient remedies. They act without delay. But they are not all alike, they do not involve court proceedings. However, the constitutional right of the individual is protected. I do not want to have an Attorney General have the power to set aside State procedures that are adequate for the protection of the constitutional right and be able to come into a Federal court with an injunction proceeding.

Mr. ROGERS of Colorado. Then I take it from the gentleman's answer that he does not want the Attorney General under a Federal right, to proceed in a Federal case to exercise the authority with which he is clothed until he has made an exhaustive study of the laws of that particular State to ascertain whether or not there is a plain, speedy and adequate remedy at law in that State? In other words, you deprive him of that privilege. Is there any other instance where the Attorney General or any prosecuting officer of the Federal Government is limited to what a State may do as to a Federal right?

Mr. RAY. We are taking a first step here by this legislation and I think the step should be a short rather than a long step.

Mr. ROOSEVELT. Mr. Chairman, I move to strike out the requisite number of words.

(By unanimous consent (at the request of Mr. ROOSEVELT) he was allowed to proceed for 5 additional minutes.)

Mr. ROOSEVELT. Mr. Chairman, may I first point out that it certainly would seem to be almost ludicrous to require that the Government of the United States should have to go through a State court procedure to enforce a Federal statute. I doubt very much whether anyone who has the interest of this bill at heart would want to establish such a precedent.

Secondly, I believe there is a clear legal decision on this matter and by reading that classic decision of *Lane* v. *Wilson*, which was decided on December 22, 1939, it is visible that this proposal is clearly unconstitutional. I wonder whether the distinguished Chairman of the Judiciary Committee will read the appropriate words, and I gladly yield to him at this time if he will do so.

Mr. CELLER. I will read briefly from the case of *Lane* v. *Wilson* (cited in 307 U. S.):

"Barring only exceptional circumstances" and there are cases cited "or explicit statutory requirements" statute cited "resort to a Federal court may be had without first exhausting the judicial remedies of State courts."

Mr. ROOSEVELT. I thank the gentleman very much. That it seems to me decides the case, if there is any doubt in the minds of any of us, as to the unconstitutionality of the proposal proffered.

The unalienable right of every citizen to vote is guaranteed by the Constitution and therefore protected by the Federal Government. The sole purpose of H. R. 6127 is to strengthen already existing Federal statutes. The desperate need for further legislation has been clearly shown by the fact that the States, to which this amendment would require that the power of redress be returned, have proven incapable and undesirous of protecting that right. The sections on page 10, lines 8 to 12, and page 12, lines 9 to 13, are included expressly because the States have failed to protect voting rights. The amendment proposed by the distinguished gentleman from New York [Mr. RAY], can only serve to undermine the effectiveness of this legislation and indeed to virtually destroy it in those areas where it is most vitally needed.

Although on the surface the gentleman's measure appears reasonable, in that he recognizes the necessity for speedy and efficient remedy of civil rights violations, let us examine more closely the tortuous path which an aggrieved party whose right to vote has been denied must travel in order to secure relief and who lives, as an example, in the State of Mississippi.

First he may appeal to the district attorney or the State attorney general to petition the circuit court for an order enjoining the election officer to allow him to vote. If his request is denied, he may himself appeal to the circuit court for a writ of mandamus—mandatory injunction—for the same purpose. If the court refuses his petition, he has one additional recourse. If he is a "reputable citizen," a term not defined in the Mississippi Code, he may then initiate a criminal action. This will afford him the satisfaction of punishing the election officer, but it will not provide for him the opportunity to vote.

Now, certainly there has been little evidence in the past that many State courts look with sympathy on claims of this nature nor any indication that they might in the near future. Yet the aggrieved resident of Mississippi is forced to turn to this proven hostile source for relief, which the gentleman assures us must be plain, speedy, and efficient. But who is to determine whether or not redress will be speedy and efficient or even what defines the terms? Surely the burden of proof that it will not be sufficiently so will fall on the petitioner. The broad undefined nature of this amendment seems an indication that it is not in fact presented for any other reason than to destroy the effectiveness of the bill under the cloak of preserving a State's right.

The purpose of the original section is to enable the Attorney General to institute suits and thus relieve the citizen from the need to institute them in his own name. Hearing testimony has shown that individual action to secure civil rights has led to intimidation and even physical violence. Moreover, there is nothing to prevent State courts and administrative agencies from changing their rules of procedure for redress if the Federal court determines that action has not been plain, speedy, and efficient and substituting an equally slow process in the name of compliance. This compliance might then be tested again in long, drawn-out proceedings. All we have to do is look at what is happening in certain States respecting the application of the Supreme Court decision in the school integration matter.

H. R. 6127 is specifically limited to Federal elections. On page 11, lines 11 to 21, amending section 2004 of the Revised Statutes (42 U. S. C. 1971), the bill reads:

> No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election.

The precedent for direct Federal action, bypassing existing State machinery, is clear in the many examples of constitutional guaranties which run concurrently with State guaranties where jurisdiction is clearly defined. In cases of Taft-Hartley violations involving interstate commerce, the National Labor Relations Board may institute suits in States which have their own, and occasionally similar, legislation that is applicable only in cases involving intrastate commerce. Under the present sections of H. R. 6127, the power of the Attorney General would be directly comparable to that of the National Labor Relations Board in instances of elections including at least one Federal office, with State judicial and administrative remedies reserved for exclusively State and municipal elections.

There must be no delay or obstruction to the rightful consideration of alleged denial of equal protection. Speed and efficiency, and litigation through the State courts to get to the Federal court are mutually exclusive actions. It is impossible to have both. I assure you that if this amendment is adopted, the successive appeals which must be made in order to reach the Federal judicial level (and there can be no guaranty that this will not be the case) will consume such time, energy, and expense that few will attempt it. Those few will have spent long periods of time in a state of deprivation of the very rights which this legislation seeks to insure. I urge the defeat of this amendment by all those who sincerely wish to assure the right of every American citizen to be protected in his constitutional right to vote without tieing him up in all kinds of redtape.

Mr. Chairman, I am now glad to yield to the distinguished gentleman from New York [Mr. RAY].

Mr. RAY. Mr. Chairman, I think the gentleman made it clear in the course of the remarks he made following my effort to ask a question, that the remedy in the State he mentioned, if it is as he described, could not qualify as a speedy, efficient, and adequate remedy. The Federal court decides that question in the first instance. There is no exhaustion of remedies in one place before going to the other to start the proceeding. The Attorney General can start the proceeding in a State court or he can start it in a Federal court.

Mr. ROOSEVELT. Mr. Chairman, I would simply say to the gentleman that I have not been able to find anywhere a definition of speedy, direct, and efficient means. I think the gentleman will agree that if time is consumed to litigate and decide the question, there would be no question but that the election would be over and the right to vote would have been denied.

Mr. RAY. If the gentleman will yield further, I do not have the citations, but there were decisions under section 1342, title 28, which I mentioned, which define that question.

Mr. ROOSEVELT. Would not the gentleman agree that there would have to be a new definition in each case?

Mr. RAY. In my experience with the Department of Justice, which has been considerable, I would say that they know the law of the States and they can find that more rapidly than I. I have no question about their ability to decide that question quickly and easily.

Mr. CELLER. Mr. Chairman, will the gentleman from California yield for a unanimous-consent request?

Mr. ROOSEVELT. I yield.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, the last 5 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. BOYLE. In connection with the amendment, is it not a fact that the section and title cited, namely section 1341, provides for taxes by the States and the language in that first section says that—

> The district courts shall not enjoin, suspend, or restrain the assessment, levy, or collection of any tax under State law where a plain, speedy, and efficient remedy may be had in the courts of such State.

That refers only to the State's ability to tax, is not that so?

Mr. ROOSEVELT. I think that is correct.

Mr. BOYLE. And no Federal law is involved, as the gentleman stated in his opening remarks.

Mr. ROOSEVELT. I thank the gentleman.

Mr. BOYLE. If the gentleman will yield further so I may make the observation that section 1342 has to do with rate orders of State agencies. The language says:

> The district courts shall not enjoin, suspend, or restrain the operation of or compliance with any order affecting rates chargeable by a public utility and made by a State administrative agency or a rate-making body of a State or political subdivision.

Mr. ROOSEVELT. The gentleman is correct and I thank him.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ROOSEVELT. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Florida.

Mr. CRAMER. May I ask my distinguished colleague from California if he or the chairman of the committee can cite any existing statute which carries a provision similar to the one under discussion which has the effect of preempting all State laws involved?

Mr. BOYLE. In the absence of the chairman, I would say there were none.

Mr. CRAMER. I think the gentleman is correct and thank him for his candor, because I understand there is no such statute presently on the books, and that this is writing new statutory law, regardless of the fact that the Wilson case held judicially to that effect. There is nothing to my knowledge on the statute books of a similar nature under any other statute.

Mr. ROOSEVELT. In answer to the gentleman, may I say that he is correct. I think the reason is because of the prior decision recognizing it was unconstitutional.

Mr. CRAMER. I differ with the gentleman as to his reasoning because I fundamentally believe that the Federal Government does not have an exclusive remedy or right in these different fields to the exclusion of all State statutes on similar subjects.

The CHAIRMAN. The time of the gentleman from California has expired.

The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, it is my opinion that the Federal statutes do not in these fields preempt State statutes where there are similar Federal statutes under our Constitution. May I ask the gentleman, however, a question with regard to the activities of the Committee on the Judiciary. Last year, as I am sure the gentleman is aware, our committee considered at length Mr. SMITH of Virginia's bill with regard to the preemption of the State statutes by Federal statutes on similar subjects as ruled by the Federal Supreme Court. As a compromise on that bill, there also having been a resolution introduced in regard to the sedition and subversion findings on the part of the Supreme Court, overruling those findings so far as they relate to sedition and subversion, a compromise bill provided that as a matter of policy as far as the United States Congress is concerned in these fields the Federal statutes do not preempt the State statutes but a person might be convicted under either statute.

The House Committee on the Judiciary voted that compromise bill out favorably, overcoming the preemption theory so far as sedition is concerned. Does not the gentleman think it is highly inconsistent that they should vote out this provision which is nowhere else existing under the law?

Mr. ROOSEVELT. The gentleman has asked me a question about the Judiciary Committee, of which I am not a member. I would have to yield to a member of the Judiciary Committee to answer that.

Mr. CRAMER. I yield to the gentleman from Illinois to answer it.

Mr. BOYLE. There is no preemption in this bill. The only area germane in the discussion of this amendment is the Federal rights that are guaranteed by the Federal Constitution. The language has been taken out of State statutes, which provide procedures, in two instances only, in connection with taxes and utility rates. They refer specifically to State laws. It is easy enough to see why the gentleman from New York would talk about those sections because that branch of law is his specialty. It is my understanding he was a former vice president of a telephone company, and its general counsel, which should not serve to disqualify him; as a matter of fact, it shows he has superior knowledge on the subject. But there is no reason to confuse the issue when the issue is simply whether these are Federal rights guaranteed by the 15th amendment.

Mr. CRAMER. On that point, I ask my distinguished colleague, Is it not always a defense in any Federal case that the administrative remedies have not been exhausted?

Mr. BOYLE. Only where you are talking about such rights, not where you are talking about rights guaranteed by the Constitution as it refers to restrictions on State activities. The Attorney General under the Constitution has the unqualified right to proceed in the Federal courts.

The CHAIRMAN. The time of the gentleman from Florida has expired.

The Chair recognizes the gentleman from Illinois [Mr. BOYLE].

Mr. BOYLE. I yield to my colleague from Florida.

Mr. CRAMER. I call attention to page 10 of the report, the last sentence on the page, and ask the gentleman if this is not going much farther in this bill as reported out of the Judiciary Committee than it has ever gone before, so far as statutes are concerned, and even so far as judicial decisions are concerned. It says:

> As to the exhaustion of State administrative remedies, the proposal does change existing laws to a certain extent.

This in my opinion is a most dangerous departure from all existing laws and decisions, a departure admitted by the committee.

The report says:

> The Committee on the Judiciary believes that a waiver of the doctrine of exhaustion of State administrative remedies is necessary in civil rights' cases—

Admitting they are going farther than even the courts have held up to the present time.

Mr. BOYLE. Answering the question categorically, I would say you are correct. There is nothing fatal about the fact that this bill might go a little bit farther than previous legislation. There is, as the gentleman knows in common law no rule requiring an exhaustion of remedies anticipatory to or as a condition precedent to proceeding under a Federal statute. But, I would rather transmit that question because I do not think we need to get into that area to resolve the simple proposition of whether or not under the guaranties of the 15th amendment we need a civil suit with a civil remedy to firm up this guaranty of the right to vote.

Mr. CRAMER. Will the gentleman yield further?

Mr. BOYLE. I am glad to yield to my colleague.

Mr. CRAMER. Could I give the gentleman a concrete example of what might happen under this?

Mr. BOYLE. If the gentleman wants to indulge in a hypothesis on my time I am going to let him, but I would prefer to use my own time to address the Committee.

Mr. CRAMER. Suppose the supervisor of registration in my own county is involved in this kind of case. Someone comes to her and asks to register. She says, "No, you have not been, in my opinion, in the county for 6 months and in the State for 1 year as is required by law." The supervisor of registers likewise, if she does not carry out that law, is subject to removal by the governor. Now a case is brought by that person seeking to register without going to the county commissioner. Let us assume they are administrative remedies which the present law gives him, if the supervisor does not carry out those responsibilities, the person seeking to register could have gone to the county commissioners to appeal the case, but he did not do it. Instead of that, he asked the Attorney General to bring an injunction under this statute. What happens? Even though the supervisor would be guilty of a crime for not complying with State law requiring residence, in her discretion he determined that man was not there for a year, without even having to exhaust the administrative remedy, she could be put in jail for contempt, if she does not carry out the court's orders.

Mr. BOYLE. The answer is "No," because as a condition precedent to coming into court and asking for relief there would have to be first the certification that the individual aggrieved has properly registered under existing law.

The CHAIRMAN. The time of the gentleman has expired.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. FORRESTER].

Mr. FORRESTER. Mr. Chairman, it is mighty hard for a southerner like me to try to say anything in 2½ minutes. However, I rise to say this to you. The forefathers of some of us participated in the War of Independence trying to free themselves and their posterity from

the British yoke. There were certain people in this country who were called Tories and who opposed the ambitions and aspirations of our people to set up a democracy. You know they opposed liberty under democracy for this reason. They said that no democracy had ever existed more than 200 years or could exist for more than 200 years because the people would become so greedy and so corrupt and the officers of the central government would become so intoxicated with power that they would pull down the pillars that supported the temple of democracy. I have witnessed things here today and last week that make me ask you, my friends, to seriously consider what the Tories said about how long a democracy can last. Soon we will be 200 years old. I have seen sovereign states' rights made complete shambles on this floor. I have seen the work of a power hungry centralized government at first hand. I have seen the Government of the United States—not individuals—come in and ask for the right to deny people the right of trial by jury as they have under existing law. I have heard this highhanded and unconstituted request defended on the theory that we must appease people across the seas. So far as trying to appease the Communists is concerned, it cannot be done and ought not to be done. I have the Communist party platform of 1928 here before me. I want to tell you in all seriousness and in all candor we have already, through legislative, executive decree and Supreme Court decisions, done everything that the Communist party asked for in 1928 so far as the races are concerned. There is no appeasement. They only ask your abject surrender, and the Republicans and Democrats in this house know I am telling you the truth.

Here are the demands of the Communist Party set out in its platform of 1928, as the same appeared in the Daily Worker, Saturday, May 26, 1928, page 6:

DEMANDS

1. Abolition of the whole system of race discrimination. Full racial equality.

2. Abolition of all laws which result in segregation of Negroes. Abolition of all Jim Crow laws. The law shall forbid all discrimination against Negroes in selling or renting houses.

3. Abolition of all laws which disenfranchise the Negroes on the ground of color.

4. Abolition of laws forbidding intermarriage of persons of different races.

5. Abolition of all laws and public-administration measures which prohibit, or in practice prevent, Negro children or youth from attending general public schools or universities.

6. Full and equal admittance of Negroes to all railway station waiting rooms, restaurants, hotels, and theaters.

7. The War and Navy Departments of the United States Government should abolish all Jim Crow distinctions in the Army and Navy.

8. Immediate removal of all restrictions in all trade unions against the membership of Negro workers.

9. Equal opportunity for employment, wages, hours, and working conditions for Negro and white workers.

It is strange to the people of the South and the good people everywhere that somehow the Democrats and Republicans have been so forgetful of the South. Every Communist demand has been met with the sole exception of the abolition of laws forbidding intermarriage of persons of different races.

A case is now pending before the United States Supreme Court asking that laws forbidding such intermarriages be held unconstitutional. I want to now predict that the United States Supreme Court will strike down such laws and will hold that they are unconstitutional.

The CHAIRMAN. The gentleman from Texas [Mr. ROGERS] is recognized.

Mr. ROGERS of Texas. I did not ask for time, Mr. Chairman, but since I have been recognized I ask unanimous consent to yield my time to the gentleman from Georgia [Mr. FORRESTER].

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FORRESTER. I thank the gentleman from Texas.

In all kindness I want to tell you now you are doing the last thing that the Communists asked you to do and still, still, we are facing the threats of all-out war by the Communists. They only want you to implement the Executive desires and Supreme Court decisions already made, and this proposed legislation will do that.

I tell you now, I do not like it. I want all of you to know I do not like it.

You have maligned my people of the South. I have heard you talk about Georgia, Alabama, Mississippi, and other States in terms of condemnation I did not know could be uttered. But, oh, when the going gets rough you are going to be mighty glad to see us marching side by side with you, and you are going to expect us, and we are going to come—when the crowd that you are voting for and the crowd that you are accepting instead of us deserts you; and many of that crowd will desert you. Yes, you are going to be mighty glad to see us when the day of wrath is being visited upon you.

I am ashamed of the contempt that has been demonstrated on this floor toward my people. I resent it. You say that you did not say that the southerners will not convict. Of course you said it. It has been said by Mr. Brownell; it has been said in the Judiciary Committee, it has been shouted from the housetops; it has been written upon the doorposts. You have said it, of course you have. You have branded my people as felons. You are branding my people by this legislation. You on both sides of the aisle will someday regret that you did it.

And I say to the Democratic side, to the Republican side, you whip us, but our heads are unbowed; and although you are going to whip us today, and I know it, my people are willing, if we have to, to walk alone through the fiery furnace. Do not forget that. But if we walk alone we will walk unafraid and unashamed, proud of our heritage, proud of States rights, and delighted to know that we did not participate at the States rights funeral, the constitutional funeral, posterity's funeral, conducted today.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. MCCULLOCH] for 2½ minutes.

(By unanimous consent, Mr. MCCULLOCH yielded his time to Mr. KEATING.)

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KEATING] for 5 minutes.

Mr. KEATING. Mr. Chairman, we should remember in the consideration of this amendment, as with others, that it involves a proceeding by the Attorney General in the public interest. That is the only basis upon which he is entitled to proceed. It would, in my judgment, be completely destructive of the purposes of this bill and a complete innovation of the Federal law to require the exhaustion of State remedies by private individuals before the Attorney General could bring suit under this bill.

We have heard a lot of theory. Let us take a specific case which might make it clear. Suppose that individuals A, B, and C complain to the Federal Government that the registrar of voters in a particular county has discriminated against Negroes in registering persons to vote. An investigation then indicates that the complaints are justified and that there has been a continuance of this widespread discrimination which keeps Negroes off the voting rolls.

There are State administrative and judicial remedies open to A, B, and C, and other individuals, but they cannot exhaust them, either because it costs too much, or because the local social and economic pressures are such that they dare not bring an action. There is no remedy open to the Attorney General before these State administrative agencies or the State courts, and nothing done by this Congress can create a remedy for the Attorney General in State courts.

To require the Attorney General to wait until each individual has exhausted his State remedies, administrative or judicial, or both, would mean that Federal intervention would be denied in those very areas where it is most needed. Instead of relief in 1957 or 1958, we would have relief in 1970 or 1978. In an area where there are adequate and speedy local remedies, and where citizens, as a practical matter, are able to take advantage of those remedies, there would be no occasion for Federal suits and there would be no occasion for bringing this bill to you. The whole reason for this legislation, or for any civil rights legislation, is to permit Federal intervention in those situations where, for one reason or another, the local areas do not provide adequate remedies where persons are being deprived of their constitutional rights.

The proposed amendment, offered in good faith by our able colleague from New York, by making Federal action dependent upon private invocation of State remedies would, in effect, permit the nullification of Federal policy by local pressures upon private complainants.

There is a very great difference between the cases cited by our friend from New York and the situation under this bill. He has cited instances where there

is similar legislation in the Federal field now, cases relating to public utilities, for instance. He says in those cases remedies in the State court must first be exhausted, which is true, but there is this distinction: Those are suits brought by one private individual against another. You are not dealing in those cases with a suit brought by the Attorney General, or by the United States Government, in order to vindicate a public interest.

In section 1342, which he cited, Congress itself recognized that the situation was different when a Federal interest was involved. That section permits the Federal courts to retain jurisdiction, even though an adequate State remedy is available, where the State order interferes with interstate commerce.

Mr. Chairman, the pending amendment should be defeated.

Mr. DOWDY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DOWDY. Mr. Chairman, I rise in support of this amendment to preserve the rights guaranteed by the 9th and 10th amendments by striking from this bill the provision to bypass the State courts.

For the benefit of everyone here, and everywhere, let me say there is great danger and there are strong pressures to deprive us of our dearly bought and deeply treasured individual freedom and personal liberties. We must make up in determination what we have lost in time, and if we are determined, we can still preserve the liberties guaranteed us by the Constitution and the Bill of Rights.

There is a relationship between States rights and the fight against Communist subversion in our Nation.

A repentant ex-Communist once said:

Communism is not an economic system. It is a conspiratorial drive for tightly centralized government in the hands of Godless gangsters. Communism must, as a prerequisite for success of its conquest, pull all powers of the Government into one place—Washington, D. C.

It must first have central control of police; second, central control of the ballot box; third, central control of property and business; fourth, central control of the press; and fifth, last but not least, central control of education.

In this country the Constitution of the United States decentralizes the control of all these things by constitutional mandate. As long as the constitutional doctrine of States rights is maintained in this country, the Communist conspiracy can never succeed.

Neither can any other effort to establish a dictatorship or tyrant to rule over us, and our individual rights, liberties and freedoms will continue to live.

Under our Constitution, and the express language of the 10th amendment, all powers not delegated to the Federal Government by the Constitution are reserved to the States and to the people; and among those things that are not delegated to the United States, among the powers and authorities that are reserved to the States and to the people in the States are the control of the police, the control of the ballot boxes, of property and business, of the press, and the control of education.

Unless we can maintain the decentrallization of these controls, all of our efforts to frustrate the continued inroads on our personal rights will be lost, and the possibility of tyranny from un-American dictators will be enhanced.

If dictatorship, whether Communist or otherwise, comes to our beloved Nation, it will come as history shows it has come to every dictator-controlled nation, as it came to Czechoslovakia under Hitler and Hungary under Russia. It will come by the centralization of power in one place in each country, and when this is safely tucked away in one place, the dictator can grab those powers and subjugate the nation. History shows that to be the pattern followed through the ages to the present day.

So, what is the remedy? What is our protection? We must revive, reestablish, and preserve States rights. For such protections as we have left, we do not owe thanks to our present generation; we do not owe it to our present-day officials, though I will say some of us have held out for those freedoms and resisted all steps toward centralization. We owe our thanks for those protections to the foresight and the courage of the Founding Fathers. In the 10th article of the Bill of Rights they said to us, finally and faithfully, what we could do in order to save America:

The enumeration in this Constitution of certain rights shall not be construed to deny or disparage other rights retained by the people. The delegation in this Constitution, the rights not delegated to the United States, are reserved to the States and to the people of the States.

We have heard a great deal about the fifth amendment, for traitors and other people in trouble rush for its protection, but we should be thankful for and remind ourselves continually of the 9th and 10th amendments, for they were designed to protect and preserve our Republic, by insuring decentralization of power, by reaffirming States rights in unmistakable words.

Yet in one of the nominating conventions held in August of last year, a governor of one of the States finally managed to get the floor and said, "I have sat on the floor of this convention 4 days and have yet to hear anybody say anything about States rights or constitutional government." Eight days later at the near end of the other convention, somebody might have gotten the floor and could equally as truthfully said, "I have sat in both conventions all the time, both day and night, and have yet to hear anybody say a thing about States rights or constitutional government."

Faced with that situation we need to tell ourselves, and tell the world that States rights and constitutional government are still important in this country and to our children and to the future generations in this world.

Mr. CELLER. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, as the gentleman from New York [Mr. KEATING] says, the gentleman from New York [Mr. RAY] has in mind rate cases, public utility rate cases. The idea for the proposed amendment comes from section 1342, title 28—I am reading from Mr. RAY's testimony given before the Rules Committee—of the United States Code, which forbids Federal courts to grant injunctions in certain cases otherwise within their jurisdiction if a plain, speedy, and efficient remedy might be had in State courts.

That law refers to rate cases, to cases involving property rights, the rights of electric light companies, the rights of gas companies, the rights of companies with reference to rate cases. But we are dealing here with human rights and not with property rights.

Furthermore, the district courts have jurisdiction over actions for conspiracy to interfere with civil rights and of actions to redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege, or immunity secured by the Federal Constitution or any act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States.

Now, what do we have with this amendment? It says, in effect, that if there is a speedy and effective trial in the State courts, then the person aggrieved cannot go into the United States district court. Now, in most cases, I do not say in all, but in most cases, there are State statutes which hold that in order to get into the State court you must have exhausted, as a condition precedent, your administrative remedies. I do not say that is true in all cases, but in some cases.

Now, what does that mean? It means the party aggrieved would have to exhaust all the administrative remedies that the State law provides. That could be a veritable obstacle race. He might have to file his papers at the State capital far distant from his residence. He might have to satisfy certain onerous conditions with reference to the presentation of evidence; the bringing of witnesses at all odd stages of appeal and review. I can envisage all manner and kinds of hindrances and difficulties that would be attendant upon the path of the person aggrieved in order to get his rights redressed administratively, and then after he satisfies all administrative remedies he then files in the State court.

Then there starts another obstacle race. By that time the individual who is hurt, to use the phrase of a popular song, is really bewitched, bothered, and bewildered. He would not know where he was at; he would be old and gray before he could get his wrongs redressed, and that is exactly what would be the result attendant upon the gentleman's amendment if we adopt it. You would utterly destroy and render abortive and ineffectual this whole bill, which is an attempt to prevent the filching of rights from certain individuals. We know that there are rights now under the old statute, the statute of 1871, which gives the aggrieved individual the right to go into equity or go into law and sue for an injunction or sue for damages. But, what happens? There has been a dearth of those cases.

You can count those cases on your fingers. That law has been on the statute books for 86 years. Why have there been so few cases? Because the individual does not know what his rights are. There is no attempt to explain to him what his rights are. He is kept in the dark as to what his rights are, and if he has the intelligence to know, then he probably has not got the money to hire a lawyer to go through the intricate administrative, legislative, and judicial processes, and for that reason I hope this amendment will fail.

There is an often-repeated statement that there is a rule of judicial administration that no one is entitled to judicial relief for a supposed or threatened injury until the prescribed administrative remedy has been exhausted. However, the Supreme Court has often provided judicial relief in the absence of exhaustion of administrative remedies. Moreover, State courts probably require exhaustion of administrative remedies less frequently than the Federal courts.

The true status of the law as embodied in case holdings clearly is that sometimes exhaustion is required and sometimes not. The precise limits of the application of this doctrine of exhaustion cannot be readily defined. This is all the more clear when it is remembered that we are dealing here with a rule of judicial administration which a court may rightly relax under the use of its discretion in the exercise of equity jurisdiction. Indicative of this fact are the apparently contradictory rulings of the courts on the doctrine of exhaustion.

There are, however, certain fairly well-defined exceptions to the requirement. These exceptions are usually, first, that the action of the agency is unconstitutional; second, clearly illegal; third, beyond the jurisdiction of the agency; fourth, that the agency action will cause irreparable injury; and fifth, agency remedies are clearly inadequate. However, in regard to these exceptions it should be remembered that there are contrary holdings and it appears that each case must be determined on the particular facts involved.

The situation is particularly acute in regard to racial cases, particularly since the rendering of the school segregation decision. Several of the States have enacted statutes relating to the assignment of pupils; these statutes usually contain specific standards and provide for review of assignment both by higher administrative agencies and State courts. Thus, a number of recent cases have arisen in the Federal courts on the admission of children to public schools without regard to race or color. In these cases the major issue is whether or not the administrative remedies under the statutes must be exhausted. The principle factor in these cases appears to be, first, the constitutionality of the statutes, and, second, the adequacies of the remedies.

It appears that the recently enacted State statutes were deliberately designed to operate under the doctrine that administrative remedies must be exhausted before judicial relief may be had.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. RAY].

Mr. RAY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers the gentleman from New York [Mr. RAY] and the gentleman from Colorado [Mr. ROGERS].

The Committee divided, and the tellers reported that there were—ayes 127, noes 147.

So the amendment was rejected.

Mr. BROOKS of Louisiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Louisiana: On page 12, line 4, after the period insert, "No person shall be tried for contempt of any such restraining order or injunction except within the judicial district wherein the alleged contempt occurred."

Mr. ROGERS of Colorado. Mr. Chairman, I make the point of order against the amendment that it is not germane to any legislation here and would seek to change the jurisdiction of the court that might have charge of the contempt proceeding. It relates purely to venues and has nothing whatsoever to do with the legislation here, as it relates to jurisdiction.

The CHAIRMAN. Does the gentleman from Louisiana desire to be heard on the point of order?

Mr. BROOKS of Louisiana. Yes, Mr. Chairman.

Mr. Chairman, this amendment involves substantially the same principle as the original amendment presented to the Chair for decision which is known as the trial by jury amendment. It simply provides procedure within the framework of the terms of this bill for carrying out the terms of the bill. It does not add anything to it. It provides additional procedure. I submit it is well within the terms of the bill.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from Louisiana offers an amendment to page 12, line 4, of the bill now under consideration, and particularly to that section referring to the appearance of the Attorney General to institute for the United States or in the name of the United States a civil action or other proper proceeding dealing with contempt.

The amendment has to do with practically the same subject. The Chair is of the opinion that the amendment is germane, and so rules that the amendment is germane and overrules the point of order.

Mr. BROOKS of Louisiana. I thank the Chair very much.

Mr. KEATING. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. BROOKS of Louisiana. If it is not taken out of my time.

Mr. KEATING. I want to know to what part of the bill the amendment is offered. I do not understand it.

Mr. BROOKS of Louisiana. I will explain it to the gentleman if he will be patient and listen, and I hope he will accept it. I think it is acceptable. I do not see why anyone here cannot accept it without in any way compromising his position back home and without in any way violating any of the ideas of right and wrong which he may have in his mind or conscience.

Mr. Chairman, this amendment simply provides that no person shall be tried for contempt under any of these injunction orders issued under this act save at the place where the act occurs. Without this amendment, what is the situation? You could get a contempt order from a court, let us say, in Virginia. That order could be mentioned in the papers. What may happen out in the State of California? Someone out there by reading the newspaper may fall within the terms of the act. In that event, this person can be cited for contempt by the Federal court in Virginia and be brought across the continent, from the West Coast to the East Coast, and he can be tried right here in Virginia under the jurisdiction of the court that issued that order. I submit that that practice is wrong. It is wrong economically because it is going to cost the Government a lot more money to move the witnesses across the whole continent and to bring that defendant across the whole continent. It is wrong morally because it takes a person away from his home and his surroundings and brings him to a court miles and miles away from where he normally has his habitat and where the act occurred. It is wrong from the viewpoint of the United States because the Attorney General will be faced with the same problem of obtaining the attendance of witnesses in proving the violation of an injunction order and proving the contempt of court by having to move his witnesses and his investigating staff to a distant point for the trial of the contempt.

Mr. Chairman, without this particular provision in this statute, someone reading a newspaper in California and reading this order restraining certain acts can be cited, as I say, by the Federal court in the State of Virginia and be brought to trial thousands of miles away from where the act originally occurred. In the history of this country, and in the history of Anglo-Saxon jurisprudence, we have always maintained the practice in criminal cases of trying defendants where the act occurs. This is a radical departure from this particular philosophy that we have followed all through the time of the development of our jurisprudence. Unless we place this particular provision in the statute, such an abuse can grow up and become legal under this bill. So as to avoid and obviate any need for any discussion of differences of opinion about it, I borrowed the books of the distinguished chairman of this committee and I read from them. He has one there on his table. It says, specifically, unless we write this in the law, trial can be had at distant points from where acts of this sort occur. Nothing can be gained by trying a man 3,000 miles away from his home. Nothing can be gained in time. A lot has been said about time. You can actually save time if you try that man where the act occurred in the State of California, Texas, or Illinois, or wherever it might

be. You have every advantage in trying him where the act occurred and you have every disadvantage in taking him to a distant point where the order may have been signed. I hope, therefore, that the chairman of this committee will accept the amendment and I yield time for him, if he wishes, to agree or to accept the amendment. I would like to hear from the gentleman.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I wish I could accede to the wishes of the distinguished gentleman from Louisiana, my very dear friend, but I must register emphatic objection to his amendment. He submits to the Committee a suppositious case of a judge in Virginia trying to reach out to somebody out in California. That is not likely, to have a Virginia judge reach out some 3,000 miles across the continent.

In the first place in order for that to be done there must be jurisdiction of the case in Virginia. Not only that, but the contemnor, the person who violates the order, must have knowledge that he is violating the order, and it must be a willful violation.

So before you can fine or punish a man for violation of an injunction, as for contempt, you must prove the violation; the burden is on the court to show knowledge in the first instance. Second, there must be willful conduct.

Now, there is a big gap between the court and the so-called contemnor, that is between Virginia and California. I cannot conceive how you could have the presence of both knowledge and willful conduct.

I think the gentleman from Louisiana is wrong in his premises and he has conjured up a lot of things; in a way it is looking for ghosts under the bed.

For the reasons I have stated I hope the amendment will be voted down.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. BROOKS of Louisiana. Why, may I call the gentleman's attention to the rule, 42, section 2428, page 324 of the middle volume right there on the gentleman's table, where anyone out in California reading of a court proceeding of this type in Virginia may after merely reading that fact in the papers, be cited for contempt of the order out in California, and as a result brought here to Virginia for trial for that violation of the restraining order.

Mr. CELLER. How could the order be served in the first instance?

Mr. BROOKS of Louisiana. It is served by notice printed in the papers; and there is the case right before you at the bottom of that page I referred to; there is the case there that I have read. The gentleman should take time to read it, too.

Mr. CELLER. I do not agree with the gentleman in his conclusions.

Mr. BROOKS of Louisiana. The gentleman has studied this a great deal, I know, but he has covered so much territory he forgets some over which he has passed. I have pinpointed this for the gentleman; I have been studying this in particular and I am indicating to the gentleman what the law on this is.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to ask the chairman of the Committee on the Judiciary a question or two concerning a provision on page 9 for the creation of an additional Assistant Attorney General. Will the gentleman from New York tell me how many assistants—

Mr. CELLER. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

Mr. GROSS. Mr. Chairman, it seems to me that the question of an additional Assistant Attorney General is important to this bill and to this amendment.

The CHAIRMAN. The gentleman will proceed.

Mr. GROSS. I yield back my time. I will get time when there is no amendment pending.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment, and I will not take 5 minutes.

Mr. Chairman, usually a person will be tried in the district where the alleged contempt occurred. For that reason, at first blush, this might not appear to be a serious amendment. But to read into this statute a compulsion such as exists in no other statute requiring that the person be tried in the district where the contempt occurs seems to me extremely unwise. If we are going to go about this problem at all let us do it by a general legislative act and not single out the civil rights legislation as the only piece of legislation where we put such a restrictive provision in.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. BROOKS of Louisiana. If the gentleman will read this proceeding set forth in volume 4, section 2428, rule 42, page 324, he will find specifically set forth on that particular page that clause of the statute, and I am reading the wording of it. It requires trial in the district where the contumacious acts are committed. Trial cannot occur elsewhere.

And they cite this case. Actually it is settled jurisprudence. There is cited here the case of Houston and North Texas Border Freight Lines against Local 745 of the National Brotherhood of Teamsters. There are other cases in point. So it is not a new thing. It is not something that has not been tried, it is well established law.

Mr. KEATING. I know of no other Federal statute, Mr. Chairman—I do not say there is none—in which this is done, and the very reading of the statute reinforces the position I take that we should not single out this piece of legislation for special treatment.

Mr. CELLER. I think what the gentleman says is sound. It might be well at some future time for the Judiciary Committee to revamp the whole subject of the procedures concerning injunctions and that they might well be brought up to date; then the gentleman's suggestion could well be considered by the committee. I assure the gentleman if that is done we will be glad to hear him. I do not think it is proper to have the matter considered specifically in a bill of this character.

Mr. KEATING. I agree with the gentleman from New York. This is neither the time nor the place to adopt an amendment of that sort to this kind of legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. BROOKS].

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the amendment may be reread.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk again read the Brooks of Louisiana amendment.

Mr. KEATING. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. Mr. Chairman, that is the point I was raising before. There is no period in line 4, page 12.

Mr. BROOKS of Louisiana. Mr. Chairman, it is line 6, page 12 and I ask unanimous consent to correct the amendment accordingly.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CELLER and Mr. BROOKS of Louisiana.

The Committee divided; and the tellers reported that there were—ayes 108, noes 118.

So the amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Now, Mr. Chairman, I hope I am now in order in asking the chairman of the committee some questions. The gentleman from New York [Mr. CELLER] has now had a advance notice, and I am sure he will give me the answers that I seek. There is a provision in the bill on page 9 to establish an additional Assistant Attorney General. I should like to know from the gentleman from New York, since I cannot find any information in the report on this bill, how many Assistant Attorneys General we now have on the payroll.

Mr. CELLER. As I understand, there are 7 Assistant Attorneys General.

Mr. GROSS. Now, how many assistants to the various Assistant Attorneys General do we have on the payroll?

Mr. CELLER. I think I said 7.

Mr. GROSS. I said assistants to the Assistant Attorneys General.

Mr. CELLER. Oh, I do not know offhand how many assistants there are to the Assistant Attorneys General. I suppose all employees in the Department of Justice, if they are lawyers and are

learned in the law, are assistants to the Assistant Attorneys General.

Mr. GROSS. Does the gentleman mean to tell me that he held hearings and provided for a new Assistant Attorney General, knowing very well that he would have to have at least one assistant, and did not go into the matter of how many assistants to the Assistant Attorneys General there are on the payroll today?

Mr. CELLER. I want to say to the gentleman that we were very careful to ask that question. We propounded that question to the Attorney General himself and he very promptly said that he could not tell how many assistants would be required. He did not know how broad or expansive or how narrow the work would be if we passed this bill. Naturally he would have to appear before the Committee on Appropriations and make his request. In order to tell how many assistants were necessary he would have to project himself into the future, and, therefore, he could not give a definite answer at that time.

Mr. GROSS. We have gotten that story every time one of a new assistant secretarys or attorney general is asked for, that they do not know how many employees they are going to have to have. I know that story. That is an old one. But will the gentleman tell me, what did the Attorney General tell him about the number of assistants to the Assistant Attorneys General there are in his department?

Mr. CELLER. He could not answer that question. We did not ask him how many assistants there are presently in the Department—assistants to the Assistant Attorneys General. We did not ask that because we did not think it was germane to the subject matter.

Mr. GROSS. Then it does not make any difference what the cost of the bill will be, is that correct?

Mr. CELLER. No.

Mr. GROSS. So far as the gentleman is concerned?

Mr. CELLER. The gentleman will have a chance to determine that when the Committee on Appropriations comes in with their bill.

Mr. GROSS. Let me ask the gentleman this question. If the gentleman was concerned about the cost, did he get any report from the Bureau of the Budget concerning this new Assistant Attorney General?

Mr. CELLER. If I remember correctly, we did not get any specific notice from the Bureau of the Budget, but the Bureau of the Budget, of course, had no objection to the passage of this proposed legislation.

Mr. GROSS. But the gentleman got no report from the Bureau of the Budget concerning the creation of another high-priced office in the Department of Justice?

Mr. CELLER. The Bureau of the Budget, in the light of its communication to us, naturally approved the form of the bill and the contents of the bill, and, therefore, approved that particular section, section 111 on page 9.

Mr. GROSS. Perhaps the gentleman from New York [Mr. KEATING] can tell me how many assistants to Assistant Attorneys General there are in the Department?

Mr. KEATING. As the chairman of our committee has said, I believe there are seven various divisions in the Department, each headed by an Assistant Attorney General. I assume that each of those Assistant Attorneys General has an assistant.

Mr. GROSS. Yes, at least one.

Mr. KEATING. I suppose all of those divisions have more than one attorney in them.

Mr. GROSS. It is strange that the gentleman did not get at least some information when the Attorney General was testifying for this legislation, and demanding another additional Assistant Attorney General. The gentleman apparently did not go into that because the committee report, aside from the $20,000-a-year salary to be paid the new Assistant Attorney General, fails completely to provide any information with respect to the huge bill of expense involved in salaries of assistants and office staffs. It was simply agreed that there would be another Assistant Attorney General at $20,000 a year and that is as far as the committee went, is it not?

Mr. KEATING. No; that is not as far as we went.

Mr. GROSS. Then let the gentleman tell me the story? I am waiting to get it from somebody.

Mr. KEATING. I think I shall cover that when the time comes.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. I am happy to yield to my friend from Georgia, one of the hardest working and most astute members of the Judiciary Committee. I know that if he has any information on this subject that it will be dependable information.

Mr. FORRESTER. I thank the gentleman and I think I can give him some information. I tried my dead level best to get out of the committee what the gentleman is trying now to get out of the committee. And in order to draw them out, I offered an amendment—as a matter of fact, I am the gentleman who offered the amendment that there should not be over 15 assistants to the Assistant Attorney General. That was defeated in committee. Then we asked them how many they did want, to give us some idea.

Mr. GROSS. Why do you suppose I could not get that information from the chairman of the Judiciary Committee and the ranking Republican member? That was a committee action, was it not?

Mr. FORRESTER. It certainly was.

Mr. GROSS. Yes; go ahead.

Mr. FORRESTER. Uncontradicted in the record is the testimony of Will Maslow, general counsel of the American Jewish Congress, that they would require at least 50 assistants to the Assistant Attorney General, and that without dispute.

Mr. GROSS. Mr. Chairman, I am opposed to the creation of a new Assistant Attorney General. His duties under this legislation are completely unspecified and this RECORD will show that not a single proponent of this legislation can make a case for this permanent increase in the payroll. In addition, as the gentleman from Georgia [Mr. FORRESTER] has just indicated, implicit in the creation of this new official will be a veritable army of assistants to the assistant, all at top salaries. This is personnel empire building, and I am opposed to it.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. HOFFMAN: Strike out all after the enacting clause and insert:

"PART I—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

"SEC. 101. Section 1980 of the Revised States (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated 'fourth' and 'fifth' and to read as follows:

"'Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs 1st, 2d, or 3d, any person conceiving himself aggrieved may institute a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order.

"'Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.'

"SEC. 102. Section 1343 of title 28, United States Code, is amended as follows:

"(a) Amend the catch line of said section to read,

"'§ 1343. Civil rights and elective franchise.'

"(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

"(c) Add a paragraph as follows:

"'(4) To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil right, including the right to vote.'

"PART II—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

"SEC. 111. Section 2004 of the Revised staautes (42 U. S. C. 1971), is amended as follows:

"(a) Designate its present text with the subsection symbol '(a).'

"(b) Add, immediately following the present text, three new subsections to read as follows:

"'(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"'(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the person so injured may institute a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order.

"'(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.'

"SEC. 112. This act may be cited as the 'Civil Rights Act of 1957'."

Mr. HOFFMAN. Mr. Chairman, it is doubtful if any of us knows anyone anywhere who would deprive any citizen of the right to vote. The gentlemen from New York, especially Mr. CELLER, are to be commended for trying to remedy conditions in the South, if because of those conditions an individual is deprived of his right to vote. Perhaps it would be permissible to suggest to the gentleman from New York [Mr. CELLER] that when he gets the South lined up the way he wants it—and there is one thing I think the proponents may have forgotten; I am not sure. You got rid of a jury trial all right, but what about some judge down there from the South, what are you going to do about him if one comes along and does something you do not like? I do not think you thought about that. Will you have the alleged offenders tried in New York by a judge from Puerto Rico? Would you then try to change the law or go to some State in the North or some district where the situation was more favorable to your purpose? Is justice to be handed out to promote expediency?

When the gentlemen get through with the South, how about going up into New York? You have a lot of Puerto Ricans up there. But of course there are no political implications in this bill. But how about getting the situation corrected in New York so that when a man like Riesel is assaulted, acid thrown in his face, his eyesight destroyed, you would do something to protect the witnesses who would testify if it was not for fear. That would be helpful in the administration of justice.

Back to this amendment. It is assumed that the purpose is to allow all people in the South to vote. As I read this section 1971 of title 42 of the code these words are found:

SEC. 1971. Race, color, or previous condition of servitude not to affect right to vote.

All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding. (R. S., sec. 2004.)

As long as we have that law on the books, and as long as we have an Attorney General who is as capable as the present individual is who is handling our affairs for us, and as long as we have the FBI—and from what was said here in answer to the question of the gentleman from Iowa [Mr. GROSS], an undetermined number of assistant Attorneys General, why can they not take care of the situation which needs correction? At least one-fourth of the membership of the House are lawyers and probably a third of that number have been prosecuting attorneys. I doubt if there is one who sincerely believes that he could not clean up the situation that exists in the South if he wished and was given permission. Now why—why is it that we need new legislation when the laws on the books provide that everyone everywhere who possesses the prescribed qualifications has the right to vote? Why can they not vote? Is it not true that the United States district attorney can ask for an indictment from a grand jury for a conspiracy to deny the right of any individual to vote? The answer that a southern jury would not convict if the facts justified a conviction is not sound—it is an indictment of a whole section—is not justified.

The only difference between the bill and this amendment, if the amendment is accepted, would be to wipe out the Commission. That is something we seem to have forgotten. For 20 years or longer, we have been trying to get rid of unnecessary commissions and sub-agencies or whatever you want to call them, which have burdened our people with unjustified snooping. If there is anything in the Republican platform that is being stressed year after year, it is the economy plank. Yet, here we come along with a bill that creates a new Commission of six, and then an advisory Commission to take over the duties of the standing committees of the House. What will happen in the years to come? Take a look into the future, if you will. What will you find in the years to come? What will you find? You will find the ADA. You will find the society for—what is it—the advancement of colored people, which has a worthy and necessary objective and in many cases has done a good job. You will find 4 or 5 other groups that do not like our Government. You will find them all attempting to control and joining together to control the Commission for their own purposes. In the future there will be legislation which will be oppressive—deny the civil rights of those now in the majority. The people of the country will get some proposed legislation advocated and endorsed and supported by this Commission, and if it ever becomes law there will be extremely oppressive minority groups other than the ones we are talking about in this debate.

Adoption of this bill opens the door to persecutions by the Commission—will cause unnecessary expense—at a time when there is adequate remedy available.

(By unanimous consent (at the request of Mr. CELLER), all debate on the pending amendment, and all amendments thereto, was limited to 20 minutes with the last 5 minutes reserved to Mr. CELLER.)

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I do not expect to use the full 5 minutes. I would like to ask the gentleman from Michigan if his amendment would strike out the provision for a new Assistant Attorney General?

Mr. HOFFMAN. I will say to the gentleman from Iowa there is nothing in the amendment about the Assistant Attorney General.

Mr. GROSS. You would abolish the Commission only?

Mr. HOFFMAN. If the amendment is adopted, there need not be a commission. And it gives the citizen who is injured a right of action and prohibits the Attorney General, for example, if you were the Attorney General from bringing a suit for me when I did not want it.

Mr. GROSS. But the gentleman's amendment would abolish the Commission.

Mr. HOFFMAN. Yes.

Mr. GROSS. Fine. I certainly support the amendment by the gentleman from Michigan, because I offered the first amendment when this bill came up for consideration under the 5-minute rule to strike out the first section dealing with the Commission. As the gentleman from Michigan has well said, we are already loaded down now with boards, bureaus, and commissions. The taxpayers are already carrying entirely too great a load in supporting all these commissions, and this is a good place and time to stop the creation of another one.

I support the gentleman's amendment.

The CHAIRMAN. The gentleman from Ohio [Mr. MCCULLOCH] is recognized.

Mr. MCCULLOCH. Mr. Chairman, I rise in opposition to the amendment. As the distinguished gentleman so definitely said, this amendment would strike out of the bill we have before us, the provision for the Commission. It would also strike out that part of section 2 providing for an additional Assistant Attorney General, together with the new procedure therein provided.

Without belaboring the issue, because we have talked about it so much, I am sure that a majority of the members of this Committee, and of the House as well, wish to create a Commission to investigate the charges that have been made all down through the years.

I hope the statements that my numerour friends have made are true, that there are no persons in America being deprived of their right to vote contrary to the Constitution; that there are no persons being intimidated; and that, in large part, we are creating a Commission with nothing to do. It, the Commission, will have served a useful and necessary purpose, if those facts are determined to be true. All the world will know about it and we will have that much better standing everywhere.

Mr. Chairman, if this bill is to be effective and it to do what it is intended to do by all of these people who have been supporting it, it will be necessary to provide for the additional Assistant Attorney General in the Department of Justice. I am sure all of you who are interested in small business are interested in law enforcement, and are interested in the many duties that are being performed by the Department of Justice,

know that this Department is understaffed, if we have any understaffed department anywhere in the Federal establishment. I think that when the record is written, free from passion and prejudice, and politics, that record will show that the Department of Justice under this administration has done more things for more people who needed things done for them than has been done within my time.

Mr. Chairman, the amendment should be rejected.

The CHAIRMAN. The gentleman from New York [Mr. KEATING] is recognized.

Mr. KEATING. Mr. Chairman, this amendment might be called the mass execution of this measure, because the gentleman from Michigan has really wrapped up a good deal in these two pages.

In the first place, he wipes out part 1, which is the Commission we have already discussed. An amendment to strike out the Commission was once defeated.

Second, it eliminates part 2, providing for the Assistant Attorney General.

The language of his amendment as it is proposed as a substitute puts back the jury trial issue. So we have everything in this amendment that we have had up to date, and a little more.

This amendment should be defeated, first, because it would eliminate parts 1 and 2 of the bill, the provision for the Commission and for the Assistant Attorney General. We have already debated at some length and defeated by a substantial majority an effort to strike out part 1.

As to part 2, which is the provision for the Assistant Attorney General, the importance of putting all of these civil-rights matters into one Division of the Attorney General's Office arises if for no other reason than the fact those matters are now dealt with in the Criminal Division. The Criminal Division would be entirely inappropriate to administer a civil suit to restrain the commission of an illegal act such as envisioned in this legislation.

There has been some discussion, and perhaps this would be an appropriate time to mention it, regarding the cost or the size of this Division in the Department of Justice. Of course, it is impossible for us to know how many lawyers, exactly how many, will be employed in the Civil Rights Division. There is nothing in this bill which requires any large number of additional employees in the Department of Justice. The Bureau of the Budget, I might say, estimated that the first-year cost of the measure would not exceed $250,000. That figure is, of course, a pure estimate, but they have submitted that as an estimate of the first year's cost. So we are not here dealing with huge figures. We are dealing with relatively conservative figures. There is no reason on the ground of the expense involved why we should not create this additional Division to strengthen and enforce the constitutional rights of our citizens.

The adoption of the pending amendment would overturn what we have decided here a couple of times. I refer to the jury-trial amendment. It repeats very much of the language in the section preceding the ones which we are here concerned with that gives a right of action for damages by one individual against another for violation of civil rights. In such case you would have a jury trial. But the gentleman in his amendment has stricken out the right of the Attorney General to bring any proceeding in the public interest and simply allows the proceeding to be brought by one individual against another. So that we are back to the old story of the jury trial.

For the reason that we have already defeated all of the proposals leveled at this measure, except abolition of the Assistant Attorney General, and that should be defeated, I hope the pending amendment will not prevail.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, the amendment offered by the gentleman from Michigan would wipe out this Commission. In my opinion, we need, the country needs, the knowledge and information concerning the filching from individuals of their political and economic rights in various parts of the country. The Commission would hear all and sundry concerning these matters. It may be that those rights have been corroded, those rights have been stolen, from people in the North as well as the South. But this amendment would preclude a Commission from holding its investigation in every State of the Union. Such a Commission will focus attention upon the robbing of people of their constitutional rights. We must throw the pitiless light of knowledge on this matter so that as many people as possible will know what is going on. Let the people of the Nation know what is happening in all parts of the country relative to civil rights.

In addition, the amendment would eliminate the Office of the Assistant Attorney General herein provided, and very significantly, and rather cutely, I would say, the amendment provides that the Attorney General could not sue, the Government is eliminated as a party. Why? Because the Attorney General would be eliminated from the proceedings. That is just another attempt to restore the right of trial by jury, because the United States would not be a party.

I would say that the persistence and the obstinancy of the effort made to restore this jury-trial provision, and its constantly being knocked down, is about as effective as driving nails into rotten wood. The wood will not hold them. The House does not want to hold that kind of an amendment and it seems to me rather anomalous that we should keep on voting and voting and voting repeatedly against an amendment involving the jury trial.

Now, also the amendment offered by the gentleman from Michigan gives nothing new. It is practically what this bill is now, what the law is now, only it is dressed up in some fancy language. It is the old statute reworded. But, what happened under those old statutes? The individuals aggrieved did not know what their rights were. As I said before, there were so few cases brought under those old statutes. Now they have gone in some of the States pretty far so that organizations that might be in a position to spread knowledge and disseminate information about these rights are now boxed in and hampered and hounded.

Let me read you the laws against so-called barratry in some of the States prohibiting support of lawsuits by persons having no direct interest in them. Though aimed specifically at the National Association for the Advancement of Colored People, such measures would jeopardize the right of any group to challenge a law that the legislature sees fit to enact. What about the legislative investigations now going on in certain sections of the country? Any organization can be investigated out of existence by a legislative committee in some States, with unlimited power to seize records, publish membership lists, subpena individuals, books, and papers, and otherwise harass a group in its field. Such action against the National Association for the Advancement of Colored People has been taken in a number of Southern States, and it is that organization which is endeavoring to do a good job by way of telling the colored people in the South what their rights are. But see how organizations are hobbled when they seek to inform people of their rights.

Now, the gentleman from Michigan would change all this. There is a public right here that has been violated, a constitutional right. The United States is interested. The United States has a right to bring that action in equity. Under this amendment the United States could not bring such an action. The action is relegated again to the individual, who too often is too ignorant to know what his rights are or, if he is enlightened, he has not the wherewithal, the money, to bring suit. And, if he does bring suit, he is beset with all sorts of harassment. He must exhaust his State remedies, judicial remedies, administrative remedies, and by the time he gets through with all those remedies, he is old and gray, as I said before.

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired.

The question is on the substitute offered by the gentleman from Michigan [Mr. HOFFMAN].

The substitute was rejected.

Mr. WHITENER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITENER: On page 8, immediately following line 24, insert: "*Provided*, That any person cited for an alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial or hearing, as is usually granted to

compel witnesses to appear on behalf of the prosecution. If such person shall be found by the court to be financially unable to provide for such counsel, it shall be the duty of the court to provide such counsel at Government expense."

Mr. CELLER. Mr. Chairman, I make the point of order that the amendment is not germane. In effect, it provides for a public defender. It provides for legislation that is not within the scope of this bill. It provides in addition for various types of processes which are not within the scope of this bill. It is not germane specifically to the section to which it has been offered.

The CHAIRMAN. Does the gentleman from North Carolina care to be heard on the point of order?

Mr. WHITENER. Mr. Chairman, this amendment is strictly procedural. As far as creating a public defender is concerned, there is no justification for that claim because the proposed amendment merely says that in each case the court, upon the merits of the particular case, shall appoint someone learned in the law to represent the person who is cited for an alleged contempt of some order of the court.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. Since this amendment relates to having counsel, I am glad to have the counsel of my good friend, the gentleman from North Carolina.

Mr. COOLEY. Does not the gentleman's amendment contemplate a finding by the court that the accused is not financially able to employ counsel, using his own resources?

Mr. WHITENER. Yes; a finding by the judge or by the court.

Mr. COOLEY. In many instances where an accused is brought before the court and is financially unable to employ counsel, it is now incumbent upon the judge to appoint counsel to represent the accused.

Mr. WHITENER. I had contemplated going into some of those statutes in my argument in support of the amendment.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman.

Mr. GROSS. The gentleman is cognizant of the fact that the bill on page 2 provides that witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. There is provision, if they have the money, for the employment of counsel.

Mr. WHITENER. Does the gentleman say that is on page 2?

Mr. GROSS. That is correct.

Mr. WHITENER. That would be a hearing in the Commission, would it not? This relates to a hearing in the court where a defendant is charged with having violated an order of the court, and who is cited for contempt.

Mr. Chairman, I submit that this is procedural and certainly in line with the previous ruling of the Chair and therefore germane.

Mr. KEATING. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. KEATING. In addition to the observations made by the gentleman from New York [Mr. CELLER], I call the Chair's attention to the fact that the wording of this amendment is that anyone cited for an alleged contempt under this act shall be allowed to make full defense, and so forth; and gives him counsel in any action under the provisions of this act.

The gentleman has placed it under the section relating to the Commission, but it would be as broad as the act, is procedural in character and not germane.

Mr. WHITENER. If the gentleman will yield to me on that point, I will point out that in section 3005 of title 18 practically identical language is used in giving to traitors to this country counsel under the same circumstances, but it states that those indicted for treason shall be allowed, and so on.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from North Carolina [Mr. WHITENER] offers an amendment at the bottom of page 8, which is at the end of section 105, having to do with the powers of the Commission. The amendment itself applies to the whole act and is not germane to that particular section. It would be germane to the bill as a separate section, but it is not germane to the section to which offered. Therefore, the Chair must sustain the point of order.

Mr. WHITENER. Then, Mr. Chairman, I ask unanimous consent that I may offer this amendment in the form of a separate section, to be known as subsection (e) of section 131, and to be inserted immediately following line 13 on page 12.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Chairman, there is nothing novel about the suggestion that persons charged and who are subject to imprisonment shall have counsel. Section 3005 of title 18 provides:

COUNSEL AND WITNESSES IN CAPITAL CASES

Whoever is indicted for treason or other capital crime shall be allowed to make his full defense by counsel learned in the law; and the court before which he is tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial, as is usually granted to compel witnesses to appear on behalf of the prosecution.

It carries the identical language set forth in the new section I have offered to this bill.

Rule 44 of the Federal Rules of Criminal Procedure provides for the appointment of counsel in criminal cases in Federal courts:

If the defendant appears in court without counsel, the court shall advise him of his right to counsel and assign counsel to represent him at every stage of the proceeding unless he elects to proceed without counsel or is able to obtain counsel.

The Code of Military Justice provides:

The court shall appoint • • • a defense counsel • • • for an accused soldier.

Title 8, section 1252, and section 1362, provide that an alien who is about to be deported or who is in the process of having hearings shall be entitled to counsel.

The United States Constitution in the sixth amendment states that "In all criminal prosecutions," the accused shall have certain rights, and it goes on with the other part with which you are familiar, and closes by stating, "and to have the assistance of counsel for his defense."

Mr. Chairman, this is a very important suggestion which I am undertaking to make to this committee. This bill is saying that the full Treasury of the United States shall be placed at the disposal of any individual who wants to claim that his rights have been violated, so it is very little to say that the court shall appoint one country lawyer at the taxpayer's expense to represent the accused who is just before going to jail.

Mr. CELLER. Is it not the rule today that the court in its discretion may appoint 1 or 2 counsel?

Mr. WHITENER. I would point out to my distinguished friend from New York [Mr. CELLER] that throughout this debate the chairman of the Committee on the Judiciary has pointed out that this is not a criminal proceeding but a civil proceeding under which the Government will proceed under this act. My amendment merely seeks to carry over into this particular civil procedure field the existing provisions under rule 44 of the Rules of Criminal Procedure.

Mr. CELLER. I said the other day that due process of law in the prosecution of contempt, except that committed in open court, does require that the accused should be advised of the charges and have a reasonable opportunity to defend them. This includes assistance of counsel.

Mr. WHITENER. I would point out to the gentleman that down in my country when we use the word "prosecution" in the practice of the law we usually refer to criminal prosecution. We refer to "maintaining" civil actions and "prosecuting" criminal actions.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield.

Mr. COOLEY. I am somewhat disturbed at the observation made by the gentleman from New York in reference to this amendment, which clearly indicates that the gentleman from New York feels unless we have an amendment, the accused will not have the right to have counsel.

Mr. CELLER. Oh, no, I do not say so at all. I am saying this. That under the rules of practice, as we have them today, the court is allowed to assign counsel in cases of this sort, namely, contempt cases and the rules permit the court to assign to the contemnor either one or two counsel.

Mr. COOLEY. All right, then I ask the gentleman from New York why he does not accept the amendment.

Mr. CELLER. He has it to read, "at the expense of the Government."

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield.

Mr. COOLEY. Now, apparently, the gentleman from New York is perfectly willing for the accused to have counsel. The gentleman from North Carolina [Mr. WHITENER] is trying to take care of the poor man who does not have the money with which to employ a lawyer.

Mr. CELLER. I say he is entitled to counsel.

Mr. COOLEY. But, he must pay the lawyer.

Mr. CELLER. No; he does not.

Mr. COOLEY. Yes; he does have to pay in a criminal action in which the defendant is charged with a serious crime. The court, of course, can and does appoint an attorney to defend the defendant if it appears to the court that the defendant is without counsel and is not financially able to employ counsel, but in civil actions even involving citations to show cause why the person cited should not be held in contempt of court, the judge has no authority to appoint counsel nor to pay counsel to appear on behalf of the person so cited. Of course, the interested party does not have to pay counsel if he is not able to pay counsel, but the fact is he will not have the benefit of counsel if we do not now provide that in such cases the court shall appoint competent counsel to represent the person named in a citation to show cause.

Mr. CELLER. I say to the gentleman he does not have to pay.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Why is it that the gentleman from New York will not agree to accept this amendment? If you agree now that they have the right, this would absolutely eliminate any ambiguity with reference to the rights of the accused who is unable financially to employ a lawyer.

Mr. CELLER. In the first place, there is no ambiguity whatsoever. The gentleman says there is ambiguity.

Mr. COOLEY. You say there is no ambiguity?

Mr. CELLER. You say there is ambiguity and I say there is no ambiguity. Under the rules of practice, the defendant in a criminal action or a contemnor or defendant in a contempt proceeding is entitled to due process and due process under the cases which I put in the RECORD on Friday indicate that he is entitled to the right of counsel, and the counsel can be assigned by the court in the event he cannot afford counsel. That is the law today. What is the need for the amendment except——

Mr. COOLEY. I do not agree with you: There is need for this amendment. I do not agree with you, and I will not permit you to speak for me. I tell you that you are talking about a criminal action in which a man is accused of a crime. We do provide that he shall be represented by counsel. Here we are talking about a purely civil action.

Mr. CELLER. It is not purely a civil action. In the case of contempt, the courts are permitted to grant counsel to the defendant.

Mr. COOLEY. Mr. Chairman, I want to get the legislative history of this straight. Do I understand that the chairman of the Committee on the Judiciary now contends that this amendment is not necessary because this is a right which is now enjoyed by the accused?

Mr. CELLER. I do not say that. I said it provides counsel at Government expense.

Mr. COOLEY. Government expense for what?—to employ a lawyer for the accused?

Mr. CELLER. For the counsel.

Mr. COOLEY. That is right. The gentleman from North Carolina [Mr. WHITENER] wants to guarantee that the accused, however humble he may be and however financially embarrassed he may be, will have the advice of counsel. Does the gentleman agree that under the law, as it exists today, the defendant has that right or does he not have it?

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. It seems to me that you could get together and agree one way or the other. Why will you not accept this amendment? Because the gentleman said he did not want any amendments in this bill. That is the only reason you do not accept the amendment.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. To whom does the gentleman want to yield?

Mr. COOLEY. I will yield to both gentlemen.

Mr. CELLER. At once?

Mr. COOLEY. I will yield to either one. I yield to the Chairman.

Mr. CELLER. I would be perfectly willing so far as I am concerned to accept the gentleman, if the gentleman strikes out these few words.

Mr. COOLEY. All right; do you want to strike out that part which obligates the Government to pay the attorney? That is the very guts of the amendment.

Mr. CELLER. I said in the beginning that I could follow it as the gentleman expressed it except that one part.

Mr. COOLEY. I want to conclude my remarks by saying that the gentleman agrees that in this serious situation where the accused is financially embarrassed he should have the right of counsel, but the gentleman is not willing for the Government to pay for it.

I now yield to the gentleman from North Carolina [Mr. WHITENER], who is more reasonable on this than the gentleman from New York.

Mr. WHITENER. I had commenced to read some language from the decision in *Williams* v. *Kaiser* (323 U. S. 471), by the Supreme Court, the opinion being written by Mr. Justice Douglas in 1944. In that opinion he said this:

> Even the intelligent and educated layman has small and sometimes no skill in the science of the law. If charged with crime, he is incapable, generally, of determining for himself whether the indictment is good or bad. He is unfamiliar with the rules of evidence. Left without the aid of counsel he can be put on trial without a proper charge, and convicted upon incompetent evidence, or evidence irrelevant to the issue or otherwise inadmissible. He lacks both the skill and knowledge adequately to prepare his defense, even though he have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him. Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence.

And listen to this:

> If that be true of men of intelligence how much more true is it of the ignorant and illiterate, or those of feeble intellect.

In *Smith* v. *O'Grady* (312 U. S. 321 (1941)), a habeas corpus proceeding arising out of a criminal conviction in the State courts of Nebraska, Mr. Justice Black said:

> For his petition presents a picture of a defendant, without counsel, bewildered by court processes strange and unfamiliar to him, and inveigled by false statements of State law enforcement officers into entering a plea of guilty. The petitioner charged that he had been denied any real notice of the true nature of the charge against him, the first and most universally recognized requirement of due process; that because of deception by the State's representatives he had pleaded guilty to a charge punishable by 20 years to life imprisonment; that his request for the benefit and advice of counsel had been denied by the court; and that he had been rushed to the penitentiary where his ignorance, confinement, and poverty had precluded the possibility of his securing counsel in order to challenge the procedure by regular processes of appeal. If these things happened, petitioner is imprisoned under a judgment invalid because obtained in violation of procedural guaranties protected again State invasion through the 14th amendment.

In *Betts* v. *Brady* (316 U. S. 450, at p. 475 (1941)), Mr. Justice Black in a dissenting opinion said:

> An historical evaluation of the right to a full hearing in criminal cases, and the dangers of denying it, were set out in the Powell case, where this Court said: "What • • • does a hearing include? Historically and in practice, in our own country at least, it has always included the right to the aid of counsel when desired and provided by the person asserting the right • • •. Even the intelligent and educated layman • • • lacks both the skill and knowledge adequately to prepare his defense, even though he have a perfect one. He requires the guiding hand of counsel in every step in the proceedings against him. Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence." *Powell* v. *Alabama*, supra, 68-69. Cf. *Johnson* v. *Zerbst*, supra, 462-463.
>
> A practice cannot be reconciled with "common and fundamental ideas of fairness and right," which subjects innocent men to increased dangers of conviction merely because of their poverty. Whether a man is innocent cannot be determined from a trial in which, as here, denial of counsel has made it impossible to conclude, with any satisfactory degree of certainty, that the defendant's case was adequately presented. No one questions that due process requires a hearing before conviction and sentence for the serious crime of robbery. As the Supreme Court of Wisconsin said, in 1859, "Would it not be a little like mockery to secure to a pauper these solemn constitutional guaranties for a fair and full trial of the matters with which he was charged, and yet say to him when on trial, that he must employ his own counsel, who could alone render these guaranties of any real permanent value to him. • • • Why this great solicitude to secure him a fair trial if he cannot have the benefit of counsel?" *Carpenter* v. *Dane County*, (9 Wis. 274, 276-277).
>
> "Denial to the poor of the request for counsel in proceedings based on charges of serious crime has long been regarded as shocking to the "universal sense of justice" throughout this country. In 1854, for example, the Supreme Court of Indiana said: "It is not to be thought of, in a civilized community, for a moment, that any citizen put in jeopardy of life or liberty, should be debarred of counsel because he was too poor to employ such aid. No court could be respected, or respect itself, to sit and hear such a trial. The defense of the poor, in such cases, is a duty resting somewhere, which will be at once conceded as essential to the accused, to the court, and to the public." *Webb* v. *Baird* (6 Ind. 13, 18).

So, you see, my friends, that the present Supreme Court—in spite of its many erroneous decisions of late—concurs in my thought that the presence of counsel learned in the law shall be guaranteed to an accused at every stage of proceedings which involve and jeopardize his liberty.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. McCULLOCH. Mr. Chairman, I seek recognition on this amendment.

The CHAIRMAN. The gentleman is recognized.

Mr. McCULLOCH. Mr. Chairman, I think perhaps there has been some misunderstanding of the basic law in the matter of compensation for lawyers assigned by the court to defend indigent persons, charged with crime.

It is my understanding that any indigent person charged with a crime under Federal law is entitled to have counsel assigned, and does have counsel assigned if he is to have due process of law.

It is my further understanding that the Government of the United States is not obligated to pay, and does not pay counsel assigned, in such criminal case. I agree with the distinguished chairman of our committee when he says that if a person be cited for contempt and it be a criminal contempt, which I think this contempt would be—and this statement has been made time and time again—if he does not have funds with which to procure his own counsel the Federal judge is bound to assign him counsel. There is no obligation under existing law for the Federal Government to pay that counsel either in this kind of case or any other criminal case, with the exception, as I recall, of that mentioned by the distinguished gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield.

Mr. WHITENER. I wish to ask the distinguished gentleman from Ohio what is the provision in civil procedure? Is there any requirement set up that the courts appoint counsel for a person charged with violating a civil process or a civil order?

Mr. McCULLOCH. I was speaking of a criminal offense, and a citation for contempt under this law, in my opinion, pursuant to the citation mentioned by the chairman would authorize an assignment by the court of counsel to the person cited for contempt.

Mr. WHITENER. Does the gentleman feel it would require the assignment of counsel to a person under this bill?

Mr. McCULLOCH. I believe that section 3771 of the Rules of Criminal Procedure would require it.

Mr. WHITENER. Criminal procedure? But does the gentleman from Ohio take the position that the citation of an alleged contemnor under the provisions of the pending bill would constitute a criminal offense or charge of a criminal offense?

Mr. McCULLOCH. It takes on the nature of criminal contempt. In my opinion, it is such an action against a citizen which to give him due process must provide that the court assign counsel, if the person does not procure counsel himself or herself. I think it proper that he should have counsel assigned to him if he is not able to pay for counsel, but I do not believe that counsel should be paid in this case any more than counsel should be paid in a case where he is assigned when charged with some other crime against the United States of America.

Mr. WHITENER. I may say to the gentleman I do not feel that counsel ought to be required to work free in any case.

Mr. McCULLOCH. That statement is one with which I agree. But that proposal has been before the Congress for many, many years and was before us as recently as last year. We have not seen fit to provide that counsel be paid from the Federal Treasury on the occasions I have mentioned. I repeat, I feel sure my explanation of the law is correct.

Mr. WHITENER. The gentleman has said this would be a new departure for the Government to pay for counsel for an accused. This entire legislative proposal is a new departure in a procedural way, is it not?

Mr. McCULLOCH. Certainly, it gives a new right of procedure to the Attorney General. I would not have anyone think otherwise.

Mr. WHITENER. Well, if we are going to take a new approach, we better have some good old free wheeling action and go all the way with it.

Mr. CELLER. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, to quiet the fears of the gentleman who proposed the amendment and to quiet the fears of the distinguished Chairman of the Committee on Agriculture, who supported the gentleman proposing the amendment, let me read from title 18, United States Code, section 3771:

> The Supreme Court of the United States shall have the power to prescribe, from time to time, rules of pleading, practice, and procedure with respect to any or all proceedings prior to and including verdict, or finding of guilty or not guilty by the court if a jury has been waived, or plea of guilty, in criminal cases and proceedings to punish for criminal contempt of court in district courts of the United States.

Then, in pursuance of that authority which the Congress granted to the court, the court promulgated rule 44 which reads as follows, and it is entitled "Assignment of Counsel":

> If the defendant appears in court without counsel, the court shall advise him of his right to counsel and assign counsel to represent him at every stage of the proceeding unless he elects to proceed without counsel or is able to obtain counsel.

Then there are decisions in Federal Practice and Procedure by Barron as follows:

> The rulemaking power of the Supreme Court with respect to criminal proceedings was extended to proceedings to punish for criminal contempt by the act of November 21, 1941.

I therefore say that the amendment offered by the gentleman is exactly what the law is today, but this amendment has the additional language that the Government must defray the expenses of counsel.

Mr. Chairman, I have had a bill before my own Committee on the Judiciary for a number of years providing for a public defender which would permit in cases of poverty-stricken defendants the right to have somebody represent them. I have not been able to make very much headway on that bill, which I would say, provides for payment, by the defendant, the so-called public defender in criminal cases, which would also involve criminal contempt. But I think that matter must be considered separately and distinctly from a bill of this size and magnitude and importance, so that I say to the proponent of the amendment what you say is law already. You simply add matters which would involve expenditures of the Government, and for that reason I must oppose the amendment, although if you had a separate bill providing a comprehensive public defender act, there would be a different story and my attitude would be different.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman indicates that he is perfectly willing for the accused in a criminal contempt proceeding to have the benefit of counsel.

Mr. CELLER. That is the law today.

Mr. COOLEY. He has that right. But, what good is the right unless the man has some money with which to employ counsel?

Mr. CELLER. I think the gentleman has a rather woebegone attitude as to what court procedure is. If he goes into court and he finds that situation to exist, the court assigns counsel in every instance. Where a defendant is poverty-stricken and cannot afford a lawyer, the court will invariably assign him a lawyer. That is the law today.

Mr. COOLEY. But the lawyer has to work for nothing.

Mr. CELLER. Yes.

Mr. COOLEY. Why impose that burden on the members of the bar?

Mr. CELLER. I did not know that the gentleman was so solicitous about lawyers.

Mr. COOLEY. I certainly am.

Mr. CELLER. Then, let us get a comprehensive bill and not take it up in this

offhanded way by an amendment to a bill of this character. If the gentleman would strike out those last few words "at the expense of the Government," it would be a different story.

Mr. COOLEY. Will the gentleman from North Carolina, for the sake of argument, strike out those words?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN to the amendment offered by Mr. WHITENER: After the word "contempt" insert "or charged with any offense."

Mr. KEATING. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. I assume that this would broaden it into a general defender bill, which, I confess, is my main objection to the existing amendment. But, it is not germane. We cannot cover in this bill every offense in the Federal statutes.

Mr. HOFFMAN. Mr. Chairman, that is not the point of the amendment. I think it is properly drawn.

The CHAIRMAN. Does the gentleman care to be heard on the point of order?

Mr. HOFFMAN. Yes. As I understand this bill—and if I am wrong, all right—it provides for actions other than contempt, does it not? Sure it does. Look on page 10, section 4, line 20, "to recover damages" and so on. Now, that is provided for. Then over on pages 11 and 12 it provides for punishment.

The CHAIRMAN. The Chair is ready to rule.

Mr. CELLER. May I be heard on the point of order, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. CELLER. Title 18 is the criminal code and the offenses are classified there and defined there: (1) any offense punishable by death or imprisonment for a term exceeding 1 year is a felony; (2) any other offense is a misdemeanor; (3) any misdeameanor the penalty for which does not exceed imprisonment for a period of 6 months or a fine of not more than $500.

Now, he provides for an enlargement of the subject matter to include crimes, which is a matter that would have to be in another bill. It cannot be germane to this bill which provides for civil penalties.

Mr. HOFFMAN. Mr. Chairman, may I be heard further on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HOFFMAN. On page 11 there are amendments to a statute which also provides for criminal penalties.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule. The Chair has examined the amendment offered by the gentleman from North Carolina [Mr. WHITENER] and also the amendment to the amendment offered by the gentleman from Michigan [Mr. HOFFMAN] and finds that the amendment of the gentleman from North Carolina has to do with contempt, whereas the amendment offered by the gentleman from Michigan has to do with any offense or charge, which broadens the scope of the pending amendment to a degree where the Chair holds that it is not germane to this particular amendment and therefore sustains the point of order.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the purpose of the amendment to the amendment was to provide that when anyone violated the act or the act which it amended, he should have the benefit of counsel who shall be paid.

The Supreme Court has held time and time again not only with reference to Federal offenses but also State offenses—that one charged with a criminal act is entitled to due process which means the services of an attorney. In fact, the Court has freed more than one man who had been convicted and whose conviction had been sustained, because he did not have the benefit of counsel.

It is my understanding that the purpose of this amendment is to enable one who is charged with contempt, civil or criminal, to have an attorney at public expense.

To show the justice of a provision requiring the payment of a court-appointed attorney just think back to what happened here in Washington some years ago. The gentleman from New York [Mr. CELLER] was very, very greatly interested in that proceeding. It was a prosecution for a charge of sedition—begun in 1942. Thirty individuals were brought here from all over the United States and put on trial. They were involved by subterfuge, all right enough, there is no argument about that; brought down here and put on trial. They were on trial here for 4 years. They were brought down here at the request of the United States district attorney on an indictment and they were here for 4 years. Finally the whole proceeding was dismissed as being without basis. There was no justice in the charge. As a matter of fact, it was a conspiracy carried on by the Washington Post through Dillard Stokes, its employee, who used 3 or 4 aliases. It is all in the record.

What happened to the attorneys? Those attorneys were appointed by the court, and, from my recollection of the case, they gave of their utmost ability, were faithful and loyal all the way through, for 4 years. Some of us tried to get a bill through to give them some compensation for that service. They never got it.

Now it is all right and I go along with the right to protect those who want to vote; I do that wholeheartedly. If done in a proper way and without undue expense and so that it may be effective, no one will oppose. But is it right, is it fair to American citizens just because they happen to be lawyers, to require them to devote of their time without compensation? Ordinarily, all right. But in these cases where the Federal Government gets to them in that way, it is not right. Do you know how poor one of these defendants was who was brought down for trial? He died here and there was not enough of his money left to buy a suit of clothes for him. They shipped him back to his home naked. That is what happened.

Those lawyers, I repeat, who were substantial, good citizens of this district, this city, put in their time for 4 long years. Do you not think that we should be fair, that we should be just? Should they not have counsel? And should not counsel be paid? This amendment should be adopted. That is all it does, it requires counsel be paid.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I agree with the gentleman from New York [Mr. CELLER] that this amendment restates existing law, so far as I understand it, with the exception of giving to an indigent defendant in this instance something which he does not get under any other statute; namely, to have his lawyer paid. I appeal in opposition to this amendment on this ground primarily: This is no way to write complicated legislation of this nature. This is a field which is highly charged with emotion. It is a field where there are many technical features involved. To consider adoption of an amendment like this, which has never been studied by the committee or its counsel, seems to me a great mistake.

As to the merits of the amendment, I would be inclined to agree that if the words "at Government expense" were stricken out it would set forth present law, because a man today has the right to counsel. But, again, as in so many of these other amendments which have been offered, why single out this particular piece of legislation for special treatment whereby the defendant's lawyer is paid when he is not paid under any other statute except in a case of capital offense?

One of the objections to this legislation that we have heard made on several sides is its expense. While the expense would not be greatly added to by this amendment, I would hope there would never be a case where anyone would defy the order of the court and that there would never be a case where anyone would have to be tried for contempt under this Act. Though this is a rather minor point, it is just one more thing to increase the expense of the administration of the Act.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Georgia.

Mr. FLYNT. Has not the gentleman contended all along in the debate that this bill provides for a civil action, albeit a new type of civil action, but still a civil action?

Mr. KEATING. It is a civil action. A suit for an injunction is a civil action and the order is made by the court. Then if someone defies that order it may be a civil or it may be a criminal contempt. It may be both. If when he defies it he is doing an act which is a crime now under Federal or State statutes, it would be both a civil and a criminal contempt.

Mr. FLYNT. Is it not true that the new Assistant Attorney General in charge of a newly created Civil Rights Division is for all practical purposes the attorney for the complainant who says that he has been deprived of some right?

Mr. KEATING. The individual has the right to bring the action in the first instance.

Mr. FLYNT. If the Government is going to pay the expense for the counsel on one side of a civil action, is it not eminently fair the Government should provide and pay the expense of counsel on both sides if the defendant is unable to hire his own lawyer?

Mr. KEATING. I am not necessarily opposed to a public defender bill. I have never studied it enough to know all the ramifications involved in it. It is always true under all of the 28 similar Federal statutes which we have that if the action is brought by the Attorney General in the name of the United States he is paid by the Government, but when he acts in that regard he is not acting for an individual, he is acting in the public interest. That is the only basis. It is the people of the United States who are bringing the action in order to protect the public interest; namely, the constitutional rights of citizens of the United States. He is not acting for any particular individual.

Mr. FLYNT. Has not the gentleman said so many times during the debate on this measure that it is necessary for the Attorney General through a new Assistant Attorney General to pursue this action for the benefit of the persons who may be aggrieved?

Mr. KEATING. No; I have not. He is not pursuing it for the benefit of those people, and those words are not in this bill. Those were in the bill we had before us last year but were struck out this year in committee. The Attorney General brings the action in the name of the United States because there is a public interest to be protected.

Mr. FLYNT. Mr. Chairman, I move to strike out the last word.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman from New York is talking about a public defender. That is not contemplated by this amendment. The purpose of this amendment is to provide an attorney for an accused person who is not financially able to employ counsel.

Mr. KEATING. That is what a public defender does.

Mr. COOLEY. No, it is not a public defender at all.

Why are you so anxious to protect the civil rights of one person and so anxious by the same token to deny civil rights to the accused?

Mr. KEATING. The gentleman knows that that is not what I am trying to do.

Mr. COOLEY. Why do you not agree with this amendment?

Mr. KEATING. Because I do not agree that we should apply to this statute a different rule from the one which pertains in all of our other Federal statutes.

Mr. COOLEY. I have never known an amendment that has so much sympathy and that everybody seems to agree with, but nobody is willing to accept it.

Mr. KEATING. I will agree with the chairman of our committee that if these words "at Government expense" are taken out, the amendment does no harm nor does it do any good because it restates existing law.

Mr. COOLEY. All right, then, if the gentleman will adopt this amendment, it will clear up any ambiguities that exist.

Mr. FLYNT. Mr. Chairman, let us look at this thing and analyze it just exactly as it is. This amendment is not a public defender bill, but it is to provide to some poor man who is hailed into court under this legislation the same right to be represented by counsel at every stage of the proceeding which was afforded under the very language of the bill itself creating the new Assistant Attorney General in charge of the civil rights division. I know from experience, and I know that a great many Members of this House know that if this legislation is finally enacted into law, a lot of the defendants who are going to be haled into court are going to be just as poor as church mice. They are going to be just as poor as some of the people the distinguished chairman of the Committee on the Judiciary referred to a while ago. The position I want to take right here and now on this amendment is that if a man is brought into court and does not have counsel at every stage of the proceeding, he might as well not have counsel at all. I wish the gentleman from New York, the chairman of the committee, and the gentleman from New York, the ranking minority member, would withdraw their objection to this amendment and be fair and unbiased on this thing and give to everybody the same treatment under this so-called civil rights legislation.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield.

Mr. JOHANSEN. I wonder if the gentleman from Georgia would not agree that this House is rather adept in the art of getting the camel's nose into the tent, and that being the case, would not the gentleman from Georgia think that the gentleman from New York, the distinguished chairman of the committee, might welcome this amendment as a sort of nose in the tent for his public defender project?

Mr. FLYNT. I thank the gentleman. I certainly hope he would.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield.

Mr. DIES. Is this not the situation: that the taxpayers are going to pay for the Attorney General to bring these proceedings in behalf of certain people, and if that is true why should not the taxpayers also provide for the defense? If in one instance you are going to provide a group of people with counsel, you ought to provide the defendant with counsel.

Mr. FLYNT. I agree with the gentleman from Texas, and I thank him. If, by this legislation, the Government of the United States is going into the business of stirring up civil actions in our courts, then it ought to provide counsel and adequate counsel for both sides of the case. I want to say one thing more before the Chairman calls time on me here and now. That the distinguished chairman of the Committee on the Judiciary a few minutes ago seemed to question the motives of those of us who favored the amendments which seek to provide for jury trials. I want to say in answer to what he said about the obstinacy and persistency of those of us who take this position that we are obstinate and we are persistent whenever the right of jury trial or any other constitutional right is involved because we believe in it. We believe in it with every ounce of strength that we have and with every grain of intellect that we possess. I want to say to the distinguished gentleman from New York that during the early days of the Battle of Britain, it seemed imminent that the forces of Hitler, the same Hitler who deprived so many people of jury trial and deprived them of any kind of jury trial and even of the right to live itself, were on the threshold of an invasion of Britain and the Prime Minister of Britain at that time said, and I want to quote him as best I can:

If that time comes, we will fight the enemy in the fields. If we are driven from the fields, we will fight him on the plains. If we are driven from the plains, we will fight him in the cities and the town streets, and if we are driven from there, we will fight him in the hills. We will never surrender.

Mr. Chairman, we in my State of Georgia and throughout the great section of the United States known as the South believe in constitutional rights and the rights of the individual as much as do the people in any section of America and we shall never surrender in our fight to maintain the principles of constitutional government and the rights of freemen.

I have never questioned the motives of any member of this House in any position he or she takes on any legislation, but I am afraid that many of the advocates and sponsors of H. R. 6127, inadvertently and without meaning to do so but nevertheless, are helping tear down established law, constitutional guaranties, and individual liberties which have been enjoyed by free Americans throughout the whole history of our Nation and our people.

Certainly no one can deny that the Communist Party in the United States and others like those Communist Party members are strong supporters of this legislation. That being true then the advocates of this bill have, perhaps without realizing it, put themselves into the company of some highly questionable characters. When the Communist Party and its members take a position on any pending legislation we must assume that it is for the purpose of accomplishing their avowed objective, which is the overthrow of our form of government and our very Government and Constitution itself.

I just want to say to the gentleman from New York, the chairman of the

Judiciary Committee, that if this legislation aimed at my people, aimed at the section of the country I represent, is sought to be forced on us without any valid reasons or principles behind it, then we will fight just as hard as the Prime Minister of England said his people would fight, and not solely for the purpose of being obstinate or persistent. Mr. Chairman, I do not know of any instances in the Fourth District of the State of Georgia or indeed anywhere in the State of Georgia where there are any persons being deprived of their right to vote for the reasons set out in H. R. 6127. However, this so-called civil-rights legislation is intended by its sponsors to be a gun pointed at my section of the United States, and neither the people whom I represent nor I want any gun pointed at us whether that gun is loaded or not.

The amendment of the gentleman from North Carolina [Mr. WHITENER] is a good and proper amendment; it is designed to promote fair play and honest, aboveboard dealings between the United States Government and all of its citizens and I urge that the amendment be adopted.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I yield to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, will the gentleman yield further?

Mr. WILLIAMS of Mississippi. I yield.

Mr. WHITENER. If the gentleman from New York [Mr. CELLER], the distinguished chairman of the Judiciary Committee were here, I would address a question to him. I understood at the outset that the chairman of the Judiciary Committee stated that this proposal which I have made was objected to by him solely because of the language "at Government expense."

I understand that the ranking member of the Committee on the Judiciary has said that the law now provides as this amendment states.

Since neither of those gentlemen is here I am wondering if there is any way to ascertain whether or not they would have any objection to going along with this proposal with the words "at Government expense" stricken?

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield.

Mr. COOLEY. Why does not the gentleman from North Carolina ask unanimous consent that those words be stricken from the amendment? Both the chairman and the ranking minority member have indicated they would accept the amendment if that were done.

Mr. WHITENER. I would not want to do that in the absence of a specific agreement on their part that they favored the proposal which my amendment contains.

Mr. COOLEY. I think every Member of the House heard them say that was the objectionable language and constituted their objection to the amendment.

Mr. WHITENER. The gentleman from Colorado [Mr. ROGERS] is here. He has been speaking very eloquently and often for the Judiciary Committee. I wonder whether the gentleman from Colorado could speak for the committee.

Mr. ROGERS of Colorado. What is the question?

Mr. WHITENER. The question is whether the committee would withdraw objection to the proposed amendment I have submitted as a new section to this bill if I struck out the words "at Government expense"?

Mr. ROGERS of Colorado. As far as I am personally concerned I would not have any objection, but I am not in charge of the bill. Let me point out that it is the opinion of the committee that under the present law it is the duty and responsibility of the judge to appoint counsel.

Let me call attention to the fact that in the amendment the gentleman has offered he mentions "two persons learned in the law."

Mr. WHITENER. Not more than two.

Mr. ROGERS of Colorado. Not more than two. There is some question, of course, as to how many lawyers could meet that qualification.

Mr. WHITENER. We are told that this bill is applicable only in the South. I know there would be no trouble down there finding that kind of lawyers.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield.

Mr. COOLEY. The chairman of the committee is here now. I suggest that the gentleman propound his question to the gentleman from New York.

Mr. WHITENER. Mr. Chairman, will the gentleman from Mississippi yield?

Mr. WILLIAMS of Mississippi. I yield.

Mr. WHITENER. I propound the interrogatory to the chairman of the Judiciary Committee as to whether objection to the proposal which I have made would be withdrawn by the committee if we struck out the language "at Government expense"?

Mr. CELLER. Speaking for myself—I cannot speak for the other members of the committee—speaking for myself and whatever influence I may have, I would be willing to accept the striking out of those words and then accept the amendment.

Mr. WHITENER. If the gentleman will yield further.

Mr. WILLIAMS of Mississippi. I yield.

Mr. WHITENER. I want to address the question to the other distinguished gentleman from New York [Mr. KEATING] and ask him if he would accept and agree with his colleague from New York?

Mr. KEATING. I would say to the gentleman from North Carolina that there are degrees of opposition; and I do not like the amendment even with those words out, because it has this business mentioned by the gentleman from Colorado "learned in the law" and certain other phrases; it provides for two counsel which would not normally be the case in any other situation; and it is not written according to the Federal Statutes.

But I presume if the gentleman from New York, the chairman of our committee, sides with the gentleman from North Carolina, our opposition will, to a degree, evaporate, but I would feel very much better with those words out.

Mr. WHITENER. Knowing the gentleman's opposition to the jury trial, I feel certain that he would not want to be a party to depriving an American citizen of the right to counsel when he is on trial for alleged conduct which could result in his going to prison.

Mr. COOLEY. It will be necessary, if I understand the matter correctly, that the gentleman ask unanimous consent to correct his amendment. When that is done, we can submit it to a vote.

Mr. WHITENER. If the gentleman will yield, I ask unanimous consent to delete the words "at Government expense" in the last sentence of the new section which I have offered as an amendment.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. WHITENER: On page 12, after line 13, insert: "(e), *Provided*, That any person cited for alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial or hearing, as is usually granted to compel witnesses to appear on behalf of the prosecution. If such person shall be found by the court to be financially unable to provide for such counsel, it shall be the duty of the court to provide such counsel."

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina [Mr. WHITENER]?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. WHITENER].

The amendment was agreed to.

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read, as follows:

Amendment offered by Mr. ROGERS of Texas: page 12, after the last period add a new paragraph to be numbered part V.

"Notwithstanding any provisions herein contained or otherwise provided by statute, rule or regulation, no person shall be subject for the same offense to be twice put in jeopardy of life or limb. And a plea in bar shall be available to any person proceeded against under this act or the Criminal Statutes of the United States or any State thereof, who can establish a prior proceeding against such person for the same offense act or transaction, for which he is called upon to answer, whether such proceeding be under the Criminal Statutes of the United States or any State thereof or under the provisions of this act."

Mr. CELLER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. Mr. Chairman, I make the point of order that the amendment offered by the distinguished gentleman

from Texas is not germane. It provides for changes in criminal statutes, it provides for immunities in criminal statutes, for double jeopardy, which cannot be part and parcel of a bill that is limited solely to civil penalties and civil procedures. Therefore, the amendment offered is not germane to the bill.

Mr. ROGERS of Texas. Mr. Chairman, would the gentleman reserve his point of order?

Mr. CELLER. No; I would like to get a ruling.

The CHAIRMAN. Does the gentleman from Texas desire to be heard?

Mr. ROGERS of Texas. Mr. Chairman, this amendment is certainly in order because it is an incorporation in this act of a part of the Constitution that is applicable to the provisions of this new law which creates a restriction on how far the Attorney General can exercise this right or the other courts of the land can exercise the right if the Attorney General takes action.

The CHAIRMAN (Mr. PRICE). The Chair is prepared to rule.

The gentleman from Texas [Mr. ROGERS] has offered an amendment, to which the gentleman from New York [Mr. CELLER] raises a point of order that the amendment is not germane.

The Chair holds that the amendment offered by the gentleman from Texas is too broad in its purposes, it opens up all other statutes, rules, and regulations, whereas the bill under consideration is confined strictly to matters of civil rights.

The Chair, therefore, sustains the point of order.

Mr. ROGERS of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS of Texas. If I strike out the reference to rules and procedures, would the amendment be in order?

The CHAIRMAN. If the gentleman from Texas proposes another amendment, the Chair will then consider that amendment.

Mr. ROGERS of Texas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, my amendment was offered in an attempt to forestall effective repeal of a part of the fifth amendment to the Constitution, and I feel that it is certainly germane to this legislation. I yield to the ruling of the Chair, but shall attempt to rearrange the language so that it will be in order.

You heard the chairman of the Committee on the Judiciary just the other day admit to me that a man can be tried twice under this legislation. In a hypothetical question that I put to him, he admitted that it was possible for a man to be tried twice on the same day because of this bill, should it become law, admitting indirectly, if not directly, that a man could be tried time and time again under this act.

Now, the amendment that I offered contained the language of the Constitution of the United States insofar as double jeopardy is concerned, and I felt in this deabte the Members of this House should have the opportunity to place their approval or disapproval upon the provisions of the Constitution in that regard. It was for that reason that I offered the amendment, and for that reason I shall undertake to change the language so that we will not create situations in destruction of civil rights now guaranteed by the Constitution.

For instance, a man could be indicted on one day, tried on the next day before a jury, mind you, sent to jail for a year, let us say, and on the same afternoon of that conviction he could be hailed again before that same court, before that same judge, but without a jury, and be required to prove his innocence of the same identical act, and if he was not able to do it, be sent to jail for another year by that same judge. And the judge could fix it so that the terms would be consecutive and not concurrent, which simply means that the man could be required to serve 2 years when a jury had convicted him and given him 1 year. On the other hand, if that jury had acquitted that man and he was supposed to have walked free from that courthouse, as we have always led the people of the world to believe, that the United States so provided in its Constitution and in its laws, a deputy marshal could have been waiting on the doorsteps of the courthouse or the Federal building, and the only freedom that the defendant would have enjoyed by the acquittal of a jury of his peers, as he is guaranteed under the Constitution, was when he walked down the stairs to where that deputy was waiting, just long enough for the deputy to have time to serve a show-cause order. He could be again hailed into that Federal building and sent to jail and held there, if the court so determined; he could be brought before that court again and even though he thought he was free the day before, he could be sent to jail without the benefit of a jury by the very judge that tried him the day before.

Let us carry it one point further. This act talks about intimidation and threats. It creates a situation where intent can be assumed. A judge may assume intent. It is not required to be proven. Unless an amendment of this type were adopted, the same judge could try a man one day for tripping a fellow, the next day for glowering at him, the next day for sneering at him, the next day for talking about him behind his back, idle gossip. That man could be sent to jail each time for a different term because he had violated the act; and, mind you, that would be without the benefit of a jury, and under a proceeding where he could be required to establish his own innocence.

I say to the Members of this Congress who are representing the people of this country, in all seriousness, I hope you will think twice before doing violence to the Constitution of this country. To destroy one section of the fifth amendment will be the crack in the dam that could result in the loss of all rights therein guaranteed.

Mr. RIVERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RIVERS: Page 10, line 22, strike out period and add the following: "and the right to work"; page 12, between lines 13 and 14, insert the following:

"PART V—TO PROVIDE CRIMINAL SANCTIONS FOR VIOLATIONS OF THE RIGHT TO WORK"

"SEC. 141. Section 241 of title 18 of the United States Code (conspiracy against rights of citizens) is amended by inserting after "United States" the following: "(including the right to obtain and keep employment regardless of membership or nonmembership in a labor or trade organization)."

"SEC. 142. Section 242 of title 18 of the United States Code (deprivation of rights under color of law) is amended to read as follows:

"'242. Deprivation of rights under color of law

"'Whoever, under color of any law, statute, ordinance, regulation or custom, willfully subjects any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States (including the right to obtain and keep employment regardless of membership or nonmembership in a labor or trade organization), or to different punishments, pains, or penalties on account of such inhabitant being an alien, or by reason of his color or race, or by reason of his membership or nonmembership in a labor or trade organization, than are prescribed for the punishment of citizens, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.'

"Renumber section 141 as section 151."

Mr. CELLER. Mr. Chairman, I make the point of order that the amendment is not germane to the bill. It covers so-called economic rights; it deals with the subject of labor. This is a civil-rights bill. It also provides for criminal penalties, so that it is in a sense a criminal statute that is sought to be placed upon a civil-rights statute. It enlarges the whole purport of the bill.

I believe it is not unrelated to the proceedings that were before the distinguished Chairman in the last Congress and in this also when an amendment of similar import was offered and was ruled out of order as being not germane. It is not unlike an amendment which was offered in the early part of the consideration of this bill which likewise involved the right to work and, very properly following the precedent he established in the last Congress, the Chairman held that amendment was not germane.

For those reasons I say the amendment now offered is not germane.

Mr. RIVERS. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. RIVERS. On last Thursday when an amendment similar to this came to the floor, the Chair said this:

The Chair in 1956 ruled on a practically similar question.

Then I interrogated the Chair and among other things this transpired. I had trouble understanding the Chair, and I asked the Chair most respectfully this question, if this bill referred only to political rights. The Chair said this:

The bill deals with political rights. Voting is a political right.

That has been all the discussion here, about political rights. I understood the

Chair to say that the bill dealt with political rights. I am asking the Chair if the Chair held that the bill does not deal with political rights. The right to vote is a part of the Bill of Rights. Does the Chair hold that the Bill of Rights is a civil right? The Chair said both.

Part III on page 9 of the bill states this, and it was put in there by the great Committee on the Judiciary:

To strengthen the civil rights statutes, and for other purposes.

I went to look in the dictionary I have in my office. I think it is still in date and has not been changed. It said that civil rights relate to private rights of an individual in a community and to legal proceedings in connection therewith.

Under part III, "To strengthen the civil rights statutes, and for other purposes," the committee wrote in this language, "including the right to vote."

Then there is another part, part IV, "to provide means of further securing and protecting the right to vote." My amendment adds another section, section 5, which outlines what happens in connection with what the dictionary refers to as the rights of an individual in a community and to legal proceedings in connection therewith.

I pose this question to the Chair. Does not the individual have the right to be secure in his person and in his home? He is not up in Wisconsin today, and neither is Mr. Riesel in New York, whose eyes are bashed out. Are not those civil rights, I suggest to the Chair? When the people are deprived of their rights, should there not be some recourse whether or not the Committee on the Judiciary put it into the bill or not?

The CHAIRMAN. Is the gentleman speaking to the point of order?

Mr. RIVERS. I am just about getting back to it.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. RIVERS. My point has to do with basic civil rights, because they were not thought of by the Attorney General and mimicked by certain members of the Committee on the Judiciary without dotting an "i" or crossing a "t." I submit they were basic civil rights before the Chair or I ever saw the dawn of day. I submit they are therefore germane and part and parcel of the Bill of Rights of this country. Therefore, they are bound to be germane.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from South Carolina offers a new section to the bill now under consideration, H. R. 6127. He offers his amendment as "Part V—To provide criminal sanctions for violation of the right to work."

The question of germaneness has been raised. The Chair read from volume 8 of Cannon's Precedents, section 2911, on page 477, which is a ruling made by Chairman Garrett, of Tennessee, one of the outstanding Members of this House at any time:

The rule providing that an amendment must be germane has been construed as requiring that the fundamental purpose of an amendment be germane to the fundamental purpose of the bill to which it is offered.

The fundamental purpose of the bill now before us is the protection of civil rights with particular reference to the right to vote. The amendment offered by the gentleman from South Carolina deals with an economic right, the right of an individual to obtain and hold employment.

Based upon the aforementioned section of Cannon's Precedents plus the rulings of the present occupant of the Chair on July 19, 1956, and again on June 13, 1957, the Chair holds that the amendment is not germane and the point of order is sustained.

Mr. RIVERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RIVERS: On page 12, line 14, after "141" strike out the rest of line 14 and 15 and insert: "This act shall be known as the Celler-Keating Political Act of 1957."

Mr. RIVERS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Chairman, I have tried to get an amendment through to protect the civil rights, the thing to keep you and me out of jail. But, we have occupied 4 or 5 days here talking about nothing but political voting rights. There has been more talk about voting rights on this thing than a show dog can jump over. We have been talking about the deprivation of rights here, there, and yonder, and when I try to really protect the civil rights of people, I am ruled out of order so fast it makes your head swim. Now, let us give this bill the title to which it is entitled. This is a political bill. Rights are so far removed from this bill that you could not contact them with a radar. There are no civil rights in this bill. These are political rights. This bill deals with the right to get reelected in 1958 and the Presidential elections thereafter. You have the hideous spectacle of this gentleman competing with this gentleman to get back to New York to say, "Look what I did. I hung, drew, and quartered the South in absentia. We really fixed those southerners; didn't we?"

The New York Times will have headlines—not boxcar letters, but letters the size of boxcars. That is what will happen. This is not a civil-rights bill. As the distinguished gentleman from Texas [Mr. DIES] said, "This is a political bill." Let us look at it for what it is worth. This is a political act, and it is tragic—it is tragic. As the Star said yesterday in an editorial, and I want to refer to it since my people have been held up to ridicule, scorn, and derision by the most brilliant oratory that could be imagined from East, West, and the Far West. You heard the distinguished gentlewoman from Illinois and how she gave us the unadulterated works. You heard that. And there was not any charity in those words—I say to you there was no charity in those words. The editorial reads:

The attempt to add a jury trial amendment to the so-called civil-rights bill has been beaten down in the House by a vote of 199 to 167. This 32-vote margin according to Representatives WILLIS, Democrat, of Louisiana, resulted from White House pressure on Republican House Members.

They had some help from another section of the country.

I would like to depart from my written text to say this, that when the election happened last November the only votes Adlai Stevenson got were from the South and from the State of Missouri. We kept you boys who are now cussing us out, we kept you in business. If it were not for us you would have been out of business, for you would not have carried one State in the last Presidential election. The matter is in your hands. You are going to build the edifice. You better know what you are doing and what you are talking about. We are tired of being the whipping boys for all the Nation and the avenue by which some of our colleagues who call themselves Democrats—who call themselves Democrats—reach Washington, in the District of Columbia, and get sworn in as Members of the House of Representatives. We are tired of that statement. Our pants are getting threadbare in the part that you have been utilizing for your own convenience.

Now, says the Star, when I was compelled to depart from my text:

We do not know whether this is correct.

That is whether the jury trial amendmen was defeated as a result of White House pressure on Republican House Members. But the editorial goes on to say:

If it is, it means that the President, who carried five Southern States last year, does not trust Southern jurors to live up to their oaths. For the real reason behind the drive against the jury-trial amendment was the fear, real or professed, that Southern juries would not convict defendants in civil-rights contempt trials regardless of the evidence.

That is a terrible indictment, that is a terrible indictment of my people and of my section; and when the distinguished gentleman from Louisiana [Mr. BROOKS] asked the House to restrict it to the district in which the offense was alleged to have been committed you were not even willing to leave him the district. You do not trust the jurors, you do not even trust the Southern Federal judges. Methinks you do not even trust yourselves sometimes, because it is possible under this Celler-Keating political act of 1957—and that is the most germane title ever tied to a bill; and if you do not like that then you can call it the Keating-Celler Act, because these Gold Dust Twins—why do they not ask that my words be taken down? These Gold Dust Twins are now just before putting on the statute books of this session of the Congress, the greatest, the greatest and the most unconstitutional piece of legislation that has ever been proposed to a prostrate section of this country for want of sympathy—a prostrate section of this country for want of sympathy—a most obedient House that is sensitive to the wishes of the NAACP, the ADA, and other bodies, propose now today to put its stamp of approval—and it will not be

long before the vote comes—to the worst piece of legislation as far as civil rights are concerned that has ever been handed to the American people since Thaddeus Stevens walked these corridors or Charles Sumner walked the other corridors.

And it is ironic that the successor to Thaddeus Stevens, or a man who succeeded him, is the gentleman from Philadelphia [Mr. HUGH SCOTT]. That is appropriate, but I hate to think that his running mate is one MANNY CELLER, and the other to whom they throw the ball, one KEN KEATING. They throw the ball from CELLER to SCOTT to KEATING.

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the provisions of H. R. 6127 as reported by the Committee on the Judiciary and without any amendments that would in any way weaken its provisions.

On the floor and in the halls of this Congress we have been urged often, during these several days of debate on this bill and the amendments proposed to it, to approach this subject from the standpoint of logic and not emotion.

Indeed, Mr. Chairman, there have been times almost when it has seemed that there was something wrong in our becoming emotional about the fact that millions of our fellow citizens are being deprived of their sacred constitutional right to participate in their government because of the color of their skins—that in many places in our Nation representative government is a mockery—that for too many of our Negro citizens this has been a government for them and not by them.

And we are told to be cold and logical and unemotional.

Frankly, Mr. Chairman, I'm getting emotional about this deprivation of the basic constitutional rights of my fellow Americans.

We cannot view this blow to the vitals of representative government with detachment and calm, because we realize that if long continued it will inevitably debase all our protestations that this is a government of the people, by the people, and for the people.

The cornerstone of our democratic form of government was enfranchisement of the greatest number of its citizens and their participation in the election of those who would represent them here in the Halls of Congress and in the executive branch of the Government.

The Constitution specifically prohibits the denial of the franchise to any citizen on the basis of color. And yet when we here in the Congress seek legislation translating into a reality that constitutional prohibition, we are met by a veritable barrage of words, uttered at times almost disdainfully, to the effect that we are becoming emotional—unreasonable, that we should remain calm and logical and detached.

Calm and logical and detached about what?

Calm about the violation of the Bill of Rights of the Constitution—secured and preserved with blood that drew no color line?

Logical in the face of a situation where men and women in certain portions of our land walk in fear while their constitutional rights are trampled under foot?

Detached at the fact that almost a century after the Proclamation of Emancipation millions of American citizens are denied the basic right to a voice in their Government because they are Negroes?

Disdain, Mr. Chairman, cannot quell our emotional indignation at the continuance of such discrimination.

Neither can that indignation be quelled by a smokescreen of legalistic hairsplitting that somehow, through some feat of legerdemain, seeks to cast the onus upon us who seek to remove this manmade, unconstitutional disqualification of American citizens from full participation in their own Government.

Let us keep the issue clear, Mr. Chairman.

Many amendments have been offered and much as those who have spoken in opposition to this measure would like to steer a different course, (the basic issue is not to deprive anyone of any rights.) The basic issue is that no longer shall there be deprivation of the right to vote by millions of Americans solely because of their color.

That is the basic issue.

We have heard much, these past few days, Mr. Chairman, of the so-called viewpoint of the South on this legislative proposal. But have we really heard from the South—or have we heard only from the white South? Even here, how can we have represented the true viewpoint of the South when so many of its citizens are denied the right to participate in the election of the very Members who are here rising to speak on behalf of the South.

And yet we have been told to be unemotional.

I submit Mr. Chairman, it is time for a bit of emotion, a time for deep feeling on behalf of the rights of our fellow American men and women who are treated as less than second class citizens because of their color.

At a time when the United States is locked in mortal struggle with totalitarian nations, when the Free World seeks the minds and the hearts and the loyalties of the oppressed, how can we here be asked to sit in calmness and logic and contemplate a situation where the Bill of Rights continues to be undermined and underenforced.

The time for subterfuge has long since gone. It ill behooves the United States to proclaim freedom and democracy abroad in ringing tones, and deny their very essence to so many of its own citizens.

The time for action is upon us. I hope this body will act speedily to approve this measure. I hope the other body will act as speedily. But, more than that, I hope and trust that once this bill is enacted reason and logic and adherence to legal principles will prevail and there will then be voluntary adherence to principles set forth in it and the prompt enfranchisement of all citizens of the United States without regard to color, race, religion or national origin.

This I hope for deeply, and, if you will, emotionally. For none of us, loving our Nation and the principles upon which it was founded as we do, can long contemplate wholesale violations of our long-cherished Bill of Rights without deep emotion.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. RIVERS].

The question was taken; and on a division (demanded by Mr. RIVERS) there were—ayes 47, noes 105.

So the amendment was rejected.

Mr. DOWDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY: On page 10, line 1, after the words "may institute" strike out "for the United States, or in the name of the United States" and insert "at the written request of the aggrieved person or persons institute for and in the name of the aggrieved person or persons."

Mr. DOWDY. Mr. Chairman, I have another amendment that applies at another place but is identical, and I ask unanimous consent that they be considered en bloc and that I be recognized for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Clerk will report the second amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY: Page 12, line 2, strike out "for the United States, or in the name of the United States" and insert "at the written request of the aggrieved person or persons institute for and in the name of the aggrieved person or persons."

Mr. DOWDY. Mr. Chairman, these are the amendments that I mentioned the second day of general debate, Friday, June 6, after the gentleman from New York, the ranking minority member of the Committee on the Judiciary made his statement, in other words, his confession of ignorance, that it had never entered his mind that he was taking away anybody's right of trial by jury in reporting this bill, and it was agreed to by the gentleman from New York [Mr. CELLER], in which he said:

I would not want to by any stretch of the imagination take away any rights from anyone.

Now, as I mentioned on June 6 in this debate, the sincerity of their statements could be put to test with this amendment. The moment of truth is here. We will find out whether the statements have been honest or not; that they do not want to take away anybody's rights.

Now, they have repeatedly and repeatedly stated that this does not take away any rights, but it does, because it has been admitted earlier in the debate that at the present time anyone violating these particular things that are covered by this bill would be entitled to a trial by jury.

In my part of the country, if a man now has a right of trial by jury, and this bill would take it from him, you are depriving him of a right he presently has. That cannot be denied. There is express wording in this bill providing that the case be brought in the name of

the United States, and there was a reason for that. The sole purpose and intent of putting those words in the bill was to deprive American citizens of the right of a trial by jury.

Now, there has been talk about libertarians and liberals and all that sort of thing during the discussion of this bill. I want to say that there has been a revolution going on in the United States of America for a number of years. This revolution was peacefully accomplished by the technique of bringing it to pass not only within the form but within the word, so that people are and were all the while fixed with the delusion that they were talking about the same thing because they were using the same words. Opposite and violently hostile ideas were and are represented by the same words. For instance, we know that the Russians claim that they are a democracy. We here in the United States say that we are a democracy. But those two conceptions are violently hostile. Each one calls itself a democracy. That is done to fool the people.

Some years ago a liberal was a person who believed in the freedom of the individual, who did not want his rights taken away by government. He wanted to be able to make a free choice of what he did. It is a directly opposite sort of person who calls himself liberal today, because they want to fool other people. Today a liberal is somebody who wants a dictatorship, a tyranny here in Washington by bringing all powers of government to Washington. And included in that, of course, is the necessity to destroy, to abrogate and abridge the right of trial by jury.

I believe it was Hitler, in his book, who said something to the effect that it did not make any difference how great a falsification was, if it was repeated enough times, the people would believe it, and we have seen the truthfulness of that in operation here.

The statement that this bill does not take away the right of trial by jury specifically has been repeated over and over so many times here in this debate in the House that even the people who are saying it, knowing it to be false, now apparently actually believe it.

It was demonstrated last Friday and again today that a majority of the membership of this House present at the time of the voting, had been told so many times that this bill did not take away the right of trial by jury that they really believe it. In the beginning, by the statements of several, they knew it was false, but it was said so many times that they finally believed it.

There is no doubt that this bill, besides being a political bill, is class legislation. The House voted down the attempt to make this apply to all people alike. That makes class legislation, of course. And these untruths that they are repeating over and over, so many times, have had the effect on some Members of causing them to believe the falsehoods.

There have been other demonstrations of the fact that people can be brought to believe things that are not true. The sweetest person in this House, during this debate, rose here and I was shocked to hear the words containing unmitigated venom, with facial expressions of unadulterated hatred of people in a section of our country. I have known this person ever since I have been in Congress and I just did not believe it was possible. But, you see, the mind has been poisoned on this particular subject.

The continuous repetition of falsehoods has even had its effect on our President to the extent that he has put all the pressure of his office on Members of Congress in his party, demanding that they vote against jury trials for the American people. That information comes to me from Members who have been so pressured, as well as the newspapers.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I do not think that the gentleman could possibly be referring to me, as I do not take such compliments lightly, but if by chance his words should have reference to me, I should like to say to the gentleman that there is no hatred but strong conviction that current wrongs must be removed. I thank the gentleman.

Mr. DOWDY. I have here some letters. One of them, which is from Colorado, asked if Members of Congress would actually vote to deny a person trial by jury. I told him that I certainly would not so vote.

Another from Colorado asked how could a Member of Congress vote to deprive anyone of the right of trial by jury. "Are they knaves or fools?" he said. I answered, "I will vote to guarantee the jury trial, and I am not going to vote to deprive anybody of the right to a trial by jury; you will have to ask each Member who votes against the jury trial to classify himself."

I have a letter that came from Massachusetts. The writer said he understood that members of the Judiciary Committees of both Houses voted to reject amendments which would guarantee the right of trial by jury, and he asked me if that was true. I told him it was true, but that it was not unanimous in either committee, and that in the House committee it was barely defeated; I further answered that I certainly did not want to be classed as a person who would deprive any person of the right to trial by jury. Later I got a letter from the same gentleman in Massachusetts who stated he had received a letter from a Member of Congress attempting to justify voting against jury trials. This is his statement: "I would not have believed that a Member of Congress could express such a view if I had not seen it with my own eyes in writing." I agree with the writer of the letter. But he should have been here today and yesterday to see the degrading spectacle here on the floor as the majorities voted to sacrifice the sacred rights of the people who elected them as their Representatives. We have heard it said that "it cannot happen here"; yet we have seen it happen today, when a majority of the Members of Congress betrayed the people who chose them, by failing to protect their rights, but, to the contrary, voting to destroy, abrogate, and abridge their right of trial by jury.

I have here an article that I tore out of a Sunday paper not long ago, an article about Memorial Day. It was written by our colleague the gentleman from Pennsylvania [Mr. VAN ZANDT]. There is a part of it which I think is applicable here in the problem that is facing us today in contending with this alien philosophy that wants to destroy the rights of the American people. This is what he says:

> Our Nation may be destroyed as ruthlessly in times of peace as by ruthless enemies in time of war. In peace, it may be destroyed by subversive doctrine, by abandonment of fundamental principles, by surrender of the rights and privileges of the citizens.
>
> Against the armed enemy we rush forward to do our part in defense of our country. Often peacetime undermining of our civic structures comes in such pleasing disguise it leads many to welcome and encourage it.
>
> We are apt to forget history's lesson that government by the people is not eternal and that such governments have fallen victim to internal decay. In paying our debt to the heroes to whom Memorial Day is dedicated, let us be as vigilant in guarding against our own apathy as against foreign foes.
>
> The American form of government is only for those who appreciate it, who deserve it, and who are willing to defend it against all enemies at home or abroad. Let us resolve that, no matter what the cost, we will deserve our form of government, we will protect it, and we will pass it on unimpaired to those who follow.

I received yet another letter that I want to read a portion of to you.

> He complimented those who are fighting to safeguard the rights and liberties of the American people which are desperately close to being lost because of proposals such as the one before us. I would like to quote this part of his letter:
>
> Too often criticism is leveled by others who are long on talk but short on vision; self-seeking men who would not hesitate, for personal gain, to destroy those rights and freedoms which have been fought for so valiantly on the world's battlefields by Americans.

So you can see, all of the American people are not misled by the pious self-serving declarations made by the proponents of this bill.

I sincerely hope my amendments will be adopted. Not only will they preserve the present right of trial by jury, but also take away the authority of the Attorney General to file a suit without the consent and knowledge of the party or parties he purports to represent.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment provides for the necessity of a written consent of an individual aggrieved. During the hearings, the Attorney General opposed such a provision. He said there was involved here a public right as well as a private right and, therefore, the United States had the right to proceed to protect that right. Under this amendment of the gentleman from Texas, the United States are eliminated as a party authorized to file an action in equity. What does that do? That brings in the jury trial again by the back door. Again

we have to vote on the jury trial. That is the effect of this amendment. It seems at every twist and turn, we are confronted with some sort of a provision which brings back the necessity for jury trial. Vote it down as much as we will, it seems to bob up again and again. Apparently, some of the Members in that regard are insatiable. It is impossible to satisfy them. Some of the Members are just about as impossible to satisfy in that regard as it is impossible to make a vegetarian out of a tiger by feeding him beef steak. There are many, many instances where the Government sues where there may be also an infringement of a private right. For example, in our antitrust laws a private person who has been injured is given a right of action for treble damages. At the same time, the Attorney General may bring suit to restrain the same violations which give rise to the private suit. There are quite a number of Federal statutes which recognize the right of a private individual to sue for individual relief at the same time authorizing the Federal Government to sue for injunctive relief without requiring the consent of the individual as a prerequisite to the Government's suit. That is the situation with reference to the Longshoremen's and Harbor Workers' Compensation Act. That is the case with reference to the National Housing Act, the Interstate Commerce Act and the Securities and Exchange Commission Act, the Atomic Energy Act and the Federal Power Act, and many, many other statutes which permit the Federal Government to sue without the intervention of or consent as a condition precedent to sue from the party who might be aggrieved. I say this is a public right. If you are going to insist on the individual becoming a party to the proceedings by making the written request, and then the suit being brought on behalf of the individual, he becomes, as it were, the center of attraction. In some communities, it might bode ill for him if he has the temerity to start a proceeding of that sort and importune the Attorney General to take such action. He might be the victim of reprisals, economic reprisals, political reprisals. When you consider the emotional state that exists in some sections, unfortunately, why such an action would have the effect of exacerbating the emotional strains that already exist, and for that reason I do hope that the amendment will not prevail.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. I should like to propound a consent request. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from West Virginia [Mr. NEAL] is recognized.

Mr. NEAL. Mr. Chairman, in spite of long hours of debate, contradictory legal interpretations, and occasional outbursts of regional prejudice, I am still far from convinced that any laws enacted since the adoption of the 14th and 15th amendments to the Constitution, or their subsequent legal definitions, have changed the constitutional right of any American citizen to exercise his or her voting franchise.

On the other hand, our original Constitution reserved to the States such powers as were not specifically delegated to the Federal Government. Even while granting the right of franchise to the new freedmen, the 14th and 15th amendments did not specifically deprive the States from making laws governing the time, place, conditions, and manner for holding elections. Neither did they prescribe specific rights, conditions, or qualifications affecting the voting privilege.

Yet, there can be no doubt that intelligent use of the ballot, regardless of a voter's race or color, is only in direct proportion to the social, educational, economic, and cultural condition of the voter. Hence, there have arisen in the years since the Civil War sectional and ethnological attitudes toward the right to vote in the several geographical areas of our country.

In the immediate past, there was conclusive evidence, to be had for the asking, that in several States with heavy Negro populations, there were legal barriers to the unimpeded use of the ballot. This moral wrong and injustice under law has been, throughout the years, gradually correcting itself as our restless population, with full freedom of choice of residence, shifted to areas where restrictions on their franchise were less severe or nonexistent.

This movement of our citizens, coupled with a rapidly growing moral pressure aimed at correcting this basic wrong, was, and is, gradually moving toward the day when tolerance will have totally replaced prejudice in a great many States.

As to trial by jury, I believe it is fundamental to our whole system of jurisprudence; and, I would approve of this bill more readily had that amendment been adopted.

But as it stands, I support this legislation in the belief that the bypartisan character of the proposed Commission on Civil Rights will find an avenue of approach toward a nationwide acceptance of the right-to-vote principle without resort to methods that will further extend the existing breach between our Federal Government and the States involved.

The CHAIRMAN. The gentleman from New York [Mr. KEATING] is recognized for 5 minutes.

Mr. KEATING. Mr. Chairman, all of the actions contemplated under this bill are to be brought by the Attorney General for the United States or in the name of the United States. The United States can and will only institute actions under this bill to protect the public interest. Only indirectly will such action benefit private individuals.

It should be noted that the bill before us today omits the phrase, which was in the bill we considered last year, where in the same section it was provided that action was to be brought for the benefit of the real party in interest. That is not in this bill. Private rights of action now provided by existing statutes for one person against another will not be affected in any way by this measure.

This amendment, requiring the written request of the aggrieved party, might be appropriate if the Attorney General were suing on behalf of private individuals. When, however, the suit is one brought to protect the public interest, there is no precedent for such a requirement. We have many statutes on the books which permit suits by the Attorney General in the name of the United States. They do not require any written request on the part of any complainant who may have claimed that some harmful action was being done to him.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Michigan.

Mr. HOFFMAN. What becomes of the doctrine of the Supreme Court which says that where the Federal Government enters the picture legislation by the States goes out?

Mr. KEATING. That is not the issue before us on this amendment.

Mr. HOFFMAN. When the gentleman was talking I understood him to say something about the right of an individual to bring a suit. Now we have the Federal Government entering into the picture, the Attorney General bringing that suit for the benefit of an individual. Does the gentleman anticipate that there would be any holding that because of the Federal Government entering into the picture such right of the individual to bring suit will be denied?

Mr. KEATING. This bill confers no right upon an individual to bring a suit.

Mr. HOFFMAN. No; but if I remember the provision in the bill it is that the Attorney General can bring a suit; for example, for me, for my benefit. It says so in so many words, for my benefit.

Mr. KEATING. No; I wish to correct the gentleman. That was in the bill last year, but it is not in the bill this year.

Mr. HOFFMAN. Then, as a matter of fact, there is nothing in this bill to protect my right to vote if it is denied.

Mr. KEATING. Only to the extent that the public interest is involved. If the gentleman is one of a group whose right to vote is denied, his right will be protected, along with that of others, when the Attorney General brings the suit.

Mr. HOFFMAN. If the gentleman will yield further, if your humble servant is deprived of the right to vote does that affect the public interest to such extent that the Attorney General may bring a suit to protect me? How many of us must there be?

Mr. KEATING. I think I responded to another inquiry of that kind, but I would expect that the actions under this bill would be brought, normally, where a group of several persons were involved, not where only one was involved. There is nothing in the statute, however, which would prevent its being brought where only one person was involved.

The insertion of such a clause as is sought here would make enforcement of the public interest most difficult in those areas where it is most needed. We all

know there are local economic and social pressures which can be brought to bear upon an individual who might have the temerity to sign an affidavit or a consent or a request to the Attorney General to bring action. Such a requirement for written consent of the so-called aggrieved party might, in many instances, vitiate completely the salutary purposes of the legislation.

Mr. Chairman, I hope the pending amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DOWDY].

The question was taken; and on a division (demanded by Mr. WILLIAMS of Mississippi) there were—ayes 81, noes 115.

Mr. DOWDY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CELLER and Mr. DOWDY.

The committee again divided and the tellers reported that there were—ayes 98, noes 156.

So the amendment was rejected.

Mr. DOYLE. Mr. Chairman, the 15th amendment to the United States Constitution was proposed to the several States of the United States by the 40th session of the United States Congress, on February 27, 1869. This means by both the action of the House of Representatives and the Senate.

By researching the legislation and judicial history of the 15th amendment and that dissertation about it by John Mabry Matthews, published in 1909, I find that he frequently refers to the Senate Journal of the 40th Congress, together with the House Journal of the 40th Congress. Since my time in this debate does not permit me to quote from him but very briefly, I wish to quote him in his discussion about the voting in the Senate and the House respectively on the final form in which the 15th amendment was adopted, as follows:

> The amendment was rejected by the House and there ensued between the two Houses a wrangle in which the instability of the coalition between the humanitarians and the quasi-humanitarians was shown by the action of the Senate in deserting the coalition amendment, and then passing a resolution similar to the final form of the amendment, excepting that it was designed to guarantee the right to hold office, as well as the right to vote. With exasperation and variability the House in turn disagreed and the differences between the two branches had to be submitted to committees of conference, who reported an amendment in the exact form which it finally assumed. The report was immediately agreed to in the House by vote of 144 to 44, but was violently attacked by many Senators who were incensed at the action of the committees in omitting the words "hold office." The consideration, however, that this was probably the best form obtainable, and that a refusal to accept it would endanger the success of the whole measure, finally rallied to its support the various factions who favored a suffrage amendment of some kind, and on February 26, 1869, it was agreed to by a vote of 39 to 13 (in the U. S. Senate).

At the early date of March 30, 1870, it was proclaimed by the Secretary of State that 29 of the 37 States had already ratified it.

The order of ratification by the States, as reported, was as follows: North Carolina, West Virginia, Massachusetts, Wisconsin, Maine, Louisiana, Michigan, South Carolina, Pennsylvania, Arkansas, Connecticut, Florida, Illinois, Indiana, New York, New Hampshire, Nevada, Vermont, Virginia, Missouri, Mississippi, Ohio, Iowa, Kansas, Minnesota, Rhode Island, Nebraska, Texas, and Georgia.

The text of that 15th amendment shows clearly that, at that early date, it was recognized that no citizen should be denied the right to participate at the election polls, to help shape his individual destiny, and likewise to be an integral part and person of our representative form of government.

The 15th amendment, promptly ratified by the States, declared:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

Mr. Chairman, it is crystal clear to me that when the 40th Congress submitted the 15th amendment the distinguished Members of that session of Congress were acting soundly and with the perpetuation of our representative form of constitutional government expressly in mind. They then knew, as we do today, that there is no decent place, nor any place, nor room, in our beloved Nation for second-class citizens. And depriving a citizen of his or her right to vote is deliberately a disservice to our national success in matters of eliminating classes on account of race, color, or national origin. It results in a second-class citizenship.

History records that Congress itself, and the ratifying States also, then recognized their necessity of making it as difficult as possible to abridge or deny the Negro, or anyone else, the right to vote. Section 1 of amendment 15 spells that out in no uncertain terms.

But not only did the 40th Congress declare this sound and equitable principle of democratic participation, this same 40th Congress included in the 15th amendment, section 2 thereof which said:

> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

So, our predecessors in this United States Congress, as an express and explicit declaration, provided that we, in this 85th Congress, shall have—and do have the power, by legislation we consider appropriate, to enforce the right of all citizens of the United States to vote and to see that not a single American citizen, black or white, rich or poor, shall have his constitutional right to vote denied, or even abridged, by either the United States Congress, or by any State, making up the United States.

Yes, the 40th Congress anticipated that the time would likely come when we of Congressional sessions succeeding them, should be charged with enacting appropriate legislation.

If they did not, even back in 1869, recognize this an appropriate subject for necessary Congressional legislation, why did they expressly include it and submit it to the States for ratification?

The 15th amendment ratified in 1869 and 1870 expressly gave us authority and power to do what we are doing when we enact H. R. 6127. Our predecessors in Congress left it up to us to declare what we considered as appropriate legislation.

Mr. Chairman, each of the six terms I have already served in this great legislative body, Mrs. Doyle and I have deliberately motored to or from California, through the beautiful Southern States of our beloved Nation. A main reason we did so, was to personally visit and observe the people and conditions in that area. We have noticed sharp and material changes and improvements. I compliment these marked improvements.

This bill, H. R. 6127, will apply nationwide; I do not consider it a sectional bill. In my support thereof, I expect its application to be fair and just to all peoples in all sections. Our Nation can only go forward as all geographical sections and areas go forward and prosper together in good will and material prosperity. What harms or blesses one section, does either hurt or good to all sections.

The speed and ease of travel has transformed our people into a Nation of like interests; of interdependence upon one another.

No ill will or prejudice is in my conscious self toward these distinguished colleagues from the South, who have so brilliantly and tirelessly presented their case against the jury trial and against this bill. Honest differences of opinion should be encouraged. This bill will, they claim, compel action ahead of the time they are ready for it. I again repeat, there is room nationwide for more promptness in this field. We must be diligent about the business of seeing that no American is "denied or abridged" in his constitutional right of franchise.

Let us go forward, all together, in harmony and understanding.

Mr. McINTOSH. Mr. Chairman, under general leave to extend remarks on the civil-rights legislation, I desire to express for the RECORD my clear intent to support for the civil-rights bill which comes to final vote when I shall be absent from the House on official business.

Having been assigned several weeks ago by the chairman of the House Committee on Un-American Activities to special subcommittee hearings in San Francisco during the week of June 16, it is impossible for me to be present when the civil-rights measure reaches a final vote. Could I be present, I would vote "nay" on restricting amendments and on any motion to recommit, and "yea" on final passage of the bill.

Mr. DOLLINGER. Mr. Chairman, it is inconceivable and incongruous that this Congress, the legislative body of our Nation which was "conceived in liberty and dedicated to the proposition that all men are created equal" should now be engaged in a bitter wrangle over whether or not to assure to a great segment of our population the rights guaranteed them under our Constitution. Our duty is clear; the great need for good civil-

rights legislation is proved to us daily; every right-thinking American expects this Congress to pass an effective civil-rights bill. The delay in acting on this question, over a period of many years, has been unconscionable.

The purpose of the civil-rights legislation many of us have striven for is to assure to all our citizens, regardless of their race, color, religion, ancestry, or national origin, true equality and freedom as guaranted by our Constitution. We must establish, by effective laws, the rights of those who are now discriminated against, harassed, intimidated, and denied some of our greatest privileges of citizenship, because of their race, or color, or religion.

Although I had hoped for a stronger measure, I support H. R. 6127 because it is the best bill to be had at this time. It is a minimum program, but represents somewhat of a victory in the long struggle for civil-rights legislation. I am unalterably opposed to any crippling amendments to the bill before us; nothing less than H. R. 6127 as it stands will be acceptable to me.

Opponents of civil-rights legislation have, through the years, used every weapon available—their tactics have been to confuse, delay, object, filibuster, and to use every legislative procedure open to them to stop the measure from reaching the House and Senate for final action. This year, all their usual tactics have failed and they have now come forth with a new angle, a claim that this bill would deny the right of trial by jury. The right of trial by jury is held so sacred by Americans that such a claim endangers passage of the bill unless its real purpose is recognized for what it is—a clever device to undermine one of the most important provisions of the pending bill.

Opponents of the measure know just as well as I that H. R. 6127 is entirely consistent with our present practices with respect to jury trials. A jury trial for those who violate court orders designed to protect the civil rights of people would permit and encourage the violation of civil-rights statutes with impunity. An addition of a "trial by jury" amendment would render H. R. 6127 futile and meaningless. The truth is that to require a jury trial in connection with H. R. 6127 would actually be writing something new into our laws, since no jury trial is provided in about 30 other laws dealing with contempt. There is no justification for treating civil rights cases differently from any other cases involving persons charged with contempt for disobeying an injunction. Once court orders have been issued, their enforcement should not depend upon finding a local jury that would uphold the court against the local official in contempt. It is obvious that those now clamoring for an amendment to give the right to jury trial have as their real motive the acquittals by juries sympathetic with those who disobey civil-rights injunctions rather than the granting of the right to jury trial as a matter of principle. We must look upon the jury trial amendment as a clever maneuver, having as its only purpose the defeat or crippling of the civil-rights bill before us, and defeat such amendment.

Civil rights has always been one of my major concerns. I have again introduced my many bills dealing with various phases of civil rights—to prohibit discrimination in employment; to abolish the poll tax; to prevent Federal funds being used for housing where discrimination in housing exists; an anti-lynching bill; to prohibit segregation of passengers because of race or color; to withhold Federal aid from schools which discriminate among students by reason of their race, color, religion, ancestry, or national origin. The bill before us would not accomplish all this—far from it—but it would end some of the existing evils and would give some much needed protection to those whose rights are now denied them.

I repeat what I have said so many times—as a nation we can no longer afford to allow present discriminatory practices to continue. Almost daily headlines and reports concerning the school segregation-integration controversy, bombings, killings, and other crimes having as their basis race-hatreds and discrimination, have lowered our prestige and have furnished the Communists powerful ammunition to be used against us. Our undemocratic and cruel treatment of countless citizens in all parts of our country, must disgust many of the nations which we want to win to or keep on the side of democracy and to which we proclaim that our people enjoy the best form of government. I say that while discrimination flourishes here, we have no true democracy—we are trying to sell something that we ourselves have not achieved.

It is deplorable that we as a nation have lost so much ground in diplomatic and world affairs during the past 4 years. It is time that we started to win a few victories in the cold war and in the diplomatic field. One major victory would be to put into effect a good, practicable, and effective civil-rights program so that our own house will be in order, and so that on this score, at least, our enemies cannot shame us or cause others to lose faith in our democracy.

I have voted against every crippling amendment which has been proposed. I shall support H. R. 6127 as written.

Mr. HENDERSON. Mr. Chairman, section 1 of article XV of the Constitution of the United States provides:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2 of that article says:

> Congress shall have power to enforce this article by appropriate legislation.

One of the unique features of the American form of government rests in the freedom of the individual. A second feature, as important as the first, is the right of the citizens to vote, to have a voice in their Government. Both freedom and franchise are essential ingredients of this Republic.

A great and tragic war was fought because some Americans were not free. Victory in that war brought freedom to those enslaved millions. But freedom did not necessarily bring them a voice in their Government. A further step was required, the adoption of the 15th amendment, spelling out the fact that the right to vote was to be theirs.

In many States the voice of the Constitution was sufficient, and the right was afforded them. For the first time men of all races were permitted to vote. But even now, in 1957, nearly 90 years later, in parts of our country, the right to vote is being denied to some Americans. Many are the ingenious devices employed to accomplish this disenfranchisement. On occasion the devices have included threats, intimidation, and violence.

Sufficient time has elapsed to permit local authorities and local governments to give force and meaning to the Constitution. Federal legislation, guaranteeing the right of franchise granted to all citizens of this land of liberty, regardless of race, color, or previous condition of servitude, must be enacted so that the privilege of voting may be enjoyed in all parts of our Nation. I shall vote for this legislation. It must be passed without delay.

Mr. VANIK. Mr. Chairman, this has been a prolonged and strenuous debate upon this very important and vital legislation. Millions of Americans have followed this debate with care, patiently expecting the approval by Congress of this legislation.

It has been argued during the course of the debate that the need for civil-rights legislation has become a political cause and that it has sought to divide the regions of America. The fact of the matter is that this legislation transcends politics, transcends regions. It is in every respect a moral issue.

It was a revelation to witness the strength of this legislation and the militancy of its supporters during the course of the many amendments which were proposed during the debate. Some of the amendments would not be harmful, while others would have fatally destroyed the legislation and made its administration impossible.

I was proud to be on the floor throughout the debate and oppose every single effort that was made to amend the legislation in the form in which it was reported out of the House Judiciary Committee. The committee studied all issues very carefully, and the House of Representatives confirmed its faith in that committee by accepting the committee's work almost without change. The chairman of the committee, Mr. EMANUEL CELLER, and the members of the committee are to be commended for their brilliant efforts.

The most serious attack on the civil-rights bill was made by the so-called jury trial amendment, which sought to undermine the authority of the Federal courts by seriously weakening their power to enforce lawful orders. The jury trial amendment was proposed by enemies of the legislation who sought to destroy its very efficacy. Certainly the right of all people to vote is paramount to the right

of defiant people to violate and transgress a lawful order of a court. It was contended by many during the course of this debate that the American people must fear the growth of injunctive power. As a matter of fact, the injunctive power of our courts is a modern approach to the need of avoiding and eliminating injuries to the rights of persons before they occur. It may be expected that the use of the injunctive power will grow rather than diminish. By restraining an unlawful act before it is committed, it will undoubtedly prove a most useful device for protecting the personal rights and liberties of every American citizen.

It is my hope that the other body will promptly take up this important civil-rights legislation as a first order of business, so that the American people can live in early hope for the day when the right of all people to vote is no longer an issue in America.

It is my further hope that with the final passage of this legislation an era of good will will encompass the Nation which will make the administration of this law a very easy task.

Mr. SHEEHAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHEEHAN: On page 6, line 25, strike out paragraph (b), line 25 through line 7 on page 7.

Mr. SHEEHAN. Mr. Chairman, I have two other amendments relating to the same subject and ask unanimous consent that they may be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. ROGERS of Colorado. Reserving the right to object, do they relate to the same problem?

Mr. SHEEHAN. They are on the same subject matter referred to in this section, but in other parts of the bill.

The CHAIRMAN. The Clerk will report the amendments of the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. SHEEHAN: On page 7, line 8, after "The Commission", strike out "may constitute such advisory committees and"; and on page 7, line 12, strike out paragraph (d), lines 12 through 19.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois that the three amendments be considered en bloc?

There was no objection.

Mr. SHEEHAN. Mr. Chairman, this amendment deals with paragraph (b) of section 105 and seeks to strike out the uncompensated advisory committee to the Commission. In the report accompanying H. R. 6127, the only reference made is at the bottom of page 7 which reads as follows:

The Commission is authorized to utilize the services of voluntary and uncompensated personnel and to reimburse them for travel and subsistence while engaged in the work of the Commission. Provision is made, however, that not more than 15 persons may be employed in such capacity at any one time. It is the opinion of the committee also that the Commission should not employ at any one time more than half of this type of personnel who are affiliated with the same organization or group.

Mr. Chairman, it seems to me there is no question that this is a change in the law as passed in 1956, the limitation of not more than 15 volunteers being utilized at one time. It is the duty of the Congress to provide the funds for as many investigators as might be needed to properly carry out the intent of this legislation.

As the gentleman from New York [Mr. KEATING] said previously today it is estimated that approximately $250,000 would be used and, in his words, that was a generous estimate. Therefore, it does not seem to me that we should go out through the country and look for people to, if you please, stir up trouble. I do not think this provision will add anything at all to the bill. In the opinion of many of us, if anything, it will destroy some of the good and the effectiveness of this bill.

In my personal opinion it might and probably will bring on a lot of mischief. It provides, if you please, for carpetbaggers, for volunteer people to help the Commission and stick their nose in wherever they think they may be helpful, and I am doubtful that the Commission could adequately supervise and regulate the people who are working on a voluntary basis.

I realize that the volunteers are limited to 15, but what could happen? An organization with a great deal of money could employ a tremendous staff of people, and then put up to 7 members at the disposal of the Commission and turn over all of the data, by being utilized by the Commission for only 1 month of actual work as voluntary workers of the Commission. I would not object if it was to provide for additional useful information to the committee, but I am concerned that much of the information they would bring forth would just stir up trouble.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. SHEEHAN. I cannot yield.

I should like to address the balance of my remarks to my colleagues on my own side.

With this thought in mind, there is no question in my mind who will be doing this voluntary work, who will be providing the funds, the wherewithal to help stir up trouble within the country. I can name them for you: The Americans for Democratic Action, who certainly are not on our side of the fence and who would be doing their best either to work against us or work against the people to stir up trouble.

I do not have to talk to you about the socialist labor leaders of the CIO dominated by Walter Reuther, who have tremendous funds and who would be sending their men under the guise of their education funds, out into the South and into various other parts of the country just to stir up trouble. They would bring to the Commission just the information they wanted the Commission to get in order to foster their own ideology. These labor leaders would do this without the consent of their own rank and file members.

I do not have to tell you about the Committee for an Effective Congress, which has a lot of money at its disposal and always seems to work against our type of people.

I do not have to tell you some of the other committees, fake committees, that have been set up in this country for purposes of merely stirring up the people. To me, it seems that this particular section of the bill will not lend a bit of good for the proper enforcement of the law and the good of the country but might stir up a tremendous lot of evil.

As I said, only the moneyed organizations would be able to provide the free personnel to assist the committee, because if they have any kind of good investigators or any kind of good lawyers they are going to have to pay them good salaries, and only organizations with money in their treasuries can provide the Government with voluntary workers.

Why does the Government need this assistance? If we are going to put a law on the books, it seems to me we the Government should provide this money, and hire adequate staff personnel so that the commission could guide and control its staff along the lines deemed best by the Commission.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is the first time I have ever heard of a Member of Congress deliberately assuming that because six men had been selected by the President of the United States, men of different political parties and whose confirmation must be made by the Senate of the United States, the President would deliberately go about appointing a group of carpetbaggers to stir up trouble to the detriment of their duties and responsibilities as members of this Commission.

If you are going to assume that the President of the United States is going to appoint irresponsible persons, people who have no regard and responsibility for the duties assigned to them, then I may accept the arguments advanced by the gentleman.

A moment ago when I asked him to yield but he was unable to yield because he did not have time, I wanted to ask him the question then, and I will repeat it now: What does the gentleman know as to what the complexion of this Commission will be?

Mr. SHEEHAN. My amendment does not refer to the Commission members to be appointed by the President. It is the uncompensated people who are to assist the Commission to whom I refer.

Mr. ROGERS of Colorado. The Commission is the one that authorizes their appointment. The Commission is authorized and its members are appointed under section 101 (b) of the bill. The thing you are trying to get at and the thing you are asking Congress to do is that in connection with the powers given to this Commission—you say that you are fearful—under paragraph (b) of section 105, which appears on page 6, and again under paragraph (d) on page 7, that the personnel selected by this Commission who may volunteer their services will be irresponsible carpetbaggers, as you have indicated, who will be going out and stirring up trouble. What I want to know from the gentleman first of all—whom do you feel the President is going to appoint to this Commission, and, secondly, how do you think they are going to disregard their duties when they are assigned to this Commission?

Mr. SHEEHAN. Again I say to the gentleman, my amendment in my opinion does not pertain to the Commission at all. It pertains to the "voluntary and uncompensated personnel." If you look at the report, you will note that your own committee had some reservations on it this year as compared to last year because they limited these volunteers to 15. In your report, you state that not more than seven members shall be affiliated with the same organization. So evidently your own committee had some doubts about this matter.

Mr. ROGERS of Colorado. May I direct the attention of the gentleman who offered the amendment that on page 6 at line 25, it says that the Commission may accept and utilize the services of volunteer, uncompensated personnel. The point I am trying to get from you—is why do you think, if they may accept those services, you are going to get this type of person? The responsibility for the selection of the uncompensated personnel is placed with the Commission. You agree to that; do you not?

Mr. SHEEHAN. That is right, and I say we should appropriate enough money to pay their salaries so that we can control them and not have outside persons doing voluntary work.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. FLYNT. In connection with whether the personnel appointed to the Commission are good men or bad men, will the gentleman from Colorado not agree with me that the test of this legislation as well as the test of all legislation is not what good men will do with it, but what bad men might do with it.

Mr. ROGERS of Colorado. The answer to that is very simple. I am assuming, and I think every Member of the Congress assumes that the President of the United States is going to select good men and that those men are going to perform the duties they are authorized to perform under that Commission.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. DIES. What is the need of this provision? The Commission can hire its investigators. Why do you want to include in the bill a provision to use uncompensated members?

Mr. ROGERS of Colorado. They may be Members of Congress like the gentleman from Texas who would be interested in such matters.

Mr. DIES. But I would not be interested in uncompensated work.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHANSEN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I am not going to use the entire 5 minutes, but it seems to me I recall some very loud complaints, some of them seemed to come from the other side of the aisle in the last few months about the so-called conflict of interest. Now how do you invite the greater temptation, the conflict of interest by bringing this in on an ostensibly objective investigation when you open the door to possible volunteers who are far from objective and who have something definite to sell in the form of bias?

Mr. Chairman, I yield back the balance of my time.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield.

Mr. HOFFMAN. Just a few moments ago, the gentleman, a member of the committee, the gentleman from Colorado [Mr. ROGERS], asked where the gentleman from Illinois got the idea that there might be bad men on that Commission. I can tell you where I get it. I was listening to the Members on the majority side, especially the members of the Committee on Government Operations subcommittees, and I recall very distinctly for the last 4 years the President, according to their idea, has not appointed anyone who has ability and sincerity.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield.

Mr. MASON. Would the gentleman not agree that some of these appointees, these voluntary appointees, could be designated as stool pigeons?

Mr. JOHANSEN. I would not preclude the possibility.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield to the gentleman from Georgia.

Mr. FORRESTER. I just wanted to say to the membership and to the gentleman from Illinois who submitted this amendment that it is crystal clear the President will appoint the six-member Commission, but the Commission will appoint this uncompensated personnel. Now, if there is anything to history, if you can judge the future by the past, I will tell you what the Democrats did with this provision when Mr. Truman appointed the Civil Rights Commission, and you will find it on page 329 where it says:

The NAACP, American Civil Liberties Union, Fiske University, and others furnished most of the information.

In the committee this very point was raised. It was raised on the theory that we wanted to know who that uncompensated personnel was. We threw out the challenge to the effect that it would be these pressure groups. There was no denial of it in any way, shape, or form; and I just want to tell the gentleman from Illinois he is completely correct. There was no denial whatsoever of it in the committee. If you appoint these men you are going to have to have a repetition of what has gone before.

Mr. KEATING. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. Under a unanimous consent request of the gentleman from Illinois to consider the three amendments as one, am I correct that a vote against the amendment would be a vote against all three?

The CHAIRMAN. The gentleman is correct.

Mr. KEATING. That we are considering them all together?

The CHAIRMAN. They are being considered en bloc.

Mr. SHEEHAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SHEEHAN. When I asked that the three amendments be considered en bloc I thought the three amendments referred only to the voluntary members of the Commission. Upon rereading the third amendment I find it refers to the whole Commission. I did not intend it that way.

I ask unanimous consent, therefore, that that part of it not be considered because it refers to the whole Commission and not to the voluntary Commission.

Mr. CELLER. Mr. Chairman, reserving the right to object, I do not quite understand the point made by the gentleman from Illinois. Will he restate it for me?

Mr. SHEEHAN. Certainly. When I sent the 3 amendments to the desk I thought all 3 referred only to the voluntary members of the Commission. I now find that the third amendment has reference to the entire Commission, both appointed and voluntary. I did not mean this to apply to the actual members of the Commission.

Mr. CELLER. Does that mean that the gentleman withdraws his amendment which strikes out subdivision (d) on page 7?

Mr. SHEEHAN. That is right.

Mr. CELLER. And all that the gentleman has left would be the striking out of all of subdivision (b) and the striking out of line 8 on page 7 and line 9 "constitutes such advisory committees and may."

Mr. SHEEHAN. The gentleman is right.

Mr. KEATING. Mr. Chairman, reserving the right to object, subsection (c) has nothing to do with this unappointed personnel either. The advisory committees are not in any way to be appointed by the Commission; they are not in any way covered by subsection (b) having to do with this unappointed and voluntary personnel.

I would suggest to the gentleman from Illinois that he confine his amendment simply to subsection (b) having to do with the question under controversy. Otherwise this gets into two different fields entirely.

Mr. SHEEHAN. Mr. Chairman, it is my recollection in this particular phrase that in the previous parts of the bill it states that there are two different types of advisory commissions. First of all there is this 15-man commission, then it also states there is a voluntary commission composed of governors, states' attorneys, and so forth. So I felt this particular language indicated two different types of commissions. If you will

read the section it reads: "The Commission may constitute such advisory committees and may consult with governors, attorneys-general, and other representatives of State and local governments." I think there are two distinct and different types of commissions referred to.

Mr. CELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. Where do we stand now? What is the effect of the gentleman's request?

Mr. SHEEHAN. Mr. Chairman, if I may propose a new consent request.

Mr. CELLER. Mr. Chairman, I object; we are wasting time. I object.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Illinois.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois.

Mr. Chairman, two of the three paragraphs which the gentleman seeks to amend have nothing to do with the subject which has been mainly discussed here. Section (c) is the one which authorizes the Commission to appoint advisory committees and section (d) provides that the members of the Commission, the Commissioners themselves, as well as any personnel that they may have, shall not be governed by the conflict of interest statutes. Section (d) on page 7 is the normal provision which is always carried in bills creating a Commission in order to get the type of men that the President would want in a position of this kind. It has been the uniform practice of Congress to provide in such cases for a waiver of the conflict of interest statutes. Let no one be under any misapprehension that he is only voting against section (b) when sections (c) and (d) are concerned as well. I concede my friend from Illinois has made every effort to put his amendment in a shape where we will have before us only the subject which he has been discussing, but the unfortunate thing is that is not what we are voting on. We are voting on striking out section (c) as well as (b).

Even as to section (b) I am opposed to its elimination and I think it will be conceded that we have improved this section over the bill we had before us last year.

At that time we took into consideration some of the representations that have been made here today and we did limit the number of people who could be employed by this Commission on such a voluntary basis to 15 at any one time. That would avoid this Commission being loaded down with a large number of people who particularly were from one organization or group. The purpose of it is so that this Commission can get the services of people who are very much interested in this area, but they will not in any way be able to dominate the thinking of this Commission since it is contemplated the Commission will be composed of men of the very highest caliber and I am confident they will be such if they are appointed by the President of the United States.

This is a provision which is found in other Commissions that have been created, such as the Commission on Government Operations and the Commission on Intergovernmental Relations. They were specifically authorized to secure such temporary employees under proper limitations. There is nothing unusual, there is nothing sinister about it. It is offered in the utmost of good faith.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Ohio.

Mr. VORYS. Let us look at the converse of this. Suppose Congress set up some sort of commission to study something, could you imagine the Congress writing in prohibitions against private uncompensated citizens giving advice to that commission if they wanted to?

Mr. KEATING. I cannot and I think it would be a great mistake to do so. I call attention again to the fact, however, that is not the sole question before us under the procedure whereby we are voting on the three amendments. To vote for them we strike them all out and that would include two other very necessary sections of the bill.

Mr. CELLER. Mr. Chairman, I rise in opposition to the pending amendments.

Mr. Chairman, certainly we could not expect to obtain the services of decent, capable men of the highest integrity if we did not provide exemption to the conflict of interest statutes for those whom the President would appoint as members of the Commission. It is common practice to offer these exemptions of the conflict of interest statutes.

The Committee on the Judiciary felt it was the wisest thing to do, and therefore we included section (d) which the gentleman now wishes to strike. Beyond that the Committee on the Judiciary tightened up the matter of employment of uncompensated personnel. It was not left wide open in the sense that the Commission could hire without restraint as to number, and we limited the number to 15. That is a fairly good number, and yet the proponent of the amendment would want to take those—I will say for want of a better term—experts or those who have expert knowledge on this subject away from the Commission. It would be idle, wrong, and futile to do that. Every commission that I know of which has been set up has used volunteers. We must leave discretionary power somewhere, and I am perfectly willing to leave such discretionary power as to the employment of these uncompensated voluntary personnel to the six members of the Commission appointed by the President, with the advice and consent of the Senate.

Mention has been made of the Truman Committee on Civil Rights, but I want to say to those who mentioned that Commission that the members thereof were appointed solely by the President and those appointments were not to be confirmed by the Senate. I take it that you will have a check on these members of the Commission; that the Senate, after examination and receiving information of one sort or another concerning these men, can grant or withhold confirmation.

Now, mention has been made by the proponent of the amendment that there might be the employment of mischief makers and carpetbaggers, but I think in that sense again we must rely upon the intelligence and the integrity of the members of the Commission. Mention has been made of organizations; mention has been made of the CIO and labor organizations. Well, again we must rely upon the integrity and the intelligence of the members of the Commission as to appointments.

The CHAIRMAN. The time of the gentleman from New York has expired.

The question is on the amendments offered by the gentleman from Illinois [Mr. SHEEHAN].

The amendments were rejected.

Mr. HEMPHILL. Mr. Chairman, I offer an amendment. I have two amendments, and I ask unanimous consent that they be read and considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

Mr. CELLER. Mr. Chairman, reserving the right to object, let us hear them first.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. HEMPHILL: At the end of line 12, on page 10, of the bill, add a new section, to be known as (par. sixth), section 121, of the bill (42 U. S. C. 1985), which will read as follows:

"Sixth. Nothing herein contained shall deprive the courts of record of the several States of their jurisdiction over elections, nor shall this legislation preempt the right of the several States in jurisdiction over all elections within the several States."

Amend at the end of line 13, page 12, of the bill by inserting therein a subparagraph (E), section 131 of the bill (sec. 2004 of the Revised Statutes (42 U. S. C. 1971)):

"(E) Nothing herein contained shall deprive the courts of record of the several States of their jurisdiction over elections, nor shall this legislation preempt the right of the several States in jurisdiction over all elections held within the several States."

Mr. KEATING. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. I make the point of order against the amendment that it is not germane to the bill. It provides for election machinery, which certainly has nothing to do with this legislation.

Mr. HEMPHILL. I would like to be heard on the point of order, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HEMPHILL. Mr. Chairman, I believe that the first amendment, which is on page 10, line 2, has to do with section 1985 of title 42 of the Code. I think, upon reading that particular section of the United States Code, the Chair will find that that has to do with holding elections. The same is also true of section 1971 of title 42 to which the second amendment refers.

The specific language of the statutes in question, which are the statutes referred to in the bill and which are the statutes sought to be amended by this

legislation and by these amendments, takes up the question of voting in elections. My amendments take up the same question. I think they are germane.

Mr. Chairman, I have the sections here and if the Chair wishes I can read from the United States Code.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule. The gentleman from South Carolina [Mr. HEMPHILL] offers two amendments, both dealing with the jurisdiction of the courts of the several States over elections. The amendments are offered to sections of the bill that have to do with voting, therefore with elections. For that reason the Chair holds that the amendments are germane and overrules the point of order.

Is there objection to the request of the gentleman from South Carolina that the two amendments be considered en bloc?

There was no objection.

Mr. HEMPHILL. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Chairman, I had high hopes that these particular amendments would be agreed to, particularly as the members of the committee themselves, including the distinguished gentleman from Illinois [Mr. BOYLE] who sits at the table by the distinguished gentleman from Colorado [Mr. ROGERS], have admitted to me that this particular legislation does not seek to preempt the Federal statutes, as amended, over the State statutes now governing elections. I think we all know that under the 10th amendment to the Constitution as interpreted, your State and mine have the right to set up the laws governing elections; and not only does your State and mine have the right under its legislative powers to set up those laws, but they have the right to police elections under legislative powers.

So I should like to ask the chairman of the committee [Mr. CELLER] at this point if the committee would not agree to these amendments since the members of the committee have expressed the idea that they do not want to preempt the Federal Government in the field of elections.

Mr. CELLER. The gentleman puts me in a rather embarrassing position. I would like to accede, but I am afraid I cannot, in the interest of good legislation.

Mr. HEMPHILL. Would the gentleman from Illinois care to state his position?

Mr. BOYLE. I thank the gentleman for saluting me, but I think the gentleman's amendment goes too far. We appreciate the depth of the 10th amendment under which the States have the perfect right to legislate as far as elections are concerned and they are legal so long as they apply to all classes similarly and are not arbitrary or capricious. But I think the gentleman in his amendments, has gone too far.

In addition I would say that the law never wants the Congress to do a useless act, and to merely spell out again what we all know about the 10th amendment would be useless.

Mr. HEMPHILL. Mr. Chairman, and members of the committee, I would appreciate very much your attention on this one matter. Admissions have been heard from the chairman and the members of the committee, as was done in the Steve Nelson case, which has been referred to here, that if this legislation passes, even though members of the committee have said that they do not attempt to preempt irto the field of State elections this particular legislation, even as was done in the Smith Act of 1948 in the Steve Nelson case, the Supreme Court of the United States will preempt into your State and mine by decree some legislative enactment not approved by the Congress, not in keeping with the powers preserved to the States.

The committee admitted that they do not want to preempt. If they do not wish to preempt, then what harm is there in these amendments? If there is no harm in these amendments, then how can this legislation suffer from the amendments which the gentleman from Illinois just said have no harm in them?

We in the Congress have to spell out the specific law, so I ask you to put in these amendments because I believe you will be saving today the difficulty that will occur when this legislation appears before the Supreme Court of the United States. And I guarantee you it will if ever any case arises in my district, if I have to be the counsel without compensation. The Supreme Court of the United States may say, "We do not care what the Congress intended, it is not written into the legislation." Therefore, by this act the Attorney General and the Federal Government can go into your State elections and my State elections and set up rules and regulations by decree rather than by legislation.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield.

Mr. ROGERS of Colorado. In the amendment the gentleman has offered appear these words:

Nothing herein contained shall deprive the courts of record of the several States of their jurisdiction over elections, nor shall this legislation preempt the right of the several States in jurisdiction over all elections held within the several States.

As I indicated to the gentleman a moment ago, this legislation does not in any manner interfere with the State election laws in any particular, for the reason we are going into a field, if we accept these amendments the gentleman has suggested, that restricts the right of the Federal Government in some instances, as the gentleman has indicated here, in that it would not deprive the courts of record of the several States of their jurisdiction over elections. The courts of record of the several States do not necessarily have jurisdiction over elections. They may be confined to the county clerk and recorder. They may be confined to the election commission.

I want to assure the gentleman as far as I am concerned in the interpretation of this legislation the Attorney General does not have the right to interfere with the States in their elections so long as they comply with the 14th and 15th amendments to the Constitution of the United States. Only when they would interfere with them would the injunctions be granted under this legislation.

Mr. HEMPHILL. I thank the gentleman.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield to the gentleman from Illinois.

Mr. MASON. We read definitely into the Smith Sedition Act that nothing in this act should take away from the courts of the States, and so forth. In spite of that the Supreme Court ignored what we put into that law. Certainly if the gentleman's amendment is not put into this bill there is no protection whatever from the Supreme Court in their action.

Mr. HEMPHILL. I think that has been proven by recent decisions. I have no doubt a number of Members here speaking on constitutional law are keeping up with the decisions; and many of us are. I ask you in all fairness if they are not attempting to preempt. The gentleman from Colorado says they are not. Then what harm is there in including in the bill a provision that they shall not preempt. If it is harmless it cannot hurt the bill. If they intend to preempt, then of course they want this amendment left out of the bill. The only reason on earth they could want the amendment left out of the bill is to tell the Attorney General of the United States, and how many assistant attorneys general or assistants to the assistants there may be I do not know, "You can write the legislation by decree."

Suppose an individual, or a group, in a Federal election, is convinced they were wronged, or that their individual, or collective rights have been usurped—they go to the State court. The State court officials say: "No, we cannot give you remedy; that is a matter for the Federal district attorney under the so-called civil rights bill or act. The Federal district attorney, not having anything to gain for his party, or his candidate, tells the individual or group to resort to the State courts.

Where, then, is the citizen, or the group? Would we not be far better off to spell out, by these amendments, the respective authority?

Shall we have Congressmen, Senators, State and county officials appointed by Federal courts?

The Communists, and their friends, the NAACP, ADA, and many others rejoicing in this legislation, are happy. The laws conflict—there will be confusion—and freedom will suffer. I mean the freedom you who are proponents of H. R. 6127 claim to espouse. Some have design that the South will suffer—others that freedom will suffer—others that respect for courts will suffer. I tell you all of America will suffer from this legislation—every facet of justice and freedom.

I plead with you to support these amendments. Even the authors of the

bill have neither idea nor conception of the monster they seek to create. It would be ungentlemanly to impugn improper motives—but I tell you they are playing a game at which they cannot but lose. They are gambling freedom for political expediency. It will not work.

Mr. Chairman and members of the committee, protect your States rights and your State laws by supporting these amendments.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I must oppose this amendment because we have a Federal constitutional right here which is protected and there should be a direct right of direct access to the district courts. We should not have to go into the State courts. I fear me that the import of the gentleman's amendment would be to compel going into the State courts first.

By this bill we do not deprive the State courts of record of their jurisdiction over elections. We do not deprive the States of their jurisdiction over elections. For example, the States can change their election laws. We do not say that they shall have no right to change their election laws. They could, for example, reduce the age of voting from 21 to 18. They can permit teen-age voting. They could provide for various kinds of literacy tests. We only ask that if there are any changes, the changes must be applicable to all citizens and to all races and creeds equally. There cannot be any discrimination by way of violation of the Constitution. We do not disturb the State courts. They can pass upon all State election laws. They can pass upon all State laws and statutes. All we say is that the States and the courts in their actions must recognize the right of the individual under the 14th and 15th amendments. If that last requirement is satisfied, there is not the slightest scintilla of interference with either the jurisdiction of the court or the jurisdiction of the State. For that reason, I hope the amendment will be voted down.

Mr. KEATING. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, if the proposed amendment does no more than the proponent of the amendment claims for it and merely states existing law, it is not necessary at all. But, there is a real danger and joker in this language to the effect that the legislation shall not preempt the rights of the several States in jurisdiction over elections in the States, in that it might and could be construed as nullifying the authority which we have given to the Attorney General to bring an action in the United States district courts.

The law is well settled that we cannot interfere with the requirements for voting in the several States. Age and literacy requirements and any other qualifications of voters are for the States to determine. It is only when the States take action which is violative of the United States Constitution that the Federal Government steps in. It is to strengthen and enlarge and enforce the constitutional rights of our citizens that this legislation is presented to this body. I hope the amendment will be voted down.

Finally, Mr. Chairman, we have now reached the last 2 minutes of debate, and I would like to close the debate in the way in which it opened by saying at times probably all of us here who have engaged actively in the debate have become at one time or another somewhat heated. If I have said anything which is offensive to any Member of this body on either side of the aisle, I am extremely sorry. I have nothing but the most cordial and friendly feelings for everyone on both sides of the aisle. Particularly that remark is directed to the opponents of this legislation who have represented their viewpoint with great ability and fidelity to their cause. I enjoy a scrap as much as the next fellow and I want to assure you that in the morning, or even sooner than that, I will be glad to shake hands with any Member of this body and wish him well. I sincerely hope that feeling is reciprocated.

Mr. FLYNT. Mr. Chairman, I rise in support of the amendment offered and so ably explained by the gentleman from South Carolina [Mr. HEMPHILL]. In view of the recent decision of the Supreme Court in the Steve Nelson case arising out of the State of Pennsylvania wherein the Supreme Court ruled, to the amazement of nearly everybody in this House and throughout the Nation, that the Smith Act preempted the field of subversive legislation and denied to the States the right under their existing laws and respective State constitutions to legislate against Communist activity and activity of all subversive groups, this amendment ought to be adopted.

I find myself in partial agreement with the gentleman from New York [Mr. KEATING], to this extent: The gentleman from New York says this amendment is not necessary and that there will be no preemption in the field of voting laws if no constitutional provision is violated. I think that is true, too, but it occurs to me that one or more members of the present United States Supreme Court might not agree and might use the language contained in H. R. 6127 to prohibit the States from enacting statutes or enforcing present statutes affecting the conduct of State elections.

Therefore, Mr. Chairman, I feel that this amendment should be included in the bill. For the record, I wish to specifically call attention to the statement of the gentleman from New York and to establish legislative history on this so-called civil rights legislation that it is not the intent of Congress to preempt the field of controlling and regulating elections within the States whether or not such election includes the election of Members of Congress and presidential electors.

I have felt that the Supreme Court far exceeded its authority and abrogated the expressed intent of Congress in its decision and in the opinion of the court in the Steve Nelson case. I hope that the debate on the amendment offered by the gentleman from South Carolina [Mr. HEMPHILL] will show conclusively that it is not, repeat not, the intent of Congress to preempt the field of control and regulation of State elections and State election machinery and that the States shall henceforth continue to have as they now have the right to regulate such elections and to provide statutory provisions for the conduct of such elections.

Mr. ABBITT. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. ABBITT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Chairman, that part of this legislation revoking, wiping out, and exterminating State remedies is one of the most dangerous, obnoxious, revolting, and shocking provisions of this bill. With one stroke of the legislative pen it wipes out one of the main tenets of the sovereignty of the several States. The basic concept of our republican form of government reserved to the several States the right to regulate its internal affairs and the exercise of all its police powers.

The provision on page 10 of part III, which waives the heretofore necessity of exhausting State remedies, permits one man, a political appointee, to supersede State law, State remedy procedures, and State jurisdiction when and if it suits his fancy to do so. State authority is ruthlessly thrust aside. The police powers of the State are wiped out by a wink of the eye or the nod of the head by the political hatchet man of the administration then in power and he is made the sole guardian of the people with full authority to bring suits or refuse to bring suits in their behalf in all civil-rights matters. With his numerous henchmen, harpies, hatchet men, political quacks, and his band of gestapo agents at his beck and call, he can harass, browbeat, threaten, intimidate, and enjoin in the Federal court an entire community, a State, or a region. There are no limitations or provisions to stop him or to moderate him or any of his agents. It is unprecedented arrogation of power to the exclusion of the constitutional rights of a State to administer her own police powers, her school system, her transportation system, and many other of the normal functions of a community and a State. This is as obnoxious as the deprivation of a right of trial by jury.

This is one of the provisions of the bill which has been held out by its proponents as a civil rights bill intended to protect the liberties and rights of our people. Even the present Supreme Court, in spite of all its leftwing socialistic, sociological leanings has recognized the absolute necessity of compelling the exhaustion of State administrative remedies before a party is permitted to go into the Federal courts to regulate and take over the police powers of the several States and localities.

We have recently seen in Virginia the arbitrary, dictatorial, arrogant, judicial tyranny displayed on the bench. This was done without this obnoxious legislation being on the statute books. Think what can happen—would happen—and will happen if and when this type of legislation becomes the law of the land. We will see judicial tyranny—yes, as bad as the days of despotic kings when free men had to band together and wrest from despotic rulers inch by inch the rights and privileges that heretofore we have had in this great country of ours.

I plead with the Members—North, South, East and West—to think well and consider long before enacting a measure that will obliterate the States, annihilate the freedoms and liberties of our people and place the individuals of this country of ours in a political straitjacket with the key turned over to a political hatchet man with no strings attached and power unlimited, with the right and privilege to bring a cause of action in behalf of a person without his consent—yes, even against his wishes. This bill deprives the people and the States of all of their rights and concentrates them in the hands of the Attorney General of the United States.

Mr. DORN of South Carolina. Mr. Chairman, will the gentlemen yield?

Mr. KEATING. I yield.

Mr. DORN of South Carolina. I want to say to the distinguished minority leader for the committee that he has conducted this debate on a very, very high plane. I am willing to shake hands with him right now or at any other time, but I do hope that he will shake hands with me on this amendment offered by my distinguished and able colleague from South Carolina.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. FLYNT. Mr. Chairman, I ask unanimous consent to extend my remarks following those of the gentleman from New York.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. KEATING. The gentleman from Texas has been on his feet for some time. I yield to him.

Mr. DOWDY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD following the vote on the pending amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANHAM. Mr. Chairman, in a statement I made on the floor of the House during the debate on this bill last week, I said:

I am sure that Negroes in Atlanta, Ga., and other large cities in our State have more economic advantages and live fuller and better lives than in any other State in our Union. Not only do they take part in politics but they own their own banks, they have several insurance companies of their own, and there is absolutely no effort made to prevent their entering into any business they may desire.

Moreover, there are three or more fine educational institutions conducted by and for the members of the Negro race. Race relationships had been good until the Supreme Court decision of 1954 decreeing the end of segregation in our schools.

Judging from the vote that so many of you cast against the amendment proposed by the gentleman from Illinois [Mr. KEENEY], guaranteeing the right of trial by jury to those charged with violating a court injunction granted under the power conferred by this act, you did not believe what I said. Now comes confirmation from Martin Luther King, Negro minister of Montgomery and the darling of those of you who are willing to sacrifice basic constitutional rights for political advantage. King, after stating that a meeting to be attended by Vice President NIXON could well be held in Atlanta because of its location in the heart of the Deep South, said—and I quote from an article by Harold Davis, Washington correspondent for the Atlanta Journal: "Atlanta is a city where the channels of communication between Negroes and whites can probably be reopened easier than in other cities. Atlanta has done a fair job of race relations. It has made great strides." King went on to say that this is particularly true in the field of Negro voting and that Negroes in the city have done fairly well economically and culturally.

I am glad to have this confirmation of the statements I made relative to race relations in Georgia, even though I am not proud of the source.

Well, expediency won over principle in the vote on the jury trial amendment and I expect that there are many of you who are not really proud of your vote. Of course, you are not on record and you may be able to keep the folks back home from knowing how you voted but deep down in your hearts, I know that many of you are not satisfied that you cast the ballot you did against a jury trial.

In this connection, here is what an editorial in the Washington Sunday Star said:

JURY TRIALS DENIED

The attempt to add a jury-trial amendment to the so-called civil rights bill has been beaten down in the House by a vote of 199 to 167. This 32 vote margin, according to Representative WILLIS, Democrat of Louisiana, resulted from White House pressure on Republican House Members.

We do not know whether this is correct. If it is, it means that the President who carried five Southern States last year, does not trust southern jurors to live up to their oaths. For the real reason behind the drive against the jury-trial amendment was the fear, real or professed, that southern juries would not convict defendants in civil rights contempt trials, regardless of the evidence.

Whatever the case with respect to the President, it is clear that the House has prejudged, and adversely prejudged, an entire area of the country. In effect, this was a vote of no confidence in the South, and that, we think, is a high price to pay for some supposed political advantage among Negro voters outside the South.

The jury-trial amendment was offered by Representative KEENEY, a freshman Republican House Member from Illinois. He said he submitted the amendment because as a judge in Illinois he had always considered a jury trial as an integral part of any court.

It requires political courage for Mr. KEENEY to take this stand, and, with respect to cases in which punishment for criminal contempt is comparable to punishment for other crimes, we think he is right. We do not believe that considerations of expediency, especially considerations based on speculation, justify bypassing the jury trial, and we trust that this matter will receive more earnest consideration in the Senate.

The CHAIRMAN. The time of the gentleman from New York has expired, all time has expired.

Mr. ROGERS of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS of Texas. Mr. Chairman, I have an amendment at the desk. Will it be voted on?

The CHAIRMAN. All amendments that may be offered after this amendment is voted on will be read and voted on, but there will be no more debate.

(By unanimous consent the pro forma amendments were withdrawn.)

The CHAIRMAN. The question is on the amendments offered by the gentleman from South Carolina [Mr. HEMPHILL].

The question was taken, and on a division (demanded by Mr. HEMPHILL) there were—ayes 118, noes 182.

So the amendments were rejected.

Mr. DOWDY. Mr. Chairman, it had been my intention to offer amendments to strike out the words "about to engage" in two places in the bill, on page 9, line 22, and page 11, line 24. Under the conditions prevailing in the House, time will prohibit my doing so.

To make the record complete on this, I do want to state the purpose of my proposed amendments, in order that same be considered on final vote.

It seems, as this bill is written, that the Attorney General might move in and initiate action in the court even though the party supposedly aggrieved did not feel aggrieved at all, at any time any person is about to engage in any acts or practices which would give rise to a cause of action, and so forth.

Thus, he can anticipate injury to individuals who, themselves, do not so anticipate such injury. They might be completely happy with the situation. They might have no thought of any injury whatsoever. Yet under this bill, the Attorney General could take the matter in his own hands, move in and initiate all actions which might come to his mind in line with the proposal here before us.

What could you mean by the words "about to engage in any act"? The Attorney General is charged with great responsibility, when you legislate that he must pass upon whether or not someone is about to engage in an act. Here, there would be no overt act.

I wonder what kind of evidence the courts would require from the Attorney General when he requests the prohibition of some act that a person is about to do? Or is it meant that the courts

should act merely on the basis of whim, and assume jurisdiction of a case having no foundation in fact?

Those questions are not facetious, and it is not straining a point to say that this is dangerously close to, if it is not actually in the area of thought control.

This bill in general, and some of its provisions in particular, degrade the dignity and detract from the prestige of this House, as well as the Congress as a whole. This language that I would strike from this bill would give the Attorney General the right to go into court and sue an individual citizen when he might feel that such citizen is about to engage in or about to attempt to do something in violation of the bill. Under the bill as written, if I understand it rightly, a person may be liable even though he may never commit an overt act. By removing this language from the bill, it will, at least require proof of an overt act by an individual before he can be held liable for prosecution in a civil suit. If these words "or about to engage," are left in, the Attorney General can arbitrarily haul anyone into court in any part of the United States and make him subject to a suit for something he may have never done, and never thought of doing.

This amendment should certainly be adopted to remove the thought-control and mindreading language from the bill. With the language left in the bill, an Attorney General of the United States would have as much power and authority as did the Gestapo during the days of Hitler.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 6, strike out lines 9 through 14 and insert the following:

"(b) The Commission shall submit interim reports to the President and the Congress and shall submit to the President and the Congress a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of enactment of this act."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was rejected.

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas: Page 12, after the last period, add a new paragraph numbered 5, as follows:

"5. Notwithstanding any provisions of this act no person shall be subject for the same offense to be twice put in jeopardy of life or limb by reason of the provisions of this act."

Mr. CELLER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. Mr. Chairman, this amendment has already been voted upon and voted down.

The CHAIRMAN. This is a different amendment, the Chair understands.

Mr. CELLER. It was voted on and voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. ROGERS].

The question was taken; and on a division (demanded by Mr. ROGERS of Texas) there were—ayes 132, noes 189.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States pursuant to House Resolution 259, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that further consideration of this bill be postponed until tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 11 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the pending bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PHILBIN. Mr. Chairman, there are no provisions of the American Constitution which are more precious to our people than the Bill of Rights. These provisions were not included in the Constitution as originally adopted, but as a result of overwhelming public sentiment, were inserted into that immortal document not long afterward. They set forth briefly and eloquently the basic rights of free men and women living under our Government. They are fundamental guaranties for freedom of conscience and belief, the inviolability of the person and property of American citizens and those who dwell within the confines and jurisdiction of the Nation.

There are other provisions in the Constitution, which afford similar and additional rights to the individual, which in the very broadest sense spell out the doctrine of equality before the law and the safeguards against persecution and discrimination. The due process and equal protection clauses of the Constitution afford special and most carefully written provisions insuring respect for person and property, and provisions against discrimination based on what might be termed essentially private, inherent status of the individual such as race, creed, class or origin.

Esteemed, able colleagues on both sides of the aisle have delivered eloquent addresses during this debate on civil rights and the Constitution. Many strong, persuasive, well-documented legal arguments have been presented on both sides of the question pending before the House in this legislation. I shall, therefore, not elaborate upon the legal or constitutional aspects and facets of this question.

I take it for granted that we are all agreed that we are living under a government of laws by men and that we are all subject to the rule of law under the Constitution.

It is this faith and purpose in ordering the affairs of government by popular will under the rule of law that differentiates our system from many so-called democracies and from the absolute, authoritarian powers.

Here in America, men are judged by their merits or demerits, and not by their rank, or station, or color, or religion, or national origin. Under constitutional philosophy rule and practice the dignity of each human being is recognized and protected regardless of the color of his skin, the size of his purse, the kind of his religious beliefs, his calling, or his station in life. The poorest citizen, yes, even the most depraved human wretch is entitled to his day in court, equality of justice and fair treatment under the law. It is this respect for the Constitution and its safeguards, so characteristic of all our laws, which has won for us the esteem of almost all nations, and usually assures the individual living under the American flag of absolutely equal treatment before the law.

American boys have fought and died for the Nation in every war. Boys of every race, every religion, every class, creed, station, and origin, when crisis and need arose, have offered their lives on the altar of American patriotism. When this great Government called many of these boys into the service during our various wars it never rejected them because of the color of their skin, the church they attended, the race they belonged to, or the place they or their parents came from. They were all taken into the service to fight for our country, regardless of any of these external considerations, and they became part of great, united, American forces of invincible strength which through valor, sacrifice and bloodshed hammered out many notable victories for the cause of liberty, and successfully defended the national security and our free institutions from power-crazed tyrants plotting our destruction and enslavement.

It may be commonplace to say it, but it is unquestionably and undeniably true, that boys who were willing to fight and die for this Government and our way of life should be entitled to enjoy all its rights without reservation, restriction or limitation. All our people must be so entitled.

Under our constitutional system, we cannot have two rules of law, we cannot have two types of citizenship. The same rule of law must apply to all, and the same rights and privileges of citizenship must be enjoyed by all who are entitled to them.

We cannot have one law for the North and another for the South; one law for the East and another for the West. We all must have one law—the law that derives directly from the Constitution—the law that is based upon constitutional mandate. That law must apply with equal force to all persons.

Disobedience to that law, circumvention of that law, flouting and flagrant violation of that law can never serve to solve the social or political problems of any section. To flout and disregard the plain provisions of the Constitution will only bring discord and heighten misunderstanding and engender fresh hatreds. In the end these divisive forces will cause increasing bitterness, disruption and violence. They will upset the moral, political and economic balance so essential to common understanding. They will harden the conflict between race and group and seriously breach the national unity.

Some of the very able arguments and discussions of this controversial bill have been delivered on this floor by my learned, distinguished and dear friends from the South. In my legislative experience I do not recall such able, penetrating debate, such well-reasoned and well-documented and well-briefed legal arguments, such commendable emotional restraint, dispassionateness and objectivity admirably suppressing the intense, pent-up feelings of more than a century and a half of established sectional, social customs and usages. I must commend these colleagues for their high-minded patriotic manner and the great ability with which they discussed these difficult and distressing issues.

I am not satisfied in any sense that this bill is letter perfect, or that it will accomplish all that its more ardent advocates claim for it. Nor am I particularly enthused about the application of the techniques of equity that are so ingeniously incorporated into this measure. While I do not specifically question the legality of the measures which have been adopted to achieve the ends sought by this bill, I think on the whole that improved interracial relations could be achieved by an approach that would make it abundantly clear beyond cavil or doubt that the bill intends no circumvention of the right of trial by jury, a treasured right to the American people, which goes back to Magna Carta and beyond in the history of Anglo-American law.

However, the principles which the bill seeks to serve are so strongly entrenched in the American Constitution and in the very spirit of our laws as to be completely inescapable from the standpoint of American jurisprudence and history. These principles penetrate deeply into the origin and life of our Nation. They are expressly written into the Constitution and the laws. They constitute a mandate to each and every one of us to uphold, honor, and respect the doctrine of equality of opportunity, equality of legal treatment, equality of right as well as duty, which are clearly prescribed by many legal decisions of political, social, and economic significance as well as historic value.

Since I believe that it is not only illegal but un-American to deny any person the right to enjoy all the constitutional rights and privileges that are available to any other person, and the right to be protected against persecution, intimidation, violence, discrimination, and unfair, unequal treatment, I am prepared to support this bill.

At the same time, I plead for moderation and rationalized restraint on the part of all citizens regarding the great, social questions which are the source of such acrimony and bitterness. I hope that this legislation, if it is enacted, may be a landmark of reaffirmation of American principles, which will serve the purpose of alerting all the contending groups concerning the truly sacred character which Americans do attach or should attach to the great civil and human rights guaranteed by the Constitution.

Time and time again in our history we have had occasion to observe the futility of sumptuary laws and laws designed to uproot deeply imbedded traditions of the people.

It is my prayerful and devout hope and wish and plea to all those who are concerned with these vital, difficult questions that reason and justice and the tolerant spirit of human brotherhood and the call of humanity may be potent, irresistible forces swiftly and inexorably healing the wounds of misunderstanding, friction, and division, sweeping away the dark shadows of skepticism, distrust and suspicion, and instituting in our American society the only values upon which we may permanently rely for our security and our salvation—unity, trust, and deep faith in the Creator, in our great free Government, and in the wholehearted purpose of ourselves to do what is right, honorable, and just among our fellow citizens and all mankind.

I commend the distinguished chairman of the committee for the fair, able manner in which he handled the bill on the floor and his distinguished associates on the committee for their painstaking, capable work.

Mr. CANFIELD. Mr. Speaker, it was good to note the standing ovation accorded the distinguished gentleman from Rhode Island [Mr. FORAND] when he yielded the gavel to Speaker RAYBURN last Tuesday after presiding for 10 days over the Committee of the Whole House on the State of the Union during debate on the civil-rights bill. It was generally agreed that he had performed with ability, finesse, and impartiality.

It was my good fortune first to become acquainted with Mr. FORAND when he was named to Capitol Hill as a congressional secretary in 1929. He had been a successful newspaperman in his native State, had served in his State's legislature, and had been with our troops in France during World War I. Later he was first elected to Congress in November 1936, and he has gained valuable seniority in his assignment on the House Ways and Means Committee. He is a real gentleman and worthy Congressman.

SECRETARY DULLES' 50 YEARS OF EXPERIENCE

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Speaker, I ask unanimous consent to extend at this point my remarks on Secretary Dulles' 50 years of experience, and that others who desire to do so may extend their remarks at this point on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS. Mr. Speaker, last Saturday, June 15, marked the 50th anniversary of Secretary of State John Foster Dulles' participation in foreign affairs. On that date the Second Peace Conference opened at The Hague, and Foster Dulles, a 19-year-old student from Princeton, was made secretary of the Chinese delegation because of his linguistic knowledge. He was later made one of the General Conference secretaries. This conference, which 44 countries attended, adopted conventions to promote the peaceful settlement of international disputes and to regulate the laws of war on land and sea. Big power opposition prevented discussion of arms limitations. The Hague Conference was an historic step in the pursuit of just and lasting peace that still continues.

In the intervening half century, John Foster Dulles has worked as hard as any man living in that pursuit, with great dedication, boundless energy, increasing experience and notable accomplishments.

In 1917 he was sent to Panama by President Wilson to help in arrangements for the defense of the canal.

In World War I, as an Army officer, he became assistant to the Chairman of the War Trade Board, and then joined President Wilson's advisory staff at the Versailles Peace Conference. Assignments with the Reparations Commission and the Supreme Economic Council followed.

In 1927 he was called away from his successful law practice to serve as legal adviser on the Polish plan of financial stabilization. Six years later he was a representative at the Berlin debt conference.

He spent a good part of the year 1938 on a firsthand study of the political-economic situation in the Far East.

In 1939 he published a book, War, Peace and Change. It represented 20 years of his thinking. As a freshman Congressman, I read it, was profoundly impressed and spent a Sunday morning discussing it with Mr. Dulles. In the ensuing 19 years I have watched him in action, developing practices and principles for peaceful change as a substitute for war in solving international tensions and adjusting the status quo to new conditions. He developed this

philosophy further in 1950 in another book, War or Peace.

His close association with Senator Vandenberg in the 1944 campaign led to his appointment as senior United States adviser at the United Nations conference at San Francisco in 1945, where he helped draft the charter of the United Nations.

He has been a 4-time delegate to the United Nations General Assembly and was acting chairman of the United States delegation in 1950.

As special representative with the rank of ambassador, Mr. Dulles negotiated the Japanese Peace Treaty which was signed in San Francisco in September of 1951.

President Eisenhower's first Cabinet appointee, Secretary Dulles has in the last 4½ years made a remarkable record in waging peace.

The United States now has regional and bilateral defensive alliances with 42 nations. The North Atlantic Treaty Organization, the Organization of American States, and the Southeast Asian Treaty Organization are active and powerful elements of Free World strength. In all of them, Mr. Dulles has played leading and influential roles.

Here are other accomplishments:

The final stage of the negotiation for a Korean armistice in 1953, and the efforts which still continue to bring about the peaceful unification of Korea.

The development of the northern tier concept, bringing together the Middle Eastern states bordering on the U. S. S. R. for purposes of defense, and culminating in the Baghdad Pact.

The consummation of the Austrian Peace Treaty (1955) after 8 years of negotiation.

The settlement of the status of Trieste (1954).

The London and Paris Conferences of 1954 at which agreements were worked out for the return to sovereignty of the Federal Republic of Germany, with its indispensable contribution to NATO defensive strength.

The adoption by the Caracas Conference in 1954 of the proposal that recognized the threat of international communism to the American Continents.

He worked with our President and Congress in maintaining peace through strength in the Formosa crisis in 1955 and in the Middle East during the past year.

In his work the Secretary has logged 328,169 miles in international travel and another 60,000 or so in this country.

The world has not yet achieved the just and lasting peace that was the high hope of the Hague Conference and its young secretary 50 years ago, but our country has had peace and prosperity for 4 years with Foster Dulles as Secretary of State. On this golden anniversary of his service in foreign affairs and his quest for durable peace, I feel like congratulating not only Secretary Dulles, but our country. Amid the tensions, uncertainties and controversies of today, I venture the prophecy that the history of the next 50 years will show that we were fortunate in having him as our Secretary of State with 50 years of experience, and history will pay him grateful tribute, as I do today.

Mr. GORDON. Mr. Speaker, it is a distinct pleasure for me to note a historic occasion. I refer to the fact that June 15 marked a half century during which Secretary of State John Foster Dulles has been engaged in the practice of foreign affairs.

Secretary Dulles' first assignment was in a modest capacity at the Second Hague Peace Conference in 1907. Since that date he has held increasingly responsible positions in representing our Government abroad. His Government service has been interspersed with the successful practice of law particularly in the international field. He is also an author of articles and books that reflect a keen insight of international events. Even those who may not agree with his analysis at all times must recognize that he brings an incisive mind to our complex problems.

The Committee on Foreign Affairs meets frequently with ranking officers of the Department of State, including, of cou.se, the Secretary of State. We have always enjoyed the appearance of Secretary Dulles. He has been a competent witness who reduces complex issues to understandable terms.

In my capacity as chairman of the committee I have found him cooperative and understanding of the legislative process. Since he became Secretary of State, he has traveled about 400,000 miles. I can recall numerous occasions when he would come to our committee in a matter of hours after his return from an arduous mission abroad. We welcome that interest in our work. I congratulate the Secretary on his half century of work in behalf of our Government and express the hope that his health will permit him to continue to hold the high post he now occupies.

Mr. MARTIN. Mr. Speaker, I wish to join in offering my warmest felicitations to Secretary of State John Foster Dulles on the completion of a half century of outstanding diplomatic service for the United States.

During this period he has faithfully served his country in a great many important international conferences and missions. He has done so with distinction and with great credit.

Our country has never had a more diligent or more indefatigable Secretary of State.

Foster Dulles has been completely dedicated to the best interests of our country in the field of international relations.

It is significant that his 50th anniversary as a diplomat came upon the anniversary of his arrival at the Second Peace Conference at The Hague in 1907. Throughout the long span of years since that event, Foster Dulles has been passionately devoted to the cause of peace and international good will.

I am sure history will record him as one of the great men of our times.

Mr. MORANO. Mr. Speaker, it gives me real pleasure to join with my colleagues in congratulating Secretary of States Dulles on his 50 years' service in the field of diplomacy and in expressing our good wishes for his future.

Few Americans have ever brought to the Office of Secretary of State such extensive experience in diplomacy and foreign affairs. Before becoming Secretary of State, Mr. Dulles had rendered distinguished service to his country on numerous occasions and had attained a worldwide reputation for his understanding of international problems.

It is difficult for us today to evaluate Secretary Dulles' accomplishments objectively because we are all too close to the turbulent and ever-changing scene. Nevertheless, I am convinced that most Americans agree that the danger of Soviet aggression is less imminent today than when Secretary Dulles took office, that our position in world affairs is stronger than it was then and that the prospects for peace are brighter.

I am confident that the verdict of history will be that John Foster Dulles has been one of the greatest Secretaries of State ever to serve our Nation. The United States is fortunate in having produced a man of his caliber to guide us in these troubled years. I sincerely hope that he may continue to serve us for many years to come.

Mr. HALLECK. Mr. Speaker, I am indeed happy to join in this deserved tribute to one of the truly great Americans of our time, John Foster Dulles, Secretary of State.

Serving, in 1907, as secretary to the Hague Peace Conference at the age of 19, his is a record of devotion to public duty spanning half a century.

Time and again, through the years, the Nation has called on John Foster Dulles for difficult assignments in the field of foreign affairs, assignments often involving great personal inconvenience and sacrifice.

He has been indefatigable in his efforts to bring about the heart's desire of every American—and mankind everywhere—a just and lasting peace for the world.

In his long career, and particularly during the years he has guided the conduct of our foreign policy as Secretary of State, John Foster Dulles has brought to his tasks a broad knowledge of world affairs based on long experience and a brilliant mind coupled with an extraordinary capacity for hard work.

No man on the scene today has done more to demonstrate his dedication to the cause of freedom.

John Foster Dulles' remarkable talents, his background, energy, and loyalty have combined to serve the people of this country well in these critical times.

When the day comes that success crowns our efforts to achieve mutual respect and understanding in an atmosphere of trust among nations of the globe, a major share of credit will be due him.

Meanwhile, all of us may rest assured that the leadership of the Department of State is in able and experienced hands.

It is my hope this distinguished lawyer-statesman, Secretary Dulles, will enjoy many more years of good health, happiness, and service to his fellow men.

I count it a privilege to be his friend.

Mr. PROUTY. Mr. Speaker, I am proud to associate myself with the many Americans from all walks of life who have paid tribute to Secretary Dulles on the occasion of the 50th anniversary of his entrance into the field of diplomacy.

In reviewing the life of John Foster Dulles the word "peace" comes to the forefront over and over again. When he was only a junior at Princeton, he went as secretary to his grandfather, John W. Foster, a former Secretary of State, to the Second Peace Conference at the Hague in 1907 and at the close of World War I he served as adviser to President Wilson at the Paris Peace Conference. In 1950, President Truman called upon Mr. Dulles to perform the difficult task of negotiating the Japanese Peace Treaty. The result of his labor has often been called the finest peace treaty ever drafted.

In private life he served as chairman of the board of trustees of the Carnegie Endowment for International Peace.

The achievements which I have just mentioned are but a few of the many accomplishments of Mr. Dulles. Is it any wonder then that in his grasp and conduct of foreign affairs he has been called such things as "no ordinary mortal" and in the language of President Eisenhower the "greatest Secretary of State of the modern era"?

During the half century that he has devote to the prevention of war and the attainment of a lasting peace, it is estimated that Secretary Dulles has traveled nearly 1 million miles to carry out his mission. Because of his industry and extraordinary skill in the conduct of foreign affairs we as a Nation and other countries throughout the world are at peace today. Let us share with President Eisenhower the hope that we will have "the benefit of his experience and wisdom for many years to come."

WHAT'S WRONG WITH AMERICA'S LONG-RANGE MISSILE PROGRAM?

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, in the last few months, we have seen an appalling lack of leadership on the part of the Department of Defense in the implementation of our ballistic missiles program. We have heard the Russians brag about the success of their long-range missiles and we suspect they have perfected submarine-based missiles. On top of this, our own top brass has told us that the development of an intercontinental ballistic missile is a "must" to our national security. The United States, however, does not even have a 1,500-mile missile, much less a 5,000-mile missile.

This, in itself, is confusing and baffling. Many simply dismiss it as a situation which they regret, but over which they have no control.

Yet, the strangest part of this confusion is taking place right under our own eyes. First, we learn that the Department of the Army has successfully launched its Intermediate Range Ballistic Missile, the IRBM, which they call Jupiter. It has the longest range of any missile yet developed outside Russia. In a matter of seconds, the Jupiter can go 1,500 miles under full control.

Our Nation then does have a "ready missile" but where is it? For all we know, Jupiter exists only on drawing boards or in test models. Its production has not been authorized by our Department of Defense, which has assigned the Air Force to work on a missile of the same range. The Air Force's success, let us say, has not been established. Although it has made several tries, the Air Force has not been able to get its IRBM, the Thor, off the ground.

At the time that both the Army and the Air Force were assigned the job of developing a 1,500-mile missile, the Department of Defense said both services would work on the IRBM until tests showed which of the missiles was superior. Now it seems perfectly feasible to continue both projects until definite and scientific comparisons can be made, but the Department of Defense is showing no rhyme or reason in not making a decision at this time. Not only is the Air Force's project extremely expensive, it is time consuming.

The Department of Defense, in allowing the IRBM program to drag out, is endangering our national security. For this, there can be no excuse. Neither is there justifiable explanation for the Defense Department delaying our IRBM buildup for the express purpose of giving the Air Force months or maybe years to come up with its own IRBM. As you know, the Department of Defense has already decided that the Air Force will have exclusive use of the IRBM once it is developed.

This interservice bickering should not be tolerated while national security is in issue. The Army has assembled perhaps the greatest missile development team in the world today. The Army got many of these brilliant, German-born scientists at the end of World War II. Their work is done at the Army Ballistic Missile Agency at Redstone Arsenal, Huntsville, Ala.

Needless to say, this is a Government operation. These scientists happily work as a team for the Army for a mere fraction of what they could receive elsewhere. By contrast, all the other armed services have to farm out practically all of their research work to aircraft plants and other private industry. This, of course, is extremely expensive, with the cost going up every day.

Mr. Speaker, with the unification of our armed services, we were told that there would be no need for bickering between the services. Unfortunately, there is a bitter rivalry and especially in the missile program. Cut out this interservice jealousy, I say, and take full advantage of the Redstone Arsenal research team.

Stop farming out so much of the development to private industry at the expense of the American taxpayer. Save the taxpayer's hard-earned money. Use this Government facility at Redstone Arsenal which has demonstrated itself so outstandingly. Stop rejecting missiles for one service just because they were developed by another service.

The Army's Redstone Arsenal has proven itself. So has the Army's Jupiter. Until such time that the Air Force can produce a better IRBM, or indeed a successful intercontinental ballistic missile, it seems to me that we should let Redstone Arsenal lead our Nation's way in vital missile research and development.

NEWSPRINT

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, the critical supply of newsprint has caused much concern over the past few years and continues to be the subject of much Congressional interest.

The Committee on interstate and Foreign Commerce, by House Resolution 99, acting as a whole or by subcommittee, was authorized to investigate and study the current and prospective consumption of newsprint and other papers; the current and prospective production and supply; factors affecting such production and supply and possibilities of additional production through the use of alternate source materials.

Such authorization continues that made to the committee since the 78th Congress.

Your committee, and its Subcommittee on Commerce and Finance, again has been active in developing the broad aspects of both the nearterm and long-range supply-demand aspects of newsprint, and in due course will apprise the House of its findings and recommendations.

Last year, in order that a better appreciation might be had of the longer range prospective supply and demand for newsprint, the subcommittee requested the Department of Commerce to prepare a comprehensive survey of the competitive demand for woodpulp arising from all users in the woodpulp, paper and board field, This survey now has been completed by the Department.

While the committee has not yet had opportunity for the consideration of this comprehensive survey which its thorough and careful analysis warrants, the committee, in view of the continuing interest of the Members of the House in the newsprint supply situation is submitting this report today so that the members may take advantage of the information contained herein.

RIGHT-TO-WORK LAWS

Mr. KELLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I would like to say a few words

on a subject that is by no means new, but that has recently enjoyed a certain revival of interest, the so-called right-to-work laws. I am opposed to such laws, currently on the statute books of 18 States as well as under consideration by the legislatures of several more States. I am opposed to these laws because they are in conflict with basic American principles of democracy and our national policy of encouraging collective bargaining as the means of settling industrial disputes.

These laws are usually very simple and to the point—they outlaw all forms of union security arrangements worked out in collective bargaining by labor and management. They outlaw not only closed shop agreements under which employers can hire only members of a union, but also union shop agreements, under which employers can hire whom they please but employees are required to join the union within a certain time in order to continue in their jobs, as well as lesser forms of union security. Federal labor relations law, under both the Taft-Hartley Act and the Railway Labor Act, does not permit the closed shop. Both of these Federal statutes, however, recognize the principle that when employers and unions representing a majority of the employees agree on a union shop they should have the right to have one. Such a provision can be included in a collective bargaining agreement only if: the union is the recognized bargaining agent for the workers, having been endorsed by a clear majority of the employees; the union members have asked management for a union security clause in their collective bargaining contract; and, the employer agrees to include the clause in the contract.

Why is such a provision sought by unions, employers, and employees? First of all, union security embodies a basic principle of justice, that those who receive benefits must contribute their share of the cost. The union is required by law to represent all workers in the bargaining unit, not only union members. The wage increases, the shorter hours, the health and welfare plans, the observance of seniority—all the benefits won by the union extend to every worker in the plant or the shop. Ought not the union then, if a majority of its members desire it, be allowed to negotiate a union security agreement with the employer requiring every employee to support the collective bargaining representative? Can a law prohibiting arrangements desired by employers and the majority of employees, be said to be truly in the interests of democracy and justice?

So far I have spoken about the undesirability of right-to-work laws from the viewpoint of the majority of the union members. Employers, too, have come to recognize the contribution of union security to satisfactory collective bargaining relations. Only when he is dealing with an established union can an employer enjoy stabilized labor relations. He is also assured of more highly qualified workmen, a more productive work force and a more constructive union attitude toward improving efficiency and lowering costs. Where a union is not secure, it must concentrate on protecting its members from discrimination. It may be compelled to take a more obstructionist attitude in areas of employer discretion that might tend to discriminate against its members.

The Nation's official policy, originating in the Wagner Act and continued under the Taft-Hartley Act is one of "encouraging the practice and procedure of collective bargaining." Free collective bargaining can only take place where there is as little interference as possible from government. Laws restricting the subjects of collective bargaining, such as right-to-work laws run counter to the true function of government in labor-management relations.

This has been recognized by impartial and fairminded people outside the political and labor fields. The following statement was approved by the executive board of the division of christian life and work of the National Council of the Churches of Christ in the United States of America in July 1956: "It is the opinion of the executive board of the division of christian life and work that union membership as a basis of continued employment should be neither required nor forbidden by law: the decision should be left to agreement by management and labor through the process of collective bargaining." Other leading religious leaders have expressed their views on right-to-work laws in the following terms:

President John S. Coleman, of the United States Chamber of Commerce:

> Labor unions • • • should recognize that right-to-work laws "have a moral basis."

Rev. William J. Kelley, O. M. I.:

> Right-to-work laws are immoral according to Catholic social teaching.

Rabbi Israel Goldstein, president of the American Jewish Congress:

> Union security agreements are merely devices whereby an attempt is made to distribute the cost of unionism among all the persons who receive its benefits. Under such circumstances, can it be said that there is a moral or any other justifiable right to be free not to join the union and to be a free rider?

Rev. Dr. Walter G. Muelder, dean and professor of social ethics, Boston University School of Theology:

> The right-to-work laws are virtual conspiracy of the crafty, the ignorant, or the misguided to subvert industrial peace, exploit men's need to work, and deluge the community with industrial irresponsibility. Right-to-work laws do not create jobs; they only victimize the worker and make his organization ineffective.

The enlightened management of many of the largest companies in America have agreed to security for the unions representing workers in their plants. Today approximately 4 out of every 5 contracts between labor and management contain some form of union security provision. If such provisions were immoral or unjust or so harmful to the country that they needed to be outlawed by legislation, I do not believe that so many responsible businessmen would have incorporated them in their collective-bargaining agreements. The union shop is not unfair or un-American. Quite to the contrary. In the words of George Meany:

> The so-called right-to-work laws are a patent fraud and deception upon the American people. These laws do not guarantee any right to work to any citizen of our land.

As Mr. Meany noted:

> Actually, the true purpose and effect of the so-called right-to-work laws in this country are to prohibit employers and unions from entering into collective-bargaining contracts providing for union security. Thus, when stripped of their phony camouflage, the right-to-work laws are exposed as compulsory non-union-shop laws.

I agree with Secretary of Labor James P. Mitchell that—

> When employers and unions representing a majority of their employees agree on a union shop, they should have the right to have one.

As Mr. Mitchell further stated, if "the States which have these laws will give them further consideration, I believe they will find that these laws do more harm than good." They would conclude this because right-to-work laws have not created jobs for their citizens and have not improved the standard of living of their people. The per capita income in States with right-to-work laws is far lower than in States which do not have them. I do not claim that the right-to-work laws have lowered the per capita income. I only claim that they have not helped raise the standard of living in these States.

If the energy, money, and other resources which are now devoted to impairing the hard-won rights of working people and to destroying the security of trade unions through right-to-work laws were dedicated instead to improvement of the working and living standards of the people of our Nation, we should all be far better off.

CONSERVATION OF AMERICA'S FORESTS

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 15 minutes.

Mr. SIKES. Mr. Speaker, there is now before the Conference Committee on Appropriations for the Department of Agriculture for fiscal 1958 a very important question regarding conservation of America's forests. There are some phases of the tree-planting program under the soil bank on which general information will, I think, be helpful.

The $5 million for nursery operation and development being considered by Congress for fiscal year 1958 under the soil-bank program will enable the State foresters to meet the unprecedented demand for nursery seedlings. This need is particularly acute in Florida and other Southern States. The soil bank tree planting signup to date in Florida makes up 9 percent of the entire national signup. The Florida State forester expended capacity of three existing State nurseries in fiscal year 1957 with soil-bank funds. Next winter, he will have about 46 million soil-bank seedlings available and can produce up to about 58 million seedlings for this program in each remaining year for the life of the program.

It is planned to use $4,500,000 of the $5 million in the budget for fiscal year 1958 for purchasing seed, operating nurseries, and purchasing seedlings from commercial nurseries. The remaining $500,000 will be used to complete expansion of soil-bank nurseries started in fiscal year 1957.

For fiscal year 1956 commercial nurseries produced an output of 76,923,000 seedlings for forest and shelterbelt planting; whereas production of similar stock by State foresters was 580,884,000; by forest industries was 77,307,000; by Forest Service and TVA was 141,850,000; and by soil conservation districts, counties and municipalities was 9,004,000. This output from all sources totaled 885,968,000, of which the commercial nurseries share was 8.7 percent, and for State nurseries was 65.6 percent. An equivalent of this entire fiscal year 1956 output from all sources was planned as the annual soil bank need for nursery stock. The State foresters had the experience and basic facilities to provide for rapid expansion of nursery production. They were willing to do the job based on cooperative agreements and are in a position to distribute the needed planting stock through their regular distribution systems. Agreements have been made with 33 State foresters accordingly. No expansion of Federal nurseries has been made or is contemplated. Full consideration has been and will continue to be given to acquiring adapted nursery stock from commercial nurseries when available at reasonable prices. In many States and groups of States where large signup is developing, there are no commercial nurseries producing the class of stock required. Each of the State foresters considered fully the commercial nursery capacities and potentials in his State before preparing plans for expansion and production schedules in State nurseries. Although State nurseries are ordinarily able to provide stock at cheaper prices for soil-bank use than are commercial nurseries, this was not the determining factor in planning program stock sources. It appears that the assistance of all types of nurseries will be needed to meet the accelerated demands for soil-bank nursery stock. Commercial nurseries will especially be of importance in providing hardwood stock for soil-bank shelterbelts and post lots in the Great Plains.

Tree planting accomplishment is forging ahead under the impetus provided by the soil bank program. The State foresters are proceeding with renewed determination to attack the job of planting the some 60 million acres in need of forestation.

Tree planting signup under the soil-bank program has been heavy in some States and light in others. Florida is the third State in magnitude in this tree planting signup and furnishes an outstanding example of tree planting interest and cooperation.

Farmers basically want to make the wisest use of their land and a considerable acreage will be shifted to trees. Some farmers are expected to move slowly in making this shift and signup is expected to continue until the deadline of 1960. State foresters are confident that signup will increase and are going forward accordingly.

Actual soil-bank signup through April 15, 1957, in Florida was 49,764 acres and is expected to increase rapidly. The comparable national signup was 562,165 acres. Florida is estimated to have 480,609 acres that should be shifted from cultivation to trees and at least one-half of this is expected to be signed up in the soil bank program.

I feel there is a justification for the funds that have been requested and that our Nation will benefit by the expenditure.

HIGH INTEREST RATES AND THE FEDERAL RESERVE

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 10 minutes.

Mr. PATMAN. Mr. Speaker, when I addressed the House a few days ago, June 3, in connection with my remarks, a telegram that I had sent to Mr. Martin, Chairman of the Federal Reserve Board, was inserted. On June 4, I received a reply to the telegram, as follows:

> Your telegram to Chairman Martin arrived during his absence in Switzerland at the meeting of the Bank for International Settlements. Pending his return, copies have been distributed to all members of the Board of Governors and other members of the Open Market Committee.
>
> Sincerely yours,
>
> C. C. BALDERSTON,
> *Vice Chairman.*

It is not my purpose to insist on bonds being brought back to par immediately, but a program which will protect them from further declines and which will eventually bring them back to par should be agreed upon soon.

PAR VALUE FOR ESTATE SETTLEMENTS NOW

Any of these depreciated bonds held by a deceased person can be used at par with the Government in settlement of Federal estate taxes. Commercial banks are also allowed to carry them on their books at par. If the banks with these frozen bonds could dispose of them in a satisfactory way, local people would have more credit available for their use. The high interest policy in this way is preventing many small banks from rendering adequate service to their communities.

TABLE OF INCREASED RATES

A casual reader looking at the figures I inserted in my remarks June 10, on the average interest rate applicable to the total public debt outstanding, is likely to get an erroneous impression. For example, the average rate on the total debt is about 2.7 percent. The casual reader will say, "Well, that seems reasonable. What are those Democrats complaining about?" However, what is not observable to that reader is this: The average rate on the total debt is heavily weighted by the low rates on long-term issues put out by the Democrats before 1953. So the Republicans have inherited that advantage from the Democrats, and it makes them look not as bad as they would if only their rates were shown on the public debt.

I believe it would clarify this matter if the rates on the issues put out by the Republicans were published separately. I have put together such a table. It includes not only Government obligations, but changes in other interest rates as well.

Changes in interest rates on selected obligations, 1952–57

Year	U. S. Government obligations (marketable)				State and local government bonds, general obligations (tax-exempt)			Corporate bonds			Business loans, bank rates on short term
	3-month Treasury bills	9- to 12-month issues	3- to 5-year issues	Long-term U. S. Treasury bonds	Total	Aaa	Baa	Industrial	Railroad	Public utility	
1952	1.766	1.81	2.13	2.68	2.22	1.90	2.70	3.00	3.36	3.20	3.5
1953	1.931	2.07	2.55	3.16	2.82	2.31	3.41	3.30	3.55	3.45	3.7
1954	.953	.92	1.82	2.70	2.46	2.04	3.09	3.09	3.25	3.15	3.6
1955	1.753	1.89	2.50	2.94	2.57	2.18	3.14	3.19	3.34	3.22	3.7
1956	2.658	2.83	3.12	3.11	2.94	2.51	3.50	3.50	3.65	3.54	4.2
1957	[1] 3.37	[2] 3.51	[3] 3.69	[3] 3.47	[2] 3.57	[2] 3.10	[2] 4.23	[2] 4.02	[2] 4.14	[2] 4.01	[2] 4.6

[1] June 8, 1957.
[2] May 20, 1957.
[3] Average 1st quarter 1957.

Source: Federal Reserve and U. S. Treasury.

FIXED GOVERNMENT INTEREST RATE

The rate of interest on long-term Government bonds is the wholesale rate for money. Other rates are always higher. There should be fixed rates for all Government securities in view of the size of our national debt. It is all right for other rates to be flexible. The Federal Reserve Open Market Committee can keep the Government rates at any point the committee desires to keep them and at the same time keep all Government securities at par. This can be done without cost to the Government, the Federal Reserve, or anyone else.

Marriner S. Eccles was Chairman of the Board of Governors longer than any other person in the history of the System. He knows as much, if not more, about the Federal Reserve and its powers and duties than any other person. A few years ago, Mr. Eccles was testifying before the House Committee on Banking and Currency. When asked if

the Open Market Committee could keep Government bonds at par on a 2½ percent interest rate, his reply was in the affirmative. No informed person will contend otherwise.

WILL CANADIAN GAS PRICING POLICIES PROTECT AMERICAN GAS CONSUMERS?

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. BYRD] is recognized for 30 minutes.

Mr. BYRD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BYRD. Mr. Speaker, since the resumption last month of Federal Power Commission hearings on the Canadian gas cases, I have been doing some research on the Trans-Canada pipeline and related matters. I need not explain the reason for my intense interest in the subject, for I am certain that all of my colleagues realize that the importation of foreign natural gas would create a serious impact upon the economy of the coal regions of West Virginia and neighboring States. As representative of the Nation's largest coal producing congressional district, I propose to do everything possible to prevent effectuation of this new threat to our very existence. I ask that all Members of Congress follow closely the Canadian gas hearings before the FPC. These proceedings are not only of local concern to coal State representatives but, in reality, are a subject of national importance due to the fact that our country's security is involved.

The FPC proceedings are in their initial stages, and, so far as I can learn, much of the elapsed time has been devoted to monotonous recitals of plans and promises by attorneys for the international pipeline faction. Except for brief opening statements, opposing voices have not yet been heard. We on Capitol Hill, meanwhile, cannot afford to be complacent about what is taking place at the Commission for, in actuality, we have a function to perform that would be of invaluable assistance in the determination of the case.

When the Natural Gas Act became law about 20 years ago, foreign gas did not enter the picture. The extension of pipelines from western Canada are a consequence of recent discoveries in the Dominion; in fact, exploitation of these developments is still in the hit-or-miss stages. This consideration is what I wish to emphasize today.

The fact that Canadian gas, if permitted to cross the border, would disrupt oil and coal markets in affected areas can be established without waiting for completion of testimony before the FPC. Our coal producers have for years served most of the markets which the pipeline backers expect to gain. If this fuel, produced and transported with minimum labor cost under the monopolistic protection of public utility status, were made available, coal and oil would, of course, lose customers. The pipeline companies would be in position to serve these markets at whatever price would be necessary to undersell coal. If necessary, the gas could be marketed at a loss, inasmuch as the money group behind it realizes that the long-term potential is unlimited.

If coal loses ground to natural gas in North Dakota, Minnesota, Wisconsin, and neighboring States, repercussions will be felt in mining towns, on railroads, and at dock sites on the Great Lakes. Some mining operations would, of necessity, be suspended. While I have no knowledge of what plans for adjustment would be made by coal-carrying railroads, there is a distinct possibility that some lines serving customers whom gas importers intend to capture would be abandoned. The same predicament would persist for dock facilities if the need for their services were dissipated by the switch to a foreign fuel.

Now, let us assume that Canadian gas has moved into these markets. Let us look ahead a few short years and see what has happened to the services which were the losers in the case. The former coal suppliers have been forced to cut down or suspend operations. Railroads have taken up miles of track or, at least, discontinued its maintenance. Docking facilities for coal barges are no longer in existence, and the barges have been put to other uses or, perhaps, transferred out of the lakes.

The markets under discussion are captives of foreign gas. The financial backers, acting in the tradition of all monopolists, begin to step up their prices. Up and up and up go these prices on Canadian natural gas. What recourse has the consumer? In substance, none, for the source of this fuel is outside the authority of any Government regulating body in this country. Competition has been removed, so there can be no relief in this direction.

Those are economic disadvantages that occur in permitting a segment of our population or of our industrial system to become dependent upon a foreign product. What about the national security aspects? In an emergency, there would be no insurance that the accelerated demands consequent to such a situation would be made by the foreign supplier. The prospect is certainly not to be relished.

Our military production capacity has been dispersed throughout various sections of the country, the theory being that concentration of plants manufacturing war equipment is strategically unsound. To place any component of the materiel-producing network at the disposition of a foreign supplier—regardless of that nation's relationship with us—is an invitation to disaster. Should international tension explode, Canada herself will be called upon to mobilize to the maximum of her capacity. She will need all the fuel that is available. She could not be expected to subordinate her own needs to the industrial and domestic demands of this country. I say that it would be folly for us to permit the incapacitation of any part of the coal, railroad, and/or dock industries at a time when there is so much uncertainty in the world situation.

I have indicated that activities in connection with the development of the Trans-Canada pipeline should be explored. In my research I have obtained a copy of a transcript of the colloquy that took place in Canada's House of Commons on March 13 of this year. I believe that excerpts of this discourse ought to be called to the attention of the Congress. They are of especial importance during this period when the natural gas decontrol bill introduced by the gentleman from Arkansas [Mr. HARRIS], H. R. 6790, and the gentleman from Minnesota [Mr. O'MARA], H. R. 6791, is being prepared for debate on the House floor. Regardless of one's views in respect to the decision of the Supreme Court on the Federal Power Commission's control over natural gas production, it would be impossible to admit Canadian gas into United States markets without a sharp departure from the philosophies of both sides of the gas decontrol bill. First, let me remind you of what President Eisenhower said when he recommended removal of FPC price authority at the wellhead. Here are his remarks:

"I thoroughly believe that the pipeline is a public utility and must be treated as such, including its right to fix its price at which the gas enters the pipeline."

The President represents a point of view apart from those who desire to retain FPC control over prices down into the producing fields. Supporters of this policy are convinced that the decision in the Phillips' case must not be upset, lest such action would result in higher prices for the consumers.

In neither case is there a place for Canadian gas, because the FPC would be completely excluded from authority over both prices and supplies of natural gas produced in a foreign country. Thus we find that imported natural gas would be alien to the philosophies expressed by both advocates and opponents of the decontrol bill.

Now, if these considerations in themselves do not lend sufficient emphasis to the undesirability of natural gas imports, I believe that the March 13 discussions in the Canadian House of Commons, to which I have referred, should dispose of the gas import proposals once and for all. Here are excerpts from that debate:

PIPELINES

TRANS-CANADA PIPE LINES—STATEMENT ON SETTING OF RATES

On the orders of the day:

Hon. GEORGE C. MARLER (Minister of Transport). Mr. Speaker, I would like to reply to a question asked on March 7 by the hon. member for Kamloops. He asked if the rates at which gas will be carried or sold by Trans-Canada Pipe Lines would be subject to approval by the board of transport commissioners and, if so, at what stage of construction or operation would such jurisdiction of the board commence to be exercised?

The answer, Mr. Speaker, is that Trans-Canada Pipe Lines is not a common carrier. It buys and sells gas on its own account, and since it is not a common carrier it does not charge rates for transmitting gas; and the Pipe Lines Act does not give the board of transport commissioners authority to control the selling price charged by Trans-Canada, or other transmission pipe line companies. Competition with other fuels will, of course, place a ceiling on the prices that can be charged by Trans-Canada or any other natural gas transmission company.

Mr. E. D. FULTON (Kamloops). Mr. Speaker, I should like to ask the Minister of Transport a question arising out of his answer to my earlier question in which answer he said that the board of transport commissioners will not have jurisdiction over the rates to be charged by Trans-Canada Pipe Lines Limited. May I ask whether the Government will give consideration to amending the Pipe Lines Act so that this company, which has been placed in a monopolistic position as the result of Dominion Government policy, will have its rates controlled in the public interest by a regulatory body under Federal authority?

Mr. MARLER. Mr. Speaker, all I can say in answer to the honorable gentleman's question is that I think my answer made it quite clear that the situation which he attempted to describe in his question is not the case. In the second place, I can see no reason why we should give consideration to the suggestion the honorable gentleman has just made.

INQUIRY AS TO POWER TO REGULATE EARNINGS

On the orders of the day:

Mr. CARL O. NICKLE (Calgary South). I should like to direct a question to the Minister of Transport. What agency of government has authority to regulate the maximum percentage earning on rate base that will be permitted any interprovincial pipeline transporting natural gas or oil?

Hon. GEORGE C. MARLER (Minister of Transport). I can only refer the honorable gentleman to the Pipe Lines Act, which I think will give him all the information that he desires.

Mr. E. D. FULTON (Kamloops). May I ask the Minister of Transport whether it is a fact that the answer to the question asked by the honorable member for Calgary South just a moment ago is that there is in fact no Federal body which will regulate the rates to be charged by Trans-Canada Pipe Lines Corporation?

Hon. GEORGE C. MARLER (Minister of Transport). I think if the honorable gentleman will consult the Pipe Lines Act he will find that Parliament has not given to the board of transport commissioners the power to regulate rates for the carrying of natural gas. As the honorable gentleman well knows, it contains other regulatory provisions and I think that a study of the act shows perfectly well what the situation is.

Mr. STANLEY KNOWLES (Winnipeg North Center). May I direct a question to the Minister of Transport supplementary to the questions asked by the honorable member for Calgary South and the honorable member for Kamloops. Will the government consider amending the Pipe Lines Act so as to give authority to the board of transport commissioners over these rates or to provide regulation of such rates in some other way?

Mr. MARLER. Mr. Speaker, I thought that the answer I had given to the honorable member for Kamloops indicated that the government did not feel that the circumstances of Trans-Canada Pipe Lines were such that an amendment to the Pipe Lines Act was necessary.

Mr. Speaker, I refer this testimony to the attention of every Member of Congress, particularly to those of my colleagues who have been active in either the support of or opposition to the gas decontrol bill. In all probability the Federal Power Commission is alerted to such proceedings in the House of Commons in Ottawa; it is, therefore, unlikely that the Commission could for 1 minute approve of any application to transport this completely unregulated fuel into the American markets. Nevertheless, the replies of the Minister of Transport are further evidence of the need for a directive from Congress to the Federal Power Commission in substantiation of the theory that the general welfare should be taken into consideration when decisions on applications are in the making.

Mr. Speaker, subsequent to the House of Commons colloquy, which I have outlined above, the Trans-Canada Pipe Lines Ltd. has itself given further implementation to the argument against extension of the Canadian line across the borders of the United States. Following is the verbatim quotation of the first part of a news story appearing on May 31, 1957, in the Albertan, a daily newspaper published in Calgary, Alberta:

Trans-Canada Pipe Lines Ltd., has boosted the basic price it will pay western Canada producers of natural gas to 12 cents per thousand cubic feet from 10, an increase of 20 percent.

The company has not made an announcement but it is known producers have been offered contracts on this basis.

Rapidly expanding markets in eastern Canada and the increase have resulted in a glow of rosy optimism spreading over the gas industry in western Canada.

Although producers will be able to make better deals with Trans-Canada for the sale of their gas, other factors, possibly involving export to the United States Thursday, boosted Trans-Canada bonds 10 points to 155 and the common stock to 42½ from 37 the previous day.

Mr. Speaker, it is my intention to transmit to the Federal Power Commission a number of reprints from the CONGRESSIONAL RECORD containing the testimony which I have inserted here today. I believe that this material alone could be a determining factor in the Canadian gas case. Meanwhile I appeal to my colleagues in the House to recognize that it is incumbent upon us to take whatever steps are necessary to protect the American consumer against what could surely be a disastrous fuel policy if the Canadian pipeliners, in alinement with the more ambitious international groups with headquarters in this country, were permitted to burrow their way into the markets which are by birthright and by tradition the selling place for our own fuel producers.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SIMPSON of Illinois (at the request of Mr. ARENDS), for today, on account of death in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN for 10 minutes today, and to include therein extraneous matter.

Mr. BYRD, for 30 minutes, today.

Mrs. ROGERS of Massachusetts, for 5 minutes on tomorrow, and to include extraneous matter.

Mrs. ST. GEORGE, for 30 minutes, on Wednesday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. GATHINGS.

Mr. ANFUSO (at the request of Mr. ZELENKO) and to include extraneous matter.

Mr. JOHNSON (at the request of Mr. REUSS) and to include extraneous matter.

Mr. VANIK and to include extraneous matter.

Mrs. KELLY of New York in two instances and to include extraneous matter.

Mr. EDMONDSON and to include extraneous matter.

Mr. JUDD and to include an address by Secretary Benson.

Mr. WOLVERTON in two instances and to include extraneous matter.

Mr. OSTERTAG (at the request of Mr. MCGREGOR) and to include extraneous matter.

Mr. MEADER to revise and extend the remarks he made in Committee last Friday and to include extraneous matter.

Mr. TEAGUE of Texas.

Mr. BARRETT (at the request of Mr. MCCORMACK) and to include extraneous matter.

Mr. FASCELL (at the request of Mr. MCCORMACK) and to include extraneous matter.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2130. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. MCCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 16 minutes p. m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 18, 1957, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

952. A letter from the Chairman, President's appointed bipartisan Commission on Increased Industrial Use of Agricultural Products, transmitting the report of the Commission on Increased Industrial Use of Agricultural Products, pursuant to Public Law 540, 84th Congress; to the Committee on Agriculture.

953. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes"; to the Committee on Interior and Insular Affairs.

954. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to amend section 239 of the

Immigration and Nationality Act, and for other purposes"; to the Committee on the Judiciary.

955. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled, "A bill to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

956. A communication from the President of the United States, transmitting specific legislative recommendations relative to the Hoover Commission recommendations (H. Doc. No. 197); to the Committtee on Government Operations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 8002. A bill to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations; without amendment (Rept. No. 572). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK of Illinois: Committee on Interstate and Foreign Commerce. Report on pulp paper and board supply demand pursuant to House Resolution 99 (85th Cong., 1st sess.); without amendment (Rept. No. 573). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. H. R. 8053. A bill to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians; without amendment (Rept. No. 574). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. Sixth report pertaining to replies from State and local governments to questionnaire on intergovernmental relations; without amendment (Rept. No. 575). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 7390. A bill to amend the Administrative Expenses Act of 1946, and for other purposes; with amendment (Rept. No. 576). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 8186. A bill to provide for the increased use of agricultural products for industrial purposes; to the Committee on Agriculture.

By Mr. BARING:

H. R. 8187. A bill to create a United States Department of Mineral Resources and to prescribe the functions thereof; to the Committee on Government Operations.

H. R. 8188. A bill to stimulate the production of certain strategic and critical minerals, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 8189. A bill to stimulate the investment of venture capital in the production of strategic and critical metals or minerals; to the Committee on Ways and Means.

By Mr. BARTLETT:

H. R. 8190. A bill to settle land claims in Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 8191. A bill to provide that lands reserved to the Territory of Alaska for educational purposes may be leased for periods not in excess of 55 years; to the Committee on Interior and Insular Affairs.

By Mr. BONNER:

H. R. 8192. A bill to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BURNS of Hawaii:

H. R. 8193. A bill transferring to the Territory of Hawaii the title of the United States to public lands and other public property in Hawaii; granting certain authority to the Legislature of the Territory of Hawaii with respect to such public lands and property, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H. R. 8194. A bill to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code; to the Committee on the Judiciary.

By Mr. DAWSON of Illinois (by request):

H. R. 8195. A bill to facilitate the payment of Government checks, and for other purposes; to the Committee on Government Operations.

By Mr. DEROUNIAN:

H. R. 8196. A bill to require the Secretary of Agriculture to obtain the consent of States, and political subdivisions thereof, which will be affected, before undertaking programs for the control and eradication of certain pests and plant diseases; to the Committee on Agriculture.

Mr. FERNÓS-ISERN:

H. R. 8197. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide for review by the Secretary of Labor of the minimum-wage recommendations of industry committees, and for other purposes; to the Committee on Education and Labor.

By Mr. FLYNT:

H. R. 8198. A bill to amend title II of the Social Security Act so as to permit the State of Georgia to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H. R. 8199. A bill to authorize the restoration of times taken from patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by governmental controls; to the Committee on the Judiciary.

By Mr. LATHAM:

H. R. 8200. A bill to provide for observing certain legal public holidays on Monday; to the Committee on the Judiciary.

By Mr. McMILLAN (by request):

H. R. 8201. A bill to provide an alternative acreage adjustment and price support program for the 1958 crop of cotton and for other purposes; to the Committee on Agriculture.

By Mr. SAYLOR:

H. R. 8202. A bill to amend title II of the Social Security Act to provide that an individual's disability insurance benefits shall not be reduced because of periodic benefits payable to him by the Veterans' Administration; to the Committee on Ways and Means.

By Mr. SISK:

H. R. 8203. A bill to correct inequities arising in the enrollment of the Indians of California; to the Committee on Interior and Insular Affairs.

By Mr. THOMSON of Wyoming:

H. R. 8204. A bill to amend section 27 and to repeal section 2 (c) of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain; to the Committee on Interior and Insular Affairs.

By Mr. WHARTON:

H. R. 8205. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for certain dependent parents of individuals entitled to old-age insurance benefits; to the Committee on Ways and Means.

By Mr. HARDY:

H. R. 8206. A bill to validate the salary overpayments made to certain officers and employees incident to the salary adjustment provisions of the Federal Employees Salary Increase Act of 1955, and for other purposes; to the Committee on the Judiciary.

By Mr. WAINWRIGHT:

H. R. 8207. A bill to provide for improvement in the system of personnel administration through the establishment of a senior civil service in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government; to the Committee on Post Office and Civil Service.

By Mrs. KELLY of New York:

H. Con. Res. 189. Concurrent resolution expressing the sense of the Congress on the need for an affirmative policy toward the Soviet satellites; to the Committee on Foreign Affairs.

By Mr. SELDEN:

H. Con. Res. 190. Concurrent resolution expressing the sense of the Congress on the need for an affirmative policy toward the Soviet satellites; to the Committee on Foreign Affairs.

By Mr. COFFIN:

H. Con. Res. 191. Concurrent resolution expressing the sense of the Congress on the need for an affirmative policy toward the Soviet satellites; to the Committee on Foreign Affairs.

By Mr. BENTLEY:

H. Con. Res. 192. Concurrent resolution expressing the sense of the Congress on the need for an affirmative policy toward the Soviet satellites; to the Committee on Foreign Affairs.

By Mr. GUBSER:

H. Con. Res. 193. Concurrent resolution expressing the sense of the Congress that appropriate steps should be taken by the United States in the United Nations to bring about the creation of two committees for an investigation and study of radioactive fallout resulting from nuclear explosions; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. MARTIN: Memorial of the General Court of Massachusetts, urging adoption of legislation providing that United States Armed Forces have complete criminal jurisdiction over all members thereof who are in service in a foreign country; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DELANEY:

H. R. 8208. A bill for the relief of Niki Nikolaou; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H. R. 8209. A bill for the relief of Anthony Robert Lowry (Antonio Piantadosi); to the Committee on the Judiciary.

By Mr. McFALL:

H. R. 8210. A bill for the relief of Ho Wey You; to the Committee on the Judiciary.

By Mr. METCALF:

H. R. 8211. A bill to authorize and direct the Secretary of the Interior to quitclaim to Joseph G. Pettet, all right, title, and interest of the United States in and to certain lands in the State of Montana; to the Committee on Interior and Insular Affairs.

By Mr. MULTER:

H. R. 8212. A bill for the relief of Mrs. Rifca Wolff; to the Committee on the Judiciary.

By Mr. SCUDDER:

H. R. 8213. A bill for the relief of John Soderman; to the Committee on the Judiciary.

By Mr. WALTER:

H. Con. Res. 194. Concurrent resolution approving the granting of the status of permanent residence to certain aliens; to the Committee on the Judiciary.

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens; to the Committee on the Judiciary.

H. J. Res. 374. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

284. By Mr. HORAN: Petition of Mrs. M. W. Jacobs and 11 citizens of Spokane, Wash., urging the Congress to pass legislation prohibiting alcoholic beverage advertising on television broadcasts; to the Committee on Interstate and Foreign Commerce.

285. By Mr. JENSEN: Petition of AMVETS Post No. 1, Atlantic, Iowa, protesting the handling of the Girard case; foreign aid appropriations; proposing the repeal of the status of forces treaty and agreements to protect our servicemen; to the Committee on Foreign Affairs.

286. By the SPEAKER: Petition of the secretary, American Unitarian Association, Boston, Mass., petitioning consideration of their resolution with reference to condemning the brutal attack by the Soviet Union on the Hungarian people; to the Committee on Foreign Affairs.

287. Also, petition of Travis Salmon, Seminole, Tex., requesting a thorough Congressional investigation of the Food and Drug Administration to correct abuses and restrain this branch of Government from trying to destroy the Hoxsey treatment for cancer; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Civil Rights

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. WOLVERTON. Mr. Speaker, today will bring to a close the long and hard-fought battle to enact a civil rights bill.

The purpose of the bill is to provide a means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

It has been perfectly apparent during the debate that there was no misunderstanding as to what the bill sought to accomplish nor the conditions it sought to correct. The flagrant refusal in certain sections of our Nation to grant, or at least recognize, the right of colored citizens to vote, of course, was the basic reason for the bill.

This bill is designed to protect the civil rights of persons within the jurisdiction of the United States by the adoption of four major proposals, namely, first, the creation of the Commission on Civil Rights, second, the establishment of a Civil Rights Division in the Department of Justice, third, a supplement to title 42, United States Code, section 1985, providing civil remedies against conspiracies depriving a person of civil rights, and fourth, a provision for a civil remedy by the Attorney General to strengthen and protect the right to vote. In connection with this latter provision and to make it fully effective the bill amends existing law so as to permit the Federal Government to seek from the civil courts by injunction preventive or other necessary relief in civil-rights cases.

It has been difficult for me to understand why there should be such violent opposition to the enactment of a bill of this character. In fact, it seems to me that under our system of government, the right of all citizens regardless of race, color, or creed to vote is so plainly and surely based upon the provision of our Constitution that there should have been no necessity to adopt legislation to enforce the right. But, unfortunately, the necessity does exist and hence this legislation now before the Congress for adoption. I am, of course, in full and hearty accord with the legislation as drawn and will support it against all efforts to weaken its provisions.

We should not at any time fail to recognize the truth and justice of the Founding Fathers of this nation in the expression that was adopted by them, namely, "that all men are created equal, and they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness." These are noble words and express a principle that gives to this Nation a form of government that is distinctive among the nations of the world. To accomplish this basic principle of our Government has been our constant endeavor throughout all the years that have intervened between the founding of our Government and the present time.

The rights and privileges accorded our citizens, regardless of race, color, or creed, are basic to our American way of life and, consequently, there is a continuing duty upon our part to make certain that these rights and privileges are maintained fully and completely for all our citizens.

Furthermore, as Americans we must also realize and accept the fact that the responsibility of worldwide leadership, which is now ours, carries with it a responsibility of providing an example of liberty and freedom for all in our daily lives. Any deprivation, intolerance, or discrimination in the application to every citizen of our basic rights and privileges would have a tendency to cast a cloud upon our vaunted liberties and recognition of the equality of all citizens. This could not be otherwise than highly detrimental to our standing throughout the world and could not be other than a disappointment to the millions of people throughout the world who are seeking in their respective nations the benefit of the same principles of liberty and freedom we enjoy. And in no particular is our distinctive character as a nation more apparent than in our individual right to vote. To destroy this right or deny it to any class of our citizens, as the result of prejudice or otherise, would undoubtedly destroy to an appreciable extent that high standing we now enjoy among all liberty-loving and liberty-seeking people. Thus it becomes our duty by such means as may be necessary to preserve and strengthen the rights inherent in citizenship in this great country of ours.

I support this legislation, because I consider it a duty to preserve fully and without any deviation the rights of all citizens, regardless of race, color, or creed. The bill deserves and should have the full support of the Congress and the approval of the President.

The Tragedy in Lithuania

EXTENSION OF REMARKS
OF
HON. WILLIAM A. BARRETT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. BARRETT. Mr. Speaker, 16 years ago the world was shocked by the conduct of our then ally, the Soviet Union. Sixteen years ago, on June 13 and 14, the deportation of 60,000 Lithuanians from their beloved homeland to the frozen steppes of Siberian and other labor camps was carried out. Their fate remains unknown. The horrible practice of mass deportation has been condemned in numerous international agreements and treaties since the end of World War II. Few other crimes are more onerous.

The hardships and martyrdom of these people, friends and relatives of many of us here in the United States, is worthy of our deepest tribute and homage. The pain and inequities of Lithuanian satellization bore mute testimony to the future destiny of those who fought in conscience for their liberties, their freedom, and their homeland, against the Soviet Union. Their uncommon bravery remains a source of

inspiration and education to all of us of the powerful "quiet strength" of the small nations opposing the expansionisms of Russian communism.

No Justification for Kinzua Dam

EXTENSION OF REMARKS
OF
HON. HAROLD C. OSTERTAG
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. OSTERTAG. Mr. Speaker, under leave to extend my remarks, I include in the RECORD a copy of a telegram I have just received from Gov. Averell Harriman, of New York, with respect to the Kinzua Dam on the upper Allegheny River. Governor Harriman points out that there is an alternative to this $101 million project which has not received adequate consideration and study.

"Until that study is made," he wires, "there is no justification for going ahead with a plan that will deprive the Seneca Indians of their reservation lands, in violation of long-standing treaty rights."

Mr. Chairman, I applaud New York's Governor for taking this stand on a matter which will come before the House later this week as part of the public-works appropriation bill. A careful study of this project, as it has been presented to the House committees over the years shows that it is only in small measure a flood-control project and, therefore, a Federal responsibility. It is a water-supply project and, in fact, is so described in House Document No. 491 of the 83d Congress, and it is a pollution-control project, designed to dilute Allegheny River pollution in Pennsylvania, with waters impounded in New York State.

Neither water supply nor pollution control is properly a responsibility of the Federal Government and the taxpayers of this country, under the terms of the flood-control statutes and programs.

Yet this project is being pushed as a 100 percent Federal liability under the guise of flood control.

Mr. Speaker, this is one of the most questionable projects ever to come before this House. It cannot be economically justified within the framework of existing legislation.

It certainly cannot be morally justified, for in order to build it, virtually all of the habitable land on a reservation granted to the Seneca Nation of Indians under the Presidency and signature of George Washington will be preempted, and most of it will be flooded.

Governor Harriman rightly challenges the validity of this project. I hope his political colleagues in this House will support him.

The full text of his telegram follows:

Hon. HAROLD C. OSTERTAG,
House of Representatives, Office Building, Washington, D. C.:

I am advised that an amendment to strike from the public works appropriation bill $1 million to start the Allegany Reservoir project will come up on the floor of the House tomorrow or Wednesday. I hope you will support the amendment. The Seneca Indians have presented an impressive series of documents on an alternative proposal which has apparently not received careful study by the Corps of Engineers. Until that study is made there is no justification for going ahead with a plan that will deprive the Senecas of their reservation lands in violation of long-standing treaty rights.

AVERELL HARRIMAN.

An Affirmative Policy Toward the Soviet Satellite Nations

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mrs. KELLY of New York. Mr. Speaker, on June 17, the Honorable ARMISTEAD SELDEN, the Honorable FRANK M. COFFIN, and the Honorable ALVIN M. BENTLEY and I introduced identical concurrent resolutions expressing the sense of Congress on the need for an affirmative policy toward the Soviet satellites. The text of the measure follows:

House Concurrent Resolution 189 (by Mrs. KELLY), House Concurrent Resolution 190 (by Mr. SELDEN), House Concurrent Resolution 191 (by Mr. COFFIN), House Concurrent Resolution 192 (by Mr. BENTLEY) expressing the sense of the Congress on the need for an affirmative policy toward the Soviet satellites.

Whereas the Hungarian freedom revolution which broke out October 23, 1956, was catastrophic in nature and caught the free world totally unprepared; and

Whereas its tragic finale left a feeling of bitter disappointment and regret that the governments of the free world were not ready to take effective action; and

Whereas the barbaric action of the Soviet Union in Hungary demonstrates that the Soviet Union is determined to go to any and all lengths to maintain its empire of enslaved peoples by the most brutal forms of armed subjugation and repression, when permitted to do so; and

Whereas the crisis and foment created by developments in the satellite nations require a reevaluation of and revision in strategic policy to meet changed conditions: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States should establish and implement an affirmative policy toward the satellites to utilize fully and effectively the position of leadership of the United States through all proper means within and without the United Nations, including the use of economic and political sanctions and the establishment of a clearly defined satellite refugee program.

SEC. 2. It is further the sense of the Congress that the President, through the United States Representative to the United Nations, should immediately request the convening of a special session of the General Assembly of the United Nations to consider the report of the United Nations Special Committee on the Problem of Hungary and other available information on the brutal action of the Soviet Union in Hungary and other satellite nations.

The concurrent resolution is intended to give Congressional expression to the major recommendations which we made recently in our special study mission report on policy toward the satellite nations (H. Rept. 531, 85th Cong.).

Our report demonstrates that we are now in the midst of a new era on satellite relations which constitutes as vital a challenge to the interests of the Free World as the situation in the Middle East. This new era requires a reevaluation of and revision in United States and Free World strategic policy to meet changed conditions.

The absence of United States and Free World effective action with respect to the Hungarian revolution last fall, when the Hungarian freedom fighters believed that such action would be forthcoming, dealt the whole Free World and the hopes and expectations of the millions of captive satellite peoples a heavy blow.

During our study mission to Europe there was everywhere apparent bewilderment, confusion and skepticism about Free World action, particularly by the United States, in the event of future satellite outbreaks. It is therefore essential that the people of the United States, through their elected Representatives in Congress, take the lead in expressing, in the words of the resolution, "that the United States should establish and implement an affirmative policy toward the satellites • • •", so that it will be known to the executive branch of our Government where our country stands in this issue. This is the first essential step in formulating and implementing an effective policy.

The resolution further calls for the full and effective utilization by our Nation of its position of leadership, both within and without the United Nations. We must be prepared with measures and programs to cope with a future outbreak, including the establishment of a clearly defined satellite refugee program.

In section 2 of the measure the President is called upon, through the United States Representative to the United Nations, Ambassador Lodge, to request at once, upon the adoption of this resolution, the convening of a special session of the United Nations General Assembly. It would be the sole function of the special session to consider the report of the United Nations Special Committee on Hungary and other available information which has been accumulating on the brutal activities of the U. S. S. R. in Hungary as well as in other satellite nations. The purpose of this section is to direct the attention of the world to the inhumanity and ruthlessness of Soviet imperialism and to put the Kremlin on the defensive at a time in history when peoples are bursting with a yearning for independence and freedom from the yoke of imperialism. It is further the objective of section 2 of our resolution to make it possible to demonstrate before the world forum that the true imperialists are the Soviets with their new brand of imperialism never before equaled in brutality and savagery.

The resolution looks to the future. Its purpose is not to criticize past failures but rather to profit from those failures in the future.

Twenty-fifth Anniversary of DAV

EXTENSION OF REMARKS
OF
HON. OLIN E. TEAGUE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. TEAGUE of Texas. Mr. Speaker, on this 17th day of June 1957 the Disabled American Veterans, that unique and patriotic veterans' service organization, is celebrating its 25th year of chartered existence, and I am happy to pay my respects in this public manner. The DAV was actually organized 37 years ago for the express purpose of aiding and assisting worthy wartime disabled veterans, their widows, orphans, and dependents.

In addition to the character of discharge requirement, it is necessary that the applicant for membership be shown to have been wounded, gassed, injured, or disabled in line of duty while in the service of the Armed Forces of the United States during a war or the Korean conflict. The fact that such person is still in the United States Armed Forces does not preclude eligibility for membership. Citizens of the United States who became disabled from conditions incurred in or aggravated by service in the armed forces of those nations associated with the United States as allies during any of its war periods, and who were honorably discharged from such service, may also join the Disabled American Veterans.

The act of Congress—title 36, chapter 6–A, section 90a through section 90k, United States Code—chartering the DAV was approved June 17, 1932. Public Law 668, 77th Congress, approved July 15, 1942, deleted the words "of the World War" in the title and shortened the name to "Disabled American Veterans." The present national commander is Joseph F. Burke, a combat amputee of World War II.

The DAV is third in size of the major veterans' organizations but because of its restrictive membership eligibility requirements it does not approach in mere numbers the two leading groups. It does, however, make up in enthusiasm and constructive achievements what it lacks in size. This year will see the largest membership in the history of the Disabled American Veterans and its officers look forward with confidence to the future. Full credit should be given to the auxiliary, its officers and members, in promoting the progress and success of the parent organization.

The national headquarters is located at 5555 Ridge Avenue, Cincinnati 13, Ohio. The DAV national adjutant, Mr. Vivian D. Corbly, and his staff have their offices at national headquarters.

The national service headquarters is located at 1701 18th Street NW., Washington 9, D. C., and there the national director of legislation, claims and employment, with their staffs, have their quarters. It is believed that a special word of explanation is due in regard to the DAV claims activities. That service has trained and expert claims representatives on duty in the VA central office, the Washington, D. C., VA Benefits Office, and the Department of Defense. Contacts are also made with other Government agencies. In addition to these claims officials located in the Nation's Capital, the DAV has national service officers in all the regional offices of the Veterans' Administration and the VA district offices. There they render great assistance to many thousands of veterans and their families regardless of whether the veterans concerned are members of the organization. This valuable service is freely given without charge or recompense of any kind.

The national executive committee and national finance committee play major parts in the transaction of important organization business and in guiding the operations and destinies as to DAV policy.

The record of the past augurs well for the future of this up-and-coming veterans' association of the war disabled, so aptly named the Disabled American Veterans, and it is my hope, and I am sure all Members join me in hoping, this historic 25th anniversary will mark a nationally important milestone in a long and honorable career of loyal and outstanding service.

Our Farm Surplus Compared With Peacetime Supply of Tungsten

EXTENSION OF REMARKS
OF
HON. LESTER R. JOHNSON
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. JOHNSON. During the current debate on the minerals purchase program we have heard reports that there is enough tungsten to last this country through 26 peacetime years or through 6 war years. The information throws a new light on farm surpluses about which we have heard so much in recent months, particularly from the Secretary of Agriculture. I think the Secretary of the Interior may be backsliding a little in his job in not keeping the American citizen as well informed on strategic mineral stockpiles as the Agriculture Secretary does on food and fiber.

Millions of our city friends have been deluged for years with a flood of articles, newscasts, cartoons, pictures, and televised reports on our farm surplus. There are Americans who automatically get a mental picture of a mountain of potatoes or a mound of butter whenever they hear the word "surplus." There are probably a hundred for anyone that gets a mental image of a barrel of tungsten.

The reports on available tungsten remind me that our stockpiles of farm goods as of December 31, 1956, were not as big as some folks might have been pounded into believing. I have not been away from the farm long enough to forget that something called food is as important to a military and civilian population in time of crisis as is tungsten.

So that we will compare our farm surplus properly with the 26 years' peacetime supply of tungsten I would like to report that as of December 31 we had:

Wheat to last 13 months and 20 days.
Cotton to last 9 months and 23 days.
Corn, 4 months and 21 days.
Peanuts, 3 months and 9 days.
Flaxseed, 3 months and 13 days.
Grain sorghum, 2 months and 19 days.
Rye, 3 months and 8 days.
Barley, 2 months and 22 days.
Cheese, 1 month, 28 days.
Soybeans, 1 month, 22 days.
Dried milk, 28 days.
Oats, 16 days.
Tung oil, 10 days.
Honey, 2 days.
And no butter.

The United States Corps of Army Engineers

EXTENSION OF REMARKS
OF
HON. E. C. GATHINGS
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. GATHINGS. Mr. Speaker, June 14 marks the 182d illustrious birthday of the founding of the United States Corps of Army Engineers.

The Corps of Engineers dates from June 1776, when the Continental Congress authorized Gen. George Washington to appoint a Chief Engineer for his Army. General Washington designated Col. Richard Gridley to that post, and from that date, July 3, 1775, until now the United States has been served by 40 Chief Engineers. Holding that post with honor and distinction at this time is Maj. Gen. Emerson C. Itschner.

June 14 also marked the observance of the 76th anniversary of the establishment of Corps of Engineers offices to serve the Mississippi River and its tributaries. On February 1, 1881, the Corps of Engineers set up the Little Rock River and Harbor office with authority confined to the Arkansas, White, and St. Francis Rivers and tributaries. However, in 1882, the Mississippi River Commission established districts with headquarters in Cairo, Ill., and Memphis, Tenn., and these offices were consolidated in the Memphis office in 1890.

A separate district, with responsibility for dredging operations was established at Memphis in 1918, and 3 years later the Little Rock office was moved to the Mississippi River city and the name was changed to the Memphis River and Harbor District.

In 1928, with adoption of the first comprehensive plan for flood control on the lower Mississippi River, the Memphis River and Harbor office, the river and harbor district, the Mississippi River Commission's first and second districts, and the dredging district, were all consolidated to form the United States Army Engineers District, Memphis.

The Mississippi River, wildly temperamental in its 1,000-mile trip to the Gulf of Mexico, drains 40 percent of the Nation, an area lying across the northern reaches of the United States from New York State to Wyoming. Enough rain falls on this area in a normal year to fill a tank 8 miles wide, 8 miles long, and 8 miles high. During an average flood year a million tons of water passes down the river.

This tremendous power supports the mighty Mississippi, the main artery of the Nation's 28,000-mile inland waterway system. And more than 80 million tons of important commodities move each year on the river.

To control this mighty river and to protect the valley against floods is the task of the Corps of Engineers and the Mississippi River Commission. Today a 1,600-mile system of giant levees 200 miles longer than the Great Wall of China are maintained by the corps to harness the powers of the river. Cutoffs have straightened the river where Mark Twain was pilot, and the river has been shortened by about 170 miles.

Col. E. B. Downing is the district engineer for the Memphis district, and he has given valiant service to the work on the Mississippi and its tributaries. Today Colonel Downing is making certain special awards to employees of the district, and I am sure that other Members of Congress whose areas are served by this office will desire to join in commending Colonel Downing and all of the men and women of the office there for the fine service they are continuing to render. Since the location of this office, almost 2,000 man-years of work has been given to controlling the turbulent floodwaters of the lower Mississippi and its tributaries.

That much work continues to be done is evidenced by the floods that still beset this vast area. However, it should be pointed out that these floods result from rainfall equal in many places to the total annual averages and but for the great structures created to handle the Arkansas and the other tributaries, the present disaster would be extended throughout the entire lower valley and over the Midsouth. Millions of dollars, untold acres of farm and forest lands, and thousands of lives were saved by the work of the Mississippi River Commission and the Corps of Engineers.

It is fitting, therefore, on this day to celebrate the 182d anniversary of the founding of the Corps of Engineers and the 76th anniversary of the Memphis district to salute the peacetime work of the corps in preserving for us and for our posterity that great heartland of America.

Arthur T. Vanderbilt

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. WOLVERTON. Mr. Speaker, today New Jersey had a sad duty confronting it as it laid to rest the body of its most distinguished jurist. Chief Justice Arthur T. Vanderbilt has passed into the Great Beyond. His life has been one of great usefulness. His activity in all the many and varied phases of life has been most commendable. His accomplishments have been so great that it would be impossible to adequately set forth all of them in the manner their importance deserves. In the field of politics his objective was always good government. In the field of jurisprudence he continually sought to establish justice and equity that was certain and assured. To accomplish this he surmounted barriers of long established procedures that worked against change of any kind. But, with zeal and intelligence, he carried on his fight for a swifter and more certain justice until he attained his goal. The result is that today we have in New Jersey one of the most modern and effective systems of justice to be found anywhere within the United States or elsewhere.

Arthur T. Vanderbilt was recognized throughout this Nation as one of the most outstanding judicial personages engaged in the administration of law and equity. His standing among lawyers and judges was such that he stood as on a pinnacle. He was worthy of every honor that was accorded him during his long and useful life. His views on matters pertaining to administrative procedures in the practice of law were the result of a long and varied experience in the practice of law, and, the experience thus gained, and, that which came as the result of his occupancy of the high position of chief justice of New Jersey, provided a strength and reason to his views that enabled them to stand firm and overcome any and all opposition.

Not only was Arthur T. Vanderbilt a man of great intelligence in law and all other phases of government, but, he was a man of superlative character and integrity. At all times his every action either on the bench, or, in his many years of activity at the bar and in active politics was based upon careful consideration of all the facts incident to the matter. And, when his opinion was finally formed, he stood back of it without any deviation or compromise. He stood for what he thought was right.

In conclusion, and, as part of my remarks, it is appropriate that I should include an editorial appearing today in the Washington Post and Times Herald. It is so true and illustrates that even in this Capital City of the Nation, his fame and outstanding character as lawyer, judge, and citizen was as well known and recognized as in his home State of New Jersey.

It reads as follows:

The death of Chief Justice Arthur T. Vanderbilt of the New Jersey Supreme Court is a tragic loss to the causes of justice, judicial reform, and legal education. In the last decade he had directed almost a judicial revolution in New Jersey. That was the culmination of many previous years of hard struggle to bring administrative management, sound organization, and highly qualified judges into the judicial system. As chief justice in New Jersey, he was able to put into practice what he had been preaching, with the result that that State now has one of the best judicial systems in the Nation.

After trying for 17 years to interest the bar, the judges, and the politicians in judicial reform, Mr. Vanderbilt decided a decade ago to carry his fight to the people. Govs. Charles Edison and Alfred E. Driscoll joined in the struggle, and a new constitution was adopted for New Jersey, including a model judicial system. Mr. Vanderbilt, who had won eminence in the practice of law and as dean of the New York University Law School, was then named chief justice.

There followed a decade in which rules were simplified, dockets were cleared of old cases, able and energetic lawyers were named to the bench and modern administrative management was applied to the work of the courts. In a single year the output of the New Jersey courts was increased by 98 percent. Justice is no longer soured by endless delays, confused jurisdiction, or excessive emphasis on technicalities. Arthur Vanderbilt's leadership in this sphere has brought New Jersey to the forefront among the States seeking to modernize their judicial systems.

In his practice as in his teaching, Mr. Vanderbilt was a strong defender of civil liberties and of independent judgment on the bench. As counsel for Norman Thomas, he induced the Supreme Court of the United States to strike down the Jersey City ordinance under which the late Mayor Frank Hague had forbidden the Socialist leader to address a public meeting there. As president of the American Bar Association, he contributed enormously to the defeat of President Roosevelt's efforts to pack the Supreme Court in 1937. It is the judicial reforms that he helped to establish in New Jersey, however, that are likely to stand as his most enduring monument.

Good Government Is the Issue

EXTENSION OF REMARKS
OF
HON. DANTE B. FASCELL
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. FASCELL. Mr. Speaker, I would like to call to the attention of the membership, excerpts from an address recently delivered by my close friend and colleague, from Florida, PAUL ROGERS, to the members of the third national reorganization conference sponsored by the Citizens Committee for the Hoover Report.

These remarks were made by an outstanding Member of the House whose interest we should all share in promoting good government on an economical and efficient basis.

The excerpts follow:

GOOD GOVERNMENT IS THE ISSUE

(Excerpts from speech by Congressman PAUL G. ROGERS, Member, United States House of Representatives from Florida since 1955; formerly member of Burns, Middleton, Rogers & Farrell law firm; member, House Public Works Committee)

Permit me, first of all, to express my great pleasure to you for this opportunity to participate in the program of the third national reorganization conference, by the Citizens Committee for the Hoover Reports. I am sure that all of us here this morning are conscious, as I am, of our deep responsibilities toward our Government, and of the splendid opportunity which this conference provides for promoting the cause of good government.

Good government is indeed the issue. It is an issue that is never fully resolved and laid to rest. It is an issue that needs constant attention, reexamination, and hard work. In a society of growing complexity, such as our own, the maintenance and preservation of good government makes increasing demands upon our diligence, vigilance, and common sense. • • •

As basic objectives, the Hoover Commissions have sought to achieve greater economy and efficiency in the Federal Government. These objectives are not, perhaps, identical, but they are certainly so closely related that the study of one strongly invites the study of the other. The problems of both are largely the outgrowth of the size of the Government and the scope of its activities, factors which are of legitimate and continuing concern not only to members of the Hoover Commissions but also to every thoughtful citizen as well.

One of the great services of the Hoover Commissions has been to inform the American people about the staggering size and cost of running their Government. No dramatic effects or histrionics are needed here. The facts speak for themselves, and the Hoover Commissions have presented these facts. All of us must be made to realize the possible consequences of the progressive expansion and growing operating expenses of the National Government; and all of us must work together to control these forces which, I believe, could seriously threaten our democratic society and our free economy.

I know that we are a big, powerful nation of nearly 170 million people; I know also that we are a productive and wealthy Nation. I know that the Government has many obligations it must meet, both at home and abroad. I know, too, that there are many expensive services which the people expect the Government to provide—services which in many cases only the Federal Government can provide.

A large budget is understandable, and extensive Government activities seem to be inevitable, under these circumstances. What must be done, therefore, is to see that the Government gets its money's worth for every dollar it spends. • • •

It is axiomatic that big, expensive government places a heavy tax burden upon the people. It cannot be otherwise. It is likewise true that costly government and heavy taxes have contributed in some measure to the weakening or downfall of many governments, both ancient and comparatively modern. • • •

The disastrous effect of a crushing tax load upon the people of the Roman Empire is one of the great lessons of history. • • •

The history of the struggle of the English people against arbitrary taxation is the history of the English Constitution. One cause of the great 17th century revolution in England, which established many of the constitutional rights of the English people, was the question of taxation. • • •

"No chapter in history is more replete with interest and instruction than that which exhibits the system for exacting contributions for the support of the state which characterized the fiscal policy and administration of France during the 17th and 18th centuries, and which is now acknowledged to have been mainly instrumental in bringing on the memorable revolution in the closing years of the latter century." • • •

Finally, we certainly ought not to overlook our own experiences with excessive taxation. It is certainly true that the attempt by Great Britain nearly 2 centuries ago to tax her American colonies without their consent was a primary cause of the American Revolution. • • •

Our task is to eliminate waste, duplication, and extravagance from the operations of the Government without impairing its essential functions.

I am particularly interested in the budget and accounting report and the 25 recommendations it contains. The task force has shown that tremendous savings can be realized if the Government's budgeting and accounting methods are revised along the lines of its recommendations. These savings could amount to some $4 billion a year, more than 5 percent of the new budget. This is the largest estimate of possible savings made by any of the task forces. • • •

Congress has already taken some action, I am happy to say, with regard to the budget and accounting proposals. • • •

Last May I introduced a bill (H. R. 11526) into the 84th Congress which would have placed the entire governmental financial structure on an annual accrued expenditure basis. It provided for a much closer supervision by Congress over the expenditures of the executive branch and made possible a more complete and meaningful understanding of the financial operations of the Government.

This measure was the same as the Senate bill (S. 3897) which, after being amended, was enacted as Public Law 863. Although Public Law 863 contains many provisions that will greatly improve our financial management, I am of the opinion that the amendments, insisted upon by some of my colleagues in the House of Representatives, removed a major provision of the original bill by eliminating the provision for adoption of the accrued expenditure appropriation procedure. • • •

One of the first things I did after the opening of the 85th Congress last month was to introduce a new bill (H. R. 2494) calling for the determination of appropriation estimates on an annual accrued expenditure basis. The President, in his budget message to the Congress, has requested that this legislation be passed. There is widespread agreement among the budget and financial experts that this method of appropriating funds would be much superior to the present system. Exact dollar savings that might result from the use of this procedure cannot be determined, but it surely seems safe to say that they would be substantial. • • •

Of course, there is opposition to some of these recommendations. It is doubtful if they would be worth much if they did not engender some opposition. It is certainly normal in the United States for controversies to arise over matters affecting the Government, and for this controversy, we can indeed be grateful. It is a sign of the health of our free and democratic system of government. • • •

This conference is important. It can serve as a forum for the exchange and dissemination of ideas and information.

I am most grateful to you for the privilege of participation in these proceedings.

A Pious Phrase on a Yellowed Document

EXTENSION OF REMARKS
OF
HON. ED EDMONDSON
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. EDMONDSON. Mr. Speaker, under leave to extend my remarks, I am pleased to place in the RECORD a speech by our distinguished colleague from California, the Honorable JOHN E. MOSS, which was delivered before the New England Associated Press News Executives' Association in Boston.

JOHN E. MOSS is one of this body's great leaders in the fight for freedom of the press, and his outstanding work as chairman of the House Government Information Subcommittee of the Committee on Government Operations has shown him to be a zealous champion of the rights of the press as opposed to arbitrary Government secrecy.

This speech, which follows, is another fine example of the contributions he has made in this field, and reflects the same great principles which have made this Nation a land of freedom and democracy:

A PIOUS PHRASE ON A YELLOWED DOCUMENT

That the press must be free goes without saying. It is equally obvious that the constitutional guarantee of press freedom is rendered meaningless if the press is shackled by arbitrary Government secrecy. This basic concept, however, is continually in danger.

A contrary principle recently espoused by Secretary of State John Foster Dulles, for instance, would emasculate freedom of the press. In a recent letter to Mr. Arthur Hays Sulzberger, publisher and chairman of the board of the New York Times, Mr. Dulles stated: "The constitutional 'freedom of the press' relates to publication, and not to the gathering of news."

This is an appalling statement from the man who is leading the United States in the titanic struggle to preserve our basic rights against the threat of world communism. Under such a principle, no matter how laudatory the motives, freedom of the press would be nothing more than a pious phrase on a yellowed document in the National Archives.

Yet Mr. Dulles has gone even further in his crazy-quilt policy. At a recent press conference he seriously suggested that American newspapers and news agencies hire foreigners to cover the news for them in Red China. Such a suggestion shows a complete lack of understanding of freedom of the press. The arbitrary refusal of passports for American newsmen to travel in Red China is bad enough. But the thought that Americans are thereby to be forced by their own Government to view news through the eyes of foreign nationals is inconceivable in 20th century America. Surely Mr. Dulles doesn't suggest that American news agencies hire Chinese Communists as their reporters.

News agencies, of course, do hire foreign nationals for overseas coverage. But they are primarily supplemental and their work is closely supervised by American newsmen, usually in the country of origin. There is no substitute, however, for on-the-spot coverage by an American reporter. When Americans abdicate their right to see for themselves, we have lost a major battle in the struggle to defend our hard-won freedoms. These freedoms must not be chipped away by Mr. Dulles or anyone else for the sake of expediency.

Mr. Dulles makes it clear that he believes the American press should be made an instrument of foreign policy. Reporters traditionally have gone abroad as free agents, reporting the news as they saw it, without fear of what the State Department may think or do. Under Mr. Dulles' policy would the stories of American newsmen be viewed as objective reports or as stories intended to bolster foreign policy as part of a reporter's loyalty and patriotic duty?

Mr. Dulles fails to realize that in a democracy the people have a vested right to seek and obtain information in order to govern themselves. This right is not vested solely in the press but in all the people. The press is merely a vehicle to provide information to the public. I, therefore, sharply question

any policy which denies the right of any American to seek information at home or abroad.

Government officials, on the local, State, and Federal level, usually agree readily that the public has a right to know about their government. But all too frequently, these same officials adopt the attitude that they, and they alone, are to decide what facts the public shall get about the public's business.

This attitude is probably best exemplified in a directive issued a few years ago by Secretary of Defense Charles E. Wilson. Mr. Wilson has been plagued by rivalry between the armed services, a rivalry which he apparently believes should be confined to the Pentagon and withheld from public debate. It was against this background of service rivalry and "leaks" that Mr. Wilson issued the directive stating that no information of any kind shall be released from the Military Establishment unless the material is a "constructive contribution" to the mission of the Defense Department. In simple language, Mr. Wilson tells the vast military organization: "If it doesn't make us look good, boys, don't release it."

This directive is an insult to the intelligence of our Nation's military leaders. It is amazing that such a directive was ever issued. The absurd results of this directive have been documented in cases aired by the subcommittee in public hearings. It is amazing that the directive still stands.

Last summer, Mr. Wilson was disturbed by a new rash of leaks involving the fight between the Army and the Air Force over control of the missiles program. He appointed a special committee to find a way to stop leaks. He named former Assistant Defense Secretary Charles A. Coolidge, an eminent Boston attorney, to head the committee, and named four retired military leaders as the other members.

The Coolidge Committee found, in effect, that arbitrary secrecy led to the very leaks that Mr. Wilson sought to prevent.

As a result of the Coolidge Committee recommendations, Mr. Wilson on March 22 issued four new directives. Only one of them, however, is aimed at freeing information. It would set up an Office of Declassification Policy in the Defense Department. It fails, however, to give the director specific authority to declassify or to force others to declassify. The directive even fails to tell the director specifically what he is to do. Such a directive appears to be a very weak David for the Goliath of classified material piling up in warehouses out of reach of scientists and historians who have been pleading for access to this important information.

Mr. Wilson's second new directive provides for prompt investigations and a disciplinary crackdown on leaks. Such a directive might well be warranted if it were directed solely at leaks of security information. Nothing but the strongest efforts must be made to protect true military secrets. But the new directive spells danger because it is directed as well at leaks of nonsecurity information. An oppressive investigative machine is ready to bear down on an employee who releases plain administrative information, either in good faith, deliberately, or through inadvertence, if the release displeases higher authorities.

A third new directive is perhaps the most repressive. It covers nonsecurity, administrative information only. It does not involve military security whatsoever.

Mr. Wilson's fourth new directive included high-sounding language, apparently bowing to the right of Congress to have information. But the new directive incorporates the other new directive on administrative secrecy and leaves it up to the Defense Department to determine what Congress shall and shall not have.

Mr. Wilson's directives are thus highly restrictive, highly improper and ultimately very dangerous. They impose penalties or the threat of penalties for the release of nonsecurity information, but fail to provide even a threat of reprimand for arbitrary and unjustified withholding.

They bolster the attitude that public officials are to decide what the people are entitled to know and that public officials must justify release rather than justify withholding. Thus, the public, reporters, and Congressmen must justify their requests for information just as if they lacked any right to know.

The question of attitude is vital. Congress could pass 100 laws aimed at the release of public information. But the best laws and the best regulations can be rendered completely ineffective by the man who administers them. Recently, Mr. Murray Snyder, former assistant presidential press secretary, was appointed as Assistant Secretary of Defense for Public Affairs. That is the top information job in the Military Establishment. He calls the tune not only for the Defense Department itself but for the military services as well. Even the Secretaries of the Army, Navy, and Air Force must submit their speeches for Snyder's clearance before they can make them. Mr. Snyder checks those speeches not only for security, but also for policy.

Mr. Snyder repeatedly assured the subcommittee that he was taking over the new post in an effort to get out the news. He said he would do this despite the subcommittee's concern that he would be hampered by Mr. Wilson's restrictive directives.

I understand that Mr. Snyder did not participate in the drafting of the new Wilson directives. But because of their restrictive language, it is, in my opinion, a Herculean task which Mr. Snyder faces. On the other hand, despite the doubts raised by the unfortunate wording of the directives, Mr. Snyder, by adopting a straightforward and enlightened policy, can materially aid in freeing the flow of information from the Pentagon. If he is determined to do so, he can change the attitude of those in the Military Establishment who regard information as something to be managed or kept out of sight. Certainly he is entitled to additional time before any attempt is made to evaluate the job he has taken on. However, let us hope that an incident reported in a recent Associated Press story illustrates an exception rather than the rule which Mr. Snyder will follow. I quote from the AP story dated May 9, 1957:

"Reporters got shooed out of a Pentagon meeting today—by an official who says it is his job to get information to the public.

"The official was Murray Snyder, Assistant Secretary of Defense for Public Affairs and former Assistant Press Secretary to President Eisenhower.

"The incident came at a meeting in which Ralph J. Cordiner, chairman of military pay study committee, presented the Committee's final report to Secretary of Defense Wilson.

"If either Mr. Wilson, or Mr. Cordiner had any ideas they wanted to express to the newsmen assembled for the ceremony, they were stopped by Mr. Snyder.

"Mr. Wilson took the report from Mr. Cordiner, eyed the newsmen, then asked: 'Do you men of the press know what this is all about?'

"A reporter started to ask a question. Mr. Snyder turned to the newsmen, interjected quickly, 'that's all, gentlemen,' and shooed them out."

A recent news magazine story praising Mr. Snyder's avowed aim to uncork the news at the Pentagon was written before Mr. Snyder shooed the reporters away from Mr. Wilson. The story made a point of the fact that Mr. Snyder had moved his office from the third floor in the Pentagon near Mr. Wilson's office, to the first floor near the press room. This was interpreted as a move to make him more conveniently available to the working press.

Newsmen at the Pentagon now have some other theories about the move. Shortly after the shooing-out incident, they report that Mr. Snyder passed the word to the press room "suggesting" how reporters write their stories about the Cordiner report. You can rest assured, however, that the Pentagon reporters use their own judgment on what is news, Mr. Snyder's "suggestions" notwithstanding.

Arbitrary secrecy inevitably leads to an effort to "manage the news". This effort is nothing new. It was one of the first complaints received by the subcommittee.

Franklin D. Roosevelt and Civil Rights

EXTENSION OF REMARKS
OF
HON. CHARLES A. VANIK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. VANIK. Mr. Speaker, during the course of the current debate a great many Americans are being misled into believing that the cause of civil rights was something only recently championed by President Dwight D. Eisenhower. The record of former President Harry Truman and the late President Franklin D. Roosevelt cannot be overlooked. They are the real leaders in the struggle for civil liberties. Their efforts, running back over 20 years, are producing the civil-rights victory which is near at hand today.

In connection with the current debate in Congress on the civil-rights issue, I would like to submit for the consideration of the Members of Congress the following paper prepared at my request by the Legislative Reference Service of the Library of Congress and entitled "Franklin D. Roosevelt and Civil Rights":

FRANKLIN D. ROOSEVELT AND CIVIL RIGHTS—WHAT ARE CIVIL RIGHTS; THE DISTINCTION BETWEEN CIVIL LIBERTIES AND CIVIL RIGHTS

The distinction between civil liberties and civil rights is often hard to draw, but as the terms are customarily used, the distinction would seem to depend upon who is in a position to do the depriving. Generally, the term "civil liberties" is used when the possible source of infringement or deprivation is government or an agent of government. The term "civil rights" is used when the source of deprivation is an individual or a group of individuals. Robert Cushman is making this distinction in his book Civil Liberties in the United States when, on page 124, he writes:

"Constitutional guaranties of civil liberty are in the main protections which the citizen enjoys against abridgement by the action of government, State or local. No individual can possibly violate the Federal Bill of Rights, which begins with the words, 'Congress shall make no law,' and which has been held to restrict only the Federal Government. Nor can an individual violate the 14th amendment, which clearly says 'no State' shall do the things forbidden. * * *

"At the same time there are rights and privileges which the citizen enjoys which arise either from the Constitution or from acts of Congress, and Congress may punish individuals who 'injure, oppress, threaten, or intimidate any citizen' in the full and free enjoyment of these rights. * * * These provisions * * * comprise the bulk of the Federal Government's arsenal of legislation directed against persons who interfere with the civil rights of other persons."

1928–38: REFERENCES TO CIVIL LIBERTIES AND CIVIL RIGHTS WERE MOSTLY OF A GENERAL CHARACTER

During the early New Deal, Roosevelt rarely mentioned civil rights, as we understand them today, in his public pronouncements. More often, he would praise the practice of tolerance, the concept of brotherhood. This was especially true during the presidential campaign of Al Smith in 1928 when Roosevelt would frequently exhort his listeners to forgo religious bigotry, in appraising the qualities of Smith, a Catholic, as a potential President. For example, on October 17, 1928, while urging Smith's election before a gathering in Binghamton, N. Y., Roosevelt labeled the religious bigotry advanced against Smith "the worst sort of un-Americanism." Continuing, he said, "I believe that the day will come * * * when education * * * will be so widespread, so clean, so American, that this vile thing that is hanging over our heads in the presidential election will not be able to survive."

Occasionally, during the early New Deal, Roosevelt would be called upon to deliver a purely patriotic speech. His approach on these occasions was generally to laud the Bill of Rights, the blessings of freedom and liberty, and the virtues of our Constitution. He apparently viewed these assignments as a time for reasserting agreement on fundamental principles, for his purely patriotic speeches contain little which deals with civil rights that could be considered controversial.

Clearly, his chief concern during this period was to end the depression. In this connection, he made numerous references to liberty and freedom, but almost invariably his emphasis was upon the economic aspect of liberty. This was a theme repeated time and again, inserted in his every speech to serve as both the basis and the justification for decisive action and sweeping reform. Here is a typical illustration, the final paragraph of his second "Fireside Chat" of 1934 (vol. III, p. 432):

"I am not for a return to that definition of liberty under which for many years a free people were being gradually regimented into the service of the privileged few. I prefer, and I am sure you prefer, that broader definition of liberty under which we are moving forward to a greater freedom, to a greater security for the average man than he has ever known before in the history of America."

This profound desire to mobilize support for his social-economic program—and thus enhance human freedom—was handled by the President in a variety of ways. Frequently, for instance, he would issue blistering attacks against "sectionalism" and "class distinction," attacks which might be interpreted as attempts to advance, indirectly, the cause of civil rights. Speaking before the American Legion Convention on October 2, 1933, the President had this to say (vol. II, p. 374):

"But there are two enemies of national unity—sectionalism and class—and if the spirit of sectionalism or the spirit of class is allowed to grow strong, or to prevail, that would mean the end of national unity and the end of patriotism * * *.

"The other enemy of national unity is class distinction, and you and I are well aware of the simple fact that as every day passes, the people of the United States are less and less willing to tolerate benefits for any one group of citizens that have to be paid for by others."

Or again, he would wage battle against the depression even on patriotic occasions, as he did on September 17, 1937, while addressing the Nation on the 150th Anniversary of Constitution Day (vol. VI, p. 369):

"Nothing would so surely destroy the substance of what the Bill of Rights protects than its perversion to prevent social progress. The surest protection of the individual and minorities is that fundamental tolerance and feeling for fair play which the Bill of Rights assumes."

That the President was opposed to racial discrimination but reluctant to disrupt his majority coalition in Congress with civil rights proposals too progressive for the times is perhaps best borne out by an examination of his messages to groups who were greatly concerned with Negro rights.

For example, on September 22, 1933, he congratulated America's Negro citizens upon the 70th anniversary of the Emancipation Proclamation in these words (vol. II, p. 364):

"I heartily congratulate the Negroes of the United States upon the seventieth anniversary of their emancipation. Their progress during these 70 years has been remarkable. They have contributed greatly to the economic development of the Nation and I am sure that as prosperity returns they will share proportionately in the greater security, increased comfort, and happiness resulting therefrom."

Two years later, on June 17, 1935, in the course of some informal remarks to State Works Progress Administrators gathered in Washington, Roosevelt counseled (Washington Post, June 18, 1935, p. 4):

"The second point I make is that we have to be extremely careful not to make any kind of discrimination. We cannot discriminate in any of the work we are conducting either because of race, or religion, or politics. If anybody asks you to discriminate, you can tell them that the President of the United States gave direct orders that there is not to be any such discrimination."

And in 3 more years, on June 25, 1938, he was to dispatch this greeting to the National Association for the Advancement of Colored People (vol. VII, p. 401):

"I am happy to extend to the twenty-ninth annual conference of the National Association for the Advancement of Colored People cordial greetings and best wishes for the success of its efforts in advancing the interests of the Negro race and bringing about the cooperation and understanding between the races so essential to the maintenance of a vital democracy.

"I have watched with interest the constructive efforts of your organization, not only in behalf of the Negro people in our Nation, but also in behalf of the democratic ideals and principles so dear to our entire Nation. For it is evident that no democracy can long survive which does not accept as fundamental to its very existence the recognition of the rights of its minorities."

The impression received from a study of Roosevelt's prewar statements which have bearing upon civil rights is that he chose to place first things first. He felt, apparently, that what the people wanted most were more jobs, more purchasing power, more security for self, family, and community. He made many statements which revealed his strong stand against racial and religious bigotry and his firm belief in equal justice for all; but the bulk of his legislative program was directed toward ending the depression, once and for all. Probably he regarded this goal as an indispensable prerequisite to confronting civil-rights problems in more direct fashion.

1939–1945: CIVIL RIGHTS PROBLEMS APPROACHED IN MORE SPECIFIC AND DIRECT MANNER

Beginning in the late 1930's, Roosevelt took more decisive action regarding civil rights. Why he did so is not within the scope of this survey to discuss. Certainly the war influenced the shift. Perhaps, too, the fact that most of the legislative measures embodying the New Deal philosophy had been achieved allowed the President to turn his hand to other problems. At any rate, 1939 saw for the first time the establishment of a civil rights section within the Department of Justice.

According to Robert Cushman, it was not until the civil rights section was created in the criminal division of the Department of Justice "that any well-planned and imaginative campaign for the effective enforcement of the civil rights statutes was made possible" (p. 125). Professor Cushman continues:

"Prior to the creation of the section, responsibility for prosecuting persons who violated these statutes rested with the local United States attorneys, and these, especially in southern communities, had displayed little energy or courage in protecting the civil rights of Negroes."

The newly created section immediately undertook to enforce existing civil rights statutes, and despite the fact that its staff was rather small and its assignments often included enforcement of laws only remotely involving civil rights, its achievements were of real value. Its major efforts were directed toward prosecuting cases of police brutality, destroying the Ku Klux Klan, investigating cases of lynching where evidence indicated local officials were implicated in the crime, and protecting the citizen's right to vote in Federal elections.

With the coming of the Second World War, it became clear to the President that to build a powerful United States required the integration of every group into the national defense effort. His antipathy for the undemocratic practices of discrimination coincided perfectly with a determination to make the best possible use of our human resources. According to the editor of Roosevelt's public papers, Samuel Rosenman, "he (the President) felt keenly the inconsistency of helping to defeat the Nazis and Fascists and of tolerating the kind of injustice and discrimination on which these dictatorships thrived" (vol. X, p. 235).

Accordingly, on June 25, 1941, the President issued Executive Order 8802, establishing the Committee on Fair Employment Practice. The heart of the order required that all defense contracts with the Government contain a provision "obligating the contractor not to discriminate against any worker because of race, creed, color, or national origin" (vol. X, p. 234).

Less than 3 years later, the President expressed his strong disdain for discrimination in the Armed Forces. At a press conference on February 5, 1944, the President commented on mistreatment of colored troops with these words (vol. XIII, pp. 66–7):

"It is perfectly true, there is definite discrimination in the actual treatment of colored engineer troops, and others. * * * The trouble lies fundamentally in the attitude of certain white people—officers down the line who haven't got very much more education, many of them, than the colored troops, and the Seabees, and the engineers, for example. * * * And we are up against it, absolutely up against it. I always think of the fact that it probably is improving. I like to think that mere association helps things along."

During President Roosevelt's fourth campaign for the Presidency, he issued one of the strongest protests against interference with the right to vote ever pronounced by a Presidential candidate until that time. In a national radio address from the White House delivered on October 5, 1944, the President contended:

"It is true that there are many undemocratic defects in voting laws in the various States, almost 48 different kinds of defects, and some of these produce injustices which prevent a full and free expression of public opinion.

"The right to vote must be open to our citizens irrespective of race, color, or creed—

without tax or artificial restriction of any kind. The sooner we get to that basis of political equality, the better it will be for the country as a whole."

From this brief survey, it can be seen that most of the steps actually achieved later, or advanced currently, for reducing discrimination had antecedents in the Roosevelt era. Reduction of discrimination in employment, in the armed services, realistic enforcement of existing civil rights statutes, elimination of undemocratic conditions preventing the right to vote—all of these proposals were favored by President Roosevelt.

In addition, he spoke repeatedly in favor of civil liberties and, perhaps most important of all, constantly reminded the American people that the ultimate source of discrimination and bigotry was ignorance. He had great faith in the efficacy of a sound, liberal education.

The Middle East and Discrimination

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. ANFUSO. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of an address I delivered on Saturday, June 15, 1957, at the annual convention of the New York Department of the Jewish War Veterans of the United States of America, at South Fallsburg, N. Y.:

ADDRESS BY CONGRESSMAN VICTOR L. ANFUSO, JEWISH WAR VETERANS, NEW YORK DEPARTMENT, HOTEL BRICKMAN, SOUTH FALLSBURG, N. Y., JUNE 15, 1957

Mr. Chairman, members, and friends of the Jewish War Veterans, United States of America, and ladies auxiliary, I am delighted to be here with you this afternoon and to have the opportunity to renew old acquaintances and make new ones. Many of your leaders are my personal friends. I am quite familiar with your wonderful organization and its great record of achievements. In fact, several times during these past few years I had occasion to speak in the Halls of Congress and to insert material into the CONGRESSIONAL RECORD about the activities and accomplishments of the Jewish War Veterans of the United States of America.

May I say to you at this time, on the occasion of your annual convention, that I wish for you a year of fruitful activity in the coming 12 months, and may you realize your programs in all spheres to the fullest extent, and may you go from strength to strength in your efforts. Yours is a good cause, a deserving cause, and I shall always be proud to be associated with you in any endeavor you may call upon me.

Your past national commander and my dear friend, Abe Kraditor, who is primarily responsible for my being here today, has suggested that I discuss with you the recent agreement between the United States and Saudi Arabia in which the United States acceded to the discrimination against Americans of the Jewish faith by that Arab country. Although this is a matter involving constitutional law and would require a long dissertation, I shall touch on it, nevertheless, in the general context of the Middle East situation.

The Middle East situation, as you well know, has been relatively quiet these past few weeks. Nasser has been losing ground in the Arab countries, such as Jordan and Lebanon, and may soon find himself completely isolated. But not only is he losing ground and prestige with his Arab neighbors, but he lost much more with Israel when the latter routed his army in Sinai and captured many of his tanks and other equipment.

In fact, there is a nice little story making the rounds in Israel now. At the Independence Day celebration a few weeks ago, the Israelis put on a big parade in Tel Aviv in which they displayed some of the captured Egyptian tanks. Two Jews were standing and watching the parade. One of them was a refugee from Egypt who had been expelled by Nasser and recently arrived in Israel. As the Egyptians tanks came rolling by, he turned to the other Jew, and said:

"You know, Nasser was right. He kept his promise."

"What do you mean he kept his promise?" asked the Israeli Jew.

"Well, it's this way," replied the Egyptian Jew. "Last year I stood in Cairo and heard Nasser tell the Egyptians that his tanks would parade through the streets of Tel Aviv. Well, he kept his promise. Here they are."

Speaking in a more serious vein, I am glad to see considerable improvement in the Middle East situation of late. The military situation appears to be relatively stable. Nasser's influence, as I stated a moment ago, has diminished and his ego is much deflated—thanks to Israel. American-Israeli relations have improved to some extent over these past few months, and I trust they will remain friendly and cordial for many years to come.

That does not mean that all problems have been solved or are on the verge of being solved tomorrow or the next day. Israel is still confronted with difficult international problems, with the security of its borders, its relationship with the Arab countries who are continuing and expanding their boycott of Israel, and also with the problem of attaining economic self-sufficiency. If peace could be maintained in the Middle East, many of these problems could be solved in due time.

It was most unfortunate that the relations between the United States and Israel became strained last fall after the Sinai action. There was no cause or reason for it. Had the United States pursued its traditional policy in this matter, had we truly realized then the full meaning of Nasserism and its Communist coconspirators, had we understood that they were gunning not only for Israel but even more so for the United States and the Free World, we could have avoided much misunderstanding and tension.

It is my deep regret that the United States in recent years has failed to pursue a firmer policy with the Arab countries, as befits a world power such as ours. By now, we are all aware that appeasing Nasser has not achieved peace and stability in the Middle East, just as appeasing Hitler in the 1930's did not achieve world peace. It is high time for the United States to exert all possible influence in world affairs to put this would-be Hitler of the Middle East in his proper place, if we desire to safeguard that area against communism. The removal of Nasser would be the best contribution to Middle East stability and world peace.

Must we wait until he brings on a new disaster by his arrogance? Must we continue to coddle Nasser and to ignore his anti-Western intrigues. Must we disregard his alliance with Russia and his reckless purchases of new arms? Must we close our eyes to his announced goal to destroy Israel?

The answers to these questions are obvious. If Nasser is permitted free rein as in the past, a new crisis will develop—and for this we shall have to thank our State Department because it pursues a Middle East policy which does not measure up to reality. Some of our officials still talk about bringing Nasser back to the path of peace and righteousness, and reaching a satisfactory agreement with him. But I tell you that this man constitutes a serious threat to the Free World.

I wonder sometimes whether the State Department realizes the full gravity of this menace. When I see that Mr. Dulles is still aspiring to play the role of an impartial peacemaker in the Middle East, when I realize that the Eisenhower administration still refuses to take a firm and decisive stand regarding the Arab countries—then I must conclude that our Government is blind to the impudence and threats of a Nasser and his ilk. Unfortunately, Secretary Dulles continues to drift along in a state of immobility for fear he might provoke the Arabs. Instead of strength, we display weakness.

And this brings me to the United States-Saudi Arabian agreement, to which I referred earlier. The agreement which allows Saudi Arabia to keep American-Jewish military personnel out of our air base at Dhahran is an affront to Americans of all faiths. Originally concluded in 1951, this agreement was extended for another 5 years when King Saud visited Washington last February. It specifies that no persons objectionable to Saudi Arabia would be assigned there. In 1951 President Truman held that this was to be done only on an individual basis, rather than in terms of discriminating against a whole people.

It is quite clear that this is simply and solely discrimination against American Jews. I, for one, regret that it has been so codified with this interpretation under the Eisenhower administration. True, the State Department keeps assuring us it will continue its efforts to remove this discrimination, but if it could not be done before the agreement was signed it certainly will not be achieved now. The Saudi Arabian government continues to deny entry and transit privileges to Americans of the Jewish faith, and no American-Jewish soldiers are allowed at an American air base built and operated with the funds of American taxpayers. In fact, the Air Force Manual of the United States Government states specifically: "Individuals of Jewish faith or descent are strictly barred entrance or transit to Saudi Arabia."

This is absolutely base discrimination. As an American citizen, I resent it. As a naturalized citizen of this country, I wish to state with all the emphasis at my command that once an alien becomes an American citizen he should receive the same respect and treatment as any native-born citizen. I think it is the duty of our country to see to it that he is so respected by foreign countries, regardless of whether he was born a Jew, an Italian, a Negro, or a Chinaman. He should never be referred to in any other manner but as a citizen of the United States. Unless we protect these rights for our citizens, we are letting ourselves open to many abuses in the future.

In addition to our acceptance of Saudi Arabian discrimination against American citizens, there are also commercial repercussions which are closely related to it. Saudi Arabia, together with other Arab countries, boycotts American firms in which Jews have an interest. All American firms, which have contributed to the United Jewish Appeal or have agents or branches in Israel, are blacklisted. Ships which call at Israeli ports are blacklisted and forbidden to enter Arab ports. This is a boycott which is destined to hurt not only Israel, but the whole Middle East and in the long run also the United States. What are we doing to stop it?

Actually, there is no legal basis for challenging the agreement, which in itself is an executive arrangement. You will remember that about a year ago (July 26, 1956) the Senate passed a resolution, Senate Resolution 323, sponsored by Senator George, which stated that discriminations such as those practiced by Saudi Arabia are inconsistent with American principles. It went on to note that these discriminations were incompatible with friendly international relations and it called for every reasonable effort in our negotiations to maintain our democratic principles. The resolution was adopted only in the Senate, but never came before the House, hence it is not a law and therefore has no binding legal effect. A much stronger resolution was previously introduced by Senator Lehman of New York stating it was the sense of the Senate that certain actions were highly inappropriate in our foreign relations, but Lehman's resolution was sidetracked in favor of the George resolution.

There remains, however, a vital moral and political issue which has been expressed in terms of an old dilemma—that of posing political principle against the requirements of the national interest. There is the value of the airbase in a relatively secure area on Russia's southern flank—an area which is subject to severe Russian pressure. There is the oil flowing from the Arabian Peninsula, which is of great material and strategic importance to the Free World. Finally, there is the belief that Saudi Arabia can play a key role within the Arab world against Communist infiltration in that area.

The opponents of these policies set forth some practical arguments. They hold that Saudi Arabia gains a great measure of protection against the threat of communism from the existence of the base on her territory, and also from the $50 million military aid program from the United States. Saudi Arabia also derives a huge income from its oil, which runs into several hundred million dollars annually. Thus, there is no need for the United States to make further concessions to that country.

Finally there is the question of American foreign policy objectives as measured against the so-called spiritual position of Saudi Arabia in the Middle East. Our purposes, ironically enough, are pointed up in the Eisenhower-Saud communique: both parties avowed a determination to settle Middle Eastern problems under the U. N. Charter and to oppose the use of force from any source to settle disputes. They added that any aggression would be opposed by the principles and purposes of the U. N.

The American Government stands for political stability in the Middle East, which includes also the peaceful existence of Israel and the end of efforts, like those of Nasser, to master Arab nationalism for extremist purposes. Yet, despite this understanding with the United States, Saudi Arabia remains at war with Israel and, like the other Arab States, calls for Israel's eventual destruction. It seeks jet planes, larger and more tanks, and enough arms to double its present force of 15,000 men. I ask in all sincerity: For what purposes does Saudi Arabia need these arms? And I also ask of our own Government: In agreeing to permit Saudi Arabia to discriminate against our own citizens, how do we enhance our foreign policy objectives? Aren't we encouraging other nations to do the same and to pursue discriminatory practices against our people? Is this the way we uphold democratic principles?

Our failure to confront such discrimination and to deal with it properly feeds Arab-Israel tension by enabling Arab extremists to argue that they can get United States aid and protection against communism, and at the same time prepare themselves for war against Israel. Instead of acting to check the power of Nasser, who is leading the anti-Israel movement, we are actually fostering the conditions under which his power grows and sustains itself. This is the path to further flare-ups, like that of last year, and of permanent political instability. It does not really enhance our national interest. On the contrary, it jeopardizes our interests in the Middle East.

Address by Hon. Chapman Revercomb, of West Virginia, Before Disabled American Veterans

EXTENSION OF REMARKS
OF
HON. CHAPMAN REVERCOMB
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Monday, June 17, 1957

Mr. REVERCOMB. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address which I delivered yesterday before the Disabled American Veterans in their West Virginia State convention, at Charleston, W. Va.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I am happy to meet with you on the occasion of your 27th convention, for I count it a privilege to address those who have made such heroic sacrifices for their country, and who continue to labor in the interest of the Nation's security and the preservation of human liberty and freedom.

Certainly, no group of American citizens is more deeply conscious of the responsibility that rests upon the United States than those assembled here. That responsibility is thrust upon America because of our high concern for the preservation of the kind of life which has been our heritage and which you yourselves have defended so valiantly. Our security must be a primary concern as we seek in every way possible to avert open strife.

It is my conviction that our best assurance of preventing a catastrophic atomic war lies in a powerful defense force and real military alliances with friendly nations.

I need not remind you that nuclear weapons and the means of delivering them with fabulous speed over vast distances have produced a revolutionary change in our affairs. Never before has our country faced the potential danger that confronts us today and will continue to, so long as great atomic power is concentrated in the hands of a potential enemy bent on world domination.

Modern science of warfare, therefore, has left this country with but one alternative: To maintain sufficient military strength to deter aggression. Moreover, Communist aims have forced us to provide not only ourselves with strong defenses, but to extend our defense line beyond our borders into other lands.

I need not remind you that the United States is the only free Nation with sufficient strength to lead in prevention of enemy domination of the world. Therefore, we must make use of this strength to deter would-be aggressors from starting a war—a war that would inevitably involve this country and threaten the destruction of civilization, our own included.

It is my conviction that if the United States took any other course, we would see one friendly nation after another fall.

We cannot close our eyes to the fact that this threat exists today, and we know quite well that, left standing alone, this country, with all its power, resources, and industrial potential, would have an exhausting experience to try to remain a free nation for long.

Nearly every American is convinced, I believe, that the leaders of this country are dedicated to the task of achieving conditions in the world that will lead to peace. In his second inaugural address, the President said it is our firm purpose to build a peace with justice in a world where moral law prevails. I quote his words: "The building of such a peace is a bold and solemn purpose. To proclaim it is easy; to serve it will be hard; and to attain it, we must be aware of its full meaning and ready to pay its full price."

The price we are paying for today's uncertain peace is high. More than 60 percent of the Federal budget is for our protection. But the price of war is many times higher, not only in dollars but in a far more priceless possession—the lives of Americans. I say to you in all sincerity that we must not lessen our efforts at a time when the western world is growing stronger and the danger of war is receding.

Our defense dollars are being spent not only for our present protection but for insurance for the future. We must think of them as buying time—time to work toward easing the international tensions, time to establish a more certain and secure peace. As long as there is loose in the world a country or a power that would destroy us, we must remain geared to meet it with force, if need be. If we falter at this point, or lessen our efforts, we run a grave risk of losing everything we hold dear.

I do not like or prefer this policy which we now must pursue; but I do not like the world situation that has necessarily brought it forth. We do not like impending danger, but we cannot ignore prevailing facts. We must act with wisdom in the light of realities. Failure to do so would bring disaster.

Therefore, for the interest of our own security and self preservation, we must continue military alliances with friendly nations. We should, I believe, out of necessity, continue military aid to our allies. But the time has come when economic aid must be placed on a loan basis.

It is heartening to me, and I know it must be satisfying to you, to know that the Mutual Security Act now before Congress provides for a development loan fund for development assistance to those friendly nations in need of economic help.

I have urged time and again that economic aid, when necessary to other lands, be in the form of sound business loans—and it must come as heartening news to Americans throughout the length and breadth of this land to know that at last Congress is recognizing the fact that while we want security, we also have a regard for our own people, their property, and their money.

Direct military aid to allies will continue. But, loans to friendly nations requiring economic aid is far better than grants, handouts, or giveaways. This is far better for the American people, and it is far better for the people receiving such assistance. There is still contained in the bill direct gifts in some instances—but a new and wholesome step has at last been taken—and I hope to see soon all economic help abroad upon a secure and sound loan basis as we now provide for development operations in the present bill.

There is increasing evidence that, together with our present allies, we are growing stronger all the time and may soon reach the point where would-be aggressors will not dare risk war.

This is the whole aim of our foreign policy. As to defense measures, I believe it to be a sound one. It has kept this country out of a shooting war for more than 4 years. It has undoubtedly kept some of our allies from falling to communism.

As the anti-Communist alliance grows stronger, as the danger of war recedes, we all look forward to the time when the billions we are now spending for defense can be diverted to internal improvements in our own country, or turned back to the people in the form of tax relief.

I am convinced, however, that the best way to avert war is to maintain strong defenses

and firm military alliances until the present international tensions have eased and the threat of aggression has diminished. Any other course could well lead to our downfall.

Address by Hon. Estes Kefauver, of Tennessee, Prepared for Delivery Before Tennessee Bar Association

EXTENSION OF REMARKS
OF
HON. ESTES KEFAUVER
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Monday, June 17, 1957

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address I had prepared for delivery before the Tennessee Bar Association at its meeting on last Friday. Because I was detained in the Senate so that I could vote on the mutual security bill, I could not be present to deliver it.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS PREPARED FOR DELIVERY BY ESTES KEFAUVER, DEMOCRAT, TENNESSEE, BEFORE THE BAR CONVENTION, CHATTANOOGA, TENN., JUNE 14, 1957

It is a great pleasure for me to meet today with the Bar Association of Tennessee. I have always liked to be among lawyers. When I was a very small boy my father owned the only hotel in the great city of Madisonville, Tenn. All the lawyers used to stay there, when there was a session of court, and I used to sit on the porch and listen to them spin their tales of courtroom lore. It was then that I decided to be a lawyer.

You have asked me to speak with you today on the subject of the importance of lawyers in Government. The degree and depth of that importance may be measured by a number of indications.

First of all, I want to point out that the majority of our Nation's founders were lawyers. With their unparalleled foresight, they planned and executed a civil bible for all Americans. Their work has well withstood the tests that time has applied. Lawyers, as a profession, meeting in the Constitutional Convention, were the leaders in the founding of our way of life. Lawyers, as a profession, are today trustees of the rights which their predecessors wrought.

The people look to you for leadership. Not only do they accept the fact that you supply the leadership, but they expect you to live up to the heritage first formulated by the men who founded our Nation. This entails more obligations than those of any other profession. You are a group set apart.

As proof of the continuing importance of lawyers in government during our modern day, I offer the evidence that today 60 percent of the Members of the Senate of the United States are lawyers. This should serve as a warning, as well as a compliment, to the profession. If the country is really going to the dogs, as some claim, then with this preponderance of lawyers in the Senate, the people will know where to place the blame.

They can blame the lawyers.

On the other hand, if you are essentially optimistic, as I am, then you must agree that a large part of the credit for whatever good is accomplished by our Government must go to the legal profession.

The burden of my few words with you here today is a plea for lawyers, both inside and outside the Government, to adopt the same principles that those early members of our profession held with regard to a free exchange and interchange of ideas. In my library at home I have a book which I frequently pick up in the evening and read a few passages from. It is Madison's Journal of the Constitutional Convention. It is impressive to note that among our Founding Fathers no idea was too hot to discuss rationally. I don't believe their work would have endured, as it has, if these predecessors of ours in the Constitutional Convention had been afraid of new ideas and free discussion of them. Running throughout the pages of this journal is the evidence of a devotion that is almost fierce to freedom of discussion and to the free search for ideas, and freedom of speech.

I fear that we have become much more timid as our Nation has progressed. On a Sunday afternoon not long ago, I took Nancy and the children on a drive to the home of one of these members of the Convention—Monticello. It is always an exciting thing for me to visit the home of this man who showed in everything he did a genius which is born only of intellectual curiosity. Whenever I step across the threshhold of Thomas Jefferson's home, I feel that here is a man in whose company I would have liked to spend a long evening before the fireplace. His consuming curiosity—about the law, about philosophy, about government, about the weather—showed that here lived one of the really vital men of any time.

Do you remember the words from Thomas Jefferson's first inaugural address—those wonderful words that expressed so well his devotion to the principles of liberty, even for those with whom he disagreed? At the time of Jefferson's first inaugural we were not far removed from the Revolutionary War. Many still lived in the then infant Republic who had sided with the British during that war. And we were a small Nation, just a handful of States, with the ocean to our faces and a vast wilderness to our backs—a small and weak Nation.

Yet Jefferson, unlike some men of little faith today, defended the good commonsense of allowing anyone to speak freely. He said:

"If there be any among us who would wish to dissolve this Union, or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it."

Let us consider what Jefferson's words mean to us today in our relationship to the rest of the world, and especially to the Communist nations. In our relationship with communism the dangers of ignorance have reached a high point. There are some who believe most strongly that our way of life would be contaminated by contact with the Communist ideology. And so they objected to the appearance on a CBS program a couple of weeks ago of Mr. Khrushchev. In their view we Americans are so soft and undiscriminating that we are unable to distinguish what is good from what is bad for our Nation.

I say that this is an incredible view. I say we can talk with the Russians and also with the Chinese Communists without succumbing to evil or getting the worst of the bargain. Indeed, I see no alternative but to be aware of what is going on in the world. We need not fear facts. We need fear only ignorance of them or indifference to them. We must reaffirm our faith in the people of the United States and their ability to decide what is best for themselves.

Only yesterday I was talking with Senator LYNDON JOHNSON, the distinguished majority leader of the Senate. Senator JOHNSON made a speech last week in which he proposed, now that the way had been paved by Khrushchev's appearance, that the curtain be lifted further. He proposed that there be agreements for periodic broadcasts in both the Soviet and the United States, with Soviet leaders appearing on the American stations and American leaders having the opportunity in turn to visit Soviet homes through television.

We have nothing to fear from this," Senator JOHNSON said to me. "The only man who has anything to fear is Khrushchev."

That is true. We are not afraid for the facts of American life to be exposed to the Soviet or anyone else. We have nothing to hide. I was glad to note that Senator WILLIAM KNOWLAND, the Republican leader, endorsed this proposal, and that Secretary Dulles also had kind words to say about it.

On the other hand, the Secretary objects to American newspapermen going into Communist China to report for American newspapers. This is the very opposite of a properly informed policy. These American reporters will not be there as agents of this or any other Government. They would be there simply to report to you and to me what is going on in China. We have a right to know. The Chinese have said they may enter. We have said they may not. We need not be afraid to know the truth. We need be afraid only not to know the truth.

As Jefferson further said: "I know of no safe depository of the ultimate powers of society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education."

Education is the meaning of freedom under law. Informed public opinion, the greatest law enforcer of all, can come only from those who understand the problems we face. We must never forget that if we are able to give the people light, they will find their own way. Each day we are called upon to make our decisions. They cannot be honestly arrived at without deep thought and searching debate in the marketplace of ideas. And this thought and debate are made useful and informed through knowledge.

So it is with other areas of intellectual darkness. One of these is atomic power. With so many conflicting statements from the scientists, those who are supposed to know, it is difficult to be able to talk about this deadly weapon without becoming emotional. Yet it is a subject which requires the most careful and considered thought, not only among the higher echelons of technical opinion, but also down on the level of the little people, for they have as much to lose as anyone.

Yet fear and ignorance of the magnitude of such power have tried to force logical thought right out of our minds. We know so little about the dangers of fallout, and so little about the possibilities of creative peacetime applications of this enormous energy that we refuse to consider these problems as our own. But we must consider them our own, for that is what they are.

Part of this dangerous lack of information and the anxiety it breeds is due to the recent epidemic of secrecy which has found its way into our Government. Some of the operations of our Defense Department are necessarily conducted away from the public eye for obvious reasons.

But it is another matter when nonsensitive agencies adopt these same policies for no better reason than saving themselves possible embarrassment. In this category I would place much of the State Department's recent dealings in the Middle East. Some of you may recall the controversy growing out of the shipment of American tanks to Saudi Arabia, and the complete blank that Congress drew when it attempted to learn some details of the Eisenhower doctrine.

This habit has invaded the domestic affairs of our country as well. Any day in Washington you can find officials protecting

the people from information which might upset them.

One of these issues is public power. I have seen the stamp of secrecy under many different forms—executive privilege, secret trades, restricted reports. We went all through that in Dixon-Yates. We are going through it again in Hells Canyon. I sometimes wonder how we were able to find out as much as we have.

It is too easy to form an opinion grounded on personal bias, insufficient interest and slanted evidence. The most dangerous aspect of this is that opinions so formed are often more powerful than those based on careful inspection of the facts, impartiality, and truth. Some of these conflicts are so basic that the mere mention of the phrase which identifies them is enough to set off a chain reaction of reflexes. Try this test on the phrase "civil rights." You will get an emotional, not a rational, reaction. Minds on both sides have been closed, and are reluctant to open, even to hear the most logical and reasonable arguments.

Ignorance may be bliss, but bliss is not the aim of a progressive and intelligent people. We cannot think straight with insufficient knowledge, but the problems confronting us in a modern world require us to learn and keep learning. We must always seek the better solution, the newer method, the greater advance.

These principles are self-perpetuating. Knowledge breeds thought; thinking leads to the conception of new ideas; new ideas result in the search for more knowledge.

For my part, I cast my belief with that of Woodrow Wilson. He said that if you give the people the facts, then they will come up with the right answer. You lawyers have a great responsibility in seeing that this is done.

Lawyers are to truth what doctors are to health, and this is your province. You must lead the way in maintaining an open mind. You must provoke the search for facts. You must encourage full and free discussion. Applying the rules of law and evidence to everyday life, you can offer leadership by example.

Address of the Honorable Gracie Pfost, of Idaho, to the Graduating Class of the Marjorie Webster Junior College

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mrs. KELLY of New York. Mr. Speaker, it is not only a privilege but also an honor to insert into the CONGRESSIONAL RECORD the following address of the Honorable GRACIE PFOST, of Idaho, to the graduating class of Marjorie Webster Junior College.

In pointing out that this age affords greater possibilities of achievement than any time in history, Congresswoman PFOST urged the graduates to—

Reach for the stars. Dream the dreams of the great—for dreams do come true. Just remember that no goal is too ambitious for you to realize, if you will so direct your life that you squeeze the very most out of each talent and each skill that you possess.

I guarantee that GRACIE PFOST spoke from experience. As a Representative from an eastern State, my attention to the vast problems of the West was brought into a better focus by the dynamic presentation of the facts by the one and only GRACIE PFOST. Her reasoning power on the basic principles involved in the Hells Canyon controversy soon launched her as an authority on the subject and clearly pointed up the necessity for the full development of the people's natural resources. She, and she alone, made available to Congress the issues involved.

The need for this vast high dam in the West is agreed to. Her sincerity and her determination for its realization is her dream. In other words, to give the most benefits to the greatest number for the least cost.

Her advice to the graduates is one to which all of us as legislators should pay heed.

Following is Congresswoman PFOST's address:

SPEECH BY REPRESENTATIVE GRACIE PFOST, DEMOCRAT OF IDAHO, BEFORE MARJORIE WEBSTER JUNIOR COLLEGE, AT GRADUATION EXERCISES, MAY 27, 1957

Dr. Webster, graduates, your parents, and friends, it is thrilling for me to stand here and face a group of young women who are about to go out into the world and fashion for yourselves a place in history. You have almost your whole life ahead of you—and you can make of it what you will.

In the next few years you will be taking the turns and making the decisions that will chart your course. Those of us who are older have already taken most of those turns and made most of those decisions—and few of us will ever have the opportunity to go out again into fresh fields and prove ourselves. Our courses are already set. But you have ahead of you—all of the splendor and satisfaction of making your way upward.

The most important advice I can give you today is—reach for the stars. Dream the dreams of the great—for dreams do come true. Just remember that no goal is too ambitious for you to realize if you will so direct your life that you squeeze the very most out of each talent and each skill that you possess.

You have been privileged in this school, to receive thorough training in the special fields in which you have native abilities and outstanding bents. You have achieved your education in the finest and freest society the world has ever known. You constitute a fragment of a generation of Americans that is without a doubt the most envied and the most immediately useful in all of the history of our country.

I sometimes wonder if we in our time fully realize the glory and grandeur of this era. America is at the peak of her eminence. We have emerged from two great wars with victory for the principles by which we live. Our cost in manpower and money has been great—but not nearly so great as the agony of those people whose country was a battlefield. And we can be deeply grateful that as we meet here, the free world is still the dominant force on our tight little globe.

It is across this threshold that you, the graduates of the Marjorie Webster Junior College, are entering the world of business, the world of ambition, the world of achievement.

I personally, could not wish to have been born in another world—either as a person or as a woman. The status of women in this country is incomparably beyond anything since the beginning of time. There is even now, within a half day's flight from this hall, a number of nations where women are little more than chattels or beasts of burden. Their value is so low that men with several wives cannot even be bothered to add up the number of their daughters. Girls there, just do not count. My friends, whole ages stand between the freedom you possess, and the bondage of many of the other women in the world.

I repeat—no generation of American women have been as welcome and as royally saluted as the generation of which you—being college-bred—are perhaps the choicest segment.

It was only a brief time ago that giving women a college education was regarded as a profound social mistake. And it was only a brief time ago that women in industry or in business—and especially women in politics were looked upon as a little queer—or to say the least, unrefined.

The 19th amendment to the Constitution of the United States was only presented to the legislatures of the several States by the 65th Congress, and was finally adopted as recently as 1920. And, even then, the State of Maryland, in which many of you girls live—was one of the States that rejected that amendment. Alabama and Virginia were the other two. Had a sufficient number of other States followed their example, we women might not have had the vote even today.

You can be grateful that you girls who are going out into commerce and industry today, go with much of the struggle for women's freedom behind you. We still haven't broken down all of the barriers—and we still have to work harder than men to make a success in any field we may choose, but every day we see greater evidence of a vast fusion of men's and women's efforts on an enormous coindustrial, copolitical, and coartistic scale.

Watch the crawl on a big television show and see how many women have been involved in a top capacity—in the writing, direction, choreography, or in the acting and singing. Look at the women who own their own businesses from jam kitchens to restaurant chains, from shoe factories to beauty parlors. There are women stockbrokers, women real-estate brokers—which was my field before coming to the Congress—there are women judges and lawyers, painters and sculptors, women educators like your own Dr. Webster, and there are women in public office. And the horizons are widening every day.

Today, womanpower is a potential and an indispensable ingredient in our economy. Nine out of every ten women will at some point in their careers hold down one job or another. The average schoolgirl of today may well spend fully a quarter of a century in some job or profession. Five million young women will join the labor force in the next decade. Today, 3 married women out of 10 are working—and 2 out of 5 of them have school-age children.

Fortunately, our economy is expanding—creating millions of new jobs. There is more executive work, more clerical work, and more on-the-line production to be done in this country than ever before.

Well—the question is—where do you fit in? I can only say to you again—dreams really do come true.

Decide what you want to be, and don't hesitate about reaching for the top. You can never tell when you may meet someone who can give you the advice and the help to get there.

This was brought home forcibly to me just the other night. I was in a group which included several young people and some members of both the House and the Senate. Someone asked one of the young men, who is serving as a Capitol Hill policeman during the day, and studying at night for his master's degree in political science, what he wanted to do with his life. Without any hesitation, he said:

"I want to be a United States Senator."

There was a slight pause. I thought someone might feel he was brash—then one

of the Senators spoke up and said: "That's swell. Let me suggest to you how to get there. As soon as you finish school, go back to your own State and become active in civic affairs—try to be of service to the people. After you are well known, run for the State legislature and get some legislative experience. Then, after you have proven yourself on the State level, strike out for a national office."

I know this young man well. He is intelligent and ambitious. No work is too hard for him, and no hours too long. He never worries whether other people are pulling their full load—nor is he concerned about doing more than his share of the work. He outproduces and outworks almost everybody around him, and does every job well. I expect some day to hear great things from him—for he is one person who will truly take from life what he wants.

Most people who have achieved success have started from the bottom and worked their way up. Senator MARGARET CHASE SMITH, rated by the Gallup poll as the fourth most admired woman in the world, was once a telephone switchboard operator.

Sally Victor, experimenting with 30 cents worth of braid, created her first hat while she was still in high school, and promptly became the family milliner. She took a summer job as stock girl at Macy's—and in 4 short weeks was head stock girl. She went from assistant millinery buyer to head buyer, and on to designer in the space of a few short years. Today she designs hats for famous and well-dressed people the world over—including the President's wife, Mamie Eisenhower.

Dorothy Shaver, who is president of Lord and Taylor—and today it is a $30 million corporation—started out as a comparative shopper for the store. Working in both the merchandising and fashion fields, she rose steadily in responsibility. Her dream turned a rather dowdy store into one of New York's most glamorous and modern department stores.

Another example is Elsie Murphy, who rose from saleswoman to president of S. Strook & Co., in New York. Now after having carried the store to a new peak, she has enough free time to spend many hours happily with her grandchildren.

And there's Helena Rubenstein, who has netted more than $25 million in her career as a cosmetician—which began in 1902 in a one-room shop in Melbourne, Australia.

Mrs. Margaret Rudkin, the president of Pepperidge Farm, Inc., in 1937 started her business career to supplement the family income so that her 3 children could have greater advantages. Her company now has bakeries in 3 States, and her gross income is estimated at $5 million a year.

Time won't permit me to tell you the success stories of many other modern American women. Some of them are truly fabulous. The number of women who are managers, officials or proprietors in some field of business or industry has more than doubled since 1940. Within that time there has also been a 50 percent gain in the number of business and professional women. It is estimated there are about 3½ million women in professional, technical and managerial work today, including teachers, nurses, accountants, editors, reporters, lawyers, judges, physicians, surgeons and architects.

And now the question is, "What special qualities take women to the top?" Energy and confidence are certainly two of them. Pleasure in achievement is undoubtedly a third. I think successful women must also have a sensitivity to people, and a flair for moving with a situation. If one method or approach is unrewarding, then another must be tried.

But most important of all, a successful woman must have an unshakable determination to be successful. She must not let setbacks and disappointments sway her from her charted course.

At the risk of being personal, I will say frankly to you that I would not be in Congress today if I had not been more persistent than a hound dog worrying a bone.

The first public office I aspired to was county treasurer. The first time I ran I was defeated by 1,500 votes. I had to wait 4 long years before I could try again.

During those years I continued in my position as deputy county clerk, auditor, and recorder—and I took advantage of every opportunity that presented itself to give service to the people. I worked hours and hours of overtime—trying to do the best possible job I could. The second time I ran, I was elected, and I was reelected 4 more times.

During my courthouse career I was also a member of a number of women's organizations such as the Business and Professional Women, and the Soroptimists. We talked constantly about the importance of advancing women in policymaking posts. Congress was one of the stars to which we had hitched our wagon.

But although Idaho women seemed willing to run for various county jobs, and for the State legislature, and other State offices, before I came along, only one Idaho woman had ever had the courage to try for Congress and she lost. There had been a hesitancy on the part of women to get out and to do the hard work and to take the hard knocks and to spend the money necessary to be elected. I finally decided to practice what we had been preaching.

So in 1950 I ran for Congress, and to make a long story short, I was defeated by a mere handful of votes. Though that was a heartbreaking experience, it was also a very valuable one. I learned a lot, and I made many, many friends.

Then, along in the spring of 1952, my husband, Jack, said to me one morning:

"GRACIE, you sowed a lot of grain 2 years ago. Are you going to let it go to waste, or are you going to get out this fall and harvest it?"

I hesitated only momentarily before I decided: I'd try again.

In my 1952 campaign I traveled over 20,000 miles. I started in April and didn't stop until the polls had closed on election day. My husband and I stayed in every type of accommodation—from good hotels and motels to pitching our tent out under the stars in the little ghost mining town of Dixie. Near the end of the campaign there were 5 nights when I did not go to bed at all, and many nights when I had only 2 or 3 hours' sleep. My campaign took my husband and me into logging camps where we ate with the men in the mess halls—to mining dumps where I handed out my campaign cards to grimy muckers who had finished a day's toil underground.

Somewhere along the line I picked up the 591 votes that made me the victor.

A major factor in my election was the support of many other women. In fact it was the endorsement of the Caldwell Business and Professional Women's Club that gave me the courage to run in the first place. I am hopeful that as the years go by more women will aspire to higher jobs—and that other women will support their endeavor.

I honestly believe that we women as a whole have more patience and tenacity than men, and that this is one of our greatest assets. We frequently overcome great odds and obstacles to achieve our goal.

An example is Miss Ann Pamela Cunningham, a South Carolina invalid, whose efforts a century ago saved us one of our greatest national shrines—Mount Vernon.

The walls were crumbling and the roof sagging when, in 1853, John Augustine Washington, George Washington's great-grandnephew who was then living at Mount Vernon offered to sell the estate to the Federal Government or to Maryland. Neither was interested.

From her invalid's couch in South Carolina, Miss Cunningham directed a campaign to raise $200,000 to buy Mount Vernon. The public was hard to arouse, and by the time the money was raised, John Washington had decided not to sell.

Miss Cunningham made her painful way north to induce him to change his mind. She had no luck. She was carried back to the Mount Vernon wharf, only to find the steamer had left. In the long interval before the next steamer, she finally induced Mr. Washington to sell.

The more than a million people who visit Mount Vernon each year owe a great debt of gratitude to the lionhearted lady who dreamed of making the crumbling house on the Potomac a national shrine—and did so.

You girls graduating in this year of 1957 have an even greater opportunity to achieve success and to give service to others, than the women whose careers I have touched on today. You are moving into a distinctly modern world, citizens of the greatest Nation on earth, equipped by your fine training to reap the fullest rewards that life can offer in our time.

Girls, the thought I wish to leave with you is that the promise for the youth of today is limitless.

The most important single fact of your generation is the emergence of the United States on the world scene as the greatest Nation of all time. We are now committed in practically every part of the earth to keep the free world safe and to avert world war III. Had the United States been committed to intervene in full strength from the first moment of World War I and II, the First World War, and certainly the Second World War might never have happened.

This theory is now under the acid test. It has worked successfully up to this hour.

Basic to world peace is our country's economic strength.

Our gross national product is expected to reach $473 billion in 1957. Compare this with our national income of $677 million back in 1799 when our Nation was young. Our Federal budget alone—that is to say the cost of our National Government alone—is over 100 times what the Nation's total income was just 166 years ago.

It is said there are no longer any frontiers to conquer. It is true, to be sure, that the covered wagon is gone. It is true that despite uranium prospecting, we will probably not again have a repetition of the gold rush of 1849. The days of Lewis and Clark, the Louisiana Purchase, and the annexation of Texas may never again be duplicated. But to deduce from this that all the frontiers have been crossed and there are no new worlds to conquer is to the blind to some of the most fabulously exciting opportunities of all time.

Atomic energy has revolutionalized the status of civilization.

Air travel is turning the whole world into a provincial town.

Medicine is giving new outposts to life itself.

Science is bringing areas of the universe almost as close to the earth as America was to Europe in the 15th century.

The present frontiers open vistas far more exciting than the gold rush, or the purchase of Alaska. The possibilities are so enormous they paralyze the imagination.

We speak of interstellar space with more familiarity today than mapmakers spoke of the great intercontinental oceans in Columbus' time.

We are even dispatching manmade satellites to discover for us the mysteries of outer space. Scientists speak of travel to the moon as a reality probably within the experience of you young people in this room.

Prejudice in all areas—including business and professional discrimination against women—is being eliminated.

This, girls, is your inheritance. I cannot imagine any period in our history when the prospect for the graduate was more promising. You are going out into the world in an epoch in history that presents limitless opportunities for you as an individual.

Secretary Benson Exposes Half-Truths About Agriculture

EXTENSION OF REMARKS
OF
HON. WALTER H. JUDD
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. JUDD. Mr. Speaker, under leave to extend my remarks I include the following address by Secretary of Agriculture Ezra Taft Benson before the Minnesota Bankers Association meeting in St. Paul, Minn., on June 12. Perhaps no major problem has been subjected to as many half-truths during recent years as occurred with respect to the farm problem. Secretary Benson, in his speech to the Minnesota Bankers Association, clearly and effectively and in his characteristically straightforward way has told the whole truth about a number of these half-truths. There are enough difficulties in this field even when only the facts—all of them—are considered. It is essential to eliminate these difficulties and differences which are based on beliefs or charges that are not in accord with the facts. Secretary Benson's address contributes greatly to making clear the real facts.

The address follows:

ADDRESS BY SECRETARY OF AGRICULTURE EZRA TAFT BENSON BEFORE THE MINNESOTA BANKERS ASSOCIATION, JUNE 12, 1957

This is a great pleasure, a signal honor, and a challenging responsibility. I welcome the opportunity to meet with you and share my thoughts regarding the agricultural problems of this great State and this favored Nation.

One might wonder what a Secretary of Agriculture would have to say to a group of bankers. At first thought, our respective fields might appear remote from one another.

Yet the Secretary of Agriculture must be concerned with financial matters. Our Commodity Credit Corporation is the second largest corporation in the world, exceeded only by the Federal Reserve Bank of New York. We now hold loans on farm commodities totaling $2.3 billion, and we own $5.5 billion worth of commodities taken over through nonrecourse loans. We hold about $3.7 billion worth of loans made to farmers for financing the purchase of real estate, for production credit, for building farm storage, for supplying electricity and telephones, for construction of facilities to conserve soil and water resources, and for various other purposes. This $3.7 billion does not include loans of the Farm Credit Administration, which was made an independent agency in 1953 in accordance with the recommendation of this administration.

So, along with you, I am concerned with interest rates, terms of repayment, and other financial matters.

I am also concerned about Government competition with private business. I believe that Government should not be in competition with its own taxpaying citizens. I believe we should leave to private enterprise those things which private enterprise is able and willing to do.

You, on your part, must be interested in agriculture. You have an outstanding record in staying with your farmer borrowers in spite of drought and other economic reversals. You are in a key position to counsel with farmers on important business decisions.

The financial needs of our farm people are great indeed. Farmers require extensive financial services. They have borrowed almost ten billion dollars, secured by real estate, and they have borrowed another $8 billion of short-term credit of one kind or another. Private sources supply the bulk of farmer borrowings; it will be my unfailing purpose to keep it so.

Not only must our farmers be financed; the many industries which serve agriculture have their special credit needs. Implement factories, petroleum refineries, fertilizer plants, feed mills, facilities for processing, storing, transporting, refrigerating, and merchandising farm products, these all require financing. The food business, in its many phases, is the largest single business in the country. It takes 25 percent of the consumer's dollar. It takes a goodly share of your services. We do indeed have a community of interest.

Because the farm and financial community are interdependent, they should understand one another. Certainly the financial services which you provide are not always well understood by farm people; I am likewise sure that the problems of our farm people are not clear to all of you. The air is filled with statements, denials, allegations, and half-truths regarding your field and mine. The problem is to distinguish between the truths, the half-truths, and the untruths.

You could easily prepare a list of half-truths about the banking fraternity; ideas that are somehow plausible, yet take undue liberty with the facts.

One half-truth that comes to mind is the belief, widely held by farm people, that bankers work only from 10 o'clock in the morning until 3 in the afternoon. Some people don't stop to think that there is work to do after the cashier's cage is closed.

Another popular misconception is that the banker hopes the borrower will be unable to repay his loan so that the banker can take over the collateral.

Statements which are totally false cannot long survive.

Statements that are wholly true may be resisted for a time, but the truth must ultimately triumph.

The troublesome statement is the half-truth, which has some visible basis in fact, the statement which has enough truth to make it plausible and enough untruth to make it dangerous. Such a statement can be used by the uninformed or the unscrupulous to convey an entirely erroneous impression.

I should like to enumerate nine widely-held ideas about agriculture. All of them can be made to sound more or less plausible, but they contain only a fragment of truth. All of them stand in the way of sound solutions to farm problems.

The first half-truth is that there is a single farm problem or a single solution.

How we long for simple explanations and simple remedies.

How easy the answers become when we oversimplify the problem.

Shall we say the farm problem is the level of price supports for the basic commodities? This ignores most of the problems in agriculture; only 12 percent of Minnesota's farm income is from the basic commodities. It ignores the hardships resulting from drought, flood, frost, and other natural causes. It ignores the true cause of low income, namely the fact that many farms are too small and lack sufficient resources.

There are many problems, not one. And for each problem there are many potential remedies, not just one. Most of these remedies are in the hands of individual farmers and their organizations. Better farming methods, improved marketing, power production costs, better choice of enterprises, these are solutions which may lack political appeal, but they are effective.

Beware the man who paints agriculture as having one problem and one solution.

Another half-truth is that agricultural production can be controlled with acreage allotments.

Acreage controls can, to a degree, restrict the output of a particular crop. But controls have little effect on total production.

When a farmer is restricted on the acreage of a particular crop he picks his best land, fertilizes heavily, uses modern methods, and increases the yield per acre. And he uses the acres taken out of one crop for the production of other crops.

It might be possible to work out regulations which would be stiff enough really to control production. But the evidence of 25 years is that farmers do not want them. The Congress will not enact them and even if they were enacted it would be difficult to enforce them.

You read in the papers, occasionally, that farmers have voted production controls on themselves as a means of getting a particular level of price support. What you do not read is that these controls have been watered down by law to such a point that they don't control production. A whole battery of fudge factors has been introduced; permission to plant on acres diverted from the basic crops, minimum national allotments, minimum individual allotments, legislative action to boost allotments or keep them from falling, and control on the basis of harvested rather than planted acres.

The number of acres of wheat actually needed, according to formula, to bring supplies into line this year was only about 12 million. Yet the number of acres offered to farmers in the referendum, by law, was 55 million, 4½ times as great.

The alternative to a vote favoring quotas has been made unattractive by law. Instead of offering reasonable alternatives, the choice offered is between quotas and virtually no program at all.

Farmers have voted favorably on acreage allotments and marketing quotas, but such a vote cannot be correctly interpreted as indicating that farmers favor controls which will actually control.

It is clear that we have no other choice than to live with abundance. Experience indicates that we cannot effectively legislate scarcity. Nor should we want to do so. Abundance is a blessing if our programs are sound.

A third belief, embracing only a fragment of truth, is that farm prices, over the long pull, can be made in Washington.

When a farmer sells wheat or soybeans or hogs he is paid a price. Why that price? Why not a higher price? He needs an answer that he can understand, and there are plenty of people ready to supply it.

What answer is easier to accept than that farm prices are made in Washington? If farm prices are rising, the ins will be supporting this view and the outs will be denying it. If farm prices are falling, the reverse will be true. So the issue always has a considerable number of people who will keep it alive. To those who must have a simple explanation for prices, this is both the simplest and the most readily available.

Are farm prices really made in Washington? Certainly for a crop like corn, the level of price support set in accordance with law has an important influence, at least in the short run. But if the price is set too far

from where the buyers and sellers themselves would set it, the forces of the market will ultimately reassert themselves.

The belief that farm prices are made, or should be made or could be made in Washington is particularly dangerous because it leads to pressures for unworkable programs, the final results of which are harmful to farmers.

A fourth half-truth is that farm prosperity depends directly on farm prices.

I want to see farm prices as high as we can have them, consistent with retaining and expanding our markets.

My concern, and the farmers' concern, is more with net farm income than with price per unit. It is income that farmers spend, not price. Income is the result of production times price per unit minus costs.

Certain of our farm products have been supported continually and substantially above the levels that would prevail if producers and consumers were free to bargain together. It is my belief that lower prices for a number of these crops would have the long-run effect of expanding markets and increasing net farm incomes. Markets would be regained. Production could be increased. Production costs per unit would be decreased. And farm people would be better off.

For other commodities, or with other market conditions, prices could and should go up. We have raised price support levels, on occasions when we thought it would be helpful to do so, above the minimum levels specified in the law and above the levels of previous years.

I think our price structure in agriculture should have flexibility in it, flexibility to go up or down in accordance with market conditions.

Another half-truth is that farmers alone are exposed to the competitive system, while everyone else is protected from it.

It is true that, compared with certain other groups, farmers occupy an exposed economic position and lack bargaining power.

Much has been attempted, through Government programs of one kind or another, to provide more economic security for farm people. The net realized cost last year of Federal programs primarily to support farm prices and farm income was $1.9 billion, a sum equal to 16 percent of our net farm income. This year the cost will be much larger. Costs are high because we are now picking up the tab for losses experienced in moving commodities accumulated in earlier years.

Nonfarm enterprises do not completely escape competitive forces. Only about three-fourths of the wholesale trade firms survive their first full year of operation; only about 30 percent survive more than 10 years. Only about three-fifths of the retail trade firms survive their first year and only about one-sixth reach the age of 10 years. Labor has a minimum wage, it is true, but no job is assured at that minimum wage. And the guaranteed minimum is only about 50 percent as high as the average hourly earnings of factory workers. This is something like a support price at 50 percent of the market level.

One of the most important components of economic security is the opportunity to change freely from one enterprise to another. Fortunately this opportunity continues for all groups with fewer impediments in this country than in any other country in the world.

The economic hazards of our farm people constitute a serious problem. These can be at least partly counteracted by farmer cooperatives, sound agricultural legislation, improved farming methods, and sound fiscal and monetary policy. They cannot be remedied by invidious and erroneous comparisons.

The sixth half-truth on my list is this: That price supports protect the small farm operator.

Suppose a farmer has only a few cows and a few acres of land, with total sales of less than $1,000 a year. There are a million and a half such farm families in the United States. How much will it help a farmer like that to have higher price supports? His problem is volume, not price; 200 percent of parity wouldn't give him a decent level of living.

Most of the dollars put out to support farm prices go to the large producers. Here, crop by crop, for a recent year, are the percentages of the total loan funds going to the 1 percent of the borrowers who took out the largest loans:

Barley, 24 percent of the dollars to 1 percent of the borrowers.

Wheat, 12 percent of the dollars to 1 percent of the borrowers.

Oats, 11 percent of the dollars to 1 percent of the borrowers.

Grain sorghums, 11 percent of the dollars to 1 percent of the borrowers.

Soybeans, 8 percent of the dollars to 1 percent of the borrowers.

Flaxseed, 8 percent of the dollars to 1 percent of the borrowers.

Corn, 6 percent of the dollars to 1 percent of the borrowers.

Some loans to a single producer have run as high as a million dollars in a single year.

For every dollar that goes to a small-farm operator, many dollars go to the large unit.

A seventh fractional truth is that farmers increase production when prices fall, in order to maintain income.

There are some farmers, with few alternative opportunities, who operate in this manner. Most of them do not.

Why have hogs recently risen above $19.00 per hundred pounds? Because the low prices of a year and a half ago caused farmers to reduce farrowings. If we had supported hog prices then, as some people wanted us to, we would now have heavy supplies and low prices instead of a good market.

Why are hatchings of replacement chicks running 21 percent below a year ago? Because of low egg prices this past winter.

There is no competent research that I know of which supports the belief that farmers in the aggregate increase production when prices fall, other things being equal. On the contrary, a large number of scientists have affirmed the fact that a high price generally stimulates production and a low price either reduces output or retards expansion.

If farmers increase production when prices fall, then the Congress should have lowered price supports during the war, when added production was needed. Instead, supports were raised, indicating that the Congress, by its deeds if not its words, recognizes the true nature of the relationship.

The belief that farmers increase production when prices fall is little more than a rationale for high price supports.

No matter what the diagnosis is, the practical prescription is the same:

Is there a general depression? Raise price supports.

Is there inflation? Raise price supports.

Do we need more production? Raise price supports.

Do we need less production? Raise price supports.

Farm problems need better diagnosis and better prescription than that.

The eighth on this list of misconceptions is the belief that the family farm is on the way out.

The family farm is undergoing changes, but it is not on the way out. It has had to change in order to survive. It is becoming larger, it requires more skills, it takes more capital. But still, as has always been the case in America, most of our farm production comes from farms on which the capital, the labor, and the management are supplied primarily by the farmer and his family.

The percentage of our agricultural production which is turned out by family-sized farms has not changed appreciably in the last 15 years.

Three-fourths of our farms are operated by those who own them.

Two out of three farms have no mortgage debt.

The family farm has withstood inflation, depression, war, drought, and other disasters. It is withstanding the impact of a technological revolution. It will outlast the pessimists who predict its extinction.

The men who laid the foundations for our agriculture had faith in the family farm, not only as a good place to raise crops and livestock but as a good place to raise American citizens. Their judgment has been thoroughly vindicated.

The family farm has great adaptability and staying power so long as management is kept free to make needed adjustments. To freeze the family farm into a rigid, preconceived pattern would be the quickest way to weaken it.

A ninth and final item on this list is a complete untruth and one that especially arouses my ire. It is the suggestion that farmers are just a lot of goldbrickers who want Government handouts.

Anyone who makes such a statement simply does not know farm people and does not know farm problems.

Farmers have genuine problems. They are on a cost-price squeeze. They are adjusting from wartime to peacetime markets. They feel the impact of a technological revolution. They are subject to great natural hazards. Their markets suffer from huge surpluses due at least in part to programs of the past. To say that they have no real problems is outright folly.

Farm people need the sympathetic help of their Government, something they have not always had. A loose purse string is not the answer. The need is for solid facts and an understanding heart.

A great majority of our farm people want no special favors. In the race they must run they want only a fair place at the starting line. Sometimes they are overrepresented, to their disadvantage, by well-meaning self-appointed spokesmen.

These nine half truths were the foundation for some of the farm programs of the past. On this shaky base was erected a great superstructure of production controls and price supports, with rigid formulas and detailed schedules.

The superstructure is now beginning to sag and creak at the joints. Increasingly, farm people are becoming convinced that some changes need to be made. The architects are assembling to draw up new plans.

My plea is that we not just consider patching up the superstructure, but that we take a good look at the foundation itself. If we simply patch up the building without fixing the foundation, we can be sure that before long we're in for trouble again.

I know no better foundation than one which will support an agriculture which is prosperous, expanding, and free.

We have been moving in that direction. The Agricultural Act of 1954 was an important first step. It reestablished the essential principle of price flexibility. The Agricultural Act of 1956 defended the ground gained in 1954 and in addition provided useful tools for dealing directly with surplus problems.

Now we are ready for another step. We should move away from formulas in the old basic law which require that price supports be raised as soon as surpluses are moved. If we do not, the stage will be set for surplus number 2 as soon as we dispose of surplus number 1. We should move toward more freedom of decisionmaking on the part of the individual farmer. I so indicated in recent letters to Senator ELLENDER and Congressman COOLEY, chairmen of the Agricultural Committees of the Senate and the House of Representatives.

There is much that is good in our present farm laws. What is good should be saved. What is not good should be changed. I do not propose to eliminate price supports. We have programs that are working well; examples are the programs for soybeans, oats, rye, barley, and grain sorghum. These successful programs can be a pattern for the programs that are now causing difficulty.

Years from now, the historian will write the history of the present day. What will he write? That the winning of abundance resulted in the loss of freedom? That this generation had so little faith in its free institutions that it surrendered them without firing a shot?

Or will he write that these free institutions were put to the test, that they survived, intact and strengthened, ready to serve as an inspiration to liberty-loving people everywhere? This is what he must write. This is what he will write, if we are equal to the opportunity which confronts us.

May God grant us wisdom, faith, patience and courage to see the opportunities which lie beyond our problems. May we willingly accept the responsibility which will forever be the counterpart of freedom.

SENATE

TUESDAY, JUNE 18, 1957

The Senate met in executive session.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal Spirit, who hast appointed our portion of labor, we pause in the midst of this day's duties to acknowledge that we are not our own; it is Thy lordship over life which we would keep vividly before our eyes, lest we be confounded by the world's confusion and become mired in the devices and desires of motives which are essentially selfish.

Help us to work while it is called day, knowing that the night cometh when our work is done. We beseech Thee, help us to use the precious hours of every day in such manner that Thou canst hallow them with Thy blessing and glorify them with Thy presence. Keep our expectant eyes on the dawning future toward which we strive. Give us the radiant joy which is the constant reward of those who are workers together with Thee for a redeemed earth to which Thy kingdom of brotherhood at last shall come. Amen.

THE JOURNAL

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that the Journal of the proceedings of the previous day, June 17, 1957, be approved without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE REPORT OF A COMMITTEE

By unanimous consent, the following favorable report of nominations was submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Franklin R. Gossett, and sundry other persons, for permanent appointment in the Coast and Geodetic Survey.

NOMINATIONS

Mr. JOHNSON of Texas. Mr. President, I ask that the Senate proceed to the consideration of the nominations on the Executive Calendar.

The VICE PRESIDENT. The nominations on the calendar will be stated.

FEDERAL HOME LOAN BANK BOARD

The Chief Clerk read the nomination of Albert James Robertson, of Iowa, to be a member of the Federal Home Loan Bank Board for a term of 4 years expiring June 30, 1961.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DEPARTMENT OF STATE

The Chief Clerk read the nomination of Roy Richard Rubottom, Jr., of Texas, to be an Assistant Secretary of State.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The Chief Clerk read the nomination of Darrell O. Holmes, of Washington, to be United States marshal for the eastern district of Washington for a term of 4 years.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, inasmuch as the Senate convened in executive session, I ask unanimous consent that Senators, upon unanimous consent, may introduce bills for reference, file reports, and make statements, which shall be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

IMPORTANCE OF MULTIPURPOSE DAMS AND RESERVOIRS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may proceed to make a statement for 3 minutes.

The VICE PRESIDENT. Without objection, the Senator from Texas may proceed.

Mr. JOHNSON of Texas. Mr. President, in my State of Texas, 8 years of continuous drought have been followed by 10 weeks of devastating floods.

At the middle of April, 9 multipurpose reservoirs on the Trinity, Brazos, Neches, and Colorado Rivers impounded only 800,000 acre-feet of water. By the end of May, the same reservoirs held back more than 5 million acre-feet of water; and there have been additional heavy rains in some areas since the end of May.

Terrific damage has resulted from these spring floods in Texas. Homes have been swept away. Business properties have been ruined. Human lives have been lost.

Agricultural damage from the floods has been set at $27.3 million. In all, the damage done by floodwaters that existing dams could not control is estimated by the Corps of Army Engineers at $69.7 million.

Mr. President, that is a brief accounting of the damage done.

What about the damage prevented—prevented by the kind of flood-control and water-conservation projects for which we shall be called upon shortly to vote appropriations?

Except for projects of this kind that already have been constructed in Texas, flood damage in the State would have been $106.3 million greater than it actually was.

If money had not been spent wisely—invested soundly—for these projects, our flood damage in Texas so far this year would have amounted to $176 million, instead of $69.7 million.

What have these projects cost? Mr. President, the total cost of the structures that saved the $106.3 million was $121.4 million. They almost paid for themselves in a single flood season. When past benefits are taken into account—such benefits as water supply and the generation of power and the prevention of flood damage in other years—we see that the projects have much more than paid for themselves.

Every benefit we gain from them in the future will be clear profit—a healthy return on a wise investment.

We could have prevented even more damage in Texas this year. We could have made even greater savings. If flood-control projects authorized by the Congress, but not yet constructed, had been in existence, the engineers tell us flood damage would have been $37.8 million less than it actually was.

For the want of a dam, these millions of dollars were lost.

For the want of a dam, the lives of human beings were lost.

I know that Senators coming from other States subject to periodic floods can describe situations similar to those that exist in Texas. In those States, as in Texas, damage is suffered that could have been averted: lives are lost that could have been saved.

Mr. President, the Congress must have the vision, the determination, and the drive to go forward with a vast network of flood-control and water-conservation projects.

Delay has proved terribly costly. Further delay will add to the cost.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be authorized to meet for a short period of time, beginning at 2:30 o'clock this afternoon, on two or three important matters.

The VICE PRESIDENT. Without objection, it is so ordered.

IMPLEMENTATION OF HOOVER COMMISSION RECOMMENDATIONS—COMMUNICATION FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following communication from the President of the United States, relating to the status of certain pending legislative measures to implement Hoover Commission recommendations which have the support of the administration which, with the accompanying paper, was referred to the Committee on Government Operations:

THE WHITE HOUSE,
Washington, June 17, 1957.

The Honorable RICHARD M. NIXON,
President of the Senate, Washington, D. C.

DEAR MR. PRESIDENT: On April 18, 1957, in commenting on House Resolution 190 which asked me to provide the House of Representatives with suggested ways in which the 1958 budget could be reduced, I indicated that there were a number of bills pending before the Congress which would implement various Hoover Commission recommendations for which legislative action is required.

Subsequently I have received an up-to-date report from my special assistant, Mr. Meyer Kestnbaum, outlining progress in implementing the Hoover Commission recommendations. Much of the action needed for further implementation of specific recommendations requires no additional legislative approval. However, some of the remaining outstanding recommendations of the Hoover Commission will require Congressional action.

I am aware of the fact that the Congress already has enacted a number of bills which provide for implementation of Hoover Commission recommendations. I realize also that a large number of bills to implement other recommendations are before this session of the Congress. In order to assist in the consideration of such measures in this session, I am listing herewith a series of such bills on which this administration has favorably reported, including those to which the administration would attach top priority.

Specifically, in order that we may have final Congressional action at this session of the Congress I would urge that priority be given to bills implementing the following Hoover Commission recommendations:

1. Extension of the Reorganization Act of 1949.
2. Authorization of appropriation on the basis of annual accrued expenditures.
3. Provision for training of Federal personnel at public or private facilities.
4. Repeal of provision for clearance of real property transactions with Congressional committees.
5. Discontinuance of the Postal Savings System.

The attached memorandum from the Director of the Bureau of the Budget indicates the status of bills concerned with each of these proposals, as well as other Hoover Commission proposals now pending before the Congress which the administration has supported. I am glad to note favorable action by one or the other House on some of these proposals. I commend these measures to the Congress for its earnest consideration with the thought that approval of them would be further evidence of our joint determination to take advantage of every opportunity to bring to our Government greater efficiency and economy in operation. Even though implementation of such recommendations does not always manifest itself in dollar savings which can be readily identified in a budget, I know the Congress is as eager as I am to achieve every possible improvement in our Government.

Sincerely,

DWIGHT D. EISENHOWER.

EQUALIZATION OF ALLOTMENTS ON AGUA CALIENTE (PALM SPRINGS) RESERVATION, CALIF.

The VICE PRESIDENT laid before the Senate a letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes, which, with the accompanying paper, was referred to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Agriculture and Forestry:

"Senate Joint Resolution 29, relative to memorializing the Congress of the United States in relation to surplus food warehousing and the civil defense program

"Whereas civil defense planning contemplates the evacuation of urban areas in the event of an enemy attack; and

"Whereas food and other basic supplies necessary to maintain the population of the State are for the most part stored within these urban target areas which will be evacuated and abandoned in the event of an enemy attack, leaving the population of the State, which would become refugee population, without adequate food and other supplies necessary to maintain life; and

"Whereas the Federal Government has on hand and in storage large quantities of surplus stocks of basic foods and other essentials, and there is before Congress a measure providing for the stockpiling of these surplus foods at strategic locations throughout the country and there is also before Congress the proposal that basic foods and other essentials be stockpiled in connection and the national civil defense program; and

"Whereas California's sister State of Nevada by Assembly Joint Resolution No. 4 adopted by the 1957 Nevada Legislature calls upon the Federal Government to take notice of this inadequacy in the national civil defense program; Now, therefore, be it

"*Resolved, by the Senate and Assembly of the State of California (jointly)*, That the Congress of the United States be urged to take notice of this present inadequacy of the civil defense program of California and to take positive action to provide for the stockpiling of surplus foods and other essentials of life in strategic locations within the State of California and such other strategic locations as may be found desirable and essential to a well-rounded civil defense program, so that in the event of an enemy attack the refugees of the urban and target areas will be provided with adequate basic foods and other supplies as would be necessary to maintain the public health and safety; and be it further

"*Resolved*, That the Congress of the United States be urged to direct the Commodity Credit Corporation and other Federal agencies holding in storage surplus foods and supplies to store in strategic places in California these essentials in order that they may be available in the event they would be needed in the civil defense program; and be it further

"*Resolved*, That the secretary of the senate be hereby directed to transmit copies of this resolution to the chairman and members of the appropriate Congressional committees which will consider legislation relating to surplus foods, the warehousing of such surplus commodities, and civil defense planning, and to each member of the California Congressional delegation."

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"Senate Joint Resolution No. 37, relative to memorializing the United States Government to control the import of dried figs and fig paste to the extent necessary to protect adequately the American fig producing industry located in California

"Whereas American fig production is located practically entirely in the central portion of the San Joaquin Valley of California; and

"Whereas such production is an important and significant part of the agricultural economy of California and of the United States; and

"Whereas this American fig production under the control of a Federal marketing order currently runs less than 80 percent of American fig consumption; and

"Whereas however, for the past 3 or 4 years an increasing share of this American market has been obtained by foreign figs from Portugal, Greece, and Turkey which are produced by peasant families operating at a labor cost against which American producers cannot compete; and

"Whereas these increasing imports of foreign figs have driven down the price received by American fig producers to the lowest level since the years immediately prior to World War II; and

"Whereas a substantial portion of American fig production under the aforementioned Federal marketing order is being diverted to noncompetitive and low value uses to the economic disadvantage of the American fig producers; and

"Whereas this decreasing share of the American market, these declining prices, and this disadvantageous diversion of much of the American fig production to noncompetitive and low value uses threaten the American fig industry with extinction in the not too distant future; and

"Whereas last August the United States Secretary of Agriculture officially recognized the catastrophic plight of the American fig producing industry and requested the President of the United States to direct the United States Tariff Commission, under appropriate Federal legislation, to investigate whether or not imports of dried figs and fig paste should not be restricted; and

"Whereas last October the President of the United States directed the Tariff Commission to make such investigation; and

"Whereas, however, after an investigation and hearing the Tariff Commission last December strangely reported that no import restrictions upon figs were warranted; and

"Whereas under these conditions fig producers in California will be forced into other lines of agriculture and thereby tend to destroy the delicate balance of supply and demand in those lines; and

"Whereas, furthermore, much of California's specialized agricultural production, such as the almond, walnut, olive, and date crops, depends on the retention by those crops of a fair share of the American market and could therefore be similarly injured if this policy of nonrestriction of foreign imports is followed with respect to them; and

"Whereas, therefore, the State of California cannot afford to see its fig production industry destroyed by unrestricted and unfair foreign competition, not only because of the destruction of the fig production industry but also because of the harmful precedent set for and unstabilizing influence resulting to the many other import-vulnerable crops of the State of California: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly)*, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take steps with all due haste, under the Agricultural Adjustment Act or otherwise, to place such limitations upon the importation of dried figs and fig paste as will restore order to the domestic fig producing industry; and be it further

"*Resolved*, That the secretary of the senate is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States, to the Secretary of Agriculture, and to the Chairman of the United States Tariff Commission."

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"Senate Joint resolution 38, relative to the Land Use Program for the Lower Colorado River

"Whereas the Parker Dam County Recreation District has been created in San Bernardino County comprising in its entirety land owned by the United States; and

"Whereas the United States Department of the Interior has under consideration at the present time numerous proposals which would affect the use of the land along the Colorado River below Parker Dam; and

"Whereas such proposals would, in their present form, adversely affect the administration of said lands by the Parker Dam County Recreation District; and

"Whereas said district is authorized under the laws of this State to lease or otherwise acquire control of all or any of the land in the district from the United States upon such terms as may be mutually agreed upon by the trustees of the district and the United States, and to, in turn, rent or sublease any of such land to any person for any purpose, recreational or otherwise, not inconsistent with the terms of the lease or other agreement under which the district holds the land under the United States: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly)*, That the Legislature of the State of California respectfully memorializes the Congress of the United States and the United States Department of the Interior, to give consideration to leasing or giving control to the Parker Dam County Recreation District the lands located within the boundaries of said district and that the department be requested to take no action with respect to land use which will affect the operation of said district; and be it further

"*Resolved*, That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Secretary of the Interior, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States."

The petition of Mr. and Mrs. J. Marino, of Brooklyn, N. Y., praying for the enactment of legislation to permit orphans to enter the United States for adoption; to the Committee on the Judiciary.

The petition of Clarence Vaught, of New York, N. Y., praying for the enactment of a new GI bill, for the benefit of veterans; to the Committee on Labor and Public Welfare.

RESOLUTIONS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may present a series of resolutions for appropriate reference, and printing in the RECORD.

The VICE PRESIDENT. Without objection, the Senator from Minnesota is recognized for that purpose.

RESOLUTIONS OF RABBINICAL ASSEMBLY OF AMERICA

Mr. HUMPHREY. Mr. President, I have just received copies of two resolutions adopted by the Rabbinical Assembly of America at its convention at Kiamesha Lake, N. Y., on May 16, 1957.

The first of these resolutions concerns access by Israel to the Suez Canal and the Gulf of Aqaba.

The second seeks speedy revision of the McCarran-Walter immigration law.

I ask unanimous consent that the resolutions be printed in the RECORD, and appropriately referred.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Foreign Relations:

"Resolution on Israel, Suez, and Aqaba adopted by the Rabbinical Assembly, Kiamesha Lake, N. Y., May 16, 1957

"Out of deep religious concern for the preservation of human life, we urge the statesmen of our country to redouble their efforts to bring peace and stability to the Middle East. Essential to the prevention of hostilities in that area is a fair and clear American foreign policy. To hide behind the smokescreen of inability to cope with a situation within the United Nations framework, only makes a mockery of peace and justice. The world has a right to expect progressive leadership from the United States of America such as was demonstrated during the recent crisis in Jordan. Lack of American leadership in the Middle East will result in continued violence which may eventually spread to other areas. Promises, which have been made or implied by the President of the United States of America to Israel concerning the use of the Suez Canal and Gulf of Aqaba, must be fulfilled if we are not to yield to the blackmailing devices of Arab potentates who flirt with communism. Egypt must not be permitted to return to the positions from which it may again blockade the Gulf of Aqaba and its international waterway."

To the Committee on the Judiciary:

"Resolution on immigration policy adopted by the Rabbinical Asembly Convention, Kiamesha Lake, N. Y., May 16, 1957

"The Rabbinical Assembly of America deplores the failure of Congress to eliminate the restrictive, discriminatory provisions of the Immigration and Nationality Act of 1952 (McCarran-Walter law), which have been denounced by many religious and civic groups and by Presidents Truman and Eisenhower.

"We urge Congress to enact speedily amendments which will revise the immigration law in order to:

"(a) Substitute an equitable and nondiscriminatory formula for the admission of new Americans in place of the invidious national origins quota system;

"(b) Eliminate the unnecessary and harsh deportation provisions;

"(c) Eliminate the inequitable distinctions now in the law as between native-born and naturalized Americans;

"(d) Set up fair appellate procedures in immigration and nationality matters.

"We further call upon the President to make use of the powers at his disposal in order to admit refugees from Egyptian tyranny and persecution as was done for the Hungarian refugees."

RESOLUTIONS OF AMERICAN UNITARIAN ASSOCIATION

Mr. HUMPHREY. Mr. President, the American Unitarian Association at its annual meeting in Boston on May 28, 1957, adopted two resolutions which have just been sent to me.

The first urges the American delegation at the United Nations to work for the establishment of a permanent U. N. police force, and the second urges the United States delegation at the United Nations to continue to challenge Soviet violation of international law and morality in Hungary. It also supports immediate action by Congress to recognize the admission of Hungarian refugees to the United States.

I ask unanimous consent that the two resolutions be printed in the RECORD, and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

UNITED NATIONS POLICE FORCE

Whereas the United Nations Charter envisions the establishment of a police force for the purpose of maintaining international peace and security; and proposals to this end have already been introduced by Canada and Pakistan; and

Whereas the United Nations Force in the Middle East has been an important factor in halting hostilities and facilitating peaceful settlement; and

Whereas the present United Nations force in the Middle East is of an emergency and limited nature: Therefore be it

Resolved, That the American Unitarian Association urge the American and Canadian delegations to the United Nations to work for the establishment of a permanent United Nations police force; and be it

Resolved, That copies of this resolution be sent to the members of the American and Canadian delegations to the United Nations, the United States State Department, and the Canadian Office of External Affairs.

Adopted by the annual meeting of the American Unitarian Association, May 28, 1957.

HUNGARY

Whereas the recent tragedy which has befallen the heroic people of Hungary has aroused the sympathy and ire of freedom lovers the world over: Therefore be it

Resolved, That the American Unitarian Association:

1. Condemn the brutal and unprovoked attack by the Soviet Union on the Hungarian people and express its solidarity with those who have risked or laid down their lives for freedom; and

2. Offer support to the Unitarian Service Committee, and those organizations working with it, who are rescuing and rehabilitating those who have fled the Soviet terror; and

3. Urge the United States delegation to the United Nations to continue challenging the illegal Soviet occupation of Hungary and the alleged deportation of its citizens; and

4. Give support to a special act of Congress to give refugees of the current exodus from Hungary full immigrant status, without charging their numbers against any present or future quota.

Adopted by the annual meeting of the American Unitarian Association, May 28, 1957.

RESOLUTIONS OF MINNESOTA BRANCH, NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

Mr. HUMPHREY. Mr. President, I have just received two resolutions from the State convention of the Minnesota branch, National Association of Postal Supervisors.

The first of these resolutions advocates an immediate 15-percent increase in postal employees' salaries, including the postal supervisors.

The second urges the passage of S. 1534, the postage rate increase bill.

I ask unanimous consent that the two resolutions be printed in the RECORD, and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

Resolution 2

Whereas salaries of postal employees, and in particular, salaries of post office supervisors, continue to lag far behind wages paid in private industry; and

Whereas, as recently as May 1957, the Department of Labor stated that the cost of living had reached an all-time high: Therefore be it

Resolved, That the Minnesota State branch of the National Association of Postal Supervisors, in convention assembled in Fargo, N. Dak., June 7-8, 1957, go on record as favoring an immediate 15-percent increase in salaries across the board.

Approved by Minnesota Branch, National Association of Postal Supervisors, Fargo, N. Dak., June 7-8, 1957.

D. O. BODIEN,
Secretary-Treasurer, Cambridge, Minn.

Resolution 3

Whereas postage rate increase bills, S. 1534 and H. R. 5836, have been introduced in Congress; and

Whereas we believe that the increased revenue will more accurately reflect the value of the service rendered to the public: Therefore be it

Resolved, That the Minnesota branch of the National Association of Postal Supervisors, in convention assembled in Fargo, N. Dak., June 7 and 8, 1957, go on record favoring and urging the passage of these bills.

Approved by Minnesota Branch, NAPS, Fargo, N. Dak., June 7 and 8, 1957.

D. O. BODIEN,
Secretary-Treasurer, Cambridge, Minn.

RESOLUTION OF CARLTON COUNTY COOPERATIVE POWER ASSOCIATION, KETTLE RIVER, MINN.

Mr. HUMPHREY. Mr. President, I have just received two resolutions from the Carlton County Cooperative Power Association at Kettle River, Minn.

The first endorses S. 555, the Hells Canyon bill, of which I am glad to be a cosponsor.

The second opposes any increase in REA cooperative interest rates as well as any legislation which would raise the cost of REA loans.

I ask unanimous consent that the two resolutions be printed in the RECORD and appropriately referred.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

Ordered to lie on the table:

"Whereas the passage of Senate bill 555 will reopen the possibilities for the full development of the electric power generation potential of the Snake River at Hells Canyon, and because of the low cost of power so produced, will benefit, not only the Northwest, but will result in a tremendous saving in the production cost of phosphate fertilizer to the farmers of the Midwest States, and including Minnesota; and

"Whereas it now appears that the Idaho Power Co. proposes to finance the construction of three substitute small dams in their alternate plan, the cost of which will be subsidized by the American taxpayer without returning commensurate benefits to the public; and

"Whereas the Federal construction of a high dam at Hells Canyon will be self-liquidating and the sale of power will not only pay for the dam but will help to finance the related benefits of conservation, irrigation, and so forth, without cost to the public: Now, therefore, be it

"*Resolved by the Board of Directors of Carlton County Cooperative Power Association of Kettle River, Minn., representing 4,500 farmers and rural residents and consumers of electric power*, That we go on record in support of Senate bill 555 and that we petition our Senators, the Honorable EDWARD J. THYE and the Honorable HUBERT H. HUMPHREY, to support the Federal Hells Canyon bill and cast a vote in favor of Senate bill 555 whenever the opportunity is presented and to work for its passage on behalf of the entire Midwest and Northwest United States.

"M. F. BRINK,
"Secretary, Carlton County Cooperative Power Association."

To the Committee on Agriculture and Forestry:

"Whereas the enemies of REA have carried on a persistent campaign to stop the growth of rural electric cooperatives; and

"Whereas the administration recently took a strong step in that direction by executive order, changing the long-established and equitable terms of mortgage and interest payment which will have the effect of raising the cost of all new REA projects; and

"Whereas the administration now proposes to strike another blow at rural electric cooperatives by asking Congress to increase the cost of loan money available from REA for construction and expansion; and

"Whereas the present rate of 2 percent on rural electrification loans has returned a net of about $47 million to the Federal Government and on a long-term basis no increased rate is needed or justified; and

"Whereas many rural electric cooperatives which are striving to give area coverage of electric service are operating on such a slim net margin that any increase in cost of money will result in penalizing rural citizens by a stoppage of expansion or a substantial increase in electric power cost: Now, therefore, it is hereby

"*Resolved by the board of directors of Carlton County Cooperative Power Association of Kettle River, Minn.*, That we go on record opposing an increase in the interest rate to REA cooperatives and opposing any legislation which would have the effect of raising the cost of REA loans; and be it further

"*Resolved*, That copies of this resolution be mailed to Senator EDWARD J. THYE, Senator HUBERT H. HUMPHREY, and Congressman JOHN BLATNIK.

"M. F. BRINK,
"Secretary, Carlton County Cooperative Power Association."

RESOLUTION OF WOODLAWN FARMERS UNION, SABETHA, KANS.

Mr. CARLSON. Mr. President, under the 3-minute order, I ask unanimous consent to present a resolution.

The VICE PRESIDENT. Without objection, the Senator from Kansas may proceed.

Mr. CARLSON. Mr. President, the Woodlawn Farmers Union of Sabetha, Nemaha County, Kans., has forwarded me a resolution, adopted on June 11, in regard to urging its membership to vote in favor of continuing wheat marketing quotas at the referendum on June 20.

I call this resolution to the attention of the Senate, and ask unanimous consent that it be referred to the Committee on Agriculture and Forestry, and printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Whereas wheat-marketing quotas will be voted upon on June 20, 1957; and

Whereas if quotas are voted down wheat will drop in 1958 to $1.20 on the loan and to $1 on the cash market; and

Whereas if quotas are voted in the support price will be $1.78 national average for 1958; and

Whereas the best price obtainable in this choice is too low; and therefore, be it

Resolved, That the group assembled at Woodlawn Farmers Union Local this 11th day of June 1957 urge all people eligible, to vote "yes" at the referendum on June 20; and be it further

Resolved, That the support price for 1958 is too low and should be raised to full parity but at least to the level of 1956 and 1957; and be it further

Resolved, That copies of this resolution be mailed to Senators Andrew Schoeppel, Frank Carlson, Allen Ellender, Congressmen William Avery, and Harold Cooley, Secretary of Agriculture Ezra Benson and the press.

WILLIAM ACKERMAN,
Secretary.
JOE J. RENYER,
President.

Adopted at Woodlawn Farmers Union, Sabetha, Nemaha County, Kans.

ALVIN BANMAN,
Legislative Director.

RESOLUTION OF AMERICAN CITIZENS OF BALTIC DESCENT, RACINE, WIS.

Mr. WILEY. Mr. President, under the order which has been entered, I ask unanimous consent to present a resolution.

The VICE PRESIDENT. Without objection, the Senator from Wisconsin may proceed.

Mr. WILEY. Mr. President, I received in the morning mail a resolution adopted by the American Citizens of Baltic Descent living in Racine, Wis.

The resolution commemorates in sorrow the long, far too long, forcible occupation of the countries of Estonia, Latvia, and Lithuania by the Soviet Union.

As we deal with the Communists today, we must be careful not to overlook this "real evidence"—the enslavement of the Baltic and other states, which so strongly illustrates the deceit of Soviet tactics and policies.

Despite its current declarations of a desire for peaceful coexistence and gestures toward disarmament, this is a grim reminder that the Kremlin does not practice what it preaches.

I am proud that these fine American citizens of Baltic descent, as proclaimed in this resolution, again reaffirm their dedication, along with the rest of the Nation, to the achievement of world peace, and the independence of all nations.

I ask unanimous consent to have the resolution printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas Soviet Russia, in utter violation of the international treaties and her solemn obligations, occupied the territory of the Republics of Estonia, Latvia, and Lithuania and imposed upon the population the ruthless regime of a police state; and

Whereas despite the condemnation of these Soviet acts of aggression by the great powers of the Free World, including the United States, Estonia, Latvia, and Lithuania are still subjected to the unscrupulous Kremlin rule of terror, murder, and deportations; and

Whereas since the seizure of the Baltic States, the Soviet Union managed to take over many other independent countries and now represents the greatest menace to the civilization, culture, and religion of mankind that history has ever known, and

Whereas the precautionary steps which the free nations have so far undertaken to avert this menace did not prove effective, in many cases, to impress the Kremlin masters: Therefore be it

Resolved, That the American citizens of Baltic descent of the city of Racine, Wis., pledging their wholehearted support to the Government of the United States in its efforts to secure peace and stability in the world and to promote the cause of freedom and justice for all nations, express their sincerest thanks to the President, Dwight D. Eisenhower; Secretary of State John Foster Dulles; the distinguished leaders and Members of the United States Congress, and both Republican and Democratic Parties for their continued support of the national aspirations of the Baltic people; and be it further and finally

Resolved, That the American citizens of Estonian, Latvian, and Lithuanian descent of this city appeal to the highest authorities of their beloved United States of America to exert to the fullest the American leadership in the fight for peace, justice, and freedom by inaugurating a positive and dynamic program of foreign policy to thwart the evil Communist designs for world domination and to abolish the fruits of all past Soviet aggressions.

GEORGE KAPOCIUS,
Chairman, Lithuanian American Council.
OLGA MALBE,
Representative, Americans of Estonian Descent.
VALENTINS JAUNKALNIETIS,
Representative, Americans of Latvian Descent.

RACINE, WIS., *June 15, 1957.*

REPORTS OF COMMITTEES

By unanimous consent, the following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on Agriculture and Forestry, without amendment:

H. J. Res. 172. Joint resolution relating to the stockpile of Extra Long Staple cotton under the Strategic and Critical Materials Stockpiling Act (Rept. No. 463);

By Mr. SMATHERS, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 1459. A bill to amend section 208 (c) of the Interstate Commerce Act, as amended (Rept. No. 465);

By Mr. SPARKMAN, from the Committee on Banking and Currency, with amendments:

H. R. 4602. An act to encourage new residential construction for veterans' housing in rural areas and small cities and towns by raising the maximum amount in which direct loans may be made from $10,000 to $13,500, to authorize advance financing commitments, to extend the direct loan program for veterans, and for other purposes (Rept. No. 464).

By Mr. GOLDWATER, from the Committee on Interior and Insular Affairs, without amendment:

S. 2161. A bill to amend the act of August 14, 1955 (69 Stat. 725) (Rept. No. 466).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 3836. A bill to repeal section 1157 of title 18 of the United States Code, as amended (Rept. No. 467); and

H. R. 3837. A bill to amend the act of August 24, 1912, as amended, with reference to educational leave to employees of the Bureau of Indian Affairs (Rept. No. 468).

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, without amendment:

S. 1894. A bill to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes (Rept. No. 469); and

H. R. 6692. An act to authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes (Rept. No. 470).

BILLS AND JOINT RESOLUTION INTRODUCED

By unanimous consent, bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SCHOEPPEL:

S. 2313. A bill to provide for the advancement of Brig. Gen. Thomas B. Wilson, Army of the United States (retired), to the grade of major general on the retired list; to the Committee on Armed Services.

By Mr. HUMPHREY:

S. 2314. A bill for the relief of Paul Daniel Schaer (Ba Be Kim); to the Committee on the Judiciary.

By Mr. IVES:

S. 2315. A bill for the relief of Michiko Miyake Schlottmann; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 2316. A bill for the relief of Jung Kong (Wing Hong) Lee; to the Committee on the Judiciary.

By Mr. CLARK (for himself and Mr. HUMPHREY):

S. 2317. A bill to establish a commission to study and revise the present compensation system for civilian salaried employees of the Federal Government, to amend the compensation schedule of the Classification Act of 1949, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2318. A bill to provide for the conveyance of certain land of the United States to the city of Salem, Oreg.; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. POTTER:

S. J. Res. 106. Joint resolution to establish a commission to investigate the utilization of the radio and television frequencies allocated to the agencies and instrumentalities of the Federal Government; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. POTTER when he introduced the above joint resolution, which appear under a separate heading.)

COMMISSION ON REVISION OF COMPENSATION SYSTEM FOR CIVILIAN SALARIED EMPLOYEES

Mr. CLARK. Mr. President, I am about to introduce a bill and, under the order which has been entered, I ask unanimous consent that I may be permitted to speak on it for 3 minutes.

The VICE PRESIDENT. Without objection, the Senator from Pennsylvania may proceed.

Mr. CLARK. Mr. President, on behalf of myself, and the Senator from Minnesota [Mr. HUMPHREY], I introduce, for appropriate reference, a bill to establish a commission to study and revise the present compensation system for civilian salaried employees of the Federal Government, to amend the compensation schedule of the Classification Act of 1949, and for other purposes.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2317) to establish a commission to study and revise the present compensation system for civilian salaried employees of the Federal Government, to amend the compensation schedule of the Classification Act of

1949, and for other purposes, introduced by Mr. CLARK (for himself and Mr. HUMPHREY), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. CLARK. Mr. President, for some time it has been felt that pay for Classification Act employees has not been and is not commensurate with pay for their counterparts in industry. Substandard pay places Federal employees at an economic disadvantage and is not fair to them; substandard pay jeopardizes the ability of the Government to recruit and hold the kind of people it needs. This is particularly true in the Defense Department.

Some time ago Defense Secretary Wilson appointed the Defense Advisory Committee on Professional and Technical Compensation—commonly referred to as the Cordiner Committee. This Committee was composed of leading industrialists and public members such as Ralph J. Cordiner, president of General Electric; Charles R. Hook, chairman of the board of Armco Steel; Dr. John A. Hannah, president of Michigan State, and former Assistant Secretary of Defense for Manpower, Personnel, and Reserve Forces; Mr. H. Lee White, of the New York firm of Cadwalader, Wickersham & Past, and formerly Assistant Secretary of the Air Force for Manpower, Personnel, and Reserve Forces; the four Assistant Secretaries for Personnel in Defense; and four key military members. The Cordiner Committee studied the matter of compensation for Classification Act employees for almost a year. In this study, the Committee had the complete cooperation of the Civil Service Commission and the advice and direction of two key salary administrators in industry—one from General Electric, the other from Armco Steel. The findings and recommendations of this distinguished group merit our attention and action.

The Cordiner Committee came up with these findings:

First. The present Classification Act system for Federal white collar employees fails to meet modern criteria.

Second. Federal salaries for professional, technical, and managerial personnel are currently 15 to 20 percent below the average rates for equivalent jobs in industry. This finding was based on extensive salary studies, one of which was conducted in conjunction with the Civil Service Commission and covered over 17,000 occupied positions in more than 130 industrial firms in all parts of the United States.

Third. Government fringe benefits no longer exceed those of industry. The Cordiner report states:

> The Committee retained independent consultants, Industrial Relations Counselors, Inc., of New York, N. Y., to evaluate industry practices and compare them with those offered by civil service. These consultants reported:
>
> "The differential (between Government and industry employee fringe benefits) is not large enough to be significant in helping to recruit or retain employees in the higher salary levels."

The Cordiner Committee has fully substantiated my beliefs on the situation of pay for Classification Act employees. These employees are not being fairly paid today and our best talent is leaving. Federal salaries are not sufficient to bring in necessary new blood. The result is that the efficiency of the Government is being seriously impaired, our Defense Establishment is being weakened, and the cost of turnover and loss of high quality people is tremendous.

The situation must be rectified now.

Three important recommendations on pay were made by the Cordiner Committee. The first and most important recommendation was that a joint commission of legislative branch, executive branch, and public members be established to propose a thorough overhaul of the present Classification Act compensation system so that it will meet modern criteria. This is a long range matter.

The second recommendation was that an interim salary adjustment must be made now "to halt the exodus and bring in new talent." This adjustment would provide competitive entrance salaries for college graduates with the entrance level for these people at the GS–7 rather than GS–5 level, a ceiling of $19,000—the same as that for top scientists and engineers under other authorities, and rates for various grade levels as close as practicable as those of industry.

The third recommendation dealt with the provision of adequate numbers of top positions.

I am introducing a bill to carry out these three recommendations. The bill calls for:

First. A Joint Commission to recommend to the President and to Congress by March 1, 1959 changes which will modernize the compensation system for Classification Act employees.

Second. An interim salary adjustment for these employees as proposed by the Cordiner committee.

Third. Adequate numbers of top level positions with adequate controls on the establishment of such positions. A companion bill for military personnel has been introduced by the distinguished Senator from Missouri [Mr. SYMINGTON].

I feel that this is a matter of grave concern to all of us. The bill is based upon a thorough detailed study by top experts; it is deserving of everyone's support.

I regret very much that the Eisenhower administration and the Defense Department have not seen fit to propose legislation of their own. Therefore, I send the bill to the desk, together with a section-by-section analysis, which I ask unanimous consent to have printed at this point in my remarks.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTIONAL ANALYSIS

Section 1 establishes a Commission to study and revise the present compensation system for salaried employees of the Federal Government.

Subsection 1 (a) titles the Commission and provides for its membership—4 to be appointed by Congress from among its Members; 4 from the executive branch (the Chairman of the Civil Service Commission and 3 others appointed by the President); 4 from public life appointed by the President, 1 of whom will serve as Chairman of the Commission.

Subsection 1 (b) exempts service with the Commission as a member, employee, or adviser from the conflict-of-interest statutes.

Subsection 1 (c) provides that Members of Congress and persons in the executive branch of the Government who are members of the Commission serve without additional compensation but will be reimbursed for travel and other expenses.

Subsection 1 (d) establishes compensation for public members at $100 per day and provides for reimbursement for travel and other expenses.

Subsection 1 (e) provides for the appointment and compensation of the staff and for the appointment of advisory personnel.

Subsection 1 (f) prescribes the duties of the Commission. The Commission will recommend a modern, flexible system of compensation for personnel presently covered under the Classification Act of 1949. The Commission will also consider system of compensation applicable to other groups of salaried employees, and make recommendations to the extent it deems necessary to carry out the provisions of this act.

Subsection 1 (g) directs heads of departments and agencies to cooperate fully with the Commission. It further authorizes the detail of officers and employees of the executive branch to serve with the Commission.

Subsection 1 (h) calls for the submission of the report of the Commission to the President and to Congress not later than March 1, 1959. The report shall contain recommendations and drafts of legislation necessary to implement those recommendations. Ninety days after submission of the report, the Commission shall cease to exist.

Section 2 amends the general schedule of the Classification Act of 1949 for grades GS–7 and above, and authorizes the Civil Service Commission to establish positions to grades GS–16, GS–17, and GS–18.

Subsection 2 (a) amends the compensation schedule of the general schedule for grades GS–7 and above.

Subsection 2 (b) adjusts compensation of officers and employees.

2 (b) (1), except as provided in other paragraphs of the subsection, provides for conversion on a step-for-step basis; however, employees in the fourth and fifth rates of grade GS–17 will receive the fourth rate of GS–17.

2 (b) (2) makes provision for an employee compensated at rates between scheduled or longevity rates to receive the higher of the two corresponding rates provided in this act.

2 (b) (3) adjusts the compensation of an employee whose salary is in excess of the maximum longevity rate of the grade or the maximum rate of the grade, if there is no longevity rate, to the maximum longevity rate or maximum rate provided by this act, as the case may be.

2 (b) (4) provides adjustment of salary of those employees compensated at rates in excess of the minimum by reason of the operation of Section 803 of the Classification Act on the basis of step increases earned as if section 803 had not been enacted.

2 (b) (5) provides that no officer or employee shall receive basic compensation under this act at a rate less than he was receiving before the effective date of this act.

Subsection 2 (c) amends Section 505 to remove the numerical limitations on positions in Grades GS 16, 17, and 18, to continue the requirement that positions shall be placed in those grades by action of a majority of the Civil Service Commissions and to continue reporting requirements to Congress currently in being.

Subsection 2 (d) amends the definitions for levels of difficulty for positions in Grades GS–5, GS–7, and GS–9 of the Classification Act to enable the hiring of college graduates with bachelor's degrees at the GS–7 level.

Subsection 2 (e) retains present length of service requirements for Grades GS–7 through GS–10 at 52 weeks by changing language in Section 701 of the Classification Act to conform with new amounts of step increases provided by this act.

Subsection 2 (f) repeals existing provisions regarding reporting requirements for positions in GS 16, 17, and 18 and incorporates those provisions in this act.

Section 3 provides for the establishment of professional and scientific positions.

Subsection 3 (a) defines the term "department."

Subsection 3 (b) permits the President to authorize the head of any department to establish positions requiring the services of specially qualified scientific or professional personnel for research and development work.

Subsection 3 (c) authorizes the head of a department, subject to the approval of the Civil Service Commission, to fix compensation for such positions at rates not less than $12,500 or more than $19,000 a year.

Subsection 3 (d) places positions established under this act in the classified civil service and exempts appointees to such positions from competitive examination requirements.

Subsection 3 (e) retains present reporting requirements to Congress for such positions.

Subsection 3 (f) repeals existing authorities to establish such positions.

Subsection 3 (g) contains technical amendments to the United States Code.

Subsection 3 (h) provides a savings clause for personnel in existing positions until action is taken under authority of this act.

CONVEYANCE OF CERTAIN LANDS TO CITY OF SALEM, OREG.

Mr. NEUBERGER. Mr. President, under the order which has been entered, I ask unanimous consent to introduce a bill, and make a brief statement thereon.

The VICE PRESIDENT. Without objection, the Senator from Oregon may proceed.

Mr. NEUBERGER. Mr. President, on behalf of myself, and the senior Senator from Oregon [Mr. MORSE], I introduce, for appropriate reference, a bill providing for the conveyance of certain Federal lands to the city of Salem, Oreg.

In 1936, the city of Salem changed the source of its municipal water supply from the Willamette River to the North Santiam River, and in 1937 the city completed a pipeline between Salem and Stayton Island in the North Santiam, a distance of approximately 18 miles. The city installed a filtration system on the island after purchasing such land as was deemed necessary for operation of the plant. Examination of records and maps available at that time indicated that the city had received clear title to this land.

In 1953, the city was advised by the Bureau of Land Management of the Department of Interior that a portion of this land was the property of the Federal Government. The city was requested to pay—and did pay—for a trespass upon that portion of the land and for removing timber therefrom. Since that time, the Federal Government has made no attempt to dispose of the land to any other party, and the city still uses the land in question in connection with its water system. However, the city desires to obtain title to the land for the protection of its installation. The bill that I have introduced today would permit the city to acquire this property, upon payment to the Federal Government of an amount equal to its fair market value.

Salem is the capital city of the State of Oregon, and it is important that this privilege be allowed to its local government.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2318) to provide for the conveyance of certain land of the United States to the city of Salem, Oreg., introduced by Mr. NEUBERGER (for himself and Mr. MORSE), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

COMMISSION TO INVESTIGATE UTILIZATION OF CERTAIN RADIO AND TELEVISION FREQUENCIES

Mr. POTTER. Mr. President, I ask unanimous consent that I may introduce a joint resolution and that in connection therewith, I may make a statement lasting not to exceed 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. POTTER. Mr. President, I introduce, for appropriate reference, a joint resolution designed to establish a commission to investigate the utilization of the radio and television frequencies allocated to the agencies and instrumentalities of the Federal Government. The three Commission members, to be appointed by the President, would not be officers or employees of the Federal Government, but they would be experts in the field of communications.

It would be the duty of the Commission to conduct a thorough and comprehensive study and investigation of the radio and television frequencies allocated to the various agencies and instrumentalities of the Federal Government, with a view to determining: First, whether such frequencies are being efficiently utilized to the maximum degree possible; second, whether any of such frequencies may, without jeopardizing the public interest, be relinquished to the Federal Communications Commission, for allocation to nongovernmental purposes; and third, what are the likely future requirements of the various agencies of the Federal Government for radio and television frequencies.

The Commission would submit to the President and the Congress, within 6 months after the date of enactment of this joint resolution, a full and complete report of the results of its study and investigation, except there would be omitted from the report to Congress any information which has been classified for security purposes.

The need for the facts which would be developed by the Commission is urgent and compelling. Contrary to the layman's opinion, the presently usable spectrum does not offer an unlimited number of channels. Despite technical and operational improvements, the demand for frequencies has steadily crowded the supply within the usable spectrum; and the situation could well become critical, unless factual data is obtained promptly.

The limitations of the Communications Act of 1934, as amended, and of the Commission created largely for its administration, have been the subject of much consideration by Congress in recent years. The law was written when radio was not so highly developed, and when television as we know it today was in the stages of invention and experimentation, and before the present demand for spectrum space had become acute. It established a dual system of allocations as between Federal Government and non-Government users, but provided no umpire. The Federal Communications Commission is empowered to assign radio frequencies to non-Government users, and the President is likewise empowered to assign frequencies to Federal Government users.

Certainly all of us wish to see each Federal agency possess the allocations required for the full discharge of its responsibilities. But, in view of the great demand and the relatively limited number of channels available, every precaution should be taken to insure that the Government has not unnecessarily preempted spectrum space.

In 1959, our Government will participate in an international conference dealing with the spectrum. Unless our Government knows specifically its current use of the spectrum and what our future needs are likely to be, the best interests of the United States will suffer.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 106) to establishing a commission to investigate the utilization of the radio and television frequencies allocated to the agencies and instrumentalities of the Federal Government, introduced by Mr. PORTER, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. BUSH:

Introductory remarks introducing Senator CASE of New Jersey and address by Senator CASE of New Jersey at Chamber of Commerce dinner, Hartford, Conn., June 12, 1957.

By Mr. HUMPHREY:

Address delivered by Senator CLARK before the national housing conference.

SENATE SALAD LUNCHEON, WEDNESDAY, JUNE 19

Mrs. SMITH of Maine. Mr. President, I ask unanimous consent that I may make a brief announcement to the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Maine may proceed.

Mrs. SMITH of Maine. Mr. President, the distinguished junior Senator from Arizona [Mr. GOLDWATER] and I wish to bring to your attention an unusual event which will take place tomorrow in the District of Columbia Committee room, just off the Senate floor.

It will be our pleasure to introduce to the Senate a new dish—the Senate salad—which one day may well take its place on the dining-room menu alongside Senate bean soup.

The State of Maine, of course, is making a major contribution to the "Senate salad"—Maine lobster, fresh and succulent, to be shipped here especially for this luncheon. In all, 75 pounds of juicy lobster meat will be mixed into this salad, and will be served from the world's largest salad bowl.

Mr. President, the Senator from Arizona and I would like to have you and the Members of the Senate join us in the District Committee room for a plate of salad. Luncheon will be served from 1 to 3 p. m.

And, to add a final fillip to this attractive luncheon, you will be served by the Nation's No. 1 housewife, Mrs. America of 1958.

JUDGE G. FREDERICK FROST, OF RHODE ISLAND

Mr. PASTORE. Mr. President, I ask unanimous consent that I may address the Senate for not to exceed 3 minutes.

The VICE PRESIDENT. Without objection, the Senator from Rhode Island may proceed.

Mr. PASTORE. Mr. President, tonight, in the city of Providence, the Rhode Island Bar Association will honor G. Frederick Frost, presiding justice of the Superior Court for the State of Rhode Island, on the occasion of his 85th birthday.

This is a spontaneous expression of the appreciation and regard of every Rhode Island lawyer for the scholarly talents of a judge dispensing the problems of justice with deep human feeling and with genuine consideration of counsel and client.

I have great personal affection for Justice Frost, remembering his kindness to me when I appeared in my first tort case before him. Later it was my duty and opportunity, in the Attorney General's Department of the State of Rhode Island, to come under his encouragement when Justice Frost presided over the criminal session.

Still later, when I was Governor, I had high appreciation of the public service of the justice, and I am sure our mutual regard has increased with the years.

On this, his 85th birthday, Justice Frost looks back on more than a half century of service, in which he has helped to write an important part of the judicial history of our State. For 45 of those years he has proudly worn the title of "Judge." That pride is not only his, but the pride of the people of the entire State, as is evidenced by an editorial appearing today in the Providence Journal. I ask unanimous consent that this editorial be incorporated in my remarks and made a part of the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RHODE ISLAND HONORS AN ABLE JUDGE

Few States are given faithful public servants like presiding Justice G. Frederick Frost of the Rhode Island Superior Court, who observes his 85th birthday today.

Judge Frost has dedicated his life to the law, but he finds time also for living. His discriminating mind makes him an outstanding judge. His human warmth has won him friends beyond the law library and the courthouse. His humility has endeared him to the people of high and low station. A sense of high principle and integrity has given his life meaning.

A native of Chelsea, Mass., Judge Frost is an adopted son of Rhode Island. He attended Brown University, becoming one of its most illustrious graduates. The University honored him and itself 4 years ago by conferring upon him the honorary degree of Doctor of Laws.

The Rhode Island Bar Association, whose younger members look upon him as the "grand man of the Rhode Island bench" will pay tribute to Judge Frost at a banquet tonight.

But tomorrow, and the day after and the day after that—if it is the will of God—Judge Frost will be back on the bench doing a volume of work that few men half his years can carry. To Judge Frost work and service are a salvation, not a chore, and that is the secret of a serene life.

We hope Judge Frost will decide to remain on the bench as long as he is able.

IMPERILED FLOOD INSURANCE

Mr. BUSH. Mr. President, may I inquire if the Senate is in the morning hour?

Mr. JOHNSON of Texas. I may say to the Senator from Connecticut we have no morning hour this morning. Unanimous consent was asked that Senators could be recognized by unanimous consent, and statements are being limited to 3 minutes, so if the Senator will ask unanimous consent——

Mr. BUSH. Mr. President, I do so.

The VICE PRESIDENT. Without objection, the Senator from Connecticut may proceed for 3 minutes.

Mr. BUSH. I hold in my hand an editorial from the Washington Post and Times Herald of June 18, 1957, entitled, "Imperiled Flood Insurance." This editorial is a very good argument for the experimental bill whose fate now rests, I believe on the floor of the House of Representatives. I ask unanimous consent that the editorial be printed at this point in my remarks in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IMPERILED FLOOD INSURANCE

The move to deny all funds for flood insurance merits a high place on the list of strange actions taken in the name of economy. Last year Congress appropriated $500,000 to set up the Federal Flood Indemnity Administration. In 1955 the country's losses from floods had mounted to about $1 billion and Congress was almost unanimous in its decision that something must be done to minimize these losses to citizens and to relieve the Government of heavy demands for the relief of flood victims. Now the flood-insurance system is ready to operate, but the House voted to deny it the necessary funds.

What has happened to change Congressional sentiment in this fashion? One factor is the reduction of flood losses last year, although they are again high in 1957, and another is the economy wave. As the flood-insurance program is not yet in operation, some legislators appear to have concluded that it can be slashed without taking anything away from anybody. Well, that may be good politics, but it involves a flagrant disregard of the public interest.

One absurd argument that is being made against the program is that it would mean another $5 billion outlay of Federal funds. Actually the FFIA is authorized to write insurance totaling not more than $3 billion, which could be raised to $5 billion upon authorization by the President, but this would create only insurance liability. The FFIA has set up a schedule of flood-insurance rates, covering 14 different zones, with the aid of commercial rating specialists. People in danger of floods would buy this flood insurance from commercial firms with the Government merely underwriting the venture because no private company is in a position to do so. Some losses might be incurred, but it is absurd to talk as if the $3 billion liability were an expenditure.

For the first time this system would enable people living in areas of flood danger to contribute to their own protection. That is in accord with the general American pattern. The net effect might be to reduce demands upon the Government in flood emergencies and thus produce savings instead of added expenditures. Certainly a system that offers such potential advantages to the Government as well as to flood victims should not be abandoned without a trial.

House conferees who have been fighting this program will take their disagreement with the Senate conferees to the House floor today. That will give an opportunity for second thinking. In our opinion, the House should candidly recognize its error and accept the $14 million the Senate wrote into the third supplemental appropriations bill to put the system into operation.

THE STUDENT-EXCHANGE PROGRAM AND THE FULBRIGHT SCHOLARSHIPS

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that I may address the Senate for not to exceed 3 minutes.

The VICE PRESIDENT. Without objection the Senator from Arkansas may proceed.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that an editorial from the New York Times, May 24, 1957, entitled "A Treasure Discovered" be printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A TREASURE DISCOVERED

One of the happiest episodes in the whole history of the Fulbright scholarships has just been reported from Finland. Dr. Harold E. Johnson of Butler University in Indianapolis, in Finland on a Fulbright grant, has been able to announce the discovery of 20 previously unlisted works by the greatest of Finnish composers, Jean Sibelius. Some of them are of considerable scope and stature. Others will help to fill gaps in the hitherto known Sibelius literature.

This is one of the world's best types of treasure hunt. What has been found enriches the cultural life of the whole world, not only because it adds still other compositions to the long list of the Sibelius masterpieces but also because it will shed more light on some phases of his work that have been obscure. Naturally, we want to know as much as we can about Sibelius and all his works. He has long since been recognized as one of the real giants of our time. But he has been so modest that often we have seemed to have had to learn about him almost against his will.

The exchange of students and scholars is being more and more widely recognized both as a contribution to better international understanding and to scholarship itself. The Fulbright idea was a good one from the start. If ever it needed vindication it has had, now, an excellent example of what can be accomplished through such projects.

Mr. FULBRIGHT. Mr. President, I received many letters from persons who have participated in the educational exchange programs of the Department of State, telling me of their experiences, and I also receive many letters from persons who have come into contact with exchange students and have had an opportunity to observe the contribution which the program has made to better international understanding and good will. I should like to be able to share all these letters with my colleagues, but because of space limitations, that is, of course, impossible. However, I intend from time to time to insert in the RECORD some representative letters which I feel will be of interest to Members of Congress and to others who read the RECORD.

Therefore, I ask unanimous consent that two letters I have recently received, one from Beatrice Brown, of Long Island, N. Y., a former exchange student, and one from Mr. John L. Lyons, of New York City, a businessman, be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

ROSLYN HEIGHTS, LONG ISLAND, N. Y.,
April 7, 1957.

Senator J. W. FULBRIGHT,
United States Senate,
Washington, D. C.

DEAR SENATOR FULBRIGHT: • • • In 1953, I was the privileged recipient of a Fulbright scholarship to study symphonic conducting and then had the great honor of being accepted by Hermann Scherchen as a private student. Of my musical studies, I am sure you will surmise that I gained in 2 years, what many people seek a lifetime to achieve. But my experience as a Fulbright scholar was not only significant to me as a student of music, it was the richest experience of living I have ever been exposed to. Fortunately, because I had to travel so much with Professor Scherchen, I gained firsthand contacts with all the people concerned in the fields of music, radio, television, and recording in England, France, Italy, Germany, Switzerland, and Austria. Not contacts of professional importance, but contacts of human relationships and understanding, which have so much meaning to me with regard to the interpretation of German musical form, of French nuance in dynamics, of Italian "agitato," and Austrian "gemütlichkeit." Now I know, that really to know a culture, you must live with the people and be one of them. It was also a gratifying experience for them (I am sure) to learn that an American has culture and none of the affectations attributed so readily to American tourists—brash with their dollars. No amount of propaganda or diplomatic maneuvering has accomplished as much for the exchange of human relationships as your foresightedness in the Fulbright student exchange program. Even with a man as great as Hermann Scherchen, the many small misconceptions he had concerning the American way of life, were instantly eradicated when I became a member of his household and he said: "You have come to us, not as a junior diplomat, but as the 'measuring stick' of what can truly be accomplished in a country which seeks to erase its 'invisible frontiers of tradition and ignorance.'" Indeed this is true—for I am the naturalized citizen (born in England) of immigrant parents (originally from Russia and Latvia), who received all of my education, musical, and academic, free—as an inherent right of American citizenship. My European friends are always astonished at seeing the living example of Americanisms—the ones so unlike the characteristic movie mannerisms, perpetrated the world over. All of my Fulbright friends had the same experiences—that of assuring their European friends that they were not atypical Americans, but typical of an educated group.

Most respectfully,

BEATRICE BROWN.

PRINTING DEVELOPMENTS INC.,
New York, N. Y., June 11, 1957.

Hon. W. J. FULBRIGHT,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: I recently returned from a business trip to Italy and on it was privileged to be a guest at the first meeting of an association being formed by the former Fulbright scholars living in Milan, Italy. It was an extremely interesting evening and I was very impressed, not only by the caliber of the scholars, but also by their enthusiasm about the benefits of the Fulbright scholarships.

I came away feeling that the idea of the Fulbright scholarships was one of the best contributions that we have made to the field of international affairs in a long time and just wanted to take this opportunity of congratulating you for your sponsorship of such an idea.

Sincerely yours,

JOHN L. LYONS,
General Manager.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The VICE PRESIDENT. If there is no further morning business, the Chair lays before the Senate the International Atomic Energy Agency Treaty.

The Senate, as in Committee of the Whole, resumed the consideration of Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency, which was open for signature at United Nations headquarters in New York, from October 26, 1956, to January 24, 1957, and during that period was signed in behalf of the United States of America and 79 other nations.

The VICE PRESIDENT. The treaty is open to amendment.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

HEARING BY SENATE FINANCE COMMITTEE ON TIGHT MONEY MARKET

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may make a brief statement of not to exceed 3 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Texas may proceed.

Mr. JOHNSON of Texas. Mr. President, the Senate Finance Committee is opening today what may well turn out to be one of the most important Congressional inquiries of this Congress.

It is planning a thorough and complete exploration of the circumstances which have brought us to our present tight money market. This is a situation which affects every man, woman and child in these United States.

Our current tight money market has crept upon us a bit at a time for the past few years. It has moved slowly and imperceptibly—like a developing cancer which does not make its presence known until it is almost too late to act.

Indeed it is a cancer—an economic cancer which clogs the normal arteries of trade and commerce and chokes out normal growth and development.

A casual reading of the Wall Street Journal—one of our most authoritative publications—on yesterday reveals facts which are shocking.

Long-term Treasury bonds—backed by the full faith and credit of the most powerful government of the Free World—have declined to record lows. It is the feeling in the "trade" that they will go even lower.

This is the fruit of "hard money."

Tax exempt municipal bonds slipped to their lowest levels in 22 years. But at the same time, the yield index on these municipals went from 3.42 percent to 3.46 percent—the highest yield since October in the depression year of 1935.

This is the fruit of "hard money."

Corporate bond issues during the past week reached the highest interest rates in a quarter of a century. Imagine the plight of the small-business man competing for credit in such a market.

This is the fruit of "hard money."

Leading sales finance companies raised the interest rates which they will pay on their directly placed commercial paper by one-eighth of a percentage point across the board. This means that the consumer will pay more for his refrigerator, his furnace, and every other article of decent living.

This is the fruit of "hard money."

And to top it off, the same issue of the Wall Street Journal tells us of the conclusions of a special panel of the United States Chamber of Commerce on the business outlook. The panel sees a continued rise in prices for the rest of the year.

Mr. President, I do not pretend to be a highly trained economist. But it does not require a rich academic background to realize that an economic system in which lending is the only profitable activity cannot long survive.

I recall an economics professor who always cited as the height of economic

absurdity the community in which folks

the end that they will make the most of

the Bricker amendment are simultaneously

With this second change rule XXXVII

absurdity the community in which folks lived by taking in each other's washing. It is equally absurd to believe that we can live solely by lending each other money.

For economic health, there must be both lenders and borrowers. And each class must have some degree of freedom to exercise their proper function.

And when lending and borrowing get too far out of balance, some force must be ready to step in.

Mr. President, I do not believe this is an issue we can avoid. For this reason, I welcome the study which opens today, and have confidence that it will produce the necessary facts and figures which will give us a basis for prudent action.

Mr. SALTONSTALL subsequently said: Mr. President, I listened to the statement of the Senator from Texas a few minutes ago with respect to the investigation to be conducted by the Committee on Finance. I believe we all want such an investigation to be conducted, under the careful leadership of the Senator from Virginia [Mr. BYRD] and his committee. What we want today is to keep our economy going, to have prosperous conditions continue and, if there is anything wrong with our present credit system, to find out what it is and to improve it. If Congress can help in that effort, it should do so. But first we must have a very careful and thorough investigation under the guidance of men who know the problem, and who are sympathetic toward the needs.

INCREASED PAY FOR POSTAL WORKERS AND CLASSIFIED EMPLOYEES

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may make a brief statement regarding increased pay for the Nation's postal workers and classified employees, and that in that connection I may request that a letter be printed in the RECORD.

The VICE PRESIDENT. Without objection, the Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, many of us have worked for months and years to help bring the compensation of our Nation's postal workers and classified employees into line with industrial wage rates. The discrimination between the salaries of the Federal employees and the national average for comparable work continues to be indefensible.

Consequently, Mr. President, many of us rejoiced last week when the Senate Subcommittee on Federal Employees Compensation, under the chairmanship of the distinguished junior Senator from Oregon [Mr. NEUBERGER], favorably reported two bills to the Senate Committee on Post Office and Civil Service.

It is my understanding that the subcommittee recommended an increase of $500 across the board for employees of the postal field service, while it recommended an average 9.2 percent pay raise for our classified employees. These increases are not as much as some of us—including, I believe, the chairman of the subcommittee—would have liked. Nevertheless, in the interest of speed, I hope all friends of liberalized pay for our Federal employees will now join in the effort to promote the rapid enactment of this proposed legislation.

I have written to the Senator from Oregon [Mr. NEUBERGER] a letter expressing my gratification over the completion of his subcommittee action. Mr. President, so far as I am concerned, this pay increase proposed legislation is a high priority matter. I hope the committee will see fit to act in the near future and that the Senate will have an opportunity to vote promptly thereafter.

I ask unanimous consent, Mr. President, that the text of my letter to the junior Senator from Oregon be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 18, 1957.

Hon. RICHARD NEUBERGER,
Chairman, Federal Employees Compensation Subcommittee, Senate Post Office and Civil Service Committee, United States Senate

DEAR DICK: I want to take this occasion to congratulate you and the Subcommittee on Federal Employees Compensation for your action in favorably reporting bills to authorize pay increases for the Nation's 500,000 postal workers and 950,000 classified workers.

As a cosponsor of the original version of S. 27, I naturally hoped that even greater pay increases for our underpaid postal workers might prove possible, but I agree with you completely that an immediate increase in pay is justified. Since speed in enactment was the most persuasive reason for your recommending the more moderate figures, I hope that action by the full committee can be expected in the very near future.

Your recommended increases for our classified workers are also encouraging. You can depend upon me to support these recommendations and to assist you in writing them into law in any way that I can.

Best wishes.

Sincerely yours,

HUBERT H. HUMPHREY.

PEOPLE-TO-PEOPLE PARTNERSHIP IN SPORTS

Mr. WILEY. Mr. President, on the sports pages of almost every daily newspaper, there are welcome indications of an increasing number of international sports competitions.

There is ever increasing recognition that through the means of friendly sports rivalry—not simply at the Olympics, but in a great host of other international meets—we can come to know foreign peoples better as human beings. We can help ease world frictions by recognizing the individual worth and merit of sportsmen.

We can advance the tradition of fair competition among folks of different nationalities in track and field events, in swimming, on the baseball diamond, in soccer, boxing, tennis, wrestling, golf, and a wide variety of other sports events.

I was pleased, therefore, to receive word today of the broad supplementary program for information and exchange, as planned by the sports committee of the People-to-People Foundation, of which I have previously spoken. This committee is under the chairmanship of Col. Edward F. P. Eagan. I send to the desk a list of the 15 varied phases of activities envisioned by this sports committee. These activities will go beyond the actual athletic contests held under other auspices. It will disseminate much-needed information, will promote exchange tours and the like.

I precede this fine committee plan with a list of the outstanding individuals representing all walks of sporting activity who serve as directors and members of this group.

I ask unanimous consent that both items be printed at this point in the body of the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

PEOPLE-TO-PEOPLE SPORTS COMMITTEE, INC., 29TH FLOOR, 48 WALL STREET, NEW YORK 5, N. Y., WHITEHALL 4-8600

Dwight D. Eisenhower, honorary chairman; Edward P. F. Eagan, president and board chairman.

Directors: J. Lyman Bingham, Asa Bushnell, C. J. Devine, Daniel J. Ferris, Sidney L. James, Joseph Prendergast.

Executive Director: Harold P. Moor.

Members: Don Allen, George P. Apdale, N. J. Barack, John Barrington, Dr. Joyce Brothers, John J. Carlin, Bob Considine, Arthur Daley, Miguel A. de Capriles, Dr. Albert de Ferrari, Jack Dempsey, Joe di Maggio, Richard S. Falk, James A. Farley, Stanley Frank, Ford Frick, Bernard Gimbel, Isaac B. Grainger, Willard N. Greim, Arthur B. Hancock, Jr., Carl H. Hansen, Ben Hogan, Bob Hope, Clarence H. Johnson, John B. Kelly, Jr., Henry Kemper, Harlan de Baun Logan, Byron E. Martin, Bob Mathias, Jinx Falkenberg McCrary, Renville H. McMann, C. G. Mowatt, Stanley Mullen, Chester Nelson, Sr., James Norris, Emmett O'Donnell, Jr., Jacqueline Cochran Odlum, Jesse Owens, Frank Pace, Jr., Charles S. Payson, Leo Peterson, Walter Powell, Samuel F. Pryor, Jr., R. Max Ritter, Stanley M. Rumbough, Jr., George Skouras, Red Smith, Hudson Stoddard, Ed Sullivan, Edward Sullivan, Lowell Thomas, Richard S. Tufts, Gene Tunney, DeWitt Wallace, Morton M. Well, Mal Whitfield.

ACTIVITIES INITIALLY ENVISIONED BY THE SPORTS COMMITTEE OF THE PEOPLE-TO-PEOPLE PARTNERSHIP PROGRAM

1. Create an awareness on the part of sports-minded Americans as to the need for expanding their people-to-people activities and of the opportunities common interests in sports—the world over—provide.

2. Effect in a liaison capacity (a bridge, so to speak) between sports enthusiasts in the United States and those of other nations in their exchange of activities, ideas, equipment, literature, etc.

3. Effect a functional subcommittee organization (one subcommittee for each sport) and provide, where necessary, the office services essential to their operation.

4. Pill, insofar as possible, requests from abroad for information, equipment, supplies, instructional materials, etc., in the field of sports.

5. Organize and/or assist in making arrangements for overseas tours of United States sports delegations for purposes of competition, exhibition, the conduct of training clinics, etc.

6. Invite and assist in making it possible for more foreign athletes, coaches, and teams to exhibit and compete in the United States; arrange for public appearances and publicity designed to make them feel wanted; provide them with opportunities to learn as much as possible about life in these United States.

7. Provide adequate orientation for individuals and groups going on tour abroad to the end that they will make the most of their opportunities to make friends and pass along the true story of life in America; provide orientation for groups coming from abroad.

8. Make it possible for sports enthusiasts, both at home and abroad, to familiarize themselves with the true facts about the United States.

9. Plan and arrange for speaking engagements abroad for popular United States athletes, both past and present. Invite and arrange for more outstanding foreign sports figures to do the same in the United States.

10. Encourage pen-pal activities between persons at home and abroad having common sports interests.

11. Encourage the collection of sports magazines and books for distribution abroad.

12. Encourage schools and communities now exchanging activities with counterparts abroad to include sports events in their exchange programs; encourage more schools and communities to launch exchange programs involving sports activities.

13. Publish a booklet on Sports in the United States for distribution abroad through various available outlets.

14. Make available to the press, both at home and abroad, news releases and human interest stories relating to people-to-people activities.

15. Encourage colleges and universities in the United States to arrange for fellowships for outstanding foreign athletes; seek to make the maximum utilization of their services.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. HICKENLOOPER obtained the floor.

Mr. GREEN. Mr. President, will the Senator yield to me to place a pertinent article in the RECORD?

Mr. HICKENLOOPER. I yield.

Mr. GREEN. Mr. President, in view of the Senate's consideration of the statute of the International Atomic Energy Agency, I believe it would be helpful to include as a part of the RECORD a column by Arthur Krock which appeared in the New York Times this morning. Mr. Krock's column draws favorable attention to the interpretation and understanding which the Committee on Foreign Relations has included as a part of the recommended resolution by which the Senate would give its advice and consent to ratification of the pending treaty.

I ask unanimous consent that the article by Mr. Krock may be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN THE NATION

(By Arthur Krock)

A SIMPLE REMEDY FOR THE BRICKERITES' CONCERN

WASHINGTON, June 17.—The statement of its understanding with the Executive that the Senate is about to include in its resolution approving the treaty by which the United States is to become a member of the International Atomic Energy Agency is the first employment of a simple method whereby the causes for loading down treaties with reservations and the principal argument for the Bricker amendment are simultaneously removed.

This legislative instrument has always been available to the Senate. The attachment of formal reservations to treaties can cause their rejection by other nations which are parties to the compact. And the Bricker amendment in its successive forms would hamstring the Executive in the conduct of foreign policy. But a statement by the Senate to the Executive of its understanding of the scope of a treaty in approving it has neither of these damaging effects. If accepted by the Executive in advance of Senate action (as in the instance of the Atomic Energy Treaty), the limitations of a treaty are agreed on at the outset. And if the Executive declines to accept the Senate's interpretation, that body can approve or reject the treaty with full knowledge of the meaning of its action.

One of the principal arguments that have won support for the Bricker amendment proposal is that treaties have been interpreted and enforced by the Executive as self-executing in internal law when that was not the Senate's understanding in approving them. But if the resolutions of advice and consent had included a stated condition that the treaties were not to be self-executing in internal law, this would have prevented the Executive from interpreting and enforcing them as such.

The committee text

The Senate Committee on Foreign Relations has now applied this simple principle to the Atomic Energy Treaty as follows:

"Resolved (two-thirds of the Senate concurring therein), That the Senate advise and consent to the ratification of Executive I, 85th Congress, first session * * * subject to the interpretation and understanding that (1) any amendment to the statute [treaty] shall be submitted to the Senate for its advice and consent as in the case of the statute itself, and (2) the United States will not remain a member of the Agency in the event of an amendment to the statute being adopted to which the Senate by a formal vote shall refuse its advice and consent."

The purpose is, in the words of the committee report by Chairman GREEN, to foreclose in advance "a legal possibility that the Nation might find itself bound by a treaty obligation which had failed upon submission to the Senate. * * * To the committee it appears essential that no uncertainty be permitted to subsist as to whether the United States, through continued participation in the agency, would be obligated by some amendment which the Senate saw fit to reject."

By this method the main contention for the Bricker amendment is met. The resolution does not dispose of the part of the Bricker proposal that is designed to prevent the enforcement in internal law of compacts made with other nations by the Executive and, on the ground that they are agreements, not treaties, are not submitted to the Senate. But, as Senator KENNEDY noted, there are 11 existing safeguards Congress can impose against excesses by Presidents in the agreement area.

The rule XXXVII proposal

Beginning in November 1953, and many times thereafter, it was pointed out by this department that the method now employed by the Senate Committee on Foreign Relations was constantly available, and that by two changes in Senate rule XXXVII the genuine concern of Senator BRICKER and his supporters could reasonably be allayed. One of these changes has since been effected: That there must be a rollcall on any vote by which treaties are approved or rejected. But the Senate has not yet made the other change in the rule, though it was followed in principle in the atomic energy treaty resolution recommended by Senator GREEN's committee.

With this second change rule XXXVII would provide that, before the Senate can be certified as having by the necessary two-thirds advised and consented to a treaty (the constitutional requirement before the President can complete the act of ratification), the Senate shall also stipulate whether or not its approval was given on the understanding that the treaty is self-executing in internal law. If the stipulation were negative, that would be a plainly stated condition for the President, and, if he disregarded it, a clear guide for the courts. Also it would not be a reservation in international law: The United States is almost alone among the nations where a treaty is ever self-executing in internal law.

Should the Senate make a precedent of the Green resolution, it could get the same results on an item-by-item basis. But inserting in rule XXXVII the provision as outlined here would remove the last prop under the Bricker proposal as long as the rule endured.

Mr. HUMPHREY. Mr. President, I wonder if the Senator from Iowa will yield to me in order that I may address the Senate for 5 minutes, under the unanimous-consent agreement.

Mr. HICKENLOOPER. Morning business has been concluded.

Mr. HUMPHREY. I understand that. I just learned that it had been concluded, even though I had been of the opinion that the morning hour lasted until 2 o'clock.

Mr. SALTONSTALL. Mr. President, will the Senator yield to me for a 30-second statement?

Mr. HICKENLOOPER. The Senator from Massachusetts must attend a committee meeting. I should like to yield to him for 30 seconds.

Mr. HUMPHREY. Please do.

Mr. SALTONSTALL. I thank the Senator from Iowa.

(Mr. SALTONSTALL addressed the Senate briefly. His remarks will be found following the statement by Mr. JOHNSON of Texas on the hearings being held by the Finance Committee.)

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, if I may have the attention of the Senator from Georgia [Mr. RUSSELL], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from California [Mr. KNOWLAND], I am informed that the House has acted upon the so-called civil rights bill and messaged it to the Senate.

It is my information that the Chair cannot lay the House message before the Senate until the Senate is in legislative session.

It is the intention of the leadership to attempt to complete discussion and action on the pending treaty, and then to move that the Senate return to legislative session as soon as action is taken on the treaty. At that time, according to the information of the Senator from Texas, the Chair will lay before the Senate the House-passed bill. I should like to have all Senators on notice as to the action which has been taken, so that they may be on hand to present whatever viewpoint they may wish to present.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. HICKENLOOPER. Mr. President, I believe I have the floor. I shall be happy to yield to any Senators.

Mr. JOHNSON of Texas. I have no pride in yielding.

Mr. HICKENLOOPER. The Senator does not have the floor.

Mr. JOHNSON of Texas. The Senator from California asked me to yield, and I yielded for a question.

Mr. HICKENLOOPER. I am glad to yield to the Senator from California.

Mr. KNOWLAND. I thank the distinguished Senator from Iowa for yielding.

Mr. President, I thank the distinguished Senator from Texas for his statement. I think it is fair. It is fair to all Senators, because they all have a vital interest in this subject. As I understand, the Senate will continue in executive session until the treaty has been disposed of, and at that time it will resume legislative session, when the House bill will be laid before the Senate.

Mr. JOHNSON of Texas. The Senator is correct.

Mr. McNAMARA. Mr. President, I should like to ask the Senator from Texas a question.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Iowa may yield to me briefly, without losing the floor, in order that I may answer a question from the Senator from Michigan.

Mr. HICKENLOOPER. I am delighted to yield.

Mr. JOHNSON of Texas. I yield to the Senator from Michigan.

Mr. McNAMARA. May we be assured of having a quorum call prior to laying the message from the House before the Senate?

Mr. JOHNSON of Texas. The Senator from Texas will make every attempt to keep all Senators informed.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HUMPHREY. It is true, of course, that there will be a yea-and-nay vote upon the treaty, so that all Senators will be informed upon the conclusion of the executive business.

Let me say that I was not surprised at the fairness of the majority leader. I knew that it would be that way, and I thank him.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 407. An act for the relief of Julian D. Dycaico;

S. 1008. An act for the relief of Colonel Benjamin Axelroad;

S. 1034. An act to authorize and direct the Secretary of Agriculture to convey to the University of Missouri, for agricultural purposes, certain real property in Callaway County, Mo.;

S. 1179. An act for the relief of Harold George Jackson;

S. 1206. An act for the relief of Antoine Velleman; and

S. 1319. An act to renounce any right, title, and interest which the United States may have in certain lands in Montana.

The message also announced that the House had passed the bill (S. 601) relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1359) for the relief of Mrs. Theodore (Nicole Xantho) Rousseau, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1454) for the relief of Jeffrey Charles Medworth.

The message further announced that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 274) to waive the provision of section 212 (a) (9) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOGARTY, Mr. LANHAM, Mr. DENTON, Mr. CANNON, Mr. TABER, and Mr. LAIRD had been appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7221) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 8, 9, 10, 14, 21, 22, 23, 25, 28, 31, 33, and 35 to the bill and concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 2, 5, and 16 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendments of the Senate numbered 15 and 17 to the bill.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1061. An act to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law;

H. R. 1942. An act for the relief of the Sergeant Bluff Consolidated School District;

H. R. 3940. An act to grant certain lands to the Territory of Alaska;

H. R. 4635. An act to provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended;

H. R. 4830. An act to authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes;

H. R. 6127. An act to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

H. R. 6789. An act to provide for reasonable notice of applications to the United States courts of appeals for interlocutory relief against the orders of certain administrative agencies;

H. R. 7261. An act to amend the Federal Probation Act to make it applicable to the United States District Court for the District of Columbia; and

H. R. 7536. An act to amend the Act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions:

H. R. 1451. An act for the relief of Cecelia Vaccaro;

H. R. 1765. An act for the relief of Ellen G. Marinas;

H. R. 1887. An act for the relief of Elda Mondillo;

H. R. 6548. An act to amend the Universal Military Training and Service Act, as amended, as regards persons in the medical, dental, and allied specialist categories;

H. R. 7143. An act to amend the act of August 3, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strengths of the Armed Forces;

H. R. 7505. An act to permit a retired officer of the Navy to be employed in a command status at Port Lyautey, Morocco;

H. J. Res. 165. Joint resolution to implement the convention between the United States of America and Norway, which entered into force on November 9, 1948, for disposition of the claim against the Government of the United States of America asserted by the Government of Norway on behalf of Christoffer Hannevig;

H. J. Res. 272. Joint resolution for the relief of certain aliens;

H. J. Res. 289. Joint resolution to facilitate the admission into the United States of certain alien children; and

H. J. Res. 308. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. RUSSELL. Mr. President, will the Senator from Iowa permit me to make a parliamentary inquiry?

Mr. HICKENLOOPER. Certainly.

Mr. RUSSELL. Mr. President, there seems to be some disposition to make the rules as we go along with respect to this specific legislation, and allow the regular rules to apply to all other legislation.

I should like to know whether the Chair agrees with the statement of the Senator from Texas that this subject cannot be brought up while the Senate is in executive session.

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. I am glad that we are at least sustained in that respect.

Mr. HOLLAND. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HOLLAND. I understand that the Senate is now proceeding not only in executive session, but under a unanimous-consent agreement which reads as follows:

Ordered, That when the Senate convenes on Monday, June 17, 1957, it convene at 11 a. m., for the purpose of considering the atomic-energy treaty, and that it remain the pending business until disposed of.

Is that correct?

The VICE PRESIDENT. The Senator is correct.

Mr. HOLLAND. Then, unless unanimous consent were requested and given, no business other than the pending treaty would be before the Senate or could be disposed of?

The VICE PRESIDENT. The Senator is correct.

Mr. HOLLAND. I serve notice on the Senate that I shall object if any unanimous-consent request is made to set aside the present unanimous-consent agreement before the pending business is disposed of.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HICKENLOOPER. In answer to the question of the Senator from Florida, as I understand, he stated that no other matters could be discussed while the treaty was before the Senate. Does that mean that speeches could not be made on extraneous subjects?

Mr. HUMPHREY. Oh, no.

The VICE PRESIDENT. As the Chair understands, the Senator from Florida was referring to action rather than discussion.

Mr. HICKENLOOPER. The reason for my inquiry is that I understood the question of the Senator from Florida to be as to whether or not matters other than the treaty could be discussed before final action upon the treaty. I understood the Chair to answer in the affirmative. I have no objection. I merely wish to know the ground rules.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. The Senator from Florida has been a Member of this body for several years. He knows perfectly well that the utterances of other Senators cannot be controlled by any such simple procedure as proceeding under a unanimous-consent agreement.

The point made by the Senator from Florida is that he will object to any request to set aside the pending operative unanimous-consent agreement under which the pending treaty is the pending business, until it is disposed of.

Therefore, under that statement no business can become the pending business other than the Atomic Energy Treaty, and a return of the Senate to legislative session cannot be accomplished until the pending business has been disposed of.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. RUSSELL. I understood the Senator from Florida to say that he would object to laying aside the pending business, which is being considered by the Senate under the unanimous-consent agreement, until action upon the treaty has been concluded. However, we can appreciate the apprehension of the Senator from Iowa. The Senate has operated without a rule of relevancy in debate and discussion since the first Senate met. But we have cast aside other rules, and there is apparently no reason why a majority cannot cast aside the rule permitting Senators to address themselves to such subjects as they wish and, by a point of order sustained by the ruling of the Chair, confine Senators to relevant discussion.

Mr. HICKENLOOPER. My apprehension was stirred somewhat by the fact that the Senator from Minnesota has asked me to yield 5 minutes to him so that he may make a statement on an extraneous matter. I did not know whether I would be getting off base if I yielded to him, in view of the suggestion of the Senator from Florida.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. CAPEHART. My question is based on what can and possibly will happen. In other words, there could probably be prolonged debate on the treaty, and such prolonged debate could run for several days or several weeks. I would not want to call it a filibuster, because I presume it would all be addressed to the merits of the pending treaty.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. I wish to reassure my suspicious friend from Indiana, that there is no plan for such proposed discussion known to the Senator from Florida, and I wish to see every Senator have the privilege of going downstairs to get his lunch without being nervously distraught and apprehensive that he may be called back to the floor without any warning whatever to cast an important vote. The Senator from Florida reiterates his statement that he will not agree to any unanimous consent request to lay aside the present pending business or to lay aside the present pending unanimous consent agreement under which the Senate is now operating.

Mr. CAPEHART. Would the Senator say that if a Senator has a sick grandmother he could visit her, even though it might take several days to do so?

Mr. HOLLAND. Especially if the grandmother is downstairs in the Senate restaurant. The Senator from Indiana, being such a valiant trencherman, can feel reassured that he may go downstairs and indulge in his favorite sport without any fear of immediate adverse effects.

Mr. HICKENLOOPER. I might say to the Senator from Florida that I am a devotee of a certain comic strip called "Pogo." It may be that the humor of Pogo is at about my intellectual level. At any rate, at the present time Pogo is being exorcized of a devil, which is thought to be inside Pogo. That is being done by his friends sitting beside his bed and talking to Pogo about food and all the luxurious things that one can think of.

It so happens that I must make a speech at this time and I shall not be able to get any food for perhaps an hour. The Senator from Florida, consequently, gave me a little shiver when he spoke about the food that all of us like to get at about this time.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HUMPHREY. Would it be fair to say that the gist of this colloquy between Senators is that there is a renewed interest in the treaty relating to the International Atomic Energy Agency, and that after we have shed some light on the atomic energy question we may expect some heat to be generated? Would the Senator say that we might be engaged in such type of deliberation?

Mr. HICKENLOOPER. I know that one of the most unusual things about the Senate is that it can go along calmly hour after hour and then, without any warning whatever, it can generate a great deal of heat, sometimes so much, perhaps, as to rival the heat of an atomic bomb. It is possible that we are approaching one of those situations.

Mr. HUMPHREY. The Senator from Florida, at least, has assured us that we can eat our lunch in tranquillity.

Mr. HICKENLOOPER. I can give the Senator so such assurance. Does the Senator wish me to yield to him for a statement?

Mr. HUMPHREY. In light of the announcements which have been made, and the remarks of my good friend, the Senator from Florida, I shall defer the reading of my statement until a little later, when I get the floor in my own right.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. While my remarks about the pursuit that is so well loved by our distinguished friend from Indiana do not apply to our distinguished friend from Minnesota, I think that he, too, would be safe in going down to have his cup of coffee or bowl of soup or whatever it is that he indulges in at lunchtime, because I shall not give consent to lay aside the pending business or the unanimous-consent agreement.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HUMPHREY. I wish to say that the Senator's kindness is exceeded only by the orderliness of his comment.

Mr. CASE of South Dakota. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. CASE of South Dakota. I merely wished to ask the Senator from Iowa, in view of the fact that a good deal of explanation is to be given during the

debate, whether the Senator believes that the debate would deal with fission or with thermonuclear matters?

Mr. HICKENLOOPER. I think there is a peculiar amalgamation here which we might call fission on the matter that is coming up.

Mr. CASE of South Dakota. And that there may also be some thermonuclear reaction?

Mr. HICKENLOOPER. Perhaps it will be a combination of both.

Mr. President, the question before the Senate today, the ratification of Executive I, 85th Congress, 1st session, The Statute of the International Atomic Energy Agency, proposes what may be one of the most important political and humanitarian steps this country has ever taken. Ever since President Eisenhower first advocated the creation of an international agency for the advancement of the peaceful uses of atomic energy, the nations and the people of most of the world have looked forward with anticipation and hope. His proposal received extraordinary acceptance, because it seemed to point the way toward better international understanding and cooperation for the establishment of confidence in a field where there exists much apprehension and fear.

The limitless possibilities for the use of energy released from the atom have long been realized. While this realization was in the field of theory for many years, its practicability was proven at Alamogordo in 1945 when the first atomic explosion took place. Whether it was fortunate or unfortunate for the world that the first major proof that man could release useful energy from the atom came in the form of a weapon is really a moot question. We did not work up to an explosion as a result of step by step economic peacetime uses of atomic energy, but rather we leaped over many intermediate steps to reach the bomb as a necessity in war. In a sense we have started at that point and have been working backward down the line in research and development for peaceful uses.

It is true that we have continued our development of better and more powerful weapons, through necessity created by continuing world tensions and because of the militant aggressiveness and threats of international communism controlled by the Kremlin. Weapon development has been spectacular and therefore leaves many people, and perhaps many nations, feeling that it is the major area of atomic development. The fact is, that we have devoted a great part of our program and vast research and efforts to the development of peacetime uses of atomic energy.

Indeed, our efforts to establish reliable safeguards against the development and use of atomic energy for war began at the close of World War II, and ever since that time we have constantly labored with this object in mind. Our efforts, and the efforts of the free nations of the world, however, have been constantly blocked by the Soviet refusal to agree to any practical and reliable international safeguards. We have kept on probing, however, for a formula and for step-by-step approaches under which we may eventually succeed in our peaceful goals.

This International Agency may well be an important entering wedge in our efforts to penetrate the Iron Curtain of resistance, by establishing in the peaceful atomic field the cooperation and understanding among 80-odd nations which will help dispel suspicion and bring us closer to reliable international peace.

Mr. President, the proposed treaty, because of its far-reaching effects and because it sets up an independent and autonomous International Agency, merits careful and serious consideration. I believe the treaty has received careful consideration by the Foreign Relations Committee and by individual members. Because it involved atomic energy, the Foreign Relations Committee invited the Senate Members of the Joint Committee on Atomic Energy to join in the hearings, and the two committees cooperated in probing this proposal.

Because this treaty is in fact a statute which will govern the activities of the International Agency, it necessarily contains many provisions, and I think it is necessary that we understand as fully as possible what the objectives of the Agency are and what the various provisions mean so far as our interests are concerned and so far as its activities with respect to other nations may be concerned. An additional fact of utmost importance to us and also to the Agency is that initially, at least, we will be the major supplier of fissionable material to the Agency for its peaceful uses. If Russians claims and statements are true with respect to her development in the atomic field, then, of course, Russia should be a comparable supplier with the United States; but as matters stand today, the amounts of fissionable material which Russia has offered to make available are minute indeed as compared with those of the United States.

Mr. President, I ask unanimous consent that the text of the International Statute, which is the statute now being considered, be printed at this point in the RECORD.

There being no objection, the text of the International Statute was ordered to be printed in the RECORD, as follows:

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

ARTICLE I

Establishment of the agency

The Parties hereto establish an International Atomic Energy Agency (hereinafter referred to as "the Agency") upon the terms and conditions hereinafter set forth.

ARTICLE II

Objectives

The Agency shall seek to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world. It shall ensure, so far as it is able, that assistance provided by it or at its request or under its supervision or control is not used in such a way as to further any military purpose.

ARTICLE III

Functions

A. The Agency is authorized:

1. To encourage and assist research on, and development and practical application of, atomic energy for peaceful uses throughout the world; and, if requested to do so, to act as an intermediary for the purposes of securing the performance of services or the supplying of materials, equipment, or facilities by one member of the Agency for another; and to perform any operation or service useful in research on, or development or practical application of, atomic energy for peaceful purposes;

2. To make provisions, in accordance with this Statute, for materials, services, equipment, and facilities to meet the needs of research on, and development and practical application of, atomic energy for peaceful purposes, including the production of electric power, with due consideration for the needs of the under-developed areas of the world;

3. To foster the exchange of scientific and technical information on peaceful uses of atomic energy;

4. To encourage the exchange and training of scientists and experts in the field of peaceful uses of atomic energy;

5. To establish and administer safeguards designed to ensure that special fissionable and other materials, services, equipment, facilities, and information made available by the Agency or at its request or under its supervision or control are not used in such a way as to further any military purpose; and to apply safeguards, at the request of the parties, to any bilateral or multilateral arrangement, or, at the request of a State, to any of that State's activities in the field of atomic energy;

6. To establish or adopt, in consultation and, where appropriate, in collaboration with the competent organs of the United Nations and with the specialized agencies concerned, standards of safety for protection of health and minimization of danger to life and property (including such standards for labour conditions), and to provide for the application of these standards to its own operations as well as to the operations making use of materials, services, equipment, facilities, and information made available by the Agency or at its request or under its control or supervision; and to provide for the application of these standards, at the request of the parties, to operations under any bilateral or multilateral arrangement, or, at the request of a State, to any of that State's activities in the field of atomic energy;

7. To acquire or establish any facilities plant and equipment useful in carrying out its authorized functions, whenever the facilities, plant, and equipment otherwise available to it in the area concerned are inadequate or available only on terms it deems unsatisfactory.

B. In carrying out its functions, the Agency shall:

1. Conduct its activities in accordance with the purposes and principles of the United Nations to promote peace and international cooperation, and in conformity with policies of the United Nations furthering the establishment of safeguarded worldwide disarmament and in conformity with any international agreements entered into pursuant to such policies;

2. Establish control over the use of special fissionable materials received by the Agency, in order to ensure that these materials are used only for peaceful purposes;

3. Allocate its resources in such a manner as to secure efficient utilization and the greatest possible general benefit in all areas of the world, bearing in mind the special needs of the underdeveloped areas of the world;

4. Submit reports on its activities annually to the General Assembly of the United Nations and, when appropriate, to the Security Council: if in connexion with the activities of the Agency there should arise questions that are within the competence of the Security Council, the Agency shall notify the Security Council, as the organ bearing the main responsibility for the maintenance of international peace and security, and may also take the measures open to it under this statute, including those provided in paragraph C of article XII;

5. Submit reports to the Economic and Social Council and other organs of the United Nations on matters within the competence of these organs.

C. In carrying out its functions, the Agency shall not make assistance to members subject to any political, economic, military, or other conditions incompatible with the provisions of this statute.

D. Subject to the provisions of this statute and to the terms of agreements conclude between a state or a group of states and the Agency which shall be in accordance with the provisions of the statute, the activities of the Agency shall be carried out with due observance of the sovereign rights of states.

ARTICLE IV

Membership

A. The initial members of the Agency shall be those states members of the United Nations or of any of the specialized agencies which shall have signed this statute within 90 days after it is opened for signature and shall have deposited an instrument of ratification.

B. Other members of the Agency shall be those states, whether or not members of the United Nations or of any of the specialized agencies, which deposit an instrument of acceptance of this statute after their membership has been approved by the General Conference upon the recommendation of the Board of Governors. In recommending and approving a state for membership, the Board of Governors and the General Conference shall determine that the state is able and willing to carry out the obligations of membership in the Agency, giving due consideration to its ability and willingness to act in accordance with the purposes and principles of the Charter of the United Nations.

C. The Agency is based on the principle of the sovereign equality of all its members, and all members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with this statute.

ARTICLE V

General Conference

A. A General Conference consisting of representatives of all members shall meet in regular annual session and in such special sessions as shall be convened by the Director General at the request of the Board of Governors or of a majority of members. The sessions shall take place at the headquarters of the Agency unless otherwise determined by the General Conference.

B. At such sessions, each member shall be represented by one delegate who may be accompanied by alternates and by advisers. The cost of attendance of any delegation shall be borne by the member concerned.

C. The General Conference shall elect a president and such other officers as may be required at the beginning of each session. They shall hold office for the duration of the session. The General Conference, subject to the provisions of this statute, shall adopt its own rules of procedures. Each member shall have one vote. Decisions pursuant to paragraph H of article XIV, paragraph C of article XVIII and paragraph B of article XIX shall be made by a two-thirds majority of the members present and voting. Decisions on other questions, including the determination of additional questions or categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting. A majority of members shall constitute a quorum.

D. The General Conference may discuss any questions or any matters within the scope of this statute or relating to the powers and functions of any organs provided for in this statute, and may make recommendations to the membership of the Agency or to the Board of Governors or to both on any such questions or matters.

E. The General Conference shall:

1. Elect members of the Board of Governors in accordance with article VI;

2. Approve States for membership in accordance with article IV;

3. Suspend a member from the privileges and rights of membership in accordance with article XIX.

4. Consider the annual report of the Board;

5. In accordance with article XIV, approve the budget of the Agency recommended by the Board or return it with recommendation as to its entirety or parts to the Board, for resubmission to the General Conference;

6. Approve reports to be submitted to the United Nations as required by the relationship agreement between the Agency and the United Nations, except reports referred to in paragraph C of article XII, or return them to the Board with its recommendations;

7. Approve any agreement or agreements between the Agency and the United Nations and other organizations as provided in article XVI or return such agreements with its recommendations to the Board, for resubmission to the General Conference;

8. Approve rules and limitations regarding the exercise of borrowing powers by the Board, in accordance with paragraph G of article XIV; approve rules regarding the acceptance of voluntary contributions to the Agency; and approve, in accordance with paragraph F or article XIV, the manner in which the general fund referred to in that paragraph may be used;

9. Approve amendments to this Statute in accordance with paragraph C of article XVIII;

10. Approve the appointment of the Director General in accordance with paragraph A of article VII.

F. The General Conference shall have the authority:

1. To take decisions on any matter specifically referred to the General Conference for this purpose by the Board;

2. To propose matters for consideration by the Board and request from the Board reports on any matter relating to the functions of the Agency.

ARTICLE VI

Board of Governors

A. The Board of Governors shall be composed as follows:

1. The outgoing Board of Governors (or in the case of the first Board, the Preparatory Commission referred to in Annex I) shall designate for membership on the Board the five members most advanced in the technology of atomic energy including the production of source materials and the member most advanced in the technology of atomic energy including the production of source materials in each of the following areas not represented by the aforesaid five: (1) North America, (2) Latin America, (3) Western Europe, (4) Eastern Europe, (5) Africa and the Middle East, (6) South Asia; (7) South East Asia and the Pacific, (8) Far East.

2. The outgoing Board of Governors (or in the case of the first Board, the Preparatory Commission referred to in Annex I) shall designate for membership on the Board two members from among the following other producers of source materials: Belgium, Czechoslovakia, Poland, and Portugal; and shall also designate for membership on the Board one other member as a supplier of technical assistance. No member in this category in any one year will be eligible for redesignation in the same category for the following year.

3. The General Conference shall elect ten members to membership on the Board of Governors, with due regard to equitable representation on the Board as a whole of the members in the areas listed in subparagraph A-1 of this article, so that the Board shall at all times include in this category a representative of each of those areas except North America. Except for the five members chosen for a term of one year in accordance with paragraph D of this article, no member in this category in any one term of office will be eligible for reelection in the same category for the following term of office.

B. The designations provided for in subparagraphs A-1 and A-2 of this article shall take place not less than sixty days before each regular annual session of the General Conference. The elections provided for in subparagraph A-3 of this article shall take place at regular annual sessions of the General Conference.

C. Members represented on the Board of Governors in accordance with subsection A-1 and A-2 of this article shall hold office from the end of the next regular annual session of the General Conference after their designation until the end of the following regular annual session of the General Conference.

D. Members represented on the Board of Governors in accordance with subparagraph A-3 of this article shall hold office from the end of the regular annual session of the General Conference at which they are elected until the end of the second regular annual session of the General Conference thereafter. In the election of these members for the first Board, however, 5 shall be chosen for a term of 1 year.

E. Each member of the Board of Governors shall have one vote. Decisions on the amount of the Agency's budget shall be made by a two-thirds majority of those present and voting, as provided in paragraph H of article XIV. Decisions on other questions, including the determination of additional questions or categories of questions to be decided by a two-thirds majority, shall be made by a majority of those present and voting. Two-thirds of all members of the Board shall constitute a quorum.

F. The Board of Governors shall have authority to carry out the functions of the Agency in accordance with this statute, subject to its responsibilities to the General Conference as provided in this statute.

G. The Board of Governors shall meet at such times as it may determine. The meetings shall take place at the headquarters of the Agency unless otherwise determined by the Board.

H. The Board of Governors shall elect a Chairman and other officers from among its members and, subject to the provisions of this statute, shall adopt its own rules of procedure.

I. The Board of Governors may establish such committees as it deems advisable. The Board may appoint persons to represent it in its relations with other organizations.

J. The Board of Governors shall prepare an annual report to the General Conference concerning the affairs of the Agency and any projects approved by the Agency. The Board shall also prepare for submission to the General Conference such reports as the Agency is or may be required to make to the United Nations or to any other organization the work of which is related to that of the Agency. These reports, along with the annual reports, shall be submitted to members of the Agency at least 1 month before the regular annual session of the General Conference.

ARTICLE VII

Staff

A. The staff of the Agency shall be headed by a Director General. The Director General shall be appointed by the Board of Governors with the approval of the General Conference

for a term of 4 years. He shall be the chief administrative officer of the Agency.

B. The Director General shall be responsible for the appointment, organization, and functioning of the staff and shall be under the authority of and subject to the control of the Board of Governors. He shall perform his duties in accordance with regulations adopted by the Board.

C. The staff shall include such qualified scientific and technical and other personnel as may be required to fulfil the objectives and functions of the Agency. The Agency shall be guided by the principle that its permanent staff shall be kept to a minimum.

D. The paramount consideration in the recruitment and employment of the staff and in the determination of the conditions of service shall be to secure employees of the highest standards of efficiency, technical competence, and integrity. Subject to this consideration, due regard shall be paid to the contributions of members to the Agency and to the importance of recruiting the staff on as wide a geographical basis as possible.

E. The terms and conditions on which the staff shall be appointed, remunerated, and dismissed shall be in accordance with regulations made by the Board of Governors, subject to the provisions of this statute and to general rules approved by the General Conference on the recommendation of the Board.

F. In the performance of their duties, the Director General and the staff shall not seek or receive instructions from any source external to the Agency. They shall refrain from any action which might reflect on their position as officials of the Agency; subject to their responsibilities to the Agency, they shall not disclose any industrial secret or other confidential information coming to their knowledge by reason of their official duties for the Agency. Each member undertakes to respect the international character of the responsibilities of the Director General and the staff and shall not seek to influence them in the discharge of their duties.

G. In this article the term "staff" includes guards.

ARTICLE VIII

Exchange of information

A. Each member should make available such information as would, in the judgment of the member, be helpful to the Agency.

B. Each member shall make available to the Agency all scientific information developed as a result of assistance extended by the Agency pursuant to article XI.

C. The Agency shall assemble and make available in an accessible form the information made available to it under paragraphs A and B of this article. It shall take positive steps to encourage the exchange among its members of information relating to the nature and peaceful uses of atomic energy and shall serve as an intermediary among its members for this purpose.

ARTICLE IX

Supplying of materials

A. Members may make available to the Agency such quantities of special fissionable materials as they deem advisable and on such terms as shall be agreed with the Agency. The materials made available to the Agency may, at the discretion of the member making them available, be stored either by the member concerned or, with the agreement of the Agency, in the Agency's depots.

B. Members may also make available to the Agency source materials as defined in article XX and other materials. The Board of Governors shall determine the quantities of such materials which the Agency will accept under agreements provided for in article XIII.

C. Each member shall notify the Agency of the quantities, form, and composition of special fissionable materials, source materials, and other materials which that member is prepared, in conformity with its laws, to make available immediately or during a period specified by the Board of Governors.

D. On request of the Agency a member shall, from the materials which it has made available, without delay deliver to another member or group of members such quantities of such materials as the Agency may specify, and shall without delay deliver to the Agency itself such quantities of such materials as are really necessary for operations and scientific research in the facilities of the Agency.

E. The quantities, form and composition of materials made available by any member may be changed at any time by the member with the approval of the Board of Governors.

F. An initial notification in accordance with paragraph C of this article shall be made within three months of the entry into force of this statute with respect to the member concerned. In the absence of a contrary decision of the Board of Governors, the materials initially made available shall be for the period of the calendar year succeeding the year when this statute takes effect with respect to the member concerned. Subsequent notifications shall likewise, in the absence of a contrary action by the Board, relate to the period of the calendar year following the notification and shall be made no later than the first day of November of each year.

G. The Agency shall specify the place and method of delivery and, where appropriate, the form and composition, of materials which it has requested a member to deliver from the amounts which that member has notified the Agency it is prepared to make available. The Agency shall also verify the quantities of materials delivered and shall report those quantities periodically to the members.

H. The Agency shall be responsible for storing and protecting materials in its possession. The Agency shall ensure that these materials shall be safeguarded against (1) hazards of the weather, (2) unauthorized removal or diversion, (3) damage or destruction, including sabotage, and (4) forcible seizure. In storing special fissionable materials in its possession, the Agency shall ensure the geographical distribution of these materials in such a way as not to allow concentration of large amounts of such materials in any one country or region of the world.

I. The Agency shall as soon as practicable establish or acquire such of the following as may be necessary:

1. Plant, equipment, and facilities for the receipt, storage, and issue of materials;
2. Physical safeguards;
3. Adequate health and safety measures;
4. Control laboratories for the analysis and verification of materials received;
5. Housing and administrative facilities for any staff required for the foregoing.

J. The materials made available pursuant to this article shall be used as determined by the Board of Governors in accordance with the provisions of this statute. No member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific project in which they must be used.

ARTICLE X

Services, equipment, and facilities

Members may make available to the Agency services, equipment, and facilities which may be of assistance in fulfilling the Agency's objectives and functions.

ARTICLE XI

Agency projects

A. Any member or group of members of the Agency desiring to set up any project for research on, or development or practical application of, atomic energy for peaceful purposes may request the assistance of the Agency in securing special fissionable and other materials, services, equipment, and facilities necessary for this purpose. Any such request shall be accompanied by an explanation of the purpose and extent of the project and shall be considered by the Board of Governors.

B. Upon request, the Agency may also assist any member or group of members to make arrangements to secure necessary financing from outside sources to carry out such projects. In extending this assistance, the Agency will not be required to provide any guaranties or to assume any financial responsibility for the project.

C. The Agency may arrange for the supplying of any materials, services, equipment, and facilities necessary for the project by one or more members or may itself undertake to provide any or all of these directly, taking into consideration the wishes of the member or members making the request.

D. For the purpose of considering the request the Agency may send into the territory of the member or group of members making the request a person or persons qualified to examine the project. For this purpose the Agency may, with the approval of the member or group of members making the request, use members of its own staff or employ suitably qualified nationals of any member.

E. Before approving a project under this article, the Board of Governors shall give due consideration to:

1. The usefulness of the project, including its scientific and technical feasibility;
2. The adequacy of plans, funds, and technical personnel to assure the effective execution of the project;
3. The adequacy of proposed health and safety standards for handling and storing materials and for operating facilities;
4. The inability of the member or group of members making the request to secure the necessary finances, materials, facilities, equipment, and services;
5. The equitable distribution of materials and other resources available to the Agency;
6. The special needs of the underdeveloped areas of the world; and
7. Such other matters as may be relevant.

F. Upon approving a project, the Agency shall enter into an agreement with the member or group of members submitting the project, which agreement shall:

1. Provide for allocation to the project of any required special fissionable or other materials;
2. Provide for transfer of special fissionable materials from their then place of custody, whether the materials be in the custody of the Agency or of the member making them available for use in Agency projects, to the member or group of members submitting the project, under conditions which ensure the safety of any shipment required and meet applicable health and safety standards;
3. Set forth the terms and conditions, including charges, on which any materials, services, equipment, and facilities are to be provided by the Agency itself, and, if any such materials, services, equipment, and facilities are to be provided by a member, the terms and conditions as arranged for by the member or group of members submitting the project and the supplying member;
4. Include undertakings by the member or group of members submitting the project: (a) that the assistance provided shall not be used in such a way as to further any military purpose; and (b) that the project shall be subject to the safeguards provided for in article XII, the relevant safeguards being specified in the agreement;
5. Make appropriate provision regarding the rights and interests of the Agency and the member or members concerned in any inventions or discoveries, or any patents therein, arising from the project;
6. Make appropriate provision regarding settlement of disputes;

7. Include such other provisions as may be appropriate.

G. The provisions of this article shall also apply where appropriate to a request for materials, services, facilities, or equipment in connection with an existing project.

ARTICLE XII

Agency safeguards

A. With respect to any Agency project, or other arrangement where the Agency is requested by the parties concerned to apply safeguards, the Agency shall have the following rights and responsibilities to the extent relevant to the project or arrangement:

1. To examine the design of specialized equipment and facilities, including nuclear reactors, and to approve it only from the viewpoint of assuring that it will not further any military purpose, that it complies with applicable health and safety standards, and that it will permit effective application of the safeguards provided for in this article;
2. To require the observance of any health and safety measures prescribed by the Agency;
3. To require the maintenance and production of operating records to assist in ensuring accountability for source and special fissionable materials used or produced in the project or arrangement;
4. To call for and receive progress reports;
5. To approve the means to be used for the chemical processing of irradiated materials solely to ensure that this chemical processing will not lend itself to diversion of materials for military purposes and will comply with applicable health and safety standards; to require that special fissionable materials recovered or produced as a byproduct be used for peaceful purposes, under continuing Agency safeguards for research or in reactors, existing or under construction, specified by the member or members concerned; and to require deposit with the Agency of any excess of any special fissionable materials recovered or produced as a byproduct over what is needed for the above-stated uses in order to prevent stockpiling of these materials, provided that thereafter at the request of the member or members concerned special fissionable materials so deposited with the Agency shall be returned promptly to the member or members concerned for use under the same provisions as stated above;
6. To send into the territory of the recipient state or states inspectors, designated by the Agency after consultation with the state or states concerned, who shall have access at all times to all places and data and to any person who by reason of his occupation deals with materials, equipment, or facilities which are required by this statute to be safeguarded, as necessary to account for source and special fissionable materials supplied and fissionable products and to determine whether there is compliance with the undertaking against use in furtherance of any military purpose referred to in subparagraph F–4 of article XI, with the health and safety measures referred to in subparagraph A–2 of this article, and with any other conditions prescribed in the agreement between the Agency and the state or states concerned. Inspectors designated by the Agency shall be accompanied by representatives of the authorities of the state concerned, if that state so requests, provided that the inspectors shall not thereby be delayed or otherwise impeded in the exercise of their functions;
7. In the event of noncompliance and failure by the recipient state or states to take requested corrective steps within a reasonable time, to suspend or terminate assistance and withdraw any materials and equipment made available by the Agency or a member in furtherance of the project.

B. The Agency shall, as necessary, establish a staff of inspectors. The staff of inspectors shall have the responsibility of examining all operations conducted by the Agency itself to determine whether the Agency is complying with the health and safety measures prescribed by it for application to projects subject to its approval, supervision or control, and whether the Agency is taking adequate measures to prevent the source and special fissionable materials in its custody or used or produced in its own operations from being used in furtherance of any military purpose. The Agency shall take remedial action forthwith to correct any noncompliance or failure to take adequate measures.

C. The staff of inspectors shall also have the responsibility of obtaining and verifying the accounting referred to in subparagraph A–6 of this article and of determining whether there is compliance with the undertaking referred to in subparagraph F–4 of article XI, with the measures referred to in subparagraph A–2 of this article, and with all other conditions of the project prescribed in the agreement between the Agency and the state or states concerned. The inspectors shall report any noncompliance to the Director General who shall thereupon transmit the report to the Board of Governors. The Board shall call upon the recipient state or states to remedy forthwith any noncompliance which it finds to have occurred. The Board shall report the noncompliance to all members and to the Security Council and General Assembly of the United Nations. In the event of failure of the recipient state or states to take fully corrective action within a reasonable time, the Board may take one or both of the following measures: direct curtailment or suspension of assistance being provided by the Agency or by a member, and call for the return of materials and equipment made available to the recipient member or group of members. The Agency may also, in accordance with article XIX, suspend any noncomplying member from the exercise of the privileges and rights of membership.

ARTICLE XIII

Reimbursement of members

Unless otherwise agreed upon between the Board of Governors and the member furnishing to the Agency materials, services, equipment, or facilities, the Board shall enter into an agreement with such member providing for reimbursement for the items furnished.

ARTICLE XIV

Finance

A. The Board of Governors shall submit to the General Conference the annual budget estimates for the expenses of the Agency. To facilitate the work of the Board in this regard, the Director General shall initially prepare the budget estimates. If the General Conference does not approve the estimates, it shall return them together with its recommendations to the Board. The Board shall then submit further estimates to the General Conference for its approval.

B. Expenditures of the Agency shall be classified under the following categories:

1. Administrative expenses: these shall include:

(a) Costs of the staff of the Agency other than the staff employed in connection with materials, services, equipment, and facilities referred to in subparagraph B–2 below; costs of meetings; and expenditures required for the preparation of Agency projects and for the distribution of information;

(b) Costs of implementing the safeguards referred to in article XII in relation to Agency projects or, under subparagraph A–5 of article III, in relation to any bilateral or multilateral arrangement, together with the costs of handling and storage of special fissionable material by the Agency other than the storage and handling charges referred to in paragraph E below;

2. Expenses, other than those included in subparagraph 1 of this paragraph in connection with any materials, facilities, plant, and equipment acquired or established by the Agency in carrying out its authorized functions, and the costs of materials, services, equipment, and facilities provided by it under agreements with one or more members.

C. In fixing the expenditures under subparagraph B–1 (b) above, the Board of Governors shall deduct such amounts as are recoverable under agreements regarding the application of safeguards between the Agency and parties to bilateral or multilateral arrangements.

D. The Board of Governors shall apportion the expenses referred to in subparagraph B–1 above, among members in accordance with a scale to be fixed by the General Conference. In fixing the scale the General Conference shall be guided by the principles adopted by the United Nations in assessing contributions of member states to the regular budget of the United Nations.

E. The Board of Governors shall establish periodically a scale of charges, including reasonable uniform storage and handling charges, for materials, services, equipment, and facilities furnished to members by the Agency. The scale shall be designed to produce revenues for the Agency adequate to meet the expenses and costs referred to in subparagraph B–2 above, less any voluntary contributions which the Board of Governors may, in accordance with paragraph F, apply for this purpose. The proceeds of such charges shall be placed in a separate fund which shall be used to pay members for any materials, services, equipment, or facilities furnished by them and to meet other expenses referred to in subparagraph B–2 above which may be incurred by the Agency itself.

F. Any excess of revenues referred to in paragraph E over the expenses and costs there referred to, and any voluntary contributions to the Agency, shall be placed in a general fund which may be used as the Board of Governors, with the approval of the General Conference, may determine.

G. Subject to rules and limitations approved by the General Conference, the Board of Governors shall have the authority to exercise borrowing powers on behalf of the Agency without, however, imposing on members of the Agency any liability in respect of loans entered into pursuant to this authority, and to accept voluntary contributions made to the Agency.

H. Decisions of the General Conference on financial questions and of the Board of Governors on the amount of the Agency's budget shall require a two-thirds majority of those present and voting.

ARTICLE XV

Privileges and immunities

A. The Agency shall enjoy in the territory of each member such legal capacity and such privileges and immunities as are necessary for the exercise of its functions.

B. Delegates of members together with their alternates and advisers, Governors appointed to the Board together with their alternates and advisers, and the Director General and the staff of the Agency, shall enjoy such privileges and immunities as are necessary in the independent exercise of their functions in connection with the Agency.

C. The legal capacity, privileges, and immunities referred to in this article shall be defined in a separate agreement or agreements between the Agency, represented for this purpose by the Director General acting under instructions of the Board of Governors, and the members.

ARTICLE XVI

Relationship with other organizations

A. The Board of Governors, with the approval of the General Conference, is authorized to enter into an agreement or agreements establishing an appropriate relationship between the Agency and the United Nations and any other organizations the work of which is related to that of the Agency.

B. The agreement or agreements establishing the relationship of the Agency and the United Nations shall provide for:

1. Submission by the Agency of reports as provided for in subparagraphs B–4 and B–5 of article III;

2. Consideration by the Agency of resolutions relating to it adopted by the General Assembly or any of the Councils of the United Nations and the submission of reports, when requested, to the appropriate organ of the United Nations on the action taken by the Agency or by its members in accordance with this statute as a result of such consideration.

ARTICLE XVII

Settlement of disputes

A. Any question or dispute concerning the interpretation or application of this statute which is not settled by negotiation shall be referred to the International Court of Justice in conformity with the statute of the court, unless the parties concerned agree on another mode of settlement.

B. The General Conference and the Board of Governors are separately empowered, subject to authorization from the General Assembly of the United Nations, to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of the Agency's activities.

ARTICLE XVIII

Amendments and withdrawals

A. Amendments to this statute may be proposed by any member. Certified copies of the text of any amendment proposed shall be prepared by the Director General and communicated by him to all members at least ninety days in advance of its consideration by the General Conference.

B. At the fifth annual session of the General Conference following the coming into force of this statute, the question of a general review of the provisions of this statute shall be placed on the agenda of that session. On approval by a majority of the members present and voting, the review will take place at the following General Conference. Thereafter, proposals on the question of a general review of this statute may be submitted for decision by the General Conference under the same procedure.

C. Amendments shall come into force for all members when:

(i) Approved by the General Conference by a two-thirds majority of those present and voting after consideration of observations submitted by the Board of Governors on each proposed amendment, and

(ii) Accepted by two-thirds of all the members in accordance with their respective constitutional processes. Acceptance by a member shall be effected by the deposit of an instrument of acceptance with the depositary Government referred to in paragraph C of article XXI.

D. At any time after five years from the date when this statute shall take effect in accordance with paragraph E of article XXI or whenever a member is unwilling to accept an amendment to this statute, it may withdraw from the Agency by notice in writing to that effect given to the depositary Government referred to in paragraph C of article XXI, which shall promptly inform the Board of Governors and all members.

E. Withdrawal by a member from the Agency shall not affect its contractual obligations entered into pursuant to article XI or its budgetary obligations for the year in which it withdraws.

ARTICLE XIX

Suspension of privileges

A. A member of the Agency which is in arrears in the payment of its financial contributions to the Agency shall have no vote in the Agency if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two years. The General Conference may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member.

B. A member which has persistently violated the provisions of this statute or of any agreement entered into by it pursuant to this statute may be suspended from the exercise of the privileges and rights of membership by the General Conference acting by a two-thirds majority of the members present and voting upon recommendation by the Board of Governors.

ARTICLE XX

Definitions

As used in this statute:

1. The term "special fissionable material" means plutonium 239; uranium 233; uranium enriched in the isotopes 235 or 233; any material containing one or more of the foregoing; and such other fissionable material as the Board of Governors shall from time to time determine; but the term "special fissionable material" does not include source material.

2. The term "uranium enriched in the isotopes 235 or 233" means uranium containing the isotopes 235 or 233 or both in an amount such that the abundance ratio of the sum of these isotopes to the isotope 238 is greater than the ratio of the isotope 235 to the isotope 238 occurring in nature.

3. The term "source material" means uranium containing the mixture of isotopes occurring in nature; uranium depleted in the isotope 235; thorium; any of the foregoing in the form of metal, alloy, chemical compound, or concentrate; any other material containing one or more of the foregoing in such concentrations as the Board of Governors shall from time to time determine; and such other material as the Board of Governors shall from time to time determine.

ARTICLE XXI

Signature, acceptance, and entry into force

A. This statute shall be open for signature on 26 October 1956 by all states members of the United Nations or of any of the specialized agencies and shall remain open for signature by those states for a period of ninety days.

B. The signatory states shall become parties to this statute by deposit of an instrument of ratification.

C. Instruments of ratification by signatory states and instruments of acceptance by states whose membership has been approved under paragraph B of article IV of this statute shall be deposited with the Government of the United States of America, hereby designated as depositary government.

D. Ratification or acceptance of this statute shall be effected by states in accordance with their respective constitutional processes.

E. This statute, apart from the annex, shall come into force when eighteen states have deposited instruments of ratification in accordance with paragraph B of this article, provided that such eighteen states shall include at least three of the following states: Canada, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. Instruments of ratification and instruments of acceptance deposited thereafter shall take effect on the date of their receipt.

F. The depositary government shall promptly inform all states signatory to this statute of the date of each deposit of ratification and the date of entry into force of the statute. The depositary government shall promptly inform all signatories and members of the dates on which states subsequently become parties thereto.

G. The annex to this statute shall come into force on the first day this statute is open for signature.

ARTICLE XXII

Registration with the United Nations

A. This statute shall be registered by the depositary government pursuant to article 102 of the Charter of the United Nations.

B. Agreements between the Agency and any member or members, agreements between the Agency and any other organization or organizations, and agreements between members subject to approval of the Agency, shall be registered with the Agency. Such agreements shall be registered by the Agency with the United Nations if registration is required under article 102 of the Charter of the United Nations.

ARTICLE XXIII

Authentic texts and certified copies

This statute, done in the Chinese, English, French, Russian, and Spanish languages, each being equally authentic, shall be deposited in the archives of the depositary government. Duly certified copies of this statute shall be transmitted by the depositary government to the governments of the other signatory states and to the governments of states admitted to membership under paragraph B of article IV.

In witness whereof the undersigned, duly authorized, have signed this statute.

Done at the headquarters of the United Nations, this twenty-sixth day of October, one thousand nine hundred and fifty-six.

ANNEX 1

PREPARATORY COMMISSION

A. A Preparatory Commission shall come into existence on the first day this Statute is open for signature. It shall be composed of one representative each of Australia, Belgium, Brazil, Canada, Czechoslovakia, France, India, Portugal, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, and United States of America, and one representative each of six other States to be chosen by the International Conference on the Statute of the International Atomic Energy Agency. The Preparatory Commission shall remain in existence until this Statute comes into force and thereafter until the General Conference has convened and a Board of Governors has been selected in accordance with article VI.

B. The expenses of the Preparatory Commission may be met by a loan provided by the United Nations and for this purpose the Preparatory Commission shall make the necessary arrangements with the appropriate authorities of the United Nations, including arrangements for repayment of the loan by the Agency. Should these funds be insufficient, the Preparatory Commission may accept advances from Governments. Such advances may be set off against the contributions of the Governments concerned to the Agency.

C. The Preparatory Commission shall:

1. Elect its own officers, adopt its own rules of procedure, meet as often as necessary, determine its own place of meeting and establish such committees as it deems necessary;

2. Appoint an executive secretary and staff as shall be necessary, who shall exercise such powers and perform such duties as the Commission may determine;

3. Make arrangements for the first session of the General Conference, including the preparation of a provisional agenda and draft rules of procedure, such session to be held as soon as possible after the entry into force of this statute;

4. Make designations for membership on the first Board of Governors in accordance with subparagraphs A–1 and A–2 and paragraph B of article VI;

5. Make studies, reports, and recommendations for the first session of the General Conference and for the first meeting of the Board of Governors on subjects of concern to the Agency requiring immediate attention, including (a) the financing of the Agency; (b) the programmes and budget for the first year of the Agency; (c) technical problems relevant to advance planning of Agency operations; (d) the establishment of a permanent Agency staff; and (e) the location of the permanent headquarters of the Agency;

6. Make recommendations for the first meeting of the Board of Governors concerning the provisions of a headquarters agreement defining the status of the Agency and the rights and obligations which will exist in the relationship between the Agency and the host Government;

7. (a) Enter into negotiations with the United Nations with a view to the preparation of a draft agreement in accordance with article XVI of this statute, such draft agreement to be submitted to the first session of the General Conference and to the first meeting of the Board of Governors; and (b) make recommendations to the first session of the General Conference and to the first meeting of the Board of Governors concerning the relationship of the Agency to other international organizations as contemplated in article XVI of this Statute.

Mr. HICKENLOOPER. Mr. President, when the text of the statute was made available, I undertook to examine it quite carefully. Many questions arose in my mind as to the meaning of its terms, so I submitted a list of some 48 questions to the Secretary of State with regard to the various provisions. On May 3, 1957, I received the answers to these questions from the State Department. I ask unanimous consent that the questions together with the answers by the State Department be printed at this point in the RECORD.

There being no objection, the questions and answers were ordered to be printed in the RECORD, as follows:

REPLIES TO QUESTIONS SUBMITTED TO THE DEPARTMENT OF STATE WITH RESPECT TO THE STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY BY SENATOR HICKENLOOPER

1. Question. Article IV (B) of the International Atomic Energy Agency statute refers to future membership of states not now members of the United Nations. To what Communist and what non-Communist nations could this section possibly refer?

Answer. The only states which are not now members of the United Nations or any of the specialized agencies are Outer Mongolia, East Germany, North Korea, and North Vietnam. Ghana was not a member of the United Nations when the statute was signed, and thus not eligible for initial membership. Presumably as other new states become independent they will wish to apply for membership in the IAEA. Other states which did not sign the statute although they are presently members of the United Nations, such as Finland, Jordan, Saudi Arabia, Yemen, Ireland, and Nepal, will also now qualify for membership under article XIV–B.

2. Question. If the United States does not join this international agency and does not make fissionable material available to Communist countries, is there any substantial evidence that the U. S. S. R. will contribute substantial amounts?

Answer. The Soviet Union in a note dated July 18, 1955, pledged to contribute 50 kilograms of uranium 235 to the agency. At that time the United States had indicated a contribution of 100 kilograms. Since then the United States has announced an increase in the amount it has offered to make available to 5,000 kilograms and a matching of all other contributions until the year 1960. It is expected that the U. S. S. R. will also increase to some extent the amount it will make available since it is unlikely that the U. S. S. R. would be content to let the United States exercise sole leadership in the atoms-for-peace field. There is no "substantial evidence" that the U. S. S. R. would contribute substantial amounts to the Agency if the United States does not join, but the advantage to them in seizing world leadership in the field of peaceful uses of atomic energy would offer them a strong inducement to make such contributions.

3. Question. Since the United States is the only Nation, with significant quantities of fissionable material, which has indicated, through the President, its willingness to make significant amounts of such material available to the agency, what would be the effect on the Agency if the United States did not join?

Answer. Should the United States, with its commanding resources, its technical leadership and its record of initiative, fail to join the Agency, it is doubtful that the Agency could play an important role. It is also possible that the conditons of article XXI, paragraph E of the statute would not be met. This provision requires ratification by three of the following states: Canada, France, U. S. S. R., United States and United Kingdom before the statute shall come into force. It is not certain that three of these nations will join the Agency if the United States does not do so.

4. Question. Has any nation, either before or after joining the treaty, made any firm commitments to make available significant amounts of fissionable material to the Agency? If any nations have, what are the nations and how much are the commitments of each?

Answer. On July 18, 1955, the U. S. S. R. offered to deposit 50 kilograms of fissionable material with the Agency, and the United Kingdom 3 years ago offered 20 kilograms. Subsequently, the United States offered to make available to the IAEA, on terms and conditions to be agreed, 5,000 kilograms which is the largest quantity yet offered to the Agency. Thus all nations in a position to offer fissionable material to the Agency have done so.

It is anticipated that several other nations will make offers of natural uranium.

5. Question. What is the status of the situation of the United States insofar as the signing, execution, or any binding participation in the treaty is concerned at this time? Is the United States a member of the Agency at this time?

Answer. The United States is not a member of the Agency at the present time.

The United States and 79 other nations have signed the IAEA statute. Signature alone is of no binding effect. Under the terms of the statute (art. XXI, par. B), deposit of an instrument of ratification is required before a signatory state becomes a party of the statute.

6. Question. Since the United States, Canada, Great Britain, and the Soviet Union are the only nations presently capable of producing significant amounts of fissionable material, and since there might be 76 or more members of the Agency who do not possess such capabilities, would there be any way possible that the "have not" nations could requisition atomic material from the "have" nations without the consent of the nation involved?

Answer. No. The provisions of article IX (A) and (C) make it clear that no member of the Agency will be obliged to furnish it with any fissionable materials. Such materials will be supplied to the Agency only with the consent of the supplier and "in conformity with its laws."

7. Question. What is considered a state under article IV (B)? For instance, Red China has not been recognized by the United States and many other countries but has been recognized by a substantial number of countries. Does Red China constitute a state which could be admitted to membership under article IV–Y?

Answer. Under any accepted definition in international law, China is a state. The United States, and the majority of other countries in the world, recognize the Government of the Republic of China as the legitimate government of China. Others recognize the Communist Chinese (Government of the Peoples Republic of China) as the legitimate government.

The problem of Red China and its participation in the Agency is one of representation and not of membership. It is unlikely that the Red Chinese regime would apply for membership, since it is certain that the Republic of China would already have adhered to the Agency statute and to apply would constitute an acceptance by the Red regime of a "two-China" concept.

If Red China did apply for membership, the United States would, of course, vigorously oppose acceptance of its application and would no doubt be successful.

The credentials of the representatives of the Republic of China, the government which will have signed and ratified the statute, will no doubt be challenged by members of the Communist bloc or others. Our experience in the U. N. system affords evidence that we will defeat this challenge.

8. Question. Does the statute create an autonomous international agency independent of the United Nations supervision, control or jurisdiction? What is the analysis of this situation?

Answer: The IAEA will be independent of United Nations supervision, control or jurisdiction. It will be brought into relationship with the United Nations in accordance with an agreement as envisaged in article XVI of the statute. This agreement will, inter alia, call upon the Agency to submit reports to the United Nations and to consider resolutions relating to its work which might be adopted by the United Nations. The Agency will not be required, however, to abide by these resolutions or to carry out any directives from the United Nations.

9. Question. Since the present and potential possibilities of atomic energy are so vast, what are the prospects that an autonomous international Agency will overshadow and perhaps supplant the United Nations in importance, prestige, and functions?

Answer. The Agency is concerned with the field of atomic energy and has no competence in the many political and economic areas in which U. N. is assigned responsibilities. Thus, the Agency and the U. N. are complementary rather than competing organizations. In view of the important and varied activities for which the U. N. is responsible, as compared with the single field of even so significant an activity as atomic energy, the prospect that the Agency will overshadow or supplant the United Nations is negligible.

10. Question. Does the statute provide, for instance, that Red China could become a member of the Agency by the vote of a simple majority of the Board of Governors and of the General Conference?

Answer. It is unlikely, as explained in reply to question 7, that Red China would apply for membership in the Agency, although it is expected that certain states will continue their efforts to have representatives of this regime seated in place of the representatives of the Republic of China. The vote

required on such a question will depend upon the Rules of Procedure adopted by the General Conference of the Agency. It should be noted in this connection that whereas a requirement of a two-thirds majority would facilitate the rejection of any move to seat representatives of the Communist regime, it would, on the other hand, make it more difficult to approve the credentials of representatives of the Republic of China if they are challenged. Whether the majority required to recognize the credentials of the present representatives of China is determined to be a simple majority of two-thirds, the United States does not anticipate the seating of the Red Chinese.

The United States successfully defeated past efforts to seat Red China during the negotiation and there is no reason to doubt that any future attempts will be similarly defeated.

It might be noted that the prospective membership of the Agency will not differ substantially from that of the 11th General Assembly of the U. N. which in November of last year voted by a large majority, 47 to 24 with 8 absentions, to support a United States proposal not to consider any proposal to seat representatives of Communist China or to unseat representatives of the Republic of China.

11. Question. Some 80 nations are reported to have signed the International Atomic Energy statute. If the United States joined, does this mean that we would have just one vote among the 80 in the General Conference, and depending also whether or not the United States representatives was on the Board of Governors, one vote on the Board of Governors?

Answer. As explained in the answer to question 24, the United States is virtually certain of representation on the Board of Governors when it becomes a member of the Agency. As in the U. N. and most other international organizations, each State which is a member will have one vote. As in these other organizations, United States influence in the Agency will, of course, extend far beyond our single vote. This will be particularly true in the IAEA because of our leadership in the atoms-for-peace program and because of its dependence on our contributions and cooperation. It should be remembered also that the great majority of Agency members in the General Conference, and even a larger extent in the Board, will be Free World countries. These nations will be basically in sympathy with the United States on major issues.

12. Question. Does the statute in any way require that any member of the Agency shall give to the Agency all requested information on peaceful uses and developments in the field of atomic energy possessed by such nation?

Answer. The supply of scientific information by members to the Agency is optional with the member, except for scientific information which is developed directly as the result of Agency assistance (art. VIII, A and B). Since the United States is not expected to be the beneficiary of Agency-supplied assistance, there would be no obligation for us to furnish any information. In no case is it contemplated that we furnish the Agency or members of the Agency classified information.

13. Question. If the United States should deliver atomic materials to the Agency, could the United States get back this material if it so desired at any time? (I am aware that there are certain agreement provisions for recovery of material, but in the event a nation or the Agency simply refused to honor a request for returning of materials, what reliable means and methods would we have guaranteeing and actually securing the return of such materials?)

Answer. No country could itself require the return of fissionable materials that have actually been delivered to the Agency or to an Agency project. Nor can the Agency require the return of payment made for such materials. It is contemplated that such materials will be furnished to the Agency on a business basis and not as a gift. After delivery, the use and disposition of the materials are determined by the Agency itself, in which the United States will, of course, have substantial influence.

In the event that a member of the Agency should fail to comply with the safeguards established for Agency projects, the Board of Governors can call upon it to return the fissionable and other materials previously made available to it. In addition, the General Conference (under art. XIX (B), acting by a two-thirds majority of the members present and voting upon recommendation by the Board of Governors, may suspend from membership any state that has persistently violated the provisions of the statute or of any agreement entered into pursuant to the statute. Such actions by the Board of Governors and the General Conference are not subject to any veto. Article XII (C) also requires that the Board of Governors report any noncompliance with Agency safeguards to the Security Council and General Assembly of the United Nations. In the Security Council, the Soviet Union would, of course, be able to exercise the veto power that it has exercised so often in the past, but it should be pointed out that the General Assembly, in its uniting for peace resolution, has found a way to act on situations threatening international peace and security when action by the Security Council is blocked by the veto power.

14. Question. Since only four nations presently have the ability to make fissionable material in significant quantities, what might be the pressures exerted on the United States by the so-called have-not members of the Agency if the Agency developed grand plans for farflung operations and the United States either felt unable or, in its own best interests, unwilling to supply the demanded amount of materials to implement these programs?

Answer. The limited ability of the have-not nations to finance programs of unusual size, will in itself act as a brake on their aspirations. In any event, the United States is under no obligation to sell to the Agency or its members any more material than it voluntarily allocates.

15. Question. Article IX of the statute has far-reaching provisions. Section H of article IX states that special fissionable materials in the possession of the Agency shall be stored in such a way as not to allow concentration of large amounts of such material in any one country or region. Since sizable reactors require substantial amounts of atomic material of varying degrees of enrichment and often in amounts sufficient to make weapons, what is considered to be the concentration of large amounts of such materials? If the United States makes available 5,000 kilograms of enriched U–235 (certainly a large amount) does this mean that this material could not be stored in the United States or in North America, but would have to be stored at various other places in the world?

Answer. Under the proposed treaty, nations making materials available to the Agency have complete freedom with respect to their storage. Thus, they may or may not transfer such materials to the Agency for storage. For the present, the United States will retain possession of the 5,000 kilograms of U–235 which it has offered to make available until required for use in Agency-approved projects. Deliveries will be to the project site as the materials are needed.

Any subsequent determination to transfer material to the Agency for storage will be voluntary on the part of the United States.

Attempted seizure of fuels in a reactor is very unlikely because of the technical difficulty of converting to weapons material and because it would be contrary to the economic self-interest of the participating state. Fuels in large-scale reactors will be of low enrichment and are highly radioactive and hazardous to handle. Considerable time, large-scale facilities, and advanced technology would be required to extract the U–235 or plutonium, upgrade the enrichment, and fabricate weapons. Curtailment of all future supplies of fuel would invalidate the large investment made in a nuclear-power project in the recipient country.

Plutonium generated in Agency assisted reactors will be stored by the Agency to the extent that it is not put to some immediate peaceful use under Agency safeguards. Any possible attempt to seize such material would be an open, overt act known to all member states. The amounts involved will be small relative to weapons material possessed by the United States and the Soviet Union, and could have no impact on the military balance or power between the Soviet bloc and the Free World. Moreover, because of the time required to fabricate seized materials into weapons, none of the smaller powers could hope to profit from an attempt to seize materials.

16. Question. Article IX, section D requires that any member, "from material which it has made available," shall deliver without delay to another member or group of members such quantities of such material as the Agency may specify. Does this mean that on the demand of the Agency the United States would have to deliver, from the material which it had made available to the Agency, such amounts of this material to, for instance, Bulgaria, Czechoslovakia, Rumania, Poland, or any combination of these countries, if they are members of the Agency?

Answer. The Agency may allocate material made available to it to any member state. Such material must, however, be for use in projects approved by the Board of Governors in accordance with established criteria. There is no basis in the statute for discriminating against Soviet bloc or other member states, but of course all Agency supported projects would be subject to inspection and safeguard provisions of article XII.

17. Question. With reference to section J of article IX, does this mean that the United States would have no voice whatsoever (except its vote in the General Conference or possibly on the Board of Governors) as to the use to which any member would put the materials received by such member (except, of course, military use which is prohibited by the statute)?

Answer. Allocations by the Board of Governors of nuclear materials will be in accordance with established criteria for the appropriateness of projects including their scientific and technical feasibility, adequacy of plans, funds, and technical personnel, and standards of health and safety. If it is assumed that the Agency will be dependent to a large degree on the United States for its supply of fissionable materials, it is reasonable to assume that the Agency will exercise due caution in allocating the materials available to it, since the pattern of its allocations will have a direct influence on the amounts of material that the United States may be willing to furnish in the future. Moreover, the United States will be able to exercise great influence on the disposition of materials available to the Agency through its membership on the Board of Governors.

18. Question. Under article XIV, finance, provisions are made for certain fiscal powers of the Agency. Precisely, how will the Agency be financed? Does section D of article XIV mean that members shall be assessed or required to contribute amounts as fixed by the Board of Governors under a scale established by the General Conference?

Answer. Article XIV, classifies the expenditure of the Agency in two categories; the administrative expenses and expenses other than administrative. The administrative expenses, salaries, meeting costs, rent, etc., are to be met by apportioning such expenses among members in accordance with a scale to be fixed by the General Conference. The budget estimates covering the administrative expenses shall initially be prepared by the Director General and submitted to the Board of Governors which in turn will submit the budget to the General Conference for its approval. The General Conference therefore shall have control not only of the scale of contribution but the Agency's administrative budget as well.

The expenses other than administrative referred to in article XIV, B2, are to be financed from revenues accruing to the Agency as a result of the charges to be made by it for storage, hauling, materials, services, equipment and facilities furnished to members by the Agency. (Art. XIV, E.) The membership is thus not to be assessed for the cost of projects for the benefit of a single member or a group.

Section D of article XIV therefore means that the Board of Governors shall apportion the administrative expenses reflected in the budget approved by the General Conference and consistent with the scale of contribution fixed by the General Conference. The Board of Governors does not have authority to deviate from the approved budget or from the scale of contribution established by the General Conference. And in no case can a member be required to make a contribution for other than administrative expenses.

19. Question. Under subsection E of article XIV, is it contemplated the Agency will depend to any substantial degree whatsoever upon voluntary contributions as against adequate charges for atomic materials to recipient nations to cover the expenses referred to in paragraph 2 of subsection B of article XIV?

Answer. The statute has been drawn in such a fashion that there is no dependency on voluntary contributions for the functioning of the Agency. At present no specific plans for voluntary contributions are known to the United States Government. Until and unless such donations are made, the operations of Agency projects will depend entirely on charges for materials and service provided, or on conventional financing.

20. Question. While subsection G of article XIV authorizes borrowing power on behalf of the Agency without imposing any liability on members in respect of loans to the Agency, nevertheless, would not this borrowing power and its exercise, in fact, tend to create a moral pressure upon financially responsible members of the Agency to guarantee any such loans?

Answer. The borrowing authority provided in section G of article XIV is vested in the Board of Governors but is subject to rules and limitations approved by the General Conference. It is to be expected that this Agency will conduct its financial affairs as would any organization which resorts to borrowing for authorized purposes, that is, the authority would be exercised to the extent permitted by the assets of the organization and its annual income. Although there is no provision in the statute barring a member state from acting as guarantor for a loan or loans, it is most unlikely that a contributing member would, because of moral pressures, agree to act as guarantor or surety on any loan contracted by the Agency. In the case of the United States, the United States representative to the Agency, the United States Delegation to a General Conference or United States member of the Board of Governors could not legally bind the United States as guarantor without specific Congressional authority.

21. Question. Does the statute make any provision or establish any requirement that the Agency purchase materials for Agency disposition and use, or does the statute contemplate that the Agency will rely upon gifts or donations of materials to the Agency?

Answer. Article XIII of the statute states: "Unless otherwise agreed upon between the Board of Governors and the member furnishing to the Agency materials, services, equipment, or facilities, the Board shall enter into an agreement with such member, providing for reimbursement for the items furnished." Any donation of materials would be entirely at the discretion of the prospective donor.

22. Question. Does the statute contain any provisions for the raising of funds for the purchase of materials?

Answer. Section E of article XIV authorizes the Board of Governors to establish a scale of charges, including reasonable storage and handling charges, for materials, services, equipment and facilities furnished to members by the Agency. This section also provides that the scale shall be designed to produce revenues for the Agency adequate to meet the expenses and costs to be covered by the operating budget of the Agency, that is, those expenses other than the administrative expenses referred to in answer to Question 18.

23. Question. With respect to the staffing of the Agency, is there anything in the statute which permits the United States to approve or disapprove of employees, either American citizens or citizens of any other country, other than the vote which the United States might have in the General Conference or on the Board of Governors?

Answer. There is no provision in the statute which would permit the United States to approve or disapprove of employees, whether or not of American citizenship. However, American citizens will be employed by the Agency only after they have been investigated and their loyalty to the United States has been determined under provisions of Executive Order 10420, as amended. Specific arrangements between the United States and the Director General of the Agency are expected to correspond to current arrangements of this kind with respect to other international organizations.

24. Question. What is the number of members on the Board of Governors?

Answer. In present circumstances, it is anticipated that the Board or Governors will have 23 members. Thirteen of these members will be designated in accordance with article VI of the statute by the outgoing Board or, in the case of the first Board, by the Preparatory Commission. Ten members will be elected by the General Conference.

It is expected that the following 13 states will be designated to the first Board: United States, United Kingdom, U. S. S. R., France, Canada, Brazil, Union of South Africa, India, Australia, Japan, Belgium (or Portugal), Czechoslovakia (or Poland), and one state who will qualify as a supplier of technical assistance, i. e., a Scandinavian or western European country.

Of the 10 elected members, it is expected that 3 will be Latin Americans, 2 from Africa and the Middle East, 1 Western European, 1 Eastern European, 1 South Asian, 1 from Southeast Asia and the Pacific, and 1 Far Eastern country.

25. Question. While the statute contains certain requirements for agreement by members who receive atomic materials to use those materials for peaceful uses only, what reliable guaranties, other than agreements, would we have against the use of atomic materials by some country or group of countries for military purposes? If a nation refused to return materials that were being wrongfully used, would the Agency expect to use force to recover the materials?

Answer. Under article XII, A. 5, the Agency will have a force of international inspectors, including United States representation, who will have free access, in the territory of any recipient states, at all times to all places and data and to any person dealing with an Agency project to provide proper accountability for fissionable materials supplied and to determine whether there is compliance with the undertaking against the use of any such materials for military purposes.

The Agency itself could not use force to recover materials in the case of violation of the statute provisions. The action which the Agency can take is described in article XII, paragraph C. In the case of noncompliance by a state, the Board of Governors is required to report the facts to the Security Council and the General Assembly of the United Nations. These bodies can take whatever actions are open to them under the Charter of the United Nations, including the use of force. It must be recognized, however, that the veto in the Security Council would apply in such instances. However, in view of the other safeguards provided for in the statute of the Agency, including the restriction found in article XII-A.5 against excessive stockpiling of dangerous materials, it is unlikely that a state would accept the risks involved in violation including the cutting off of fuel for essential nuclear power for the very limited advantages which might be gained.

26. Question. Section D of article III states that the activities of the Agency will be carried out with due observance of the sovereign rights of states. Does this mean, for instance, that at any time a state might determine that it no longer would permit inspection of or accesss to facilities and materials which it had already received under the statute, the Agency would be impotent except for the possible filing of protest, because to take any physical steps would be a violation of the sovereignty of the recipient nations?

Answer. Article III D states: "Subject to the provisions of this statute and to the terms of agreements concluded between a state or a group of states and the Agency which shall be in accordance with the provisions of the statute, the activities of the Agency shall be carried out with due observance of the sovereign rights of states."

Under this provision, any claim of sovereign rights by a state receiving Agency assistance in atomic-energy projects will be subject not only to the provisions of the statute but also to the provisions of the agreement between the Agency and the state or group of states receiving Agency assistance. This agreement will make specific the safeguards and inspections to which the state receiving the assistance must submit (see art. XI F (4)). If a state receiving Agency assistance refused to permit inspection of or access to facilities and materials, as required by the statute and by the agreement between the Agency and the state in accordance with article XI F (4) of the statute, the steps which the Agency can take are outlined in the answer to question 12. The claim that sovereign rights are being violated could not be invoked against the application of any of the relevant provisions of article XII (safeguards).

27. Question. Once an atomic facility has been built in a member state, in the event that state should violate the Agency statute and agreement, how could the facility be recovered or removed in the event the Agency decided such action was desirable, unless the recipient state consented to such removal?

Answer. The facility could, in these circumstances, be removed only by the use of force. However, as explained in the answer to question 25, curtailment of further supply of fuel would be a most effective sanction.

28. Question. In view of the fact that the Soviet Union and its satellites have violated

nearly every formalized agreement which they have entered into, is there any assurance that they would not violate provisions of the International Atomic Energy Agency statute at any time it suited their convenience or they considered it to be advantageous to them to so violate it?

Answer. Aside from the point that violations of agreement by the U. S. S. R. are inevitably attended by an adverse world reaction, a factor which must be given weight in judging the possibilities of Soviet violation of obligations they may have accepted by joining the Agency, it is considered that Soviet development in the atomic energy field is sufficiently advanced that there would be no reason for it to cheat the Agency. Intelligence reports do not indicate that a shortage of fissionable materials is any longer the limiting factor in Soviet nuclear capability that it was at the outset of their program.

Since Agency assistance will require Agency inspection and since the U. S. S. R. has ample atomic energy resources of its own, the Soviet Union is no more likely to be a beneficiary of the Agency than the United States.

It is not possible to say precisely what has been the reason for the cooperativeness which the U. S. S. R. has displayed in Agency negotiations. We believe that a major reason was their recognition that the United States intended to proceed with the creation of the Agency even without their participation. Since the United States was gaining a great deal of goodwill and prestige from our leadership in the creation of the Agency, the U. S. S. R. probably saw only disadvantage in continuing its opposition to the Agency. U. S. S. R. and satellite cooperation is probably motivated by a desire to secure a degree of international respectability rather than an anticipation of any opportunity to gain by violating the Agency provisions.

29. Question. In view of the apparent inability of the United Nations to secure speedy and effective compliance by certain member nations with the directives and resolutions of the United Nations, is there any substantial reason to believe that the International Atomic Energy Agency could be any more successful?

Answer. The major factor which would indicate that the IAEA could be successful in securing compliance within its directives is that it will be empowered by a simple majority vote of its Board of Governors to cut off further assistance in cases of violations. This would affect not only new projects but the continuance of old ones. If the Agency develops as an important instrument of international cooperation in this field, it is unlikely that any state which has relied on it for assistance would want to cut itself off from such a source of information and supply. This is a type of sanction which is not available to other international organizations except the U. N., where the use of sanctions is often inhibited by the veto.

30. Question. Ambassador James J. Wadsworth, who was the United States representative when the statute was drafted, stated: "If the Agency were to make the materials and information for peaceful development of atomic energy available throughout the world, without full assurance that they cannot be used to produce weapons, it would be adding to a problem which, difficult as it is, is sufficiently confined to keep up the world's hope for a solution." Isn't this exactly what the International Agency would do since it has no enforcement powers of its own regulations but can only appeal to the United Nations?

Answer. Atomic energy materials and know-how will inevitably spread throughout the world, Agency or no Agency. This process is taking place today. The Agency, if successful, will accelerate this process, but will insure a safety factor that is now completely lacking. Without the Agency there would be no certain restrictions on use of such material and technology or any limitations against stockpiling of such materials. In the statement quoted, Ambassador Wadsworth was alluding to the fact that by developing a control system that would guard against the diversion of peaceful uses assistance to military ends, we could avoid a further complication of the problems we now face in securing a disarmament agreement.

It must be recognized that the real danger is not a sudden seizure of plants or material on hand by overt action which would immediately become known and invite rapid retaliation. A graver danger would be a gradual undetected syphoning off of materials ostensibly being used for peaceful uses, and the slow building up of a clandestine stock of weapons to be used in a moment of surprise. It is this latter danger against which the specific Agency safeguards will protect. The former is a matter for collective political action by states whose security might be endangered and, in a world of sovereign states, no international organization has been designed to guarantee against a final resort to force. The Agency system, however, will minimize the chances of such an occurrence by minimizing the advantages which would be gained by seizure and by providing an early warning of aggressive intent.

In our bilateral agreements as well there is no final sanction, if discontinuing assistance fails, except resort to force.

31. Question. As a matter of fact are there any reliable safeguards that would adequately insure against either the seizure of plants and facilities by a violation nation or the diversion of atomic materials for weapons use, other than simple agreements?

Answer. The safeguards which are written into the IAEA statute are designed to prevent diversion of materials or the dangerous accumulation of unused quantities of materials. We are convinced that they will be effective and adequate for this purpose. They include such concrete measures as approval of plans and inspection and measurement of materials. These safeguards will not provide an ultimate guaranty against seizure of plants and facilities, but they will succeed in making seizure unattractive and unprofitable. Even if the unexpected occurred, since the material which might be seized or diverted would not be immediately usable for military purposes, the Agency safeguards system provides an effective alarm system against aggressive intentions which would be lacking if the Agency did not exist.

32. Question. If the Agency has sufficient atomic materials to operate on an international scale within or among some 75 or 80 countries, it then becomes a simple fact that the materials at the disposal of the Agency, and in the hands of recipient member states under Agency operation, would be sufficient for many atomic weapons. Is the United States justified in cooperating in an adventure which will place very substantial amounts of atomic materials, without realistic and practical controls and safeguards, around the world in locations and in certain states which might not hesitate to use these materials for other than peaceful purposes?

Answer. The United States would only be justified in doing this on such a scale if the U. S. S. R. followed suit. That was the President's intention and statement on December 8, 1953. However, the United States no longer enjoys a monopoly of atomic technology. The raw materials of an atomic energy program are more abundantly dispersed throughout the world than had earlier been known to be the case. Worldwide development of the use of atomic energy has already begun and its expansion is inevitable even if the Agency is not established. An effective international agency provides the opportunity to establish a framework of international controls with concrete inspection measures within which this development can take place to the greater security of all nations. Thus, the United States faces a choice of cooperation or chaos in the worldwide development of atomic energy.

33. Question. What specific advantages in the field of peaceful uses of atomic energy could the International Agency produce that cannot be developed through the bilateral program which we now have in effect?

Answer. (a) The IAEA will make safeguard provisions in the United States bilateral agreements more acceptable since comparable provisions of the Agency statute were written by an international conference at which 80 nations were represented. Many of the neutralist states that would not accept the imposition of safeguard measures by the United States alone, may be willing to undertake such commitments as part of a system in which they themselves are important participants.

(b) If the spread of nuclear weapons is to be discouraged and contained, the integrity of these safeguards must be maintained. Without internationally accepted standards, there may be a gradual debasement of their effectiveness. This would inevitably result from international political or commercial competition. If assistance were limited to bilateral arrangements, the U. S. S. R. would have a strong incentive to seek adherents through nuclear aid with no strings attached; that is, without inspections and controls. In other countries, commercial suppliers would exert pressure on their governments to permit them to export nuclear materials and equipment under the least onerous conditions. Thus without the IAEA the erosion of control criteria would eventually tend to place any reasonably advanced country in a position to create weapons. Conversely, establishment of suitable international control criteria will make more acceptable those safeguards contained in our bilateral agreements.

(c) By helping to prevent unnecessary duplication of research through continuing exchange of information on research programs and results, and through arrangements for coordinated research efforts, the Agency will make possible more economic use of nuclear materials and scarce trained manpower.

(d) There is to be a pooling of the new discoveries made with Agency assistance by its recipients. Since the exact pattern of future scientific development is not always predictable and will not necessarily be restricted to those states with which we have bilateral relationships, the United States itself may gain, in ways not now known, from research conducted with Agency assistance.

(e) The IAEA provides a link between our disarmament objectives and policies and the atoms-for-peace program in a way the bilaterals cannot. The creation of a practical working model of a feasible inspection system may prove to be a valuable guide for the establishment of broader control designed to provide adequate safeguards for a disarmament agreement.

(f) Another important advantage offered by the International Agency is that described by President Eisenhower to the United Nations General Assembly—"to open up a new channel for peaceful discussion, and initiate at least a new approach to the many difficult problems that must be solved • • • if the world is to shake off the inertia imposed by fear, and is to make positive progress toward peace." Negotiations on the establishment of the IAEA have opened up a new avenue of peaceful cooperation between the free world and the Soviet bloc in a field of vital importance and symbolic significance for world peace. The existence and successful functioning of this channel may in time

have an impact on the general climate of international relations, an effect that goes far beyond any that might come from any bilateral program.

(g) Finally, if the United States does not supply the initiative for an international approach, it is inevitable some other country—most probably the U. S. S. R.—will attempt to do so. Because atomic energy is both a threat and a promise of such proportions, the world is bound to continue to seek its control and application through organized international cooperation. The United States has gained enormous goodwill and prestige from its atoms-for-peace program, and the Soviets could not be depended upon to overlook these potential political benefits.

The foregoing reply is not meant to suggest that we intend to abandon our bilateral programs; on the contrary, there remains an area of specialized cooperation which can best be served in this manner.

The United States has bilateral agreements with about 40 countries, most of which are of the nuclear research reactor type, while the remaining provide for cooperation in development of reactors for production of power. Since they can be tailored to meet specific requirements of the individual nations, bilateral agreements will continue as one means of our cooperation with foreign countries. The Atomic Energy Act of 1954 contemplates use of both bilateral and multilateral means of foreign cooperation. The more comprehensive power bilaterals contain safeguard provisions essentially identical to those of the IAEA statute.

34. Question. Will not the United States actually be losing benefits of atomic development under the International Agency because information will be reported to that Agency and not to the United States, whereas, under the bilaterals information and discoveries will be reported by the various countries participating to the United States?

Answer. The Agency channel for United States acquisition of research information will not be less favorable than that provided in our bilaterals. Scientific information from experimentation and development in the atomic energy field which is reported to the Agency will be freely available to the United States. We will have scientists on our permanent delegation to the Board of Governors and no doubt one of their primary tasks will be to see that such data is channeled to our country. Actually, on a quantitative basis, we may actually profit more from Agency sources than from our bilateral channels, since the former will cover a much wider range of participating countries.

35. Question. What is the situation with regard to the European Atomic Energy Community arrangement, referred to as EURATOM? Can EURATOM participate in the International Agency or is it an independent group that will go its own way in competition with the International Agency?

Answer. The precise arrangements between EURATOM and the Agency must necessarily await the formation of both bodies before being formulated. As the statute is written, it permits cooperation between the two bodies. There is no reason to assume that anything other than a mutually advantageous relationship will develop between them.

36. Question. It has been stated that the dissipation of fissionable materials on an international scale would diminish the amount of these materials available for use in weapons and thus contribute to the cause of world peace. If the United States is the sole, or the major, contributor of these materials to such an organization and other producing nations fail to participate, at least proportionately to their ability, how can this contribute to the cause of world peace, in view of the fact that other nations would continue to increase their potential weapon strength while we might be weakening ours?

Answer. The President's proposal involved both the siphoning off of fissionable material from the world's atomic stockpiles and the development of atomic energy for peaceful purposes without spreading the capacity to make nuclear war. The success of his effort to reduce atomic stockpiles is necessarily dependent upon equitable contributions by all producing nations. Until this commences, his objective in this respect will not be achieved. However, as the Agency develops and confidence in its integrity grows, the likelihood that it will serve both elements of the President's proposal will be enhanced. Until some effective nuclear disarmament plan is agreed upon, the IAEA will be the best international means of channeling nuclear materials to peaceful purposes.

We can be sure in the meantime that any commitments made by our Government will take full prior account of United States national security interests.

37. Question. Since the International Agency does not contemplate the production of fissionable materials itself, but in the main acts as a transfer agency, why set up the Agency when direct negotiation between the United States and recipient countries under our bilateral program could eliminate this step of distribution?

Answer. Use of the Agency as a medium of international cooperation has certain advantages not possible of achievement through bilateral arrangements. It opens up a new channel for peaceful discussion among nations of the world. Successful application of IAEA nuclear controls will provide a basis upon which disarmament safeguards can be constructed. Most importantly it is the best assurance we have that civil uses of atomic energy will develop under a worldwide security system.

Many of the neutral states that would not accept the imposition of safeguard measures by the United States alone, may be willing to undertake such commitments as part of a system in which they themselves are important participants. In such situations, the practical consequence would probably be direct delivery of materials, at Agency request, to projects located in the territory of recipients, committed to Agency safeguards.

38. Question. Article III. C. states that "the Agency shall not make assistance to members subject to any political, economic, military, or other conditions incompatible with the provisions of this statute." Article II. J. states that "no member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific projects for which it must be used." Taken either separately or together, do these provisions mean that a contributing nation, such as the United States, would have no control, as a contributor, with respect to the countries or areas to which these materials would be transferred or the purposes for which they would be used (other than a restriction against military)? What is the interpretation of these provisions?

Answer. Yes. In order to make the policies of the Agency and the Board of Governors fully effective, controls by the supplier on materials made available were precluded. Thus, the U. S. S. R. could not specify that all Soviet aid must go to satellites. However, as a member of the Board of Governors and the major nuclear nation, the United States would be able to exercise substantial influence on the Board's decisions. The United States will always be free to discontinue making materials available if the Agency pursues unsound or irresponsible policies. Further, we would not need to make allocations to the Agency in the future until projects had been approved.

39. Question. In general what is the difference between an international agency for the distribution of atomic wealth as compared to an international agency for the distribution of food, fiber, and industrial material?

Answer. The basic difference lies in the unique commodity being distributed. The IAEA is designed to permit, and encourage, the peaceful development of atomic energy and also to insure that it takes place under conditions which will not "further any military purpose."

40. Question. If the International Agency is to emphasize assistance to the underdeveloped nations of the world, how can they be assisted when the very fact of their underdevelopment means that they have little or no scientific competence or technical skills, unless scientific development is had in some other more competent spots and simply moved into this underdeveloped country in a sort of atomic international foreign aid program?

Answer. The establishment of the Agency will make it possible for the United States and other nations advanced in atomic energy technology to cooperate in assisting in the training and scientific development of underdeveloped nations. The pooling of technological assistance can reduce the demands on our scarce talent. The extent to which the United States will assist in developing atomic technology of other countries under its atoms-for-peace program is entirely under United States control, whether we contribute to this objective through the International Agency or through bilateral programs. The establishment of the Agency will, however, offer some opportunities for greater efficiency.

41. Question. Article XV refers to privileges and immunities of the Agency and of the members of the Board of Governors as well as all other personnel of the Agency. It also seems to place authority in the Agency through its Board of Governors and the Director General to agree with the members, which may mean the General Conference, in defining such "legal capacity, privileges, and immunities." Is not this an unlimited authority to the Agency to declare any activity of the Agency or its personnel as coming within this definition without any recourse whatsoever on the part of any member (after the Agency has made its definition) against any acts engaged in by any of the Agency personnel? By way of illustration, while certain diplomatic personnel enjoy immunities in the country to which they are assigned, if they perform acts sufficiently offensive to that country the country can request their withdrawal, but it seems that not even that protective safeguard is contained in this treaty.

Answer. Article XV is not an unlimited grant of authority to the Agency to declare any activity of the Agency as falling within the category of "privileges and immunities • • • necessary for the exercise of its functions." On the contrary, it is expressly provided that such "privileges and immunities • • • shall be defined in a separate agreement or agreements between the Agency • • • and the members." In negotiating such agreements any member state can insist on provisions for recourse with regard to offensive acts.

42. Question. Under present law can the United States make fissionable material available to any foreign state except under bilateral agreements?

Answer. Under the Atomic Energy Act of 1954, special nuclear material may be distributed abroad pursuant to an agreement for cooperation entered into in accordance with section 123 to (1) "any nation" (sec. 54), or (2) a "group of nations" with whom there is an "international arrangement" (sec. 124). The term "international arrangement" is defined in section 11k. Section 124 has been described as providing "a mechanism to implement the President's peacetime international atomic pool plan, outlined

in his speech before the United Nations on December 8, 1953" (S. Rept. No. 1699 on S. 3690, 83d Cong., 2d sess., p. 6).

43. Question. The statute places almost exclusive emphasis on aid to underveloped areas, and since most of the underdeveloped areas of the world seem to have no finances with which to purchase materials and facilities, how will they obtain such materials and facilities from the Agency except by gift to be paid for in substantial amount by the United States? How does this square with the statement in the Department of State release for March 1957 with reference to the Agency, page 7, in which it is stated that "the IAEA was not created for the purpose of distributing economic aid. Unless otherwise agreed, the nations receiving materials and facilities will pay for them, and the contributing nations will be reimbursed by the Agency"? Does not the proviso "unless otherwise agreed" in fact completely nullify the reasonable possibility of any payment to any contributing nation from "underdeveloped areas"?

Answer. The cited clause "unless otherwise agreed" does not imply that there is no reasonable possibility of payment to supplying nations. Article XI, F. 3 provides that charges shall be agreed upon for any materials, services, equipment and facilities provided by the Agency.

The establishment of the IAEA will provide a channel through which atomic materials and technology can be obtained under terms and conditions to be agreed upon with supplying countries. The high priority placed on atomic development by underdeveloped countries is likely to lead them to devote some of their limited financial resources in this direction. As technological progress increases the potential contribution of the peaceful uses of atomic energy to economic welfare, there will be greater incentives to underdeveloped countries to devote resources to these purposes.

The IAEA was not created for the purpose of distributing economic aid. The use of voluntary contributions, should they be forthcoming, or grants of financial assistance is not precluded. However, underdeveloped countries seeking financial assistance for Agency approved projects will normally seek to borrow funds from the IBRD or other sources, or seek aid through other foreign aid channels. In joining the Agency, the United States would assume no obligation to donate such aid.

44. Question. Has there been any ascertainment of the annual cost and budget of the Agency projected over the next several years? If so, what is the amount of such budget, etc., and how many employees in total over, say, the next 10 years on an annual basis may be anticipated?

Answer. The Agency's annual administrative budget is dependent upon the size of the staff which in turn will be governed by the program to be undertaken by the Agency. Preliminary thinking would indicate that the majority of member states represented on the Preparatory Commission envisage a total eventual employment of approximately 450 people with an annual assessment budget of approximately $7 million.

Expenses, other than administrative, will be financed from the revenue derived from charges.

45. Does the statute permit the Agency to have complete authority to fix compensation allowances, etc., of its personnel?

Answer. The rate of compensation and the scale of allowances and other adjustments, usually embodied in staff regulations," would be established by the Board of Governors subject to general rules approved by the General Conference on the recommendation of the Board.

46. Question. What advantages could any non-Communist nation obtain from this International Agency which it could not obtain now under a bilateral agreement with the United States?

Answer. Definite technical and economic benefits will accrue from cooperative arrangements. The Agency will stress activities where the greatest progress can be achieved through a cooperative worldwide approach. Members will have access to assistance which is not tied to any particular country or political bloc and will receive the combined benefits of assistance from all the technically advanced countries. This will be particularly important in the fields of standardization of nuclear power, equipment, training, health and safety, waste disposal and exchange of information.

More important, however, is the fact that each member can participate as an equal partner in exerting influence on the development of peaceful uses under prudent safeguards, and can enjoy the added security of knowing that a framework of international controls is being established.

47. Question. Will the establishment of the International Agency in effect nullify or greatly depreciate the bilateral agreement program of the United States?

Answer. No; it will not. The two programs are complementary. The Agency will provide enlarged facilities and opportunities for the training and research necessary to equip countries to achieve concrete results in the use of atomic energy. The pool of trained manpower available from all technically advanced countries will reduce the drain on United States resources both for operating programs and inspection and control. By establishing worldwide patterns of control the Agency will be contributing to the broader objectives of world security and influencing desirable worldwide developments. The bilateral program lends itself to being specifically tailored to meet the particular needs of individual countries.

The Atomic Energy Act of 1954 contemplates the use of both channels of foreign cooperation.

48. Question. Has any other nation in ratifying the treaty attached any reservations, interpretations, or other limitations in its act of ratification, and if so, what are the nations and what are the limitations?

Answer. The only nation which, to date, has made a reservation or other statement in depositing its instrument of ratification is Switzerland, which made the following reservation (in translation):

"Upon the occasion of the deposit of its instrument of ratification of the statute of the International Atomic Energy Agency, Switzerland makes the general reservation that its collaboration with the International Atomic Energy Agency, particularly with regard to the relations of that organization with the United Nations, may not go beyond the limits imposed upon it by its position as a perpetually neutral state. It is within the meaning of this general reservation that it makes a special reservation both with respect to the text of article III, letter b, figure 4, of the statute and with respect to any similar clause that might replace or supplement these provisions in this statute or in another arrangement."

This reservation means that Switzerland does not obligate itself to report to the United Nations since it is not a member.

Venezuela made a reservation on signing the statute.

This reservation states that in signing or ratifying the statute Venezuela does not imply acceptance of the jurisdiction of the International Court of Justice without its express consent in each case and that Venezuela will not regard any amendments as operative until its constitutional provisions have been complied with.

Mr. HICKENLOOPER. Mr. President, the organization of the International Agency consists initially of the states that are members of the United Nations or any of the specialized agencies which have signed the statute within 90 days after its opening for signatures, and shall have deposited an instrument of ratification. Provisions are made for other states to join at a later date, if they have the recommendation of the Board of Governors and the approval of the General Conference.

A General Conference is created consisting of representatives of all members and this Conference shall meet at regular annual sessions and special sessions from time to time as requested by the Board of Governors or a majority of the members. The General Conference shall elect the customary officers, and each member of the Conference shall have one vote. In the main, the General Conference has overall authority concerning the activities of the agency, but will delegate much of the day-to-day Agency operations to a Board of Governors. The General Conference, however, retains, in many areas, power of approval of actions of the Board of Governors.

The Board of Governors shall, in the first instance, be elected by the Preparatory Commission and the General Conference, in accordance with a formula set out in article VI of the statute, and thereafter the outgoing Board of Governors shall designate a portion of the members for the succeeding term or terms, and the General Conference shall designate the remainder. It is expected that the first Board of Governors will consist of 23 members, and that the Western Hemisphere and Western Europe will be strongly represented.

The Agency will have for its objectives the cooperation with nations which can qualify in the research and development of peaceful uses of atomic energy.

The Agency must establish safeguards against the use of atomic materials furnished any participating country by such country for military purposes, and under agreements of such participating country that they will use such material only for peaceful purposes. Such participating country must agree to and permit full and adequate inspection of any facility installed with the help of the Agency and the Agency will set up safeguards against the violation of the basic provisions for peaceful uses as set out in the statute.

Any fissionable or useful byproduct material produced in any facility in any country assisted by the Agency, and not essential to the continued operation of such facility, will be returned by such country to the Agency for reprocessing, storage, or such other legitimate use as the Agency may determine.

The Agency will receive its atomic materials from members which have the facilities and capacity for producing these materials and, as noted before, at the outset probably the United States will supply the greater amount of these materials. The matter of our supplying these materials has created a number of questions.

However, before any atomic materials are supplied to the Agency by this country, there will be an agreement setting out the terms and conditions under

which we will make such materials available. This agreement between the Agency and the United States will have to be drawn after the Agency has been established, and without doubt will define the circumstances under which the materials are delivered. This contract is referred to as an "Agreement for Cooperation" and would have to be in compliance with section 123 of the Atomic Energy Act, which provides for certain safeguards in the matter of international agreements and, among other provisions, requires that the agreement lie before the Joint Committee on Atomic Energy for 30 days while Congress is in session, that is, prior to its going into effect.

I believe, Mr. President, that we can rely upon the drafters of any such Agreement for Cooperation and upon the terms of section 123 of the Atomic Energy Act as safeguards against any "undue risk to the common defense and security" of such an agreement.

The statute provides that an amendment can become effective thereto upon all member nations if the amendment is (1) approved by two-thirds of the members of the General Conference present and voting, and upon recommendation of the Board of Governors, and (2) if such amendment is approved by two-thirds of the members of the Agency in accordance with their constitutional processes. It is therefore possible that an amendment could become effective and controlling for all members of the Agency, even though some members, including ourselves, might fail to ratify such an amendment.

The matter of amendment to the statute raised a number of questions, the chief of which was what the attitude of the United States should be if it failed to ratify an amendment which the Senate deemed ill-advised or which might change the general direction or composition of the Agency. To meet this situation the Committee on Foreign Relations recommends that the resolution of advice and consent include, in addition to the regular form of such resolution, the following:

Subject to the interpretation and understanding, which is hereby made a part and condition of the resolution of ratification, that (1) any amendment to the statute shall be submitted to the Senate for its advice and consent, as in the case of the statute itself, and (2) the United States will not remain a member of the Agency in the event of an amendment to the statute being adopted to which the Senate by a formal vote shall refuse its advice and consent.

This interpretation and understanding has the approval and agreement of both the committee and the Secretary of State. The understanding and interpretation affects only the internal responsibility of the United States in case the Senate refuses to ratify an amendment, and does not in any way affect the mutual agreement between nations. It therefore will not be necessary to resubmit the statute for renegotiation because of this provision.

This understanding and interpretation means that in the event an amendment is not ratified by the Senate, as was the original treaty, the United States would not continue to be a member of the Agency. Mr. President, I believe this is a satisfactory safeguard against the possibility that an amendment to the treaty would be adopted by the Agency which the Agency knew to be repugnant to the United States, in view of the fact that the United States will be, initially and for the foreseeable future, the major support of the Agency.

Some concern has been expressed as to whether or not the United States will be embarking on a huge giveaway program involving atomic materials. The hearings, including the assurances of the Department of State and the Atomic Energy Commission, establish the fact that we will sell this material at its reasonable value according to the principles now prevailing for the bilateral programs in which the United States is engaged with various countries in the world, except in special instances when limited quantities of such materials may be transferred for research and medical purposes. The statement was made by the State Department, and is confirmed by the Atomic Energy Commission.

Mr. President, in connection with the question of whether we shall give away this material or whether our program will be to sell it and to receive a reasonable value for it from the agencies, I ask unanimous consent to have printed at this point in the RECORD a letter which appears in the hearings held by the Foreign Relations Committee on this statute on May 10, 14, 15, and 20, 1957. The letter was written to the junior Senator from Rhode Island [Mr. PASTORE] by Chairman Lewis L. Strauss, of the United States Atomic Energy Commission, and touches on the matter of policy and the program for the sale of these materials and the circumstances under which they would be made available on that score.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES ATOMIC ENERGY COMMISSION,
Washington, D. C., February 15, 1957.

Hon. JOHN O. PASTORE,
Chairman, Subcommittee on Agreements for Cooperation, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR PASTORE: Please refer to the letter of January 5, 1957, from you and Senator ANDERSON, requesting the views of the Commission as to its authority under the Atomic Energy Act of 1954, as amended, to make a gift of special nuclear material without direct Congressional action.

Section 54 of the act authorizes the Commission to cooperate with any nation by distributing special nuclear material and to distribute such material subject to the terms of an agreement for cooperation to which such nation is a party. The General Counsel of the Commission advises that examination of other sections of the act and the legislative history does not reveal that the precise method of transfer (i. e., by sale, lease, or gift, etc.) was specified. Congress wisely permitted a degree of flexibility as to the means of transfer. Thus, the Commission, in fulfilling its statutory responsibilities to foster research and development on the peaceful application of atomic energy, could, for example, make modest gifts of special nuclear material for use in research under an agreement for cooperation made in accordance with section 123 of the Atomic Energy Act of 1954, as amended. It is the General Counsel's view, however, that the act does not clearly provide authority for a gift of special nuclear material involving substantial quantities and large sums of money.

Accordingly, the General Counsel has advised the Commission that should it wish to provide for a gift of a substantial quantity of special nuclear material in an agreement for cooperation entered into under the Atomic Energy Act of 1954, as amended, explicit Congressional authority should be obtained. The Commission does not presently have such a proposal before it.

Sincerely yours,
LEWIS L. STRAUSS, *Chairman.*

Mr. HICKENLOOPER. Mr. President, we are also assured that if future developments should make a basic change in policy and in the interest of the United States appropriate Congressional approval will be sought.

The report of the Foreign Relations Committee which accompanies this statute discusses various contingencies which might arise and explains some of the areas of doubt. I call special attention to the letter of the Honorable John Foster Dulles, Secretary of State, under date of June 4, 1957, and addressed to the junior Senator from Arkansas [Mr. FULBRIGHT], who was chairman of the subcommittee of the Foreign Relations Committee in connection with the hearings and testimony on this subject. The letter is designated "appendix A" in the report. As a member of the subcommittee and of the main committee, I want to assure you, Mr. President, that this letter, with its terms and explanations, was a document upon which the committee relied in connection with its recommendation for ratification.

Mr. President, I think it might be well, in connection with my remarks, for the sake of convenience, to have printed at this point in the RECORD a copy of the letter to which I just referred. It was written by the Secretary of State, Mr. Dulles, to the Senator from Arkansas [Mr. FULBRIGHT] as chairman of the subcommittee. Therefore, I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APPENDIX A

DEPARTMENT OF STATE,
Washington, June 4, 1957.

The Honorable J. W. FULBRIGHT,
Committee on Foreign Relations,
United States Senate.

DEAR SENATOR FULBRIGHT: Your subcommittee has asked for clarification of certain testimony given by representatives of the Department of State and the Atomic Energy Commission during the course of the Senate Foreign Relations Committee hearings on the statute of the International Atomic Energy Agency and on the policy to be pursued in connection with United States participation in the Agency. I am glad to provide this clarification.

It has been asked whether the statute of the International Atomic Energy Agency, if ratified by the United States, would supersede the procedures for the transfer of special nuclear material required by the Atomic Energy Act of 1954, as amended. It would not. Section 124 of the Atomic Energy Act and related sections 123 and 54 would govern the transfer of special nuclear materials to the Agency, including the 5,000 kilograms of U-235 which the President offered to make

available to the Agency last October. The United States cannot, under the terms of the Atomic Energy Act, transfer materials to the Agency until the conditions of the Atomic Energy Act are met, including the following: (1) The Atomic Energy Commission has submitted to the President a proposed agreement for cooperation with the Agency, including among other provisions the terms of the transfer of materials to the Agency; (2) the President has approved and authorized the execution of the agreement after making a determination in writing that the performance of the agreement will promote, and will not constitute an unreasonable risk to, the common defense and security; and (3) the proposed agreement has been submitted to the Joint Congressional Committee on Atomic Energy and the period of time prescribed in the act has elapsed. It should be noted that article IX (C) of the statute of the International Agency provides that any member making materials available will do so in conformity with the laws of that member state.

It has also been asked whether amendments to the statute would be submitted to the Senate for advice and consent to ratification. I can assure you that this would be the case. Amendments to the statute come into force for all members only after they have been accepted by two-thirds of them in accordance with their respective constitutional processes. However, the interests of the United States are protected since it would have the right provided in article XVIII (D): "Whenever a member is unwilling to accept an amendment to the statute it may withdraw from the Agency by a notice in writing * * *" There have been questions as to whether the President would act to effectuate withdrawal of the United States from the Agency if the Senate did not consent to the ratification of an amendment that had been accepted by two-thirds of the members of the Agency. We believe that he would and should do so if a majority of the Congress were of the view that the amendment so altered the nature of our treaty obligation as to render our continued participation in the Agency inconsistent with the interests of the United States. However, in my opinion, and as I said in my testimony before the Senate Foreign Relations Committee, the participation of the United States is so vital to the existence of the Agency that I cannot visualize a situation in which an amendment would be ratified by two-thirds of the members of the Agency that would impair or endanger the continued wholehearted support of the United States.

The subcommittee has asked whether the statute is self-executing and whether implementing legislation is needed to enable the United States to participate in the Agency. Effective United States participation will require three types of legislation: (1) The existing Atomic Energy Act of 1954; (2) a participation act; and (3) annual appropriations.

The internationally binding character of the limited obligations contained in the statute is, of course, not conditioned on the enactment of legislation by the governments of Agency members. Within the United States, the payment of this country's share of the administrative expenses of the Agency will require both authorizing legislation and annual appropriations by the Congress. However, the other obligations contained in the statute of the Agency (to act as depositary, to afford the Agency certain limited privileges and immunities) do not require implementing legislation.

To cover the administrative details of United States membership in the Agency, a draft participation act has been submitted to the Congress; a copy of this legislation is attached. It will provide for the appointment of United States representatives to the Agency and authorize the appropriation of funds needed for United States participation.

It should be reemphasized that nothing in the statute of the Agency obligates the United States to provide materials, equipment, or facilities to the Agency. As article IX states, the furnishing of special nuclear and other materials is to be in conformity with the laws of each member. For the United States, this means the Atomic Energy Act of 1954, as amended, which already provides procedures for cooperation with the International Atomic Energy Agency. There is no conflict between the statute of the Agency and the United States Atomic Energy Act.

During the course of my testimony there were inquiries as to whether the United States would donate the special nuclear material we make available to the Agency and its projects. Article IX provides that material shall be made available on terms to be agreed with the Agency. Article XIII provides that supplying governments will be reimbursed by the Agency for such materials unless otherwise agreed. The intention and policy of the United States Government is to apply the principles now prevailing for the bilateral program which require reimbursement for the cost of special nuclear materials except in special instances when limited quantities may be transfered for research or medical purposes. If future developments should make a basic change in policy with respect to donation desirable and in the interests of the United States, appropriate Congressional approval will be sought.

A question has also been raised as to what steps can be taken to encourage other governments to make material available to the Agency. In our judgment, the initial United States offer of a substantial quantity of special nuclear materials constitutes an earnest of our desire for an effective Agency and, as such is the best method of encouraging substantial offers from other countries. The scope and degree of our further support for the Agency will be decided upon, of course, in the light of the cooperation given by other governments. While the furnishing of material by any member of the Agency is entirely voluntary, the United States hopes and expects that cooperation will be forthcoming and will use its best efforts to encourage wholehearted support of the Agency by its members to the extent of their capabilities.

While only 2 or 3 countries are now in a position to sell, lease or otherwise make available special nuclear materials, other countries could make available equipment and other useful materials, such as natural uranium which is also a reactor fuel. When the Agency, in accordance with the provisions of article IX (B), has determined its needs for such materials, facilities, and equipment, we are confident that these countries will make offers to supply them. In fact, once the Agency has been established and its safeguards system is in force, its members will have an incentive to use the Agency as a channel for marketing nuclear materials.

Questions have been raised with regard to the extent and nature of the United States commitment to deliver special nuclear material to Agency projects or to the Agency itself. Can the United States be required to deliver materials before there is need for their use in approved specific projects? Will ratification of the statute commit the United States to deliver special nuclear materials to the Agency without prior knowledge of the projects to which these materials will be allocated?

The United States presently has no legal commitment to deliver any material to the Agency. We plan to carry out the President's offer of 5,000 kilograms of U–235 plus a sum equal to all quantities of such materials made available by other nations prior to July 1, 1960, subject to an agreement being concluded with the Agency on the terms and conditions under which it will be made available in accordance with the Atomic Energy Act of 1954, as amended. After such an agreement has been concluded, the Agency may request delivery of specific quantities of this material as it is needed for specific projects which have been approved by the Board of Governors or for use by the Agency itself. Until that time, the United States will retain special nuclear material made available to the Agency within its own boundaries.

No member has the right to designate the specific projects in which the material made available to the Agency will be used. However, the United States, through its membership on the Board of Governors, will have full knowledge of the Agency's projects and programs when we reach decisions in the future on amounts of material which we may subsequently make available to the Agency. Our decisions will be guided by our judgment of the needs and policies of the Agency and the security interests of the United States. Even with respect to the 5,000 kilograms, the United States will have ample opportunity beginning with the initial application for an Agency supported project, to be informed of the circumstances surrounding a proposed project and to be assured that the principles and objectives of the Agency are respected.

We were asked to clarify the interpretation of the word "terms" in the light of the negotiating history of the statute. The word "terms" as used in article IX (A) of the statute is not limited by the negotiating history. In our interpretation the word "terms" means "terms and conditions." It will be our policy to include in any agreement with the Agency under article IX (A) of the statute a provision that no materials will be shipped from the United States until they are needed for specific projects approved by the Agency. The Agency could not, of course, properly agree to the inclusion of any conditions in such agreements that were in conflict with any provision of the statute. For example, it could not agree to a term in such an agreement that was inconsistent with the provision in article IX (J) that "No member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific project in which they must be used." In the case of the United States, special nuclear materials cannot be made available to the Agency except in conformity with an agreement for cooperation negotiated under the provisions of the Atomic Energy Act of 1954, as amended.

For purposes of evaluating the President's offer, it may be noted that 5,000 kilograms is approximately the amount of U–235 required to fuel 2 or 3 medium-sized reactors throughout their useful lives. Moreover, the degree of enrichment of this uranium will be far below the level required for weapons-grade materials. As Chairman Strauss of the Atomic Energy Commission has testified, the United States will not supply the Agency with material enriched in excess of 20 percent.

Some questions were also raised concerning the dividing line between administrative and other expenses. Article XIV (B) (1) of the statute, entitled "Finance," identifies those expenses which may properly be included in the administrative budget. Furthermore, it is the accepted practice in international organizations in which the United States participates to confine administrative expenses to those which are for general support, such as salaries of the Secretariat staff, conference or meeting costs, travel, and so forth. Also include in administrative expenses are costs of implementing safeguards for Agency projects and certain costs related to the handling of Agency materials. In the light of the provisions of article XIV (B) (1), and of the practice followed generally in international organizations, the Agency's administrative budget will not include or provide for physical facilities such as reactors or "universities." Such expenses would be financed by charges voluntarily agreed to by members benefiting from the projects concerned, and should the United States decide to participate therein the United States dollar share of these amounts would have to be authorized and appropriated.

Finally, a question often asked was whether we are contemplating furnishing the Agency classified information. No secret or classified information will be provided to the Agency.

Sincerely yours,

John Foster Dulles.

MR. HICKENLOOPER. Mr. President, the report of the Foreign Relations Committee, as well as the testimony developed in the hearings on this treaty, will constitute a part of the legislative history.

It is also to be noted that an act of participation or legislative act will be necessary for the full implementation of this treaty; and such an act has now been submitted, and is before the Joint Committee on Atomic Energy. This act and its terms will no doubt shortly be before both Houses of Congress, for consideration and approval.

The discussion in which I have engaged, Mr. President, is by no means comprehensive with respect to the statute. The hearings and the report have gone in great detail into the matters involved in this very important adventure for the peaceful uses of atomic energy. As I suggested at the outset, it may be an all-important means of bringing nations closer together in mutual confidence. It has vast possibilities for good, if nations of good will sincerely cooperate to that end. If it can bring us a step closer toward the goal of reliable peace, our efforts will be well rewarded; if it can bring us closer to the abolishment of atomic energy for destructive purposes, we are making progress, indeed. We hope that the full realization of the unthinkable catastrophe of an atomic war can be realized by aggressor nations, and that a realization of the limitless possibilities of peace can help dissipate the tensions which beset the world today.

Mr. President, I believe it might be additionally useful if the formal, prepared testimony of Ambassador James J. Wadsworth, our representative to the Preparatory Commission of the International Atomic Energy Agency, when the statute was finally agreed upon, be printed at this point in the RECORD, even though the statement already appears in the hearings. It sets forth succinctly the overall position of the State Department and its interpretation in connection with the testimony developed at the hearings. I ask unanimous consent that it be printed at this point in the RECORD, Mr. President.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY AMBASSADOR JAMES J. WADSWORTH, UNITED STATES REPRESENTATIVE TO THE PREPARATORY COMMISSION OF THE INTERNATIONAL ATOMIC ENERGY AGENCY BEFORE THE SENATE FOREIGN RELATIONS COMMITTEE, MAY 15, 1957

I would like to cover some aspects of this treaty not fully gone into by Secretary Dulles and Chairman Strauss. Secretary Dulles last Friday discussed with you the great foreign policy considerations that hinge on ratification. Chairman Strauss yesterday explained the atomic energy advantages and the safeguards which we look to this Agency to produce. I would now like to give you some insights into the process by which this treaty was hammered out and then I will be glad to answer your questions.

I have been working for over 4 years as the deputy United States representative to the United Nations. During all the intersessional conferences in which I have participated, I have never known such an intense interest and such a strong will for agreement as developed during these political negotiations on the atoms-for-peace program. It is somewhat difficult to define exactly the atmosphere in which we worked on this project. It was not a long series of agreements couched in generalities. Rather it was a businesslike negotiation aimed at spelling out provisions for international agreement to permit certain technical activities around the world. There was real skepticism about a number of important points which we overcame only after lengthy and intensive consultations. I would describe the atmosphere as one of "determined cooperation." At the finish there was general agreement that the statute represents the soundest, most logical, and safest way of attaining international promotion for and supervision of peaceful uses of atomic energy.

As we run through the important articles of the treaty, I think you will agree that we were not outnegotiated. If you compare the United States draft which was submitted to the 12-nation working meeting in Washington in February 1956 with the final text of the treaty as agreed upon last fall, it will be perfectly clear that all of the original American policies are fully reflected in the treaty. Of course, some changes were made—in our judgment a number of improvements came out of the negotiating process. But as the Secretary of State said the other day, "* * * despite the need to reconcile these varied interests the statute has kept intact every element of the President's proposal without sacrifice of substance or principle."

RUNDOWN OF THE STATUTE

Article I (establishment of the Agency) and article II (objectives) are self-explanatory.

Article III, functions: This article spells out what the Agency is authorized to do. Because we hope that this Agency will be good for the long pull, it has been given wide scope. In its early years it certainly will engage only in modest activities compared to the full scope of its authorized functions. This is clear from the planning work that has already taken place in the Preparatory Commission in New York during the past few months. There are a number of factors which will be at work to limit the scale of Agency activities in the beginning. The basic factor will be the caution with which this new international venture will be approached by supplying countries. Potential suppliers will watch this young project develop before assigning to it any large-scale responsibility for materials handling. One may say: "Well, the United States has already committed itself to transfer 5,000 kilograms right away to the Agency. But you will recall that the terms and conditions under which this material is to be made available to the Agency are still to be worked out. I am sure that the terms and conditions which we will require will take full account of the preliminary status of this Agency.

I would like to call your attention to article II (d) which is generally referred to as the "sovereign rights" clause. The question of sovereign rights is one on which nations are quite properly very sensitive, and there was a good deal of concern expressed in many quarters during the negotiation about the possibility that the operations of the Agency will infringe the rights of nations. I think it is fair to say that we satisfied the legitimate concerns expressed and succeeded in getting acceptance for language that in no way will hinder an efficient operation of the safeguards system.

Article IV, membership: The statute divides this problem into two parts—initial members of the Agency (par. A of art. IV) and other members (par. B). In the first category, the United States recommended from the beginning a formula which would restrict original membership to those states "members of the U. N. or specialized agencies." Four regimes—East Germany, North Korea, North Vietnam, and Outer Mongolia—have not achieved membership in any of these agencies, so the formula automatically rules them out. At preliminary meetings in Washington in the spring of 1956, efforts by the U. S. S. R. to strike out this phrase on the grounds that membership should be universal were easily defeated.

At this point I might deal briefly with the problem of Red China. At the 12-nation conference the Soviet Union tried to have an invitation to the September conference sent to Red China. This move was soundly defeated. The government of the Republic of China was invited instead and this Government is presently engaged in the process of ratification.

In the second category—admission of new members—there was less controversy. The issue was whether admissions should be left exclusively to the General Conference or whether the Board of Governors should have a role.

Some delegations thought the General Conference should alone admit new members. The United States insisted that new members should not be admitted until both the Board of Governors and the General Conference had determined that the applicant is willing and able to carry out the obligations of Agency membership and with due consideration to its ability and willingness to act in accordance with the purposes and principles of the United Nations Charter. As you see, these provisions are part of the statute before you. The purpose of the reference to obligations of the United Nations membership is obvious. It is under essentially the same criterion as set forth in the United Nations Charter that Red China has been excluded from the United Nations and we feel this criterion should be applied in the Agency.

Article V, General Conference: A basic difference of opinion developed over the division of authority between the Board of Governors and the General Conference. The latter body is composed of a representative from each member of the Agency. There was an effort to make the General Conference the main policy-making body of the Agency. On the other hand, the United States supported by a majority argued that on grounds of efficiency of operation, the smaller body, the Board of Governors, meeting frequently, should be given this authority.

The final language of article V recognizes this principle, while at the same time giving appropriate powers to the Conference. For example, the Conference will review and approve (1) the budget, (2) amendments, and (3) selection of the Director General. It will elect 10 members to the Board of Governors. It will also have the authority to discuss any question that falls within the scope of the statute. The views of the Conference on these latter questions may be presented to the Board of Governors in the form of recommendations.

Article VI, Board of Governors: Debate on the composition of the Board of Governors was intensified as it became apparent that it would be the center of authority. Long and difficult negotiations were required before a

solution was found that all could accept. The United States felt that those countries having advanced atomic energy programs should have substantial influence in deciding the Agency policy. On the other hand, there was the view that standard international practice of allocating seats on the basis of geographic distribution should be followed. A formula was finally worked out which did take into consideration the principle of geographic representation while at the same time recognizing the legitimate interest and responsibilities of potential suppliers.

Let me show you how this formula works.

The world is divided into eight areas for purposes of selecting members to the Board of Governors. The chart shows likely dividing lines between the areas, although there is no firm understanding among the nations concerned as to exactly where these lines should be. The United States has not taken a position on this question except that in cases where a country might be in one or another geographic area, we think it should decide for itself which area it wishes to be in. For example, the Philippines might with equal justification opt for the Far East or Southeast Asia and Pacific. Finland might be in either Western or Eastern Europe. However, there are relatively few such cases.

The statute provides for two major categories of membership—those designated by the outgoing Board of Governors and those elected by the General Conference. In the case of the first Board of Governors, the Preparatory Commission carries out the designating function. Within the designated group there are four subdivisions:

1. Five members most advanced in the technology of atomic energy from the world at large.

2. The member most advanced in the technology of atomic energy from each of the 8 areas of the world not represented by the first 5.

3. Two of the following four producers of source materials: Belgium, Czechoslovakia, Poland, and Portugal.

4. One member as a supplier of technical assistance.

The General Conference elects 10 members to the Board of Governors for 2-year terms except in the case of the first Board, when 5 of the 10 are to be elected for 1 year in order to commence a staggered system of terms (similar to the Security Council). The statute provides that each area of the world, except North America must be represented in this group by at least one country. Of course, in the case of North America there would be no other members to seek election since the two countries that comprise the area, the United States and Canada, will undoubtedly be designated by the Board of Governors in the first category.

The above is a description of the process for selecting members of the Board as outlined in the statute. However, on the basis of negotiations and consultations that have taken place as the statute was being prepared, it is possible to indicate the probable composition of that part of the Board designated by the outgoing Board or in the first instance, the Preparatory Commission. The original version of the statute prepared by a working group of eight in August 1955 would have based the selection of members of the Board primarily on accomplishments in the atomic-energy field. However, in later negotiations there was considerable pressure from the less-developed areas of the world to base selection on geographic representation. The final solution was a compromise of these two positions. Implicit in the final formula was a general understanding of all participants as to the countries qualified for designation by the Board in the category of "most advanced in the atomic-energy field." However, the statute does not name these countries since there may be changes in the future.

For the first group of five there is general agreement that the United States, U. S. S. R., United Kingdom, France, and Canada are qualified. Since this group of 5 come from 3 areas of the world (North America, Western Europe, and Eastern Europe), this would leave 5 of the 8 areas to be represented in the second group. Those selected as the most advanced in these five areas will probably be Brazil from Latin America, Union of South Africa from Africa and the Middle East, India from South Asia, Australia from Southeast Asia, and Japan from the Far East. The qualifications of the "most advanced" countries listed above will probably be unchallenged, and all are members of the Preparatory Commission, which designates the members in the first instance. There was no general understanding as to which country would be designated as a supplier of technical assistance; it will probably be a Scandinavian country. Under this formula, there will be 23 members on the Board, 10 in the first category of "most advanced" countries, 2 from the group of 4 producers of source materials, 1 supplier of technical assistance, and 10 elected by the General Conference.

It is difficult to tell this far in advance what countries will be elected by the General Conference. As pointed out above, the Conference is to elect 1 member from each of 7 areas, which would leave 3 floating seats. The United States has taken the position that these 3 seats should be allocated—2 to Latin America and 1 to Africa and the Middle East. We believe this distribution will be followed in practice since it accords with the principle of equitable geographic representation.

So you can see that a large measure of control of the Agency rests in the Board, and the predominant influence of the Board rests in responsible hands.

And, by the way, I think it should be pointed out that the United States, United Kingdom, and the U. S. S. R. are not the only potential suppliers to this Agency. I understand that natural uranium (as opposed to enriched uranium) is going to be a prime fuel for power reactors. A number of countries such as Canada, Australia, the Union of South Africa, Czechoslovakia, and Portugal will be able to supply natural uranium to the Agency. Norway is a supplier of heavy water, India and Brazil of thorium. The list could be made longer.

Article VII, staff: The decisions of the Board of Governors will be carried out by the Agency staff, headed by a Director General. As the chief administrator, he will be appointed for a 4-year term. He will report to the Board of Governors.

There are a number of distinguishing features in the arrangements which govern the composition of the staff. Note in particular these three requirements: First, the paramount criterion in selection of staff to obtain employees of the highest standards of efficiency, technical competence, and integrity; second, an injunction to keep the Agency staff to a minimum embodied directly in the language of the statute; and, third, the provision giving some preference to nationals of member countries providing support to the Agency.

Article VIII, exchange of information: Article VIII deals with the exchange of scientific information. The following features are noteworthy. First, the provision of general information is wholly discretionary with each member; second, scientific information developed as the result of Agency assistance to particular projects must be made available to the Agency, and subsequently to each of the members. Since we don't contemplate the United States as a recipient of Agency aid, our role as a supplier of information remains entirely voluntary. The United States will not furnish the Agency information of a classified nature.

Article IX, supplying of materials: The first point to make about article IX, which deals with the supplying of materials, is that it puts no obligation on the members. The decision to sell or otherwise make available any materials to the Agency is entirely up to them.

The text of article IX leaves no room for any different interpretation in this regard. Paragraph A, on fissionable * * * materials, merely says that the "members may make available * * * such quantities as they deem advisable"; and paragraph B, on source materials also uses the same language: "Members may * * * make available."

If there were any doubts here on the meaning of the statute, the statutory history would dispel them. At the New York conference last fall, Denmark and Pakistan proposed that paragraphs A and B be amended by substituting "should" for "may" so as, in their words, "to put at least some moral obligation on members" to come forward with materials. The United States, among others, spoke against this amendment and it was defeated.

Materials transactions between the Agency and its members are voluntary on both sides. Just as the Agency cannot call on any member to make materials available, so the members cannot fob off any materials on the Agency that the Agency does not need and does not wish to accept. Members will notify the Agency how much, and what kind of materials they are prepared to make available. These notifications are essentially offers to the Agency. If the Agency takes up an option, and concludes an agreement with the supplying country setting out the terms, the supplying countries then have a contractual obligation to deliver the materials to Agency projects as the Agency specifies, but until the Agency so specifies the supplier has the right to keep the materials in its own possession. It can, of course, deliver to Agency storage facilities, but only if it wants to and if the Agency agrees.

Paragraph C of article IX provides that in offering to make materials available to the Agency, the supplying member undertakes to do so only "in conformity with its laws." This phrase was added to the statute before the 12-nation meeting in Washington early in 1956, and was accepted without debate both at that meeting and the subsequent 81-nation meeting in New York. It embodies a suggestion made in the course of a discussion of the statute at an executive session of the Joint Committee on Atomic Energy during the summer of 1955. This language gives additional assurance, in respect to materials of what is abundantly clear throughout the statute: that there is nothing in it that supplants or conflicts with any law of the United States.

One further observation on article IX. Members make materials available only "on such terms as shall be agreed with the Agency." This phrase of article IX-A means that if the supplier is not satisfied with the price that it will get or with the Agency's provisions for storage or with any other arrangements bearing on security or health and safety, it is under no obligation whatsoever to commit any of its materials. However, under article IX, the Board of Governors makes the decision as to the specific Agency project in which the material will be used. I am confident that the Board of Governors is so made up that in practice the distributions will be equitable, reflecting the criteria set forth in article XI, which I shall discuss presently.

In the unlikely event that the Board of Governors should distribute materials in a way that any supplier regarded as unfair, it would run the risk of losing this supplier. The United States, like any other supplier, could not be expected to continue to offer materials if the performance of the Agency were not fair and reasonable.

Article X, services, equipment, and facilities: Only a brief word is needed on article X. Essentially it provides that members may make services, equipment, and facilities available to the Agency. Here, again, the decision is entirely up to the supplier. As in article IX, the words "may make available" are used. In New York, the Danish and Pakistani delegations proposed, as they had for article IX, that the word "should" be substituted for "may," but after the rejection of their amendment to article IX, they withdrew this one without a vote. The same provision is made for reimbursing suppliers of services, equipment, and facilities as is made for reimbursing suppliers of materials.

Article XI, agency projects: Article XI provides a standard set of arrangements which must be followed in getting materials, services, equipment, and facilities to the nations who will use them. Paragraph A provides that any member or group of members of the Agency desiring to set up any project for the peaceful development of atomic energy may request the Agency's assistance. Paragraph C authorizes the Agency to arrange for the supplying of any of these in two ways. The Agency may act as intermediary to bring the applicant into direct arrangements with the supplier. Or it may provide the needed items directly.

The Agency is also authorized, by article XI-B, to help the applicant get financing of the project from outside sources, but in doing this the Agency will neither provide guaranties nor assume any other financial responsibility itself. Note also that the reference to "outside sources" confirms what is otherwise quite clear that the Agency itself is not going to be a financial institution authorized to make grants or loans to members.

In approving a project, the Board of Governors is directed by article XI-E to give due consideration to such points as the usefulness and feasibility of the project; the adequacy of proposed health and safety measures; the adequacy, availability, and equitable distribution of materials and other resources; and the special needs of underdeveloped areas.

In connection with every approved project there must be a so-called project agreement between the Agency and the member or members concerned.

Article XI-F requires that this project agreement must include certain provisions. Among them are provisions for allocation to the project of any required materials and for transfer of fissionable materials under adequate conditions to protect health and safety. There must also be a statement of the terms and conditions, including charges, on which any materials, services, equipment and facilities are to be provided. In addition, provision must be made for the disposition of rights in inventions, and any patents on them, growing out of the project.

Finally, every project agreement must include two important undertakings by the member or members concerned. The first is that the assistance provided shall not be used in such a way as to further any military purpose. The second is that the project shall be subject to the safeguards provided for in article XII. Since the safeguards of article XII, which I shall discuss next, are designed to be adequately protective for every possible type of project the Agency might support, not all of them would be applicable in every case. It was provided that the project agreement should specify which of the safeguards are relevant to the project, thereby eliminating a possible source of dispute at the outset.

Article XII, agency safeguards: Article XII permits the United States to join the agency in confidence that the great affirmative aim of accelerating the peaceful development of atomic energy throughout the world can be realized without concurrent furtherance of any military purpose. Secretary Dulles has explained how article XII may achieve even more than that, how it may make a positive contribution to solving the problem of nuclear disarmament. I shall not go over this ground again, nor shall I repeat Admiral Strauss' statement of the technical and scientific reasons for having faith in article XII's adequacy for the function it aims to perform.

The striking thing about this "safeguards" matter was the unanimity reached after long and fairly hot discussions as Secretary Dulles said last Friday, if the atoms for peace program is to be effectively supervised it will have to be under some multilateral scheme. Bilateral policing by American inspectors has a limited life expectancy. This treaty provides the best multilateral safeguard arrangement that we know of.

Article XIII, reimbursement of members: The principle set out in this article was already proposed in our draft of August 1955 which was discussed with the Joint Atomic Energy Committee before its release. Right from the start we have insisted on the idea that this agency is a technical agency and not a grant-aid service.

Article XIV, finance: Leadership in the drafting of this article was borne primarily by Canada during the Washington 12-nation negotiations and again in New York its defense fell to a large extent to Canada. They were mindful of the importance of following financial procedures which would not run the risk of facing members of the Agency with large bills to pay for extravagant programs. A similar spirit of caution and conservatism governed the reaction of others also.

The concept of dividing Agency expenses into administrative costs, to be met by apportionment among members, and operational outlays, to be recovered from program beneficiaries, was a new contribution to the field of financing international activities.

Articles XV (privileges and immunities), XVI (relationship with other organizations) and XVII (settlement of disputes) do not contain provisions requiring extensive explanation.

Article XVIII, amendments and withdrawals:

I know that this article is of special interest to members of the Committee. Questioning in previous sessions has indicated that there is some concern lest amendments unacceptable to United States would be adopted over our objection.

First, let me say that this eventuality is entirely inconceivable to me. If two-thirds of the members of the Agency ever took a stand on a basic issue which was opposed to our own, I am sure that this would signify a situation of such a character that well before the occurrence of such a development, we would have ceased to be either a member or active participant in the Agency.

But in any event, as you will see in paragraph D, a nation is fully at liberty to withdraw whenever an amendment unacceptable to it is adopted through the procedures of paragraph C. Note also that there is no limitation on withdrawal at any time after 5 years from the entry into force of the statute.

I would point out, finally, that the amendment procedure is similar to the majority of the specialized organizations in which the United States participates.

Any more rigorous procedure would have increased the difficulty of making changes in the statute which the United States may at some future time consider desirable.

Article XIX (suspension of privileges), XX (definitions), XXI (signature, acceptance and entry into force), XXII (registration with the U. N.), and XXIII (authentic texts and certified copies) do not contain provisions which warrant taking up your time unless you have specific questions.

Annex I—Preparatory Commission

You will notice that there is an annex to the statute which provides for the establishment of a Preparatory Commission. This Commission, consisting of 18 member states, was set up to make arrangements for the first meeting of the General Conference, to study and recommend to the first Board of Governors and General Conference an initial program and budget and to carry out certain other administrative responsibilities.

The Commission has been meeting intermittently since last October and is well on the way to accomplishing its assigned tasks. Paul Jolles, of Switzerland, was appointed executive secretary, and a staff of about 15 is assisting him. Detailed discussions are underway on the specific, immediate activities the Agency should undertake, and on the staff and budget required to carry out these activities. The United States delegation to the Commission has played a key role in all of this activity.

The Commission is to meet next Monday to set a target date for the first meeting of the General Conference and the Board of Governors. As you know, Vienna has been tentatively selected as the site of the Agency headquarters, pending formal approval of the Agency itself after it comes into existence, and these first meetings of the Agency will be held in that city.

Mr. Chairman, my enthusiasm for this Agency and for United States participation in it stems from a profound conviction that it carries in it the seed of the genuine international peace and cooperation that we have all been seeking for so long. I am not a stranger to international conferences, large and small, many of them frustrating. As an example, 2 years ago I spent many weary weeks in London haggling over disarmament, and with painfully little success.

But this operation has been different, and for a very simple reason: the nations of the world not only want this Agency—they want it to succeed. The New York conference on the statute represented the entire civilized world in a way that no conference of this kind has ever represented it before.

You are aware that 81 nations, the entire membership of the conference, voted for this statute that is now before you for ratification. Not only that, there was not 1 single negative vote on any 1 of the 23 articles of this statute. That was the net achievement of this part of the great project: That all these nations wanted this Agency so much that they were willing to assume the obligations written into this document—willing to submit to inspection and control—willing to submerge national aspirations, ingrained suspicions of one another, even age-old hatreds. The result is a better statute than the one developed by the 12-nation working group, which in turn was an improvement on the draft of August 1955.

This great and satisfying experience has left me with two sincere convictions which I submit to you now in closing:

1. The International Atomic Energy Agency in itself represents one of the great hopes of the world. This world has shown that, first, by its overwhelming approval of the concept then, by its unanimous adoption of the machinery.

2. The negotiations and the conference have proved that the representatives of the people of the world can work together, can iron out differences and break deadlocks, can come triumphantly and unanimously to a common worldwide position.

Mr. Chairman, even if the Agency should not live up to all expectations in the practice of its functions, it has already achieved a hitherto unachieved distinction in history. It has brought the world together on a common ground of agreement and endorsement. It has opened up vistas of peaceful

consultation and cooperation that many had despaired of finding.

I have been truly grateful for the chance to participate in this first big breakthrough toward our common goal of peace with justice—the breakthrough initiated, nourished, developed, and brought to maturity by the United States. I told the final session of the 81-nation conference that we had been making history during the few weeks we had been working, and I ended with this challenge to them:

"Science has given us the knowledge. Diplomacy has developed the instrument. May we have the wisdom to use both for the benefit of all mankind."

Mr. HICKENLOOPER. Mr. President, I yield the floor.

THE NATION'S FISCAL MESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may address the Senate.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Without objection, the Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, in recent weeks we have been witnessing one of the most amazing hassles to take place in Washington. I refer to the budget controversy which came about as a result of bungling on the part of the administration. It is not surprising to see the Republican administration and the Republicans in Congress contradicting each other, but it is fantastic to observe the confusion within the administration itself. The President has been unable to control even his own official family; and this, in my opinion, is a most shocking state of affairs.

Early in April, the President told a news conference that he did not think the budget could be cut by any startling amount, such as $2 billion. Virtually, at the same moment, Under Secretary W. Randolph Burgess was telling the Senate Finance Committee that the budget could, and should, be cut by $2 to $3 billion. The question arose as to just who was setting policy—the President of the United States, or Under Secretary Burgess, one of the chief architects of the tight-money policy, and a former top official of the National City Bank of New York.

The next day Mr. Burgess explained that there really was no disagreement between the President and himself over the budget. He then made this amazing statement:

> The trouble is that both of us gave some figures, and when you pull figures out of the air, you can get in some trouble.

Is it any wonder then the American people are confused and disturbed over the budget, when a man in the responsible position of Mr. Burgess says he and the President were just pulling figures out of the air when they talked about the budget? I say most sincerely, Mr. President, that this is a deplorable condition for which there is no justifiable excuse. The President of the United States under our Constitution is delegated responsibility for being the master of his house, and this duty cannot be relegated or delegated to others.

A matter as important as the National Budget cannot be handled by presidential assistants. It is a matter for the attention of the President, as the elected leader of the American people. I am gratified to note that the President is beginning to take the reins and to defend and fight for his own budget. When he has done so, the results have indeed been encouraging in terms of the budget. I fear, however, that in many instances it may be too late to rectify the mistakes that have taken place.

Despite the general chaos in Republican ranks and the delight with which so many members of the GOP attack the proposals of their own President, there is one significant portion of the budget upon which all of them seem to agree. Unanimity of thought in the Republican Party is so rare these days that it deserves attention. I refer to the part of the proposed budget for the fiscal year 1958 which calls for $7,300 million in interest on the public debt. This compares with $5,859 million paid in interest in the fiscal year 1952, the last full fiscal year of the Truman administration.

Is it not amazing that the party which campaigned so loudly and vigorously for economy in Government back in 1952, and again in 1956 does not raise a cry over the fact that interest payments in the proposed budget are $1,441 million more than they were under the administration of President Truman? One would think that the economy party would show some alarm over the fact the taxpayers will have to pay out an added $1,441 million a year in interest alone. But no, we hear no words of compassion for the long-suffering taxpayers on this score from the Republicans.

The reason, of course, is quite understandable. The rising interest payments are a direct result of the tight money policy which the Republican Party has brought into full operation. Interest rates today are the highest they have been since the last time we had Republican rule under Harding, Coolidge, and Hoover. And the facts indicate that the interest rates will go still higher. There seems to be no one who can safely predict where they will stop.

The newspapers have been reporting the dilemma the Treasury faces in refinancing maturing securities. I am happy to note that at long last the newspapers are pointing out to the American people what is happening under this tight money, hard credit, high interest rate policy that has been designed and put into effect by the administration.

In one report it was pointed out that in May $4.2 billion in securities came to maturity. Holders of these securities, which were issued in 1954 at a 1⅝ percent interest rate, were offered an 11-month certificate—which is a very short-term certificate—paying 3½ percent, and a 57-month note bearing interest at 3⅝ percent. This was the highest rate of interest offered on 3- to 5-year notes since 1933, at the depth of the depression, when the entire monetary system of the country was in great peril.

Despite the generous offerings, at more than twice the rates earned on the maturing securities, holders of $1.2 billion of these securities turned down the exchange offer and demanded cash instead.

In August $16 billion in securities will mature and the Treasury will have to offer extremely high interest rates to prevent large-scale demands for cash. Between now and mid-1958 a total of $54.1 billion of such securities will come due and will have to be paid off in cash or else refinanced.

What this means to John Q. Public is simply this: He is going to be forced to pay more and more in taxes to finance the public debt. More and more of our taxes will be going into the pockets of investors, and a smaller and smaller portion going into goods and services for the American people. If the entire debt is refinanced at present rates, it will mean $2 billion additional a year in interest alone.

I repeat, it will mean $2 billion more over and above the $4,100,000,000 which we have had to pay in extra interest—an almost $3.5 billion increase in interest payments on the public debt.

Referring to the dilemma of the Treasury in raising money, the Wall Street Journal of June 3 said this:

> The plain, simple and incontrovertible fact is that the Government of the United States is in a fiscal mess.

I repeat, that statement did not come from the Democratic Digest. It did not not come from the lips of the Democratic chairman. It came from the Wall Street Journal. The fiscal-financial mess is not only on our doorsteps; it permeates the entire household of the Government of the United States.

The statement continues:

> To put it bluntly, the Treasury of the richest Nation on earth is short of money. At one point this spring it had hardly enough cash to pay a week's worth of bills. And with current spending rising faster than current income, despite the "balanced" budget, the squeeze threatens to get worse.

Barron's National Business and Financial Weekly of June 3, in a front page editorial on the Treasury crisis, stated:

> Specifically, in the exercise of one of its most strategic functions, management of the public debt, the Treasury lately has suffered painful reverses. It has been compelled to raise money with distressing frequency and at steadily rising costs. At the same time, its serious financial straits have posed a mounting threat to overall economic stability. In short, while the Nation remains as solvent as ever, debt management policy has come perilously close to bankruptcy.

Mr. President, I say, most respectfully, if statements such as those I have just read had been made by people in public office—politicians, as we are called—they would be termed irresponsible at least by those who disagree; but I mention the fact again, and I call it to the Senate's attention, that these statements come from the Wall Street Journal and Barron's Financial Weekly, two of the most responsible, and yet conservative, journals in the United States.

Treasury short-term bills in the first week of June rose to 3.374 percent—the highest rate since the "bank holiday" period of 1933. A year ago the Treasury sold short-term bills at 2.562 percent, and 2 years ago the rate was 1.390 percent. This amounts to a jump in interest rates of 142 percent in 2 years.

Is this not an incredible record for an administration which campaigned for economy in Government, a return to "sound" money policies, and an end to inflation? After 4 years of Republican mismanagement we have a bigger debt than before, we have inflationary money rates, and we are paying well over a billion dollars a year extra in interest on the debt.

The administration attempts to explain the whole thing away by saying that it is simply a victim of the tight money squeeze just as other borrowers are, and there is nothing it can do about it.

In other words, the Government of the United States, which is charged with the responsibility of raising taxes, of coining money, and regulating the value thereof, which has control over the credit policies of our economy, says frankly it is helpless before the private interests of the Nation.

This is a sad commentary. If the Government of the United States is helpless before bankers, what is it going to do with the Soviet Union? If it cannot resist the money barons, how is it going to resist the commissars? I think we might ask whether or not the Government is in charge of the fiscal policies, or whether it has delegated the responsibility to private interests. If it has, the time is at hand to take corrective action. As Franklin Roosevelt, the late and beloved President, said when he became President of the United States, he took the key away from the Wall Street brokers who had the key to go into the back door of the White House and said, "Come in the front door, like anyone else, if you are coming in."

Mr. President, tight money and rising interest rates are a result of fiscal and monetary policies of the Federal Government, which is today, in the executive branch, operated and run, lock, stock, and barrel, by the Republican Party.

Business Week, in its May 11 issue, stated the situation very well. I should like to quote from Business Week. This magazine is not known as a publication that announces Democratic policy or carries Democratic propaganda. Business Week said, in the May 11 issue:

> The unhappy plight of the Treasury is the inevitable result of the administration's all-out reliance on general and indirect monetary controls to combat inflation.

I say, Mr. President, that inflation has not been combated, so that the administration policies did not even succeed in doing what they were designed to do.

I also point out, Mr. President, that the Republican Party cannot have it both ways. It cannot advocate tight money, put such policy into effect, and then deny any responsibility for soaring interest rates which the American taxpayer has to pay.

What is going on concerning the national debt is also going on at the State, county, and municipal levels. The Dow-Jones municipal yield level for June 10 was 3.42 percent. This is the highest level in 20 years. In 4 short years high-grade municipal bonds have gone up 35 percent and State bonds are up twice that amount. It should be noted also that municipal issues are tax exempt and, therefore, are much more attractive than 20 years ago, when taxes were a great deal lower. This means, of course, that State and local governments, which are faced with terrific needs for more schools and hospitals, better roads and other public services, find themselves in the position of seeing less and less of their tax money going into brick and concrete and more and more into the hands of money lenders.

I have taken the time here today, Mr. President, to discuss briefly the subject of interest rates on the public debt because it is one of the most important topics and one which is not given the thought and attention which it merits. Monetary policy affects each and every citizen.

I submit that not only have the interest rates on public financing gone up, but every person who borrows money for a home, for a car, for an inventory, or for capital plant expansion, pays a higher rate of interest today than he has paid in years.

There is a chain reaction the same as there is with an atomic explosion; when the Federal Government designs a policy to make money harder to get by tightening credit and raising interest rates on its own financing, the immediate impact is felt all the way down to the end of the stream of commerce. The Federal Government is such a big user of funds, such a large buyer in the money market, that the standards it establishes and the rates it is willing to pay govern the rest of the money market. There is no way by which this administration can wash its hands of this responsibility. There is no Pontius Pilate treatment that can be given this matter. The Government has to accept responsibility.

If inflation had been stopped, if price rises had been curbed, this administration would have been the first to say that it was their hard money, tight credit, high interest rate policies which did it. They would have said, "It was our remedy, our medicine, that cured the patient."

But, Mr. President, this phony remedy does not cure the patient. The patient becomes sicker and sicker, and the medicine becomes more expensive by the day. What we need, apparently, is a change of doctors and not a change of patients.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. HUMPHREY. I will be happy to yield in a moment, because I want my good friend to hear all of this, since it is for his benefit and for the benefit of those who believe as he believes.

Mr. BUSH. I appreciate the Senator's concern, Mr. President.

Mr. HUMPHREY. It is a deep personal concern.

Mr. President, the present situation is little short of being scandalous. The much ballyhooed efficient and business-like Republican administration is leading the country into the gravest money crisis since the GOP ran the Government in the twenties and early thirties. May I say, that is a very high standard to repair to, when it comes to getting into trouble.

The reason for the current fiscal mess is not difficult to explain. It is the logical result of administration policies designed to assist the financial interests of the country rather than the people of the country whom the Government is supposed to serve.

I know of no topic which better illustrates the basic difference in philosophy between the Democratic and Republican Parties than does fiscal and monetary policy. The Republicans, true to their fashion, defend credit policies which aid the wealthy on the grounds that the benefits will eventually trickle down to the people.

Despite efforts by the GOP to create the impression in the public's mind that it is a party which is progressive and modern, the truth of the matter is that the Republican Party is basically no different today from what is was 50 years ago. The philosophy on money matters of Mark Hanna, Andrew Mellon, George Humphrey, and W. Randolph Burgess is strikingly similar. If not related biologically at least ideologically these philosophies are strikingly similar.

The Democratic Party, true to its historical tradition, maintains that money policies should be designed with the good of all the people in mind and not just a chosen few in positions of financial power. The Democratic Party, as it has been accused, has advocated over the long period of time more credit, lower rates of interest, and what we call a softer money policy.

I am happy to say I would rather be known for a soft heart and soft-money policies than for a hard heart and hard-money policies. I would rather be accused of having been a little too generous than of trying to run a race with Scrooge.

Mr. President, I am confident that despite the propagandizing of the Republican Party, the people will see through the financial smokescreen which has been created. They will recognize what the Wall Street Journal has said to be the truth.

I repeat that, and ask my Republican colleagues not to argue with me. Do not engage in controversy with the junior Senator from Minnesota for what he is saying, because what he is saying has been said by the editors of the Wall Street Journal, Business Week, and Barron's Financial Weekly.

The Wall Street Journal says that the administration has this country in a financial mess, a fiscal mess.

What does Business Week say? It says, "It was the inevitable result of the administration's reliance upon its money policy to curb inflation."

So I suggest to my colleagues, who are about to pounce upon this statement of mine, that they should carry their fight to the Wall Street Journal, to Barron's Financial Weekly, and to Business Week, and when they do they should be prepared to lose it, because the facts are that their case is weak; the facts are that the administration has itself today in a fiscal and financial mess which it will take a political Houdini to get out of, and I do not see at the moment any Houdini available to extract them from their own designs.

Mr. SYMINGTON. Mr. President, will the distinguished Senator yield to me?

Mr. HUMPHREY. I wish to yield first to the Senator from Connecticut.

The PRESIDING OFFICER (Mr. MORSE in the chair). The Chair understands that the Senator from Connecticut desires the floor in his own right.

Mr. BUSH. Mr. President, I did ask the Senator to yield a few moments ago. The Chair is correct in stating that I desire the floor in my own right after the Senator from Minnesota has concluded. First, I ask him to yield to me for a moment.

Mr. HUMPHREY. I am happy to yield.

Mr. BUSH. First, I wish to say that the Republican Party is grateful to the Senator and to those who have associated themselves with his ideas on this subject for bringing this matter to the attention of the Senate and of the country.

Mr. HUMPHREY. I am glad to do so.

Mr. BUSH. I think it emphasizes the fact that under this administration the degree of confidence which the people generally have shown in the Government and in the business and economic situation is responsible for a degree of prosperity which is unprecedented, the value of which to all the people has been so great as to make the interest-rate problem which the Senator magnifies so greatly of relatively small importance.

The point I wish to make with the Senator is this: I have listened intently to what he has said, but I have not heard from him any alternative program, or a suggestion of alternatives to the policies to which he objects. I should like very much to know whether we are to hear about the alternatives which he and those who agree with him think would be such a great salvation in the current situation, which he finds so disagreeable.

Mr. HUMPHREY. I have some alternatives, and I am very happy to suggest them.

One of the first alternatives is to change doctors. That will have to wait until 1960.

In the meantime, another alternative is to change a few of the interns. That will be done in 1958, in the Congressional elections.

Another alternative is: where there is interest gouging, where there are tight-money policies at work adversely upon the economy, to let the Government of the United States step in and lend money directly. That will bring down some of the interest rates.

The Senator has asked for alternatives. I am doing my best. One further suggestion I have is that the Federal Reserve Board start to exercise its responsibility to manage the fiscal affairs of the Nation in terms of the monetary policy.

I can give another alternative. There should be some revisions in the tax laws. I have a long list of alternatives. Still another is to close some of the loopholes in the tax laws, which loopholes do not benefit 1 person out of 10,000.

Mr. BUSH. May I ask the Senator a question?

Mr. HUMPHREY. Certainly.

Mr. BUSH. Does the Senator feel that the loopholes in the tax laws have any particular effect on the question of interest rates?

Mr. HUMPHREY. I do, indeed, because if some people did not have to pay a disproportionate share of taxes, they would not have to borrow so much. Indeed that factor has some effect on the interest-rate policies.

Furthermore, if some of our small-business firms were able to retain more of the cash reserves that come from their businesses, instead of having to pay them all out, and then being compelled to borrow money from a bank for plant expansion, that would help a great deal.

The Secretary of the Treasury of the United States goes around cooing like a dove whenever he sees a rise in interest rates. It has an effect on the market, just as when the Secretary of Agriculture starts looking around, like a political pallbearer, and goes around with a gray look in his face, talking about farm prices. It depresses not only the people, but the prices.

The Republican Party likes to claim credit for prosperity outside the Government, but it does not wish to assume any of the responsibility for mismanagement in the Government. That would be a cute trick, if they could get away with it. And they could get away with it if we were blind, deaf, and dumb. We are none of these. Certainly we are not blind; we are not deaf; and I shall try to prove that we are not dumb.

My friend from Connecticut wishes to know a little about the Republican philosophy. For 3 years what did we hear? We heard that the administration had controlled inflation, until prices started to rise. Then it was said, "Well, inflation is on its way, but we had nothing to do with it. It is something that just happened. It is an act of Nature."

The Republicans cannot work both sides of the street so openly. It can be done, but it is usually done more carefully.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. BUSH. The Senator from Minnesota spoke about the patient, the doctor, and the interns. I remind him that only 8 months ago the patient—if we can call him that—had the good grace to appraise the situation, and he decided that the doctor was all right. All the patients, by an overwhelming majority, decided that the doctor was all right.

Mr. HUMPHREY. One of the great attributes of a democracy is the right to be wrong.

Mr. BUSH. The Senator is correct. It is also historically true that the people are not always wrong, but that they are frequently right in matters which affect them very deeply.

Mr. HUMPHREY. I say most kindly to my distinguished friend from Connecticut, a delightful, brilliant, and able spokesman for an unhappy cause, but who is doing a good job with what he has to work with, that when the American people really find out that their Government, the most powerful government on the face of the earth, and supposedly in charge of the most prosperous economy on the face of the earth, cannot even finance its own public bond issues, they are going to ask, "Who really runs this place?"

When they find that a budget includes $1,400,000,000 of extra interest payments which go to someone else, they will be a little more suspicious. When they find out that in the next 2 years another $2 billion will be added as extra interest payments, they will take an interest. The people will take enough interest to lower the interest rates, because they know what is beginning to happen. When a man buys a home, and he sees a bedroom which he needs for his family going into interest payments to a broker or bondholder who does not own it, he will take some more interest. Public interest will sooner or later counteract high interest rates. It is only a matter of waiting.

Mr. McNAMARA. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. McNAMARA. The degree of confidence in the present administration certainly is not reflected on the part of the moneylenders. They show very little confidence.

Mr. HUMPHREY. The practical-minded men do not have enough confidence to buy the bonds.

Mr. McNAMARA. And when they have them, they sell them at a discount. Does that indicate a degree of confidence in the administration and its fiscal policies?

Mr. HUMPHREY. The question which the Senator asks contains its own answers.

I point out that yesterday the distinguished junior Senator from Tennessee [Mr. GORE], a member of the Committee on Finance, placed in the CONGRESSIONAL RECORD a table, a copy of which I hold in my hand. The table is entitled "Loss in Value of United States Bonds, Treasury Notes, and United States Certificates of Indebtedness."

We talk about waste and loss. Only recently there was a great argument over mutual security, with respect to which there are honest differences of opinion. But I submit that no one can reveal a great single loss; no one can point accurately to a greater single loss than the loss of value in connection with Government securities. This tabulation was prepared by the junior Senator from Tennessee for use in his remarks on the floor of the Senate.

What is the total loss in value so far? It is $6,432,880,755. That is what the fiscal policy has cost the bondholders. That is how much it has cost even the friends of the administration. What price loyalty and friendship?

Is it any wonder that we read in the press every once in a while that some businessman refuses to contribute further to the GOP? He has already contributed $6,432,880,755. When is it going to stop?

Mr. McNAMARA. The Senator mentioned a figure of $1,400,000,000; and a future figure——

Mr. HUMPHREY. That is what the "take" is now.

Mr. McNAMARA. The projected estimate is $2 billion will be paid in additional interest because of this policy.

Mr. HUMPHREY. Yes.

Mr. McNAMARA. Can the Senator conceive of such an amount of money being paid to people who do not produce anything, without resulting in inflation? Is not this program in itself very inflationary?

Mr. HUMPHREY. Certainly. We constantly hear the charge that a rivers and harbors program is inflationary. We hear it said that farm price supports are expensive. Every time there is a $700 million loss in connection with the farm program, there is a great explosion, which makes the hydrogen bomb look like a firecracker. Something is considered to be awfully wrong. However, here we see an extra billion dollars being paid out to people who do not need it, and that is not called inflationary, according to the GOP, but simply the result of circumstances.

I am sure that if they could claim credit for its being good in some way, they would make that claim.

I had not intended to extend this discussion as far as I have, at this time, because we will certainly come back to it day after day, and we will continue to talk about the fiscal and monetary policies of our Government.

I am happy to see on the floor the Senator from Louisiana [Mr. LONG], who is a member of the Committee on Finance. I wish to commend the members of that committee for conducting a survey of the monetary, credit, and fiscal policy of the Government. I urge upon them a searching investigation. I urge upon them the same kind of diligence that has characterized other investigations by our committees. I remind them that they have a responsibility second to none.

Of course, there have been misdeeds in the American economy. There have been people who violated both private and public trusts, and their caricatures and profiles and features have been portrayed over television throughout the country.

However, I say that all that we have heard to date about mismanagement of union funds and welfare funds, and dabbling here and dabbling there, will look like the widow's mite, compared with what we will find out about the monetary and fiscal policies of the Government in terms of cost to the American people.

Oh, it will be said that whatever has been done along that line has been legal, whereas the other matters I have referred to were illegal. That may be true, because legal is what the law says. We make the law, or the President and his agents make the law. But the question is whether it is right or wrong, or sound or unsound. I am of the opinion that the policies being pursued by the Government are not sound.

PROPOSED LEGISLATION TO CARRY OUT HOOVER COMMISSION RECOMMENDATIONS

Now, Mr. President, I should like to give my colleagues something to be happy about. I want the RECORD to note that today the President suggested that priority be given to five Hoover Commission bills. I refer to a feature story published in the press this morning. It is the United Press dispatch, stating that the President yesterday urged Congress to give consideration to five pending bills to put into effect recommendations of the Hoover Commission and Government reorganization. He has asked Congress to give earnest consideration to those five pending bills, according to the United Press dispatch.

I am happy to say to the President that three of the bills he has recommended have already been reported favorably by the subcommittee which I am privileged to serve as chairman; namely, the Subcommittee on Government Reorganization. They were reported favorably by the full Committee on Government Operations, and were passed by the Senate. Two of the bills are in process of being worked on, and will be reported to the Senate for favorable consideration.

Since I have mentioned today some of the difficulties facing our country, I should like to note that the Citizens Committee for the Hoover Report has estimated that savings, capital returns and increased revenues totaling almost $3 billion may be traced to adoption of the recommendations of the first Hoover Commission which reported to the Congress in 1949, and the second Hoover Commission which reported in 1955.

I am fully aware of the difficulty of pinpointing specific savings in the Government's operations resulting from reorganizations within the executive branch, but I am convinced that we are getting much more value from the taxpayers' dollar in terms of greater efficiency, improved management and general economies as a result of the Commissions' work. I, therefore, believe it is of interest to briefly review the Citizens' Committee's analysis of progress made in implementation of the Hoover Commissions' recommendations to date.

FIRST HOOVER COMMISSION

In its statement May 21, 1957, the Citizens Committee estimates that approximately 72 percent of the recommendations of the first Hoover Commission, 1947 to 1949, have been implemented by the Congress or the executive branch.

Based on this percentage, Clarence Francis, National Chairman of the Citizens Committee, estimated that specific savings, capital returns and increased revenues from adoption of the first Hoover Commission's recommendations have amounted to $2,337,900,000. Mr. Francis broke this total down as follows:

General Services Administration	$677,000,000
Veterans' Administration (cut back of hospital facilities)	545,000,000
Post Office Department (increased revenue from raising post cards to 2 cents)	72,000,000
Reconstruction Finance Corporation (revenues from liquidation of assets)	474,000,000
Department of Defense (general economies)	569,500,000
Total	2,337,900,000

SECOND HOOVER COMMISSION

The 84th Congress enacted 36 public laws, 2 House Resolutions and 1 Senate Resolution, which implemented 55, or approximately one-third of the 167 legislative recommendations that the second Hoover Commission—1953–55—made.

In addition to the Congress' action, the White House on May 23, 1957, announced that the administration had accepted wholly, partially, or as to objective 73.8 percent of the Commission's recommendations, which presumably includes the 33⅓ percent enacted by the Congress. Of the 73.8 percent accepted, 56.3 percent have been or are being implemented by the executive branch, the White House stated.

In his statement May 21, Mr. Francis, the Citizens Committee chairman, estimated that savings, capital returns, and increased revenues directly attributed to implementation of the second Hoover Commission's recommendations total $480,100,000, broken down as follows:

Treasury Department	$20,300,000
General Services Administration	131,700,000
Federal Housing Administration	500,000
Interior Department	600,000
Commerce Department	19,300,000
Veterans' Administration	13,600,000
Post Office Department	56,000,000
Health, Education, and Welfare Department	2,200,000
Defense Department (10 percent of total economies)	235,900,000
Total	480,100,000

In summary, the Citizens Committee estimates specific savings, capital returns, and increased revenues totaling $2,818,000,000 directly or indirectly attributed to adoption of the recommendations of both the Hoover Commissions.

In justifying these estimates, the committee states that the amounts given were taken directly from, or were based upon, agency reports or statements made by officials of the executive branch or by the Comptroller General. However, it might be pointed out that in many instances, especially in the Department of Defense, specific savings are not related directly to specific Hoover Commission recommendations, but to overall economies. For example, the Citizens Committee takes a flat 10 percent of the $2,359,000,000 economies reported by the Department of Defense for fiscal 1955–56 as stemming directly from the Hoover Commission's reports. Also, some question might be raised as to the validity of counting increased Government revenues resulting from raising the cost of penny postcards from 1 cent to 2 cents as a savings.

In my opinion, all estimates on Hoover Commission savings should be approached with caution, even when identified by the Citizens Committee as in its recent release. The Hoover Commission, itself, made no estimate, but listed the estimates of its various task forces which together totaled more than $8,500,000,000, a figure for which no authoritative documentation exists.

It also might be recalled that the Bureau of the Budget, although requested

by the Congress on several occasions to do so, has never been able to produce any hard-and-fast dollar figure on Hoover Commission savings anywhere near approaching the current estimates.

However, although it may be impractical to specifically document existing savings, it is my belief, as I stated in my opening remarks, that tangible benefits to the taxpayer in better Government operations are flowing from the substantial progress made on the Hoover Commission reports.

Some 70 to 75 bills, not including duplicates in the House of Representatives where more than 100 have been filed, to implement various aspects of the Hoover Commission reports, have been introduced in the present Congress. Hearings have been held upon various measures, others have been reported favorably by committees and necessary staff work is proceeding on the remainder as rapidly as the heavy workload of the Congress permits.

As Members recall, on Wednesday, June 5, the Senate unanimously approved three important Hoover Commission bills recommended by the Subcommittee on Reorganization of the Committee on Government Operations, which I have the privilege of serving as chairman.

They were: First, S. 424, to determine appropriations on an expenditure basis; second, S. 1791, to extend the Reorganization Act of 1949 to June 1, 1959; and, third, S. 1536, to improve the management of Federal records.

It is my intention as chairman of the subcommittee to continue to give the highest priority to the Hoover Commission's reorganization recommendations which, after thorough analysis, prove beneficial to the Government's operations.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 18, 1957]

IKE REQUESTS PRIORITY ON FIVE HOOVER BILLS

President Eisenhower urged Congress yesterday to give earnest consideration to five pending bills to put into effect recommendations of the Hoover Commission on Government Reorganization.

He told Vice President RICHARD M. NIXON and Speaker SAM RAYBURN in letters that the enactment of five bills would not necessarily result in savings which could be readily identified in the budget. But he added that he knew that "the Congress is as eager as I am to achieve every possible improvement in our Government."

The five bills the President recommended for priority passage would:

Extend the 1949 Reorganization Act for 4 years. The Senate already has voted a 2-year extension of the law, which permits the President to reshuffle the duties of Government agencies. A 4-year extension bill is pending in the House.

Authorize appropriations on the basis of annual accrued expenditures. The Senate already has passed such a bill.

Authorize the training of Federal employees at public or private institutions. The Senate has passed such a measure.

Repeal the provisions in existing law requiring the Government to clear real-estate transactions with Congressional committees.

Discontinue the postal-savings system. The House Post Office Committee has approved such legislation.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a letter which I addressed to the editor of the St. Paul Pioneer Press & Dispatch.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SUBCOMMITTEE ON ORGANIZATION,
June 10, 1957.

EDITOR,
St. Paul Dispatch,
St. Paul, Minn.

DEAR SIR: Your timely editorial, "Ways To Economize," which appeared in a recent issue of the St. Paul Dispatch, calls for the highest plaudits. I could not be in more agreement with the views you express on the necessity of reducing Federal expenditures wherever consistent with the national welfare.

Your reference to the Hoover Commission's proposal for accrued expenditure budgeting was of interest to me because a major legislative responsibility of mine during the present session of the Congress has been the implementation of this significant proposal. As I am sure you are aware, the United States Senate on June 5, acting on the recommendation of the Senate Subcommittee on Reorganization, of which I have the privilege of serving as chairman, unanimously approved legislation, which I cosponsored, authorizing the adoption of this much needed fiscal reform.

I also take this opportunity to call to your attention that on the same date the Senate approved two other important Hoover Commission proposals endorsed by the Subcommittee on Reorganization—extension of the Reorganization Act, which empowers the President to submit reorganization programs to the Congress, and certain improvements in the Government's tremendous records management program.

The most recent tabulations of the executive branch of the Government indicate that more than 50 percent of the 1955, or second, Hoover Commission's recommendations have been or are being implemented. When it is considered that 5 years was required for implementation of 72 percent of the recommendations of the 1949, or first, Hoover Commission, this indicates that real progress, with substantial savings, is being made.

As you pointed out in your editorial, the Citizens Committee for the Hoover Report has estimated that savings, capital returns and increased revenues totaling almost $3 billion may be traced to adoption of the recommendations of the two Hoover Commissions. While I recognize the difficulty of pinpointing specific Government savings, I am convinced that we are getting a much greater value from the taxpayers' dollar in terms of increased efficiency, better management and overall economy as a result of the Commissions' work.

Improved management of the Government's affairs has been of primary interest to me throughout my service with the Senate, as indicated by my lengthy tenure on the Committee on Government Operations, my membership on the Subcommittee on Reorganization during the last 5 years and my present chairmanship in the 85th Congress. I shall continue to vigorously support worthwhile reorganization recommendations consistent with preservation of the national welfare.

As to the item veto, which your editorial endorses, my record is clear. I not only have supported expansion of Presidential powers to include the veto of specific items from appropriation bills, but, as you may be aware, I have introduced legislation to grant the President such additional authority.

My best wishes.

Sincerely,

HUBERT H. HUMPHREY,
Chairman, Subcommittee on Reorganization.

Mr. BUSH. Mr. President, first I wish to express my appreciation to my good friend, the Senator from Minnesota [Mr. HUMPHREY] for having enlightened us so thoroughly on the point of view of those who agree with him on the question of interest rates. He has confirmed our suspicions that more than a little politics is involved in their discussion of that question. I was a little surprised to hear him quote so extensively from the Wall Street Journal, because I have also quoted from that newspaper, particularly with respect to the editorial approval it has given to the Federal Reserve Board and the Treasury for their activities in the field of credit control and the courageous way in which these agencies have conducted their affairs in the interest of all the people in an effort to keep the inflationary forces under as great a measure of control as possible.

Mr. President, the Committee on Finance today began an investigation of the fiscal monetary and credit policies of the Government of the United States. The investigation began in an atmosphere of suspicion that the Democratic leadership in Congress is seeking to pervert the inquiry into a politically motivated attack upon the Eisenhower administration.

At this point I should like to read an excerpt from an editorial which appeared in today's Washington Post. The editorial, at the beginning, states:

If Senator Byrd means to run anything more than a political sideshow, it is not suggested by the advance buildup for the fiscal investigation which his Senate Finance Committee will begin today.

Later the editorial makes this very cogent comment:

Inflation is an extremely complex subject. No one knows for sure how to control it—but there is general agreement that one way to let prices get out of hand is to meet a shortage of goods and services with a surplus of printing press money. This is what the Federal Reserve Board, with Treasury support, has refused to do. That is why interest rates have risen. But some Democrats, such as Majority Leader JOHNSON and Senator GORE, seem determined to use the BYRD investigation to force open the money floodgates and thus feed the very inflationary fires which Senator BYRD wants to put out.

Mr. President, I agree with the purpose of the editorial, which is to point out that it is very unfortunate that the opposition is playing partisan politics with the very serious issue of inflation, which certainly affects the lives of every American family.

Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point in my remarks the editorial published in the Washington Post, to which I have referred.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 18, 1957]

IN SEARCH OF PARADISE

If Senator BYRD means to run anything more than a political sideshow, it is not suggested by the advance buildup for the fiscal investigation which his Senate Finance Committee will begin today. Senator BYRD is correct in identifying inflation as an important and dangerous problem. But he engaged in some rather fanciful thinking about the subject in a television broadcast from New Orleans Sunday—thinking which he must discard if he is serious about finding some answers.

"We have no war on and we have no deficit spending on," he asserted, so it is "very difficult to account" for the continued rise in prices. But he accounts for it, nonetheless. His position is reported to be that, since there is no war and the budget has been balanced for 2 years, inflation must be due to high Government spending. Because the living cost index was relatively stable in President Eisenhower's first 3 years in office, when spending was reduced, it is more than coincidence, he says, that costs again have risen as Federal spending has climbed in the past 3 years.

Even if all of these statements and assumptions were correct, which they are not, such an explanation fails completely to take into account the tremendous inflationary pressures arising from the unprecedented industrial expansion of the past 2 years and from many soft wage settlements. Federal spending, of course, has been a part of the total high demand for goods and services—but it is a relatively small part.

To say, however, that there is "no war on" and thus to imply that Government spending could be more or less easily reduced is sheer nonsense. Beginning with Korea there has been an exceedingly costly "war on" which has required the expenditure of no less than $40 billion a year on major national security items for 6 years. The defense budget for next year is not greatly in excess of what has been spent in each of the past 3 years, less than the cost of defense in 1952, 1953, or 1954. But this one item—protection—accounts for 63 percent of the 1958 budget, as Senator BYRD well knows, and the best efforts of Congress to reduce the sum produced little or no real saving.

Senator BYRD is also wrong to suggest that inflation was brought under control by the early Eisenhower budget reductions. There was a business recession in 1953 and 1954, but the prices of many items have in fact risen almost uninterruptedly throughout the period of reduced, then augmented, Federal spending. Low farm prices merely held the average steady for a time.

Inflation is an extremely complex subject. No one knows for sure how to control it—but there is general agreement that one way to let prices get out of hand is to meet a shortage of goods and services with a surplus of printing press money. This is what the Federal Reserve Board, with Treasury support, has refused to do. That is why interest rates have risen. But some Democrats, such as Majority Leader JOHNSON and Senator GORE, seem determined to use the Byrd investigation to force open the money floodgates and thus feed the very inflationary fires which Senator BYRD wants to put out.

Senator BYRD may be correct in suggesting, however, that his committee's study will be the biggest thing since the Aldrich fiscal investigation of 50 years ago. That one took 4 years. It will take the Democrats longer than that to find the fiscal paradise they're talking about; lower taxes, balanced budgets, less spending, a sound dollar and cheap money. If they can deliver all of this and still keep America secure and employed, we'll gladly eat all 390,000 copies of this editorial.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BUSH. I shall be very glad to yield to the Senator after I have proceeded to get my case before the Senate. Then I shall be delighted to yield to the Senator from Louisiana.

Mr. President, I also have in my hand an article entitled "Investigative Farce Predicted," written by Sylvia Porter, and published in the Washington Evening Star of Monday, June 17, 1957. In part, Miss Porter says:

With apologies to the Senate Finance Committee, I hereby predict that its imminent full-scale investigation into our Nation's monetary system and the banking structure will be a farce.

The hearing may produce some explosive argument. It's conceivable that out of the give and take will come some constructive proposals. It's conceivable.

But the much-touted sweeping study of our bewilderingly complex financial structure—the study we so obviously need and which President Eisenhower requested in his state of the Union message?

This we will not get from Senator BYRD's committee. Instead, this will be another of those piecemeal hearings into interest rates, debt management, tight money, etc.—and in today's political atmosphere it will be an achievement if they even approach the dignity of the piecemeal hearings conducted by Senator DOUGLAS in 1949 and Senator FLANDERS in 1954.

While I shall ask unanimous consent in a moment to have the entire article printed in the RECORD, I may say that I do not entirely share the feeling which this writer has. I particularly wish to say that I exempt the distinguished Senator from Virginia [Mr. BYRD], the chairman of the Committee on Finance, from the charge which Miss Porter has made that the hearing will be a farce.

I feel it is very unfortunate, indeed, that the whole subject which was recommended by the President for study and report by an objective commission, which was to have been created by law, is to be involved in a sort of political contest over the subject of interest rates and inflation, with the opposition—those who bitterly oppose the President and his policies—trying to injure him in the public mind and to make it seem to the voters and the consumers of the country as though the President's policies were not designed for their benefit, but rather for their detriment.

I believe it would have been much more preferable if Congress had adopted a resolution authorizing a study to be made by an objective commission, such as was done almost 50 years ago, when the Aldrich Commission was appointed.

Mr. LONG. Mr. President, will the Senator yield now, or does he desire to continue uninterrupted in his speech?

Mr. BUSH. I ask the Senator from Louisiana to be indulgent with me until I get a little further along. I do not want to get off the subject or into extraneous facets of the discussion until I have completed my remarks. But I shall certainly yield to the Senator, if he will be patient with me.

Mr. President, I remind the Senate that Representative PATMAN tried to get the House of Representatives to provide for an investigation of this kind, but the House voted him down.

The investigation by the Committee on Finance was never approved by the Senate. I am one who doubts very much that the Senate would have approved this type of investigation. Indeed, it is a serious matter. But the Committee on Finance did pick up the loose ball a few weeks ago; and I am certain that under the able chairmanship of the distinguished Senator from Virginia [Mr. BYRD], there will be as orderly a proceeding and as careful a study as possible within the prevailing political atmosphere and the very limited time and the very limited resources which the committee has at its disposal.

Mr. President, I now ask unanimous consent that the article entitled "Investigative Farce Predicted," written by Sylvia Porter, and published in the Washington Evening Star of June 17, 1957, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Evening Star of June 17, 1957]

INVESTIGATIVE FARCE PREDICTED

(By Sylvia Porter)

With apologies to the Senate Finance Committee, I hereby predict that its imminent "full-scale" investigation into our Nation's monetary system and banking structure will be a farce.

The hearing may produce some explosive argument. It's conceivable that out of the give-and-take will come some constructive proposals. It's conceivable.

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This we will not get from Senator BYRD's committee.

Instead, this will be another of those piecemeal hearings into interest rates, debt management, tight money, and so forth—and in today's political atmosphere, it will be an achievement if they even approach the dignity of the piecemeal hearings conducted by Senator DOUGLAS in 1949 and Senator FLANDERS in 1954.

Yet, as the National Bureau of Economic Research warns in its deeply thoughtful annual report published today, important areas of ignorance exist about our financial systems and there is a great need to explore them before they turn into trouble spots.

LAST PROBE 40 YEARS AGO

We are ignorant because in the 40 years since the last full-scale review of our financial system we have developed a fantastic web of financial institutions and of debt and ownership which is not thoroughly understood by any or us.

Just consider these contrasts—and shudder.

In 1912—when our basic financial laws were written—commercial banks overwhelmingly dominated our financial structure and primary attention was riveted on how to regulate their activities.

Today, commercial banks hold far less than half the assets of financial institutions. The institutions which have become of towering significance are insurance companies,

other types of savings institutions, pension funds.

Over the investing and lending activities of these the Federal Reserve System has only the most indirect control. And we don't know enough about them and their relationship to our economy to suggest what new controls should be devised.

NINETEEN HUNDRED AND TWELVE SITUATION RECALLED

In 1912, Government financial institutions were picayune, accounted for less than 1 percent of all assets.

Today, Government financial institutions are a group by themselves, holding 24 percent of all assets.

As the national bureau's research director, Dr. Solomon Fabricant, puts it wryly, "One interesting observation, which offers much food for thought, is on the lack of central coordination of the large variety of Government programs • • • and, deliberately or otherwise, pursuit of the special purposes of separate programs without regard to overall economic stability."

One of the great directors of the national bureau once remarked that we must experiment through the years to learn how "to keep money, the good servant, from becoming at times a bad master."

"Reasonable men will not expect more. Few of us would settle for less," adds Dr. Fabricant, in putting the bureau on record as urging a new national inquiry into our financial system.

But with the Byrd probe so far, reasonable men are settling for less—much, much less.

Mr. BUSH. Mr. President, I have before me another article written by Miss Porter, whose ability, incidentally, I am beginning to admire very much. The article is entitled "Abominable Rumor," and was published in the Washington Evening Star of June 9, 1957. In her article she says:

A dangerous and baseless rumor is spreading through the country that the Treasury is in a money crisis so terrible that it actually may run out of cash and not be able to borrow enough to meet its bills and maturing loans.

I have heard that rumor uttered on the floor of the Senate, much to my amazement. Anyone who knows anything about the credit of the Government of the United States knows one thing for certain, and that is that the Government simply cannot run out of money; that it has the only sound, 100 percent credit in the world today; and that any obligation which the United States Government makes cannot possibly fail of payment. That is something which any Senator who wishes to participate in this debate should understand. I think Miss Porter has done a real service in pointing that out in her article.

Mr. President, I ask unanimous consent that the article entitled "Abominable Rumor," written by Sylvia Porter, and published in the Washington Evening Star of June 9, 1957, be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Star of June 9, 1957]

ABOMINABLE RUMOR

(By Sylvia Porter)

A dangerous and baseless rumor is spreading through the country that the Treasury is in a money crisis so terrible that it actually may run out of cash, and not be able to borrow enough to meet its bills and maturing loans.

The rumor is being fed by some abominably superficial reporting and uninformed editorializing about the Treasury's position today. What's more, there's a real risk that the crisis talk may explode during the imminent Senate probe into tight money, Treasury debt policies and the Federal Reserve's restrictions on credit.

This is the sort of rumor that can cause appalling damage. It simply must be killed while it still is in its infancy. Here, therefore, is my effort to set the record straight.

It is true that the Treasury is in a trap. I have written this before, I am writing it now and I'll be writing it again.

TRAP IS EXPLAINED

The trap is not of the Treasury's making.

It is due to the fact that the Federal Reserve System no longer is printing money with abandon, and is trying to fight inflation by clamping down on borrowers. At the same time, demands for credit from every source, corporations, States, cities, individuals and the Treasury, have been enormous and have been overwhelming the supply of savings.

As a result, interest rates have been rising sharply during the past couple of years. Because the Treasury is not being protected from the market by the Federal Reserve System, as it was during the wartime 1940's, it, too, must compete for money and it is paying the highest interest rates in over a quarter century on its new securities. It has been forced to go to the market repeatedly to get billions to meet its regular bills, to pay off maturing loans, and to satisfy the demands of people redeeming savings bonds.

In Wall Street terms, this is a trap. When a borrower of the caliber of the Treasury is compelled to borrow constantly at higher and higher rates, trap is the word for it.

But does this imply that at some date the Treasury might find it could not borrow the billions it needed?

Never. The Treasury always will be able to borrow whatever it needs from the Nation's banks and other investing institutions.

It may have to pay heavily for the cash. Right now, it's paying over 3¼ percent for 91-day loans; in late July, when it must raise money to redeem a $15.6 billion loan that comes due in August, it will have to pay a stiff rate for a short-term extension of the loan. But assuming it pays the rate the market demands—and under today's conditions, it has no other alternative—it will get whatever billions it needs.

BONDHOLDERS ARE SAFE

Does the trap imply that holders of savings bonds might not get their cash on demand?

Never. The Treasury always will pay off a savings-bond holder whenever a bond is presented for payment.

It may have to sell short-term securities to the banks to get the cash—scarcely a classical anti-inflationary program. It certainly has had to shelve its grandiose plans to reconstruct the public debt. But there'll always be money to pay off savings bonds.

Does the trap imply that the Federal Reserve System has abandoned its responsibilities to the Treasury?

Never. The Federal Reserve cannot and it will not let the squeeze on the Treasury reach the point even of disorder—much less panic.

It may supply funds needed for the Treasury's financings most reluctantly, but it will supply at least the minimum needed.

Confidence is a delicate thing. Those spreading the crisis rumors may be great patriots, but in this instance they're neither informed nor responsible citizens.

Mr. BUSH. Mr. President, the skepticism with which the press views the committee's inquiry is, in my judgment, justified by many recent statements on the Senate floor, which sought to blame the administration for the so-called tight-money policy and higher interest rates. Democrats attempting to pin responsibility upon the Eisenhower administration for tight money and higher interest rates are deliberately throwing dust in the eyes of the people. They must know that they are shooting at the wrong target, and that the blame for rising interest rates, if any blame is to be attached, rests primarily on excessive demands for credit, and, secondarily, on the Federal Reserve Board.

The Federal Reserve Board, which was created under a great Democratic Party President, Woodrow Wilson, and a great Democratic Secretary of the Treasury, Carter Glass, later a Senator of the United States, is the only Federal agency empowered by law to tighten or ease the supply of credit and thus influence interest rates. It is completely independent of the executive branch and is responsible solely to Congress. Congress made it that way. For Members of Congress to try to make the people believe that the Treasury is the responsible agency is a sheer, deliberate ignoring of the facts, which must be plain to everyone, because they are written clearly into the law.

I pose this question: Are the Democrats who complain about tight money seeking to destroy the effectiveness of this agency of their own creation, an agency manned at present by an overwhelming majority of men of their own choosing?

Again, I feel I must remind the Senate that of the seven members of the Federal Reserve Board, only two, Mr. Balderston and Mr. Shepardson, received their initial appointments from this administration. It is true that the incumbent Chairman, Mr. William McChesney Martin, was reappointed by the incumbent President of the United States. But the other four members of the Board were all appointed previously, and they represent very excellent selections. I have no criticism of those men. But it amazes me to hear from the other side of the aisle, day after day, statements which inferentially attack those men who were appointed by a Democratic President.

I should like to make it crystal clear that I am not, in anything that I have said, criticizing the Federal Reserve Board. On the contrary, I believe the Board deserves great credit for wisely and courageously following policies which have permitted an extraordinary period of good times for the great majority of the American people, and which, in view of the boom conditions of the past few years, have kept inflation under a remarkable degree of control.

I believe the Board deserves great credit for resisting intense political pressures which some Democrats have brought to bear upon it, to resume practices halted since 1951, and which brought us dangerously close to printing press money. Until the Treasury-Federal Reserve accord of 1951, the Treasury Department, under the Truman administration dictated to the Board and

insisted that the Board support Government bonds at par. This practice kept interest rates artificially low. But there were ruinous consequences which contributed to a galloping inflation that cut the value of the dollar almost in half, added billions of dollars to the cost of running the Government, wiped out billions of dollars of the people's savings, and inflicted cruel hardships on social-security beneficiaries, teachers, and other persons having fixed incomes.

Do the Democratic Party members who are complaining about higher interest rates want to let loose, again, the sneak-thief of inflation upon the people? If not, let them consider the consequences of undermining the confidence of our people in the Federal Reserve Board and undermining the confidence of our people in the credit of the Government of the United States.

Mr. President, the Secretary of the Treasury, George Humphrey, today made a magnificent statement in clarifying the issues involved in the investigation being conducted by the Finance Committee. His statement was made at the hearings which opened this morning. The statement was indeed a devastating one to his critics, Mr. President, because to the mind of any objective person it completely takes the wind out of the sails of this political attack upon the Eisenhower administration.

Mr. CASE of South Dakota. Mr. President, will the Senator from Connecticut yield for a question?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Connecticut yield to the Senator from South Dakota?

Mr. BUSH. I yield briefly for a question, if it is in point.

Mr. CASE of South Dakota. The Senator from Connecticut will have to be the judge of whether the question is in point.

I was wondering whether the Senator from Connecticut could tell me when the present members of the Federal Reserve Board were appointed.

Mr. BUSH. Prior to the entrance of the Senator from South Dakota into the Chamber, I said that of the seven members of the Federal Reserve Board, only two have received their initial appointments from President Eisenhower. All of the other five were appointed initially by President Truman, although President Eisenhower did reappoint Mr. William McChesney Martin, Jr., the present Chairman of the Board. The two members who were not appointed prior to the Eisenhower election are Mr. Balderston and Mr. Shepardson.

Mr. CASE of South Dakota. The reason why I asked the question and the reason why I hoped the question would be in point was that the Senator from Connecticut was referring to a political attack or a political presentation with respect to the Federal Reserve Board. I hoped to emphasize the fact that, to the best of my knowledge, the Board has been proceeding in an objective way. Whether one agrees or does not agree with its policies is beside the point. But I have not been aware that the Board was proceeding from a politically biased point of view.

Mr. BUSH. Mr. President, I thank the Senator from South Dakota for the comment, and I think it is very much in point. I am sorry he was not in the Chamber when I dealt with the position of the Board and its composition.

We should emphasize the fact that the Board is not an Eisenhower Board; instead, it is a Truman Board. Five of the seven members were appointed by President Truman. I give President Truman great credit for the fact that he appointed Mr. Martin the Chairman of the Board, and I give President Eisenhower great credit for the fact that he reappointed this outstanding citizen as Chairman of the Board.

Despite the fact that I have pointed out the Democratic Party parentage of the Board, I wish to say that I certainly disapprove of bringing the Federal Reserve Board into the political arena and kicking it around in the way that has been done by opponents of the Eisenhower administration in trying to make the people believe that the administration has any control whatever over the Federal Reserve Board. I deprecate that position very much indeed; and I hope that as the debate continues, this fallacy, as it may properly be called, will be exposed.

Mr. LONG. Mr. President, will the Senator from Connecticut yield to me?

Mr. BUSH. I yield.

Mr. LONG. The Senator from Connecticut realizes that the Board was created by the Congress, and is supposed to serve the national interest.

Mr. BUSH. Yes; I agree that the Board was created by the Congress, and is supposed to serve the national interest.

Mr. LONG. But regardless of who appoints the members of the Board, the question is whether there is approval or disapproval of what the Board is doing. The Senator from Connecticut is arguing that he approves of what the Board is doing, even though it is contributing so mightily to the present high interest rates.

Mr. BUSH. But what I object to is the fact that the Senator from Louisiana and other Members on his side of the aisle are trying to pin responsibility for what they call the high interest rate situation, not upon the Federal Reserve Board, but upon the administration, upon the President of the United States.

Mr. LONG. Does the Senator from Connecticut recognize the fact that the President of the United States thus far approves of this policy and approves of what the Board is doing?

Mr. BUSH. I certainly do.

Mr. LONG. The President has the authority to appoint the members of the Board, does he not?

Mr. BUSH. He certainly does; and I think he is to be commended for sticking by his guns, in the interest of all the people.

Mr. LONG. Is the Senator from Connecticut arguing, on the one hand, that the Republican Party has nothing whatever to do with the policy; and then is he arguing, on the other hand, that the Republican Party has something to do with it?

If the policy is bad, it seems to me something should be done about it. If the policy is good, it seems to me the same policy should be pursued.

Mr. BUSH. Mr. President, the Senator from Louisiana has not correctly interpreted my position at all. I have simply taken the position that the attack on the administration, because of the policies of the Federal Reserve Board, is unwarranted. I am perfectly willing to say, as a Republican Senator and as a supporter of the President of the United States, that I commend him and his Secretary of the Treasury for having been boldly in support—and for having publicly so stated—of the policies of the incumbent Federal Reserve Board, because they believe, as I do, that the Board should be independent and free to adopt sound policies in the interest of all the people. That is my answer to the Senator from Louisiana.

Mr. LONG. Mr. President, will the Senator from Connecticut yield again to me?

Mr. BUSH. I yield.

Mr. LONG. Recognizing that the Senator from Connecticut is something of an authority in this field—although I disagree with his view that the Board should be doing exactly what it is doing, and when he says he approves 100 percent—can he see any objection to having those of us who serve on the committee which deals with this matter, look into it?

Mr. BUSH. I see no objection to having such Senators look into the matter. But if an objective study is to be made of the position of the Federal Reserve Board and the money market and the control of credit in the United States, that should not be done in the atmosphere of a political contest—in which, unfortunately, the committee investigation is being conducted. Every day on the floor of the Senate, during the past few weeks, some Senator has risen and has made an attack on the administration because of what he calls the tight-money policy or the hard-money policy.

I have taken the floor of the Senate several times to deny that there is any such policy on the part of the administration, but I have said that the policy of the administration is to control inflation and to support a sound-money policy.

The fact that interest rates have gone up is the result of the excessive demands for credit in a period of prosperity made possible by a very successful administration—so successful that the people of the United States last November gave the President the most overwhelming majority one could possibly imagine—a record-breaking justification.

So I say to my good friend, the Senator from Louisiana, that the people have spoken on this matter. They are well satisfied with the situation; and I think it is very unfortunate that, for the purpose of attempted political advantage, the faith of the people in their currency, and in the credit of their Government is sought to be undermined by these political attacks.

Mr. LONG. Mr. President, it seems to me that the Senator from Connecticut should argue either one way or the other. Either he should argue that the

high interest rates and the hard-money policy are good for the public, and he should accept them and should take credit for what he believes stems from them; or he should take the attitude that the administration has nothing to do with them.

It seems to me that he is trying to make two entirely conflicting arguments: First, that the administration has nothing to do with these things; and, on the other hand, that the administration is entitled to credit for any benefit flowing therefrom.

Mr. BUSH. No, Mr. President; I have stated repeatedly that I think the policies employed by the Federal Reserve Board in these premises have been sound and in the interest of all the people, but that in approving of them, the Secretary of the Treasury and the President have acted wisely, rather than attempting to dictate, as was done during the preceding administration, and trying to put the Federal Reserve Board under the thumb of the Secretary of the Treasury.

Mr. LONG. If the administration approves of these policies and reappoints the members who are following these policies, then it seems to me the administration should be willing to accept responsibility for the program being pursued.

Mr. BUSH. I do not see why the administration should accept responsibility for the policies of an independent agency which is the creature of Congress, and is not responsible to the administration, but is responsible to the Congress of the United States. There is no secret about the fact—and the Secretary of the Treasury said so in the statement he made this morning, and I shall come to it in a moment; and the Senator from Louisiana heard the Secretary of the Treasury say it—that the Secretary of the Treasury congratulated the Federal Reserve Board upon its courage in standing up for what it knew was the right thing and the sound thing in the interest of all the people.

Mr. CASE of South Dakota. Mr. President, will the Senator from Connecticut yield now to me?

Mr. BUSH. I yield.

Mr. CASE of South Dakota. My understanding is that while the President may have the appointive power, he does not have the removal power, insofar as the members of the Federal Reserve Board are concerned. Is that correct?

Mr. BUSH. If the Senator tells me that, I accept his statement. I do not know.

Mr. CASE of South Dakota. I think there are some appointees whom the President has power to remove. Some offices are held at the pleasure of the President. If my recollection is correct as to the Federal Reserve Board, the President may appoint members to that Board, but he does not have the authority to remove them. I wanted to put that statement into the RECORD, so that it would not be thought that the President had a creature he could control by pulling strings at any time.

Mr. BUSH. May I ask the Senator from South Dakota a question? Does he not agree with me that even if the President had that power, he would have no cause at the present time to exercise it respecting any member of the Federal Reserve Board?

Mr. CASE of South Dakota. In answer to that question, I must say that I am not personally familiar with the members of the Board and I am not aware of anybody the President would remove. I have not given that matter any study. However, I think there is one thing for which the administration is entitled to credit—and this bears on the problem of inflation more than any other aspect—it is entitled to credit for operating with a balanced budget. The great enemy of the people is inflation, and a powerful impetus to inflation is the operation of Government finances on a deficit basis. The place where the administration is entitled to credit is in the field of operating with a balanced budget.

Mr. BUSH. I thank the Senator for that observation.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. BUSH. I desire to yield first to the Senator from Louisiana.

With reference to the question the Senator from Louisiana raised, I desire to read one paragraph from the statement of Secretary of the Treasury Humphrey before the committee this morning:

> A mere statement of the respective functions demonstrates the major role of the Federal Reserve in the effort to stop inflation. The Federal Reserve has the authority and the tools to take monetary and credit action. We do not. The Treasury cannot determine the level of interest rates but must pay the rates determined by market forces. The Federal Reserve can influence the levels of market rates although there are definite limits to its power to maintain any fixed level of rates, as is shown by history. I do not point this out to shift any responsibility from the Treasury. On the contrary, we approve wholeheartedly the course which the Federal Reserve has followed, and have admiration for the courage and decisiveness with which the Board has acted.

I associate myself with that very able statement.

Mr. LONG. Will the Senator yield?

Mr. BUSH. I yield.

Mr. LONG. If I understand the Senator's argument, he agrees with the policy the Federal Reserve Board has been following, which is the major factor in the high interest charges in effect at the present time. My question to the Senator is this: If he happened to be of the point of view of some of us who do not agree with him, and did not believe it is in the national interest, without regard to whether one is a Republican or a Democrat, to increase the cost one has to pay for financing his home or for loans on his farm, it seems to me he would have a right to criticize and to speak out against that policy. If the Federal Reserve Board is going to follow a policy which, after investigation, we believe, is not in the public interest, we should bring it to the attention of the people. The Federal Reserve Board members do not run for office.

Mr. BUSH. I think it is up to the Senator from Louisiana and those who agree with him to answer the challenge which the Secretary of the Treasury made before the committee this morning, when he gave the alternatives to the policy of the Federal Reserve Board, of which the Senator from Louisiana and others fully disapprove. Those alternatives, as outlined by the Secretary of the Treasury, are to be found on page 26 of his statement. They are very brief, and I read them:

> In view of the breadth of the subject of your inquiry, it is appropriate that we consider what might have been some available alternatives to general monetary and credit policy.
>
> These alternatives are:
>
> (a) Direct controls prohibiting or limiting certain types of credit.
>
> (b) Compulsory saving.
>
> (c) Physical controls on prices and wages—plus, perhaps, rationing and allocation of materials and labor.
>
> (d) Higher taxes and large governmental surpluses to be applied on the bank-held debt.
>
> (e) Greater individual savings and voluntary effort at restraint.
>
> (f) A reversion to the pre-1951 policy of Federal Reserve purchase of Government securities at or above par—and consequent encouragement of severe inflation.

Then he goes on to discuss those alternatives as follows:

> The use of any of the first three alternatives in peacetime would have been inequitable, impractical, and inconsistent with our traditions of freedom. The fourth alternative would have required the imposition of additional taxes on top of our present heavy load, and would not have been acceptable. The fifth, which the President emphasized in his state of the Union message just a few months ago, can help immeasurably, but can be achieved only if other policies are effective.
>
> Thus, as a practical matter, the real choice is between the anti-inflationary course which we have pursued, and a new round of inflation.
>
> Those who, in a period such as this, urge an abandonment of our anti-inflationary policies, those who urge either deficit financing or a policy of artificially creating more spendable dollars are, whether unwittingly or by intention, inflationists. No matter what their motives, their proposals for further credit expansion are proposals to further reduce the purchasing power of the dollar, to rob every housewife, every farmer, every pensioner, every wage earner, and every family with savings. Their arguments must be understood to urge just that.

I say to my colleagues across the aisle—and I include the good-natured and friendly Senator from Louisiana—what we are entitled to hear are some alternatives to be used. I agree with the Senator that he has a perfect right to question the policies of the Reserve Board or the policies of the Treasury of the United States or the policies of the executive branch of the Government. Certainly; but I believe when we are dealing with so important and so delicate a subject as the credit of the Government of the United States, if those in opposition are to engage in creating scares, they ought to come up with something constructive.

Mr. LONG. Would the Senator agree that it would be something constructive if we held hearings and looked into the matter to see what people have to say for the program or whatever they suggest?

Mr. BUSH. I am not one to say any Senate committee should not hold hearings on any important issue such as this. I previously stated, however, I thought in a matter such as this, it would have been much more appropriate if the President's request had been heeded and there had been established by law a nonpartisan commission which would be carefully selected and which would objectively review the fiscal policies and the credit policies and the policies of the Federal Reserve system affecting the interest of the people of the United States. It has been 50 years since such a comprehensive study was undertaken, and I am one who believes it is time it be done again.

The criticism I have of the Senator's committee is twofold. First, I think it is not going to be thorough enough, because I do not think the committee has the time or the money to make a sufficiently thorough investigation. I might possibly prove to be mistaken in that regard.

My second point is that it is too political and too wrapped up with an attack on the administration.

I sat on the floor of the Senate for some time this afternoon, listening to my good friend from Minnesota [Mr. HUMPHREY]. Day after day I have heard the majority leader attack the administration and throw doubt on the credit of the United States. I hear it almost every day. It is in the newspapers. Everybody knows the Democrat Party is trying to make it a political issue. Only today I read that it may be the No. 1 issue in the 1958 elections. As I said a month ago on the floor, I am ready for the challenge. I am certainly going to do everything I can to try to keep the thinking on this subject straight, because we are dealing with one of the most delicate and one of the most important matters in connection with the whole economy and life of the people of the United States.

Mr. LONG. May I suggest to the Senator that he is certainly premature in saying the committee is being motivated by unworthy considerations, when the only witness the committee has had so far is the Secretary of the Treasury, and he has not been asked a question so far.

Mr. BUSH. Mr. President, one simply has to read the newspapers and the writings of political commentators all over the country to find I am not the only one who suspects there are political motives involved. One simply has to sit in the Senate a few days to realize that. We are not children. We can tell when we see a political attack organized and looming up. It is perfectly apparent when we see the so-called advisory committee to the Democratic National Committee or the Democrat Party come to Washington and issue a blast about what they call the crisis in which the Treasury finds itself, when there is not any crisis at all, and all the responsible financial and editorial writers say such a statement is strictly the "bunk" and there is nothing to it.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. BUSH. I yield to the Senator from Indiana.

Mr. CAPEHART. On January 14 I introduced, for myself and Senators IVES, BRICKER, PAYNE, BEALL, BENNETT, BUSH, and ALLOTT, a bill to establish a National Monetary and Financial Commission. That bill was referred to the Committee on Banking and Currency. I shall make a statement about what is happening, which I think is political. I can prove it is political.

The Committee on Finance is now entering upon a study. While they have some jurisdiction over this matter, the major jurisdiction belongs with the Committee on Banking and Currency. The bill I introduced has been bottled up in the Committee on Banking and Currency. The bill I introduced called for a nonpartisan commission to study the matter.

The Senate Committee on Finance is making its study without any specific authority from the Senate, which they can do. They are doing it with their own staff. While they are doing it, and while the chairman of that committee is making statements that that investigation is going to be more valuable than the investigation conducted by the Aldrich Monetary Commission, which lasted 4 years, the bill I introduced, calling for doing a thorough job, which would take a year, is bottled up in the Committee on Banking and Currency.

Mr. President, I am not afraid to make the statement that in my best judgment the present investigation is political. In my best judgment it is going to be conducted along political lines.

The very fact that the bill I introduced has been bottled up in the Banking and Currency Committee, and that the Finance Committee is conducting the investigation, without any specific authority from the Senate, is the best proof in the world that the action is political. I am not in the least bit afraid to say so.

Furthermore, let me say to the Senate: I am 100 percent behind the administration and the Federal Reserve Board. I think they have done an excellent job of controlling inflation in the United States. While the value of the dollar under the Democrats went down and down, until the dollar was worth only about forty-odd cents, after 4½ years under President Eisenhower and the Republican administration the inflation has been so small that the cost of living index has risely only from 114 up to, I think, 118 points. I think they have done a remarkable job, and the so-called tight-money or hard-money policy is nothing more than an effort on the part of the administration to control inflation and to protect the American people against inflation.

I congratulate them. I think they have done an excellent job. I think they could be doing a much better job if some persons would quit sniping at them and trying to imply that they are activated by a sinister motive. There is none. All in the world they are trying to do is to control inflation.

I say that today inflation is the most dangerous thing facing the Nation. There is too much of it at the moment. I should like to find some way of controlling it.

As the Secretary of the Treasury said this morning—and I presume that is what our friends mean—the opposite course is to attempt to control inflation by legislation. We can attempt to control it by legislation, but that is not the desirable way of doing it.

I am not a bit frightened to say that I think personally this procedure is political, and I think the record proves it is political.

I would ask the able Senator from Arkansas [Mr. FULBRIGHT] who is sitting in the Chamber now, the chairman of the Committee on Banking and Currency, why he does not hold hearings on and report S. 599.

The Committee on Banking and Currency has at least 75 percent of the jurisdiction over the so-called study the Committee on Finance intends to make.

Mr. BUSH. Mr. President, I thank the distinguished Senator from Indiana for bringing out the importance of his bill. I previously mentioned it in my remarks. I agree with the Senator from Indiana that if we are going to have an investigation into these very delicate matters it should be an objective one, with plenty of time allowed for doing it. I think it took the Aldrich Monetary Commission not 1 year but 2 or 3 years to complete its deliberations. As a result of that work they made a very constructive group of recommendations, including those for the establishment of a central banking system and the establishment of a Federal Reserve System. To the everlasting credit of the Democratic party, I will say it was begun under Woodrow Wilson and under the Secretary of the Treasury of that time, Carter Glass.

Mr. CAPEHART. Mr. President, will the Senator yield further?

Mr. BUSH. I yield.

Mr. CAPEHART. Mr. President, I ask unanimous consent that at this point in the Senator's remarks there be printed in the RECORD a copy of S. 599.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Is there objection?

There being no objection, the bill (S. 599) to establish a National Monetary and Financial Commission was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That—

SECTION 1. During the past half century major changes have occurred in the financial system of the United States. Long established institutions have added new functions, while new lending institutions, private and public, have grown rapidly in size and significance. During the same period increasing reliance has been placed upon monetary, credit and fiscal measures to foster expansion in production, employment and income and to combat inflationary or deflationary pressures. The Congress, therefore, declares that a comprehensive and objective review is necessary to appraise the nature, performance and adequacy of existing financial institutions and monetary and other financial measures in meeting present and future needs of our growing economy.

SEC. 2. (a) There is hereby established on a nonpartisan basis a Commission to be known as the National Monetary and Financial Commission, hereinafter referred to as the Commission. The Commission shall be composed of nine citizens, each of whom

shall be qualified for the duties to be performed and shall be appointed by the President of the United States.

(b) The President shall designate the Chairman and the Vice Chairman of the Commission from among the members thereof.

(c) Five members of the Commission shall constitute a quorum, but a lesser number may conduct hearings.

(d) Any vacancy on the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(e) Service of an individual as a member of the Commission, or as the Director provided for in section 5 (e) hereof, shall not be considered as service or employment bringing such individual within the provisions of section 281, 283, or 284, of title 18, United States Code, or section 190 of the Revised Statutes (5 U. S. C. 99).

SEC. 3. The Commission shall make such studies and investigations as it may deem necessary to appraise the nature, performance, and adequacy of existing financial institutions and monetary and other financial measures in meeting the needs of our changing economy. These shall include, but need not be limited to, the following:

(a) A survey of major developments in recent decades in the financial structure of the United States.

(b) An appraisal of the relative powers, advantages, privileges and limitations of the various classes of financial institutions.

(c) A survey and appraisal of the role played by Government and quasi-Government lending agencies and agencies guaranteeing and insuring private loans.

(d) An evaluation of the growth in public and private debt, including consideration of the several major components of the debt, and the impact of the management of the Federal debt.

(e) A comparative review and appraisal of the Federal and State laws and practices governing the chartering, examination, supervision and regulation of financial institutions, and the insurance of deposits in, or shares of, any such institutions, including study of:

(1) The uniformity and adequacy of the standards applied in chartering such institutions;

(2) The adequacy of examination and supervisory laws and practices to assure the continuing soundness of the institutions examined and supervised and the adequacy and distribution of the responsibilities and powers now vested in the various supervisory agencies;

(3) The consistency of the policies followed in chartering new institutions, authorizing branches and controlling mergers and other combinations with the maintenance of effective competition and the avoidance of monopolistic restraints; and

(4) The effectiveness and scope of Federal insurance of bank deposits and of share accounts in savings and loan associations, the adequacy of the reserves of the insured institutions and the insuring agencies, and the impact of such insurance on the competitive relationships among financial institutions.

(f) An evaluation of the existing means for adapting the volume of money and credit to the needs of the economy, including review of:

(1) The effectiveness of monetary and credit policy as a means of stabilizing the economy, the impact of changes in policy on different parts of the economy;

(2) The adequacy of existing instruments of credit control including their coverage over types of institutions and transactions;

(3) The organizational structure and powers of the Federal Reserve System, and its relationship to other agencies of the Federal Government; and

(4) The coordination of credit controls and other Government measures designed to promote economic growth and stability.

SEC. 4. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such chairman or member. The provisions of sections 102, 103, and 104 of the Revised Statutes (2 U. S. C. 192–194, inclusive) shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) The Commission is authorized to secure from any executive department, agency, corporation or independent establishment of the Government of any information deemed necessary to carry out its functions under this act; and each such department, agency, corporation, and establishment is authorized and directed to furnish such information to the Commission, upon request made by the Chairman or the Vice Chairman when acting as Chairman.

SEC. 5. (a) There are hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this act.

(b) Each member of the Commission shall receive $50 per diem when engaged in the performance of duties vested in the Commission, and may be allowed travel expenses in accordance with the provisions of section 5 of the act of August 2, 1946 (60 Stat. 808), as amended (5 U. S. C. 73b–2), as the said provisions relate to persons employed intermittently in the Government service.

(c) The Chairman of the Commission may appoint and fix the compensation of such employees as he deems advisable without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(d) The Chairman of the Commission may procure, without regard to civil service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $100 per diem for individuals.

(e) Without regard to the civil service and classification laws, the Chairman of the Commission may appoint and fix the compensation of a Director at a rate not exceeding $20,000 per annum, who shall perform such duties as the Chairman shall prescribe.

SEC. 6. (a) The Commission, not later than December 1, 1958, shall submit to the President for transmittal to the Congress its final report, including findings and recommendations, and the Commission may also from time to time make to the President such earlier reports as the President may request or as the Commission deems appropriate.

(b) Six months after the transmittal to the Congress of the final report provided for in subsection (a) of this section, the Commission shall cease to exist.

Mr. CARLSON and Mr. LONG addressed the Chair.

Mr. BUSH. I yield to the Senator from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. President, I do not wish to let the RECORD stand with the statement of the Senator from Indiana questioning the authority of the Committee on Finance to hold this hearing.

Mr. CAPEHART. Mr. President, I did not question the authority of the committee to hold it. They have the authority. What I said was that I questioned whether they should do it or not, in view of the fact that the Senate Committee on Banking and Currency has about 75 percent of the jurisdiction.

The least that should have been done by the Committee on Finance would have been to invite the Committee on Banking and Currency to sit with it. That is the least that should have been done.

We could have passed S. 599.

No, I do not question the authority of the Committee on Finance to hold the hearings.

Mr. CARLSON. Mr. President, will the Senator from Connecticut yield further?

Mr. BUSH. I yield.

Mr. CARLSON. I want the RECORD to show that the Senate Committee on Finance, based upon the provisions of the Legislative Reorganization Act of 1946, has the authority, as does every other committee of the Senate, to conduct investigations and hold hearings.

In the standing rules of the Senate, as to the Committee on Finance it is stated that the Committee on Finance shall consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Revenue measures generally.
2. The bonded debt of the United States.

I will say, Mr. President, I think that is one of the reasons our committee took hold of this matter, because the chairman of the committee was concerned about the financing of the Federal debt.

3. The deposit of public moneys.
4. Customs, collection districts, and ports of entry and delivery.
5. Reciprocal trade agreements.
6. Transportation of dutiable goods.
7. Revenue measures relating to the insular possessions.
8. Tariffs and import quotas, and matters related thereto.
9. National social security.
10. Veterans' measures generally.
11. Pensions of all the wars of the United States, general and special.
12. Life insurance issued by the Government on account of service in the Armed Forces.
13. Compensation of veterans.

I wish to say, Mr. President, I think the chairman of the committee, the distinguished Senator from Virginia [Mr. BYRD], made a very fine statement, in the course of which he set forth that there could be no question as to the authority of the Committee on Finance to conduct the investigation or as to the need for the investigation. Since I know the chairman and members of the Finance Committee, I believe the country can feel confident that a thorough hearing will be held. I sincerely hope we will come up with a report which will be of great benefit.

Mr. BUSH. I may say to the Senator from Kansas that I made it very clear, before he came into the chamber, that I do not in any way question the right of the Senate Committee on Finance to conduct the investigation. In fact, in the light of what has transpired, which I went into—beginning with the introduction of the bill of the Senator from Indiana, and including the Patman resolution in the House, which was not adopted—I think the Committee on Finance of the Senate did pick up the loose ball. I think they had a perfect right to do it.

What the Senator from Indiana has said about the Finance Committee inviting the Committee on Banking and Currency to join them and to hold joint hearings would have appealed to me very much indeed, and perhaps to other members of the Banking and Currency Committee.

I do not want the Senator from Kansas to feel that there is any disposition on my part to question the right of the Finance Committee to conduct the hearing.

Mr. CAPEHART and Mr. LONG addressed the Chair.

Mr. BUSH. I yield to the Senator from Indiana.

Mr. CAPEHART. I should like to read the responsibilities and the duties of the Committee on Banking and Currency. As I said a moment ago, they have at least 75 percent of the responsibility:

1. Banking and currency generally.
2. Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.
3. Deposit insurance.
4. Public and private housing.
5. Federal Reserve System.

The Committee on Banking and Currency has 100 percent legislative control over the Federal Reserve System. The Committee on Finance has none.

6. Gold and silver, including the coinage thereof.
7. Issuance of notes and redemption thereof.
8. Valuation and revaluation of the dollar.

That is exactly what we are talking about. That is exactly what inflation and deflation involve—namely, the valuation of the dollar.

Listen to this:

Control of prices of commodities, rents, or services.

That is exactly what we are talking about. I do not question the jurisdiction of the Finance Committee or any other committee. But the Finance Committee took it upon itself to proceed when there was pending a resolution to make a study of the entire subject over a period of a year.

Also, I question the advisability of the Senate Finance Committee making this study without joining with the Banking and Currency Committee; and I question the advisability of any chairman making a statement such as that made by the chairman of the Finance Committee, that he proposes to have the greatest investigation of this kind since 1899, when the so-called Aldrich hearings were held. We are dealing with the most sensitive thing in the world, namely, money. Yet statements are made that this subject is to be the biggest issue in the campaign next year.

Again, I congratulate the administration on an excellent job. I hope, as a result of what many Senators have said on the floor today, that the Finance Committee hearing will not become too political. My opinion is that up to the present time it has been such.

Mr. BUSH. Mr. President, in conclusion, the only point at issue so far as I am concerned is that it seems to me that it would be better for this kind of investigation to be conducted in a nonpolitical atmosphere, by a commission which would approach the subject objectively, with plenty of time and plenty of money.

The investigation should be conducted by an impartial agency. It should not be conducted in a strictly political atmosphere, which is almost inevitable in the case of a Senate committee. I do not remember any investigation by a Senate committee which did not have strong political connotations attached to it. I repeat that my preference would be strongly in favor of the type of commission recommended in the bill introduced by the Senator from Indiana.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BUSH. I yield.

Mr. LONG. Let me make two suggestions.

First, so far as the Senator from Louisiana, who serves on the Finance Committee, is concerned, I would have no objection whatever to the Banking and Currency Committee looking into the same subject matter; or, if the Banking and Currency Committee wished to have some outside group investigate the subject, I would have no objection.

As a matter of fact, the junior Senator from Louisiana even suggested to the chairman of the Banking and Currency Committee that perhaps that committee might like to look into the subject. However, the Finance Committee had the question directly before it less than a month ago. There was before it the question of authorizing a change in the interest rate paid on Government E-bonds. The Senator knows that a change was authorized without any question. However, the question arose as to the extent of the change, if any. Under the rules of the Senate, a bill on that subject was entrusted to the Senate Finance Committee. The question was whether or not we should vote to recommend an increase in the interest rate on the Government E-bonds.

We resolved the question by splitting the difference. The administration wanted an increase of one-half of 1 percent. We recommended an increase of one-quarter of 1 percent.

The more we went into the question, the more we saw the need of a thorough study of the situation. The Federal Government owes $275 billion. That is more than one-third of the whole private and public debt of the United States. The Committee on Finance has some responsibility.

Mr. BUSH. No one is questioning the responsibility of the Finance Committee. It saw a loose ball on the field, and fell on it. It is the Finance Committee's ball.

I should like to terminate the argument about jurisdiction. The present situation is a fait accompli. I hope the committee will continue to do the good job which it did this morning, when it heard from the Secretary of the Treasury the most comprehensive statement on the subject before it that could possibly be made.

Mr. LONG. That is the reason why I do not see any reason for complaint on the part of the Senator from Connecticut. We have heard only one witness, and he has not been asked a single unfriendly question as yet.

Mr. BUSH. He will be asked plenty of them.

Mr. President, I should like to conclude——

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BUSH. I am very happy to yield to the distinguished Senator from Ohio. He has been waiting very patiently.

Mr. LAUSCHE. I noted the Senator's statement that Members on this side of the aisle have been indulging in criticism without offering something constructive in the direction of stopping inflation.

I agree with the Senator from Indiana [Mr. CAPEHART] that the gravest problem confronting the people of our country, with the exception of the international threat, is inflation.

I do not believe that a good job has been done in fighting inflation. I recognize that one method of stopping inflation would be to impose legislative controls. I do not believe the people of the country desire such an approach.

The next method is to fight inflation by self-discipline; and such self-discipline must be practiced by every citizen, every industrial corporation, every village, county, city, and State, and, above all, by the Federal Congress.

I do not believe it is fair to blame the administration alone for the inflation under which we are suffering. The responsibility lies equally with us.

I regret to say that I have seen hardly a scintilla of evidence showing a self-imposed discipline on the part of the Congress of the United States in fighting inflation. Fourteen new programs involving Federal Government operations which historically and traditionally have been performed by local governments and States are in the Federal budget this year. The Federal Congress, the State governments, the city governments, and the industrialists all are fighting to buy the scarce manpower and material.

Frankly, it seems to me that we are on a drunken spree, trying to see how much money we can pass into the market, thus increasing the danger and the gravity of the inflation.

Getting back to my question, the Senator from Connecticut asked the Senator from Louisiana what recommendations those of us on this side of the aisle have with respect to methods of fighting inflation. I think I have expressed my recommendations thus far.

I should like to know what the recommendation of the Senator from Connecticut is, other than Federal controls, and the effort to stop the flow of money in the market by increased interest rates.

Mr. BUSH. Mr. President, I shall be glad to discuss that subject. First, let me say that I welcome the comments of the Senator from Ohio on this situation. I agree with almost everything he has said. I believe that when he speaks of the need for self-discipline he is putting his finger on the nub of this situation.

That need applies not only to people all over the United States, but to Members of this body and Members of the other body of Congress. The Senator makes a very valuable contribution when he points out that need.

There is not a single answer to the question of fighting inflation. There are many answers to it.

The question is so significant that I should like to read at this point what the Secretary of the Treasury said this morning on the subject of what the administration has accomplished in this area.

First he referred to the pledge that was made in 1952:

"First, reduce the planned deficits and then balance the budget, which means, among other things, reduce Federal expenditures to the safe minimum."

To what extent have we accomplished this goal?

1. We first reduced and then entirely eliminated planned deficits.

The budget in effect when we took office in 1953 produced a $9.4 billion deficit, and the budget proposed for the fiscal year 1954 called for a $9.9 billion deficit. Our administration immediately went to work with the help of the Congress to reduce the planned deficit for fiscal 1954, and indeed the final deficit ($3.1 billion) was only one-third of that anticipated by the prior administration.

Then the Secretary goes on to say:

2. We have balanced the budget.

By fiscal 1956, we had entirely eliminated deficits, balanced the budget, and completed the year with a surplus of $1.6 billion.

The 1957 budget will result in another surplus, and the budget proposed by the President for 1958 provides for a third successive surplus for the first time in 25 years.

He said further:

3. We have reduced Federal expenditures.

Federal expenditures were reduced from $74.3 billion in the inherited budget of 1953 to $67.8 billion in 1954, and $64.6 billion in 1955. As a result of additional programs authorized by Congress, substantial pay increases, and the need for increasingly expensive military equipment, expenditures increased slightly in the last year to $66.5 billion, with further increases anticipated to $68.9 billion for 1957 and $71.8 billion for 1958.

The 1957 budget is $5.4 billion below the budget we inherited in 1953, and is but 16 percent of our current gross national product now as compared to 21 percent in 1953.

I say to the Senator that is a partial answer to his question.

A continuation of that kind of budgetary control, I believe, is an essential contribution which this administration can make to the general question of control of inflation.

But again I do not want to dissociate myself too far from what the Senator from Ohio [Mr. LAUSCHE] has said about self-discipline, and the responsibility of Congress in this area, not by dictating to the Federal Reserve Board, exactly, what it should do, but by controlling Government expenditures in a statesmanlike way.

Now, Mr. President, I have had the floor too long already.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BUSH. I yield to the Senator from Florida.

Mr. HOLLAND. I appreciate the graciousness of the Senator in yielding to me when I know he wishes to yield the floor.

First, I wish to say that it seems to me the Senator from Connecticut is forgetting the well-known qualities of the distinguished senior Senator from Virginia [Mr. BYRD] when he seems not to approve wholeheartedly the carrying on of the investigation into our fiscal policies by the Committee on Finance, chairmaned, as it is, by the distinguished senior Senator from Virginia.

Mr. BUSH. I should like to interrupt the Senator at that point, because before he came into the Chamber, in the early part of my remarks, I paid a very handsome tribute to my good friend the senior Senator from Virginia.

Mr. HOLLAND. I may say that I heard that statement. I also heard the later statement of the Senator from Connecticut, in which he decried the fact that a Congressional investigation was going to be made instead of one by the——

Mr. BUSH. A nonpartisan commission as recommended by the President.

Mr. HOLLAND. Instead of by the Executive. That brings me back to my point. I do not believe the Executive could find anywhere in the length and breadth of the United States anyone who knows as much about Federal finance or the fiscal business of this Government as does the senior Senator from Virginia.

Mr. BUSH. I want the Senator to let me agree with him at that point.

Mr. HOLLAND. I thank the distinguished Senator. Secondly, I wish to call his attention and the attention of the Senate to the fact that the nonpartisan and unpartisan attitudes of the Senator from Virginia have been so fully recognized throughout the years that he has been continued as the head of the Joint Committee on Reduction of Nonessential Expenditures through Republican control, through Democratic control, through liberal control, and through conservative control in the Senate. Furthermore, everyone has recognized the fact that he knows more about our fiscal affairs than anyone else, and that he has a more sincere and better demonstrated desire for economy and for soundness in our fiscal affairs than anyone else.

Mr. BUSH. I ask the Senator if he can say the same thing for all the other members of the committee.

Mr. HOLLAND. The Senator from Florida is not here to defend the Republican Members of the committee, if that is what the Senator has suggested. [Laughter.]

Mr. BUSH. I can well appreciate that statement.

Mr. HOLLAND. The Senator from Florida believes they are in good hands so long as one Member of that able committee from the minority side has the floor. So long as that is the situation, the able minority will be well represented. I do not think that the Democratic Members require any defense.

I should like to say that the senior Senator from Virginia is recognized throughout the length and breadth of the country as being the soundest man in financial matters now serving in Congress. For that matter, he is mentioned in the same breath with the Secretary of the Treasury who is now leaving office. I think they are both regarded as men of great soundness in this field.

Therefore, I hope the Senator from Connecticut will not allow himself to suffer from an inferiority complex on behalf of the Senate to the extent that he will believe that the Chief Executive, able as he is, would be able to find a chairman or a committee or a commission abler than the one which we have in the Senate.

Mr. BUSH. I thank the Senator for what he has said. I also wish to call his attention to the remarks made at the opening of the hearing when the Senator from Virginia introduced the witness, the Secretary of the Treasury, George Humphrey.

The reason I suspect that there is a slight modicum of politics in this investigation is that the Senator from Virginia, who so ably presides over the committee and has the respect of all Members of the Senate, is not supported, so far as we have been able to find, by the Senators on his side of the table.

So far as I am concerned, and I believe I speak for most of my colleagues in this Chamber, we have the greatest respect for the distinguished senior Senator from Virginia. I thank heaven that inasmuch as the Committee on Finance fell on this loose ball in an open field, the quarterback and captain of the team is to be the distinguished senior Senator from Virginia.

Mr. HOLLAND. The next thing I should like to say is that, while I appreciate the scholarly, though sometimes laborious, remarks of the distinguished Senator from Connecticut, my admired friend, I wish to say that I am somewhat distressed to find him speaking, in a representative character, I fear, for the other side of the aisle, in apparently discounting the handling of matters by our regular committees.

There is a matter pending now on the desk which involves an effort to bypass a standing committee of the Senate, in connection with a matter which, it is said, has been long delayed; and I find my distinguished friend from Connecticut now saying that he does not even want a committee of the Senate to take jurisdiction of a proper matter, even though there is no delay involved, and even though the committee has gone into the matter promptly and under the leadership of the man who, the Senator from Connecticut says, is the ablest man we have to handle this particular business. Nevertheless

the Senator from Connecticut does not want our committee to function in the way prescribed by law and our rules. I am beginning to regret the sliding away of confidence which is apparent on the minority side in the functioning of the Senate through its regular committees.

It is quite apparent that our distinguished friends—at least, the Senator from Connecticut, who now has the floor, and the Senator from Indiana [Mr. CAPEHART], who so ably seconded him a few minutes ago—are of the feeling that someone outside the Senate should have jurisdiction; that someone outside the Senate can do a better job; that our regular committees are not to be relied upon to do their own jobs well. I deplore that attitude. I hope my distinguished friends on the other side of the aisle will come back to fundamentals, get away from what is sometimes now referred to as modern Republicanism and return to the established principles of both Republicanism and Democracy, to the degree that they will believe again in the soundness of the Senate and the Senate system.

I do not like to see this apparent unwillingness on the part of my distinguished friends to trust our own committees and our own leaders to do at least as good a job as a group named by the President could do.

Mr. President, that was the real purpose for which I rose. I hope my distinguished friend, in his desire to see sound money remain our basic goal in this field—and he will have no firmer agreement in that field than from the senior Senator from Florida—will not get to the point where he is afraid to trust the Senate or the committees of the Senate or the able senior Senator from Virginia, the ablest American of them all, to handle this particular type of business.

I thank my friend, the distinguished senior Senator from Connecticut.

Mr. BUSH. Mr. President, I simply wish to observe that I have so much respect for my good friend, the senior Senator from Florida, that I disliked to interrupt him to remind him that I had the floor. I should now like to serve notice that if any other Senator asks me to yield while I retain the floor, which I hope will be only a short time, I will not yield for the purpose of discussing the issue of civil rights, but only to discuss the investigation which is now in progress before the Committee on Finance.

Did the Senator from Arkansas wish to question me?

Mr. FULBRIGHT. Mr. President, I think, in view of the remarks made by the Senator from Indiana [Mr. CAPEHART] a few minutes ago, I should like to say a word or two. I am opposed to his bill or resolution. I was opposed to it at the time he introduced it. I thought I made it clear that one reason was that I thought the administration was quite free, if it saw fit, to appoint a commission outside the Senate to study the matter. I have no objection to their doing that at all. But I did not see then, and do not see now, why the Senate should authorize the Executive to do what the Executive has every power and right to do if it sees fit.

Coming to the immediate question, the Senator from Indiana pointed out various aspects of the problems which are within the jurisdiction of the Committee on Banking and Currency with respect to which he is quite correct. On the other hand, the tax laws are within the jurisdiction of the Committee on Finance.

It is my opinion that the tax law of 1954 is the greatest single contributor to the inflationary pressures which now prevail. If there is to be any cure in that field, it would not be possible for the Committee on Banking and Currency to do anything about it, as it was not possible in several other cases, notably the recent effort I made to revise the relationship between taxes on small business and large business. We are at the mercy of the Committee on Finance.

The Senator will recall that in 1954 Congress reduced taxes very substantially—I believe by about $7 billion. Very substantial benefits were given to big business in that act. I remind the Senator that I voted against the bill, because I thought it was highly inflationary, and inequitable besides. There is nothing the Committee on Banking and Currency can do in that field. Therefore, I think the proper committee, so far as jurisdiction is concerned, is conducting the study.

Of course, that committee will be somewhat influenced by the fact that they reported the bill, and I doubt seriously that they would be inclined to offer the slightest criticism of that legislation. But that leaves the situation right where it started.

In the House an attempt was made to have a study made by the Committee on Banking and Currency of that body, but the House itself rejected that proposal, as the Senator from Connecticut knows. But I myself see no particular reason why the Senate Committee on Banking and Currency should now undertake to institute a study in this field, in view of the action of the Committee on Finance and in view of the fact that the Executive has both the facilities and any opportunity it wishes to take to look into this matter.

Mr. BUSH. I agree with the Senator's statement. I do not think there is any question before us now that the Committee on Banking and Currency should enter this field.

Mr. FULBRIGHT. One last observation. The Committee on Banking and Currency has jurisdiction of the Federal Reserve System. I myself—and I think I am in the minority on this side of the aisle—have never offered criticism of the present policy of the Federal Reserve System. The Senator may recall that, I believe it was, a year ago the Committee on Banking and Currency conducted a study of the inflationary influences in the stock market. I would not say that as a result of the study the Federal Reserve System was encouraged to and did increase the margin requirement about that time, but at least I think they were influenced by the study.

I think that within the narrow field of interest rates, which is in their jurisdiction, the Federal Reserve System is trying to exercise a restraining influence, but I would certainly agree that interest rates alone are by no means equal to the job of controlling inflation. They constitute one small segment of the overall economy which can be brought to bear.

So I think the Federal Reserve System may be doing about all it can in that respect.

Mr. BUSH. I should like to conclude my remarks, if I may, in a few minutes.

I may say to my good friend, the Senator from Ohio [Mr. BRICKER], that I am sorry to have kept him waiting so long for the floor, but I cannot take all the responsibility for that myself.

In conclusion, I may say that the Secretary of the Treasury, the Honorable George Humphrey, made a magnificent statement today clarifying the issues involved in the investigation being made by the Committee on Finance, at the hearings which opened this morning. For the information of Senators who are not members of the committee, and for the benefit for the readers of the CONGRESSIONAL RECORD, who I believe are some 50,000 in number, I ask unanimous consent that Secretary Humphrey's statement be printed at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SECRETARY OF THE TREASURY GEORGE M. HUMPHREY BEFORE COMMITTEE ON FINANCE, UNITED STATES SENATE, TUESDAY, JUNE 18, 1957

Mr. Chairman, gentlemen, I appreciate the opportunity of meeting with you today as you commence your study of the financial condition of the United States.

Such a study will undoubtedly involve an appraisal of our current financial condition, the management of the Federal debt, fiscal and monetary policies employed during the past 4 years, and an analysis of supplemental or alternative courses of financial policy which may be suggested. In order to assist you in this inquiry, it seems appropriate that I provide a statement as to the problems we have faced, the goals we set, and the record of our accomplishments in the past 4 years.

It is a record of a prospering America with new high levels of employment, rising income, and increasing purchasing power. It is a record of more and better jobs, more homes, more cars, more leisure, and more recreation. It is a record of unequaled prosperity with both the blessings and the problems of such a period.

Last year an average of 65 million of our people were gainfully employed, an increase of 3,700,000 in only 4 years. During the same 4 years, unemployment has averaged only 3.8 percent of the civilian labor force compared to 4.1 percent during 1949 through 1952, and 15 percent from 1937 until the beginning of World War II. The present low level of unemployment has been achieved although the civilian labor force has increased from 63 million in 1952, to 68 million today. For the first 5 months of this year, unemployment has averaged about 3.7 percent.

The record of the past 4 years is also a record of rising levels of living, widely shared. During this period, average annual family income, after Federal income taxes, has increased from less than $4,500 to an estimated $5,200, an increase of about 12 percent, even after eliminating the effect of price changes. In 1956, the average family purchased 12

percent more goods and services, in real terms, than in 1952.

Almost 5 million families have moved into new homes since 1953. Almost 30 million families own their own homes today, an increase of 13 percent in only 4 years. The number of homes with electric refrigerators has increased from 38 million to 45½ million, accounting for 96 percent of all wired homes. In only 4 years, the number of homes with food freezers has increased from 5 million to 8½ million; the number with clothes dryers (either electric or gas) from 1½ million to 5½ million, and the number with television sets from 21 million to 38½ million. The number of families owning automobiles has increased from 31 million to 37 million.

This growing prosperity has extended to nearly all segments of our society except the farmer. The postwar adjustment in farm income has only recently been reversed, with a small increase last year for the first time in several years. Farm income per worker last year was $1,862, up $151 from 1955. Farm prices have been rising moderately in the last few months, and on May 15, were up 3 points above the level of a year earlier. The objective of this administration is to enable our farm families soon to share more fully in the record prosperity which characterizes the rest of our economy.

The record of the past 4 years is one of great enhancement in personal financial security. The number of life insurance policies increased from 219 million in 1952, to an estimated 265 million in 1956, an increase of 21 percent, and the number of persons covered by hospital insurance increased from 91 million to 112 million, or 23 percent. Time deposits in banks and share accounts in savings and loan associations increased from $79 billion to about $112 billion, or 41 percent, and the estimated number of shareholders in American industry increased from 6½ million to more than 8½ million.

The record of the past 4 years is also one of increased leisure. There has been a 19 percent increase in the amount of time Americans took for their vacations—85 percent with pay. About 55 million of our people visited national park areas last year, an increase of 30 percent in the last 4 years, and approximately 60 million are anticipated this year.

This great increase in the income, the living standard, the recreation, and security of our people has been achieved at a time when there has been a substantial contraction in our defense expenditures. Our free economy has again demonstrated its ability to absorb reductions in Government expenditures not by contracting, but by expanding employment and the living standards of our people.

The record of the past 4 years has been one of unequaled investment. The Nation has devoted a vast amount of its resources to improving and enlarging its productive capacity. Businesses have spent an alltime high of $152 billion on new plant and equipment, compared with $123 billion in the preceding 4 years. This record volume of capital outlays has provided a dramatic answer to those who would contend that our economy would run down without the artificial stimulus of chronic deficit spending and the backlog of private demands deferred by the war. Outlays to make better provision for needed public facilities have also been at very high levels in recent years. Total public construction in 1956 was $13.4 billion, 23 percent above 1952 levels, and educational construction outlays during this same period increased 56 percent, from $1.6 billion in 1952, to $2.5 billion in 1956.

The increased confidence of our people and of our business concerns, that they will be free to determine their own course—free from unnecessary regulation or harassment—greater confidence in the stability of our Government and the wider distribution of purchasing power, have encouraged our consumers, our homeowners, our business concerns, and our communities, to plan for the future, and to buy the automobile, or the home, to build the factory or the schoolhouse, that a brighter future justifies.

Thus the record of the past 4 prosperous years has been characterized by the many blessings of widely shared prosperity—but it has also been beset by one of the problems of prosperity.

The tremendous outlays to expand our public and private facilities have required financing, and this has inevitably given rise to a heavy demand for borrowings. With growing confidence on the part of lenders as well as borrowers, there has been a rapid increase in the volume of both long- and short-term credit. Almost all of this increase has come from savings and not from an increase of money supply in the banks. Nevertheless, there has been, and is, the ever-present threat of rising prices.

The monetary policies of the Federal Reserve and the fiscal policies of this administration have been designed to encourage the growth of the supply of goods (as the foregoing figures indicate), but not to encourage excessive credit expansion. The cost of living has risen an average of only six-tenths of 1 percent per year for the past 4 years, as compared with an average increase at the rate of about 7 percent per year for the preceding 13 years. In short, the rise in prices during this administration has been at only one-tenth the average annual rate of the preceding 13 years. Even this rise is more than I like to see, but it is a record of far better price stability than in many years. Nevertheless, prices have been rising a little faster for the past 12 months, and the threat of renewed inflation, which had been so severe from 1946 to 1952, is perhaps our most serious domestic economic problem.

The greater increase in demand for credit than in the supply thereof has inevitably brought about higher interest rates.

The record of the past 4 years is one of sensitive and flexible adjustments to the release of controls, and to the return to free markets, an accommodation of the post-Korea curtailment in military spending, and of a free market's emphasis first on housing, then automobiles, and now new-plant construction with continuous improvement in the total economy. It is a record of encouraging savings and investment in increased productive capacity, of encouraging an adequate volume of credit, but of not encouraging that excess of credit which, in a period of high employment, could only penalize our people by bidding up prices without increasing production. It is essentially a record of flexible and quickly adjusting fiscal and monetary policy designed to continue the sound improvement in levels of living, widely shared, which is the wonder and ambition of all the rest of the world.

It is a most significant record, important to us all, because the monetary activities of the Federal Reserve System and the fiscal activities of the Treasury affect the wages, the standard of living, and the savings—indeed the entire financial well-being—of each one of our citizens.

It is above all a record of the renewal of widespread confidence of the people in the preservation of their individual freedom of choice, in their jobs, in their right to the enjoyment of the fruits of their own initiative and endeavor, and in the security of their savings. It is a record of renewed confidence in the security of our country.

Feeling as I do that there should be the widest possible public interest in this subject, and feeling such a deep pride in what this administration has done and is doing, I welcome this opportunity to speak to your committee, and through you, to the more than 171 million Americans whom the Congress represents.

Let me review the major policies of, and the fiscal actions taken by, this administration since we took office in January 1953.

In discussing fiscal, monetary and credit policies, as I am doing today, I do not want to give the impression that they alone can prevent inflation and assure economic growth. They are, however, a subject of the present inquiry and I shall concentrate my attention on them. Certainly if they are not sound, there is little chance for sound money and sound long-term economic growth.

As a preface to our present policies, let us review the situation as it existed when we came into office.

I. WHERE WE WERE IN 1953

A. The direction in which we had been going

You will recall the tremendous changes that had occurred in the period before 1953. In 10 of the 13 fiscal years from 1939 through 1952, the Government operated at a deficit, as it had in the preceding 9 years. Largely as a result of World War II, the Federal debt increased in only 13 years from $47½ billion at the end of 1939, to $267½ billion at the end of 1952. The interest charge on this indebtedness had grown from an annual rate of $1¼ billion per year in December 1939, to $6¼ billion in December 1952, an average increase in interest cost of almost $400 million per year.

In 13 years, annual Federal taxes had increased from a little less than $5 billion in 1939, to almost $85 billion in 1952. This amounted to an increase in the average tax burden of each American citizen from $36 in 1939, to $413 in 1952.

B. The conditions which we faced upon taking office in 1953

When this administration came to office in January of 1953, we faced—

1. A Federal debt equal to 89 percent of our annual national income.

2. Budget expenditures of $74.3 billion for fiscal 1953, and proposed budget expenditures of $77.9 billion for 1954.

3. A budget deficit of $9.4 billion for 1953, and a planned deficit of $9.9 billion for 1954.

4. A continuing spiral of inflation which had reduced the purchasing power of the dollar from 100 cents in 1939, to 77 cents by 1945, and had further reduced it to 52 cents by 1952.

In appraising these conditions and the course to pursue, we were influenced by a recognition of the overpowering importance of preventing another devastating postwar inflation, which, prior to 1953, the Government was attempting to control by inadequate means.

II. THE GOALS WHICH OUR ADMINISTRATION SET FOR ITSELF

Within less than a month of his taking office in 1953, President Eisenhower, in his State of the Union Message, called attention to the "inescapable need for economic health and strength," and stated:

"Our immediate task is to chart a fiscal and economic policy that can:

"First, reduce the planned deficits and then balance the budget, which means, among other things, reducing Federal expenditures to the safe minimum;

"Second, meet the huge costs of our defense;

"Third, properly handle the burden of our inheritance of debt and obligations;

"Fourth, check the menace of inflation;

"Fifth, work toward the earliest possible reduction of the tax burden;

"Sixth, make constructive plans to encourage the initiative of our citizens."

Let us review these goals and our efforts, our difficulties, and our accomplishments to date, in achieving them.

III. WHAT THIS ADMINISTRATION HAS ACCOMPLISHED

A. "First, reduce the planned deficits and then balance the budget, which means, among other things, reducing Federal expenditures to the safe minimum."

To what extent have we accomplished the goal?

1. We first reduced and then entirely eliminated planned deficits.

The budget in effect when we took office in 1953 produced a $9.4 billion deficit, and the budget proposed for the fiscal year 1954 called for a $9.9 billion deficit. Our administration immediately went to work with the help of the Congress to reduce the planned deficit for fiscal 1954, and indeed the final deficit ($3.1 billion) was only one-third of that anticipated by the prior administration.

Without the largest tax cut in our Nation's history, the budget would have been balanced in 1955. However, in view of the transition resulting from the reduction in military spending, and anticipated further reductions in spending which in fact materialized concurrently with our action, we were able to pass some of the savings from our reduced expenditures back to the people, even though this meant another year's delay in achieving a balanced budget. Fiscal 1955 was, however, the last year of deficits.

2. We have balanced the budget.

By fiscal 1956, we had entirely eliminated deficits, balanced the budget, and completed the year with a surplus of $1.6 billion.

The 1957 budget will result in another surplus, and the budget proposed by the President for 1958 provides for a third successive surplus for the first time in 25 years.

3. We have reduced Federal expenditures.

Federal expenditures were reduced from $74.3 billion in the inherited budget of 1953, to $67.8 billion in 1954, and $64.6 billion in 1955. As a result of additional programs authorized by the Congress, substantial pay increases, and the need for increasingly expensive military equipment, expenditures increased slightly in the past year to $66.5 billion, with further increases anticipated to $68.9 billion for 1957 and $71.8 billion for 1958.

The 1957 budget is $5.4 billion below the budget we inherited in 1953, and is but 16 percent of our current gross national product now as compared to 21 percent in 1953.

B. "Second, meet the huge costs of our defense."

Major national security expenditures have been reduced from $50.4 billion in 1953, to $46.9 billion in 1954, to an estimated $41.0 billion in 1957, with a proposed $43.3 billion in 1958. This reduction has been achieved despite the fact that, though not at war, we are still engaged in a titanic contest which requires not only the expense of preparedness, but extremely expensive research and development. Such research is necessary to assure preparedness for tomorrow, and the days beyond, in the terrible race for primacy in the most complete transition from old to new weapons in the history of the world.

While our fantastically costly weapons of tomorrow are still in the expensive research and development stage, we must continue to maintain our maximum strength in the weapons of today. This means that during this transition period we must support increased costs of two systems of defense.

We have met these huge costs with a balanced budget and with a reduced tax burden. We have provided the necessary large amounts of expensive and revolutionarily new equipment needed for our national safety, greatly expanded our productive facilities, and at the same time enabled far more capital and labor to be directed toward building more cars, more houses, more of all of the good things our people need and want.

C. "Third, properly handle the burden of our inheritance of debt and obligations."

As you have invited the Under Secretary, Mr. Burgess, to meet with you, I have asked him to report to you in detail on our handling of the debt.

In preface to his remarks, I might say that the management of $275 billion of debt is not a simple assignment under any circumstances. The Federal Reserve's proper withdrawal from the pegging of the Government bond market, which withdrawal was the most effective single action taken in the battle against inflation, has made it more difficult to manage debt operations than it was when a fixed rate was assured. Had such a policy continued, however, the resulting inflation would eventually have produced even greater complications for debt management than we have experienced under a system whereby interest rates are determined by the forces of the market.

In January 1953, when this administration took office, the average rate on all Government interest-bearing issues outstanding was 2.35 percent. The total net computed interest cost at an annual rate at that time was $6.2 billion. Four years later the average rate on all Government issues outstanding was 2.67 percent or an increase of about three-tenths of 1 percentage point. The total net annual computed interest cost, as of December 31, 1956, was $7.3 billion, of which $0.9 billion is due to increased interest rates, and $0.2 billion is due to an increase in the debt incurred to pay obligations inherited from previous commitments.

This increase in interest rates results from the free market influences of supply and demand in a period of unparalleled prosperity. It is a continuation of a rise that has been going on for the past 10 years under the growing pressure of borrowing demands.

Computed interest rate on the public debt

December:	Percent
1946	2.06
1952	2.35
1956	2.67
May 1957	2.75

For the entire period from December 1946 through May 1957 there was an increase of sixty-nine one hundredths of 1 percent in the computed interest rate on the public debt. Of that increase, twenty-nine one hundredths occurred prior to this administration, and forty one hundredths occurred during this administration.

During the past 4 years there has been no increase in public debt interest cost in relation to national income. The interest cost was 2.1 percent of national income in December 1952, and was the same percentage in December 1956, for the increase in interest cost has only kept pace with the increase in national income.

Furthermore, the $1 billion increase in interest paid reflects increased earnings received by the investors who own the securities.

Of the $7 billion of interest paid on the public debt during calendar year 1956, $1.4 billion represented the payment of interest to social security funds and other Government investment accounts.

About $0.6 billion of public debt interest was received by the Federal Reserve banks, 90 percent of which is returned to the Treasury as surplus earnings.

Commercial banks received approximately $1.4 billion of such interest last year. About $0.6 billion went to other financial institutions (mostly insurance companies and savings banks), $0.5 billion to corporations, $0.4 billion to State and local governments, and $0.4 billion to nonprofit institutions, foreign accounts, etc. The remainder of about $1.8 billion—the largest single segment of the interest on the public debt—went to individuals, either in the form of cash payments or accumulated interest to the 40 million holders of savings bonds. Millions of Americans are benefiting from these higher interest rates.

I am asking Mr. Burgess to review other phases of our debt management program.

D. "Fourth, check the menace of inflation."

1. The problem: At the risk of oversimplification, let me condense the story of inflation to about a dozen lines.

Almost all of our employable labor force is employed—and at higher wages than they have ever received before. Our people are buying virtually all that they are producing, but they want to buy more, both more consumer goods and more productive facilities. Being confident of the future, they desire to borrow to buy more. The lenders are lending more than ever before, but still not as much as the public would like. However, with most resources fully utilized, additional bank credit would not put any more people to work—it would merely provide additional demand in excess of the supply of both labor and goods. Such a demand in excess of supply would cause a rise in prices if it were fed by excessive bank credit expansion.

A rise in prices hurts every housewife, every one on a pension, every person with a fixed or lagging income, every saver. It robs labor of much of its gain in wages. This rise in prices has been a principal cause of the farmers' difficulties, because while income per farm remained fairly static during the last 10 years, the farmer has had to pay higher prices. As a consequence, he has been particularly hurt by the inflation which, to a lesser extent, injures every one of us.

There are two ways to check this rise in prices: (a) increase the supply of goods, and (b) slow the expansion in the number of dollars bidding for the goods.

We have utilized both methods. The administration in many ways has encouraged an increase in productive facilities which is the only way to increase the supply of goods. The Federal Reserve and the administration have taken action to restrain a too rapid growth in the number of borrowed dollars available to bid up the price of the limited supply of goods and services.

2. The respective roles of the Federal Reserve and the Treasury: I would like to take a moment to identify the respective roles played, on the one hand by the Treasury, which influences fiscal policy (through its recommendations on tax and budget policy as well as its management of the public debt), and on the other hand by the Federal Reserve, which is responsible for monetary policy (through its influence on the cost and availability of money and credit).

A mere statement of the respective functions demonstrates the major role of the Federal Reserve in the effort to stop inflation. The Federal Reserve has the authority and the tools to take monetary and credit action. We do not. The Treasury cannot determine the level of interest rates but must pay the rates determined by market forces. The Federal Reserve can influence the levels of market rates although there are definite limits to its power to maintain any fixed level of rates, as is shown by history. I do not point this out to shift any responsibility from the Treasury. On the contrary, we approve wholeheartedly the course which the Federal Reserve has followed, and have admiration for the courage and decisiveness with which the Board has acted.

(a) Through 1952: As you will recall, throughout the decade prior to 1951, the Federal Reserve followed a policy of supporting the market for United States Government securities at or above par. This was done to enable the Government to sell, at a low interest cost, the great volume of securities which was necessary to finance World War II. It accomplished that purpose, but, it created cruel inflationary conditions which

required the sale of more bonds and increased debt to pay the resulting higher costs of the war.

In artificially holding interest rates at low levels, the Federal Reserve made credit cheap, not only for the Government, but for all borrowers. By maintaining a market which enabled the banks to liquidate their Government bonds at any time at par or better, it encouraged a continuance of the war-born expansion of excessive bank credit. This cheap and plentiful credit was an important cause of the wartime inflation which, despite wartime restrictions of direct controls and rationing, robbed the dollar of 23 cents of its purchasing power between 1939 and 1945.

Calendar year average	Consumers price index (1947–49=100)	Purchasing power of dollar (1939=100)
1939	59.4	100.0
1940	59.9	99.2
1941	62.9	94.4
1942	69.7	85.2
1943	74.0	80.3
1944	75.2	79.0
1945	76.9	77.2

At the end of World War II there was an acute shortage of goods. There was, however, a pent-up demand, a demand made effective by both a large amount of liquid assets accumulated during the war and a rapid increase in private credit. The war-born policy of the Federal Reserve, mistakenly continued into peacetime under Treasury insistence, enabled the supply of credit to rise too rapidly, with the result that this credit-backed demand for goods exceeded the supply of goods. While interest rates were held at artificially low levels, prices continued their serious rise, at an average annual rate of over 7 percent from 1945 to 1951, and in those 6 years the dollar lost another 23½ cents of its purchasing power.

Calendar year average	Consumer Price Index (1947–49=100)	Purchasing power of dollar (1939=100)
1945	76.9	77.2
1946	83.4	71.2
1947	95.5	62.2
1948	102.8	57.8
1949	101.8	58.3
1950	102.8	57.8
1951	111.0	53.5

It was becoming clear to increasing numbers of observers that the unwise credit stimulus provided by the Federal Reserve should be withdrawn. Such a withdrawal could be achieved only by paying the lesser penalty of an increase in the interest rates to be paid. It was clear that, if the Federal Reserve ceased purchasing Government securities at par, natural market forces, reflecting increasing demand for credit, would result in the higher interest rates which the Federal Reserve purchase policy had so far postponed. During this postwar period, the Federal Reserve made several modest moves toward freer short-term markets, but was held back by the Treasury. After a most thorough review of the relative advantages and disadvantages of such a change, the Subcommittee on Monetary, Credit, and Fiscal Policies (the Douglas subcommittee) concluded in 1950 that "as a long-run matter we favor interest rates as low as they can be without inducing inflation, for low interest rates stimulate capital investment. But we believe that the advantages of avoiding inflation are so great and that a restrictive monetary policy can contribute so much to this end that the freedom of the Federal Reserve to restrict credit and raise interest rates for general stabilization purposes should be restored even if the cost should prove to be a significant increase in service charges on the Federal debt and a greater inconvenience to the Treasury in its sale of securities for new financing and refunding purposes."

Partly as a result of that review and report, the administration then in office and the Federal Reserve, by an agreement referred to as the "accord," changed the prior policy, and the Federal Reserve began to withdraw its support to the market for Government bonds in March of 1951. While this was a step in the right direction, it was not a complete step. On a number of occasions during 1951 and 1952 the Treasury still relied on Federal Reserve purchases to keep new issues from sinking in the market.

Let me pause in this chronology to remind you of the facts about that change in policy.

It was put into effect by an independent agency, the Federal Reserve.

It was urged by many of the best informed Members of Congress.

It occurred during the preceding administration—21 months before this administration took office.

This new policy of the Federal Reserve was not so much anti-inflationary as it was a tempering of what formerly had been positively inflationary action. The Federal Reserve began to reduce the amount of credit it had been artificially creating. It freed natural market forces.

As an incidental result of the reduction in the volume of artificial credit generated by the Federal Reserve, the supply of credit grew somewhat more slowly than the demand for credit. As a consequence, interest rates began to rise and the market prices of bonds went down.

Though the full force of this change in the Federal Reserve policy was not immediately effective, almost a quarter of the increase in the computed interest rate on the public debt (from 2.22 percent at the time of the Federal Reserve-Treasury accord in 1951 to 2.75 percent in May 1957) occurred in the 21 months prior to the time this administration took office.

As a result, banks and insurance companies which had such large blocks of Government securities were more hesitant to sell them at a 3- or 4-point loss in order to make a loan. This caused them to make fewer loans than they would have made had the earlier policy been continued.

Although by the "accord" of March 1951 the administration then in office had reluctantly agreed to the right of the Federal Reserve to take such monetary action, that administration itself continued to rely on direct controls on wages, prices, and rents. In addition, after the short-lived budget surplus of 1951, increasing Government spending, and renewed deficits in 1952, largely as a result of the Korean conflict, encouraged a further depreciation in the dollar to 52.3 cents.

Calendar year average	Consumer Price Index (1947–49=100)	Purchasing power of dollar (1939=100)
1951	111.0	53.5
1952	113.5	52.3

Inflation had been appreciably slowed, but if inflation was to be effectively checked, the Federal Reserve's new policy had to be supported more vigorously and supplemented with parallel fiscal policies.

(b) Since 1952: In 1952, General Eisenhower campaigned for the Presidency in part on the ground that further inflation must be prevented, and advocated:

"A Federal Reserve System exercising its functions in the money and credit system without pressure for political purposes from the Treasury or the White House."

(i) We have conducted our affairs so as not to interfere with the Federal Reserve's monetary policies: We have lived up to that promise to the letter. To do so, however, has subjected the Treasury to certain burdens, just as it has other borrowers. Not to do so would have created much more serious burdens for all of us.

Although new financing was less expensive and easier in 1954, it has again become more costly. With a very high percentage of bank and insurance company assets now in loans, these institutions are not clamoring for long-term—or even intermediate-term—Government securities.

We must, therefore, at present, sell mostly shorter-term securities, which are attractive because of their high liquidity. I do not say this to complain, but to acknowledge an obvious fact. We will meet these difficulties and solve them as we have in the past, continuing our flexible policy, postponing debt extension when we must, achieving it whenever we can.

There is a strong demand for short maturities. Our bill auctions each week are always well oversubscribed. The Treasury faces no crisis. Our securities are the most highly regarded in the world. But in a free market, we must compete for funds. That means the factors of supply and demand determine the rates we must pay. Rates may decline or they may go higher. I would be disappointed to see them go higher, but if that is the price we must pay to prevent the growth of excessive credit and consequent inflation, it will well justify the price.

This administration, in addition to supporting the Federal Reserve's independence, has utilized its debt management and fiscal functions to help check inflation.

(ii) Planned deficits have been eliminated: Federal deficits necessitate increased Federal borrowing. More Federal borrowing, to the extent it comes from the banks, means the creation of additional bank credit. This tends to create more spendable dollars than there are goods to buy. As your chairman, Senator BYRD, so clearly pointed out in his remarks to the Senate on August 13, 1954:

"Deficit spending is perhaps the greatest single factor in the cheapening of the value of the money."

In ending deficits, we have eliminated this very inflationary pressure.

(iii) The debt is being reduced: We reduced the public debt in fiscal 1956 as a result of our budget surplus of $1.6 billion. Another budget surplus is being applied to the debt this year and we expect to do it again in 1958. Reduction of the public debt is one of the best ways to fight inflation.

(iv) Government expenditures have been reduced: Government expenditures are inflationary, particularly when the economy is at a high level of output and employment. Taxes divert to Government spending some funds which, in the hands of the taxpayer, would have gone into savings. Furthermore, some Government expenditures go into payrolls to produce goods and services (especially military equipment and services), which neither contribute to the Nation's capital account nor become available for private consumption. Yet this additional purchasing power competes for the existing supply of both goods and services.

By reducing Government expenditures, we have released more workers and materials directly to private industry where they could add further to the supply of goods and services needed to meet our heavy demands for plant and equipment, and greatly increase the supply of homes, cars, television sets, and other consumer products necessary for our rising standard of living. Reduced Government expenditures have been an anti-inflationary influence.

(v) We have reduced the floating debt: The amount of marketable public debt maturing within a year, plus demand obligations (other than E and H savings bonds) in the hands of the public—securities which in many ways are close to cash—has been reduced by $25 billion from the high point in 1953.

(vi) We have shifted some of the debt away from the banks: Since increases in bank loans represent additional spendable money, they tend to be more inflationary than loans that grow out of a transfer of existing savings. As a consequence, one of the Treasury's long-range debt-management objectives has been to reduce bank holdings of Government securities to a reasonable minimum. To this end we have, in the past 4 years, reduced the amount of Government securities held by the banks by $4 billion. This has been achieved in part by paying off some securities and in part by designing the terms of new issues (such as tax-anticipation bills and certificates) to be particularly attractive to nonbank investors.

(vii) We have stimulated increased savings: Greater confidence in the future, higher rates of interest, and increasing confidence in the stability of the dollar, have all encouraged our people to save more both in dollars and in relation to disposable income. As one means of encouraging savings and combating inflation, we have emphasized the continued sale of series E and H savings bonds. The amount of these small-saver bonds outstanding has increased from $35.3 billion to $41.4 billion during the past 4 years.

Moving thus on all of these fronts, by ending deficits, by reducing the debt, by reducing expenditures, by keeping down the bank-held debt, by reducing the floating debt, and by selling more E and H savings bonds, as well as by working closely with the Federal Reserve, we have accomplished a tempering of inflationary pressures during these years, with a decline in the purchasing power of the dollar of only eight-tenths of a cent in 4 years.

Calendar year average	Consumer Price Index (1947–49=100)	Purchasing power of dollar (1939=100)
1953	114.4	51.9
1954	114.8	51.7
1955	114.5	51.9
1956	116.2	51.1

The past 4 years have been characterized by greater price stability than any other 4-year period since 1939. But inflation is not stopped. It is only slowed down. Indeed, there has been a disturbing renewal of pressures in the last 12 months during which the dollar has lost almost 2 cents in purchasing power.

Month	Consumer Price Index (1947–49=100)	Purchasing power of dollar (1939=100)
1956—April	114.9	51.7
July	117.0	50.8
October	117.7	50.5
1957—January	118.2	50.3
February	118.7	50.0
March	118.9	50.0
April	119.3	49.8

This most recent decline in purchasing power is disturbing. It reinforces our conviction that we must continue the vigorous pursuit of our present policies. We should certainly not abandon them.

3. The necessity for flexibility: While over the past 4 years it has been necessary to follow generally anti-inflationary fiscal and monetary policies, we have had changes in the economy which have required us to moderate them on occasion, and we may encounter other circumstances which may require some relaxation at some times in the future. We approve the philosophy expressed in the Douglas subcommittee report that "timely flexibility toward easy credit at some times and credit restriction at other times is an essential characteristic of a monetary policy that will promote economic stability rather than instability."

Our administration had been in office only a few months when the coincidence of the full effect of the Federal Reserve's new policy, and the curtailment of defense spending, temporarily changed the problem. We were, at that time, more concerned with preventing a decline in employment and production than with a rise in prices. Taxes were reduced and the administration relaxed downpayment and maturity terms on FHA and VA guaranteed housing loans. At the same time, Federal Reserve policy also eased, making funds more readily available. The decline was stopped and a sound economic expansion got underway with renewed public confidence in the courage of the administration and the flexibility of its policies. By 1955, economic activity was again vigorous and the problem was one of inflationary pressures (which have continued), and easy bank credit expansion was no longer encouraged.

4. The available alternatives: In view of the breadth of the subject of your inquiry, it is appropriate that we consider what might have been some available alternatives to general monetary and credit policy.

These alternatives are:

(a) Direct controls prohibiting or limiting certain types of credit.

(b) Compulsory saving.

(c) Physical controls on prices and wages—plus, perhaps, rationing and allocation of materials and labor.

(d) Higher taxes and large governmental surpluses to be applied on the bank-held debt.

(e) Greater individual savings and voluntary effort at restraint.

(f) A reversion to the pre-1951 policy of Federal Reserve purchase of Government securities at or above par—and consequent encouragement of severe inflation.

The use of any of the first three alternatives in peacetime would have been inequitable, impractical, and inconsistent with our traditions of freedom. The fourth alternative would have required the imposition of additional taxes on top of our present heavy load, and would not have been acceptable. The fifth, which the President emphasized in his state of the Union message just a few months ago, can help immeasurably but can be achieved only if other policies are effective.

Thus, as a practical matter, the real choice is between the anti-inflationary course which we have pursued, and a new round of inflation.

Those who, in a period such as this, urge an abandonment of our anti-inflationary policies, those who urge either deficit financing or a policy of artificially creating more spendable dollars are, whether unwittingly or by intention, inflationists. No matter what their motives, their proposals for further credit expansion are proposals to further reduce the purchasing power of the dollar, to rob every housewife, every farmer, every pensioner, every wage earner, and every family with savings. Their arguments must be understood to urge just that.

There can be no doubt as to the wisdom of our choice in utilizing the tools of monetary and credit policy. As to the extent to which we used these tools, I can only say that I gain confidence from the fact that we are criticized with equal vigor by those who feel that credit has been restricted too severely, and those who feel it has not been restricted severely enough.

Despite some recent tendency for prices to rise again, the administration can take considerable pride in what has been achieved to date in respect to this, the President's fourth goal.

E. "Fifth, work toward the earliest possible reduction of the tax burden."

The Eisenhower administration and the Congress, working together, have already made possible the greatest single tax cut in history.

In 1954, in order that the people might benefit from the substantial reduction in Government expenditures, we brought about a tax cut that has provided them with annual savings of about $7½ billion.

As the President pointed out in his letter of April 18, 1957, to the Speaker of the House, this tax cut has already saved our people almost $25 billion in taxes."

More than 60 percent of that reduction went to individuals. Every taxpayer benefited.

That was a creditable accomplishment by the Congress and the administration. Tax receipts are now at an alltime high as a result of our current prosperity, but even so, Federal taxes account for a slightly smaller proportion of our national income than they did in 1953.

We intend to go further at the earliest justifiable opportunity, for the tax burden is still far too heavy. However, the possibility of a reduction in taxes depends upon the degree of success of the administration and the Congress in keeping the budget position sound.

F. "Sixth, make constructive plans to encourage the initiative of our citizens."

A primary goal of this administration is a free and prosperous America. To encourage the initiative, energy, and savings of our people, which are the only means to prosperity, our most important steps were our anti-inflationary actions which have increased public confidence in the security and stability of our economy. In addition, we have taken other helpful action.

1. We relieved the public of the burden of controls: When this administration took office in 1953, the country was still handicapped with controls over prices and wages, and the use of certain materials. We promptly terminated these controls.

2. We have reduced Government activities which compete with private business: During the past 4 years, some 500 Federal enterprises competing with business have been abolished. We have disposed of the Government-owned synthetic rubber producing facilities and the Government-owned tin smelter to private enterprise, and the Reconstruction Finance Corporation is now in the process of liquidation. Surplus real estate, worth $366 million, has been sold and turned back to local tax rolls.

3. We have created a more favorable climate for enterprise:

(a) We have moved vigorously to prevent monopolies: The number of antitrust prosecutions has been materially increased and the number of convictions, guilty pleas, and consent decrees obtained in the past 4 years has been more than 40 percent higher than in the preceding 4 years.

The number of prosecutions under section 7 of the Clayton Act, as amended in 1950, has increased from only 1 in the 2 years, 1951 and 1952, to 29 during this administration.

(b) We have encouraged small business: Upon the success of small-business firms to prosper and grow depends much of our production and our survival as a free competitive society. This administration has sought in many ways to aid smaller firms and to relieve them of burdensome taxes and requirements.

In the past 4 years small business has benefited materially from tax-law changes—the expiration of the excess profits tax law, the reduction in personal income tax rates in 1954, and the extensive revision of the Internal Revenue Code. Even more important to the smaller firms is the general prosperity of the past 4 years.

To aid small firms which are unable to obtain adequate credit from normal sources,

President Eisenhower signed the Small Business Administration Act on July 30, 1953. That act created the Small Business Administration, and authorized a revolving fund of $275 million to provide needed loans to small-business concerns. Subsequently, the administration supported increases in the SBA funds to $375 million in 1956, and to $455 million in 1957. The administration now has a bill pending to increase this to $600 million, and to make the SBA a permanent organization. Each year the SBA has made a larger number of loans, with over $125 million made in the last 10 months, and currently is making loans to about 60 percent of the applicants whose files have been reviewed.

(c) We have encouraged trade with other countries: This administration has effected measures which have aided the increase in our total foreign trade in 1956 by 22 percent (exports 25 percent) over 1952. In addition, the Treasury, with the cooperation of your committee, has put into effect a number of customs simplification acts which have reduced the complexities attendant on the movement of goods into the United States. We have also provided greater certainty in our administration of the tariff laws.

(d) We have encouraged initiative and activity: Throughout the past 4 years this administration has continuously attempted to encourage rather than discourage enterprise. As a result, our productivity and living standards have been rising steadily.

During the past 4 years, 500,000 new business corporations were formed in the United States. Of course, not all succeeded. A free economy is not a riskless economy. During that period, 44,000 enterprises—noncorporate as well as corporate—failed but that is lower in relation to the number of new corporations formed than during the preceding 4 years (34,000 failures and 355,000 new incorporations).

(e) We have encouraged savings: The importance of savings as the anti-inflationary source of financing is so great that I would like to make these points:

(i) There are many people who benefit from higher interest just as there are many who find it an additional cost. You and I hear complaints today about the increased cost of money. We know it is nowhere as important as the increased cost of labor, but we also know that higher labor cost is a two-sided coin. Someone pays more—but someone receives more. The same is true of interest.

Although many of us owe money in one form or another, it is equally true that many of us have savings in one form or another. As a result, we have a stake in protecting our principal against deterioration in the value of the dollar. We have a further stake in a higher interest return on our money. We are owners of millions of share accounts in savings and loan associations, time deposits in banks, and mutual life insurance policies. Many of us belong to a pension system and our benefit payments tend to increase as interest earnings rise.

Some critics allege that higher interest rates benefit only the bankers. That is nonsense. Earnings of insured commercial banks as a return on average capital accounts in 1956 were 7.82 percent. This is lower than the average for the prior 3 years, or for the years 1948–52. Such bank earnings have averaged 8.29 percent for the past 4 years. This is less than the average of 8.62 percent for the entire 8 years of the prior administration. Bank earnings for 1956 of 7.82 percent are substantially less than the average earnings of all manufacturing companies which averaged 12.3 percent. In 1952, bank earnings of 8.1 percent compared with manufacturing earnings of 10.3 percent.

Bankers are brokers of money. When they receive more, they pay more. Our people have approximately 90 million savings accounts in banks and savings and loan associations. As you know, during the past few years most banks and savings and loan associations have increased the rates they pay to the saver. The amount of return paid or accrued for savers in the savings and loan associations (members of the Federal Home Loan Bank System) increased from less than $500 million in 1952, to an estimated billion dollars in 1956. The amount of interest so accrued for savers in mutual savings banks rose from $500 million to almost $800 million in 1956. Interest paid or accrued to depositors in commercial banks increased from about $450 million in 1952, to about $800 million in 1956. In the past 4 years, interest rates on all these types of savings have been moving upward, and, in a modest way, we have followed with our recent increase in the interest rates on newly purchased savings bonds.

(ii) Increased interest stimulates savings: The higher interest rates paid in the past few years have encouraged greater savings. During the 4 years of the Eisenhower administration, our people saved more, both in terms of dollars ($75 billion of personal savings compared to $56½ billion in the preceding 4 years), and in relation to disposable income, 7.1 percent as compared to 6.4 percent.

(iii) Increased savings are a major means of assuring continued high employment and prosperity: Increased capital investment (more tools, more factories, more equipment), is necessary to provide the jobs with the high wage levels which are paid in this country. It is the principal means by which we can raise our living standards. To the extent such increases in capital investment are provided by excessive bank credit expansion, they are inflationary. To the extent they are financed out of savings, they are not.

With the great increase in capital investment in tools, it is essential to encourage savings in order that as little of this investment as possible be financed in such a way as to stimulate another round of inflation.

In the past 4 years, we have moved to an unparalleled prosperity. More people are living better than ever before. It is this prosperity, in turn, which creates heavy demands for money and requires some anti-inflationary restraint.

We have made great progress toward the sixth goal established by the President—to make constructive plans to encourage the initiative of our citizens.

IV. CURRENT MONETARY AND FISCAL POLICIES HAVE BEEN BENEFICIAL TO THE ECONOMY

This administration has successfully encouraged saving, enterprise, and production. This is a demonstrable and desirable accomplishment. With such means as it has had at its disposal, the administration has attempted to arrest inflation and has been largely successful.

I note, however, that there have been some complaints that the monetary and fiscal policies have been too severe and have affected certain segments of the economy unfairly.

A. Has the administration's anti-inflationary program been injurious?

Let me review again what the administration has done to fight inflation.

We have reduced the Government debt.

We have reduced Government expenditures.

We have balanced the budget.

We have reduced the floating debt.

We have moved some of the debt out of the hands of the banks and put more of it into the hands of individuals.

The reduction in Government expenditures has perhaps injured those corporations which might have received orders had the Government spent more money. The entire course of action, having been anti-inflationary, may have injured those few who might have benefited, at the expense of the rest of our citizens, from runaway inflation. But, except for these few, the good of the overwhelming majority of our people was best served by the course we have followed.

We have also endorsed the independence of the Federal Reserve and conducted our affairs in such a way as to avoid interference with its anti-inflationary monetary policy.

B. Has the Federal Reserve's anti-inflationary program been injurious?

1. By restricting the growth of credit?

The Federal Reserve's program is one of allowing the natural market forces to operate, while adjusting credit availability to meet the needs of normal seasonal activities and sustainable economic growth. The Federal Reserve has ceased its earlier policy of creating additional bank credit, except to the extent needed to meet the basic requirements of a healthy economy.

(a) The Federal Reserve has not reduced the volume of available credit.

Some current discussions of Federal Reserve policy proceed on the mistaken assumption that the Federal Reserve has reduced the amount of credit below an amount previously available. Nothing could be further from the truth. Credit (the aggregate of new savings and new bank credit) has expanded substantially in the past 4 years, and at a rate fully equal to the need.

There is more credit outstanding today than ever before—$146½ billion more than in 1952.

[In billions of dollars]

Uses and sources of credit	Amount outstanding— Dec. 31, 1952	Dec. 31, 1956	Change
Uses of credit:			
Individual:			
Mortgage	82.4	131.5	+49.1
Consumer	27.4	41.9	+14.5
Other	25.7	34.1	+8.4
Total	135.5	207.5	+72.0
Corporate	202.9	249.3	+46.4
State and local government	31.2	50.0	+18.8
Total (other than Federal)	369.6	506.8	+137.2
Federal Government	267.4	276.7	+9.3
Total	637.0	783.5	+146.5

As important as the fact of the increase in credit, is the source of this increase.

[In billions of dollars]

Uses and sources of credit	Amount outstanding— Dec. 31, 1952	Dec. 31, 1956	Change
Sources of credit:			
Nonbank credit (savings)	508.0	643.8	+135.8
Bank credit (money supply)	129.0	139.7	+10.7
Total	637.0	783.5	+146.5

In 1956 alone, total debt (other than Federal Government) increased $37½ billion. Of this increase, $17.5 billion was individual debt, $15.5 billion corporate, and $4.5 billion State and local government debt. (The Federal debt was reduced by $4.1 billion in the calendar year 1956.)

The increase in total credit in the past 4 years has been greater than in either of the 2 preceding 4-year periods. But a most important fact to note is that 93 percent of this increase has come from savings and only 7 percent from an expansion in the money supply.

[In billions of dollars]

Uses and sources of credit	Increases in 4-year period Dec. 1944–48	Dec. 1948–52	Dec. 1952–56
Uses of credit:			
Individual:			
Mortgage	19.4	32.0	49.1
Consumer	9.3	13.0	14.5
Other	3.7	7.4	8.4
Total	32.4	52.4	72.0
Corporate	29.6	63.2	46.4
State and local government	2.7	11.5	18.8
Total (other than Federal)	64.7	127.1	137.2
Federal Government	20.8	14.5	9.3
Total	85.5	141.6	146.5
Sources of credit:			
Nonbank credit (savings)	64.3	124.2	135.8
Bank credit (money supply)	21.2	17.4	10.7
Total	85.5	141.6	146.5
Percent of increase accounted for by—			
New savings	75	88	93
Expansion in money supply	25	12	7
Total	100	100	100

Of the $146.5 billion increase, $135.8 billion has come from existing funds of nonbank investors (which amount may be called savings), and only $10.7 billion from bank credit expansion, or increased money supply (new and additional spendable dollars). The total increase has been adequate for our most healthy economic expansion in many years. The growth in the money supply, at the rate of only 2 percent per year, has prevented any objectionable bank credit inflation. The secret of success in providing adequate funds for proper expansion without inflation is to encourage savings as the principal source. That we have done.

The foregoing table points out three most important facts:

(i) Total loans have increased substantially in the past 4 years, indeed more than in either of the two preceding 4-year periods.

(ii) This increase has been primarily in private credit, credit to buy homes, cars, consumer goods, rather than tanks or guns.

(iii) This increase has come much more from savings and less from bank credit expansion than in prior years, hence it has been much less inflationary.

The Federal Reserve policy of not encouraging more rapid bank credit expansion has been based on the premise that further expansion of bank credit would merely have enabled more would-be buyers to bid up the price of the limited supply of goods and services. This policy has been necessary and in the best interests of the great majority of our people. But despite the substantial credit expansion that has taken place, since there has been less new credit created than the demand therefor, there has been some disappointment, and in some cases, real hardship.

It is said that the unavailability of unlimited credit has been particularly burdensome on the housing industry, on small business, and on State and municipal projects. As these areas are very important to all of us, perhaps we should briefly review them.

(a) Housing: It is charged that we have impeded the flow of credit to housing. During the past 25 years, far from restricting credit to housing, the Government has greatly increased the volume of credit available to this industry, over what it would be in a normal free market, by stepping in and guaranteeing the payment of millions of homeowners' mortgages. This has helped to provide many Americans with homes which they otherwise could not afford. On the whole, this has been a good program, but we must recognize that it has introduced certain artificialities into the free market for the purpose of diverting credit from other uses into home mortgages, credit that wouldn't be available to housing without these Government guaranties. That was true under the prior administration; it is true under this administration.

Has this administration restricted the terms of new housing loans? We have not; we have relaxed them. We have lowered the minimum downpayment on FHA loans, and we have permitted 30-year loans in place of the former 25-year maximum. We have materially liberalized FHA mortgage terms on existing homes. In addition, FNMA special-assistance programs have been innovated since 1952 to provide mortgage support for relocation, redevelopment, and rehabilitation housing under sections 220 and 221 of the National Housing Act, for housing for the elderly, and for Capehart military housing. Also, the voluntary home mortgage credit program, started in 1954, has helped obtain home financing for veterans and others in small and remote communities, and for minority group members.

Has the administration restricted the availability of mortgage funds by curtailing the FNMA secondary market operations? Again, let's look at the record.

Purchases of mortgages by FNMA in the secondary mortgage market, during the last 12 months, have totaled nearly a billion dollars, an amount surpassed only in the calendar year 1950. Furthermore, in 1950 all of those funds were provided by the Treasury; under the sounder participating program as Congress has now revised it, the funds largely come from private sources.

According to preliminary figures, in May of this year there were 96,000 private nonfarm housing starts. This is a second consecutive monthly increase on a seasonally adjusted basis, and brings the annual rate of new housing starts in May up to 990,000. While this is somewhat below the annual rate of 1,146,000 starts in May a year ago, and even further below the 1,398,000 rate in May 1955, it is still a substantial volume of housing.

There are undoubtedly many contributing causes to this decline. For the past few years home construction has been running ahead of new family formation, with a consequent reduction in the backlog of young families needing a home. Building costs have risen substantially in the past 10 years. The price of land has also risen, as have State and local taxes, which are an element of cost. As the aggregate of these costs results in substantial increases in the price of a home, the number of potential purchasers is reduced. This cost increase has been accentuated by the host of new labor-saving appliances and luxury equipment which our people feel are now necessary in a home. There has been actual overbuilding in some localities and a diminishing supply of desirable building sites in others.

All of these factors have had an adverse effect on new home construction, but the unavailability of unlimited mortgage credit is also a major factor, and it falls most heavily on those who heretofore have been able to obtain mortgage credit only through Government assistance.

The number of new homes financed through conventional mortgages (based entirely on the credit of the borrower and the amount of his equity) has not declined. Indeed, the number of such housing starts so financed in the first 5 months of this year (269,400) was slightly higher than the number so financed in the first 5 months of last year. It is the Government-guaranteed mortgages which are finding the less receptive market. The number so financed in the first 5 months of this year (114,200) was 42 percent less than the number financed in the first 5 months last year. This decline is due to the lower interest rate which such guaranteed loans bear. The increase in the maximum rate on FHA loans from 4½ to 5 percent has given such financing renewed strength, but the lack of Congressional authorization of an increase in the rate on VA-guaranteed mortgages has made it increasingly difficult for a veteran to obtain such a loan.

The significance of rate limitations is indicated by the most recent figures. Housing starts financed by conventional mortgages increased from 63,900 in April to 69,000 in May (which compares with 64,500 in May 1956). Housing starts under the FHA program increased from 12,100 in April, to 15,000 in May (as compared with 19,700 in May 1956). Housing starts under VA inspection declined from 13,500 in April, to 12,000 in May (compared with 26,600 in May 1956).

Thus it appears that there is only a relatively limited supply of mortgage credit available for the small downpayment, extended terms, and 4½ percent interest rate on VA-guaranteed loans. There is a substantial volume of mortgage money available for FHA-insured mortgages at the 5 percent rate, although there is some insistence on higher downpayments than the minimum permitted under FHA terms. There appears to be sufficient mortgage credit available to finance those borrowers who can make an adequate downpayment and pay the going rate of interest.

This is the result of a free money market. It undoubtedly has caused many young families to postpone the purchase of a new home. Their disappointment, and that of the builder, is understandable. Yet how much better off would they have been if a more than adequate supply of credit had brought about increased prices not only of their home but of all of the other articles which they desire?

(b) Small business: I am sure that there have been some small-business firms which have been unable to obtain all of the credit that they would have liked at the rates they would like to pay. I believe this has been true in every year through history, and it has been true for each of the past 4 years, but this does not mean that there has been any reduction in the dollars of credit extended small business in the past 4 years. Quite the contrary. Both the number and amount of loans made to small business have been increasing substantially.

In this connection we must remember that the great majority of our banks are themselves quite small and the size of the loans they can make is limited by law. Of the 13,101 insured commercial banks in the United States, 10,853 have deposits of less than $10 million each, and, in general, cannot make loans above $100,000. Total loans of banks in this category increased by almost $2.1 billion during the past 4 years, an increase of 19 percent. Virtually all of their loans are to farmers, homeowners, consumers, and small-business firms.

Another 1,802 banks generally can make loans up to $500,000, but most of their loans would actually be in amounts of less than $100,000. Total loans of banks in this category increased by $4.4 billion during the past 4 years, an increase of 44 percent.

The remaining 446 banks do indeed represent almost 65 percent of the Nation's deposits, and are of great importance to the economy. They are the primary source of bank credit to larger business firms, but even they make many loans to small business. A survey made of a representative group of 78 such large banks indicated that in the year from September 1, 1955 to August 31, 1956, their small-business loans (for amounts of under $100,000) had increased by $228 million, or 14 percent, and that the number of such loans had increased by 5 percent. Within this group there was more of an increase, both in numbers and dollar-

amount, in the loans under $50,000 than in those between $50,000 and $100,000.

While it is true that total business loans of banks increased somewhat more rapidly than those loans for amounts under $100,000, this is a pattern which would be expected in such a period of rapid economic expansion for the cyclical heavy goods industries naturally tend to require a larger volume of credit in such a period. At all times the established, successful firm is more able to obtain necessary credit than is the new, unproven or unsuccessful company, and this is particularly true of a period of credit stringency. Not all firms have obtained all of the credit they have wanted. Yet, in the aggregate, they have obtained more than ever before.

In addition to the increased amount of bank credit received by small business during the past 4 years, there has also been a sizable volume of book credit extended by larger firms to smaller firms (distributors, merchants, and suppliers).

I do not mean to minimize the disappointment, inconvenience, and in many cases, real hardship, that some businesses have experienced because of their inability to obtain as much credit as they would have liked.

Indeed this is a matter of deep interest to the administration, which, as you know, has supported the creation of the Small Business Administration, the enactment of improved tax laws and the granting of exemptions from certain Securities and Exchange Commission regulations. In addition, we have made vigorous efforts to see that more defense work is subcontracted to smaller firms.

I understand that you intend to invite Mr. Mueller, Assistant Secretary of Commerce, to testify before you, and I believe he will discuss the matter of small business financing at somewhat greater length. I do, however, want to make the point that there has been a large volume of credit available to, and used by, small business in the past 4 years.

(c) States and municipalities: In the past 4 years, a quarter of a million new schoolrooms have been built for our youngsters. Total public construction in 1956 was 23 percent above 1952 levels, and educational construction up 56 percent.

During 1956 alone, new borrowing by States and municipalities totaled $5.4 billion, and during the last 9 months for which figures are available, more elementary and secondary school bonds were sold than in any 9-month period in our history.

State and municipal financing has increased by $18.8 billion in the past 4 years. This is more than it has ever increased in any other 4-year period, and compares with $11.5 billion during the period 1948–52.

These figures do not demonstrate any extraordinary burden on State and municipal financing from lack of available credit. Undoubtedly, local governments have been unable to obtain all of the funds they would have wished, but they have built more and financed more than in any other 4-year period.

The Federal Reserve's monetary policy for the past 4 years has been, and is, one of discouraging the growth of credit at quite as rapid a rate as would-be borrowers desire. As a consequence, some individuals, some home purchasers, some small businesses, and some municipalities, and other categories of our citizens, have felt some pinch as a result of limited credit. But—

In the past 4 years, small loans to business have increased substantially.

In the past 4 years, $57½ billion has been spent for housing—as much as had been spent in the preceding 6 years.

In the past 4 years, $16.7 billion has been spent for new highway construction—more than had been spent in the preceding 11 years.

In the past 4 years, $8.8 billion has been spent for school construction—more than had been spent in the preceding 20 years.

This is not the record of extreme credit stringency. Any freer credit would have inflated prices.

2. By permitting interest rates to rise: The Federal Reserve's abandonment of its pegging of prices in the bond market has prevented an unlimited growth in credit. It was intended to, and did, slow the rate of growth of bank credit. It also has resulted in some increase in interest rates. It is alleged by some that this increase in interest rates has brought about a severe increase in the burden of taxes and in the prices we pay for manufactured goods, or utility services; that it has materially increased farmers' costs, or the price of a home. Is that true?

Higher interest (although the result of a lesser supply of credit than the demand therefor, a condition which prevents far greater inflationary increases in other costs) is itself an element of general costs and in some cases may be reflected in higher prices. However, interest payments are such a small fraction of the total cost of business operations, that a rise in the rate does not represent much of an increase in total cost.

(a) The interest burden on the taxpayer: Total budget expenditures for fiscal 1957 are estimated at $68.9 billion. Of this, $7.2 billion, or 10.4 percent, represents interest expenditures. The per capita cost of all expenditures of the Federal Government for this fiscal year is $406; for interest alone, the per capita cost is $42.40. In 1952, interest on the public debt was $37.57 per capita. Thus the increase in interest on the public debt during the past 4 years amounts to less than $5 per person.

(b) The price of manufactured goods: In 1946, gross sales of all manufacturers amounted to $132 billion. Manufacturers had net interest expense in that year of about $154 million, equal to one-eighth of 1 percent of total sales. In 1952, interest expense had increased to about one-fourth of 1 percent, and on the basis of limited information now available, it appears that the 1956 ratio will be about one-third of 1 percent. Thus, interest costs are only one-third of 1 percent of the average sales price of manufactured goods. Of the cost of an article selling for $100, about 33 cents represents interest, with no more than 10 cents of that representing an increase since 1952. Furthermore, the increase in this minor item of interest costs reflects an increase in the amount of debt as well as an increase in interest rates.

The relative unimportance of interest as a part of total costs is reflected in the fact that during the same 10-year period, prices of goods that consumers buy rose 27½ percent, or $27.50 on a $100 item (due to labor and other costs), compared to the 20-cent increase due to higher interest. The far greater significance of the increase in labor and other costs is reflected quite clearly in the price of consumers' services which have risen 43½ percent during the same 10 years.

It is apparent from these figures that even with increased interest rates and increased indebtedness, the burden of interest costs on manufacturers in reference to their total costs is very slight. The effect of higher interest on the sales price of goods is hardly significant.

This is even more apparent when we compare the increased costs of the last year. Prices of goods bought by consumers (which reflect material, labor, interest, and profit) have risen 1.3 percent. The price of consumers' services (which reflect primarily labor costs) has gone up 2.3 percent.

(c) Public utility rates: It has been suggested that higher interest rates lead to substantial increases in public utility rates. This sounds plausible because public utilities rely heavily on bonded indebtedness. However, the latest figures available indicate that the net interest expense of public utilities is still less than 4 percent of gross revenue—the same proportion as in 1952. Even for electric utilities, where average interest cost on long-term debt now exceeds 5 percent of gross revenue, the relative cost of interest has risen very slowly. The estimated average of 5.2 percent for both 1955 and 1956, compares with 4.8 percent in 1952 and 5 percent for 1946.

(d) Farmers' costs: Difficult as the farmer's position has been, it is not the result of interest rates. The Department of Agriculture estimates that only about 5 percent of farmers' costs are for interest. Interest rates on farm loans outstanding in insured commercial banks on June 30, 1956, averaged 6.1 percent. This was four-tenths of a percentage point higher than the average rate reported in a similar survey made in 1947. Thus this four-tenths of 1 percent increase in rate would be less than one-half of 1 percent of his total costs, or 5 cents on a sale of $10 worth of farm products.

(e) The cost of a home: The effect of higher interest rates in relation to the decline in private non-farm housing starts from 465,000 units in the first 5 months of last year to 384,000 for the same period this year, has been grossly exaggerated. Housing is perhaps the most dramatic example of the effect of rising costs. Hourly wage rates in building construction have risen 21 percent in the past 4 years. In the manufacture of some products, the increased cost due to hourly labor rates has been offset by greater efficiency. Through use of additional capital goods (tools), the productivity per man hour has been increased enough so that the total cost has been kept fairly stable. This is true of most of our home appliances. However, in those fields in which mechanization is not practicable or in which restrictive practices or legal requirements have prohibited maximum efficiency, the cost of the finished product has risen in close relation to the increase in hourly labor rates. There is no better example of this than housing.

Many home purchasers consider only the size of the required monthly payment—not the number thereof or the elements that make it up. To them, interest is of no significance. To the more sophisticated purchaser who inquires as to the component elements in his mortgage payments, increased interest rates are small in relation to increased labor and material costs. This is apparent if we compare the cost and financing charges of the same house in the spring of 1946, 1953, and 1957. Let us take as an example a house that cost $10,000 to build in the spring of 1946, and compute the required monthly payments on the basis of 15 percent down and the balance over a period of 20 years.

	Spring of—		
	1946	1953	1957
Estimated cost of house	$10,000	$17,300	$19,000
Interest rate (FHA) (percent)	4	4½	5
Monthly payment (for 20 years)	$51.51	$91.06	$106.58
Increase in cost of house since 1946	.....	$7,300	$9,000
Increase in monthly payment since 1946:			
Due to interest rate	.....	.....	$8.71
Due to other costs	.....	.....	$46.36

The monthly payment has more than doubled in 11 years. Of this increase of $55.07, $46.36 reflects higher labor and material cost, and $8.71 is due to higher interest rates. During the past 4 years in which our policies have resisted inflation, the sales price of that house has gone up much less (about $400 per year as compared to about $1,000 per year from 1946 to 1953). Which has been the major factor in discouraging construction? The $9,000 increase in building cost ($46.36 per month), or the 1-percent increase in the cost of interest ($8.71 per month)?

While interest is an element in the cost of mortgaged homes, the increase in interest rates has not been the major factor in delaying home construction. Mortgage interest rates were higher in 1955 than in any prior recent year, yet new nonfarm housing starts were the second highest in history, at more than 1,300,000.

Almost 5 million new dwelling units have been built in the past 4 years. Less than 3½ million new households have been formed in that period, so that 1½ million units have gone to satisfy prior shortages and to cover houses abandoned or razed to make way for new construction. The proportion of married couples without their own household has declined 21 percent since 1952.

A strong desire continues to exist for better housing—but it is hindered from becoming an effective demand by today's inflated prices. To attempt to force an acceleration in home construction today by making more credit available for housing would add further to the already increased building costs. This would not only be inflationary; it would encourage uneconomic practices and curtail the new construction that we might otherwise expect in years to come.

The foregoing review of the effects of this administration's fiscal policies indicates that the supply of credit has not been reduced. The supply of credit has merely been prevented from expanding as rapidly as the demand therefor. This slowing of the rate of growth of credit has inconvenienced those who have found credit unavailable, and imposed a higher charge on those who have borrowed. These results are hardly welcomed for their own sake—but they are the price we have had to pay for the price stability that we have achieved in the past 4 years. This has been a far greater stability in prices and in the purchasing power of the dollar than we have enjoyed for two decades. Faced with this choice between the inconvenience of limited credit and the robbery of renewed inflation, our people would certainly choose the course which we have pursued for the past 4 years.

CONCLUSION

I have attempted to review for you the conditions existing when the Eisenhower administration took office, the goals that the President set for us, and our progress toward those goals.

We have not achieved perfection. We have been unable to fully accomplish some of our debt management objectives. We have perhaps checked, but not entirely stopped inflationary pressures. In the process, some of our citizens, some of our municipalities, and some of our businesses, have been unable to obtain all of the credit they would have liked. We have had a large measure of success in encouraging the initiative of our citizens, but not every business has prospered as much as it might, nor every citizen had all of the comforts he would enjoy.

I acknowledge imperfections in our accomplishments, but I entertain no doubts as to the propriety of our goals or the wisdom of our policies. To aid you in your consideration of the alternative courses, and to help you measure their promises against the actual results of the past 4 years, let me remind you of some of our achievements.

When we took office in 1953, the Federal debt was equal to 89 percent of our national income—in December 1956, it was 79 percent.

For the fiscal year 1953, budget expenditures were $74.3 billion, and for the year 1957, they are estimated at $68.9 billion, and $71.8 billion for 1958.

For the fiscal year 1953, the budget resulted in a deficit of $9.4 billion—for 1957, it will result in a surplus.

From 1939 through 1952, the cost of living increased an average of 7 percent a year—for the past 4 years, the average increase has been only six-tenths of 1 percent.

In the past 4 years, civilian employment has risen 6 percent, average weekly earnings of production workers in manufacturing have risen 18 percent, and after allowance for the 2.4 percent increase in consumer prices which occurred between 1952 and 1956, the gain in workers' earnings, after taxes, amounted to about $10 per week, or more than 15 percent.

Personal income of individuals has risen every year, from $272 billion in 1952, to $325 billion in 1956, a gain of 20 percent, and an estimated $340 billion for 1957.

Labor income has not only risen in dollars; it has increased from 67.2 percent of national income in 1952, to 69.8 percent in 1956 (while corporate profits declined from 12.7 percent of national income, to 11.9 percent).

Striking achievements have been made in housing. The 5 million dwelling units that were constructed exceeded the number built in any previous 4-year period and substantially enlarged the housing stock available to the American people. There were improvements in the size, design, and equipment of new homes, and sizable outlays for repairs and alterations added to the comfort and convenience of existing homes. A growing proportion of our homes were owner-occupied—60 percent in 1956, compared with 55 percent in 1950.

This is a gratifying record of the improvement in the level of living that can be achieved only through a vigorous competitive, free-market economic system which offers both individual freedom of choice and the stimulation of initiative through personal incentive. In particular, it shows the capacity of such a system to bring about confidence and daring in enterprise, and widespread participation in the benefits of economic expansion. This is in sharp contrast to the artificial restrictions, interferences, and controls of a paternalistic bureaucracy.

The past 4 years have demonstrated the ability of the Nation's private economy to expand, to provide an increasing number of better jobs at better pay and to raise levels of living. These 4 years have tested the capacity of our economy to adjust to large changes in the pattern of demand and the effectiveness of public policies designed to promote growth of individual freedom and stability in the economy. Because the problems are continually changing in a dynamic economy, policies aimed at promoting stable growth must be flexible. This fact was well illustrated in the past 4 years of the Eisenhower administration. Our problems have shifted from those of a controlled wartime economy to those of a rapidly widening prosperity. We have been able to encourage this prosperity.

Through the flexibility of monetary and fiscal policies, the Government has been able to adjust to the rapid changes in our economy. We have moved forward toward our goals and demonstrated the great capacity of a free economy to correct imbalance and to maintain growth with a high degree of stability.

We have accommodated the reduction in wartime Government spending, accompanied by record-breaking tax reduction, and offset a threatened decline in employment and business activity in 1953–54. We have encouraged an expansion of enterprise to new high levels, and through expenditure and debt reductions, as well as debt management, we have slowed the growth of inflationary credit. We have encouraged a rapidly rising economy which has brought more wealth, more purchasing power, more comfort, more jobs, more homes, more luxuries, more leisure, more education, and more security to our people than they have ever enjoyed before.

Gentlemen, I take great pride in making this report.

THE HUMPHREY-BURGESS RECORD

Mr. WILEY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "The Humphrey-Burgess Record," written by Nate White, business and financial editor of the Christian Science Monitor.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HUMPHREY-BURGESS RECORD

(By Nate White)

NEW YORK.—Here in the financial district where the United States Government's immense financing programs are launched, the assessment of the accomplishments the past 4½ years of George M. Humphrey and W. Randolph Burgess is under way.

In another 2 weeks the United States will close its books for the current fiscal year. This will mark also the conclusion of 4 full years of Government financing by the Secretary of the Treasury and his competent undersecretary, both of whom will leave the Treasury service soon.

What is the record?

No two men approached their Federal service with more diligence, solid conviction, and business and financial competence than Mr. Humphrey and Mr. Burgess. Secretary Humphrey's complete devotion to his concept of a stable dollar, a balanced administrative budget, and debt reduction is a matter of record. To achieve this concept during his stewardship in the Treasury he applied all the toughness gained from years of financial experience in the business world.

Undersecretary Burgess entered the Treasury equipped with a knowledge of monetary and fiscal policies and an understanding of the role of debt management in the economy without precedent in the Treasury.

It is clear from the record that each official has waged some important battles. They have won some. They have met some hard defeats because of the times in which they live. They have made some strategic gains for the long term, and they have established some principles of policy which will continue to operate long after their departure from the Treasury.

The big story is in what has happened to the Federal debt under the Humphrey-Burgess attack.

Few folks realize what a whale of an impact the United States debt exercises on the economy. It is an undramatized, headlineless impact. But it is always there—pressing hard.

Whether one belongs to the liberal economic school which says that concern about the debt is old-fashioned, that the debt can be made into a good thing, and that the country has not begun to live up to it, or whether he belongs to the school which makes a fetish of debt reduction, there is general agreement that the debt has reached proportions which are times have seemed unmanageable.

This is one of those discouraging times. The Humphrey-Burgess team has made steady inroads on the debt. In the past year they paid of $6 billion. From July 1 last year through March this year, 9 months of fiscal 1957, the Treasury showed a budget surplus 3 months out of 9, and a surplus for the year. The net debt stood at $272.8 billion last June 30. It was at $275.1 billion for the

latest figures, March this year. Fiscal 1953 when the Humphrey-Burgess team began operations showed a net debt of $266.1 billion.

On the surface this looks like a staggering defeat. What doesn't show is the steady increase in Government expenditures, the steady increase in Government costs due to inflation, and the steady increase in interest rates. These increases have been accompanied by substantial revenue increases which enabled Mr. Humphrey and Mr. Burgess to bring about the debt reduction of last year.

The big problem which has beset the Humphrey-Burgess team has been the problem of refinancing the debt as it came due. Calendar 1956 saw the Treasury going to the public to refinance $67 billion.

This large requirement put a pressure on the money market and the economy which cannot be estimated in any understandable terms. At the same time the interest rate on all types of securities was rising. Secretary Humphrey's natural business instincts would favor a higher interest rate. He remembers a 7-percent interest rate in the late 1920's. A natural opposite to cheap money would be money with a higher interest rate.

The Treasury's refinancing needs, however, put the Secretary in a position where he had to pay higher and higher interest on every new or refinanced Government security. The net effect of this was to put the Treasury in the growing business of issuing 91-day bills or securities with a 1-year maturity date. Marketable debt due within 1 year rose $8 billion last year. It reached $68.5 billion. Short-term debt represented at the end of calendar 1956 43 percent of the United States total net debt.

This short-maturity problem in the debt put the Burgess objective of stretching out the Federal debt over the long term in a straitjacket.

Even so, Mr. Burgess can leave the Treasury pointing to substantial gains. In 1952, just before he entered the Treasury, the short-term or 1-year-maturity debt totaled $30 billion, or 52 percent of the marketable debt. Last September the figure stood at $70 billion, or 45 percent of the marketable debt. The net gain in stretching out the debt was obvious. There is still much to be desired in getting the debt into long-term securities.

Mr. Burgess' main contribution would seem to be in this area of trying to lessen the economic impact of Government financing on the economy as a whole.

Coupled with this achievement is the Federal Reserve policy of credit restraint. Hand in hand the two agencies have helped slow down inflation. Humphrey-Burgess policies of debt management have marked a turn forward in responsible government.

AMVETS MEMORIAL SCHOLARSHIP PROGRAM

Mr. BUSH. Mr. President, I had intended at 2:30 this afternoon, by request of the AMVETS, to make a brief statement concerning the award of the AMVETS memorial scholarship to Miss Susan Ellen Zaur, of Fairfield, Conn., but I hesitated to interrupt the debate then in progress in order to do so.

Therefore, I ask unanimous consent that the statement which I should have made while Miss Zaur and others interested in the AMVETS memorial scholarship program were in the gallery of the Senate, a statement complimentary to the AMVETS and to my young constituent, Miss Zaur, of Fairfield, Conn., be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUSH

Many of my colleagues may be familiar with the AMVETS memorial scholarship program. Each year since 1952, this organization of the veterans of World War II and the Korean conflict have been providing a number of college scholarships to the sons and daughters of men who are deceased or who were totally disabled in the service of our Nation.

Seated in the gallery is a representative group of the winners of this year's national competitive examinations. I am proud to say that among them is a young lady from my State. She is Miss Susan Ellen Zaur, from Fairfield, Conn.

I am sure my colleagues are happy to take this opportunity to add our words of congratulations to those voiced yesterday morning by President Eisenhower in the awards ceremonies held at the White House.

During the past 6 years AMVETS have awarded a total of forty-seven 4-year college scholarships. It is interesting to note that many of these winners are preparing for and have entered fields in which there is a critical shortage of qualified personnel, such as teaching, which Miss Zaur has selected as her career objective, the sciences, and other technological fields.

By their scholarship program, AMVETS are not only materially assisting those children in furthering their education, but are also making a major contribution to the security of this country.

ORDER FOR ADJOURNMENT TO WEDNESDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. BUSH. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared concerning the International Atomic Energy Agency.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUSH ON THE INTERNATIONAL ATOMIC ENERGY AGENCY

We are faced here with a problem which contains two major factors: First, the practical matter of making a worldwide atoms-for-peace program work, and second, the world leadership which the United States has demonstrated in the quest for peace with justice.

As to the first factor, I am persuaded that the machinery set up by this statute is safe, sound, and workable. The few risks inherent in any such undertaking (and freely admitted by the executive branch), seems to me pale in comparison with the good this Agency can do and, perhaps more important, the harm it can prevent.

I need not remind this body of the danger that lies in the possibility of the manufacture of nuclear weapons by nations other than those now possessing weapons programs. We are all alive to the fact that such weapons in irresponsible hands would represent the utmost in peril to the survival of the civilized world. This Agency represents the best hope of controlling that situation that has yet appeared.

In London our representatives are working earnestly to achieve at least a partial agreement—a start on the road to the disarmament for which the world is anxious. Their work and the work of this Agency will supplement each other, and success in either field will automatically enhance the chances of success in the other. Let me give just two examples of what I mean:

It is well known that one of the major barriers to agreement on disarmament has been the question of inspection and control. Even now, when the Russians have proposed a modified version of President Eisenhower's open-skies plan, there is no guaranty that agreement on these matters is just around the corner. On the other hand, the 81 nations who negotiated this atomic statute have agreed on a system of inspection and control; they have agreed unanimously that such a system is indispensable if we are to be secure in the knowledge that material in Agency projects will not be diverted for military purposes. An inspectional system, therefore, will shortly be in operation, and it will demonstrate that such things can be achieved through international cooperation, that they can be accepted by sovereign states without pain or loss of pride. This is one of the ways in which this Agency can help in other fields.

On the other hand, any success on the disarmament side is bound to help the Agency. In addition to the relaxation of tensions, it will release materials and manpower for the peaceful uses of the atom—it will put the atomic millenium much more nearly within the reach of all.

So much for the first of the major factors of which I spoke at the outset: The question of making this great concept work. I should now like to dwell briefly on the other major factor, the factor of American world leadership for peace with justice.

For many centuries thoughtful men have been seeking for peace. It has indeed been a frustrating and unsuccessful search. Yet, as new weapon followed new weapon and war followed war, we have all become more and more convinced that peace is not just a desirable goal: It is an absolute necessity for survival.

Over the past half century the value of international cooperation has been slowly but steadily emerging. It has made progress in spite of the failure of organizations like the League of Nations and the shortcomings of the United Nations. Today, many international organizations are resounding successes, respected and supported by the nations of the world. This Agency will take its place in the forefront of that group.

I say this because of the extraordinary unanimity displayed by 81 sovereign nations in voting approval of this statute—a document which many of them understood thoroughly would set them on an untrodden path. And it has been United States leadership and patient persistence which brought about what was described by veteran observers as a real miracle. All the way from December 1953 to the present, from President Eisenhower's great speech revealing the concept to our ratification action today, it has been American vision and drive which has provided the major fuel to the effort.

This leadership will be confirmed and continued by our action in the Senate, for it is unthinkable that this body would do other than approve ratification, and we will be closing another chapter of one of the most inspiring stories ever written.

We have been proud of our scientists and experts when they have achieved scientific breakthroughs enabling us to develop and enjoy all the wonders of modern living. We should be no less proud of our participation in the building of this Agency, for it represents a breakthrough in international relations—a breakthrough of such proportions as to stagger the imagination. Let us recognize this as one great opportunity for us all—the opportunity to move the world a giant stride toward peace.

Mr. BRICKER obtained the floor.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. BRICKER. I will yield to the Senator provided I do not lose the floor.

Mr. JENNER. I should like to suggest the absence of a quorum.

Mr. BRICKER. Mr. President, I ask unanimous consent that I may yield to the Senator from Indiana for the purpose of suggesting the absence of a quorum without my losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JENNER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JENNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ATOMS FOR PEACE, ATOMS FOR POWER, AND ATOMS FOR WAR

Mr. BRICKER. Mr. President, I wish to speak on a matter which is germane to the issue now before the Senate. I wish there were more Senators present to confer with me on this matter, because to my mind it is one of the most vital and one of the most important matters the Senate has had to consider since I have been a Member of the Senate.

Mr. President, I dislike to oppose an international treaty which seems to meet with such hearty approval, in view of the speeches we have heard during the last day or two on the floor of the Senate. However, there are some matters which must be called to the attention of the Senate before the final vote is taken.

Some of the matters to which I shall refer were not considered by the delegates to the international conference which drafted the statute. I do not criticize them for that. For one reason, they were outside of their competence. In the second place, the information to which I shall refer was not available to them at that time. Neither was it available to the Foreign Relations Committee when it was considering this statute. No witnesses were called before that committee to ascertain the facts which I shall present this afternoon or to discuss the dangers which are attendant to them.

Mr. President, in the present case we are dealing with a subject matter which promises good or evil to the world; and this whole program is fraught with grave dangers which the Senate should consider before it votes to ratify the statute.

Mr. President, I oppose ratification of the statute of the International Atomic Energy Agency in its present form. The activities of this global atomic-energy agency will, more probably than not, produce the following undesirable consequences:

First, a universal, enforcible plan of disarmament will become far more difficult, if not impossible, to achieve.

Second, the danger of worldwide atomic warfare will be increased.

Third, radiation hazards to world health may exceed limits which are biologically and morally tolerable.

Fourth, the military potential of Communist countries will be enhanced to some extent.

For these reasons, approval of the treaty as written would be, in my judgment, an act of suicidal folly.

ATOMS FOR PEACE

The phrase "atoms for peace," which has been repeated time and time again on the floor of the Senate during the past few days, when applied to the pending treaty, is a misnomer. The treaty is not limited to international cooperation in the benign uses of the atom. If the treaty concerned only peaceful applications of atomic energy, I would favor ratification without amendment or reservation.

Mr. President, I wish to say that, as my colleagues on the Joint Committee know, no one was more interested in, and sincerely devoted to, obtaining in 1954 a bill which would promote the peaceful uses of atomic energy than I was. Ever since 1947, I have sat on the committee; and for many, many years we heard of nothing but destruction and bombs, war, and terror. It was with a great new hope that we were able, in 1953 and 1954, to begin to give our attention to the peaceful uses of atomic energy.

However, the pending treaty does provide a mechanism for disseminating widely and equitably the benefits of safe atomic science. Research reactors, technical information, basic scientific training, radioactive isotopes for physical, biological, medical, industrial, and agricultural research—these are what are meant by "atoms for peace." Moreover, most of the benefits of atomic energy stem from the use of the atom as a research tool and from the industrial use of radioisotopes and pile radiation.

President Eisenhower deserves the highest praise for proposing an international pooling of talents and materials to promote peaceful uses of the atom. As I said before, if the pending treaty involved "atoms for peace," and nothing more, I would vote for it without dotting an "i" or crossing a "t." However, the treaty does concern something more than "atoms for peace." It is not limited to safe atomic science. It also involves "atoms for power," and the very real danger that "atoms for power" will become "atoms for war."

Furthermore, everything here proposed in regard to the peaceful uses of atomic energy can be properly carried out under the bilateral program now in effect and working successfully, wherein 48 bilateral agreements have been entered into by our Government, and have been carefully surveyed by the Joint Committee on Atomic Energy. But, Mr. President, in my judgment this program will put an end to the bilateral program which now is operating.

ATOMS FOR POWER

It is a pity that atoms for peace has been so often equated with the production of electric power. Industrial atomic power development involves grave health hazards, extreme military dangers, and benefits considerably less than those which are now being derived from safe atomic science.

What the pending treaty involves primarily is an international nuclear power program. The legislative history of the treaty and its specific provisions indicate that the International Atomic Energy Agency will be concerned principally with atoms for power, and only secondarily with atoms for peace. Virtually all the testimony before the Senate Foreign Relations Committee concerned the industrial atomic power aspects of the treaty. At the hearings I asked Admiral Strauss if the statute, as drafted, did not in fact subordinate atoms for peace to an atomic power program. He replied that he "would hate to designate it as an atomic power program because those of us on the Commission feel that the use of radioactive isotopes will in the course of time become equally as important as power." I disagree with the priority given to atomic power development, not only because of the inherent military and health hazards, but because the major benefits from atomic energy for many years to come must stem from the research reactor and isotope programs.

ATOMS FOR POWER—ENHANCEMENT OF COMMUNIST MILITARY STRENGTH

Can special fissionable materials made available by the United States to the Agency be used by recipient countries to supply power for a munitions plant? The answer is, "Yes."

Can the nuclear power be used to operate a jet plane factory? The answer is, "Yes."

Can nuclear power from fissionable materials supplied by the United States be distributed to an atomic weapons plant without violating the terms of the treaty? Again, the answer is, "Yes."

When I put these questions to Admiral Strauss, he admitted that the recipients of the fuel could use it to supply electricity to a munitions plant, a jetplane factory, or even an atomic weapons plant, without violating any provision of the treaty. In other words, there is nothing in the statute that controls the end use of nuclear power. To promote such a program under an atoms-for-peace trademark is deceptive, to say the least.

It should be obvious that the atoms for power part of the Agency's program will increase to some extent, the military strength of Soviet satellites and of Red China, after Red China is admitted to membership, if she is. Presumably, the Soviet Union itself will not be a recipient of fissionable materials because it is a potential, although altogether unlikely, supplier. Whereas Red China's admission to the U. N. requires a two-thirds vote, her admission to membership in the International Atomic Energy

Agency can be effected by a simple majority vote.

Once atomic material is made available to the Agency—and the President has already promised 5,000 kilograms at 20 percent enrichment of U–235—the United States is prohibited by article IX, J from designating the specific projects in which the material must be used.

In other words, when it is once committed, it is entirely out of our hands and subject to the control of this agency, in which the United States, although supplying practically all the materials, has 1 vote out of 23.

The United States therefore, cannot insist that its atomic materials not be used to generate power for the defense plants of Poland, Czechoslovakia, Rumania, Albania, Hungary, or, maybe later on, Communist China. Does anyone deny that a nation's powerplants are vital to the successful prosecution of war? It would indeed be anomolous for the United States to prohibit the export of conventional fuels and other strategic material to its potential enemies, while at the same time providing them by treaty with enriched uranium, the most strategic material of all.

ATOMS FOR POWER—THE HEALTH HAZARD

I desire to discuss with my colleagues the question of the health hazard, which was neither considered nor presented to the Foreign Relations Committee, and in fact, much of the information is not yet available in print for the public. I see the distinguished Senator from New Mexico [Mr. ANDERSON] present on the floor. He and I recently sat through about 3 weeks of hearings of the most technical character anyone can possibly imagine—so technical it was extremely difficult to appreciate the testimony at various times.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. I merely wish to say I appreciate the fact that the Senator from Ohio did sit through those hearings. There were many days when he and I felt it was a little above our heads. I congratulate him publicly for the fidelity with which he sat through the hearings.

Mr. BRICKER. I thank the Senator.

He, too, is to be congratulated for his attendance at those meetings and his attention to the subject of the hearings.

Far more serious, in my opinion, than supplying part of the energy requirements of Communist countries is the increased danger to world health which an international atomic power program may entail. In the hearings before the Senate Foreign Relations Committee, this grave problem was not even discussed. I did ask Commissioner Murray to comment on a statement by Dr. H. Bentley Glass, of Johns Hopkins University, that industrial atomic power development may expose mankind to radiation far in excess of that resulting from the fallout from weapons testing.

By the way, Dr. Glass was one of the witnesses before the fallout committee to which the Senator from New Mexico and I referred a few moments ago.

Commissioner Murray said that, "We may be able in time to control this material from our atomic—power—reactors," but he admitted that the problem has not yet been solved.

That, Mr. President, is the basis for my statement that we are going too fast and too far in this program, without adequate consideration of the attendant dangers.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. REVERCOMB. I commend the distinguished Senator for his very able and very clear statement on the subject he is discussing. I am listening to him with interest.

In the beginning of this discussion a great deal was said about the danger of fallout. I believe that one of the first speeches made on the subject largely dealt with fallout and protection from it. What has fallout or the danger of fallout or the control of explosions got to do with the treaty? What relation is there, if at all, between the control of explosions of atomic weapons and the provisions of the proposed treaty?

Mr. BRICKER. The treaty does not deal with the explosion of bombs in any way, shape, or form, but, as I shall develop a little later, there is involved ionizing fission radiation emanating from utilization of atomic energy. As Commissioner Murray stated, that problem has not yet been solved in power reactors. The Congress will no doubt be requested—the Atomic Energy Committee has been considering the question—to authorize the Government's backing up insurance amounting to $500 million as against a power reactor accident that might imperil the health and safety of the people of a number of communities.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. BRICKER. I yield.

Mr. REVERCOMB. From the extent of the discussion about controlling explosions and the danger of fallout, one might have been led to believe that there was some connection between the control of explosions of atomic material and the treaty now pending, which I understand provides for a pooling of atomic material. Is there any connection whatsoever?

Mr. BRICKER. There is no relation in any way.

Mr. REVERCOMB. My reason for making the inquiry was that we have been discussing the dangers of fallout and the need for something to be done to protect the people of the United States and of the world against the dangers of atomic explosions occurring in tests. That is a very important subject. But I have never yet heard it connected with the provisions of the pending treaty or the purpose of the treaty.

Mr. BRICKER. As I shall explain a little later, the testimony is not yet in print, though it will be, I hope, at a very early date. I refer to the testimony of the fallout hearings, wherein we were alerted, in the joint committee, to the dangers of a power reactor program. I shall give the figures a little later, as to what could happen in that field.

I agree with the Senator that there is danger. I do not think it has yet reached the point where we ought to be alarmed about the atomic explosions. We cannot unilaterally stop them in this country, unless there is a binding agreement, providing for inspection, among all of the countries that have bombs and are exploding them.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. BRICKER. I yield further.

Mr. REVERCOMB. The Senator says he will discuss the danger of fallout and the danger of test explosions. What has that to do in any degree with the terms of the proposed treaty?

Mr. BRICKER. Only that ionizing radiation has the same effect upon human life, whether it comes from a power reactor, from an X-ray, from a fluoroscope, or from a bomb exploded in the air. It has the same deleterious effect upon human life.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. BRICKER. I yield further.

Mr. REVERCOMB. Agreeing to the resolution of ratification of this treaty will not lessen in any degree atomic explosions, or control atomic explosions, will it?

Mr. BRICKER. It will not lessen the danger. It will enhance and increase greatly the danger.

Mr. REVERCOMB. Will it control the number of explosions or the extent and power of the tests?

Mr. BRICKER. It will have nothing to do with them at all.

Mr. REVERCOMB. That is the point I am attempting to bring out.

Mr. BRICKER. The treaty has nothing to do with them at all.

Mr. REVERCOMB. That is the point upon which I am trying to gain understanding, because there has been so much discussion in the course of this debate as to the danger of fallout to the people of the United States and indeed to the people of all the world. Why was that discussed in relation to this treaty, it it has nothing to do with it at all?

Mr. BRICKER. It has nothing to do with it at all; the Senator is entirely correct. I appreciate his bringing that subject up, because there might be some question on the floor about it.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield to the Senator from New Hampshire.

Mr. COTTON. I, too, am listening with great attention and with deep appreciation to the statement of the Senator from Ohio.

Along the line of the questions propounded by the distinguished Senator from West Virginia, in order to further clarify the point, it was my understanding that it was contended that the proposed treaty would have some impact on explosions of atomic energy, testing purposes, in that under the terms of the treaty there would be an opening wedge which would lead to certain mutual inspections. Would the Senator comment on whether or not that is a correct statement?

Mr. BRICKER. Such a statement has been made, and it was discussed in the Committee on Foreign Relations. I think that statement was made by the chairman of the committee in the Senate.

I do not believe that the one follows the other. I do not believe inspection of a powerplant would in any way enhance the program of inspections of the dispersal of bombs or the explosions which would take place in the world. I think that is something which must be worked out on a very high level between individual countries. I hope it will be done very soon and effectively, along with other disarmament programs. Mr. President, I might say to the distinguished Senator that in my judgment not only would the pending treaty not lead to an enforceable inspection system and arms control, but it might enhance the war potential and the arms potential of many countries which are not now in the bomb field. There is a possibility of that being the result, as I shall mention later.

Mr. COTTON. I thank the Senator for his statement.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a question?

Mr. BRICKER. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. One thing which was either developed in the hearings or discussed, with respect to whatever advantage might come from inspection as a protection against the possibility of any harmful radiation which might emanate from the atomic energy plants, was the fact that actually atomic energy development is going forward in the world apace, in any event, whether we sponsor it or whether we do not. It is going to be investigated, extended, and expanded. As it is expanded, if there is danger surrounding these plants or these experimental activities, without some sort of an international standard of safeguard and security, the safeguards against possible harmful effects of the plants in various parts of the world would be a hodgepodge of uncorrelated regulations and attitudes. Some would be good and some would be bad.

It has been argued—and I think persuasively, at least, so far as I was concerned—that the proposed International Agency, assuming that it established an adequate and proper scientific system of safeguards against the dangers, would be able to standardize safety throughout activities in the atomic field all over the world, and that would be a great step forward toward keeping safeguards out of a maelstrom of confusion and various degrees of inefficiency and incompetence.

Mr. BRICKER. Many countries, of course, are interested in developing a power program and developing it very rapidly. EURATOM is working on the program now. This treaty will not stop that in any way, shape or form, if they have the source of material.

Here it is proposed the United States shall offer to other countries 11,000 pounds of enriched uranium, enriched up to 20 percent, which will be available to be disposed of by the proposed International Authority. I want to know, before we enter into the agreement—and this has been my position all along—whether it is safe, and whether standards of safety are adequate for the protection of the public. We in this country do not yet know.

We have spent billions of dollars on research in the United States. We have put $14 billion into the physical assets of this program. It is costing approximately $2 billion a year to carry on the atomic energy program in the United States.

Until there are adequate safeguards and until there is an analysis of the evidence produced before the fallout committee within the past month, I think the Senate would be very foolish to go ahead with a treaty which would turn over the safeguards not to ourselves or to our allies, but to 80 countries represented by 23 countries, of which we will have 1 vote.

Mr. HICKENLOOPER. I do not think that is exactly correct.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield to the Senator from New Mexico.

Mr. ANDERSON. I desire about a second, to ask a question.

The Senator said it is proposed to turn over to other countries 11,000 pounds of enriched uranium, and then said it was 20 percent enriched uranium. The actual fact is that we will turn over 11,000 pounds of 100 percent uranium. We will not turn it over to other countries in the form of 20 percent enriched uranium.

Mr. BRICKER. Eleven thousand pounds of 100 percent enriched uranium.

Mr. ANDERSON. That would be 55,000 pounds of 20 percent enriched, or 110,000 pounds of 10 percent enriched uranium. It is 11,000 pounds of a complete 100 percent enrichment.

I think the Senator might put that into his speech, because it substantially increases the quality of uranium mentioned by the Senator.

Mr. BRICKER. That is the point I desired to make.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BUTLER. In addition to that, we have to carry out our commitments under the bilaterals, do we not?

Mr. BRICKER. We certainly ought to. We are already bound to do that. We have entered into agreements with other countries. The Congress has authorized them.

Mr. BUTLER. Mr. President, will the Senator yield further?

Mr. BRICKER. I yield further.

Mr. BUTLER. Are we subject to the same hazard in carrying out of our bilaterals? Can they not use the material for the generation of power?

Mr. BRICKER. They could; but we have control over the conditions under which it is used. We have control over the amount we will furnish. We have control over all the conditions, and we have inspection rights, of course. Also, we have the right to train their scientists.

Mr. BUTLER. The difference between the bilateral agreements and the convention is that under the bilateral agreements we have absolute control, whereas under the convention we would not have.

Mr. BRICKER. We have no veto over the President unless we pass a bill or joint resolution rejecting some agreement he might negotiate, or a cooperative agreement deposited with the joint committee. It would require a two-thirds vote in both Houses to override a veto.

Mr. BUTLER. That is what I mean.

Mr. BRICKER. In other words, we would turn over to the Executive complete control over this great resource.

Mr. BUTLER. The Senator from New Mexico has enlightened us. I thought we were turning over 11,000 pounds of 20-percent enriched uranium.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. I will say to the able Senator from Maryland that I originally had the same impression. Then the statement was made that we might turn over uranium enriched to the extent of 1 or 2 percent. I calculated that if it were desired to enrich that uranium, the result would be a rather small supply.

But the situation was clarified. Eleven thousands pounds, or 5,000 kilograms, relates to the maximum concentration of 100 percent. On the basis of 20-percent enrichment, the quantity would be 5 times that much. On the basis of 2-percent enrichment, it would be 50 times that much.

Mr. BRICKER. That was not in the President's original statement, but the situation was clarified at the hearing by witnesses from the Commission.

Mr. ANDERSON. The Senator is entirely correct.

Mr. BUTLER. What is the value of that uranium?

Mr. BRICKER. According to the figure fixed by the Atomic Energy Commission and announced by the Chairman of the Commission, it figures out to about $88 million for the first supply. The testimony before the committee was also to the effect that that would be only enough power for the lifetime of the 3 power reactors.

What countries would get that material? Are not the other countries of the world entitled to it? Will not the demand be made upon us, not for $80 million worth of material, but for $1 billion worth of material, if we have it? In granting such a request, if we should do so in behalf of good international relations—and we are told that we should pour out our money and resources for that purpose—what would be the depletion effect upon our own resources in this country? Would we be selling out the heritage of our children, which they might need for power in the future?

Some day conventional fuels will become depleted. At that time these materials will become valuable here. At that time I hope there will be safeguards which will protect the health of the people.

Mr. BUTLER. Mr. President, will the Senator further yield?

Mr. BRICKER. I yield.

Mr. BUTLER. Has there been any evidence before the committee in connection with the production of uranium by the other nations of the world?

Mr. BRICKER. Only two other nations are producing enriched uranium to such an extent as to enable them to make bombs. Those two nations are England and Russia. Both have exploded bombs. There may be a fourth such country before many days.

Mr. BUTLER. What are those two nations putting in the atomic energy pool?

Mr. BRICKER. Up to the present time England has offered 20 kilograms, and Russia has offered 50 kilograms, or approximately 43 and 110 pounds, respectively.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. HICKENLOOPER. To clear up the question of the weight, to which the Senator from New Mexico [Mr. ANDERSON] referred a while ago, if Senators will refer to page 111 of the hearings, they will find a series of questions which I asked Chairman Strauss, of the Atomic Energy Commission, and the answers, which were later supplemented by a letter from Mr. K. E. Fields, general manager of the Commission. He sets forth specifically the weights of this material for the various percentages of enrichment, namely, 20 percent, 10 percent, and 2 percent.

Mr. BRICKER. Does the Senator mean the ratio instead of the weight?

Mr. HICKENLOOPER. No. I mean the weights.

Mr. BRICKER. Does the Senator mean the ratio as between the U-235 content and the U-238 content?

Mr. HICKENLOOPER. I shall not take the time to read the letter into the RECORD. Mr. Fields says that the 20-percent enrichment would not represent 5,000 kilograms of uranium, but 5,000 kilograms of U-235 content, which would mean a far greater total weight of uranium. The figures are set forth. If the percentage of enrichment were 2 percent, that would represent a total weight of uranium of 50 times as many pounds; 10 percent enrichment would represent 10 times as many.

Mr. BRICKER. Will the Senator give the page to which he is referring?

Mr. HICKENLOOPER. I am referring to pages 111 and 112 of the hearings.

Mr. BRICKER. Mr. President, I believe that that excerpt from the record of the hearings should be printed in the CONGRESSIONAL RECORD. I ask unanimous consent that the excerpt be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

URANIUM ENRICHMENT

Senator HICKENLOOPER. In the event that it is contemplated that the enrichment of this uranium will be only 2 or 3 percent, what is the underlying reason for making the offer of availability of 5,000 kilograms of 20-percent enriched uranium?

Mr. STRAUSS. That was in order to measure the total amount, Senator. If this had been stated, for example, in terms of 2 or 3 percent, the figure of 5,000 kilograms would have been multiplied.

If one were mentioning it in terms of 100 percent enrichment, it would be yet another figure. The figure of 5,000 kilograms was tied to the 20,000-kilogram statement which had been made in February of the preceding year in order to indicate that it was one-fourth of that amount.

Senator HICKENLOOPER. Then, do I understand that if we make available to the agency uranium enriched, let's say 2 or 3 percent, that the kilograms of uranium, that is the total weight, would be substantially in excess of that?

Mr. STRAUSS. That is right, Senator.

Senator HICKENLOOPER. If the enrichment were 2 percent, then it would be the equivalent of 50,000 kilograms of uranium?

Mr. STRAUSS. That is correct, Senator. The tonnage would be very much increased.

(The Atomic Energy Commission subsequently supplied the following information:)

MAY 17, 1957.

Hon. B. B. HICKENLOOPER,
United States Senate.

DEAR SENATOR HICKENLOOPER: You have requested information on equivalent amounts of U-235 at concentrations of 20 percent and 2 percent, in connection with the 5,000 kilograms of U-235 which the President stated on October 26, 1956, will be made available to the International Atomic Energy Agency on terms to be agreed. That 5,000 kilograms is part of the 20,200 kilograms of U-235 which the President announced on February 22, 1956, will be available for distribution outside the United States for peaceful purposes. The 20,200 kilograms is, at present, the maximum permitted reduction in output of highly enriched uranium from our gaseous diffusion plants resulting from the distribution of enriched uranium of any U-235 concentration for peaceful uses abroad.

The simplest way to evaluate the effects of withdrawing materials of various concentrations from the gaseous diffusion plants is to consider the dollar values of such materials according to the price schedule. That schedule is computed in such a way that equal dollar values of material withdrawn at any concentration mean equal reductions in the output of highly enriched uranium.

According to the price schedule publicly announced by the AEC on November 18, 1956, the price per gram of U-235 content is $17.07 at a U-235 concentration of 90 percent, $16.12 at a U-235 concentration of 20 percent, and $11 at a U-235 concentration of 2 percent. Five thousand kilograms of U-235 which would have a value of $85,350,000 at a U-235 concentration of 90 percent, corresponds to about 5,300 kilograms of U-235 at 20 percent concentration and about 7,760 kilograms of U-235 at 2 percent concentration. On the same basis, the total amount of uranium (including the U-238 content) is 26,500 kilograms at a U-235 concentration of 20 percent and 388,000 kilograms at a U-235 concentration of 2 percent.

In general the relation is that the U-235 content for a concentration of 2 percent corresponds to 1,465 times the U-235 content for a concentration of 20 percent. The total uranium (including the U-238 content) for a concentration of 2 percent corresponds to 14.65 times the total uranium for a concentration of 20 percent.

Sincerely yours,

K. E. FIELDS, *General Manager.*

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. What the Senator from Iowa has pointed out is entirely correct. The letter to which reference is made is dated May 17, 1957, and is addressed to him. It points out that—

Five thousand kilograms of U-235, which would have a value of $85,350,000 at a U-235 concentration of 90 percent, corresponds to about 5,300 kilograms of U-235 at 20 percent concentration and about 7,760 kilograms of U-235 at 2 percent concentration.

On the same basis, the total amount of uranium (including the U-238 content) is 26,500 kilograms at a U-235 concentration of 20 percent, and 388,000 kilograms at a U-235 concentration of 2 percent.

That is what we have been saying here. On the basis of a 20 percent enrichment, 5,300 kilograms, multiplied by 5, would be 26,500.

I am sure the arithmetic given by Mr. Fields is correct. I think the Senator from Iowa has rendered a useful service in bringing out the actual amount of fissionable material that is involved.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. SCHOEPPEL. The Senator from Ohio mentioned the danger which might possibly flow from defective reactors in the reactor process. I should like to ask the Senator if, in the inspection of such reactors—assuming that the treaty is ratified and the international commission is established—reactors in the various countries can be inspected without express permission of certain countries?

Mr. BRICKER. The treaty sets forth that they can. There is a statement in the treaty which I do not understand, to the effect that inspection will be carried out with due respect to the sovereignty of the various nations. I do not know whether that means that they can limit the inspection power after they once get the material, or what sovereignty means. There is no clarification on that point. However, the treaty itself sets forth the right of inspection, which must be satisfactory to the Agency itself.

Mr. SCHOEPPEL. Let us assume that a certain country might refuse to permit an inspection, once it had obtained the material. What recourse would our country then have?

Mr. BRICKER. Our country would have none, because we would have only 1 vote out of 23 on the governing board. The governing board would then dismiss this country as a participant, and would deny any further supply.

The only other thing the Agency could do would be to send in an army to get the material back; but it would have no army.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BARRETT. I commend the Senator for his very able discussion of this question.

I am concerned about the amount of our contribution to the international agency. As I understand the situation, some commitment has been made under which 11,000 pounds of 100 percent enriched uranium has already been offered by our country to the International Agency. Are we bound in any way to contribute any additional amount, or any specific amount? Just what is the arrangement under the charter?

Mr. BRICKER. Let me say to the distinguished Senator that we would be under the same pressure, if an additional request were made, that we are now under to force this treaty through without adequate consideration.

The way the plan is expected to work is this: According to the testimony of the Department of State, the President will enter into a cooperative agreement with the International Agency, and that cooperative agreement, regarding the amount to be sent—and it is only an offer at this time—will be filed with the Joint Committee on Atomic Energy, under the provisions of the Atomic Energy Act of 1954, and it will lie on the table for a period of 30 days before becoming effective. If Congress is not in session, it must lie on the table for 30 days while the Congress is in session. The only relief would be that Congress might pass a bill denying the right to send the material. That bill would become a law unless the President should veto it; and if he should veto it, a two-thirds vote would be required to override his veto. That would be the only power in the Congress.

Mr. BARRETT. That covers the initial contribution, as I understand. Would the same procedure apply to future contributions?

Mr. BRICKER. Any future contributions would be made under the same arrangement.

Mr. BARRETT. Are such contributions related in any way to contributions by other nations?

Mr. BRICKER. Not at all.

Mr. BARRETT. What assurance have we that under the proposed arrangement an unfriendly power will not get a considerable portion of our contribution?

Mr. BRICKER. It will be entirely up to the governing board as to where the material shall go. We will have nothing to say about it. The treaty expressly forbids that the country giving or selling the material shall have anything to say about where it shall go or what it is to be used for, so long as it is used for peaceful purposes, so-called.

Mr. BARRETT. I understand that is the situation under article IX, subsection J. However, I should like to ask the Senator if we would not have the recourse of refusing to make further contributions in the event the International Agency were to give our contribution of uranium to any power we thought should not have it.

Mr. BRICKER. We could refuse to give any more. We do not have to give any in the first place. There is no obligation on us to give any in the first place, any more than Russia is under any obligation to give any. I understand she has already offered 40 pounds or so; or so far as England is concerned, who, I understand, has offered to give 110 pounds. There is no compulsion on us, in other words, to furnish the material. The President has already made this gesture.

Mr. BARRETT. It seems to me that under our bilateral agreements with 39 nations and our agreements with 23 other countries, there would not be any substantial change so far as the treaty is concerned.

Mr. BRICKER. The Senator is absolutely correct. We have some control and some say over that. We have the right to make rules with respect to inspection and to see to it that the reactors are properly operated, as well as over the training of the personnel, and so forth. Under the treaty, we would have no such right. In fact, we would be deprived entirely of such right.

Reference was made the other day to the fact that since Russia had signed first, we must ratify the treaty; in other words, that we must accept our own invitation. I do not see why Russia should not sign, if we are to give material or sell material, and Russia will have a say as to where it will be sent and how it will be used. That is another reason why I am opposed to the treaty.

Mr. BARRETT. I have been giving some thought to the reservation the Senator from Ohio has proposed. What I should like to know is whether, if the reservation should be adopted, it would be necessary to resubmit the treaty to the countries which have signed it already.

Mr. BRICKER. In my opinion it would not be necessary to resubmit it. However, I talked to the Senator from Iowa [Mr. HICKENLOOPER] the other day, who has followed this matter very closely, and he believes it may be necessary to resubmit it.

The reservation I intend to submit deals with the question of our granting or selling the material to the International Agency. There is no compulsion on us to do so. There is no country that can make us do it. Therefore the matter should be left in the hands of Congress, rather than in the State Department or with the Chief Executive. We should have some control over it. If we have control over it we will know where it will be used. We will not know where it was used in the past, but we will know where it will be used in the future. We are entitled to that much.

Mr. BARRETT. Does the Senator take the position that we have any control over the granting of the uranium?

Mr. BRICKER. It becomes purely an executive function, under the treaty.

Mr. BARRETT. But the action taken must be submitted to——

Mr. BRICKER. It is sent to our committee, under the agreement, so we are told, and as was testified to. I think the present officials are bound so far as they are concerned, but what might happen in the future, I would not venture to guess. However, under the agreement of cooperation the proposal would be sent to our committee and in 30 days would become effective unless Congress did something about it. There is nothing Congress could do. That is the practical effect of it.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BUTLER. Do I understand correctly that the Senator would like to make his reservation part 3 of the committee interpretation and understanding set forth on page 17 of the committee report?

Mr. BRICKER. My reservation is an independent reservation. Why in the name of commonsense the Department does not want to call it a reservation I cannot see for the life of me. I do not know why it should be called an interpretation and understanding. It is our business.

Mr. BUTLER. The committee reservation does not have any validity insofar as the other signatory nations are concerned in my opinion. What is there so abhorrent about the Senator's reservation, that we cannot make it a part of the committee reservation? What is behind the Department's refusal to take it?

Mr. BRICKER. I submitted the same proposal to the Committee on Foreign Relations, and the State Department promptly turned it down. I presume they want to retain control in the hands of the Executive as much as they can, and keep Congress out of it. That seems to be the present trend.

Mr. BUTLER. That is covered in the Atomic Energy Act, and the bilateral agreements have certainly worked out very well.

Mr. BRICKER. They have worked well bilaterally, and I hope they will continue to do so.

Mr. BUTLER. The atomic energy program has gone along satisfactorily under the Atomic Energy Act and under the bilateral agreements.

Mr. BRICKER. But those who are behind the treaty do not seem to be willing to leave the United States in the picture. They want to get control out of our hands and get it into the hands of an international agency.

Mr. BUTLER. Even though the uranium is admittedly the property of the people of the United States. In other words, the Senate, by ratifying the treaty, would be depriving this country of its property.

Mr. BRICKER. That is exactly correct. The Constitution of the United States makes it the responsibility of Congress to dispose of property belonging to the United States.

Mr. BUTLER. The Senator means that that used to be the law.

Mr. BRICKER. That used to be the law, but now the Senate is asked to ratify this treaty.

Mr. BUTLER. Now there seems to be a disposition to give property belonging to the United States to anyone who wants it. I believe that is wrong.

Mr. BRICKER. That is exactly what my reservation would prevent.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. CURTIS. Will the distinguished Senator from Ohio tell us what is included in the term "peacetime uses of atomic energy," excluding, of course, military uses and power uses?

Mr. BRICKER. Of course, there is the use of the isotopes in medicine and in agriculture, as well as in industrial production, where practically no harm comes from them, and they are pretty well controlled. Now they are being

used in many places, thanks to the generosity of the United States.

Mr. CURTIS. There is a spreading to humanity of benefits in medicine and agriculture, and the like, among people who are interested in sharing atomic energy and material.

Mr. BRICKER. What I am interested in particularly, and what I want to see the people of the world have the benefit of, is, better health and better crops and better living conditions, and all the things that go with them. The power program is something different.

Mr. CURTIS. With that definition of the peacetime uses of atomic energy, can the objectives be obtained, in the Senator's opinion, entirely through bilateral agreements?

Mr. BRICKER. There is no question that any country can enter into proper agreements with the United States. No country has ever been turned down, as a matter of fact.

Mr. CURTIS. There is no deterrent to any increase of that program by means of bilateral agreements, is there?

Mr. BRICKER. To the contrary, every encouragement is given to it.

Mr. CURTIS. If it were determined that it were wise to share such a program with Russia, in the opinion of the distinguished Senator from Ohio would it be safer to do that under a bilateral arrangement, or under the proposal before the Senate?

Mr. BRICKER. If it were done at all, it should be done under a bilateral agreement. However, there would be no thought of dealing with Russia under any bilateral agreement in connection with this matter, because they already have the material, and they have scientists working on it. We discovered at Geneva that they had been doing considerable research in the fields of medicine and agriculture.

Mr. CURTIS. Under either one, there would perhaps be no exchange of ideas or materials with Russia itself.

Mr. BRICKER. Word came to us at Geneva that the Russians had done such research. In fact, the Russians had access to all the papers at Geneva. They saw all the work we had done, and had access to all our exhibits. We likewise had access to their information, although I am not clear exactly what they gave us or how much we got from them. Nevertheless, there was cooperation there in this field.

Mr. CURTIS. I will state the question in another way. So far as dealing with Russia is concerned, are there any advantages to the United States in proceeding through the statute of the International Atomic Energy Agency, which is now before the Senate, as opposed to a bilateral approach?

Mr. BRICKER. None at all, so far as Russia and any of the other Communist countries are concerned, and, in my judgment, no advantage to any country. The only testimony to support that position was that there are some countries which do not want to deal with the United States; that they are so nationalistic minded that they would rather deal with an international agency, where there would be no commitment to any one nation—our Nation being the one. With that position I cannot agree.

Mr. CURTIS. I thank the Senator from Ohio.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. JAVITS. I just heard the Senator make a statement about there being no advantages to the United States of the treaty as against a bilateral arrangement. But the Senator has not said anything about the proposals for inspection and control which would extend into the respective countries, including the countries behind the Iron Curtain.

Does not the Senator feel that the value of experience with inspection and control would be more determinative under the treaty than it would be under a bilateral arrangement?

Mr. BRICKER. I may have some value. I discussed that a moment ago; it is in the RECORD. It may have value.

I do not believe the inspection will work. We have the best kind in the United States. We give better service than anybody else can give or will give. I trust them, and I want to continue to do so, to protect the public health and peace.

I am not ready to rush, and I do not think we ought to rush, into this treaty and turn over the inspection to another body over which we do not have any control.

Mr. JAVITS. Mr. President, will the Senator further yield?

Mr. BRICKER. I yield.

Mr. JAVITS. Would the Senator's views also obtain as to the current disarmament negotiations? Would the Senator be adverse to any disarmament which would involve disarmament control, because, if anything, this is a pilot plan for that operation?

Mr. BRICKER. It has no relationship to disarmament in any way, shape, or form. It might enhance the war potential instead of lessening the war threat.

I most heartily favor the disarmament program. I think it is to the advantage of the United States and the advantage of Russia. But I think there should be some type of inspection as to which we have a voice.

Mr. JAVITS. But the Senator from Ohio does not think that the inspection under a disarmament plan might prove to be useful as a pilot plan?

Mr. BRICKER. Not in any way, shape, or form.

Mr. ANDERSON. Mr. President, will the Senator from Ohio yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. I appreciate the Senator's yielding at this point. As to this particular provision, I am in a somewhat embarrassing position. I may not vote for the Senator's reservation, but I am interested in his discussion. Section 6 of article 12, which is the inspection article, I may say to the Senator from New York, relates to sending inspectors into the territory of the recipient state.

The United States is not going to be a recipient state; Russia is not going to be a recipient state; Great Britain is not going to be a recipient state.

The Senator from New York just mentioned the benefits which would come from disarmament. The United States, Russia, or Great Britain would not be inspected.

Mr. JAVITS. But the inspection would be extended into one of the satellites if it should be a party to the treaty.

Mr. ANDERSON. I see no reason why a satellite country which is now being offered everything it wants by Russia would be a recipient from an international agency, because the last thing Russia would want would be to have inspectors coming into that area.

Furthermore, in the testimony the question was asked, "If Great Britain happens to get a small amount of material from the United States, will the Russians be able to go into Great Britain and inspect it?" The answer given was, "No; under the provisions of the treaty, Great Britain could object to a Russian inspector."

I then asked, "Does not that work the other way, too?" If we then wanted to inspect anything in a satellite state of Russia, Russia could merely object and say, "No; we will take an inspector from Russia, and nowhere else."

So while I intend to vote for the treaty, I do not place any reliance on the inspection which has been discussed, because I find no real value to inspection.

What we are told is that if some of the material is given to Patagonia we may go there and see how Patagonia handles it. While I think that is an advantage to the United States, it has nothing to do with the problem of trying to make Russia, Britain, and ourselves live up to the rules.

Mr. JAVITS. It is a fact, however, that even though the satellites may get some material under the treaty, if they get it, it makes them subject to control, and we would get some benefit from that.

Mr. BRICKER. They would have the right to say what inspectors should go in to the country, as the Senator from New Mexico said a moment ago.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. REVERCOMB. I should like to address a question to the Senator from New Mexico, who made an important statement a moment ago to the effect that he does not rely on inspection for security and safety under the treaty.

Mr. KNOWLAND. Mr. President, will the Senator from West Virginia speak louder?

Mr. REVERCOMB. What protection is there today under the treaty to prevent abuse in the use of this material in the hands of the Agency, if inspection does not secure us against injury?

Mr. ANDERSON. Mr. President, will the Senator from Ohio yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. Apparently I did not make myself clear. I do rely on the inspection facilities if we are going into a wholly different country. I intended to say to my able friend from New York that I do not think the inspection provisions would give us any chance to have a peek at what Russia was doing, or would give Russia a chance to take a peek at what we were doing. Therefore, I do not think it has any real relationship to disarmament in the field of nuclear weapons. It would not apply

to Great Britain, Russia, or ourselves, who are the manufacturers of nuclear weapons.

Mr. REVERCOMB. If the material is placed in the hands of the Agency, the Agency will have complete control over it, as I understand.

Mr. BRICKER. That is correct.

Mr. REVERCOMB. Could the Agency, if requested, supply any of this material to Russia for peacetime uses?

Mr. BRICKER. It could; but I doubt very much if that would happen, because Russia in accepting it would have to submit to some kind of inspection.

Mr. REVERCOMB. It could be done?

Mr. BRICKER. It could be done.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. CASE of South Dakota. From that standpoint, it might be desirable to have Russia ask for some of the material.

Mr. BRICKER. I think we could depend upon Russia to look after her own selfish interests.

Mr. CASE of South Dakota. Am I to understand that the issue is whether, as a matter of policy, we should make this material available? Or is it a matter of giving it away free?

Mr. BRICKER. It could be given away free, but I judge it would be sold, because the price has been fixed by the Atomic Energy Commission for this material. I have no reason to think it will not be sold.

Mr. CASE of South Dakota. So it is not a matter of dollars and cents; it is a question of the wisdom of the policy?

Mr. BRICKER. That is correct. I do not discount the fact, however, that pressure will be brought, and at not too distant a date in the future, to have the material contributed instead of sold.

Mr. BUTLER. As a matter of fact, the treaty is wide open on that point. The treaty says the material may be disposed of at any time agreed upon.

Mr. BRICKER. That is correct.

Mr. CASE of South Dakota. I wanted to go a step further with respect to the matter of inspection. Am I to understand that the inspection permission granted would be only as to the countries which got some of the material?

Mr. BRICKER. To the countries which receive the material; that is correct. There is this advantage, however. It is somewhat relieved by the reservation recommended by the Committee on Foreign Relations and as worked out by the minority leader, the distinguished Senator from California [Mr. KNOWLAND] and the distinguished Senator from Iowa [Mr. HICKENLOOPER], to the effect that any amendment to the statute must have the advice and consent of the Senate or the United States automatically ceases to be a member of the agency. Prior to that time, if that reservation had not been accepted, the Agency might have changed the rules on us, amended the statute to provide for a two-thirds vote, so that we would not have a vote, or would not necessarily have a vote on the question of inspection by those who grant the material or sell the material.

Mr. CASE of South Dakota. Does the Senator's proposed reservation require that Congress deal individually with each future transaction, or would it merely reserve to Congress the right to establish a policy which might be applicable to any sale?

Mr. BRICKER. It would be up to Congress in each individual instance. It is not possible to take away from the Congress the right to give that authority, if it wishes to do so. I myself think Congress should consider each one of the grants, or whatever they might be called.

The reservation I propose to the resolution of ratification provides—

That the United States shall not make special fissionable materials—

Which no doubt are among the most priceless materials dealt with by the United States—

available to the International Atomic Energy Agency except to such extent, and in accordance with such terms and conditions, as may hereafter be authorized or prescribed by act or joint resolution of the Congress.

In other words, the reservation proposes the use of the same means that have previously been used by the Congress in granting authority to the administrative branch of the Government.

Mr. CASE of South Dakota. I am thinking of an analogy in the field of foreign aid. Originally there were bilateral agreements, or, at least, acts of Congress which dealt with the giving of aid to Greece and Turkey, as individual nations. However, as the foreign-aid program developed, we found the Congress giving the President authority to transfer aid of one kind or another to all the nations within a certain area or to all the nations coming within a certain definition.

I do not know how many sales would be involved, but it seems to me there might be some disadvantage if the reservation required the Congress to act individually on every transaction which came up.

Mr. BRICKER. The resolution would require action on the part of the Congress. I do not want any Senator to have any illusions about the pressures which will be applied for more and more of this material, as the years go by, if the program is reasonably effective.

Mr. POTTER. Mr. President, will the Senator from Ohio yield to me?

The PRESIDING OFFICER (Mr. MORTON in the chair). Does the Senator from Ohio yield to the Senator from Michigan?

Mr. BRICKER. I yield.

Mr. POTTER. Is it not true that the treaty will need implementing legislation, in order to carry out the provisions of the treaty?

Mr. BRICKER. Yes, and in that connection there would have to be a representative of the United States, just as in connection with the United Nations. But that would not be the case in connection with the sale of the material.

However, the representative of the State Department testified that the provisions of the Atomic Energy Act of 1954 would be complied with; and those provisions authorize an agreement for cooperation. The representative of the State Department testified that they would simply file it with the Joint Committee on Atomic Energy.

Mr. POTTER. When the Congress does act by way of implementing legislation in connection with the treaty, will not the reservation of the Senator from Ohio be much more applicable to the implementing legislation than to the treaty itself?

Mr. BRICKER. The difficulty is that at that time I doubt very much that the Congress could or would see fit to amend the statute by which it participates in this International Agency. After entering into it, I doubt that the Congress could or would see fit to amend it. I think the time to protect ourselves is now.

Mr. POTTER. Would that have to be done by means of an amendment to the statute?

Mr. BRICKER. I think it would.

Mr. POTTER. In other words, as I understand the proposed reservation, in connection with authorizing the granting of this material to the International Agency, the Senator from Ohio thinks an amendment to the treaty would be required, instead of Congressional action on a domestic problem, insofar as our relationship to the Agency is concerned. Is that correct?

Mr. BRICKER. That is my judgment, because the statute expressly says that after there has been a granting or a giving or an authorization or an allocation of material, then it is entirely out of the hands of the country from which the material comes, or the giving country.

Mr. KNOWLAND. Mr. President, will the Senator from Ohio yield to me?

Mr. BRICKER. I yield.

Mr. KNOWLAND. First, I wish to say that I think the Senator from Ohio is performing a useful service on the floor of the Senate, as he did in the committee, in raising certain of the problems, because certainly the treaty is important, and should have the full consideration of the Senate.

However, apropos the question raised by the Senator from Michigan, is not the Senator from Ohio of the opinion that an implementation act will be necessary, even if it is for the limited purpose the Senator has stated?

Mr. BRICKER. That is correct. That was the testimony given before the committee; and I have no reason to doubt that that will be carried out explicitly, as was suggested in the testimony.

Mr. KNOWLAND. The Senator from Ohio also agrees, does he not, that it will be within the province of the Congress, as a coequal arm of the Government of the United States, in connection with the implementation agreement to provide limitations on the sale or the giving of the material? In effect, the implementation act could be used to amend, if necessary, the Atomic Energy Act of 1954.

Mr. BRICKER. Of course, that gets us into another discussion which I have often had with the minority leader, namely, a discussion regarding the effects of a treaty; and whether the Congress can by simple act of Congress amend a treaty, especially one of the importance of this one; and whether it

would be desirable from the standpoint of the administration.

In the first place, I do not think it would be accepted by the administration. In the second place, a two-thirds vote of the two Houses of Congress would be required; and I do not think that could be obtained.

Mr. KNOWLAND. But if an implementation act is necessary—and I think both the Senator from Ohio and I agree that it is necessary—then, if the Senate in its wisdom, and if the House of Representatives concurred, wished to write restrictions and protections such as the ones the Senator from Ohio has suggested in his reservation, it seems to me that could very easily be done by way of an amendment to the implementation act; and in that event there would be no implementation act unless that reservation or restriction was attached. So, in effect, a veto of the reservation or restriction would veto the implementation act.

I am pointing out that to that extent, and in that way, I think the Senator from Ohio could reach the point he has raised by means of his reservation, without having a reservation attached to the treaty itself.

Mr. BRICKER. I wish to assure the minority leader that if this reservation is not adopted, and likely it will not be; I have no illusions on that score—then, when the proposed implementing legislation comes before us, I shall try to have this language made a part of it, because I think it necessary and essential.

Furthermore, I think the State Department has no thought of doing anything of this kind, because the representatives of the Department testified to the contrary at the hearings.

Mr. BUTLER. Mr. President, will the Senator from Ohio yield to me?

Mr. BRICKER. I yield.

Mr. BUTLER. The Senator from California has raised a point which is rather confusing to me. I though the United States Government as of the present time was obligated to supply 11,000 pounds of 100 percent uranium, and that that would be provided to the international agency, regardless of whether the United States later withdrew or whether it forever remained a party to the agreement. In that connection, it was my understanding that no implementation would be needed.

Mr. BRICKER. That is only a tentative offer by the President.

Mr. BUTLER. But I think the record showed that that much material would be given, in any event.

Mr. BRICKER. That is correct.

Mr. BUTLER. Then an act of the Congress implementing the treaty is not necessary in that regard. When will the Congress have an opportunity to say how the uranium shall be used or what will be paid for it? The treaty provisions are very elastic. Although $17 may be the price today, yet the treaty provides that the price can be anything that is agreed upon between the donor of the uranium and the Agency. That might be anything.

Mr. BRICKER. Or it could be given away, without payment, under the treaty.

Mr. BUTLER. Yes, it could, by means of the treaty. The report goes meticulously into the fact that material is not to be given away; but the treaty says it can be conveyed for any consideration agreed upon between the donor and the receiver.

Mr. BRICKER. That is true.

Mr. BUTLER. When the material goes into the atomic pool, we shall have lost all control of it. As a result, how can an act of implementation affect that situation?

Mr. BRICKER. Once we give it away, we cannot get it back.

Mr. BUTLER. Even if we decided to withdraw. Yet at the time when this vastly important property of ours—and it is very strategic property—is disposed of, we shall have no right to say what shall be done with it.

I wish to find where, by means of an act of implementation, the Congress will be able to determine how this valuable asset of the people of the United States shall be disposed of.

Mr. BRICKER. The testimony of the representative of the State Department was to the effect that, for the purpose of implementation of the treaty itself, such matters would be self-executing. It does not happen to be in the power of the State Department to determine that question. Ultimately that will be a question for the courts to determine. But until there is a decision by the courts, I think every action taken will be taken explicitly within the terms stated by the representatives of the State Department—in other words, that they will submit to the committee these cooperative agreements.

Mr. BUTLER. Yes, to the joint committee, 30 days prior to ratification. But if the committee objects, our only recourse will be to try to get two-thirds of the entire Congress to vote to override the President's will.

Mr. BRICKER. The Senator from Maryland is correct about that.

Mr. KNOWLAND. Mr. President, will the Senator from Ohio yield further to me?

Mr. BRICKER. I yield.

Mr. KNOWLAND. I desire to call to the attention of the Senator from Ohio—although he is thoroughly familiar with it—and to the attention of the other Members of the Senate article IX of the proposed treaty. It relates to the supplying of materials. Paragraph C reads as follows:

> Each member shall notify the agency of the quantities, form, and composition of special fissionable materials, source materials, and other materials which that member is prepared—

I call particular attention to the following words—

> in conformity with its laws, to make available immediately or during a period specified by the Board of Governors.

So I think the treaty itself recognizes that the amount and the means of making the material available shall be in conformity with the laws of the country making the donation. In our case—and I get back again to the act of implementation—if the Congress wanted to amend the present provisions of the Atomic Energy Act—I mean if that were its judgment; I am not arguing the point what type of amendment should be made—I think in the implementation act the Congress could say the material could not be given, that it could only be sold. It could say, in effect, the material could be sold only at the cost of production, or whatever decision the Congress might make. I think the treaty itself recognizes that the donor government is bound by the laws of the country making the donation, and the other countries do not automatically get a right to requisition the sale or the transfer on their own terms.

Mr. BRICKER. That is the basis on which I made the statement a moment ago. If the reservation is adopted, it will have to be submitted to the other countries for ratification.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. While the language is "in conformity with its laws," I point out that we have to find out what our laws are. If we read section 124 of the Atomic Energy Act of 1954, it will be seen that no strict regulations are provided. I would have been very happy if the able Senator from California or some other Senator had been able to come up with a proposal for revising section 124. I hope the Senator, whose reservation I supported as vigorously as I could, will join in an effort to change section 124. As the law now stands, I think the Senator from Ohio will agree that section is the law of the country.

Mr. BRICKER. It has been admitted by the State Department that it will abide by that law. As soon as the statute is ratified it becomes the supreme law of the land, and if the treaty is inconsistent with any of the laws established in America, the treaty prevails.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. COOPER. I think it may be possible that the statement by the minority leader and the comment made by the Senator from New Mexico have answered my question. Assume the Senate ratifies the treaty, and the reservation offered by the Senator from Ohio is rejected, will there be any means available to the Congress, under the Atomic Energy Act, to control or limit or prevent the transfer of any fissionable material?

Mr. BRICKER. The law would have to be changed before that could be done.

Mr. COOPER. Under the present act.

Mr. BRICKER. Under the present act there is nothing giving the United States any control, except what was suggested a moment ago relating to the agreement of cooperation.

Mr. COOPER. Let me ask another question. The minority leader quoted from article 9. Assume that the promise which has been made by the President has been fulfilled, and then later the agency should ask the United States for additional supplies of fissionable materials. Article 9 states that members may make available to the agency such quantities of special fissionable materials as they deem advisable "on such terms," and so forth. The membership in our

case is the United States Government. How would the Senator interpret that section? Who would make the decision?

Mr. BRICKER. The President would make the decision, complying with our law as it is today, or the agreement of cooperation.

Mr. COOPER. Is it stated in the treaty that the President would make the decision?

Mr. BRICKER. No. It says the Government, but the President deals in international affairs, and he is the voice of this country in international treaties. They could be limited, but the testimony of officials of the State Department was that they would abide by the 1954 act.

Mr. COOPER. If the Congress attempted to legislate on this subject, the old question would arise, would it not?

Mr. BRICKER. The question that we have debated back and forth would arise again.

Mr. COOPER. As to whether the Congress could constitutionally enact any such act?

Mr. BRICKER. Yes.

Mr. COOPER. I know that the Senator from Ohio spoke on the subject many times in 1953 and 1954, but if the constitutional question arose, what is the Senator's idea and position as to what would be done by the Congress were it desired to limit the transfer of fissionable material?

Mr. BRICKER. Of course, that point goes to the question we have debated many, many times, as to what a treaty does to the Constitution. The Secretary of State has stated that a treaty cuts across the Constitution and the Bill of Rights. The Supreme Court gave a hint last week, although it was not necessary to the decision of the Court in the case, and is mere obiter dictum, that such an interpretation is not correct. I hope that the full Court will ultimately sustain the statement made by some of its members. I have always felt that Congress could take the United States out of a treaty by a law. The President, of course, would have to sign. If the President vetoed the bill, it would take two-thirds of both Houses of Congress to override the veto. However, if that were done, we would break our moral obligations with the countries with which we had agreements. I would be very hesitant about breaking our obligation in that respect.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BRICKER. I yield to my distinguished colleague from Ohio.

Mr. LAUSCHE. On page 10 of the report, in the last paragraph, there is contained this statement:

> The committee considers it highly important to correct a misconception which appears to be somewhat widespread as to the nature of the United States offer to supply uranium to the Agency. Contrary to an assumption in many quarters, there is no intention to donate this special nuclear material. Indeed, existing legislation may preclude making a gift of that kind in the absence of specific authorization by Congress. Article IX–A of the statute specifically declares that whatever quantities of fissionable materials which Members deem advisable may be made available to the Agency "on such terms" as shall be agreed with the Agency. Under article XIII of the statute, moreover, reimbursement is to be provided for any material offered "unless otherwise agreed upon" between the Board of Governors and the supplying member. This escape clause does not signify that substantial amounts of fissionable material could be supplied by the United States without compensation, in the absence of Congressional authority which is now lacking.

My query is this: First, I gather that there is presently a limitation on the power of the President to make a gift of fissionable material. Secondly, even though there were no such limitation and prohibition, the spirit and the letter of the statute contemplate that there shall be compensation for the material.

I should like to ask my colleague's understanding of the paragraph of the report I have read.

Mr. BRICKER. I think the spirit of the statute itself does contemplate payment for the material, and certainly that was the testimony of the representatives of the negotiating authority, and of the State Department, and of the Atomic Energy Commission. There is nothing either in the statute or in the law which requires that the material be paid for. If this treaty should become the supreme law of the land, if it should be ratified by the Senate of the United States, we could provide that the material should be paid for, as one of the terms of the agreement submitted to the Joint Committee on Atomic Energy. I doubt very much if it would be done that way. I will say that quite frankly. I do not know whether we would get adequate compensation.

Mr. HICKENLOOPER. In order that I may help clear up that point, Mr. President, will the Senator yield?

Mr. BRICKER. I yield to the Senator.

Mr. HICKENLOOPER. I invite the attention of the Senator to a letter which I put in the RECORD this afternoon in connection with the remarks I made on the treaty. The letter appears on page 166 of the hearings. It is a letter from Chairman Strauss of the Atomic Energy Commission to the Senator from Rhode Island [Mr. PASTORE], who had written Chairman Strauss about this matter. I shall not read the entire letter, for it is available and the Senator may read it. The last paragraph is as follows:

> Accordingly, the General Counsel has advised the Commission that should it wish to provide for a gift of a substantial quantity of special nuclear material in an agreement for cooperation entered into under the Atomic Energy Act of 1954, as amended, explicit Congressional authority should be obtained. The Commission does not presently have such a proposal before it.

Mr. BRICKER. I think the Senator is correct, that they should get authority. I certainly agree with that. However, there is nothing which compels them to do it.

Mr. KNOWLAND. Mr. President, may I suggest that the entire letter be printed at this point in the RECORD?

Mr. BRICKER. The letter is already in the RECORD.

Mr. HICKENLOOPER. I asked unanimous consent to have it printed this afternoon in connection with my remarks. I took the letter from page 166 of the hearings. The Senator from Rhode Island is present in the Chamber. I referred to the letter to illustrate some things in connection with the matter he was discussing.

Mr. PASTORE. Mr. President, will the Senator yield to me?

Mr. BRICKER. I yield to the Senator from Rhode Island, although I am anxious to finish my speech.

Mr. PASTORE. In answer to the observation made by the distinguished junior Senator from Ohio [Mr. LAUSCHE] the Senator will notice the very cautious use of the word "may," in pointing out what I think he read from the bottom of page 10.

Mr. LAUSCHE. "May" in what line?

Mr. PASTORE. If the Senator will give me a moment I will find it.

> Article IX A of the statute specifically declares that whatever quantities of fissionable materials which members deem advisable may be made available to the Agency 'on such terms' as shall be agreed with the Agency. Under article XIII of the statute, moreover, reimbursement is to be provided for any material offered "unless otherwise agreed upon" between the board of governors and the supplying member.

The significant point is that, before that, the report states:

> Indeed, existing legislation may preclude making a gift of that kind in the absence of specific authorization by Congress.

It does not say it does preclude it, but that it may preclude it. That is the "may" to which I was referring.

It is true that section 124 says, "Under such terms and conditions as the President shall prescribe." That question was raised by me with the Atomic Energy Commission. I think under the existing law, if the President really wanted to, he could give this material away. We submitted that question to the Commission, and they answered that if the amount were small he could do it, but if the amount were large he could not do it. That does not make legal sense to me. It never did.

It is significant, of course, that the Secretary of State, when he appeared before the committee, said there was no intention on the part of the administration to give the material away, but that they intended to sell it. This leads me to the observation that was made by the distinguished minority leader. I think what we are getting at here is the proposed amendment of section 124. I would go along with the distinguished Senator from Ohio, since he raises a very significant point, but I think he is going at it in the wrong way. I think what we ought to do is to amend section 124, so as to provide that the material cannot be given away, that the matter will have to be submitted to Congress, and that a price will have to be paid for fissionable material.

Mr. BRICKER. Is there a wrong way to do a good thing?

Mr. PASTORE. Yes, there is.

Mr. BRICKER. The Senator thinks this would be wrong?

Mr. PASTORE. Yes. There is a good way of punishing one's children, and there is a bad way of punishing one's children. All the Senator is proposing

to do is to punish the President in the

sity, who appeared before the Fallout

ages 3 roentgens over a 30-year human re-

to do is to punish the President in the wrong way.

Mr. BRICKER. But if we do it in the wrong way, then it is not a good thing?

Mr. PASTORE. I am afraid if we begin to insert reservations in this treaty at this time, such action will destroy the very thing the President was trying to accomplish when he made the speech before the General Assembly on December 8, 1953. I should like to state that I went through all these negotiations in the United Nations, and it was not an easy task. If we are going to go through them all over again, I say we might as well stop right now.

If we do not have enough faith and confidence in the President of the United States to believe that he will carry out the assertions made before the committee that there is no intention to give the material away, and if there is any fear of that in the future, then let us amend the law. But let us not do it now, because, if we do it now, we will show a lack of confidence in the man on the other end of Pennsylvania Avenue, and that is the important thing before the Senate this afternoon. Do we have enough confidence in the word of the President, which was relayed before the committee, that there is no intention to give this material away? If we believe him, we do not have to worry about it this afternoon; but if the Senators are afraid of a Democratic President, after 1960, then I say we can amend the law tomorrow.

Mr. BRICKER. Mr. President, I did not yield to the Senator for a speech, but in commenting upon what he has had to say I only hope that in the future he will show the confidence in the President that I have shown.

I came to the Senate with my own judgment. I have continued to vote and speak as I feel, regardless of what anybody at the other end of the avenue may say. If I should fail to do that, I would violate every trust the people of my State have reposed in me, and I would be recreant in my duty as a United States Senator.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BUTLER. I wish to enlist under the banner of the Senator from Ohio and associate myself with that statement. Any statements I have made here are not a reflection on the President of the United States. There is a right way to do these things. We are dealing here with public property. We have a responsibility, as the representatives of the people, to protect their interests in that property.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BRICKER. I will yield for a question, but I should like to finish my speech.

Mr. PASTORE. It will have to be more than a question, if I am going to answer that speech.

Mr. BRICKER. I think we have heard about enough on this matter. With due deference to my distinguished colleague, I should like to get back to the speech.

I was discussing the speech of Dr. H. Bentley Glass, of Johns Hopkins University, who appeared before the Fallout Committee as a witness. In his speech last month—and I want this to be heard—at the atoms-for-peace symposium at Brookhaven National Laboratory, Dr. Glass outlined the magnitude of the danger.

Said Dr. Glass, one of the most distinguished scientists of our country in this field:

If even 1 percent of the long-lived fission products produced at a 20,000-megawatt annual level of atomic power were to be released by leakage and accident, the effect would be equivalent to the radiation of 100 bombs of the Hiroshima size.

Mr. President, I ask unanimous consent at this time that the speech of Dr. Glass be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. MORTON in the chair). Is there objection?

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Menace to human life from fallout of radioactive material due to nuclear weapons tests, if continued at the present average rate, is negligible when compared with the possible radioactivity of waste materials likely to be produced through industrial use of atomic energy over the next 20 years, according to Prof. H. Bentley Glass, chairman of the department of biology of the Johns Hopkins University, Baltimore, Md.

In a paper presented to the Inter-American Symposium on the Peaceful Application of Nuclear Energy at Brookhaven National Laboratory, which is being attended by around 100 visiting South and Central American scientists and others interested in atomic energy—and an equal number of United States scientists—Professor Glass estimates that:

"The development of nuclear reactors for power, in the United States alone by 1975, will produce long-lived fission products that would be equal to the annual explosion of 200 to 400 megaton bombs." In other words, the radioactivity resultant from the detonation of nuclear bombs equivalent to 200 to 400 million tons of TNT annually would approximate the potential radioactivity inherent in the waste material from industrial reactors, if that waste material were not effectively controlled or disposed of.

One of the pressing problems of the atomic age that must be solved, according to Professor Glass, is the safe disposition of these radioactive waste materials and perhaps their profitable utilization just as slaughterhouses, which once processed only the meat of steers, now use economically everything from horn to hoof.

Another preoccupation of scientists, geneticists, and health authorities these days is the extent to which mutations are induced by exposure to radiation and the long-range dangers to humans.

Mutations, the vast majority of which are harmful to some degree but also largely recessive in effect, also occur spontaneously as well as from all manmade ionizing radiations, according to Professor Glass. "It is a serious unsolved problem to determine what fraction of spontaneous mutation is attributable to background radiation," he said. Background radiation is the natural radiation people are subjected to through the omnipresent cosmic ray bombardment and emanations from radioactive materials in buildings and the earth's crust. Exposure to X-rays also is a factor in determining the average gonadal dose to which people in various parts of the world are subjected.

"The background radiation in the United States," according to Professor Glass, "averages 3 roentgens over a 30-year human reproduction lifetime." In some places, such as Brazil and Travancore, India, where the soil is highly radioactive, it is as high as 50 roentgens.

"Since a dose of radiation that would double the spontaneous mutation rate would be expected in 10 or 12 generations to double the frequency of tangible genetic defects in the population," says the writer, "the comparison of populations on different backgrounds may yield information from which the doubling dose can be estimated more accurately than it now is." A doubling dose, it is claimed, would seriously increase the genetic defectiveness of any population exposed to it, and the upper limit to which a people should be exposed should be kept well below it.

Mr. BRICKER. Mr. President, by 1965 Great Britain expects to be producing 6,000 megawatts of atomic energy, the United States 4,500, Euratom 15,000, and the Soviet Union 2,500 by 1960. Added to this annual production of power from atomic energy would be that of recipients of Agency materials and facilities which are involved in this Treaty. Without knowing the dimensions of the health hazard involved, it would be foolhardy to plunge blindly into this international atomic-power program. To do so would be to disclaim even a minimal reverence for human life or health.

What are the true dimensions of the danger? Actually, nobody knows.

The distinguished Senator from New Mexico and I, along with others, have heard the last word, and we are very uncertain at the present time as to what the danger actually is.

Nevertheless, in the recent hearings on fallout before the Radiation Subcommittee of the Joint Committee on Atomic Energy, many able scientists pointed out that nuclear powerplants may soon be poisoning the atmosphere as much as continued bomb testing at the current rate. In addition, many of the scientists, paricularly the geneticists, appearing before the Holifield subcommittee agreed that it would be rash, in view of our imperfect knowledge concerning radiation dangers, to push the radioactive content of the atmosphere above the present rate of pollution from weapons tests.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. The statement just made by the Senator is completely correct. In addition, some of the scientists thought the level-off would be lower than the present rate of fission products. The Senator and I agree that this does not involve the total amount of explosive power of the bomb. He will remember, I am sure, the statement of Professor Dunham, of the University of Rochester, a true expert in the field.

Mr. BRICKER. He is one of the very best.

Mr. ANDERSON. At first he set the level at 2.2 tons of fission products. When we questioned him rather vigorously, he said he had used a factor of 50, whereas other scientists had used a factor of 100. Therefore, to be completely fair, he would raise the level to 4.4 tons.

Also another able scientist, Dr. Wright Langham, who has been connected with the Los Alamos Laboratory, and who has

probably had more experience in this field than almost anyone else in America, came up with an estimate of 10 tons of fission products; and the testimony was that 10 tons of fission products had been put into the atmosphere each year for the past 5 years.

I insert this information in the RECORD in order that Members who have been listening to the Senator from Ohio may know that he is dealing with facts as they were developed.

Mr. BRICKER. I thank the Senator from New Mexico. I think the Senator will agree with me that when the hearings were concluded, even though scientists differed, none of them could be sure. However, they all agreed that there was grave danger.

It seems to me that mankind, and particularly the American people, must pause and prayerfully consider to what extent it wishes to enter an industrial nuclear age. I reject as the counsel of despair the following statement by Admiral Strauss:

With time the operation of atomic reactors all over the world is inevitable. It can no more be prevented than one could restrict or prohibit the use of fire.

We have restricted the use of fire, as arsonists well know.

We are not dealing with fire here, but we are dealing with a very subtle danger, which no one can hear, see, or feel, and which is insidious in its effect upon human life.

I have enough faith in the commonsense of humanity to believe that it will forego the benefits of atomic power if the price must be reckoned in thousands of cases of leukemia, the shortening of millions of lives, and irreparable damage to the hereditary material of the whole human race. What is the price of dotting the globe with industrial atomic powerplants? We do not know, and therefore, we ought not to play atomic roulette with humanity at this time.

From the hearings on fallout before the Holifield subcommittee we have learned that the present scale of weapons testing cannot be sharply increased without incurring physical and genetic harm that all men of good will would find intolerable. No one whose compassion does not project itself beyond his own generation is worthy of high office. If bomb testing continues, the operation of atomic power reactors the world over will probably lead to impermissible concentrations of radioactivity in air, soil, and water. Here is what Mr. W. B. Rankin, Assistant to the Commissioner of the Food and Drug Administration, wrote in the June 1957 issue of Antibiotic Medicine and Clinical Therapy:

Although the quantity of fission products that has been produced thus far is tremendous, it is almost insignificant as compared with the amounts of radioactivity to be produced as this new form of energy is used in powerplants now being planned. It has been estimated that by 1365 United States reactors will be producing over 20 pounds of fission products per day. By 1980 the accumulated solutions of wastes may amount to 200 million gallons and, by the year 2000, to 2.4 billion gallons.

That waste material is being dumped into the ocean at the present time, and no one knows what the effect is or will be. During the geophysical year great attention is being devoted to the study of the radioactive effects of such waste materials on the bottom of the ocean as the currents move about and the bottom waters replace surface waters.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. Let me say to the Senator from Ohio that the question of waste is one of the subjects which has all of us worried. No one knows exactly what to do with waste. Therefore, many of us worry as atomic energy spreads in countries which do not have the same regard for sanitation as does the United States.

Mr. BRICKER. I know that the Senator from Ohio is worried over the question. If I were not worried I would not have given the attention I have to this subject matter. If I were not worried I would not try, as I am doing this afternoon, to bring these dangers to the attention of my colleagues on the floor of the Senate.

Continuing with the statement of Mr. Rankin:

Adequate methods for disposing of this quantity of radioactive wastes have not been developed; there is little doubt that a material amount of radioactivity will spill over into the farmland and water supplies of this Nation and into the oceans.

At the same time that we begin utilizing radioactivity to a greater extent, we will be increasing our consumption of water at a tremendous rate. It has been estimated that the United States will be using twice as much water in 1975 as today. This will complicate the problem of obtaining water from sources adequately safeguarded against radioactive contamination.

The National Academy of Sciences report to the public on the Biological Effects of Atomic Radiation, released last year, points out that radioactive elements in the soil and the oceans are taken up and concentrated by land plants and by marine plants and animals; eventually some of the radioactivity will become a part of man's food supply.

The report indicates also that the maximum permissible tolerance for radioactivity in food is not known. There is not nearly enough information about the long-term biological effects on man or animals from eating radiation-contaminated food.

I now come to what is possibly the most serious aspect of fallout.

Many scientists are apprehensive about strontium 90, a deadly radioactive poison which has a half life of 28 years and which, as a surrogate for calcium, settles in bone marrow causing leukemia or bone cancer. It has been estimated that the 20-megaton hydrogen bomb set off by the United States in the Pacific in 1954 released 43 pounds of Sr–90 in fallout. This is a substantial percentage of the Sr–90 causing so much concern today.

That is only a small percentage of the total, however. The bombs dropped by Russia are just as deadly in their poisoning influence. The same is true of the bombs dropped by England.

However, Indian scientists have estimated that if 50 percent of the world's present energy requirements were produced by atomic fission the annual production of strontium 90 in wastes would rise to 8,000 pounds.

In hearings before the Holifield subcommittee a distinguished scientist, Dr. Kulp, observed that by entering the atomic era industrially "we will probably wind up taking more risk than at least with present testing," and that "we are going, if there is no threshold, to have deaths in the world as a whole from peacetime application, regardless of whether it is testing or not."

Until this health danger has been carefully assessed, it would be reckless indeed for the Senate of the United States to proceed on the blasé assumption that there is no difference between atoms for peace and atoms for power. Special fissionable materials should be made available to the Agency for the production of electric power only to the extent authorized by subsequent legislation based on hearings before the Joint Committee on Atomic Energy.

ATOMS FOR WAR

The following colloquy at the hearings shows very clearly how atoms for power would lead to atoms for war:

Senator HICKENLOOPER. Therefore, the burden of my question is this: Nations who will come into this Agency to receive assistance from it will, in the main, be nations that do not have the competence themselves to develop this science at this moment.

Mr. MURRAY. I agree with that.

Senator HICKENLOOPER. As these nations, if they have the latent or potential ability to develop the science themselves with aid, do so, a number of them probably will gain some proficiency in the atomic science.

Mr. MURRAY. No doubt about it.

Senator HICKENLOOPER. As they gain proficiency in the peacetime uses of the atomic sciences, don't they go a long step down the road toward gaining knowledge and potential proficiency in the fabrication of weapons?

Mr. MURRAY. There is no question in my mind about that; yes.

Of course, that is true. If nations are given the facilities, the equipment, and all scientific and technical information required for the safe operation of an atomic power program, they will not find it hard to take the final step of bomb fabrication. Many of them will take that step, knowing that atomic weaponry would automatically qualify them as major world powers. They will test the weapons they produce, thus adding to the radiation danger from fallout.

The treaty does not prevent recipients of Agency information and material from making atomic weapons. That is a fundamental defect. When fourth countries equip themselves with atomic bombs, the danger of a nuclear holocaust will be increased to a tremendous degree. Dr. Hans Morgenthau, director of the Center for Study of American Foreign Policy at the University of Chicago, outlined the gravity of the danger in his testimony last January before the Senate Subcommittee on Disarmament. Dr. Morgenthau said:

There is, however, one problem with regard to all-out atomic war which is not yet acute, but which is likely to become acute in a few years' time and that will arise when more than 2 or 3 nations will have the ability to wage all-out atomic war; for if I am correctly informed by scientists it will be possible within 5 years or a decade for 6 or 8 or 10 or 12 or perhaps 15 nations who have fissionable material to use the byproduct of fissionable

material for the purpose of manufacturing atomic weapons.

That is as true today as can be. Said he further:

Once this contingency has occurred, it seems to me we will then be confronted with a situation infinitely more serious and infinitely less susceptible to control by the self-restraint than the one which exists today.

Today if an atomic bomb explodes in the port of New York we know who only could have planted it and could use atomic retaliation in order to operate against it and the very fact that we know it and the very fact that we can use that atomic retaliation prevents such an atomic bomb from being exploded by the Soviet Union.

But what is going to happen if in 10 years' time an atomic bomb explodes in the port of New York? Against whom are we going to use atomic retaliation? Against whom are we going to drop atomic bombs?

Nobody will know or nobody needs to know at least who planted that bomb. I daresay in comparison with the insecurity, perhaps even the panic which will exist then in the relations among nations, the first decade of the atomic age may well appear as a kind of golden atomic age.

That is from a great scientist. Proceeding further, he said:

I think there is urgent need today before this contingency has materialized to reflect upon ways and means by which this contingency can be forestalled and while I regard many of the disarmament proposals which have been suggested in recent times and in the last 150 years or so as utopian as not susceptible to realization, I think here is one area of disarmament where the vital interests of the United States and the Soviet Union coincide. And it seems to me there is urgent need on the part of the Government of the United States to think about ways and means to forestall this contingency and to control strictly the use of fissionable material for peaceful purposes.

The pending treaty does not control strictly the use of fissionable material for peaceful purposes. The International Atomic Energy Agency will make its members so proficient in the handling of large quantities of fissionable material in the production of power, that it will be fairly simple for many of them to fabricate atomic weapons. The treaty does not prevent such manufacture.

The Statute of the International Atomic Energy Agency does provide that fissionable materials furnished by the Agency shall not be used in weapons manufacture. The treaty provides for inspection of materials and facilities supplied by or through the agency. The control provisions will not prevent seizure of fissionable material made available by the agency and will probably not be effective to prevent diversion.

The danger of diversion arises from the fact that it is impossible to account precisely for losses of fissionable material incurred in large-scale operations. Moreover, inspection, to be even partially effective, would require competent scientific personnel to be in atomic power plants 24 hours a day, 365 days a year. It is highly unlikely, in view of the shortage of scientists and engineers, that competent people can be hired for the dull, but critically important, job of inspection.

I have a letter from the Atomic Energy Commission, which I should like to have printed in the RECORD at this point. It sets forth how impossible it is for them to keep complete track of all fissionable material. I ask unanimous consent that the letter, and my letter to the Commission, may be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 24, 1957.

Adm. LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission, Washington, D. C.

DEAR ADMIRAL STRAUSS: I would like very much to have a memorandum from the Commission on the problem of unaccounted-for fissionable materials in the United States atomic-energy complex.

Please understand that this request does not stem from any feeling on my part that the Commission has been negligent or that indeterminate losses of fissionable material are traceable to subversive activities. What I desire is an authoritative statement explaining why, under the most prudent management and under the best accounting and inspection procedures, it is impossible to determine precisely process losses; accumulation in plants (for example, gaseous diffusion plants); losses in extrusion, milling, etc.; and residues in canyons.

Sincerely yours,

JOHN W. BRICKER.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., January 29, 1957.

Hon. JOHN W. BRICKER,
United States Senate.

DEAR SENATOR BRICKER: This is to acknowledge your letter of January 24, 1957, requesting a memorandum from the Commission on the problem of unaccounted-for fissionable materials in the United States atomic-energy complex.

A prompt reply will be forwarded.

Sincerely yours,

BEYAN F. LAPLANTE,
Special Assistant to the General Manager.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., February 14, 1957.

Hon. JOHN W. BRICKER,
United States Senate.

DEAR SENATOR BRICKER: This is in reply to your letter dated January 24, 1957, in which you ask for information concerning the reasons for unaccounted for fissionable materials in the United States atomic-energy complex.

The inability to account exactly for all fissionable materials stems primarily from two limitations; viz., the difficulty of obtaining truly representative samples of the materials being processed, and the uncertainty inherent in measurement of the fissionable material content of the samples.

To take a specific example, the determination of the plutonium content at the beginning of the chemical processing sequence is made on samples which are roughly a millionth of the volume of the batch from which they are drawn. These samples then require a series of chemical and physical manipulations in order that the quantity of plutonium present may be determined. Replicate samplings and analyses lead to results which agree closely, but very often not exactly. Under these circumstances it is not possible to state exactly the quantity of plutonium present, and hence the error of overstatement or understatment of the true quantity will, ultimately, show up as an apparent gain or loss.

Throughout the atomic-energy complex, the determination of quantities of fissionable materials being processed involves sampling and measurement problems similar in kind to the above, and varying through a wide range of complexity. In addition, there are sometimes further complications; that is, the chemical processing plants for irradiated materials may have as much as 8 or 10 miles of pipes for transferring solutions from one part of the process to another. The pipes may vary as to fullness and concentration of solution, and these factors will introduce error into the statement of fissionable material content; this error, again, will show up as an apparent gain or loss.

A somewhat different type of problem exists in the case of gaseous diffusion plants. Here the statement of material in the diffusion cascade is based on the volume of the uranium-hexafluoride gas, its pressure, and its temperature. These factors can be determined rather precisely, although not exactly, and serve as the basis for stating a large share of the cascade inventory. However, in addition to the gas content, the cascade contains sizable quantities of uranium which have deposited on its inner surfaces. These quantities are not subject to direct measurement, and hence introduce error into the statement of cascade inventory. Experience permits reasonable estimates of the deposited uranium, but the true quantity cannot be determined.

The above examples are illustrative of the problem of unaccounted for fissionable materials in the atomic-energy complex. For the most part the problem is no different in kind than is routinely encountered in private chemical and metallurgical industries. In theory, and only in theory, it would be possible to account exactly for all materials. However, as a practical matter it would be impossible to do so (perfect sampling and measurement methods would be needed, all process equipment would have to be shut down and cleaned out, etc.). Accordingly, the approach which industry takes is that its accounting efforts should bear a reasonable relationship to the value of its materials. This approach contemplates a greater degree of control for valuable materials than for those that are inexpensive, and recognizes that there will be some inexactness for all materials.

The Commission has followed this same approach and in so doing has continually sought ways to obtain better measurements on its materials. One recent example is the agreement by the National Bureau of Standards to assist us in the development and distribution of material standards. The availability of standards containing known quantities of material will increase our ability to obtain measurements which are more exact than is possible today without standards.

I trust that I have answered your questions satisfactorily. If I can be of any further assistance please do not hesitate to contact me.

Sincerely yours,

R. W. COOK,
Acting General Manager.

Mr. BRICKER. Mr. President, an even greater military hazard is the danger of seizure. The agency has no enforcement machinery to punish violators of the treaty or to recover fissionable materials which have been illegally seized. All it can do is to cut off further assistance, report the violation to the U. N., and, by a two-thirds vote of the General Conference, suspend the member in violation.

Illegal diversion and seizure of fissionable materials are not remote possibilities. Not in scores of nations consumed by the fires of intense nationalism and more or less openly dedicated to destroy

one or more of their neighbors. I cannot imagine that the defense ministers of such countries would not make plans to facilitate the conversion of atoms-for-power into atoms-for-war.

The international atomic power program envisioned by the treaty will make universal disarmament difficult if not impossible to achieve. In this connection, I ask unanimous consent to have printed at the conclusion of my remarks an article by Cuthbert Daniel and Arthur M. Squires which appeared in the April 1947 issue of the Bulletin of the Atomic Scientists.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE INTERNATIONAL CONTROL OF SAFE ATOMIC ENERGY

(By Cuthbert Daniel and Arthur M. Squires)

Are the benefits of industrial atomic power worth the risk? We believe they are not. We believe that the problems of the international control of atomic energy can be reduced to manageable proportions only by an international agreement not to develop industrial atomic power for a generation. We believe that most of the foreseeable benefits of atomic energy to our generation can be had without its use for industrial power-plants.

International control takes on quite different sense and seriousness for different parts of the field of atomic energy. Control of its use in scientific research and development is easy. A world control authority need place little check on properly designed experimental piles producing radioisotopes and intense radiation, or on the use of these isotopes and radiation in physical, chemical, and biologic research. Laboratory reactors (e. g., those at Clinton Laboratories, Oak Ridge, and Argonne Laboratory, Chicago) require only small quantities of fissionable material, and produce plutonium usable in a bomb at a very small rate. Owing to fundamental construction features, the Clinton pile could make a bomb only after many years of production. To guarantee the safety of nuclear research laboratories, the world authority need only supply them with uranium, plutonium, and thorium according to their needs, and inspect them occasionally to insure legal use of these materials.

Control of the use of nuclear fuels to generate power is difficult. The existence of full-scale industrial power piles requires large-scale mining of uranium and thorium, and large-scale separation of U–235 and production of U–233 and plutonium. Their existence requires an extensive traffic in fissionable materials, large stockpiles, and high rates of production of materials usable in bombs. Their existence is attended by danger of illegal diversion of bomb material to small easily concealed bomb fabrication plants. It is generally recognized that power piles and the associated mining and production activities must be managed by a world agency, if the people of the world in which they exist are to feel secure against surprise atomic attack. National seizure of these plants and stockpiles is immediate cause for an international crisis, probably war, because of the short period (variously estimated at a few weeks to a year) in which a team of physicists and engineers can produce bombs from stockpiled material and new production. In short, nuclear power systems are the only part of the field of atomic energy for which it is true, as it is so often said of the whole field, that peacetime activities and wartime activities are 80 percent identical.

Why then should industrial atomic power-plants be built? To this question it is generally answered that man must not deprive himself of the benefits of the uses of atomic energy. These benefits, however, fall in two categories—those flowing from safe atomic science (including the industrial use of radioisotopes and pile radiation), and those from dangerous industrial atomic power. The prospects for these two categories are by no means equally impressive; in the words of the Secretary of War's Interim Committee on Atomic Energy, "It is probable that the exploitation of atomic energy as a tool for research will outweigh the benefits to be derived from the availability of a new source of power."[1]

There is no doubt that the next 20 years of science will be more exciting and much more profitable because of the widespread availability of new powerful research tools stemming from laboratory piles. Fortunately, scientific uses of atomic energy involve no great danger to world peace and no major difficulties of inspection and control; nor do these uses now depend on the construction and operation of large-scale industrial plants, since stockpiles of enriched U–235 and plutonium now exist adequate to supply the world's laboratories during our lifetime.

Why are the benefits of scientific and industrial uses so closely associated in most discussions of nuclear developments? Most discussions make it appear that man must engage in all activities, going nearly up to bomb production, in order to secure any of the benefits. This is not the case. Safe atomic science, and the major benefits, can be had without dangerous atomic industrial development at this time.

Are the benefits of industrial atomic power worth the risks? The world must answer this serious question, and not by default. Our own answer is not based on private sources of information—we are not nuclear physicists; nor do we believe that inside technical information is necessary to judge this economic and political question. We have tried to form our opinion on the basis of all pertinent information which we or anyone else can properly secure.

A group of scientists and engineers working under C. A. Thomas reported to the United Nations Atomic Energy Commission that atomic powerplants of a type similar to the Hanford piles can supply electricity at a price competitive with electricity generated from coal costing $10 a ton.[2] (The average wholesale price of coal in the United States is about $5 a ton in normal times.) Such plants will burn natural uranium together with all plutonium produced as a by-product of power generation. Thomas' group emphasized the difficulty of the technological problems which must be solved before such plants can be built. We recognize that the report may be conservative from the long-range standpoint, since ultimately cheaper methods of power production may be developed which utilize a much higher percentage of U–238. On the other hand, it was reported by Wilmot, Minister of Supply in the British Government, that in some quarters the report is thought to be somewhat overoptimistic.[3]

The economic benefits foreseen for atomic powerplants are a consequence of the negligible cost of transporting nuclear fuels. Plants can be built in regions remote from ordinary fuel deposits, and decentralization of industry can be effected by locating small atomic powerplants at many points of a large electricity distribution network. J. Marschak, Professor of Economics at the University of Chicago, has called attention to the fact that the total cost of transporting fuel from mines to power stations generating electricity is a very small fraction of the entire United States national effort (about one-eighth of 1 percent); this cost amounts on the average to one-eighth cent per kilowatt-hour.

If nuclear fuels were free and were capable of replacing coal in all its uses, the saving would be 2 percent of the national income. Professor Marschak pointed out, however, that no one can predict what new industrial combinations would arise from widespread use of atomic power. Like the automobile, which did not just replace carriages, atomic power might have far-reaching and unpredicted effects upon our entire technology.[4]

ATOMIC POWER NOT FEASIBLE NOW

It is generally agreed that many years must pass before atomic power can be used on a significant scale. H. A. Winne stated that "economically competitive atomic power" is "a long-term project, possibly requiring decades."[5] Its development then will have little economic effect during our generation, and cannot soon contribute to relief of the acute energy shortages current in some parts of the world.

It is difficult today to determine the potential long-range importance of nuclear fuels relative to coal as sources of energy. The U–235 in rich uranium deposits known before the war had an energy equivalent to only 0.014 percent of the world's total coal reserves.[6] It seems unlikely to us that new ore discoveries have increased this percentage by more than a factor of 10 or so. Although the cost of recovering uranium from rich deposits is sufficiently low that its use is competitive with $10 coal, large-scale power production from U–235 would lead to quick exhaustion of rich deposits. As Fermi has indicated, "further production would have to use very poor ores with a consequent increase of several orders of magnitude in the cost of the primary material." The long-range importance of atomic power depends upon solution of the difficult problems associated with engineering power systems which utilize a high percentage of U–238.[7]

It seems likely to us that large-scale atomic power would not be developed in any country for many generations, if it were not for the direct or indirect support of the military in every major country. Atomic power is in a category with the airplane, whose rate of development was accelerated manifold by military support: Development cost is high, prospects of early economic benefits are negligible, and long-range economic importance is problematical. The advantages of nuclear fuels are their small weight and bulk per B. t. u., advantages of great importance for military applications. The efficiency of nuclear fuels in battleship and submarine powerplants and in rocket propulsion may well be decisive in military judgment, to which cost is often a minor consideration. Late in 1945, Langmuir pointed out that atomic power would probably first be used for naval ships, and that the field of atomic power would not be attractive to industry for a long time to come.[8]

There can be no criticism of the armed services for their intense interest in nuclear power piles, and in nuclear physics generally;

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[1] Quoted by State Department Report on the International Control of Atomic Energy (the Lilienthal committee), p. 19.

[2] The International Control of Atomic Energy: Scientific Information Transmitted to the United Nations Atomic Energy Commission. IV. Nuclear Power (September 5, 1946).

[3] Bulletin of Atomic Scientists, vol. 3, No. 2, p. 52 (February 1947).

[4] Ibid., vol. 2, Nos. 5 and 6, p. 8 (September 1946).

[5] Reported in New York Times, March 19, 1947.

[6] One World or None, ch. 4 (Gale Young).

[7] Chemical and Engineering News, vol. 24, p. 1357 (May 25, 1946).

[8] Hearings before the Special Committee on Atomic Energy, U. S. Senate, 79th Cong., 1st sess., p. 109 (Nov. 30, 1945).

the Army and Navy will be interested in all scientific development as long as there is need for an Army and Navy. Their interest in nuclear development will not decline appreciably with the advent of international control. Every effort will be made to determine the locations and capacities of power piles on strategic rather than economic grounds, even under international control. Persons who wish to see their country at a high pitch of military preparedness will regard with favor the large stockpiles of fissionable material at powerplants, and will calculate the number of bombs which can be made from them in a crisis. This will be no less the case if these plants are managed by an international agency rather than by a national one.

BACKWARDNESS OF COAL TECHNOLOGY

Comparisons of atomic power with coal power frequently ignore the backwardness of coal technology. Although Thomas has stated that the cost of coal energy is likely to increase, other engineers believe the opposite.[9] Chemical engineering techniques developed during the past 20 years by the oil industry are just beginning to find application to the problems of rational utilization of coal; methods of producing high B. t. u. gas from coal and transporting the gas in pipelines promise large reductions in the cost of coal energy to consumers remote from mines. Moreover, many believe that modern mechanical engineering can appreciably reduce the cost of mining coal. The open-cycle, coal-fired gas turbine is already at an advanced stage of development in this country, where it promises to be of use in locomotives. This engine is also well adapted to isolated, waterless locations, and may make possible a great increase in power production wherever water availability is now the limiting factor.[10]

It is apparent that large gains in economy of coal utilization can be achieved by a modest expenditure of technical and industrial effort. We suspect that a rational effort to increase the world's power supply during the next several generations, to decentralize industry, and to industrialize remote regions, would concentrate on exploitation of waterpower, on improvements in utilization and transportation of coal energy, and on the gas turbine, and not on industrial use of nuclear fuels. We suspect this to be true, realizing that we do not possess all information necessary for a definitive judgment. We suspect that pipeline gas or waterpower will prove to be the cheapest energy for most regions where power is now expensive, such as the Mediterranean Basin, California, and the south of China. Many of these regions would not be helped greatly by atomic power development under an international control authority, since in many instances nuclear power systems of economic importance would be denied because of their military threat.

England, France, and Russia all stand in greater need of an increased power supply than the United States; a given expenditure of technical and industrial effort directed toward the generation of electricity from nuclear fuels will produce results of far less economic importance for these countries, in our opinion, than an equivalent effort directed toward improved mining and gasification of coal and the manufacture of high B. t. u. gas and liquid fuels.

Are the benefits of industrial power worth the risks? The commonest of all errors of judgment, we suppose, is to consider the palpable advantage more important than the latent danger. But the presence in every major country of 80 percent of the operations required to make atomic bombs seems to us greatly to increase the likelihood that sooner or later, under the present world conditions of national sovereignty and mutual distrust, some country will make bombs.

The predicted benefits of industrial atomic power should not impress us. Even if these predictions underestimate the facts, and it actually were possible to enjoy large-scale economic use of atomic power in our lifetime, still mankind can afford to wait a generation—let us hope, in peace—for new atomic industrial frontiers on mountain and desert, for space ships, and the like. We believe that there should be international control of safe atomic energy activities, and international prohibition of dangerous activities until the world's people learn the limitations of nationalism and the advantages of working together. In the words of Professor Marschak, "Reaching for a few strawberries on the edge of a precipice we may fall and break our necks."

A COMPROMISE PROPOSAL

There can be no doubt that the Russians and Americans are poles apart in their points of view on atomic energy control. Let us not be unduly discouraged by March's news or unduly encouraged by December's. There will be no real hope for an effective pact establishing the international control of atomic energy until a basis of agreement between these two great protagonists has been found. Russia demands immediate destruction of all atomic bombs followed by inspection with a minimum of interference with national institutions. America requires an operating system of international inspection before full transfer of present United States plants to the world control authority; the authority will be responsible for the management of all such plants in every country. The Russians feel management to be a degree of control which interferes intolerably with national life.

Clearly no golden mean is possible between these two irreconcilable positions. The irreconcilability is aggravated by the deep conviction on each side that the other is trying to outmaneuver, surround, and eventually overpower it.

Usually compromise is reached by each side giving up part of its position. Tit for tat. In this case, we propose that both sides give up the same thing, for the same reasons. We propose a compromise whereby the principal tool of military power is removed from the hands of both sides, by agreement, without loss of the foreseeable benefits of nuclear science to either side. Whether a plan for international control of atomic energy is adopted or not, equality in atomic military potential is eventually inevitable. Equality in this field is most advantageous when both sides of the equation are set equal to zero. The advantage to the people of the world becomes less, the higher the military potential. At some point national equality becomes dangerous national rivalry.

The plan now under discussion by the United Nations[11] calls for construction of dangerous atomic production plants in many nations, while the United States gives up only the bomb fabrication phase of its current activities. Thus the atomic military potential of all major nations will be equalized nearly at the present high level of the United States. If no industrial plants are permitted to exist, national rivalry in the field of atomic energy is reduced to a rivalry in the quality and size of the staff of research and development experts who can activate a bomb project.

The experience of the armament race leading to 1914 indicates that the likelihood of war is greater the higher the general level of military potential. It is clear that industrial atomic facilities raise a nation's military potential, whether managed by a world control agency or not. We propose to do more than remove the threat of surprise atomic attack; we propose to minimize the danger of atomic war.

We propose the following compromise between the Russian and American positions: Let there be a world agreement that no new industrial atomic plants shall be built anywhere in the world for a number of years. Let there be established an Atomic Development Authority along the lines proposed by the United States, with responsibility for world geological surveys, inspection against illegal activities leading toward bomb manufacture, and operation of laboratories for nuclear research and pilot plants for development of methods of U-235 enrichment and plutonium production.

The Authority will estimate the quantity of enriched U-235 and plutonium required for research and development activities during the next 20 or so years, and draw plans for its distribution to research stations throughout the world. Enriched material now existing in excess of this quantity will be destroyed. The size of research and development piles will be set so that the rate of production and the inventory of material usable in bombs within each nation are below agreed-upon limits. We believe that limits can be set which permit a large-scale research effort with no danger to peace.

All pilot plant studies of fissionable material production and of power generation will be undertaken by the Authority; since the men who make the studies will be viewed as military assets by groups planning to seize military power, these men should come under close international surveillance.

As soon as there is established an inspection system which provides safeguards agreed on previously, the United States will dismantle its large-scale production plants (K-25 and Y-12 at Oak Ridge and the plutonium piles at Hanford), permit the distribution of fissionable material for research, and publish all significant scientific and technical information, from mining to bomb design. When the supply of fissionable material for research is exhausted, let the nations agree upon the operation of a single small U-235 separation plant and a pile to provide material for experimentation at the required rate. (If after 10 to 20 years the nations cannot so agree, there will be far more serious things to worry about than the shortage of U-235 and plutonium for research.)

POWERS OF ATOMIC DEVELOPMENT AUTHORITY

Under our proposal, neither the Atomic Development Authority nor any other person will have the power to mine and process uranium and thorium on a large scale (beyond needs of laboratory and ordinary commercial users); to operate reactors or separation plants which produce large quantities of material usable in bombs or which, by relatively minor operational changes, could make material for bombs; to operate facilities for making atomic weapons or for research and development in military uses of atomic energy—these activities, let the world agree, are too dangerous for our time, since they guarantee national rivalry in the field of atomic energy at an extremely dangerous level. Let us spend our time in world education and political development so that future generations will not know fear.

Our proposal contains little that is new. It is a modification of the plan proposed by the Lilienthal committee, and indeed may be regarded as a proposal concerning the steps whereby the Lilienthal committee's plan may ultimately be put in effect when world conditions permit. In the fall of 1945, Urey, Langmuir, Szilard and others, while testifying before the Senate's Atomic Energy Committee, expressed their willingness to delay the development of atomic power, if delay would make war less likely. The authors of the Chicago Draft Convention[12] proposed a 5-year delay in construction of large-scale powerplants; during this time the international agency would carry out pilot-plant studies to determine plant designs which make control easy and sure.

We add two requirements: (1) That the present United States plants be destroyed, since if they are not other countries will wish similar plants immediately, even if construction of powerplants is delayed; and (2) that the exploitation of atomic power be postponed until the world can use it safely.

Our proposal is in the interest of the people of the United States. To persuade them of the fact may be difficult. On the surface it appears that our proposal requires America to give up much which she would keep under the present United States plan. It will require a more extensive and serious educational campaign in this country than is now in progress to explain that our temporary atomic military superiority is a potential hazard, and not an advantage, either strategically or as a bargaining point. Today this superiority is perhaps the greatest single stimulus for an atomic armaments race. Tomorrow the superiority will vanish. If atomic equality is reached after an armaments race, or after a program of construction of atomic industries in other countries under the present United States plan, the American people will be exposed to greater threat of war than if our proposal is adopted.

The United States can progress toward international cooperation only by courageous display of farsightedness. It cannot throw away its present atomic military superiority before a control agreement is reached, but it should clearly express willingness to destroy the plants and stockpiles which constitute this superiority. The people of the United States must learn to prefer an atomic agreement which does not put nearly complete atomic bomb plants in every major country. They will suffer no hardship if our present atomic plants are dismantled and if no industrial atomic powerplants, battleships, or rockets are built. No country is less in need of a new and expensive fuel than the United States. We believe there are more profitable tasks for this country's staff of technical men, now in short supply because of the war, than work on nuclear power systems.

Although it is difficult to analyze the motives of the Russian leaders, it appears to us that our proposal has many advantages to them. The present superiority of the United States makes their discussion of the United States plan difficult. They are unwilling to contemplate a situation in which the combined atomic production capacity of non-Russian states exceeds the capacity of Russia and her satellites, yet they cannot hope to secure agreement to a disposition of production plants in which this is not the case. If the United States plan is adopted, Russia must expand a large technical and industrial effort to match America's present production plants and stockpiles. In addition, the Russian leaders must use valuable personnel to lay plans and train men for the militarization of authority facilities in the event of war. All of this must be done if Russia is to feel "secure," however questionable security based on competitive preparations for atomic war may be.

Under our proposal, Russia's leaders will be assured, by an inspection system partly under their control, that no such competition is needed. Russia's (and every country's) security is complete as soon as the United States reveals its know-how, scatters its stocks of fissionable materials, and dismantles its plants. Russia can then use its scientific and engineering staff for more constructive tasks than duplication of America's atomic facilities.

INSPECTION EASIER

The Lilienthal committee pointed out that "it is far easier to discover an operation that should not be going on at all than to determine whether a lawful operation is being conducted in an unlawful manner."[13] Inspection is easier under our proposal because there are fewer lawful operations than there are under the United States plan. Our proposal requires an inspection system which will detect the existence of unlawful large-scale mining operations, large-scale processing of uranium and thorium, manufacture of nuclear fuels, and bomb fabrication. The only lawful operations are small-scale laboratory use of fissionable materials and possibly small-scale mining. A high degree of assurance that attempts to obtain bombs must fail is afforded under our proposal by a careful geological survey of the world for deposits of uranium and thorium, followed by a continuous watch of all known deposits. Experts generally agree that such a survey and watch has a high probability of success.[14] The United States plan requires not only an inspection system to detect the unauthorized existence of all operations from mine to bomb, but also a system to insure that all authorized mines and plants for processing, manufacture and use of nuclear fuels are operated without illegal diversion of material in amounts dangerous to peace. Every nation will demand assurance that dangerous plants in all other countries are legally operated. In addition, private vendors of graphite for Authority piles, of diffusion membrane, centrifugal pumps, and control instruments for Authority gaseous diffusion plants, etc. must be carefully watched to prevent production of undeclared goods and their shipment to illegal plant sites. (Under our proposal the manufacture of these unusual materials on a scale unwarranted by their limited commercial use constitutes a danger signal.) Because of the scale of the effort required to construct an atomic industry, a large fraction of the industrial know-how can never be under direct Authority control, and so must come under close Authority surveillance.

We believe that there has been insufficient emphasis on the difficulties of assuring that large industrial plants are legally operated. The problems of material accounting will assume nightmarish proportion when the world's rate of production of fissionable material becomes many times the present productivity of Oak Ridge and Hanford, so that very small percentagewise losses become potentially very hazardous.

Some may argue that under our proposal there is greater temptation to attempt an illegal bomb-production program, since success finds the criminals with great relative strength when no one else is engaged in industrial activities leading nearly to bomb assembly. Against this argument we must set the temptation under the United States plan to misuse or seize dangerous industrial facilities. We believe that an inspection system can give more positive assurance that no large-scale illegal bomb programs exist than that no fissionable material is diverted to small hidden bomb-assembly plants, or that groups do not plan seizures.

The Lilienthal committee emphasized the fact that first-rank scientists and engineers, the only people competent to direct an inspection force, will not choose to serve on a purely negative, policelike inspection force. Our proposal calls for a world authority with no purely operating jobs, fewer police jobs than are called for by the plan proposed originally by the Lilienthal committee and now under consideration by the United Nations, and the same number of interesting research and developmental jobs. The men needed to direct an inspection force will be attracted and stimulated by research, development, and pilot-plant activities of the Authority; they are not much interested in the operation and control of large plants or the mass procurement of materials of construction. The job of inspection is largely one of imagination, a job of guessing the manifold forms which an illegal plant might take, the substitute materials, the dodges.

ENFORCEMENT LESS LIKELY TO MEAN WAR

Under the United States plan the most probable form of violation of the atomic-control agreement is the seizure of Atomic Development Authority plants and stockpiles, an action highly likely to succeed. Even when persons are caught diverting material to hidden bomb sites or mining illegally or building plants, they are likely to attempt seizure of the nearest Authority plants in an effort to carry through their jeopardized plan of world conquest. Each country will prepare plans and staffs for the seizures and rapid militarization of Authority plants; it will do this in self-defense against the day another country acts. Leaks of information about these plans and staff will contribute to international tensions.

Minorities eager for political power will be likely to urge seizure, an overnight task tempting in its apparent sudden increase in national military advantage. Public and technical support for seizure will be easier to obtain than support for a program of building bomb plants from scratch, since the latter requires years before military advantage is secured. In the crisis following seizure, successful fabrication of second-rate bombs—second rate, that is, relative to those used in August 1945—from denatured material is not much less serious than fabrication of first-rate bombs.

When a group seizes Authority plants and stockpiles within a country, it is likely that the only means of punishment available to the Authority is a request for other countries to declare war on the offending nation. Thus, even though the people of the country are not in sympathy with the seizure prior to its occurrence, they will probably be forced to unite behind the criminals in mutual defense against the violence of the attack from without.

Under our proposal, since no legal industrial plants exist, the crimes of their seizure or misuse cannot occur. Persons who would make bombs must secretly engage in all activities from mine to bomb, and the likelihood of success is small.

There is a good chance that punishment of all crimes possible under our proposal can rest on prosecution of individuals in courts of law. At the first sign of the opening of a mine, the construction of an illegal plant, or the misuse of a laboratory device, the Atomic Development Authority can issue a warrant for the arrest of all persons with knowledge of the illegal activity, so that they can be arraigned before an international court of law.

A MANAGEABLE STEP TOWARD WORLD GOVERNMENT

Atomic energy control must be a first step in the evolution of the United Nations toward world government and complete disarmament.

We believe that the United Nations, as presently organized, is too weak to assume the grave responsibilities of atomic energy control according to the present United States plan. This plan in our opinion requires full world government based on a strong habit of peace. The United Nations shows little sign today of moving toward

[9] P. C. Keith, Chemical Engineering, December 1946, p. 101; see also Fortune, March 1947, p. 85, for the first of a series of 3 articles on coal technology.

[10] J. I. Yellott, American Institute of Mining and Metallurgical Engineers, Technical Publication, No. 2086 (August 1946).

[11] Bulletin of the Atomic Scientists, vol. 3, No. 1, p. 16 (January 1947).

[12] Ibid., vol. 1, No. 8, p. 11 (Apr. 1, 1946).

[13] Reference (1), p. 34.

[14] Jerome Fisher, Bulletin of Atomic Scientists, vol. 1, No. 5, p. 1 (Feb. 15, 1946); Report on Control of Mineral Production by Committee under Chairmanship of P. F. Kerr, ibid., vol. 1, No. 6, p. 4 (Mar. 1, 1946).

peace; the nations show little sign of wishing to disarm. It is hard to imagine countries giving up other capital weapons unless they are disarmed atomically. Rather, each nation will argue a sacred duty to maintain a military establishment to protect the vital industrial plants of the Atomic Development Authority within its borders.

There has been little discussion of the steps leading to international control by the United States plan, but it may be safely predicted that no major nation will be satisfied with any other nation's plan for the locations, capacities, and startup dates of large U–235 separation plants and plutonium reactors, for mining quotas, ore shipments, stockpiles of enriched material, etc. Persons who speak of a strategic balance in the geographical distribution of plants and stockpiles raise questions only of their own disingenuousness—a way has not yet been found to slice a pie 5 ways so that each single piece is larger than the other 4 put together.

There is good historical evidence that reliance on balance of power to preserve peace, when nations mistrust each other, actually makes war more likely. If roughly equivalent atomic energy installations are located in many countries (possibly along with a few atomic bombs, as sometimes suggested), in the hope that overwhelming strength will remain with the law-abiding in the event of a violation of the atomic energy agreement, one can be fairly sure that no violations will occur until a number of countries have been lined up in a coalition. In fact, there will be an intense diplomatic effort to form opposing parties of nations, i. e., to establish a balance of power between two groups. One can also be fairly sure that shortly after opposing groups of nations are organized, all countries in one bloc will, as if by coincidence, violate the atomic energy agreement simultaneously. Simultaneous seizure of Authority plants and stockpiles can easily be arranged and takes a few hours to execute. Simultaneous violations are far less likely if no industrial atomic energy plants exist, since operations leading to the undetected manufacture of atomic bombs takes years and are unlikely to be attempted by a number of countries at the same time.

SHALL THERE NEVER BE INDUSTRIAL ATOMIC POWER

Some may argue that our proposal places an intolerable restriction on human progress; that man in his conquest of nature is fated to exploit large-scale atomic power, and no turning aside or delay of fate's processes is morally acceptable. In the words of the Lilienthal committee, the argument is that "any effort to confine the inquiring mind • • • is doomed to failure," and that "the very existence of a prohibition against the use of piles to produce fissionable material suitable for bombs would tend to stimulate and encourage surreptitious evasions."[15] This argument makes humanists of power pile designers, and of us, advocates of medieval reaction.

We believe that it is both desirable and possible to place limitations on human inquiry. A psychologist who wishes to study panic would learn much by setting fire to theaters. This is a method of investigation which is forbidden to the humane scientist. Progress is this field of psychology is desirable, but must proceed at the slow pace set by accidental discovery (as by a psychologist who by chance can observe panic during a theater fire). It is easy to think of other examples. We believe that for our generation any information which can be obtained from large-scale atomic powerplants (and which cannot be obtained from pilot plants) is not worth the probable price in human suffering.

[15] Reference (1), pp. 17 and 21.

Engineering experience generally suggests the unlikelihood of additions to scientific knowledge as a direct result of large-scale industrial activity. Industrial installations are usually poor experimental tools, because their construction is necessarily conservative and the range of operating variables limited. It is conceivable that a purely scientific enterprise may require the construction of a pile which produces bomb material at a dangerous rate. If the experiment can be performed quickly, so that there is no dangerous accumulation of bomb material, it may be possible to secure international agreement to construct one such pile, operate it for a short time, and destroy it. But if the enterprise requires long-term operation of such a pile, we believe that our generation should forgo the information which the enterprise could yield.

We do not propose that industrial atomic power never be developed; it is probably a long-term good. As other sources of energy become depleted and as the habits of peace become strong, the advantage of atomic power will become greater and the danger less.

In making a judgment on a foreseeable social change of the magnitude of that promised by the development of nuclear power, it is important to consider path and method even more carefully than goals and outcomes. The history of social programs and plans shows many sad examples of the failure to consider means along with ends. The Communist experiment will not, we fear, be the last horrid example. The attempt to force technological change, just because the physicists have said "Ready," leaves out the other crucial prerequisites of a successful, socially advantageous development.

The Tennessee Valley Authority shows how the Atomic Development Authority should proceed. The technical methods of flood and erosion control, power and fertilizer production, and scientific farming were ready for large-scale application long ago. An attempt to force immediate use of these methods, without preparatory education, would have failed. Such success as the TVA has had as a social experiment is due to the pace and methods used in showing the people of the valley how to work together. Education in living together is as important a component in the TVA's program and aim as is education in the methods of scientific farming.

Today the majority of the people of the world are helpless, uninformed, and concerned mainly with finding enough food. In these respects they are like babies. One does not give explosives to babies, and one does not invoke the baby's right to full and unfettered satisfaction of all its curiosities. As the people of the world become free, through education and adequate feeding, they will be able to make sensible judgments about the use they wish to make of nuclear fuels.

Our generation may well devote a major part of its energy to the job of catching up politically. It needs a peace during which to learn the sharp limitations of national advantage. It needs to find and learn a set of social values more suited to the technological era than the feudal and megalopolitan values received from the predatory past. It needs to develop the United Nations into a really democratic world government. It needs to go slowly in the development of atomic industry in order to minimize the threat of war in our time. If our generation establishes peace, any future generation can develop nuclear power; if our generation fails to establish peace, no one for many generations can develop nuclear power or anything else. International control of safe atomic science, and prohibition of dangerous atomic industry during our time, can be a real step toward world peace and permanent civilization.

PROPOSED RESERVATION

Mr. BRICKER. Mr. President, I intend to propose the following reservation to the Statute of the International Atomic Energy Agency:

That the United States shall not make special fissionable materials available to the International Atomic Energy Agency except to such extent, and in accordance with such terms and conditions, as may hereafter be authorized or prescribed by act or joint resolution of the Congress.

The proposed reservation is not inconsistent with the terms of the treaty. Adoption of the proposed reservation would not prevent ratification of the treaty by the United States. No member of the Agency is under any obligation whatever to make any quantity of special fissionable materials available to the Agency. Article IX (A) says that "members may make available to the Agency," and so forth. Administration witnesses pointed out that amendments requiring member nations to make available special fissionable materials were either withdrawn or defeated.

The proposed reservation would not prevent international cooperation in the development of atomic energy as a source of power. Nuclear power development could proceed in countries that are wholly trustworthy under our present bilateral program, and in other countries subject to the safeguards spelled out in subsequent legislation.

The proposed reservation would give the Senate a second look and the House of Representatives and the Joint Committee on Atomic Energy a first look at the potentially dangerous features of the treaty. All the potentially dangerous aspects of the treaty spring from the industrial atomic power program envisioned by the treaty.

That is what the other nations were looking at, more than at the benign effects which would come in the fields of health and agriculture.

If my suggested reservation is adopted, the Congress could accumulate a reliable body of information concerning:

First. Progress made under the power bilateral programs of the United States;

Second. Health hazards in connection with the industrial atomic-power program;

Third. The kind of people employed by the Agency in policymaking positions;

Fourth. Agency practices and procedures in safeguarding nuclear material;

Fifth. The extent to which Agency members are willing to permit inspection of atomic-energy projects;

Sixth. The influence of the Soviet Union, its satellites, and neutralist nations in the governing body and in the general conference;

Seventh. The feasibility of projects planned by the Agency;

Eighth. The extent to which a global industrial atomic-power program would help nations to make atomic weapons;

Ninth. Contributions in material, money, and manpower by other members of the Agency; and

Tenth. Availability of competent scientists and engineers.

All those things ought to be in the possession of Congress if this power is to be given the Agency, as I suggest in the reservation.

THE MORAL ISSUE

There is one other aspect of the treaty to which I wish to pay some attention, and that is the moral issue.

The most disturbing evidence presented in the hearings of the Holifield subcommittee was to the effect that no threshold may exist; that is, every increase in manmade radiation may cause physical and genetic harm in linear proportion to the amount of the dose, no matter how small. Prior to these hearings, it had been widely assumed on the basis of official assurances that a maximum permissible limit of concentration existed below which no danger to health occurred.

In continuing bomb tests, we weigh the physical and genetic damage against the consequences of world domination by the Soviet Union. Nevertheless, we are uneasy, because the risk is different in kind from the risk of death on the highway, for example. A man can avoid death on the highway by staying at home. He cannot escape the deleterious effects of manmade radiation, nor can he avoid transmitting genetic defects to his offspring.

If the industrial application of atomic power represents a radiation hazard comparable to, or greater than, that of bomb fallout, then the Congress of the United States—and let us not forget this—is morally obligated to reexamine our domestic atomic power program; our bilateral power agreements; and, free of any prior commitments, the international atomic power program.

It is true, unfortunately, I think, that nuclear energy as a source of industrial power has captured the imagination of the world. The United States is primarily responsible for overselling this idea. As Dr. Henry DeWolfe Smith pointed out in the October 1956 issue of Foreign Affairs, "Our 'atoms-for-peace' program rests more on faith than on solidly established economic and technical data."

In support of the pending treaty, it is argued that the United States, having unleashed the terrible force of the atom, is morally obligated to use the atom to help fill the energy requirements of other countries. Some of those countries sit on top of a sea of oil. Others have ample reserves of coal. Still others have untapped water resources. The blessings of atomic power, so far as individuals are concerned, can be counted at best in pennies.

America does have an awesome responsibility in the field of atomic energy. That responsibility, as I see it, is not to supply the energy needs of foreign countries to the detriment of disarmament hopes, at the risk of undermining world health, by increasing Communist military strength, and by helping to put atomic weapons in the arsenals of 10 or 20 nations.

Our solemn moral duty is to act as the trustees for all humanity in safeguarding the destructive force we set loose at Alamogordo. Supplying electricity was not nominated in the bond. I find only the injunction: "Mankind must not die by the misguided use of his own genius." One whose compassion does not project itself beyond his own hour, time, yes, even his own generation, is not true to his high trust here and his duty to his fellow man.

Mr. BRICKER subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an article entitled "Conferring on the Atomic Danger," written by C. L. Sulzberger, and published in the New York Times of June 17, 1957.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 17, 1957]

CONFERRING ON THE ATOMIC DANGER

(By C. L. Sulzberger)

PARIS, June 16.—The Swiss Government is now considering whether to take the initiative in convening an international scientific meeting to discuss whether nuclear tests menace mankind's future. This is a praiseworthy idea. For, until the scientists themselves can get together, it is surely not reasonable to expect untutored politicans to agree.

At this stage the subject of radiation, fallout and other repercussions, both direct and indirect, is generally regarded in the world as sorcery and witch doctory were viewed centuries ago. There is as little apparent agreement among the learned as among the uninformed on what evils the atom should be held responsible for.

The current Lancet, British medical journal, speculates that the virulent grippe epidemic sweeping westward from the Orient may result from nuclear experiments. Hotel proprietors from Italy to Scandinavia, disturbed by this spring's cool, moist weather, blame the bomb.

The ignorant little man who comprises 99.44 percent of this earth's population is deeply disturbed by bewildering experiments taking place around, beneath and above him. A correspondent for The Times of London reported a farmer saying recently in Twin Springs, Nev.:

"You can't help feeling uneasy when you look up and see one of those clouds. You don't know what the hell it is all about—and as for the AEC—I wouldn't believe them on a stack of Bibles."

RADIATION RISE NOTED

Who and what are we to believe? Dr. Takanobu Shiokawa, professor at Shizuoka University in Japan, says the accumulation in fallout on the surface of Asiatic lands has more than doubled since 1955—because of weapons tests. Dr. Merril Eisenbud of the AEC claims that within the same period there has been a tenfold increase in the amount of radiostrontium in American milk.

Dr. Alvin C. Graves, chief of AEC weapons testing, admits a really "clean" (fallout proof) superbomb is impossible to make. And everybody who has them—Russia, America and Britain—is experimenting with superbombs. The 1954 "Bravo" explosion at Bikini is estimated at 15-megatons force by Dr. Ralph Lapp.

Dr. Lapp and Dr. Jack Schubert of the University of Chicago claim that by last January the energy exploded in experiments had already approached 109 megatons in value—50 times the total explosive tonnage dropped on Germany in World War II. With all three possessor powers busily touching off bombs since then—in Siberia, in Nevada and on Christmas Island—that limit has surely been surpassed.

What this is doing to present and future generations simply cannot be said. There has not yet been serious international consultation on the matter such as the Swiss are contemplating. Dr. Willard Libby of AEC thinks the present rate of testing can safely go on for decades. Dr. William F. Neumann, a biochemist, believes the earth's atmosphere is already near the permissible saturation point for strontium 90.

SCIENTISTS DISAGREE

Geneticist James F. Crow insists tens of thousands of people will be diseased, deformed or doomed by fallout if the present rate continues. Prof. C. H. Waddington of England remarks of tests: "My personal view is that the biological cost of them is not large."

The most lurid account of dangers ahead was given in last spring's Oslo broadcast from Dr. Albert Schweitzer. But Schweitzer's grimmest warning concerned the menace of waste from the Hanford, Wash., atomic plant, flowing into the Columbia River. He foresaw a kind of geometric progression of radioactivity multiplying its venom from plankton to fish to insects to birds to the yolks of those birds' eggs.

In fact, the danger to mankind is possibly as great from unwise peaceful use of nuclear energy as from excessive testing of weapons. (Naturally, if the latter are ever put to work in a business sense, finis will be written to both problems.)

What we must get used to—and quickly—is the potential danger of all atomic energy. Last year a thoughtful report on "The Hazards to Man of Nuclear and Allied Radiations" was published in England by the Medical Research Council and signed by such distinguished scientists as Sir John Cockcroft. This concluded:

"The hazards to health are qualitatively the same, however, whether they arise from nuclear weapons or from the use of ionizing radiation for peaceful purposes. The difference is one of degree or intensity only."

Obviously, such being the case, it would be wise if the Swiss, before formulating the invitations to their conference, were to broaden its contemplated scope. The danger to humanity arises not merely from the explosion of nuclear arms. It derives from the atom itself. This is a very small entity but still immensely unknown to most of us, including statesmen, whether we wish to use it for good or ill.

VISIT TO THE SENATE BY HON. JOSEPH GRIMOND, LEADER OF THE LIBERAL PARTY OF THE BRITISH HOUSE OF COMMONS

During the delivery of Mr. BRICKER'S speech,

Mr. KNOWLAND. Mr. President, I wonder if the distinguished Senator from Ohio will permit an interruption, to come at the end of his remarks?

Mr. BRICKER. I am delighted to yield.

Mr. KNOWLAND. We have a distinguished guest in the Senate Chamber at this time. I refer to Hon. Joseph Grimond, leader of the Liberal Party of the British House of Commons, whose home is in Orkney, Scotland. I present him to the Senate.

[Applause, Senators rising.]

Mr. BRICKER. Mr. President, I am glad to have yielded to the minority leader for this purpose. I wish to express a word of personal welcome to the distinguished guest.

Mr. KNOWLAND. I thank the distinguished Senator from Ohio.

AWARD OF MEDAL OF HONOR TO "DORCHESTER" CHAPLAINS

Mr. SYMINGTON. Mr. President, several months ago the senior Senator from New Hampshire [Mr. BRIDGES], and I jointly introduced a bill to award posthumously the Congressional Medal of Honor to the four chaplains who sacrificed their lives in the sinking of the *Dorchester* during World War II, in order that the lives of other servicemen might be saved.

This bill is still pending before the Armed Services Committee of the Senate and I share the hope of the senior Senator from New Hampshire that it may receive favorable consideration during this session of Congress.

Mr. President, I ask unanimous consent to have inserted in the body of the CONGRESSIONAL RECORD an article published in the June 13 issue of the Manchester Union Leader, of Manchester, N. H., which contains the statements of noted religious leaders in wholehearted support of the bill.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Manchester Union Leader of June 13, 1957]

LEADERS OF MAJOR FAITHS BACK DRIVE TO HONOR HEROIC FOUR

Typical of the wires of protest against the Army's ruling on the four chaplains, and in support of award of the Congressional Medal for them, were these:

NORMAN V. PEALE

"I am shocked that there is any hesitancy about posthumous award of Medal of Honor to each of the four chaplains. This is one of the most inspiring historical events in American military history and I believe the churches would regard the defeat of Senate bill 1225 as an affront to the chaplaincy. All of us hope this bill will pass by unanimous vote."—Rev. Norman V. Peale, minister, Marble Collegiate Reformed Church, New York City.

RABBI R. B. GITTELSOHN

"As former chaplain who saw combat, cannot understand Brucker ruling on four chaplains, who sacrificed their lives to the enemy in defense of our Nation at war. Ruling appears to me to be cheap legalism. Vigorously urge granting Medal of Honor posthumously to four chaplains."—Rabbi Roland B. Gittelsohn, Temple Israel, Boston.

ARCHBISHOP CUSHING

"Heartily approve Congressional Medal award to four chaplains, symbolizing the great contribution that chaplains of all faiths have made and are making to the religious and moral training of men and women in the service of the country. Love of God and love of country are indispensable in these trying times."—Most Rev. Richard J. Cushing, archbishop of Boston.

DR. HERBERT GEZORK

"I personally agree with your statement that the heroism of the four chaplains on the *Dorchester* was equal or even superior to heroism manifested in actual conflict with the enemy. It might well be the most outstanding act of sacrificial heroism in the history of our Nation. I believe that posthumous awards of the Medal of Honor to each of these four chaplains would be most appropriate."—Dr. Herbert Gezork, president, Andover Newton Theological School, Newton Center, Mass.

RABBI EISENDRATH

"I fully support Senate bill 1225 to extend the Medal of Honor posthumously to the four chaplains whose extraordinary heroism was a supreme act of faith which ennobled religion and democracy alike. Their noble sacrifice should be sanctified in the traditions of America and Senate bill 1225 is a fitting expression of this sentiment."

(Copy of a telegram to Senator Symington, sent specifically in response to the union leader's inquiry, by Rabbi Maurice M. Eisendrath, president, Union of American Hebrew Congregations, New York.)

DR. J. E. WAGNER

"If the only objection the Army has to awarding the medal • • • is that their act of self sacrifice did not occur in actual conflict with the enemy, it seems to me to be an absurd position for the department to take • • • the act which cost the lives of all four of them resulted from a choice which had to be deliberately made when at least one other understandable alternative was available. That simple fact alone seems to me to lend a character to their act which would make it entirely worthy of the recognition the Medal of Honor award would reflect."—Dr. James E. Wagner, Evangelical and Reformed Church, Philadelphia.

REVEREND MR. REINELT

"Agree with you wholeheartedly these chaplains gave their lives in heroic service beyond call of duty. Let us hope Congress corrects attitude of Department of Army and acts favorably to the honor of the chaplains."—Rev. George Reinelt, Franklin, president, New Hampshire Council of Churches.

Four of the replies to this newspaper's request for statements were either off the record for personal reasons, or indicated a policy of not taking public stands on such issues. Two of these were plainly in favor of the proposal, though they asked not to be so quoted. The officers of Rt. Rev. Henry Knox Sherrill, presiding bishop of the Protestant Episcopal Church said he was on a speaking tour, so was not available for a statement.

Very Rev. James A. Pike, dean of the Cathedral of St. John the Divine, New York City, wired: "Have greatest respect for heroism of the four chaplains, but am not sufficiently acquainted with standards for Congressional Medal of Honor, nor deeds of previous recipients to comment usefully."

At the suggestion of Methodist Bishop John Wesley Lord of Boston, this newspaper also asked the widow of Chaplain Fox for comment. Now minister of the Methodist Church in Lunenburg, Vt., Reverend Fox wired, in reply:

"While the family of Rev. George Fox would feel greatly honored if Congress were to grant the Medal of Honor posthumously, I do not feel that I could properly take any action in the matter. However, I do appreciate your interest and concern. Gratefully yours, Rev. Mrs. George L. Fox."

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. GREEN. Mr. President, I wish to make a few remarks complementary to the splendid address which my colleague, the junior Senator from Rhode Island [Mr. PASTORE], delivered yesterday, and in which I heartily join.

Mr. President, I rise to oppose the reservation proposed by the senior Senator from Ohio [Mr. BRICKER]. My reasons, briefly stated, are as follows:

First, the reservation of the Senator from Ohio has the effect of amending the Atomic Energy Act of 1954. That act provides in section 124 for United States cooperation with just such an international agency as this we are considering. Now, by providing in the proposed reservation that no fissionable materials shall be made available to the Agency except after separate legislation, the reservation serves, in effect, to repeal section 124 of the Atomic Energy Act.

Second, the reservation proposed by the Senator from Ohio is completely unnecessary. Article IX, paragraph C, clearly states that fissionable materials supplied to the Agency by a member state are to be supplied in conformity with its laws. So it would be possible for this Nation at any time to change its laws relating to the disposal of fissionable materials. Such a change would not violate the terms by which we have joined the Agency.

For illustration, let us consider an extreme case: At any time it would be possible for Congress to pass a law prohibiting the disposal of any fissionable material to any nation or nations or combination of nations. Such a law would be consistent with the provisions of the treaty. That fact alone makes it clear that this reservation is unnecessary.

Third, finally, since the Senator from Ohio couches his proposal in terms of a "reservation," it is clear that it would need to be submitted to every other signatory of the statute, for its approval. There are 79 such states. This reservation would assure the rejection of this treaty by other states. It would play directly into the hands of the Soviet Union, which surely would reject a reservation and would seek to blame the United States for such rejection.

Mr. JENNER. Mr. President, I think the distinguished Senator from Ohio [Mr. BRICKER] is to be congratulated for the contribution he has made this afternoon to this very important subject.

Mr. President, it is most appropriate that immediately after passage of the radically new foreign-aid bill, and while the disarmament talks are going on in London, we should be considering the proposed treaty for an International Atomic Agency. The new foreign-aid bill, the atomic-energy treaty, and the disarmament proposals are three of a kind.

I need not take much of the time of this august body, because the question before us is simple. The cold realities of our position in the world are grim. I think the distinguished Senator from Ohio has pointed out part of that grimness.

The public relations reports on where we are and what we are doing are a rosy pink. The question is whether the Constitution, when it provided that the Senate should give its advice and consent to treaties, meant the Senate was to give its cold-sober judgment, or whether it was to ratify the statements of the Government's public-relations men who tell us all is well and, if we agree with them, tell our constituents that we are statesmen of the first calibre.

The grim facts are three:

First. There are no such things as atoms for peace. Atoms are atoms. Atomic fuels and atomic know-how can quickly be converted to military purposes.

Second. This treaty is a constitutional monstrosity, locking us tighter than ever in the embrace of international government. We have an excellent system for bilateral agreements on atomic energy, devised, on the insistence of Congress, in 1954. It is working very well. Why change to supergovernment?

Third. This treaty is a dangerous step in limiting the ability of our fighting forces to obey the orders of our Government and to guard our national security.

Let us look a little closer.

The public-relations experts keep talking of "atoms for peace," but what is the reality?

There is, in fact, no significant difference between the technology of atoms for peacetime uses and the technology of atoms for war. By this statute, we shall be giving away perhaps 75 percent of the basic techniques for using nuclear power for weapons, and naively pretending that no rulers in any other country, large or small, will feel the slightest urge to use that knowledge for military advantage.

There is no excuse for anyone today to believe there is any real division between atoms for peace and atoms for war.

When the Soviet Union entered upon its 5-year plan, and stressed the manufacture of tractors, for an agriculture still operating almost entirely by hand, a few persons pointed out that those were war plants, to be converted to the production of tanks if war threatened.

A tractor can be made into a tank, by a few changes in assembly-line planning. We know how quickly our automobile plants were converted in both world wars.

There is no good reason why anyone should expect us to believe there is a mysterious line separating atoms for peace from atoms for military dictatorship or world conquest.

To make everything more absurd, we have not been offered any substantial evidence that "atoms for peace" are either useful or desirable. Will they really offer a cheaper source of power to undeveloped nations, or to those like England, where the miners are reluctant to mine coal?

I can find no satisfactory evidence that nuclear energy is going to fill the world's need for a cheap, safe, and plentiful fuel.

The problem of disposing of atomic wastes, which the Senator from Ohio [Mr. BRICKER] and the Senator from New Mexico [Mr. ANDERSON] have recently, when speaking on the floor, told the Senate about, is, by itself, serious enough to raise our doubts. How long can we go on burying such wastes in the ground, or carrying them out to sea? What hazards will be created if we give nuclear energy to nations because they are not industrially developed, and if these technically inexperienced people make a bad mistake and let loose the power of nuclear energy? Will the catastrophe be confined to their country?

I was amazed to read, the other day, that one of the countries which is going to take our gift of atomic materials, likes it so little that it insists that we collect all atomic waste matter there, and bring it back to this country, for disposal.

How silly can we get, in pursuit of our dreams of global unity?

If we are concerned about the problem of energy and fuels, let us put our engineering and technical genius to work to help other people get oil from the ground or get electric power by harnessing their rivers or get power from the solar system.

I have no liking for the poisonous wastes from atomic bomb tests which are polluting our atmosphere. But I am profoundly shocked to see how the very persons who are denouncing nuclear tests, under strict American controls, as a threat to mankind, are piously insisting that we give all the knowledge and the essential raw materials for making atomic weapons to nations about whose political stability and moral restraints we can only hope.

I also said this proposed treaty is a constitutional monstrosity.

The dangers to our constitutional system come partly from explicit provisions, and partly from loopholes well hidden in the text.

Careful analysts have pointed out that the President has no constitutional right to give away all or any part of the 20,000 kilograms of nuclear fuel, valued at $500 million, which he has already allocated to foreign nations. We in the Senate cannot appropriate public money. The House must also vote for all spending measures. I am, however, afraid the President already has all the statutory power he needs, by means of the broad grants of power Congress has voted, especially appropriations made directly to the President.

I have frequently pointed out that such statutes are unconstitutional, because they are a forbidden delegation of legislative duties; but at present we have no effective way to get a constitutional test of legislation which gives excessive power to the executive branch.

There is another constitutional danger in this treaty. This statute commits us to pay annually a fixed percentage of the total budget of an international agency. The budget is set by the Board of Governors of the agency, with approval of the General Conference. The share to be allocated to each member is set by the Board of Governors. It is to follow, not American law, but the principles adopted by the United Nations in assessing contributions of member states to the regular budget of the United Nations. Congress has no representation anywhere along the line in this process. Only the executive branch, chiefly the foreign policymakers, have a voice.

I have called attention several times to the fact that our adherence to the internationalist budgeting machinery of U. N., NATO, and U. N. agencies is a violation of Congressional power of the purse. Larger and larger areas of our national expenditures are fixed somewhere in the stratosphere of international conferences. That means ever smaller shares of our Government spending are within the jurisdiction of our constitutional legislators.

Congress has surrendered piecemeal its taxing power and its legislative power to agencies above our Constitution, and above our laws. Is it not about time the Congress set about tracing these grants of authority to international agencies, and estimating the fraction of our sovereignty which has passed from our country by this method?

I cannot take the time of the Senate to point out all the constitutional dangers. It is only necessary to read carefully what is in the text of the statute.

This International Agency is to have inspectors, who are to have access at all times and places to any plant or operation or possible storage place, in any nation participating. They are also to have guards. But what are guards? They are force.

The staff is to take instructions from no source but the International Agency.

The Agency can decide on the design of equipment, establish safety measures, set labor policies, insist on production of records.

Perhaps Senators think these inspectors and guards and such will affect only the undeveloped nations which receive our gifts of nuclear materials. I see no such reading of the text. There is a way for our State Department to put us under all these international controls whenever they wish, by asking for advice or other assistance. I ask Senators to read article III A (5).

If we are put into this plan by the State Department, who can get us out?

Oh, it is said, "If this Board of Governors, where we have 1 vote out of 23, does something we do not like, we can quit and go home."

Yes, we can quit and go home, but the half billion dollars' worth of nuclear material we will have to leave behind.

I see no reason whatever to hope the Red Chinese will be kept out. Khrushchev has already served notice the Russians will come in, and Russia was the first nation to sign the treaty.

If some of us dislike the idea of Red Chinese inspectors and guards visiting our most secret plants, what of it? We are barred from political influence once this treaty is agreed to.

The nuclear program is to be directed primarily to the needs of undeveloped areas.

Its help is to be nonpolitical. That is, no favors are to be given to any nation because it is anti-Communist.

My third point is that this statute vitally affects the military security of the United States. We shall continue to maintain a large military establishment, but its teeth will be pulled, and its claws clipped. We shall spend money for defense, but get armed forces which cannot move to right or left except under the direction of some international official.

I have told the Senate of the revolution by interchangeable parts, which is going to put us under a tight unshakeable world government before most of our people know what is going on.

The most important step in that plan is control of the military establishments of the once independent nations. The most important element in military power today is nuclear power.

But military power is political power. Whoever controls nuclear energy will control the most powerful political energy on earth.

Let us look at the interchangeable parts we are putting into place.

By this statute we are giving a United Nations agency the possession, the skills, and the legal controls over nuclear energy. It is called peacetime nuclear energy, but it is instantly convertible into military energy.

We have given the United Nations military power in the Charter itself. We recently established the beginnings of active military power, in the U. N. Emergency Force.

In the Middle East resolution we gave the President of the United States the power to give men and money to the United Nations Emergency Force. He also had that power under the old Mutual Security Act, but they like to have 2 or 3 roads open to their goal.

In the recent Mutual Security authorization we put all military dealings with foreign nations under the State Department. We gave military assistance funds direct to the President, which means decisions will be made by the State Department.

Under NATO we have tied in many of the policy and financial decisions of our forces to an international agency, which represents us, not through the voters, not through Congress, not through the military, but through State Department control of top representation.

We are getting nearer to the end.

The next step is to take from our military establishment the right to use nuclear weapons. Harold Stassen is now in London working out his plan. In this treaty there is an interesting suggestion that "the Agency would thus be in a position to apply its safeguards universally, in the event of future agreement among countries with atomic weapon programs to safeguard their atomic energy activities against diversion to military purposes." It all fits.

We know the campaign of publicity which has been built up to support restrictions on nuclear weapons. President Eisenhower himself said the publicity had a managed look. That is always a sign that something critically important will be done—out of sight.

When the fantastic German peace agreement was drafted, I warned that the conditions imposed on German rearmament were probably the model for all national armies, in the future, under one world omnipotent government.

Germany was to have neither a general staff, nor the most modern technical weapons—nuclear weapons, chemical weapons, nor the best aircraft. It was to have manpower, but what good is manpower today without a general staff and technological weapons?

Of course we were told that Germany must be kept disarmed because of the two World Wars, and the fears of the French. But the French were not so silly as to object to a German shield against Soviet barbarism. The real reasons were reasons of power, and the power seekers were those who wanted to build a world state, under their direction, which could hold all nations with a tight rein.

I said this German treaty was the model for the one world military forces, with the old nation-states providing manpower for the peace armies but with the U. N. authority having a monopoly of what counted. But if international government has the decisive military power, where will de facto sovereignty lie?

Let me close with the reminder that all international bodies, of which we are members, look to the executive branch and the State Department for what they call American policy. The American people, the American Congress, and now most of the executive establishments are shut out of this international power system. They do not count.

In Los Angeles last year I pointed out how the international planners were changing our constitutional form of government, by building up an elaborate system of executive agencies, answerable neither to Congress, the President, nor the courts. At the same time they were building up an elaborate system of international agencies above our Government, answerable to no one in our political system but a small group of the foreign policymakers.

I pointed out then that this meant the gradual extinction of free election. People could go to the polls and vote. Parties could be voted in and out. Presidents could be changed, but all their real power was vanishing. The new President, the new Congress, the new party in power, could work only in a narrow zone, barred from making important changes by the powerful bureaucracy below them and by the powerful bureaucracy above them, working as one, under direction of the internationalist elite.

Congress and the President might look just as important as ever, or even have more fancy trappings. They might do more talking and running about, but the real power would be leaking, leaking, leaking away.

At that time I was talking about our political right to govern ourselves.

By this statute we are applying the same squeeze to our Military Establishment. Hamstrung by the State Department on one side and the internationalists on the other, our Military Establishment will grow bigger and more expensive, but its true power to defend us will be leaking away.

When the crisis comes, who will defend the United States? If omnipotent world government gives us orders we refuse to obey, what good will our legions be against nuclear bombs?

We in Congress have had one experience drafting the young men of our Nation to fight for their country and then struggling to free them from the grip of the internationalists who let the victory slip away in Korea.

Today we have in this country 23 million veterans, men who have felt the hot breath of war. Can we look at the men of Belleau Wood, the men who landed on the beaches of Normandy, or in the shallows of Iwo Jima, or the men who suffered the long march from the Yalu or fought for Pork Chop Hill, and tell them we know this treaty can be used to cut the guts out of American military strength, and we do not care?

Mr. President, I wish to offer as a part of my remarks, to be printed in the RECORD, several articles. First is an editorial from the Wall Street Journal of May 14, 1957. Second is an article from the Spotlight, written by David Shea Teeple. I should also like to have printed two letters, with appended material, dated May 13, 1957, and May 21, 1957, which were sent to all Members of the Senate, by Mr. Robert B. Dresser.

There being no objection, the editorial, article, and letters, with appended material, were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of May 14, 1957]

ATOMIC GIVEAWAY: THE GLOBAL AGENCY FOR PEACEFUL NUCLEAR DEVELOPMENT COULD POSE A SERIOUS THREAT TO UNITED STATES SECURITY

(By William Henry Chamberlin)

There has been far less discussion of the atomic giveaway program involved in United States membership in the International Atomic Energy Agency than the importance of the subject demands.

The alluring slogan, "Atoms for Peace," and the sponsorship of the agency by the President and other high officials have tended to stifle doubts, or at least the open expression of doubts. But there are some disquieting features about this scheme, which seems better adapted to an age of far-reaching international confidence and good will than to the real world of the cold war and hostile coalitions.

Here are some of these disquieting features which, it is to be hoped, will be thoroughly canvassed during the current hearings and during the Senate debate preceding the vote on whether the United States should enter the Agency.

First, we shall be in the invidious position of a "have" nation subject to the voting control of a majority of "have-nots." The Agency, to which 80 nations have given initial endorsement, is organized on the principle of 1 nation, 1 vote. The United States is expected to contribute to the Agency information, scientific and technical personnel, fissionable material, and money.

Very few of the other member nations will be in a position to contribute any of these things. Yet their votes can control the distribution of our contributions. This might lead to consequences that would startle American public opinion, to say the least.

There is nothing to prevent the Agency, by majority vote, from admitting Red China to all the benefits of have-not membership. Nor is there anything to prevent part of the 11,000 pounds of enriched uranium, which the United States has already promised to make available to the Agency, from being shipped to the Soviet Union, to Red China or to any Soviet satellite state.

GROTESQUE POSITION

It is somewhat grotesque that this country simultaneously imposes so many restrictions on exports of strategic material to the Soviet bloc and to Red China and leaves such a large loophole open for the shipment of uranium, surely the most strategic material of all.

Second, the difficult if not impossible problem of control is not clearly solved under the terms of establishment of the Agency. The enriched uranium which this Government has already promised to make available is supposed to be for nonmilitary use. But it is scientifically possible to convert uranium of this type into fissionable material for A-bombs.

The only safeguard against this would be a system of continuous close inspection to which Communist nations have been extremely allergic in the past. Nothing less than such inspection would afford any guaranty that the United States was not supplying its enemies with the deadliest kind of munitions.

Third, the sanctions which can be invoked in the event of breach of the agreement seem inadequate. All the Agency can do in the event of violation is to cut off the supply and report the affair to the United Nations. There have been many occasions when it was impossible to get a clear-cut decision from the United Nations. The Agency could do nothing if the nation guilty of violation should seize the material and throw out the Agency's inspectors.

Fourth, the establishment of an International Atomic Agency could set a precedent for other international bodies, dealing with electrical power, steel, wheat, cotton, or almost any foodstuff or raw material under the sun. In any such body the United States would have the same unfavorable position of a "have" among the "have-nots."

What makes United States membership in the International Atomic Energy Agency still less desirable is that there is an entirely safe means of realizing the benefits which are supposed to flow from the Agency. The United States has already concluded almost 40 bilateral agreements with friendly countries looking to cooperation in atomic research and in the construction of power reactors.

CHANCE TO CHOOSE

The advantages in the bilateral approach are that the United States is in a position to choose which countries may be helped without risk to American national security and to impose safeguards which seem adequate in the judgment of the men charged with responsibility for America's own atomic program. Both these advantages would be forfeited if the United States should enter the International Agency, which maintains complete control over all the fissionable material it receives.

An International Atomic Energy Agency of the type now proposed might well be a logical development in a world where national differences had been reduced to a minimum, where there was no fear that some nation or group of nations might have the design of using the terrific destructive power of nuclear weapons to achieve world domination. This is not the situation at the present time.

It is a very curious sense of relative values that makes the administration throw as many roadblocks as possible in the way of American newspapermen going to Red China and haggle with other powers over what is permissible for export to China and the Soviet bloc and at the same time support a scheme which could result in the transfer of such a vital nuclear material as uranium to Communist countries. If this is not possible under the constitution of the Agency, it is the obligation of its administration sponsors to explain why it is not possible.

SPEED IN MOSCOW

The suggestion is now being made that the recent Soviet ratification of this plan should hasten its approval by the United States Senate. But it could certainly be argued with equal plausibility that any scheme accepted with such unusual speed in Moscow should receive a long second look in Washington. Just because there has been so little advance discussion of the International Atomic Energy Agency, every detail of the project should receive a thorough going-over at the hands of independent-minded Senators.

The apparent defects should at least inspire some sweeping reservations, if it is not decided that they warrant the scrapping of the whole project.

[From Spotlight of January 12, 1957]

ATOMS FOR PEACE OR WAR?

(David Shea Teeple)

Would you vote to send atomic material to Russia or the satellite nations, or to give our atomic information and materials to an International Agency in which we do not have a decisive voice?

Question. What is the International Atomic Energy Agency?

Answer. It is an agency designed to direct atomic energy to the cause of peace, health, and prosperity throughout the world. The Agency is independent of the United Nations but is designed to cooperate with U. N. on matters of mutual interest.

Question. How is this Agency organized?

Answer. There is to be a general conference consisting of all member states, each with one vote. It will meet once a year to consider policy questions. Detailed administration will be provided by a Board of Governors, consisting of at least 21 member states, each with one vote. Specific administration will be discharged by a Director General appointed by the Board of Governors (with the approval of the general conference) for a term of 4 years. The Director General appoints, organizes, and supervises the staff.

Question. What nations can belong to the Agency?

Answer. Any nation that belongs to the U. N. (or a specialized agency thereof) and ratifies the treaty. Nations not now members of the United Nations can become members by signing the treaty and being approved by a majority of the general conference, upon recommendation by the Board of Governors.

Question. Might Red China be a member of the Agency?

Answer. There is no reason why not. The only thing necessary is a majority vote by the Board of Governors and the general conference. There is no veto power.

Question. What is the Agency empowered to do?

Answer. The Agency is to act as broker and clearinghouse for atomic information, facilities, plants, materials, and equipment. The Agency can also acquire materials and acquire and build plants, facilities, laboratories, and equipment.

Question. Why is the Agency needed?

Answer. Presumably so that any atomic have-not nation may acquire atomic information, atomic materials, facilities, plants and equipment without having to negotiate directly with have-nations.

Question. What is the United States expected to contribute to the Agency?

Answer. (1) Information, (2) scientific and technical personnel, (3) fissionable material, and (4) money.

1. Information: Already the Atomic Energy Commission is using the Agency as an excuse for declassifying information of considerable sensitivity. The danger of surrendering atomic information lies in the fact that there is no clear dividing line between information for peaceful uses and information for the making of weapons.

For example, considerable information dealing with plutonium is now classified because of its military implications. Yet it would be impossible to operate a power reactor which produces plutonium unless this information were available.

Dr. Donald J. Hughes, senior physicist at Brookhaven National Laboratory, stated before a Congressional committee on March 8, 1956: "You cannot distinguish military from peacetime considerations when it is a matter of a high-powered reactor producing plutonium."

Once we make the information available to the Agency, it can be distributed as the Agency sees fit to all members.

2. Scientific and technical personnel: It is not clear how, given the shortage of scientific and technical personnel in the United States, we are to furnish such personnel for the International Atomic Energy Agency.

3. Fissionable material: On February 22, 1956, the President announced that 20,000 kilograms (44,000 pounds) of Uranium-235 would be allocated for use abroad. On October 23, 1956, a telegram from the President was read to the national conference drafting the Agency's statute which said "The United States will make available to the International Agency, on terms to be agreed with the Agency, 5,000 kilograms of the nuclear fuel, Uranium-235, from the 20,000 kilograms of such material allocated last February by the United States for peaceful uses by friendly nations."

The President further stated that "In addition to the initial 5,000 kilograms of Uranium 235, the United States will continue to make available to the International Atomic Energy Agency nuclear materials that will match in amount the sum of all quantities of such materials made similarly available by all other members of the International Agency, and on comparable terms, for the period between the establishment of the Agency and July 1, 1960."

We are further informed that the uranium to be furnished will be enriched 20 percent in the isotope 235 and will probably be furnished in the form of uranium hexafloride. Twenty percent enriched U-235 is extremely valuable and readily convertible into weapons material, as explained later.

4. Money: The cost of the Agency (as yet undetermined) will be assessed according as member nations currently support the U. N. Under this arrangement the United States will pay one-third of the cost, whatever it may be.

Question. How much are 20,000 kilograms of Uranium-235 worth?

Answer. The price of Uranium-235 is set by the Atomic Energy Commission. The Commission values 20,000 kilograms of U-235 at $500 million, or over 13 percent of our capital investment over the years in atomic energy facilities and equipment.

Question. Can this Agency prevent materials from being diverted for military purposes?

Answer. Most American scientists have agreed that any large atomic powerplant can create material latently useful for the production of atomic weapons. The 5,000 kilograms which the United States is to contribute could quickly be brought from 20 percent enrichment to enrichment sufficient for weapons. Moreover, the AEC has shown that 94 percent of the cost of enriching uranium from normal to 90 percent has been paid when the material is 20 percent enriched.

Question. What have American scientists said about the export of fissionable material?

Answer. Some years ago Dr. J. Robert Oppenheimer said: "There are no ingenious devices whereby one nation could detect or control atomic armament in another nation committed to sovereignty and secrecy in this field. If you hired me to walk through the cellars of Washington to see whether there were atomic bombs, I think my most important tool would be a screwdriver to open the crates and look. I think that just walking by, swinging a little gadget, would not give me the information * * *."

"The manufacture of atomic energy for peace, in any plants that I have heard discussed, would make material latently which could be used for war. • • • If you did this, if you made atomic energy and sold it in kilowatts and so on and definitely made no provision for military inspection of the production which you were making at the same time and did this on a large scale, you would have perhaps solved, let us say, more than 60 percent and less than 90 percent of the problem of making atomic weapons."

Dr. Leo Szilard endorsed Senator Tydings' summation of his position, as follows:

"Senator TYDINGS. Therefore, I take it that your answer meant that unless there was an international climate created which would make the control of the bomb or the elimination of the bomb, whichever it might be, reasonably feasible with a promise of safety that, as an alternative, it would be better if we could have an agreement that nobody would manufacture atomic energy even for peacetime purposes, because it would be so easy to slip over into the field of war purposes. Am I correct in what I have said?

"Dr. SZILARD. Yes; precisely."

Question. Assuming that the signatory powers actually admitted inspectors to view the various projects, would such inspection be a reliable safeguard against the diversion of materials to military projects?

Answer. The only reliable form of inspection would be a continuous inspection, of the kind that would be tantamount to superintending of operations 24 hours a day, 365 days a year.

Question. Does this Agency have enforcement machinery to punish violators and recover materials or equipment?

Answer. No. The only thing the Agency can do to a violator is to refuse to give any more assistance and to report the matter to the United Nations. A member can be suspended by a two-thirds vote of the Conference upon the recommendation of the Board of Governors. The Agency could do nothing effective if a member expelled the inspectors and seized the materials stored or being used in the country.

Question. Is the United States committed to the Agency?

Answer. The President has stated that "It will be our policy • • • to seek to conduct our operations in support of nuclear power development abroad in consonance with the policy of the International Atomic Energy Agency, in whose endeavors we shall take our full part" (November 18, 1956). The United States Senate must ratify the agreement.

Question. Would the distribution of U-235 throughout the world constitute a military hazard?

Answer. Definitely. Present restrictions prevent a discussion of the number of A-bombs that could be made from 5,000 kilograms of 20 percent enriched 235, but the number is substantial.

Question. Is Uranium 235 in short supply in the United States?

Answer. One would assume so given the high support price of uranium. Twenty thousand kilograms (44,000 pounds) of 20 percent U-235 represents hundreds of thousands of tons of natural uranium ore.

Question. Is there now in existence any workable plan to extend the peacetime uses of atomic energy in a scientific and orderly manner?

Answer. Yes. The United States has entered into 37 bilateral agreements with various countries covering both research and the construction of power reactors, and will consider agreements with other countries prepared to meet the prerequisites we have established for mutual self-protection. The 20th Semiannual (July 1956) Report of the United States Atomic Energy Commission devotes 5 full pages to lauding our progress in this area.

Question. Is American participation essential to the establishment of the Agency?

Answer. No. Article XXI E states that the Agency does not go into effect until at least three of the following states—Canada, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall have ratified the statute. But without United States participation it would be pretty much a paper organization, for it is not expected that it will acquire substantial atomic assets from any other nation.

Question. Has any prominent American opposed our membership?

Answer. Not yet.

Question. If the international distribution of atomic energy has the effect of industrializing underdeveloped nations, have we assured world peace?

Answer. No one has ever been able to show a correlation between the industrial capacity of a country as measured by kilowatts and the pacifism of the nation. Actually if there is any correlation it appears to be in the reverse. Seldom do agricultural nations disturb the peace.

Question. Will the program in fact assist the underdeveloped areas of the world?

Answer. This is very doubtful. There is no such thing as a safe economic atomic power reactor built as yet. Until one is developed, it is unlikely that any country will receive benefits from atomic power.

The greatest chance for such development is in the United States. If we transfer the responsibility to an international organization it will undoubtedly retard our own program since we are abundantly supplied with fossil fuels. If American business is deprived of a foreign market there will be less incentive for our industry to proceed.

Question. Are we expected to believe that the President, Chairman Strauss of the AEC, the State Department, and others are sponsoring our membership in an organization which is contrary to our national interests?

Answer. This is a fair question and impossible to answer.

Question. The purpose of the Agency, then, seems to be to relieve individual nations of the necessity of individually negotiating agreements with other nations concerning atomic energy. If that principle is sound, why shouldn't international agencies be formed to handle the distribution of other commodities, e. g., steel, fuel, feed, and fiber, which are now subject to negotiation between nations?

Answer. There is no reason at all.

Question. Will the provisions of this agreement be kept by the signatory nations?

Answer. This can only be answered with a question, namely: Do you know of any other international agreement that has not been violated within 5, 10, or 25 years?

Question. Do you think the American people would approve of U-235 which is an A-bomb material being given, sold, or leased by the United States to the International Agency and subsequently being sent by the International Agency to Czechoslovakia, Yugoslavia, Rumania, Poland, the Soviet Union, or Red China?

Answer. The question is rhetorical.

Question. Could such a thing happen under this agreement?

Answer. Positively—without a doubt. Once we make the material available to the Agency we have no further control over it. Control is vested in the Agency.

Article IX D states "On the request of the Agency a member shall, from the materials which it has made available, without delay deliver to another member or group of members such quantities of such materials as the Agency may specify. • • •" Ridiculous as it may seem, we could be required under this agreement to deliver the material directly to such nations as those mentioned above.

Furthermore, article IX J states: "The materials made available pursuant to this article shall be used as determined by the Board of Governors in accordance with the provisions of this statute. No member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific project in which they must be used."

Question. What is the basic fault with the International Atomic Energy Agency?

Answer. It is too big a step to be taken at this time. The proposed Agency has no substance, no continuity, and no responsibility. It has absolutely no effective enforcement powers to carry out many of the functions of its own charter. Yet it could eventually acquire quantities of fissionable material which would constitute a grave threat to world peace.

Question. What can I as an American citizen do about the International Atomic Energy Agency?

Answer. If the questions and answers you have just read cause you any concern, you should exercise your right of petition by contacting your Congressmen, Senators, and civic leaders. Ask them the questions which you have just read and do not stop until you get satisfactory answers.

And remember, the treaty comes before the Senate of the United States for ratification this month.

(EDITOR'S NOTE.—David Shea Teeple has served as military intelligence officer on the Manhattan (A-bomb) project, deputy director of the Joint Congressional Committee on Atomic Energy, Special Assistant for Atomic Energy to the Inspector General of the Air Force, and Assistant to the Chairman of the Atomic Energy Commission. He is now a consultant on atomic energy to both Government and private industry.)

PROVIDENCE, R. I., *May 13, 1957.*

Re International Atomic Energy Agency

Honorable Members of the Senate of the Congress of the United States, Washington, D. C.

GENTLEMEN: It is with the greatest apprehension that I have read the reports of the pending hearings on the International Atomic Energy Agency.

Let me state my understanding of the facts as I have obtained them from various reports.

In 1953 President Eisenhower made his Atoms for Peace proposal to the United Nations.

On October 26, 1956, President Eisenhower said in New York City:

"The United States will make available to the International Agency • • • 5,000 kilograms of a nuclear fuel uranium 235 from the 20,000 kilograms of such material allocated last February by the United States for peaceful uses by friendly nations."

According to I estimate 20,000 kilograms of this material costs roughly $500 million. One-quarter of this amount, which is to be given immediately, would cost $125 million. In addition to this, the President has promised to give an additional 15,000 kilograms during the next 3 years, provided a similar amount is given during that period by all the other nations of the world combined.

Russia was the first nation to ratify the charter of the Agency.

The charter has been submitted by President Eisenhower to the Senate for ratification and hearings are now being held. As it is a treaty, action by the Senate alone is required. The House is not called upon to act.

The question that strikes one at the outset is: From what source does the President derive this power to give away the people's money? The gift to which he proposes to

commit the Nation can be paid for only out of taxes levied on the American people. But the power to impose taxes is given by the Constitution to the Congress, which means both the Senate and the House. It is not given to the President and the Senate.

Aside from the disturbing implications of this assumption of power by the President there is the fact that the uranium given by us to this International Agency can be used for the purpose of making atomic bombs. True, it is intended that it shall be used only for peaceful purposes. But once having gotten into the hands of other nations, what effective means can possibly be devised to prevent its use for war purposes?

The Soviet Union and its satellite nations are eligible for membership in the Agency. All of these nations, and even Red China, could be given a part of the uranium that we supply.

Since we would constitute but 1 out of a possible 80 or 90 nations eligible for initial membership in the Agency, our wishes could readily be overruled.

Various statements have been made as to the number of atomic bombs that could be made out of our initial gift to the Agency. The smallest estimate I have seen is that it would make 100 bombs of the power of the bomb dropped on Nagasaki.

It is all very fine to talk about atoms for peace and our desire to help the other nations of the world. Unfortunately, we are not living in a peaceful world. On the contrary, we are presently engaged in a life and death struggle with a nation controlled by an unprincipled group of international gangsters bent upon our destruction.

Anyone having the least familiarity with the facts knows that we are losing the cold war with Russia. Starting with a nation of 200 million people a decade ago, Russia has since steadily increased her influence until today she controls in one way or another about half the world's population. Our own population is but 6 percent of the total.

This increase in Russian power has been due principally to the unbelievable conduct of our foreign affairs, whereby we turned over the control of China to the Communists and suffered 150,000 casualties in a Korean war we were not permitted to win.

And now to cap the climax, the administration proposes to put within the control of our mortal enemies the means of our own destruction.

To quote a great and much abused American patriot, the late Senator Joseph R. McCarthy, "offering to share our atomic wealth is in a class with the Chicago Police Department offering to share its pistols and submachine guns with the Dillinger mob."

I earnestly beg you and your colleagues to oppose the ratification of this treaty.

Respectfully yours,

ROBERT B. DRESSER.

PROVIDENCE, R. I., *May 21, 1957.*

Re International Atomic Energy Agency, (supplementary letter).

Honorable Members of the Senate of the Congress of the United States, Washington, D. C.

GENTLEMEN: In my letter to you of May 13 I raised the question of the President's power to give one-half billion dollars of nuclear fuel Uranium 235 to the International Atomic Energy Agency for distribution among foreign nations.

Control of this material is vested in Congress. While Congress may perhaps authorize the President to give the material to one or more other named nations for stated purposes and upon certain specified conditions, it cannot authorize him to redelegate to an international body the power to determine such distribution, nor can it itself delegate this power directly to such a body.

In *United States* v. *Shreveport Grain & Elevator Co.*, (287 U. S. 77), the United States Supreme Court said (p. 85):

"That the legislative power of Congress cannot be delegated is, of course, clear. But Congress may declare its will, (and after fixing a primary standard), devolve upon administrative officers the 'power to fill up the details' by prescribing administrative rules and regulations." (Matter in parentheses mine.)

Congress cannot delegate its legislative power to a private body or to a trade group. (*Schechter Corp.* v. *United States*, (295 U. S. 495, 537); *Carter* v. *Carter Coal Co.*, (298 U. S. 238, 310–311).)

In the Schechter case the Supreme Court said:

"Such a delegation of legislative power is unknown to our law and is utterly inconsistent with the constitutional prerogatives and duties of Congress."

The fact that in the present case the body to which the power is to be delegated is an international body should not provide an exception to the rule. On the contrary, it is an even stronger case against the delegation.

If Congress itself cannot authorize this redelegation by the President and cannot itself directly delegate such power, it would seem clearly to follow that the President and Senate alone would have no greater power. It cannot be emphasized too strongly that the power to appropriate is vested by the Constitution in the Congress, which means the Senate and House together, and not in the President and the Senate.

But perhaps it is the view of the State Department that ratification by the Senate of the Agency's charter (or "statute" as it is called), since it is an exercise of the treaty power, supersedes the powers given Congress in the Constitution. If so, this is further evidence of the need of a constitutional amendment, such as the Bricker Amendment, to safeguard the powers of Congress.

This attempted delegation of an important power to an international body is not the only such delegation sought by the State Department. There is a similar attempt being made to get Congress to delegate or authorize the delegation to an international agency of the power given Congress in the Constitution to impose tariffs and regulate our commerce with foreign nations. I refer, of course, to the Organization for Trade Cooperation (OTC) and the General Agreement on Tariffs and Trade (GATT). This proposal is unconstitutional for the reasons outlined above.

What may we expect next? It has been aptly suggested that "the establishment of an International Atomic Agency could set a precedent for other international bodies dealing with electrical power, steel, wheat, cotton or almost any foodstuff or raw material under the sun. In any such body the United States would have the same unfavorable position of a 'have' among the 'have-nots'." (Article by William Henry Chamberlin in the Wall Street Journal of May 14, 1957.)

The persistent attempts by the State Department to secure the delegation to an international body of powers given by the Constitution to our own Congress are most disturbing. Do these attempts mean that we are being led into a world government by easy stages? It is difficult to reach any other conclusion.

If this is the ultimate objective of the State Department and the administration for which it purports to speak, it is about time that the fact be disclosed and the exact pattern of the world government that is planned be made known.

It is a matter of common knowledge that there are powerful groups at work seeking to establish a world government through an amendment of the United Nations Charter, which is in itself a treaty. For example, in London in 1953 the second London Parliamentary Conference on World Government formulated a plan for world government to be made effective by amending the United Nations Charter. Among other things, the plan provides—

1. That once membership in the world government is accepted, there is no right of secession.

2. That there shall be "complete, simultaneous, universal, and enforceable disarmament carried out by rapid stages • • • subject to inspection, supervision, and enforcement by the United Nations police."

3. That there shall be a "United Nations police to enforce the provisions of the charter and the decisions of the international courts," and that "United Nations police should be strategically placed, i. e., it would not be open to a state to refuse the presence of members of the United Nations police on its soil," and that "its members should owe exclusive allegiance to the United Nations."

4. That there should be "power to raise revenue for United Nations purposes • • • to be levied proportionately to national income."

Since the foregoing plan contemplates accomplishing these changes through the exercise of the treaty power, action would be taken only by the President and Senate. Neither the House of Representatives, the State legislatures, nor the people would be given a chance to vote on the matter.

Let us consider for a moment the implications of the establishment of such a government. With the United States having about 6 percent of the world's population and Russia controlling approximately 50 percent, who is likely to control the international police force? Certainly not the United States. And how long does anyone think our constitutional Bill of Rights and the freedom of the American people would be preserved under any such government? And who would provide most of the revenue?

The answers are obvious.

If the State Department's ultimate objective is the establishment of a world government, is this the sort that it has in mind? It would seem that any effective plan for world government must include among its terms complete disarmament of the member nations and the establishment of an international police force to maintain order. A world government with its member nations having their own independent armed forces would be like having a United States of America with 48 different State armies.

That the people, if fully informed, would ever approve our entry into a world government, or any steps in that direction, is inconceivable.

What more important reform can be conceived than an amendment to the Federal Constitution that would prevent our being forced into a world government by the action only of the President and the Senate under the treaty power as at present construed?

Respectfully yours,

ROBERT B. DRESSER.

Frank E. Holman, past president of the American Bar Association, telegraphed us as follows:

"The administration's proposal to use the treaty process involving action by the President and the Senate only to appropriate American tax dollars to an international atomic organization disregards the constitutional safeguard requiring action by the House of Representatives on all appropriations and again discloses the need for a constitutional amendment clearly stating that any treaty or executive agreement violating the Constitution shall be of no force or effect."

This was relayed by telegraph to all Members of the Senate and many others.

On May 22 we wired by night letter all Senators as follows:

"Pending International Atomic Energy Treaty gives United States only 1 vote in 80 while Russia can exercise preponderant control. Yesterday's New York Journal American, page 2, says quote Khrushchev will demand Red China's admission to the International Energy Agency over American opposition unquote.

"When Communist China begins to receive our nuclear material and atomic information, what will the American people do and say about those who led them into this treaty law bear trap?"

STATEMENT OF THE COMMITTEE FOR CONSTITUTIONAL GOVERNMENT, INC.

The important problem now is to project quickly to the whole Nation information, regarding the destructive nature of the International Atomic Treaty. Ask for 5 free copies of this Dresser letter of May 21, and the earlier Dresser letter of May 13. Distribute in quantity; 4 cents each.

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COMMITTEE FOR CONSTITUTIONAL GOVERNMENT, INC.

NEW YORK, N. Y.

Mr. CASE of New Jersey obtained the floor.

Mr. FLANDERS. Mr. President, will the Senator yield to me? I should like to make a unanimous-consent request that I may address two questions to the Senator from Ohio [Mr. BRICKER], without the Senator from New Jersey [Mr. CASE] losing his place on the floor.

Mr. CASE of New Jersey. Mr. President, I yield to my colleague.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. FLANDERS. I thank the Senator from New Jersey.

I should like to ask the Senator from Ohio a couple of questions as to his reservation. First I shall ask if in line 7 the word "special" has any peculiar significance, when it is stated that "the United States shall not make special fissionable materials available."

Mr. BRICKER. It has a very special significance of meaning, and is a special term of the art, defined in the Atomic Energy Act of 1954.

Mr. FLANDERS. Could the Senator define it in a few words, so that it will be in the RECORD at this point?

Mr. BRICKER. It is the material which is subject to making of fissionable material, or explosives.

Mr. FLANDERS. I believe that is clear.

Mr. BRICKER. I will get a definition for the Senator. I do not have it with me at this time.

Mr. FLANDERS. That is the sense of it?

Mr. BRICKER. The Senator from New Mexico [Mr. ANDERSON] has it, if he will let me borrow it.

The term "special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission, pursuant to the provisions of section 51, determines to be special nuclear material, but does not include source material; or (2) any material artificially enriched by any of the foregoing, but does not include source material.

That is natural uranium. Enriched uranium is that which has uranium 235 added to the natural uranium 238, in a greater proportion than found in nature.

Uranium 233 is an isotope that is formed in the pile from the irradiation of thorium. It also is fissionable, and can be used to enrich natural uranium.

Mr. FLANDERS. The second question which I wish to ask the Senator from Ohio is one which I must ask from a lack of knowledge of the art, which is supposed to be in the minds of members of the Joint Committee on Atomic Energy.

It has been my impression—and that impression was heightened 2 or 3 years ago by a visit to ARCO—that the material which is used in the piles for power generation and similar uses has a much smaller concentration of the active material than is the case with the materials used in bombs. Is that true?

Mr. BRICKER. It might be and it might not be. In many instances different materials are used in the reactors in the production of power. There are many different kinds. But if the Senator has in mind the piles in Washington, they take the enriched material as it comes from Oak Ridge, and the final product is plutonium, which is a fissionable isotope element, really.

Mr. FLANDERS. The point I am trying to get information upon is this—

Mr. BRICKER. Let me make a correction. Plutonium is in the periodic scale, but it is formed in the pile from the irradiation of thorium.

Mr. FLANDERS. It is a separate element in itself, a vanishing element.

Mr. BRICKER. That is true.

Mr. FLANDERS. The point I am trying to get at is this: Could fissionable material of the concentration contemplated in the uses set forth in this charter be concentrated to the point where it might be useful in warfare without exceedingly complicated and expensive processes, requiring large conversion establishments?

Mr. BRICKER. It depends upon the amount of enrichment. Twenty percent has been mentioned as one type of enrichment. That is a long step toward a weapon material.

Mr. FLANDERS. Nevertheless, would it not have to be put through elaborate conversion processes?

Mr. BRICKER. Not nearly so elaborate as those required to make the first 20 percent enrichment.

Mr. FLANDERS. I got that impression at ARCO when I saw what had to be done to reconcentrate the spent material.

Mr. BRICKER. It is a tremendous operation. It almost staggers the imagination of anyone who is not thoroughly familiar with the techniques. It is difficult to see how it is humanly possible to do it, but it is being done, and there are scientists all over the world who know the principles very well.

Mr. FLANDERS. The question I am raising is whether the material provided for power generation would not require such elaborate conversion processes to make it available for warfare that it could scarcely be done in secret?

Mr. BRICKER. There might be a chance of detecting it if the proper guards were on duty; but it could be subversively and secretly done. When we get above the 20 percent enrichment level, we may get into the bomb field. Whether or not such material will ever be provided, I do not know. There is no intention on the part of this administration to provide it, because the testimony is to the contrary. There is no intention ever to supply an enrichment to the point where it could become available for bomb material initially.

Mr. FLANDERS. Those are the two questions I had in mind.

I should like to say, in conclusion, that we are indebted to the Senator from Ohio for raising questions which we must face.

Mr. BRICKER. We must face them sooner or later.

Mr. FLANDERS. From anything I have seen or heard they have not been sufficiently developed, in my judgment.

Secondly, the Senator has brought—at least to my mind—the thought that at this particular moment we are in the midst of a conflicting mass of testimony as to the health and genetic effects of this program, and that perhaps we are doing something now that we may regret when we learn more about what we are doing.

I am grateful to the Senator.

Mr. BRICKER. That is the reason I counseled delay, and an analysis of the testimony, which is the last word scientifically, so far as I know, that has been presented to our committee. The testimony is conflicting; but, as I said to the Senator from New Mexico [Mr. ANDERSON] a while ago, there is one point on which all the scientists agree, and that is that the material is very dangerous.

Mr. FLANDERS. I thank the Senator from Ohio.

I thank the Senator from New Jersey for giving me the opportunity to ask these questions.

Mr. BRICKER. I appreciate the opportunity to answer them, and I, too, thank the Senator from New Jersey.

Mr. CASE of New Jersey. Today the Senate has an historic opportunity. There is before us a treaty which is the first concrete step on an international basis to turn the mighty potential of the atom to the good of mankind.

This is an opportunity that is not likely to come again. At this point in history the United States no longer has a monopoly in the nuclear energy field. A number of nations including, of course, the Soviet Union, are engaged in nuclear development. Fortunately, relatively few of them are as yet active in the weapons field. Many other nations, especially the underdeveloped countries, are eagerly seeking an opportunity to avail themselves of the marvelous benefits the atom can bring.

Let us not delude ourselves into the belief that the United States can decide whether these nations shall be cut off from utilization of the atom. That is not within our power. Let us rather keep clearly in mind that the question is whether we shall join with and help other nations in their quest, whether we will take the lead in an effort that offers real hope of insuring that the development of peaceful uses of the atom will go forward in ways which will best serve our interests and the peace of the world.

It is significant that this statute to establish an international atomic energy agency is the first plan of development and control in the atomic energy field on which virtually all the nations of the world have been able to agree.

The United States has an opportunity for leadership. Surely we will not forgo that opportunity. To do so would be to discourage the legitimate hopes and aspirations of a large part of the world. And we know that others, basically hostile to us, will be quick to exploit any failure on our part to take the lead. Most important of all, nothing would seem more clearly in the best interests of the United States than to encourage every reasonable step in the direction of effective international control of nuclear energy. To refuse to take this step, preliminary and modest though it is, can have incalculable consequences in terms of our own interests.

The essential question seems to me a simple one. It is clear that atomic energy development is going to proceed, with or without our help. Plainly, if we do not help, our chances of influencing that development will necessarily lessen.

I realize, of course, that the United States has a number of bilateral agreements with other nations in the nuclear field. This Agency will not supplant them. Rather, as the responsible officials have pointed out, it should be a most effective supplement in many ways. It will enable us to reach nations who object to inspection by a single nation but do not have the same reluctance to inspection by an international agency. It will provide a pool of information on which we, too, can draw. It will lessen the drain on limited United States technical personnel and facilities. It can make an important contribution in maintaining health and safety standards.

This latter consideration deserves greater public attention than it has so far received. As I understand the testimony of the technical experts, there are serious problems involved in the disposal of atomic waste and in avoiding pollution of water sources, for example. These problems know no national boundaries. The chances of maintaining proper standards and safeguards such as are now provided in bilateral agreements are certainly far better under an orderly system of international regulation than in the competition likely to develop in the absence of an effective international agency.

What of the risks that are involved in membership in this new Agency?

I understand the risks, but I have been unable to discover any substantial risk that can be avoided by refusing to join the Agency?

The draft statute specifically forbids the use for military purposes of fissionable material supplied through the International Atomic Energy Agency. To insure the effectiveness of this prohibition, a comprehensive system of safeguards is provided. These safeguards are the equal—indeed the same I am informed—of any the United States now prescribes in its bilateral atomic agreements with other nations.

Among the most important of the safeguards is the right of inspection, of free access by Agency personnel to all places, persons, and data having to do with a project. The project itself first has to be approved in detail by the Agency. This means, of course, that like any other country that seeks Agency assistance, any applicant among the Soviet satellite countries will have to submit the projects for approval and agree to continuous inspection and accountability procedures. This would at least open a window on an area now cut off from our view, though not from a major source of nuclear materials and technology.

I am not a scientist, but qualified technical experts state that diversion of fissionable materials of the quality specified to military purposes would be most difficult, if not impossible, to achieve clandestinely. First of all, the material itself is below weapon quality so that long and expensive chemical processing would be required to make the material usable for weapons. Secondly, the amounts involved are too small to permit production of significant quantities for military use. At the same time the strict accountability features in conjunction with other technical factors and the requirement that excess material be stored in Agency storehouses make it most unlikely that diversion could be accomplished secretly.

Nearly 3½ years ago President Eisenhower appeared before the United Nations and pledged this Nation to find the way by which nuclear forces could be dedicated to the benefit, not the destruction, of man.

His words sparked new hope throughout the world. Today we have before us the result of the effort thus launched.

To me our choice seems clear. We, no less than other nations, want and need in the President's words, the "new instrument of peaceful progress" this treaty would provide. Its ratification will add new strength to our efforts for peace and may yet prove the key to a better future for every man.

The PRESIDING OFFICER. If there is no further debate, without objection the treaty will be considered as having passed through the several parliamentary stages up to and including the presentation of the resolution of ratification.

The Committee on Foreign Relations having reported an amendment to the resolution of ratification, the clerk will read the resolution, together with the committee amendment, designated as an interpreation and understanding.

The legislative clerk read the resolution of ratification, with the interpretation and understanding, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive I, 85th Congress, 1st session, a certified copy of the Statute of the International Atomic Energy Agency, which was open for signature at the United Nations Headquarters in New York for 3 months, from October 26, 1956, to January 24, 1957, and was signed in behalf of the United States of America and by 79 other nations, subject to the interpretation and understanding, which is hereby made a part and condition of the resolution of ratification, that (1) any amendment to the statute shall be submitted to the Senate for its advice and consent, as in the case of the statute itself, and (2) the United States will not remain a member of the Agency in the event of an amendment to the statute being adopted to which the Senate by a formal vote shall refuse its advice and consent.

Mr. BRICKER. Mr. President, I offer an amendment to the interpretation and understanding of the committee, in view of the fact that the Committee on Foreign Relations felt that possibly the reservation I had suggested would have to go back to the various participating nations for ratification and might in some way involve us in a misunderstanding.

Therefore I wish to amend the interpretation and understanding, which has just been read, by striking out the word "and" immediately before the "(2)"; and by striking out the period at the end of the resolution of ratification, inserting in lieu thereof a comma, and adding the following language: "(3) and that the United States shall not make special fissionable materials available to the International Atomic Energy Agency except to such extent, and in accordance with such terms and conditions, as may hereafter be authorized or prescribed by act or joint resolution of the Congress."

In that way the paragraph becomes a part of the interpretation and understanding, instead of being a reservation in specific terms.

The PRESIDING OFFICER. The clerk will state the amendment proposed by the Senator from Ohio to the committee amendment.

The LEGISLATIVE CLERK. In the resolution of ratification it is proposed to strike out the word "and" immediately preceding the figure "(2)"; to strike out the period at the end of the resolution of ratification, and insert in lieu thereof a comma, and to add the following words:

(3) and that the United States shall not make special fissionable materials available to the International Atomic Energy Agency except to such extent, and in accordance with such terms and conditions, as may hereafter be authorized or prescribed by act or joint resolution of the Congress.

Mr. BRICKER. Mr. President, the reservation is not inconsistent in any way, shape, or form with the treaty; it would not in any way require that the treaty be resubmitted or renegotiation with any other nation. It simply has to do with the furnishing of material, and the furnishing of material will be purely and voluntarily an act on the part of the United States Government. My amendment would, as I said a moment ago, enable Congress to look at the furnishing of the material; it would give the Senate a second look; and it would give the Joint Committee on Atomic

Energy and the House of Representatives a first look at our participation in the years to come.

With the uncertainty involved in the power of Congress over a treaty, I think it is essential that the representatives of the people of the United States, who actually own this property, have a direct and immediate voice in its disposal. I am not in any way criticizing the executive branch for what it might do; but there is only one representative there, while Congress is the real voice of the people; and the determination of policy concerning the disposal of the assets of the people of the United States—and perhaps this is one of the most valuable assets we have—is a policy function of the Government. It is a function which I think Congress should not give up in any instance.

There has been a great tendency on the part of Congress to abdicate its duties and responsibilities. This is one field in which I think Congress should not do so.

Mr. President, in view of the tremendous importance of this matter, and in view of the fact that this is the last say there will be on the subject by either body of Congress, I ask for a record vote: I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. HICKENLOOPER. There are few occasions when I am in disagreement with my very close, long-time friend, the senior Senator from Ohio, for whom I sincerely have, and have had for many years, the greatest respect. In view of what I know is his deep conviction in this matter, I am grieved to disagree with him now. I mean that sincerely.

I wish to raise a couple of questions with regard to the particular proposal he has offered. First, it seems to me that his proposal would be an effort in connection with a treaty to enact a legislative proposal, to provide for a legislative function, a function which Congress alone can exercise. There has been some discussion, as the Senator stated earlier—and he and I ourselves had some discussion—as to whether the treaty would have to be resubmitted to the signatory powers for renegotiation. I originally thought it might. I have given the matter considerable thought, and I am of the opinion now that it would not have to be resubmitted if the Senator's proposal were adopted.

I do not think it should be adopted as a part of the treaty, because it would be an act by the Senate in connection with an understanding on the treaty which would attempt to fix Congressional legislative policy.

I think if Congress wants to put this kind of restraint on the disposal of the material, the better place to put the restraint, if that be the desire of Congress, would be in the act of participation, when that comes before the Senate for consideration. I think Congress has the right, in its wisdom, if it so desires, to include this legislative proposal in the act of participation. I think that is the proper place for it. I do not say I will support it in the act of participation; I make no commitment on that. I am only attempting to advance the argument that we will have a proper forum, a proper medium, for attaching the provision, if we so desire, because there must be an act of participation to implement the treaty in the areas in which it is not self-executing.

I have raised the question merely because I think that is the proper place to consider a limitation such as the Senator now proposes to add to the treaty.

Mr. BRICKER. Mr. President, as I stated a moment ago, I think it is proper at any time to do the right thing. I think the Senate owes an obligation to the people of the United States to preserve the legislative voice in the giving away, the selling, or the disposing of American material. The material with which we are concerned is such a priceless asset and is so dangerous in its handling, if that be not properly done, that I think a safeguard should be placed in the original document itself, so that everyone will know that the voice of Congress must be listened to in disposing of one of the Nation's assets.

Mr. HICKENLOOPER. I think the voice of Congress would be completely listened to if Congress saw fit to put this provision in the act of participation.

Mr. BRICKER. I doubt very much that it would be better in the act of participation. I know there will be opposition to it in the executive branch then, just as there is at the present time.

This is the place where I think the provision should be, so that the agency will have in mind that we are going to operate by our constitutional processes, and that the Senate is not going to give to the executive the power of Congress.

Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, I oppose the amendment offered by the distinguished senior Senator from Ohio. I join with the Senator from Iowa [Mr. HICKENLOOPER] in paying my respects to and expressing my high regard for the Senator from Ohio. He has been one of the most diligent members of the Joint Committee on Atomic Energy, and I know he has very deep convictions in this matter.

As I said earlier in the day, I think the questions which the Senator from Ohio raised when the Committee on Foreign Relations and the Joint Committee on Atomic Energy were sitting together during the consideration of the treaty were helpful and clarified the intent of the executive branch of the Government concerning a number of the features of this very important and far-reaching treaty, features which I think needed to be clarified, certainly, before I was prepared to vote for the ratification of the treaty. As a matter of fact, I was not prepared to do so, I must say in frankness, until the committee and the executive branch had come to an agreement on the interpretation and understanding to which I have previously referred, and which I again wish to call to the attention of the Senate, as follows:

That the Senate advises and consents to the ratification of Executive I, the Statute of the International Atomic Energy Agency, subject to the interpretation and understanding which is hereby made a part and condition of the resolution of ratification, that (1) any amendment to the Statute shall be submitted to the Senate for its advice and consent, as in the case of the Statute itself, and (2) the United States will not remain a member of the Agency in the event of an amendment to the Statute being adopted to which the Senate by a formal vote shall refuse its advice and consent.

I think that was necessary to safeguard the constitutional powers and prerogatives of the Senate of the United States. I think it was necessary to maintain the constitutional provision relative to the ratification of treaties.

Where I differe with my good friend and colleague from Ohio is in this respect: I believe that with regard to the language to which I referred previously, and to which I again call attention, namely, Article IX, subsection C:

Each member shall notify the Agency of the quantities, form, and composition of special fissionable materials, source materials, and other materials which that member is prepared in conformity with its laws—

I underscore "in conformity with its laws"—

To make available immediately or during a period specified by the board of governors.

The Atomic Energy Act of 1954 itself, Chapter 11, page 21 of Public Law 703, deals with international activities. This is legislation passed by Congress, a coordinate, co-equal branch of the Government, possessing all the legislative power under the Constitution, and operating, of course, by approval of both Houses.

The Executive did not proceed with this international agreement, contrary to any legislative instructions. To the contrary, the Congress of the United States by statute had outlined the general procedures to be followed in the case of our international activities.

Section 124, in relation to the international atomic pool, reads as follows:

The President is authorized to enter into an international arrangement with a group of nations providing for international cooperation in the nonmilitary applications of atomic energy and he may thereafter cooperate with that group of nations pursuant to sections 54, 57, 64, 82, 103, 104, or 144 (a); *Provided, however*, That the cooperation is undertaken pursuant to an agreement for cooperation entered into in accordance with section 123.

So the Executive had been authorized by the Congress—if that were necessary; and I think it was certainly most desirable—to proceed with the international convention which now is before us.

Mr. HICKENLOOPER. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. I may suggest to the Senator from California—to see whether his understanding is the same as mine—that it was considered that under the language of existing law, the President could have entered into this agreement without submitting it to the Senate as a treaty. However, the President felt he should submit it as a treaty and put it on the basis of a treaty,

rather than as an international agreement.

I ask the Senator from California whether he agrees with me that if the President had exercised the authority which is given to him by existing law, and if he had entered into this agreement with the international organization as an executive agreement, then any amendments or changes in the international organization could have been made only by executive agreement, and there would have been no police power by means of offering any amendments, or no police power at all over the treaty itself, on the part of the Senate, as there is now under this treaty arrangement.

Mr. KNOWLAND. I think the Senator from Iowa is certainly substantially correct on that point; and I think it is very fine that the President of the United States determined on the course of submitting this document to the Senate as a treaty, for ratification by the treatymaking process, rather than as an executive agreement.

Mr. HICKENLOOPER. Yes. Under the provision in the statute that it shall be accepted by constitutional processes, it is entirely possible that it had to be submitted as a treaty. But if it had been handled as an executive agreement, such a provision did not have to be included in the statute. That provision was included at the insistence of our people, so the proposal would be submitted to the Congress as a treaty, although the terms could have been such that it could have been handled as an international agreement or an executive agreement, without the exercise of the treatymaking process.

Mr. MANSFIELD. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. MANSFIELD. For the benefit of the Senate, I wish to point out that if anyone is entitled to credit for putting the treaty in such form as to be fully acceptable to the Senate, it is the distinguished minority leader, the senior Senator from California [Mr. KNOWLAND], and also the senior Senator from Iowa [Mr. HICKENLOOPER], both of whom worked long and hard to try to bring about mutual agreement between the executive and the legislative branches.

I should like to point out that this is the idea of the President of the United States, for on December 8, 1953, he said, at the General Assembly of the United Nations, in New York:

The United States pledges before you and, therefore, before the world, its determination to help solve the fearful atomic dilemma, devoting its entire heart and mind to find a way by which the miraculous inventiveness of man shall not be dedicated to his death, but consecrated to his life.

As I listened to the Senator from Ohio, I had the feeling that he was saying that if the pending treaty should be ratified, then—as a result of such things as the atomic wastes which would be created—perhaps we would be emphasizing the radiation factor, or the death factor, if you will.

However, I should like to call attention to the fact that the Senator from Ohio attended the hearings held by the Senate Foreign Relations Committee and the members of the Joint Committee on Atomic Energy, and he did not there offer this amendment or reservation.

If the amendment or reservation was to be offered, I think it should have been offered in the committee, rather than here on the floor of the Senate. I do not think the floor of the Senate is the place where it should be offered.

Mr. BRICKER. Mr. President, if the Senator from California will yield further to me, let me say that I did offer the amendment there, and it was taken by the State Department, which turned it down, and also the first section.

Mr. MANSFIELD. Mr. President, will the Senator from California yield further to me?

Mr. KNOWLAND. I yield.

Mr. MANSFIELD. I wish to say that to the best of my knowledge, this amendment was not offered to the committee. I say that because I attended every meeting, and I do not remember that the amendment was brought before the committee for consideration.

I should like to ask the chairman of the committee or the chief of staff of the committee if that was the case.

Mr. GREEN. I can answer that it was not brought before the committee.

Mr. KNOWLAND. In fairness to the distinguisned Senator from Ohio, however, I think it should be said that it is true that he had submitted it to the Department, even if not in the exact words of this reservation.

Mr. BRICKER. If the Senator from California will yield to me, let me say that I submitted the first section, and also the second section, to the committee and to the representative of the State Department. I do not know whether the Senator from Montana was there or not, but the chairman of the committee was there.

Mr. KNOWLAND. Mr. President, I think the Senator from Ohio did, in fact, submit it to the committee, because I think we were on notice that the Senator from Ohio had a reservation. However, it is true, to the best of my knowledge and belief—unless it occurred at a time when I was not present—that the amendment was not offered for a formal vote in the committee.

Mr. BRICKER. I had no power to offer it in that way. I am not a member of the committee, and I had no power to call for a vote there. But I sat at the hearings; and at the end, after the hearings had gone around and around and around, I was asked whether I had anything to offer.

Mr. KNOWLAND. It was not offered for a formal vote in the committee, but I think it was clear that the Senator from Ohio had a reservation which he would like to have the committee and the State Department consider.

Mr. MANSFIELD. I may be mistaken about the matter.

Mr. BRICKER. Mr. President, if the Senator from California will yield again to me, let me say that I have stated the truth about this matter.

Besides, what difference does it make? If I were negligent in the performance of my duty, I apologize.

Mr. MANSFIELD. It makes a great deal of difference, because I believe an amendment of this nature should have been given serious consideration by the committee, in the course of its deliberations.

Mr. BRICKER. The committee had it.

Mr. MANSFIELD. Mr. President, I do not think the floor of the Senate is the proper place for the consideration of so serious a matter.

I wish to say that the Senator from Iowa [Mr. HICKENLOOPER] and the Senator from California [Mr. KNOWLAND] did a very fine job in trying to go as far as they could in endeavoring to meet the fears and doubts which were in the minds of some Senators. It seems to me they are trying to make sure that if certain difficulties arise, we shall be in a position to exercise our coequal rights, as compared with the rights of the executive branch.

Therefore, Mr. President, I sincerely hope the reservation will be rejected.

Mr. KNOWLAND. Mr. President, I shall not detain the Senate long.

Certainly I think the Senator from Ohio has brought a very valid point to the attention of the Senate. Of course, in connection with this matter, as in connection with all other questions, there certainly is room for an honest difference of opinion.

However, I believe it will be necessary to have an act of implementation, or whatever it may be called, before the United States delegate can be appointed Consequently, if the Congress in its wisdom desires to include language substantially of the nature of that being suggested by the Senator from Ohio, it seems to me the proper place to include it is in the act of implementation, because while there may be, and undoubtedly there are, certain features of the treaty which are self-executing, yet it is also clear from the testimony of the representatives of the executive branch that they feel they need an act of implementation.

When this matter and its relationship to the various provisions was discussed during the committee session, it was pointed out that if the Congress should in the future feel it desirable to make changes in certain statutes, such proposed changes would go to the President; and in that case the President—and in this matter we are not dealing with personalities, because such a thing might occur either this year or 10 years from now or 50 years from now—might veto the act of Congress by means of which Congress sought to include some restrictions which it believed to be wise. In that case, under the Constitution, it would, of course, take a two-thirds vote of both Houses of Congress to override a Presidential veto.

That is why I suggested earlier that if, in the judgment of the two Houses of Congress, certain restrictive language should be applied, the proper place to apply it would be in the act of implementation, because in that case if the particular language were unsuitable to the President, in the exercise of his constitutional prerogative he could veto the act of implementation. However, in that event, it would again have to come

back to the Congress; and if the Congress did not have the necessary two-thirds votes to override the Presidential veto, at least the treaty would not be implemented until another bill had gone through the legislative process.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. ANDERSON. The Senator from California was present a good deal of the afternoon during the very able address by the Senator from Iowa, and if he listened to some of the questions I asked and the part I took in the discussion he would recognize I thought the Senator from Ohio had raised a very valid point. I thought he had said something of great importance to the Senate and the people of the United States, and, to the best of my ability, I should like to support him in his desire to see to it that this special fissionable material shall not be made available without the approval of the Congress of the United States.

Now, I should like to ask the Senator from California if I may conclude, from what he has just said, that he believes that the place for such language is in the act of implementation, and not as a third section of the so-called Knowland-Hickenlooper reservation, which, if I may say so, added tremendously to the situation with reference to the treaty.

I was inclined to be against the treaty, and I think I would have remained against the treaty had it not been for the language which the Senator from California and the Senator from Iowa helped put into it. I believe I shall vote for it, because I think it is for the good of the country.

I want to say to the Senator from California that I am strongly attracted to what the Senator from Ohio [Mr. BRICKER] has been saying this afternoon. I do not believe we should simply pour fissionable material around the world without Congress having something to say about it. I think the President ought to trust Congress enough to be willing for Congress to have some say about it.

Do I correctly understand, from what the Senator from California has just said, that the place to put the suggested language is in the act of implementation?

Mr. KNOWLAND. The Senator is absolutely correct. I think the place to put it is in the act of implementation. I also have a considerable feeling that some language, if not in these exact words, in general substance, is both necessary and desirable. I would want the opportunity to go through the hearings and examine the testimony. It may be some other provisions may also be necessary in the act of implementation; but in view of the legislative history and in view of the fact that the Executive has proceeded in general accord with the Atomic Energy Act of 1954, it seems to me that in fulfilling our legislative responsibilities we should proceed by amending section 124 of the Atomic Energy Act, if the Congress deems it advisable to amend it.

Mr. ANDERSON. I will say to the Senator from California I was anxious to see section 124 amended. At the time of the conferences which were held in New York there was a suggestion made that the Joint Committee on Atomic Energy might designate advisers to the conferences. As chairman of the joint committee, I did designate and was happy to send two strong members there. I do not want to undo what we did. At the same time, I am strongly attracted by what the Senator from Ohio has said.

I had gone so far in my own mind as to suggest language to amend section 124 of the Atomic Energy Act of 1954, reading as follows, and it is almost exactly the language suggested by the Senator from Ohio:

Section 124 of the Atomic Energy Act of 1954, as amended, is amended by striking out the period at the end thereof, inserting a semicolon, and adding as follows: *Provided further*, That the United States shall not make special nuclear materials available to the International Atomic Energy Agency except as may be authorized and prescribed by joint resolution of the Congress.

I had intended going to the Senator from Ohio and suggesting to him that if he would offer such language I would work as hard as I could to have it enacted into law, because I thought it would be a sound position to take.

I have this much hesitation about it: If we should pass a bill amending section 124 of the act of 1954, the President could veto it, and probably he would veto it, because he might not be in sympathy with it. A majority of the Congress might or might not feel the same way.

If it is the opinion of the Senator from California that the suggested language could be inserted in the act of implementation—and I would certainly try to help those who would try to put it into the act—then would it be possible for the President to operate under the Agency and put this Government into the Agency, since he chose to do so, unless Congress passed an act of implementation?

Mr. KNOWLAND. The Senator has raised a very interesting point. I think there are certain provisions and sections of the treaty which are self-implementing, but I think before this Government could fully operate under the treaty, an act of implementation would be necessary, and I think the Executive has clearly indicated to the committee that he expects an act of implementation to be passed. That is the reason why I suggested I thought it was more appropriate, if the Congress is interested in changing section 124 of the Atomic Energy Act, that the act of implementation be amended to do it, because I think to that extent it would be, while not exactly veto proof, since it could still be vetoed, nevertheless in such shape that if it were vetoed, at least a new act of implementation would have to be started, and Congress and the Executive would have to come to an agreement on whatever language the act of implementation would take.

Mr. ANDERSON. The Senator from California and I may not be using the word "appropriate" the same way. My own idea of the proper use of the word "appropriate" would be for Congress to cover the matter of imposing necessary restrictions in such a way as would be virtually veto proof. That is the way I used the word "appropriate." I therefore appreciate the Senator from California's pointing that out.

Mr. KNOWLAND. I do not think the Senator from New Mexico would maintain that the fact that Congress might add an amendment along the line he suggested would prevent the President, under the Constitution, exercising his prerogative of presidential veto.

Mr. ANDERSON. Not at all.

Mr. KNOWLAND. But if the President did veto it, there would be no act of implementation unless Congress, by a two-thirds vote, passed the bill over his veto, or unless Congress started a new act of implementation. So I think it gives security to the Congress—if that term can be used—that if the bill were vetoed, it could still pass another bill.

Mr. ANDERSON. Has the Senator from California discussed with the able majority leader the possibility that an act of implementation is to be presented in the reasonably near future?

Mr. KNOWLAND. I understand that the act of implementation is now before the Foreign Relations Committee, so that Congress has an act of implementation before it. All Senators can take due notice of that. I am sure that, according to its custom, the committee will be glad to have the views of the Senator from New Mexico and of the Senator from Ohio and of any other Senators in regard to the language desired.

Mr. ANDERSON. I only asked the question because I wished to avoid the very thing which happened this afternoon, when the question was raised as to why the able Senator from Ohio [Mr. BRICKER] had not presented his proposal to the committee. He felt, I am sure, he was in the same position I considered myself to be in. We were sort of strangers to the blood, and were there by courtesy.

I think if this matter is going to be considered by the Committee on Foreign Relations, an opportunity ought to be given to those of us who feel very deeply on this question, and that we should have a chance to explain why we believe this restriction should be in the act.

Mr. KNOWLAND. I cannot speak for the chairman of the committee.

Mr. ANDERSON. I understand.

Mr. KNOWLAND. Certainly, knowing the procedures the committee follows, I am confident it would welcome the presentation.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to me?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. It is my understanding that the act of implementation has been sent to Congress and will be referred to the Joint Committee on Atomic Energy. Is that the case?

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the letter from the Secretary of State and the draft of the International Atomic Energy Agency Participation Act of 1957 be printed at this point in the RECORD.

There being no objection, the letter and draft were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington.

The Honorable SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: On March 21, 1957, a certified copy of the statute of the International Atomic Energy Agency was transmitted by the President to the Senate, with a view to receiving the advice and consent of the Senate to ratification.

To enable the United States to participate in the International Atomic Energy Agency, it is necessary that legislation be enacted to provide for the appointment of persons to represent the United States in the organs of the Agency, and to establish necessary administrative arrangements for United States participation in the Agency, including authorization to appropriate such sums as are necessary for the salaries, expenses, and allowances of the United States representatives, their staffs, and dependents, and to defray expenses of the United States participation in the International Atomic Energy Agency and in the Preparatory Commission for the Agency. I am, therefore, transmitting to you a draft bill to accomplish these purposes. As stated in section 3, the participation of the United States in the International Atomic Energy Agency shall be consistent with and in furtherance of the purposes of the Agency set forth in its statute and the policy concerning the development, use, and control of atomic energy set forth in the Atomic Energy Act of 1954, as amended."

To direct United States participation in the work of the Agency, regular procedures are being established within the Executive Branch for coordination and collaboration between the Department of State and the Atomic Energy Commission in the determination of positions to be taken by the United States in the organs of the Agency and for obtaining recommendations regarding the policies to be followed by the United States in the course of its participation.

The Department has been informed by the Bureau of the Budget that there is no objection to the submission of this proposal to the Congress for its consideration.

I am transmitting a similar message to the President of the Senate.

Sincerely yours,

JOHN FOSTER DULLES.

(Enclosure: Draft participation act for International Atomic Energy Agency.)

A bill to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes

Be it enacted, etc.—

SECTION 1. This act may be cited as the "International Atomic Energy Agency Participation Act of 1957."

SEC. 2. (a) The President, by and with the advice and consent of the Senate, shall appoint a representative and a deputy representative of the United States to the International Atomic Energy Agency (hereinafter referred to as the "Agency"), who shall hold office at the pleasure of the President. Such representatives and deputy representatives shall represent the United States on the Board of Governors of the Agency, may represent the United States at the General Conference, and they serve ex officio as United States representative on any organ of that Agency, and shall perform such other functions in connection with the participation of the United States in the Agency as the President may from time to time direct.

(b) The President, by and with the advice and consent of the Senate, may appoint or designate from time to time to attend a specified session or specified sessions of the General Conference of the Agency a representative of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Conference.

(c) The President may also appoint or designate from time to time such other persons as he may deem necessary to represent the United States in the organs of the Agency. The President may designate any officer of the United States Government, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States on the Board of Governors of the Agency in the absence or disability of the representative and deputy representative appointed under section 2 (a) or in lieu of such representatives in connection with a specified subject matter.

(d) All persons appointed or designated in pursuance of authority contained in this section shall receive compensation at rates determined by the President upon the basis of duties to be performed but not in excess of rates authorized by sections 411 and 412 of the Foreign Service Act of 1946, as amended (22 U. S. C. 866, 867), for chiefs of mission and Foreign Service officers occupying positions of equivalent importance, except that no Member of the Senate or House of Representatives or officer of the United States who is designated under subsection (b) or subsection (c) of this section as a delegate or representative of the United States or as an alternate to attend any specified session of specified sessions of the general conference shall be entitled to receive such compensation. Any person who receives compensation pursuant to the provisions of this subsection may be granted allowances and benefits not to exceed those received by chiefs of mission and Foreign Service officers occupying positions of equivalent importance.

SEC. 3. The participation of the United States in the International Atomic Energy Agency shall be consistent with and in furtherance of the purposes of the Agency set forth in its statute and the policy concerning the development, use, and control of atomic energy set forth in the Atomic Energy Act of 1954, as amended. The President shall, from time to time as occasion may require, but not less than once each year, make reports to the Congress on the activities of the International Atomic Energy Agency and on the participation of the United States therein.

SEC. 4. The representatives provided for in section 2 hereof, when representing the United States in the organs of the International Atomic Energy Agency, shall, at all times, act in accordance with the instructions of the President, and such representatives shall, in accordance with such instructions, cast any and all votes under the Statute of the International Atomic Energy Agency.

SEC. 5. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the International Atomic Energy Agency as apportioned by the Agency in accordance with paragraph (D) of article XIV of the statute of the Agency, and for all necessary salaries and expenses of the representatives provided for in section 2 hereof and of their appropriate staffs, including personal services without regard to the civil service laws and the Classification Act of 949, as amended; travel expenses without regard to the standardized Government travel regulations, as amended, the Travel Expense Act of 1949, as amended, and section 10 of the act of March 3, 1933, as amended; salaries, expenses, and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended; services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a); translating and other services, by contract; hire of passenger motor vehicles and other local transportation; printing and binding without regard to section II of the act of March 1, 1919 (44 U. S. C. 111); official functions and courtesies; such sums as may be necessary to defray the expenses of United States participation in the Preparatory Commission for the International Atomic Energy Agency, established pursuant to annex I of the statute of the International Atomic Energy Agency; and such other expenses as may be authorized by the Secretary of State.

Mr. ANDERSON. Is the Senator able to answer the question of the Senator from Iowa?

Mr. MANSFIELD. It is the Joint Committee on Atomic Energy.

Mr. PASTORE. Mr. President, will the Senator yield to me at that point?

Mr. HICKENLOOPER. Perhaps the Chair can enlighten us on that matter. Has the proposed act of implementation been laid before the Senate, or referred to a committee?

The PRESIDING OFFICER. The Chair cannot say whether it has been referred. Normally, proposed legislation relating to atomic energy would go to the Joint Committee on Atomic Energy.

Mr. HICKENLOOPER. If the Senator will yield further, I may say that I have been informed by a member of the staff of the Joint Committee on Atomic Energy that the proposed legislation has been referred to the Joint Committee on Atomic Energy.

Mr. MANSFIELD. The Senator is correct.

Mr. KNOWLAND. Both the distinguished Senator from Ohio [Mr. BRICKER] and the Senator from New Mexico [Mr. ANDERSON], who is now the vice chairman and was formerly the chairman of the Joint Committee on Atomic Energy, serve on the joint committee.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. PASTORE. And the junior Senator from Rhode Island is chairman of the Subcommittee on International Agreements.

Mr. KNOWLAND. The Senator is correct.

Mr. PASTORE. Which subcommittee will consider the proposed implementation legislation.

So that we will have no misunderstanding, I should like to read from section 3 of the proposed implementation act.

Mr. KNOWLAND. If the Senator will permit one interruption, of course, serving on that Joint Committee on Atomic Energy are also the distinguished Senator from Iowa [Mr. HICKENLOOPER], the Senator from Idaho [Mr. DWORSHAK], the Senator from Tennessee [Mr. GORE]——

Mr. PASTORE. Without naming them all, it is pretty easy to find out who they are. The fact of the matter remains that section 3 should be read. I would like to have all Members of the

of the conferences which were held in

cover the matter of imposing necessary

be printed at this point in the RECORD.

Senate understand this, because we do not wish to have any misunderstanding later on. Section 3 of the draft implementation act reads as follows:

The participation of the United States in the International Atomic Energy Agency shall be consistent with and in furtherance of the purposes of the Agency set forth in its statute and the policy concerning the development, use, and control of the atomic energy set forth in the Atomic Energy Act of 1954, as amended.

As the junior Senator from Rhode Island now understands the matter, insofar as the special nuclear material which will be given or made available to the Agency is concerned, that will be done by way of presidential agreement, which agreement will be submitted to the committee and lie with the committee 30 days before it becomes consummated. Beyond that I do not see that the joint committee, the Senate, or the Congress will do anything further. The only thing we can do at that time is by a special act or a joint resolution to repudiate the agreement. I think we ought to understand that at this point.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Tennessee.

Mr. GORE. I hope the Senator will pardon me for interrupting his speech, but I have been very much interested in this treaty and this development. I have not said anything, but I should like to express my concern that the Senate at this late moment in this great development, which has so appealed to the world, should attach an additional requirement, which it seems to me would subject any act which the President might take to make available fissionable material to the procedure of an executive agreement, even though we ratify a treaty on the subject. Would that not essentially be the situation?

Mr. KNOWLAND. I think the Senator is probably correct in that statement.

Mr. GORE. I appreciate the statesmanship and the great ability of the Senator from Ohio [Mr. BRICKER]. I think there is much merit to the apprehension which he feels.

However, as has been brought out in the discussion, this matter will be in substantive form before the Joint Committee on Atomic Energy. The joint committee can act. It would seem to me to be hazardous to do what we are now asked to do, namely, to attach to the treaty a provision which would subject any act by the President whatsoever to make available that which he would be committed by the treaty to make available, under certain conditions, to the future affirmative act of Congress. That would be, it seems to me, subjecting any such act to the procedure of an executive agreement.

Mr. KNOWLAND. I think, however, there is great merit in the contention that the United States has certain assets, and certainly the fissionable material, the uranium and so forth, is an asset of the Government and the people of the United States. In the same way, the Congress has rather jealously guarded its prerogatives with regard to turning over destroyers to some other country, and has expected to take a hand in connection with disposing of other assets. I think it is entirely proper that consideration be given to legislation which would require the Congress to be a partner in turning over of nuclear assets of the Government and the people of the United States.

Mr. GORE. On that point I agree. My concern is that here, at the last moment, it is proposed to attach a provision to a treaty which might make the treaty unworkable.

Mr. KNOWLAND. While I do not think it would necessarily make it unworkable, I agree fully with the Senator, and I spoke about that before he came into the Chamber. I merely express a personal opinion, and obviously the Senator from Ohio [Mr. BRICKER] is just as entitled to have a completely opposite point of view. I think the best place to take care of this matter would be in the act of implementation. Then we could proceed in an orderly way, if desirable, to amend the statute which the Congress itself had previously passed, and under which the Executive had moved ahead in this field.

Mr. BRICKER and Mr. HICKENLOOPER addressed the Chair.

Mr. KNOWLAND. I will yield first to the Senator from Ohio.

Mr. BRICKER. Mr. President, I asked the distinguished minority leader to yield, because I do not want to be defaulted by a member of the Committee on Foreign Relations. I did submit the first resolution, which dealt with the same subject matter the distinguished Senator from California and the distinguished Senator from Iowa had worked out, but with which I was not entirely satisfied. I thought there ought to be a different reservation. Nevertheless, the wording of their proposal was satisfactory to the State Department.

I not only submitted it at the time to the committee, and discussed it with them, but I left a copy with the representative of the State Department who was there, who told me the Department would consider it and reply. I not only did that, but I discussed it with the representative of the Committee on Foreign Relations, and I left a copy there. What became of it I do not know. I am not a member of the committee.

Mr. KNOWLAND. The Senator is not referring to anything I said, because I tried to make that clear in my remarks.

Mr. BRICKER. The Senator from Montana [Mr. MANSFIELD] implied a while ago that I had been negligent in my duty, by not presenting this reservation or amendment to the committee. I was not a member of the Committee on Foreign Relations. I was permitted to attend the hearing, and I did ask a few questions at some of the hearings.

Furthermore, so that the RECORD will be clear, in response to what was suggested by the Senator from Iowa [Mr. HICKENLOOPER] a few moments ago, the President could not have entered into this agreement as an executive agreement. He had to do one of two things, under the act of 1954. He had either to submit it as a treaty or come to the Congress and ask for an authorization by both Houses of Congress. He chose to submit it as a treaty. I was advised of that in New York. When it was under consideration the first day, I was advised that it was coming to the Senate as a treaty, instead of as an executive agreement, which, under the law would have to be authorized by both Houses of Congress.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. To correct an impression for the RECORD in connection with a very important point to which the Senator from Tennessee [Mr. GORE] referred a moment ago, as I understood the Senator from Tennessee he stated that one reason he objected—and I am only paraphrasing—was that this might be construed to be an attempt to preclude the President from making certain materials available, which we are committed to make available under the treaty. It is the words "which we were committed under the treaty" to which I wish to call attention. We are not committed under the treaty to make anything available. There is no requirement in this treaty, and no agreement in the treaty, that the United States or any other nation must make any materials available. Such action is voluntary on the part of any nation which wishes to make such materials available.

There is a moral commitment, raised by the speech of the President of the United States; but so far as the treaty is concerned, there are no provisions in the treaty requiring any country to make any materials available.

Mr. KNOWLAND. I think the Senator is absolutely correct, and I think the treaty is very clear in that regard.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. GORE. The Senator is entirely correct. I used the word "commitment" in the terms of a moral commitment or concert into which we had entered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MANSFIELD. I should like to address my remarks to the attention of the senior Senator from Ohio [Mr. BRICKER], and to assure him that I did not say he had been negligent in his duty. If he gained that impression, I wish publicly to apologize, because I know that the Senator is very diligent in the performance of his duties.

I did make the statement that there was no proposal before us. I have before me a letter signed by Carl Marcy, addressed to Hon. JOHN W. BRICKER, which indicates that he did present several proposals to Francis Wilcox; and, of course, I recognize the validity of the Senator's statement.

Mr. BRICKER. It was Dr. Wilcox who was present the day we discussed the subject before the committee, and he took the proposal with him. I appreciate the word of the Senator from Montana.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield first to the Senator from Maryland, and then I shall yield to the Senator from Florida.

Mr. BUTLER. It had been my understanding heretofore that there was no question that we would be obligated to give the uranium which was referred to by the President of the United States in his 1953 speech, and that such uranium would be an asset of the International Agency, irrespective of whether we might be a member for a day or a week, and then retire.

Now a new idea is introduced. It is now said that we are not obligated to give any uranium. Am I to understand that when this statute is ratified by the United States Senate we shall not be obligated to give the uranium which has been promised by the President?

Mr. KNOWLAND. I think the statement of the Senator from Iowa in response to some colloquy which had previously taken place on the floor brought out quite correctly—and I think very clearly; and it is clear in the language of the treaty—that under the treaty the United States is not obligated to sell, to give, to exchange, to lend-lease, or in any other manner to furnish any quantity of uranium to the International Agency.

Article IX, subsection A, provides:

Members may make available to the Agency such quantities of special fissionable materials as they deem advisable and on such terms as shall be agreed with the Agency. The materials made available to the Agency may, at the discretion of the member making them available, be stored either by the member concerned or, with the agreement of the Agency, in the Agency's depots.

So I think it is very clear that there is no requirement to furnish such materials, and no power of the Agency to requisition or demand them, or to force a member to make available fissionable material.

Mr. BUTLER. How does the title pass from the United States of America into the Agency, if the transaction is not consummated under the treaty?

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. I should like to include in the RECORD at this point—and I think perhaps the entire statement ought to go in the RECORD—the statement of the President of the United States on October 26, 1956. Among other things, he said:

Here is what I, in behalf of the United States, propose:

First: It shall be my care, when our Congress reassembles, to present the statute for official ratification by our Senate in accordance with our Constitution, and to request appropriate Congressional authority to transfer special nuclear materials to the International Atomic Energy Agency. I wish my country to be among the first to recognize by official action what you at this conference have accomplished.

The statement contains paragraphs numbered second and third, in addition to some further discussion. There is attached to the statement a letter accompanying the release statement. The letter was written by the President to His Excellency Joao Carlos Muniz, President of the Conference on the Statute of the International Atomic Energy Agency.

With the permission of the Senator from California, I should like to offer the copy of this letter of the President to the President of the Conference on the Statute of the International Atomic Energy Agency, together with the statement of the President in full, excerpts from which I have read, for printing in the RECORD.

Mr. KNOWLAND. I think those statements should be included in the RECORD.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

His Excellency JOAO CARLOS MUNIZ,
President of the Conference on the Statute of the International Atomic Energy Agency.

YOUR EXCELLENCY: I beg to acknowledge your gracious invitation to address the closing session of the Conference on the Statute of the International Atomic Energy Agency on October 26.

This invitation has been a source of gratification to me personally and to the people of the United States. It had been my earnest hope to appear at this historic conference, at which the largest number of nations in history are met together. But it is now clear that the special circumstances of my present life—which add inescapable political engagements to my official duties—oblige me to deny myself the honor and privilege of accepting your great courtesy. It will be necessary for me to be present in Washington on Friday of this week.

May I hope, Mr. President, that you will express my sincere regrets to the assembled delegates, and transmit to them some considerations which I had wished to present in person at the conference's concluding session and which I am enclosing with this letter.

Sincerely,

DWIGHT D. EISENHOWER.

STATEMENT BY THE PRESIDENT, READ AT THE CLOSING SESSION OF THE CONFERENCE ON THE STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY BY LEWIS L. STRAUSS, CHAIRMAN OF THE ATOMIC ENERGY COMMISSION, AT THE UNITED NATIONS, FRIDAY MORNING, OCTOBER 26, 1956

Mr. President and Delegates to the Conference on the Statute of the International Atomic Energy Agency:

Almost 3 years have passed since I was honored by an invitation to speak to the General Assembly of the United Nations. On that occasion, I proposed in behalf of the United States that atomic power—the greatest force science ever placed in man's hand—be put to work for peace.

Specifically, my proposal was: first, that governments begin, and continue, to make, from their atomic materials stockpiled for war, joint contributions to an International Agency; and, second, that this Agency be responsible for finding methods to apply these atomic materials to the needs of agriculture, medicine, and other peaceful pursuits of mankind.

The United States then pledged its entire heart and mind to finding how the miraculous inventiveness of man should be dedicated, not to his death, but consecrated to his life.

The atom was regarded, in 1953, as a terrible weapon for war. Since the first explosion in 1945, men had fearfully multiplied its destructiveness. People knew that a single air group could carry a more devastating cargo than all the bombs that fell on Britain in World War II. Several nations had learned to make atomic weapons and swiftly transport them across oceans and continents. To many people the doom of civilization in a nuclear war seemed inevitable. When they looked ahead, they saw no hope for a peaceful future.

The proposal made in 1953 by the United States offered: for apathy, action; for despair, hope; for the whirlpool of general war, a channel to the harbor of future peace.

From the time that proposal was made, I watched with ardent expectation the outcome of all the work done by the sponsoring powers and the working groups, and the debates in the General Assembly and at this culminating Conference. The planning and framing of the International Atomic Energy Agency has required many months of patience and intelligent effort. These labors have now been completed by the Conference's approval of the statute.

I congratulate the conference for what it has accomplished. The statute, and the international agency for which it provides, hold out to the world a fresh hope for peace.

Since the United States made its proposal, in 1953, the intensity of the atom's destructiveness has again been greatly multiplied. For their own salvation, men are under a compulsion that must not be denied to turn this furious, mighty power from the devastation of war to the constructive purposes and practices of peace.

That is why the world needs fresh hope—a new chance for man working with man to root out past frustration and past hopelessness.

That is why the United States will never cease from seeking trustworthy agreements under which all nations will cooperate to disarm the atom.

To spur the coming of such a day, the peace-loving nations have pressed forward with benign uses of the atom for man's well-being and welfare. As increased knowledge makes more terrible the atom's might, it also brings closer the realization of its potential for good.

Peace can come from nations working together. When they have a common cause and a common interest they are drawn together by this bond.

We, as one of the peace-loving nations, have sought to share our atomic skills and materials.

Last February we offered to make available to friendly nations for peaceful use 20,000 kilograms of nuclear materials—an amount equal to that allocated for like use within the United States. And we have entered into agreements with 37 nations represented at the conference—and are negotiating with 14 more—to cooperate in building in their lands atomic reactors, of all types and sizes, for peaceful works.

People have shown their hunger to learn the intricate mysteries of the new atomic science. We have tried to satisfy that hunger, to break open doors that sealed off the knowledge they sought—through initiating great scientific congresses and by providing libraries and training courses and schools. We have been happy to offer our knowledge of ways to use the atom for peace, of ways to use the atomic isotope in medical care and cure and in agriculture and industry. Because science is without boundaries, a common knowledge of the peaceful application of this new science can help us all to a better understanding of each other.

In all those things that we do as a government, the United States does not seek for domination or control or profit. Nor shall we, as a government, ever do so.

It is now for nations assembled at this Conference formally to adopt the Statute.

Here is what I, in behalf of the United States, propose.

First: It shall be my care, when our Congress reassembles, to present the statute for official ratification by our Senate in accordance with our Constitution, and to request

appropriate Congressional authority to transfer special nuclear materials to the International Atomic Energy Agency. I wish my country to be among the first to recognize by official action what you at this Conference have accomplished.

Second: To enable the International Atomic Energy Agency—upon its establishment by appropriate governmental actions—to start atomic research and power programs without delay, the United States will make available to the International Agency, on terms to be agreed with the Agency, 5,000 kilograms of the nuclear-fuel uranium 235 from the 20,000 kilograms of such material allocated last February by the United States for peaceful uses by friendly nations.

Third: In addition to the above-mentioned initial 5,000 kilograms of uranium 235, the United States will continue to make available to the International Atomic Energy Agency nuclear materials that will match in amount the sum of all quantities of such materials made similarly available by all other members of the International Agency, and on comparable terms, for the period between the establishment of the Agency and July 1, 1960. The United States will deliver these nuclear materials to the International Agency as they are required for Agency-approved projects.

Assuming that all nations represented at the Conference undertake parallel steps—within their capabilities—together we can overcome the obstacles that lie ahead and prove to each other that international controls are not only feasible but generally acceptable as a way to achieve peace.

The prompt and successful functioning of the Agency can begin to translate the myriad uses of atomic energy into better living: in our homes, at our work, during our travel and our rest.

At present, we see only the first fruits of this atomic growth. Atomic-fueled plants, which are being planned or built in this and several countries, will in a few years be producing power for civilian uses: to turn the wheels of factories—to light the darkness in countless homes.

We will not lead people to expect the advent overnight of an atomic millentum. In many countries, long and patient scientific experimentation and trial must precede the generation from atomic sources of electric power that can compete with that produced by using available coal, oil, gas, or water power. But, in the meantime, this International Agency will be encouraging those scientific labors and research to hasten the looked-for day.

The benefits of our daily living which will result from putting the atom to work for peace—more abundant and cheaper power and light, irrigation of arid lands, less costly transportation, the opening to industry of territories hitherto denied—may come to us more slowly than we would wish. But there is something more important than these material benefits. I mean those highways that lead to a settled tranquillity among nations.

People have long been seeking a channel for peaceful discussion. The International Atomic Energy Agency offers one such channel. During the last 3 years of deliberations upon its establishment and functioning, this channel has been kept open. It shall be the purpose of the United States to broaden this channel and to encourage its general use.

Someday, we fervently hope, sanity will overcome man's propensity to destroy himself. Then, the world can beat its swords into plowshares. All nations can turn their plants that make nuclear fuel to an exclusively civilian use, and the fuel in their stockpiled nuclear weapons can also be put to work for man's health and welfare. In that happy time, the giant of atomic energy can become, not a frightening image of destructive war, but an obedient servant in a prosperous and peaceful world.

The real vision of the atomic future rests not in the material abundance which it should eventually bring for man's convenience and comfort in living. It lies in finding at last, through the common use of such abundance, a way to make the nations of the world friendly neighbors on the same street.

Mr. HICKENLOOPER. I reiterate that in my opinion a moral commitment has been raised to make materials available, but under terms and conditions to be agreed upon between the United States and the Agency after we become a member.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Tennessee.

Mr. HOLLAND. The Senator agreed to yield to me.

Mr. GORE. Furthermore, the transaction must be in conformity with the laws of the country. Subsection C of article IX reads as follows:

> Each member shall notify the Agency of the quantities, form, and composition of special fissionable materials, source materials, and other materials which that member is prepared, in conformity with its laws, to make available immediately or during a period specified by the Board of Governors.

Mr. KNOWLAND. I thank the Senator.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. BUTLER. This discussion is closely identified with the point which I am trying to make clear.

Am I to understand that there will be an act of Congress authorizing the President to sell uranium? If not, where is there any lawful authority to turn over the property of the people of the United States without an act of Congress, whether the transaction be a sale or a gift? Where is the authority?

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. PASTORE. I point out to the Senator from Maryland that the only binding commitment we have at the moment is the word of the President that he does not desire to give this material away. However, under the law, in the case of bilateral agreements, the State Department and the Atomic Energy Commission, representing the President of the United States, negotiate a bilateral agreement which contains all the terms and conditions. That agreement comes to the Joint Committee on Atomic Energy, and lies on the table for 30 days.

After 30 days the agreement becomes a consummated contract or agreement with the country involved or with the Agency.

Mr. BUTLER. Suppose that the committee should not approve it?

Mr. PASTORE. In that event a bill would have to be introduced to repudiate the agreement. Do I make it clear?

Mr. LAUSCHE. Within the 30 days.

Mr. PASTORE. It must be done within 30 days. Otherwise it would be ex post facto.

Mr. BUTLER. What if the treaty were ratified?

Mr. PASTORE. It would merely reaffirm section 124 of the Atomic Energy Act of 1954.

Mr. KNOWLAND. But the Senator will agree that if the Congress should decide to change section 124, so that materials could not be made available except by express consent of the Congress, through a joint resolution, concurrent resolution, or bill, or by whatever method might be provided, Congress would have the power to do so.

Mr. PASTORE. Absolutely. But the President would have to agree to that change in the law. I think perhaps he would.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KNOWLAND. I now yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator.

Mr. KNOWLAND. I apologize to the Senator from Florida.

However, we got into a discussion on a point which I thought we might just as well clear up at that time.

Mr. HOLLAND. That is quite all right, because the points discussed were in line with the points which have been on my own mind.

Mr. President, like a good many other Members of the Senate, I have been disturbed by the question now before the Senate. I was particularly impressed with the presentation made by the distinguished senior Senator from Ohio [Mr. BRICKER]. I may say that I think my mind has been cleared up by the statements made by the Senator from Iowa [Mr. HICKENLOOPER], the Senator from California [Mr. KNOWLAND] and the Senator from New Mexico [Mr. ANDERSON] and particularly by the statement of the Senator from New Mexico as well as by the distinguished Senator from Rhode Island [Mr. PASTORE].

I should like to ask a few questions which, if they are answered in the affirmative, will indicate at least that my own mind is clear on the matter and may be at rest.

Do I understand correctly that under section 124 of the 1954 amendments of the Atomic Energy Act, the President is given the right to make bilateral agreements with friendly nations in this field, and that he has done so in the case of some 38 friendly nations?

Mr. PASTORE. I believe the number is 46. It was 44 at the last count, and in the past few weeks I have submitted 2 more.

Mr. HOLLAND. I will change my question, then. Do I correctly understand that in the case of 40 or more nations the President has made such bilateral agreements, subject only to the condition that they be reported to the Joint Committee on Atomic Energy and lie over for 30 days, within which time the committee has the right to bring affirmative action if it wishes to do so in order to protest against consummation? Is that correct?

Mr. PASTORE. The Senator is correct?

Mr. HOLLAND. Am I to understand further that without any affirmative action by the committee to stop the bilateral agreements, in the case of 40 or more nations they have gone into effect?

Mr. PASTORE. That is correct.

Mr. HOLLAND. And that under those agreements materials like the materials covered by the agreement now

submitted in treaty form have been and are in process of being delivered in substantial quantities to the friendly nations which have joined with us in those executive agreements?

Mr. PASTORE. I would not say substantial quantities. Many of them refer to research, and in many instances agreements have been reached, but the material has not been passed over. I am not in a position to say how much material has been delivered.

Mr. HOLLAND. But substantial material will be delivered, including reactors in several cases.

Mr. PASTORE. In 8 cases.

Mr. HOLLAND. In 8 cases. And materials for the operation of the reactors, as well. Is that correct?

Mr. PASTORE. The Senator is correct.

Mr. HOLLAND. Then am I to understand that the President of the United States in this case has chosen, because of the breadth of the proposed action, and because of his own statement made heretofore, to submit the matter in the form of a full treaty?

Mr. PASTORE. He must under the law. This is the one instance in which he cannot do it by a bilateral agreement. The Atomic Energy Act provides that in the case of an agency, it must be done by treaty or by concurrent action of both branches of Congress.

Mr. HOLLAND. Then the President in this case, rather than proceeding with innumerable bilateral arrangements, has chosen to recommend the setting up of an International Agency, in which case he has been forced under the terms of existing law to proceed in accordance with a treaty such as is now submitted to the Senate for action. Is that correct?

Mr. PASTORE. The Senator is correct.

Mr. HOLLAND. But that the materials covered by this proposed action are of the same sort and in the same field as those covered at least in some of the bilateral agreements. Is that correct?

Mr. PASTORE. The Senator is correct.

Mr. HOLLAND. And that the Joint Committee on Atomic Energy now has under consideration a proposal to amend section 124 of the 1954 amendments of the Atomic Energy Act. Is that correct?

Mr. KNOWLAND. No; I would say that that is not quite correct. The Joint Committee on Atomic Energy has before it an act of implementation which some Senators on the floor had suggested—including the minority leader and the Senator from New Mexico—could well be the vehicle to which amendments to section 124 or other sections of the Atomic Energy Act of 1954 might be appended.

Mr. HOLLAND. I thank the distinguished Senator from California for that clarification. Then, if I understand the situation, we are now confronted with the fact that the President, rather than proceeding with individual nations under bilateral agreements in extenso—that is, with a dozen or perhaps a hundred, if he has chosen to do so—has chosen, instead, to recommend, as he did in the United Nations, the setting up of an international agency, to proceed by way of the proposed treaty; and that in the implementation of this treaty and in carrying it out, the President will be bound by any subsequent action of Congress in the act of implementation or otherwise, just as he would have been bound in the case of bilateral agreements, in the event the joint committee had proceeded seasonably by affirmative action, which in its effect would negative and turn down a proposed bilateral agreement. Is that correct?

Mr. KNOWLAND. The Senator is correct.

Mr. HOLLAND. I wish to say that I think my mind is clear on the matter. I see no difference at all between the proceedings that we are undertaking and carrying out, and that which would have eventuated if the President had gone through a maze of bilateral agreements, and had chosen to go alone instead of doing the more friendly thing by inviting other nations who have gone into this field of atomic energy to cooperate with us.

My own feeling is that we are simply proceeding in a sounder way and a more plenary way than we have done heretofore on a more selfish basis through bilateral agreements.

I see no objection to following the proposed course embodied in the treaty.

Mr. KNOWLAND. I will say to the Senator that the only part of his statement with which I would not wish to agree is that the bilateral agreements are selfish agreements. The bilateral agreements have performed a very useful purpose. I think they are of great value. They have contributed substantially to the President's original proposal of 1953, his atoms for peace proposal, and showed the good faith of the Government and the people of the United States in wanting to help make available to other nations for peaceful uses atomic materials both for research and for power.

I do not like to consider the bilateral agreements as being selfish. Of course, it is correct to say, as the Senator has pointed out, that certain quantities of the material which will be disposed of under the bilateral program will also be disposed of, and perhaps more extensively, under the multilateral treaty. The President in his wisdom, for reasons which were made clear to the committee, felt that this was highly desirable as an additional step in the atoms for peace program.

I frankly say to the Senator that I think the point raised by the Senator from Ohio [Mr. BRICKER] should be gone into by the Joint Committee on Atomic Energy. I also say that I hope the Executive will keep in mind that before additional commitments of materials are made—even though they only be commitments with the understanding that the Congress will ultimately have to act on them—there should be a higher percentage of contribution by other nations having atomic materials than is the case in the present offer by the President of the United States.

I think we can make the case, in order to get this proposal under way, that we are perhaps justified in making a much higher percentage available. However, I hope that such action will not be followed as a precedent. For the future I would not want the ratio of 5,000 kilograms to 50 or 20 kilograms to be considered as being either desirable or proper.

Mr. HOLLAND. I thoroughly approve of the most recent statement of the Senator from California, especially that part in which he spoke of the desirability of the consideration of the matters brought out by the statement of the distinguished Senator from Ohio.

The point I should like to make is this: Had the President chosen to do so, he could have confined, under existing law, the whole situation to a maze of bilateral approaches, through which we could have dealt with numerous nations, perhaps with all the nations which might have wished to enter into and proceed under the international agreement. We do not know that as yet. But if that had occurred, it could have been done under existing law. It could have been done solely by the reporting of each of them to the committee, and waiting 30 days. It would not have been accompanied by an invitation to other nations which are producing atomic materials to come in and join in a worldwide approach to this matter. It would not have been marked by any showing of worldwide responsibility, such as is shown by us, as the leading developer of atomic energy products, in this treaty.

It seems to me that the treaty is a wise approach and is to be preferred to the other approach. However, all of us should recognize the fact that the President had it fully within his power to proceed the other way, had he chosen to do so. Is not that correct?

Mr. KNOWLAND. Yes; I believe that is correct. I think this country could have made bilateral agreements with every country, if it had desired to do so, which would have become a member of the International Agency, if that had been the determination.

Mr. HOLLAND. But without creating any showing of our willingness to cooperate with other nations, generally.

Mr. KNOWLAND. Again the Senator from Florida and I differ on that point a little, because I think a desire to cooperate can be shown by a lateral or a bilateral agreement.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. LAUSCHE. From the standpoint of getting a chronological understanding of what took place, did the act of 1954 constitute a consummation of the declaration which the President made in 1953 that he would go to Congress for the purpose of getting authority to supply this material to the nations with which we would enter into agreements?

Mr. KNOWLAND. Yes; I think the Senator is correct.

Would the Senator permit me to interrupt him? The majority leader desires to propound a unanimous-consent agreement.

ORDER OF BUSINESS TOMORROW

Mr. JOHNSON of Texas. Mr. President, if I may have the attention of the Senator from Illinois [Mr. DOUGLAS], the Senator from Georgia [Mr. RUSSELL], and the Senator from California [Mr. KNOWLAND], I desire to propound a unanimous-consent request.

I ask unanimous consent that when the Senate adjourns tonight, it meet tomorrow at 12 o'clock noon, and that after the approval of the Journal any Senator may be recognized for the introduction of bills, insertions in the RECORD, and statements not to exceed 3 minutes; provided further, that no other business be in order. Following the above specified routine business, the majority leader be recognized to suggest the absence of a quorum, after which the Chair will lay before the Senate H. R. 6127.

The PRESIDING OFFICER (Mr. MORTON in the chair). Is there objection to the unanimous-consent request of the Senator from Texas?

Mr. DOUGLAS. Mr. President, reserving the right to object—and it is not my present intention to object—I should like to have the parliamentary situation clarified, if I may.

The first question I wish to address to the Chair is this: Has the civil rights bill already received its first reading when its title was read at the desk, or has it not?

The PRESIDING OFFICER. The bill was received from the House today, but it has not been read in the Senate today.

Mr. DOUGLAS. So its first reading will be tomorrow?

The PRESIDING OFFICER. If the Senate gets to the point where the bill is read at all, that will be its first reading.

Mr. DOUGLAS. I wanted to make that clear. Do I understand correctly that if objection is raised tomorrow to the second reading, the bill will go over to the following day?

The PRESIDING OFFICER. That is correct; it will go over to the following legislative day.

Mr. DOUGLAS. To the following legislative day? That means that if the Senate recesses tomorrow, the day after tomorrow will not be the following legislative day, but will be the same legislative day.

The PRESIDING OFFICER. The Senator is correct.

Mr. DOUGLAS. Would the Senator from Texas be willing to modify his proposal, therefore, to provide that at the end of the session tomorrow, the Senate adjourn, so that the day after tomorrow will be another legislative day, at which time there may be the second reading of the bill, if the second reading shall be objected to tomorrow?

Mr. JOHNSON of Texas. No, the Senator from Texas will not do that. The Senator from Texas intends tomorrow to move that the Senate adjourn. He has no intention to move that the Senate recess. The Senator from Texas does not intend to modify his agreement to do as the Senator from Illinois proposes.

Mr. DOUGLAS. But it is the intention of the Senator from Texas to move tomorrow to adjourn until the day after tomorrow. The Senator from Texas is a highly honorable man, and I trust the intentions of the Senator from Texas.

Mr. JOHNSON of Texas. The Senator from Illinois is undoubtedly aware of the fact that I obtained an agreement from the Senate earlier today to adjourn until tomorrow.

Mr. DOUGLAS. I understand. The Senator from Illinois is anxious that we have a gentleman's agreement to adjourn from tomorrow until the next day.

Mr. JOHNSON of Texas. That is not necessary. The Senator from Texas does not propose to delay the matter by having the Senate recess instead of adjourn. He made that abundantly clear to all Members of the Senate earlier today when he asked for the order to adjourn until tomorrow.

The Senator from Texas does not want to make any trade. But he assures his friend from Illinois that he is not going to use the recess procedure even if he could.

Mr. DOUGLAS. I hope the Senator from Texas will not regard me as being unduly suspicious in this matter, but he will remember that in the closing days of the session last summer, I ran into precisely the same recess situation, by which no new legislative day was created. But I drop the matter.

Mr. JOHNSON of Texas. The Senator from Illinois may object to the proposed agreement if he wishes to. The agreement is as much for the protection of the Senator from Illinois as it is for any other Senator.

I have reviewed the agreement with him. If he objects to it, we can all be here in the morning and follow the usual course of events. But I had hoped we could enter into the agreement so that every Senator would be on notice that sometime around 12:20 or 12:30 the matter in which the Senator from Illinois is interested would come up. It is not a matter of great importance to the Senator from Texas. I simply wanted each Senator to know the ground rules under which it is intended to operate, assuming they are satisfactory to the Senate.

Mr. DOUGLAS. It is not my intention to object. I congratulate the Senator from Texas, but I also believe it is well to know what the ground rules are.

Mr. JOHNSON of Texas. I attempted to explain them in some detail to the Senator privately. The proposed agreement speaks for itself. I have now given additional assurance. If it will help any, I shall be glad to retire to the cloakroom and go over the proposal again with the Senator from Illinois.

Mr. RUSSELL. Mr. President, reserving the right to object—and I shall not object—I am glad the distinguished Senator from Illinois did not insist on more than the pound of flesh which the proposed unanimous-consent agreement gives to the Knowland-Douglas axis. [Laughter.]

Mr. KNOWLAND. Mr. President, the Senator from Georgia is welcome to join the axis. [Laughter.]

Mr. RUSSELL. I had assumed that since this remarkable agreement had been reached, and the act had been performed, one of the leaders, at least, was sure of enough votes to enforce a motion to adjourn without undertaking to require an assurance far in advance.

I think the proposed agreement provides for orderly procedure. At least, it insures that we will not have to spend the greater part of the night discussing the matter.

Mr. President, since the proposed agreement seems to be reasonable and fair, I shall not object.

Mr. KNOWLAND. Mr. President, reserving the right to object—and I shall not object—with his customary courtesy, the distinguished majority leader consulted me, as I understood he had consulted with other Senators, in regard to this matter. I think this is a fair proposal, one which puts the entire Senate on notice. I certainly have no objection to it.

Mr. DOUGLAS. Mr. President, I congratulate the Senator from Texas for scattering oil upon somewhat troubled waters.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and the agreement is entered.

The agreement as entered is as follows:

Ordered, That when the Senate adjourns tonight it meet tomorrow at 12 noon and that after the approval of the Journal any Senator may be recognized for the introduction of bills, insertions in the RECORD, and statements not to exceed 3 minutes: *Provided further*, That no other business be in order. Following the above specified routine business the majority leader be recognized to suggest the absence of a quorum, after which the Chair will lay before the Senate H. R. 6127.

Mr. JOHNSON of Texas. Mr. President, I wish to express my gratitude to the Senator from Ohio.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate resumed the consideration of the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. LAUSCHE. Mr. President, in order to assure a proper understanding, and inasmuch as the Senator from Iowa [Mr. HICKENLOOPER] is on the floor, I should like to ask him a question. The President's message was delivered in 1956. In it he said he would request of the Congress authority to implement the sort of moral commitment he made.

Mr. HICKENLOOPER. I read into the RECORD the statement in which, as I recall, the President said he would request of the Congress the proper Congressional authority, or something to that effect.

This is the pertinent paragraph of the statement made by the President to the delegates to the Conference on the Statute of the International Atomic Energy Agency, at or near the close of its deliberations on October 26, 1956; this is a part of what the President said, when speaking to the Conference:

> Here is what I, in behalf of the United States, propose:
>
> First: It shall be my care, when our Congress reassembles, to present the Statute for official ratification by our Senate in accordance with our Constitution, and to request appropriate Congressional authority to transfer special nuclear materials to the International Atomic Energy Agency. I wish my country to be among the first to recognize by official action what you at this Conference have accomplished.

I repeat the words:

> to present the Statute for official ratification by our Senate—

And then I skip a little, and now I am quoting again from the same paragraph:

> to request appropriate Congressional authority to transfer special nuclear materials to the International Atomic Energy Agency.

Mr. LAUSCHE. Mr. President, that indicates very clearly, to me, that the President does not contemplate donating fissionable material, or otherwise, without approval from the Congress. He stated specifically that he would ask for Congressional authority.

I should like to ask a further question, for purposes of information. The Senator from Tennessee read the language which states that each member, in accordance with paragraph C of article IX, is to notify the Agency, at periods specified by the Board of Governors, of the amount and kind of materials it is prepared to make available in conformity with its laws. I am certain that the laws now in existence control the President.

My question is this: If the treaty is entered into, does the Congress have the power—in violation of the provisions of the treaty—to change the laws which do or do not empower the delivery of the material?

Mr. KNOWLAND. In reply to the Senator from Ohio—and the Senator from Iowa [Mr. HICKENLOOPER] is present—let me say that certainly nothing in the treaty prevents the Congress of the United States from changing the Atomic Energy Act or any other law on the statute books governing this subject matter. When the act is changed, and when the change becomes the law, the President is bound by it; and nothing in the treaty is contrary to that. In other words, I think the language of the treaty shows clearly that it is recognized that any voluntary action any country may take shall be in conformity with the laws of that country.

Mr. LAUSCHE. In accordance with the laws in existence either before or afterward?

Mr. KNOWLAND. Either before or afterward; that is my interpretation.

Mr. PASTORE. That is correct.

Mr. HICKENLOOPER. It is subject to laws passed after the ratification of the treaty, as well as laws existing at the time when the treaty goes into effect.

Mr. KNOWLAND. I fully concur in the statement made by the Senator from Iowa.

Mr. HICKENLOOPER. I think the hearings amply bear that out, because questions on that very point were raised.

Mr. LAUSCHE. That statement seems to conform with the wish of the President, when he said he would request of the Congress authority to supply the material which he feels the Agency ought to have.

Mr. PASTORE. Mr. President, on that point, in order that there may be no mistaken understanding, let me say that the authority he is speaking about is under section 124, which means they will negotiate it, and then will make the request of Congress. I think the President had that in mind, namely, that if the Congress does not repudiate it by means of any authority Congress has, then it will be the law.

Mr. KNOWLAND. Under present law.

Mr. PASTORE. Yes; that Congress would have to change it by taking action in the affirmative, and in that way change section 124.

Mr. KNOWLAND. That is correct.

Mr. CAPEHART. Mr. President, the President has suggested that the United States will sell 11,000 pounds of the material to the International Agency. If a new treaty is ratified and goes into effect, will the President—before he can deliver or before he can even agree to deliver or to sell the 11,000 pounds—have to notify the Joint Committee on Atomic Energy, and will that notice have to lie with the Joint Committee for 30 days?

Mr. ANDERSON. The answer is "yes."

Mr. CAPEHART. In the case of the 11,000 pounds of the material we have been discussing, that notice will have to come to the Joint Committee on Atomic Energy; and the Joint Committee will have a right, if it wishes to do so, to adopt a resolution denying the President the right to deliver the material; is that correct?

Mr. ANDERSON. Now the Senator from Indiana is asking a different question.

First, let me say there is no question about the first question. The President has to notify the Joint Committee of an agreement for cooperation under section 124.

After he enters into the agreement, section 123 of the act applies; and it provides that the proposed agreement for cooperation, together with the approval and the determination of the President, must be submitted to the Joint Committee, and a period of 30 days must elapse while Congress is in session. Then we find the qualifying words. I interpret that to mean that if in the meantime the Joint Committee decided to disapprove it, it could do so. The Joint Committee by itself has no power of disapproval. However, it could recommend the passage of a bill or joint resolution by which the Congress would disapprove. I may say that other Senators agree as to that; and they include the Senator from Rhode Island [Mr. PASTORE], who was in on it. I think I can agree that that is correct.

Mr. KNOWLAND. On that point, the letter should be placed in full in the RECORD. Therefore, Mr. President, I ask that there be printed in the RECORD the entire letter of June 4, 1957, addressed to the Honorable J. W. FULBRIGHT, Committee on Foreign Relations, United States Senate, and signed by John Foster Dulles, Secretary of State.

But first I shall read from the letter the following:

> It has been asked whether the statute of the International Atomic Energy Agency, if ratified by the United States, would supersede the procedures for the transfer of special nuclear material required by the Atomic Energy Act of 1954, as amended. It would not. Section 124 of the Atomic Energy Act and related sections 123 and 54 would govern the transfer of special nuclear materials to the Agency, including the 5,000 kilograms of U-235 which the President offered to make available to the Agency last October. The United States cannot, under the terms of the Atomic Energy Act, transfer materials to the Agency until the conditions of the Atomic Energy Act are met, including the following: (1) The Atomic Energy Commission has submitted to the President a proposed agreement for cooperation with the Agency, including among other provisions the terms of the transfer of materials to the Agency; (2) the President has approved and authorized the execution of the agreement after making a determination in writing that the performance of the agreement will promote, and will not constitute an unreasonable risk to, the common defense and security; and (3) the proposed agreement has been submitted to the Joint Congressional Committee on Atomic Energy and the period of time prescribed in the act has elapsed.

I ask unanimous consent that the entire letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

> DEPARTMENT OF STATE,
> *Washington, June 4, 1957.*
>
> The Honorable J. W. FULBRIGHT,
> *Committee on Foreign Relations,*
> *United States Senate.*
>
> DEAR SENATOR FULBRIGHT: Your subcommittee has asked for clarification of certain testimony given by representatives of the Department of State and the Atomic Energy Commission during the course of the Senate Foreign Relations Committee hearings on the statute of the International Atomic Energy Agency and on the policy to be pursued in connection with United States participation in the Agency. I am glad to provide this clarification.
>
> It has been asked whether the statute of the International Atomic Energy Agency, if ratified by the United States, would supersede the procedures for the transfer of special nuclear material required by the Atomic Energy Act of 1954, as amended. It would not. Section 124 of the Atomic Energy Act and related sections 123 and 54 would govern the transfer of special nuclear materials to the Agency, including the 5,000 kilograms of U-235 which the President offered to make available to the Agency last October. The United States cannot, under the terms of the Atomic Energy Act, transfer materials to the Agency until the conditions of the Atomic Energy Act are met, including the following: (1) The Atomic Energy Commission has submitted to the President a proposed agreement for cooperation with the Agency, including among other provisions the terms of the transfer of materials to the Agency; (2) the President has approved and authorized the execution of the agreement after making a determination in writing that the performance of the agreement will promote, and will not constitute an unreasonable risk to, the common defense and security; and (3) the proposed agreement has been submitted to the Joint Congressional Committee on Atomic Energy and the period of time

prescribed in the act has elapsed. It should be noted that article IX (C) of the statute of the International Agency provides that any member making materials available will do so in conformity with the laws of that member state.

It has also been asked whether amendments to the statute would be submitted to the Senate for advice and consent to ratification. I can assure you that this would be the case. Amendments to the statute come into force for all members only after they have been accepted by two-thirds of them in accordance with their respective constitutional processes. However, the interests of the United States are protected since it would have the right provided in article XVIII (D): "Whenever a member is unwilling to accept an amendment to the statute it may withdraw from the Agency by a notice in writing * * *." There have been questions as to whether the President would act to effectuate withdrawal of the United States from the Agency if the Senate did not consent to the ratification of an amendment that had been accepted by two-thirds of the members of the Agency. We believe that he would and should do so if a majority of the Congress were of the view that the amendment so altered the nature of our treaty obligation as to render our continued participation in the Agency inconsistent with the interests of the United States. However, in my opinion, and as I said in my testimony before the Senate Foreign Relations Committee, the participation of the United States is so vital to the existence of the Agency that I cannot visualize a situation in which an amendment would be ratified by two-thirds of the members of the Agency that would impair or endanger the continued wholehearted support of the United States.

The subcommittee has asked whether the statute is self-executing and whether implementing legislation is needed to enable the United States to participate in the Agency. Effective United States participation will require three types of legislation: (1) the existing Atomic Energy Act of 1954; (2) a participation act; and (3) annual appropriations.

The internationally binding character of the limited obligations contained in the statute is, of course, not conditioned on the enactment of legislation by the governments of Agency members. Within the United States, the payment of this country's share of the administrative expenses of the Agency will require both authorizing legislation and annual appropriations by the Congress. However, the other obligations contained in the statute of the Agency (to act as depositary, to afford the Agency certain limited privileges and immunities) do not require implementing legislation.

To cover the administrative details of United States membership in the Agency, a draft participation act has been submitted to the Congress; a copy of this legislation is attached. It will provide for the appointment of United States representatives to the Agency and authorize the appropriation of funds needed for United States participation.

It should be reemphasized that nothing in the statute of the Agency obligates the United States to provide materials, equipment, or facilities to the Agency. As articles IX states, the furnishing of special nuclear and other materials is to be in conformity with the laws of each member. For the United States, this means the Atomic Energy Act of 1954, as amended, which already provides procedures for cooperation with the International Atomic Energy Agency. There is no conflict between the statute of the Agency and the United States Atomic Energy Act.

During the course of my testimony there were inquiries as to whether the United States would donate the special nuclear material we make available to the Agency and its projects. Article IX provides that material shall be made available on terms to be agreed with the Agency. Article XIII provides that supplying governments will be reimbursed by the Agency for such materials unless otherwise agreed. The intention and policy of the United States Government is to apply the principles now prevailing for the bilateral program which require reimbursement for the cost of special nuclear materials except in special instances when limited quantities may be transferred for research or medical purposes. If future developments should make a basic change in policy with respect to donation desirable and in the interests of the United States, appropriate Congressional approval will be sought.

A question has also been raised as to what steps can be taken to encourage other governments to make material available to the Agency. In our judgment, the initial United States offer of a substantial quantity of special nuclear materials constitutes an earnest of our desire for an effective Agency and, as such is the best method of encouraging substantial offers from other countries. The scope and degree of our further support for the Agency will be decided upon, of course, in the light of the cooperation given by other governments. While the furnishing of material by any member of the Agency is entirely voluntary, the United States hopes and expects that cooperation will be forthcoming and will use its best efforts to encourage wholehearted support of the Agency by its members to the extent of their capabilities.

While only 2 or 3 countries are now in a position to sell, lease or otherwise make available special nuclear materials, other countries could make available equipment and other useful materials, such as a natural uranium which is also a reactor fuel. When the Agency, in accordance with the provisions of article IX (B), has determined its needs for such materials, facilities, and equipment, we are confident that these countries will make offers to supply them. In fact, once the Agency has been established and its safeguards system is in force, its members will have an incentive to use the Agency as a channel for marketing nuclear materials.

Questions have been raised with regard to the extent and nature of the United States commitment to deliver special nuclear material to Agency projects or to the Agency itself. Can the United States be required to deliver materials before there is need for their use in approved specific projects? Will ratification of the statute commit the United States to deliver special nuclear materials to the Agency without prior knowledge of the projects to which these materials will be allocated?

The United States presently has no legal commitment to deliver any material to the Agency. We plan to carry out the President's offer of 5,000 kilograms of U–235 plus a sum equal to all quantities of such materials made available by other nations prior to July 1, 1960, subject to an agreement being concluded with the Agency on the terms and conditions under which it will be made available in accordance with the Atomic Energy Act of 1954, as amended. After such an agreement has been concluded, the Agency may request delivery of specific quantities of this material as it is needed for specific projects which have been approved by the Board of Governors or for use by the Agency itself. Until that time, the United States will retain special nuclear material made available to the Agency within its own boundaries.

No member has the right to designate the specific projects in which the material made available to the Agency will be used. However, the United States, through its membership on the Board of Governors, will have full knowledge of the Agency's projects and programs when we reach decisions in the future on amounts of material which we may subsequently make available to the Agency. Our decisions will be guided by our judgment of the needs and policies of the Agency and the security interests of the United States. Even with respect to the 5,000 kilograms, the United States will have ample opportunity beginning with the initial application for an Agency supported project, to be informed of the circumstances surrounding a proposed project and to be assured that the principals and objectives of the Agency are respected.

We were asked to clarify the interpretation of the word "terms" in the light of the negotiating history of the statute. The word "terms" as used in article IX (A) of the statute is not limited by the negotiating history. In our interpretation the word "terms" means "terms and conditions." It will be our policy to include in any agreement with the Agency under article IX (A) of the statute a provision that no materials will be shipped from the United States until they are needed for specific projects approved by the Agency. The Agency could not, of course, properly agree to the inclusion of any conditions in such agreements that were in conflict with any provision of the statute. For example, it could not agree to a term in such an agreement that was inconsistent with the provision in article IX (J) that "No member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific project in which they must be used." In the case of the United States, special nuclear materials cannot be made available to the Agency except in conformity with an agreement for cooperation negotiated under the provisions of the Atomic Energy Act of 1954, as amended.

For purposes of evaluating the President's offer, it may be noted that 5,000 kilograms is approximately the amount of U–235 required to fuel 2 or 3 medium-sized reactors throughout their useful lives. Moreover, the degree of enrichment of this uranium will be far below the level required for weapons-grade materials. As Chairman Strauss of the Atomic Energy Commission has testified, the United States will not supply the Agency with material enriched in excess of 20 percent.

Some questions were also raised concerning the dividing line between administrative and other expenses. Article XIV (B) (1) of the statute, entitled "Finance," identifies those expenses which may properly be included in the administrative budget. Furthermore, it is the accepted practice in international organizations in which the United States participates to confine administrative expenses to those which are for general support, such as salaries of the Secretariat staff, conference or meeting costs, travel, etc. Also included in administrative expenses are costs of implementing safeguards for Agency projects and certain costs related to the handling of Agency materials. In the light of the provisions of article XIV (B) (1), and of the practice followed generally in international organizations, the Agency's administrative budget will not include or provide for physical facilities such as reactors or "universities." Such expenses would be financed by charges voluntarily agreed to by members benefiting from the projects concerned, and should the United States decide to participate therein the United States dollar share of these amounts would have to be authorized and appropriated.

Finally, a question often asked was whether we are contemplating furnishing the Agency classified information. No secret or classified information will be provided to the Agency.

Sincerely yours,

JOHN FOSTER DULLES.

Mr. CAPEHART. The answer is that the President would have to submit to Congress his proposal to sell 11,000 pounds through the International Agency.

Let us assume that 30 days later he decided he wanted to make more available to them. He would have to go through the same procedure again. He would have to notify the Joint Committee. The matter would have to lie over for 30 days. Is that correct?

Mr. KNOWLAND. That is my interpretation.

Mr. CAPEHART. My next question is this: At any time Congress wanted to, it could amend the basic Atomic Energy Act so as to provide that the President could not make available any material without presenting the matter to Congress and having a vote of Congress as to when and how much.

Mr. KNOWLAND. Congress could do so, but the only reason I suggested that this issue be faced in connection with the implementation act is that if it were a separate piece of legislation, it could be vetoed, and it would take a two-thirds vote of Congress to override the veto.

Mr. CAPEHART. Could not Congress amend the basic Atomic Energy Act?

Mr. KNOWLAND. Yes, it could, and I think Congress could also amend the act by a provision in the implementation act, since we have no rule of germaneness in the Senate. Besides, I think it would be germane.

Mr. CAPEHART. So the proposal of the Senator from Ohio is that he would have Congress pass on whether we would make available 11,000 pounds, more or less, from time to time. Both branches of Congress would pass upon the questiton, rather than have the Joint Atomic Energy Committee pass on it, and, if a member of the committee did not like it, he could introduce a resolution to stop it?

Mr. KNOWLAND. No. The Senator from Ohio is present, and he is fully capable of making his own interpretation of the amendment he is offering; but, as I understood the amendment in its modified form, the Senator from Ohio would attach language to the end of the interpretation and understanding, the instrument of ratification, which would be the understanding and interpretation of the Senate that Congress would have to be consulted prior to the material being delivered.

Mr. CAPEHART. In other words, Congress would pass a resolution saying the President could sell 11,000 pounds? The Senator from Ohio would substitute that procedure for the procedure under which we operate under the 1956 act?

Mr. KNOWLAND. That is correct. The Senator from Ohio would do it as part of the proposal, whereas I would do it by amendment to the act of implementation.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. CURTIS. As I have listened to the discussion, there seems to be a great deal of agreement on the principle involved in the proposal of the distinguished senior Senator from Ohio. There is some objection as to when and where that proposal should be set forth by the Senate.

I should like to ask this question: Would the adoption of the proposal offered by the distinguished senior Senator from Ohio at this time be in any way detrimental to the interests of the United States?

Mr. KNOWLAND. I would not want to say it would be detrimental to the interests of the United States, but I believe the executive branch of the Government, the Department of State and the President, feel that at least so far as the original reservation offered by the Senator from Ohio is concerned, countries abroad would get the impression that we were seeking in some way to renege. I do not believe actually it goes that far, but I think the administration feels that it would be undesirable to have this amendment added.

Mr. CURTIS. If the Senator will yield further, if the amendment were adopted, would it be a barrier to carrying out the statute setting up the International Agency?

Mr. KNOWLAND. I do not want to give the Senator a categorical answer to that question. All I can say to the Senator, in regard to the original proposed reservation, which has been slightly modified by the Senator from Ohio, at least, is that in a letter dated June 7, addressed to the Senator from Arkansas [Mr. FULBRIGHT] and signed by the Assistant Secretary of State, the objections the administration had to the reservation were pointed out, and I may say, the Department believed it would not be desirable to adopt the reservation. I believe the view of the Department would be the same as to the amendment which has been offered.

Mr. President, I ask unanimous consent that the letter of June 7 to which I have referred be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, June 7, 1957.

The Honorable J. W. FULBRIGHT,
Senate Foreign Relations Committee,
United States Senate.

DEAR SENATOR FULBRIGHT: The Committee on Foreign Relations has asked the views of the Department of State on a proposed "reservation" to the statute of the International Atomic Energy Agency reading as follows: "That the United States shall not make special fissionable materials available to the International Atomic Energy Agency except to such extent, and in accordance with such terms and conditions, as may hereafter be authorized or prescribed by act or joint resolution of the Congress."

The Department of State considers that any reservations to the statute are undesirable since they could operate to exclude the United States from the Agency and might serve to stimulate reservations by other countries, thus interfering with the establishment of the Agency as a going concern adequate to its great purposes.

As to a provision such as that quoted above, the Department regards its inclusion in the ratification of the statute of the International Atomic Energy Agency as inappropriate because the provision does not relate to any of the obligations contained in the statute, but rather to the constitutional processes of the United States in arranging for cooperation with the Agency.

On the merits of this proposed "reservation," the Department believes that its intended effect would be harmful. An international arrangement for cooperation in the nonmilitary applications of atomic energy had been proposed by President Eisenhower in his address to the General Assembly of the United Nations on December 8, 1953. When the Atomic Energy Act of 1954 was enacted, section 124 was included specifically to provide for United States cooperation with a group of nations such as the International Atomic Energy Agency. The effect of the suggested "reservation" would be to cancel out the Atomic Energy Act of 1954 as a basis for cooperation between the United States and the Agency, and to require the enactment of new implementing legislation by the Congress. The Department of State would strongly oppose removal of the existing legislative basis for our cooperation with the new Agency. Any such action would inspire grave distrust of United States intentions in proposing and joining the Agency and would seriously impair our influence in the formulation of its foreign policies.

In the memorandum accompanying the proposed "reservation" it is stated that "If the suggested reservation were adopted, the Congress in its authorizing legislation could prohibit delivery of special fissionable materials to Communist countries." This statement evidently contemplates the possibility of materials being funished by the United States to the Agency subject to conditions limiting the countries to which such materials could be allocated by the Agency. As Secretary Dulles has stated in his letter to you, dated June 4, 1957:

"The Agency could not, of course, properly agree to the inclusion of any conditions in such agreements that were in conflict with any provision of the statute. For example, it could not agree to a term in such an agreement that was inconsistent with the provision in article IX (J) that 'No member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific project in which they must be used.'"

The first sentence in article IX (J) of the statute makes clear that the Agency is to control the allocation of materials. That sentence reads: "The materials made available pursuant to this article shall be used as determined by the Board of Governors in accordance with the provisions of this Statute."

In view of the foregoing considerations, the Department of State is constrained to oppose a provision such as that contained in the suggested "reservation."

Sincerely yours,

FRANCIS O. WILCOX,
Assistant Secretary.

Mr. CURTIS. Mr. President, if the Senator will yield a little further—and I appreciate his courtesy—I should like to say it seems to me that if the principle involved is sound, as I consider it to be, I do not believe there is any feeling in this body that the Congress would withhold the authority to supply the material. If what is proposed by the Senator from Ohio is going to be done at a later date, certainly it would be the part of candor and fairness to all nations and to all parties involved to do it now, rather than approve the statute and then later adopt his proposal in a separate act of Congress, or in the implementing act. It occurs to me, as a matter of fair play and advance notice, it ought to be done now.

Mr. KNOWLAND. I think, as a matter of fact, the discussion on the floor has been substantial advance notice as

to the general feeling in the Congress; but at least my own viewpoint is that it would be more advisable not to adopt the amendment offered by the Senator from Ohio, but go ahead with the ratification and with the interpretation and understanding which the committee itself has recommended, and which has been agreed to by the executive branch of the Government, after long discussions and negotiations, and then after adequate hearings by the Joint Committee. I am sure the Senator from Nebraska was in the Chamber at the time I said it, but for the benefit of Senators who were not present, I repeat that the statement is already before us that proposed implementation legislation is now before the Joint Committee on Atomic Energy, on which the distinguished Senator from Ohio serves as a full and able voting member, as well as the Senator from New Mexico and other Senators who have been mentioned, and I think they are entirely mindful of the problem which has been raised.

Mr. CURTIS. I thank the Senator, although I do not agree with his conclusion.

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I yield.

Mr. CASE of South Dakota. If it is to be understood that fissionable material is to be available on such terms and conditions as will be set forth in independent or followup legislation, it seems to me there is not any great harm in saying so. I was impressed, however, by what the Senator said about the interpretation other countries might put upon our saying this in a negative way. When we start out by saying, "The United States shall not make special fissionable materials available except to such extent," and so forth, it perhaps sounds like other countries are not going to get any. I was wondering if the purpose might be served and the situation remedied if the language were to read:

> The special fissionable materials to be made available to the International Atomic Energy Agency shall be on such terms and conditions as may be hereafter provided and prescribed by joint resolution of the Congress.

Under such language there would be no implication that the materials would not be made available, but it would be made clear that the terms and conditions would be in independent subsequent legislation.

Mr. KNOWLAND. It seems to me that the objection to that procedure is the one which I think was discussed by the Senator from Rhode Island and the Senator from Iowa. I think it is really the crux of the whole situation.

The President, in the negotiation of this treaty proceeded in accordance with statutes passed by the two Houses of Congress and signed by the President. I think the record is very clear on that point. The existing law, the Atomic Energy Act of 1954, contains provisions whereby this material can be made available either in the bilaterals or in a multilateral agreement. The Senator from Rhode Island made that very clear.

The Congress, in its judgment—both Houses of Congress, acting together, as they must in a legislative function—may want to change that law. In other words, they may not be satisfied to have an agreement lie over for 30 days and then, if Congress does not take affirmative action, let it become final.

On the other hand, after hearings are held before the Joint Committee, some additional facts might be developed which would make it inadvisable to foreclose that procedure, and the Congress might wish to continue it or to have alternative procedures.

If we adopt the amendment which the Senator from Ohio seeks to add to the understanding and interpretation, it seems to me that what we will be saying is that the Congress—although, of course, we are acting as the Senate—is not satisfied with the procedure which is now provided in the law, which we helped to pass, and unless there is new legislation adopted in this regard the President cannot proceed. I think that is the weakness of the proposal of the Senator from Ohio.

Mr. CASE of South Dakota. Mr. President, admittedly there are some phases of the proposition now presented to the Senate and to the country which were not contemplated at the time the Atomic Energy Act was passed. The ramifications of the proposal here, and the creation of this agency, were not contemplated in toto as they now appear, at the time we passed the act. It seems to me we are justified in saying that the material to be made available to this new agency should be on such terms and conditions as Congress might specify by independent action.

Mr. KNOWLAND. The Senator has his point. I do not argue it with him, but with all the facts before us, I think it would be better to proceed by the amendment of the implementation act.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. BRICKER. Mr. President, for purposes of clarification I should like to take only a moment or two, to explain some of the confusing issues which have arisen.

I was especially anxious to answer the distinguished Senator from Florida [Mr. HOLLAND] when he said we were entering into a clear-cut way of carrying on this program, instead of the maze of bilaterals. There is no maze of bilaterals. This country has control of the terms and conditions. It likewise has control over the source material and over the fissionable material that might be used.

In this case we will really get into a maze through which we will never see our way. It is proposed to turn the material over to an international authority, and that it be distributed to various countries of the world, in such a way that we will have nothing to say about it.

That is the one distinction which I have tried all afternoon to bring to the attention of the Senate. If my amendment is not adopted to the reservation, we enter into this treaty without any power on the part of Congress to control the future distribution by the President of the United States, except the authority under the Atomic Energy Act of 1954. He will make agreements not with a nation but with a large group of nations. There are 80 of them at the present time, if they all ratify the treaty. We are one of the nations, and we will contribute to the group practically all the material both now and I think I can properly assume in the future. For it we will pay, if we charge for the material, one-third of the cost ourselves, because we are going to pay one-third of the total cost of operation of the organization. There will be no place else to get the money, until perhaps it develops in the future, and that is a long, long way off.

So we are really getting into a maze. We propose to organize a group by a treaty, and then let another bilateral be filed with the Joint Committee on Atomic Energy, which after 30 days will become the law of the land, unless there is some contrary action taken. There are already 48 bilaterals which have become effective under the law, and I doubt if there is a Member of the Senate, outside of the members of the Joint Committee on Atomic Energy, who has ever seen one of them, let alone read one.

I wish to assure Senators that if they reject the amendment I have submitted, and which will be voted on almost immediately, there will be no one following up the procedure except the Joint Committee on Atomic Energy. In the 30 days the bilateral which is going to be filed, for which we will pay one-third of the cost, will receive the attention of no one except the members of the Joint Committee, and 30 days is not long enough for the Congress to know what is going on or to pass legislation in regard to it. Then if we should pass legislation, and the President did not like it, he could veto it, and it would take two-thirds of the membership of both Houses to override the veto.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. BRICKER. In a moment.

The vote on this amendment will be as to whether the Congress of the United States shall continue to control the assets and the resources of the people of the United States, or whether we shall turn them over practically, in substance without any veto, to the President of the United States in agreement with this International Agency.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. BRICKER. I yield to the Senator from California.

Mr. KNOWLAND. Is it not correct to state, however, that the distinguished Senator from Rhode Island [Mr. PASTORE], as chairman of the subcommittee dealing with the bilaterals, has made it a matter of standard operating procedure, though he is not required to do so by any statute, to have the bilaterals printed in the CONGRESSIONAL RECORD, or at least practically all of them? There may be some more recent ones which are pending, but the bilaterals have been printed in the CONGRESSIONAL RECORD.

Mr. BRICKER. I said, with the exception of the members of the committee. The Senator from California and I have looked at them. We have studied them. We have held hearings on many of them.

The Senator from Rhode Island has been most diligent in his consideration of the matter. I compliment him for his work.

Mr. KNOWLAND. My point is that through publication in the CONGRESSIONAL RECORD they have been made available to all Senators.

Mr. BRICKER. The Senator is correct.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

DISTRIBUTION OF KNOW-HOW

Mr. MALONE. What is the commission which is to be set up? What is the real objective of it? Is it a holding operation for distributing among nations atomic-energy fuel, and the knowledge and the know-how we have in this field?

Mr. BRICKER. That is a part of it, of course. It is for the peaceful use of atomic energy, but the primary purpose of the statute is a power program for the countries of the world. That is the fundamental part of it, as the Chairman of the Commission said. He said he hoped that the other aspects of the program would someday become equal to the power aspect of the program, which is the real incentive back of it.

Mr. MALONE. When we have furnished everything to this central Agency, it will be located in Austria, will it not?

Mr. BRICKER. I do not know where it will be located.

AGENCY TO HAVE HEADQUARTERS IN EUROPE

Mr. MALONE. It will be located in some central place in Europe. After we have furnished all the necessary fuel and know-how to this Agency, is there any restriction as by way of examination or inspection? How would we know this material would be used for peaceful purposes, and not diverted for a future use for some other purpose?

Mr. BRICKER. A system of investigation and inspection is provided for in the statute. That will be under the control of the Agency, which will have a director general or an administrator or whatever we may wish to call him, who will be in charge. The administrators will be picked by the various countries of the world, signatory to the treaty.

Mr. MALONE. How many nations are members?

Mr. BRICKER. There are 80 which signed the agreement. They have not all ratified it yet. Russia was the first to ratify. There was one nation which signed with the reservation that it would not be held to any amendments to which it did not agree. I do not think the signature of that country has yet been lodged with the depository country, which is the United States.

Mr. MALONE. How is the organization to be controlled? Is it to be controlled by the vote of the members?

Mr. BRICKER. The organization is to be controlled by a board of governors, consisting of 23 members; and they will be empowered to choose an administrator or chief executive officer. Then there will be a meeting of the representatives of all the countries once a year—a so-called annual meeting—in which each member shall have one vote.

Mr. MALONE. How are the directors to be chosen?

Mr. BRICKER. The directors are to be chosen by the member nations. The method is set out at the beginning of the section dealing with the treaty organization itself, in the statute. There are to be so many from one section of the world, and so many from another section of the world. There must be represented on that board 3 of the first 5 members engaged in the scientific development of atomic energy. Those five members are Russia, the United States, Canada, England, and France. Three of the five must be represented on the board.

There will be 1 representative from South America, 1 from Africa, and 1 from the Far East. They are designated geographically. There will be 23 of them, representing separate nations.

INTERNATIONAL ATOMIC POOL

Mr. MALONE. This program involves the pooling of information, the pooling of formulas, and the pooling of research.

Mr. BRICKER. The Agency will be empowered to go into the research field, and to contract with the universities. I presume that under the statute, if it had the money to do so, it could build a reactor itself.

Mr. MALONE. If they are to have all the formulas for building the reactors for power and other purposes, is there any information which they will not have?

Mr. BRICKER. Certain classified information will be withheld by our own country; and we know that Russia will not give up any such information. So it is inherent in the statute that the program is to be for peaceful uses, and not for war purposes. It is not a very easy thing to draw the line between that which is for peaceful purposes and that which is for war purposes, because the basic science is the same. The same metallurgical principles apply in both fields, and the same basic principles of science underlie both programs.

Mr. MALONE. All we would have would be the word of a nation when we furnish these atomc-energy materials or formulas.

Mr. BRICKER. An inspection system will be established by the Agency. That is the only way in which compliance can be assured. The only thing that can be done if any country does not use the material for peaceful purposes, and tries to convert it to war purposes, is that that country can be dismissed from membership by a vote of two-thirds of the membership. There is no way of getting back the material.

Mr. MALONE. That is, after they have received the formulas and the materials.

Mr. BRICKER. Yes. I pointed that out this afternoon.

Mr. MALONE. Is not this the sort of information that Mr. Hiss and some of the others we have been punishing wanted to furnish to possible enemies of the United States?

Mr. BRICKER. I do not know. I have not been following Mr. Hiss.

Mr. MALONE. I did not follow him very far, but I followed him to the pentitentiary.

Mr. BRICKER. I do not know what he proposed. In the beginning he was a part of the Acheson program.

Mr. MALONE. I note that the Supreme Court is turning most of them loose, anyway.

Will there be some reward for those who started the Senate of the United States to thinking on this subject?

Mr. BRICKER. I do not know.

VITAL INFORMATION POOLED WITH FOREIGN NATIONS

Mr. MALONE. So long as we are to give all these materials away, it is incomprehensible to me that representatives of 80 nations could meet for the interchange of information and not exchange some very vital information.

Mr. BRICKER. I think some very vital and important and significant information will be bound to be exchanged. But the representatives of our country are prohibited from giving away anything that is classified. The classification of the material will be entirely up to the Atomic Energy Commission itself. I assure the Senator that there will be great pressure on the Atomic Energy Commission to declassify more and more material as the program progresses.

Mr. MALONE. If we are to keep the classified information which we have, and if Russia, presumably, keeps what it has, what will be the benefit?

Mr. BRICKER. We shall not keep what we have. We are under a moral obligation that the President shall propose to the Joint Committee that we turn over a certain amount of such materials. Whether it will be the amount he has mentioned, I do not know.

Mr. MALONE. The Senator is speaking of atomic energy fuel.

Mr. BRICKER. Yes.

Mr. MALONE. Presumably we would keep certain classified material.

Mr. BRICKER. Anyone in this country who gives away classified material is subject to serious penalties. He is subject to prosecution. I do not believe that anyone engaged in this program, whether in the Joint Committee or in the executive branch of the Government, would have any thought of revealing anything which should not be revealed. Of course, certain things might be revealed by mistake; and many mistakes may be made.

Mr. MALONE. The scientists who are to meet in this organization are the source of the information which the Commission and Members of Congress have, are they not?

Mr. BRICKER. That is correct. The Senator from Nevada and I well know that there has been a school of thought among scientists who have the scientific information and knowledge, that such scientific information and knowledge has a universality which should not be restricted, by Government regulation or otherwise. That has long been one of the doctrines preached by many of them. They have certainly been the source of the development provided for our program, which is the creative product of the minds of the great scientists of our country.

Nevertheless, I do not believe that any one of them would reveal anything the revelation of which was prohibited by the Government.

THIN LINE BETWEEN ATOMIC WAR AND PEACETIME USES

Mr. MALONE. Perhaps not intentionally; but when engineers and scientists are thrown together in a great organization of this kind, where information is pooled for a great power development, there is a very thin dividing line, is there not, between peaceful uses and war uses?

Mr. BRICKER. There is a very thin dividing line between peaceful uses and war uses. It is very difficult to separate one category from the other scientifically, because the same materials and formulas are valuable in both programs. When scientists get together, the only one who could ever catch them revealing classified information would be another scientist, because they talk in terms difficult for the ordinary layman to understand.

Mr. MALONE. I entirely agree with the Senator from Ohio.

Did we not at one time appropriate money to buy all the uranium from the Belgian Congo, to prevent its going into other hands?

Mr. BRICKER. Yes. We had to have the material. In the beginning our program was based upon the material we obtained from the Belgian Congo. Since then it has been developed in other places, including our country, Canada, Australia, and many other countries. So there is an adequate supply of the basic raw material at the present time.

I believe that in the statement from the Secretary of State it was pointed out that no doubt other countries producing the oxides, or whatever they are called, which will be valuable for this program, will sell them there instead of selling them to us. We may need them some of these days; and I dislike to see that channel of trade disrupted, to the detriment of the United States.

POLICY OF PRECLUSIVE PURCHASES OF ATOMIC MATERIALS NOW REVERSED TO PERMIT GIVEAWAYS

Mr. MALONE. My basic question is this: While we were buying all these materials to keep other nations from getting them, we were going in one direction. Now we are doing an about-face, and we are giving away what we have purchased.

Mr. BRICKER. We are not only giving away the materials which we have purchased, but we are giving away processed material, which is much more valuable. We have invested $14 billion in capital assets, and we incur operating expenses of $2 billion a year in the facilities we have developed.

Mr. MALONE. We have not only made an about-face in our program of buying uranium and other fissionable materials in order to keep other countries from getting them, but we are going a step further. We are giving them processed materials.

Mr. BRICKER. I do not know that we can conclude that we bought them to keep other countries from getting them. No one had any use for them, except possibly England, which used some of the material. It is true that we had some difficulty in obtaining certain materials.

Mr. MALONE. One of the things which has been impressed upon me is that during the latter part of the war I was told that if we did not get this material, some other nation would grab it.

Mr. BRICKER. Of course the only one would have been Russia. Russia would have gotten it. In fact, she gets her supply from Czechoslovakia and from East Germany. We permitted her to get it, at the end of the war, as the Senator well knows.

ATOMIC POWER AND FUEL TO BE DIVIDED AMONG 80 FOREIGN NATIONS

Mr. MALONE. Of course that is correct. So this organization of 80 members, or whatever number will ultimately make up the organization, will sit down together, will get their scientists together, will pool their information, and there will be only a thin dividing line between peace uses and war uses of this material although the scientists will be together and they will be encouraged to produce power and use fuel for the benefit of these 80 nations.

Mr. BRICKER. That is the program.

Mr. MALONE. It is a program under which we can give Russia all the fuel it needs——

Mr. BRICKER. I do not think we need worry about giving Russia any fuel. If we did, Russia would have to subject itself to inspection. An inspection system is called for, of course. The Senator knows as well as I do that they do not want any inspectors in their country.

SOVIET RUSSIA AND SATELLITES SELF-SUFFICIENT IN FISSIONABLE MATERIAL

Mr. MALONE. My conclusion, after traveling 14,000 miles in Russia and Bulgaria was that there was fissionable material available in Bulgaria. In fact, Russia and its satellites are self-sufficient for either war or peace, as we can be here in our hemisphere.

Mr. BRICKER. I think they have all the material they need in the fissionable field.

Mr. MALONE. Then, if we could go ahead and build the most bombers and bombs, would not that be the best way to deter any other nation from starting a war?

Mr. BRICKER. We must keep ahead in the armament field, of course, and we must have constant development in connection with planes and so forth, because I think that is the greatest deterrent to war. When we lose that advantage, there is a real danger of war starting.

Mr. MALONE. I should like to ask one final question of the Senator from Ohio. Will not this treaty hasten the time when our potential enemies will catch up with us?

Mr. BRICKER. It was suggested this afternoon in the discussion that that might be true, that this might promote the war effort, instead of hinder it.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. HOLLAND. My respect for the Senator from Ohio is so very great that I should like to make very clear two points on which I believe his amendment should fail, and after I have stated my two points I should like to hear his discussion of them.

The first point is this: The President has undoubted authority to make bilateral agreements, as he has done in the case of forty-odd nations. Under the provisions of existing law he can deliver property of untold value to those nations, subject only to the condition, which he has fulfilled, of reporting his proposed action in each case to the Joint Committee on Atomic Energy, and waiting 30 days.

The property value involved in those 40 bilateral agreements is much greater than what is considered here or what is about to be involved.

It seems to me that the Senator is trying to make his case entirely on the question of the wisdom or unwisdom of Congress insisting upon special, separate action in connection with property matters. I simply call to the attention of the Senator from Ohio that the President has already acted in these 40-odd cases in property matters without any such checking and without any effort on the part of the distinguished Senator from Ohio, so far as I know, or the Joint Committee on Atomic Energy, to withdraw the authority.

Mr. BRICKER. The Senator may remember that when the debate on the 1954 act was underway I took an active part in defeating an amendment which would have made it possible for the President of the United States to file a bilateral agreement with a group of nations, such as would be involved in the treaty now before the Senate.

Mr. HOLLAND. The point I was making is that from the standpoint of property value alone—and that seems to be the principal matter which is giving great concern to the distinguished Senator from Ohio—we have already on the statute books a law which is operative in connection with 40-odd nations, and that fact negatives the position he has taken in this case.

Mr. BRICKER. Not by any means. The amount of money is not nearly so great as it will be in the proposed program now before us. Furthermore, the United States has control over it. We have those relations with the countries involved. They are bound to us in a sense, I hope, because we have cooperated with them and we have helped them out. But in the instant case we will not have control; we will have only 1 vote out of 23 votes. No nation will feel any responsibility to the United States or any willingness to cooperate with us, because they can get the material, perhaps cheaper, and they can get it without any strings attached to it, and no doubt many of them would be more willing to deal with such an agency than with the United States, which has made possible all of this material.

Mr. HOLLAND. Be that as it may, under the proposed treaty the United States can at any time discontinue making delivery of any additional materials. It has the option of deciding whether it will deliver any and, if so, how much.

Mr. BRICKER. That is the option the President has, subject to filing it for 30 days. As I said, there has never been any adverse reaction, and there might not be to the International Atomic Agency. I do not know. Certainly, I think control ought to be in the hands of Congress. I am not in favor of Congress divesting itself of its responsibility.

Mr. HOLLAND. Of course, the Senator knows of his own knowledge that an implementation statute is already under study by the Joint Committee on Atomic Energy.

Mr. BRICKER. It came down to the committee within the last day or so.

Mr. HOLLAND. The second point is that if the Senate should adopt the amendment offered by the distinguished Senator from Ohio the result would be to modify the provisions of section 124 of the Atomic Energy Act, as amended in 1954. The Senator from Florida feels that the very least the Senate should insist upon before it takes unilateral action, without concurrence of the House, to change an act adopted by both Houses, would be to act upon a suggestion or recommendation from the Senate members of the Joint Committee on Atomic Energy.

The distinguished Senator, of course, is one Member from the Senate on the Joint Committee on Atomic Energy. However, as against his position is the recommendation of the distinguished vice chairman of the Joint Committee on Atomic Energy, the Senator from New Mexico [Mr. ANDERSON]; the recommendation of the distinguished Senator from Rhode Island [Mr. PASTORE], who sits as chairman of the subcommittee which handles this subject; the recommendation of the distinguished minority leader, the Senator from California [Mr. KNOWLAND]; and the recommendation of the distinguished Senator from Iowa [Mr. HICKENLOOPER], all of whom have been very active members of the Joint Committee on Atomic Energy.

If there is any other member of the Joint Committee on Atomic Energy who has taken the same position the Senator from Ohio has taken, the Senator from Florida has not heard him express it.

Mr. BRICKER. In times past there were members of the committee who agreed with me. If they wish to change their minds, that is all right with me. However, let me say to the Senator from Florida that I am still a Member of the Senate, and even if I am the only member of the Joint Committee on Atomic Energy who feels this way I will still vote my conviction, and I will still tell the Members of the Senate, within my ability, what I think about this matter, and I will not be bound by the other members of the joint committee.

Mr. HOLLAND. I honor the Senator for feeling that way about it. I am simply calling to the attention of the Senator and of the Senate the fact that it is now proposed, on the suggestion of one of the Senate members of the Joint Committee on Atomic Energy, to take action upon the treaty, which in effect would be an amendment of an act which had been very carefully worked out and passed by both Houses of Congress, and would become the law of the land, if the treaty were approved with that modification in it. The Senator from Florida does not believe that is sound legislative procedure. That is his second point.

Mr. BRICKER. The treaty itself modifies the amendments to the 1954 Atomic Energy Act. The treaty itself does that, not my suggestion.

Mr. HOLLAND. The treaty, of course, is based upon negotiations by the President with other nations, and reported by him, and passed upon by the full Committee on Foreign Relations, and likewise, is based upon the recommendations of all the members of the Joint Committee on Atomic Energy who have spoken about it, except one member.

Of course the one member may be right, and the Senator from Ohio undoubtedly thinks he is right. I have the very highest opinion of his patriotism and intelligence, but I cannot see the wisdom of making a change in existing law upon a last-minute floor-proposed amendment on a matter of this kind, particularly when the existing law covers such a tender field, and when it was considered so carefully by both houses, and when the Joint Committee on Atomic Energy, serving Congress and the Nation, has not recommended this action.

Mr. BRICKER. Of course the Senator is entitled to follow his judgment in that respect, and I hope he will give me the right to do as much, and that is to advocate this proposal and to vote on it as I see fit. Let me say that this is not anything new in this field. This whole question was debated on the floor of the Senate when the 1954 act was adopted. I remember the participation of many Senators in that debate. At that time we decided not to apply this section of the 1954 act in regard to agreements of cooperation. We decided not to apply it to multiple nations, but only to one nation. So it was debated before and passed upon once by the United States Senate and by the House of Representatives as well.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR WEAPONS EXPLOSIONS—CORRECTION

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD a correction of the table giving an analysis of the nuclear weapons explosions as prepared by the staff of the Subcommittee on Disarmament. This table, which appeared on pages 9355–9356 of the RECORD of June 17, was inadvertently garbled, the chronological sequence of the tests being given incorrectly, and in some instances the year in which the explosions took place being omitted altogether.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

NUCLEAR WEAPONS EXPLOSIONS

The following table has been compiled principally from press releases of the United States Atomic Energy Commission. However, reports in the press as to the size and nature of various explosions have been included when available.

On April 12, the United States had announced 19 Soviet tests. The AEC has pointed out that this country does not disclose all of the U. S. S. R. shots of which it has knowledge but limits itself to statements about explosions of special interest. The actual number of Soviet detonations is therefore significantly higher than those announced.

As of June 17 the AEC had announced 68 tests by the United States. However, the total number of detonations made by this country has never been announced.

The United Kingdom has announced 11 tests to date, June 18, which is understood to be the total number of tests made by that country.

Year	United States		U. S. S. R.		United Kingdom		Remarks
	Date	Place	Date	Place	Date	Place	
1945	July 16	Alamogordo					1st test of A-bomb.
	Aug. 6	Hiroshima					Air burst, energy release about 20,000 tons of TNT.
	Aug. 9	Nagasaki					Do.
1946	July 1	Operation Crossroads, Bikini Lagoon.					Air burst, Nagasaki-type bomb.
	July 25						Underwater detonation.
1948 (spring)		Operation Sandstone, Eniwetok Atoll.					3 explosions announced May 17, no details given.
1949			Sept. 23	Soviet territory			1st atomic explosion in U. S. S. R. announced by President Truman.
1951 (winter)	Jan. 27	Operation Ranger, Nevada Flats.					5 tests primarily for tactical information; Air bursts.
	Jan. 28						
	Feb. 1						
	Feb. 2						
	Feb. 6						
1951	April and May	Operation Greenhouse, Eniwetok.					4 tests described as "experiments contributing to thermonuclear research."
			Oct. 3	Soviet territory			2d explosion. Reported by the United States, later confirmed by the Kremlin.
			Oct. 22	do			President Truman announced evidence of a 3d nuclear explosion by the U. S. S. R.

Year	United States		U. S. S. R.		United Kingdom		Remarks
	Date	Place	Date	Place	Date	Place	
1951	Oct. 22	Operation Buster Jangle, Nevada Flats.					7 air, tower, and surface or underground bursts. Low yield. Tactical.
	Oct. 28						
	Oct. 30						
	Nov. 1						
	Nov. 5						
	Nov. 19						
	Nov. 29						
1952	Spring and summer	Operation Tumbler Snapper, Nevada Flats.					8 air and tower bursts. Troop participation in some tests.
	Apr. 1						
	Apr. 15						
	Apr. 22						
	May 1						
	May 7						
	May 25						
	June 1						
	June 5						
	Fall	Operation Ivy, Eniwetok					2 tests. 1 was the 1st hydrogen bomb ever exploded. Yield 5 megatons.
					Oct. 3	Monte Bello Islands.	Nature of bomb not disclosed. Probably of Hiroshima type.
1953	Mar. 17	Operation Upshot Knothole, Nevada Flats.					11 tests: Air, tower, and 1 shot from a 280-millimeter gun. The largest explosion, that of Apr. 18, was reportedly equal to 30,000 to 40,000 tons of TNT.
	Mar. 24						
	Mar. 31						
	Apr. 6						
	Apr. 11						
	Apr. 16						
	Apr. 25						
	May 8						
	May 19						
	May 20						
	June 4						
			Aug. 12	Soviet territory			[Initial hydrogen bomb (nondeliverable).
			Aug. 31 [1]	do			Fission explosion in same range of energy release as Nevada Flats tests.
1954	Mar. 1	Operation Castle, Bikini					Hydrogen bomb reported to have had a yield of 15 megatons. Radioactive fallout over 7,000 square miles.
	Mar. 26						No information released concerning this test.
	Apr. 6	Eniwetok					3d test in the series. Presumably an H-bomb.
			Oct. 25	Soviet territory			Announcement made by the AEC of a series beginning in September.
1955	Feb. 18	Operation Teapot, Nevada Flats.					14 air, tower, and underground tests. Included atomic trigger for detonating H-bombs, also civil defense test and "air-killer" test.
	Feb. 22						
	Mar. 1						
	Mar. 7						
	Mar. 12						
	Mar. 22						
	Mar. 23						
	Mar. 29 (2 tests)						
	Apr. 6						
	Apr. 9						
	Apr. 15						
	May 5						
	May 15						
	May 17	Operation Wigwam, off west coast.					Small underwater atomic weapon exploded, probable yield 1,000 to 5,000 tons of TNT.
			Aug. 4	Soviet territory			AEC announced that the Soviets had resumed testing of nuclear weapons.
			Sept. 24	do			Announcement by AEC of another Soviet nuclear explosion.
					Oct. 15	Woomera Rocket Range, Australia.	2 tests, the 1st equivalent to 20,000 tons of TNT. No data for the 2d test.
			Nov. 10	Soviet territory			Announcement by AEC of a further test in the 1955 series.
			Nov. 23	do			Hydrogen bomb in the range of megatons. Khrushchev announced on Nov. 27 that it was a hydrogen bomb and that it had been dropped at a great height from an airplane.
1956			Mar. 21	Soviet territory, probably central Asia.			AEC announced another Soviet nuclear explosion.
			Apr. 2				Another explosion in current series announced by AEC.
	May 5	Operation Red Wing, Eniwetok.					Relatively small device exploded, about 10 kilotons.
					May 16	Monte Bello Islands.	Test expected to supply data for triggering of H-bomb.
	May 21	Bikini					1st H bomb dropped by U. S. Air Force. Yield at least 15 megatons.
			Aug. 24	Southwestern Siberia.			A series of small explosions.
			Aug. 30				
			Sept. 2				
					Sept. 27	Maralinga Proving Ground, South Australia.	4 tests, tower and air; new and cheaper kinds of A-bombs tested.
			Nov. 17	Southwestern Siberia.			Small explosion.
			Jan. 19	do			Moscow announced these tests were designed to perfect atomic warheads for tactical purposes.
			Mar. 8				
			Apr. 3				
			Apr. 6				
			Apr. 10				
			Apr. 12				
			Apr. 16				
					May 15	Christmas Islands.	H-bomb dropped from Vickers Valiant jet bomber. Energy release 1,000,000 tons of TNT.
	May 28	Beginning of Operation Plum Bob, atomic test site, Nevada. The tests are scheduled to continue into September.					Probably a warhead for small rockets or missiles. Yield about 10,000 tons of TNT.
					May 31	do	2d hydrogen bomb exploded by the British.

[1] One of a series.

Prepared for the use of the Subcommittee on Disarmament by Janie E. Mason, of the subcommittee staff, on loan from the Library of Congress, June 6, 1957.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER] to the committee amendment to the resolution of ratification. The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I further announce that if present and voting, the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Minnesota [Mr. THYE] is necessarily absent.

If present and voting, the Senator from Maine [Mr. PAYNE] and the Senator from Minnesota [Mr. THYE] would each vote "nay."

The result was announced—yeas 31, nays 55, as follows:

YEAS—31

Bennett	Flanders	Revercomb
Bible	Frear	Robertson
Bricker	Goldwater	Russell
Butler	Hruska	Schoeppel
Byrd	Jenner	Smathers
Case, S. Dak.	Johnston, S. C.	Stennis
Cotton	Magnuson	Talmadge
Curtis	Malone	Williams
Dworshak	Martin, Pa.	Young
Eastland	McClellan	
Ervin	Mundt	

NAYS—55

Aiken	Hayden	Morse
Allott	Hennings	Morton
Anderson	Hickenlooper	Murray
Barrett	Hill	Neuberger
Beall	Holland	Pastore
Bush	Humphrey	Potter
Capehart	Ives	Purtell
Carlson	Jackson	Saltonstall
Carroll	Javits	Scott
Case, N. J.	Johnson, Tex.	Smith, Maine
Church	Kennedy	Smith, N. J.
Clark	Kerr	Sparkman
Cooper	Knowland	Symington
Dirksen	Kuchel	Thurmond
Douglas	Lausche	Watkins
Ellender	Long	Wiley
Fulbright	Mansfield	Yarborough
Gore	Martin, Iowa	
Green	McNamara	

NOT VOTING—9

Bridges	Langer	O'Mahoney
Chavez	Monroney	Payne
Kefauver	Neely	Thye

So Mr. BRICKER's amendment to the committee amendment to the resolution of ratification was rejected.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the amendment of the Senator from Ohio to the committee amendment was rejected be reconsidered.

Mr. KNOWLAND. Mr. President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment to the resolution of ratification.

The amendment was agreed to.

The PRESIDING OFFICER. The question now occurs on agreeing to the resolution of ratification, as amended.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I further announce that if present and voting, the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY] and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Minnesota [Mr. THYE] is necessarily absent.

If present and voting, the Senator from Maine [Mr. PAYNE], and the Senator from Minnesota [Mr. THYE] would each vote "yea."

The yeas and nays resulted—yeas, 67, nays, 19, as follows:

YEAS—67

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hennings	Neuberger
Beall	Hickenlooper	Pastore
Bennett	Hill	Potter
Bush	Holland	Purtell
Capehart	Humphrey	Revercomb
Carlson	Ives	Robertson
Carroll	Jackson	Saltonstall
Case, N. J.	Javits	Scott
Case, S. Dak.	Johnson, Tex.	Smathers
Church	Johnston, S. C.	Smith, Maine
Clark	Kennedy	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Symington
Dirksen	Lausche	Thurmond
Douglas	Long	Watkins
Ellender	Magnuson	Wiley
Ervin	Mansfield	Williams
Flanders	Martin, Iowa	Yarborough
Fulbright	McNamara	
Goldwater	Morse	

NAYS—19

Bible	Frear	Russell
Bricker	Hruska	Schoeppel
Butler	Jenner	Stennis
Byrd	Kerr	Talmadge
Curtis	Malone	Young
Dworshak	Martin, Pa.	
Eastland	McClellan	

NOT VOTING—9

Bridges	Langer	O'Mahoney
Chavez	Monroney	Payne
Kefauver	Neely	Thye

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification, as amended, is agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which it gave its advice and consent to the treaty.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be notified that the Senate has given its advice and consent to the treaty.

The PRESIDING OFFICER. Without objection, the President will be notified.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to the consideration of legislative business.

DETERIORATION IN VALUE OF UNITED STATES BONDS

Mr. GORE. Mr. President, I shall detain the Senate only a moment. Since I have undertaken to place in the RECORD each day the transactions relating either to the new high in the interest rates or the new low in the price of United States bonds, I call the attention of the Senate to the fact that on yesterday the Government paid the highest rate on short-term paper that it has paid since the bank holiday of 1933.

I call attention also to the fact that 11 issues of United States Government bonds sank to a new low; that there was a very severe deterioration in the value of the bonds of the United States Government; and that the holders of those bonds lost yesterday, in value $334,365,062.

HELLS CANYON DAM

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 330, Senate bill 555.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 555) to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

LEGISLATIVE PROGRAM TOMORROW—THE CIVIL RIGHTS BILL—ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield to Senators if they have any insertions to make in the RECORD. Otherwise, pursuant to the order previously entered, I am about to move that the Senate adjourn.

I desire to call to the attention of Senators that when the Senate convenes

tomorrow, there will be a limited morning hour. Senators may be recognized for the purpose of introducing bills, and they will be limited to statements of 3 minutes, at the conclusion of which the so-called civil rights bill will be laid before the Senate. I want all Senators to be on notice. I expect that will take place sometime around 12:30 o'clock. We shall suggest the absence of a quorum, and obtain a quorum, before the Chair lays the House bill before the Senate.

Mr. President, pursuant to the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 8 o'clock and 14 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Wednesday, June 19, 1957, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 18, 1957:

DEPARTMENT OF STATE

Roy Richard Rubottom, Jr., of Texas, to be an Assistant Secretary of State.

FEDERAL HOME LOAN BANK BOARD

Albert James Robertson, of Iowa, to be a member of the Federal Home Loan Bank Board, term of 4 years expiring June 30, 1961.

UNITED STATES MARSHAL

Darrell O. Holmes, of Washington, to be a United States marshal for the eastern district of Washington for a term of 4 years.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 18, 1957

The House met at 11 o'clock a. m.

Rev. Francis B. Schulte, chairman, social studies department, Reading Central Catholic High School, Reading, Pa., offered the following prayer:

Save this moment, O Lord, from being merely a gesture to custom or convention, and make it a real experience for each one of us in this place as we call upon Thee for guidance and for help.

O God of grace and God of glory, make us heed Thy presence in the business of this day.

May that presence give us the peace of a good conscience for our actions in conformity with Thy will. But grant us also the true blessing of a reproachful conscience if we should ever allow expediency to distort our vision.

May that same presence of Thine remind us of that forgottten and misunderstood virtue, humility. Let us always be humble enough to remember that as we rule, we really serve, and as we judge, we shall face judgment.

May our hearts burn within us with the fire you came on earth to kindle, burn for truth, burn for justice, burn for charity.

All this we ask of Thee, O God, through Jesus Christ, Thy Son, our Lord, who lives and reigns with Thee in the unity of the Holy Spirit, God, world without end. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JUNE 18, 1957.

The honorable the SPEAKER,
House of Representatives.

SIR: Desiring to be temporarily absent from my office, I hereby designate Mr. H. Newlin Megill, an official in my office, to sign any and all papers and do all other acts for me which he would be authorized to do by virtue of this designation and of clause 4, rule III of the House.

Respectfully yours,

RALPH R. ROBERTS,
Clerk, United States House of Representatives.

CIVIL RIGHTS ACT OF 1957

The SPEAKER. The unfinished business is the third reading of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

CALL OF THE HOUSE

Mr. VAN PELT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 111]

Bailey	Hillings	Scherer
Baker	Holtzman	Simpson, Ill.
Beamer	Kean	Springer
Bentley	McConnell	Taber
Bowler	McGovern	Walter
Gray	McIntosh	Williams, N. Y.
Griffin	Machrowicz	Wilson, Calif.

The SPEAKER. On this rollcall 413 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS ACT OF 1957

The SPEAKER. The Chair will state again that the unfinished business is the third reading of the bill H. R. 6127, the so-called civil-rights bill, which the Clerk will read by title.

The bill was read the third time.

Mr. MARTIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARTIN. Mr. Speaker, on a motion to recommit, for over 20 years it has been the custom for the minority leader to select the Member who shall make that motion. The leader has selected a member of the committee who is absolutely opposed to the bill. My parliamentary inquiry is, does he have preference over someone who would move to recommit with instructions but who at the same time would not vote for the bill even if the motion to recommit should prevail? So I propound the inquiry whether a gentleman who is absolutely opposed to the bill, who led the fight for the jury trial amendment in the committee, would have preference over someone who would not vote for the bill even in the event a motion to recommit prevailed.

The SPEAKER. The Chair in answer to that will ask the Clerk to read the holding of Mr. Speaker Champ Clark, which is found in volume 8 of Cannon's Precedents of the House of Representatives, section 2767.

The Clerk read as follows:

The Chair laid down this rule, from which he never intends to depart unless overruled by the House, that on a motion to recommit he will give preference to the gentleman at the head of the minority list, provided he qualifies, and then go down the list of the minority of the committee until it is gotten through with. And then if no one of them offer a motion to recommit the Chair will recognize the gentleman from Kansas [Mr. Murdock], as the leader of the third party in the House. Of course he would have to qualify. The Chair will state it again. The present occupant of the chair laid down a rule here about a year ago that in making this preferential motion for recommittment the Speaker would recognize the top man on the minority of the committee if he qualified—that is, if he says he is opposed to the bill—and so on down to the end of the minority list of the committee.

Mr. MARTIN. Will the Clerk continue the reading of the section? I think there is a little more to it than that.

The SPEAKER. If the gentleman desires, the Clerk will read the entire quotation. The Clerk will continue to read.

The Clerk read as follows:

Then, if no gentleman on the committee wants to make the motion, the Speaker will recognize the gentleman from Illinois, Mr. Mann, because he is the leader of the minority. Then, in the next place, the Speaker would recognize the gentleman from Kansas, Mr. Murdock. But in this case, the gentleman from Kansas, Mr. Murdock, is on the Ways and Means Committee, which would bring him in ahead, under that rule, of the gentleman from Illinois, Mr. Mann.

Mr. MARTIN. The Chair does not think that preference should be given to an individual who was going to make a motion to recommit and who was absolutely opposed to the bill?

The SPEAKER. The Chair is not qualified to answer a question like that. The Chair in response to the parliamentary inquiry of the gentleman from Massachusetts will say that the decision made by Mr. Speaker Champ Clark has never been overturned, and it has been upheld by 1 or 2 Speakers since that time, especially by Mr. Speaker Garner in 1932.

In looking over this list, the Chair has gone down the list and will make the decision when someone arises to make a motion to recommit. The Chair does not know entirely who is going to seek recognition.

Mr. POFF. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. POFF. I am, Mr. Speaker.

Mr. KEENEY. Mr. Speaker, I also offer a motion to recommit, and I, too, am opposed to the bill.

The SPEAKER. In this instance the Chair finds that no one has arisen who is a member of the minority of the Committee on the Judiciary until it comes down to the name of the gentleman from Virginia [Mr. POFF]. He ranks the gentleman from Illinois [Mr. KEENEY] and is therefore senior. Under the rules and precedents of the House, the Chair therefore must recognize the gentleman from Virginia [Mr. POFF].

The Clerk will report the motion to recommit offered by the gentleman from Virginia.

The Clerk read as follows:

Mr. POFF moves to recommit the bill H. R. 6127 to the Committee on the Judiciary with instructions to report the bill back forthwith the following amendment: Page 10, line 5, afer the word "order" strike out the period, insert a semicolon and add the following: "*Provided*, That in all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any action or proceeding instituted under this act, and the act or thing done or omitted also constitutes a criminal offense under any Act of Congress, or under the laws of any State in which it was done or omitted, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

"This proviso shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct or disobedience of any officer of the court in respect to the writs, orders, or process of the court."

Mr. KEATING. Mr. Speaker, I make the point of order that the wording of the motion to recommit is not germane to the bill. We have already debated the germaneness of the wording of this motion in Committee of the Whole. But, I have this additional observation to make, which was not made, as I recall, during the debate, namely, that this proposed amendment is to the act, where as it is inserted as an amendment to a section of the act. It is sought to insert this in part III of the bill only at page 10, line 5, but it purports to be an amendment to the entire act. We had a similar situation presented in the Committee in the consideration of this matter and the Chair ruled in Committee that because the wording was an amendment to the section, but was worded as an amendment to the act, that it was not germane. I urge that if the amendment were to the act, as it purports to be, it would have to be at some other point in the bill and could not be an amendment to the act in the middle of one of the sections of the act.

The SPEAKER. The Chair is ready to rule.

This same question was raised in the Committee of the Whole on the same amendment. The very capable gentleman from Rhode Island [Mr. FORAND], Chairman of the Committee of the Whole, overruled the point of order after having heard all the debate. The present occupant of the Chair, having read all of the debate and having heard most of it, reaffirms the decision of the Chairman of the Committee of the Whole in the consideration of the bill and, therefore, overrules the point of order.

Mr. CELLER. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. POFF. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 158, nays 251, answered "present" 6, not voting 18, as follows:

[Roll No. 112]

YEAS—158

Abbitt	Gary	O'Hara, Minn.
Abernethy	Gathings	Passman
Adair	Grant	Patman
Albert	Gregory	Perkins
Alexander	Gross	Pilcher
Alger	Gwinn	Pillion
Andersen, H. Carl	Hale	Poage
	Hardy	Poff
Andresen, August H.	Harris	Polk
	Harrison, Nebr.	Preston
Andrews	Harrison, Va.	Rains
Ashmore	Hays, Ark.	Ray
Barden	Hébert	Rees, Kans.
Bass, Tenn.	Hemphill	Rhodes, Ariz.
Beckworth	Herlong	Riley
Bennett, Fla.	Hiestand	Rivers
Bennett, Mich.	Hoffman	Roberts
Blitch	Huddleston	Robeson, Va.
Boggs	Hull	Robsion, Ky.
Bonner	Hyde	Rogers, Fla.
Bow	Ikard	Rogers, Mass.
Boykin	Jarman	Rogers, Tex.
Bray	Jennings	Rutherford
Brooks, La.	Jensen	Scott, N. C.
Brooks, Tex.	Johansen	Selden
Brown, Ga.	Jonas	Shuford
Broyhill	Jones, Ala.	Sikes
Budge	Jones, Mo.	Siler
Burleson	Keeney	Smith, Kans.
Byrd	Kilburn	Smith, Miss.
Chelf	Kilday	Smith, Va.
Chenoweth	Kilgore	Smith, Wis.
Clevenger	Kitchin	Spence
Cole	Knox	Taber
Colmer	Landrum	Teague, Tex.
Cooley	Lanham	Thomas
Cooper	Lennon	Thompson, La.
Cramer	Long	Thompson, Tex.
Davis, Ga.	Loser	Thornberry
Davis, Tenn.	McMillan	Trimble
Devereux	Mahon	Tuck
Dies	Marshall	Van Pelt
Dorn, S. C.	Mason	Vinson
Dowdy	Matthews	Watts
Durham	Miller, Nebr.	Weaver
Edmondson	Miller, N. Y.	Whitener
Elliott	Mills	Whitten
Evins	Morris	Williams, Miss.
Fascell	Morrison	Willis
Fisher	Moulder	Winstead
Flynt	Natcher	Wright
Forrester	Neal	Young
Fountain	Nicholson	
Frazier	Norrell	

NAYS—251

Addonizio	Breeding	Coudert
Allen, Calif.	Broomfield	Cretella
Allen, Ill.	Brown, Mo.	Cunningham, Iowa
Anderson, Mont.	Brown, Ohio	
	Brownson	Cunningham, Nebr.
Anfuso	Buckley	
Arends	Burdick	Curtin
Ashley	Bush	Curtis, Mass.
Aspinall	Byrne, Ill.	Curtis, Mo.
Auchincloss	Byrne, Pa.	Dague
Avery	Byrnes, Wis.	Dawson, Ill.
Ayres	Canfield	Dawson, Utah
Baldwin	Cannon	Delaney
Baring	Carnahan	Dellay
Barrett	Carrigg	Dempsey
Bass, N. H.	Cederberg	Dennison
Bates	Celler	Denton
Baumhart	Chamberlain	Derounian
Becker	Chiperfield	Diggs
Belcher	Christopher	Dingell
Betts	Chudoff	Dixon
Blatnik	Church	Dollinger
Boland	Clark	Donohue
Bolling	Coad	Dooley
Bolton	Coffin	Dorn, N. Y.
Bosch	Collier	Doyle
Boyle	Corbett	Dwyer
Eberharter	Krueger	Reuss
Engle	Laird	Rhodes, Pa.
Fallon	Lane	Riehlman
Farbstein	Lankford	Rodino
Feighan	Latham	Rogers, Colo.
Fenton	LeCompte	Rooney
Fino	Lesinski	Roosevelt
Flood	Lipscomb	Sadlak
Fogarty	McCarthy	Santangelo
Forand	McCormack	St. George
Ford	McCulloch	Saund
Frelinghuysen	McDonough	Saylor
Friedel	McFall	Schenck
Fulton	McGregor	Schwengel
Garmatz	McIntire	Scott, Pa.
Gavin	McVey	Scrivner
George	Macdonald	Scudder
Gordon	Mack, Ill.	Seely-Brown
Granahan	Mack, Wash.	Sheehan
Gray	Madden	Shelley
Green, Oreg.	Magnuson	Sheppard
Green, Pa.	Mailliard	Sieminski
Griffiths	Martin	Simpson, Pa.
Gubser	May	Sisk
Hagen	Meader	Smith, Calif.
Hale	Merrow	Springer
Halleck	Metcalf	Staggers
Harden	Michel	Stauffer
Harvey	Miller, Calif.	Sullivan
Haskell	Minshall	Talle
Hays, Ohio	Montoya	Taylor
Healey	Moore	Teague, Calif.
Henderson	Morano	Teller
Heselton	Morgan	Tewes
Hill	Moss	Thompson, N. J.
Hoeven	Multer	Thomson, Wyo.
Holifield	Mumma	Tollefson
Holland	Nimtz	Udall
Holmes	Norblad	Ullman
Holt	O'Brien, Ill.	Vanik
Horan	O'Brien, N. Y.	Van Zandt
Hosmer	O'Hara, Ill.	Vorys
James	O'Konski	Vursell
Jenkins	O'Neill	Weinwright
Johnson	Osmers	Westland
Judd	Ostertag	Wharton
Karsten	Patterson	Widnall
Kearney	Pelly	Wier
Kearns	Pfost	Wigglesworth
Keating	Philbin	Wilson, Calif.
Kee	Porter	Wilson, Ind.
Kelley, Pa.	Powell	Withrow
Kelly, N. Y.	Price	Wolverton
Keogh	Prouty	Yates
King	Rabaut	Younger
Kirwan	Radwan	Zablocki
Kluczynski	Reece, Tenn.	Zelenko
Knuteon	Reed	

ANSWERED "PRESENT"—6

Berry	Jackson	Steed
Hess	Miller, Md.	Utt

NOT VOTING—18

Bailey	Hillings	Machrowicz
Baker	Holtzman	Murray
Beamer	Kean	Scherer
Bentley	McConnell	Simpson, Ill.
Bowler	McGovern	Walter
Griffin	McIntosh	Williams, N. Y.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Baker for, with Mr. Kean against.
Mr. Utt for, with Mr. Hillings against.
Mr. Steed for, with Mr. Machrowicz against.
Mr. Murray for, with Mr. Holtzman against.
Mr. Jackson for, with Mr. Williams of New York against.
Mr. Berry for, with Mr. Beamer against.
Mr. Hess for, with Mr. Simpson of Illinois against.
Mr. Miller of Maryland for, with Mr. McConnell against.

Until further notice:

Mr. Bailey with Mr. Bentley.
Mr. Walter with Mr. Griffin.
Mr. McGovern with Mr. Scherer.
Mr. Bowler with Mr. McIntosh.

Mr. STEED. Mr. Speaker, I have a live pair with the gentleman from Michigan, Mr. MACHROWICZ. If he were present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

Mr. JACKSON. Mr. Speaker, I have a live pair with the gentleman from New York, Mr. WILLIAMS. I voted "yea." If he were present he would have voted "nay." I withdraw my vote and vote "present."

Mr. UTT. Mr. Speaker, I have a live pair with the gentleman from California, Mr. HILLINGS. If he were present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

Mr. BERRY. Mr. Speaker, I voted "yea." I have a live pair with the gentleman from Indiana, Mr. BEAMER. Had he been present he would have voted "nay." I therefore withdraw my vote and vote "present."

Mr. HESS. Mr. Speaker, I voted "yea." I have a live pair with the gentleman from Illinois, Mr. SIMPSON. Had he been present he would have voted "nay." I therefore withdraw my vote and vote "present."

Mr. MILLER of Maryland. Mr. Speaker, I voted "yea." I have a live pair with the gentleman from Pennsylvania, Mr. MCCONNELL. Had he been present he would have voted "nay." I therefore withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. KEATING. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KEATING. My inquiry is this, Mr. Speaker: Can the Speaker inform the House when the bill will be messaged to the Senate after the passage of the measure?

The SPEAKER. That is a question the Chair had put to him today in a press conference, and he did not enjoy any part of it. This bill is going to take the same course as every other bill that is passed. Any suggestion from any source that it might be held up is utterly unjustified.

Mr. KEATING. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. KEATING. Does the bill in its ordinary course go to the Senate on the same day it is passed?

The SPEAKER. If it is engrossed it does.

The question is on the passage of the bill.

Mr. SMITH of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken: and there were—yeas 286, nays 126, answered "present" 2, not voting 19, as follows:

[Roll No. 113]

YEAS—286

Adair	Ashley	Belcher
Addonizio	Aspinall	Berry
Allen, Calif.	Auchincloss	Betts
Allen, Ill.	Avery	Blatnik
Andersen, H. Carl	Ayres	Boland
Anderson, Mont.	Baldwin	Bolling
Andresen, August H.	Baring	Bolton
Anfuso	Barrett	Bosch
Arends	Bass, N. H.	Bow
	Bates	Boyle
	Baumhart	Bray
	Becker	Breeding
Broomfield	Halleck	O'Brien, N. Y.
Brown, Mo.	Harden	O'Hara, Ill.
Brown, Ohio	Harrison, Nebr.	O'Konski
Brownson	Harvey	O'Neill
Buckley	Haskell	Osmers
Burdick	Hays, Ohio	Ostertag
Bush	Healey	Patterson
Byrd	Henderson	Pelly
Byrne, Ill.	Heselton	Perkins
Byrne, Pa.	Hess	Pfost
Byrnes, Wis.	Hiestand	Philbin
Canfield	Hill	Pillion
Cannon	Hoeven	Polk
Carnahan	Holifield	Porter
Carrigg	Holland	Powell
Cederberg	Holmes	Price
Celler	Holt	Prouty
Chamberlain	Horan	Rabaut
Chenoweth	Hosmer	Radwan
Chiperfield	Hyde	Reece, Tenn.
Christopher	Jackson	Reed
Chudoff	James	Rees, Kans.
Church	Jenkins	Reuss
Clark	Johnson	Rhodes, Ariz.
Coad	Judd	Rhodes, Pa.
Coffin	Karsten	Riehlman
Cole	Kearney	Robsion, Ky.
Collier	Kearns	Rodino
Corbett	Keating	Rogers, Colo.
Coudert	Kee	Rogers, Mass.
Cretella	Kelley, Pa.	Rooney
Cunningham, Iowa	Kelly, N. Y.	Roosevelt
Cunningham, Nebr.	Keogh	Sadlak
Curtin	King	Santangelo
Curtis, Mass.	Kirwan	St. George
Curtis, Mo.	Kluczynski	Saund
Dague	Knox	Saylor
Dawson, Ill.	Knutson	Schenck
Dawson, Utah	Krueger	Schwengel
Delaney	Laird	Scott, Pa.
Dellay	Lane	Scrivner
Dempsey	Lankford	Scudder
Dennison	LeCompte	Seely-Brown
Denton	Lesinski	Sheehan
Derounian	Lipscomb	Shelley
Devereux	McCarthy	Sheppard
Diggs	McCormack	Sieminski
Dingell	McCulloch	Siler
Dixon	McDonough	Simpson, Pa.
Dollinger	McFall	Sisk
Donohue	McGregor	Smith, Calif.
Dooley	McIntire	Springer
Dorn, N. Y.	McVey	Staggers
Doyle	Macdonald	Stauffer
Dwyer	Mack, Ill.	Sullivan
Eberharter	Mack, Wash.	Talle
Edmondson	Madden	Taylor
Engle	Magnuson	Teague, Calif.
Fallon	Mailliard	Teller
Farbstein	Marshall	Tewes
Feighan	Martin	Thompson, N. J.
Fenton	May	Thomson, Wyo.
Fino	Meader	Tollefson
Flood	Metcalf	Udall
Fogarty	Michel	Ullman
Forand	Miller, Calif.	Vanik
Ford	Miller, Md.	Van Pelt
Frelinghuysen	Miller, Nebr.	Van Zandt
Friedel	Miller, N. Y.	Vorys
Fulton	Minshall	Vursell
Garmatz	Montoya	Wainwright
Gavin	Moore	Weaver
George	Morano	Westland
Gordon	Morgan	Wharton
Granahan	Moss	Widnall
Gray	Moulder	Wier
Green, Oreg.	Multer	Wigglesworth
Green, Pa.	Mumma	Wilson, Calif.
Griffiths	Neal	Wilson, Ind.
Gubser	Nicholson	Withrow
Gwinn	Nimtz	Wolverton
Hagen	Norblad	Yates
Hale	O'Brien, Ill.	Younger
		Zablocki
		Zelenko

NAYS—126

Abbitt	Brown, Ga.	Fascell
Abernethy	Broyhill	Fisher
Albert	Budge	Flynt
Alexander	Burleson	Forrester
Alger	Byrd	Fountain
Andrews	Clevenger	Frazier
Ashmore	Colmer	Gary
Barden	Cooley	Gathings
Bass, Tenn.	Cooper	Grant
Beckworth	Cramer	Gregory
Bennett, Fla.	Davis, Ga.	Gross
Bennett, Mich.	Davis, Tenn.	Haley
Blitch	Dies	Hardy
Boggs	Dorn, S. C.	Harris
Bonner	Dowdy	Harrison, Va.
Boykin	Durham	Hays, Ark.
Brooks, La.	Elliott	Hébert
Brooks, Tex.	Evins	Hemphill
Herlong	Matthews	Shuford
Hoffman	Mills	Sikes
Huddleston	Morris	Smith, Kans.
Hull	Morrison	Smith, Miss.
Ikard	Natcher	Smith, Va.
Jarman	Norrell	Smith, Wis.
Jennings	O'Hara, Minn.	Spence
Johansen	Passman	Taber
Jonas	Patman	Teague, Tex.
Jones, Ala.	Pilcher	Thomas
Jones, Mo.	Ponge	Thompson, La.
Keeney	Poff	Thompson, Tex.
Kilburn	Preston	Thornberry
Kilday	Rains	Trimble
Kilgore	Ray	Tuck
Kitchin	Riley	Vinson
Landrum	Rivers	Watts
Lanham	Roberts	Whitener
Lennon	Robeson, Va.	Whitten
Long	Rogers, Fla.	Williams, Miss.
Loser	Rogers, Tex.	Willis
McMillan	Rutherford	Winstead
Mahon	Scott, N. C.	Wright
Mason	Selden	Young

ANSWERED "PRESENT"—2

Steed Utt

NOT VOTING—19

Bailey	Holtzman	Murray
Baker	Jensen	Scherer
Beamer	Kean	Simpson, Ill.
Bentley	McConnell	Walter
Bowler	McGovern	Williams, N. Y.
Griffin	McIntosh	
Hillings	Machrowicz	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Kean for, with Mr. Baker against.
Mr. Hillings for, with Mr. Utt against.
Mr. Machrowicz for, with Mr. Stead against.
Mr. Bailey for, with Mr. Murray against.

Until further notice:

Mr. Holtzman with Mr. Bentley.
Mr. Walter with Mr. McIntosh.
Mr. McGovern with Mr. Griffin.
Mr. Bowler with Mr. Scherer.

Mr. STEED. Mr. Speaker, I have a live pair with the gentleman from Michigan, Mr. MACHROWICZ. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. UTT. Mr. Speaker, I have a live pair with the gentleman from California, Mr. HILLINGS. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, FISCAL YEAR 1958

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. FOGARTY, LANHAM, DENTON, CANNON, TABER, and LAIRD.

WAIVING PROVISION OF IMMIGRATION AND NATIONALITY ACT IN BEHALF OF CERTAIN ALIENS

Mr. CHELF. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. J. Res. 274) to waive the provision of section 212 (a) (9) of the Immigration and Nationality Act in behalf of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 11, after "Giordano", insert "and."

Page 1, line 11, and page 2, line 1, strike out "and Mrs. Anna Hoczak Aumueller Cathey."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

JEFFREY CHARLES MEDWORTH

Mr. CHELF. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1454) for the relief of Jeffrey Charles Medworth, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, for the purposes of the Immigration and Nationality Act, Jeffrey Charles Medworth, a British subject who was born in India, shall be deemed to have been born in Great Britain."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MRS. THEODORE ROUSSEAU

Mr. CHELF. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1359) for the relief of Mrs. Theodore (Nicole Xantho) Rousseau, with a Senate amendment thereto, and concur in the Senate amendment with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, in the administration of the Immigration and Nationality Act, Mrs. Theodore (Nicole Xantho) Rousseau shall be deemed to be within the purview of section 354 (3) of the said act."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. I offer an amendment.

The Clerk read as follows:

Delete the period at the end of the Senate amendment, substitute a comma therefor, and add the following: "and to have had no nationality other than Rumanian prior to her nationalization as a United States citizen."

The amendment was agreed to.

The Senate amendment, as amended, was concurred in.

A motion to reconsider was laid on the table.

SENATE SALAD LUNCHEON, WEDNESDAY, JUNE 19

Mr. UTT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UTT. Mr. Speaker, in 1912 my father planted one of the first avocado orchards in California. Today the avocado is one of California's most noble products.

So, it is a matter of special pride to me to be able to contribute to the Senate salad, which will be introduced at tomorrow's luncheon between 1 and 3 p. m. in the Senate District of Columbia Committee Room.

We Californians all appreciate a good salad and we think that the Members of this great body from other States will have a growing appreciation of salad if you find a few minutes tomorrow to come over and sample the Senate salad.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

PETER V. BOSCH

The Clerk called the bill (S. 189) for the relief of Peter V. Bosch.

Mr. VAN PELT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

JULIAN D. DYCAICO

The Clerk called the bill (S. 407) for the relief of Julian D. Dycaico.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any statute of limitations or lapse of time, the Secretary of the Army is authorized and directed (1) to consider and determine any claim filed under section 2734 of title 10 of the United States Code within 1 year after the date of enactment of this act, by Julian D. Dycaico, of the Province of Pampanga, Republic of the Philippines, for compensation for the use of certain land belonging to him in the Republic of the Philippines by the Armed Forces of the United States during World War II and for damage to such land alleged to have been caused by the Armed Forces of the United States, and (2) to pay to the said Julian D. Dycaico, or to certify to Congress in accordance with the provisions of such section, the amount of compensation payable under such section to which he would have been entitled had such claim beeen filed within the time and in the manner provided by such section.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COL. BENJAMIN AXELROAD

The Clerk called the bill (S. 1008) for the relief of Col. Benjamin Axelroad.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Col. Benjamin Axelroad, Tullahoma, Tenn., the sum of $2,799.50, as compensation for legal services performed and expenses incurred in assisting Chester H. Tuck, Mary Elizabeth Fisher, James Thomas Harper, and Mrs. T. W. Bennett, all of Tullahoma, Tenn., in the successful prosecution of their claims against the United States. Although the efforts of the said Col. Benjamin Axelroad contributed materially to the obtaining of evidence which led to the enactment of a private law for the relief of the abovementioned claimants (Private Law 498, 83d Cong.), such private law prevented any payment to the said Col. Benjamin Axelroad out of sums appropriated in such private law: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim of the said Col. Benjamin Axelroad for such compensation, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTOINE VELLEMAN

The Clerk called the bill (S. 1206) for the relief of Antoine Velleman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Antoine Velleman, of Geneva, Switzerland, the sum of $526.06. The payment of such sum shall be in full satisfaction of all claims of the said Antoine Velleman against the United States for compensation for services rendered by him as an instructor for the United States Army internees at Adelboden, Switzerland, from August 1, 1944, to September 15, 1944: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GILLOUS M. YOUNG

The Clerk called the bill (H. R. 1492) for the relief of Gillous M. Young.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Second Lieutenant Gillous M. Young, United States Air Force, retired, of San Antonio, Texas, is hereby relieved of all liability to refund to the United States the sum of $3,751.47. Such sum represents the unrefunded portion of the retired pay (originally totaling $5,127.12) received by the said Gillous M. Young for the period beginning January 8, 1951, and ending February 28, 1953, while he was employed as an aircraft radio flight repairer at Kelly Air Force Base in Texas and was receiving compensation and retired pay from the United States at a combined annual rate in excess of that permitted by law. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Gillous M. Young, the sum of $1,375.65. Such sum represents the portion of the retired pay received by the said Gillous M. Young for the period beginning January 8, 1951, and ending February 28, 1953, which he has already refunded to the United States by means of deductions from amounts otherwise due him: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTONIO RANALLETTA

The Clerk called the bill (H. R. 1634) for the relief of Antonio Ranalletta.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $500 to Antonio Ranalletta, of 6 Alps Street, Rochester, N. Y., in full settlement of all claims against the United States as reimbursement for bond posted in his behalf: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE W. ARNOLD

The Clerk called the bill (H. R. 1661) for the relief of George W. Arnold.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to relieve George W. Arnold, an employee of the Treasury Department, of all liability to refund to the United States the sum of $1,707.50. Such sum represents the excess cost of shipping from Boston, Mass., to Paris, France, his personal and household effects over that authorized by Executive Order No. 9805.

With the following committee amendment:

On page 1, line 6, strike out "$1,707.50" and insert in lieu thereof "$1,101.09."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANKLIN INSTITUTE OF THE STATE OF PENNSYLVANIA

The Clerk called the bill (H. R. 2058) for the relief of the Franklin Institute of the State of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Franklin Institute of the State of Pennsylvania, Philadelphia, Pa., the sum of $1,476.95. The payment of such sum shall be in full settlement of all claims of the said Franklin Institute against the United States for reimbursement of amounts advanced by the said Franklin Institute to the Secretary of the Treasury in order to expedite the striking of 71 bronze medals commemorating the 250th anniversary of the birth of Benjamin Franklin, which medals were authorized to be struck by the act entitled "An act to authorize the issuance of commemorative medals to certain societies of which Benjamin Franklin was a member, founder, or sponsor in observance of the 250th anniversary of his birth," approved August 9, 1955 (69 Stat. 541): *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 8, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossd and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHYLLIS L. WARE

The Clerk called the bill (H. R. 2302) for the relief of Phyllis L. Ware.

Mr. SHEEHAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. BOGGS). Is there objection to the request of the gentleman from Illinois?

There was no objection.

LUCY ROLANDONE

The Clerk called the bill (H. R. 2592) for the relief of Lucy Rolandone.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 to Lucy Rolandone, of Oakland, Calif., in full settlement of all claims against the United States for personal injuries, hospital and medical expense sustained as the result of an accident involving a Federal Communications Commission vehicle at the intersection of Williams and Clarke Streets, San Leandro, Calif., on June 14, 1942.

With the following committee amendment:

On page 1, line 11, strike out the period and add the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HARRIET SAKAYO HAMAMOTO DEWA

The Clerk called the bill (H. R. 2740) for the relief of Mrs. Harriet Sakayo Hamamoto Dewa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Harriet Sakayo Hamamoto Dewa, Madison, Wis., in the sum of $5,381.04. The payment of such sum shall be in full settlement of all claims of the said Mrs. Dewa against the United States arising out of the confiscation and total loss of her sampan, the Itsukushima Maru, together with all the supplies and equipment thereon, which occurred while such sampan was in the custody of the Armed Forces of the United States between December 10, 1941 (when it was seized by the United States Navy off the coast of Oahu, Hawaii) and July 31, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out the figures and insert in lieu thereof "5,280.62."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY AND SADIE WOONTEILER

The Clerk called the bill (H. R. 2928) for the relief of Harry and Sadie Woonteiler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Woonteiler, of New York, N. Y., the sum of $2,500, and to Sadie Woonteiler, of New York, N. Y., the sum of $15,000. The payment of such sums shall be in full settlement of all claims of the said Harry and Sadie Woonteiler against the United States arising out of an automobile accident which occurred on July 20, 1952, in Barranquilla, Colombia, in which the personal injuries sustained by the said Harry and Sadie Woonteiler were found to have been caused by the negligence of the operator of a truck owned by the United States Embassy in Colombia. No part of either of the sums appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "$2,500," and insert "$500."

Page 1, line 7, strike out the figures "$15,000," and insert "$3,500."

Page 2, line 3, strike out "United States Embassy in Colombia," and insert "Inter-American Geodetic Survey."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARENCE L. HARRIS

The Clerk called the bill (H. R. 2937) for the relief of Clarence L. Harris.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $204.73 to Clarence L. Harris, of Little Rock, Ark., in full settlement of all claims against the United States. Such sum represents a refund of alleged excess cost in connection with the return of his household goods from Tripoli, Libya, North Africa, to Little Rock, Ark., pursuant to official travel orders directing permanent change of station during the month of September 1954: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALTON B. YORK

The Clerk called the bill (H. R. 2985) for the relief of Alton B. York.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alton B. York, Cottage Grove, Oregon, the sum of $711.76. The payment of such sum shall be in full settlement of all claims of the said Alton B. York against the United States arising out of personal injuries and property damage sustained by him on November 1, 1951, when the truck which he was driving was struck near Tacoma, Washington, by an Army cargo truck which had been negligently driven through a stoplight. Such claim is not cognizable under the Federal Tort Claims Acts because of the fact that the driver of the Army truck (an enlisted man of the Army) was using such truck for unauthorized purposes and was not acting within the scope of his employment at the time of the accident: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 7, following the word "act" strike out the balance of the line.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. GRACE C. HILL

The Clerk called the bill (H. R. 3280) for the relief of Mrs. Grace C. Hill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Mrs. Grace C. Hill, of Joppa, Md., is hereby relieved of all liability to refund to the United States the sum of $371.81. Such sum represents the amount of certain alleged salary overpayment made to her in connection with a promotion on November 29, 1953, in violation of the so-called Whitten amendment. Such overpayment was made to her while employed by the Army Chemical Center, Maryland, entirely beyond her knowledge and control.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Mrs. Grace C. Hill, an amount equal to the aggregate of any amounts which have been made, or withheld from or credited against sums otherwise due her, in complete or partial satisfaction of the claim of the United States for such refund.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY GOLD

The Clerk called the bill (H. R. 3309) for the relief of Harry Gold.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Gold, Los Angeles, Calif., the sum of $368.74. The payment of such sum shall be in full settlement of all claims of the said Harry Gold against the United States for reimbursement of expenses incurred by him in traveling to Hawaii in February 1956, to bid on surplus goods as the invitation of the Secretary of the Army. Such invitation to bid was canceled by the Secretary of the Army but the said Harry Gold was not informed of such cancellation until after his arrival in Hawaii: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 10, strike out "as" and insert in lieu thereof "at."

Page 2, line 3, strike out "in excess of 10 percent thereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM E. HEILMANN

The Clerk called the bill (H. R. 3899) for the relief of William E. Heilmann.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William E. Heilmann, Hartly-Templeville Road, Post Office Box 87, Hartly, Del., the amount as certified by the Secretary of the Navy, which would have been paid to the said William E. Heilmann, as night differential pay for the period from February 15, 1942, to June 15, 1943, had application for such pay been filed on or before July 31, 1948, as provided by the act of July 31, 1946 (5 U. S. C. 949o): *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 2, line 1, strike out "(5 U. S. C. 9490)" and insert in lieu thereof "(60 Stat. 747; 5 U. S. C., sec. 951)."

Page 2, line 3, strike out "in excess of 10 percent thereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RAMON TAVAREZ

The Clerk called the bill (H. R. 4335) for the relief of Ramon Tavarez.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

LESLIE A. BATDORF

The Clerk called the bill (H. R. 4541) for the relief of Leslie A. Batdorf.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $500 to Leslie A. Batdorf, 625 North Second Street, Shamokin, Pa., in full settlement of all claims against the United States as reimbursement for bond posted for Gretel Parks (nee Weckler) on September 17, 1948: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ORVILLE G. EVERETT AND MRS. AGNES H. EVERETT

The Clerk called the bill (H. R. 5288) for the relief of Orville G. Everett and Mrs. Agnes H. Everett.

Mr. VAN PELT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

MRS. EMMA HANKEL

The Clerk called the bill (H. R. 5627) for the relief of Mrs. Emma Hankel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Emma Hankel, Tacoma, Wash., the sum of $150. The payment of such sum shall be in full settlement of all claims of the said Mrs. Emma Hankel against the United States for reimbursement of expenses incurred by her in connection with the burial of her husband, the late Henry W. Hankel (Veterans' Administration claim No. XC-1510422): *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOUAD GEORGE BAROODY

The Clerk called the bill (H. R. 6176) for the relief of Fouad George Baroody.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fouad George Baroody, of 105 Main Street, Timmonsville, S. C., the sum of $500. The payment of such sum shall be in full settlement of all claims of said Fouad George Baroody against the Government of the United States, in connection with the $500 departure bond posted by the said Fouad George Baroody, on behalf of himself on approximately May 22, 1950: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, lines 1 and 2, strike out "in excess of 10 per centum thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JANE BARNES

The Clerk called the bill (H. R. 6621) for the relief of Mrs. Jane Barnes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Mrs. Jane Barnes, of 385 Hawthorne Street, Brooklyn, N. Y., the sum of $150, in full settlement of all claims against the United States. Such sum represents the statutory award of burial expenses of her son, Theodore R. Barnes, a veteran of World War II, which she did not receive within the 2-year period of the statute of limitations: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS S. THOMAS AND D. GRACE THOMAS

The Clerk called the bill (H. R. 7213) for the relief of Louis S. Thomas and D. Grace Thomas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis S. Thomas and D. Grace Thomas, both of Deep River, Conn., the sums of $2,000 and $8,000, respectively, in full settlement of all their claims against the United States arising out of large expenses and serious injuries sustained by them when the automobile in which they were riding was struck by a Navy station wagon at Middletown, Conn., on or about May 9, 1946. The losses and serious injuries complained of and sustained by the said Louis S. Thomas and D. Grace Thomas at said time and place were the direct results of the grossly negligent operation by the Navy personnel of the Navy vehicle, the driver of which was asleep at the wheel. At said time and place the said Louis S. Thomas and D. Grace Thomas were free from any negligence which in any way contributed toward said accident and the resulting injuries therefrom. In actions brought on these claims under the provisions of title 28 of the United States Code relating to tort claims, the United States District Court for the District of Connecticut decided on June 6, 1950, that it is without jurisdiction because the driver of the Navy station wagon was not acting within the scope of his office or employment: *Provided*, That no part of either of the sums appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$2,000" and insert "$1,000."

Page 1, line 7, strike out "$8,000" and insert "$6,500."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD NEAL FISHER

The Clerk called the bill (H. R. 7554) for the relief of Edward Neal Fisher.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of all laws of the United States, Edward Neal Fisher, Effingham, Ill., shall be held and considered to have served continuously on active duty with the United States Army during the period beginning May 20, 1898, and ending May 2, 1899, both dates inclusive, and to have received an honorable discharge from such service.

SEC. 2. No benefits shall be payable by reason of this act to any person for any period prior to the date on which an application for such benefits is filed subsequent to the date of enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHILIP J. DENTON

The Clerk called the bill (H. R. 1446) for the relief of Philip J. Denton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 15 to 20, inclusive, of the Federal Employees' Compensation Act are hereby waived in favor of Philip J. Denton, Loveland, Colo., and his claim for compensation for disability sustained by him as a result of disease incurred during the period beginning June 1, 1940, and ending November 30, 1945, while he was employed by the Department of the Interior, Bureau of Reclamation, at Estes Park, Colo., shall be acted upon under the remaining provisions of such act if he files such claim with the Bureau of Employees' Compensation, Department of Labor, within 60 days after the date of the enactment of this act.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following: "That sections 15 to 20, inclusive, of the Federal Employees' Compensation Act are hereby waived in favor of Philip J. Denton, Loveland, Colo., and his claim for compensation for disability sustained by him as a result of disease alleged to have been incurred during the period beginning June 1, 1940, and ending November 30, 1945, while he was employed by the Department of the Interior, Bureau of Reclamation, at Estes Park, Colo., shall be acted upon under the remaining provisions of such act if he files such claim with the Bureau of Employees' Compensation, Department of Labor, within 60 days after the date of the enactment of this act: *Provided*, That no benefits shall accrue by reason of the enactment of this act for any period prior to its enactment, except in the case of medical or hospitalization expenditures which may be deemed reimbursable."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHAEL D. OVENS

The Clerk called the bill (H. R. 4992) for the relief of Michael D. Ovens.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 202 (d) and 216 (e) of the Social Security Act, the minor child, Michael D. Ovens, shall be held and considered to have been legally adopted by Verne E. Ovens and Elizabeth H. Ovens, of Milwaukee, Wis., on February 20, 1954; and the said Michael D. Ovens shall be entitled to child's insurance benefits under such section 202 (d) on the basis of the wages and self-employment income of the said Verne E. Ovens, beginning with the month of August 1954, if he is otherwise qualified for such benefits and a new application for such benefits is filed by him or on his behalf within 6 months after the date of the enactment of this act. For purposes of the preceding sentence and such section 202 (d), the formal adoption of the said Michael D. Ovens effected by the said Elizabeth H. Ovens after the death of the said Verne E. Ovens shall not operate to prevent payment of such benefits to the said Michael D. Ovens or terminate his entitlement to such benefits.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EGLIN MANOR, INC.

The Clerk called House Resolution 260.

There being no objection, the Clerk read the House resolution, as follows:

Resolved, That the bill (H. R. 3320) entitled "A bill for the relief of Eglin Manor, Inc.," together with all accompanying papers, is hereby referred to the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same in accordance with provisions of said sections and report to the House of Representatives at the earliest practicable date, giving such findings of fact, including an analysis of the amounts included as the basis for the sum stated in the bill, and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal and equitable, against the United States.

The House resolution was agreed to and a motion to reconsider was laid on the table.

HAROLD GEORGE JACKSON

The Clerk called the bill (S. 1179) for the relief of Harold George Jackson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Harold George Jackson may be admitted to the United States for permanent residence, if he is found to be otherwise admissible under the provisions of such act: *Provided*, That the provisions of this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ABRAM VAN HEYNINGEN HARTENDORP

The Clerk called the bill (H. R. 1701) for the relief of Abram van Heyningen Hartendorp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Abram van Heyningen Hartendorp, who lost United States citizenship under the provisions of section 404 (c) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the effective date of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said act. From and after naturalization under this act, the said Abram van Heyningen Hartendorp shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOHA BIN HADJI DULAH, HANNA REZMOVIC, SISTER EMMANUEL (MISS MARGARETE FU)

The Clerk called House Joint Resolution 338.

There being no objection, the Clerk read the House joint resolution, as follows:

Resolved, etc., That, for the purposes of the Immigration and Nationality Act, Toha Bin Hadji Dulah, Hanna Rezmovic, Sister Emmanuel (Miss Margarete Fu), Loutfie Kalil Noma, Jael Mercades, Maria Baricelli, Jan Kryla, Francisco M. Jegers, Mary Carmelita Ottolina, Emily Ting, Mosche Davidovitz, Frieda Davidovitz, Alice Selim Nakhla Fakhouri (also known as Denise Fakhouri), Filippina Huber, Erma Murer, and Antonia Martignetti, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act in the case of Loutfie Kalil Noma. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enforcement of this act, the Secretary of State shall instruct

the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 2. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the cases of Charles Blasi, Juan Pedro Garay-Muro, Arcadio Navarro-Savala, and Vartuhi Parsejian de Carpenter (also known as Rosa Carpenter). From and after the date of the enactment of this act, the said persons shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

With the following committee amendments:

On page 1, line 5, after the name "(Miss Margarete Fu)", strike out the name "Loutfio Kalil Noma".

On page 1, line 6, after the name "Mercades," insert the name "Simeon Krammer".

On page 1, line 6, after the name "Jan Kryla," insert the following: "Balbina Kryla, Stanislau Kryla, Maria Kryla".

On page 1, line 6, after the name "Jegers," insert the name "Raffaele D'Auria".

On page 1, line 9, after the name "Denise Fakhouri)," insert the following: "Su-Ying Wong Kao".

On page 1, line 9, after the name "Filippina Huber." insert the following: "Lino Aguilon Reyes".

On page 2, line 2, after the word "fees" change the colon to a period and strike out the remainder of line 2, all of line 3, all of line 4, and the following language on line 5: "of the said act in the case of Loutfie Kalil Noma".

On page 2, line 17, after the name "Navarro-Savala," strike out the word "and" and insert the following: "Margarete Holdy, Ohan Evrenian, Vehanousa Evrenian".

On page 2, line 18, after the name "Rosa Carpenter)" strike out the period and insert the following: "and Agavni Balantzyan."

The committee amendments were agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PADBLOC CO., INC., AND HARRY G. LANKFORD

The Clerk called the bill (H. R. 5183) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon a certain claim of the Padbloc Co., Inc., and Harry G. Lankford, of Wichita, Kans.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of the Padbloc Co., Inc., of Wichita, Kans., against the United States Government relating to the taking and use by or for the United States Government of packaging means developed and owned by the Padbloc Co., Inc., or Harry G. Lankford of Wichita, Kans., notwithstanding that such claim may be based upon tortious misappropriation, breach of contract sounding in tort, or unjust enrichment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IN BEHALF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 339) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

FACILITATING ADMISSION OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 340) to facilitate the admission into the United States of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Antonia Salazar, shall be held and considered to be the natural-born alien child of Sfc. Willie R. Love, a citizen of the United States.

SEC. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Sumiko Nakamura, shall be held and considered to be the natural-born alien child of Lois Henderson O'Blecunas, a citizen of the United States.

SEC. 3. For the purposes of sections 101 (a) (27) (A), 203 (a) (2) and 205 of the Immigration and Nationality Act, the minor child, Lurline Jackson, shall be held and considered to be the natural-born alien child of David A. Jackson, a citizen of the United States, and Mrs. Mable D. Minott shall be held and considered to be the mother of the said David A. Jackson.

SEC. 4. For the purposes of section 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Romeo (Casabuena) Celestial, shall be held and considered to be the natural-born alien child of Vicente Celestial, a citizen of the United States.

SEC. 5. For the purposes of section 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Jeanne May Sasaki, Pamela Joyce Suzuki, Dorothea Grace Itoh, Frank Louis Morita, and John Michael Takezawa, shall be held and considered to be the natural-born children of Jean M. Fuller, citizen of the United States.

SEC. 6. For the purposes of the Immigration and Nationality Act, Mrs. Anneta N. Thalassinos shall be deemed to have been born in Canada.

With the following committee amendments:

On page 2, after line 2, insert a new section 3 to read as follows:

"SEC. 3. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Henry Aleong Gonzales, Perline Aleong Gonzales, and Annette Aleong Gonzales, shall be held and considered to be the natural-born alien children of Mrs. Vera Aleong Lorick, a citizen of the United States."

On page 2, line 3, strike out "SEC. 3." and substitute "SEC. 4."

On page 2, line 10, strike out "SEC. 4." and substitute "SEC. 5."

On page 2, line 15, strike out "SEC. 5." and substitute "SEC. 6."

On page 2, after line 20, insert new sections 7 and 8 to read as follows:

"SEC. 7. For the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Antonio Murgia shall be held and considered to be the minor alien child of Mrs. Giuseppa Murgia, a lawfully resident alien of the United States.

"SEC. 8. In the administration of the Immigration and Nationality Act, Machie Yoshiyama, the fiance of Ralph Springer, Jr., a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Machie Yoshiyama is coming to the United States with a bona fide intention of being married to the said Ralph Springer, Jr., and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Machie Yoshiyama, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Machie Yoshiyama, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Machie Yoshiyama as of the date of the payment by her of the required visa fee."

On page 2, line 21, strike out "SEC. 6." and substitute "SEC. 9."

The committee amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VALIDATING A PATENT ISSUED TO CARL E. ROBINSON

The Clerk called the bill (H. R. 3877) to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That patent numbered 1147303, issued to Carl E. Robinson, of Anchor Point, Alaska, on October 11, 1954, for the north half north half of section 36, township 3 south, range 15 west, Seward meridian, is declared to be valid as of the date of issue.

SEC. 2. The act of August 1, 1955 (69 Stat. 487; Private Law 248, 84th Cong.), is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF LANDS, APACHE NATIONAL FOREST, N. MEX.

The Clerk called the bill (S. 44) to authorize the Secretary of Agriculture to exchange certain lands in the State of New Mexico.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to convey by quitclaim deed to Floyd McMahan and Annie Locket McMahan all right, title, and interest of the United States in and to the following-described tract of land (together with any improvements thereon), located within the Apache National Forest, N. Mex.: South half of the north half of the southwest quarter of the southwest quarter, and the south half of the southwest quarter of the southwest quarter of section 34, township 5 south, range 18 west, New Mexico principal meridian; and the west half of lot 18, east half of lot 19, east half of the east half of lot 22, west half of the west half of lot 23, all in section 4, township 6 south, range 18 west, New Mexico principal meridian; containing 79.24 acres more or less; and to accept in exchange therefor a conveyance in fee simple to the United States by Floyd McMahan and Annie Locket McMahan of the following described tract of land (together with any improvements thereon) located in the State of Mew Mexico: Northeast quarter of the southwest quarter of section 33, township 5 south, range 18 west, New Mexico principal meridian, containing 40 acres.

SEC. 2. (a) Prior to the consummation of the exchange authorized by the first section of this act the Secretary of Agriculture shall have an appraisal made of the parcels to be exchanged, and in the event that the property to be conveyed to the United States is of less value than the federally owned property to be conveyed under this act, the grantors of the property to be conveyed to the United States shall, as a condition to such exchange, pay to the Secretary, to be covered into the Treasury as miscellaneous receipts, an amount equal to the difference in the appraised value of the respective properties.

(b) The appraised value of the federally owned property to be conveyed under this act shall not include any increased value resulting from the development or improvement of such property by the said Floyd McMahan and Annie Locket McMahan, or their predecessors in interest.

With the following committee amendment:

Page 2, line 5, strike out "79.24" and insert "79.34".

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MIDWEST CLAYPAN EXPERIMENT STATION, McCREDIE, MO.

The Clerk called the bill (S. 1034) to authorize and direct the Secretary of Agriculture to convey to the University of Missouri, for agricultural purposes, certain real property in Callaway County, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to convey by quitclaim deed to the University of Missouri, without cost, the real property, together with the buildings and improvements thereon, constituting the United States Department of Agriculture Midwest Claypan Experiment Station located at McCredie in the county of Callaway, State of Missouri, which property is more particularly described as follows:

The east half of the southwest quarter of section 10, and 140 acres, more or less, being all that part of the southeast quarter of section 10 lying west of the center of the Fulton and Mexico road;

Also 14.90 acres being that part of the east half of the northeast quarter of section 10 lying south of the McCredie and Williamsburg road;

Also 1 acre, more or less, in the northwest corner of the northwest quarter of the southwest quarter of section 11, being all that part of the northwest quarter of the southwest quarter lying west of the Fulton and Mexico road;

Also about 1 acre in the southwest corner of the northwest quarter of section 11, being that part of said quarter section lying south of the McCredie and Williamsburg road and west of the Fulton and Mexico road;

Also all that part containing about 65 acres of the west half of the northeast quarter and of the east half of the northwest quarter of section 10 lying south of the McCredie and Williamsburg road;

All of the above-described property lying and being in township 48 north, of range 9 west, in the aforesaid State and county, and containing 300 acres, more or less. Such property shall be conveyed upon such conditions as in the opinion of the Secretary of Agriculture will assure the use of such property in the cooperative agricultural experimental work of the Department of Agriculture and the State of Missouri. The conveyance of such property shall contain a reservation to the United States of all the minerals in the land, together with the right to prospect for, mine, and remove the same under such regulations as the Secretary of the Interior may prescribe.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROPERTY IN MASSACHUSETTS TO WOODS HOLE YACHT CLUB

The Clerk called the bill (H. R. 6623) to provide for the conveyance of certain real property of the United States in Massachusetts to the Woods Hole Yacht Club.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any other provision of law, the Secretary of the Interior shall convey to the Woods Hole Yacht Club, Woods Hole, Mass., all right, title, and interest of the United States in and to the real property described in section 2, upon the payment to the United States by such yacht club of the fair market value of such property, as determined by the Secretary, within the 2-year period beginning on the date of enactment of this act. In determining the fair market value for the purposes of this act the Secretary shall not include the value of improvements constructed on such property by such yacht club during the period of the lease referred to in section 2. The money received from the conveyance authorized by this section shall be covered into the Treasury as miscellaneous receipts.

SEC. 2. The property referred to in the first section was leased from the United States by the Woods Hole Yacht Club for the 25-year period beginning on January 1, 1935, under authority of Private Law 341, 73d Congress, approved June 25, 1934 (48 Stat. 1430), being that portion of the property owned by the United States at Penzance Point, or Long Neck, Woods Hole, and more particularly described as follows:

Side A, from boundary mark in direction 224 degrees 14 minutes 45 seconds true, a distance of 90 feet, which comes to high-water mark; side B, from boundary mark in direction 111 degrees 14 minutes 45 seconds true, a distance of 215 feet; side C, from easterly end of side B in direction 190 degrees 29 minutes 15 seconds true, a distance of 74 feet, which comes to the high-water mark; side D, from the southerly end of side C in a westerly direction along the irregular high-water line to the southerly end of side A and including the rocks lying offshore.

With the following committee amendment:

Strike out all after the enacting clause and insert "That, notwithstanding any other provision of law and upon determination by the Administrator of General Services that the property described in section 2 of this act is surplus to the needs of the Government, the Administrator of General Services shall convey to the Woods Hole Yacht Club, Woods Hole, Mass., subject to such terms, conditions, reservations, and restrictions as may be determined by the Administrator of General Services to be necessary to protect the interests of the United States, all right, title, and interest of the United States in and to the real property described in section 2, upon the payment to the United States by such yacht club of the fair market value of such property, as determined by the Administrator of General Services, within a 2-year period beginning on the date the property is determined to be surplus. In determining the fair market value for the purposes of this act the Administrator of General Services shall not include the value of improvements constructed on such property by such yacht club during the period of the lease referred to in section 2. The money received from the conveyance authorized by this section shall be covered into the Treasury as miscellaneous receipts."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RENOUNCE RIGHT IN CERTAIN LANDS IN MONTANA

The Clerk called the bill (S. 1319) to renounce any right, title, and interest which the United States may have in certain lands in Montana.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States hereby renounces any right, title, and interest to lots 5 to 12, block 25, Graves second addition, Harlowton, Wheatland County, Mont., which it may have obtained under the last will and testament of Edwin A. Patterson, of Harlowton, Mont., who died on May 12, 1954.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RIGHTS TO REMOVE TIMBER FROM ACQUIRED UNITED STATES LANDS

The Clerk called the bill (H. R. 7522) to authorize the extension of certain rights to remove timber from lands acquired by the United States.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That in order to provide time sufficient for the acceptance thereof by the Secretary of the Interior under the act of March 20, 1922, as amended (16 U. S. C. 485, 486), in exchange for authority from the Secretary of Agriculture to cut and remove not to exceed an equal value of national forest timber, the Secretary of Agriculture is authorized to extend for a period reserved by it in deed dated September 20, 1957, the right of the McCloud River Lumber Co. to cut and remove merchantable timber reserved by it in deed dated September 20,

1932, situated on those parts of northeast quarter northeast quarter, southwest quarter northeast quarter, west half southeast quarter section 12, township 39 north, range 2 west, Mount Diablo meridian, north and west of the McCloud River (further identified as land exchange survey No. 331), which reservation is set forth as an exception in deed from Shaw Lumber Co. to the United States dated February 20, 1941, and recorded on page 30, volume 120, official records of Siskiyou County, Calif.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. CANNON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ROONEY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 114]

Andresen, August H.	Hillings	Prouty
Bailey	Holtzman	Reece, Tenn.
Baker	Kean	Scherer
Beamer	Keeney	Simpson, Ill.
Bennett, Mich.	Knox	Taylor
Bentley	McCarthy	Ullman
Bowler	McConnell	Wigglesworth
Celler	McIntosh	Williams, Miss.
Dawson, Ill.	Machrowicz	Williams, N. Y.
Dooley	Meader	Willis
Griffin	Murray	
Haskell	Porter	
	Powell	

The SPEAKER. On this rollcall 390 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THIRD SUPPLEMENTAL APPROPRIATION BILL, 1957

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H. R. 7221) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 478)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7221) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 7, 11, 12, 13, and 26.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 6, 18, 19, 20, 27, 29, 30, 32, 34, and 36, and agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$750,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,215,776"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 5, 8, 9, 10, 14, 15, 16, 17, 21, 22, 23, 25, 28, 31, 33 and 35.

CLARENCE CANNON,
ALBERT THOMAS,
MICHAEL J. KIRWAN,
JAMIE L. WHITTEN,
JOHN J. ROONEY,
JOHN TABER,
BEN F. JENSEN,
H. CARL ANDERSEN,
CLIFF CLEVENGER,
Managers on the Part of the House.

CARL HAYDEN,
RICHARD B. RUSSELL,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
LISTER HILL,
STYLES BRIDGES,
LEVERETT H. SALTONSTALL,
MILTON R. YOUNG,
WILLIAM F. KNOWLAND,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7221) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER I

Department of Agriculture

Amendment No. 1: Inserts heading.

Amendment No. 2: Reported in disagreement. It is the intention of the managers to offer an amendment which will make $4 million available through June 30, 1958. This amount includes funds to reimburse the President's Disaster Relief Fund which is available to meet emergency needs of this type where specific appropriations have been exhausted.

Amendment No. 3: Deletes language proposed by the Senate appropriating $25 million for emergency range conservation. The funds for this purpose were not agreed to since policies and procedures have not yet been worked out to insure that the money expended will result in the improvement or protection of cover on the land as contemplated by the law.

Amendment No. 4: Inserts heading.

Amendment No. 5: Reported in disagreement. It is the intention of the managers to offer an amendment which will provide $11,500,000 for emergency feed and seed assistance. This amount includes funds to reimburse the President's Disaster Relief Fund which is available to meet emergency needs of this type where specific appropriations have been exhausted.

Amendment No. 6: Authorizes $26 million for farm ownership loans as proposed by the Senate.

CHAPTER II

Panama Canal Company

Amendment No. 7: Deletes language proposed by the Senate appropriating $1 million for the Panama Canal bridge.

CHAPTER III

Department of Defense—Military functions

Amendment No. 8: Reported in disagreement.

CHAPTER IV

American Battle Monuments Commission

Amendment No. 9: Reported in disagreement.

CHAPTER V

Independent offices

Amendment No. 10: Reported in disagreement.

Amendments Nos. 11, 12, and 13: Delete language proposed by the Senate relating to the Federal Employees' Group Life Insurance Fund.

Amendments Nos. 14, 15, and 16: Reported in disagreement.

CHAPTER VI

Department of the Interior

Amendment No. 17: Reported in disagreement.

Amendment No. 18: Authorizes $283,000 for resources management, to be derived by transfer, instead of $133,000 as proposed by the House.

Amendment No. 19: Appropriates $15,000 for the Alexander Hamilton Bicentennial Commission as proposed by the Senate.

CHAPTER VII

Department of Health, Education, and Welfare

Amendment No. 20: Amends language of the House relative to hospitalization and medical care as proposed by the Senate.

Amendment No. 21: Reported in disagreement.

CHAPTER VIII

Public works

Amendments Nos. 22 and 23: Reported in disagreement.

CHAPTER IX

Department of State

Amendment No. 24: Appropriates $750,000 for salaries and expenses instead of $500,400 as proposed by the House and $1 million as proposed by the Senate. The conferees do not approve of the use of any appropriated funds for official residence allowances for deputy chiefs of missions or for medical benefits for dependents.

Department of Justice

Amendment No. 25: Reported in disagreement.

Funds appropriated to the President

Amendment No. 26: Appropriates $1,300,000 as proposed by the House instead of $1,500,000 as proposed by the Senate.

CHAPTER XI

Legislative branch

Amendments Nos. 27 through 34: Insert items for the Senate as proposed by the Senate. Of the foregoing, amendments 28, 31, and 33 are reported in disagreement.

Amendment No. 35: Reported in disagreement.

CHAPTER XII

Claims for damages, audited claims, and judgments

Amendments Nos. 36 and 37: Insert reference to Senate Document and appropriate $4,215,776 instead of $4,437,896 as proposed by the Senate. The amount agreed to is $222,120 less than proposed, due to the elimination of the judgment set forth in Schedule C of Senate Document No. 38.

CLARENCE CANNON,
ALBERT THOMAS,
MICHAEL J. KIRWAN,
JAMIE L. WHITTEN,
JOHN J. ROONEY,
JOHN TABER,
BEN F. JENSEN,
H. CARL ANDERSEN,
CLIFF CLEVENGER,
Managers on the Part of the House.

Mr. CANNON. Mr. Speaker, in addition to the conference report, the statement of which has just been read from the desk, there are 15 amendments in technical disagreement, mere formalities, and 2 amendments in material disagreement, 1 on flood insurance and the other on the stockpiling of strategic minerals, notably tungsten, which must be disposed of following adoption of the report.

I yield to the gentleman from New York [Mr. TABER] such time as he may require.

Mr. TABER. Mr. Speaker, as far as the conference report is concerned, I do not desire any time; it is as good as we can get.

I would like to say, however, that if we could get rid of all the amendments except the two in disagreement before we take them up, we would get along a little easier.

The conference report was agreed to.

Mr. CANNON. In compliance with the suggestion of the gentleman from New York [Mr. TABER], I ask unanimous consent that amendment Nos. 15 and 17 be considered last.

There was no objection.

Mr. CANNON. I ask unanimous consent that amendments Nos. 8, 9, 10, 14, 21, 22, 23, 25, 28, 31, 33, and 35 be considered en bloc.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the amendments, as follows:

Senate amendment No. 8: Page 6, line 16, insert:

"DEPARTMENT OF THE ARMY

"*Military personnel*

"For an additional amount for 'Military personnel,' $27,444,000, to be derived by transfer from the appropriation for 'Procurement and production,' Army."

Senate amendment No. 9: Page 7, line 13, insert:

"AMERICAN BATTLE MONUMENTS COMMISSION

"*Construction of memorials and cemeteries*

"To the extent that the Commission may find necessary or desirable, the appropriation granted under this head in the General Government Matters Appropriation Act, 1957, shall be available for the purposes of the act of April 2, 1956 (70 Stat. 84)."

Senate amendment No. 10: Page 8, line 11, insert:

"CIVIL SERVICE RETIREMENT ACT

"For the purpose of determining the beginning date of the annuity under the Civil Service Retirement Act of any survivor of a Member of Congress who dies subsequent to April 1, 1956, and prior to the effective date of the Civil Service Retirement Act Amendments of 1956, such amendments shall be deemed to have taken effect on April 1, 1956, but no such annuity shall commence by reason of the enactment of this section prior to the date of such enactment."

Senate amendment No. 14: Page 9, line 18, insert:

"OPERATING EXPENSES, FEDERAL SUPPLY SERVICE

"The limitation under this head in the Independent Offices Appropriation Act, 1957, on the amount available for expenses of travel, is increased from '$120,000' to '$130,000.'"

Senate amendment No. 21, page 14, line 24, insert:

"FOREIGN QUARANTINE SERVICE

"Section 364, part G, title III, of the Public Health Service Act is amended by adding thereto the following subsections:

"'(c) Employees of the United States Public Health Service, Foreign Quarantine Division, performing overtime duties including the operation of vessels, in connection with the inspection or quarantine treatment of persons (passengers and crews), conveyances, or goods arriving by land, water, or air in the United States or any place subject to the jurisdiction thereof, hereinafter referred to as "employees of the Public Health Service", when required to be on duty to perform such duties between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian (or between the hours of 7 o'clock postmeridian and 7 o'clock antemeridian at stations which have a declared workday of from 7 o'clock antemeridian to 7 o'clock postmeridian), or on Sundays or holidays, shall be paid, in lieu of compensation under any other provision of law, at the rate of 1½ times the basic hourly rate for each hour that the overtime extends beyond 6 o'clock (or 7 o'clock as the case may be) postmeridian, and 2 times the basic hourly rate for each overtime hour worked on Sundays or holidays. As used in this subsection, the term "basic hourly rate" shall mean the regular basic rate of pay which is applicable to such employees for work performed within their regularly scheduled tour of duty.

"'(d) (1) The said extra compensation shall be paid to the United States by the owner, agent, consignee, operator, or master or other person in charge of any conveyance, for whom, at his request, services as described in this subsection (hereinafter referred to as overtime service) are performed. If such employees have been ordered to report for duty and have so reported, and the requested services are not performed by reason of circumstances beyond the control of the employees concerned, such extra compensation shall be paid on the same basis as though the overtime services had actually been performed during the period between the time the employees were ordered to report for duty and did so report, and the time they were notified that their services would not be required, and in any case as though their services had continued for not less than 1 hour. The Surgeon General with the approval of the Secretary of Health, Education, and Welfare may prescribe regulations requiring the owner, agent, consignee, operator, or master or other person for whom the overtime services are performed to file a bond in such amounts and containing such conditions and with such sureties, or in lieu of a bond, to deposit money or obligations of the United States in such amount, as will assure the payment of charges under this subsection, which bond or deposit may cover one or more transactions or all transactions during a specified period: *Provided*, That no charges shall be made for services performed in connection with the inspection of (1) persons arriving by international highways, ferries, bridges, or tunnels, or the conveyances in which they arrive, or (2) persons arriving by aircraft or railroad trains, the operations of which are covered by published schedules, or the aircraft or trains in which they arrive, or (3) persons arriving by vessels operated between Canadian ports and ports on Puget Sound or operated on the Great Lakes and connecting waterways, the operations of which are covered by published schedules, or the vessels in which they arrive.

"'(2) Moneys collected under this subsection shall be deposited in the Treasury of the United States to the credit of the appropriation charged with the expense of the services, and the appropriations so credited shall be available for the payment of such compensation to the said employees for services so rendered.'"

Senate amendment No. 22: page 19, line 7, insert:

"DEPARTMENT OF THE INTERIOR

"*Southeastern Power Administration*

"Operation and maintenance

"For an additional amount for 'Operation and maintenance, Southeastern Power Administration', $35,000, to be derived by transfer from the appropriation for 'Operation and maintenance, Southwestern Power Administration', fiscal year 1957."

Senate amendment No. 23: page 20, line 8, insert:

"RIVERS AND HARBORS AND FLOOD CONTROL

"*Construction, general*

"That portion of title III of the Act of July 2, 1956 (Public Law 641, Eighty-fourth Congress, 70 Stat. 474, 480), that pertains to the purchase of lands and improvements in the Buford-Trenton Irrigation District in lieu of protecting said Buford-Trenton Irrigation District in connection with development, construction, and operation of the Garrison Dam and Reservoir project on the Missouri River, is amended to read as follows:

"'That in lieu of protecting the East Bottom of Buford-Trenton Irrigation District, the sum of $1,621,791 of the funds herein or hereafter appropriated for the Garrison Dam and Reservoir project on the Missouri River shall be available for the purchase of lands and improvements in and contiguous to the Buford-Trenton Irrigation District, exclusive of tracts numbered H. H. 3170 and H. H. 3168, and not to exceed $2,000,000 shall be available to the Corps of Engineers for protection of the intake structure of the pumping plant in Zero Bottom and for the construction of bank protection to prevent erosion in the Missouri River adjacent to the Buford-Trenton irrigation project. The substitution of land acquisition for protection shall be made and the Secretary of the Army shall acquire such land and improvements if all of the landowners, except Lester G. Larson, the heirs of Louis Morin, Junior, and the heirs of A. Desjarlais, on or before September 15, 1957, have offered to sell their property on the terms agreeable to said landowners, and within the amount provided for such land acquisition: *Provided*, That the Chief of Engineers, United States Army, is authorized to acquire by condemnation proceedings, in the appropriate United States district court, tract 208 C of the Buford-Trenton project, Williams County, North Dakota, according to the recorded plat thereof which tract is owned by Lester G. Larson, the public domain allotment of A. Desjarlais, now deceased, described as Government lots 5 and 8 in section 19 and Government lot 1 in section 30, township 153 north of range 102 west of the fifth principal meridian, North Dakota, and the public domain allotment of Louis Morin, Junior, now deceased, described as the west half southwest quarter, section 16, and the north half southeast quarter, section 17, township 153 north, range 102 west, fifth principal meridian, North Dakota, in connection with the construction and operation of the Garrison Dam and Reservoir: *Provided further*, That in the event land acquisition is undertaken in lieu of protection of the East Bottom, that in

recognition of the increased per acre annual operation and maintenance cost of the remaining lands in the Buford-Trenton Irrigation District, the construction charge obligation assignable to the remaining lands of said district pursuant to the Act of October 14, 1940 (54 Stat. 119), as amended, and the proposed contract between the United States and the Buford-Trenton Irrigation District, approved as to form February 23, 1955, shall be nonreimbursable, and the Secretary of the Interior is authorized and directed to enter into a contract with the Buford-Trenton Irrigation District to transfer operation and maintenance responsibility for project works constructed by the Bureau of Reclamation for the benefit of the Buford-Trenton Irrigation District to such district."

Senate amendment No. 25: Page 23, line 10, insert:

"DEPARTMENT OF JUSTICE

"Legal activities and general administration

"Salaries and Expenses, United States Attorneys and Marshals

"For an additional amount for 'Salaries and expenses, United States attorneys and marshals,' not to exceed $300,000, to be derived by transfer from any appropriation available to the Department of Justice for the fiscal year 1957."

Senate amendment No. 28, page 28, line 14, insert "For payment to Jean K. McCarthy, widow of Joseph R. McCarthy, late a Senator from the State of Wisconsin, $22,500."

Senate amendment No. 31, page 28, line 20, insert "There is hereby established within the contingent fund of the Senate a revolving fund which shall consist of (1) the unexpended balance of the appropriation 'Contingent expenses, Senate, stationery, fiscal year 1957,' (2) any amounts hereafter appropriated for stationery allowances of the President of the Senate and of Senators, and for stationery for use of committees and officers of the Senate, and (3) any undeposited amounts heretofore received, and any amounts hereafter received as proceeds of sales by the stationery room of the Senate. Any moneys in the fund shall be available until expended for use in the same manner and for the same purposes as funds heretofore appropriated to the contingent fund of the Senate for stationery, except that (1) the balance of any amount appropriated for stationery for use of committees and officers of the Senate which remains unexpended at the end of any fiscal year, and (2) allowances which are not available for obligation due to vacancies or waiver of entitlement thereto, shall be withdrawn from the revolving fund."

Senate amendment No. 33, page 31, line 5, insert "Not to exceed $25,000 of the amount of $60,000 under the heading 'Capitol Buildings' continued available for the fiscal year 1957 in the Legislative Branch Appropriation Act, 1957, for the installation of 2 additional elevators in the Senate wing of the Capitol, is hereby made available for expenditure without regard to section 3709 of the Revised Statutes, as amended, for repairs and improvements to the 2 elevators in the Senate wing located adjacent to the 2 additional elevators, and is continued available until June 30, 1958."

Senate amendment No. 35, page 32, line 10, insert:

"GENERAL PROVISION

"Notwithstanding the provisions of any other law, the unexpended balances of appropriations for the fiscal year 1955 and succeeding fiscal years which are subject to disbursement by the Secretary of the Senate or the Clerk of the House of Representatives shall be withdrawn as of June 30 of the second fiscal year following the year for which provided. Unpaid obligations chargeable to any of the balances so withdrawn or appropriations for prior years shall be liquidated from any appropriations for the same general purpose, which, at the time of payment, are available for disbursement."

Mr. CANNON. Mr. Speaker, I move that the House recede from its disagreement to the amendments of the Senate and concur therein.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendments of the Senate numbered 8, 9, 10, 14, 21, 22, 23, 25, 28, 31, 33, and 35 and concur therein.

Mr. CANNON. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, the pending blanket motion of the distinguished gentleman from Missouri [Mr. CANNON] includes, with regard to amendment in disagreement No. 21, a motion that the House recede from its technical disagreement to this amendment of the Senate No. 21, and concur therein.

I am sure that the House will unanimously agree with the action suggested by the gentleman from Missouri and adopt the Senate language with regard to the Foreign Quarantine Service, Public Health Service, Department of Health, Education, and Welfare. This language provides for the payment of overtime services of employees of the Foreign Quarantine Division of the United States Public Health Service without cost to the taxpayers, and will permit the clearing of ships at our ports after 6 o'clock in the evening and on Sundays and holidays.

In unanimously agreeing to the language contained in amendment of the Senate No. 21, the conferees were also in unanimous agreement that nothing should be done to disturb the long-established practice affecting officers of the Customs and Immigration Services insofar as overtime services and reimbursement by the parties requesting such overtime services are concerned. The practice, as carried out by these two agencies, is one that is equitable to the Government, to the employee, and to the third party. It is the opinion of the conferees that an extension of this practice to quarantine officers of the Public Health Service would be consistent with this long-established equitable principle that has been in effect for many years and comprises a formula that has been practical and satisfactory at great savings to the taxpayers.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri that the House recede and concur in the Senate amendments.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: On page 3, line 2, insert:

"EMERGENCY CONSERVATION MEASURES

"For an additional amount to enable the Secretary to make payments to farmers who carry out emergency measures to control wind erosion on farmlands or to rehabilitate farmlands damaged by wind erosion, floods, hurricanes, or other natural disasters when, as a result of the foregoing, new conservation problems have been created which, (1) if not treated, will impair or endanger the land, (2) materially affect the productive capacity of the land, (3) represent damage which is unusual in character and, except for wind erosion, is not the type which would recur frequently in the same area, and (4) will be so costly to rehabilitate that Federal assistance is or will be required to return the land to productive agricultural use, and for reimbursement to the appropriation to the President for 'Disaster relief,' for allocations to the Secretary of Agriculture for such purposes, $15,000,000: *Provided*, That this appropriation may be expended without regard to the adjustments required under section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h), and may be distributed among States and individual farmers without regard to other provisions of law."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 2, and concur therein with an amendment, as follows: "Strike out the sum of '$15,000,000', named in said amendment and insert in lieu thereof '$4,000,000, to remain available through June 30, 1958.'"

The SPEAKER. The question is on the motion offered by the gentleman from Missouri that the House recede and concur in the Senate amendment with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 5: Page 4, line 8, insert:

"DISASTER LOAN REVOLVING FUND

"Not to exceed $15,000,000 of the Disaster Loan Revolving Fund established under the act of April 6, 1949, as amended (12 U. S. C. 1148a-1 to 1148a-3), may be used for emergency feed and seed assistance under section 2 (d) of said act in addition to, and under the same conditions as, the amount made available under this head in the Third Supplemental Appropriation Act, 1954 (68 Stat. 81, 88)."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 5, and concur therein with an amendment, as follows: In lieu of the sum of $15,000,000" named in said amendment, insert "$11,500,000."

The SPEAKER. The question is on the motion offered by the gentleman from Missouri that the House recede and concur in the Senate amendment with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16: Page 10, line 3, "Notwithstanding" insert the following: "For an additional amount for "Inpatient care", $2,000,000, of which $1,450,000 shall be derived by transfer from the appropriation for "General operating expenses", fiscal year 1957, and $550,000 shall be derived by transfer from the appropriation for "outpatient care", fiscal year 1957: *Provided*, That, notwithstanding."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 16, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert "For an additional amount for "Inpatient care", $1,000,000, of which $725,000 shall be derived by transfer from the appropriation for "General operating expenses", fiscal year 1957, and $275,000 shall be derived by transfer from the appropriation for "Outpatient care", fiscal year 1957: *Provided*, That, notwithstanding."

The SPEAKER. The question is on the motion offered by the gentleman from Missouri that the House recede and concur in the Senate amendment with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement, Senate amendment No. 15:

The Clerk read as follows:

Senate amendment No. 15: On page 10, line 1, insert:

"HOUSING AND HOME FINANCE AGENCY

"Office of the Administrator

"Federal Flood Indemnity Administration

"Payment for flood indemnity operations

"For payment of compensation for services rendered by private organizations and persons pursuant to section 13 (a) of the Federal Flood Insurance Act of 1956 (70 Stat. 1078), for services and facilities of the Federal Reserve banks and public agencies as authorized by section 13 (b) of said act, $14,000,000, to remain available until expended."

Mr. CANNON. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

Mr. BOLAND. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. BOLAND moves that the House recede and concur in Senate amendment No. 15.

Mr. CANNON. Mr. Speaker, I ask for a division on the question.

The SPEAKER. The question is: Will the House recede from its disagreement to the amendment of the Senate numbered 15.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, this amendment and the motion which I offered to recede and concur in the Senate amendment embraces the $14 million necessary to get the Federal flood insurance program off the ground. Those who were in the Chamber on May 7 will recall that in the third supplemental appropriation bill the committee struck out the $50 million which was requested by the FFIA, and I moved the amendment on the floor of the House at that time to restore $14 million in order that the program could get started.

At that time, Mr. Speaker, I said that the question before the House is not whether or not we want a flood insurance program. The question before the House was whether or not we wanted that program to get started, because the issue of whether or not this Congress wanted a flood insurance program was well settled back in July 1956, when this House and the other body voted overwhelmingly for a flood insurance program recommended by the President of the United States and also recommended in the several bills which were filed by a great many Members of this body and in the other body. At that time, last July, this House and the Senate voted overwhelmingly in favor of a flood insurance program.

Now, it is impossible to have a flood insurance program unless we implement that program with the necessary funds, and that is precisely what this amendment will do. All we ask is that this House agree with the Senate in restoring the $14 million to the Federal Flood Indemnity Administration. This amendment was defeated on May 7 of this year in this House, 127 to 97, by a teller vote. The bill went over to the Senate and the Senate put this $14 million back into the bill and put it back in overwhelmingly.

I would like to call the attention of the Members of this House to the debate that occurred on May 7 in which the argument was made against the program on the basis that it would mean another $5 billion of Federal funds outlay, consisting of $3 billion plus $2 billion more on presidential approval. I would like to deal directly with that argument, because some of my colleagues might have been influenced by that argument on the floor at that time. To begin with, there is no likelihood that the Government would ever be called upon to pay that amount of money in any one policy year. It should be remembered that the $3 billion or $5 billion represents the total authorized amount of liability in force, and to my mind the statement that this amount of liability in force must be paid off in any one year is contrary to the fact, and I think the facts will prove it.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. Is it not also true that the program today is even more important than it was when you first introduced your amendment, in view of the recent floods and the disasters that have struck different sections of our country?

Mr. BOLAND. The gentleman is right. This condition is not confined to New England. The only reason more New Englanders got on the floor May 7 in defense of this bill is because we have lived with floods longer than anybody else in this Nation. The fact of the matter is that recent events show that this is a problem that is common to the entire United States, not only New England but the west coast, the north and south Atlantic coasts, the middle Atlantic coast, Kansas, Iowa, South Dakota, Missouri, Oklahoma, Texas. All over the United States there is a demand for this kind of insurance, for this kind of program, so that the little man who is unable to get insurance might be able to insure his property, either his dwelling or the contents of his dwelling, for $10,000 coverage. That is all we ask for. This is the kind of coverage that is not available generally in the insurance industry, and they have shied away from it, as the distinguished chairman has said. They have shied away from it, because it will be an expensive program, and the Federal Government will pay all the loss. That is precisely what we said when this bill was debated. At that time we said the losses would be paid by the Federal Government, and this is an opportunity to put the Federal Government into the insurance business on a plane on which it ought to come in, because this is a cooperative basis. On this basis the private insurance companies will write all of the insurance and the administration of it will be supervised by the Federal Government. That is precisely the manner in which we ought to get this started.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I would like to ask the gentleman if these insurance policies could also cover such items as fences and crops on farmlands in the event of floods.

Mr. BOLAND. No. In my opinion it would not cover crop losses, unless there was a washaway of the soil by the water. It would be possible there.

Mr. EDMONDSON. The gentleman thinks it would cover a washaway of the soil. Would it cover fences and outbuildings on farms?

Mr. BOLAND. My information is that it would cover outbuildings, barns, and so forth.

In the debate in the House on May 7, the argument was made against the program on the basis that it would mean another $5 billion outlay of Federal funds, consisting of $3 billion, plus $2 billion more on Presidential approval. I would like to deal directly with this argument because some of my colleagues might have been influenced by such a statement.

To begin with, there is no likelihood that the Government would ever be called upon to pay that amount of money in any one policy year. It should be remembered that the $3 or $5 billion represents the total authorized amount of liability in force and to make the statement that this total liability would have to be paid off in any 1 year is contrary to the fact, and I will prove it.

First, the $3 billion will be spread nationwide on a basis related to the exposure in the various 14 different rating areas and there is no likelihood that there would be total losses under all policies in all parts of the country at the same time. The entire approach which has been developed by the FFIA has been to spread the risk nationwide and not concentrate the coverage in one particular flood area.

Second, the FFIA has built into the program certain safeguards in addition to those set forth in the statute. They are as follows:

The amount of insurance which can be sold to any person or corporation is limited to $250,000 and to $10,000 on a dwelling and its contents.

The contract itself will be for 1 year, noncancellable with the premium payable in advance. There will be a 30-day

waiting period before the effective date—purposely adopted to avoid insuring risks when the storm warnings go up, and cancelling policies when the storms have passed over.

In addition to a number of exclusions, the contracts will contain a $500 deductible plus 5 percent of the remainder of the loss.

Most losses arising under the contracts will in all probability be partial losses, and the amounts payable will fall below the face amount of the policies. Consequently, the total amount of $3 billion authorized by the statute, representing the maximum face amount of the contracts issued, is not and reasonably should not be assumed to be the measure of the Government's exposure.

By selling the contracts nationwide, we believe sufficient spread will be obtained to minimize losses. The rating treatment is based on major river basins, and experience shows that all river basins do not suffer damaging floods in any one year.

As indicated previously, losses may be lower than the amount paid by the policyholders alone and, conversely, may exceed that amount. In our opinion, over a period of years, with progressive rate adjustments, the premium income from policyholders should be equal to or above what we can reasonably expect to pay out in claims settlement.

The underwriting and distribution of the contracts will be controlled so that there will be no undue concentration in any one area. Rates will be adjusted rapidly to changing conditions, especially in areas of high exposure.

By controlling rates, underwriting, and distribution, I expect to modify the subsidy downward with the hope that it would ultimately reach zero. If this program is to be absorbed into the private insurance market, as intended by the Congress, the rate must be adequate, without any contribution from the States or Federal Government.

To take the argument of those opposed to this motion that you measure the amount of loss by the insurance in force and then assume that that is the liability that would have to be paid off in any 1 year would mean that no insurance company could exist. The fact is that no insurance company ever deals with the total liability in force. The only figure that is meaningful is the average annual losses a company will be called upon to pay and then obtain sufficient premium income for that purpose, and that is what the FFIA program is designed to do. The experts who have been dealing with this program have placed the figure of $90 million as the maximum liability that the Government would be called upon to pay in losses in any 1 year and the rates are based on this figure.

One of my distinguished colleagues referred in the debate of May 7 to the fact that in 1951 flood losses in the Kansas City area amounted to $2½ billion and then made the assumption that if $2 billion of these losses were covered under the program, or even $1 billion, the Government, after the collection of premiums, would have to pay out of the United States Treasury $900 million for that 1 flood alone. Again, those opposed to this motion are dealing with false assumptions. The $2½ billion to which they refer takes into account all types of losses and as I have already indicated, this flood insurance would be spread nationwide and there could not be a concentration of this amount of liability in any one area. Secondly, much of the properties that go into making up the $2½ billion would not be insured under exclusions in the insurance contract itself. Thirdly, the maximum liability on any 1 property is fixed by statute at $10,000 on dwellings and $250,000 on commercial properties, and there are deductible provisions, all of which would reduce the total amount of losses payable by the Government. In addition, not all persons in any flood area will be holders of policies. Indeed, it has been stated by those opposed to this motion that the premiums are so high that not many people would purchase it anyway.

Congress wisely provided that this was to be an experimental program with a 5-year maximum period. Those opposed to the motion, in recognition of this experimental measure, have stated that the FFIA should continue to study the program another year and use up the $325,000 remaining out of the original appropriation of $500,000. In my judgment, to continue to study this program further would be a waste of time and money. The best abilities available in the private insurance industry and in Government have developed this program after almost 10 months of diligent, conscientious, and continuous work and study and, in their opinion, it is now ready to be given a trial by actually offering the product to the American public at the prices that have been determined upon. The only real test of whether this program or any other is feasible is the market place, and while the agency could continue to study various aspects indefinitely, we will never know whether or not the program is sound and marketable unless and until it is given a field test by actual sale of policies. In addition, all insurance, and in fact, all new business ventures must develop experience upon which to predicate prices, distribution, and acceptability, and the only way that can be done in this new venture is by actually offering the contract of insurance publicly. The insurance industry has made it abundantly clear that if the Federal Government develops experience, which they are unable to do, and this experience establishes the feasibility of this type of insurance, they would then undertake to offer such coverage to the American people on a private-enterprise basis, which is the ultimate result this Congress had in mind when it passed the legislation less than 1 year ago.

I therefore urgently recommend this House to authorize the $14 million by appropriation in order that we can give this program a fair trial and achieve the results which were intended by offering to the American people some measure of self-protection.

Mr. Speaker, I include an editorial from the Washington Post of June 17, 1957:

IMPERILED FLOOD INSURANCE

The move to deny all funds for flood insurance merits a high place on the list of strange actions taken in the name of economy. Last year Congress appropriated $500,000 to set up the Federal Flood Indemnity Administration. In 1955 the country's losses from floods had mounted to about $1 billion and Congress was almost unanimous in its decision that something must be done to minimize these losses to citizens and to relieve the Government of heavy demands for the relief of flood victims. Now the flood-insurance system is ready to operate, but the House voted to deny it the necessary funds.

What has happened to change Congressional sentiment in this fashion? One factor is the reduction of flood losses last year, although they are again high in 1957, and another is the economy wave. As the flood-insurance program is not yet in operation, some legislators appear to have concluded that it can be slashed without taking anything away from anybody. Well, that may be good politics, but it involves a flagrant disregard of the public interest.

One absurd argument that is being made against the program is that it would mean another $5 billion outlay of Federal funds. Actually the FFIA is authorized to write insurance totaling not more than $3 billion, which could be raised to $5 billion upon authorization by the President, but this would create only insurance liability. The FFIA has set up a schedule of flood-insurance rates, covering 14 different zones, with the aid of commercial rating specialists. People in danger of floods would buy this flood insurance from commercial firms with the Government merely underwriting the venture because no private company is in a position to do so. Some losses might be incurred, but it is absurd to talk as if the $3 billion liability were an expenditure.

For the first time this system would enable people living in areas of flood danger to contribute to their own protection. That is in accord with the general American pattern. The net effect might be to reduce demands upon the Government in flood emergencies and thus produce savings instead of added expenditures. Certainly a system that offers such potential advantages to the Government as well as to flood victims should not be abandoned without a trial.

House conferees who have been fighting this program will take their disagreement with the Senate conferees to the House floor today. That will give an opportunity for second thinking. In our opinion, the House should candidly recognize its error and accept the $14 million the Senate wrote into the third supplemental appropriations bill to put the system into operation.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Speaker, the issue before us is whether the House conferees are to recede on their disagreement with Senate amendment No. 15 to the third supplemental appropriations bill—H. R. 7221. This would restore $14 million to the Federal Flood Indemnity Administration. I am speaking in favor of restoring that sum.

This issue was before this House on May 7. But in spite of the lengthy discussion we had on the flood insurance item at that time I don't think the

Members had an opportunity to understand the real issues. There was some confusion on this item because of errors of fact that came forth during the heat of the debate. If we are to deal intelligently with this matter, those errors must be corrected.

Let me add that this is not an academic question of keeping the RECORD correct—although that is a factor. These errors of fact are preventing people all over America—my constituents included—from getting protection against flood losses which this Congress authorized in the past session.

By way of background, the President asked in his budget message for $100 million to make the flood insurance program operative. Subsequently, the administration cut its estimates in half and the actual request was for $50 million.

The Federal Flood Insurance Act, which we enacted last year by an overwhelming majority, authorizes the Government to insure $3 billion worth of property, and another $2 billion with the authorization of the President. By normal insurance standards this is a small underwriting authority. Many individual fire and casualty companies insure greater valuations of property.

The Government will use normal private enterprise channels to market and service this flood insurance and it will pay the insurance companies for their actual costs—and nothing more. For this purpose, it is estimated the Government will need $14 million. That is the item we are considering today.

Let us be clear on that. The $14 million we are now considering—which was restored in the appropriation by the Senate—is not for the Federal Flood Indemnity Administration to hire employees, or to pay rent or to do any of the other things that contribute to enlarging the Federal establishment. It is to pay for the services of the private insurance people who will be performing a valuable service for the Government—in place of Government employees.

Some Members have implied that the insurance companies will make money on this arrangement. That is not so. The companies have agreed to sign contracts with the Federal Government whereby they will perform these functions at no profit, no overhead, and will not even charge for administrative costs. The net effect is that Frank Meistrell, Commissioner of the Federal Flood Indemnity Administration, has an option on the services of the entire American insurance industry at cost. He will pay for these services if and when they are used. I challenge anyone to suggest a more efficient and economical way to do this job.

If you have a piece of property and you want to insure it against floods, the Government will estimate the rate. If the estimate is $1 for $100 of insurance, the property owner will pay 60 cents and the Government will pay 40 cents. The 40 cents is the subsidy which was mentioned on the House floor during the past debate. The subsidy money does not go to the insurance companies as a Member suggested. It goes into a disaster insurance fund—along with the property owner's 60 cents of premium payment—and this money will be earmarked as loss reserves. This premium money and subsidy money can be used only for one purpose: Payments of loss claims.

Where will the Federal Flood Indemnity Administration get the subsidy money for the disaster insurance fund? By borrowing from the Treasury.

The borrowing authority is provided in the Federal Flood Insurance Act of 1956. I had to look to be sure. During some of the debate on this floor on May 7 it sounded for all the world like this agency had been caught sneaking into the Treasury through some legal loophole. But no, here is the authorization in the act we passed in this body. The act gives the agency the right to borrow—and I quote—"an amount not exceeding $500 million (or such greater amount as may be approved by the President)."

A distinguished Member of this House, a man whose ability we all respect—had this to say during the heat of the May 7 debate:

> One section says that the amount of insurance that can be outstanding at any one time is a small, paltry sum of $5 billion. So I presume that any good administrator would limit the amount of Treasury borrowing to a cool $5 billion. And how often? Every 12 months. Five billion dollars every 12 months. Now think about that.

I did think about that and I was shocked to think that a distinguished Member would make such a statement on the floor of this House.

True, the agency can insure $3 billion worth of property and another $2 billion with the authority of the President. True, if there are losses in excess of premium income the agency will borrow to pay claims.

But do you know that in any large disaster only a percentage of the victims carry insurance? Do you know that most people under insure? The Government's flood-insurance policies only permit $10,000 coverage on a home and $250,000 on commercial property. Do you know that every policy will carry deductible provisions where the insured must pay the first $500 of his loss plus 5 percent of the remainder of the loss? Do you know that zoning provisions in the act give the agency the right to refuse to write insurance in an area if there are no zoning laws to keep people out of the way of floods?

Enough on the misstatements. I want to use the rest of my time to advise the House on the implications of the vote today. We are voting here on the life or the death of the flood-insurance program.

The House previously passed this appropriations bill providing no funds for the Federal Flood Indemnity Administration. The Committee on Appropriations advised the agency to use the balance of money appropriated last year—some $300,000—to continue studies on the problem. But that money previously appropriated is for use only in the current fiscal year. It has not been reappropriated. So the agency dies at the end of this June. And so does the flood insurance program. And so do the hopes of my people and millions of others along the eastern seaboard, in the Ohio Valley, the Mississippi-Missouri Valley, in Texas, Oklahoma, and the west coast.

These Americans are asking only for the right to buy insurance protection from flood losses. They can get charity—the Red Cross is wonderful at that. They can get Federal handouts—the Federal Government disburses millions of dollars in relief to disaster areas.

But they do not want charity and they do not want relief. They want to pay for what they get.

But Members of this House stand up and say "No. You can't pay enough for this insurance to make a profit. So we are not going to sell it to you. There have been floods for a thousand years and there will be floods for another thousand. Too bad for you who get hurt. But no profit, no insurance."

I urge the Members to vote instructions to our conferees that they recede from their disagreement with Senate amendment 15 and restore $14 million to the flood-insurance program.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the majority leader.

Mr. McCORMACK. May I call attention to the fact that within a few weeks this House will have before it a special insurance bill in relation to peacetime atomic energy reactors, which will involve about $500 million. We may have to do that in order to inspire this activity; yet we shall probably find that those who oppose this $14 million appropriation will vigorously fight for the passage of that bill. And I probably will favor the bill, recognizing the practical situation that exists in connection with peacetime reactors. On the other hand, it seems to me that we should not make fish of one and flesh of another.

Mr. THOMPSON of New Jersey. I agree with the distinguished majority leader.

Mr. GREEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Pennsylvania.

Mr. GREEN of Pennsylvania. Mr. Speaker, I want to congratulate the gentleman from Massachusetts [Mr. BOLAND] on the fine fight that he has made on this issue. Also I compliment the gentleman from New Jersey [Mr. THOMPSON]. When the amendment was on the floor previously, I spoke in favor of it. I am in support of the amendment now and I hope that this House will adopt it.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I should like to have the gentleman emphasize the point that there is no question about the fact that the losses will never run up to $3 billion or $5 billion. I think that was the point that was made in the

House on May 7 that impressed the House more than any other argument. The fact of the matter is that the risk will be spread all over the United States and that the risk will be allocated in particular river basins; and that the amount of the premiums that will be paid will be paid according to the type of risk that the Government will insure. So I say that there is no possibility of the Federal Government ever being called upon to pay anything like $3 billion or $5 billion in losses.

Mr. THOMPSON of New Jersey. Is it not also true that this is the first time those who are frequently stricken by floods will have the opportunity to pay toward indemnity for some of their own losses?

Mr. BOLAND. This is the first opportunity that has ever been offered. I think it is a good opportunity to give these people a chance to get some relief. This is a good way to stop the relief and rehabilitation that the Federal Government pours into disaster areas. I think this is a good way to save money. It is a good way to save tax money because every time there is a disastrous flood of course there is a large number of losses taken for tax purposes.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. I think the gentleman is making a very good point, because actually this is a program which in the long run could save money. When any disaster occurs on any large scale Uncle Sam comes in and picks up the whole tab. Here we have an opportunity to give the people themselves a chance to participate in that program.

Mr. THOMPSON of New Jersey. I thank the gentleman. I thank also all of those Members of the House from the many, many States involved on both sides of the aisle for the tremendous amount of assistance being given us in this effort.

Mr. SCUDDER. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from California.

Mr. SCUDDER. The gentleman is making a constructive statement on this very necessary program, if we make insurance available for flood disaster I believe that a substantial number of policies will be issued and should give a reasonable spread of coverage throughout the potential flood areas. The premiums income, without a doubt will come from all areas subject to floods which will build a reserve to cope with many of the normal losses. Should flood insurance be available and a loss occurs the demand on the Federal Government would be lessened because they would have had the opportunity to buy insurance and the Government would not have the implied responsibility to assist in an emergency. Nobody sympathizes too much with a person who neglects to protect his property by taking out fire insurance. So if you have insurance available there will be little reason for people not insuring, the money the Federal Government puts up will be small as compared to the premiums paid by the property owners, I believe this program assisted by the Federal Government can be developed into an actually sound program and will eventually revert to private enterprise.

Mr. THOMPSON of New Jersey. Does not the gentleman think this should be consistent with the argument of those who say the Federal Government should get out of the business of direct grants wherever possible? Is it not a fact that here at least to some degree as never before there is an opportunity for people to help pay indemnity?

Mr. SCUDDER. The gentleman is absolutely right.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Speaker, I hope the House will agree to the motion to recede and concur in this amendment. As has been said already, this is insurance in which individuals will have an opportunity to participate.

Last year when this House passed a bill creating the Flood Indemnity Administration it was fully understood by everyone that this would mean that the Federal Government would have to spend some money. But let us not forget that each time we have a disaster the Federal Government spends a lot of money, because we are all in the same position, we all feel full of sympathy for the individuals who are suffering these hardships.

I have said in the past and I repeat now, those of you who have not lived through a flood have no idea of what it actually is. I say to you it was my experience in 1955 to go through that terrific nightmare that struck my district so forcefully. I shall never forget it, and I hope I never again have the same experience.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. May I refresh the memory of the Members of the House that only within the past several weeks a number of places in Missouri were visited with floods, also Kansas and a wide area of Texas and Oklahoma, so this is not a sectional problem, it is a national problem. May I also call attention to the fact that the Federal Flood Indemnity Administration has set up a schedule of flood insurance rates covering 14 regions.

Mr. FORAND. There is absolutely no question about what the gentleman says. It is the truth. We must also keep in mind the fact that the insurance companies have shied away from this type of risk. There is nobody that wants to take this type of risk except Uncle Sam, who should in view of the fact that all of the taxpayers of the country, if they do not contribute through the flood insurance program to the relief of the people affected by floods, will do it through their contributions to the Red Cross or through the President's emergency fund. They will do it in one way or another. Yet, the poor individual who is hit is the person who has to rely on charity whereas here you give him the opportunity to recover at least a part of his loss through insurance for which he has contributed in part.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield.

Mr. BONNER. I want to join with the gentleman in his urging the House to adopt the Senate amendment and give the people of the Nation an opportunity to protect themselves with a form of insurance that private industry does not offer. No insurance company offers this kind of insurance. Furthermore, this is not a local problem. We have seen, recently, Texas as well as many other States suffering from devastating floods. I certainly hope the House will give the people of the United States an opportunity to have this insurance and to give this insurance program a trial. If it proves successful, then it can be turned over to the private insurance companies. If it is not successful, then we will cancel it out.

Mr. FORAND. The gentleman is absolutely correct in his observation, and I thank him.

Mr. BONNER. This is a fair request to make of the House.

Mr. FORAND. The point for us to remember is that the Congress recognized the necessity for this last year.

Mr. BONNER. Yes; and the House passed it by an overwhelming vote.

Mr. FORAND. That is correct. The House passed this bill last year. Now we have been spending money to set up this program. The program is about ready to go, but if the plan does not have blood in its veins, it just cannot live.

Mr. BONNER. This is simply providing something to implement the program.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield.

Mr. FLOOD. Unlike most of my colleagues, I would be interested in seeing a "Flood" in my district at least every second year.

Mr. FORAND. The gentleman has one all the time.

Mr. FLOOD. But apart from that point, in the northeastern part of Pennsylvania 2 years ago we were struck by a devastating hurricane and floods and many of the people there, based upon the action of the House last year, are anticipating the setup to execute this program. I certainly concur with the efforts of the gentleman in introducing the amendment.

Mr. FORAND. Before my time runs out, I would like to call the attention of the Members to a newspaper clipping which has just been handed to me. The news story is entitled "Tornado Drops Out of Driving Rain, Destroys 25 Homes in Texas Town." It is as follows:

TORNADO DROPS OUT OF DRIVING RAIN, DESTROYS 25 HOMES IN TEXAS TOWN

OLTON, TEX., May 24.—A sneak tornado smashed down out of a driving rain here today to destroy 25 homes—1 twister of more than 20 that boiled across west Texas.

A hundred homes were damaged by another at Tahoka.

State police reported 1 person missing and 3 injured here when the twister wiped out the Negro and Latin-American sections. Rubble was being searched tonight for more possible victims.

The tornadoes broke out shortly before noon and marched across upper Texas until late afternoon.

They raged from Amarillo, in the heart of the Texas Panhandle, as far south as Midland, 240 miles south of Amarillo.

In north central Texas—at Fort Worth and Denton—flash floods from rains of more than 8 inches in places, drove additional homeowners fleeing for safety.

It was the 37th day of violent weather in Texas, which began April 18. An estimated 64 or more persons have died this spring in the State from tornadoes, floods and lightning. Property loss has been estimated as well in excess of $100 million.

At Tahoka, 30 miles south of Lubbock, the tornado hit shortly after 1 p. m. At the small community of Wilson nearby it blew away 5 or 6 houses, and moved over Tahoka.

In Tahoka proper, it damaged about 100 structures, stripping off roofs, destroying garages and other light buildings. The storm at Tahoka was preceded by a deluge with hail the size of baseballs.

At Hereford, about midway between Lubbock and Abilene, an approaching tornado almost caused panic. Streets were cleared in 30 minutes. At least 4 traffic collisions occurred as residents scrambled for safety, and 1 man was injured in a traffic accident.

At Denton overnight rains of 8.02 inches sent Pecan Creek on a rampage. More than 50 families were driven from their homes.

Early today, the second deluge in 2 days soaked water-weary Fort Worth, forcing hundreds from their homes again. Police patroled the area, rousing residents about 2 a. m. with sirens.

Mr. CHRISTOPHER. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield.

Mr. CHRISTOPHER. I compliment the gentleman on the fine statement that he has made. I want to tell him I am in utter accord with this legislation. However, I do not believe tornado insurance as such is included in this flood-control measure, but I am still for it because tornado insurance is purchasable now from the regular stock companies along with fire, lightning, windstorm, and so on.

Mr. FORAND. But the tornadoes bring the floods.

Mr. CHRISTOPHER. And losses from floods are not insurable.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, I desire to speak in favor of the flood insurance amendment. It is one of the features of President Eisenhower's great humanitarian program to help the people. Floods and disasters respect neither individuals nor sections. They come unexpectedly to all people. We should all realize the necessity of doing something about this problem. Realizing the scope of recent disasters, the President would like to construct a program of aid. The President is in favor of this program because he believes it is not just spending more money, but rather he believes that through the establishment of a proper insurance program the country can save money when disaster comes and erases the savings of a lifetime.

Mr. CURTIN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. CURTIN. Mr. Speaker, I again desire to add my voice to those who are appealing for this $14 million to implement the Federal Flood Indemnity Program.

Those devastated by the 1955 floods will not soon forget the terrible loss of life and property which resulted. We, the Congress, however, are now being charged with having forgotten.

Last year the Congress adopted the Federal flood indemnity insurance program. It may not be a perfect law, as has been claimed by some of its critics. However, what law is? Last year the memory of the devastating floods of 1955 was fresh in the minds of the Members of the Congress, and the decision was almost unanimous that something must be done to minimize these losses to citizens and to relieve the Government of heavy demands for the relief of flood victims. Appropriate legislation was enacted into law. No one can deny that the legislation then passed represents the first practical attempt to make flood insurance available at reasonable rates.

Under this program, people living in areas of flood danger are, for the first time, offered a practical approach to their ever present problem.

However, the program on the books is completely valueless without money to bring it into being.

I would like to repeat what I said before on this subject—this is not charity—it is merely giving to all people of this country the opportunity to partially protect themselves in time of flood—it gives them the opportunity to purchase needed insurance.

This is in accord with the general American pattern. The net effect might be to reduce demands upon the Government in flood emergencies and thus produce savings instead of added expenditures.

The sum of only $14 million is asked at this time. Last year it was felt that there was a clear duty to provide this protection. Is such duty any less this year? Therefore, I support this appropriation item.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. PATTERSON. I concur in the statements just made by the gentleman. I would remind the Members of the House that they only would have to witness a devastating flood once to realize the value of a piece of legislation like this. As far as the people are concerned, it is something that will help them. It is something that will help them to rehabilitate their business establishments and rebuild their homes. It is a program that will protect them in the future.

With many of my colleagues here in the House, I introduced flood-insurance legislation as early as January 3, 1956. I supported and fought for the bill that was subsequently enacted. This law must be given a thorough trial to afford our people some measure of protection against future floods.

In my district in Connecticut, we are exerting every effort to install flood-preventive works before the next storms strike. But the alarming fact we must not forget is that no flood-protective works are 100 percent efficient, and floods can and do occur somewhere in this country every season of the year. Furthermore, it requires years of engineering planning and construction to provide adequate flood-control protection. In the interim, flood insurance will afford some measure of protection.

Flood losses this year are already in excess of the damage caused in the whole of 1956, and the arrival of the hurricane season is awaited with great misgivings. Few sections of the country are completely secure from flood disaster, and it would be wrong to deny so many of our people the protection afforded by the Federal flood-indemnity program.

I have personally followed the step-by-step development of the flood-indemnity program, and I am firmly convinced that Commissioner Frank J. Meistrell's associates have formulated an economical and practical program that could be put into effect almost immediately if we today make available the operating funds contained in this meager appropriations item requested at this time.

Under the proposed program, any person can buy Government insurance against flood loss on his home, firm, or business property up to prescribed amounts, at rates which may be from $1 to $2.50 per $100 of coverage. The contracts will be sold and serviced by the private insurance industry.

I can think of no more economical way to operate this program than by using the personnel and facilities of the insurance industry on an actual cost basis. This is what the insurance industry has agreed to do, and it is convincing proof of their desire to make this new experiment in insurance a genuine success.

I earnestly implore my colleagues in the House to support this $14 million appropriation item to implement the Federal flood-indemnity program.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. MAY. I concur in what my colleague, the gentleman from Connecticut, has said as well as the distinguished gentleman from Massachusetts and I concur with the gentleman from Massachusetts who has instituted this amendment.

Mr. SCOTT of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. SCOTT of Pennsylvania. Mr. Speaker, I attended the flood-control conference called by the President and, together with the Governor of the State of Pennsylvania, at the request of the President. I was much impressed with the need for the program. I concur in and support the position that the gentleman from Massachusetts has taken.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mrs. ROGERS of Massachusetts. Is it not true that people living in areas which may be flooded live in perfect terror and fear of being wiped out? A

program such as this would do much to alleviate their loss.

Mr. MARTIN. I repeat, this legislation is a considered effort to help people help themselves. That is the heart of this program. It is not expected to be a continued expense upon the Government; it is an effort in time of need to give people a chance to have the insurance which would rescue them from disaster.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Florida.

Mr. CRAMER. I wish to ask a question of the chairman of the committee with regard to page 4 and amendments 11, 12, and 13 which were deleted in the Senate.

My question to the chairman of the Committee on Appropriations with regard to that is: I understand there is a Senate bill pending which would accomplish the same objective, S. 1740, and I understand that it is the belief of the Committee on Appropriations that the matter should be handled in that manner, and that already some 16 beneficial companies have been taken care of; that there are 9 who do not have the benefit the other 16 already have.

Am I correct in understanding that, as a result of the Appropriations Committee's action they are covered in the Senate bill when it is enacted?

Mr. THOMAS. Yes; I think the gentleman is correct.

Mr. CRAMER. Mr. Speaker, the purpose of my interrogating the chairman of the Appropriations Subcommittee the gentleman from Texas [Mr. THOMAS] on the deletion of amendments Nos. 11, 12, and 13 under chapter V, Independent Offices, which "deletes language proposed by the Senate relating to the Federal employees' group life insurance fund" was to bring to light the effect this deletion has on many retired people who have group life insurance with beneficial associations that have not as yet been taken over under the Federal Employees' Group Life Insurance Act of 1954, as amended in 1955, some 9 of some 25 of such groups, and some 90,000 people who have no redress if Congress doesn't give some relief this year.

The deleted language eliminates $180,000 to appropriate this amount for payment from the employees' life insurance fund expenses incurred by the Civil Service Commission in assuming and maintaining the assets and liabilities of certain beneficial associations, a program entered into under the 1954 act but which must be abandoned so far as the remaining 9 associations with slightly over 90,000 policyholders thus put in jeopardy. Since the act of August 11, 1955, amending the 1954 act, the Commission has assumed the assets and liabilities of 16 such beneficial associations, leaving these 9 yet unassumed, and the Commission is without time—act expires August 17—or money to complete the job already embarked upon.

It certainly is unfair to have the United States undertake to assume the assets and liabilities of only a part of the beneficial associations and a part of the policyholders. Why should some 90,000 policyholders in some 9 associations be discriminated against? Congress is responsible as the results of the 1954 act for jeopardizing these associations by enacting the Federal Employees' Group Life Insurance Act, and recognized this would be the case by passing the 1955 act giving some relief.

I brought out in debate that the Senate has had favorably reported to it S. 1740 by the Committee on Post Office and Civil Service and I trust that it will be passed promptly, this bill authorizing the continuation of the program under the 1955 act and protecting these 90,000 policyholders. My purpose was to call this situation to the attention of the House and to elicit from the Committee on Appropriations the thought that the amount was eliminated mainly because of the possible question that the spending of the money had not been sufficiently authorized and that the committee thus was not necessarily opposed to it in principle. I trust immediate action will be taken by the Senate, and I urge the House to act favorably on the matter as well.

Mr. MARTIN. Mr. Speaker, in conclusion, we have spent some money in perfecting this experiment and we are about ready to go ahead. Let us not stop now. Let us spend these few millions requested in the hope that it will save the country many millions later. People overcome by great disasters have a right to expect aid from their Government.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Speaker, I realize full well the complex problems relating to the adoption of an adequate, equitable, flood-insurance bill.

When I first appeared before our very distinguished House Committee on Banking and Currency during the hearings on the original proposal, I expressed myself very definitely on the point that any worthwhile flood-insurance program would have to apportion the risk over the entire field on the principle of the war risk insurance laws. However, this principle was not accepted. On the other hand, another approach was adopted by the committee which worked long and zealously, and this one was finally adopted by the Congress last year.

I presume that no one, including the committee which labored long and diligently to perfect suitable legislation, would contend that the bill adopted was completely satisfactory or adequate. It was reported and passed with the distinct understanding that it was a beginning, so to speak, that would inaugurate a period of experimentation in order that with some experience in this difficult field a program could be finally evolved that would do the job that will have to be done in order to afford sufficient protection for flood-stricken areas.

I still adhere to my original concept that such a bill should be much broader in its coverage. I recognize the difficulties that are implicit in such a broad-gaged measure. First, it would be necessary, as I think it is with regard to all proposals of this kind, to write into the legislation safeguards for our private enterprise system. This Congress must be most zealous not to set up needless competition with the private companies. At the same time we have every reason to expect the cooperation of private companies and recognition on their part that the Nation is confronted with a major problem regarding flood insurance that must be solved by something more than the mere creation of makeshift provisions.

When we consider the large number of floods and natural disasters that occur every year in this country and the great damage and havoc that is wrought and the stultification of incentive and enterprise that frequently results as an aftermath, it seems shocking indeed that the Congress should turn its back during this session upon the flood-insurance legislation which we enacted during the last session. The proposed abandonment of the flood-insurance program is neither wise, nor can it be logically justified on the grounds of economy or any other grounds. The few million dollars that are involved here in order to carry last year's program forward are of little or no consequence in the overall budget of over $73 billion. In fact, the amount sought is negligible and petty as compared with huge sums we are spending abroad and at home for many causes far less worthy and certainly less urgent.

None of us can be sure of the degree of urgency that is involved in this legislation because great, fearsome, natural disasters, floods caused by violent sustained storms, tornadoes and other holocausts, protracted droughts, wind and sand storms, devastating fires, and other destructive natural phenomena would seem to be on the increase.

There are some who believe that the large number of severe storms, climatic phenomena, tornadoes, and the like that we have been having recently are attributable to current nuclear experiments, in fact, many things seem rightly or wrongly to be attributed to these man-made explosions designed to perfect substances of apparently almost infinite, global destructibility. Notwithstanding the assurances of the scientists and experts, many thoughtful American citizens are not persuaded that there is not some relation between nuclear explosions and recent natural disasters stemming from violent, torrential storms. I am not asserting that there is necessarily any relation between the two, because I have not had the opportunity to study the question at any great length, but the occurrence of so many of these holocausts serves vividly to bring forcibly to our attention the need for adequate Government organization to cope with them, and this includes not only flood insurance, but the adoption of other proposals improving our readiness and efficiency in handling these disasters which I have heretofore touched upon in the House and about which, unfortunately, in the broader sense, the Congress has not as yet taken affirmative action.

To be sure, we have made substantial provisions for relief and rehabilitation of distressed areas and on the whole these have been carried out by the Government. In the case of storms and disasters in my own district and area and in other areas, I may say with pride and

gratitude that the Congress has acted to provide assistance and to inaugurate projects that will materially reduce, if not entirely eliminate, many future dangers. In my appearance before our distinguished House Appropriations Committee recently in support of additional budgetary implementation of existing projects, I was happy to note what seemed to me to be a commendable understanding of these problems and a cooperative spirit and purpose to further their solution. I have every reason to believe that pending legislation will appropriate sufficient funds to carry forward the urgent projects that have been commenced.

It is to the broader aspects that I am addressing myself, first, with regard to natural disasters, and, secondly, with regard to so-called manmade disasters which may seem remote—and we hope they are and believe they will be—but which nevertheless are definitely within the range of possibility, however much we may seek to persuade ourselves to the contrary. In other words, it is to every eventuality, and not merely to some, that I direct the attention of the House, and this would include provisions for an overall, fully integrated, comprehensive program that would entail the creation of an adequate, ready organization that could be promptly mobilized both in its military and civilian components and rush speedily into the breach whenever the need arises.

I am convinced that Congress should consider these matters in the very broadest sense. I particularly urge the adoption of all pending appropriations that have been approved by the committee up to this time with respect to flood and water control and the implementation of the flood-insurance program in its entirety, so that we may go forward as heretofore authorized and planned with the proposed experimentation program that will point out the ways and means by which we can finally come to an effective solution.

Let us by all means continue to practice commendable economy which we so badly need today to insure the American people some relief from staggering burdens of taxation. But as we effectuate economy and efficiency, let us not be blind to the stern fact that we must achieve these desirable needs without paralyzing or impairing legitimate essential activities of government. Economy achieved at the expense of vital governmental programs would be merely an illusion and in the end would defeat its own purpose by stultifying the progress of the Nation and jeopardizing the security, well-being, and happiness of the American people. If we avoid irrational penury as well as extravagant spending, we will best be serving the paramount national interest.

The distinguished majority leader, my valued friend, Mr. MCCORMACK, with his usual forward-looking approach, judgment, and ability, in an exceedingly meritorious, able, recent speech on the Federal Flood Indemnity Administration, has presented an unanswerable plea for the further implementation of the previously established flood insurance system. Our very able, much beloved, valued friend, the distinguished minority leader, Mr. MARTIN, is in strong support of flood insurance. The House voted last year to commence this most necessary program, only $14 million is required to put the program into effect, if this sum is voted by the House existing plans can be put into operation immediately, the matter has been exhaustively studied and documented, the Government would not be competing with private insurance companies, Congress would be fully informed of the progress of the experiment so that, if necessary, perfecting action might be taken. These are the plain facts.

Many safeguards are contained in the bill to minimize the Government's potential liability. I allude to the limited coverage of $10,000 for single dwellings and their contents. The mere statement of this amount clearly indicates and establishes the strict limitations on Government liability.

I am in a position, personally, to testify on this phase of the question because as a consequence of the 1955 flood disaster in my district, one company is said to have spent about $1 million to rehabilitate its plant and continue the employment of about 3,000 employees. Other companies spent very substantial sums for this purpose, and many of them really could not afford it. Many people lost everything. Flood insurance would greatly mitigate disaster, hardships, and damages.

Conditions are written into the act strictly limiting the Government's liability, the risks will be spread over a relatively broad field, no policy can be issued indiscriminately, and zoning provisions must be enacted by appropriate public bodies which will insure even greater restrictions upon Government liability.

The rating system which has now been devised is not permanently fixed, but will be revised and reshaped in accordance with actual experience.

Floods, tornadoes, great natural disasters are no respecters of section, States, areas, or persons. They strike anywhere without warning, they wreck indescribable havoc and damage to persons and property. They leave trails of tragedy, sorrow, privation, and extensive damage. They inflict a national loss as well as State and local losses.

They are happening so frequently these days that it must be, it inevitably will be, the duty of Congress to cope with them. Lip service is not enough. Hoping that they will not happen is a palpable delusion. They will happen and we cannot foresee where they will strike. Yesterday it was my district and State. Tomorrow it could be the district and State of any other Member of this House. Let us act before it is too late, and let us act in a way that will render maximum, organized, speedy, efficient, and economical help to suffering people who will need it so badly. No amount of clever argument can possibly obscure the true urgency for flood insurance. I hope and urge that the House will support this amendment to recede and agree.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Speaker, a few years ago when this legislation was under consideration by the House, we had in New England and on the eastern seaboard from Florida to Maine a territory which had suffered one of the worst hurricane seasons in our history. Following that the west coast, including the States of California, Oregon, and Washington, suffered some of the worst floods in their history. As a result of those disasters, appeals were made to Congress and money was appropriated to help in those areas both on the eastern seaboard and also in California, Oregon, and Washington because of the severe losses that were sustained.

At that time it was suggested this might be a regional problem that concerned only New England and the eastern seaboard or California, Oregon, and Washington. That no longer is true. In this present year $200 million of damage has occurred because of floods. The President has designated certain Midwestern States as disaster areas because of the recent tornados and floods that have occurred. Especially in the Southwest, in Texas and other States, they have suffered more damage this year perhaps than they have in many, many years.

As the author of the amendment, the gentleman from Massachusetts [Mr. BOLAND] so well stated a while ago, this is not a $5-billion program at all, although the Government is authorized to provide for coverage up to $3 billion. It does not mean that the Federal Government is going to spend $3 billion at all. It simply means they are going to offer this coverage and work in conjunction with the insurance companies, as a result of which the premiums will, we believe, cover the cost of such a program.

Mr. Speaker, the motion before us would restore funds to the Federal Flood Indemnity Administration and begin a program of flood insurance to offer protection to property owners throughout America.

As a member of the Committee on Appropriations, I have some close acquaintanceship with this appropriation request. And I would suggest to the membership that the main issue before us is more important that the start or failure of a system of flood insurance. The overriding question is whether we are going to keep our people forever dependent upon handouts and charity or whether—by this vote—we will finally give them an opportunity to pay something toward their own protection. It is as clear as that: charity versus an American system of insurance.

As things stand today your constituents and mine cannot buy flood insurance. Private companies won't sell any and until we appropriate some money to get the Government program going they cannot buy Federal flood insurance.

There are people all over this country today who wish they had an opportunity to put money on the line to protect themselves from the catastrophe of floods.

As I previously stated, to date this year Americans have suffered some $200 million property damage from floods, according to the latest Corps of Engineers

figures. The President has already declared areas in 11 States as flood disaster areas under Public Law 875. The States affected are Kentucky, West Virginia, Oregon, Virginia, Washington, Texas, Louisiana, Oklahoma, Idaho, Missouri, and Arkansas. Twenty other States have suffered flood damage of lesser magnitude this year.

This is hardly a sectional issue. I'm from New England. We haven't had a flood yet this year. Thirty-two other States have. This is a national problem.

The man who owns his own home, whether it be near the shore or in communities along the rivers which flow through the State, is a substantial member of his community. His roots are established in that community. The taxes he pays to the community, the money he spends on family needs and utilities, go to the maintenance of that community. If through despair of ever being able to feel safe and secure from these damaging forces he pulls up stakes and goes elsewhere, the community, and each of its members, suffers to some extent.

Industry, whether it is of the small shop kind or a substantial manufacturer of goods, is the employer of thousands of people in the communities of our State. If the small shopkeeper becomes so discouraged that he will not endeavor to make a fresh start, or the stockholders who own the large manufacturing concerns decide that their investment must be protected by moving elsewhere, then the very lifeblood of the economic existence of the community is drawn off and the entire area withers. To my mind it is exactly this situation which a system of Federal insurance should be designed to prevent.

I recall vividly the situation in Providence, R. I., when hurricane warnings were raised. For weeks the economic life of the city was out of gear. The owners of businesses in the downtown area were vitally concerned with moving merchandise out of the reach of the waters which were expected to pour into the city. The feeling of frustration was terrific. The expressions of despair were many, and many times I heard men and women say they would never go through this experience again.

I have been told often by people in the insurance business that one of its greatest features is the peace of mind that it provides for the policyholder. With this thought I am in complete agreement.

Thousands of Americans today are relying upon charity and relief to repair or replace their homes, farms, and factories which were damaged by floods this year. They are hoping also that they will be able to deduct some of these losses from their next income-tax returns.

Neither is the Federal Treasury escaping any losses because of the lack of insurance. The 11 disaster areas are eligible for millions of dollars of Federal relief. Internal Revenue will feel the pinch when the next filing time rolls around.

Mr. Speaker, is this economy? Or is this any way for us to treat our constituents?

We are being asked today to start an experimental program that will protect millions of Americans from the sudden catastrophe of unexpected floods. It replaces no private enterprises existing today because there are none in this field. It will not establish a large Federal establishment because the Government will use the services of private insurance industry to sell and service these policies.

Although the Government is authorized to cover $3 billion worth of property, this is not an expenditure. We believe premium income will substantially cover loss payments to property holders.

But this insurance will give Americans the opportunity to protect themselves from flood losses for the first time in history. I cannot think of a more equitable system.

I urge the restoration of flood-insurance funds.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. LENNON].

Mr. LENNON. Mr. Speaker, this is certainly not a political piece of legislation, it is not a partisan piece of legislation, it is not a sectional piece of legislation. The distinguished minority leader commented on the fact that the President wanted this legislation. May I say to all of those within my hearing today that I believe the people of America want this type of legislation and are entitled to it.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I yield to the gentleman from New Jersey.

Mr. CANFIELD. In all fairness, I think it should be stated that former President Truman recommended this type of legislation also.

Mr. LENNON. I thank the gentleman for his remark. We should not consider in any light that this is partisan legislation.

Let me say to those of you who are present that in October 1954 my congressional district suffered the greatest damage of any section of America by Hurricane Hazel. Twelve hundred buildings completely destroyed in 2 counties of my Congressional district, 750 homes were more than half destroyed and damage ran into the millions of dollars.

May I say, Mr. Speaker, that this insurance is not now available in America at any cost, at any price that you may be able to pay. The legislation itself provides that by July of 1958 the States must enact ordinances that will set up flood-preventive measures in order that this insurance program may become a success. In July of 1959 the act provides that the several States who participate in this program must share a part of the subsidy or cost. The act now provides that the Government will pay 40 percent of the premium and the policyholder will pay 60 percent; but, after July 1959, the States must come in and share part of the expense. I think that is right.

Mr. MORANO. Mr. Speaker, the gentleman has made a fine statement and I want to compliment him on the statement he has made.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Speaker, I was just thinking, when they were talking about the terrible damage that had been inflicted by these floods, that if we had had this insurance in vogue at that time it would not have been a $3-billion or a $3-billion but it might well have been a $5-billion obligation on the part of the Federal Government.

Mr. Speaker, the $14 million written into the independent offices appropriation bill by the other body was given full consideration by our Subcommittee on Appropriations in hearings held some months ago.

The Housing and Home Finance Agency at that time asked for a $50-million appropriation, of which $14 million, they felt, would be necessary to pay private insurance companies for writing the first year's business.

They had held many conferences with insurance organizations who were quite willing to cooperate, and out of those conferences it was mutually agreed that it would require about $14 million to pay the agents and the expense of putting a year's business on the books.

Now, inasmuch as the Housing and Home Finance Agency would be by law compelled to pay a subsidy of 40 percent of the cost of the premium for the insured, it was estimated that the Government's part of the subsidy for the first year would run $36 million. This would cause the Government a total loss the first year of $50 million.

The Members of our committee, based on the facts brought out in the hearings, felt it was not wise to approve the flood-indemnity-insurance program, which would put the Federal Government into the insurance business in a big way on a plan, we felt, from an economic standpoint, just could not be successful.

The Housing Administrator, Mr. Cole, and his assistants explained that the premium rates on the insurance risk written would vary somewhere between $1.50 and $13.50 a hundred on premium rates.

I believe they testified that they thought the average might be around $3 per hundred. Even though the Government would be committed to pay 40 percent of all such insurance premiums, we felt that the premiums would still be so high that enough business could not be written to justify the amount of money the Government would risk, and the danger of tremendous losses.

I think we know that successful insurance companies, which have built up a tremendous business over 100 years past, of necessity, had to follow a policy of scattering their risks so widely that a great deal more premium money would come into the companies in excess of the losses they would have to pay out. All of these companies have used great care in selecting their risks. Where the risk is too great, they will not write it because, consequently, the losses would be too great.

Throughout the years, the best insurance brains in the Nation have consistently refused to write flood indemnity insurance in any substantial volume because they felt the risk was too dangerous.

Now, the Government proposes to go into this nonselective bad risk insurance, and realizes it is so bad that they will have to start out with taking a loss of 50 percent of the premiums involved of the insurance that is wrtten. In addition to that, they have to hire the insurance companies to go out and get the business, and put it on the books, and that is what this $14 million requested in this bill is for. The insurance companies take none of the risk whatsoever. In addition, if we approve this $14 million, I feel quite sure the Housing Agency feels they can go direct to the Treasury and get the other $36 million which we will have to spend in paying 40 percent of the cost of the premiums written.

So, we lose on the first year's business $50 million, and if we get started we may lose over $5 billion in a year in attempting to do the unheard of in indemnity insurance. By the "unheard of" I mean—and this is the greatest objection to this program—that we propose to insure property against flood danger—all of which is the very worst possible risk that could be taken, and none of the risk could be graded as fair, or desirable.

We can only insure the people living along the valleys and streams who are willing, with the assistance of the Government, to pay high insurance rates against ultimate disaster that they fear and have reason to believe will follow.

In other words, no high-grade minimum-risk insurance will be written. All will be poor risk, and undesirable from an economic standpoint.

We just cannot afford to put the Government in business and add this expense, with the people demanding that the Government get out of business and that we cut the cost of appropriations.

A Member with long service in the House, in discussing this privately said to me the other day, "If we go into this flood indemnity business in a big way, it could, added to all the other pressing fiscal problems, wreck the financial solvency of our Government."

Because of these objections and many others, we felt and advised the Housing and Home Finance Agency to use $325,000 in making a further study of this problem in the hope of coming up with a plan that would offer some possibilities of success without too great cost to the Government.

We felt that the present plan was too dangerous to adopt, but we wanted to give the Housing and Home Finance Agency an opportunity for further study to see if they could present a more acceptable plan to the committee at a later date.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I do not want anybody to feel that I have less sympathy than somebody else for those who are in trouble over floods. But I want you to get a little idea of what this would mean. Under this bill houses may be insured for up to $10,000 at a cost of approximately $300 a year. If you buy fire insurance the premium for $10,000 under ordinary circumstances, on individual houses, would only be about $60 for 3 years, or $20 a year. This bill is set up so that the Federal Government pays the 40 percent commission to the agents. That is why they want this money.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. BOLAND. I do not think that is quite accurate.

Mr. TABER. Oh, yes.

Mr. BOLAND. That the Federal Government pays 40 percent commission to the agents?

Mr. TABER. Forty percent commission, on these premiums, goes to the agents. That is the practice.

Mr. BOLAND. I still insist the gentleman is not correct.

Mr. TABER. I did not make the statement without checking.

Mr. BOLAND. Will the gentleman yield for a correction?

Mr. TABER. The gentleman has had the opportunity for that. I do not think I can yield further, because I do not have sufficient time. Here is the picture. If we go into this and get it started and provide the first money for it, it rolls. And what will it roll to? Five hundred million a year for 6 years; and in addition, if the President so elects, $2 billion more or $5 billion over all, to come out of the Federal Treasury.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. MORANO. I understood that this bill provided that the Government would pay 40 percent of the premiums, not 40 percent commission to the agent.

Mr. TABER. That is what the commission to the agent is. I did not make that statement without finding out.

Mr. MORANO. I understood the commission to the agent would be 9 percent and the Government would pay 40 percent of the premium.

Mr. TABER. That is the situation, and frankly, I do not want to get into a $5 billion proposition. This authorizing bill was put through the House without any rollcall; most of the Members did not know it was up. That was, I believe, at the close of the last session. I do not like to have these bills go through like that without sufficient consideration. I want the membership of the House to know what is going on. Now we have that situation. When you get into this, you are getting into the neighborhood of $5 billion of expense. If you do not stop it now we are in over our heads. The Government guarantees all the losses on these things, and the money can come right out of the Treasury without any appropriation or any review. The whole thing is wide open just as soon as we pass this appropriation to start the thing rolling.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. The gentleman from New York rightly brought out that to insure a $10,000 risk there would be a premium of approximately $300.

Mr. TABER. For 1 year.

Mr. H. CARL ANDERSEN. Would that not make it practically impossible for anybody even to insure under this Act unless he felt that his risk was so tremendous that he almost was forced to do so?

Mr. TABER. There would not be any question about that. I am afraid there would not be enough policies sold so that there would be a possibility of getting in money enough in premiums to pay the losses we would have. I do not see how it could be done.

When these people were before the Independent Offices Appropriations Committee my understanding is that they did not have a real, good, definite program, after having had $500,000 available to them for 7 or 8 months. On top of that, they had spent only about $150,000 when they were up before the committee, and they had $300,000 left. With that they could get up a real program, instead of coming in here without a definite, positive program.

Mr. CANNON. Mr. Speaker, I yield myself 5 minutes, and ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, let there be no misunderstanding about it, this is one of the most dangerous amendments that has been offered in this session. It does not involve mere millions of dollars, it involves billions of dollars.

One Member speaking here just now told us that in one downpour alone, in his district, 1,200 houses were washed away. Multiply that by the storms annually and by the 435 congressional districts in the Nation and make an estimate. Or consult the daily newspapers through the year and you will see that it is merely a matter of a comparatively brief time before a bill will be presented to the Federal Treasury for payment, and every taxpayer in the Nation will start digging up the coin to make up the deficit.

All over the country areas subject to inundation and shouldering their own responsibilities for a hundred years will be taking a free ride and the Government and the taxpayers will be holding the bag and paying the bill.

The title of this bill ought to be changed. It ought to be captioned, "A bill to increase the taxes of every Federal taxpayer in the United States," for that is exactly what it will do if this amendment is adopted. It will increase taxes by billions of dollars.

Mr. Speaker, nearly every annual budget that comes up here has some damfool estimate in it that throws all former figures completely out of balance. And when we ask "How in the world is it that this budget is so out of all proportion to what it was last year?" The answer is that Congress passed some new law authorizing appropriations for some new project.

Thereupon everybody joins in apostatizing the legislative committees and demanding that these new authorizations expanding and mushrooming the costs of government when we ought to be reducing and contracting the expenses of government should be stopped at the source.

And here we are at the source, Mr. Speaker. If left in here this amendment will spiral and pyramid and expand, and all hope of tax reduction will be further away than ever. This amendment ought to be cut off right behind the ears. Let us right here, right now, lean a few props up against the tottering doors of the United States Treasury instead of pouring in more nitroglycerine behind the few hinges still hanging in futile effort to keep out the raiders.

But, Mr. Speaker, we sit here in wonder and astonishment this afternoon listening to these gentlemen who have been making the welkin ring all this session with screams to keep the Government out of business. On all and sundry occasions, in season and out of season, they march into this well vociferously demanding that we keep the Government out of business. And now these same identical gentlemen are demanding that we put the Government in business—the insurance business.

The country is literally littered with insurance companies. There is an insurance agent around every corner waiting to waylay you. You can insure your house, your life, your wife, your automobile, and what have you. You can insure anywhere, anytime, anything—except one thing. You cannot insure against flood. Why not? Because the insurance companies are too smart. They know they are certain to lose. Those whose property is subject to inundation will take out a policy. Those not subject to inundation will not take out a policy. It is "tails I win, heads you lose." There is no possible way to break even. So they start looking around for a fall guy. And who but Uncle Sam and the taxpayer. Extra copies of the roll call on this coming vote ought to be printed and distributed to taxpayers. And then when they hear some knight in shining armor caterwauling about keeping the Government out of business just before the November election let them run down the list and see if he voted on June 18, 1957, to put the Government in the insurance business.

Someone insists we ought to go into the insurance business as an experiment. They are unwilling to abide by the experience of every insurance company in the country. The insurance companies which have tried it have wound up with all the experience and none of the money.

And Uncle Sam has already tried it. The Government has tried every possible combination on crop insurance. I started it when I was chairman of the subcommittee on agricultural appropriations. We worked for years on it but the farmers who knew they would have a crop failure insured and the farmers who knew they would not have a crop failure would not insure. When the drought at seeding time indicated certain failure the farmers took out a policy. And after a late flood farmers would drive in a wet field and scratch up a little dirt and throw around a little seed and collect the insurance. As usual the Government got the experience and the farmer got the money. To the desperate farmer, robbed and exploited by the rest of the Nation who took his hard-earned produce away from him at less than cost of production it was a case of the blind sow finding an acorn once in a while.

It is not an experiment. It has already been weighed in the balance and found wanting. It cannot fill any legitimate need in the economic life of the country. It puts the Government back into business—a business doomed to certain failure. It expands the cost and function of Government with no compensating advantage. It was defeated here in the House when it was first on the floor in the original bill.

To all my friends whose hearts are bleeding for the downtrodden taxpayer, may I suggest that here is at last an opportunity for you to give a reason for the faith that is in you. Here is a chance to ride horse and dragoon to the rescue of the taxpayer—not by eloquence and perfervid oratory—not by heroic platform declaration or challenging release to the press, but by your vote. By your vote to defeat this amendment and keep down taxes and keep the Government out of business.

Mr. Speaker, I yield the remainder of my time to the gentleman from Texas [Mr. THOMAS].

Mr. WAINWRIGHT. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield.

Mr. WAINWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks following Mr. CANNON.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WAINWRIGHT. Mr. Chairman, the distinguished chairman of the Appropriations Committee has worked so diligently on the multitude of matters before him that he has been unable to study the details of the problem. The proposed act does not put the Government in the insurance business. It merely allows the private companies to extend risks which ordinarily would not be taken. If these risks pass a certain stage, the Federal Government stands behind the loss. These people pay a premium, so this is not like many of the proposals supported by the gentleman from Missouri, such as the giveaway farm programs. In any event, people on Long Island would like to be able to insure their houses and property against the ravages of hurricane. The gentleman from Missouri is killing their chances.

Mr. BYRD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BYRD. Mr. Speaker, I rise in favor of the motion that the House recede from its disagreement to the amendment of the Senate numbered 15 and agree to the same, in order to provide the sum of $14 million, to remain available until expended, for operating the Federal flood insurance program. The adoption of this motion will signal the initiation of the Federal flood insurance program. In so doing, we reassure our citizens that the Congress was sincere when it passed the Federal Flood Insurance Act of 1956 and held out to the public at least partial security from flood damage.

In 1955 flood losses in our Nation cost about $1 billion. The Congress determined that some legislative program was necessary to minimize the losses suffered by citizens in such disasters, as well as to relieve the amount of direct Federal and State aid for relief, rehabilitation, and charity. In this regard, permit me to direct the attention of our members to Public Law 875 of the 81st Congress, which authorizes the President to determine when certain catastrophes may be classified as major disasters. Public Law 875 provides that the governor of the State involved must request that the law be invoked and give assurance of the use of a reasonable amount of funds by the State or local governments for relief. Since the enactment of Public Law 875 in 1950, the appropriations thereunder have mounted to over $90 million.

Now for the first time our citizens have an opportunity to contribute to their protection. The reduction in flood losses in 1956 and the present economy wave cannot remove our responsibility to the public who overwhelmingly requested the Federal flood insurance program.

Unless the House takes action now, the Congress must tell the American people—the small property owner, the small-business man—that after almost 1 year we are not yet ready to proceed with the program. At the same time the Federal Flood Indemnity Administrator has testified that the Federal flood insurance program is ready to be put into operation promptly.

It should be made clear that the item of $14 million is for operating expenses of the program and is not required for the payment of salaries to employees of the FFIA staff. The amount is required to cover the expenses of insurance companies for issuing and servicing policies, underwriting, accounting, and statistical work on behalf of the Government. In other words, the item of $14 million is for the express purpose of providing the operating expenses to the private insurance companies that will write the contracts, will sell the insurance, and adjust the losses.

The objections that have been offered to appropriating this amount are easily overcome. If anyone is of the opinion that this program means the Government is getting into the insurance business, let us dispel that fear by pointing out that the Government is prohibited from so doing by the plain language of section 12 (a) of the Federal Flood Insurance Act of 1956, which provides as follows:

> No insurance or reinsurance, or loan contract, shall be issued under the provisions of this act covering risks against which insurance is available on reasonable terms from other public or private sources.

There certainly cannot be objection to the fact that a portion of the requested amount is for expenses to be paid claim adjusters for their services in handling the settlement of claims. The payment of compensation for services rendered by outside specialists cannot be criticized. Such practice is not without precedent in the administration of other Federal programs. On the other hand, it means that the Government will not be called upon to recruit a large staff and to employ claim adjusters whose services would, of course, only be needed if and when losses should occur.

It is a sad reflection upon the House when we realize that by rejecting this item we are, in effect, nullifying our action last year when we passed the Federal flood-insurance law. That legislation was enacted only after days and days of extensive hearings and after lengthy studies and surveys were submitted. The insurance industry itself has assisted and cooperated in the organization of the Federal Flood Indemnity Administration. Rates have been established for each major river basin in the United States, and these rates have been reviewed and approved by the industry itself. It is my understanding that the program includes adequate safeguards that will maintain a proper balance between premium and loss reserves. Admittedly, then, there is no justification to the argument that additional studies are needed.

Obviously, the Federal flood-insurance program is not designed to benefit big business, which can well afford the high premiums that would necessarily be required by private insurance companies for insuring risks of this nature. The adoption of this motion, however, will reassure thousands of citizens, such as our small-business man and the ordinary homeowner, that the Congress is not abandoning them and leaving them at the mercy of Federal aid in the form of charity.

My State of West Virginia was stricken by the severe floods early this year. Parts of West Virginia, Virginia, and Kentucky, were declared areas of major disaster by the President. Pursuant to the authority under Public Law 875, the President has allotted to these States the sum of $2.4 million for flood relief. On May 29, 1957, Gen. Alfred M. Gruenther, president of the American National Red Cross, forwarded to me the final field report summarizing the Red Cross relief activities in these three States. That report showed that, while a total of 17,469 families were affected by the floods, 9,512 families received assistance. This assistance involved expenditures of $3,963,231.

These figures make it evident that, if we do not appropriate these necessary funds, we cannot rightly say that we are effectuating a saving. As a matter of fact, we are disregarding the will of our people who are eager to contribute to their own protection. By making possible such contributions, the net effect might well be to reduce Government expenditures in flood emergencies and, thus, provide a real savings to the American taxpayers.

In view of these facts, I sincerely hope that the motion will be adopted.

Mr. THOMAS. Mr. Speaker, let me talk briefly to both sides of the aisle on this problem. I do not know too much about it, but I have been studying it hard, I assure you, and if you know anything much about this bill, you are much better than I am because I do not think you can know much about it in the shape that it is in. There is nothing partisan about this subject matter. This has been tried before and it has been studied before. Read the report from that able committee headed by the able gentleman from Arkansas [Mr. NORRELL] in 1951 when we had the tremendous flood all through the Middle Western States along the Missouri River, when that one flood alone cost $2,500,000,000 in damages. There is nothing partisan about it and there is nothing new about this subject. We have had floods for the last 100 years in this country, and I am sure and I am afraid that we will have them in the years to come regardless of what we do or do not do here today. Floods are horrible and they are heartbreaking, but still we know we are going to have them because we have had them in the past. There is no telling what this program will cost.

Read the report I referred to a while ago, the report back in 1951 when they had all the top private insurance company executives in American before the committee. Who are we to disagree with those gentlemen who with their predecessors have been in the insurance business for from 50 to 100 years. They said, "Gentlemen, it will not work. It cannot work. It is not a proper field for insurance because nobody is going to buy such insurance unless he is reasonably certain that he is going to suffer damages." And, yet, we are putting our expert opinion up against the opinions of those gentlemen. Does it not really make us look a little bit foolish? Those representatives of the insurance companies say it will not work and that it is too expensive. I have figured out that if we had had this insurance in effect in 1951 when we had that horrible flood throughout Missouri and the other States—if we had had only one-fifth the coverage allowed under this act—we would have lost in excess of $450 million at that time. Think about it. Who is going to pay for that? Your taxpayers and mine are going to pay the bill.

My country is under water, too; a lot of it. Some part of it has been getting under water for a good many years, and I am sure that for a good many years in the future it will continue that way. Yet you do not want to listen now.

Our Hoover Commission friends said, "Get our Government out of business. Get us out of business." I can hear them hollering now all the way from Houston up here about getting the Government out of business; and my friends from Massachusetts and South Carolina can hear it, too; yet here we are about to embark on a business where the probabilities are the loss will exceed $500 million a year. If anybody can controvert that statement, he is all right in my estimation.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to my distinguished friend.

Mr. BOLAND. I do not like to dispel the argument of the gentleman from Texas, because he is one of the most persuasive of men in the House. He kills us with kindness most of the time but winds up killing the bill.

The testimony before the committee was that there would be no loss totaling the amount the gentleman has mentioned.

Mr. THOMAS. The gentleman's guess is as good as mine. He said the loss will not be large. I say it will be. Certainly the gentleman would not say there would be no loss under the bill.

But let us get back to the matter I was talking about, getting the Government out of business.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. Just one minute, are you going to have the Government pay for forest-fire insurance? We have had some terrible ones. Are we going to put the Government in drought insurance? We have had more droughts in the last 7 years than we have had floods. Those droughts have cost many States a lot of money, and my friends out there in the drought area certainly are as much entitled to relief as those in the flood areas. And some of my friends out on the Pacific coast have had some earthquakes. Are they not entitled to subsidized earthquake insurance, too?

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. I appreciate the gentleman's yielding to me. I have worked rather hard on this.

Mr. THOMAS. The gentleman certainly did.

Mr. WHITTEN. Here is what I would like to say for the record. The evidence is that most of the damage in these floods come from people who push closer and closer down to the water level. If this bill is passed where the Government would pick up the check, you would find the people getting into the more risky areas day after day, adding to the problem the gentleman has mentioned.

Mr. THOMAS. I thank the gentleman very much. He is 100 percent correct.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman now yield?

Mr. THOMAS. I must yield to my friend from New Jersey.

Mr. THOMPSON of New Jersey. Does the gentleman claim that a Government insurance program would not be putting the Government in business?

Mr. THOMAS. Does the gentleman deny that?

Mr. THOMPSON of New Jersey. It would be putting them in business.

Mr. THOMAS. It might be a giveaway business.

Mr. THOMPSON of New Jersey. What has the gentleman to say about war insurance, when we gave each man a $10,000 policy during the war when no insurance company would write such a policy as that?

Mr. THOMAS. We had 20 million men under arms at that time. There is no more connection between that and this form of insurance than there is between daylight and dark.

Mr. THOMPSON of New Jersey. How much is twenty million times ten thousand?

Mr. THOMAS. Mr. Speaker, this item ought to be deleted, this $14 million. Do you know what the request was when this first came to us? It was $100 million. Then they called a second confab, and do you know what their second request was? $50 million. Now my friends take a third bite at it and they set the figure at $14 million. If you give them $100, you might just as well give them $100 million, because they will be back here next Monday asking for the remainder.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield.

Mr. PILLION. Whether we invest $14 million or $500 million, will we be able to save one life or avoid one tornado or one hurricane, or minimize the loss in any way?

Mr. THOMAS. May I thank the gentleman for bringing that point out. We have had these terrible floods in the past and will have them in the future, whether we have this program or do not have it. It is not going to save any lives.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Massachusetts.

Mr. BOLAND. That is not the issue, the matter raised by the gentleman from New York. It is not a question of saving lives; it is a question of saving people who are in these areas from disaster. It gives them an opportunity to get on their feet.

Mr. THOMAS. A gentleman stated a while ago that if we adopt this program we are going to save the money that the Government is now spending for disaster relief. There never was a more sincere but a more erroneous statement made on the floor than that, because we appropriate money every year, $20 to $25 million for the President, regardless of which party he belongs to, for relief purposes. How is that money allocated? Is it allocated to aid a particular State? The President must first examine the area in a State and designate that as a relief area. Then the money goes to that particular State and that State allocates the money, not to A, B, or C, but allocates it on a community basis. Let us get this point straight. The act is so defective that the State and the counties and the political subdivisions under it cannot get one red 5-cent piece. Does anybody challenge that?

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Did I not hear the gentleman in his committee recommend some funds for this organization to go ahead with the program?

Mr. THOMAS. Did we or did we not?

Mr. CANFIELD. Did the gentleman not recommend some fund, the gentleman and his committee?

Mr. THOMAS. No.

Mr. TABER. If the gentleman will yield to me, we did carry an appropriation last year of $500,000, of which $300,000 is left.

Mr. THOMAS. About $175,000 now.

Mr. CANFIELD. Did the gentleman not recommend that when he last appeared before the House?

Mr. THOMAS. I think you have $175,000 left to study it. Let them study the matter and get these horrible conflicts out of the way.

Do you know what this act does? It is possible to have $5 billion in insurance outstanding at one time. It is possible for the Administrator to go to the Treasury and bypass the Congress and get $500 million. If the President says, "O. K." he can go back without coming to the Congress—get this, without coming to the Congress—and get how much more, do you know?

Mr. CANFIELD. No, I do not know.

Mr. THOMAS. Any amount, five, ten or fifteen million dollars—think of it—without the Congress ever saying one thing about it.

Mr. CANFIELD. The gentleman's committee is keeping the organization in business.

Mr. THOMAS. Mr. Speaker, I ask for a vote now. We have debated this matter extensively. The amendment ought to be voted down. If you give them $14 million they are in business and they will be back here in less than 10 days looking, and your guess is as good as mine, for five to one-hundred million dollars more.

Mr. JACKSON. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from California?

Mr. JACKSON. I want to ask a question. Last summer my district in California suffered from a disastrous fire that swept through the mountains out there. Many homes were wiped out, homes which could not be insured because of their location. Now, the analogy is complete. There is no difference between one of those homes in those mountains and a place that cannot be insured. It is only one short step from flood insurance to fire insurance to drought insurance and to other forms of insurance.

Mr. THOMAS. If your people are entitled to flood insurance they are entitled to fire insurance.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Massachusetts.

Mr. BOLAND. I think I can say to the membership of the House that flood insurance is not generally available to the public throughout this Nation. There is not a Member here who advocates this program who would want this program if that insurance were available, but flood insurance is not available. Fire insurance is available all over the Nation.

Mr. THOMAS. Mr. Speaker, the reason flood insurance is not available is that the experience of these people who have been in the business for a hundred years shows it will not work. Now, if it would work, it would be available.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Tennessee.

Mr. EVINS. I should like to point out that in addition to the fund which the chairman has indicated—the President's emergency fund—there is also available the Federal civil defense disaster relief fund through which aid can be given and has been promised; also the Red Cross goes into areas where they have these particular disasters; also there are available assists from the Corps of Engineers, and the States and the municipalities, so that when flood disaster strikes there is always an abundance of aid made available from various sources without the need of the Congress subsidizing insurance companies for embarking on a new program.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. TABER. A vote of "nay" on this motion to recede is a vote to reject this operation.

Mr. THOMAS. And I hope everybody votes "Nay."

Mr. GREEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Pennsylvania.

Mr. GREEN of Pennsylvania. I do not see how you can compare fire insurance with flood insurance. Anybody can buy insurance against fire, so how can you talk about fire insurance?

Mr. THOMAS. The gentleman was talking about forest fires in his section where you cannot buy insurance because it is too expensive and the people would lose money on it.

Mr. Speaker, I ask for a vote.

Mr. CANNON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House recede from its disagreement to the amendment of the Senate No. 15.

The question was taken; and on a division (demanded by Mr. FOGARTY) there were—ayes 95, noes 124.

Mr. BOLAND. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 186, nays 218, not voting 29, as follows:

[Roll No. 115]

YEAS—186

Addonizio	Bonner	Curtis, Mass.
Albert	Breeding	Dawson, Utah
Alexander	Brooks, La.	Delaney
Anderson, Mont.	Broomfield	Dellay
Anfuso	Brown, Ga.	Dempsey
Aspinall	Burdick	Denton
Auchincloss	Byrd	Devereux
Avery	Byrne, Pa.	Dingell
Baldwin	Canfield	Dixon
Baring	Carnahan	Dollinger
Barrett	Carrigg	Donohue
Bass, N. H.	Celler	Dorn, N. Y.
Bates	Chamberlain	Doyle
Beckworth	Chelf	Durham
Bennett, Fla.	Christopher	Eberharter
Bennett, Mich.	Chudoff	Edmondson
Boggs	Clark	Elliott
Boland	Corbett	Engle
Bolling	Cretella	Farbstein
	Curtin	Fascell

Fenton	McIntire	Rodino
Flood	Macdonald	Rogers, Colo.
Fogarty	Mack, Ill.	Rogers, Mass.
Forand	Magnuson	Rooney
Fountain	Martin	Roosevelt
Frelinghuysen	May	Sadlak
Fulton	Meader	Santangelo
Gathings	Merrow	St. George
Gavin	Metcalf	Saund
Gordon	Miller, Calif.	Scott, N. C.
Granahan	Miller, Md.	Scott, Pa.
Gray	Montoya	Scudder
Green, Pa.	Morano	Seely-Brown
Gubser	Morgan	Shelley
Hagen	Morris	Shuford
Hale	Morrison	Sieminski
Hardy	Moss	Sikes
Hays, Ark.	Moulder	Siler
Healey	Multer	Simpson, Ill.
Heselton	Natcher	Sisk
Hoeven	Nicholson	Smith, Miss.
Holland	Norblad	Staggers
Holmes	O'Brien, Ill.	Steed
Jarman	O'Brien, N. Y.	Sullivan
Jonas	O'Konski	Teller
Jones, Ala.	O'Neill	Thompson, La.
Karsten	Osmers	Thompson, N. J.
Kearns	Passman	Trimble
Kee	Patman	Udall
Kelley, Pa.	Patterson	Ullman
Kelly, N. Y.	Perkins	Van Zandt
Keogh	Pfost	Wainwright
King	Philbin	Watts
Kitchin	Porter	Wharton
Kluczynski	Price	Whitener
Lane	Prouty	Widnall
Lanham	Rabaut	Wigglesworth
Lankford	Rains	Wright
Lennon	Reece, Tenn.	Young
Long	Reuss	Zablocki
McCarthy	Rhodes, Pa.	Zelenko
McCormack	Rivers	
McFall	Robsion, Ky.	

NAYS—218

Abbitt	Dowdy	Knox
Abernethy	Dwyer	Knutson
Adair	Evins	Krueger
Alger	Fallon	Laird
Allen, Calif.	Feighan	Landrum
Allen, Ill.	Fino	Latham
Andersen, H. Carl	Fisher	LeCompte
Andrews	Flynt	Lesinski
Arends	Ford	Lipscomb
Ashmore	Forrester	McCulloch
Ayres	Frazier	McDonough
Bass, Tenn.	Friedel	McGovern
Baumhart	Garmatz	McGregor
Becker	Gary	McMillan
Belcher	George	McVey
Berry	Grant	Mack, Wash.
Betts	Green, Oreg.	Madden
Blatnik	Gregory	Mahon
Blitch	Griffin	Mailliard
Bolton	Griffiths	Marshall
Bosch	Gross	Mason
Bow	Gwinn	Matthews
Boyle	Haley	Michel
Bray	Halleck	Miller, Nebr.
Brooks, Tex.	Harden	Miller, N. Y.
Brown, Mo.	Harris	Mills
Brown, Ohio	Harrison, Nebr.	Minshall
Brownson	Harrison, Va.	Moore
Broyhill	Harvey	Mumma
Budge	Haskell	Neal
Burleson	Hemphill	Nimtz
Bush	Henderson	Norrell
Byrne, Ill.	Herlong	O'Hara, Ill.
Byrnes, Wis.	Hess	O'Hara, Minn.
Cannon	Hiestand	Ostertag
Cederberg	Hill	Pelly
Chenoweth	Hoffman	Pilcher
Chiperfield	Holifield	Pillion
Church	Holt	Poage
Clevenger	Horan	Poff
Coad	Hosmer	Polk
Cole	Huddleston	Preston
Collier	Hull	Radwan
Colmer	Hyde	Ray
Cooley	Ikard	Reed
Cooper	Jackson	Reese, Kans.
Coudert	James	Rhodes, Ariz.
Cramer	Jenkins	Riehlman
Cunningham, Nebr.	Jennings	Riley
Curtis, Mo.	Jensen	Roberts
Dague	Johansen	Robeson, Va.
Davis, Ga.	Johnson	Rogers, Fla.
Davis, Tenn.	Jones, Mo.	Rogers, Tex.
Dennison	Judd	Rutherford
Derounian	Kearney	Saylor
Dies	Keating	Schenck
Diggs	Keeney	Schwengel
Dooley	Kilburn	Scrivner
Dorn, S. C.	Kilday	Selden
	Kilgore	Sheehan
	Kirwan	Sheppard
Simpson, Pa.	Tewes	Weaver
Smith, Calif.	Thomas	Westland
Smith, Kans.	Thompson, Tex.	Whitten
Smith, Va.	Thomson, Wyo.	Wier
Smith, Wis.	Thornberry	Willis
Spence	Tollefson	Wilson, Ind.
Springer	Tuck	Winstead
Stauffer	Utt	Withrow
Taber	Vanik	Wolverton
Talle	Van Pelt	Yates
Taylor	Vinson	Younger
Teague, Calif.	Vorys	
Teague, Tex.	Vursell	

NOT VOTING—29

Andresen, August H.	Coffin	McIntosh
Ashley	Cunningham, Iowa	Machrowicz
Bailey	Dawson, Ill.	Murray
Baker	Hays, Ohio	Powell
Barden	Hébert	Scherer
Beamer	Hillings	Walter
Bentley	Holtzman	Williams, Miss.
Bowler	Kean	Williams, N. Y.
Boykin	Loser	Wilson, Calif.
Buckley	McConnell	

So the preferential motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Murray against.
Mr. Holtzman for, with Mr. Loser against.
Mr. Walter for, with Mr. Scherer against.
Mr. Bailey for, with Mr. Kean against.
Mr. Buckley for, with Mr. Williams of New York against.
Mr. Dawson of Illinois for, with Mr. Hillings against.
Mr. Machrowicz for, with Mr. McConnell against.
Mr. Powell for, with Mr. Beamer against.
Mr. Ashley for, with Mr. Bentley against.
Mr. Coffin for, with Mr. Williams of Mississippi against.

Until further notice:

Mr. Bowler with Mr. Cunningham of Iowa.
Mr. Hays of Ohio with Mr. McIntosh.
Mr. Barden with Mr. Baker.
Mr. Boykin with Mr. Wilson of California.

Messrs. BOYLE, RHODES of Arizona, and YOUNGER changed their vote from "yea" to "nay."

Messrs. PATMAN and HAGEN changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri [Mr. CANNON].

The motion was agreed to.

Mr. TABER. Mr. Speaker, I ask unanimous consent that all Members who have spoken on this matter may have permission to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 17: On page 11, line 14, insert:

"OFFICE OF THE SECRETARY

"*Acquisition of strategic minerals*

"For an additional amount for 'Acquisition of strategic minerals', $30 million."

Mr. CANNON. Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendment.

The Clerk read as follows:

Mr. CANNON moves that the House insist upon its disagreement to the amendment of the Senate No. 17.

Mr. ENGLE. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. ENGLE moves that the House recede from its disagreement to the amendment of the Senate No. 17 and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment insert: "Chapter VI, Department of the Interior, Office of the Secretary, acquisition of strategic minerals. For an additional amount for 'acquisition of strategic minerals' $10,000,000."

Mr. CANNON. Mr. Speaker, I ask for a division of the question.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, the amendment before us calls for $10 million to continue the subsidy on tungsten. Now, the situation is this: The Congress provided for a stockpile, and we have gone ahead and built up that stockpile, and we have now reached the point where we have enough tungsten on hand to last for 20 years if we had an extreme use of the metal in case of hostilities. That is the kind of a situation we are up against. The question is, Should we longer continue a subsidy on tungsten.

Now, for my own part, I cannot go along with that operation, because I do not feel that we have any right to put money into things that there is no prospect of being used. I think that we ought to protect the interests of the United States and have everything in the stockpile that we need, but we have got everything of that kind there now that we need, and why should we go further and pile it up?

I have seen reports in the newspapers relating to the production of tungsten. There was an article in one of the papers recently telling about a stockholders meeting where the president of the corporation that produced tungsten primarily told these people that they were going to be able to produce tungsten and sell it in the market at the regular price, which price is affected by importations, and he said that they were going to be able to produce tungsten and sell it for that price and that they could do it without any subsidy. Now, when one of them can, I believe that others can, and I can see no sense of our going along and piling up enormous quantities of tungsten at a price away above the market price and at a time when we have enough on hand to last for 20 years of very active use of that article. Now, I do not believe that the ordinary fellow is getting too much of this subsidy. The information that seems to come in is that the big payments go to the big corporations whose other interests are paramount and with whom the tungsten proposition is a minor figure. I do not believe, if we are going on the basis of giving a gratuity to the small producers that we should approve a proposal under which most of the money goes to big producers. There may be many small producers, I would not want to say, but what they get represents a very minor item as compared

with what is received by the large producers. I think it is time for the people of the United States, represented by their Members in Congress, to be careful about what we do this year. This year things are not as good as I wish they were because our appropriations are so high. But we should not make them higher by adding this item to the list.

Mr. CANNON. Mr. Speaker, I yield the remainder of the time to the gentleman from Ohio [Mr. KIRWAN].

Mr. KIRWAN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Idaho [Mrs. PFOST].

Mrs. PFOST. Mr. Speaker, the passage of this amendment to provide $10 million for the purchase of strategic minerals is of grave importance to the people of Idaho. The livelihood of many of the people of Custer and Lemhi Counties—two of the counties in my congressional district—are desperately dependent upon what action we take here today.

But it is not only the people of my congressional district—and the people of the State of Idaho—who have their eyes on Congress right now. Good citizens everywhere are watching to see whether we are going to welch on our solemn word, given last session, to appropriate funds to implement Public Law 733.

The promise in question was made close to the end of the 2d session of the 84th Congress. At that time we appropriated $21 million to finance the purchase of strategic minerals—including tungsten, asbestos, fluorspar, and columbium-tantalum—for the remainder of the calendar year of 1956, with the assurance that additional funds would be forthcoming to continue the purchase program in 1957.

Tungsten producers in Idaho—and elsewhere—took us at our word. Rather than close their mines down, and let their labor force scatter to the four winds, they kept on producing tungsten, and stockpiling it against the day when the new purchase program would swing into action.

As a result there was on hand—on the last date for which figures are available—an unsold tungsten backlog totalling about 220,000 tons.

It is now almost a year since Congress promised the funds to implement Public Law 733. Already many tungsten producers have been wiped out by the long delay in the passage of an appropriation item for which the Congress had already morally obligated itself.

Frankly, I do not know how I can go out and face the people of Custer and Lemhi Counties if we betray them here today—betray them unforgivably and indefensibly. We should appropriate the $30 million we promised them, but since the Congress is not willing to do that, surely you will vote for the $10 million this amendment provides.

Let me tell you briefly how serious the situation is for Custer and Lemhi Counties. Ima mine, which produces tungsten at Patterson, Idaho, is 1 of the 2 major mining operations in the area. It is Lemhi County's largest single taxpayer. The mine spends approximately $100,000 in the region each month, and has an annual payroll of over $500,000. If a substantial appropriation to continue the tungsten-purchase program is not included in this bill today, I am told that Ima mine will close down within the month, throwing a large number of miners out of work, and stranding their families.

Now, I realize these figures are not too impressive to those of you who represent districts which have hundreds of large industries in them, with annual payrolls running into the millions. But in Lemhi and Custer Counties, the loss of an industry with an annual payroll of $500,000 is a serious economic blow to the whole region. I wish I had time to read you some of the telegrams and letters I have received from citizens in all walks of life—merchants and miners, public officials and civic leaders—imploring me to do everything humanly possible to secure funds to continue the tungsten-purchase program—funds which we here in this Chamber solemnly promised would be forthcoming.

It is not only the miners and merchants of Idaho who will be hurt, however, if this amendment fails. We are taking a long chance with America's security.

It has been argued on this floor that we now have on hand in our stockpile a supply of tungsten sufficient to meet our military needs for 20 years to come. However, you have not heard any responsible military authority who is in a position to know about our requirements make such a statement. Those who have enough information to assess our needs—both our present military and industrial needs, and our long-range ones—say flatly the figure is closer to 6 years. And even then they can't be sure.

Right now this country is on the threshold of enormous new uses for tungsten—both military and industrial—and our needs may double or treble within the foreseeable future.

The original stockpiling program was designed to bring in enough tungsten for munitions—particularly for tungsten core shells, and basic armor-piercing shells and for special armaments. We are using tungsten in the development of heat-resistant metals for faster planes, for high-temperature alloys for rockets, and for light-weight radiation shielding essential to atomic aircraft. When it is alloyed with carbon it constitutes the hardest of all manmade materials.

If the accelerated technology in many fields increases the requirements for tungsten to the extent now forecast, our present tungsten stockpile could evaporate in a very short time. This is a chance we cannot afford to take. We must keep our tungsten mines operating.

As many of you know, once a mine is closed down it is often very difficult and expensive to open it. The shaft may fill up with water or the timbers dry rot, as happens in many Idaho mines. It takes time and money to put a deteriorated mine back into operation.

If a good part of the tungsten mining industry goes to the wall, and the predicted technological advances or urgent defense needs suddenly step up demands for tungsten, we would have to reach out into the world market for it. And a large portion of the world's tungsten resources are behind the Iron Curtain.

We all remember what happened during the last war when our tungsten requirements skyrocketed. The price went up to $90 a ton, and we had men out all over the world trying to locate tungsten. We can buy it now for $55 under Public Law 733—and stockpile it indefinitely for the uncertain and perilous years ahead.

Mr. Speaker, it will be a breach of faith with the people who have worked for and invested in the domestic critical minerals industry if we do not vote here today for the necessary appropriations obligated in the passage of Public Law 733.

It would be utter folly to allow tungsten production to stop when the goals will most likely have to be reset in order to meet increasing industrial and defense needs.

Mr. KIRWAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada [Mr. BARING].

Mr. BARING. Mr. Speaker, I take exception to the figure given by the gentleman from New York [Mr. TABER].

Mr. John Lieber of the ODM told us that there was a 6-year supply, not a 20-year supply. The State of Nevada has a black picture, all the mines are closed because Congress prefers to let the domestic industry die and purchase tungsten from the foreign market. I hope you will seriously consider this letter when the amendment is voted. I am quoting a letter written by one of my constituents who is a tungsten miner. He succinctly expresses the domestic miners' feelings toward Congress in its failure to appropriate funds to carry out the provisions of Public Law 733.

RENO, NEV., *April 6, 1957.*

Mr. LOUIS D. GORDON,
Secretary, Nevada Mining Association, Reno, Nev.

DEAR MR. GORDON: A courageous fight has been waged by the proponents of the tungsten appropriation, and not the least of the struggle has been waged by Senators MALONE and BIBLE, Representative BARING, and you. I am very sure that everyone directly or indirectly connected with the production of this vital metal, and they number in the thousands, join me in expressing heartfelt thanks.

That I might establish my right to speak of a far more vital issue than the mere refusal on the part of the House Appropriations Committee to recommend the appropriation, I respectfully submit that I purchased a large tungsten property in central Nevada in 1952; that subsequently, under the stimulus of the original stockpiling program, I subjected this property to a thorough and competent development program; that between the years 1953 and 1956 I spent upwards of $60,000 in payments on the purchase of the property and in development of the ore deposit; that when the 84th Congress passed Public Law 733 extending the stockpiling program late in 1956, I, along with every other domestic producer, committed myself fully to the mining and milling of tungsten; that having exhausted my own financial resources I drew others into the project, whose faith in the integrity of their Government was as unshakeable as my own; that these working men and women invested more than $30 million in the project of mining and milling tungsten ore, and

that the project in which they invested was entirely sound and profitable under the appropriation covering Public Law 733; that as the sole result of the refusal on the part of the House Appropriations Committee to recommend the appropriation, our project has failed, debt has been accumulated, the investors have lost their hard-earned savings, and I have been wiped out.

If, by the above, I have qualified myself to speak out, then I would say that the issue here is betrayal, inexcusable and unforgivable. I would argue that the issue is not whether or not our Government has stockpiled enough tungsten concentrates to meet any emergency for a long period of time; not that the budget ought to be reduced; not that only a very few domestic producers benefit by the stockpiling program; not for any other policy, economic or political reason, but rather if it intends to meet an obligation it incurred by the passage of a law of the land, after inducing a whole industry to irrevocably commit itself by the passage of the law.

If our elected representatives in Government can now betray a handful of "dispensable" voters without danger of punishment, how long will it be before with like impunity they can betray a whole people?

We hold there is a law in effect now, a law that drew us deeply into the mining and milling of tungsten; that had the law not been passed we would not have so committed ourselves; that we did so commit ourselves because we had unbounded faith in our Government, and that the duty of Government is therefore plain.

We hold that if this appropriation is not passed, and at once, we have been cruelly and fatally betrayed; but we hold that something far more horrifying will have been established if this appropriation is not made: a clear precedent will have been raised for more and ever greater betrayals, shocking and confounding the peoples ever more deeply, destroying in increasing measure their faith in their own kind. And, if that comes to pass, what then will follow?

Cordially,

ROBERT C. ARMSTRONG.

It is almost unbelievable that the House Committee would so completely reverse itself in regard to the tungsten program after it had become a law. This very act by this committee can do nothing but shatter the faith of the people toward Congress. Assurances were given to producers, who in turn laid out operational programs and expended funds for development and operation and found themselves suddenly cut off. The tungsten mining industry cannot be turned on and off as a water tap. If our foreign supplies are suddenly cut off in an emergency, will our domestic operators be expected to produce our needs by reopening their mines on short notice? Should they be subjected to competition from foreign sources because of a lack of a proper tariff? The American taxpayer seems to be the goat in this case. Not only is he being taxed, unconstitutionally, for foreign aid, which moneys help produce the foreign tungsten, but his support at home is cut off. However, he is still expected to go along with any foreign aid program. Will he be able to continue paying these taxes if he is shut down? Not unless he finds some other means of livelihood.

The 84th Congress passed Public Law 733 to provide for certain purchases of domestic tungsten, asbestos, columbium, tantalum and fluorspar. Rejection by the House Appropriations Committee of a promise of $30 million for continued purchase and stockpiling of strategic minerals threatens to stop in its tracks defense efforts to develop the heat resistant metals we must have for faster planes and light weight radiation shielding essential to atomic airframes and engines.

Back of this story is a perfect example of the absurdity of passing legislation to implement progress and not providing the money to do it. But as the RECORD will show, there are outstanding some $62 million in contracts to purchase tungsten from foreign producers, at an average price of $55 a unit. I am advised that those contracts are legal, they are enforcible and foreign producers can collect on them. Are we to say to our domestic producers, "We, now in Congress, did not pass Public Law 733 and we will not carry out the promise given you last July to buy your tungsten?" Without the Government purchase program America is at the mercy of foreign producers, since the world price of these metals is too low to support American wage scales.

Dr. Flemming, formerly with the Office of Defense Minerals, stated:

I want it to be clearly understood that we favor Public Law 733 and naturally, favoring the public law, we favor the appropriation of funds necessary to carry out the policies.

We must give our domestic producers a chance. Foreign spending has put them out of business and closed their mines.

I want to remind the Members that Secretary Seaton endorsed the tungsten program.

In a statement made to the Senate Interior Committee on June 4, 1957, Secretary Seaton said:

The Department of the Interior has supported and will continue to support the tungsten purchase provisions of Public Law 733. We feel that it is right and proper that the domestic industry be enabled to amortize investments made at the urgent request of the Government during the Korean conflict, and be given an opportunity to reorient their operations to the market. Continuation of Public Law 733 is the best method of assuring these objectives. We believe that if the industry operates under this program until December 1958, the production then existing, coupled with new and reasonably anticipated demands from industry, will provide a more realistic basis from which to evaluate the position of the industry in our overall economy.

Dr. Flemming, stated before the Senate Interior Committee on February 26:

We feel that Public Law 733 represents sound public policy under all of the circumstances that confront us at the present time.

We should avoid weakening this particular segment of our economy by permitting it to close down, as a weakened segment of the economy weakens the foundations on which our whole defense mobilization program rests.

In conclusion, the issue is not whether this country has sufficient tungsten now—but whether it wants to have some assurance of a supply in the event of an emergency.

In normal times, the domestic industry cannot maintain itself without help in the face of foreign competition.

Without the Government purchase program, America is at the mercy of foreign producers since the world price of these metals is too low to support American wage scales.

The Members not acquainted with mining do not realize when a mine closes down, the timbers rot, the mine fills with water and caves in, thus making it almost impossible to ever reopen.

Members of the House, I urge you to support this amendment for actually a committee of this House has indicated it will ruin a segment of our national economy by its refusal to appropriate funds and this committee is not an authorizing committee but an appropriating committee. The Interior Committee of both Houses passed this law and I cannot see how the House Appropriations Committee can reject the will of the people. Also, I remind you that if you shatter the belief of these miners in their Government, then in time of an emergency, whom are you going to turn to? I urge you, gentlemen, please support this amendment. If the law is no good, then let us amend it or get rid of it; I refer to Public Law 733. For Heaven's sake, let us keep our word and faith to the people.

Mr. KIRWAN. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ENGLE].

Mr. ENGLE. Mr. Speaker, it would not be possible in 5 minutes to debate the merits of this program from one end to the other. I am perfectly sure that the Members of the House have not had an opportunity to read and study the record, but I want to call the list of the people who stand with us on this proposition.

First is the Subcommittee on Mines and Mining of the House Committee on Interior. We held a hearing just the other day and passed a resolution in which we called upon the House to support the continuance of this program. A copy of that resolution was sent to every Member of this House. We did not do that because this program is completely silly and we are wasting the taxpayers' money.

The committee of the other body, the Senate Committee on the Interior passed on the same matter and took the same position.

The Senate Committee on Appropriations twice and the Senate itself twice by overwhelming votes have supported this appropriation and the continuance of this program.

The Department of the Interior not only recommended it initially, but Secretary Seaton came before the Committee on the Interior of the Senate in the last week and recommended that this particular program, Public Law 733, be continued as a part of the permanent long-range domestic mining program.

The Office of Defense Mobilization appeared before the Senate Committee in February and testified again in support of this program.

The Bureau of the Budget not only has cleared this amount of money but has cleared a total of $90 million to carry this program from the beginning to the end.

Mr. Speaker, I say to you that our distinguished friends of the Committee on

Appropriations are the only group, the only committee, the only agency of the Government, which has ever considered this program and heard a word of testimony on it, that has been against it.

I know that you do not have the time, as I say, to read all the testimony, and I have not the time here today to argue it all.

But I do say that if you will listen to the list of witnesses, these are the people, these are the agencies, charged with the responsibility for this program, and they have supported it.

The Senate added $30 million in this bill for the minerals program. This amendment will substitute the sum of $10 million, which is enough to run the minerals program for a period of about 2½ months. That is just beyond the expiration of this session. Secretary Seaton has submitted his long-range program, in which he has recommended the continuation of this very program. If that long-range program is adopted before we adjourn, then this whole matter will be necessarily considered on its merits again. If it is not, then we have provided a sum for these people to wind up their production.

You must remember what has happened. This bill passed in August of last year. Twenty-one million dollars was appropriated. The committee of the other body told the producers and told the Senate itself that a supplemental appropriation would be requested. They ran out of money in November. The General Services Administration, which is the purchasing agent, sent out letters, and I intend to put them in the RECORD, in which they said that—

> When moneys are made available for the continuation of this program you will be advised. You may continue to submit monthly offerings until the program reopens.

In another letter they said:

> We will continue to receive offers during the period for which the program is suspended and will appreciate your making them monthly.

In other words, these miners were led to believe that this suspension was only temporary, by the purchasing agency itself, and as a consequence they have proceeded. Along came the Appropriations Committee and cut them off at the pocket and left them a mile and a half from shore without any oars or even a boat to get back in. What I say is that the fair thing, the elemental fair thing this House can do, is to give this $10 million which continues this program until we have a chance to go into the long-range domestic program.

After all, this was never a defense program, it was an interim program set up to take the place of any program until we come up with a long-range mining program. If that is not adopted, this $10 million simply constitutes a clean-up program and an opportunity for these people to get back to shore. You must remember that they had to open their minds, they had to employ help, that they have had to make commitments, and this is the fair thing for the House of Representatives to do. I hope you will vote for this amendment.

Mr. KIRWAN. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, it is imperative that the general purchase programs established by Public Law 733, the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956, be carried out in accordance with the basic legislation that was passed by both Houses of the 84th Congress and then approved by the President on July 19, 1956. The domestic tungsten, asbestos, fluorspar, and columbium-tantalum miners were encouraged by the basic act to continue their efforts to search for and to develop and to mine domestic deposits of these materials—which are significant for high-temperature applications. Moreover, these materials will become of increasing importance as research now underway shows us how to make better use of the higher temperatures that are associated not only with new forms of energy, such as atomic energy and high-energy chemical fuels, but also with the improvement of the efficiency of such items as vessel propulsion plants, and superheated steam turbo-generators. The advancement of our technological civilization is dependent on the development and the improvement of materials that will permit the safe and efficient utilization of superheats at elevated temperatures and pressures, often in atmospheres where corrosive conditions are extreme, and in surroundings subject to vibration and shock.

That the high-temperature area is of highly critical importance to the national defense and domestic uses was pointed out in no uncertain terms as recently as last month (April 2, 1957) by Lt. Gen. C. S. Irvine, Deputy Chief of Staff for Material of the Air Force, when he told the Society of Automotive Engineers in New York that:

> Improved use of engineering manpower and capabilities is an essential forward step in the production of air vehicles. But beyond this step lie many problems which must be solved if we are to progress as rapidly as necessary in the efficient design of future air vehicles. Foremost among these problems we must find ways of developing and using new materials capable of withstanding sonic vibration and high temperatures. * * * For the plain fact is that unless we do advance the state of the art of the thermal resistant materials, air vehicle development will lag.

And in a similar vein, the Director of the Office of Defense Mobilization, testifying before the Senate Committee on Interior and Insular Affairs on February 26, 1957, said:

> I think it is clear to the members of this committee that we are utilizing at the present time the properties of our presently available nickel and cobalt base, super-high-temperature alloys to the maximum possible extent. We all know that we have some shortages as far as that is concerned. And there is reason to believe that any further gain which might be realized in the high-temperature properties of these types of alloys will be marginal at best, and, therefore, it would appear that any further developments will lie in the area of greater use of refractory metal such as columbium, molybdenum, tantalum, and tungsten which have melting points considerably higher than cobalt and base alloys we are now working with.

For the benefit of those Members who may not be familiar with the materials that are considered to be suitable for refractory, that is high-temperature, applications I wish to insert in the RECORD at this point a table listing in descending order the melting points of those elements which occur in quantities sufficient to justify considering them for any significant industrial uses. Melting points are in degrees centigrade, and are taken from the Reactor Handbook published by the Atomic Energy Commission:

Element:	Melting point (°C.)
Carbon (graphite)	3,700
Tungsten	3,395
Tantalum	2,996
Molybdenum	2,622
Columbium (niobium)	2,415

It should be noted that the melting points of these materials are all considerably higher than that of the conventional stainless steel ingredients such as iron, 1,539° C.; cobalt, 1,495° C.; and nickel, 1,455° C. It is also immediately obvious that three of the materials covered by Public Law 733, tungsten, columbium, and tantalum are in the refractory category.

Now, in past weeks, we have heard many statements as to the quantities of some of these materials on hand in Government inventories, and while I wish to be fair to those who may have used such statements, I can only state that the official testimony clearly shows that the Government, at this time, has absolutely no idea as to the amounts that are required for defense purposes, and that all such statements as have been cited as to the amounts on hand are obsolete and based on war plans that are no longer current. For proof of this, I wish to cite the letter written on December 13, 1956, by Hon. Reuben B. Robertson, Jr., Deputy Secretary of Defense, to Dr. Arthur S. Flemming, Director of Defense Mobilization. Mr. Robertson said:

> Recently the Secretary of Defense announced a clarification of the roles and missions of the military departments which was necessary owing to recent, rapid technological advances in weapons. It is, therefore, now evident that new guidance is required from the Joint Chiefs of Staff in order to develop requirements consistent with these new concepts. It is difficult for us to forecast at this time the effect of these revisions upon the determination of materials requirements in the event of mobilization; it is probable, however, that such requirements will be lower for most materials than they have been in the past.

Now, naturally, it is to be expected that these new technological advances in weapons will reduce requirements for most of the classical strategic materials, such as natural rubber, abaca, sisal, sperm oil, and tin, which are presently stockpiled, but certainly the effect of these new advances must be that requirements for the high-temperature refractory metals, including tungsten, columbium, and tantalum will go up.

Now, in the face of the expert opinions cited above, it seems clear to me that the basic policy and program established by Public Law 733 is sound, and that it could well be suicidal from the defense viewpoint for us to shut down our domestic mining mobilization base for these refractory metals—tungsten, columbium, and tantalum—at this point.

And what of the 2 other materials covered by Public Law 733? Asbestos is one of the best high-temperature insulating materials, while fluorine, produced from acid-grade fluorspar, is an ingredient of some of the high-temperature chemical fuels. Thus, all 5 of the materials covered by Public Law 733 are particularly important to the fabrication of the super-speed jet planes and the guided missiles, upon which we are putting ever-increasing reliance for the defense of not only the United States itself, but also of the entire Free World.

Mr. Speaker, in addition to the very clear defense reasons for carrying out this program, there are also equally compelling moral and economic reasons for its continuance.

The Congress of the United States encouraged the domestic miners of these minerals to believe that the programs established by law—Public Law 733—were honestly set forth and intended to be carried out in accordance with the law. Indeed, what honest citizen could assume otherwise when he reads the clearly stated and detailed programs set forth in the basic law? If now the Congress of the United States comes along less than a year later, and kills off this program by a failure to appropriate the necessary funds, then respect, not only for this law, but for all laws, can only decline. Since respect for the law is one of the prime foundations upon which our great American civilization has been erected I for one cannot in good conscience associate myself with any sleight-of-hand maneuver designed to circumvent the basic law in this case. Our citizens who have been encouraged to invest their time, capital, and their best efforts in the search for these minerals and in the production thereof under the programs set forth by Public Law 733 must be honestly and fairly dealt with by their elected representatives here in the Halls of the Congress. You may be well assured that if we fail to keep faith in this area, the precedent will not pass unnoticed in many other fields.

Lastly, there are several economic justifications for implementing the programs set forth by Public Law 733. Who does not remember the price-gouging to which our industries have been subjected in the past when too great a reliance has been placed on foreign sources of vital materials, even when these materials were in the hands of nominally friendly nations? If we permit our domestic mining industry for these critical materials to go down the drain simply because it appears at the moment that the spot price for material of foreign origin may be lower, who can say that the price for the same material will not rise several times over once our domestic mines are shut down, the equipment dismantled, the skilled miners dispersed to other jobs, and the mine workings themselves flooded by the ever-present groundwater? While we all are searching for real and honest ways to save money for the taxpayers, let us not beguile ourselves into believing that reliance upon foreign sources of critical materials is economic. Indeed, when proper weight is given to the State, local, and Federal taxes paid by the mining companies, their employees, and their suppliers, it should be obvious that domestic production of these vital minerals takes place at real costs that can compare favorably with present prices for foreign material.

To sum up, then, there are defense, moral, and economic justifications for the proper implementation of the domestic mineral-purchase programs set forth less than a year ago by the Congress in Public Law 733, and approved by the President on July 19, 1956. Let us not present the citizens with a picture of a Congress that knows not from 1 year to another right from wrong, that goes off in opposite directions without apparent purpose. Rather let us cease forthwith the undue dalliance that has already caused great hardship among the miners of these United States. Let us make available without further delay the funds necessary to carry out the program that we ourselves established less than a year ago, so that the confidence of the citizens in this body is restored and strengthened and so that they can proceed is an orderly way with the very important business of producing vitally important strategic materials—materials which are essential for the defense of the Nation in time of emergency and which are also essential for its continued growth and technological advancement in the present age of peril in which we find ourselves.

In a jet engine like the J–57 there are approximately 45 pounds of tungsten contained in the various parts of the engine which are made of tungsten alloy metal. Some of the engine parts, of course, contain no tungsten and some parts contain more than others but on the average, in a modern jet turbine like the J–57 there is contained about 45 pounds of tungsten or something like 1 percent of the total weight of the engine, which is approximately 5,000 pounds, with the afterburner.

The amount of tungsten required for the manufacture of a jet engine like the J–57 is roughly 3 times the amount contained in the finished parts, so it is easy to calculate that somewhat more than 140 pounds of tungsten are required in the manufacture of each modern jet engine. This is due to the fact that the forgings have to be on the average three times the weight of the finished part. This is true on the average of jet engines. In many cases it is much higher as, for instance, in the cylinder-head part of a piston engine where the weight of the original forging is 10 times that of the finished part. In the case of a crankshaft for a piston engine the forging would weight six times as much as the finished shaft.

It is, therefore, apparent that any conception that only 20 pounds of tungsten is required in the manufacture of a modern jet turbine is completely inaccurate as an average of somewhat more than 7 times that is required. The parts of the forging which are trimmed off and cut away are not completely lost but they are lost as far as the manufacturer of the jet engine is concerned for the reason that waste of this type is recovered and sold in the steel alloy trade to be used in the manufacture of alloys using lesser amounts of tungsten for other purposes. This, however, does not change or alter the fact that more than 140 pounds of tungsten is required for the manufacture of a jet engine like the J–57. When a tungsten base alloy is developed which will permit jet engines of this type to be operated at a much higher temperature than at present the amount of tungsten required for each engine will be vastly increased and will no doubt exceed more than 1,500 pounds for each engine.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield.

Mr. EDMONDSON. I do have a district where there are mines and where most of those mines are shut down today because of the importation of foreign metals at disastrously low competitive prices. I would like to ask the gentleman if this amendment is not adopted, will the Government's purchasing program on columbium and tantalum also be terminated?

Mr. DURHAM. It will be terminated on June 30 and there will be no more of it.

Mr. EDMONDSON. I certainly join with the gentleman, and I hope the amendment for the $10 million is put in this bill.

Mr. KIRWAN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, I would like to speak a little bit about asbestos. Too many times we think there is only one mineral involved here. But, that is not the case. There is an asbestos mine on the San Carlos Indian Reservation in Arizona which would not be there except for this particular program. This mine is affording employment to some 200 San Carlos Indians who would not otherwise be employed. This mine will be in a position to sell in the world market within 2 years because of the fact that they have been able to uncover a very fine vein of asbestos. If the mill is built, which is needed to process this asbestos, the asbestos will be sold on the world market within 2 years.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. ASPINALL. Mr. Speaker, I feel that there has been too much talk about stockpiling as far as the proposition now before the House is concerned. As far as this particular matter is concerned, this is not primarily one of stockpiling. The question is whether or not we are going to firm up our domestic mining industry. We were caught short in this country before each 1 of the last 3 major conflicts. It is a fact that we now have built up a healthy domestic producing tungsten industry. This is largely because of some of the incentives that we have heretofore offered.

The issue before us at this time is really quite simple. It has been confused

only because we have overlooked the fundamentals and given weight to transitory statements and positions.

I realize that the distinguished members of the Appropriations Committee who have opposed the provision of funds for the continuation of purchases under Public Law 733 have done so out of a conviction that the program is not necessary. I respect their opinion and regret very much that I must disagree with these friends of long standing. I might concede to their position were it not for the fundamental consideration which I cannot overlook. This fundamental can be simply stated. Just last summer the Congress passed and the President signed into law an 18-month program to purchase a certain quantity of critical minerals, primarily tungsten. Funds to implement this purchase program were approved last year in the amount of $21 million. The program then was activated by the proper agencies of government and the interested producers of these materials had then, and should now have, every reason to believe that the program as passed would be carried out. They proceeded to mine and produce these materials, making investment, blocking out ore, firming up employment and the many details which go into a production venture. Now they see this effort, this investment suspended in midstream. Workers who thought they had employment see its sudden termination. This boom-and-bust fluctuation in mineral production has been all too prevalent in this Nation, and it has cost the Nation valuable reserves of critical mineral resources as mines were left to cave and ruin. The Congress should not, indeed cannot, be an active party in another such dismal event, since the Congress was the body which held the carrot before these producers in the form of the purchase program.

I have no tungsten production in my district and my district interest, if any, would be in the fluorspar part of this program since there is fluorspar production in my district. Still, I have seen too often the tragic consequences of abandoned mines, flooded, caved, a crumbling hole which swallowed investment, hope, and valuable mineral reserves which this Nation needs.

I have had information from a tungsten producer in Colorado, not in my district as I said earlier, but a small Colorado producer. This small firm has limited capital, yet in prospect of the purchase program, it invested some $65,000 in its operation. This company now stands to lose some $200,000 on tungsten concentrates already produced and over $500,000 on improvements made in reliance upon this Federal program. Beyond this, some 80 workers will be out of work in a small town where no alternative employment opportunity exists. This we cannot, in good conscience, allow.

Consider, there is now outstanding and enforceable, some $60 million in contracts for tungsten with foreign producers. These will be honored. There will be no midstream termination. We can do as much for our own people and equally honor our commitments to them.

There is some suggestion that certain producers have done better than necessary under this program and that perhaps certain adjustments are needed. If this be true, then this program should come before the proper legislative committee where, I can assure you, it will be carefully considered and necessary adjustments made as to production to be purchased from any producer, price, and so forth. We owe these domestic producers at least this consideration for their determined effort to provide for us a domestic tungsten industry. We need to have, beyond any doubt, a safe domestic supply, even an oversupply, of this evermore vital defense material.

Mr. RHODES of Arizona. I thank the gentleman from Colorado.

Mr. Speaker, in closing, I would just like to call attention again to the fact that this bill does build up the domestic mining industry and in so doing has served in the best interest of the Nation's well-being.

I do not want you to pull the rug out from under these producers the way you did after World War II. Someday, you know, we are going to have to ask those people to produce, and they are not going to do it because they will remember when they once got their feet burned. We have done it twice now; I do not think we should do it again.

Mr. KIRWAN. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. HILL].

Mr. ENGLE. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield to the gentleman from California.

Mr. ENGLE. The gentleman is a member of the Committee on Agriculture which from time to time authorizes farm programs. I am wondering what he thinks would happen if after initiating a farm program we chopped it off about the 1st of January rather than permitting it to run along for a sufficient period of time, or at least we changed our mind about it suddenly? What does he think would happen if they cut this off this year instead of next year?

Mr. HILL of Colorado. I would say to the gentleman that he is speaking good, sound, hard sense. We are going to do that.

A few days ago the Senate had gumption enough to put some three to five hundred millions back in the soil bank, and I for one say to you that it is about time we took a second look at agriculture. I want to associate myself with all the Members of this House who feel that we should not cut this tungsten program off at this particular time. I am not an expert; I only live close to the mines. Colorado had a great history in mining, but it was before my day, long before my day. Now we have an opportunity to keep our mines open and we have a few mines in the West where tungsten is a very important product, most of them are small mines.

I am turning to page 5 of the testimony of a gentleman, which was given on February 26, 1957, Dr. Arthur Flemming. Let me give you his full name so you will know who I am talking about, Dr. Arthur S. Flemming, Director of the Office of Defense Mobilization.

Now, we are losing the impact of the argument for this appropriation unless we consider it as a defense activity, and we also lose it if we start at the word "defense" and do not consider the future. We probably do not know, and the testimony would indicate that they are not quite ready for an overall and all-inclusive minerals program. But what are you going to do? Listen to what Dr. Flemming said here uncontroverted. He said, commenting on a letter on the stationery of a certain firm—I will not read the name of the firm:

> Attached to this letter is a chart. There are figures here which purport to show the total stockpile of tungsten.

Every one of you should listen to this because these are the facts. Let us get it straight.

The SPEAKER pro tempore. The time of the gentleman from Colorado has expired.

Mr. HILL. Mr. Speaker, will the gentleman from Ohio yield me 1 additional minute?

Mr. KIRWAN. I am sorry, but I cannot.

Mr. HILL. I will put the statement in the RECORD where Dr. Flemming shows we have only a 6-year supply, not a 20-year supply. You had better think this over before you cast your vote.

> Dr. FLEMMING. It is recognized by all of us that our total mobilization program must rest, if it is to succeed, on the foundation of a strong and sound economy. This is reflected in this report. It is clear that if the industries with which we are dealing this morning are shut down, one segment of our economy will be weakened. Surely no one can argue that closed-down mines filled with water, with miners out of work, can do anything but weaken this segment of our economy.
>
> We felt last year, and still feel, that it would be unwise for the Congress to permit this to happen in view of the fact that the administration intends to recommend and the Congress to consider long-term policies that are designed to create or will be designed to create a more favorable economic climate for these industries than now exists.
>
> As I indicated, Mr. Chairman, last year, we regard this as purely interim, stopgap legislation. Nevertheless, we feel that it is important for Congress to go through with the policy set forth in Public Law 733 until the long-term policy is developed and enacted into law.
>
> Mr. Chairman, that is simply a restatement, really, of the position that I took when the Congress was considering Public Law 733.
>
> The CHAIRMAN. Thank you, Mr. Flemming. Mr. Redwine of the committee staff desires to ask you a few technical questions. Mr. Redwine?
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> Mr. REDWINE. Dr. Flemming, I hand you a letter on the stationery of Kennametal, Inc., Latrobe, Pa., which for reasons which will develop in a moment, Mr. Chairman, I do not wish to offer for the record. I just want Dr. Flemming to identify it.
>
> Dr. Flemming, attached to this letter is a chart. There is a figure here that purports to how the total stockpile on tungsten. Is such a figure classified information?
>
> Dr. FLEMMING. It certainly is.
>
> Mr. REDWINE. Dr. Flemming, please do not mention the figure that is given, but can you say whether or not, without violating security, that is a realistic figure?
>
> Dr. FLEMMING. I prefer not to comment on the figure at all, in view of the fact that it is classified.
>
> Mr. REDWINE. Doctor, in the letter reference is made back to that figure and it is stated that that figure constitutes a 20-year supply in time of emergency of tungsten.
>
> Can you say whether you have a 20-year supply of tungsten on hand?
>
> Dr. FLEMMING. Let us make the question very specific. That is a 20-year supply for dealing with a wartime emergency?
>
> Mr. REDWINE. Correct, sir.
>
> Dr. FLEMMING. The answer to that is "No, we do not have anything approaching that on hand."
>
> Mr. REDWINE. Can you, without violating security, tell the committee approximately how many years' supply you have on hand for wartime emergency?
>
> Dr. FLEMMING. Thinking in terms of the requirements for a wartime emergency, we have on hand enough to carry us through approximately a 6-year emergency.
>
> Mr. REDWINE. Mr. Chairman, I do not think this letter should be put in the RECORD in view of the testimony of Dr. Flemming.
>
> Dr. Flemming, you have been procuring materials for a good many years for the Federal Government. Do you consider when you announce a program that you will purchase so many tons or units of this or that, that you have entered into an implied contract with the producers thereof?
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> Dr. FLEMMING. That is the position, of course, we have taken consistently before this committee where we made in effect a holding out that we will require certain quantities within a given period of time; that the Government is then under obligation to acquire those quantities provided they come in within the time period set.
>
> Mr. REDWINE. The Congress, faced with the circumstance it is, that it has made an implied contract with the producers of these 4 metals, if Congress reneged on that, what effect do you think that would have in a time of dire emergency which might come ahead of us? What would the producers feel if the Government had once reneged on them?
>
> Dr. FLEMMING. Mr. Redwine, as I indicated in the conclusion of the statement I just read, we feel for a number of reasons that it is important for Congress to go through with the policy it outlined in Public Law 733 until this long-term policy is developed and enacted into law.
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> On the other hand, as you have indicated, competent authorities do continue to advise us that accelerated technology, particularly in the field of military devices, is moving constantly in the direction of higher and higher temperatures.
>
> I think it is clear to the members of this committee that we are utilizing at the present time the properties of our presently available nickel and cobalt base, superhigh-temperature alloys to the maximum possible extent.
>
> We all know that we have some shortages as far as that is concerned. And there is reason to believe that any further gain which might be realized in the high-temperature properties of these types of alloys will be marginal at best and, therefore, it would appear that any further developments will lie in the area of greater use of refractory metal such as columbium, molybdenum, tantalum, and tungsten which have melting points considerably higher than cobalt and base alloys we are now working with.
>
> Mr. Chairman, members of the committee, again I would like to make the proposition very clear; we are not supporting, we did not support Public Law 733, and we are not supporting it now on defense grounds; that is, in terms of the need for these materials for defense purposes as of the present moment.
>
> But we are supporting it on the ground that there is a long-term policy that the administration is going to present and that the Congress is going to consider and we feel that during this interim period, between now and the time there is agreement on the long-term policy, it just does not make good sense from any point of view to permit these mines to close down and the water to flood the mines and so on, and to put the miners out of work.
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> Senator MALONE, do you wish to ask some questions at this time?
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> Senator MALONE. Yes, I would like to develop one point with Dr. Flemming.
>
> Doctor, are you familiar with the research that is going on now to develop higher heat-resistant alloys?
>
> Dr. FLEMMING. Yes, sir, generally; not as a technician, but I have been informed along that line, as I indicated a few minutes ago.
>
> Senator MALONE. Yes. I doubt if the emphasis has been sufficient on that point.
>
> We had a very interesting paper from Dr. Thielemann, whom you probably know, R. H. Thielemann, chairman of the department of metallurgy of Stanford Research Institute. His latest results are a part of his paper.
>
> I would like to call your attention to this matter for the record in the light of your testimony that you have a 6-year reserve or stockpile on tungsten.
>
> Now, Dr. Thielemann says, and I heard him testify before a House committee in San Francisco last Sunday, a week ago, that:
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> "If satisfactory tungsten base alloy can be developed which will have useful engineering properties of temperature of 2,000° F. and higher expected consumption would be doubled or tripled."
>
> Now, if you believe that is really right on top of us, what would you say about your stockpile?
>
> Dr. FLEMMING. Senator, as you know, it is difficult to comment on that in a specific way because I do not know what Defense will come up with in the way of requirement in the light of a statement of that kind, but unquestionably the requirements will be higher than they have been at the present time and that will be reflected in the stockpile.
>
> I would like to say this, Senator: I think the point we are making, although we don't have any figures to go on at the present time, the point that you are making nevertheless indicates the desirability of keeping industries of this kind on a going basis rather than letting them shut down because in this kind of world we never know when somebody is going to come through with something like this.
>
> Senator MALONE. I think you and I discussed this at another meeting we had last year, that is your best stockpile is a going-concern industry.
>
> Dr. FLEMMING. We have always had that feeling.
>
> The CHAIRMAN. Senator Allott, of Colorado, wishes to ask some questions.
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> Senator ALLOTT. I have no questions I want to ask the doctor; thank you, Mr. Chairman. I am a member of this subcommittee, but I have one or two things I would like to say.
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> First of all, I want to express to Dr. Flemming my own personal regret that he is leaving the position he has occupied. I think it would not be amiss to emphasize here what I conceive to be one of the biggest dangers and faults in our Government at this time which he on his part has done his best to eliminate. Unfortunately, in these hearings, and this is true not only under this administration, but it has been true for many years, in the testimony of people who are charged with policymaking, there is always the tendency to leave a door or doors open which lead to statements and declarations of policies which have so many doors in them that they are not policies at all. Doctor, if I could commend you for anything at all, it is for the forthrightness and definiteness with which you have always stated your own point of view, which then gives other people a chance to put it on an anvil and beat it out to find out its merits or lack of merit, as the case may be.
>
> Dr. FLEMMING. Thank you.
>
> Senator ALLOTT. And in your case it has been mostly merit. I would like to say this in addition: I appear here only because I want to express myself completely and wholly in support of the program. The real matter at issue here is to give the doctor a chance to refute some misconceptions of his testimony. But at this time I cannot help but follow up to some extent my good friend, the Senator from Idaho, and express my own thoughts in support of this whole program to implement Public Law 733 of last year.
>
> There are so many examples that can be used in this field that they are almost endless. I point to the fact that 2 years ago, in 1955, numerous Senators appeared before the Appropriations Committee and begged for appropriations to continue our oil-shale experiments. Contrary to that, they were gutted. The place was closed down, and the situation which many of us predicted was a possibility has become an actuality in less than 2 years because we do not have any Suez Canal any more, and we do not have any pipelines of oil out of the Near East. Yet the means and the opportunity to make at least 900 billion barrels of oil available to the American people was in our hands and we flubbed it. When I say "We," I do not want to take any burden for that myself, because most of the Senators—in fact, all of the people here, as far as I know—supported that building up of the oil-shale development so that it could be economically feasible. We should have right today—right this minute, right this second—an oil-shale process which would enable us to produce oil in unlimited quantities competitively with oil out of the ground. If we should find ourselves in another war, nuclear or otherwise, we will rue the day that we did not follow through and complete this oil-shale program.
>
> There is another thing I want to speak out very strongly for. I realize that we do have to trade with other countries some. I do not believe that we serve our own interests by purchasing all of our minerals at home. I think in a broad sense we help ourselves by purchasing some of them abroad. And where the balance will be struck is a question that will always be troublesome to the administrators and to our administrators and Senators and Congressmen. But I do oppose, as we did in Mexico, taking United States money and building production of fluorspar to compete as we did with our own dollars, while we are shutting down our own. I recognize the advisability, as I say, of trading somewhat with those people and making purchases there and trying to reason out with reasonable men a balance. But to take that when we have the production in the United States and build production in competition to our own is something which I do not think can be justified, and I want to express myself as being opposed to it.
>
> Thank you, Mr. Chairman and members of the committee, for this opportunity to say these few words, because I could not let this opportunity go by without expressing my complete support. I hope the Members of the House who are here will be able to do something on their side to put this appropriation back in good order.
>
> The CHAIRMAN. Thank you, Senator Allott.

Mr. KIRWAN. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Speaker, I rise to support the amendment offered by the gentleman from California [Mr. ENGLE]. If this House fails to appropriate at least sufficient funds to permit an orderly liquidation of the tungsten program, the producers in my district will feel and will be entitled to feel that their Federal Government has broken faith with them and has utterly failed to fulfill the promises which have caused them to make large expenditures. I appeal to the conscience and the fair play of the Members and I most urgently ask them to provide funds with which to carry out the provisions of Public Law 733 which this Congress held forth as a promise and an obligation to carry on the strategic minerals program.

I call to your attention that in dozens of small mines in this country, producers have continued operations and kept on employing miners and borrowing money to meet payrolls on the strength of your promise of a market for their ore. They have piled up this ore and it lies there without a market unless these funds are appropriated. They are far in the hole, overobligated to the banks and lending agencies on the strength of your promise. They have no future except disaster and bankruptcy if you now say you never intended to fulfill the promises upon which they relied. It is not conceivable to me that you will let them down.

There is ample evidence of the urgent need of this program, lest we again be caught without the minerals essential to a crash war production program and an operating mining industry to provide them. We are all deeply concerned with adequate defense and the strength of America and we need to continue to make sure we have these minerals.

For the strength and future of our country and to fulfill our promises in good faith, I most urgently appeal for the passage of this amendment.

Mr. KIRWAN. Mr. Speaker, I yield 4 minutes to the gentleman from Utah [Mr. DAWSON].

Mr. DAWSON of Utah. Mr. Speaker, I do not customarily take a position in opposition to my good friend from New York [Mr. TABER] or the gentleman from Ohio [Mr. KIRWAN], and if I did not feel keenly about this being an economic measure I would not be here at the present time. I would simply like to rehearse some of the facts which I think indicate that we are going to make a mistake if we do not agree to this amendment. Back at the time of World War II we did not have a domestic tungsten mining industry in this country, so the Government adopted a program of trying to stimulate the production of tungsten in this country. At that time we were paying as high as $65 a unit for tungsten. We entered into long-range contracts with foreigners for this metal at that price. Then we came along and stimulated the domestic mining industry and, as a result, we brought the price down 100 percent under the amount we were paying to our foreign friends. The industry, of course, sprung up and our producers got in business. At the present time if the Government does not continue to give them support to keep them going, we are going to be again at the mercy of the foreign producers. You are going to be paying a price that will more than offset the amount of the subsidy which we are now giving to our domestic producers.

Mr. DIXON. Mr. Speaker, will the gentleman yield?

Mr. DAWSON of Utah. I yield to the gentleman from Utah.

Mr. DIXON. This is not a question of stockpiling, it is a question of the existence of these strategic mines.

Mr. DAWSON of Utah. That is correct.

Mr. DIXON. You cannot turn a mine on and off like you would a faucet. Would the gentleman explain that?

Mr. DAWSON of Utah. That is a mistaken notion that a lot of people have, that by keeping these metals stored up in the ground you are effecting a conservation program; however, if you close a mine which is timbered and subject to flooding, you are going to actually do the very opposite. The timbers rot away, the mine caves in and the metals are lost to the country. The cost of putting them back into production again is far greater than the amount spent in the form of subsidies.

Mr. DIXON. I wish to associate myself with those supporting this amendment. I do not think we should go from white to black in one leap the way the proposed bill would do.

Mr. DAWSON of Utah. Let me inform the Members, particularly those on this side of the aisle, that this is an administration measure. There has been some reference made to the fact the administration does not back it. Ten days ago, Secretary Seaton came before the Senate Interior Committee and in answer to a question I propounded to him in regard to the effect on the industry if we failed to go ahead with the program, he made this statement:

> I said this morning that the administration supported the program in the first instance and it supports it now.

Further, in reply to a question by the chairman of the committee, he made this statement:

> I said as delicately as I could that I do not want to put any blame on anybody in the Congress, but I feel personally, and I cannot help but express myself, that when the Congress of the United States authorized this program in the last session there was in fact a moral commitment to carry it on.

There is that commitment. These people have gone to the expense of building up their facilities depending on the program being carried out. If we let them down now and close the facilities, we are not keeping faith and the mines will close.

In answer to a further question put to Mr. Wormser, the following statement was made by Mr. Wormser, Assistant Secretary of the Interior, in regard to what would happen to these producers if this appropriation were not granted. He stated:

> My feeling is that we perhaps have 1 or 2 producers able to meet the international competitive situation, but by and large the industry has been shutting down.

I can testify that in my own State we have two producers who process tungsten. One is closed down and the other is preparing to close down probably next week if this appropriation is not granted.

In the narrowest sense, the approval of funds for the continuation of the Government's tungsten purchase program is necessary if Congress is to keep its pledge to the domestic producers of this vital and critical metal.

But in the larger sense, continuation of this program—until an adequate alternate can be adopted—is necessary if this Nation is to remain self-sufficient in a metal that, due to the high temperature jet age, is vital to our national defense.

This history of our dependence upon foreign sources is, in miniature, a typical example of what happens when this Nation allows low-cost foreign production of any needed material to become our sole source of supply of this material. First during World War II and more recently in the Korean war we have been given a dangerous and expensive lesson in this regard.

During World War II we managed—of necessity—to meet with domestic production our tungsten needs by bringing into being an entire new industry. This required expensive Government investments and diversion of critically needed manpower from other war industries. But we learned then—as we should remember now—that we cannot depend upon foreign production to meet our needs in times of emergency.

This lesson was quickly forgotten in the bright era of peaceful optimism that flared up briefly after the war. We again allowed our domestic sources to collapse, choosing instead to again become dependent upon foreign sources of tungsten. The folly of this course was soon demonstrated as the cold war flamed into a raging conflict in Korea.

Deprived or major sources of tungsten from abroad, this Nation saw the world market price increase to over $65 per unit as foreign producers adopted the techniques of charging all the traffic would bear. The only alternative was to revive—again at great expense—our domestic mining industry. Our domestic producers again rose to the task. The tungsten industry arose like the phoenix from its own ashes. Right now, the United States is capable of meeting its own tungsten requirements.

If this industry is to survive—if we are to avoid a mistake already twice-made—we must continue the tungsten purchase program until an adequate substitute is evolved. For my authority, I quote Secretary of Interior Fred A. Seaton. Appearing before the Senate Interior and Insular Affairs Committee on June 4, 1957, the Secretary was asked what would happen if Congress failed to vote funds to continue the tungsten purchase program. He replied and I quote:

> Secretary SEATON. Mr. Chairman, in the first place, I would not like to think in terms of being unsuccessful. I said this morning that the administration supported the program in the first instance. It was part of the President's budget in this session of the Congress. The whole administration has supported it time and again.

> I said, as delicately as I could, that I did not want to put any blame on anybody in the Congress, but I felt personally, and cannot but feel, that when the Congress of the United States authorized the program in the last session, that there was, in fact, a moral commitment to carry on.
>
> In the language of the appropriation, we were advised that we had been given part of the money, or part of the money had been appropriated to carry it on, and there was certainly at least an implied invitation if not an actual one to return to Capitol Hill and ask for further appropriations in this session of the Congress.
>
> I would hope very much that those of us who believe in the program, and those who feel as I do about the program's being carried on, will be successful in their efforts.
>
> As to what we do if those things do not come to pass, I would much rather reserve that for consideration, but I would assure you, Mr. Chairman, that we would have no intention of just leaving that hanging on the line. What we could do might be entirely different, sir, because a Congress which had refused to appropriate money to carry on a program which it, itself, had authorized might or might not be susceptible to further suggestions, do you not see, either from the Department of the Interior or the administration as a whole, or the gentlemen who are members of this committee and who believe in the program. That is a question I cannot answer.

Mr. Speaker, I do not think any Member of Congress should want to consider this problem on the basis of our being unsuccessful today in our efforts to have it continued. The tungsten program is too involved in our basic defense needs to lend itself to the economy ax. The producers who interpreted a decision by Congress last year to continue the program are entitled to have their confidence in our intent justified. The Nation itself is entitled to the comfortable feeling of knowing that its supply of domestically produced tungsten is available in cases of national emergency.

Mr. KIRWAN. Mr. Speaker, I yield myself the balance of the time.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from California [Mr. ENGLE] asked what would happen if the farm program were changed. I do not know but in the last 25 years farm programs have been changed every year. I would like also to say to the gentleman from Colorado [Mr. HILL] that one farm program that has been kept very stable is the wool growers support price program and the beet sugar producers support prices. If they just apply that rule to the rest of agriculture, we would get along pretty well, but Mr. Benson and some of the Members in Congress are willing to change the farm program every year.

Mr. ENGLE. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from California.

Mr. ENGLE. It is true, also, is it not, that tungsten is used in armor-piercing shells, in tools, and also in other ways?

Mr. KIRWAN. It is used in many ways. Now, I will tell you that in 1944 the steel companies that were using 72 percent of the total tungsten concentrates for drills and dies and tools were only using 26 percent in 1954. There they are using a substitute which is much better. I asked for and received a table from the Department of the Interior showing how much tungsten was consumed in the 5 most prosperous years of the history of this Nation, the last 5. They said that an average of 7,400,000 pounds were used annually in the last 5 years. We added 400,000 pounds a year to that, just so that we would not be wrong, and would give them the benefit of the doubt. Based on 8 million pounds a year, we now have enough tungsten for 26 years of peacetime use.

Let me read what President Eisenhower said to the Congress in his budget message. Turn to page 89 of this year's budget. He said, "We have $260 million worth of tungsten that we cannot put in the stockpile." That is in this year's budget.

One of the speakers who preceded me told you about what a wonderful mineral tungsten is. Any schoolboy or schoolgirl knows that and has known it from the day that Edison invented that light bulb up there. Tungsten was what kept it from burning out. But I am telling you what supply this Government has of tungsten. This is what the President of the United States said in this year's budget, that we have $260 million worth of tungsten that we cannot put in the stockpile.

The stockpile went up to the limit in about 2 years. Then they came in and extended this act for 2 more years. Then when they tried to extend it still again, the President vetoed it.

There never was a time when the Department of the Interior or anybody down the street asked for this bill. It was initiated here by the Congress. Congress was responsible. Is not that a fine thing to take out to the people of the United States, that that is the way we are running the Government? But that is what we did. The administration never asked for this legislation. We did it. We thought they needed more tungsten. There were no House hearings printed on the matter.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. DAWSON of Utah. The gentleman said that the administration was not backing this program?

Mr. KIRWAN. They just came out for a long-term program, is that correct?

Mr. DAWSON of Utah. That is correct.

Mr. KIRWAN. Secretary Seaton said he was for it. He would be foolish if he were not, when he was appearing before the Congress. Anyone down the street would be for it. But they never asked for it before the Congress passed it.

Mr. DAWSON of Utah. Will the gentleman yield further?

Mr. KIRWAN. I yield.

Mr. DAWSON of Utah. Is it not a fact that in the statement that was handed to some of the Members there was included the fact that the matter was deferred by the committee awaiting the long-range program.

Mr. KIRWAN. Yes.

Mr. DAWSON of Utah. Now the long-range program is out and they are recommending the continuation of the subsidy-purchase program.

Mr. KIRWAN. Let me turn this thing around and ask the gentleman a question. Is the gentleman for more tungsten when the President says that we have $260 million of it that we cannot get into the stockpile? Are you for tungsten when one producer of tungsten, General Electric, which owns 30 percent of a mine that produces tungsten, will not buy 1 pound of their own tungsten? But they do tell you that 40 percent of the tungsten that they sold to the Government is of nonstockpile grade. Why, Russia would not do that. There is no nation on earth that would do it.

Mr. DAWSON of Utah. Will the gentleman yield further?

Mr. KIRWAN. I yield.

Mr. DAWSON of Utah. The gentleman asked me a question and I would like to answer it as to whether the President was for this program. The President has recommended this program. I think that is the best answer.

Mr. KIRWAN. I again tell the gentleman this. I heard Mr. Flemming's name mentioned here a while ago. Flemming said, "I again tell you that no additional tungsten purchases are necessary for defense purposes." Then when he is up here with a group of attorneys and Senators around him trying to press him and asking the question, "Will you go for the program?" he would be foolish, as he was leaving the Government in 1 week, not to say that he was for the program. He was just living up to the old adage, "Always leave them laughing when you say goodbye."

Mr. DAWSON of Utah. Why did he recommend it?

Mr. KIRWAN. Because he was going out of the picture. He never asked for it.

Let us review the history of this subsidy program.

In 1953, Congress extended this domestic purchase program for 2 more years to help these producers. During this period we bought $187,562,000 worth of tungsten and all of it was surplus to the strategic and critical stockpile. We paid $63 a unit when the market price was $43.

The President vetoed H. R. 6373 on August 14, 1955, which would have again extended the domestic minerals purchase program. At that time he stated:

> Finally, the provisions of H. R. 6373 would apply to only a small segment of the domestic minerals industry and would not reach the fundamentals of the program. Indeed this bill would make solution of the overall problems of the industry more dimcult. • • • The interests of the domestic minerals industry will be better served by proceeding with the careful development of a long-range minerals program than by approving a stopgap measure extending substantial Government aid to only a segment of the industry.

On July 13, 1956, S. 3982, which became Public Law 733, was brought in here under the suspension of the rules and was passed without any debate. The legislation had not been proposed by the administration. There were no

printed House hearings available and there was not a word of explanation on the Floor that this law would cost $91 million.

The Senate Appropriations Committee inserted $35 million in the Second supplemental appropriation bill, 1957. In conference the Senate conferees agreed to strike the item and the conference report was approved by this House without a dissenting remark.

The Senate insisted on restoring the item in the closing hours of last session and in conference we finally compromised at $21 million to carry the program until the House committee could review the need for additional purchases. Of this total, $16,273,000 was for tungsten.

I have now had a chance to study this subsidy and here are some of the facts.

A 6-year wartime supply of tungsten is now on hand in inventory, another year's supply is on order, and at least an additional 2-year supply can be readily produced during war time in United States, Mexico, and Canada.

Based on current annual consumption the supply in inventory and on order would last over 26 years.

As of December 31, 1956, the estimated value of undeliverd orders under existing foreign contracts was $61,957,368. Other funds have previously been made available to finance these contracts some of which extend into 1959.

The United States has purchased to date $635,683,000 worth of tungsten including $219,555,000 from domestic producers. An additional $32,386,000 is estimated for 1958 under the existing foreign contracts.

The President states in his 1958 budget that there is $260 million worth of tungsten in inventory which cannot be absorbed within existing stockpile objectives and there is no current industrial need for the material in the economy.

The Sixth Annual Report of the Joint Committee on Defense Production states the ultimate net loss to the Government on the tungsten stockpile will be $138 million, the highest loss among all the minerals.

NUMBER OF TUNGSTEN PRODUCERS

It was claimed that 700 small producers would benefit. Yet only 177 have participated, and 11 producers have received $12,826,000, or 86 percent of the total. Ninety-two percent of the money went to only 18 producers. Take for example, Idaho.

Under Public Law 733 only three companies in Idaho have sold tungsten to the Government, totaling $968,000. $397,000 of this, or 93 percent, went to the Bradley Mining Co. These mines are leased from the Haile Mines, Inc., of North Carolina. Thirty percent of the stock in this company is owned by the General Electric, one of the largest users of tungsten in the United States. Yet, the president of this North Carolina mining corporation testified as follows on page 117 of the Senate hearings in answer to questions by one of the Senators:

Senator ———. I was amazed yesterday when I learned that not a single pound of our domestic production (of tungsten) is used by industry. Do you think that is correct?

Mr. LONG. Not a single pound.

Senator ———. I also understand that some of our biggest processors, General Electric, Union Carbide, Sylvania, are interested in the production of tungsten, the mines where the total output is sold to the Government, although these same companies purchase the tungsten they use in their own operating facilities from abroad; is that correct?

Mr. LONG. Yes.

This means we are being asked to continue buying from the domestic mines of some of these corporations at $55 a unit while they continue to purchase foreign tungsten for use in their own industry at the United States market price of $26.

For example, Union Carbide, one of the largest users of tungsten, has received $1,696,541 under this new subsidy program since last August 1 for tungsten produced in its domestic mines.

The Government to date has purchased over $26 million worth of tungsten from the North Carolina mines of the Haile Corp., including $1,375,000 under Public Law 733, at prices far in excess of the going market price.

In addition, this corporation received a certificate of necessity for rapid tax amortization on its tungsten production.

Also this Carolina corporation and the Bradley Mining Co. currently have contracts for Government assistance totaling $355,000 to discover more tungsten under the defense minerals exploration program. Altogether the Government now has 21 such contracts in force at a cost to the taxpayer of $1,011,050 to discover more tungsten. Yet Senator MALONE said on page 104 of the Senate hearings on Public Law 733:

For your information there is enough tungsten in Nevada and California to last the country a hundred years * * *. Now we are arguing about how to get rid of it. * * * It is running out of their ears.

What are some of the other corporations who it is said will suffer if this subsidy is not extended again?

First. One company in Colorado, which has received $932,000 under Public Law 733, reported a net profit of $15,152,965 from its various mining operations in 1956. According to Moody's Manual, it had assets of $66,480,302 in 1955.

Second. Another large domestic producer, who has received over $2 million under Public Law 733, still has over $22 million due under its contract with the United States to furnish tungsten from its foreign mines. It is the same old story of working both sides of the street.

Third. Another large domestic producer also has mines in Mexico and is negotiating to acquire other interests there. This company announced on April 5, 1957, that it was "dealing with the Mexican Government for a large reduction in export taxes and for the approval of tax subsidies as provided by Mexican law in connection with building of a plant." Yet we are told we need this appropriation to protect our mines from foreign competition.

SMALL NUMBER OF MINERS AFFECTED

Now it has also been claimed thousands of miners would be put out of work if we stopped this subsidy. When we asked the Assistant Secretary of Interior about this, he said:

There are not too many, however, as a matter of fact.

A president of one of the large tungsten companies testified before the Senate, page 80 of the hearings, that based on figures he had gathered there was a total of only 4,000 employees in the United States who would be affected if the purchase program was stopped. He said as of February 1956, a little over 1,000 were directly employed in Nevada, which has produced about one-third of the tungsten under Public Law 733.

An official of the third largest producer under the program testified he had 308 employees and that they could be consumed by other local industries.

NO OBLIGATION TO PRODUCERS

Now let us look into this claim that we still have an obligation to these producers, for whom the law was previously extended for 2 years at a cost of $187,562,000. We paid them $63 a unit when the market price was $43 and all of the purchases were surplus to the stockpile requirement. Ten of the producers, including Union Carbide, Wah Chang, and Tungsten Mining of North Carolina received certificates for rapid tax amortization.

Public Law 733, which as I said, passed the House without debate under suspension of the rules, merely authorizes appropriations. It contains no definite amount to be appropriated. Nor does it state how much tungsten shall be purchased. Instead it states "No more than 1,250,000 short tons of tungsten." In other words, the law sets a ceiling on purchases, not a minimum—there is no guaranty in the law that the United States will purchase $70 million worth of tungsten as the proponents claim. Nor has a single contract been executed with any producer.

The initial request for funds went directly from the Budget Bureau to the Senate during the closing days of last session. There was no opportunity for the House Committee on Appropriations to hold hearings and consider the items. The Senate reported out only $35 million, not the budget estimate of $91,670,000. It is true that the Senate committee in its initial report stated that it expected the Department to submit a supplemental request for funds when additional funds were required. But this did not not constitute final action on the item. To the contrary, the Senate committee agreed to strike all funds for Public Law 733 in conference and that report was agreed to by the House without any dissent. The Senate, however, rejected this conference report and the House conferees, in the closing hours of the last session, finally compromised at $21 million to carry the program until they they had an opportunity to review the program. There was no assurance given in the conference report that any additional funds would be provided. To the contrary, the action by the conferees could not be construed to have been other to cast doubt on possible extension of the program.

The resolution recently adopted by the House Subcommittee on Mines and Mining states:

Whereas the General Services Administration, to which was delegated responsibility for administration of this program, indicated to the domestic miners that the necessary funds to carry out the programs were expected to be forthcoming and that the miners should conduct their operations on this basis (as detailed in letters from GSA in November and December 1956).

I have reviewed these letters, sent to the regional commissioners by the Commissioner here in Washington, and in each instance they made perfectly clear that future acceptance of offers would be dependent upon whether additional funds were made available by Congress. These letters, to which the resolution refers, were necessary because the producers and the Interior Department exhausted the funds by November 1, 1956, within 3 months after they were appropriated, instead of spreading them over until February 1, 1957, as was intended by the conferees. So these producers wanted to keep submitting offers to be on record if they could pressure Congress into appropriating funds and authorizing the backdating of purchases to December 1, 1956. For example, the letter of December 18, 1956, from the General Services Administration clearly stated:

It is repeated that such offers cannot now be accepted and that the final determination as to whether they can be accepted later will depend on the terms upon which further funds may be available to GSA.

We have no obligation to these corporations, and they know it. This is just a last minute smokescreen they have put up when they knew they were fighting a losing battle. If the House Appropriations Committee had been given an opportunity to review this program, they would not even have received the $16 million that was rushed through in the closing moments of the last session.

And it is interesting that a vice president of one of these tungsten companies is quoted in the "Western Mineral Survey," dated April 5, 1957 as follows:

Mr. Sullivan said that tungsten operations in Montana would proceed, it is anticipated, throughout 1957, "since the Calvert Creek Mines is able to produce ore at a cost that will be competitive with any foreign product."

There is a real obligation, however, which every Member has, and that is to the taxpayers of this Nation. Now that the facts are available, our only course of action is to stop this terrible waste of money. We have purchased $219,555,000 worth of tungsten from these domestic producers and it is all surplus to our needs. Think of the millions we will have to keep on spending just to maintain this excess material.

Another interesting fact that we have discovered is the poor quality of the tungsten which these producers are dumping on the Government at over $20 a unit above the market price. We have found that of the tungsten which was sold to the Government prior to Public Law 733 for $187,562,000, about 40 percent was of nonstockpile grade. Now under Public Law 733 you would expect that they would have at least shipped us better stuff. But GSA figures show that 18.5 percent of the tungsten received at a cost of $16 million since last summer was of nonstockpile grade. Maybe this explains why industry prefers to sell its tungsten to United States at subsidy prices and use foreign tungsten in its own plants. And yet they say we have an obligation to these companies.

NO DEFENSE REQUIREMENT

I note that the resolution of the House Subcommittee on Mines and Mining also states:

Whereas any present official statements as to the defense requirements for high temperature metals, such as tungsten, columbium, and tantalum, are completely obsolete (as noted in the letter of December 13, 1956, from the Deputy Secretary of Defense to the Office of Defense Mobilization).

What are the facts? Dr. Flemming was questioned about this at a special hearing before a Senate committee on February 26, 1957, and here is what he stated:

Dr. FLEMMING. You will recall in the letter of December 13 the Secretary of Defense, or the Defense Department, did advise us that it is probable that the military requirements will be lower for most materials than they had been in the past. * * * I do think it well to keep the issue rather sharp. We do not have any firm, tangible evidence from the Department of Defense at the present time pointing to the fact we do not have enough of these materials on hand; we just don't have any evidence along that line. I would like to make that clear.

Now, the tungsten sponsors like to quote Dr. Flemming's statements on this day when they called him up for the special hearing in the Senate and worked him over after we had cut the money out in the House. That was on February 26, 1957, and he resigned and left his Government post on March 14, 1957.

But despite efforts that day to make him say the tungsten supply might not be adequate for defense requirements, he finally said:

Mr. Chairman, members of the Committee, again, I would like to make the proposition very clear. We are not supporting, we did not support Public Law 733, and we are not supporting it now on defense grounds, that is, in terms of the need for these materials for defense purposes as the present moment.

SURPLUS TUNGSTEN AVAILABLE FOR NEW USES

R. H. Thielemann, chairman of the department of metallurgy of Stanford Research Institute, is the leading spokesman for the sponsors of this subsidy on possible new developments of high-temperature alloys. Again it is interesting to know that the Stanford Research Institute is financed by the tungsten producers of this country.

I wonder why the sponsors never discuss what our present inventory of tungsten really means in terms of these so-called future possibilities.

We now have in inventory and on order a surplus of 115,000,000 pounds of tungsten in excess of the long-term strategic stockpile objective. Just for example, let us see what this surplus tungsten will do.

First. They talk of the possible need of more tungsten for jet engines. Even assuming double the present average of about 25 pounds per engine, or 50 pounds we would have enough tungsten surplus to the long-term stockpile objective for 2,300,000 airplane engines. With the present defense requirements of about 12,000 engines per year, the surplus tungsten would be adequate for about 192 years.

Second. Now let us look at this new claim that tungsten may be needed for shielding atomic aircraft from atomic radiation.

It is true that tungsten is one of many metals being studied. However, because of the weight of tungsten it is possible that a lighter weight metal will be found to be more satisfactory.

An atomic airplane will have to be very large to carry the weight involved. Therefore, only a relative small number of such planes would be built considering the excessive cost. Yet even if 10 tons of tungsten would be used in such a plane, we have enough in surplus alone to build 5,750 atomic aircraft.

Now here is what a Member of the other body said a year ago during the Senate hearings on the authorizing bill on this question of the adequacy of the tungsten supply and restrictions on defense use:

Since it has been amply proven, and I said before the success of the program works against me a little bit, that we are now currently producing twice as much tungsten for the normal civilian needs and that you have a 5-year stockpile (it is now 6 going on 7). The going concern production is such that coupled with the stockpile it is so far ahead of needs that there is no need of worrying about it at all.

Dr. FLEMMING. That is right, on the basis of our present requirements and information.

NO LONG-RANGE PLAN FOR TUNGSTEN

The stated purpose of Public Law 733 was to merely provide interim assistance to the tungsten producers pending the development of a long-range nondefense domestic-minerals program. We have all waited patiently for over 2½ years for the administration to come up with solution to the problem. Even as late as May 24, 1957, the House Subcommittee on Mines and Mining in its resolution gave as one of the reasons for supporting this appropriation the fact that the long-range program had not yet been recommended by the administration. Well, last week on June 4, the administration finally submitted its long-range minerals program to Congress. Again I repeat Public Law 733 was merely to provide interim assistance until we have a long-range nondefense plan for tungsten—and what was announced as the long-range plan—that we continue with the interim assistance under Public Law 733. Just go ahead and buy another $53,650,000 worth of tungsten which we don't need and all the problems will be solved. The domestic producers claim they can't compete with foreign producers in the United States market. I fail to see what is going to be accomplished by continuing to sell all of their tungsten to the United States Government at $20 a unit over market price, while foreign tungsten is used by industry. The only long-range plan that I can see in this is that they will keep coming back and back for more money. We don't need the tungsten. We have $260 million worth now we don't know what to do with, and more is still coming in. The taxpayers would be a lot better off if we gave these producers a gift of $30 a unit and told them to leave it in the ground.

The truth is there isn't going to be any long-range plan, at least as long as there is hope they can keep this handout going. Now is the time to stop this so-called interim assistance.

I agree with the official of one tungsten company who said in testifying on the authorizing legislation that merely continuing Government purchase of tungsten "would be an easy answer, although I believe at the end of 3 years we will still be faced with the same problem we have today."

The campaign which has been put on by the proponents of this subsidy reminds me of the old days when fictitious names, taken from telephone books, were used to flood Congress with telegrams. I have noticed with interest that similar editorials began showing up in small-town newspapers from Ohio to New England stating the same generalities in favor of the tungsten subsidy. I have not received one letter from a small tungsten producer requesting this appropriation.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. BOLAND. Is it not a fact if General Electric and Union Carbide and these other companies that are buying tungsten which is produced in foreign countries and are yet producing tungsten in the mines here, if they really were interested in a long-range tungsten program, they would be using the tungsten that is produced in our domestic mines by our own industry?

Mr. KIRWAN. That is correct. How do we know that they are not taking the tungsten that is produced over there in the foreign mines and selling it to the Government here?

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. If you will give me proof, I will yield to the gentleman. How do you know they are not doing it?

Mr. DAWSON of Utah. If the gentleman will give me some time, I will try to answer.

Mr. KIRWAN. Oh, if you had the proof, you would give it to me in 2 seconds and I would not have to yield.

This means we are being asked to continue buying from the domestic mines of some of these corporations at $55 a unit.

Let me show you what happened just this last Friday. The world market on tungsten last Friday closed at $26—and the duty is included. That means now that we are almost about to give these tungsten people $30 a unit. Have the farmers ever gotten a break like that?

Mr. WITHROW. What is meant by a unit?

Mr. KIRWAN. It is 20 pounds.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. KIRWAN. I yield.

Mr. TABER. I understand that before the committee of the other body the question was asked of the president of the Tungsten Institute as to whether or not the domestic production was used by industry and the president of the Tungsten Institute said, "Not a single pound."

Mr. KIRWAN. That is correct. He said that not a single pound was used.

Mr. TABER. So they do not use what they produce.

Mr. KIRWAN. No, they do not use what they produce. The can buy it for $26 and sell it to us for $55. Suppose we went home and some fellow came up on the television and said, "Look at what John McGook, your Representative, is doing?" Where would we be? Why, they would have us in the ash can—this, the great deliberative body that styles itself the greatest deliberative body on earth. I am only telling you facts.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. EVINS. I think the gentleman has shown to this House that there is an abundance of tungsten available, both in the stockpile and at the mines. I think we should be guided in this debate by the testimony of the Administrator of the General Services Administration before the Independent Offices Subcommittee to the effect that the Government had reached its minimum objective and also its long-range minimum objective in most categories.

Mr. BOLAND. I ask my colleague if this is not true, that not one dime was appropriated here for the fiscal year 1958 for the stockpiling of tungsten by GSA and the Office of Defense Mobilization? Is that not right?

Mr. KIRWAN. Yes, there is more than an abundance in the mineral stockpile. They have achieved the minimum objective and the long-term stockpile objective.

Mr. BOLAND. And the long-term objective was a period of 5 years?

Mr. ENGLE. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. Briefly.

Mr. ENGLE. I do not want to make a lengthy statement, but I would like to ask if it is not true that Dr. Flemming, the head of the Office of Defense Mobilization, appeared before the House committee——

Mr. KIRWAN. That was asked before, and I know he did appear before the Senate committee.

Mr. ENGLE. I am getting back to the authorization bill. Let me finish my question.

Mr. KIRWAN. I do not care about that fact. I told you about it and I did not lie.

Mr. ENGLE. I am not accusing the gentleman of lying, I am just calling attention to all the facts.

Mr. KIRWAN. I covered all that, and you sent me to conference without even the hearings being printed.

Mr. ENGLE. I beg to differ with the gentleman, and I want to cite the record. I am asking a question.

Mr. KIRWAN. On Public Law 733 did you have printed hearings?

Mr. ENGLE. Please let me ask the question. I ask if it is not true that Dr. Flemming, the head of the Office of Defense Mobilization, appeared before the House Committee on the Interior as well as the Senate Committee on the Interior? And his testimony appears on page 6 of the House Committee Report No. 2596 accompanying the bill S. 982, a measure which became Public Law 733.

Mr. KIRWAN. Dr. Flemming at no time said that he did not have enough tungsten for defense requirements. Now, I have covered that already.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. EDMONDSON. I wanted to ask the gentleman—I am not so concerned about tungsten—but I am concerned much more about the other metals.

Mr. KIRWIN. I know what the gentleman refers to—the conference with the other body.

Mr. EDMONDSON. I want to ask the gentleman why it was they did not eliminate tungsten.

Mr. KIRWAN. We did not want tungsten, but in the conference they would not take out one; it was all or nothing.

Mr. METCALF. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. METCALF. There is a tungsten mine in Montana producing tungsten and selling tungsten on the market, but there are other tungsten mines in Montana which have closed down because they could not produce competitively.

Mr. KIRWAN. Let me read you a letter I received from a taxpayer in Montana.

DEAR MR. CHAIRMAN: The enclosed clipping is an example of the extreme pressure being exerted, on those of you chosen to direct our Federal Government, by special groups.

While it is not my wish to close down these tungsten operators in my county, the fact remains that you have a very great responsibility in expenditures. Our Government must have spent some $30 million in getting these properties in operation. If they can't stand on their own feet by now, I'm sure there is no hope for them.

This in no way criticizes the initial program. If you need the tungsten for stockpiling, that's one thing. If we don't, let's not have mineral surpluses like we have farm surpluses.

I salute you fellows for doing your own thinking. Keep it up.

Very truly yours,

WILLIAM E. HAND.

DILLON, MONT.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from North Carolina.

Mr. DURHAM. I know the gentleman wants to be fair. Does the gentleman know about the tungsten contract we have over there in Korea?

Mr. KIRWAN. I do not care about Korea. We have enough for jet engines to last for 192 years. I know we flew it out of Korea during the war, but we do not need it today.

Mr. DURHAM. We will tear down an engine and we will settle the argument of how much tungsten there is in a jet engine. We will try to do that.

Mr. KIRWAN. We took that up with the research and development laboratory at Wright Field and they said they used on an average from 20 to 25 pounds of tungsten in a jet engine. They are the ones who gave us the information.

Mr. DURHAM. Why are we buying tungsten then?

Mr. KIRWAN. That is what we are trying to prove here today.

Mr. DURHAM. We want to further subsidize the mine and put them in business with American dollars. You cannot blame them for buying it where they are getting it the cheapest.

Mr. KIRWAN. Do we need tungsten today?

Mr. DURHAM. I am not arguing with the gentleman about tungsten, if he will listen to what I said. I was putting this on the basis that we must continue our mining industry in this country.

Mr. KIRWAN. There are about 4,000 people in this country in the tungsten industry from the king down to the miner. I am talking about people working in the industry. It only involves 4,000. Yet in the State of Pennsylvania alone there are something like 25,000 miners who have not worked since World War II and we are not thinking of giving them a bonus to go back to work. We are not giving them any work to do.

Mr. DURHAM. I am not arguing that.

Mr. KIRWAN. I speak from the heart when I say it has not been easy for me to oppose my friends who have favored this appropriation to help the mining industry in their States. I only hope they will understand how I feel when I see this needless expense of $70 million and realize what that money would accomplish in our national forests and parks, in providing urgently needed flood protection and reclamation, and in research on our national resources. Our committee has approved large increases for the Bureau of Mines. On the 4 minerals covered by Public Law 733, we more than doubled the research in the 1958 bill over what was appropriated in 1956. These are the expenditures which will keep this country great and I will continue to support them. But with the rising cost of Government, we will not be able to provide adequately for these essential expenditures unless we stop needless subsidies like this which benefit only a relatively few individuals.

I have no objection to providing additional funds fluorspar, asbestos, and columbium-tantalum, because these are small industries needing help to get started. An unobligated balance of over $2 million is still available, and only a very small appropriation is required to carry these 2 minerals through the next fiscal year. I will make every effort to see that these funds are made available.

Now many Members have told me in recent weeks that Members on both sides have come to them and said it would mean their defeat if this tungsten money was not appropriated. The way I look at it, if we give this $70 million away, the people should ask for waivers on all of us.

I ask you all to support the committee in stopping this tungsten subsidy for I know it is the only right thing for us to do.

Mr. BERRY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

DOMESTIC MINERAL POLICIES

Mr. BERRY. Mr. Speaker, I wish to associate myself with the remarks of those Members who are supporting this amendment.

In my opinion in the debate upon appropriations for the purchase of tungsten and other strategic materials there is much more at stake than the number of dollars involved.

First. The testimony in hearings before congressional committees proves that in 1951 we were desperately in need of tungsten. This need was directly due to the failure of maintaining our tungsten production following World War II. We were relying on cheaper imports from other nations, and seemed to be unwilling to pay a price for American tungsten to offset American costs of labor, taxes, and materials.

Our desperate need of tungsten led the Defense Department to initiate a domestic program which contemplated the production of 3 million units of tungsten at a price which would pay American costs.

In addition contracts were executed with other nations to produce approximately 7,500,000 units at a price level quite comparable to that paid to domestic producers.

The foreign contracts brings up the question, Why did we execute production contracts with them for two and one-half times that of domestic contracts? The answer in my opinion is that many of those in charge of procurement had been led to believe that we did not have the domestic deposits to produce the tungsten required by the Defense Department.

Five years of production, however, have proved that we do have the deposits to produce the tungsten we need for many years in the future, providing we have a mineral policy which believes in domestic production and provides a unit price which will permit the payment of American cost factors.

For Congress and the United States to have the definite proof that we do have tungsten deposits to supply our needs in peace or war is worth many times the cost of the program up to this time.

In addition American industry, knowing that a future supply will be available, can expand the present use of tungsten in producing many new types of high-grade steel.

Second. The Defense Department in setting up a buying program for tungsten and other strategic materials, backed up with appropriations by Congress induced individuals to invest their capital and led them to believe that the program would be replaced with a long-range mineral policy.

In the 84th Congress we enacted Public Law 733. In passing this type of legislation producers were led to believe that the program would be continued until a long-range program could be worked out. Therefore in my opinion Congress is morally obligated to continue the appropriations until such time as may be required to replace it.

Failure to appropriate the funds will mean the closing out of our tungsten industry. In so doing we will liquidate the capital invested for production and once again we will be dependent upon other nations in a period of uncertain supplies and uncertain future needs. I cannot conceive of anything more destructive to our economy than to discontinue production from our own natural resources. It means a loss of jobs and income.

Three. Opponents of the appropriation are afraid of the cost. Why should we be afraid of costs? If we produce the tungsten we will have both the tungsten and the money. We cannot lose by producing our own supply.

During the 25-year period 1929–53, the record of our economy proves beyond the question of doubt that for each $1 of raw material produced in our economy we generated $5 of national income. Let me illustrate the turnover of the new dollar earned by production of new wealth in the form of tungsten.

In 1956 we produced approximately $55 million of tungsten. With the five times turnover of the new wealth dollar, the industry created $275 million of national income.

At the present time the average wage earner is receiving approximately $4,000 per year. In other words the national income created by tungsten production will pay directly and indirectly the wages of 68,750 American workers.

There is an old saying that you cannot have your cake and eat it. Failure to continue the appropriations will force us to lose both the tungsten production and the $275 million of national income created by its production.

The Federal Government at the present time is receiving approximately 23 percent of the national income in tax revenue. The loss of tax revenue on the national income created by tungsten production will approximate $63 million.

It should be remembered that in closing up the tungsten mines, we will also close up many communities now dependent upon the mines for their business volume and their payment of State and local taxes. From a financial standpoint for Congress to deliberately vote to shut off the appropriations thus forcing the mines to close would be pennywise and pound-foolish.

Fourth. Finally in voting against the appropriations to continue the mining of tungsten and other strategic materials we will indirectly establish a precedent which could lead to the destruction of all metal mining in the United States.

Since 1954, by the purchase of metals for stockpiling, we have been in reality supporting the metal prices for the entire world. If it is a sound policy to stop the appropriations for tungsten because of the fear of costs, the next logical step would be to vote against all appropriations for stockpiling of other metals. Such a step would force many other types of mining to suspend their production thus shutting off the sources of many billions of dollars of national income.

In closing I would like to point out that since 1940 we have added approximately $600 billion to the total debt, public and private. We have increased hourly wages from an average of 63.3 cents per hour for all industry up to $2.05 per hour in 1957.

These financial obligations and the payroll existing at the present time cannot be met by closing down our own production of new wealth. They cannot be met by importing cheap raw materials from other nations as a reciprocal market to buy the output of manufactured goods. The current buying power of an American miner producing tungsten is approximately five times that of miners in other producing nations.

Stated simply we cannot afford to cut back the production of new wealth from any domestic source if we wish to have the income to operate a solvent economy. What we do in regard to this appropriation is applicable to thousands of American products. If we are going to discontinue our own production because of costs then we must be prepared to accept a similar reduction in payrolls, national income, and domestic buying power.

Mr. KIRWAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House recede from its disagreement to the amendment of the Senate numbered 17.

The question was taken; and on a division (demanded by Mr. ENGLE) there were—ayes 47, noes 156.

So the motion offered by the gentleman from Missouri [Mr. CANNON] was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the conference report may have 5 legislative days to extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PUBLIC WORKS APPROPRIATION BILL, FISCAL YEAR 1958

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior for the fiscal year ending June 30, 1958, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited not to exceed 2 hours, one-half to be controlled by the gentleman from Iowa [Mr. JENSEN], and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 8090, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CANNON. Mr. Chairman, the Committee on Appropriations presents to the House the Public Works Appropriation bill for 1958. With the exception of the mutual security appropriation bill and the usual supplemental bills, it is the last appropriation bill to come to the House.

It is not a perfect bill. But it is probably the most satisfactory public works appropriation bill reported by the committee for some time. It totals $814,813,023. It is $61,639,977 below the budget estimates and it is $52,521,977 below corresponding appropriations for the fiscal year 1957.

We are glad to report that there is not one item in the bill that is not budgeted and there is no item above the budget estimate.

Mr. Chairman, some have contended that the Congress should not permit the Bureau of the Budget to write the appropriation bills. I heartily concur. That is a function of the Congress. Congress does permit some of the departments to write some of their own legislative bills, as you know. Congress in effect has partially surrendered its functions to some of the departments.

But in connection with the disparaging reflections made by some on the function of the Bureau of the Budget, may I call the attention of the House to a very interesting chapter in the fiscal history of the Nation.

It goes back to 1908 and beyond. At that time, although the revenues of the Government were largely from excise taxes, we were already beginning to appreciate the inadequacy of the old haphazard method of handling appropriations.

In 1908 a National Monetary Commission was appointed under the chairmanship of Senator Nelson W. Aldrich, of Massachusetts. This Commission visited practically every capital in Europe, carefully considered the budgetary system of every major nation of the time, and with large and competent staffs exhaustively analyzed and collated European methods with our own.

Finally, in 1919 a special committee of the House under the able chairmanship of Mr. Good, of Iowa, collaborated with a Senate committee and reported out what became the Budget and Accounting Act of 1921.

The pressure for a revised budgetary system was further emphasized when the 16th constitutional amendment was adopted. Under the 16th amendment income taxes brought in such a golden stream of revenue, so far beyond anything which anyone had anticipated, that a more modern system was imperative.

The act of 1921 established the Bureau of the Budget. The Bureau has more than justified the expectations on which it was established. Naturally, it has had its critics but to date there have been no criticism which a one-package appropriation bill would not remedy.

Its estimates should be considered ceilings and this year those ceilings have been particularly high—the highest in the peacetime history of the country.

And yet there are those who complain because the budget, as large as it is, does not include estimates in which they are personally interested. It might be said in passing that if a project is so lacking in merit or priority as to fail to be included in this year's budget, it must be deficient indeed.

Certainly proponents of a project reveal the poverty of their cause when they seek to make capital for their proposal by abusing the budgetary system established with such painstaking care and so fully justified by the experience of more than three decades of exacting trial and research in the most hectic period of the world's history.

Mr. Chairman, we concede that in the bill now before you—a more than a generous bill—it is possible there may be included, items perhaps of doubtful merit, appropriations which could be reduced or eliminated.

But certainly, Mr. Chairman, the bill provides every expenditure for public works, submitted either by the Bureau of the Budget, or by any member of the committee or the House, legitimately needed at this time.

We welcome reductions which can be justified. We see no possible need for increases in any item.

Mr. Chairman, I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I presume most Members have read the report which is not too lengthy, but which explains the bill quite well. The committee recommends an appropriation of $814,813,023, a reduction of $61,639,977 or a 7-percent decrease in the budget estimate and $52,521,977 below similar appropriations for the fiscal year 1957—that is the present year. The recommendations of the committee and the specific appropriation items will be found in the table at the end of the report as usual.

Mr. Chairman, as you know, this appropriation provides funds for a multitude of projects, all river and harbor improvements, flood control, irrigation and reclamation, hydroelectric dams and transmission lines. There are some 280 projects provided for in this bill either for investigating funds, planning funds or construction funds. The committee held hearings for 2 months. There were over 700 witnesses before the committee of which approximately 200 were Members of Congress who came before the committee with people from their districts who are interested in projects in their respective areas.

Mr. Chairman, this bill provides money for many things in America. There is no money in this bill for anything beyond our shores. It is a bill to furnish funds to carry on the conservation of our natural resources of every nature including the conservation of our soil on all our public land, the conservation of minerals and metals and the conservation of soil in every area of this country where erosion is a problem along our seashores and rivers.

So it is a very important bill. I am sure if every American could have the privilege of sitting in the hearings of the Committee on Public Works they would be intrigued by the great interest manifested by people in every walk of life, asking the Federal Government to spend money for these many projects. I would say an overwhelming majority of those projects are very necessary and worthwhile, and all of a beneficial nature nationally. When we on the committee get ready to mark up the bill to determine how much money we shall allow for each item, we are dealing with important matters. We want to do the thing that is best for every area of the country, but we do not want to appropriate money that is not necessary.

There are disturbing things, of course, that come before the committee. I might read what the report says on page 12, half way down the page, under the heading "Local Cooperation":

> The committee is seriously concerned about the lack of local contribution on many of the local flood protection and harbor projects. It feels that where there is a major flood-control problem on large interstate rivers that the Federal Government logically can assume the greater portion of the cost. On those projects that are intrastate, and often of a strictly local origin and benefit, the local interests should rightfully provide a substantial portion of the cost of the projects. It is the intent of this committee to give more consideration to those projects where local interests are willing and able to make the proper contribution, regardless of whether or not the authorization requires it.

Many localities show good faith when they come before the committee, and their representatives tell us that the local contribution to the project is so many hundred dollars or so many thousand dollars or so many million dollars. There are projects in this bill, that cost millions and millions of dollars where there is not one red penny of local contribution I am sorry to say.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. I notice on pages 17 and 18 a rather critical reference by the committee of the Ainsworth and Farwell projects in Nebraska. They were disallowed largely because the Ainsworth project paid only 20 percent of the repayment rate and Farwell 40 percent. The average repayment, I am sure the gentleman knows, in the Missouri River Basin is about 17 percent. Some projects only pay back at the rate of 10. However, under reclamation law the power revenues are applied. I am a little disturbed when I find these two projects, after the people had their repayment contracts made and had gone through all of the machinery it is necessary to go through, then have them disallowed on the basis they were not paying back when actually they are paying back far more than the average reclamation project in the United States. There is no flood-control money in here because flood control pays back not one penny.

Mr. JENSEN. I know well what the gentleman is talking about and I can understand why he is disturbed about the fact that funds for those projects were deleted from the bill.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. JENSEN. I yield myself 5 additional minutes.

Mr. Chairman, generally speaking, reclamation projects pay back on an average about 90 percent of the funds Congress has appropriated for such projects, based upon a 50-year amortization period. These two projects in Nebraska would be exceptions, and I might say that I, too, was quite surprised that these two projects were deleted from the bill.

I do want to call attention also to some language in the bill wherein the committee was quite critical of the Bureau of Reclamation regarding the transfer of funds without coming to the Appropriations Committee members to make a case for such transfer.

I have a statement here from Mr. Dexheimer, Chief, Bureau of Reclamation, which I shall read into the RECORD at this point.

The statement is as follows:

PUBLIC WORKS APPROPRIATIONS FOR FISCAL YEAR 1958—BUREAU OF RECLAMATION

The committee print on the public works appropriation, dated June 13, 1957, covers funds for civil functions of the Department of the Army, civil works of the Corps of Engineers, and the following agencies of the Department of the Interior: Bureau of Reclamation, Bonneville Power Administration, Southeastern Power Administration, and Southwestern Power Administration, and recommends an appropriation of 7 percent below the budget estimate submitted.

It is noted in the report that for the majority of the agencies the committee recommended appropriation of most of the money requested by them. However, it is noted that extreme and drastic cuts far in excess of the 7 percent were made in the Bureau of Reclamation request. For example, planning funds for the Bureau were cut 25 percent. The overall cut for the Bureau of Reclamation is over 12 percent.

This is most difficult to understand because, first, the Bureau of Reclamation is an agency which returns over 90 percent of its funds appropriated by repayment contracts with water users and by power revenues. In addition, over 50 percent of the funds appropriated to the Bureau of Reclamation is from the reclamation fund which is made up of revenues from public land States. The planning work done by the Bureau of Reclamation is most essential to development of sound, economical, and well-engineered projects before presentation to the Congress. Planning of the projects, of course, does not necessarily mean that the Congress will authorize them. Extensive hearings are held before the Interior and Insular Affairs Committees of both Houses before any project is authorized for construction. In view of this, it seems very shortsighted to curtail a program of investigation so important to development of the water resources of the arid Western States.

Now, Mr. Chairman, I have been asked the question as to whether or not the pending bill contains any money for power facilities for the Trinity River project. My answer is a categorical "no", while the bill contains money for other features of the project, it contains no money for power facilities. So that Members will be informed on this point, I should like to make a brief explanation.

The act—Public Law 386, 84th Congress, 1st session, approved August 12, 1955—which authorized the Trinity River division of the Central Valley project of California contains this provision:

> *Provided*, That the Secretary is authorized and directed to continue to a conclusion the engineering studies and negotiations with any non-Federal agency with respect to proposals to purchase falling water and, not later than 18 months from the date of enactment of this act, report the results of such negotiations, including the terms of a proposed agreement, if any, that may be reached, together with his recommendations thereon, which agreement, if any, shall not become effective until approved by Congress.

The Secretary of the Interior, in compliance with this directive, made a report to the Congress with respect to negotiations on the sale of falling water to be produced by the Trinity River division. He also submitted the terms of the proposed agreement together with his recommendations thereon. His report and recommendations were submitted on February 12, 1957, and are contained in House Document No. 94, 85th Congress, 1st session.

Bills which would carry out the Secretary's recommendations have been introduced and are now pending before the Interior and Insular Affairs Committee.

Because of the provision in the basic act which I have just read, the President did not recommend any money for the power facilities of the Trinity project. The President correctly construed the authorizing language to mean that the authorization for the power facilities cannot be effective until the requirements set forth in the proviso quoted above have been complied with.

When appropriations for the Central Valley project were being considered by our committee, the Secretary's recommendations and the pending legislation were discussed at some length. I proposed that the following language be included in the committee report:

> In 1954 the committee enunciated the policy that it would not consider appropriations for any project not authorized by legislation. Although the Trinity project as a whole was authorized in 1955 (Public Law 386, 84th Cong.), the authorizing legislation directed that a study be made by the Secretary of the Interior to determine the feasibility of construction of the power facilities by a non-Federal agency and that any recommended agreement covering joint development be submitted to the Congress for approval.
>
> Such agreement has now been recommended by the Secretary and bills which would authorize joint development are now pending in the Interior and Insular Affairs Committee. Under these circumstances, the committee does not consider the authorization for Federal power facilities as being effective until the action directed by the authorizing act has been completed. Therefore, the committee directs that no part of this appropriation shall be obligated for Trinity power facilities.

The committee felt that the language which I proposed was unnecessary. Their view was materially strengthened by the clear-cut and positive statement

of Clyde Spencer, regional director of the Bureau of Reclamation, Sacramento, contained on page 442 of the hearings and reading as follows:

Mr. RABAUT. Are there any funds in the 1958 request which would implement construction of the power features either on a partnership or on an all-Federal basis?

Mr. SPENCER. No, sir.

Mr. RABAUT. All right. I assume you would not use any available funds to implement the power features on either basis until after appropriate review by the committee.

Mr. SPENCER. That is correct, sir. We would have to have a mandate from the Congress.

You will note that Mr. Spencer agrees that without further action by the Congress, neither the Bureau of Reclamation nor the Department of the Interior have any authority in law to use any funds or to request such funds to implement the power facilities of the project.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to my good friend from California.

Mr. GUBSER. I wonder if the gentleman knows offhand, or could inform me at a later time, as to whether or not this bill includes funds for any project or any investigation which was not in the President's budget request?

Mr. JENSEN. No; it does not.

Mr. GUBSER. I thank the gentleman.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Colorado.

Mr. ASPINALL. I would like to ask my friend from Iowa a question relative to the introductory paragraph on page 14 concerning the Department of the Interior which perhaps is one of the most significant criticisms that the Appropriations Committee can levy against any bureau of the Government. It is particularly interesting to me because I have the responsibility and the honor of chairmaning the committee which has to do with irrigation and reclamation. The paragraph reads as follows:

During the course of the hearings, a number of the Bureau witnesses demonstrated an apparent lack of preparedness and an inexcusable unwillingness to provide factual and responsive answers to questions of the committee members. The committee expects and is fully entitled to prompt, comprehensive and responsive answers. It does not expect to be put through the process of digging out facts piece by piece in a time wasting and unnecessary process.

I wish my good friend from Iowa to know that I agree entirely with the statement in the last two sentences, the expectations of the committee, but I would like to know as fully as the gentleman has time to explain it just what did take place or what did not take place as to the Bureau of Reclamation's failure to justify its presentation.

Mr. JENSEN. My only answer to the gentleman must be that I did not—I was not asked to take part in writing the report; nor did any Member on my side of the aisle have any part in writing the report to my knowledge. I do not know who wrote the report. There are some things in the report I do not agree with.

The final draft of the report on the bill was handed to us first just shortly before we went into committee. Now, I am sure the gentleman from Missouri [Mr. CANNON] would be in a position to answer that question.

Now, Mr. Dexheimer in his statement, which I will make a part of my remarks, explains that that reduction is going to work a hardship on the Bureau of Reclamation. I hope that the Department of the Interior and the Bureau of Reclamation, whoever testifies before the Senate committee, will make a better showing and that they will explain this matter more to the satisfaction of the Senate committee than they did to our committee.

Mr. ASPINALL. Then may I ask this additional question? It is the feeling of the gentleman from Iowa that they did fail to make a complete justification?

Mr. JENSEN. I must admit that their answers to our questions in some instances were not quite up to the standard of the past several years.

Mr. EVINS. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Chairman, I rise at this time to support this bill.

Mr. Chairman, the average yearly flood damage to New England is $32 million.

In 1955 hurricane Diane cost 90 lives and between five hundred and six hundred million dollars due to river flooding alone.

Next to the Connecticut, the Merrimack is the most important river in this region.

The disasters suffered by New England in this decade, would even wake up a Rip Van Winkle. As a result, New England's share of flood-control money was raised a little. In 1956 it reached 4.23 percent of the Nation's total. This is far, far below the amount needed to provide flood-control projects that, in the opinion of Army engineers, are essential to prevent a recurrence of such disasters.

In considering the bill that provides appropriations for civil functions administered by the Department of the Army, and certain agencies of the Department of the Interior, I am aware that the Committee on Appropriations is guided by the recommendations of the Bureau of the Budget. I know that the committee has labored long and earnestly to bring out a bill that it considers fair and prudent.

In this connection, I am grateful for the $550,000 that is recommended by the committee for the Mystic River in Massachusetts. Concerning the $14,000 for an initial study of methods to control the Merrimack River which courses through the States of New Hampshire and Massachusetts, I think that it errs on the side of moderation.

The flood control compact for the Merrimack River was ratified by the legislatures of the two States whose agreement was necessary in working out preliminary details.

Congress gave its approval.

On April 23, 1957, President Eisenhower signed the bill giving consent to this interstate compact.

As the Bureau of the Budget had already made its recommendations before this ratification procedure had been completed, the $600,000 that is regarded as a minimum to expedite work on the Hopkinton-Everett Reservoir that will be the key to control of the Merrimack, was not included in the present bill.

I hope that, before this bill goes to the President for his signature, ways and means will be found to insert this $600,000 item in the bill.

Time is the all-important factor here, because it will take over 5 years to complete the Hopkinton-Everett project. Legislative delays will extend the danger period for the hundreds of thousands of people living in the industrial communities that were built up along the banks of the Merrimack in the days when the river provided water-power for the textile mills.

Mr. Walter P. Muther, staff director, Associated Industries of Massachusetts Flood Control Committee, describes the Merrimack as "potentially the most dangerous flood site in Massachusetts today."—From Industry, which is the official spokesman for industry in Massachusetts, in its issue of October 1956.

The history of the Merrimack offers an all too vivid and painful documentation of this fact.

What happened before, will happen again * * * with damage to property and irreplaceable loss of human life, unless we build protective works to control the Merrimack in flood season.

I know that it is impossible for the Committee on Appropriations to approve every flood-control bill that is introduced. The exigencies of politics require that every Congressman should try to get as large a slice of these appropriations for his own district, in order to provide construction jobs for some of his constituents, and to prove that he is on the ball.

This is a human motivation, with which one cannot quarrel.

But, as between those projects that are urgent and those that could be deferred or denied, I submit that there is an important distinction as to need and priority.

By any objective appraisal, the Merrimack River constitutes a real danger that must be controlled.

To verify this statement, I have no hesitancy in referring you to the sound and competent judgment of the United States Army engineers.

The appropriation of $14,000 for the Merrimack, out of an overall appropriation of $814,813,023 recommended by the committee, is but a "finger in the hole of the dike."

I shall vote for this bill, in the national interest, and because of the worthwhile and necessary projects in other sections of the nation, but even at this late date in the legislative process, I seek some way to keep the door open for additional funds to expedite progress on the Merrimack Valley flood-control program.

Before this bill reaches the President, there should be recognition of the fact that a $14,000 appropriation is not enough to make a real and effective start on a flood control project that has been delayed for 17 years, with consequent losses to the people and the industries of the valley.

How long, Mr. Chairman, must we wait for flood protection?

Mr. BATES. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BATES. Mr. Chairman, the Merrimac Valley flood control problem is a serious one to which I have given much time and attention, and I regret that the compact between the States of Massachusetts and New Hampshire on flood control was not consummated in time to permit the incorporation of the required funds in H. R. 8090, the public works appropriation bill before us today, and thus permit the construction of the Hopkinton-Everett Reservoir project in the Merrimack River Basin.

The Army engineers have advised me that their studies have convinced them that the lack of control of the Contoocook River watershed basin poses a very serious threat to the entire Merrimack Valley.

It has been estimated that a recurrence of the 1936 floods in the Merrimack area would cause $157,000,000 damage and losses without reservoir protection. Of this potential damage, about $94,000,000 would be prevented with existing reservoirs.

It is imperative, however, that the project must be completed in order to give the area the protection it requires.

I sincerely trust that the Senate will provide the funds requested in my bill H. R. 6637 and totaling $600,000 so that the initial step may be taken this year and thus initiate proper protective flood control for this area.

Mr. JENSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, I take this time for the purpose of clearing up what I consider to be an error in the report, at least an error in the material which was placed before our subcommittee when we were marking up this particular bill. I have reference to the Elk City—Table Mound—Reservoir in Kansas.

At the time we were considering the bill in subcomittee under the general understanding that we would not consider projects which fell in a certain classification, there was, before the members of the subcommittee, a so-called worksheet upon which Elk River was designated as a new start. In the multiplicity of these projects none of us can keep advised of each and every one of them, but had I known at the time that $165,000 had already been expended in investigation related to this project I certainly would have insisted that the $85,000 presented by the budget for this project should be included.

The purpose of my rising now is first to ask the gentleman from Pennsylvania [Mr. FENTON] if my statement is not correct that upon the worksheet placed before us the term "new start" was used in connection with this project.

Mr. FENTON. This is what it says: "New planning start."

Mr. H. CARL ANDERSEN. That is correct. It was upon that assumption, Mr. Chairman, on the part of several of us on the committee, that we turned down this project.

May I ask our chairman [Mr. CANNON] if we could not rectify this error by agreeing unofficially that this $85,000 to complete the planning for this project should by right be in the bill. Would the gentleman go as far as to agree with me on that?

Mr. CANNON. The gentleman is correct that it is a continuation of the planning. When it was submitted to the committee, as the gentleman will recall, it was submitted upon the recommendation of people who had studied the matter, and no recommendation was made that it be further provided for in this bill. I do not recall any discussion of it.

Mr. H. CARL ANDERSEN. As I have stated, it escaped our attention, immersed as it is in this vast quantity of projects. I personally never would have agreed in subcommittee to the deletion of this project unless I had felt it was a new start, which it is not. So it is my intention when we read the bill for amendment to offer an amendment to restore this $85,000 to the planning for this project.

Mr. CANNON. This project was not taken up for consideration in the subcommittee.

Mr. H. CARL ANDERSEN. That is correct. I would appreciate it if at that time I could offer it as a committee amendment, to rectify this error.

Mr. CANNON. As the gentleman is aware, the amendment was taken out of the bill at the time the subcommittee reported it to the whole committee.

Mr. H. CARL ANDERSEN. That is correct.

Mr. CANNON. It was not considered either in the subcommittee or the whole committee, except we did know it was an amendment.

Mr. H. CARL ANDERSEN. It is my intention to offer it as an amendment when we reach the proper place in the reading of the bill.

Mr. GEORGE. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Kansas.

Mr. GEORGE. This $85,000 is to carry on a project that has been underway in the planning stage since 1941. It has cleared the Army Engineers and been recommended all the way through. However, due to the fact that some of my colleagues considered it as a new start, they did not give it the consideration in committee it should properly have had.

Mr. H. CARL ANDERSEN. That is correct. As far as I personally am concerned, and I am sure this applies to the gentleman from Pennsylvania [Mr. FENTON] and the gentleman from Iowa [Mr. JENSEN], we did consider it as a new start because of that asterisk placed in the worksheet before us.

Mr. GEORGE. Certainly this committee has heard evidence on it.

Mr. CANNON. Mr. Chairman, I yield 8 minutes to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Chairman, the distinguished gentleman from Missouri [Mr. CANNON], chairman of the Appropriations Committee, and other members of the committee who have preceded me, have fully covered the major items in the pending public works appropriations bill. This bill carries recommended overall appropriations in the amount of $814,813,023 to continue the work and services of the various agencies for which the funds are needed in the public interest.

It is always stimulating and refreshing to work with the members of the Public Works Appropriations Subcommittee. Service on this committee, at times is taxing and arduous, but it is also rewarding and I would like to take this opportunity to again express my thanks and appreciation to our Chairman, the gentleman from Missouri [Mr. CANNON], and to our subcommittee chairman, LOUIS RABAUT; to the gentleman from New York [Mr. TABER], to the gentleman from Iowa [Mr. JENSEN], and all of the members of the committee for their cordiality and spirit of cooperation.

The bill as reported, carries funds for the management and operation of the Bonneville Power Administration, Southeastern Power Administration, and Southwestern Power Administration, civil functions of the Department of the Army which includes the public works program of the Corps of Engineers.

In keeping with the other recommendations of the Appropriations Committee during this session of the Congress, this bill represents a reduction of $61,639,977, or 7 percent less than the budget request—and is $52,521,977 below similar appropriations for the fiscal year 1957.

This bill can truly be called an all-American bill because of the diversity of the projects included in this appropriation. The public works development of our Nation will move forward as result of the money provided in this bill and our country will be made stronger and our national defense strengthened.

Having heard the testimony throughout the hearings on this bill, one cannot escape without being impressed with the great public works program of the Corps of Engineers, and the Bureau of Reclamation and the power marketing programs of Bonneville, Southeastern, and the Southwestern Power Administrations.

Our committee has heard testimony and sympathetically considered projects for all areas of the country—the New England Basin, the South Atlantic Basin, the upper and lower Mississippi River Basins, the Ohio River Basin, the Great Lakes-St. Lawrence Seaway Basin, the Missouri Basin, the Rio Grande and Southwest area, the upper Colorado River Basin, the Columbia River Basin, the Central Valley of California, and, in fact, projects in all areas of our great Nation.

Time will not permit extensive statements with respect to all of the great projects carried in this bill. Funds are provided for continuation of the great

program undertaken in the Great Lakes-St. Lawrence River basin. This overall program includes the dredging of a canal from the St. Lawrence River which will extend more than 250 miles into the heartland of our country and thereby creating a network of canals and ports which will greatly improve navigation and commerce. This overall plan calls for construction of 32 hydroelectric power-producing units within this project—16 on the American side and 16 on the Canadian side.

Also of particular concern to the Nation is the great construction projects underway in our New England States which have suffered severely in recent years from recurring floods. These projects in New Hampshire, New York, Rhode Island, Vermont, Massachusetts, and other New England States will greatly contribute to soil conservation and be effective in reducing the terrible toll from floods which have plagued this particular section of our Nation.

For example, funds are carried in this bill totalling $14,970,000—almost $15 million for construction alone in the State of Massachusetts for needed and necessary projects. The smaller State of Vermont will receive $7,802,000 for construction work on 5 projects.

These projects are aimed at conserving and utilizing the water resources of our country—one of our most precious and valued possessions. Our ability to turn the God-given water of this land to its proper and natural use for travel, irrigation, and power, has contributed beyond measure to the growth and greatness of our country. Through appropriations such as the one before us today, our Nation will move forward in the progress of the internal development of our great Nation.

For 133 years the Corps of Engineers has built and maintained our Nation's harbors and navigable waters—helping bring this Nation to its present peak of world leadership in navigation.

Since 1936, the United States Corps of Engineers has been chiefly responsible for the task of providing nationwide flood control. In this history of achievement, the corps has completed some 2,200 projects authorized by the Congress—at a cost of more than $3.4 billion. In addition, $3.9 billion has been invested in projects underway, and authorized projects will cost $9.3 billion. These projects are primarily for navigation and flood control, but they are yielding and have yielded other benefits—such as hydroelectric power, municipal and industrial water supply, recreation development, pollution abatement, fish and wildlife conservation, irrigation supply and other emoluments.

A few moments ago, I referred to this bill as an all-American bill, and I would like to explain this remark a little more in detail. We, of the Tennessee Valley, are almost continuously under fire because of our great Tennessee Valley Authority. I would like to point out that Tennessee projects in this bill make up only a small portion. The largest percentage of funds in this appropriation will go for the development of the Missouri Valley. More than 15 percent of the total appropriation will be expended for needed developments in this great basin. More than 14 percent of the total appropriation will be expended for developments in the Columbia River Basin in the Northwest; 10.59 percent will be expended on the lower Mississippi; 9.30 percent for the Ohio Basin and slightly more than 9 percent for New England and the Great Lakes-St. Lawrence seaway development—every area and region of this Nation will benefit by this bill.

In this connection, I recall to mind the statements of Assistant Secretary Aandahl of the Department of Interior who appeared before the committee. Mr. Aandahl appeared to present the 1958 recommendations of the Department of Interior for irrigation, development of arid lands and the marketing of electric power—and I would like to quote part of his opening remarks.

Mr. Aandahl said, and I quote:

> While these programs are conducted mainly in the Western States, they benefit the Nation as a whole. The conservation of our water, the reclaiming of unproductive lands, and the producing of power which turns the wheels of industry, all add to the commonwealth of the Nation and thus benefit all of the people.

Mr. Aandahl was speaking with great accuracy when he said that these great projects, taken individually, benefit only a small part of our population, but taken together and collectively, they benefit all of our people and contribute directly to the strength of this Nation.

This is the point that we of the Tennessee Valley are continually making—that construction, for example, of the Great Lakes-St. Lawrence seaway will have little direct effect on the people I am privileged to represent in the great Fourth Congressional District of Tennessee—nor would projects on the upper Colorado—nor would the $16 million Los Angeles County drainage project. However, one would be entirely provincial in thought if he did not admit that these projects, as well as the others in this bill, will contribute directly to our national economy and strength.

Even though there is no money in this appropriations bill for a construction project in my congressional district, I am pleased to support the appropriation requests for the many projects—they are needed and necessary and I am convinced that in the final analysis, the citizens of the Fourth Congressional District of Tennessee as well as all citizens will benefit from the proper utilization of our natural resources.

If our country is to attain greater heights—for which we all strive—we must continue this development of our water resources—utilizing these benefits, to the greatest possible advantage.

I am confident that with all regions and areas working together, that we will be able to continue to develop our water resources program for the benefit of all the people and not just for the benefit of selfish and special interests. In doing this, we will be serving our best interest and promoting our great American heritage.

Mr. Chairman, I join my colleagues in urging passage of this needed bill.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. EVINS. I am pleased to yield to my distinguished leader, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. I want to congratulate my friend from Tennessee on making what I consider to be one of the finest speeches I have ever heard in its national outlook. The gentleman's broadness and understanding of the fact that we are a Union of States is very, very impressive, and the speech made by my friend from Tennessee, in my opinion, is one of the finest I have ever heard on this subject in all the years I have been a Member of this body.

Mr. EVINS. The gentleman is most generous; I appreciate his remarks.

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. EVINS. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. I would like to add my endorsement as well. I appeared before the committee a number of times. The gentleman from Tennessee was always there, and he has a grasp of the problems of all areas of the country that I think deserves the notice and commendation of every Member of this Congress.

Mr. EVINS. I thank my friend.

Mr. Chairman, I yield back the balance of my time.

Mr. JENSEN. Mr. Chairman, I yield 8 minutes to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Chairman, since this is the first time that I have had the opportunity of serving on this subcommittee I want to express my appreciation for the fine manner in which the hearings were conducted.

Chairman CANNON and our colleagues, Congressmen RABAUT and KIRWAN handled the hearings in such a businesslike manner that I am sure the witnesses that appeared before us could not help but feel satisfied.

Our hearings began on March 27 wound up about 2 months later—May 21 to be exact.

In that time many witnesses were heard from the Chief of the United States Army Civil Function Engineers, Gen. E. C. Itschner and his staff, to the many fine, capable, and distinguished officer in charge of the field work throughout the United States.

Likewise the Bureau of Reclamation was represented by Assistant Secretary of the Interior, our former colleague, the Honorable Fred G. Aandahl, the Commissioner of Reclamation W. A. Dexheimer, and their staffs, together with the various chiefs of divisions and regional directors from the field.

During the 2 months of hearings, in addition to the governmental agencies, we heard about 800 witnesses—witnesses from all over the United States.

Included in those 800 witnesses were about 175 Members of Congress—that is from the House of Representatives, and 12 or 13 Members of the Senate. In other words 188 Members of the Congress.

Three governors, and many personal representatives of governors, appeared before us, and—last but not least—our distinguished Speaker.

And may I point out that of the remaining 612 outside witnesses, pleading

for money for planning, beginning construction, or construction to be continued, were scores of chambers of commerce representatives and officers from the 48 States and our possessions.

Now I was greatly impressed with such a large array of witnesses—not only because of the interest they displayed in their particular projects, their earnestness and in most instances their anxiety—but the time and effort they expended, the expense that they incurred by coming to Washington—many at their own expense.

In fact I wanted to follow through in those hearings and consequently I heard pretty nearly all of them testify because I had an almost perfect attendance record.

As I have already indicated, the witnesses received and were afforded many courtesies as was the membership of our subcommittee by those in charge.

Now I want to particularly point out that this is going to be charged by some as a "pork-barrel" program; it is also going to have to run the gamut of those who will charge that because of the large budget that we will have to put aside many projects in favor of economy; it will also be charged that some of the projects are not necessary and may encroach on the historical rights of others. These gripes are particularly true of the flood-control features of this bill.

Therefore I have endeavored to weigh all of those arguments and with the majority of the membership of our subcommittee and the full committee, I believe we have presented to you a reasonable bill. While we have eliminated over $61,639,977 from the budget estimate, it is nevertheless a bill that we believe can be justified.

There will naturally be some disappointments—in one way or another—but I can assure you that, speaking as one of the subcommittee, we have done our best. The testimony as recorded in the 4 volumes of hearings consisting of 3,784 pages will, I believe, attest to that.

Each project of which there was any question at all was given thorough consideration in our markup. There was no meat-ax approach, and again I want to pay tribute to the panel—regardless of whether we agree or not on certain projects.

Speaking for myself, I cannot see any justification for permitting conditions to exist that are inducive to the destruction of life and property.

My friends, you would be amazed at the mounting numbers of people who have lost their lives over the years and the terrific property damage occurring annually by floods. I have not attempted to secure any totals because of lack of time. However, I am sure that from the history given by the testimony before us that we are justified in doing something to prevent future distress.

Another thing that impressed me very much in the testimony of a vast majority of the witnesses were the statements that the projects were of great help in not only retaining industry already located in those areas but also in securing new industry.

Therefore it is very apparent that the taxpayers of those areas—American citizens—are entitled to protection not only from loss of life and property but also to improve their industrial potential.

Incidentally, this poses a question that should receive the attention of this Congress. I refer to a number of bills that have been introduced—both in the House and the Senate—area redevelopment bills that would establish a program of financial and technical assistance designed to alleviate conditions of substantial and persistent unemployment in economically depressed areas, and so forth.

Those areas are to my mind entitled to just as much consideration as far as saving existing industry or assisting in securing new industry as are those areas located on rivers and streams that are subject to periodic flooding. I certainly cannot see where there is any great difference in those two cases. A disaster, whether by a flood or by economics, is just as harmful as far as the inhabitants of the involved areas are concerned.

We hope that the appropriate committees who have those area assistance bills within their jurisdiction will soon be able to have hearings and make a report on them. Coming from one of those areas, and knowing how some assistance is needed—it will be appreciated if action can be expedited.

Navigation is another subject that came to our attention throughout a great deal of the hearings. The dredging of rivers and streams to permit water transportation—yes; even to manmade canals.

These dredgings for navigation have, of course, two objectives—namely, cheap water transportation and more industry in those areas, together with flood control.

Now of course the things that I have mentioned thus far are in the interest of America—just as much as are our commitments made under our foreign policies. In fact more so, because it is from our industrial strength and the taxes therefrom that we are able to help as much as we have—our friends in other countries.

Thus far I have spoken mainly of the functions of the Army engineers in civil functions.

The Reclamation Bureau as I said before testified at considerable length.

They have a large program and over the years have done fine work.

Having served on the Interior Department Subcommittee on Appropriations for a number of years I am fairly familiar with some of their work and projects.

I am frank to admit that I have been greatly impressed at times at the enormous work and jobs that they have done, and at other times I have been disappointed.

Of one thing I am sure—that they have expended plenty of the taxpayers money in those projects over the years.

Here we have another arm of our Government which deals basically with flood control—at least that is the premise on which most of the proposals are made. We are for all justified flood-control projects.

However, from this has grown the multiple purpose dams—dams to control floods; for hydroelectric plants to take care of the scarcity of power—so they say, for irrigation, for recreation, for fish and wildlife, and so forth.

We have no quarrel with all of those fine objectives, except to say that they should not say it is for scarcity of power that they erect hydroelectric power plants—rather should they say that it is for cheap power because you and I know that that is the drawing card for industry.

Now I relate those things, not in the spirit of criticism but rather to point out that area redevelopment—or area development—is not new and I repeat that we should be getting on with some of the bills for redevelopment of areas of great unemployment. They are just as entitled to consideration as those areas that enjoy the works of the Reclamation Bureau.

The budget estimates for the functions under this bill was—as you know—$876,453,000 for fiscal year 1958, broken down as follows:

Corps of Engineers	$638,905,000
Bureau of Reclamation	199,312,000
Bonneville Power Administration	33,772,000
Southeastern Power Administration	1,939,000
Southwestern Power Administration	4,464,000

As I said before the Committee cut the budget estimate by $61,639,977, broken down as follows:

Corps of Engineers	$31,708,200
Bureau of Reclamation	24,623,777
Bonneville Power Administration	5,263,000
Southwestern Power Administration	45,000

Which amounts to about 7 percent.

However there will be some items that were allowed by our subcommittee and the full committee that will cause some dispute and which will probably call for some discussion.

In that respect may I again call to your attention the fact that certain items were discussed at length in the committee and that there was no meat-ax approach used.

As far as I am concerned there was no pork-barrel policy involved either, and the items allowed were to my knowledge fully justified.

Your subcommittee handling this bill has worked hard and earnestly and I trust that you will support us in adopting it as recommended.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. I would like to compliment the gentleman from Pennsylvania [Mr. FENTON], for his great record of attendance to duty which he exhibited during these hearings, and I want to add to the gentleman's name that of the gentleman from Michigan [Mr. RABAUT]. Those gentlemen sat for many, many a day listening to these many witnesses at sessions some of us on the subcommittee were unable to attend. The House little realizes the strain put upon the members of that subcommittee

listening to witnesses continuously, not for days but for weeks, and I want to pay my personal tribute to the gentleman from Pennsylvania [Mr. FENTON], and the gentleman from Michigan [Mr. RABAUT] for the good job they have done on this particular bill.

Mr. FENTON. I thank the gentleman very much.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. Mr. Chairman, I wish to add my word of appreciation particularly to the chairman and the senior members of this committee for the fine job they have done on these hearings. Any time you sit down to listen to 800 witnesses on a single bill you have a job cut out for you.

I wish also to comment briefly on a point which the gentleman from Pennsylvania [Mr. FENTON] mentioned; and that is the habit of the press of referring to this as the pork barrel bill.

I should like to say particularly to the ladies and gentlemen of the press, of whose ranks I was once a member, and may be again some day if the voters of my district see fit to turn me out of Congress, that we do not consider this bill a pork barrel bill. The money appropriated in this bill is among the most important appropriated by the Congress. It is an investment in America and I think while the term pork barrel is a catchy phrase and like all catchy phrases has a tendency to catch on and be repeated, it is a most unfair and derogatory term to use constantly in connection with this bill.

Mr. Chairman, I take this time to discuss two items which were eliminated from this bill by my committee. Both are of vital importance to my area and I feel a serious mistake has been made.

It is not my intention to offer an amendment at this time because I know of the committee's strong desire to hold the line which has been set up in this bill. However, it is my hope that by the time the bill has been signed into law, both of these appropriations will have been restored and that my colleagues on the Public Works Subcommittee will be in agreement with that action.

The items I refer to are for starting work on two transmission lines for the Bonneville Power Administration grid. One is the Rocky Ford-Tacoma line, for which $1,863,000 was requested and eliminated by the committee. The other is the Chief Joseph-Rocky Reach Valley line, for which the committee rejected a $296,000 request for surveys.

I am most hopeful that when all the facts are understood, the conferees on this bill, and the House and the other body, will agree that reconsideration should be given to these two items. To eliminate them will have a most serious adverse impact on the economy of the Pacific Northwest. Furthermore, to deny them strikes at the very heart of the power-wheeling system operated by Bonneville, which has operated with such tremendous benefit to the Northwest and the Nation.

In the report on this bill, the position is taken that the wheeling of non-Federal power, which would be a part of the use of these proposed lines, should have separate authorization, and that the wheeling of power from Priest Rapids and Rocky Reach Dams by Bonneville would set a precedent.

I should point out that Priest Rapids Dam is being built by the Grant County Public Utility District by express authority of Congress. Rocky Reach Dam is being built by the Chelan County Public Utility District. Both the public utility districts are public agencies, although non-Federal.

In my opinion, and in the opinion of the solicitor for Bonneville, ample legal authority exists for the proposed lines in the Bonneville Power Act, particularly section 2 (b). That section provides in part:

> In order to encourage the widest possible use of all electric energy that can be generated and marketed and to provide reasonable outlets therefor * * * the administrator is authorized and directed to * * * construct * * * such electric transmission lines and substations * * * as he finds necessary, desirable, or appropriate for the purpose of transmitting electric energy, available for sale, from the Bonneville project to existing and potential markets, and, for the purpose of interchange of electric energy, to interconnect the Bonneville project with other Federal projects and publicly owned power systems constructed on or after August 20, 1937.

I should like to call attention particularly to the words, for the "interchange of electric energy with publicly owned power systems." These words precisely describe the situation contemplated here. The Bonneville Power Administration proposes to accept Priest Rapids power at the substation nearest to the dam and use that power to supply the needs, among others, of the Hanford atomic energy project nearby, and then to give the Grant County Public Utility District power at a substation near Seattle in exchange. A similar interchange of power is proposed for the Rocky Reach project.

In addition to the Bonneville Power Act, there is specific legislation relating to the Priest Rapids project which, in my opinion, also authorizes and requires the proposed interchange of power. That act requires that there be integration of the Priest Rapids development as part of the comprehensive plan for the Columbia River, that the output of the plant be sold in neighboring States as well as in Washington, and that the public benefits accruing from the plant be spread over as extensive an area as practical. The only way that these objectives can be accomplished is through the utilization of the Bonneville grid, which reaches into all the northwestern States. Wheeling over the Federal grid specifically was contemplated in the Congressional deliberations preceding the enactment of the Priest Rapids Act; without such wheeling, I feel sure that the act would not have been passed.

For full utilization of the benefits of the Priest Rapids and Rocky Reach plants, they must be integrated hydraulically and electrically with the other major plants of the region. This is a mandatory requirement of the FPC licensees under which both plants are being built. For efficiency in transmission, the basic grid principle—the maintenance of power pooling—must be preserved. Wheeling arrangements accomplish these generating and transmission system benefits and efficiencies.

The wheeling of non-Federal power will be on a fully reimbursable basis. It will not be a financial burden to the Government or to Bonneville's other customers. Not only will wheeling be fully reimbursable, it will also be of substantial direct advantage to the Government's system and its customers.

Since load centers will be served from closest points of generation, losses of power in transmission will be reduced. More efficient utilization of transmission capacity, heavier line loadings, will result.

Wheeling is not new. The principle and specific applications previously have been approved. For example, Bonneville now wheels power from the Box Canyon plant of the Pend Oreille Public Utility District a distance of 235 miles. Beginning in November 1957, Bonneville will wheel power from the Pelton plant of the Portland General Electric Co. a distance of 100 miles. Power does not, of course, actually flow these distances. The wheeling is accomplished by displacement and interchange. This type of displacement and interchange is the real secret of the tremendous technical advantages of the Northwest Power Pool, which must be preserved.

This pooling principle to which I have just referred also is not new. The Northwest Power Pool has been commended many times on this floor. Not only are the 15 Federal generating plants of the Northwest interconnected through this pool, there are a total of 139 plants, large and small, public and private, comprising the generating resources of the States of Washington, Oregon, Idaho, and Montana with links to British Columbia and Utah, which are tied together. The BPA grid is, of course, the basic high voltage transmission system which makes the pool possible.

It is inconceivable that major new projects such as Priest Rapids and Rocky Reach not be linked to this grid.

The Rocky Ford-Tacoma line is of direct advantage to the Government, to the Pacific Northwest region, and, in fact, to the Congress itself.

It should be clearly understood that while this line is associated with the wheeling of Priest Rapids power, it is not required solely for this purpose. In actuality, more than three-fourths of the power flowing over the line will be Federal power. A fourth or less of the actual kilowatts on the line will be Priest Rapids kilowatts. This is so because Priest Rapids power will supply directly the Government's nearby Midway-Hanford load center, displacing deliveries to this load center which are now made from the more distant Federal plants. This is of direct advantage to the Government, as transmission losses are thereby reduced. Further, it makes more dependable the service to the Federal atomic defense center at Hanford.

The proposed wheeling arrangements will save the Government money. For example, the interchange with Priest Rapids will eliminate power and reactive losses of $410,000 per year. As the annual cost of the Rocky Ford-Tacoma line is $324,000, there is a net saving here of $86,000. In addition, the Government also will receive revenue for the Priest Rapids power which flows over the line in the amount of $93,000 annually, so the total benefits to the Government will be $179,000 per year.

This line, because of load growth, is required to insure the stability of service to the Puget Sound area. Without the Rocky Ford-Tacoma line, loadings on the other lines crossing the mountains will increase to the point where stability is marginal by 1960–61. In other words, loss of any line at that time under fault conditions would cause the others to open up in a cascading action, thereby disrupting the entire western half of the power pool. In later years, the Rocky Ford-Tacoma line will be required for all Federal loads. Its earlier construction, to make possible the benefits just mentioned, is essential.

I previously mentioned that the Government would receive revenues of approximately $93,000 per year for the Priest Rapids power which will be wheeled over the Rocky Ford-Tacoma line. This, however, is only a portion of the Priest Rapids power to be wheeled. Total revenues to the Government for wheeling Priest Rapids power will exceed three-quarters of a million dollars annually.

The wheeling of Priest Rapids power by the Government—and indeed any similar wheeling arrangements of the Government—have regional advantages of such substance and magnitude that they cannot be ignored. Under wheeling, it is possible for small distributors to purchase power. Under wheeling, distributors situated at considerable distances from the plant can purchase power. A marketing scheme which would preempt the rights of small purchasers and of more remote purchasers should not be permitted.

I mentioned that wheeling was also of interest to the Congress itself. The people of the Pacific Northwest region, and in particular of my State of Washington, have demonstrated their willingness to ease the burden on Federal appropriations by making their own investments in new generating capacity. I am proud that the people of my State have been willing to undertake the tremendous financial task of raising the hundreds of millions of dollars necessary for the construction of the Priest Rapids and Rocky Reach plants. This action by the people has done much to reduce the pressure on Congress for appropriations for new generating capacity. But the willingness and ability of the Government to wheel power from these new privately financed projects is essential to the success of these present endeavors and to further efforts for non-Federal generating-plant construction.

In conclusion, because of the direct advantages to the Government, the advantages to the region, and to the Congress, which I have cited, I feel that the Rocky Ford-Tacoma and the Chief Joseph-Rocky Reach-Valley lines, and the wheeling associated with these lines, should be endorsed heartily by the Congress. I feel also that the Congress should endorse continuation of the pooling arrangements—of which wheeling is now an important part—which have led to maximum development of the power resources of the Pacific Northwest region.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. MAGNUSON. I yield to the gentleman from Washington.

Mr. HORAN. It is stated in the report that there is no precedent for the Bonneville Power Administration to wheel non-Federal power. The facts are that BPA has many contracts under which it wheels non-Federal power and non-Federal lines wheel Federal power. It is part of our grid system. I wonder if the gentleman knows that the wheeling is not freewheeling, it is completely reimbursable.

Mr. MAGNUSON. Everything that has been said by my colleague from the State of Washington is true. Not only that, but, as I point out here, much of this wheeling is not actually wheeling for a long distance but an interchange of power, a wheeling by displacement.

Mr. CHUDOFF. Mr. Chairman, will the gentleman yield?

Mr. MAGNUSON. I yield to the gentleman from Pennsylvania.

Mr. CHUDOFF. The gentleman knows that the Subcommittee on Public Works and Resources of the Committee on Government Operations has made very prolonged power studies of the operation of Government-owned dams, of REA co-ops, and so on. The subcommittee felt that it would not make much sense to construct these dams unless funds were available to wheel this power. Was any reason given why the funds were not available, and if not, who was going to wheel the power?

Mr. MAGNUSON. The statement in the report is that for wheeling non-Federal power a relatively long distance a separate authorization should be sought, a statement, incidentally, with which I do not agree.

Mr. CHUDOFF. Does the gentleman agree it does not make much sense to construct these dams so that we will have the power available if there is no way to wheel it?

Mr. MAGNUSON. That is right. Of course, the alternative is to have the builder of the dam construct his own transmission lines.

Mr. CHUDOFF. I understand that.

Mr. MAGNUSON. But this would be duplicative. I might also point out that these lines eventually will be needed by the Federal system whether there is wheeling of Priest Rapids power or not.

Mr. HORAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Chairman, I do feel a responsibility to point out that an elimination of item 171, Rocky Ford-Tacoma line for $1,863,000 and item 180, Chief Joseph-Rocky Reach-Valley line for $296,000 as proposed in the House bill are of such impact on the economy of the Northwest that reconsideration should be given to these two items.

To carry out the intent of the Priest Rapids Act, the Bonneville Act, and integration of Rocky Reach project some wheeling of non-Federal generation by BPA is essential. This does not set a precedent as BPA has a number of previous contracts by which it wheels non-Federal power over Federal lines and non-Federal agencies wheel Federal power for BPA over their lines

The Rocky Ford-Tacoma line is necessary for the transmission of power to the Puget Sound area. Three-fourths or more of the load on this line will be Federal power; the balance will be Priest Rapids generation and the line will be necessary by 1960. Other Priest Rapids generation will be transmitted over existing facilities. Wheeling of non-Federal power is on a fully reimbursable basis and does not constitute a cost to the Government. The benefits that accrue to the Government as a result of this wheeling are many. For example: An increased stability of the northwest grid, reduction in the line losses, savings in reactive power, economy resulting from "bulk carrier" principle, and more reliable service. This line will be required to transmit Federal power even if there are no wheeling contracts.

Chief Joseph-Rocky Reach-Valley line, item 180 in our budget, requests $296,000. Preliminary planning and surveying are essential at this time as the line is over rugged terrain where work can be done only part of the year. This item in our budget request makes possible collaboration with Chelan County Public Utility District, Puget Sound Power & Light Co., and BPA in integration studies. This line serves a number of functions: Integration of generation from Chief Joseph, a Federal project, and two non-Federal projects, namely, Rocky Reach and Priest Rapids. Also this line will carry power to the Puget Sound area. Studies have not proceeded sufficiently far, as yet, to determine who should build the line or what part of the line. If it is decided that this circuit or any part should be non-Federal construction, the Government will negotiate appropriate reimbursement of any expenditures on this item.

In carrying out the Priest Rapids Act BPA wheeling contracts make it possible for small distributors in our marketing areas that are located in a remote point to purchase blocks of power at reasonable costs. Wheeling in the Pacific Northwest in reality is accomplished by displacement and interchange of power which makes the Northwest power pool feasible and operates to the advantage of all participants and their customers. Wheeling arrangements make it possible for public agencies, private utilities, and municipalities to purchase economical blocks of power. Also, our wheeling contracts make it possible to finance major generating projects with non-Federal funds and to achieve maximum comprehensive development of the water resources of the area.

Again let me remind you that BPA has many precedents for the wheeling

of non-Federal power and that this is fully reimbursable.

Mr. TOLLEFSON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Chairman, I regret that the Appropriations Committee did not include two items in the budget requests of the Bonneville Power Administration. These were important items and I share the views of Mr. Pearl, the administrator, whose statement with respect to them I should like to read to the Members of the House. The statement reads as follows:

Bonneville Power Administration, by amendment, revised its construction budget request downward $5,658,000 a few weeks before presenting it to the House Appropriations Committee. We are ready and willing to cooperate in reduction to the extent requested by the Congress. We do, however, feel a responsibility to point out that an elimination of item 171, Rocky Ford-Tacoma line for $1,863,000 and item 180, Chief Joseph-Rocky Reach-Valley line for $296,000 as proposed in the House bill are of such impact on the economy of the Northwest that reconsideration should be given to these two items.

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Mr. JENSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. BRAY. Mr. Chairman, I make the point of order that a quorum is not present.

Mr. CANNON. Mr. Chairman, I hope the gentleman will withhold that point of order. We are just about through with the general debate.

Mr. BRAY. I withdraw the point of order, Mr. Chairman.

Mr. SAYLOR. Mr. Chairman, it is with reluctance that I come to the well of the House at this time to call attention to an item in this bill which I think should be deleted. I refer to a project in Pennsylvania on the Allegheny River known as the Allegheny River Reservoir or the Kinzua Dam. This reservoir was first authorized in the Flood Control Act of 1936. The figures from 1936 to date, I think, are particularly important to the Members of the House, because with even a casual glance at them one should recognize just what has happened. I have had a chart made up which I have placed before the members of the Committee. From the testimony that has been brought before the Appropriations Committees since 1936, the Army engineers have asked that a dam be built, not that which Congress originally authorized but a new and different dam.

Mr. BROWNSON. Mr. Chairman, I make the point of order that a quorum is not present. I believe that the gentleman's presentation deserves an audience.

Mr. CANNON. Mr. Chairman, I hope the gentleman will permit us to proceed a little further at this time. We are going to finish debate in a few minutes and then read the first paragraph and I would appreciate it if the gentleman will let us go ahead at this time.

Mr. BROWNSON. Mr. Chairman, this is an important speech and I think a quorum should be here to hear it.

Mr. JENSEN. Mr. Chairman, I had promised the Members on this side that we were not going to finish debate today. Some of the Members want to speak on these projects and they would like to speak during general debate instead of under the 5-minute rule. So, Mr. Chairman, since the hour is getting late, it might be well for the Committee to rise at this time and complete general debate on tomorrow. That is what I would suggest.

Mr. CANNON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

THOMAS E. MURRAY OF THE ATOMIC ENERGY COMMISSION

Mr. CANNON. Mr. Chairman, one of the most important governmental agencies in current scientific development, and in the formulation of national policy respecting relations with the other nations of the world, is the Atomic Energy Commission.

This Commission was set up by the Congress as a five-man Commission, expected to function as such, in the discharge of the many grave responsibilities entrusted to it. The expiration of the term of Commissioner Thomas E. Murray on the 30th day of this month, and the failure to reappoint him, have given cause for serious concern.

Commissioner Murray is a scientist of international reputation, a man of unassailable character, of the highest integrity, devoutly dedicated to the application of atomic energy to the cause of peace. He has demonstrated a degree of competence in this complex field unsurpassed by any similar official in Government service today.

He has contributed immeasurably to the work of the Commission and has been a stabilizing influence in the decisions which have been made and which should be made if the civilization of the world is to be preserved.

It was Commissioner Murray who first, in early 1956, proposed a ban on the continued testing of the superbombs, very logically insisting that we have enough of them in weapons stockpiles to obliterate and devastate large portions of humanity. His then proposal is now under serious consideration in the disarmament discussions taking place in London.

Commissioner Murray insisted earlier on the accumulation of an adequate weapons stockpile, and more recently in the development of small-scale nuclear weapons which will be more readily adaptable to the curbing of aggressions than the superbombs whose use can lead only to world conflagration. He is largely responsible for the program of uranium procurement which is so vital to the development of nuclear weapons and power.

The United States has under construction today only one large-scale nuclear powerplant with promise of early delivery of atomic electric power, the Shippingport plant which was conceived by Commissioner Murray early in 1953, and initiated by the Congress on his recommendation. He has spoken out repeatedly on the wisdom of declassifying all information relating to the peaceful aspects of atomic energy, in the interest of the advancement of atomic science, and of more importance in the interest of the advancement of peace.

Commissioner Murray has always been a firm believer in the free-enterprise system, and he himself is an outstanding product of it. He has known the problems of power generation since boyhood and was eminently successful in the field of electrical manufacturing. His inventive mind has provided over 200 patents in this field. His background is firmly rooted in private power. Yet it is he who has urged that this Nation is seriously falling behind other nations in the development of nuclear power to the extent that the Federal Government should immediately undertake a program of constructing large-scale reactors at Government sites in order to at least stay abreast of other nations in this critical field.

Commissioner Murray's reward for outstanding public service is enforced retirement from a Commission which sorely needs his experienced service. No one who could be appointed to succeed Dr. Murray could possibly fill as effectively the great national and international need which will be occasioned by his summary dismissal.

Mr. CANNON. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Missouri for that purpose?

Mr. SAYLOR. I yield, Mr. Chairman.

Mr. CANNON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1956, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

Mr. GROSS. Mr. Speaker, reserving the right to object, can the gentleman tell us why we must come in at 11 o'clock tomorrow and disturb committee procedures that some of us think are very essential?

Mr. McCORMACK. Yes; I will be very happy to tell the gentleman. The gentleman will remember that we just completed a bill today that took 2 weeks. This means that the consideration of a number of other bills has been delayed. Tomorrow there will be the continuation of this bill, and from the best information I can get I understand the bill is liable to take not only all of tomorrow but probably some part of Thursday. Then we have the excise-tax bill, the agriculture-trade bill, and several others that I would like to dispose of this week.

Mr. GROSS. If I may ask the distinguished majority leader, then is it anticipated that the T and T Club will be in operation this week, that there will be no session on Friday?

Mr. McCORMACK. I do not recognize the T and T club.

Mr. GROSS. I know the gentleman does not, but then he would let me refer to it as the T and T Club, I am sure.

Mr. McCORMACK. This, of course, is a land of free speech, and I cannot keep the gentleman from talking or making such a reference, if he wants to; but, fairminded man that he is, I think the gentleman upon reflection will realize that that is not a proper statement to make.

Mr. GROSS. Is the gentleman saying that we are going to meet on Friday?

Mr. McCORMACK. We are going to meet on Friday; yes. If, however, the rest of the program is completed by Friday, I am always eager to recognize the problems of Members in their offices and other places, and I am always glad to do those things from a very fair and flexible angle.

Mr. GROSS. I may say to the gentleman from Massachusetts that we are trying to complete hearings on a pay raise bill for postal employees.

Mr. Speaker, I am constrained to object to coming in at 11 o'clock tomorrow morning.

The SPEAKER. The gentleman objects.

PERSONAL EXPLANATION

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, my flight today bringing me back from my district was unavoidably delayed. I reached the House 5 minutes after the voting ended on the civil rights bill. Had I been present I would have voted against the motion to recommit and in favor of final passage of the bill.

ANNOUNCEMENT

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, during the rollcall on the civil-rights bill today I was called out of the Chamber on the first rollcall. On the second rollcall I was called to the telephone on a very important long-distance call. Hence I failed to vote on final passage of that bill. Had I been present I would have voted "nay."

THE CONGRESSIONAL QUARTERLY

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, on June 11 my colleague from the First District of Florida [Mr. CRAMER] spoke at length on the subject of the Congressional Quarterly and of that private publication's method of measuring the support that Congressmen give to the President. I have asked Mr. CRAMER to be present in order that I may be completely fair to him.

The Congressional Quarterly has established itself as a nonpartisan recorder of the affairs of Congress and of related affairs; in fact, it has made quite a reputation in this field and it is now subscribed to by more than 230 American newspapers of every political hue besides many Members of both Houses of Congress. Many of the Washington correspondents who cover the affairs of the Congress refer to it regularly.

The Congressional Quarterly was founded in 1945 and since then has become a very practical place for a voter or an editor or others interested in Congress to check up on all the rollcall votes taken in the House and the Senate. This is no small service for before 1945 it was extremely difficult to go back and check on the actual votes taken by Members of Congress. My friend from the First District pointed out the fact that the Congressional Quarterly was founded by Nelson and Henrietta Poynter, who publish the St. Petersburg Times, which is distributed primarily in the First District. Because the St. Petersburg Times usually takes the Democratic viewpoint, the gentleman assumes this viewpoint is carried over in the editorial operations of the Congressional Quarterly. This I think is an unfair and inaccurate assumption.

The Congressional Quarterly would lose its usefulness if it took a partisan point of view and to say it does is a disservice to the variety of newspapers and others interested in Congress who subscribe to that publication, as well as to the men and women employed by the Congressional Quarterly, who work so diligently to present a clear, accurate picture of congressional activities.

For example, Mr. Speaker, newspapers with such divergent points of view as the Chicago Tribune, the New York Post, the St. Louis Post Dispatch, the Kansas City Star, the Boston Herald Traveler, and that fine publication owned by the family of the distinguished minority leader of the Senate, Mr. KNOWLAND, the Oakland Tribune, all subscribe to the Congressional Quarterly.

At the moment, Mr. Speaker, the Republicans are annoyed that their nonsupport of the President is exposed with such a searching analysis as that made by the Congressional Quarterly. However, it seems to me a somewhat unimaginative and shortsighted point of view. Suppose, for instance, in 1960, a Democratic President is elected. The Republicans then may be very happy to have this same measurement of presidential support available to them. And, incidentally, the same analysis of presidential support now in use was conceived before the present administration took place. The characterization that the gentleman from Florida [Mr. CRAMER] made of the St. Petersburg Times is also misleading. It is my understanding that the St. Petersburg Times has frequently supported members of the Republican Party, and I am informed that in the last election in November 1956, the St. Petersburg Times supported the candidacy of the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Speaker, will the gentleman yield at that point?

Mr. SIKES. I yield to the gentleman from Florida.

Mr. CRAMER. I would like to say to my distinguished colleague—and I am delighted that he brought the fact out—because it gives greater credence to my statement of June 11 as being impartial and not arising out of any feeling of animosity on my part toward the paper as such. When that support was proffered I told them I did not want it. I repudiated it. The character and the nature of the recommendation was anything but complimentary. It was about as backhanded a recommendation as I have ever seen. After saying "These are reasons we have never backed him before," they said, "We think we will have to back him this time because his opponent is less acceptable to the paper than he is." That is about what it amounted to. I appreciate the gentleman's information, but I suggest if he will read the editorial he will see it was not such an endorsement that either a Democrat or a Republican could be proud of it. This exemplifies clearly the type of support Republicans get from this admittedly Democratic newspaper.

Mr. SIKES. The newspaper stated it had endorsed the gentleman. The fact remains that the paper was for him, and against his Democratic opponent. That I insist constitutes an endorsement. Now to proceed; just last year, as will be seen in the CONGRESSIONAL RECORD, volume 102, part 11, page 15464, the senior Senator from my State [SPESSARD L. HOLLAND] had this to say about the St. Petersburg Times:

> The Republicans are in [Mr. Poynter's] debt because his newspaper stanchly supported the two-party system when they were weak in his area in numbers and funds.

The senior Senator from Florida also said that "in my years of careful reading of Congressional Quarterly reports, I have found no bias carried over to it from the editorial attitudes of the St. Petersburg Times."

As the Harrisburg (Pa.) Patriot said on September 2 of last year, when a similar controversy over CQ figures occurred:

> It all depends upon whose political ox is gored by a particular CQ report of voting or its breakdown of that voting.

While Mr. CRAMER and others on his side of the aisle have flinched at the careful analysis of the Republican Party's support of the President thus far this year, the distinguished minority leader of the Senate used those same CQ figures in his case, to say on the television program, Face the Nation, on June 9:

> As a matter of fact, according to Congressional Quarterly, I stand among the six highest Republicans, percentagewise, in support of the President's program, both domestic and foreign, with a percentage, I think, of 89 percent.

I would like to go into some of the specific criticisms that my colleague made of Congressional Quarterly's methods. I make note of the fact that he also made comparison between my voting record and the President's program which hardly were calculated for my advantage. On that I state flatly I am answerable to the people of the third district—not to Mr. Eisenhower; not to any other President, and this is not said in disrespect of the office of President. The gentleman shows a misunderstanding, I believe, of the purpose and the methods used by Congressional Quarterly. Congressional Quarterly does not evaluate the performance of Congress or of individual Members. It merely records the performance of Congress and its Members based on rollcall votes. We Members do the voting.

Perhaps it would be well to ask under what circumstances Members from the other side of the aisle think that Congressional Quarterly is being unfair.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield there?

Mr. SIKES. I yield to the gentleman.

Mr. HOFFMAN. I examined the Congressional Quarterly Almanac. In it I read the statement on page 82 for the Senate, where they said they counted rollcalls where Members were not present as a vote against the administration. Does the gentleman think that is a fair way of counting?

Mr. SIKES. I am inclined to believe that the gentleman does not have a complete understanding of the method of scoring. Let me go a little further, and I think I can outline what the procedure is.

Mr. HOFFMAN. May I ask the gentleman this question? Does the gentleman mean that he doubts that that is in the Quarterly, in the Almanac?

Mr. SIKES. I have not seen the material in question. The information which is available to me is that Congressional Quarterly scores all known votes of Members. If a Member does not vote they send him a questionnaire which he is requested to use to show how he would have voted had he been present. That information is included in their tabulation. If the Member does not provide Congressional Quarerly with the information on his stand he cannot expect credit for having supported the President.

Mr. HOFFMAN. As to that I do not know, but what I am referring to is the statement in the Quarterly Almanac that they do record a Member as voting against the President's policy if he is absent on rollcall or does not vote.

Mr. SIKES. Again specifically let me say I have not seen the item the gentleman has referred to. I think the method of scoring is fair to everyone and I point out again that absence does not prevent inclusion of a Members' stand in a Member's Congressional Quarterly record on voting.

Mr. HOFFMAN. If I can get it back from the Library, there would be no objection on the part of the gentleman to including that in my remarks at this point?

Mr. SIKES. Of course not.

Mr. HOFFMAN. Here is the statement to which inference was made. On page 81 of the Congressional Quarterly Almanac, volume 9, 1953, we find this language:

> Failures to vote are counted as "times at bat," so that such failure reduces effective support score as much as an "anti-Eisenhower" vote.

This was to the vote in the House. And, over on the next page, 82, we find this language:

> Failures to vote are counted as "times at bat," so that such failure reduces effective support score as much as an "anti-Eisenhower" vote.

This was to the vote in the Senate.

Mr. DEROUNIAN. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman.

Mr. DEROUNIAN. In the CONGRESSIONAL RECORD, volume 102, part 11, page 15070, in the remarks of Senator SCHOEPPEL, he introduced a letter from MARGARET CHASE SMITH, United States Senator from Maine, in which she is bemoaning the fact that the Congressional Quarterly has been unfair to her in its appraisal of her votes with the President. She says this:

> I was absent on 9 of the votes this year in the Congressional Quarterly analysis—and all 9 were marked as being against the President in spite of the manner in which I was announced.

Mr. SIKES. Had the gentlelady filled out the questionnaires submitted to her by Congressional Quarterly, she would have been recorded for or against on each of the votes in question. Since there was nothing in Congressional Quarterly records to show her stand, that organization could hardly be expected to assume she supported the President in the cases in point. Perhaps there is a better way to handle the matter of absent votes. I do not champion Congressional Quarterly's procedure. I am simply explaining it; but I must point out it applies the same way to all of us.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman.

Mr. GROSS. I believe the gentleman, earlier in his remarks, said that the Republicans were annoyed by this voting record as stated by Congressional Quarterly.

Mr. SIKES. That, of course, was a general statement. I realize there are some distinguished Members on both sides of the aisle, and my good friend from Iowa is one of them, who are completely independent and each of whom votes his own mind and conscience all the time.

Mr. GROSS. I want to thank the gentleman for making that exception.

Mr. SIKES. Perhaps we might ask under what circumstances Members from the other side of the aisle think that Congressional Quarterly is being unfair. For instance, one of the major studies of Congressional Quarterly is called the Presidential Box Score.

On May 27 this publication issued its news story on the presidential box score which mentions the degree of action which the Congress has given to the President's legislative program, and the story began as follows:

> The Democratic 85th Congress has approved only 6.6 percent of President Eisenhower's legislative program thus far this year.

Many Republicans have used this story to belabor the Democrats who control this Congress. I wonder if they think this is an unfair story from the Congressional Quarterly.

My colleagues' principal argument, however, is with a periodic analysis done by Congressional Quarterly called Presidential Support and Opposition. This analysis measures the individual performance of each Member of both Houses in relation to actual, specific requests made by the President.

I might point out that Congressional Quarterly analyses began during the Truman Administration and were not prepared merely to measure the current administration's program.

The support and opposition tabulation shows how the President fares when each Member has a chance to go on record with a yea or nay vote. That would appear to be another refutation of the allegations that absenteeism need count against a Member's support of the President.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Florida.

Mr. CRAMER. I read from the Congressional Quarterly for the week ending May 17, 1957, page 600, in which they say "Support and Opposition." Then they analyze support and opposition and they say, and this is in that Congressional Quarterly itself in reporting on this analysis:

> Failure to answer a yea-or-nay vote for whatever reason thus may serve to lower a Member's score because these scores as well as composite scores that appear below are tabulated solely on the basis of yea-and-nay votes, and pairs and other announced stands do not count.

Thus they clearly say in their own publication that where a person does not vote it does serve to lower a Member's support score.

Mr. SIKES. I repeat, it is my information that each Member who does not vote on a record vote is given an opportunity to state his position and be tabulated by being sent a printed questionnaire from the Congressional Quarterly on which he is invited to show how he would have voted had he been present. If he submits that information I am told it is counted in his score.

Mr. CRAMER. What happens if it is not sent in? Then it automatically goes against him; is that correct?

Mr. SIKES. If he does not declare himself I am at a loss to understand how he can expect to be listed as supporting the President's program. If any Member wants to be recorded as supporting the President, he has opportunity to do so.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Illinois.

Mr. PRICE. I, of course, am not familiar with the method of scoring in the Congressional Quarterly, but certainly I can see the merit of scoring if a person would miss nine votes on matters that were considered of importance, a part of the administration's program, for I certainly could not see how they could be construed as supporting that program.

Mr. SIKES. If he were very particularly interested in the President's program and were not prevented by illness it would appear he would attend and vote for it.

Mr. PRICE. That is right.

Mr. SIKES. The Senate and the House decide the issues on which they take rollcall votes. The Congressional Quarterly decides whether or not these issues represent part of the President's personal program based on public statements and messages issued by the President himself.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield.

Mr. CRAMER. The gentleman has put his finger on the matter at issue: The Quarterly decides what issues are to be included in the tabulation and how support by Ike is to be determined. I trust that the gentleman appreciates that my whole approach to this situation is not one based upon whether the St. Pete Times endorses or does not endorse me, and on whether I am opposed in any way to the editor of the St. Petersburg Times or not. I will suggest to the gentleman though that when there appears in your district as appeared in mine in the Times an article of this nature based upon the Congressional Quarterly which clearly attempts to mislead the people into believing that there is a congressional revolt finding the Democrats stronger for Eisenhower than the GOP and your name appears in a column below showing that you supported the President according to the analysis of that Quarterly much less than some of your colleagues on the other side of the aisle—and I have no quarrel as to how they vote one way or the other—you, too, would be a little concerned about the basis for coming to this conclusion. I trust the gentleman appreciates that my approach was to try to examine the basis for these conclusions and to show in my opinion that the manner in which they are arrived at is not fair, realistic, or basically honest.

Mr. SIKES. May I say to the gentleman, I did not yield for a lengthy statement. The gentleman made his statement on this subject on June 11 and failed to accord me the courtesy of informing me he was bringing my voting record into the discussion. Now I would like to proceed. If the gentleman has a question to ask, I will be glad to yield to him for that purpose.

Mr. CRAMER. I would be delighted to ask the gentleman a question and appreciate his willingness to enter into this "give and take" on this matter.

Mr. SIKES. I am glad to yield to the gentleman for a question.

Mr. CRAMER. And I would be delighted to try to get my friend, the gentleman from New York [Mr. DEROUNIAN], to yield some of his time to you, if you see fit. But, do you believe it is a fair and impartial analysis where, as I pointed out in my statement, a $30,000 appropriation cut is judged on the same basis as a $50 million appropriation cut for the sake of weighing both votes equally?

Mr. SIKES. I must say to my friend, you cannot weigh a vote by the amount of money involved or by the magnitude of the question. The President has programs that have many facets. I am sure the gentleman does not limit his support only to those facets of the President's program which are of major magnitude; therefore, he must expect to be scored on all those things that the President has expressed an interest in.

All rollcall votes and issues where the President's position is known before the vote are included in the tabulation. That means big issues, little issues—all issues that are a part of the President's program. This method results in the inclusion of some noncontroversial votes as well as the exclusion of certain important rollcall votes on which the President's specific position is not publicly clear at the time the vote is taken. Any departure from this method would lead to a subjective weighing of the issues, and I fear this would result in even more serious and constant challenge by Members on both sides of the aisle who might disagree with the weighing.

I think I should remind my colleagues on the other side of the aisle that during the election campaign last fall the Republicans created what they called a truth squad. This Republican truth squad actually used the Congressional Quarterly figures to support their position. In Kansas City on September 27, for instance, the senior Senator from Nebraska [Mr. HRUSKA] said, and I quote:

> The Congressional Quarterly shows that Republicans supported Mr. Eisenhower 72 percent of the time on 99 rollcalls while the Democrats voted with the administration only 48 percent.

Now, I do not always like the results of the Congressional Quarterly studies, and I do not always agree with their findings. However, I do think it is unfair to point an accusing finger at the Congressional Quarterly and say that it is biased and unreliable. For more than 13 years, the Congressional Quarterly has been presenting the record of Congress, the rollcall votes, the activities of congressional committees, the record of pressure groups on Congress and so on in a way that has helped newspapers and others vitally interested in our activities to understand and present those activities in clearer and more intelligible form. It seems to me this activity has resulted in a distinct advantage to American citizens and that the Congressional Quarterly has played an important part in the improvement of citizen understanding of politics and congressional activity in the changing American scene.

I would say that it would be a distinct disservice for partisan forces to engage in a calculated attempt to destroy such a service, no matter how embarrassing the objective results of that service may prove to be from time to time.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. SIKES. If the gentleman desires me to yield further, I shall be glad to.

Mr. CRAMER. I do not think we are actually in so much basic disagreement as might appear. My position, of course,

is that I do not agree with the basis used, the foundation for coming to the conclusion of the percentages that are published throughout the Nation as "from the CONGRESSIONAL RECORD." As a matter of fact, I suggest the gentleman may have gotten as confused as I did in trying to follow some of the conclusions arrived at. The Quarterly tried to give the impression that the information came from Congress.

Mr. SIKES. Let me comment on that. My colleague made use in his statement to the House of studies prepared last year by the senior Senator from Kansas [Mr. SCHOEPPEL], and the gentleman from Pennsylvania [Mr. SIMPSON]. I should point out that these gentlemen prepared these analyses in practically the same way used by the Congressional Quarterly.

They did not weigh the issues; they included all rollcalls in which, according to their belief, the President stated his position; in fact their analyses resulted in the inclusion of more rollcall votes than the Congressional Quarterly did. The Senator from Kansas even included in his rollcalls the single vote cast when several treaties were ratified en bloc.

Mr. CRAMER. Mr. Speaker, will the gentleman yield further at that point.

Mr. SIKES. I yield.

Mr. CRAMER. That is precisely the point I suggested to my distinguished colleague: The Senators who analyzed it felt that some determination as to the President's position should be based upon what position the leadership of the Democratic Party and Republican Party took on the floor of the Senate; that when the minority leader of the Senate takes a position that that should give some indication as to whether or not it reflected the position of the President of the United States. The Quarterly at no time considered any position taken by the leadership on the floor of the House as to whether or not the President was for or against a particular bill.

Mr. SIKES. And I stated very clearly that the Congressional Quarterly uses those issues in which the President has made a definite statement before a vote is taken to show whether he is for or against a particular program. The Republican leadership in the Congress frequently is in disagreement with the stated position of the President.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield.

Mr. PRICE. Would it not be very difficult if you were to base it upon the position taken by the minority leadership when we have had many instances of one party leadership going one way and the other party the other?

Mr. SIKES. That is very clear, and certainly it is true that it would be unrealistic for scoring to be based on any person's statements other than the President.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. Mr. Speaker, will the gentleman yield further?

Mr. SIKES. I have yielded a number of times to the gentleman from Florida. I now yield to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Is it not generally felt that the President is considered as the leader of the Republican Party?

Mr. SIKES. I think that has generally been considered the case, but apparently there has been frequent confusion in the Republican Party about who is the leader or which way the leadership is going.

Mr. THOMPSON of New Jersey. I will agree.

I noted with some amusement from the program of the young Republicans, who are in Washington this week, that they are having a beauty contest. Undoubtedly, they have many beautiful girls. I notice they have 7 contests, I suppose 1 for each of the wings of the Republican Party. But the fact is that the President is the leader and Congressional Quarterly has always used his policies and has never used a rollcall, to my knowledge, unless the President has had a stated position in regard to that particular matter. Is not that true?

Mr. SIKES. That is true.

Now, if I may proceed with my statement, I think that my friend from Florida has noted that his own score under the analysis of the gentleman from Pennsylvania, in which my friend appears to place considerable faith, results in a poorer showing than the gentleman from Florida made under the analysis conducted by the Congressional Quarterly which he has criticized rather severely.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Florida.

Mr. CRAMER. I think that clearly shows the very point I am trying to make in reference to someone representing to the people they are making an objective analysis of how a Member votes as it relates to the President's position. I think that is a very tenuous proposition. The Congressional Quarterly analysis proves how misleading such an approach can be.

Mr. SIKES. What the gentleman would like to do is to prepare his own scoring method rather than to abide by one that has been set up to apply to all of us?

Mr. CRAMER. That is hardly a fair statement. The point that the gentleman brought out in regard to the Congressional Quarterly making a choice in the crux. It makes the choice as to what the President's position is.

Mr. SIKES. After the President has made statements or after he has sent messages to the Congress to show his position on an issue, there can be no question about his stand in these cases. Therefore, the Congressional Quarterly scores a Member on whether he votes for or against those items. That is about as plain as can be.

Mr. CRAMER. If we will assume that is correct for the sake of argument, can the gentleman explain why on that standard there was eliminated from this particular analysis of only 22 votes 3 crucial votes on H. R. 190 dealing with a resolution on the budget which was sent to the President and asking that he indicate where it should be cut? Does the President need to make a statement he does not desire that resolution passed? Yet it was eliminated from the Congressional Quarterly analysis. This illustrates how foolish and misleading the requirement of a statement by the President as to support as used by the Quarterly is—it is about as foolish as eliminating all statements of support—as the lack of it—as stated by the Republican leadership in the House or Senate.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The fact is that the President, despite newspaper speculation and so on, acceded to the request of Congress and sent a message back here, which was a very helpful one, outlining some specific cuts, did he not?

Mr. CRAMER. May I ask the gentleman, Does he think the position of the President was in favor of that resolution or there was any doubt on the floor of the House to the effect he was against it, particularly due to the fact that practically every Republican opposed it and every Democrat voted for it?

Mr. THOMPSON of New Jersey. There is frequent doubt here as to exactly what the President wants because we have the gentleman from Indiana saying one thing and the gentleman from Massachusetts another, or one group doing one thing and another group doing another. It is awfully hard unless the President has taken a specific stand. It is even more difficult to determine what the President meant when he attempts to answer press questions. He did like the resolution regarding the budget.

Mr. CRAMER. There are many of those situations, but I submit again on this particular resolution there was no question in anybody's mind that the President opposed it and it should have been included in any fair and impartial analysis of voting up to that point. That is the only point I make.

The SPEAKER pro tempore (Mr. EVINS). The time of the gentleman from Florida has expired.

Mr. DEROUNIAN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida be given 5 minutes of my time.

The SPEAKER pro tempore. Under a previous order heretofore entered, the gentleman from New Jersey is recognized next.

Mr. DEROUNIAN. I thought the gentleman's time was vacated and put over to another day.

The SPEAKER pro tempore. Then the next previous order is for the gentlewoman from Massachusetts, who will be recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I shall be glad to withhold my time.

The SPEAKER pro tempore. If there is no objection, the gentlewoman may yield her 5 minutes to the gentleman from Florida.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like my time later.

Mr. DEROUNIAN. Mr. Speaker, I am yielding 5 minutes of my time to the gentleman.

The SPEAKER pro tempore. The gentleman is recognized for an additional 5 minutes.

Mr. THOMPSON of New Jersey. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. THOMPSON of New Jersey. Mr. Speaker, I was not aware that my time for today had been yielded. I did request my distinguished friend from Florida to ask for an hour tomorrow because I thought what I would say today would carry on for an hour.

Mr. SIKES. Mr. Speaker, may I say to the gentleman that I regret to advise my friend from New Jersey I misunderstood his desires and I did ask that his time be vacated today. He has time on tomorrow.

Mr. THOMPSON of New Jersey. I thank the gentleman and I hope he will be here tomorrow so that we can continue this discussion.

Mr. SIKES. Mr. Speaker, perhaps I should ask what my status is at this time. I am a tenant in the well of the House by suffrage of the gentlewoman from Massachusetts [Mrs. ROGERS] and of the gentleman from New York [Mr. DEROUNIAN]. I am grateful to both for their courtesy.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Iowa.

Mr. GROSS. I am just curious to know, Mr. Speaker, how a Member's vote would be analyzed by the Congressional Quarterly under these circumstances. The President supported the natural-gas bill. It came to Congress with the support of the administration, and those who voted for it, I assume, supported the administration. I happen to be one of those who voted against the natural-gas bill. Later the President vetoed it. I wonder if the gentleman could tell me how the Members were represented under those circumstances.

Mr. SIKES. The gentleman has a keen mind, and this would be such a challenge to his own ingenuity that I would not deprive him of the opportunity to analyze that problem.

Mr. METCALF. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Montana.

Mr. METCALF. Mr. Speaker, I propounded a question in the short time which was allotted to me the last time this matter was brought to the floor to the gentleman from New York [Mr. DEROUNIAN]. I am interested in the question the gentleman from Florida [Mr. CRAMER], raises: How are you going to weigh these things? I am rather disturbed by having a rather high support of the President. I do not like to have a 95 percent support of the President's alleged program. I would like to know how the gentleman from Florida [Mr. CRAMER], would weigh these things. Is a vote on a $15 million item 15 times as important as a vote on a $1 million appropriation? I hope that when the gentleman from New Jersey [Mr. THOMPSON], comes in tomorrow or when the Gentleman from New York [Mr. DEROUNIAN], is talking, we can get into this a little deeper, but I would like to hear from the gentleman from Florida, if the gentleman from Florida in the well now will yield.

Mr. SIKES. I yield.

Mr. CRAMER. I would like to say to my distinguished colleague that the thing that bothers him is exactly the same thing that bothers me.

Mr. SIKES. Will the gentleman tell us whether he would weigh a $1 million vote only one-fifteenth as much as a $15 million vote?

Mr. CRAMER. The gentleman indicated very clearly by his question what the problem is. The question is not whether I would evaluate $1 million as against $30,000 or $30,000 as compared to $50 million, as occurred in the HEW appropriation bill. But, there is no one in the country that would weigh them both the same, does the gentleman not agree, particularly due to the fact that the President contrary to the Quarterly did not even favor the $50 million appropriation?

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Illinois.

Mr. PRICE. It is entirely possible by reducing one item $30,000 and reducing another item by $1 million you may eliminate 2 important programs of equal importance in some way.

Mr. SIKES. Does my friend from Florida not realize that if you were to try to weigh these questions, try to establish a basis of the comparative value or importance of these programs, that you would never arrive at any system on which any two people could agree? Such a method of scoring would never be accepted by the public.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Everything being relative, it might be helpful if the gentleman from Florida [Mr. CRAMER], were to devise some scheme whereby these things could be weighed, because it would apply equally to the Republicans and to the Democrats, and the percentage would be relatively the same.

I have some suggestion with reference to the Congressional Quarterly, and I hope to suggest to the gentleman from Michigan [Mr. HOFFMAN], an amendment to his bill to prohibit them from using the name. There is an old bourbon whisky named Old Senator. I do not think that should be used. And, there is a distinguished restaurateur, Mike Palm, who calls his establishment Relaxatorium, and I think that is a little unfair to imply that we have part of Mike's business. There are numerous instances which I will cite tomorrow.

Mr. SIKES. In conclusion, Mr. Speaker, an interesting revelation emerges from a comparison of the Schoeppel-Simpson analysis for the 1956 session of the 84th Congress and the Congressional Quarterly analysis for the same period. It is illustrated by the following tabulation:

	GOP score	Congressional Quarterly score
SCHOEPPEL:	*Percent*	*Percent*
1956 Presidential support	67.5	69
1956 Presidential opposition	19.3	20
SIMPSON:		
1956 Presidential support	60.6	66
1956 Presidential opposition	9.8	17
CRAMER:		
1956 Presidential support	78.7	79
1956 Presidential opposition	19.7	17

While some of the gentlemen on the other side of the aisle are unhappy about the discosure of their lack of support for the standard bearer of their party, I must say they cast their own votes, the record speaks for itself.

FLOOD CONTROL ON THE MERRIMACK RIVER

The SPEAKER pro tempore (Mr. EVINS). Under previous order of the House the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, it is rather late and the staff of the House and the Members have had long, hard days.

I want to call attention to the remarks that I have asked permission to insert in the RECORD during the debate on the flood-control bill, especially the letter from the head Army engineer of the New England division, General Fleming, in which he speaks of the fact that the money for flood control in the Merrimack River is the No. 1 project of importance in all of New England.

There are 50 members on the Committee on Appropriations and my prayers and my pleas are to them and also to the House that they will grant the $600,000 that has been asked by the Army engineers, asked by me and other Members from Massachusetts.

This is a tremendously important and beautiful river and there are very valuable industries on it. Great damage both to life and limb and property have taken place in the last years through floods and hurricanes.

As I look around and see the Members, I know the ones who have always been helpful to me down through the years. They have always helped when I have gone to them for assistance. Sometimes I wonder how we succeed in the passage of certain legislation. There are many, many interests that are considered and that conflict, but flood control saves great suffering.

This amount of money was not budgeted because for 2 years no compact was signed between Massachusetts and New Hampshire.

Mr. PHILBIN. Mr. Speaker, will the gentle lady yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. Mr. Speaker, I desire to commend the gentle lady upon her excellent speech and upon the splendid effort she is making in behalf of what is indeed the No. 1 pending flood-control project in New England.

I should like very much to associate myself with the lady in the remarks she has made and also to assure her that, so far as I am concerned, I shall join her in doing everything I possibly can to bring about the results we desire.

Mrs. ROGERS of Massachusetts. I know the gentleman has always been very helpful. Since 1925 I have watched the high water and the damage done in the Merrimack Valley. It is the only valley in the country that has local flood control as indicated by the Army engineers. It was the last thing that Senator Copeland ever did in the Senate before he died.

I remember the people who helped so much in various ways. General Clay, then Captain Clay, of the Army engineers, helped very much in the original work on the Merrimack River. I went to his office day after day and day after day and he helped. We know the great tragedy caused by floods and hurricanes to people in our area, when they are put in that danger. I shall plead with the Members to support an amendment, perhaps not an amendment in the House now, but when the bill returns from the Senate, because it will be very difficult to get that through at present.

I believe the Senate will put the six hundred for the Merrimack in the bill.

THE GIRARD CASE

Mr. Speaker, again I should like to express my deep appreciation of and pleasure at the fact that a district judge has refused to turn Sergeant Girard over to the Japanese for trial. I believe no foreign court should try our soldiers, and the status-of-forces law should be repealed. The gentleman from Ohio [Mr. Bow] has made a great fight for justice for our soldiers.

The SPEAKER pro tempore. The time of the gentlewoman from Massachusetts has expired.

VALUES OF WESTERN CIVILIZATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. PHILBIN] is recognized for 30 minutes.

Mr. PHILBIN. Mr. Speaker, I desire briefly to address the House on the subject of the values of western civilization.

Mr. PHILBIN. Mr. Speaker, it is lamentable and deplorable that our way of life is beset and challenged in this generation by the organized forces of Marxist communism in a manner and to an extent which greatly threatens the basic values of western civilization. Age old human freedom has historically had to face many serious, if not desperate, challenges to the perpetuity of its institutions. Tyranny is an ever-restless evil thing which powerfully and relentlessly strives to compress mankind into the restricted channels of human slavery. The periodic onslaughts of tyranny on the weak and the helpless, and even on the powerful, are conducted through the spread of ideologies, the infiltration of free institutions, and the threat or application of force or aggression.

What is at stake in this conflict between the free and the slave world? What are the values which we seek to preserve as free men? First, from a historic and philosophical standpoint comes the dignity of the human being and the sacredness of the human soul. Free governments were established to insure and protect these values. Every effort to destroy these values has been perpetrated by a ruthless tyranny. Thus, our religious concepts and political ideals are assailed and jeopardized, and the status of the individual as a free physical political and spiritual entity is gravely threatened. Communism is atheistic; it defies the living God.

Secondly, the Marxist Communists assail and attack the acquisition of impartial knowledge, the pursuit of free inquiry and the development and practice of that objectivity and disinterestedness in the free body politic that accords equal rights to all and prohibits discrimination against any. Communism is a ruthless dictatorship; it fights against freedom.

The third value we cherish is our free system of enterprise, and this in turn involves not only the protection, but the proper utilization from a social standpoint of the huge mass production machinery, which, in its effects, has elevated working and living standards of the average American to the highest peak of all recorded time. It is with regard to our mastery of the machine, including the latest technological innovations, that the real test lies for our system for, being free, we cannot allow the machine or the mass-production system to enslave our people. We cannot permit cold science, gross materialism, or pure reason, for that matter, standing by itself, to dominate the life of America, since that life affects human beings entitled to be judged and treated on the basis of human values rather than by the rigid, ruthless formulas of science and the material world. Our whole system is based on the freedom of the human spirit under the rule of law and not upon the savage rule of the jungle. Communism is antisocial; it seeks to destroy initiative.

Hence, it is essentially the things of the spirit that free governments are designed and destined to preserve in the first instance, if they are to fulfill their aims of keeping alive and real the opportunities of the people to be free and to be left alone by government, so long as they remain within the legal boundaries. Preeminently, the things of the spirit are primarily the things which differentiate democracy from absolutism wherein men and women become pawns of the absolute state subject to the whims and caprice of its arbitrary rules. Communism is materialistic and greedy; it converts the individual into a helpless pawn of the godless superstate.

It is free inquiry, free pursuit of knowledge, free, boundless, spiritual independence of the ruthless restraints of the police state which give strength and vitality to the democratic system. It is this freedom of opportunity, combined with institutions of justice protecting it, which the Marxists have been unable to find a substitute for, because there is no substitute for freedom that will make serfdom palatable to the average man or woman. Creativeness and ingenuity follow naturally and logically in the wake of the free way of life. Free people, left to their own devices, not only create and produce better; but they can fight better; they have more real inspiration and incentive to defend their institutions than those who are enslaved under Marxist rule. Communism is a reversion; it would stifle the human soul.

Our great problem is to preserve the values of Western civilization, to prevent them from deteriorating and degenerating under the sustained assaults of the Marxists into the weak, enervating patterns of collectivism. To this extent, we must ever be conscious of the age-old truth that eternal vigilance is the price of liberty; and that, if men and women want to retain their freedom, they must make up their minds to be ready to fight to protect and preserve it in every generation. Brave men and women worthy of the name "American" will never surrender their great heritage before the atomic threats, nefarious plots, and the countless efforts being made by the Communists to intimidate and terrorize them, for they well know that the battle for freedom must have stanch hearts moved by faith in the Creator and firm intent at all costs upon preserving the things of the spirit upon which freedom depends. Communism is the greatest menace that has ever confronted free nations; we must combat it with all our energies—with all our hearts and souls.

Vigilance and determination will enable us to protect those value of civilization and liberty upon which lasting peace, security, and freedom depend.

GENERAL AGREEMENT ON TARIFFS AND TRADE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. TOLLEFSON] is recognized for 5 minutes.

Mr. TOLLEFSON. Mr. Speaker, I rise today to call the attention of the House to a State Department action, which, I believe, raises serious questions of propriety and legality.

The State Department has announced that public hearings will be held on June 18, by the Committee for Reciprocity Information relative to freezing for an unspecified period the United States right to modify or withdraw tariff concessions made in conjunction with the General Agreement on Tariffs and Trade, or GATT, except under certain conditions. This would be an extension of arrangements now in effect under GATT, a so-called executive agreement never brought before Congress.

I object to this action. My objection is premised on two principal grounds:

First, questions surrounding a 6-month arrangement: The Trade Agreements Act of 1934, as amended, expires on June 30, 1958. The freezing arrangement in question would start on January 1, 1958. If the freezing of concessions is to be for 6 months only—that is, coterminous with the underlying and basic body of law—there seems to be little point in it. In fact, the mere idea of putting American business, both domestic producers and those involved in foreign trade, to the trouble and expense of making presentations at hearings on such a short-term matter would be outrageous. So, too, would be the expenditure of public time and public moneys in any negotiations at Geneva, Switzerland.

Second, question relevant to a long-term arrangement: If the extension is to be beyond the date of June 30, 1958—say for 3 years, like similar arrangements in the past—that would mean an extension of the arrangement beyond the present terminal date of the underlying body of law. That, too, would be outrageous. Such an extension would commit the American Government, or the Executive, at least, under GATT for 2½ years beyond the date by which Congress must act on the whole matter. And we can be sure that Congress will undertake a thorough reexamination of the entire trade agreements program next year. It might be argued that the Executive has residual authority to make such an arrangement beyond June 30, 1958. Such authority would relate to existing trade agreements, negotiated in the past, pursuant to previous directives from Congress. However, I believe that such a contention is highly questionable as a matter of law.

And as a matter of propriety, there is no question at all. It is certainly not proper conduct for the State Department to engage in negotiating an executive arrangement extending past the date on which Congress will review the entire underlying body of law. This is particularly so when Congress may well discard the entire program. And even if Congress does not discard the entire program, it will, beyond question, modify the program in major respects. Hence, the State Department would be going ahead and committing the United States Government in an area of responsibility from which Congress may well foreclose the Executive after June 30, 1958. Such an advance committal would be highly irresponsible.

COMMITTING CONGRESS IN ADVANCE

Aside from the outrageous aspect of entering into such a long-term arrangement, one other matter troubles me deeply. Is the State Department here attempting to enter into an arrangement designed to commit the Congress of the United States in advance? Will the Congress be told next spring when it is debating the underlying body of law that the United States is morally obligated to extend this program, because the State Department has already agreed to do certain things in conjunction with it for a period going several years beyond the terminal date of June 30, 1958? Will not an effort be made to coerce Congress by this advance commitment?

RECIPROCITY

I would be remiss were I not to tell you that supporters of the State Department maintain that there is a theoretically good reason or purpose for these proposed negotiations. That is to freeze other nations' tariff concessions as well as our own. In other words, the purpose is to prevent other nations from running out on the concessions which they have made under GATT. That sounds reasonable enough, but only in theory.

In practice, it is quite another matter. The arrangement in question relates mainly to tariffs—not to a host of practices in which many other nations engage. The United States agrees to freeze its tariff concessions and to give what is called compensation if we deviate from such a freezing. Other countries do the same.

The hitch, however, is that tariffs are too often only a minor method which other nations use in restricting their imports. On the other hand, tariffs are a principal method in our control of imports. As this House knows full well, practically all other nations place their major reliance upon more stringent controls than tariffs. And these would not be touched by the instant arrangement. Other nations use import licensing, embargoes, currency restrictions, state trading, cartel mechanisms, and a host of other devices, of which tariffs are very often a very minor element. Since the United States does not normally employ such practices, the forthcoming negotiations are of much greater importance to us than to other nations. This is because the freezing of concessions that we will undertake is meaningful. For many nations, the freezing of tariffs is but a hollow gesture. In other words, while in theory the anticipated negotiations will be reciprocal or on a quid pro quo basis, these negotiations will in fact amount to little more than a unilateral action by the United States.

CONGRESSIONAL QUARTERLY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. DEROUNIAN] is recognized for 15 minutes.

Mr. DEROUNIAN. Mr. Speaker, the previous remarks of my colleague from Florida [Mr. SIKES] amply demonstrated a number of things:

No. 1, the Congressional Quarterly is human. It has its bias just like an editorial in a newspaper. No two groups of people agree on what is a weighted vote and what is not.

No. 2, the gentleman from Florida [Mr. SIKES] amply demonstrates that the people of the First Congressional District of Florida are endeared of their Representative, BILL CRAMER, for he was returned, Congressional Quarterly or no Congressional Quarterly, by an even greater majority than before.

No. 3, I am curious to know how the Congressional Quarterly will weight the vote on civil rights this afternoon since more Democrats voted for the jury amendment than against it, and only 52 percent of the Democrats supported the President on this one whereas 90 percent of the Republicans did.

I now yield to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Speaker, I want to say for the RECORD, as I have stated before, that my objective on June 11 in analyzing the Congressional Quarterly with regard to support or nonsupport of the President was in order to demonstrate how perilous it is for this group who are in charge of the Congressional Quarterly to try to determine, on a basis of what they think is a vote in support of the President how much support each Member of Congress gives the President.

I attempted to show in my analysis of June 11 that three crucial votes on House Resolution 190 were left out. That resolution dealt with a question about which there could be no doubt whatsoever as to what the position of the President was and what the position was on the part of the House, largely the Democratic side, that the President should send up a new budget. Could anyone, by any stretch of the imagination, say that was something the President would not be opposed to? Yet, those 3 crucial votes out of a total of some 22 analyzed were eliminated. That shows very clearly how perilous the Congressional Quarterly method of doing this is.

Second, it was pointed out very clearly in the Congressional Quarterly analysis that there was no attempt to evaluate or weigh in any way the different votes regardless of the amount of money involved, regardless of the crucial nature of the issue involved, regardless of the support or lack of it on the part of the Democrats or Republicans on either side. With regard to that latter point I pointed out that there were three votes on the Mideast resolution, and the only one about which there was any controversy whatsoever was the first vote on adoption of the rule. Outside of that, practically everyone, Democrats and Republicans, on the following 2 votes, supported the resolution, yet on all 3 votes they were equally weighed and the vote for the resolution was given the same weight as the vote on the initial question of whether or not to consider the resolution. That shows how Congressional Quarterly using the method they do, just do not reflect the support of the President.

The crucial issue is just simply this: Is the standard or test being used by the Congressional Quarterly a fair one? In my opinion, as demonstrated particularly in this instance, where they took 14 votes from 1 bill alone, 1 of which votes was for $30,000 and another for $50 million, weighing them equally—and on the $50 million vote the President himself had indicated he did not support that particular program of sewage control—to take the position that each of those are weighed equally, and that anyone who opposed either program, the $30,000 or the $50 million program, opposed the President, is just asinine. I say that advisedly.

Then to take those 15 votes on appropriations and add to them only 7 votes for that early part of the session, and to try to come up with a tabulation, obviously wanting the people of America to believe it reflected the Democratic versus Republican votes in the House and support for the President, is just unfair. It is not realistic. That was my charge, and I repeat it.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. DEROUNIAN. I yield.

Mr. LAIRD. Do you not think this was an attempt on the part of the Congressional Quarterly, which is recognized as a New Deal mouthpiece to cover up the deep split which we saw demonstrated on the floor of the House today in the Democratic Party?

Mr. CRAMER. Well, it is one of the cleverest techniques to accomplish that, if that is their objective. There is no question but that you can take figures and juggle them around and accomplish any purpose.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. DEROUNIAN. I yield.

Mr. CEDERBERG. Do you not think this is another obvious attempt on behalf of the gentleman from New Jersey [Mr. THOMPSON] to cover up for the utter failure of 80 liberal Democrats who proposed a program earlier in this session and so far, well here it is almost July, and they have not done anything about it? So rather than try to concentrate on the Democratic program, are they not involved in this?

Mr. CURTIS of Missouri. Mr. Speaker, I am a little surprised that this debate occurred at this time. I had expected to be here anticipating an hour's discussion on the part of the gentleman from New Jersey [Mr. THOMPSON], not realizing that the gentleman from Florida [Mr. SIKES] was going to discuss the same subject. My interest in this matter, of course, is derived from the fact that on Thursday, May 23, I put in the CONGRESSIONAL RECORD a statement of position of the Congressional Quarterly being neither authoritative nor nonpartisan, and I called upon the publishers to cease using the term "Congressional," and certainly to stop using the byline "The authoritative reference on Congress," because I do not believe in either instance that is accurate and it tends to mislead the public. I said at that time that I would be glad to put an answer to the charges I made, an answer from the publishers of the Congressional Quarterly in the CONGRESSIONAL RECORD, if they chose to have me do so. I did receive a reply from Thomas N. Schroth, executive editor of the Congressional Quarterly, on May 29, 1957, in which he enclosed a lot of data and information which I thought was pertinent. However, the letter was not in a form in which it could be put into the CONGRESSIONAL RECORD. I have answered that letter as of June 17, 1957, pointing out that I did not believe his, Mr. Schroth's, answer to those charges, would hold water, again offering, however, to put into the CONGRESSIONAL RECORD his statement of position or the position of the Congressional Quarterly. If the publishers thought the letter they had written was in sufficient form, I would put that in the CONGRESSIONAL RECORD, although I believe Mr. Schroth would agree that it was not designed for that purpose. Essentially, the charges against the Congressional Quarterly still remain unrefuted. No. 1, the very business of taking a test vote on presidential support right in the middle of a Congressional session was a little unusual, particularly where there were only 30 rollcall votes and 14 of those, as has been pointed out, were on one particular appropriation bill which in itself, as the House well remembers, was quite extraordinary. I do not think the oldtimers have ever seen anything like that. According to what I hear them say, in their memory they have never known an appropriation bill or any bill for that matter to have 14 rollcall votes, particularly on what we would call minor items as so many of them were. But, the essential basis upon which I charge that the Congressional Quarterly is partisan and unfair is the fact that the publication failed to list in that particular issue the votes on which it was contended the President had expressed himself. These votes were listed in the May 31 edition of the Congressional Quarterly after these charges had been made of partisanship and unfairness. But, even the May 31 edition, although it lists the votes used, is not adequate because the 8 votes, and there were only 8 other votes, that they did not use, were not listed and should have been listed so that the readers also could judge whether or not the President had expressed himself on those subjects. As a matter of fact, anyone reading, I believe, or going down the list of these 8 items which were not included will find 6 of them were very obvious items upon which the President's position was known. Now, I did receive a letter because I circulated my original remarks to a number of publications that might use the Congressional Quarterly and one replied by saying——

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent that I may proceed for 10 minutes.

The SPEAKER pro tempore (Mr. EVINS). Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. The statement was whether selecting test votes of the Congress on the basis of "the President's own messages, public statements prior to the votes that the President supported or opposed the proposal in question" was fair; and my answer in the letter to that person was that I thought it was perfectly fair to both those who supported and who did not support the President. However, I added this, that I would add to that those votes—a vote on an issue—where the President's position is so obvious that a formal statement on his position was unnecessary. There are five votes in that classification. They are rollcalls Nos. 17, 18, and 19 of March 12, 1957, on the rule, the motion to recommit, and final passage, respectively, of a resolution by the Democratic leadership requesting the President to tell Congress where the budget could be cut.

This was obviously an anti-Eisenhower move by the Democratic leadership. No one denies that; everyone, including the press, knew that was the case. The entire debate in the House stressed this fact.

On what possible grounds could the Congressional Quarterly say that these votes were not test votes and should not be included?

And also on rollcall No. 60, of April 11, 1957, giving the Committee on Interstate and Foreign Commerce the power to investigate all the boards, commissions, and so forth, of the Federal Government. That, too, was partisan and a slap at the Eisenhower administration. Certainly, it did not require a formal statement from the President to let any person know that he was opposed to it. The Members knew it at the time of the debate on the floor of the House; the debate was all along that line. These votes were not used by Congressional Quarterly. Rollcall No. 23, on March 13, 1957, on final passage of the corn and feed grain program was not used as a test vote although rollcall No. 22, on the same day, which was on recommittal of this same bill, was used. Why?

Finally, I find out that the Congressional Quarterly did not use, as they certainly should have used, the very first vote that was taken in the beginning of the Congress, a vote in which everyone was interested, certainly a partisan vote, the vote for Speaker. There was no question of how the President stood or which nominee for Speaker he would have desired.

In the campaign of 1956, and later, he made it very clear that, of course, he preferred the gentleman from Massachusetts [Mr. MARTIN], the Republican.

From these facts it is quite clear that the Congressional Quarterly was partisan and was so obviously unfair as to warrant the charge that this was deliberate. Certainly the publication is not authoritative.

And finally, and developing further the point made of these 14 votes on the 1 appropriation bill, I would challenge the Congressional Quarterly to show any Presidential statement that was clear that he was opposed to those individual 14 cuts. As a matter of fact, the President's general views on the subject of the budget were to the effect if the Congress could find any areas where it could reasonably cut that he would expect the Congressmen to do their constitutional duty, if you please, to go over that budget to look for items that could be cut.

When the Congressional Quarterly uses 3 items, incidentally, of sums below $50,000, can it be said these cuts are ones to which the President was opposed? The President, of course, could not give his position on details of that sort.

As a matter of fact, in analyzing those 14 cuts, as I have, it shows, I think, that 3 of those cuts were $50,000 and less. Six others were for less than $500,000. Three were for $1,500, or less.

Only 2 were of substantial amounts, 1 for $12 million and 1 for $50 million; and on the $50 million item the President's position was thoroughly known to be opposed to that particular thing.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. LAIRD. And I would call the gentleman's attention to the fact that $10 million of that reduction was reflected in a point of order raised by the gentleman from New York [Mr. TABER], against the amendment offered by the gentleman from Wisconsin [Mr. BYRNES], and $10 million was knocked out on that point of order.

Mr. CURTIS of Missouri. I thank the gentleman.

The point I am making is that in the total appropriation bill you are talking about, sums of money of that size are relatively minor amounts; and no President of the United States, not even President Eisenhower, could possibly go into those details so that he could have expressed a clear view on it.

That is supposedly the test that the Congressional Quarterly was using. As I pointed out, the one glaring instance, the one which was a major item the President was on record as being opposed to that particular program, which was grants to States for sewage disposal plants, and so forth.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The statement was made earlier to the effect that I am attempting some sort of a cover-up for an alleged previous statement. I do not precisely understand this, but I have never used the Congressional Quarterly, the CONGRESSIONAL RECORD, or any other device for that purpose. I should like to refer, for instance, to what myself and my colleagues who signed that statement did on behalf of the President's civil-rights bill which passed this House only today. I may say further this was undertaken as an analysis. We accepted it. I do not pretend that the Congressional Quarterly is entirely correct nor do I agree that it is in any sense partisan. Frankly, I was disturbed by issue No. 15 of April 12, 1957, where on page 444 the Congressional Quarterly stated:

> Despite the Democratic talk about the need for economy in Government, it is the Republicans who wield the shears when pruning time comes around.

They went on to relate the story and said that when the chips were down it was the Democrats as a party who defended the domestic welfare spending requested by the Republicans.

That characterized us with their subscribers all over the land, including one in my district, the Democrats, as being spenders. I did not hear any objection to that.

Tomorrow I propose to relate instances where the Congressional Quarterly has been quoted by leaders of the Republicans and by the Republican press and by, in fact, the Republican Senate Campaign Committee and the national chairman of the Republican Party.

Mr. CURTIS of Missouri. I would say probably they have, because it has been well known that in their opinion the Congressional Quarterly has been partisan. If they can demonstrate that even a partisan publication would say these things, it might lend weight to a particular position. Tomorrow we can continue this.

Mr. THOMPSON of New Jersey. I would rather continue it tomorrow.

Mr. CURTIS of Missouri. The charge I am making, at any rate, is not against the Congressional Quarterly exercising its own views. I am happy to have the various publications do that. Of course, that is the right of freedom of the press. My objection is that it is going under the guise of being nonpartisan and using such as a color of authority, as if they are the authority. Somewhat like the CONGRESSIONAL RECORD which is an authoritative publication of the Congress. It seems to me that this slant, as I call it, has been quite deliberate and can be explained in no other fashion.

Mr. DEROUNIAN. Mr. Speaker, I might point out to the gentleman from New Jersey that he and his 79 cosigners of that little manifesto made this statement:

> We believe also, that unless the world situation improves significantly, there should be no reduction of the personnel in the armed services. We will support legislation and appropriations necessary to accomplish these purposes.

Day by day the Democrats tell us we are falling apart, that we have never been at a lower prestige. But what did these 79 liberals do on the vote of May 29 to add $313 million, or to put that amount back into the President's defense budget? The gentleman from New Jersey and 66 of his cohorts voted against putting that money back. Five of them were absent. Only five of this group who had committed themselves in morality and in honesty to support this type of program voted to put this money back.

Mr. THOMPSON of New Jersey. We pledged support where we felt support was necessary. I am sure that the majority of the committee did not consider that a 3-percent cut was going to result in anyone being dropped from the armed services.

Now, if the gentleman can at this late stage of the game show us where one man is going to be taken out, then we can discuss this further.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

NEW REPUBLIC

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, Mr. Gilbert Harrison, editor of the New Republic, asked that I correct the RECORD. I assume he means apologize, because I said that that paper went out of existence. I was mistaken about that. He tells me that they are still publishing the New Republic. And, one of the girls in the office said what I should have talked about, because it was farther to the left than even the New Republic, was the PM. If the gentleman was here in years gone by, he would recall it was not the authorized Communist publication, because that was the Daily Worker. It was just one of those hangers-on; sort of a barroom loafer.

What I wanted to put into the RECORD was this: On page 81 of the Congressional Quarterly Almanac, volume 9, 1953, we find this language:

> Failures to vote are counted as "times at bat," so that such failure reduces effective support score as much as an "anti-Eisenhower" vote.

And, over on the next page, 82, we find this language:

> Failures to vote are counted as "times at bat," so that such failure reduces effective support score as much as an "anti-Eisenhower" vote.

Now, that is not the way to score, is it? If I were scoring in the annual baseball game between the Republicans and the Democrats, and every time a fellow did not go to bat, I would mark one down for our side, you would kick right away, would you not?

Mr. THOMPSON of New Jersey. Yes.

Mr. HOFFMAN. I have been advised that the method of scoring now used by the Congressional Quarterly has been improved, but I cannot place too much reliance on that, because of their demonstrated inaccuracy.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WILLIAMS of Mississippi (at the request of Mr. COLMER) for the balance of the week on account of official business.

Mr. SADLAK for the remainder of the week on account of attending a funeral.

Mr. LOSER for June 19, 20, and 21 on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PHILBIN, for 30 minutes, today.

Mr. MILLER of California, for 30 minutes, on Friday next.

Mr. THOMPSON of New Jersey (at the request of Mr. SIKES) that his special order for today be vacated and that he may address the House for 60 minutes on tomorrow.

Mr. TOLLEFSON, for 10 minutes, today.

Mr. DEROUNIAN, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WIDNALL.

Mr. TEAGUE of California in two instances and to include extraneous matter.

Mr. BOGGS and to include extraneous matter.

Mr. VANIK and to include extraneous matter.

Mr. VAN ZANDT.

Mr. HERLONG.

Mr. KILGORE.

Mrs. ROGERS of Massachusetts, and include some of the testimony she gave

before the Appropriations Committee on the Merrimack River flood-control project. Also to include a very important letter from the head of the Corps of Engineers, saying that it is a No. 1 project in importance in New England, and to include other material from the Corps of Engineers.

Mr. GRIFFIN.

Mr. SCHERER (at the request of Mr. DIXON) and to include extraneous matter.

Mr. COOLEY (at the request of Mr. MCCORMACK) and to include extraneous matter.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1451. An act for the relief of Cecelia Vaccaro;

H. R. 1765. An act for the relief of Ellen G. Marinas;

H. R. 1837. An act for the relief of Elda Mondillo;

H. R. 6548. An act to amend the Universal Military Training and Service Act, as amended, as regards persons in the medical, dental, and allied specialist categories;

H. R. 7143. An act to amend the act of August 3, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strengths of the Armed Forces;

H. R. 7505. An act to permit a retired officer of the Navy to be employed in a command status at Port Lyautey, Morocco;

H. J. Res. 185. Joint resolution to implement the convention between the United States of America and Norway, which entered into force on November 9, 1948, for disposition of the claim against the Government of the United States of America asserted by the Government of Norway on behalf of Christoffer Hannevig;

H. J. Res. 272. Joint resolution for the relief of certain aliens;

H.J. Res. 289. Joint resolution to facilitate the admission into the United States of certain alien children; and

H. J. Res. 308. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

ADJOURNMENT

Mr. THOMPSON of New Jersey. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 19 minutes p. m.) the House adjourned until tomorrow, Wednesday, June 19, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

957. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1958, and for other purposes, in the amount of $64,701,500 for various agencies and $1,167,388 for the District of Columbia (H. Doc. No. 198); to the Committee on Appropriations and ordered to be printed.

958. A letter from the Assistant Secretary of the Navy (Material), relative to the Department of the Navy proposing to transfer a contact mine of the type used in the North Sea barrage of World War I to the Mariners Museum of Newport News, Va., pursuant to title 10, United States Code, section 7545; to the Committee on Armed Services.

959. A letter from the Archivist of the United States, transmitting a report on lists or schedules covering records proposed for disposal by certain Government agencies, pursuant to the act approved July 6, 1945 (59 Stat. 434); to the Committee on House Administration.

960. A letter from the Chairman, United States Civil Service Commission, transmitting a draft of proposed legislation entitled "A bill to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes"; to the Committee on Post Office and Civil Service.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H. R. 8214. A bill to provide for a judicial review of administrative findings of the Secretary of Labor under title III of the Social Security Act, as amended, and chapter 23 (Federal Unemployment Tax Act) of the Internal Revenue Code of 1954, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. REED:

H. R. 8215. A bill to provide for a judicial review of administrative findings of the Secretary of Labor under title III of the Social Security Act, as amended, and chapter 23 (Federal Unemployment Tax Act) of the Internal Revenue Code of 1954, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. COOPER:

H. R. 8216. A bill to amend the Internal Revenue Code of 1954 to prevent unjust enrichment by precluding refunds of alcohol and tobacco taxes to persons who have not borne the ultimate burden of the tax; to the Committee on Ways and Means.

By Mr. REED:

H. R. 8217. A bill to amend the Internal Revenue Code of 1954 to prevent unjust enrichment by precluding refunds of alcohol and tobacco taxes to persons who have not borne the ultimate burden of the tax; to the Committee on Ways and Means.

By Mr. COOPER:

H. R. 8218. A bill relating to the administration of certain collected taxes; to the Committee on Ways and Means.

By Mr. REED:

H. R. 8219. A bill relating to the administration of certain collected taxes; to the Committee on Ways and Means.

By Mr. ABERNETHY (by request):

H. R. 8220. A bill to amend the District of Columbia Business Corporation Act; to the Committee on the District of Columbia.

By Mr. FINO:

H. R. 8221. A bill to amend title II of the Social Security Act to provide coverage under the Federal old-age, survivors, and disability insurance system for certain employment and self-employment performed before 1937; to the Committee on Ways and Means.

My Mr. HAGEN:

H. R. 8222. A bill to provide an alternative acreage adjustment and price support program for the 1958 crop of cotton and for other purposes; to the Committee on Agriculture.

By Mr. HOEVEN:

H. R. 8223. A bill to require the Secretary of the Interior to make a preliminary examination and survey of the Missouri River to determine the practicability of rehabilitating the water supply of western Iowa; to the Committee on Interior and Insular Affairs.

By Mr. HORAN:

H. R. 8224. A bill to amend title 18 of the United States Code to make it unlawful to destroy, deface, or remove certain boundary markers on Indian reservations, and to trespass on Indian reservations to hunt, fish, or trap; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H. R. 8225. A bill to amend section 1733 of title 28, United States Code; to the Committee on the Judiciary.

By Mr. MULTER:

H. R. 8226. A bill to amend title II of the Social Security Act to provide that certain military service of a veteran entitled to a civil service retirement annuity may be counted for social security purposes if he irrevocably elects to exclude such service from the computation of such annuity; to the Committee on Ways and Means.

By Mr. PORTER:

H. R. 8227. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of New Jersey:

H. R. 8228. A bill to amend the act entitled "An act to provide books for the adult blind"; to the Committee on House Administration.

By Mr. FISHER:

H. R. 8229. A bill to authorize the restoration of times taken from patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by governmental controls; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H. R. 8230. A bill to amend and supplement the Federal-Aid Highway Act of 1956; to the Committee on Public Works.

By Mr. YATES:

H. Con. Res. 195. Sustaining the principle of religious freedom in treaties between the United States and other nations; to the Committee on Foreign Affairs.

By Mr. WALTER:

H. Res. 281. Authorizing the printing of additional copies of House Report No. 1661, 82d Congress, 2d session; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to control the import of dried figs and fig paste to the extent necessary to protect adequately the American fig producing industry located in California; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the land-use program for the lower Colorado River; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to pollution of San Francisco Bay; to the Committee on Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to adopt legislation providing that United States Armed Forces have complete criminal jurisdiction over all members thereof who are in service in a foreign country; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States requesting enactment of legislation relating to Status of Forces agreements; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to refrain from the passage of legislation concerning registration of trucks crossing State lines; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to enact legislation designed to secure for the country a body of judicially experienced and in every respect qualified persons for positions on the United States Supreme Court; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States relative to Joint Resolution No. 76, relating to the life and public service of William H. Stafford; former Congressman from the Fifth District; to the Committee on House Administration.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States relative to the admission of Hawaii to Statehood; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL:

H. R. 8231. A bill for the relief of certain employees of the Department of the Navy at the United States Naval Gun Factory, Washington, D. C.; to the Committee on the Judiciary.

By Mr. HOFFMAN:

H. R. 8232. A bill for the relief of Istvan Ural and Sandor Mayr; to the Committee on the Judiciary.

By Mr. JUDD:

H. R. 8233. A bill for the relief of James L. McCabe; to the Committee on the Judiciary.

By Mr. MONTOYA:

H. R. 8234. A bill for the relief of Yee Kung Sun; to the Committee on the Judiciary.

H. R. 8235. A bill for the relief of Yee Mah Mee; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H. R. 8236. A bill for the relief of Carlos J. Martinez; to the Committee on the Judiciary.

By Mr. SCOTT of Pennsylvania:

H. R. 8237. A bill for the relief of Adam Billings, also known as Adam Billinger; to the Committee on the Judiciary.

H. R. 8238. A bill for the relief of Petar Rudolf Valentic, also known as Peter Valentic; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 8239. A bill for the relief of Maria Dittenberger; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

288. By Mr. SMITH of Wisconsin: Resolution adopted at a mass meeting of Lithuanian American Council on June 15, 1957, in Racine, Wis., appealing to the highest authorities of the United States to exert to the fullest the American leadership in the fight for peace, justice, and freedom by inaugurating a positive and dynamic program of foreign policy to thwart the evil Communist designs for world domination and to abolish the fruits of all past Soviet aggressions; to the Committee on Foreign Affairs.

289. By the SPEAKER: Petition of the Secretary, Lithuanian American Council, Racine, Wis., petitioning consideration of their resolution with reference to pledging their wholehearted support to the Government of the United States in its efforts to secure peace and stability in the world and to promote the cause of freedom and justice for all nations; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Civil Rights Bill

EXTENSION OF REMARKS
OF
HON. ROBERT P. GRIFFIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. GRIFFIN. Mr. Speaker, in order to fulfill a firm and longstanding commitment, it was necessary for me to be back in the 9th Congressional District on Monday evening, June 17. I had hoped to return to Washington in time to cast my vote today on the civil-rights bill—H. R. 6217.

However, because the House was called into session at 11 a. m. this morning instead of the usual hour, 12 noon, it was impossible for me to be present in time to answer to my name.

Mr. Speaker, I wish for the record to reflect that I would have cast my vote in favor of the civil-rights bill on final passage. I wish to state further that I would have voted against the so-called jury trial amendment, and, accordingly, I would have voted "No" on the motion which was offered to recommit the bill.

Under the Taft-Hartley law, and under 29 other Federal statutes now on the books, injunctions are authorized in a manner similar to that provided in the civil-rights bill, and there is no right to trial by jury for contempt of court.

While we are concerned about securing to every citizen his constitutional right to vote—at the same time we would not, and should not, deprive anyone of a constitutional right to trial by jury in the cases where it applies.

However, the plain fact is that the civil-rights bill, as proposed by President Eisenhower, does not take away any constitutional right of jury trial—Congress could not effectively pass such a law—for the simple reason that if it did, such a statute, of course, would be unconstitutional.

I regret that circumstances made it impossible for me to cast my vote in person, but I am pleased that the bill carried without crippling amendments by such an overwhelming majority.

Senate Salad Luncheon

EXTENSION OF REMARKS
OF
HON. CHARLES M. TEAGUE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. TEAGUE of California. Mr. Speaker, California, I believe, is conceded to have the lead over the rest of the Nation when it comes to salad making and salad eating. The Sunshine State also grows more of the produce—lettuce, celery, ripe olives, and so forth—that go into salad, than any other State.

Therefore, it is fitting that California should take an active part in introducing to the Nation a new salad, "Senate salad."

I do not think it is too wishful to express the hope that Senate salad will shortly take its place next to the famous Caesar salad and chef's salad among Californians.

I also feel that after Mrs. American Housewife in the East, the South, the North, and the Midwest tosses her first Senate salad, it will become a regular feature on tables across the Nation.

Therefore, it is a distinct pleasure for me to joint with a number of my distinguished colleagues in both Houses to invite all of you to walk across the Capitol between 1 and 3 tomorrow afternoon and drop in at the Senate District of Columbia Committee Room, just off the Senate floor, to partake of a dish of Senate salad served to you by Mrs. America of 1958.

Senate Salad Luncheon

EXTENSION OF REMARKS
OF
HON. HALE BOGGS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. BOGGS. Mr. Speaker, the ingredient the State of Louisiana is contributing to Senate salad, which will be served between 1 and 3 o'clock tomorrow on the other side of the Capitol, is salad oil.

The State of Louisiana is responsible for the production of the largest amount of salad oil—and, in my opinion, the finest salad oil—in the United States.

Senate salad will be a real treat for my colleagues tomorrow. It is made of lobster, avocado, two varieties of lettuce, watercress, celery, green onions, ripe olives, grapefruit, tomatoes.

But, as Oscar Wilde once said, "To make a good salad is to be a brilliant diplomatist—the problem is entirely the same in both cases. To know exactly

how much oil one must put with one's vinegar."

In other words, a salad is only as good as its dressing. Senate salad dressing will have just the right amount of Louisiana salad oil, blended with vinegar and a delicate touch of garlic-type salad dressing mix.

American Democracy

EXTENSION OF REMARKS
OF
HON. PRESCOTT BUSH
OF CONNECTICUT
IN THE SENATE OF THE UNITED STATES
Tuesday, June 18, 1957

Mr. BUSH. Mr. President, last week, on June 12, the distinguished Senator from New Jersey [Mr. CASE] spoke in Hartford before the Hartford Chamber of Commerce. He was introduced by Mr. William H. Mortensen, former mayor of Hartford, and also, in part, by George J. Ritter, corporation counsel of the city of Hartford.

The address of the Senator from New Jersey was a very significant one. I have prepared excerpts from it which I think would be of great interest to Members of the Senate and to others who read the CONGRESSIONAL RECORD. For that reason I ask unanimous consent that both the address and the introductory remarks by both gentlemen be printed in the RECORD.

There being no objection, the introductory remarks and the excerpts were ordered to be printed in the RECORD, as follows:

INTRODUCTION OF UNITED STATES SENATOR CLIFFORD CASE, OF NEW JERSEY, BY WILLIAM H. MORTENSEN, FORMER MAYOR OF HARTFORD, AT ANNUAL MEETING OF HARTFORD CHAMBER OF COMMERCE, HOTEL STATLER, HARTFORD, CONN., JUNE 12, 1957

In the summer and fall of 1954 we had a number of exciting and close-fought political campaigns in this country. But none of them was more spectacular or more closely engaged public interest the Nation over than the battle for the United States senatorship in New Jersey. The winner of that important contest is our principal speaker tonight.

You might suppose, from his Phi Beta Kappa key, that our guest of honor tonight belongs in the venerable American tradition of the scholar in politics. That is hardly an adequate designation. It takes something more than scholarship to accomplish what he has done on the American scene.

He has been a phenomenally successful political candidate. In fact he has held public office continuously since 1938—a remarkable achievement when you consider that he doesn't come from the Deep South.

For 20 years his climb has been steady: Five years on the council of his native Rahway; 2 years in the legislature of his State; 9 years a Congressman from his New Jersey district, and now in the midst of his first term in that most august of legislative assemblies, the United States Senate.

And he seems to have gotten better as he went along. On his fifth successive trip to Congress, his fellow citizens of the sixth district packed him off to Washington with a majority of nearly 55,000 votes. This was 20,000 higher than any other Congressman from the district had ever received. In fact, 10,000 more than the voters of the district gave his good friend, President Eisenhower, in the same campaign. (You certainly don't have to have the political savvy of Ned Allen or John Bailey to appreciate that kind of batting average at the polls.)

I spoke of the gentleman's academic distinction, but, obviously a candidate has to have something more than good grades at college to win such a massive and continuing mandate from his fellow citizens.

In addition to a first-rate mind and a willingness to work around the clock, he brings to politics and government the warmth of heart and human understanding without which no candidate can for very long retain the confidence of the people. A practical idealist, he has shown himself consistently eager to seek out the right thing, and then to do his best to make the right thing the possible thing.

It gives me much pleasure to present him to you: Lawyer, humanitarian and an ornament to American politics and government, United States Senator from New Jersey, the Honorable CLIFFORD CASE.

REMARKS MADE BY GEORGE J. RITTER, CORPORATION COUNSEL OF CITY OF HARTFORD, AT HARTFORD CHAMBER OF COMMERCE JANQUET, JUNE 12

Mr. Toastmaster, Senator CASE, invited guests, on behalf of Mayor Cronin, Acting Mayor Parskey, and the city of Hartford, I am pleased to bring you greetings tonight.

As a transplanted Jerseyite, with some deep roots—and lots of relatives—still left in the Garden State, I am particularly happy to extend a warm welcome to our speaker of the evening.

A double coincidence has served to help focus my close attention on the Senator's public life. First, the Senator and I are fellow alumni of Rutgers University. Second, one of my closest friends, a former classmate at Rutgers, is the Senator's top assistant.

Accordingly, I have followed with much interest, Senator CASE's vigorous support of such important measures as our mutual security program, Federal aid to education, protection of civil rights, the President's program of atoms for peace, and adequate funds for our vital United States information program abroad.

His record, previously as a Congressman, now as a Senator, explains why many responsible and influential citizens cross party lines to support him at election time.

Senator CASE, I'm happy to be able to assure you that your approach to politics finds great support in our Hartford community. Indeed, our toastmaster, Mr. Mortensen has brought to local public life a system of values, and an ability to stick to these values such as distinguishes your own career.

Senator, I know you will share much of yourself with us this evening. In return, I hope that in your few hours with us you will be able to sense our high regard for you. Perhaps this will serve in some small measure to reinforce you in your most vital and demanding job.

PARTIAL TEXT OF REMARKS BY SENATOR CLIFFORD P. CASE, REPUBLICAN, OF NEW JERSEY, PREPARED FOR DELIVERY AT CHAMBER OF COMMERCE DINNER, HARTFORD, CONN., JUNE 12, 1957

Like everything else, American democracy suffers from the defects of its own virtues. And the very fact that our democracy has been so successful has magnified these inherent defects.

If democracy—government by consent—is to work, the people must achieve a working consensus on the issues they consider truly important. In America we have achieved this consensus to a remarkable degree. But with it has developed a willingness to conform, a pressure for conformity, a tendency toward orthodoxy in action and thought, which, unless consciously and continuously corrected, could mean disaster over the long pull.

There are those who reject democracy on this very ground. But, for me, surely for the great majority of Americans, that alternative is unthinkable. Our problem is to maintain our American consensus, so essential to government by consent, and still find ways to prevent the smothering of the individual and to promote individual initiative and diversity without divisiveness. This we must have if our society is to continue to grow and expand and to adapt itself to the changing needs of our people in this modern age.

This is one of the reasons why our continued support for the civil rights and freedoms embodied in our Constitution and the Bill of Rights is so essential. These rights, in our view, are inherent in each individual because he is a human being. Beyond that, the maintenance of each individual's rights is essential to our society because only as the rights of the individual are thus protected will society have the benefit of the spontaneous contributions which can only be made by men who are truly free.

Another defect inherent in our successful democracy is our insistence that the great decisions be made by the people as a whole. Both because of our egalitarian tradition and our commonsense recognition of man's capacity for evil as well as for good, we refuse to entrust power to any single individual or group. We reject any notion of an elite ruling class.

This insistence is indeed soundly based. But once refusal to allow an elite to make the decisions for us can be disastrous if we as a people are unwilling to assume the burden of making those decisions for ourselves and in a responsible manner. If as a people we fail to meet this responsibility, we shall certainly destroy our democratic way of life. And in this thermonuclear age our failure in this regard may well spell the end of civilization.

When errors of judgment or lack of wisdom in dealing with the great issues carry such fateful penalties, an alert and informed public opinion becomes more than ever essential. Two examples may help to make clear by meaning.

No one who has followed the hearings on defense appropriations can help but feel deep concern at the interservice rivalry they so clearly reveal. Conflicting claims, duplication of effort, the constant battle for public attention, all point up the absence of any true unification.

Even more important, they indicate the lack of an overall defense policy or doctrine under which the role and mission of each service is clearly defined. Yet surely nothing could be more important to the long-term security of the country than its ability to protect itself against small as well as big aggression.

The unfortunate fact, however, is that the battle for budgetary priority has inevitably tended to emphasize the "bigger bang for a buck." The development of ever more powerful and complex mechanisms has overshadowed the problems involved in recruiting and keeping the skilled manpower required to operate them. Most significant of all, in the opinion of responsible authorities, it has weakened our ability to defend ourselves by something less than all-out war.

Closely allied is the problem of finding ways to lessen the threat of nuclear catastrophe. As you know, talks are now going on in London looking toward the possibility of breaking through the unhappy impasse in which we have been living for some years.

I will not here attempt to discuss this question. My point is that in this, as in the other case I cited, there are no easy or

dogmatic answers. They require a thoughtful objective approach, keeping always in mind the long-range interests of our country and people. They require a willingness to explore all possible avenues to agreement as well as a sustained effort. But the effort can succeed only as it is backed by the understanding and support of the people. And this in turn largely depends on the degree to which the relevant information is freely available and freely discussed.

Each one of us has responsibility for the course we follow in matters of this kind. If you and I are to participate intelligently, we must first of all want to. And, second, of course, we need facts and an opportunity to examine different points of view.

I am one of those who believe the American people have nothing to fear from a free exchange of ideas and opinion. I do not think our security is threatened by exposure to a Khrushchev on television. Indeed his appearance seems to me to provide a chance to press for an equal opportunity for an American to be heard on Soviet airways. We should, in my view, welcome such opportunities just as I think that wherever possible it is preferable for us to have the reports and accounts of our own newsmen even in such a country as Red China.

In short, I do not think we need ever fear the facts, whether they concern radiation hazards, the condition of our Armed Forces, or the strategic alternatives we face. Indeed we must ever seek the facts for, in the largest sense, our survival as a Nation and democracy is at stake.

Merrimack River Flood Control

EXTENSION OF REMARKS
OF
HON. EDITH NOURSE ROGERS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mrs. ROGERS of Massachusetts. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following testimony which I gave before the Appropriations Committee on the Merrimack River flood-control project; also a letter from the head of the Corps of Engineers:

WITNESS: HON. EDITH NOURSE ROGERS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

Mr. CANNON. We are delighted to have with us the gentlewoman from Massachusetts, Mrs. EDITH NOURSE ROGERS.

On what project do you appear, Mrs. ROGERS?

Mrs. ROGERS. Mr. Chairman, I am appearing in behalf of the project for flood control on the Merrimack River.

Mr. CANNON. We shall be glad to hear from you at this time, Mrs. ROGERS.

Mrs. ROGERS. Mr. Chairman, I introduced a bill which would provide $800,000 to be expended by the Chief of Engineers under the direction and supervision——

Mr. CANNON. Is it included in the budget, Mrs. ROGERS?

Mrs. ROGERS. No; it is not. The reason it is not included in the budget is because we had to wait before proceeding until the compact was signed between New Hampshire and Massachusetts.

Mr. CANNON. The gentlewoman will proceed.

Mrs. ROGERS. Last year the New Hampshire Legislature was not in session. So, they did not act. I personally endured two floods in the Merrimack Valley in my district, at Lowell, Mass., and other towns along the Merrimack. It was very bad in 1936, and we had to go about in boats in certain areas of Lowell.

In 1936 I was out when the hurricane first struck the dike that was being constructed, and then I went home. As we drove, first one tree fell down right in front of us and almost on us, and then another, and then another, and then another. I went in the house to use the telephone and while I was in there one of the chimneys of my house came down right over my head. I opened the door in one room, and the window blew in on me. A little later when I started out again I had to go back as the slate was blown off my roof. It made an upright wall about the house.

There was a great deal of suffering and a great deal of damage through my district. At Lowell where I live, the Concord flows into the Merrimack River so when we have flood conditions, the danger is extremely great.

General Fleming is the Chief of Engineers of New England division, and states that of the New England areas the Merrimack Valley is one program that should be taken care of at once. He has stated repeatedly that we are sitting on a volcano. There were many times last year when the valley was in great danger.

Mr. CANNON. Thank you, Mrs. ROGERS.

Mrs. ROGERS. I thank the distinguished chairman.

May I include as a part of my remarks a letter from General Fleming and a statement from me?

Also, may I include a statement from Mr. George Brady of the Boston American, of Boston?

Mr. CANNON. Those matters may be inserted into the record at this point.

Mrs. ROGERS. I greatly appreciate that privilege, Mr. Chairman.

(The matters referred to follow:)

CORPS OF ENGINEERS,
UNITED STATES ARMY,
OFFICE OF THE DIVISION ENGINEER,
NEW ENGLAND DIVISION,
Boston, Mass., March 29, 1957.

Hon. EDITH NOURSE ROGERS,
House of Representatives,
Washington, D. C.

DEAR MRS. ROGERS: In accordance with our telephone conversation, I am pleased to furnish you with information concerning the Hopkinton-Everett project.

The Merrimack River problem is the greatest unsolved flood-control puzzle in New England. Fortunately, the construction of the Hopkinton-Everett project is the key to its solution. If the 1936 and 1938 floods were to recur today the flood damages would exceed $74 million in New Hampshire and $140 million in Massachusetts. The operation of Hopkinton-Everett Reservoir together with the flood-control reservoirs already built would prevent 85 percent of the damage in New Hampshire and 70 percent in Massachusetts.

Although $50,000 in planning funds was provided this fiscal year for Hopkinton-Everett no money could be used until concurrence in the project had been given by the State of New Hampshire. Due to this lack of concurrence at the time our budget requests were submitted it was impossible to request funds for this project for fiscal year 1958.

As you know, recent favorable action by the New Hampshire Legislature gave Governor Dwinell necessary authority to commit the State of New Hampshire to the project. Immediately upon the removal of the legal roadblock Governor Dwinell wrote to me giving the formal concurrence of the State of New Hampshire. This cleared the way for initiation of planning which is now getting under way.

When a project is authorized we develop a tentative schedule for surveys, planning, and construction, which is revised from year to year. This schedule is made up without any reference to other projects in the division, the total civil-works program, or other program needs of the Government, or the availability of men or equipment generally in any one year. It therefore is a figure for internal planning purposes only. That figure for this project is $600,000 for fiscal year 1958 and would include planning and some funds for limited real-estate acquisition. For your further information the President has directed that our fiscal year 1958 expenditures as estimated in his budget presented to the Congress, be considered as the maximum that can be made within the overall fiscal policies of the administration for that year. Since no funds are included in the budget for the Hopkinton-Everett project, no funds can be utilized for this project and meet the administration's objectives.

Sincerely yours,

ROBERT J. FLEMING, JR.,
Brigadier General, United States Army, Division Engineer.

INFORMATION ON THE HOPKINTON-EVERETT PROJECT, NEW HAMPSHIRE

(Assembled for Congresswoman ROGERS, May 6, 1957)

SUMMARY

Description: The Hopkinton-Everett Reservoir is located within the towns of Henniker, Hopkinton, Weare, and Dunbarton in Hillsboro and Merrimack Counties, Merrimack River Basin, N. H. The project consists of a dam and 2 dikes in the Contoocook River Basin and a dam and 2 dikes in the Piscataquog River Basin. The reservoirs thus formed would have a capacity of 60,500 acre-feet in the Contoocook River Basin and 96,500 acre-feet in the Piscataquog River Basin, and would be connected by a canal of sufficient capacity to cause the storage areas to function as a single unit. Construction has not been initiated.

Federal cost estimate as of July 1956: $34,100,000.

Funds appropriated to date $117,000.

Benefit-cost ratio: 1.4 to 1.

Status of local cooperation: None required.

Applicability of provisions of continuing authorization acts to the project: The project is a unit of the authorized comprehensive plan for flood control and other purposes in the Merrimack River Basin.

AUTHORIZATION

The Hopkinton-Everett Reservoir project, a unit of the authorized comprehensive plan for flood control and other purposes in the Merrimack River Basin, provides for the construction of dams in the Contoocook and Piscataquog River Basins near the villages of West Hopkinton and East Weare. Authorization for the project is contained in the following act:

Act and document: Flood Control Act of June 28, 1938 (H. Doc. 689, 75th Cong., 3d sess.).

Work authorized: A system of flood-control reservoirs and related flood-control works which may be found justified by the Chief of Engineers.

LOCATION AND DESCRIPTION

The Hopkinton Dam, on the Contoocook River, about one-half mile upstream from the village of West Hopkinton, would be of rolled-earth construction with outlet works for regulating the discharge of impounded floodwaters. The spillway for this portion of the project would be located in a saddle about 1.8 miles east of West Hopkinton. The Everett Dam, on the Piscataquog River, about 1.3 miles southeast of the village of East Weare, would be of rolled earth with an adjacent concrete spillway. The crest of this spillway would be at an elevation 2

feet higher than the Hopkinton Dam spillway. A project map is bound at the end of this report.

Pertinent data (preliminary)

	Hopkinton	Everett
Dam and dikes:		
(1) Top elevation dam (feet, mean sea level)	432	430
(2) Top elevation dikes (feet, mean sea level)	430	431 430
(3) Length of dam (feet)	670	1,250
(4) Length of dikes (feet)	7,700	5,900
(5) Maximum height of dam (feet)	75	115
(6) Maximum heighs of dikes (feet)	70	48
Spillway:		
(1) Crest elevation (feet, mean sea level)	412	414
(2) Length of crest (feet)	650	200
	No. 1	No. 2
Canals:		
Length (feet)	2,050	14,500
Width (feet)	130-150	170
Reservoir:		
(1) Storage capacity to Hopkinton spillway crest elevation.	157,000 acre-feet or 6 inches of runoff from a gross drainage area of 490 square miles.	
(2) Reservoir area at Hopkinton spillway crest elevation.	6,300 acres.	

Lands to be acquired

Type of land:	*Acreage*
Lots	205
Tillage	1,050
Pasture	750
Woodland	5,495
Relocations	
Features:	
Highways—miles	21
Railroad—do	5.25
Telephone and electric distribution lines	
Water distribution system	
Cemeteries (4)—graves	2,800

PROJECT BENEFITS AND ECONOMICS

This project, together with the 3 completed reservoirs, will control about 32 percent of the total drainage area of the Merrimack River Basin. The 4-reservoir system would reduce the annual flood loss in the basin by $3,948,500. The Hopkinton-Everett project is an important unit in the comprehensive plan of improvement for flood control in the Merrimack River Basin. The reservoir area is 66 percent wooded, 14 percent in pasture, and 20 percent in tillage. One small community, the village of East Weare, is included in the reservoir area.

Construction of this reservoir is required, in addition to the completed reservoirs, to reduce the stage of the standard project flood to authorized grade of levees at those downstream cities now having local protective works.

Flood damages and protection afforded by Hopkinton-Everett 1936 flood: Damages in the 1936 flood amounted to $36 million.

A recurrence of the 1936 flood, without Hopkinton-Everett protection, would cause $153 million in damages under present conditions. Of these damages, $38 million would be prevented by Hopkinton-Everett. The stage reduction at Manchester, N. H., would be 4 feet, and at Lowell, Mass., 3 feet.

1938 flood: Damages in the 1938 flood amounted to $6 million.

A recurrence of the 1938 flood, without Hopkinton-Everett protection, would cause $53 million in damages under present conditions. Of these damages, $16,500,000 would be prevented by Hopkinton-Everett. The stage reduction at Manchester, N. H., would be 3.4 feet, and at Lowell, Mass., 2.6 feet.

Average annual flood-damage reduction, $1,800,000.

INDUSTRIES AFFECTED BY THE HOPKINTON-EVERETT PROJECT

New Hampshire: Based on property assessment values in 1939 of industrial properties damaged in the floods of 1936, 28 industrial concerns in the New Hampshire portion of the basin, with an assessed valuation of $35,500,000, would be affected by the Hopkinton-Everett stage reduction. These industries produce woolen and cotton textiles, mica products, paper, gypsum board, and other miscellaneous manufactured products. The 1939 assessed value represented 50 to 75 percent of real value.

Massachusetts: Based on similar data, a total of 174 industrial concerns in the Massachusetts portion of the basin would be affected by the Hopkinton-Everett stage reduction. These industries, generally similar to those in New Hampshire, produce wool, cotton, and synthetic textiles, shoes, shoe machinery, paper and paper box products, and plastics. Their 1939 assessed value amounted to $51,200,000.

Total: The total assessed value of 203 affected industries in the entire basin amounted to $86,700,000. Since 1939, a few manufacturing concerns, especially industrial concerns, have liquidated and have been replaced by electronic and plastic manufactures, so that the value of industrial properties that would be protected by Hopkinton-Everett is probably a lot higher now.

Price Increases

EXTENSION OF REMARKS
OF
HON. CHARLES A. VANIK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. VANIK. Mr. Speaker, in today's newspapers it was distressing to learn of further price increases ranging from 20 percent in the cost of automobile insurance policies, an undetermined amount for steel products, and a 5-percent increase in the cost of cigarettes.

The curious fact is that these price increases are industrywide and merit the serious consideration of Congress. The issue is raised of possible antitrust law violations.

For example, all 5 major tobacco companies raised the wholesale price of their nonfilter brand cigarettes 35 cents per thousand, effective immediately. The American Tobacco Co. was the first to announce the boost and was followed by Liggett & Myers, Philip Morris, Inc., P. Lorillard, and R. J. Reynolds. The increase will amount to 1 cent per package at the retail level or a price increase of 5 percent.

It seems to me that Congress should concern itself with the reasons why all five companies should find it necessary to raise prices the same amount at the same time. Is it not conceivable under a free-enterprise system that 1 of the major manufacturers may not be as adversely affected by the general rise in costs as the other 4? In the same way is it not conceivable that another of the major manufacturers might be compelled to request an even higher increase in price because of higher production costs? Was it not possible for 1 major manufacturer to face this problem earlier or later than the other 4?

When 5 of the major manufacturers producing almost 98 percent of the cigarettes manufactured in America come to the same conclusion on the same day that a 1-cent-per-pack increase in the retail price of cigarettes is necessary, that determination smacks of collusion and possible violation of antitrust laws of America.

Perhaps the only defense the American consumer has is to stop smoking and fortify himself with fresh air.

The Unmentioned Famous Letter of Benson to Ellender

EXTENSION OF REMARKS
OF
HON. CHARLES M. TEAGUE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. TEAGUE of California. Mr. Speaker, a very significant editorial appeared in the California Farmer, a publication devoted to agriculture, on June 8, 1957, and in the same issue of that publication considerable space was given to a letter written by the Honorable Ezra Taft Benson, Secretary of Agriculture, to United States Senator ALLEN J. ELLENDER. Because "some people consider this letter one of the most unusual and important pronouncements to be made by a Secretary of Agriculture in the last 25 years," under unanimous consent, I am having the editorial and the brief of Secretary Benson's letter printed in the CONGRESSIONAL RECORD.

THE UNMENTIONED FAMOUS LETTER OF BENSON TO ELLENDER

Senator ELLENDER, chairman of the Senate Committee on Agriculture, asked Secretary Benson his views on problems that have arisen under existing price support legislation.

Benson, who has been twitching the rug under this subject for some time, decided this was the big moment, and he gave the rug a terrific jerk.

Benson's observations tear to shreds most of the farm legislation dealing with crop production and its attempted regulation for the past 24 years.

Take his opening three points just for example. He says:

1. Controls have not been effective in reducing production.

2. Farm products are likely to continue to be abundant and they cannot be successfully priced as if they were scarce.

3. Our formulas governing acreage allotments and price supports are obsolete.

The letter is a frightfully frank analysis of our legislative fumbling in the field of agriculture. For example, he points out that if we do succeed in cutting down stored surpluses of food, the first thing farmers will demand is increases in their acreage allotments, and we will start the expensive cycle all over again.

He coined one phrase that was pretty good. Speaking of the technological explosion that has doubled production per farm worker in the last 15 years he said, "This creates a new dimension in farm policy and makes it virtually impossible to curtail agricultural output with the type of controls acceptable in our society."

This is the kind of a letter that a politician would never write unless he were going some place to die. Benson, ostensibly, has 2 more years of this mess to manage, and here he has just announced—or rather dragged out into the beam of the searchlight—the naked, shivering truth. We have all picked at the problem and watched Congress temporize, theorize and vulcanize the farm program, but it is sort of a shock to see the entire monster with all of its clothes off.

After busting this thing wide open, Benson walks away and leaves the pieces. He does say that he thinks we should continue the surplus food disposal program and soil bank acreage reserve program until we get rid of our mountains of stored food, but adds that as soon as we accomplish that, we should do away with the soil bank program and all these other miserable mistakes that have piled up surpluses.

This letter, one of the most unusual pronouncements of its kind, has been given wide circulation, but so far the silence on the part of the press has been deafening. It's the kind of silence you get when you hit a man between the eyes with a hammer. Is it stunned or just incapable of analyzing the implications?

This has been a very interesting administration in Washington, to say the least. Someone is always bouncing a fast ball off the dome of the chief while he is looking into the sun.

Benson led them all down an alley, left them no escapes and slammed the door.

What the Republicans, what the Democrats, what the disintegrating farm bloc will do, we have no idea. It does occur to us, however, that if we had just read this thing over carefully and we found the words "90 percent of parity" in our mouth, we would wash our mouth out with soap.

We have tried to brief the text of Benson's letter for inclusion elsewhere in this edition.

THE LETTER BENSON WROTE TO ELLENDER

(EDITOR'S NOTE.—Some people consider this letter one of the most unusual and important pronouncements to be made by a Secretary of Agriculture in the last 25 years. It is a very long letter, so unfortunately we had to shorten it for reprint.)

Benson made the following statements in the letter addressed to Senator ELLENDER, chairman of the Senate Committee on Agriculture:

"You asked for my views on problems arising under existing price-support legislation.

"Now is the time to see that graneries and warehouses presently being emptied are not filled again with price-depressing surpluses. I wish to make three points:

"1. Controls are not effective in reducing overall agricultural production, despite the severe restrictions they impose on farmers' freedom to produce and market.

"2. Agricultural products are likely to continue to be abundant. Under such conditions, they cannot be successfully priced as if they were scarce.

"3. The present legal formulas governing acreage allotments and price supports are proving obsolete.

"Production per farmer has doubled in the last 15 years. This creates a new dimension in farm policy and makes it virtually impossible to curtail agricultural output with the types of controls acceptable in our society.

"Farmers are being subjected to the forces generated by the technological revolution. They are adjusting from wartime to peacetime demands. Their markets are burdened by surpluses which result at least in part from past wartime programs. Obviously, farmers must be protected from the harsh price effects which would result from their exposed economic position, their weak bargaining power, and their abundant production. Government efforts should help rather than hinder them.

"If surpluses are reduced, farmers will feel that acreage allotments should be increased. Under present law, however, farmers are unlikely to receive increased allotments for most of the basic crops. Hence, under present law, disappointment awaits many farm families.

"Last year, in spite of acreage allotments, marketing quotas, the beginnings of a soil bank, and a severe drought in the Southwest, overall farm production reached an all-time record.

"Here are partial results of a special study of the USDA on acreage reduction programs as requested by the Appropriations Committee of the 84th Congress:

"1. The acreage allotment, marketing, quotas, and associated price support programs that have been in effect during the last 2 years have had little influence in total farm production, although the production of specific commodities has been modified considerably.

"2. An 8 percent reduction from 1953 to 1955 in the total production of four of the basic allotment crops—cotton, wheat, corn, and rice—was more than offset by increases in production of nonallotment crops.

"3. Land and other resources diverted from production of these crops were used mainly to grow feed grains other than corn, oilseed crops, rye, and hay.

"To continue with Benson's thoughts: We cannot control the total output of agriculture by controlling the acreage of crops which yield only one-fourth of our farm income. Obviously, it is unfair to the producers of the nonbasic products to expect them to solve their own supply problems and shoulder as well the supply problems shifted to them by producers of the basic commodities.

"We were trying for production control during the past 24 years of farm programs, but we have done many legislative things to defeat the purpose such as: Permission to plant on acres diverted from the basic crops, minimum national allotments, minimum individual allotments, legislative action to boost allotments or to prevent them from falling and control on the basis of harvested instead of planted acres.

"Farmers repeatedly vote for marketing quotas by wide margins, but actually they have no realistic choice. If quotas are voted down, the price support is only 50 percent of parity and farmers must stay within their allotments if they wish to receive even that low support. Furthermore, quotas have not been restrictive enough to balance supply and demand. For example, in 1956 accumulated stocks of wheat were so heavy that a quota of only 12 million acres would have been appropriate to adjust supplies to normal demand according to law. To deal with this impossible situation, the Congress provided a minimum national allotment of 55 million acres.

"Farmers favored a cotton quota based by law on 17.6 million acres, when a quota of 4 million acres would have been required to adjust to normal. For both wheat and cotton, the allotment on which farmers voted was more than four times as large as would be needed to adjust supplies to normal.

"Votes of this kind cannot reasonably be said to indicate farmers' willingness to keep supplies in line with demand in order to receive the support price. Eisenhower's recommendation for quantity allotments for cotton and other crops was turned down by Congress.

"Some people recommend extending acreage controls to the feed grains and the oilseed crops, a step which would approximately double the number of acres under Government control. Experience suggests that we should move away from acreage controls rather than toward more of them.

"The acreage reserve part of the soil-bank program came into being due to the intolerable situation caused by mounting stocks of food. It must be used to reduce accumulated stocks. It must not be put to other purposes. It must not be allowed to become permanent. A permanent program which subsidizes nonproduction is contrary to our tradition.

"The evidence of the past 24 years is inescapable. Farmers will not accept, legislators will not vote, and from a practical standpoint administrators cannot impose the kind of controls which, at the price objective specified by law, would be necessary to bring production into line with market outlets.

"Agricultural products are likely to be abundant. Under such conditions, they cannot be successfully priced as if they were scarce.

"Since we apparently cannot legislate scarcity, we must learn how to live with abundance. We need to build markets so that this abundance can be used. We cannot build markets by pricing ourselves out of them.

"The agricultural budget submitted for the coming year totals in the neighborhood of $5 billion. It was pointed out on the floor of the House that this is the equivalent of nearly half the net income of our farm people.

"Few would object seriously to heavy costs if these costs were temporary and if the program were moving toward a solution.

"There are two things which the American people are not likely to tolerate:

"1. The rebuilding of surpluses after stocks have been pulled down by surplus disposal and the soil bank.

"2. A permanent soil bank and a permanent disposal program of the dimensions made necessary by incentive prices and ineffective controls.

"Certainly, more production adjustments are needed for our basic crops than are likely to come from the type of controls we hitherto have had. Farmers are capable of making many needed adjustments on their own if permitted to do so.

"Many provisions of law are good and workable. There are more than 200 farm products for which we are authorized to provide price supports. For all but 11 of these (the basic commodities, wheat, cotton, corn, rice, peanuts, and tobacco, and a few other commodities with special programs, dairy products, wool, sugar, honey, and tung nuts) general guides are provided by law as a basis for price supports without the use of fixed formulas. For the 190 or so commodities to which these criteria apply, problems have perhaps been less troublesome than for the basic commodities.

"Of any proposed solution, I ask these questions: Will it work? Is it good for farmers?

"I have no doctrinaire solution for agricultural problems. My comments regarding governing legislation stem from the fact that these programs are not working.

"EZRA TAFT BENSON,
"Secretary of Agriculture."

Senate Salad

EXTENSION OF REMARKS
OF
HON. JOE M. KILGORE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. KILGORE. Mr. Speaker, Texas could have supplied practically all of the ingredients of Senate salad. My

district, which contains both the Rio Grande Valley and the winter garden areas of Texas, has often been called the Nation's salad bowl, and very aptly so. Last year it shipped 60,000 carloads of produce to all the markets of the Nation.

It is fitting, therefore, that Texas, the biggest State, should be a participant in the creation of the biggest salad in the world, which will be served tomorrow from the world's largest salad bowl. This bowl is 3 feet wide and 14 inches deep. Heaped, it will serve 320 main-course salads. Hand turned, it is made of solid walnut.

The salad fork and spoon naturally had to be a little larger than normal to accompany the salad bowl. Each is 3 feet long.

The bowl will be full tomorrow in the Senate District of Columbia Committee room at 1. We hope that you will come between 1 and 3 and help us empty it.

A Salute to Two Distinguished North Carolinians

EXTENSION OF REMARKS
OF
HON. HAROLD D. COOLEY
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. COOLEY. Mr. Speaker, it is with great pride and satisfaction that I bring to the attention of the House today the devoted service of two distinguished North Carolinians in behalf of the farm families and the general agriculture and economic development of my State.

Upon these two men the United States Department of Agriculture recently bestowed its Superior Service awards. Summations of these awards read:

David S. Weaver, Extension Service, Raleigh, N. C., for encouraging farmers to modernize their operations which has been instrumental in bringing about greater efficiency and cultural advancement; and for promoting cooperative relationships among agricultural agencies and farm leaders.

Horace D. Godfrey, Agricultural Stabilization and Conservation, Raleigh, N. C., for leadership in bringing about an outstanding degree of accuracy and efficiency in the operation of North Carolina ASC State and county offices; and for achieving the fullest cooperation of all agricultural agencies in the State.

Mr. Speaker, it has been through the work of such men as David S. Weaver and Horace D. Godfrey that our agriculture has become the most efficient of any nation, that Americans are the best fed people in the world and that consumers in our country, after paying for their food, have three-fourths of their income left for investment in good homes, modern, neat, and progressive communities, and in other necessities, conveniences, and comforts that together make a good life on an American standard of living that is the envy of the world.

Mr. Weaver is director of the North Carolina Agricultural Extension Service. He was born at Westwood, Hamilton County, Ohio. He served with the infantry in World War I. After receiving his bachelor of science degree at Ohio State University in 1920, he turned his interests southward, and in 1925 was awarded his master of science degree in agricultural engineering at North Carolina State College.

He entered a distinguished career as a teacher, served for a while as principal engineer for the Federal Rural Electrification Administration in Washington, and then returned to North Carolina State College as head of the Department of Agricultural Engineering. He became director of the Agricultural Extension Service, North Carolina State College, in 1950.

His particular interests in professional work has included the improvement of the efficiency of human labor on farms; he conducted the first statewide rural electrification survey and was instrumental in formulating both State and Federal laws pertaining to rural electrification; and he encouraged the development of farm mechanization including tractors, combines, haying, and other laborsaving equipment.

He is the author of numerous scientific works. His membership in learned and professional societies include Phi Kappa Phi, Alpha Zeta, Delta Theta Sigma, and Kappa Sigma Pi.

Mr. Weaver, in 1950, was named Man of the Year in Service to North Carolina Agriculture by the Progressive Farmer. In 1955 he was given the Distinguished Service to Agriculture award by the North Carolina State Grange.

He is married and has three sons. He is a Presbyterian and a member of the Masonic order.

Horace Godfrey was born August 22, 1915, at Waxhaw, Union County, N. C. He is 1 of 6 sons and 4 daughters of the late Cloyd and Helen Therrell Godfrey. Following graduation from high school in 1932 he went to work and attended business school at night. Two years later he went to Raleigh as a comptometer operator for the old Agricultural Adjustment Administration. His appointment was only for 3 months, but now he is finishing out 23 years. His agency first was AAA, then PMA, and now is ASC—Agricultural Stabilization and Conservation.

Mr. Godfrey went into military service in January 1943 and served with the Army Air Corps. When World War II ended he returned to his job in Raleigh and resumed his climb upward. Since 1949 he has been the top administrator of his agency in North Carolina.

Recently he was elected chairman of the North Carolina Board of Farm Organizations and Agencies.

Mr. Godfrey was married in 1943 to Julia Orr, a native of Great Falls, S. C. There are three children. Mr. Godfrey is a Baptist and a member of the Masonic order.

Mr. Speaker, I sometimes wonder if the Nation fully realized how much all of us owe to such men as David S. Weaver and Horace D. Godfrey. They are making this a better country not only for farmers and their families whom they serve directly but for the people in the towns and cities as well.

They are the kind of men upon whom our farm families can confidently depend, to improve the conditions of our farms and to bring to agriculture an equitable share in the Nation's prosperity.

I salute these two devoted men and I commend the Department of Agriculture for bestowing upon them the superior service awards for their outstanding service.

Address Delivered by Hon. Joseph S. Clark, of Pennsylvania, Before the National Housing Conference

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Tuesday, June 18, 1957

Mr. HUMPHREY. Mr. President, the distinguished junior Senator from Pennsylvania [Mr. CLARK] addressed the National Housing Conference last night in Washington. The conference could not have chosen a more appropriate speaker on the subject of housing. His long-time interest in housing matters, buttressed by his outstanding record as mayor of Philadelphia, have made Senator CLARK an authority in this field. I am glad to be associated in all aspects of his work for better low-cost housing.

Our current national housing crisis which our colleague discussed last night in his address is more than a sufficient reason for Senate adoption of S. 2159, Senator CLARK's bill, which I joined in cosponsoring, and which would create a Department of Housing and Urban Affairs.

Mr. President, I ask unanimous consent that the text of Senator CLARK's address be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR JOSEPH S. CLARK, DEMOCRAT OF PENNSYLVANIA, BEFORE THE NATIONAL HOUSING CONFERENCE JUNE 17, 1957, STATLER HOTEL, WASHINGTON, D. C.

I am glad to have this chance to become better acquainted with you of the National Housing Conference. Having been on the Housing Subcommittee of the Senate for the last 6 months, I have developed an even greater respect for your organization than I had before.

In that committee, the bankers tell us what is good for the people who lend for housing. The real estate boards tell us what is good for the people who trade in housing. The builders tell us what is good for the people who build housing. But when Ira Robbins or Lee Johnson or Bill Wheaton steps up to testify for the National Housing Conference, then we know we are going to hear about what is good for the people who live in housing—which is, after all, what houses are for.

We meet at a time when, as all of you know, the housing situation is literally going from bad to worse. Seven mayors came before our committee a few weeks ago representing the American Municipal Association and the United States Conference of Mayors and told us that in virtually every city of the Nation, the slums and blight that are the shame of the 20th century are spreading faster than they are being cured. We are scarcely building houses as fast as families are being formed plus normal losses of housing units—so we are not rehousing the 5 to 7 million families living in places not fit for human beings. To really make progress in improving housing standards, there is general agreement that we need each year at least half again as many houses as are now being built, and the best authorities I know reckon we really need twice as many.

We need more houses—and we need cheaper houses. The price of new homes has been rising recently much faster than family income. Forty-five percent of the increase in the cost of living since 1952 has been due to the 13 percent rise in the cost of shelter, including rent. And if present trends continue we will have, within a few years, not just a housing shortage, but a housing famine—with all the effect that that will have in pushing prices even further upward and in undermining family life in America.

I am not going to try tonight to set forth the answers to the question of what, exactly, should be done. There are experts enough in this room to devise the answers. What we are lacking is not ideas but a political climate in which good ideas can be translated into action. I want therefore to describe a political framework within which those who understand housing, like yourselves, can come up with your solutions, and we can then put them into effect.

The first essential element in this framework is a comprehension where it counts that housing is, first of all, human environment. Homes are a social, not just an economic, fact. Housing must be thought of first as people in need, not as a commodity, an industry, something to be financed and traded, from which rents and profits can be gotten.

Certainly, we need a healthy housing industry. But when we consider any housing measure, we need to ask not only will it produce the highest profits but will it provide the most homes and the best homes, within a cost range that the public can afford?

Unhappily, this is not the way the question is being asked these days.

I believe it is correct to say that no significant new departure in the field of housing has been presented to Congress by this administration—certainly not this year—that was opposed by any significant combination of those who make up the housing industry. In fact, you can sit in the committee hearings, and having heard what these groups oppose, you can fairly well predict what the administration will oppose.

If we make our housing policy subservient at all times to the short-run welfare of those who finance and trade in housing as a commodity, we may as well give up. Their interests are not necessarily identical with the needs of the people for more and cheaper housing. In the absence of Government support, there is more profit and less risk in high-cost than in low-cost housing. There are even groups whose self-interest would lie in maintaining a housing shortage, notably landlords and bankers, because shortages produce higher rents and the willingness to pay higher interest rates because demand forces prices up. Witness the opposition to any kind of direct lending by the Government to increase the supply of housing. Witness the warnings issued from time to time by various segments of the housing industry against the dangers of overbuilding—which from the standpoint of social needs is impossible as long as millions of families live in housing unfit for human habitation. Look behind the fight against public housing, and among other influences you will see the interests of those who profit from the slum homes that ought to be replaced.

Housing is far too important to be left to the housing industry and the banks without making sure that their interests do coincide in each particular aspect with the interests of the consumers of housing. The character of our housing supply has a profound effect on the whole character of a city and of all the people in it. When there is conflict, the general good must override the private good.

The second element in our political framework must be a willingness, more than that, a determination, to use the instrumentalities of Government to help get the job done.

We may have thought that decision was made in 1949 when the Congress adopted, and the President approved, a declaration of national housing policy. That policy acknowledged the responsibility of the Federal Government to use its programs and resources to help realize "as soon as feasible the goal of a decent home and suitable living environment for every American family."

That is a good statement. We could hardly improve on it today. The only trouble is that, as an expression of our actual national policy in 1957, it is a dead letter.

The exact extent of our housing needs may be argued, but that there is a shortage, and that it is an overwhelming shortage, is not controverted. Yet, who is doing anything about it? The prevailing attitude in those places from which our national housing policy should be aggressively directed is, I am afraid, one of brazen feet-dragging. The HHFA just does not have the will to solve the housing crisis. Their proposals, when you boil them down, amount to just letting well enough alone, or, if pressed, just raise the interest rate. That's all that's needed, they say, to get houses built, as if slum families are ever going to be able to outbid General Motors in the money market. And I regret to say that the Congress, while it seems somewhat more alive to human misery than does the administration, is not going to write a bill this year that will come anywhere near to what is needed.

Why is this? Well, there will always be those among us, I suppose, who believe that if they just don't look at unpleasant facts they will go away. But, beyond that, we still have to struggle with a pervasive reluctance in both the executive branch and in the Congress to the whole idea of setting social priorities in the disposition of our national resources and the guidance of our economy, even when we know very well things aren't going right without them. This is the socially obsolete philosophy of the 18th century that priorities shall be determined by the impersonal mechanics of the market place.

Look what happens to those who suffer from this intellectual hangover. When they are confronted with a chart which shows, for example, that manufacturing plant construction has gone up 43 percent in the last 2 years, utilities up 41 percent, nonresidential construction up 14 percent, and housing down 15 percent, they have to say, in effect, that whatever is is good—because that's what the market place decided.

For myself, I have no faith in the ultimate social wisdom of the market place. I think God put wisdom in human minds to use, not to abdicate. The splendid cities of good homes that Americans should have in this century will rise only through conscious acts of man.

The fact is, of course, that housing is one field where nobody is really honestly preaching laissez-faire. We have Government intervention in housing on a massive scale. We have FHA, VA, HHFA, Fannie May, and so on, and the last thing that those who denounce Government intervention as socialism want us to do is to take them at their word. If we did, and abolished those agencies, we would hear an urgent cry for a return to socialism from some of the most unexpected people.

So let it not be argued that the issue is Government intervention versus no intervention. We have crossed that bridge. The housing economy is not going to be left alone. It is going to be influenced, and guided. The question is simply whether it is going to be guided intelligently and well and in the interests of the men, women, and children to be housed.

There are some words of Lincoln that President Eisenhower has sometimes quoted with approval. They are:

"The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot so well do for themselves—in their separate and individual capacities."

I suggest to the latter-day Lincolns of this new, modern Republican Party that if they wish to lend to these fine words substance they can begin with housing.

Once we resolve to make serving people our guide and resolve to get the job done, then we can proceed to inventory our needs and analyze the market.

Who are the people who are ill housed? In general, the people in the upper third of the income scale can get good housing—although it may be in developments whose planning may be atrocious.

But the lower and middle-income families are not well served. And this raises a basic philosophic question about what the role of Government should be.

If we look back two decades, we will see that our housing programs were then reasonably balanced. We set up the FHA to take the risk out of mortgage lending to those who could afford new housing, but we also set up a strong and vital public-housing program for the lowest income groups who could not afford private housing. But 20 years ago was about the last time we had such balance. Since then, the FHA program has consistenly been enlarged and made bigger and more active and has been backed up with Fannie May, while public housing has with equal consistency and dedication been gradually strangled to death. New wrinkles have been added year by year to guarantee more private mortgages, but the principal new wrinkles in our housing for the lower income groups have been ingenious new restrictions.

This trend reached a climax of sorts this year. The Administration asked for $600 million more for insuring mortgages and asked that the limit be raised to push even more of the assistance into the higher brackets. At the same time, it asked nothing at all for public housing and proposed a cutback which would bring slum clearance and urban renewal to a grinding halt. The House of Representatives then did the administration one better. It added another $1.5 billion to Fannie May, and it passed a punitive resolution designed to restrict the public housing program even further—which surely must be this year's leading example of how to beat a dead horse.

The House amendment to cripple this instrument which is indispensable in the solution of the slum problems of the great metropolitan cities was sponsored, incidently, by a Congressman from a district whose largest city has a population of 52,093.

So the third necessary element in the political framework for housing progress is a determination to restore the balance in our housing programs. Government exists to serve the poor as well as the relatively well-to-do; and if we provide billions for an active Fannie May for the suburban middle class—which I agree we should do—we are honor-bound to have also a working program to improve the housing of the urban poor.

For the middle-income families the problem is one of bringing down the price. We cannot bring down the cost of land, and there is not much we can do—not quickly, anyway—about construction costs. But there is one highly flexible item in the cost equation, and that is the price of money. What can be done by reducing the interest rates and extending the amortization period is a revelation to anyone who has not studied it before. On a $12,000 house, increasing the term from 25 to 40 years and lowering the interest rate from 5½ to 4 percent will reduce the payments by $23 a month and bring the $12,000 house within the reach of almost half, instead of only 30 percent, of our people. Think what that would mean toward reviving the building industry and improving our national standards of housing.

Of course, you won't get an interest rate of 4 percent without either reversing the Government's high interest rate policy or passing on to middle-income families the advantages of the lower rates which the Government pays for money. Unhappily, neither of these things can be done except over the dead bodies of the organized money lenders and of the administration which reflects their views. But the Sparkman bill, which was incorporated in the Senate housing bill after my own moderate-income measure was defeated in committee, will be a start in this direction if the administration does not succeed in knocking it out of the bill that finally passes.

There remains the large segment of our population who cannot rent or buy decent housing even should the cost of money be brought down—the families theoretically eligible now for public housing. If we mean what we say about a decent home for every American family, then obviously those who cannot pay for such housing have to be subsidized.

So far, we have had just one means of subsidizing new housing for these families—the public housing program. Now I believe in public housing. I fought, with WAYNE MORSE and PAUL DOUGLAS and HUBERT HUMPHREY, the losing fight to authorize 200,000 starts this year, and I sponsored the amendments in the Senate bill to make our public housing program more workable. I would insist that nothing be done to impair the present public housing program unless and until a better one can be devised.

But I do believe a more effective one can be devised. Just as I have argued that the private interest should give way to the general interest when necessary, so I would argue that the public interest should be served with the greatest possible adherence to our traditional practices of free enterprise. The public housing program as now conceived and operated is unfortunately divorced from our private enterprise economy. In order to subsidize rent in good housing, it is not necessary to do it exclusively through publicly owned and publicly operated projects which set low-income people in a class apart in effect, institutionalizing them. I am impressed, as I know you are, with the proposals that Mr. Abrams made this afternoon. I think we should explore to the fullest the possibilities of subsidizing rental in new or reconditioned private as well as public housing, of scattering public housing units in normal neighborhoods, of permitting private or cooperative purchase of public units, and of subsidizing the purchase as well as the rental of decent homes. If we thus shift a large segment of our public housing load into the private-enterprise framework, I think we would be able to rally far more support for our efforts in each of our communities.

I agree with Henry Churchill that we need a rethinking and not a retinkering of public housing. It is my hope that the work which the Housing Subcommittee of the Senate undertakes this fall will be that kind of rethinking, and that we will develop some fresh ideas to present to the Senate when it convenes next year.

Concurrently, I urge your support for the bill which Senator JAVITS and seven other Senators have joined me in introducing, to create a Department of Housing and Urban Affairs in order to elevate the status of, and bring proper recognition to, these important programs.

The issues that confront us in the field of housing are part of the greater issue of our time—whether our economic institutions will be allowed to drift or whether they will be guided and shaped to serve men—all men.

In the long run, they must so serve. No economic system will ultimately survive which does not satisfy the basic needs of mankind—and among these are the need for shelter. When a free economy fails to serve, the solutions imposed are far more radical than the gentle social guidance and political invention that could have made it serve. Khrushchev expressed his own confidence in our inability to adapt when he predicted blatantly that the United States would be Socialist in 50 years. It is because we believe in our free economic system that we must use our God-given wisdom to so guide and influence it that it will work for the fullest benefit of all.

I think the awakening is already on its way. I have seen the renaissance of civic spirit and civic will in one city, and I know that you have seen it, and indeed helped create it, in others. I think that awakening is becoming an overwhelming force. In due time—and I believe the time is not too far ahead—that force arising in the great cities of America will sweep into the Nation's Capital, and there will be here, too, a renaissance of will and spirit. Then the Nation will join with its States and its communities, and together we will build in America the cities of bright homes that will be jewels instead of stains on the fabric of our civilization.

Trial by Jury

EXTENSION OF REMARKS
OF
HON. A. S. HERLONG, JR.
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. HERLONG. Mr. Speaker, those of us who are so interested in preserving the right of jury trial in the so-called but misnamed civil-rights legislation underestimated the effect of pressures from the White House. We did not believe the boys uptown would work so hard to deprive the people of this civil right. I suppose if we had provided, in our jury trial amendments, that the venue of the case be moved to Japan and that the jurors be Japanese, we would have had no such opposition from the other end of Pennsylvania Avenue, because it is pretty obvious that that type of jury trial is approved by the administration.

If this bill is passed and becomes law, as it is now written, there will be a lot of southern people who will probably go to jail. From yesterday's action of the Supreme Court it seems the only sure way to stay out of jail is to engage in Communist activities, and we are not going to do that. Quo vadis, mia patria?

The Navy's Transition to Nuclear Power Is Providing This Country With a Long-Term Industrial Asset, Namely, an Industrial Base With Atomic Tools and Trained Manpower

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. VAN ZANDT. Mr. Speaker, our Nation and its people derive many advantages from the Navy's nuclear shipbuilding program. These advantages are not always immediately apparent. During a recent hearing before the Senate Foreign Affairs Committee, Mr. Lewis L. Strauss, Chairman of the Atomic Energy Commission, stated that the United States leads both Great Britain and the Soviet Union in the development of the peaceful utilization of the atom. He supported his statement by reference to the two reactors built for the U. S. S. *Nautilus*. This successful project represented the first practical application of nuclear energy for peaceful purposes.

It is important to remember that the purely military use of nuclear energy is represented by atomic and hydrogen bombs, nuclear warheads for missiles, and atomic projectiles for cannons. However, nuclear propulsion of submarines, cruisers, and aircraft carriers is basically a peaceful use of the atom, for in itself, it is not a weapon of war. These ships will make constructive use of the atom. At the keel laying of the first nuclear-powered submarine, a fundamental promise held out to the American people by President Eisenhower was the use of nuclear power for electricity to light our American homes.

Mr. Speaker, it is easy to foresee that knowledge learned and experience gained in building an atomic carrier will greatly further the peaceful benefits to the United States and her people. The Navy's transition to nuclear power is providing this country with a long term industrial asset, namely, an industrial base with atomic tools and trained manpower.

We should recognize that all power producing reactors have technology in common and that at this stage of their development, gains in one application inevitably mean improvement in others. This is particularly true in the application of nuclear power to naval ships and to central power station use, since the technical power in these reactors is expected to be quite similar. There is no fundamental conflict between any objective to develop atomic power for cities and for other applications. Actually, the technologies of all nuclear power applications contribute to one another.

Since we are now spending over 70 percent of the national budget for activities associated with defense, the military application for nuclear power has important immediate economic significance. It is clear that if nuclear power makes it possible to do our military job with fewer ships, planes and men, and to do these jobs with greater effectiveness, then the saving to the individual American is real and direct.

Mr. Speaker, we should never forget for one moment that some weapons of war have made a direct and substantial contribution to the peaceful pursuits of this country. It has been said that without the *Nautilus*, the United States might not today be the leading nation of the world in the peaceful use of the atom. Defense Department money spent in past years for the *Nautilus* and *Seawolf* makes it possible to build today an ocean-going merchant ship which will herald a new era in world shipping.

The construction of a nuclear carrier will be a new chapter in this peaceful progress schedule. She will be powered by eight nuclear reactors which present new problems not only for the nuclear scientist but for the mechanical, construction, and design engineers. It may well be that the nuclear carrier powerplant will open the door to practical and economical powerplants to serve the needs of great industrial factories. It may bring to sections of this country and the world a proven source of electrical and propulsion energy which has heretofore been the roadblock to the production and employment benefits of the industrial age to many areas—both here and abroad.

During the past few years great emphasis has been placed upon the reorganization of the Federal Government in the name of efficiency and economy. I am certain the Congress will continue to be concerned with this problem and rightfully so. No member, however, serves long in this body without being aware that there often is a realistic limitation to what we can do through statute in the name of reorganization to achieve efficiency and economy in the Government. Efficiency and economy must in large measure result from understanding, coordination and cooperation not only among the various departments of the executive branch, but also in their working relationships with industry and the civilian population. We in the Congress can provide stimulus and direction through reorganization, but we cannot guarantee results through reorganization alone.

The nuclear carrier presents a real challenge in this area. For the appropriation of the requested sum to the Department of Defense will not of itself assure successful completion. I have no doubt that the nuclear carrier will be a success. It will require, however, the closest of cooperation between many departments of the Government—the military services, the Atomic Energy Commission—all of whom must work in the closest cooperation with various segments of American industry. This cooperation must take place on all levels and be based on understanding of a common objective and its long-range importance to all of the American people in the years ahead. A current example of such cooperation is the Nation's first commercial-scale atomic powerplant, located at Shippingsport, Pa., which is the shore-based counterpart of a Navy aircraft carrier which never put to sea. Plans for the carrier were about to be scrapped in early 1953 when it was proposed that the technology involved be salvaged for a commercial atomic power plant. It is upon this type of cooperation between government and industry—voluntary and stimulated through understanding and mutual interest—that efficiency and economy in the military services must in large measure rest.

I am as concerned as any Member of this body with the costs of government and the price tag of American security. I think, however, that we would be less than honest if we did not recognize that many of the projects and programs which are carried on in the name of national defense make an immediate and important contribution to the material level of American life as well as that of the whole world.

The big commercial airliners which speed our people to all corners of the Nation and the world evolved from Air Force design contracts; a young child enjoys the protection and comfort of the lightweight, warm and waterproof snowsuit as a result of the Army's research with cold weather clothing during and since World War II; the revolution which has taken place in the packaging and preservation of the many foods which line the shelves of our supermarkets today resulted in large measure from the pioneering of the military. The Navy is primarily responsible for advancing the progress of radio—the military development of radar opened new vistas in television. The conversion from diesel to atomic power will revitalize the Nation's shipbuilding industry. By law, half the Navy's ships must be built in private yards.

I cite only a few examples, but the list is long. The price tag for much of the technological progress in this country is a part of the annual military budget—but the secondary benefits often are soon translated into benefits for all our people.

In this age of nuclear weapons, America must never hesitate to take the lead in development of new technological programs which give great promise for commercial and civilian benefit. We shall lose a tremendous international advantage if the Soviets forge ahead of us in peacetime applications of the atom.

It may be one of the great anomalies of our time, but perhaps the tremendous destructive capabilities of nuclear weapons will bring the realization to people everywhere that there can be no alternative to world disarmament and world peace. Perhaps the plowshares of the future will be shaped from the atomic sword.

Mr. Speaker, I urge my colleagues to give their continual and enthusiastic support to early transition to nuclear-powered ships for the Navy. We will enhance our military preparedness and we will get a running jump in building our atomic industrial base.

Scherer Replies to California Bar Association

IN THE HOUSE OF REPRESENTATIVES
OF
HON. GORDON H. SCHERER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. SCHERER. Mr. Speaker, on March 29, 1957, the gentleman from California, Mr. JAMES ROOSEVELT, called to the attention of the House the censure of a subcommittee of the Un-American Activities Committee by the board of governors of the State bar of California. In connection with his remarks, Mr. ROOSEVELT inserted in the RECORD the resolution.

Today, at the opening of hearings in the city of San Francisco, I answered the board of governors of the State bar of California as follows:

Mr. Chairman, at the opening of these hearings here in California, I request, as a matter of personal privilege, the opportunity to discuss a resolution adopted by the board of governors of the California State Bar Association on March 15, 1957.

I was a member of a subcommittee of the Un-American Activities Committee of the Congress of the United States which held hearings at the direction of that committee in Los Angeles and San Francisco, Calif., in the month of December last year. This resolution severely criticized and condemned the subcommittee for its conduct during these hearings. Copies of this resolution, by direction of the board of governors of the bar association, were sent to the Speaker and my colleagues in the Congress of the United States. The resolution was printed in the CONGRESSIONAL RECORD. The press all over the country carried accounts of the censure.

Under the circumstances, I feel that on my first return to the State of California since this censure, it is necessary for me to answer. In fact, I requested the chairman of the Un-American Activities Committee to appoint me as a member of this subcommittee so that I might make this reply in the backyard of the board of governors of the California State Bar Association.

What I say here today in connection with this matter is not a statement of the Un-American Activities Committee nor of the

subcommittee against whom the censure was directed, nor does it necessarily reflect the feelings of the other members of that subcommittee or its director, none of whom is with us this week in California.

I have practiced law as a member of the State and Federal bar in Ohio for a quarter of a century. I am a member of my local and the American Bar Association. There is almost nothing that hurts a lawyer more than to be censured by a governing body of the bar with the attendant publicity. It is shocking to be censured by a bar association, supposedly steeped in the tradition of the law—censured when one is 2,000 miles away, censured without notice that any such action was contemplated, without any knowledge of the charges, without a hearing, without an opportunity to reply contemporaneously with the publication of the censure in the CONGRESSIONAL RECORD and newspapers of the country.

When I was elected to the Congress for the first time in 1953, I was naturally thrilled by the responsibility of my post, by the dignity and prestige it presumably carried. Now, I can only smile a bit wryly over that first reaction.

I could not guess that soon after reaching Washington I would be reviled, ridiculed, and insulted from coast to coast. Of course, I am not the only victim of this kind of abuse. It is shared by all members of the House and Senate committees investigating the ravages of the Communist conspiracy within our gates, even as it was the fate of our predecessors, beginning with the much-maligned Texan, MARTIN DIES, about 20 years ago.

Legislators may probe garden-variety crimes or scandals like the Beck case, with relative impunity, but, when they venture to tackle the Kremlin's little gremlins, they have need for strong nerves and tough hides.

In accepting a place on the House Committee on Un-American Activities, I had neither misgivings nor forebodings. Our boys were dying in the Communist firing in Korea. The mischief wrought by Communist agents and spies was no longer a matter of generalized surmise—enough of it had been exposed in detail to alarm the American people. To dislodge these internal enemies seemed to be a task any patriotic American could undertake proudly, earnestly, and with a clear conscience. Alas for my innocence.

I failed to see that in joining this committee one made himself at once a target for organized slander, regardless of how he might conduct himself. Before I had met all of my colleagues on the committee and before it had held its first meeting, I was being plastered by sticky epithets by expert mud-gunners.

It does not make any difference who succeeds to the chairmanship of any of the committees of the Congress investigating the Communist conspiracy. Whether it be Martin Dies, Joe McCarthy, Pat McCarran, Bill Jenner, or Francis Walter, they immediately become subject to attack.

I recall that it was only a very short time after FRANCIS WALTER became chairman of the Un-American Activities Committee that the committee held hearings in Newark. I believe it was one of the first hearings conducted under the chairmanship of Mr. WALTER. No one could possibly have been aware of his policies or the manner in which he would handle the chairmanship of the Un-American Activities Committee.

Nevertheless, as I left the hotel at which the committee was staying in Newark on the night of the first day of the hearings, at which Mr. WALTER was not even present, 1,200 pickets, by FBI count, most of them imported from New York City, surrounded the hotel. They carried dozens of well-painted signs criticizing, condemning, and vilifying the new chairman of the committee. These signs had been prepared by experts, some of them members of the bar. Ninety percent of the people in the picket line did not or could not understand the import of the signs they were carrying.

As I say, a number of the Communist lawyers representing clients at that hearing assisted in the preparation of this demonstration, as well as in the disruptions that took place during the hearings. We were even favored with the presence of one of the Communist lawyers who had almost driven Judge Medina to distraction in the trial of the 11 Communists in New York under the Smith Act.

Pseudoleftwing liberals who are always interested in protecting the sacred rights of the Communists who appear before our committee were strangely silent about these demonstrations against the committee.

You learn to expect this treatment from the agents of the Kremlin. You are shocked and disheartened when it comes from the board of governors of a State bar association.

Let us take a look at a number of facets involved in this censure. During the 4½ years of my service in the Congress, I have participated in hearings in Los Angeles on 4 different occasions. There is no place in the country—and I have sat in hearings from coast to coast—where the committee has been insulted, slandered, ridiculed, its hearings disrupted, more than in Los Angeles. There is no city in the country where there have appeared before the committee more lawyers who have themselves been identified as members of the Communist conspiracy than in Los Angeles. There is no city in the country where these Communist lawyers and their like have participated in, urged, and planned these attacks upon the committee more than in Los Angeles.

I have seen lawyers put words into the mouths of witnesses, telling them how to answer factual questions—telling them how to bait the committee and disrupt the hearings. On more than one occasion I and other members of the committee have publicly and in the record of the hearings called attention to this reprehensible conduct upon the part of these lawyers.

If lawyers had conducted themselves one-tenth as contemptuously in a courtroom as they have before our committee, they would have been jailed. These lawyers of whom I speak realize that the committee cannot punish for contemptuous conduct and, therefore, have continued to violate the rules of ethics and decency. Undercover agents of the Federal Bureau of Investigation have testified, as did one of them at the hearings in Los Angeles in December, that often lawyers meet with witnesses—known Communists—and instruct them how to bait the committee, how to disrupt the hearings. Some have gone so far as to set up a signal system between them and their clients for answering questions.

Has the California bar board of governors taken any action whatsoever during the last 4 years against one or more of the lawyers who have been guilty of the conduct I have just outlined? It has not.

Now someone will say that I am exaggerating the situation. I am willing to rest my case on the records of the California State Bar Association itself.

The conduct of certain lawyers at hearings in this State before the Un-American Activities Committee was so bad that two bar association committees found it necessary to make a complete investigation of the nature and extent of this misconduct. The reports of these committees to the board of governors of the California State Bar Association confirmed in every respect what I have said here today about the unethical tactics of these lawyers. These reports are carried in the Journal of the State bar of California.

To illustrate the unethical and contemptuous conduct of certain lawyers who appeared before the Un-American Activities Committee in Los Angeles, the reports set forth excerpts from the testimony of the hearings. In the Journal of the State bar of California, we find this committee, in reporting to the board of governors and in urging that the rules be changed so that the bar could deal more effectively with these lawyers, saying this, and I quote:

"At the time of the hearings of the Committee on Un-American Activities in 1952, several members of the bar called as witnesses before the committee conducted themselves in a most contemptuous and objectionable manner. A lawyer is never entitled to conduct himself so as to be discourteous and highly objectionable to any public body, court, or otherwise."

In another place in the report in the Journal, we find this language:

"The amendment we suggest should be ample to cover the principal grievances concerning misconduct presently being considered by the committee. We believe the existing rules inadequate to permit the board of governors on its own motion to take disciplinary steps against lawyers whose conduct was so objectionable in the Un-American Activities Committee hearings."

The report continues:

"As to lawyers suspected of Communist activities, although we feel that the State bar does have some power under section 6106.1, nevertheless it would be desirable to broaden the section in the manner provided for in exhibit A."

The bar association committee which studied the conduct of these lawyers before Congressional committees was so shocked by their conduct that it recommended that section 6068 of the business and professions code be changed to read as follows:

"The following are the duties of an attorney:

"1. To maintain the respect due to the courts of justice and judicial officers, a committee of the Congress of the United States, a committee of the legislature of this State, any subcommittee of such committee of the Congress or of the legislature, the board of governors of the State bar of this State, and any administrative committee of the State bar of this State.

"2. Never to seek to mislead by artifice or false statement of fact or law a court of justice or judicial officer, a committee of the Congress of the United States, a committee of the legislature of this State, any subcommittee of such committee of the Congress or of the legislature, the board of governors of the State bar of this State, or any administrative committee of the State bar of this State."

Now I ask: What has the board of governors of the State bar done with that report, which also contains recommendations for dealing with Communist lawyers and those who take the fifth amendment? What has it done? Nothing. What action has it taken against these lawyers? None. It has not even censured them.

Yet it was willing to censure this committee, reputable members of the bar, who have come to Los Angeles time and time again and have been faced by this same cabal of attorneys. While FRANCIS WALTER, the chairman of the full committee, was not personally present at the Los Angeles hearings, nevertheless the censure of his subcommittee is a reflection on him, a man who has been the recipient of the American Bar Association award for contributing most to the preservation of our American form of government.

The board of governors of the State bar of California has failed miserably and has been derelict in its duty to act affirmatively on the basis of the findings of its own committees. By reason of its failure to act, it shares with these lawyers I have been talking about the responsibility for what happened in the hearing room in Los Angeles last December.

For years the committee allowed itself to be subjected to abuse and harangued by those who served the Communist conspiracy, waiting patiently for some evidence of courage, some action on the part of the leaders of the bar of the State of California.

It was apparent when we came to Los Angeles last December that there was a well-conceived plan by the Communists and some of these same lawyers to again disrupt the hearings and abuse the committee as they had so many times in the past.

When we acted firmly and ejected these betrayers of the legal profession, so the hearings could proceed in an orderly manner, the board of governors, who were not present at the hearings, censured members of Congress, reputable members of the bar.

I have studied the censure resolution by the board of governors of the California Bar Association with exceeding care. I have likewise searched the transcript of the proceedings at the December hearings in Los Angeles. The truth is that the basic facts as reported in the statement of the board of governors of the California Bar Association are misrepresented.

The tenor of the statement is that certain lawyers, whose conduct was in thorough accord with all of the canons of ethics for lawyers, were not accorded proper treatment by the committee. The truth is, as reflected by the record and as is indelibly impressed in my memory, that certain lawyers who had been repeatedly identified under oath as members of the Communist conspiracy deliberately engaged in barroom and back-alley tactics as they did in previous hearings for the purpose of disrupting a serious enterprise of a Congressional committee.

The statement of the board of governors further complains that one of the lawyers was identified in the course of the proceedings as a Communist. Since when have lawyers who are Communists been immune from exposure or identification? Does the board of governors of the bar association seriously contend that this committee, the Congress of the United States or the American people are precluded from attempting to detect and isolate traitors, even though they be possessed of a license to practice law?

The bar association statement likewise completely misrepresents the announced purpose of the hearings. The statement contains the following:

"The announced purpose of the hearing was to investigate opposition to the McCarran-Walter Immigration Act."

This is a baldfaced misrepresentation of the facts, which should be apparent to anyone who would take the trouble to read the transcript of the proceedings. The announced purpose of the hearings was to investigate and develop facts respecting the activities of the Communist conspiracy in its program of political subversion.

In another place, the board of governors used this language in censuring the subcommittee:

"Counsel appearing for the witnesses were not permitted to address the committee or to make objections to the manner in which the proceeding was being conducted; but counsel were repeatedly told that 'their sole and exclusive right was to advise their clients.' "

We admit that counsel were repeatedly told that their sole and exclusive right was to advise their clients. Evidently the board of governors are not familiar with the rules of the Committee on Un-American Activities.

Rule VII reads as follows:

"The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the committee, but shall confine his activity to the area of legal advice to his client."

It was because the lawyers insisted on violating this rule that they were ejected after the repeated warnings.

Rule VIII provides that the committee shall remove from the hearing room attorneys who violate the rules. It is apparent, from the mere reading of the last two specifications of alleged misconduct on the part of the subcommittee, that the lawyers were violating rule VII.

In fact, the whole censure resolution is so erroneous and biased that I wonder what influences were at work in its preparation and adoption.

I want it clearly understood that this is not an indictment of all lawyers who have appeared before our committee in the Los Angeles area or elsewhere. By far the great majority of the attorneys who have represented witnesses before our committee have conducted themselves in a most exemplary manner and in accordance with every provision of the code of ethics.

By the same token, the unwarranted and intemperate action of the board of governors does not represent the will of the great mass of lawyers in the State of California. This is evidenced by the fact that we have received numerous letters from members of the California bar deploring and condemning the action of the board of governors.

The records of the hearings of this committee clearly indict those lawyers who are members of the Communist conspiracy and who have conducted themselves in the manner I have described. What the record does not show is the fact that some of these very lawyers about whom I have been complaining have violated the basic duty and obligation of a lawyer; namely, to serve the best interests of his client. There have been occasions when it was obvious that it would have been to the best interests of the client to have cooperated with the committee; and yet, when that witness employed a Communist lawyer or had an attorney furnished him by the Communist Party, he was advised to take the fifth amendment to his detriment. Why? Simply because the lawyer was serving the Communist Party rather than his client. I have often wondered why bar associations have failed to act in such cases.

Lest my observations be construed as wholly negative, may I commend the American Bar Association for its forthright position on the issue of communism as expressed by its action in creating a special committee of which former United States Senator Herbert O'Conor, of Maryland, is chairman, for the purpose of coming to grips with this very situation. This special committee on Communist tactics, strategy, and objectives of the American Bar Association is working zealously toward the objective of removing from the ranks of the legal profession those who are in fact dedicated to the forcible overthrow of our Government.

Some few months ago, FRANCIS WALTER, chairman of this committee, introduced legislation which would preclude from practice before Congressional committees or in the executive department persons who have been publicly identified under oath as Communists.

I commend this bill to the bar association of this State, as well as to all other groups and organizations in this country which are or should be earnestly concerned over the increasing menace of communism.

While the censure resolution of the board of governors of this bar, to say the least, has adversely affected all of the members of the subcommittee and its director, it has been a rather severe personal blow to Congressman CLYDE DOYLE, from the Los Angeles area. As chairman of the subcommittee, he feels particularly responsible for the conduct of those hearings and the censure weighs heavily upon him because he is a member of the California bar.

While CLYDE DOYLE is a Democrat and our political philosophies and voting records in the Congress are as far apart as the poles, there is no more sincere, conscientious, upright, and patriotic man in the Congress than he. All those who know him intimately as I do will agree that what I have said is no exaggeration. For many years he has been a highly respected member of the California bar, a man who lost his only son in the service of his country, a fine, moral, family man. It hurt him deeply to be censured by his own bar without a hearing and without cause. He was shocked when a colleague of his in the adjoining district, a man with a prominent name but a man who is in no position to throw stones, placed the resolution of censure in the CONGRESSIONAL RECORD—in a subtle violation of the rules of the House, and without even discussing the matter with Mr. DOYLE or any other member of the committee.

I need not tell you that the Communists and their apologists from coast to coast were delighted at the action of the board of governors and JIMMY ROOSEVELT. They have used this censure resolution effectively.

I wonder when so-called responsible Americans are going to learn the danger of the threat from within and stop attacking the policeman and start chasing the criminal.

Senate Salad Luncheon

EXTENSION OF REMARKS
OF
HON. WILLIAM B. WIDNALL
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. WIDNALL. Mr. Speaker, on Wednesday, June 19, a new Senate salad will be introduced to the country at a luncheon in the Senate District of Columbia Committee room. I am very pleased that the Rutgers tomato will be amongst the vegetables used in its preparation. New Jersey, the Garden State, has developed the tastiest, juciest and firmest tomato. The Rutgers tomato was named for the university where Prof. L. G. Schermerhorn spent years of experimentation in cultivating the seed.

New Jersey is the third largest tomato-producing State in the Union and in 1956 $4,310,000 of tomato production went into the fresh market and $10,717,000 produced for the canneries. The Rutgers tomato is the color standard for tomato juice.

I am sure that Senate salad is going to be just a little bit better because of the fact that New Jersey has made its contribution to this new all-American dish.

SENATE

WEDNESDAY, JUNE 19, 1957

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O merciful God, whose law is truth, whose statutes stand forever sure, we beseech Thee to grant unto us, who in the morning seek Thy face, fervently to desire, wisely to discern, and obediently to fulfill that which is pleasing unto Thee. Unite the hearts and minds of Thy servants in this ministry of public affairs to withstand the selfish pressures and to bear the heavy burdens that are here laid upon them. In these baffling times, when false decisions may imperil the very survival of the precious heritage the Founding Fathers bequeathed to us, grant unto Thy servants who stand in this historic Chamber of governance tallness of stature that, rising above partisan division, they may see, beyond the walls of prideful opinions, the good of the largest number. We ask it in the Redeemer's ever-blessed name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Tuesday, June 18, 1957, was approved, and its reading was dispensed with.

HOUSE BILLS REFERRED

The following bills, received from the House of Representatives on June 18, 1957, were severally read twice by their titles, and referred as indicated:

H. R. 1061. An act to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law;

H. R. 1942. An act for the relief of the Sergeant Bluff Consolidated School District;

H. R. 6789. An act to provide for reasonable notice of applications to the United States courts of appeals for interlocutory relief against the orders of certain administrative agencies;

H. R. 7261. An act to amend the Federal Probation Act to make it applicable to the United States District Court for the District of Columbia;

H. R. 7536. An act to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941; to the Committee on the Judiciary;

H. R. 3940. An act to grant certain lands to the Territory of Alaska;

H. R. 4635. An act to provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended; and

H. R. 4830. An act to authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The VICE PRESIDENT, on today, June 19, 1957, signed the following bills and joint resolutions received from the House of Representatives on June 18, 1957, which had previously been signed by the Speaker of the House of Representatives:

H. R. 1451. An act for the relief of Cecelia Vaccaro;

H. R. 1765. An act for the relief of Ellen G. Marinas;

H. R. 1837. An act for the relief of Elda Mondillo;

H. R. 6548. An act to amend the Universal Military Training and Service Act, as amended, as regards persons in the medical, dental, and allied specialist categories;

H. R. 7143. An act to amend the act of August 3, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strengths of the Armed Forces;

H. R. 7505. An act to permit a retired officer of the Navy to be employed in a command status at Port Lyautey, Morocco;

H. J. Res. 185. Joint resolution to implement the convention between the United States of America and Norway, which entered into force on November 9, 1948, for disposition of the claim against the Government of the United States of America asserted by the Government of Norway on behalf of Christoffer Hannevig;

H. J. Res. 272. Joint resolution for the relief of certain aliens;

H. J. Res. 289. Joint resolution to facilitate the admission into the United States of certain alien children; and

H. J. Res. 308. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 44) to authorize the Secretary of Agriculture to exchange certain lands in the State of New Mexico, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1446. An act for the relief of Philip J. Denton;

H. R. 1492. An act for the relief of Gillous M. Young;

H. R. 1634. An act for the relief of Antonio Ranaletta;

H. R. 1701. An act for the relief of Abram van Heyningen Hartendorp;

H. R. 1861. An act for the relief of George W. Arnold;

H. R. 2058. An act for the relief of the Franklin Institute of the State of Pennsylvania;

H. R. 2592. An act for the relief of Lucy Rolandone;

H. R. 2740. An act for the relief of Mrs. Harriet Sakayo Hamamoto Dews;

H. R. 2928. An act for the relief of Harry and Sadie Woonteller;

H. R. 2937. An act for the relief of Clarence L. Harris;

H. R. 2985. An act for the relief of Alton B. York;

H. R. 3280. An act for the relief of Mrs. Grace C. Hill;

H. R. 3309. An act for the relief of Harry Gold;

H. R. 3877. An act to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes;

H. R. 3899. An act for the relief of William E. Hellmann;

H. R. 4541. An act for the relief of Leslie A. Batdorf;

H. R. 4992. An act for the relief of Michael D. Ovens;

H. R. 5183. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon a certain claim of the Padbloc Co., Inc., and Harry G. Lankford, of Wichita, Kans.;

H. R. 5627. An act for the relief of Mrs. Emma Hankel;

H. R. 6176. An act for the relief of Fouad George Baroody;

H. R. 6621. An act for the relief of Mrs. Jane Barnes;

H. R. 7014. An act for the relief of Madame Henriette Buallion and Stanley James Carpenter;

H. R. 7213. An act for the relief of Louis S. Thomas and D. Grace Thomas;

H. R. 7554. An act for the relief of Edward Neal Fisher;

H. J. Res. 338. Joint resolution for the relief of certain aliens; and

H. J. Res. 340. Joint resolution to facilitate the admission into the United States of certain aliens.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated:

H. R. 1446. An act for the relief of Philip J. Denton;

H. R. 1492. An act for the relief of Gillous M. Young;

H. R. 1634. An act for the relief of Antonio Ranaletta;

H. R. 1701. An act for the relief of Abram van Heyningen Hartendorp;

H. R. 1861. An act for the relief of George W. Arnold;

H. R. 2058. An act for the relief of the Franklin Institute of the State of Pennsylvania;

H. R. 2592. An act for the relief of Lucy Rolandone;

H. R. 2740. An act for the relief of Mrs. Harriet Sakayo Hamamoto Dews;

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H. R. 5627. An act for the relief of Mrs. Emma Hankel;

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H. R. 6621. An act for the relief of Mrs. Jane Barnes;

H. R. 7014. An act for the relief of Madame Henriette Buallion and Stanley James Carpenter;

H. R. 7213. An act for the relief of Louis S. Thomas and D. Grace Thomas;

H. R. 7554. An act for the relief of Edward Neal Fisher;

H. J. Res. 338. Joint resolution for the relief of certain aliens; and

H. J. Res. 340. Joint resolution to facilitate the admission into the United States of certain aliens; to the Committee on the Judiciary.

H. R. 3877. An act to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes; and

H. R. 7522. An act to authorize the extension of certain rights to remove timber from lands acquired by the United States; to the Committee on Interior and Insular Affairs.

H. R. 6623. An act to provide for the conveyance of certain real property of the United States in Massachusetts to the Woods Hole Yacht Club; to the Committee on Government Operations.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Public Lands Subcommittee of the Committee on Interior and Insular Affairs was authorized to meet today during the session of the Senate.

ORDER FOR ADJOURNMENT UNTIL TOMORROW, AT 11 A. M.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today, it stand in adjournment until tomorrow, at 11 a. m.

The VICE PRESIDENT. Without objection——

Mr. RUSSELL. Mr. President, did the Senator from Texas say 11 o'clock tomorrow morning?

Mr. JOHNSON of Texas. Yes.

Mr. RUSSELL. Is there any special reason for having the Senate meet at 11 a. m.—except that, of course, I realize that, in the sound discretion of our distinguished majority leader, he always has a good reason for anything he proposes, and that if there were not, he would not have made the request.

Mr. JOHNSON of Texas. The unfinished business is Senate bill 555, the Hells Canyon Dam bill; and several Senators are anxious to discuss the bill and to have it voted on this week. If, by meeting at 11 o'clock, and perhaps by having the session continue until late in the day, we could obtain a vote on Friday evening, the majority leader would like to do so, because certain Senators have informed him that they would like to avoid a vote on Saturday, if that is possible.

So, after conferring with the minority leader, we agreed that perhaps an 11 o'clock opening would permit us to get the morning hour over and to get the bill under consideration by the usual time of convening. Then by having the session continue until 6:30 or 7:30 in the evening, perhaps on Friday we could reach a point where Senators would be willing to have the vote taken, and thus avoid the necessity of a Saturday session.

Mr. RUSSELL. Mr. President, it is not my purpose to attempt to delay the vote on the Hells Canyon bill, and it is not my purpose at this time to attempt to delay a vote on any other issue which may be before the Senate. However, there may develop a parliamentary situation which might make it necessary for some conferences to be held, in order to determine just what course of procedure should be followed; and in the long run it might save some time if we were to make it possible for such conferences to be held.

Have the distinguished Senator from Texas and the distinguished minority leader had any conferences as to the possible time of adjournment today? That might help, as well.

Mr. JOHNSON of Texas. No; but I had hoped that the session today might continue until 7 or 7:30 p. m., if sufficient speakers were available, and then to have the Senate adjourn sometime between 7 and 8 p. m., but with the understanding that there would be no votes after, say, 6 p. m.

Mr. RUSSELL. Of course, I shall not object, for I have such great deference for the esteemed majority leader. But I should dislike to see the Senate placed in such a position that Senators could not, without absenting themselves from the floor, be able to confer with respect to possible parliamentary situations which might develop. However, I shall not object.

The VICE PRESIDENT. Is there objection? Without objection it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. HOLLAND, from the Committee on Agriculture and Forestry:

Marshall R. Edwards, of Florida, to be a member of the Federal Farm Credit Board, Farm Credit Administration; and

George W. Lightburn, of Oklahoma, to be a member of the Federal Farm Credit Board, Farm Credit Administration, vice H. W. Clutter.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

COAST AND GEODETIC SURVEY

The Chief Clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Coast and Geodetic nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc, and without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of the nominations confirmed today.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PROPOSED TRANSFER OF CONTACT MINE TO MARINERS MUSEUM, NEWPORT NEWS, VA.

A letter from the Assistant Secretary of the Navy (Material), reporting, pursuant to law, that the Department of the Navy proposes to transfer a contact mine of the type used in the North Sea barrage of World War I to the Mariners Museum of Newport News, Va.; to the Committee on Armed Services.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

HEALTH INSURANCE FOR FEDERAL EMPLOYEES

A letter from the Chairman, United States Civil Service Commission, Washington, D. C., transmitting a draft of proposed legislation to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated.

By the VICE PRESIDENT:

A resolution adopted at a reunion of the Class of 1917 of Bryn Mawr College, favoring the enactment of legislation to return to Ryu Oyaizu, of Tokyo, Japan, certain funds impounded under the Trading With the Enemy Act; to the Committee on the Judiciary.

A letter in the nature of a memorial from the Santa Ana, Calif., Chamber of Commerce, signed by Frank J. Gelinas, secretary-manager, remonstrating against Federal aid to education; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition from the Santa Ana Chamber of Commerce, of Santa Ana, Calif., signed by Frank J. Gelinas, secretary-manager, praying for the enactment of legislation to increase postal rates; to the Committee on Post Office and Civil Service.

RESOLUTION OF MILWAUKEE ASSOCIATION OF COMMERCE URGES RENAMING OF GRASS RIVER LOCK ON ST. LAWRENCE SEAWAY AS WILEY-DONDERO LOCK

Mr. KNOWLAND. Mr. President, I was pleased to note in the public press that the Milwaukee Association of Commerce had passed a resolution unanimously favoring the granting of a well-deserved honor to the senior Senator from Wisconsin [Mr. WILEY] and to the former chairman of the House Public Works Committee, former Congressman George Dondero, of Michigan. The purpose of the resolution is to secure the renaming of the Grass River lock in the International Rapids section of the St. Lawrence Seaway as the Wiley-Dondero lock.

Such a designation of this great portion of the seaway structure would be more than fitting, in view of the fact that it was our colleague from Wisconsin who took a leading part in the enactment of the seaway bill on the Senate side, and that thereafter it was his associate on the House Public Works Committee who spearheaded enactment in the House of Representatives.

This twin action, however, climaxed a long, uphill fight, which had been waged by both these Midwest legislators over a period of many years.

It is more than fitting that one of the two locks on the United States side of the border should be named in honor of the President of the United States who signed the seaway bill into law.

I ask unanimous consent that the resolution adopted by the Milwaukee Association of Commerce together with an explanatory press release, be printed in the RECORD.

There being no objection, the resolution and press release were ordered to be printed in the RECORD, as follows:

MILWAUKEE ASSOCIATION OF COMMERCE,
LEGISLATIVE DIVISION,
June 18, 1957.

WILEY-DONDERO LOCK RESOLUTION

Whereas the Milwaukee Association of Commerce has long recognized the great economic advantages that will accrue to the Milwaukee metropolitan area, the State of Wisconsin, the entire Great Lakes region and to international trade on the completion of the St. Lawrence Seaway project; and

Whereas it is recognized that for many years efforts had been made to enlist support of the United States Government in the St. Lawrence River development, but it was not until the 83d Congress passed Public Law 358 on May 6, 1954, which President Dwight D. Eisenhower approved on May 13, 1954, that United States participation in the project was assured; and

Whereas Senator ALEXANDER WILEY, of Wisconsin, then chairman of the Senate Foreign Relations Committee and Representative George A. Dondero, of Michigan, then chairman of the House Public Works Committee were coauthors of the St. Lawrence Seaway bill, now designated as the Wiley-Dondero bill, and were leaders in guiding the measure through the Senate and the House of Representatives, respectively; and

Whereas a vital part of the seaway project, the Grass River lock at the east end of Long Sault Canal in the International Rapids section, is now under construction with completion scheduled for 1959 when the seaway will be opened to ocean traffic; and

Whereas 1 of the 2 great locks in the American seaway project has been named the Eisenhower Lock in recognition of presidential support of the seaway project: Now, therefore, be it

Resolved, That in recognition of the great leadership of Senator ALEXANDER WILEY, of Wisconsin, and Representative George A. Dondero, of Michigan, and in tribute to their dauntless championship of the seaway over a period of many years, the board of directors of the Milwaukee Association of Commerce in meeting assembled on June 18, 1957, does hereby recommend and urge to the Congress of the United States, the Secretary of Defense, and the St. Lawrence Seaway Development Corporation of the United States that the Grass River lock in the International Rapids section of the St. Lawrence Seaway be designated as the Wiley-Dondero lock as a fitting tribute to these two Congressional leaders for their contributions in making the St. Lawrence Seaway project a reality; be it further

Resolved, That all interested persons and organizations in the State of Wisconsin, the State of Michigan and all the Great Lakes region be invited to join with the Milwaukee Association of Commerce in honoring the two Congressional leaders to whom must be attributed, in large part, the successful development of the St. Lawrence seaway.

LESTER S. OLSEN,
President.

Attest:

RAY H. WEISBROD,
Executive Vice President.

MILWAUKEE ASSOCIATION OF COMMERCE URGES NEW NAME FOR SEAWAY LOCK

The Milwaukee Association of Commerce passed a resolution today urging Congress to designate the Grass River lock in the International Rapids section of the St. Lawrence Seaway as the Wiley-Dondero lock.

Association President Lester S. Olsen, president of the Olsen Publishing Co., noted that "this action was urged as a tribute to Wisconsin Senator ALEXANDER A. WILEY and Michigan Representative George A. Dondero for their great leadership and unselfish contributions in making the St. Lawrence Seaway project a reality."

Olsen led a group of 50 Milwaukee area business leaders on a tour of the seaway project June 11-13 to observe first-hand the greatest construction program the North American Continent has ever seen.

The association plans to work through all interested persons and organizations in the State of Wisconsin and the State of Michigan to help insure that this honor becomes a reality.

This action was taken at a regular meeting of the association's board of directors Tuesday afternoon, June 18.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HUMPHREY. How many locks are there going to be in that seaway? Does the Senator know?

Mr. KNOWLAND. No.

Mr. HUMPHREY. I was wondering if there were going to be enough locks to name one after a Democrat.

Mr. KNOWLAND. I hope there may be.

Mr. HUMPHREY. If there are not, we shall have to look into the resolution and perhaps amend it.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 846. A bill for the establishment of a National Outdoor Recreation Resources Review Commission to study the outdoor recreation resources of the public lands and other land and water areas of the United States, and for other purposes (Rept. No. 471).

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, without amendment:

S. 1417. A bill relating to the affairs of the Osage Tribe of Indians in Oklahoma (Rept. No. 472).

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 32. Concurrent resolution favoring Congressional recognition of the National Cowboy Hall of Fame and Museum to be located in Oklahoma City, Okla.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Texas:

S. 2319. A bill for the relief of Cho Mae Wha;

S. 2320. A bill for the relief of Huh Hai Sook; and

S. 2321. A bill for the relief of Mai Soon Bai; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2322. A bill for the relief of Linda Diane Hunt (Chun Sun Nam);

S. 2323. A bill for the relief of Barbara Marie Waddington (Helen Lee);

S. 2324. A bill for the relief of Elaine Marie Simonton (Yu Keum Ok); and

S. 2325. A bill for the relief of Benjamin Paul Klinger (Lee James); to the Committee on the Judiciary.

(See the remarks of Mr. NEUBERGER when he introduced the above bills, which appear under a separate heading.)

By Mr. SPARKMAN (for himself and Mr. HILL):

S. 2326. A bill for the relief of certain employees of the Department of the Air Force, Mobile Air Materiel Area; to the Committee on the Judiciary.

By Mr. HILL (for himself and Mr. SPARKMAN):

S. 2327. A bill for the relief of certain employees of the Department of the Air Force, Mobile Air Materiel Area; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2328. A bill for the relief of Sieglinde Preiss; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 2329. A bill for the relief of Jean Kim Wickes;

S. 2330. A bill for the relief of Cynthia Cay Huffman; and

S. 2331. A bill for the relief of Lois Jean Smith; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 2332. A bill for the relief of the McLaughlin Community Hospital;

S. 2333. A bill for the relief of Memorial Hospital Association, Inc.; and

S. 2334. A bill for the relief of Lowe Clinic and Hospital; to the Committee on the Judiciary.

By Mr. DIRKSEN:

S. 2335. A bill to amend section 239 of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. THYE:

S. 2336. A bill providing for a preliminary examination and survey of the Redwood River, at Marshall, Minn.; to the Committee on Public Works.

(See the remarks of Mr. THYE when he introduced the above bill, which appear under a separate heading.)

By Mr. JENNER:

S. 2337. A bill for the relief of Stamatiki Demetrick Nicolakaki; to the Committee on the Judiciary.

By Mr. WILEY:

S. 2338. A bill for the relief of Paul Andrew Venema and Mark Berend Venema; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina (for himself and Mr. CARLSON) (by request):

S. 2339. A bill to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT:

S. 2340. A bill for the relief of Laszlo Kalmar; to the Committee on the Judiciary.

By Mr. PASTORE:

S. 2341. A bill to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes; to the Joint Committee on Atomic Energy.

(See the remarks of Mr. PASTORE when he introduced the above bill, which appear under a separate heading.)

By Mr. WILEY:

S. 2342. A bill for the relief of Robert Pineda and Richard Pineda; to the Committee on the Judiciary.

By Mr. AIKEN (for himself, Mr. FLANDERS, Mr. IVES, and Mr. JAVITS):

S. J. Res. 107. Joint resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission; to the Committee on Public Works.

RELIEF OF CERTAIN IMMIGRANT ORPHANS

Mr. NEUBERGER. Mr. President, on behalf of myself, and my colleague, the senior Senator from Oregon [Mr. MORSE], I introduce four more private orphan immigration bills, for reference to the appropriate committee of the Senate. I hope general orphan legislation will be speedily enacted, and that these four private bills will not need to be considered.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. NEUBERGER (for himself and Mr. MORSE), were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 2322. A bill for the relief of Linda Diane Hunt (Chun Sun Nam);

S. 2323. A bill for the relief of Barbara Marie Waddington (Helen Lee);

S. 2324. A bill for the relief of Elaine Marie Simonton (Yu Keum Ok); and

S. 2325. A bill for the relief of Benjamin Paul Klinger (Lee James).

PRELIMINARY EXAMINATION AND SURVEY OF REDWOOD RIVER, MARSHALL, MINN.

Mr. THYE. Mr. President, I send to the desk a bill for appropriate reference. This bill would permit the Secretary of the Army to proceed with the preliminary examination and survey of the flood situation in western Minnesota, which has wrought such devastation to the city of Marshall, Minn., as well as the countryside.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2336) providing for a preliminary examination and survey of the Redwood River, at Marshall, Minn., introduced by Mr. THYE, was received, read twice by its title, and referred to the Committee on Public Works.

PROPOSED FEDERAL EMPLOYEES HEALTH INSURANCE ACT

Mr. JOHNSTON of South Carolina. Mr. President, by request, on behalf of myself, and the Senator from Kansas [Mr. CARLSON], I introduce, for appropriate reference, a bill to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes.

This bill would provide for both basic health insurance and major medical insurance for Federal employees and their families. It would have the Government share in the cost of this insurance, and would provide for administration of the program by the Civil Service Commission.

I believe it is high time that legislation providing for health insurance for Government workers should be enacted. It is my understanding that virtually all large employers furnish this so-called fringe benefit to their employees, and that most of them have done so for some time past. The Government employee group is thus one of the last, if not the last, sizable force of workers who do not have this benefit furnished to them as part of their contract of employment.

I understand this program has been worked out over a period of 3 years or so, with leaders of the large employee organizations participating and furnishing advice, support, and counsel.

I know health insurance is a considerably more complicated subject than life insurance. It is offered in various forms and at a wide range of prices. It is offered in many combinations of protection against costs of hospitalization, of surgical care, of in-hospital medical care, out-of-hospital medical care, extended benefits, major medical benefits, and so on.

What combination of these benefits is actually best for Federal employees is a question on which reasonable men may well disagree. It is a question on which complete agreement of all interested parties can, I suppose, never be reached.

However, the bill we have before us outlines a program of health insurance protection which the employees, through their organizational leaders, have endorsed in principle. I understand the main difficulty has been over the extent of Government participation. This is something the Congress will have to decide after hearing all the facts.

With the short time remaining to us in this session, it is not likely that it will be possible to hold hearings and to give the measure the full and careful consideration which this subject warrants.

If this turns out to be the case, as I fear it will, I would hope that the committee staff can give the program concentrated study during the recess. It will thus be possible to initiate hearings as soon as we reconvene in January.

I ask unanimous consent that a sectional analysis of the bill, together with an explanation of its provisions, may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the sectional analysis and explanation will be printed in the RECORD.

The bill (S. 2339) to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes, introduced by Mr. JOHNSTON of South Carolina (for himself and Mr. CARLSON) (by request), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

The sectional analysis and explanation presented by Mr. JOHNSTON of South Carolina are as follows:

FEDERAL EMPLOYEES HEALTH INSURANCE ACT
SECTIONAL ANALYSIS

The title of the bill directs attention to the important facts that the proposed insurance will be financed by a combination of Government contributions and deductions from the employees' pay.

Section 1 creates a short title for easy citation.

Title I—Basic Health Insurance

Section 101 provides for the same eligibility as is provided for life insurance under the Federal Employees' Group Life Insurance Act. Provisions pertinent only to life insurance have not been used. The two insurance acts are not connected, although some of the provisions are similar.

All civilian employees and officers of the executive, legislative, and judicial branches of the Federal Government will be eligible for voluntary participation unless excluded

by law or the Commission's regulations. The coverage extends to officers and employees of Government owned corporations except those under the Farm Credit Administration which have a member of the board of directors elected by private interests. Specific provision has been made to cover the officers and employees of Gallaudet College. A definition in section 102 includes the Official Reporters of the proceedings and debates of the Senate and their employees under the legislative branch for the purposes of this bill.

Only one group of employees is excluded by law: Noncitizen employees permanently stationed outside the continental limits of the United States.

The Commission's regulations may exclude employees whose coverage would be impractical, such as short term and intermittent employees.

The section requires every employee seeking coverage under the bill to enroll for both types of insurance offered by the bill, i. e., (1) basic health insurance, and (2) major medical insurance. In other words, the bill makes a "package offer" and an employee cannot enroll for only one type of the insurance provided. The only exceptions to this requirement are (1) employees age 65 or over and retired employees, both of which groups may continue their major medical insurance whether they have basic health insurance or not and (2) such other groups of employees designated by Commission regulations as have been provided by act of Congress with basic health benefits; these may enroll for major medical insurance whether they have basic health insurance or not.

Section 102 sets forth the definitions of five terms used in the bill.

"Carrier" is defined to include every recognized type of commercial insurance and prepayment health care organization, including within the definition national associations of Federal employees.

The definition of "children" is somewhat more liberal than usual in that it covers them from birth to 21 years of age. Frequently, insurance plans exclude infants and children 19 years of age or older unless the latter are students. The definition of "children" in the present bill avoids the complex determinations of student status and is considered to be an equitable compromise on the age question.

"Dependent" is defined to include wife (or husband) and children only. A distinction is drawn between the dependents of male and female employees. This distinction is based on the premise that under normal conditions, a husband is responsible for the care and support of his unmarried children and, therefore, such children of a female employee whose husband is capable of self-support are not eligible to be enrolled as dependents. However, the unmarried children of a female employee are eligible for enrollment as dependents if they receive no support from a father. Provision is made for a dependency coverage of unmarried children over 21 years of age if they became incapable of self-support prior to age 21 and are still incapable of self-support. Dependency coverage is extended to the husband of a female employee only when he is incapable of self-support.

"Legislative branch" is defined to include the official reporters of the proceedings and debates of the Senate and their employees.

"Premium" is defined in a manner sufficiently broad to encompass payments for the type of insurance or services regularly provided by any of the types of carriers defined previously.

Section 103 provides that each employee covered by the act may enroll for either himself or himself and his dependents in any basic group health insurance plan that he selects. The employee's enrollment must, of course, meet the enrollment requirements of the plan selected and, as subsequently provided in section 108, the plan must also meet certain minimum requirements. The most significant aspect of section 103 is the fact that the employee is free to make a voluntary selection of any of the many health insurance plans available.

Section 104 contains provision for the employee to submit a written notice of enrollment authorizing deduction from his pay of the amount necessary to pay his share of the cost of the insurance. This section grants the Commission authority to prescribe the form of the enrollment notice and the conditions of enrollment, and reserves to the employee the right to cancel the notice in a manner prescribed by the Commission. This single notice is for major medical, as well as basic health purposes.

Section 105 specifies that the employee's share of the cost of the basic health insurance will be premium payable for the plan selected, minus the amount paid on that premium by the Government contribution prescribed in the next section.

Section 106 contains the provision establishing the amount of the Government contribution toward the cost of the basic health insurance selected by the employee. With but one exception the Government contribution is set at 50 cents for each biweekly pay period if the insurance is for the employee alone, and $1.50 for each such pay period when the insurance covers the employee and at least one dependent. The sole exception is when the 50 cents or $1.50 contribution exceeds one-third of the premium. In the latter instance, the Government contribution will be restricted to one-third of the premium cost. This is the only exception to the contribution figure and that figure is otherwise unchanged regardless of the type of plan or plans selected by the employee. This section assures the appropriate application of the Government contribution by requiring that the contribution be made only after the deduction has been made for the employee's share of the premium. Provision is made in section 301 for adjustments for employees paid at intervals other than biweekly.

Section 107 contains a direction to the agency heads to pay over the employee deductions and the Government contributions. The Comptroller General is given authority to prescribe or approve procedures relative to paying and accounting for these sums. Such procedures may require the establishment by the carriers of not more than five clearinghouses to receive payment for all the carriers.

Section 108 sets forth, in subsection (a), the minimum requirements that a plan must offer before the carrier is eligible to receive the premium payments from the Government for the cost of basic health insurance. It also authorizes the Commission to prescribe additional requirements relating to benefits, financial responsibility of carriers, and continuity of coverage. The most noteworthy requirements specified are those providing for the continuation of coverage in the event that the employee transfers, is separated, or retires. Except in the case of transfer, continuation of coverage may be in the form of individual rather than group insurance but must be otherwise similar to the insurance provided under the bill. In addition, the section prohibits discrimination as to coverage because of race, sex, or hazardous employment, and adverse amendment of coverage due to the age of an insured person. Requirements are provided for an offering at group rates, for a certificate summarizing the plan of insurance, for advance notice of premium change, and for each carrier to furnish such information as may be needed in connection with a claim for major medical insurance. Finally, one requirement provides that benefit payments shall not be excluded due to any preexisting physical condition except pregnancy.

Subsection (b) contains provision for the establishment of procedures under which the Commission may withdraw approval from any plan after appropriate notice and opportunity to be heard. It also recognizes the inherent differences between a group practice prepayment plan and other basic health insurance plans and provides that carriers offering the former may qualify without meeting all of the requirements established for the latter. This subsection makes provision for the Commission to substitute different requirements for those waived in the case of a group practice prepayment plan.

Title II—Major medical insurance

Section 201 refers back to the employee's notice of enrollment filed under section 104 and provides that the same notice will authorize a salary deduction for the employee's major medical insurance. This section, without specifically so providing, emphasizes the legal requirement that an employee cannot enroll for the basic health insurance without also enrolling for the major medical insurance. The amount for the biweekly salary deduction is established by this section as not to exceed 25 cents for an enrollment of the employee alone or 75 cents for the employee and at least one dependent. Section 301 authorizes proportionate deductions for employees not paid biweekly.

Section 202 provides for the Government contribution toward the cost of major medical insurance. The Government contribution is established as in the Federal Employees Life Insurance Act, at one-half of the employee deduction set under section 201. As in section 106, provision is made for the Government contribution to be made only after an authorized salary deduction in order to assure appropriate use of Government funds.

Section 203 sets forth the circumstances under which the major medical insurance will generally continue without further cost to the employee or his agency. Broadly speaking, these are when the employee retires, when he reaches the age of 65, when he is in receipt of Federal Employees' Compensation Act benefits, and when he is on leave without pay for not longer than 12 months. This section also specifies that insurance will otherwise cease when payroll deductions are no longer made.

Section 204 is composed of three subsections, each controlling a separate phase of the provisions of the policies for major medical insurance that may be purchased under the bill.

Subsection (a) of section 204 spells out the amount of medical (including surgical) and hospital expense insurance benefits. In the case of medical expenses, a flat $100 deductible is established for all employees. This $100 deductible is applied after exclusion of the standard surgical fees established under section 205 and medical expenses covered by other policies or contracts. In regard to hospital expenses, there are exclusions for the first 70 days of hospitalization in a calendar year and such additional hospital expenses in that year as may be covered by other policies or contracts. These provisions contemplate that standard surgical fees and some other medical expenses and the first 70 days of hospitalization can be covered under the basic health policy purchased under title I. The additional deduction of $100 is based on the assumption that ordinary medical expenses for persons in reasonably good health will not exceed $100 a year, and the desire to eliminate the disproportionately high administrative costs of processing small claims.

The amount of the major medical insurance benefits will be 75 percent of the medical (including surgical) and hospital expenses incurred after the exclusions and the deductible have been satisfied.

The medical (including surgical) and hospital expenses covered, and certain special provisions applicable in the event of a common accident and for expenses incurred in the final 90 days of a calendar year, are explained in detail in the specifications attached.

Subsection (b) of section 204 provides for an aggregate maximum of $10,000 in benefits for each insured person with a prohibition against payment of over $5,000 for expenses incurred in any single calendar year. The $10,000 aggregate maximum is reinstateable prior to the end of the year in which the employee reaches the age of 65 upon the submission of evidence of insurability that is satisfactory to the carrier and approved by the Commission.

It is contemplated to include a provision in the Commission's regulations that 1 year of continuous employment by an insured employee, without major medical care, will constitute conclusive evidence of insurability. When the unused balance of the aggregate maximum for an employee or his dependents is less than $5,000 at the end of the calendar year in which the employee attains the age of 65, each such person will have an automatic reinstatement to a new $5,000 maximum without evidence of insurability.

Subsection (c) of section 204 sets forth 2 restrictions on benefits. These limit benefit payments to expenses actually incurred for which the insured person is obligated by law to pay, and which would have been made had no insurance existed. These are expected to prevent the payment of unreasonable charges and, also, to prevent the payment of expenses which the insured person has not incurred or is not obligated to pay. Benefits will not be paid for persons enrolled as dependents who do not meet the requirements of section 102 for dependents on the date the expense is incurred.

Section 205 reccgnizes the fact that there are established local fee schedules for surgical procedures and provides that such schedules may be adopted for use by the Commission in connection with the surgical exclusion referred to in section 204 (a). The Commission will consider the recognition or adoption of such schedules by State and county medical societies and will, as far as administratively practical, recognize geographical variations in surgical charges.

Section 206 contains provisions paralleling those now included in the Federal Employees Group Life Insurance Act of 1954, as amended. These provide for the creation of a fund composed of the amounts deducted from the salaries of employees and the Government's contributions. This fund, which will be maintained in the United States Treasury, will be available for premium payments for major medical insurance, and for expenses of the Commission incurred in the administration of this act. In addition, provision is made for the Secretary of the Treasury to invest and reinvest the moneys in the fund in Government obligations and apply any interest therefrom to the fund.

Section 207 is a lengthy, technical section that is identical, insofar as possible, with counterpart provisions in several sections of the Federal Employees Group Life Insurance Act of 1954, as amended.

Subsection (a) of section 207 authorizes the Commission to purchase a contract or contracts of major medical insurance. This subsection contains provisions designed to assure that each carrier selected will be legally competent and otherwise qualified to administer insurance of the size and nature contemplated. "Group health benefit payments" is the yardstick most comparable to "group life insurance in force," the yardstick used in the Federal Employees Group Life Insurance Act for determining the adequacy of a carrier.

Subsection (b) of section 207 is self-explanatory in providing that the carriers will establish an administrative office under a name to be approved by the Commission.

Subsection (c) of section 207 requires that each contract of major medical insurance will include a basic premium rate consistent with the lowest rates generally charged for new group major medical contracts issued to large employers. Provision is made for the subsequent adjustment of the rate as required by experience and as determined by the Commission.

Subsection (d) of section 207 contains provisions concerning the maximum expense and risk charges that are analogous to those relating to the basic premium rate discussed above in regard to subsection (c).

Subsection (e) of section 207 provides that each carrier shall give an accounting to the Commission for all income and expense under each contract. Provision is made for the holding of any excess of premium income over expenses in an interest-bearing contingency reserve. This reserve will be held by the carrier until such time as it reaches an amount sufficient to provide for adverse fluctuations in future charges, at which time any further excess will be deposited in the fund referred to in section 206. Provision is also made to payments into the fund when a contract is discontinued with a positive balance remaining in the contingency reserve.

Subsection (f) of section 207 establishes the bill's major medical insurance benefits as those which are provided at the issuance of the initial contract or contracts purchased. This subsection also contains a provision authorizing the Commission to amend the benefits in any manner after consultation with the Advisory Committee referred to in section 304. The authority to amend the benefits is limited so that they may not be reduced below 75 percent of the value of the benefits provided at the issuance of the initial contract or contracts. This limitation is included as it is believed that a greater reduction of benefits should be made only after legislative consent whereas, less drastic changes would not warrant legislative action. An example of a less drastic type of change is an instance when the actual claims cost is less than anticipated so that an increase in the benefits is justifiable.

A decrease in the benefits may be justified when the actual claims cost is more than anticipated. Change in the benefit structure, not involving change in the actual claims cost, might also be desirable due to changes in medical care practices or in employee insurance needs.

The increase in benefits under subsection (f) of section 207 would not authorize an increase in either the deductions from employees' pay or the Government contribution beyond the established maximums in sections 201 and 202.

Subsection (g) of section 207 requires the carriers of major medical insurance to reinsure portions of such insurance with other qualified insurers. This will have the effect of distributing the tremendous volume of insurance among many interested insurers and will provide financial stability to the program. The allocation of the reinsurance will follow the pattern now operating satisfactorily in connection with the Federal Employees Group Life Insurance Act.

In a manner similar to that in the Federal Employees Group Life Insurance Act, a formula is included for determining the proportionate amount of insurance to be retained by an issuing carrier and the amount to be given to a reinsuring insurer. The proportions established under the formula assure smaller carriers of a larger share of reinsurance than such carriers would receive on a basis strictly proportionate to their total health insurance benefit payments. Provision is included to prohibit an issuing carrier or reinsuring insurer from retaining insurance in an amount so large that it exceeds 25 percent of the carrier's total group health insurance benefit payments made in the latest calendar year for which information is available.

Subsection (h) of section 207 provides that the Commission may redetermine the eligibility of reinsuring insurers and the proportion of insurance allocable as necessary but not less often than every 3 years and whenever a participating insurer withdraws.

Section 208 will require that each insured employee be furnished with a certificate setting forth the benefits to which he and his dependents may be entitled, and summarizing other pertinent information.

Title III—General Provisions

Section 301 recognizes that some Federal employees are not paid on a biweekly basis and, accordingly, makes provision for adjusting the salary deductions or Government contributions at a proportionate rate.

Section 302 grants the Commission final responsibility for deciding questions of dependency and disability relating to the question of dependency. In order to assure uniform and equitable treatment, it is believed that these questions should be decided at one point. The Commission already has the facilities for deciding such questions in retirement situations.

Section 303 is self explanatory in granting the Commission authority to promulgate regulations necessary to implement the bill.

Section 304 grants to the Chairman of the Commission the authority to appoint a committee to advise the Commission on matters under the bill. This committee will be composed of insured employees or elected representatives of Federal employees, and persons experienced in group-health insurance.

Section 305 requires an annual report to Congress by the Commission relative to the operation of the bill.

Section 306 authorizes the Commission to set the effective date of the insurance, the salary deductions, and the Government contributions. It is contemplated that this effective date will be as soon as possible after enactment, taking into consideration the necessity for preparing regulations, drafting forms, contracting for insurance, and similar activities.

SPECIFICATIONS FOR HEALTH INSURANCE PLAN FOR FEDERAL EMPLOYEES AND THEIR DEPENDENTS

This health insurance plan will make available group hospitalization, surgical, medical, and other personal health service benefits, including major medical expense insurance, for civilian officers and employees of the Federal Government and their dependents. The plan is offered as a combined package including basic health insurance and major medical insurance; an employee may not elect to participate in only one part of the plan except that (1) an employee may, if he wishes, discontinue his basic health insurance after he reaches age 65 or retires and (2) the Commission may by regulation designate groups of employees who may enroll for the major medical insurance without enrolling for basic health insurance when such groups have been provided with basic health benefits by another act of Congress.

SECTION I. COVERAGE (APPLICABLE TO BOTH BASIC HEALTH INSURANCE AND MAJOR MEDICAL EXPENSE INSURANCE)

A. Employees covered: All employees in the executive, judicial, and legislative branches of the Government and of the municipal government of the District of Columbia, and

employees of Gallaudet College, with the following exceptions:

(a) employees of any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests, and

(b) employees excluded by regulation of the Commission.

B. Dependents covered: Dependents as defined in section III.

SECTION II. COST

A. To the Government:

1. Basic health insurance: One-third of the premium or subscription charge up to 50 cents biweekly if the employee is insured for himself alone, or up to $1.50 biweekly if he is insured for himself and one or more dependents. Total yearly cost is estimated to be $51.4 million.

2. Major medical expense insurance: Not to exceed 50 percent of the amount of each employee's share of the cost. (Estimated 12½ cents biweekly for single employee coverage and 37½ cents biweekly for employee and dependent coverage.) Coverage is continued without further cost to the Government when the employee reaches age 65, retires, or is receiving employees' compensation and is unable to return to duty. Total yearly cost is estimated to be $13.1 million.

3. Estimated yearly cost to Government for both basic and major medical insurance—$64½ million.

B. To the employee:

1. Basic health insurance: Amount of premium or subscription charge for the group health plan selected by him less the amount of the Government contribution outlined above.

2. Major medical expense insurance: Estimated 25 cents biweekly if employee is insured for himself alone, or 75 cents biweekly if employee is insured for himself and one or more dependents. Coverage is continued without further cost to the employee when he reaches age 65, retires, or is receiving employees' compensation and is unable to return to duty.

3. The combined cost is shared between the Government and the employee on a ⅓–⅔ basis; i. e., on the same basis as group life insurance.

SECTION III. DEFINITION OF CHILDREN AND DEPENDENTS (APPLICABLE TO BASIC HEALTH INSURANCE AND MAJOR MEDICAL EXPENSE INSURANCE)

A. The term "children" includes the employee's own children or lawfully adopted children, stepchildren, foster children, and other children who depend upon the employee for support and who reside with the employee in a regular parent-child relationship.

B. The term "dependent" means—

(1) In the case of any male employee—

(a) his wife

(b) his unmarried children under 21 years of age, and his unmarried children over 21 years of age who are incapable of self-support by reason of mental or physical disability, and who became so incapable before reaching age 21;

(2) In the case of any female employee—

(a) her husband, if he is incapable of self-support by reason of mental or physical disability;

(b) her unmarried children under 21 years of age, and her unmarried children over 21 years of age who are incapable of self-support by reason of mental or physical disability, and who became so incapable before reaching age 21; *Provided*, That her husband is deceased or is a dependent included in (a) immediately preceding, or *Provided*, That the children receive no support from a father, a stepfather, or an adoptive father.

The fact of dependency will be determined by the Civil Service Commission. Its decision with respect to such matters will be final and conclusive and not subject to review. The Commission may order or direct at any time such medical or other examinations as it deems necessary to determine the facts relative to the nature and degree of disability of any such dependent. No person will be considered a dependent who is in the armed forces of any country. No person will be covered both as an employee and as a dependent, and no person may be considered as a dependent of more than one employee.

A basic health insurance plan may have a more liberal definition of either dependent or children; these other individuals may be included under the basic plan, but the amount of Government contribution for basic health insurance will be based on the dependents, if any, who meet the definition of this section.

SECTION IV. DESCRIPTION OF BASIC HEALTH INSURANCE

A. Choice of plan: An employee may enroll in any approved prepaid plan of group health insurance or group health care which meets the minimum eligibility standards outlined in (B) below and others which may be established by Commission regulations. Insurance carriers underwriting or sponsoring health insurance plans include prepayment community nonprofit organizations, employee organizations, and commercial insurance companies. Group health care plans are offered by group practice prepayment organizations.

B. Minimum eligibility standards.

1. Group health insurance plans: To be eligible to receive the Government contribution toward premium or subscription payments and the facility of payroll deductions any group health insurance plan must undertake to provide coverage in accordance with at least the following minimum standards:

(a) The plan must be offered at group rates.

(b) There must be no discrimination on entry into the plan because of race or sex.

(c) The plan must provide that an employee, or the surviving dependents of a deceased employee, shall have the right to continue coverage, without evidence of insurability, upon separation or retirement or death of the employee. The continuing coverage may be either individual or group insurance. It must be similar in benefits, premiums, and other provisions to plans then being offered by the carrier for continuance of coverage in like circumstances.

(d) The plan must provide that when an employee currently enrolled under a basic health insurance plan is transferred within his agency or between agencies he shall be immediately eligible for basic health coverage at his new location. This immediate eligibility will not affect adversely any claim incurred under his former plan.

(e) For so long as the employee remains employed, the plan may not reduce benefits nor increase premiums or subscription changes because of age without prior approval by the Commission.

(f) The carrier must furnish the employee a policy, certificate, or agreement summarizing the conditions of the plan, including those concerning benefits, claims, and payments.

(g) The carrier must agree to furnish notification of any change in premium or subscription charges at least 3 months in advance of the change.

(h) The carrier must furnish the insured person or the major medical insurer information required to process claims for major medical expense insurance.

(i) The carrier must accept enrollment in the plan, without regard to age or physical condition, of any employee who enrolls within a reasonable period, as prescribed by the Commission, after he first becomes eligible for the plan.

(j) The plan must not exclude payment of benefits for any preexisting physical conditions, but payment of benefits for a pregnancy existing on the effective date of coverage of a female employee or dependent shall not be required.

2. Group practice prepayment health care plans: To be eligible to receive the Government contribution toward subscription or membership payments and the facility of payroll deductions, any group practice prepayment health care plan must undertake to provide coverage in accordance with standards imposed on other carriers; alternatively the Commission may impose other requirements in substitution for some of these.

3. Commission disapproval of plans: The Civil Service Commission may withdraw approval of any plan after giving the carrier at least 3 months' notice and opportunity to submit its reasons why approval should be continued.

C. Payment to carriers: The sums withheld from employees and the sums contributed by the Government will be paid by the agency or department head in such manner as may be prescribed or approved by the Comptroller General.

SECTION V. DESCRIPTION OF MAJOR MEDICAL EXPENSE INSURANCE

A. Benefit formula:

1. Schedule of benefits: For each covered individual benefits are:

(a) Seventy-five percent of the covered medical expenses (including surgical expenses) incurred in a calendar year on account of that individual which are in excess of the sum of (i) $100 and (ii) cash or service benefits for such covered expenses under any other policy or contract of insurance.[1]

(b) Seventy-five percent of the hospital expense of the types covered by the policy incurred in a calendar year on account of that individual after excluding (i) all hospital expenses incurred in the first 70 days of hospitalization in that year, and (ii) all hospital expenses incurred thereafter which are covered by any other policy or contract of insurance.

In the design of the plan it has been anticipated that each covered individual would be insured under an adequate basic surgical plan. In order to provide as uniform benefits as possible for all covered individuals the Commission will approve standard surgical fee schedules after consideration of local fee schedules approved by State and local medical societies. For individuals with no basic surgical insurance or insured under surgical plans providing benefits less liberal than the standard schedules the appropriate fees from the standard surgical fee schedule will be used in determining the benefits to be paid.

2. Maximum benefits: For each covered individual the maximum benefit payable is $10,000 ($5,000 in any one year); more than $10,000 will be payable if the reinstatement requirements outlined in "D. Other benefit provisions" are satisfied.

B. Covered expenses: Covered expenses are charges incurred for services of the following kinds when performed or prescribed by a physician or surgeon and to the extent such expenses are reasonable, necessary, and customary:

1. Covered medical expenses:

(a) Charges by surgeons and assistant surgeons including pre- and post-operative care for surgical procedures as defined in "Part E. Definitions." Major medical insurance will cover these charges only to the extent they exceed the larger of (i) the fee schedule in the appropriate standard local surgical fee schedule or (2) the amount payable under any other policy or contract.

(b) Services of physicians, including specialists, for other than surgical operations,

[1] See pt. C for expenses not covered.

such as treatment at home, office, or hospital; examination; diagnosis; consultation; injections; psychiatric care; pediatric care.

(c) Services of registered graduate nurses, other than a nurse who ordinarily resides in the employee's home or who is a member of the employee's immediate family

(d) Medical expenses when not covered as inhospital expenses under "2" below, such as: anesthesia; X-ray, laboratory, and other diagnostic services; oxygen and its administration; X-ray or radium treatment; drugs and medicines; rental of iron lung or other durable equipment, such as wheelchairs, required for temporary therapeutic use; blood transfusions; this will include blood or blood derivatives upon presentation of satisfactory evidence that local conditions were such that it was necessary for the insured to incur expenses for such blood or blood derivatives.

(e) Physiotherapy, when the attending physician certifies that he has prescribed physiotherapy by duration and by specific type for the therapeutic treatment of the individual.

(f) Artificial limbs, artificial eyes, and other artificial replacements.

(g) Local professional ambulance service.

2. Covered hospital expenses: The charges of a hospital required for medical care or surgical treatment, including hospitalization for tuberculosis and mental or nervous disorders. When ward or semiprivate accommodations are used there is no limit on the amount of the hospital's daily room and board charge that may be considered as a covered hospital expense. However, when private accommodations are used the maximum room and board charge to be counted as covered expenses will be equal to three-fourths of the hospital's charge for the accommodations occupied. Benefit payments will be limited to 75 percent of this reduced amount. Major medical expense insurance will cover only hospital charges beyond the first 70 days in any calendar year. It is anticipated that the basic hospital benefits of most employees will cover at least the first 70 days.

C. Expenses not covered:

The following expenses are not covered:

1. Hospital charges as defined in part B above until the covered individual has been hospitalized for 70 days in any calendar year (except as provided in part D (3)).

2. Surgical charges not exceeding sums fixed by the Commisison as appropriate for the surgical procedure in question after consideration of local fee schedules approved by State and county medical societies.

3. Expenses incurred for pregnancy or resulting childbirth, miscarriage, or cesarean section, or for pre- or post-natal care, except that hospitalization for these reasons will count toward satisfaction of the 70-day exclusion in (1) above. If there are severe medical or surgical complications for pregnancy commencing while insured, any additional medical, hospital, and surgical expenses due to such complications will be covered. Severe complications include extrauterine pregnancy or complications requiring intra-abdominal surgery after termination of pregnancy, as well as pernicious vomiting of pregnancy and toxemia with convulsions.

4. Dental care, treatment, and appliances, except oral surgery and appliances to the extent necessary for the correction of damage caused by accidental injury or impairing illness suffered while insured.

5. Cosmetic surgery or treatment, except to the extent necessary for correction of damage caused by accidental injury or impairing illness suffered while insured.

6. Any expenses resulting from an injury arising out of or in the course of employment or from a sickness for which the individual is entitled to benefits under any workmen's compensation or occupational disease law.

7. Eyeglasses, hearing aids, and examinations for prescription or fitting thereof, except to the extent necessary for correction of damage caused by accidental injury while insured.

8. Any services received from any facility contracted for or operated by any Government agency which are or may be obtained without cost to the individual by compliance with laws or regulations enacted by any Federal, State, Municipal, or other governmental body.

9. Services received for injury or sickness due to war (declared or undeclared) or any act of war, which act shall have occurred after the effective date of this plan. This provision will not exclude noncompensated expenses incurred after return to active employment following the injury or sickness referred to above.

10. Expenses for which payment or reimbursement is received by or on the account of the individual as a result of legal action or settlement from any other person or persons.

11. Expenses to the extent of benefits paid by any other insurance or services provided by any prepayment plan. If the other insurance has any provision similar to this provision, this plan will not pick up until benefits of the other insurance would have ceased without the application of such similar provision.

D. Other benefit provisions.

1. Common accident provision: A separate deductible will be applied to each covered individual, except in the event of a common accident. If two or more covered members of an employee's family are injured in the same accident, covered expenses which result from the accident in the calendar year of the accident and in the following calendar year will be combined and one deductible will be charged against all such expenses.

2. Carryover provision: So that an individual may not have to meet two deductible requirements within a relatively short period of time, covered expenses incurred while insured during the last 3 months of a calendar year and charged to the deductible amount for that year will be used to reduce the deductible amount for the next calendar year.

3. Hospital and surgical expenses commencing in one year and ending in another: To avoid the necessity for an individual having to meet more than once the hospital and surgical expense exclusions mentioned in part C (1) and (2) when such expenses start in one calendar year and continue into another:

(a) Only one hospital expense exclusion will be applicable to hospital charges incurred during one continuous period of hospital confinement or successive periods of hospital confinement not separated by 3 months or complete recovery.

(b) Only one surgical expense exclusion will be applicable to surgical fees for surgical operations not separated by 3 months or complete recovery.

4. Reinstatement of maximums: At any time after $1,000 in benefits has been paid on account of any one individual, application may be made for reinstatement of the $10,000 maximum amount payable. This reinstatement depends upon the acceptance by the insurance company (in accordance with standards agreed to by the Commission) as satisfactory evidence of complete recovery. This may include submission of evidence of insurability, furnished at the individual's own expense. An employee (but not a dependent) will be considered completey recovered, without submission of evidence of insurability, if he has been continuously at work for a year without medical care for other than a minor ailment. This reinstatement provision does not apply after the end of the calendar year in which the employee's 65th birthday occurred. If at that time the maximum on any covered individual has been reduced to less than $5,000, this maximum shall be restored to $5,000 without evidence of insurability.

E. Definitions:

1. Physician: An individual legally licensed to practice medicine and to administer all drugs, or to perform all surgery.

2. Drugs and medicines: Drugs and medicines requiring a physician's prescription, dispensed by a licensed pharmacist or physician, and necessary to the treatment of a particular illness.

3. Hospital: A regularly constituted hospital operated for the care and treatment of sickness and injuries and having facilities for diagnosis, major surgery, and 24-hour nursing service. For a hospital primarily concerned with the treatment of chronic diseases, the major surgery requirement will be waived if it meets all the other requirements. The term "hospital" may not include an establishment that is, other than incidentally, a place for rest, a place for the aged, a place for drug addicts, a place for alcoholics, a nursing home, a hotel, or the like.

4. Hospital charges: Charges billed by a hospital for services by the hospital staff or employees to an inpatient for surgical and medical diagnosis and treatment. Examples of such services are: room and board, including regular nursing services, anesthetics, use of operating room, X-rays, laboratory services, drugs and medicines, and similar hospital services.

5. Surgical procedures: These include but are not limited to incision, excision, endoscopy, repair, destruction, amputation, and surgical collapse therapy.

6. Local professional ambulance service: This includes professional ambulance service when used to transport the individual from the place where he is injured by an accident or stricken by an illness to the first hospital where treatment is given, or to another hospital in the area when such change of hospitals is necessary and recommended by the attending physician. Also included is local professional ambulance service from the hospital to the patient's home when made necessary by the patient's condition. No other charges for transportation or travel are covered.

F. Effective date of insurance:

1. An employee who enrolls for health insurance during the initial enrollment period will be covered no later than the first day of the pay period following the one in which he enrolls.

2. Employees retired prior to the effective date of the insurance may not enroll for coverage.

3. Any employee enrolling for health insurance after the effective date of the major medical expense insurance will become insured no later than the beginning of the first pay period next following his enrollment.

4. Insurance for dependents then eligible will become effective on the date the employee's insurance becomes effective provided he has enrolled for dependent coverage.

5. New dependents acquired through marriage or childbirth after the employee becomes insured for dependent coverage will become insured on the date the employee acquires such dependents. Dependents acquired otherwise are not eligible for coverage until they have been dependent for 3 months.

6. In order to be reimbursed, a charge for a covered expense must be incurred while the individual is insured. If, on the effective date of an individual's insurance, the individual is confined in a hospital or other institution for care or treatment or is confined at home under the care of a physician or surgeon because of a disabling physical or mental sickness or injury, reimbursement will not be made for expenses which are incurred prior to the date that such individual has been discharged from the hospital or other institution, and is no longer confined

at home under the care of a physician or surgeon.

G. Discontinuance of insurance: The major medical expense insurance, except as noted in part H, stops on the earliest of the following dates:

(1) The date of separation of the employee from the service.

(2) The date a period of 12 months of continuous nonpay status ends for the employee.

(3) The day immediately before the day the employee enters active military duty (except when the employee has been granted military leave with pay from his civilian position).

(4) For any surviving dependent of a deceased employee, 6 months after the employee dies.

(5) The date of any other change in employment resulting in loss of eligibility for major medical expense insurance.

(6) The last day of the pay period for which the required deduction is made from the employee's salary if the employee withdraws his authorization for payroll deductions.

(7) The date of termination of the major medical expense insurance plan.

(8) For a dependent of an employee whose major medical expense insurance has not terminated: The date that such person ceases to be a dependent as defined in section 3.

Continuation of benefits after insurance stops: If the employee or one or more of his dependents is confined in a hospital or other institution for care or treatment, or is confined at home under the care of a physician because of a disabling physical or mental sickness or injury on the date major medical expense insurance stops, benefits will be continued for covered expenses incurred for that individual up to the date the individual is discharged from the hospital or institution and is no longer confined at home under the care of a physician; but benefits will not continue beyond a year from the date on which the major medical expense insurance stops. For a pregnancy existing on the date the major medical expense insurance stops, benefits will be payable for severe medical or surgical complications of that pregnancy for covered expenses incurred prior to the end of 1 year from the date on which such pregnancy terminates.

H. Continuance of major medical expense insurance without further cost: If at the time the major medical expense insurance would otherwise stop under items "1" or "2" of "Discontinuance of Insurance," an employee who is enrolled for major medical expense insurance (1) retires on an immediate annuity either after completion of 15 years of creditable service as determined by the Commission or for disability, (2) reaches age 65, or (3) is receiving employees' compensation and is unable to return to duty, the major medical expense insurance will be continued without cost to him or to his agency. If he is enrolled for dependent coverage, the insurance will be restricted to the coverage for dependents existing on the day the insurance would otherwise have terminated.

I. Claims and benefits: Benefits under the plan are payable by the insurance company upon receipt of proof of claim. The date the expenses are incurred is the date the service is received or the purchase of a drug is made, not the date a bill for services or purchases is received. Claims will be filed with the insurance company through the employing office of the employee. The employing office will supply claim forms. It is the responsibility of the employee to furnish proof of claim within the time prescribed. Proof of claim must be filed not later than 90 days after the end of the calendar year in which the loss for which claim is made is incurred unless it is not reasonably possible to do so and proof is filed as soon as is reasonably possible. The insurance company reserves the right to give a medical examination to an individual for whom claim is made. In the event an individual is entitled to receive payment or reimbursement from any other person or persons as a result of legal action or claim with respect to any expenses paid or reimbursed to him under this plan, the insurance company shall be entitled to subrogation rights against such other person or persons.

J. Certificate: The employee will receive a certificate describing the major medical expense insurance plan.

K. Amendment or termination: The major medical expense insurance may be modified or terminated as may be required by any change in the Federal Employees' Group Health Insurance Act or for any other reasons. The Commission will be authorized, after consultation with the employee advisory committee, to increase, decrease, or otherwise change the major medical expense benefits within a 25-percent range either up or down. The actuarial value of the changed benefits must be at least 75 percent of the actuarial value of the benefits enacted. Any such modification or termination, however, will not affect adversely any claim for covered expenses incurred prior to the effective date of such amendment or termination.

L. Payment of benefits: Benefits of major medical expense insurance are for the purpose of reimbursing the employee or the employee and his dependents for expenses actually incurred. Benefits are payable only with respect to charges which would have been made even if no insurance existed and which the employee (or a dependent of the employee) is legally obliged to pay.

Mr. CARLSON subsequently said: Mr. President, together with my respected colleague from South Carolina, I should like to call to the attention of the Senate a bill just received from the Civil Service Commission.

This bill would provide for health insurance for all officers and employees of the Federal Government and their dependents, and would require the Government to make certain financial contributions to help defray the cost of the insurance. This proposed legislation would round out the existing program of fringe benefits for Government employees and would fill the largest remaining gap in the list of benefits started nearly 40 years ago with the passage of the earliest version of the Civil Service Retirement Act.

It is in my judgment a fitting piece of companion legislation to the Federal Employees' Group Life Insurance Act passed by the Congress in 1954. The latter act, as this body knows, has been of immense assistance over the past 3 years to the surviving dependents of Federal employees who have died in office. The proposed bill would be of even greater immediate assistance to employees, since most of us incur medical expenses with every year that goes by.

In taking favorable action on this proposed legislation we would be following the good example set by most, if not all, of the forward-looking large private industry. A survey of representative industrial concerns made by the National Industrial Conference Board in 1954, for example, showed that, even then, of the 438 firms studied, some 85 percent contributed part or all of the cost of health insurance for their employees.

Briefly, this proposed legislation would provide a Government contribution of approximately one-third to the cost of basic hospital and surgical insurance of the individual employee's choice and a contribution of exactly one-third to the cost of catastrophic or major medical insurance which would be furnished on a uniform basis like that of the group life insurance program. The plan is designed in such a way as to combine two desirable qualities: First, the greatest possible flexibility of choice by the employee of the basic plan which best suits his needs and his pocketbook; and, second, the savings made possible by mass purchase through the group method of major medical insurance.

The total annual cost of the program to the Government is estimated to be $64.5 million. This is based on the assumption that 90 percent of eligible employees would choose to participate and that the per capita cost would be not to exceed $35.75.

Health insurance is a complex field. It is particularly complex in relation to a group like that of our Federal work force which is more than 2 million strong and is scattered throughout the world. The Civil Service Commission has met with a number of stubborn problems over the period of the last 2 or 3 years in trying to design a health insurance program which would do the best possible job for Federal employees. I am happy to say I think the Commission has now succeeded, and I hope the Senate will give favorable consideration to enacting this bill into law.

REPRESENTATIVES IN ORGANS OF INTERNATIONAL ATOMIC ENERGY AGENCY

Mr. PASTORE. Mr. President, I introduce, for appropriate reference, a bill to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2341) to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes, introduced by Mr. PASTORE, was received, read twice by its title, and referred to the Joint Committee on Atomic Energy.

Mr. PASTORE. Mr. President, I have just introduced a Participation Act for the International Atomic Energy Agency as suggested and approved by the administration. I have introduced it in order to have a basis for hearings to be held before the Subcommittee on Agreements for Cooperation, of the Joint Committee on Atomic Energy, to start on Thursday, June 27.

Neither the committee nor myself is bound by this draft bill. I am introducing it since it is possible that some Senators will wish to make a presentation before the subcommittee, either in person or by written statement. This will give them sufficient notice and time to study yesterday's debate, in order to prepare their statements.

TAX ADJUSTMENT BASED ON FEDERAL PROJECT AUTHORIZATIONS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of June 12, 1957,

The names of Senators WATKINS, MARTIN of Pennsylvania, CURTIS, FLANDERS, BEALL, LANGER, LAUSCHE, POTTER, and SCHOEPPEL were added as cosponsors of the bill (S. 2272) to provide for tax adjustment based on increase or decrease in Federal project authorizations, introduced by Mr. BENNETT on June 12, 1957.

PROPOSED AGRICULTURAL RESEARCH AND INDUSTRIAL ACT OF 1957—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of June 17, 1957,

The names of Senators BARRETT, KEFAUVER, LANGER, and STENNIS were added as additional cosponsors of the bill (S. 2306) to provide for the increased use of agricultural products for industrial purposes, introduced by Mr. CURTIS (for himself and other Senators) on June 17, 1957.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO EQUAL RIGHTS FOR MEN AND WOMEN—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. BUTLER. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Vermont [Mr. AIKEN] be added as a cosponsor of the joint resolution (S. J. Res. 80) proposing an amendment to the Constitution of the United States relative to equal rights for men and women, introduced by me, for myself and other Senators, on April 4, 1957.

The VICE PRESIDENT. Without objection, it is so ordered.

RECOGNITION OF NATIONAL COWBOY HALL OF FAME AND MUSEUM—ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. ANDERSON. Mr. President, I ask unanimous consent that the name of the junior Senator from Colorado [Mr. ALLOTT] may be added as a cosponsor of Senate Concurrent Resolution 32, the so-called Cowboy Hall of Fame concurrent resolution, which was reported this morning from the Committee on Rules and Administration. The Senator from Colorado had asked that his name be added, but through some inadvertence it was omitted.

The VICE PRESIDENT. Without objection, it is so ordered.

PRINTING OF REVIEW OF REPORT ON CENTRAL AND SOUTHERN FLORIDA—HENDRY COUNTY WEST OF LEVEES 1, 2, AND 3 (S. DOC. NO. 48)

Mr. McNAMARA. Mr. President, on behalf of the chairman on public works, the distinguished Senator from New Mexico [Mr. CHAVEZ], I present a letter from the Secretary of the Army, transmitting a report dated March 18, 1957, from the Chief of Engineers, Department of the Army, together with accompanying papers and an illustration, on a review of report on central and southern Florida—Hendry County west of levees 1, 2, and 3, requested by a resolution of the Committee on Public Works, adopted November 15, 1954. I ask unanimous consent that the report be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

The VICE PRESIDENT. Is there objection to the request of the Senator from Michigan? The Chair hears none, and it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. THYE:

Address entitled "Freedom's Open Door," delivered by him before the midsummer festival of the Swedish-American League of Duluth, at Duluth, Minn., on June 16, 1957. Also an editorial entitled "Thye Realistic in Views on Red China Problem," published in the St. Paul (Minn.) Pioneer Press of June 17, 1957.

By Mr. JENNER:

Release and newsletter prepared by him regarding the case of Sp3c. William S. Girard.

NOTICE OF CONSIDERATION OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the nomination of H. Freeman Matthews, of the District of Columbia, a Foreign Service officer of the class of career ambassador, to be Ambassador of the United States to Austria.

Notice is given that the nomination will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

NOTICE OF HEARING ON SENATE JOINT RESOLUTION 3, PROPOSING AN AMENDMENT TO THE CONSTITUTION RELATING TO THE LEGAL EFFECT OF CERTAIN TREATIES AND OTHER INTERNATIONAL AGREEMENTS

Mr. KEFAUVER. Mr. President, on behalf of the Subcommittee on Constitutional Amendments of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, June 25, 1957, at 10 a. m., in room 424, Senate Office Building, on Senate Joint Resolution 3, proposing an amendment to the Constitution of the United States, relating to the legal effect of certain treaties and other international agreements.

Two witnesses, Senator BRICKER, of Ohio, and Senator HENNINGS, of Missouri, will be heard. Others desiring to express their views should submit statements to the subcommittee for inclusion in the record. This procedure has been adopted since extensive hearings on the same subject matter were conducted in the 82d, 83d, and 84th Congresses.

The subcommittee consists of myself, chairman, the Senator from Missouri [Mr. HENNINGS], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Dakota [Mr. LANGER], and the Senator from Illinois [Mr. DIRKSEN].

CIVIL PUBLIC WORKS, THE CORPS OF ENGINEERS, AND THE BUREAU OF THE BUDGET

Mr. JOHNSON of Texas. Mr. President, civil public works are the business of the public. Flood-control projects and water-development programs are of direct and vital concern to the people of the areas in which they exist.

When beneficially used, water provides for the growth and development of these areas. When uncontrolled, water can destroy lives, sweep away valuable agricultural land, and ruin the works of man.

Mr. President over a period of years, certain changes have taken place in the manner in which water control and use projects have been developed and built. I consider these changes unfortunate.

There was a time when the Corps of Engineers was, in effect, a body of expert consultants of the Congress. The engineers reported directly to Congressional committees on the merits of river and harbor projects.

Then the changes began. First, the engineers were required to channel their reports through the Bureau of the Budget. Then, they were required to report directly to the Bureau, rather than to Congress. Finally, they were required to defend projects in detail, with the Bureau deciding whether each project conformed to its own specifications and thus could be recommended to Congress at all.

In other words, the Bureau of the Budget has interposed itself between the Corps of Engineers and the Congress. It has become more than a fiscal office of the Federal Government. It has become a policymaking body, as well.

This development has produced a number of serious effects.

First, it has resulted in a progressive withering away of the responsibility of Congress to develop and carry out an adequate public-works program.

Second, it has complicated what had been a simple procedure, and has caused prolonged delay in the consideration of urgently needed projects.

Third, it has thrown a cloud of secrecy over civil-works projects for

months on end before the administration sends to the Congress the projects of which it approves.

The overall effect of these changes has been that the Bureau of the Budget now attempts to exercise an "item veto" over civil-works projects. This veto is called into play before the President submits his budget message to Congress. That is why it so often becomes necessary for Congress, in acting on the civil public-works bills, to add projects that have been delayed by the Bureau of the Budget beyond endurance.

Frankly, Mr. President, I shall not hesitate to urge the addition of such projects when the need and justification for them are clearly to be seen.

Floods do not wait. We cannot bring about the orderly and necessary development of our land and water resources by following policies that are both restrictive and repressive.

Our population is growing. Our economy is a dynamic one. We urgently need—we must have—a realistic and courageous program to control floods and to conserve our water and land resources.

The Congress is familiar with, and responsive to, the needs of the American people. Upon the Congress rightly rests the responsibility for developing and carrying out the kind of program we need.

Let us not lag behind. Let us meet the challenge forthrightly and in a fashion befitting the bigness of our country.

ARTHUR T. VANDERBILT

Mr. SMITH of New Jersey. Mr. President, on last Saturday New Jersey lost one of her most distinguished citizens, the chief justice of the New Jersey Supreme Court, Arthur T. Vanderbilt. On last Monday my distinguished colleague [Mr. CASE] inserted in the RECORD a statement made by me, and he himself paid a glowing tribute to Justice Vanderbilt.

Since that time I have noticed in certain of our daily newspapers tributes to Justice Vanderbilt. I ask unanimous consent that there may be printed in the body of the RECORD, as a part of my remarks, an editorial from the New York Herald Tribune of June 17, 1957; an editorial from the New York Times dated June 18, 1957; and an editorial from the Washington Post and Times Herald dated June 18, 1957. All of these editorials are entitled "Arthur T. Vanderbilt."

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of June 17, 1957]

ARTHUR T. VANDERBILT

The death at 68 of Chief Justice Arthur T. Vanderbilt, of the New Jersey Supreme Court, closes one of the most distinguished and valuable judicial careers in modern-day America. His monument is the New Jersey judiciary, which Justice Vanderbilt transformed from an archaic, tortuous, overburdened institution into one of the Nation's most effective and respected court systems. And the New Jersey constitution, whose adoption in 1948 came about largely through Justice Vanderbilt's efforts, similarly stands as a model of its kind.

Justice Vanderbilt was a jurist whose attainments and outlook went considerably beyond narrowly legalistic considerations. He was a leader in education and good government, no less than in court reform. As an attorney in private practice he showed particularly deep concern for civil liberties, even at the risk of espousing unpopular causes. To him the protection of the law was the right of every American citizen.

With this underlying basic approach it was no surprise that Justice Vanderbilt was in the forefront of the battle to make the courts serve the people with the utmost efficiency and speed. He labored unceasingly to bring about improvements in court structure, administration, and procedure, and the results he achieved in New Jersey served as an example and goal for jurists in other States.

Judges like Arthur T. Vanderbilt, courageous, hard working, and farseeing, are a credit to America and its legal profession. He will long be remembered as one to whom the administration of justice was a sacred trust.

[From the New York Times of June 18, 1957]

ARTHUR T. VANDERBILT

Chief Justice Vanderbilt of the New Jersey Supreme Court made his influence felt for many years in the interest of good government, good courts, good citizenship, and good human relations. He was known throughout the country for his forward-looking views. He was respected for his integrity and his courage.

One of his many contributions to New Jersey was his leadership in the rewriting of the State constitution. Another was reform of the judicial system. He worked to the same high purposes toward improvement of the Federal court system. His example made itself felt in New York State, through encouraging constant examination and application of new ideas to management of the courts' business. So the death of this distinguished judge will be widely and deeply regretted.

[From the Washington Post of June 18, 1957]

ARTHUR T. VANDERBILT

The death of Chief Justice Arthur T. Vanderbilt of the New Jersey Supreme Court is a tragic loss to the causes of justice, judicial reform, and legal education. In the last decade he had directed almost a judicial revolution in New Jersey. That was the culmination of many previous years of hard struggle to bring administrative management, sound organization, and highly qualified judges into the judicial system. As chief justice in New Jersey, he was able to put into practice what he had been preaching, with the result that that State now has one of the best judicial systems in the Nation.

After trying for 17 years to interest the bar, the judges, and the politicians in judicial reform, Mr. Vanderbilt decided a decade ago to carry his fight to the people. Govs. Charles Edison and Alfred E. Driscoll joined in the struggle, and a new constitution was adopted for New Jersey, including a model judicial system. Mr. Vanderbilt, who had won eminence in the practice of law and as dean of the New York University Law School, was then named chief justice.

There followed a decade in which rules were simplified, dockets were cleared of old cases, able and energetic lawyers were named to the bench, and modern administrative management was applied to the work of the courts. In a single year the output of the New Jersey courts was increased by 98 percent. Justice is no longer soured by endless delays, confused jurisdiction, or excessive emphasis on technicalities. Arthur Vanderbilt's leadership in this sphere has brought New Jersey to the forefront among the States seeking to modernize their judicial systems.

In his practice as in his teaching, Mr. Vanderbilt was a strong defender of civil liberties and of independent judgment on the bench. As counsel for Norman Thomas, he induced the Supreme Court of the United States to strike down the Jersey City ordinance under which the late Mayor Frank Hague had forbidden the Socialist leader to address a public meeting there. As president of the American Bar Association, he contributed enormously to the defeat of President Roosevelt's efforts to pack the Supreme Court in 1937. It is the judicial reforms that he helped to establish in New Jersey, however, that are likely to stand as his most enduring monument.

ADDRESS BY SENATOR HUMPHREY BEFORE FOREIGN POLICY CONFERENCE, MINNEAPOLIS, MINN.

Mr. HUMPHREY. Mr. President, on June 8, 1957, in Minneapolis, Minn., a foreign policy conference was held under the sponsorship of the distinguished former Ambassador to Denmark, Mrs. Eugenie Anderson. Nearly 800 people attended to hear a series of speakers on different aspects of the international situation.

Ambassador Mehta from India discussed the role of India in world affairs. It was my privilege to present a report based on my experience at the United Nations, and more recently in the Middle East.

I ask unanimous consent that the text of my remarks be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE UNITED NATIONS AND THE MIDDLE EAST

For all of us there is nothing more important in the world today than foreign policy. The most important thing about foreign policy, of course, is that there is no such thing any more. Foreign indicates something apart, different, unusual. The very terminology smacks of a bygone age. Even the committee on which I serve, the Senate Foreign Relations Committee, ought, I think, to change its name and move into the 20th century. I have introduced a Senate resolution to rename it the Committee on International Relations.

The briefest recollections of the tragedies and triumphs of the last 20 years should be enough to prove that the seemingly solid stable symbols of a generation ago are gone forever. The world of 1914—even of 1929—is now more foreign to us than Patagonia or Siberia was to our parents' generation. The old order has not only passed; it has fled.

The tragedies of depression and war will never be forgotten by those of us who have lived through them. Let us hope that we shall not forget the triumphs: the burying of isolationism as the New World went forward to rescue the Old, the leadership of a Franklin Roosevelt and a Winston Churchill, the creation of the U. N.; the courage and collective purpose that went into the formulation of the Truman doctrine, NATO, and the defense of Korea, the imagination and boldness that formulated the Marshall plan and point 4.

In practical living terms, these decisions and achievements reflected at the time an accurate understanding of America's new world role and our stake in peace and world development. By 1952, American policy had demonstrated considerable flexibility, accommodation and capacity to reshape itself to meet new kinds of challenge.

But today's new world is a fast-moving one. Even 5 years can make a lot of difference. Policies which were adequate, or at least hopeful in 1952, may be much less adequate and much less hopeful in 1957.

1952 was only yesterday, but who then would have thought that 5 years later newspaper headlines would tell of Hungarian men and women trying to beat back Soviet tanks with their fists in the streets of Budapest, British planes dropping bombs upon Cairo, the collapse of our joint boycott against mainland China trade, the American flag being torn down by Nationalist Chinese on Formosa, the Polish Catholic Church lending its support to a new kind of Communist government in Warsaw, nuclear scientists and geneticists warning us about strontium 90, Nikita Khrushchev "facing the nation" on a Sunday afternoon.

These developments have come pretty thick and fast for any among us who have been the victims of slogans, or who insist on total solutions for complicated problems.

The nostalgic desire to withdraw from it all is a natural reaction. I have seen a lot of it lately in the extravagant letters I have received from some people urging multibillion dollar cuts in our defense and foreign aid programs. But I think that the vast majority of our people know in their hearts today that withdrawal from these complicated problems is impossible and that we are going to have to grapple with them one way or another.

Grappling with them becomes an increasingly personal problem for each of us as world events begin to impinge more and more upon our lives. It seems to me that even the most casual among us—particularly in such a group as this—owes it to himself to try to assemble his own scattered thoughts to see whether any practical wisdom and answers have come to him from his experience, his reading, his conversations and his work.

I want to do this publicly myself today, especially with regard to two experiences which I have had during the past few months and which have profoundly affected my own views of the world and what we ought to do in it.

Many of you know that I have served as one of the American delegates to the 11th General Assembly of the United Nations in New York and also that I have just returned from a month's visit to the Middle East. In a sense, this is my first personal report to the people of Minnesota on both of these experiences.

One of them, the United Nations, gave me a perspective in breath and scope which I suppose is difficult to duplicate anywhere else. The other, the Middle East, gave me a perception in depth of the intensity and ferment of just one of the world's many areas of crisis. Taken together, these two experiences have given me an opportunity to review and reconsider the strengths and weaknesses of American foreign policy against the backdrop of this world that refuses to stand still.

Let me begin with the United Nations and describe for you a scene which became familiar to me during my service at the United Nations General Assembly. Here sat representatives of 80 nation states unequal in power, wealth, or culture. All claimed an equal sovereignty and each pursued, or tried to pursue, an independent policy. Each judged its own best national interest. Each entertained its own private and public opinion about the characteristics of a perfect world.

Very few of the delegates at the United Nations pretended for a moment that the United Nations itself, either as an organization or in terms of its record of achievement, constituted that perfect world. One of my fellow delegates, Senator KNOWLAND, however went to great lengths to criticise the United Nations for its lack of perfection. He complained about an abuse of the veto power, a so-called double standard of morality, a tendency toward bloc voting, possible interference in domestic jurisdiction, and the disproportionate financial burden placed upon large nations like the United States for the United Nations support. There is a grain of truth in each of his criticisms, and no one would deny it.

But the delegates themselves represent contrasting historical backgrounds and exhibit cultural differences to such a vast extent that most logical men could easily despair over the possibility of any commonly accepted standards. Some of the members of the United Nations do pay much of the cost of its operation; others pay very little. There are blocs. Delegates frequently think more of their interests than the overall peace of the world—or rather, I should say, almost all delegates identify their own interests, and the interests of their own blocs, with the overall peace of the world. Lately, it has seemed to be painfully true that those who defy the law of nations seem to get away with more than those that respect the charter.

But we are foolhardy, if we judge the United Nations by the standards of literal-minded men. I shall not claim that it is able to produce absolute justice or even rough justice for all. I shall not claim that the weak are as powerful as the strong. Neither will I claim that the weak are necessarily wise in some of their voting.

But I will say that the United Nations represents the early stages of the evolution of mankind to international law and order. So tenacious is the desire of man for peace, so strong is this impulse for law and order, that within the last 12 years the United Nations has withstood the most terrific shocks and assaults upon it. It has survived the advent of the atomic age and the revolt of a quarter of the world against the colonial system. I earnestly believe that had it not been for this organization, the world might well be in its third and final war.

The United Nations is far from perfect. But all the hopes of man to evolve a just international economic order, to advance human rights, to stop aggression, to disarm, to establish a reign of law, are bound up in the United Nations. It is for us to apply not absolute logic, but rather the tests of imagination and insight.

This, of course, does not mean smothering the United Nations with excessive reliance. I had the feeling on critical issues last October, November, and December that the administration's policy of full reliance on the United Nations occurred most readily in those cases when the administration did not have or could not agree upon a specific policy to meet the situation. Reliance on an infant world organization under such circumstances is hardly adequate to the tasks now facing us as the most powerful nation on earth.

I do not wish to be misunderstood. I should like to see the United Nations used increasingly, but used effectively. I should like to see it energized by American leadership. I should like to see it strengthened and developed in a dozen different ways, not only in its political, but in its economic and scientific aspects as well.

Here are just a few of the thoughts that occur to me as I recall my experiences at the United Nations General Assembly.

1. A cushion for nationalism: One of the basic facts of our time is the upsurge of nationalism which dominates the thinking of people in two-thirds of the world. This upsurge is not limited to the antiwesternism so evident in much of Asia and Africa and so enticing to Soviet blandishments. A similar spirit of nationalism has re-emerged in Eastern Europe, and has shaken the very foundations of the Soviet satellite empire.

It is a paradox that nationalism is still such an explosive force in much of the world at the very time when the United States and the nations of Western Europe are moving more and more toward forms of international organization. But it would be futile and wrong to oppose nationalism which springs from basically good patriotic feelings widely shared by men everywhere.

But I was impressed again and again with the value of the United Nations as a means of assisting nationalism to find a proper and responsible role in the world society. The United Nations can channel nationalism toward constructive purposes and to keep it from running wild. With UN membership comes a dignity and security as well as a widened sense of responsibility—qualities which new and inexperienced nations and governments might otherwise take much longer to achieve.

2. A symbol of equality: The United Nations has been criticized for equating small states and large states when it comes to voting rights. But exaggerated as this arrangement may be in certain particulars, the United Nations in its very makeup recognizes one of the dominating ideas of this century—the idea of equality. It is not news to anyone any longer that we are living in the midst of a worldwide revolution which has equality as one of its central themes. This revolution has many facets: Democratic socialism in Europe and in Asia, anticolonialism in Asia and Africa, the drive for industrialization of underdeveloped areas abroad, the Negro's struggle against second-class citizenship at home, the farmer's fight for agrarian reform both at home and abroad. We can think of other examples, all of them grounded in the fight for equality of status and opportunity.

Even the tourist observer at the United Nations must be struck with the overtones of equality of status there. No one should underestimate the prestige and psychological importance which new young states like the Sudan and Ghana derive from this situation.

But it is not only the new and underdeveloped states which benefit from equality of status at the United Nations. It just happens that during the last few months the familiar old bipolar cold war world has become unfrozen a bit. The U. S. S. R. and the United States are still the world's great super powers, the great icebergs of the cold war age. But under the impact of recent events, the icebergs have melted a little even above the surface. And in the thaw, lesser icebergs have on occasion split off from the two superblocks, to go their own way and serve their own purposes.

Not only the so-called uncommitted nations, but the allies of both superpowers are becoming more independent. During the single month of October 1956 voting alliances were splintered before our very eyes in the United Nations General Assembly over the double crisis of Suez and Hungary. Situations arose which required a softening of the rigid positions and the adoption of new alinements. The difficult and delicate maneuvering involved in such transformations was eased by the United Nations framework of equality. The very competition for votes among ostensible equals put a high premium on political persuasion and diplomatic imagination, even on the part of the representatives of the larger powers.

3. Exposure of fakery: While there is a tendency among some people to decry the United Nations as a debating society which can do no more than adopt pious resolutions, my own observation and participation in the work of the General Assembly convinced me that the United Nations is performing an invaluable service in the sheer exposure of doubledealing.

Even the Soviet Union is not wholly insulated from the force of world public opinion. Frankly, the Soviets took a considerable beating because of their actions in Hungary. It just happens that many of the nations of the world, particularly the young uncommitted nations of Asia and Africa, make a practice of sending to the United Nations their most capable public officials. To a degree not always appreciated outside the United Nations, these participants are in a position to mold opinions in their home countries.

The repercussions of Soviet brutality in Hungary are still seeping into the minds and hearts of Asians and Africans through the reports of their delegates at the United Nations.

Even during the General Assembly debate on the Hungarian question, more and more so-called neutralists shifted from a position of abstention to a position of voting against the Soviet Union. Soviet doubledealing and doublecrossing were clearly exposed. The success of the Bulganin-Khrushchev smile campaign came to an abrupt halt with the news from Budapest last fall, and the Kremlin is now working overtime to recover lost ground. Khrushchev and his henchmen are now busy applying deodorants to Soviet policy everywhere.

Once more they are trying to capitalize on one of their major assets—you start by being so bad that people will compliment you when you show any improvement. In a race for that kind of credit, the Kremlin is unbeatable. But never again will they enjoy the same kind of openminded reception which was theirs a year ago in many parts of the world before Hungary.

4. Pressures for progress: I have already mentioned that something tremendously important is happening to two-thirds of mankind living on three underdeveloped continents. Today the whole underdeveloped world is seething with what Arnold Toynbee has called a revolution of rising expectations. This revolution centers on a worldwide demand for economic development and economic dignity, concepts which after all should not be very alien to Americans.

A few years ago Henry Luce announced that we were entering the American century. Although there is a self-righteous overtone to the phrase, this is indeed the American century in many ways. Wherever I have traveled, and almost every day in one form or another, from coca cola to steel plants, I have found America coming back. Today it is coming back not only in the terms of intense desire of other peoples to repeat our economic achievements, but in the equally intense desire to practice in responsible Jeffersonian terms the democratic ideals which we once let loose upon the world.

Hopes have been raised for progress in both of these areas—hopes for economic advance and human dignity. These hopes cannot now be stifled without bitterness, disillusionment and enmity. Of course, these hopes may be exaggerated. Undoubtedly many of them are. Even if the United States and other countries which have been blessed with many technological advantages were to pour out their talents and resources in a gigantic effort to develop the rest of the world, many of these hopes would still be dashed.

Nevertheless, here as elsewhere, the facts are not always as important as what people believe the facts to be. The world is on fire for progress and one only has to sit in the General Assembly of the United Nations day after day to appreciate how deep and burning this desire can be.

I have already mentioned the recent weakening in cold war alinements, a weakening which was reflected most dramatically in United Nations votes. But even before Suez and Hungary, I had felt that in the public conduct of our policy abroad we had about reached the end of our capacity "to flog the anti-Communist political horse." Both in State Department press conferences and at the United Nations, the statement of many great international issues seem to be badly posed. We had fallen into a deep and dangerous rut.

As a matter of fact, we are still in it. We wait to see what the Communists will do. If they are for it, we try to be against it. The discussion of relations between the Communist and non-Communist world has become routinized on our part, just at the time when the Communists themselves are showing greater flexibility and are stepping up their own effort to appear pleasant and reliable.

Now the important thing is that there are 2 billion men, women, and children on earth who are neither Russian nor American. A large percentage of them profoundly distrust both Soviet and American policy. What do they think? It might matter.

A large percentage of them, of course, are too sick to think. Their days are totally absorbed with malaria, cholera, intestinal parasites, or some other disease. Many of them are too hungry to think except about food. Many die when they are babies, so they never have to think at all.

The overwhelming bulk of them are colored black, brown or yellow, and the motto of many if not most of them, based on centuries of experience with imperialism is, "Never trust a white man."

It seems to me that we have failed to understand in recent years how misleading and disrupting and self-defeating it is to enter this real atmosphere of the world with essentially military glasses. In the midst of our own critical military rivalry with the Soviet Union, we have tended to look out upon the world and to see basically only two kinds of people: Russians and potential manpower that we and the Russians must compete for. This is a highly dangerous and unrealistic view of the actual condition of mankind.

How dangerous and unrealistic it is can be brought home to us any day we care to visit the United Nations General Assembly. The interests of the rest of the world are not basically concentrated on the Soviet-American struggle. The delegates representing the rest of the world have, of course, a profound stake in the outcome of our competition with the Soviet Union. But they have far more immediate and desperate problems facing them than that, problems which result in pressures for progress—pressures for survival.

Nowhere are these more in evidence than at the United Nations. These pressures exert themselves in the tremendous and absorbing interest in which the rest of the world has in the constructive agencies and affiliates of the United Nations—the World Health Organization, the United Nations Technical Assistance Program, the Food and Agriculture Organization, the Children's Fund, UNESCO, the International Labor Organization, the Human Rights Commission, and all the others.

It is these agencies which people on three continents look to to satisfy their high hopes for progress. Indifference or callousness toward these agencies on our part inevitably means that much of the world looks at us with suspicion and distrust.

5. The multilateral approach: Through these various agencies, the United Nations is a living demonstration of another great truth about the world today—the truth that a multilateral approach to help underprivileged peoples to help themselves is a more efficient and satisfactory approach than many of the bilateral methods of medical, technical, and economic assistance which we have also used. Millions of children have received supplementary feedings, vaccinations, and clothing as a result of United Nations activity. Hundreds of thousands of people today are benefiting from the expert advice and training of technicians operating under U. N. auspices. Food production in widely scattered areas of the world has been increased dramatically by new agricultural methods.

The United Nations specialized agencies give us an opportunity to reach people in ways most meaningful to them. We can reach them under the auspices of the world's society itself, thus saving ourselves the onus of excessive responsibility when things go wrong, as well as the disagreeable aspects of a difficult donor-beneficiary relationship. In many instances it is easier to give and easier to receive under United Nations auspices.

Not only should we utilize these specialized agencies which already exist under the United Nations structure, but we should press for the formation of new United Nations agencies which can go right to work. Later I shall refer to two of these agencies which I have recently proposed: A Middle East Good Offices Commission, and a Middle East Development Authority. In recent months I have proposed at least two others which I repeat again today. The first is SUNFED, the Special United Nations Fund for Economic Development, which has been repeatedly requested by a majority of United Nations members only to be repeatedly rebuffed by the United States. The second is a new International Waterways Commission to help avoid jurisdictional crises over waterways like that of Suez, yes, and Panama.

6. People-to-people in microcosm: We should not underestimate the United Nations as a practical working symbol of another important dimension of international relations today. We are going to have an increased emphasis on people-to-people exchange, international trade fairs, cultural exhibits, student and professor transfers, etc. The United Nations itself offers a special kind of forum for interpersonal exchange. Together, with the dignity and security which United Nations membership brings them, the representatives of many new nations are developing a stronger sense of responsibility earlier than they might otherwise.

At the United Nations they are in daily contact with the representatives of older and more experienced powers. Even the latter representatives find the U. N. an encouraging forum for effective action. Indeed, this last point is worth stressing. The fact that delegates of the U. N. take it seriously enough to engage in politics there—call it, if you like, a special kind of personal diplomacy—this is one of the most encouraging signs we have. We engage in politics and political maneuvering when we feel strongly about something. It is highly encouraging that U. N. delegates feel strongly enough about the U. N. to engage in politics there. The friendships formed around the council tables, in the cloakrooms, and in the delegates' lounge may be of great importance in years to come. Indeed, no one can guess just how important those contacts may be.

I cannot imagine any delegate to the United Nations who has taken his duties seriously who would henceforth be blind to the fact of cultural exchange. As far as I am concerned, this program should be dramatically increased. If the Soviet Union wants competitive coexistence, we should compete and compete with the best that we have. I am ready to engage them in any area they choose. Contrary to some of the critics of the exchange program, I am convinced we have far more to gain than we have to fear in our whole people-to-people program.

Last year I was pleased to be the author of Public Law 860, which placed what was formerly the President's emergency program for international trade fairs and cultural participation on a permanent basis. I regret that the State Department, the Commerce Department, the Agriculture Department, and other agencies concerned have not grasped the full significance of this program. Much remains to be done, and I shall continue to insist that we do it.

7. Disarmament: As a delegate to the United Nations I had a dual role on the issue of disarmament. Because of my work as chairman of the Senate's Special Disarmament Subcommittee and the extensive hearings which that subcommittee had held, I was asked to represent our U. N. delegation in disarmament discussions in New York.

It was interesting to compare the relative sense of urgency inside and outside the United States on the disarmament issue and related matters. My Senate subcommittee has held widespread hearings on all aspects of this complicated disarmament problem. We have found intense interest on the part of scientists, professors, and laymen in communities across the country. We have had important and sometimes startling testimony in the hearings which we have conducted in Washington; but, nevertheless, I should say in all fairness that I have not felt a tremendous sense of involvement or urgency on the part of Congress itself.

My experience at the U. N. convinced me that the intense concern on this question which I found in grassroots America is shared around the world. There was general acknowledgement of the difficulties, obstacles, and uncertainties involved in this challenging effort. But at the U. N. there was absolute insistence that the disarmament effort be persevered in. There was a preoccupation with the matter.

The issue of bomb tests and fallout dangers were uppermost in the minds of the majority of my fellow delegates to the United Nations. The hearings in Washington currently being held by the Joint Committee on Atomic Energy are now for the first time giving the American people an inkling of the kind of concern which I found at the U. N. months ago.

I must say in all frankness that our official position on bomb tests is not a popular one abroad. It is fast becoming an unacceptable one. If we persist in it, we could easily find ourselves isolated and alone, with the Russians claiming cheap and false credit for being interested in ceasing tests while we are left in a militaristic posture with Admiral Strauss and his suspiciously reassuring arguments. This is highly serious business, and I for one do not intend to equivocate about it. I think we must press for an immediate agreement on the cessation of large H-bomb tests. Bomb tests above a certain magnitude, according to competent scientific evidence, can be monitored anywhere, and the agreement would be in this sense self-enforcing. The actions of the United States should set the pace, not bring up the rear. If we fail in our responsibility, others will do the same. Leadership imposes a responsibility to lead. America had better get on with the job on this issue of bomb testing in particular and disarmament in general.

This is all the more important at the moment because there are indications coming from the United Nations Disarmament Subcommittee in London that the Soviet leaders may have decided to take the whole arms control question more seriously. Certain pressures have exerted themselves on Soviet leaders inclining them to consider the possibility of serious negotiations. In part these pressures are:

1. Soviet awareness that new weapons are so destructive that in an allout war all nations, including their own, might perish;

2. Soviet recognition that neither external blandishments on the part of the U. S. S. R. nor internal dissension has resulted in the disintegration of NATO and other free world alliances. These remain intact and the Russians know that with our strength in Europe and with our bases located in key spots in the world we are prepared to help defend free countries against aggression, and if a Soviet attack is launched, we can respond with devastating counter attacks from many bases;

3. Soviet concern that the United States will achieve a ballistic missile that can reach the Soviet Union from overseas bases before the Soviet Union develops the intercontinental ballistic missile necessary to reach the United States from its territory;

4. Soviet realization of the danger that other nations, not now in possession of atomic weapons, may begin to develop nuclear weapons;

5. Soviet fear that uprisings of the peoples of Eastern Europe might bring about conflict with the United States and other Western nations;

6. Soviet concern over loss of prestige and acceptance due to their ruthless suppression of the revolt of the Hungarian people;

7. Soviet doubts about the reliability of satellite troops or even of their own troops;

8. Internal Soviet economic pressures resulting from a labor shortage, the high cost of modern armaments and the need for drastic reorganization of the Soviet economy.

While these pressures may combine to promote new interest in a limited arms agreement between the Soviet Union we should not expect the Soviet leaders to drop their imperialistic aims. On the contrary, we should expect them to continue and increase and emphasize all political, economic, and psychological competitions. The Kremlin may have decided against blowing the world to bits, but its strategy continues to stress picking up the world bit by bit.

Disarmament like many of the problems I have already mentioned is a tough and difficult one. We Americans have too often tended to believe that each defined problem carries with it a possible ready solution. We have had a certain complacency toward extremism, a persistent demand for total solutions, and an impatience that fails to consider our increasing necessity to accept the hazards and inconveniences of being a great power. To the extent that this is still true of us, we need to mature. Unless we do, we shall not be equipped for the complicated new challenges that will face us for perhaps the next generation.

I have just given you in a rather haphazard way some of my basic impressions from the United Nations. I could give you many more, for the U. N. represents in its personnel, its membership, and its agenda the best index we have to the problems presently tormenting people everywhere.

The United Nations should not be a strange place for an American who comes from a country built from different backgrounds, races, creeds, and national origins, or for a Minnesotan whose very State is a United Nations in miniature. The U. N. today costs us a little money, but our total annual share of the U. N. bill, including the specialized agencies is equal to what 10 hours of World War II cost us. And yet in the U. N. we have an instrument which not only gives us all of the opportunities to focus our attention on all of the problems which I have already mentioned, but it is an instrument which can chalk up to its credit the practical achievements of a large collective victory effort in Korea, the Declaration of Human Rights as a code for conduct for the rest of the century, and the atoms-for-peace proposal which can open up vistas of productive man-saving energy for the future and much more.

MIDDLE EAST

Let me now make an abrupt change of pace in order to give you the second report I promised you today. For a few minutes I should like to summarize my conclusions after an intensive 1 month, on-the-spot study of the Middle East. I have just returned from a visit to that part of the world in my capacity as chairman of the Senate Subcommittee on the Middle East. I spent several days each in Egypt, Israel, and Lebanon, and flew over much of the entire area. I talked to statesmen, politicians, church and welfare workers, soldiers, and refugees. Let me give you my frank analysis, distilled from many interviews and observations.

The foreign policy of the United States has failed to keep pace with our obligations and responsibilities in the Middle East.

In an area of the utmost strategic importance to ourselves and our allies, we have for too long pursued a policy of drift and improvisation.

We have confused our friends, and we have not retarded our enemies.

Without further delay, the United States must formulate and implement a policy which comprehends the dimensions of our role in the Middle East and which responds realistically to the needs and aspirations of the peoples of the region.

The fact is that we have been increasingly engaged in the Middle East since 1947 when the Truman doctrine committed us to halting the Soviet military menace to Greece and Turkey. Since then, as the British and French relinquished their positions inevitably we have inherited new responsibilities. But because we have shown no real initiative in dealing with the region's problems, we have also inherited the enmity and suspicion once directed toward the colonial powers and we have failed to build on the residue of goodwill they left in the region.

To put it bluntly, our policy has concerned itself too much with kings and oil, too little with people and water.

We have conceived of the security of our interests in the Middle East in terms of military pacts, arms agreements and advance bases, when it depends in fact on our ability to win the support and friendship of the region's 40 million people.

The Eisenhower doctrine has served an important purpose in notifying the Russians of where we stand. It can be a framework for a policy. But it cannot of itself undo the fact of Russian penetration in the Middle East or avert the danger of increasing Communist influence.

Only a policy which satisfies the demands of the peoples of the region for an improved standard of life in a decent social order can do this.

The United States, in other words, must now bolster the Eisenhower doctrine by a policy which comprehends and attacks the real causes of the social and political turmoil that threaten to destroy free world interests in the Middle East.

These are the realities with which such a policy must deal:

1. That since the 1955 arms deal with Egypt, the Soviet Union has been in the Middle East waging an all-out campaign to subvert the region with arms, propaganda, commercial missions, military technicians, and agents of every kind.

2. That the masses of the Middle East are in revolt against poverty, serfdom, ignorance, and disease.

3. That the legitimate aspirations of the Arab peoples are being diverted and exploited by Nasser and by the Communists into a xenophobia which fixes responsibility for every ill, fancied or real, on the imperialism of the West.

4. That the Arab refugee problem and the lack of Arab-Israel peace are being exploited by the Communists to their own advantage.

5. That the influence both of Nasser and of the Communists reaches out across national boundaries and over the heads of government to infect millions of people, with the result that the security of every Arab regime depends on the support of its army.

These are the political facts of life in the Middle East today. Whether we like them or not, we can no longer afford to ignore them.

The Middle East needs time to develop its resources for the benefit of its people. But the pressure for change, for social advance, for an end of poverty and ignorance will not wait for the region to mobilize and exploit its resources on its own. No country in the Middle East and certainly no Arab country has the experience or the skills and few the funds to stave off communism by pushing development on a scale and at a pace commensurate with the need. The area could be lost to the Communists without a single military move unless we place at its disposal the wealth of our experience and where necessary the funds required to step up the process of human rehabilitation and social progress.

The imperatives of an effective American policy, therefore, are:

First, to attack the basic causes of economic instability which lie in the deprivation of the masses;

Second, to remove the causes of political instability which lie in the rebellion against poverty, in the existence of 900,000 refugees whose hopelessness makes them readily susceptible to Communist agitation, and in the lack of peace between the Arab States and Israel.

It is of the utmost importance, however, to pursue these objectives without lending credence to Communist and Arab nationalist charges of imperialism. We must take cognizance of the importance of the nationalist psychology in the new states of the Arab world which insist upon self-expression, freedom from any kind of foreign domination and the right to work out their own destinies as independent nations. We need to cooperate not to dominate.

MIDDLE EAST DEVELOPMENT AGENCY

For this reason, as well as for many others, the idea of creating a Middle East Development Agency, composed of all the states in the region and in the Mediterranean area plus other states contributing to its capital, has much to commend it. Such an institution could be a decisive new element in the Middle Eastern situation and a catalytic agent which might precipitate solutions for many of the most vexing problems of the region.

Such a Development Agency could undertake projects itself, lend money to either private or public agencies, and participate in equity financing, in the manner of the International Finance Corporation. It could manage projects. It could carry on scientific research in such matters as soil fertility. It could make basic engineering surveys and contribute to the drawing up of overall regional development plans. Furthermore, it could carry on long-term technical assistance.

Its advantages would be political and psychological as well as economic.

It would divert the attention of Arab leaders from military adventures to internal economic development. Turning Arab energies into constructive channels would eventually lead to institutional and social changes, such as the growth of a middle class, which would have a beneficial and stabilizing influence.

It would provide a means of channeling Arab oil revenue into productive uses which would benefit the entire area, thus utilizing part of the presently existing hard-money resources of the Middle East for the financing of regional development.

It would be an international entity with which the states of the area could carry on bilateral negotiations and bilateral economic agreements.

It could aid in the solution of the Palestine-Arab refugee problem. The only long-term solution for the refugees is basic economic development, which will make it possible for the area to support more people at a higher standard of living.

It could encourage international acceptance of the Jordan River plan and similar development projects involving more than one state.

It could give technical assistance and supervised farm credit to farmers settling on new lands coming into production from the development of the Jordan, the Litani, the Tigris, the Euphrates, and the Nile.

The creation of a Middle East Development Agency in the terms here suggested would emphasize the fact that it is in the interests of all concerned to move from intraregional feuding to intraregional cooperation for development.

Most important, perhaps, such an agency would encourage a regional approach to the problems of Middle East development. Isolated projects here and there, financed by bilateral aid from the United States, obviously offer no real answer to the needs of the region. Even a cursory look at its resources reveals the absolute economic interdependence of the states of the area and the necessity of intraregional cooperation. All of the region's major rivers, for example—the Tigris, the Euphrates, the Jordan and the Nile—flow through more than one state. Their development for irrigation and power depends on agreement between the states concerned. Oil produced in Saudi Arabia and Iraq must be transported to market across the territory or through ports controlled by other states of the region. Industrial development hinges upon the opening of mutual markets, a freerer exchange of goods among the several countries of the region as well as trade with the rest of the world. The essential patterns of regional cooperation and development cannot be produced by a series of bilateral arrangements with the several nations of the area.

PEACE

The lack of peace between the Israel and Arab States is still a major source of tension and political unrest in the region, forcing the states of the area to divert funds which could be used for human welfare to nonproductive military purposes. American policy should maintain a constant and unrelenting pressure on all of the states of the region to resolve this conflict once and for all through direct negotiations through an intermediary such as a U. N. Good Offices Commission. Not since 1952 has the United States, either in or out of the United Nations, made a determined effort to bring about a peace discussion between the parties. Not even the recent crisis was utilized persistently to press for peace objectives in the region. After 10 years of temporizing with this situation, it is time to insist that the nations involved come to terms—and the only way of producing a settlement acceptable to both sides, and therefore durable, is by insisting that they reach a settlement themselves.

REFUGEES

Nor can the United States or the West afford to temporize further with the problem of Arab refugees.

Living on a bare subsistence level in wretched camps maintained by the United Nations, rootless, jobless, disillusioned, and embittered, these hapless people, now nearly over 900,000 strong, are a challenge to the conscience of humanity.

The refugee camps have become hotbeds of political intrigues deliberately fomented by Communist and anti-Western Arab agitators. They are breeding grounds of hatred for the United States and sources of political instability for the countries that harbor them.

Half of the refugees are now under 15 years old, a fact of tremendous significance in terms of an ultimate solution of this problem. It means that, despite the clamor of professional refugee leaders for a return to Palestine and the insistence of the Arab Governments on repatriation of all to their former homes, half of the refugees have in fact no roots in Palestine at all. They were either less than 5 years old when they left that country, or were born in the refugee camps in Arab States. To return them now to an alien society they have been taught to despise would be as unthinkable as abandoning them to nature in the appalling atmosphere of hopelessness which pervades the refugee camps. The destiny of these young Arabs clearly lies in the opportunity for a productive and self-reliant life in an Arab environment and culture.

Since the responsibility for creating the Arab refugee problem derives from the Palestine War and the United Nations Partition Resolution, the world community must share the blame for letting the problem go unsolved for 10 long years. In the United Nations we have salved our conscience by contributing to the support of these unhappy people without coming to grips with the real problem of assuring them the opportunity for a decent way of life. It is high time that the United States took the initiative in and out of the United Nations to bring about a final and effective solution of the problem.

The facts of the situation themselves point to the only possible solution—the provision of permanent homes and decent livelihoods in the Arab States for the vast majority and a recognition and willingness by Israel to accept and repatriate a limited number on a yearly quota basis.

Iraq is desperately short of people. Rich in resources of oil, land, and water, Iraq needs additional population to exploit its potential productive capacity. Experts estimate that the country could absorb at least 3 million, and perhaps as many as 5 million additional people. Iraq, moreover, has shown a disposition to accept immigrants from the refugee population. Five thousand have already been taken in without any appeal for United Nations assistance by the Government of Iraq. With help from the international community to defray costs of resettlement, the entire refugee population could readily be absorbed in that country alone, with benefit to the indigenous population.

Syria, while less richly endowed with natural resources, is also underpopulated. With some help, it could assimilate a substantial number of refugees with benefits to itself.

As many as 200,000 of the refugees could be settled in the Jordan Valley if the proposal advanced by the United States for developing the Jordan River Valley were accepted by the Arab States. Syria's objection, based on its determination to retard Israel's progress even at heavy cost to itself and Jordan, is all that holds the project up.

The fact is that the Arab States have for 10 years used the Palestinian refugees as political hostages in their struggle with Israel. As a matter of concerted policy, these people have been kept penned up in the camps in conditions of wretched hopelessness in order to embarrass Israel before the eyes of the world. While Arab delegates have shed crocodile tears in the United Nations over the plight of their brothers in the refugee camps, nothing has been done to promote a final settlement lest political leverage over Israel be lost.

This is not to say that Israel has no responsibility for cooperating in an ultimate solution of the problem. The Government of Israel has already disclosed its willingness to compensate the refugees for property left in former Palestine; the United States has offered to lend Israel the money. All that is necessary is to set up the machinery and establish the procedures under which just compensation would be paid.

Repatriation of all, or even a large number, of the refugees by Israel, on the other hand, is no longer possible. In the first place, Israel has accepted and settled some

900,000 immigrants, half of whom were in fact refugees from Arab States where repressive measures have made their lives intolerable. Furthermore, surrounded by nations which insist upon exercising rights of belligerency against her, it would be suicidal for Israel to admit a large group of immigrants whose whole indoctrination for the past 10 years has been one of hatred for the Jewish State. To do so would be to establish a fifth column inside the country. Finally, from the viewpoint of the refugees themselves, repatriation to Israel would result in bitter disillusionment. They would necessarily have to live in a society foreign to their own background and culture and assume all the obligations of citizenship in a state which they have been taught to despise.

Nevertheless, as Prime Minister David Ben-Gurion told me, the Government of Israel would be prepared, in the context of a general settlement of the problem, to admit a limited number of refugees who would pledge to become constructive and productive Israeli citizens and not subversives. Hence Israel should be willing to recognize the principle of repatriation, provided that principle is implemented only by token numbers of refugees, perhaps admissible on a quota basis.

All of these things should be carefully explored by a new United Nations Good Offices Commission. It should be the duty of this Commission to press unremittingly for a breakthrough on this critical refugee problem.

As we look at the whole Middle Eastern situation, it seems to me that it has been clear for some time that the only realistic basis for an effective American policy toward the Middle East is one which rests on the following assumptions:

1. That Israel is an integral part of the region and is there to stay;

2. That the 1949 armistice boundaries constitute inviolable political boundaries subject to change only by the joint agreement of the states concerned;

3. That resettlement in Arab lands, with compensation for property left in Palestine, is in fact the only effective and realistic way of solving the Arab refugee problem;

4. That the stability and security of the region demands an early settlement of the Arab-Israel conflict.

But these basic premises of any reasonable American approach toward the Middle East have been obscured by a policy characterized by ambivalence, vacillation, and expediency. We have, in fact, often encouraged opposite suppositions. It would be healthy both in terms of our relations with the region and in terms of our relations with the Soviet Union now to reassert and reemphasize the fact that this is where we stand.

By moving simultaneously toward regional development and social progress, toward a final disposition of the refugee problem and toward a negotiated Arab-Israel peace, we can make our position unequivocably clear.

When we have done that, we will be better understood, and therefore better liked and trusted by the people and the natives of the Middle East.

In the context of a clear and positive policy, there are many other steps which can be taken to improve understanding between ourselves and the people of the Middle East.

1. We should improve the signal of the Voice of America. In an area which is 80 percent illiterate, Radio Cairo, Radio Damascus, and Radio Tashkent put forward a Nasser, and/or Communist line, and are heard and believed by millions. Our Voice of America does not begin to reach this vast audience, nor is its program geared to meet the realities of the present situation.

2. We need more conferences on a regional level by American Foreign Service personnel in the Middle East. Not only do we need more frequent conferences between American Ambassadors assigned to the Middle East countries, but we need similar conferences for second- and third-level personnel. This is the best way I know to broaden viewpoints and to save our own Foreign Service personnel from the dangers of overzealous advocacy in the interests of the particular country to which they are assigned.

3. We should enlarge the exchange of our military personnel. The military plays a role in the Middle East which is perhaps larger than any other single element in the society. We should not overlook the role which American military, naval and air training schools can play in the general picture. Incidentally, I was shocked to learn that Israel is not included in our military exchange program. I have recommended to the Secretary of State that Israel be included and I am told that plans are now underway.

4. We must increase the ordinary student exchange between the United States and the Middle East. American-sponsored colleges and universities in Beirut, Cairo, Tel Aviv, and Jerusalem are positive and constructive forces for freedom and progress. They are in desperate need of new sources of endowment. Their situation could be eased by a new injection of American public and private funds for faculty and student scholarships and facilities assistance.

5. We should do much more to encourage the operation of voluntary agencies like CARE. I was startled to discover in Egypt that CARE has been deprived of access to our food surplus storage despite the need in Egypt following the British and French attack.

This leads me to a sixth and final point which is perhaps the most important single recommendation I would make following my survey in the Middle East.

6. Food is the common denominator of international life. Food and fiber are a great potential force for freedom today. It can be an active instrument of our foreign policy.

I am convinced that our official policy at the moment is far too shortsighted. A disservice has been done to the American people by creating the impression that our abundance is just an unwanted problem instead of a blessing.

I know from what I have seen that American food and fiber are vital to the very existence of thousands of undernourished people in the Middle East—the brightest ray of hope for building stronger economies and greater political stability in most of the countries I visited.

I wish every Minnesota farmer who has been told he must drastically cut down his production could have walked with me through the Palestinian refugee camps in Lebanon, the orphanages in Greece, or among the masses of unemployed huddled in shanty towns in Spain. I wish they could have seen the young hands outstretched for food, and heard the appeals for milk from haggard and worried mothers.

More of our food and fiber can be marketed for foreign currencies if we expand and extend Public Law 480. Here is an area for positive progressive action and one which vitally affects the people of Minnesota. When I return to Washington on Monday, I shall open 3 weeks of hearings on this particular problem—the expansion and extension of Public Law 480. The possibilities are enormous and I intend to do something about it.

And, now let me conclude.

One of my most cherished friends at the United Nations was the great Foreign Minister of Lebanon, Dr. Charles Malik. I had a long and rewarding visit with this world statesman in Beirut only a few weeks ago. He is a sincere and devoted friend of the West and has been heavily criticized for it by some of his fellow countrymen. Dr. Malik once wrote:

"If the habits and institutions of the West are not adapted for the production of a ringing message, full of content and truth, satisfying the mind, appealing to the heart, firing the will, a message on which one can stake his life, then in the present world the West cannot lead. The world prefers a false prophet to no prophet at all. Leadership must pass to others, no matter how perverted.

Dr. Malik continued: "If your only export * * * is the silent example of flourishing political institutions and happy human relations, you cannot lead. If your only export is a distant reputation for wealth and prosperity and order, you cannot lead. Nor can you really lead if you send forth to others only expert advice and technical assistance. To be able to lead and save yourself and others, you must above everything else address their mind and soul. Your tradition, rooted in the glorious Greco-Roman-Hebrew-Christian human outlook, supplies all the necessary basis for leadership. All you have to do is to be the deepest you already are."

How completely I agree with Dr. Malik. Whatever may be the weakness and shortcomings of this Nation, let us hope that we still have one saving glory: the liberal and liberalizing faith that there is more of compassion than of cruelty in this land; more of generosity than selfishness; more of faith than fear.

If this Nation can show the world a way to eradicate the shame and scandal of poverty, of exploitation, of oppression, of greed, without resort to violent revolution and class struggle and dictatorship; if we can place these material values in their proper subordinate place within the context of a mighty spiritual movement which will be revolutionary without being subversive, which will draw its substance from the riches of the Western tradition, then our faith will not have failed us.

Friends, if these things are not the elements of the liberal tradition to which this conference and our Democrat-Farmer-Labor Party is dedicated, then I do not know what those elements are. If I were not sure that these are the ultimate and indispensable underpinnings of American policy, I would not feel that we would be entitled to have much hope for the future. As it is, I do.

THE REPUBLIC OF PERU

Mr. MANSFIELD. Mr. President, in the Christian Science Monitor for June 1 and June 3, 1957, there appeared two articles relative to the present situation in Peru. One of the articles has to do with the contributions made by Dr. Pedro Beltran, owner and editor of La Prensa, which is published in Lima.

Dr. Beltran is one of the hemisphere's great democrats. The Americas—North and South—can well be proud of this man for his courage, his understanding, and his tolerance. As a newspaperman, he is trying to bring the truth to his people, and, as a Peruvian of the first water, he has tried to bring about reforms to keep his country on an even economic and political keel. It is hoped that Mr. Beltran and the present President of the Republic of Peru, Dr. Prado, will have success in their efforts. It is my opinion that the Government of Peru at the present time is operating on a democratic basis. As one who has visited there in recent months, I want to report to the Senate how tremendously I was impressed with both the country and its people. We are indeed

a fortunate people that the Peruvians call us friends.

So far as investments from overseas is concerned, the Government of Peru has welcomed American capital and has welcomed it from other sources on a reasonable and fair basis and in a way which will accrue to the benefit of the Peruvian economy.

I ask unanimous consent that the two articles to which I have made reference may be incorporated in the RECORD at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor of June 1, 1957]

EDITOR SPARKS PERU'S PENAL REFORM

(By Robert M. Hallett)

LIMA, PERU.—One way to reform a penal system is to send newspapermen to jail.

That is what Peru found out anyway. Largely as the result of the imprisonment of Dr. Pedro Beltran, owner and editor, and other members of the staff of La Prensa during the Odría regime, fundamental changes in the physical plant and operations of the penal system here are planned.

Although Dr. Beltran, one of the most influential publishers here, had been personally close to Gen. Manuel Odría when he came to power, he broke sharply with him when the general began to become more and more totalitarian. Toward the end of the regime the paper was the most outspoken foe of the regime.

Its constant criticism began getting under the skin of the regime. One midnight about a year ago the downtown block in which this morning paper is published was besieged by a small army of police. Unable to get past the newspaper's iron gates, the police lobbed tear gas shells into the plant.

Dr. Beltran and other members of his staff withdrew into the interior of the building. The police then brought firemen to the scene in the hope of using their ladders to invade the upper stories. The firemen refused to be a party to this and withdrew.

ANTHEM CHECKED POLICE

Finally the policemen broke a window in the plant and poured into the building. The final recourse of the editor and his staff was to sing the national anthem which forced the police to stand at attention. After about a half hour of this, however, their voices gave out.

The only orders the police had were to arrest Dr. Beltran. But other members of the staff who had gathered around him defensively refused to let him go alone.

Thereafter, typesetters, doormen, machinists, and writers walked in a group down the stairs and through the streets to the penitentiary. In the early hours of the morning Dr. Beltran and some of his associates were taken in a tug to El Fronton, an infamous island for prisoners that juts rocklike out of the harbor of Callao, Lima's port.

The island was a penal colony not only for hardened criminals but also for those arrested for making a political nuisance of themselves or those being held for trial. In Peru the number in the latter category is many times higher than those already sentenced. This leads to terrific congestion in the jails.

FILTHY AND CRAMPED

Dr. Beltran was taken to a large room with a broken cement floor covered with cockroaches. There was only one table. The food was terrible. And for 50 persons in the room there were only 12 mattresses.

They had to sleep in shifts cramped together on the mattresses as best they could. There were no showers, no sanitary facilities. And at times the water supply, which was carted from the mainland, ran out.

Political prisoners were allowed virtual freedom of the island. To reinforce the almost medieval atmosphere the guards on the island carried woven leather whips to maintain discipline.

Walking about the island Dr. Beltran and others had an opportunity to see how the regular criminal prisoners were treated. In one part were the "solitary" cells about 5 by 8 feet with only one tiny window which faced on an outcropping of rock. The cells had no facilities. Some did not contain even mattresses. The men never were allowed out of those cells—sometimes for as long as 3 months.

Dr. Beltran and other political prisoners who were able to have food sent in from the outside sometimes shared it with these unfortunate prisoners.

ON ISLAND 4 WEEKS

The publisher was kept on the island for 4 weeks. Many of his associates were let go much earlier.

Meanwhile, the imprisonment of this prominent man had sounded alarms in editorial rooms throughout the hemisphere. The Inter-American Press Association kept up a constant barrage of propaganda against the regime for jailing the publisher. Dr. Beltran attributes his release to this international pressure.

While Dr. Beltran was in prison, the regime told his wife, a native of California, and La Prensa editors it would not prevent the paper from coming out but that censorship would be imposed. The editors refused to accept censorship, and finally the government backed down and let it appear without censorship even before the editor was released.

After his release Dr. Beltran's main preoccupation for some time was with elections which were held last June. However, some time later a mutiny broke out on El Fronton, and La Prensa jumped into the issue, exposing conditions there in detail.

MAJOR REVAMPING DUE

On May 21 Augusto Thorndike, Justice Minister, visited El Fronton and announced major revamping of the prisons which will be presented to Congress. Other minor reforms in the practices at El Fronton and other jails have been introduced already.

Every man at El Fronton will have his own cot and mattress. Food conditions are being improved. Sanitary facilities have been installed. Adequate water is guaranteed.

In addition, it is proposed that 150 million soles ($1 equals about 19 soles) be spent to build new penitentiaries in Lima and elsewhere. Conjugal visits will be allowed and 1 day's "vacation" a week will be given the well behaved.

With reform of the civil code and penal procedures the Justice Minister believes Peru may have one of the best penal systems in the world rather than one of the worst.

[From the Christian Science Monitor of June 3, 1957]

MILITARY POWER IN BACKGROUND: PERU CONTINUES EXPERIMENT IN DEMOCRATIC GOVERNMENT

(By Robert M. Hallett)

LIMA, PERU.—Last July the Peruvian Congress and President declared Peru a democracy by act of Congress; and another dictator, Gen. Manuel Odría, went into the discard.

Almost a year later Peru is still functioning as a democracy, which is encouraging not only to its own people but to those of other countries in the hemisphere as well. But the roots of free government do not run deep in this country of sunbaked deserts, cold and barren altiplanos, and low-lying jungles.

The Inca Empire which centered in Cuzco, Peru, was a benevolent dictatorship. Spanish colonial control brooked no opposition, and after the country won its independence dictatorship and military rule have been the custom.

Democracy is a comparatively new experience for Peruvians. And for the most part they seem extremely pleased with it.

But there are forces in the country that threaten these free new institutions. Major mistakes by the regime of President Prado could bring back military control of the country.

By the same token a sane stable rule by the constitutional government could set a precedent that might be difficult for an ambitious military man to break.

So in effect Peru's democracy is on trial.

COOPERATION WITH LEFT

Dr. Prado, a traditional Peruvian conservative, who has, however, been sticking pretty much to the middle of the road, has been governing under a "convivencia" or collaboration with the Apristas, left-wing party. The military has a deep distrust of the Apristas. Should the regime give them too much power, ultraconservative forces and the military might once again lower the boom.

This happened once before. In the mid-1940's the Bustamante regime, another era of democratic experimentation, gave what other elements in the body politic considered too much power to the Apra. Result: General Odría came to power in a conservative-army reaction against this in 1948. Apra was outlawed.

Behind the scene today the military is still the strongest political force. It gained much respect with the people by permitting free elections last year and keeping hands off since that time.

Dr. Prado apparently knows he is walking a tight rope between left and right. He knows just about how far he can go in working with the left before the military step in.

CAUTIOUS PROGRESS

While left-of-center groups do not consider the present government sufficiently revolutionary in program, the President and his party (Peruvian Democratic Party) are giving some indications of moving forward cautiously.

The President set up a commission representing all political colorations to study plans to improve housing of the poor and to initiate a program of agrarian reform. The report on housing is about to be submitted to the President.

Dr. Pedro Beltran, publisher of La Prensa and head of the commission, has gone to Rome to study agrarian land reform in that country and elsewhere.

Manuel Cisneros, foreign minister and head of the President's party, said that the main purpose of the regime is to firmly plant democracy in the country. Each day it becomes more difficult for an ambitious military man to gain power, he said.

The Prado forces in Congress are usually backed not only by the Apristas, many of whom ran as independents in the elections, but also by the National Unification Party which represents the rightist elements in the country. In addition, the Christian Democrats, a small party making some headway here, sometimes vote with, sometimes against, the regime.

BLUNDERS ADMITTED

The Apristas have learned much since 1948 when they were suppressed. Prior thereto, Apra leaders were extremely immature and admittedly blundered by trying to rush the country too fast toward reform, about the details of which they were not entirely in agreement themselves.

Now Apra leaders are older and apparently wiser. They know they cannot push too fast, which explains their willingness to work with the regime. The difficulty is that while the leaders know this, there are elements among the lower echelons of the party that are as eager as ever for prompt reform in a country which has been ruled traditionally, both economically and politically, by a few hundred privileged families.

The more aggressive sectors of the party believe the convivencia with the government allnes them with these traditional conservative ruling groups and against progress. Also they question what value the agreement (which the Prado people deny is a formal pact) has for their party. They hold no Cabinet seats.

However, the party, illegal under General Odría, has been given legal status and some minor patronage by the regime in return for its support in the elections and in Congress.

An Apra convention in June will prove whether the leadership is strong enough to stay in power or whether the "Young Turks" will have their way. It is expected that the leadership will prevail.

Since the Apra as a party was not able to participate openly in the 1956 elections there has been no relative test of the party's strength. Some Peruvians feel it has lost a considerable amount of its force over the long years of suppression.

And there is another leftist group that has come up rapidly in the country. This is Acción Popular, party of Fernando Belaúnde Terry. Some believe this group, because of the dynamic leadership of Señor Belaúnde, an architect, has taken over much of Aprista strength.

After a whirlwind campaign, Señor Belaúnde came within 100,000 votes of winning the presidency last year. The Belaundistas and the Apra have somewhat similar aims. Each seeks a fundamental revolution in the way of life of Peru.

Each wants to lessen the role of the small clique of wealthy families who have ruled the country for decades. Both seek to improve the lot of the Indian and the humbler classes of society.

SLOGANS WAVED

Apra was born in the post-World War I ferment when communism was a challenging new concept. While the party has long since turned against communism (it claims it is today communism's No. 1 foe in Peru) it still retains in its program issues like Inter-Americanization of the Panama Canal, action against imperialism, and solidarity with oppressed peoples throughout the world. It was originally intended to be an international movement. It did not catch on outside of Peru to any major extent.

The Belaundistas reject all international slogans of the Apristas and focus on national matters. One of the main points made by Señor Belaúnde is that Peru needs a revolution in credit. His point is that the humbler citizen has no means of getting money from banks or insurance companies to do business or better his farm output or housing under the present setup in the country.

The savings of the people must be put to social use as they are in the United States through savings and loan associations and life insurance company investments in housing, Dr. Belaúnde says.

Future elections will provide a real test between the Acción Popular and the Aprista forces.

Despite differences among the various politicians in the country there is still a feeling on the part of the majority that Peru has entered a new democratic period which must be defended at all costs.

"The differences that we have with the government do not mean we are in favor of new military coups," one Christian Democratic leader said. "My party has criticized severely some measures of the government but we believe firmly in democracy. All other objectives must be subordinated to this."

INDEPENDENT AIRLINES ASSOCIATION

Mr. SPARKMAN. Mr. President, a significant development recently occurred in the air transportation industry. The independent airlines—the rugged veterans of the Berlin, Korean, and Hungarian refugee airlifts—have joined together in one association for greater efficiency in the industry and greater service to the country. The name of the association is the Independent Airlines Association. I am happy to note that Jesse P. Stallings, of Nashville, Tenn., a graduate of the University of Alabama, and the son of a former Representative in Congress from Alabama, has been elected president of the association.

The independents are the small business element of the airline industry. Formerly known as the nonscheduled lines, they have recently been officially designated by the Civil Aeronautics Board as supplemental air carriers. These airlines get no subsidy, and they ask for none. They are willing and able to fly anywhere at any time in service to the general public or the military. They are an essential element of the Nation's reserve airlift for use in case of national emergency.

Restricted as to the amount of civilian common carriage business they may do, the independents have developed the market for peacetime transportation of military personnel. They have not always been met with cordiality at the Pentagon. I urge the Military Traffic Management Agency to look upon this Independent Airlines Association as a partner in swift, safe, and economical transportation of military personnel, and to make greater use of their services than they have in the past. The Military Air Transport Service should be guided by the same principles in contracting for commercial transportation.

The independent airlines will produce even greater economies to the military now that the recent 15 percent fare increase to the eastern railroads will, according to a recent article in the Washington Post, raise the military's rail transportation bill by $40 million in 1 year.

So on the occasion of this organization's creation, bringing together the carriers of the Aircoach Transport Association and the Independent Military Air Transport Association, I offer congratulations and best wishes for long service as a plowshare of peace and, if necessary, a sword of war.

GAS-RATE CONTROL

THE PHONY STANDARD OF SO-CALLED REASONABLE MARKET PRICE IN GAS-RATE CONTROL

Mr. WILEY. Mr. President, very shortly, apparently, the House Interstate Commerce Committee may commit the unfortunate error of reporting favorably on the Harris bill, H. R. 6790.

The net effect of this bill will be to cause an inflationary price rise in the natural-gas rates as paid by 30 million American consumers.

It is most unfortunate that the administration has not seen its way clear to oppose this dangerous proposed legislation.

I say very frankly that it is strangely self-contradictory for an administration which contends that it is opposing inflation to recommend and to support so inflationary a bill. It is a bill which will probably boost prices for consumers and industry more drastically than virtually any other piece of legislation which will be enacted during the 85th Congress.

ADMINISTRATION WITHDREW TWO AMENDMENTS

Even the two feeble amendments which the administration had previously favored in order to provide some potential protection to the consumers have now virtually been withdrawn. So, the consumer is left utterly unprotected.

The bill, as it now stands, is, I say in all candor, a work of deception.

THE FALSITY OF THE BILL'S SO-CALLED YARDSTICK

It purports to provide so-called controls. Actually, it offers no such thing. The so-called reasonable market price which it sets as a standard is really no standard at all. It will be virtually impossible for the Federal Power Commission to effectively regulate gas rates on the basis of such a fuzzy and unenforceable standard.

This is particularly so, because the Federal Power Commission has shown itself to be no friend of the consumer.

With the Commission's present composition, it is clear that nothing short of a strong public-utility-type formula for rate control on the statute books will suffice to protect the consumer.

MONITOR EDITORIAL CONDEMNS BILL

I ask unanimous consent that the text of a legal memorandum analyzing the meaninglessness of so-called reasonable market price be printed at this point in the body of the RECORD, to be preceded by a recent Christian Science Monitor editorial on the same general subject.

There being no objection, the editorial and memorandum were ordered to be printed in the RECORD, as follows:

GAS AND COMPETITION

When President Eisenhower vetoed the bill for freeing natural-gas producers from Federal price control he did so because of arrogant lobbying employed to obtain its enactment. He said then he favored the general purpose of the bill. And he has now withdrawn even the suggestion for amendment he made last year. Today he sees as unnecessary any provision to let the Federal Power Commission look into costs of production.

Without more evidence of effective competition we are unable to share his confidence that in such case consumers would be adequately protected. Gas producers make a strong point in contending that they do not occupy such a monopoly position as most suppliers of electricity—which has led to close regulation. But they are inaccurate in saying they are like coal producers. For the consumer of gas has to buy from one supplier. At the consuming end monopoly does prevail.

For this reason the FPC has authority to regulate prices charged by distributors. But distributors declare that their prices are eventually determined by what they pay producers. This means that the producer really sets the consumer's price. Just how much competition exists among producers is not clear. Some of them are giant oil companies with their own pipelines.

In two respects an open market situation does not govern: The householder who has installed gas-using equipment cannot easily shift to avoid a gas price rise; the pipeline that has built feeders to a certain producer's wells cannot easily shift if he boosts the price.

Billions are at stake in this legislation and Congress should not plump for it until sure it is fair to both ends of the pipeline.

A LEGAL ANALYSIS OF H. R. 6790, 85TH CONGRESS, 1ST SESSION (HARRIS BILL)

First, let us see what the bill purports to do; then, let us see how the criteria for control as set forth in the bill, are utterly useless and unenforcible.

BREAKDOWN OF THE BILL

The bills under consideration purport to prescribe the following controls:

Producers as such are exempted (sec. 2 (a), p. 2).

Jurisdiction is retained over prices in contracts.

New contracts: Indefinite price clauses are prohibited in new contracts (13A (a), p. 5).

Definite price clauses, including those with specific increases at definite intervals and negotiation clauses (sec. 3 (13), (14), (15), pp. 4–5), are permitted in new contracts but may be opposed by utilities, cities, etc. (sec. 13B (2), p. 6). If found by the Commission to be in excess of reasonable market price then contracts containing such clauses are void (sec. 13A (f), p. 9).

Existing contracts are validated (sec. 5 (a) (b), p. 19), except an indefinite price clause which, at the date of enactment of the new law, is subject to a proceeding instituted by the Commission, section 4 (e), or by some other party, section 5 (a), or is the result of renegotiation of an existing contract, or is a proceeding subject to court review (sec. 5 (a) (b), pp. 19–20). Even these clauses will be valid if the price does not exceed the reasonable market price (sec. 5 (d) (e), p. 21). The Eisenhower administration had recommended that all price clauses in existing contracts be subject to regulation, i. e., not in excess of the reasonable market price.

Pipelines: These remain subject to regulation except that the companies will be allowed to charge a reasonable market price for gas produced by them or purchased from an affiliate (sec. 13 (F), p. 17). This reverses the *City of Detroit* decision. (*City of Detroit v. FPC* (230 F. 2d 810 (CA DC 1955)), and will result in millions of dollars being given pipelines for their own produced gas—a windfall which the court of appeals reversed and remanded in the City of Detroit case.

Determination of reasonable market price (sec. 13C): After listing a number of factors (including the current level of field prices) that the Commission shall consider, the law expressly provides that the reasonable market price is not necessarily any one of those considerations. Thus, in the final analysis, the FPC will be at liberty to determine a price without any specific objective standard. In short, the only objective evidence of reasonable market price will be market price.

REASONING IN A CIRCLE

There is no effective regulation in the Harris bill since the criterion which the Federal Power Commission is to use in arriving at a price for gas is to be a reasonable market price. The rate formula of reasonable market price involves reasoning in a circle and cannot be an effective regulatory standard. It must necessarily be vague, indefinite and under the conditions and in the circumstances in which the producer segments fits into the economy of the Natural Gas Industry it is a negative definition of reasonable market price in section 13 (C) (4) of the bill.

The regulatory formula established by this bill would require the Commission to use price to find price or in other words it would be starting with what it must find. (See *Federal Power Commission v. Hope Natural Gas Company* (320 U. S 591) wherein Mr. Justice Douglas set forth the same infirmity which was inherent in the fair value theory of rate fixing previous to the Hope case.)

Actually price is being made to depend upon price when price is the end product sought. Of what possible consequence is the price charged by Phillips Petroleum Co. with respect to Sinclair Oil prices or of Humble's oil prices? Actually, there is none. Yet, this is precisely what will occur in practice should this bill become law.

USELESS CRITERIA

To show the ridiculousness of the provisions of section 13 C (2) and 13 C (3) it is only necessary to set them forth First the Commission must consider whether the price of gas as determined by it will assure to consumers of natural gas a continuing adequate supply thereof. The Commission can do nothing which will increase deposits of gas. This claimed principle is not an objective standard but it is merely a suggestive one and the producers are actually the only ones who can tell what this price will be. Furthermore, it seems elemental that the only objective standard which would be conducive to the encouragement of exploration and development is the standard of fixing rates geared to the recovery of cost and profit.

Secondly, the second stated criteria or principle which the Commission must consider under the bill is "whether the contract price was arrived at competitively and at arms-length bargaining." Such a criterion is absolutely impossible of determination. Under regulation the pipelines recoup whatever price they pay. Therefore, they are only interested in the gas, not the price. Furthermore, how is the Commission to ascertain whether or not there is arms-length bargaining? Certainly, neither party would be willing to say that there was not arms-length bargaining and it places the intervenors and the Commission in an impossible position.

The third criteria "the reasonableness of all the provisions of the contract in that they relate to prices under definite pricing clause" also lacks any standards.

Further, the criterion in section 13 C (2) subparagraphs (d) and (e) requires the Commission to consider the quality of the natural gas being purchased and the conditions of delivery. This is practically impossible of determination. All that the Commission can do along this line is determine a reasonable price under some as yet unknown standard and by a process of comparison fix a different price if the quality of the gas and conditions of delivery were different. It would be an impossible task to undertake such a study and the Commission has neither the staff nor the time to engage in such a procedure.

However, the vagueness of the bill is set forth clearly in section 13 C (4) which states as follows:

"(4) The reasonable market price is not necessarily the price of the last sale, the highest price, the lowest price, the weighted highest price, the average field price, or other price arrived at by the mechanical application of a single criterion. Instead, it is a price which the Commission, exercising its judgment and discretion in weighing, among other things directly relevant to the issue, all factors enumerated above, determines is the reasonable market price."

IF ONE PRICE GOES UP, ALL GO UP

It is clear the Commission is not bound by any criteria as is shown by the usage of the words not necessarily. Since they cannot use cost, that is, they are specifically precluded from doing so and they cannot use a traditional rate-base method and if the price to be used is not necessarily any of the things which are set forth then the only conclusion that one can come to is that it is going to be that price which is presently the going price in the field.

As one price goes up in the field all prices will of necessity go up in the field since the reasonable market price will be the last price which any person has paid in that particular field. Consequently, this bill will merely permit companies to charge and in fact force the Federal Power Commission to grant the highest price in the field or the price the market will bear.

ADMISSION OF CERTAIN REFUGEE ORPHANS TO THE UNITED STATES

Mr. NEUBERGER. Mr. President, last January I introduced proposed legislation to admit to the United States up to 10,000 orphans who had been or will be adopted by American families. I was given assurances that this humanitarian and noncontroversial bill would receive prompt consideration by the Congress, so that orphan children adopted by American families could promptly enter our country. To date no action has been taken or scheduled by the appropriate Senate Committee.

At the present time the only way by which adopted orphan children can enter the United States is through the enactment of private legislation in each specific case. This private legislation is time-consuming and costly, and interferes with the regular work of Congress. I have been advised by the staff of the Senate Immigration Subcommittee that a goodly portion of all the private immigration bills deal with orphan children who have been adopted by American families.

Mr. President, the Refugee Relief Act of 1953 provided for the admission of 4,000 orphan children, under the age of 10, who had been or will be adopted by American families. This legislation expired at the end of 1956, and the quota was used up by last October. The President directed the Attorney General and the Secretary of State to admit orphan children under the emergency parole procedures of the Immigration and Nationality Act and to parole them to their adoptive parents. Over 800 adopted orphan children were admitted under this procedure which expired, by executive order, last January 31. Since that time, the only way adopted children of American families could be admitted is through the private bill routine.

Mr. President, I should like to call to the attention of the Senate the dreadful plight of many hundreds of mixed-blood orphan children in Okinawa, Japan, and Korea. These mixed-blood children, fathered by American and other United Nations military personnel, are shunted aside by people of their country and are heavily discriminated against in countries which are poor and overpopulated.

Many children already adopted by American families will die this summer unless Congress takes prompt action for

the admission of these children. Due to inadequate food and water, summer heat, and lack of medicines, these undernourished children may not live through the summer.

Mr. President, I have been advised by the Immigration and Naturalization Service that more than 321 private bills have been introduced in the Congress to admit 381 children already adopted by American families. I do not believe that we want the death of some of these children on our conscience.

Last week I told the Senate of a most pressing military aspect of this problem, namely, that many military families stationed abroad have adopted orphan children and these children have become a part of the family. When the military family is due to be rotated to the United States they are unable to bring their children with them. This aspect of the problem is receiving most careful consideration from the Department of Defense, and I understand that there are many hundreds of families so involved.

Mr. President, I ask unanimous consent to have printed at this point in my remarks an excellent letter which appeared in the Letters-to-the-Editor column of the New York Times of June 9, 1957. This letter is written by the noted humanitarian and Nobel prize winner, Pearl S. Buck, and sums up the status of orphan legislation, and very movingly calls for prompt action by the Congress.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ENTRY FOR ORPHANS URGED—DELAY IN ACTION ON BILLS ADMITTING MIXED-BLOOD CHILDREN QUERIED

(EDITOR'S NOTE.—The writer of the following letter, novelist and Nobel prize winner, is president of Welcome House, an adoption center for American-Asian children.)

To the EDITOR OF THE NEW YORK TIMES:

The most needy children in the world today are some thousands of mixed-blood orphans left behind by occupation forces in Korea, Japan, and Okinawa. There numbers are unknown and others are still being born.

The onus of being the children of conquerors lies heavily upon their innocent shoulders. The onus of being half-white lies still more heavily. They are discriminated against in countries already poor and overpopulated. In cultures where it is difficult, if not impossible, to find jobs except under the sponsorship of family, they will have no families to help them as they reach adolescence.

Yet to their plight the American public has remained indifferent, although most of them are fathered by American men. As these children grow into displaced adults it is all but inevitable that they will become centers of rebellion and revolution. Their hatred will turn inevitably to those who have brought them into being and then rejected them.

LOWEST CLASS CITIZENS

It cannot be wise, surely, to allow half-white children, most of them of half-American background, to grow up in Asia as the lowest class of citizen. It cannot add to the prestige of our own people, or the white man, if this takes place. Yet it is taking place and will take place increasingly, unless something is done for these orphans while they are still children.

Paradoxically, thousands of adoptive parents in the United States want the children. Homes are ready and waiting for them. Money is no problem. The problem is that at present not one of these orphans is allowed to enter the United States. Organizations and individuals who have heretofore with heroic effort and by many devices brought in a few children, can bring in no more.

While cynicism about our brand of democracy mounts in those parts of the world where half-American children live unwanted and too often neglected, let us examine the situation in Washington regarding their plight. Why is there no bill that would allow them to come to waiting adoptive homes?

Briefly, here are the facts:

When the Refugee Relief Act expired in 1956 President Eisenhower requested and Immigration Commissioner Swing authorized the parole into the United States of orphans who had been adopted or whose adoption was under consideration. This was an emergency measure, taken when Congress was not in session, and it is now ended. An extension of the parole has been denied, on the grounds that it would be inappropriate at a time when Congress has pending before it legislation introduced for the purpose of alleviating the plight of the orphans.

PRESIDENT'S PROGRAM

The legislation now proposed is as follows:

The President's own immigration program, submitted to Congress on January 31, contains section 208 authorizing the issuance of 2,500 nonquota immigrant visas annually to eligible orphans who have been or will be adopted by United States citizens;

The bill, S. 1006, introduced by Senator WATKINS, provides for needed changes in our immigration laws and also contains a section allowing an annual quota of 2,500 orphans;

Congressman WALTER's bill, H. R. 4008, provides for an orphan quota of 5,000;

Senator NEUBERGER's and Senator MORSE's bill is S. 866 and provides for the entry of 10,000 orphans to adoptive homes in the United States, and Congressman PORTER has an identical bill;

Congressman CELLER's new omnibus bill in the House is H. R. 3364.

There is an encouraging amount of interest in the mixed-blood orphans in Japan and Korea and Okinawa on the part of some Congressmen. Yet months pass by and the bills thus far introduced are not passed. They are being held more or less permanently in committee, for reasons unknown.

It may be argued that other and more pressing matters face Congress. Is there anything more pressing in the world today than orphans in their need? A few months, a year or two, and then adoption is increasingly difficult until it is impossible. The adjustment cannot be made. Children remain homeless and parents childless.

The passage of a simple noncontroversial bill, allowing for the entry of a specified number of orphans for waiting adoptive homes would take only a few minutes and no money. Parents pay all costs.

Delay, then, is only an excuse, for reasons unknown. It is time to inquire why the delay and what the reasons.

PEARL S. BUCK.

PERKASIE, PA., *June 5, 1957.*

Mr. NEUBERGER. Mr. President, it was my honor to be visited on June 5 and 6 by my friend and constituent, Harry Holt, of Creswell, Oreg. Mr. Holt was in Washington to speed enactment of orphan legislation so that the many hundreds of children adopted by American families could be admitted to our country. Mr. Holt left here on June 7 for his sixth trip to Korea, where he will join his two daughters, who have been in Korea for several months running orphanages for mixed-blood children.

Mr. Holt was recently honored to receive the annual Brotherhood Award of the National Conference of Christians and Jews. This award was presented by the noted editor of the Cleveland (Ohio) Press, Louis B. Seltzer. Mr. Holt has been responsible for bringing over 400 mixed-blood children to the United States and find them good homes in our country. He has done this at the sacrifice of his health and personal fortune.

Mr. President, during Mr. Holt's brief visit in Washington, he was able to confer with officials of the Department of State and Immigration and Naturalization Service as well as with two of the President's aides at the White House, Mr. Max Rabb, secretary of the Cabinet, and Mr. I. Jack Martin. Mr. Holt thus materially advanced the cause of orphan legislation.

I know of no nobler effort than to help these homeless orphan children, many of whom have been fathered by American military personnel. Hundreds of these children have already been adopted and are awaiting entry into our country, and in many other cases American families are hesitant to make adoptions because of the difficulty they will experience in gaining entry for their children. I hope that the Congress will now be able to act promptly on this humanitarian and noncontroversial legislation.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks two excellent and impelling articles by A. Robert Smith which tell of the Washington visit of Mr. Holt. These articles appeared in the June 7 issue of the Eugene (Oreg.) Register-Guard and the June 11 issue of the Medford (Oreg.) Mail-Tribune.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Eugene (Oreg.) Register Guard of June 7, 1957]

PRESIDENTIAL AIDS PLEDGE HELP FOR HOLT

(By A. Robert Smith)

WASHINGTON.—Harry Holt, of Creswell, carried his fight for Korean orphans to the White House on Thursday, and received a pledge from presidential aids to "do everything in our power to help."

Holt wound up 2 days in Washington, D. C., calling on Government officials to enlist their support for an orphan immigration bill that will permit him to continue his "baby lift" from Korea.

At the White House, Holt called on Max Rabb, secretary to the President's Cabinet, and later he met with Jack Martin, one of the President's administrative assistants who specializes on immigration matters.

Earlier in his visit, Holt met with officials of the Refugee Relief Administration at the State Department, with the Under Secretary of Defense, and officials of the Immigration and Naturalization Service.

"The orphans' bill seems to be popular," Holt said on Thursday, expressing hope that Congress will move before the summer adjournment.

Legislation permitting adoption of Korean orphans by United States families outside regular immigration quotas expired last December 31, and since that time Holt's work to find homes for additional war waifs has been stymied.

He now seeks passage of a bill sponsored by Senator RICHARD NEUBERGER, Democrat, of

money is no problem. The problem is that at

by Senator RICHARD NEUBERGER, Democrat, of

Oregon, to admit 10,000 orphans from all parts of the world.

Holt will leave Washington Friday, going to New York from where he will fly to Frankfurt, Germany.

He said he is going to look into the war-orphan problem in Europe en route to Korea. He plans to stop in Vienna, Rome, Athens and Tel Aviv before flying to the Far East.

DAUGHTERS' LETTERS INDICATE IMMEDIATE ACTION NEEDED

WASHINGTON.—Harry Holt was in a reflective mood Thursday evening after 2 days of buttonholing Washington officials in behalf of his orphan-adoption program.

"You know," he observed, "this country makes an awful commotion if some little kid is down in a well. But over there in Korea, these little kids of American fathers are dying every day."

Not much commotion is being made here over the orphan problem that has become so dear to Holt's heart. While finding the idea he champions to be popular, Holt said everybody he talked with expressed fear of undesirable amendments that might be added to an orphan-immigration bill.

Holt was pleased to learn that the House Immigration Subcommittee has just approved a new 2-year orphan program with no ceiling on the number of youngsters that could be brought in for adoption by American families. Holt would like to see Congress pass Senator RICHARD L. NEUBERGER's bill allowing 10,000 orphans to enter, with no time limit.

WORD FROM KOREA

The Oregon farmer's thoughts turned to his two daughters, Molly, 21, and Barbara, 19, who are in Korea looking after some 160 war babies at an orphanage in Seoul established by Holt with his own funds.

In Senator NEUBERGER's office he had read a sheaf of recent letters they had written the Senator about the problems they are encountering.

From Barbara came this report:

"Yesterday we received 4 more children making 48 in 24 days. One is a beautiful 4-year old girl with curly brown hair. She has had polio and should be in the States receiving treatment."

FOOD SO COSTLY

Molly wrote: "We have written to the commanding general of the Army here and asked if he could help get some food supplies for us at cost through Army sources. We must buy everything on the Korean market and it is so expensive * * *."

"Barbara was up all night last night. Not only do we have to feed 30 bottle babies, it takes all night to boil water for the next day * * * many of these little ones will die if they have to stay here all summer. Is there any encouraging news at all?"

The two sisters together wrote in another letter that "the weather is hot already and there are many flies. Soon conditions will be impossible. * * * Are there those that oppose these little ones being adopted by American families?"

Holt estimates he has received inquiries about adoptions from 7,000 to 10,000 American families. But they are in the United States, the orphans who need parents are overseas, and Congress and the immigration barriers now keep them apart.

[From the Medford (Oreg.) Mail-Tribune of June 11, 1957]

HOLT LOUD IN PRAISE OF NEUBERGER FOR HELP WITH KOREAN ADOPTIONS

(By A. Robert Smith)

WASHINGTON.—Two years ago this month Harry Holt first went to Korea to see about adopting a few youngsters who were the orphans of American soldiers and Korean women "and ever since then I haven't been able to let go of it."

"When I was in the sawmill business," said Holt, "all I could talk about was the lumber business. Now all I can talk about is orphans."

Holt was here last week talking about the plight of hundreds of babies in Korea and elsewhere around the globe, wherever United States soldiers are and have been stationed, trying to get Government officials off dead center on legislation that will permit orphans to be brought to America where thousands of families would like to adopt them.

Holt has personally brought about 400 orphans to new homes in this country from Korea the past 2 years, plus 8 he and Mrs. Holt have adopted themselves. He has faced problems at every step of the way.

"When we first went over there 2 years ago," he recalled, "the American Embassy wouldn't even admit that it was possible to adopt those orphans unless the parents went there in person. It took us 4 months to get that straightened out."

PROXY ADOPTIONS

He explained that he was prepared to make the adoptions on a proxy basis for parents who didn't have the money to go to Korea so that the poor family would be on an equal basis with the rich.

Holt was profuse in his praise of the help he received then and ever since from Senator RICHARD NEUBERGER, none of this would have been possible, he declared.

The Holt girls out in Korea paint a graphic picture of conditions in their letters written every few days to the Oregon Senator. Here are some excerpts:

"Yesterday we received 4 more children making 48 in 24 days. One is a beautiful 4-year-old girl with curly brown hair. She has had polio and should be in the States receiving treatment. She just has to sit until someone comes and moves her to another place. Today we are very happy as the sun is shining and the clothes are drying but yesterday it rained and we had quite a time as there weren't enough clothes as they all got in the wash. It takes a lot of clothes for 64 children. We hope you can help us."

EVERYTHING EXPENSIVE

"It is very hot today. I took our little boy that had polio to the hospital, walked back a long ways with him on my back. Everyone thought he was my own boy. We have written to the commanding general of the Army here and asked if he could help get some food supplies for us at cost through Army sources. We must buy everything on the Korean market and it is so expensive. It seeems that the Army could help out its own children."

"It rained today, so we are short of diapers again. Barbara was up all night last night, not only do we have to feed 30 bottle babies, but it takes all night to boil water for the next day."

MANY WILL DIE

"Many of these little ones will die if they have to stay here all summer. Is there any encouraging news at all? Even as the Lord provided relief last winter, we are praying he will move the hearts of our legislators before the terrible summer comes. The little ones are crying in the next room, so I must close now."

"The weather is hot already, and there are many flies. Soon conditions will be impossible. I wonder how many of these little ones will die here because Congress has been so slow passing your bill (to reopen the orphan admission program). Are there those that oppose these little ones being adopted to American families (Holt has had inquiries from nearly 10,000 families wanting these orphans for adoption)? Do they think we will overpopulate America with her great wealth of land and resources? Would we refuse to allow these little ones a home, who resemble so closely their American fathers?"

Only Congress can answer their questions.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. EASTLAND. Let me tell the Senator that I think his fears are groundless. I think such a bill as that referred to by the Senator will soon be on the Senate Calendar. I hope so. I may say, as chairman of the subcommittee, I favor such a bill.

Mr. NEUBERGER. I thank the distinguished Senator for his assurance. I am sure he is aware of the fact that my orphan bill was introduced approximately 6 months ago, and there are many human problems attendant on this very urgent situation.

Mr. EASTLAND. I agree with the Senator. As I told him, I expect and hope that such a bill will shortly be on the Senate Calendar.

Mr. NEUBERGER. I again thank the Senator for his assurance. I am extremely gratified to learn that there will soon be on the Senate Calendar the bill dealing with the problem of the refugee orphans who can be adopted by American families.

FISCAL AND MONETARY POLICIES

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the statement made by me as chairman of the Senate Finance Committee upon the opening of the committee's examination of fiscal and monetary policies.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD, CHAIRMAN OF THE SENATE FINANCE COMMITTEE, OPENING THE COMMITTEE'S EXAMINATION OF FISCAL AND MONETARY POLICIES, TUESDAY, JUNE 18, 1957

The Senate Finance Committee, by resolution, today is undertaking to make a complete study of the financial condition of the United States, including:

(1) The revenue, bonded indebtedness, and interest rates on all public obligations, including contingent liabilities;

(2) Policies and procedures employed in the management of the public debt and the effect thereof on credit, interest rates and the Nation's economy and welfare; and

(3) Factors which influence the availability and distribution of credit and interest rates thereon as they apply to public and private debt.

This will be the first full-dress examination of our fiscal and monetary policies since the one conducted by the Aldrich Monetary Commission in 1908.

The immediate occasion for this study is the existing credit and interest situation and, more important, inflation which has started again with its ominous threat to fiscal solvency, sound money and individual welfare.

Legislative matters relating to Federal revenue and debt, tariff and trade, and social security and pensions are under the jurisdiction of this committee. In this discharge of its direct responsibilities with respect to these subjects, the committee has become convinced that serious conditions exist in the areas to be studied, and that these conditions have exceedingly dangerous potentialities.

It is the purpose of the commmittee to explore these areas, examine the conditions, determine the cause, and so far as possible find the remedies.

To make such a study complete, the committee must examine fiscal and monetary policies, mark the distinctions between them, and study their relationships, one to the other.

The hearings incident to this study are opened today against a background of historical facts, documented developments, and obvious conditions which are of grave concern to the country and to every individual citizen.

Some of these facts, developments and conditions which necessarily must be examined by the committee may be summarized as follows:

Generally speaking, the United States maintained itself on a pay-as-you-go basis until 1932. The principal exceptions were periods of war, and until World War II we hastened to pay off our war debts. For example, after World War I we paid our war debt down to $16 billion. But for the quarter of a century since 1932, the Federal Government has been virtually on a deficit financing basis in all but 5 years. We have been at peace three-fourths of that period.

DEBT

Now our direct Federal debt is $275 billion. This direct debt is practically even with the statutory debt limit which this committee has preserved as a safeguard against even greater excessive spending.

In addition to the $275 billion in direct debt there are more than $250 billion in contingent liabilities, and effort will be made at this time to determine to what extent these contingent liabilities may become an actual charge on the Treasury.

State and local debt have been rising steadily since 1946. All public debt, Federal, State, and local, is now estimated to total more than $325 billion.

Debt increase has not been confined to public operations. Private and corporate debt also has been on a constant rise. Commercial bank loans are now at their alltime high.

All debt in this country estimated as of last December totals nearly $800 billion:

	Billions
Corporate	$253
Private	213
Federal	277
State and local	50
Total	793

This is an increase of $200 billion, or about 33 percent, in 4 years.

EXPENDITURES

With only temporary exceptions to the rule, Federal expenditures have been rising continually, and in recent years—since 1954—the greatest increases have been in strictly domestic-civilian programs; not military and foreign aid. State and local governments have been following suit. Combined Federal, State, and local expenditures from tax revenue, miscellaneous receipts and borrowing are running to a total of more than $132 billion annually.

TAXES

In the past 25 years we have raised Federal taxes to their alltime high in both rate and take. Now, 4 years after the Korean war, we are still practically on a wartime Federal tax rate.

State and local taxes are rising steadily. Total receipts—Federal, State, and local—are now estimated at approximately $110 billion for fiscal year 1958, as compared with the pre-World War II total of $14.6 billion in 1940. (These figures exclude State and local miscellaneous receipts from such sources as business-type activities.)

As a measure of magnitude, it may be noted that taxes are now nearly equivalent to one-third of the national income as reported by the United States Department of Commerce.

This committee is vitally concerned with the question as to how long our economy can absorb taxation of these proportions and still provide the stimulus of the profit motive necessary to the free-enterprise system. When the currently continuing Korean war taxes were imposed on corporations, Mr. C. E. Wilson, formerly president of General Electric Co., said these rates could not be endured indefinitely by American industry. Mr. Wilson made this statement in testimony before this committee as Chairman of the Office of Defense Mobilization.

The committee is equally concerned over the question as to whether we can risk even higher taxation or debt which is likely to result from increased spending at either the Federal, State, or local level, or all down the line.

INFLATION

In its consideration of the debt resulting from all of the easy credit, both public and private, which we have been experiencing for nearly a quarter of a century, this committee can never lose sight of the fact that the Government's fiscal integrity depends upon a stable currency.

This involves not only the value of the money with which the Government redeems its own bonds, but it involves also the savings, pensions, life insurance, etc., of the people of the Nation which can be kept intact only by a stable dollar.

When the Government increases expenditure programs, it contributes to the inflation spiral and thereby increases costs, and perhaps the cost of living, taxes, and debt. Secretary of Defense Wilson recently demonstrated the effect of inflation on the cost of Government. He said it will take $38.5 billion in fiscal year 1958 to buy what $33.4 billion bought for defense in 1954.

The committee cannot overlook the fact that responsibility for sound currency is a prime responsibility of the Central Government. Yet, the value of the American dollar dropped more than 47 cents in 12 years, between 1940 and 1952—more than 9 cents in 1 year, 6 cents in another year, and another 9 cents in another year, etc. Generally speaking, it stabilized at around 52 cents in 1953, 1954, and 1955. Now it is losing value again. From April 1956 to April 1957 it lost nearly 2 cents, and now it is worth 49.8 cents as compared with the 1940 dollar. The indications are that inflation is continuing, and perhaps accelerating.

The squeeze of this inflation, even at this point, is being felt seriously by individuals of fixed incomes, and in businesses which cannot pass on inflated costs. The cost of living has increased steadily for 8 consecutive months.

Actually, confidence in the American dollar is the principal deterrent in the world today to Russian aggression. The pages of history detail the stories of nations which have been wrecked by unsound fiscal policies and debased currencies. If the value of the dollar continues to drop at the rate of 2 cents a year, as it has in the past year, it will be worth only 25 cents in 12 years, as compared to the 1940 dollar.

This committee wants to know the causes of this new inflation, and it wants to find the remedy before the consequences become disastrous.

INTEREST

The committee has reason to be concerned also over the fact that the cost of money is rising. The Federal Government offered 3⅝ percent interest on a recent 5-year bond issue which was taken only in small measure despite the highest interest rate in 34 years.

The committee has been watching the cost of interest on the Federal debt for some time. Interest is now taking more than 10 cents out of every tax dollar collected from American citizens. If the Federal debt were refinanced at 3⅝ percent interest, it would cost taxpayers $10 billion a year.

Interest paid by the Federal Government is taken as a standard, and refinancing any substantial part of the nearly $800 billion total debt in the country at a percentage of increase in interest comparable to that already offered by the Federal Government is a matter of general concern. It would place new burdens on all consumers.

GENERAL

There is obvious need for appraisal in all of the areas covered by the resolution under which the committee is working to determine to what degree the present prosperity is sound.

The committee would be remiss in its duty if it did not examine the possibility of a recession even though it may be a minor one. Few people realize the great effect levels of income have upon budget receipts. For example, if present corporate and personal income levels dropped to the level of only 2 years ago, that is the 1954–55 level, the budget surplus we have today, according to estimates by the Joint Committee on Internal Revenue Taxation, would be converted to a deficit of $12 billion.

With the Federal debt at its present precarious heights, miscue in its management can be costly. The same sort of tremendous responsibility rides on every action through the Federal Reserve System.

It is easy for a nation indulging in excessive expenditures, taxation, debt and credit to close its eyes to reality. It is easy to charge the whole matter off to growth. But our growth is not commensurate.

In this statement I have touched on only some of the matters of vital concern which prompted this study. From its years of experience with the fiscal affairs of the Nation, the Senate Finance Committee is acutely aware of the importance and complexity of its work, and it approaches the undertaking with a consciousness of its implications.

It is the committee's purpose to conduct an objective examination to clarify the situation and be helpful in the effort to avoid further inflation, and to establish sound fiscal principles flexible enough to meet possible recessions as well as increasing prosperity.

As chairman of the committee, it will be my purpose to see that each member is afforded opportunity to develop all phases of the vital questions before us. It is the desire of the chairman that the discussion at public hearings be completely free, so that out of the wisdom of the individual Senators may come helpful contributions, and out of the collective wisdom of the committee may come constructive recommendations.

The fact that the committee is composed of men of great capacity, and long training in business and fiscal affairs is a source of pride and confidence to the chairman. We open these hearings sincerely hoping that the effort will be worthwhile.

For the record, and the information of the witnesses and the public, the committee has agreed to the following rules of procedure:

1. The witness will not be interrupted while he is presenting his prepared statement.

2. Questioning by members of the committee will be in order of seniority, beginning with the chairman, followed first by the ranking Democratic member, then the ranking Republican member, and so on until each member has had an opportunity to interrogate.

3. No limitation on time will be imposed on a Senator during the first round of questioning of the first witness.

4. No Senator will be asked to yield part of his questioning time to another member. However, one Senator may yield his entire time to another member for questioning if he so desires. The Senator yielding will take the turn of the member to whom he yields.

The Chair takes the liberty of making one further suggestion. In the interest of a compact record, it is suggested that statistical matter and other documentary type material be placed at the conclusion of the testimony in the record for each day's hearing.

The first witness is the Honorable George M. Humphrey, Secretary of the Treasury.

SENATORIAL PARTICIPATION IN LONDON DISARMAMENT CONFERENCE

Mr. SYMINGTON. Mr. President, a recent editorial in the St. Louis Post-Dispatch dwells on the question of senatorial participation in the London Disarmament Conference. It does not purport to supply final answers.

It is an excellent, objective statement and analysis of the question—and I ask unanimous consent that it be printed in the body of the RECORD, for ready examination by all Members of the Senate and the public.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEEDED IN WASHINGTON

Ought two or more Senators leave the closing weeks of the present session in Washington and go to London as advisers to the disarmament conference now in progress there? This request has been made by Secretary of State Dulles and Senate Majority Leader JOHNSON of Texas has rejected it. Senator WILEY of Wisconsin, senior Republican on the Foreign Relations Committee, opposes the JOHNSON position and says that the Senate should cooperate with the executive.

The question is not one of senatorial cooperation with the executive branch. All reasonable cooperation is always desirable. One of the worst troubles of the Eisenhower administration has been lack of cooperation of old guard Republican Senators with the White House and its policies. The problem now arises from the fact that Congress has entered a critical period when every day counts and so does every Senator. With the 2 parties divided 49 to 46 (1 Republican vacancy), the absence of 2 or more Senators could determine the outcome of important legislation.

Any absences in London just now would be the more serious because the assignments undoubtedly would be to Senators with seniority on the Foreign Relations Committee. With this seniority would go participation and influence in the work of the Senate generally. Senator HUMPHREY of Minnesota is chairman of the special Senate committee on disarmament and he in all probability would be one of those chosen. Yet Senator HUMPHREY is urgently needed in Washington to help get civil-rights legislation through the Senate.

If the decision is made on the basis of legislative urgency in Washington, then it is not necessary to debate the issue of whether Senators ought to be advisers as Secretary Dulles proposed, or at most observers as Senator JOHNSON contends. As a general proposition, no activity by a Senator outside his chamber should seem to commit his colleagues.

None of this depreciates in any way the efforts of London toward disarmament. Developments there are increasingly hopeful. They deserve every possible encouragement.

Mr. SYMINGTON. Mr. President, I add this comment. The editorial states that the majority leader has rejected Secretary Dulles' proposal for senatorial participation. I believe it more accurate to state that the majority leader has only stated that participation at this time does not seem sufficiently essential to justify making an exception to the firm policy of not sending Senators abroad in the closing weeks of a session. He has, of course, also said that Senators should be observers, not advisers.

In any event, I am sure that if the circumstances should change, or be in fact different from those so far presented by the Secretary of State, the majority leader's decision would be adjusted to such new facts.

VIEWS OF REPRESENTATIVE HOLIFIELD ON ATOMIC INDEMNITY BILLS

Mr. ANDERSON. Mr. President, I ask unanimous consent to have printed in the RECORD the separate views of my distinguished colleague on the Joint Committee on Atomic Energy, Representative CHET HOLIFIELD, concerning H. R. 7383 and S. 2051, the atomic energy indemnity bills.

Mr. HOLIFIELD's views were printed in the House report on these identical bills, but not in the Senate report.

Although Mr. HOLIFIELD does not agree with my position in this matter, I respect his views, and I believe that they should be brought to the attention of all Members of the Senate, as well as the House of Representatives. I therefore request unanimous consent that his views be printed in the RECORD.

There being no objection, the separate views of Representative HOLIFIELD on atomic indemnity bills were ordered to be printed in the RECORD, as follows:

SEPARATE VIEWS OF REPRESENTATIVE HOLIFIELD ON ATOMIC INDEMNITY BILLS (H. R. 7383 AND S. 2051)

With the chairman and other members of the Joint Committee on Atomic Energy, I share a deep sense of responsibility for congressional committee supervision of the Nation's atomic-energy program. We stand as one in our desire to maintain a strong national defense and to encourage the peacetime development of atomic energy. Therefore, I regret exceedingly that I must take issue with my chairman and colleagues who recommend the enactment of H. R. 7383 and S. 2051, providing governmental indemnity and limitation of liability for persons engaged in atomic-energy enterprises.

SUMMARY OF OBJECTIONS

My objection to H. R. 7383 and S. 2051 may be summarized as follows:

1. It would provide another Government subsidy to atomic-power development without any commensurate benefits to taxpayers and power consumers.

2. It would place upon the Federal Government an enormous potential liability that could reach several hundred billion dollars.

3. It would weaken congressional control over appropriations by transferring to the Atomic Energy Commission complete discretionary power to commit the Government to undetermined liabilities in advance of appropriations.

It would further weaken congressional control over appropriations by transferring to the district courts authority to allocate funds for the payment of claims indemnified by the Government.

5. It would open up new areas of bureaucratic control and create opportunities for favoritism and preferential treatment.

I will amplify each of these five points.

ANOTHER GOVERNMENT SUBSIDY

For some years the representatives of private utilities and certain other industries have been hammering at the doors of Congress for legislative incentives to promote private atomic industries. Their first large and successful effort came with the enactment of the Atomic Energy Act of 1954, which completely revised the 1946 legislation and ended exclusive Government ownership and control.

I contended at the time that the industrial demands were premature. I feared that a relaxation of Government effort on the basis of an optimistic but unjustified expectation that private industry would pick up and sustain this effort at a high level would result in a dangerous gap in the atomic-energy program.

This gap would have been far wider and more dangerous than it is now had the Congress permitted the industrial representatives to write completely their own ticket in atomic-energy legislation. And even today, despite the enormous public investment in the atomic-energy program and the broad range of research and development effort, we cannot say honestly that we are maintaining a pace swift and sure enough to stay ahead of the Soviet Union and other countries.

Since the enactment of the 1954 legislation, the industrial representatives have not relaxed their demands for more incentives, which usually mean more Government subsidies in one form or another. Their bright promises of a few years ago that private industry would spur the development of atomic energy if only the bars of Government monopoly were let down are yet to be fulfilled.

Atomic-power groups have sought legislative or administrative relief from the Public Utility Holding Act so that certain combinations of utilities could be organized for atomic-power-development purposes.

Arrangements have been devised for recapturing capital investments by selling plutonium produced in reactors to the Government at guaranteed fixed prices.

Concessions have been demanded from the Government in the form of waivers of inventory costs or processing charges on fuel elements, free or low-cost use of Government research facilities and laboratories and rapid tax amortization equivalent to interest-free loans from the taxpayers.

Besides the various Government subsidies planned or available, potential consumers of atomic electric power will be asked to absorb a substantial portion of costs through conventional power rate increases.

In this context of public and consumer subsidy as the price of private atomic industrial development the proposed legislation for governmental indemnity and limitation of liability is just another prop for industries too timid to move ahead without paternalistic Government help.

This bill is put forth by its proponents as a bill for the protection of the public. This amounts to making a virtue out of a subsidy. The bill is protective of large utilities, industrial companies, and insurance companies which are not willing to adhere to the tenets of free enterprise.

GOVERNMENT WOULD ASSUME ENORMOUS POTENTIAL LIABILITY

The main argument in support of the bill is contradictory and self-defeating.

On the one hand, it is said that the private insurance companies cannot or will not offer protection against such large but unknown risks.

On the other hand, we are assured that the chances of atomic accidents are so negligible and so remote that the Federal Government probably will never be called upon to discharge the enormous financial commitments that would be thrust upon it by this indemnification program.

The Government would undertake through this bill to indemnify parties liable to damage suits for atomic injuries up to $500 million for each individual accident (called nuclear incident in the bill). If 10 large-scale reactors were in operation, the burden of potential liability on the taxpayers would be $5 billion. If 100 such reactors were operating, surely not a great number in a country as large as this, the burden of potential liability would be $500 billion.

I cannot accept the assurance of the Atomic Energy Commission that the chances of atomic accidents affecting a large number of people are practically nil. This complacent and optimistic assurance is akin to that concerning fallout from nuclear bomb testing. The dangers of fallout are evaporated by the AEC in statistical computations of global averages and in favorable comparisons with radiation emissions from the natural environment and X-ray devices.

Yet every day we read accounts of new discoveries of dangerous or potentially dangerous concentrations of radioactivity such as that recently reported by a Public Health Service official in testing milk in a certain locality.

And despite the remarkable record of accident-free operation of reactors in the Government program to date, accidents have a way of happening. Where the technology is still new and developing, accidents are bound to happen, particularly as more industrial newcomers get into reactor operations.

A statement submitted by Acting Atomic Energy Commission Chairman Harold S. Vance and appended to the majority report gives theoretical estimates of assumed personal and property damage for three types of assumed accidents. It was estimated that personal damage might range from a lower limit of none injured or killed to an upper limit, in the worst case, of about 3,400 killed and about 43,000 injured.

Theoretical property damage estimates ranged from one-half million dollars to $7 billion in the worst case. The latter figure was based largely on assumed contamination of land with fission products.

Commissioner Vance stated that for the majority of the theoretical reactor accidents considered, losses in each case would not exceed a few hundred million dollars.

Granting that these are estimates of theoretical accidents, and that the probability of actual occurrence is small, yet the probability cannot be eliminated. A reactor accident near a large city could cause heavy damage to life and property. Commissioner Vance in his statement estimated that under adverse circumstances people could be killed at distances up to 15 miles and injured at distances of about 45 miles, with land contamination extending for greater distances.

Large new reactors are planned for construction at Lagoona Beach, Mich., and Dresden, Ill. These are the first of their kind. No history of experience exists to afford accurate prediction of safety factors. Why should the Congress be persuaded to believe that these will be accident-free operations when the pooled resources of 139 insurance companies offer only a fraction of the dollar protection demanded from the Government.

The insurance companies say that the risks are unknown. The fear of insolvency as the result of a major atomic accident constrains them to offer in combination not more than $60 million coverage for one "nuclear incident." I am sure that the insurance companies are using good business judgment and prudence. Why should the Congress be asked to do otherwise? Why should the Congress be asked to afford 10 times the protection offered by the private insurance companies?

The majority report expresses hope that within the next 10 years sufficient experience will be gained to solve the problems of reactor safety and thus enable insurance companies to work out a program of insurance coverage.

Until private insurance companies are willing to cover the risks incident to this type of atomic industrial development, there is a grave question as to the wisdom of constructing these large scale unproven power reactors near centers of population.

The Government would be far more justified in providing indemnity or insurance in cases of natural disasters such as floods, earthquakes, tornadoes, and other catastrophes beyond ordinary human control.

There are, in my opinion, compelling reasons for the Federal Government, in the face of unwillingness by private insurance companies to offer protection to the hapless victims of natural disasters, to take the lead and attempt to work out arrangements for insurance protection, as exemplified in the Federal flood indemnity program under legislation enacted by the 84th Congress.

I see no compelling reasons for the Government to assume an enormous potential liability in helping large companies to build high-cost atomic reactors near large cities, when the Federal Government has hardly begun to assist the unfortunate persons, numbered in the thousands, whose homes or businesses are swept away to ruin each year by ravaging wind or water or violent disturbances of the earth.

CONGRESSIONAL CONTROL OVER APPROPRIATIONS WEAKENED

Section 170j of the proposed amendment would authorize the Atomic Energy Commission to make contracts to indemnify reactor operators or other potentially liable parties in advance of congressional appropriations. The Commission would be given blanket authority to promise indemnity to any person who qualifies, up to $500 million.

Heretofore the Congress has been extremely jealous of its constitutional power over the national purse. While contracts in advance of appropriations have been authorized on occasion, these have been for specific public works projects or for construction underway, and not for unspecified future projects brought into being by the will of an administrative agency.

In any case, there is a question in my mind whether future Congresses could be bound under this bill to appropriate the huge sums required, if indemnification became necessary.

NEW BURDENS PUT UPON THE COURTS

Not only would the Atomic Energy Commission, under this bill, be empowered to commit the Government to enormous liabilities in advance of appropriations, but the Federal district courts would be vested with new and extensive responsibilities, including some of a fiscal nature. The Atomic Energy Commission or any indemnified person would be authorized to seek and obtain from appropriate Federal courts orders limiting public liability for any "nuclear incident" to the limit imposed by the bill: that is, $500 million. The courts would be asked also to stay the payment of claims, order the apportioning of payments to claimants, to permit partial payments, and to order the setting aside of funds for possible latent injuries.

Consider the problems posed to the court in setting aside payments for latent injuries. Leukemia or bone cancer might show up in persons many years after the date of a "nuclear incident." Consider the problems, also, posed to the Congress of appropriating funds years later for such delayed injuries. I am inclined to the belief that these provisions of the bill are unworkable. Not being a lawyer, I will not attempt to speculate on the constitutional problems suggested by the congressional authorization in this bill for courts to limit liability of private parties in damage suits.

NEW AREAS OF BUREAUCRATIC CONTROL

There is a curious paradox in the position of private atomic industry, which demands that the Government withdraw from atomic activities and at the same time asks for Government subsidies. The paradox is that as a condition of granting the subsidies, the Atomic Energy Commission is taking upon itself more and more discretionary power and assuming new instruments of control. By legislation of the kind proposed here, the Congress would spawn not only subsidies to private industry, but new forms of bureaucratic control which, in the end, would defeat the very objectives sought by industry.

To illustrate: As a condition of providing governmental indemnity, the Atomic Energy Commission under the bill would require the parties indemnified obtain a certain amount of "financial protection" from private insurance companies or other sources. The amount of such "financial protection" would be fixed by the Commission. If the Commission decided that private insurance rates were too high, it would be enabled to decrease the amounts of required protection from private sources.

Since the Commission would charge only $36 per $1 million of liability for Government indemnity, whereas the private insurance companies have set average rates at $5,000 per $1 million of liability, we might expect that the Commission would be under constant pressure to reduce the amount of "financial protection" from private sources as a condition of indemnification. This would also serve as a deterrent for the insurance companies to reduce rates and broaden coverage.

At the same time the Commission would be directed to utilize the facilities and services of private insurance organizations to the maximum practicable extent and to pay compensation therefor. The opportunities for favoritism and preferential treatment to atomic enterprises are at once apparent.

CONCLUSION

In my view, this legislation is unnecessary and unwise. If the risks are negligible, as the proponents of this bill contend, there is no reason why the Government should assume potential liabilities of the magnitude indicated above. If the risks are real and substantial, then reactor development programs should continue to be developed under direct Government supervision and control at isolated locations, with the continued promise of safety exhibited in the record of Government performance.

Until we can prove by a history of experience in the operation of the new and unproven power reactors (which are now planned) that they are safe mechanisms, we should insist they be located safe distances from populated centers. Congress cannot evade its responsibility for protecting human lives by authorizing huge dollar payments.

This bill is not a minor technical amendment to the Atomic Energy Act. It is a major piece of legislation. It goes far beyond anything I know in committing the Federal Government to future liabilities without any clear understanding or basis in experience as to the nature or the magnitude of those liabilities.

For the reasons stated and amplified above, I am opposed to the enactment of this proposed legislation.

HELLS CANYON DAM

Mr. MORSE. Mr. President, as we are to start today with the important debate—it is particularly important from the standpoint of the public welfare—on the Hells Canyon Dam issue, I should like to have printed in the RECORD a few editorials with regard to certain phases of the problem.

Mr. JOHNSON of Texas. Mr. President, may we have order? I cannot hear the Senator.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD——

Mr. JOHNSON of Texas. Mr. President, may we have order? The Senator is making a request. I want to agree to it, if I can, but I cannot unless I can hear the Senator.

The VICE PRESIDENT. The Senate will be in order.

Mr. MORSE. I ask unanimous consent to have printed in the RECORD an editorial from the Boston Daily Globe entitled "Hells Canyon Writeoff."

I will read two paragraphs from the editorial in the 3 minutes I have on this matter. The editor says:

> Now, in connection with the Idaho Power Company's dam-building project at Hell's Canyon, Interior Secretary Fred Seaton appears on record, protesting a procedure which involves giving the company involved a $65 million bonus, from the public till, in the form of a 5-year writeoff privilege against the income taxes the company would otherwise be obliged to pay.
>
> This situation is becoming dangerously akin to a public scandal. Mr. Seaton says that the Idaho Power Co. obtained its license from the Federal Power Commission, for this project, on the basis that there would be no cost to the Government in connection with the construction of the dams. Yet the Office of Defense Mobilization, headed by Mr. Gordon Gray, claims that Mr. Seaton's view is irrelevant, and last month granted the company's request for these tax privileges.

Later in the editorial the editor says:

> The plan has served a useful purpose in most cases; but it is high time it ended, or more narrowly restricted to bona fide defense installations. Otherwise, as the Hells Canyon affair suggests, it verges upon a racket. The Senate Antitrust and Monopoly Subcommittee, which is exploring this matter, deserves the full support of public opinion.

I ask that the entire editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HELLS CANYON WRITEOFF

Many months ago, high officials in the Eisenhower administration urged that abuses of the tax writeoff privilege granted to industries made it desirable to restrict that procedure sharply. Among critics of the going practice was Secretary of the Treasury Humphrey.

Now, in connection with the Idaho Power Co.'s dam-building project at Hells Canyon, Interior Secretary Fred Seaton appears on record, protesting a procedure which involves giving the company involved a $65 million bonus, from the public till, in the form of a 5-year writeoff privilege against the income taxes the company would otherwise be obliged to pay.

This situation is becoming dangerously akin to a public scandal. Mr. Seaton says that the Idaho Power Co. obtained its license from the Federal Power Commission, for this project, on the basis that there would be no cost to the Government in connection with the construction of the dams. Yet the Office of Defense Mobilization, headed by Mr. Gordon Gray, claims that Mr. Seaton's view is irrelevant, and last month granted the company's request for these tax privileges.

The tax amortization scheme originated in connection with the Korean war and the intensive period of defense building. Its benefits to companies favored stem from permission to write off in 5 years against taxes, amortization which would normally spread over 20 years. Thus far, this has amounted to billions of tax favors for its beneficiaries.

The plan has served a useful purpose in most cases; but it is high time it ended, or more narrowly restricted to bona fide defense installations. Otherwise, as the Hells Canyon affair suggests, it verges upon a racket. The Senate Antitrust and Monopoly Subcommittee, which is exploring this matter, deserves the full support of public opinion.

Mr. MORSE. Mr. President, next I ask unanimous consent that an editorial from the Des Moines Register of May 27, 1957, entitled "Hells Canyon Questions" be printed at this point in the RECORD. This editorial also raises serious questions about the fast tax writeoff.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HELLS CANYON QUESTIONS

Hells Canyon is still living up to its name. The 10-year battle between public and private power interests over which should build hydroelectric plants in the canyon appeared almost settled a year ago.

The Federal Power Commission had granted power rights to the Idaho Power Co. An attempt in Congress to reverse that decision and clear the way for authorization of a Federal power project lost by a vote of 41 to 51 in the United States Senate.

But it wasn't the end of the battle after all. New fires are being lighted and public power advocates in the Senate are preparing to broil the administration if they can.

The fuel this time is the granting of a national defense tax writeoffs application by the Idaho Power Co. This permits the company to depreciate 65 percent of the cost of 2 of the plants it is building during the first 5 years of their operation.

This fast writeoff privilege represents a deduction from earnings for tax purposes during those years in the amount of $65,206,094. It is a method adopted by the Federal Government to encourage expansion of production facilities for defense purposes where normal conditions might not justify either the capital investment or the additional production. Expansion of power production facilities has been included in the group of projects to which this privilege has been granted.

Up to that point, all had seemed to be immune to criticism by the public power folks, even though they didn't like it. But new circumstances have given the public power folks an opportunity to talk about Hells Canyon again.

The Office of Defense Mobilization a few weeks ago announced a sharp cutback in the types of industries eligible for fast tax writeoff privileges in the future. President Eisenhower and Secretary of the Treasury Humphrey went on record in favor of an early abandonment of the program.

The granting of the privilege to the Idaho Power Co. only a few days before this new policy was announced gave the public power advocates (and Democrats in general) a new weapon.

Why, they are asking, should the Idaho Power Co. be granted a tax moratorium in addition to one of the most attractive hydroelectric power sites left in the West?

Their question will demand a well documented answer from the administration.

Considering the 10-year battle the private power company has put up for the right to build the Hells Canyon plants, it can hardly contend that it needed this tax writeoff privilege as encouragement. Surely the battle for the site was not made without some assurance of the capital to finance the projects.

Neither the public nor the private power interests have ever contended that there is not an immediate and adequate market for the electricity to be produced. On the contrary the case for each side has been based on the growing needs for power through the Northwest.

The one remaining basis for granting the privilege might be the urgent need for power to permit quick expansion of other defense industries. Full explanation in that respect has not yet been made by the Office of Defense Mobilization.

The fires being built by the public power folks with this tax writeoff fuel may turn out to be mostly smoke and very little flame, but they contain the potential for leaving some bad scars unless the administration comes up soon with some very convincing explanations.

Mr. MORSE. Mr. President, next I ask unanimous consent that there be printed at this point in the RECORD an article from the Lamar Daily News entitled "The Fast Tax Writeoff Gimmick."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FAST TAX WRITEOFF GIMMICK

One of the most important hearings held in Washington recently has been the one in connection with the Idaho Power Co. projects on the Snake River. However, the subject is so complicated that it is difficult for the average newspaper reader to get a clear understanding of it, particularly when the newspapers give only a few paragraphs per day dealing with hearings which consume hours of important testimony. This is not said in criticism of the newspapers, but merely points up the difficulty of the public obtaining the facts, even in a land such as ours where news material is available on every hand.

In brief the situation simply is that back in the days when Oscar Chapman was Secretary of Interior he favored granting a license for a Federal power project on the Snake River at Hells Canyon—known generally as the high dam. Douglas McKay succeeded Chapman, and the Eisenhower "partnership" power policy succeeded the New Deal conception of the development of natural resources. The Idaho Power Co. was granted licenses to build three small dams and the license for Hells Canyon was withdrawn.

Idaho Power has begun construction of two of the smaller dams. In the meantime the Hells Canyon Dam Association in the Northwest has kept up the fight for the high dam, but to no avail, despite the fact that voters in the last election demonstrated their keen interest in the project by reelecting Senator WAYNE MORSE of Oregon over McKay; electing Senator CHURCH of Idaho, reelecting Senator MAGNUSON of Washington and electing several pro-Hells Canyon Representatives from Oregon as well as Congresswoman GRACIE PFOST of Idaho.

The issue is due for a vote in Congress. A Hells Canyon bill was defeated in the Senate at the last session, 51–41. The Hells Canyon people claim they have gained some

votes and that the vote this time will be close.

In the meantime another phase of the situation has come to light through an investigation of rapid tax writeoff applications granted the Idaho Power Co. by Gordon Gray of the Office of Defense Mobilization. Such applications were supposed to be granted for the use of companies building various plants for defense purposes. Secretary of Interior Fred Seaton wrote a letter March 11 saying he was opposed to granting this privilege to Idaho Power. Some idea of the value of the tax writeoffs to Idaho Power may be seen when we understand that estimates of the value range from $17 million by Secretary Seaton to $339 million by an official of the Federal Power Commission and also by the Denver Post and others who have figured the ultimate loss to the public by the use and re-use of the tax-saving gimmick granted the Idaho Power Co. In other words, the Idaho Power Co. not only got the licenses to build dams which would develop far less power than the high dam, but also received unwarranted tax writeoff privileges which actually will go far toward paying the cost of constructing the dams. Some Members of the Congress think this is carrying the partnership policy to extremes.

Senator ESTES KEFAUVER, who played a prominent part in uncovering the Dixon-Yates shenanigans in 1955, is chairman of the Antimonopoly and Antitrust Subcommittee of the Judiciary Committee which has been digging into this important matter. He has invited Senator CARROLL, of Colorado, to sit with the committee and the Colorado Senator has contributed greatly toward uncovering the facts. It is to be hoped that the public will get the full import of the situation and demand that the administration will ask the Federal Power Commission to rescind the licenses granted the Idaho Power Co. and that the Congress will move toward the original and worthwhile goal of fully developing the ultimate potential of the Snake River by returning to the high Hells Canyon Dam, originally planned.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a resolution adopted by the California Rural Electric Cooperative Association advocating the construction of a high multipurpose dam at Hells Canyon on the Snake River.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

> A resolution of the California Rural Electric Cooperative Association advocating the construction of a high multipurpose dam at Hells Canyon on the Snake River
>
> Whereas members of the California State Cooperative Association are vitally interested in the full and complete development of rivers within the United States where power, irrigation, flood control, recreation, and economic development present a vast potential; and
>
> Whereas the area in and around the proposed site of a high Hells Canyon Dam presents such a potential; and
>
> Whereas the two small dams, maybe a third one at some time in the future, as proposed by the Idaho Power Co., do not and never will develop the area to its greatest potential; and
>
> Whereas such a plan as proposed by the Idaho Power Co. was falsely presented as a project which would be constructed at no cost to taxpayers of the United States, but subsequent application for fast tax writeoff certificates which will provide, if granted, more than $338 million in taxpaid subsidies over a 50-year license period, give the lie to this propaganda; and
>
> Whereas power costs will be increased by the proposed plan of the private power company; and
>
> Whereas little or no assistance will be in store for recreation, fish, wildlife, and irrigation; and
>
> Whereas the three-small-dams proposal of Idaho Power Co. constitutes a rape and wanton waste of our natural resources, at increased rather than decreased cost to the taxpayers; and
>
> Whereas the proposed high Hells Canyon Dam will be for the benefit of all the people, developing the surrounding area to its full potential; and
>
> Whereas the proposed high dam will provide 4 times the water storage capacity of 3 small dams; and
>
> Whereas such storage will provide flood control, downstream power benefits and navigation; and
>
> Whereas 1,122,000 kilowatts of year-round power will be available to the surrounding region, 6 years after start of construction, at wholesale power rates as sold under the Bonneville Power Administration and which, in 1956, were the lowest in the Nation at 2.3 mills; and
>
> Whereas previous large hydro projects constructed by the Federal Government are repaying the original cost with interest and still showing a profit; and
>
> Whereas a high dam at Hells Canyon will provide large-scale fish and wildlife, recreation and irrigation benefits, and
>
> Whereas the proposed Hells Canyon Dam will provide power for the development of Idaho phosphate resources with a resultant saving to western and midwest farmers in the purchase of phosphate fertilizer; and
>
> Whereas the people of the northwestern area of the United States, by their voting in the 1956 election, definitely delivered an ultimatum showing their preference for candidates willing to support and work for a high Federal dam at Hells Canyon; and
>
> Whereas a high Hells Canyon Dam, by using the facts and figures available, will actually not cost the taxpayers additional money, but will be paid for by the power users and additional income will be realized by the Federal Government due to the fact that new manufacturing sites will develop, new jobs created, and additional vast areas be made available for food production: Now, therefore, be it
>
> *Resolved*, That
>
> 1. The California Rural Electric Cooperative Association opposes the Federal Power Commission's decision to allow Idaho Power Co. to build three small dams on the Middle Snake River.
>
> 2. The California Rural Electric Cooperative Association requests Congress and the administration to support and pass legislation which will allow the construction by the Government of a large high dam at Hells Canyon on the middle Snake River, thus allowing full development of the natural resources of the area.
>
> 3. The California Rural Electric Cooperative Association is of the opinion this resolution is in conformity with the mandate of the people in the area concerned and that the construction of a Federal high dam at Hells Canyon will benefit the greatest number of people at less cost than any other plan submitted for development of the middle Snake River.
>
> I hereby certify that the foregoing resolution was adopted at a regular semiannual meeting of the California Rural Electric Cooperative Association held at San Bernardino, Calif., on Monday, May 6, 1957.
>
> CONE HUNTER, *President*.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD a resolution which I have received from the Aluminum Workers International Union, in support of a high dam at Hells Canyon. I ask that both their letter and the resolution be printed in the RECORD at this point in my remarks.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

> ALUMINUM WORKERS INTERNATIONAL UNION,
> *St. Louis, Mo.*
>
> *To the Honorable Members of United States Senate and Congress, Washington, D. C.:*
>
> The enclosed resolution was adopted at the third biennial convention of the Aluminum Workers International Union held in Vancouver, Wash., the week of May 19, 1957.
>
> The Aluminum Workers International Union strongly urge your support of this resolution to push this resolution before Senate and Congress to build the Hells Canyon Dam on the Idaho and Oregon border.
>
> Aluminum, a few years ago, was considered a metal which could be used only for cooking utensils; however, today it is a highly competitive metal to steel, and is used in making different kinds of electrical appliances such as cable wire and many other conductors of the electrical field. Aluminum is one of the most important metals used for the defense of our Nation.
>
> Homes and large office buildings are now being constructed out of aluminum throughout our country; thus it is important that the large aluminum plants in the Northwest maintain full employment.
>
> Due to water shortages in various sections of our country where aluminum plants are in operation, the workers have been faced with layoffs from time to time which greatly reduces the purchasing power of the workers in these sections of the country. It is therefore important that the large aluminum plants in the Northwest maintain full employment, so that the aluminum industry will expand in the Northwest to meet great demands for aluminum in our country.
>
> To produce aluminum, it takes a tremendous lot of hydroelectric power. Billions and billions of kilowatts of electricity are going to waste by not constructing Hells Canyon Dam.
>
> Would appreciate hearing from you as to your support of same.
>
> Very sincerely yours,
> WILLIAM L. COWLEY,
> *Secretary-Treasurer.*
>
> Hells Canyon, on the Idaho-Oregon border, is the last available site for a high dam in the United States.
>
> Whereas Hells Canyon Dam symbolizes, in our times, the issues of conservaton of the Nation's water resources in order to produce for public benefit the maximum amount of flood control, navigation, electric power, recreation, and other uses of growing importance in the United States; and
>
> Whereas the Federal Power Commission, under influence of the administration, has licensed to a power company three inferior dams that would waste substantial amounts of flood control and power benefit otherwise obtainable from Hells Canyon site for the benefit of the people of the United States; and
>
> Whereas the Federal Power Commission licensed the private dams on the ground that they would be built "without expense to the United States," and the power company asserted that it would build the project "without 1 cent of cost to the taxpayers of the United States"; and yet the administration has granted to the power company a 5-year tax exemption of at least $30 million at the expense of the taxpayers of the United States; and
>
> Whereas the Northwest has been continuously faced for the past 10 years with power shortages; and

Whereas at each power brownout that we have, our people within the aluminum industry are faced with a layoff and, therefore, lowering their yearly income; and

Whereas the various organizations in the States of Washington, Oregon, and Idaho have all endorsed the high dam at Hells Canyon: and

Whereas the recommendation of the Corps of Army Engineers has pointed out the advantages of a high dam at Hells Canyon: Now, therefore, be it

Resolved, That the Aluminum Workers International Union go on record at their convention in Vancouver, Wash., May 20 through May 24, as unanimously approving the building of a high dam at Hells Canyon instead of the three lower dams to be built by the Idaho Power Co.; and be is further

Resolved, That the Aluminum Workers International Union contact the chairman of the Senate Interior Committee and impress upon him the importance of the building of the high dam at Hells Canyon; and be it further

Resolved, That the local unions within the Aluminum Workers International Union contact their Senators and Congressmen urging them to comply with the resolution.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a resolution I have received from the Huntington Park Democratic Club, Huntington Park, Calif., in opposition to the fast tax writeoff to the Idaho Power Co., and a resolution adopted by the same organization in support of a high dam at Hells Canyon.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

HUNTINGTON PARK DEMOCRATIC CLUB,
Huntington Park, Calif., April 2, 1957.
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SIR: The following resolution was unanimously passed at our regular meeting of the Huntington Park Democratic Club May 27, 1957:

"Whereas President Eisenhower's action as administration head in allowing a writeoff in cost to the Idaho Power Co. of building private dams at Hells Canyon; and

"Whereas such action is politically immoral and causes United States citizens to make up any deficit in taxes and is betraying the confidence of the American citizens and is a corrupt practice; and

"Whereas WAYNE MORSE has compared this action of President Eisenhower analogous to Dave Beck usurping union funds: Therefore be it

"*Resolved*, That the Huntington Park Democratic Club commends Senator WAYNE MORSE for his fortitude in bringing the case to the attention of the American people in a forthright way."

Sincerely,

NOLAN HUBBS,
Corresponding Secretary.
FOR TREVA GRONNEBECK,
President.

HUNTINGTON PARK DEMOCRATIC CLUB,
Huntington Park, Calif., April 2, 1957.
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Resolution—Idaho Power Co. Writeoff

Whereas the Idaho Power Co. was authorized to build hydroelectric power projects on the Snake River as private enterprise; and

Whereas private power companies advertise that they pay taxes not assessed on Government-built projects; and

Whereas the administration has granted a large writeoff for the building cost of the dams at Hells Canyon: Therefore be it

Resolved, That the Huntington Park Democratic Club condemns any such grant to the Idaho Power Co. as fraudulent and maladministration in Washington and urges that steps be taken to obtain legislation to stop such misuse of authority.

Sincerely,

NOLAN HUBBS,
Corresponding Secretary
(For Treva Gronnebeck, President).

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a speech which I delivered over a considerable number of Oregon radio stations on June 9, 1957, entitled "The Quick Tax Write-off Scandal."

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE QUICK TAX WRITEOFF SCANDAL—REPORT OF SENATOR WAYNE MORSE OVER OREGON RADIO STATIONS WEEK OF JUNE 9-16, 1957

Fellow Oregonians, the Nation is waking up to a scandal I have been warning against for 4 years.

Senators and Congressmen returning from the Memorial Day long weekend report that more questions are being asked them about this administration's tax favoritism to the Idaho Power Co. amounting to millions of dollars to help the private utility build two inadequate dams in the Hells Canyon area.

During the last three Congresses I have warned that not only would this administration give the Idaho Power Co. licenses to underdevelop the Hells Canyon reach, but in addition the Eisenhower administration would help the company finance the pigmy dams with taxpayers' money as well.

Events have proven these predictions of betrayal of the public interest to be correct.

A quick review of what has happened is in order. In May 1953 the Eisenhower administration, through its new Secretary of Interior, withdrew the Truman administration's opposition to the Idaho Power Co.'s low-dam application—only a few weeks after the new Eisenhower-appointed Chairman of the Federal Power Commission took office. Chairman Kuykendall was the public utility commissioner of Washington—appointed to that post by one of the most outspoken opponents of a high Federal Hells Canyon Dam.

In July 1953, the Hells Canyon hearings opened. In August 1953, the Idaho Power Co. filed quick tax writeoff applications for two of its small dams—by an amazing coincidence the two dams the FPC issued firm licenses for 2 years later.

Under the leadership of Chairman Kuykendall in December 1953, the FPC ruled that a company which saved money under a quick tax writeoff certificate did not have to use the saving to reduce rates to its customers.

Throughout this time, the Idaho Power Co. and its administration apologists claimed that the company dams were desirable because they would be built at no cost to the taxpayers.

As early as 1953, as I recall it, I was at Coos Bay in November at a Hells Canyon rally. I said that the no-cost-to-the-taxpayer tune was untrue because of the quick tax writeoffs.

In the FPC hearings, the president of the company testified that the quick tax writeoff certificates had been filed, but that they weren't needed and he had little expectation of getting them. That this was less than candid is demonstrated by the fact that practically no utility applicants have been turned down.

After a bitter legal struggle, the FPC granted the Idaho Power Co. licenses in August 1955. Within a few days I wrote to the head of the Office of Defense Mobilization, the agency handling the tax-certificate program, and protested consideration of the certificates on the ground, among others, that FPC based its decision on the supposed fact that the company dams would be built without cost to the United States Treasury and the taxpayers. He replied that I would have an opportunity to file a detailed brief against the certificates. On February 6, 1956, I did just that and was joined by 18 other Members of Congress from many regions.

Our brief pointed out that the Department of the Interior recommendation of 1955 and ODM's own staff memorandum contained many errors of fact—serious errors of fact. We heard nothing, despite our request for a public hearing to resolve the issues.

Meanwhile, I discussed the quick tax writeoff program which was providing a gravy train for the private utilities. Many of you may remember my broadcast in July 1954 discussing the Idaho Power Co.'s applications, as well as others by PGE and Copco.

In my discussions I pointed out that the quick tax writeoff enables the utilities to save millions of dollars in taxes—taxes lost to the United States Treasury. That means the Treasury borrows money and pays interest, thereby increasing the national debt and the interest payments—and so the vicious circle goes on. When I discussed this on the Senate floor, in newsletters, in open forums at home, Oregon's editorial apologists for the administration and utilities couldn't condemn me strongly enough.

When, again, on April 29 of this year, I repeated the charge after this administration issued the $65 million Idaho Power Co. tax certificates, the newspaper editorialists went after me again. "Untrue" and "Misleading" were the mildest epithets used.

But, now the story is coming out in the Kefauver hearings. Only a few days ago the chief accountant of the Federal Power Commission, in response to a question by a Republican Senator, testified that the Treasury would have additional interest costs amounting to $83 million as a direct result of the Idaho Power Co. tax writeoffs. That's a tab the taxpayers pick up. In addition, the FPC chief accountant testified that the value of the interest-free loan from the Treasury to the company would be worth $339 million—$10 million higher than the estimate I used on the Senate floor on April 29. The Oregon press has not been talking much about this.

Further, ODM Director Gray repeatedly claimed that the Department of the Interior recommended the tax writeoff to Idaho Power. Then, on his second appearance before the Kefauver committee, he was confronted with a letter dated March 11, 1957, from Secretary of the Interior Seaton urging denial of the certificates on the same grounds I have been objecting to them for several years. Senator KEFAUVER said, "It's a fact, Mr. Gray, that you had no intention of disclosing this letter until you knew we had a copy of it from Interior."

Gray lamely explained that it did no more than repeat objections of Congressional critics—and he was right. Why had Gray, why had the administration suppressed this letter? Why had Gray and the administration sought to give the impression that Interior recommended the certificates, when the Secretary of Interior recommended against them?

Gray claims that the letter gave Seaton's opinion and did not deal with the so-called criteria for the program. But the letter did deal with the criteria—namely it said—as did FPC—that the company dams would not supply power for defense programs over the company's normal needs.

It has turned out that the Interior official who worked on the certificates did not go to the FPC transcript for the facts of the case. He relied on the Idaho Power Co.'s representations. This may be explained in part by the fact that he formerly was a private utility official.

The hearings have shown that the company attorney presented evidence before the Senate Interior Committee in March 1957, that the Oxbow Dam would be completed in 1961. But in order to qualify for the tax writeoff the dam would have to be completed in 1958. Gray's assistant obtained a letter from the company declaring Idaho Power's "intention" to complete the dam in 1958—and that was considered enough to grant the handout—despite other official documents listing the completion date as 1961, almost 3 years after the cutoff date. Incidentally, such a speedup would increase costs—and the tax writeoff—enormously.

Several times, Director Gray has claimed executive privilege to avoid disclosing all the facts. Perhaps he has this right. But the rest of us have the right to inquire—what is he hiding? Why has he refused to disclose what dealings he had with four of President Eisenhower's top White House assistants. He admits talking to them about the case, but won't say where, when or what was said.

There is much more to this sordid story of giving away the taxpayers' money to a favored private utility to aid it in wasting the precious Hells Canyon site.

That is why I compared this administration's action with Dave Beck's taking money from out of the pockets of teamsters in the form of an interest-free loan. I was attacked on the Senate floor and in the Oregon press for this—attacked falsely I may add with a quotation that didn't pass my lips I did not make the statement attributed to me that Eisenhower and Beck are "the same kind of immoralists." I put the proof into the CONGRESSIONAL RECORD. Now I'm waiting to see whether the editorials written on this supposed quotation are corrected.

What I am interested in doing is correcting the Eisenhower administration's giveaway of Hells Canyon to the Idaho Power Co. for underdevelopment—and giving them millions in an interest-free loan to enable them to take advantage of the first giveaway.

The public is getting the facts on this scandal—which so resembles Dixon-Yates. It is up to the President and his supporters to make all of the facts available—to admit the giveaway and the mistake and go forward with a sound program of water resource development. The logical place to start is Hells Canyon by building the high Federal dam.

Mr. MORSE. Last, Mr. President, I ask unanimous consent that there be printed at this point in the RECORD, because it bears on this general subject, a speech which I delivered on June 6, 1957, to the League of Women Voters of Prince Georges County, Md., on the subject Water—America's Future.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

WATER—AMERICA'S FUTURE—EXCERPTS FROM ADDRESS OF SENATOR WAYNE MORSE, LEAGUE OF WOMEN VOTERS, PRINCE GEORGES COUNTY, JUNE 6, 1957

It is a genuine pleasure to be here tonight to discuss water—America's future, at this meeting sponsored by the League of Women Voters of Prince Georges County.

I think I can say without reservation that all of us in the Congress are aware and respect the wonderful work that women in the league are doing to make this a better America. The work the league does in getting people to register and vote is one of their most important functions. I think that the way they take great national issues such as water and study them in all of the local leagues in the country is an admirable way to become fully informed on a subject. There are many people who write to Senators who represent special interest groups with preconceived notions that are not based on facts. I can assure you that those letters do not have a great impact. There is one group, however, which does command the respect of your Senators and that is the League of Women Voters because they always explain where they stand and they rationally state the reason for their stand.

There really is a double pleasure in coming out here tonight because this is part of Maryland's Fifth Congressional District. I would feel remiss if I did not mention to you the outstanding job that your Congressman DICK LANKFORD has done in representing this county, the State, and the Nation.

The State I represent in the Senate is all the way across this country—3,000 miles. But yet it has a lot in common with Maryland. Also in many ways it is quite different from this Free State. Since tonight we are talking about water, let us just consider for a moment a few statistics. The average rainfall in Malheur County in eastern Oregon is about 7 inches a year, while in Tillamook County along the Pacific coast, we get 130 inches a year. On a statewide basis Oregon gets 27 inches of rainfall a year.

I am sure you can appreciate that this variation in rainfall presents some unusual problems to the people of our State. Maryland, on the other hand, has an average rainfall of 42 inches a year, which is fairly well distributed over your entire State.

I did not come here tonight to talk statistics but I think these few figures will help you appreciate that water problems differ in every region of our vast land. And I think that you know that every State in the Nation has water problems which are affecting the growth of our Nation. In my State we have had floods and droughts simultaneously and this is true in other Western States, because the West is primarily an arid region where water runoff in the spring is rapid and often devastating. We had to make an intense study in how to solve our water problems. Here in the East the water problems have often been more subtle but they have been very real problems. Let us think for a moment of a local problem right here in your county. Just a few thousand yards from here is the Peace Cross on the banks of the Anacostia River. This little stream hardly looks like it has a flood potential but everyone in this room knows the damage it has wrought. It is indeed hard to believe that when the British attacked Washington in the War of 1812, that their ships sailed up the Anacostia where they disembarked for a march on Washington. Today it is almost impossible to navigate a rowboat up this river. In the very near future it will again be possible for boats to navigate the Anacostia and the flood menace of this little stream will be abated.

In recent years we have heard a lot of talk about a water policy known as partnership. The present administration would have us believe that this is a new policy and I will say to you that as carried out by this administration, it is a new interpretation of partnership. It is a partnership in which the Government pays the bills and private enterprise gets the benefits and the profit.

For many years you have had a genuine partnership policy and this Peace Cross project is a good example of local government and the Federal Government having long cooperated on a partnership basis. On May 17, 1950, President Harry Truman signed into law the authorization for this flood-control project. The Legislature of the State of Maryland and the local government are cooperating in the financing of this project. About $5 million is being spent by the people of Maryland for the construction of highway bridges and utility relocations. Prince Georges County and the Maryland Park and Planning Commission have sold bonds totaling almost $3 million to finance land purchased, the relocation of utilities, and to provide accessory drainage. The local contributions will be approximately equivalent to those of the Federal Government. When this project is completed there will be a complete system of channel improvement and levees to contain high waters, a system of park lands along the Anacostia, and a boat basin located at Bladensburg. The benefits that this project will provide will exceed the cost by $2.27 for every dollar expended. This is a good investment for the taxpayers' money. When we think of benefits, we often think of just the obvious ones. How many of you people have been forced to detour several extra miles around the Peace Cross to get to your destination? How often have you sat in your car 30 minutes or an hour while traffic slowly made its way through a foot of water at the Peace Cross? How often have you been an hour late for work at your employer's expense? Those delays cost you money and they cost the community money. The loss is a hidden loss. But if the hidden cost to you alone was only $1 a year and the cost to your employer was only $1 a year, would you rather let that hidden drain continue or would you be willing to spend 50 cents of your money in the form of taxes to stop that loss? I think that the answer is obvious.

There is another aspect to water conservation and that is what causes these floods. Siltation in the river has filled its channel and caused it to spread out over a wide area. Development in this little river basin has made it difficult for rainfall to be absorbed by the soil and slowly discharged, and today after every rain the water rushes toward the sea. In a place such as this we probably cannot make any tremendous changes in the watershed. In a county such as this where the population is expanding, each new housing development requires additional streets and sites for homes and stores and there is less soil area which can absorb the rain. We put in gutters and sewer systems which speed the water on its way to the main stream. Thus we must take the necessary action to contain the water and minimize the damage that it does. Another water problem that we have is maintaining its quality. Thirty years ago people used to swim on a sandy beach by what is now the site of the Jefferson Memorial. Today the pollution in the Potomac is so great that to bathe in that river would be suicide. One of the major crimes against nature that we have committed is the pollution of our rivers and the Potomac is a prime example of the maltreatment our rivers have received. I am delighted that the Izaak Walton League of America, an outstanding conservation organization, has resolved not to hold any future conventions in Washington until action is taken to correct this pollution problem. I am also sad about this action because it is a national scandal when the very river which flows past the door of our Capitol receives a label such as this. I have pledged myself to continue to work for comprehensive development of the Potomac River Basin. I think our sense of national pride should cause all of us to join together to remove the label that the Potomac River now has.

I am sure that many of you are interested in the relation between water and power development. National consideration of water problems automatically requires a consideration of this use for water. Twenty-five years ago the attempt to thwart the development

of Grand Coulee Dam on the Columbia River represented an effort by private utilities to usurp and steal the water resources of the American people. Charles L. McNary, my noted Republican predecessor in the Senate, and many other Republicans and Democrats joined with Franklin Delano Roosevelt to insure that these water resources would be used for the benefit of the people. Instead of the little dams that the private utilities wished, the Nation got maximum water development through the federally sponsored Grand Coulee project. I am sure you all know the tremendous contribution this dam made to our successful prosecution of World War II. The water that this project provides for irrigation enables the people of the State of Washington to provide many of the foods that you buy in your stores here in Maryland. Today we have another example of the private utilities seeking to destroy a water resource. This time it is on the Snake River, a part of the Columbia Basin, where the Idaho Power Co. proposes to build pygmy dams instead of the Hells Canyon Dam. There is a lot of debate about whether 1 high dam will do as much as 3 low dams. In talking about this Hells Canyon issue, there are a few facts that you ought to know. The Idaho Power Co. started off talking about building 3 dams, but now they are only building 2. The Idaho Power Co. said that these dams would be built without expense to the taxpayers. They painted a rosy picture of the private taxpaying utility stemming the tide of socialism and preserving the system of free enterprise. But how will they preserve this great system of free enterprise? One thing is certain. They are going to dip into the taxpayer's pocket and take out $83 million. This is $20 million less than the cost of their 2 pygmy dams according to their own figures. The total benefit of this $83 million gift to the company from the taxpayer becomes $339 million. This is 3 times the cost of their 2 dams. The total benefit is obtained because the actual tax saving can be reinvested to earn this stupendous amount. The private utilities of this Nation are Government-licensed monopolies with a guaranteed minimum rate of earning and the tax subsidy that this company seeks will do nothing more than enrich the stockholders of this corporation, whose principal office is not in Idaho but is in Maine. The people in the Northwest will pay a high rate for this power. The people all over the Nation will pay a subsidy to this private utility and only a fraction of the flood control and power development of this site will be realized.

Just the other day I was apprised of opposition to a flood control and power project in northwest Pennsylvania, which would flood the Corn Planter Indian Reservation and several thousand acres of land, which are supposed to have high agricultural value. All over our Nation there are other examples of dam projects, which will flood lands, needed or valuable for other uses. In the Northwest most of the remaining dam sites will destroy vast stands of timber, salmon spawning streams and farmlands. The Snake River is one of the few places on our continent where this problem is not present. We could build almost any size dam on that river and not destroy any other valuable land uses.

If we build the pygmy dams that this administration has supported in consort with the Idaho Power Co., we will destroy a tremendous potential for electric power and the development of our Nation.

The VICE PRESIDENT. Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, before concluding the period when Senators may make 3-minute statements in connection with the transaction of routine business, I wish to have a quorum call to notify other Senators, so that they may come to the Chamber and make such statements as they desire to make. If there are no further items of routine business, we shall then proceed to other business.

I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

PERSONAL INCOME AND NATIONAL PROSPERITY

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Indianapolis Times of Sunday, June 16, 1957, entitled "Indiana's Plateau of Prosperity," and also an article entitled "Personal Income in May Reached a New Peak Rate," published in the Washington Post and Times Herald of Tuesday, June 18, 1957.

On yesterday the able junior Senator from Tennessee [Mr. GORE] placed in the RECORD some figures showing that Government bonds had reached their lowest point, and that interest rates had reached their highest point.

I wish to point out today that more people are employed in the United States than ever before; that they are earning higher wages than ever before; that the national income and the national gross product are the highest in the Nation's history.

The article states:

Personal income in the United States reached an adjusted annual rate of $340.5 billion during May. A new record, this figures out as almost $2,000 a year for each of the country's 171 million inhabitants.

I am sure that the people are the ones who receive that income in the form of wages and salaries, because not too many of them own bonds.

I ask unanimous consent that the articles be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of June 18, 1957]

PERSONAL INCOME IN MAY REACHED NEW PEAK RATE

Personal income in the United States reached an adjusted annual rate of $340.5 billion during May.

A new record, this figures out as almost $2,000 a year for each of the country's 171 million inhabitants.

The Commerce Department in its survey found personal income on a seasonally adjusted basis jumped $1 billion over April, and $17.5 billion over May 1956.

The May rate was $4 billion higher than for the first 3 months of this year.

Wages and salaries were up by $1 billion, property income—dividends, interest and business income—by a bit less than 1 billion, and transfer payments by about 2 billion. Transfer payments consist mostly of veterans' payments and social-security benefits.

The Commerce Department estimates of personal income include wages and salaries, the net income of proprietorships and partnerships—farm and nonfarm—as well as dividends and interest, net rents received by landlords, and other types of individual income.

The $2 billion rise in Government transfer payments reflected a sharp increase all spring as farm operators and other groups became eligible in larger numbers to receive old-age benefits. These groups came under the social-security law in 1955.

A side factor to the steepness of the increase in recent monthly payments is the fact that the first social-security checks to new claimants usually cover several months' payments.

The Commerce Department said most other components of personal income were relatively stable from April to May. Wages and salaries, after seasonal adjustment, were little changed as moderate gains in nonmanufacturing industries offset declines in manufacturing.

Payroll increases in nonmanufacturing industries reflected higher employment and higher average earnings. The increases were noted in trade, construction, finance, and State and local governments.

[From the Indianapolis Times of June 16, 1957]

INDIANA'S PLATEAU OF PROSPERITY: WHY BUSINESS WILL BOOM—INDUSTRY ENJOYS FAVORABLE TAXES, FRIENDLY CLIMATE

(By Robert Hoyer)

Indiana is destined to become an industrial giant by 1970.

Hoosier prophets of progress see a golden plateau of prosperity, with Indiana moving progressively ahead of her sister States.

They say Indiana has four basic lures to new industry.

1. Geography (the State is centered in one of the world's richest markets).

2. A sound tax structure that appeals to business.

3. A friendly political climate (Governor Handley and Lieutenant Governor Parker have promoted new business).

4. Comparatively good labor relations the last decade.

Since World War II, the State has been wooing industry at a record clip.

And, in line with industrial expansion, population has been increasing faster than the national average.

In predicting a bright future for the State, leaders point to the 191 new industries that have located here since April 1, 1955.

They cite the big expansion programs planned by major steel companies in the Gary area.

They say that Indiana—currently 10th among the States in population with 4.4 million—will grow to 5.6 million by 1970, and move ahead of Massachusetts and New Jersey.

Planners long have estimated there will be an almost solid urban development between Indianapolis and Chicago by 1975.

Three theoretical centers—often determining factors in business location—fall in Indiana. They are:

1. United States center of manufacturers.

2. United States center of aluminum distribution (Terre Haute).

3. United States center of small motors manufacture (Allen County).

Indiana is first in per capita production of 16 products, second in 14 and third in 13 others.

First place per capita productions are:

Pig iron, 7 kinds of steel, 5 kinds of furniture, 3 types of canned goods, coke screenings, book printing and letterpress work, building limestone, power transmission equipment, mechanical stokers, household refrigerators, condensing units, measuring and dispensing units, plumbing and heating valves, household radio receivers, TV sets, phonographs and record players, musical instruments (except pianos and organs), wood caskets and coffins.

John C. Mellett, director of Indiana Economic Council, explained still another lure to industry here, "Industries go where industries are because:

"1. They will find subcontractors to do some of their work.

"2. They will pick up work from other industry.

"3. In industrial areas, there usually exists an available labor force."

Of the plants moving here since April 1955, 22 came from Illinois—most of them in the Chicago area; 15 relocated from Michigan, 10 from Pennsylvania, and 9 from New York State.

Mr. Mellett said Indiana lost only two plants since April 1955.

During the same period 71 firms spent millions of dollars on expansion programs.

Business leaders say Indiana can become the industrial hub of the Nation, if the tax structure is kept in line and if the political climate remains favorable.

"Since Indiana is equal to most States in most things, tax structure assumes the key role in industrial development," John Barnett, Indiana State Chamber of Commerce explained.

The center of population, which has moved progressively west from Baltimore, Md., in 1790, now is just 10 miles west of Vincennes, in Illinois.

The center of manufacturers, which in 1850 was in central Pennsylvania, now is in Indianapolis.

Officials believe that Indiana is the most balanced industrial State in the Nation.

They point to the population distribution, to the many towns and cities spread across the State's 36,205 square miles.

In this respect Indiana is better than States like New York, Illinois, Michigan, and Pennsylvania.

New York has to fight against New York City. In Illinois it's a battle between Chicago and downstate rural and urban areas. In Michigan it's a duel between Detroit and the rest of the State, and in Pennsylvania it's Philadelphia and Pittsburgh against the agrarian middle of the State.

Indiana's largest city is Indianapolis with 475,000. Evansville, South Bend, Gary, Ft. Wayne, and Hammond, all top the 100,000 figure, and Muncie and Terre Haute boast populations of 75,000.

With the opening of the St. Lawrence Seaway, the entire Middle West will assume an even bigger role in the Nation's economic future. And Indiana, long the heart of the Midwest's fertile Farm Belt, should be one of the biggest beneficiaries.

Plans for an Indiana port on Lake Michigan fit into this picture of increased commerce on the St. Lawrence.

Indiana currently ranks second only to Texas on per capita construction of industrial buildings. Ohio ranks fourth, Illinois seventh, and Michigan ninth.

The Engineering News Record lists Indiana industrial construction for 1954–57 at $1.7 billion—or 6.5 percent of the Nation total.

An Indiana Economic Council survey shows State wages and salaries up 425 percent since 1939, as compared with a national increase of 420 percent.

Employment is up 71 percent in Indiana as compared with 70 percent nationally and Hoosier population has increased 22.5 percent against a national increase of 13 percent.

The number of factories in Indiana has increased by 52 percent and the national average is 66 percent. "But this is a deceiving comparison," Mr. Mellett explained. "Some States like Kansas that had virtually no industry showed vast percentage gains, but Indiana's total gain was much greater."

Business and industrial leaders singled out Indiana's gross income tax as a basic reason for bringing industry here.

"Indiana has no tax that clips firms doing national business," explained Harry T. Ice, attorney for a number of big industries here.

Big firms are not important for the tax they pay, but because of the tax they generate. That's the beauty of the gross tax. It's a turnover levy, and every time a payroll turns over, it produces revenue.

"It's the most painless tax, as far as growth. It doesn't hit the little fellow harder than the big fellow."

"With more than 10 new industrial payrolls coming to Indiana each month, you can be sure management has carefully compared Indiana with other States.

"Moreover, Indiana's tax picture is clear now for a number of years. The 1957 legislature made a drastic review of tax needs, and adjusted revenue schedules," Gov. Handley said.

Lt. Gov. Crawford Parker said only Ohio can compete with Indiana, in industrial growth, but he pointed out that Indiana is more favorably situated for a number of industries.

Jack Reich, executive secretary of Indiana State Chamber of Commerce, said the tax picture is one of the first considered by prospective industries.

Leaders also point to the growing cultural advantages of Indiana with Indiana University in the southern half of the State and Purdue University serving the north.

The Indianapolis symphony and an all-season program of cultural activity in a half dozen Indiana cities brighten the prospects of new business. Industrial leaders like to locate new plants in communities that offer full social and cultural opportunities.

Hobert Autterson, secretary-treasurer of Indiana State Federation of Labor, called labor-management relations here "better than in any State of Indiana's size and productive capacity."

Although unions lobbied against the gross income tax increase in the 1957 legislature, they considered it a lesser evil than a proposed sales tax, which posed as a possible substitute.

Leaders cited communications advantages.

1. Principal railroads and trucking companies course the State.

2. More Federal highways converge on Indianapolis—Indiana capital and geographic center—than any other American city.

It is without exaggeration that Hoosiers refer to Indianapolis as crossroads of the Nation.

FEDERAL FLOOD INSURANCE

Mr. PASTORE. Mr. President, I learned with deep regret that the House of Representatives has disagreed to Senate amendment No. 15 to the third supplemental appropriation bill of 1957, known as H. R. 7221.

This amendment proposed to make available $14 million for payment of compensation for services rendered by private organizations and persons pursuant to section 13 of the Federal Flood Insurance Act of 1956.

This meant $14 million to meet the costs of the private insurance industry, which would undertake to write the policies, execute the contracts, and adjust the losses under the Federal flood insurance authorized by the Congress with enthusiasm last summer.

But what is more than all the technical aspects—the life or death of the measure means the life or death of this Federal agency. It means a sentence of death to take effect June 30—for without this agency the Federal Flood Insurance Act is dead.

A story to tell the people in the areas where floods have taken their toll. What will be the feelings of the people who thought the Congress meant it when it responded to the desperate pleas of countless citizens and appropriated half a million dollars to begin the study?

What reason is given? It is said the costs would be too great. Yet, it is the very enormity of the losses that caused the agitation in the first place. Does good government run away from the necessities of its people? Do we turn our faces away when disaster strikes any segment of our Nation? Are we so callous that we have not time to think of our neighbor in need?

Are we so deficient in talent to meet the needs that we simply abandon the task, and say, "There is nothing that can be done; we of the Congress will detour around this responsibility"?

Another reason given is that it would put the Government in business. It would put the Government in business only to the extent that private industry will not or cannot meet the needs of the situation. Where is an individual to turn to get coverage against the dangers of flooding? What insurance company will take care of him? He may be ready and willing to pay his share. He must be ready and willing to pay his share. But what company is there to help him?

There is no company. That is precisely the reason why the Federal Government seeks to do something about it. We must do something about it or confess that we are not equal to taking care of the problems which should be our concern.

The last thing Federal flood insurance contemplates is to put the Government in business. The first thing Federal flood insurance has to do is to get out of the insurance business just as soon as any private company will offer adequate insurance at reasonable rates. That is provided in the law itself. The agency is obligated to get out of business as soon as private industry finds from its tables of experience that private industry can handle the program at a cost that is satisfactory to itself and to the public.

The money the Senate amendment sought to provide was to go to private companies which have been praised for their readiness to cooperate and give Federal flood insurance a good start by doing, at low cost, the paperwork, the policy writing, contract making, and loss adjusting with their expert staffs.

Everybody is only too anxious to have the private insurance industries take over the whole matter. We do not blame them for being cautious. We congratulate them on their cooperation thus far. And we would hasten the day when they will do the whole job. But we cannot wait on that happy day.

In any event there is a 5-year cutoff of the activities of the agency. It must report back to the Congress in 1962 to see if the Congress will continue its operation.

There is no permanence to the agency unless the Congress wills it.

Now there is a little ray of sunshine, as I see it. One hundred and eight-six

votes supported the amendment in the House.

And the House has been on record as favoring a continuing study by the agency. In January last they hoped that the agency would make a good continuation with the $350,000 it had at that time.

By June 30 that amount will have been whittled down to some $160,000 or $170,000. There will be that much left. But the agency cannot spend it. Its authority dies on June 30.

Here is a little agency doing a big job. Here is an agency with less than 30 people who have come up with some factual findings and some dollar-and-cent steps which will take us far along our road of responsibility. And the Agency is finding the answers to the cost coverage of the disasters which have so grievously hurt many areas of our country.

And here we are dismissing them almost curtly; cutting off their blood supply; but, worse of all, cutting off the hopes of our people that we really intended to grapple with the problems of their perils.

It should be the business of the Congress to find some supplemental measure by which to keep a foot in the door. That door must not be slammed in the face of flood sufferers.

We must take all the necessary steps to see that we do not choke off even our own finer feelings in the matter. We have meant to keep this Agency alive. We have given them some money. They have not spent it all.

It is important to keep this Agency alive until at least another session of Congress when we may see things in a more mature light. We have to keep this agency and its employees on the job or the future of Federal flood insurance will fade away while we shall be plagued with the echoes of the fine words we uttered a year ago and the patriotic sentiments of a Congress concerned with the responsibility to lessen the burden of relief and rehabilitation that falls on the Federal Government when neither private citizen nor private industry can rise to the occasion.

It is my hope that a supplemental bill may provide the life-giving lease to this capable agency and keep alive in the hearts of people the hope that we can find the answer to their risks as unpredictable Nature threatens home and life and business at the most unforeseen times.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. SALTONSTALL. I agree with the principle stated by the Senator from Rhode Island. The people of New England are very much interested in this subject. Yesterday the Senator from Rhode Island, the Senator from Connecticut [Mr. BUSH], and I conferred on this subject. As the Senate knows, the Senator from Connecticut and former Senator Lehman, of New York, served on the subcommittee which went into this matter at great length. The House has been adamant with respect to this authorization.

However, Mr. President, the Agency is still in existence, and there is still some money available. The Senator from Rhode Island and I have talked with the senior Senator from Arizona [Mr. HAYDEN], the chairman of the Committee on Appropriations, and I believe we have his sympathy with regard to presenting this matter in connection with another supplemental appropriation bill, with the hope that the Agency may be continued by reappropriating the funds still available.

Mr. PASTORE. The distinguished Senator from Massachusetts is absolutely correct. It is true that the Agency still has between $160,000 and $170,000 remaining to its credit. However, the authorization dies on the 30th of June, and unless we have a continuation of the authority the Agency will die. I hope the chairman of the Committee on Appropriations will favor us in that regard.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JAVITS. Mr. President, I wish to associate myself with the views of the Senator from Rhode Island and the Senator from Massachusetts. New York pays 20 percent of the Federal taxes, twice as much as its proportionate share from the standpoint of population. We feel very deeply about this subject, and we should like very much to see some action taken on it. I believe I can speak also for my colleague, the senior Senator from New York [Mr. IVES], when I say that we will be able to take the kind of action the Senator has described. I thank the Senator from Rhode Island for making such an eloquent speech in behalf of our cause.

Mr. PASTORE. I thank the Senator.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. NEUBERGER. I wish to thank the Senator from Rhode Island for his interest in the matter. My State is one of the States which has been tragically affected by floods. We certainly hope the Senator from Rhode Island will be successful in being able to continue the appropriation and in securing the money which is necessary. Oregon needs the Federal flood-insurance program, and needs it at an early date.

JURY TRIALS IN CIVIL-RIGHTS CASES

Mr. JOHNSTON of South Carolina. Mr. President, I have before me two thought-provoking editorials. One of them, which is entitled "Jury Trial Memo," was published in the Washington Evening Star of June 14, 1957; the other which is entitled "Jury Trials Denied," published in the Washington Sunday Star of June 16, 1957.

I think the editorials are most timely now, and I ask unanimous consent that they be printed in the body of the RECORD. I ask every Senator to read them to see exactly what the people are thinking about at this time.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star of June 14, 1957]

JURY TRIAL MEMO

There are two sentences in Justice Black's recent decision in the case of the wives who murdered their soldier husbands which deserve the thoughtful attention of those who cry out in horror against the proposal to provide for jury trials in civil rights contempt cases.

In one sentence Justice Black said that "trial by jury in a court of law and in accordance with traditional modes of procedure after an indictment by grand jury has served and remains one of our most vital barriers to governmental arbitrariness." The other sentence reads: "The concept that the Bill of Rights and other constitutional protections against arbitrary government are inoperative when they become inconvenient or when expediency dictates otherwise is a very dangerous doctrine and if allowed to flourish would destroy the benefit of a written constitution and undermine the basis of our Government."

We are fully aware that Justice Black was talking about the trial of a criminal charge against a nonmilitary person by a military court. We are also aware that a prosecution for criminal contempt, strictly speaking, is not a criminal trial in the ordinary sense. But the distinction is more one of form than of substance.

What Justice Black really was driving at is the fact that trial by jury is a vital and fundamental safeguard for the individual—what Blackstone called the glory of the English law. Does it make sense to say that of course a man charged with stealing a cow is entitled to a jury trial, but that the same man, charged with violating a civil-rights injunction, must be denied a jury trial? The latter is essentially a criminal prosecution, and the man, if convicted, faces a prison sentence which might well be much more severe than in the theft of a cow. Why should he not be entitled to the safeguard of a jury trial?

The answer, of course, is that the jury trial opponents think it would be easier to convict an injunction-violator in a trial by a judge than in a trial by jury. They might be right. But is not this essentially the strategy of convenience and expediency which Justice Black has condemned as "a very dangerous doctrine"? We think it is. And we also think that those who denounce jury trials in civil-rights cases, before they even know what the juries will do, are rendering a great disservice to the fundamental concepts of our Constitution and Bill of Rights.

[From the Washington Star of June 16, 1957]

JURY TRIALS DENIED

The attempt to add a jury-trial amendment to the so-called civil-rights bill has been beaten down in the House by a vote of 199 to 167. This 32-vote margin, according to Representative WILLIS, Democrat of Louisiana, resulted from White House pressure on Republican House Members.

We do not know whether this is correct. If it is, it means that the President, who carried five Southern States last year, does not trust southern jurors to live up to their oaths. For the real reason behind the drive against the jury-trial amendment was the fear, real or professed, that southern juries would not convict defendants in civil-rights contempt trials, regardless of the evidence.

Whatever the case with respect to the President, it is clear that the House has prejudged, and adversely prejudged, an entire area of the country. In effect, this was a vote of no confidence in the South, and that, we think, is a high price to pay for some supposed political advantage among Negro voters outside the South.

The jury-trial amendment was offered by Representative KEENEY, a freshman Republican House Member from Illinois. He said he submitted the amendment because as a judge in Illinois he had always considered a jury trial as an integral part of any court.

It required political courage for Mr. KEENEY to take this stand, and, with respect to cases in which punishment for criminal contempt is comparable to punishment for other crimes, we think he is right. We do not believe that considerations of expediency, especially considerations based on speculation, justify bypassing the jury trial, and we trust that this matter will receive more earnest consideration in the Senate.

DETERIORATION IN VALUE OF UNITED STATES BONDS

Mr. GORE. Mr. President, I regret to call the attention of the Senate to the fact that commercial interest rates in Wall Street yesterday increased another one-eighth of 1 percent under the impetus of the administration's monetary and economic policies.

I further call attention to the fact that this is the second such increase thus far in the month of June.

Yesterday 22 issues of bonds of the United States Government deteriorated to new lows. Victory bonds were bid down to 86.2, almost $14 below par.

Mr. President, this occurred yesterday at the very time the Secretary of the Treasury was advising the Senate Committee on Finance that higher interest rates were still needed.

Yesterday the holders of United States Government bonds suffered losses in value totaling $113,390,344.

Mr. President, the values of Government bonds are deteriorating daily. How long can this continue without the representatives of the people taking action?

I congratulate the able chairman of the Committee on Finance, the distinguished Senator from Virginia [Mr. BYRD], upon his withering examination of the Secretary of the Treasury this morning. He was probing deeply into fiscal facts and was ferreting out the truth, which was glossed over yesterday. I congratulate the Senator from Virginia. I am happy the investigation has started.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. BENNETT. It will be interesting to have our colleague from Tennessee stand up every day and recite his impression of the losses in the values of bonds to the bondholders. He does not say, of course, that that kind of process takes place in the stock market every time the price of a stock or bond changes. The loss is a paper loss only. The Federal Government is prepared, under the terms of the bonds, to redeem them at par when they become due.

So the losses are theoretical losses. I hope nobody will rush to get rid of his bonds on the theory that the day will come when the Federal Government will not be prepared to redeem them at their face value.

Mr. GORE. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. GORE. A large insurance company may be able to hold its bonds to maturity. Unfortunately, many individuals and concerns cannot do so. Unfortunately, some institutions and some people must liquidate. When they liquidate, they suffer a very real loss. Even though they do not liquidate, the market value of the bonds of our country is deteriorating daily.

Mr. BENNETT. Of course, people do not buy bonds to speculate in them. The situation which the Senator from Tennessee describes would exist even if people were speculating in the bonds. But people buy bonds expecting to carry them to maturity.

Most private citizens hold E and H bonds, which do not deteriorate. However, it is true that some companies might, under some circumstances, decide that they would rather sell their bonds at current prices and buy something else. The fact remains, nevertheless, that it is still merely a paper transaction.

Mr. CAPEHART. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. CAPEHART. Did the Senator know that I placed in the RECORD a few minutes ago a statement to the effect that the national income today is the highest it has been in the history of the Nation? I said more people are employed today than ever before in the history of the Nation. The wages and personal income of the American people today are the highest in the history of the Nation. The gross national product is the greatest in the history of the Nation. I wondered if the Senator from Utah was aware of that.

Mr. BENNETT. I know it generally; I did not know the Senator from Indiana had placed that information in the RECORD.

Mr. CAPEHART. I wonder if the able Senator from Tennessee is going to check up each day during the so-called investigation and tell us about the prices of Government bonds.

Mr. BENNETT. I imagine that may happen. Of course, we can go to the news tickers and the newspapers to ascertain that information for ourselves.

Mr. CAPEHART. Is the able Senator from Tennessee a member of the Committee on Finance, which is conducting the investigation?

Mr. BENNETT. Yes; the Senator from Tennessee is a member of that committee.

Mr. CAPEHART. Is it possible, then, that the Senator from Tennessee can take the position that he is not being political about this matter?

Mr. BENNETT. Under the rules of the committee, both the Senator from Tennessee and the junior Senator from Utah are going to sit silent for a while until the senior members of the committee have questioned the witnesses. I imagine the Senator from Tennessee is enjoying an opportunity to talk in a situation where he is not required to sit silent.

Mr. CAPEHART. Has the Senator from Tennessee offered in the committee any suggestions as to how to cure the situation?

Mr. BENNETT. In fairness to the Senator from Tennessee, it should be said that his opportunity to offer suggestions will not come for some little time; but I assume he will do so.

Mr. KERR. Mr. President, the distinguished Senator from Utah made a couple of interesting statements about Government bonds. First, he said that they are bought usually by the holders, if I understood the distinguished Senator correctly, to carry to maturity, and not for purposes of speculation.

In that regard, the present administration has issued two series of long-term bonds: One in May 1953, at 3¼ percent, for a period of 30 years; the other, a series of bonds issued in 1955, for a period of 40 years. I do not believe that any reasonable man would expect the holders of those bonds to carry them at a loss through periods of 30 or 40 years, in the hope that in the lifetime of their children or grandchildren there would come along a Government which would have more respect for them than did the administration that issued them.

The Senator said Government bonds are not a speculative security. Mr. President, there was a time when that was true. There was a time when the issuing agency had enough respect for them to give them a decent environment, so they would not have to go from life to death from the date of issue to the date of maturity. But that is a historic situation, and is not the reality of today.

I say that the Secretary of the Treasury, George Humphrey, in agreement with—on a basis that amounts almost to a conspiracy—the Federal Reserve Board, has made a speculative security out of every Government bond now in existence or those which they contemplate issuing. They have stripped from them every vestige of reinforcement capable of being given to them by those who give them birth and put them into circulation. They send them forth into a jungle of financial maneuvering and speculation, saying they will neither own them nor respect them nor recognize them nor give them any value after the day they are born; and they serve notice to the world that the bonds they expect to issue thereafter will be at a higher rate of interest, which can do nothing but drive down the value of those which have been issued, and which is the inevitable result of making a speculative security of them.

There was a time when conservative people, including old people, had confidence that if they put their money into Government bonds, even though they would not get back, in return, as large a rate of interest as they might hope to expect from a speculative investment, yet they had a Government of honor and integrity which respected its own offspring, so that Government bonds

would not suffer deteriorating reduction

conspiracy to destroy the value of their

The VICE PRESIDENT. The regular

would not suffer deteriorating reduction in their daily value.

The distinguished Senator from Tennessee talked about what happened yesterday, when investors in Government bonds lost nearly $200 million. The day before they lost nearly $800 million. The day before that, when the markets were open on last Friday, they lost $600 million. The day before that—on last Thursday—they lost $500 million.

The Senator from Utah—naively, in the language and the propaganda of the Secretary of the Treasury and the Federal Reserve Board—says Government bonds are not a speculative security. I wish to state that this administration has made them nothing but speculative securities; and until this administration reaches the point where it recognizes its responsibility and its power to maintain the integrity of its own bond issues, they can be nothing but speculative securities.

Mr. CAPEHART and Mr. SALTONSTALL addressed the Chair.

The VICE PRESIDENT. Does the Senator from Oklahoma yield; and if so, to whom?

Mr. KERR. I yield.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. Is not the Senate still in the morning hour?

The VICE PRESIDENT. It is.

Mr. KNOWLAND. What is the time limitation on the making of insertions in the RECORD?

The VICE PRESIDENT. Three minutes.

Mr. KNOWLAND. Then, Mr. President, I ask for the regular order.

Mr. KERR. Mr. President, I say to the Senators who have asked me to yield, your leader has protected me from you. [Laughter.]

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may yield to the Senator from Massachusetts [Mr. SALTONSTALL], to enable him to propound an inquiry to the Senator from Oklahoma.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Then, Mr. President, I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I thank the Senator from Texas.

Mr. President, the Senator from Oklahoma used the word "conspiracy," and said the Federal Reserve Board and the Secretary of the Treasury had entered into a conspiracy to make the bonds of the United States speculative. I am confident that the Senator from Oklahoma did not mean to make such a statement.

Mr. KERR. I said they had adopted a policy in agreement with each other, on a basis that amounted almost to a conspiracy. When they agreed to do that which turns every Government bond loose in the jungle of the law of supply and demand, with the killer ever ready with a principle of increasing the rate of interest on each succeeding issue, that can be but little below the dignity of a conspiracy to destroy the value of their own issues.

Mr. SALTONSTALL. Mr. President, will the Senator from Texas yield further to me?

Mr. JOHNSON of Texas. I yield.

Mr. SALTONSTALL. I wish to say that from my knowledge of George Humphrey and William Martin, of the Federal Reserve Board, I am confident that there is not a conspiracy to affect the value of the bonds of the United States.

Mr. KERR. I say to the Senator from Massachusetts that if people, through the best of intentions or through reckless disregard, run over millions of investors in Government bonds and impair and partially destroy their investment, the effect is just the same as though they had deliberately planned it that way.

Mr. CAPEHART. Mr. President, I presume the able Senator from Oklahoma [Mr. KERR], inasmuch as he is a member of the Finance Committee, will offer a solution to the problem he has just been discussing. I wish to say that here is another case of a member of the Senate committee making politics out of the so-called investigation.

I wish to say that the able Senator from Oklahoma—big-business man that he is—knows better than to make the statements he has just made, because he knows there has never been a time in the history of the United States when Government bonds did not move up and down in their current value. He knows, and he, more than any other Member of the Senate, because possibly he is capable of buying more Government bonds than is any other Member of the Senate—that every Government bond on its maturity date is worth 100 cents on the dollar, and he knows that every Government bond that has ever been issued has been paid off by the Federal Government at 100 cents on the dollar.

Why the able Senator from Oklahoma, who himself is a big-business man, would try today, on the floor of the United States Senate, to cause the American people to lose confidence in their Government and lose confidence in their Government's bonds, is something I shall never understand.

Let me say that all that Mr. Martin and Mr. Humphrey and this administration are trying to do is to hold down inflation. I do not think I shall go so far as to say it was a conspiracy, but I might, if I wanted to indulge in the same terms the able Senator from Oklahoma used. But, if I remember correctly—and I think no one can successfully contradict me—when his party and his Secretary of the Treasury were running the fiscal affairs of the United States, over a period of 15 years, the value of the dollar and the purchasing power of the dollar were reduced by almost 50 percent, whereas under President Eisenhower and Secretary of the Treasury Humphrey and William Martin, the Chairman of the Federal Reserve Board, inflation has increased only about six-tenths of 1 percent a year.

I think it is very, very unfortunate that the present investigation—and yesterday I called attention——

The VICE PRESIDENT. The regular order has been requested; and the time available to the Senator from Indiana has expired.

Mr. CAPEHART. May I have 1 additional minute?

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the Senator from Indiana may have 1 additional minute.

The VICE PRESIDENT. Is there objection?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object—although I shall not object—let me say that the minority leader indicated to me that Senators should confine their remarks to the 3-minute limitation. If exception is to be made, it should be applied equally to both sides. However, I do not object to the request.

Mr. CAPEHART. Then I ask for only an additional one-half minute.

Mr. VICE PRESIDENT. Without objection, the Senator from Indiana may proceed.

Mr. CAPEHART. I think it is unfortunate; and I am hopeful that the able senior Senator from Virginia [Mr. BYRD], the chairman of the Finance Committee, will try to put a stop to playing politics with this investigation. Already we have heard from two members of the Finance Committee on the opposite side of the aisle; and today one of them—the able Senator from Oklahoma [Mr. KERR]—indulged in condemnation of the Secretary of the Treasury of the United States and the head of the Federal Reserve Board that borders almost upon—well, Mr. President, I do not know what to say, when a man says that the Secretary of the Treasury and the Chairman of the Federal Reserve Board and others have almost entered into a conspiracy. That is very strong language. I should think he would want it stricken from the RECORD [laughter] because he, of all the Members on the floor of the United States Senate, knows it is not true.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that 2 additional minutes be given to the Senator from Indiana.

Mr. CAPEHART. The Senator from Oklahoma is a businessman and he knows how business operates.

Mr. JOHNSTON of South Carolina. Mr. President——

The VICE PRESIDENT. The Senator from South Carolina.

Mr. KERR. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield for a question. I have a matter I should like to present.

Mr. KERR. I wanted the Senator to yield to me as a matter of personal privilege so that I might pay my personal respects to the distinguished Senator from Indiana. He said he did not know what to say, and he spent 10 minutes proving it. [Laughter.]

Mr. CAPEHART. Mr. President, if the Senator will yield to me. The reason I said I did not know what to say was that although I knew what to say, I did not believe the rules of the Senate would permit me to say it. [Laughter.]

Mr. BENNETT. Mr. President——

The VICE PRESIDENT. The Senator from Utah.

Mr. BENNETT. The Senator from Utah wants to respect the limits of the morning hour, but would like to recite a little bit of history. In 1941, in order that the war might be financed——

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JOHNSON of Texas. Under the unanimous consent agreement, can a Senator speak more than one time on the same subject?

The VICE PRESIDENT. The regular order is requested.

Mr. JOHNSON of Texas. I do not ask for the regular order, and I shall not object to the Senator speaking a second time on the subject. I merely wanted all Senators to know that it required unanimous consent. I have no objection to the Senator's proceeding and our hearing what he has to say, although I assume any other Senator who wants to speak a second time on the same subject will be accorded the same privilege.

Mr. BENNETT. Mr. President, I do not desire to impose on the Senate under those circumstances. I shall give my little lesson in history at a later time.

Mr. HICKENLOOPER. Mr. President.

The VICE PRESIDENT. The Senator from Iowa.

Mr. HICKENLOOPER. This is the first time I have spoken on this or any other subject today. I merely wish to make a suggestion and ask the advice of the leadership. On many occasions I have seen a subject opened up in the morning hour, under the 3-minute rule, and have seen the rule violated by those who opened up the subject and who spoke. Often a number of Senators have spoken at length on one side. Then, when rebuttal is offered, the 3-minute rule is invoked and the regular order is called for.

I understand that is not the program or the plan of any individual. I believe if the 3-minute rule is invoked in the morning hour, it should start with the first speaker, and he should be limited to 3 minutes, and it should not be invoked merely to curtail later speakers. I do not suggest that Senators who speak later be given unlimited time, but I suggest that the limit on time be applied to the very first speaker.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. JOHNSON of Texas. The Senator was looking directly at this side of the aisle. No one on this side of the aisle has invoked the 3-minute rule. We have refrained from doing so, although the minority leader did ask me if I did not think it would be the better part of wisdom for us to remain within the 3-minute rule, and I agreed.

Mr. HICKENLOOPER. I may say to the majority leader I am not accusing anybody.

Mr. JOHNSON of Texas. I should like to inform the Senator that, as he well knows, he may invoke the rule at any time, as may any other Senator. The majority leader has not invoked it, and does not propose to do so.

Mr. HICKENLOOPER. Mr. President, the regular order has been called for on occasion this morning. I merely believe if we are going to operate under rules, and if a 3-minute rule or a 5-minute rule or a 2-minute rule is established, the rule should be invoked beginning with the first speaker and that it should apply to every speaker who may succeed him. That applies to both sides of the aisle, the Democratic and the Republican sides.

Mr. JOHNSON of Texas. Mr. President, if there is any other Senator who desires to address the Senate under the 3-minute rule, I should like to have him speak up. If not——

Mr. WILEY. Mr. President, I have listened to this discussion of Government bonds. As one who has faith in the Government and who has faith in investments in Government bonds, I merely wish to say that Government bonds are in competition with oil stocks and other securities that return greater interest. Consequently, the situation is simply an indication of what the market is in relation to the interest return.

I have lived long enough to see Government bonds in my time selling down in the 80's, and I have seen them come back. I have never lost 1 cent on Government bonds.

The only suggestion I make is that if we take such action and follow such courses as will depreciate the value of the dollar to a great extent, we will really damage the interests of those who have put their money into bonds. Inflation is the real danger. What have my Democrat friends to say on that subject?

I am sure no Senator who has spoken today will want to say that Government bonds today are not the best investment from the standpoint of security, and that America is not the best land in which to invest one's money, whether it be in Government bonds, corporate stock, municipals, or any other investment. Loose talk now will not help the situation.

Mr. LONG. Mr. President——

The VICE PRESIDENT. The Senator from Louisiana.

Mr. LONG. I do not wish this morning hour to close without commenting for just one moment on this discussion. I believe that when bonds which have been issued by the United States Government are bought by a person who believes, in good faith, that he is paying $750 for a bond which will mature at $1,000, and after holding it 6 months finds he must sell it, and finds he cannot even get his $750 back, that is a serious matter, indeed. I believe such a situation is worthy of investigation by the Finance Committee. It does a man very little good to tell him that if he can hold on for 10 years or 25 or 30 years, he will get his money back with interest. Many persons are forced to sell their bonds at an earlier date than maturity, and the Government well recognized that fact by issuing Series E bonds, which are guaranteed to return the investment with interest after the bond has been held for 6 months or even less. However, almost 90 percent of the Government bonds are issued on such a basis that their value prior to maturity is now speculative. When we find Government obligations selling at 14 points below par, that is a serious matter, and I believe one which is worthy of investigation. I think those who are responsible for that situation should explain it and try to justify it.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. LONG. I am glad to yield, if I have the time.

Mr. FLANDERS. I thank the Senator. I should like to inquire what the significance was of suggesting the $750 investment in Government bonds. That sounds to me like an E-bond and an E-bond is worth its face value at any time.

Mr. LONG. I made that statement referring to figures that worked out in even numbers. About 10 percent of the Government's credit is represented by series E-bonds. I explained that when the other 90 percent of Government obligations is subject to complete speculation, it is a very serious matter. I believe we should look into it to see if something can be done about it. Those who support that kind of program should justify it. We are looking into it now to see if they can.

Mr. CASE of South Dakota. Mr. President, if this is the forerunner of the 1958 campaign, I trust that those who are responsible for raising this issue will do a little research and find out how it happened that the gold clauses were canceled and ignored in the bonds that were issued some time ago. Perhaps the No. 1 plank for any person having political aspirations for 1958 would be a restoration of the gold standard.

Mr. HUMPHREY. Mr. President, I gather we have just heard the announcement of the new Republican fiscal policy, the restoration of the gold standard.

What apparently is more interesting to the American people now is the restoration of the value of bonds. I should like to suggest most respectfully and kindly to my distinguished and able friend, the Senator from Wisconsin [Mr. WILEY], that I have great faith in Government bonds. There is no doubt that the bonds of the Government of the United States are the finest bonds in the world. The trouble is that those in whom we do not have faith are the ones who are issuing the bonds. There is not a thing wrong with the Government credit structure that cannot be remedied by a change of management.

Senators do not have to take my word for that. They can take the word of some of the most conservative, yet some of the most authentic journals in the field of finance.

I should like to have my Republican friends listen for a moment to a few passages of financial scripture from the Wall Street Journal of June 3:

> The plain, simple and incontrovertible fact is that the Government of the United States is in a fiscal mess.

I would not be a bit surprised to find that the author of that statement may have some kind of ideological kinship with the Republican administration.

Let us look down a little bit further. The statement reads:

To put it bluntly, the Treasury of the richest Nation on earth is short of money. At one point this spring it had hardly enough cash to pay a week's worth of bills. And with current spending rising faster than current income, despite the "balanced" budget, the squeeze threatens to get worse.

Going down a bit further, we find Barron's national business and financial weekly. This is not exactly a publication of the Socialist organization or of the Democratic National Committee. Barron's weekly is considered to be a responsible, respectable financial journal, and it states as follows, in the June 3 issue:

Specifically, in the exercise of one of its most strategic functions, management of the public debt, the Treasury lately has suffered painful reverses. It has been compelled to raise money with distressing frequency and at steadily rising costs. At the same time, its serious financial straits have posed a mounting threat to overall economic stability. In short, while the Nation remains as solvent as ever, debt management policy has come perilously close to bankruptcy.

I suggest that our Republican friends should direct their attention toward those comments.

The minute any Democrat raises his voice to suggest that something may be wrong in this administration, it is as if he were committing a mortal sin. I wish to say to my Republican friends, most respectfully, "Thou, too, can err along life's way," believe it or not. And I think the evidence is mounting and the evidence is coming in in reams and volumes that our Republican friends have erred abundantly.

The VICE PRESIDENT. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. I have said enough, and I think it is to the point, Mr. President.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum, and I want to inform the Senate that as soon as a quorum is obtained, the Chair, under the previous unanimous-consent agreement, will lay before the Senate the House civil-rights bill.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Dworshak	Kefauver
Allott	Eastland	Kennedy
Anderson	Ellender	Kerr
Barrett	Ervin	Knowland
Beall	Flanders	Kuchel
Bennett	Frear	Lausche
Bible	Fulbright	Long
Bricker	Goldwater	Magnuson
Butler	Gore	Malone
Byrd	Green	Mansfield
Capehart	Hayden	Martin, Iowa
Carlson	Hennings	Martin, Pa.
Carroll	Hickenlooper	McClellan
Case, N. J.	Hill	McNamara
Case, S. Dak.	Holland	Morse
Chavez	Hruska	Morton
Church	Humphrey	Mundt
Clark	Ives	Murray
Cooper	Jackson	Neuberger
Cotton	Javits	O'Mahoney
Curtis	Jenner	Pastore
Dirksen	Johnson, Tex.	Payne
Douglas	Johnston, S. C.	Potter
Purtell	Smathers	Thurmond
Revercomb	Smith, Maine	Thye
Robertson	Smith, N. J.	Watkins
Russell	Sparkman	Wiley
Saltonstall	Stennis	Williams
Schoeppel	Symington	Yarborough
Scott	Talmadge	Young

Mr. MANSFIELD. I announce that the Senator from Oklahoma [Mr. MONRONEY] and the Senator from West Virginia [Mr. NEELY] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is necessarily absent.

The VICE PRESIDENT. A quorum is present.

CIVIL RIGHTS ACT OF 1957

Mr. JOHNSON of Texas. Mr. President, if we may have order in the Chamber, I invite the attention of the Senator from California [Mr. KNOWLAND], the Senator from Illinois [Mr. DOUGLAS], and the Senator from Georgia [Mr. RUSSELL] to what is about to happen.

The VICE PRESIDENT. The Senate will be in order. Morning business is concluded.

Under the order of yesterday the Chair lays before the Senate a bill coming over from the House of Representatives, House bill 6127. Without objection, the first reading of the bill will be by title.

The LEGISLATIVE CLERK. A bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. RUSSELL, Mr. DOUGLAS, and other Senators addressed the Chair.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KNOWLAND. Am I correct in stating that the second reading cannot be held on this legislative day, except by unanimous consent?

The VICE PRESIDENT. The Senator is correct.

Mr. KNOWLAND. I wished to serve notice that should such a request be made I would object to the second reading on this legislative day.

Mr. RUSSELL. Mr. President, the distinguished Senator from Texas [Mr. JOHNSON] apparently had a crystal ball to indicate the order in which Senators would be recognized. When the first reading of the bill was had, I had hoped that the distinguished Vice President might see or hear me. I certainly was active and vociferous enough in my effort to obtain recognition.

I had hoped that I might ask that the Senate follow section 3 of rule XIV, and rule XXV of the Rules of the Senate. I intended, had I been recognized, to ask that the bill be read a second time and referred to committee. That would have been the historic and usual procedure in such a case.

The Senator from California has served notice that he would object to a second reading of the bill today. There can be no question whatever, under the provisions of rule XIV, that he is entitled to object to a second reading today. I merely wish to have the Senate take note of the source from which the objection to the second reading emanated.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks rule XXV of the Rules of the Senate, as that rule obtained prior to the passage of the Reorganization Act.

I also ask unanimous consent to have printed in the RECORD at the conclusion of my remarks rule XXV of the Rules of the Senate as adopted under the Reorganization Act.

I also ask unanimous consent to have printed in the RECORD at the conclusion of my remarks title I of the Reorganization Act, the same being section 101 of that act, subsections A and B, which relate to the vitality of the Reorganization Act as Rules of the Senate, by stating that this act supersedes any other rule that is inconsistent therewith.

Further, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the statement of the distinguished and late lamented Senator Vandenberg, of Michigan, who at that time was President pro tempore of the Senate, and the only permanent and legal Presiding Officer the Senate had at that time, because there was then no Vice President.

On May 4, 1948, when he submitted to the Senate the identical question which we have been told will arise in this case, the President pro tempore said:

The Senator from Arkansas raises the point of order that he is entitled under rule XIV of the Senate to exercise his priority of right to ask that after the second reading of the bill, which has just occurred, it shall go to the calendar.

The Chair proposes to submit that question to the Senate under rule XX. The question submitted to the Senate is as follows: Is the point of order of the Senator from Arkansas well taken? Upon that the Senate will vote yes or no.

Mr. President, I ask further that the yea and nay vote upon that question be printed in the RECORD. There are a number of present Members of the Senate who were Members at that time, and who voted on the question submitted by the distinguished Senator from Michigan.

Mr. President, I shall await with a great deal of interest the further proceedings to be had in this matter.

I am particularly intrigued by the statement of the distinguished Senator from California that this rule should be sparingly applied. Heretofore I had been under the impression that any rule of the Senate was either a rule or was not a rule. I had been under the impression that any right that was exerted on this floor by any Senator in one case was open and available to any other Senator in any similar case that could possibly arise under our parliamentary procedure.

I do not know that there has ever been placed upon a rule an interpretation that it should be sparingly used, or that an objection by one who happened to be the minority leader could have an

effect which did not apply in the case of an objection which might be raised by any other Member of the Senate to any bill after it had been read the second time.

I think the Senate might well consider the precedents and rules in this connection, and the effect which any overthrow of the rules to gain a temporary advantage with reference to specific legislation might have.

I want those who occupy positions of leadership, or who may aspire to positions of leadership in the Senate, representing an administration in power, to consider a precedent under which a tax bill, for example, might come from the House of Representatives, a bill which might contain a provision which appealed greatly to one Member of the Senate, but might be very objectionable to the administration in power. I ask those in positions of leadership to consider whether it would be a sparing use of rule XIV for a Senator to undertake to exercise rights equal to those with which we are now threatened, by rising in his place and saying, "Mr. President, the bill must go to the calendar. I, one Senator, will take it out of the power of 95 other Senators to deal with it."

We may be told that even if that were done, the bill could be brought up on motion and made the unfinished business. Later, by motion—and both motions to which I have referred would be debatable—it could be referred to committee, reported back to the Senate by the committee, and placed on the calendar, again to be brought up on motion and considered.

I submit that it might be well to consider which course is more calculated to result in delay—to follow the rules of the Senate and undertake to attack this problem by a motion to discharge a committee, or to set a precedent which will haunt the leadership of the Senate for years to come. Days might be spent in undertaking to get the bill off the calendar. Eventually, if there were a majority in favor of taking it from the calendar, it could be taken from the calendar. Then it could be sent to committee on motion. That process could be followed if there were a majority in favor of it.

However, we have a right to speak and to discuss the reasons why such a course should not be followed. After the bill has come from the committee and has been placed upon the calendar, it can be taken from the calendar on motion.

We must decide whether it is more advisable to follow the rules of the Senate which would accomplish the same result, or to establish a precedent which could tie up any administration in power, and make it most unlikely that it could ever obtain the enactment of a comprehensive program if there were Senators who wished to avail themselves of any precedent which permitted a single Senator to strike down rule XXV, which provides that a bill shall be referred, and send a bill to the calendar, thus bypassing the committee.

Such action would break down the precedent of the Senate which was established by a vote of 56 to 15 in May 1948, when the Senate undertook to protect the validity of the committee system.

Certainly we all know as practical men that in today's world, when we must grapple with so many important problems, without a freely functioning committee system it would be impossible for the Senate to legislate.

It is said that the system has been abused. Probably it has been abused in the past, and it may be abused in the future. However, the remedy lies in the Senate to deal with the matter, because any Senator can move to discharge a committee. It is a simple process.

Mr. President, we should not establish the precedent urged by the distinguished Senator from California and the Senator from Illinois [Mr. DOUGLAS], with the assistance of other Senators on this side of the aisle who may feel they have been a little neglected by not having been brought in on the kill after the blood was scented. If such a precedent should be established we will pay a terrible price in time to come.

The VICE PRESIDENT. Without objection, the requests of the Senator from Georgia are agreed to.

Mr. RUSSELL. What did the Chair say?

The VICE PRESIDENT. The Senator made several unanimous-consent requests with respect to printing some material in the RECORD at the conclusion of his speech.

Mr. RUSSELL. Yes.

The VICE PRESIDENT. Without objection, the material will be printed in the RECORD.

(See exhibit 1.)

Mr. RUSSELL. Mr. President, I know the temptation to resort to expediency. I have often been tempted to yield to expediency in connection with legislation which I favored, when I could not get action as fast as I thought action should be taken. However, I wish to read to the Senate, and particularly invite the attention of some of the self-confessed liberals, who are not always in a majority, a statement from Jefferson's Manual. It is the first statement in the Manual. It reads as follows:

SECTION I. IMPORTANCE OF ADHERING TO RULES

Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power. So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities (2 Hats., 171, 172).

And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body (2 Hats. 149).

Mr. President, in view of the importance of protecting the committee system, and of assuring the leadership of this body the authority which they must have, if we are to have regular and orderly procedure in all cases, I propose the unanimous-consent request that the Senate follow rule XXV in this instance.

Mr. DOUGLAS. Mr. President, I object.

Mr. RUSSELL. Mr. President, although I am flanked by objectors on both the right flank and on the left flank, and I may have one firing from the rear, I ask unanimous consent that the bill be read the second time and appropriately referred by the Chair.

Mr. KNOWLAND. Mr. President, I object.

Mr. DOUGLAS. I object.

Mr. RUSSELL. That was a chorus of objections which emanated from two souls with a single thought and two hearts that beat as one. [Laughter.] I can only hope that the Senate, when this issue is presented to them, after the delay that is caused by the objection, will decide that it will follow the rules of the Senate.

EXHIBIT 1

RULE XXV PRIOR TO ENACTMENT OF THE REORGANIZATION ACT

Standing committees[1]

1. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

Committee on Agriculture and Forestry, to consist of 20 Senators.

Committee on Appropriations, to consist of 25 Senators.

Committee to Audit and Control the Contingent Expenses of the Senate, to consist of 8 Senators, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same: *Provided*, That any such resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee.

Committee on Banking and Currency, to consist of 20 Senators.

Committee on Civil Service, to consist of 10 Senators.

Committee on Claims, to consist of 13 Senators.

Committee on Commerce, to consist of 20 Senators.

Committee on the District of Columbia, to consist of 15 Senators.

Committee on Education and Labor, to consist of 18 Senators.

Committee on Enrolled Bills, to consist of 3 Senators, who shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and which shall have power to act jointly with the same committee of the House of

[1] As amended S. Res. 52, 78–1, Jan. 14, 1943.

Representatives, and which, or some one of which, shall examine all bills or joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States in person, and report the fact and date of such presentation to the Senate.

Committee on Expenditures in the Executive Departments, to consist of 8 Senators.

Committee on Finance, to consist of 21 Senators.

Committee on Foreign Relations, to consist of 23 Senators.

Committee on Immigration, to consist of 14 Senators.

Committee on Indian Affairs, to consist of 14 Senators.

Committee on Interoceanic Canals, to consist of 8 Senators.

Committee on Interstate Commerce, to consist of 21 Senators.

Committee on Irrigation and Reclamation, to consist of 17 Senators.

Committee on the Judiciary, to consist of 18 Senators.

Committee on the Library, to consist of 10 Senators, which shall have power to act jointly with the same committee of the House of Representatives.

Committee on Manufactures, to consist of 13 Senators.

Committee on Military Affairs, to consist of 18 Senators.

Committee on Mines and Mining, to consist of 13 Senators.

Committee on Naval Affairs, to consist of 18 Senators.

Committee on Patents, to consist of eight Senators.

Committee on Pensions, to consist of 11 Senators.

Committee on Post Offices and Post Roads, to consist of 19 Senators.

Committee on Printing, to consist of eight Senators, which shall have power to act jointly with the same committee of the House of Representatives.

Committee on Privileges and Elections, to consist of 17 Senators.

Committee on Public Buildings and Grounds, to consist of 14 Senators, which shall have power to act jointly with the same committee of the House of Representatives.

Committee on Public Lands and Surveys, to consist of 15 Senators.

Committee on Rules, to consist of 13 Senators.

Committee on Territories and Insular Affairs, to consist of 17 Senators.

2. The said committees shall continue and have the power to act until their successors are appointed.[2]

Quorum of committees [3]

3. That the several standing committees of the Senate having a membership of more than three Senators are hereby respectively authorized to fix, each for itself, the number of its members who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee; but in no case shall a committee, acting under authority of this resolution, fix as a quorum thereof any number less than one-third of its entire membership, nor shall any report be made to the Senate that is not authorized by the concurrence of more than one-half of a majority of such entire membership.

[2] As amended Senate Journal 44, 67–1, Apr. 18, 1921.

[3] As amended Senate Journal 271, 62–2, Apr. 12, 1912.

RULE XXV AS ADOPTED UNDER THE REORGANIZATION ACT

Standing Committees [1]

1. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

(a) Committee on Agriculture and Forestry, to consist of 15 [2] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Agriculture generally.
2. Inspection of livestock and meat products.
3. Animal industry and diseases of animals.
3. Adulteration of seeds, insect pests, and protection of birds and animals in forest reserves.
5. Agricultural colleges and experiment stations.
6. Forestry in general, and forest reserves other than those created from the public domain.
7. Agricultural economics and research.
8. Agricultural and industrial chemistry.
9. Dairy industry.
10. Entomology and plant quarantine.
11. Human nutrition and home economics.
12. Plant industry, soils, and agricultural engineering.
13. Agricultural educational extension services.
14. Extension of farm credit and farm security.
15. Rural electrification.
16. Agricultural production and marketing and stabilization of prices of agricultural products.
17. Crop insurance and soil conservation.

(b) Committee on Appropriations, to consist of 23 [4] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Appropriation of the revenue for the support of the Government.

(c) Committee on Armed Services, to consist of 15 [5] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Common defense generally.
2. The War Department and the Military Establishment generally.
3. The Navy Department and the Naval Establishment generally.
4. Soldiers' and sailors' homes.
5. Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces.
6. Selective service.
7. Size and composition of the Army and Navy.
8. Forts, arsenals, military reservations, and navy yards.
9. Ammunition depots.
10. Maintenance and operation of the Panama Canal, including the administration, sanitation, and Government of the Canal Zone.
11. Conservation, development, and use of naval petroleum and oil shale reserves.
12. Strategic and critical materials necessary for the common defense.

(d) Committee on Banking and Currency, to consist of 15 [6] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Banking and currency generally.
2. Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.
3. Deposit insurance.
4. Public and private housing.
5. Federal Reserve System.
6. Gold and silver, including the coinage thereof.
7. Issuance of notes and redemption thereof.
8. Valuation and revaluation of the dollar.
9. Control of prices of commodities, rents, or services.

(e) Committee on Post Office and Civil Service,[7] to consist of 13 [8] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. The Federal civil service generally.
2. The status of officers and employees of the United States, including their compensation, classification, and retirement.
3. The postal service generally, including the railway mail service, and measures relating to ocean mail and pneumatic-tube service; but excluding post roads.
4. Postal-savings banks.
5. Census and the collection of statistics generally.
6. The National Archives.

(f) Committee on the District of Columbia, to consist of nine [9] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. All measures relating to the municipal affairs of the District of Columbia in general, other than appropriations therefor, including—
2. Public health and safety, sanitation, and quarantine regulations.
3. Regulation of sale of intoxicating liquors.
4. Adulteration of food and drugs.
5. Taxes and tax sales.
6. Insurance, executors, administrators, wills, and divorce.
7. Municipal and juvenile courts.
8. Incorporation and organization of societies.
9. Municipal code and amendments to the criminal and corporation laws.

(g) (1) Committee on Government Operations,[10] to consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

(A) Budget and accounting measures, other than appropriations.

(B) Reorganizations in the executive branch of the Government.

(2) Such committee shall have the duty of—

(A) receiving and examining reports of the Comptroller General of the United States

[1] As amended, Senate Journal 299, 79–2, June 10, 1946, effective Jan. 2, 1947.

[2] Number changed from 13 to 15. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[3] Number changed from 21 to 23. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[4] Number changed from 13 to 15. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[5] Number changed from 13 to 15. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[6] Name changed from Committee on Civil Service to Committee on Post Office and Civil Service, effective January 1, 1948. Senate Journal 198, 80–1, April 17, 1947.

[7] Number changed from 13 to 11. Senate Journal 56–57, 83–1, January 9, 1953.

[8] Number changed from 11 to 13 for the duration of the 84th Congress. Senate Journal 24, 84–1, January 6, 1955. Same change for the duration of the 85th Congress. Senate Journal 41, 85–1, January 9, 1957.

[9] Number changed from 13 to 9. Senate Journal 56–57, 83–1, January 9, 1953.

[10] Name changed from Committee on Expenditures in the Executive Departments. Senate Journal 127, 82–2, March 3, 1952.

and of submitting such recommendations to the Senate as it deems necessary or desirable in connection with the subject matter of such reports;

(B) studying the operation of Government activities at all levels with a view to determining its economy and efficiency;

(C) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government;

(D) studying intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.

(h) Committee on Finance, to consist of 15 [11] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Revenue measures generally.
2. The bonded debt of the United States.
3. The deposit of public moneys.
4. Customs, collection districts, and ports of entry and delivery.
5. Reciprocal trade agreements.
6. Transportation of dutiable goods.
7. Revenue measures relating to the insular possessions.
8. Tariffs and import quotas, and matters related thereto.
9. National social security.
10. Veterans' measures generally.
11. Pensions of all the wars of the United States, general and special.
12. Life insurance issued by the Government on account of service in the Armed Forces.
13. Compensation of veterans.

(i) Committee on Foreign Relations, to consist of 15 [12] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Relations of the United States with foreign nations generally.
2. Treaties.
3. Establishment of boundary lines between the United States and foreign nations.
4. Protection of American citizens abroad and expatriation.
5. Neutrality.
6. International conferences and congresses.
7. The American National Red Cross.
8. Intervention abroad and declarations of war.
9. Measures relating to the diplomatic service.
10. Acquisition of land and buildings for embassies and legations in foreign countries.
11. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.
12. United Nations Organization and international financial and monetary organizations.
13. Foreign loans.

(j) Committee on Interstate and Foreign Commerce, to consist of 15 [13] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Interstate and foreign commerce generally.
2. Regulation of interstate railroads, busses, trucks, and pipelines.
3. Communication by telephone, telegraph, radio, and television.
4. Civil aeronautics.
5. Merchant marine generally.
6. Registering and licensing of vessels and small boats.
7. Navigation and the laws relating thereto, including pilotage.
8. Rules and international arrangements to prevent collisions at sea.
9. Merchant marine officers and seamen.
10. Measures relating to the regulation of common carriers by water and to the inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.
11. Coast and Geodetic Survey.
12. The Coast Guard, including lifesaving service, lighthouses, lightships, and ocean derelicts.
13. The United States Coast Guard and Merchant Marine Academies.
14. Weather Bureau.
15. Except as provided in paragraph (c), the Panama Canal and interoceanic canals generally.
16. Inland waterways.
17. Fisheries and wildlife, including research, restoration, refuges, and conservation.
18. Bureau of Standards, including standardization of weights and measures and the metric system.

(k) Committee on the Judiciary, to consist of 15 [14] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Judicial proceedings, civil and criminal, generally.
2. Constitutional amendments.
3. Federal courts and judges.
4. Local courts in the Territories and possessions.
5. Revision and codification of the statutes of the United States.
6. National penitentiaries.
7. Protection of trade and commerce against unlawful restraints and monopolies.
8. Holidays and celebrations.
9. Bankruptcy, mutiny, espionage, and counterfeiting.
10. State and Territorial boundary lines.
11. Meetings of Congress, attendance of Members, and their acceptance of incompatible offices.
12. Civil liberties.
13. Patents, copyrights, and trademarks.
14. Patent Office.
15. Immigration and naturalization.
16. Apportionment of Representatives.
17. Measures relating to claims against the United States.
18. Interstate compacts generally.

(l) Committee on Labor and Public Welfare, to consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Measures relating to education, labor, or public welfare generally.
2. Mediation and arbitration of labor disputes.
3. Wages and hours of labor.
4. Convict labor and the entry of goods made by convicts into interstate commerce.
5. Regulation or prevention of importation of foreign laborers under contract.
6. Child labor.
7. Labor statistics.
8. Labor standards.
9. School-lunch program.
10. Vocational rehabilitation.
11. Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto.
12. United States Employees' Compensation Commission.
13. Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital; and St. Elizabeths Hospital.
14. Public health and quarantine.
15. Welfare of miners.
16. Vocational rehabilitation and education of veterans.
17. Veterans' hospitals, medical care, and treatment of veterans.
18. Soldiers' and sailors' civil relief.
19. Readjustment of servicemen to civil life.

(m) Committee on Interior and Insular Affairs,[14] to consist of 15 [15] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Public lands generally, including entry, easements, and grazing thereon.
2. Mineral resources of the public lands.
3. Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.
4. Forest reserves and national parks created from the public domain.
5. Military parks and battlefields, and national cemeteries.
6. Preservation of prehistoric ruins and objects of interest on the public domain.
7. Measures relating generally to Hawaii, Alaska, and the insular possessions of the United States, except those affecting their revenue and appropriations.
8. Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects.
9. Interstate compacts relating to apportionment of waters for irrigation purposes.
10. Mining interests generally.
11. Mineral land laws and claims and entries thereunder.
12. Geological survey.
13. Mining schools and experimental stations.
14. Petroleum conservation and conservation of the radium supply in the United States.
15. Relations of the United States with the Indians and the Indian tribes.
16. Measures relating to the care, education, and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.

(n) Committee on Public Works, to consist of 13 [16] [17] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Flood control and improvement of rivers and harbors.
2. Public works for the benefit of navigation, and bridges and dams (other than international bridges and dams).
3. Water power.
4. Oil and other pollution of navigable waters.
5. Public buildings and occupied or improved grounds of the United States generally.
6. Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.
7. Measures relating to the Capitol Building and the Senate and House Office Buildings.
8. Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution.

[11] Number changed from 13 to 15. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[12] Number changed from 13 to 15. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[13] Number changed from 13 to 15. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[14] Name changed from Committee on Public Lands. Senate Journal 51, 80–2, January 28, 1948.

[15] Number changed from 13 to 15. Senate Journal 56–57, 83–1, January 9, 1953.

[16] Number changed from 13 to 11. Senate Journal 56–57, 83–1, January 9, 1953.

[17] Number changed from 11 to 13 for the duration of the 84th Congress. Senate Journal 24, 84–1, January 6, 1955. Same change for the duration of the 85th Congress. Senate Journal 41, 85–1, January 9, 1957.

9. Public reservations and parks within the District of Columbia, including Rock Creek Park and the Zoological Park.

10. Measures relating to the construction or maintenance of roads and post roads.

(o) (1) Committee on Rules and Administration, to consist of nine [18] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

(A) Matters relating to the payment of money out of the contingent fund of the Senate or creating a charge upon the same; except that any resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee.

(B) Except as provided in paragraph (n) 8, matters relating to the Library of Congress and the Senate Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts; erection of monuments to the memory of individuals.

(C) Except as provided in paragraph (n) 8, matters relating to the Smithsonian Institution and the incorporation of similar institutions.

(D) Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally; Presidential succession.

(E) Matters relating to parliamentary rules; floor and gallery rules; Senate Restaurant; administration of the Senate Office Building and of the Senate wing of the Capitol; assignment of office space; and services to the Senate.

(F) Matters relating to printing and correction of the CONGRESSIONAL RECORD.

(2) [19] Such committee shall also have the duty of assigning office space in the Senate wing of the Capitol and in the Senate Office Building.

[20] [21] Each standing committee shall continue and have the power to act until their successors are appointed.

3.[22] (a) Except as provided in paragraph (b) of this subsection, each standing committee, and each subcommittee of any such committee, is authorized to fix the number of its members (but not less than one-third of its entire membership) who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee, subject to the provisions of section 133 (d) of the Legislative Reorganization Act of 1946.

(b) Each standing committee, and each subcommittee of any such committee, is authorized to fix a lesser number than one-third of its entire membership who shall constitute a quorum thereof for the purpose of taking sworn testimony.

4.[23] (a)[24] Each Senator shall serve on 2 standing committees and no more; except that not to exceed 16 [25] Senators of the majority party, and not to exceed 5 [26] Senators of the minority party, who are members of the Committee on the District of Columbia, the Committee on Government Operations,[27] or the Committee on Post Office and Civil Service may serve on 3 standing committees and no more.

(b)[27] In the event that during the 85th Congress members of one party in the Senate are replaced by members of the other party, the 21 third-committee assignments shall in such event be distributed in accordance with the following table:

Senate seats:

Majority	Minority
48	48
49	47
50	46
51	45

Third committee assignments:

Majority	Minority
18	3
16	5
14	7
12	9

[From the CONGRESSIONAL RECORD, May 4, 1948, 80th Cong., 2d sess.]

The PRESIDENT pro tempore. The Senator is not entitled to debate the point of order until it is submitted to the Senate.

The Senator from Arkansas raises the point of order that he is entitled under rule XIV of the Senate to exercise his priority of right to ask that after the second reading of the bill, which has just occurred, it shall go to the calendar. The Chair proposes to submit that question to the Senate under rule XX. The question submitted to the Senate is as follows: Is the point of order of the Senator from Arkansas well taken? Upon that the Senate will vote yes or no.

The question now submitted under rule XX is subject to debate, and the Chair again recognizes the Senator from Arkansas.

Prior to submitting the question, Senator Vandenberg, the President pro tempore, made this statement to the Senate:

"Therefore, we are making an entirely new precedent—a point which can be of very serious moment to the conduct of the business of the Senate. Therefore, the Chair proposes that the Senate shall settle the matter for itself."

[From the 79th Cong., 2d sess.]

TITLE I—CHANGES IN RULES OF SENATE AND HOUSE

RULEMAKING POWER OF THE SENATE AND HOUSE

SEC. 101. The following sections of this title are enacted by the Congress:

(a) As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such, they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

[Excerpt from Senate Journal, May 4, 1948, p. 292, pending, H. R. 2245, oleo tax bill]

The President pro tempore, under paragraph 2 of rule XX, submitted to the Senate the question of order raised by Mr. FULBRIGHT.

On the question, Is the point of order made by Mr. FULBRIGHT well taken?

It was determined in the negative—Yeas, 15; nays, 56.

On motion by Mr. Maybank, the yeas and nays being desired by one-fifth of the Senators present.

Senators who voted in the affirmative are: Connally, Fulbright, Green, Hatch, Johnston of South Carolina, Kilgore, Lucas, McClellan, Maybank, Moore, Murray, O'Daniel, O'Mahoney, Thomas of Oklahoma, Tydings.

Senators who voted in the negative are: Aiken, Baldwin, Ball, Brewster, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Cooper, Cordon, Donnell, Downey, Eastland, Ecton, Ferguson, Gurney, Hayden, Hickenlooper, Hoey, Ives, Johnson of Colorado, Kem, Knowland, Langer, Lodge, McCarthy, McFarland, McGrath, McKellar, McMahon, Magnuson, Malone, Martin, Millikin, Morse, Myers, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Thomas of Utah, Thye, Tobey, Vandenberg, Watkins, Wherry, Wiley, Williams of Delaware, Wilson, Young of North Dakota.

So the Senate decided that the point of order was not well taken.

Mr. KNOWLAND. Mr. President, I wish to make only a brief statement at this time, and presumably we will discuss the matter more in detail on the next legislative day. I wish to call the attention of the Senate to the CONGRESSIONAL RECORD, volume 94, part 4, page 5169, of May 3, 1948; but before doing that I desire to call attention to the fact that the Reorganization Act—the so-called La Follette-Monroney Reorganization Act—became effective under its terms as of January 2, 1947.

The Downey precedent, to which considerable reference has been made, occurred on May 3, 1948. In the CONGRESSIONAL RECORD, volume 94, part 4, page 5169, to which I have referred, the following colloquy appears:

The PRESIDENT pro tempore.—

That was Mr. Vandenberg of Michigan—

Without objection, the bill will be regarded as having been read the second time, as is the usual procedure, for the purpose of permitting the Senator from California to be heard.

Mr. DOWNEY. Mr. President, I desire to object to any further proceedings on this measure at the present time.

Mr. LUCAS.—

Mr. Lucas, I may say parenthetically, was then the majority leader of the Senate.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. What is the status of the bill at present?

The PRESIDENT pro tempore. The bill has been read the second time; and under rule XIV, paragraph 4, objection to further proceedings results in placing the bill on the calendar instead of referring it to a committee. From the calendar any Senator at any time the bill is before the Senate for consideration can move to have it sent to the committee.

[18] Number changed from 13 to 9. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[19] As amended, Senate Journal 60, 80–1, January 17, 1947.

[20] Erroneously numbered "3" in original (Public Law 601, 79th Cong., sec. 102 (3)).

[21] As amended, Senate Journal 85, 81–2, February 1, 1950.

[22] As amended, Senate Journal 56–57, 83–1, Jan. 9, 1953.

[23] As amended for the duration of the 84th Cong. Senate Journal 24, 84–1, Jan. 6, 1955. Same change for the duration of the 85th Cong. Senate Journal 41, 85–1, Jan. 9, 1957.

[24] Number changed from 14 to 16 for the duration of the 84th Cong. Senate Journal 24, 84–1, Jan. 6, 1955. Same change for the duration of the 85th Cong. Senate Journal 41, 85–1, Jan. 9, 1957.

[25] Number changed from 3 to 5 for the duration of the 84th Cong. Senate Journal 33, 84–1, Jan. 10, 1955. Same change for the duration of the 85th Cong. Senate Journal 41, 85–1, Jan. 9, 1957.

[26] As amended, S. Jour. 127, 82–2, Mar. 3, 1952.

[27] Section (b) added for the duration of the 84th Cong. Senate Journal 24, 84–1, Jan. 6, 1955. Same change for the duration of the 85th Cong. Senate Journal 41, 85–1, Jan. 9, 1957.

This statement by the distinguished President pro tempore at that time took place a year after the passage of the La Follette-Monroney Act.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I shall yield in a moment.

Mr. RUSSELL. I should like to correct the statement the Senator made. He referred to the former Senator from Illinois, Mr. Lucas, as being the majority leader at that time. As a matter of fact——

Mr. KNOWLAND. He was the minority leader. I am sorry.

Mr. RUSSELL. The late Senator from Kentucky, Mr. Barkley, was the minority leader. So the Senator from California is wrong on both scores.

Mr. KNOWLAND. I apologize. The Senator from Illinois had been the majority leader, I believe.

Mr. RUSSELL. Mr. Lucas became the majority leader in 1950.

Mr. KNOWLAND. 1950; yes. I stand corrected in that respect.

Mr. President, the statement has been made in some quarters that such action would result in all proposed legislation, even appropriation bills, following the procedure here suggested. I submit that there is nothing in the Reorganization Act or in the legislative history of the Reorganization Act which indicates that there had been any intention of changing rule XIV. I submit that a very careful search of the record indicates that there was no such legislative history.

But when it comes to the question of appropriation bills, I think it is very interesting to note that the Reorganization Act itself, in section 139 (a), very clearly points out that appropriation bills cannot take this course under rule XIV, paragraph 4. I should like to read the specific language of the Reorganization Act, because had there been any legislative intent or any desire to change rule XIV, I think it is quite clear that specific language would have been used, as was done in the case of appropriation bills.

Section 139 (a), which appears on page 24 of the Reorganization Act, reads:

No general appropriation bill shall be considered in either House unless, prior to the consideration of such bill, printed committee hearings and reports on such bill have been available for at least 3 calendar days for the Members of the House in which such bill is to be considered.

I submit that that is indicative of the fact that it was specifically intended to set forth a different procedure for appropriation bills than for other proposed legislation.

Some reference has been made to the fact that this is a matter with which only the present minority leader or some other minority leader or majority leader might deal. The Senate knows, of course, that that is not the case. The rule exists. Any one of the 96 Senators may use it. There are now only 95 Senators, there being one vacancy; but any Member of the Senate can use the rule.

Some of us have been Members of the Senate for a longer, some of us for a shorter period of time. But we know very well that sometimes rules are strictly enforced, and sometimes they are lightly enforced. For instance, the rule that a Senator may not speak more than twice on a single day on one subject is normally not enforced. A Senator may speak a dozen times. But if the Senate gets into a situation where prolonged debate is in progress, and some Senator wants a strict interpretation of the rules, the rules are strictly applied.

Normally in the morning hour, other than the one under which the Senate was operating today, by virtue of a unanimous-consent agreement, relating to the important issue coming before the Senate, we know that the rule is lightly enforced. But it can be enforced strictly by any Senator calling for the regular order.

This rule does not give power to any single Senator and take it away from the 95, because the majority of the Senate always has it within its power to refer to a committee a bill which might be placed on the Senate Calendar by this procedure.

I again call the attention of Senators to rule XIV itself, subsection 4:

Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave,

And this I wish to emphasize—

and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

I do not care to detain the Senate longer this morning. We shall go further into the matter tomorrow. But I may say that the proceedings which are intended to be followed are strictly in accord with the rules of the Senate. They are strictly in accord, in my judgment, with the precedents of the Senate. I believe they restore to the Senate its capacity to function as a legislative arm of the Government of the United States.

Mr. DOUGLAS. Mr. President, I realize that I am a relative newcomer to this body, since this is only the ninth year in which I have served in the Senate. But I had my baptism of fire last year on the issue now before the Senate, and have watched the struggle as it was waged in previous years.

I was somewhat amused at the quotation by the Senator from Georgia [Mr. RUSSELL] from Jefferson's Manual, and by the clear implication which he seemed to give that Jefferson's Manual was possibly more controlling than the rules of the United States Senate.

My memory went back to the time when the Senate was trying to change rule XXII. In that discussion I pointed out that Jefferson's Manual provided for moving the previous question, to shut off debate. If my memory serves me right, the Senator from Georgia rose and, quite authoritatively, reminded me of the fact that Jefferson's Manual did not constitute the rules under which the Senate was proceeding, but that we were proceeding under the rules of the Senate.

Mr. RUSSELL rose.

Mr. DOUGLAS. Have I made an error?

Mr. RUSSELL. The Senator from Illinois has made two errors. In the first place, he said I held Jefferson's Manual to be more controlling than the rules of the Senate.

Mr. DOUGLAS. I said by implication.

Mr. RUSSELL. I said so neither directly nor by implication.

Mr. DOUGLAS. The Senator from Georgia concedes, then, that Jefferson's Manual does not lay down the parliamentary procedure under which the Senate is operating?

Mr. RUSSELL. It does not. I so contended. If the Senator had been listening, he would have heard me say so.

Mr. DOUGLAS. I thank the Senator from Georgia. I am glad that this issue is cleared up.

I think it is now clear, both from the statement of the Senator from Georgia and from the facts before us, that we are proceeding under the rules of the United States Senate.

ON OBJECTION UNDER RULE XIV, PARAGRAPH 4, BILL CLEARLY GOES TO SENATE CALENDAR

I wish to affirm again the point which the Senator from California has just made. I urge that every Senator who has not already done so read the last 5 lines of paragraph 4 of rule XIV. Forgive me if I read them again, because they need to be clearly borne in mind:

Every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

That applies to H. R. 6127, when, after second reading without a referral, objection is made to further proceeding thereon.

I do not know that there could be, or is, any clearer statement than that, namely, that if a bill, upon the completion of the second reading, has not been referred to a committee, and if a Senator then makes an objection, the bill goes to the calendar. That requirement is not optional; it is mandatory. The rule reads:

shall, if objection be made to further proceeding thereon, be placed on the calendar.

This provision in the fourth paragraph of rule XIV is reinforced, in addition, by the language of the third paragraph of rule XIV, to which I invite attention:

No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

The language does not provide that the bill shall be referred to a committee. It is not mandatory that the bill be referred to a committee. The rule states that it may be referred to a committee. It is, therefore, permissive, and the bill might be referred to a committee, or it might not be referred to a committee.

MAJORITY OF SENATE ULTIMATELY DECIDES

If it be objected that this procedure puts into the hands of one Senator the power to decide whether a bill goes to a committee or to the calendar, there is a very clear answer in addition to that which the Senator from California has already made.

When this issue is raised tomorrow—as it undoubtedly will be—upon the second reading, the Chair will be called upon to make a ruling. Undoubtedly an appeal will be taken from the ruling of the Chair, no matter what the ruling of the Chair may be.

CONSTRUCTION OF HELLS CANYON DAM

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 555) to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes.

THE CIVIL RIGHTS ACT OF 1957

Mr. DOUGLAS. Mr. President——

The VICE PRESIDENT. The Senator from Illinois may proceed.

Mr. DOUGLAS. Whenever that debate is concluded, it will be concluded by a vote of the Senate, either by a Senate vote on an appeal from the decision of the Chair or by tabling any appeal from the ruling of the Chair. The vote will be by majority vote of the Senate. So the decision as to whether the bill will go to the calendar or will be referred to committee will not be the decision of one Senator alone. The decision will be that of a majority of the Senate, under the rules of the Senate.

Mr. RUSSELL. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. Mr. President, I did not interrupt the Senator from Georgia when he was speaking. I prefer to proceed without interruption so that I may develop my argument in sequence.

Mr. RUSSELL. I am glad to desist.

Mr. DOUGLAS. Mr. President, I shall be glad to yield at the conclusion of my statement.

REFERRAL OF ALL BILLS TO SENATE COMMITTEES WAS NOT MADE MANDATORY BY RULE XIV

The Senator from Georgia has said that rule XXV in effect supersedes rule XIV, and requires the reference of all bills—whether originating in the Senate itself or coming from the House of Representatives—to committee.

Rule XXV does no such thing. It merely provides that if and when a bill is referred to committee, the committee to which it is referred shall be determined by the jurisdiction which is specifically marked out in rule XXV.

Nothing in rule XXV says it supersedes rule XIV.

In fact, as the Senator from California has pointed out by implication, from the procedures dealing with appropriation bills, rule XXV fits in with, and reinforces, rule XIV.

Along with the Senator from California—but independently from him—I, too, have searched the legislative history in connection with the passage of the Congressional Reorganization Act. In the legislative history or in the debate on that act, of which rule XXV was a part, there is nothing whatsoever to indicate that rule XXV has anything to do with rule XIV or supersedes rule XIV in any respect.

As I read the assertions on this point by the Senator from Georgia in debate on Monday, however, I became further interested in the matter; and, therefore, I addressed a request to the Legislative Reference Service of the Library of Congress, in order to obtain from it on the basis of a review of the committee action and floor debate on that bill an interpretation of what the phrase "shall be referred" as it appears in rule XXV, as enacted in the Legislative Reorganization Act, actually means. I requested the senior specialist in American Government, Dr. George B. Galloway, who was the staff director of the Joint Commitee on the Reorganization of Congress, otherwise known as the La Follette-Monroney committee, and who was in charge of the research, and was the staff assistant in the preparation and the enactment of the La Follette-Monroney act, to prepare such an interpretation.

At this time I should like to read the text of his letter, which I have just received:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
June 19, 1957.

Senator PAUL H. DOUGLAS,
Senate Office Building,
Washington, D. C.

DEAR SENATOR DOUGLAS: This is in reply to your request of today for an interpretation of the meaning of the phrase "shall be referred" as it appears in rule XXV of the standing rules of the Senate, as amended by section 102 of the Legislative Reorganization Act of 1946.

One of the major objectives of that act was to reorganize the committee structure of Congress and to clarify the jurisdictions of the reformed committees which were undefined theretofore in the Senate rules except in isolated instances.

To this end, the jurisdiction of each of the reorganized committees was defined in the 1946 act in terms of the legislative subjects that they were to handle, respectively. In so doing, the phrase "shall be referred" was used in each case for the guidance of the Presiding Officer in determining the reference of bills to committees so that overlapping and duplication would be eliminated and so as to avoid jurisdictional disputes between them (see S. Rept. No. 1400, 79th Cong., 2d sess., pp. 2–9, 10–11).

I invite the particular attention of the Senate to the following paragraph:

Speaking as the former staff director of the La Follette-Monroney committee, there was nothing in the recorded legislative history of the Legislative Reorganization Act of 1946 to suggest that the phrase "shall be referred" in section 102 had any significance or implications beyond an attempt to develop a more efficient division of labor and distribution of the legislative work load among the reorganized committees of the Senate and the House of Representatives.

Sincerely yours,

GEORGE B. GALLOWAY,
Senior Specialist, American Government.

Mr. President, I believe the facts as stated in Mr. Galloway's letter are correct and that although Senators may argue about rule XXV they will be unable to provide a single bit of evidence in the recorded legislative record of that act to show that rule XXV was in any way intended to supersede or repeal rule XIV.

Mr. President, continuing the argument, let me say it has been a common practice of this body——

Mr. ERVIN. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. Mr. President, I did not interrupt the Senator from Georgia. Since then, he has requested that I yield to him; but I asked to be allowed to continue my statement so that I may develop my argument in sequence. So, regretfully, I must ask the Senator from North Carolina to permit me to continue.

HOUSE-PASSED BILLS OFTEN GO TO SENATE CALENDAR AFTER SECOND READING, WITHOUT REFERRAL TO COMMITTEE

Mr. President, it has been a common practice of this body and of the Presiding Officers of this body to place on the Senate Calendar or to hold at the desk, without reference to committee, bills which have passed the House of Representatives. That is done under two sets of conditions: (a) where there already is on the calendar a companion Senate bill; and (b) when it is believed that a Senate committee is about to report a companion bill.

It so happens that from time to time we save in our offices old calendars. I hold in my hand the legislative calendar for August 1, 1953—almost 4 years ago. From that calendar and also from the calendar for the legislative day of August 5, 1954, I find that a whole series of measures passed by the House of Representatives were placed on the Senate Calendar after second reading, without prior reference to a Senate committee.

Among them, I mention House bill 9924, House bill 9987, House bill 9712, House bill 1254, House bill 6616, House bill 7290, House bill 7334, House bill 8821 for August 5, 1954, and House bill 5603, and House Joint Resolution 250 for August 1, 1953. These appear on only two calendars.

I suppose that during the past 30 years, hundreds, and perhaps thousands, of bills passed by the House have been placed on the Senate Calendar or held at the desk without reference to committee, generally in cases when there has been on the calendar a somewhat companion Senate bill or when it has been believed that a companion Senate bill has been ready to be reported from committee.

If referral to committee were mandatory under rule XXV, as alleged, how could all these House-passed bills march directly to the calendar?

Sometimes the question is asked, "What difference does that make? Even if a Senate bill is on the calendar, why not put the companion House bill on the calendar?" Mr. President, that gives the proponents of such proposed legislation a very great advantage, because then the House bill is available for action; and therefore the proponents are able to avoid sending the Senate bill

to the House of Representatives, for action by the House of Representatives, or are able to avoid the holding of a conference. Instead, it is possible for the proponents to have the House bill substituted for the Senate bill in the concluding minutes of the debate.

We remember that in the case of the so-called natural gas bill last year, after all the substantial amendments proposed to the Senate bill had been rejected and the committee amendments to conform it to the House bill had been adopted, one of the proponents of the bill moved that the House bill be substituted for the Senate bill. That was done because it was believed that if the Senate bill had been passed by the Senate, or if the Senate had amended the House-passed bill, thus requiring subsequent action by the House and possibly necessitating the holding of a conference, then in all probability at that time the House would not have acted favorably on the bill, since originally it had passed the House bill by only a very narrow margin and further opposition had developed since that time.

I may say that the natural gas bill from the House was passed on the calendar on Friday, July 29, after the second reading, without being referred to committee; that will be found on page 10339 of the daily CONGRESSIONAL RECORD for Friday, July 29, 1955.

SINCE REFERRAL IS NOT MANDATORY UNDER RULE XXV, RULE XXV CANNOT BE HELD TO REPEAL OR SUPERSEDE RULE XIV

So I wish to make it clear that referral under rule XXV does not supersede rule XIV. If referral is not mandatory for House-passed bills when there is a similar or a companion Senate bill on the calendar, surely it cannot be argued and does not follow that all bills must be referred to committee under rule XXV. If this rule is not mandatory for some bills, it is obviously not mandatory for all bills. There is no basis, therefore, for the claim that rule XXV repeals paragraph 4 of rule XIV.

A very interesting question has developed about the referrals of House-passed bills to the Senate Calendar without prior reference to committee. As I have said, even the reading of a few calendars shows this is a widespread practice, and it is very interesting to note how this is done.

I have, as I say, been a Member of the Senate for only 9 years, but I have been in reasonably diligent attendance at sessions, and I have never heard formal announcement from the Chair, or almost never heard formal announcement from the Chair, that bills were being read a second time and were being placed on the calendar.

What, instead, seems to happen is that since 1925, approximately, this has been a routine practice, not involving a vote of the Senate, and in each individual instance not effected by any formal or announced rule, but brought about by the private decision, in camera, of the Presiding Officer or his authorized agent. Then we find ourselves faced the next day with a fait accompli, which is published in the CONGRESSIONAL RECORD and noted in the Senate Calendar.

Mr. President, surely what can be done privately by one man can be done publicly by the Presiding Officer in the presence of the full Senate. If the Presiding Officer has the ability to put House-passed bills on the calendar privately, where there is no explicit rule to that effect, and have those bills entered on the calendar the next day, certainly he has the right to make the ruling publicly where there is an explicit rule—rule XIV—that they shall be placed on the calendar.

But sometimes a House bill is put on the calendar when there is no corresponding Senate bill on the Senate Calendar at all, where the House-passed bill is put on the calendar not to match a Senate bill, but because there is no Senate bill, and it is desired that the House bill be placed on the calendar.

Reference has been made to the fact that this was done in 1948 on motion of Senator Downey, of California, who had the House-passed offshore oil bill placed on the calendar, although no Senate bill had been reported. It is true that this was done, but that is not the only illustration. In the brief time in which I have had to go over this matter, I found at least one other case, and it is a case of relatively recent occurrence.

It is a case which came up on August 1, 1953, and will be found in the calendar of August 1, 1953, on page 21. It was H. R. 4305, an act to authorize additional appropriations of $2½ million for the lower San Joaquin River project. That was a bill which had been passed by the House the day before. There was no corresponding Senate bill on the calendar. Yet, according to the CONGRESSIONAL RECORD, volume 99, part 8, page 10746, that bill, H. R. 4305, it is announced, had been read twice by its title and placed on the calendar. I may say at the same time one other House-passed bill was placed directly on the calendar. Subsequently, on that same day, H. R. 4305 was passed by the Senate. That will be found in the CONGRESSIONAL RECORD, volume 99, part 8, page 10837 for that day. It may well be more common for this to happen at the end of a session than on other occasions, but nevertheless, it does happen and bills do go directly to the calendar even when there is no companion Senate bill on the calendar, as this example shows.

VANDENBERG RULING ON OLEO BILL WAS NOT CONTRARY TO PRIOR RULING ON OBJECTION UNDER RULE XIV

Mr. President, I know that an argument will be made that the decision in 1948 by the Presiding Officer of the Senate, in the oleo case is to the contrary of the principles which I have enunciated. I have read the debate on the oleo issue, which has been photostated for the benefit of Members of the Senate. I have studied the RECORD very carefully, and it is clear that, though the issue was confused and clouded in the minds of some and the debate somewhat uncertain, the Presiding Officer was perfectly clear as to what the issue was.

The issue, according to the Presiding Officer, the eminent, then senior Senator from Michigan, was not whether a bill should be placed on the calendar or referred to committee, but who had priority of recognition. The Senator from Arkansas [Mr. FULBRIGHT] and the then Senator from Nebraska, Mr. Wherry, were both seeking recognition of the Chair. The eyes of the Chair happened to light upon his fellow party member, which sometimes happens, and which we expect as a normal course of events, and about which the Senator from Georgia need not complain, and Mr. Wherry was recognized first and raised the question of jurisdiction that the oleo bill should go to the Committee on Agriculture.

The Senator from Arkansas [Mr. FULBRIGHT] was trying to get a ruling on the question whether it should go to the calendar. But I should like to read from the opinion of Senator Vandenberg, then acting as President pro tempore. This appears on page 5219 of the CONGRESSIONAL RECORD for that day, May 4, 1948:

At the moment—

Senator Vandenberg said—

It is needless to go into the details of this conflict, but it turns finally, apparently, upon the pure question as to who is first recognized by the Chair to assert his rights under these two conflicting rules.

Then later the Presiding Officer, Senator Vandenberg, said the decision of the Senate, as expressed on the yea-and-nay vote, and to which the Senator from Georgia has called attention, was in no sense in conflict with the precedent established the previous day when Senator Downey had the House-passed tidelands oil bill sent to the calendar rather than to committee. I should like to read from the statement Senator Vandenberg made from the chair.

There is no collision whatever between the precedent of yesterday and the precedent of today.

On another occasion he said:

It is the view of the Chair that the question of precedence in a case of this character depends entirely on who raises the point first. Since the question of jurisdiction has been raised first, it is the view of the Chair that the question of jurisdiction takes priority.

So that if anything was decided by the vote of the Senate, it was merely the question of who was recognized first, whether the Chair correctly gave priority to that question, and what should be done under the question first brought to the attention of the Chair and of the Senate.

Furthermore, I remind Senators that the Senate is not necessarily bound by a majority vote taken in a preceding session of the Senate.

Mr. President, there is another practice which interests me. The practice of holding a House-passed bill at the desk, or even sometimes putting it on the calendar, when a Senate committee has met and considered companion legislation, or similar legislation, and is about to report it favorably to the Senate, clearly shows that referral of all House-passed bills to committees in the Senate is not mandatory under rule XXV.

Mr. President, I should like to inquire if it is not true that when a Senate committee has met, considered a bill, and is about to report the bill, it is the common practice to hold a House-passed bill on

the same subject at the desk and place it on the Senate Calendar without reference to the Senate committee? That is an inquiry which I address to the Chair.

The VICE PRESIDENT. The Parliamentarian informs the Chair——

Mr. DOUGLAS. I thank the Chair.

Mr. RUSSELL. Mr. President——

The VICE PRESIDENT. The Senator did not allow the Chair to finish.

Mr. DOUGLAS. I beg the Chair's pardon.

The VICE PRESIDENT. The Parliamentarian informs the Chair it is not the practice.,

Mr RUSSELL. I know I had never heard of it.

The VICE PRESIDENT. It is the practice to hold it on the desk only when the Senate bill has been reported and is ready to go on the calendar.

Mr. DOUGLAS. Mr. President, may I put my inquiry into somewhat different form? If a Senate committee has met, considered a bill, and is about to report the bill, is it not the common practice to hold at the desk a House-passed bill on the same subject?

The VICE PRESIDENT. In that instance the practice is to hold the House bill on the desk until the Senate bill is reported, and then to place the House bill on the calendar.

Mr. DOUGLAS. Then it is not referred to the committee, but is placed on the calendar?

The VICE PRESIDENT. It is placed on the calendar, but it is not placed on the calendar until the Senate bill is reported.

Mr. DOUGLAS. That response also shows, therefore, that referral of all bills to committee is not mandatory under rule XXV.

KEEPING H. R. 6217 ON SENATE CALENDAR MAY ENABLE SENATE TO ACT ON LEGISLATION TO PROTECT CONSTITUTIONAL RIGHTS

Mr. President, I have been making my plea thus far in terms of the rules and procedures of the Senate. If referral to committee was not mandatory for the off-shore oil bill and for the natural gas bill, surely it is not mandatory when human rights are at stake.

I should like to say that this issue is much broader than mere technical rules of the Senate. It goes to the very heart of the democratic structure of this country.

Last year there was a civil rights bill before this body. It was referred to committee. The committee bottled it up throughout the year. The committee never reported the bill at all. So far as I know, it did not even submit an adverse report on the bill, which was simply smothered to death.

This year, immediately after the convening of the Congress, another civil rights bill was introduced. Hearings were held on that bill, and were concluded in March. The able chairman of the subcommittee, the Senator from Missouri [Mr. HENNINGS], got early action, and that bill was reported promptly to the full committee. The full committee has been meeting on that bill now for 3 months. But despite the valiant efforts of the Senator from Missouri and some of his colleagues, every advantage has been taken by others to delay proceedings and not report the bill.

So, Mr. President, we are not acting capriciously, when we take full advantage of the rules and procedures of the Senate. We are taking advantage of the rules and procedures of the Senate so that the Senate, at long last, may be privileged to decide the issue as to whether or not the right of American citizens to vote should be protected. So we are moving in conformity with the spirit, as well as following the very letter of the law.

Mr. RUSSELL. Mr. President, I desire to make one or two observations with respect to some of the statements which have been made.

The emphasis has been upon the contention that the procedure which has been discussed relates to House bills, and that a single objection will carry such a bill to the calendar and bypass the committee. I wish to point out, for the benefit of the Senate, that the rule refers equally to bills introduced in the Senate on leave in regular order. As to any bill introduced by a Senator, if any other Senator wishes to rise and go through the processes suggested here, he can send the first Senator's bill to the calendar.

In addition, Mr. President, under this procedure and under this rule, on which the proponents of the civil-rights bill rely, a Senator could rise, introduce a bill himself, send it to the calendar, and bypass any committee, if the construction urged by the Senator from California [Mr. KNOWLAND] and the Senator from Illinois [Mr. DOUGLAS] is correct.

This is what the rule says:

> Every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

Let it be perfectly clear that the rule is not limited to bills coming to the Senate from the House; it applies equally to bills introduced in the Senate.

Mr. KNOWLAND. Mr. President, will my distinguished friend, the Senator from Georgia, yield at that point?

Mr. RUSSELL. I am happy to yield.

Mr. KNOWLAND. I invite the attention of the distinguished Senator, since he has mentioned the procedure which could be followed in the case of a Senate bill, to the CONGRESSIONAL RECORD of March 2, 1931, at page 6956, where the colloquy to which I am about to refer appears. Some mention has been made of our late esteemed friend and colleague, Vice President Barkley, then Senator from the State of Kentucky, and for many years majority or minority leader of this body.

Mr. RUSSELL. To what year is the Senator referring?

Mr. KNOWLAND. I read from the CONGRESSIONAL RECORD of March 2, 1931:

ADJUSTED-SERVICE CERTIFICATES

Mr. BARKLEY. Mr. President, when the soldiers' bonus loan bill came over from the House it was recognized by everyone in this body that no amendments should be placed upon the bill. Many of us desired to make the loans applicable to certificates regardless of their date. In his veto message the President criticized the omission of any provision making the loans applicable to certificates which had been issued within the last two years. I ask unanimous consent out of order to introduce a bill to correct that situation, and then I shall ask unanimous consent for its present consideration.

The VICE PRESIDENT. Let the bill be read.

The bill (S. 6269) relating to the making of loans to veterans upon their adjusted-service certificates was read the first time by its title, and the second time at length, as follows:

"*Be it enacted, etc.*, That notwithstanding the provisions of section 502 (b) of the World War Adjusted Compensation Act, as amended, prohibiting the making of loans to veterans upon their adjusted-service certificates prior to the expiration of two years after the date of the certificates, hereafter loans may be made upon such certificates in accordance with loan basis provided by law at any time after the date of issuance thereof."

Mr. SMOOT. Mr. President, I ask the Senator to let the bill go to the Finance Committee. I will get a report on it today. I should like to see just what the effect of it might be.

Mr. BARKLEY. I do not want to consent to a reference at this time because the committee is not in session and has not been called in session.

Mr. SMOOT. The committee was in session this morning and held a meeting, and the committee will be called together again.

Mr. BARKLEY. The committee was called in session to pass on nominations and not for legislative purposes.

Mr. SMOOT. It was for all purposes.

The VICE PRESIDENT. Objection is made to the request of the Senator from Kentucky.

Mr. BARKLEY. I desire to enter a motion to suspend the rules so as to consider and pass the bill.

The VICE PRESIDENT. The motion will be entered.

An objection to a request for the consideration of the bill having been interposed by Mr. SMOOT.

Ordered, That the bill, under rule XIV, paragraph 4, be placed on the calendar. (March 2, 1931, 71-3, RECORD, p. 6596.)

Mr. RUSSELL. That happened in 1931. The Reorganization Act, which made it mandatory that bills be referred, was not enacted until 1946.

Mr. KNOWLAND. But we have the Downey precedent in 1948.

Mr. RUSSELL. No one raised a point of order in the Downey case. I challenge the Senator now to show where a point of order was raised against the Downey precedent.

Mr. KNOWLAND. I do not think a point of order had to be raised. The fact is that in the Downey case the Senate proceeded under rule XIV, subsection 4.

Mr. RUSSELL. Because no objection was entered. However, I assure the Senator that objection will be entered to proceeding under that subsection in connection with this bill. The Reorganization Act of 1946 provides that the bill shall be referred to committee.

Mr. KNOWLAND. And the Senate will have an opportunity to pass upon that issue.

Mr. RUSSELL. Oh, yes. In some form. If we are to throw out the window the laws, the rules, and the Constitution in order to get at "these infernal southerners" in a hurry, what the Senator suggests can be done by a majority of the Senate. However, such action would establish precedents which

would destroy the leadership in the years which lie ahead.

I realize the situation which obtains in this instance. I know some of the forces and counterforces which are at play in pressing for legislation of this character. However, I say that what is proposed cannot legally be done under the rules.

I was greatly intrigued by the distinguished Senator from Illinois and his effort to wipe out rule XXV. He seeks to make legislative history by means of a statement from a member of the staff of the Committee on Reorganization of the Congress. There are now living and in the Senate men who were members of that committee. There are now living and in the House of Representatives men who served on that committee. This is the first time to my knowledge that we have gone to the clerk of a committee to make legislative history, so as to water down or eliminate a rule of the Senate.

I happen to know Mr. Galloway, because I served on the Committee on Reorganization of the Congress, on which the distinguished Senator from Oklahoma [Mr. MONRONEY] rendered such fine service, and on which the distinguished late Senator from Wisconsin, Mr. La Follette, was one of the leaders.

Let me say, with all deference to Mr. Galloway, that over a period of years, when any question arises in connection with making a change in a rule of the Senate, the proponents of gag rule have been fortified from here to there with all kinds of legislative statements and findings from Mr. Galloway. On at least one occasion I wrote him with respect to errors which I discovered in statements of his which had been placed in the RECORD, and he admitted that he was in error.

When it comes to legislation of this type, if anyone desires legislative history outside the Senate, he can obtain a stronger legislative history on this question from Mr. Galloway than from anyone less, unless it be the Senator from Illinois and the Senator from California [Mr. KNOWLAND], because Mr. Galloway is in favor of this kind of legislation.

Let me make one further observation, and then I shall conclude. I do not wish to labor the question.

Some of our friends have risen into the clouds and loftily referred to "the right to vote," as though that were all that is involved in this bill. They talk about the right to vote, but what they are really thinking about is schools, and the provisions of the bill which would enable the Attorney General of the United States to invade every southern community and jail or imprison the trustees of the schools unless they agreed to strike down the separate school system for the people of the two races, which has existed there over the years.

Senators should not be deceived by the smokescreen about voting. That is one of our minor problems in the South. It may be a major problem in some few communities, but it is not a major problem in the entire South. Those who talk about voting are hiding behind a smokescreen in an effort to give the Attorney General vast powers to bring about a certain condition in the Southland, which has been subjected to a hate-the-South campaign the like of which has not been seen in this country for many years. The purpose is to enable the Attorney General of the United States to invade the South and deal with the question of enforcement of the Supreme Court's decision in the school cases. They are willing to throw away the rule book and strike down the Constitution and individual rights of American citizens, in their determination to make the white people of the South conform.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. ERVIN. I ask the distinguished Senator from Georgia if, immediately after the passage of the proposed civil-rights bill, the Attorney General of the United States could not bring suits, at the expense of the taxpayers, to compel immediate integration of every school in the South, or elsewhere in this country?

Mr. RUSSELL. He certainly could; and he could jail, without benefit of jury trial, any school trustee who did not proceed forthwith to order integration of the schools. That is what is behind the bill. Let no one try to give me any holier-than-thou talk about voting. That is only a smokescreen. That is not the true purpose of the bill.

Mr. ERVIN. If this bill were enacted into law, would it not confer upon the Attorney General of the United States the power to bring suit, at the expense of the taxpayers, on behalf of any citizen of any race, any alien of any race, or any private corporation within the territorial jurisdiction of the United States, based upon an allegation that he or it had suffered discrimination as a result either of the wording of State law, or the application to him or it by State or local officials of any State law anywhere in the realm in which the States are authorized by the Constitution to legislate?

Mr. RUSSELL. I understand that he could not only do that, but he could do it even if the person in whose favor he was claiming to proceed were opposed to the procedure; and he would proceed at the expense of the taxpayers of the United States. Never has there been such a sweeping bill as this presented to the Congress in my time.

The bill was so deviously drawn that it went through a series of hearings without people catching on to the fact that it was skillfully and cunningly designed to eliminate the benefit of jury trial to American citizens.

Mr. ERVIN. I ask the distinguished Senator from Georgia if this is not the third time in the history of America that an effort has been made to rob the people of their right to trial by jury. I ask the distinguished Senator if the first effort was not made by the British Parliament in connection with the Stamp Act and similar legislation, just before the Revolution, and if that did not result in Thomas Jefferson writing into the Declaration of Independence, as one of the reasons for the colonists severing political ties with England, the fact that in many instances they had been denied the right to trial by jury.

I will ask the Senator if the second effort to rob Americans of the right to jury trial was not made by Congress in reconstruction legislation under the leadership of Thad Stevens, when military commissions were set up in the Southern States to try the people rather than to have them tried in civil courts? I also ask the Senator if this is not the first time that a person in the name of the President of the United States has made an effort to rob the people of their right to trial by jury?

Mr. RUSSELL. So far as I am advised, it is. It may be that the military courts undertook to do what the Senator suggests, but the case of Ex parte Milligan, decided by the Supreme Court, said that if there were civil courts and juries available the military courts had no jurisdiction. However, that was in a different day. The passions of men in that period had been inflamed as a result of the terrible fratricide in which millions of Americans had lost their lives on both sides of the struggle. There was more reason for inflamed passions then than today even with such a propaganda campaign as we are witnessing. But even in those days no one proposed such extreme measures as this proposed bill adopts.

I yield to the knowledge of the Senator from North Carolina, who has done a magnificent job in connection with this subject. I know of no other man who has done more to sound the tocsin on the danger to be found in the pending bill to the individual liberties of Americans everywhere. It is all very well to say, "We will get those Southerners on this," but I remind the people of all other sections that when the bell tolls for us, it will toll for them also.

It is impossible to abolish the right to jury trial in the South without denying it in other sections.

I say to Senators that they can rush this bill through if they wish, but if they do, they will start a series of events that will abolish the individual rights and liberties of American citizens everywhere.

Mr. ERVIN. I should like to ask the distinguished Senator if the passage of the bill would not reduce State and local officials to a constitutional and legal status inferior to that which would thereafter be possessed by murderers, thieves, smugglers, dope peddlers, and persons alleged to be parties to the Communist conspiracy to overthrow the United States Government by force and violence?

Mr. RUSSELL. I am inclined to think the Senator is completely correct, because those people would be entitled to a jury trial, whereas men charged with a penal offense that is made a civil cause under the bill would not be entitled to a jury trial.

Mr. ERVIN. I have just one more question, and it will be the final question. I ask the distinguished Senator from Georgia if the bill is not predicated upon the assumption that State and local officials in the South are so unworthy that they should be denied the right to invoke for their protection in courts of justice

the constitutional and legal safeguards enacted by the Founding Fathers and by previous Congresses to protect all Americans from governmental and judicial tyranny.

Mr. RUSSELL. If I understand the proposed legislation, it wipes out individual rights and liberties which the Anglo-Saxon race has cherished and on which it has depended for well nigh a thousand years. It would vest in an appointed official, the Attorney General, powers over the American people which no President, elected by the people, has ever had.

It is the most deviously drawn bill I have ever seen or have ever undertaken to read. The more often I read it, the more appalling it becomes.

It indicts and convicts the whole people of a great section of this country without a shred of evidence to show necessity for such drastic action. They say southern jurors will not convict in such cases without any evidence to prove their aspersions.

I do not intend at this time to go into the merits of the bill, or perhaps I should say its demerits, because if there are any merits in it, I have been unable to discover them from a reading of it several times.

I made the statement because of the oft-repeated contention that this is merely a bill to assure voting rights.

Mr. President, it is nothing of the kind. It is not limited to voting. So far as my own State is concerned, there is no reason whatever for the Federal Government to undertake to lay so heavy a hand upon the people of my State and upon its citizens.

Mr. KNOWLAND. Mr. President, I would not want the remarks of the distinguished Senator from Georgia to stand without some comment from this side of the aisle. Certainly I have the highest respect and regard for him, as I am sure the Senator from Georgia knows I have. This is not an issue which we have presented here to punish the South. The South is a great area of our common country. Those of us who live in the North and in the West and in the Midwest have a deep interest in the economic development of the South, and recognize that anything which hurts the economy of that section, hurts the entire Nation.

All we are trying to do, as my good friend from Texas has so often said, is to enable the Senate, a coordinate arm of the legislative branch of the Government, to have the proposed legislation before it so that we may reason together.

The South has some of its most eloquent spokesmen in this body. There is no doubt they have a very strong case, which they are entitled to, and no doubt will, present to the Senate.

They must not take the position that all of us on this side of the aisle, or all of those who do not come from the South on the other side of the aisle, are prejudiced against the South or have their minds closed to the facts which will be presented. All we ask is that the Senate shall not become immobilized, so that it cannot even function as a legislative body, but that in a matter of great public policy, involving some constitutional questions, 48 States and 96 Senators shall have an opportunity to pass judgment on the question, as the other great body has done. That is the issue which I believe comes before us on the question of rules.

When the bill is finally before the Senate, either later in this session or early in the next session, and debate is had on it, I have no doubt that Senators will be influenced by the arguments. The Senators on the other side of the argument do not love the Constitution of the United States any more than do those of us who take a different view. They do not desire to have preserved the rights of States any more than we desire to preserve the rights of States.

However, we think, as Senators, that we are entitled to legislate as a legislative arm of the Government of the United States.

Mr. RUSSELL. Mr. President, the Senate will have that opportunity to legislate. I do not doubt it. However, it can do it without proceeding in the way contemplated by the Senator from California, and without violating the rules of the Senate.

I had no intention of discussing the bill today but I felt that I should at least make a brief statement, because during the last week or 10 days on more than a dozen occasions Senators have risen on the floor and have tried to make it appear that the bill is merely designed to enforce the right of franchise, and has to do only with voting. It has been said that it is inconceivable how anyone could become concerned and oppose a bill to establish the right to vote.

So far as my own State is concerned, we have no serious problem on that question. We do have problems in other fields affected by this bill.

I have seen magazine articles and other publications which show that there has been a propaganda campaign waged against the South. There can be no question about that. We can see it in television programs. We can see it in the contemporary literature, and we can hear it on our radio programs. There is a concerted effort to make it appear that the southern people are prejudiced, bigoted, and, indeed, a brutish people.

I resent it. I resent it with every power of my being. The southern people have their faults, just as do people in other sections of the country. But the southern people are a generous, a kindly, courageous, patriotic people. They are the peers of those of any other section of the country.

The article in the American Mercury, for example, deals at great length with this campaign and the reason for it. It says:

> To these resourceful schemers, the South, with its deep-running conservatism and with its unshaken Anglo-Saxon traditions, was an obstacle which had to be removed. Its leaders must be discredited as political pariahs, its way of life must be held up to public detestation and ridicule.
>
> What better instrument was there to direct against the South than the Negro question? Americans, both northerners and southerners alike, have long felt a sense of national guilt over the Negro, and there has been general agreement that inherited discriminations must be gradually abolished. The fact that the South was doing something about it made little difference to the doctrinaire Liberals, whose book called for a political jehad against southern conservatism. It was determined to use the Negro issue as a smashing club against the South, to compel immediate compliance with the blueprints of "one world" liberalism.

In other words, to make them conform with whatever steps are necessary.

> What assured "liberal" success in this undertaking was the political potency of the northern Negro vote. An organization such as the National Association for the Advancement of Colored People which has always been under left liberal (before World War II, even Communist) influence, offered itself as a ready-made instrument for this purpose. The NAACP could direct terrific influence upon northern politicians, both Republican and Democratic, by threatening reprisals by the Negro voters. The 6 million northern Negro voters, acting as a bullet bloc, could easily decide the outcome of a Presidential election. They meant the difference between victory and defeat in the hairline outcome of many a House or even Senate election in the North. No ambitious politician, who wanted to stay alive, would willingly affront such a balance of power.
>
> Commencing sometime in the early 1940's and taking on accelerated speed as the years passed, we have seen the spectacle of an almost bandwagon rush of northern politicians to the NAACP side in local and national elections. The pressure of the local politicians, who get out the vote, upon individual Senators and Congressmen in Washington became terrific. Republicanism under Eisenhower, and Democracy under Adlai Stevenson and Walter Reuther, are sternly against them.
>
> In a period in which the South is no longer feared politically, it has ceased to be respected intellectually or socially. It has become the butt of mediocrity in literature, in journalism, on the screen and over the airwaves. It has become the whipping boy of every political and journalistic demagogue who is seeking an easy road to quick success. Enlistment in the anti-South hate campaign is the surest pathway for the unscrupulous to win the great claque of liberalism to further his career.
>
> It is a shameful episode in the history of our times. It is also a disastrous experience for Americans. At an historic juncture when the hostility of the American people should be channeled exclusively against our enemies at home and abroad, liberalism has detoured us into a hate drive against other Americans. At a time when tolerance has become almost a national religion, the tolerance high priesthood is itself launched on one of the most intolerant smear campaigns in the annals of propaganda.

Mr. President, I have not read from a magazine published in the South. I have read from the American Mercury, which I understand is published in New York City.

I have watched this campaign conducted year after year, until finally it has become almost a stampede to force the Southern people to conform with what the rest of the people of the country think should be the proper pattern in schools and in social life. It is a sad commentary on our times to see such feeling generated against a great section of our country.

I shall not discuss the issue any longer now. Undoubtedly, in connection with the various parliamentary maneuvers which are contemplated, we may have an opportunity to speak at some length on this question.

VISIT TO THE SENATE BY MEMBERS OF THE PARLIAMENTS OF OTHER NORTH ATLANTIC TREATY COUNTRIES

Mr. GREEN. Mr. President, we are honored today to have with us some 45 members of the parliaments of other North Atlantic Treaty countries. Our honored guests, for the post part, participated in the second NATO parliamentary conference, which was held in Paris last November, and which was attended by a delegation from the House of Representatives and the United States Senate.

The conference last year honored the United States by selecting Representative WAYNE HAYS, of Ohio, as president. I was honored to serve as chairman of the United States delegation to that conference.

We are glad to welcome these guests here today, and I hope the Members of the Senate will have an opportunity to speak to them briefly.

[The visitors rose in their places, and were greeted with applause, Senators rising.]

The VICE PRESIDENT. The Chair wishes to speak on behalf of the Members of the Senate in welcoming our distinguished guests from abroad. We are delighted to have them attend the session of the Senate and observe a debate over the Senate rules, which, because of their own experiences, the Chair is sure our guests will understand.

THIRD SUPPLEMENTAL APPROPRIATION BILL, 1957—CONFERENCE REPORT

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7221) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7221) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:
>
> That the Senate recede from its amendments numbered 3, 7, 11, 12, 13, and 26.
>
> That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 6, 18, 19, 20, 27, 29, 30, 32, 34, and 36 and agree to the same.
>
> Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$750,000"; and the Senate agree to the same.
>
> Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,215,776"; and the Senate agree to the same.
>
> The committee of conference report in disagreement amendments numbered 2, 5, 8, 9, 10, 14, 15, 16, 17, 21, 22, 23, 25, 28, 31, 33, and 35.
>
> CARL HAYDEN,
> RICHARD B. RUSSELL,
> DENNIS CHAVEZ,
> ALLEN J. ELLENDER,
> LISTER HILL,
> STYLES BRIDGES,
> LEVERETT SALTONSTALL,
> MILTON R. YOUNG,
> WILLIAM F. KNOWLAND,
> *Managers on the Part of the Senate.*
>
> CLARENCE CANNON,
> ALBERT THOMAS,
> MICHAEL J. KIRWAN,
> JAMIE L. WHITTEN,
> JOHN J. ROONEY,
> JOHN TABER,
> BEN F. JENSEN,
> H. CARL ANDERSEN,
> CLIFF CLEVENGER,
> *Managers on the Part of the House.*

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, the distinguished chairman of the Committee on Appropriations earlier in the day discussed this matter with the majority leader and the minority leader. We both agreed that as soon as the House civil-rights bill had been laid before the Senate and discussion was had on it, it would be a good time to bring up the conference report. I understand that the report involves no great controversy, and I hope it may be considered now.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

Mr. JOHNSTON of South Carolina. Mr. President, what appropriation bill is this?

Mr. HAYDEN. The Third Supplemental Appropriation bill.

Mr. JOHNSTON of South Carolina. Is that the one which contained the amendment dealing with flood insurance?

Mr. HAYDEN. Yes.

Mr. JOHNSTON of South Carolina. I should like to know what the committee of conference did in regard to that amendment.

Mr. HAYDEN. We deleted it from the bill.

Mr. JOHNSTON of South Carolina. That amendment was placed in the bill on the floor of the Senate when I offered it. It was taken to conference. I am very much grieved to know that the amendment is not now in the bill. On three different occasions the Senate has placed a similar amendment on appropriation bills.

Mr. HAYDEN. This item is now in the regular independent offices appropriation bill.

Mr. JOHNSTON of South Carolina. It is in that bill?

Mr. HAYDEN. Yes. That bill passed the Senate and will go to conference next week. No action has been taken on it yet by the conferees.

Mr. JOHNSTON of South Carolina. Is the Senator from Arizona a member of the committee of conference which will consider the Independent Offices Appropriation bill?

Mr. HAYDEN. No, I am not a member of that conference committee. The Senator from Washington [Mr. MAGNUSON] is the chairman of the subcommittee on Independent Offices Appropriations.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. SALTONSTALL. I may say, as one who is himself interested in the item, just as is the Senator from South Carolina, that a similar amendment was adopted by the Senate and is now in conference, as I understand, in the full amount which is necessary. I hope the Senate conferees will be able to sustain it, although it has not been possible to do so in the past 2 or 3 years.

Mr. JOHNSTON of South Carolina. I know that is true, but the time limit will expire in August.

Mr. SALTONSTALL. I so understand.

Mr. JOHNSTON of South Carolina. If the time runs out, a great injustice will be done to many employees. Furthermore, I think it will result in discrimination in favor of some insurance companies and against other insurance companies.

Mr. SALTONSTALL. I am heartily in favor of the position taken by the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I think every Senator recognizes that fact. I hope the conferees will make certain that the amendment is retained in the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

Mr. ALLOTT. Mr. President, reserving the right to object—and I shall not object—I wish to address a question to the Senator from Arizona concerning the situation with respect to tungsten.

Mr. HAYDEN. That amendment, which was placed in the bill by the Senate, was, as the Senator knows, by a teller vote of 156 to 47, rejected by the House.

Mr. ALLOTT. Mr. President, will the Senator from Arizona yield, so that I may say a word or two about this matter?

Mr. HAYDEN. I yield.

Mr. ALLOTT. I shall not object to the conference report at this time, because I realize that to do so would be futile. But I cannot permit the moment to pass, especially in view of some remarks which were made in the House of Representatives yesterday, without calling the attention of the Senate again to the fact that under Public Law 733 certain representations were held forth to the mining interests of the United States. Pursuant to those representations, those interested in the mining industry have invested hundreds of thousands of dollars in mining operations.

The able Senator from Arizona [Mr. HAYDEN] and other able Senators have given us ample support in our attempts to keep the American mining industry upon a sound basis and to protect it from importations from other countries, when critical mineral situations were involved.

Mr. President, it is a sad day when this appropriation is eliminated from the third supplemental appropriation bill.

I wish to extend my own appreciation and that of many of the people of the West to the Senator from Arizona and his colleagues on the committee, for I know they have fought very hard to try to keep the faith of the Congress with the miners, as it was expressed in Public Law 733.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 7221, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.
June 18, 1957.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 8, 9, 10, 14, 21, 22, 23, 25, 28, 31, 33, and 35 to the bill (H. R. 7221) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes," and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

Strike out the sum of "15,000,000," named in said amendment and insert in lieu thereof: "$4,000,000, to remain available through June 30, 1958."

That the House recede from its disagreement to the amendment of the Senate numbered 5, and concur therein with an amendment, as follows:

In lieu of the sum of "$15,000,000" named in said amendment, insert "$11,500,000"

That the House recede from its disagreement to the amendment of the Senate numbered 16, and concur therein with an amendment, as follows:

In lieu of the matter proposed by the said amendment insert:

"For an additional amount for 'Inpatient care,' $1,000,000, of which $725,000 shall be derived by transfer from the appropriation for 'General operating expenses', fiscal year 1957, and $275,000 shall be derived by transfer from the appropriation for 'Outpatient care', fiscal year 1957: Provided, That notwithstanding"

That the House insist upon its disagreement to the amendment of the Senate numbered 15.

That the House insist upon its disagreement to the amendment of the Senate numbered 17.

Mr. HAYDEN. Mr. President, I move that the Senate agree to the amendments of the House to the Senate amendments Nos. 2, 5, and 16, and that the Senate recede from its amendments Nos. 15 and 17.

Mr. BIBLE. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. BIBLE. Will the Senator from Arizona indicate the significance of having the Senate recede from its amendment No. 17? Is that amendment the so-called minerals amendment?

Mr. HAYDEN. Yes. As all Senators know, on 2 separate occasions the Senate voted, with only 17 votes in opposition, in favor of the appropriation with respect to tungsten; in other words, to keep the moral obligation imposed by law. The House has refused, by a vote of 47 to 156, to agree to the position of the Senate. So it seems that we have done all we can. It is for that reason that I have moved that the Senate recede.

Mr. BIBLE. The Senator from Arizona knows of the keen interest which those of us from the Western States have taken in regard to this particular amendment. Personally, I very much regret the action taken by the House of Representatives. It seems to me it puts the Congress in the position of failing to keep faith with the American miners.

Mr. HAYDEN. I agree entirely with the Senator from Nevada.

Mr. BIBLE. I cannot stress too fervently the point which has always impressed me, namely, that at this time the Government of the United States is perfectly willing to carry out contracts for the purchase of approximately $67 million worth of tungsten from foreign sources and foreign producers, but is failing to live up to a moral obligation of the United States Government under Public Law 733. I think that is greatly to be regretted.

For that reason, I must object to having the Senate recede on this amendment.

I would be less than appreciative if I did not say to my good friend, the Senator from Arizona, that I know of the fine work which he, as Chairman of the Appropriations Committee, and the other members of the committee have done in attempting to have this item included in the appropriation bill; and the same is true of the distinguished majority leader and the distinguished minority leader of the Senate. To me, it is unthinkable that by this action the Congress would put out of business or deprive of their occupations approximately 4,000 miners who depend upon the continuance of this provision for their livelihood.

Mr. HAYDEN. However, we are faced with the situation that the bill carries appropriations of $2 million for the Commodity Credit Corporation; and if the bill is not passed promptly, payless paydays for the employees of that Corporation will begin on June 24.

Furthermore, the bill carries appropriations of $500,000 for the Civil Service Commission, for annuities for Panama Canal construction workers and Lighthouse Service widows; and the payments due to be made June 1 have not been made.

The bill also carries appropriations of $65 million for the Veterans' Administration. The readjustment benefits are due on June 21. But all the funds have been exhausted; and if the bill is not passed promptly, the benefit payments will have to be suspended.

In the case of the Railroad Retirement Board, the bill carries an appropriation of $600,000. If the bill is not passed promptly, no funds will be available to meet the current payroll of that Board, which will become due next week.

Furthermore, in the case of the Judiciary, the bill carries appropriations of $253,000 for the salaries of referees; but on June 15, the authority to obligate expired.

The bill also carries other appropriation items of a similar kind.

These agencies and departments of the Government cannot operate unless the necessary appropriations are made.

Mr. MANSFIELD. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. MANSFIELD. I hope the Senator from Nevada [Mr. BIBLE] will change his position, even though I feel exactly as he does. I feel that in this instance the House of Representatives has broken a solemn commitment. But in that connection no blame can be attached to the administration or to the Senate.

However, in this instance the Senate is faced with the existence of a fact; and it is impossible for us to separate one item of the bill from the others, and to go through the procedure again.

What the Senate conferees insisted upon, and what the Senate got, was a record vote in the House of Representatives, thus showing definitely the opinion on the part of the House.

Although I am not happy about the situation in the case of amendment numbered 17, nevertheless, in view of the circumstances, and despite my great misgivings, I think we should go along with the motion of the Senator from Arizona. All of us know that the Senator from Arizona, the chairman of the Appropriations Committee, and the other members of the committee have worked on this matter for a number of months, and we are certain that they have done their very best.

Mr. SALTONSTALL. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. I reiterate the statements of the Senator from Montana, in the case of amendment numbered 15, which is in a position similar to that of amendment numbered 17.

Amendment numbered 15 deals with the appropriation for flood insurance. As the distinguished Senator from Rhode Island [Mr. PASTORE] and I have brought out recently, we hope the Appropriations Committee, and particularly its chairman, will give sympathetic consideration to a further supplemental appropriation bill which will include an item to continue the work of the Commission, so that this matter will not be completely dropped, but will be further studied, and perhaps a better bill will come along, and perhaps next January the House of Representatives will take a different position.

Mr. HAYDEN. On the amendment relating to flood insurance, the vote in the House of Representatives was 218 to 186; so the House rejected the amendment by a substantial majority.

On the other hand, it seems only reasonable that funds should be allowed to enable the Commission to proceed in at least a moderate way to carry out the program.

I am very hopeful that in another supplemental appropriation bill, a sum perhaps not so large as $14 million, but still a reasonable sum—will be included, in order to permit the activities of the Commission to be carried on.

Mr. PASTORE. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. PASTORE. I wish to compliment the distinguished Chairman of the Appropriations Committee, and to express to him my appreciation for his attitude and his cooperation in the case of this particular item. I fully realize the practicalities and the realisms confronting us at this time; and under present circumstances, I do not see how we could attempt to have a further conference held.

However, I wish to say to the distinguished chairman of the committee that the one dim ray of hope I entertain at the present time is this: Even the Members of the House of Representatives who voted against this item at least expressed some sentiment that this agency should not go out of existence, even though they voted against the item of $14 million. Perhaps in a future supplemental appropriation bill it will be possible to include an appropriation of a smaller amount which will be acceptable to the House of Representatives, and will enable this agency to exist, and in the meantime afford opportunity to restudy the entire situation.

Mr. HAYDEN. It is my hope that that will be done.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

Mr. HAYDEN. Mr. President, I ask unanimous consent to have inserted in the RECORD a table in regard to the third supplemental appropriation bill, showing the budget estimates, the House and the Senate allowances, and the amounts agreed to in conference.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparative statement of budget estimates, amounts recommended in House and Senate bills, and amounts agreed to in conference

H. Doc. No.	Department or activity	Budget estimates	Recommended in House bill	Amount recommended by Senate	Conference action
	DEPARTMENT OF AGRICULTURE				
	AGRICULTURAL RESEARCH SERVICE				
115	Salaries and expenses: Research	(1)	(1)	(1)	(1)
115	Payments to States, Hawaii, Alaska, and Puerto Rico: Penalty mail [2]	($250,000)	($250,000)	($250,000)	($250,000)
	EXTENSION SERVICE				
115	Federal Extension Service: Penalty mail [2]	(514,000)	(514,000)	(514,000)	(514,000)
	AGRICULTURAL CONSERVATION PROGRAM				
48	Emergency conservation measures	[1] (25,000,000)		15,000,000	4,000,000
B. 36	Emergency range conservation [2]				
115		(25,000,000)		(25,000,000)	
	FARMERS' HOME ADMINISTRATION				
48	Disaster loan revolving fund	(25,000,000)		(15,000,000)	(11,500,000)
48	Loan authorization	(26,000,000)		(26,000,000)	(26,000,000)
	OFFICE OF THE SECRETARY				
115	Salaries and expenses [1]	(23,400)	(23,400)	(23,400)	(23,400)
	COMMODITY CREDIT CORPORATION				
115	Administrative expense limitation	(2,500,000)	(2,000,000)	(2,000,000)	(2,000,000)
	Total, chapter I			15,000,000	4,000,000
	DEPARTMENT OF COMMERCE				
	COAST AND GEODETIC SURVEY				
115	Salaries and expenses [1]	(55,000)	(55,000)	(55,000)	(55,000)
	RELATED AGENCIES				
	PANAMA CANAL COMPANY				
115	Panama Canal Bridge	1,000,000		1,000,000	
	TARIFF COMMISSION				
115	Salaries and expenses	25,000	25,000	25,000	25,000
	Total, chapter II	1,025,000	25,000	1,025,000	25,000
	DEPARTMENT OF DEFENSE				
	DEPARTMENT OF THE ARMY				
B. 36	Military personnel [2]	(27,444,000)		(27,444,000)	(27,444,000)
115	DEPARTMENT OF THE NAVY				
	Medical care, Navy [1]	(12,290,000)	(10,000,000)	(10,000,000)	(10,000,000)
	Servicewide supply and finance [1]	(8,000,000)	(8,000,000)	(8,000,000)	(8,000,000)
115	DEPARTMENT OF THE AIR FORCE				
	Military personnel [1]	(30,335,000)	(30,335,000)	(30,335,000)	(30,335,000)
	Total, chapter III				
	GENERAL GOVERNMENT MATTERS				
	AMERICAN BATTLE MONUMENTS COMMISSION				
	Construction of memorials and cemeteries			(1)	(1)
	COMMISSION ON GOVERNMENT SECURITY				
115	Salaries and expenses	(1)	(1)	(1)	(1)
	Total, chapter IV				
	INDEPENDENT OFFICES				
	CIVIL SERVICE COMMISSION				
115	Salaries and expenses	150,000			
115	Annuities, Panama Canal construction employees and Lighthouse Service widows	552,000	500,000	500,000	500,000
	Civil Service Retirement Act			(1)	(1)
115	Employees' life insurance fund, administrative expenses (increase in limitation)	(76,500)		(76,500)	

[1] Language [2] To be derived by transfer.

Comparative statement of budget estimates, amounts recommended in House and Senate bills, and amounts agreed to in conference—Con.

H. Doc. No.	Department or activity	Budget estimates	Recommended in House bill	Amount recommended by Senate	Conference action
	INDEPENDENT OFFICES—Continued				
	GENERAL SERVICES ADMINISTRATION				
115	Public buildings service, operating expenses	$1,230,000	$900,000	$900,000	$900,000
S. 25	Operating expenses, Federal supply service	(1)		(1)	(1)
	HOUSING AND HOME FINANCE AGENCY				
	Office of the Administrator:				
115	Housing studies, administrative expenses	170,000			
115	Housing studies	850,000			
115	Federal Flood Indemnity Administration	50,000,000		14,000,000	(1)
115	Federal National Mortgage Association (increase in limitation)	(300,000)			
	VETERANS' ADMINISTRATION				
115	Medical administration and miscellaneous operating expenses	(1)			
115	Inpatient care (transfer)	(3,000,000)	(1)	(2,000,000)	(1,000,000)
115	Readjustment benefits	77,000,000	65,000,000	65,000,000	65,000,000
115	Automobiles and other conveyances for disabled veterans (transfer)	(1,000,000)	(850,000)	(850,000)	(874,000)
	Total, chapter V	129,892,000	66,400,000	80,400,000	66,400,000
	DEPARTMENT OF THE INTERIOR				
	OFFICE OF THE SECRETARY				
48	Acquisition of strategic materials	30,000,000		30,000,000	(1)
	BUREAU OF INDIAN AFFAIRS				
S. 36	Resources management [2]	(150,000)		(150,000)	(150,000)
115	Resources management [2]	(133,000)	(133,000)	(133,000)	(133,000)
	FISH AND WILDLIFE SERVICE				
115	General administrative expenses [2]	(239,000)	(75,000)	(75,000)	(75,000)
	ADMINISTRATION, DEPARTMENT OF THE INTERIOR				
115	Salaries and expenses [2]	(75,700)	(68,000)	(65,000)	(62,000)
	DEPARTMENT OF AGRICULTURE				
	FOREST SERVICE				
	SALARIES AND EXPENSES				
115	Control of forest pests [2]	(800,000)	(800,000)	(800,000)	(800,000)
	INDEPENDENT OFFICES				
	Alexander Hamilton Bicentennial Commission			15,000	15,000
	INDIAN CLAIMS COMMISSION				
115	Salaries and expenses	7,700	7,700	7,700	7,000
	SMITHSONIAN INSTITUTION				
115	Salaries and expenses, National Gallery of Art	30,000	30,000	30,000	30,000
	Total, chapter VI	31,037,700	37,700	30,052,700	82,700
	DEPARTMENT OF LABOR				
	OFFICE OF THE SECRETARY				
115	Salaries and expenses	(24,000)	(24,000)	(24,000)	(24,000)
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	FREEDMEN'S HOSPITAL				
115	Salaries and expenses	60,200	46,400	46,400	46,400
	OFFICE OF EDUCATION				
115	Grants for State committees on education beyond the high school	850,000			
	PUBLIC HEALTH SERVICE				
	Foreign Quarantine Service	67,500		(3)	(3)
115	Hospitals and medical care	1,260,000	1,184,000	1,184,000	1,184,000
	ST. ELIZABETHS HOSPITAL				
115	Salaries and expenses	133,000	133,000	133,000	133,000
115	Construction and equipment, maximum security building	673,000	673,000	673,000	673,000
	OFFICE OF THE SECRETARY				
115	Salaries and expenses, Office of Field Administration	(68,000)	(68,000)	(68,000)	(68,000)
	Total, Department of Health, Education, and Welfare	2,843,700	2,036,400	2,036,400	2,036,400
	NATIONAL MEDIATION BOARD				
115	Salaries and expenses	(15,500)	(15,500)	(15,500)	(15,500)
	NATIONAL RAILROAD ADJUSTMENT BOARD				
115	Salaries and expenses	(1)	(1)	(1)	(1)
	RAILROAD RETIREMENT BOARD				
115	Salaries and expenses	(600,000)	(600,000)	(600,000)	(600,000)
	U. S. SOLDIERS' HOME				
115	Maintenance and operation	(79,000)	(79,000)	(79,000)	(79,000)
	Total, chapter VII	2,843,700	2,036,400	2,036,400	2,036,400

[1] Language.
[2] To be derived by transfer.
[3] Travel limitation increased from $120,000 to $135,000.
[4] Travel limitation increased from $120,000 to $130,000.
[5] In actual disagreement.

Comparative statement of budget estimates, amounts recommended in House and Senate bills, and amounts agreed to in conference—Con.

H. Doc. No.	Department or activity	Budget estimates	Recommended in House bill	Amount recommended by Senate	Conference action
	PUBLIC WORKS, DEPARTMENT OF DEFENSE—CIVIL FUNCTIONS				
	DEPARTMENT OF THE ARMY				
115	Entombment of unknown Americans of World War II and Korea	$269,000	$159,000	$159,000	$159,000
	DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS—CONSTRUCTION—GENERAL				
	Rivers and harbors and flood control			(1)	(1)
	DEPARTMENT OF THE INTERIOR				
	Southeastern Power Administration: John Kerr project [2]	(45,000)		(35,000)	(35,000)
	Total, chapter VIII	269,000	159,000	159,000	159,000
	DEPARTMENT OF STATE				
115	Salaries and expenses	2,200,000	500,400	1,000,000	750,000
	Emergencies in the diplomatic and consular service		725,000	725,000	725,000
115	Contributions to international organizations	7,464,384	4,169,409	4,169,409	4,169,409
115	International contingencies	450,000	225,000	225,000	225,000
	Total, Department of State	10,114,384	5,619,809	6,119,409	5,869,409
	DEPARTMENT OF JUSTICE				
	LEGAL ACTIVITIES AND GENERAL ADMINISTRATION				
	Salaries and expenses, United States attorneys and marshals [2]	(300,000)		(300,000)	(300,000)
	THE JUDICIARY				
	SUPREME COURT OF THE UNITED STATES				
144	Care of the building and grounds	7,500	7,500	7,500	7,500
	COURT OF CLAIMS				
115	Salaries and expenses	50,400	34,400	34,400	34,400
	COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES				
115	Salaries of judges [2]	[1] (300,000)	[1] (300,000)	(300,000)	(300,000)
115	Fees of jurors and commissioners	160,000	160,000	160,000	160,000
115	Salaries of referees	(253,000)	(253,000)	(253,000)	(253,000)
115	Expenses of referees	(79,900)	(57,000)	(57,000)	(57,000)
	Total, the judiciary	217,900	201,900	201,900	201,900
	FUNDS APPROPRIATED TO THE PRESIDENT				
115	President's special international program	1,500,000	1,300,000	1,500,000	1,300,000
	Total, chapter IX	11,832,284	7,121,709	7,821,309	7,371,309
	DISTRICT OF COLUMBIA				
	OPERATING EXPENSES				
115	Department of General Administration	(180,000)	(180,000)	(180,000)	(180,000)
115	Personal services, wage-scale employees	(415,000)	(415,000)	(415,000)	(415,000)
	CAPITAL OUTLAY				
115	Public building construction	(390,000)	(390,000)	(390,000)	(390,000)
	MISCELLANEOUS				
115	Settlement of claims and suits	(22,798)	(22,798)	(22,798)	(22,798)
115	Judgments	(347)	(347)	(347)	(347)
115	Audited claims	(8,062)	(8,062)	(8,062)	(8,062)
	Total, chapter X	(1,016,207)	(1,016,207)	(1,016,207)	(1,016,207)
	LEGISLATIVE BRANCH				
	SENATE				
	Payment to the widow of Senator Joseph R. McCarthy			22,500	22,500
	CONTINGENT EXPENSES				
	Senate Restaurants			30,000	30,000
	Stationery			(1)	(1)
	General provisions			(1)	(1)
	HOUSE OF REPRESENTATIVES				
	CONTINGENT EXPENSES				
115	Folding documents	20,000	9,000	9,000	9,000
	CAPITOL POLICE				
115	General expenses	1,500			
	EDUCATION OF SENATE, HOUSE, AND SUPREME COURT PAGES				
115	Education of pages	2,240	2,240	2,240	2,240
	GOVERNMENT PRINTING OFFICE				
115	Printing and binding, 1956	1,300,000	1,300,000	1,300,000	1,300,000

[1] Language.
[2] To be derived by transfer.

Comparative statement of budget estimates, amounts recommended in House and Senate bills, and amounts agreed to in conference—Con.

H. Doc. No.	Department or activity	Budget estimates	Recommended in House bill	Amount recommended by Senate	Conference action
	LEGISLATIVE BRANCH—Continued				
	ARCHITECT OF THE CAPITOL				
144	Office of the Architect, salaries	$7,500	$7,500	$7,500	$7,500
144	Capitol building	13,500	13,500	13,500	13,500
	Capitol building			8,000	8,000
	Capitol building			(1)	(1)
	Senate Office building	17,000		17,000	17,000
	Total, chapter XI	1,361,740	1,332,240	1,409,740	1,409,740
	JUDGMENTS AND AUTHORIZED CLAIMS				
156 S. 38	Judgments and authorized claims	4,437,806	2,728,739	4,437,806	4,215,776
	Grand total	181,099,320	70,840,788	142,342,043	85,609,925

(1) Language.

The PRESIDING OFFICER. That concludes the action of the Senate on the conference report and the supplemental matters in connection therewith.

THE CIVIL RIGHTS ACT OF 1957

Mr. JOHNSTON of South Carolina. Mr. President, much has been said about the bill which commonly is known as the Civil Rights bill, namely, House bill 6127. I hope each Member of the Senate will read that bill very carefully. I make that statement because the House bill now pending before the Senate is not the same bill the Judiciary Committee has amended. It will be found that the bill which has come from the House gives to the Attorney General the right to act in behalf of any individual in the United States, even against that individual's will.

Here is the way the bill would do away with jury trial: The Attorney General would be able to go into court and ask for an injunction against certain procedures or against certain activities in a community. If the judge should grant the injunction, and after he had granted it, a person in the community should violate the injunction, not willfully, and not even knowing the injunction was in operation, he could be hailed into court and without a jury trial convicted and sentenced to so many days, months, or years in jail.

The bill goes further. In order to enforce its provisions, the President of the United States is given the power of using the Army and the Navy to see that the order is put into effect and carried out. So, Mr. President, the bill is so far-reaching I want to ask at this time if it is not true that the bill has had its first reading by title only.

The PRESIDING OFFICER. The Senator is advised that is correct.

Mr. JOHNSTON of South Carolina. Tomorrow the bill will come up for a second reading. I want to ask here and now that when it comes up for its second reading the Senate clerk read it word by word, and line by line, and not skip any of it, so that we may know exactly what is in the bill and so that each person present at that time will know what is contained in the bill. May I make that request at this time?

The PRESIDING OFFICER. The Chair is sorry to inform the Senator that the Parliamentarian advises that the request or objection will have to be made at the time of taking up the bill tomorrow.

Mr. JOHNSTON of South Carolina. I serve notice I shall make that request at the time the bill is taken up tomorrow, because I think it is important that we know exactly what the House bill contains, since it is proposed that it be not referred to any committee, and Senators do not have on their desks a copy of the bill to read, and probably will not have tomorrow morning before they come to the Senate. For that reason I am going to make that request when the Senate is in session tomorrow.

Mr. McNAMARA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Michigan will state it.

Mr. McNAMARA. Is it a fact that the bill has been printed in the RECORD of the House proceedings?

The PRESIDING OFFICER. The Chair begs to advise the Senator that, since there has been no request for the reading of the bill in full, the bill in full will not appear in the CONGRESSIONAL RECORD tomorrow.

Mr. McNAMARA. Mr. President, my question was——

The PRESIDING OFFICER. The Senator is advised that the Parliamentarian informs the Chair that under the handling of the measure so far, and its handling has been completed for today, the bill will not appear printed in the RECORD tomorrow except by title.

Mr. McNAMARA. I was not asking about any action on the part of the Senate today; the question I asked was whether the bill was printed in the RECORD when it was before the House, or in the interim between now and then.

The PRESIDING OFFICER. The Parliamentarian advises that it has not been printed in any Journal of the proceedings of the Senate, and he is not advised whether it was printed during the proceedings in the House.

Mr. McNAMARA. I thank the Chair. I shall seek the information elsewhere.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. McNAMARA. Yes.

Mr. DIRKSEN. If the usual custom in the House was followed, it was read and debated, but the text of the bill is not assembled in one place in the RECORD. It is very doubtful that the bill appears in its entirety in the CONGRESSIONAL RECORD of the House proceedings, unless some special request was made.

The PRESIDING OFFICER. The Chair wishes to inform Senators who may be interested that the Parliamentarian advises that the practice in the House is as stated by the Senator from Illinois, and without having any definite knowledge of it, the Parliamentarian thinks it doubtful that the text of the bill was printed in the RECORD of the House during its consideration.

ORDER OF BUSINESS

Mr. MURRAY obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Montana yield?

Mr. MURRAY. I yield.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. WATKINS. Mr. President, reserving the right to object, in my opinion the Hells Canyon bill is quite an important measure, and I believe some Senators who at least are not either active proponents or opponents of the bill should be present to listen to the debate.

Mr. JOHNSON of Texas. Mr. President, I have no objection, if the Senator wishes to object to the rescinding of the order for the quorum call. There are some Senators whom we cannot make listen to other Senators. I have found that to be true.

Mr. President, I should like to announce that it will be my purpose, if the order for the quorum call is rescinded, to ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Order No. 445, S. 2243, a bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

Mr. President, I had an agreement with the minority leader that we would bring that bill up for consideration. It is an authorization bill, and the other body cannot act on the appropriations relating to atomic energy properly without its passage. The minority leader and I agreed that when the Senate had finished its discussion of the civil-rights bill we would bring up for consideration Senate bill 2243.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

Mr. WATKINS. I do not object, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

Mr. JOHNSON of Texas. Mr. President, my previous request was that the order for the quorum call be rescinded. Next, so that I may carry out my agreement with the Senator from California [Mr. KNOWLAND], the minority leader, I ask unanimous consent that the Senate proceed to the consideration of Order No. 445, S. 2243, a bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2243) to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Joint Committee on Atomic Energy, with amendments, on page 2, line 9, after the word "of", to strike out "specific", and in line 12, after the word "commercial", to strike out "production of byproduct material" and insert "provision of byproduct material, irradiation, or other special services,", so as to make the bill read:

Be it enacted, etc., That section 261 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 261. Appropriations:

"a. There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act, except—

"(1) Such as may be necessary for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion: *Provided*, That for the purposes of this subsection a., any nonmilitary experimental reactor which is designed to produce more than 10,000 thermal kilowatts of heat (except for intermittent excursions) or which is designed to be used in the production of electric power shall be deemed to be a facility.

"(2) Such as may be necessary to carry out cooperative programs with persons for the development and construction of reactors for the demonstration of their use, in whole or in part, in the production of electric power or process heat, or for propulsion, or solely or principally for the commercial provision of byproduct material, irradiation, or other special services, for civilian use, by arrangements (including contracts, agreements, and loans) or amendments thereto, providing for the payment of funds, the rendering of services, and the undertaking of research and development without full reimbursement, the waiver of charges accompanying such arrangement, or the provision by the Commission of any other financial assistance pursuant to such arrangement, or which involve the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion undertaken by the Commission as a part of such arrangements.

"b. The acts appropriating such sums may appropriate specified portions thereof to be accounted for upon the certification of the Commission only."

SEC. 2. The Atomic Energy Act of 1954, as amended, is amended by adding a new section 58 with appropriate amendment to the table of contents, as follows:

"SEC. 58. Review: Before the Commission establishes any fair price or guaranteed fair price period in accordance with the provisions of section 56, or establishes any criteria for the waiver of any charge for the use of special nuclear material licensed or distributed under section 53 the proposed fair price, guaranteed fair price period, or criteria for the waiver of such charge shall be submitted to the Joint Committee, and a period of 45 days shall elapse while Congress is in session (in computing such 45 days there shall be excluded the days in which either House is not in session because of adjournment for more than 3 days): *Provided, however*, That the Joint Committee, after having received the proposed fair price, guaranteed fair price period, or criteria for the waiver of such charge, may by resolution waive the conditions of or all or any portion of such 45-day period."

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from New Mexico [Mr. ANDERSON] so that he may make a brief explanation of the bill and the necessity for its passage.

Mr. ANDERSON. Mr. President, S. 2243 is a bill to amend the Atomic Energy Act of 1954 to provide for more extensive Congressional review of the AEC atomic power program. The bill was carefully drafted after many meetings between the members of the joint committee and the AEC staff, and agreement of language was reached between the members of the joint committee and the Atomic Energy Commission.

S. 2243 amends the Atomic Energy Act of 1954 by amending section 261 concerning authorization of appropriations, and by adding a new section 58 concerning Congressional review of AEC determinations which affect the civilian atomic power program.

The bill has the unanimous approval of the joint committee, from Republican and Democratic members alike. The Atomic Energy Commission has indicated that it will comply with the provisions of the bill in seeking authorization for appropriations this year as well as in future years.

Inasmuch as the Subcommittee on Legislation of the Joint Committee on Atomic Energy is now holding hearings concerning the AEC request for authorization of appropriations, I request that the Senate approve this bill at this time in order that these hearings may proceed in accordance with the provisions of this bill.

The joint committee made two very minor amendments to the bill while it was in committee, which are explained in Senate Report No. 437, which is the committee report accompanying S. 2243.

It is my understanding that Mr. DURHAM, the distinguished chairman of the joint committee, intends to bring the bill up for consideration on the floor of the House of Representatives as soon as possible.

I therefore request that S. 2243, as reported by the Joint Committee on Atomic Energy, be passed by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the question is on agreeing to the committee amendments en bloc.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2243) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ANDERSON. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico to lay on the table the motion of the Senator from Texas to reconsider.

The motion to lay on the table was agreed to.

Mr. ANDERSON. Mr. President, on behalf of the Atomic Energy Commission and the Joint Committee on Atomic Energy I wish to thank the distinguished majority leader and the distinguished minority leader, for their cooperation.

HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. MURRAY. Mr. President, the Senate Committee on Interior and Insular Affairs, upon which I have the honor to serve as chairman, has again recommended that the bill, S. 555, to authorize construction of high Hells Canyon Dam, be passed.

Our Subcommittee on Irrigation and Reclamation, chaired by the distinguished Senator from New Mexico [Mr. ANDERSON], held hearings and gave careful consideration to the current situation on the Middle Snake River, and recommended to the full committee that the bill be passed.

As the committee report states, there never has been any other proposal for development of this stretch of the Snake River which will fully develop its resources. The three small dams which the Idaho Power Co. has been licensed to build in the Hells Canyon reach of the

river would mean only fractional devel-

pacity, by permitting control of the flow

are as groundless today as they were a

over the years about three times the irri-

example, I learn that the new China,

that the high Hells Canyon Dam would

river would mean only fractional development of the potentialities there. Large amounts of flood control capacity would be lost if the small dams are built. Tremendous amounts of firm, low-cost electric power would be wasted. Fish and wildlife would be threatened by the necessity of building flood control reservoirs on other streams, where there are salmon runs, to replace the storage lost at Hells Canyon.

The bill we have reported to the Senate authorizes construction of high Hells Canyon Dam as described in House Document 473, 81st Congress, as modified, and the Scriver Creek power facilities of the Payette unit, Mountain Home division, as described in the May 11, 1951, report of the Commissioner of Reclamation.

The bill provides for interconnection of the Hells Canyon facilities with the Bonneville Power system, reserving 500,000 kilowatts capacity for Idaho and eastern Oregon.

The measure provides unequivocably for the protection of present and future rights to the use of water for irrigation and other beneficial consumptive uses under State laws, and specifically subordinates the operation of Hells Canyon Dam to such rights.

The measure provides that Hells Canyon and Scriver Creek developments, including the irrigation features of the Payette Unit, Mountain Home Division, shall be treated as a single project.

On May 16 of this year I discussed the Hells Canyon project and Columbia Basin development in considerable detail on the Senate floor. This matter was debated extensively a year ago and I shall not again go into project details.

The fundamental issue involved here is not public power versus private power. The issue is a moral one: whether or not we are going to waste God-given resources, not only to the detriment of the present generation, but to the detriment of generations still to come.

Mr. President, once the dams are in place in the Middle Snake River, they are going to be there for several generations at a minimum. High Hells Canyon Dam can be a monument to wise, farsighted, maximum development of our resources potential. The three small dams would be monuments to wasted resources; monuments to a giveaway era when the dominant forces in our Government were more concerned with favoring their vested-interest friends than in national strength and national welfare.

The Army engineers and the Bureau of Reclamation jointly have developed a plan for the Columbia River and its tributaries which will end floods, produce large blocks of low-cost power for industries we need for defense, irrigate lands, and extend navigation. It is a plan for full, integrated, multiple-purpose development of the river and its tributaries as one great unit.

The high Hells Canyon Dam is a key structure in this overall plan. Its 3,800,000 acre-feet of storage would provide about one-eighth of the first 27 million acre-feet of flood control storage called for in the plan. This same storage capacity, by permitting control of the flow of the river, would provide water in dry seasons to keep generators running in the downstream dams. That would add to the firm power supply.

This Nation has been aware for 50 years of the interrelationship of projects in river basins. It was a Republican President — Theodore Roosevelt — who first espoused unified development because of the possibility of each dam in a river system contributing to the efficiency of all the others. He said in 1908:

> Every stream should be used to its utmost. No stream can be so used unless such use is planned in advance. When such plans are made we will find that, instead of interfering, one use can often be made to assist another. Each river system, from its headwaters in the forest to its mouth on the coast, is a single unit and should be treated as such.

The high Hells Canyon Dam is an integral part of such a plan for the development of the Columbia River Basin. It is not only a vastly productive unit of itself, utilizing all the fall of the middle Snake River to produce electric power; it adds to the efficiency of many other power units downstream. Likewise, it impounds within the deepest canyon in the United States a large quantity of water, reducing floods on the flatter lands downstream and making the water available for navigation later in dry seasons.

The contribution of the Idaho Power Co.'s small dams to downstream benefits will be practically negligible in comparison. Only 1 million acre-feet of storage is provided. They will not be a part of a great system, but a segment serving, primarily, the separate single purpose of a separate, corporate owner.

Full development of the full potentialities at Hells Canyon is needed.

We have had several floods in the Columbia River Basin in recent years. The flood a year ago—June 1956—was the third greatest on record. The area, which was an arsenal of democracy in World War II, is now nearly out of available prime power capacity. It needs every kilowatt high Hells Canyon can develop, on site and at downstream dams, to revive its economy.

In spite of these needs, there has not been a major new dam started in the Columbia River system since 1950.

It will be a tragic day, indeed, in this Nation's history if, on the day we vote on Hells Canyon Dam again, we vote to repudiate Teddy Roosevelt's teaching, abandon our full development plans, sacrifice flood-control capacity, sacrifice power potential, ignore the economic needs of the area, and surrender the world's deepest canyon for three puny run-of-the-river dams.

During the discussion of Hells Canyon and the Columbia Basin program in this Chamber on May 16, I dealt at considerable length with the details of the project and the Columbia Basin situation. At that time, several Senators participated with me in demonstrating the inaccuracy of charges of tax subsidies, too-low rates, and excessive expenditures by the Federal Government in the Pacific Northwest. These statements, repeated in the minority report on S. 555, are as groundless today as they were a month ago.

There is no tax subsidy, because the Columbia Basin program is repaying its cost. The power rates out there are adequate to repay the costs and more. The proportion of Federal expenditure and investment in resources development projects built in the Northwest is large, but far from equal to the proportion in the Northwest of resources requiring development.

I need not impose on the Senate again to go over these matters point by point. Today I want to deal a few moments with broad and ominous circumstances involved in this debate which are not in the printed hearings, nor in the committee report on Hells Canyon Dam.

Mr. President, as chairman of a United States Senate committee dealing with resource development, I conceive it to be one of my responsibilities to try to see that we have for this Nation the fullest, best integrated, and soundest resource development program in the world. This requires keeping up with what other nations are doing, including those behind the Iron Curtain. It is my unhappy duty at this time to report that we are doing poorly and getting worse. In terms of fully integrated water and power development, we are cutting back while other nations, great and small, are driving forward. Overseas, equivalents of Hells Canyon Dam are being constructed as parts of integrated, full, river-basin developments, but not in the United States of America. In India, in Mexico, in South America, Africa, and Asia, nations are putting together integrated valley authorities patterned on our fabulously successful Tennessee Valley Authority, which this administration seeks to disintegrate, calling it an example of creeping socialism.

We all agree that survival in this competitive world will go to the strong. We appropriate billions of dollars and work daily to attain national strength. We also agree that strength comes from God-given natural resources and their wise development and use. But we are not practicing what we preach in the water and power field which we also agree is vital. Other countries are moving forward in resources development while we do little or nothing.

I do not underrate the strength of the United States today, or even its cumulative vast natural resource development in the water and power fields. We are not today the weakest nation in the great power struggle. But without a change in direction we can lose our leadership.

Mr. President, I want to direct attention to water and power developments in Russia, China, and India, which after the United States, may be the three strongest nations in this world. The fact that some of us may not like a lot of totalitarian practices in certain countries has little to do with the fact that their increasing acre-feet of stored water are just as useful and their increasing kilowatts of electrical energy just as powerful as in our democratic country.

India, sometimes referred to as an underdeveloped nation, has developed

over the years about three times the irrigated acreage of the United States. That is not an invidious comparison. India may need 10 times our irrigated area. Now, Nehru's government has undertaken to expand India's water-control works as much in 10 years as had been done in the whole century prior to India's independence. It is all done on a multiple-purpose, integrated, full-development basis, according to advice and encouragement of the United States, sometimes not followed by this Nation itself. Needed power facilities are uniformly included in India's projects. This is no secret. The Indians proudly display their dams, canals, powerhouses, and transmission lines to visitors. Perhaps Senators have seen them in their travels. They should have, because the United States of America paid for many of them. One to which we generously contributed is the Damodar Valley Authority, outside Calcutta. It was conceived and built in the image of our TVA, which the present administration seems to want to destroy. It was even built and is operated with guidance from some ex-TVA American technicians for whom we appear to have no more work. As we prepare to vote on Hells Canyon, let me ask: Do we wish to see such great American concepts, and the skills and talents to achieve them which are produced here, held for export only?

We are always worrying about Russia—and for good reason—since it is a bigger country, with more people than ours. There are a lot of things about Russia we do not like. One which I do not like is that Russia is outstripping the United States of America in the water and power resource field of full, integrated development of resources, which adds tremendously to her strength in peace or war.

The Soviet's proclaimed program is to irrigate 70 million more acres in 15 years to increase her strength by producing food for 100 million more Communists.

Because of our great productive capacity, irrigated acres are not so important to us at this time as power. It is in the hydroelectric field that the contrasts between Russia and the United States are startling. The Russians have, as just part of their program, four hydroelectric plants, completed or building, each of which will spark Russian industry with more kilowatts than our greatest, Grand Coulee Dam, which happens to be on the same river system where we are about to authorize or deny Hells Canyon Dam. The Soviet big 4 are Kuibyshev Dam, already producing Volga River power; the Stalingrad plant; and the 2 largest hydro stations in the world, Bratsk, on the Angara River, and Krasnoyarski, on the Yenisei River, in eastern Siberia. The last 2 dams are scheduled to start producing 3 million kilowatts of power each in 1960.

China—Red Mainland China—is also engaged in a stupendous, unified, multipurpose river basin development program. At one time recently 24 million Chinese were working on their rivers in this endeavor and doing things on a scale beyond anything we ever dreamed about, or heard about before. As an example, I learn that the new China is served now by the North Kiangsu Canal that irrigates 4 million acres. This is quadruple the number of acres that may ultimately be served in our largest project in the Columbia Basin. This Chinese ditch has a bed width of 420 feet—wider than any in the United States—and is 100 miles long. It was built in a remarkably short time by an army of Chinese workers.

I have obtained a most competent report on resources development in China, which I hold in my hand. It is an eyewitness report by an acknowledged expert in the field who recently made a 7,500-mile trip behind the Bamboo Curtain to observe developments. The author is Kanwar Sain, an internationally known engineer who frequently has visited this country. He is now chairman of India's Central Water and Power Commission. There are many amazing observations of vital interest in this document. They are pertinent to the matter we are discussing here today. The report is an official Indian Government publication.

Such is the broader background on which we will be voting when we answer the rollcall on Hells Canyon Dam. The high Hells Canyon Dam alone will not reverse this world scoreboard. But, in recommending it to the Senate again, the Interior Committee gives Senators an opportunity to start to reestablish American leadership in the vital field of water and power development.

Mr. President, if survival lies in strength, here is a real opportunity to cast our votes for a program to make America strong.

Mr. WATKINS. Mr. President, will the Senator yield for a question?

Mr. MURRAY. I yield.

Mr. WATKINS. As I understand, the Senator is trying to make the point—I could not hear him very clearly—that the proposed high Hells Canyon Dam would be built partly for defense purposes, to strengthen our defense. Is that correct?

Mr. MURRAY. That would be the ultimate purpose of it.

Mr. WATKINS. That was one of the pleas the Senator was making in his argument, as I understand.

Mr. MURRAY. It strengthens the whole Nation, and in that way strengthens our national defense. But it is not a defense project.

Mr. WATKINS. The Senator was also comparing the high Hells Canyon Dam with some projects in——

Mr. MURRAY. China and India.

Mr. WATKINS. And also in Russia.

Mr. MURRAY. Also in Russia.

Mr. WATKINS. And what they were doing to prepare themselves for defense or for offense, if they want to go that way. On the other hand, the Senator was pointing out that the high Hells Canyon project would be an excellent one with which to strengthen our defenses. Is that correct?

Mr. MURRAY. I do not quite understand what the Senator has in mind. Will he speak louder?

Mr. WATKINS. What I said was that the Senator was trying to make the point that the high Hells Canyon Dam would strengthen the defenses of the United States.

Mr. MURRAY. That is correct.

Mr. WATKINS. I thank the Senator.

Mr. MURRAY. It would strengthen our whole national economy.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MAGNUSON. As I understood the Senator's point, it was that the high Hells Canyon Dam would not be a defense project, as such.

Mr. MURRAY. That is correct.

Mr. MAGNUSON. It would add to the wealth and resources of the Nation, and, therefore, anything that adds to the wealth and resources would strengthen our country economically, in peace or war. Is that correct?

Mr. MURRAY. That is the point I intended to make.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MANSFIELD. I wish to commend my distinguished senior colleague on the statement he has just made. As chairman of the Committee on Interior and Insular Affairs, he has kicked off the battle that we have long anticipated on the authorization of the high Hells Canyon Dam.

I am quite sure that when the Senator made his statement about the overall defense feasibility of the high Hells Canyon Dam and other dams, he did not have in mind in that respect the fast tax writeoff which the Idaho Power Co. is getting. Is that correct?

Mr. MURRAY. I assumed that other Senators would discuss that point. I did not want to cover the whole subject in my address.

Mr. MANSFIELD. That is correct. I intend to discuss it at a future date. However, I wish to make the RECORD clear that what the Senator was referring to was not that particular item, which others of us will cover, but the fact, rather, that in the overall picture this is a part of the defense structure of the Nation, just as a dam anywhere else is, but not a particular structure like this tied to a particular matter like a fast tax writeoff.

Mr. MURRAY. That is correct.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MAGNUSON. It is true, of course, that so far as the three sites on which the Idaho Power Co., has a license to build so-called low dam projects is concerned, there is not a defense plant within hundreds of miles of those sites. In other words, it is not strictly a defense matter. Perhaps the Senator from Utah misunderstood the Senator from Montana.

Mr. MURRAY. Certainly.

Mr. WATKINS and Mr. NEUBERGER addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom does he yield?

Mr. MURRAY. With the indulgence of the Senator from Oregon, I shall yield again to the Senator from Utah.

Mr. WATKINS. I take it the Senator is acquainted with the provisions of S. 555, the pending bill, which states as follows:

That in order to foster comprehensive development of the resources of the Columbia River and its tributaries, and for the purposes, among others, of controlling and utilizing the Snake River and its tributaries for beneficial objects, including generation of hydroelectric power and energy for the national defense—

And so forth.

Mr. MURRAY. I do not recall the exact language.

Mr. WATKINS. I was reading the bill. The Senator is one of the sponsors of the bill.

Mr. MURRAY. That is correct.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MANSFIELD. That is the encompassing, overall effect of the dam. It does not apply to a specific defense project which, at this time, is getting something on the order, according to Federal Power Commission estimates, of $80 million or $85 million in vast tax writeoff benefits.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. NEUBERGER. I join with the distinguished junior Senator from Montana in commending the distinguished senior Senator from Montana not only for his support of the Hells Canyon project today, but also for his long-time backing of the project.

Is it not true that the reference to national defense merely refers to the fact that, by the full use of this great natural resource, we will add to the wealth and the income-producing capacity of our country? We all know, as we stand in the Senate, that Russia, which is our potential foe in a clash of ideologies, is using her great rivers, like the Yenisei, the Ob, and the Volga, to the utmost of their capacity by building on those rivers dams which I understand will be even larger than the Grand Coulee project, located in the State of the senior Senator from Washington, which today is the largest hydroelectric project ever built.

Such projects as Hells Canyon on the Snake River, and Glen Canyon, on the upper Colorado River, all add to the wealth and the defense capacity of our country.

The senior Senator from Montana was the chairman of the committee which reported favorably the upper Colorado project, which was partly sponsored so successfully by the distinguished Senator from Utah, and which in many ways is so similar to the Hells Canyon project. Although the Senator from Utah is very strongly in favor of the vast Federal investment in Glen Canyon Dam, he cannot see the wisdom of a similar investment by the Federal Government in a project at Hells Canyon, which will return the principle cost and interest to the Federal Government.

Mr. MANSFIELD. Mr. President, will the Senator further yield?

Mr. MURRAY. I yield.

Mr. MANSFIELD. In furtherance of the statement made by the Senator from Oregon, as I recall, every Democratic Senator from the Northwest who is interested in the Hells Canyon project voted for the project on the upper Colorado. We indicated our faith in the judgment of the Senator from Utah. We, of course, hoped that at the proper time he would demonstrate his faith in our judgment concerning the development of this particular water resource.

Mr. NEUBERGER. We have all regretted the fact that the distinguished Senator from Utah, while he was so glad to get our support for the upper Colorado project, which includes the Glen Canyon Dam, that is so parallel to Hells Canyon in many ways, has been leading the opposition to our project in the Pacific Northwest.

Mr. WATKINS. Mr. President, will the Senator yield for an observation?

Mr. MURRAY. I yield.

Mr. WATKINS. Since the Senator from Oregon has suggested that I supported the Colorado project, but am not supporting the Hells Canyon project, let me point to one of the principal reasons. I happen to believe in what Lincoln said, namely, that the Government should not do for the people those things which the people can do for themselves.

In the upper Colorado project, we have no private power company to build any of our dams and powerplants. That is a project which requires the intervention of an agency strong enough to build it.

But in the Hells Canyon area, of Idaho and Oregon, the people themselves, through one of the agencies they have set up, have the power and resources to build the project. Not only have they the power, but they are now building it.

Mr. NEUBERGER. They are not building a high dam at Hells Canyon?

Mr. WATKINS. They are building dams which will have practically the same effect as a high dam would have in that canyon.

Mr. NEUBERGER. Does the Senator from Utah regard 1 million acre-feet of storage——

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. WATKINS. I cannot answer all the questions in one statement, but I point out that I am supporting the one project because it had to be done by the Government, because the people could not do it. But in the Hells Canyon area, the people are actually building it themselves.

Mr. NEUBERGER. What people?

Mr. WATKINS. The people in their private capacity.

Mr. NEUBERGER. What private capacity does the Senator mean?

Mr. WATKINS. What organization?

Mr. NEUBERGER. Does not the Senator want to mention the name—Idaho Power Co.?

Mr. WATKINS. Certainly: I will mention it: Idaho Power Co., or X, Y, Z company. It does not make any difference to me. If the people are able to do it with their own means, without Government carrying the load, they should do it. The Government should intervene only in those cases where it is necessary to do so and where the people cannot build the project themselves.

Mr. NEUBERGER. Would the Senator from Utah be willing to trade the maximum storage capacity at Glen Canyon for approximately 25 percent of that storage capacity?

Mr. WATKINS. The upper Colorado project is, substantially all of it, for irrigation purposes. Irrigation is something for which the Hells Canyon project is not needed.

Mr. NEUBERGER. Does the Senator not regard flood control as a major factor in the Pacific Northwest?

Mr. WATKINS. I think flood control is an important matter; but the Senator will see, as the debate develops, how flood control will be solved in the Hells Canyon area.

Mr. MURRAY. I should like to know what the Senator means. Is he taking the position that the Idaho Power Co. will build a high dam?

Mr. WATKINS. If they felt it would have been better to build a high dam, they probably would have built it. They probably had good reasons for building the three dams.

Mr. NEUBERGER. Why did the Senator from Utah not urge them to build a high dam?

Mr. WATKINS. Because I happen to believe under the circumstances that three dams are better than a high dam.

Mr. MURRAY. Based on the facts which have been presented to the Senate in the past year or more, it seems to me the Senator from Utah is quibbling about this matter and is trying to make it appear that the Idaho Power Co. is doing a legitimate job of national defense, when, as a matter of fact, no national defense is involved in their project at all. If the Idaho Power Co. had undertaken to build a high dam, he could then have claimed that such a dam would strengthen the national economy and thereby contribute to the national defense.

Mr. WATKINS. There is a difference of opinion as to that. But I heard the Senator say the high dam was in the interest of national defense. If it is in the interest of national defense, then dams a little smaller, and doing almost the same job, certainly ought to be in the interest of national defense.

Mr. MAGNUSON. I hope the Senator from Utah does not change his mind concerning what he said today, so that we may discuss fully tomorrow his statement that the difference between the project in Utah and the project at Hells Canyon is that in the case of the Utah project no one would go there to build it, but at Hells Canyon some generous people are going to build three little dams on the great, majestic, Hells Canyon site.

Mr. NEUBERGER. People unnamed.

Mr. MAGNUSON. Unnamed.

Let me tell the Senator from Utah that if I could get a tax writeoff of $83 million, and which will amount to $339 million over a 50-year payout, I would go to Utah and build 10 dams.

Mr. WATKINS. Of course, we would have to wait quite a while for the Senator from Washington to go there and build them.

Mr. MAGNUSON. I could get an Ebasco company to finance me tomorrow. I could call them on the telephone now. If I should, they would be busy on Wall Street all night long, preparing to go to Utah to build 2 or 3 of those dams, if they could get that kind of tax writeoff.

Mr. WATKINS. Mr. President, will the Senator yield for an observation?

Mr. MURRAY. I yield.

Mr. WATKINS. I know what the Senator said. I expect to meet him head on.

Mr. MURRAY. Let us not meet head on.

Mr. WATKINS. Let us not dodge the issue; let us not avoid it at all. All the ballyhoo about the fast tax writeoff being to the disadvantage of the United States will disappear when the Senator really gets all the facts, which is what we intend to give him.

Mr. MAGNUSON. The money will disappear; I know that.

Mr. WATKINS. We want the American people to get the facts of the matter through this debate, no matter how long it may take.

Mr. MAGNUSON. We will bring out all the facts.

Mr. WATKINS. I surely hope the Senator will. He and his associates have been talking about the matter for weeks and months. Day after day we have heard about it through the press. Yet when the story came before the committee, and we heard the real truth of the matter, all I could read in the press locally was that so and so denied so and so. There was no explanation whatsoever.

We heard implications, and insinuations without any evidence to back them up. Yet when something important has been done about the matter, the great President of the United States was smeared and criticized unfairly.

When we get through with it, I think we shall know what the facts are. We shall show that this is a case of attempting to evade the real issue, which is whether there is, in connection with the development of the resources of the United States, a place in which private capital can go along with Government endeavor.

I say to the Senate, Mr. President——

Mr. MURRAY. Mr. President, I do not desire to yield further. The Senator from Utah is making a speech.

Mr. WATKINS. Mr. President, if the Senator from Montana does not wish to hear it, he has a right to refuse to yield further to me. In that case, I shall speak in my own time.

Mr. MAGNUSON. Mr. President, will the Senator from Montana yield to me, to permit me to make a brief observation?

Mr. MURRAY. I yield.

Mr. MAGNUSON. I wish to join the junior Senator from Montana [Mr. MANSFIELD] and all the other Senators who are, and have been, vitally interested in the Hells Canyon project. I desire to compliment the senior Senator from Montana [Mr. MURRAY] on the fine work which he and his committee have done. The Senator from Wyoming [Mr. BARRETT] and other Senators have filed minority views.

This matter has been before the committee for a long time, and has required a great deal of work and testimony. I believe the report on the bill is one of the finest reports I have ever read on a project of this nature. The Senator from Montana [Mr. MURRAY] has done a yeoman job.

Mr. DIRKSEN. Mr. President, will the Senator from Montana yield to me? I should like to keep the record straight.

Mr. MURRAY. I yield.

Mr. DIRKSEN. Mention was made of unnamed sites.

Mr. MANSFIELD. Oh, no; the mention was of unnamed companies.

Mr. DIRKSEN. I thought unnamed sites were mentioned. In that connection, if Brownlee or Oxbow are not definite names of definite sites, then I have never heard of any.

Mr. NEUBERGER. The Senator from Illinois did not understand the statement which was made. The Senator from Utah [Mr. WATKINS] referred to unnamed organizations which would build the so-called three low dams. Finally, Senators on this side of the aisle asked whether it would not be wise to specify that the organization is the Idaho Power Co. Nothing was said about unnamed sites.

Mr. DIRKSEN. Is there any reason why the Idaho Power Co. should not be named?

Mr. NEUBERGER. We merely wished the Senator from Utah had named it at the beginning of his remarks. It was the Senator from Utah who did not mention it at the start of his remarks, and not Senators on this side of the aisle.

Mr. DIRKSEN. Well, I am only too glad to identify it.

Let me ask my friend, the Senator from Washington [Mr. MAGNUSON], a question: It is quite true, is it not, that the Office of Defense Mobilization has issued 926 fast tax writeoffs similar to the one issued to the Idaho Power Co.?

Mr. MAGNUSON. Not similar.

Mr. DIRKSEN. Of course, they may vary in amount; some may be larger, and some may be smaller. But the criteria are exactly the same.

Mr. MAGNUSON. I do not know. The Senator from Illinois and I talked to them about this matter, a few days ago. I do not know how many they have issued.

Mr. DIRKSEN. The testimony shows 926.

Mr. MAGNUSON. There was reference to 926, but we talked about the intent of the act. The act was for the purpose of helping people build plants, when they were going to engage in purely defense projects, such as the addition of a wing to a plant in my home town. For instance, I think several divisions of the Boeing Aircraft Co. received a tax writeoff because they are working on items for the defense budget.

In this case, there may be a defense plant somewhere in the area; but I do not know of it, and I know the area rather well. I do not think the power from the Idaho Power Co. project would serve, even in the second degree, a defense plant. The power will go into the Bonneville pool, if we can prevail upon the authorities to permit that to be done; and the Bonneville pool serves several defense plants.

But the pool is private; I think Senators will agree with me about that.

There is a great deal of talk about the three dams the Idaho Power Co. will build. However, the company has not even made an attempt to build the third dam, which would make possible the generation of more kilowatts than would be generated at the two other dams. From what I have read and heard to date about the increase in interest rates, I doubt very much that the Idaho Power Co. could afford to build the third dam, because the cost of the power from the dam would be too great, unless the company could obtain another $339 million tax writeoff.

In this case there are not sufficient defense elements to justify the expressed intent of the company. On the other hand, in many other cases sufficient defense elements do exist.

For instance, in my State there is a foundry which makes logging equipment. It began to manufacture shell cases in its foundry, and for that purpose it made an addition to the plant; and it applied for a tax writeoff in that connection.

But I do not know of any case similar at all to the one now under discussion in the Senate.

Mr. DIRKSEN. Mr. President, if the Senator from Montana will yield further to me, let me ask whether it is not conceded that these two dams, when in operation, will make a very definite contribution of energy to the Northwest power pool?

Mr. MURRAY. No, I do not think so; they will be entirely inadequate.

Mr. DIRKSEN. Then the testimony of the director of the Northwest power pool and the testimony of the others who appeared before the committee must be inaccurate. I would prefer to accept their testimony, since they are the operating heads.

Mr. MAGNUSON. Of course the two dams will produce some kilowatts of power, and it will add to the national supply of power. But it will not go into the so-called Bonneville power pool. Application might be made to have it go into the Bonneville power pool, but the cost of the power would be higher.

However, it is true that some kilowatts of power will be produced; that is true. There is no argument about the fact that when a dam is built, some power will be produced.

But the Hells Canyon issue is a very simple one.

Mr. DIRKSEN. It is indeed, I must say.

Mr. MAGNUSON. To many persons, the solution does not appear to be simple. However, the issue is very simple. It is this: Here is the greatest remaining dam site in the entire North American continent, and it belongs to the people. The question is whether we wish to use it to its fullest ultimate capacity, or whether we wish to foreclose the development of the full potential use of this great site in this great reach of

the river, by building two small dams which, although they will produce some kilowatts of power, will not produce all the other benefits. The issue is as simple as that.

Added to it—let me say that I am not always correct, but in this case I have been correct and I am correct—is the fact that last year I stated on this floor, in addressing the Senators on the other side of the aisle, that if they would watch, they would see that the minute the Idaho Power Co. was allowed to proceed, it would get a tax writeoff. That statement is to be found in the RECORD. And that has happened.

So I have stated the issue.

It is true that the small dams the Idaho Power Co. wishes to build would produce a certain amount of electrical power, a certain number of kilowatts; and they would be fine kilowatts, because those dams would skim off the cream; but they would not result in any flood control. Furthermore, we would lose water storage, which is the most important thing in the Pacific Northwest. Even now we are having a tough time with Canada, and the question is whether Canada will permit us to use the upper reaches of the Columbia River. So perhaps we need the Hells Canyon Dam now more than ever.

The Senator from Illinois sits with me in the Appropriations Committee, and I know he squeezes and gets the most out of everything he can; and that is good. That is all we are trying to do in the case of this God-given resource.

Mr. MANSFIELD. Is the Idaho Power Co. project not the one which was not supposed to cost the Government a dime?

Mr. MAGNUSON. Oh, yes.

Mr. NEUBERGER. Mr. President, will the Senator from Montana yield to me?

Mr. MURRAY. I yield.

Mr. NEUBERGER. The Senator from Illinois asked the Senator from Montana and the Senator from Washington whether many tax writeoffs had been granted. Of course, many have been. However, I should like to have the Senator from Illinois tell us of any other case in the entire history of the fast tax writeoff program when a fast tax writeoff has been granted to a company which placed tens of thousands of dollars' worth of advertising in national magazines, all over the United States, in an effort to tell the people of the United States that it should be given a great natural resource for exploitation, because that would not cost the taxpayers a dime. Has any other company ever done that? The national magazines have been full of advertising sponsored by the private utility industry, in behalf of the Idaho Power Co., claiming that the Idaho Power Co. should be given Hells Canyon because the Idaho Power Co. could develop Hells Canyon without taking a dime out of the Federal Treasury.

Mr. DIRKSEN. Mr. President, will the Senator from Montana yield to me, so that I may answer?

Mr. MURRAY. If the Senator from Illinois will answer, I yield.

Mr. DIRKSEN. Mr. President, I have seen no such advertising.

Mr. NEUBERGER. I will produce it tomorrow, for the Senator from Illinois.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The Chair must enforce the rule, which is that if a Senator desires to be recognized, he must first address the Chair, and must ask whether the Senator who has the floor will yield.

Mr. DIRKSEN. Mr. President, I believe the Senator from Montana yielded to me.

The PRESIDING OFFICER. That is correct.

Mr. DIRKSEN. First, Mr. President, I wish to say that I have seen no such advertising.

Second, I wish to say that I think many of the statements which have been made today will not stand up in the light of the testimony we have received.

I had no intention of making a speech on this issue, since the area involved is 1,400 or 1,500 miles away from my home State. But, Mr. President, I think I will finally make a speech on it, before the matter is disposed of.

Mr. MURRAY. When he makes that speech, I hope he will confine himself to facts.

Mr. DIRKSEN. Yes; I will. I have them all right there on my desk. I have the transcript of the hearings from the Judiciary Committee.

Mr. WATKINS. Mr. President, since I was made the subject of some of the discussion that has taken place, will the Senator yield?

Mr. MURRAY. I yield for a question.

Mr. WATKINS. Has the Senator seen a complete list of the tax certificates issued by the ODM to public utilities?

Mr. MURRAY. Were they not connected with the national-defense program?

Mr. WATKINS. For the purpose of throwing a little light on the matter, let us make them a part of the RECORD. Will the Senator agree to put that list in the RECORD?

Mr. MURRAY. I think the Senator can put the list in the RECORD when he makes his speech. I do not want to encumber the RECORD with something entirely irrelevant to the matters I have discussed.

Mr. WATKINS. It might help us understand what we are talking about if it were put into the RECORD. Here is the full list of all of them.

Mr. MURRAY. Very well; let it go in the RECORD.

The PRESIDING OFFICER. Does the Senator from Montana give consent that the list of the Senator from Utah be printed in the RECORD?

Mr. MURRAY. Yes.

The PRESIDING OFFICER. Is there objection?

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TAX AMORTIZATION FOR POWER COMPANY CERTIFICATES OF NECESSITY ISSUED FOR ELECTRIC POWER FACILITIES

Summary

State	Number of certificates	Amount certified (thousands)	Amount amortized (thousands)	Kilowatts	State	Number of certificates	Amount certified (thousands)	Amount amortized (thousands)	Kilowatts
Alabama	10	$122,930	$57,478	866,000	Nevada	2	$14,951	$5,233	101,000
Arizona	14	27,748	11,740	199,000	New Hampshire	7	66,500	33,146	314,000
Arkansas	14	61,851	33,683	432,000	New Jersey	17	103,003	48,177	535,000
California	122	709,587	313,602	2,952,000	New Mexico	12	41,350	22,948	224,000
Colorado	8	69,954	29,934	418,000	New York	41	443,463	185,617	2,177,000
Connecticut	16	96,126	43,851	441,000	North Carolina	12	122,273	75,853	670,000
Delaware	3	52,285	27,314	185,000	North Dakota	1	6,050	3,041	25,000
District of Columbia	1	10,955	6,259	25,000	Ohio	71	709,814	375,578	3,610,000
Florida	24	191,070	88,792	1,360,000	Oklahoma	6	106,188	73,448	947,000
Georgia	17	128,974	60,907	765,000	Oregon	7	97,598	63,021	471,000
Idaho	9	172,221	106,135	795,000	Pennsylvania	41	410,347	159,145	2,031,000
Illinois	28	187,152	78,280	645,000	South Carolina	15	84,919	48,105	540,000
Indiana	42	282,372	157,860	1,545,000	South Dakota	2	8,446	901	20,000
Iowa	12	68,737	31,821	319,000	Tennessee	4	4,284	1,888	
Kansas	16	87,210	47,988	473,000	Texas	64	360,026	165,760	2,704,000
Kentucky	7	16,531	8,094	60,000	Utah	2	2,434	1,894	
Louisiana	30	140,853	69,329	904,000	Vermont	5	5,396	1,650	21,000
Maine	6	55,427	28,144	146,000	Virginia	44	304,117	158,409	1,750,000
Maryland	17	86,014	34,094	461,000	Washington	4	94,810	64,201	453,000
Massachusetts	14	72,286	27,688	342,000	West Virginia	52	274,994	146,027	1,545,000
Michigan	34	316,839	127,278	1,372,000	Wisconsin	7	78,284	33,979	280,000
Minnesota	12	83,944	30,280	464,000	Wyoming	1	22,950	14,918	100,000
Mississippi	11	66,425	33,221	475,000					
Missouri	24	150,264	75,838	803,000	Total	913	6,655,765	3,253,064	35,451,000
Montana	4	22,557	12,286	110,000					

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957

ALABAMA

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
842	Alabama Power Co	Dec. 22, 1950	$2,468	$2,468	June 9, 1951	$1,234	50	55
843	do	do	307	307	do	154	50	
844	do	do	24,848	24,673	do	13,570	55	200
851	do	do	5,771	5,765	do	1,441	25	40
7955	do	Apr. 6, 1951	24	24	do	16	65	
10453	do	June 13, 1951	22,448	22,285	Apr. 7, 1952	12,257	55	125
10456	do	do	277	275	Mar. 17, 1952	69	25	
13450	do	Aug. 6, 1951	17,467	17,467	Apr. 14, 1952	11,354	65	125
24244	do	Jan. 23, 1953	24,979	24,979	Apr. 15, 1953	8,743	35	156
31023	do	Dec. 21, 1955	24,687	24,687	Feb. 14, 1956	8,640	35	105
	Total		123,276	122,930		57,478		866

ARIZONA

5443	Arizona Edison Co., Inc	Mar. 22, 1951	$164	$164	Dec. 28, 1951	$66	40	1
6879	do	Mar. 23, 1951	33	33	do	10	30	
7490	Central Arizona Light & Power Co	Mar. 26, 1951	150	117	Sept. 21, 1951	76	65	
13183	do	July 16, 1951	24	24	Mar. 17, 1952	12	50	
13455	Arizona Edison Co., Inc	July 30, 1951	98	98	do	39	40	
13456	do	do	176	176	do	79	45	1
13457	do	do	316	316	do	63	20	3
16229	Citizens Utilities Co	Nov. 29, 1951	13	13	Mar. 14, 1952	4	30	
21417	do	July 14, 1952	418	418	Jan. 15, 1953	188	45	1
22428	Arizona Public Service Co	Sept. 16, 1952	14,000	13,950	Nov. 14, 1952	5,580	40	90
22782	do	Oct. 13, 1952	10,000	10,000	Dec. 1, 1952	4,000	40	90
24068	do	June 30, 1953	887	887	July 28, 1953	390	45	
28037	do	July 6, 1953	522	522	do	235	45	4
31160	Citizens Utilities Co	Dec. 30, 1955	130	130	June 15, 1956	84	65	
	Total		27,831	27,748		11,740		199

ARKANSAS

6128	Arkansas Power & Light Co	Mar. 23, 1951	$13,620	$13,580	Jan. 9, 1952	$6,111	45	132
6130	do	do	660	660	Jan. 17, 1952	297	45	
6132	do	do	200	200	do	90	45	
6133	do	do	420	420	do	189	45	
6134	do	do	561	561	do	252	45	
6135	do	do	528	528	do	238	45	
6136	do	do	272	272	do	122	45	
15530	do	Nov. 1, 1951	9,300	9,300	Apr. 23, 1952	5,115	55	60
16724	do	Dec. 19, 1951	12,650	12,650	Feb. 29, 1952	6,958	55	105
17525	do	do	12,750	12,750	Apr. 24, 1952	8,288	65	105
19092	do	Apr. 16, 1952	8,300	8,300	May 23, 1952	4,565	55	
20855	do	June 12, 1952	250	250	July 21, 1952	137	55	
20923	do	do	2,260	2,260	July 18, 1952	1,243	55	
23272	do	Apr. 10, 1953	122	120	May 5, 1953	78	65	
	Total		61,893	61,851		33,683		432

CALIFORNIA

4247	California Electric Power Co	Mar. 12, 1951	$402	$383	Feb. 5, 1952	$211	55	
6682	Southern California Edison Co	Mar. 23, 1951	228	228	Feb. 6, 1952	125	55	
9110	Pacific Gas & Electric Co	May 4, 1951	51	51	Feb. 4, 1952	21	40	
9640	do	May 18, 1951	48	48	Mar. 14, 1952	14	30	
9762	do	May 21, 1951	28,198	28,198	Mar. 4, 1952	15,509	55	200
12526	Southern California Edison Co	June 18, 1951	49,269	48,754	Dec. 16, 1952	13,372	27	250
12553	Pacific Gas & Electric Co	do	40	40	Mar. 13, 1952	8	20	
12556	do	do	283	283	Apr. 2, 1952	57	20	
12623	Southern California Edison Co	do	35,500	35,182	Feb. 25, 1952	14,073	40	100
12681	do	June 21, 1951	5,242	5,067	Feb. 15, 1952	1,013		
12994	Pacific Gas & Electric Co	July 11, 1951	244	244	Feb. 13, 1952	49	20	
13464	do	July 30, 1951	148	148	Feb. 4, 1952	30	20	
13465	do	do	220	220	do	44	20	
14307	do	Aug. 27, 1951	42,523	42,523	Apr. 15, 1952	19,135	45	250
14324	do	Sept. 4, 1951	760	760	Feb. 29, 1952	152	20	
14325	do	do	75	75	do	15	20	
14327	do	do	3,918	3,918	do	784	20	
14442	do	Sept. 10, 1951	25	25	Mar. 13, 1952	5	20	
14458	do	do	273	273	do	55	20	
14459	do	do	150	150	Mar. 11, 1952	26	20	
14684	do	Sept. 24, 1951	192	192	do	38	20	
14689	do	do	2,045	2,045	do	409	20	
14902	do	Oct. 1, 1951	1,819	1,741	Apr. 29, 1952	696	40	
14903	do	do	2,019	2,019	Mar. 11, 1952	484	20	
14941	do	do	5,520	5,512	Apr. 2, 1952	2,205	40	
14954	Southern California Edison Co	Oct. 8, 1951	832	832	Mar. 19, 1952	310	30	
14997	Pacific Gas & Electric Co	Oct. 9, 1951	666	666	Feb. 28, 1952	266	40	
16212	do	Nov. 26, 1951	81	81	Mar. 14, 1952	24	30	
16383	do	Nov. 20, 1951	309	309	Mar. 13, 1952	62	20	
16391	do	Dec. 3, 1951	228	136	Mar. 21, 1952	27	20	
16414	do	Dec. 3, 1951	330	330	Mar. 17, 1952	82	25	
16445	do	do	114	114	July 23, 1952	23	20	
16996	Southern California Edison Co	Dec. 20, 1951	29	29	Mar. 13, 1952	6	20	
17185	Pacific Gas & Electric Co	Jan. 4, 1952	32,000	32,000	Apr. 15, 1952	14,400	45	300
17180	do	Jan. 7, 1952	718	718	Apr. 3, 1952	287	40	
17289	do	Jan. 10, 1952	504	504	Feb. 26, 1952	202	40	
17290	do	do	496	496	do	198	40	
17291	do	do	1,583	1,583	do	633	40	
17292	do	do	1,146	1,146	Feb. 25, 1952	459	40	
17293	do	do	667	667	do	267	40	

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

CALIFORNIA—Continued

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
17356	Pacific Gas & Electric Co	Jan. 14, 1952	$8,225	$4,395	Feb. 9, 1952	$1,758	40	
17539	do	do	42	42	Apr. 22, 1952	17	40	
17677	do	Jan. 28, 1952	178	178	June 24, 1952	71	40	
17678	do	do	182	130	Aug. 8, 1952	54	40	
17680	do	do	175	175	Apr. 15, 1952	70	40	
17681	do	do	265	265	July 24, 1952	106	40	
17682	do	do	429	429	July 15, 1952	172	40	
17707	do	Jan. 29, 1952	68	68	do	27	40	
17708	do	do	98	98	July 24, 1952	39	40	
17801	do	do	37	37	Apr. 2, 1952	15	40	
18084	do	Feb. 25, 1952	212	212	May 6, 1952	85	40	
18760	do	Mar. 3, 1952	145	60	Apr. 15, 1952	21	37	
18761	do	do	804	804	do	322	40	
18861	do	May 6, 1952	1,054	1,069	do	555	55	
18894	Southern California Edison Co	Mar. 10, 1952	2,415	1,363	May 1, 1952	273	20	
19168	Pacific Gas & Electric Co	Mar. 24, 1952	545	545	June 2, 1952	218	40	
19608	Southern California Edison Co	Apr. 11, 1952	62	62	June 25, 1952	22	35	
19801	do	Apr. 22, 1952	1,076	1,076	May 26, 1952	430	40	
19921	do	Apr. 29, 1952	2,560	2,525	June 13, 1952	1,010	40	
20181	Pacific Gas & Electric Co	May 9, 1952	7,274	7,274	July 25, 1952	3,273	45	
20452	California Electric Power Co	May 26, 1952	5,568	5,568	Aug. 13, 1952	1,949	35	40
20542	Southern California Edison Co	May 27, 1952	2,455	2,682	June 26, 1952	1,073	40	
20838	do	June 13, 1952	4,196	2,927	Mar. 31, 1953	1,171	40	
20878	Pacific Gas & Electric Co	do	1,204	1,204	July 21, 1952	421	35	4
20879	do	do	25,171	25,171	Dec. 18, 1952	11,327	45	85
21148	do	June 30, 1952	487	339	Aug. 11, 1952	136	40	
21427	do	July 11, 1952	60	60	Aug. 4, 1952	24	40	
21493	Southern California Edison Co	July 16, 1952	2,134	2,092	Oct. 6, 1952	837	40	
22054	California Electric Power Co	Aug. 20, 1952	347	347	Sept. 3, 1952	121	35	
22029	do	Sept. 30, 1952	262	248	Nov. 17, 1952	87	35	
22031	do	do	137	137	Nov. 18, 1952	48	35	
24050	Pacific Gas & Electric Co	Dec. 29, 1952	44,311	44,311	Feb. 19, 1953	19,940	45	250
24309	Southern California Edison Co	Jan. 30, 1953	94	94	Mar. 11, 1953	38	40	
24908	Pacific Gas & Electric Co	Mar. 10, 1953	2,404	2,404	Apr. 7, 1953	1,199	40	
24972	Southern California Edison Co	Apr. 2, 1953	96	96	May 4, 1953	38	40	
25105	Pacific Gas & Electric Co	Apr. 6, 1953	312	312	June 1, 1953	140	45	
25106	do	do	2,684	2,624	do	1,101	45	
25431	California Electric Power Co	May 4, 1953	350	350	do	122	35	
25432	do	do	380	244	do	85	35	
25433	do	do	148	148	do	52	35	
25470	Southern California Edison Co	May 7, 1953	8,653	8,653	July 28, 1953	2,595	30	
25555	do	May 15, 1953	148	148	June 30, 1953	59	40	
25582	do	May 18, 1953	80	74	July 6, 1953	30	40	
25654	Pacific Gas & Electric Co	May 28, 1953	9,602	9,602	June 23, 1953	4,481	45	40
26368	do	Aug. 5, 1953	179	179	Apr. 17, 1956	63	35	
27425	do	Jan. 12, 1954	1,680	1,680	do	588	35	
27426	do	do	2,613	2,613	Apr. 19, 1956	914	35	
27693	do	Mar. 8, 1954	3,911	3,911	Mar. 28, 1955	1,761	45	
27694	do	do	959	959	Apr. 19, 1956	336	35	
27731	do	Mar. 19, 1954	146	146	Mar. 28, 1955	65	45	
27863	do	Apr. 16, 1954	1,688	1,688	do	590	35	
28452	California Electric Power Co	June 1, 1954	5,172	5,172	May 9, 1955	1,551	30	40
28295	do	Aug. 4, 1954	71	71	do	25	35	
28382	Pacific Gas & Electric Co	Aug. 20, 1954	2,481	2,481	Apr. 4, 1955	1,116	45	
28454	California Electric Power Co	Sept. 7, 1954	40,160	40,160	Oct. 18, 1955	14,161	35	106
28527	do	do	153	153	May 11, 1955	46	30	
27496	Pacific Gas & Electric Co	Sept. 27, 1954	64	64	May 9, 1955	19	30	
28538	Southern California Edison Co	Apr. 28, 1955	107	107	June 2, 1955	48	45	
28539	do	May 11, 1955	204	188	July 6, 1955	122	65	
28540	do	do	234	234	Aug. 15, 1955	152	65	
28573	Pacific Gas & Electric Co	do	1,070	983	Oct. 14, 1955	534	55	
28633	do	May 16, 1955	132,100	132,100	July 4, 1955	46,235	35	367
28661	Southern California Edison Co	May 23, 1955	1,240	1,127	Apr. 4, 1956	394	35	
30159	Pacific Gas & Electric Co	May 26, 1955	2,600	2,600	July 14, 1955	1,690	65	10
30552	do	July 19, 1955	529	529	Mar. 29, 1956	238	45	
30744	do	Sept. 13, 1955	468	468	do	163	35	
30745	do	Nov. 7, 1955	435	435	do	196	45	
30746	do	do	60	60	do	21	35	
30775	do	do	525	525	Apr. 4, 1956	184	35	
30777	do	Nov. 14, 1955	8,200	8,200	Jan. 10, 1956	5,330	65	50
30778	do	do	5,250	5,250	Apr. 4, 1956	1,838	35	
30847	do	do	2,092	2,092	Apr. 9, 1956	942	45	
30921	Southern California Edison Co	Nov. 29, 1955	1,389	1,389	June 5, 1956	625	45	
30923	do	Dec. 9, 1955	66,980	66,034	Feb. 14, 1956	42,922	65	400
30924	do	do	68,000	67,418	do	43,822	65	400
30925	do	do	343	268	Apr. 25, 1956	174	65	
30926	do	do	50	50	do	32	65	
30927	do	do	35	35	do	23	65	
30932	California Electric Power Co	do	119	119	do	77	65	
30979	Pacific Gas & Electric Co	Dec. 16, 1955	8,963	8,963	Feb. 10, 1956	4,930	55	65
30997	Southern California Edison Co	Dec. 19, 1955	800	800	July 18, 1956	105	35	
			780	780	Apr. 25, 1956	312	40	
	Total		717,919	709,587		313,692		2,952

COLORADO

7328	Public Service Company of Colorado	Mar. 26, 1951	$25,516	$15,104	Feb. 19, 1952	$3,474	23	128
17586	Frontier Power Co	Jan. 3, 1952	440	440	July 16, 1952	198	45	
17608	Public Service Company of Colorado	Jan. 16, 1952	10,807	10,807	Apr. 10, 1952	4,904	45	60
22815	do	Oct. 20, 1952	1,782	1,782	Dec. 31, 1953	980	55	8
29660	do	June 23, 1953	17,312	17,312	Aug. 5, 1953	7,780	45	100
29804	do	June 13, 1955	19,000	19,000	Nov. 15, 1955	9,500	50	100
31155	do	Dec. 29, 1955	4,240	4,240	Apr. 16, 1956	2,332	55	22
31264	Colorado Central Power Co	Feb. 6, 1956	1,200	1,179	Mar. 23, 1956	766	65	
	Total		80,387	69,054		29,904		418

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CONNECTICUT

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
5231	Connecticut Light & Power Co	Mar. 27, 1951	$135	$109	Dec. 21, 1951	$27	25	
5232	do	do	20,022	9,401	do	2,350	25	120
5233	do	do	350	350	do	87	25	
5235	do	do	1,260	948	do	237	25	
11884	United Illuminating Co	June 28, 1951	8,500	8,482	Feb. 29, 1952	4,665	55	30
12742	Connecticut Light & Power Co	July 3, 1951	1,800	1,797	Dec. 21, 1951	449	25	
16481	do	Dec. 11, 1951	17,300	17,300	Mar. 21, 1952	6,920	40	75
16482	do	do	2,876	2,805	Apr. 4, 1952	1,432	50	10
16483	do	do	2,822	2,822	Feb. 8, 1952	1,270	45	10
16518	Hartford Electric Light Co	Dec. 10, 1951	14,500	14,500	do	7,975	55	60
17997	Derby Gas Electric Co	Feb. 5, 1952	764	764	Mar. 13, 1952	150	20	
20540	Connecticut Power Co	June 19, 1952	355	293	July 22, 1952	132	45	
21291	do	July 3, 1952	3,465	3,465	July 25, 1952	1,906	55	
24671	Connecticut Light & Power Co	Feb. 27, 1953	13,643	13,015	Apr. 3, 1953	3,904	30	36
26889	Hartford Electric Light Co	Dec. 16, 1955	18,000	18,000	Feb. 14, 1956	11,700	65	109
31502	do	May 14, 1956	995	995	July 18, 1956	647	65	
	Total		106,920	95,126		42,851		441

DELAWARE

21165	Delaware Power & Light Co	June 30, 1952	$12,650	$11,910	Oct. 8, 1952	$5,360	45	60
29610	do	May 19, 1955	17,817	17,660	July 14, 1955	10,596	60	75
29924	do	June 30, 1955	22,716	22,716	Nov. 22, 1955	11,358	50	50
	Total		53,183	52,286		27,314		185

DISTRICT OF COLUMBIA

5254	Potomac Electric Power Co	Mar. 21, 1951	$10,665	$10,665	June 27, 1951	$6,399	60	25

FLORIDA

845	Gulf Power Co	Dec. 22, 1950	$15,156	$15,156	June 9, 1951	$9,851	65	80
846	do	do	4,858	4,829	do	2,410	50	30
12311	Florida Power Co	Aug. 2, 1951	7,012	6,994	Mar. 19, 1952	1,399	20	40
13312	do	do	12,559	12,559	Apr. 9, 1952	4,396	35	80
13314	do	do	6,366	6,290	Apr. 3, 1952	1,887	30	40
13315	do	do	5,535	5,510	Apr. 2, 1952	1,653	30	30
13316	do	do	868	868	Mar. 19, 1952	174	20	
13317	do	do	1,768	1,768	Mar. 31, 1952	530	30	
13318	do	do	84	84	Mar. 17, 1952	25	30	
15516	Florida Power & Light Co	Nov. 16, 1951	8,884	8,802	Apr. 23, 1952	3,961	45	75
20427	do	May 23, 1952	9,340	9,340	June 9, 1952	4,670	50	60
21511	do	Feb. 16, 1953	11,000	11,000	Mar. 6, 1953	4,400	40	60
25477	do	Apr. 18, 1953	24,240	17,186	June 9, 1953	7,734	45	100
29634	Florida Power Corp	May 22, 1953	9,125	9,125	June 23, 1953	2,738	30	70
29635	do	do	5,394	5,394	June 30, 1953	1,618	30	31
29583	Florida Power & Light Co	May 12, 1953	9,800	9,800	July 14, 1955	4,410	45	63
29642	Florida Power Corp	May 18, 1953	9,474	6,886	do	3,062	45	70
29643	do	do	1,939	1,252	Oct. 14, 1955	563	45	
30113	Florida Power & Light Co	July 18, 1955	28,800	28,105	Oct. 20, 1955	18,265	65	320
30283	Florida Power Corp	Aug. 10, 1955	1,250	1,250	Dec. 12, 1955	562	45	
30284	do	do	16,212	15,875	Nov. 25, 1955	7,938	50	120
31044	do	Dec. 19, 1955	1,826	1,826	June 5, 1956	913	50	
31096	do	do	1,928	1,928	do	964	50	
32182	Florida Power & Light Co	Dec. 28, 1956	9,327	9,327	Apr. 24, 1957	4,664	50	
	Total		196,066	191,070		88,792		1,390

GEORGIA

841	Georgia Power Co	Dec. 22, 1950	$12,977	$12,977	June 9, 1951	$6,488	50	100
848	do	do	811	809	do	405	50	
850	do	do	1,460	1,460	do	365	25	20
852	do	do	7,748	7,565	do	3,783	50	40
5319	do	Mar. 22, 1951	16,765	15,287	do	7,644	50	45
5327	do	do	1,316	1,316	do	329	25	
5328	do	do	1,256	631	do	158	25	
10262	Mississippi Power Co	June 14, 1951	284	282	Apr. 14, 1952	155	55	
10833	Georgia Power Co	do	15,765	15,569	Apr. 7, 1952	8,562	55	100
10835	do	do	203	203	Apr. 15, 1952	81	40	
13313	Georgia Power & Light Co	Aug. 2, 1951	875	707	Apr. 3, 1952	212	30	
17918	Georgia Power Co	Aug. 24, 1951	12,967	12,967	Apr. 7, 1952	7,132	55	100
18896	do	Mar. 7, 1952	15,991	15,886	May 1, 1952	10,326	65	100
19043	do	Mar. 14, 1952	579	579	Apr. 23, 1952	319	55	
25212	do	Apr. 15, 1953	931	931	May 28, 1953	326	35	10
28849	do	June 30, 1953	20,917	20,838	Oct. 18, 1955	7,293	35	125
30628	do	Dec. 9, 1955	20,967	20,967	Feb. 10, 1956	7,339	35	125
	Total		131,812	128,974		60,907		765

IDAHO

5629	Utah Power & Light Co	Mar. 22, 1951	$566	$283	Mar. 14, 1952	$99	35	
5630	do	do	130	130	Mar. 18, 1952	45	35	
5944	Idaho Power Co	do	21,109	20,047	Dec. 28, 1951	10,024	50	83
5945	do	do	833	833	Mar. 18, 1952	208	25	
5948	do	do	869	726	Mar. 19, 1952	181	25	
8077	Washington Water Power Co	May 10, 1951	46,107	46,107	Dec. 7, 1951	29,970	65	200
20707	Idaho Power Co	May 27, 1952	1,034	1,034	Apr. 24, 1953	414	40	
29407	do	Aug. 6, 1953	35,923	35,923	Apr. 17, 1957	21,554	60	172
29540	do	Aug. 21, 1953	67,138	67,138	do	43,640	65	300
	Total		173,739	172,221		106,135		795

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

INDIANA

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
5837	Indiana-Michigan Electric Co	Mar. 22, 1951	$23,244	$23,244	June 15, 1951	$6,311	25	170
5960	....do	....do	20,437	20,437	....do	9,197	45	150
5926	....do	Apr. 4, 1951	1,686	1,681	....do	756	45	
6350	....do	Mar. 23, 1951	661	661	....do	165	25	
12302	Northern Indiana Public Service Co	June 15, 1951	90	52	Mar. 19, 1952	10	20	
12240	....do	....do	79	65	....do	23	35	
13386	....do	July 26, 1951	1,396	1,134	Apr. 11, 1952	340	30	
13508	....do	Aug. 6, 1951	27,680	27,680	Apr. 4, 1952	8,304	30	180
14084	Indiana-Michigan Electric Co	Sept. 6, 1951	111	111	Mar. 14, 1952	33	30	
13581	Indianapolis Power & Light Co	Oct. 25, 1951	8,288	7,901	Apr. 4, 1952	4,345	55	60
13291	....do	Oct. 29, 1951	10,178	9,993	....do	5,496	55	60
16875	Public Service Co., Inc	Dec. 28, 1951	14,516	14,516	Mar. 28, 1952	4,355	30	
16876	Public Service Company of Indiana, Inc	....do	24,879	24,879	June 16, 1952	9,952	40	180
17552	Indiana-Michigan Electric Co	Jan. 16, 1952	44,631	44,559	Mar. 31, 1952	20,052	45	200
18711	....do	Feb. 29, 1952	179	179	June 3, 1952	63	35	
19412	Indianapolis Power & Light Co	Apr. 3, 1952	569	569	Apr. 28, 1952	280	55	
20223	Indiana-Michigan Electric Co	May 3, 1952	76	76	June 6, 1952	27	35	
20819	....do	June 12, 1952	208	183	July 15, 1952	100	55	
21511	Southern Indiana Gas & Electric Co	July 17, 1952	454	423	Sept. 17, 1952	127	30	
21902	....do	Aug. 8, 1952	10,592	10,444	Jan. 7, 1953	4,700	45	40
24070	Indiana-Michigan Electric Co	Dec. 31, 1952	1,740	1,740	Apr. 29, 1953	1,131	65	
24222	Southern Indiana Gas & Electric Co	Jan. 22, 1953	1,322	1,234	Apr. 13, 1953	433	35	
24638	Public Service Company of Indiana, Inc	Mar. 23, 1953	17,000	17,000	June 1, 1953	6,800	40	125
24972	Northern Indiana Public Service Co	....do	209	209	May 8, 1953	73	35	
25034	Indiana-Michigan Electric Co	Mar. 31, 1953	271	271	May 15, 1953	149	55	
25166	Public Service Company of Indiana, Inc	Apr. 13, 1953	1,762	1,762	June 1, 1953	687	40	
25807	Indiana-Michigan Electric Co	June 9, 1953	456	456	July 10, 1953	251	55	
25925	....do	June 18, 1953	1,643	1,560	July 28, 1953	710	45	
26067	....do	Sept. 15, 1953	3,068	3,068	Oct. 28, 1953	1,955	65	
27312	Public Service Company of Indiana, Inc	Dec. 21, 1953	432	432	May 3, 1954	284	65	
27668	Indianapolis Power & Light Co	Mar. 8, 1954	14,322	14,322	May 6, 1955	9,309	65	100
27785	Indiana-Michigan Electric Co	Mar. 30, 1954	2,701	2,556	Apr. 7, 1955	1,164	45	
28916	Public Service Company of Indiana, Inc	June 29, 1955	31,922	31,922	Nov. 28, 1955	11,173	35	150
30878	Indiana-Michigan Electric Co	Dec. 6, 1955	4,540	4,540	Feb. 25, 1956	2,951	65	
30880	....do	....do	1,023	1,023	Apr. 25, 1956	665	65	
30881	....do	....do	651	619	....do	217	35	
30954	....do	Dec. 13, 1955	1,862	1,784	July 12, 1956	628	35	
30955	....do	....do	796	739	June 21, 1956	255	35	
31018	....do	Dec. 21, 1955	701	701	June 7, 1956	245	35	
31051	Public Service Company of Indiana, Inc	Dec. 27, 1955	14,718	14,718	Feb. 14, 1956	8,831	60	150
31089	Indiana-Michigan Electric Co	Mar. 29, 1956	20,918	20,905	July 18, 1956	13,588	65	
31509	Chicago District Electric Gas Corp	May 15, 1956	5,000	2,800	....do	1,540	55	
	Total		286,251	282,372		137,800		1,545

IOWA

13571	Iowa Southern Utilities Co	Oct. 30, 1951	$8,926	$8,865	Aug. 18, 1952	$3,183	30	60
20462	Iowa Public Service Co	May 28, 1952	2,700	2,700	July 14, 1952	1,485	55	12
21386	Iowa Power & Light Co	July 11, 1952	9,777	9,749	Jan. 6, 1953	4,885	50	66
21092	....do	....do	9,393	9,353	Dec. 17, 1952	4,676	50	94
21750	Iowa Public Service Co	July 31, 1952	4,435	4,125	Aug. 20, 1952	2,434	55	
23721	Iowa Electric Light & Power Co	Dec. 11, 1952	7,777	7,501	Mar. 17, 1953	4,200	55	30
25267	Union Electric Power Co	Apr. 21, 1953	918	918	July 6, 1953	321	35	
25892	Iowa Electric Light & Power Co	June 15, 1953	4,246	4,131	July 27, 1953	2,272	55	30
26088	Iowa Public Service Co	Feb. 10, 1953	2,215	2,198	May 24, 1955	1,209	55	
30846	Union Electric Company of Missouri	Oct. 10, 1955	770	642	Feb. 2, 1956	368	65	
30961	Iowa Southern Utilities Co	Dec. 1, 1955	2,463	2,463	Feb. 14, 1956	977	40	22
31070	Iowa Power & Light Co	Dec. 27, 1955	15,462	15,462	Feb. 29, 1956	5,412	35	75
	Total		69,032	68,737		30,821		319

KANSAS

9012	Kansas Gas & Electric Co	May 8, 1951	$8,307	$8,036	Jan. 2, 1952	$3,214	40	40
13519	Kansas Power & Light Co	Oct. 26, 1951	7,805	7,724	July 9, 1952	4,248	55	25
16938	Kansas Gas & Electric Co	Dec. 17, 1951	8,785	8,705	Apr. 7, 1952	4,793	55	60
18481	Empire District Co	Feb. 26, 1952	6,961	6,961	July 18, 1952	2,784	40	40
21072	Central Kansas Power Co	Aug. 14, 1952	1,501	1,501	Sept. 23, 1952	676	45	12
21073	....do	....do	475	475	Sept. 24, 1952	237	50	
22339	Western Light & Telephone Co	Sept. 10, 1952	3,517	3,495	Dec. 4, 1952	1,922	55	15
24139	....do	Nov. 5, 1952	2,020	2,020	Jan. 9, 1953	1,111	55	
24080	Kansas Gas & Electric Co	Mar. 25, 1953	10,981	10,969	May 21, 1953	7,130	65	60
25041	Kansas Power & Light Co	May 25, 1953	8,000	8,000	June 30, 1953	5,600	45	40
25571	Western Light & Telephone Co	May 16, 1955	2,820	2,820	July 19, 1955	1,840	65	17
26579	Kansas Gas & Electric Co	....do	13,280	13,280	Oct. 14, 1955	8,634	65	100
30898	Empire Distribution & Electric Co	Aug. 11, 1955	8,898	8,898	Feb. 23, 1956	5,321	60	40
31024	Western Light & Telephone Co	Dec. 21, 1955	3,343	3,342	Feb. 14, 1956	1,838	55	16
31089	....do	Dec. 29, 1955	401	401	Apr. 16, 1956	261	65	
31442	....do	Dec. 30, 1955	300	300	May 4, 1956	165	55	
	Total		87,783	87,210		47,988		470

ILLINOIS

1078	Public Service Co	Jan. 18, 1951	$1,200	$1,169	Nov. 9, 1951	$322	45	
5305	Central Illinois Light Co	Mar. 22, 1951	12,080	9,195	Sept. 21, 1951	4,891	53	60
12856	Union Electric Power Co	June 20, 1951	5,670	5,670	Apr. 3, 1952	3,119	55	
13035	Central Illinois Public Service Co	Oct. 11, 1951	3,100	3,100	Mar. 26, 1952	1,705	55	
13101	Illinois Power Co	Oct. 15, 1951	2,301	2,301	....do	1,266	55	
16359	Central Illinois Electric & Gas Co	Dec. 5, 1951	1,711	1,272	Mar. 19, 1952	700	55	
16895	Illinois Power Co	....do	16,773	16,518	Apr. 9, 1952	8,788	55	
17720	....do	Jan. 28, 1952	15,785	15,785	Apr. 7, 1952	5,525	35	60
								90

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

ILLINOIS—Continued

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
18499	Central Illinois Light Co	Feb. 27, 1952	$345	$205	Mar. 31, 1952	$62	30	
18508	....do	Mar. 13, 1952	225	200	July 16, 1952	90	45	
19048	....do	Mar. 21, 1952	744	744	June 25, 1952	335	45	
20462	Union Electric Power Co	June 4, 1952	161	117	July 14, 1952	47	40	
21467	Public Service Company of Northern Illinois	July 11, 1952	225	225	Aug. 4, 1952	101	45	
21473	Commonwealth Edison Co	July 21, 1952	201	201	Aug. 11, 1952	70	35	
21577	....do	....do	245	245	Aug. 12, 1952	86	35	
23181	Union Electric Power Co	Nov. 7, 1952	641	641	Jan. 28, 1953	352	55	
23441	Central Illinois Electric & Gas Co	Nov. 25, 1952	6,600	6,600	Feb. 4, 1953	3,630	55	30
23851	Union Electric Power Co	June 11, 1953	476	476	July 17, 1953	166	35	
30232	....do	July 25, 1955	2,619	2,541	Dec. 20, 1955	1,652	65	
30803	Illinois Power Co	Nov. 18, 1955	15,320	15,320	June 11, 1956	6,894	45	100
31109	Iowa-Illinois Gas & Electric Co	Dec. 29, 1955	3,122	3,116	May 1, 1956	1,714	55	
31137	Commonwealth Edison Co	Dec. 30, 1955	58,000	58,000	Mar. 23, 1956	32,450	55	305
31140	....do	....do	12,500	12,500	June 11, 1956	6,875	55	
	Total		161,344	157,462		78,280		645

KENTUCKY

14106	Kentucky-West Virginia Power Co., Inc	Aug. 22, 1951	$672	$607	Feb. 15, 1952	$243	40	
14763	....do	Sept. 17, 1951	217	217	....do	43	20	
13846	Kentucky Utilities Co	Nov. 2, 1951	9,500	9,500	Mar. 14, 1952	4,278	45	60
19513	....do	Apr. 7, 1952	2,453	2,453	July 15, 1952	1,349	55	
21065	....do	June 27, 1952	1,024	1,024	July 25, 1952	410	40	
30155	Kentucky Power Co	July 19, 1955	1,100	1,100	Oct. 20, 1955	715	65	
30785	Union Light Heat & Power Co	Nov. 15, 1955	1,634	1,634	Dec. 15, 1955	1,062	65	
	Total		16,606	16,531		8,094		60

LOUISIANA

6137	Louisiana Power & Light Co	Mar. 23, 1951	$8,124	$7,937	Jan. 25, 1952	$3,572	45	60
6138	....do	....do	845	736	Mar. 6, 1952	331	45	
13397	Central Louisiana Electric Co	Aug. 6, 1951	7,309	7,026	Apr. 14, 1952	3,197	46	40
15445	Louisiana Power & Light Co	Oct. 19, 1951	9,600	9,980	Apr. 23, 1952	5,445	55	90
16726	Gulf States Utility Co	Dec. 24, 1951	51	51	Mar. 19, 1952	23	45	
16727	....do	....do	598	598	Apr. 15, 1952	269	45	
16728	....do	....do	16,500	16,500	Apr. 4, 1952	10,725	65	80
16729	....do	....do	600	598	Apr. 9, 1952	329	55	
16730	....do	....do	10,000	10,000	....do	6,500	65	90
16741	....do	....do	1,000	1,000	....do	500	55	
16742	....do	....do	8,500	8,500	Apr. 14, 1952	4,675	55	60
16605	Louisiana Power & Light Co	Dec. 28, 1951	202	202	Apr. 15, 1952	111	55	
16606	....do	Feb. 21, 1952	1,322	1,115	May 1, 1952	613	55	
16607	....do	Dec. 28, 1951	944	904	Apr. 28, 1952	497	55	
19241	....do	Mar. 25, 1952	496	496	May 7, 1952	251	55	
19242	....do	....do	636	550	....do	302	55	
16928	Central Louisiana Electric Co	Apr. 29, 1952	1,069	824	July 2, 1952	453	55	
20194	Gulf States Utility Co	May 13, 1952	404	404	June 12, 1952	141	35	
20195	....do	....do	202	202	....do	81	40	
20276	Central Louisiana Electric Co., Inc	Dec. 15, 1952	246	246	Feb. 24, 1953	135	55	
25213	Louisiana Power & Light Co	Apr. 15, 1953	15,000	15,000	June 16, 1953	9,750	65	125
25758	....do	June 4, 1953	220	200	June 17, 1953	130	65	
26833	Central Louisiana Electric Co., Inc	Oct. 1, 1953	7,244	6,005	June 16, 1955	3,603	60	50
27513	....do	Feb. 1, 1954	1,240	874	Mar. 29, 1955	350	40	
28863	Southwestern Gas & Electric Co	June 13, 1955	11,411	11,411	Apr. 4, 1956	3,994	35	100
30389	Louisiana Power & Light Co	Aug. 9, 1955	20,000	20,000	Nov. 25, 1955	8,000	40	200
30381	....do	....do	2,964	2,964	Dec. 6, 1955	1,185	40	
30714	Central Louisiana Electric Co., Inc	Oct. 31, 1955	5,744	5,744	Dec. 13, 1955	3,734	65	55
30937	....do	Dec. 12, 1955	479	426	Apr. 25, 1956	277	65	
31788	....do	Aug. 27, 1956	471	470	Sept. 21, 1956	306	65	
	Total		133,751	130,853		69,529		950

MAINE

3057	Central Maine Power Co	Mar. 2, 1951	$1,604	$151	Sept. 21, 1951	$34	23	
19389	....do	Oct. 8, 1951	12,881	12,881	Apr. 15, 1952	5,780	45	
19885	....do	Mar. 18, 1952	17,101	16,541	May 2, 1952	7,443	45	45
20012	....do	Dec. 8, 1952	959	959	Mar. 2, 1953	528	55	
27002	Maine Public Service Co	Apr. 28, 1954	2,340	2,340	May 9, 1955	819	35	10
29908	Central Maine Power Co	May 27, 1955	23,696	23,555	Oct. 18, 1955	13,340	57	88
	Total		58,581	56,427		28,144		146

MARYLAND

5848	Consolidated Gas & Electric Light & Power Company of Baltimore	Mar. 22, 1951	$13,907	$13,907	Sept. 21, 1951	$4,867	35	100
5849	....do	....do	10,319	10,255	Jan. 14, 1952	2,051	20	75
5878	....do	....do	5,076	4,614	Jan. 19, 1952	923	20	
5879	....do	....do	905	905	Feb. 14, 1952	272	30	
5881	....do	....do	79	74	Jan. 28, 1952	15	20	
6399	Potomac Edison Co	Mar. 23, 1951	484	484	June 22, 1951	121	25	
12305	Consolidated Gas & Electric Light & Power Company of Baltimore	June 15, 1951	14,525	14,481	Apr. 29, 1952	5,792	40	75
12309	....do	....do	50	50	Jan. 25, 1952	10	20	
15547	Potomac Edison Co	Oct. 31, 1951	40	40	Mar. 18, 1952	10	25	
15548	....do	....do	19	19	Apr. 29, 1952	4	20	
20435	....do	May 29, 1952	326	126	June 24, 1952	63	50	
22144	Consolidated Gas & Electric Light & Power Co	Aug. 26, 1952	24,465	24,465	May 8, 1953	11,009	45	125
27164	Potomac Edison Co	Nov. 23, 1953	1,367	1,303	Dec. 28, 1953	587	45	
30818	South Potm. Power Co	Nov. 23, 1955	408	309	Dec. 6, 1955	179	45	
30941	Potomac Edison Co	Dec. 12, 1955	682	674	Mar. 29, 1956	303	45	
31022	....do	....do	12,848	12,848	Apr. 9, 1956	7,066	55	86
31694	Eastern Shore Public Service Company of Maryland	May 10, 1955	1,370	1,370	Aug. 21, 1956	822	60	
	Total		72,286	72,286		27,688		342

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

MASSACHUSETTS

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
7094	Boston Edison Co.	Mar. 23, 1951	$14,100	$14,100	Feb. 6, 1952	$4,250	30	81
13767	Massachusetts Electric Co.	Aug. 13, 1951	7,258	7,258	Apr. 2, 1952	2,903	40	40
17717	Boston Edison Co.	Jan. 24, 1952	16,613	16,613	Mar. 26, 1952	5,815	35	81
17672	....do	Feb. 5, 1952	3,626	3,626	May 1, 1952	1,088	30	
19210	....do	Mar. 25, 1952	268	268	Apr. 21, 1952	80	30	
21335	....do	July 9, 1952	1,022	1,022	July 25, 1952	358	35	
21339	....do	....do	301	301	....do	60	20	
21785	....do	Aug. 1, 1952	552	552	Oct. 2, 1952	166	30	
26439	....do	Aug. 12, 1953	670	670	Oct. 7, 1953	234	35	
27525	....do	Feb. 4, 1954	1,865	1,865	Feb. 28, 1955	653	35	
29854	....do	May 12, 1955	1,709	1,709	July 14, 1955	1,109	65	
29855	....do	....do	415	415	....do	269	65	
29885	Western Massachusetts Electric Co.	May 16, 1955	1,210	1,210	Aug. 1, 1955	484	40	
31103	New England Power Co.	Dec. 29, 1955	22,700	22,700	Apr. 16, 1956	10,215	45	140
	Total		72,286	72,286		27,688		345

MICHIGAN

4218	Detroit Edison Co.	Mar. 14, 1951	$39,041	$39,041	June 9, 1951	$17,568	45	125
4252	....do	....do	29,439	29,439	....do	13,247	65	125
4253	....do	....do	18,867	18,867	....do	12,264	65	125
5494	....do	Mar. 22, 1951	42,799	42,799	....do	10,700	25	310
5970	Consumers Power Co.	....do	117	117	Mar. 14, 1952	35	30	
5971	....do	....do	60	60	....do	18	30	
5972	....do	....do	143	431	Dec. 28, 1951	86	20	
5975	....do	....do	31,995	31,995	....do	10,880	35	170
11549	....do	June 29, 1951	565	565	Mar. 17, 1952	226	40	
12078	....do	July 12, 1951	506	506	Mar. 19, 1952	152	30	
13634	....do	Aug. 9, 1951	16,000	16,000	Dec. 29, 1951	6,400	40	195
14256	....do	Jan. 19, 1952	329	329	Mar. 18, 1952	80	25	
13586	Michigan Gas & Electric Co.	Oct. 29, 1951	72	72	Mar. 17, 1952	14	20	
13604	Detroit Edison Co.	....do	5,588	5,588	Feb. 20, 1957	3,631	65	
16057	Consumers Power Co.	Dec. 29, 1951	27,809	27,809	Mar. 28, 1952	9,733	35	135
16038	....do	....do	43	43	Apr. 23, 1952	25	55	
17219	Wisconsin-Michigan Power Co.	Jan. 5, 1952	2,064	2,064	Apr. 7, 1952	826	40	10
17220	....do	....do	976	976	....do	390	40	3
17221	....do	....do	488	488	Apr. 3, 1952	171	35	
17582	Consumer Power Co.	Jan. 25, 1952	75	75	Apr. 30, 1952	15	20	
17583	....do	....do	62	62	May 6, 1952	25	40	
17580	Detroit Edison Co.	Jan. 22, 1952	33,450	33,450	Apr. 3, 1952	11,708	35	12
17616	Indiana-Michigan Electric Co.	Jan. 18, 1952	595	595	Apr. 2, 1952	238	40	
17636	....do	Jan. 21, 1952	601	601	Mar. 24, 1952	240	40	
17817	Consumers Power Co.	Jan. 30, 1952	35	35	Jan. 19, 1952	10	30	
19402	Lake Superior Distributing Power Co.	Apr. 22, 1952	471	488	June 26, 1952	195	40	
19863	Upper Peninsula Power Co.	Apr. 28, 1952	262	490	May 27, 1952	77	55	
21847	Consumers Power Co.	Aug. 5, 1952	195	195	Sept. 18, 1952	66	40	
22257	....do	Sept. 3, 1952	201	192	Oct. 10, 1952	67	35	
25041	....do	June 22, 1953	29,640	29,640	July 21, 1955	10,374	35	135
28395	Detroit Edison Co.	Aug. 20, 1954	4,534	4,534	Mar. 29, 1955	2,947	65	
29547	Consumers Power Co.	May 13, 1955	18,280	18,280	July 18, 1955	6,398	35	156
29600	....do	June 27, 1955	18,900	18,900	Oct. 18, 1955	7,884	40	187
31019	Indiana-Michigan Electric Co.	Dec. 21, 1955	1,740	1,740	June 7, 1956	609	35	
	Total		317,129	316,859		127,278		1,572

MINNESOTA

4254	Minnesota Power & Light Co.	Mar. 14, 1951	$8,350	$8,035	Nov. 9, 1951	$1,284	35	33
5943	....do	Mar. 22, 1951	13,703	13,703	....do	7,537	55	88
6257	Northern States Power Co.	Mar. 23, 1951	1,662	1,662	June 27, 1951	416	25	13
6279	....do	....do	9,671	9,671	Feb. 4, 1952	3,869	40	50
17247	....do	Jan. 5, 1952	3,741	3,741	Mar. 31, 1952	1,496	40	
17611	....do	Jan. 14, 1952	14,818	14,818	June 2, 1952	5,927	40	80
19457	....do	Apr. 4, 1952	7,927	7,927	....do	3,171	40	40
19589	....do	Apr. 10, 1952	2,272	2,203	June 25, 1952	881	40	
19665	....do	Apr. 28, 1952	961	961	June 6, 1952	392	40	
24724	....do	Mar. 5, 1953	13,195	13,195	Apr. 7, 1953	5,278	40	90
27331	Minnesota Power & Light Co.	Dec. 22, 1953	2,210	2,210	Mar. 28, 1955	1,217	55	
30331	....do	Aug. 5, 1955	12,090	11,910	Jan. 23, 1956	7,742	65	60
	Total		86,104	85,501		39,260		

MISSISSIPPI

847	Mississippi Power & Light Co.	Dec. 22, 1950	$11,696	$11,696	June 9, 1951	$7,602	65	80
5003	....do	Mar. 22, 1951	466	461	....do	115	25	
6139	....do	Mar. 23, 1951	7,622	7,587	Sept. 21, 1951	3,414	45	60
6140	....do	....do	6,244	6,157	Feb. 6, 1952	2,771	45	60
6141	....do	....do	1,962	1,950	Jan. 28, 1952	877	45	
6144	....do	....do	82	82	....do	37	45	
16850	Mississippi Power Co.	June 14, 1951	948	948	Apr. 9, 1952	521	55	
10861	....do	....do	423	421	....do	190	45	
13501	....do	Nov. 1, 1951	23,515	23,265	Apr. 28, 1952	12,796	55	200
24507	....do	Feb. 16, 1953	180	160	Mar. 19, 1953	104	65	
28695	....do	June 2, 1955	13,877	13,696	Oct. 18, 1955	4,794	35	75
	Total		67,045	66,425		33,221		475

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

MISSOURI

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
7116	Union Electric Company of Missouri	Mar. 23, 1951	$23,875	$23,735	Feb. 6, 1952	$11,868	50	110
12745	....do	June 20, 1951	66	66	Mar. 19, 1952	33	50	
12746	....do	....do	969	929	Apr. 2, 1952	464	50	
12747	....do	....do	366	364	Apr. 11, 1952	128	35	
12748	....do	....do	845	808	Apr. 2, 1952	404	50	
12749	....do	....do	1,375	1,325	....do	662	50	
12750	....do	....do	3,891	3,711	Apr. 10, 1952	2,041	55	43
12751	....do	....do	18,153	16,155	Feb. 6, 1952	8,885	55	110
12777	....do	....do	2,137	2,099	Mar. 28, 1952	1,018	50	
13897	Kansas City Power & Light Co.	Aug. 6, 1951	13,709	15,709	Apr. 4, 1952	7,535	55	50
14883	Arkansas-Missouri Power Co.	Oct. 1, 1951	72	72	Mar. 11, 1952	22	30	
18202	....do	Feb. 14, 1952	139	139	Mar. 28, 1952	49	35	
19867	Missouri Public Service Co.	Apr. 28, 1952	3,240	3,240	July 10, 1952	1,458	45	20
24180	Union Electric Company of Missouri	Nov. 7, 1952	173	173	Jan. 26, 1953	95	55	
26848	....do	Dec. 29, 1952	59	59	Feb. 16, 1953	32	55	
26945	....do	....do	208	208	Feb. 17, 1953	115	55	
29722	Kansas City Power & Light Co.	June 6, 1955	27,375	26,775	July 26, 1955	17,404	65	156
30223	Union Electric Company of Missouri	July 25, 1955	4,576	4,381	Dec. 15, 1955	2,848	65	
30224	....do	....do	1,791	1,785	Nov. 22, 1955	1,160	65	
30557	Kansas City Power & Light Co.	Sept. 18, 1955	4,602	4,602	....do	3,296	65	
30696	Empire Distributing Electric Co.	Dec. 8, 1955	1,668	1,668	Feb. 2, 1956	1,001	60	
31005	Union Electric Company of Missouri	Dec. 19, 1955	2,351	2,171	June 1, 1956	760	35	
31025	Missouri Public Service Co.	Dec. 21, 1955	4,077	4,077	Feb. 27, 1956	1,427	35	24
31037	Union Electric Company of Missouri	Dec. 22, 1955	37,764	37,764	Feb. 14, 1956	13,217	35	250
	Total		153,830	150,264		75,828		803

MONTANA

5180	Montana Power Co.	Mar. 21, 1951	$5,445	$5,410	July 3, 1951	$1,353	25	60
20042	....do	June 22, 1953	607	607	Aug. 13, 1953	182	30	
24884	Pacific Power & Light Co.	Aug. 9, 1955	1,540	1,540	Dec. 15, 1955	1,001	65	
31059	Montana Power Co.	Dec. 27, 1955	15,000	15,000	Mar. 29, 1956	9,750	65	50
	Total		22,592	22,557		12,286		110

NEVADA

28477	Southern Nevada Power Co.	Sept. 13, 1954	$8,672	$8,632	Dec. 27, 1955	$2,321	35	44
31150	....do	Dec. 30, 1955	8,319	8,319	Feb. 23, 1956	2,912	35	60
	Total		14,991	14,951		5,233		104

NEW HAMPSHIRE

5978	Public Service Company of New Hampshire	Mar. 22, 1951	$1,290	$112	Sept. 21, 1951	$28	25	
14889	....do	Oct. 3, 1951	9,255	9,207	Mar. 18, 1952	3,956	43	80
17940	....do	Jan. 31, 1952	1,310	1,310	Apr. 2, 1952	590	45	
22620	Connecticut River Power & New England Power Co.	Sept. 30, 1952	42,713	38,980	Mar. 28, 1956	19,490	50	150
25772	Public Service Company of New Hampshire	Dec. 15, 1952	9,076	9,076	May 21, 1953	4,084	45	40
26544	....do	May 14, 1953	815	815	June 10, 1953	448	55	
26542	....do	May 10, 1955	7,000	7,000	Nov. 25, 1955	4,550	65	44
	Total		71,459	66,500		33,146		314

NEW JERSEY

10912	Public Service Electric & Gas Co.	June 14, 1951	$861	$721	Mar. 19, 1952	$108	15	
10913	....do	....do	608	608	Feb. 15, 1952	122	20	
13271	....do	July 30, 1951	105	105	....do	21	20	
13650	....do	Aug. 10, 1951	45,969	45,721	Feb. 28, 1952	22,963	50	290
14725	....do	Sept. 28, 1951	463	441	....do	88	20	
14766	....do	....do	95	95	Mar. 20, 1952	33	35	
15040	....do	Oct. 15, 1951	635	635	Mar. 19, 1952	127	20	
15885	....do	Nov. 5, 1951	42	42	Mar. 17, 1952	17	40	
15976	....do	Nov. 15, 1951	48	48	Mar. 19, 1952	17	35	
16456	Philadelphia Electric Co.	Nov. 19, 1951	900	900	Apr. 2, 1952	180	20	
17088	Public Service Electric & Gas Co.	Dec. 28, 1951	27,000	27,000	Apr. 7, 1952	10,800	40	185
17041	....do	Jan. 2, 1952	824	824	May 6, 1952	371	45	
16371	....do	Apr. 1, 1952	2,253	2,253	May 1, 1952	1,239	55	
22042	Atlantic City Electric Co.	Oct. 23, 1952	13,871	13,871	Dec. 1, 1952	6,242	45	60
25676	....do	June 24, 1953	3,074	3,074	July 28, 1953	1,383	45	
31111	Public Service Electric & Gas Co.	Dec. 29, 1955	9,700	9,365	Aug. 21, 1956	3,746	40	
31087	....do	Dec. 27, 1955	3,300	3,300	Mar 5, 1957	1,320	40	
	Total		109,808	109,003		48,477		535

NEW MEXICO

5740	Southwestern Public Service Co.	Mar. 22, 1951	$58	$58	Mar. 13, 1952	$12	20	0
15484	....do	Oct. 31, 1951	3,334	3,334	Apr. 7, 1952	1,834	55	19
15087	Public Service Co. of New Mexico	Nov. 1, 1951	6,045	6,045	May 19, 1952	3,328	55	40
18815	....do	Mar. 5, 1952	4,626	4,626	May 14, 1952	2,544	55	30
18836	....do	....do	556	556	May 9, 1952	306	55	
18837	....do	....do	698	698	....do	384	55	
18838	....do	....do	271	271	May 8, 1952	149	55	
28417	El Paso Electric Co.	May 4, 1953	4,800	4,800	July 2, 1953	2,640	55	30
28409	Basin Light & Power Co.	July 2, 1953	225	222	July 24, 1953	67	30	
28566	Southwestern Public Service Co.	May 16, 1955	9,045	9,036	July 14, 1955	5,874	65	75
30332	Public Service Co. of New Mexico	Aug. 3, 1955	4,985	4,985	Dec. 13, 1955	1,745	35	30
30582	El Paso Electric Co.	Dec. 16, 1955	6,775	6,775	Feb. 27, 1956	4,065	60	
	Total		41,418	41,393		22,948		224

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

NEW YORK

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
4255	Niagara Mohawk Power Corp.	Mar. 14, 1951	$1,000	$1,000	Nov. 9, 1951	$250	25	
5944	....do	Mar. 22, 1951	1,000	1,000	....do	250	25	
6258	....do	Mar. 23, 1951	1,000	1,000	....do	250	25	
6280	....do	....do	1,000	1,000	....do	250	25	
6281	....do	....do	1,000	1,000	....do	250	25	
6282	....do	....do	1,000	1,000	....do	250	25	
6283	....do	....do	1,000	1,000	....do	250	25	
6284	....do	....do	1,000	1,000	....do	250	25	
6285	....do	....do	1,000	1,000	....do	250	25	
6286	....do	....do	1,000	1,000	....do	250	25	
6287	....do	....do	1,000	1,000	....do	250	25	
6288	....do	....do	1,000	1,000	....do	250	25	
6289	....do	....do	1,000	1,000	....do	250	25	
6290	....do	....do	1,000	1,000	....do	250	25	
6291	....do	....do	1,000	1,000	....do	250	25	
6292	....do	....do	1,000	1,000	....do	250	25	
6293	....do	....do	1,000	1,000	....do	250	25	
6294	....do	....do	1,000	1,000	....do	250	25	
6295	....do	....do	1,000	1,000	....do	250	25	
6296	....do	....do	1,000	1,000	....do	250	25	
6297	....do	....do	1,000	1,000	....do	250	25	
6298	....do	....do	1,000	1,000	....do	250	25	
6299	....do	....do	1,000	1,000	....do	250	25	
6300	....do	....do	1,000	1,000	....do	250	25	
6301	....do	....do	1,000	1,000	....do	250	25	
6302	....do	....do	1,000	1,000	....do	250	25	
6303	....do	....do	1,000	1,000	....do	250	25	
6304	....do	....do	1,000	1,000	....do	250	25	
6305	....do	....do	1,000	1,000	....do	250	25	
6306	....do	....do	1,000	1,000	....do	250	25	
6307	....do	....do	1,000	1,000	....do	250	25	
6308	....do	....do	1,000	1,000	....do	250	25	
6309	....do	....do	1,000	1,000	....do	250	25	
6310	....do	....do	1,000	1,000	....do	250	25	
6311	....do	....do	1,000	1,000	....do	250	25	
6312	....do	....do	1,000	1,000	....do	250	25	
6313	....do	....do	1,000	1,000	....do	250	25	
6314	....do	....do	1,000	1,000	....do	250	25	
6315	....do	....do	1,000	1,000	....do	250	25	
6316	....do	....do	1,000	1,000	....do	250	25	
6317	....do	....do	1,000	1,000	....do	250	25	
6318	....do	....do	1,000	1,000	....do	250	25	
6319	....do	....do	1,000	1,000	....do	250	25	
6320	....do	....do	1,000	1,000	....do	250	25	
6321	....do	....do	1,000	1,000	....do	250	25	
6322	....do	....do	1,000	1,000	....do	250	25	
6323	....do	....do	1,000	1,000	....do	250	25	
6324	....do	....do	1,000	1,000	....do	250	25	
6325	....do	....do	1,000	1,000	....do	250	25	
6326	....do	....do	1,000	1,000	....do	250	25	
6327	....do	....do	1,000	1,000	....do	250	25	
6328	....do	....do	1,000	1,000	....do	250	25	
6329	....do	....do	1,000	1,000	....do	250	25	
6330	....do	....do	1,000	1,000	....do	250	25	
6331	....do	....do	1,000	1,000	....do	250	25	
6332	....do	....do	1,000	1,000	....do	250	25	
6333	....do	....do	1,000	1,000	....do	250	25	
6334	....do	....do	1,000	1,000	....do	250	25	
6335	....do	....do	1,000	1,000	....do	250	25	
6336	....do	....do	1,000	1,000	....do	250	25	
6337	....do	....do	1,000	1,000	....do	250	25	
6338	....do	....do	1,000	1,000	....do	250	25	
6339	....do	....do	1,000	1,000	....do	250	25	
6340	....do	....do	1,000	1,000	....do	250	25	
6341	....do	....do	1,000	1,000	....do	250	25	
6342	....do	....do	1,000	1,000	....do	250	25	
6343	....do	....do	1,000	1,000	....do	250	25	
6344	....do	....do	1,000	1,000	....do	250	25	
6345	....do	....do	1,000	1,000	....do	250	25	
6346	....do	....do	1,000	1,000	....do	250	25	
6347	....do	....do	1,000	1,000	....do	250	25	
6348	....do	....do	1,000	1,000	....do	250	25	
6349	....do	....do	1,000	1,000	....do	250	25	
6350	....do	....do	1,000	1,000	....do	250	25	
6351	....do	....do	1,000	1,000	....do	250	25	
6352	....do	....do	1,000	1,000	....do	250	25	
6353	....do	....do	1,000	1,000	....do	250	25	
6354	....do	....do	1,000	1,000	....do	250	25	
6355	....do	....do	1,000	1,000	....do	250	25	
6356	....do	....do	1,000	1,000	....do	250	25	
6357	....do	....do	1,000	1,000	....do	250	25	
6358	....do	....do	1,000	1,000	....do	250	25	
6359	....do	....do	1,000	1,000	....do	250	25	
6360	....do	....do	1,000	1,000	....do	250	25	
6361	....do	....do	1,000	1,000	....do	250	25	
6362	....do	....do	1,000	1,000	....do	250	25	
6363	....do	....do	1,000	1,000	....do	250	25	
6364	....do	....do	1,000	1,000	....do	250	25	
6365	....do	....do	1,000	1,000	....do	250	25	
6366	....do	....do	1,000	1,000	....do	250	25	
6367	....do	....do	1,000	1,000	....do	250	25	
6368	....do	....do	1,000	1,000	....do	250	25	
6369	....do	....do	1,000	1,000	....do	250	25	
6370	....do	....do	1,000	1,000	....do	250	25	
6371	....do	....do	1,000	1,000	....do	250	25	
6372	....do	....do	1,000	1,000	....do	250	25	
6373	....do	....do	1,000	1,000	....do	250	25	
6374	....do	....do	1,000	1,000	....do	250	25	
6375	....do	....do	1,000	1,000	....do	250	25	
6376	....do	....do	1,000	1,000	....do	250	25	
6377	....do	....do	1,000	1,000	....do	250	25	
6378	....do	....do	1,000	1,000	....do	250	25	
6379	....do	....do	1,000	1,000	....do	250	25	
6380	....do	....do	1,000	1,000	....do	250	25	
6381	....do	....do	1,000	1,000	....do	250	25	
6382	....do	....do	1,000	1,000	....do	250	25	
6383	....do	....do	1,000	1,000	....do	250	25	
6384	....do	....do	1,000	1,000	....do	250	25	
6385	....do	....do	1,000	1,000	....do	250	25	
6386	....do	....do	1,000	1,000	....do	250	25	
6387	....do	....do	1,000	1,000	....do	250	25	
6388	....do	....do	1,000	1,000	....do	250	25	
6389	....do	....do	1,000	1,000	....do	250	25	
6390	....do	....do	1,000	1,000	....do	250	25	
6391	....do	....do	1,000	1,000	....do	250	25	
6392	....do	....do	1,000	1,000	....do	250	25	
6393	....do	....do	1,000	1,000	....do	250	25	
6394	....do	....do	1,000	1,000	....do	250	25	
6395	....do	....do	1,000	1,000	....do	250	25	
6396	....do	....do	1,000	1,000	....do	250	25	
6397	....do	....do	1,000	1,000	....do	250	25	
6398	....do	....do	1,000	1,000	....do	250	25	
6399	....do	....do	1,000	1,000	....do	250	25	
6400	....do	....do	1,000	1,000	....do	250	25	
6401	....do	....do	1,000	1,000	....do	250	25	
6402	....do	....do	1,000	1,000	....do	250	25	
6403	....do	....do	1,000	1,000	....do	250	25	
6404	....do	....do	1,000	1,000	....do	250	25	
6405	....do	....do	1,000	1,000	....do	250	25	
6406	....do	....do	1,000	1,000	....do	250	25	
6407	....do	....do	1,000	1,000	....do	250	25	
6408	....do	....do	1,000	1,000	....do	250	25	
6409	....do	....do	1,000	1,000	....do	250	25	
6410	....do	....do	1,000	1,000	....do	250	25	
6411	....do	....do	1,000	1,000	....do	250	25	
6412	....do	....do	1,000	1,000	....do	250	25	
6413	....do	....do	1,000	1,000	....do	250	25	
6414	....do	....do	1,000	1,000	....do	250	25	
6415	....do	....do	1,000	1,000	....do	250	25	
6416	....do	....do	1,000	1,000	....do	250	25	
6417	....do	....do	1,000	1,000	....do	250	25	
6418	....do	....do	1,000	1,000	....do	250	25	
6419	....do	....do	1,000	1,000	....do	250	25	
6420	....do	....do	1,000	1,000	....do	250	25	
6421	....do	....do	1,000	1,000	....do	250	25	
6422	....do	....do	1,000	1,000	....do	250	25	
6423	....do	....do	1,000	1,000	....do	250	25	
6424	....do	....do	1,000	1,000	....do	250	25	
6425	....do	....do	1,000	1,000	....do	250	25	
6426	....do	....do	1,000	1,000	....do	250	25	
6427	....do	....do	1,000	1,000	....do	250	25	
6428	....do	....do	1,000	1,000	....do	250	25	
6429	....do	....do	1,000	1,000	....do	250	25	
6430	....do	....do	1,000	1,000	....do	250	25	
6431	....do	....do	1,000	1,000	....do	250	25	
6432	....do	....do	1,000	1,000	....do	250	25	
6433	....do	....do	1,000	1,000	....do	250	25	
6434	....do	....do	1,000	1,000	....do	250	25	
6435	....do	....do	1,000	1,000	....do	250	25	
6436	....do	....do	1,000	1,000	....do	250	25	
6437	....do	....do	1,000	1,000	....do	250	25	
6438	....do	....do	1,000	1,000	....do	250	25	
6439	....do	....do	1,000	1,000	....do	250	25	
6440	....do	....do	1,000	1,000	....do	250	25	
6441	....do	....do	1,000	1,000	....do	250	25	
6442	....do	....do	1,000	1,000	....do	250	25	
6443	....do	....do	1,000	1,000	....do	250	25	
6444	....do	....do	1,000	1,000	....do	250	25	
6445	....do	....do	1,000	1,000	....do	250	25	
6446	....do	....do	1,000	1,000	....do	250	25	
6447	....do	....do	1,000	1,000	....do	250	25	
6448	....do	....do	1,000	1,000	....do	250	25	
6449	....do	....do	1,000	1,000	....do	250	25	
6450	....do	....do	1,000	1,000	....do	250	25	
6451	....do	....do	1,000	1,000	....do	250	25	
6452	....do	....do	1,000	1,000	....do	250	25	
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List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

NEW YORK

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
5562	Niagara Mohawk Power Corp.	Mar. 22, 1951	$28,500	$28,323	Nov. 28, 1951	$5,500	20	160
5564	do	do	10,572	10,572	do	2,114	20	80
5565	do	do	4,930	4,927	do	985	20	30
6243	Consolidated Edison Co.	Mar. 23, 1951	60,225	60,225	Jan. 19, 1952	31,161	45	320
6244	do	do	45,800	45,800	do	9,160	20	250
6245	do	do	20,700	14,000	do	2,184	20	60
10330	New York State Electric & Gas Co.	May 28, 1951	8,121	8,121	Feb. 20, 1952	1,624	20	60
11628	do	June 7, 1951	7,830	7,023	do	2,668	35	40
12026	do	June 15, 1951	17,142	17,142	do	7,714	45	80
14102	Niagara Mohawk Power Corp.	Aug. 20, 1951	25,200	25,200	Jan. 14, 1952	10,080	40	160
14445	Long Island Lighting Co.	Sept. 10, 1951	17,884	17,884	Apr. 1, 1952	8,573	45	90
14595	Niagara Mohawk Power Corp.	Sept. 20, 1951	2,631	2,631	Jan. 28, 1952	789	30	
14713	Consolidated Edison of New York	Sept. 27, 1951	31,600	31,600	Jan. 22, 1952	14,220	45	160
15177	New York State Electric & Gas Co.	Oct. 19, 1951	64	64	Mar. 14, 1952	19	30	
15302	Niagara Mohawk Power Corp.	Oct. 30, 1951	12,000	11,960	Apr. 9, 1952	4,644	40	80
15483	Central Hudson Gas & Electric Co.	Oct. 31, 1951	10,962	10,962	Mar. 31, 1952	4,385	40	60
17314	Long Island Lighting Co.	Jan. 2, 1952	18,024	18,024	Mar. 14, 1952	9,913	55	90
17095	Niagara Mohawk Power Corp.	Jan. 28, 1952	260	194	July 14, 1952	78	40	
17025	do	Feb. 5, 1952	15,328	15,288	May 7, 1952	4,585	30	80
19045	Long Island Lighting Co.	Apr. 15, 1952	18,173	17,975	June 2, 1952	9,721	55	90
20117	Niagara Mohawk Power Corp.	May 7, 1952	92	92	June 6, 1952	37	40	
20269	Rockland Light Power Co.	May 15, 1952	13,500	13,500	July 16, 1952	7,425	55	60
20270	do	do	555	555	July 18, 1952	222	40	
20271	do	do	2,330	2,327	July 15, 1952	1,281	55	18
20272	do	do	875	853	July 21, 1952	484	55	
20320	Niagara Mohawk Power Corp.	May 20, 1952	78	78	June 17, 1952	31	40	
20531	do	May 28, 1952	76	51	June 24, 1952	21	40	
21130	do	June 2, 1952	130	94	July 3, 1952	58	40	
21565	do	June 30, 1952	3,564	3,962	July 17, 1952	1,189	30	19
22022	do	July 21, 1952	101	101	Aug. 11, 1952	40	40	
22152	New York State Electric & Gas Corp.	Aug. 19, 1952	25,312	25,287	Mar. 6, 1953	11,379	45	108
24431	Niagara Mohawk Power Corp.	Nov. 6, 1952	4,275	4,275	Mar. 26, 1953	1,282	30	22
24489	New York State Electric & Gas Corp.	Feb. 16, 1953	1,847	1,847	Apr. 1, 1953	827	45	
25769	Niagara Mohawk Power Corp.	May 8, 1953	330	330	June 1, 1953	132	40	
25770	do	June 4, 1953	5,784	5,596	July 6, 1954	1,574	30	23
25771	do	do	4,522	4,500	Oct. 27, 1955	1,575	35	15
26186	do	do	4,830	4,815	do	1,685	35	28
26424	do	July 13, 1953	2,200	2,098	Aug. 7, 1953	629	30	
26562	do	Aug. 10, 1953	178	178	Sept. 22, 1953	71	40	
30089	New York State Electric & Gas Corp.	May 12, 1955	1,393	1,374	July 18, 1955	542	40	
30406	Niagara Mohawk Power Corp.	July 14, 1955	2,485	2,463	Aug. 15, 1955	1,117	45	
31149	do	Aug. 12, 1955	433	424	Dec. 12, 1955	170	40	
31290	New York State Electric & Gas Corp.	Dec. 30, 1955	637	627	June 11, 1956	219	35	
		Feb. 20, 1956	597	597	May 4, 1956	269	45	
	Total	do	440,995	433,863		165,617		2,177

NORTH CAROLINA

1392	Nantahala Power Co.	Jan. 10, 1951	$1,225	$1,127	Jan. 16, 1952	$733	65	6
2884	do	Feb. 14, 1951	886	218	Sept. 22, 1951	120	55	3
2885	do	do	172	172	Jan. 16, 1952	111	65	
11610	Carolina Power & Light Co.	June 22, 1951	9,250	9,250	Feb. 15, 1952	5,088	55	70
15063	Nantahala Power Co.	Dec. 20, 1951	2,355	2,355	Jan. 18, 1952	1,531	65	9
18550	Virginia Electric Power Co.	Feb. 28, 1952	1,200	1,200	Mar. 31, 1952	535	45	
18552	do	do	39,745	39,695	Aug. 3, 1953	21,512	65	100
19484	Nantahala Power Co.	Apr. 7, 1952	4,024	4,024	June 3, 1952	2,616	65	9
21128	Carolina Power & Light Co.	June 30, 1952	17,435	17,435	Oct. 8, 1952	11,331	65	100
23413	do	Nov. 24, 1952	13,175	13,175	Jan. 28, 1953	7,246	55	100
24557	do	May 12, 1955	17,925	17,893	July 21, 1955	11,521	65	125
30038	do	Oct. 4, 1955	22,500	22,450	Dec. 12, 1955	13,470	60	157
	Total	do	133,693	129,273		73,853		679

NORTH DAKOTA

26351	Montana Dakota Utilities Co.	July 30, 1953	$6,340	$6,080	Sept. 3, 1953	$3,040	50	25

OHIO

5281	Marietta Electric Co.	Mar. 21, 1951	$107	$107	June 22, 1951	$39	35	
5458	Cleveland Electric Illinois Co.	Mar. 22, 1951	13,935	13,935	Sept. 1, 1951	6,271	45	150
5463	Cincinnati Gas & Electric Co.	do	24,893	24,736	Dec. 28, 1951	8,658	35	160
5464	do	do	15,025	15,025	do	7,513	50	165
5899	Ohio Power Co.	Mar. 22, 1951	17,348	17,216	June 15, 1951	4,304	25	170
5902	do	Apr. 4, 1951	68,241	68,241	do	42,407	65	400
5925	do	do	5,052	5,019	do	2,259	45	
5931	do	do	14,794	14,320	do	9,308	65	
6158	do	Mar. 23, 1951	61	61	Mar. 14, 1952	18	30	
6360	do	do	288	288	Mar. 18, 1953	72	25	
9806	Cleveland Electric Illinois Co.	May 25, 1951	22	22	Sept. 2, 1955	9	40	
10449	Cincinnati Gas & Electric Co.	June 13, 1951	2,119	2,119	Apr. 14, 1952	1,077	55	
11601	Cleveland Electric Illuminating Co.	June 22, 1951	49,256	49,256	Sept. 2, 1955	27,091	55	300
12079	Ohio Edison Co.	July 21, 1951	32,120	31,879	Mar. 15, 1952	11,158	35	242
12842	Cleveland Electric Illuminating Co.	Aug. 17, 1951	880	880	Sept. 2, 1955	176	20	
12843	do	do	35	35	Mar. 17, 1952	9	25	
12844	do	do	27	27	Mar. 13, 1952	5	20	
12845	do	do	64	64	Sept. 2, 1955	13	20	
14008	Ohio Power Co.	Aug. 22, 1951	183	183	Feb. 18, 1952	73	40	
14704	Cincinnati Gas & Electric Co.	Sept. 28, 1951	20,420	20,285	Mar. 26, 1952	13,200	65	125
15701	Cleveland Electric Illuminating Co.	Nov. 8, 1951	600	600	Apr. 29, 1952	240	35	
16285	do	Nov. 15, 1951	28	28	Apr. 30, 1952	10	35	
16704	Ohio Power Co.	Dec. 13, 1951	61	61	Mar. 18, 1952	21	35	
16874	Cincinnati Gas & Electric Co.	Dec. 28, 1951	118	118	Apr. 30, 1952	47	40	

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

OHIO—Continued

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
17278	Ohio Edison Co.	Jan. 3, 1952	$47,740	$47,643	Mar. 31, 1952	$25,566	60	270
17812	Cleveland Electric Illuminating Co.	Jan. 29, 1952	596	596	May 7, 1952	107	20	80
18091	do	Feb. 7, 1952	51	51	Apr. 21, 1952	18	35	
18707	Ohio Power Co.	Feb. 29, 1952	821	726	May 6, 1952	254	35	
18708	American Gas & Electric Service Corp.	do	110	110	July 9, 1952	39	35	
18709	Ohio Power Co.	do	602	581	July 15, 1952	233	40	
19064	Ohio Edison Co.	Mar. 17, 1952	31	31	May 5, 1952	13	42	
20032	do	May 1, 1952	170	170	June 6, 1952	68	40	
20101	do	May 7, 1952	60	60	June 17, 1952	33	55	
20151	Ohio Power Co.	May 9, 1952	316	316	June 10, 1952	126	40	
20152	Ohio Edison Co.	May 12, 1952	2,061	2,048	do	614	30	
20158	do	do	764	751	June 25, 1952	225	30	
20262	Cleveland Electric Illuminating Co.	June 5, 1952	183	183	Sept. 29, 1955	73	40	
20364	Ohio Power Co.	June 20, 1952	344	344	July 7, 1952	189	55	
20671	Cleveland Electric Illuminating Co.	June 23, 1952	29,312	28,709	Oct. 15, 1952	18,661	65	165
21056	Ohio Power Co.	June 26, 1952	291	291	July 15, 1952	116	40	
22148	do	Aug. 26, 1952	357	345	Sept. 11, 1952	224	65	
22542	do	Sept. 24, 1952	848	810	Nov. 17, 1952	445	55	
23854	do	Dec. 18, 1952	245	245	Feb. 16, 1953	135	55	
24071	do	Dec. 31, 1952	3,464	3,464	June 25, 1953	2,251	65	
24231	do	Apr. 17, 1953	710	710	Apr. 24, 1953	390	55	
25503	Toledo Edison Co.	May 11, 1953	28,412	28,412	June 8, 1953	18,468	65	125
25723	Ohio Power Co.	June 2, 1953	14,801	10,944	July 8, 1953	3,830	35	120
25924	do	June 18, 1953	130	113	July 14, 1953	74	65	
26154	Ohio Power Co.	July 9, 1953	1,455	1,146	Aug. 7, 1953	516	45	
26165	do	do	65,296	64,851	Aug. 25, 1953	42,153	65	200
26956	do	Sept. 15, 1953	3,862	3,862	Oct. 28, 1953	2,510	65	
27030	Cleveland Electric Illuminating Co.	Nov. 2, 1953	342	342	Nov. 27, 1953	222	65	
28919	Ohio Power Co.	Jan. 5, 1955	869	869	Apr. 7, 1955	391	45	
28472	Cleveland Electric Illuminating Co.	May 4, 1955	1,342	1,332	June 14, 1955	866	65	
29015	Cincinnati Gas & Electric Co.	June 28, 1955	23,343	23,343	Oct. 14, 1955	15,173	65	177
30285	Ohio Edison Co.	Aug. 1, 1955	17,111	16,976	Dec. 15, 1955	5,942	35	90
30291	Cleveland Edison Illuminating Co.	do	5,487	5,387	Nov. 9, 1955	3,502	65	
30370	Columbus Southern Ohio Electric Co.	Aug. 9, 1955	30,015	30,015	Nov. 29, 1955	19,510	65	125
30405	Cleveland Electric Illuminating Co.	Aug. 12, 1955	30,144	30,144	Nov. 1, 1955	19,593	65	200
30445	do	Aug. 16, 1955	7,630	6,775	Dec. 9, 1955	4,404	65	
30498	Ohio Power Co.	Aug. 30, 1955	61,034	61,034	Nov. 29, 1955	36,620	60	420
30625	Cleveland Electric Illuminating Co.	Nov. 23, 1955	5,672	5,672	Jan. 10, 1956	3,687	65	
30644	Ohio Power Co.	Nov. 29, 1955	2,021	1,756	Feb. 2, 1956	1,142	65	
31020	do	Dec. 21, 1955	340	340	June 7, 1956	168	35	
31021	do	do	343	343	do	120	35	
31056	do	Dec. 27, 1955	553	553	do	187	35	
31127	do	Dec. 30, 1955	474	448	June 8, 1956	157	35	
31133	do	do	120	120	June 11, 1956	42	35	
31135	do	do	150	150	do	52	35	
31152	Ohio Edison Co.	Dec. 29, 1955	76,980	46,151	June 24, 1956	16,153	35	170
32208	do	Feb. 25, 1957	2,524	2,524	Mar. 14, 1957	884	35	
32288	Ohio Power Co.	Feb. 7, 1957	20,152	20,152	Mar. 26, 1957	10,076	50	
32323	Ohio Edison Co.	Feb. 28, 1957	19,195	19,195	do	9,598	50	
32176	Cleveland Electric Illuminating Co.	Dec. 26, 1956	27,471	27,471	do	13,735	50	
	Total		798,218	759,814		375,578		3,610

OKLAHOMA

15869	Public Service Company of Oklahoma	Nov. 6, 1951	$11,751	$11,751	June 20, 1952	$6,463	55	60
21737	do	July 31, 1952	9,008	8,974	Oct. 2, 1952	4,935	55	60
24237	Oklahoma Gas & Electric Co.	Jan. 23, 1953	11,982	11,982	Apr. 22, 1953	7,788	65	105
28570	do	May 16, 1955	17,490	17,445	July 14, 1955	11,339	65	180
30605	do	Dec. 8, 1955	17,317	17,317	Feb. 14, 1956	11,256	65	150
31171	Public Service Company of Oklahoma	Dec. 31, 1955	48,719	48,719	Mar. 29, 1956	31,667	65	392
	Total		116,237	116,188		73,448		947

OREGON

1766	Portland General Electric Co.	Jan. 22, 1951	$22,320	$22,260	Jan. 14, 1952	$14,469	65	108
12913	do	July 10, 1951	2,750	2,750	Dec. 7, 1951	1,375	50	15
18425	California Oregon Power Co.	Feb. 11, 1952	37,820	36,873	May 14, 1952	23,963	65	193
24718	Portland General Electric Co.	Mar. 3, 1953	4,800	4,294	Apr. 2, 1953	2,791	65	
30294	do	Aug. 1, 1955	4,250	4,250	Dec. 15, 1955	2,762	65	25
30295	do	do	13,300	13,300	Dec. 6, 1955	8,645	65	50
31080	California Oregon Power Co.	Dec. 27, 1955	13,903	13,871	Feb. 29, 1956	9,016	65	80
	Total		99,143	97,598		63,021		471

PENNSYLVANIA

5005	Pennsylvania Power Co.	Mar. 21, 1951	$13,207	$13,077	July 13, 1951	$4,577	35	85
5558	Pennsylvania Power & Light Co.	Mar. 23, 1951	24,599	24,599	July 10, 1951	6,150	25	100
9637	Philadelphia Electric Co.	May 17, 1951	45,000	44,200	Feb. 27, 1952	24,310	55	250
12042	do	June 14, 1951	2,520	2,520	Sept. 17, 1952	695	24	
12477	Pennsylvania Power & Light Co.	June 25, 1951	36,907	36,907	Apr. 9, 1952	20,299	55	125
13027	do	Aug. 7, 1951	1,185	1,185	Mar. 19, 1952	415	35	
14038	Philadelphia Electric Co.	Sept. 10 1951	2,890	2,890	Feb. 27, 1952	1,573	55	
14908	do	Jan. 23, 1952	27,000	27,000	Mar. 26, 1952	14,850	55	150
15902	Pennsylvania Power & Light Co.	Oct. 26, 1951	32,457	32,210	Apr. 30, 1952	14,494	45	133
16017	Pennsylvania Water Power Co.	Oct. 31, 1951	1,193	1,193	Apr. 11, 1952	656	55	
16439	do	Nov. 1, 1951	13,591	13,591	Apr. 4, 1952	6,116	45	60
16211	West Penn Power Co.	Nov. 26, 1951	20,332	19,023	July 22, 1952	9,512	50	125
16885	Pennsylvania Power Co.	Dec. 28, 1951	88	88	June 23, 1952	17	30	
16883	do	do	80	80	Mar. 20, 1952	20	25	
16887	do	do	29	29	Apr. 30, 1952	12	40	
17147	West Penn Power Co.	Jan. 2, 1952	669	664	Apr. 29, 1952	266	40	
17513	Philadelphia Electric Co.	do	30,500	30,207	May 8, 1952	9,062	30	200

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

PENNSYLVANIA—Continued

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
17081	West Penn Power Co	Feb. 5, 1952	$558	$558	Apr. 3, 1952	$195	35	
20866	Pennsylvania Electric Co	May 6, 1952	39,876	39,726	July 15, 1952	20,484	51	250
20935	do	May 28, 1952	7,175	7,150	July 16, 1952	3,709	53	
23849	West Penn Power Co	June 19, 1952	1,491	1,491	July 24, 1952	671	45	
23288	Pennsylvania Power Co	Nov. 14, 1952	31	31	Jan. 15, 1953	11	35	
25219	do	Apr. 16, 1953	33	32	May 15, 1953	11	35	
25533	West Penn Power Co	May 13, 1953	580	565	July 6, 1953	226	40	
25343	Philadelphia Electric Co	May 14, 1953	8,466	7,685	July 3, 1953	2,305	30	
25728	West Penn Power Co	June 2, 1953	340	340	June 25, 1953	136	40	
26711	Pennsylvania Power & Light Co	Sept. 18, 1953	20,475	20,475	July 19, 1955	13,309	65	133
28580	West Penn Power Co	Aug. 19, 1954	373	368	May 8, 1956	129	35	
29011	Pennsylvania Power & Light Co	June 28, 1955	2,966	2,971	Oct. 20, 1955	1,918	65	
30331	West Penn Power Co	Aug. 3, 1955	26,346	26,260	Dec. 8, 1955	9,191	35	165
30399	Pennsylvania Power & Light Co	Aug. 10, 1955	4,210	4,210	do	2,736	65	
30484	Pennsylvania Power Co	Aug. 26, 1955	19,161	19,079	do	6,678	35	90
30720	West Penn Power Co	Nov. 2, 1955	1,747	1,747	Dec. 15, 1955	611	35	
31084	do	Dec. 27, 1955	690	690	Apr. 27, 1956	242	35	
31107	do	Dec. 29, 1955	475	475	do	166	35	
31116	do	Dec. 30, 1955	24,820	24,820	Feb. 14, 1956	13,651	55	165
31174	do	Dec. 27, 1955	485	485	May 4, 1956	170	35	
31175	do	do	400	400	May 17, 1956	140	35	
31176	do	do	530	525	May 3, 1956	184	35	
31179	do	Dec. 29, 1955	306	306	May 15, 1956	107	35	
31180	do	do	520	520	do	182	35	
	Total		414,241	410,347		160,145		2,031

SOUTH CAROLINA

7515	South Carolina Electric & Gas Co	Mar. 26, 1951	$8,371	$8,667	Feb. 29, 1952	$1,173	20	40
7516	do	do	260	260	do	52	20	
7518	do	do	1,254	1,254	do	251	20	
16929	do	Jan. 15, 1952	104	104	Mar. 19, 1952	21	20	
16892	South Carolina Generating Co	Dec. 28, 1951	24,103	24,048	Mar. 14, 1952	10,822	45	150
16803	South Carolina Electric & Gas Co	do	105	85	do	17	20	
16804	do	do	165	165	Feb. 29, 1952	33	20	
18804	do	Mar. 3, 1952	190	190	Jan. 6, 1953	95	50	
19288	do	Mar. 27, 1952	20	20	Apr. 29, 1952	10	40	
20754	do	June 9, 1952	225	225	July 16, 1952	101	45	
23365	do	Nov. 19, 1952	44	44	Jan. 5, 1953	20	45	
25827	South Carolina Generating Co	June 10, 1953	16,926	16,926	July 28, 1953	9,309	55	100
30956	South Carolina Electric & Gas Co	Dec. 13, 1955	34,571	34,571	Feb. 10, 1956	22,471	65	250
32112	do	Dec. 4, 1956	1,151	1,151	Feb. 6, 1957	633	55	
32113	South Carolina Generating Co	do	213	213	do	117	55	
	Total		87,708	84,919		45,105		540

SOUTH DAKOTA

6236	Northern States Power Co	Mar. 23, 1951	$3,320	$3,320	June 27, 1951	$830	25	20
22539	Black Hills Power & Light Co	Sept. 24, 1952	142	126	Nov. 12, 1952	71	56	
	Total		3,462	3,446		901		20

TENNESSEE

5930	Appalachian Electric Power Co	Apr. 4, 1951	$212	$212	June 15, 1951	$53	25	
20300	Knoxville Power Co	May 19, 1952	1,819	1,810	June 24, 1952	508	65	
30156	Kingsport Utilities, Inc	July 19, 1955	1,621	1,602	Oct. 20, 1955	1,041	65	
32283	Appalachian Electric Power Co	Feb. 19, 1957	760	760	Mar. 14, 1957	296	35	
	Total		4,412	4,384		1,888		0

TEXAS

5732	Southwestern Public Service Co	Mar. 22, 1951	$4,394	$4,394	June 27, 1951	$1,099	25	38
5733	do	do	264	264	do	66	25	
5734	do	do	217	217	do	54	25	
5883	do	do	16,779	16,510	Jan. 17, 1952	9,081	55	150
6283	West Texas Utilities Co	Mar. 23, 1951	141	141	Mar. 17, 1952	28	20	
12052	do	June 14, 1951	108	108	Mar. 18, 1952	22	20	
12892	El Paso Electric Co	July 9, 1951	405	401	Feb. 4, 1952	288	65	
13100	West Texas Utilities Co	Oct. 16, 1951	145	118	July 21, 1952	29	25	
13181	Central Power & Light Co	Oct. 19, 1951	5,241	5,241	May 22, 1952	2,092	40	30
13211	El Paso Electric Co	Oct. 24, 1951	1,591	1,575	Mar. 13, 1952	315	20	
13485	Southwestern Public Service Co	Oct. 31, 1951	7,127	7,093	May 8, 1952	3,601	55	50
13486	do	do	7,050	7,030	do	3,899	55	50
13593	West Texas Utilities Co	Oct. 27, 1951	4,400	4,375	May 29, 1952	2,406	55	80
13626	do	Oct. 30, 1951	3,954	3,954	do	2,173	55	80
16507	Texas Power & Light Co	Dec. 11, 1951	11,000	11,000	Apr. 22, 1952	6,050	55	60
17114	Milan Transmission Co	Jan. 7, 1952	1,000	1,000	May 20, 1952	850	85	
18209	Texas Electric Service Co	Feb. 14, 1952	7,500	7,500	Apr. 15, 1952	4,875	65	60
18210	do	do	15,000	14,167	Apr. 30, 1952	9,209	65	115
18296	Texas Power & Light Co	Feb. 15, 1952	2,569	2,569	Apr. 1, 1952	1,170	45	
18504	do	Feb. 29, 1952	12,650	12,650	Apr. 15, 1953	8,222	65	100
18675	do	do	3,912	3,912	do	2,543	65	
18767	Houston Lighting Power Co	Mar. 4, 1952	22,624	22,447	Apr. 14, 1952	13,468	60	200
18771	West Texas Utilities Co	do	914	914	June 13, 1952	366	40	5
18839	Southwestern Public Service Co	Mar. 5, 1952	1,269	1,269	May 7, 1952	695	55	
19054	Dallas Power & Light Co	Mar. 17, 1952	8,860	8,860	Apr. 15, 1952	5,759	65	60
19641	Gulf States Utility Co	Apr. 15, 1952	216	216	May 28, 1952	43	20	
20192	Southwestern Gas & Electric Co	May 13, 1952	6,887	6,884	July 10, 1952	3,786	55	40
20926	Southwestern Public Service Co	June 3, 1952	713	678	Jan. 9, 1953	203	30	
20927	do	do	756	756	July 18, 1952	416	55	

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

TEXAS—Continued

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
20964	Central Power & Light Co	June 4, 1952	$185	$185	July 10, 1952	$102	55	
20847	do	June 13, 1952	231	231	July 7, 1952	81	35	
21597	West Texas Utility Co	July 22, 1952	73	73	Aug. 15, 1952	40	55	
24360	do	do	101	101	Aug. 12, 1952	40	55	
21490	do	do	427	427	do	235	55	
22919	Central Power & Light Co	Aug. 18, 1952	8,159	8,047	Nov. 26, 1952	3,621	45	60
22577	do	Sept. 4, 1952	1,529	1,447	Jan. 9, 1953	579	40	
22804	West Texas Utility Co	Oct. 20, 1952	3,945	3,945	Feb. 20, 1953	2,170	55	30
23577	Central Power & Light Co	Dec. 9, 1952	3,274	3,187	Feb. 2, 1953	1,275	40	
23058	Dallas Power & Light Co	Dec. 30, 1952	11,100	11,100	Apr. 3, 1953	7,215	65	115
24205	Texas Power & Light Co	Jan. 21, 1953	17,500	17,500	May 26, 1953	11,375	65	145
24300	do	Jan. 29, 1953	2,110	2,110	May 25, 1953	1,372	65	
24760	Southwestern Gas & Electric Co	Feb. 27, 1953	8,610	8,610	Apr. 7, 1953	4,305	50	60
24837	Southwestern Public Service Co	Mar. 13, 1953	12,850	12,850	May 12, 1953	7,067	55	110
24838	do	do	485	485	May 5, 1953	267	55	
24895	Houston Lighting & Power Co	Mar. 17, 1953	16,300	16,070	May 21, 1953	10,445	65	125
24885	Southwestern Public Service Co	do	371	371	May 4, 1953	204	55	
25445	West Texas Utilities Co	May 5, 1953	816	816	July 3, 1953	245	30	5
25449	Central Power & Light Co	do	6,927	6,927	June 29, 1953	3,810	55	60
25644	do	May 25, 1953	4,469	4,469	July 28, 1953	2,458	55	30
25818	Southwest Public Service Co	June 4, 1953	565	565	July 10, 1953	311	55	
26724	Texas Electric Service Co	Sept. 21, 1953	15,500	15,500	Oct. 14, 1955	10,075	65	165
26942	West Texas Utilities Co	Sept. 29, 1955	137	112	June 2, 1955	62	55	
24507	Dallas Power & Light Co	May 6, 1955	13,100	13,100	Nov. 9, 1955	8,515	65	125
26535	Houston Lighting & Power Co	May 11, 1955	17,785	16,284	Oct. 14, 1955	8,956	55	150
26690	Texas Power & Light Co	June 1, 1955	18,460	18,460	Oct. 18, 1955	11,999	65	165
26691	do	do	6,320	6,173	do	4,012	65	
30151	Texas Electric Service Co	July 19, 1955	11,120	11,120	Oct. 20, 1955	7,228	65	
30230	Central Power & Light Co	July 26, 1955	7,412	7,412	Mar. 15, 1956	4,077	55	60
30789	Houston Light & Power Co	Nov. 16, 1955	14,390	14,390	Jan. 10, 1956	5,036	35	125
31077	Central Power & Light Co	Dec. 27, 1955	1,710	1,710	Apr. 16, 1956	941	55	
31085	do	do	8,513	8,513	do	2,980	35	
31093	do	do	450	450	July 29, 1956	248	55	60
31094	do	do	494	491	Apr. 16, 1956	271	55	
31721	do	July 31, 1956	824	646	Aug. 24, 1956	226	35	
	Total		361,949	360,026		195,730		2,704

VIRGINIA

5928	Appalachian Electric Power Co	June 4, 1951	$361	$361	June 15, 1951	$90	25	
5929	do	do	3,101	3,101	do	775	25	
5934	Virginia Electric Power Co	Mar. 22, 1951	2,650	2,650	June 9, 1951	663	25	
5935	do	do	3,000	3,000	do	750	25	40
5936	do	do	9,892	9,200	do	2,300	25	60
5937	do	do	2,965	2,955	do	739	25	
5938	do	do	14,390	13,600	do	7,480	55	90
5939	do	do	2,200	2,200	do	1,210	55	
5941	do	do	17,500	17,100	do	9,405	55	90
5942	do	do	825	823	do	206	25	
6961	Appalachian Electric Power Co	Mar. 23, 1951	932	932	Mar. 14, 1952	280	30	
13040	American Gas & Electric Service Corp	July 16, 1951	413	338	Mar. 17, 1952	84	25	
13075	Virginia Electric Power Co	July 19, 1951	4,195	4,185	June 9, 1952	2,302	55	
13070	Appalachian Electric Power Co	Aug. 9, 1951	601	508	Feb. 15, 1952	102	20	
13550	Northern Virginia Power Co	Oct. 30, 1951	384	319	Apr. 28, 1952	64	20	
17288	Appalachian Electric Power Co	Jan. 10, 1952	299	299	Mar. 31, 1952	48	20	
18544	Virginia Electric Power Co	Feb. 28, 1952	60	60	do	33	55	
18545	do	do	170	170	do	70	45	
18546	do	do	1,300	1,300	June 25, 1952	585	45	
18547	do	do	14,720	14,500	Apr. 21, 1952	5,075	35	90
19145	Potomac Electric Power Co	Mar. 21, 1952	16,000	16,000	Apr. 28, 1952	6,400	40	90
21896	Appalachian Electric Power Co	Aug. 7, 1952	209	209	Sept. 3, 1952	83	40	
20086	Virginia Electric Power Co	Oct. 31, 1952	440	440	Nov. 28, 1952	198	45	
25451	do	May 5, 1953	15,200	15,200	June 16, 1953	5,320	35	100
25671	Potomac Electric Power Co	May 27, 1953	14,000	14,000	July 28, 1953	5,600	40	90
25183	Appalachian Electric Power Co	July 9, 1953	31,032	28,655	Sept. 28, 1954	19,282	65	200
25388	do	Aug. 4, 1953	3,268	3,268	Sept. 16, 1953	1,471	45	
25937	Virginia Electric Power Co	May 23, 1955	650	650	Oct. 6, 1955	422	65	
25938	do	do	23,800	23,410	do	15,226	65	150
25992	do	June 1, 1955	21,500	21,500	Sept. 13, 1956	7,525	35	150
30797	do	Nov. 17, 1955	1,039	1,039	Jan. 10, 1956	623	60	
30798	do	do	23,800	23,800	do	14,280	60	150
30853	do	Dec. 2, 1955	629	627	Feb. 2, 1956	407	65	
30892	do	do	4,400	4,400	do	2,860	65	
30893	do	do	968	968	do	629	65	
30894	do	do	811	811	do	527	65	
30895	do	do	531	531	do	345	65	
30892	Appalachian Electric Power Co	Dec. 6, 1955	720	720	Feb. 14, 1956	468	65	
30944	Virginia Electric Power Co	Dec. 12, 1955	2,100	2,025	Mar. 23, 1956	1,316	65	
30976	Appalachian Electric Power Co	Dec. 16, 1955	65,034	64,984	Feb. 29, 1956	42,239	65	450
31055	do	Dec. 27, 1955	967	967	May 1, 1956	338	35	
31125	do	Dec. 30, 1955	572	572	June 21, 1956	193	35	
31131	do	do	250	250	June 5, 1956	88	35	
31689	North Virginia Power Co	July 16, 1956	530	730	Aug. 31, 1956	292	55	
	Total		308,178	304,117		158,409		1,750

UTAH

11907	Utah Power & Light Co	June 29, 1951	$171	$171	Mar. 19, 1952	$68	40	
28468	do	Sept. 10, 1954	2,283	2,283	Jan. 3, 1955	1,826	80	
	Total		2,454	2,454		1,894		0

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

VERMONT

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
4907	Central Vermont Public Service Corp.	Mar. 20, 1951	$2,123	$1,988	July 20, 1951	$497	25	6
16184	do	Nov. 26, 1951	2,300	2,300	Apr. 9, 1952	690	30	10
23085	Citizens Utilities Co.	Aug. 21, 1952	621	621	June 12, 1953	248	40	3
29404	do	Apr. 22, 1955	87	87	June 2, 1955	35	40	----------
30555	do	Sept. 14, 1953	400	400	Nov. 27, 1955	180	45	2
	Total		5,531	5,396		1,650		21

WASHINGTON

2617	Pacific Power & Light Co.	Feb. 9, 1951	$26,450	$26,170	June 9, 1961	$19,628	75	100
18860	Washington Water Power Co.	Mar. 6, 1952	155	143	Apr. 2, 1952	50	35	----------
30082	Pacific Power & Light Co.	Aug. 9, 1955	63,720	63,426	Dec. 8, 1955	41,227	65	303
31060	do	Dec. 22, 1955	5,071	5,071	Apr. 9, 1956	3,296	65	50
	Total		95,402	94,810		64,201		453

WEST VIRGINIA

5275	Monongahela Power Co.	Mar. 21, 1951	$52	$52	June 22, 1951	$13	25	----------
5277	do	do	9,896	9,896	do	2,474	25	75
5280	do	do	41	41	do	10	25	----------
5698	Appalachian Electric Power Co.	Mar. 22, 1951	16,210	16,210	June 13, 1951	4,053	25	150
5901	do	do	61,511	60,987	do	31,951	52	440
5927	do	do	2,814	2,814	do	1,266	45	----------
7852	American Electric Service Co.	Apr. 4, 1951	231	231	Aug. 8, 1951	150	65	----------
7853	American Gas & Electric Service Corp.	do	345	345	July 13, 1951	224	65	----------
12868	do	July 2, 1951	179	174	Feb. 13, 1952	34	20	----------
14127	Potomac Edison Co.	Aug. 27, 1951	13,398	13,337	Mar. 26, 1952	5,335	40	60
14128	Monongahela Power Co.	do	14,022	14,022	do	5,609	40	60
14157	Appalachian Electric Power Co.	Aug. 29, 1951	184	184	May 7, 1952	65	35	----------
15054	American Gas & Electric Service Corp.	Oct. 11, 1951	89	89	Feb. 14, 1952	18	20	----------
15549	Potomac Light & Power Co.	Oct. 30, 1951	34	26	Apr. 30, 1952	5	20	----------
15564	Monongahela Power Co.	do	128	119	May 7, 1952	48	40	----------
17512	Appalachian Electric Power Co.	Dec. 28, 1951	68	60	Mar. 31, 1952	24	40	----------
17553	Monongahela Power Co.	Jan. 24, 1952	41	38	May 7, 1952	15	40	----------
18706	Appalachian Electric Power Co.	Feb. 29, 1952	1,442	1,312	May 28, 1952	525	40	----------
18713	do	do	75	75	July 15, 1952	30	40	----------
18714	do	Apr. 22, 1952	174	174	June 23, 1952	69	40	----------
20450	Potomac Light & Power Co.	May 23, 1952	1,666	1,223	June 26, 1952	611	50	----------
20520	Wheeling Electric Co.	May 27, 1952	97	92	July 2, 1952	32	35	----------
20650	West Penn Power Co.	June 4, 1952	244	244	do	98	40	----------
20948	Monongahela Power Co.	June 19, 1952	17,082	16,982	July 18, 1952	7,567	45	125
21299	Wheeling Electric Co.	July 8, 1952	74	64	Aug. 1, 1952	22	35	----------
23187	do	Nov. 7, 1952	472	466	Feb. 5, 1953	163	35	----------
23855	Appalachian Power Co.	Dec. 18, 1952	245	245	Feb. 16, 1953	135	55	----------
24099	do	Dec. 31, 1952	8,535	8,215	June 4, 1953	5,340	65	----------
26567	Ohio Power Co.	Sept. 1, 1953	627	227	Oct. 28, 1953	102	45	----------
26568	Appalachian Power Co.	do	410	176	do	79	45	----------
27846	Wheeling Electric Co.	Apr. 13, 1954	485	485	Oct. 11, 1955	170	35	----------
28655	Monongahela Power Co.	Oct. 29, 1954	570	570	Mar. 29, 1955	256	45	----------
29219	Appalachian Electric Power Co.	Mar. 15, 1955	1,166	1,166	Apr. 13, 1955	758	65	----------
29733	Ohio Power Co.	June 7, 1955	284	284	Aug. 15, 1955	185	65	----------
29734	Appalachian Electric Power Co.	do	1,059	1,059	do	688	65	----------
30134	Indiana-Michigan Electric Co.	July 19, 1955	83,318	83,318	Oct. 14, 1955	54,156	65	450
30497	Appalachian Electric Power Co.	Aug. 30, 1955	71	71	Dec. 8, 1955	43	60	----------
30943	Potomac Edison Co.	Dec. 12, 1955	610	610	Apr. 5, 1956	366	55	----------
30952	Ohio Power Co.	Dec. 13, 1955	30,792	30,792	Feb. 14, 1956	20,015	65	225
30953	Wheeling Electric Co.	do	1,995	1,995	do	1,297	55	----------
30989	Monongahela Power Co.	Dec. 22, 1955	512	512	Feb. 27, 1956	179	35	----------
31040	do	do	440	440	Feb. 10, 1956	172	35	----------
31041	do	do	506	506	do	191	35	----------
31042	do	do	284	284	Feb. 14, 1956	103	35	----------
31043	do	do	320	320	do	112	35	----------
31044	do	do	53	53	do	19	35	----------
31045	do	do	225	225	do	79	35	----------
31046	do	do	171	171	Mar. 23, 1956	60	35	----------
31128	Appalachian Electric Power Co.	Dec. 30, 1955	300	300	June 8, 1956	105	35	----------
31182	do	do	554	554	June 7, 1956	194	35	----------
31930	Potomac Light & Power Co.	July 16, 1956	2,525	2,525	Aug. 31, 1956	1,389	55	----------
32129	Monongahela Power Co.	Dec. 7, 1956	271	271	Feb. 6, 1957	129	55	----------
	Total		276,620	274,366		146,027		1,545

WISCONSIN

10189	Wisconsin Electric Power Co.	June 7, 1951	$25,142	$25,142	Feb. 15, 1952	$8,800	35	120
14016	Lake Superior District Power Co.	Oct. 2, 1951	3,342	3,245	Mar. 18, 1952	973	30	20
16016	Wisconsin Power & Light Co.	Oct. 30, 1951	13,257	13,247	May 27, 1952	7,286	55	60
21547	do	do	3,802	3,795	Feb. 29, 1952	2,087	55	----------
22153	Wisconsin Electric Power Co.	Aug. 26, 1952	21,208	20,803	Dec. 23, 1952	8,157	40	120
24059	Northern States Power Co.	Mar. 23, 1953	1,565	1,565	May 6, 1954	626	40	----------
28805	Wisconsin Power & Light Co.	Dec. 16, 1952	11,000	11,000	Mar. 24, 1953	6,050	55	60
	Total		79,416	78,984		33,979		380

WYOMING

30383	Pacific Power & Light Co.	Aug. 9, 1955	$22,950	$22,950	Dec. 15, 1955	$14,918	65	100

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MURRAY. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I should like to say, first, that I did not want a perfectly good argument to go on without having a chance to get into it. Secondly, I noticed there was a comment made to the effect that the Idaho Power Co. said this project would not cost the Government a dime. I think that is true. It has cost the Government $83 million. There is no dime involved, unless it is the cost of a special-delivery letter.

Also, I wish to say I think it is very well that the list of the utilities has been placed in the RECORD showing the companies that have had the privilege of tax writeoffs. It will be found that those companies have shared very generously in tax writeoffs, but there is a little difference between utilities that have to rely, for example, on steam production, or power from coal or oil or gas, and those that have hydroelectric plants, because a hydroelectric site such as on the Snake River or Hells Canyon is a God-given natural resource that belongs to the people, but an electric production unit that is built near Philadelphia or Detroit or New York City, where there is no hydroelectric facility, where there is no public-owned coal mine or gas well, is an entirely different proposition.

I am glad there was put into the RECORD the list of companies which have not had to pay taxes, because one way to reduce taxes is to have some people pay the taxes they ought to pay.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MANSFIELD. Sitting in the Chamber at the present time is the distinguished chairman of the Senate Finance Committee, who had requested that there be no further fast tax writeoffs until his committee had a chance to look into this matter. His distinguished colleague, the junior Senator from Virginia [Mr. ROBERTSON], who is on the Banking and Currency Committee, had made a similar request. So I think we should look into this matter.

As to the list which the Senator from Utah put into the RECORD, showing all the utilities which have received the fast tax writeoff, I think it was a good idea to put the list in the RECORD. I think people ought to know about it, and one way is to publicize it. I think the senior Senator from Montana did exactly the right thing in agreeing that the list of the Senator from Utah be printed in the RECORD.

Mr. MURRAY. Mr. President, I yield the floor.

INTEREST CHARGES ON CERTAIN DEPOSITS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 601) relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund which were, to strike out all after the enacting clause and insert:

That section 4 (e) of the Civil Service Retirement Act, as amended, is amended by adding at the end thereof the following: "No interest shall be charged for any period of separation from the service which began before October 1, 1956."

SEC. 2. Section 403 of the Civil Service Retirement Act Amendments of 1956 (70 Stat. 760; 5 U. S. C. 2251, note) is amended by adding at the end thereof the following sentence: "The beginning date of the annuity of the surviving widow of any Member described in the immediately preceding sentence who shall have died on or after January 1, 1957, shall be the first day of the month in which such member shall have died or the first day of the month in which this sentence is enacted, whichever day occurs later.".

SEC. 3. The amendment made by the first section of this act shall take effect as of October 1, 1956.

And to amend the title so as to read: "An act relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, and for other purposes."

Mr. JOHNSTON of South Carolina. Mr. President, I move that the Senate concur in the amendments of the House.

Mr. WATKINS. Mr. President——

Mr. JOHNSTON of South Carolina. I have already cleared this with everybody having an interest. I cleared it with the Senator from California [Mr. KNOWLAND] and the Senator from Kansas [Mr. CARLSON].

Mr. WATKINS. The Senator desires to have that fact in the RECORD, that he has cleared this matter?

Mr. JOHNSTON of South Carolina. I have cleared it with the majority and with the minority, and also with the ranking minority member of the Committee on Post Office and Civil Service.

The bill was reported by the committee and passed by the Senate. When the bill went to the House, the House passed the bill but added an amendment relating to the survivorship benefits of widows of certain former Members of the House.

Mr. WATKINS. What is the effect of the amendment?

Mr. JOHNSTON of South Carolina. The amendment makes the monthly benefits available at once instead of at age 50. A similar change was made recently with respect to the survivalship benefits of certain former Members of the Senate. The effect of the amendment is to establish an equitable result.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. The amendment of the House would amend the bill the Senate passed setting the date of October 1, 1956, as it related to widows of Members of Congress who had passed away, and the fact that they did not have to attain the age of 50 or have minor children in order to receive these benefits.

As has been mentioned, for the widows of Members of Congress passing away after October 1, 1956, there would have been no question. The bill will affect only 1 or 2 persons. I sincerely hope it will be approved by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

CONSTRUCTION OF HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. CHURCH obtained the floor.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. CHURCH. I yield to the Senator from Oregon.

Mr. NEUBERGER. I know that the address about to be made will represent the first major address delivered by the distinguished junior Senator from Idaho during his career in the Senate, and I believe there should be a quorum call prior to its presentation. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NEUBERGER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. I speak today with a heavy heart. I rise to urge the passage of the Hells Canyon bill, knowing that the position I must take is at odds with the viewpoint of many of my constituents in Idaho. This is the first occasion I have taken to speak at length on the floor of the Senate. Would that my cause were not torn by controversy at home so that I might feel strengthened in the knowledge that my advocacy today enjoyed the undivided support and general approbation of my beloved State.

But I must speak of facts, Mr. President, and it is a regrettable fact that the pending measure has divided the people of Idaho into hostile camps; it is a regrettable fact that a determined and resourceful indoctrination campaign has been waged against this bill, and many in my State have been taught to believe that the Hells Canyon Dam is a threat to Idaho. Fears have been cleverly exploited. Partisanship has been permitted to distort the real issues at stake. Groundless scare arguments have been relentlessly repeated. Indeed, Mr. President, some have been deluded to the point where they now assert that the future development of our great public rivers can safely be entrusted only to private interests.

Who will deny the effectiveness of this campaign? It has penetrated into the highest councils of the Government. It has broken the long tradition, honored from the days of Theodore Roosevelt, of bipartisan support for comprehensive Government development of our great rivers—a tradition that has served the people well and contributed much to the building of the West.

Mr. President, the mischief of this campaign is that it extends far beyond the proposed Hells Canyon Dam. The

bill before us is a battleground that has summoned forth all the special interests who would obstruct public development of our natural resources. This is the test case. The arguments now urged against the Hells Canyon Dam can be later urged with equal force against any proposed Government dam wherever it may be located. Should these arguments prevail, grave will be our injury, for much of our precious water will be wasted, and the future growth of the West itself imperiled. This is our last chance to undo the wrong now being worked in Hells Canyon. So I plead with the Senate, especially with my Republican colleagues across the aisle, to set aside partisan considerations and solemnly reappraise the arguments that have been urged upon us against this bill.

These arguments I would summarize as follows:

I. THE "CONGRESS OUGHT NOT TO MEDDLE" ARGUMENT

We are told, Mr. President, that Congress ought not to intervene in Hells Canyon, because the Federal Power Commission, after lengthy hearings, has approved the plan of the Idaho Power Co. for development of this crucial stretch of the Snake River; that this plan meets the test of comprehensive development imposed by the law, since the licenses issued to Idaho Power have been upheld by the courts.

I submit that this argument is misleading. It is at most a recital of past history. The issue before the Congress is very different from that which faced the Federal Power Commission or the courts. We must decide which is the best development for the people at the Hells Canyon site; whether it is a single high dam, as proposed in the pending bill, or the three lower dams, as provided in the licenses issued. No such decision confronted the Federal Power Commission. It was never called upon to choose between these alternative plans. When this administration ordered the Interior Department to withdraw from the proceedings before the Commission, back in May of 1953, its endorsement of the Hells Canyon Dam as an alternative to the plan offered by the Idaho Power Co., was likewise withdrawn. The only decision really left to the Commission was either to approve or reject the application of a private utility to build three power dams in the Hells Canyon.

To be sure, there are many of us who felt that the Commission ought to have rejected the application, since the law prescribed that the Commission should grant licenses only for dams best adapted to a comprehensive plan for improving or developing a waterway (see title 16 United States Code, section 803), and we had come to believe that the comprehensive plan adopted for the Columbia-Snake River Basin was that embraced by the historic 308 report of the Army engineers. Previously, this master plan had been adhered to, and it called for construction of a single, high dam in the Hells Canyon. However, the Commission determined that it was free to depart from any given master plan, and that it might issue valid licenses to the Idaho Power Co. The courts have now confirmed this determination by declaring lawful the licenses issued to the private utility. But neither the courts, nor the Commission, have, at any time, been called upon to decide between a high Government dam, of the kind contemplated in the bill now before the Senate, and the three dams licensed to be built by Idaho Power. Indeed, the Commission's own examiner, who presided over the extended hearings, expressly excluded the Hells Canyon Dam from consideration, upon the theory that Congress would not approve it, even though he found that * * * "the high dam would be dollar for dollar the better investment and the more nearly ideal development of the Middle Snake." (See page 55, opinion of Federal Power Commission examiner, William J. Costello, rendered May 6, 1955.)

So, Mr. President, it simply makes no sense to say that Congress ought not to substitute its judgment for that of the Federal Power Commission and the courts. We face an entirely different issue here. We alone have the opportunity of selecting between two alternative plans for the development of the Hells Canyon reach of the Snake River. Ours is the duty to choose that plan which best promotes the interests of the people.

II. THE SPARE-THE-TAXPAYER ARGUMENT

Mr. President, how often we have read, in expensive advertisements paid for by those of us who buy our electricity from private utilities, that the Idaho Power Co. should be allowed to build its three dams in the Hells Canyon, because these will be financed without any cost to the taxpayer. From the first days, this theme has figured large in the arguments of those who favor the private dams. The theme was stressed in the opening statement of Mr. Pat Parry, counsel for the Idaho Power Co., at the FPC hearings, on July 7, 1953, when he described the applicant's plan in these words:

> The overall project encompassed in the three plants is by no means a small one. The applicant is here before you asking the privilege of constructing, solely with its own money and without one cent of cost to the taxpayers of the United States, a great multipurpose project, along with an integrated hydroelectric project of large capacity.

It is plain that the Federal Power Commission was heavily influenced by this argument, for in its opinion No. 283, which accompanied its decision to issue licenses to the Idaho Power Co., there will be found the following statements:

> However, under existing law, these public purposes will be realized without expense to the United States to the extent that the projects are constructed by a non-Federal entity.
>
> Development by applicant of the Hells Canyon reach of the Snake River would provide 1 million acre-feet of flood-control storage and the required streamflow regulation in aid of navigation on the lower river at no cost to the United States.

Mr. President, nearly 2 years before this opinion was rendered, the Idaho Power Co. had applied for rapid writeoff tax amortization certificates on these very projects. The certificates have now been issued, and the myth that the private dams in Hells Canyon will cost the taxpayers nothing is at last exposed. What will be the cost to the taxpayers for just 2 of the 3 private dams? I can cite no more authentic figures than those given to the Senate Antimonopoly Subcommittee, on May 31, 1957, by Russell C. Rainwater, chief accountant for the Federal Power Commission, the same agency, if you please, that earlier had given such easy assurances that the private dams would entail no cost whatever to the taxpayers of the country. Mr. Rainwater now testifies that the cost to the taxpayers on just 2 of these 3 private dams will be $83,595,827.

I ask, Mr. President, What it is that the taxpayers will buy with this immense public subsidy? A four-fifths part, as Mr. Rainwater computes it, of the Oxbow and Brownlee Dams? Oh, no, indeed! However large the price to the taxpayer, he will get nothing for it—not a single penstock or headgate—no interest at all in the dams, no return at all for his money. If this is not giveaway, what else could it be?

I am astonished at the effort made in the minority views to somehow gloss over this giveaway of tax money upon the theory that the private dams will generate electricity which may be useful for national defense purposes. Since when has this been an excuse for special tax privileges? The young men of the country who are drafted into our armed services each year and the women who volunteer are certainly useful to our national defense. We do not give them any tax concessions. Our farmers are producing food and fiber, just as useful as electricity in times of war for the sustained defense of our country. Yet we make no special tax concessions, on this account, to the farmers. What, may I ask, is not useful, in one way or another, to national defense? Precious little! How extraordinary, then, is this attempt to excuse an enormous tax concession by the artifice that electricity may be useful to national defense.

Yes, I am fully aware that the law permits the Office of Defense Mobilization to authorize rapid tax writeoff privileges for certain designated taxpayers. This law was first enacted during World War II, and reenacted during the Korean war, for the single purpose of encouraging the investment of risk capital in needed warplant expansion. Providing an inducement to investors who would risk their capital for uses specialized to the emergency needs of war was the public purpose sought to be served by this provision in the law. The peculiar wartime conditions that might have once justified a liberal application of this provision have long since disappeared. Moreover, as the distinguished Senator from Virginia [Mr. BYRD] has pointed out, these special tax privileges, in principle, ought never to have been extended to private utilities, because private utilities do not have the kind of problem that faces ordinary businesses in attracting risk capital. Private utilities are licensed to operate as monopolies, and are guaranteed their profits by law. To those apologists who have rationalized that, since other utilities have been granted such tax concessions in the past, the Idaho Power ought to get them now, a complete answer is readily found in the old axiom, "Two wrongs do not make a right." Yet we need not rest content even with this answer. In the past, the standard for granting special writeoff privileges to private utilities has included the requirement that the project be one planned for the purpose of creating excess capacity in the company's system. Such has been the tenuous basis for relating these tax concessions to the public interest. But even this element is lacking in the Idaho Power case. Listen to the words of the administration's own Secretary of the Interior, Mr. Seaton, when he wrote to the Director of the Office of Defense Mobilization, on March 11, 1957, recommending against the granting of these special tax benefits:

> In my view the record before the Commission is clear that the company has never established any basis of need for the financial assistance provided by accelerated tax amortization. Furthermore, I am convinced by the record that the hearings before the Federal Power Commission establish that these hydroelectric projects were not planned for the purpose of creating excess capacity in the company's system, which has been a critical factor in the granting of tax amortization certificates.
>
> Accordingly, I recommend that you deny issuance of the accelerated tax amortization certificates requested by the Idaho Power Co.

Is it any wonder that the distinguished Senator from Virginia [Mr. BYRD] has branded the granting of these certificates an inexcusable act. Time and time again we have asked, What public interest is being served by this gigantic tax concession? We still wait for an answer. There is no answer. The country's taxpayers are being used, without excuse, to shoulder most of the cost for a private development of their own river in which they will not share.

III. THE FREE ENTERPRISE ARGUMENTS

Mr. President, perhaps the most familiar of all the arguments against the pending bill are those which seek sanctuary beneath the many-canopied tent of free enterprise. These are the arguments of greatest appeal to the dogmatists among us who believe in a doctrinaire approach to the solution of all public problems. This same doctrinaire approach has been the curse of European politics. Fortunately, we have largely escaped it here in America, having insisted upon realism in dealing with our problems. Faced with a given question, we have applied pragmatic tests in seeking its solution; we have asked ourselves, "What are the facts? How can this particular problem be solved in a way that will best serve the interests of the people at large?" Thus we have built a rich and mighty Nation, the inhabitants of which share in the general wealth more equitably than in any other country in the world. We should appraise the bill now before us in the same pragmatic way. But the objections voiced against this bill which bear the label free enterprise have been flaunted so incessantly before us, that it is necessary to pause and examine them.

One. The favor-free-enterprise-over-Government argument: Mr. President, the first argument in this particular category can be summed up in the familiar slogan, Government ought not to do for business what business can do for itself.

It was this argument which was voiced a few moments ago by the distinguished Senator from Utah. Insofar as this sentiment states a general principle, I have no quarrel with it. I would apply it even in the field of the generation and sale of hydroelectric power, where we permit water in our public rivers, belonging to the people at large, to be used by private companies for the generation of privately owned electricity to be sold for private gain. My views in this regard, I confess, are very moderate, as compared to those held by an illustrious predecessor of mine, once known to the country as the "Lion of Idaho," the late William E. Borah. He believed that our water power ought to be exclusively developed under public ownership. On September 19, 1918, Borah said on this floor:

> Water power is monopolistic in its nature, and therefore lends itself to artificial monopoly. In determining upon a system of development this fact should not be forgotten * * *. It is sufficient that we know that in the very nature of things we are to have either a monopoly owned and controlled by the Government or public authority or owned and controlled by private interests tempered by supposed regulation. Some effective and drastic policy, therefore, of either public ownership or public control is undoubtedly elemental in the framing of any plan or scheme to deal with this subject matter. I am for public ownership and control. I have come to this conclusion after years of study rather slowly. But to my mind there is no alternative if we are going to dedicate this great beneficence to the people as a whole. (CONGRESSIONAL RECORD, September 20, 1918, p. 11438.)

I do not hold with Borah that private utilities should be denied the use of our rivers for generating their own power. To be sure, private utilities do not constitute free enterprise in the true sense of the term. They normally face no competition in the sale of electricity within the areas they serve. They are, rather, licensed monopolies. But I believe the rates they charge can be effectively regulated in the public interest, and I am persuaded that they will continue to generate and market the bulk of our electricity in the years to come.

By the same token, Mr. President, I do not hold with those who would put an end to the construction of Government dams where public power can be generated. Public power has a great role to play in the future of the Northwest. It is a key to progress there. For the Northwest is a land where men can still stretch; our mountains jut high into the sky; our rivers run fast and clear; we have canyons that cut, like a giant's trough, so deep that the river they channel lies in shadow through most of a summer day. And there are unique natural dam sites in these canyons which call for dams big enough to match their great dimensions. At these crucial sites, the Government must continue to build multipurpose storage dams of the type that will make maximum use of the potential to be found there. Such a site is Hells Canyon, the choicest undeveloped dam site left on the North American continent. If we permit its underdevelopment by the private dams now licensed to be built there, we shall send a flood of unstored water wasting to the sea.

Mr. President, whenever a controversy exists over a proposed dam, the first question to be asked is whether the dam is right for its site. The primary reason I favor the Hells Canyon Dam is that it is right for its site. If private interests proposed to build the Hells Canyon Dam, as was pointed out by the distinguished Senator from Washington, then it might be urged with relevance that construction by "free enterprise" should be preferred to construction by the Government. But this is not the case. Private interests propose to substitute lesser dams in place of the single high dam called for by the site. Thus the argument is rendered empty and senseless.

Why is it that the Idaho Power Co. did not propose to build the Hells Canyon Dam? I have been asked the question: If 1 high dam is preferable to 3 smaller dams, why did not the Idaho Power Co. propose to build such a dam? There should be no misunderstanding on this point.

The Hells Canyon Dam has dimensions to provide multipurpose benefits of a type that cannot be marketed. The high dam is designed to create greater storage for more effective flood control. This is a priceless benefit to the people, but there is no market for flood control. The larger reservoir can be utilized to improve navigation by better regulating the flow of the river downstream, but improved navigation represents a benefit for general use that cannot be sold.

The Idaho Power Co. is engaged in just one business—the sale of electricity for profit. A Hells Canyon Dam will not produce enough more electricity at its site, as compared to the total combined production of the three smaller dams, to justify the difference in cost for purposes of private investment.

Of course, the electricity produced at the dam site itself is just half the picture. A high Hells Canyon Dam, because of its larger storage capacity, can release water through the year in such a way as to firm up the flow of the river below it, so as to augment the power produced at the generators downstream. This is what makes the Hells Canyon Dam so prudent an investment for the Government, which can correlate its function with that of the Government's installed generator facilities downstream. Yet, for just the opposite reason, the Idaho Power Co. cannot justify the building of a Hells Canyon Dam, because that company has no generating facilities to be benefited downstream. The company must look to its own interests first—this Senate must look to the public interest first. We are not faced with a choice between Government or private construction of a given project. We are faced with a choice between two plans for the development of the vital Hells Canyon reach of the Snake River, a private plan of inadequate development that will waste a precious resource, or a public plan of full development that will assure the people that they

and their children after them shall have the maximum use and benefit of Hells Canyon.

First. The private-dams-are-taxable argument: Another tenet of these free enterprise arguments is that the private dams in Hells Canyon should be favored over a Government dam, because the Idaho Power Co. is a taxpayer, while the Government is not. Again, we are furnished an appealing package, but one empty of content when opened. The taxes paid by the Idaho Power Co. are really collected from its customers. Taxes are always actually borne by the ultimate consumer. In this case, the ratepayers from whom the company collects each month, pay Idaho Power's taxes to local, State, and National Governments. Accurately speaking, the Idaho Power Co. is a tax collector. Why should such a status entitle it to special favor in the development of our public rivers?

It is true, of course, that the two counties—Washington County in Idaho and Baker County in Oregon—will derive a windfall in ad valorem tax benefits, should the proposed private dams be built. Such tax consequences, if candidly examined, must be found inequitable, since all of the rate payers scattered throughout the entire area served by the company are compelled to pay the property tax assessed upon the dams, while the tax money itself is largely retained by the two counties in which the dams happen to be located.

Still, Mr. President, even if I were a resident of Washington County who concerned himself solely with the county's own best interests, I would prefer to see a Hells Canyon Dam built by the Government, on which no property tax could be imposed, than the three private dams now licensed. Anyone who has witnessed the vast pilgrimage of tourists who come each year to see Grand Coulee, Hoover, Bonneville, or Shasta will appreciate what a singular blessing these great dams are to the people who live in the gateway communities located nearby. Why, the Hells Canyon Dam, once built, would constitute a wonder of the modern world. From all parts of America, people would come in an endless cavalcade, to visit this spectacular dam arched against a mighty river at the bottom of the continent's deepest gorge. The influx of tourist money coming freely to the residents of Washington County would far outweigh, even in terms of local taxes ultimately to be realized, any windfall benefit from the ad valorem taxes assessed against the three private dams.

It matters not, Mr. President, from what perspective one views these tax arguments, they always add up to nothing. I later will cite figures to show how the great Government dams in Washington and Oregon have brought new wealth to the people of the Northwest, and how my own State has failed to share in this expansion. In the wake of these dams, new industry has come, fertile farmland has been reclaimed from the desert, and many new communities have sprung up where countless private businesses now flourish. Government dams like the one provided for in this bill have supplied a fresh horizon of new opportunities for free enterprise in the Northwest, a lucrative source for taxes to State and local governments many times over the limited revenues ever to be realized from the taxes on all the private dams combined.

Second. The private-dams-will-cost-less argument: Last among the free enterprise protests against the pending bill is the argument that the private dams should be favored because they will cost less to build than a Hells Canyon Dam. The comparative construction cost of the two plans for development is stressed, for example, in the minority views which sets the at-site cost for the Hells Canyon Dam and transmission system at $477 million, as compared to $154 million for the private dams, from which the minority concludes that private development is eminently justifiable from an economic standpoint. See table and text of committee report, pages 88 and 89.

Now I ask, Mr. President, when plans are drawn to build a dwelling house, who is most concerned about its cost? Naturally, the buyer. The same is true with the dams here in question. It matters not whether three private dams are built in Hells Canyon, or one Federal dam is built there. The same two groups of people will pay the bill in either case: the taxpayers at large, and the consumers who buy the electricity generated by the dams.

If the Hells Canyon Dam is built, all but $55 million of its total cost will be repaid to the Treasury, with interest, from power revenues. The $55 million represents that part of the total project cost allocated to flood control, navigation, and other nonreimbursable benefits.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. CHURCH. I am glad to yield.

Mr. MAGNUSON. I feel certain the Senator from Idaho will not mind having placed in the RECORD at this point recent figures, right up to date, as a matter of fact, as of June 1, 1957, showing the return of the power capital investment in the Columbia River Power System, compiled by the Bonneville Power Administration. They are the latest figures on the return, and they might be very interesting to some of us, including our friend, the distinguished senior Senator from Alabama [Mr. HILL], who participated in the establishment of the Bonneville project. Time goes fast. The Bonneville Dam is already 41 percent paid off, with interest, to the United States Government. The figures are very interesting.

Mr. CHURCH. I thank the Senator from Washington. I hope he will place the figures in the RECORD at this point in my remarks.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that a table entitled, "Columbia River Power System, Return of Power Capital Investment," be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Columbia River power system—Return of power capital investment (operating projects only), June 30, 1956

Projects	Power capital investment [1]	Repaid as of June 30, 1956	Percent repaid	Net power investment [1]
Bonneville Power Administration	$412,068,423	$103,397,391	25.14	$308,591,032
Bonneville Dam	59,539,067	24,602,894	41.32	34,176,173
Columbia Basin	267,000,732	51,972,669	23.11	155,028,063
Hungry Horse	87,502,573	4,783,498	5.47	82,719,167
Albeni Falls	30,149,306	641,061	2.10	29,508,245
McNary	272,972,202	12,843,739	4.71	260,128,523
Detroit-Big Cliff	41,905,270	2,044,687	4.88	39,860,583
Lookout Point-Dexter	41,542,560	1,053,352	2.54	40,489,208
Chief Joseph	131,848,105	455,850	.35	131,392,255
Chandler	3,494,219	121,670	3.48	3,372,549
Total	1,388,702,939	202,178,121	15.68	1,086,570,818

[1] Exclusive of unexpended funds in U. S. Treasury.

Columbia River power system—Condensed summary of revenues and expenses (commercial power operations only)

	Fiscal year 1955 [1]	Fiscal year 1956	Cumulative total to June 30, 1956 [2]
Operating revenues	$52,666,482	$60,992,623	$462,805,892
Expenses of operation, maintenance, etc.	13,101,389	14,865,909	123,626,606
Provision for depreciation	14,883,067	18,580,972	101,347,677
Interest expense	17,610,739	21,691,302	137,702,338
Miscellaneous deductions, net	(80,589)	(53,153)	1,483,664
Total deductions	45,515,456	55,043,211	364,060,285
Net revenues	6,551,026	5,949,412	98,745,607

[1] The data for 1955 have been adjusted from the figures previously reported to reflect accounting changes adopted by the General Accounting Office auditors in 1956 in order to restate results for 1955 on a basis comparable with 1956. The changes were of a bookkeeping nature affecting the cost accounts but they have no effect on the rate levels or payout accounts.

[2] The cumulative totals have been adjusted to reflect all accounting adjustments applicable to prior years' operations.

( ) Denotes increase.

Columbia River Power System—Source and disposition of revenue dollar (commercial power operations only), fiscal year 1956

SOURCE	
Aluminum industry, 32.96 percent	$20,098,110
Other industry, 13.42 percent	8,186,874
Publicly owned utilities, 31.98 percent	19,505,231
Privately owned utilities 19.67 percent	11,999,475
Other electric revenue, 1.97 percent	1,202,933
DISPOSITION	
Depreciation expense, 30.40 percent	18,539,972
Net revenue,[1] 9.75 percent	5,949,412
Operation and maintenance expense, 24.20 percent	14,811,937
Interest expense, 35.56 percent	21,691,302
Total revenue	60,992,623

[1] Before adjustments applicable to prior years.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. MORSE. Before I ask my question, I should like the Senator from Idaho to permit me to say that I have read his speech. Not only do I commend him for a fine speech, but without any disparagement of other speeches, I wish to say that I think it constitutes the keenest analysis of the Hells Canyon Dam issue which has ever been made on the floor of the Senate.

Mr. CHURCH. I thank the Senator from Oregon; he is very generous.

Mr. MORSE. I am perfectly willing to rest our case on the speech of the Senator from Idaho. I commend the Senator most highly not only for the grand job he is doing in behalf of the people of Idaho, Oregon, Washington, Montana, and other Western States, but also for the great work he is doing this afternoon in the interest of the history of natural-resource legislation for generations to come—for many decades to come.

Having said that, I wish to ask the Senator a question in regard to a statistic he just used. He pointed out that the Hells Canyon Dam will be paid for by revenues derived from the profits from power which will be generated and sold to the consumers, save and except for $55 million which will go to the so-called nonpower features of the dam, but which have great public benefits connected with them.

Is it not true, however, that when the Senator points out that all but $55 million of the cost of the dam will be paid for out of power revenues, that is figured, of course, on the present basis of considering the life of the dam, when we now know, as a matter of fact, that the estimates for the life of these dams are far too low, based upon the most recent figures of the Army engineers and the Bureau of Reclamation; that the dams will continue to produce profits for a great many years beyond the so-called payout period, on which present calculations are made?

Mr. CHURCH. The Senator from Oregon is absolutely correct, and I thank him for calling this matter to my attention.

These figures are based upon a 50-year payout period. But all experience indicates that a dam like the Hells Canyon Dam will be in operation not for 50 years, not for a century, but for numerous centuries.

In that long span of years, we will not only realize from power revenues the entire amount of the cost, but we will have a source of revenue to the Treasury of the United States which can be used for many, many public benefits in generations to come.

I thank the Senator for making that observation.

Mr. MORSE. I wanted to stress that point, because it is so often said that $55 million of the cost of this dam would not be paid off. I want the RECORD to be clear that I am satisfied, as one who has studied the matter for a period of years, that the Hells Canyon Dam will in all probability pay rich profits into the Treasury of the United States for a minimum of 150 years, and that it will pay into the Treasury, by way of profits to the taxpayers of the country, several times its total original cost.

Mr. CHURCH. In that conclusion I concur.

These benefits are very real, and they eminently justify an expenditure of public funds; but they do, in all honesty, represent a cost to the taxpayers.

But I should like to call the attention of the Senate to what will be the situation if this bill is not enacted. Even if we consider the project on the basis of a 50-year period, in the case of the Hells Canyon Dam the cost to the taxpayers for the nonreimbursable benefits will be $55 million. But if the pending bill is not enacted, and if the private dams are constructed in accordance with present financing plans, the cost to the Treasury in added interest charges resulting from the rapid tax writeoff privileges that have been awarded Idaho Power, will be $83½ million. This, too, in all honesty, represents a cost to the taxpayers.

Compare these two figures. Consider their startling significance. It is going to cost the American taxpayers $28.5 million more for the building of 2 dams which will belong to a private utility, than it will cost the taxpayers to build their own Hells Canyon Dam.

Mr. President, what about the electric rate payers who will bear the balance of the cost for either the Federal or the private dams? It matters not so much to the rate payers what the initial construction cost of either project may be. The bulk of the construction money is borrowed—either from the Treasury, if the Hells Canyon Dam is built; or from private sources at a higher interest rate, if the smaller dams are built. What matters to the rate payer—the consumer who will buy the electricity that will restore this borrowed money—is what the cost will be to him over the 50-year payout period for either project. Comparison of this cost to the consumers, who are the real parties in interest, is the only realistic basis for evaluating these alternative plans. In the case of the high dam, they will be paying for electricity which costs 2.7 mills per kilowatt-hour to produce; in the case of the lower dams, they will be paying for electricity which costs 6.69 mills to produce. (From the Federal Power Commission examiner's findings, as summarized on page 62 of Senate Report No. 324.)

It can be readily seen, therefore, where cost is concerned, that the Hells Canyon Dam is the best buy, when viewed either from the standpoint of the taxpayers at large, or from the standpoint of the customers to be served—the two groups that ultimately will bear the cost for the development of the Hells Canyon.

IV. THE WATER RIGHTS ARGUMENT

Mr. President, the arguments in opposition to a high dam at the Hells Canyon site, as we have seen, cannot withstand critical analysis. It is not surprising, therefore, that the interests in Idaho opposing public development have sought to substitute, in the place of rational argument, a cleverly planted scare. The scare is that the Hells Canyon Dam is a threat to the water rights of Idaho farmers. Listen to the reckless charges made on the editorial page of Idaho's largest daily newspaper:

> No Federal power dam in Idaho would give the first consideration to Idaho irrigation waters • • • water-wise, the high dam takes precedence over irrigation • • • if there is a low water year the Federal dam operates and the farmer watches his fields turn to desert. (Idaho Daily Statesman, June 30, 1956.)

In my State, where, in so many areas the right to use water alone gives land its value, the imagery of this language is poignant. It depicts the farmer, a solitary figure with a shovel, competing with a concrete colossus for his river water. His gaze is rigidly fixed upon the size of the dam, instead of the size of the river. The image is so compelling that it obscures the facts. Yet, the facts are available; they are uncontradicted; and they come from the most reliable source possible.

Mr. President, a watermaster's job is to know the river. It is to know everything about the river, from the beginning of measurements of flow to date, as appraised in the light of all other available data on climate, rainfall, and snow accumulation in the uplands that feed the river. Mr. Lynn Crandall has been watermaster on the Snake River since 1930, and intimately connected with its problems since 1910. He knows the river as no other man does; he is universally loved and respected; and he is completely independent. My colleagues who have heard him testify in previous years, on this and other measures, have told me that no witness commanded greater confidence, based upon qualifications, experience, and demonstrated reliability.

Mr. Crandall, after painstakingly setting forth all of the relevant facts, testified before the Senate subcommittee that the Snake River, in the driest years, carries plenty of water for the full use of the Hells Canyon Dam, even after allowances are made for all projected reclamation development upstream. This conclusion, Mr. President, was not premised upon the demands of our present irrigators alone. It was based on the additional water requirements for

1,300,000 new acres of land to be reclaimed for cultivation in Idaho by the year 2010 under conditions of optimum development.

The specter of insufficient water in the Snake River is totally without foundation in fact. It has been deliberately planted to create a groundless scare. It is a ruse. It is a monumental fraud.

But it is not necessary, Mr. President, to measure the water in the Snake River, to repudiate the absurd notion that the Government can usurp water rights, while the farmer watches his fields turn to desert. I think that Idaho farmers who presently own irrigated land know that their water rights are property rights. Our Government is one of law, and our highest law preserves property rights inviolate. The Constitution of the United States prohibits the taking of property for public use, save by "due process of law" and the payment of just compensation (see amendment V, Federal Constitution). There is no more danger that an established water right can be arbitrarily deprived an Idaho farmer, than his home or his tractor. All of his property is equally entitled to the protection of the same constitutional guaranty.

When those who raise this water scare are confronted with these fundamental constitutional facts, they shift ground. They say that they are really concerned, not about established water rights of appropriated water, but about the future upstream use of unappropriated water in the Snake River. They point to the provision in the Constitution which gives the Congress jurisdiction over navigable streams, and postulate that the Federal Government may choose to exercise its power over unappropriated water, contrary to State law, by giving a higher priority to its use for generating electricity than for new irrigation upstream. Such an argument is not applicable here, Mr. President; it is not applicable to the bill now before us, for this bill gives unrestricted protection, for both present and future users, to the priority rights of Idaho irrigators upstream. Section 2 of the bill reads:

> Notwithstanding the provisions of any other law, the operation of the Hells Canyon Dam shall not conflict with, and shall be subordinate to, present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters of the Snake River and its tributaries upstream from the dam and downstream.

This language is so plain that it should speak for itself. It extends into positive statutory enactment what has been the traditional Federal policy to promote reclamation in the West, by recognizing the priority of irrigation under State water law. Every thoughtful citizen knows that far from being an enemy of the farmers' water rights, Federal development has been the means for making these rights valuable.

Mr. ANDERSON. Mr. President, at this point will the Senator from Idaho yield?

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Does the Senator from Idaho yield to the Senator from New Mexico?

Mr. CHURCH. I am happy to yield to the Senator from New Mexico.

Mr. ANDERSON. I think the statement the Senator from Idaho has just made is as fine a statement as can be made in this debate.

Mr. CHURCH. I thank the Senator from New Mexico.

Mr. ANDERSON. When it is stated that the Federal Government by some hocus-pocus is going to take away the water right of a single person in the State of Idaho, I think someone should ascertain whether the Federal Government has ever taken water rights from the people of the Nation, or whether it has helped make water rights possible.

I think inquiry should be made in the great State of Arizona, where the Salt River project was established, to ascertain whether the people of Arizona feel that any portion of their prosperity has been due to what the Federal Government did in connection with water rights; and inquiry should also be made in all the other States of the West; and a thorough check should be made to see whether the Federal Government has helped the people who lived along the streams and those who have come to live along the streams.

So I wish to congratulate the Senator from Idaho for stating the matter in so fine a way, and for setting forth what every thoughtful person knows, namely, that the Federal Government has not been an enemy of farmer water rights.

Mr. CHURCH. I thank the Senator. I wish to observe it would be strange, indeed, in a State like Idaho, where so many thousands of farmers draw their daily nourishment from Government reservoirs, if the people could ever believe the Government constituted some kind of threat to water rights. I thank the Senator for his contribution.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. CHURCH. I am happy to yield to the Senator from Illinois.

Mr. DOUGLAS. Am I correct in understanding that the Snake River rises in the Grand Teton Mountains, then flows west for some distance, and then flows north to join the Columbia?

Mr. CHURCH. That is correct.

Mr. DOUGLAS. And that Hells Canyon is in the northern portion of the Snake River?

Mr. CHURCH. That is correct.

Mr. DOUGLAS. But irrigation from the Snake River is south and to the east of Hells Canyon, upstream?

Mr. CHURCH. Upstream; the Senator is absolutely correct.

Mr. DOUGLAS. And the irrigated districts upstream will be able to draw their water, as they do now, and Hells Canyon simply will get the residual water? Is that true?

Mr. CHURCH. The upstream farmers have the first use of the water, and the water that goes down the river to fill the Hells Canyon Dam will be water which is left after irrigators have made use of it.

Mr. DOUGLAS. Instead of the irrigators having the residual use of the water, Hells Canyon would?

Mr. CHURCH. Hells Canyon, because of its situation, because of its geography alone, will receive the residual water the irrigators will not use.

The thousands of Idaho farmers who draw their water each season from Government reservoirs ought to understand and appreciate that this is so. Still, the critics of this bill are unsatisfied. They say that no statute can be devised that can prevent some future Congress from changing its provisions. They argue that a compact is needed between the States of the Northwest, before upstream irrigators can be made secure as to their future claims upon unappropriated water in the river. A Columbia Basin compact is proposed. I have no objection to compacts between the States. If the States in the Northwest will adopt a compact, I will work for the enactment of consent legislation by the Congress. Presently, I am a cosponsor of a bill to grant Congressional consent to the Bear River compact between Idaho, Utah, and Wyoming. As to the Snake and Columbia Rivers, I think a compact might well prove helpful in ironing out the troubled feelings that have sometimes obstructed efficient development of the Columbia River.

The argument that we should oppose this bill because a compact has not been agreed to, or that we should suspend further construction of Government dams until the States enter into a compact, simply makes no sense. The protection afforded for the upstream development by the provision of this bill is just as good as the protection that could be conferred by any compact. Just as a future Congress could conceivably change its own law, so a future Congress could conceivably withdraw its consent to a compact. The power of the Congress over navigable streams derives from the Commerce Clause of the Constitution itself. It can neither be legislated nor contracted away. This is expressly recognized by the very terms of the proposed Columbia River Compact itself. Article VII–D reads:

> This compact shall become effective only if Federal law accepting and implementing the provisions of subdivision A of this article with respect to developments wholly or partly in downstream States constructed by or under the authority of the United States is enacted as part of the legislation giving the consent of the Congress to this compact and shall continue to be operative only while such law remains in effect.

This provision is a clear acceptance and admission by the drafters of the compact of the fact that the initial and continued effectiveness of the compact is dependent upon the will of the Congress. Even in the absence of such a provision in the compact, Supreme Court decisions leave no room for doubt concerning the fact that any interstate compact may be modified by inconsistent Federal legislation within the field of a delegated power. This principle has been accepted for over a century and a half, and I cite the case of *Wilson* v. *Mason* (1801), 1 Cr. 45, 91–92. In another case which has stood unchallenged for 100 years, the Supreme Court said:

> It is also urged that this act of Congress is void, for the reason that it is inconsistent with the compact between the States of Virginia and Kentucky, at the time of the admission of the latter into the Union * * * which compact was assented to by Congress at the time of the admission of the State.
>
> * * * The question here is, whether or not the compact can operate as a restriction upon the power of Congress under the Constitution to regulate commerce among the several States? Clearly not. Otherwise, Congress and two States would possess the power to modify and alter the Constitution itself. This is so plain that it is unnecessary to pursue the argument further. (*Pennsylvania* v. *Wheeling & Belmont Bridge Co.* (18 Howard 421, 344 (1856)).

I submit, Mr. President, that the law of the land, as established by our highest Court, makes it abundantly clear that the bill before us provides protection to existing and future water rights upstream on the Snake River fully as effective as could ever be provided by the proposed Columbia River Basin compact.

In reality, Mr. President, the question of whether we should build a Government dam or three private dams in Hells Canyon has no effect upon water rights at all. The construction of a Hells Canyon Dam would create no new power in the Federal Government over the water in the Snake River. Such power as the Federal Government may have stems from the Constitution itself. It is an inherent power that is neither enlarged when the Government builds a dam, wherever it may be located, nor diminished when the Government licenses a private utility to build a dam. In either case, this inherent power inures in the Government. The building of private utility dams in the Hells Canyon stretch of the Snake River under Government license does not limit in any way such power as the Constitution reposes in the Government over the water in Hells Canyon. The constitutional right of some future Congress to deal with that water is not abrogated. The Federal jurisdiction over the water in navigable streams stems from article I, section 8, clause 3, of the United States Constitution, the interstate commerce clause. A long line of decisions of the United States Supreme Court affirms that this clause authorizes Federal regulation of waterways, since commerce includes navigation (*Gilman* v. *Philadelphia* ((1866), 3. Wall. 713, 724.) It is the commerce clause of the Constiution, as interpreted by the Supreme Court, which supports the Congress in the right to develop hydroelectric power, and to sell it. The authority of the United States is as broad as the needs of commerce, and includes flood protection, watershed development, and recovery of the cost of improvements through the utilization of power (*Ashwander* v. *TVA* (297 U. S. 299).

It matters not whether this Federal power is exercised by construction of a Government dam, or whether it is exercised by authorizing a private utility to build a dam, under the provisions of a Federal license. All of the Federal power remains intact, one way or the other, and State law remains subordinate to the Federal jurisdiction. These cardinal principles of law were well set forth by the Idaho Power Co. itself, when it successfully disputed the attempt of the State of Oregon to interfere with the commencement of its construction of the Brownlee Dam in Hells Canyon without having first obtained a license from the State of Oregon.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

Mr. CHURCH. I am happy to yield to my good friend, the Senator from Texas.

Mr. YARBOROUGH. I wish to say first to the junior Senator from Idaho that I regard his as a great speech. Whether the junior Senator from Idaho stays in the Senate for 6 years or 60 years—and, in view of his youthful age, I believe the latter is possible—that he will have difficulty in making a greater speech than he is making today. It contains the most stimulating material concerning the great Northwest, and the Snake River, I have heard since reading the journals of Lewis and Clark when I was a boy.

I should like to refer to one figure mentioned, the figure that the American people are asked to give the Idaho Power Co. $83½ million. Is that the correct figure for the tax writeoff?

Mr. CHURCH. That figure is the figure supplied by the chief accountant of the Federal Power Commission itself.

Mr. YARBOROUGH. Is the junior Senator from Idaho conversant with the fact that since there are some 65 million or 70 million American wage earners and taxpayers the Idaho Power Co. is using the power of the Federal Government to stick its fingers into the pockets of the American taxpayers and take more than a dollar out of the pocket of each wage earner, if this grand steal they are trying to put over on the Snake River goes through?

Mr. CHURCH. I am well aware of that fact, and that is one reason why we have again and again asked how this tax concession is related to the public interest. All the arguments advanced do not focus upon that one question, because that concession cannot be related to the public interest.

It is not enough to say that other companies have received tax concessions, because the facts upon which other companies have received tax concessions are different from the facts in this instance.

Here we have a case of a tax writeoff certificate being granted long after the period of emergency, such as the Korean war, which once may have justified such writeoffs, has expired. Here we have a case where the administration's own Secretary of the Interior, Mr. Seaton, recommended against the tax writeoff, because he himself could not relate it to the public interest. Here we have a case where the Federal Power Commission, in granting the licenses, expressly says in its opinion that it is influenced in so doing by the fact that these private dams are going to cost the taxpayers of the country not a cent.

Yet in spite of all these things, and the recommendation of the Secretary of the Interior himself, we find the certificate issued to the Idaho Power Co., which will cost the taxpayers of the country $83½ million, which is more than the non-reimbursable cost to the taxpayers of the Hells Canyon Dam.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. CHURCH. I am glad to yield to the Senator from New Mexico.

Mr. ANDERSON. I hope that some time, when the statement is loosely made that 900 corporations have gotten tax writeoff certificates on the same basis, the Senator will suggest that in each one of those instances there should be a showing that the Secretary of the Interior recommended against it. If anyone can find 900 times when the Secretary of the Interior has recommended against the granting of such a certificate, and 900 times when the Office of Defense Mobilization has acted contrary to the recommendation of that officer, then the cases would be comparable. If it cannot be shown that that has happened 900 times, then certainly something ought to be done about clearing up the mess that exists between those two agencies.

Mr. CHURCH. I agree wholeheartedly with the Senator. The distinguished Senator from New Mexico has made the type of observation which is in line with the typically lucid observations he makes on the floor of the Senate.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CHURCH. I am happy to yield to the Senator from Tennessee.

Mr. GORE. Is it not true that in addition to the vast and unconscionable tax benefit, to which the able Senator has referred in colloquy with the distinguished junior Senator from Texas, this utility concern, owned not by the people of Idaho and not by citizens of the Northwest, will be given a natural resource which belongs to all the people, which, despite the enormous benefits to which the junior Senator from Texas referred so eloquently, and to which the able junior Senator from Idaho referred so explicitly and eloquently, is worth vastly more?

Mr. CHURCH. Let me say to the Senator from Tennessee that he has put his finger on one of the reasons why so many people have become outraged. We felt that it was enough when the Federal Power Commission licensed the construction of private dams in the great Hells Canyon which underdeveloped the resource there, and wasted the water there. We thought it was enough when this public property was turned over to private interests for their use, for the purpose of generating electricity for their profit.

Mr. GORE. And thereby denying the people the right to bring about adequate development.

Mr. CHURCH. Yes; even though their electric potential would be smaller than the potential which would be realized from the high dam at Hells Canyon.

But after making this tremendous gift to the private utility, the administration came along a month or two ago and gave it a tax writeoff certificate, which would have the additional effect of imposing a cost on the Treasury of the United States of $83½ million. That was when I think the American people woke up to the fact that they were being sold out in Hells Canyon.

Mr. GORE. Mr. President, will the Senator further yield?

Mr. CHURCH. I yield.

Mr. GORE. We have often heard it said, if I may use a rustic adage, that if we give a calf enough rope he will hang himself.

The private-utility interests were not satisfied to fasten their grip for all time to come upon a resource which rightly belonged to the people, but they must have more. They must dig into the pockets of the taxpayers, and in so doing they have brought about a shocked realization on the part of Members of this body.

I stand with the distinguished junior Senator from Idaho, who is making such an eloquent and forceful speech, representing the interests of his people nd the interests of the Nation in fighting to the last to bring about proper and adequate development of this natural resource by the proper agencies.

Mr. CHURCH. I thank the Senator from Tennessee. Let me observe that I am not surprised that I have his assistance in this particular effort, because he is always to be found on the side of the people in any public dispute.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. NEUBERGER. As one of the Senator's colleagues in the Pacific Northwest, and as his seat mate in the Senate, I join other Senators who have commended him for the outstanding address he is delivering today. Because he and some of his colleagues have joined in discussion of the tax issue, I think it might be appropriate to read briefly into the RECORD several sentences which have appeared in advertisements by the private utilities, by which an effort was made to create public opinion in favor of relinquishing the great hydroelectric resource at Hells Canyon to the Idaho Power Co.

In May of 1952, the electric light and power companies, in behalf of the Idaho Power Co., sponsored an advertisement which appeared widely in many national magazines throughout the United States in reference to the proposed high dam at Hells Canyon—the high dam which the junior Senator from Idaho is advocating. The advertisement in 1952 contained this statement:

> This would be a needless expense, because the local electric light and power company already has offered to develop the power at no cost to American taxpayers.

The emphasis in my voice was not my own emphasis, but that of the utility companies which originated this advertisement, because they themselves have placed in italics in the advertisement the phrase "at no cost."

The same advertisement contains the following:

> If the local company does the job, the company and its investors will pay for it.

Four years later, in a further effort to anchor their grip on this priceless natural resource which the Almighty created in the Pacific Northwest, they sponsored another advertisement, which appeared in virtually every periodical of national circulation anywhere in the United States. In this advertisement they said:

> One of the many places where independent electric companies are saving you tax money is Hells Canyon, on the Oregon-Idaho border.

These statements appeared in national magazines, despite the facts which the distinguished Senator from Idaho and his colleagues from Texas, New Mexico, Tennessee, and other States have brought out on the floor, when they merely enunciated here the testimony of the Chief Accountant of the Federal Power Commission.

All I can say is that the authors of these advertisements, by which the Government of the United States was induced to surrender Hells Canyon, should know that there is even a greater field in the writing of fiction—by which some people have become immortal—and that they could certainly move very readily from the authorship of these advertisements into fiction writing. The true facts with regard to the rapid tax write-offs have proved that these advertisements were not facts, but fiction.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. HUMPHREY. I wish to commend the distinguished Senator from Idaho for the very fine presentation he is making. I apologize to him for not being able to be present throughout his address, but I shall remain in attendance as long as possible.

The comments of the Senator from Oregon are very interesting. Would that the advertisements here on display could appear in the CONGRESSIONAL RECORD.

These advertisements are in reply to one of our colleagues in the Senate, the Senator from Utah, in reference to the advertisements of the power companies. But there is a difference between these advertisements and fiction writing. The person who writes fiction with any degree of success usually is paid for it, and therefore pays taxes on his income. But this is the kind of fiction which relieves the private utility from paying taxes on income. Furthermore, this kind of fiction is a tax deductible item. Besides, it relieves the utility from paying any tax, in connection with which it might make use of a deductible item for tax purposes. It is really an amazing system.

I call attention to the fact that these items are tax-deductible, designed to provide a smokescreen, so that the power company—in this instance the Idaho Power Co.—will be able to get a $83 million tax writeoff, representing a saving to itself at public expense.

I pay my tribute to the Kefauver subcommittee and the associates of the senior Senator from Tennessee who dug out the information about the Idaho Power Co. in connection with the tax writeoff.

I remember when the senior Senator from Oregon [Mr. MORSE] first pointed out that a $17 million grab was involved. However, as the truth began to unfold, the figure became larger and larger, until it became a $83 million deal. It is something like the Dixon-Yates deal. Someone said it was "as clean as a hound's tooth." Someone else said, in reply, "What a hound, and what a tooth." Then we began to find out the truth about the case.

Mr. CHURCH. I thank the Senator from Minnesota. He can always be relied upon for an adroit and novel contribution to any debate. His contribution has been most stimulating and enlightening.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. SYMINGTON. I should also like to congratulate the able Senator from Idaho on his magnificent address today on this particular subject.

I should like to ask him a question. Shortly after the start of the Korean war, as Chairman of the National Security Resources Board, I approved the institution by the Government of the practice of accelerated amortization in certain cases, and the ruling in connection therewith. It was done to the extent of 100 percent to promote the prosecution of the Korean war and to stimulate active production in the steel industry and other industries in order that there might be a rapid expansion of our economy. It was done, not primarily, but entirely, on the basis of military necessity. It seems incredible that there should be any military requirement incident to a tax writeoff for the Idaho Power Co. I ask the distinguished Senator if he believes that there is some military requirement involved in this particular operation.

Mr. CHURCH. I reply to the able Senator from Missouri by saying that, as I have already observed in the course of my remarks this afternoon, the purpose which the rapid tax amortization law was meant to serve was the very purpose which the Senator pointed out, to attract risk capital for war plant expansion.

Certainly we cannot say that a private utility which operates as a legal monopoly and is guaranteed its profits under the law is faced with the kind of condition which might justify, at least in times of emergency, such a tax concession to the kind of company it was meant to serve. In this case, these ingredients are not present, and we cannot relate it to the public interest.

Mr. SYMINGTON. I agree with the distinguished Senator from Idaho that the law was not conceived to apply to a situation like this, inasmuch as nobody could say that this was a military requirement.

Let me ask the Senator this question: Does he have any thought as to why it was done? Is there any particular reason why it was done?

Mr. CHURCH. I shall be glad to yield to the Senator from New Mexico, if he wishes to answer that question.

Mr. ANDERSON. I will say to the Senator from Idaho that of course our able friend from Missouri is a very stanch and successful businessman. I think he would recognize the possibilities of this situation. The Idaho Power Co. had reached the point where it had to market its securities. The security market was, to say the very least, sticky. Government bonds were having trouble. The Government had to pay 3⅝ percent on bonds that used to bear less than 1 percent interest.

The securities of the Idaho Power Co., particularly in view of the possibility of the construction at Hells Canyon Dam, were not too attractive. By a strange coincidence, about the time the Idaho Power Co. had to offer its securities on the market, a piece of sugar was passed to it. The piece of sugar was the granting of its tax amortization certificate.

While it is impossible to say what was in the minds of some people, it is not impossible to see what was in the minds of the individuals who were handling the transaction. All they did, in order to sweeten up the securities of the Idaho Power Co., which did not look very good, and were not very attractive, was to say, "We will give them this little piece of sugar of $83 million, which will be worth a great deal more to Idaho Power than $83 million." As the Government accountant said, it would be worth $300 million to them. That would sufficiently sweeten up the securities they wanted to sell.

I do not think anyone needs to go further than that. Anyone who has been in business, even overnight, knows enough about what he has to do, and what it is all about. I may say that I have been doing a little investing for a small insurance company with which I am connected, and I have the advice of good counsel. I employ a firm of very good financial advisers. They suggest to me the type of financial investments I should make in behalf of the little insurance company with which I am connected.

I know if they were to look at the way the Idaho Power Co. was to get this kind of little sugar, they would suggest to me that this might be a good bond to buy. It would not take too long to decide that when these two things came together there was an unseen hand that seemed to move along very well and knew exactly what to do at all times.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CHURCH. I shall be glad to yield again to the Senator from Missouri, but first I should like to make this comment. I should like to quote from a memorandum submitted by Mr. James P. Radigan, Jr., senior specialist in American law in the Library of Congress. He was asked the question whether or not in his opinion the certificate that had been granted to the Idaho Power Co. conformed with what has been heretofore regarded as the purposes the law was intended to serve. I wish to summarize his conclusion to the committee:

> To epitomize, while an exceedingly broad construction of the literal wording of the act might make it permissible to grant an accelerated amortization certificate to Idaho Power, such action seems contrary to the legislative purpose and spirit of the act, the two elements which should control its administration.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CHURCH. I am happy to yield.

Mr. SYMINGTON. Am I to understand that the distinguished Senator from Idaho agrees with the distinguished Senator from New Mexico that the administration has utilized a war measure in order to let this private power company more expeditiously sell its securities? Is that what the distinguished Senator from New Mexico believes?

Mr. CHURCH. Mr. President, would the Senator from New Mexico care to comment on that point?

Mr. ANDERSON. I said that the two things happened simultaneously. I said the matter of proof is very difficult. I merely called attention to the fact that by some peculiar circumstance right at the time the Idaho Power Co. needed money, here was Uncle Sam ready to dish it out. I do not know who caused it.

Mr. SYMINGTON. It was dished out at the expense of the taxpayers.

Mr. CHURCH. The Senator is correct.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CHURCH. I am happy to yield.

Mr. HILL. The distinguished Senator from Oregon [Mr. NEUBERGER] called attention to misleading advertisements in connection with the Hells Canyon project on which the Senator from Idaho has so ably commented. I might say that we see these advertisements in magazines and other periodicals regularly in furtherance of the misleading and false propaganda that is being carried on. These advertisements in themselves constitute a tax upon the power consumers, because, of course, the cost of the advertisements is paid for by the power consumers. The cost is not only paid by the power consumers, but, we may be sure, the cost is pyramided by the utility companies in the tax refunds the companies themselves receive.

The Senator from Idaho will recall that a little while ago the distinguished senior Senator from Oregon [Mr. MORSE] said that he had read the address of the distinguished Senator from Idaho, and, although he had heard many fine addresses with respect to the Hells Canyon project, in his opinion this was the finest and ablest presentation of the case he had ever heard.

I wish to say that "praise from Sir Hubert is praise indeed." The distinguished Senator from Illinois [Mr. DOUGLAS] will agree that he and I have heard many fine and able addresses delivered by the distinguished senior Senator from Oregon [Mr. MORSE]. Therefore no one could accord higher praise to the address of the Senator from Idaho than could the senior Senator from Oregon. I fully agree, and I wish to congratulate the Senator from Idaho on his magnificent address and his brilliant presentation this afternoon.

Mr. CHURCH. Let me say to the distinguished Senator from Alabama that I am very much complimented by what he has said, and that the generosity of his remarks is exceeded only by the fact that they are actually undeserved. I very much appreciate them, nonetheless, and I appreciate also the highly complimentary remarks of the senior Senator from Oregon.

At the outset of this colloquy I was remarking that it matters not whether the Government dam is built in Hells Canyon or whether three private dams are built in the Hells Canyon under Government license for in either case the Federal Government's jurisdiction inures from the Constitution itself, and remains in Hells Canyon regardless of whether a public or a privately licensed dam is built there.

I was about to quote as authority for that proposition of law excerpts from the briefs of the Idaho Power Co. itself. I quote from the case that involved the Idaho Power Co. and the State of Oregon over the dispute as to whether the Idaho Power Co. had to obtain an Oregon license before it commenced construction of the Brownlee Dam, which involved Oregon territory.

Let me quote these propositions from the Idaho Power Co. brief:

> The State [Oregon] cannot prevent a licensee of the Federal Power Commission for a hydroelectric project from proceeding to construct such federally licensed project by requiring such licensee to first also obtain a license from the State. (From p. 6, respondent's answering brief, *State of Oregon* v. *Idaho Power Company.*)

And again:

> The Oregon Hydroelectric Act, insofar as it is inconsistent and in conflict with the Federal Power Act, is ineffective as against a licensee of the Federal Power Commission on navigable waters of the United States. State legislation manifestly inconsistent or in conflict with the exercise of rights granted by Federal statute cannot stand, and the State legislature cannot control and limit substantive rights granted by an act of Congress. (P. 8, respondent's answering brief, *State of Oregon* v. *Idaho Power Company*).

It seems clear, then, that the Federal power over the Snake River in Hells Canyon remains paramount, even though the private dams are built there. The Federal power, whatever it may be, floats on the river all the way to the sea. Those who fancy this power as a possible threat to future upstream diversions of the water in the Snake River are furnished no shield by private dams in Hells Canyon. The same Federal power will rest on top of them as it rests on the Government dams downstream.

The challenge we face in Idaho is to repudiate the counsel of foolish fear. Let us shake off its delusion. Let us awaken to the simple fact that there is nothing unique or sinister about the Hells Canyon Dam. It neither starts nor ends the building of Government dams downstream from the irrigated uplands of Idaho. Many have long been built. Others are now abuilding. The administration itself engages in double talk today about substitute dams at Pleasant Valley or Nez Perce to make up for the inadequate development now licensed for Hells Canyon. The time has come for the people of Idaho to cast off these groundless fears. Idaho has not, cannot, will not, put an end to the continued building of Government dams on the rivers of the Northwest. Then let us share their benefits. Let us cast off the blinders that have already frightened us out of 10 years' growth, and come abreast the rest of the West in the development of our great resources.

V. THE CASE FOR THE HELLS CANYON DAM

Mr. President, it has been my purpose to shed some light on the many arguments which have been advanced, with

varying degrees of logic and consistency, in objection to this bill. I have not attempted to analyze exhaustively every objection voiced against a Hells Canyon Dam, for some depart far from argument into the realm of fantasy. Although the water-rights question is not really posed by this bill, its special interest in my State, its cynical exploitation, and the confusion caused thereby required that it be given a most careful and thorough refutation, and that I have tried to do.

Now I wish to summarize affirmatively the principal reasons why I favor the passage of this bill:

First, the river. The Snake River belongs to the people. It is an important part of the great river system that drains the Northwest. Such a system can be wisely and efficiently developed only in accordance with an integrated, comprehensive plan.

The need for comprehensive development of our rivers was first envisioned by a celebrated Republican President, Theodore Roosevelt, in these statesmanlike words:

> Every stream should be used to its utmost. No stream can be so used unless such use is planned in advance. When such plans are made, we shall find that, instead of interfering, one use can often be made to assist another. Each river system, from its headwaters in the forest to its mouth on the coast, is a single unit and should be treated as such (S. Doc. 325, 60th Cong., 1st sess.).

There is no partisan flavor in the roster of great United States Senators identified with the fight for these principles—Newlands, of Nevada; Hiram Johnson, of California; George W. Norris, of Nebraska; the elder La Follette, of Wisconsin; Charles McNary, of Oregon; and William E. Borah, of my own State. These men all recognized that dams, once built, last not for decades, but for centuries, and that the partial utilization of a dam site thus constitutes the waste of a resource that must be borne by many generations.

The Hells Canyon reach of the Snake River forms the common boundary of Idaho and Oregon. Nature, in this remote and forbidding area of rugged mountain land, has contrived a wonderful combination of natural phenomena. The river is mighty. The canyon walls rise abruptly from both sides. The geology is ideal for a great storage dam. Indeed, Hells Canyon is the finest remaining undeveloped dam site on the North American Continent. If the high dam called for in the bill before us is not built there, 3,880,000 acre-feet of useful storage, vital to effective flood control, will be wasted. Even now, the administration is frantically casting about to find alternatives to recover the storage that will be lost through the underdevelopment now licensed for Hells Canyon. But there is no way to recover storage once lost. The river demands its price, and what is wasted can never be wholly recovered.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. DOUGLAS. Am I correct in my understanding that a large proportion of the approximately 18 million acre-feet, which I believe is the total figure for the Snake, is derived from melting snows in the Tetons and other mountains of that area?

Mr. CHURCH. The Senator is correct.

Mr. DOUGLAS. And that another portion comes from the spring rains?

Mr. CHURCH. That is so.

Mr. DOUGLAS. And that the major portion of the runoff of water, whether from melting snow or from rain, comes at approximately the same time in the year?

Mr. CHURCH. Generally it comes in the same season.

Mr. DOUGLAS. And that with a high dam, the runoff can be stored?

Mr. CHURCH. The storage dam would have the capacity for saving this runoff.

Mr. DOUGLAS. But if there are three low dams, then the water will go over the spillways of the lower dams; and then will not that be approximately at the season when the Columbia, to which the Snake is a tributary, will be close to its high-water mark?

Mr. CHURCH. Yes; that is correct.

Mr. DOUGLAS. The water, therefore, will go over successive spillways, instead of through the penstocks, on its way down to the sea, and will be wasted.

Mr. CHURCH. The water that is not stored, owing to the more limited storage capacity of the smaller dams, will not only pour over the dams, but will be wasted, unless it can be held back to be used throughout the course of the whole year.

Mr. DOUGLAS. As I think the Senator will develop in a minute or two, that water will not generate additional power in the dams farther downstream.

Mr. CHURCH. The Senator is quite accurate in his observation that the high dam, with its large storage capacity, could be used to much better effect to permit an even flow of the river throughout the year.

Mr. DOUGLAS. The water stored behind Hells Canyon could be released at other seasons of the year, when the rainfall was low.

Mr. CHURCH. Yes; that is so.

Mr. DOUGLAS. In that case, it would go through the successive penstocks of the dams farther downstream, and thus create additional power at each fall of the water.

Mr. CHURCH. That is what President Theodore Roosevelt meant when he said we must treat a river, from its sources in the mountains to its outlet into the sea, as one unit; and we must plan for its full, efficient development, because what is applied to one site will have an effect on the potential of other sites.

I thank the Senator from Illinois for his observation.

I do not know, Mr. President, whether the pending bill will pass; but if it fails to pass, I want it to be recorded, in my vote for this bill, that I registered my protest here to the wrong that will be done in Hells Canyon. The waste of a resource is a moral wrong. It is part of the irretrievable price the people will pay if we fail to build the Hells Canyon Dam.

Second, electricity. A natural dam site is as much a mighty resource as a forest, a coal mine, or an oil field. Like these, it provides a tremendous source of energy. Unlike these, however, the dam-site is an inexhaustible source that can furnish energy for as long as water flows from the mountains to the sea.

It is, consequently, a guiding principle of comprehensive development of our precious rivers, that each power dam we build be designed to generate the maximum amount of electricity from the water available for its use. To do less is to waste the water. We cannot afford to waste the water, for it is our only perpetual fuel. Every day we are consuming a staggering quantity of oil, coal, and natural gas. These fuels, once burned, are gone forever. Nor is it enough to say that we might replace them with nuclear energy. Grave problems of waste disposal, unresolved questions concerning possible risk to public health, and high costs, all obscure the extent to which the country will convert to nuclear power. I trust these problems will be solved, and I am confident that the cost of nuclear fuels will be reduced; but hydroelectric generators may well remain our best source of power, because falling water is free.

Mr. President, at this point I should like to observe and take recognition of the fact that there is present in the Senate Chamber my colleague from the other side of the Capitol Building, who represents so very well the people of the First Congressional District of Idaho, and who has long been associated with the fight for the full development of the Hells Canyon, Mrs. GRACIE PFOST. I am very happy that she has come here this afternoon to attend the delivery of my address.

Mr. MORSE. Mr. President, will the Senator from Idaho yield to me?

Mr. CHURCH. I am happy to yield to the Senator from Oregon.

Mr. MORSE. I should like to join my colleague from Idaho in expressing our appreciation at the attendance of Representative PFOST, who, in the State of Idaho, has done such a great job in defense of the Hells Canyon Dam project.

I should like to have the permission of my colleague, the Senator from Idaho, to call attention to the fact that Mr. Hells Canyon Dam, of Oregon, is also in the Chamber; I refer to Representative ULLMAN, from Baker, Oreg., who, in association with Mrs. PFOST and the Hells Canyon Dam Association and other groups, has done such a great job in my State for Hells Canyon.

Mr. CHURCH. I thank the Senator from Oregon for his remarks and for calling our attention to the fact that Representative ULLMAN is present in the Chamber.

Mr. SPARKMAN. Mr. President, will the Senator from Idaho yield to me?

Mr. CHURCH. I am happy to yield to the Senator from Alabama.

Mr. SPARKMAN. I wish to take this opportunity to express my appreciation to the able, distinguished, and young junior Senator from Idaho for the magnificent presentation he has been making this afternoon.

I must say that I was in favor of the Hells Canyon Dam before he began his speech. However, I rather feel that if I had not been, I might have been converted by his speech. I certainly hope that many of our colleagues who are not able to be on the floor this afternoon to hear the speech delivered by the Senator from Idaho, will read it in the RECORD.

I am reminded of the words of Agrippa, who said to Paul, "Almost thou persuadeth me." I believe that if many of our colleagues will read and study the fine presentation now being made by the Senator from Idaho, they may be persuaded to support the program which he so well advances.

Mr. CHURCH. Mr. President, I am highly flattered by the generous remarks of the distinguished Senator from Alabama. I know of no Member of the Senate in whose judgment I have greater confidence or for whom I have greater regard; and I thank him for what he has said.

Mr. President, I was discussing the need to build at any given dam site a dam which will produce the maximum amount of electricity available from the water at the dam site, so the water is not wasted, because water constitutes our only perpetual fuel.

I believe that we owe it, if not to ourselves, then to our children and their children after them, to build dams that will give us the most electricity from the water available. The proposed Hells Canyon Dam will do this; the smaller dams licensed to be built in its place will not. The high dam in Hells Canyon will add 1,122,000 kilowatts of prime power to the Federal system, when all Federal projects, existing, under construction, or now authorized, are completed. The 3 Idaho Power dams will add only 680,000 kilowatts. This loss of 442,000 kilowatts of prime power is a part of the price the people will pay if the Hells Canyon Dam is not built (see charts III and IV of committee report, pages 49 and 50).

Third, electric rates. Mr. President, I represent a State that has all the potential of a young giant. Idaho has mighty resources, but it is starved for industry to put them to better use. Ours is still a "colonial economy." We ship raw products, but high freight rates prevent us from establishing many local industries. Since our fuel for industry is electricity, the best means at our disposal for ending our economic stalemate, is to secure for ourselves an abundance of cheap electricity for industrial use. This would seem plain.

Mr. NEUBERGER. Mr. President, at this point, will the Senator from Idaho yield?

Mr. CHURCH. I yield to the Senator from Oregon.

Mr. NEUBERGER. I have chosen to interrupt the outstanding speech being made by the Senator from Idaho because I know he has at heart a great concern for the future of his State.

As he has pointed out to us, his State has lagged behind in the case of the development of industries. I wonder whether he noted that only yesterday a great celebration was held in upstate New York because of the fact that the first industrial allocations of St. Lawrence Seaway power have been made by the Governor of the State of New York and by the New York Power Authority; and there, in the State of the Union which, I believe, has more industry than any other, a great emphasis was placed by the political leaders of both parties—those of both the Democratic Party and the Republican Party in the State of New York—on the fact that low-cost St. Lawrence Seaway power is to be used for new industries in that State.

It seems to me that the Senator from Idaho is rendering a most valuable service to his own State, which has been starved for industrial payrolls, when he emphasizes what low-cost Hells Canyon power could mean in terms of bringing new per capita income, new payrolls, and new sources of wealth to the State of Idaho.

In Oregon we need more low-cost power and more payrolls; but we have fared better than Idaho has, because we have had some of the power from the Bonneville system.

Mr. CHURCH. Mr. President, I thank the Senator from Oregon for his remarks. I wish to supplement what he has said by stating that I think it is a tragedy that what is given bipartisan support in New York and what was given bipartisan support in the case of the upper Colorado has become the object of bitter partisan recrimination, when it comes to the Hells Canyon. If the principles for which I speak here are valid in these other cases, they are valid in the case of the Hells Canyon Dam and the pending bill. It is true that cheap power has been a great blessing to the people of the States of the Northwest that have it; but my State of Idaho is the only one of the States of the Northwest that has failed to share it.

Mr. NEUBERGER. I want to say this to corroborate what the distinguished Senator from Idaho has pointed out. I myself have been in Idaho enough to know that there are prophets of gloom in his State who have claimed that cheap power will not bring industry to Idaho because of transportation difficulties. Five years ago Mrs. Neuberger and I stood at Kitimat, in northern British Columbia, which is from 800 to 1,000 miles north of Idaho, and saw being erected there in the vast subarctic wilderness a community which will soon have a population of 50,000 people, because of only 1 resource—2-mill electric power.

I know the Senator from Idaho is performing an inestimable service for his people in Idaho by trying to obtain for them low-cost power for industrial expansion.

Mr. CHURCH. I thank the Senator. I want to concur in what he has said, and to add only that the political leadership of my State, which has dominated Idaho these many years, has steadfastly refused to admit the importance of cheap power in the interests of the people and in the interest of my State's growth, prosperity, and development. So we have languished during the very years that industrial growth has spiraled upward next door to us, in Oregon and Washington, under the impetus of low-cost power furnished by Government dams.

The vital importance of low-cost power to all the States of the Northwest, and the key role it would play in their future development, was foreseen with prophetic clarity by that distinguished Senator, William E. Borah, who once represented Idaho in these Halls. Nearly 40 years ago he said on this floor:

> Our new States—
>
> Speaking now of the Northwest—
>
> far from the centers of population and of manufacture, have unlimited waterpower. Idaho, as I have stated, has 5,067,000 horsepower; Montana, 4,031,000; Oregon, 6,813,000; Washington, 8,447,000. What a world of wealth and what immeasurable possibilities are foreshadowed in these figures. It is the richest heritage that nature's God ever dedicated to a people. It will continue to serve those States and communities so long as the snows fall in the mountains and the waters flow to the sea. * * * We are naturally anxious to build up our new States. To do so we must use our natural resources in a way which will best enable us to compete with those more favorably situated with reference to large centers of population and industry. Cheap power will do much in this line. It will help to do for us what it has helped to do for Canada; that is, it will bring investment and business and enterprise. I repeat, there is no domestic question of such vital and lasting concern to us. (CONGRESSIONAL RECORD, September 19, 1918, p. 11443.)

What irony, Mr. President, that Oregon and Washington—yes, Montana, too—all the Northwest save Idaho—took heed of Borah's words. His own State alone was deaf to them. In the years that followed, great Government projects were located in each of these States that neighbored Idaho. Bonneville, Grand Coulee, Hungry Horse fed cheap power into the States of the Northwest that surrounded Idaho, and in the wake of the cheap power, came industry, enterprise, investment, and new wealth. But Idaho was forsaken by a leadership wedded to small plans for small tomorrows.

This is our dismal record, Mr. President. Is it any wonder that Idaho today is growing less than any other State in the West? Is it any wonder that Idaho has now become next to the poorest State in the West, with a per capita income nearly $400 a year under the average in Oregon, and more than $500 a year under the average in Washington? Is it any wonder, Mr. President, that I stand here on the floor of the Senate today and plead for the passage of this bill, for the sake of the people of my State? Here is the bill for which we have waited these many years. Here is the opportunity that has been so long denied us.

Section 3 (a) of this bill implicitly recognizes our need for an abundant supply of cheap power. It reads:

> In order to facilitate the development of the central and upper Snake River Basin, and also that of the downstream areas, the Hells Canyon Dam and powerplant and the Federal Columbia River power system shall be interconnected, and 500,000 kilowatts of firm power attributable to the Hells Canyon project, or such portion thereof as is required from time to time to meet loads under contracts made within this reservation, shall be made available for use in central and upper Snake River Basin and to all other parts of Idaho lying outside the central and upper Snake River Basin.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. CHURCH. I yield.

Mr. MORSE. The Senator knows I have been consistent and persistent in the inclusion of that section in this bill and in previous drafts of the Hells Canyon bills that I have offered in recent years in the Senate. As the Senator knows, I have also been criticized because of that reservation. Those who take a more provincial attitude, those who seem to think that the economy of a region can really be placed in watertight compartments in the form of State lines, seem to think that when that kind of a reservation is written into a bill, some way, somehow, its author is not representing the best interests of his State.

The Senator from Idaho knows the position I have taken on that question. I think it is of vital importance to the people of Oregon, to the people of Washington, to the people of Montana—yes; to the people of every State of the Union—that the State of Idaho be provided with a source of cheap power, so that industry can develop in that State, because, as the people of Idaho prosper, so do the people of my State and of Washington and of Montana and of States elsewhere in the Nation prosper.

We must grasp one concept in the full development of our river basins, and that is that as we develop the full economic potential of full river basins, we add to the wealth of the Nation as a whole.

I know of no section of the bill I am more proud of than the section the Senator from Idaho is now reading, because I think that section recognizes that those of us who authored and sponsored this bill recognized that, after all, the economy of our Nation is a totality, and that we cannot take a selfish, regional, or statewide attitude toward the development of the wealth of America. I want to see the people of Idaho have this reservoir of cheap power which the bill now under consideration seeks to afford them, and which this particular section seeks to reserve for them and, I may say, for the boundary section of my State which is in the river basin, which Representative ULLMAN so ably represents in the House of Representatives.

Mr. CHURCH. I thank the Senator, and I wish to observe only that his attitude toward this particular provision of the bill is in accord with his eminent sense of justice and also with the long-range view he takes of all public questions, for it certainly cannot be said of the Senator from Oregon that he is provincial in his attitude or in his outlook.

I should also like to observe that this block of power, this 500,000 kilowatts, is a block of power 1½ times as large as the total output of the entire Idaho Power system which presently serves most of Idaho. Imagine what a stimulant so large a block of cheap power, made available at a fraction of the rates that now prevail, would furnish my State for new industrial opportunities. Who would not benefit from it? Why, even the Idaho Power Co. itself would benefit from it, for this power would be sold in the wholesale market to industrial users, to electrical co-ops, to REA's, to communities with municipal power systems, and to private utilities for resale within the areas they serve.

It is time that all of Idaho should share in the benefits of low-cost electricity. If the Hells Canyon Dam is built, the electricity it will generate will cost about 2.7 mills per kilowatt, even after the Idaho Power Co. is fully compensated for the construction work it has done on the unfinished Brownlee Dam.

Mr. MORSE. Mr. President, will the Senator yield for one moment?

Mr. CHURCH. I yield.

Mr. MORSE. The Senator refers to the fact that even the Idaho Power Co. will benefit from this proposed generation of power, which causes me to say what I have said elsewhere, that if I were a stockholder of the Idaho Power Co. I would be strongly in favor of having a high dam at Hells Canyon, because it would provide cheap power which, under the pooling principle, would be available for purchase by the Idaho Power Co. itself, for redistribution to its own ratepayers. It would be, of course, under regulations to protect the people in regard to the rate they pay.

I have always been at a loss to understand how some of the stanchest proponents of what has been presumed to be the best interest of the Idaho Power Co. have missed this point, because as a stockholder, if I were one—I do not happen to be a stockholder of any corporation, because I simply do not have that kind of money—I would want this dam, because I think this dam would be a great economic asset to the Idaho Power Co. as well as to the people of the State of Idaho.

Mr. CHURCH. I thank the Senator for his observations.

If we permit these dams to be built, the substitute private dams, they will produce electricity at a cost of 6.69 mills. The Hells Canyon Dam will produce electricity at a cost of about 2.7 mills. So the difference of 4 mills will help keep the door closed to industry in Idaho. This is another part of the price the people will pay if the Hells Canyon bill fails to pass.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHURCH. I yield to the Senator from Illinois.

Mr. DOUGLAS. Is it not true that there are enormous phosphate deposits within relatively close range of the Hells Canyon Dam, namely, in western Montana, southern Idaho, Wyoming, and Utah?

Mr. CHURCH. There are large phosphate deposits, among the largest in the country, located in that area.

Mr. DOUGLAS. The largest in the world.

Mr. CHURCH. Yes. In all probability they are among the largest in the world.

Mr. DOUGLAS. Is it not true that to process the phosphate rock into triple superphosphate it will be necessary to have large amounts of power at low rates?

Mr. CHURCH. The availability of low-cost power would greatly stimulate production, because the production of phosphate depends on the consumption in the plants of tremendous quantities of electricity.

Mr. DOUGLAS. Is it not true that one of the best things TVA has done has been to develop triple superphosphate, which has improved the agriculture of that region?

Mr. CHURCH. Yes. That has been one of the series of great contributions the TVA has made to the whole area it has serviced.

Mr. DOUGLAS. Are there not similar opportunities in connection with Hells Canyon, in the further development of phosphate fertilizer there?

Mr. CHURCH. Yes, indeed. With respect to the phosphate possibilities, there are definite opportunities for further development.

I should like to say, in that connection, that the number of industries which might be attracted is as large as the imagination. There was a time, Mr. President, when the Grand Coulee Dam was being proposed, that the critics of that proposal laughed at it as being purely unrealistic. They said, "To whom are you going to sell the power; to the jackrabbits?" And those who listened to them laughed and applauded, because the question seemed so eminently sound.

The project was built, and in its wake came great industries to the Northwest. The problem ever since has been not where shall we find a market for the electricity, but how can we produce enough to keep abreast of the growing market?

Mr. DOUGLAS. The question of the added production of phosphate as a result of the Hells Canyon Dam, of course, has a direct advantage to the Midwest. The two chief farm crops of my State are corn and soybeans. Both take large quantities of phosphate from the soil. We are using up our phosphate at a very rapid rate. The fertilizers which our farmers have to buy are expensive. We need, in order to keep our agriculture going on a relatively fertile basis, large additional quantities of cheap phosphate.

Therefore, when people in Illinois ask me, "Why are you interested in Hells Canyon?" I say that first I am interested in it because it will increase the prosperity of the country, but, secondly, I am interested in it as a means of getting abundant and cheap phosphate fertilizer for the corn and soybean fields of Illinois.

Mr. CHURCH. I can only say in that connection that the cheap power made available through the construction of Hells Canyon Dam would not only stimulate further production of phosphate fertilizers but it would inevitably tend to reduce their cost to the farmers.

Mr. HUMPHREY. Mr. President, will the Senator yield at that point?

Mr. CHURCH. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I should like to have the RECORD show that I have received a number of telegrams, letters, and messages from people of the State of Minnesota, urging me to support the Hells Cayon Dam project. I have already told them, of course, that this support was given not only this year, but has been traditional. I have supported the development of the great resources

of the Snake River, the so-called Hells Canyon program, for many years.

I wish to say today that we in Minnesota feel very much the same as the Senator from Illinois has expressed. We look first upon this program as being for the general good and welfare of the United States.

I know the Senator has already reminded the Senate that in World War II, had it not been for the great public power projects, this country would have stood helpless before the onslaught of Hitler's Luftwaffe, because it was the public power projects that made possible the production of aluminum, and it was the production of aluminum needed for the bombers which made possible the bombers, and the bombers made it possible, at least in part, to destroy the enemy.

As the Senator from Illinois [Mr. DOUGLAS] has noted to me privately, it would have been impossible to have developed the atom bomb without the great resources of electrical energy.

I think the RECORD will show—and I wish I had it here with me today—that the private power companies all said in 1937, 1938, and 1939, that we had more electricity than we could use. They were fighting the same fight they are fighting now.

My position is clear. I am not against private power. As a matter of fact, private power has most of the generating capacity. It surely has most of the distribution systems. It sells between 80 and 90 percent of all electrical power, at least to the wholesale consumers. It seems to me that this project is in their interest, as the Senator has been pointing out.

Finally, I wish to say to the Senator that the State of Idaho, the Northwest, and the Nation are indeed fortunate to have an advocate of the quality, intelligence, persuasiveness, insight, and vision of the junior Senator from Idaho. It gratifies me and warms my heart to know that the junior Senator from Idaho is fighting for this cause, because it is a good cause, and it is a good man who speaks up at this time for a good cause. I commend him, and assure him of my unqualified support, just as the senior Senator from Oregon, the junior Senator from Oregon, and others who have fought the good fight have commended him.

Mr. CHURCH. I thank the Senator. I know of no one I would rather have on my side of the fight than the Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator.

Mr. CHURCH. Returning to the statement of the reasons why I urge the Hells Canyon Dam.

Four. A prudent investment. Mr. President, the productivity of our Nation depends upon the harnessing of energy. In 1860, animals provided 79 percent of our energy, manpower accomplished 15 percent of the work, while the remaining 6 percent of our energy came from inanimate sources, such as coal, wood, and waterpower. By 1960, animals will do 1 percent, man 3 percent, and inanimate sources 96 percent. In one short century, inanimate sources have jumped from 6 percent to 96 percent—a direct measure of the increase in our material standard of living.

In this energy revolution, it is vital to remember that the Government's multiple-purpose dams in the Pacific Northwest, like the Hells Canyon Dam here proposed, have proved themselves exceptional investments. In many river basins of the country it is not unusual to find multiple-purpose dams where 90 percent of the cost of the project is charged to navigation or flood control, while power accounts for no more than 10 percent. The TVA has 40 percent of its cost allocated to flood control and navigation, and 60 percent to power.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. GORE. I point out to the able Senator that this formula was not originated by the TVA, but came about by Congressional enactment, after a careful study of the proportionate benefits to be derived.

Mr. CHURCH. I realize that that is so. My point is only to demonstrate that upon the geographical location of a power development will depend what part of it can be sensibly allocated to the various benefits which the dam provides.

But on the Columbia River, by way of contrast, the McNary Dam has only 8 percent of its cost charged to navigation and 92 percent to power.

The long-range public investment in the development of the Snake-Columbia River system, which offers more than three times the potential energy production of both the Colorado and the St. Lawrence Rivers combined, may have as much as 80 percent of the total cost reimbursable in power revenues. Eighty-five percent of the cost for the Hells Canyon Dam would be reimbursed to the Treasury, with interest, in power revenues.

We all are aware that the cost to the Government for the nonreimbursable benefits that are provided by a multiple-purpose dam may be fully justified in the public interest. Flood control may prove costly, but the improvement of channels and the protection of property achieved thereby represents a prudent investment of public money for which we expect no return in coin. In the same manner, the outlay of Government money for the improvement of navigation, although it is also a nonreimbursable expenditure, may be justified, for its purpose is to open water highways for the use and benefit of all the people. Similarly, the development of recreational facilities and the conservation of fish and wildlife resources are nonreimbursable expenditures, but investments, nonetheless, for the welfare of the people at large.

Fortunately, however, the great Columbia-Snake River system is not merely a gushing source for periodic floods; Hells Canyon is more than merely a factor for helping to furnish slack water navigation to Lewiston, Idaho; great as its potential for recreational benefits may be, these are among the lesser attributes of such sites as Hells Canyon. For in the Northwest, the great Snake-Columbia River system constitutes an asset of unique value. This asset cannot be permitted to lie idle, and must not be permitted to be underdeveloped. Here also we invest, but our investment can be measured in tangible terms; and when so measured, it becomes strikingly evident that it does not cost; it pays.

The multiple-purpose dams, built by the Government on the Columbia River have an enviable record for financial soundness, despite the high proportion of the total investment allocated to power. The revenues being realized are rapidly returning both capital and interest to the public treasury. For example, as of June 30, 1956, the Federal expenditure in the Columbia River power system was $1,288 million, of which power revenues have already repaid $202 million, plus $137 million in interest, to the Federal Treasury. This repayment is $77 million ahead of the schedule established by the law. I refer to the annual report of the Bonneville Power Administration, as of June 30, 1956.

The Hells Canyon Dam would add another great project to a system that has proven its capacity to pay for itself, even as it mightily contributes to the growth and prosperity of the region it serves. What better investment can be made in the future of the Northwest for the benefit of the whole country than that embodied in the building of the Hells Canyon Dam?

Five. Reclamation. Mr. President, I have sometimes thought that of all the fearless, venturesome pioneers who made the great trek west to build a new empire on the frontier, the most stalwart were those who settled short of the Pacific, in the highlands and deserts of the interior. These were the people who faced the hard task of creating fertility with their own hands. Singly at first, then by joint efforts, they diverted water from the creeks and rivers to irrigate fields nearby. These were people with faith in themselves, faith in their government, and faith in the future. When projects of larger dimensions were needed, these were the people who fought to establish the Federal Government's great program of reclamation in the West. In 1915, the lofty Arrowrock Dam was completed upriver from my home city of Boise, and my father's generation jubilantly laid claim to what was then the highest dam in all the world. So it was that reclamation opened the arid West. Water was lifted up from our rivers and spread upon the desert, and the desert was made to bloom.

Today, Mr. President, much of the economy of Idaho owes its life to reclamation. If we are to grow with the future, we must spread our water to desert land lying beyond the present limits of our irrigated valleys. But our low-cost reclamation projects have already been installed, and there is general agreement that irrigators alone cannot bear the whole cost of new projects. These projects await other sources of revenue to supplement what the irrigators can pay. What could be more proper than to make our rivers contribute to the development of the basin they

PROPOSED SENATE PARTICIPATION, at least 12 important international con-

drain? Let it be the river's burden to help pay for the reclamation of the very land the river itself is made to nourish. Thus we may avoid the plight of having one day to plead with the populous East and South to subsidize with their tax money the further development of the arid West.

Government dams provide us with the means for escaping this stigma, for they can supply us with power revenues in aid of new reclamation. Slowly this realization is awakening the people of the West. On April 30 of this year, the Idaho Reclamation Association finally went on record, as the National Reclamation Association already had done, endorsing the principle that power revenues should be used in aid of irrigation.

The Hells Canyon bill now before us affirmatively includes irrigation as one of the beneficial objects of the legislation, and provides that the irrigation features of the Payette unit of the Mountain Home division might be treated as one project with the Hells Canyon Dam, for the purpose, among others, of providing for the application of project revenues to the return of reimbursable costs attributable to new irrigation, in accordance with the provisions of the Federal reclamation laws. The passage of this bill will greatly enhance the prospects for extensive new reclamation of fertile land in southern Idaho. By providing a huge new source of low-cost power, the Hells Canyon Dam could also make future public and private irrigation developments more economic by reducing the cost of pumping or spraying water onto the land.

By contrast, Mr. President, the alternative private dams offer no present stimulus to reclamation development, and no hope for future progress. This is another part of the price the people will pay if the Hells Canyon bill does not pass.

SUMMARY AND CONCLUSION

I have talked at length of our great river—of the earth's colossal conformation at Hells Canyon, creating a great site for flood control and power development; of the responsibility we face for developing that site, not only for today, but for the future stretching far ahead; of the uniqueness of hydroelectric energy in terms of our diminishing supplies of consumable fuels.

The issue that underlies this bill is as old as history and as broad as man's experience. All that we really have to sustain us, fundamentally, is the air, the soil, and the water. These are the elemental things of life. Civilizations that ill used the soil and the water, have quickly withered and died, for nature's penalty is inexorable. But proud and prosperous have been the civilizations that understood the Scripture:

He sendeth the springs into the valleys, which run among the hills. • • • He causeth the grass to grow for the cattle, and herb for the service of man.

Those empires that wisely utilized the water endured the test of centuries. Ancient wells, aqueducts, and reservoirs, some still serviceable after two millennia attest to the lesson well learned.

Mr. President, this bill will put a wondrous water resource to wise and efficient use. It is a bill that serves no interest, save the people's interest. It is a good bill. It should pass.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. DOUGLAS. I congratulate the Senator from Idaho for his truly magnificent speech. I have heard a great many fine speeches on public power, and I am not indulging in any false flattery when I say that I think his is the very best analysis I have ever heard. It is extraordinarily able and fair, and at the same time eloquent. I hope it will be read by all our colleagues and by the people of the country.

I first heard the Senator from Idaho make a brief speech on the question of power in the concluding days of last December, when he was coming to Washington to serve in the Senate. I said at the time that it was the first occasion I had ever heard a brief and fascinating short speech on the subject of public power, a subject in which I have been interested almost all my life.

Today the Senator from Idaho has made a magnificent speech. He spoke for well over 3 hours, with many interruptions. I think he has written a chapter in the history of the struggle not only for Hells Canyon but for all the river valleys of the country.

Last December the Senator from Idaho was a Senator-elect with great promise; tonight he is a Senator with a great future.

Mr. CHURCH. I thank the Senator from Illinois from the bottom of my heart, because he is known throughout the country as one of the great Senators of the land.

Mr. MORSE. Mr President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. MORSE. As the author of the bill, I wish to associate myself with the remarks just made by the Senator from Illinois. I say to the majority leader that in my opinion the proponents of Hells Canyon have made their case. Their case is the great speech of the Senator from Idaho. So far as I am concerned, I am willing at any time to enter into a unanimous consent agreement to fix a time to vote, because I believe the proponents, through the Senator from Idaho, have made an unanswerable case.

Mr. CHURCH. I am very deeply indebted to the Senator from Oregon for his remarks.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. HUMPHREY. I would not want this moment to go by without joining my colleagues in thanking the Senator from Idaho—not merely commending, but thanking him—for his address.

I am very pleased to note that in the gallery today is the Senator's wife, who has listened to the marvelous presentation made by her great husband and great man.

As a Democrat I cannot help feel considerable pride in the Senator's presentation, and as a fellow citizen I feel that the country is just that much better off because of what has been said here today by the Senator from Idaho.

I notice that in the text of the speech the Senator from Idaho referred to one of the truly great men of the 20th century, the late William E. Borah, of Idaho. The junior Senator from Idaho [Mr. CHURCH] walks in the same footsteps, and carries in his heart the same spirit of service and dedication to his fellow man.

It is a great thing that Idaho has done for us. I, for one, want the people of Idaho to know that I will help them by voting for the bill, and in that way also help the people of Minnesota.

Mr. CHURCH. Mr. President, I thank the Senator from Minnesota very much. I want him to know how much I appreciate the observation that my wife is present today, because she has always been with me throughout the campaign and on all the eventful occasions of my life.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. GOLDWATER. It may come as a surprise to my colleague from Idaho that one who is his adversary on the other side of the aisle should rise to compliment him on this occasion, even though the junior Senator from Arizona disagrees with the junior Senator from Idaho in nearly every paragraph and sentence of his speech. However, the junior Senator from Arizona would be remiss in his duty to his conscience if he did not commend the Senator from Idaho on the very able preparation and presentation of his speech.

Mr. CHURCH. I am very much indebted to the Senator from Arizona for his remarks. They reflect his well-known generous nature.

Mr. JOHNSON of Texas. Mr. President, will my young friend from Idaho yield to me?

Mr. CHURCH. I yield to the distinguished Senator from Texas.

Mr. JOHNSON of Texas. I wish to commend the junior Senator from Idaho for his good speech. I think it was a great speech. I do not know of any greater contribution that has been made to the debate in the field of conservation since I have been here than the contribution that my delightful friend from Idaho has made this evening.

The Senate has a great obligation to determine the most efficient and most economical and most prudent method of developing the great rivers of this country. No one could listen to the Senator's speech, or read it, without believing that the course of action outlined by the junior Senator from Idaho is the wise course, is the prudent course, and is the economical course to follow.

I may say to the Senator from Idaho that I have never had any abstract philosophy as to public or private power. I believe there is room in America for both. However, from the study I have made of this question, I believe that the wise course is to build the high dam at Hells Canyon. I expect to address myself briefly to that subject before we come to a vote on the bill.

I can assure the Senator that he will have my wholehearted support in his endeavor to conserve the resources of his State for all the people of that State and of the Nation.

Mr. CHURCH. Mr. President, I want the Senator from Texas to know that I deeply appreciate his remarks. I want the majority leader, in whom we all take so much pride, to know that his help in this matter is something which is appreciated not only by the junior Senator from Idaho, but by all the people of the Northwest. I thank him for his help.

Mr. NEUBERGER subsequently said: Mr. President, before today's session is concluded, I should like to note that I was pleased to have the privilege of presiding over the Senate during part of the time when the junior Senator from Idaho [Mr. CHURCH] delivered his very able address. It was his first major presentation in the Senate Chamber since he became a Member of the Senate, and certainly it was an auspicious beginning. If I had not then been in the Chair, I would have joined, at the conclusion of his address, my colleagues who commended him for his very fine presentation.

I ask unanimous consent that these remarks be printed with those of other Senators, at the conclusion of the remarks of the Senator from Idaho.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NEUBERGER. Mr. President, before we conclude today, I should like to call one matter to the attention of the Senator from Illinois [Mr. DIRKSEN]. Earlier today the Senator from Illinois and I discussed certain advertisements which have been placed by certain private utility companies in national magazines. The advertisements relate to the fact that the Hells Canyon Dam and the Idaho Power Co. dams are in controversy. I pointed out that the advertisements had been published in connection with the claim that the three private power-company dams will not cost the United States anything at all.

Mr. President, these advertisements have now been enlarged by a member of the staff of the Senate committee—I am not sure which one—and they have been placed in the rear of the Chamber. I hope the Senator from Illinois will have an opportunity to view them before the vote is taken.

VISIT TO THE SENATE TOMORROW BY PRIME MINISTER NOBUSUKE KISHI, OF JAPAN

Mr. JOHNSON of Texas. Mr. President, I desire to make an announcement for the information of the Senate.

Tomorrow at 12:30 p. m. the Prime Minister of Japan, the Honorable Nobusuke Kishi, will pay a visit to the Senate. I ask unanimous consent that at 12:30 it be in order for the Chair to declare a recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED SENATE PARTICIPATION IN THE LONDON DISARMAMENT TALKS

Mr. JOHNSON of Texas. Mr. President, there has been some discussion in the past few days of a State Department suggestion that the Senate designate some Members to attend the current disarmament talks in London.

I wish to advise my colleagues of the exact state of affairs as they are known to me and to make my position on the suggestion absolutely clear.

Presumably the State Department request is based upon the possibility that some kind of agreement may be reached which would be submitted to the Senate. In this eventuality, it would be helpful if Members of the Senate were available who had the benefit of an inside view of the discussions.

There is no question in my mind of the critical importance of the disarmament talks. The issue is the most important before the world today.

The question before us, however, is not the importance of the discussions, but the importance of having Senators, as observers, participate in them at this time.

Therefore, I have called upon the Secretary of State to ask the President to submit the request and to indicate the urgency which would require Senators to consider the matter in London instead of in Washington.

My position is based solely upon a desire to be certain that the Senate is performing its constitutional functions in a manner that best serves our Nation's interests. This raises a number of points which we must consider.

First, there is the need to cooperate responsibly with the Executive in shaping foreign policy.

Second, there is the need to maintain an independence of judgment that will insure that our consent to any treaty negotiated by the Executive will be more than a mere formality.

Third, we must weigh the extent to which the business of the Senate would be disrupted by the absence of some Senators during the consideration of important issues.

There is ample precedent for Senators to attend important international conferences. It grows out of the experiences of the Versailles Treaty, which was loaded with reservations by a party in opposition to the President which felt that it had not been adequately consulted.

During World War II, Secretary of State Cordell Hull worked with leading Members of this body. He felt that the Senate should have an opportunity to make its views known so they could be considered by the Executive in advance of commitments.

I am a strong advocate of continuing that tradition. The President and the Secretary of State will find, and should know already, that this Congress is consistently cooperative in the field of foreign policy.

This, of course, does not require senatorial attendance at every international conference. Since 1953, there have been at least 12 important international conferences which were not attended by Senators.

The most striking was the Geneva conference of chiefs of state in 1955.

I ask unanimous consent that the list of 12 be printed in the RECORD at the conclusion of my remarks.

There being no objection, the list was ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. JOHNSON of Texas. Mr. President, if the President and the Secretary of State desire senatorial attendance at London, the Senate will respond. I would not, however, advocate the type of senatorial participation which might tend to usurp the Executive function of negotiating treaties.

Our Government is based on a system of checks and balances. One of the most important checks is that which requires the Senate to exercise an independent judgment on treaties negotiated by the Executive.

This check would become a mere formality if the Senate were committed in advance to approve a treaty that was negotiated.

The conduct of foreign policy is an Executive responsibility. I would not want to be placed in the position of intruding upon that responsibility.

There are also a number of disturbing implications involved in the possibility that the attendance of a number of Senators at an international conference could seriously interfere with the conduct of legislative business.

For the past several years, the distinguished minority leader and I have sought to discourage large-scale participation by the Senate in international conferences while the Senate is in session.

This is a Senate which is closely divided. It is extremely important that every Senator be present to cast his vote.

Of course, this is not an ironclad rule. Certainly, there are occasions when the destiny of this Nation rests on international negotiations.

This may well be one of those occasions. It is possible that historic agreements may be reached in London, and if so the Senate should have observers present—agents of our own choosing—who can bring us a firsthand report and enable us to discharge our obligations responsibly.

To discharge those obligations responsibly, the Senate must maintain its complete freedom to advise and consent to a treaty or to reject a treaty negotiated by the Executive.

Our Constitution does not provide for a parliamentary system. The Founding Fathers sought to set up checks and balances which were not contemplated in the parliamentary systems of Europe.

The London conference is facing up to a fundamental problem before the world today. It must, if possible, find ways and means to control the tests of atomic weapons and to reduce the tremendous burden of armaments.

Naturally we will cooperate with the Executive and within the framework of our Constitution.

That is the state of affairs as I know them at the present time.

If we receive a formal request from the President or the Secretary of State, I will consult my colleagues and attempt to work out arrangements which will be mutually satisfactory, and certainly in the national interest.

EXHIBIT 1

PARTIAL LIST OF MOST IMPORTANT INTERNATIONAL CONFERENCES SINCE 1953 AT WHICH THERE HAS BEEN NO SENATORIAL REPRESENTATION

July 10–14, 1953: Meeting of Foreign Ministers of France, United Kingdom, and United States. Agreed to invite the U. S. S. R. to a Big Four conference.

October 16–18, 1953: Meeting of Foreign Minsters of France, United Kingdom, and United States. Further discussion of a possible Big Four meeting.

December 4–7, 1953: Bermuda Conference of the heads of State of the United States, United Kingdom, and France.

January 25–February 18, 1954: Four-Power Conference in Berlin between the Foreign Ministers of the United Kingdom, France, the U. S. S. R., and the United States. Full discussion of European problems but no agreement was reached. First meeting of the Council of Foreign Ministers since 1949.

April 26–July 21, 1954: The Geneva Conference on Indochina and Korean problems. Armistice agreements relating to the Indochinese States were signed but not by the United States.

September 28–October 3, 1954: Nine-Power Conference in London. Preliminary agreement was reached on a substitute for the defeated EDC Treaty.

October 20–23, 1954: Paris Conference. Numerous agreements were signed including the Convention on Relations with the Republic of Germany and the protocol to the North Atlantic Treaty on the accession of Germany.

December 2, 1954: Mutual Defense Treaty with the Republic of China signed after months-long negotiations in Tai-pei and Washington.

February 23–25, 1955: First meeting of the Southeast Asia Treaty Council.

May 15, 1955: Austrian State Treaty signed after several weeks of negotiations.

July 18–23, 1955: Geneva Conference of the Heads of State. First meeting of heads of State since Potsdam.

July 1956: Meetings of the heads of the American States at Panama.

Mr. DIRKSEN. Mr. President, will the Senator indulge me for a comment?

Mr. JOHNSON of Texas. Certainly.

Mr. DIRKSEN. It occurs to me that the emphasis has been that someone sit as an observer. To be an observer to represent the legislative branch, particularly the Senate, is one thing; to be a participant is another thing.

I suppose "participant" in this particular expression was used for lack of any other term.

But I think it was very carefully decided that whoever attended the conference on the part of the Senate should go only in the capacity of an observer, not as a participant in the deliberations. I think that is what was contemplated. I think the majority leader will agree in that general concept.

Mr. JOHNSON of Texas. I have not had an official reply to my suggestion that the President and the Secretary of State outline to me their conception of the role the Senate would play in the negotiations. I should think they would indicate the extent to which they felt it was feasible for the Senate to participate for study or observation, and the extent to which they felt it desirable to receive advice in the matter before the conference.

I have never felt that the legislative branch should usurp the functions of negotiation which are clearly the responsibility of the Chief Executive.

I, together with the minority leader, have made it abundantly clear on a number of occasions that we would welcome the opportunity for Senators to attend as observers, but not to act strictly as what might be called advisers or participants.

Mr. HUMPHREY. Mr. President——

Mr. JOHNSON of Texas. Mr. President, does my friend, the Senator from Minnesota, desire to ask a question on this subject?

Mr. HUMPHREY. No; I only wish to say that I am very appreciative of the Senator's statement. Let me suggest to our colleagues that he is one of a number of Senators who have been discussing the proposal to send Senators to the conference, as observers. I surely concur. However, I hope that will not in any way prevent those involved from discharging their senatorial duties, particularly in the case of the measure now before the Senate.

Mr. JOHNSON of Texas. I assure the Senator from Minnesota that I appreciate his remarks, as I do the concurrence of the distinguished acting minority leader.

Mr. President, I turn now to another subject.

The PRESIDING OFFICER (Mr. SYMINGTON in the chair). The Senator from Texas has the floor.

FIFTIETH ANNIVERSARY OF THE UNITED PRESS

Mr. JOHNSON of Texas. Mr. President, it is my understanding that tonight the not-so-ancient, but presumably honorable, order of the Downhold Club will celebrate, with appropriate ceremonies, the 50th anniversary of the United Press.

For the information of those who are unfamiliar with this organization, it is one of the largest in the United States. It is composed of United Press alumni who seem to have invaded every aspect of American life—including my staff.

I am told that the formal part of tonight's ceremonies will last an hour and two-fifths. Some members of the press gallery and of the Senate staff have expressed an interest in being present, and on time.

It is my hope that we can accommodate the members of the club by adjourning relatively early. Meanwhile, my congratulations to Chairman Bill Lawrence and his former employers of the United Press upon the anniversary.

I hope to see the members of the club tomorrow—bright eyed and fresh and ready to start upon another 50 years.

THE FLOODS IN SOUTHWESTERN MINNESOTA, AND THE VITALLY NEEDED FLOOD-CONTROL PROJECTS

Mr. HUMPHREY. Mr. President, I take the floor of the Senate at this time only because of a very dire emergency in my State and because in this manner I am able to call it to the attention of my colleagues, through their reading of the CONGRESSIONAL RECORD.

Mr. President, southwestern Minnesota, along the Minnesota River and its tributaries, has been hard hit by floods, particularly since the past weekend, when there were heavy rains which resulted in severe flooding. It is now estimated that the damage in and around the town of Marshall, Minn., alone will run into several millions of dollars. Just a few minutes ago I was informed that the damage in the case of this one community is now estimated at $7,500,000.

Some of the most promising crops in recent years have been ruined by these floods, which came suddenly, and are still inundating tremendous areas in Lyon County and neighboring Lincoln County. I am informed today that farm lands along the Minnesota River itself, between Montevideo and New Ulm, Minn.—in Yellow Medicine, Pennville, Brown, and Nicollet Counties—are under water for miles.

Since the first reports of these severe floods came to my attention on Monday of this week, I have been in constant touch with the Governor of Minnesota and local authorities, and also with the Federal agencies which are set up to render assistance under disaster conditions.

Mr. President, today, in fact, the Commissioner of Agriculture of Minnesota, the Honorable Byron Allen, came to Washington, to discuss these matters with me and with other Members of the Minnesota Congressional delegation. He is now seated in the Senate gallery.

Some of these agencies are by law prohibited from taking action to be of assistance until the President declares a state of emergency in the area. However, others—notably the Farmers Home Administration—can take action. On the authorization of the Secretary of Agriculture the Farmers Home Administration can institute a program of production emergency loans to farmers who have been washed out by floods. Thus far, the Farmers Home Administration has not acted to request this authority of the Secretary of Agriculture, nor has the Secretary of Agriculture directed the Farmers Home Administration to take action. But I am receiving from the Minnesota State Commissioner of Agriculture reports indicating that the damage is so severe as to make imperative the institution of such a program at once.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of my telegram of this afternoon to the Administrator of the Farmers Home Administration, urging that all possible speed be taken to determine the need for an emergency-loan program in the counties of southwestern Minnesota affected by the floods of the past week.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

KERMIT A. HANSEN,
Administrator, Farmers' Home Administration, United States Department of Agriculture, Washington, D. C.

Request you expedite survey being made of crop damage due to flooding in Lyon, Lincoln, Yellow Medicine, Redwood, Renville, Brown, Pipestone, Lac Qui Parle Counties and parts of Cottonwood and Murray Counties so that program of emergency loans under Public Law 38 can be instituted at earliest possible moment. Minnesota Department of Agriculture and local authorities indicate damage in many areas far in excess of ability of regular FHA loan program to handle, roughly estimated at upwards of $5 million, rural areas alone.

HUBERT H. HUMPHREY.

Mr. HUMPHREY. Mr. President, the recent flooding along the Minnesota River Basin underlines the urgent need for moving forward at once with a broad program of flood control for this area. Time and again, year after year, many hundreds of square miles of fertile cropland in the area—some of the most fertile in the world—is flooded and its crops destroyed by spring and summer floods. For many years I have been supporting the necessary appropriations to sustain the continuing flood-control survey of the Minnesota River, and of the urban areas in the Minnesota River Basin, being made by the Corps of Engineers.

The comprehensive report by the engineers is scheduled for completion and submission to the Congress during the fiscal year 1958.

In addition, from time to time, engineering reports concerning some of the local flood-protection projects which could be undertaken under the authority of section 212 of the 1950 Flood Control Act, have been submitted by the district and division engineers. One of these reports was made on the Redwood River, in the vicinity of Marshall, Minn.—now largely 3 feet under water. Mr. President, Marshall, Minn., is the city to which I referred a moment ago; and I am informed that at the present time there is between 3 and 4 feet of water over the entire area. This report of June 1955, indicated that the estimated Federal cost of $140,000 would be too high. In fact, at that time the Assistant Chief of Engineers told me, "The proposed plan of improvement has been found adequate from an engineering standpoint; however, the project economics appear questionable and the benefit-to-cost ratio is considered very marginal."

Well, Mr. President, $140,000 does not sound like a lot of money to me, when I hear that the damage in the urban area of Marshall, Minn., alone will amount to $7½ million, just from the damage of the last few days of flooding. Yet by that report from the Bureau of the Budget we were told that the Government of the United States simply cannot afford a project of this kind, because it would be too costly. I ask my colleagues to compare that statement, which was made a little more than 1 year ago, with what we predicted would happen if that flood-control project were not undertaken. I testified before the Congressional committees, and begged and pleaded with them for flood-control measures in this area.

I have expressed these views to the Corps of Engineers; and I have been assured that the engineers have full authority to undertake a resurvey of the Marshall area and the completion of a new interim report, and will do so if the necessary funds are made available.

I am informed that it will take $25,000 to make this interim report. Therefore, I am requesting the Senate Committee on Appropriations to consider favorably the inclusion of this amount in the appropriations bill for public works now before the committee. I have directed the appropriate communications to the chairman of the full committee and the chairman of the subcommittee. Certainly this is a very small amount to invest toward the solution of the problem caused by the floods which have descended with such disastrous results on the community of Marshall, Minn., and the other communities in southwestern Minnesota.

Mr. President, I am further informed that the waters in other parts of the State of Minnesota are also rising to dangerous heights.

Mr. President, more floods may afflict our people with further suffering and great loss. This situation can be alleviated by proper flood-control construction works. I am hopeful this plea will not go unnoticed.

Mr. President, I turn to another subject.

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

PEOPLE-TO-PEOPLE USE OF FOOD

Mr. HUMPHREY. Mr. President, earlier today I sent to the press gallery and made available a press release on the work of the voluntary agencies on surplus food disposal. This is a people-to-people use of food, and I wish to address myself for a few moments to the role of voluntary agencies in carrying out provisions of Public Law 480, dealing with the disposal of farm surplus commodities.

The role of voluntary agencies must not be overlooked in the legislative history of Public Law 480. I am convinced that the public is not fully aware of what has been accomplished under its authority—and, what is more, I do not think the public understands what more could be accomplished.

Mr. Theodore Gill, of the Christian Century, has used the words "history's housekeeping" to characterize the many ministries of relief, reconstruction, and interchurch aid which he viewed in Hong Kong recently. I think his phrase can serve to describe the work of all voluntary agencies everywhere:

> The uprooted and stateless, seeking refuge from tyranny • • • the naked and hungry, deprived of food and possessions by floods, earthquakes, and strife • • • the homeless, evicted from their lands by political upheaval and boundary disputes • • • the widows, orphans, and disabled who are constant reminders of what the wars of men have wrought on a populace • • • the sick and undernourished in many lands, condemned to lives of suffering and starvation.

These then are those helped by Public Law 480. It is to them that voluntary agencies, through their worldwide facilities, distributed nearly a billion and a quarter pounds of food last year as a gift of the American people.

There has developed between the voluntary agencies and the American Government a partnership that is undoubtedly without parallel or precedent either in scope of operations or value to the Free World. It is a method unique to Americans.

It is seldom that there prevails a happy circumstance whereby an abundance of surplus stocks and burdensome storage costs are diminished with proportionate expansion of understanding and good will, whereby an exchange is effected which in a sense translates material gifts into spiritual realities among people.

Thus are expressed the abiding concerns of the voluntary associations of Americans for the building of true brotherhood among peoples by people-to-people efforts; for the strengthening of the sense of personal worth among those disinherited and cast off by the world; for the reassertion of eternal values among those for whom all values have failed; for the sowing of peace among those anguished by violence, insecurity, and unending want.

The United States well can take pride in that it has used its vast storehouse of farm surplus commodities to help the lot of those tragic peoples of the world who by circumstance had to cut themselves away from home, family, friends, and country to seek freedom from fear—a freedom which we in the United States view as a God-given right and, too often, perhaps, take for granted.

As most of my colleagues know, Mr. President, I am at present conducting a series of hearings before the Committee on Agriculture and Forestry upon the entire subject of Public Law 480. It will be the committee's pleasure to hear representatives of voluntary agencies tell their experiences under the program at tomorrow morning's session. From advance information, I can tell Senators that most of the experiences will be good. Let me share some of the accomplishments of the voluntary agencies with my colleagues. As they hear their experiences, I am sure they will join with me in asserting that because of our devoted overseas representatives, and the denominational representatives in this country who spend many hours of time in consulting together on this cooperative ministry, our gifts have helped to bring new life and self-respect to many who despaired.

Out of America's vast storehouse of surplus commodities, owned or controlled by the United States Government,

farm surplus products were made available free to voluntary agencies for shipment to the hungry peoples of the world. Freight costs within the United States and ocean freight to many countries are paid entirely or in part by the Government. Foreign governments receive the food without charging duty, and pay international freight costs in some instances.

These voluntary agencies are visible expressions of great American traditions. They work ceaselessly around the world so that those who escaped from one bondage, at so great a cost to themselves, will not become victims of the bondage of starvation.

The very existence of voluntary agencies, and their activity in every corner of the Free World, bears witness everywhere to the reality of a free society, a society which permits and nurtures free associations formed by free men.

American voluntary agencies, including those supported by the three great faiths, have been in 73 countries and areas of the world, giving not only first aid, but planful care to the most dispossessed of humanity.

Mr. President, it was my privilege recently to make a fact-finding trip to parts of Europe and the Middle East for the Foreign Relations Committee, where I met with many government officials. And I learned something there about food. American food and fiber is vital to the very existence of millions of undernourished people, and it is the brightest ray of hope for building stronger economies and greater political stability in most of the countries I visited.

Voluntary agencies are working among the destitute exiled masses of South Vietnam, South Korea, Hong Kong, and Formosa, amid the wreckage in Port Said, in poverty-ridden Haiti, among the forlorn in the Middle East, amid the escapees who crowd into West Berlin, who were farmers, craftsmen, apprentices, and students yesterday, but who today live in damp, cold camps and ruined factories, and whose children die in large numbers.

Through the surplus program new hope is given to the widows of Pusan, to the refugees of Europe, to the tuberculosis patients in many lands, and to the schoolchildren in Jamaica.

Greece, long plagued by unproductive land and few resources, has been even harder hit in recent years by earthquakes in the south and central plains and by the lingering effects of war and civil strife which wiped out whole villages in the north. Assistance has also gone to orphanages, theological schools, and summer camps.

Supplies have gone to millions of victims of earthquakes and riots, and to thousands of cold and hungry in the mountains of Yugoslavia and northern Greece.

One of the values of voluntary agency programs, it seems to me, is the bridge between our people and the people of other lands even if our governments are, for one reason or another, cool to each other and withholding official dealings.

For example, Mr. President, while I was in Egypt, I learned that CARE's feeding program had been reaching 2.9 million people a day in that country—mostly to school children, through a lunch program which was bringing them into the schools. Unfortunately, that effort had to be reduced to food assistance to 100,000 people, when CARE's supplies were exhausted in September of last year, and repeated requests to replenish supplies have not been answered.

I note for the RECORD that I spoke to the President of the United States about this matter this morning. I hope out of the kindness of his heart and because of his responsibility as Chief Executive of this land he will see to it that the pleas and requests of the children are answered—children to whom we should look forward as being our friends in the days ahead—and that the plea and requests from the great organization known as CARE will be responded to favorably.

In many instances, voluntary agencies are meeting a segment of the population in foreign countries untouched by other governmental agencies, and that distribution at a local level is more likely to be accompanied by the expression of compassion and kindness which demonstrates the concern of America for their need, and the uplifting of their standard of life.

The Advisory Board on Foreign Aid daily receives letters of gratitude in various languages of people in many countries—letters not solicited or inspired by anyone, but spontaneous expressions, coming from the heart.

Despite these accomplishments, we know there is much yet to do, there are needs still to be met, and there are people who are awaiting our help. We know that what our farm surpluses have done is a bare fraction of what is required, and what can be done with some vision and the imagination to use it constructively for human good.

Yet we can take pride, Mr. President, in what has been accomplished. And it is in this spirit that I pay tribute to America's voluntary agencies.

Each of the agencies concur in the statement that the value of the surplus sharing program is tremendous. It is in keeping with the basic Christian ethic and is an unmistakable demonstration of a basic American ethic.

The type of aid represented by programs such as Public Law 480 is most helpful in humanizing and personalizing our concern for others. As Robert J. MacAlister, Executive Director of the International Rescue Committee, recently put it:

> In a world where Communist propaganda constantly paints a picture of a materialistic America, it is extremely important for sound political as well as humanitarian reasons that America clearly demonstrates that we have not forgotten others less fortunate.

On the matter of program performance, there seems to be agreement that the distribution has been on a non-discriminatory basis to those in greatest need. Machinery has been set up to avoid duplication, and the aid given through the agencies has not interfered with national or international economies. The agencies make every effort to assure that the American origin of the supplies is known to the recipient individuals and organizations overseas, and—perhaps most important of all—lives have been saved and hope renewed among dispossessed and uprooted people.

In a letter to the Advisory Committee on Voluntary Foreign Aid, on March 15, 1957, the Honorable Earl L. Butz, Assistant Secretary of Agriculture, said:

> The contributions which have been made by the American Voluntary Welfare Agencies in their distribution of surplus foods abroad have been very worthwhile and have materially assisted us in our care and management of CCC food stocks.

It should be noted that operation of the overseas free food distribution by the voluntary agencies is carried out in addition to their regular, on-going worldwide schedules of relief and rehabilitation, through which contributed and purchased foods, clothing, bedding, medicines and self-help supplies are furnished and through which are maintained continuing programs of resettlement, constructive development, and assistance for refugees, as well as support for orphanages and hospitals, tuberculosis and other health projects.

The American voluntary agencies have distributed more than 2 billion pounds of surplus commodities since 1954. If shipments continue at the present rate, the commodities shipped to 78 countries since 1954 will have exceeded the value of $1 billion by July.

These distribution plans could only have been carried out because of the great welfare and health channels that the agencies have long since established overseas.

Despite the magnitude of this greatest of food relief efforts, there are still many millions of impoverished and undernourished persons in need, far exceeding in number those now being ministered to in the overseas distribution process.

American overseas relief agencies of the Protestant, Roman Catholic, and Jewish faiths distributed more than 1,200,000,000 pounds of United States surplus foods free to destitute and hungry people abroad so far this fiscal year.

These supplies of America's stocks of surplus foods—cheese, powdered milk, beans, corn, rice, wheat, cornmeal, and flour—comprised more than 91 percent of all such surplus foods distributed by all American voluntary relief groups during the same period.

Other surplus stocks similarly distributed by nonreligious voluntary agencies amounted to 108 million pounds. Of this, the largest amount—nearly 102 million pounds—was distributed by CARE.

The American Council of Voluntary Agencies for Foreign Service is composed of 40 agencies registered and recognized by the United States Government. In all, the Commodity Credit Corporation released 1,300,000,000 pounds of food, valued at $123 million, for free distribution overseas by voluntary agencies during the 9 months of this fiscal year.

Because of the highly voluntary nature of their assistance both here and abroad, religious faith leaders report that the agencies achieve an extremely high rate of distribution per dollar of cost, with much more than 200 pounds of food being given to relieve human misery for each dollar expended in their programs.

During the hearing tomorrow morning, I hope to bring out more fully the personal accounts of how this aid has contributed to our foreign relations. Permit me to cite some examples for Senators from information I already have received.

Take the case of Church World Services. Shipments in 1956 of commodities went to 34 countries in Europe, Asia, and other parts of the world. The shipment totaled almost 192 million pounds. To think of the processing of these goods, starting from the requests in the field, procurement from the Government, movement and marking at port for shipment overseas, shipping, receiving, and distribution, and when we think also that on the average 145 such shipments were made each month during 1956, it is truly an accomplishment of heroic proportions.

A very interesting note in a report of Church World Service comes from Japan. Since the inception in Japan of the surplus sharing programs and the previous similar activities of American agencies, the Japanese people are becoming increasingly aware of a compulsion within themselves to help those of their own people who are worse off. This is a new thing in Japanese life, and, to me, it seems quite significant.

Catholic Relief Services, which shipped 1½ billion pounds of food to 46 countries, said in a letter to me:

> When Congress legislated Public Law 480, it performed a humanitarian task that every hour of every day throughout the year is making itself felt in country after country around the world. There has been concretely demonstrated the way, under a free society, that the agencies voluntarily supported by the people of the United States work side by side with the official representatives of the duly elected Government of the United States.
>
> This pattern has stood out in so great a contrast to the activities of the totalitarians which submerge the individual under the veil of the all-powerful state and suppress the very type of agencies the growth of which our Government not only fosters but accepts in partnership. To those who would learn a lesson of the way of the West, this has been an illuminating concrete experience.
>
> The vast distribution programs which Congress has fostered and encouraged through America's voluntary agencies have made possible an intelligent worthwhile use of America's food surpluses, have aided in the reduction of back-breaking storage costs which previously had been incurred year after year which constituted a drain on the taxpayer whose taxes had been used not only to acquire the foodstuffs but to meet mounting costs of storage, have resulted in widespread goodwill because of their direct impact upon the people of other countries as individuals in a manner sharply in contrast to government-to-government aid.
>
> This last point—that of impact—may well be summed up on the remarks of our representative in India who wrote some months ago that the Communists had little trouble in making a propaganda case against the aid given through governmental channels but that they could find no way to cope with the effectiveness of the voluntary distributions because these gifts were freely given with no strings of any kind through counterpart agencies in their lands interested simply and solely in the welfare of the individual.

The Right Reverend Monsignor Edward E. Swanstrom, executive director of Catholic Relief Services, noted:

> I have traveled several hundred thousand miles in the past 5 years conducting inspections of our distributions throughout the world. I have seen the surplus products of our Midwestern farms relieving misery in the heart of Pakistan; I have seen our sharing of the bounty of America's produce bring smiles of friendship to the faces of those in southern Italy who, in despair, had been flirting with communism; I have seen the incredulity with which these gifts from the people of America were first greeted in the Far East where the whole concept of aid to one's neighbor had not previously existed; I saw this incredulity replaced with confidence and appreciation when it became clear that these gifts were made available simply and purely from the desires of the American people to help their fellow men wherever in need; I have visited remote towns and villages in Spain to be told by almost every schoolchild in a most grateful way that the milk and cheese and butter which they had been receiving each day at noon in the schools were gifts from that great country across the sea—America.
>
> There is no questioning the vast good which these programs, as now constituted, have done and can continue to do. Their supplementation through adequately financed self-help projects would bring nearer the day when many of the world's hungry will be able to feed themselves. It is to this day which all of us interested in peace and world stability must look.

I wish to concur in what Monsignor Swanstrom has said. I have seen the results of the program, and I pay tribute tonight to the great voluntary agencies for the wonderful, marvelous work they have been doing in terms of human welfare.

Franklin Clark Fry, president of the Lutheran World Relief, which has distributed supplementary food to more than 1,465,000 people in all parts of the world, commented:

> By demonstrating their concern for the victims of war and other disasters through the Government-donated surplus commodities program carried on by the voluntary agencies, the American people are helping the indigenous governments to see and help the unfortunate among their citizens.
>
> It would be wrong for us to leave refugees and other needy persons crushed, abandoned, hungry while we have the means to alleviate some of their suffering. It is right for us to share our blessing of abundance with the victims of want.

Hannah L. Goldberg, executive director of Hadassah, the Women's Zionist Organization of America, wrote to me:

> We are convinced that the generous gifts of surplus food commodities by the United States has created much good-will for the United States in Israel and in those areas of the world which benefited from such gifts.
>
> Israel, during recent years has absorbed large numbers of immigrants many of whom were in poor physical condition. The surplus food products were utilized to supplement the inadequate diet of these immigrants and other needy persons in Israel.
>
> From our experience with the program we believe that its good effects could be immeasurably increased by giving the program a greater and assured continuity with long-term planning.

Every day of this year, CARE's American staffs overseas are able to provide supplementary rations of 5¼ million people. To make this possible, more than 54 million pounds of surplus, valued at $9 million has been shipped overseas through March of this current fiscal year.

Since inaugurating surplus food relief in 1951, CARE has shipped overseas about 340 million pounds of milk powder, butter, butter oil, cheese, egg powder, cottonseed oil, and shortening, rice, beans, flour, and cornmeal.

The American Mission to Greece reports as its accomplishments—directly connected with Public Law 480—the following:

First. The prevention of hunger among many who lack even their daily bread.

Second. The prevention of disease because of the very low resistance and undernourishment, especially among children and young people.

Third. It has created in the minds and hearts of multitudes of people a conscious realization that they are not without friends at the very moment when they are reaping the consequences of their sacrifices for the cause of freedom.

In the last 2 years alone, the Tolstoy Foundation, Inc., has distributed 550,000 pounds of butter, cheese, and milk powder to more than 8,500 needy persons in Europe and the Middle East. From this experience, the president of the group, Miss Alexandra Tolstoy, said:

> In addition to providing vital food to supplement meager diets, the general American action has been received with sincere appreciation by the refugees whom we service as a specific measure of interest of the American people in the refugee himself.
>
> From the camps in Austria and Germany and from the mud-bricked hovels in Iran came heartfelt words of appreciation for this attention. I cannot overestimate the tremendous psychological value inherent in Public Law 480 in establishing, maintaining, and strengthening good will toward the American people and the American Government.

The American Friends Service Committee notified me:

> We believe this program of distribution through the voluntary agencies has been of inestimable value not only in relieving human need and suffering, but also in expressing the concern of the American people in a tangible and personal way divorced from any political considerations for millions of refugees and underprivileged people in other parts of the world.
>
> We also believe that the expenses incurred by the United States Government in using these foodstuffs overseas through American voluntary agencies represent a good investment of taxpayers funds, particularly in light of resulting substantial savings in storage costs.

And, Mr. President, I believe they can base their observations on good experience: The American Friends have shipped more than 30 million pounds to 9 countries since 1950.

The American Jewish Joint Distribution Committee wrote me that the farm surplus commodities made available to them has been of immeasurable help in improving the health and well-being

of the needy, particularly children and young people of school age.

For instance, in Morocco, Tunisia, and Iran, they have set up infant feeding stations for the distribution of milk to mothers and babies. Lunches and midday milk are served to 62,000 children in schools and kindergartens in North Africa and the Middle East. They feel it is needless to point out the great value of the milk allocated to voluntary agencies, and they only wish it were made available the year around instead of on a seasonal basis.

Dr. Joseph B. Koncius, president of the United Lithuanian Relief Fund of America, visited all the camps of refugees in Germany and determined:

First. Without the aid of surplus foods, at least 30 percent or more of the refugees would be afflicted with tuberculosis.

Second. Food which was distributed was used immediately by the recipients, and in no cases were there any indications of the food being misused.

Third. Recipients are grateful to the United States Government and people for the aid they are receiving and asked me with tears in their eyes to express their appreciation.

The foreign service committee of the Assemblies of God reports that the overall effect of the distribution was excellent. The organization noted that in Korea and Hong Kong, for instance, the needs are still tremendous. It humbly reports that its program has barely brushed the surface of the great need. In true abiding spirit, they quickly add, however, that even this small part provided an additional bulwark against the onslaught of Communist ideology.

The report from the Romanian Welfare, Inc., is particularly inspiring. Only in operation since August of 1955, this group distributed 898,000 pounds of agricultural commodities, reaching approximately 5,000 Greek refugees from Romania. These people were—and most still are—living under incredibly poor conditions.

Romanian Welfare definitely feels that through the wide publicity it succeeded in giving to this operation, the United States not only made friends, but it is confident that it succeeded in preventing the spread of communism among the people helped, in a country which due to poverty, and the moral material devastation caused by the civil war, could easily become a hotbed for such doctrine.

While in Italy on my recent mission, I conferred with Adm. Robert Briscoe, Commander in Chief of Southern NATO Forces, at his headquarters in Naples. During our discussion of the defense situation in Italy, Greece, and Turkey—all under his NATO command—he mentioned the importance of food among supply problems.

At the same time, I conferred with Counselor Frances Deak, Chief of the Economic Section of the United States Embassy in Rome, who declared that the people-to-people program of the voluntary agencies had provided the best possible publicity for the fight against communism in Italy, and was "one of the best tools for winning friends in America." From a long-range viewpoint, he expressed the belief the relief feeding had far more value than just a giveaway, as it was improving nutritional habits that were going to result in future markets for our products. Mr. Deak was very adamant in his praise of these voluntary groups.

Therefore, Mr. President, I should like to emphasize by reiteration: The hearings before the Committee on Agriculture and Forestry which are now in process on Public Law 480 will survey the extent to which surplus agriculture products can be a bigger factor in our policy, will examine the effectiveness of the present program, and determine what can and should be done to do a better job.

The voluntary agency programs do and should carry the American humanitarian spirit abroad without any "political strings"; they offer a chance to get directly to the people in countries where for international policy reasons we as a country may not want to be directly helping the government of another country.

We must recognize, Mr. President, that voluntary agencies of the United States are filling a constructive foreign policy role which benefits our country far beyond just getting rid of some surplus commodities.

In fact, I am absolutely convinced that in many areas of the world it would be much better if we relied upon voluntary agencies for much of our programing in terms of the desires and objectives of the American people. That is particularly true in some of the most troubled areas in the world, such as the Middle East, Asia, and Africa, where the voluntary agencies have an approach to the people that is more intimate and helpful than any government has.

If our Government will increase and continue to assist the voluntary agencies, in their programs of food distribution, health, medical care, and education, much will be done to help make peace possible in the world.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 19, 1957, he presented to the President of the United States the following enrolled bills:

S. 407. An act for the relief of Julian D. Dycaico;

S. 1008. An act for the relief of Col. Benjamin Axelroad;

S. 1034. An act to authorize and direct the Secretary of Agriculture to convey to the University of Missouri, for agricultural purposes, certain real property in Callaway County, Mo.

S. 1179. An act for the relief of Harold George Jackson;

S. 1206. An act for the relief of Antoine Velleman; and

S. 1319. An act to renounce any right, title, and interest which the United States may have in certain lands in Montana.

ADJOURNMENT TO 11 A. M. TOMORROW

Mr. HUMPHREY. Mr. President, in accordance with the previous order, I now move that the Senate stand in adjournment until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 18 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Thursday, June 20, 1957, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 19, 1957:

DIPLOMATIC AND FOREIGN SERVICE

H. Freeman Matthews, of the District of Columbia, a Foreign Service officer of the class of career ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Austria.

IN THE MARINE CORPS

Capt. Albert F. Schoepper, United States Marine Corps, for permanent appointment to the grade of major.

CONFIRMATIONS

Executive nominations confirmed by the by the Senate June 19, 1957:

COAST AND GEODETIC SURVEY

The following nominations for permanent appointment to the grades indicated in the Coast and Geodetic Survey subject to qualifications provided by law:

To be captains

Franklin R. Gossett
Ernest B. Lewey
John C. Mathisson

To be lieutenant commanders

Harley D. Nygren
Hubert W. Keith, Jr.

To be lieutenant

Howard A. Garcia

To be lieutenants (junior grade)

J. Frank May, Jr.
John H. Bennett

To be ensigns

Gerald D. Bradford John J. Vlastelicia, Jr.
Morris J. Rothenberg Gene A. Weir

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 19, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal and ever-blessed God, who art our light in darkness and our strength in times of trouble, again we feel the need of coming unto Thee in prayer.

We penitently confess that, in days of chaos and confusion, we find it very difficult to muster and maintain our courage and morale.

Give us the unfaltering confidence that there is a spiritual power in the universe working for righteousness and justice no matter how seemingly futile and fruitless our own human efforts may be.

Grant that we may believe and know that Thou hast placed at our disposal the inexhaustible resources of Thy grace and goodness and the guidance of Thy spirit.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONSTRUCTION OF MUNICIPAL SEWAGE TREATMENT PLANTS IN MICHIGAN

Mr. CEDERBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, during the debates on the proposition of the participation of the Federal Government in the construction of municipal sewage plants, I stated that I thought the Federal participation would cause a delay and an increase in the cost of the plants.

I want to quote from none other than Lynn Baldwin, of Eaton Rapids, Mich., who is the chairman of the State water resources commission. This is a United Press dispatch:

LUDINGTON.—Construction of municipal sewage treatment plants in Michigan would be faster and cheaper without Federal aid, Lynn Baldwin, of Eaton Rapids, yesterday told the closing session of the Michigan United Conservation Club's convention.

Baldwin, chairman of the State water resources commission, said the $1,387,000 of Federal funds granted to Michigan cities and the possibility of an additional $50 million more has hindered programs because cities hope to qualify for the grants.

"This fund tends to retard municipal construction, instead of accelerating it," he said. "Michigan pollution problems would be solved faster and cheaper without Federal aid."

This is from an authority in the State of Michigan who has control over these particular programs. In addition, he is an appointee, I assume, of the Democratic government of our State of Michigan.

SENATE SALAD LUNCHEON

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, Arizona, not unlike its neighboring State, California, is the source of much of the Nation's produce. The Arizona grapefruit, which will be served today in Senate salad, is probably the finest grapefruit to be found anywhere.

Arizona iceberg and romaine lettuce are also contributions of this State to the luncheon that is being given today in the Senate District of Columbia Committee room.

I hope that my colleagues will avail themselves of this opportunity to partake of the first Senate salad, to be served between 1 and 3 p. m. Mrs. America, the young lady from Arlington, Va., who last month was elected the Nation's top homemaker, will be there to serve you.

SECRETARY BENSON'S PROGRAM

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. McCARTHY. Mr. Speaker, either before or after the speech to which my colleague from Minnesota referred in the remarks just made, the Secretary of Agriculture met with the Young Republicans in St. Paul, in my district. He held the meeting on the roof of the Lowry Hotel, in the moonlight. The newspaper report stated that his program was well received.

I would suggest to the Committee on Agriculture that they obtain a penthouse here in Washington and ask the Secretary to explain his program in the moonlight in the hope that they, too, might better understand it and then explain it to the other members of the House of Representatives.

DEMOCRATIC VICTORY IN 1960

Mr. CHRISTOPHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CHRISTOPHER. Mr. Speaker, I want to say to my colleagues on both sides of the aisle that on Monday I shall address the House for 40 minutes under a special order and shall take that occasion to discuss a statement made by President Eisenhower recently in Washington to the effect that a Democratic victory in 1960 would mean a return to the loose spending and fiscal irresponsibility of the New Deal and the Fair Deal. I want to discuss that statement in relation to the facts and the figures.

I invite anyone who cares to listen to be present.

COMMITTEE MEETING DURING GENERAL DEBATE IN THE HOUSE

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent that the Subcommittee on Territories of the House Committee on Interior and Insular Affairs be permitted to sit during general debate in the House today.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE HONORABLE SINCLAIR WEEKS, SECRETARY OF COMMERCE

Mr. HAYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, I notice on the news ticker this morning that Secretary Weeks has been out in Chicago addressing a Republican meeting and spent most of his time in that address defending the President's budget and defending the Republicans, also in explaining the difference between a modern Republican and a New Deal Democrat. Finally he got a little bit exasperated and said:

At least, we do not have any corruption in Washington at this time.

Mr. Speaker, I am glad to note his definition to the effect that if you get a conflict of interest contract on which you make a profit of $100,000 it is not corruption; as a matter of fact, under Mr. Weeks' administration, you get a medal for it.

THE HONORABLE GEORGE M. HUMPHREY, SECRETARY OF THE TREASURY

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, now that the Secretary of the Treasury, George H. Humphrey, is returning to private life as chairman of the board of the National Steel Corp., and in view of the repeated complaints he has made about rising inflation in this country, I hope that he will exercise the prerogatives of his office in private life and lead the fight against inflation by showing that through efficient operation the National Steel Corp. does not find it necessary to raise the price of its products.

COMMITTEE ON ARMED SERVICES

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, I am pleased to announce that public hearings on H. R. 1108, less than an honorable discharge bills for men in the armed services will begin on Monday in the rooms of the Committee on the Armed Services of the Old House Office Building at 10 a. m. All House Members are invited to come.

On Monday we will only hear witnesses from the Defense Department. We wish the benefit of their report to date to us, before we proceed. On Wednesday, Thursday, and Friday, we will hear Members of Congress who desire to testify, as well as representatives of the various veteran groups and others. We invite all Members to be present each day. We regret we will have to limit time to 10 minutes each on account of the large number of witnesses.

You are all invited to come and participate in those hearings. Over 30 Members have filed companion bills and

we want you all to help make a joint study and conclusion of this important problem which Congress has not yet given legislative consideration to.

The special subcommittee appointed by Hon. CARL VINSON, has been holding executive committee meetings, making a studious preparation for these important hearings. We are unanimous that legislative statement of policy is essential and beneficial in fairness to several thousand military personnel and to our Military Establishment.

LEGISLATIVE PROPOSALS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, if it was my privilege to speak for the administration which, of course, it is not, I would like to suggest to our good friend from Ohio [Mr. HAYS] and the other gentlemen who found fault about some penthouse, that being in control of both branches of the Congress if they want to remedy the situation of which they each day complain why do they not send down some legislation to the President? You have not sent anything down there to remedy the fault to which you refer? The President has not hindered any effort—in fact you have made none to correct any conditions about which you each day speak. I do not recall any Republicans who were high in this administration having been sent to jail as were high ranking executives in a couple of previous Democratic administrations. What are you hollering about? Are you satisfied with the two Democrats the President recently appointed to high office? Are you complaining about them? They have so I understand taken office. If true to form you ought to be getting ready to lambast them.

Ike appointed them—how come you are not already critical? You seem to be slipping in your usual procedure.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 116]

Allen, Calif.	Celler	Kilburn
Ashley	Coudert	Krueger
Bailey	Dawson, Ill.	Loser
Baker	Flood	McConnell
Barden	Frelinghuysen	McIntosh
Beamer	Gwinn	Machrowicz
Bentley	Halleck	Mailliard
Blitch	Hardy	Moulder
Bowler	Hillings	Murray
Boykin	Holtzman	Norrell
Buckley	Jarman	Powell
Carnahan	Kearney	Rogers, Tex.
Sadlak	Teller	Williams, Miss.
Scherer	Tollefson	Zelenko
Taylor	Vursell	
Teague, Tex.	Walter	

The SPEAKER. On this rollcall, 386 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HOUR OF MEETING JUNE 20

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 11 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PUBLIC WORKS APPROPRIATION BILL, FISCAL YEAR 1958

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior for the fiscal year ending June 30, 1958, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 8090, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Missouri [Mr. CANNON] had 25 minutes remaining and the gentleman from Iowa [Mr. JENSEN] had 24 minutes remaining.

The gentleman from Pennsylvania [Mr. SAYLOR] had been recognized for 5 minutes and had consumed 1.

The Chair recognizes the gentleman from Pennsylvania for 4 minutes.

Mr. SAYLOR. Mr. Chairman, I am speaking against only one project that is in this act. It has to do with a dam in Pennsylvania with which I have been familiar since its original inception. In 1936 the Army engineers in the Pittsburgh office in the overall study of the Ohio River and drainage problems in their report recommended that there be built a number of dams on the Ohio and Allegheny Rivers and their tributaries. In the bill passed by the 74th Congress there is no description of the dam that is to be built on the Allegheny River. However, the district engineers' report shows they recommended to Congress that it enact legislation to build a dam for $9,847,000, to be built in accordance with existing law, one-third to be paid by the Federal Government, about $3 million; and $6 million to be paid by the local interests.

That dam was to have a capacity of 331,000 acre-feet, and the act which Congress passed said that that dam should not be built until the Army engineers together with the Department of the Interior worked out a satisfactory solution for the taking of the lands in the Indian reservations.

The following are excerpts from the 1936 report of Congress:

Requirements necessary for acquisition: In view of the foregoing history and particularly in view of the special legislation restricting alienation to persons other than Seneca Indians, the State of Pennsylvania by appropriate legislative act must of necessity authorize the purchase of the title in fee to the affected area of the Corn Planter Reservation or of the easement to flood the same from the present Indian owners.

The extinguishment of the Indian right of occupancy to the Allegheny Reservation will probably necessitate that an agreement be entered into with the Seneca Nation under the supervision of the Office of Indian Affairs and that by appropriate legislation Congress authorize or approve such agreement. Attention is invited to the excerpt from the Treaty of 1794 above set forth. In view thereof it is extremely doubtful that Congress would authorize the acquisition of the affected area of the Allegheny Indian Reservation until a voluntary agreement had been reached with the Seneca Nation. It is obvious that any agreement entered into by the Seneca Nation would of necessity contain provisions making it incumbent upon the United States to provide additional lands in New York State for said Nation to replace those taken.

It is possible that the Seneca Nation of Indians could be given by act of Congress authority to lease to the United States either the affected lands or an easement over the same. A leasehold interest would apparently obviate the necessity of any dealings with the Ogden Land Co. It is doubtful, however, whether such a leasehold interest would be satisfactory to the War Department inasmuch as fee simple title to the affected lands or to an easement over the same has always been required.

The record before the Appropriations Committee shows that the next year when the Army engineers came to Congress they had changed their original plans and they then called for a dam to cost $17 million and to be 3 times its former size. Congress took no action on that. I have shown it here as the bill which they came to Congress with and said it should cost the Federal Government $6,479,000 and the local interests should contribute $11,246,000.

The next time the Army engineers appeared before the House Appropriations Committee was after the Flood Control Act of 1938. They said they still wanted a dam 3 times as big as Congress had authorized and that it would now only cost $17 million but that it would be all charged to the Federal Government and the purpose is changed from flood control to one of multiple use.

The report of the National Resources Committee verifies this fact:

REPORT OF THE NATIONAL RESOURCES COMMITTEE

NATIONAL RESOURCES COMMITTEE,
Washington, April 11, 1939.

The honorable the SECRETARY OF WAR.

MY DEAR MR. SECRETARY: On March 10, 1939, you transmitted to me a report on a reexamination of the plans for the Allegheny Reservoir on Allegheny River, N. Y. and Pa., and informed me that the President requested that a review of that report be made by the National Resources Committee.

Our Water Resources Committee, representing the chief Federal agencies concerned with water use and control, has reviewed the report without attempting to assign any priority to the project, and now makes the following comments (the representative of the Chief of Engineers desired to be recorded as not voting upon the adoption of these comments, since they applied to a report on which the Chief of Engineers had already acted.

The Water Resources Committee notes that the report recommends investment of additional Federal funds to yield benefits from pollution abatement as well as from flood protection. This involves a departure from existing Federal policy. These additional benefits are:

1. Dilution of the pollution in the river channel below the reservoir.

2. Benefits to recreational use of the river.

3. Benefits to a metropolitan district in relieving or postponing the necessity for its making costly investment of its funds for additional water supply.

4. Benefits to individual water users through their relief from the costs to them as individuals arising from the use of waters not diluted at Federal cost.

The Water Resources Committee is in hearty accord with the principle of providing in the original plan of construction and operation of this reservoir for all feasible future multiple benefits, including pollution abatement and power production. Its comments apply solely to the question of equitable apportionment of the cost. Lack of full consideration in this instance of the benefits which are equitably chargeable to and which should be assessed against and guaranteed by local beneficiaries, might result in the establishment of a different precedent than that which heretofore has controlled Federal policy concerning Federal financial aid to improvements of municipal water supply and of pollution-abatement systems.

The Water Resources Committee therefore believes that prior to the provision for the proposed additional conservation storage in the Allegheny Reservoir, a determination should be made of the proportion of the cost thereof which properly should be allocated to benefits payable by local interests; and that negotiations should be initiated looking to such payments, in lieu of Federal assumption of such costs.

The report is returned to you herewith.

Sincerely yours,

HAROLD L. ICKES,
Chairman.

Notice the next change in 1941. In 1941 the Army engineers came before Congress with a completely new dam. The dam has now grown to 1,125,000 acre-feet. There was absolutely no comparable dam east of the Mississippi River and north of the Mason-Dixon line as far as size is concerned. It is the biggest dam that the Army engineers have ever proposed to build in the East and now the cost has risen to $35,700,000.

Let us look at what the Appropriations Committee has done this year in the pending bill. They have now come before you and asked you to appropriate in this bill the first million dollars for a dam which is more than 4 times the original size authorized by the Congress and which will cost, according to the Army engineers today, $101 million.

That growth is so fantastic it is almost impossible to believe, but I have asked the staff of the Appropriations Committee to check those figures for me, and they inform me those figures are correct. I can also say to you that there has never been a complete survey of the upper waters of the Allegheny drainage area. The Army engineers admit that they have never made a complete survey of this area. Rather, time after time, testimony has been presented by the Army Corps of Engineers to the effect that Kinzua and Kinzua alone is the dam to be built.

Mr. Chairman, this district of Pennsylvania is entitled to the same kind of engineering that the rest of the country gets, and an exhaustive research effort is mandatory before a final decision can be properly made.

Mr. JENSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Chairman, I wish to express appreciation to the chairman and members of the committee for having recognized the need of a 40-foot channel in the Delaware River between Philadelphia, Pa., and Trenton, N. J., and, for having recommended an appropriation of $9 million as a start on the project.

It is natural that there should be some disappointment in the fact that an appropriation of $16 million instead of $9 million has not been recommended. However, it is gratifying to realize that at last the need for a 40-foot channel between Philadelphia and Trenton is now acknowledged and an appropriation sufficient to make progress has been recommended.

The importance of this project to the economic welfare of the Delaware River Valley and the Nation as a whole cannot be overstated.

The rapid development of this area has made the Delaware River the most important waterway in the Nation. For upward to 60 miles there are located on either side of the river some of the greatest industries in the Nation. They have a worldwide reputation and give employment to thousands of workers. All of this has been accomplished in the last few years. The previous work accomplished in widening and deepening the channel has contributed greatly to this very desirable result.

However, the circumstances that now prevail demand not only a continuing of the present project but an expansion of it. This is a must if the Delaware Valley is to continue to be attractive to big industry.

Furthermore, it should be borne in mind that no harbor development has ever paid off in such a big way as that of the Delaware River. It has with each new expansion of its development brought new industry into being along its shores. These successful enterprises have returned in additional revenues to the Government more than the improvements have cost. Thus, it is a good business venture for the Government to spend large sums in the further development of the river. It will pay off in the future as it has in the past.

The project is so important and has such potential value in attracting new industries that it would justify in my opinion, even in this economy-minded Congress, an appropriation of at least $16 million for the next fiscal year. It is false economy to cut down this appropriation to $9 million. It would be good business for the Government to spend whatever is necessary to further and complete this worthy project. There never has been a Government expenditure of funds that was more justified than in this instance. We should not be penny wise and pound foolish. The desire for economy should not be applied to a paying proposition such as this. This would not be a wasteful appropriation, even if $16 million were appropriated this year as it would enable the work to proceed faster and bring returns in revenue at an earlier day, all of which would be beneficial to the Government Treasury. Economy should not be based on paying propositions such as this.

It is my hope that the fight will be continued in the Senate for a $16 million appropriation for next fiscal year. If granted it will be justified in the years ahead as having been a good investment by the Government. This is a project that undoubtedly would prove a substantial revenue gain to our Federal Treasury.

Mr. JENSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Utah [Mr. DAWSON].

Mr. DAWSON of Utah. Mr. Chairman, it is with particular satisfaction today that I urge Members of this House to support the appropriation recommended by the committee for the continued orderly construction of the Upper Colorado River storage project, the single largest reclamation project ever authorized by Congress.

Originally the object of more misguided opposition than any other reclamation project ever considered by Congress, this project now entering its second year of actual construction has survived the acid test. The appropriation requested by President Eisenhower has been approved intact by the commendably economy-minded members of the Appropriations Committee in a year when economy has been the watchword. This fact in itself is ample testimony to economic feasibility of the project and its importance to the Nation as a whole.

The committee's wisdom in recommending the full amount requested for this project has been borne out by recent events. Since the conclusion of the Department's testimony on this project, the prime contract on Glen Canyon Dam has been let. The competition for this contract dispells any fear that continued orderly construction of this structure would create inflationary pressures. As a matter of record, the low bid was submitted by the reputable firm of Merrit-Chapman & Scott, of New York. The total contract price is $107.9 million—$27.6 million under engineer's estimates.

It is of extreme importance, not only to the people in the area but to the Federal Treasury, that the project be constructed as rapidly as possible. The water and power users in the area are committed to repay nearly 99 percent of the overall estimated $900 million cost of the development. In addition, interest is charged at 2⅞ percent against money advanced during the construction period of the power features. This rather unique repayment feature would

unduly penalize those committed to repay its cost unless the project is completed and operating at the earliest possible date. If its completion is delayed in the guise of temporary economy the piling up of interest due would threaten the economic feasibility of the entire development.

There is another important reason why the major storage dams provided in this project should be completed at the earliest possible date. Until this year, the Upper Basin drainage area has been experiencing a cycle of under normal precipitation for several years. Many experts now agree that this cycle is changing and they predict that there will be above average precipitation in the area during the coming years. Speedy construction of Navaho, Glen Canyon, and Flaming Gorge Dams can trap this moisture and store it for use during dry years to come. The above normal runoff also simplifies the problem of filling these reservoirs without interfering with power production at Hoover Dam or water use in the Lower Basin.

I would also like to commend the committee for earmarking appropriations as recommended in the report. Efficient production of power and maximum use of water requires the construction of a series of integrated reservoirs and dams. By providing for the concurrent construction of Flaming Gorge and Navaho Dams along with Glen Canyon, the committee has assured a basinwide development program. It has prevented any move to restrict this overall development to the construction of a single power dam at Glen Canyon.

I expect, Mr. Chairman, that every Member of this House has had an opportunity to visit Hoover Dam and the magnificent Lake Mead behind it. One cannot help but take pride in his country when viewing this magnificent monument to man's skill and determination to harness the power of nature for our Nation's betterment. The upper Colorado storage project with its magnificent dams and reservoirs will create another monument to the foresight of our Government in conserving our Nation's resources. This is the type of Federal investment that insures the growth and prosperity of this Nation.

Mr. JENSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. KEARNS].

Mr. KEARNS. Mr. Chairman, it was my privilege during the debate on the public-works appropriation bill—H. R. 8090—to request extension of my remarks in the RECORD.

I follow my distinguished colleague, the gentleman from Pennsylvania, the Honorable LEON GAVIN, in support of the Kinzua Dam. It seems to me that, in view of Pennsylvania's contribution to the overall cost of the Federal Government, it would be fitting for all of my colleagues on both sides of the aisle to be highly considerate of our needs in Pennsylvania.

My good colleague, Mr. GAVIN, represents a district where thousands of people have lost their homes on account of floods—we do not have the proper water table in Pennsylvania which we are trying to establish. Representative GAVIN has done well in his support of this project in this appropriation—and still more dams should be and will be built.

I am very, very sorry that my colleague, the gentleman from Pennsylvania, Congressman JOHN SAYLOR, takes exception to this project, and I would like to pass the word along that New York, New Jersey, Ohio, Indiana, Illinois, not to mention the solid South, stand together and personally, I cannot understand how a member of the delegation from Pennsylvania can take the floor and deny the potency of this project.

Mr. JENSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Chairman, two items in the bill under consideration are of interest to the people of the 15th District of Ohio which I represent. The first of these is Dillon Reservoir, located several miles above the city of Zanesville in Muskingum County on the Licking River. The Bureau of the Budget has requested $4 million for continuation of this project and the Appropriations Committee has recommended the same amount as being necessary for construction and continuation of the project through the next fiscal year.

By June of this year the project will stand about 36 percent completed. The funds authorized in this bill will carry the project to about 50 percent of completion.

The flood protection afforded the rich and populous Muskingum Valley by the Dillon Dam is considerable. With its completion, all of the major tributaries of the Muskingum River will have been brought under control. The need for this final link in flood control is understandable when it is pointed out that the Licking River empties into the Muskingum River in the heart of the business and industrial district of the city. Floods in recent years are grim reminders that until this tributary is controlled, Zanesville and the towns and villages that lie below it can not be assured of being free from danger. The benefit-cost ratio of this project is favorable. Considering the industrial development which has been accomplished in the past several years I am confident that the next decade will see the development of the industrial property in the valley which will greatly enhance this benefit to cost ratio.

Considering the need for this dam and the Federal investment which has been made already, it is my sincere hope that this House will confirm the actions of the Corps of Engineers, Bureau of the Budget and the Appropriations Committee by approving this portion of the bill. Nothing perhaps is so wasteful or uneconomic as an uncompleted dam. None of the benefits may be obtained until it is finished and serving the necessary purposes foreseen when it was authorized in 1938.

Next, I would like to direct my remarks to the Roseville flood-control project which is not a reservoir as in the case of Dillon, but is a project on the Moxahala Creek which contemplates widening, straightening, and deepening the creek channel involving relocation of short lengths of highways and railroad lines and several existing bridges and the construction of earth levees and a pumping station. In this manner, the Moxahala Creek would be able to carry off all of the excess waters caused by the greatest rainfall in the history of the area. At the present time the creek is a small, narrow, twisting, and sluggish stream incapable of handdling even a moderately heavy rainfall. The damage of some of the floods in the past has been greater than the cost of this entire project. The cost is estimated to be $1,129,000. The Bureau of the Budget recommended a half million in order to get this project started. The Appropriations Committee has cut that figure to $426,000.

This project is a part of the comprehensive plan for flood control in the Ohio River Basin and was adopted by the Flood Control Act approved June 8, 1938. It provides for local contribution, and the citizens of the community have already expressed their willingness to cooperate by raising the funds through public subscription and additional tax levies. Funds have already been expended by the local community in reliance upon the plans of the Corps of Engineers and the anticipation that Congress would authorize sufficient funds for the Federal Government to carry out its part of the program. I sincerely hope that this House will approve the recommendation of the committee in appropriating funds for this project.

Mr. JENSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Chairman, I take this time to call the attention of the committee to an amendment which I plan to offer later in the day to the bill at page 4, line 8, which will provide that all of the funds for advance planning on any new project which is approved in this bill, that has a cost-benefit ratio of less than 1.2 to 1 be eliminated as for new planning funds from the 1958 budget.

In the past it has been more or less a general rule with the Bureau of the Budget and also with the Subcommittee on Public Works of the Committee on Appropriations that every effort be made to eliminate the funds for advance planning on projects that have a cost-benefit ratio of less than 1.2 to 1.

In this particular bill there are funds made available totaling approximately $1 million for new planning starts on projects costing over $300 million, in which the cost-benefit ratio is less than 1.2 to 1.

I think it is important for the House to express itself by giving recognition to a fixed cost-benefit ratio figure. I shall propose that amendment as one of the amendments at page 4, line 8, when the bill is read for amendment later today.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the chairman of the Appropriations Committee.

Mr. CANNON. Mr. Chairman, I simply want to say that I think there is a great deal of merit in the proposal to be offered by the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. I thank the chairman of the committee.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, it is not my intention to enter into the internecine struggle in Pennsylvania. When the Committee takes up the bill under the 5-minute rule, we shall meet that problem at that time.

Mr. Chairman, the Public Works Appropriation bill for fiscal year 1958 that is now before the committee recommends an appropriation of $814,813,023—this is a reduction of $61,639,977 or 7 percent below the budget estimates. Of the total amount recommended by the Appropriations Committee, $619,325,023 represents the water resources construction programs of the Corps of Engineers and the Bureau of Reclamation. There is no one in the Congress that will dispute the absolute necessity of a well-planned and well-developed water resources program. Such a program is indispensable to the growth and prosperity of our country. The preservation of the Nation's water resources and the continued development of such is an obligation that reposes in the Congress. And because the matter of maintaining an adequate water supply is one of transcendent importance today and particularly in the future, the Congress must approach this problem on the basis of what is best for our country. As the United States continues to grow in numbers of people and as the population continues to spread over the vast reaches of our land, it is essential that we appropriate wisely for the projects and the programs that make our Nation's growth in population and land use a little more easy to deal with.

The President recognized this fact when he called it to the attention of the Congress in his state of the Union message. And it is with this thought in mind, that the members of the Public Works Subcommittee on Appropriations entered upon the hearings that resulted in the bill that is now before us.

I am sure that I need not tell the Members that this was no easy task. It is ofttimes difficult to separate the wheat from the chaff—to determine what is feasible and meets the test of reasonableness and priority—what programs should be started now and what should be deferred—whether the benefit-to-cost ratio justifies an expenditure that will be paid for by the taxpayers of the country.

For these reasons, the committee met over a 2-month period listening to the Corps of Engineers and Bureau of Reclamation testimony and some 700 additional outside witnesses that was bound up into 3,784 pages of printed hearings.

Our action has been completely detailed in the report that is now before the Committee and was expanded in the debate that opened yesterday. It is all in the record and it would be repetitious for me to detail it further.

Mr. Chairman, I would like to direct the attention of the Committee to one phase of the report on page 12 titled "Local Cooperation." I quote:

> The committee is seriously concerned about the lack of local contribution on many of the local flood protection and harbor projects. It feels that where there is a major flood-control problem on the large interstate rivers that the Federal Government logically can assume the greater portion of the cost. On those projects that are intrastate and often of a strictly local origin and benefit, the local interests should rightfully provide a substantial portion of the costs of the projects. It is the intent of this committee to give more consideration to those projects where local interests are willing and able to make the proper contribution regardless of whether or not the authorization requires it.

I agree generally with the position taken by the committee on this matter. However, it should have been expanded to include navigation projects. I have little difficulty in justifying navigation projects on the great rivers and the main tributaries. But I disagree when it is contended that the Congress should have the responsibility of making all streams navigable. And that is the direction in which we are headed. I do not believe that under the commerce clause of the Constitution, nor was it ever the intent of Congress, that so many navigation projects as we are called upon to authorize and to appropriate for are justified. Navigation projects are paid for by all of the taxpayers all over the Nation. In a great many instances, little or no benefit inures to the taxpayer in regions outside of the project locale. In many instances there are adequate transportation facilities available via good highways or railroads. Under these circumstances, it does not seem fair to me that all of the Nation should bear the cost on these purely local projects. If the Congress continues or desires to continue in this direction, then consideration should be given to imposing a user's tax or some kind of fee on those who desire and use waterway transportation. I hope that the proper legislative committee will give some thought to this matter.

Mr. Chairman, in conclusion, I want to compliment my colleagues on this subcommittee for the work they put in on this bill. Particularly, do I single out the distinguished gentleman from Michigan [Mr. RABAUT] and the able Member, the gentleman from Pennsylvania [Mr. FENTON]. The gentleman from Michigan [Mr. RABAUT] occupied the post as chairman of this committee during most of the hearings. He handled the witnesses with courtesy, intelligence, and dispatch. He was kind, considerate, and gentlemanly throughout the lengthy hearings. It is easy to understand the high respect and esteem that he enjoys among all Members from every section. I tip my hat to my colleague, the gentleman from Pennsylvania, Dr. FENTON. Although this was his first year sitting on this committee, he handled himself like a veteran member. No one was more faithful in committee attendance than he or the gentleman from Michigan [Mr. RABAUT]. Dr. FENTON'S interest in all the projects and his courteous examination of the witnesses adduced valuable and worthwhile information for the committee and the Congress.

NEW ENGLAND REGION

Mr. Chairman, I take great pride that the New England flood control program is now moving along with such rapidity. The disastrous floods of 1955, particularly in the Connecticut River Basin, served as a strong impetus to these badly needed projects. We all know that flash floods are the most frightening and in many instances the most damaging because of their suddenness and the meteorological phenomena bringing heavy rains that causes them. Nobody knows when they will strike. Meteorologists in both the United States Weather Bureau and in private agencies admitted, following the 1955 flash floods that devastated areas of Pennsylvania and western New England, that they could not have forecast the heavy rainfall that deluged these areas in a 24-hour period, causing mountain streams to overflow, quickly filling ponds and lakes, and forcefully spilling into already overswollen rivers.

There is only one way to prevent such a costly flooding and that is by comprehensive project planning such as we have here in the Connecticut River Basin. I toured through the damaged areas the day after the 1955 flood and know of the destruction that was wrought. As a member of the Appropriations Subcommittee on Public Works I have sat during countless days of hearings as testimony was presented by the Corps of Engineers on flood-control measures in the Connecticut River Basin and elsewhere in New England. And I am proud to say that the Congress last year appropriated more money for New England flood-control projects than at any time since the Federal Government began participating in such a program. And this bill will provide more money to advance projects such as Thomaston Reservoir in Connecticut, Barre Falls, Buffumville, East Brimfield, Hodges Village, Adams, North Adams, and Worcester in Massachusetts, Otter Brook Reservoir in New Hampshire, Woonsocket in Rhode Island, Ball Mountain, East Barre, North Springfield, and Townshend in Vermont. The flood-control reservoir at North Hartland, Vt., will be started. Planning will begin on flood-control projects at West Hill and Westville in Massachusetts. The appropriations for these projects totals nearly $24½ million. I am happy to report that the committee left these projects intact for fiscal 1958. This action again assures the New England area of adequate funds to continue toward the rapid completion of the Corps of Engineer's overall flood-protection program.

Mr. OSTERTAG. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from New York.

Mr. OSTERTAG. I take this opportunity to commend the gentleman on the fine statement he has made with regard to where we are going in this public works field and the principle of shared responsibiilty in connection with flood control and other projects.

Mr. BOLAND. I thank the gentleman.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Chairman and Members of the House, I am pleased to note that the Appropriations Committee has, in this pending bill, H. R. 8090, included very many important projects. Among these projects are several that are important to the district which I have the honor to represent.

I should first refer to the Greenup lock and dam which crosses the Ohio River just a few miles below my home city of Ironton, Ohio, and a short distance below the city of Greenup in the State of Kentucky. The Government has already spent several million dollars on this gigantic project, but it is, in fact, a gigantic project and, of course, it costs a great deal of money. In this bill the amount necessary to finish this project suggested by the Army engineers and the Committee on Public Works is $13,500,000. I feel sure that the Congress will authorize the appropriation of this amount of money because without the expenditure of this money other money which will have already been spent will be wasted. In other words, this money will be used to finish this important public project which will be of great benefit to many shippers who have millions of dollars invested in boats, rafts, and many different kinds of river conveyances. When this dam is finished it will establish a pool of water that will constantly be level and will carry thousands of tons of coal, oil, gasoline, timber, and farm products of all kinds produced there with a value of many millions of dollars.

I am glad to say that I was charman of the meeting that we held when we dedicated this dam at the beginning of its operations—that has been about 2 years ago. It will probably take another year to finish construction of this gigantic improvement, but I dare say that the increase in the tonnage of traffic on the river will be tremendous. In addition to increasing the shipments on the river which, I understand, now exceed shipments going through the Panama Canal, this dam will enable those big plants already located on the river to maneuver their boats much more advantageously than at present, and will also enable the boats to carry much greater tonnage than they would carry in shallow water. I am proud that I was able to take an active part in procuring this gigantic improvement, and I know that I shall never regret that because I feel that while the Government is spending considerable money on this work, the results will be that many people, even those who do not live on the river, will be benefited. Tonnage of traffic on the river will be increased many times over, all of which will be to the advantage of people, generally.

I am proud of the fact that I have had something to do with the promotion of improvements on the Ohio River ever since I have been a Member of Congress, and I can truthfully say that the improvements that I have encouraged have paid for themselves many times over.

I am glad that Catlettsburg is included in the list of those cities where Ohio River improvements will be established. Catlettsburg was founded many, many years ago, and is located at the mouth of Big Sandy River. This river has its source probably a hundred miles back in the mountains from which territory great quantities of coal have been and will continue to be taken, and likewise, great quantities of timber will also be taken. The improvement at Catlettsburg will pay for itself in a very few years, because the people in the territory to which I have referred will recognize this great improvement, and it will increase their shipments tremendously. Likewise, it will be of great benefit to shippers from other places who will be glad to send their shipments up into this new territory which will be opened up when Catlettsburg will have established shipping facilities.

It is expected that the total improvements at Catlettsburg, when completed, will amount to a total of $2 million. I am sure that this will be money well spent, and the people who will benefit thereby will also benefit in other territories, because those people will be able to get materials cheaper.

I am very glad that this committee has recommended construction of Markland lock and dam, which will be of great benefit to the people of Indiana, Kentucky, and Ohio. It is estimated that this dam will cost $9½ million. It will be a serviceable improvement because it will be located in the Ohio River below Cincinnati, which, as we all know, is a great inland city of a very large population, and with millions of dollars worth of wharves and shipping facilities. It will be located about 70 miles below Cincinnati. This will establish a large pool in front of Cincinnati and several miles below Cincinnati. We all know that the result of this will be great improvements in shipping facilities and a great increase in shipments.

About 30 miles above Cincinnati at New Richmond it is proposed to construct another dam which will be of great value to shippers of the whole country. This dam, when finished, will furnish a pool clear up to the Greenup Dam, which will be about 70 miles above the New Richmond Dam.

Therefore, with the new dam at Greenup establishing a pool for at least a hundred miles above Greenup, and with the new dams at Markland and New Richmond, there will be established a pool of approximately 200 miles below the Greenup Dam.

As a result of these three great improvements the Ohio River will have a flood stage for about 300 miles, and the traffic in the Ohio River will increase tremendously.

Mr. JENSEN. Mr. Chairman, I yield 4 minutes to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Chairman, yesterday I hoped that I would have 10 minutes to discuss certain items in the bill before us today. I appreciate the difficulty the Committee has in allocating the time of 2 hours on such an important bill. I appreciate the hard work the committee has done. I understand there are some 280 projects in this bill for flood control and public works so it has been hard to sort them out. I do want to direct the Committee's attention to two projects in Nebraska. Because I have but a few minutes I shall extend my remarks in the CONGRESSIONAL RECORD on both of these projects so you may have an opportunity to read them. The two projects I refer to are the Ainsworth irrigation project in Nebraska and the Farwell irrigation project. These projects both have the approval of the Bureau of the Budget and the Department of the Interior and were approved by the Congress last year. They were disapproved in this bill. I call your attention to the committee's report because I think some of the Bureau's witnesses did not make a very good presentation of the projects and it was necessary for the committee to take the action they did because they lacked information. they say this on page 14 of the report on the Bureau of Reclamation:

> During the course of the hearings, a number of the Bureau witnesses demonstrated an apparent lack of preparedness and an inexcusable unwillingness to provide factual and responsive answers to questions of the committee members. The committee expects and is fully entitled to prompt, comprehensive, and responsive answers. It does not expect to be put through the process of digging out facts piece by piece in a time-wasting and unnecessary process.

The only reason I think these projects were deleted from the bill is a lack of understanding of the testimony presented by the bureau's witnesses. I am sure this is true because the staff of the committee and the subcommittee in the report they made on the Ainsworth project, point out that the project will only pay back 30 percent and the rest of it comes from the Missouri River Basin revenues. I believe that is about correct. I would point out to you that the irrigation law has always provided that the farmers pay back what they can on the irrigation features. On the Farwell project, they say the irrigators pay back only about 40 percent. If that is true it makes this project one of the best in the 17 Western States. The Farwell unit has rich, deep soil, the water is ample—good people live on the land. The same is true on the Ainsworth project. I want to call your attention to 13 irrigation projects approved under the Missouri River Basin. The actual repayment on those projects is about 17 percent. Here are two top projects with a ratio of 2.16. They are among the best in the Missouri River Basin. The Farwell people have entered into a conservancy district where all the people in the town and on the project have joined together to help pay back on these projects. The people in Nebraska are a little confused and concerned because these two good projects are denied money to start construction. My colleagues, Congress has appropriated $355 million in 8 years for 197 projects in 46 foreign countries. Not one penny of that money is returned. They do not have to come before the Congress for a feasibility test. They simply get the money through the international foreign aid program and they spend it with no supervision. Within the last 60 days,

some lush contracts have been let for irrigation and drainage projects in Formosa, and in other eastern countries including Spain. The taxpayers of the country, and Nebraska included, helped to pay for these foreign projects. When Nebraska comes to Congress with a project that is approved by the Bureau of the Budget and approved by the Department of the Interior, they are refused. It is not easy to understand. The people of the Ainsworth and Farwell projects are puzzled. They are hurt. They have met every test required under legislative procedure. There is budget approval. The records support the facts that these two projects are far above the average in the Missouri River Basin. Funds invested in these reclamation projects are an investment in a growing, dynamic America. There is little flood-control money in these projects. Flood-control money is nonreimbursable. This loan of money is nonreimbursable. This loan of money will be paid back—most of it with interest. The semiarid country will blossom with new wealth—no longer will there be need of drought relief. I beg you, my colleagues, to give these two projects the green light. They are a good investment in America.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Chairman, first, I am anxious to commend and thank the able distinguished chairman and the committee for the very careful, painstaking attention, labor, and consideration which they have given to this bill, and particularly for the wise and important action they have taken in approving and submitting the various urgent projects in my district, State, and region.

I realize full well the delays occasioned by the requirements of routine procedures, which often are such a strain upon our patience when great need and urgency abide the event. But I am proud to state that by and large and with only one notable exception this year, which I trust may be satisfactorily disposed of before Congress adjourns, all essential programs in my district and State have been considered and favorably acted upon.

I am very hopeful that the Merrimack River project, in which my distinguished colleagues the gentlewoman from Massachusetts [Mrs. ROGERS] and the gentleman from Massachusetts [Mr. LANE] are particularly interested and for which our entire delegation is vitally concerned, may be approved in the near future.

There are a number of projects in my district, which the committee has carefully and favorably considered. These projects are designed to prevent future floods and already have been approved and planned by the engineers and are underway at various stages of completion. I think it may be pertinent at this time to outline them briefly and also to include at the end of my remarks a tabular chart showing the present status of Federal flood-control projects for central Massachusetts.

There are some operational difficulties presently being experienced with regard to some of these projects. At the East Brimfield Dam and Reservoir, which is designed to protect Southbridge, Mass., it would be necessary to relocate a Catholic cemetery and arrangements to this end have already been made by the engineers, and I believe these arrangements are agreeable to everyone concerned.

In another part of this project, there is an area or district where about 140 persons reside and the question of whether to relocate them or not is still pending. I believe that the able New England division engineer, Brig. Gen. A. K. Sibley, and his staff at Boston are now endeavoring to work out a satisfactory solution to this matter.

With respect to the Westville project, which is also designed to protect Southbridge, for which planning money is provided in this bill, this project will not for engineering reasons be started until the East Brimfield project is practically all completed.

When these two projects are finished, it is the belief of the engineers that the Southbridge district will be adequately and effectively protected against future floods and that, of course, is the objective of these projects.

At Barre Falls, Hodges Village, and Buffumville progress is being made and the work is proceeding practically on schedule. There have been some relocation problems connected with all of these projects but on the whole they are progressing satisfactorily.

As to West Hill, where planning money has also been granted, this project is in its early stages and will require considerable more study and adjustment before it can be launched since there are also relocation problems and some local difficulties involved.

I am endeavoring to the best of my ability to assist in working out proper solutions to all of these problems and the engineers are doing everything in their power to find the proper answers to the various problems that have been presented by individuals and municipalities.

These are the projects of distinct interest to central Massachusetts:

BARRE FALLS

Authorization for Barre Falls was provided by the Flood Control Act of 1941. The $2,060,000 project, located on the Ware River in Barre, calls for the construction of an earth and rock fill dam, 62 feet high and 885 feet long, with a reservoir capacity of 24,300 acre-feet. The concrete weir and chute spillway will have a discharge capacity of 16,300 cubic feet per second. Congress has appropriated $1,150,000 to date for this project. The $376,000 requested will permit the completion of the entire project in December 1957.

Three dikes have been completed, as well as clearing and stripping the dam site. Rock fill is now being placed on dikes 1 and 2. Grading for access roads is completed. Excavation has been completed throughout the intake channel, gate structure, conduit and outlet channel.

The $376,000 requested will be used to clear the reservoir area, complete the access road, complete the installation of permanent operating equipment and complete the dam.

BUFFUMVILLE

Authorization for Buffumville was provided by the Flood Control Act of 1941. The $2,900,000 project, located on the Little River in Charlton about 5 miles north of Webster, calls for the construction of a rolled earth fill dam, 66 feet high and 3,225 feet long, with a reservoir capacity of 11,300 acre-feet and a permanent pool of 1,400 acre-feet. The concrete overflow uncontrolled weir spillway will have a discharge capacity of 29,800 cubic feet per second. Congress has appropriated $1,683,000 to date for this project. The $1,117,000 requested will permit the completion of the entire project in June 1958.

Road relocations are about 54 percent completed. Relocation of electric, telephone, oil pipe, and gas lines is about 50 percent completed.

With the $1,117,000 requested, the Army engineers will initiate and complete the reservoir clearing, initiate and complete construction of permanent operating facilities, and complete the dam construction.

EAST BRIMFIELD

Authorization for East Brimfield was provided by the Flood Control Act of 1941. The $7,100,000 project, located on the Quinebaug River in Sturbridge, calls for the construction of an earth fill dam, 55 feet high and 520 feet long, with a reservoir capacity of 28,800 acre-feet and permanent pool of 1,200 acre-feet. The chute spillway will have a discharge capacity of 15,500 cubic feet per second. Congress has appropriated $840,000 to date for this project. Another $4,550,000 will be required to permit completion of the entire project by June 1959, after approval of this year's budget request of $1,500,000.

Land acquisition will be completed by June 1959, with closure of the dam scheduled in August 1958. Relocations of roads and public utilities will be completed in November 1958.

Preparation of the plans and specifications is nearly completed. Formal agreement for the relocation of the cemetery has been forwarded to the owners for execution. Negotiations for the relocation of route 20 are being conducted with the Commonwealth.

With the $1,500,000 requested, the engineers will initiate construction of the dam outlet works, begin construction of the permanent operating facilities, continue land acquisition, complete utility relocations, and complete State road relocation.

HODGES VILLAGE

Authorization for Hodges Village was provided by the Flood Control Act of 1941. The $5,300,000 project, located on the French River in Oxford, calls for the construction of an earth-fill dam, 55 feet high and 2,050 feet long, with a reservoir capacity of 12,800 acre feet. The spillway will have a discharge capacity of 25,800 cubic feet per second. Congress has appropriated $480,000 to date for this

project. Another $2,960,000 will be required to permit completion of the entire project by March 1959, after approval of this year's budget request of $1,860,000.

Land acquisition will be completed by February 1959, with closure of the dam scheduled in May 1958. Relocations of roads and public utilities will be completed in March 1959.

Plans and specifications for the dam and structures have been reviewed by the Chief of Engineers and are now undergoing final revision. Agreement on railroad relocations is expected to be submitted to the Chief of Engineers for final review in the near future.

With the $1,860,000, the Engineers will initiate construction of the dam, initiate construction of the permanent operating facilities, continue land acquisitions and complete the railroad relocation.

WORCESTER DIVERSION

Authorization for the Worcester diversion project was provided by the Flood Control Act of 1944. The $6,163,000 project, of which $5,670,000 will be the Federal share, extends from Leesville Pond in Worcester to the Blackstone River in Auburn and Millbury. It calls for the construction of a small control dam, an intake structure, a 16-foot circular, concrete-lined tunnel, 4,200 feet long, and an open-cut return channel, 11,300 feet long. Congress has appropriated $970,000 to date for this project. Another $3,200,000 will be required to permit completion of the entire project by November 1959, after approval of this year's budget request of $1,500,000.

The tunnel will be completed in October 1959, and the channel is scheduled for completion in November 1959.

Initial construction contract was advertised for bids on April 22. Negotiations with the New York, New Haven, and Hartford Railroad for an agreement on construction of a railroad bridge are expected to be completed for execution this month.

With the $1,500,000 requested, the engineers will continue construction of the channel and tunnel.

WEST HILL

Authorization for West Hill was provided by the Flood Control Act of 1944. The project, located on the West River in Upton and Uxbridge, calls for the construction of a rolled-fill earth dam and reservoir with a storage capacity of 11,900 acre-feet, equivalent to 8 inches of runoff from the drainage area. Estimated cost of the dam and reservoir is $3,360,000. Preconstruction planning is estimated at $233,000, of which $183,000 has been appropriated by Congress to date. The $50,000 requested will permit completion of the preconstruction planning in fiscal year 1959.

The design memorandum on West Hill is expected to be submitted to the Chief of Engineers in September 1957.

WESTVILLE

Authorization for Westville was provided by the Flood Control Act of 1941. The project, located on the Quinebaug River about 2 miles west of Southbridge, calls for the construction of a concrete dam and a reservoir with a storage capacity of 12,000 acre-feet. Estimated cost of the dam and reservoir is $6,550,000. Preconstruction planning is estimated at $320,000, of which $79,000 has been appropriated by Congress to date. The $100,000 requested will advance preconstruction planning to about 55 percent of completion in fiscal year 1958. Another $141,000 will be needed to complete preconstruction planning.

Construction of Westville will not be started until the companion East Brimfield project is well under construction.

SMALL PROJECTS

Several central Massachusetts communities are being considered for flood protection works under Public Law 785, 84th Congress. This law permits the engineers to spend up to $400,000 on any one project without specific Congressional authorization under changes voted in the flood laws in the last Congress.

Presently under review by the Chief of Engineers is the Ware project at an estimated cost of $400,000. When this review has been completed, provided the project is found to be economically justified and feasible from an engineering standpoint, the Ware project will be approved for construction during the 1957–58 fiscal year.

The engineers are also studying other problem areas in central Massachusetts, for which the design memorandums are being prepared by the New England division engineer. These contemplated projects include the North Nashua River at Fitchburg at an estimated cost of $375,000; the Quaboag River at West Brookfield at an estimated cost of $50,000; the Chicopee and Quaboag Rivers at Palmer—Three Rivers—at an estimated cost of $150,000, and the French River in Rochdale, Leicester, and Oxford at an estimated cost of $150,000.

The following tabulation presents the progress made to date on major flood control projects in central Massachusetts:

Federal flood control for central Massachusetts

Project	Federal costs	Appropriated to date	1957–58 budget request	Additional funds to complete	Completion date
Barre Falls	$2,060,000	$1,170,000	$370,000	None	December 1957.
Buffumville	2,500,000	1,683,000	1,117,000	None	June 1958.
East Brimfield	7,100,000	940,000	1,500,000	$4,550,000	June 1959.
Hodges Village	5,300,000	480,000	1,820,000	2,900,000	March 1959.
Worcester diversion	5,670,000	970,000	1,500,000	3,200,000	November 1959.
West Hill	[1] 3,360,000	183,000	50,000	(2)	(2)
Westville	[1] 6,550,000	79,000	100,000	(2)	(2)

[1] Estimated.
[2] Planning stage.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from New Mexico [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Chairman, the Appropriations Committee has done a most thorough and understanding job in dealing with the public works appropriation bill, H. R. 8090. This is evidenced by the clarity and reasonableness of the report provided to the Members of the House. I would like to direct the attention of the committee, however, to an item on page 9 of that report that has reference to an appropriation of $545,000 for a flood-control project at Artesia, N. Mex., on the Pecos River. The committee recommends delaying appropriation for the project until a bond issue is undertaken by the city of Artesia in order to assure the local contribution in the amount of $180,000 for acquirement of necessary land, rights-of-way, easements, and to meet the obligations which the community has agreed to assume.

Since the issuance of the committee report, I have been advised by the mayor and other city authorities of Artesia that the city council has unanimously agreed to put this bonding proposal before the citizens at the first scheduled regular city election, next spring. This is the earliest time that such a proposal can be submitted under New Mexico law.

There is no question in my mind about approval by the citizens of Artesia because I have been advised by the city authorities, the chamber of commerce, and a great many individuals that the people are overwhelmingly in favor of such a bond issue.

That is a logical conclusion to reach because flash floods on the Pecos River in the past have taken several lives in Artesia and done property damage that reaches well into the millions of dollars. The city and the immediate area are always in imminent danger from these flash floods because of the mountainous terrain which is hit frequently by cloudbursts. The losses of life and property incurred from one of these flash floods are so great that it is merely good business for the people of this community to provide the necessary local funds. The Federal Government, of course, recognizes its obligation because the Pecos River is an interstate stream and a large amount of Federal property is situated along its course. This property also has suffered serious damage in the past.

In view of the assurance from the city of Artesia that this bond issue proposal will be submitted at the first opportunity afforded under State law, I suggest to the committee that this item be kept in this legislation, with the provision that the funds appropriated not be made available until the bond issue has been approved, has become effective, and the city of Artesia is in a position to make payment of the required $180,000. In that way, the project should not be unduly delayed and the Federal funds will be amply safeguarded.

I will deeply appreciate your consideration of this suggestion.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I wish to express my appreciation, also the appreciation of those constituents who came up to appear before this committee, for the courtesy that was extended to us.

Mr. Chairman, I rise to discuss committee action on a very important project, the Intracoastal Waterway from Jacksonville to Miami, Fla.

The committee disallowed this project, I respectfully take issue with the committee's position and reasoning. I feel quite sure that on a thorough review of the facts and justifications for this project, it can be determined that it is well merited in the national public interest.

In House document No. 740 of the 79th Congress, 2d session, the report of the Board of Engineers for Rivers and Harbors, August 26, 1942, states as follows:

The division engineer considers that deepening of the waterway to 12 feet is justified as war insurance. He points out that sugar from Cuba is being brought into Miami Harbor and Port Everglades and shipped to northern points by rail and believes that this, and commodities from Latin American countries, might well be transported northerly on the waterway. He considers the possible usefulness of the canal in event of a breakdown or shortage of land transportation facilities during the war period an important factor in its justification.

The Board of Engineers for Rivers and Harbors has had this to say:

While the degree of future need for the waterway as a carrier of freight depends somewhat upon events which are not predictable at this time, the board concludes that its usefulness during normal times in addition to its prospective value during the war period clearly justifies immediate deepening to 12 feet.

I respectfully submit that the events which were not then predictable in 1942 have since taken place, and that the usefulness of the project during normal times has increased tremendously. The war usefulness has not diminished one iota.

The waterway traverses 11 counties. At the time of the original report in 1942, the population was 718,000. The total population is now 2 million.

The importance of the areas as manufacturing, industrial, and commercial value, has increased tremendously. The growth of business in this area has been phenomenal. I am confident that a current review of the economic benefits of this project would be extremely favorable. Furthermore, the military purposes stated in the original report have been increased and not decreased.

The original wartime purposes for which the project was authorized and approved still exist and are valid arguments today. In addition thereto, since that time, we have seen the east coast of Florida assume an invaluable position in the total defense effort of the United States.

At Jacksonville is a tremendous naval installation, both deep-water port and air base. It is one of the primary installations for the Navy on the east coast. Farther down the State is Cape Canaveral. This is the guided missile base for the Air Force. It is a major operation in the missile program and from it is operated the only down-range station available to the United States.

There are military installations at Miami; in addition to these, is the Strategic Air Base at Homestead, which is a very important segment of our national defense. Finally, there is Key West, Fla., which is perhaps the largest Navy installation in the country, the one place suitable for extended submarine operations.

The intracoastal waterway, if improved to the authorized depth of 12 feet and width of 125 feet, could serve in normal times and in wartimes these important military installations by a completely protected inland waterway route.

In summary, I conclude my statement by saying again that the facts and justifications which originally made for the approval of this project are as valid today as they were at the time they were made; but justifications have been vastly improved by usefulness of the project in peacetime and in wartime. Furthermore, work was started on the completion of this project in fiscal 1957 with the approval of the Bureau of the Budget for $200,000. This year, the Bureau of the Budget approved a request of $1,150,000. I respectfully submit that the request is proper and in order, is completely justified and I trust that it will be reconsidered by the conference committee on the House side and written into the final bill before being sent to the President for approval.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I wish to express my appreciation for myself and others of my colleagues for the fine work this committee has done and the courtesies they extended during their consideration of the bill.

I would like to call to the attention of the Members of the House a very worthwhile project which originally started in New Jersey and was authorized along the east coast to and through Miami, Fla. This is the Intracoastal Waterway. There remains a stub end of this project to be completed as it has now progressed from New Jersey down to Eau Gallie, Fla., but needs to be continued to Miami as was originally authorized. This inland, protected waterway needs a depth of 12 feet to handle the commercial barges now carrying thousands of tons of cargo to the fast growing lower east coast of Florida. Local interests in Florida have spent millions of dollars developing feeder channels and port facilities as a result of the original authorization.

To stop the project now, with only 175 miles left to complete the 12-foot channel, will curtail the benefits of water transportation along the entire Atlantic seaboard. Industries throughout the Eastern United States are paying high transportation costs to deliver their products to south Florida. Benefits in transportation costs will result from the completion of the 12-foot project from Trenton, N. J., to Miami.

The ports of the lower East Coast of Florida, including Fort Pierce, Palm Beach, Port Everglades in Fort Lauderdale, and Miami have a population of over 1½ million people to serve directly. In addition, the completion of this project would tie together the port of Jacksonville, Fla., with all of the other large ports of Florida, including the large port of Tampa, via the cross State waterway through St. Lucie Canal. The military installations within this area represent investments of several hundred millions of dollars and this inland waterway is a vital link of inside protected waterways away from the submarine menace as experienced during World War II.

The Appropriations Committee has not seen fit to recommend this project in its report under public works appropriation bill for fiscal 1958. Since the President, Secretary of the Army, Bureau of the Budget, and the United States Engineers have recommended this program, I wanted to call to the attention of my colleagues in the House that to eliminate this program is in my opinion not justified by the facts. Thank you.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from South Dakota [Mr. McGOVERN].

Mr. McGOVERN. Mr. Chairman, I want to take advantage of this opportunity to thank the members of the committee and particularly the gentleman from Michigan [Mr. RABAUT] for the kind consideration given to me and the witnesses from my State when we appeared before the committee.

There is one project contained in the bill now under consideration about which I wish to speak briefly. I am referring to the Oahe investigation project. The bill carries an item for this project of only $100,000. This is a small amount, numerically, but it is a project of tremendous importance to the people of the eastern half of the State of South Dakota. Some years ago at the time the Oahe Reservoir and Dam were begun on the Missouri River, the Bureau of Reclamation also initiated studies looking into the feasibility of irrigation benefits from this project. Recently an interim report was filed by the Bureau which demonstrates the economic feasibility of that project and which calls attention to the fact that an irrigation project of this kind would stabilize farm income in the area. It would also permit greater diversification of crops leading to the cutting down of the production of crops that are now in surplus. There are other benefits, including important additions to the industrial and municipal water supply of cities in the area, as well as improved wildlife and flood control.

In the President's current budget estimate the sum of $360,000 was requested for continuing the study of this project to determine whether or not the project was entirely feasible. It has been estimated by the Bureau that such study can be completed within the next 3 years. We felt that the request for $360,000 for the coming year was a modest one, and one which was essential to the successful continuance of the study. I would, therefore, like to ask the chairman of

the committee or someone designated by him if he would be willing to explain at this time why the committee cut the requested funds to something less than 30 percent of the amount requested in the budget?

Mr. CANNON. I may say to the gentleman from South Dakota in response to his inquiry that there is a feasibility report on this matter which the committee wishes to take up before we can be in a position to follow up this project.

Mr. McGOVERN. I take it, Mr. Chairman, this in no way casts doubt on the importance of continuing the study and that we can have reasonable assurances the study will go forward to completion?

Mr. BOLAND. Will the gentleman yield?

Mr. McGOVERN. I yield to the gentleman from Massachusetts, a member of the Public Works Subcommittee on Appropriations.

Mr. BOLAND. I want to say to the gentleman from South Dakota that the committee appreciated his deep and active interest in the Oahe Unit. The committee assures him that it will protect his interest and he need have little concern over the reduction that was made on this project. There is some matter of proper local cooperation with respect to the general overall Bureau of Reclamation's program in this area. One hundred thousand dollars has been allotted for the Oahe Unit in this bill. This amount preserves the project and when the difficulty mentioned is straightened out, I am sure that the project will move ahead speedily. Again, I want to congratulate and compliment the gentleman from South Dakota for his appearance and testimony before the committee. And particularly is this so in view of the fact that he is a new Member of this Congress. He indeed has shown an expert knowledge of his district and has rapidly grasped the initiative of pressing for projects that concern his people.

Mr. McGOVERN. I thank the gentleman.

Mr. JENSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. CRAMER].

TAMPA HARBOR PROJECT

Mr. CRAMER. Mr. Chairman, for the third year the Appropriations Committee of the House has made recommendation to this body of funds for improvement of Tampa Harbor in the first district of Florida. In 1955 $977,000 was appropriated to begin this most worthy and needed project. In 1956 additional funds were granted in the amount of $4 million. In the bill of the committee for fiscal 1958 I am pleased that they have submitted the full amount of $2,250,000 as recommended by the United States Army engineers and included in the budget of the President to permit orderly and scheduled progress on deepining and widening of channels and turning basins.

I would take this opportunity to commend the deep understanding and thorough study given this project by the subcommittee on Rivers and Harbors and by the full Appropriations Committee of the House and its chairman [Mr. CANNON]. They have demonstrated clearly their full understanding of the proper position of the Federal Government in relation to the development of the waterways of the Nation. It is a pleasure to point out at this time that the Tampa Harbor project each year has presented to the committee a higher benefit-to-cost ratio and today this harbor qualifies as one of the most worthy in the entire country.

This project will, I am sure, meet with the approval of the House and I assure my colleagues of the outstanding worthiness and need of these developments for the entire State of Florida. We will happily see the first returns upon expenditure of these funds which will complete one usable segment for the commerce of the area.

Mr. JENSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. NORBLAD].

Mr. NORBLAD. Mr. Chairman, I want to compliment the committee on its approval of the Budget Bureau request for the full appropriation for the necessary funds to complete the work at the mouth of the Columbia River. These funds of one million plus added to the money previously expended there will be the necessary sums to give us for the time being, at least, the very necessary 48-foot bar.

There are two principal reasons for the work being done there. The first is the fact that the draft of ships built since World War II have been growing deeper and deeper and the existing bar was simply not able to handle many of these new and modern freighters.

The second is the fact that there are large swells on that particular bar and it cannot be compared with others where conditions are relatively mild. As a result the rise and fall of the ships passing over that bar is very considerable and it must accordingly be dredged to a depth adequate to compensate for this factor.

The present program will properly take care of these two conditions which I have described.

Mr. JENSEN. Mr. Chairman, I yield 3½ minutes to the gentleman from California [Mr. SCUDDER].

Mr. SCUDDER. Mr. Chairman, I appreciate very much this time to be able to point out a project in my district that has been eliminated from the present bill. I have served now for four terms as a member of the Committee on Public Works of the House and I feel it is one of the most constructive committees we have because it is the committee that authorizes projects for the building of America. Naturally, the Committee on Appropriations of the House has the responsibility of appropriating money for the development of America and for the building of these projects.

The project I have reference to is in Middle Creek, Lake County. While the Bureau of the Budget recommended this project the committee saw fit to eliminate the money from this bill because of the fact that a district had to be formed to take care of the maintenance and the repair of the project. However, selfish interests entered into this matter and were able to defeat the two-thirds majority vote of the area which was necessary to form this district. A large majority of the people in the area voted for the project. The board of supervisors of the county in which this project is located adopted 100 percent a resolution to take over the responsibility of the maintenance of this project and by the 8th of July everything will have been taken care of to make this project meet the criteria of the committee.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. SCUDDER. I yield to the gentleman from Tennessee.

Mr. EVINS. I do not think it is a question of meeting the criteria of the committee. It is a question of the people of the gentleman's district voting against the project.

Mr. SCUDDER. That is right.

Mr. EVINS. An overwhelming number voted against the project and because it was a new start, it was not approved by the committee at this time.

Mr. SCUDDER. That is not altogether the fact. I sent a letter to the district and told the leaders of the opposition they were rendering a great disservice to their county for opposing this project. A handful of selfish people are trying to stop a program that is of great benefit to the entire area. The board of supervisors are 100 percent for this project. Over 50 percent of the property owners have signed a petition to the county supervisors to take over its maintenance.

Mr. EVINS. Is it not true that the people of the gentleman's district voted against the forming of the district?

Mr. SCUDDER. Yes; a majority voted for it, but they lacked the two-thirds majority necessary to form the district. A majority of the people were in favor of it. The board of supervisors are 100 percent for it. However, the same people brought an injunction against the board of supervisors. A judge was called in from the outside and decided in favor of the people of the county. I assure you it is only a handful of people who are trying to thwart this project.

Mr. Chairman, as a member of the Public Works Committee, I can state from experience that we are always glad to have our colleagues appear before us in the interest of projects they desire to be authorized.

I wish to thank the members of the Appropriations Committee for the courteous consideration they have always extended to me. When I appeared before them on May 17 in the interest of the Middle Creek flood-control project in Lake County, Calif., I advised that there was a problem in the formation of a local district to assume responsibility for maintenance and operation, after completion of the project.

On May 7 an election was held for the purpose of forming a local district. A substantial majority of the people voted for the formation of such a district; however, they were 60 votes short of the required two-thirds majority.

The House Appropriations Committee, on the basis of this election, deleted the $300,000 in initial construction funds for the project which had been programed for fiscal year 1958. Their language appears on page 8 of House Report No. 552, to accompany H. R. 8090, public works appropriation bill for fiscal year 1958.

Immediately after the election, a move was initiated by landowners in the project area to request the Lake County Board of Supervisors to zone the area into the county flood-control and water-conservation district. Well over 50 percent of the landowners signed a petition making this request.

The board of supervisors, which is 100 percent in favor of the project, met on May 20 with the intent of complying with this request. However, some selfish interests filed an injunction, preventing the board from taking action. The injunction proceeding was brought before the Lake County Superior Court on June 5, and it was denied.

The board of supervisors proceeded with their action and on June 18 the clerk of the board, Thomas L. Garner, wired me as follows:

> Lake County Board of Supervisors adopted resolution forming zone Middle Creek project June 17. Final hearing July 8. Assurance to be signed immediately July 8.

I realize that we are not in a position right now to offer an amendment to the public works appropriation bill, because final assurance will not be available until the 8th of July. But I desire to impress upon my colleagues that the county of Lake is taking appropriate steps to assure local maintenance and operation, in compliance with Public Law 780 of the 83d Congress, which authorized the project.

By the time the bill reaches the Senate, the question of local responsibility will be completely resolved. This would permit the budget request of $300,000 be restored, so that work can be started on this most worthy project to protect against the tragic floods that have caused terrific losses in the past.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the Delegate from Hawaii [Mr. BURNS].

Mr. BURNS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. BURNS of Hawaii. Mr. Chairman, the able and distinguished chairman and the capable and dedicated members of the Committee on Appropriations have been receiving well deserved tribute from their colleagues. I have examined the allocations made to Hawaii projects. The consideration given to Hawaii is most fair and just. We deeply appreciate this consideration.

It was my privilege to appear before the committee with two constituents who traveled more than 5,000 miles. The committee and its staff were most cordial and courteous. In the committee our presentations were received with interest and understanding as well as objectivity. The gracious courtesy extended my constituents was appreciated very much by them in their expressions to me. I thank the committee most sincerely on behalf of my constituents and personally for the kindnesses shown us.

Hawaii has had the privilege of visits by members of the committee who have made intensive investigations into our needs. As a result of these visits, Hawaii has been given very fair and just consideration. I take advantage of this opportunity to express Hawaii's heartfelt gratitude to the gentleman from Michigan [Mr. RABAUT], to the gentleman from Ohio [Mr. KIRWAN], and to the gentleman from South Carolina [Mr. RILEY], for the time and effort given to Hawaii, as a result of which grave and important needs have been met and will be met in the future. Hawaii appreciates very much the dedication and devotion to the public good demonstrated by these gentlemen in coming to Hawaii and conducting on-the-spot investigations. We welcome these visits and hope that we may have others.

In view of our present status as a Territory, Hawaii is very dependent upon the fairness and justness of the Members of Congress from the various States. Since we do not have the minimum representation each State has, the consideration given us in this bill demonstrates beyond any doubt the concern of the Committee on Appropriations for all of our people and for the strengthening of all parts that make up our Nation. Hawaii thanks them all from the bottom of our hearts.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. HOLLAND].

Mr. HOLLAND. Mr. Chairman, I want to add my support to the statement made by the gentleman from Pennsylvania [Mr. GAVIN] and also to state that the Pennsylvania delegation, with one exception, supports the committee report on the Allegheny Reservoir.

It is a very worthy project and is supported by all of the business interests, and outside of the gentleman from Pennsylvania [Mr. SAYLOR] I think I am safe in saying every elected official of this great industrial valley.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Chairman, before I appeal to the membership of this body to vote an increase for the further development and early completion of the Delaware River Channel between the cities of Philadelphia, Pa., and Trenton, N. J., I would first like to express my appreciation to the members of the Appropriations Committee for their untiring efforts. It was indeed gratifying to know at least the need for a 40-foot channel is now a recognized fact and that $9 million has been authorized for the coming fiscal year.

However, I am sorry to say, this amount is not sufficient to carry out the deepening operations next year to the 40-foot depth approved by the Congress several years ago, but would merely pay for a 35-foot interim depth channel as recommended by the President in his budget message.

In my testimony before the committee in May of this year I definitely pointed out that an allocation of $16,500,000 would be the bare minimum needed to maintain the channel on an efficient basis during the coming year. This figure was arrived at after a careful and complete study by the Corps of Engineers of the United States Army—and who should know better than these authorities the amount of money required to do a competent job?

Every conceivable argument has been presented in favor of this appropriation of $16,500,000. The channel's economic value to the Nation has been established. Its importance to world trade has been shown. The benefits the Delaware Valley will derive from a modern 40-foot channel have been enumerated. As a matter of fact, every citizen in our country will gain in one way or another through the improvement of this major, important waterway.

A few moments ago I said that every conceivable argument had been presented in favor of this appropriation. I would like to amend this statement now, because to me there is one very important factor that has been overlooked. The Delaware River Channel, in its present obsolete condition, has taken its toll in human lives to say nothing of the 169 vessels it has damaged. Back in 1955 a total of 120 accidents were reported on the channel and the total damage amounted to well over $13 million.

As recent as March 7 of this year a tanker-freighter collision occurred on the channel and more men lost their lives needlessly. This alone should be reason enough to authorize an increased appropriation of $7,500,000.

In closing, Mr. Chairman, I would like to urge that the $16.5 million needed for this project be substituted in lieu of the authorized $9 million. I believe everyone will agree with me this is the most provident and sensible way to bring into existence a safe and modern waterway that will benefit the Delaware Valley economically and protect our Nation in the case of a national emergency.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. SAUND].

Mr. SAUND. Mr. Chairman, I wish to express my very sincere thanks for the courtesy the chairman and the members of the committee extended to me. I am a new Member, but they gave me advice and counsel, and they were very courteous to the people of my district who appeared before their committee, and I wish to thank them for it.

Mr. JENSEN. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. OSTERTAG].

Mr. OSTERTAG. Mr. Chairman, I intend to support the amendment to strike out funds for the Allegheny Dam and Reservoir at Kinzua, Pa., and in view of the limited time accorded me in general debate, I expect to discuss this project under the 5-minute rule.

First of all, I want to emphasize that I am aware of the need for flood control on the upper Allegheny River and of various other needs for water in the Allegheny and Ohio River Basins. I am deeply sympathetic to those needs, for they are acute and, I might add, very legitimate, not only in the Ohio River Basin but throughout the country.

This project, however, would saddle on the taxpayers of the country the entire cost of a fantastically expensive project, with not 1 cent of contribution being required from the local interests who would be benefited. This is described as primarily a flood-control project, but it is, in fact, a multiple-purpose project involving water supply, pollution abatement, stream regulation, and industrial water supply. Consideration is even being given to hydroelectric power production.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I have only a few minutes.

Mr. GAVIN. Certainly the gentleman knows it is not a hydroelectric project; it is a flood-control project.

Mr. OSTERTAG. I realize that it has been advanced as a flood-control project, but the major benefits far exceed those of flood control, and I only said that consideration is even being given to hydroelectric power production.

Only a minor part of the benefits can properly be charged to flood control. If flood control were the major and governing objective of this project, a much smaller dam and reservoir would be ample, not only to protect the upstream communities such as Warren and the area so ably represented by the gentleman from Pennsylvania [Mr. GAVIN], but the metropolitan district of Pittsburgh as well. This is amply demonstrated in the records of the United States Geological Survey. Indeed there are a number of alternative proposals for achieving both flood contral and stream regulation in the area, but they have never been adequately studied or analyzed for cost and economic benefits. These alternatives should be fully studied before we are firmly bound to an expenditure that may well run upward of $150 million. As it stands, this project violates not 1, but 2 fundamentally important principles. It violates the principle of local financial participation in the cost of these multiple-purpose projects, and it violates some Indian treaty rights which are profoundly important to the moral stature of this Nation. I urge you not to approve this project until—and I say until—these highly questionable aspects have been ironed out.

Let me say a word about the costs of this project. We are asked today merely to appropriate $1 million to start construction, and once construction starts, there is no turning back, but rather the project must go on to completion with a total cost estimated by the Engineers to be $101 million. That is the estimate today. The record suggests that $101 million will by no means do the job, however. I say this because, in 1936, this was put forth as a modest little $6.5 million dam with approximately $11 million more in local costs for land acquisition and damages.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CANNON. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. OSTERTAG. I thank the gentleman. By 1941 the cost had risen to $35 million, with no local participation whatever. By 1948 the cost had jumped to $66 million. Last year it was $97.5 million and now, just a year later, it is estimated at $101 million. And mind you, not one dime of this is to be borne by local interests.

As long ago as 1939 the late Harold Ickes challenged the validity of this method of financing the dam. As chairman of the National Resources Committee at that time, he pointed out that it would provide not only flood control but an additional source of water supply for a metropolitan district, as well as benefits to pollution abatement for downstream communities, benefits to individual water users and recreational benefits. To charge all of these costs to the Federal Government, he said, would be a departure from existing policy, and he recommended that a determination of local responsibility be made. Yet today this is submitted as a 100 percent Federal project.

The fact is that the Appropriations Subcommittee on Public Works has itself disallowed several projects in this very bill because they did not provide for local participation.

We, who talk so much about the virtues of local responsibility as the muscle and sinew of representative government, have an opportunity in this proposal to practice what we preach; we should require that this project be restudied both for alternatives, and for a proper allocation of costs.

I said a moment ago that this proposal would also do violence to certain Indian treaty rights. Those rights exist; they have been repeatedly reaffirmed. They are justiciable. Make no mistake about it: If this project is approved, it will wind up in the courts, and on the basis of the record, it is difficult to see how the treaty rights of the Indians can be overridden.

The Allegheny Reservoir would flood some 9,000 acres of land in New York State which was granted to the Seneca Nation of Indians by a treaty of 1794 signed by the first President of this country, George Washington. The treaty guaranteed to the Indians the undisturbed use of their lands in perpetuity. The Indian reservation consists of a narrow strip, about 1.6 miles wide, running along the upper Allegheny River in New York State. The projected reservoir would flood virtually all of the habitable land in the reservation. Only the steep hillsides would remain. These cannot be farmed, they cannot be lived upon—for the Senecas are not cliffdwellers. In fact, the remaining land cannot even be reached, if this dam is built, for it will be inaccessible.

The Corps of Engineers is cognizant of the disastrous effect that the dam will have on the reservation. Their 1939 report says, and I quote:

> The extinguishment of the Indian right of occupancy of the Allegany Reservation will probably necessitate that an agreement be entered into with the Seneca Nation under the supervision of the Office of Indian Affairs, and that by appropriate legislation, Congress authorize or approve such an agreement.

Now, of course, no such agreement has ever been made, and no such legislation has ever been passed.

The Corps of Engineers further noted in its 1939 report the clear wording of the treaty of 1794, and pointed out that in 1871, Congress reaffirmed the validity of that treaty.

> In view thereof—

The corps said, and again I am quoting from the report—

> It is extremely doubtful that Congress would authorize the acquisition of the affected area of the Allegany Indian Reservation until a voluntary agreement had been reached with the Seneca Nation. It is obvious that any such agreement entered into by the Seneca Nation would, of necessity contain provisions making it incumbent upon the United States to provide additional lands in New York State for said nation to replace those taken.

That is the end of the quote.

Have these conditions been fulfilled? On the contrary. There has been no voluntary agreement with the Senecas, or for that matter, any other kind of an agreement. There has been no legislation by Congress. Certainly no steps have been taken to compensate the Indians for the loss of their lands by the grant of additional lands.

The Senecas do not want to be recompensed with money. They want to be left undisturbed in the use and occupancy of their lands, as George Washington promised they would be, and as the Congress of 1871 and the Supreme Court on several occasions have reaffirmed they would be.

Yet under the legislation now before us, we are proposing to do by condemnation what is prohibited by treaty and by law. At a time when our Government places such high value on its pledged word that it is willing to turn over American boys to foreign courts for trial, because it is prescribed by treaty—we are proposing here, lightly and mindlessly, to ignore our solemnly pledged word to the American Indians. Surely we have a duty and an obligation to deal with the Senecas in good faith. If we reduce their treaty to a scrap of paper, what will our word be worth?

In closing, let me reemphasize this point; neither the Senecas nor others are opposed to the objectives envisioned in this project. Flood control is undoubtedly needed on the Allegheny as are the other water uses encompassed here. If a full and fair study of the alternatives proves conclusively that the high dam at Kinzua is the only way to meet these objectives, I am confident that the Indians as well as the other opponents will yield to necessity. But until that is done, we have neither moral nor economic justification for launching this costly, questionable project. I hope the amendment will be supported and the $1 million appropriation will be stricken out.

I might say that a Pennsylvania official expressed similar views concerning this project at one time. This man was Dr. Bogardus, secretary of forest and water resources of Pennsylvania. He said:

> It is perfectly obvious that if you say the Federal Government will bear the full cost of any flood control dam, you can logically include any dam that can be constructed for power, domestic water supply, or anything else, because all of these dams have some elements of flood control.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, I wish to thank the able Chairman for granting me these few minutes of this valuable time. Also, I wish to add my words of appreciation and commendation to this most powerful of all committees of this great body, and I desire to pay particular tribute to the Subcommittee on Public Works which has, as one of our distinguished colleagues, who has just preceded me in this debate, has said, the control of the building of the interior of our great country.

I take this time largely to follow the questioning that I indulged in yesterday when the distinguished gentleman from Iowa had control of the time relative to the statement in the report which, in my opinion, is one of the most severe indictments against any bureau appearing before an Appropriations Committee. I should like to ask a member of the committee on my right just what justification the Bureau of Reclamation failed to make when they made their presentation before his great committee.

Mr. RABAUT. Mr. Chairman, I would say to the gentleman that he approached me on this subject yesterday. I have a list here of places in the hearings where that information can be found.

In part 1, departmental witnesses, on pages 71, 247, 268, 938, and 940. In part 2, departmental witnesses, pages 415, 424, 450, 451, 938, 940, and page 455.

That gives the information about which the gentleman is concerned, and also gives a recitation of the persons appearing and where their testimony may be found. It is notice to the House and to the public.

Mr. ASPINALL. As I understand, it was the failure of those representatives of the Bureau of Reclamation in the Department of the Interior to come up with the necessary justification for the amounts they asked for. Is that correct?

Mr. RABAUT. And using the funds at different times for other purposes.

Mr. ASPINALL. I understand that. It is in the report.

I thank the gentleman. Sometimes it is most difficult for Members of this great body to explain to the people whom they represent the failure of certain requests for funds for various authorized projects to be appropriated. With this explanation of the criticism, which I do not question but is justified, the Members are placed in a much better position.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I believe we have talked a little too much about this matter about which the gentleman is speaking. At least this can be said, that the people in charge of the Bureau of Reclamation are better qualified and more honest in their dealings with Congress than were the officers that were in charge of the Bureau of Reclamation when Michael Straus was the Chief of the Bureau of Reclamation. He told us in regard to many projects, "We are out of money." We had investigations made and found that they were not out of money. He had stopped a number of projects. When we went in and investigated, we found that he had given the committee much erroneous information. I do not defend the people in charge of the Bureau of Reclamation when they err, but it must be said that they are displaying a much better and more honest and cooperative attitude toward Congress than was displayed when Mr. Michael Straus was Chief of the Bureau of Reclamation.

Mr. ASPINALL. I am taking no exception to what the gentleman has to say at this time because it was not even in my mind. I am not approaching this from a partisan standpoint at all, but I am interested in the criticism that goes to the actions of any bureau. I remember it was one of my first obligations to come on this floor in 1949 and ask for an appropriation for the Forest Service, at which time those representing the Forest Service failed to justify before the great Committee on Appropriations their requests for funds. That was when we had to get funds to combat the epidemic of the spruce bark beetle.

Mr. Chairman, as the committee has under consideration the public works appropriation bill, I would like to take a few minutes of your time to tell the Paonia project story.

Under recent date, each of you received a letter on the Paonia project from the North Fork Conservancy District of Hotchkiss, Colo. This letter gave you a part of the story on this 21-year-old orphan. I can speak with personal knowledge dating back to the beginning of my service here in Congress in January of 1949. Actually, this subject was a matter of concern also to my predecessor, the late Robert Rockwell, who resided in the area of this project and before that of the late beloved, Edward T. Taylor, who was chairman of the Appropriations Committee of the House at the time of his death. Although this project has been of continuing concern during my service, this pales in comparison to the concern of those citizens of the area who have been wrestling with this problem for nearly a generation. I am constantly amazed at the patience, dedication, and perseverance of these people. They have suffered many discouraging setbacks, setbacks which would have discouraged lesser men or moved them to anger. However, if you will refer to your recent letter, you will find them making a calm and reasonable appeal for consideration. I am happy to stand here in support of so reasonable and necessary an appeal.

The North Fork area of the Gunnison River was originally settled about 1890. These early settlers carved farms from the then wilderness and provided irrigation facilities by their own effort. This was adequate for the area until about the 1930's when a combination of adverse economic developments and drought forced them to turn to the Federal Government for assistance in meeting the persistent problem of water shortage. I remind you that Federal activity to provide construction of a holdover reservoir began in 1936. The farmers of this area are still faced with the same adverse situation they had at that time. Surely it is time that their long effort for this legitimate end be rewarded with construction contemplated nearly 20 years ago.

The first report of the Bureau of Reclamation was issued in August of 1938. On the strength of this report, the Paonia project was authorized under reclamation law in March of 1939 by Presidential approval of a feasibility recommendation by the Secretary of Interior. Appropriations were provided in 1940 and in 1942. In 1940, it became obvious that the project plans had to be altered. These alterations were ready by June 1947 and may be found in Senate Document No. 61, 1st session, 80th Congress. Public Law 117 of the 80th Congress (61 Stat. 181), based on this report, authorized the construction of the Paonia project and funds under this authorization were provided later in 1948. The farmers of the area then approved and signed a repayment contract with the Department of Interior for the repayment of Federal moneys expended. In August 1948, bids were opened for construction of the Paonia project. However, due to cost increases not related to the project, all bids were found to be in excess of the $3,030,000 authorization. I might here note that the estimated cost of the project is now nearly $7 million. No one has gained from postponement. Construction of the whole project was found to be impossible. Rather than lose all gains possible under the authorization, the conservancy district and the bureau agreed to enlarge the Fire Mountain Canal. This single phase of the project was then initiated and completed. The farmers of the conservancy district are now obligated for the repayment of this feature although it has not materially increased their ability to repay. Nor has it provided any substantial increase in the necessary water supply. This increase in water supply can come only from construction of the holdover storage facilities of such size as to provide late season water. This was the pressing need in 1936. It is still the paramount need in 1957.

The Korean emergency forestalled further development of the Paonia project, although legislation for its reauthorization was introduced by me during this period. It was then decided that if this vital storage feature was to be built, in view of the cost increase, it would have to be tied to the Colorado River storage project and participating projects, so that surplus power revenues from the storage project could be applied to construction costs in excess of the water users ability to pay. This legislation, with the Paonia project listed as the most immediately needed participating project, was passed last year. It was understood by all concerned that funds for the completion of construction of the Paonia project would be included in the budget for fiscal 1958 so that such construction could actually begin in July of this year.

If events had proceeded as scheduled, I would not need to rise today to tell this story of continuing disappointment.

million, with no local participation whatever. By 1948 the cost had jumped

ever been made, and no such legislation has ever been passed.

of any flood control dam, you can logically include any dam that can be constructed for power, domestic water supply, or any-

were in charge of the Bureau of Reclamation when Michael Straus was the

persistent problem of water shortage. I remind you that Federal activity to pro-

I would not need to rise today to tell this story of continuing disappointment.

The program presented to the Congress last year clearly stated that two participating projects would be scheduled for construction this year. One was Paonia. Early reports this year in the Paonia project area, released by the Bureau promised that a budget request would be made and that construction would begin. Only when the President's budget was actually released did the people of the area discover that they had waited in vain.

Trying to discover just why last year's schedule did not become this year's program of action is devious and difficult. I must confess to you that I cannot state positively just where the Paonia project was cut down, but I know it once was in the Bureau of Reclamation budget recommendations. I know it did not survive the Budget Bureau's consistent opposition.

The immediate excuse given by the Bureau of the Budget was that the required resurvey of the project by the Department of Agriculture and the final report of the Bureau of Reclamation was not in hand during their consideration of the budget requests. I ask you in all seriousness, would a project under survey and study for 21 years now require a resurvey? The features of the project construction are virtually the same as those outlined in the Senate document of 1947 previously mentioned, they have been known for at least 10 years and the Department of Agriculture was a party to that 1947 study.

No, my friends, these surveys and reports, and I remind you that Agriculture's resurvey has been completed and is now in Washington, cannot explain the omission of the Paonia project. Nor can it be explained away on the ground that Paonia is a new start, it is as new as an automobile with running boards. It was first authorized in 1939, reauthorized in 1948, and again in 1956. A case can be made that economy prevents construction, but I ask you only to hold today's need for saving a sum of less than a million against the economic privation of this area. Here is a rural area of some few thousand souls far removed from the Nation's Capital. These people live on small farms or in two small communities. We are not talking of new land to be brought into production, this land has been under cultivation for some 50 years. For the last 20 years, however, at least 65 percent of the area has faced an annual water shortage of some degree—ranging from slight to complete. They have made every possible effort to take care of their own needs, but the crippling shortage of the water supply for consistent production so reduces their income that local resources are inadequate. Only a holdover reservoir will solve their problem. No doubt they would have given up long ago if for 21 years the carrot of water salvation had not dangled just over the horizon. It is time that such promise be funded with dollars and that these people be given the necessary boost, not only to repay an obligation they have already assumed for a project feature which gives them no value, but to go forward in the sure knowledge that they will have enough water to produce a crop each year.

Lastly, spring floods are now causing damage in this area—water is not only wasting away but causing waste. If the storage facility were constructed, this damage creating surplus could be caught and held and released in late summer to prevent crop failure.

Mr. JENSEN. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I thank the gentleman for yielding me time. A minute and a half is a very short time in which to make my plea for $600,000 for the Hopkinton-Everett flood dam in the Merrimack River Valley that goes through New Hampshire down through Massachusetts. It is not in this bill because, as I understand, there was no budget approval of it. The budget did not approve of it because it did not receive the notice of the compacts being signed and the Army engineers request for $850,000. Later, the Army engineers said that $600,000 would do the job that was necessary for planning the Hopkinton-Everett Dam. $100,000 for the purchase of land and the rest of it to use for planning in the Merrimack Valley.

Mr. RABAUT. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I will be very glad to yield. I understand that the gentleman from Michigan who made a great plea for this project and also the gentleman from Massachusetts [Mr. BOLAND] made a great fight for this project, and it was only turned down because there was no budget estimate. I understand the fight was very close.

Mr. RABAUT. New Hampshire only gave its concurrence recently and, furthermore, the President did not have it in his budget.

Mrs. ROGERS of Massachusetts. I realize that. The reason that New Hampshire did not agree earlier is they only have a session of the legislature every 2 years. It is a very great tragedy. A great deal of money will be lost not only to industries but there may be great loss of human life if the flood-control project does not go forward and if we do not put it in the bill this year. Furthermore, many lives have been lost in the past and much property damaged. If it does not go in this year, we will lose another year. I believe the other body will put it in and I am pleading ahead of time with this great Committee on Appropriations to agree to what I feel sure will be the action of the other body in including it in the bill. I refer to a speech I made yesterday for certain facts and figures, and on pages 9575–9576 I am inserting part 1 of the hearings on this bill, testimony of Members of Congress and the testimony of the Army engineers who say it is the No. 1 project for New England.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. JENSEN. Mr. Chairman, I yield the balance of the time, 5 minutes, to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I am not going to talk for any great length of time. I cannot say a great deal in 5 minutes, but I do want to say that the expenditures and appropriations for the purposes of this bill comparatively have gone up from a 1955 figure of $643 million to a 1958 figure of $814 million. It is a little lower than the other years in between, but it is almost $200 million—closer to $171 million—above the 1955 figure. The only way we are going to be able to save any money is by saving it. We are not going to save it by bringing in bills that are as big as this bill for this particular purpose. I do think if we would avoid providing funds for projects which have no good benefit-to-cost ratio that we would be in a far better position, and then we could take care of the things that need to be done without getting the bills up so everlastingly high. I am going to call attention to two items, which in my mind indicate that we have provided too much money. Consider for example this Allegheny River project which has been discussed here a little today. That project calls for a dam that would hold back 1,125,000 acre-feet of water. The only thing that could be justified would be a dam that would cost less than one-fifth of that amount and which would hold back something in the neighborhood of 15 to 20 million acre-feet of water because that amount of storage would absolutely take care of all the water which could flow down that river in a 3-day period at the location of this particular dam at the rate of 68,000 cubic feet per second.

The flow of this river is not so heavy that a great deal of damage would be done and I see nothing to warrant this additional cost.

The ratio of benefit to cost is very poor.

Then there is this Cumberland River project. I call your attention to page 139 of the hearings where the statement is made that if they wanted to build the dam necessary for navigation the benefit-to-cost ratio would be 1.89 to 1. But here they have—I do not know whether I should say fraudulently or mistakenly—figured the power they would get out of that plant at 7.12 mills per kilowatt when TVA and the private utilities are getting somewhere around 4.5 mills.

If the project were figured on a cost basis and on the facts that the Army engineers admitted on page 139, there would be no benefit-to-cost ratio at all. That kind of project we cannot undertake; and the job could be done for a great deal less than the $167 million budgeted for it.

Those are just a few illustrations. There are probably 25 items in this bill that have no benefit-to-cost ratio of as much as 1.20 to 1. On that situation there should be a very considerable reduction in this bill.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. HAGEN].

Mr. HAGEN. Mr. Chairman, I, too, wish to commend the Appropriations Committee and particularly the Public

Works Subcommittee thereof on their conscientious and arduous labors on the bill before us. Inevitably in legislation of this kind there is disappointment, but screening of projects must be accomplished and this committee has the duty of making such screening.

Without in any way criticizing the House committee, I wish to express the fond hope that the Senate committee will act more generously with respect to projects in which my constituents have a direct interest. In one instance the factual situation on which the House committee based its action may have changed at the time of the Senate action. In the other I disagree with the committee's conclusion on facts which are not subject to change.

I will refer first to the Success and Terminus Dams projects. These projects have had a somewhat long and disappointing history from the standpoint of speedy and adequate response to a flood-control need which is forever constant in the area of California which they will serve. They were authorized in 1944 with a joint total initial authorization only slightly in excess of $4,000,000. It was apparently recognized at that time that further authorizations would be necessary and would be granted because even with cost figures current at that time the sum was clearly inadequate for their final completion. Thereafter until 1956 only planning moneys were granted these projects in spite of the fact that there had been a recurrence of the floods which initially justified their authorization; however in 1955 we suffered disastrous floods which stimulated the corps to budget funds for construction money for both of these projects and through the generosity of the Appropriations Committee such funds were provided and steps immediately looking to construction have been taken.

In 1956 after the Appropriation Committee action I suggested to the corps that they needed additional authorizations. The corps responded promptly and the necessary authorizations were included in the omnibus public-works bill of 1956. Unfortunately this legislation was vetoed by the President. As a consequence the corps, the House Appropriations Committee, my constituents, and myself were confronted by the fact that 1957 appropriations in excess of $618,000 could be made only without prior authorization with the disability that they could be stricken on a point of order made by any one of the 435 Members of the House. The corps met this situation by recommending 1958 fiscal year appropriations of $5 million for Success Dam and $2,500,000 for Terminus Dam with amounts in excess of $618,000 subject to the proviso that they would be spent only when and if the additional authorizations were secured. The committee chose not to follow this procedure. Instead they appropriated the $618,000 and directed the corps to secure the remainder up to a total of $7,500,000 out of their fiscal 1958 unobligated reserves in the event the necessary authorizations were forthcoming. This action is understandable in the light of the authorization disability mentioned. It will be disappointing only in the event the corps does not possess the necessary unobligated reserves. This latter prospect is unlikely because ordinarily the corps has millions of dollars of unobligated reserves. I wish to thank the committee for providing a solution for a difficult question and hope and pray that the future does not depart from the past history of unobligated reserves. In my judgment we have no problem with respect to the needed authorizational authority. As I have indicated the situation confronting the Senate committee may be quite different from that confronting my colleagues because we are hopeful that an omnibus authorization bill will become law before their appropriation action.

I wish now to advert to a committee action which I feel to be in error—an action which I trust the Senate will correct on the basis of the same set of facts as confronted the House committee. The Bureau of Reclamation budget contained an item for the Central Valley project. From this item was struck the amount of $888,000 programed for the extension of laterals from the Friant-Kern distribution system to serve lands in the southern San Joaquin municipal utility district, pursuant to the public law program of repayable interest-free loans, for construction undertaken either by the district or by the Bureau on behalf of the district.

This district is currently receiving water from a Federal reclamation project—to wit, the Central Valley project—and is distributing the same through a system of laterals built under the Federal loan program. It seeks to serve additional lands within its boundaries. Such service will require additional laterals and an additional loan. The Bureau desires to make such loan but feels that it cannot without specific waiver of a continuing requirement written in a past appropriation bill that it make certain certification of a minimum quality of land and profitable irrigation. On the basis of its current land classification the Bureau feels it cannot make such certification; however, it urged the waiver on the basis that the entire district, which has a splendid record of repayment and adequate collateral base for repayment, was willing to underwrite the service for the small parcel of lands to be directly benefited by the additional laterals. The committee rejected the Bureau's acceptance of this equal but different assurance of repayment. I am hopeful that the Senate will accept it and that the House will concur. Failing in this I will seek to have a new land classification study made because the lands in question have been greatly improved and are being profitably farmed.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, on behalf of the official representatives of the county of Los Angeles and for myself, I want to thank the chairman of the committee, the gentleman from Missouri [Mr. CANNON], the members of the committee, and the able staff for their courteous and thorough consideration and treatment. To require complete justification of any project is always justified but particularly so today. The bill of the committee, as approved, has strong appeal as being fair and yet includes only those projects of proven need. The people of my district and the whole economy of the Los Angeles area will benefit, and all taxpayers will profit. We believe too that lives may yet be saved instead of lost because of the wisdom and vision of the committee.

Mr. CANNON. Mr. Chairman, I yield the remainder of my time to the distinguished gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, as an active member of the Public Works Subcommittee of the House Committee on Appropriations, I should at this time like to express my sincere thanks to the gentlemen of that group for their untiring efforts during the many long weeks that the now-pending public-works appropriations measure was under committee consideration.

Ladies and gentlemen of the House, your Appropriations Committee recommends to you this almost $815-million bill only after the most extensive and exhaustive consideration. Over a 2-month period the committee took testimony totaling 3,784 pages from representatives of the Corps of Engineers and the Department of the Interior, in addition to approximately 700 other witnesses, including over 200 Members of the House of Representatives and the Senate.

The public-works appropriation bill for 1958 includes funds primarily for the civil functions of the Department of the Army and the civil-works activities of the Corps of Engineers and the Department of the Interior. As proposed by the Bureau of the Budget requests for these agencies and their functions for the fiscal year 1958, which totaled $876,453,000, your committee recommends an appropriation of $814,813,023. That recommendation represents a 7-percent reduction in budget estimates, or $61,639,977, and a reduction of $52,521,977 below similar appropriations for the year 1957. Of the overall appropriation recommended by the committee, $619,325,023 is for water-resources construction programs and is to be allocated to 285 projects and activities. The budget estimate has not been exceeded for any project in the construction programs, primarily because of the urgent need for reducing the seriously inflated budget for fiscal 1958.

Now, Mr. Chairman, this particular appropriations measure often has been referred to as the "pork barrel" bill; that is, that on a trade or a you-scratch-my-back-and-I-will-rub-yours basis, the bill contains a little for everybody. Well now, just for sake of argument, let us assume that this bill is a barrel, and that it does contain pork, and that everybody does get his share of that pork.

At this point, let us open that barrel and just see what it is now or has contained.

Upon examination, I am sure you will find a piece of that so-called pork labeled Boulder Dam, another tagged the Tennessee Valley Authority, or flood control for the Mississippi River and its tributaries, or Bonneville power, or atomic energy, or Colorado River storage, or the St. Lawrence seaway. Although funds for atomic energy and TVA will be handled in separate legislation, they are nevertheless part of this country's great public works undertakings.

Mr. Chairman, at this point I include in the RECORD a list of rivers and harbors and flood-control projects covered in this bill which affect 43 States, plus Alaska and Hawaii:

State and project	Allocation	
	Planning	Construction
Alabama:		
Columbia lock and dam, Alabama and Georgia	$150,000	
Fort Gaines lock and dam, Alabama and Georgia		$6,600,000
Jackson lock and dam		1,700,000
Paint Rock River	30,000	
Warrior lock and dam		2,000,000
Alaska:		
Dry Pass	23,000	
Gustineau Channel	50,000	
Ketchikan Harbor		1,900,000
Kodiak Harbor		1,140,000
Arizona:		
Painted Rock Reservoir		2,841,000
Whitlow Ranch Reservoir	147,000	
Arkansas:		
Arkansas River and tributaries, Arkansas and Oklahoma (bank stabilization)	50,000	
Arkansas River and tributaries, Arkansas and Oklahoma (emergency bank stabilization and channel rectification)		1,300,000
Beaver Reservoir	250,000	
Bull Shoals Reservoir, Ark. and Mo. (addition of units 5 and 6)		110,000
Calion		240,000
Dardanelle lock and dam		800,000
Greers Ferry Reservoir		1,700,000
Ouachita and Black Rivers, Ark. and La.	150,000	
Red River levees below Denison Dam, Ark., La. and Tex.		300,000
Table Rock Reservoir, Ark. and Mo.		17,000,000
California:		
American River levees		1,900,000
Black Butte Reservoir	179,000	
Carbon Canyon Dam and channel		800,000
Devil, East Twin, Warm, and Lytle Creeks		1,150,000
Los Angeles County drainage area		16,215,000
Lower San Joaquin River and tributaries		1,000,000
Playa del Rey Inlet and Harbor		600,000
Redondo Beach Harbor		2,020,000
Riverside		1,270,000
Russian River Reservoir		5,000,000
Sacramento River		3,000,000
Sacramento River (deepwater ship channel)		2,815,000
Sacramento River and major and minor tributaries (active units)		700,000
San Antonio and Chino Creeks		2,721,100
San Diego River and Mission Bay		1,100,000
San Joaquin River, Stockton deepwater channel		600,000
San Lorenzo Creek		1,000,000
San Lorenzo River		1,200,000
Santa Clara River	50,000	
Santa Maria River	75,000	
Success Reservoir		518,000
Terminus Reservoir		100,000
Truckee River and tributaries, California and Nevada. (See Nevada.)		
Connecticut: Thomaston Reservoir		$2,900,000
Delaware: Inland waterway, Delaware River to Chesapeake Bay, Del. and Md.: Summit Bridge		1,200,000
Florida:		
Central and southern Florida		5,226,000
St. Augustine Harbor		600,000
Tampa Harbor: 30-, 34-, and 36-foot channels		2,250,000
Georgia:		
Columbia lock and dam, Alabama and Georgia. (See Alabama.)		
Fort Gaines lock and dam Alabama and Georgia. (See Alabama.)		
Savannah River below Augusta		$35,000
Hawaii:		
Honolulu Harbor	$50,000	
Kawaihae Harbor		2,450,000
Idaho: Columbia River local protection: Weiser River	70,000	
Illinois:		
Alton	97,000	
Carlyle Reservoir	65,000	
East St. Louis and vicinity		800,000
Hunt and Lima Lake drainage district	85,000	
Illinois Waterway, Calumet-Sag Channel—pt. I		6,000,000
Mississippi River between Missouri River and Minneapolis, Minn.: rectification of damages		65,000
Mississippi River between Ohio and Missouri Rivers, Ill. and Mo.: Regulating works		500,000
New Harmony bridge, Illinois and Indiana		405,000
Wabash RR. bridges at Meredosia and Valley City		350,000
Wilson, Wenkel, and Prairie du Pont drainage and levee district		660,000
Wood River drainage and levee district		550,000
Indiana:		
Lock and dam 41, Indiana and Kentucky. (See Kentucky.)		
Mansfield Reservoir		1,000,000
Markland lock and dam, Indiana, Kentucky, and Ohio		9,500,000
New Harmony bridge, Illinois and Indiana. (See Illinois.)		
Iowa:		
Coralville Reservoir		900,000
Iowa River, Flint Creek levee district No. 16	50,000	
Little Sioux River		2,000,000
Missouri River agricultural levee, Iowa, Kansas, Nebraska, and Missouri		3,300,000
Missouri River, Kensiers Bend, Nebr., to Sioux City, Iowa. (See Nebraska.)		
Missouri River, Kansas City, Mo., to Sioux City, Iowa:		
Kansas City to Omaha		3,300,000
Omaha to Sioux City		6,600,000
Muscatine		320,000
Muscatine Island levee district and Muscatine-Louisa County drainage district No. 13	75,000	
Upper Iowa River		400,000
Kansas:		
Abilene		400,000
Council Grove Reservoir	125,000	
Missouri River agricultural levees, Iowa, Kansas, Nebraska, and Missouri. (See Iowa.)		
Ottawa		500,000
Pomona Reservoir	145,000	
Salina		500,000
Strawn Reservoir	125,000	
Topeka		1,500,000
Toronto Reservoir		4,700,000
Tuttle Creek Reservoir		10,000,000
Wichita and Valley Center		830,000
Kentucky:		
Barkley dam (lower Cumberland lock and dam), Kentucky and Tennessee		5,000,000
Buckhorn Reservoir		1,000,000
Catlettsburg		2,000,000
Greenup locks and dam, Kentucky and Ohio		13,500,000
Lock and dam 41, Indiana and Kentucky		4,000,000
Kentucky—Continued		
Markland locks and dam, Indiana, Kentucky, and Ohio. (See Indiana.)		
New Richmond lock and dam, Kentucky and Ohio	$175,000	
Nolin Reservoir	188,000	
No. 2 Barren Reservoir	50,000	
Rough River Reservoir and channels		$3,000,000
Louisiana:		
Amite River and tributaries		1,000,000
Gulf Intracoastal Waterway: Plaquemine-Morgan City alternate route		3,500,000
Mississippi River, Baton Rouge to Gulf of Mexico	240,000	
Mississippi River—Gulf outlet	375,000	
Ouachita and Black Rivers, Ark and La. (See Arkansas.)		
Red River levees, below Denison Dam, Arkansas, Louisiana, and Texas. (See Arkansas.)		
Maryland:		
Cumberland, Md., and Ridgeley, W. Va.		2,000,000
Inland Waterway, Delaware River to Chesapeake Bay, Del. and Md. (See Delaware.)		
Massachusetts:		
Adams		1,120,000
Barre Falls Reservoir		376,000
Boston Harbor: Extension to 40-foot anchorage		1,000,000
Buffumville Reservoir		1,117,000
East Brimfield Reservoir		1,500,000
Fall River Harbor		600,000
Hodges Village Reservoir		1,850,000
Mystic River: 35-foot channel		550,000
North Adams		3,097,000
West Hill Reservoir	50,000	
Westville Reservoir	100,000	
Weymouth Fore River		1,350,000
Worcester		1,500,000
Michigan:		
Battle Creek		2,000,000
Cheboygan River and Harbor		50,000
Great Lakes connecting channels		13,000,000
Harrisville Harbor		100,000
Houghton-Hancock Bridge		500,000
Saginaw River		475,000
St. Marys River, improvement of south canal		500,000
Whitefish Point Harbor		130,000
Minnesota:		
Mississippi River between Missouri River and Minneapolis, Minn., rectification of damages. (See Illinois.)		
St. Anthony Falls		550,000
Missouri:		
Bear Creek Reservoir	90,000	
Bull Shoals Reservoir, Ark. and Mo. (See Arkansas.)		
Cape Girardeau (reach No. 2 only)		1,300,000
Fabius River Drainage District	65,000	
Mississippi River between Ohio River and Missouri Rivers, Ill. and Mo. (See Illinois.)		
Missouri River, Kansas City to mouth		4,000,000
Missouri River, Kansas City, Mo. to Sioux City, Iowa. (See Iowa.)		
Pomme de Terre Reservoir		2,000,000
St. Louis	649,000	
Table Rock Reservoir, Ark. and Mo. (See Arkansas.)		
Montana:		
Fort Peck Dam (24 powerplant)		3,000,000
Miles City	50,000	
Nebraska:		
Missouri River agricultural levees, Iowa, Kansas, Nebraska and Missouri. (See Iowa.)		
Missouri River, Kensiers Bend, Nebr., to Sioux City, Iowa (including Miners Bend), Iowa, Nebr., and S. Dak		1,400,000
Nevada:		
Mathews Canyon Reservoir		463,000
Pine Canyon Reservoir		678,000
Truckee River and tributaries, California and Nevada	50,000	

State and project	Allocation	
	Planning	Construction
New Hampshire: Otter Brook Reservoir		$2,000,000
New Jersey:		
Delaware River, Philadelphia to Trenton (40-foot project), N. J. and Pa.		9,000,000
New York and New Jersey channels, New York and New Jersey		5,200,000
Staten Island Rapid Transit Bridge, New York and New Jersey. (See New York.)		
New Mexico:		
Abiquiu Reservoir		2,450,000
Albuquerque		750,000
Los Esteros-Alamogordo Reservoirs	$120,000	
Two Rivers Reservoir	70,000	
New York:		
Allegheny River Reservoir, Pa. and N. Y. (See Pennsylvania.)		
Barcelona Harbor		210,000
Endicott, Johnson City, and Vestal		1,400,000
Great Lakes-Hudson River Waterway		190,000
Jones Inlet		235,000
New York and New Jersey channels, New York and New Jersey. (See New Jersey.)		
Oswego Harbor, detached breakwaters		400,000
Staten Island Rapid Transit Bridge, New York and New Jersey		1,700,000
Wellsville		150,000
North Carolina: Atlantic Intracoastal Waterway, Masonboro Inlet		396,000
North Dakota:		
Garrison Reservoir		4,000,000
Lake Ilo Reservoir		230,000
Ohio:		
Ashtabula Harbor		1,500,000
Dillon Reservoir		4,000,000
Greenup lock and dam, Kentucky and Ohio. (See Kentucky.)		
Markland lock and dam, Indiana, Kentucky and Ohio. (See Indiana.)		
New Cumberland locks and dam, Ohio and West Virginia		4,590,000
New Richmond lock and dam, Kentucky and Ohio. (See Kentucky.)	50,000	
Roseville		426,800
Toledo Harbor (removal of center dike)		116,000
Oklahoma:		
Arkansas River and tributaries, Arkansas and Oklahoma. (See Arkansas.)		
Denison Reservoir, Tex. and Okla. (See Texas.)		
Eufaula Reservoir		5,200,000
Keystone Reservoir		3,100,000
Oologah Reservoir		6,800,000
Oregon:		
Amazon Creek		446,000
Blue River Reservoir	160,000	
Chetco River		230,000
Columbia River at mouth, Oregon and Washington		1,150,000
Columbia River local protection: Umatilla River	16,000	
Cougar Reservoir		6,570,000
Green Peter Reservoir	225,000	
Hills Creek Reservoir		4,900,000
Holley Reservoir	100,000	
Lower Columbia River bank protection	40,000	
Lower Columbia River improvement to existing works: Multnomah Drainage District No. 1		500,000
Pendleton		400,000
Rogue River Harbor at Golden Beach	21,000	
The Dalles Dam, Oreg. and Wash		19,000,000
Willamette River bank protection		300,000
Pennsylvania:		
Allegheny River Reservoir, Pa. and N. Y		1,000,000
Bear Creek Reservoir		2,200,000
Bethlehem	100,000	
Bradford		500,000
Curwensville Reservoir	50,000	
Pennsylvania—Continued		
Dam 8, Monongahela River		$1,800,000
Delaware River, Philadelphia to Trenton. (See New Jersey.)		
Dyberry Reservoir		2,000,000
Kettle Creek Reservoir	$215,000	
Maxwell lock and dam, Monongahela River	50,000	
Prompton Reservoir		1,700,000
Stillwater Reservoir		2,000,000
Rhode Island: Woonsocket		1,750,000
South Dakota:		
Big Bend Reservoir	300,000	
Missouri River, Kensiers Bend, Nebr., to Sioux City, Iowa (including Miners Bend), Iowa, Nebr., and S. Dak. (See Nebraska.)		
Ohio Reservoir		26,000,000
Sioux Falls		1,200,000
Tennessee:		
Barkley Dam, Ky. and Tenn. (See Kentucky.)		
Cheatham lock and dam		1,375,000
Lake City		240,000
Memphis, Wolf River and Nonconnah Creek		330,000
Old Hickory lock and dam		704,000
Texas:		
Brazos Island Harbor		1,000,000
Buffalo Bayou		2,900,000
Cooper Reservoir and Channel	275,000	
Corpus Christi Bridge		1,400,000
Denison Reservoir, Tex., and Oklahoma Highway Bridge at Willis Site		1,000,000
Ferrells Bridge Reservoir		3,294,000
Galveston Seawall		1,000,000
Houston Ship Channel		1,000,000
Port Aransas-Corpus Christi Waterway: 36-foot channel		1,000,000
Proctor Reservoir	100,000	
Red River levees below Denison Dam, Ark., La., and Tex. (See Arkansas.)		
Sabine-Neches Waterway		980,000
San Antonio Channel		500,000
Waco Reservoir	150,000	
Utah: Salt Lake City		300,000
Vermont:		
Ball Mountain Reservoir		1,300,000
East Barre Reservoir (modification)		600,000
North Hartland Reservoir		1,000,000
North Springfield Reservoir		1,300,000
Townshend Reservoir		1,200,000
Virginia:		
Norfolk Harbor: Widening 40-foot channel		1,750,000
Norfolk and Portsmouth Belt Line RR. bridge		300,000
Waterway coast of Virginia, Chesapeake Bay to Chincoteague Bay		352,000
Washington:		
Bellingham Harbor		1,078,000
Blaine Harbor		355,000
Chief Joseph Dam		4,800,000
Colfax	136,000	
Columbia River at Baker Bay		631,000
Columbia River at the mouth, Oregon and Washington. (See Oregon.)		
Columbia River local protection: Lower Cowlitz River	10,000	
Eagle Gorge Reservoir		8,000,000
Everett Harbor and Snohomish River		316,000
Grays Harbor and Chehalis River:		
(a) West Haven breakwater extension		291,000
(b) Bay City channel, West Haven Cove, breakwater and Point Chehalis levee		125,000
Ice Harbor lock and dam		18,500,000
Lower Columbia River levees at new locations: Washougal area	32,000	
Lower Monumental lock and dam	200,000	
Port Angeles Harbor		396,000
Shilshole Bay		1,780,000
The Dalles Dam, Oreg. and Wash. (See Oregon.)		
Willapa River and Harbor and Naselle River		855,000
West Virginia:		
Cumberland, Md. and Ridgeley, W. Va. (See Maryland.)		
Hildebrand lock and dam		5,300,000
West Virginia—Continued.		
New Cumberland lock and dam, Ohio and West Virginia. (See Ohio.)		
Pike Island lock and dam, Ohio and West Virginia. (See Ohio.)		
Summersville Reservoir	$225,000	
Sutton Reservoir		$8,000,000
Wyoming:		
Sheridan		200,000
Local protection projects not requiring specific legislation		3,000,000
Emergency bank protection		400,000
Snagging and clearing		600,000
Projects deferred for restudy	3,000	
Small authorized projects		3,000,000
Dredging projects (planning)	50,000	
Reduction for anticipated savings and slippages		−29,000,000
Total		413,898,900
Lower Columbia River fish sanctuary program (Fish and Wildlife Service)		1,000,000
Total construction, general	$6,717,900	415,468,900 (422,186,800)

Forty-three States, plus Alaska and Hawaii. So you see, there is a little of this so-called pork for virtually everybody. Pork for the St. Augustine, Fla., Harbor; for the Louisiana-Mississippi Gulf outlet; for the Los Angeles County, Calif., drainage area; for the Chief Joseph Dam in Washington; for St. Anthony Falls in Minnesota; for the Otter Brook Reservoir in New Hampshire and the Allegheny River Reservoir in New York and Pennsylvania. These are just a few of the rivers and harbors and flood control improvements and projects that encircle and crisscross the Nation; just a few of the public works accomplishments that accrue to the benefit of all the people.

I say that if these projects are typical of what is to be found in that barrel—and, they are—then, let us build a bigger barrel so that we can fill it fuller of necessary, economically conceived, and executed programs for the betterment of all.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1958, for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, and for other purposes, namely.

Mr. HOLMES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to direct a question to the chairman of the Subcommittee on Public Works Appropriations and to call his attention to page 20 of the report under Bonneville Power Administration. You will note on page 20 of the report it states:

The Rocky Ford-Tacoma, and the Chief Joseph-Valley lines would set a precedent for wheeling non-Federal power long distances to integrate with the Bonneville grid. This is a major policy question and the committee takes the position that proposals such as these should have separate legislative authorization before appropriations are requested.

Following that statement in the report, I would like to call the attention of the chairman to the fact that under no circumstances could this set a precedent in relation to Bonneville Power Administration in the handling of power and I direct your attention to the fact that under the Priest Rapids Act, passed by this House in 1954, the Bonneville Act and the integration of the Rocky Reach project some wheeling of non-Federal generation by Bonneville Power Administration is essential. This does not set a precedent as Bonneville Power Administration has a number of previous contracts by which it wheels non-Federal power over Federal lines and non-Federal agencies wheel Federal power for Bonneville Power Administration over their lines. Therefore, for the life of me, I cannot see how this would set any precedent or be a policy change of any sort. I do bring it to the attention of the chairman of the subcommittee.

Mr. Chairman, I would also like to continue with the Rocky Ford-Tacoma line which is necessary for the transmission of power to the Puget Sound area. Three-fourths or more of the load of this line will be Federal power; the balance will be Priest Rapids generation and the line will be necessary by 1960. The Priest Rapids partnership project is underway and under construction now. In an arrangement with the Bonneville Power Administration throughout the Pacific Northwest there has been, as I said before, the wheeling of non-Federal power over Federal lines and non-Federal agencies wheel Federal power for Bonneville Power Administration over their lines. I cannot see what type of precedent this would set, and that is why I am raising the question in relation to the statement in the report.

Mr. CANNON. Mr. Chairman, in response to the gentleman's inquiry, this would establish a precedent for wheeling non-Federal power. That is a new program and is such an innovation, such an extension of jurisdiction, that it was considered unwise to take it up at this time.

Mr. HOLMES. Further discussing that matter, I would like to call your attention to check that matter in both the Priest Rapids Act, that passed the House, and in the Bonneville Power Administration Act, that has passed the House. I would like to remark that the reduction in relation to the Bonneville Power construction program to $5,685,000 may be a reduction that is warranted by the committee. I disagree with the committee; I think the money should have been granted. How the reduction can be declared a policy change or a new departure is beyond me.

Mr. CANNON. If the gentleman will consult the hearings he will find this question specifically discussed by the Administrator himself. It is a matter involving questions of major policy, something which could not be entered upon lightly or without some study and investigation. The question submitted, as stated in the hearings, is: Should the Federal Government stand the expense of transmission-line construction to make remote generation sites economically feasible for either private utilities or public utilities?

The committee decided that unquestionably that question should have exhaustive review before funds are appropriated.

Mr. HOLMES. I would like to close my remarks by saying that I definitely am in favor of this money that has been deleted from this bill for the construction of those lines; that they are necessary; that I have discussed the matter with officials of the Bonneville Power Administration; that I am quite familliar with the situation over years of experience in legislating in the Pacific Northwest and the wheeling of power in the Northwest power pool. I repeat, in direct reference to the Priest Rapids Act and the Bonneville Power Act, I cannot see where there is any precedent being set at all. If the move is made because they want to do it as an economy move, I disagree with that. If it is made on the basis of precedent and new policy, I cannot see that in either of the acts, the Priest Rapids Act or the Bonneville Power Act, it sets a new policy under any circumstances.

Mr. EDMONDSON. Mr. Chairman, I move to strike out the last word and I ask unanimous consent to revise and extend my remarks and to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Chairman, the bill now before us provides a large sum of money for flood control in this country and I cannot find words strong enough to express my conviction that this bill must be passed.

The amount of money recommended by the Committee on Appropriations is far less than the administration proposal for mutual security, or so-called foreign aid.

In my section of the country, where a great flood disaster is now being experienced, the people are increasingly impatient with our Government which can find billions of dollars to spend on foreign programs and projects, and yet is reluctant to spend much smaller sums of money in meeting the disaster emergency needs of our own people here in the United States.

You are looking today at one Member of Congress who will not find it possible to vote for one nickel of foreign aid, even to the most friendly foreign power, unless this Congress and this administration act generously and quickly to meet the great flood disaster of 1957 in Oklahoma.

This statement is not made as either a threat or a warning, but as a simple statement of fact regarding the position of the people of the Second District in Oklahoma, and of their representative in this body.

We have in Oklahoma today, and throughout the Southwest, a flood disaster which has been with the people for nearly 7 weeks, and which comes close upon the heels of a great drought ranging from 5 to 7 years in duration.

On May 6 of this year, we already had flood damage in five States of more than $50 million.

Today I am confident that this figure exceeds a quarter of a billion dollars, and the floods are still in progress.

During the past 3½ weeks I have flown to Oklahoma three times to inspect damages and aid programs during the flood.

On Friday, May 24, I arrived shortly after the total flooding of a number of small towns in our State, and the partial evacuation of our second largest city, Tulsa. I reached my own home town of Muskogee in time to help evacuate a larger number of people, some of them in areas which never before had been flooded in my memory.

I returned to Washington to ask the Committee on Public Works for a special subcommittee to inspect the southwestern flood damage, and on May 29, returned with that subcommittee to Texas and Oklahoma. In a 4-day inspection we flew over 1,500,000 acres of flooded land in 4 States, and heard the estimate of Army engineers that flood damage in Oklahoma and Texas alone would exceed $100 million.

We also heard that more than $50 million of this damage could have been prevented by authorized flood-control projects had they been in operation. We observed at firsthand the failure of flood-control measures to do the job, when only a portion of the needed and authorized reservoirs and prevention measures have been completed.

We saw at firsthand the immediate and imperative need for the additional reservoirs that are provided in this bill, for additional surveys to meet problems where no projects have been authorized, and for a great acceleration of our upstream and watershed-control measures in each of these Southwestern States.

On June 1 we flew back to Washington, and I learned with disappointment that the subcommittee dealing with flood control had already marked up this bill, and the opportunity was not there to present to the committee this new information regarding our flood problems.

I can understand the position of this Committee, and I do not intend to offer amendments to any part of this bill, but I make this statement to enlist the understanding of this Committee, in the event that further action on these problems is taken in the other body.

This is a time of unparalleled emergency in our State.

Our Governor has described the current floods as the greatest disaster in the history of our State.

Last Saturday my colleague the gentleman from Oklahoma, the Honorable CARL ALBERT, was present with me at a hearing in Oklahoma upon the problems of the flood emergency.

The rains and the floods are still continuing, and some people were unable to get to the hearing because of flooded roads and washed-out bridges.

In this connection, civil-defense authorities told us that more than 150 bridges in our State have been destroyed or damaged by the raging waters, and the damage to our highway system is measured in the millions of dollars. One of the last actions of our State legislature was the authorization of an additional 1-cent gasoline tax to help meet this flood-damage problem.

From the lips of the farmers and the small-business men of Oklahoma, we heard last Saturday the terrible story of their losses, of their discouragement, and also of their determination. We heard farmers who have lost six crops in a row and who have sold off their foundation herds, tell us they are determined to hold on to their land—and will be able to do so if this Government does not fail them in providing disaster assistance, and early action to prevent these terrible floods in the future.

From small-business men who have staked everything on the success of this year's destroyed crops, we heard the same urgent pleas for action now by our Government.

I do not believe it is conceivable that any member of this House would seriously consider a reduction in flood control measures in this disaster area, as we proceed with consideration of this bill. I find it more inconceivable that this House would cut back on urgently needed flood control measures in an area which today is feeling the full impact of a terrible flood.

Flood control legislation is not "pork barrel" legislation. It is action to prevent the suffering and distress of our Nation's people, and to build a stronger and safer America for future generations.

Let us give our full support to this bill, secure in the knowledge that when we do this, we are helping to build a better country for our children.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I am glad to yield to the gentleman from Tennessee.

Mr. EVINS. Mr. Chairman, I would say to the gentleman that I know that he has been most alert and active in behalf of the projects for Oklahoma. I certainly want to commend him. He has been most diligent. I must add that the committee has been generous in the providing of opportunities for his State. There is in this bill the Eufaula Reservoir which carries $5,200,000, which is in his State. There is the Keystone Reservoir, which carries $3,100,000. There is the Oologah Reservoir, which carries $6,800,000 and other projects which reach into Arkansas, Kansas, Texas, and other adjoining States. So the committee has been most generous in this bill with the State of Oklahoma. The gentleman's advocacy has materially contributed to this achievement.

Mr. EDMONDSON. I have no quarrel with this committee on the score of our projects. You were most considerate of our witnesses during the hearings, and have provided the full amount recommended by the Bureau of the Budget for each of our projects. My concern is with the future, and the possibility of reductions in the committee's recommendations, which I feel would be a great mistake.

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Illinois.

Mr. BYRNE of Illinois. Mr. Chairman, I would like to associate myself with the gentleman from Oklahoma in the remarks he has made as a member of the subcommittee to which he referred in his very fine statement. I attest, too, to the visual evidence that we were able to see by flying in planes as low as 500 feet over the territory outlined by the gentleman from Oklahoma. Accompanying that committee we had representatives of the Army Corps of Engineers and of the press, many in number, who reported factually many of the things that have been outlined by the gentleman from Oklahoma in a very able way. I think the people of the territory that we covered, Oklahoma, Texas, Arkansas and other States, need more assistance.

Mr. EDMONDSON. I thank my good friend from Illinois very much for those remarks and for his participation and his understanding during the hearings which were held.

Mr. GRAY. Mr. Chairman, would the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Illinois.

Mr. GRAY. I would like to take this opportunity of offering my congratulations to the gentleman for his fine statement. He is a very fine member of the Committee on Public Works and I know he knows what he is talking about. I should like to associate myself with him in the remarks he has made.

Mr. EDMONDSON. I thank my friend from Illinois.

Mr. FENTON. Mr. Chairman, I move to strike out the last word.

Mr. CURTIN. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield to the gentleman.

Mr. CURTIN. I notice in the report of the committee that the Allentown, Pa., project is one for which funds have been disallowed. I wonder if the gentleman from the committee would clarify this for me.

Mr. FENTON. I would be very glad to. At page 279 of the hearings, part 2, Allentown is listed as being a new start. On the same page the gentleman will see, in the justifications, that the Allentown project is an integral unit of the Lehigh River Basin plan which also includes Bear Creek Reservoir and the local protective works at Bethlehem. We realize that both Bethlehem and Allentown are very vitally concerned about these particular projects. However, the policy of the committee is that there would be no new starts, if possible, this year. Allentown falls in that category. Bethlehem, on the other hand, is about to complete its investigations. So the two units, Allentown and Bethlehem, being contiguous, and practically being one town, you might say, we thought that since the key unit of that plan is the Bear Creek Reservoir, and the Bear Creek Reservoir, will, after this year, be some 30 percent completed, we could allow Allentown to go until next year, when the planning for construction of both Bethlehem and Allentown could be simultaneously considered.

Mr. CURTIN. Do I correctly understand, then, that the Bethlehem money is to provide funds to bring the planning up to date in Bethlehem, and that that planning has already been completed in Allentown; therefore, it was felt that no funds were needed in Allentown at this time, since it was ahead of Bethlehem in the planning feature of the joint plan?

Mr. FENTON. That is absolutely correct.

Mr. CURTIN. I thank the gentleman.

Mr. WRIGHT. Mr. Chairman, I move to strike out the last word and ask unanimous consent to revise and extend my remarks and to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Chairman, 3 weeks ago a special subcommitee of the House Committee on Public Works, to which the gentleman from Oklahoma [Mr. EDMONDSON] alluded in his remarks just a few moments ago, undertook to make a thorough and comprehensive investigation of the floods that have raged for 7 agonizing weeks through the Southwestern States.

Upon our return we attempted to gain permission to appear before the House Appropriations Committee but learned to our disappointment, that this committee had already completed its labors on this bill. Out of deference to the committee, we shall not offer any amendments to their bill on the floor of the House.

Some of the things that our subcommittee saw, however, were so stark and so painfully real that they need to be called to the attention of the Members of this House. Not only did they point up the need for the speediest possible completion of many of the projects contained in this bill, they revealed, in addition, the extremely critical and urgent need for early approval of additional survey funds, not contained in this bill, with which the Corps of Engineers may begin immediately to draft solutions for several glaring inadequacies in our present flood-control defenses.

There is an obvious requirement for at least $250,000 more to expedite new surveys, resurveys, and engineering studies made urgent by these floods in the Southwestern States. An effort will be made to incorporate such a provision in the other body. If this effort is successful, I believe it is important that the Members of this House understand the urgency of the need which dictates the wisdom of such a course.

THE HUMAN SIDE

In supplementing some of the conclusions the gentleman from Oklahoma has so ably presented to you, I should like to talk with you about some of the human aspects of these floods. Unless you view it at first hand, it is impossible to appreciate the terrible impact of such a sudden cataclysm.

The floods which struck the Southwest left little dramas of human tragedy scattered everywhere in their wake. In the Fort Worth-Dallas area, the disaster came with a stunning swiftness to drive more than 4,000 people from their homes. Many of these people watched their life's savings disappearing in an onrushing swirl of muddy water.

Before they had reached their destructive crest, the raging torrents in the Southwest had claimed more than twoscore lives, injured hundreds, destroyed businesses, isolated communities by wrecking highways and bridges, and rendered thousands homeless.

We saw whole towns in Texas and Oklahoma which had been completely inundated. At the hearing in Tulsa, we saw tough and weatherbeaten farmers choke up as they tried to explain to the committee the stifling effect of the deluge upon their hopes and their families' futures.

We saw residential areas in cities where homeowners had been forced to evacuate their homes 5 times in 5 consecutive weeks. Only a few had been able to save any of their furniture. The homes into which they had invested their savings and on which most of them still owe substantial sums will require extensive repairs if they are to be made habitable.

Deprived of any means to indemnify themselves against such a disaster, many of these people are wondering today if they can afford to take another risk, to try to pick up the pieces and start from scratch again. That is the human side of a flood.

THE ECONOMIC SIDE

There is also the economic side. The committee estimated that it had flown over 1,500,000 acres of flooded farmland. All the way from the headwaters of the Neosho River in Kansas to the Gulf of Mexico, the overburdened rivers were spilling out of their banks to make crops impossible for this year and to inflict permanent damages upon some of the best croplands.

In places the rivers had spread out for a width of 5 miles, cut new courses, and it was impossible to identify where the stream bed should have been.

By the most conservative estimation, we saw directly calculable damages which exceeded $135 million. This figure represents only those losses that you can immediately put your finger on. It does not include literal millions in indirect damages which cannot be calculated, but which are nonetheless real. It does not include weeks of valuable time lost by businesses and the resulting loss of production, from which the Government itself will suffer in foregone taxes.

The figure does not include the loss of wages to the workingman who loses time at his job, and the chain reaction which this brings about. It does not include the losses suffered by retailers through such a loss of wages, and through the retailer to the wholesaler and to the manufacturer. It includes none of that.

I agree with the gentleman from Oklahoma that the actual economic damage inflicted upon his State and mine would easily exceed a quarter of a billion dollars. The tragedy, the naked tragedy of it all was that a very major part of this staggering human and economic loss could have been prevented by flood control works now in the investigative and planning stages. Much of the damage would have been avoided by the completion of projects which are encompassed in this bill.

LESSONS OF THE FLOOD

These floods not only brought great damage and individual suffering. They also brought valuable lessons if we are keen enough to see them and smart enough to apply them.

The first, and most obvious, lesson is that flood control is an outstandingly good investment. Equally as dramatic as the millions of dollars in damage inflicted by the uncontrolled water were many more millions of dollars in damages prevented by existing flood control works throughout the area. Many dams and other structures totally paid for themselves in these six short weeks.

In dollars and cents, the losses thus avoided in Fort Worth and Dallas far outweigh the total cost of the projects which prevented the losses that otherwise assuredly would have occurred. The total flood control investment above the burgeoning residential areas of these two cities amounts to some $67 million. It is reliably estimated that, in 6 short weeks, the benign presence of these structures prevented economic losses which would have exceeded $76 million.

I want to lay one ghost here and now, once and, I hope, for all. Certain people have fallen into the habit of referring to legitimate flood-control programs as pork-barrel legislation. It is a glib but utterly meaningless phrase. It is probably the worst misnomer of an age given over to slick and easy slang expressions. Like an insurance policy, dams and levies and floodways are sound economics. You appreciate their value most when you don't have them.

Anybody who has seen the human side of a flood—anybody who has gone up and down the streets in a residential area, as I did in a motorboat, and seen the eerie spectacle of street signs just a few inches above water—anybody who has stepped off a motorboat onto the roof of a house, as I did, and has seen people standing there with stunned expressions on their faces, refusing rescue offers because they are loath to leave their homes even though their own personal safety is involved—anybody who has seen good American families herded, dripping wet, into temporary shelters, thinking of their losses for which there would be no restitution and against which they cannot indemnify themselves—anybody who has seen the human side of a flood never can call flood-control works pork-barrel legislation.

Mr. BURLESON. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield.

Mr. BURLESON. May I compliment my able colleague on his splendid statement. I am sure the committee found, and the committee is well aware, as a result of their investigation, many places in the Southwest are now receiving funds from the Civil Defense Administration to make repairs and mend some of the serious damage occasioned by the recent floods. Whereas if action was taken to prevent such damage, it would amount to a sort of insurance and the cost would be a very cheap premium. The cost of a survey needed at this time in Abilene, Tex., in my congressional district, would be small compared to emergency funds coming from the Civil Defense. The proper and sensible thing to do is prevent damage instead of repair damage. Knowing the gentleman's diligence in these matters I am certain he agrees.

Mr. WRIGHT. I quite completely agree with the conclusion reached by my colleague, the gentleman from Texas. In that specific connection, the gentleman has spoken to me many times about the need for the completion of this survey at Abilene. The gentleman succeeded in having this survey authorized some years ago; yet funds have not been available for its completion. This points up the great need for this Congress to contrive somehow to reduce the time lag which is holding up so many such worthy projects.

Mr. BURLESON. Of course, these people whom the gentleman speaks of in the rural areas can hardly benefit from the Civil Defense contribution so far as the damages and losses they suffer as a result of their land being washed away and that sort of damage. They certainly need protection, too, and actions to prevent the rampages of floods is the only relief for them.

Mr. WRIGHT. There is no means by which they can benefit because their homes are too widely scattered in many cases for civil defense to help materially.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I will be delighted to yield to my distinguished colleague.

Mr. H. CARL ANDERSEN. I commend the gentleman from Oklahoma [Mr. EDMONDSON] and the gentleman from Texas [Mr. WRIGHT] for bringing to the committee this very lucid picture of what is happening today in relation to floods. We have the very same thing up in my district in southwestern Minnesota. Just the day before yesterday in one of my small cities of 5,000 people a flood resulted in about 3½ feet of water in the streets. A trucker was drowned near there and thousands of acres of farmland were swept clean of the corn and soybeans that had just started to come up.

Many areas of my district have been severely damaged by floods. One of the largest cities in my district, Marshall, Minn., has been almost completely under water with only a few high spots showing. The first onrush of water on the Redwood River swept away a dike built following the floods of 1950, and it is said the current flood was the worst flood in the history of that community. A Milwaukee Railroad passenger train was wrecked by a washout near Montevideo, Minn., and in my home county, Lincoln County, early reports said at least 17 bridges were out.

Damage has been extremely heavy and it will take days to calculate the total loss. As in all such tragedies, the more fortunate people of the communities have been quick in lending a helping hand to their neighbors. Hundreds of flooded-out people have been taken into the homes of others. Farmers have come into town with their high-wheeled tractors to transport people and supplies through flooded streets. My people are doing what they can to help themselves and to help each other, but the damage is so great that they must have outside help.

These floods point up the urgent need for protective action wherever possible to prevent such disasters in the future. I have asked the Army engineers to give me as quickly as possible some preliminary estimates as to the funds needed to carry this work forward, and I am hopeful the other body will take appropriate action when this bill comes before them. We will surely know what is needed before they complete action on the bill.

I agree absolutely with the gentleman from Oklahoma and the gentleman from Texas that there should be some means of the Federal Government stepping in and doing more than we do today toward helping these people who have been ravaged by these floods. I noticed in the newspaper this morning an article which set me to thinking. It seems there is on the way up to the House a request, or there will be shortly, a request for approximately $100 million—and for what? For the further construction and launching of a satellite to shoot up into the stratosphere. Now so far as I am concerned a thing like that, as of today, is asinine when we have problems that we must face today in relation to floods in this Nation to help our own people. If we are going to squander $100 million to put a satellite up in the stratosphere to see whether we can beat Russia to it or not, why I think the time has come to get down to this good earth that God has given to us and do something for our own people. A man with a flooded farm, or place of business, or home can't get very excited over a little ball of metal floating around in the sky.

Mr. WRIGHT. I thank the gentleman for his contribution to this discussion. In that connection I should like to say this: The Government spends a great deal of money on a great many projects. I know that many of them are necessary. Much that is done under the framework of the mutual security program is vital to our national well-being. But a government which could not or would not take care of the genuinely legitimate needs of its own nation and its own people would be a bankrupt government from the standpoint of its moral obligations.

This is neither the time nor the hour to discuss the various aspects of mutual security. But I cannot help observing that this Government has been considering proposals to build dams and waterways for Middle Eastern governments. If we can do that, we can most assuredly build dams and floodways in Fort Worth and Dallas, on the Trinity and the Brazos, the Neches, the Red, and the Arkansas, in Texas and in Oklahoma, to protect our own people from this devastation from which they cannot protect themselves.

The floods have shown us many places where surveys should be quickly begun to draft the kind of protection which alone can insure against a recurrence of this catastrophe. Nothing can be gained by waiting.

We need to start now, this year, on these engineering surveys to begin this long, laborious process without which there can be no flood control. The need is urgent, and the time to start is now.

Mr. BURLESON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Chairman, the remarks of my distinguished colleague from Texas [Mr. WRIGHT] regarding the recent floods and damage resulting therefrom in Texas are certainly appreciated.

In 1953 the Public Works Committee of this House authorized a survey in and around Abilene, Tex., located in my congressional district, but thus far the Army engineers have not assigned a priority, which I believe is called programing.

Beginning in the latter part of April of this year, the city of Abilene, approximately 70,000 population, has undergone severe devastating floods. Several creeks flow into and out of the city in such a way that unless an answer is found to the problem, damage approaching catastrophic proportions will again eventually result.

Someone may ask why commercial, industrial, and residential property was placed in such a position whereby it would be subject to damage from floods during excessive rainfall. The answer in the case of Abilene, Tex., is simply that the city has grown tremendously in the last 15 years and by necessity has expanded over an area, which has subjected it to greater damage by reason of having more or less encompassed several small streams.

It is now to the point that an answer must be found, and it is definitely a flood control proposition. Even the layman's examination of the terrain would suggest that the area is not suitable for a project involving hydroelectric power, irrigation, recreation or any of the factors going into developments looking toward economic feasibility from that standpoint. It is, however, extremely serious and is a problem beyond the control or means of the local people or local government. This particular community is in urgent need of the advices of the Army engineers to find an answer to their problems. Thus far they have been unable to obtain such assistance.

As my colleague from Texas has pointed out, the Appropriations Committee handling these matters had concluded their hearings before we were able to present evidence of the tremendous damage occasioned by recent floods. We had no opportunity to appear before the committee to present our case and, therefore, use this opportunity of laying the predicate for what we hope may be successful action before this measure is finally presented to the President for approval.

Someone may ask why these matters had not been pressed continuously, but I say they have been pressed. They have been pressed with the Army engineers to give us a preliminary survey in accordance with the authorization passed in 1953, in order that we might be in a position to come before the Congress to appeal for assistance.

There are other localities in my congressional district which have also sustained severe damage during recent floods, and I hope the Army engineers will find it practical to also look at other areas, and that additional funds for these preliminary surveys may be sufficient to permit them to do so.

Mr. Chairman, the area of central west Texas which I represent happens to lie in a somewhat twilight zone, insofar as the jurisdiction is concerned, between the Army engineers, the Bureau of Reclamation, and has problems which cannot be feasibly met by other agencies dealing with flood control and water conservation, such as the upstream flood prevention mission assigned to the Department of Agriculture. Certain aspects of these problems are assigned to these various governmental agencies. For example, the Bureau of Reclamation places its emphasis on irrigation, which is not of specific interest to my area. It does not, for instance, meet the problem which surrounds the city of Abilene, Tex. Neither can the upstream flood prevention provision of law be entirely applied. Therefore, it is a matter of flood control, which is the primary mission of the Army engineers.

Mr. Chairman, I do not believe that any Member of this House can successfully challenge my efforts at economy. Those efforts have not just started lately under the tremendous pressure and drive to reduce the current budget. I think I have been consistent over the years in my demands for economy and my vote against those things which our people can do for themselves rather than have the Federal Government do it for them. As I have said a number of times on this floor, we all say we are for economy and then end our statement with the conjunction "but." To prevent floods and resulting damage from them, is economy. It is insurance. It is very much the same as insurance, since we never really realize what it is worth until it is needed.

As a matter of fact, Mr. Chairman, emergency funds from Civil Defense, to assist towns and localities in my congressional district following recent floods, would have several times paid for preliminary surveys which we now desperately need, and would have doubtless gone far toward solving the problem on a permanent basis. As it is, we sit and wait for the time it may happen again, and again request emergency assistance to put the pieces together again.

There is no question about the absolute necessity of remedying the problem which exists in the city of Abilene. It can be proved beyond a doubt; and it can further be proved that the local community itself cannot meet the situation.

With additional funds, which we hope may be granted before the final disposition of this measure, it will give the engineers funds to complete this survey along with a number of others urgently and desperately needed, and I hope our appeal will receive sympathetic understanding.

Mr. BUDGE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I simply want to take a few moments to clarify the language contained on page 15 of the committee report. In that language the committee criticizes the Bureau of Reclamation for transfers of funds for investigation purposes. The committee says:

> A total of 22 investigations which were presented in the program last year were not allotted any funds. A total of 43 investigations which were not programed in the 1957 justifications have been allotted a total of $1,318,617.

Further down on page 15 of the committee report this statement is made:

> The proposed transfers of funds to resurvey the Pleasant Valley site on the Snake River in Idaho as contemplated in both the fiscal years 1957 and 1958 are disapproved.

I simply want to point out that the Pleasant Valley site is in exactly the same category as the other 42 projects mentioned earlier in the committee report, and it also was not included in the budget, nor was it presented to the committee for its consideration last year.

I did not want the Members to gain the impression that the Pleasant Valley project is in a different category than the other 42 which were previously mentioned in the report. A specific letter was written by the Department to the committee on this project, and that is why separate mention is made further down in the report on page 15.

Mr. BROOKS of Louisiana. Mr. Chairman, I rise in opposition to the pro forma amendment and ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN. The gentleman from Louisiana is recognized for 10 minutes.

Mr. BROOKS of Louisiana. Mr. Chairman, I want to commend my colleagues from Oklahoma and Texas who have preceded me in telling you something about the conditions which exist in the southwestern part of the United States at the present time. They have given very graphic descriptions of the conditions in Oklahoma, Texas, and some of the other States.

I wanted to have the opportunity of accompanying that subcommittee, and I want publicly to thank the chairman of the subcommittee for having invited me to make that trip down into the Southwest. I was denied that opportunity because of urgent business here, and, furthermore, I realized that the time was too short to take up the subcommittee findings before the Appropriations Committee at this particular time to have an influence on this bill. But I did make a trip down into Louisiana, Mr. Chairman, and I went over the situation there. The scenes they have told you about in Texas and Oklahoma are all too true. The water that fell in Texas, Oklahoma, Arkansas, and parts of Colorado and New Mexico was water that found its way down into my own State of Louisiana. They referred to the tons of water falling out of the sky and dropping on the landscapes of Oklahoma, Texas, Colorado, New Mexico, and Arkansas. That simply meant problems to our people in Louisiana. It so happens that most of the rivers and large streams in the midcentral portion of the United States finally channel their water through the State of Louisiana.

Mr. Chairman, about 2 months ago—during the month of April, to be exact—the long 7-year drought in the Southwest was broken. Rains, delayed for many years, began to fall on Texas, Oklahoma, Colorado, and New Mexico. Accompanying these rains were thunderstorms and violent tornadoes. In some instances, 12 to 15 tornadoes per day took part in breaking a record period of drought in these areas; and with the tornadoes came a tremendous amount of rain. The rain reached such proportions as 12 to 13 inches for a 24-hour period.

At first these thunderstorms, and to some limited extent, these tornadoes, were welcomed. The parched land literally drank the moisture which had been denied it for many a year. Gradually the underground storage filled up and then more quickly the creeks, rivers, and the lakes and reservoirs also filled to capacity; and almost before they realized what was happening, the Southwest was in the midst of a record flood. A record drought was quickly transformed into a record flood.

The State of Louisiana, from whence I come, felt some of the effects of the drought; but nothing like those areas to the west and to the north of us. On the other hand, my State did not receive the unprecedented amount of rainfall which I referred to before in this speech; and I am especially glad to say that the Almighty spared us the fearful tornadoes and the appalling amount of damages and distress caused by them.

All streams in the midcentral portion of the United States—speaking generally—drain through the State of Louisiana. Of course, there are exceptions to this statement, but I think the exception makes the rule. As a result, we found our rivers beginning to fill up with water being drained from areas far to the west and to the north of us. The Mississippi filled and for a time threatened a flood stage. On the other hand, the Red River and the Sabine River were forced to accept the bulk of this unprecedented rainfall and did their best to bring it safely to the Gulf without detruction to our people and our property.

Filled with water from west Texas and from parts of Oklahoma especially, the Red River, which flows through northwest Louisiana and central Louisiana began to reach flood stage; and early in May this river had reached levels far beyond flood levels. The levees seemed to have held fairly well in Louisiana where there were levees; but the backwater pushing up the tributaries of the Red River spread out and began to cover rich alluvial acres which had already been plowed and seeded for the spring and summer crops. The local people fought day and night to hold the main-line levees; but there was no way to protect themselves and their lands against the incursion of the backwater spreading out as the river reached a higher and higher level.

The Red River crested at Shreveport—my home, and the second city in Louisiana—early in May and began to recede. Rains and tornadoes continued in the Southwest and, as a result, a second rise of the river followed the first one; and by the middle of June—especially last week—the Red had again reached a crest equal to the previous one to all practical purposes. If anything, the second flood was far more destructive than the first one because of the fact that it kept the level of the water high for an extended period, and farmers and owners gave up the battle rather than face, for a long period of time, hopeless odds.

At the height of the first flood, we in the Red River Valley appealed to the President to declare this area in Louisiana to be a disaster area; and the President, after investigating this thoroughly, did so declare 10 parishes of my State, and largely of my district, to be disaster parishes. I have obtained figures from the Agriculture Stabilization Office located at Alexandria, La., to show the number of acres of land put under water by this flood. As of May 6, in the 10 disaster-designated parishes, 2,008 farms were flooded, 126,050 acres of cropland were under water, 131,000 acres of woodland suitable for range purposes were under water, and 44,860 acres of field crops were inundated. At the same time, according to the ASC, 33,360 head of livestock had to be moved to prevent drowning because of high water.

The situation on June 13 in the Red River Valley was much worse. By this time, 2,340 farms were under water according to the ASC. Inundated were 122,350 acres of cropland-pasture, 245,560 acres of woodland used for range purposes, and 53,460 acres of field crop lands. At the same time, 111,960 head of livestock had to be moved to find suitable pasture areas. The total of 397,850 acres, practically 400,000 acres, in the 10 disaster parishes in the Red River Valley on June 13 were under water and could not be used for productive purposes.

Although this record was prepared by the Agricultural Stabilization Conservation Service, it does not include tens of thousands of acres under water outside of these 10 stricken parishes. It also fails to include the hundreds of thousands of acres in the Sabine watershed which were at the same time under flood and the Sabine River reached out at places to become a half mile wide instead of a normal channel of 150 feet.

This report fails to show the damages sustained by our people. It is impossible to even estimate the damages sustained to a farm as a result of two successive floods, the one following the other, which keeps farm acreage under water for

weeks at a time. It is impossible to show the damages to the terracing and the drainage systems on the farms; it is impossible to show the damage to the timber on the covered acreage; it is impossible to show the destruction of the grasses on the pasture lands, and to a lesser extent it is impossible to show the damages to the crops and to the homes and barns and outhouses sustained from flood waters which are nonpartisan in their approach, sparing neither Republican nor Democrat. Only time will permit us to make a rough estimate of the damages; but I would certainly place these damages up to tens of millions of dollars.

Practically all of this damage was caused to our people by waters from other States passing through Louisiana. While our rains were heavy, we would have experienced no difficulty in accommodating the flood waters which fell upon our own lands. Our trouble arose solely from the heavy surge of the torrents coming from States to the north and to the west of us—and not from Louisiana.

The Army engineers have an interim flood control plan for the Red River Basin which was adopted in 1946. It is an excellent plan, and will work if put into effect. In fact, a small portion of the plan has already been constructed by the Army engineers, and I want to say that in every particular the plan of the engineers has worked well, insofar as it has been put into execution by construction. The engineer-project levees along the Red held firmly and caused no trouble where they were built. The trouble came from the fact that in many places on the Red there were no project levees to protect the alluvial lands. The reservoirs built by the Army engineers also did their job and did it well; but the number of such reservoirs and supporting dams was too few, and their size inadequate to handle this job of curbing the tons of restless and surging, muddy waters coming to our people from upstream.

During the first flood, the Denison Dam and Reservoir, built by our Army engineers some 225 miles upstream from Shreveport, worked well. The engineers started with what seemed like adequate storage space for the millions of acre-feet of water falling above the dam and rushing into Lake Texoma for storage. At frequent intervals, the engineers tried to release some of this water so as to provide storage space available for use following subsequent cloudbursts. In the first flood, it is estimated that proper handling of the storage on Lake Texoma reduced the level of the water at Shreveport by 3½ to 4 feet.

When the second flood came, it found the reservoir at Denison full. There was no storage space remaining to be used when an additional flood came rushing from upstream into the lake above the Denison Dam. As a result, the water topped the spillway by several feet and began to flood down into the Red River at the rate which reached 120,000 cubic feet per second. This is a terrific amount of water and, of course, no stream the size of Red River could hold such a load. This accounts for the flood in north and central Louisiana.

I think some restudy of the present flood-control facilities on Red River should be made. Such a restudy might be very helpful. On the other hand, the real need of the valley is for a speeding up of the program of flood control on Red River by the Congress. The interim flood-control plan, adopted in 1946, provided for the building of certain dams on the river. The Texarkana Dam has been constructed and is now in use, doing excellent work in these last floods. Work is now proceeding on the Ferrells Bridge Dam and Reservoir and this bill provides $3,294,000 for this purpose. No appropriations have yet been made for many of the recommended dams and reservoirs, although more than 10 years have elapsed since the plan was first approved and started. For instance, the Millwood Dam and Reservoir has not been started. The Hugo, Boswell, and Cooper Dams and Reservoirs, the new Mooringsport Dam, and other projects need immediate attention if we are to escape the continuation of these recurrent floods which come down upon us periodically.

About the only item in this bill before us which will be helpful in this emergency is the sum of $300,000 for bank and levee stabilization and channel improvement. This amount of money will help a little bit; but it is completely inadequate to meet the emergency needs of crumbling banks and damaged levees from Denison to the mouth of Red River. Actually, we in the valley who have borne the brunt of this struggle were in the hope that the committee would have allowed us the sum of $1 million for this purpose. It is needed and needed badly. In fairness to the committee, I wish to say that this flood came fairly recently, and I am told that the committee required that the Bureau of the Budget approve items for funds. Unfortunately, for us in the Red River Valley, the floodwaters did not seem to cooperate with the Bureau of the Budget, arriving too late to be considered by this agency of Government. The Appropriations Committee therefore did not consider an increase in this figure.

For a number of years, I have been urging funds to complete the planning and start work on the Overton Waterway. We have been able to obtain in the neighborhood of $400,000 for planning purposes, but recently we have been denied funds for this purpose and some opposition from one or two selfish railroads has reared itself against this appropriation. The Overton Waterway has, however, a definite flood control value which, the Army engineers at one time estimated at $1 million. Had plans gone forward for the construction of the waterway, portions of it today may have been usable for flood control purposes; and values up into the millions of dollars might have been saved from angry floodwaters by this waterway. Portions of Natchitoches Parish, La., especially, would have benefited greatly by this construction. I hope this committee will consider this matter in the future and allow substantial funds for the completion of the planning of this project.

Mr. Chairman, I do not wish to be colloquial about this matter. The entire Southwest has suffered damage by virtue of the recent floods. Texas, Oklahoma, and Arkansas are entitled to help. I will not presently go into the details of the situations in each State. Other and able speakers are here and will no doubt speak to you about conditions in these States. They, too, are entitled to aid from the Federal Government.

The President of the United States, operating under laws passed by this Congress, has declared whole areas of these States to be disaster areas. Some of the departments of government are moving to assist in these extremities. This assistance is of a temporary nature, and I will not take the time here to narrate the measures taken to help. What we need, however, are not temporary measures, but permanent constructive measures to provide the facilities to prevent the recurrence of such catastrophes as this falling upon the unsuspecting people who live, and work, and rear their families in the lower valley of the Red and are entitled to protection from floodwaters rising higher in the watershed.

Mr. Chairman, many of the Members of the Congress do not realize that the Red River is one of the longest rivers in North America. It takes to rise in the States of New Mexico and Colorado, and the river then meanders for some 1,200 to 1,300 miles to its confluence with Old River, some 12 miles from the great Mississippi. Millions of people live in the fertile valley of the Red and multiplied millions of dollars of weath are sprawled out along the valley, unprotected to a large measure from great catastrophes such as this. I hope that this Congress will not be unmindful of the suffering of our people in this great valley; but will move more quickly in an appropriate way to give protection to those who merit the attention of this Congress and appeal to you for assistance.

Mr. MACK of Washington. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to supplement briefly the remarks that were made earlier today by the gentleman from Washington [Mr. HOLMES] and the remarks that were made yesterday by the gentleman from Washington [Mr. MAGNUSON] relative to the Rocky Ford-Tacoma Bonneville powerline.

The purpose of this powerline is to wheel power from the Priest Rapids Dam now under construction in eastern Washington to the great consuming centers of power in western Washington. Prior to the 83d Congress, the Priest Rapids Dam was authorized as a Federal project to be constructed by the Federal Government. In the 83d Congress the gentlemen from Washington [Mr. HOLMES and Mr. MAGNUSON] introduced bills providing that the Priest Rapids Dam should be deauthorized as a Federal project in order to allow the Grant County Public Utility District, a publicly owned organization, and other public-utility districts in Washington State to spend $160 million to build a power dam at the Priest Rapids site.

I was the chairman of the subcommittee in the 83d Congress that held hearings on the Priest Rapids bill and reported it favorably to the House.

The local utilities agreed to spend all the money—the $160 million—required to build the Priest Rapids power installation. It was my understanding that the Bonneville Power Administration would wheel the power to consuming centers. Bonneville was the only agency equipped to do that, for it is the only one with distribution lines all over the Northwest. It was my understanding that Bonneville, for wheeling the power, would be paid rates that would result in its getting back every dollar, with interest, invested in any required powerlines and also rates that would pay for maintenance and operation of these lines. In other words, the taxpayers of the United States would not be out of pocket any money and, further, by local interests, instead of the Federal Government, building the power dams, would be saved investing money in the Priest Rapids power-generation development.

Bonneville's wheeling of the power will not lose money by doing so. It will make money. Dr. Pearl, Bonneville Administrator, tells me Bonneville will make or save $179,000 a year by wheeling this power.

I hope, when this bill goes to the Senate, that body will allow funds for this powerline and one other, so that Bonneville will have the lines required to wheel Priest Rapids and Rocky Reach Dam power to the great consuming areas of the Pacific Northwest. If the Senate does approve appropriations for these lines, I do hope the House conferees will review all of the evidence submitted on these powerline projects and ultimately agree that it is in the interest of efficiency and governmental economy to build the two powerlines that are essential to Federal wheeling of the power from these new dams, now under construction.

BONNEVILLE POWER ADMINISTRATION

The committee report on the Bonneville Power Administration recommends deletion of the Administration's Rocky Ford-Tacoma and Chief Joseph-Rocky Reach Valley lines. I fear that this recommendation represents a misunderstanding as to the need of the Government for these facilities and the advantages which would accrue to the Government by reason of their construction.

The Rocky Ford-Tacoma line, the first of the two lines to be scheduled for energization, will be an integral part of the Federal power system of the Pacific Northwest. It will be a main link between major Federal circuits east of the Cascades and equally important Federal circuits west of the Cascades. It is required to transport a part of the movement of power from generating plants on the eastern side of the mountains to the heavily populated, large load centers in the Puget Sound area. These load centers are served by the cities of Seattle and Tacoma, the Puget Sound Power & Light Co., and a number of public agencies.

Several high-voltage, high-capacity Federal lines already extend from eastern generating plants to the Puget Sound area. But these are not sufficient to transport the amount of power needed. Loadings on the present lines will increase to what engineers call the point of marginal stability by 1960–61 unless the Rocky Ford-Tacoma line is added. "Marginal stability" means that failure under fault conditions of any one of a combination of lines would cause all others to fail. Thus, without the Rocky Ford-Tacoma line, failure of any one of the vital present circuits would cause failure of all others, which would disrupt service over the entire area served by the western half of the power pool. Obviously electric power service to such a widespread and important area cannot be left on that kind of a basis.

But it is not only because the line is needed for service to the people of the Puget Sound area that I state it has been misunderstood. From a purely financial point of view, and in terms of dollars and cents, the line will be of advantage to the Government.

The annual cost of the Rocky Ford-Tacoma line will be in the neighborhood of $324,000 per year. By reason of the fact that the line will reduce losses in transit from generating plant to load center, power and reactive with a value of at least $410,000 per year will be saved. This alone represents a cost advantage to the Government of $86,000 per year in excess of the total line cost. Let me explain for a moment what is meant by transmission losses. Each transmission line can carry only a given amount of power with the greatest economy. If more than this amount is forced over the line, it becomes less efficient. Kilowatts which could otherwise be sold—and used to meet the needs of consumers—are wasted. Without the Rocky Ford-Tacoma line, loadings on the present circuits would be forced into this uneconomical, wasteful range.

In addition, however, to this $86,000 per year gain, is another direct gain to the Government which can be directly associated with the Rocky Ford-Tacoma facility. This gain arises from the portion of the Priest Rapids plant output which will be wheeled over the line on a reimbursable basis. The Government will collect approximately $93,000 annually for carrying this non-Federal power. This brings the total benefits to the Government in excess of its costs to $179,000 per year. Let me recapitulate this statement. In power and reactive losses the Government will save $410,000 per year. In wheeling revenues directly associated with the line, the Government will earn $93,000 per year. This is a total gain of $503,000 per year. But the Rocky Ford-Tacoma line will cost only $324,000 per year. Thus the dollar gain is $179,000 annually.

But even yet we do not have the entire picture with respect to the advantages accruing from this line. The line will carry only a portion of the Priest Rapids power output. Other facilities which are now either in service or under construction will transport the remainder. These facilities need not be expanded. In other words, the Federal system, by reason of what we call pooling, displacement and integration, can undertake this job of wheeling Priest Rapids power with no additional capacity other than a small part of the capacity of the Rocky Ford-Tacoma line. The total wheeling revenues to the Government for handling Priest Rapids power—for performing the vital service of delivering Priest Rapids power to the points where it will be used—will exceed three-quarters of a million dollars per year. This substantial revenue will not, of course, accrue to the Government unless the Rocky Ford-Tacoma line is approved, for it is an essential part of the wheeling plans.

By reason of the location of the Priest Rapids plant, wheeling of Priest Rapids power is of an additional particular advantage to the Government. This large generating plant is located in close proximity to a major load area of the Administration. This load area includes the vital Hanford atomic energy works. The Government is now supplying—and without Priest Rapids would have to continue to supply—this load area from Federal plants which are located many miles away. With Priest Rapids wheeling, they can be served from a nearby local source. Obviously it is a saving to reduce the number of miles over which power must be transmitted. This is a saving not only to the Government but also to the region itself. For in the same fashion that Priest Rapids power will serve Government loads as the nearest source, so will the Government in turn supply equivalent power to Priest Rapids purchasers from the nearest source.

Wheeling means that the output of the Priest Rapids plant will feed into the Federal system at the Bonneville Power Administration's Midway substation and that the Administration will in turn deliver equivalent amounts of power to the widely scattered purchasers of Grant County Public Utility District. By this step real efficiency and real integration of the power resources of the Government and of the Pacific Northwest are moved forward. Priest Rapids becomes a part of the Northwest power pool.

The Congress has heard many times on this floor the story of the advantages of the Northwest power pool. This pool performed a vital service in World War II and it is still performing a vital service. The key to the pool is integration, hydraulic and electrical. Integration means, quite simply, a linking together of the generating plants and the load centers by means of high capacity lines so that power will move freely from each generating plant to the closest load centers and so that plant operations may be coordinated to improve and to supplement each other. BPA's grid system in the Northwest is the "bulk carrier" which makes this integration possible. Non-Federal power projects, for efficiency, must be linked to this system and the system must be reinforced as necessary to make this possible.

I would like to emphasize to the Congress that wheeling service by the Government will be strictly on a cost basis. The Government will not subsidize non-Federal operations. Its charges for wheeling will be based upon its actual costs. While the Government can wheel at less cost than would arise from the construction of separate facilities to accomplish the same service, this difference in cost arises because of the advantages of integration and pooling.

The Priest Rapids plant is a major development on the main stem of the Columbia River. It is being financed entirely by a local agency of my State, the Grant County Public Utility District. This district, backed by purchase commitments from 12 different utilities of the Pacific Northwest, has undertaken complete financial responsibility for the generating plant. The district desires and is required by law to make a widespread distribution of the plant output. Its 12 customers represent both large and small distributors, publicly and privately owned, serving areas widely scattered throughout the region. The Federal transmission grid of the Northwest is the only transmission system which reaches into these scattered areas and which is capable at reasonable cost of carrying power to them.

I should like to refer once again to the great financial responsibility which the Grant County Public Utility District has undertaken with respect to financing the Priest Rapids plant and which the Chelan County Public Utility District is undertaking with respect to the Rocky Reach plant. Both of these public utility districts are agencies of my State of Washington and I am proud that they have been willing to endeavor to construct badly needed new generation capacity on a non-Federal basis. The investments which will be made nonfederally for these plants are counted in the hundreds of millions of dollars. This non-Federal action reduces the pressure on the Congress for new appropriations for the construction of Federal projects. Yet I say to you in all truth that the people of my State, and the people of the Pacific Northwest generally, cannot continue in their efforts to finance new hydroelectric projects unless we are willing to encourage them. We must encourage them by taking a reasonable responsibility for transmission when this is essential to the feasibility and economy of a project, or when it is essential to being able to achieve the maximum production of the project through integration, or when it is essential to fulfill requirements for widespread distribution of the project output. Investments required to be made by the Federal system to accomplish wheeling and thereby to encourage non-Federal generating plant construction are insignificant in light of the many times greater sums represented by the investments in the generating plants. In a region which faces an imminent power shortage, it is particularly important that such encouragement be given.

Before closing, I should like to comment that in my opinion the Bonneville Power Administration has clear-cut legal authority to enter into wheeling for the Priest Rapids and Rocky Reach plants under the Bonneville Project Act. The authority of the Bonneville Act is further supplemented in the case of Priest Rapids by the Priest Rapids Act. Therefore it seems quite clear to me that the Congress has before it no issue of legal authority.

In conclusion, therefore, I recommend and urge that the Rocky Ford-Tacoma and Chief Joseph-Rocky Reach-Valley lines be given favorable consideration. I further urge that the Congress recognize the necessity for and the advantages of the wheeling principle, which is so important to the preservation of the pooling and integration advantages demonstrated by the Northwest Power Pool.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to my colleague from Washington.

Mr. MAGNUSON. I would like to ask my colleague from the State of Washington if it is not true that the Bonneville Power Administration now is wheeling substantial quantities of non-Federal power?

Mr. MACK of Washington. It wheels power for private power companies, it wheels power for many of the public utility districts, it wheels power in many sections of our State and Oregon as it necessarily must, because the Bonneville Power Administration is the great distributor of power in the States of Oregon and Washington. No other organization has the distribution system to wheel power all over the vast area of these two States.

Mr. MAGNUSON. And it is completely beyond understanding how this report of the committee could say that this would establish a precedent.

Mr. MACK of Washington. It is to me.

Mr. MAGNUSON. Is it not true also that ultimately this transmission line would carry three-fourths of the capacity that would be utilized for Federal power and only one-fourth for the Priest Rapids power?

Mr. MACK of Washington. That is correct.

Mr. MAGNUSON. Priest Rapids power is not Federal power. It is public power, generated by a public agency?

Mr. MACK of Washington. That is correct.

Mr. MAGNUSON. And is it not also true that the wheeling is really done largely by displacement of certain power? There is no great mass movement of energy for a long distance. It is diverted from the Priest Rapids plant down to the atomic energy plant and replaced by Bonneville on the west side of the State to serve customers of the Priest Rapids Utility District.

Mr. MACK of Washington. That is a correct statement.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Washington.

Mr. HOLMES. Is it not true also that the Bonneville Power Administration will receive payment for this wheeling that will not only pay for the wheeling, but enhance the Bonneville Power Administration from the standpoint of their own overhead and return to the agency a profit?

Mr. MACK of Washington. The engineers of the Bonneville Administration tell me that the Federal Government will obtain wheeling charges that will repay the Federal Government the cost of the line, the interest on the investment, operation and maintenance, and everything of that nature and still leave the Federal Government a profit of $179,000 a year over and above all costs of the line.

Mr. HOLMES. Mr. Chairman, I congratulate the gentleman on his statement.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, under the Comprehensive Flood Control Act of 1938, many reservoirs were authorized, including two on the Big Sandy River. I am speaking of the Fishtrap Reservoir and the Pound Reservoir in eastern Kentucky and southwestern Virginia. Heretofore the Corps of Engineers had stated that those reservoirs were not feasible. The budget was submitted before the disastrous flood hit eastern Kentucky on the 29th day of last January. That flood, according to an estimate of the Army engineers, brought about damage, at a conservative estimate, of more than $38 million to the Big Sandy River Valley alone; yet these two reservoirs would have prevented the major part of this flood damage.

Later, on May 13, 1957, General Persons of the Army engineers, in a letter to me stated that one of these projects has a cost-benefit favorable ratio of 1.97 to 1. The engineers state they can use $140,000 for planning purposes during the next fiscal year for each of these reservoirs.

That figure is for planning purposes only. However, in the same letter, General Persons stated that—

> The President has directed that our fiscal year 1958 expenditures, as estimated in his budget presented to the Congress, be considered as the maximum that can be made within the overall fiscal policies of the administration for that year. Since no funds are included in the budget for the Pound Reservoir, no funds can be utilized for this project and meet the administration's objectives.

I received similar correspondence on the Fishtrap Reservoir.

I am just wondering how long the Appropriations Committee will let a policy of this kind control, especially when it is shown beyond peradventure that if these reservoirs had been constructed prior to this year's disastrous floods, thousands of people would today have their lifetime savings which they lost; hundreds of businesses completely wiped out would be in existence today, and hundreds of lost homes would still be standing—yet, in the face of all this tangible, irrefutable evidence of suffering, of loss of life and property, they say approval of money requests for projects having a 2-to-1 favorable benefit-cost ratio cannot be given because it is contrary to administration policy.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GUBSER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to pay my compliments to the members of the distinguished Committee on Appropriations for the splendid work they have done on this bill. In my

Several high-voltage, high-capacity Federal lines already extend from east-

what we call pooling, displacement and integration, can undertake this job of

at less cost than would arise from the construction of separate facilities to ac-

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obtain wheeling charges that will repay the Federal Government the cost of the

Appropriations for the splendid work they have done on this bill. In my

opinion, it is one of the most statesmanlike presentations that I have seen in my 5 years as a Member of this body. I know that the press frequently refers to this bill as the "pork barrel bill." But, I can say on the basis of my personal experience that if you lift the cover off this one, there will be very little pork in it. I happen to be one of those who wanted a project in this bill, which was not included. I refer to the Pajaro River project in my district, a project which required $25,000 for investigation. There has been some flood-control work done on this river. The figures upon which those works were constructed were based on a flood which was exceeded by 100 percent in the December 1955 floods. That is the reason I came before the committee and requested $25,000 for the purpose of looking into this matter and determining whether or not new works were needed in the light of new figures which had been compiled after the most recent flood. The committee refused my request on the ground that it was not in the President's budget. I am willing to abide by that and I will not present an amendment to insert the $25,000 here in the House because every Member was treated alike whether he was Republican or Democratic and whether he came from the South or North or East or West. If the project was not in the budget, the committee did not include it. I want to commend them for that, but I tell them frankly that I shall try to have it inserted in the other body, but I shall not try here today.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield.

Mr. TEAGUE of California. I commend the gentleman on his very fine statement. As he well knows the Pajaro River runs a good many miles through his district and runs along the edge of my district. When it does flood, it is very unkindly to him but very kind to me because it floods in his direction rather than mine. But I would like to reassure the gentleman that I am available to assist him in any way possible in his efforts to get this project taken care of.

Mr. GUBSER. I thank the gentleman. He has always been a splendid teammate and I am sure that between us and with the assistance of our colleagues in the House and in the other body, the Pajaro River will be taken care of.

Mr. THOMSON of Wyoming. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to express my appreciation to the members of the Appropriations Committee and its staff for the courteous and attentive hearing given to myself and my constituents. I particularly appreciate this when one considers the monumental task that faced this committee in hearing over 700 witnesses and inquiring into 285 projects.

Mr. Chairman, I would like at this time to first direct a question to the gentleman from Iowa [Mr. JENSEN]. We who are most familiar and most directly concerned with the Flaming Gorge Dam in Utah are particularly concerned that

construction of this dam proceed at least at the rate provided in the justification and as represented to the committee. To do this the $4,803,000 requested in the budget for this purpose must be made available. Because of talk from some quarters that these funds might not be used for this purpose, in appearing before the committee I asked that such funds of $4,800,000 be earmarked for the Flaming Gorge project.

In the committee report at page 19, I am pleased to note this proviso:

> The funds recommended for the projects and activities covered by this appropriation are distributed as follows: Flaming Gorge unit, Utah, $4,800,000.

Then it proceeds on down through the units in this category to the total of the full appropriation of $25,142,000.

The question I would like to ask is this: Does this earmark the sum of $4,800,000 of the appropriation for construction of the Flaming Gorge project?

Mr. JENSEN. My answer to the gentleman's question is "Yes." The committee placed this language in the report that the gentleman has just read, and which reads:

> The funds recommended for the projects and activities covered by this appropriation are distributed as follows:

Then it names the projects and the amounts which the committee has agreed to appropriate for each one of these projects. When that language and the figures are shown so plainly as they are in this report, the gentleman should be very happy because this is earmarking the figures for those specific projects and they cannot be changed unless changed on the floor of the House or in the Senate or in the conference, which I do not anticipate will happen because those projects are all good projects. I am sure that the gentleman and the people he represents in the great State of Wyoming should be and will be very happy with the appropriation made in this bill.

May I say, Mr. Chairman, that the gentleman who has the floor has endeared himself to the Members of Congress, and I can say that, I am sure, for those on both sides of the aisle, because the gentleman never asks for anything that is not fair, proper, and just. For that reason we have earmarked these funds so specifically for the gentleman and for the fine people he represents.

Mr. THOMSON of Wyoming. I thank the gentleman from Iowa.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wyoming. I yield to the gentleman from Utah.

Mr. DIXON. I wish to associate myself with the gentleman from Wyoming in expressing gratitude to this subcommittee and to the Appropriations Committee in general for their very splendid work. This illustrates the thoroughness by which they have operated in earmarking specifically for these projects as to what they are to get and clarifying exactly what is to be done. I also want to thank the gentleman from Iowa [Mr. JENSEN] and the other members of the committee for the courtesy shown our Governor and the representatives from

our State who appeared before the committee, as well as for the thorough manner in which they have studied these different projects. The number of witnesses interviewed was tremendous. I assume that other members of the committee, being present, concur in this and that the funds are so earmarked.

I thank the gentleman from Iowa. I thank the committee for so earmarking these funds for this very important project.

Mr. THOMSON of Wyoming. Mr. Chairman, I assume that the other members of the committee, having heard the answer of the gentleman from Iowa, agree with him with respect to the effect of this language as included in the report. I am pleased that the committee has so earmarked the $4,800,000 for construction of the Flaming Gorge Dam. There certainly can be no doubt that that has been done and that such is not only the intention of the committee, but that it is the intention of the House in acting upon the bill.

Some of us are of the opinion that more money should have been allowed to provide for the most orderly and most economical construction of these projects. That such was not done is certainly not a criticism of the committee. The committee allowed the full budget requests for which we are most grateful, and which we also believe to be more than justified. As it has been stated, in no instance did the committee allow more than the amount requested in the budget, or allow for projects not requested.

I had hoped that plans would be complete so that construction could be commenced this year on the Seedskadee participating project in Wyoming, and on some of the other participating projects in other States. The funds requested to complete the advanced planning of these projects and for other advanced planning should be granted so as to permit an orderly construction program.

In the committee report it is stated with regard to the Shoshone extensions unit of Wyoming:

> At the time of the hearings the Bureau testified that the $500,000 budgeted for this project should be deleted since there is at the present time no local interest in it.

Mr. Chairman, I believe it would have been more accurate if the reason had been stated as a lack of unanimity of support for this project and a need for further information with regard to the availability of water and other factors. The official position of the State of Wyoming, as expressed by the Wyoming Natural Resource Board, the responsible agency, adopted after hearings were held at Cody, Wyo., on February 23, with respect to funds requested for construction of this project is as follows:

> Construction of the Oregon Basin division of the Shoshone extensions unit should not be undertaken until such time as further information in regard to the following matters are available:
>
> (a) Are the water users in the lower Greybull River Valley interested in obtaining a supplemental water supply under this proposed project?
>
> (b) Would this be the most economical means of providing a supplemental water

> supply for the lower Greybull River Valley users? The answer to this should be available after information on costs of the proposed lower Sunshine Reservoir are available.
>
> (c) Data in regard to the possibilities of providing a supplemental water supply to the Gooseberry Creek Basin under the proposed Oregon Basin project should be obtained.

I believe that that more correctly expresses the situation with regard to this project than does the testimony of the Bureau as recited in the committee report.

In the committee report, page 14, the committee criticizes the Bureau witnesses and their presentation of the projects, and in so doing refer to testimony on the Owl Creek unit in Wyoming. It is not my purpose to defend the Bureau. I am certainly of the opinion that they should give full, complete, and accurate information to the committee. I think this holds true as to any information that is requested of them by any Member of the House. I am interested, though, that this reference should not be interpreted as a reflection on the Owl Creek project in Hot Springs County, Wyo. This is a small project. The total cost of such is $3,756,300. It is, however, a project of great importance to the people who live on the lands to be served, and the people of the surrounding area. Many things have happened to delay this construction. I am pleased to say that the funds allowed in this bill will see the project virtually completed.

This is a project which supplies supplemental water to over 13,000 acres. As such it is critical. Without this supplemental water farming this land is not economical over the long pull. This has been particularly proved in the past few years when we experienced a substantial drought. In computing benefits, it may be assumed that a fraction of an adequate water supply will raise a proportionate share of the crops, but from my own observation of this area and others, I can certainly testify that such is not the fact. During the recent drought years when an inadequate water supply was available, no crops whatsoever were raised. This had a devastating effect, not only upon the farmers, but upon the surrounding communities.

This is one of the best of the Missouri Basin projects. The irrigators will pay a greater percentage of the cost, or, in other words, there will be less assistance from power than on any other project of the Missouri Basin constructed to date.

The final prime contract for construction of the dam has been let. The funds allowed in this bill will permit early construction. There is no question about drainage problems because the land has actually proven its susceptibility to irrigation. There will be no costs of operation during the development period, as the district will immediately assume operation of the project. It is a good project and will be of great benefit to the stability of the area, contributing to the economic well-being of the Nation. Time does not permit me going into this in further detail, but I did want the Members of this House to know that because of the mention of this project in

the committee report and the criticism of the Bureau testimony with respect thereto, this should not be construed as a criticism of the project itself.

VERNAL AND PAONIA PROJECTS SHOULD BE CONSIDERED

Mr. DIXON. Mr. Chairman, the committee recommendation for $25,142,000 for upper Colorado project is a conservative one, in view of the fact that an appropriation of $33 million would be more economical than the $25,142,000; and also in view of the fact that nothing is in the recommended appropriation of $25,142,000 for the Vernal and Paonia projects. The detailed reports and plans for these projects had not reached the Department of Interior when the budget was drawn, but have since arrived. These two projects should have been included.

I am making no effort to amend the bill here, but I have testified before the Senate committee in the hope that at least $1½ million will be added. With the above exception, I urge approval of the committee recommendation plus the Vernal and Paonia for reasons as follows:

A. Developments since budget was made make an increase of budget request advisable, for example, Vernal and Paonia; detailed plans are now in hands of Department of Interior.

B. More than $13 million has been wisely spent on upper Colorado project.

C. Contracts have been let—nothing saved by delay. The wheels of progress are now turning. To stop them would gather rust and be more costly because contractors' overhead continues and they charge more where the job is on a stop-and-go basis.

D. The winning bid on the Glen Canyon Dam is a most favorable one. It was $108 million, or $27 million under the $135 million estimated—or about 25 percent saving. To interrupt this would be a sin.

E. The $25 million will not come out of the taxpayers' pockets. Almost every cent will come from the reclamation fund earmarked solely for reclamation and paid in by Colorado, New Mexico, Wyoming and Utah, the beneficiaries. These States paid in almost $25 million last year and due to land rentals, oil, mineral and gas leases will be paying in around $30 million a year by 1970.

F. This appropriation is a loan not a grant. For example, the entire $57 million cost of the Flaming Gorge Dam will be paid back and interest will be paid on $51 million. All but one-half of 1 percent of Glen Canyon Dam costs will be repaid. Interest will be paid on $281 million of the $298 million total.

G. While the costs will be considerably less than was expected when Congress authorized the project the benefits will be far greater than expected. For example, since Congressional authorization of the upper Colorado project, the Aneth oilfields in Colorado and Utah have made tremendous strikes of gas and oil and are estimated as being possibly one of the greatest fields on the hemisphere. The exploitation of this field will be aided by the upper Colorado project; also the recent development work on oil shales and rare minerals. A vast treasure chest will be unlocked and made available to the Nation.

Delay in appropriations will save nothing, cost more and put off the time when vast revenues will come pouring in through the sale of power from the huge dams, the opening of a vast storehouse of mineral wealth, new industry, more tax revenue and a transformation in the agriculture of counties that have been on drought relief.

At least $1½ million should be added for the Vernal and Paonia projects for reasons as follows:

The Vernal unit was not in the budget because at budgetmaking time the final draft and plans had not been completed. They have been completed since that time and are now in the hands of the Secretary of Interior and will reach the committee.

It will be an outright calamity if $500,000 to $750,000 is not appropriated for each unit to start the projects now. It will cost $6,875,000 to complete the Vernal unit. The area served is largely livestock and dairy, 122 miles from a railroad and cannot economically ship in feed grains. Records show that in the past 20 years there has not been a single year in which their lands have had an adequate water supply. Crop failures are common. Livestock people are being forced out of business as a result of drought conditions year after year. The reservoir would impound 40,500 acre-feet of water, bring in no new lands under cultivation but provide a supplemental water supply for 15,000 acres now partially burning up. It would provide 1,500 acre-feet of culinary water to Vernal, Maeser, and Naples and extend culinary water supply out into the surrounding rural areas.

The Vernal unit is economically sound; it was authorized by Congress in the upper Colorado bill, and the water so sorely needed is only being wasted downstream.

COLORADO RIVER WATER SUPPLY AMPLE FOR BOTH LOWER BASIN AND UPPER BASIN STATES

Mr. Chairman, questions which continue to be raised about the adequacy of the water supply for the Colorado storage project and participating projects authorized for construction by Public Law 485, 84th Congress, for which appropriation of funds is currently being sought, make it advisable for me to set the record straight.

On May 21, 1957, Utah's Governor, the Honorable George Dewey Clyde, was asked at the hearings of the committee the following question by Hon. LOUIS C. RABAUT, the committeeman from Michigan:

> Mr. RABAUT. I want to ask you about the amount of water in the river. You feel that there will be plenty of water in the river now?
>
> Governor CLYDE. Yes, sir. I am familiar with the characteristics of flow of the Colorado River over a period of 35 years, that having been my profession of a hydrologist and civil engineer. I am convinced the water is there. The regulation (of flow) is all that is required to make it available to the upper and lower users in the proportions fixed by the compact, according to their entitlements.

The Governor of Utah was formerly dean of the School of Engineering at

Utah State University. He knows water engineering from A to Z, and the Colorado drainage system in particular. He is an authority and one of the most reliable ones in this field.

Only this week I propounded Representative RABAUT's question to Mr. Ival V. Goslin, engineer-secretary of the Upper Colorado River Commission, which is the legal entity of the Upper Colorado Basin compact. Mr. Goslin's statement is exactly the same as Governor Clyde's statement, which is unequivocally "Yes; there is ample water." Mr. Goslin obtained his data from Geological Survey reports.

Careful studies of the streamflow records and other pertinent data on uses of water in the upper Colorado River Basin indicate the average annual flow of the Colorado River at Lee Ferry, Ariz.—the dividing point between the upper and lower basins—under virgin conditions which would have been 15 to 15½ million acre-feet during the 1896–1956 period. Virgin conditions or the virgin flow of the river refer to the amount of water that the river would have at the given point could it be reconstructed to the conditions which would prevail if the river were undepleted by the activities of man. The virgin flow is obtained by adding to the measured historic flow at the given point the estimated consumptive use of water above that point. Of the 15-plus million acre-feet total average annual flow, 7½ million acre-feet are apportional to the lower basin, and 7½ million acre-feet to the upper basin by the 1922 Colorado River compact. Projects which are already constructed and presently authorized projects in the upper Colorado River Basin will consumptively use about 2½ million acre-feet per year. There are, then, at least 5 million acre-feet of consumptive use per year still to be utilized in the upper basin States before full development of the water resources is attained under their 1922 compact apportionment.

A study of the streamflow characteristics on a periodical basis reveals the following facts:

The annual flows of the Colorado River are highly variable. During the 42-year period 1914–56 there were 12 years during which the measured historic flows at Lee Ferry have exceeded 16 million acre-feet. During this same period there were 12 years in which the annual discharge has been less than 10 million acre-feet. The virgin flows of the Colorado River at Lee Ferry have varied from a maximum of 24 million acre-feet in 1917 to a minimum of 5½ million acre-feet in 1934.

It is evident that the upper basin needs to provide reservoirs for storing water during years when it is in abundant supply and holding it for use in subsequent years when the supply is low. This holdover storage is needed not only to make possible the use of the 7½ million acre-feet apportioned by the 1922 compact, but also during some years to take care of present uses and uses by projects authorized in Public Law 485.

Every engineer and hydrologist who has studied the upper Colorado River has arrived at the conclusion that long-time cyclic carryover storage is essential in connection with the further development and utilization of the water resources. This is the conclusion of the Bureau of Reclamation. It is the conclusion of the engineering firm of Leeds, Hill & Jewett in their report, Depletion of Surface Water Supplies of Colorado West of the Continental Divide, prepared for the State of Colorado. It is also the conclusion of the Upper Colorado River Commission.

The period from 1914–30 was one of generally high flows. During this period, the Colorado River water supplies were adequate for the upper basin to meet the Lee Ferry delivery obligations, to provide the 7½ million acre-feet of consumptive use allocated to the upper basin and to furnish water to store in holdover reservoirs. During the 25-year period 1931–56 carryover storage water would have to be used 12 years to meet the Lee Ferry deliveries, present uses in the upper basin, and water uses of the newly authorized participating projects.

Also, during this period, the carryover storage water would have to be used 17 years to meet Lee Ferry deliveries and to provide a full 7½ million acre-feet for the upper basin. During the 1914–56 period, there would have been sufficient water available to meet the delivery at Lee Ferry and to permit a total annual consumptive use in the upper basin of 7½ million acre-feet, provided adequate holdover storage capacity were provided.

Now is the time to provide the necessary storage capacity in the upper basin of the Colorado River by constructing the authorized storage units of the Colorado River storage project. If the large reservoirs at Glen Canyon, Flaming Gorge, and Nacaho are to be constructed with a minimum of interference with established water needs, a large part of this necessary holdover capacity will be provided before much additional consumptive use development is made. Constructing holdover storage reservoirs as soon as possible is essential to permit filling of the inactive storage capacity in the bottom of the reservoirs without interfering with existing water rights. In addition, providing new reservoir storage capacity ahead of additional consumptive use developments will permit the initial filling of the reservoirs with minimum interference with existing irrigation and power installations.

Mr. Edwin G. Nielsen, Assistant Commissioner of the Bureau of Reclamation for Irrigation and Power, says today the average flow of the Colorado River from 1914 to 1945, as carefully measured, is 15,633,000 acre-feet. The upstream use is approximately 2½ million acre-feet which leaves an average of 13,138,000 acre-feet flow at Lee's Ferry. The actual measurement, however, is 13,719,000 acre-feet at Lee's Ferry, 7½ million acre-feet which the upper States guarantee to the lower basin States, plus 500,000 acre-feet evaporation from the dams when built, and there is an unused balance of 4,719,000 acre-feet still remaining for use of the upper basin States which would take 6 million acre-feet to supply the dead storage at Glen Canyon Dam, plus 1 million for dead storage at Flaming Gorge, or a total of 7 million acre-feet before the project will be in operation.

This amount of water would be supplied in 2 normal years or in 1 year like 1952 or almost in 1 year like we expect 1957 to be. In conclusion Commissioner Nielsen says: "You can see that there is plenty of water to play with, with a comfortable margin."

Mr. HAYS of Ohio. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Chairman, on yesterday there arrived in Washington from Europe and from Canada, forty-odd members of parliament from 12 of the NATO countries. Now, I cannot proscribe the rules of the House, and I do not intend to, to say where they are at this moment, but they are in town. They are being briefed at various places; the State Department, the Pentagon. They have been over in the other body. They were over there for lunch and were received on the floor. Tomorrow they will go to Norfolk to visit the US-CAN headquarters. I think it is worthwhile that we stop and notice something that we sometimes overlook, and that is the fact that the supreme command for the naval forces of NATO is here in the United States at Norfolk. These members of parliament from these 12 allied and friendly nations will be the guests at Norfolk tomorrow and Friday of Admiral Wright, the supreme commander of the Atlantic forces. I am sure that every Member of the House wishes to join with me in welcoming these distinguished guests, many of whom are the senior members of either the defense committee or the committee on foreign affairs of their parliaments, our friends and allies, to this all too brief visit to Washington and Norfolk.

Mr. BECKER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am very much interested in two paragraphs in the report of the Committee on Appropriations on this legislation. One is found on page 12. I am interested in it because as a member of the House Public Works Committee it has given us considerable concern, to me particularly. I refer to local cooperation, and on page 12 under that heading it states:

> The committee is seriously concerned about the lack of local contribution on many of the local flood protection and harbor projects. It feels that where there is a major flood-control problem on the large interstate rivers that the Federal Government logically can assume the greater portion of the cost. On those projects that are intrastate and often of a strictly local origin and benefit, the local interests should rightfully provide a substantial portion of the costs of the projects.

Now, the reason I express interest in that is because at the top of page 13 there is a paragraph that explains the reason therefor. It states:

> The committee was concerned to find that 22 completed local flood-protection projects were not being maintained satisfactorily by local interests. This failure of certain localities to live up to their responsibilities under the law will be taken into account in consideration of future requests for appropriations for additional projects in these areas.

The reason I call that to your attention is simply this, that in many of the projects that come before us there is always the question of local contribution on the intrastate waters, and where there is little attempt at local contribution, then evidence is presented before the Committee on Appropriations that there is neglect of these projects, and there is little responsibility to maintain that which we get for nothing. There is little recognition that the taxpayers' money from all over the country is going into these projects, many of them of necessity. But, when we wipe out the local contribution, the localities, the communities and the States have little or no interest in maintaining those projects.

For my own part I want to compliment the Committee on Appropriations for putting this in bold type in the report, and I assure you, as a member of the Public Works Committee, that they have my support, because I have seen too many of these projects that have come before us recently in the present public works bill that we are working on now and trying to clean up so that the Committee on Appropriations can do a job with it. In the State of Connecticut only recently they have had tremendously bad floods. In that bill the budget is recommending a high or reasonably high local contribution.

While I want to see my friends in Connecticut get these projects, nevertheless, I do believe local contributions are vitally necessary.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. BECKER. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I want to compliment the gentleman for his very fine statement. I am sure that the Committee on Appropriations and especially the Public Works Subcommittee henceforth will look with a jaundiced eye on projects in which there is little or no local contribution.

Mr. BECKER. I thank the gentleman from Iowa.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. BECKER. I yield to the gentleman from Michigan.

Mr. RABAUT. Mr. Chairman, I want to commend the gentleman and would like to say to the gentleman that the attitude he has expressed is the attitude of every member of the Subcommittee on Appropriations dealing with these funds.

Mr. BECKER. I thank the gentleman. I might say that in the bill before us at last there is provided the balance of the money for a project in my area known as Jones Inlet. We have laid out that money in my county over a period of many years, and I am glad the final recognition of it has come in this bill. I thank the committee for that recognition.

I hope that in the future my committee, in cooperation with the Committee on Appropriations, will look over these projects and recognize the fact, which I have experienced all my life, that when we contribute something to these projects, then we are going to see that they are maintained. It is a responsibility of these communities to see that these flood-control projects are maintained after we spend the money to do the work.

Mr. BOW. Mr. Chairman, I make the point of order that we are not proceeding in regular order, and I demand the regular order.

The CHAIRMAN. The regular order is now being followed. The gentleman does not state a point of order.

Mr. SIKES. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I endorse the statements that have been made by my colleagues on the very fine work done by the distinguished members of the Subcommittee on Civil Functions. Theirs is indeed a most difficult assignment which they have handled courteously, carefully, and capably.

I presume that all of us are disappointed when projects on which we are seeking approval are not included. That certainly is not a reflection on the fine work this committee does. I recognize that the efforts to stay within budget limitations has played an important part in selection of the projects now included in this year's bill. I do not feel that this is always the best procedure. The Bureau of the Budget recognizes one set of standards; the Congress may wish to recognize others. The Bureau of the Budget undoubtedly reflects the thinking of the current administration, but the majority of the Congress is of another political faith and it is well within the range of probability that our projects suffer accordingly. I do not feel that the Congress should be tied to the recommendations of the Bureau of the Budget, nor do I consider the Bureau of the Budget infallible in its thinking and in its recommendations.

I have a particular interest in two small items which are not included in this bill. The House Committee on Public Works has authorized a review by the United States engineers of the proposed routing of the Intracoastal Waterway from Carrabelle to St. Marks. The present authorization is for the Crooked River route. I have requested that consideration be given to a change in the authorization via the Alligator Point route. The latter is 18 miles shorter and involves 1 highway bridge instead of 3. It would be much less expensive to dredge and, I believe, less expensive to maintain. The Intracoastal Waterway from Carrabelle to St. Marks has been authorized, but not constructed. The increasingly heavy flow of waterborne traffic into St. Marks requires that consideration be given to this matter.

The Committee on Public Works also has authorized a review of the channel needs of St. Marks, Fla., which is the eastern terminus of the Gulf Intracoastal Waterway. The present harbor at St. Marks is maintained at a depth of 6 feet and a width of 50 feet. A minimum of 12 feet by 200 feet is a necessity. In my statement before the subcommittee I pointed out that several hundred craft use this port each week, and the list includes oil barges, construction-material barges, commercial fishing vessels, and pleasure craft. Navigational aids are totally inadequate. As a result, the cargo craft and the larger commercial and sporting craft find it necessary to come and go only during daylight hours and when the tide is high.

The sum of $10,000 is needed for the necessary surveys which are a part of the reviews by the engineers.

I made an earnest appeal to the committee that these items be included even though they are unbudgeted.

I have a similar great interest in the channel improvement in the harbor at Port St. Joe, Fla. Although there is not a budget recommendation, I feel that it is a serious oversight not to include in this bill improvement for Port St. Joe Harbor in Florida. The present channel depth is 32 feet. A 35-foot channel was recommended by the United States engineers and authorized by the Congress. It will cost approximately $1½ million with a small additional maintenance cost.

According the the Government reports for the year 1955, there was handled through the port of Port St. Joe 1,909,032 tons of waterborne commerce. Port St. Joe was only outranked in Florida, in the amount of tonnage handled, by Tampa, Jacksonville, Port Everglades, and Miami.

The terminaling facilities at Port St. Joe for bunker C fuel oil is 275,000 barrels. Port St. Joe is the terminal for the southeastern pipeline and has terminaling facilities for 980,000 barrels of gasoline and light fuel oil. Terminating facilities are available for bunkering Navy and other type vessels. At the present time bunker C fuel oil is being delivered to Eglin Air Force Base and is also being furnished to the United States district engineers at Mobile for equipment at times when operating in this area.

The development of the Apalachicola-Chattahoochee Valley Waterway will make it possible to barge bunker C fuel oil from the terminaling facilities at Port St. Joe to various inland ports (including Fort Benning, Ga.) along this route. This additional potential business is estimated at 50,000 short tons annually.

St. Joe Paper Co. has recently completed, at a cost in excess of $500,000, a sheet-piling, concrete-topped bulkhead which will permit docking of tankers and other vessels with draft of 35 feet.

The Glidden Co. has installed a tall-oil plant in Port St. Joe, which will be in operation this month, with estimated production of 25,000 tons, a percentage of which will be exported in tankers.

The General Chemical Division of Allied Chemical & Dye Corp. is now erecting a liquid-alum plant in Port St. Joe which will necessitate the importation of bauxite.

With the approval of the United States engineers and the Coast Guard the E. I. du Pont Co. is now in the process of erecting facilities for handling explosives through the port of Port St. Joe,

These facilities will be made available to other companies producing and shipping explosives.

It is to be anticipated that the study now being made by a Government agency as to the suitability of various ports for handling explosives will show Port St. Joe to be one of the most acceptable ports on the gulf and will possibly have priority over other ports, in that it will already be handling explosives.

Thirty-seven feet depth over the bar and 35 feet depth in the channel will mean that several square miles of natural deep water in St. Joseph Bay will make accessible to the Navy a landlocked bay on the Gulf of Mexico in close proximity to Tyndal Field, Eglin Air Force Base, and Pensacola Air Base and would seem to add to the advantages to be gained by making the deep water of St. Joseph Bay accessible to the Navy.

Your attention is called to the fact that St. Joseph Bay and the harbor of Port St. Joe only have a diurnal tidal rise of 1.4 feet and do not enjoy the advantages of a tidal rise of 3 to 5 feet which prevails at all eastern seaboard ports and most of the gulf ports. Under extreme northerly wind conditions, we frequently experience a minus 3 feet below mean low tide.

With the recently created port authority it is to be anticipated that additional port and dockage facilities will be made available in the near future.

The present trend to the considerably larger ships makes it very important that this rapidly growing port have improved depth facilities.

Finally, Mr. Chairman, I wish to comment briefly on the very important central and southern Florida project. There has been question of the amount of local participation, although I hardly think there can be question of the importance of the project. Actually, I feel that it can clearly be shown that Florida is meeting its full part of the cost in that local interests are bearing a full 39 percent of the total project cost for the first phase of the central and southern Florida project.

The cost of the local flood-control district to date indicates that $23.4 million have been made available to this project to finance the requirements of local cooperation. Eleven million dollars of this amount came from general revenues of the State of Florida, the balance from an ad valorem tax levy on all real property in the 17 counties of the flood-control district.

When the project was started in January 1930 the works and assets of the old Everglades Drainage District were incorporated in the Federal-State plan. These included canals and rights-of-way which were actually usable in the project. These works, representing a significant start on the overall project in the Everglades and lower east coast area cost the taxpayers of Florida $18 million to construct. However, local interests are given no credit under project financing for this substantial contribution in the form of completed works.

In addition to the works included in the Federal-State plan, it is necessary that individual landowners and drainage districts provide on-the-land water-control works to regulate ground water elevations in the South Florida area. It is estimated that such on-the-land works in the Everglades agricultural area represent an expenditure by private land owners of approximately $24 million to date. Similarly, the landowners in the coastal areas in Palm Beach, Broward and Dade Counties have spent approximately $21 million to provide their needed water-control facilities to augment the works of the Federal-State project.

To summarize the activities of local interests to date, the following substantial contributions have been made:

Cash contributions	$23,400,000
Everglades Drainage District works	18,000,000
On-the-land water control	45,000,000
Total	86,400,000

From the foregoing it is apparent to me, and should be equally apparent to any unbiased observers that the citizens of Florida are bearing more than their fair share of the cost of this flood control and water-conservation project in central and southern Forida.

Assets of former works, 16 to 18 millions.
Costs incurred by local interests, 1949–57, $23,458,433.
Appropriated by Congress, $38,074,000.
Local budget, fiscal year 1958, $6,318,800.

Flood experience (Corps of Engineers)

	Damages	Savings
1947, last 9 months	$59,000,000	
1956, October	1,500,000	
1957, January	9,025,000	$10,825,000
10-year period:		
1947	59,000,000	
1948	40,500,000	
1949	4,000,000	
1950	2,400,000	
1951	2,500,000	
1952	9,000,000	
1953	20,000,000	13,000,000
1954		
1955		
1956	1,800,000	
1957	9,025,000	7,500,000
Total	157,525,000	20,500,000

This is a flood-control project of greatest importance. Very substantial benefits are anticipated and I believe the returns to the Federal Government in the development of the area and subsequently in taxes cannot fail to be many times the amount to be expended.

Mr. REED. Mr. Chairman, I move to strike the requisite number of words and ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED. Mr. Chairman, I want to take this opportunity to thank the Committee on Appropriations in behalf of myself and my constituents for the wonderful work they have done for my district, especially in the field of flood control. If I had the time to outline what it has meant to some of my communities to be taken out of the danger of these annual floods, you would find it rather an inspiring picture.

Most of these flood projects, certainly in my district, have been self-liquidating. I know in 1 community 1 flood would have cost that community or that area $34 million, and that expense would have recurred with every flood.

We hear a great deal about pork barrel, and that sort of thing, but these projects are self-liquidating. I know of another community which I wish this Congress could see. I went through there at a time when the floodwaters were up to the second story of buildings, where the library was ruined and priceless books and other objects were destroyed. Today, after the big floods of 1956, they are not disturbed at all.

There is a project in this bill which I do not like to oppose and I am not here for the purpose of opposing it. It is with regard to what is known as the Kinzua Dam, in which my Pennsylvania colleagues are greatly interested. The trouble with this project is that it is going to displace something like 600 to 1,000 of my constituents. They are Seneca Indians. They are on the land by virtue of treaties executed back in 1794. This treaty was, of course, in behalf of the Six Nations of which they are a part.

I do not know how well you know some of these Indians. I have known my Indians for more than 50 years. I have known them well. I played against them in football. They have a unique record, as you people may not know. Many of them have gone to college, especially at the time of the Carlisle Indian football teams, with which some of you people may be familiar.

I happened to play against an Indian by the name of Bemis Pierce, a marvelous player, a fine man. I remember the time he came to our house for dinner. My children were small then, a little girl about 5 years old and a boy 6 years old. After dinner Bemis sat there in a rocking chair. We had taught our children to kiss us before they took their nap in the afternoon. I can see that little girl now, a redhead. She kissed her mother and then kissed me, and then she looked at this great brawny powerful Indian in the rocking chair, looked him over for half a minute, and then she walked over and climbed up in his lap and kissed him.

I wish your people could have seen the expression on his face. He knew that he was accepted, he knew that we had for a him a profound respect and consideration.

Later on, when the children were older, we were camping over in Allegheny State Park. An Indian moved in there and set up his tent and started making baskets. My son wandered over there. He was about 12 years old. In a little while I saw he was pounding a log with an axe. He kept pounding on it until I knew he must have blistered his hand. I walked over and introduced myself to the Indian. He said, "I know you. I played on the Carlisle team. My name is Hawley Pierce." I said, "I remember you very well, and your fine people, too. What has become of Bemis?" I said. He said, "He is out in California." I said, "Was he in the war?" "No," he said. I said, "Were you in the war?" "Yes, I was in the First World War," he said. "What division were you in?" "I was in the war 17 months before America got in," he said. "I went up into Canada and tried to enlist and they would not take me because I was an American Indian, so I took a cattle ship and went to Ireland and joined an Irish brigade."

He got out a blanket and unrolled it and said, "I thought you might be interested in these things." He had every medal within the gift of the English Government for heroism except one, and there he had a letter from the War Department saying, "Send us your address and we will send you this medal."

That one man, the Indian Hawley Pierce, saved the lives of thousands of men. A great tribute was paid to these Seneca Indians in the war. They volunteered, they went over in the war, and they fought heroically. The English officers paid high tribute to them. The Seneca Indians are a high class of people.

They have lived on this land. They have the deep roots that we have in our homes. I want to see the Pennsylvania people have their flood control, but the only difficulty with this Kinzua Dam project is that we displace these Indians and their homes.

Then we will say, "Well, what difference does it make. They will get big pay. We will see that they get justice and equity." Justice is a fine word, but it is not the last word between man and man. To say, give every man his just wage and compensation is not the answer at all. Who pays a mother for a long night's vigilance, the father for his toil, the soldier for his wounds, the hero for giving up his life? Who paid Jesus for his agony, Whitman for his poetry, William Morris for his labors for social benefits?

If our work is not done for pay and compensation, what is it? It is love. We love our Indians up there. They are a high-class, law-abiding people. We cannot say, "Well, they are Indians; just move them off."

I remember being down in Johnstown, Pa., some years ago. That city is down in the valley, as you know. I was up on the high cliffs with a grown man. He pointed down to the city with pride and said to me, "You know, I was a small boy when the flood came. You see those monuments glistening in the sun over there? My people probably are buried there; the unidentified dead are buried there."

He said, "There were just a few of us young boys left. All of my family were wiped away. We sat down with other orphans and wondered whether we should go to Pittsburgh or some other city and try to get along. But, finally, we decided no. This is the place where we have lived. Our father and mother and brothers and sisters have lived here. Let us stay here. Every day of my life I have tried to contribute something to build up this city. Do you see that office building over there? I own that building. We have prospered. I love this city. We have helped to rebuild it."

Now that was a horrible experience when they had that flood that washed away that city. Yet, those people remained there and struggled on. But, my Indians cannot do that. Their land is going to be taken from them. Where are they going to go? You worry about refugees from abroad, but where are my Indians going? I believe there is an alternative to this plan for this dam. I am quite sure that there are several alternatives. I hope this Congress will think this thing over before they displace my splendid Indians for whom I have very great respect.

Mr. ROONEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I should first like to commend the distinguished gentleman from New York [Mr. REED] upon his highly interesting statement with regard to the Kinzua Dam construction project on the upper Allegheny River, which is provided for in the pending appropriation bill, H. R. 8090.

Shortly, the distinguished gentleman from New York [Mr. TABER] will offer an amendment to save the taxpayers $1 million by striking that sum, which is provided in the pending bill for the construction of the Kinzua Dam in conjunction with the Allegheny River Reservoir project, Pennsylvania and New York. I shall support this amendment, and in connection therewith I should like to bring to the attention of the Committee of the Whole a letter addressed to the Honorable CLARENCE CANNON, chairman, House Committee on Appropriations, under date June 5, 1957, by the National Wildlife Federation. I shall read it to you:

NATIONAL WILDLIFE FEDERATION,
Washington, D. C., June 5, 1957.

Hon. CLARENCE CANNON,
Chairman, House Committee on Appropriations, House Office Building, Washington, D. C.

DEAR MR. CANNON: Your committee will shortly be marking up and reporting the public works bill, including 1958 appropriations for civil functions for the Corps of Engineers. We have been asked to present for your consideration the views of the Pennsylvania Federation of Sportsmen's Clubs with respect to the $1 million proposed in the budget for the commencing of the construction of the Kinzua Dam on the upper Allegheny River in Warren County, Pa. The Pennsylvania federation, an affiliate of the National Wildlife Federation, believes that this money should not be appropriated and that construction of the Kinzua Dam should not begin until a new and complete survey is made of alternative methods to prevent floods and achieve the purpose for which this project is proposed.

A resolution to this effect was adopted unanimously by the board of directors of the Pennsylvania federation at a meeting held March 29, 1957, at Harrisburg. A copy of that resolution is attached. We respectfully call it to your attention.

Sincerely yours,
NATIONAL WILDLIFE FEDERATION,
CHARLES H. CALLISON,
Conservation Director.

PENNSYLVANIA FEDERATION OF SPORTSMEN'S CLUBS—KINZUA DAM RESOLUTION

Whereas the Corps of Army Engineers have recommended the erection of a dam on the Allegheny River near Kinzua in Warren County and an appropriation for $1 million for initial construction cost is presently listed in the President's budget; and

Whereas the total cost of the dam will be more than $100 million; and

Whereas other adequate flood-prevention measures costing considerably less have not been studied by competent engineers; and

Whereas the said dam will destroy valuable recreational facilities; and

Whereas it will be necessary to break a treaty with the Seneca Indians if the said dam is erected: Now, therefore, be it

Resolved, That the PFSC oppose the erection of the proposed dam on the Allegheny River at Kinzua in Warren County until (1) a complete survey and appraisal of all alternative methods to prevent floods is completed; (2) it is determined that the proposed dam is economically justified; and (3) a public hearing is held before a Congressional committee: Now, therefore, be it

Resolved, That all Pennsylvania Congressmen and officials of the National Wildlife Federation be notified of our opposition to the $1 million appropriation or any other appropriation for this dam.

The distinguished Governor of the State of New York, His Excellency the Honorable Averell Harriman, is also interested in opposing the start of construction of this dam and in protecting the rights of the Seneca Indians' reservation lands. I shall read to you the following telegram which I received on Monday last from Governor Harriman:

ALBANY, N. Y.

Hon. JOHN J. ROONEY,
House Office Building,
Washington, D. C.:

I am advised that an amendment to strike from the Public Works Appropriation Bill $1 million to start the Allegany Reservoir project will come up on the floor of the House tomorrow or Wednesday. I hope you will support the amendment. The Seneca Indians have presented an impressive series of documents on an alternative proposal which has apparently not received careful study by the Corps of Engineers. Until that study is made there is no justification for going ahead with a plan that will deprive the Senecas of their reservation lands in violation of long-standing treaty rights.

AVERELL HARRIMAN.

While I realize that practically every Member here on the floor of the House has some project in which he is interested contained in the pending bill I do trust that support will be given to the amendment to be offered by the distinguished gentleman from New York [Mr. TABER].

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by law; detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction); and not to exceed $1,600,000 for transfer to the Secretary of the Interior for conservation of fish and wildlife as authorized by law; to remain available until expended, $422,186,800: *Provided*, That funds appropriated herein may at the discretion and under the direction of the Chief of Engineers be used in payment to the accounts of the Confederated Tribes of the Yakima Reservation; the Confederated Tribes of the Warm Springs Reservation; the Confederated Tribes of the Umatilla Reservation; or other recognized Indian tribes, and

those individual Indians not enrolled in any for all that is involved here to be appro- inundation of reservation land, in connec-

those individual Indians not enrolled in any recognized tribe, but who through domicile at or in the immediate vicinity of the reservoir and through custom and usage are found to have an equitable interest in the fishery, all of whose fishing rights and interests will be impaired by the Government incident to the construction, operation, or maintenance of The Dalles Dam, Columbia River, Washington and Oregon, and must be subordinated thereto by agreement or litigation: *Provided further*, That none of the funds appropriated in this act shall be used on the project "Missouri River, Kansas City to mouth," for any purpose other than bank stabilization work: *Provided further*, That not to exceed $3 million of the funds provided herein shall be available for the construction of small authorized projects selected by the Secretary of the Army the cost of which is not in excess of $400,000 and any such project shall be completed within the funds herein appropriated.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 4, line 8, strike out "$422,186,800" and insert in lieu thereof "$421,186,800"; and on page 5, line 7, insert "*Provided*, That none of the funds in this paragraph appropriated shall be used for the construction of the Allegheny River Reservoir in Pennsylvania and New York."

Mr. TABER. Mr. Chairman, this is an attempt to save a million dollars that to my mind will be utterly wasted; and the things that will be done with the money if the $101 million it involves is used will be a great deal worse than what we are being asked to do at this time.

You have heard what the gentleman from New York [Mr. REED], said about this reservoir when he spoke a moment ago, how he described the situation of the Indians in that place, how he told us that these Indians, 10,000 of them, as I understand, would be driven out of their homes if this project were put through in violation of a treaty that was made between the Indians and the United States.

The project itself is at the very least five times as big as it should be. If it were going to be a project at all it should not provide for more than 200,000 acre-feet of storage. The whole picture is this: The greatest flowage on record at the point of the dam site is in the neighborhood of 60,000 cubic feet per second. It would take 3 or 4 days to fill up the 200,000 acre-feet of storage.

To start with, this was to be used as a flood-control project. It now appears that it is not much of a flood-control job, because it is absolutely too big for that. The story has come to be that it is going to result in a control of the flowage of the Allegheny River down into the Ohio. That was not the first thought. There were four different stages under which they got up to this point in the size of the thing, and without any real merit for the work that the engineers did. We have had altogether too many projects up there by the engineers that absolutely could not be justified; and, frankly, I have felt and I think other people who have studied it have felt, that there was no reason for our going into this kind of project. If they want to come back with a project for a small storage at this site it undoubtedly could be considered; but for all that is involved here to be appropriated at this time is just another step in the low benefit ratio proposition that you get on these engineers projects.

I hope that the House of Representatives will accept this amendment and that it will be adopted.

Mr. FENTON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York [Mr. TABER].

Mr. Chairman, I regret, more than you can possibly know, that it becomes necessary for me to oppose this proposed amendment. However I must do so because of the preponderance of testimony developed in our hearings in favor of this reservoir.

I have attended all of the hearings on this particular project. In fact I have an almost perfect record for attendance at all of the hearings for this bill.

I listened to almost 800 witnesses on this bill. I therefore believe I am fair in stating that the testimony of the proponents for the Allegheny River Reservoir greatly outweighs the evidence of those opposed.

Now, the chief reason for opposition to this reservoir is because the Seneca Indians have a treaty dating back to, I believe, 1794, with the United States and they feel that this treaty should not be broken.

As a matter of fact they have resisted for years the construction of this dam and would not grant the engineers permission to make a survey, so much so that the engineers had to go to the Federal court for a decision in the matter.

Of course, if necessary, the Government could exercise the power of eminent domain.

I am sure that no one who is familiar with me will accuse me of not being willing to help our Indians.

Those of you who have served with me on the Interior subcommittee will attest to what I have at least tried to accomplish for them in their health programs and particularly in tuberculosis.

So I am not one of those who is determined to break a treaty.

Many treaties with Indians from all sections of our country have been changed, some of them having more at stake, if that were possible, than the Seneca Tribe in this instance.

I had the Library of Congress check on this for me and this is what they say:

INDIAN TRIBES WHO HAVE BENEFITED FROM DAM CONSTRUCTION

Flathead Indians of Montana: Receive compensation from a private company for use of dam site and flooding of reservation land.

Warm Spring Indians of Oregon: Receive compensation from a private company for use of dam site.

Fort Berthold Indians of North Dakota: Receive compensation from the Federal Government for flooding and other items, connected with dam construction.

Nez Perce Indians of Idaho, Warm Spring Indians of Oregon, Umatilla Indians of Oregon, Yakima Indians of Washington: Receive compensation from Federal Government for flooding of fishing sites at Celilo Falls on the Columbia and construction of Dalles Dam.

Wind River Indians of Wyoming: Receive compensation from Federal Government for inundation of reservation land, in connection with Boysen Dam.

Standing Rock Indians and Cheyenne River Indians of South Dakota: Compensation for Oahe Dam on Missouri River.

Lower Brule and Crow Creek Indians of South Dakota: Compensation for Randall Dam on Missouri River.

Fort Peck Indians of Montana: Compensation of Fort Peck Dam on Missouri River.

Crow Indians of Montana: Projected Yellowtail Dam to carry compensation.

The source of the information given by the Library of Congress is taken from the Office of Indian Affairs, Federal Power Commission, and Army engineers.

I am interested in saving life and preventing property damage.

The people of Pennsylvania towns below the proposed site of the Allegheny Reservoir have had many experiences from recurrent floods.

Surely we must recognize the rights of other Americans in those localities especially when our Indian friends can be recompensed by our Government.

This reservoir project is a unit of the comprehensive plan for flood control and other purposes in the Ohio River Basin and is the key unit in the reservoir system for the protection of the Allegheny Valley, the metropolitan area of Pittsburgh, and the upper Ohio Valley.

Now my interest stems from the fact that this comprehensive plan was authorized by Congress in the Flood Control Act of June 22, 1936, again in June 1938 and modified by the Flood Control Act of August 18, 1941.

Over 20 years of recurrent floods has seen, according to the testimony given us, the loss of 36 lives in 1936 and damages of $231,492,000 based on values at the time of flood occurrences—that is 1936 through 1956.

These damages and deaths occurred in the Allegheny Valley below the Allegheny Dam and in the Ohio Valley to the vicinity of Wheeling, W. Va.

It is estimated that on a basis of present-day values the damages would exceed $750 million.

With the construction of this reservoir it is estimated that the city of Warren would have a 100 percent protection. In the 1956 flood Warren had a 4.5 million dollar damage. It would also give substantial protection to Oil City and Franklin because it would control the upstream drainage from those towns.

This is one of a series of dams, to prevent a repetition of the 1936 disaster in the Allegheny and Ohio Valleys, of which 10 have already been constructed and to which no opposition was encountered.

Every phase of this project has been explored and studied and its economic justification has been proven.

For over 20 years the Corps of Engineers have been studying this project and alternative plans.

Every one of us concerned with projects in our own districts have to depend upon the Army engineers recommendations for those projects. They are the ones who, in my opinion, are best qualified to pass on the merits or demerits of a plan. Who are we to pass on a technical problem of engineering?

The opposition would have us believe that the witnesses they brought forth

during our hearings in favor of diverting the waters of the Allegheny into Lake Erie were original and the best method. Why bless your hearts that was proposed in 1928—almost 30 years ago—and was considered by the Army Engineers in their early studies of the Allegheny Basin and was discussed in an unpublished report prepared by the Pittsburgh District at that time.

The findings of that report and subsequent reports may be briefed as follows: diversion for flood-control purposes, only, is not economically justified; diversion for waterpower development would be of marginal justification; a major reservoir on the Allegheny River would be required in connection with any effective plan of diversion for flood control or power development; and the Allegheny Reservoir would not preclude the later development of waterpower by diversion.

So you can see that the diversion to Lake Erie proposition was given a great deal of study 30 years ago and many times since.

Now what other plan was considered? The Army engineers in their studies of this reservoir considered the construction of smaller reservoirs at the selected site and smaller alternative tributary reservoirs. Comparison of the cost of developing a large volume of storage capacity in the Allegheny Reservoir with small volumes located in several tributary reservoirs is illustrated by the present-day costs of existing projects such as Tionesta Creek and East Branch Clarion River Reservoirs, constructed by the Corps of Engineers on tributaries of the Allegheny River. Based on an analysis made last year, storage capacity for the Allegheny Reservoir was indicated to cost $87 per acre-foot, as compared with $106 and $115 for the Tionesta Creek and East Branch Clarion, respectively. To substitute storage capacity equivalent to that in the Allegheny Reservoir in a number of small reservoirs would be more costly and result in substantially less effective control of the floods.

The analyses I just gave you were given me by one of the finest engineers in our Army civil works program—Gen. J. L. Person, the Assistant Chief of Engineers for Civil Works.

General Person is very well qualified to give us his opinion on this reservoir. Before being promoted to his present position he was Chief Engineer for the Ohio Basin and is intimately familiar with all phases of flood protection in that area.

As far as I am concerned I shall take the advice of the fine Army engineer.

General Person says in summary:

Based on our studies of possible alternative measures, it appears that the Allegheny Reservoir as now planned provides the most practical solution of the flood problem in the Allegheny Basin. You may be assured that we are attempting to work closely with the Indians in order to arrive at mutually acceptable arrangements.

Mr. Chairman, and my colleagues, I sincerely hope that this amendment will be defeated.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in not to exceed 40 minutes, the last 5 of which are to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. H. CARL ANDERSEN. The unanimous consent request refers only to the pending amendment.

The CHAIRMAN. The pending amendment and all amendments to the pending amendment.

The Chair recognizes the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Chairman, the pros and cons of this Allegheny River Reservoir have been pretty well discussed from the point of view of the immediate cost-benefit ratio and the like, and we have heard quite a little about the matter of the displacement of the Indians. I should like to address myself to a phase of the matter which I am sure has not been presented as yet. It has to do with the longtime cost-benefit ratio.

I am sure every Member of this body has heard of the Pittsburgh story. You have heard how that city, practically ruined by the great flood of 1936, has come back to be the boom city perhaps of the entire world, where we have skyscrapers going up, public improvements of all kinds, where we have a definite renaissance throughout the entire city of Pittsburgh. What is the reason for it? One of two reasons why the Equitable Life Insurance Co. and other billion-dollar investors were willing to come to Pittsburgh was that this Congress in its wisdom set up the great Allegheny-Monongahela flood-control program. The other reason of much lesser importance was smoke control.

I say to you right now that that metropolitan area which is advancing to this Government over a billion dollars a year in income tax money would not have existed in its progressive form if it had not been for the flood control program, of which this dam is one of the key dams. I would say to you that in the years ahead if this dam were not saving so much as $5,000 in actual damage, what it would result in psychologically in the development of the Allegheny River is just beyond imagination.

That river presently is in the beginning stages of becoming one of the greatest industrial regions in civilization, and this is the dam which will give the flood control protection, which will impound the water for that industrial use, which will eliminate the pollution of the Allegheny River, which will give the people along that entire 150 miles of stream an opportunity to develop it into an area of tremendous prosperity, that will pay for itself many, many times over without any thought whatsoever of the cost-benefit that may result in so many inches or feet of flood protection.

I would say to every Member of this Congress that the day is coming when we are going to have to harness every drop of water that falls in America and use it over and over and over. But this great river, the Allegheny, which helps form the Ohio, is in the process now of becoming just as great as I have indicated it will become. I would say to you that the United States Government will receive back in taxes 10 times as much as it pays for this most worthwhile project.

Mr. Chairman, I hope the amendment is defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, I am delighted that I was just preceded by the gentleman from Pennsylvania [Mr. CORBETT], because he has pointed out just why a dam of this size should not be authorized.

The proponents of this large dam, which will be the largest dam erected by the Army engineers east of the Mississippi River and north of the Mason-Dixon line, use the flood of 1936 at Pittsburgh as the primary reason for its construction. Let us look at a chart of the 1936 flood at Pittsburgh and see what it discloses.

The highest flood of record on the Ohio River at Pittsburgh occurred March 18, 1936. The United States Geological Survey statistics show that on March 16, 1936, the mean flow at Pittsburgh was 100,000 cubic feet per second. This flow rose to 200,000 cubic feet per second by March 17. On March 18, 1936, it passed the flood stage of 210,000 cubic feet per second, and the flood crest of 574,000 cubic feet per second occurred between 10 and 12 p. m. on March 18, 1936. The daily mean flow of March 18, 1936, was 465,000 cubic feet per second. This flood stage lasted until March 21, 1936, when the waters receded to about 150,000 cubic feet per second.

During the same time, the Allegheny River at Kinzua gage shows that on March 16, 1936, the daily mean flow was 16,500 cubic feet per second; there was the same flow on March 17, 1936; on March 18, 1936, it rose to 16,900 cubic feet per second; on March 19, 1936, it rose to 21,100 cubic feet per second; and, on March 20, 1936, 2 days after the flood crest passed Pittsburgh, the Allegheny River at Kinzua gage reached its peak flow of 24,000 cubic feet per second.

Therefore, the Allegheny River, by the Government's own figures, contributed less than 4 percent to the floodwaters of Pittsburgh in the 1936 flood.

In other words, it contributed an infinitesimal amount of water to the flood in the Pittsburgh area. It is therefore apparent that the principal purpose of this dam is not flood control, but is a water-supply project—in fact, is so described in House Document No. 491 of the 83d Congress—and is a pollution-control project. Neither water supply nor pollution control is properly a responsibility of the Federal Government, and there should be, as required by law of this Congress, a contribution by the people in the area for that part of the dam not chargeable to flood control, navigation, fish and wildlife, and recreation.

Let me make this crystal clear. I am not opposing flood control. I am in favor of flood control, but where a project is

for other purposes, then that part not for flood control should be governed by the laws of the land and require local participation.

Now if this Congress means what it says, then that rule applies to the State of Pennsylvania as well as to the other 47 States. Let me request the other Members from Pennsylvania not to be afraid to look at this project merely because it is in our own State. I say to all the Members who come from Pennsylvania, let us have the moral courage to stand upon principle and say that we, as Members of Congress, having passed a law requiring local participation in multiple-purpose dams, expect that law to apply equally to all States and to all projects.

That, my colleagues, is one of the basic issues we must decide by our vote on this amendment.

I am happy to note that no one who has spoken on this bill or on this amendment has attempted to dispute the facts I presented to you under general debate. The reason is clear. They cannot because they are from the records of Congress and the Appropriations Committee hearings from 1936 to date.

The gentleman from Pennsylvania [Mr. HOLLAND] asked me today whether or not I ever read the report and survey that was conducted in 1907. I did. That project recommended a dam on the Allegheny River of 80,000 acre feet, to be used only for flood control. The dam that was authorized in 1936, with an increased safety factor, contained 331,000 acre feet which was 4 times the size of the dam recommended in 1907. This dam, also, was only to be used for flood control.

The dam which you are authorizing in this bill is 14 times the size of the dam recommended in 1907. It is not a flood-control project. It is a multiple-purpose project without the usual requirements of reimbursement for municipal and industrial water supply as specified by law. These facts are uncontroverted.

Another reason we should adopt this amendment is that construction of this dam will violate one of the oldest treaties of the United States and deprive the Seneca Nation their guaranteed treaty rights. The Pickering Treaty of November 11, 1794—Seventh United States Statutes at Large, page 44—should be fully respected:

> Now, the United States acknowledge all the land of the aforementioned boundaries to be the property of the Seneca Nation; and the United States will never claim the same, nor disturb the Seneca Nation • • • in the free use and enjoyment thereof; but it shall remain theirs until they choose to sell the same to the people of the United States, who have the right to purchase.

In explanation of the above wording, Timothy Pickering, the personal envoy of George Washington, explained to the Indians: "As long as the moon rises, the river flows, the grass is green and the sun shines," the Seneca Indian would remain undisturbed in his possession of this land.

The Seneca Nation has not chosen to sell their land to the "people of the United States," but instead they desire to keep the same and for years have been endeavoring to protect their rights, and their property.

As early as June 1938, the Seneca Nation of Indians made known their objections to the construction of a dam that would flood them from their homelands in violation of the express treaty guaranties given to them by Congress 163 years ago. In answer to that objection, the then Assistant to the Commissioner of Indian Affairs, by letter of June 18, 1938, stated:

> This matter was the subject of a conference held at Harrisburg on December 22, 1936, at which representatives of this officer were present. It was agreed that legislation by the States of New York and Pennsylvania and the Congress of the United States would be necessary to effectuate this project as originally planned. It was also suggested, however, as a possibility that another place might be found which would not involve the Indian lands. • • • The Indians may rest assured that every effort will be made to protect their interest.

During the intervening years, the Indians made known their opposition to this dam to the proper administrative authorities. In each instance, as in 1938, the Seneca Indian was given assurance that his interest would be protected; that an impartial and complete engineering survey and study would be made as to all possible solutions—only to find during these past 8 months, that contrary to the promises made, the surveys and studies were concentrated wholly on the construction of Kinzua Dam and the deprivation of his homeland.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to my colleague from Illinois.

Mr. COLLIER. The gentleman from Pennsylvania is an attorney. I know that his colleague from Pennsylvania [Mr. FENTON] remarked that the Government could in this instance have exercised the right of eminent domain in this project. Does the right of eminent domain supersede the supreme law of the land which in this case is a treaty?

Mr. SAYLOR. It does not. We just had our attention called to 40 people in the gallery from the legislative bodies of 12 friendly NATO countries. If we pass this bill and do not adopt this amendment, what we will actually be saying to those 40 people, to their legislative bodies, to their people—yes to all the nations of the world that a treaty with the United States which was signed by George Washington, our first President, does not mean anything and that we can break it. How can we ask these people from other nations to come here and enter into treaties and say that we are a nation that keeps our word. We accuse Russia of not keeping her word and her treaties, but by this very act, unless this amendment is adopted we are breaking a treaty that has existed since November 11, 1794. Yes, if this amendment is not adopted the Indian proverb will once again be proven, "The white man speaks with a forked tongue."

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. HOLLAND].

Mr. HOLLAND. Mr. Chairman, as a former member of the General Assembly of the Commonwealth of Pennsylvania, I am shocked to see a Representative from Pennsylvania, and from Johnstown particularly, come before this House and talk against flood control. In the session of 1935, the special session of 1936, and the session of 1937, the first effort to harness the floodwater of Pennsylvania was started, and I know that my colleagues, the gentlemen from Pennsylvania [Mr. FENTON and Mr. JAMES], who were members of the general assembly, will verify that the first project attempted was to save Johnstown from being destroyed a second time. The large steel corporation in the Johnstown area had suffered great losses in the 1936 floods and had halted all plans for expansion. They had also threatened to move their mills from the city of Johnstown. The general assembly approved legislation to build around Johnstown the greatest flood-control system that has ever been built around any city. Millions and millions of dollars, as much as is going to be spent on this dam, was spent building a dam and spillways to protect Johnstown. In the hearings on flood-control legislation, representatives from Johnstown appeared demanding help to save their city and their industries. Today we see a Representative from Johnstown, standing here in the House opposing flood control. To make possible this great flood-control project hundreds of homes had to be acquired. People were forced to evacuate their homes to build the dam for Johnstown. Now, the gentleman objects to this same method of acquiring land to protect all the people of Pennsylvania.

Mr. Chairman, the mayor of the city of Pittsburgh; the chairman of Allegheny Conference on Community Development, Mr. Park Martin; and the heads of all the industrial plants in the Allegheny and Monongahela great industrial valleys support the building of this dam.

Mr. Chairman, I ask that this amendment be defeated because I think you will agree with me that if the lives and property of the people of Pennsylvania are going to be saved from the ravages of flood the only way it is going to be achieved will be to carry out the entire program as originally planned by legislation. Then and only then will the fear of floods be ended.

The gentleman from New York [Mr. REED] says he fears that due to the size of this dam it will be used to generate hydroelectric power. This cannot be as there is a clause in the flood-control act of Pennsylvania providing that no dam can be used to generate electrical energy.

I ask you to defeat this amendment for the sake of those people in Pennsylvania who need this protection.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. HOLLAND. I yield.

Mr. CORBETT. I would like to emphasize the last point the gentleman made, that in the agreement between the Commonwealth of Pennsylvania and the United States there was written indelibly the proviso that there would be no power projects in connection with the flood-control dams.

Mr. HOLLAND. I remember very distinctly, because the debate on this amendment caused the House to stay in session all night.

Mr. CORBETT. And you were the gentleman working on that particular feature.

Mr. HOLLAND. I certainly was.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOLLAND. I yield.

Mr. McCORMACK. I am thoroughly acquainted with this particular project. We have authorized and appropriated money for Boulder Dam, Trinity River, and projects all over the country, and I voted for them because I believed it was a disgrace to see the natural resources of our country going to waste. This is one of the most meritorious projects I know of, and I join with my friend from Pennsylvania, who is opposing this amendment in expressing the hope that it will be defeated.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. HOLLAND. I yield.

Mr. FULTON. I am one of those people who has given the matter some thought. I support the inclusion of this project in the present budget program.

Mr. HOLLAND. I thank the gentleman. I might add, Mr. Chairman, that there is only one member of the entire Pennsylvania group, either Republican or Democrat, that is opposing the building of this dam, and knowing the consciousness of the people of his district about flood control, the gentleman is not speaking for them.

The CHAIRMAN. The gentleman from Minnesota [Mr. WIER] is recognized.

Mr. WIER. Mr. Chairman, this argument reminds me of another of these problems with which we are confronted in the construction of major dams: Our decision has to be as to whether we are going to drown the people below the dam or drown the people above the dam. I am reminded somewhat of the Tuttle Creek situation where it was either the people above the dam who were going to be drowned or the people below the dam.

Let me say at the outset that I am not at all acquainted with the situation in Pennsylvania, but I find myself here apparently in disagreement with many of my very good friends on both the Republican and Democratic sides.

I am tempted to vote for the amendment and do so because of my close association with many of the conservation organizations in my State and in my district which have mailed me a number of protests against this particular project.

In addition to that I am tempted to oppose it on the basis of my understanding of the Seneca Indian treaty. On these two questions I have formed some opinion, and I have let it be known to my constituents in the State of Minnesota, far removed, of course, from the particular project; nevertheless I have a responsibility to the conservation movement of that State, and I am usually led and guided by their decisions as to whether or not a project of this nature is inadvisable or whether it is one which can be favorably supported without great damage to present or future national parks or national resources.

So I want to make my position clear. I shall support the amendment on the basis of the information and the position of the conservation organizations of these United States as well as my respect for the treaty we have with the Seneca Indians of that particular territory.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, time will not permit me to cover this subject as thoroughly as I would like to cover it. However, I would like to call your attention to the fact that southwestern New York and northwestern Pennsylvania provides one of the greatest watersheds in the eastern part of the United States. The Allegheny River, contributing four-fifths of the flow, and the Monongahela River, one-fifth, join at Pittsburgh to form the Ohio River. In the spring and fall when these waters are at flood stage, this watershed contributes greatly to the devastating destructive floods which occur, not alone on the Allegheny, but on the Ohio and Mississippi Rivers as well. The question before us is whether or not we should harness these waters for useful purposes, both domestic and industrial, rather than permit the devastating, recurring floods which are periodically visited upon us.

I noted that in the recent Illinois flood 3,500 people were evacuated, 17 lives were lost, and the property damage will run into millions of dollars. This same thing, in my opinion, could happen in the Allegheny Valley, as it did in 1936, unless this project is constructed.

A number of people have suggested that further study and investigation of the project should be made.

This project was authorized by the Flood Control Acts of June 28, 1938, and August 18, 1941. Since these authorizations, the Corps of Engineers has thoroughly investigated all phases of flood control for the area; and numerous public hearings have been held, giving the interested people most directly affected a chance to express their views. However, little or no objection was heard until recently. So you can readily see that over a period of 20 years all interested persons have had every opportunity to be heard on this project.

After the devastating flood of 1936—with an estimated property damage of $728 million at present day price levels—and a loss of some 36 lives, the people in the Tri-State Area—Pennsylvania, Ohio, and West Virginia—became aroused that something must be done to afford relief from the destructive floods in the Allegheny Valley.

I want to call to the attention of the Members of the House the loss of lives from these floods. I quote from a letter from the district engineer, Colonel Sprague:

> However, our records show that for the 18-month period from March 17, 1936, through April 27, 1937 over 100 persons lost their lives due to three floods in the Pittsburgh District. Since that time we have been subjected to nine additional floods, and while our records are inconclusive, it would be a safe assumption that many more lives were lost due to these subsequent inundations.

After the 1936 flood a Tri-State Authority was organized, and a plan of development was determined upon. The overall flood protective plan was presented to the Congress, and in 1938 a program for construction of flood control dams within the Tri-State Area was authorized. Since 1938, some ten flood control reservoirs have been constructed in the Upper Ohio, Beaver, Allegheny, and Monongahela Basins. The following are among those completed: Tygart River, Youghiogheny River, Loyalhanna, Conemaugh, Crooked Creek, Mahoning Creek, East Branch Clarion River, Tionesta, Mosquito Creek, and Berlin—the latter two being in northwestern Ohio.

The key to the whole flood-control program is the one before you today—the Allegheny River Reservoir. It is the largest of these reservoirs yet to be constructed.

Every phase of this project has been carefully studied and thoroughly explored. Approximately $650,000 have been appropriated and expended for the project report, surveys, studies, plans, and specifications, over the past 15 or 20 years. This project has been reviewed by the United States Engineers from every possible angle over a long period of years and the project has been found to be economically justified.

One section of the report submitted to me by the district engineer, under date of February 5, 1957, states, and I quote:

> The best available summation of past flood damages in those portions of the Allegheny and upper Ohio River basins which would benefit from the Allegheny Reservoir is contained in Report on Allegheny-Monongahela Rivers and Tributaries completed by this office in October 1949. At the time of the report the average annual direct flood damages for the four major damage districts involved (Wheeling, Pittsburgh, New Kensington, and Kittanning) based on recurrence of natural flood stages of record and conditions and values as of June 1948 amounted to $10,034,000. At present-day price levels such direct damages would amount to approximately $15,600,000.

The most recent severe Allegheny River flood is that of March 1956. At that time, the city of Warren in my district was hit with an estimated property damage of $2,500,000. The Allegheny Reservoir would have been particularly effective in reducing the stage of this flood at various Allegheny River communities. For example, at Warren, where the highest flood stage since 1865 was experienced, the reservoir would have effected a 9.5-foot reduction to below flood stage in the Allegheny River. At Oil City and Franklin, the flood stage would have been reduced 4.6 feet; at Kittanning and New Kensington, 2.8 feet; at Pittsburgh, 2.5 feet; and at Wheeling, W. Va., 3 feet.

I have also been advised by the United States engineers that the total average annual benefits which would result from the Allegheny Reservoir are estimated—January 1957 price level—to amount to $4,971,000; broken down as follows: flood control, $4,093,000; acid control, $375,000; and organic-pollution control, $503,000.

Many proposals have been offered the United States engineers. One was proposed, studied, and rejected. As to the diversion proposals, I merely want to state that I cannot understand how any river that is flowing south could be diverted to flow north to empty into Lake Erie, unless there should be some magical engineering technique of which I am unaware. However, under no circumstances would we be interested in any diversion proposals to divert the excess water into Lake Erie as this water is needed for the domestic and industrial life of the Allegheny Valley, and the city of Pittsburgh with its 1½ million people. Our objective is to harness and retain the water for use in the Allegheny Valley and not divert it to Lake Erie.

Water is a precious commodity today; and I want to say to the House that we fully appreciate this great God-given natural resource we have in the Allegheny Valley—water.

It is essential that we conserve every drop of water we possibly can. In low periods of water in the summertime, the need for water in a great industrial valley such as the Allegheny becomes of paramount importance. And the same situation, I might say, exists in many other areas throughout the Nation. Another great industrial valley adjacent to the Allegheny is the Beaver-Mahoning, serving the Youngstown steel area. It, too, needs programs for conservation of the water supply for domestic and industrial purposes for the people in that valley.

Water. Water. It is the cry everywhere. Our population is continually growing—it is 170 million today—and in the years ahead we will require double the amount of water that is available today. In the Allegheny Valley alone, some several million people are dependent upon the waters of the Allegheny River. One and one-half million of these people are in the great metropolitan area of Pittsburgh, and in need of water for industrial and domestic uses.

The question is: Shall we harness and conserve these waters for useful domestic and industrial purposes, and other factors such as uniformity of stream flow and elimination of stream pollution; or shall we continue to permit the devastating floods—costing millions of dollars and loss of lives—which are periodically visited upon the Allegheny Valley.

I say to the Members of the House that this project has been authorized for almost 20 years. No opposition has been registered to any of the other 10 dams already constructed as a part of this program.

Every phase of the project has been explored and studied at a cost of hundreds of thousands of dollars, and its economic justification has been proven.

In my estimation it will be one of the greatest contributions that can be made for the conservation of water, elimination of destructive floods in the Allegheny and Ohio Valley, and for making available a water supply in perpetuity to the people of the Allegheny Valley and Pittsburgh It is a wise and sound investment of the American taxpayers' dollars.

I sincerely hope that this amendment will be rejected. This project will mean much to the future generations and to the growth and development of the great State of Pennsylvania which I am proud and honored to represent.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. OSTERTAG.]

Mr. OSTERTAG. Mr. Chairman, I think we should bear in mind that the amendment offered by the gentleman from New York [Mr. TABER] to strike out the appropriation designed for this Allegheny Reservoir project, is primarily intended to postpone construction until alternatives have been explored and considered. As I said during general debate, we all recognize, I am sure, that there is a definite need for flood control in the upper Allegheny region of Warren and the district represented by the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I yield for a brief question.

Mr. GAVIN. Why oppose it if you say we need it?

Mr. OSTERTAG. As I said, there is need for flood control in the upper Allegheny and in the area of Pittsburgh. But, my friends, this project far exceeds flood control and the need for flood control. This project violates, as it is presently proposed, two very fundamental principles. First it violates the principle of requiring local participation in the cost of local benefits. It also violates a treaty entered into with the Seneca Indians, a treaty entered into as far back as 1794 and signed by our first President, George Washington.

Now, originally this project called for $6.5 million of Federal cost with $11 million of local interest and local cost. Today it is $101 million with 100 percent Federal responsibility. Originally, back in 1936, the estimated acre-feet were 331,000 acres of reservoir, and today the estimated acre-feet of destruction for the reservoir would be 1,125,000 acre-feet. The United States Geological Survey records show that 150,000 acre-feet will protect the upper Allegheny and the Pittsburgh area for flood control. That is one-sixth of the capacity proposed. In other words, this dam and reservoir project is six times as large as necessary. This Kinzua Dam would require a reservoir which under present plans would flood some 9,000 acres of the Indian reservation and it would, in addition, destroy some 20,000 acres of habitable land in the Indian reservation.

Now, as I mentioned before we who are opposing this project at the moment are not opposed to the idea of flood control. The point remains however, that there should be a resurvey; there should be a reconsideration of the alternatives to meet this problem of flood control in the area of Pittsburgh and Warren and at the same time preserve and protect the treaty and the agreement with our Indians of the Seneca Nation. No study, my friends, has ever been made of any of the alternatives, although stress has been laid as to the need under this proposed plan.

Mr. FENTON. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I yield to the gentleman from Pennsylvania.

Mr. FENTON. Throughout the hearings we asked those questions of the Army engineers as to the alternative plans they have considered, and I quoted some of them in the statement that I made.

Mr. OSTERTAG. There is no record or information available that any alternative other than this proposed plan has ever been considered. May I say that a smaller dam and smaller reservoir would give to the upper Allegheny and Pittsburgh areas the desired and necessary flood protection and at the same time adhere to the treaty in which this Nation guaranteed to the Indians the undisturbed use of their lands in perpetuity.

Let me reemphasize this point: Neither the Senecas nor others are opposed to the objectives envisioned in this project. Flood control is undoubtedly needed on the Allegheny as are the other water uses encompassed here. If a full and fair study of the alternatives proves conclusively that the high dam at Kinzua is the only way to meet these objectives, I am confident that the Indians as well as the other opponents will yield to necessity. But until that is done, we have neither moral nor economic justification for launching this costly, questionable project. I hope the amendment will be supported and the appropriation will be stricken out.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, this amendment has been offered to accomplish something in an effort to get the Corps of Army Engineers in shape so that they will do a good job. They have come in here with a proposal which is 5 or 6 times as large as possibly could be needed. The actual fact is that this is not the main reservoir on the Allegheny River and it cannot be. The fact of the matter is that in time of flood at Pittsburgh, the peak flowage at this particular point would provide only 4 percent of the water flowage in Pittsburgh, and probably that would be cut down because it is about 200 miles from the site of this dam to Pittsburgh. It is a long way because the river winds and twists a great deal.

These engineers have not gone at this job in the right way. In 1936 they came in with a proposal for $6.5 million. Now it is $101 million. In 1938 they came in with a proposal for $17,725,000. In 1941 they came in with a proposal for $35 million. They have gone up now to $101 million. The progress upwards alone demonstrates that they have not done a balanced job on the situation.

The percentage of overall flow in those rivers down at Pittsburgh shows that they could not get the results out of this dam that they have told us they could get. The flowage there is on an average of 3,500 feet a day. It would take 160 days with no discharge in the Allegheny from the dam to fill it. It is absolutely ridiculous that we should get into a dam of this size at this point. You could not operate such a dam as this without maintaining a considerable amount of flowage and that means that it would take at least a year for this to fill up if you were just going to use it for the benefit of the downstream flowage. If it is going to be for the benefit of the downstream flowage there should be a local contribution of at least 75 percent because, as you have been told today, it is for the benefit of water supply down the river, and that sort of thing. There is not any excuse for us to do anything but to go along with this amendment.

I hope the committee will approve it.

The CHAIRMAN. The Chair recognizes the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I feel day after day that I should judge not, that I be not judged. It is very easy to have ideas about things, and we may be wrong; but when we and our constituents are personally affected we are, naturally, tremendously interested.

I was very much touched by the very moving speech of the gentleman from New York [Mr. REED], about his Indians, and their devotion to his family and the people in his district. My colleague is so thoroughly fine, and the members of his family so fine I do not wonder that they are greatly beloved not only by the Indians but by the Congressman's constituents as well. And I realize the fine traits of the Indians. I know Mr. REED's Indians must be especially proud today for the battle he is waging for them.

My grandmother in Maine found an Indian one day sitting in the kitchen. He and his friends were very friendly and very kind. To follow the kindliness and the friendliness of the Indians through to the ultimate conclusion, I feel very sure that those Indians of my colleague would be willing to move their houses into another section of his district in order to protect human life. In one instance it is protecting the people's homes. In the other instance, in floods, people may well lose their lives. As you and I know, in the flood areas that often happens. Little children cannot be born properly and die because doctors cannot get to them. Older people die because of lack of care. Others are drowned. In one instance you are moving people's houses and their homes which can be replaced; in the other you are saving human life, which cannot be replaced.

The people in New Hampshire did not want to move for the Franklin Falls Dam. I went up to a hearing in the State House in New Hampshire. They said, "Mrs. ROGERS, who favors this dam, ought to stay at home." I was fighting for my people, fighting for the human lives not only in Massachusetts but also in New Hampshire, as well as for their property. I know the reason the New Hampshire legislature did not at first agree to the compact between Massachusetts and New Hampshire to give the approval to the building of the Hopkinson-Everett Dam was because the people did not want to move away. The Hopkinson-Everett Dam project was approved late in 1938 and authorized. The legislatures last year passed it. Both Massachusetts and New Hampshire approved the compact. There may be some opposition in New Hampshire from the people who do not want to move. But I believe they will now be helpful.

I was in Hurrican Diane from half past 12 to half past 6. The house was not in Massachusetts, but in a house I used in Maine. There were several persons there who were bailing water with me. I was not hurt, but two people had bad hearts, and it did hurt them. The property was saved, although damaged. My neighbors also suffered since losses inside and outside. The very high tide washed away their beach wall.

I ask that the House consider keeping this appropriation in the bill to save human life.

Mr. EBERHARTER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Chairman, I am very much in favor of the construction of the Allegheny River Reservoir project which is so badly needed to provide the keystone of the structure of our flood safety in Pittsburgh. This project is absolutely vital to the future safety and progress of one of the greatest industrial centers in America. It is a project that was recommended by the Corps of Engineers and approved by the Bureau of the Budget after much careful consideration had been given to alternative solutions to the flood-control problem in the Pittsburgh area. None of these other possible alternatives were deemed to be workable, and this single reservoir project was the one found most suitable to meet the needs.

This project has been thoroughly explored and reviewed by the United States engineers from every angle over a long period of years.

I hope that the many valid arguments that have been presented here this afternoon will convince the Members of the tremendous need for the Kinzua Dam and that this very essential project will be approved.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. RABAUT] to close debate.

Mr. RABAUT. My distinguished friend from New York [Mr. TABER] and he is my friend, said you could not fill this dam in 160 days. He must have forgotten about the time when Noah floated his ark. That was a 40-day proposition.

Last year, both the President and the Congress indicated their realization of the importance of the expeditious completion of this project. The original request in the President's budget was $100,000 for planning. After a more careful analysis of the need for this project the President sent a revised request for $384,000 to the Congress and this larger amount was appropriated so that sufficient planning could be done in 1957 to start construction in 1958.

This project will give almost complete flood protection to the cities, such as Warren and Oil City, that are immediately below the project and will give substantial protection to the city of Pittsburgh and further down the Ohio. To take a recent example, if this project had been in existence in March 1956, it would have prevented damages in just that one flood amounting to over $4½ million. To give an indication of the far-reaching benefits that will result from this project, it would reduce the flood crest in Pittsburgh, 200 miles downstream, by 2.7 feet if the flood of March 1913 should recur.

There have been many statistics used in an attempt to show that this reservoir is much larger than it needs to be or should be but the bare simple fact is that this reservoir would just be sufficient to contain 7.8 inches of runoff from the drainage area above the dam. It is not at all unreasonable to plan for such an eventuality. If Hurricane Hazel had moved just a little in the right direction, that amount of runoff would have occurred in 1955. Of course, we all know it is better to have no flood control dam at all than to have one that is too small and in constant danger of failing just at the time it is most needed.

There has also been much talk of violating a trust with the Indians who live in the reservoir area. It is true that these Indians have a guranteed title to this land but it is a rare project of this type where it is not necessary to take land from private citizens who have clear titles to their land and who would strongly prefer not to sell. If the Government's rights of eminent domain are rights that the Government should have and exercise for the good of the country, it is difficult to understand why they should be exercised in the case of lands owned by non-Indian citizens and not exercised in the case of Indian citizens. These Indians will be fully reimbursed for any lands taken for this reservoir.

There should be no doubt that this project is needed. Its benefit-cost ratio of 1.26 to 1 is good for a project of this magnitude. Furthermore, it is important that it be built without additional delay for every passing year sees new development in the reservoir area that will further increase the cost of acquisition of the necessary lands. The drainage area consists of 2,190 square miles located in New York and Pennsylvania. There are 640 acres to a square mile. The reservoir covers 21,000 acres. The Indian lands involved constitute 9,849 acres. The height of the dam is 167 feet 1,365 feet above sea level. The acreage is 21,000 for the entire reservoir area and the permanent pool is 3,500.

Mr. Chairman, I ask that this amendment be defeated.

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired on the pending amendment.

The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 43, noes 122.

So the amendment was rejected.

The pro forma amendments were withdrawn.

Mr. LAIRD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAIRD: On page 4, line 8, strike out "$422,186,800" and insert "$421,996,800"; and on page 5, line 7, strike out the period, insert a colon and the following: "*Provided further*, That none of the funds appropriated in this paragraph shall be used for advance planning on any new project with a cost-benefit ratio of less than 1.20 to 1.0."

Mr. LAIRD. Mr. Chairman, although I am a member of the Committee on Appropriations, I have not served on the subcommittee which considered this public works appropriation bill for fiscal year 1958. At the outset, I want to pay my respects to this subcommittee for an outstanding job in marking up this appropriation bill. The chairman of the subcommittee, the gentleman from Michigan [Mr. RABAUT], is one of the most conscientious members of the Appropriations Committee and spent many hours, days—yes, even weeks—in listening to the testimony of the many Government and outside witnesses. The gentleman from Iowa [Mr. JENSEN], the ranking minority member of the subcommittee, is very familiar with the many public works projects throughout the United States and has done his usual outstanding work on this subcommittee.

The amendment which I offer, Mr. Chairman, is an attempt to give some guidance as regards the approval of funds for new planning starts on the many authorized public works projects which are under the control and supervision of the Corps of Army Engineers. In the past there has been a more or less general rule applied by the Public Works Subcommittee to the effect that there should be no approval of projects under a benefit-cost ratio of 1.2 to 1. This year the Bureau of the Budget approved new advance planning starts on 8 authorized public works projects which have a benefit-cost ratio of less than 1.2 to 1. The Public Works Subcommittee and the full Appropriations Committee adopted a policy of not including in this bill any public works project which did not have the approval of the Bureau of the Budget. I do not feel that just because the Bureau of the Budget approves a particular new planning start that it is incumbent upon the Appropriations Committee to grant the funds for this advance planning.

Mr. Chairman, the amendment I have offered affects the advance planning money in the total amount of $990,000. Funds are provided in this bill for the advance planning on projects with a cost-benefit ratio of below 1.20 to 1, for the following projects:

The lower Monumental, in Washington, which has a cost-benefit ratio of 1.01 to 1, $200,000 is included in this bill for advanced planning on this project. The estimated cost of this project is $133 million.

Columbia lock and dam in Alabama and Georgia. The cost-benefit ratio is 1.03 to 1. The estimated cost of this project is $13,200,000, and the funds for advance planning in this bill are $120,000.

Pike Island lock and dam, in Kentucky and Ohio, have a cost-benefit ratio of 1.08 to 1. The total cost of the project is $66,900,000; and in this bill advance planning funds are appropriated in the amount of $50,000.

Weiser River, Idaho. The cost-benefit ratio is 1.11 to 1. The total estimated cost of the project is $2,740,000. The amount included in this budget for the fiscal year 1958 is $70,000.

Cooper Reservoir and Channel, Tex., Cost-benefit ratio is 1.13 to 1. Total cost of the project is $12,500,000. The amount of funds for advance planning, $275,000 included in this bill.

Maxwell lock and dam, Pennsylvania. Cost-benefit ratio is 1.17 to 1. Total estimated cost of this propect, $28,300,000. Amount included in this bill for advanced planning, $50,000.

The Pomona Reservoir, Kans., the cost-benefit ratio is 1.18 to 1 total cost of the project $14,100,000, amount for advance planning included in this bill for the project is $140,000.

The Arkansas River and tributaries, Arkansas and Oklahoma, cost-benefit ratio 1.19 to 1, total cost of the project, $60,914,000, amount included in this bill for advance planning, $50,000.

Mr. Chairman, it seems to me that the Bureau of the Budget has gone overboard and approved certain projects with a very low cost-benefit ratio while at the same time disapproving projects with higher cost-benefit ratio. It seems to me that the Congress should express itself on this particular matter and it is in keeping with this thought that I have offered the amendment to disallow the advance planning money on any new planning starts which do not have a cost-benefit ratio of 1.20 to 1 or better. Such criteria seems reasonable to me and should make the job of the Corps of Army Engineers and the Appropriations Committee much easier.

The Appropriations Committee has long felt that there should be some standard set as far as the cost-benefit ratio is concerned rather than using the pressure methods now employed to get Bureau of Budget approval for low cost-benefit projects.

The report of the committee in its language comments on the fact that local contributions should be increased and that the Congress should give greater consideration to those projects where there will be a greater local contribution than even required under current law. The subcommittee headed by the gentleman from Michigan [Mr. RABAUT] has suggested that consideration be given to the enactment of a requirement for a use charge for navigation waterways and facilities and that the local contribution be increased.

It is indeed proper and fitting this Congress itself should establish some criteria as far as approving these projects with cost-benefit ratio below 1.2. A cost-benefit ratio of 1.1 to 1 is a reasonable criteria to use. The only projects which will be affected are the projects which I have mentioned. The total estimated cost of these projects if carried to completion is $331,654,000. The amount of the reduction made by my amendment is $990,000 in fiscal year 1958.

I realize that my amendment will be opposed by any Member who feels that a project might be affected in his particular district with a questionable cost-benefit ratio in the future. I submit, however, that we must establish a sound basis for approving of projects and this is a step in that direction.

Mr. Chairman, I hope that my amendment will be adopted.

Mr. EVINS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS. Mr. Chairman, we have heard many compliments today on the work of the committee. Now, we see the butcher knife and hatchet have been brought out. This amendment—the amendment of the gentleman from Wisconsin—would "gut," if not kill, the bill.

The amendment is ill-considered. It is unwise and certainly most unscientific. A project that will return dollar for dollar is certainly a good project.

The Barkley project on the Cumberland River has a cost-benefit cost ratio above that provided in this formula—but, according to some figures there are those who would reduce the Barkley project or cut it out altogether.

A similar amendment was defeated in the committee and the pending amendment should be defeated in the House.

The lower Cumberland, or Barkley project—named for a great Kentuckian and a great American—is a project which has been before the Congress and the committee for several years, and this is the third year that appropriations have been provided for its advancement.

Funds for this project were approved by the Public Works Subcommittee of the Appropriations Committee based on the advice and recommendations of the United States Corps of Engineers which has devoted considerable time and effort in the study of its economic feasibility and need. To date, the Congress has already appropriated $1,376,000 on this project and should it be delayed or deferred, this money will be lost as would the benefits to the public. The project is already under construction. It most certainly not only would be false economy to halt work on Barkley Dam at this late date, but it would also deprive thousands of our citizens from its multipurpose benefits.

Mr. Chairman, not only has this project been approved and recommended by the Corps of Engineers after long and detailed study, but the recommended $5 million was also approved by the Bureau of the Budget and proposed in the President's budget. It gained further approval by the Public Works Subcommittee and then again was approved by the full committee.

I must say again, in all candor, that I am surprised at Mr. TABER's last minute and belated protest to this needed and necessary project.

Barkley Dam is the last major dam needed in the full development of the Cumberland River. Completion of this

project will provide for the comprehensive utilization of the water resources of the Cumberland below Cheatham lock and dam. The navigation component of the project is of major importance since existing locks on the Cumberland River below Cheatham lock and dam are obsolete and do not provide for present needs. Some of the five crib-type dams to be replaced are more than 40 years old and the Corps of Engineers recommends that work on the Barkley Dam project should progress as rapidly as possible before serious navigation difficulties develop.

Completion of this dam will provide a dependable 9-foot navigation channel beyond Nashville to the upper reaches of the Cumberland. Because of the obsoleteness of the existing crib-type dams on this section of the river, most towing companies which are licensed to operate on the Cumberland River as common carriers have now discontinued operations pending modernization of navigation facilities. Many shipping firms have been forced to decline orders on numerous occasions because their products are now too large to be transported through the obsolete locks now in operation on the lower Cumberland. The Corps of Engineers estimate that with existing navigation structures, an increase of only 15 percent over current traffic would so congest the river and lockage facilities that additional traffic over this increase could not be handled. Since 1948, river traffic on the Cumberland has doubled, but with existing installations, it is reaching the point of diminishing returns; last year 2,800,000 tons of tonnage on Cumberland—348,262,000 ton-miles.

With the increased channel depth from 6 to 9 feet, after construction of Barkley Dam, and the better alinement of traffic, it is estimated that towing speeds can be increased from 5 to 9 miles an hour.

Another important feature of this project will be construction of a canal connecting Cumberland River with Kentucky Reservoir on the Tennessee River, which will allow an interchange of navigation traffic. The canal will also permit utilization of the flow of both rivers to the best advantage, not only for navigation, but for flood control and power production.

The construction of Barkley Dam will increase traffic on the Lower Cumberland, Tennessee and Ohio Rivers; reduce present maintenance and transportation costs; improve service because of fewer locks and greater channel depth; and, by means of the lock and the interconnecting canal, make alternate routes available for traffic on the three rivers.

Mr. Chairman, the navigation benefits alone will more than justify construction of the Barkley Dam project, without the substantial benefits assigned the flood control and power features of the project.

In addition to improved navigation, construction of Barkley Dam will provide additional and needed flood control, not only throughout the States of Kentucky and Tennessee, but also to other areas along the Ohio, Tennessee, and Mississippi Rivers. The State of Kentucky alone, only a few months ago suffered flood damage which totaled more than $50 million during the State's worst flood in its history.

During these floods in Kentucky, 11,946 families suffered losses; 6,648 families applied for public assistance; 12 persons were killed; 54 suffered major injuries, and 478 minor injuries; 431 homes were destroyed and 9,212 homes were damaged. Now I do not say that construction of Barkley Dam would have completely eliminated this loss of life and property, but it certainly would have curtailed damage to a great degree.

Flood control benefits of this project will be tremendous because of its location near the mouth of the Cumberland and Tennessee and its juxtaposition to the Ohio.

The United States Corps of Engineers report that positive reduction of peak flow on the Ohio and Mississippi Rivers can be obtained—that Barkley Dam can provide dependable reduction of 80,000 cubic feet per second on the peak flow on the Mississippi River at Cairo, and an average 50,000 cubic feet per second on other Ohio and Mississippi flood points. The Barkley Reservoir will contain more than 1,500,000 acre-feet of storage capacity which will give substantial flood control benefits.

Mr. Chairman, the generation of hydroelectric power at Barkley Dam will be a byproduct of the flood control and navigation features, but according to the Corps of Engineers, this power will be both economical and feasible.

The benefit-cost ratio of the power, navigation and flood control features of this project will be 1.23 to 1. The marketing of the power produced will be by the Southeastern Power Administration, the Government marketing agency for that region. Terms under which the power will be marketed are not known; however, in accordance with the provisions of the Flood Control Act of 1944, the power will be sold at a price sufficient to recover the costs of power production, including amortization of the capital investment allocated to power over a reasonable period of years.

Over 40 percent of the Government's investment in this project is chargeable to power, which means that not only the cost of the facilities provided specifically for power will be recovered through power revenues, but also part of the cost of the dam and other jointly used facilities, which serve flood control and navigation as well. This, in addition to the amount of power that will be produced on a fully reimbursable basis, power revenues will also reduce the investment the Federal Government would otherwise have to make to develop the project for flood control and navigation.

Mr. Chairman, this project is more than justified on its benefit-cost ratio of 1.23 to 1. Although I fully realize that this is not the highest benefit-cost ratio project included in this appropriations bill, but it is most certainly about average when compared with other approved projects.

As a matter of comparison, let me just give you the Corps of Engineers benefit-cost ratio on some of the other important and needed projects in this bill:

Whitlow Ranch Reservoir, Ariz	1.2 to 1
Carlyle Reservoir, Ill	1.2 to 1
Pamona Reservoir, Kans	1.18 to 1
West Hill Reservoir, Mass	1.2 to 1
St. Anthony Falls, Minn	1.03 to 1
Two Rivers Reservoir, N. Mex	1.22 to 1
Pike Island lock and dam in Ohio and West Virginia	1.08 to 1
Eufaula Reservoir, Okla	1.19 to 1
Maxwell lock and dam in Pennsylvania	1.17 to 1
Cooper Reservoir and Channel, Tex	1.13 to 1
Lower Monumental lock and dam in Washington	1.01 to 1

These projects are all needed and necessary and have been approved by the committee—they have my support and I do not point to these benefit-cost ratio figures in any sense to say that they are too low—they are not to low. These projects are all economically feasible and I point to these figures only to show that the Barkley Dam project is completely justified on an economic basis and that its benefit cost ratio is above or on an average with other projects contained in this bill.

Although recreational benefits are not included in the economic analysis for justification of this project, I would like to show that should recreational features be included in the benefit-cost ratio, the ratio would be boosted to 4.78 to 1. And even further than this, I am sure that my colleagues are aware of the tremendous impact recreational benefits have on the general economy of an area where a reservoir is built. The Barkley Dam reservoir will not only provide recreational facilities for citizens of Kentucky, but for citizens in surrounding States as well.

Mr. Chairman, I strongly urge that the committee's action be upheld in appropriating funds for the continuation of this needed and necessary project. Not only would it be false economy to halt the project at this time, but it would also deprive the citizens of a wide area of our Nation from the flood control, navigation and power benefits.

I join with my colleagues in urging that the Barkley Dam be continued and that funds recommended by the committee be approved and appropriated.

Mr. Chairman, I ask unanimous consent that a letter from Col. R. E. Smysen, division engineer for the Ohio division may be reproduced in the RECORD at this point.

The letter sets forth the numerous benefits of the Barkley project. The letter follows:

CORPS OF ENGINEERS,
UNITED STATES ARMY,
OFFICE OF THE DIVISION ENGINEER,
OHIO RIVER DIVISION,
Cincinnati, Ohio, May 3, 1957.

Representative JOE L. EVINS,
Member of Congress,
House of Representatives,
Washington, D. C.

DEAR MR. EVINS: As requested by you, I have reviewed the data which we prepared for Congress on Barkley lock and dam. As I see it, the most important points have to do with the justification of the three main features—navigation, flood control, power. I will summarize below the salient points.

Navigation: Construction of Barkley lock will complete the modernization of navigation facilities on the lower Cumberland River and provide dependable 9-foot navigation beyond Nashville to Carthage, Tenn. The canal connecting the pool of Barkley Dam with Kentucky Lake will facilitate interchange of traffic with the Tennessee River. In addition, an alternate route to the Ohio-Mississippi Waterway system will be provided should either Barkley lock or Kentucky lock subsequently be closed for repairs. Although traffic on the Cumberland River has increased to an estimated total of 2,877,589 tons in 1956, full development cannot commence until completion of Barkley. Not only are the existing locks below Cheatham lock obsolete and small, but also the limited 6-foot channel depth prevents barge and towboat operators from fully utilizing larger, more modern and efficient equipment. Until Barkley lock and dam is completed, the full benefits resulting from the investment in new facilities at Cheatham and Old Hickory locks and Dams cannot be realized.

Flood control: Barkley Dam has significant flood control benefits, primarily due to its location whereby positive reduction of peak flow on the Ohio and Mississippi Rivers can be obtained. The benefits are based on the capability to provide dependable reduction of 80,000 cubic feet per second on the peak flow of the project Mississippi River flood at Cairo, and an average of 50,000 cubic feet per second on other Ohio and Mississippi River floods.

Power: Generation of hydroelectric power at Barkley is economically and financially feasible. Based on values supplied by the Federal Power Commission, the current allocation of costs gives data as follows:

Purpose	Cost allocation	Annual charges	Annual benefits	Benefit-cost ratio
Power	$69,519,000	$4,174,000	$4,273,000	1.02
Navigation	43,552,000	1,773,000	3,352,000	1.89
Flood control	53,929,000	2,105,000	2,304,000	1.09
Total	167,000,000	8,052,000	9,929,000	1.23

The foregoing annual charges to power include not only complete amortization of all construction charges, maintenance, interest on investment, but also include taxes foregone. The detailed breakdown of these costs is:

First cost	$69,519,000
Investment (first cost plus interest during construction)	74,733,000
Annual charges:	
Investment charges	2,635,000
Operations and maintenance	317,000
Taxes foregone	1,222,000
Total annual costs	4,174,000

Insofar as out-of-pocket cost is concerned (excluding taxes foregone) the Government would have to receive revenue, at the rate of $2,952,000 annually. Based on a generation of 600 million kilowatt-hours, the average price per kilowatt-hour required to recover the costs allocated to power is 4.92 mills exclusive of marketing cost.

The actual marketing of the power will be by the Southeastern Power Administration. The terms under which the power will be marketed are not known; however, in accordance with the provisions of the Flood Control Act of 1944 the power will be sold at a price sufficient to recover the costs of power production, including amortization of the capital investment allocated to power over a reasonable period of years. Over 40 percent of the Government's investment in this project is chargeable to power, which means that not only the cost of the facilities provided specifically for power will be recovered through power revenues but also part of the cost of the dam and other jointly used facilities which serve flood control and navigation as well. Thus, in addition to the large amount of power that will be produced on a fully reimbursable basis, power revenues will also reduce the investment the Federal Government would otherwise have to make to develop the project for flood control and navigation.

The above paragraphs may not supply any data new to you, but I hope they may be helpful. If there is anything else you need, please let me know.

Sincerely,

R. E. SMYSER, Jr.,
Colonel, Corps of Engineers,
Division Engineer.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 5 minutes, 2 minutes to be allowed to the gentleman from Minnesota.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. GROSS. Mr. Chairman, I object.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 10 minutes, 2 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, just a few short comments.

I feel, Mr. Chairman, that our committee has done a good job on this bill. We have held it down some $50 million below what has been expended this fiscal year. Now, much as I might be inclined to agree with the gentleman from Wisconsin, I must point out that his amendment is far reaching, and I certainly do not intend to agree to it at this time without having an opportunity to even have it considered in our Subcommittee on Appropriations, of which the gentleman is not a member.

Mr. Chairman, I hope the amendment is defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I am opposed to this amendment as an unscientific and unrealistic approach to the problem of flood control.

Mr. Chairman, this amendment to eliminate planning money is also an opening wedge to invade the jurisdiction of the Public Works Committee, and to block future progress on some of our most important national programs.

I am personally concerned by the possible effect of this amendment on the Arkansas Basin development program, which means so much to Oklahoma and Arkansas.

Although only planning money is involved in the amendment, everyone knows that planning money is the very heart of basin development programs.

This amendment would interfere with urgently needed programs in 11 of the 48 States, at once. As a precedent, it would possibly sabotage equally needed programs in all 48 States, in the future.

I urge the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Chairman, the amendment is a very appealing one. It sounds good but on careful analysis it may not prove as good as it, at first blush, sounds.

The House Committee on Public Works, not the Appropriations Committee, is the one charged with the responsibility of authorizing projects, of studying them to weigh whether they are economically feasible and desirable.

Change is always taking place in every river basin. The cost benefit ratio of today may not be the cost benefit ratio of tomorrow.

I am in favor of the general purpose that the gentleman from Wisconsin seeks with his amendment but certainly so technical an amendment should have more careful consideration than the few minutes allowed to debate it here on the floor of the House.

The purpose he seeks should be something that should be referred to the House Public Works committee for study.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Tennessee.

Mr. EVINS. I will say to the gentleman that a similar proposal was offered in the subcommittee and the full committee and it was defeated on both occasions.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Chairman, I join my colleagues in opposition to this amendment. I think it was very well stated by the gentleman from Oklahoma [Mr. EDMONDSON] and my good friend from Washington [Mr. MACK]. This requires pretty careful and thoughtful consideration. I think the gentlemen on the committee will agree that over and over and over again, regardless of whether the project is large or small, it requires a great amount of detailed and careful consideration, and this is an entirely unwarranted and too hasty a decision on a very basic fundamental policy matter, and I hope the amendment is defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. SMITH].

Mr. SMITH of Mississippi. Mr. Chairman, the amendment that the gentleman from Wisconsin offers, if it were adopted, would take away from one of the legislative committees of the House one of its major prerogatives. It is part of the general tendency that is developing from time to time to take away those prerogatives. I am glad to see that the majority of the committee do not go along with that idea. I think if the Committee on Appropriations were to act along this line, there would be considerable reaction among the Members in this effort to take away from the legislative committee their normal jurisdiction. This amendment, without any study or attempt to analyze the projects involved, is just a blanket effort to cash

in on some of the attention that is being given to it by those people who refer to it as a pork barrel and things of that nature. It is the soundest appropriation that we can make during the whole year.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, I am opposed to this amendment.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Alabama.

Mr. ANDREWS. Mr. Chairman, I am opposed to this amendment. It is not a good amendment, in my opinion. For instance, there is one project on the Chattahoochee River that would be knocked out—that is, planning money. That dam is part of an entire project which does have a favorable cost ratio.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Georgia.

Mr. FORRESTER. Mr. Chairman, I want to express my opposition to the proposed amendment and to say that I had the opportunity of watching the committee work on this particular appropriation. Never have I seen a committee more diligent or one which screened projects more than did this committee. I think it would be a shame to legislate upon the floor against them.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I am opposed to this amendment.

Mr. Chairman, the adoption of this amendment would destroy many fine and important projects in the planning stage. It would involve a very constructive and useful project in the district I have the honor to represent—the Cooper Dam and Reservoir. The $275,000, which this amendment would eliminate, is all that is necessary to complete the planning for the project. I consider this amendment as a very unrealistic and unreasonable approach. It is not an attempt to eliminate projects because they are lacking in merit; it is an effort to set up an unscientific standard or criterion for the purpose of eliminating this project and five others in the bill; it will probably affect more than these six projects.

The Cooper Dam and Reservoir will hold back the water that goes into Sulphur River and Red River and prevent destructive floods, property damage and loss of lives. In addition, the project is needed to furnish water for municipal, industrial and agricultural purposes.

The people in the area affected by this project are supporting it 100 percent. It embraces a large area where flood-control protection is urgently needed.

It is my sincere hope that this amendment will be voted down by an overwhelming vote.

Mr. HAYS of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Arkansas.

Mr. HAYS of Arkansas. Mr. Chairman, I hope the committee's action will be upheld and this amendment defeated.

The CHAIRMAN. The gentleman from Michigan [Mr. RABAUT] is recognized to close the debate on the pending amendment.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all Members be given permission to extend their remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SCRIVNER. Mr. Chairman, the amendment of the gentleman from Wisconsin [Mr. LAIRD] should be defeated.

Throughout the years this subcommittee has studiously investigated every project accepting or rejecting upon the merits as the committee sees them.

The Public Works Legislative Committee and this subcommittee have been studying these valleys and projects for years. They are thoroughly conversant with each. Each should be considered on its individual merits just as they have been in years past.

At this stage of proceedings who is to say that a project carrying a ratio of 1.18 as Pomona Reservoir should be written off—after the committee has approved. Especially this arbitrary amendment should not be adopted because the factors governing ratio vary from time to time and year to year.

Mr. SAUND. Mr. Chairman, I rise in opposition to the amendment.

This is not a wise way to cut this bill. It is to say that a project with a benefit-cost ratio of 1.2 is better than a project with a benefit-cost ratio of 1.19 to the extent that the latter project be eliminated. The methods of economic analysis and the ever-changing conditions in a given area do not permit arbitrary distinctions such as the amendment calls for.

The amendment is unfair on the basis of all that has been done before. It would deny many communities the life-saving benefits of flood control which other communities now enjoy just because of a difference of one-tenth of 1 point in a highly inexact formula.

The effect of the amendment cannot actually be assessed with respect to which projects it hits, since changes in benefit-cost ratios are constantly taking place.

Mr. RABAUT. Mr. Chairman, with respect to the projects in the planning stage the amendment will wipe out a number of projects for which the benefit-cost ratio is tentative until the planning is all completed. The ratios on many of these will actually go up as a result of additional planning.

It is impossible for the House to act intelligently on such an amendment unless it knows exactly what projects are involved. It is, of course, impossible to know exactly where this amendment will strike with respect to the 15 small authorized projects provided for or the 31 small flood-control projects included in the bill.

The gentleman names certain projects but the amendment is worded to cover possibly others. Unless these other unknown projects are included in his list, the amendment does not accomplish what he appears to be trying to do.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Wisconsin [Mr. LAIRD].

The amendment was rejected.

Mr. BYRD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BYRD. Mr. Chairman, the committee has provided a lump-sum appropriation of $8,900,000 for the 184 investigations programed in the budget justifications. I had intended to offer an amendment to add $45,000 to this item to permit a review by the United States Army Engineers of survey scope for flood control on the Guyandot River, West Virginia. In January of this year the areas along the Guyandot River suffered tremendous damage from floods and some lives were lost. Most of the area traversed by the main stream was designated as a "Major Disaster Area" by the President. I visited the flooded areas accompanied by Col. H. J. Skitmore, Huntington District, Corps of Engineers, and I have many photographs which will attest to the disastrous effect of the floods. There is no existing flood control project in the area, and the report of surveys submitted in 1931 in House Document No. 150, 72d Congress, 1st session, reported that no projects for flood control on the Guyandot River were economically justified at that time. However, an up-to-date study of flood control is now considered warranted by the Army engineers. During the first week of February I asked the House Committee on Public Works to approve a resolution authorizing a review of the report on the Guyandot River and tributaries published as House Document No. 150, 72d Congress, and the committee immediately requested a report from the Chief of Engineers. At this point I would like to include a letter which I addressed to the Honorable CLIFFORD DAVIS on February 27, requesting action on the resolution authorizing the Corps of Engineers to proceed with a review of the report:

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 27, 1957.
The Honorable CLIFFORD DAVIS,
New House Office Building,
Washington, D. C.

DEAR MR. DAVIS: I just want to say again that I shall deeply appreciate any assistance you can give me toward expediting the approval by your committee of a resolution authorizing the Corps of Engineers to review a report of the survey submitted in 1931, House Document No. 150, 72d Congress, 1st Session, with respect to possible flood control measures in the Guyandot River Basin, West Virginia.

A recent flood of January 29, 1957, in the area of Logan, W. Va., and other areas along the Guyandot River caused considerable damage. I am confident that a current study of flood control in that portion of my Congressional district would be warranted.

Any assistance you can give me in this matter will be deeply appreciated by me.

With warm personal regards.

Sincerely yours,

ROBERT C. BYRD,
Member of Congress.

In the latter part of February a report was received from the Chief of Engineers by telephone, and a written report was addressed to the chairman of the House Committee on Public Works on March 15 by Col. Arthur C. Nauman, writing for the Chief of Engineers. The report was as follows:

REPORT OF THE CHIEF OF ENGINEERS

Mr. Chairman, Guyandot River, a tributary of the Ohio River, is located in southwestern West Virginia. It flows in a generally northwesterly direction for 166 miles draining a rugged mountainous basin of 1,671 square miles. There are no flood-control projects in the basin either completed or in a construction status; however, the authorized Mud River Reservoir is, at present, deferred for restudy because of its marginal economic justification. Local interests have requested that consideration be given to providing flood protection at a number of localities throughout the Guyandot River watershed. The flood of January 1957 caused major damage to developments in the basin. Three of the five counties traversed by the main stream are included in part of southern West Virginia designated as a "major disaster area" by the President following the destructive flood of January 1957. The flood problem is widespread, and a basinwide survey appears warranted to study practicable plan of flood control and protection. The proposed resolution would supplement the authority provided by a similar resolution adopted February 16, 1957, by the Committee on Public Works of the United States Senate for a review of the report on the Guyandot River and tributaries, West Virginia.

The estimated cost of a review of survey scope for flood control on the Guyandot River is $45,000.

I have no objection to approval of this review study.

For the Chief of Engineers:

ARTHUR C. NAUMAN,
Colonel, Corps of Engineers, Assistant Chief of Civil Works.

MARCH 15, 1957.

Mr. Chairman, the Committee on Public Works of the United States Senate has adopted a resolution authorizing a review of the report on the Guyandot River and tributaries. It would, therefore, be in order to amend the item in this bill to make it read $8,945,000 instead of $8,900,000. I have made several attempts to have the necessary moneys included, and I wish to insert in the RECORD a copy of my statement presented to the Subcommittee on Public Works of the House Committee on Appropriations, and I also wish at this point to include correspondence I addressed to the distinguished gentleman from Michigan [Mr. RABAUT] who acted as chairman of the subcommittee:

APRIL 16, 1957.

The Honorable LOUIS C. RABAUT,
New House Office Building,
Washington, D. C.

DEAR COLLEAGUE: Pursuant to your suggestion yesterday that I write you a letter explaining my request for an appropriation of $45,000 to permit the Army Engineers to make a study of the Guyandot River Basin (West Virginia), I am pleased to submit to your attention the following facts:

1. The Guyandot River, a tributary of the Ohio, is located in the southwestern part of West Virginia. It is 166 miles long and drains a mountainous area.

2. There is no existing flood control project in the area, and the report of surveys submitted in 1931 in House Document No. 150, 72d Congress, 1st session, reported that no projects for flood control on the Guyandot River were economically justified at that time.

3. The recent flood of January 29, 1957, in the area of Logan, W. Va., and other areas along the Guyandot River caused tremendous damage, and an up-to-date study of flood control is now considered warranted by the Army engineers.

4. The Committee on Public Works of the United States Senate has adopted a resolution authorizing a review of the report on the Guyandot River and tributaries in West Virginia published as House Document No. 150, 72d Congress.

5. The estimated cost of a review of survey scope is $45,000 according to information received from the United States Army Engineers.

It is my understanding that from 1 to 2 years would be needed for the proposed study by the Army engineers, and I hope that it will be possible for the necessary moneys to be provided during the present session so as to enable the Army engineers to proceed without delay. In view of the terrible devastating floods of January and February, I am confident that some kind of flood control measure will be recommended as a result of the proposed study and survey. The recent floods caused great damage and financial losses to owners of residential and business properties along the Guyandot River, and several persons lost their lives during the period of high waters. I have visited the area in the company of Col. H. J. Skidmore, Huntington District, Corps of Engineers, and I have several photographs which will attest to the disastrous effect of the flood.

If you wish me to supply your committee with information substantiating my request, I shall be delighted to do so.

With kindest regards.

Sincerely yours,

ROBERT C. BYRD,
Member of Congress.

I have had several discussions with the gentleman from Michigan about the matter, and he has been very sympathetic. The floods, of course, took place on January 29, which was after the budget had been prepared and submitted to the Congress. This circumstance made it very difficult, and virtually impossible, to have the necessary additional moneys added to the bill in committee. Consequently, as I have already stated, I gave careful consideration to the offering of an amendment at this time. After having talked with the House leadership and with various members of the committee, however, and realizing the temper of the House at this moment in respect of the matter of appropriations, I have come to the conclusion that it would probably injure the chances of ultimately getting the appropriation if an amendment were offered here and defeated. It is quite possible that the bill may be amended from another source, and were an amendment rejected here and now, the conferees of the House would be thereby bound to object to the addition of the necessary moneys. For this reason, I have taken the floor at this time to inform the House, and those who may later be selected as conferees, as to the necessity for an additional $45,000, the estimated cost of a review of survey scope for flood control on the Guyandot River Basin in West Virginia. I also want the House, and those who may act as conferees, to know that the United States Army Engineers have recommended such a survey. With this knowledge, a possible future area of disagreement between the two Houses may be resolved without difficulty.

I now wish to conclude by inserting in the RECORD my statement which was presented to the Subcommittee on Public Works Appropriations of the House Committee on Appropriations on May 7, 1957:

STATEMENT OF HON. ROBERT C. BYRD PRESENTED TO SUBCOMMITTEE ON PUBLIC WORKS APPROPRIATIONS OF THE HOUSE COMMITTEE ON APPROPRIATIONS

I appreciate the opportunity to present this statement in support of my request that sufficient funds be appropriated for civil functions of the Department of the Army, so as to enable the Corps of Engineers to review the report on the Guyandot River, W. Va., which was House Document No. 150 of the 72d Congress, 1st session, and dated December 10, 1931. Specifically, I have reference to the item of $2,165,000 for flood-control studies which is included in the appropriation requested by the Corps of Engineers for general investigations.

For the reasons hereinafter set out, I respectfully recommend that the item of $2,165,000 be increased by $45,000, which, I understand, is the estimated cost of making the necessary review study of the 1931 report which was submitted to the Congress by the Chief of Engineers. The Committee on Public Works of the United States Senate has adopted a resolution authorizing such review.

The floods of January 1957 resulted in major damage to the areas traversed by the Guyandot River. The Guyandot, a tributary of the Ohio River, is located in southwestern West Virginia and flows in a generally northwesterly direction for 166 miles, draining a rugged, mountainous basin of 1,671 square miles. The damage to 3 of the 5 counties traversed by the Guyandot was so serious that these counties were included in that part of West Virginia designated a major disaster area by the President in his proclamation of January 31, 1957.

Since the disastrous flood damage occurred subsequent to the preparation of budget requests by the Corps of Engineers and, moreover, in view of the urgency for any necessary corrective measures to avoid a repetition of similar flood damage, it is suggested that the subcommittee give consideration to the advisability of recommending the inclusion of specific language in the legislation for the purpose of assuring the availability of funds for the purpose of such review study.

The 1931 report of the Chief of Engineers on the Guyandot River stated as follows:

"After due consideration of the above-mentioned reports, I concur in the recommendations of the Board of Engineers for Rivers and Harbors. Destructive floods do not occur on this river and irrigation is unnecessary. * * * I therefore report that the improvement of Guyandot River, W. Va., for navigation in connection with power development, the control of floods or the needs of irrigation, or any combination thereof, is not deemed advisable at the present time."

The recommendations contained in the above report, which was made over 25 years ago, have been refuted by present conditions. Nonetheless, no action to prevent a recurrence of the January flood disaster can be planned prior to a review of the above report which, it has been estimated, will cost $45,000.

For the above reasons, I respectfully recommend that the amount of $2,165,000, requested for flood control studies, be increased by the sum of $45,000 in order to provide for review of House Document No. 150 of the 72d Congress.

Mr. NEAL. Mr. Chairman, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from West Virginia.

Mr. NEAL. I should like to compliment my colleague from West Virginia on the effort he has made in behalf of appropriations for the study of this flood condition that exists in the Guyandot River. We have suffered at the headwaters of the Guyandot both in the State of West Virginia and in the flood areas in Kentucky just across the river to a very, very serious extent only during the last 12 months. This is a very, very important study. I thoroughly approve it, and I certainly would be very glad if the committee of conference could see fit to add this small amount to this fund for the study of this proposition.

Mr. BYRD. I thank the gentleman for his contribution.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word, in order to make a brief announcement for the benefit of my colleagues. As Members know, I like to keep them informed as soon as I can about the prospects of the program.

The Federal Construction Contract Procedures Act will not be considered this week. The chairman and the ranking minority Member asked me if it could be put over to next week, and I could do it very easily. That bill will not come up this week. I want to make a brief announcement. If the program which I announced last week is completed by Friday, we will then go over until Monday.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. H. CARL ANDERSEN. Will the gentleman inform me if it is the serious intention of the leadership to call up the bill H. R. 72.

Mr. McCORMACK. It is on the program, yes.

Mr. H. CARL ANDERSEN. I might say that that particular bill is very controversial and a group of us are determined to kill it if possible.

Mr. McCORMACK. The gentleman from Massachusetts as majority leader is simply trying to cooperate with the membership and to let them know if we dispose of the program that was announced last week by Friday, we will go over until Monday. Of course, I always have a flexible mind. I try to be constructively flexible. But, if the program is completed by Friday, then we will go over until Monday.

Mr. CANNON. Mr. Chairman, there are no further amendments at the desk. I have consulted with the ranking minority Member, and I now ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Chairman, I ask unanimous consent that all debate on the pending bill, and all amendments thereto, do now close.

Mr. VANIK and Mr. METCALF objected.

Mr. CANNON. Mr. Chairman, if I may modify my request, I ask unanimous consent that all debate on this bill, and all amendments thereto, close in 15 minutes.

Mr. VANIK. Mr. Chairman, I would have to object. I have an amendment.

Mr. TABER. Mr. Chairman, if any amendments are going to be offered, I think we ought to know that before we agree on closing debate.

Mr. CANNON. Mr. Chairman, I understand there are no amendments pending at the desk.

The CHAIRMAN. There are several Members on their feet indicating they have amendments to offer.

Mr. TABER. If there are any amendments that are going to be offered, I would want to reserve a few minutes.

Mr. VANIK. Mr. Chairman, I have an amendment. I object.

The CHAIRMAN. Objection is heard.

Mr. AVERY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not rise to ask for any items to be placed in this bill that are not in it, nor do I rise to oppose any items that have been recommended by the committee. Those of you who have been here for two or more years know that I probably have had as much personal experience with flood-control projects as anybody in the House, and particularly with one more commonly known as the Tuttle Creek project. And, I have several more in the planning stage. I have taken the floor to make this observation. It appears fairly clear to me that it is the intent of the Congress to proceed with the construction of numerous public-works projects over the domain of the United States. Since that is the case, I think it is the responsibility of this House to review the policy toward the people displaced by these various projects. I might add that little consideration is given to these people with reference to establishing the value of their property and toward their relocation and toward their overall economic and sociological problems. As long as we were just building one project a year, it is not a very serious proposition, but with the tempo that has now been reached in this program, it seems to me that it is highly important this whole philosophy of the treatment of displaced persons under the right of eminent domain of the Federal Government be reexamined. I wonder if the gentleman from Michigan can tell what, in his judgment, would be the proper treatment for a town that is surrendering its corporate entity as a result of one of these projects and which has a public indebtedness and bonds outstanding which were purchased in good faith. Who is going to be responsible for that indebtedness? Who would pay off those bonds?

Mr. RABAUT. It would not be under any proposition for the Appropriations Committee.

Mr. AVERY. I realize that. Proper jurisdiction would lie in the legislative committee. But the gentleman has worked on this matter.

Mr. RABAUT. I do not know that I fully understand the gentleman's question, but it would be a matter to be worked out with the people whose properties were wanted. I do not think it would revert to the Congress of the United States.

Mr. AVERY. Is the gentleman saying that the people are going to be displaced without compensation?

Mr. RABAUT. No; if they are going to be displaced by something the engineers intend to do—is that the gentleman's question?

Mr. AVERY. That was my question.

Mr. RABAUT. That is going to be taken into consideration. Nobody is going to be displaced without being adequately compensated.

Mr. AVERY. I did not believe the gentleman understood my question. It is what will be done in the case where there are public indebtedness bonds outstanding on the corporate community and the community is surrendering its corporate identity.

Mr. RABAUT. Any injustice done to a community that is moved or taken away because of some project of the Federal Government should be corrected and the people concerned should be reimbursed for the inconvenience and the losses they sustain.

Mr. AVERY. I certainly thank the gentleman for his statement.

Mr. BOLLING. Mr. Chairman, will the gentleman yield?

Mr. AVERY. I yield.

Mr. BOLLING. As the gentleman knows, I have always strongly supported these flood-control projects in the Kansas City area. I recognize and am entirely sympathetic with the problem faced by the gentleman from Kansas and which he has been working on. I know he has been working on legislation which he feels will give them a fair break in their displacement and I certainly am sympathetic with that objective.

Mr. AVERY. I appreciate the gentleman's sympathy, but can I depend upon his support when this legislation reaches the floor for a vote?

Mr. RABAUT. Mr. Chairman, if the gentleman will yield, I want to be sure my explanation to the gentleman was a proper answer to his inquiry.

Mr. AVERY. I think the gentleman's final response indicated that the gentleman understood my question.

Mr. RABAUT. I did not understand the gentleman's question at first.

Mr. AVERY. The gentleman's position is that people or communities who suffer any loss because they are displaced by one of these projects should be amply compensated.

Mr. RABAUT. That is correct.

Mr. AVERY. I thank the gentleman for his statement.

Mr. ENGLE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I desire to call the committee's attention to the language on page 17 of the committee report referring to the Corning Canal. I read the following:

> With respect to the Corning Canal distribution system the State Securities Commission has turned down a request for approval of a repayment contract because of the 160-acre limitation which it contained. The Bureau of Reclamation has no authority to execute contracts without this limitation and funds will not be needed for the Corning Canal until all legal questions are settled with respect to the 160-acre limitation.

I called the committee staff just prior to the time the bill was voted out and directed attention to the fact that the State Securities Commission of California had reversed its position and had approved the Corning Canal contract. However, these contracts have to go through 2 or 3 steps; one is that the contract has to be approved by the State Securities Commission; thereafter the contract has to be validated by the local superior court, and as a consequence this contract still has one hurdle to go over.

But I want to direct an inquiry to the gentleman from Michigan with respect to this matter in order that the record may be plain, and that is that the appropriation is held up on the Corning Canal because of the effect of the decision of the Supreme Court of California invalidating the 160-acre limitation rather than the action of the State Securities Commission which was reversed and the contract approved. I submit the question to the gentleman from Michigan as to the correctness of the facts in order that the RECORD will be clear on that point.

Mr. RABAUT. Mr. Chairman, the gentleman told me he was going to ask me about that and I am very happy to give him the information that the committee has.

The statement in the committee report on page 17 that the State Securities Commission had turned down the request for approval of the repayment contract on the Corning Canal was based on the testimony given by the Bureau of Reclamation on April 3, 1957.

It was not until after the full committee reported the bill that the Bureau advised the committee that the State Securities Commission had recently reconsidered a modification of the contract and had given its approval.

However, as stated in the committee report, the Bureau of Reclamation has no authority to execute contracts without the 160-acre limitation which has been set aside by the decision of the California State Supreme Court. Until settled, funds cannot be used for new work on the Corning Canal and therefore they have been deleted from the bill.

Mr. ENGLE. I thank the gentleman for his statement. It does correct the RECORD. I may add that the Corning Canal is about 90 percent complete. These people are perfectly willing to sign a contract with the 160-acre limitation in it. I hope that before long we can get ourselves out of the legal difficulties we are in there in California with reference to the 160-acre limitation and that the final 10 percent of the canal can be completed so that water service may be rendered to the people and the Federal Government commence to receive repayment of the money it has spent.

Mr. VANIK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. VANIK: On page 8, line 24, strike out "$113,046,223" and insert "$112,646,223."

Mr. VANIK. Mr. Chairman, the purpose of this amendment is to eliminate the allocation for the Little Wood River project, in southern Idaho, which is a new start this year.

The Little Wood River project was first authorized by the 84th Congress on the last day and almost the last hour of the second session by Public Law 993 approved August 6, 1956. The legislation last year authorized an appropriation of $1,880,000 plus such amounts as may be included in change of construction costs. We are now told that the Little Wood River project is going to cost $2,151,000 of which $400,000 will be allocated for expenditure in the next fiscal year.

We are spending millions of dollars for price-support programs. Last week, Secretary of Agriculture Benson said the dairy program was the most expensive of all our farm programs, currently costing $500 million a year. I am advised that the wheat price-support program costs only a little less than that.

Here is a project that is solely for the purpose of increasing production of the very agricultural commodities of which we have a surplus.

According to the letter from the Secretary of the Interior, about half of the land to be irrigated is devoted to forage crops and about one-third to grain. Completion of this project at a cost of $400,000 this year and at an ultimate cost of more than $2 million will bring about an anticipated yield of 5 more bushels of wheat per acre to add to our surplus.

According to the Secretary of the Interior—page 28:

> A considerable increase in dairying is expected if an adequate supply of late-season irrigation water becomes available for pasture. The numbers of cows milked are expected to increase by about 50 percent.

So if this bill passes, we are spending $400,000 to increase production of wheat and dairy products, prices of both of which we are spending other hundreds of millions of dollars to support.

I also am disturbed by the reference—page 27—to the fact that—

> A few large beef herds are maintained in conjunction with a few cattle feeding enterprises.

It may be that here we are appropriating money for only a few big operators.

During the debate on the appropriation bill for the Departments of Labor, and Health, Education, and Welfare, the gentleman from Idaho proposed amendments that would reduce the appropriations for the Department of Labor by $96,300; these amendments were approved. The gentleman from Idaho suggested that his purpose in submitting these amendments was to cut back expenditures in that Agency to the level of last year's budget.

A majority of the House agreed with him that we should not increase our expenditures for new positions in the Office of the Secretary of Labor, in the Office of the Solicitor to enforce the Fair Labor Standards Act and in the Bureau of Labor Standards. The gentleman from Idaho also sought to cut $136,000 from the Bureau of Veterans' Reemployment, in this case a majority of the House disagreed with him. He also attempted to reduce expenditures for the Bureau of Public Assistance by $100,000. That amendment was also rejected.

Here is an opportunity to save the money he sought to save by those amendments, to save the $236,000 and more besides and not embark on any new programs or new projects in the next fiscal year.

I cannot understand why, in a year of crop surpluses, we should be spending $400,000 for a new start on a project to increase these surpluses.

Meritorious as the project may be, it would appear that in view of the present national debt, the huge expenditures for defense and the rising interest rate here is a place where we can save a little money and postpone this project to some future time when we are not spending money to build up an agricultural surplus.

I cannot profess to qualify as an expert in the economics of the area, but I can read, and if I read correctly, this legislation seeks to appropriate $400,000 now as the down payment on a total bill of $2,151,000 of the taxpayers' money to expand the water-retaining capacity of a reservoir for the benefit of 80 farmers at a cost of $27,000 per farmer. The average net income for each farmer is reported at $1,770, and I presume that one-half of this net income found its way to the farmer from the Federal Treasury by way of soil bank payments or parity in some form or another. If we were to appropriate this sum of money as an outright gift to the 80 farmers, we could double their net income for the next 16 years.

It seems to me that the sum of money required is completely out of line with the benefits contemplated. This should really be a private bill for the benefit of 80 farmers.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 8 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. Mr. Chairman, frankly this comes to me as a complete surprise. I do not know just what to say. I had not thought that there would be reprisals of this kind attempted because of my efforts to do what I thought was my duty to the people of my Congressional district and of this Nation. And I say to the gentleman that those efforts in which I believe will be continued so long as I am privileged to be a Member of this body, action of this nature notwithstanding.

The record as to my efforts to obtain economy in the operation of the Federal Government is patently clear that those efforts have been diverted at all agencies and all activities and have never at any time been centered upon any particular agency or activity. In a nutshell, my philosophy diverts that economies be made wherever they can be made and as the House knows they have extended to all governmental activities.

However, I think that we ought to spend just a minute and a half to see what the Little Wood River project really is. To start with, it does not bring in one new acre of land. One feature is the flood-protection benefit to the people who live down below an existing dam and who have been living in threats of their lives and properties for some years. The second feature is the furnishing of supplemental irrigation water to farms that have been in the valley for many, many years.

Now, the project has a benefit to cost ratio as shown by the Department of 2.17 to 1, which is substantially higher than most of the projects that are called for in this bill. All the irrigation is 100 percent reimbursable to the Federal Government under the reclamation laws passed by this Congress some 55 years ago, and my recollection is that some 80 percent of the entire cost will be repaid to the Federal Treasury by the people in this little valley. Contrast that with the dozens and dozens of projects in this bill where there is very little if any local contribution.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. BUDGE. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I am surprised that a spite action of this kind would take place on the floor of the House of Representatives. The gentleman from Idaho [Mr. BUDGE] has, when he thought they were justified, voted for millions and millions of dollars, hundreds of millions of dollars of worthy projects for every section of this country. To have someone offer a spite amendment such as this is beyond my understanding of good legislation.

The CHAIRMAN. The time of the gentleman from Idaho [Mr. BUDGE] has expired. The Chair recognizes the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Chairman, I ask unanimous consent that I may yield my time to the gentleman from Montana [Mr. METCALF].

The CHAIRMAN. Without objection, the gentleman from Montana [Mr. METCALF] is recognized.

There was no objection.

Mr. METCALF. Mr. Chairman, I should like to continue along the line of the gentleman from California [Mr. SISK]. According to the Bureau of Reclamation, there are presently authorized 185 reclamation projects, many of which have been authorized since 1944 and on which work has not yet begun.

According to the Corps of Engineers, there are 29 multiple-purpose projects authorized, but not under construction, and the corps list does not include 1,170 other projects, among them channels, harbors, locks, dams, reservoirs, all authorized for construction, but projects on which the Committee on Appropriations has decided that they do not want to appropriate money or that they should not be started at this time.

A complete list follows:

AUTHORIZED PROJECTS, OR UNITS OF PROJECTS, NOT UNDER CONSTRUCTION

St. Margarita project; Canadian River project; Washita Basin (construction funds appropriated); Minidoka project, American Falls division (modification of authorization required for construction); Crooked River project; Little Wood River project; Wapinitia project, Juniper division; Washoe project.

MISSOURI RIVER BASIN UNITS

Yellowtail, Ainsworth, Farwell, Almena, East Bench, Garrison diversion, Glen Elder, Hardin, Kanapolis, Lavaca Flats, Oahe, Shoshone extensions, Abbey, Absaroka, Albion division, Alzada, Bald Ridge, Battlefield, Belle Fourche pumping, Benteen Flat, Bighorn, Bismarck, Blacktail, Bonanza, Bronco, Brush, Burnt Creek, Cartwright, Cedar Rapids division, Chestnut Valley, Cheyenne pumping, Clarkston, Cove No. 1, Cove No. 2, Cracker Box, Crazy Horse, Crazy Woman, Crow, Crow Creek Gravity, Crowheart, Culdesac, Diamond Ranch, Dunmore, DuNoir, Edgemont, Elm Coulee, Forsythe, Fort Hale, Fort Keogh, Fort Thompson, Gallatin, Glasgow Bench, Grass Rope, Great Falls, Greenwood, Haley, Hancock Flats, Hardscrabble, Hathaway, Hobson, Horsehead Flats, Hudson Bench, Hunter Mountain, Huntley No. 2, Huntley No. 3, Iron Nation, Kaycee, La Frambolse, La Roche, Lewistown, Little Bighorn, Little Wind, Lower Powder units (28), Lyon, Madison, Manley, Marsh, Medicine Lake (north,) Medicine Lake (south), Mirage Flats extension, Missouri diversion, Moorhead, Muggins, Narrows, Nesson, Newlan, Nickwall, Mohle, North Republican, North Sanders, Oliver-Sanger, O'Neill, Orinoco, Painted Woods, Paintrock, Pease, Pierre, Pine Ridge, Portage, Red Rock, Rock Creek, Ross Fork, Rousseau, Saco Divide, Sadie Flat, Saugus-Calypso, Seven Mile Flat, Seven Sisters, Sheridan, Shoestring, Shoshoni, Shotgun, Sidney, Sitting Bull, South Bench, Square Butte, Stanford, Stipek, Sun extensions, Sunlight, Teton slope, Thief Creek, Tongue pumping, Tower, Townsend, Ucross, Ulm, Valley View, West Bench, Whitehall, Whitehorse Bench, Williston, Wilson (irrigation only), Winona, Wogansport, Wyola, Yankton, Yellow Bluff.

COLORADO RIVER STORAGE PROJECTS AND PARTICIPATING PROJECTS

Curecanti unit, Central Utah-Vernal, Emery County, Florida, Hammond, LaBarge, Paonia, Pine River extension, Seedskadee, Silt, Smith Fork, Lyman.

ACTIVE MULTIPLE-PURPOSE PROJECTS NOT UNDER CONSTRUCTION

Alabama: Jones Bluff Lock and Dam, Millers Ferry Lock and Dam.
Arkansas: Beaver Reservoir, Bull Shoals Reservoir.
Kentucky: Booneville Reservoir, Celina Dam.
Missouri: Stockton Reservoir.
Montana: Libby Reservoir.
Oklahoma: Denison Reservoir, Short Mountain Lock and Dam.
Oregon: Green Peter Reservoir, John Day Lock and Dam, Waldo Lake Tunnel.
South Dakota: Big Ben Reservoir.
Tennessee: Carthage Dam.
Texas: Belton Reservoir, Denison Reservoir.
Virginia: Gathright Reservoir and Falling Springs Reregulating Dam.
Washington: John Day Lock and Dam, Little Goose Lock and Dam, Lower Granite Lock and Dam, Loser Monumental Lock and Dam.

DEFERRED MULTIPLE-PURPOSE PROJECTS NOT UNDER CONSTRUCTION

Arkansas: Degray Reservoir.
Kentucky: Jessamine Creek Reservoir.
Tennessee: Stewarts Ferry Reservoir, Three Island Reservoir.
Virginia: Salem Church Reservoir.

INACTIVE MULTIPLE-PURPOSE PROJECTS NOT UNDER CONSTRUCTION

California: Table Mountain Reservoir.
Texas: Neches-Angelina Rivers Rockland Dam.

I think the gentleman from Idaho [Mr. BUDGE] should have his project tested by the same test that he establishes for other people's projects and by the same test that he established in the hearings of the committee. In those hearings he said, talking about a Columbia Basin project:

> In view of the present agricultural situation, where we do not need agricultural commodities right at this time, it seems to me that we ought to have the Bureau explore which of these projects could be deferred that are not now brought up to almost complete construction.

Here is a project that has not been brought up almost to complete construction. Here is a new start. This is the newest, the shiniest, the brightest, the last project that has been authorized of all those projects that I have mentioned and the project is not for flood control and not for relief downstream. It is purely an irrigation project involving irrigation for the 80 families that the gentleman from Ohio [Mr. VANIK] talked about.

The members of the Appropriation Committee this year have repeatedly said that there are going to be no new starts this year. This statement was reiterated during the discussion on this bill today. There was no authorized planning. Earlier today the gentleman from Idaho mentioned the language on page 15 of the report. One of the unauthorized investigations which drew comment from the chairman of the subcommittee was this project (see p. 271, pt. I, Hearings). No planning money has ever been authorized for this project. No warning that this newly authorized project was going to get clearance ahead of other authorized projects. It is a worthwhile project. I voted for it in the Interior and Insular Affairs Committee. But so are all these other projects worthwhile and many are more deserving than the one under discussion.

In response to a request from the House of Representatives, President Eisenhower on April 18 wrote the Speaker a letter on holding Federal costs and activities to a minimum. This was printed as House Document No. 155.

President Eisenhower strongly urged the House to improve the Federal budgetary situation by taking several steps. They included the following suggestions:

> Sixth, reject new projects not approved by all interested parties, including the affected States; provide, where appropriate, for more local participation in approved projects; and withhold authorization and

construction of all but urgently needed projects.

This is certainly not an urgently needed project.

It seems to me that since this Congress has passed the Small Projects Act to provide that projects of $10 million or less which could be sponsored by local participation, should be so sponsored. that we should defer this project and take a new look at it. The State of Idaho and the people of Idaho should come in under the Small Projects Act for the kind of local cooperation and participation that we have heard about a good deal today, the kind of local participation recommended by President Eisenhower.

Deferring this project does not mean that this project will not be built. It means that we can have local participation such as has been suggested many times today.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. SCUDDER].

Mr. SCUDDER. Mr. Chairman, I yield to the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. I very much appreciate the gentleman's yielding to me.

Mr. Chairman, I simply wanted to make this further explanation as to the merits of this project. My State has been referred to here. It so happens that there is not one 5-cent piece in this bill for construction of an Army engineers project for the entire State of Idaho. The nearby States of Washington, Oregon, Utah, Colorado, Arizona, Nebraska, Wyoming and particularly Montana and California are all participating heavily in appropriations as is the State of Ohio in this bill, but there is not one 5-cent piece in here for the Corps of Army Engineers for construction in the entire State of Idaho.

I am nevertheless happy to see those projects come in other States because I think they will help the people of those areas, but I see absolutely no reason to delete a project which has the benefits of this project, and which have been so amply shown all the way through the history of the consideration of the project, simply because somebody does not like some of the recommendations which I have made and which I have made in honest and good conscience. If we commence legislating in that manner, which I know we will not, then the Congress will have reached the end of the road.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts, [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I hope this amendment will be defeated. The gentleman from Montana said this is one of the shiniest and newest projects. Well let me say this is one of the best projects we have offered to this committee. This is not in its entirety a new project. This is a new extension of an old project. It raises the reservoir from 12,000 acre feet to 30,000 acre feet. For what major purpose? For the major purpose of supplying flood control to the people who live downstream. That is the purpose for which this Public Works Subcommittee reported this particular project.

It seems to me if there is going to be any opposition to a project of this kind, those who oppose it have the responsibility of coming before the committee and not justifying the project itself. This was not done in this instance. There was no opposition to it.

I suspect one of the reasons why this project was singled out was because of the opposition the gentleman from Idaho gave you on some bills we have previously considered. That is not a good ground for knocking this project out. It is a good project. It has a good benefit-to-cost ratio. What difference does it make if it was authorized in the 84th Congress? This is not the first time we have had a project on the floor of recent authorization. That has happened many times during my service on the committee.

I hope this amendment is defeated, and defeated overwhelmingly.

The CHAIRMAN. All time on the pending amendment has expired.

The question is on the amendment offered by the gentleman from Ohio.

The amendment was rejected.

Mr. MILLER of Nebraska. Mr. Chairman, I move to strike out the last word and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Chairman, I rise to ask a question as to why a project was not placed in the bill, because it is a feasible project. I am not going to ask that it be put in, but I should like to ask some questions about the Ainsworth project and the Farwell projects in Nebraska.

According to the hearings, page 890, the Ainsworth project has a benefit ratio of 2.16 to 1, which is more than the average project in the 17 Western States. The Farwell project has according to the report a 40 percent payback by the irrigators.

I also notice in the report of the committee, on page 17, these words are used in connection with the Ainsworth project:

> The repayment contract requires only $8.82 per acre, leaving more than 70 percent of the total irrigation repayment allocation to be made up from Missouri River Basin power revenues. The committee continues to be concerned about the amount of irrigation repayment obligations being loaded on the income from the sale of power in the basin. In the case of this particular project the committee fails to understand why more favorable repayment contracts requiring a larger repayment on the part of the beneficiaries of irrigation cannot be arranged. This is a new construction start which can be delayed pending an examination of the possibility of an increase in the repayment by the irrigation beneficiaries.

I would call the attention of the committee to the fact that the average repayment in the Missouri River Basin on 13 projects is only 17 percent. This repayment is 30 percent. It is hard for me to understand why with that repayment record it should not have been included in this bill. On the Farwell project, the committee report shows the repayment is 40 percent. I am wondering what percentage the committee would require to get a project authorized and money appropriated for the start of construction. Both projects were approved by the Bureau of the Budget. The administration made a request for funds and they were denied. These are excellent projects—can some one on the Appropriation Committee tell me why the funds were denied?

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield.

Mr. H. CARL ANDERSEN. I might say to the chairman I have been a little disturbed over the fact that these two particular projects in the State of Nebraska were left out of the bill. Might I suggest that the gentleman direct his line of thinking to the gentleman on the other side, and I, for one, as a member of this subcommittee will give very serious consideration to this matter in conference.

Mr. MILLER of Nebraska. I will do that shortly. I know the committee worked hard and that the staff has worked hard on all projects in this bill. I know it is a big job to get these things adjusted, but here are two projects—with reference to one the committee says the irrigators pay back 30 percent and on the other they pay back 40 percent. The average is only 17 percent on 13 projects in the Missouri River Basin. The balance under reclamation law is paid out of nonreimbursable funds or from revenues from the Missouri River Basin project. I am just wondering what the committee might expect in the way of repayment so that these projects might go forward. Is there any comment from the gentleman from Michigan [Mr. RABAUT] or from the gentleman from Missouri [Mr. CANNON] in that respect? What do they expect of these people in the way of repayment?

Mr. RABAUT. Just as the gentleman said, I think the report reflects exactly the thinking of the committee, as the gentleman has just read from the report.

Mr. MILLER of Nebraska. Is 30 percent or 40 percent the right proportion?

Mr. RABAUT. Some of them are some way and some are another. This one is the way it is and this is our decision with reference to this particular situation. As the gentleman just said we have worked very hard on this, and I think this is one of the best reports I have ever seen in my 21 years in the Congress.

Mr. MILLER of Nebraska. I know the committee has worked hard, but you are human and can make mistakes. I know also you had some trouble with the Bureau's witnesses in getting information from them. I thought, perhaps, it was due to the fact that they did not give you the right information so that you could properly evaluate these two projects. These projects are far better than the average and they do have the approval of the Bureau of the Budget. The people in the area have met all legislative requirements. They want to go forward. The entire average repayment on the Missouri River Basin is only 17 percent and here are two projects—one for 30 percent and the other for 40 percent. What is wrong with them? I am looking for an answer.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield.

Mr. JENSEN. This is one of the things that happens. You know human beings have human frailties, regardless of whether they are Congressmen or not. I can understand, as I said yesterday, the concern that the gentleman has about these two projects being thrown out. I know considerable about the Ainsworth project, especially because I traveled over that project. It is a good project. I hope the gentleman will be successful in getting these two projects reinserted in the bill because as projects go they are above the average irrigation project.

Mr. MILLER of Nebraska. I thank the gentleman very much. I shall try to get these items inserted in the bill before the other body and feel certain when this is done, the conference committee will accept them.

Mr. CANNON. Mr. Chairman, I ask unanimous consent that all Members may extend their remarks on the bill at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DEMPSEY. Mr. Chairman, the action of the Public Works Appropriation Committee in sharply reducing the investigations program of the Bureau of Reclamation is difficult to reconcile with the mounting concern throughout the Nation that our limited water supplies be wisely and efficiently utilized. The many Federal commissions, such as the Hoover Commission and the President's Advisory Committee on Water Resources Policy, and the several non-Federal groups, such as the National Rivers and Harbors Congress, the National Reclamation Association, and the Engineers Joint Council, have been firmly united in the view that the once abundant water resources of the Nation are now, in many areas, approaching saturation of use or are already over extended. These groups agree also that it is vital to future economic development that the remaining water supplies be conserved and put to their best use and that this can be assured only through thorough and intelligent planning. Each President of the United States over the past 2 decades has recognized this situation and has repeatedly called it to the attention of the Congress in his annual State of the Union address.

In the western half of the country the Bureau of Reclamation is the foremost agency of the Federal Government concerned with the control, conservation, and use of water. In view of the almost unanimous view of experts that greater rather than less planning effort is required, it is difficult indeed to understand or to justify a 25-percent cut in the planning activity of the Federal agency most concerned with the water problems in that portion of the Nation where water supply is most limited.

It is even more difficult to accept the wisdom of such an action in the face of the widespread droughts that have plagued significant areas of the West in the past few years. These droughts have been more severe than any heretofore recorded, and have caused serious economic privation. Although heavy rains of the last 2 months have relieved the drought in some areas, only the most persistent optimist would consider such relief anything but temporary. One of the foremost measures to combat droughts is through development of reclamation projects. These cannot be conceived, planned, and put into operation on short notice. Rather, it takes years of concentrated planning to provide for a normal Federal irrigation undertaking. It is not too soon now to start preparing for the next series of droughts which we can be certain will occur. This can hardly be done by severely cutting back the planning activities of the Bureau of Reclamation.

A 25-percent cut in the planning program of the Bureau for the next year can have serious consequences that may extend for years. It means a 25-percent reduction in an engineering force built up over many years and specifically trained in the field of water-resources development. With the fierce competition now prevalent for engineering talent, these highly trained specialists will be lost to the Federal Government and their later replacement will be difficult if not impossible.

The amount of money involved in the proposed cut, $2,432,000, is but a fraction of 1 percent of the funds covered by the entire bill. Yet, failure to appropriate these funds can seriously delay or deprive a major portion of the West of the opportunity to bolster its economic development through wise, adequately planned use of its water resources. Acceptance of this proposed reduction in the planning activities of the Bureau of Reclamation would be shortsighted economy at its worst. I strongly urge that the funds for this purpose requested by the President be restored.

Mr. ULLMAN. Mr. Chairman, I am not going to offer any amendments to the public-works appropriations bill now before the House. I refrain from doing so out of respect for the Appropriations Committee's judgment that projects not included in the budget bill not be approved.

However, I do want to express my considered opinion that in limiting its approval to projects in the budget, the House will be passing over several excellent projects of great importance to the Columbia River Basin.

I am fully cognizant of the country's desire to economize. But I feel that it is, indeed, false economy when we fail to grasp the untapped potentialities in the Pacific Northwest which are offered by these projects.

Mr. Chairman, in particular I want to express my concern over the failure of the public-works bill to include funds for initial construction work on the John Day Dam project. Past appropriations have been utilized to complete all planning required prior to initial construction. Construction of the John Day Dam would mean the ready availability of an additional 1,100,000 kilowatts of low-cost power. It would mean additional storage for flood control and irrigation and recreational benefits. And let us not forget that nearly all of the money appropriated by Congress for the John Day project would be returned to the Federal Treasury. Thus, failure to include funds for construction of the John Day Dam means that we are passing over an opportunity to make a sound and secure investment.

Equally important to the Pacific Northwest is the Vancouver to the Dalles ship channel. Previously authorized by Congress, the appropriation of funds for the dredging and expansion of this project would mean the opening of a vast industrial and agricultural empire in the Columbia River Basin. Navigation of oceangoing vessels would be made possible far inland. Again, failure to appropriate money for this project is false economy for it unnecessarily retards the development of a vast region of our Nation.

Finally, I wish to register my deep concern over the reduction in funds for the Bonneville Power Administration. The Bonneville Power Administration, after making deductions for the cost of transmission facilities and for other operating expenses, is still far ahead of schedule on its payout into the Federal Treasury. Thus, the funds involved in this cut are not actual costs to the taxpayers but are funds which would be fully realized out of power revenues obtained from the Bonneville system. I feel that this cut is, indeed, unwise as it will jeopardize the earning capacity of the Federal Bonneville system.

Mr. PORTER. Mr. Chairman, on behalf of the people of the Fourth Congressional District of Oregon I would like to bring to the attention of the House some important items in the bill under consideration.

First, and most important, is the amount recommended for the further preconstruction engineering and design of the Green Peter Dam project on the South Santiam River in Linn County. I still feel, as I told the committee earlier, that this project is in great need of sufficient funds to complete the preconstruction planning during the coming fiscal year. The Army engineers have said time and again that they could use $500,000 for this purpose during fiscal year 1958, an amount which would allow them to complete the planning and make the project ready for actual construction in fiscal year 1959. However, the administration and the Appropriations Committee have recommended an amount of only $225,000. This will surely put the entire project behind a full year in its expected date of completion, according to the Army engineers.

This is doubly tragic, since the area in which the dam is to be constructed suffers annual heavy flood damage because of the lack of this project. Part of the flood damage is the result of the fact that Detroit Dam has been completed on the North Santiam, keeping the flood in check along that stream, while the waters rush down the South Santiam and across the flood plain to the north into the lower levels of the other tributary. As long as this differential is allowed to continue, the situation will lead to further flood damage each year and will

not be corrected until Green Peter Dam is completed. An expenditure now of an additional $275,000 will mean, in the end, a full year in which this constant threat will not be present.

Another important item to be considered is the amount recommended for appropriation for examinations and surveys by the Army engineers. In one particular case, the budget and the committee recommendation includes no funds for a survey report which has been recommended by the Army engineers in connection with improvement of the Umpqua River from the mouth of the harbor to Reedsport, Oreg. This item would cost only $7,000 and has the full support of the engineers and of local interests. The survey itself was authorized in February of 1956. I believe the money for this survey report should be appropriated.

In another serious case, there was a mistake made, administratively, at the district level by the Corps of Engineers in regard to the amount of money required for a survey report on the Rogue River. This is a most important report, on which will be based the future construction to resolve the serious flood-control problems in the Rogue River Basin. The engineers originally thought they could complete the survey report with funds already appropriated, but found, after a preliminary survey, that additional funds would be required. This was determined too late to request the funds in the normal way for the fiscal year 1958 budget. Therefore, in order to keep this critical report from being delayed for a full year, I suggest that this requested additional appropriation of $44,000 be approved, despite its inclusion in the committee's recommendations.

Two other items deserve consideration. One is the Coos and Millicoma River project, which has been authorized, but for which the administration has not seen fit to request an appropriation. The Army engineers have said they are ready to begin planning of this project and could actually complete planning in the coming fiscal year with an appropriation of only $19,000. It seems unwise not to grant this small appropriation and get the planning under way, so that construction may be started in fiscal year 1959.

The other item is known as the Willamette River Basin bank-protection project, for which the administration has requested only $300,000 during the fiscal year 1958. The Army engineers have admitted that they have sufficient pledges of local participation from bank-protection districts so that a total amount of $800,000 in Federal funds could profitably be expended in the next fiscal year. I earnestly recommend that the House consider adding the $500,000 which will keep this important work from slipping still farther behind in its schedule. The project was originally authorized in 1936 and is still only about 52 percent complete.

In conclusion, let me say that I believe the committee has generally done a fine job on this complicated legislation. In the face of administration pressure to scuttle many of the fine programs begun by Congress, members of the committee refused to cut sharply into appropriation requests which had already been pared to the limit before coming to Congress.

Mr. DONOHUE. Mr. Chairman, I most sincerely hope that this public-works appropriations bill for fiscal year 1958 will be overwhelmingly approved by the House today.

I speak in particular appeal for the approval of the flood relief and protection projects included in this measure that are so vitally important to so many people throughout this country. I am, of course, quite naturally concerned for the extension of assistance in protection of the lives, safety, and physical properties of the people in my own area, while at the same time extending my deepest sympathy and full support to the people of the other sections of the country who well understand the tragedy of heavy loss of life and property destruction that follows in the wake of these terrible floods, hurricanes, and other disasters from uncontrolled elements.

I express the sentiments of the people of my area in extending our gratitude to the distinguished chairman and industrious members of the committee who have recommended the approval of $1,500,000 to begin actual construction of the Worcester, Mass., flood diversionary tunnel.

The people of my home city of Worcester and surrounding area are unfortunately only too well acquainted with the havoc that is wrought by raging floods.

It is an unpleasant experience to be an eyewitness to the tragedy that is visited upon a community, its people, and its property when roaring waters pour uncontrolled over bridges, and through the streets. We had this terrible experience in August of 1955 and, please God, with the completion of this tunnel it will never happen again.

The aftermath of such flood occurrence in loss of life, property damage, lost employment, and lost business is staggering to the imagination even in its effect upon an average community.

It is entirely beyond human imagination when we try to picture the amount of destruction of life and damage to property that has occurred so frequently, in recent years, in all the several States throughout the Nation. Financial losses, which can never be precisely measured, would unquestionably be up in the billions. We cannot, of course, even approach the placing of any material value upon the loss of life accompanying these tragedies.

Commonsense reflection makes it convincingly clear that the prevention and control problems of these natural disasters cannot be local or statewide but must be regional and national.

All of the people and communities who have so suffered very well appreciate that neither the individual victim nor the burdened State can alone or together survive and recover from the devastating impact of flood destruction.

They realize, as did this conscientious committee, the necessity of reasonable assistance being extended from the Federal Government to help them construct proper facilities to prevent the recurring damage and disaster of floods.

All the projects included in this bill have been thoroughly reviewed, for vital necessity and strict economic feasibility by the competent Corps of Army Engineers.

The evidence and testimony has been fully and carefully examined by the committee before whom it was my pleasure and duty to appear on several occasions with respect to the flood problems of my own area.

Assistance in the protection of the lives, safety, and property of American taxpayers, when they are unable to fully do it themselves, against uncontrollable natural disasters, is a primary responsibility of the Federal Government and is certainly a sound investment in the general welfare of our Nation. The evidence is clear; the vital need for assistance is obvious; the projects listed in this bill are certainly in the national interest. I earnestly hope and urge that the measure be approved without further extended debate.

May I also, Mr. Chairman, express my hope that this body will see fit, in the very near future, to approve a reasonable appropriation to initiate a Federal flood insurance program as was authorized here last year.

We all realize, as most of us emphasized at the time, that such a program is difficult to project but most of us were agreed, when we passed the authorization bill, that in the overall picture Federal assistance in these circumstances could best and most economically be handled through Federal participation in some type of insurance program. We all appreciated that the private insurance companies cannot be expected to undertake the full task and most individuals and businesses could not of themselves afford the premium cost.

This type of program admittedly will require long experiment and patient study, but in consideration of averting the enormous property losses and economic catastrophes that result from these natural disasters, the experiment would undoubtedly prove a wise investment for the good of all Americans. The expectation and pledge that we would try to assist our American citizens in this problem was contained in the authorization bill we passed. Let us then fulfill that pledge by providing a limited appropriation to begin the program at the earliest moment.

Mr. CANNON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House without amendment, with the recommendation that the bill be passed.

The motion was agreed to.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. CANNON. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2243. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7221) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 2, 5, and 16 and that the Senate recedes from its amendments numbered 15 and 17 to the above-entitled bill.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 57–13.

THE WATKINS DECISION

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, those few of us who stood firmly against the contempt resolution concerning Mr. Arthur Miller have been called many things, including pseudoleftwing liberals, Communist apologists, and other terms to attempt to discredit our views. Now that the Supreme Court of the United States has clearly and by a large majority sustained our viewpoint and pointed incisively to the path ahead, it must be hoped that instead of vituperation, the fundamental correctness of the Supreme Court's position will be accepted and followed.

Many editors from all parts of the country have applauded the words of the Chief Justice, and a review of the sources indicates that they come not from left-wing publications or even from so-called liberal publications, but from responsible editors to whom the rights of the individual under our Constitution and under our Republic are recognized as the basis of our continued success as a Nation.

I include below from the New York Times and the Washington Post and Times Herald, two such opinions:

[From the New York Times of Wednesday, June 19, 1957]

THE WATKINS DECISION

The opinion of Chief Justice Warren in the Watkins case is a major pronouncement of the Supreme Court on the rights of the individual citizen before investigating committees of the Congress.

What the Court has done in this long-awaited decision is to limit the scope of Congressional inquiry by requiring Congress to be more precise in defining the authority of its investigative committees than it has always been in the past, and by restricting the power of Congress to subject witnesses to vaguely defined fishing expeditions. Watkins, a labor organizer who fully admitted past cooperation with the Communist Party, was cited for contempt by the House Committee on Un-American Activities for refusing to testify concerning some former associates. The Court has now reversed his conviction on the ground that, in layman's language, the committee was engaged in unwarranted freewheeling, and its questions were not related with nearly sufficient precision and clarity to a specific legislative purpose.

Granting that "the power of the Congress to conduct investigations is inherent in the legislative process," the Chief Justice pointed out that every investigation "must be related to and in furtherance of a legitimate task of the Congress" and that "there is no Congressional power to expose for the sake of exposure."

Mr. Warren added that it is "unquestionably the duty of a citizen to cooperate with the Congress in its efforts to obtain the facts needed for intelligent legislative action"—an important point that the general tenor of the Watkins decision must not be allowed to obscure. The Court did not state that Watkins should under no circumstances reveal the names of his former associates. It did say that the committee's questioning was done in such a manner and in such a context that Watkins was "not accorded a fair opportunity to determine whether he was within his rights in refusing to answer, and his conviction is necessarily invalid" as a violation of due process.

The Court warned Congress to take "a measure of added care" in authorizing the use of the compulsory process—"a small price to pay if it serves to uphold the principles of limited, constitutional Government without obstructing the power of the Congress to inform itself." The Chief Justice's thoughtful and sensitive comments on the far-reaching effects and implications of some of the more notorious congressional investigations deserve wide reading. His opinion as a whole stands as another monument to the return of reason on the matter of civil rights and liberties in the United States.

[From the Washington Post and Times Herald of June 19, 1957

BLOW TO RANDOM INQUIRY

The Supreme Court on Monday powerfully reasserted its guardianship of individual liberty. This reassertion was especially needed and long overdue in regard to the excesses of certain Congressional investigating committees—most notably the House Committee on Un-American Activities. In reversing the conviction of John T. Watkins for contempt of Congress, the Court drew new and clearer boundaries for the application of Congressional investigating powers.

These boundaries might have been, and should have been, clarified a decade ago. In the Barsky case, decided by the United States Court of Appeals for the District of Columbia in 1948, Judge Henry Edgerton set forth in a dissenting opinion many of the same strictures against the Un-American Activities Committee's investigating methods that were made by Chief Justice Warren for the Supreme Court in the Watkins case—and made again, when Watkins was before them by Judges Edgerton and Baselon. Had the Supreme Court consented to review the Barsky case, investigating practices might have been brought within proper limits and much injustice to individual witnesses avoided.

"We have no doubt," the Chief Justice said for the Supreme Court on Monday, "that there is no Congressional power to expose for the sake of exposure. The public is, of course, entitled to be informed concerning the workings of its Government. That cannot be inflated into a general power to expose where the predominant result can only be an invasion of the private rights of individuals." But from its very inception 20 years ago, the Un-American Activities Committee regarded exposure of individuals—and punishment of them through pitiless publicity—as its principal and primary function. In short, it aimed to punish by investigation what the Constitution forbids Congress to punish by legislation.

The power to investigate, however, is merely an adjunct of the power to legislate. "Clearly," as the Chief Justice put it, "an investigation is subject to the command that the Congress shall make no law abridging freedom of speech or press or assembly. While it is true that there is no statute to be reviewed, and that an investigation is not a law, nevertheless an investigation is part of lawmaking • • • Abuses of the investigative process may imperceptibly lead to abridgement of protected freedoms."

The Un-American Activities Committee has operated as a kind of roving satrapy, intruding into almost every aspect of American life, oblivious to any consideration of privacy and unfettered by any limitation in the House resolution which created it. Its jurisdiction is so vague, the Court concluded, that witnesses called before it have no means of determining whether the questions put to them have relevancy to any legitimate Congressional purpose. "Prosecution for contempt of Congress," Justice Frankfurter said in a concurring opinion, "presupposes an adequate opportunity for the defendant to have an awareness of the pertinency of the information that he has denied to Congress." There was plainly no such opportunity in the hearing given to Mr. Watkins.

The Court decision in no way strips Congress of its power to investigate. "The legislature is free to determine the kinds of data that should be collected," the Chief Justice pointed out. "It is only those investigations that are conducted by use of compulsory process that give rise to a need to protect the rights of individuals against illegal encroachment. That protection can be readily achieved through procedures which prevent the separation of power from responsibility and which provide the constitutional requisites of fairness for witnesses." The decision is a landmark in the long struggle to keep Americans free from oppressive and arbitrary governmental power.

WINNERS OF AMVETS MEMORIAL SCHOLARSHIPS

Mr. HALE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. HALE. Mr. Speaker, I would like to call the attention of the House to the fact that yesterday afternoon seven young men and women who this year won AMVETS memorial scholarships, appeared in the gallery of the House.

One of the young ladies, Miss Judith Walsh, comes from my district in Portland, Maine. She is a graduate of the Portland High School and plans a career in social service work.

Day before yesterday, these young winners were presented trophies by President Eisenhower in ceremonies at the White House.

This group includes the highest scorers in the nationwide competitive examination given to select the AMVETS winners which totaled 15 this year.

These students have shown an awareness of the need this Nation has to develop human resources to the fullest. They include 3 who desire a career in science and research; 2 who wish to become teachers; and 2 who wish to enter social service and personnel work.

In presenting these scholarships AMVETS is doing a great service to the Nation by providing the means for more young people to obtain the training and knowledge they will need to become more valuable citizens in the future.

I regret that the debate on the conference report yesterday prevented my calling attention to the presence of these young people while they were actually present in the gallery.

NEW JERSEY MOURNS THE PASSING OF CHIEF JUSTICE ARTHUR T. VANDERBILT

Mrs. DWYER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. DWYER. Mr. Speaker, this week New Jersey—and the Nation—suffered a great loss in the passing of Chief Justice Arthur T. Vanderbilt of New Jersey's Supreme Court.

Chief Justice Vanderbilt was an exceptional man in many ways.

He was the father of New Jersey's new judicial system, which is recognized as a model among all the States.

But, even above his successful crusade for court reforms, the influence of his intellect, his courage and his integrity was felt far beyond the boundaries of his home State.

In his lifetime, he achieved national distinction at the bar and on the bench. He was famed as an educator, as a writer on jurisprudence, as authority on judicial procedure and as a political leader helping shape State and national policies of the Republican Party.

He was former dean of the Law School of New York University, and he served as president of the American Bar Association—an honor accorded him 30 years ago by his fellow lawyers in recognition of his extraordinary talents.

Chief Justice Vanderbilt was interested in government reform as well as in the improvement of our courts.

He was still an unknown lawyer, earlier in this century, when he set out to fight a corrupt and discredited political machine in his home county of Essex. That fight lasted for more than 10 years, but in the end Arthur Vanderbilt drove the entrenched political machine from power.

As the Newark Evening News recalled in an editorial this week paying tribute to this great man, "He used his power to give Essex one of the best county governments in the Nation, outstanding for its honesty and efficiency; and in Trenton his representatives fought for the same policies, consistently opposing extravagance and increased tax burdens."

For many years, Mr. Vanderbilt crusaded against New Jersey's antiquated and cumbersome judicial system. It was a crusade beset with much opposition and many setbacks. But finally, with the adoption of a new State constitution, of which he was one of the chief architects, he was given the opportunity—through appointment as New Jersey's first chief justice under the new constitution—to put into practice the theories and principles for which he had fought.

The success of the new judicial system which he shaped is eloquent testimony to the soundness of his wisdom and vision. As a result of the court reforms he instituted, New Jersey today stands high among the States in the conduct of its judiciary system.

Throughout his life, Chief Justice Vanderbilt drove himself relentlessly, with a complete dedication to the things he believed in. Indeed, he was on his way to his desk last week when he was stricken.

This week, in the Christ Episcopal Church of Short Hills, N. J., where Chief Justice Vanderbilt had worshipped for more than three decades, hundreds of persons gathered to pay their last respects to this man who played so vital a role in his State's modern history.

I join with all the citizens of my State in an expression of grief over his death.

New Jersey and the Nation have lost a great legal mind; a man dedicated to the moral responsibilities of citizenship and the integrity of law.

It is tragic that Chief Justice Vanderbilt was not spared to continue his work. His accomplishments, however, will remain as shining and enduring monuments to his memory.

ONE HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF THE FIRST PUBLIC SINGING OF "AMERICA"

Mr. CURTIS of Massachusetts. Mr. Speaker, I ask unanimous consent of the immediate consideration of House Concurrent Resolution 196.

The Clerk read the House concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring):

Whereas the 4th day of July 1957 marks the 125th anniversary of the first public singing of the inspiring patriotic hymn "America" by a chorus of children in the Park Street Church, Boston, Mass., beside historic Boston Common; and

Whereas the hymn "America" was written by the Reverend Samuel Francis Smith in the town of Andover, Mass., February 1832; and

Whereas it is the sense of the Congress that this anniversary should be given due recognition because this hymn has touched the life of the Nation through the countless voices which have joined in singing "My country 'tis of thee"; Therefore be it

Resolved, That this 125th anniversary of the first public singing of "America" be commended to all citizens for appropriate recognition during the week of June 30 through July 6, 1957, the "125th Anniversary of 'America' Week."

The SPEAKER. Is there objection to the present consideration of the House concurrent resolution?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, and I shall not object, the gentleman from Massachusetts has cleared this matter with the leadership on both sides, also with members of the subcommittee of the Committee on the Judiciary as well as the chairman of the Committee on the Judiciary and the ranking member thereof. Is that correct?

Mr. CURTIS of Massachusetts. That is correct.

The SPEAKER. Is there objection to the present consideration of the House concurrent resolution?

There was no objection.

The House concurrent resolution was agreed to and a motion to reconsider was laid on the table.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS of Massachusetts. Mr. Speaker, "My country 'tis of thee" are words which have touched the life of the Nation through the countless voices which have joined in singing them. Those words are the unofficial lyrics which most often have brought the voice of our citizenship into patriotic chorus.

It is entirely fitting that the Congress should by resolution give recognition to the 125th anniversary of the first public singing of America.

Massachusetts and the 10th Congressional District are proud of the fact that this great patriotic hymn was first sung publicly on July 4, 1832, in the Park Street Church beside historic Boston Common.

EXTENSION OF PUBLIC LAW 480

Mr. ANFUSO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ANFUSO. Mr. Speaker, sometime this week the House is going to have under consideration the extension of Public Law 480. I am heartily in favor of this act because it is one of the most humane, yet practical, pieces of legislation ever passed by Congress. It promotes the foreign policy of the United States by a wise sale or distribution of our surplus agricultural commodities; it helps to develop markets in foreign countries, satisfy hunger and deprivation, accumulate strategic and critical materials, and to discharge our own obligations abroad.

Certainly, Public Law 480 has had salutary effects throughout the world. It has demonstrated that we have tremendous resources with which to help friendly peoples and those desiring to be free. Great Britain, France, Italy, Greece, Turkey, and many others fall into this category.

ISRAEL

One of the most striking examples of how Public Law 480 can operate to the benefit of the United States and the country purchasing our surplus agricultural commodities is that of Israel. This law has been of considerable value to Israel. Agreements between the United States and Israel regarding the purchase of some of our surplus foods under Public Law 480 date from April 1955, and these agreements have been renewed several times since then.

I am sure it will interest many of my colleagues to know that in the 2 years 1955 and 1956 Israel purchased surplus commodities from us under title I of Public Law 480 in the amount of $51 million, most of it being wheat and feed grains. Specifically, Israel bought from us 257,847 tons of wheat, 214,886 tons of feed grains, 11,257 tons of beef, 1,249 tons of nonfat dry-milk solids, and various other commodities, including butter, vegetable oils, cotton, and tobacco.

The purchase of these commodities has proven of great importance to the economy of Israel. In the first place, it helped to establish minimum stocks of basic foods needed in Israel, whose population is growing constantly due to large-scale immigration. Second, our surplus commodities have helped raise the level of consumption of foods which were not readily available in Israel before and they have markedly improved the diet of the population, particularly the protein deficiency.

The result is that, because of Public Law 480, certain of our agricultural commodities have been introduced to the Israeli market, while the consumption of other United States commodities was substantially increased. This will undoubtedly have a long-range effect in developing a market in Israel for American agricultural products. For example, Israel used to purchase the bulk of its wheat from Canada, but now it obtains most of its wheat from the United States; and from the preference shown for our supplies, I feel certain Israel will from now on remain a good market for our wheat. To some extent, a similar market is developing there for our feed grains, butter, nonfat dry-milk solids and other products from the United States.

An interesting situation in Israel concerns butter. Many of the Israelis come from Europe, the Middle East, and north Africa, where they had developed a taste for sweet butter. In recent years, salted butter was introduced from America and the Israelis grew to like it so much that consumer demand in Israel now is for American butter, meaning our salted butter.

From these and similar experiences, it is quite probable that no other country has utilized Public Law 480 so well within the intention and framework of this law as has been done in Israel.

For the coming fiscal year, Israel has submitted a program in the neighborhood of some $50 million worth of surplus agricultural commodities, which it desires to purchase in this country. The program was submitted in April of this year, but to date no action has been taken on it pending the availability of funds and passage of the bill now under consideration to extend Public Law 480.

During the past year, as we all know, there have taken place important events on the international scene which brought about a new mass immigration into Israel. It is estimated that in 1957 Israel will receive at least 100,000 new immigrants, many of these coming from Egypt, from Hungary, and other countries behind the Iron Curtain. All of these people must be speedily integrated into the economy of Israel; they must be fed and clothed.

To help in this task, the Israeli Government desires to purchase from us during the coming year the following commodities: 250,000 tons of wheat; 240,000 tons of corn; 14,000 tons of beef; 10,000 tons of butter; 9,850 tons of nonfat dry-milk solids; and lesser quantities of cottonseed oil, tallow, cheese, beans, dried fruits, and so forth.

Finally, I want to refer to one other matter in connection with the Israeli program under Public Law 480. It is noteworthy that operation of this law has suffered to some extent from certain illegal activities of others. I have in mind the Arab blacklist of vessels serving Israeli ports, which is aimed against Israel's economy. As many of my colleagues well know, any vessel which calls at an Israeli port is immediately blacklisted by the Arab countries. This means, the vessel cannot call at the port of an Arab country and it is not permitted to pass through the Suez Canal by Egypt.

The result is that American shipowners are reluctant to charter vessels for shipment of commodities to Israel, except at premium rates. Consequently, charter rates are higher than usual, and under Public Law 480 the United States has to pay 50 percent of freight charges. Because of this illegal shipping situation resulting from the Arab blacklist, Israel is forced to set up larger programs and purchase more food commodities in order to have sufficient stockpiles to eliminate a hand-to-mouth dependence on a tight-shipping position.

Thus you see how important Public Law 480 is to Israel. What Member of Congress would deny help to that bastion of freedom in the Middle East? Yet the delay in extending the law has prevented the continuance of the program in Israel, because no agreement can be signed until the law is renewed.

SPAIN

And now, let us look briefly at what has been done in Spain with Public Law 480. As you know, Spain is strategically located in the Mediterranean and our air and Navy bases there are among the best security investments ever made by the American taxpayers. This has been certified by military experts and hailed as one of the greatest accomplishments of American diplomacy.

The agreements we have with Spain under Public Law 480 have helped the economy of that country and turned former hostile feelings to genuine friendship for our personnel stationed there. All of which insures the security of our military bases and magnifies our strength in the struggle against world communism. In this respect the efforts of Ambassador Areilza of Spain, who for many years has sought to promote friendly relations between our two countries, are noteworthy.

Let us now examine what can be done to win over to our cause the friendly people of Poland through the extension of Public Law 480. It is my honest conviction that providing food to the people of Poland at this time will have a greater effect on those people and on their attitude toward us than all our propaganda over the Voice of America and other mediums. This is a great struggle for the minds of men, so let us not miss another golden opportunity.

UNITED STATES LABELS ON SURPLUS FOODS

May I at this point call attention to a matter which should be watched carefully and promptly corrected where the abuse is practiced. I refer to the fact that in some areas abroad certain political opportunists rip off American labels from our surplus foods and substitute their own. This type of careless distribution has resulted in anti-Western and pro-Communist groups using American surpluses to build good will for themselves.

I believe that shipment of our supplies should be cut off for any country or agency which rips off our labels or fails to advise the beneficiaries that the food is a gift from the American people. In the struggle against communism abroad, it is imperative that the United States should receive full credit for its generosity.

And one other comment which I feel is very important. Our agricultural attachés in foreign lands are no longer attached to the State Department, as we all know. By an act of Congress, they are now directly responsible to the Secretary of Agriculture. It is my opinion that we should do everything in our power to make these men more efficient representatives of the United States and better salesmen of our agricultural surpluses.

AID TO POLAND

Now, I should like to refer briefly to the controversy which has arisen over the question of aid to Poland under Public Law 480, particularly the question whether we should regard Poland as a friendly or unfriendly nation because of its Communist government. We cannot declare by law a people to be unfriendly to us. Certainly that would be

untrue in the case of the Polish people, which has a long tradition of friendship for the American people.

In this particular case, it would be absolute folly on our part to close the door to the Polish people from ever becoming our friends, when we know that traditionally they are a freedom-loving people. Have we so quickly forgotten the great debt of gratitude which our country owes to men of Polish descent, such as those intrepid champions of human freedom like Gen. Casimir Pulaski and Gen. Thaddeus Kosciusko, who distinguished themselves during the American Revolution? Their very names are watchwords for liberty, and their deeds are part of the imperishable record of America's struggle for independence. They and many others of Polish descent, who have joined their destinies with those of America, have made tremendous contributions to the upbuilding of our country and its way of life.

The Polish nation, which has lived for nearly 1,000 years in spiritual, religious and cultural relationship with the Western nations, is now cut off from the West. Human liberty suffered a severe blow when Poland's independence was wiped out so ruthlessly, first by the Nazis, and later by the Communists. Nevertheless, the spirit of the Polish people remained indomitable. Their desire for human rights and justice, for democracy and religious freedom, is today stronger than ever. I, for one, have great faith in the Polish people and their destiny. I believe that a nation which has produced men with the courage and determination of Pulaski and Kosciusko will one day break the shackles of slavery and live once again in freedom under God.

In recent months the people of Poland, entirely unaided from the outside, made considerable strides forward in achieving some degree of freedom and reestablishing their links with the West. It is still not to the extent that we would like it to be, but let us not forget that Soviet Russia is a next-door neighbor and that Russian troops are stationed on Poland's borders. But even if there is only a tiny fire of freedom burning in Poland today—and I believe there are many such fires and they are not tiny—then we should kindle that fire and not let it die.

We must continue to give the Polish people hope, we must give them the fullest moral and spiritual support, but most of all we must give them physical sustenance in this crucial period. We must take into account that Poland must follow a careful and restrained policy so as not to jeopardize the little it has gained so far. Rash action in Hungary, which brought back Soviet armies and tanks, should be a lesson to us as it undoubtedly is to the Poles.

Poland urgently needs huge foreign credits and expansion of her foreign trade. The recent negotiations in Washington have shown that Poland needs, above all, food, raw materials, and certain commodities for her industry. Unless she obtains these, hunger and unemployment could lead to a disastrous situation which would be an invitation to Soviet intervention. Under the circumstances, it is no longer a question whether the present Polish Government is more friendly or less friendly. This is academic and impractical at the moment.

After the revolution of October 1956, when the Gomulka government came to power, we made a voluntary promise of aid to the Polish people. We must keep that promise. Failure to keep our promise to the Poles would only show to the rest of the world that American promises are meaningless and unreliable. In the long run, the loss would be ours, not only Poland's. Let us look at it this way: We are undertaking a gamble in Poland by supplying our agricultural commodities, but it is a risk well worth taking.

I think it is also important to note that Poland is not looking for grants from us. They want to purchase this food. They want to obtain enough wheat from us which would enable them to complete the decollectivization of their agriculture. In other words, the Poles are trying to set up a free market, and this will require considerable stockpiles to offset inflation. They also want to obtain enough cotton from us to keep their textile factories running and their people working. Both wheat and cotton are in abundant supply in this country, and we could hardly make better use of these commodities than in this instance.

If we can extend a helping hand to Poland at this time by enabling her to obtain some degree of economic security and less dependence on Russia, then we will have strengthened her hand and encouraged her to seek greater independence from Russia. Several years ago, we in this country talked of help to the satellite countries short of war. What better opportunity of aid short of war than this can we hope for? Or will we let this opportunity slip by, just as we did during the Hungarian revolt? Shall we refuse this aid now and push Poland further into the Russian orbit?

At this point I should like to inform my colleagues that Americans of Polish descent are strongly in support of aid to Poland, notwithstanding the fact that their ancestral home is governed by a Communist regime. Leading organizations and spokesmen of this group are urging support of legislation to aid Poland.

Mr. Speaker, I am inserting into the RECORD the text of a brief telegram I received from Mr. Charles Rozmarek, president of the Polish American Congress, as well as an earlier statement by the same organization on Why Poland Should Be Helped; also a brief telegram from the president and secretary of the Polish National Alliance of Brooklyn. Finally, I am putting into the RECORD a statement by Cardinal Wyszynski, of Poland, which was forwarded to me by Boleslaw Wierzbianski, president of the International Federation of Free Journalists.

WASHINGTON, D. C., *June 3, 1957.*

Hon. VICTOR ANFUSO,
House Office Building,
Washington, D. C.:

Opinion of Americans of Polish descent is undivided and enthusiastic in support of legislation which would enable aid in the form of credits to Poland. Urge you to be on the floor Tuesday, June 4, and oppose any amendment to the Agricultural Trade Development and Assistance Act which would prevent aid to the Polish nation which is gallantly striving to free itself from Moscow domination.

CHARLES ROZMAREK,
President, Polish American Congress.

WHY POLAND SHOULD BE HELPED—A STATEMENT BY THE POLISH AMERICAN CONGRESS

Since the October upheaval in Warsaw, when, in the wave of unrest and discontent of the population, Polish Communists recognized the urgency of needed economic and political reforms, American sympathy for Poland has been growing rapidly. From humanitarian and, to some extent, diplomatic views, at least 90 percent of American press and radio and television commentators favor technical and economic help for Poland. However, in this gratifying wave of sympathy for the Polish people, a sense of apprehension could be detected. One question is being frequently asked—whether, while helping Poland we would at the same time strengthen the Soviet Union and communism?

The answer to this question is an emphatic "no" for the following reasons:

1. The Polish people are painfully aware of the fact that Communist concepts of economy and industrial planning have brought them to the brink of disaster. The Communists themselves accepted this truth by retreating from such spheres of economic activities as the collectivization of farms which has been brought to a standstill, and complete socialization of small private enterprises which has been abandoned.

These two examples prove beyond doubt that the Polish people have forced Communists to a considerable retreat from stubborn entrenchment in Marxist-Leninist theories and practices. And this is only the beginning. Given more time, and moral as well as material support, the Poles will eventually go farther on the road to complete independence.

2. Polish national interests, historic evolvment as well as cultural and spiritual ties with western civilization clash with Communist designs for world domination. Polish implacable hostility toward communism in general and toward Russian colonialism in particular is a proven fact of history.

There is no danger—that by helping Poland economically we would be strengthening communism and the Soviet Union. On the contrary, stronger and more independent Poland would mean a gradual retreat of communism in central and East Europe and would effectively oppose Russian designs for conquest.

Another argument is being set forth even by people whose sympathy toward Poland is sincere, that there is a great risk involved in helping the Polish people now. They say that American aid for Poland would provoke Russian wrath against the Poles. They add that the Polish people have already aroused Russian antagonism to a breaking point.

Let us bear in mind, therefore, that the Poles are well aware of the risk. They are willing to take it. The very fact that they asked us for help instead of begging the Kremlin for handouts, proves beyond doubt that Poland wants to return to the western family of nations where her national birth placed her a thousand years ago. The Poles have already taken a risk by turning to the West. It should be evaluated as a calculated risk. They are risking far more in turning to us than we are risking in granting them help.

The stakes are high and worth the chance both for Poland and for the United States. In the long view of history—the Communist system of government forced on Poland by

the might of Russian Army, is only transitory. Poland as a nation successfully opposed Russification in the past and, with her boundless devotion to freedom and democracy, will emerge victorious from Communist oppression. But she needs our help and fully deserves to be helped in her hour of dire need.

Finally, some aspect of Poland's foreign policy are being used in arguments against a large scale help. We should remember that Poland's current foreign policy is not of her own choice. It has been linked to Russia with full consent and support of the Western powers at Yalta. Poland is not yet able to follow an independent course in foreign affairs. This can develop only in accordance with the amount of material and moral help that Poland could get from the West.

BROOKLYN, N. Y., *June 7, 1957.*

Hon. VICTOR L. ANFUSO,
House of Representatives,
Washington, D. C.:

Re your highly civic and humanitarian position in the matter of loan and aid for Poland we would like to express our sincere gratitude and deep appreciation. Your action is a proof that wherever the matter concerns rendering Samaritan aid for destitute nation which not of its own accord found itself under the influence of communism, it represents the true essence of American people, which through its entire history has been a symbol of beauty and nobleness. Your action is gaining even greater recognition by the people because it surpasses all small controversies of the people who only cause difficulty in securing the aid for Polish nation hiding under various frames of formalities.

CZESLAWA DURSKA,
President.
POLISH NATIONAL ALLIANCE,
OF BROOKLYN, U. S. A.,
JOSEPH A. GLOWACKI,
Secretary General.

INTERNATIONAL FEDERATION OF
FREE JOURNALISTS,
New York, N. Y., June 7, 1957.

Hon. VICTOR ANFUSO,
United States House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN: Having observed your recent interest in connection with aid to Poland, I think that you may perhaps be interested in the attached text, a declaration by Cardinal Wyszynski to representatives of Americans of Polish origin when they visited Poland recently.

In his statement the Cardinal expresses the hope that Poland will not be denied Christian help.

Sincerely yours,
BOLESLAW WIERZBIANSKI.

STATEMENT BY CARDINAL WYSZYNSKI OF POLAND

(People in your press are also wondering whether help should be offered to Poland or not. When you look at your child, which is sick, do you stop to think whether you should help it or not? When you see your mother in distress do you pause to think it over, to consider whether it would be politically advisable for you to help her? Dearest children: Do not commit this terrible mistake of refusing, for various political fancies, of refusing assistance, bread and kindness to those, who are in such great need of assistance, bread and kindness. * * *)

And in this respect, my attitude may be very individual and different, but full of conviction and full of truth, as I trust and understand it. We stay here, and we want to stay here, we know the needs of the nation and we appeal for help for this nation. We beg, perhaps we sometimes do it in a manner highly humiliating to us; perhaps it is not correct to lower oneself to such an extent, to beg as humbly as that, for fear of endangering one's dignity. Let the politicians defend the prestige of the nation; let them defend their dignity as statesmen; it is sometimes their duty not to go beyond the bounds of national dignity.

But I am not a politician nor a statesman. I am simply a child of my nation and if the good of that nation demands that I humble myself, why then I shall humble myself regardless of all raison d'etat, of all political considerations. My policy in the first place is to feed the hungry, to clothe the naked, to give the poor a roof overhead. And let anyone, whoever and wherever he may be, judge me as he pleases, it is of no importance to me in this case. I am doing my duty, and so I say: Tell your sisters, tell your countrywomen, tell your daughters, tell your husbands that the primate of Poland on his knees, because it is not his duty to fight for his dignity, that he is begging you for help for the hungry, for the naked, for the sick, of whom there are very, very many in our land, and for the homeless.

It is none of our fault that every 10 or 20 years Poland is swept by a tempest of war which tears every stone from the heart of Polish soil, destroying the foundations of everything we have built. You have seen Warsaw, with what terrible toil it is being built. This is being built often at the price of hunger, at the price of some sacrificed pleasure, at the price perhaps of some rag to protect those who are at the mercy of gold. But it is being built all the same because it must be built, because we cannot live under the open sky, although God is so good. And when various nations constantly destroy our home, all we can do is to rebuild it and this we do calmly and with patience, and we shall continue to do so.

CONGRESSIONAL INVESTIGATION OF COMMUNISTS

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JACKSON. Mr. Speaker, it is axiomatic that those who engage against the fiendish conspiracy known as communism offer themselves as targets of abuse, vilification, and unmitigated calumny. The history of the fight against the Red threat here in the United States records the names of many men of different faiths and political persuasions who have gone to death or bitter defeat either as a direct result of a dedicated struggle against the enslavement of free men, or in some way incidental to their battles.

International communism has won many spectacular victories over the laggard forces of free men since Marx and Engels joined in a Paris attic in 1848 to set down in written form the scattered and nebulous tenets of an old and revolutionary doctrine. The Communist Manifesto, the handiwork of the two, has constituted the guideline and the holy writ of a succession of tyrants determined to mold the minds and the wills of men in to the distorted and brutal shape of their own.

In this effort they have not been unsuccessful. Nearly a billion human beings, willing and reluctant, today live under the heel of a regime in which there is neither humility, decency, nor a fundamental concept of human ethics. The agents of the princes of Communist darkness are drawn from every country on the earth's surface, and with a single purpose they diligently strive to destroy their own governments and deliver their own blood brothers into the grip of their foreign masters. The Communist tie is tight, its demands insistent, and its discipline unyielding. When one voluntarily undertakes a pledge of allegiance to the worldwide conspiracy, he renounces his faith in God, his belief in his fellow man, and his hopes for anything beyond and above the crass materialism of the plotters. He becomes, absolute and without reservation, an instrument of Soviet doctrine and a Typhoid Mary of Soviet policy.

The military threat of the Soviet has been largely contained due to the effective countermeasures taken in concert by an aroused world. The processes of political infiltration of other governments has also been slowed by a new alertness and a new awareness of the nature of the threat and the methods and techniques used to achieve diplomatic coups. But the greatest and the most insidious weapon wielded so effectively in the past by the Lenins, the Stalins, and the Khrushchevs still functions behind the lines of the forces of freedom and within the capitals of the Free World.

The depredations and the treason of United States Communists need not be recounted here. They are well established and documented beyond the slightest question. Perhaps the extent to which Communists and their advertent and unwitting allies in this country sabotaged their own homeland will never be known fully, but enough is known of their activities to establish the fact that the deaths of thousands of American men can be placed squarely before the American agents of the Communist conspiracy. We know of the transfer of hundreds of military and diplomatic secrets to the agents of the Communist conspiracy abroad, but how many additional hundreds or thousands of secrets followed the same route through the same or other hands will probably never be known. Again, I stress the fact that the Communist, whatever the land of his birth, whatever his station in life, his education, his profession or occupation, is first and last one whose total allegiance, complete faith, and unalterable dedication is with the Soviet Union.

Monday, June 17, was truly black Monday for the American people. That day culminated in the Supreme Court of the United States a long series of events which served to completely nullify and vitiate the efforts of the Congress of the United States and of the FBI to seek out American agents of the conspiracy and to legislate on findings for and on behalf of the people of the United States and our security against the acts of traitors.

On Thursday, June 27, I shall speak here in the House in more detail on this subject of transcendal importance to the Congress, whose right to determine and to inquire has been directly challenged by the Supreme Court. In my opinion, and in the opinion of many others in the Congress, the present situation demands

the immediate and undivided attention of both Houses, unless we are to find ourselves stripped of constitutional authority to act in the face of acknowledged peril. I appreciate that many Members cannot be on the floor after a long day, but I do hope that all of the membership will take time to read my remarks, and will give earnest and thoughtful consideration to the problems which have arisen as the result of recent decisions in the Supreme Court.

A NEW BRICKER AMENDMENT

Mr. MASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, today I have introduced a new Bricker amendment, one that is as strong as the original Bricker amendment, although it presents an entirely different approach to the problem of executive agreements. The original Bricker amendment has been watered down so much to meet the objections of the President and the State Department that even if passed it would not prove an effective check upon the executive. The present Bricker amendment is a very poor substitute, in my opinion, for the original amendment submitted by Senator BRICKER.

In its original form the Bricker amendment stated, in effect, that all future executive agreements must be ratified by the Senate, the same as treaties, before having the full force and effect of law. The argument in support of the Bricker amendment is that if executive agreements are to have the force of law, if they are to supersede and take precedence over both Federal law and State law, then they should be ratified by the Senate, as treaties are required to be ratified, before going into effect.

Mr. Speaker, the Constitution gives the President the power to make treaties with foreign countries "by and with the advice and consent of the Senate provided two-thirds of the Senators present concur." Treaties when made become the supreme law of the land, superseding and taking precedence over all Federal laws and State laws.

President Roosevelt bypassed the treatymaking provision of the Constitution, and both President Truman and President Eisenhower followed his example. President Roosevelt substituted executive agreements for treaties, claiming they had all the effect of treaties; were as binding as treaties; but they did not require Senate ratification. The executive agreements made at Cairo, Teheran, Yalta, and Potsdam are examples. More recently the Geneva agreement and the Bermuda agreement are examples.

The results of these executive agreements are well known. They have been very disappointing, to say the least. There is not an informed person in the world today—outside the Iron Curtain—that would assert that those executive agreements were either well-considered or successful. The results of those agreements are the best evidence that they were ill-advised. Certainly the results demonstrate the need that all future executive agreements should receive the consideration and approval of the Congress before they become operative and binding upon the Nation.

Mr. Speaker, the amendment that I am introducing today simply states:

(a) No treaty shall have greater effect within the United States than if it were a law of the United States; and

(b) Any international agreement other than a treaty shall have effect within the United States only to the extent provided by a law of the United States.

My amendment, therefore, would require all executive agreements hereafter entered into by the President to be implemented by a law passed by the Congress before going into effect. That would mean all executive agreements would have to be submitted to both branches of Congress for consideration and approval before they could become operative.

Mr. Speaker, some form of the Bricker amendment, some effective curb upon the President in his dealings with foreign nations, is a legislative must. If we are to preserve our constitutional form of government, if we are to preserve the three branches of Government separate and independent; if we are to protect the future of our children—then we should insist that all future Executive agreements must be ratified by the Congress.

DISARMAMENT NEGOTIATIONS

Mr. MORANO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MORANO. Mr. Speaker, I am sure that I speak for many of my colleagues in the House when I say that I feel serious misgivings at the course which the negotiations in London with respect to disarmament appear to be taking. My criticism of the present negotiations does not imply in any way that I am not eagerly awaiting the day when effective disarmament can be attained. None of us wants to bequeath to his children and to their children in turn the military burden which our generation has been forced to carry and the necessity for living under the continual threat of atomic attack.

Nevertheless, there are two aspects of the present negotiations which cause me serious concern. First is a doubt that any agreement which can be reached will really produce disarmament on the part of the Soviet Union. All of us see the possibility that the Soviet leaders will enter into commitments which will not be observed and that we will find ourselves in a position that is both embarrassing and dangerous as a result.

My second concern is not with the ultimate agreement which may result, but with the events which are likely to occur during the course of negotiations. I am afraid that we will be embarking on a series of political setbacks for ourselves and other nations which are our friends, accompanied by propaganda victories for the Soviet Union.

So far there apparently are grounds for such fears. The Soviet Union appears to have come forward with a number of disarmament proposals which we were prepared to make, and has, in the eyes of many people, gotten credit for initiating them. It appears also that our principal negotiator has conducted affairs in such a manner as to create misunderstanding among our friends and allies.

I, for one, do not believe that it is possible for us to barter political or economic concessions on our part for disarmament on the part of the Soviet Union. The Soviet dictators will disarm only when they are convinced that it is in their interest to do so. I do not believe that we should ever enter into a bargain that if the Soviet Union will disarm we will not object to their continued occupation of the East Zone of Germany. I do not think we could count on any commitment which was obtained on that basis. I do not believe that the people of the United States will ever be willing to relax our interest in the rights of the people of the nations which have been the victims of past aggression in return for Soviet promises to limit its military power.

Mr. Speaker, it seems to me that the present negotiations have gotten off on the wrong track and that it would be best for us to start again.

YOUTH APPRECIATION WEEK

Mr. JONAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS. Mr. Speaker, I have today introduced a joint resolution requesting the President to designate the 7-day period beginning with the first Monday in November of each year as Youth Appreciation Week. The objectives of the youth appreciation program are stated in the preamble to the resolution, as follows:

> In order to recognize the positive accomplishments and contributions of youth in the home, church, school, and community; to promote a more active participation of families in family affairs; to encourage civic organizations and other groups to show publicly their respect for the 95 percent of our youth who are good citizens; to encourage press, radio, and television to recognize youth through regular and special features and programs; to stimulate greater interest among people everywhere in providing wholesome recreational and social activities for the youth of our country; to illustrate the great influence religion has on the lives of young people and to encourage their active participation in religious activities; to encourage parents to rededicate themselves to the responsibilities of parenthood; and to encourage a greater interchange of ideas between adults and youth leading to a broader understanding of each other's problems.

The idea of a youth appreciation program originated a few years ago in Charlotte, N. C. It quickly spread over our State and to other States. By 1956, it was so successful that it came to the attention of Optimist International, and that organization has adopted it as a special project for 1957. At the Optimist International convention in Philadelphia today, Youth Appreciation Week is having its worldwide sendoff.

From the enthusiastic reception this program has received in the several places it has been observed in the past, I am so convinced of its worth that I felt justified in offering the resolution requesting the President of the United States to proclaim the week as selected by Optimist International as Youth Appreciation Week. I think all of the communities in the country will welcome an official occasion when adults will take time out from their busy schedules, look around at their growing boys and girls and, as the Optimist slogan says, "Pat 'em on the back."

An official Youth Appreciation Week will give adults an opportunity to focus their attention on the constructive and worthwhile activities of the youth of our land who are not juvenile delinquents. The record shows that 95 percent of our young people are good citizens and are making outstanding contributions to home, church, school, and community. This high percentage of our youth who give us real cause for pride will thus receive some of the public attention that unfortunately is normally devoted to the 5 percent who are delinquent. Good behavior for the most part seems to be too dull and commonplace to catch public interest. The purpose of the resolution is to stimulate that interest and give the young people of our country who are good citizens the recognition they deserve.

The youth appreciation program originated in the mind of T. Earl Yarborough, a public-spirited citizen of Charlotte, N. C. He had driven his automobile on a winter's night to a remote mountain community where his Charlotte Optimist Club was sponsoring a club for a group of boys. It snowed that night, the roads were covered with dangerous ice, and the temperature fell to its lowest point of the year. Yet many youngsters walked several miles through the storm to attend a meeting that offered no prizes or fancy entertainment—only an opportunity for better living and a brighter future.

Driving back to Charlotte over the icy roads following this meeting, Mr. Yarborough determined to do something that would call attention to the achievements of youth. He reasoned that if the group of boys had spent the evening running wild, everybody would have been talking about it the next morning, and the newspapers would have prominently displayed the story. He thought to himself what an injustice it is that the reckless and criminal behavior of 5 percent of our young people receives more attention than the positive and constructive accomplishments of the 95 percent who are good citizens.

Several of Mr. Yarborough's friends joined in his plan to switch the spotlight from delinquency to decency. They enlisted the cooperation of other civic clubs in Charlotte and began observing a Youth Appreciation Day. Mr. Yarborough devoted his attention to selling the idea to other communities in our State, and the Governor joined in the movement by issuing a proclamation.

By 1956, the program had been so well received that Optimist International decided to adopt the idea as a special project for 1957.

"There is a need to dramatize decency instead of delinquency," Mr. Yarborough says, and he has proceeded to take positive action to inaugurate a movement to do just that. With Optimist International behind it, and with the added stimulation of a proclamation by the President, I believe this movement will be accepted throughout the country as a positive and constructive program.

Many adults think stern discipline is the only answer to the problem of juvenile delinquency. I do not discount the importance of discipline but am inclined to believe it should be mixed with a generous portion of understanding and confidence. A little praise occasionally for a job well done may pay big dividends.

"As the twig is bent so is the tree inclined."

SOIL-BANK PROGRAM AND ACREAGE RESERVE PROGRAM

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Speaker, the Congress soon will be called upon to consider approval of more funds to continue the acreage reserve part of the soil-bank program beyond the present crop year. The situation in which we find ourselves is little short of amazing.

The Secretary of Agriculture opposed the soil-bank type of program when it was first suggested 2 years before he reluctantly adopted it. In recent weeks the Secretary has again raised questions about the wisdom of continuing the soil bank, particularly in his press conferences. And only last week in St. Paul he told the Minnesota Bankers Association:

> It might be possible to work out regulations which would be stiff enough really to control production. But the evidence of 25 years is that farmers do not want them. The Congress will not enact them, and even if they were enacted it would be difficult to enforce them.

Two days after the Secretary was saying controls would not work, the Administrator of Commodity Stabilization Service which handles the soil-bank program said in Kansas that the program had failed to control production. And while he said that controls stifle free enterprise, he suggested that it might be necessary to consider some form of cross-compliance—that is, stricter control—in 1958.

During the same week the Administrator of the Soil Bank, Mr. Howard Doggett, raised questions about the advisability of the acreage-reserve program. I have here a clipping from the Minneapolis Star. It tells about a visit to the Capital of some prize-winning students, who had an interview with Mr. Doggett. The story says some of the students asked Mr. Doggett why it was the Secretary of Agriculture first opposed the soil bank and now advocates it. Mr. Doggett replied, and I quote from the Star:

> I think the Secretary has always felt that the soil bank is not the answer to all our farming problems. The acreage-reserve part of the soil bank is at best a temporary thing, although the conservation-reserve aspect probably will continue for a long time. Mr. Benson's interest is primarily in the conservation part of the program.

There were two reasons the soil-bank program was enacted into law. One was that farmers were faced with a cost-price squeeze and some plan was needed to provide them with additional funds. The other was to bring production in line with prospective markets.

Mr. Speaker, the fact that officials of the Department have themselves cast doubt on the effectiveness of the acreage reserve confirms the position the House has taken. This is that the acreage reserve has failed, that is is not serving the purpose for which it was authorized, and that it should therefore be limited to this crop year only.

The evidence of the June 10 crop report is eloquent in support of the House position. The June 10 crop report shows there will be no significant reduction in size of the wheat crop, if there is any reduction at all, despite the United States Department of Agriculture report that some 12½ million wheat acres have been signed up in the acreage reserve. The crop report indicates that the largest grain sorghum crop in history will be harvested this year; that the soybean crop will be larger even than the record-breaker of last year; that the corn crop, if it is reduced at all, will suffer more from wet weather which delayed getting the crop in than from any signup in the soil-bank acreage reserve. Members of my staff have talked with officials in the soil bank who feel it is time to recognize this program is a failure and shift to a more practical one.

I am one of the conferees who will meet soon with conferees from the other body to work out details of the agricultural appropriations bill. All of the information I have received is that this program has proved to be unworkable; that it has failed to serve the purpose for which Congress authorized it. I would appreciate it if the other Members would give me their views, since they are familiar with the situation in their respective States. If there are any Members who can show that this program has succeeded in controlling production, I would like to have the information.

THOMAS E. MURRAY

THE LIVESTOCK AND POULTRY

munist conspiracy as a bona fide loyalty

THOMAS E. MURRAY

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, I was greatly disappointed in the failure of the administration to reappoint to the Atomic Energy Commission Mr. Thomas E. Murray. It would seem to me that our Nation could ill afford to lose the vast reservoir of knowledge that Mr. Murray has accumulated in his years of valuable service on this important Commission.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman means failure of the President to reappoint him.

Mr. PRICE. The gentleman is correct. I mean the failure of the President to reappoint Mr. Murray.

I think it is the first time that a member who was willing to continue his service on that Commission failed of reappointment. The country has suffered a great loss. I do not criticize in any way the gentlemen who have been selected to succeed Mr. Murray, but it would be impossible for either of them in a period of 2 or 3 years to begin to be of the value to the country that Mr. Murray has been over the past few years. The Commission should not become a yes-man commission.

In this connection I enclose the following editorial from the New York Journal-American of yesterday, and which I imagine will appear in all other Hearst newspapers:

MURRAY DUMPED

President Eisenhower's nomination Monday of a former official of the Truman regime to replace Thomas E. Murray on the Atomic Energy Commission is tantamount to dumping a man of exceptional ability and service for one whose competence is unknown.

Mr. Murray, whose term expires this month, is a Democrat and the only remaining appointee of former President Truman on this vitally important Commission. Both Democrats and Republicans have praised him as outstanding.

His one-man dissents from the views of AEC Chairman Lewis L. Strauss have on several impressive occasions proven right. It is no secret that he earned Mr. Strauss' disfavor.

Politics, plus this personal opposition, is woven through the situation. The President named John F. Floberg, former Assistant Navy Secretary for Air, and rated as a political independent, to succeed Mr. Murray; and a Truman Democrat, John S. Graham, to fill another vacancy caused by death.

Mr. Floberg may be a good man. But in a job like this a good man is not good enough, when there is available a person of the experience and stature of Mr. Murray. We don't think the Democrats will be placated, nor the American people pleased.

Senators on the Joint Congressional Atomic Committee, who will review the nominations, should give them a hard look. The AEC should not be allowed to become a yes-man echo of the views of Mr. Strauss.

THE LIVESTOCK AND POULTRY INDUSTRY

Mr. HILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Mr. Speaker, the meatpacking industry is so much a part of agriculture and its operations are so closely related to those of the livestock producers that congressional consideration of those problems should stay with the Committee on Agriculture.

In 1921 the Congress enacted the Packers and Stockyards Act, the primary purpose of which is to assure fair competition and trade practices in livestock marketing and in the meatpacking industry. The act safeguards farmers and ranchers against unfair practices in marketing their livestock and protects the packing industry and consumers against unfair business practices in the marketing of meats, poultry, and so forth.

The Packers and Stockyards Act provides that its administration be vested in the United States Department of Agriculture. The reasons for the Congress placing administration of the Packers and Stockyards Act with the Department of Agriculture in 1921 are even more valid today.

Livestock production is the largest and most important segment of agriculture from the standpoint of the number of farmers involved and the proportion of cash income derived from the sale of livestock. Meatpacking is one of the largest industries in the country. Consumers, too, are vitally interested in the livestock and meat industry because of the amount and value of meat they consume. Last year consumers spent about one-fifth of their food dollar for meats.

The Packers and Stockyards Act is a well-designed and integrated act encompassing the broad phases of the entire livestock and meat marketing function. Its provisions are interrelated and supplement each other.

The nature of the livestock and meat industry is such that a single broad legal authority is necessary, not only with respect to stockyards and the livestock marketing practices conducted there, but also with respect to any monopoly, unfair, deceptive, or otherwise discriminatory practices which might occur in the meat packing and marketing industries.

The close relationships between meat packing, merchandising, and the determination of prices for livestock and poultry make coordination of responsibilities for all phases of the livestock and meat industries essential to the maintenance of open competition. A division of this regulatory authority would seriously handicap accomplishment of the objectives of the act.

In recent years there has developed considerable decentralization in the livestock and meat packing operations in this country. The closely integrated nature of the meat industry and the intensified merchandising functions, particularly in the retailing of meat, have brought about the need for some clarification of the functions and responsibilities under the Packers and Stockyards Act.

Yet the basic reasons for and functions of the Packers and Stockyards Act remain as important today as in 1921 and enforcement of the act should be retained by the Department of Agriculture. The bill, H. R. 7743, which I have recently introduced, would provide this needed clarification. This bill has been referred to the Committee on Agriculture, and it is hoped that it will receive favorable action by our committee.

SUPREME COURT DECISIONS

Mr. FLYNT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Speaker, I respectfully call to the attention of the House three decisions read by the Supreme Court on Monday, June 17, 1957. Those cases were John Stewart Service against Dulles; Watkins against United States; and Connally et al. against United States. Within the next few days I shall have more to say in detail concerning these decisions, but for the time being I want to urge as many of my colleagues as possible to read these decisions and study their import.

The Watkins case is a direct slap at the integrity and the power of Congress. It restricts almost to the point of nullifying the power of congressional inquiry and the power to compel testimony where such testimony has heretofore been compellable. The Court intimated, if it did not indeed say, that contempt of Congress no longer stands on an equal level with contempt of court. In effect, the United States Supreme Court, the only Court specifically provided for in our Constitution and a part of the only branch of our Government the head of which is not elected by the people, has sought to discredit that branch of the Government which is closest to the people themselves, the Congress of the United States.

In the Connally decision the Court reversed the conviction and set free 5 of the 14 California Communist leaders convicted under the Smith Act and granted new trials to each of the other 9. Two of the Associate Justices went so far as to say that all 14 should be freed outright. We are to be grateful that there was a vigorous dissent in this case by Associate Justice Clark and that the decision of the Court was not unanimous. In this case—Connally et al. against United States—the Court ruled in effect that the Communist Party no longer advocates the overthrow of our form of government and our Government itself, and an analysis of this decision will indicate that they are laying the groundwork for judicial recognition of the Communist conspiracy as a bona fide, legitimate political activity. With such a position I find myself in total disagreement.

In addition to the case of Connally et al. against United States, the Court rendered a similar decision in two other cases—Yates et al. against United States and Schneideman against United States.

Mr. Speaker, these decisions were all handed down last Monday, June 17, 1957. On early Tuesday morning I officially, as a Member of Congress, requested from the Court a copy of each of the decisions. Even though this request was as stated an official request and that fact was known at the time, I was told that it would be several days before I could be supplied with a copy. That may be technically correct, but it has been and shall continue to be my belief that when copies of official documents, which are public in their nature and are not classified for security purposes, are available in either the judicial or the executive branches, that they should be made immediately available to Members of Congress upon request.

Mr. Speaker, I shall go into a further discussion of these decisions and their effect upon our form of government within the next few days when more time shall be available.

THE GRADUATED INCOME TAX IN AMERICA

The SPEAKER. Under previous order of the House, the gentlewoman from New York [Mrs. ST. GEORGE] is recognized for 30 minutes.

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain tables.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, nearly 200 years ago there occurred in our country a revolution in the true sense of that word. It was a revolution because it changed men's thinking all over the world.

Today we are inclined to speak of the American Revolution as a fight for freedom, but that would have been nothing very new. Since the dawn of history the fight between slavery and freedom has gone on and will continue. It is an error to say that the world cannot long endure half slave and half free, because the world has so endured and that battle still continues with as much violence as ever.

No, Mr. Speaker, our Revolution was touched off, primarily because the men and women of that time had left the comforts and ease of a well regulated world to come out into the unknown and carve for themselves a living and perhaps even a fortune that they could control. Our Revolution was touched off by unjust tax laws. When we look at those laws today we can see that they were rather small excise taxes on a few staples, but they were imposed without the consent of the people themselves and the concept that no one can be taxed without his consent was born and triumphed in our Revolution, and changed the thinking of the world on that subject.

Until 1913 our country grew and prospered under a very light tax program, and until that year the graduated income tax, like the passport, was something the American citizen considered only fit for the benighted peoples of Europe and something that his country would never have to consider.

I have briefly, all too briefly, gone over our beginning and our past because I would like to remind this House of what a very far cry it is from that beginning, and also to bring to the attention of this House that again today there is a very real and a very deep stirring among the people we represent against our present tax laws, notably the graduated income tax.

We all realize, I think, that taxes will always be with us, but that does not mean that our tax laws are perfect or that they are not subject to change and to reform.

The income tax in this country has grown like Topsy, from very modest beginnings 50 years ago into a monster, and, like most monsters, it is stupid, expensive, unwieldy, and unjust. The original rate of normal tax on individuals was 1 percent; the exemption for a married person without dependents was $4,000; the surtax began at 1 percent on income above $20,000 and rose to a maximum of 6 percent on income above $500,000. The rate for corporations was a flat 1 percent of net income.

The income tax has existed in England since 1799, but this was a simple tax of so many pennies in the pound. The graduated income tax, the only comparison of interest to us today, is slightly older than our income-tax law, having been promulgated in 1910, when the late David Lloyd George was Chancellor of the Exchequer. He was the author of the measure and made the statement at the time of its passage and enactment into law:

> It (the tax) is no longer temporary, but the center and sheet anchor of our fiscal system.

This theory was extremely unpopular in many quarters in Great Britain, and the act at the time was highly unpopular. It was the great Gladstone, the outstanding progressive of his day, who had opposed the theory of graduation in the law as "tending toward communism."

The British pay an extremely high income tax, and their system is by no means perfect. Nevertheless, it compares favorably with our own, and for that reason I would like to examine the two systems because I believe that we can learn much from the British and the Canadians on this subject.

First, we must, it seems to me, define what we mean by income. At once we will find the basic difference, and possibly the root of our own trouble. We look up the word "income" in Webster's New Twentieth Century Dictionary, and this is what we get:

> That gain which proceeds from labor, business, or property of any kind; the produce of a farm; the rent of houses; the proceeds of professional business; the profits of commerce or of occupation; the interest of money or stock in funds; revenue; salary; generally applied to the gain of private persons; as, the annual income of a gentleman.

Oh, Mr. Speaker, what confusion can be, and is engendered, by this definition. How long winded, how subject to various and sundry interpretations. No wonder that our country is crawling with tax experts, and no wonder that no citizen can make out his own return with any confidence that he has clearly understood and correctly interpreted the tax form before him. No wonder that many of our citizens, who can ill afford it, pay lawyers to go over their tax returns and advise them.

Now, Mr. Speaker, let us look at the word "income" in the Oxford Universal Dictionary, and this is what we find:

> That which comes in as the periodical produce of one's work, business, lands, or investments (commonly expressed in terms of money); annual or periodical receipts accruing to a person or corporation.

Why, here we have something absolutely clear that a child can understand, that no amount of casuistry can shake or change. Of course, income is that which comes in as the periodical produce of one's work and investments and it is annual or periodical receipts accruing to a person or corporation.

No wonder that in Great Britain and Canada the citizenry are not being constantly handed into court for evasion or fake returns on their income taxes. As a matter of fact, such cases are practically unheard of in both countries. The income tax is not a method of punishing and getting criminals for every known crime in the book. Indeed, the difference in definition will explain many of the differences and account for many injustices in our own law.

In the Final Report of the Royal Commission on Taxation of Profits and Income for 1955, it says:

> Capital gains and losses are not true elements in net income as that term is usually understood. They are not regular or recurring or expected; but being sporadic and often unexpected are not treated by those enjoying or suffering them as spendable income (if gains) or as reductions in spendable income (if losses).

Here is a question never resolved in the United States and everlastingly subject to litigation and discussion.

To take a case that everyone is very familiar with, think of the money derived from prizes given out in the so-called quiz programs on radio and television. I do not believe any Members of Congress have ever won any of these prizes, but that is no reason why we should not note the gross injustice of classifying them as income. Of course they are nothing of the sort if we accept the correct definition of income. They are windfalls that happen once in a lifetime and are certainly at best capital gains. This example is given because it is so obvious and has received so much publicity; but we can all think of similar examples. Here again, in the United States, most winnings and prizes are taxable, though there are exceptions. In the United Kingdom, winnings and prizes are exempt.

Mr. Speaker, I would like at this point to place in the RECORD two comparative tables on rates of United States income tax on individuals and the rates of the United Kingdom income tax on individuals, as well as the rates of United Kingdom surtax on individuals:

Rates of United States income tax on individuals

Not over $2,000	20 percent.
$2,000 to $4,000	$400 plus 22 percent of excess over $2,000.
$4,000 to $6,000	$840 plus 26 percent of excess over $4,000.
$6,000 to $8,000	$1,360 plus 30 percent of excess over $6,000.
$8,000 to $10,000	$1,960 plus 34 percent of excess over $8,000.
$10,000 to $12,000	$2,640 plus 38 percent of excess over $10,000.
$12,000 to $14,000	$3,400 plus 43 percent of excess over $12,000.
$14,000 to $16,000	$4,260 plus 47 percent of excess over $14,000.
$16,000 to $18,000	$5,200 plus 50 percent of excess over $16,000.
$18,000 to $20,000	$6,200 plus 53 percent of excess over $18,000.
$20,000 to $22,000	$7,260 plus 56 percent of excess over $20,000.
$22,000 to $26,000	$8,380 plus 59 percent of excess over $22,000.
$26,000 to $32,000	$10,740 plus 62 percent of excess over $26,000.
$32,000 to $38,000	$14,460 plus 65 percent of excess over $32,000.
$38,000 to $44,000	$18,360 plus 69 percent of excess over $38,000.
$44,000 to $50,000	$22,500 plus 72 percent of excess over $44,000.
$50,000 to $60,000	$26,820 plus 75 percent of excess over $50,000.
$60,000 to $70,000	$34,320 plus 78 percent of excess over $60,000.
$70,000 to $80,000	$42,120 plus 81 percent of excess over $70,000.
$80,000 to $90,000	$50,220 plus 84 percent of excess over $80,000.
$90,000 to $100,000	$58,620 plus 87 percent of excess over $90,000.
$100,000 to $150,000	$67,320 plus 89 percent of excess over $100,000.
$150,000 to $200,000	$111,820 plus 90 percent of excess over $150,000.
Over $200,000	$156,820 plus 91 percent of excess over $200,000.

Rates of United Kingdom income tax on individuals

First $168	11.25 percent.
Next $420	23.75 percent.
Next $420	33.75 percent.
All over $988	42.50 percent (standard rate).

Rates of United Kingdom surtax on individuals

First $5,600	Nil.
$5,600 to $7,000	10.0 percent.
$7,000 to $8,400	12.5 percent.
$8,400 to $11,200	17.5 percent.
$11,200 to $14,000	22.5 percent.
$14,000 to $16,800	27.5 percent.
$16,800 to $22,400	32.5 percent.
$22,400 to $28,000	37.5 percent.
$28,000 to $33,600	42.5 percent.
$33,600 to $42,000	47.5 percent.
Over $42,000	50.0 percent.

It will be seen that here we find in the United States top bracket a tax rate of 91 percent; in the United Kingdom we have a top of 42.5 percent and a surtax rate of 50 percent.

Mr. Speaker, we all know that 91 percent is confiscation and that it has, and is, driving incomes subject to this percentage into tax exempt bonds and investments in Switzerland and into other methods of getting away from paying such a prohibitive proportion of income. In other cases these sources of income are drying up and it is a fact that if all the top income brackets were to be wiped off the books tomorrow this Government would get along just about as well as it does today. The amount contributed by the multimillionaire in the high income bracket is altogether negligible and the Government of the United States is supported by the citizens in the $2,000 to $8,000 income tax bracket. This is perhaps not good political speech material, but is the truth and most of our citizens realize it.

It is therefore quite obvious that a tax rate of over 50 percent of income leads simply to diminishing returns; it is hard and very expensive for the Government to collect; and it stultifies new enterprises and ambition.

Now we come to the question which it seems we must resolve: What is the income tax for, and how does it function in the United States of America?

We all know that the idea of the graduated income tax is the main cornerstone of Marxism and therefore communism. This is completely logical and proper, because if you claim as a basic fundamental philosophy of life and government that the citizen has a right to the fruits of his labor and to his possessions, acquired or inherited, communism not only cannot exist but becomes completely unworkable.

But we needed money, more than we were able to raise by the usual methods of taxation, in 1913. We were getting into world politics where the war clouds were gathering and where arms and munitions had to be bought and paid for, and so we started with a modest graduated income tax, that with more wars and more world politics has grown into what it is today.

Now, Mr. Speaker, there is no question that the income tax is here to stay, but may one ask, is it to be more than a measure to raise necessary revenue for the Nation's needs?

Today, to enforce and collect the income tax in this country, we have an army of Government employees who delve and dig in the records of the taxpayers at considerable expense to the Government, and for very small pickings indeed. Of course the upper bracket taxpayer not only pays his taxes in full, he usually overpays them, and he would indeed be a fool to do anything else, because through this method he receives his overpayment back, plus 6 percent, which is a pretty good rate of interest in any man's book.

Besides these agents, there is also an army of faceless informers. These individuals, who are carefully protected by the Bureau, go about suggesting that various persons or businesses be investigated. If something is turned up, they get 10 percent of the take; if nothing comes of it they are none the worse off. In the meantime, some individual or business has been harassed and put to considerable expense and mental anguish.

To all intents and purposes there is no statute of limitation applicable to income taxes. The minute the Internal Revenue starts digging into a tax return they can go on indefinitely in the hope of turning up what they are looking for, and it is quite conceivable that the Agency could actually go back to the year 1913 to correct or verify a return.

Apart from the morals involved in these procedures, they are extremely wasteful and expensive to the Government. It would doubtless be far better to let a few faulty or even dishonest returns get by than to spend the millions now being spent on investigations and checking past records, that in many instances are impossible to find. The informer system is, of course, repugnant to our whole philosophy of government and morals, and is a system borrowed lock, stock, and barrel from the Communists who have invented and perfected it.

In looking into this question of income-tax collections, we find that in Great Britain and Canada there seem to be none of these difficulties and that their income taxes are collected in an orderly manner with no court cases against delinquent taxpayers, to speak of. Is this because the British and Canadian citizenry are more honest than ourselves? I do not think so. It is because their law is simpler and therefore easier to handle. It is strictly for the raising of revenue, not to get at gangsters, murderers, dishonest politicians and assorted crooks. And, above all, it is not used to investigate the private lives and occupations of the citizens.

Another thing that greatly simplifies their collections is that what correspond to our certified public accountants known as chartered accountants, are empowered to review and sign any income-tax return. Once the return has been so signed the Government does not question it further. This saves the Government money, helps and saves the citizen money, and accomplishes the true objective and purpose of the income tax.

Mr. Speaker, we must reform our income-tax structure. As it stands today it is rapidly reaching the point of diminishing returns. It is costly to enforce. Finally, through its system of informers and the necessary army of agents to enforce it as it is today, it is un-American and unworthy of a free people. It contravenes one of the basic tenets of our law in that it presupposes the individual guilty until he has proved his innocence. And finally it is dangerous and a menace because it is used to ferret out and punish crimes which are in no way related to the taxing powers of the Federal Government. It therefore obstructs our inalienable right to life, liberty, and the pursuit of happiness.

Mr. OSTERTAG. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield.

Mr. OSTERTAG. I want to take this opportunity to commend the gentlewoman from New York for the outstanding address she has delivered here to the House in regard to our tax structure and particularly with regard to our income tax system. I hope the gentlewoman's remarks will carry weight with the appropriate committees of the House and with the administration and others concerned with the tax system. It will not be long before serious consideration will be given to the revision of our tax measures. What the gentlewoman has said should give them much food for thought as to such revision. I commend the gentlewoman for her contribution.

Mrs. ST. GEORGE. I thank my good friend and colleague from New York. I certainly appreciate his commendation and also his hope, which I share.

Mr. HOFFMAN. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield.

Mr. HOFFMAN. May I be permitted to join in the remarks just made by my very able colleague?

Mrs. ST. GEORGE. I thank my friend and colleague from Michigan.

USE OF THE WORD "CONGRESSIONAL"

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from New Jersey [Mr. THOMPSON] is recognized for 1 hour.

SUGGESTED AMENDMENT OFFERED TO A MEASURE REGARDING CONGRESSIONAL QUARTERLY

Mr. THOMPSON of New Jersey. Mr. Speaker, I have seriously considered the two bills offered by the gentleman from Michigan [Mr. HOFFMAN] to bar from the mails certain publications having titles which convey the false impression that they are official publications of the United States Congress and to prohibit the use of the word "Congress' or "Congressional" as part of the title of any publication where the use of such word can reasonably convey the false impression that such publication is an official publication of the United States Congress.

The more I think about these two bills the more I am convinced that the gentleman from Michigan has called attention to a most serious and important problem.

My contribution to this important and timely matter would be to point out that these two bills deal with a far too limited part of the problem which arises from the unquestionably misleading use of names which, by long usage, surely import connections, or approbation, by official segments of our Government to the firms and businesses involved in such a way as to mislead the most perceptive citizen.

Take, for instance, the beverage known as Senators Club.

Even though this beverage by the quart or the fifth may never have been purchased by a Member of the other House it is my opinion—my curbstone opinion, that is—that the word "Senator" should never have been included in the name of this beverage.

The consumer, the buyer of goods and services, which all of us are, must often be under the impression when dealing with firms having certain words in their title, or when buying goods and services using these same words, that he is dealing with, or relying upon, a part of the Federal Government or purchasing items approved by it.

Nor should we be misled into placing too much reliance on such magazines as Editor and Publisher, the trade publication for the newspaper field.

I include here the following article and editorial from Editor & Publisher and an editorial from the Toledo Blade, Toledo, Ohio, of June 1, 1957, as part of my remarks:

[From Editor & Publisher of June 8, 1957]

SCHROTH SAYS CONGRESSIONAL QUARTERLY REPORT IS IMPARTIAL

WASHINGTON.—Representative CLARE E. HOFFMAN'S attempt to bar Congressional Quarterly reports from the mails (Editor & Publisher, June 1, p. 10), grows out of a politician's objection to having his voting record exposed, Thomas N. Schroth, Congressional Quarterly executive editor, declared this week.

The Congressman would also make it illegal for a private organization to use the name "Congressional."

Mr. Schroth maintained that Congressional Quarterly renders an impartial measurement of Congressional activity to the press and public. "As a Congressman votes," he said, "so is his record put down by the systematic methods designed over the years by Congressional Quarterly."

The editor suggested that Mr. HOFFMAN'S pique may be due to the fact his own record of rollcall votes shows that his support of the President's program "consistently has been among the lowest in Congress, his direct opposition to the President's program among the highest."

Republicans and Democrats alike, Mr. Schroth said, rely on Congressional Quarterly measurements.

"Congressional Quarterly," he said, "is proud of its statistical studies and their contribution to better reporting. The studies are the first successful attempt to show clearly what the men on Capitol Hill actually are doing. It's to be expected that some Congressmen do not like this, but editors, reporters and—even more important—newspaper readers do."

Mr. Schroth denied Representative HOFFMAN'S assertion that Congressional Quarterly lists absence as a vote against the President's program. He said Congressional Quarterly counts only "yea" and "nay" votes and divides the votes cast by a Member in agreement or in disagreement with the President's position by the total number of votes included in the tabulation.

[From Editor & Publisher of June 8, 1957]

WHAT'S IN A NAME?

Representative CLARE E. HOFFMAN goes too far in his political retaliation against Congressional Quarterly. The Congressman would have been within bounds if he had limited his attack to criticism of the publication which seems to upset him. But he stepped out of bounds when he introduced legislation to bar it from the mails and to prevent its use of the names "Congressional" or "Congress" simply because he doesn't approve of its methods.

In fact the proposals are a little ridiculous. Congressional Quarterly has been in business for more than 13 years and no one has questioned its right to report on Congressional activities and use that name prior to this time.

Congress has no vested right in either of those names. In the Washington telephone book there are 30 organizations listed under the name "Congress" and an additional 34 under the listing "Congressional." There is a monthly Congressional Digest published in Washington (with no official connection) and a Congress Weekly published in New York (by the American Jewish Congress). There are also the Congressional Information Bureau and the Congressional Film & TV Service in Washington. Does Representative HOFFMAN contend they shouldn't use the names either because they might imply some official connection?

We hope the Congressman doesn't contend that the voting records of Senators and Congressmen and the activities of Congress should not be reported and interpreted by anyone that chooses to do so.

[From the Toledo Blade, Toledo, Ohio, of June 1, 1957]

MORE THAN A NAME

In presenting a bill to bar fom the mails any publication bearing a name which conveys the false impression it is an official publication of the United States Congress, Republican Representative CLARE HOFFMAN, of Michigan, makes no bones about gunning for one particular periodical, the Congressional Quarterly. But the reason for his animus toward this digest, it is plain, derives from more than an objection to its name.

Congressional Quarterly is a reference and feature service subscribed to principally by newspapers of varied political position—Republican, Democratic, and Independent. It provides background information, statistics, and analysis dealing with the actions of Congress and its committees. Certainly none of these newspapers has the false impression that this service has any official connection with Congress nor are their politically literate readers likely to be misled as to the source of information provided by it.

Mr. HOFFMAN reveals a little more about the nature of his peeve when he asserts that Congressional Quarterly is spewing forth its pro-Democratic propaganda while it masquerades as a nonpartisan, objective source of information about the United States Congress. But competent editors of whatever political outlook are perfectly capable of detecting partisan propaganda without requiring an act of Congress to protect them. It is unlikely that even Democratic editors would pay out good money for a Democratic-slanted reference service much less those of Republican and Independent leanings. A propaganda bias in such a service would render it useless—a fact of which editors are probably more keenly conscious than is Representative HOFFMAN.

The information Congressional Quarterly contains usually speaks for itself—the voting records of individual Congressmen, their support of the President and their party, etc. How it is interpreted depends on the views of the interpreter. But Congressional Quarterly may be distressing some Congressmen merely by laying out the record so that it is somewhat easier for editors, the public, and other politicians to check on.

The United Press got into the act with this story which appeared in the Washington (Pa.) Observer:

HOFFMAN WANTS PROTECTION FOR WORD "CONGRESSIONAL"

(United Press story dated May 31, 1957, appearing in the Washington (Pa.) Observer)

WASHINGTON, May 29.—The Congressional Limited, Congress Variety Shop, and Congressional Roller Skating Rink better watch out.

Representative CLARE HOFFMAN, Republican, Michigan, wants to protect the words "Congress" and "Congressional" from being used by just anyone.

The Congressman introduced bills Tuesday that would ban use of "Congress" or "Congressional" in a publication title when that would convey the false impression that the publication is authorized by Congress. The bills also would ban the publications from the mails.

But that could be just the beginning. The Government already bans all commercial enterprises from implying they are Federal agencies by use of such titles as "United States" and "U. S." Congress might decide to extend the law to cover "Congress" and "Congressional." And what aobut such hallowed words as "Senator," "Senate," and "House"?

The Washington telephone book alone contains 64 listings under "Congress" and "Congressional" including the Library of Congress, which doesn't have to worry, and Eugene A. Congress, who might have to.

The listings include the Congress Barber Shop, Congress Beverage Co., Congress Heights Service Station, and Congressional Intelligence. The last listing is the name of a firm, not an editorial comment.

Then there are the listings under "Senate." They sandwich the United States Senate, also see United States Government, between Senate Delicatessen and a fellow named Sam Senator.

The House list is equally interesting. It includes House of Beauty, House of Beef, House of Prayer, House of Representatives also see United States Government, House of Spirits, House of the Good Shepherd, and Miss Werdna House.

Finally, there are the Washington Senators. But some baseball fans contend they need a change, anyway.

Considering all these matters, and confident that Editor & Publisher must somehow be biased, and must have some New Deal connections, and, at the very least, is undeniably New Deal in its sympathies—as can be plainly seen from the substance and tone of its June 8 editorial—and can, therefore, be totally ignored, I therefore, offer an amendment to the measures sponsored by the gentleman from Michigan, and trust that he will accept it in the spirit in which it is offered, to provide that it shall be illegal for any privately conducted enterprise to use as a part of its name those appellations calculated to convey the impression—obviously false—that such enterprise or enterprise or product or service has some connection with or authorization from any recognized agency of the United States Government or any of its departments or agencies or independent establishments.

I must confess I was shocked, when I got into this study I made, to find such a large number of the kind of listings in the Washington, D. C., telephone directory using the words "United States," "Congress," "Congressional, "President," "Presidential," "Senate," "Supreme Court," "Armed Forces," "Army," "Navy," "Marine Corps," "Air Force," "Coast Guard," and "Government."

Without exhausting the list of enterprises which thus, obviously, are misleading the public, including Members of this House, I am going to take a minute or two to list for your consideration some of the firms using words to which we must object.

Now, surely, anyone not familiar with the situation would suppose that these firms were managed by the Congress of the United States, or that the Congress had a financial interest in them.

This mistaken conception leads, in turn, no doubt, to the belief that the President's budget is more inflated that it really is.

Let us see how this works, for instance, in regard to the Congress Beverage Co., the Congress Barber Shop, the Congress Construction Corp., the Congress Hotel, the Congress Investment Corp., the Congressional Apartments, the Congressional Builders and Decorators Supply Co., Inc., the Congress Paint Manufacturing Co., Inc., the Congress Roofing Co., Inc., the Congress Theater, the Congress Development Corp., the Congress Variety Shop, the Congressional Beverages.

So far, there are two beverage companies, one barber shop, also construction, investment, development, and building supply companies involved, as well as two hotels, an apartment house, a variety shop, and a theater. This doesn't begin to exhaust the list, though it does exhaust me, somewhat.

Here, for the record, are the other firms which use the name "Congressional": Congressional Camera Center, Congressional Cemetery, Congressional Cleaners, Congressional Club, Congressional Country Club, Congressional Daily, Congressional Day Camp, Congressional Digest, Congressional Drug Store, Congressional Electric Co., Congressional Films & TV Services, Congressional Florists, Congressional Flying Service, Inc., Congressional Information Bureau, Congressional Insurance Co., Congressional Intelligence, Inc., Congressional Liquor Store, Congressional Lumber Co., Inc., Congressional Manor Sanitarium, Congressional Meeting Hall, Congressional Motors, Inc., Congressional Radio & TV Sales & Service, Congressional Roller Skating Rink, Congressional School, Congressional Shopping City, Congressional Tile Co., Congressional Trucking Co.

Undoubtedly, consideration must also be given to the Republican Capitol Hill Club, the Congressional Relaxitorium of famed restaurateur Mike Palm, as well as to such beverages as Senator's Club. There is, also, the matter of the United States Rubber Co., probably one of the better known companies in this area.

So, it would seem, not only the citizen buying goods and services, but the taxpayer, too, whose dollars support the Federal Government is misled as things stand at present.

Undoubtedly, the taxpayer, who is not able to take the time to make a profound study of the subject, is led to think that the Congress is in the cemetery business, the club business, is running drugstores, electric companies, liquor stores, insurance companies, a roller skating rink, a trucking business, a flower shop and so on.

That trucking business, at this time, is most unfortunate, for, in the mind of the harried taxpayer, the Congress is tied in or linked up with Dave Beck.

So, while the Federal Government is large, goodness knows, it is, undoubtedly, not nearly as large as many taxpayers and citizens surely must believe that it is.

My proposed amendment will aid in correcting a false impression which must be held by a large body of citizens, as to the extent of the enterprises in which the Federal Government is engaged.

With this in mind accordingly, I have developed the following amendment and commend it to the attention of the gentleman from Michigan:

Amendment to H. R. 7803 offered by Mr. Thompson of New Jersey: On page 2, strike out line 1 and all that follows and insert:

"SEC. 712. False advertising or misuse of name to indicate connection with the United States Government: It shall be unlawful to use the words 'United States,' 'Congress,' 'Congressional,' 'President,' 'presidential,' 'Senate,' 'Senator,' 'Supreme Court,' 'House of Representatives,' 'Armed Forces,' 'Army,' 'Navy,' 'Marine Corps,' 'Air Force,' 'Coast Guard,' 'Capitol Hill,' or 'Government,' or any combination or variation of those words, as a business or firm name, where the use of such words alone or with other words is reasonably calculated to convey the false impression that such business or firm has some connection with, or authorization from, the United States or any branch of the Government thereof, or any department or agency thereof, where such connection or authorization does not in fact exist.

"Whoever violates this section shall be fined not more than $1,000 or imprisoned not more than 1 year, or both."

(b) The analysis of such chapter 33 is amended by adding at the end thereof the following:

"SEC. 712. False advertising or misuse of name to indicate connection with the United States Government."

MORE ON THE PRESIDENT'S LEGISLATIVE PROGRAM

I took the floor on Wednesday, May 22, to discuss the President's legislative program and its lack of support by the so-called modern Republicans.

It was extremely interesting that the gentleman from New York [Mr. DEROUNIAN] took the floor immediately preceding me to launch an attack on the Congressional Quarterly.

The publisher of the Congressional Quarterly, we were informed, at one time, served with the Office of War Information under a Democratic administration.

This is supposed to be conclusive proof that the facts which the Congressional Quarterly cited were unquestionably wrong.

This attack upon Congressional Quarterly reminds me of the story of the old lawyer's advice to the novice just out of law school:

If the law is with you, talk about the law.
If the facts are with you, talk about the facts.
If the law and the facts are both against you, talk about your opponent.

Late in the evening of May 22 the gentleman from Montana [Mr METCALF] was given the floor for half a minute and he asked a highly significant question.

That question and the reply for the Republican Party by the gentleman from New Jersey [Mr. FRELINGHUYSEN] was as follows:

Mr. METCALF. Mr. Speaker, will the gentleman yield?

Mr. DEROUNIAN. I yield to the gentleman for a half a minute.

Mr. METCALF. I wish either the gentleman from New Jersey [Mr. FREYLINGHUYSEN] or the gentleman from Wisconsin [Mr. LAIRD], one of those gentlemen who has been attacking the weighting of the Congressional Quarterly, would explain something to me, because I am interested in it, due to the fact that I am attacked at every election for not supporting the President and I am somewhat chagrined. Would the gentleman explain how we should weight these various rollcalls? How would you weight the difference between a rollcall on contribtuion to the World Health Organization and a rollcall in support of the President's Middle Eastern proposition?

Mr. FRELINGHUYSEN. I would say on that that I would certainly not myself make an effort at delivering a major speech on the basis of such thoroughly unreliable information which everybody should realize does not represent support or opposition to anybody.

Of course, it can readily be seen that the gentleman from New Jersey simply begged the question.

He did not answer the gentleman from Montana, nor, so far as I can find, has anyone else on the Republican side answered the question.

Attacking the Congressional Quarterly clearly is no answer.

You will be interested in the fact that I have found that the members of the Republican Party take an entirely different approach to this publication when they think it is politically expedient to do so.

I have been doing some research on this and in order to set the matter straight I am presenting here some statements showing what the Republicans have said at those times when it suited their purpose to rely on the Congressional Quarterly.

I want to say at this point, that it is very interesting to find Republicans taking out after the Congressional Quarterly as they did at the time of my speech on May 22 and as they have several times since.

And then, on other occasions, quoting the Congressional Quarterly favorably when it suited their purpose.

So, as I say, in order to set the matter straight here is what my research has turned up.

Consistency is a virtue, I think, and what I would say to my good friends on the other side of the aisle is that they should make up their minds on this matter and not continue to blow hot and cold on alternate days on such an important matter.

For good measure, here also are what editors of newspapers have said about the Congressional Quarterly. I must point out that they, as a rule, have been much more consistent in their support of the Congressional Quarterly.

Some occasions when Republicans cited the Congressional Quarterly to their advantage:

[From the Washington Post and Times Herald of September 28, 1956]

TRUTH SQUAD DEFENDS REPUBLICANS IN CONGRESS

KANSAS CITY, MO., September 27.—The Republican Congressional truth squad today rebutted charges made here last night by Democratic presidential nominee Adlai E. Stevenson that Republicans in Congress had failed to support President Eisenhower.

The truth squad, composed of Representatives WILLIAM WIDNALL, of New Jersey, and DONALD L. JACKSON, of California, called the charge "loose talk."

The Congressional Quarterly shows they said, "that Republicans supported Mr. Eisenhower 72 percent of the time on 99 rollcalls while the Democrats voted with the Administration only 48 percent."

Republican memo dated July 21, 1955, issued by the staff of the Republican Policy Committee, volume 1, No. 28, pages 2 and 3:

SURVEY SHOWS DEMOCRATS LAGGING ON PRESIDENT'S PROGRAM

The Congressional Quarterly, a private publication of Washington, D. C., specializing in Congressional affairs, reported July 15 another one of its running box scores on the President's batting average with the Democratic-controlled 84th Congress. Although Democratic leaders pledged cooperation with the President last January, they are certainly dragging their feet as Congress turns into the home stretch, the survey shows.

Of 200 Presidential requests for legislation between the opening of the session and June 29, the score looks like this:

Enacted into law, 52 (or 26 percent).
Still in process, 79 (or 39.5 percent).
Setback (but may be revived), 5.
Rejected, 5.
No action, 59.

PARTY SUPPORT

On a total of 69 rollcall votes (40 in the Senate and 29 in the House) in which President Eisenhower's proposals were in issue:

	In Congress as a whole	Senate	House
	Percent	*Percent*	*Percent*
Republican support	64	71	62
Democratic support	63	57	61

PARTY OPPOSITION

On the same 69 rollcalls, the measure of party opposition was:

	In Congress as a whole	Senate	House
	Percent	*Percent*	*Percent*
Republicans in opposition	23	15	26
Democrats in opposition	37	30	39

In other words, whether party performance is measured by support or opposition, Republicans in the 84th Congress to date have a better record of cooperation with the President than have the Democrats.

Republican memo dated August 18, 1955, volume 1, No. 32, page 7:

The Democratic-controlled 1st session of the 84th Congress caused President Eisenhower's batting average on his legislative program to drop to 0.463 from the sparkling average of 0.646 the previous Republican 84th Congress gave him in 1954, Congressional Quarterly weekly report reported August 12.

The publication, a private journal of Washington, D. C., which specializes in Congressional affairs, said the batting averge compilation indicated the extent of Mr. Eisenhower's success with his requests to Congress.

Congressional Quarterly said it tabulated 207 Presidential requests to the recent session, including 31 requests resubmitted to the 84th Congress from the 83d Congress. Of this total, Congressional Quarterly said the 84th Congress approved 98, or 46.3 percent. On the other hand, the Republican-led 83d Congress received 232 legislative requests, and approved 150 for an average of 64.6 percent. The publication said only specific requests for legislative action by the President himself were used for the compilation.

Newsweek magazine said in its issue of August 15 that President Eisenhower's criticism of the Democratic Congress for failing to enact important parts of his program "underscored this fact: Of his 200 most important recommendations, only 52 were passed. The year before, with a Republican Congress, the President had got 150 of his 232 recommendations through."

Republican National Committee news release dated October 20, 1954:

EISENHOWER GOT 53 PERCENT BETTER COOPERATION FROM CONGRESS THAN TRUMAN DID

President Eisenhower got 53 percent better cooperation from Congress in enacting his proposals than Truman did during his administration.

Leonard W. Hall, chairman of the Republican National Committee, said that an analysis of a box score compiled by an independent and nonpartisan news service organization in Washington, the Congressional Quarterly, shows that as a leader Mr. Eisenhower did remarkably better with Congress than did his predecessor.

For the 6 years from 1947 to 1952, Mr. Truman got 42.9 percent of his proposals approved by Congress. Mr. Eisenhower did 53 percent better than that, getting 65.9 percent of his proposals adopted in the 2 years of the 83d Congress.

In considering the 64 key or major legislative projects proposed by the President to the Congress this year, the score is even better. President Eisenhower got 54 of these enacted into law, for a batting average of .840. The Congressional Quarterly tabulates all the proposals submitted by the President to Congress.

Mr. Hall pointed to the comparison as a convincing reason for electing a Republican House.

In Washington with Harold Lovre, volume 8, No. 29, dated August 2, 1956:

It's too early to evaluate the work of this Democratic-controlled Congress, but it can already be shown that much less support was given to President Eisenhower's legislative program than in the session ending 2 years ago. In 1953, under a Republican-controlled Congress, the President received 73 percent support and in 1954, 65 percent approval. Under the Democrats this fell to 46 percent in 1955 and probably will be around 35 to 40 percent this year. He was citing Congressional Quarterly figures.

Newsletter, Your Washington Review, by Congressman JERRY FORD (Republican, Michigan), August 23, 1956:

According to figures of the Congressional Quarterly the Democrat controlled 84th Congress backed President Eisenhower on 72 percent of the 192 rollcalls in both sessions that presented clear-cut tests of support for his views. In comparison, the Republican 83d Congress supported Ike's position on 164 or 83 percent of 198 rollcalls involving his legislative program in 1953 and 1954. According to this same nonpartisan digest my overall box score supporting President Eisenhower in the 84th Congress stood at 91 percent. In this last session which ended several weeks ago my Ike batting average was 94 percent.

Newsletter, memo by Congressman JOHN W. BYRNES (Republican, Wisconsin), July 31, 1956:

IKE SUPPORT

It is perhaps symptomatic of the President's popularity that one of the Democrat leadership's boast, as Congress adjourned, was that the Democrats had given Ike 75 percent of what he asked for. Unfortunately, this boast does not square with the compilation made by Congressional Quarterly, a nonpartisan reference service, which stated that the 84th approved 46.1 percent of the President's program, compared to 73 percent of Ike's program enacted by the Republican 83d Congress.

SUPPORT OF DEMOCRAT PROGRAM

In addition to judging the Congress on how well it supported Ike, the standard set by the Democrat majority itself can be used. Last November, Senator JOHNSON, Senate majority leader, proposed a 13-point "program with a heart"; 42.8 percent, or about half, of this program was enacted. Question: Will Democrats, who like to give Congresses a name, now call the 84th "the half-hearted Congress"?

Mr. Meade H. Alcorn, Jr., chairman, Republican National Committee, on Meet the Press, NBC television program, June 2, 1957:

Mr. ALCORN. One of the major issues will be the fact that we have seen, I think, a very unusual and a very unhappy spectacle during this Congress. Ninety-four percent of the President's program is still unacted upon and is still bottled up in Congress. And I think one of the issues, if not indeed

Mrs. ST. GEORGE. I yield.

Publisher, June 1, p. 10), grows out of a publication bearing a name which conveys the false impression it is an official publication.

the major issue, will be that in 1958 in order to have an effective administration of the people's affairs—unless the people simply want a stalemate and I don't believe they do—the Executive should be entitled to have a Congress which will be at least in part sympathetic with the program of the party. In 1953 and 1954 when we had a Republican Congress, the President of the United States was successful in getting about 75 percent or 76 percent of his program through; in 1953 well over 60 percent; I think 65 percent in 1954. Then when we had a Democrat Congress come in in 1955 and 1956, the Congress gave him about 46 percent of his program. Now those figures don't lie and they demonstrate—(interruption).

These figures cited by Mr. Alcorn are taken from Congressional Quarterly tabulations.

Robert C. Crane, publisher, Elizabeth (N. J.) Daily Journal:

We find this material the best and most succinct reporting on the Washington scene, as well as the most educational material we can use in our columns.

Barry Bingham, editor, The Louisville (Ky.) Times, The Courier-Journal:

The Courier-Journal finds Congressional Quarterly news features a source of unusual and interesting material which is not available elsewhere. We believe it adds to the thought content of our paper.

J. Walter Greep, editorial writer, Lubbock (Tex.) Avalanche-Journal:

Since most editorials on present day topics require considerable research, your service renders a real service to the editorial writer.

Edward Lindsay, editor, Lindsay-Schaub Newspapers:

We find Congressional Quarterly material quite useful in our editorial pages, both daily and Sunday. In the main, it is not only factual and thorough, but well presented background material on major issues, along with a running reportorial job on the behavior of Congress not available in quite so usable a form elsewhere.

J. R. Wiggins, executive editor, the Washington Post and Times Herald:

We find the material from Congressional Quarterly extremely helpful and useful, not only for publication, but as background and reference.

Wright Bryan, editor, Cleveland (Ohio) Plain Dealer:

We use Congressional Quarterly primarily as reference material for our editorial writers and our Washington Bureau. Occasionally we publish some of your material as prepared by you.

Arden X. Pangborn, editor, Oregon Journal:

Congressional Quarterly not only provides us with innumerable exclusive news stories, many of them vitally important to our own Northwest area, but also offers an invaluable editorial page reference service.

Its completeness, accuracy, and impartiality insures its constant use.

John Whalen, editorial page editor, Mitchell (S. D.) the Daily Republic:

I think Congressional Quarterly is doing a bangup job of providing important background and other supplementary information on issues involving Congress and the executive branch. What's more, it is doing so in a fearless and unbiased manner. We use Congressional Quarterly largely as documentation in editorials but also occasionally run the articles as editorial page features.

Richard F. Pourade, editor, the San Diego Union:

The makeup of Congressional Quarterly enables us to break complex issues up into many parts so that the reader does not become confused with an intermingling of facts, opinions, controversy and debate. The reports are strictly objective and the arguments separated and well balanced.

Leslie Moore, executive editor, Worcester (Mass.) Telegram:

We find the Congressional Quarterly quite valuable. Our Telegram staff uses it regularly both for reference purposes and for background articles on the editorial page. The material is accurate and highly informative.

Robert G. Spivack, Washington Correspondent, New York Post:

I have found Congressional Quarterly the single most valuable service we get since I have been in the Washington Bureau of the New York Post. It's especially useful in preparing my column, "Watch on the Potomac." I can't calculate how many times I have referred to it or, for that matter, how much money it has saved my newspaper on research.

Reed Sarratt, executive editor, Winston-Salem (N. C.) Journal:

We find Congressional Quarterly material useful. We use it primarily in our editorial page department for reference purposes. We also print approximately half of the Congressional Quarterly news features.

James Osborn, editor and publisher, the Yuma Daily Sun:

I thought you would be interested in knowing that I have had quite a number of favorable comments on my use of Congressional Quarterly material. I use it from time to time in my page 1 column, Editor's Notebook.

Of course, we also use it to put the local or Arizona angle into features and editorials, too.

P. S.—Your special service of telegraphing the rollcall votes of the Arizona delegation we find is well worth the extra cost.

James R. Doran, editor, the Harrisburg (Pa.) Patriot-News:

We have found Congressional Quarterly to be invaluable for background and a gold mine of information political and otherwise.

Kenneth MacDonald, editor, the Des Moines Register and Tribune:

We find Congressional Quarterly valuable as an up-to-date reference work on Congressional voting, status of legislation, position of Congressional leaders on specific issues and other facts bearing on the legislative picture.

J. J. McManus, editor in chief, the Boston Post:

We use the Congressional Quarterly news features in both the daily and Sunday Posts and have for years. Even without the features, however, the Congressional Quarterly service would be invaluable because of the weekly reports, which provide a complete and well-indexed source of information on everything that happens in Congress. These reports have saved us from more than one printed boner when our library was unable to come up with the right answer.

WHAT PRESIDENT EISENHOWER SAID AT HIS WHITE HOUSE PRESS CONFERENCE

We have seen numerous Members from the Republican side saying different things on different days about Congressional Quarterly.

I would say to my Republican friends that it is not a matter of the Congressional Quarterly at all.

What is involved here is support or lack of support for the President's program—no more, no less.

What will the opposition do with articles from the New York Times and other publications which discuss the lack of Republican support for the President.

Are we to believe that this, too, is all a part of a Democratic-hatched plot?

Is anyone so gullible as to believe that these articles in stanch Republican newspapers and magazines are misinformed and uninformed?

For that matter, are we to believe that the President at his White House news conference does not know what he is talking about when he discusses the lack of support for his program in the Congress?

Let our critics explain the articles from the New York Times of May 23 by James Reston and W. H. Lawrence, which I include here.

For that matter, look at what transpired at the President's White House news conference on May 22, when the President replied to Robert J. Donovan, of the New York Herald Tribune, and W. H. Lawrence, of the New York Times.

All of you saw on the front page article in the New York Herald Tribune Monday morning, June 17, by Rowland Evans, Jr. The title, not by Congressional Quarterly, nor by me, but by this great Republican house organ is as follows: "President Presses Drive for Unity in Congress." I include this article as part of my remarks.

My Republican friends may argue that, after all, the New York Herald Tribune, the New York Times, and other publications are wordly journals smelling of the market place and inclined to be cynical.

I don't think that they are, anymore than I think Congressional Quarterly is politically biased and New Dealish.

So I give you this remarkable article from the Christian Science Monitor of Thursday, June 13, 1957.

The article was written by William H. Stringer, Chief of the Washington News Bureau of the Christian Science Monitor, and here is what Mr. Stringer says:

[From the Christian Science Monitor of June 13, 1957]

EISENHOWER TRIES SUASION ON BUDGET BALKY

(By William H. Stringer)

WASHINGTON.—At the White House they tell you:

"Wait and see. The President's battle for his budget and legislative program isn't over yet. Maybe the President didn't get into the fight too late after all. We may win out yet."

This could be wishful reasoning. So far, the presidential drive seems to have gotten results on the foreign-aid bill. Defense cuts are touch and go. Civil-rights legislation, the school bill, are in jeopardy. Yet budget cuts are biting as deep as first threats indicated.

EFFORTS STEPPED UP

But whatever the ultimate result, the White House has most certainly stepped up its drive to get Mr. Eisenhower's program through Congress. If one merely tabulated the number of phone calls to Capitol Hill, or the number of lawmakers dined quietly at that executive restaurant inside the White House, the scope of the effort to persuade Congress would be apparent.

President Eisenhower is criticized for not working more with the rank-and-file when Congress bigwigs oppose him. It is argued that he should wield a bigger patronage club, should threaten recalcitrant legislators. But at the White House they contend that the drive is more powerful, more varied, than some critics know or would admit. For instance:

1. Of course Mr. Eisenhower works primarily with his GOP legislative leaders. There are the weekly breakfasts, the regular conferences, the presidential phone calls to Senator WILLIAM F. KNOWLAND and Representative JOSEPH W. MARTIN, Jr.

But many an evening, around 6 o'clock, the President will be found meeting with a group of Senators or Congressmen at the White House—a session not on the appointment calendar—to discuss this or that bill.

STRATEGY WEIGHED

The Congress leadership knows of these meetings, but cannot control them. Mr. Eisenhower turns on his friendly persuasion, and more than one lawmaker goes away with his opinions changed to favor the legislation under scrutiny.

2. The Eisenhower political team is giving careful thought how to deal with totally recalcitrant Republican Congressmen back in their own districts. Strategy is not wholly jelled yet, because GOP National Chairman Meade Alcorn is still new on the job. But it's planned to notify legislators whose voting record for Eisenhower is virtually nil that they'll definitely be opposed in 1958 or 1960.

Take a certain Midwest Congressman who has opposed the Eisenhower program and indeed the GPO platform of 1956 far more than he supported it. He would be quietly made aware that a rival Republican candidate for his seat is being built up for 1958. This would be delicate business, but it's under active consideration.

[From the New York Herald Tribune of June 17, 1957]

PRESIDENT PRESSES DRIVE FOR UNITY IN CONGRESS

(By Rowland Evans, Jr.)

WASHINGTON, June 16.—President Eisenhower is now fully engaged in a concentrated, personal campaign among Republican Members of Congress in behalf of his program that has no equal in recent political history.

It was understood from qualified sources today that the President means to do no less in the months ahead than exert his personality directly on virtually every Republican in Congress, those in both the Eisenhower and conservative wings of the party. He has always, of course, had intimate weekly contacts with the Republican leaders in both the Senate and House. These leaders are about equally split in political belief between orthodox and modern Republican thinking.

In the last 2 or 3 weeks, it was learned, the President has invited some 20 Republican Senators, in small groups of 3 or 4, to hour-long conversations with him in the White House. Secrecy has cloaked these intimate sessions. The Senate visitors do not appear on the White House official calling list. The meetings have taken place in late afternoon or early evening. Participants are asked not to discuss them.

The President, it was understood, means to carry his campaign through the entire Republican membership in the Senate. His technique among the more numerous Members of the House is to invite Republicans in groups of 40 to breakfast with him at the White House.

Other evidence of the President's unprecedented campaign to gain and retain the support of Congressional Republicans was a letter he wrote a week ago to a young California Republican, Representative CHARLES S. GUBSER. Mr. GUBSER, in a speech to the Republican State committee in California, had made the following assertion: "Some of our most faithful allies in the cause of promoting republicanism have contributed materially to what could be our downfall and what could also be the greatest landslide victory the Democratic Party has ever had."

The speech denounced "sniping criticism" against the President by the conservative Republican "Eisenhower wrecking crew." It said that "if modern republicanism becomes a nasty word, the word Republican will become obsolete."

After reading a copy of the speech, the President wrote Representative GUBSER: "A speech like yours on May 25 * * * is more heartening to me than perhaps you might realize. Always the easiest course in public affairs is fault-finding; the harder thing to do is to justify and explain and to correct misrepresentation.

"The harder course you have taken, and you have risen to the challenge, in my opinion, remarkably well. My conviction is that your approach is sound politically as well as sound factually, for I have yet to see solid facts stray far from good politics."

NEW INFLUENCE SEEN

The President has manifested his new role as active shepherd of the Republican flock in other ways. When Senator FREDERICK G. PAYNE, Republican, Maine, returned to the Capitol after a long illness, the President called him on the telephone to welcome him back. That might seem the most natural kindness in the world, but there are those who feel that in other days the President might not have felt such a responsibility.

Debate and voting in the House and Senate the past week show a level of Eisenhower support among the Republicans that seemed to be absent earlier in the session when his record peacetime budget was the fattest pitch in the ballpark. On final passage of the foreign-aid bill, only 8 Republicans voted against the new program, as opposed to 17 Democrats, including some whose political records show strong internationalist convictions. In the critical House vote rejecting the jury-trial amendment to the President's civil-rights bill, an estimated 40 or so Republicans left the Eisenhower fold. Previous estimates held that between 70 and 100 would support the Southern position.

NEW ENTHUSIASM

The prospect today is extraordinarily favorable to passage in this Congress, and probably in this session, of the civil-rights program. Although the Federal school-building program appears to be quite dead this year, enactment of civil-rights legislation would carry out a relatively substantial part of the Eisenhower program.

It is still too early to measure the full impact of the new and cozy Eisenhower campaign on either the party as a whole or the legislative program. What could be said is that the President has instilled a new enthusiasm among his strongest Congressional adherents to continue what up until very recently was a lonely and exposed fight. The Eisenhower Republicans have taken new heart, and they are hoping the President's efforts will attract new supporters and weaken the conservative opposition in his own party.

[From the New York Times of May 23, 1957]

(Excerpt from transcript of White House news conference, May 22, 1957)

Robert J. Donovan, of the New York Herald Tribune: "Mr. President, last week, sir, you were asked if you intended to punish Republican Members of Congress who didn't go along with your program. Leaving out the question, the concept of punishment, would you be more disposed to support those who do back your program and less disposed to back those who do not, next year?

Answer: "Well, if you want to make that statement within reasonable—and what I would call logical—grounds, I think it will be a pity if ever we tried to organize in this country political parties that are based upon slavish inherence to every detail and concept of government that can be advanced, because then you will have nothing but a whole group of splinter parties, probably 170 million political parties, as far as I can see. Therefore, each party should encompass a very great deal—I mean a very wide range—of political thinking.

"But, I do believe this: when a political party gets together and agrees upon a platform and that platform is presented to the American public as the political basis on which they are going to try to conduct the Government, if elected, they should remain true to it.

"I believe they should stick with it through thick and thin unless conditions so change that anyone would understand that some change would have to be made in this platform. So, I have no right and no desire to punish anybody. I just say this: I am committed to the support of people who believe, as I do, that the Republican platform of 1956 must be our political doctrine."

NOT "NAMBY-PAMBY"

W. L. Lawrence, of the New York Times: "Mr. President, to carry Mr. Donovan's question a step further, if I might, sir, in previous elections, both 1952 and 1956, you have always supported every Republican who was running for the Senate or the House without regard to their voting record. I am wondering whether that will continue to be your attitude in 1958, or whether you do have some degree of enthusiasm with which you support those who help you, and those who don't do anything for you?" [Laughter.]

Answer: "Now I hope that I will never be accused of being so namby-pamby that I don't have degrees of enthusiasm about people that stand with me and those that stand against me.

"Now, what I do want to make clear is this: I most earnestly believe that the Congress and the White House should be occupied and controlled by the same party, whenever this is humanly possible that this could be done, for the reason then you can fix responsibility."

[From the New York Times of May 23, 1957]

EISENHOWER BACKS FULL GOP SLATE—BUT FEELS MORE ENTHUSIASM FOR SUPPORTERS OF GOALS THAN FOR OTHERS IN 1958

(By W. H. Lawrence)

WASHINGTON, May 22.—President Eisenhower declared today that Republican Senators and House Members who backed his legislative program would get his enthusiastic backing for reelection.

But he pledged support, at the same time, to all Republican Senate and House nominees in 1958 without regard to their voting record on his legislative program.

"Now I hope that I will never be accused of being so namby-pamby that I don't have degrees of enthusiasm about people that stand with me and those that stand against me," the President said amid laughter.

He said it was important for the Republicans to control Congress as well as the White House, "and to that extent, of course, I am for whoever the Republicans of any particular State or district nominate.

"But when it comes down to who I am for enthusiastically, and who I am for merely because they are Republican, is a very wide difference," General Eisenhower declared.

KEEPS SWORD SHEATHED

By this answer at his news conference, the President once again refrained from using a political weapon some of his most ardent supporters think he ought to employ to command a greater degree of legislative support and party discipline. These men would have the President make room on his political coattails only for the Republicans who generally support the White House program.

He reiterated his statement of last week that he had no desire and no power to punish those of his own party who opposed his program. He said it would "be a pity if ever we tried to organize in this country political parties that are based upon slavish inherence to every detail and concept of government that can be advanced." Each party, he said, must encompass a wide range of political thinking.

"But I do believe this," he continued. "When a political party gets together and agrees upon a platform and that platform is presented to the American public as the political basis on which they are going to try to conduct the Government, if elected, they should remain true to it."

Once again, the President pledged to continue working to advance his legislative program by seeking to persuade individual legislators to back it. But again he declared his intention to respect the organization of the Congress, and not to deal with individuals behind the backs of anybody.

WON'T BE BLOCKED

At the same time, he made it clear he would not let the leadership veto any proposal he might have to seek votes of other legislators.

"If the leadership of Congress is definitely against a project in which I am interested," he went on, "I am not barred, and by no means do I ever expect anyone to try to bar me from seeing the individual Senators or Congressmen that I believe are sympathetic and can help. But the point is—you always go first to the leadership and notify them of what you are doing."

General Eisenhower declined an invitation to analyze the reasons why his smashing reelection victory in 1956 had not been followed by more general support for his program in this session of Congress. His questioner said recent public-opinion polls had shown that the President's popularity had fallen sharply.

"I believe that these so-called popularity curves tend to go up and down," he said. "This is the simple way I go about it; I made at least a limited campaign in 1956—at least limited as compared to 1952—and I took the Republican platform and I spoke for it and I made my pledges and promises to the people based on that platform.

"I intend to carry it out to the very best of my ability."

He said that all other Republicans who spoke in 1956 had accepted the platform at least implicitly if not explicitly and that those who disagreed with him now must put up something constructive in its stead.

[From the New York Times of May 23, 1957]

EISENHOWER FIRES BACK—A STUDY OF PRESIDENT'S INITIAL MOVES TO USE HIS POWER TO PRESS PROGRAM

(By James Reston)

WASHINGTON, May 22.—President Eisenhower has shown in the last 2 days what can be done when he mobilizes Presidential power and personal influence behind a legislative program.

In what have probably been the two most effective days of his second administration, he has regained the initiative over the opposition in his own and the Democratic Party. And he has done it merely by using instruments that have been available to him all along.

First of all, he has dominated the news. He is now, and always has been when he wanted to be, the principal source of news and information in the Nation.

This is a source of strength that he allowed to decline through the months of February, March, and April. And, as always happens, the vacuum was filled by his political opponents.

Second, he brought back to Washington for last night's television speech on mutual security the best speechwriter he has ever had—Emmet J. Hughes of the Time-Life-Fortune organization. Accordingly, this speech had bite and direction.

Third, he and his White House staff have been on the telephone with influential Members of Congress in the last week in a serious effort to pull the Republican Party together.

And, finally, today he used the Presidential news conference as it can and should be used: To inform, to follow up on major policy pronouncements, to clarify and to remind the Congress and the Nation that he does not intend to have his authority whittled away without a fight.

FOLLOWTHROUGH IMPORTANT

The question now is whether he will keep going. Both in golf and in politics, his backswing has always been better than his followthrough. Last week, he beefed up his first television address on his budget as a whole after alarmed warnings from the Republican House leader, JOSEPH W. MARTIN, JR., of Massachusetts, and then minimized the whole performance by an I'm-not-mad-at-anybody attitude in his news conference.

Today, however, he followed through on last night's speech. Without abandoning his habit of avoiding personal criticism of his opponents, he made clear this morning that he is not going to treat his opponents precisely as he treats his supporters during next year's Congressional election campaign. And he promised a fight for his program.

This important change has not come about without a great deal of private and public pressure from individuals and institutions that have long been in his corner.

David Lawrence felt obliged this morning to remind him that, after all, he did have the power of veto over the Congress.

And Time magazine, which has not been his most severe critic in the last 4 years, remarked this week that his first television message was the closest thing to a political flop that Ike has ever had.

The surprising thing in all this is that it has taken the White House so long to turn around. The storm warnings have been up ever since the collapse of the administration's Middle East policy last winter.

OFF TO A BAD START

The Secretary of the Treasury, George M. Humphrey, rallied the budget-cutters against the President even before the big book had gone to Capitol Hill.

And the Democrats, starved for an effective issue, rushed into the breach in the unaccustomed role of defenders of the national economy.

Nevertheless, it was not until the President's best friends warned him that nice guys finish last in this kind of an executive-legislative struggle that he began to shift the emphasis this week.

Can he now maintain the initiative?

The feeling here is that he can if he will. The Democrats are divided and highly vulnerable to counterattack on the budget issue.

Even the most partisan of opponents have nothing to gain and the Nation has a lot to lose—by eroding the President's prestige 3 years and 8 months before the end of his term. And though his popularity may have suffered a little with the general public in the last few months, he is still the only political lion in the den.

RIGHT WING VULNERABLE

Even the right wing of his own party is highly vulnerable and leaderless. They maintained power only as a result of the President's personal popularity. They did not protest against a popular New Dealish Republican Party platform that was bound to be extremely expensive if its promises of collective security abroad and social security at home were to be redeemed.

And the President started reminding them of this platform in his news conference today.

Primarily his problem is one of articulation and political organization. He is not set up on a permanent basis to do the job of articulation. All his major political problems are highly complex—the budget, mutual security, defense policy.

All require vivid, and especially constant, exposition. But when he got in a jam this week, he had to summon Mr. Hughes from private life, and now that last night's speech is over, Mr. Hughes has gone away.

There is nothing in the present situation, however, to prevent him from mobilizing the articulate members of his party.

MORE NEWS CONFERENCES?

Men such as McGeorge Bundy, the Harvard dean, and William G. Saltonstall, the principal of Phillips-Exeter Academy, are not only devoted supporters of his administration, but also are in a position to mobilize like-minded Republicans in the universities and elsewhere. There are more of them than the White House realizes.

Nor is there anything in the Constitution that limits him to occasional news conferences. He can have, not two a month, but two a week if he likes, and he demonstrated today that when he wants to do it, he can be an effective advocate and keep his program from being overwhelmed on the front pages of the newspapers.

Finally, the record in Washington is full of evidence on how to organize administration support in the Congress. What General Eisenhower said last night about his so-called foreign aid bill is precisely what Franklin Roosevelt was saying about the lend-lease bill 16 years ago: namely, that the country could either provide a man and a gun or, alternately, provide the gun and let the allies provide the man.

The difference is that President Roosevelt organized his supporters in the Congress during the lend-lease debate. He established a system under which his backers on the Hill were in close liaison with the executive officials who had the facts.

ANSWERS WERE QUICK

And when damaging attacks were made on some aspect of that program, some administration supporter, selected in advance got on the phone at once for the effective facts and counterarguments.

Thus the debate was kept in balance under conditions that were much more adverse to the administration than those that pertain today.

Fortunately, these tasks of articulation and organization are not the kind of thing that puts too much physical strain on the President. He has come to enjoy the news conference. His gifts of personal persuasion with the legislators are still immense. And effective means of passing information quickly from the executive departments to the Hill can be arranged.

The point, therefore, is not whether the initiative can be maintained, but whether it will be maintained. And that is largely up to the President himself.

MEADE ALCORN CONCEDES EISENHOWER LOSS

After all the fuss about the accuracy or lack of accuracy of the figures in Congressional Quarterly I was astounded to find in the New York Times of June 3

a news story headed "Alcorn Concedes Eisenhower Loss."

The Times article jumps right into the middle of the argument and begins forthrightly in this way:

Meade Alcorn, chairman of the Republican National Committee, said today that it is not unusual for a second-term President to lose influence with members of his own party in Congress.

Mr. Alcorn, appearing on the National Broadcasting Co.'s television program Meet the Press, conceded under questioning that President Eisenhower might have undergone such a loss. But he said that the President's influence with the country, as distinct from Congress, was as great as ever.

I include this remarkable article here for the information of my colleagues. I say "remarkable" because we find the chairman of the Republican National Committee saying on television what the members of the President's party refuse to admit on the floor of this House.

I also include an article by George Dixon, a syndicated columnist, from the Washington Post and Times Herald of Thursday, May 30, 1957, entitled "Have Republicans Switched Horses Under Ike?" I include, too, an article from the Trentonian written by Lyle C. Wilson of United Press Association.

I include here, also, the lead editorial from the New York Sunday Times of June 2, 1957, which says in part:

President Eisenhower repeatedly makes the point that things would be better if both the Executive and the Congress were in the hands of the same party—naturally, he thinks the party should be Republican—so that there could be a focusing of responsibility. However valid in theory his argument may be, the split control between White House and Capitol does not afford a satisfactory explanation for the poor legislative record that has been rolled up thus far. Until recently the President has done little leading even of his own party.

[From the New York Times of June 3, 1957]

ALCORN CONCEDES EISENHOWER LOSS—SAYS DECLINE OF A PRESIDENT'S POLITICAL INFLUENCE IS NOT UNUSUAL IN A SECOND TERM

WASHINGTON, June 2.—Meade Alcorn, chairman of the Republican National Committee, said today that "it is not unusual" for a second-term President to lose influence with members of his own party in Congress.

Mr. Alcorn, appearing on the National Broadcasting Co.'s television program Meet the Press, conceded under questioning that President Eisenhower might have undergone such a loss. But he said that the President's influence with the country, as distinct from Congress was as great as ever.

The Republican leader brushed aside a statistical survey showing that on 20 major issues in this Congress the Democrats had supported the President far more consistently than the members of his own party.

He said that "when the chips are down," as in unsuccessful attempts in the House last week to restore cuts in the Defense Department budget, most Republicans voted with the President.

The key vote, on a motion to send the bill back to the Appropriations Committee and restore $313 million of the $2,500,000,000 cut by the committee, was 242 to 151. A total of 203 Democrats and 39 Republicans voted against restoring the funds and 140 Republicans and 11 Democrats voted to restore them.

SEES DIFFERENCES WHOLESOME

Mr. Alcorn denied that there had been any split in the Republican Party over the President's $71,800,000,000 budget for the fiscal year 1958, which begins July 1, 1957. But he admitted that in recent regional meetings over the country he had found "a widespread belief that the budget should be cut if it could be cut without endangering national security."

He termed this a "wholesome differences of opinion * * * that will ultimately result in a stronger Republican Party."

He said he did not believe that the Eisenhower budget would be a factor in the Congressional elections of 1958.

Mr. Alcorn refused to speculate on whether Vice President RICHARD M. NIXON, on the words of a questioner, "has it made" for the Presidential nomination in 1960. He said he had never discussed with President Eisenhower whether the President would take a hand in the selection of a nominee, but said he assumed the President "would make his influence felt."

He said he thought the results of the 1958 elections would "have a great deal to do with the nominee in 1960, and with whether he's successful or not."

[From the Washington Post and Times Herald of May 30, 1957]

HAVE REPUBLICANS SWITCHED HORSES UNDER IKE?

(By George Dixon)

House Republican leaders, who confer with President Eisenhower every Tuesday approached the White House for this week's meeting with a pious prayer on their lips that Ike had not seen the latest rundown sheet on their legislative performance. They came away temporarily relieved, at least. If the President had seen the form chart he made no mention of it.

A complete breakdown of the voting records of every Member of the House of Representatives has been made, however. It is enough to make Ike wonder if he hasn't secretly been unhorsed. He once declared he wouldn't change horses in midstream. The compilation should make him wonder if the GOP Congressmen didn't change horses on him, before he even saw the stream.

The horseplay is epitomized, by Mississippi. The six Ol' Miss' Representatives, all Democrats, have been voting as if they were Republicans.

They've been voting against the President. The breakdown reveals that Congressmen who bellowed loudest in the last election campaigns, "Help me to help Ike," have been giving him the least help and that those who promised to fight him have been giving Ike the most support.

On every piece of legislation on which the White House has taken a position, Ike has had more support from the Democrats than the Republicans. There have been no exceptions.

The GOPsters talk about Eisenhower popularity, and "I Like Ike." Well—Franklin D. Roosevelt hit the bottom of his popularity with Congress after he tried to pack the Supreme Court, and Harry S. Truman lost popularity after a series of controversies in 1946. But at no time in their Presidency did either have less support from their party than Dwight D. Eisenhower is getting from his, right now.

It's beginning to seem as if "modern Republicanism" is still so new the GOP Congressmen haven't yet heard of it.

Let us take a few closeups: House Democratic Leader JOHN W. MCCORMACK, of Massachusetts, campaigned last year on the slogan, "Elect me to stop Ike." He has voted with the administration 95 percent of the time.

House Republican Leader JOSEPH W. MARTIN, JR., ran as an "I Like Ike"-er. He has voted with the White House 55 percent.

Of the 435 Members of the House, not 1 has gone all the way with Ike, but 7 have gone 95 percent. SIX of these—MCCORMACK, MELVIN PRICE, of Illinois; CARL ALBERT, of Oklahoma; ROBERT E. JONES, of Alabama; CARL D. PERKINS, of Kentucky, and DANIEL J. FLOOD, of Pennsylvania—are Democrats. CHARLES WOLVERTON, of New Jersey, is the lone Republican.

There are two gentlemen named Bass in Congress. PERKINS BASS, a Republican from Presidential Assistant Sherman Adams' New Hampshire, voted with the White House 23 percent. ROSS BASS, a Tennessee Democrat, voted with Ike twice as much.

The lone Republican from Texas, BRUCE ALGER, voted to uphold Ike only 9 percent of the time. WRIGHT PATMAN, the TEXAS Democrat, whose fiscal philosophy most differs from Ike's voted 82 percent for the President.

The Democratic whip (ALBERT, of Oklahoma) has supported Ike 95 percent. The Republican whip, LESLIE C. ARENDS, of Illinois, only 50 percent.

Ike's golfing pal, JACK WESTLAND, of Washington, the former national amateur links champ, went only 50 percent on the way with his fellow divot-digger.

But the blow that struck nearest home was this: Ike's own Congressman, in Gettysburg, Pa., S. WALTER STAUFFER, ditched his agrarian constituent on an average of every other vote.

[From the Trenton Trentonian of June 3, 1957]

THE PRESIDENT AND CONGRESS: EISENHOWER FAILS TO REGAIN PARTY COMMAND

(By Lyle C. Wilson)

Events are spelling out for President Eisenhower what it means to be a lame duck Chief Executive. He and his successors are barred by the Constitution from a third term.

What it means is this: The most widely supported President ever put in office by the voters is losing control of his party 7 months after his triumphant reelection.

Eisenhower moved urgently within recent weeks to regain party command. He made two television appeals to the voters for support in his budget battle with Congress. The first speech, dealing generally with the big new budget, seemed immediately to have missed the target.

The President's second speech was devoted to defense and foreign-aid spending, fields in which Eisenhower evidently feels a comforting self-confidence. Most politicians scored that speech as a direct hit.

White House press secretary James C. Hagerty shortly was telling questioners that Eisenhower's fan mail had been weighted heavily in favor of the President's appeal for defense and foreign-aid funds.

Hagerty made no such claim of approval after speech No. 1. It was assumed that Members of Congress also would hear from the home folk with blunt instructions to give Eisenhower the funds he sought. It seems not to have worked out that way.

The House of Representatives stood pat on its defense economies when the showdown votes came this week. The House clipped $2,565,275,000 from defense spending before sending the bill to the Senate by a vote of 394 to 1.

Mr. Eisenhower's loss of party control is not reflected adequately in the fact that only 39 House Republicans deserted him on an earlier key economy vote and that 140 Republicans stood firm. The President's role as party leader should be examined in the light of what he asked the House Republican leadership to undertake.

He asked the Republican Congressional leaders to move to restore to the defense bill $1,274,000,000 of the sums lopped off by the committee which sent the bill to the floor. House Republican leaders sought to

restore only about one-fourth of that sum—far less than Eisenhower had said was essential to the public safety.

By lowering their sights from the sum sought by Eisenhower to a much lesser sum, Republican House leaders believed they might hold the party line when the vote came. Had they come after the $1,274,000,000 as urged by Eisenhower, a great many more House Republicans unquestionably would have been recorded as voting for economy and against the Republican President.

[From the New York Times of June 2, 1957]

TWO MONTHS TO GO

The 85th Congress convened 5 months ago tomorrow; and as the legislators this week enter the sixth month of the present session, they have very little to show for it. There are only about 2 months to go before adjournment—2 months in which to build up a record of accomplishment that at the present time is almost nil, what there is being largely negative.

President Eisenhower repeatedly makes the point that things would be better if both the Executive and the Congress were in the hands of the same party—naturally, he thinks the party should be Republican—so that there could be a focusing of responsibility. However valid in theory his argument may be, the split control between White House and Capitol does not afford a satisfactory explanation for the poor legislative record that has been rolled up thus far. Until recently the President has done little leading even of his own party. • • •

Senate Republicans as a whole have given Mr. Eisenhower less than normal aid and comfort • • • the Democrats are visibly kicking up their heels as Majority Leader JOHNSON becomes less complaisant toward the President than formerly.

If the President expects to accomplish a considerable part of his program, he has to bear down much harder than he likes to do on his party associates at the Capitol. If he had been willing to use his vast personal popularity to win over a considerable segment of Republicans to his side, there is little doubt that there would have been enough Democratic votes at hand to give him a good deal of what he wants. The evidence is that he is beginning to put on the heat, particularly in the battle over the budget; but the big question now is whether such moves as he may make in this direction do not come too late.

At any rate, Congress hasn't done much during these last 5 months except to express horror over the size of the President's budget and then to hack away at it without much rhyme or reason while at the same time adding to prospective Federal expenditures by passing a few large-scale spending bills of its own. The Senate-approved rivers and harbors authorization, to the tune of $1.5 billion, is a case in point. It is now in the House, where one may not very realistically hope that it will either be drastically reduced or die altogether. Although the House has slashed its way through 11 major 1958 appropriation bills, the Senate hasn't yet passed a single one. Among the few bills of substantive importance that have been approved by both Houses of Congress in the 5 months of this session, there are the President's Mid-East program and the tax-extension bill, both of which went through in March, and the housing program, which still has to be ironed out in House-Senate conference.

An analysis made a few days ago by Congressional Quarterly news service shows that of the nearly 200 specific legislative requests made by the President this year, only 6.6 percent have been approved by Congress, 4 percent rejected and more than 40 percent have not been acted on at all, even in committee. This is not an impressive record, especially when one considers that some of the major projects in both party platforms are still waiting in the wings. Civil rights, due for House debate this week; mutual-aid school construction, immigration revision, atomic-energy treaty, Organization for Trade Cooperation, Alaska-Hawaii statehood, aid to small business, minimum wage, campaign spending and lobbying regulations, item veto, billboard control, Niagara power—these are a few subjects of more than ordinary interest that need the attention of Congress. Not one of them has been completed by either House and some of them haven't even been started.

THE REPUBLICAN SCHISM

What is really at stake here, then, is not the Congressional Quarterly at all, as I see it.

I believe it is what the President says it is, a question of support for the Republican platform.

As the President says:

When a political party gets together and agrees upon a platform and that platform is presented to the American public as the political basis on which they are going to try to conduct the Government, if elected, they should remain true to it. I believe they should stick with it through thick and thin.

And the President said:

Now I hope that I will never be accused of being so namby-pamby that I don't have degrees of enthusiasm about people that stand with me and those that stand against me.

The difficulty of healing the Republican schism is a difficult one, because it is practically impossible for anyone or any two in the Republican Party to agree on what the Republican Party stands for.

I would like to document this statement of mine with the following quotations from Republicans across the country and Members of the Congress as well.

Dwight Eisenhower, press conference, November 14, 1956:

It is a type of political philosophy that recognizes clearly the responsibility of the Federal Government to take the lead in making certain that the productivity of our great economic machine is distributed so that no one will suffer disaster, privation through no fault of his own.

Now, this covers the wide field of education and health and so on, but we believe likewise in the free-enterprise system. We believe that it is free enterprise that has brought these blessings to America.

Therefore, we are going to try our best to preserve that free enterprise, and put all of these problems in the hands of localities and the private enterprise of States wherever we can, because it happens that the great difference, as I see it, between myself and people of a philosophy that believes in centralized government is that I believe, to have this free enterprise healthy, you must have, first, integrity in your fiscal operations of the Government; second, you must preserve a sound dollar or all of our plans for social security and pensions for the aged fall by the wayside, they are no good; and thirdly, in this dispersion of power.

Meade Alcorn, GOP national chairman, Baltimore Sun, March 19, 1957:

Then what does modern Republicanism really mean? Couldn't it be described as dynamic conservativism? Couldn't it be described as Republicanism alive, vibrant, responsive, and aggressive? If this be true, then all of us are modern Republicans.

Clarence Buddington Kelland, former executive director of the GOP National Committee and national committeeman from Arizona, CONGRESSIONAL RECORD, March 19, 1957:

Shall the Republican Party drag along, pale, anemic, lifeless down the middle of the road? • • • Are we going to adopt this heresy known as new Republicanism? • • • New Republicanism betrays every historical tenet and principle of our Republican Party. • • • I repeat and emphasize that the first Eisenhower election was in no sense a Republican victory but a personal Eisenhower victory • • • indeed, it was a Republican defeat • • • a national emotional orgy deriving from a sort of paroxysm of impassioned enthusiasm for the personality of Mr. Eisenhower.

Gov. Goodwin Knight, U. S. News & World Report, May 3, 1957:

As a modern Republican, I like to feel that, if I had been living 100 years ago, I would have stood with Abraham Lincoln.

A "GOP Demosthenes," quoted by John O'Donnell, New York Daily News, February 19, 1957:

I'll be damned if I know what this modern Republicanism is, but I've got a 20-minute spot on a broadcast to explain it. Thank God it isn't a quiz program. Two years ago I got stuck with the job of telling the voters what Ike meant when he said we now had a party of "dynamic conservatism." That time I got trapped by having to answer questions. I like Ike, but I'd like to wring the necks of those smart boys who think up the labels and then take a runout powder when the going gets rough.

Representative JOHN TABER, of New York, U. S. News & World Report, May 3, 1957:

I do not know what a modern Republican is, but the difference between a modern Republican and one of the old-line Republicans is that a modern Republican does not think things out as carefully or as fully as the old-line Republicans used to.

Bertha Adkins, assistant chairman, GOP National Committee, Louisville Courier-Journal, May 11, 1957:

The Republican principles we've always had, being used to meet today's problems. There's nothing divisive about it.

New York Herald Tribune, November 9, 1956:

The challenge to the Republican Party is spelled out in boxcar letters. It is to reshape itself as a modern party, an Eisenhower Republican Party of ideas and popular appeal which seizes opportunity and responsibility.

Sacramento Bee, November 24, 1956:

Couched in such phrases the new Republicanism emerges as the old Republicanism altered only by forced acceptance of gains in the field of social responsibility established by the New Deal. • • • The real thinking of the present Republican leaders is represented by hard money, the starving of the Tennessee Valley Authority, the curtailment of Federal hydroelectric projects and a general rigging of tax laws and administrative agencies so big corporations get the lion's share of the pelf. The deviations in the present administration which depart from the more blatant and rampant "old guardism" are caused by acceptance of the inevitable.

Dwight Eisenhower, press conference, January 30, 1957:

Question. Would you spell out or define the difference between your philosophy of modern Republicanism and the so-called New or Fair Deal policies of the Democratic Party?

Answer. Well—and again I have done this, I assure you, before—but fundamentally the difference is this: I agree that there are many functions now performed by Government • • • that would have been unthinkable only as much as 50 years ago. • • • But this is what I say:

If we have respect for the kind of economy, for the institutions that have brought us to where we are today, with our productivity and our power, and our advance in every type of civilization on the intellectual, the educational, the health, physical, moral side, we will understand we must preserve the initiative of the people, which, in my opinion, means Government as close as possible to that person where he can take the maximum interest in it and influence it to the maximum degree.

If we don't have that kind of thing, he begins to say money comes from Washington or help comes from Washington free, and he wants more all the time, because it is coming from an outside source. Where he is paying all or part of that, he says, "Let's look at this with a jaundiced eye."

So the difference is this: I believe that, first of all, the Government must be honest fiscally. • • • I fail to find any such philosophy in what you called the New Deal. I believe in the decentralization of power geographically, back to the geographical units where it is best exercised, and finally, I believe in preserving the soundness of our money, in the interests of all of the people who are going to live on pensions and retired pay.

Representative CLARE HOFFMAN (Republican of Michigan), U. S. News & World Report, May 3, 1957:

Question. How would you define a modern Republican?

Answer. A New Deal internationalist.

Representative A. L. MILLER (Republican of Nebraska), U. S. News, May 3, 1957:

I would define a modern Republican as a free-wheeling, free spender who has surrendered his constructive conservatism to ride the current New Deal bandwagon.

Washington Post, April 17, 1957:

Eisenhower Republicanism is not necessarily modern Republicanism, Representative EDWIN H. MAY, Jr., of Connecticut told the Evening Political Study Group of the League of Republican Women of D. C. last night.

Roscoe Drummond, New York Herald Tribune, April 7, 1957:

The budget in its purposes and scope represents modern Republicanism in action.

Fletcher Knebel, Washington Star, March 22, 1957:

Modern Republican: A fellow who joins the New Deal 20 years late—then claims he invented it.

Indianapolis Star, November 25, 1956:

President Eisenhower recently outlined his views on what a modern Republican Party should stand for. His suggestions were, in our opinion, contradictory for they sought to expand the Federal Government's activities in the fields of health, education, welfare, highway construction and so on, while at the same time the President called for "dispersion of Federal power" and decentralization of governmental functions to protect free enterprise.

John O'Donnell, New York Daily News, February 13, 1957:

The decision of National Committee Chairman Alcorn's ghost writers to proclaim that the present Republican organization was a party of "inclusion" raised some eyebrows among the boys who looked the word up in their unabridged Congressional dictionaries. With a whoop of delight, they were circulating around Capitol Hill the Webster definition that Alcorn's "inclusion" means: "A foreign body, gaseous, liquid or solid, usually of minor size, inclosed in the mass of a mineral."

Dwight Eisenhower, press conference, January 23, 1957:

Well, I don't know where it (the leadership for a program toward modern Republicanism) originates. I don't know why anyone should be stopped from having a good idea and putting it into effect. Certainly I am going to stand for it with my full might, and I think that the major figures in the Republican Party, the vast majority of them, believe the same thing and, certainly, the chairman of the national committee has the responsibility.

Edgar Bundy, president of Abraham Lincoln National Republican Club, New York Post, February 10, 1957:

The challenge has been thrown out by modern Republicans and the battle is on. We shall lay plans to drive out of Washington the weak-kneed men in Congress who have surrendered Congressional prerogatives to the White House.

United Press dispatch, May 22, 1957:

Representative USHER L. BURDICK defined a modern Republican as a "yes man" who lets the Eisenhower administration do his thinking for him. The North Dakota Republican said the typical modern Republican "probably rode into Congress on the President's coattails and seeks further security by saying 'yes' to whatever he wants."

RICHARD M. NIXON, New York Times, May 15, 1957:

I should hope that all Republicans would want the party program geared to the problems of the modern age. I don't wish to divide Republicans into groups. The President's program is the program of the Republican Party.

Representative NOAH MASON, Republican, of Illinois, CONGRESSIONAL RECORD, January 31, 1957:

Ike's new Republicanism is a form of bribery, a program to buy votes with the voters' own money.

Meade Alcorn, Washington Post, February 13, 1957:

You wouldn't take a 1957 car, pull out the engine, and attach a horse to pull it, would you? Modern Republicanism is the engine that gives power, force and direction to a program designed to meet and solve the problems of today. We aren't changing the fundamental beliefs that were enunciated in Lincoln's day and continue to live today. We aren't uprooting one stone of the foundation that made our party great. But we are modernizing the superstructure.

Chicago Tribune, February 15, 1957:

It takes more than ballyhoo to sell something to the American people. You have to have a product, too. The product that Mr. Eisenhower and the palace guard are trying to foist on the public is underengineered and overpriced. The shell has been stretched until you can stick your finger through it. It's the worst gas eater ever put on the road. It's loaded with gadgets that the average driver will never find useful. And, worst of all, the design was stolen from last year's Democratic model. The original is still on the market. Selling modern Republicanism is like selling Japanese scotch in Edinburgh. The natives know better.

Roscoe Drummond, New York Herald Tribune, April 26, 1957:

It doesn't take fancy words to define modern Republicanism. Modern Republicanism is the 1956 Republican platform and it will be obsolete in 6 months only if the Republican Members of Congress make it obsolete by repudiating important parts of it.

George Rothwell Brown, in New York Journal-American. February 15, 1957:

To conservative Republicans of the old school it means the beginning of a new progressive movement similar to that of Theodore Roosevelt's in 1910 which wrecked the party in 1912.

Mrs. Robert Gunderson, GOP national committeewoman from South Dakota, Milwaukee Journal, May 15, 1957:

This phrase refers to persons not normally considered Republicans but who supported President Eisenhower in his two campaigns.

Meade Alcorn, New Orleans Item, April 8, 1957:

Modern Republicanism is the belief in an adherence to all of those traditional principles which have made our party great, but with one important added ingredient—a sense of mission.

Representative RICHARD M. SIMPSON, Republican of Pennsylvania, Cincinnati, Ohio, February 12, 1957:

The modern Republicanism in which I believe is the Republicanism of Lincoln and Taft.

Arthur Larson, U. S. News & World Report, May 3, 1957:

Modern Republicanism is simply Republicanism as it has been adapted under President Eisenhower's leadership to mid-twentieth-century responsibilities.

Chicago Tribune, February 5, 1957:

Modern Republicanism is in almost every aspect the welfare state. We shall spend and spend and spend, and tax and tax and tax, and everybody will be happy.

Secretary of Commerce Sinclair Weeks, CONGRESSIONAL RECORD, March 19, 1957:

Modern Republicanism is not something brand new, dreamed up recently. • • • Republican policies today are the expression of our party's great century-old principles, dressed in the clothing of this current age.

Dwight Eisenhower, press conference, May 15, 1957:

I thoroughly believe that any modern political philosophy that fails to study carefully the needs of the people today, not of 1860, of today, what do they need, by the complications that have arisen in our industrial life, in our economy, how are they going to get along, how are they going to take care of themselves in their old age, what happens if they are disabled and can't work for 5 months or so?

I believe the Federal Government cannot shut its eyes to these things, no matter how much it tries to work through States and get these responsibilities assumed by the States and the localities, it must assume some leadership.

I believe that unless a modern political group does look these problems in the face, and finds some reasonable solution, sticking as nearly as possible to the theory of the limited powers in the Central Government, then in the long run we are sunk,

and that, I say, I have become more and more convinced, as I see the amount of money grow and grow in that regard, and I believe, therefore, I am more conservative than otherwise since 1952.

Chicago Tribune, February 15, 1957:

Thomas J. Curran, Republican chairman of New York County (Manhattan) had pointed comment on the sales campaign for Mr. Eisenhower's gimmick. "We live in an age in which articulate press agents make inarticulate politicians talk like philosophers," he told members of the National Republican Club.

"What's in a name?" And they said that our friend from Michigan goes too far in his political retaliation against the Congressional Quarterly.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield right there?

Mr. THOMPSON of New Jersey. I yield.

Mr. HOFFMAN. No political retaliation at all. I did not even read the Congressional Quarterly to learn my standing. It was only when some of my colleagues called my attention to it and, of course, I pay no attention to it as far as making any decision as to how I should vote.

The thing I was concerned about, and the gentleman touched it, was when they advertise they are an authoritative publication and call it the Congressional Quarterly I think many people believe it is an official publication because we have the CONGRESSIONAL RECORD and we have many reports coming out of Congressional committees which are official.

Let me say this, I have no right, no one has the right to complain about what the other fellow is thinking or saying as long as the facts are not misrepresented, and even if each is entitled to express his opinion.

Mr. THOMPSON of New Jersey. Then the United Press got into the act with a story which appeared in the Washington, Pa., Observer May 31, in which it said, the lead was: "HOFFMAN Wants Protection for the Word 'Congressional.'"

Mr. CRAMER. Mr. Speaker, will the gentleman yield right there?

Mr. THOMPSON of New Jersey. I prefer not to yield until I have completed my statement.

Mr. CRAMER. But on the very matter touched by the gentleman from Michigan.

Mr. THOMPSON of New Jersey. I yield very briefly.

Mr. CRAMER. I would like to suggest to the gentleman that even the newspaper edited by the owner-publisher of the Congressional Quarterly also misleads the general public in accepting it as the official word of this Congress because it carried this article on the first page of the editorial section on May 11, 1957, by the owner-publisher, in the St. Petersburg Times, my hometown morning newspaper:

The extent of the Congressional revolt is demonstrated in the Congressional Quarterly survey of support of the President in the 85th Congress. It shows that so far in 1957 the Congress backed the President on 61 percent of the rollcall votes, while in the Democratic 84th Congress—ahead of the 1956 election—its score was 72 percent; and in the GOP 83d it stood at 83 percent.

So it is clearly evident that the title of this magazine is clearly intended to give the general public the impression that the Congressional Quarterly is the official word on how people vote in Congress.

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. CRAMER. That demonstrates the problem that the gentleman from Michigan, my distinguished colleague [Mr. HOFFMAN], is interested in.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Minnesota.

Mr. McCARTHY. Unless we and the American people do have some independent evaluation of this kind, we and they would have to accept either what the Republicans said about their record in support of the President or what the Democrats said about their record in support of the President. Insofar as the public is concerned, it is clearly better to have an independent publication passing judgment than to have two partisan reports on the same question.

Mr. THOMPSON of New Jersey. I quite agree with the gentleman. The gentleman's point is very well taken. After all, the gentleman from Pennsylvania [Mr. SIMPSON] made an analysis. I think even he would not pretend his analysis was objective or nonpartisan any more than one which our distinguished leader [Mr. KIRWAN] would offer.

Mr. McCARTHY. I am sure that the gentleman agrees with me that the editors of the Congressional Quarterly must labor under a considerable disability in deciding which particular position of the President they are going to use as a standard, since his position on the same issue often varies from time to time.

Mr. THOMPSON of New Jersey. It is difficult, and I shall point out an example or two of that later.

Mr. McCARTHY. I remember the Republicans out our way before the 1952 elections were for a flexible price-support program.

Mr. THOMPSON of New Jersey. Yes.

Mr. McCARTHY. Suddenly they found that the President was for 90 percent support; they then turned around and supported the President. They went down the road with him; then in 1954 the President came out against 90 percent supports.

Mr. HOFFMAN. Mr. Speaker, I will have to ask that those words be taken down because the gentleman says "Republicans."

Mr. McCARTHY. The Republican candidates for Congress in the rural districts of the State of Minnesota. I was speaking of the State of Minnesota. This is the difficulty: First they were for flexible price supports and after the expression by the President in support of 90 percent, they came around to support him. They went down the road suporting him; then suddenly he veered off to 85 or 82½ percent.

Mr. THOMPSON of New Jersey. Would not the gentleman agree with the development of last year, for instance, the President's initial stand—or the initial stand of his spokesman—was one reflecting rigid principles and flexible supports; then it changed to a flexible principle and rigid supports.

Mr. McCARTHY. Then we got to the point where they were both flexible.

Mr. THOMPSON of New Jersey. Oh, yes. Now they are both fluid.

Mr. McCARTHY. I think that is about the story. There is the additional problem for the Quarterly editors; namely, that even when the President does not get what he likes, he generally likes what he gets, if from Republicans.

Mr. THOMPSON of New Jersey. I agree thoroughly with the gentleman.

Mr. CURTIS of Missouri. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CURTIS of Missouri. I state, Mr. Speaker, that we are not proceeding in regular order. If the gentleman is going to yield to the gentleman from Minnesota, there should be a request of the Chair that he do yield. I have been trying to get the gentleman's attention and the Chair's attention to ask the gentleman to yield to me. Unless we follow the regular order, we cannot continue this.

Mr. THOMPSON of New Jersey. I will say to the gentleman——

Mr. CURTIS of Missouri. I am speaking to the Chair and I am asking that the regular order be followed. If the gentleman wants to yield to the gentleman from Minnesota and will not yield to the gentleman from Missouri, all right, but let us follow the orderly procedure.

The SPEAKER pro tempore [Mr. MCGOVERN]. The gentleman's point is sustained. The gentleman from New Jersey will proceed in order.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I decline to yield at this time, but I am going to yield to the gentleman in a moment because he was courteous enough yesterday to yield to me.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. The point I wanted to make is this, that the Congressional Quarterly does not confine itself to the use of the term "Congressional" in its title. The point I was making—and, in fact, I think it shows what they are up to—is their use of the byline on their front page "The Authoritative Reference on Congress." So, it goes beyond this type of private enterprise that the gentleman was speaking of that used the term "Congressional."

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. CURTIS of Missouri. The reason I am bringing it up is that the two should be considered together. I might agree with the gentleman that we ought to do something in all areas where use is made of the name "Congressional," but in this particular case of the Congressional Quarterly, we are confronted with the title plus the use of a by-line "The Authoritative Reference on Congress."

Mr. THOMPSON of New Jersey. I thank the gentleman, and I will consider

that. I might point out that the phrase to which he has referred is in quotes. Now, where they quote it, I do not know.

Mr. CURTIS of Missouri. I think I am right in saying it is not in quotes.

Mr. THOMPSON of New Jersey. I will be glad to look into it with the gentleman.

Mr. CURTIS of Missouri. It is not in quotes. It is "The Authoritative reference on Congress." I put it in quotes when I used it in my speech, but it is just a straight out byline.

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. CURTIS of Missouri. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CURTIS of Missouri. Mr. Speaker, I think the rules of the House should be obeyed as far as referring to Members of the other body is concerned. That can get into a ticklish point. I think the gentleman should refrain from such references.

The SPEAKER pro tempore. The gentleman will proceed in order.

Mr. THOMPSON of New Jersey. Republican Memo dated July 21, 1955.

Mr. CURTIS of Missouri. Mr. Speaker, I insist on the point of order with regard to references to the other body or Members of the other body.

Mr. THOMPSON of New Jersey. Mr. Speaker, may I address myself to the point of order?

The SPEAKER pro tempore. The Chair will hear the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The quotation which I am about to give, and I certainly concede the point on the other matter, is from the Senate Republican policy committee. That is not an official body of the Congress of the United States any more than Old Senator Whisky is, and I trust that I can quote it.

Mr. CURTIS of Missouri. Mr. Speaker, if I may speak to the point of order, I think the reason for the ruling is a good one. I know I have insisted on it on occasions when my name was mentioned in the Senate, because I was not able to answer there nor was anyone in the Senate able to answer here. It was unfair. It creates a difficult situation in connection with the amity between the two bodies. The reason for the ruling there would apply to the specific case the gentleman is now embarking on.

Mr. McCARTHY. May I ask whether the gentleman from Missouri is referring to the remarks of the gentleman from New Jersey about the Senate Republican committee?

Mr. CURTIS of Missouri. I might say "Yes." Any reference to the Senate involving the action of the individual Members of the Senate should not come on this floor.

Mr. McCARTHY. The gentleman would not say that the Senate Republican committee was an official organ of the Senate?

Mr. CURTIS of Missouri. The rule of the House relates to reference to Senators. If you want to refer to a Republican political organization, that could be done.

Mr. McCARTHY. The gentleman would not object if we referred to the Republican Senate committee?

Mr. CURTIS of Missouri. I think the rules of the House refer to a reference to a Senator. I should like to see the debate go forward. I think the gentleman can make his point without referring to Members of the other body.

The SPEAKER pro tempore. The Chair would request to the gentleman from New Jersey that he not refer to any Member of the other body or to the body itself or any part of the body.

Mr. THOMPSON of New Jersey. Mr. Speaker, does the Chair consider that the Senate Republican policy committee is a part of the other body?

The SPEAKER pro tempore. Will the gentleman from New Jersey eliminate the word "Senate"?

Mr. THOMPSON of New Jersey. I thank the Speaker.

Mr. CRAMER. A point of order, Mr. Speaker. Does the ruling refer to other references preceding this point?

Mr. THOMPSON of New Jersey. Yes. Mr. Speaker, I ask unanimous consent that my references preceding this point to the Members of the other body all be deleted from the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. THOMPSON of New Jersey. I thank the gentleman and I appreciate the spirit in which the criticism is made.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. McCARTHY. I wonder if the gentleman would venture an opinion as to whether, in the event that Republican percentages compiled by the Congressional Quarterly show an improvement in the next issue of that publication, there would be similar protests from the Republican side, or even from the Democratic side?

Mr. THOMPSON of New Jersey. I would say this to my friend from Minnesota. Yes; I think there will be protests but they will be diminishtd because clearly under the procedures established by the Congressional Quarterly, the batting average of the Democrats is going to go down since the last capitulation.

Mr. McCARTHY. In other words, there will be some protests from some of the Republicans no matter what the record shows.

Mr. THOMPSON of New Jersey. Oh, yes.

Mr. McCARTHY. I think the gentleman might point out that the press has recently been pointing out that the Republicans have been giving more support to the President than they were giving him earlier in this session.

Mr. THOMPSON of New Jersey. Yes; I have an interesting relation of the history of that phenomenon, I might say, to follow.

Mr. McCARTHY. I wonder whether the gentleman would care to make an observation on the fact that this change in support came very shortly after he and a number of other Democrats sent a communication to the White House, informing whoever might have read it, that the President, if he was really interested in his program, did not really have to go to the American people or to the Democrats, but that it would be advisable for him to try to influence the Republican Members of Congress.

Mr. THOMPSON of New Jersey. I might say to the gentleman that we did send such a communication and that in response to it former Gov. Sherman Adams, the Presidential assistant, wrote each of us a very nice letter thanking us for our support, and asking that we continue it and saying that they intended to see into this thing.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield further?

Mr. THOMPSON of New Jersey. Yes.

Mr. McCARTHY. The gentleman will recall that some time after Mr. Sherman Adams read our message he spoke to the Republicans at Trenton, N. J.

Mr. THOMPSON of New Jersey. Yes; he did. That is my hometown.

Mr. McCARTHY. The burden of his speech was that unless the Republicans did support the President the Democrats might obtain some advantage. Was not that the burden of his speech?

Mr. THOMPSON of New Jersey. Yes; he said that very clearly, and he indicated that the incumbent of that particular district, who is myself, might very well be reelected, if he seeks reelection, if this continues.

Mr. McCARTHY. And following that first statement by Mr. Sherman Adams the President made a speech to the Republicans in which he indicated that the terrible thing about the failure of Republicans to support him was that this failure might result in a Democratic advantage.

Mr. THOMPSON of New Jersey. He did, and he pointed out to the Republicans that they have a platform which he considers a pledge and that they had better get behind it. We have particular reference and quotes from the President on this subject following here.

Mr. McCARTHY. I assume the gentleman is hoping as some of the rest of us are that the President will continue the breakfasts of ham and eggs for Republicans, that he will continue to call Republicans in Congress by their first names; since the press reports that these methods have moved the Republicans to their recent strong support of the President as we are approaching some of the really controversial pieces of legislation such as the foreign aid program.

Mr. THOMPSON of New Jersey. Yes, indeed, I hope he does; and I, and I know that you, and the gentleman from California [Mr. ROOSEVELT], the gentleman from Montana [Mr. METCALF] intend to do whatever we can to support the President's foreign aid program.

Mr. CURTIS of Missouri. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CURTIS of Missouri. I submit that in not inquiring if the gentleman will yield the rest of us are put to a disadvantage, and that has not been done. If he wants to ask a question he should first ask the gentleman to yield; otherwise we have this Amos and Andy performance that is going on. My point

of order is that the gentleman has not been proceeding in order, that there has not been a regular yielding, and it makes it impossible to gain the attention of the gentleman from New Jersey to ascertain if he will yield over on this side.

Mr. McCARTHY. I have no further requests to make of the gentleman from New Jersey. I appreciate his courtesy and the consideration of the Chair.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. Following this point: I would hope that the gentleman from Missouri did not intend to characterize the gentleman from Minnesota or myself as Amos or Andy or either one.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield.

Mr. THOMPSON of New Jersey. I yield.

Mr. CURTIS of Missouri. The performance was that, not you as individuals, but the performance was.

Mr. THOMPSON of New Jersey. Or it might have been an Alphonse-Gaston performance also.

Mr. CURTIS of Missouri. Certainly.

Mr. THOMPSON of New Jersey. Whether we have an Amos and Andy performance or an Alphonse-Gaston performance, I yield to my friend from Florida.

Mr. CRAMER. I was very much interested in the statement by the gentleman as to the support they gave the President. Will they continue that support of the President's program?

Mr. THOMPSON of New Jersey. Certainly, that part of the program we approve.

Mr. CRAMER. I would suggest to the gentleman——

Mr. THOMPSON of New Jersey. I yield further to the gentleman.

Mr. CRAMER. I would suggest to the gentleman that he go back and look at the record of the vote on the corn bill, and the bill with the national defense increased funds amendments, and many other votes that are included in the CONGRESSIONAL RECORD, the vote on the Patman resolution, also on House Resolution 190, a bill from the Democratic side saying that the President should send up a new budget in the opinion of the Democratic side.

If you are with the President, you support him. If you do not, you do not. I suggest the gentleman put in the RECORD the vote of those who signed the telegram on the issues I have mentioned, as an example, and such other issues as he might see fit to include. I submit that in each of these issues the majority of the signers of the telegram opposed the President's position.

Mr. THOMPSON of New Jersey. That already is in the RECORD, as the gentleman well knows, because all rollcalls are in the RECORD. It may be perfectly well for the Congressional Quarterly, before or after it changes its name, to list any of them. I would also say to the gentleman from Florida that we should include yesterday's vote on rollcall No. 115 in support of the score because the distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN], said on page 9533 of the RECORD:

> It is one of the features of President Eisenhower's great humanitarian program to help the people. Floods and disasters respect neither individuals nor sections. They come unexpectedly to all people. We should all realize the necessity of doing something about this problem. Realizing the scope of recent disasters, the President would like to construct a program of aid. The President is in favor of this program.

The gentleman from Florida voted against that as did the gentleman from Missouri. Now, if the gentleman will permit, I should like to continue.

Mr. CRAMER. One point, if the gentleman will yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Florida.

Mr. CRAMER. I opposed the amendment partially because it would cost, eventually, $5 billion and the program has not been adequately developed. I would suggest to the gentleman there is no use trying to shift responsibility. The chairman of the committee and the majority membership of the Appropriations Committee disapproved the flood insurance item and that committee is in the hands of the gentleman's own party. It was their recommendation that we were voting upon and which I supported.

Mr. THOMPSON of New Jersey. I concede that it certainly was the recommendation of the chairman of the committee and of the subcommittee who were in opposition. This does not alter the fact it was the President's program that the minority leader voted for with Democratic votes which were cast in favor of that proposition against the chairman of the committee and of the subcommittee and but for the Republicans who voted against it, who should have supported their President, this Nation would have flood insurance today, and the gentleman knows it full well.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. The gentleman declines to yield until he gets further into these quotes. Then I will be delighted to yield to the gentleman.

Mr. Speaker, I might say I have to take a few seconds here and there to delete that word which we discussed a while ago.

A Republican memo dated August 18, 1955, says about the Congressional Quarterly:

> The publication of a private journal of Washington, D. C., which specializes in Congressional affairs said the box score was so and so and it tabulates that. I shall include this in the RECORD.

The Republican National Committee news release of October 20, 1944, headlines "Eisenhower Got 53 Percent Better Cooperation From Congress Than Truman Did."

Leonard Hall, chairman of the Republican National Committee, said:

> An analysis of the box score compiled by an independent nonpartisan news service organization in Washington, the Congressional Quarterly, shows that Mr. Eisenhower did remarkably better with Congress than did his predecessor.

He stated that the Congressional Quarterly tabulates all of the proposals submitted by the President to the Congress.

In Washington a former Member of the House, Mr. Lovre, said on August 2, 1956, that he had supported the President X number of times. I will include this in the RECORD.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from California.

Mr. ROOSEVELT. Does not the gentleman think it is rather unfortunate politically to have the chairman of the Republican National Committee go up to New England, as he did yesterday, and accuse the Democratic Congress of refusing to vote a flood control program when, in effect, it was his own party that defeated it.

Mr. THOMPSON of New Jersey. I do, indeed. I think if Mr. Alcorn had been fair, presuming that he was really for flood insurance as the President was, that he would have laid the responsibility to the chairman of the committee, to the chairman of the subcommittee, Democrats, and to the Republicans and the Democrats who voted against it; absolutely.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. As one, incidentally, who voted against flood insurance, I would say that there was no question during the debate that the leadership, supplied on the Democratic side of the aisle was against it. Mr. MARTIN, the minority leader on the Republican side, was for it. I might state in regard to my own position—and it has a bearing on the issue of the Congressional Quarterly—that I always reserve and always have reserved the right of my own position as to the correctness of these measures. I have been able in the past to support the President overwhelmingly in a majority of the cases. But, the point at issue is not that so much but as to whether or not the Congressional Quarterly has abided by its own standards of selecting votes which show Presidential support, and I wish the gentleman would address himself to those specific things and not talk about collateral issues.

Mr. THOMPSON of New Jersey. I am not talking about collateral issues.

Mr. CURTIS of Missouri. I am talking about the 22 issues or 22 votes that the Congressional Quarterly used according to their standards, and I made the charge that they did not comply with their own standards.

Mr. THOMPSON of New Jersey. I regret saying this because I have great respect and affection for the gentleman from Missouri, but it is my considered opinion, having read everything that has been addressed to this subject since May 22, the gentleman's record, the record of his colleagues and that of my colleagues, having studied thoroughly the criteria applied by Congressional Quarterly, that they have indeed—and this has distressed me somewhat, too—not deviated from the standard which they have set. They are using the very same standard they used and which has been quoted by so many Members of the other body, this body, and your national committee.

And I might say to the gentleman that it is early in the ball game. If the gentleman will permit me to get on, we will have 15 minutes or so left to discuss this.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield for just one comment on that point?

Mr. THOMPSON of New Jersey. Yes.

Mr. CURTIS of Missouri. What I am saying is that the debate should confine itself to the very position the gentleman has taken, that they have abided by their own rules. I have detailed in the RECORD and in my speeches here that they have not abided by their own rules and that is what I would like to discuss. I wish the gentleman would discuss how he figures that they have abided by the rules.

Mr. THOMPSON of New Jersey. I figure they did on the basis which I have set out in my foregoing statement. I have studied it thoroughly. I have a portfolio of information and criteria and I might say to the gentleman that my primary objective today was twofold; first, to suggest amendments to the bills introduced by the gentleman from Michigan [Mr. HOFFMAN], and secondly, to demonstrate, as was my original intention on May 22d, the lack of support up till that time of the President's program as evidenced by the record.

Now, I have cited the Congressional Quarterly. I have faith, absolute faith in their criteria even though they showed that my support score was lower than that of most Republicans last year. I am citing this and other material to show that you, indeed—and I use "you" editorially——

Mr. CURTIS of Missouri. The gentleman may use it personally, if he wishes.

Mr. THOMPSON of New Jersey. On that side of the aisle, indeed, have not been up until a very recent date, supporting your President, your leader.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. CURTIS of Missouri. For instance, 14 of the 22 votes were on 1 appropriation bill. I have written to the Congressional Quarterly and I have challenged them to come forward with evidence that indicates that the President of the United States took a position on those 14 points which, according to their rules of procedure, were proper test votes. The gentleman cannot point to it nor can they, nor can anyone else, because the President did not take any position on those 14 points.

Mr. THOMPSON of New Jersey. The gentleman from New Jersey [Mr. THOMPSON] can and if the gentleman from Missouri [Mr. CURTIS] will refrain from asking him to yield further, I shall attempt to do so.

Mr. CURTIS of Missouri. I thank the gentleman.

Mr. THOMPSON of New Jersey. I have here and I shall include as part of the RECORD testimonials to the Congressional Quarterly from some of the following newspapers:

Elizabeth (N. J.) Daily Journal, a Republican newspaper of my own State.

The Lubbock (Tex.) Avalanche Journal.

The Washington Post and Times Herald; the Cleveland Plain Dealer, the Oregon Journal; the San Diego Union; the Worcester (Mass.) Telegram; the Winston-Salem Journal; the Yuma Daily Sun; the Harrisburg Patriot-News; the Boston Post; and others.

We have seen numerous Members from the Republican side saying different things on different days about the Congressional Quarterly. I would say to my Republican friends that it is not a matter of the Congressional Quarterly at all. What is involved here is support or lack of support for the President's program, no more, no less.

What will the opposition do with the articles from the New York Times and other publications which discuss the matter of Republican support?

Do you gentlemen mean to tell me—and I shall extend at this point the rest of my remarks so that we will have time for colloquy, if you will give me about 2 more minutes—do you gentlemen mean to say that the President has not had to make an effort to stiffen support from the Republicans for his program? Do you mean to tell me, gentlemen, that the article in the Christian Science Monitor of June 13, 1957, entitled "Eisenhower Tries Suasion on Budget Balky," which I shall put in the RECORD, is an untrue article from a biased or partisan Democratic paper?

The New York Herald Tribune of June 17, 1957, said, "President presses drive for unity in Congress," referring to the schism in the Republican Party.

The New York Times' transcript of the President's news conference of May 22, 1957, in which Mr. Donovan, of the Herald Tribune, says:

> Mr. President, last week, sir, you were asked if you intended to punish Republican Members who did not go along with your program.

He goes on:

> The President said, "Well, if you want to make that statement within reasonable and what I would call logical grounds, I think it would be a pity if we tried to organize political parties based on slavish inherence to every detail."

He goes on to say:

> But I do believe this: When a political party gets together and agrees on a platform and that platform is presented to the American public as the political basis on which they are going to try to conduct the Government, if elected, they should remain true to it.

Mr. Lawrence of the New York Times asked the President a question and said:

> If I could take it one step further.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. CURTIS of Missouri. Although the Congressional Quarterly came into the debate because the gentleman originally referred to it as his basic authority, I do not think there is any question but that there are areas of disagreement in the Republican Party. I would say this to the gentlemen on the other side who give all this advice about the split in the Republican Party that it is sort of like looking at the speck in your neighbor's eye when there is a plank in your own, in view of the basic division that exists between what we might call the southern Democrats and people like yourself who represent northern districts. I hope there is always room for disagreement, and public disagreement, within my party on various issues.

Mr. THOMPSON of New Jersey. I can assure the gentleman that his wish is going to be fulfilled.

Mr. CURTIS of Missouri. The issue is there. But I think what the gentleman from New Jersey and some of his colleagues fail to understand is that what some in the Republican Party have been standing for is some responsibility on the part of the Congress, and not to have a rubber stamp Congress such as we experienced in this country during the Roosevelt and the first part of the Truman administrations. The Congress should assume some of this burden as an independent arm of the Government. I think in this debate it is perfectly proper to point out these differences, and to add them up to see whether there is a fundamental difference between Republicans in the Republican Party, here in the House, for example.

I will put in the RECORD at the proper time an analysis of that because it is my opinion that actually the Republican Party, including our various groups running from the conservative to the liberal, is relatively close together, and any split you might anticipate, I am afraid the gentleman is not going to find occurring. I would suggest that he direct his attention to his own party if he wants to combat the unity of the Republican Party.

Mr. THOMPSON of New Jersey. Now the gentleman contradicts himself as he talks. He talks about the liberals and the conservatives and other groups within his own party, and then he ends up by saying it is unified. The gentleman is not serious in saying that there is a complete unanimity of thought on that side; is he?

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. CURTIS of Missouri. No, I said that there was not, but I said it was a basic unity. The differences are aired, and when those differences are ironed out, I think you will find that the Republicans are pretty well all together and pretty well follow a definite philosophy—political and economic and social philosophy just as I submit the ADA Democrats follow one that is pretty different——

Mr. THOMPSON of New Jersey. I do not know what the gentleman means by an ADA Democrat. Would he define that?

Mr. CURTIS of Missouri. I will be glad to. The ADA as exemplified by some of the writings of Leon Keyserling on Economic Philosophy. The personnel composing the ADA follow that particular philosophy in their speeches. I think it is a very definite line of thinking. That is what I am referring to.

Mr. THOMPSON of New Jersey. But what is an ADA Democrat?

Mr. CURTIS of Missouri. I would say ADA Democrats are those who signed the much referred to telegram stating they support the President. These Congressmen tend to follow that line. There will be some deviation, but essentially the economic and social and political philosophy of Leon Keyserling, which is a perfectly respectable one, I want to state, much as I disagree with it, but they do follow that particular philosophy. That is what I mean.

Mr. THOMPSON of New Jersey. I think, as a matter of fact, the ADA is a perfectly respectable organization.

Mr. CURTIS of Missouri. I do, too.

Mr. THOMPSON of New Jersey. But I do not like to be tagged as an ADA Democrat or have my colleagues tagged in that way because I do not know what one is. The term is not definitive enough any more than "Modern Republican" is a definitive term. I had to delete reference made about the other body and, therefore, 20 or 30 definitions of modern republicanism have had to be deleted from this RECORD because of the rules of the House. But there are enough here to prove my point that there is no definitive thing as a modern Republican and, in my opinion, there is no such thing as an ADA Democrat although I must say that in many instances I have agreed with the ADA as well as differed in many instances from the ADA.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. CURTIS of Missouri. Number one, I want to agree with the gentleman with reference to his reference to modern Republican. I do not know what that definition means either although I have tried to follow it. I have tried to pinpoint what I mean by ADA because that is a definite organization of specific people. It consists of certain men who some of whom are well-recognized economists. I want to state for the RECORD that I regard the ADA as an organization, much as I disagree as I say with its economic and political thinking, consists of certain known economists, and I named one of them, Leon Kyserling, who have and expound a definite political, social, and economic philosophy. And I am suggesting that there is a definitive group, and I think the gentleman probably thinks along those lines.

Mr. THOMPSON of New Jersey. I do not know; I have never seen a compilation of the thinking of the ADA. I do know that from time to time I have agreed with them and have many times disagreed with them.

I have, as has the gentleman, respect for the ADA as an organization. I have respect for the National Association of Manufacturers, for the United States Chamber of Commerce, and I certainly agree that there seems to be some unanimity among the Republicans, but a lot of the time I doubt the unanimity here; it is not reflected in the House. On the floor yesterday we saw the minority leader [Mr. MARTIN] stand up and say "This is the President's program." The whip [Mr. ARENDS] voted against it. The unofficial whip, or assistant whip, or whatever the distinguished gentleman from Indiana's title may be [Mr. HALLECK], also voted against it.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. There might be unanimity here in this body but it is not by any means anything approaching unanimous support by the Republicans of the President's program and of the Republican national program.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. Just a moment.

We are under no obligation here, any of us, to do anything more than the gentleman from Missouri has so well stated. He hopes that there will always be the right to act as an individual and that a Member can always follow his own conscience as a guide.

But I say this to the gentleman that if he—and I do not know that he did—endorsed the Republican Party platform, if he said: "I like Ike and I like everything Ike stands for" as my opponent did, he has the obligation to the people to carry out his campaign utterances.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. Having referred to the gentleman I yield to him.

Mr. CURTIS of Missouri. I certainly want to say that I did not support any person with unanimity. In my campaign I was happy to state that on the majority of the issues I did agree with the President, and did agree fundamentally; but there were certain things I disagreed with him on, and I still do.

Mr. THOMPSON of New Jersey. The gentleman from Missouri is not only a distinguished and outstanding Member but he is perfectly honest.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

(By unanimous consent, Mr. THOMPSON of New Jersey was allowed to proceed for 2 additional minutes.)

Mr. THOMPSON of New Jersey. I am certain that his constituents know that, and I mean in no way whatsoever to reflect on the gentleman.

Mr. CURTIS of Missouri. I thank the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I now yield to the gentleman from Florida.

Mr. CRAMER. I was most interested in your remarks about the pertinency of some of these votes and I wish to ask the gentleman, in that he stated he has complete confidence in the Congressional Quarterly's standard; if that is the case I would like to address this question to the gentleman: Can you explain under that statement why the vote on the corn bill was included in the House score but not included in the Senate in that analysis?

Mr. THOMPSON of New Jersey. Has the Congressional Quarterly published as support or opposition the House vote on the corn bill?

Mr. CRAMER. Yes, they have; on the motion to recommit.

Mr. THOMPSON of New Jersey. Then I must say that I do not know the answer, but I have confidence that the House score which they published is accurate.

Mr. CRAMER. I do not question the accuracy of their tabulation but I do question their interpretation, this method of determining—is or is not a given vote for the President. Can the gentleman say conscientiously that there is any justification at all for eliminating the House roll call on Resolution 190 instructing the President to submit a new budget to the Congress? Would you not say that it was an anti-Eisenhower vote? There is not any question in the gentleman's mind about that, is there?

The SPEAKER pro tempore. The time of the gentleman from New Jersey has again expired.

(By unanimous consent, Mr. THOMPSON of New Jersey was allowed to proceed for 2 additional minutes.)

Mr. THOMPSON of New Jersey. The gentleman from Florida asks a question and makes a statement. The gentleman from New Jersey conscientiously believes everything that he says.

Mr. CRAMER. If the gentleman will yield I did not imply that he does not.

Mr. THOMPSON of New Jersey. Mr. Speaker, the gentleman from New Jersey conscientiously believes what he says and I am answering. The gentleman from New Jersey has this to say about that fact: That is one fact where there is doubt because of the President's response to the request of the Congress.

Mr. CRAMER. If the gentleman will yield on that point.

Mr. THOMPSON of New Jersey. I yield.

Mr. CRAMER. Just on that score, the Quarterly itself states that the basis of their determination is the President's position at the time the vote was taken.

The gentleman's position is based upon something subsequent. These are examples of some of the methods of arriving at a support score that cause me to question that tabulation.

Mr. THOMPSON of New Jersey. If that is an accurate statement, I say to the gentleman I hope that the Congressional Quarterly does list that vote as a support or opposition vote. Does the gentleman agree with me that the vote on flood insurance yesterday should be included on the same basis?

Mr. CRAMER. I would not deny it for a moment. I am happy to have it recorded. I voted in opposition.

Mr. THOMPSON of New Jersey. There is no fundamental disagreement here. I do hope that the poor beat up, downtrodden Congressional Quarterly is let alone except for the legislation which the gentleman from Michigan has introduced and which I propose to offer an amendment to. We have gotten up to the level we intended originally and from which we deviated. We have gotten it up to the level of a discussion of support or opposition to the President.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from California.

Mr. ROOSEVELT. I would like to say to the gentleman with respect to the vote on the request of the President in reference to the budget, that there can be no question but what that was a friendly vote for the President, in view of his answer in which he thanked the House for the request and in which he pointed out the area in which he thought the budget could be improved.

Mr. THOMPSON of New Jersey. Mr. Speaker, I thank the gentleman. That is precisely why I said to the gentleman from Florida that this is a difficult area.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks, and also that those who have participated in this debate today may also have permission to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. VURSELL (at the request of Mr. ARENDS) for the balance of the week on account of official business.

To Mr. KRUEGER (at the request of Mr. ARENDS) on account of official business in his district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. JACKSON for 1 hour on Thursday, June 27.

Mr. DAVIS of Georgia, that the special order he has for today be vacated and that he be permitted to address the House for 45 minutes tomorrow.

Mr. CHRISTOPHER for 40 minutes on Monday next

Mr. MILLER of California to vacate the special order he had for Friday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BYRD and to include extraneous matter.

Mr. BOSCH.

Mr. NATCHER and to include editorials.

Mr. DAGUE and to include extraneous matter.

Mr. REED, to revise and extend the remarks he expects to make today in the Committee of the Whole on the bill H. R. 6090 and include a letter from the archeological organization of the State of New York.

Mr. MILLER of Nebraska in two instances.

Mr. ROGERS of Texas and to include related matter.

Mr. METCALF to revise and extend the remarks he made in the Committee of the Whole today and include a list of irrigation and reclamation projects not yet completed.

Mr. BYRD to revise and extend the remarks he made in the Committee of the Whole today and include related matter.

Mr. ALGER.

Mr. O'KONSKI in four instances and to include extraneous matter.

Mr. ROONEY (at the request of Mr. MCCORMACK) the remarks he made in the Committee of the Whole and to include extraneous matter.

Mr. KEOGH (at the request of Mr. MCCORMACK) and to include extraneous matter.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1454. An act for the relief of Jeffrey Charles Medworth; and

H. J. Res. 274. Joint resolution to waive the provision of section 212 (a) (9) of the Immigration and Nationality Act in behalf of certain aliens.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 407. An act for the relief of Julian D. Dycaico;

S. 1008. An act for the relief of Col. Benjamin Axelroad;

S. 1034. An act to authorize and direct the Secretary of Agriculture to convey to the University of Missouri, for agricultural purposes, certain real property in Callaway County, Mo.;

S. 1179. An act for the relief of Harold George Jackson;

S. 1203. An act for the relief of Antonine Velleman; and

S. 1319. An act to renounce any right, title, and interest which the United States may have in certain lands in Montana.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 1451. An act for the relief of Cecelia Vaccaro;

H. R. 1454. An act for the relief of Jeffrey Charles Medworth;

H. R. 1765. An act for the relief of Ellen G. Marinas;

H. R. 1837. An act for the relief of Elda Mondillo;

H. R. 6548. An act to amend the Universal Military Training and Service Act, as amended, as regards persons in the medical, dental, and allied specialist categories;

H. R. 7143. An act to amend the act of August 8, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strengths of the Armed Forces;

H. R. 7505. An act to permit a retired officer of the Navy to be employed in a command status at Port Lyautey, Morocco;

H. J. Res. 185. Joint resolution to implement the convention between the United States of America and Norway, which entered into force on November 9, 1948, for disposition of the claim against the Government of the United States of America asserted by the Government of Norway on behalf of Christoffer Hannevig;

H. J. Res. 272. Joint resolution for the relief of certain aliens;

H. J. Res. 274. Joint resolution to waive the provision of section 212 (a) (9) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 289. Joint resolution to facilitate the admission into the United States of certain alien children; and

H. J. Res. 303. Joint resolution to waive provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

ADJOURNMENT

Mr. ROOSEVELT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 52 minutes p. m.) under its previous order, the House adjourned until Thursday, June 20, 1957, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

961. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (5)); to the Committee on the Judiciary.

962. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (1)); to the Committee on the Judiciary.

963. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of the orders granting the applications for permanent residence filed by the subjects pursuant to the Refugee Relief Act of 1953; to the Committee on the Judiciary.

964. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to provide a program for the development of the minerals resources of the United States, its Territories and possessions by encouraging exploration for minerals and providing for payments as incentives for the production of certain minerals, and for other purposes"; to the Committee on Interior and Insular Affairs.

965. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc"; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended; without amendment (Rept. No. 577). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.; with amendment (Rept. No. 578). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. VINSON:

H. R. 8240. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

By Mr. ADAIR:

H. R. 8241. A bill to amend sections 542 (c) (6) and (7) of the Internal Revenue Code of 1954 relating to interest received by licensed personal finance companies and lending companies; to the Committee on Ways and Means.

By Mr. ANFUSO:

H. R. 8242. A bill to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship by voting in a political election or plebiscite held in Italy; to the Committee on the Judiciary.

By Mr. BOSCH:

H. R. 8243. A bill to amend section 1733 of title 28, United States Code; to the Committee on the Judiciary.

By Mr. DAWSON of Illinois (by request):

H. R. 8244. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, regarding advertised and negotiated disposals of surplus property; to the Committee on Government Operations.

H. R. 8245. A bill to amend section 203 (c) of the Federal Property and Administrative Services Act of 1949 and to permit the exercise of options contained in certain leases of Government property; to the Committee on Government Operations.

H. R. 8246. A bill to further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes; to the Committee on Government Operations.

H. R. 8247. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes; to the Committee on Government Operations.

By Mr. HOSMER:

H. R. 8248. A bill to amend title 35, United States Code, to permit the publication of patent applications, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H. R. 8249. A bill to cede to the State of Michigan civil and criminal jurisdiction over certain land situated within Fort Custer, Mich.; to the Committee on Armed Services.

By Mr. UDALL:

H. R. 8250. A bill to authorize the establishment of the Petrified Forest National Park, in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PRICE:

H. R. 8251. A bill to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. PRESTON:

H. R. 8252. A bill to amend section 3237 of title 18 of the United States Code to define the place at which certain offenses against the income tax laws take place; to the Committee on the Judiciary.

By Mr. WHARTON:

H. R. 8253. A bill to amend the Internal Revenue Code of 1954 to remove the existing maximum limitations on the amount of the deduction for medical expenses; to the Committee on Ways and Means.

By Mr. COLE:

H. R. 8254. A bill to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. POWELL:

H. R. 8255. A bill to increase the amounts of authorized cash relief under the Panama Canal Cash Relief Act of July 8, 1937; to the Committee on Merchant Marine and Fisheries.

By Mr. SMITH of Virginia:

H. R. 8256. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes; to the Committee on the District of Columbia.

By Mr. DAWSON of Utah:

H. R. 8257. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

H. R. 8258. A bill to provide a program for the development of the minerals resources of the United States, its Territories and possessions by encouraging exploration for minerals and providing for payments as incentives for the production of certain minerals, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MASON:

H. J. Res. 375. Joint resolution proposing an amendment to the Constitution relating to the legal effect of treaties and international agreements; to the Committee on the Judiciary.

By Mr. JONAS:

H. J. Res. 376. Joint resolution providing for the establishment of an annual Youth Appreciation Week; to the Committee on the Judiciary.

By Mr. RAY:

H. J. Res. 377. Joint resolution to extend the time limit for the Secretary of Commerce to sell certain war-built vessels for utilization on essential trade routes 3 and 4; to the Committee on Merchant Marine and Fisheries.

By Mr. CHAMBERLAIN:

H. J. Res. 378. Joint resolution designating the week beginning June 30, 1957, as National Safe Boating Week; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLLIER:

H. R. 8259. A bill for the relief of Mila Bozovich Jovancevich; to the Committee on the Judiciary.

By Mr. GORDON:

H. R. 8260. A bill for the relief of Stefan Okula; to the Committee on the Judiciary.

By Mr. JAMES:

H. R. 8261. A bill for the relief of Mrs. Serpuhi Klavuzoglu; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

290. By Mr. CRETELLA: Resolution of the New Haven Post No. 47, Inc., American Legion, on treatment of American prisoners in foreign jails; to the Committee on Foreign Affairs.

291. By the SPEAKER: Petition of the secretary, class of 1917 of Bryn Mawr College, Richmond, Va., petitioning consideration of their resolution with reference to the property of a classmate, Ryn Oyaizu, of Tokyo, Japan, which has been impounded under the Trading With the Enemy Act, and requesting that this injustice be rectified by passing appropriate legislation; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

No Rights for American GI's

EXTENSION OF REMARKS
OF
HON. ALVIN E. O'KONSKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. O'KONSKI. Mr. Speaker, we have frittered away $65 billion all over the world since 1945 worrying about the liberties of other people in other lands. But at the same time we take away the rights of American GI's serving in foreign lands.

We worry about trial by jury, the fifth amendment, bail, and other rights for Communists here in America but we give up those rights for GI's all over the world.

How Congress stands idly by while this is going on is something I will never understand. Let us take a look at this sad and strange development. Our leaders say that the Status of Forces Treaty is justified because it is reciprocal—that in giving up jurisdiction over our own soldiers, we acquired jurisdiction over foreign soldiers stationed here.

What every American ought to know is that American constitutional rights are not for sale or trade on any terms.

If the American Government acquired jurisdiction over 100 million foreigners in exchange for sacrificing the constitutional rights of one American citizen, it would still be an immoral and unconstitutional deal.

The Status of Forces Treaty was a bad bargain for America—even if we ignore principles and make a factual comparison of what we gave with what we got.

There are no foreign troops stationed in America. Altogether, there may be in the United States as many as 15,000 foreigners who are here on some kind of military mission—as observers, experts, or special trainees. On the other hand, there are approximately 1 million American troops stationed abroad. Our troops are sent abroad to protect foreign nations. The foreign soldiers visiting in the United States are not here for our good.

In acquiring jurisdiction over 15,000 visiting foreigners, we nullified the constitutional rights of more than 1 million American soldiers.

Suppose 1 of the 15,000 foreigners does get in trouble here in the United States? Whoever he is, wherever he's from, whatever he does, he gets the full protection of the American Constitution.

In America, any spy, subversive, or criminal of whatever kind is guaranteed a fair jury trial in open court. He can invoke the fifth amendment, refuse to testify, and heap abuse upon official representatives of our Government. But an American soldier who is drafted and forced to serve abroad can now be arrested on trumped-up charges by foreign police officers, tried in a foreign court, sentenced, and punished, without even having an American official present at his trial.

American soldiers, stationed in some 72 foreign nations, have been forced to give up their own careers, their own families, their own homes, to go abroad and serve the interests of foreign people. But this is not enough. They must also be deprived of their most precious constitutional rights in order to keep our foreign friends friendly.

An American soldier in trouble abroad is at the mercy of people whose language he may not speak, and who may hate him merely because he is an American.

He has no guaranty of a public trial, or even a trial by jury; no guaranty of freedom of speech; no protection against unreasonable searches and seizures; no protection against excessive bail or excessive fines; no presumption that he is innocent until he is proven guilty; no requirement that his guilt must be proven beyond reasonable doubt.

Families of servicemen protest that their relatives are subjected to indignities, suffering, and denial of their rights as American citizens in Iceland—where the biggest political party is the Communist party; where the second biggest newspaper in the nation is a Communist newspaper; and where anti-American feeling is bitter.

We have these status of forces agreements with Moslem countries, where the penalty for petty theft is to cut off the right hand of the offender.

American servicemen are subjected to abuse and injustice in France, where 1 out of every 4 public officials is a Communist.

In both Japan and France, it is customary for prosecutors who are not satisfied with sentences imposed on Americans, to appeal the case. This calls for a new trial, with new evidence; and it puts Americans in double jeopardy, subjecting them to more than one trial for the same offense. Such a thing is unconstitutional in the United States.

In Japan, the wheels of justice turn slowly. Criminal cases are frequently adjourned and interminably delayed; but the defendant—even though he may later turn out to be innocent—stays in jail until the verdict is finally in. What a shame on our Nation and a Congress which permits this.

No Taxes Required

EXTENSION OF REMARKS
OF
HON. WILLIAM H. NATCHER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. NATCHER. Mr. Speaker, a great many people in this country are concerned over the amounts requested in the 1958 budget for use in the operation of our Government. There are many persons who do not believe this budget is consistent with good government. They feel that in order to stabilize our economy and encourage its sound growth there must be a reduction in Federal spending. We all know that it costs considerably more to operate our Government now than at any time in its history. With approximately 59 cents of every dollar to be expended for major national security, the overall amount, of course, is much larger than one would have, in the past, ever dreamed of. But, in spite of the present-day situation, the various departments and agencies of the Government can be operated economically. Such economy cannot only be practiced by our Federal Government, but by the States and municipalities located therein. In many States of these United States prosperity is evidence by reason of economical administration of those in authority. A great many of our cities are managed, or operated, by citizens who give of their time and energy in order to practice economy and insure prosperity within their respective municipalities. In the Second Congressional District of Kentucky we have a small city with a population of 11,132, according to the 1950 census. The good people residing in this city—Madisonville, Ky.—for the third consecutive year will pay no property taxes or poll taxes. Here we have an unusual instance where taxes are not necessary due to the fact that the mayor, the city councilmen, and all city employees, operating in unison, are able to use the profits obtained from the municipally owned light and water departments to run the city. And here is exemplified economy with accompanying prosperity. It is clearly shown what can be accomplished by honest, civic-minded officials of a fine, progressive city.

Mr. Speaker, on June 11, 1957, there appeared an article in the Madisonville Messenger, of Madisonville, Ky., which I am sure the Members of this body will be interested in reading.

The article is as follows:

NO TAXES FOR THIRD YEAR HERE, COUNCIL RULES

Madisonville residents will pay no property taxes or poll taxes in 1957—the third straight year of exemptions for property owners here.

The city council last night passed an ordinance to that effect.

The ordinance reads, in effect: "an ad valorem tax of 'no' cents on property subject to taxation in Madisonville is levied for the year of 1957" and "no poll tax on male residents" for the year 1957.

The ordinance includes a paragraph which states: "There is also levied for the year 1957 a tax of 20 cents on each $100 of the fair cash value of shares of bank and trust companies for general city expenses."

MADE NEWS 3 YEARS AGO

The Madisonville city council made news all over the Nation 3 years ago when it passed an ordinance abolishing city taxes. Nineteen hundred and fifty-seven will be the third consecutive year that property owners here will not have to pay property or poll taxes.

The "no taxes" provision was one of the main talking points of the present city councilmen in their successful bid for renomination in last month's primary election.

In other council action last night:

City Treasurer Lamoine Barton submitted her report for the month ending May 31. It showed the city had a balance of $16,986.10 at the close of business at the end of last month.

Chief of Police W. H. Collins, in his report for last month, disclosed collections of fines and costs for May totaled $859.50.

Nine thousand five hundred dollars was transferred from the city's light and water department fund to the general fund.

The 2-week payroll, ending June 15, for city employees was allowed. Bills were approved and ordered paid.

J. Blake Timmons

EXTENSION OF REMARKS
OF
HON. WALTER ROGERS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. ROGERS of Texas. Mr. Speaker, it is with heavy heart that I report the demise of a notable and illustrious Texan. Amarillo and the Panhandle of Texas has lost a valuable and valiant citizen in the passing of J. Blake Timmons, judge of corporation court, who was struck down in his young manhood by a crushing illness. Only in the past few months has he been unable to carry on the duties of his office, and it is the marvel of his friends that he bore up so long in the face of his waning strength.

Judge Timmons was a man of high character and he had that fine quality of great courage and kindness of heart. He possessed in an extraordinary measure the confidence and devotion of his many friends and associates. He met his final test as he met all others. Whether in service of his country or in the everyday

trials of life, he could take it. His in- hydroelectric projects and drainage

frittered away $65 billion all over the

How Congress stands idly by while this is going on is something I will never

If the American Government acquired jurisdiction over 100 million foreigners

trials of life, he could take it. His innate cheerfulness would not let him be cast down and he went bravely forward in the faith of a new and better life, and in the consolation of the infinite and eternal care of his Heavenly Father.

Justification of Farwell Irrigation District

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. MILLER of Nebraska. Mr. Speaker, the appropriation bill for public works for fiscal year 1958 gives moneys for some 280 flood control and irrigation projects located all over the United States. I want to call the attention of the committee to a project in Nebraska known as the Farwell irrigation unit. This district consists of about 52,000 acres and is a part of the Sargent unit that is already under construction. It is a part of the Missouri River Basin development.

The Farwell project was authorized last year. A repayment contract was completed and accepted by the Department of Interior. The President included an item of $750,000 to start construction of the project. The Appropriation Committee has seen fit to eliminate this project and on page 18 of the report you will find their explanation.

I would point out to my colleagues that this is the only irrigation project in the Missouri River Basin that has a conservancy district which has been organized and was authorized to help with the ultimate repayment of the construction of the project. There is no hydroelectric development in the Farwell unit. It will tie in with the Sargent irrigation district which has already been started and in the end will irrigate a total of 68,700 acres.

The committee, in their report on the Farwell unit, complains that "the revenues of the Missouri River Basin project are expected to carry more than 60 percent of the repayment costs applicable to irrigation." Mr. Chairman, there are 13 projects in the 7 States making up the Missouri River Basin area. The average repayment of these irrigation projects is about 17 percent. They go as low as 8 percent repayment over a 50-year period. There is no project that reaches the repayment provisions of the Farwell project.

I would point out, Mr. Speaker, that the folks living in this district are in full accord with the irrigation project. There is no dissension. They have met all of the requirements placed on the project by the Legislative Committee, the Interior Department, and the Bureau of the Budget. It is indeed a little hard to understand why the project was not given the green light.

It is interesting to note that the United States in 8 years has spent under their foreign aid program $355,800,000 on 197 projects in 46 countries for irrigation, hydroelectric projects, and drainage projects. Indeed, several large contracts have been made in the last 60 days for additional projects in Formosa and Indonesia.

It seems to me we ought to remember that the funds invested in reclamation are an investment in America, an investment to meet the demands of this growing, dynamic country.

There has been some question raised about surplus crops being produced on irrigated land. In the case of the Farwell project some eight or nine thousand acres of wheat now being raised would be diverted to production of alfalfa and other forage crops.

I did want to remind my eastern colleagues that the farmers on irrigation projects are excellent, permanent customers for the manufactured products of the Eastern States.

Mr. Speaker, I have just received a telegram from the board of directors of the Farwell project. It reads as follows:

Apparently the House committee was critical of benefit-cost ratio but we do not understand why such criticism should be made at this time. The Farwell unit was justified by the Interior Secretary and was authorized by Congress on the basis of the total benefits that will accrue from its operation.

He found the benefit-cost ratio to be 1.88 to 1 for 100 years as the minimum useful life of the works. For a 50-year period the ratio was 1.45 to 1. As concerns repayment, our people have already signed repayment contracts as between the Farwell Irrigation District and the Loup Basin Reclamation District and the United States, pledging revenues from the reclamation district levy, and the full ability of the irrigators to pay for project operation and maintenance and toward the costs of construction.

We believe our returns toward project costs in this respect are more favorable than most projects today. This is true, especially considering that our project involves an unusually small amount of nonreimbursable costs—less than 4 percent—for flood control and fish and wildlife as shown in the report.

Platte and Loup Valleys in Nebraska have received only one small irrigation unit as a part of the Missouri River Basin project development, yet these valleys contain a large percentage of the basin in terms of land suitable for irrigation and of people who could and who have the right to be benefited through irrigation development.

Our people have noted the favorable action of the Budget Bureau recommending an appropriation of $750,000 to initiate construction of the unit at this time and have taken heart in knowing that all other agencies of the Government have also approved our project. They are now disappointed and rightly so in the action of the House Committee not to recommend the appropriation.

This telegram is signed by the directors of the Farwell Irrigation District.

Mr. Speaker, in conclusion let me repeat it is difficult for the folks in the Farwell Irrigation District to understand why the project was eliminated by the Appropriations Committee. I do not believe they are especially bitter or resentful but they are confused and actually hurt when they realize that this Congress in the last 8 years has spent more than $355 million on 197 irrigation, hydroelectric, and drainage projects in 46 countries and then refuses funds for a project that is really just an investment in the resources of the country, a project that pays back all of the money over a period of 50 years. Indeed, Mr. Chairman, in the last 60 days several lush contracts have been let for more irrigation and drainage in Formosa and some other eastern countries, including Spain. These projects in foreign countries pay back not one dime, nor do they have legislative approval, nor are they required to furnish feasibility reports, and yet the money is furnished by the taxpayers in America, including those in the Farwell unit.

The folks in the Farwell Irrigation District, both in the country and in the towns, have joined together to form a conservancy district. In other words, the people in town will help to carry on and pay for some of the charges on the irrigation costs. It is the only project of that type in the Missouri River Basin. The people in this area are honest, sincere, hard-working folks. It is an established community. All they need is water on their good land in order to make the area a real Garden of Eden. Mr. Chairman, it would be quite different had the project not had Department and budget approval. It would be quite different if the repayment charges would be less than those on the other projects. The project has a much higher ratio of repayment than the other 13 projects in the Missouri River Basin.

We hope to make a complete presentation to the other body and I feel certain that they will include the item in the appropriation bill. I trust a conference will take into consideration the facts that justify the Farwell Irrigation District.

Statement of Hon. Robert C. Byrd to House Committee on Post Office and Civil Service

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. BYRD. Mr. Speaker, I wish to direct to the attention of our colleagues the statement which I presented to the House Committee on Post Office and Civil Service in connection with the pending hearings to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department.

The statement follows:

STATEMENT OF HON. ROBERT C. BYRD PRESENTED TO THE HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, JUNE 21, 1957

Mr. Chairman and members of the House Committee on Post Office and Civil Service, I appreciate this opportunity to present my views on the bill, H. R. 3605, which I introduced, "to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department."

This bill is identical with the bill, H. R. 2474, that has been introduced by the distinguished chairman of your Subcommittee on Civil Service. I join with the gentleman from Louisiana [Mr. MORRISON] and other sponsors of this legislation in hope that this legislation can be speedily enacted. I

sincerely hope that the time element will not operate to defeat this worthy legislation, and I suggest to the committee that it need not do so. If, as I hope and expect, the committee proceeds promptly, I am confident that this legislation can and will be enacted. In an effort to make sure that action is taken at this session, I am one of those who signed the discharge petition presented by the gentleman from Louisiana [Mr. THOMPSON]. I hope the action of this committee will obviate the necessity for bringing the matter up under clause 4, rule XXVII.

It was not until just 2 years ago, 1955, that the first step was made by the Congress toward righting the antequated system of wage determination for postal employees. Prior to that, there were many instances in which the pay of postal workers was entirely unrelated to the requirements of their jobs. The 1955 legislation corrected some of those inequities. The 1955 law, however, did not provide postal workers with adequate pay so as to put them on an equal basis with comparable workers in industry.

Since 1939 the postal workers have steadily lost buying power, and that loss has never really been compensated. Postal workers from 1926 to 1945 had no pay increases, and the average postal salary during that period was $2,100. But the postal worker was much better off than he is today.

The National Federation of Post Office Clerks has assembled some extremely interesting figures from the reports of the Bureau of Labor Statistics of the Department of Labor. I am attaching these figures in the form of a table as a part of my remarks. The table showing the average weekly earnings of production workers in manufacturing industries by selected dates indicates that post-office clerks since 1939 have received wage increases amounting to 103.8 percent (barely matching the increase in the consumers price index) while the average increase received by a cross section of all industry amounted to 230 percent. The lowest third of private industry groups has received increases amounting to 188 percent from 1939 to date compared to increases of 103.8 percent for post-office clerks. Under the circumstances, it is not difficult to understand why the postal service is no longer able to attract and retain a sufficient number of efficient people. It could hardly be otherwise. If the Post Office Department is to be in a position to compete for the best available personnel, it must pay a going industrial wage rate, and, in my judgment, that can only be done by providing substantial salary increases at this time. I believe my bill, H. R. 3605, would accomplish that purpose.

The Congress had the pitiable plight of postal workers plainly laid before it in 1954 in the report of the Senate Committee on Post Office and Civil Service, which was made pursuant to Senate Resolution 46. That resolution provided for the appointment of an advisory council to explore the various fields of postal operations to see if certain specific conclusions might be reached which would be of help to the Post Office Department. The committee's report, which embodies the Council's study, offered 28 recommendations for consideration by the Congress as a possible means of eliminating the continuing deficit. One-third of these recommendations concerned poor personnel standards—and, mind you, that report was made in 1954. The report points up, among other things, the lack of qualifications standards for each category of positions, the lack of orientation and training courses, poor working conditions, so many substitute and temporary employees, and, above all, an out-of-date classification and pay structure.

In 1955 the postal workers asked for a pay increase of $800; however, the average obtained through Public Law 68 was about $340—less than half of the requested amount. The adjustment to that new salary schedule, if I recall correctly, resulted in a salary increase of about 2 percent.

In the past the Post Office Department enjoyed the pick of the crop in recruiting new employees. Today, however, with postal wages anywhere from 20 percent to 30 percent below the starting wage for unskilled labor in industry, the Post Office Department cannot recruit the most desirable people. Recently, my attention was called to a circular put out by a regional civil service examiner on the hiring of substitute clerks and city letter carriers. The circular lowers the age limit to 18 and 17 and permits recruiting from outside the territory served.

Considering the postal pay facts, it is easy to understand why it is becoming increasingly difficult—in many cases, impossible—for the postal service to attract and retain the necessary skilled, experienced workers to move the steadily growing flood of mail. Inability to compete with private industry for capable workers, the steadily deteriorating employee morale, and the inability to retain trained workers have already made widely felt inroads on good postal service. The situation grows steadily worse as prices climb and postal wages fall further and further behind. A pay increase for postal workers would benefit the public in that it would bring about an even better and more efficient postal service, secure savings in the Post Office Department because trained employees will stay in the postal service; prevent the heavy cost of continuously training new people, and serve as an incentive for able and intelligent people to enter and remain in the postal service.

During the Senate hearings on postal salary legislation, the General Counsel for the Post Office Department, in his testimony voicing the Department's objection to the proposed legislation, did not at any time express the opinion that postal salary increases were not justified. He was careful to avoid saying they were not needed and certainly did not even imply that they had not been earned. The entire burden of his statement had to do with the cost of the legislation rather than the need and justification. He referred to the report of the Director of the Bureau of the Budget which stated that legislation increasing generally the salaries of Federal employees was not within the program of the President. In testifying before the same Senate committee, the representative of the Bureau of the Budget and the new Chairman of the United States Civil Service Commission were likewise careful to avoid stating that increases were not justified or had not been earned. The Chairman of the Commission offered as a solution further study of the question. It seems to me that a continuing body, such as the Civil Service Commission, should be able, at almost a moment's notice, to provide a thorough analysis of the Federal pay structure. With only a single salary increase having been provided in the past 6 years, it it plain to me, and should be to any reasonable person, that the Federal pay structure is out of line. The Civil Service Commission should be among the first to realize that fact. Postal and Federal employees have been patient long enough. To ask them to wait longer while the Civil Service Commission, or someone appointed for that purpose, makes a study of their present unfortunate situation would only serve to compound an injustice. If the Civil Service Commission and the Post Office Department are unable at this late date to demonstrate that the wages currently being paid are equitable, if they are unable to demonstrate that immediate increases are not warranted, if they are unable to demonstrate at this time that salary increases are not necessary, then your committee certainly would be amply justified in assuming that they have no basis for their objection and should proceed promptly to report a salary bill.

In his budget message President Eisenhower stated:

"If our economy is to remain healthy, increases in wages and other labor benefits, negotiated by labor and management, must be reasonably related to improvements in productivity. Such increases are beneficial, for they provide wage earners with greater purchasing power."

In that same message, he made this further statement:

"In the Post Office Department, despite an 11-percent rise in the volume of mail in the 4 fiscal years, 1954 through 1957, the average employment will have increased only a little more than 3 percent."

Thus, by the President's own words, we can quickly determine that there has been a marked increase in productivity and that this increased productivity warrants a wage increase.

To oppose salary increases solely on the grounds of cost, after having granted increases in interest rates, puts the administration in the position of saying that money rather than man is worthy of its hire. I fail to notice any reluctance or hesitancy on the part of the administration to increase interest rates on the grounds of cost, and to me it comes as a shock to find that cost is the only objection to this legislation. I hope the committee will proceed promptly to report out the legislation here under consideration.

Average weekly earnings of production workers in manufacturing industries by selected dates, August 1939 to December 1956

Occupation group	August 1939	July 1951	March 1955	December 1955	December 1956	Percent above August 1939 average
Post-office clerks	$40.38	$78.27	$82.30	$80.77	$82.30	103.80
Agricultural machinery (except tractors)	25.49	71.58	81.19	83.64	84.93	233.18
Aircraft engines and parts	34.33	86.37	87.74	96.73	104.92	205.62
Automobiles	31.53	73.15	100.56	98.09	113.90	261.24
Blast furnaces, steel works, and rolling mills	39.99	77.93	91.25	102.61	107.57	268.98
Canning and preserving	15.98	49.20	56.24	57.83	61.72	286.23
Cigarettes	21.39	35.70	65.76	71.72	76.08	255.68
Bituminous-coal mining	24.61	73.58	91.88	105.73	115.33	368.63
Engines and turbines	27.94	76.62	88.13	95.40	100.32	259.05
Footwear (except rubber)	18.44	44.29	51.05	53.16	54.21	194.02
Rubber footwear	22.42	54.60	69.72	74.89	73.26	226.76
Leather; tanned, curried, and finished	24.77	59.29	71.60	75.48	76.42	208.51
Locomotives and parts	28.88	82.35	86.71	98.18	102.06	253.39
Machine tools	32.20	82.08	90.31	106.25	110.64	243.60
Malleable-iron foundries	24.75	69.53	82.96	86.93	86.07	247.75
Manufacturing	23.77	63.92	75.11	79.71	84.05	253.59
Malt liquors	36.84	81.25	97.20	98.50	101.28	183.06
Meat packing, wholesale	27.36	69.64	81.16	98.52	96.87	254.05
Petroleum refining	34.29	87.78	96.98	102.09	109.74	220.03
Primary smelting and refining of nonferrous metals	26.90	69.94	81.41	88.80	93.25	246.65
Paperboard containers and boxes	22.23	58.32	71.90	74.62	78.12	251.41
Pulp, paper, and paperboard mills	25.04	71.65	83.16	89.75	94.15	275.99
Class I railroads	31.77	71.15	80.64	82.12	90.61	185.20

Average weekly earnings of production workers in manufacturing industries by selected dates

foreign aid program $355,800,000 on 197 projects in 46 countries for irrigation,

funds for a project that is really just an investment in the resources of the country, a project that pays back all of the

from Louisiana [Mr. MORRISON] and other sponsors of this legislation in hope that this legislation can be speedily enacted. I

In 1955 the postal workers asked for a pay increase of $800; however, the average obtained through Public Law 68 was about

Average weekly earnings of production workers in manufacturing industries by selected dates, August 1939 to December 1956—Continued

Occupation group	August 1939	July 1951	March 1955	December 1955	December 1956	Percent above August 1939 average
Railroad and streetcars	$27.14	$71.92	$83.03	$93.11	$97.11	257.44
Retail trade	23.41	52.07	57.42	58.71	59.83	155.14
Ship and boat building and repairing	31.28	70.70	82.76	86.15	94.30	201.47
Steel foundries	26.61	74.45	84.46	93.92	99.10	272.41
Synthetic fibers	25.43	63.20	74.89	77.26	79.38	212.11
Telephone	32.06	59.30	70.20	73.84	75.46	135.37
Tires and inner tubes	33.93	83.63	98.51	99.50	109.25	221.98
Tractors	30.45	75.26	87.14	91.24	92.63	215.20
Watches and clocks	21.92	57.74	62.15	71.56	71.76	227.37
Wholesale trades	29.79	64.31	75.76	79.56	83.84	181.43

Source: BLS, U. S. Department of Labor, Earnings and hours, table C-1.

THEN AND NOW: PERCENTAGE OF WAGE INCREASES, 1939–56

The facts

A comparison of the average weekly wage of post office clerks with the average weekly wage paid in 32 representative private industries as of August 1939 and December 1956.

In 1939 the average weekly wage of a post office clerk was above that of all employees in private industry. By 1956 the average wage of a post office clerk was almost $6 per week below the median wage in private industry and almost $21 per week below the wage of half of the representative group.

Source

Hours and gross earnings of production workers or nonsupervisory employees, Bureau of Labor Statistics, United States Department of Labor.

Recent Supreme Court Decisions Cause for Real Concern

EXTENSION OF REMARKS
OF
HON. ALBERT H. BOSCH
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. BOSCH. Mr. Speaker, the recent decisions of our highest Court in the land should give real concern to the American people as well as to Members of Congress, the duly-elected representatives of the people.

It is inconceivable that the "men in the Ivory Tower" should be so impractical as to draw a protective cloak of respectability around those who would directly or indirectly destroy this Republic.

I cannot believe that the forefathers of our country ever intended that the first, fifth, or any other amendment to our Constitution should be used as a shield by those opposed to our way of life.

I believe these recent decisions, including the baring of FBI files, are bound to give a privileged sanctuary to those dedicated to the Communist conspiracy.

I am convinced, Mr. Speaker, that Congress must reassert its legislative authority or be charged with neglect of office in permitting another branch of government to dilute or negate acts of Congress.

I have today introduced legislation with reference to procedures, in court, in cases involving the disclosure of confidential reports or files in any civil or criminal proceeding.

Mr. Speaker, I trust this legislation will receive early consideration.

Cutting the Budget

EXTENSION OF REMARKS
OF
HON. ALVIN E. O'KONSKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. O'KONSKI. Mr. Speaker, Federal spending has reached such a high level that the people are finally protesting in no uncertain terms. Federal spending is more inflationary than any other factor in our economy. What good are social-security checks or veterans' pensions or retirement payments if inflation eats them up?

Recognizing this danger I have always voted to make cuts in the national budget. The record below shows how I have done so each year.

Budget cuts voted by O'Konski

Year:	Billions
1943	$4
1944	6
1945	5
1946	10
1947	8
1948	7
1949	5
1950	8
1951	6
1952	7
1953	15
1954	10
1955	7
1956	6
1957 (this year)	8

NATIONAL DEBT LIMIT INCREASES

In 15 years I voted for only one national debt limit increase. This was at the height of World War II in 1943. Since that time I have voted against three other national debt limit increases.

TAXES

In 15 years I have voted for only 1 tax increase. This was at the height of World War II. I voted for the one tax cut since. I feel a tax cut now is long overdue. I will vote for a bill that will raise tax exemptions from the present $600 per dependent to $1,000 per dependent. This is how any fair and substantial cut in taxes should be made. It should have been made years ago. The less the Government takes in taxes—the less it will spend.

The Late Judge Edward A. Richards

EXTENSION OF REMARKS
OF
HON. EUGENE J. KEOGH
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. KEOGH. Mr. Speaker, a lifelong resident of Brooklyn, Judge Edward A. Richards, was born in the old town of New Lots, now the Borough of Brooklyn, on March 3, 1879. He was a product of the New York educational system having been graduated from the Boys High School in Brooklyn, and from the New York University Law School with the degree of bachelor of laws. He was admitted to the bar in New York State in 1900. In 1907 he was elected justice of municipal court of the city of New York for a term of 10 years, and was reelected in November 1917. In the second year of his new term he resigned to become president of the East New York Savings Bank.

When he became president of the East New York Savings Bank the bank's assets totaled only $6 million, and there were only 8 employees. His success as president is attested to by the fact that the bank's assets at the time of his death in October 1956 were $530,207,231, and the employees numbered 337. He had served as a trustee of the bank since June 8, 1911.

Judge Richards was a member of the law firm of Richards, Smyth & Conway which later became Richards, Smyth & McGrath. He was also an instructor for 2 years in the law of torts at the Brooklyn Law School, St. Lawrence University. The National Association of Mutual Savings Banks honored him by election as its president from June 1925 until October 1926.

Judge Richards had been a member of the legislative committee of the savings banks association of the State for more than 25 years and served on many other committees of the State association. He was instrumental in having three important proposals of legislation passed, first, permitting savings banks to establish branches; second, permitting savings banks to install and operate safe deposit boxes, and third, permitting savings banks to operate school savings banks.

He was one of the chief advocates of life insurance for savings banks, and later became president of the Savings Banks Life Insurance Fund, which office he held for a number of years.

His active life was devoted to undertakings in many fields as is indicated by his membership in the Brooklyn Bar Association for more than 50 years, and a member of its judiciary committee for many years; the Lawyers Club of Brooklyn; the Bankers Club of Brooklyn; the Brooklyn Chamber of Commerce di-

rector for more than 25 years; the board of directors of the Brooklyn and Queens Young Men's Christian Association for more than 40 years, and vice president and trustee since 1947; the board of managers of the Highland Park Branch of the YMCA since 1909, and chairman of the board since 1914. He was a director and vice president of the Brooklyn Council of Boy Scouts and was chairman of their finance and campaign committees for several years. He was also a director of Brooklyn Chapter American Red Cross, Tyrian Lodge, No. 618 F. & A. M. for over 50 years; and master of the lodge for 2 years; and of the 22d Assembly District Regular Democratic Club. A devoted member of the Episcopal Church, he was senior warden of Trinity Episcopal Church of East New York for many years, prior to which he had been a vestryman or warden of former St. Clement's Church, Pennsylvania Avenue, Brooklyn for many years.

He was also a member of the executive committee and the standing committee of the Episcopal diocese of Long Island and a trustee of the estate belonging to the Episcopal diocese of Long Island, and of the Chapter Cathedral of the Incarnation in the diocese.

For a time he was the president of Concord Freeholders, Inc., comprised of 18 mutual savings banks in the State of New York, which built three 15-story apartment houses costing more than $5 million known as Concord Village, and was the president of Arlington Village Development Corp. comprised of 4 Brooklyn savings banks which built a $2 million garden housing project in East New York.

In 1956 Judge Richards was awarded the gold medal for most distinguished service for Brooklyn by the Downtown Brooklyn Association.

Inflation—One Easy Lesson

EXTENSION OF REMARKS
OF
HON. PAUL B. DAGUE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. DAGUE. Mr. Speaker, the real picture of how inflation works is pointed up by the following example which appears as an advertisement in the June 21, 1957, issue of U. S. News & World Report:

You repair shoes, he pumps gasoline, I raise chickens. We sell to each other and to the man next door—a retired schoolteacher on a pension.

Somebody convinces me I can make just as much for less work so I raise fewer chickens but increase the price of those I do raise.

But you aren't going to repair more shoes in exchange for a chicken; he isn't going to give me more gasoline for a chicken. It's the same chicken; I haven't made it worth any more to you. So all you do is raise the price of repair work; he raises the price of gasoline. But the retired schoolteacher can't raise his pension; he just gives up chicken.

So all I've done is lose one customer, and traded dollars with the others.

If I had worked more efficiently (maybe invested in a mechanical brooder) I would have had more chickens to trade for more repair work and more gasoline, and by cutting costs and prices a bit, got two teachers as customers instead of none.

And more people could be enjoying chicken.

In the same issue of the same magazine there appear some very convincing data on who is to blame for the wage-price spiral.

Since 1950 pay for labor has increased 22 percent, while the worker's output has increased 11 percent, which can only result in an inflationary impact.

The industrialist has two things to consider; namely, accumulating reserves necessary to the repair, modernization, and expansion of his plant—which benefits labor—and the payment of a return to the stockholders who have invested in the plant. These investors, since the money they have invested represents the result of their labors, have as much right to increased earnings as do the employees. It is, therefore, significant that dividends paid to stockholders, in 6 years, dropped from 3.8 percent to 3.5 percent of national income. At the same time, industry's profits, after taxes and dividends, dropped from 3.4 percent to 2.1 percent. Recalling that in the same period labor increased its take by 22 percent, it is pretty clear that someone is talking through his hat when he denies that wage increases, unless they are geared to increased productivity, do not initiate the price spiral.

And then to return to the retired school teacher—to all of us who live on fixed incomes—how far does this crazy business go until we are all forced to stop eating chicken?

Herein, in my opinion, lie the seeds of our economic destruction.

Washington Report by Congressman Bruce Alger, Fifth District, Texas

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. ALGER. Mr. Speaker, each week I send a newsletter to my constituents, available to any who want to receive it and so indicate. This effort, like others, to inform the people is but a manifestation of my belief that government benefits and succeeds to the same degree that an informed public takes effective action. I believe in an informed electorate. I regret having overlooked placing each week's newsletter in the RECORD. From this date forward I shall do so.

The newsletter for June 8, 1957, follows:

WASHINGTON REPORT
(By Congressman BRUCE ALGER, Fifth District, Texas, June 8, 1957)

The civil rights bill, which protects or violates your civil rights, depending on your viewpoint, is now before us for a 2-week struggle. The battlelines were clearly defined by the vote on the rule, 290 to 117, which made consideration of the bill in order. Both heat and light will be generated over the merits of the bill itself. The South's acceptance of defeat is best evidenced by southern Congressmen's pinning their hopes on the right of trial by jury amendment. Existing States rights to trial by jury for criminal contempt cases have been eliminated by the bill's provision making the United States Government a party to each civil rights case, which automatically eliminates jury trial. The basic arguments in granting trial by jury are: For—jury trial is basic right of Americans and must be preserved; against—juries in South may not be impartial. Sectionalism (North versus South), incitement to race differences, and pure politics, where the Negro vote is sought, all conspire to fan prejudice and emotionalism, and obscure basic principles and the most intelligent solution to the problem. The 14-page bill, 60-page report, and 1,530 pages of hearings, provide the material for debate plus Members' own observations. Included is my testimony before the Judiciary Committee during study of the bill. Well—we'll see what develops—more next week.

A modern dilemma faces us in the arms race. In our defense effort through military strength, should we continue to develop and test atomic weapons with real danger to ourselves and future generations from fallout and radiation? Or should we agree to disarmament with the untrustworthy foe, thus risking the loss of the atomic race and our slavery or extinction? Is civilization's extinction threatened either way—one slower than the other? Are there, therefore, in view of the danger, just grounds for playing politics or for soul-searching, prayerful dedication with every ounce of intelligence to finding the answer. Is there an answer? There must be. What is it?

Another dilemma faces American citizens. Will we preserve traditional constitutional government or embrace socialism? Khrushchev gave his estimate this week: "United States will go socialist without Soviet action, and the grandchildren of Americans will live under socialism." He knows what many Americans do not—socialism and communism are economically quite the same—and that a free country can embrace socialism without intentionally planning it. Public housing, public power, farmer and citizen subsidization, progressive income tax, which takes from thrifty and gives to the thriftless or indigent—these and many others are socialist tenets, and they are now firmly entrenched in the United States economy, which has survived not because of, but in spite of them, much as a ship moves despite barnacles. Socialists, moreover, may agree not to use the word socialism, but rather New Deal, Fair Deal, or other modern terms calculated to appeal to apathetic or unaware citizens who unfortunately are more generous in their tax gifts to government than in their study of the course of their government. Labor has been the target to help socialism spread, and so we have leaders like Mr. Walter Reuther, who intentionally or not pleads for socialism, praising the big budget, condemning businessmen, and fostering brutal strikes (the Kohler plant, for example). Where is the point of no return between economic freedom and government regulation?

The ADA (Americans for Democratic Action) National Director Edward Hollander testified for natural-gas price control by government, and I saw socialism's exponent in the flesh. In my questioning him I learned: (1) He helped originate the ADA yardstick and graded the Congressmen (which for 2 years resulted in my receiving a zero); (2) he said ADA was against government price control, then contradicted himself, asking for gas-price control, and admitted also being for removal of government controls in 1953; (3) he proclaimed the insatiable greed of

oil companies and then admitted he owned stock in numerous oil and gas companies; (4) he could not differentiate between principles of socialism and ADA tenets.

The natural-gas hearings are over. There may now be a struggle in committee between those favoring the present complete government control by the FPC and those favoring partial or complete freeing of the independent gas producers from government regulation of price at the well head.

The Girard case, the American soldier who killed a Japanese woman while on duty, demonstrates again that our soldiers should always be under United States jurisdiction.

Case of Sp3c. William S. Girard

EXTENSION OF REMARKS
OF
HON. WILLIAM E. JENNER
OF INDIANA
IN THE SENATE OF THE UNITED STATES
Wednesday, June 19, 1957

Mr. JENNER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a release prepared by me on June 11 and my newsletter dated June 12, 1957, regarding the case of Sp3c. William S. Girard.

There being no objection, the release and newsletter were ordered to be printed in the RECORD, as follows:

RELEASE FROM THE OFFICE OF SENATOR WILLIAM E. JENNER, REPUBLICAN, OF INDIANA, JUNE 11, 1957

Senator WILLIAM E. JENNER, Republican, of Indiana, commenting on the press statement by Robert Dechert, General Counsel of the Defense Department, that GI William S. Girard enticed Naka Sakai closer into the firing range before he killed her, said:

"The important point in this case is not whether William S. Girard is innocent or guilty. That remains to be determined at the trial.

"The question is whether his constitutional rights have been forfeited by surrendering him to a Japanese court for trial instead of letting him be tried by a United States military court. This turns on the critical question whether he was engaged in the performance of his duties when the incident occurred.

"I am shocked and amazed that the General Counsel of the Defense Department would issue a statement to the press which gives substantial help to those who will prosecute this young American soldier.

"Mr. Dechert had no excuse for making any comment whatever on the guilt or innocence of Private Girard. That is the sole responsibility of the court which ultimately tries him.

"Mr. Dechert had no excuse whatever for making a statement on the evidence to be presented in any court proceeding, when he was not in court and not under oath. We do not tolerate trial by press conference in this country.

"Mr. Dechert, as counsel for the Defense Department, had no excuse for issuing voluntarily a derogatory statement about an American soldier, when that statement will certainly be used by the prosecution when he is on trial, perhaps for his life.

"Government agencies are supposed in this country to serve the people. Have our officials descended so low, in the struggle to have their way regardless of public opinion, that they would destroy the reputation and, perhaps, the life of an American soldier in order to win a contest over who is to have the most power in Government?"

NEWSLETTER FROM THE OFFICE OF WILLIAM E. JENNER, REPUBLICAN, INDIANA, JUNE 12, 1957

The case of William Girard in Japan has aroused American indignation about the status-of-forces treaties and agreements we have with over 42 nations.

At this time I think it is appropriate for me to review some of the important Senate debates on the rights of American servicemen.

Let's start with the background of the agreement we have with Japan.

Over 5 years ago, the Senate was asked to ratify the formal peace treaty with Japan, signed by 48 nations. At the time, Senator MARGARET CHASE SMITH, of Maine, and I, introduced four reservations to the treaty.

One of them read, in part:

"Nothing contained in this treaty shall be construed (a) to impose any limitations on the right of the United States as a sovereign power to exercise complete and unlimited control over its foreign policy, its Military Establishment, and its domestic concerns."

On March 20, 1952, the Senate debated our reservation and defeated it by a vote of 55 to 25.

During the same debate, Senator DIRKSEN reintroduced the same reservation as a new one, by omitting a part of mine which did not refer to United States sovereign power. That was the only way to bring the subject up for reconsideration after it had once been defeated.

During the discussion that followed, one of the Senators who opposed our reservation made the essential point that:

"In the administrative agreement which has been negotiated with Japan, when the question rises as to jurisdiction in the matter of persons who are accused of crime, possibly our own citizens, possibly our own soldiers, we agree to apply the same rule as the one we will agree to with respect to NATO countries, and it is contemplated, I believe, that we shall work out some agreement whereby they can be tried locally, certainly for certain specified offenses. If this reservation were agreed to, I am wondering whether it would not negate that effort, because it would certainly be a limitation upon our control of certain parts of our Military Establishment."

That was precisely why Senator SMITH, Senator DIRKSEN, and I wanted the reservation in—and if it had passed, William Girard would still be under the jurisdiction of the military courts.

But the reservation submitted by Senator DIRKSEN was defeated by a vote of 47 to 29.

Later that same day the Senate debated ratification of a security treaty between the United States and Japan.

Article III of that treaty reads:

"The conditions which shall govern the disposition of Armed Forces of the United States of America in and about Japan shall be determined by administrative agreements between the two governments."

I introduced a resolution, for Mrs. SMITH of Maine and myself, providing that no administrative agreement would be binding unless ratified by the Senate.

It read:

"Since Congress under the Constitution has the sole power to declare war and authorize the employment of the Armed Forces of the United States, any so-called administrative agreements under article III of this treaty relating to the right to dispose of the Armed Forces of the United States or any part of its Military Establishment in or about Japan shall not become binding on the United States unless ratified by the Senate as a treaty in accordance with article II, section 2 of the Constitution, or approved by the Congress by act or joint resolution specifically referring to such agreement or arrangement."

At the time I said:

"We are today signing a blank check, the amount of which we do not know. We cannot control our own forces. It is our responsibility to raise and maintain armies. It is not the responsibility of the Defense Department or the State Department. If we accept the treaty without this reservation, that is the situation in which we shall find ourselves. There is no policy involved; that is left to the administrative agreement.

"Here * * * is the tentative administrative agreement, containing several pages, closely typed. We are delegating our constitutional right—to whom? I do not know whether Mr. Acheson will send Jessup or Dean Rusk to work out the administrative details. I do not know whether the Defense Department will send a representative. I do not know whom Japan will appoint. * * * So I do not know who is going to conduct the negotiations, and I do not think any other Senators know."

I also said: "This is a shocking way for a great nation to conduct its governmental business. Under the American form of government, the executive department presents its agreements in clear, complete, and concise form. The Senate consents or withholds consent. A policy is established and the administrative problems are left to the Executive to be carried out."

The reservation was defeated by a vote of 45 to 22.

On July 15, 1953, the Senate ratified the NATO Status of Forces Agreement. Fourteen other Senators and I voted against it, because we felt it deprived the servicemen we send overseas of the full protection of the Constitution they are supposed to defend.

In the last session of Congress, I introduced a resolution, Senate Joint Resolution 94, asking that the President renegotiate article 7 of the NATO Status of Forces Treaty to provide for exclusive American jurisdiction over our servicemen stationed overseas. The treaty provides that any article in it can be renegotiated.

On June 20, 1956, I personally requested the Senate Foreign Relations Committee to hold hearings on my resolution. Copies of my 12-page statement can be obtained from my office on request.

I stated that if we are in the process of abandoning our Constitution, we shouldn't begin with our servicemen.

No action was taken by the committee last year, so I reintroduced the same resolution this year as Senate Joint Resolution 40. It was referred to the Foreign Relations Committee.

If you are interested in the resolution, I suggest that you write to Senator THEODORE F. GREEN, chairman of the Senate Foreign Relations Committee and request the committee to hold hearings on Senate Joint Resolution 40.

Mr. Farmer: Do You Know Your Son Is Worth Only $725 as a Soldier

EXTENSION OF REMARKS
OF
HON. ALVIN E. O'KONSKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. O'KONSKI. Mr. Speaker, I wonder how many parents of servicemen know that their unmarried son, if killed in the service, is worth only $725. Believe it or not, such is the case.

In the only economy act of last year the Congress struck out the $10,000 free life insurance. So, if your unmarried son is killed in the service, all the parents will get, if the mother's and father's combined income is over $2,400 per year, is 6 months' pay and $125 for the funeral.

So many billions have been given and are being given all over the world, the Government could not afford to keep up the $10,000 insurance policy on servicemen.

So, fathers and mothers, after you raise your boy to 18 and he goes into the service, the Government now expects you fathers and mothers to pay for his insurance. If you do not, the boy is not insured.

And get this, you will have a hard time buying this insurance for him. If he is in the Air Force, it is almost impossible. If you do get insurance, you will pay on the nose and good. Yes, mothers and fathers, if you have a boy in service, you better check on this or you are in for some heartbreaks.

Ainsworth Irrigation Project

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. MILLER of Nebraska. Mr. Speaker, yesterday, in general debate, I talked with Mr. JENSEN, a member of the committee, relative to the rather critical report on the Bureau of Reclamation which appears on page 14, and I quote a section of that report:

During the course of the hearings, a number of the Bureau witnesses demonstrated an apparent lack of preparedness and an inexcusable unwillingness to provide factual and responsive answers to questions of the committee members. The committee expects and is fully entitled to prompt, comprehensive, and responsive answers. It does not expect to be put through the process of digging out facts piece by piece in a time-wasting and unnecessary process.

I also referred to the fact that two projects in the Fourth District of Nebraska had been eliminated from the appropriations bill.

I can understand that the committee must have a very difficult time in judging the merits of all projects that they must consider. There are some 280 flood control and irrigation projects in this bill. If the official witnesses from the Bureau of Reclamation were not prepared and did not give proper and comprehensive answers then it would be difficult to arrive at the feasibility of any one of these projects.

Now coming back to the two projects in Nebraska, I shall deal first with the Ainsworth project.

Mr. Speaker, the Ainsworth irrigation project is a part of the Missouri Basin plan and has been authorized for construction by Public Law 531 of the 84th Congress. This project has proven its feasibility and has been recommended by the Department of the Interior and was in the President's budget request to Congress.

The folks in this district have entered into repayment contracts that have been approved. The project has passed every test required by the Department of the Interior and the Bureau of the Budget and this year they asked for $1,100,000 to get construction started.

It is different than some projects in that there is very little flood control in its plans. As you know, flood control is nonreimbursable and in some projects it is quite a large sum.

Under reclamation law, the farmers receiving the water have agreed to pay back as much as they can under reclamation law. That has been reclamation law for many years.

The project consists of a dam built on the Snake River, known as Merritt Dam. There is ample water in the Snake River for the project. There is good soil and good people ready to utilize the water in this semiarid section.

Nebraska, in this area, has been visited with severe drought for several years. When the project is completed, it would relieve the drought situation and make this community a thriving, productive one because of the new security and new wealth created by the production of new crops from the irrigated area.

The Appropriations Committee for Public Works has seen fit to disallow the budget estimate of $1,100,000 to get this project started. They say this, in part:

Testimony received by the committee indicates that an increase in income of $53.92 per acre will result through application of irrigation water to the land.

They further state:

Repayment from the land is only about 30 percent, leaving 70 percent of the total repayment allocation to be made up from the Missouri River Basin power revenues.

The committee further says:

They are concerned about the amount of irrigation repayment obligations being loaded on the income from the sale of power in the basin. In the case of this particular project the committee fails to understand why more favorable repayment contracts requiring a larger repayment on the part of the beneficiaries of irrigation cannot be arranged.

I would point out to the honorable committee that of all the projects in the Missouri River Basin, those in Montana, North Dakota, South Dakota, Wyoming, and Nebraska, that the average repayment by irrigated land is about 17 percent. In the project approved in the upper Colorado River Basin last year, the repayment from irrigated land is about 12 percent. Actually, the repayment of $8.82 per acre is more than that estimated by the Bureau of Reclamation.

The Bureau of Reclamation officials tell me that the repayment contracts for the Ainsworth and Farwell projects are among the best in the Missouri River Basin States. They point out that the Ainsworth project pays back 30 percent of the cost while the balance comes from the Missouri River Basin account. I think those figures are correct. But we do have some projects in the Missouri River Basin that the irrigators pay back as little as 10 percent. The balance being credited to flood control, fish and wildlife and from power revenue received from the basin.

There is little flood control in the Ainsworth project. I am sure my colleagues understand that when flood-control money is in an irrigation project it is not paid back.

Under reclamation law, the farmers pay back as much as they can. In the case of the Ainsworth project all moneys will be paid back over a period of 50 years. That part charged to power is paid back with interest.

I am making an appearance before the committee in the other body and I hope that when they put the moneys back in the bill for the Ainsworth project, the conferees will consider the facts relative to the Ainsworth project. Again I repeat that their report of the repayment of 30 percent is far above the average in the Missouri River Basin.

Of course, it is hard for the folks in the Ainsworth project to understand why the Committee on Appropriations disapproved their project since they have met all of the requirements made by the legislative committee, the Department of Interior, and the Bureau of the Budget. This includes a repayment contract.

I would point out to the committee, on pages 886 and 887 of the hearings that the benefit-cost ratio, as estimated by the Reclamation Bureau, was 1.62:1, and all other benefits in which the Corps of Engineers are figured into the benefit-cost ratio the testimony on page 887 shows it to be 1.5:1. The benefit-cost ratio of the Ainsworth project is listed on page 890 to be 2.16:1. In other words, the Ainsworth project, which had budget approval, has a better benefit-cost ratio than the average for the Missouri River Basin.

The people of the district can hardly understand the action of the committee because they have complied with all the legislative requests, including repayment contracts. The project was approved by the Department of the Interior and was in budget requests. There is ample water; there is good land and good people to work the land. Perhaps someone on the committee will be able to offer an explanation as to why this project has been refused. They should also tell Congress and the people what is necessary in order that it be approved.

The only conclusion I can reach is that the committee was unable to understand the merits of the project because of the poor showing made by the Bureau of Reclamation witnesses.

The people of the district will appear before the other body, along with Senators and Members of Congress, and it is our hope that a better presentation can be made and placed in the bill when considered by the other body. I am confident this will be done and when the bill comes back to conference the project will be given the green light.

Freedom's Open Door

EXTENSION OF REMARKS
OF
HON. EDWARD J. THYE
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Wednesday, June 19, 1957

Mr. THYE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a copy of an address which I delivered at Duluth, Minn., on June 16, 1957, before the Midsummer Festival of the Swedish-American League of Duluth. The address is entitled "Freedom's Open Door."

I also ask unanimous consent to have printed in the CONGRESSIONAL RECORD an editorial on the same general subject, published in the St. Paul (Minn.) Pioneer Press of June 17, 1957.

There being no objection, the address and editorial were ordered to be printed in the RECORD, as follows:

FREEDOM'S OPEN DOOR

(Address by Hon. EDWARD J. THYE, United States Senator from Minnesota, before the midsummer festival of the Swedish-American League of Duluth, Duluth, Minn., June 16, 1957)

Mr. Chairman, ladies and gentlemen, during my years of public service as Governor and United States Senator, I have always looked forward to my visits to the great port city of Duluth. Today I enjoy the special honor of participating in your annual Swedish-American midsummer festival. I have joined hands with Swedish Americans on numerous occasions in paying tribute to Sweden and her people.

Today in Duluth we recognize that within a short time Sweden will be brought into direct contact with Duluth as a result of the Saint Lawrence Seaway. Duluth stands on the threshold of a new and exciting era of history. The vast taconite industry has already sparked an atmosphere of expansion and development which holds great promise for years to come.

The same type of dedication to progress has made Sweden a great nation. Today the Swedish people enjoy their continued freedom; a high standard of living; and a posture of independence. At the same time, these people look back upon hundreds of years of continuous economic and industrial development.

I also know from conversations with people from Sweden, that they are proud of the close and friendly association of their nation with the United States. I also know that they are particularly proud of the great contributions which men and women of Swedish descent have made toward the development of our own great Nation. It is this type of people who came to Minnesota years ago and dedicated themselves to the transformation of a wilderness into a vigorous and prosperous State. All of this has been done in less than 100 years.

We must not forget that it was Sweden which was the first nation, not engaged in the Revolutionary War, which recognized the independence and equality of the United States. It was a Swede, John Hanson, who was first President of the United States in Congress assembled. It is also worthy of note that one of the very first permanent settlements in this country was a colony of Swedes on the shores of Delaware.

As we pay tribute to Sweden on this day, we can observe the leadership of Sweden in world affairs through the work of Dag Hammarskjold as Secretary General of the United Nations. It is this type of sensitivity to changing world conditions which sets Sweden apart as a nation dedicated to the cause of freedom and independence.

But there is another common bond which Duluth and its citizens enjoy with Sweden and her people. That is the activity of oceangoing trade. As I have said it is just a matter of months before Duluth will have direct access to world ports.

Trade and commercial intercourse between nations has always been a vital factor in the history of nations and in the lives of their people. There is no nation capable of sustaining itself completely without trade with other nations. The degree of dependency upon trade with foreign nations will vary with the different countries of the world. But every nation to a certain extent depends upon trade for its continued existence and progress.

Today, we live in a world sharply divided between free people; people dominated by Communist control; and people who are as yet uncommitted to either of the first two groups.

It is a paradox of our times that two of the leading issues today should be disarmament on the one hand and the development of nuclear weapons for war on the other hand.

The United States has taken the initiative at the current London talks on disarmament. For the first time in 10 years we have some reason to hope that we may be entering a period when the first step might be taken toward a genuine disarmament agreement. It is a source of pride and satisfaction to Minnesotans that one of its sons, Harold Stassen, has emerged as a dynamic and forceful spokesman for the entire free world on the subject of disarmament.

At the same time, the Congress of the United States is reviewing the hazard of nuclear testing of weapons for war and is engaged in studying a request for a $38 billion defense budget.

One can see by this set of circumstances that this is not the day for timid leadership. It is a day when we need all of the vigor and vision which was displayed in the fighting of the Revolutionary War and in the subsequent establishment of a great nation through the Declaration of Independence and the Constitution.

There is one issue which has emerged to tax all of our resources and initiative. That is the subject of trade with Red China and the Russian satellite countries by the nations of the free world.

Within the past 2 weeks, our ally Great Britain announced to the world that she was going to relax her restrictions against trade with Red China. Other nations of the free world have followed suit. This action was not taken in defiance of the United States, but as a matter of economic necessity. Once again it has been demonstrated that nations must open up channels of trade in order to gain economic and social progress. At the present time the United States follows a policy of no trade with Red China. However, at his press conference the other day the President stated that trade could not be permanently restricted and rejected. President Eisenhower realizes that we cannot forever succeed in keeping the avenues of trade with the China mainland closed.

The time has come when we must conduct an extensive and thorough reevaluation of our trade policy in Asia. I do not propose for a moment that we should all of a sudden throw open the doors of trade to Red China.

At the present time, Red China is holding eight American civilians. They refuse to release 4 Catholic missionaries, 2 American businessmen, and 2 Department of the Army civilians who crashed in North Korea.

In addition there are 450 American soldiers who were known to be alive after capture and who are held by Communist China. We have insisted on an accounting for each of them to determine their status. Communist China has not met our requests for information concerning these soldiers.

Until such time as Communist China has accounted for these people and is ready to negotiate their release, I submit that we should retain our policy of no trade with the Government of Red China.

However, I believe that with patience and through diplomatic negotiation that we may be able to obtain freedom for these people. Communist China must demonstrate by cooperation and action its good faith in dealing with our Government.

Therefore, I believe that the following five-point plan of action is needed in order for the United States to deal with the issue of trade with China:

1. The continued negotiation by our Government for the release of persons held by Red China.

2. A demonstration by Red China by deeds her willingness to negotiate in good faith with the free nations.

3. The admission of American newsmen into Red China.

4. A complete analysis and reappraisal of our trade policies in regard to Red China and Russian satellites.

5. Continued support through economic aid and assistance to our key Asian allies such as South Korea, Japan, Formosa, Thailand, Vietnam and others.

I realize that the success of this proposal depends upon the willingness of Communist China to open up doors to the outside world and to bury its deep seated antagonism to the spirit of freedom and independence.

The admission of newsmen to Red China would expose the economy and social life of the Chinese Communists to the Free World. We would be the recipients of a storehouse of valuable information. Communist China would be thrown into the spotlight of direct news reporting. Negotiations should be commenced immediately to allow American reporters to work in safety within the boundaries of Red China.

The Senate Interstate and Foreign Commerce Committee is about to begin extensive hearings into the subject of actual trade with Communist China. There is strong feeling in Congress that such a study is overdue.

After considerable thought and investigation of my own on this subject, I have come to the conclusion that such a review is a necessity.

Continued economic and technical assistance to our Asian allies is of utmost importance. Since 1950 we have delivered over $7 billion in aid to these nations.

The success of this program is dramatically illustrated by the accomplishments in Vietnam in the past 3 years. During these short 36 months that nation has been transformed from a war ravaged country into a strong anti-Communist stronghold. The economic progress and the improvement in the living standards of the Vietnamese people have caused many Asian leaders to examine closely the advantage which the free world has to offer.

One of the most important links with freedom in Asia is found in Japan today. Here is a nation which has been transformed from an enemy of the United States to a friend and ally in the short span of 15 years. Today Japan has a population of 90 million crowded into an area about the size of the State of Montana. Japan has very few natural resources. Only about 16 percent of the total land area is suitable for cultivation. Japan must import 20 percent of the food necessary to feed her people. In order to pay for these imports, Japan must export. She has few raw materials to export. Therefore, Japan must export finished goods and in order to do that she must import most of the raw materials necessary for their manufacture.

The merchandise trade deficit in 1956 was $729 million as compared with $461 million in 1955. Japan has experienced a sharp rise in the imports of textile materials, metal ores, scrap, mineral fuels, chemicals, and machinery.

Successful trade is a necessity for Japan. At the present time much of her trade is with the United States. However, historically, one of Japan's natural trade areas has been the China mainland. I do not propose to predict how long Japan can continue to avoid trade relations with Red China. This demonstrates again the importance of reevaluating our own trade relations with the Communist regime in China.

We must maintain Japan as a strong and friendly ally in Asia. To do otherwise would be to court Communist aggression in this key area of the world.

Great Britain is faced with a situation similar to Japan's. It is an island nation of small land area and with a large concentrated population. History reveals that Great Britain's strength as a nation depends upon successful trade policy. Lacking in natural resources she must rely upon trade to receive the raw materials necessary to manufacture and produce items of export. To deny Great Britain the right to expand her trade would be to weaken our strongest ally in Europe both economically and as a world power in the battle against communism.

Today the people of the world stand in the twilight zone between annihilation and disarmament. They do not want to live in a world of tension and fear. They are asking for leadership which will carry them into an era of peace and independence. The United States as a leader of the free forces has demonstrated on numerous occasions that it is willing to cooperate in the development of a framework for a just peace.

We ask Russia and Communist-dominated countries to act in good faith and to demonstrate by constructive action that they are willing to accept disarmament and peace as the most urgent goals of our time. Red China must show to the world that she is responsible and reliable in her leadership. The first step in this direction can be taken by the release of American citizens and soldiers.

I know that the administration and the Congress will continue the type of leadership which will demonstrate again our dynamic role of a world leader dedicated to the opening of freedom's door to all peoples of the world.

[From the St. Paul (Minn.) Pioneer Press of June 17, 1957]

THYE REALISTIC IN VIEWS ON RED CHINA PROBLEM

Senator EDWARD J. THYE proposes a reevaluation of some United States policies in Asia, including the matter of trade relations with Red China. His suggestions have much merit.

Great Britain and other western nations friendly to the United States have decided to permit trade with Red China on a similar basis as with Russia and her European satellites. President Eisenhower has stated that complete trade barriers against mainland China cannot be kept indefinitely by nations normally dependent upon international commerce.

In his address to the Swedish American League of Duluth Sunday, Senator THYE said that the present United States trade ban should be maintained until the Communist government has released all Americans still held prisoner. Meanwhile, he urges "a complete analysis and reappraisal of our trade policies in regard to Red China and Russian satellites." The inference is that if China shows good faith in the matter of prisoners, this country should be prepared to consider liberalizing commercial relations.

Senator THYE also gave strong support to admission of American correspondents to the Chinese mainland, which is refused by Secretary of State Dulles. On this matter both Minnesota Senators are in agreement, for Senator HUMPHREY has criticized the Dulles position for some time.

The general program put forward by Senator THYE is constructive and recognizes the realities of the Asian situation and of international trade. He points out that both Japan and Great Britain historically have helped support themselves by trade with the Chinese mainland. Policies which tend to weaken these allies may prove an aid to communism in the long run. As Senator THYE puts the case: "To deny Great Britain the right to expand her trade would be to weaken our strongest ally in Europe both economically and as a world power in the battle against communism."

Arguing the advantages of sending American reporters into Red China, Senator THYE says: "The admission of newsmen to Red China would expose the economy and social life of the Chinese Communists to the free world. We would be the recipients of a storehouse of valuable information."

This great advantage for the American cause continues to be lost through the obdurate and unrealistic attitude adopted by Secretary Dulles.

Why So Interested in Farmers' Welfare?

EXTENSION OF REMARKS
OF
HON. ALVIN E. O'KONSKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. O'KONSKI. Mr. Speaker, thousands of city folks often ask me how come I have such a deep interest in the farmers' welfare and security when my district is not predominately agricultural and a marginal farming area at most. Many of them wonder:

First, why I was the first Member of Congress to introduce a bill to include farmers under the social security program way back in 1943, my first term in Congress.

Second, why I always supported and still support 100 percent parity for farm products over any plan proposed thus far.

Third, why I voted against continuation of the new racket called mistakenly the soil bank program for large corporation farms.

Fourth, why I never vote on a basis of party line on farm bills but always vote for the best interest of the farmers, whether it is a Democratic or Republican bill.

Fifth, why I always go all out for support of the Farmers Home Administration, Rural Electrification Administration, and every other agency for rural progress.

Sixth, why my office has processed more than 5,000 loans to small family farms and goes all out to give any farmer who requests it a helping hand.

In answer I state that I understand the farm needs because the first 22 years of my life were spent on a small family farm. Except during schooling hours, the first 22 years of my life I worked on my father's farm.

From 7 years of age to 22 I did every type of farm work—milking cows by hand, plowing, seeding, haying, feeding chickens and hogs, butchering, threshing, hauling, and fertilizing. There is not any kind of farm job I did not do between 7 and 22 years of age. In fact, my entire family life has been centered on farming in which I have brothers engaged and now own the small family homestead farm on which my mother lives. This gives me a basis of interest and understanding of what farming is.

SOCIAL SECURITY

I never could understand why it took so long to get farmers under social security. During the war years when income was high it would have been a much better deal. In 1943 I introduced, my first term, a bill to bring farmers under social security. It took years to get it through. Each year the list of supporters grew—most of them introducing the same bill I introduced in 1943. We finally put it over but too late to help a lot of needy farmers.

ONE HUNDRED PERCENT OF PARITY ONLY ANSWER

I have always supported 100 percent of parity as the only answer to the farm problem—but with limitations. For instance, I do not feel that the Government should pay any subsidy, any parity or any aid of any kind to any farmers whose gross income is over $15,000 per year. Any farmer with that kind of gross income needs no subsidy or parity or Government aid of any nature.

The chief difficulty with the new soil bank program is that it helps the corporation farmer who needs no help and it does nothing for the small family farm. How can any intelligent person approve a program where the Government pays a corporation farmer from $40,000 to $60,000 under the new soil bank program. This is preposterous and wrong as wrong can be.

The 90 percent parity program which Benson junked cost the taxpayers less than half of what the new soil bank racket is costing the taxpayers. If we had adopted the surplus disposal plan, the food stamp plan, and an adequate school milk and school lunch program earlier, the 90 percent parity program would have done the job that needs to be done; especially so in the dairy industry.

As the program now stands, the agricultural program is costing the taxpayers twice as much as the 90 percent parity program—the corporation farms are draining the United States Treasury and the small family farmer gets nothing. What a farce.

I have no objection to the original soil conservation program which is available to the small family farm. This is a good program and I support it.

ONE HUNDRED THOUSAND CORPORATION FARMS CAUSING ALL THE TROUBLE

There are about 5 million farms in our Nation. Of these 100,000 are large corporation farms and 4,900,000 are small family farms. The new soil bank program is all for saving the 100,000 corporation farms and doing nothing for the 4,900,000 small family farms. The 100,000 large corporation farms get more money from the Treasury than the

4,900,000 family farms put together. There is no sense to such a program. It is unfair to the taxpayer and to the family type farmer.

The solution is simple. It is not the small family farm causing the surplus. It is the 100,000 large corporation farms who cause the surplus. Therefore, if we stop any subsidy or payments by the Government to these large corporation farms to grow what we do not need, we can save the small family farm. Who can justify paying a city gentleman farmer who turns his golf course over to the soil bank and collecting $45,000 from the Government? This is sheer nonsense. If we stop subsidies and parity payments to the large 100,000 corporation farms and those whose income is in excess of $15,000 we will have gone a long way in solving the surplus production problem.

TOO MUCH POLITICS IN FARM PLANS

The basic trouble in Washington on the farm problem is politics. Most Congressmen vote on a party basis on farm issues. Republicans fight a plan just because it is proposed by Democrats and vice versa. For instance, even after a year of failure of the new soil-bank program, I was asked to vote for it for another year because it was a Republican plan. This I could not do. Playing politics with the farmers' misery is sheer nonsense. I have never cast a vote on party lines. I ask only one question: Is it good or bad for the people of the Nation? I do not care whether it is a Republican or Democratic proposal. If it is good, I will vote for it; if it is bad, I will vote against it.

Years ago I proposed a food-stamp program for the aged, the veterans, the disabled, and the needy. But because it was first a Democratic plan the Republicans opposed it. This type of voting is no good for our people. I support the food-stamp plan because it is good for everyone, and will solve a lot of our surplus problem. It will cost far less than the new soil-bank racket now going on.

REA AND FHA

Any agency which really helps the family farmer always gets my wholehearted support. I would hate to see Wisconsin farmers without REA. They would still be milking by lanterns. I have always boosted REA because in the end it costs the taxpayers nothing and it has done more for farming than anything ever coming out of Washington.

FHA has also been a wonderful agency of help to farmers. Through my office alone more than 5,000 loans were processed for farmers. Any farmer needing my personal help to give him a boost in getting a loan always got it. Not once have I let any farmer down when he requested m; help.

MY RECORD

In my 15 years in Congress not once did I ever vote against the interests of the family farmer. My work and vote has always been on his side. Whenever the farmer needed my help on social security, loan, draft, or needing his boy home because of some disaster in the family, I never let them down. Always I went to bat for them and in 95 percent of the cases with success. The small family farm is the greatest asset our Nation has. If we put him out of business the consumer and the taxpayer will pay a heavy price.

THIS IS NOT PRINTED OR MAILED AT GOVERNMENT EXPENSE

JUNE 19, 1957.

Hon. ARTHUR SUMMERFIELD,
The Postmaster General,
Post Office Department,
Washington, D. C.

MY DEAR POSTMASTER GENERAL: Enclosed is a sample reprint of the CONGRESSIONAL RECORD. I intend to mail out 100,000 copies of same. Realizing the huge deficit in the Postal Department, it is not my intention to further add to that deficit.

Under special permit available to any commercial enterprise, what would be the cost of mailing 100,000 of these reprints? Whatever the cost is I will make payment to the Post Office Department for that amount.

Since this is a reprint of the official RECORD, I am aware that I would not have to do this. But I will pay for this mailing at the regular going commercial rates so as not to add to the postal deficit.

Looking forward to hearing from you, I am,
Sincerely,

ALVIN E. O'KONSKI,
Congressman, 10th District of Wisconsin.

SENATE

THURSDAY, JUNE 20, 1957

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou, whose love passeth understanding, we are grateful for the unquenchable impulse toward Thee which Thou hast planted in our hearts, and for the winged desires and aspirations which disturb our lowest moods. From the fret and fever of the vexed world's problems, apart from the praise or blame of men, we would daily follow the path which leads to the quietness and confidence of Thy presence.

At this altar of prayer, our arrogance is rebuked and our pride of opinion is mocked as we confess that we but grope in the darkness. We see but as in a glass dimly. Our knowledge is partial, and our judgments fallible. Our pilgrim days upon the earth are a strange medley of hopes and fears, shadowed by sorrow, sparkling with joy, lifted up by gain and triumph, cast down by failure and loss. May it all find its true meaning in Thy eternal purpose for our being, and may there fall upon us now a sense of Thy kingdom, and of Thy power, and of Thy glory. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Wednesday, June 19, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 196) commemorating the week of June 30 through July 6, the 125th Anniversary of America Week, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 601. An act relating to the charging of interest on deposits to the credit of the civil-service retirement and disability fund, and for other purposes; and

H. R. 7221. An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

HOUSE BILL REFERRED

The bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Internal Security Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, under the order entered on yesterday, the Senate is to receive the Prime Minister of Japan. I should like to inquire what the parliamentary situation is. As I understand, the Chair is authorized to declare a recess at 12:30 p. m.

The VICE PRESIDENT. That is correct; the Chair is authorized to do so.

Mr. JOHNSON of Texas. Thereafter the Senate will reconvene, upon the call of the Chair. Is that correct?

The VICE PRESIDENT. That is correct.

Mr. JOHNSON of Texas. Mr. President, I wish all interested Senators to be present, so they may advance their viewpoints and protect their interests. I had hoped it might be possible—in view of our distinguished visitor—to have the discussion and the second reading of the civil rights bill after 12:30. However, I realize the morning-hour situation. Therefore, I shall suggest the absence of a quorum; and I express the hope that the aids of the Senate will notify the Members on both sides of the aisle, so that all of them may be present, because at the conclusion of the quorum call, we expect matters of general interest to come before the Senate.

Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside until the civil-rights matter is disposed of. I hope the Senate will give its consent to that request, because otherwise at 1 o'clock that procedure would be cut off. I believe it would be better for the Senate to take up this matter after the visit of the Prime Minister, rather than before.

I should like to obtain the consent of the Senate, following the recess during which the Prime Minister of Japan will be received, to have the unfinished business—the Hells Canyon Dam bill—temporarily laid aside, and to have the Senate proceed to the consideration of the civil-rights matter, and to continue to consider it until all the questions at issue on the matter of either referring the civil-rights bill to committee or placing it on the calendar are disposed of. At the conclusion of that procedure, the Senate would return to the consideration of the Hells Canyon Dam bill.

Mr. JOHNSTON of South Carolina. Mr. President, I think the passage of the Hells Canyon Dam bill, the unfinished business, is just as important as any other measure. For that reason, I object now.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I should like to renew my request that following the visit of the Prime Minister of Japan, the unfinished business, the Hells Canyon bill, be temporarily laid aside until we dispose of the question of whether the civil rights bill should go to the calendar or the committee, and that the 1 o'clock provision be waived.

Mr. JOHNSTON of South Carolina. Mr. President, I desire to enter on the RECORD at this point, not my objection, since I am not going to object to the request as now worded by the majority leader, but my previous statement that I would object if the request were that the civil rights bill be completely disposed of. I do not object to the particular request now made. I also want it plainly understood that in stating that I thought the passage of the pending bill was important I did not mean to convey any idea that I am for or against the bill yet, but I was emphasizing it is just as important as the civil rights bill. I do not object to the request in the words now used by the majority leader.

The VICE PRESIDENT. Is there objection to the request? The Chair hears none, and it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be the usual morning hour, with statements limited to 3 minutes, until time for the Chair to declare a recess or time to recognize me so that I may suggest the absence of a quorum.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF COMMISSION ON INCREASED INDUSTRIAL USE OF AGRICULTURAL PRODUCTS

A letter from the Chairman and members of the President's appointed Bipartisan Commission on Increased Industrial Use of Agricultural Products, Washington, D. C., transmitting, pursuant to law, a report of that Commission (with an accompanying report); to the Committee on Agriculture and Forestry.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO IMPORT TAXES ON LEAD AND ZINC

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc (with an accompanying paper); to the Committee on Finance.

DEVELOPMENT OF MINERALS RESOURCES OF THE UNITED STATES

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide a program for the development of the minerals resources of the United States, its Territories and possessions by encouraging exploration for minerals and providing for payments as incentives for the production of certain minerals, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

SUSPENSION OF DEPORTATION OF A CERTAIN ALIEN

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of an order suspending deportation in the case of Fritz Willy Reinhardt, together with a statement of the facts and pertinent provisions of law pertaining to the case, and the reason for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO A CERTAIN ALIEN

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of an order granting the application for permanent residence filed by Nadina Dzirkalis, together with a statement of the facts and pertinent provisions of law as to the subject, and the reasons for granting the application (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIAL

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Agriculture and Forestry:

"Senate Concurrent Resolution 11

"Whereas the State of Louisiana and some 11 other States have suffered and are suffering irreparable damage from the imported Argentina fire ant (Solenopsis saevissima var richteri Forel), the Texas leaf cutting ant (Atta Texana or town ant) and other ants and pests; and

"Whereas these ants and pests have destroyed and are destroying millions of acres of farm land, are attacking cattle and are threatening the destruction of many miles of levees in which the Federal Government has a tremendous investment; and

"Whereas it is imperative that immediate action be taken to correct this serious situation; and

"Whereas the States involved have either appropriated funds for the purpose or are considering appropriating funds for this purpose, but additional money is needed to correct the situation; and

"Whereas the United States Congress has recognized the gravity of the problem by authorizing the United States Department of Agriculture to undertake a program for the eradication of these ants and pests; and

"Whereas Federal funds are needed immediately and urgently to assist the States in carrying out an extermination program of these ants and pests: Therefore, be it

"Resolved by the Senate of the State of Louisiana, (the House of Representatives concurring), That the Congress of the United States be requested and urged to make Federal funds available to assist the States in carrying on a program of extermination of these ants and pests, and an appropriation be included in the pending appropriation bill now before the Senate; and be it further

"Resolved, That a copy of this resolution be sent to the President of the Senate of the United States, the Speaker of the United States House of Representatives, the Honorable ALLEN J. ELLENDER and the Honorable RUSSELL B. LONG, United States Senators from Louisiana, to the chairman of the Senate Finance Committee (Appropriations Committee), to the chairman of the House Appropriations Committee, and to the Secretary

of the United States Department of Agriculture.

"LETHER E. FRAZAR,
"Lieutenant Governor and President of the Senate.
"ROBT. RUEGLLE,
"Speaker of the House of Representatives."

Two resolutions of the Legislature of the State of Nebraska; to the Committee on Armed Services:

"Legislative Resolution 43

"Whereas the members of our armed forces serving abroad, their civilian components and the dependents of each, are now subject to the criminal jurisdiction of more than fifty countries in which they may be on duty, by reason of the NATO Status of Forces Treaty, the administrative agreement with Japan, and executive agreements with other nations; and

"Whereas these agreements penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend; and

"Whereas it is impossible for any serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying systems of jurisprudence which make it impossible for him to receive the protection of all of the rights and guaranties which our Constitution gives to every citizen, and because of the prejudice and animosity sometimes existing against our men; and

"Whereas legislation has been introduced in both the Senate and the House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its Armed Forces for all purposes or if such a modification is refused, then to terminate or denounce the agreements according to the terms of each: Now, therefore, be it

"Resolved by the Legislature of the State of Nebraska, That the members of this body deplore the arrangements now existing which make service in our Armed Forces abroad a hazard by depriving our servicemen, their civilian components and dependents of each, of the rights and guaranties of our Constitution when they are stationed in other lands; and be it further

"Resolved, That we respectfully urge the Congress of the United States to immediately enact the legislation now pending or similar legislation which will secure a modification or denunciation of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen; and be it further

"Resolved, That copies of this resolution be sent to the President and the Vice President of the United States, to all Senators and Members of the House of Representatives of the United States, and filed with the clerk of the Senate and the Clerk of the House of Representatives.

"DWIGHT W. BURNEY,
"President of the Legislature.

"I Hugo F. Srb, hereby certify that the above is a true and correct copy of Legislative Resolution 43, which was passed by the Legislature of Nebraska in 68th regular session on the 12th day of June 1957.

"HUGO F. SRB,
"Clerk of the Legislature."

"Legislative Resolution 46

"Whereas there is now pending before the Congress of the United States, legislation including S. 2014, H. R. 7574, and H. R. 7642 which would change the method of computing the basic pay for members of the Armed Forces; and

"Whereas the Military Establishment is desperately in need of a means for attracting and retaining persons with scientific, professional, combat leadership, and management skills necessary to maintain a deterrent power during these times of advancing technology and threat of aggression; and

"Whereas the Armed Forces do not presently have the means to enter into competition for trained personnel urgently needed for the defense of this country, and a significant factor in their inability to do so is the inadequacy of the present compensation practices now in use; and

"Whereas the proposed changes in the military pay structure are based on merit rather than longevity, will bring military pay more in line with the pay standards of industry, will offer first termers greater reenlistment incentives, and will relate pay more closely to the actual contribution of the individual in the service; and

"Whereas the change in pay structure, such as that proposed in S. 2014, H. R. 7574, and H. R. 7642 has the support of the Strategic Air Command and the 15th Air Force, as well as many other military leaders and organizations; Now, therefore, be it

"Resolved by the members of the Nebraska Legislature in 68th session assembled,

"1. That the Legislature of the State of Nebraska respectfully memorializes the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces along the lines proposed in S. 2014, H. R. 7574, and H. R. 7642.

"2. That the clerk of the legislature is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Representative from the State of Nebraska in the Congress of the United States.

"JOHN E. BEAVER,
"Speaker and Acting President of the Legislature."

"I, Hugo F. Srb, hereby certify that the above is a true and correct copy of Legislative Resolution 46, which was passed by the Legislature of Nebraska in 68th regular session on the 12th day of June, 1957.

"HUGO F. SRB,
"Clerk of the Legislature."

A resolution of the Legislature of the Virgin Islands; to the Committee on Interior and Insular Affairs:

"Bill 484

"Resolution to petition the Congress of the United States to provide for the continuation of the so-called double (ii) funds by amending section 28 (e) (ii) of the Revised Organic Act for the Virgin Islands

"Whereas there is a definite need to implement the 5-year, $10 million program, better known as the Governor Harwood program, which provided for the building of hospitals, schools, highways, sewers, and other essential public improvements in the Virgin Islands, which improvements during the past few years have contributed immensely to the health, well-being, and happiness of the people of the Virgin Islands; and

"Whereas these improvements while raising the standards of living of the people to a much higher level have substantially increased local governmental operational costs and maintenances of these many modern and improved facilities; and

"Whereas it is essential that certain revenue-producing public improvements be undertaken such as the development of water resources, airports, harbor improvements, and roads and highways, which will contribute toward the economic potential of the Virgin Islands to a point of self-sufficiency; and

"Whereas it is the expressed desire of the Legislature of the Virgin Islands to cooperate and work closely with the Department of Interior in developing a definite program for these essential public projects, and for the wise use of such funds: Now, therefore, be it

"Resolved and it is hereby resolved by the Legislature of the Virgin Islands,

"1. Petition is hereby made to the Congress of the United States to amend section 28 (e) (ii) of the Revised Organic Act for the Virgin Islands, Public Law 517, 83d Congress, approved July 22, 1954, to provide for the continuation of these (ii) funds beyond the June 30, 1956, limitation.

"2. That the funds be used exclusively for the development of revenue-producing public improvement projects such as water resources, harbor improvement, airport developments, roads and highways in accordance with a master plan to be developed and adopted jointly between the Government of the Virgin Islands and the Department of Interior.

"3. That copies of this resolution be sent to the President of the United States, President of the Senate, Speaker of the House, Secretary of Interior, chairman and members of the Senate and House Committees on Interior and Insular Affairs, and the Governor of the Virgin Islands.

"Thus passed by the Legislature of the Virgin Islands on June 4, 1957.

"Witness our hands and the seal of the Legislature of the Virgin Islands this 5th day of June A. D. 1957.

"AUBREY A. ANDUZE,
"President.
"JOHN D. MERWIN,
"Legislative Secretary.

SATURDAY CLOSING OF POST OFFICES—MEMORIAL

Mr. WILEY. Mr. President, I was glad to hear today from William Huffman, Jr., of the Wisconsin Rapids Daily Tribune, with regard to the serious problem presented to the Nation's daily newspapers by the prospective closing of post offices on Saturdays.

Mr. Huffman, speaking on behalf of the Daily Newspaper League of my State, points out the tremendous inconvenience which such closing would cause.

It is my earnest hope that the Saturday closings can be avoided, that sufficient appropriations will be available to cover this necessary Department function.

I should like to endorse, too, the two other propositions stated by the league. I, too, believe that we should determine that the post office is basically a service institution.

Naturally, I do not want to see enormous postal deficits, but I do want to see the concept that the post office exists basically to serve 170 million Americans.

And, secondly, I endorse the concept that there must be the most careful cost accounting so that we know precisely, by the most accurate yardsticks available, how much each class of mail is costing, with a minimum of guesswork and a maximum of accuracy.

I present the telegram from Mr. Huffman, and ask unanimous consent that it be printed in the RECORD, and be thereafter referred to the Committee on Post Office and Civil Service.

There being no objection, the telegram was referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

WISCONSIN RAPIDS, WIS.,
June 19, 1957.

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

The Wisconsin Daily Newspaper League opposes an anticipated decision by Postmaster General Summerfield to discontinue Saturday delivery of the mail. Refusal by the United States post office to perform this function would greatly inconvenience users and patrons of the mails. Combined with the proposed increases in postal rates, discontinuance of Saturday delivery would make even less sense. The Wisconsin Daily Newspaper League also believes: (1) a basic determination should be made as to whether the United States post office is a business or a service, and (2) a correct apportionment should be made for all United States post office costs, including correct apportionment of the costs of handling daily newspapers in second-class mail.

WILLIAM HUFFMAN, Jr.,
President Wisconsin Daily Newspaper League.

ST. LAWRENCE SEAWAY COMMEMORATIVE STAMP—RESOLUTION

Mr. WILEY. Mr. President, I was pleased to receive from the Massena, N. Y., Chamber of Commerce, a resolution endorsing the idea of a first-class commemorative postage stamp to be issued jointly by the United States and Canada to commemorate the Great Lakes-St. Lawrence Seaway.

Massena, of course, is a center of seaway activity, and it is most natural that this significant proposal emanates from that fine community.

I present the resolution, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A Resolution Passed at a Meeting of the Massena Chamber of Commerce Board of Directors, Massena, N. Y., June 6, 1957

Whereas the St. Lawrence Seaway, a joint undertaking of the Governments of the United States and Canada is the greatest peacetime project ever attempted by two great nations; and

Whereas some sort of permanent memento to this unprecedented accomplishment would have incalculable value as a symbol of international cooperation and friendship; and

Whereas some action on the matter has already been taken by Congressman FRANK T. BOW, of Ohio, Lloyd C. Merriman, of Florida, the Post Office Department and the St. Lawrence Seaway Development Corp.: Be it therefore

Resolved, That the Massena Chamber of Commerce unanimously endorses the idea of a first-class postage commemorative seaway stamp to be issued jointly by the United States and Canada; and be it further

Resolved, That the Massena Chamber of Commerce continually assist in bringing this matter to the attention of all proper and responsible governmental officials so that the purpose of this resolution might be accomplished by June of 1959, the approximate date of the formal seaway opening.

DANIEL O. SHEETS,
President and Chairman of the Board.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

S. 98. A bill to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota (Rept. No. 474); and

H. R. 3477. An act relating to moneys received from mineral lands in Alaska (Rept. No. 475).

By Mr. HAYDEN, from the Committee on Appropriations, with amendments:

H. R. 5189. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 476).

AMENDMENT OF PUBLIC ASSISTANCE PROVISIONS OF SOCIAL SECURITY ACT

Mr. BYRD. Mr. President, from the Committee on Finance, I report favorably, with amendments, the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, and I submit a report (No. 473) thereon. I ask unanimous consent to file minority and supplemental views thereon, and ask that they be printed as a part of the report.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Virginia.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOUGLAS:

S. 2343. A bill for the relief of Nuvart Donikian;

S. 2344. A bill for the relief of Demetra Burtzos and her minor child, Theodore Burtzos;

S. 2345. A bill for the relief of Maria Marino Pappa;

S. 2346. A bill for the relief of Lucy Hedwig Schultz; and

S. 2347. A bill for the relief of Lilia Sanga (also known as Lydia Sanga) and Felicitas D. Tobias; to the Committee on the Judiciary.

By Mr. BEALL:

S. 2348. A bill to increase annuities payable to certain annuitants from the District of Columbia teachers retirement and annuity fund, and for other purposes; to the Committee on the District of Columbia.

By Mr. MAGNUSON (by request):

S. 2349. A bill to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL:

S. 2350. A bill for the relief of Ilona Pusztai; to the Committee on the Judiciary.

CONSERVATION OF FISHERY RESOURCES OF ALASKA

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes. I ask unanimous consent that a letter from the Assistant Secretary of the Interior, requesting the proposed legislation may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2349) to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. MAGNUSON is as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., June 14, 1957.

Hon. RICHARD M. NIXON,
President of the Senate,
Washington, D. C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes.

We shall appreciate the reference of this proposed bill to the appropriate committee for consideration. We recommend that it be enacted.

This proposed legislation contains four separate items relating to the conduct of fishing operations in the Territory of Alaska. As hereafter indicated, we feel that various provisions of the law now in effect with respect to fishing operations in Alaska require amendment. An explanation of the various items of the bill is as follows:

Subsection (a) of this proposed legislation provides that section 2 of the act of June 6, 1924 (43 Stat. 464, 465), relating to the escapement in certain instances of a portion of the salmon runs in the waters of Alaska shall be repealed. The provision that would be repealed by this subsection requires an escapement of 50 percent of the salmon runs in streams where weirs are operated, and declares the intent of Congress to be that the minimum escapement of salmon shall not be less than 50 percent of the run. This provision is too inflexible. Our experience indicates that an escapement of 50 percent may be wholly inadequate in some instances when the runs are small. It may be excessive and wasteful when the runs are large. Consequently, we believe that the circumstances in each case should govern the proportion of the escapement.

Subsection (b) of this proposed legislation would revise slightly the statutory provision that requires a weekly closed period of 36 hours concerning the taking of salmon in Alaska except certain prescribed methods. As revised, the exact time each week when the 36-hour closure would be effective would be left to regulation by the Secretary. The subsection provides that hereafter the regulation of the fishery and the establishment of closed periods shall be prescribed by the Secretary of the Interior consistent with the need of conservation of the fishery and the public interest therein.

Existing law provides for a 36-hour weekly closed period for all salmon fishing, except trolling, in the period from 6 p. m. Saturday to 6 a. m. of the Monday following. Weekly closed periods are an effective means of securing an escapement of some runs of salmon. The inflexibility of the existing provision, with reference to the hour of commencement, makes patrol costly and, at times, impossible or ineffectual.

Subsection (c) of this proposed legislation relates to the possession or disposal of fish taken in violation of law. Enforcement of the fishery laws in general is difficult and we believe that a provision of this type will facilitate such enforcement.

Existing law, and the regulations authorized thereby, relate primarily to the capture of fish. No penalties are provided by these statutes for anything but the illegal taking of fish, unless the resulting products are subsequently transported in interstate commerce which is extremely difficult and costly to control. We believe that illegal fishing itself could be more effectively controlled if the law also prohibited the possession of illegally caught fish.

Subsection (d) of this proposed legislation would amend section 4 of the act of June 26, 1906, as amended, for the protection and regulation of the fisheries of Alaska, so as to provide that hereafter it shall be unlawful to fish for, take, or kill, by any means, for sale or other commercial purposes, any salmon of any species in any of the creeks, streams, or rivers of Alaska, or within 500 yards of the mouth thereof, except that such limitation shall not be applicable to the Karluk, Ugashik, Yukon, and Kuskokwim Rivers. The effect of this proposed revision in the act of June 26, 1906, as amended, is to prohibit fishing inside the mouths of salmon streams by means of hand rod, spear, or gaff for commercial purposes. While of no consequence in 1924, when the salmon runs were in good condition and the price paid for fish was very low, these methods frequently are employed profitably today with serious damage to runs in particular streams.

The Bureau of the Budget has advised that there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

ROSS LEFFLER,
Assistant Secretary of the Interior.

STATE DEPARTMENT COMMENTS ON WIDER USE OF INTERNATIONAL COURT OF JUSTICE

Mr. WILEY. Mr. President, recently one of my constituents wrote to me on a very important subject which well merits our thoughtful consideration in the field of international relations.

This constituent, in Wausau, Wis., recommended that the United States intensify its efforts to secure more frequent use of the excellent facilities available to it through the International Court of Justice.

I brought my constituent's letter to the attention of Mr. Loftus Becker, the newly confirmed Legal Adviser to the State Department. Mr. Becker promptly responded this morning, pointing out the Department's deep interest in this subject. He pointed up America's fine record in seeking greater use of the Court. He cited the fact that the big problem is, of course, encouraging the nations which are parties to a dispute to accept the jurisdiction of the Court. I believe that Mr. Becker's reply will be of interest to my colleagues. I ask unanimous consent that letter be printed at this point in the body of the RECORD.

In conclusion, I wish to say that I hope our Government will continue to bend its efforts toward this worthy goal so that law will rule in the world, rather than brute force or merely the overpowering economic and political strength of one nation as against a weaker nation.

I hope the United States will continue to set a worthy example, and that in all cases where the Court should have jurisdiction in disputes involving ourselves we will accept such jurisdiction in the interest of international harmony and sound relations.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D. C., June 19, 1957.

Hon. ALEXANDER WILEY,
United States Senate.

DEAR SENATOR WILEY: I am writing in reply to your letter of June 14, 1957, which enclosed a letter and newspaper clipping sent to you by one of your constituents. He proposed a much larger use of the International Court of Justice, and the establishment of enforcement machinery to carry out the Court's decisions.

The Department of State fully agrees on the desirability of more frequent resort to this Court for the settlement of international legal disputes. The United States has been a party in two of the contentious cases which have been heard by the Court, and has participated—by the submission of a brief, the presentation of oral argument, or both—in all of the advisory opinion cases put before the Court. This Government has filed applications in several other contentious cases against governments causing loss or damage to this country in incidents involving the forcing down of United States aircraft. Unfortunately, none of the respondent governments in these cases has been willing to accept the Court's jurisdiction, with the result that it has been impossible to secure impartial adjudications on the merits.

We continue to work, however, for greater use of the International Court of Justice, and encourage other countries to submit their legal disputes to this Court in cases where other means of settlement seem unavailing. In both bilateral and multilateral treaties and other international agreements, provisions are now very often included for the resolution of questions of interpretation and application by the International Court of Justice.

At the same time, it must be recognized that not every international dispute is suited for judicial determination. Nonlegal disputes, on political or economic questions, cannot be dealt with effectively by a judicial tribunal. Among the problems mentioned by your constituent, it might be observed that some aspects of the Suez Canal question could appropriately be referred to the Court. Some of the other questions must be left to negotiation, with the assistance perhaps of mediation or of debate and recommendation in United Nations political bodies, such as the Security Council and the General Assembly.

He wrote also of the need for machinery to enforce the decisions of the International Court of Justice. Actually, article 94 in the Charter of the United Nations gives the Security Council the power to take whatever measures may be required for giving effect to judgments of the Court. There is, of course, the problem of the veto in the Security Council. However, it has been the general, though not universal, experience that once contending governments have submitted a legal dispute to impartial judicial determination they are prepared to abide by the decision and do in fact carry it out. It appears, therefore, that the principal difficulty today lies in obtaining jurisdiction rather than in enforcement. Jurisdiction can only be acquired by the Court through the grant of national governments.

The Department appreciates learning of your constituent's interest in this problem. As you have so aptly pointed out, greater use of the International Court of Justice by the community of nations is a matter of patient, longtime education.

Sincerely yours,

LOFTUS BECKER,
The Legal Adviser.

CONSTRUCTION WORK ON THE ST. LAWRENCE SEAWAY

Mr. WILEY. Mr. President, I should like to mention at this point in the RECORD that recently a group of business and industrial leaders of my State visited some of the construction work at the seaway. They made the trip under the auspices of the Milwaukee Association of Commerce.

I had hoped to accompany them on the trip because, from all the descriptions I have heard, the St. Lawrence Seaway construction job is one of the most awesome sights in the world to behold. It is a tremendous engineering undertaking, and folks generally may not realize all the enormous natural obstacles which had to be overcome.

The Milwaukee Journal has published several articles dealing with the reactions of some of the visitors to the seaway site.

I ask unanimous consent that several of the articles be printed at this point in the body of the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Milwaukee Journal of June 13, 1957]

MOUNTAIN OF STATISTICS AWES SEAWAY VISITORS—ACRE OF ROCK, EARTH 25 MILES HIGH IS PICTURED TO EXPLAIN PART OF PROJECT

(By Rod Van Every)

MASSENA, N. Y.—Imagine 1 acre of rock and earth piled 25 miles high.

Or a city lot piled 200 miles high.

Or maybe 70,000 trains, each hauling 100 freight cars, each car containing 60 tons.

Those were the kind of statistics that Milwaukee's businessmen tourists of the St. Lawrence seaway marveled at Wednesday.

The figures represent the combined excavation accomplished, under way, and to be undertaken by United States and Canadian agencies in building the new seaway and the electric power generating project between the Welland Canal and Montreal, Quebec.

USE CHARTERED BUSES

The actual total excavation, much of it by Wisconsin-made equipment, is 400 million tons, or 218 million cubic yards. Much of it is dry-land digging; the rest, underwater.

Statistics flew fast as the tourists joggled along in 2 chartered Greyhound buses from Montreal to Massena and on side jaunts from here. But they were taken in stride, as was a hot sun and fluffy sky.

On the way here, the view was of the Caughnawaga Reservation, near Montreal, populated by the Iroquois Indians, some of whom have waxed fat on the sale of land for seaway canals. Saved from the dynamite blasts and power shovels was their St. Francis Xavier Church, built in 1725, but rescued only by a scant 5 feet or so.

READY SINCE 1932

Between Lakes St. Francis and St. Louis, both actually only great widenings of the St. Lawrence, the Beauharnois Canal has lain ready for the deep seaway since 1932. Meanwhile, it brought great power to a downriver hydroelectric plant, now being enlarged.

The only project remaining was a pair of high-lift locks. Those are under construction but it hasn't been easy.

The Potsdam sandstone in the area is so abrasive that power shovel teeth last 1 crew shift and drill bits wear out every 8 hours as they nibble at a rate of 3 feet an hour. In use finally is a new, high-temperature jet piercer for drilling explosive holes at 30 feet an hour.

At Massena, headquarters of the American work in the International Rapids section, the Milwaukeeans' chests began to puff with pride.

WORKS INSPIRE PRIDE

The massive works—locks, canals, dikes, dams—made you proud of your Americans, even if Congress did drag its feet on seaway approval for many years; even if the Canadians are doing the bulk of the work.

The giant Eisenhower lock, in the middle of dry land, looks as if it would accept major ocean ships tomorrow. The work in progress was backfilling, 6 inches at a time and compacted, to support the high concrete walls against the water and ship pressures. The lock will contain half a million cubic yards of concrete, and Wednesday it was rising in "lifts" of 5 feet. There are not many more lifts to go.

At the Grass River lock, which someday may be renamed the Wiley-Dondero lock in honor of the two men who rammed the seaway bill through Congress, the work was further behind because of unusual soil conditions. But both will be ready to send ships into the canals, dug through pastures and forest lands, by the middle of next year.

FOURTEEN-FOOT DRAFT LIMIT

The ships, however, will have to pull no more than the present 14-foot draft because the Canadian seaway works won't be ready for 25½-foot drafts (on 27-foot depths) until early in the navigation season of 1959.

Another major project, carried out by Ontario and the State of New York, nearly brought cheers from the Milwaukee group. It was the massive power works which required flipping the roaring St. Lawrence River around in its course as if it were a boy's mud puddle stream. That was necessary to work in the dry. Cofferdams did it and are doing it.

They permitted the construction of half of the Long Sault Dam, and they now are serving to divert the rushing water so the other half can be completed; total length, 2,700 feet. The Long Sault is only a holding dam, flooding out the tumbling Long Sault Rapids, up to now a full block to any navigation.

Downstream is the 3,200-foot-long power generating dam, now about half completed. When its 63 million cubic yards of excavation and 4.2 million cubic feet of concrete pouring are completed, it will generate 2.2 million horsepower.

The Milwaukee visitors noted that the Americans used steel forms for concrete pouring; the Canadians, timber.

These dams will flood out thousands of acres, including valuable farmlands, cottage sites, whole islands, highways, railroads, and several communities, especially on the Canadian site of the international border. High earthen dikes prevent greater flooding and hold the pool to sufficient depth for big-ship navigation. When everything is in place and ready to go—power generation starts next year—the power pool will contain a half million acre-feet. It will require 3 days to fill it.

Before the tourists fly back to Milwaukee Thursday night, they will visit the Iroquois holding dam, lock, and canal, upstream near Lake Ontario; meander farther along the lovely banks of the St. Lawrence and lunch at the exclusive Thousand Island Club at Alexandria Bay, N. Y.

[From the Milwaukee Journal of June 11, 1957]

FORTY-FIVE WILL VIEW SEAWAY AREA—GO EAST BY PLANE

Forty-five business and industrial leaders and professional men stepped aboard a chartered 4-engine DC-4 Tuesday morning for a flight to Montreal, Quebec, and a three day tour of the St. Lawrence Seaway and power work in Canada and the United States.

The flight and tour is sponsored by the Milwaukee Association of Commerce.

In the 3 days, the group will inspect, from the air, the seaway work in the International Rapids section of the St. Lawrence River between Lake Ontario and Montreal, will be guests of the city of Montreal at a civic recognition dinner, tour by bus construction work in Canada and the State of New York and be dinner guests of the city of Massena, N. Y., and the Massena Chamber of Commerce. The group will return in the airliner Thursday night.

Many of the businessmen will see the equipment which their firms manufacture working on the massive project.

SUGGESTED BY OLSEN

"This trip will provide participants with a better knowledge of the significance and the magnitude of the seaway project," said Lester S. Olsen, association president and president of the Olsen Publishing Co. Olsen suggested the trip last November.

Harry C. Brockel, Milwaukee port director and a member of the advisory group of the Government corporation building the seaway, said the trip should help businessmen in preparing for new business generated by the deepened channels, canals and locks which will permit major ocean vessels to come to Milwaukee.

Making the trip in addition to Olsen and Brockel, are William M. Andrae, president of the Advance Boiler & Tank Co.; E. J. Mercer, general manager of the construction machinery division of the Allis-Chalmers Manufacturing Co.; Marshal L. Wilcox, vice president and general manager of P & V Atlas Maritime Corp.; August G. Barkow, president, August G. Barkow Manufacturing Co.; John C. DeLong, associate editor of Excavating Engineer, a trade publication of the Bucyrus-Erie Co.

Walter H. Stiemke, manager, Caterpillar Tractor Co.; Floyd J. Kops, of the law firm of Charne & Kops; Peter C. Foote, president, Cutler-Hammer International; Harold E. Hands, assistant cashier, First Wisconsin National Bank; Ray C. Fischer, president, Ray C. Fischer Co.; Harry G. Bethune, Jr., president, General Steamship Agencies.

Eugene P. Lawler, an account executive with Bert S. Gittins Advertising, Inc.; Gustav A. Trepte, president, Globe-Van Doorn Corp.; Robert D. Hughes, district manager, Grace Line; T. L. Hansen, president, Hansen Storage Co.; Joseph N. Hunt, president, Hunt Oil Co.; William C. Brice, Milwaukee works manager, International Harvester Co.; Norman L. Kuehn, board chairman, N. L. Kuehn Rubber Co.

OTHERS IN PARTY

Charles H. Tasker, assistant secretary-treasurer, Leedom O'Connor & Noyes Co.; John E. Hueser, general sales manager, Le Roi division of Westinghouse Air Brake Co.; Ebner F. Luetzow, board chairman, Luetzow Industries; John C. Lobb, executive vice president, Marine National Exchange Bank, Roger N. Christiansen, manager of the foreign trade department, Marshall & Ilsley Bank; Richard J. Murphy, account executive, Merrill Lynch, Pierce, Fenner & Beane.

Robert J. Miller, president, Miller Compressing Co.; Roy E. Hanson, president, Milprint Overseas Corp.; Joseph F. Cairnes, president, Milwaukee Braves; Wallace M. Hughes, publisher, Milwaukee Sentinel; Carl W. Moebius, Jr., vice president of sales, Moebius Printing Co.; B. T. Eagerton, vice president in charge of the international division, Nordberg Manufacturing Co.; John H. May, district sales manager, Northwest Orient Airlines.

Kingston Swallow, chairman of the board, Motor Castings Co.; Samuel H. Smith, president, Shore Realty & Insurance Co.; Dr. Ralph P. Sproule; George H. Mickow, president, West Shore Transport Co.; Willard T. Hansen, president, Wisconsin Independent Oil Co., and John A. Seramur, executive vice-president, Wisconsin Savings & Loan League; Joseph Johnson, Milwaukee Co.

From the Association of Commerce are Ray H. Weisbrod, executive vice president; David F. Howe, manager of the foreign trade division; Clarence J. Muth, manager of the air service division, and Alfred J. Hudson, manager of the membership division. Representing the city of Milwaukee and the harbor board are Martin E. Schreiber, president of the common council, and Brockel.

[From the Milwaukee Journal of June 14, 1957]

"NOTHING LIKE IT," SAY SEAWAY OBSERVERS—WEARY BUSINESSMEN RETURN HERE WITH NEW UNDERSTANDING OF VAST PROJECT

(By Rod Van Every)

Forty-seven weary but inspired Milwaukee businessmen roared into General Mitchell Field Thursday night after 3 days of touring the St. Lawrence Seaway and power projects by plane, by bus, by dusty foot.

They brought with them a new understanding of what all the fighting has been about for some 30 years. There was an evangelistic glint in their eyes that promised a longtime seaway selling job.

The Milwaukee tourists were not able to put their awe at the gigantic project into the clean, crisp words they use in their annual reports. But they need not have felt inadequate. Newspapermen on the trip also had trouble finding words to describe the seaway-power project.

The Milwaukeeans were able to muster only:

"Lordy, I didn't know."

"Never saw anything like it."

"Terrific."

"I wish the whole world could see this."

WORLD TO GET LOOK

In a matter of 2 years or so, much of the world—at least the shipping world—will get a look at one of the truly great engineering feats in the history of the world. Then, the $1,100,000,000 combined project will be producing electric power and will be open to major ships of the globe.

The Milwaukee group found two pictures at Massena, hub of the works in the International Rapids section of the St. Lawrence.

Downstream there were the hydroelectric plant, locks, and canals in various stages of construction.

Upstream a house, smack in the middle of the narrow road, served as a clear symbol of what is to come—flooding. Where the house once stood there will be 25 feet of water. Its owner was moving it to higher ground. Meanwhile it forced traffic, including the Milwaukeean's two chartered buses, to scurry for cover in farmers' driveways.

ALL TOPSY-TURVY

Everything is topsy-turvy in Massena. The tiny city has been inundated by well paid workmen. It is fringed by trailer camps. Its schools are jammed and its municipal facilities taxed to the twanging point. House moving is a small part of it.

When the last gate on the abuilding dams is closed, whole communities will be flooded out. Across the river, one of the Canadian villages of Iroquois—over which ships will soon sail—already has been moved 3 miles to high land. Some of Waddington, N. Y., will get wet.

Shipping sources tell the story of an old seaway pilot who had been taking his bearings for years on a red barn. One day he grounded his ship. Couldn't figure out why. Found that his familiar landmark had been moved a thousand feet.

The towering piles of rock and earth which the Milwaukeeans viewed were dikes to keep the power and navigation pool from breaking its bounds. Endlessly, the earth movers, trucks, and compactors rolled over them.

At the Iroquois holding dam, the tourists saw a project which will stabilize the whole of Lake Ontario, no little feat. Half of the dam has been completed and is sending 240,000 cubic feet a second of white water through its gates while work continues on the other half behind the protection of a temporary, earth-filled cofferdam.

Besides the Canadian's share of the Iroquois dam, the last lock between the St. Lawrence and Lake Ontario was ashaping. Near it, in fine contrast, was one of the 21 tiny locks in the present outdated canal system.

And, as if to salute the visitors, the German motorship *Scheersberg* entered the ancient lock as they watched. It is on its first voyage to Milwaukee to start Mediterranean service for the Ellerman Great Lakes line.

When the deep, 38,000-acre navigation pool is formed, the small ships often will be able to sail through the old Iroquois lock without locking through because its canal will usually be at lake level.

In the Thousand Islands section, where the mighty St. Lawrence rolls out of Lake Ontario, it appeared that every dredge on the Great Lakes was at work chawing out the rocky bottom. No wonder there is a dredge shortage elsewhere.

NEED OF FLOOD CONTROL AND WATER CONSERVATION PROJECTS

Mr. JOHNSON of Texas. Mr. President, the damage done by lack of water on the one hand and lack of control of water on the other has a two-edged bite. We have had that knowledge brought painfully to our attention in Texas recently.

For 8 years Texas suffered heavily from drought.

For 10 weeks this spring Texas suffered great loss from recurrent floods.

Let us examine the nature and extent of these losses. They are far-reaching.

COST OF THE DAMAGE

It is estimated that the last 5 years of drought cost Texas farm interests $2.7 billion.

Property damage done by the floods amounts to $70 million, according to the Army engineers.

But that is not by any means the full extent of the loss. During the 10 weeks of floods Texas lost some 25 million acre-feet of water into the Gulf of Mexico. If a value of only 5 cents per 1,000 gallons is placed on that water, the loss totals $375 million.

I can assure you, Mr. President, there are few municipalities, industries, or irrigation districts that would not be happy to pay a nickel per 1,000 gallons for water.

Mr. President, there is no way we could have prevented heavy loss from the long-continued drought. But effective basin developments could possibly have prevented one-fourth of the loss of $2.7 billion. That would have meant a saving of between five hundred and seven hundred million dollars.

There is no way we could have prevented some damage from the floods. But the Army engineers say the loss would have been cut in half at worst if flood-control projects authorized, but not yet built, had been in actual existence.

BIG JOB TO DO

There is no way we could have saved all the huge amount of water that poured into the gulf. But if we had built enough dams—in the right places—much of that water could have been retained for future use. We could have anticipated having some part of it available in some future time of drought.

Mr. President, these are the facts that impel me to press for action in building more flood-control and water-conservation projects.

We have lagged far behind in the construction of such projects. Those we have built are not sufficient to meet the present need. We have hardly begun on projects tailored to meet the vastly expanded need that is certain to arise in the future.

Mr. President, there is a tremendous job to do in this field. The Congress at this session should make a realistic start at doing it.

FINANCIAL CONDITION OF LATIN AMERICAN COUNTRIES

Mr. SMATHERS. Mr. President, in this period of great concern with fiscal problems and financial conditions, I think it is highly significant that there appeared in the New York Times, financial page of June 17, 1957, an excellent article on Latin American finances, entitled "Latin Defaults on Bonds Ending." The article explains that Latin American countries are now getting themselves into a fiscal and financial position where they are good credit risks, and they are building up the economy of their countries. The article may be, and I think it should be, of interest to Members of the Senate, and I therefore ask unanimous consent that it be printed at this point in the body of the RECORD. There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 17, 1957]

LATIN DEFAULTS ON BONDS ENDING—BOLIVIA TO RESUME PAYMENTS SOON—PROTECTIVE BODY BIG FACTOR IN SETTLEMENTS

(By Paul Hefferman)

Twenty years ago the phrase "foreign bond" was the badge of the lowest of estates. And of the discredited bonds, the lowest of the low were held to be those of most Latin American nations.

Vast defaults by Mexico before World War I had been followed in the 1930's by a succession of interest payment suspensions by other governments in Central and South America. At one time, 14 of the Latin American States were in default on obligations totaling $1,076,090,898.

This era of foreign bond defaults, at least for Latin America, is about over. The final chapter will be written July 1, when Bolivia will resume interest payments on $56,278,000 of bonds in default since 1931. Elsewhere, the defaulted external debts of foreign governments have been gradually rehabilitated, too, except among Communist nations and a scattering of other states, most of them dominated by Russia.

A suite of modest offices on the 16th floor of the Stone & Webster Building at 90 Broad Street for nearly 25 years, has been a witness repeatedly to the day of reckoning for defaulted debt. This space is the headquarters of the Foreign Bondholders Protective Council, a nonprofit organization set up in the 1930's to represent investors left stranded by the foreign government bond defaults.

One by one, the Latin-American debtor governments have come to terms in these offices with negotiators of the council. The first debt settlement was that of the Dominican Republic, in 1934. The biggest debtor was Brazil, which settled up $284,074,145 in 1943. The most recent negotiations—those affecting Bolivia—were completed last week.

Of more than $1 billion of Latin-American bonds restored to good standing, all but $273 million—Mexican debt—was rehabilitated through the efforts of the council. The negotiations with Mexico were carried on by the International Committee of Bankers on Mexico.

The chief negotiator for the council is Kenneth M. Spang, who has been actively identified with the debt settlement discussions since 1947. An economist, Mr. Spang has taught at Yale University and at Columbia University. He was executive vice president and secretary of the council from 1953 to 1956 and was elected its president last year.

The defaulted Latin-American debt has been only one of the concerns of Mr. Spang in recent years. For a long while the top problem was restoring to good standing more than 100 issues of defaulted bonds of the enemy nations of World War II—Germany, Japan, Italy and Austria.

The basis for the settlement of the German debt was made at an international conference in London in 1952. The council's negotiators were Mr. Spang and James Grafton Rogers, a former Assistant Secretary of State and a director of the council since 1936.

A MASTER PLAN

The London negotiations resulted in a master plan for the settlement of defaulted government bond issues totaling $219,309,600 that had been sold in the United States. It included the Dawes and Young loans, which are now on an interest-paying basis.

Counting the Latin-American and German settlement plans, the council has been responsible for negotiating the rehabilitation of $1,246,222,634 of foreign government bonds. This does not include many issues of foreign corporate dollar bonds—chiefly German—restored to good standing through the mediation of other negotiating bodies, notably the United States Committee for German Corporate Dollar Bonds, Inc.

The Foreign Bondholders Council came into being in 1933 after about one-third of the $10,032,204,916 of debt that foreign borrowers had incurred in the United States in the decade following World War I had gone into default.

Former President Herbert Hoover sought to have a public council for the protection of bondholders set up. But the Roosevelt administration decided not to establish the body and instead sponsored the formation of a private corporate entity similar to long-established bodies serving such purposes in Great Britain, France, and other European nations.

CONCEPT STRENGTHENED

As time went on, the concept of a private nonprofit negotiating body operating independently of the Federal Government was strengthened. Today, bondholders' councils abroad are far more dependent on government policy in carrying on negotiations than the protective council here is.

J. Reuben Clark, a former Ambassador to Mexico, had a lot to do with the early work of the council and served as a director for 20 years until his retirement in 1953.

In its first years, the council paid its way largely from voluntary contributions of bondholders and financial institutions. It managed to get by until World War II, when it ran out of money. Thereafter it charged for its services.

The charge is one-fourth of 1 percent or less of the principal amount of each bond figuring in a settlement offer acceptance. This amounts to $2.50 or less for each $1,000 bond. The payment is deducted from the first payment made to the bondholder accepting the offer.

The council does not take bonds for deposit, nor does it represent bondholders directly as legal agents. Moreover, its negotiations and recommendations are related only to bonds issued or guaranteed by foreign governments, not to foreign bonds issued by private corporations.

UNFINISHED BUSINESS

The unfinished business now before the council has largely to do with a scattering of West German bond issues and with the continuing default of about $239,587,465 of dollar bonds of Russia and other Communist nations (including East German municipal and state governments), $56,204,828 of Yugoslavian Government bonds, and $36,377,000 of bonds of the Greek Government.

The founders of the council included two former Secretaries of the Treasury—Andrew W. Mellon and Ogden L. Mills—and Henry L. Stimson, a former Secretary of State.

Besides Mr. Spang, officers today are Harvey H. Bundy of Boston, a former Assistant Secretary of State; Dana G. Munro, director of the school of public and international affairs, Princeton University; John F. Meck, vice president and treasurer of Dartmouth College, and John C. Traphagen, chairman of the Bank of New York. These men are directors, too.

Other directors are Ray Atherton, former Ambassador to Canada; Laird Bell, partner in the Chicago law firm of Bell, Boyd, Marshall & Lloyd; Morrison Shafroth, partner in the Denver, Colo., law firm of Grant, Shafroth & Toll; Quincy Wright, professor of international law, University of Chicago, and James G. Rogers.

UNITED STATES RESPONSIBILITY TO HUNGARIAN REFUGEES

Mr. NEUBERGER. Mr. President, in the aftermath of the Red Army's ruthless suppression of the anti-Soviet revolt in Hungary last autumn, there was a surge of interest and sympathy among the American people for the fate of the thousands of Hungarian refugees who had fled to freedom across the Austrian border. Americans learned that there were hundreds of thousands of such refugees from Soviet terror. They knew that these refugees could not stay in camps in Austria, but hoped for the opportunity to build new lives in the free world. Hungarian families arrived in communities throughout our country. Vice President RICHARD M. NIXON made a well-publicized Christmas season visit to the refugee camps in Austria, and upon his return reported his recommendations of a widely expanded refugee program for the United States. From all this, most men and women in America probably retain the impression that the United States has been the leader in solving the problems of the mass flight from Hungary last winter, largely by generously and open-armedly welcoming the Hungarian refugees to our own country.

I wish to point out briefly today how false this impression is. I doubt that many Americans realize how much better a reception other smaller nations have given the Hungarian escapees, relatively speaking, than we have. As the traditional haven of the oppressed and persecuted from other lands, America actually has little cause for smug self-satisfaction in our record of accepting Hungarian refugees into our own country.

This is not to say that, individually, Americans have not been generous in their humanitarian response to the immediate needs of the people in the Austrian camps, for instance through such private American organizations as the International Rescue Committee, and individuals sending CARE packages. Americans have always responded generously toward meeting the concrete and immediate needs of human tragedy and misery. But so far as the long-range needs of new homes, new communities, and new opportunities for useful lives are concerned, we have lagged far behind the relative contribution of nations far smaller and less wealthy than the United States.

The Department of Justice announced some time ago that the United States is, for all major purposes, shutting down its program for accepting Hungarian refugees. Henceforth, admissions will be limited to persons with relatives in the United States and a few people possessing special skills badly needed in this country.

SMALLER NATIONS HAVE BEEN MORE HOSPITABLE THAN UNITED STATES

As of now, we have admitted about 32,000 Hungarians. In absolute numbers, this is more than any other single country except for Austria itself, Mr. President, but in proportion to our population and to our national wealth—and these are pertinent standards of comparison—we rank at the bottom of the list of the Western democracies which have extended the welcome of the free world to these escapees from Soviet tyranny. I ask unanimous consent to have printed in the RECORD at this point, Mr. President, a list of these nations, in alphabetical order, showing in round numbers the refugees accepted by each nation, and the proportion of refugees thus accepted relative to the population and to the annual national income of each receiving nation.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Country	Total refugees	Refugees per 100,000 population	Per $100,000,000 national income
Australia	8,700	61	61
Belgium	3,200	36	43
Canada	19,700	111	81
France	9,250	21	26
Germany (Federal Republic)	11,600	23	39
Israel	1,750	95	167
Netherlands	4,550	42	72
Sweden	5,750	70	63
Switzerland	10,200	208	192
United Kingdom	20,500	40	48
United States	31,650	18	9

Mr. NEUBERGER. Mr. President, probably in every nation—I know the mail Senators have received on this question show this for our own—some people are apprehensive of the immigration of large new groups of people with a foreign language and cultural background, because of the feared impact of such immigration on existing social and economic patterns. I invite Senators to study, in this light, the hospitality which other free democracies of Europe and the British Commonwealth, with far smaller populations and national incomes than ours, have offered the Hungarian refugees—and to compare it with our own. Let me cite a few examples.

Our northern neighbor, Canada, has accepted more than 5 times the proportion of Hungarian escapees, on a per-capita basis, than we have, and 9 times as many as we in proportion to national income.

Overcrowded Britain, many of whose people are themselves trying to emigrate, opened its doors to twice as many Hungarians as we, per capita, and five times as many compared to wealth. The proportion is even more flattering to the Netherlands, which also is faced with its own problem of overpopulation and emigration.

The best record has been made by tiny Switzerland, which has admitted over 20,000 Hungarians. With 6 times as many people per square mile as the United States, the Swiss have nevertheless been more hospitable than the United States by 11 times, relative to population, and 21 times relative to our respective wealth.

Austria, with an area of only 32,370 square miles—less than Maine's—and a population of 7 million, and itself only recently freed from Communist domination, has actually assimilated more refugees than the United States, with an area of 3,022,390 square miles and a population of 170 million. As many as 250,000 refugees from every eastern European nation, have poured into Austria in the last 2 years. We cannot expect Austria also to assume responsibility for the 33,000 Hungarians still in refugee camps there.

There are also almost 20,000 Hungarian refugees living behind barbed wire enclosures in Yugoslavia, whose future depends to a large degree on the

decisions which we make about American immigration policy.

UNITED STATES REPUTATION AT STAKE

Mr. President, there is inherent in this situation a certain irony which unfortunately lends iself to exploitation abroad at the expense of the United States. On the basis of relative population and wealth, the United States can be said to be at the bottom of the list in providing for the entry and settlement of the unfortunate men, women, and children in the Austrian refugee camps. Yet American-sponsored radio broadcasts, more than the actions of any other western nation, held out to the people of Hungary visions of freedom to keep alive their resistance to Soviet oppression, and which must have contributed to their willingness to rebel against it. Rightly or wrongly, many persons both among the Hungarians themselves and among other people abroad believe that the Hungarians' fight for freedom was actually encouraged by the Voice of America and Radio Free Europe, and that when it came, the United States backed down on its implied promises of help and support.

There can be no doubt that the escapees, in their camps, have looked to the United States for help at least with their own future fate, as long as we could not help them in their fight for freedom. We must not be surprised if the visible gap between our declarations and our performance, and the continuing uncertainty of our future immigration policy, has damaged our reputation in central Europe, which is not in our self-interest. I am told that doubts and rumors about our immigration policies, on top of the strains and stresses of life in these refugee camps following the tragedies of last autumn, are partly blamed for many of the 50 suicides which have been attempted or carried out in the past 6 months, and for the increasing rate of mental breakdowns in the camps. American relief agencies such as the Red Cross try hard to meet some of the problems in the camps. The International Rescue Committee, for instance, has started a school to help emotionally disturbed children and it maintains a mobile library of 1,500 volumes which regularly visits each camp.

But these agencies can only ameliorate the hardships of life under conditions which must necessarily be regarded as a temporary emergency situation. Only our Government can carry out American responsibilities for a more permanent solution.

Mr. President, I have recently received a letter from one of my Oregon constituents, who is presently a student at the University of Vienna, and who has devoted some of his time to work with the Hungarian refugees who have fled to Austria and entered these camps. I think this letter may be of interest to Senators, representing the views of one American who has been on the scene, and I ask unanimous consent to have the letter printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

VIENNA, AUSTRIA, *May 27, 1957.*

The Honorable RICHARD L. NEUBERGER,
United States Senate,
Washington, D. C.

DEAR MR. NEUBERGER: As an American citizen, a former GI, and now a student at the University of Vienna, I am keenly interested in the Senate's action toward the Hungarian refugees. And since I am a registered voter of Oregon, I wish to express what I know and have seen, as well as my opinions in this matter.

Having worked side by side with other students from all parts of the Free World in the refugee camps near Vienna and on the border, I can tell you that frankly I felt like putting my flag in my pocket. Why? Because, Mr. NEUBERGER, the American Government lost a lot of prestige. While small European countries sent medical supplies, foodstuffs, etc., we were continually asked: "Where is all the help the United States offered?"

Now that the emotion has passed, and publicity has faded into oblivion, the Hungarian refugee is a forgotten man. Here in Austria there are still 40,000 refugees, many of whom are students. They ask me: "Why won't the American Government allow us to study there?" Mr. NEUBERGER, I am ashamed at times, because I cannot answer this problem.

As a gesture the United States has accepted 31,500 refugees; now suddenly we won't accept any more. Do you realize, sir, that there are students here studying medicine, engineering—all of whom would be good citizens? These fellows have left their country, their families, in order to begin a new life in a Free World. Now they are here in Austria. Yes, they have a Rockefeller scholarship—until June. But what then? Must they forever run around in the uncertainty of not knowing what they shall do next semester?

Mr. NEUBERGER, since I understand that the refugee problem is so close to your heart, I beg of you to exercise your power in the Senate, and open the doors of the United States to these students who look to us, the United States, as a symbol of hope and security.

Very sincerely yours,

FREDERICK R. KING.

Mr. NEUBERGER. Mr. President, this large and rich country can well afford to absorb additional thousands of the unfortunate inhabitants of these Hungarian refugee camps in Austria. I know that there are people who think that our country has accepted such vast numbers of immigrants that they threaten the jobs of present Americans. This is a natural enough reaction, for example, from people in my own State, who are suffering the effects of economic recession and actual unemployment as a result of this administration's economic policies. Yet seen in perspective, such fears are unrealistic. Our national economy, based on mass-production and steadily rising standards of living, has benefited from our constantly expanding population. In the past decade, from January 1, 1947, to December 31, 1956, about 2,275,000 immigrants were admitted into the United States. But in the same decade, our population went from 144 million to 170 million, a gain of more than 25 million new Americans. Obviously, as far as the economic effects of such a vast population increase are concerned, immigration is a drop in the bucket. At the same time, our tradition of hospitality to refugees has throughout the whole history of our country been one of the best known and brightest symbols of America abroad. More than ever, we need to maintain this symbol bright and clear in the minds of men everywhere in the world today.

In conclusion, Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Northern Virginia Sun of Arlington, Va., dated May 22, 1957, pointing out our comparatively inadequate record with respect to the refugees from Hungary to the west, and excerpts from columns by Mr. Walter Lippmann, from the Washington Post and Times Herald of December 27, 1956, discussing Vice President NIXON's visit to Austria last winter, and by Mr. David Lawrence, from the Washington Star of December 23, 1956.

There being no objection, the editorial and excerpts were ordered to be printed in the RECORD, as follows:

[From the Northern Virginia Sun of May 22, 1957]

CLOSING THE DOOR ON THE HUNGARIANS

Last week, the Justice Department announced that the United States is, in effect, shutting down its program for taking in Hungarian refugees. Henceforth, admissions will be limited to persons with relatives in the United States, and a few people with special skills.

We invite Sun readers to judge the announcement against the following facts and to draw their own conclusions.

1. The United States is the most populous and by far the richest Nation in the Western World. Yet, taking into consideration both our greater population and our enormous wealth, we rank not 1st or 2d, but 16th among western nations in the number of refugees we have taken in. (We have admitted 19 refugees per 100,000 of our population and only 9 per $100 million of income.)

2. Israel, whose generosity toward newcomers since birth in 1948 has made overpopulation her No. 1 problem, has admitted 5 times as many Hungarians as we, by population standards, and 21 times as many as we taking into account her lower income.

3. Switzerland, which has about 6 times as many people per square mile as the United States, has admitted 11 times as many Hungarians as we for her population, and 21 times as many as we for her wealth.

4. Our northern neighbor, Canada, has admitted 5 times as many as we for her population and 9 times as many for her income.

5. Most other countries have given Hungarian refugees permanent visas. We have let them in "on parole."

6. There are still 40,000 refugees from the Communist enslavement of Hungary in refugee camps in Austria waiting for some country to take them in.

[From the Washington Post and Times Herald of December 27, 1956]

HUNGARY AND THE VICE PRESIDENT

(By Walter Lippmann)

The question of whether the Vice President's trip to Austria was necessary will be answered when we see the dimensions of what the administration asks Congress to do for the refugees. The purpose of his visit was, it is evident, not so much to study the problem, which has been well studied, as to dramatize it, and to arouse American public opinion in favor of admitting more refugees and of appropriating and raising more money to care for them.

Mr. Nixon will have aroused great expectations, and we must hope that it will not be said that the mountain labored and brought forth a mouse.

This country can do a great deal more for the Hungarian refugees than it is doing today. There is a very big gap between our emotions and our actions. But at the very best we can provide for only a fraction of the refugees, and behind the refugees are the Hungarian people in Hungary itself. We have a duty to them if we can find a good effective way to do our duty.

[From the Washington Star of December 23, 1956]

NIXON JOURNEY IS HAILED—TRIP TO EUROPE CALLED INDICATION OF UNITED STATES SYMPATHY FOR REFUGEES

From the world of freedom to the fringes of the Soviet Empire, where the living effects of slavery and the brutality of the tyrant may be seen, went the personal representative of the President of the United States to hold aloft the torch of human liberty for all refugees and would-be refugees.

For Vice President NIXON, by his journey of more than 3,000 miles overseas to the heartland of Europe, has symbolized the whole spirit of America's feeling of sympathy for the oppressed behind the Iron Curtain. The origin of the trip is in itself a commentary on the need for wider understanding throughout America of the problems posed for this country by the steady stream of brave refugees who take their lives in their hands as they make a dash for liberty across the border.

It was Scott McLeod, director of the refugee program in the Department of State, who came forth in the first few days just after the Hungarian revolt broke out and suggested that 5,000 of the refugees be included in the quotas by interpreting broadly some of the provisions of existing law and cutting red tape. His idea was promptly endorsed here but when he noted shortly afterward the beginnings of some criticism from quarters which usually oppose any lifting of the immigration bars, Mr. McLeod thought the thing to do was to dramatize the facts of the problem. He urged upon Under Secretary Hoover that Vice President NIXON, who had made so many successful trips in recent months for the State Department should head up a special mission to Austria to render a report to the President on the whole subject. Mr. Hoover was enthusiastic about it and so was Secretary Dulles. Vice President NIXON was somewhat reluctant to make the journey and at first discouraged the idea. But President Eisenhower made the decision that Mr. NIXON should go at once.

What has the mission accomplished? Mr. NIXON knows from first-hand experience now what the refugee problem really is and can tell Members of Congress about it in detail. For it is not just a matter of how the refugees from Hungary alone shall be taken care of. It relates also to ways and means of securing admission to other countries for the 25,000 to 30,000 refugees from Czechoslovakia, Bulgaria, Rumania, Poland, Lithuania, Estonia, Latvia, and East Germany, many of whom have been languishing in community centers on this side of the Iron Curtain for a long time without a chance to begin a new life.

The whole refugee problem must be tackled anew by Congress. The United States cannot be expected to absorb all the escapees but can take care of a substantial number provided Congress will give its consent. Many of the refugees have relatives in America and will not become public charges. All of them are eager and willing to work. The addition of 30,000 to the working force of America, where labor shortages are beginning to show up in various parts of the country, is, in an overall sense, a mere trifle. Some of America's finest citizens have come from the very countries that the refugees are leaving in their bid for liberty.

How many persons living in comfort in the United States today realize what it means when a man makes a break for freedom? Sometimes he must leave a family behind. Sometimes he runs the risk of being shot down by border guards. He abandons all his possessions and, of course, cuts his ties with all relatives. It is a hardship the extremes of which are not easy to imagine, because so few Americans have actually had a similar experience.

But the United States has always held out a welcome sign to oppressed peoples. There was a time when no barriers of any kind to immigration existed. But economic factors in recent decades, especially during the period of depression here in the 1930's, led to laws that limit by quota the number who can come each year to America. In the main, these barriers will stay, because otherwise there would be a flood of immigration which would become a political issue of importance, with labor unions in the front rank of the opponents.

The emergency in central Europe, however, presents a different problem. It is one which the United Nations as a whole should tackle, and America will gladly do her part.

What Vice President NIXON saw on his mission will be told in due time to the American people, but he once again has shown his skill in handling a delicate problem of international relations. His report to the Nation now will be awaited with extraordinary interest.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. I should like to subscribe to the statement made by the Senator from Oregon. My belief is that our deeds do not correspond with the words which we utter, when we ask that people of those European nations who are inclined toward acceptance of our American way of life join with us. We were primarily responsible for the deeds of many Hungarians when they rose in insurrection against the tyranny and oppression of the Communist power.

Certainly, we accepted 31,000 of them. But to have done less would have been to cast even more odium upon our conduct.

There are many other refugees of nations in Europe upon whom we build our hopes for the retention of the freedom which we have, and its expansion throughout the world. We cannot urge them to accept our way of life and subscribe to our conduct and our philosophy, and then when, with great patriotism and fervor in the cause of liberty, they rise in insurrection, placing themselves upon the altar of sacrifice, by our conduct fail to give adequate recognition to their heroism.

While I speak upon the matter, may I suggest that there be no further delay in reporting to the Senate the bill which would amend the McCarran Act, so that the principles which we enunciate with great eloquence shall be made a reality and not mere "balderdash" by way of words?

I subscribe wholly to the words of the Senator from Oregon.

Mr. NEUBERGER. I thank the Senator from Ohio for supporting the plea which I have voiced very briefly on the Senate floor.

Three weeks ago I had the privilege of speaking to a very representative audience in the great city of Cleveland. On that occasion many people told me of the outstanding work done by the present junior Senator from Ohio while he was mayor of Cleveland and while he was Governor of the State of Ohio, in his endeavor to establish in his State and in our Nation a haven for some of the refugees persecuted abroad. I appreciate his support.

Mr. LAUSCHE. May I further state that I do not think establishing a haven means that we will completely open our doors. It is more a matter of doing justice and equity. America should be the haven for those who have become refugees, without a country and without a place in which to rest their tired heads. This is the land to which they have the right to come.

Mr. NEUBERGER. I might add that many of those people have become refugees because they have heard our overseas broadcasts urging them to rise against Soviet tyranny, which has implied some obligation upon our part.

CHAPTER 4. ALICE IN WONDERLAND DEFENSE PLANNING

Mr. SYMINGTON. Mr. President, herewith for the attention of my colleagues is chapter 4 of this Alice in Wonderland defense planning.

This chapter is an able and informative editorial written by Robert Hotz, editor of the McGraw-Hill publication, Aviation Week, and entitled "Facing Fiscal Facts."

The last sentence reads:

A nation whose national existence and foreign policy is based on the foundation of superior airpower is now being offered a choice of destroying that strength by the stroke of a Pentagon pen or facing up to the facts and paying the airpower bill in full.

Again, Mr. President, the Congress and the people have the right to ask, what does the President want?

Does he support his own telecasted recommendation last month to restore Air Force funds over $600 million—or does he support the more recent directive of his own Secretary of Defense which may result in reducing the Air Force funds over $4 billion?

The Senate is getting closer to voting on defense—and the Senate has the right to know before it votes.

Equally important, the people have the right to know—what does the President want?

Mr. President, I ask unanimous consent to have printed at this point in the RECORD this outstanding editorial, which appeared in the June 17 issue of Aviation Week.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FACING FISCAL FACTS

(By Robert Hotz)

After 2 years of financial legerdemain with its airpower budget the executive branch

of the Government has come to its day of reckoning. It is no longer possible to ignore the fiscal facts involved in the airpower program.

Main fact is simply that the Defense Department finds itself some $4 billion short of the funds required to finance the airpower force levels it has repeatedly promised the American people it would maintain. Now, it must either ask for an additional $4 billion to close this financial gap, or it must cut drastically both the quantity and quality of aerial weapons and the facilities required to support them in combat units.

VINDICATION FOR CRITICS

The chain of events precipitated by Defense Secretary Charles E. Wilson's memorandum of May 22 (Aviation Week June 10, p. 33) setting expenditure ceilings and ending the partial financing policy on major weapons procurement, has indicated clearly the validity of the charges made during the past 2 years that the airpower budgets proposed by the executive branch of the Government were grossly inadequate to support the strength levels promised. The current fiscal crisis in the Pentagon proves conclusively that the critics were right and the defenders of this airpower fiscal policy were either financially naive or deliberately deceptive.

When the day of financial reckoning finally arrived the administration was faced with a choice of finally making the drastic cutbacks in aerial weapons procurement that its critics had charged would be the inevitable result of its fiscal policies or asking for a rise in the authorized national debt level. It has chosen to make the cuts and retain the present debt level.

CUTBACK DETAILS

Thanks to a courageous and forceful memorandum by Air Force Secretary James H. Douglas the full impact of these cuts has been spelled out in unmistakable detail. According to the Douglas memorandum, the new administration fiscal policy would:

"Require major reprograming and reduction of fiscal year 1953 and prior procurement programs or a substantial supplemental appropriation. * * * If we are required to adhere to the expenditure objective for fiscal 1958 large scale terminations and stretch-out of contracts against these programs would be necessary. We would need to eliminate some $4 billion dollars of programed weapon systems in fiscal 1958 and prior programs."

Most important are the vital weapons system programs that would be stretched out dangerously close to the point of technical obsolescence. Secretary Douglas confirmed in his memorandum that the Boeing B-52 jet bomber and its KC-135 jet tanker, the Convair F-106 supersonic all-weather interceptor, the Republic F-105 Mach 2 fighter-bomber, the Lockheed F-104 Mach 2 interceptor and some missile schedules have already been either stretched out or cut back.

In addition it appears that the Convair B-58 supersonic bomber program would be in for a major cutback during fiscal 1958. Mr. Douglas also points out that no provision has been made for further financing of the Republic XF-103 dual cycle engined interceptor, the Bell Rascal air-to-ground supersonic missile, and the Navaho Mach 3 intercontinental ramjet missile.

And all advanced gas turbine powered transport development—so vital to the logistics of the intercontinental ballistic missile program, Strategic Air Command and the Army—has been chopped off because of lack of money.

THE COST OF ECONOMY

These large scale terminations and stretchouts of $4 billion in weapons contracts would cost close to $1 billion in termination costs alone for which not one single piece of hardware would be received. Close to a billion dollars would be washed down the drain in the name of economy.

It is clear from Secretary Douglas' detailed memorandum that the administration's proposed fiscal policies would cut the guts out of the current airpower program at a tremendous cost in wasted funds and in an infinitely more precious commodity—irreplaceable wasted time.

Even if adequate remedies were forthcoming in subsequent budgets, it would take years to recover from the technical and industrial effects of this current fiscal policy. These years could easily provide the interval during which the hard-driving Russian technology opened a significant gap of leadership in the air that would be disastrous for western policy.

What we have warned against for 2 years has finally come to pass, and American airpower is facing its gravest crisis. A nation whose national existence and foreign policy is based on the foundations of superior airpower is now being offered a choice of destroying that strength by the stroke of a Pentagon pen or facing up to the facts and paying the airpower bill in full.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the able Senator from Oregon.

Mr. MORSE. I wish to thank the Senator from Missouri for putting the editorial in the RECORD. He is performing a great service to the American people.

As the Senator knows, I am strongly in favor of building up America's defenses. As I pointed out in my opposition to the mutual-security bill, I am opposed to wasting military equipment on weak countries, when I think the equipment would get into the hands of our enemies in the first few hours of war.

Mr. SYMINGTON. I thank the Senator for his contribution.

SENATORIAL PARTICIPATION IN DISARMAMENT CONFERENCE

Mr. CASE of South Dakota. Mr. President, I should like to take a moment to applaud what is the apparent modification of the position taken by the majority leader with respect to representation of the Senate in the disarmament conference proceedings in London. I do so because it seems to me that beyond question the disarmament matter is the greatest issue which is before the nations of the world at the present time. All the other problems with which we wrestle, including those of budgets and those of preparedness, hinge and depend largely upon what may be the outcome of the conferences in London.

Under the constitutional responsibility of the Senate to give advice and consent to treaties, certainly nothing calls for application of that constitutional responsibility more than the subject of disarmament.

I recall that the great and lamented late Senator from Michigan, Mr. Vandenberg, was once quoted as saying when it came to giving advice to the Executive he always would prefer to be called in on the takeoff and not on the crash landing. That sentiment might apply in this instance. So I applaud the apparent decision of the distinguished majority leader and those associated with him—including, I assume, the minority leader—that representation will be provided at the conference if the President invites it.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. JOHNSON of Texas. The Senator states the situation correctly.

I also recall that the late Senator Vandenberg was requested by at least two Presidents, by letter and by personal request, to participate in rather important conferences. The late Senator said that he would be glad to do so if the President felt that there was sufficient urgency for him to do it.

Yesterday the majority leader restated the position which he had stated earlier, the week before, namely, that when and if the President of the United States, as the head of the executive department, feels that it is of sufficient urgency and is sufficiently desirable to call upon the Senate to supply representation at the disarmament conference, the Senate will be glad to take action immediately. I am sure the leadership will respond in the same spirit we have always responded in all matters affecting national policy and the foreign relations of this country.

Mr. CASE of South Dakota. The junior Senator from South Dakota was not present in the Chamber at the time the distinguished majority leader made his last statement, but he read it in the RECORD this morning; and because he read it in the RECORD this morning, he takes this occasion to applaud it.

Mr. JOHNSON of Texas. I thank the Senator. We have had some preliminary discussions with officials at the lower level in the State Department, but up to the present time the President has not indicated to the leadership that he would desire such a delegation. When and if he does, we shall take prompt action.

THE STATE OF THE NATION'S FINANCES

Mr. BUSH. Mr. President, when he appeared before the Senate Finance Committee for the first time, day before yesterday, the Secretary of the Treasury made a classic presentation justifying the policies of the Federal Reserve Board, which have been supported by this administration.

In the New York Times of today, there is an editorial in which the Secretary is highly commended for this presentation. I ask unanimous consent that this fine editorial be printed in the body of the RECORD at this point as a part of my remarks, for the information of other Senators and those who are reading the RECORD to keep up to date on this very vital issue which is before the Senate Finance Committee.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. HUMPHREY ATTACKS

Secretary of the Treasury Humphrey, called as the first witness before the Senate Finance Committee investigating the state of the Nation's finances, entered the hearing chamber presumptively as chief spokesman for the defense. When the first 2-hour session was over one might have been excused for wondering whether the defending party was the administration, as represented by Mr. Humphrey, or the vociferous assortment of complainants who represented the administration's critics.

At the conclusion of the Secretary's appearance a number of members of the Finance Committee (the so-called Byrd committee) commented on his testimony. These observations, as might have been expected, didn't wander, in any given case, too far outside party lines. Typical of the reaction of Republican members of the committee was the observation by Senator CARLSON, of Kansas, that the Secretary of the Treasury destroyed every argument that the Democrats have.

This may have been a slight overstatement. But one thing is certain. Mr. Humphrey hadn't climbed into the ring merely with the intention of surviving in this encounter with his critics; he had entered the ring with the intention of carrying the fight to his opponents. He brought with him to the witness table a prepared statement of 50 pages, the reading of which occupied the entire 2 hours of the opening session. If, in the process, he didn't destroy every argument the opposition has raised, even his critics will concede, we think, that none was overlooked.

All the stock criticisms of the administration's fiscal and monetary policies were there, carefully cataloged—the loose, unsupported and frequently contradictory charges that we all have heard at one time or another in recent months. None was too ridiculous to rate recognition—a recognition which was followed promptly by refutation, and frequently statistical demolition.

Question: Had the Federal Reserve deliberately created a shortage of purchasing power? Answer: No. The supply of purchasing power had been increased by a larger amount in the past 4 years than in either of the two 4-year periods next preceding it, but a larger proportion of this had been provided out of savings than in either of the 2 previous periods.

Housing? We have built more homes in the past 4 years than in any corresponding previous period.

As to the influence of interest rates on housing costs, this has been only about one-fifth that resulting from other forms of building costs.

Business failures? The ratio of failures to new business births is below that of the preceding 4 years.

Were the banks the chief beneficiaries of tight money? If so, it doesn't appear in their profits record. Actually, the latter were lower in relation to bank capital than the average for the 8 years previous to 1953.

Inflation? Certainly the administration recognizes the danger of inflation. Otherwise it wouldn't be backing the Federal Reserve's policies of credit restraint. Stiff money rates obviously complicate the problems of Treasury financing (and it is a problem and not a crisis), but "if that is the price we have to pay to prevent * * * inflation, it will well justify the price."

As for charges that the administration's fiscal policies were ill conceived and mismanaged, that, thought Mr. Humphrey, was a strange charge to bring against an administration that had brought the budget under control, given the country three balanced budgets in succession for the first time in the memory of this generation, and had meanwhile made possible the largest tax reduction in the Nation's history.

The Secretary of the Treasury summed up: "There may be imperfections in our accomplishments, but there can be no serious doubt as to the propriety of our goals, the wisdom of our policies."

GROUP MESSAGE ON THE HOOVER REPORT

Mr. BUSH. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a memorandum entitled "Group Message on the Hoover Report." A group has been meeting in the city this week. They are consistent supporters of the Hoover Commission efforts and reports. They met at the Shoreham Hotel in this city on June 18. They have presented a memorandum in which they say, "We seek the following objectives," which objectives are thereafter enumerated. Because of the very great interest in the recommendations of the Hoover Commission, I ask unanimous consent that this memorandum, together with the names of its signers, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

GROUP MESSAGE ON THE HOOVER REPORT, JUNE 19, 1957

We represent a group of private citizens who have assembled in Washington because we believe that certain of the bipartisan Hoover Commission's recommendations should be carried out without delay.

We have come to Washington for the specific purpose of reviewing and studying, with the expert assistance of specialists from both in and out of Government, Federal activities in which substantial improvements can be made and economies effected.

We come from 26 States, as follows: California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Idaho, Illinois, Iowa, Kansas, Maryland, Massachusetts, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

The people of the United States have expressed in recent months a strong desire for Federal economy and a reduction in taxes. We come from many parts of the country and represent many organizations. We seek the following objectives:

1. Budgeting and accounting: Prompt House passage of H. R. 8002, which would cause the budget to be submitted on an annual accrued-expenditure basis. The Senate has already acted favorably and without dissent on a companion measure, S. 434.

2. Unifying common-use supply and service activities in the Department of Defense: Senate acceptance of the O'Mahoney-Chavez-Douglas amendment to H. R. 7665, the Department of Defense appropriation bill for 1958, which would establish a civilian-managed agency for this purpose; and House concurrence in such an amendment.

3. Unnecessary Government competition with private business: Prompt action on S. 1539 and H. R. 5826 which would affirm the policy of Congress to restrict and curtail unnecessary and competitive participation of the Federal Government in the field of private enterprise; and also S. 1394 and H. R. 5883 which would terminate gradually the Postal Savings System; and also on section 109 of S. 1534 and H. R. 5836 or alternatively H. R. 8108, which would render more realistic the charges of the parcel post as the Commission proposed.

4. Reorganization Act extension: Favorable House action on extending this important law under which the President can realine agencies of the executive branch. The Senate has already passed S. 1791.

5. Surplus property: Prompt action on S. 1540 and H. R. 4119 which would place overall policy responsibility for surplus property management in the General Services Administration.

6. Real property transactions: Prompt action on proposals to relax congressional clearance procedures. The pertinent House measures are H. R. 29 and H. R. 4442. No similar measures is yet before the Senate; and action is needed to secure its introduction there and passage.

7. Hidden subsidies: Prompt and favorable introduction of, and action on, the proposal for curtailing interest subsidies in certain Federal lending programs as set forth in Budget Director Brundage's letter of June 3 to Vice President Nixon and Speaker Rayburn.

8. Duplicating staffing: Prompt Senate action on S. 2294 and similar House action on H. R. 8091. The Hoover Commission called for "a clear delineation in the unjustifiable waste which results from duplicate military-civilian staffing." The Commission identified 16,000 such duplicate assignments, "representing an unnecessary payroll cost of more than $110 million per year."

9. Training: Favorable House action on proposals which would authorize Federal employees to be trained at public and private facilities. The Senate has already passed S. 385 which is under consideration in the House.

10. Administrative Court: Prompt Senate action on S. 2922 which would establish an Administrative Court of the United States to assure protection of the rights of citizens as guaranteed by the constitutional doctrine of separation of powers; and prompt House introduction and action upon a similar measure.

11. Medical services: Favorable action on S. 2293 and H. R. 2435 which would establish a Federal Advisory Council of Health to coordinate and develop basic policies for the diverse medical programs of the Federal Government; and

12. Civil service: Favorable action on S. 2290 and H. R. 8207 which would provide a system for establishing a flexible corps of highly competent, nonpolitical career administrators. Another Senate bill, S. 2291, would modernize civil-service methods and procedures to make careers in Government more attractive at all levels of Federal employment.

ATTENDEES, HOOVER REPORT BRIEFING SESSION, THE SHOREHAM, WASHINGTON, D. C., JUNE 18, 1957

(It should be recognized that all resolutions were approved by maority vote and express the sense of the meeting, but may not necessarily entail endorsement of all proposals by each attendee.)

Carter W. Atkins, executive director, Connecticut Public Expenditure Council, Inc., Hartford, Conn.

Everett P. Balch, chairman, legislation committee of Jockey Hollow Chapter, New Jersey Society, Sons of American Revolution, Mendham, N. J.

Harry S. Baxter, attorney, Atlanta, Ga.

Mr. and Mrs. Charles Dana Bennett, Vergennes, Vt.

Jess B. Bennett, assistant to the president, Braniff International Airways, Washington, D. C.

Joseph L. Borda, special executive assistant, National Association of Manufacturers, Washington, D. C.

Miss Sally Butler, legislative consultant, General Federation of Women's Clubs, Washington, D. C.

Keith A. Caldwell, Chicago South End Junior Chamber of Commerce, Chicago, Ill.

Raymond E. Coburn, director of research, Connecticut Chamber of Commerce, Hartford, Conn.

Dr. John H. Davis, Harvard School of Business, Cambridge, Mass.

Dr. James P. Dixon, commisisoner of health, Philadelphia, Pa.

George C. Dworshak, executive secretary, Chamber of Commerce of the Attleboros, Attleboro, Mass.

Raymond E. Edwards, executive secretary, Iowa Taxpayers' Association, Des Moines, Iowa.

J. Herbert Eichelberger, assistant to the president, Taxpayers' Federation of Illinois, Chicago, Ill.

Henry E. English, chairman of the board, Red Ball Motor Freight, Dallas, Tex.

Roy Erickson, Erickson Memorial Co., Denver, Colo.

Clarence Francis, chairman, Citizens' Committee for the Hoover Report, Bronxville, N. Y.

Bayne Freeland, public relations director, the Quaker Oats Co., Chicago, Ill.

Lyle E. Grace, president, Champaign County Farm Bureau, Illinois Agricultural Association, Urbana, Ill.

William C. Hambleton, State president, Conference of International Association of Machinists, East Alton, Ill.

Alfred L. Hammell, president, Railway Express Agency, New York, N. Y.

Walter Harnischfeger, president, Harnischfeger Corp., Milwaukee, Wis.

Mrs. Mame M. Higgins, National Council of Negro Women, Chicago, Ill.

Arthur L. Holland, president, Sun Star Milling Co., Boise, Idaho.

Frederic W. Hume, vice chairman, Florida Citizens Committee, Miami, Fla.

Seward H. Jacobi, director of Employers' Advisory Department, New Jersey State Chamber of Commerce, Newark, N. J.

Reed Larson, past national chairman, Government Affairs, United States Junior Chamber of Commerce, Wichita, Kans.

James T. Londrigan, State president, Illinois Young Democrats, Springfield, Ill.

Rodney W. Markley, manager, Washington office, Ford Motor Co., Washington, D. C.

Mrs. William T. Mason, president, the National Council of Negro Women, Washington, D. C.

William A. Mills, executive vice president, Empire State Chamber of Commerce, Albany, N. Y.

Blake T. Newton, Jr., president, Shenandoah Life Insurance Co., Roanoke, Va.

Mrs. Genevieve H. Oslund, legislation research director, General Federation of Women's Clubs, Washington, D. C.

James H. Parsons, special representative, Bloomington Kiwanis Club, Bloomington, Ill.

Harry P. Perkins, president, Perkins Bros. Co., Dallas, Tex.

Former Senator George L. Radcliffe, Fidelity & Deposit Co., Baltimore, Md.

Theron J. Rice, Chamber of Commerce of the United States, Washington, D. C.

Eugene F. Rinta, director of research, Council of State Chambers of Commerce, Washington, D. C.

Willis Sargent, attorney, Syracuse, N. Y.

Wallace H. Savage, attorney, Dallas, Tex.

F. E. Schuchman, president, Homestead Valve Manufacturing Co., Coraopolis, Pa.

Robert E. Simpson, secretary, Connecticut Chamber of Commerce, Hartford, Conn.

Mr. and Mrs. Joseph J. Spurr III, McLean, Va.

Dean Robert G. Storey, dean of Southern Methodist University Law School, Dallas, Tex.

Merle H. Tucker, president, radio station KGAK, Gallup, N. Mex.

Frank Upman, Jr., Washington, D. C.

Hamill Varner, The Quaker Oats Co., Winnetka, Ill.

Travis T. Wallace, president, Great American Reserve Insurance Co., Dallas, Tex.

Mrs. Donald L. Wetzell, State legislation chairman, Illinois Federation of Women's Clubs, Tampico, Ill.

(NOTE.—The above list of attendees includes only those who attended the first day's activities in connection with the briefing session; others are registered for the second day's session.)

COORDINATION BETWEEN FEDERAL LOAN PROGRAMS AND THE FISCAL AND CREDIT POLICIES OF THE FEDERAL GOVERNMENT

Mr. BUSH. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point a letter addressed by the Director of the Bureau of the Budget, Percival F. Brundage, to the Speaker of the House of Representatives. The letter is dated June 3, 1957, and has to do with the hidden subsidies granted by the Government in the way of interest payments in various areas. Accompanying the letter is a copy of a draft of the bill which is recommended to deal with this situation. I ask that the letter and the draft of the bill be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter and draft of bill were ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., June 3, 1957.

Hon. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I have the honor to submit for the consideration of the Congress a proposed bill "to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government."

The President in his letter to you of April 18, 1957, recommended as one of his proposed steps to improve the Federal budgetary situation, to "establish interest rates for Government loan programs that will induce private funds to participate in their financing and, at the least, require that such rates cover the borrowing costs of the Federal Government." This legislation is designed to carry out that recommendation.

The bill establishes two major policies applicable to all loan programs of the Federal Government. It requires each lending agency to pay interest on any future borrowing from the Treasury at a rate fixed by the Secretary of the Treasury, taking into consideration the current market rates of interest on Treasury obligations with maturities comparable to those of the loans made by the lending agency. It further requires each lending agency to charge interest on any future loans equal to at least the rate fixed by the Secretary of the Treasury, together with additional amounts sufficient to defray administrative expenses and probable losses to the extent that such additional charges are consistent with the purposes of the loan program. It will have no effect whatsoever on interest rates charged on outstanding loans or on interest rates paid to the Treasury on the funds necessary to finance these loans.

This legislation is necessary to modify the fixed statutory maximum interest rates on several lending programs established when interest costs were much lower than they are today. As the President pointed out in his message transmitting the 1958 budget, in order to obtain more consistency in the policies of Federal lending agencies, additional discretion is required over the interest rates charged. The proposed bill will provide the flexibility needed to permit the interest rates charged to reflect both the current costs of each lending program and the objectives it serves.

One of the basic purposes of the legislation is to assure that, insofar as consistent with the purposes of the lending programs, all of the costs involved shall be paid by the borrower who benefits from the loan. At present hidden subsidies exist in several programs. Removal or reduction of theee subsidies will increase interest receipts of these programs and thus reduce their budgetary requirements. In addition, any increase in interest rates charged will encourage substitution of private financing and thus reduce Government expenditures. The most immediate effect on the budget will be from reduced disbursements on future loans. In later years, however, as more adequate interest is paid on a larger share of the outstanding loans, the major budget saving will accrue from this source.

By requiring all lending agencies to cover at least the interest cost incurred by the Government, the proposed legislation will reduce Government competition with private lenders, wherever private lenders provide comparable loans on reasonable terms. When private financial institutions are not able to make the type of loans required, moreover, it is only reasonable that the borrower should pay for the full cost of the credit he receives to the maximum extent possible, rather than to place an unnecessary burden on the taxpayer.

Sincerely yours,
PERCIVAL F. BRUNDAGE,
Director.

(Identical letter sent to the President of the Senate.)

A bill to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government.

Be it enacted, etc., That notwithstanding any other provision of law (1) the interest rate on any loan hereafter made by the Treasury to any department or agency of the Federal Government to finance loans made by such department or agency shall be fixed by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the loans made by the department or agency, and (2) the interest rate on any loan hereafter made by any department or agency shall not be less than the rate the department or agency making the loan would pay if it borrowed from the Treasury at the time the interest rate on the loan is fixed, plus an additional amount deemed adequate to cover administrative expenses and probable losses to the extent consistent with the purposes of the loan program.

CONSERVATION AND DEVELOPMENT OF LAND AND WATER RESOURCES

Mr. MURRAY. Mr. President, on June 13, 1957, I addressed the Senate in connection with introduction of Senate Resolution 148. That resolution was sponsored by me jointly with the distinguished chairman of the Committee on Public Works [Mr. CHAVEZ] and 10 other Senators. Senate Resolution 148 deals with improvements in the procedures of the Senate for authorization of land and water resource projects. It is responsive to directions of the Senate set forth in Senate Resolution 281, 84th Congress.

Improvements in the authorization procedures are needed to provide essential information on which the Congress can make basic policy decisions in accordance with its responsibilities under the Constitution. As has been pointed

out a number of times, full information on projects proposed for authorization is especially necessary now because there is a tendency for the Congress to lose, in part, its direction of the program. In consequence of regulations of the Bureau of the Budget, reports of the executive agencies often do not conform with Congressional objectives. For that reason, full information on projects is sought as a means of assuring comprehensive development and utilization of the Nation's land and water resources.

A few days prior to introduction of Senate Resolution 148, the distinguished senior Senator from Oklahoma [Mr. KERR], made very telling comments on the same subject. In appearing before the House Committee on Public Works, relative to certain projects included in the Flood Control Act of 1957 (S. 497), the distinguished senior Senator from Oklahoma presented forceful exposition of the need for adoption of Senate Resolution 148 of which he is a cosponsor. These comments point up the whole problem so clearly that it would be desirable to include them in the record in their entirety. However, this would constitute a somewhat lengthy insertion. I ask unanimous consent for inclusion in the RECORD of at least the portions of the statement that bear directly on the general problems of authorization procedures.

I congratulate the able senior Senator from Oklahoma for his excellent statement.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Now, there are a number of things about this that I would like to discuss, if I may, Mr. Chairman. The project, as inserted in this bill by the Senate, was recommended and justified in one of the great historic documents in the record of water conservation by this Congress. In 1952 the Congress passed legislation setting up the Arkansas-White-Red River Basin Study Commission, having on it representatives of the eight States affected and of each of the Federal agencies affected, namely, the Department of Agriculture, through soil conservation, the Federal Power Commission, the Department of the Interior through reclamation, the Department of the Army through its great Corps of Engineers, the Public Health Service, and the Department of Commerce. That Commission spent 5 years under their authorization in developing their report on the total soil and water resources of those 2 great undeveloped basins, tributaries to the Mississippi River.

In that record is found a very comprehensive study, endorsement and recommendation of this project, as authorized by the Senate. It is true that that was in the days A-47, that is, before budget order A-47. I do not know what validity this committee attaches to A-47. I will say to you any resemblance between it and the bill which this committee sent to the Senate last year, which was before the subcommittee of which I was chairman, is purely coincidental. If this committee attaches any validity to A-47, it could not be discerned from the language of the bill that you sent to us.

I would remind this committee of this: That bill was passed by the Senate without deleting a single line which this committee had written into it, and the bill that came to you this year tracked the bill which you passed last year, and helped to rewrite in conference almost word for word. Under great pressure we reduced the authorization for the lower Mississippi. We took out one project, as I remember it, Dade County, Fla. We added a few, most of which had been approved and recommended by the Bureau of the Budget, and we passed it on the Senate floor and sent it back to you. A determined fight was made on the floor of the Senate against this bill by men who would permit the Bureau of the Budget of the executive department to write the legislation of this Congress.

I led the fight on the floor of the Senate for the bill as you had written it, rather than as it was attempted to be dictated by the Bureau of the Budget. There were two principal fights on this bill on the floor of the Senate. I want to say that the wrath of those who opposed it was addressed in part to this project, but in greater part to projects which had been put into this bill by your committee, Mr. Chairman, and preserved intact by the Senate committee, and delivered unscathed from the hands of those on the floor of the Senate who would have despoiled it. They made an effort to recommit the bill to the committee.

There was no other interpretation to their action but this, namely, that the committee would, under the instructions of the Senate, rewrite the bill in accordance with the mandate of the Bureau of the Budget.

The other fight on this bill on the floor of the Senate was against your section 205. We defended it with equal vigor and with equal success. Now, the distinguished general of the Corps of Engineers, in my judgment one of the ablest we have ever been blessed with, has presented to you the viewpoint of the principles of land enhancement and taxes foregone. I want to say to you that if the Congress ever recognizes the validity of those two principles as enunciated in that budget directive—in my judgment the abortive effort of one administration fully adopted and clasped to the bosom of another administration; it is bipartisan, gentlemen; it does not have the benefit of clergy, but I want to tell you that its parents are well-known and abundantly identified, and in my judgment they share the blame for it with equal ignominy—if we ever recognize the validity of the principle of taxes foregone and required reimbursement for land enhancement below flood-control project you will set back the program of land and water conservation in the United States of America by 50 years.

The great Theodore Roosevelt, when he called the original conference on conservation, attempted no such abortive effort as the imposition of the principle of taxes foregone and contribution for land enhancement. From that good day down until this, so far as I know, these principles have never been inflicted by the Congress upon the areas in which any great project has been built.

I do not know how much hydroelectric power there is in this country. I would like to ask my good friend, the Chief of Engineers, if he knows and if he can tell this committee how many of them are on the statute books today carrying the burden of the principle of taxes foregone.

General ITSCHNER. I do not know of any hydroelectric projects that are authorized today that have the provisions in it.

Senator KERR. And none of them that are built?

General ITSCHNER. And none of them built, I am sure.

Senator KERR. Is there any great flood-control project in this country or any project anywhere near approaching the capacity of this project that has in it the requirement of the principle of contribution by landowners below the reservoirs to make local contribution toward the cost of the reservoirs?

General ITSCHNER. I do not know of any projects, sir, that have such a provision.

Senator KERR. I want to say to you gentlemen of the committee that the day is here when our country needs an accelerated program of conservation of soil and water, rather than one upon which would be inflicted the crippling force of either or both of those principles. I know you can get as many estimates of the consumption of water by the American people as there are authorities making surveys, and there is certainly a justification for many of them. Some of them tell us in 1850 the average annual consumption of water per capita by the people of the United States was 50 gallons per day. They tell us that in 1950 it exceeded 1,000 gallons per capita per day.

The Public Health Service and others charged with responsibility in that regard tell us that in 1980 the per capita consumption requirements for water of the people of the United States will be 2,000 gallon per citizen per day. That is the kind of a dynamic economy, industrial and domestic, into which we move. It has taken this Nation that you and I regard as the strongest on the earth, 350 years to reach a population of 170 million people. At the present rate of increase that population will double in less than 40 years.

Electric consumption in the United States in 1956 was 16 times what it was in 1920; industrial engineers tell me that in 1980 it might be 16 times as much as it was in 1956.

Now, visualize those facts, together with this one: It has taken us 350 years to have an average annual productive capacity of $430 billion to $435 billion of goods and products annually. These same industrial engineers tell us we will have to develop an economy that can be able to do twice that in 35 years.

If that is to be the case, then we are going to have to speed up water conservation rather than slow it down. We are going to have to take the shackles off of it rather than putting manacles on it in the form of such mental monstrosities as taxes foregone and land enhancement contributions if we are going to meet the requirements of this increasing dynamic economy.

Now, the area at which you look, on the basis of information that comes to me, is a part of that in which is to be found today the greatest abundance of good, usable water, in conjunction with an equally abundant supply of low-cost fuel. There is admittedly and claimed, 50 billion tons of mineable coal in eastern Oklahoma and western Arkansas. Many engineers have estimated the amount at twice that. In the same area there are vast supplies of oil and gas, together with the greatest supply of unused fresh water to be found in this Nation in conjunction with such quantities of low-cost fuel.

Now, addressing myself to section (2), or subparagraph (2) on page 29, of S. 497, the Flood Control Act of 1957. This has to do with the incremental method of allocation with reference to power and water, I challenge any man on this committee—and this committee helped to write the Flood Control Act of 1944—to find in it justification for charging interest cost as an item in the reimbursement to the Federal Government of the cost of power in projects constructed by the Corps of Engineers. Put your legal counsel to work on it.

I want to say to you that that has the same parenthood as A-47. Rather than increasing the cost to the consumer of power from projects by the Corps of Engineers, by now inflicting upon them the effects of—general, what is the technical name of that new method of charging for power?

General ITSCHNER. The method that we use is the separable-costs-remaining-benefits method.

Senator KERR. Gentlemen, that is a technical phrase known only to engineers the effect of which I will tell you I have been trying to determine for years with only limited success. Should some member of this

committee at some time of great mental effort or lucid interval find an explanation of it, being a humble member of the Public Works Committee of the Senate of the United States who cannot, without undue strain, understand it, I would greatly appreciate your sharing it with me. It is a product of a directive of our agencies—the Federal Power Commission, the Department of the Interior and the Department of the Army. Is that correct, general?

General ITSCHNER. Yes, sir. The Department of the Interior, the Department of the Army, and the Federal Power Commission.

Senator KERR. Yes, sir. He named the same group in inverse order.

I want to say that I do not blame this great Chief of Engineers. Much as I admire him, I want to say I glory in the fact that I am neither a creature of nor in bondage to the Bureau of the Budget of either the Truman administration or the Eisenhower administration; and neither are you. Our great friend here is. Whatever he speaks to you is the light of that knowledge, whether stated or acknowledged. The principle which he named to you a few minutes ago, and which I will not tax your credulity with by trying to repeat it, is a product of administrative operation as a result of which the cost allocated to the power in any multiple-purpose project is increased. It is not based on statutory requirement, but the interest which they charge as a part of the cost that must be reimbursed to the Federal Government for the power included in multiple-purpose projects under the Corps of Engineers is a pure fabrication of the Department of the Interior. I have had them on the witness stand in front of committees where I had the opportunity to cross-examine them and they could not deny that it was a practice conceived in error and dedicated to fallacy, and now respected only because of its having been repeatedly perpetrated by them; because there is no more authorization in the law that I can find to charge interest to the power users from Corps of Engineers propects than there is to charge interest to landowners who use irrigation benefits from a Department of the Interior project. So when we seek to avoid the added cost of the separable-costs-remaining-benefits principle we are not trying to gain some new advantage, but we are trying to avoid a further disadvantage. That is the reason why the words "incremental costs" are in there, because on the basis of their own interpretation that means that the power users shall be required to reimburse the Federal Government for the cost of the power facilities only; and on the basis of their operation it will still be, and in this project it is contemplated to be, subject to the requirement to pay interest, which you and your branch of the Congress have never seen fit to validate by putting into any law. Then it would apply the same principle to the water user. He would pay the cost of that part of the reservoir used to store the water that he was to purchase, plus interest, over a period of 50 years, after which he would continue to pay it because it would continue to belong to the Federal Government.

Now, we put a provision in here to make it possible to provide storage space for water and to up the value of that added element we regard it as an item in figuring the cost-benefit ratio of a project. We put it into a project in a bill in the Senate last year and it was approved by the Bureau of the Budget almost in the form that we wrote it. It was approved by the Corps of Engineers and it was approved by the Department of the Interior and the Public Health Service.

I want to say to you gentlemen that in my judgment it is one of the most constructive things that have been added or included in a legislative bill that I know of. It came to you and you made some substantial changes in it. In conference we worked it out and we included it in our bill this year, Mr. Chairman, in the exact language that we approved of it in the conference last year as I remember it, and as it was approved by both Houses of the Congress last year, in form not greatly different—not greatly different from that approved by the departments of the executive branch of the Government.

Now we seek the favorable action of this committee on this project. It was unanimously approved by our Senate committee. In addition to the great justification that we believe there is for it I say to you again that in our action on your bill last year we honored it in its entirety. When this committee, representing this House of the Congress, brings to the Senate a bill of authorization in which are projects that you have studied and approved I want to tell you that you can count on the fingers of one hand in your future legislative career in my judgment the number that the Senate committee will delete from the bill.

I want to express my appreciation for your very gracious attention and this opportunity again, after an 11-year absence, to come before this committee and express myself on a matter which is of such profound importance to Oklahoma, Arkansas, Texas, and Louisiana. If there are any questions, Mr. Chairman, I will either try to answer them or I will adroitly evade them, or I will ask my source of information and knowledge here on my left hand to supply it in order that I might give it to you.

Mr. DAVIS. A magnificent presentation, Senator.

DEPRECIATION OF UNITED STATES GOVERNMENT BONDS

Mr. GORE. Mr. President, I regretfully invite the attention of the Senate to the fact that bonds of the United States Government reached new all-time lows yesterday. Twenty-one issues of United States bonds sank to new levels. This represented a loss in value to the bondholders on yesterday alone of $176,347,964. Under deliberate policies of the administration to push corporate profits and interest rates upward, one consequence is that the value of outstanding Government bonds goes down.

The consequences are more far reaching than this, however. They reach into every home, every factory, and onto every farm in the land. I call this disastrous trend to the attention of the Senate, and regret that it is necessary almost daily to point to new lows to which the bonds of our country are sinking.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. GORE. I yield to my colleague.

Mr. KEFAUVER. I should like to ask the Senator if our financial condition would not be better and if we would not have more money with which to meet the obligations of the Government if the granting of rapid tax amortization certificates to electric power companies, which have a guaranteed income, and which do not need any inducement in the way of subsidies to build facilities, were stopped by the administration, so that the utilities would pay the taxes they expected to pay when they secured their licenses from the Federal Power Commission.

Mr. GORE. The Secretary of the Treasury has testified before the Committee on Finance that the rapid amortization certificates represent a cost to the United States Treasury of some three billion dollars.

Mr. KEFAUVER. That is only up to 1956. Many more billions of dollars would have to be considered if the 50-year life of the facility were considered.

Mr. GORE. I have not calculated that loss. I have only cited the testimony of the Secretary of the Treasury.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. BENNETT. Mr. President, we have now had the daily message of gloom from our good friend, the Senator from Tennessee. I should like to address myself to the message given us yesterday by our colleague from Oklahoma [Mr. KERR]. He said, among other things, that the Government sends these bonds "into a jungle of financial maneuvering and speculation, saying they will neither own them nor respect them nor recognize them nor give them any value after the day they are born."

At that time I said I should like to recite a little history. The process of allowing Government bonds to operate in a free market was the program of every Secretary of the Treasury from Alexander Hamilton to Henry Morgenthau.

It was not until 1941, and for a period of a little less than 10 years thereafter, that the Federal Government, under a price-pegging arrangement with the Federal Reserve Board, guaranteed that the price of Government bonds would always be held at par or higher.

The arrangement under which the price was pegged was entered into between Henry Morgenthau and Marriner S. Eccles, the then head of the Federal Reserve Board. It was dissolved by Thomas McCabe and John Snyder in 1951, after a very difficult period when the Federal Reserve Board attempted to regain its independence.

Members of the Senate and of the House participated in that memorable situation in which the Federal Reserve Board regained its independence. It was done with the blessings of President Truman.

My colleague yesterday said something about there being almost a conspiracy which had created this situtlon. I thought that today I would like to give this bit of history to identify the conspirators, and to show that all the present Secretary of the Treasury has done, and all the present head of the Federal Reserve Board has done, has been to continue to operate under that traditional arrangement. I should like to make another observation, Mr. President.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BENNETT. I am sorry I cannot yield, because I do not have the time available. I am limited to 3 minutes.

My friend from Tennessee has suggested the amount by which all Government bonds shrank in book value or paper value. It is interesting to me to observe that only approximately $17 billion worth of marketable bonds are held by private ownership, in addition to the approximately $50 billion worth of bonds in the E and H category, which

are always redeemable in accordance with the schedule printed on their face.

Therefore, I do not believe that the effect of this decline reaches into every home in the United States.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. MAGNUSON. Mr. President, I shall go into this subject matter a little later, but inasmuch as this discussion has developed on the floor, and reference has been made to a conspiracy, I should like to point out where the conspiracy is. There has just been completed in my State, by the Director of the Department of Agriculture, a survey of the interest farmers must pay on money they borrow in order to produce their crops under the present fiscal system of our country. The survey shows that they are paying from 6½ to 7 percent on their borrowed money.

The business administration department conducted the same kind of survey with respect to small business, and they found that small business is paying from 7½ to 8 percent for money. Home builders were shown by the same survey to be paying from 6 to 8 percent for money, when the discounts on the mortgages are considered.

Mr. GORE. That is an illustration of the practical effect of the policy pursued by the present administration.

Mr. MAGNUSON. Yes.

Mr. GORE. It was to such facts that I was referring when I said the consequences of the policy reach into every home and into every business and onto every farm in the United States.

Mr. MAGNUSON. That is certainly shown by the surveys which were conducted in the State of Washington.

Mr. GORE. I wonder whether the Senator from Washington has comparable figures for 4 years ago.

Mr. MAGNUSON. I shall try to get them. If I can, I shall be glad to put them in the RECORD.

MADE IN ST. PAUL WEEK

Mr. HUMPHREY. Mr. President, next week, in St. Paul, Minn., there will take place a significant event which speaks well for the spirit of all American industry today. It is an event designed to focus attention on the 250 manufacturers who produce their goods and services in the bustling, friendly city of St. Paul. Under the sponsorship of the Emporium Department Store, one of Minnesota's great retailers, these manufacturers will show their "togetherness" during a cooperative showcasing of their products known as Made in St. Paul Week.

It is worth noting that the diversity and the vitality of industry in this one city extends from food to Univac—from fashions to railroads and from calendars to Scotch tape. Working under the encompassing theme of a world of "togetherness," in people and industries, this group of industries is demonstrating how modern business, large and small, can benefit worker, management, stockholder, community, and Nation.

It is perhaps most interesting of all to realize that this entire idea was inspired by the word "togetherness"—the concept made famous by McCall's magazine. "Togetherness"—the interdependence of families, of States, of all the other varying forces which comprise our Nation—is a timely theme for this Fourth of July, for America was founded in a spirit of independence. But it is really interdependence—the underlying drive toward cooperation and "togetherness"—which keeps us strong. Whether it is made in St. Paul, or anywhere else in Minnesota or the rest of the United States, unity of purpose will lead to progress.

IDAHO POWER CO. AMORTIZATION CERTIFICATE

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement, a table of figures, and an explanatory statement of the table, all of which were prepared by Mr. Jacob Friedman, on the net result of the amortization certificate given the Idaho Power Co.

There being no objection, the statements and table were ordered to be printed in the RECORD, as follows:

IDAHO POWER CO.: DISCUSSION OF NECESSITY CERTIFICATE COVERING BROWNLEE DAM—ESTIMATED COST OF $67,138,000—CERTIFIED AT 65 PERCENT—ESTIMATED LIFE OF 50 YEARS

The attached schedule readily points out the joint advantages to both private industry and the Government under Necessity Certificates on the assumption that the company will be able to invest profitably its depreciation tax benefits at 6 percent annually for 50 years, the corporate tax rate will remain at 52 percent, a profitable operation will continue and the Government can borrow money at 3 percent.

The following conditions prevail relative to the certificate covering the cost of the proposed power developments at Brownlee by the Idaho Power Co. under the above assumptions:

(a) At the end of each of the first 5 years following completion of the facility, the Government wil borrow money at 3 percent to offset depreciation tax losses (or company depreciation tax benefits), which are in effect interest-free loans to the company.

(b) At the end of each of the last 45 years, the company depreciation tax loss (or Government tax gain) because of less than normal depreciation allowable, represents a repayment without interest to decrease the remaining balance of the interest-free loans. At the end of 50 years, such loans will be fully paid as the company depreciation tax benefits will equal Government depreciation tax gains.

(c) At the end of each year after the first, the Government receives income taxes equal to the company's profit rate of 6 percent multiplied by 52 percent or 3.12 percent of its cumulative depreciation tax benefits compounded annually at 2.88 percent (6 percent-52 percent x 6 percent), the company's net return after taxes on its investment at 6 percent. Moreover, while the loans (depreciation tax benefits) received by the company at the end of each of the first 5 years are interest-free, the Government realizes as income taxes a return of 3.12 percent on the basis of the current value of loans that have compounded at 2.88 percent annually rather than on the basis of the current value of interest-free loans.

(d) The net Government tax loss at the end of each of the first 5 years is equal to the company depreciation tax benefits less the excess of income taxes received in (c) above over the interest expense necessitated by Government borrowing at 3 percent.

(e) Each net Government tax gain from the end of the 6th year to the end of the 26th year is equal to the company depreciation tax loss plus the excess of income taxes received in (c) above over the interest expense necessitated by Government borrowing at 3 percent.

(f) Each net Government tax gain from the end of the 27th to 50th year is equal to the sum of the company depreciation tax loss, the gain from income taxes received in (c) above, and the interest at 3 percent on the cumulative net Government tax gain accrued to date that reduces Government borrowing to the extent of such net tax gain as it would not have existed in the absence of a certificate. During this period the net Government gains accelerate.

The company's benefits result from investing its cumulative depreciation tax benefits at a profit of 6 percent and compounding them annually at 2.88 percent (6 percent minus 52 percent times 6 percent) after payment of income taxes. Specifically, the gain to the Idaho Power Co. through the certification of the Brownlee Dam at the end of 50 years following construction is the interest of $25,756,000 that would have otherwise accrued without the benefit of the certificate as a net interest expense after deducting for income-tax purposes 52 percent of total interest annually due on loans equal to the depreciation tax benefits with the certificate at the end of each of the first 5 years. The value of such a gain at the completion of the construction project is $6,229,000, the amount of money invested at an annual profit rate of 6 percent, of which 3.12 percent (52 percent times 6 percent) of the profits will be returned to the Government as Federal income taxes and the remainder of 2.88 percent of the profits will be compounded, that will accrue to $25,756,000 at the end of 50 years.

The gain to the Government through the certification of the Brownlee Dam at the end of 50 years following construction is $30,407,000. This is due to an annual 3.12 percent return as income taxes on the investment of cumulative company depreciation tax benefits compounded annually at 2.88 percent and the excess of the annual savings of interest at 3 percent on the cumulative net Government tax gains after the end of the 26th year that the Government would have had to pay in the absence of a certificate over the annual interest at 3 percent on the cumulative net Government tax losses existing to the end of the 26th year that the Government had to pay because of the certificate. The value of such a gain at the completion of the construction project is $5,936,000, the amount of money invested at an interest rate of 3 percent compounded annually for 50 years that will accrue to $30,407,000.

The company's benefits are overstated as taxes other than Federal income due to the annual profitable investment of the company depreciation tax benefits have not been taken into consideration. This factor would also slightly offset the net Government gain. On the other hand, the net Government gain is understated as taxes due to the interest income of those individuals or organizations that loaned money at 3 percent to the Government are not taken into account.

The receipt of a necessity certificate is to no avail unless the certified facilities are utilized in a profitable manner. Accordingly, the necessity certificate program has encouraged the incentive and initiative of private industry to undertake a successful operation, which has made the United States the mightiest Nation. The additional plants with their complement of modern equipment, many of which would never have been built under normal conditions and others not built at the time needed by the Government, have provided necessary mobilization capacity, gainful employment, and have

generated considerable tax revenue in addition to the Government gains discussed above. In this particular case, an electric power development will attract many industries, which in turn will generate much additional tax revenue in behalf of the Government.

The above discussion points out that, if a necessity certificate should not have been granted to Idaho Power Co., it is not because of any cost to the Government.

JACOB FRIEDMAN,
Business and Engineering Consultant, Washington, D. C.

EXPLANATION OF CALCULATIONS

Column 1: This shows the end of the years following construction of the plant.

Column 2: This shows a schedule of depreciation by the sum-of-digits method normally allowable; 50/1,275×$67,138 or $2,633; 49/1,275×$67,138 or $2,580; etc.

Column 3: This shows the sum of accelerated depreciation for first 5 years, $67,138×65 percent×½ or $8,728, and normal depreciation allowable by sum-of-digits method, $67,138×35 percent×50/1,275 or $921, $67,138×35 percent×49/1,275 or $903, etc. For example, $8,728 plus $921 or $9,649 and $8,728 plus $903 or $9,631 are the entries on the first 2 lines. Only the normal depreciation is applicable after the first 5 years.

Column 4: On lines 1 through 5, each amount in column 2 is subtracted from corresponding amount in column 3. On lines 6 through 50, each amount in column 3 is subtracted from corresponding amount in column 2.

Column 5: Tax rate of 52 percent is multiplied by each corresponding amount in column 4.

Column 6: Each entry is the corresponding cumulative total of column 5. For lines 1 through 5, it is the entry in immediate line above plus entry on same line in column 5. For example, line 3 shows $11,000, which is $7,315 plus $3,685. For lines 6 through 50, it is the entry in immediate line above less entry on same line in column 5. For example, line 6 shows $17,621, which is $18,422 less $801. The last entry in the column is zero. This shows that the entire tax saving to the company through the necessity certificate in the first 5 years is recovered by the Government over the normal depreciation period.

Column 7: Multiply company tax benefits due to investment of depreciation benefits cumulated in immediate prior year (column 10) by 6 percent. For example, in the 8th year, $19,042×6 percent results in entry of $1,143.

Column 8: Tax rate of 52 percent is multiplied by each corresponding amount in column 7.

Column 9: Each amount in column 8 is subtracted from corresponding amount in column 7. This shows the investment return to the company after Federal taxes. Thus, the Government benefits more from the investment than the company. This return to the company does not take into account State taxes.

Column 10: Each entry is the corresponding cumulative total of columns 5 and 9 and is determined as follows:

(a) For the first 5 years, it is the entry on immediate line above plus entries on same line in columns 5 and 9. For example, in the 3d year, $7,420 plus $3,685 and $214 results in entry of $11,319.

(b) For the last 45 years, it is the entry on immediate line above plus entry on same line in column 9 less entry on same line in column 5. For example, in the eighth year, $19,042 plus $549 less $765 results in entry of $18,826.

Column 11: Multiply the cumulative total of the net Government loss or gain in immediate prior year as shown in column 13 by 3 percent, the rate at which the Government must borrow to compensate for loss of revenue or the rate at which the Government gains so that such borrowing is not necessary. For example, in the third year, the cumulative Government loss of $7,310 in second year is multiplied by 3 percent to obtain entry of $219. In the 30th year, the cumulative Government gain of $3,412 in 29th year is multiplied by 3 percent to obtain entry of $102.

Column 12: The net Government current loss or gain is determined as follows:

(a) On lines 1 through 5, subtract Government gain entered in column 8 from sum of Government losses entered in columns 5 and 11. For example, on line 4, subtract $353 from the sum of $3,702 and $329, which results in entry of $3,678.

(b) On lines 6 through 26, subtract Government loss entered in column 11 from sum of Government gains entered in columns 5 and 8. For example, on line 24, subtract $73 from sum of $481 and $536, which results in entry of $944.

(c) On lines 27 through 50, add entries in columns 5, 8, and 11. For example, on line 39, add $214, $669, and $400, which results in entry of $1,223.

Column 13: Each entry is the corresponding cumulative total of column 12 and is determined as follows:

(a) For lines 1 through 25, it is the entry on immediate line above less entry on same line in column 12. For example, on line 22, $4,285 less $923 results in entry of $3,362.

(b) For line 26, it is the entry on same line in column 12 less the entry on immediate line above, as $966 less $531 results in entry of $435.

(c) For lines 27 th ough 50, it is the entry on immediate line above, plus entry on same line in column 12. For example, on line 38, $12,140 plus $1,195 results in entry of $13,335.

JACOB FRIEDMAN,
Business and Engineering Consultant, Washington, D. C.

Idaho Power Co.: Schedule of tax benefits from necessity certificate covering Brownlee Dam

[In thousands]

Estimated cost of $67,138,000; certified at 65 percent; estimated life of 50 years

End of year	Allowable depreciation		Depreciation benefit (loss)	Company depreciation tax benefit (loss), or Government depreciation tax loss (gain)		Gain on investment of depreciation tax benefit at 6 percent			Cumulative company tax benefits due to investment	Cumulative net Government tax (loss) or gain at 3 percent	Net Government tax (loss) or gain	
	Normal (sum of digits)	Accelerated plus normal		Current	Cumulative	Before Federal income tax	Federal income taxes	After Federal income taxes			Current	Cumulative
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1	$2,633	$9,649	$7,016	$3,648	$3,648				$3,648		($3,648)	($3,648)
2	2,580	9,631	7,051	3,667	7,315	$219	$114	$105	7,420	($109)	(3,662)	(7,310)
3	2,527	9,613	7,086	3,685	11,000	445	231	214	11,319	(219)	(3,673)	(10,983)
4	2,475	9,594	7,119	3,702	14,702	679	353	326	15,347	(329)	(3,678)	(14,661)
5	2,422	9,576	7,154	3,720	18,422	921	479	442	19,509	(440)	(3,681)	(18,342)
6	2,370	829	(1,541)	(801)	17,621	1,171	609	562	19,270	(550)	860	(17,482)
7	2,317	811	(1,506)	(783)	16,838	1,156	601	555	19,042	(524)	860	(16,622)
8	2,264	792	(1,472)	(765)	16,073	1,143	594	549	18,826	(496)	860	(15,762)
9	2,211	774	(1,437)	(747)	15,326	1,130	588	542	18,621	(473)	862	(14,900)
10	2,159	756	(1,403)	(730)	14,596	1,117	581	536	18,427	(447)	864	(14,036)
11	2,106	737	(1,369)	(712)	13,884	1,106	575	531	18,246	(421)	866	(13,170)
12	2,054	719	(1,335)	(694)	13,190	1,095	569	526	18,078	(395)	868	(12,302)
13	2,001	700	(1,301)	(677)	12,513	1,085	564	521	17,922	(369)	872	(11,430)
14	1,948	682	(1,266)	(658)	11,855	1,075	559	516	17,780	(344)	874	(10,556)
15	1,896	664	(1,232)	(641)	11,214	1,067	555	512	17,651	(317)	879	(9,677)
16	1,843	645	(1,198)	(623)	10,591	1,059	551	508	17,536	(290)	884	(8,793)
17	1,790	627	(1,163)	(605)	9,986	1,052	547	505	17,436	(294)	888	(7,905)
18	1,738	608	(1,130)	(588)	9,398	1,046	544	502	17,350	(267)	895	(7,010)
19	1,685	590	(1,095)	(570)	8,828	1,041	541	500	17,280	(210)	901	(6,109)
20	1,632	571	(1,061)	(552)	8,276	1,037	539	498	17,226	(183)	908	(5,201)
21	1,580	553	(1,027)	(534)	7,742	1,034	538	496	17,188	(156)	916	(4,285)
22	1,527	534	(993)	(516)	7,226	1,031	536	495	17,167	(129)	923	(3,362)
23	1,474	516	(958)	(498)	6,728	1,030	535	494	17,163	(101)	933	(2,429)
24	1,421	498	(925)	(481)	6,247	1,030	536	494	17,176	(73)	944	(1,485)
25	1,369	479	(890)	(463)	5,784	1,031	536	495	17,208	(45)	951	(534)
26	1,316	461	(855)	(445)	5,339	1,032	537	495	17,258	(16)	966	435
27	1,264	442	(822)	(428)	4,911	1,035	538	497	17,327	13	979	1,414
28	1,211	424	(787)	(409)	4,502	1,040	541	499	17,417	42	992	2,406
29	1,158	405	(752)	(391)	4,111	1,045	543	502	17,528	72	1,006	3,412
30	1,106	387	(719)	(374)	3,737	1,052	547	505	17,659	102	1,023	4,435
31	1,053	369	(684)	(356)	3,381	1,060	551	509	17,812	133	1,040	5,475
32	1,000	350	(650)	(338)	3,043	1,069	556	513	17,987	164	1,058	6,533
33	948	332	(616)	(320)	2,723	1,079	561	518	18,185	196	1,077	7,610
34	895	313	(582)	(303)	2,420	1,091	567	524	18,406	228	1,088	8,698
35	843	295	(548)	(285)	2,135	1,104	574	530	18,651	261	1,120	9,828

Idaho Power Co.: Schedule of tax benefits from necessity certificate covering Brownlee Dam—Continued

End of year	Allowable depreciation		Depreciation benefit (loss)	Company depreciation tax benefit (loss) or Government depreciation tax loss (gain)		Gain on investment of depreciation tax benefit at 6 percent			Cumulative company tax benefits due to investment	Cumulative net Government tax (loss) or gain at 3 percent	Net Government tax (loss) or gain	
	Normal (sum of digits)	Accelerated plus normal		Current	Cumulative	Before Federal income tax	Federal income taxes	After Federal income taxes			Current	Cumulative
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
36	$790	$276	$(514)	$(267)	$1,868	$1,119	$582	$537	$18,921	$295	$1,144	$10,972
37	737	258	(479)	(249)	1,619	1,135	590	545	19,217	329	1,168	12,140
38	685	240	(445)	(231)	1,388	1,153	600	553	19,539	364	1,195	13,335
39	632	221	(411)	(214)	1,174	1,172	609	563	19,888	400	1,223	14,558
40	579	203	(376)	(195)	979	1,193	620	573	20,266	437	1,252	15,810
41	527	184	(343)	(178)	801	1,216	632	584	20,672	474	1,284	17,094
42	474	166	(308)	(160)	641	1,240	645	595	21,107	513	1,318	18,412
43	421	147	(274)	(142)	499	1,266	658	608	21,573	552	1,352	19,764
44	369	129	(240)	(125)	374	1,294	673	621	22,069	593	1,391	21,155
45	316	111	(205)	(107)	267	1,324	688	636	22,598	635	1,430	22,585
46	263	92	(171)	(89)	178	1,356	705	651	23,160	678	1,472	24,057
47	211	74	(137)	(71)	107	1,390	723	667	23,756	722	1,516	25,573
48	158	55	(103)	(54)	53	1,425	741	684	24,386	767	1,562	27,135
49	105	37	(68)	(35)	18	1,463	761	702	25,053	814	1,610	28,745
50	53	18	(35)	(18)	0	1,503	782	721	[1] 25,756	862	1,662	[2] 30,407
1,275	67,138	67,138	0	0								

[1] The value of $25,756,000 at the completion of the construction project is $6,229,000, the amount of money invested at an annual profit rate of 6 percent, of which 3.12 percent (52 percent×6 percent) of the profits will be returned to the Government as Federal income taxes and the remainder of 2.88 percent of the profits will be compounded, that will accrue to such an amount at the end of 50 years.

[2] The value of $30,407,000 at the completion of the construction project is $6,936,000, the amount of money invested at an interest rate of 3 percent compounded annually for 50 years that will accrue to such an amount.

The PRESIDING OFFICER. Is there further morning business?

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Morton
Allott	Gore	Mundt
Anderson	Green	Murray
Barrett	Hayden	Neely
Beall	Hennings	Neuberger
Bennett	Hickenlooper	O'Mahoney
Bible	Hill	Pastore
Bricker	Holland	Payne
Bush	Hruska	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Revercomb
Capehart	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Chavez	Kefauver	Smathers
Church	Kennedy	Smith, Maine
Clark	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ellender	Martin, Iowa	Wiley
Ervin	Martin, Pa.	Williams
Flanders	McClellan	Yarborough
Frear	McNamara	Young
Fulbright	Morse	

Mr. MANSFIELD. I announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The PRESIDING OFFICER. A quorum is present.

APPOINTMENT OF COMMITTEE TO ESCORT PRIME MINISTER OF JAPAN TO THE SENATE CHAMBER

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Chair may appoint a committee to escort the Prime Minister of Japan into the Senate Chamber at 12:30 p. m.

The PRESIDING OFFICER (Mr. ALLOTT in the chair). Without objection, it is so ordered. The Chair appoints the majority leader, the Senator from Texas [Mr. JOHNSON]; the minority leader, the Senator from California [Mr. KNOWLAND]; the ranking majority member of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT]; the ranking minority member of the Committee on Foreign Relations, the Senator from Wisconsin [Mr. WILEY]; and the President pro tempore of the Senate, the Senator from Arizona [Mr. HAYDEN].

ONE HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF FIRST PUBLIC SINGING OF "AMERICA"

Mr. SALTONSTALL. Mr. President, after consulting with both the acting majority leader and the acting minority leader, I ask unanimous consent that the Chair lay before the Senate, House Concurrent Resolution 196, which has just come over from the House. The concurrent resolution commemorates the 125th anniversary of the first public singing of the inspiring patriotic hymn America. I also ask unanimous consent that the Senate proceed to the consideration of the resolution.

The PRESIDING OFFICER. The Chair lays before the Senate, House Concurrent Resolution 196, which will be stated by title for the information of the Senate.

The CHIEF CLERK. A concurrent resolution (H. Con. Res. 196) to commemorate, on the 4th day of July 1957, the 125th anniversary of the first public singing of the inspiring patriotic hymn America, by a chorus of children in the Park Street Church, Boston, Mass., beside historic Boston Common.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SALTONSTALL. Mr President, I had prepared, and it was my intention to submit today, a concurrent resolution identical with the one which has just been laid before the Senate

Under the parliamentary practice of the Senate, however, the most expeditious way to bring the two Houses together and complete action on the matter is for the Senate to agree to the House concurrent resolution, and not consider the resolution I had proposed to submit.

I therefore move that the Senate agree to the concurrent resolution.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to.

The preamble was agreed to.

The concurrent resolution (H. Con. Res. 196), as agreed to, is as follows:

Resolved by the House of Representatives (the Senate concurring):

Whereas the 4th day of July 1957 marks the 125th anniversary of the first public singing of the inspiring patriotic hymn "America", by a chorus of children in the Park Street Church, Boston, Mass., beside historic Boston Common;

Whereas the hymn "America" was written by the Reverend Samuel Francis Smith in the town of Andover, Mass., February 1832; and

Whereas it is the sense of the Congress that this anniversary should be given due recognition because this hymn has touched the life of the Nation through the countless voices which have joined in singing "My Country 'tis of Thee"; Therefore be it

Resolved, That this 125th anniversary of the first public singing of "America" be commended to all citizens for appropriate recognition during the week of June 30th through July 6, 1957, the "125th Anniversary of 'America' Week".

HELLS CANYON DAM

Mr. WATKINS. Mr. President, considerable water has gone past the Hells Canyon damsite since this proposal was

debated on the Senate floor about a year ago.

And considerable argumentation has poured forth from advocates on both sides of the issue, here on the floor and elsewhere during that same period.

However, after all the talking and the shouting is done, the fundamental issues on this legislation remain essentially as they were a year ago when the Senate voted against the proposition by a comfortable majority. In fact, in view of the present determination of the Congress to reduce unnecessary Federal spending, the odds appear to be more heavily weighted against S. 555 this year than they were against S. 1333 last year.

In view of the fact that the basic case against approval of this legislation was made last year, we of the opposition are content to stand upon the case made at that time. But we believe that the proponents of this measure are determined to rehash and rehash their rehashed arguments—and introduce some dazzling new diversions—so we of the opposition are prepared to answer them in kind, and to fight it out on this line if it takes all summer, if I may borrow a literary allusion without unduly alarming my colleagues who feel that we should be able to dispose of this measure in a few days.

These introductory remarks will be brief, however.

I merely wish to direct the attention of the Senate to some of the highlights of the case against the high dam. Details of these arguments are contained in the minority views expressed in Senate Report 324 on this measure. And supplementary material will be offered by my colleagues during the debate.

These, then, are the basic objections to approval of S. 555:

First. Authorization of this measure would represent a billion-dollar mistake that we cannot afford to make at this time.

In case some of my colleagues have not been listening closely, I said "a billion-dollar mistake."

If we authorize this measure, we commit the Federal Government to spend more than a half-billion dollars to accomplish little more physically than the partially completed privately financed project can do. In addition, we would subject the Federal Government to a possible additional loss of many additional millions of dollars which would have to be paid in indemnities to Idaho Power Co. for forcing them to abandon construction of a lawfully licensed Federal Power Commission project. Furthermore, the authorization of the high Fedeal dam would kill a private power development that would return $282 million to the Federal Treasury and another $200 million to State and local taxing units in Idaho and Oregon during the next 50 years. Does such action make good sense in these times when we are trying to reduce unnecessary Federal spending? Of course not.

Second. The approval of S. 555 would tend to dry up non-Federal participation in developing needed electric energy generation. Secretary Seaton has estimated that a total investment of $94 billion is needed to produce additional electric power during the next 20 years. This tremendous need—on top of the need for additional billions to develop our water resources—underscores the importance of contributing to a partnership effort of all Federal, State, and local governments and private enterprise in meeting our overwhelming needs for new sources of energy.

While I am speaking of this particular objection, I point out that to develop properly the Columbia River Basin and its tributaries it is estimated that an additional amount of at least $6 billion will be required.

I point out also that up to the present time the States of Washington and Oregon have received approximately one-fifth of the total amount of reclamation money spent for the whole United States, and that they have received approximately one-seventh of all the flood-control money which has been appropriated for use throughout the whole United States.

Third. Enactment of Senate bill would upset a unanimous decision of the Congress' own bipartisan power-regulatory agency, the Federal Power Commission, an agency created during the Wilson administration, and expanded during the Franklin D. Roosevelt administration, after the groundwork was laid for the program during President Theodore Roosevelt's administration. The deliberations of the Federal Power Commission on the Hells Canyon decision were the most extensive in the agency's history—extending over 2 years, and amassing 20,000 pages of testimony in 150 hearings days.

The PRESIDING OFFICER (Mr. ALLOTT in the chair). The Chair must remind the Senator from Utah that the Senate is still proceeding in the morning hour. The Senator from Utah has exceeded the 3-minute limitation.

Mr. JOHNSON of Texas. Mr. President, if no other Senators desire to speak during the morning hour, I ask unanimous consent that the unfinished business, the Hells Canyon Dam bill, be laid before the Senate.

The PRESIDING OFFICER. Without objection, that will be done.

The Chair now lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 555) to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes.

Mr. WATKINS. Mr. President, let me explain that I was trying to take advantage of the time which I thought otherwise would be wasted. I was not attempting to violate the rule.

Mr. JOHNSON of Texas. Mr. President, I appreciate the cooperation of the Senator from Utah. He never violates the rules.

The PRESIDING OFFICER. The Chair must state that in this instance, the violation was due to the negligence of the Chair.

Mr. WATKINS. Fourth, Mr. President, Senate bill 555 violates the precedent of congressional respect for States rights in water-resources legislation affecting the semiarid West. The State of Idaho feels that its future water rights are threatened by this proposal, and the downstream beneficiaries of this proposal have not agreed to an interstate compact to protect upstream rights. During my time in the Congress—approximately 10 years—I do not know of any other comparable proposed legislation which has been passed over the protest of a State which supplies the bulk of the water resource involved.

Mr. President, at this time let me point out that there is now before the Congress a bill to ratify a tristate compact between the States of Idaho, Utah, and Wyoming. It allocates the waters of the Bear River, which runs through all three of those States. The waters of the Colorado River have been allocated by compacts, beginning with one for the entire river, in 1922; and later the upper-basin States entered into a compact to allocate the waters of the upper division of the Colorado River among the States entitled to the water there. All that was done before serious consideration could be given to proposed legislation affecting the water of this entire river system. The Boulder Canyon Dam, or the Hoover Dam, and powerplant and related construction could not be proceeded with until a compact had been entered into; and the same was true of the upper division of the Colorado River. No legislation authorizing the full development of the upper-basin area could be enacted until the entering into of a compact which was ratified and approved not only by the States concerned, but also by the Congress. That has been the custom, and it should be the rule now.

Mr. BARRETT. Mr. President, will the Senator from Utah yield to me?

Mr. WATKINS. Mr. President, I have only a few minutes. At the end of my remarks, if time remains before the taking of the recess, I shall be glad to yield.

Fifth. Power shortages are impending in the Pacific Northwest. In spite of this fact, and in spite of the fact that the two Idaho Power dams under construction can furnish a peaking supply of 464,000 kilowatts and a continuing supply of 288,000 kilowatts of power for the Northwest power pool during the entire winter shortage period, beginning in 1958, the proponents of the high Federal dam would have the work on those two dams stopped. This enforced shutdown of the partially finished project would delay delivery of needed power for the Northwest from that section of the Snake River at least until 1964.

Sixth. In spite of the fact that this bill is offered as a reclamation measure, S. 555 does not contribute a drop of water for irrigation, municipal, or industrial use in Idaho or elsewhere in the semiarid West.

Seventh. Based on expected average power production at the dam site, the three-dam project is eminently justifiable economically, and the additional generation at a high dam is but a small fraction of basin requirements. Furthermore, additional power and flood-control storage could be created at two sites already explored below the three-dam project area.

Eighth. Proponents of the high dam have offered no adequate estimate of the expected liability the Federal Government would assume if the Congress halts construction on the lawfully licensed three-dam project. Furthermore, they have not shown what effect these tremendous potential costs could have on the findings of financial feasibility for this project. It is significant that the licensing procedures of the Federal Power Commission in the Hells Canyon decision have now been upheld twice by the United States Court of Appeals and twice by the United States Supreme Court.

Ninth. The high dam would help relieve only 5 percent of the average flood-control problem on the Columbia River, and only 9 percent of the record flood volume. The three-dam project, and the low Pleasant Valley dam under consideration, would solve 70 percent of this problem, at no expense to the Federal Government; and it is expected that other upstream storage would handle the remainder of the flood-control problem on this tributary, the Snake River. The high dam would do nothing to solve the flood-control problem on other, heavier flooding tributaries, which produce the real flood-control problem on the Columbia.

Tenth. Section 4 of Senate bill 555 provides for establishment of a Snake River project account, but does not specify how the account would operate. This omission has been noted in agency reports, but no corrective action has been taken.

Eleventh. Power from high Hells Canyon Dam that will cost 4 mills to generate and transmit will be sold for an average of 2.1 mills to industries, private utilities, and other prospective large-volume users of that power in the Pacific Northwest, if present Bonneville power rates are continued. I understand that the program is that they shall be continued.

Twelfth. Oregon and Washington, one-twenty-fourth of the 48 States, have received roughly one-seventh of the flood-control and navigation-construction funds, and one-fifth of the reclamation-construction funds appropriated for all the States. Enactment of this measure would entitle these two greatly favored States to an increased appropriation—above existing appropriations—of roughly $100 million a year for the next 6 years.

Thirteenth. Revenues from the high dam to support reclamation development in Idaho and eastern Oregon would not be available until at least 2014, and then only upon direct congressional authorization of participating projects. The 50-year license for the Federal Power Commission—licensed 3 dams will expire some 6 years earlier, at which time revenues from this project could be made available for water-resource development upon congressional authorization.

Fourteenth. General reclamation construction funds for the fiscal year 1958, were reduced in the House to $113 million These funds benefit all 17 Western States. If Senate bill 555 is approved, the Congress will be committed to spending an additional $100 million a year for the next 6 years for this single project, primarily to benefit power-users in the States of Washington and Oregon. Roughly 50 percent of the power produced will go to large industrial consumers. And, Mr. President, as I demonstrated last year, most of them will be getting it for less than the site cost of the power.

Fifteenth. By building the three private dams at Hells Canyon, the Idaho Power Co. is making it possible for the Federal Government to avoid spending more than one-half a billion dollars that it does not need to spend for a Federal project. In addition, the Idaho Power Co. is assuming heavy expenses which, under the Federal project, would be paid by all the country's taxpayers, namely: $48 million for flood control, navigation, and recreational allocations of capital costs, and $20 million in Federal operation and maintenance costs over 50 years. In addition, the private project will produce—note these figures carefully, Mr. President—$282 million in Federal tax revenues and $200 million in State-local tax revenues over the 50-year period. In return for these services, and the provisions of an assured supply of 288,000 kilowatts of needed surplus power for the Pacific Northwest power pool, beginning in 1958, the Federal Government granted the Idaho Power Co. a certificate for rapid tax amortization on a part of its new power-generating facilities.

This was not a loan or a reduction in taxes. It represented a deferral of taxes over a period of 5 years—and the period of 5 years begins after the plant has been built and is in operation 1 year—instead of a longer period of depreciation as provided in corporation income-tax laws. Similar concessions have been granted to 912 other electric utilities throughout the country and to more than 22,000 other industries since 1950. In spite of this tax deferral, Idaho Power Co. can still make a justifiable claim that it is constructing its three-dam project without cost to the Federal Government.

Sixteenth. Section 3 (c) of S. 555 directs the Secretary of the Interior to supply and transmit from the McNary Dam, many miles downstream, the necessary construction power for the high Hells Canyon Dam. The Secretary of the Army specifically objected to this requirement because "the purpose of this provision is not clear and might prove undesirable from an economic standpoint." This objection has not been refuted by the proponents of S. 555.

I have outlined in summary some of the principal, basic objections to the proposed legislation, which has been before the Congress 3 times and has been rejected 3 times. It has been before the Federal Communications Commission, where some of the longest hearings in history were held on it and about 20,000 pages of testimony were taken. The decision of the Power Commission was unanimous that the three-dam proposal of the Idaho Power Co. was in the interest of the country and was the best program for the comprehensive development of that river system. That being the case, it seems to me we should be careful, indeed, about approving a project of this kind, which would cost, in new expenditures, some $651 million to construct the dam and transmission facilities, pay interest on the money used for construction, and for all the additional items which would go into the project. In addition, we would give up other benefits of flood control, downstream navigation, and increased production in downstream powerplant, which we would have by reason of the Idaho Power Co. program. Approximately $1 billion is involved in the present pending legislation.

It seems to me that the Idaho Power Co. should go ahead with its plans, now that it has been legally licensed, after full consideration of its proposal by an arm of the Congress itself. It certainly does not seem wise to overrule and set aside the decision of our own agency, which was established by a law passed by Congress.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, the issue of public power versus private power is again before the Senate. Once again the Senate is being asked to authorize the development of our natural resources which would be in the interests of the Nation with multipurpose benefits as opposed to development of a power site in the interests of a private utility with limited benefits.

The enactment of S. 555 is the last chance we have to fully develop one of the few remaining dam sites in the Nation. If we fail to meet this challenge and Congress does not authorize the Federal development of this multipurpose project, the numerous benefits that will be derived from a high dam on the Snake River will go by default.

When the Hells Canyon proposed legislation was defeated in the last session of Congress I felt that the people of the Northwest had been sold down the river and that the last opportunity to save this project had been lost. But in recent months, the turn of events has injected new life and enthusiasm into this effort. We now have one more chance, and it is the last opportunity to save this multipurpose project.

Hells Canyon is on the Snake River, a tributary of the Columbia River. It is the deepest gorge in the continent, falling 7,900 feet below its rim at one spot. It is the finest remaining undeveloped dam site. This site lends itself to a high dam which would produce more power, and at less than half the cost to consumer, and will make great use of the natural resources of the region. The administration's alternative is three small dams in this area of the Snake River already licensed by the Federal Power Commission to the Idaho Power Co.

The Idaho Power Co. has held title to the seldom used small powerplant at the Oxbow site in the middle stretch of the Snake River since 1936. The company gave no evidence of developing that site until 1947, when it filed an application for a preliminary permit with the Federal Power Commission. This filing was made after the first public hearings on a Federal Hells Canyon project had been announced.

Faced with growing popular support for the Hells Canyon project, the Idaho Power Co. in 1950 converted its application for a preliminary permit into an application for a license, and indicated that the Oxbow proposal might be a first step in a larger plan involving five run-of-river dams. The company characterized this 5-dam plan as the most comprehensive plan for development of the middle stretch of the Snake River.

Public support for the Hell's Canyon project continued to grow and the Idaho Power Co. again revised its plan, this time to include one reservoir plant and two run-of-river plants. This 3-dam plan the company has also characterized as the best plan for comprehensive development of that stretch of the river. Only in 1953, 8 years after it filed its original Oxbow application with the Federal Power Commission, and almost 40 years after it has acquired the old Oxbow plant, did the company press for immediate development of the Oxbow site.

On May 15, 1953, the company amended its filing and requested licenses for three dams. From that day forward the Idaho Power Co. has shown considerable impatience, boasting all the time that this would not cost the taxpayers a dime.

It only recently appeared that a reversal of this private development plan was beyond expectation, but the halls of Congress now echo a familiar ring, something akin to the Dixon-Yates deal.

A valuable tax amortization writeoff was very recently granted to the Idaho Power Co.—a company, incidently, incorporated in Augusta, Maine. This tax benefit was granted by the new director of the Office of Defense Mobilization, Mr. Gordon Gray, against the previous recommendations made by the Secretary of the Interior, Mr. Fred A. Seaton.

This action was immediately denounced by the Senate's distinguished chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD] as "utterly indefensible" and "a subsidy."

At this time I feel a brief comment on the matter of subsidies is in order. We still hear so much about subsidies being paid to farmers, but now the Director of ODM turns around and condones a subsidy payment amounting to $329.3 million for the Idaho Power Co. The entire Hells Canyon Dam would cost only $308.5 million.

As I just stated, one of the major reasons advanced for private development at Hells Canyon was that it would not cost the taxpayers; all expenses would be assumed by the company. But under the fast tax writeoff provision, it will cost the taxpayers lost taxes on what amounts to a $30.5 million, 50-year, interest-free loan.

The Secretary of the Treasury, George Humphrey, and the Secretary of the Interior, Fred Seaton, have both opposed this tax writeoff, but Mr. Gray refuses to reconsider the matter.

The Kefauver-O'Mahoney subcommittee have done a very thorough job of studying the circumstances surrounding this unusual grant to a private utility. It is quite apparent that at the very least there has been some very inept handling of the taxpayers' funds.

We have a private utility which considered a short time ago that a special depletion allowance was not good business, but they have now been granted what was originally a wartime financial incentive to build projects that were not useful in a peacetime economy.

The Idaho Power Co. has been granted by ODM a subsidy from the American taxpayers' pocketbook to finance what amounts to a sacrifice of the people's resources for its own gain.

Contrary to private-power spokesmen the construction of a high Hells Canyon project as proposed by the Corps of Engineers and built by the Federal Government will not cost the American taxpayers a cent. It has been proven over and over again that these multiple-purpose projects repay the total Federal investment with interest over a relatively short period of time, and eventually it will provide a profit for the Federal Government.

Hungry Horse Dam in western Montana is a standing example of the benefits of a Federal multipurpose development. Hungry Horse Dam has provided power for an area in short supply, it has expanded the tax base, it has brought in new industry, it provides flood control and irrigation and many recreational benefits and most important, it is at present ahead in its payments. All of these things we can duplicate at Hells Canyon with a high dam but not with three small dams.

A high Hells Canyon Dam and Reservoir will provide flood control through regulation of the Snake River and will protect property against flooding brought on by inadequate upstream storage facilities.

This multipurpose project is an integral part of the development plan of the Columbia River Basin. The farmers and ranchers in the Northwest will benefit because this project will provide the only low-cost power for the production of less expensive phosphate fertilizers from the great phosphate beds of southeast Idaho and Utah, which contain nearly two-thirds of the Nation's phosphate resources.

The completion of a high Hells Canyon will be most beneficial to the economic growth of the Pacific Northwest and will contribute to the national economy and the national defense.

The dam and reservoir provide for an expanded irrigation program in the area and will contribute to the completion of the 500-mile inland navigation on the Columbia and Snake Rivers.

Without the high Hells Canyon Dam and other such projects as Libby and Yellowtail Dams in Montana the Northwest faces severe shortage of hydroelectric power.

By every conceivable test, public power has been a success. It has brought comforts to farmers, jobs to workers, profits for businessmen. Equally important, it is paying for itself.

Under the administration's partnership approach to power development, a large portion of the income, instead of going to the Federal Government, would be preempted by the private power companies. The private power companies do pay taxes, but how does their tax load compare to the lower utility rates and the vast multipurpose benefits which would accrue from the Federal development of Hells Canyon.

Last week the Senate passed a $3.6 billion authorization bill for the foreign aid program. The administration has enthusiastically supported an even larger request, but they maintain their opposition to Federal development in this country. We spend billions abroad in foreign lands developing multipurpose projects such as the proposed TVA project on the Jordan River in the Middle East. "How about a little foreign aid at home?" is a question I hear from so many of my constituents. This line of thinking is stronger now than any year in the past.

Mr. President, it is indeed difficult to justify to these people the administration's financial backing of these large and small projects abroad, regardless of the merit, when the Federal Government refuses to construct Hells Canyon, Yellowtail Dam and similarly authorized projects. It is impossible to justify a multi-million-dollar subsidy to a private utility.

The basic issue before the Senate today is whether a public resource will be duly developed or whether a part of it will be wasted. I have always maintained that Federal development should supersede private development only where such action is in the better interests of the American people.

In other words, Mr. President, there is room for both public and private power in this country, but on a multiple-purpose basis, it is my belief that the Federal Government should undertake the project.

The development of Hells Canyon as a Federal high dam is in the interests of the vast majority of the American people.

The Senate has the facts before it—a high Hells Canyon dam is feasible, it is economical, its benefits are numerous, and the Congress is in a position to correct an intolerable situation.

An affirmative vote on S. 555 is a vote to save one of the Nation's greatest natural resources. A vote against S. 555 is a vote condoning the subsidization of a private utility for personal gain.

Mr. President, I yield the floor; and I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VISIT TO THE SENATE BY HIS EXCELLENCY PRIME MINISTER NOBUSUKE KISHI OF JAPAN

The VICE PRESIDENT. The hour of 12:30 p. m. having arrived, under the previous order the Senate will stand in recess subject to the call of the Chair,

and the committee appointed to escort Prime Minister Kishi into the Chamber will retire to the Vice President's room.

Thereupon, at 12:30 o'clock p. m., the Senate took a recess, subject to the call of the Chair, the recess being under the order previously entered.

During the recess,

His Excellency Prime Minister Nobusuke Kishi of Japan, escorted by the committee, consisting of Mr. JOHNSON of Texas, Mr. KNOWLAND, Mr. FULBRIGHT, Mr. WILEY, and Mr. HAYDEN, and accompanied by His Excellency Koichiri Asakai, Ambassador of Japan to the United States; His Excellency Hirohide Ishida, Chief Cabinet Secretary—rank of Cabinet Minister; Mr. Niro Hoshijima, Supreme Adviser of the Government Party, signatory of the Japanese Peace Treaty, and for 37 years a member of the Japanese Diet; Senator Mrs. Shidzue Kato, represents the Opposition Party, elected with the largest majority in the country, member of the foreign relations committee of the senate; Senator Takeshi Togano, a member of the Opposition Party, formerly on the editorial staff of Asahi, the largest Japanese newspaper, circulation 4,300,000. His wife is a member of the lower house and a member of the foreign affairs committee; Ambassador Wiley Buchanan, Chief of Protocol; Douglas MacArthur II, United States Ambassador to Japan, preceded by the Secretary, Felton M. Johnston, and the Sergeant at Arms, Joseph C. Duke, entered the Chamber.

Prime Minister Kishi and the committee appointed by the Vice President proceeded to the seats assigned them immediately in front of the desk of the Vice President.

The other members of the party were escorted to the seats reserved for them on the floor of the Senate.

Mrs. Yukiko Sohma, daughter of Yukio Ozaki, who gave the cherry trees to Washington; Mr. Takasumi Mitsui; Mr. Ninomiya; and Miss Yomasawa were escorted to the seats reserved for them in the diplomatic gallery.

The Prime Minister was greeted by applause, Senators and their guests rising.

The VICE PRESIDENT. Members of the Senate and guests of the Senate, it is my high honor and privilege to present to you a man who is a courageous leader of his own people and of the free world, and one who is a loyal and great friend of the people of the United States, His Excellency the Prime Minister of Japan, Nobusuke Kishi. [Applause, Senators and their guests rising.]

ADDRESS BY HIS EXCELLENCY PRIME MINISTER NOBUSUKE KISHI OF JAPAN

(The Prime Minister addressed Members of the Senate in Japanese. His address was translated into English by an interpreter, Mr. Toshiro Shimanouchi, first secretary of the Japanese Embassy, as follows:)

I am deeply grateful for your warm reception and cordial welcome. You have accorded me a great honor today—the honor of speaking in this living citadel of democracy.

It has been a thrilling experience for me to drive up Capitol Hill to this time-honored hall. It is an inspiration to me to stand on this rostrum which has witnessed the evolution of the modern democratic process of government, thus providing the pattern for new democracies, including my own country. Today Japan is endeavoring with pride and resolution to consolidate the foundations of a truly democratic government. The whole effort of our nation is dedicated to this task, for we believe in the lofty principles of democracy—in the liberty and dignity of the individual.

It is because of our strong belief in democratic principles and ideals that Japan associates herself with the free nations of the world. We are ranged on the side of liberty, justice, and equality [applause], because there can be no true peace, no true security, no true progress nor true human happiness unless men and nations live by these principles. [Applause.]

In all our free world relations, our association with the United States is to us the most important. [Applause.] We are grateful to your country for the generous aid we have received since the war in restoring our shattered economy. We believe that our friendship, our mutual respect and trust, and our bonds of cooperation must ever be strong, especially in these times when tensions persist in many parts of the world. [Applause.]

International communism is now trying to win over Asia by exploiting the fervent spirit of nationalism of the Asian peoples and by appealing to their impatience to overcome poverty and privation. The Communists are trying to demonstrate that their way is the quicker way to develop underdeveloped economies and to raise living standards.

We firmly believe that they are wrong, and that the democratic method is the only way to serve the welfare and to promote the happiness of mankind. We must prove that we are right. [Applause.]

As the most advanced and industrialized nation in Asia, Japan has already shown that economic and social progress can be achieved without the Communist shortcut. We have already demonstrated that free enterprise serves human happiness and welfare in an honorable way with full respect for the dignity of man. It is my firm conviction that Japan, as a faithful member of the free world, has a useful and constructive role to play, particularly in Asia, where the free world faces the challenge of international communism. We are resolved to play that role. [Applause.]

I have come to this country at this time, in response to an invitation from your President, to have a frank exchange of views with the highest officials of your Government on a wide range of problems of mutual interest and concern as they affect our two countries and as they affect the world. I hope that our discussions, now in progress, will bear good fruit. From our talks there will emerge, I sincerely trust, a strong and enduring partnership that will open the door to a new era of Japanese-American relations.

Let me, in closing, express to you, and through you to the people of America, my high esteem and warm feelings of friendship, and my best wishes for the prosperity and happiness of your great Republic, the United States of America. [Applause, Senators and their guests rising.]

The VICE PRESIDENT. Mr. Prime Minister, I wish to express, on behalf of the Members of the Senate, our appreciation for your eloquent statement, and to extend, through you, to all the people of Japan our very best wishes for the years ahead.

Among the distinguished guests who are accompanying the Prime Minister today are three members of the Japanese Diet. I am sure that the Members of the Senate and our guests in the gallery would like to know them.

Mr. Niro Hoshijima. [Applause.]

Senator Mrs. Shidzue Kato. [Applause.]

Senator Takeshi Togano. [Applause.]

I might say that Senator Kato, according to the information that has been given me about the official party, has the distinction and honor of winning elections by the largest majority any member of the Japanese Senate has ever received. [Applause.]

The Ambassador from Japan to the United States, Koichiro Asakai. [Applause.]

Our Ambassador to Japan, Douglas MacArthur II. [Applause.]

In keeping with the custom of the Senate, Members of the Senate will have an opportunity to meet the Prime Minister and the distinguished visitors accompanying him. The Ambassador from Japan will stand with the Prime Minister in the well of the Senate to receive Senators.

The Senate will continue to stand in recess subject to the call of the Chair.

The Japanese Prime Minister and the Ambassador from Japan stood in front of the rostrum and were greeted individually by the Members of the Senate.

Following the informal reception, the Prime Minister of Japan and the distinguished visitors accompanying him were escorted from the Chamber.

At 1 o'clock and 3 minutes p. m., the Senate reassembled, when called to order by the Presiding Officer (Mr. FREAR in the chair).

LEAVE OF ABSENCE—ANNOUNCEMENT OF PAIR

Mr. CAPEHART. Mr. President, I ask unanimous consent that I may be excused from attendance on the sessions of the Senate until next Tuesday morning.

I wish to announce that I have a pair with the Senator from Oklahoma [Mr. MONRONEY] on the Hells Canyon bill on any votes relating to the reference of H. R. 6127.

The PRESIDING OFFICER. Without objection, leave is granted.

THE CIVIL RIGHTS ACT OF 1957

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum;

It is quite apparent that at the very

going to the Federal Government, would

previous order the Senate will stand in recess subject to the call of the Chair,

have accorded me a great honor today—

I sincerely trust, a strong and enduring

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum;

and let me say that when the presence of a quorum is ascertained, it is expected that the Vice President will lay before the Senate the civil-rights bill. I want all Senators on both sides of the aisle to be notified. Let me say that at this time I see in the Chamber the Senator from Illinois [Mr. DOUGLAS]——

Mr. DOUGLAS. Yes; I am here.

Mr. JOHNSON of Texas. And I also see in the Chamber the Senator from Georgia [Mr. RUSSELL], the Senator from California [Mr. KNOWLAND], and the Senator from Minnesota [Mr. HUMPHREY], as well as a number of other Senators.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Morton
Allott	Gore	Mundt
Anderson	Green	Murray
Barrett	Hayden	Neely
Beall	Hennings	Neuberger
Bennett	Hickenlooper	O'Mahoney
Bible	Hill	Pastore
Bricker	Holland	Payne
Bush	Hruska	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Revercomb
Capehart	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Chavez	Kefauver	Smathers
Church	Kennedy	Smith, Maine
Clark	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ellender	Martin, Iowa	Wiley
Ervin	Martin, Pa.	Williams
Flanders	McClellan	Yarborough
Frear	McNamara	Young
Fulbright	Morse	

The VICE PRESIDENT. A quorum is present.

Under the order previously entered, the Chair lays before the Senate H. R. 6127 for a second reading.

Mr. JOHNSTON of South Carolina. Mr. President, I ask that it be read word by word and line by line, in order that everybody present, not only in the Senate but those outside the Senate, may hear what we are passing upon.

Mr. KNOWLAND. Mr. President——

The VICE PRESIDENT. The Senator from California.

Mr. KNOWLAND. I move that the bill be read by title and that the full text be printed immediately following the title.

Mr. RUSSELL and Mr. JOHNSTON of South Carolina addressed the Chair.

Mr. RUSSELL. Mr. President, a point of order.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California.

The Senator from Georgia will state his point of order.

Mr. RUSSELL. I address a parliamentary inquiry to the Chair. I am not particularly interested in having the bill read, because all the lawyers who have ever lived in Philadelphia would have to study it several days to know its implications; but I want to know under what rule a motion of this kind is in order when we are approaching the second reading of the bill.

Mr. KNOWLAND. Mr. President, as soon as the bill has been read the second time, either by title or in full, as the Senate may desire, it is my purpose to object to further proceedings on H. R. 6127 at the present time.

The VICE PRESIDENT. Under the rule, the bill is read by title the first and second time, unless the Senate otherwise orders. Consequently the motion of the Senator from California is designed to present that question, and the Senate by its vote may indicate whether it desires to have the bill read in full or read only by title.

Mr. RUSSELL. Mr. President, I inquire of the Chair, Is not that motion debatable?

The VICE PRESIDENT. The motion is not debatable.

Mr. RUSSELL. Under what rule does the Chair hold the motion is not debatable?

The VICE PRESIDENT. Under the rule that when the first and second reading are in order, such reading does not involve action on a bill.

Mr. RUSSELL. By way of parliamentary inquiry, I would be very happy if the Chair would read the rule under which he is now proceeding to entertain the motion, and the rule that it is not subject to debate. I think the Senate is at least entitled to have read the rule on which the Chair relies.

The VICE PRESIDENT. The Chair reads from paragraph 2 of rule XIV:

Provided, That the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order.

Mr. RUSSELL. Where does the rule provide the motion is not debatable?

The VICE PRESIDENT. That is the interpretation of the rule by the Chair.

Mr. RUSSELL. An interpretation by the Chair. Very well.

Mr. JOHNSTON of South Carolina. Mr. President——

The VICE PRESIDENT. The Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I made the motion, previous to the motion made by the Senator from California, that the bill be read word by word and line by line. What has become of my motion?

The VICE PRESIDENT. The Chair did not understand the Senator from South Carolina as having placed——

Mr. JOHNSTON of South Carolina. I made the motion that it be read. The RECORD will so show, I think.

Mr. KNOWLAND. Mr. President, I have no objection to the bill appearing in the RECORD. I thought by unanimous consent, since I assumed that the Members were familiar with the bill, some time could be saved; but I have no objection to the bill being read in full for its second reading, so long as I do not lose my right to the floor.

The VICE PRESIDENT. Is there objection to reading the bill in full? Without objection, the clerk will read the bill in full.

Mr. McNAMARA. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNAMARA. Was the Senator who claimed prior recognition recognized by the Chair to make the motion?

The VICE PRESIDENT. The Senator was recognized.

Mr. McNAMARA. I have no objection.

The VICE PRESIDENT. The clerk will read the bill.

The legislative clerk proceeded to read the bill the second time, as follows:

Be it enacted, etc.

PART I—ESTABLISHMENT OF THE COMMISSION ON CIVIL RIGHTS

SEC. 101. (a) There is created in the executive branch of the Government a Commission on Civil Rights (hereinafter called the "Commission").

(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

(c) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

Mr. KNOWLAND. Mr. President, may we have order in the Chamber and in the galleries?

The VICE PRESIDENT. The Senate will be in order.

The clerk will proceed.

The legislative clerk resumed and concluded the reading of the bill, as follows:

(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner, and subject to the same limitation with respect to party affiliations as the original appointment was made.

(e) Four members of the Commission shall constitute a quorum.

Rules of procedure of the Commission

SEC. 102. (a) The Chairman or one designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

(c) Witnesses at the hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such person to subpena additional witnesses.

(f) Except as provided in sections 102 and 105 (f) of this act, the Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than

$1,000, or imprisoned for not more than 1 year.

(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge of the pertinency of testimony and evidence adduced at its hearings.

(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Commission.

(j) A witness attending any session of the Commission shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereof.

(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the State, wherein the witness is found or resides or transacts business.

Compensation of members of the Commission

SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $50 per day for each day spent in the work of the Commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

(b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

Duties of the Commission

SEC. 104. (a) The Commission shall—

(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

(b) The Commission shall submit interim reports to the President at such times as either the Commission or the President shall deem desirable, and shall submit to the President a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of the enactment of this act.

(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

Powers of the Commission

SEC. 105. (a) Within the limitations of its appropriations, the Commission may appoint a full-time staff director and such other personnel as it deems advisable, in accordance with the civil-service and classification laws, and may procure services as authorized by section 15 of the act of August 2, 1946 (60 Stat. 810; 5 U. S. C. 55a), but at rates for individuals not in excess of $50 per diem.

(b) The Commission may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission (or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12). Not more than 15 persons as authorized by this subsection shall be utilized at any one time.

(c) The Commission may constitute such advisory committees and may consult with governors, attorneys general, and other representatives of State and local governments, and private organizations, as it deems advisable.

(d) Members of the Commission, voluntary and uncompensated personnel whose services are accepted pursuant to subsection (b) of this section, and members of advisory committees constituted pursuant to subsection (c) of this section, shall be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U. S. C. 99).

(e) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

(f) The Commission, or on the authorization of the Commission any subcommittee of 2 or more members, at least 1 of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman.

(g) In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof: *Provided*, That any person cited for an alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial or hearing, as is usually granted to compel witnesses to appear on behalf of the prosecution. If such person shall be found by the court to be financially unable to provide for such counsel, it shall be the duty of the court to provide such counsel.

Appropriations

SEC. 106. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this act.

PART II—TO PROVIDE FOR AN ADDITIONAL ASSISTANT ATTORNEY GENERAL

SEC. 111. There shall be in the Department of Justice one additional Assistant Attorney General, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall assist the Attorney General in the performance of his duties, and who shall receive compensation at the rate prescribed by law for other Assistant Attorneys General.

PART III—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "Fourth" and "Fifth" and to read as follows:

"Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs First, Second, or Third, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 122. Section 1343 of title 28, United States Code, is amended as follows:

(a) Amend the catch line of said section to read,

"Sec. 1343. Civil rights and elective franchise"

(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

(c) Add a paragraph as follows:

"(4) To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote."

PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

(a) Amend the catch line of said section to read, "Voting rights."

(b) Designate its present text with the subsection symbol "(a)."

(c) Add, immediately following the present text, three new subsections to read as follows:

"(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special,

or primary election held solely or in part for the purpose of selecting or electing any such

of each of the committees, and, after

reference of all proposed legislation,

Representative MORRELL, who is now, I think, $100,000 or more. I suppose that

Mr. RUSSELL. I intend to continue

study it several days to know its implications; but I want to know under what

Mr. McNAMARA. Mr. President, a parliamentary inquiry.

or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 141. This act may be cited as the "Civil Rights Act of 1957."

Mr. KNOWLAND and Mr. DOUGLAS addressed the Chair.

The VICE PRESIDENT. The Senator from California.

Mr. KNOWLAND. Mr. President, I desire to object to any further proceedings on House bill 6127 at the present time. I make that objection pursuant to rule XIV, subsection 4, of the Rules of the Senate.

Mr. RUSSELL. Mr. President, I make the point of order that the subsection of rule XIV on which the Senator from California relies is superseded and annulled by the Reorganization Act of 1946. I do not desire to go into this subject in any great detail. I do wish to read the section of the Reorganization Act which deals with this subject. This is the general authority contained in the act:

TITLE I—CHANGES IN RULES OF SENATE AND HOUSE

RULEMAKING POWER OF THE SENATE AND HOUSE

SEC. 101. The following sections of this title are enacted by the Congress:

(a) an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

That is the general authority. I submit to the Chair the fact that rule XXV, as it obtained prior to the Reorganization Act, contained the following language:

The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

There was nothing in that rule as it existed prior to the Reorganization Act which was in conflict with rule XIV.

However when the Reorganization Act was passed, it specifically spelled out the terms under which the Senate should proceed. It described the jurisdiction of each of the committees, and, after naming the particular committee, inserted in the new rule language which was not in the old rule. There was a definite change in language. The following language was inserted:

to which committee shall be referred all proposed legislation, messages, petitions, memorials——

And so forth.

It then proceeds to describe the jurisdiction of each committee. In each instance the word "shall" is employed. When that is coupled with the general authority found in title I, there can be no question that it was made mandatory to refer bills to committees.

Mr. President, I further assert that a direct precedent was established by the Senate on May 4, 1948, when the Senate, by an overwhelming vote, upheld the validity of the contention that measures should be committed. At that time the Presiding Officer of the Senate was the distinguished Senator from Michigan, the Honorable Arthur Vandenberg. I may say, in passing, that I have served in the Senate under a number of Presiding Officers, but I have never known a fairer or more conscientious Presiding Officer than the late Senator Vandenberg. He ruled from the Chair his opinion of the rules without regard to his personal predilections with respect to any legislation.

Before submitting the question to the Senate, in the course of his discussion, Senator Vandenberg used this language:

This situation has never heretofore arisen. Therefore, we are making an entirely new precedent—a point which can be of very serious moment to the conduct of the business of the Senate. Therefore, the Chair proposes that the Senate shall settle the matter for itself.

When he submitted the issue to the Senate, he used this language:

The Senator from Arkansas raises a point of order that he is entitled under rule XIV of the Senate to exercise his priority of right to ask that after the second reading of the bill, which has just occurred, it shall go to the calendar.

The difference was that an intervening motion dealing with the Reorganization Act had been made, but the Senator from Arkansas asserted the same right the Senator from California [Mr. KNOWLAND] claims today, namely, that under this provision of rule XIV he was entitled to object to further proceedings and to have the bill sent to the calendar.

A long debate occurred on that question, because Senators generally recognized its importance. They realized that when in dealing with the committee system of the Senate we establish precedents which would impede that system, when there are available rules at all times under which the Senate can control its business, we would be delaying the ordinary processes of legislation.

There was a great deal of discussion with respect to the parliamentary situation before the Senate which would be designated by a court as obiter. The Reorganization Act was new.

The debate had run along for some time before it was even mentioned that rule XXV would require a mandatory reference of all proposed legislation, particularly that coming from the House, I wish to point out that this rule applies to both Senate and House bills, but the precedent was established on a bill that had come from the House, just as in the present instance the bill comes from the House.

The then Senator from Colorado, Mr. Millikin, one of the ablest men I have ever had the privilege of serving with in the Senate, was the first to bring to the attention of the Senate in that debate the fact that rule XXV, as contained in the Reorganization Act, superseded rule XIV. I will read a part of Senator Millikin's statement for the information of the Chair before the Chair makes his ruling.

The Senator from California [Mr. KNOWLAND] was speaking, and Mr. Millikin asked the Senator from California to yield. The Senator from California, with his customary courtesy, yielded to Mr. Millikin. Then Mr. Millikin said:

Mr. MILLIKIN. I should like to address an inquiry to the distinguished Senator from California. I was not present yesterday, and my question may duplicate questions which arose yesterday. If so, I am sorry to intrude on the time of the Senator.

I notice that section 101 (a) of the Reorganization Act states that the rules contemplated by it shall supersede other rules only to the extent that they are inconsistent therewith. The referral provision in section 102 with respect to each standing committee contains the following language:

"To which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:"

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. EASTLAND. Does the Senator have before him the Senate committee report explaining the meaning of section 101 of the Reorganization Act, to which he has referred?

Mr. RUSSELL. No; I do not have that at the moment.

Mr. EASTLAND. I should like to call to the attention of the distinguished Senator, Senate Report No. 1400, 79th Congress, 2d session, on S. 2177, the bill which was finally enacted as the Legislative Reorganization Act of 1946.

Referring to section 101, the rulemaking power of the Senate and the House, the report states:

Inasmuch as this title, as indicated, makes changes in the rules of the two Houses, it is provided in this section that these provisions are enacted as an exercise of the rulemaking power of the Senate and of the House of Representatives, respectively, and as such they shall be considered a part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules to the extent that they are inconsistent therewith. It is further provided that these provisions are enacted with full recognition of the constitutional right of either House to change such rules so far as relating to the procedures in such House at any time, in the same manner and to the same extent as in the case of any other rule of such House.

Further, the committee print of the report of the Joint Committee on Organization of the Congress, submitted by

Representative MONRONEY, who is now the distinguished junior Senator from Oklahoma, contains the identical statement in explanation of the House action in substituting language for the Senate bill as it had passed the Senate, and sets forth the language relating to section 101 as contained in the Senate report.

Mr. RUSSELL. Of course, that spells out and amplifies the express terms of the statute.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. RUSSELL. I would appreciate it if the Senator would indulge me for a moment.

Mr. DOUGLAS. The Senator has yielded to the Senator from Mississippi. I wonder whether he would be good enough to yield to me.

Mr. RUSSELL. On yesterday the distinguished Senator from Illinois did not do me the courtesy of yielding to me, even though he had mentioned my name several times in the debate. However, I shall yield to the Senator from Illinois.

Mr. DOUGLAS. I did in fact yield to the Senator from Georgia.

Mr. RUSSELL. Yes; and then the Senator proceeded to mention my name again, and then declined to yield further, as the RECORD will show.

Mr. DOUGLAS. Do I understand the Senator declines to yield to me?

Mr. RUSSELL. I yield to the Senator from Illinois.

Mr. DOUGLAS. I should like to ask the Senator from Georgia if section 101 (a) of the Reorganization Act does not provide, in part, as follows:

And such rules shall supersede other rules only to the extent that they are inconsistent therewith.

Mr. RUSSELL. Mr. President, I have just read that identical language. I suppose the Senator from Illinois——

Mr. DOUGLAS. I notice that the Senator was not very enthusiastic or emphatic in reading the latter part of it.

Mr. RUSSELL. I did read that specific language. I rely upon that language for the position I take, because the Senate, in construing it, established the precedent that this clause was inconsistent with rule XIV of the Senate.

Now I proceed to read from the discussion between the then Senator from Colorado, Mr. Millikin, and the Senator from California [Mr. KNOWLAND].

The Senator from Colorado said:

The distinguished Senator from Nebraska [Mr. Wherry] has pointed out section 137 of the Reorganization Act. I should like the opinion of the Senator from California as to whether or not the language which I have read supersedes other matters in the rules which might be in conflict.

That was the then Senator from Colorado, Mr. Millikin, propounding a question to the present senior Senator from California [Mr. KNOWLAND].

The Senator from California responded:

I think the Senator has posed a $64 question in that regard.

I might say that that was when we first had quiz programs, and $64 was as high as they went. They have now reached the astronomical proportions of, I think, $100,000 or more, I suppose that some of those who argue that rule XIV still stands would use that phenomenon as a justification.

I continue with the statement by the Senator from California [Mr. KNOWLAND]:

I think the Senator has posed a $64 question in that regard. I am not seeking to evade the question, because I think it is one to which the Senate must give very careful consideration at this time.

That was the present senior Senator from California [Mr. KNOWLAND] speaking. He continued:

So far as legislative procedure is concerned, I think there is very little doubt in the minds of most of us that if as a matter of common practice we prevent committees from considering legislation, we shall develop a great degree of legislative chaos. I call the attention of the able Senator from Colorado, however, to the fact that the Constitution itself gives to each House—I do not have the exact language before me now—the power to establish its own rules and procedures. The Legislative Reorganization Act, of course, is an act of both Houses of Congress. I assume that to that extent the Senate rules may be amended by that act; and if that be the case, that has the effect, as I think the Senator from Colorado will agree with me, of having the House participate in an amendment of the Senate rules, inasmuch as the bill was passed by both Houses of Congress.

Mr. Millikin——

I might interpolate to say that Mr. Millikin was not diverted. He said:

Mr. President, the Reorganization Act itself takes full recognition of that constitutional provision when it says, in section 101 (b):

"With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any rule of such House."

My point is that these rules supersede the previously existing rules to the extent that they have not been changed since and to the extent that there is conflict. These rules say without equivocation that all proposed legislation shall be referred to the respective committees, according to the jurisdiction outlined in the act.

Mr. KNOWLAND. Mr. President, I say to the Senator from Colorado that I think he has raised a very important point and one which I believe might very well be taken, namely, that inasmuch as the Reorganization Act came later than the particular rule referred to, the Reorganization Act, in effect, to that extent amended rule XIV.

Mr. President, those were the words of the Senator from California [Mr. KNOWLAND]. That is my contention at this hour, sustained by a proper construction of the rules, by a vote of 56 to 15 of the Senate, on the vote that followed.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. RUSSELL. Yes; I am glad to yield.

Mr. KNOWLAND. At the request of the distinguished majority leader, all Senators have received a transcript of the full debate which took place at that time. I think, in fairness, that the entire colloquy between the distinguished Senator from Colorado and other Senators, and the Senator from California, should be kept in mind.

Mr. RUSSELL. I intend to continue reading.

Mr. KNOWLAND. I understand that; but I wish to make a statement at this time, if the Senator from Georgia will permit me. When I opened the debate, which the Senator from Colorado had interrupted, I said:

Mr. President, I do not intend to detain the Senate long. I think it should be perfectly clear, however, that my colleague, the senior Senator from California [Mr. Downey] should not be subject to any criticism for invoking a rule which is plainly a rule of the Senate, albeit it has apparently not been used for a considerable time.

At that time I mentioned that I was serving on the Committee on Rules. I closed my remarks, just before the Senator from Colorado interrupted me, by saying the following:

I sincerely hope that the able chairman of the Committee on Rules and Administration, the junior Senator from Illinois [Mr. BROOKS], will call a meeting of the committee at the earliest possible time so that we may correct this situation. However, so long as the rule exists as it is now written, the senior Senator from California—

Who was then Senator Downey—

was merely standing on his rights as a Member of the United States Senate.

Mr. RUSSELL. I remember the situation well. I was here on the floor of the Senate. I have always been interested in matters which pertain to the rules of the Senate. I was listening avidly to every word uttered in the debate.

The facts of the matter were that the situation was somewhat as it is here today. The Senate was discussing the tidelands bill, which went to the calendar. It was the tidelands oil bill. It was a highly controversial bill in Congress and throughout the country. A Senate bill at that time was locked up in the Senate Committee on the Judiciary. The proponents of the bill could not get a report from the Committee on the Judiciary.

So Senator Downey one morning, when nobody was particularly looking [laughter], took advantage of this rule to have the similar House bill placed on the calendar, and no point of order was raised. I was not on the floor at the time. No point of order was raised. The rule had been superseded by rule XXV, as found in the Reorganization Act, and there was quite a commotion here on the floor of the Senate. Very harsh words were spoken. I do not have them all here.

I remember the Senator from Vermont [Mr. AIKEN] said that he thought the procedure then invoked was one of the most highhanded, outrageous procedures ever attempted on the part of any Member of Congress, with reference to the action of getting the House tidelands bill bypassed around the Judiciary Committee, because the Senate bill could not be reported. He went further to say:

I cannot conceive of anyone attempting to bypass committee hearings, or do anything of that nature.

There was a great deal of debate which became rather acrimonious, because the tidelands oil bill was one that stirred

final report and recommendations the Commission shall cease to exist.

(c) Sixty days after the submission of its

court to compel his witnesses to appear at his trial or hearing, as is usually granted to

Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special,

commotion in this body then, as the so-called civil-rights measures does now.

The then Senator from California, Mr. Downey, came into the Chamber. He naturally was tremendously interested in the passage of the tidelands oil bill. Senator Downey was the subject of rather vigorous attack on the part of the then Senator from New Hampshire, Mr. Tobey, and the Senator from Vermont [Mr. AIKEN], and other Senators, who complained that Senator Downey had bypassed the committee.

The Senator from California [Mr. KNOWLAND], as was meet and proper—he also was supporting the bill vigorously—entered into the debate with his accustomed vigor, to take some of the heat off Senator Downey.

Mr. KNOWLAND. From the other side of the aisle.

Mr. RUSSELL. Oh, no; the heat was generated by men on the Senator's side of the aisle, the Senator from Vermont [Mr. AIKEN] and the then Senator from New Hampshire, Mr. Tobey.

Mr. KNOWLAND. No; I meant that my colleague at that time was from the other side of the aisle.

Mr. RUSSELL. Oh, yes; the Senator from California [Mr. KNOWLAND] was trying to take the heat off his colleague for having bypassed the committee. No one had raised the point that rule XXV had come into existence, the rule which provides that bills shall be referred.

The Senator from California was defending his colleague under rule XIV, and the Senator had about concluded his comments when Senator Millikin rose and raised what the Senator from California properly called the $64 question. I must say the interruption by the then Senator from Colorado threw my distinguished friend from California into great confusion, because it cut the ground out from under the argument the Senator from California had made.

The bill had already gone to the calendar, and it was then too late for anyone to do anything about it except to debate a moot question. But the Senator from Colorado pursued the matter with the Senator from California. The Senator from California [Mr. KNOWLAND] said:

> Mr. President, I say to the Senator from Colorado that I think he has raised a very important point and one which I believe might very well be taken, namely, that inasmuch as the Reorganization Act came later than the particular rule referred to, the Reorganization Act, in effect, to that extent amended rule XIV.

That is what the Senate eventually held.

> Mr. MILLIKIN. If it did not, then there is no validity in the Reorganization Act.
>
> Mr. KNOWLAND. And if so, then certainly there is a conflict between the Reorganization Act, particularly the section 137, to which the Senator has referred, and the existing rules of the Senate.
>
> Mr. MILLIKIN. Section 137 fits in perfectly with the language which I have read, which makes it mandatory to refer bills to these committees.

Senator Millikin pursued the matter further, after some discussion, and said:

> Mr. President, I would object, because I think the Reorganization Act has already rendered that part of rule XIV inoperative, for the simple reason that the Reorganization Act says that all bills shall be referred to this, that, or the other committee, according to its jurisdiction.
>
> That provision conflicts with placing the bill on the Calendar, without referral.

Mr. President, that is not my statement; I want to make it clear that I am not here reading prepared remarks. Instead, I am reading what Senator Millikin, of Colorado, said, with the full Senate listening, prior to the time when the Senate proceeded to vote; and the vote was 56 to 15 to sustain the position of Senator Millikin of Colorado in making that statement.

I read further from the statement made by Senator Millikin:

> By the express language of the Reorganization Act, anything which conflicts with it shall be governed by its terms.

The Senator from Colorado, Mr. Millikin—and most of us here today had the privilege of serving in the Senate with him—was one of the truly greats with whom I have served in this body. He was forthright and fair, and he was a great parliamentarian. On that occasion he asserted—and undoubtedly his statement influenced the votes of many Senators—that the Reorganization Act was in conflict with and repealed, that provision of rule XIV:

> The Senate then proceeded to vote; and the Senate voted that the Senator from Arkansas [Mr. FULBRIGHT] did not have a right to rely on rule XIV and have the bill go to the calendar; that, to the contrary, the bill had to be referred to a committee.

Mr. KNOWLAND. Mr. President, at this point will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. The Senator from Georgia has quoted the late Senator Vandenberg, of Michigan, then the distinguished President pro tempore of the Senate. But in order that the Senate may have the matter in its proper perspective, let me state that I think the fact is that 2 different issues arose—1, on the oleomargarine bill; and the other, on the so-called Downey precedent, which had occurred on the day prior to the debate from which the Senator from Georgia has quoted.

When we read in the CONGRESSIONAL RECORD, volume 94, part 4, page 5228 of May 4, we find that Senator Vandenberg, the President pro tempore, said this:

> The Chair would like to say he thinks there is no collision whatever between the precedent of yesterday—
>
> The President pro tempore fully acknowledged that on the day before there was a Senate precedent, namely, the DOWNEY precedent on the tidelands bill—
>
> and the precedent of today. The Chair thinks that the tidelands bill was in a totally different parliamentary situation from the oleo bill, that there was no question of reference to a committee involved, no question of controversy regarding what committee had jurisdiction, that there was nothing of the sort involved, and that therefore paragraph 137 of the Legislative Reorganization Act was not even a part of the first precedent to which Senators have referred.

Mr. RUSSELL. Mr. President, that merely reiterates what I have just stated, namely, that the point or order was not raised in connection with the tidelands bill. Therefore it was no precedent. The point of order was raised in connection with the oleomargarine bill; and the late Senator Vandenberg, of Michigan, then the distinguished President pro tempore of the Senate, submitted the question to the Senate in the language I have just read. He was submitting to the Senate the question of whether the Senator from Arkansas [Mr. FULBRIGHT] was entitled, under rule XIV, to exercise his priority of right to ask that, after the second reading of the so-called oleomargarine bill—which had just occurred—it go to the calendar. That is the way he phrased it when he submitted it to the Senate; and the Senate proceeded to vote, and decided, by a vote of 56 to 15, that Senator MILLIKIN, of Colorado, was correct, and that the Senator from Arkansas had no rights under rule XIV, and that the bill should be referred to committee. That was the issue which was submitted and decided by the Senate.

Mr. KNOWLAND. Mr. President, will the Senator from Georgia yield again to me?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. That was on the basis that the priority claim had been raised by Senator Wherry, of Nebraska, who got the floor ahead of the Senator from Arkansas [Mr. FULBRIGHT], and at that time raised the question of reference to committee, which situation was different from the one which had occurred on the previous day, in relation to the tidelands bill. Therefore, the precedent in connection with the oleomargarine bill did not contradict or repeal or change—in my judgment, at least—the so-called Downey precedent or the precedent affecting the situation before the Senate today.

Mr. RUSSELL. Of course, the Senator from California is entitled to hold any opinion he desires. However, it so happens that at that time the Senator from California felt that the Senator from Arkansas had no right to exercise any priority under rule XIV to have the bill sent to the calendar. I do not say that is binding on the Senator from California at this time; no Senator is bound by what has occurred in the past; all of us exercise the right to change our minds. I frequently change my mind in regard to legislative matters. Some legislative matters have been pending in the Senate for years; and when such a matter comes up in one form, I may see it in one way; and when it comes up in another form, I may see it in another way. So I am not accusing the Senator from California of any inconsistency. After all, as Emerson said, consistency is the hobgoblin of small minds.

However, Mr. President, regardless of that, it is clear that the Senate should not reverse its position, simply because at this time some Senators may wish to overthrow the rule and to adopt a new rule without following legal procedures. To do so would be to establish a very dangerous precedent.

Mr. CASE of South Dakota. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. CASE of South Dakota. I have had available a copy of the 1948 CONGRESSIONAL RECORD, ever since the question arose. Page 5239 of volume 94, part 4, of May 4, 1948, shows that the Senator from Arkansas [Mr. FULBRIGHT] said, toward the conclusion of his remarks:

> Mr. President, I wish to propound a parliamentary inquiry in regard to this bill. As I understand, the Chair referred it to the Committee on Agriculture and Forestry.

I read further from the CONGRESSIONAL RECORD of May 4, 1948, at page 5239:

> The PRESIDING OFFICER (Mr. YOUNG in the chair). That is correct. The bill was so referred.

Now I read from a point a little farther down in the same column on page 5239:

> Mr. FULBRIGHT. Mr. President, I appeal, then, from the ruling of the Chair, and I request that the bill be referred to the Committee on Finance.

My reading of that portion of the RECORD suggested to me that the point at issue, or at least the point on which many of the Senators were voting, was whether the reference of the bill to the Committee on Agriculture and Forestry should stand; or whether the bill should be referred to the Committee on Finance, as the Senator from Arkansas [Mr. FULBRIGHT] requested, in connection with his appeal from the ruling of the Chair.

Mr. RUSSELL. Mr. President, I have dealt for many years with the junior Senator from South Dakota [Mr. CASE], but this is the first time I have ever seen him make so glaring a mistake. As a matter of fact, the Senate cast two votes. The first vote was on the question of whether the bill should be referred to committee. That is the vote I have been discussing. Thereafter, the Senate voted on the question of the committee to which the bill should be referred. The Senator from South Dakota is referring to the second procedure, after the Senate had determined that the Senator from Arkansas had no right under rule XIV to have the bill sent to the calendar. The Senator who was presiding over the Senate at that time said he would refer the bill to the Committee on Agriculture and Forestry; and there was considerable debate on the question of whether the bill should be referred to the Committee on Agriculture and Forestry or to the Committee on Finance; and Senators examined musty records of the past and referred to the action taken by the Senate over a period many years, in order to show whether the bill should be referred to the Committee on Agriculture and Forestry or to the Committee on Finance.

By means of the vote then taken—and at this time I do not remember the exact vote—it was determined that the bill would be referred to the Committee on Finance. But all that has nothing to do with the situation now before the Senate.

Mr. CASE of South Dakota. Except insofar as it might affect the votes of some Senators regarding the eventual vote to be taken on the bill.

Mr. RUSSELL. But none of that had developed when the Senate was considering the attempt of the Senator from Arkansas to have the oleomargarine bill placed on the calendar; and none of that has to do with the parliamentary determination which controls the situation existing in the Senate today.

Mr. FULBRIGHT. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. FULBRIGHT. Regarding the point made by the Senator from California [Mr. KNOWLAND], let me say I do not believe it is quite correct to say that the late Senator Wherry had raised that point prior to the time when I propounded to the President pro tempore the parliamentary inquiry regarding my rights under rule XIV.

Mr. RUSSELL. My recollection is and the RECORD will show, that the Senator from Arkansas had raised the question before Senator Wherry addressed the Chair.

Mr. FULBRIGHT. That is correct.

Mr. RUSSELL. The Presiding Officer did state that a question of jurisdiction had been raised; but later it developed that the question had been raised in discussion off the floor, between the Presiding Officer and Senator Wherry, and was not raised on the floor.

Mr. FULBRIGHT. That is the point I wished to make. The RECORD shows that it was not raised on the floor. The President pro tempore himself had mentioned it as a fact—referring to the discussion he had had off the floor, prior to the point where I propounded the parliamentary inquiry as to my rights under rule XIV.

Mr. RUSSELL. The Senator, of course, is correct. The question here involved was as clearly submitted then as it could possibly be. The question submitted was as to whether or not the Senator from Arkansas was entitled to exercise his right of priority under rule XIV. Only 15 Senators voted they thought he had that right.

Mr. President, I have discussed this matter in some detail because I feel a vital precedent may be established. I wish to point out again, as I did on yesterday, that this provision of rule XIV if it is still to stand, if we are to go back to it and repeal the Reorganization Act by implication in dealing with the rule question—will not be limited to bills that come to the Senate from the House of Representatives.

I ask Senators to get their rule books and look at the section of the rule on which the Senator from California relies. Every bill and every joint resolution introduced on leave, and every bill and joint resolution from the House of Representatives, will be affected. In other words, one Senator on this floor could prevent reference to committee of any bill introduced by any other Senator because there were enough votes to overthrow the precedent of 1948. It would mean any Senator who so desired, when another Senator introduced a bill, or a bill was messaged over from the House of Representatives, could rise and say, "Under my prerogatives, under the ruling of the Senate that occurred on June 20, 1957, I demand that this bill go to the calendar," and the bill would have to go to the calendar.

Several Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator yield, and if so, to whom?

Mr. RUSSELL. I yield first to the Senator from New Jersey. Then I shall be happy to yield to other Senators.

Mr. CASE of New Jersey. I thank the Senator for yielding to me. I raise this question because probably the Senate will be called upon to act on any ruling by the Chair, and I want to understand the ground on which the point is made.

It is my understanding from what I have heard, and I think I have heard all the Senator from Georgia has said today, that he makes his objection on the ground that rule XXV supersedes, and, being inconsistent with, nullifies rule XIV.

Mr. RUSSELL. That is the position I take. I think under the third section of the rule, rather than the fourth section, the bill should be referred to committee. The argument I am urging in the Senate today and relying upon is the equally established fact that the Reorganization Act repealed any rule of the Senate that was inconsistent with it, and that the Senate itself, by a vote of 56 to 15, declared this rule was inconsistent with the Reorganization Act.

Mr. CASE of New Jersey. I thank the Senator. May I ask him one more question?

Mr. RUSSELL. Certainly.

Mr. CASE of New Jersey. I have read rule XXV and the Reorganization Act which made that rule a part of the Senate rules. I find in it, under each heading, under each committee, specific items and specific matters which it is stated shall be referred to a particular committee. I do not find, and perhaps the Senator will tell me whether he has found, any statement that items not herein mentioned shall be referred to any particular committee, which suggests to me this is a list only of specific subjects, and does not purport to be a list of all subjects which might be the subject of legislation. Therefore, to the suggestion the Senator from Georgia makes that when the rule says "shall be referred," the bills shall be referred, I say perhaps this is merely directory language dealing only with the subjects specified.

Mr. RUSSELL. Of course, I heard the Senator from Illinois make that argument last evening.

Mr. CASE of New Jersey. I am sorry to repeat it now. Perhaps we have arrived at the same suggestion.

Mr. RUSSELL. The Senator from Illinois argued very earnestly and eloquently on yesterday that the word "shall" does not mean "shall"; that it merely refers to various types of legislation within a committee's jurisdiction. I do not agree with that construction of the language at all, and the Senate did not agree with it when it voted on the question in 1948.

Mr. CASE of New Jersey. I do not think the question then raised was a precedent for the one now raised, because the question was whether under the circumstances then existing a priority existed for the Senator from Arkansas, which was quite a different question from the one now being considered.

Mr. RUSSELL. When we get down to the matter of priorities, certainly one will not find that mentioned in any rule of the Senate.

Several Senators addressed the chair.

The VICE PRESIDENT. Does the Senator from Georgia yield; and if so, to whom?

Mr. RUSSELL. I said I would next yield to the Senator from Arkansas, and I yield to him.

Mr. McCLELLAN. According to the able Senator's interpretation of the Reorganization Act, it supersedes section 4 of rule XIV. The Senate voted on that question at one time, and it has established one precedent on that particular issue. Is that correct?

Mr. RUSSELL. That is correct.

Mr. McCLELLAN. If the Senate reverses that precedent today by voting to place the civil-rights bill on the calendar, then the Senate will have two conflicting precedents on this question, will it not?

Mr. RUSSELL. The Chair has not yet ruled on this question, I may say to the distinguished Senator.

Mr. McCLELLAN. I mean if the Senate so holds.

Mr. RUSSELL. If it should be so held by the Senate, and that would be the final parliamentary interpretation placed by the whole Senate on this question, without regard to how the Chair might rule. It would mean that the rule did not mean what it did in 1948, and we would have a new rule applying to all cases of this kind, and, to borrow the language used by the Senator from California, it would lead to legislative chaos.

Mr. McCLELLAN. That suggests the next question I wanted to ask the Senator. If the position that the bill can go to the calendar and does not have to go to committee should be sustained today, as I understand the precedent, it would mean that any Senator, at any time, in the case of any bill, at the point of the second reading, could object to further proceeding, and have it placed on the calendar. Is that correct?

Mr. RUSSELL. I have undertaken to urge that argument as a reason why such a precedent should not be established.

Mr. McCLELLAN. If the Chair should so rule, the only way the Senate could overrule such a holding, following the precedent that may be established, would be to appeal to the Senate, and there could be an appeal every day to change the rule, for the convenience of any Member of this body, from day to day. Is that not what such a ruling would lead to?

Mr. RUSSELL. The Senator is correct. I greatly fear there is a disposition to play on the rules of the Senate just as one plays an accordion, and, when it comes to legislative matters such as the one before the Senate, pull out the accordion and strike one note, and when there is involved a different kind of bill which certain Senators favor, push the accordion in and strike another note. That, I might say, would be a rather unfortunate way to conduct a great legislative body which prides itself on being the greatest deliberative body in the world.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from New Mexico. I may say I am speaking by sufferance of the Chair, because the Chair has not yet ruled.

Mr. ANDERSON. I think we all translate these problems in terms of our own situations. The Senator from Georgia and I are members of the Joint Committee on Atomic Energy, as is the able Senator from California [Mr. KNOWLAND].

On Tuesday the Senate ratified the International Atomic Energy Agency treaty. There was some talk about a proposal which was offered by the very able Senator from Ohio [Mr. BRICKER], to which I was greatly attached, I might say, but we were told that the proper place to put his proposal was on the implementation bill. The implementation bill will be before both the Senate and the House. If the House should act first, by some chance, not having had the benefit of the discussion and the very fine statement made by the Senator from Ohio [Mr. BRICKER], it might omit providing for what he was trying to achieve, and which I think might well be achieved, namely, give Congress some control over the subject. Since the implementation bill would not contain the provision, I would not normally be worried about it, because it would go to committee and we could make changes there. However, if the ruling now sought shall be applied, is it the interpretation of the Senator from Georgia that when the bill came from the House, if it did—and this is pure supposition—the bill could then be placed on the calendar of the Senate for immediate disposition?

Mr. RUSSELL. There is no question that any one Member of this body who might so desire could rise and say, "Under rule XIV and the precedent of the Senate established June 20, 1957, I object to further proceedings on the bill," and the Vice President, if the Senate should so vote, would be compelled to say, "The bill will go to the calendar."

Mr. ANDERSON. The Senator from Georgia realizes that the difficulty involved is that the provisions of the implementation bill must be based largely upon the treaty, and the treaty is the particular province of the Senate. The Senate has had the opportunity of discussion and debate on the treaty. When the bill comes from the House, would we be barred from holding the fort here? We would seem to need the privilege of considering the bill in committee before having it go to the calendar.

Mr. RUSSELL. If the Senate should, unfortunately, establish the precedent which is requested today by the Senator from California [Mr. KNOWLAND] and the Senator from Illinois [Mr. DOUGLAS], it matters not how important the proposed legislation might be or to what it related.

Ninety-five other Senators could be sitting here hoping the bill could go to a committee, but one Senator could say "No. Under this rule and this precedent I object to the further proceedings," and the bill would go to the calendar.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. RUSSELL. I had promised the Senator from North Carolina [Mr. ERVIN] I would yield to him. Then I shall be happy to yield to the Senator from California.

Mr. ERVIN. Mr. President, I should like to ask the able and distinguished Senator from Georgia if this is not the situation in a nutshell: First, that the Reorganization Act provides that any of the former rules of the Senate, such as rule XIV, which are inconsistent with the Reorganization Act, are annulled?

Mr. RUSSELL. That is correct.

Mr. ERVIN. Then I will ask the Senator if this is not the situation, reduced to its simplest terms: That rule XIV, as construed by the distinguished Senator from California [Mr. KNOWLAND], says that the bill shall be placed on the calendar, and rule XXV says that the bill shall be referred to the committee.

Is not the provision of rule XXV that the bill shall be referred to the committee, absolutely inconsistent with the statement of rule XIV that the bill shall be placed on the calendar?

Mr. RUSSELL. I cannot conceive anything would be more inconsistent than the word "shall," with what it implies and connotes, when applied to this situation.

The able Senator from North Carolina has capsuled what I have been trying to say here for several minutes.

Mr. ERVIN. In my judgment, even one who can unscrew the inscrutable cannot wipe out that obvious inconsistency.

Mr. KNOWLAND and Mr. JOHNSTON of South Carolina addressed the Chair.

Mr. RUSSELL. I yield first to the Senator from California.

Mr. KNOWLAND. Mr. President, I am speaking, with the Senator's courtesy, to the point of order which he has raised.

Mr. RUSSELL. Mr. President, if the Senator from California is going to address himself to the point of order, I would prefer to yield first to the Senator from South Carolina, and then to yield the floor.

Mr. KNOWLAND. Very well.

Mr. RUSSELL. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator from Georgia this question: Knowing that this particular ruling might go into effect, all the bills which come over from the House could be placed on the calendar and not go to committee. We have rules whereby certain members of certain committees are always appointed to act as conferees when bills go to conference. The Reorganization Act says that that should be the procedure. If the bill should not even go to a committee, who would be appointed conferees? Who would the committee members be?

Mr. RUSSELL. That demonstrates another element of the unbounded chaos which would result from placing any such strained construction on the rule.

Mr. STENNIS and Mr. JAVITS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Georgia yield; and if so, to whom?

Mr. RUSSELL. I yield first to the Senator from Mississippi.

Mr. STENNIS. Mr. President, a very sincere inquiry came to me. I will ask the Senator from Georgia if he has a copy of the House bill which has been sent to the Senate. I did not have a copy, and therefore I could not attempt to answer the question.

I called the document room of the Senate and they said none had been published. I called the document room of the Senate, and they said none had been printed; that it was customary that such bills be printed for the information of the Senate only after they had been referred to committee, which, incidentally, shows what the trend is.

I called the House document room, through one of my secretaries, and was unable to get a copy.

I did find a copy within the last 5 minutes, through the courtesy of the very obliging Senator from Illinois [Mr. DOUGLAS].

I illustrate by this recital that we are here called upon to pass a far-reaching bill—in effect, to pass partly upon the merits of it—when copies of it are not even available to the individual Members of the Senate merely for quick reading.

Mr. RUSSELL. I apprehend, Mr. President, that what the Senator from Mississippi has stated is likely to happen many times in the future, if the Senate upsets the precedent.

(Several Senators addressed the Chair.)

Mr. RUSSELL. I yield first to the Senator from Alabama [Mr. HILL].

Mr. HILL. Is it not true that if this precedent were established, as suggested by the Senator from California [Mr. KNOWLAND] and the Senator from Illinois [Mr. DOUGLAS], and the bill referred to by the Senator from New Mexico [Mr. ANDERSON] came to the Senate from the House and was placed on the calendar, on the request of 1 of the 96 Senators, the only way the bill could be sent to a committee, for any committee consideration, would be for a Senator to make a motion to take the bill from the calendar and to proceed to its consideration, to get that motion agreed, and then if that motion were finally agreed to—and of course it would be subject to debate and all that that entails—there would have to be another motion after the bill was before the Senate to commit the bill to the committee. Is that not correct? And that motion, of course, would be subject to debate.

Mr. RUSSELL. The Senator is correct. I undertook to urge that yesterday as one of the reasons why we should stand by our established rules, which provide that the Senate at all times has mastery of its committees, without adopting such a precedent as is proposed, which will confuse, and could lead almost to the destruction of the committee system, on which our whole legislative policy and system are based.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from New York.

Mr. JAVITS. There is one point which I have not heard the Senator discuss precisely, and I should like to submit a question to him. Taking into consideration the fact that the Chair has discretion to recognize a Senator before there is objection to referring a bill, does the Senator believe that that was the precedent in the Wherry case? Does the Senator not believe, therefore, that the action now sought would not be in cancellation of the Wherry precedent, because in this case the Chair, who had discretion, chose to exercise its discretion by recognizing the objector?

Mr. RUSSELL. Mr. President, I have never been impressed with the argument that a Senator was deprived of any substantial right he had as a representative of his sovereign State because he could not be recognized first by the Chair. I have never agreed with any inference that could be drawn from the discussion in the so-called oleomargarine case, that any Member of this body could be denied any substantial right he had merely because he could not obtain recognition from the Chair until after other Members had been recognized. If we ever adopt that kind of thesis in the Senate, we will be submitting the powers of Senators to the will of the Presiding Officer. Without regard to how much confidence we might have in him, I am not willing to ever put the Senate in that kind of position.

I recognize that the Chair has a right to exercise wide discretion in recognizing Senators. It has been customary since time immemorial to give precedence first to the majority leader and then the minority leader, and then to any other Senator.

When it is suggested that one Senator, merely because he might be in cahoots with the Chair, could be recognized first and then deprive 95 other Senators of their right to have a bill go to committee, merely because he challenges it on second reading, and says, "Send the bill to the calendar," I would never agree that is a proper interpretation of any Senate rule.

The only way to deny a Senator any right is by a motion to adjourn, which is not debatable, or a motion to table, which is not debatable. Such a motion requires a majority of the Senate. One Senator cannot deny 95 other Senators any rights under that process, but a majority of the Senate can do so by tabling or adjourning.

Mr. JAVITS. Is it not a fact, however, that if the bill is placed on the calendar, a majority of Senators present and voting—not 95—can send it to committee?

Mr. RUSSELL. They must first get it off the calendar by motion, and make it the unfinished business. Then they must make a motion to send it to committee. Both those motions are debatable.

If we are to adopt such a policy as has been proposed, and follow it day after day, the leadership of this body, whether on one side of the aisle or the other, will be hamstrung and hog-tied, and the Senate will be involved in a mystic maze of parliamentary procedure.

Mr. JAVITS. So, in effect, the Senator says that the question of recognition is immaterial, and that it makes no difference whether the Chair first recognizes the objector or not.

Mr. RUSSELL. Being recognized first sometimes give a Senator a little distinction, and perhaps a little publicity in the press, by reason of a slight precedence in making his statement or motion first. But I would never agree to the proposition that because I Senator was recognized first, he could deny 95 other Senators their rights.

Mr. JAVITS. Not even if the rule so provides?

Mr. RUSSELL. No. There is no rule that so provides. If there were such a rule, or if there had been such a rule so interpreted and enforced the Senate would long since have changed it. Even if rule XIV ever had such effect, it has been repealed by the Reorganization Act.

Mr. KNOWLAND. Mr. President, speaking on the point of order of the distinguished Senator from Georgia, his point apparently rests on the basis that the Reorganization Act of 1947, passed in 1946, superseded rule XIV, paragraph 4, which is now under discussion.

First of all, I think every Member of this body will agree that rule XIV, in all its separate categories, is one of the important rules of the Senate. It would certainly seem, under those circumstances, that, had there been any desire by the Senate to amend that rule by the Reorganization Act, it would have so stated in the Reorganization Act itself, or in the legislative history of the Reorganization Act. I submit that there is no language in the Reorganization Act, other than that to which the Senator from Georgia has referred, and there is no information in the legislative history of the Reorganization Act, which indicates that the Senate of the United States, and those who participated in the discussion had any intention or desire of amending rule XIV, section 4.

I submit further that in the Legislative Reorganization Act great pains were taken to point out that the Senate did not want this procedure used in the case of appropriation bills, because in that case specific language was included, providing that the Senate would not act on an appropriation bill until a committee report was available and had lain before the Senate for three days. The Senate clearly indicated in that case that it did not want rule XIV used.

I submit also that in the concurrent resolution under which the La Follette-Monroney Act was drafted, the following language is used:

Nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendations with respect to the rules, parliamentary procedures, practices, and/or precedents of either House, or the consideration of any matter on the floor of either House.

Yesterday I read into the RECORD citations from a number of cases. The able Senator from Illinois [Mr. DOUGLAS] read a number of letters showing that there is not a mandatory provision under rule XXV requiring that bills go to committee, because on a number of occasions a bill has not been automatically and mandatorily referred.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks citations from a number of cases which have occurred from time to time in the Senate, in which there was done precisely the same thing about which the Senator from Georgia has complained. There have been cases in which a House bill has come from the House to the Senate, and objection has been raised, under conditions somewhat similar to those in this case. Though the magnitude and the importance of the legislation may vary, upon objection the bill has gone to the calendar.

There being no objection, the citations were ordered to be printed in the RECORD, as follows:

H. P. MILLIGAN

The VICE PRESIDENT laid before the Senate the bill from the House of Representatives (H. R. 13440) for the relief of H. P. Milligan, which was read the first time by its title and the second time at length.

Mr. BLAINE. Mr. President, I ask that House bill 13440 be substituted for Senate bill 3866 and that the bill pass. It is before the Senate already.

Mr. REED of Pennsylvania. Mr. President, I object to that bill.

The VICE PRESIDENT. Objection is made, and under rule XIV the bill will be placed on the calendar. (May 29, 1928, 70–71, Journal, p. 576, RECORD, p. 10616.)

ADJUSTED-SERVICE CERTIFICATES

Mr. BARKLEY. Mr. President, when the soldiers' bonus loan bill came over from the House it was recognized by everyone in this body that no amendments should be placed upon the bill. Many of us desired to make the loans applicable to certificates regardless of their date. In his veto message the President criticized the omission of any provision making the loans applicable to certificates which had been issued within the last 2 years. I ask unanimous consent out of order to introduce a bill to correct that situation, and then I shall ask unanimous consent for its present consideration.

The VICE PRESIDENT. Let the bill be read.

The bill (S. 6269) relating to the making of loans to veterans upon their adjusted-service certificates was read the first time by its title, and the second time at length, as follows:

"*Be it enacted, etc.*, That notwithstanding the provisions of section 502 (b) of the World War adjusted compensation act, as amended, prohibiting the making of loans to veterans upon their adjusted-service certificates prior to the expiration of 2 years after the date of the certificates, hereafter loans may be made upon such certificates in accordance with loan basis provided by law at any time after the date of issuance thereof."

Mr. SMOOT. Mr. President, I ask the Senator to let the bill go to the Finance Committee. I will get a report on it today. I should like to see just what the effect of it might be.

Mr. BARKLEY. I do not want to consent to a reference at this time because the committee is not in session and has not been called in session.

Mr. SMOOT. The committee was in session this morning and held a meeting, and the committee will be called together again.

Mr. BARKLEY. The committee was called in session to pass on nominations and not for legislative purposes.

Mr. SMOOT. It was for all purposes.

The VICE PRESIDENT. Objection is made to the request of the Senator from Kentucky.

Mr. BARKLEY. I desire to enter a motion to suspend the rules so as to consider and pass the bill.

The VICE PRESIDENT. The motion will be entered. (March 2, 1931, 71–73, RECORD, p. 6596.)

An objection to a request for the consideration of the bill having been interposed by Mr. Smoot,

Ordered, That the bill, under rule XIV, paragraph 4, be placed on the calendar. (March 2, 1931, 71–73, Journal, p. 309.)

The bill (S. 6269) relating to the making of loans to veterans upon their adjusted-service certificates was announced as next in order.

Mr. SMOOT. Mr. President, this bill was placed upon the calendar without going to a committee. I move that the bill be referred to the Committee on Finance.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Utah.

Mr. WALSH of Massachusetts. Mr. President, I hope the Senator from Utah will not do that. It is a very simple bill. It permits the veteran who has taken out his certificate within the last 2 years to apply for a loan upon his certificate just as others may do who took out their certificates 2 years or more ago. It would seem to me that the veteran who did not propose to put the Government to the expense of issuing a certificate is to be commended, even though he may now be in a position where he has to ask for the issuance of it, and he ought to be permitted to apply for a loan upon it.

Mr. SMOOT. But that is not all there is in the bill. I am quite sure if the Senator knew what it is he would not approve of it, as the committee did not approve of it this morning.

Mr. WALSH of Massachusetts. As I understood the Senator from Kentucky (Mr. Barkley), this is the only provision in the bill.

Mr. SMOOT. I do not want to discuss it now, but I shall object to its present consideration, anyway.

The PRESIDENT pro tempore. On objection, the bill will go over.

Mr. COPELAND. Mr. President, I hope the matter may be adjusted. The very thing the President was pleading for was relief of the needy veteran, and I find these veterans who delayed making application until this time are the very ones who are in need.

Mr. SMOOT. But that is not what the bill provides. When the bill comes before the Senate at the proper time I shall call the attention of the Senate to its provisions.

Mr. SMITH. Mr. President, may I ask the Senator from Utah what chance the bill has of coming before the Senate if it is not acted on now?

Mr. SMOOT. Even if it does not go to the committee I shall be obliged to object to the present consideration of the bill and that will settle it.

Mr. MCNARY and Mr. PHIPPS called for the regular order.

The PRESIDENT pro tempore. The regular order is demanded. The clerk will report the next bill on the calendar. (March 3, 1931, 71–73, RECORD, p. 6969.)

* * * * *

Mr. BARKLEY. Mr. President, I am informed that while I was temporarily absent from the Chamber the Senator from Utah (Mr. Smoot), the chairman of the Committee on Finance, presumed to make an adverse report on a bill that was not referred to the committee. On yesterday I introduced a bill that was not referred to the Finance Committee, but was allowed to remain on the Vice President's desk, where it now is. The Finance Committee had no jurisdiction to consider that bill because it was not referred to the committee, and if the committee has made any report on it it has done so without jurisdiction.

Mr. SMOOT. Mr. President, the Senator is wrong. The committee made no report upon it at all. When the calendar was called and his bill was reached I objected to its consideration. The Senator from New York spoke to me in relation to it, and asked me to withdraw my objection. I told him the reason why I could not do so. That is the history of the matter.

Mr. BARKLEY. I desire to enter a motion to proceed to the consideration of the bill.

The VICE PRESIDENT. That would displace the unfinished business, and is not in order under the unanimous consent agreement under which the Senate is operating.

Mr. BARKLEY. I desire to know what the parliamentary status of the bill is. On yesterday I introduced this bill and, on account of the shortness of time, it was not referred to the Committee on Finance but remained on the Vice President's desk. I entered a motion at that time which, under the rules, had to go over, to suspend the rules for the passage of the bill. On further investigation I find that it is not necessary to suspend the rules because the bill, not having been referred to the committee, but being on the Vice President's desk, it is in order to move to proceed to its consideration. I do not desire to interfere with conference reports, but I do not desire to be jockeyed into a position where I cannot move to consider the bill.

The VICE PRESIDENT. There was objection yesterday, as the Chair was advised, and under the rule the bill went to the calendar and was reached this morning. The Senator, when he can secure recognition, can move to proceed to the consideration of the bill, but a motion of that kind would displace the unfinished business which is now the conference report on the maternity bill.

Mr. BARKLEY. I do not desire to displace the conference report.

The VICE PRESIDENT. Later on the Senator may be recognized. (Mar. 3, 1931, 71–73, RECORD, pp. 6972–6973.)

RECONSTRUCTION FINANCE CORPORATION

The PRESIDENT pro tempore. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 7360) to provide emergency financing facilities for financial institutions, to aid in financing agriculture, commerce, and industry, and for other purposes, was read twice by its title.

Mr. WALCOTT. Mr. President, I request that the Senate proceed to the consideration of the bill just sent to the Senate from the House. I shall ask that all after the enacting clause of the bill be stricken out, and that Senate bill No. 1, to provide emergency financing facilities for banks and other financial institutions, and for other purposes, as it passed the Senate, be substituted in lieu thereof.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. BLAINE. Mr. President, reserving the right to object, I want to ascertain the situation in which we find this proposed legislation. I understand the House passed a House bill, that that bill has come to the Senate, and now the Senator from Connecticut is asking for the substitution of the Senate bill as passed by the Senate for the House bill.

The PRESIDENT pro tempore. That is not the way the Chair understands the request of the Senator from Connecticut. The Chair understands that the Senator from Connecticut asks for the present consideration of the bill just sent over from the House, and that in the regular course the bill be

amended by striking out and inserting, so that when the bill goes to conference the full text of both bills will be before the conference committee.

Mr. WALCOTT. That is correct.

Mr. BLAINE. Mr. President, it seems to me that this measure, carrying a prospective appropriation of $2 billion, should not be rushed through. I understand from the brief experience I have had in this body, that conference reports are usually unsatisfactory, and there is little opportunity for either branch of the Congress to overturn a conference report, so that the only way by which the Senate can mantain its full constitutional power with perfect freedom is to consider a bill when it comes from the other House in the regular course. In my own experience I have observed that that cannot be done through the method suggested by the Senator from Connecticut.

Therefore, Mr. President, I am constrained to object to the present consideration of the House bill just sent to the Senate.

The PRESIDENT pro tempore. The bill will go to the calendar. (January 16, 1932, 72–71, RECORD, p. 2114.)

Mr. KNOWLAND. There was the "terrible case" to which the distinguished Senator from Georgia has referred, in which a Senate bill might be introduced, and with respect to which a request might be made that it lie on the table. On objection it might go to the calendar.

Yesterday I read the colloquy which took place with our late esteemed friend from Kentucky, the distinguished Senator Barkley, of Kentucky, who later became Vice President of the United States and one of the most beloved figures in this Chamber. He also served his party as both majority and minority leader. He himself used that procedure, under the rules of the Senate, specifically, subsection 4 of rule XIV.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I will yield in a moment.

The procedure referred to does not leave matters in the hands of a single Senator. The most that can happen to a bill under those circumstances is that it will go to the Senate Calendar. The minority and the majority are amply protected by all the protection which the rules of the Senate afford. There is unlimited debate on a motion to take a bill from the calendar; unlimited debate on consideration of the bill itself; and unlimited debate on amendments, unless by unanimous consent the Senate should agree to limitation of time.

We are told what terrible things might happen if a committee were bypassed. I submit, Members of the Senate, that the procedure is well known. Let us take a bill on the calendar, either a Senate bill or a House bill. For example, take Senate bill 2161, introduced by the Senator from Arizona [Mr. GOLDWATER], a bill to amend the act of August 14, 1955. I assume it deals with reclamation matters. It comes from the Committee on Interior and Insular Affairs. So long as the Senate has no rule of germaneness, it would be possible for any Senator to rise on the floor of the Senate, and, as section 2 of that bill, offer the Hells Canyon bill as an amendment, or offer the civil-rights bill, or any other bill, as an amendment. So long as there is no rule of germaneness, that is entirely possible.

Normally, the Senate would not, and in my judgment should not, follow such procedure. But it would be a protection to every single Senator in bringing before the Senate a question of public policy, so that the representatives of the 48 States of the Union, 96 responsible Members of this body, might have an opportunity to vote as a legislative arm of the Government of the United States, a coequal branch of the Government of the United States, without being completely paralyzed in a situation in which the Representatives of the sovereign States of the Union would be entirely prevented from expressing themselves on a great matter of public and constitutional policy.

I said in 1948, and I now repeat, that I do not believe the Senate would normally follow such a procedure. The normal procedure is to go along with the established custom. However, I maintain that rule XIV, paragraph 4, is a protection to the Senate as an institution.

Under those circumstances, and without a single indication in the history of the Reorganization Act that there was a repeal of this very important rule, we cannot assume that the language which has been referred to does anything more than to provide that, when we have gotten by this point, and when it comes to the question whether a bill shall be referred or not, the bill shall be referred to the committee dealing with the particular subject matter involved in the bill.

I now yield to the Senator from Georgia.

Mr. RUSSELL. The Senator has passed the main question I wished to have clarified. The precedent to which he refers, involving Vice President Barkley, was made before the Reorganization Act had been enacted.

Mr. KNOWLAND. The Senator is correct, of course. The precedent he refers to was established on March 2, 1931. However, my point is that this is not an unusual procedure. The Senate did, time and time again, follow the procedure about which the Senator from Georgia had expressed great alarm. He now comes to the question, Did the Reorganization Act supersede rule XIV? He is certainly entitled to his contention, and I respect him for his judgment. But I also respectfully say to him that there is a great weight of opinion to the effect that under the circumstances we have outlined, an important rule such as rule XIV would not have been repealed, nullified, and made void by the Reorganization Act unless in the floor debate or in the legislative history it had been indicated that that is what the Senate intended to do.

I further submit, that subsequent to the Reorganization Act, which was passed in 1946 and became effective, under section 142 of that act, on January 2, 1947, the Downey precedent was established on May 3, 1948. I again reiterate for the information of the Senate, because I believe it to be important, that subsequent to the passage of the Reorganization Act, the then President pro tempore of the Senate, Mr. Vandenberg, made this statement, which I read from page 5169 of the RECORD of May 3, 1948:

The PRESIDENT pro tempore. The bill has been read the second time; and, under rule XIV, paragraph 4—

He certainly did not think it had been repealed, because this occurred in 1948, after the passage and effective date of the Reorganization Act—

under rule XIV, paragraph 4, objection to further proceedings results in placing the bill on the calendar instead of referring it to a committee. From the calendar any Senator at any time the bill is before the Senate for consideration can move to have it sent to the committee.

Then, on a subsequent day, when this matter was up, under a situation which is not a parallel situation, or a case in point with the so-called Downey precedent, the Chair made a ruling which I shall read. I may say that the occupant of the chair was the then Senator from Michigan. Some of us who are here were privileged to serve with him. I agree with the distinguished Senator from Georgia that he was an able presiding officer; that he knew the rules of the Senate; that he interpreted the rules according to what he believed the rules to be, and not by whim. This is what he said on the second day:

The Chair would like to say he thinks there is no collision—

No collision—

between the precedent of yesterday and the precedent of today. The Chair thinks that the tidelands bill was in a totally different parliamentary situation from the oleo bill, that there was no question of reference to a committee involved, no question of controversy regarding what committee had jurisdiction, that there was nothing of the sort involved, and that therefore paragraph 137 of the Legislative Reorganization Act was not even a part of the first precedent to which Senators have referred.

Mr. RUSSELL. Mr. President, will the Senator yield again?

Mr. KNOWLAND. I yield.

Mr. RUSSELL. That completely sustains my position. The tidelands bill was in a totally different situation from the oleomargarine bill. That is what I say. There was no question of reference to a committee involved, and there was no question of any controversy regarding which committee had jurisdiction.

There was nothing of the sort involved. No point of order was raised. Therefore it was on an entirely different leg. No point of order was raised on the tidelands bill. That is what the President pro tempore, the then Senator from Michigan, was saying. That has been my argument and contention, that the so-called tidelands-Downey ruling does not constitute a precedent.

Mr. KNOWLAND. No; I think what the President pro tempore was pointing out was that had the situation on the previous day developed precisely as it developed on the second day, and had the question of committee reference come in ahead of the provisions under rule XIV, section 4, the decision then would have been the same in the Downey situation as in the oleo bill situation.

Mr. RUSSELL. I can only rely on the language used by the then President pro tempore. Will the Senator from California yield again?

Mr. KNOWLAND. I yield.

Mr. RUSSELL. I am very much interested in this matter because the Senator from California exercises leadership in the Senate. He has said over and over again that what he proposes is a step which the Senate should not normally take. When does the Senator think it is in order to exercise rule XIV? If the Chair should rule with the Senator from California, and if the ruling is sustained by the Senate, does the Senator from California know of any criteria we may apply as to the "normal" following of a rule which ought to be available to every Senator?

Mr. KNOWLAND. The rule, of course, is available to every Senator on every day the Senate is in session. The Senator knows that as well as I do. What I am saying is that over the years the Senate, under its rules, follows certain procedures in accordance with them.

Sometimes the rules are strictly applied, and sometimes they are not. I mentioned yesterday the 3-minute rule in the morning hour. Normally no question is raised by a Senator if another Senator speaks for 5 or 10 minutes. However, it is certainly within the right of any Senator to ask for the regular order, and ask that the rule be applied.

Under normal circumstances the rule says that a Senator shall not speak more than twice on the same subject on the same legislative day. Normally no point of order is made in that connection, and Senators may speak 10 or 15 times on a subject.

However, when we come to an important legislative process——

Mr. RUSSELL. I have made a point of order. A point of order is pending now.

Mr. KNOWLAND. I am trying to finish my answer to the Senator. If after prolonged discussion it becomes obvious that time is being consumed only to prevent the Senate from taking action, and from functioning as a legislative body, in order to deny 96 Members of the Senate, the representatives of 48 States, an opportunity to vote on a question of public policy, the rules are strictly applied.

I see Senators every day in the week leave their seats and make speeches from the rear of the Chamber, or from the front of the Chamber. However, if prolonged discussion develops, and it is obvious it is being carried on for the purpose of obstruction, the rule is strictly applied that a Senator must stand at his desk and speak from there.

That is what I say, namely, that every Senator has his protection, and that a majority of the Senate always has its protection. A majority can determine that a bill shall go to committee.

Mr. RUSSELL. Mr. President, will the Senator yield one more time?

Mr. KNOWLAND. I yield.

Mr. RUSSELL. The distinguished Senator from New York [Mr. JAVITS] asked me my construction of rule XIV. If the Senator from New York will read the RECORD, when this issue was raised in 1948, he will find that I constantly said it was inconceivable to me that 1 Senator in the chair could deny 95 other Senators from having anything to do with the reference of a bill by sending it to the calendar.

I should like to ask the Senator from California a question. We hear from time to time a great hue and cry raised with respect to the cloture rule. I say if this rule be sustained, 1 Senator can apply cloture to the whole Senate by taking a bill out of its jurisdiction; and it seems to me that it is utterly inconsistent to argue that 1 Senator can deny the whole Senate jurisdiction if the other 95 Senators are panting and eager to act on a bill.

Mr. KNOWLAND. One Senator can do no such thing. One Senator cannot get a bill referred to a committee. One Senator cannot prevent a majority from referring a bill to a committee.

Mr. RUSSELL. He can deny the whole Senate the opportunity of doing anything on the bill.

Mr. KNOWLAND. On our unanimous consent calendar days, 1 Senator quite properly, under our procedure, by a single objection, even if the other 95 Senators favor a bill, can prevent consideration.

Mr. RUSSELL. This is cloture in reverse. It is one Senator putting cloture on the whole Senate.

Mr. KNOWLAND. I now yield to the Senator from Illinois for a question.

Mr. DOUGLAS. May I ask the Senator from California if the facts in the oleo case, which has been appealed to by the eminent Senator from Georgia, were not about like this: That the able Senator from Arkansas [Mr. FULBRIGHT] was seeking recognition of the Chair in order that the oleo bill might go to the calendar without referral to a committee; that the then Senator from Nebraska, Mr. Wherry, also was seeking recognition, in order to have the bill referred to the Committee on Agriculture and Forestry; that the Presiding Officer, who was Senator Vandenberg, of Michigan, recognized the Senator from Nebraska?

Is it not true that the Presiding Officer, at least twice in the debate, once in the beginning and once at the end, said that the sole issue involved was as to who was first recognized by the Chair to assert his rights under the rule?

Mr. KNOWLAND. I think the Senator from Illinois is correct.

If we actually look at the RECORD, we will find this situation. Unfortunately, several of the Senators who participated in the colloquy at that time are no longer with us, but the RECORD shows that Mr. Wherry obtained the floor. So he had the floor. At that point the Senator from Arkansas addressed the Chair for a parliamentary inquiry. From the language of the Chair, the only possible interpretation I can reach is that there had been some prior discussion with the Chair, so that the Chair had been informed that the question of the reference to a committee was to be raised, and Mr. Wherry had obtained the floor for the purpose of raising that issue.

The Senator from Arkansas indicated it appeared that the Chair himself was raising the issue. The Senator from Illinois, Mr. Lucas, who was the whip at that time, was in the Senate Chamber.

That is why I believe the language goes to an entirely different precedent, an entirely different case, from the one of the previous case, concerning the so-called Downey precedent.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. BUSH. I should like to address a question to the Senator from California. In the Constitution, article I, section 5, we read:

> Each House may determine the rules of its proceedings.

It has been contended this afternoon that the Reorganization Act of 1946 is a law which makes ineffectual or makes null and void rule XIV of the Senate rules.

Would it not seem that the Reorganization Act never was intended to do a thing of that kind, in the face of a perfectly clear provision of the Constitution, which provides that the Senate may make its own rules; and that, therefore, the contention that the Reorganization Act supersedes rule XIV would seem to have no force and effect at all?

Mr. KNOWLAND. I think the Senator has made a point. The Reorganization Act itself indicates that in certain respects the Rules of the Senate were to be changed. I suppose until that decision should be overturned by the courts, it would be assumed that the rules could be amended.

But I agree that the Senator from Connecticut has put his finger, again, on the point that the Senate never would have agreed to a basic change in an important rule like rule XIV by indirection.

Certainly there is nothing in the Reorganization Act, which, as the Senator from Connecticut has said, was participated in by the other body, which would change that rule.

Mr. BUSH. Is it not significant that the Senate, in view of the Reorganization Act, has not changed its rules, and therefore, as of today, at least, it does not apply, so far as the Senate's right to change its rules is concerned?

Mr. KNOWLAND. I agree completely. That was the point raised by the Senator from California when he was a good deal younger and less experienced in this body than he is now.

As a member of the Committee on Rules and Administration, I pleaded with the Senate, under the circumstances, that the rule existed, that it was applicable, and if there was any criticism of the rule, the Senate should have a change brought out and acted on, so that the Senate would know precisely what the intent and desire of the Senate was.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JAVITS. I am glad the Senator from California has yielded to the Senators who have spoken thus far, and I thank him for yielding to me now.

This is a lawyer's argument. I think those who serve here who are lawyers ought to have some opportunity to help by expressing their views as to what the rule ought to be. I do not feel that the point of order ought to be overruled.

I ask the Senator this question: As I understand the fulcrum of the argument, it is whether or not an intervening action of the Chair was material. If the intervening action of the Chair is material, and after recognizing Senator Wherry, then it is no precedent; on the contrary, a precedent is now to be made. If, on the other hand, it is immaterial, then it is a precedent.

I should like to call the Senator's attention, therefore, to this point. It is said it does not matter whom the Chair recognizes; and the Chair, therefore, is treated as a kind of policeman who regulates traffic.

I interject to say that the Legislative Reorganization Act is an act of Congress and has exactly the same effect as the rules, because all it says is that the rule-making power of the House and Senate is to be exercised. It is simply another piece of paper.

Therefore, the rule of construction, as we lawyers know it, that two statutes must, if humanly possible, be construed together, applies in this instance.

As I read Rule VII of the Senate Manual, at page 15, it provides:

> The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the President or the House of Representatives.

In short, the Presiding Officer has much greater powers than an individual Senator. He can lay a bill before the Senate. He needs no vote.

If a Senator chooses to do the same thing, he must make a motion and have a vote. So it strikes me that this is an exact analogy for rule XIV.

This is my question: Rule XIV, paragraph 3, provides:

> No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

It is charged that there will be great confusion if the objection of the Senator from California shall be sustained, and the bill shall go to the calendar. But is it not possible to construe the whole matter consistently in this way:

The Chair has the authority. The Chair can refer the bill. If objection is made that the bill cannot be placed on the calendar, the Chair can recognize any Senator to make a motion. The Chair can refer the bill and the Senate can sustain him on whether it goes to a committee or goes to the calendar.

The Chair is the Vice President, elected by all the people. He is the second officer of the Government. He is not an impotent figure. We have so provided in the rules. The rules say so. The rules give the Vice President the authority. There is no reason in the world why we should not sustain him in the exercise of his authority.

I ask the Senator from California if that is not the essential difference between the Downey precedent and the precedent sought to be adopted today?

Mr. KNOWLAND. I think there is strong merit in the contention which the Senator from New York has made in that regard. Of course, the question of recognition is one which actually comes before the Senate almost every day of the year. It makes quite a difference, for instance, in the normal legislative procedure.

I have seen many situations develop in my time in the Senate in which there have been hard fought contests.

Senators may not divide along party lines, but they divide on questions of legislation. The question becomes important as to whether the Senate shall continue in session, whether it shall recess, or whether it shall adjourn, depending on who is recognized. There is a certain priority. Motions can be made which will give quite an advantage to one group or another, or to one Senator or another, in connection with the making of a motion. But the rules themselves make such provision.

If I should move to adjourn, my motion would have priority over that of a Senator who might have obtained the floor an hour earlier, or 10 minutes earlier, and moved to recess. My motion that the Senate adjourn would displace his motion that the Senate take a recess; my motion would take precedence.

So our rules are filled with provisions which recognize the right of a Senator and the importance of certain priorities.

Mr. HUMPHREY. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. HUMPHREY. First of all, I wish to commend the Senator from California for the very able argument he has been making.

In examining the Legislative Reorganization Act—to which there has been much reference today—it should be noted—and I am sure the Senator from California has done so—that in that act, the rules which are amended or the rules which are changed are specifically noted.

Mr. KNOWLAND. I agree with the Senator from Minnesota.

Mr. HUMPHREY. For example, rule XXV, is amended; also rule XVI, relating to appropriation bills. The Senator from California referred to rule XVI of the Standing Rules of the Senate. The Legislative Reorganization Act is an act of Congress, and therefore it also refers to the rules of the House of Representatives; and it notes that rule X, rule XI, and rule XII of the Rules of the House of Representatives are amended.

In other words, when the Legislative Reorganization Act intended to repeal or amend rules, and there was a knowledgeable conflict within the minds of the Members of Congress who acted on the Legislative Reorganization Act, they did so specifically and directly, and not by inference.

The only leg anyone has to stand on to the contrary is the portion of the Legislative Reorganization Act which provides "and such rules shall supersede other rules only to the extent that they are inconsistent therewith."

That is the only way there can be any overruling of the old rules by inference.

Let us see whether that happens in the case of rule XIV and rule XXV. Rule XXV relates to the jurisdiction of committees in case a bill is referred to committee.

Mr. KNOWLAND. I think the Senator from Minnesota is quite correct.

Mr. HUMPHREY. Furthermore, rule XXV, which relates to the jurisdiction of Senate committees, provides, in the case of the Committee on Agriculture and Forestry, that it shall "consist of 15 Senators, to which committee shall be referred all proposed legislation." Meaning legislation proposed by Senators, because when we examine rule XIV, we find it does not refer to proposed legislation. Instead, in the fourth section or paragraph we find the words: "every bill and joint resolution of the House of Representatives."

The only possible part which could be in conflict with rule XXV would be the part to which the late Senator Barkley, of Kentucky, once referred, namely, a bill introduced in the Senate. At least, joint resolutions or bills or petitions which come from the House of Representatives are not legislation proposed by a Member of the Senate. I think this is a part of the general argument in reference to the validity of rule XIV.

In conclusion, let me say that it seems to me the Senator from Georgia does not base his case upon the validity or the legality of the rules. Instead, he bases it on the desirability of the rules.

Mr. KNOWLAND. And in that case the remedy is to go before the Committee on Rules and Administration and suggest that the rules be changed.

Mr. HUMPHREY. That is correct.

Furthermore, let me say, insofar as the desirability of a rule is concerned, that is pretty much determined by the frame of reference in which the rule is applied.

Here we see a frame of reference in which the civil rights proposed legislation has had hearings ad infinitum. The Government Printing Office has issued literally hundreds of hearings on proposed civil-rights legislation. Here, available in the law, is an extraordinary procedure for extraordinary conditions under extraordinary circumstances.

The argument made by those who oppose the use of rule XIV is that if it is used, there will be chaos. I submit that it was used as a part of the rules—unscathed, untouched, unamended—until the Reorganization Act became the law. And, Mr. President, believe me, the Founding Fathers had less chaos than we have. [Laughter]. Those who preceded us did quite well. The Legislative Reorganization Act dealt less with the substance of the rules than it did with the streamlining of the rules.

So I submit, most respectfully, that here is a rule which is still intact. If it had not been intact, those who wanted to amend it or change it would have so stated in the Legislative Reorganization Act, by the very nature of that act. Here is a rule which has against it the one question, "Is it desirable?" Its desirability must be determined in the light of the context of the situation. If it is a rule which, when applied in 1957, will result in legislative chaos, then I say the burden of proof is upon those who make the assertion, because as late as 1947—through two World Wars, and through the War Between the States, and through the Mexican War, and through the War of 1812, and in the first

days of this Republic—rule XIV applied, because it is a rule which was referred from Jefferson's Manual.

So where is the argument? The only argument is that some do not like the rule. I say that some Senators do not like rule XIV because the Senate has not had a chance to vote upon important proposed legislation. Every time some Member rises to argue the rules, he holds up the Senate Manual. However, Mr. President, the Senate Manual also contains the Constitution of the United States. I repeat, as I stated the other day, that the Constitution provides that a majoriy of the Senate shall constitute a quorum for doing business; and a majority can take a bill from the calendar and can refer it to coinmittee; and once a bill is referred to committee, if it is not reported, a majority can discharge the committee from its further consideration, and a majority can act on a bill.

A majority is the central principle of democratic government. A majority is one of the principles which should guide the deliberations of this body. But the Senate has been denied the right to exercise the will of a majority.

I wish to join the Senator from California in what I consider to be a legitimate, honorable effort to obtain at least the right to decide, one way or the other, upon important legislative proposals.

Mr. KNOWLAND. I thank the Senator from Minnesota.

Mr. SALTONSTALL. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. SALTONSTALL. I should like to point cut one thing to the Senator from California, and to obtain his comment. He has made a very able argument regarding the effect of rule XIV. He has said it does not give undue prerogatives to one Senator and the Presiding Officer. He said the bill would go to the calendar.

The Senator from Minnesota has just pointed out that if the bill goes to the calendar by the prerogative of one Senator, it can come off the calendar in 15 minutes by the action of a majority of the Senate. It can go to a committee. It can be acted upon for a third reading. So rule XIV does not give to one Senator any more prerogative than that given to a Senator whenever he requests unanimous consent for any purpose. Is that not correct?

Mr. KNOWLAND. I agree with the Senator from Massachusetts.

Mr. SALTONSTALL. I should like to make a further point, although the Senator from California may have made it during my enforced absence from the Chamber. In rule XIV, paragraph 3 clearly provides that a bill coming from the House of Representatives may be referred to committee.

Paragraph 4 of rule XIV is the one with which we are dealing. Certainly, in reading rule XIV as a whole, we must construe each of the paragraphs in relation to all the other paragraphs of the same rule. Thus, the rule makes perfectly clear that a bill may be referred to a committee, but that there is nothing compulsory about it. When a bill is referred, rule XXV applies—but not until then.

Mr. KNOWLAND. I quite agree with the distinguished Senator from Massachusetts; and he ably made that argument in 1948, as I recall.

Mr. HILL. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield to the Senator from Alabama.

Mr. HILL. The Senator from Massachusetts said that if a bill went to the calendar, it could come off the calendar in 15 minutes. But we would have no assurance whatever that it would come off the calendar in 15 minutes, because it would be necessary to move that the bill be taken from the calendar and that the Senate proceed to consider the bill. Such a motion is debatable. It might be debated for 15 minutes or 15 hours or many more hours.

Mr. KNOWLAND. But that is the situation in the case of any bill on the calendar.

Mr. HILL. But, under the procedure of the Senate, bills on the calendar have received consideration by a committee. That is the point. Even though the motion to proceed to the consideration of the bill is finally agreed to, before the bill can be referred to committee, it is necessary to move that the bill be referred to committee; and that motion is debatable, not for 15 minutes or for 15 hours, but perhaps for much longer.

Mr. KNOWLAND. But that procedure is not interfered with in the slightest by the proceedings today.

Mr. HILL. But the Senator from Massachusetts said the bill could be reached in 15 minutes, and that is absolutely impossible.

Mr. KNOWLAND. Of course, if an attempt were to be made completely to obstruct the business of the Senate, that could be done any day of the year even in the case of a bill which had not been placed on the calendar or even as to a bill which was actually before the Senate. If the sole desire is obstructionism, the rules of the Senate permit it. But no Senator is deprived of any of his rights by the procedures which have been suggested, and they are in complete conformity with subsection 4 of rule XIV.

Mr. HILL. Not being deprived of that right, a Senator can debate the question for longer than 15 minutes.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. SALTONSTALL. I will say to my friend from Alabama, in reference to my suggestion of 15 minutes, that if there is an overwhelming desire on the part of a great majority of the Senate to take action it can be done reasonably quickly—in 15 minutes, an hour, or an hour and a half. If only one Senator is trying to hold up the Senate, the Senate can act in a comparatively short time, just as it can in connection with any action with respect to which the will of one Senator is opposed by that of 95 other Senators.

Several Senators addressed the Chair.

Mr. HENNINGS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Missouri will state it.

Mr. HENNINGS. I was about to enquire who had the floor, since the distinguished minority leader, the Senator from California, has taken his seat.

The VICE PRESIDENT. The Chair recognizes the Senator from Missouri.

Mr. HENNINGS. Mr. President, I am sure the Chair has been abundantly enlightened by the arguments made this afternoon, although I rather suspect the Chair has done considerable prior studying with respect to the ruling he will be called upon to make on this question.

Many arguments have been made and many points at issue have been covered, and there are, indeed, two sides to the controversy. I think the distinguished and able Senator from Georgia [Mr. RUSSELL] has presented his case in a lawyer-like fashion and, as befits him, without rancor, and certainly without recourse to personal references or personal recriminations against any other Member.

I wish to compliment, too, the Senator from California [Mr. KNOWLAND], the distinguished minority leader, upon his very able presentation of the issues in this matter.

I do not believe the Senator from Minnesota [Mr. HUMPHREY], in his interrogation of the minority leader, took note of the fact that rule XIV itself has indeed been amended twice. Subsection 5 of rule XIV, which appears on page 21 of the Senate Manual, was amended on January 17, 1947, and subsection 6, the last subsection of the rule we are now discussing—subsection 4 of that rule being the subject of this controversy—was also amended on January 17, 1947.

Prefatory to any material in the Senate Manual, I refer Senators to Senate Resolution 71—85th Congress—which I had the honor and duty of reporting, as chairman of the Committee on Rules and Administration. That resolution, which was agreed to by the Senate, as is set forth on page 2 of the Manual which every Senator has at his desk, provided:

Resolved, That the Committee on Rules and Administration be, and it is hereby, directed to prepare a revised edition of the Senate Rules and Manual for the use of the 85th Congress, that said Rules and Manual shall be printed as a Senate document.

And so on. That revised edition was printed and it contains rule XIV unchanged.

That being the case, and after having made some further study of the Standing Rules for Conducting Business in the Senate of the United States, I am of the firm opinion that rule XIV is in full force and effect. The Senate has the right to repeal it. The Senate has not repealed it. The Senate has not amended section 4 thereof. Certainly, the effect of it has not been superseded by rule XXV, which rule only describes the essential jurisdiction of the various standing committees.

The Legislative Reorganization Act was approved in 1946. The changes it effected in the Standing Rules of the Senate were first incorporated into the official Rules and Manual of the United States Senate for the 80th Congress. This document was prepared by the Committee on Rules and Administration, in compliance with Senate Resolution 86 of the 80th Congress, which directed that committee to prepare a revised edition of the Senate Rules and Manual. In that official publication of the Senate Rules no change was made in sections 3 or 4 of rule XIV, which form the basis of the current controversy. It is significant, however, that rule XXV was substantially changed pursuant to the pertinent provisions of the Legislative Reorganization Act.

In the subsequent editions of the Senate Rules and Manual—prepared in 1949, 1951, 1953, 1955, and 1957—there likewise was no change made in sections 3 or 4 of rule XIV.

Each of these official editions of the Senate Rules which have appeared since the passage of the Legislative Reorganization Act were prepared under the supervision of the Senate Committee on Rules and Administration. Each reflects the text of the Senate Rules as approved by that committee. I think it is abundantly clear and it is only logical to conclude, therefore, that, in the opinion of the Committee on Rules and Administration, as evidenced by its consistent approval of the text of rule XIV, the latter rule was not rescinded, modified, or amended in any respect by the Legislative Reorganization Act.

Rule XIV, section 4, provides a method for placing a House-passed bill—I emphasized a House-passed bill—on the Senate Calendar without reference of the bill to committee. Since there is no assurance that the Senate Committee on the Judiciary will ever report a civil-rights bill during this session, I have, with some reluctance, I confess, joined with several of my colleagues in indicating that we will use the provisions of Senate standing rule XIV to place the House-passed civil-rights measure, H. R. 6127, on the Senate Calendar. When I say "with some reluctance" I say that because I, too, believe in adherence to orderly and normal procedure. I believe in the use of the committee for consideration, insofar as that can be done effectively, diligently, and with reasonable speed and sincerity.

In saying that, I question not—and I wish to make this very clear—I question not the sincerity of the opponents of these measures. They are men of conviction. They are men of patriotism. They are men of character. I wish to make it very clear that there is nothing invidious in what I say with respect to any Senator's right to speak in committee or on the floor, or to avail himself of any rule which the Senate has laid down and provided for the conduct of its own business.

I had hoped, having lived with this matter for many months and indeed over some period of years, that it might not be ad hominem, might not be ad personam, and that it might be debated and discussed in a lawyerlike way by Members of the Senate, whether they be lawyers or not. I hope that we can discuss matters objectively, without personal recrimination, so that we can act in a manner measuring up to the dignity and standing which this body has before the world.

I am for this measure for a number or reasons, one of them being that I believe it is an important instrument of foreign policy. I believe, of course, not only in full justice to all citizens of the United States, as provided by the Constitution, but I believe that we must tell the Free World—indeed, the uncommitted nations of the world and even those committed now to the Communist bloc—that we of the United States of America do not judge men's right to full participation of first-class citizenship in these United States by the color of their skin or their place of national origin.

Mr. President, the Senate Committee on the Judiciary has been meeting for some considerable length of time on this subject in this Congress and in the preceding Congress. Of course, if the Committee on the Judiciary does not report a bill, as in this case it has not thus far so done, we will, by keeping the House bill on the calendar, have a bill upon which action can be taken during this session by the full Senate.

As one of the sponsors and one of the supporters of what I think is meaningful civil rights legislation, over the years; as chairman in the 84th Congress of the Senate Judiciary Subcommittee on Constitutional Rights, and as a member of the subcommittee in the Congress preceding that—which subcommittee had reported favorably four civil rights bills, only to see them die in the full Judiciary Committee; as a sponsor this year of four bills similar to those of the previous Congresses, to which I have referred; as Chairman of the Constitutional Rights Subcommittee in this Congress, which has held exhaustive public hearings this year on 15 civil rights proposals, and which favorably reported a bill to the full Committee on the Judiciary on March 19, 1957; and, Mr. President, of course, as a member of the Committee on the Judiciary, for which I have the greatest respect, and for whose members, my colleagues, I have the greatest respect, I have sought action on the merits of this proposed legislation, as have other Senators, to the end that a bill might be reported with expedition to the Senate, and full and fair debate and consideration could be given to this all-important, far-reaching subject. The eyes of the world are upon us, with results now incalculable, depending upon what we in the Senate do about this issue. It is a transcendently important question.

Mr. President, I think I can speak as one who has been somewhat close to this issue throughout the past few years. I say reluctantly, but frankly, that I believe there is presently no convincing assurance whatever that the Committee on the Judiciary will report a civil-rights bill in the near future.

To substantiate that statement, Mr. President, I wish to review for a moment my own experiences with civil rights in the Senate Committee on the Judiciary in the 84th Congress, and to date this year.

On February 23, 1956, the Subcommittee on Constitutional Rights, of which I happen to be chairman, favorably reported to the full Committee on the Judiciary three bills aimed at strengthening Federal protection of civil rights. That was last year, 1956, on the 23d day of February. It so happens that that day coincided with the funeral ceremonies of our late beloved and distinguished colleague, Harley M. Kilgore, who had been chairman of that committee.

We called a meeting that afternoon in my office and reported those measures to the full committee. I remind Senators that was February 23, 1956, a year and a half ago. These bills included S. 900, which would have made lynching a Federal offense; S. 903, which was aimed at protecting the voting rights of all citizens in Federal elections and primaries; and H. R. 5205, which would have protected members of the Armed Forces from bodily attack.

Shortly after we reported these three bills, the subcommittee also favorably reported S. 902, a bill to reorganize the Department of Justice so as to provide additional civil rights enforcement machinery. On March 4, 1956, the day after this latter bill was favorably reported, I publicly urged passage of all four of the bills so as—if I may take the liberty of quoting what I said at that time—to "bring about equality of citizenship in this country, without regard to race, color, religion, or ancestry of any citizen."

Then, on April 12, 1956, I placed in the CONGRESSIONAL RECORD a statement expressing my strong support for the bills and urging the administration's leaders and other to join in passing them.

Continuing with the chronological history of this proposed legislation, on April 24, 1956, the Judiciary Committee commenced hearings on all of the civil-rights bills then pending before it, and held hearings on 10 different days, extending over a period from April 24 to July 13. I attended and took an active part in many of these hearings, with the purpose of expediting them as much as possible so that the committee might report out the appropriate bills and thereby give the Senate an opportunity to vote on them. Despite the best efforts of some of us, however, the committee took no action on any of the civil-rights bills before Congress adjourned.

At this time I wish to pay the highest tribute to my distinguished and eminent friend, the senior Senator from Illinois [Mr. DOUGLAS], who also has borne the burden of this battle. He did so last summer, and he has again come to the forefront. We all recognize the sincerity of his motives, and we admire his outstanding ability.

On July 19, 1956, the distinguished Senator from Illinois and I made speeches on the floor of the Senate, calling attention to the few days remaining in the session during which the Senate could take action on civil-rights legislation. I urged that Senate action be taken immediately, as did the distinguished Senator from Illinois. And, in an attempt to prevent political partisanship from in any way helping to sound the death knell of civil-rights legislation in the 84th Congress, I threw my wholehearted support behind H. R. 627, the administration's civil-rights bill, even though some of us thought it was far too

weak. Despite its inadequacies, we preferred the administration's bill to nothing at all.

Finally, in a last-ditch attempt to get Senate action on civil rights, on July 27, 1956, Senator DOUGLAS, Senator Lehman, and I moved to discharge the Committee on the Judiciary from further consideration of H. R. 627. The three of us fought to the very last day of the session, but to no avail. The three of us did the best we could, but it was not nearly enough. The Senate adjourned without taking action.

On January 9, 1957, immediately after the beginning of the 85th Congress, I introduced in the Senate four bills, S. 427, S. 428, S. 429, and S. 468, which were identical to the four civil rights bills reported favorably the year before by the Subcommittee on Constitutional Rights, a standing subcommittee of the Committee on the Judiciary.

These bills, together with other civil-rights bills, were referred to the Committee on the Judiciary.

On January 22, 1957, at the regular meeting of the Judiciary Committee, I sought to have the committee set February 18, 1957, as the deadline for the termination of hearings on civil rights, and to vote on civil-rights legislation and report on it to the Senate not more than 1 week later. However, my motion to this effect was not acted upon at that time.

On January 26, 1957, the various civil-rights bills then pending before the Judiciary Committee—numbering 14 in all—were referred to the Subcommittee on Constitutional Rights for consideration.

On January 30, 1957, at a meeting of the Constitutional Rights Subcommittee, I presented to the subcommittee an omnibus bill which I had prepared and which contained what I felt were the best features of all the bills then under consideration, including the President's civil-rights program, the four bills I had introduced, and the bills of various other Senators which we thought were meritorious. At that time I moved that this omnibus bill be reported to the full Judiciary Committee without delay, but my motion was voted down. When the subcommittee then decided to hold public hearings on the civil-rights bills then before it, I proposed that such hearings be commenced February 12, and be limited to 2 weeks, with the subcommittee to act on the bills immediately thereafter. This motion, too, was defeated in the subcommittee.

Public hearings on civil rights were commenced by the Subcommittee on Constitutional Rights on February 14, 1957, and were terminated March 5, 1957, after 13 days of hearings which produced a record totaling 899 printed pages.

The extensive, full, and open hearings by the Subcommittee on Constitutional Rights, before which many witnesses appeared, included the Attorney General of the United States, the distinguished Senator from Pennsylvania [Mr. CLARK], the distinguished Senator from Illinois [Mr. DOUGLAS], and the distinguished junior Senator from Georgia [Mr. TALMADGE] among many others. There were also a number of other various distinguished witnesses, including a number of other distinguished Senators.

I ask unanimoust consent to have printed in the RECORD at this point as a part of my remarks a list of the witnesses who appeared and testified before that subcommittee.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

WITNESSES WHO TESTIFIED AT THE CIVIL RIGHTS HEARINGS OF THE CONSTITUTIONAL RIGHTS SUBCOMMITTEE, JUNE 19, 1957

One United States Representative testified: GEORGE R. HUDDLESTON, JR., Alabama.

Fourteen Senators testified or submitted statements: CLARK, of Pennsylvania; DIRKSEN, of Illinois; DOUGLAS, of Illinois; EASTLAND, of Mississippi; GOLDWATER, of Arizona; HUMPHREY, of Minnesota; IVES, of New York; JAVITS, of New York; NEUBERGER, of Oregon; SALTONSTALL, of Massachusetts; SPARKMAN, of Alabama; STENNIS, of Mississippi; TALMADGE, of Georgia; THURMOND, of South Carolina.

Two State senators: Hon. Sam Engelhardt, Jr., Alabama; John West, South Carolina.

Three State representatives: Robert E. McNair, South Carolina; Joseph O. Rogers, Jr., South Carolina; James Spruill, South Carolina.

Two governors appeared or sent representative: Georgia, Charles J. Bloch, representing the governor; Mississippi, James P. Coleman, governor.

The Attorney General of the United States, Herbert Brownell, Jr.

Two attorneys general: Eugene Cook, Georgia; George B. Patton, North Carolina.

Three assistant attorneys general: Robert Giles, North Carolina; Davis Grant, Texas; Dan R. McLeod, South Carolina.

Nineteen organizations were represented: Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO; American Baptist Convention; American Civil Liberties Union; American Council on Human Rights; American Jewish Committee, AFL-CIO; Unitarian Fellowship for Social Justice; Arlington County Women's Democratic Club; Organized Women Voters of Arlington County, Va.; Montgomery Improvement Association, Alabama; National Economic Council; Japanese American Citizens League; National Association for Advancement of Colored People; National Association of Social Workers; National Council of Churches of Christ in the United States; Textile Workers Union of America, AFL-CIO; United Automobile Workers, Aircraft and Agricultural Implement Workers of America, International Union; United Steel Workers Committee on Civil Rights; Women's International League for Peace and Freedom.

Mr. HENNINGS. After the hearing ended I made every effort to have the subcommittee vote out a civil-rights bill immediately, and after considerable debate and discussion, on March 19 the subcommittee did approve S. 83 for report to the full Committee on the Judiciary.

On March 21, just 2 days after S. 83 was reported to the Judiciary Committee, I introduced in the Senate S. 1658, a bill identical to the one then pending in the House of Representatives and later passed by the House. I introduced S. 1658 with the thought that at the appropriate time it could be substituted in the Judiciary Committee for S. 83, and action in the committee thereby would be speeded up considerably.

On March 23, 1957, I circulated among all the members of the Judiciary Committee a memorandum containing a detailed and documented rebuttal to the fallacious argument that the enactment of civil-rights legislation then under consideration by the committee would result in the denial of the right to a trial by jury.

On April 1, 1957, at the regular meeting of the Judiciary Committee, I made a motion that the committee should dispose of civil-rights legislation on or before April 15. However, I was unable to obtain a vote on this motion.

On April 8, 1957, I planned to renew my motion aimed at speedy action on civil-rights legislation in the Judiciary Committee, but there was not even a meeting of the committee that day because of a lack of a quorum.

I might add parenthetically that about a year ago this time questions arose with respect to those measures involving substantially the same objections as are now raised. At that time we finally obtained a quorum by agreement to vote on the nomination of Judge Sobeloff, but only with the understanding that we would not mention anything about civil rights.

To return to 1957, on April 15, the last meeting day of the Judiciary Committee before the Senate's Easter recess, I moved that S. 83, together with any amendments, be voted upon on May 6, 1957, and that that date be the terminal date for the consideration of civil-rights legislation in the committee. Again, the committee took no action on this motion.

On May 13, 1957, the day the Judiciary Committee next met, I tried to obtain approval of my motion that the committee meet every morning, and all day when the rules of the Senate permitted, and even in the evenings, if necessary, in order to vote on the question of reporting out civil-rights legislation by May 16, 1957. On that occasion, I was not even able to get the floor for the purpose of making such a motion.

During the latter part of May and the early part of June of this year, I became ill and necessarily was absent from several meetings of the Judiciary Committee. It was during that period—on June 3, to be precise—that the opponents of civil-rights legislation were able to muster enough support in the committee to add their crippling trial-by-jury amendment to S. 83, the bill under consideration.

Finally, during both of the past two meetings of the Judiciary Committee, on June 10, and June 17, I was unable even to get the floor in the committee to make any definitive motion or to take any other action to speed up consideration of the civil-rights legislation, which, by that time, had been the pending business before the committee for a very long time.

Mr. President, I do not want to labor this matter further. I should like to add, however, that it is reluctantly my conclusion, based on sad experience, that it is most unlikely that there will be on the part of our Committee on the Judiciary any attempt to act at this session on any bill protecting the voting rights of all Americans.

If I am mistaken—and I sincerely hope I am—and we are able to get such a bill out of the Committee on the Judiciary, I will be very much pleased and, indeed, jubilant. We could then certainly proceed to act on such a Senate bill.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. HENNINGS. I am very glad to yield to my able and distinguished friend from South Dakota.

Mr. CASE of South Dakota. Did the Senator from Missouri earlier in the debate hear the question asked by the Senator from Georgia [Mr. RUSSELL], of the Senator from California [Mr. KNOWLAND] as to what criteria would be used or what criteria should be used to determine when the provisions of section 4 of rule XIV should be invoked?

Mr. HENNINGS. I was on the floor, and I heard most of the discussion.

Mr. CASE of South Dakota. I may say that the recital the Senator from Missouri is giving now, of the history of the attempt he has made to get consideration of the civil-rights measure in committee, and the frustration he must feel as a result of the failure of the committee to report the bill might be suggested as one of the criteria by which a Member of the Senate might determine whether he wanted to invoke his rights under rule XIV.

Mr. HENNINGS. I might say to my good friend from South Dakota as I said earlier in my remarks that I had reluctantly done something that—with the one exception, last year—I had not done before, either in my 6 years of service in the House, or in my 7 years in the Senate, that is, to join in a movement or attempt to discharge a committee, especially a committee of which I happen to be a member, and again especially a committee for which I have such high respect.

But again, there we sat day after day and nothing emerged, and no progress was made. I have been living with this matter as chairman of a subcommittee of the Committee on the Judiciary. After all, there is a point beyond which human endurance and human tolerance sometimes cannot go.

Certainly it was not with any jubilation or any great satisfaction that I found that such a situation had arisen that I had to make a very hard choice. Having had to make it as a matter of principle, I believe I should stand by it.

I see presently no hope of any other way of getting a Senate bill, or, indeed, the House bill, before the Senate.

In conclusion, as a safeguard, I respectfully urge my colleagues to use rule XIV to keep the House bill on the calendar. Rule XIV has not been repealed, even though two sections of it have been amended and modified. Section 4 has been left untouched since the passage of the Reorganization Act, and it appears as a part of the rules in the Senate Manual; we should use it in this case.

Mr. KENNEDY, Mr. DOUGLAS, and Mr. JAVITS addressed the Chair.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). Does the Senator yield; and if so, to whom?

Mr. HENNINGS. I yield first to the Senator from Massachusetts.

Mr. KENNEDY. The Senator from Missouri has indicated his reluctance to press for the discharge of a committee of which he is a member. Nevertheless, it is a procedure written into the rules of the Senate.

Mr. HENNINGS. Yes, indeed; the Senator is eminently correct.

Mr. KENNEDY. We are faced, on the other hand, with a procedure which even the proponents would admit is abnormal and seldom used. Would the Senator tell me why he feels it would be impossible to deal with this matter by a motion to discharge the committee, requiring, as such a motion would, a majority of the Senate, and why he feels that we should use the other procedure, if we are agreed that we would like to have the proposed legislation come before the Senate for consideration and decision? Why is it that he feels it is impossible to proceed under a discharge motion? Why is he reluctant to use that procedure?

Mr. HENNINGS. There are two alternatives. Does the Senator suggest that we use some other method?

Mr. KENNEDY. I think there is some ambiguity about the procedure which has been suggested, and there is no ambiguity about a discharge motion.

Mr. HENNINGS. In my judgment, I may say to my learned and distinguished friend from Massachusetts, I see no ambiguity in the method we are advocating. I realize that plausible-sounding and eloquent and moving arguments have been made on the other side. Similarly I have heard many moving arguments made in court, which enticed the imagination and sometimes stimulated thought. However, at the termination of the arguments I had still remained unconvinced, while admiring the substance, the presentation, and the eloquence of the lawyer on the other side who had made the arguments.

I feel that way about the criticism relating to use of rule XIV. I remain completely unconvinced. I see no ambiguity, I may say to my friend.

Mr. KENNEDY. Assuming that there are those who do see an ambiguity, what is the objection to a discharge procedure? Perhaps the Senator can explain that to me.

Mr. HENNINGS. Generally speaking, as a lawyer I am trained to take the direct course, to take what is available, to take what is at hand, and not to take the long way around. I know no other way. The law does not countenance doing a useless act, nor does it even require it. It has not occurred to me that that form of approach—a motion to discharge was as direct, or that it was as efficacious, and certainly not so expeditious, as following rule XIV.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HENNINGS. I am very glad to yield to the dintinguished Senator from New York.

Mr. JAVITS. First I should like to say to my subcommittee chairman that all of us hold him in great admiration and respect, and I certainly believe that he can very properly be dubbed the "Happy Warrier." He certainly has a great sense of humor.

Mr. HENNINGS. I thank my friend, the distinguished junior Senator from New York, the former attorney general of the Empire State, and an outstanding lawyer, for his tribute.

Mr. JAVITS. I should like to say, especially for the benefit of the Senator from Massachusetts, that there is a great difference between using the rule and a motion to discharge. If it is done by motion to discharge, the debate is subject to limitation only by means of cloture. We believe that under the procedure suggested, we have a more complete control. We have it here and now before us. The whole world is watching us, not only our country. This is the time to act.

Mr. HENNINGS. The Senator from New York is eminently correct. He has stated what I have tried to state in much better fashion and more concisely than I have been able to state it.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield to the Senator from Illinois.

Mr. DOUGLAS. First, I should like to congratulate the Senator from Missouri for the magnificent work he has done both in committee and out of committee on this matter. I can sense on his part a feeling of relief that in his consideration of this issue he may be emerging from the dark gloom of the Judiciary Committee into the full sunlight of the Senate.

Mr. HENNINGS. We have, as we say in the Navy, a very "happy ship." We have a happy company in the committee. This is one matter on which we have met with some problems, and on which we are not finding, as we generally do, peace and harmony in all respects. However, we generally manage to agree on most matters, substantially. This is a matter on which there have been some expressions of contrary opinions. We respect those who take the other point of view.

Mr. DOUGLAS. I know that the Senator from Missouri, with his customary delicacy and gentlemanliness, desires to keep on good terms with his fellow members of the Judiciary Committee and to maintain, so to speak, his union card in that organization.

Mr. HENNINGS. I should say that that would apply to all Members of the Senate, so far as I am concerned. I would rather stay on good terms than be on bad terms with any Senator.

Mr. DOUGLAS. So would we all.

But has the Senator from New York not put his finger on a very vital point, namely, that if we were to try to discharge the Judiciary Committee on this bill, we would first have to move that the Senate proceed to the consideration of the resolution to discharge the committee. That would be subject to prolonged debate. If that occurred, we would have to invoke cloture. Under rule XXII as it is presently constituted, 64 affirmative votes would be required. Then the Senate would have to approve the motion to consider the resolution.

If we jumped that first cloture hurdle, which is a very high one, we would then have to jump another hurdle, namely, to pass the resolution to discharge the committee. Then we would have to go through the long debate once again; and once again it would be necessary to get

64 affirmative votes; and everyone who either voted against the proposal or was absent would be counted as voting "no." After this second cloture vote, the resolution to discharge would itself have to be passed.

Then if we jumped that hurdle, the committee would be discharged.

If we jumped the second hurdle, the bill would merely come to the calendar. In order to get it before the Senate, it would be necessary to move to consider it, and we would have a third hurdle to jump. Again, in case of prolonged debate 64 affirmative votes would be necessary for cloture on the motion to proceed to consider the bill.

Then, on the final passage of the bill, 64 votes would be needed again, the fourth time, to limit debate on the bill itself.

So under that procedure there would be four high hurdles. As it is now under the procedure proposed by the Senator from California, there are only two such hurdles.

Is it not proper to use the rules of the Senate to get affirmative action, to avoid at least two of these high hurdles, and at least to let the Senate consider a measure which has been so long delayed and kept off the Senate floor?

Mr. HENNINGS. I may say to my friend the learned Senator from Illinois, that it had never occurred to me as a lawyer—indeed, it had never occurred to me as a matter of logic, whether as a lawyer or otherwise—to take a circuitous and difficult course, a steeplechase, as the Senator from Illinois has well and colorfully characterized it; a course on which it is necessary to jump hurdles, make water jumps, run several miles, and "take" a few hedges along the way, all with the chance of ending like the caucus race in Alice in Wonderland. In that race everyone started when he pleased and stopped when he pleased. But, unlike Alice's tortoise race, no one would win a prize. So it never occurred to me to take any such action as that, because the other action—sending the House-passed bill to the calendar—is preferable, and the rules provide for it.

Why do a useless thing? There is a maxim of law which every young lawyer learns. It is Hornbook law. He learns it in his first year. The law does not require the doing of a useless thing. When the proper means are set forth, as in the Senate Manual or the Rules of the Senate, for the action which is here contemplated and advocated, why on earth should we undertake to find some other way which is not readily available?

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. KNOWLAND. I was in the Chamber when the distinguished junior Senator from Massachusetts [Mr. KENNEDY] propounded an inquiry. I had to step from the Chamber for a moment to answer a telephone call. It seems to me, in answer to his inquiry, why use this procedure rather than make a motion to discharge the committee, that, in addition to the very able argument which the Senator has made with regard to the matter, we have a rule which offers a direct method, and the rule is available, and its use is in conformity with Senate practice and precedent.

There is this additional factor: Assume there is to be unlimited debate, on the legislation now proposed. We would then have unlimited debate on the motion to discharge the committee. There would be unlimited debate on the motion to take up the bill, once the committee had been discharged from its consideration. There would be unlimited debate on the bill itself. There would be three steps. I do not want to use the term "filibuster" because I think there should be ample opportunity for discussion. But if ample discussion got beyond the subject matter and into abstraction, there would be three hurdles to get over, rather than two.

Mr. HENNINGS. The Senator is eminently correct. Certainly we can find a more eupheristic expression than the word "filibuster," because that is a very ugly word, and we sometimes like to pretend that a filibuster never happens. We hope that if we do not look too hard, it might go away.

It also seems to me, if I may be indulged for another moment, that rule XIV specifically and expressly as has been suggested earlier in the debate, provides for the handling of House-passed bills and joint resolutions. I read from the Senate Manual, page 20, the last three lines, and from the top of page 21, subsection 4 of rule XIV:

> Every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee shall, if objection be made to further proceeding thereon, be placed on the calendar.

It seems to me that that language is clear, explicit, and beyond cavil.

If there had been substantial sentiment, or had any Member of the Senate sought to have rule XIV or any section of it, repealed, he was at perfect liberty to make the effort. But that has not been done during the many years since the Reorganization Act became effective.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield for a question.

Mr. ERVIN. I observe that the able and distinguished Senator from Missouri made the same argument in connection with the bill which all of its proponents have made, namely, that it is a bill designed to secure voting rights. Does the distinguished Senator from Missouri say that that is the only thing which the bill accomplishes?

Mr. HENNINGS. No; it does a number of things. The Senator from North Carolina and I have served together on the subcommittee for many months—not many weeks, but many months—and he and I have discussed many phases of the bill.

Mr. ERVIN. If the bill were enacted, I ask the Senator from Missouri if the Attorney General of the United States, in his sole and uncontrolled discretion, could not bring suits in all the school districts of the United States to compel immediate integration in the public schools?

Mr. HENNINGS. I say to the learned Senator, who I may say has been a most eloquent and effective advocate of a proposition which I think, with all respect to him, is entirely fallacious, that his proposal of the so-called right of trial by jury in contempt proceedings has appeal—it has enormous appeal—because most Americans would say, "What? No trial by jury?"

But the Senator knows——

Mr. ERVIN. Will the Senator answer my question as to whether the bill, if enacted into law, will empower the Attorney General to bring suits at the expense of the taxpayers to integrate public schools?

Mr. HENNINGS. The Senator from North Carolina must be patient. I have yielded to him. I have been very patient toward him, and I have learned very much from him about King George III and about the many repressions visited upon the Colonies. I have learned about all the bogies under the bed which might befall the States of the late Confederacy, of which my late departed ancestors were all a part. We have heard about many things which might happen.

I suppose, indeed, that the President of the United States might even have the authority to send troops into the South, too.

Mr. ERVIN. Undoubtedly he would, under the bill.

Mr. HENNINGS. No; not under the terms of this bill itself. He might send troops there anyway under an old statute.

Mr. ERVIN. Under title 42, section 1993, he would have the power to send troops in to enforce decrees entered in suits under this bill if this bill should be enacted into law.

Mr. HENNINGS. Does the Senator suggest that the President could not send troops in now?

Mr. ERVIN. No; he cannot send them in in the proposed suits because the bill has not yet passed.

Mr. HENNINGS. No; not in these suits; but to enforce the law.

Mr. ERVIN. He could send them in to collect money judgments under title 42, section 1985, as it now exists.

But the Senator from Missouri has been kind enough to yield; will he be kind enough to answer my question?

Mr. HENNINGS. I will answer the Senator's question, if the Senator will be patient. The Senator has asked whether the Attorney General can, under the terms of—I assume he is discussing the commission, as a part of the bill——

Mr. ERVIN. I will ask the Senator if he does not know that the bill if enacted, would authorize the Attorney General of the United States to bring suits—at the expense of the public to require immediate integration of all public schools in every school district in the United States at the expense of the taxpayers.

Mr. HENNINGS. Of course, the Senator from North Carolina, as an able lawyer, well knows that first there has to be a showing of a violation. Does he not agree as to that?

Mr. ERVIN. That is not my question. My question is about what the Attorney General of the United States could do under the bill.

Mr. HENNINGS. But the Attorney General must act upon a predicate—as I am sure the Senator from North Carolina fully realizes—namely, the predicate of some showing. The Attorney General of the United States has authority to have any Member of this body indicted for income-tax law violation, but first he must prove his case.

Mr. ERVIN. But the Attorney General cannot try us for any income-tax law violation without our having the right to require an indictment by a grand jury and without our having the right of trial by petit jury—rights which, under this bill, would be denied State and local officials and other Americans involved in civil-rights cases.

Mr. HENNINGS. Yes, inasmuch as the process under this bill is an injunctive process. The Senator from North Carolina and I have argued that matter over a period of some months, now.

Mr. ERVIN. Well, Mr. President——

Mr. EASTLAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield; and, if so, to whom?

Mr. HENNINGS. Mr. President, I should like to yield the floor, because we have had so many of these discussions for so many months, and we always wind up by going out of the same door through which we entered. However, I mean no discourtesy. I should like to accommodate my colleagues as long as I can.

Mr. ERVIN. Mr. President, I asked the distinguished Senator from Missouri to yield to me, so that I might ask him two questions, which are comparatively simple questions of law. I should like to have him answer them.

Mr. HENNINGS. The answer is "No." [Laughter.]

Mr. President, I was trying to explain—before I undertook to give the Senator from North Carolina an unequivocal answer; and I had contemplated giving him an answer, perhaps as a matter of exposition, although I had not contemplated being able to go so far as to convince the Senator.

Mr. ERVIN. Will the Senator from Missouri, as a lawyer, tell me whether the enactment of this bill, including part III, would empower the Attorney General of the United States to bring suits, at the expense of the taxpayers, to compel the integration of schools?

Mr. HENNINGS. Is that a rhetorical question?

Mr. ERVIN. No, it is not; it is a serious question.

Mr. HENNINGS. I think that, under certain conditions, the Attorney General might have that power.

Mr. ERVIN. The Senator and I have been in disagreement on this matter——

Mr. HENNINGS. But, happily, we have been in pleasant disagreement.

Mr. ERVIN. Yes, I have kept my saccharin disposition most of the time.

Mr. HENNINGS. The Senator from North Carolina has, indeed.

Mr. ERVIN. Notwithstanding the fact that the bill is predicated on the theory that the people of North Carolina, whom I have the honor to represent, would not, under the provisions of the bill, be entitled to the privileges which other people of the United States would enjoy.

But I should like to ask this question of the Senator from Missouri: If this bill were enacted by the Congress into law, would it not empower the Attorney General of the United States to litigate, at public expense, virtually all claims of virtually all aliens, citizens, and private corporations within the jurisdiction of the State in question, which would include any or all of the 48 States—that they have suffered intentional discrimination by the action of the State or local officials, taken under State statutes or municipal ordinances, or orders or regulations made under them, pertaining to elections; public education; business and trade; labor; charges, prices, and interest; railroads; motor carriers; telegraph companies; public warehouses and other public utilities; ad valorem, income, inheritance, license, and sales taxes; local public improvements; highways and streets; buildings; fish and game, the keeping of animals; civil remedies and procedures; crimes and criminal procedure; and all other matters committed by our system of government to State control?

Mr. HENNINGS. I observe that the Senator from North Carolina is reading from the minority views. I thought perhaps he was reading, instead, from the bill.

My answer to that question would be "No." [Laughter.]

Mr. ERVIN. Although I dislike to disagree with the distinguished Senator from Missouri, I would say that the proposed law provides to the contrary.

Mr. HENNINGS. The Senator from North Carolina and I have differed for a long time on these matters. I hope my point of view will be considered, if not as respectable as his own, at least somewhat respectable and predicated upon some consideration of the questions and the laws relating to this proposed legislation.

But however that may be, he and I have been, as I have said, in congenial disagreement for the many months during which we have been toiling—if not spinning—on this matter, since the beginning of this year.

Mr. ERVIN. I thank the Senator from Missouri for yielding.

Mr. HENNINGS. I have always appreciated the Senator's courtesy, his consideration, and his willingness to hear both sides of the case, as both of us have tried to do.

Mr. ERVIN. I regret that the Senator from Missouri does not agree with those who wrote the Declaration of Independence, that there should be a right of trial by jury.

Mr. HENNINGS. I am sorry to state that I believe the Senator from North Carolina is mistaken.

Mr. CARROLL. Mr. President, will the Senator from Missouri yield to me?

Mr. HENNINGS. I yield.

Mr. CARROLL. Mr. President, after listening to the Senator from Missouri [Mr. HENNINGS] and the Senator from North Carolina [Mr. ERVIN]—both distinguished lawyers—present a very stimulating argument, I wish to say that I assume they have been discussing genially the provisions of a bill which might be proposed legislation to appear before this body.

Mr. HENNINGS. That is entirely correct.

Mr. CARROLL. Is it some of the proposed legislation which has been discussed before the Judiciary Committee?

Mr. HENNINGS. Yes, and I may say to my distinguished friend that both before the subcommittee, of which I happen to be the chairman, and which my friend, the Senator from North Carolina, is a most useful and distinguished member, and before the full Committee on the Judiciary, of which the distinguished senior Senator from the State of Mississippi [Mr. EASTLAND] is chairman, we have discussed virtually everything I should say from William Shakespeare to the Holy Bible, the history of England, the dynasties of Egypt, the War for Independence, the War for the Secession—as I like to call it, because none of my ancestors ever called it "The War Between the States," although all of them were southerners: and I think that is a term which has little validity—and we have come on down to the present day, and we have discussed the Attorney General and the President of the United States; we have discussed "shoes and ships and sealing wax." [Laughter.]

As for what we have not discussed—well, I doubt that we have discussed whether pigs have wings. [Laughter.]

But other than that, I imagine we have discussed, at one time or another, everything within the orbit of human interest and knowledge; and that discussion has been going on ever since February—almost weekly, as the Senator from North Carolina knows, and practically daily during these days and months, and also on many nights. In fact, I recall that on one Saturday afternoon the hearings lasted until 7 o'clock. They were held in the old Supreme Court Chamber, when the committee was hearing witnesses on the subject of this proposed legislation.

Mr. CARROLL. If I correctly understand the position of the distinguished Senator from Missouri, it is that unless the provisions of rule XIV are invoked, there will never be a determination of this issue. I understand that is the very purpose of bringing the proposed legislation before this great democratic body.

Mr. HENNINGS. In the course of my remarks I said that, unhappily, I despaired of there being any legislation of this sort coming from the committee. However, I continue to hope, because hope does spring eternal in the human breast, and sometimes the act follows the wish.

I also said that although this is my 13th year of service in either the Senate or the House of Representatives, only upon one occasion have I joined in a petition to discharge a committee. But, reluctantly, I must say that without some parliamentary maneuver I see no chance at this time of getting legislation before us in the absence of some convolution which we cannot now anticipate, unless some angel appears tonight and whispers some admonition to several of my distinguished colleagues, or perhaps exhorts them to do other than that which they have done. Other than that, I can presently see no chance whatever that such a bill will be reported from our Judiciary Committee.

Mr. ERVIN. Mr. President, if the Senator from Missouri will yield further to me, let me say that I can assure him that no angel will appear to anyone, to urge the reporting and consideration of this bill.

Mr. HENNINGS. Perhaps the Senator would prefer to have me say that some evil spirit might do so. [Laughter.]

Mr. KEFAUVER. Mr. President, will the Senator from Missouri yield to me?

Mr. HENNINGS. I yield.

Mr. KEFAUVER. I have the pleasure, Mr. President, of serving with the able Senator from Missouri on the Judiciary Committee. I believe I attended all the meetings, except one, when I was necessarily away.

Mr. HENNINGS. The Senator from Tennessee has been very faithful in his attendance. As I indicated, I, myself, had to be taken to the hospital, and I had to miss some of the meetings; and later, I shall miss some more, under doctor's orders.

Mr. KEFAUVER. I think the Senator knows that so far as I am concerned I should like to see the issue brought out by the Judiciary Committee, so it can be debated and presented.

Mr. HENNINGS. There would be no happier resolution of the matter than to have the Judiciary Committee report the bill. I agree with the Senator.

Mr. KEFAUVER. Amendments could be acted on by the Senate, and the bill could be acted on, on its merits.

For reasons to which I shall refer on my own time later, I have a great deal of misgivings about the procedure which has been suggested in the Senate today. I wanted to ask the Senator a question. It will take a constitutional two-thirds vote to pass the bill, in the final analysis. I think we all agree to that. If there is a two-thirds vote, and all the time elapses that has been talked about, in filing a motion to discharge the committee, and then bringing the bill up for consideration, I have been advised that with just two-thirds of the Senators present and voting the rules can be suspended, so that within a comparatively short time, if there really are two-thirds backing the measure, the bill can be gotten out of committee, even if the committee itself does not want to report the bill, and have action taken on it by the Senate.

Since there is going to have to be a two-thirds vote in order to pass the bill, all the steps the Senator has talked about, or many of them, could be bypassed by a suspension of the rules. Since the cloture rule provides for only 1-hour speeches by Senators who wish to debate the issue, it seems to me the matter could be handled on a discharge petition within a reasonably short time, without doing what I am afraid we may be doing if the Vice President sustains the position of the Senator from California and sets a precedent which will rise to give us a great deal of trouble in the years to come.

Mr. HENNINGS. I had not considered the Senator's suggested alternative. I am sure it must have some merit or the Senator would not have made the suggestion. I had hoped the Senate might proceed as I have indicated, because, in my judgment, it would be the most expeditious way of getting before the Senate the bill which has been passed by the House of Representatives.

I do not like to give curbstone opinions. I had not fully considered the Senator's suggestion. I know the Senator is extremely capable, and that he will present the matter effectively and in such a manner as to illuminate the subject. I should not like to commit myself to his suggested plan at this time.

Mr. President, I yield the floor.

Mr. CASE of South Dakota. Mr. President——

The VICE PRESIDENT. The Senator from South Dakota.

Mr. CASE of South Dakota. I desire to make a few observations, which I cannot flatter myself will be new to the occupant of the chair, and probably will not be new to Members of the Senate, but I offer them for their possible bearing on any ruling which the Chair may make and on any vote which may be taken, for in this current parliamentary clash we are witnessing one of the classic contests in the history of man's age-long struggle to have a voice in his government. I do not refer to the issues of the so-called civil-rights bill; I refer to the issue involved in the struggle over what rule shall govern the procedure under which the bill is handled.

I fear, Mr. President, that Members of the Senate may take positions with respect to the rules involved which will plague them on other occasions.

There is always a temptation to evaluate a rule in the light of what its application will do currently to a matter in which one is interested. In the long run, however, when the question at issue is the formulation or substantiation of a rule, we are always well advised to maintain the integrity of the purpose of rules in a parliamentary body. For I do not think, Mr. President, that anyone can deny this: The very purpose of parliamentary bodies is served only when rules protect the rights of minorities to be heard in those bodies.

Rules, Mr. President, are for the protection of minorities. Majorities, by their very nature, are their own protection. When one has the votes, he can ultimately have his way. Rules, however, guard truth against transient ignorance.

Mr. President, I served in the House of Representatives as a member of a minority when that minority was the smallest in membership in modern times. We were only 88 in a House of 435 Members. Under normal attendance, we did not have enough Members to compel a record vote on any measure. Yet, because we had a body of rules built up over the years to protect the rights of minorities, that minority in the 75th Congress, with scarcely 1 Member in 5, could and did get its division of time on all matters, could and did have fair committee representation, could and did get record votes when 1 Member would stand on his feet and object to a vote on the ground there was no quorum present. I, Mr. President, know the value of rules to a minority.

With that background, I assert today that if we had no rule XIV, we should enact such a rule, and should not hesitate to exercise it when the developments of a situation warranted its application.

Rule XIV, and particularly section 4 of that rule, is a rule designed to protect minorities, if any rule ever was. Without it, no minority could ever be insured a chance at free consideration of some measure opposed by a majority which might be a disappearing majority if the measure were subjected to the possibility of consideration.

Mr. President, I do not condemn or oppose the committee system. As a general proposition, the committee system should be employed to the maximum possibility. With the great volume of legislative matters with which a modern Congress must deal, committees are essential. But, Mr. President, without rule XIV no minority could ever bring to the stage of possible consideration on the Senate floor a bill which got into the hands of a determined adverse committee—that is, never, at least, except by the offering of it as an amendment or a substitute to a measure, where it might carry the handicap of being not germane and the burden of a committee's formal opposition. The argument, of course, could be made, that even if there were no rule of germaneness, this was not the appropriate time to consider the amendment.

Rule XIV, Mr. President, may not often be invoked. It has not often been invoked. But the fact that it is seldom used does not devaluate the rule. People do not always invoke the Bill of Rights in every transaction, but there the Bill of Rights stands as a guardian of a free people, ready when needed.

The value of a rule to protect a minority was never more clearly illustrated than in the House of Representatives the other day on this very civil-rights bill. As the bill came to final passage, one of those opposing the bill, one lone Member, stood in his place and demanded an engrossed copy of the bill and its amendments. Under the rules, that was his right. He stopped the proceedings scheduled for that night.

Overnight, the minority was able to find a Member who could claim priority in recognition and get a vote on the jury trial issue into the vote on recommital. It was a vote which was not expected to be provided. Had someone else claimed the right to recommital it would have been suggested he was opposed to passage of the bill. But this lone Member, by demanding an engrossed copy, protected the right of the minority to obtain a vote on the jury trial issue. The demand for an engrossed copy of a bill is a tactic seldom used in the House. But the rule stands, and is not degraded or devalued by infrequent use. It guards any minority.

In a similar way, Mr. President, rule XIV, and especially section 4, with its provision that a single Member can get a bill to the calendar, is a guardian of the rights of a minority in the Senate.

True, a majority can vote to commit the bill to a committee. True, a motion would be necessary to make the bill the pending business. But presence on the calendar is a protection to the minority to insure that opponents will not be able to bottle up a bill in committee and prevent a vote on the Senate floor.

In this connection, Mr. President, I was amazed at the position taken by the able Senator from Oregon [Mr. MORSE], in abandoning his earlier position with reference to this matter. His argument that some time rule XIV might be employed to bring a vote on some matter unwanted by a minority was a strange bedfellow for his usual logic about the preservation of procedural rights. The able Senator knows that a majority in committee can always report a bill out of committee and bring it to a vote, if they desire.

Mr. President, a majority can always protect its views by the sheer application of its power as a majority. A minority must depend on the rules even to be heard. And the purpose of rule XIV, Mr. President, is to protect the rights of minorities. It should not be abandoned.

When the time comes for a ruling or an appeal from the ruling of the Chair, for I assume there will be an appeal whichever way the Chair may rule as to the precedence of recognition or the meaning and intent of rule XXV on reference to committees, I hope that Senators will remember the primary function of rules—the protection of minority rights by establishing dependable rules for parliamentary procedure—and in this instance vote to sustain rule XIV.

In my judgment, the intent and true meaning of rule XXV, as it was amended by the Reorganization Act, and as it has been since amended in subsequent enactments in each new Congress, where we fix the number of members on a committee and again repeat the recital of the jurisdiction of the committee, have been soundly stated by the distinguished minority leader [Mr. KNOWLAND], and by the able Senator from New Jersey [Mr. CASE]. They have pointed out that rule XXV is a rule to define jurisdiction of committees.

The purpose might have been more clearly expressed had the wording included the phrase "when referred," but the historical fact that such was the intent was made a part of legislative history when the Senator from Illinois [Mr. DOUGLAS] placed in the RECORD yesterday the letter from Mr. Galloway, the senior staff consultant on the Reorganization Act, of which rule XXV is a part.

I think that letter and the statements which have been made clearly demonstrate that rule XXV provides that when a bill is referred it shall be referred to the committee which has jurisdiction, and recites the different topics which are the descriptions of the jurisdiction of the committees.

In short, rule XXV is not a mandatory directive to refer bills, but a mandatory guide as to where bills shall be referred when they are referred. Rule XIV is the historical protection to every single Senator that there is a time in the reading of bills when he may ask that the bill go to the calendar, from which only a majority vote will send it to a committee and possibly deprive it of a chance for consideration on the floor of the Senate.

Mr. President, I am not deterred or startled by the suggestion of the able Senator from Georgia [Mr. RUSSELL] that the rule applies to bills and resolutions introduced de novo in the Senate itself, as well as to bills which may come from the other body. If we are to protect the right of an individual Member of the Senate to obtain his day in court, to see that the issue presented in his bill is at some time or other, placed on the calendar, where it can receive direct attention, the rule should apply to a bill introduced directly in the Senate or a bill coming from the other body.

This may be a rule which ought to be used sparingly. It is used sparingly. But the fact that it is used sparingly and only in extreme cases does not impair the value of the rule.

In fact, by the recital of the able Senator from Missouri [Mr. HENNINGS] this afternoon, we have heard a good example of the value of having such a rule, to insure that at some time or other a minority can bring its bill before the bar of the Senate.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from New York.

Mr. JAVITS. I should like to compliment the Senator for making a typically careful and very well prepared analysis. I have heard the Senator many times in the other body, and I now have the privilege of hearing him in this Chamber. His presentation is quite significant. I think the Senator is making an extremely important point.

I should like to ask one question. The argument made by the very able and distinguished Senator from Georgia [Mr. RUSSELL] is that the referral of the bill to the committee is a protection for the minority or even for the individual Senator. Is it not rather the fact that the referral to the committee is a protection for the majority, so that it does not dash into something which it could dash into in an improvident way? It has the power to do so in the committee, anyway, but it can go over the matter and hear evidence, and give a much better show as to what it is all about and why the proposed legislation should be enacted.

Mr. CASE of South Dakota. The Senator is of course correct. Anyone who remembers how committees are constituted in the Senate and how the chairmen are selected knows that the committee system is an expression of majority rule. The chairmen of the committees of the Senate are elected by a majority vote of the Senate. Necessarily, the chairman has some responsibility in connection with the majority which has selected him.

Then, when the membership of a committee is selected, a majority of the members are assigned to the party which has a political majority. Obviously, the committee is a creature of the majority.

Mr. President, I hope that when Senators vote, they will vote for the protection of the rules of this great deliberative body in such a way as to make it forever the citadel of freedom for the expression of truth as it may be given to any Senator to see truth.

In closing, I give the Senate the words of Thomas Jefferson, when he sent to Dr. Benjamin Rush a syllabus of the moral doctrines of Jesus. Jefferson said:

> It behooves every man who values liberty of conscience for himself to resist invasions of it in the case of others, or their case may, by change of circumstances, become his own.

So, Mr. President, let us preserve the right of minorities to bring their bills to the bar of the Senate.

Mr. President, I yield the floor.

Mr. ALLOTT obtained the floor.

Mr. SCOTT. Mr. President, will the Senator yield?

The VICE PRESIDENT. Will the Senator from Colorado yield to the Senator from North Carolina for a unanimous-consent request?

Mr. ALLOTT. I am happy to yield.

CIVIL AFFAIRS MILITARY GOVERNMENT IN THE ATOMIC AGE

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD an address by the Honorable STROM THURMOND, United States Senator from the State of South Carolina and a brigadier general in the Army Reserves, before the Washington Chapter of the Military Government Association at the Officers' Club, Fort McNair, Washington, D. C., June 18, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CIVIL AFFAIRS MILITARY GOVERNMENT IN THE ATOMIC AGE

(Address of Hon. STROM THURMOND, of South Carolina, before Washington Chapter, Military Government Association, at Officers' Club, Fort McNair, Washington, D. C., June 18, 1957)

It is an honor to be invited here to address this distinguished gathering, and I have chosen as my subject Civil Affairs Military Government in the Atomic Age.

My observations and study of military operations lead me to believe that the basic principles and theory of war do not change materially, regardless of the age in which they take place.

As stated by Clausewitz, warfare has three main objectives:

1. To conquer and destroy the armed power of the enemy.

2. To take possession of his material and other sources of strength.

3. To gain public opinion.

These objectives may be summed up as the mission of the Army, which is "to defeat the enemy forces in land combat and gain control of the land and its people."

From the time the first wave of infantry penetrates enemy territory the commander is an occupier under the terms of international law and he immediately affects and is affected by the civilians in his area of combat. CAMG decisions must immediately be made, not only to conform to the obligations imposed by international law, not only to initiate CAMG programs that will facilitate the attainment of United States policy objectives, but also as an immediate means of directly supporting and facilitating his military operations.

His success in combat requires that he destroy the enemy force—and such force includes not only combat elements but the resources mobilized in their support, as well as the political agency that directs such force against him. This destruction is essential to the primary objective of winning a war. Reason, however, dictates that force must be applied with discrimination—that destruction must be measured and limited to

actual requirements of the hour—not necessarily massive or total.

The application of even such force as is required to win a war has a tremendous effect upon the civil population—and the affected civil population in turn can have a tremendous effect upon the commander's ability to continue the application of required force.

The commander's decision is influenced not only by the relative combat power of opposing forces but also by the characteristics of the area of operations. Accordingly, he makes decisions with respect to his responsibilities to a population by carefully weighing the CAMG estimate of the situation in conjunction with the estimates of his staff members dealing with personnel, intelligence, operations, and logistics.

This CAMG planning must be a constant, continuing operation in full coordination with other staff sections to determine the manner in which CAMG operations may best contribute to the overall mission, to insure the coordination of CAMG activities with tactical operations, and to insure the capability of the commander's CAMG operations to cope with the civilian problems caused by war.

As the scope of warfare enlarges with the appearance of weapons of increased destructiveness, the scope of the commander's CAMG responsibilities becomes correspondingly intensified. Modern military operations, even if carried out with discrimination, will create problems of unparalleled magnitude.

MILITARY CONCEPTS OF THE ATOMIC AGE

To cope with these problems on the atomic battlefield of the field army—for it is here that the battle is won by combat—let us examine some of the concepts which will apply. This search for maximum combat effectiveness is a continuing process and has a direct relation to CAMG.

First, in the atomic age the battlefield will be of much greater depth and width than ever before.

This consideration plus the fact that our own manpower available for control of these lands and populations therein will be limited, highlights the necessity for us to increase our effectiveness through developing CAMG technological proficiency to the maximum.

In the political science field it can be expected that research, valuable to CAMG, can be achieved not by only discovering unknown phenomena but by discovering new explorations of cause and consequences, in substitution for older views found to be erroneous or superstitious. For instance, it makes a great deal of difference in an individual's approach to a problem if he believes that wars are consciously intended human actions perpetrated by the actions of certain individuals or groups, or that wars are more the character of economic depressions—the resultant of human actions arising quite irrelevant to the conscious purposes of the participants.

Similarly, with respect to the development of new CAMG techniques, we realize that the systematic development of the "CAMG science" is in its infancy. Certain areas of research have been defined, and I am sure the Army is working on them. What new CAMG research fields remain to be uncovered is not known. However, undoubtedly large areas, currently unrecognized, will be defined. As in the past, it will be the responsibility of the United States Army CAMG School to "absorb" the results of both today's known and tomorrow's unknown research, by converting it into CAMG doctrine and usable training material applicable to the atomic battlefield.

The task ahead is a challenge which can and will be met, for our Army proposes to maintain technical superiority over our potential adversaries, and furnish our combat commanders with qualified CAMG personnel for use when accomplishments of extraordinary efficiency must be routine if we are to survive.

Second, basic combat units, under atomic conditions, will probably take the form of small integrated battle groups of all arms. They must be semi-independent, self-contained, and capable of operating over extended distances on a fluid battleground for prolonged periods with minimum control and support by higher headquarters.

Such tactics will call for a greater measure of self-sufficiency on the part of our commanders, their staffs, and their men than that to which we were accustomed. The demands on leadership due to such dispersal, while at the same time employing complex weapons systems, will require full utilization of the capabilities of the CAMG organization to assist in the accomplishment of the mission. This means the use of G–5 staff sections; deployment of CAMG units; the thorough education of officers and men in the role and capabilities of the CAMG organization; and making provision for carrying out CAMG functions in those lower echelons which are not authorized CAMG staff sections.

In this respect, it is significant to note that current CAMG doctrine is adaptable to the requirements of the atomic battlefield. It is not old; it has emerged since World War II and is derived from the lessons of history. It is expressed in FM–100–5, Operations; FM–101–5, Staff Officers Field Manual; FM–41–15, CAMG Units; and FM–41–10, CAMG Operations. The basic characteristics of this doctrine, pertaining to organization, are:

(a) Organization of CAMG units is not rigid, it is extremely flexible, being based on TOE 41–500R. This cellular type TOE provides the capability for organizing units with those functional specialists and CAMG officers necessitated by the requirements of the area in which deployed. These units may be adjusted to any size battle group to which they may be assigned, and may be adapted to whatever type transportation is required;

(b) CAMG units may be assigned to Army, corps, and divisions, in which case they are employed to give CAMG support to the command to which assigned;

(c) Decentralization of command authority (operational chain of command) over CAMG units is provided in a mobile or unsettled situation; thus the demands of dispersal can be met; and

(d) A primary function of the CAMG operation is maximum utilization of the resources of the area for the support of the combat forces; a necessary aid to battle groups operating over extended areas for prolonged periods.

Third, the staggered tactical formations of the atomic battlefield, dispersed in great depth, places heavy emphasis on reconnaissance and surveillance to cover void areas. There will be an even greater need for timely and accurate intelligence in order to reduce to a minimum all uncertainty regarding the enemy.

The vital place which CAMG intelligence can play in keeping the responsible combat commander informed of the political and economic effects of the population on courses of action open to him has been recognized, and it is incorporated in FM 101–5 as the CAMG estimate of the situation. The recently published FM 41–10, CAMG Operations, expands the chapter on CAMG intelligence. It covers the development of appropriate essential elements of information in the functional fields; collection agencies, both military and civilian; and, procedures for collection, evaluation, and dissemination of intelligence. A sample CAMG intelligence collection plan is included therein. The purpose is to develop a systematic procedure which will furnish the combat commander with the type of intelligence he needs regarding the people in his area. He will, thereby, be able to take action to preclude the economic, political, and governmental reactions of the population from erupting into threats to the security of his forces or the accomplishment of his mission.

With accent on dispersal, the surveillance of lightly held and unoccupied void areas presents even greater intelligence and security problems than anything we have previously faced. For some time it has been recognized that in the main factor for effectively gaining control over guerrilla forces is the restoration of law and order coupled with a basic economic stability. For lightly held areas, the task is primarily one of generating confidence among the population in the local government's ability and willingness to furnish protection. This is done by furnishing those government services (such as communications, employment, relief needs as necessary, etc.) including protection, so that when the guerrilla steals the farmer's pig the farmer, instead of being intimidated, will have the courage to report the incident.

Unoccupied void areas present a more difficult problem. This can be met by extension of local governmental influence into these areas. Studies relative to German experiences in World War II point up many of the problems pertinent to this situation. One of the most logical solutions is that of extending local public safety agency personnel and organization into the void area to act as a guerrilla and subversive force deterrent.

PROBLEMS OF THE ATOMIC BATTLEFIELD COMMANDER

Let us now turn our attention to the examination of some of the problems of an essentially civilian nature which inescapably confront a commander in the conduct of his operations on the atomic battlefield.

Civilians, in larger numbers perhaps than ever encountered before, will commonly suffer the effects of war in personal loss, injury, deprivation and lack of the barest essentials of life. They will not have the guidance, assistance, or control normally provided by the former local levels of government. Continuing damage will contribute to mass hysteria and tend to convert the previously normal populace into an uncontrolled mob; a multitude of scared, hurt, and disrupted people who seek only to flee further injury with whatever possessions as are intact, and obtain, by any means possible, that which is necessary to remain alive.

From the commander's point of view, what is the effect of the problems posed by these civilians on his combat operations? The answer is not hard to imagine. They clutter the roads and interfere with or prevent the essential movement of troops and supplies, and often are injected directly into the combat operation. They require amazing tonnages of military supplies merely to remain alive, and can compel a diversion of combat troops to protect lines of communications and supply installations. They can require a similar diversion of troops to neutralize guerrilla action, fomented by undetected enemy agents among them. They can do all this and more. They can all but stop a military operation in its tracks, unless proper action is taken to anticipate and plan in advance such CAMG controls, as a part of the military action, as will effectively counteract these otherwise probable conditions.

The commander's CAMG operations are not limited to civil control and relief. In coordination with CIC, civilians are screened to insure the detection of enemy agents and the prevention of sabotage and rear area disorders. Local civil defense and damage control activities are coordinated with those of United States forces. Steps are taken to enforce directives and maintain a condition of law and order among civilians. Public health and sanitation are kept under surveillance to insure the prevention of epidemic disease that might affect the combat effectiveness of our Armed Forces. Information media are exploited to inform the civil populace of the purposes and aims of United States effort, and to improve the relations between our forces and the people of the country with which we are at war. Resources of the country are mobilized in support of military requirements, as well as minimum essential civilian needs—and certainly not least, the extensive CAMG organization, functioning constantly at the grassroots level, constitutes an effective source of information and intelligence of importance to the combat effort.

HUMAN NATURE REMAINS THE SAME

To summarize, it is becoming increasingly apparent that, "although weapons change, human nature remains the same" is a fact which greatly increases the problem of the future combat commander.

Modern nuclear weapons and highly technical military forces require mobilization of the full industrial and resource potential of a nation involved in war. Even the threat of their use affects not only whole nations but international balances as well. Under such conditions, the combat commander must conduct his operations with full recognition of the effect upon the population involved and their political, economic, and governmental structures, if ultimate victory is, in fact, to be achieved.

Successful military commanders throughout history, such as Julius Caesar and Alexander, recognized the problem of controlling the populace and took measures appropriate to the stage of weapons development of their time to cope with it. On the other hand, outstanding examples of less fortunate military leaders who could not adapt are found in the experiences of Napoleon I and Hitler in their Russian campaigns.

As we look ahead to the atomic age, the combat commander's mission remains the same. The new elements introduced, however, are the vast numbers of human beings affected by the extent, and, when nuclear weapons are used, the intensity of the operation. Such conditions will demand the development and use of the most efficient CAMG organization which can be devised, in order to cope with the characteristics implicit in atomic warfare, which include:

Balance and flexibility in our Armed Forces.

A continuing need for conventional forces.

Necessity to be prepared to cope with aggression of varying forms.

Essentiality of the Army in gaining our postwar objectives.

Continuing search to insure maximum combat effectiveness.

Extreme mobility of self-contained battle groups which are deployed over wide areas in great depth.

Increased need for accurate intelligence and surveillance over unoccupied areas.

Forces which must be able to concentrate rapidly, attack hard, and disperse quickly.

Great reliance on air transport.

MEETING THE CAMG REQUIREMENTS

Some proposed measures for meeting the CAMG requirements of the atomic age are as follows:

1. G5 staff sections and CAMG units must be included in the combat commander's force. Military personnel throughout the services must be indoctrinated in the CAMG capabilities, in order to provide the balanced force needed to carry out the commander's mission.

2. The operational nature of CAMG must be reflected throughout military doctrine; the G3–G5 relationships must be understood by commanders and planners.

3. G5 (CAMG) representation should be established on Military Assistance Advisory Groups in order to develop a capability within indigenous armies to conduct CAMG operations.

4. Close liaison should be maintained between agencies concerned with our relations with other peoples, such as the Foreign Service, ICA, USIA, U. N., in order to make maximum use of techniques developed and smooth out transition of authority problems.

5. Development of an appreciation of the need of the field commander for clearly defined national objectives and policies.

6. Encouragement of the development of a viable doctrine to counteract Communist propaganda.

7. Making maximum use of the free intellectual and religious traditions of the United States in combating communism and gaining our postwar objectives.

8. Increasing CAMG personnel efficiency by—

(a) Maintaining a continuing research program in order to develop new techiques, procedures, testing criteria, and detection of new research areas.

(b) Placing emphasis during training on—

(1) The role of CAMG in combat operations; development of plans, orders, and annexes.

(2) Problem solving methods and techniques.

(3) Cultural and environmental factors affecting the relationship between our military and local governments and peoples.

(4) Procedures for allocating manpower and resources.

9. Emphasizing CAMG orientation in all branch service schools.

10. The problem of training CAMG personnel in area characteristics and language will be greatly magnified during the atomic age because of the wide areas of great depth which are contemplated. To meet this requirement area documentation will have to be kept current and extremely concise. Also, every effort will have to be made to designate early the areas of deployment in order that the language training requirements may be met.

11. It is essential that CAMG plans, units, and staff sections be included in all maneuvers and CPX's, in order that organizational and doctrinal developments within the Army may provide the combat commander of the future with the capability to handle his CAMG responsibilities.

12. Increased emphasis should be placed on CAMG intelligence training, including the estimate of the situation and intelligence collection plan.

13. The indigenous public safety organization should be extended throughout the unoccupied areas as far as practicable, to act as a guerrilla and subversive force deterrent.

14. Increased emphasis should be placed on refugee control in order to prevent interference with ground mobility.

In conclusion, the critical point of atomic warfare will hinge on the combat commander's ability to exploit the advantage gained from the use of the weapon. With the chaotic conditions envisioned, his ability to handle the multitudinous problems—technical, ideological, logistical—posed by the population among whom he is operating, may well spell the difference between his success or failure. It is for this task that CAMG is organized. It is a profound command responsibility. It behooves all of us to develop a better understanding within our Military Establishment of CAMG activities, and to implement the objectives in war and in peace.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 20, 1957, he presented to the President of the United States the enrolled bill (S. 601) relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, and for other purposes.

THE CIVIL RIGHTS ACT OF 1957

Mr. ALLOTT. Mr. President, it is with some reluctance, at this rather late hour and after such full discussion that I rise to discuss a subject which has been so well covered by so many able Members of this body, and particularly by so many able lawyers. I rise at this time only because I believe that I have at least one point, and perhaps two, to contribute to the discussion, which points, at least in my mind, are determinative of this question.

First of all, I wish to make it very clear that, in my mind, Members of the Senate should decide this question not upon any extraneous issue, but upon the basis of what the rules provide.

The civil-rights bill, which has held up proceedings for so long in the Judiciary Committee, and which has precipitated the impending decision concerning the rules of the Senate, is only the reason why we are directing and focusing our attention upon an interpretation of the rules today. But the decision of the Senate should not be made upon the basis of whether one believes in the civil-rights bill as written, or in any amended form, but it should be made upon the basis of the rules as they are today.

Lincoln once made a statement which has stayed with me and has impressed me very greatly. He said, "You will never get me to support a measure which I believe to be wrong, although by so doing I may accomplish that which I believe to be right."

So in this case I think it is our responsibility not to be misled by our own passions or prejudices, or our own beliefs with respect to the substance of legislation. Rather, as a truly objective lawyer would do, we should direct our attention to the subject matter.

There are three phases which have been discussed over and over again. They are paragraph 4 of rule XIV, rule XXV, and the Legislative Reorganization Act. I listened with great interest to the arguments of the Senator from North Carolina [Mr. ERVIN] earlier this afternoon in his colloquy with the senior senator from Georgia [Mr. RUSSELL]. I was impressed by the fact that he was trying to interpret these provisions in such a way that the Legislative Reorganization Act would come into focus.

To my mind this may not be done. If one were to look at the two rules in question, rule XIV and rule XXV, especially looking at rule XXV by itself, one might say that every bill must be referred to one of the committees of the Senate, because in each instance the language is "to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects."

The language applies to each committee, and in each instance the language is "shall be referred."

But I do not think it is necessary to go to the Legislative Reorganization Act.

Subparagraph 4 of rule XIV reads as follows:

Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed

on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

The bill in question has had a second reading, in full.

What did our predecessors in this body mean when they adopted this rule? It is perfectly obvious that they could have meant only one thing. If they had meant what the opposition in this case tries to assume, the last part of subparagraph 4 would have read something like this: "And every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading shall be referred to an appropriate committee," or similar language.

It is very obvious that our forefathers had no intention of doing that, because if they had any qualities at all, they had the quality of being able to express themselves succinctly, directly, and clearly. They did not say that the bill must be or shall be reported to a committee. Instead of that they said:

> And every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

The substance of my argument is that if our forefathers had meant that this bill must be referred to a committee, they were fully capable of saying that, after the first and second readings, it shall be referred to a committee. There is no such language. There is no such intent expressed anywhere in the language of subparagraph 4 of rule XIV.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ALLOTT. I am very happy to yield.

Mr. LAUSCHE. I put the question to the Senator because obviously he has given serious study to the language of paragraph 4 of rule XIV.

I am in complete agreement with his views that in the disposition of the question immediately before us a decision should be made in trying to determine what the true meaning of the language involved is.

I have been studying this language, while listening to the arguments which have been made with regard to paragraph 4, and I have concluded that certain conditions must prevail before the disposition of the measure can be made in accordance with the views of the Senator from California.

First, the bill must have been initiated and passed in the House.

Second, it must have been read a second time.

Mr. ALLOTT. In the Senate.

Mr. LAUSCHE. Yes. Third, an objection to further proceedings must have been raised. Fourth—and this is where I reach an impasse—the bill must not have been referred to a committee.

My inquiry is this. Who initiates the referral of a bill to a committee? How is it done? Does the reference of a bill to a committee lie solely within the discretion of the President of the Senate? If it does not lie solely within his discretion, how can a Senator initiate the proceeding to get it referred? In other words, my query is this: If truly one of the conditions under which this section becomes operative is that the bill shall not have been referred to a committee, what is the mode of operation of getting it referred to a committee?

Mr. ALLOTT. If I may answer that question—of course, the Parliamentarian would be the one who could best answer it—I would say that of course ordinarily the bill, upon being introduced, is not actually read twice—that, perhaps, may be called one of the fictions of legislative procedure—but it is the function of the Vice President or the Presiding Officer, to refer a bill to a committee, unless such reference is objected to. I believe an objection would lie, perhaps—although the Parliamentarian could best answer this point—to the referral of a bill to the wrong committee.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. ALLOTT. I should like first to complete my answer to the Senator from Ohio.

Mr. KUCHEL. My comment is on the very point that the Senator is now discussing.

Mr. ALLOTT. I am happy to yield.

Mr. KUCHEL. I agree with the conclusion the Senator has reached. However, I should like to say that in the same rule XIV, if he will look at subsection 2, there is contained the following language:

> 2. Every bill and joint resolution shall receive 3 readings previous to its passage, which readings shall be on 3 different days, unless the Senate unanimously direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third: *Provided*, That the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order.
>
> 3. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

The significant language is, "after which it may be referred to a committee." That may answer the question of the Senator from Ohio. I wanted to add that to the discussion which has been generated by the able Senator from Colorado, because I think that is of additional persuasion, that rule XIV purports to cover every potential procedural problem with respect to a bill originated either in the House or in the Senate.

Mr. ALLOTT. I appreciate the remarks of the Senator from California, because I realize and believe that it adds considerably to the weight of the argument that I have been advancing.

Mr. LAUSCHE. I recognize the significance of the statement made by the Senator from California. The language the Senator has read states in a mandatory manner how the reading shall be dispensed with. However, I find nowhere any language which tells how the referral to a committee of a bill that has come over from the House shall be made. I recognize that the Senator from New York has a view on that question, and I listened intently to his explanation. I have been persuaded to a considerable degree as to the soundness of what he said, that when the bill has been initiated and passed in the House, and in compliance with the rule has had two readings in the Senate, when an objection has been made to further proceeding, it lies within the discretion of the President of the Senate to place it upon the calendar.

Mr. CASE of New Jersey and Mr. JOHNSTON of South Carolina addressed the Chair.

Mr. LAUSCHE. I do not propound my question in an argumentative way. I am trying to explore with my colleagues what the true meaning of the language is.

Mr. ALLOTT. The Senator from New Jersey has been on his feet for some time. I yield now to him.

Mr. CASE of New Jersey. I rise with considerable humility and due deference to my senior colleagues. However, I have thought a good deal about the question raised by the Senator from Ohio. I have thought considerably about it and quite deeply. It is my conclusion, based on all the rules of the Senate, that the answer is that the decision as to whether a bill shall be referred, and where it shall go, rests with the body of the Senate, either by majority vote or by acquiescence, in a particular proceeding and in a particular course of action which is being taken with the knowledge of the Senate, or by custom. I think, therefore, that the answer is that the decision rests with all of us by majority vote.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. JAVITS. As I see the situation which the Senator from Ohio raises, when a bill is introduced by a Senator, the Senator always says, "I introduce a bill, and I ask that it be appropriately referred." The Chair then says, "Without objection, it will be appropriately referred." There, unanimous consent has been given.

The Chair has been vested with the power of reference. If the Member disputes the reference, he has an opportunity to bring the matter up on motion to discharge committee A and have the bill referred to committee B, and then it depends on the whole body of the Senate.

Suppose that tomorrow I should rise and introduce a bill and ask that it be appropriately referred, and a Senator should object. In that case it is my view that the Chair would have to lay before the Senate the question of reference. At that point the bill which I introduced would have for all practical purposes been on the calendar. It would be before the Senate unless it was actually referred. That is the situation as I understand it.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. JOHNSTON of South Carolina. I should like to propound a point of order in regard to the matter we are discussing at this time. Is it or is it not true that when the Senate adopts and puts an interpretation upon a rule, it then becomes binding upon the Senate? Is that not the precedent we must then follow?

Mr. ALLOTT. I do not know whether the Senator is addressing his inquiry to me.

Mr. JOHNSTON of South Carolina. I will address it to the Senator or to the Presiding Officer; either one. I am making a point of order.

Mr. ALLOTT. If the Senator is making a point of order, or propounding a parliamentary inquiry, I believe the Presiding Officer should answer the question.

The VICE PRESIDENT. The Senator from Colorado has the floor, and the point of order is not in accordance with proper procedure and cannot now be entertained by the Chair.

Mr. JOHNSTON of South Carolina. I believe that every Senator realizes——

The VICE PRESIDENT. The Senator from Colorado has the floor.

Mr. JOHNSTON of South Carolina. Is it not true that when the Senate has voted and placed its interpretation upon a rule, it becomes a precedent in the Senate that we are supposed to follow?

Mr. ALLOTT. I should say that would be a precedent of the Senate, but I do not think we should follow a false precedent. I should like to continue my answer to the junior Senator from Ohio [Mr. LAUSCHE] which I had not completed.

Mr. SPARKMAN. Mr. President, will the Senator yield on the point made by the Senator from New York?

Mr. ALLOTT. I shall be glad to yield, of course.

Mr. SPARKMAN. As I understand the rule, there is no requirement of unanimous consent in order to have a bill appropriately referred, provided the bill is introduced in order. The unanimous consent request that is so often made on the floor is to introduce a bill out of order.

Mr. ALLOTT. I believe that is correct.

Mr. SPARKMAN. If a bill is introduced in order, it is automatically referred. It is referred without any suggestion as to whether there is objection.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. JAVITS. The point is that a bill cannot be referred until it has been read twice. When a bill is passed up to the desk, it has not been read. Unanimous consent is therefore necessary only to get it to the second reading stage, so that it may be immediately referred. That was my point.

Mr. SPARKMAN. I would suggest to the Senator from New York that when he next offers a bill during the morning hour he make no reference to unanimous consent, and see what takes place.

Mr. ALLOTT. I shall continue my answer to the junior Senator from Ohio. I wish to comment on the question which has been raised.

While I would not by any stretch of the imagination assume to myself the parliamentary knowledge which belongs to the Parliamentarian, as well as to some of the Senators who have been Members of this body longer than I, and to my colleague from New York, I believe the power to refer lies in the control of the Senate.

To the question the Senator has propounded, I should like to say this, which I believe is conclusive in the matter. If the Senator himself were writing paragraph 4, and he included in the last part of it, after the semicolon a provision to the effect that every bill and joint resolution introduced in the Senate, and every bill and joint resolution which came over from the House, were immediately to go to a committee after having been read twice, would the Senator have said what this section provides, or would he have said that every bill which has received the first and second reading shall be referred to the appropriate committee?

I think the question is completely self-explanatory, because if that had been the intention of the writer of the rule, and if the Senator were writing it himself, it is perfectly obvious that he would not have employed any language that is even similar in the least degree to the language that is employed in the rule.

That is, I think, a very cogent point. I bring it up at this time because it seems to me that if it had been the intention of the writer or the writers of the rule that upon a second reading a bill must be referred to the appropriate committee immediately, they would have said so. But they did not say so. They employed completely different language. Therefore, the supposition is that they meant exactly what they said; namely, that after a bill has been read twice, if it is objected to, then it must be placed upon the calendar of the Senate.

Mr. LAUSCHE. If I had written the language essential to the subject under discussion, I think I might have written it in this way: "Every bill and joint resolution of the House of Representatives which shall have received a first and second reading, and which has not been referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar."

In my mind, there are four conditions which are a sine qua non. They must exist before the bill can be placed on the calendar. I see three of them clearly.

The measure under consideration is a bill initiated and passed in the House. It has had its first and second readings. An objection has been made to further proceeding. The bill has not been referred to a committee.

The impasse consists in trying to determine how the initiation is to be made. What is the modus operandi under which reference can be started?

Mr. ALLOTT. I do not know that I can answer adequately, but I will say in reply that we have had three different versions stated on the floor this afternoon. In my own humble judgment, the referral is done by the Vice President. But that would be subject to the objection of the Senate or the overruling of the Vice President by the Senate at any time.

Mr. LAUSCHE. The Senator from Massachusetts [Mr. SALTONSTALL] is in the Chamber at present. I observed in reading the record of what took place 9 years ago, that he had an interpretation of that question. I leaned rather heavily toward his thought. His thought was that at a certain point in the proceeding the question should be asked, shall this bill be referred to a committee?

I do not see in this language of the rule the clarity which has been ascribed to it by many other Senators.

Mr. ALLOTT. I agree with very much of what the junior Senator from Ohio has said. I think there is only one point of the proceedings at which the objection can be made.

It will be noted that when the senior Senator from California made the objection this afternoon, his language was very carefully couched, and he very carefully based it on subparagraph 4 of rule XIV.

Mr. President, I should like to conclude my remarks with one or two observations on allied matters. The objection has been made repeatedly that following the procedure proposed would result in the control of the Senate by one Senator. I think that simply is not so, because there are too many instances in the rules under which we operate by which one Senator can control a great many things.

For example, a few weeks ago, when the Senate was debating the Suez question, one Senator rose and said that he would object to any unanimous-consent agreement which limited the debate or limited the time for debate. He was perfectly within his right to do so. Ninety-five other Senators conformed to the objection which the one Senator raised at that time, and which he was entitled to raise.

I call attention to the fact that even as we sit here this afternoon, I was supposed to attend a committee meeting under the chairmanship of the Senator from Tennessee. I do not know whether that committee meeting has been held or not. I did not want to raise an objection to it. But it was within the power of the Senator from Colorado, and it was within the power of any other Senator, to prevent or to stop the sitting of any committee while the Senate was in session.

I could go on and on, because there are innumerable instances in which the objection of one Senator can stop the proceedings of the Senate.

Our rules are designed to protect the interests of the minority. I cannot help recalling a conversation I had with our former colleague, the great Senator from Colorado, Eugene Millikin, in connection with the cloture rule. He pointed out to me that while it might or might not be desirable to modify that rule at a given time, nevertheless, one of the great things about it was that the minority could never be shut off from having their say in a debate.

I might add one other good example. Under the rules of the Senate, as I understand them, a Senator may yield only for questions. If he yield the floor otherwise, I believe, under the rules strictly interpreted, he may lose his right to the floor. The Senator from California [Mr. KNOWLAND] has pointed out repeatedly in his debate how we bend our rules to provide flexibility during the ordinary course of debate. But if I

interpret the rules correctly, most of the colloquy today upon this matter would not have been within the rules of the Senate, and any Senator could have stopped the colloquy by objecting and insisting that the only purpose for which a Senator could yield was for a question.

Mr. President, I had not intended to speak at such great length, but the questions which have been propounded to me, in my opinion, have pointed up very adequately the fact that the language in rule XIV by itself is clear, without question of conflict with rule XXV or with the Legislative Reorganization Act, and that the only choice in this matter, it seems to me, is to place the bill on the calendar.

Mr. MORSE. Mr. President, I have listened very carefully to the statement on the matter which is before the Vice President of the United States for parliamentary determination, and I wish to comment on some of the observations which have been made on the floor of the Senate this afternoon.

First, I wish to say that the interesting doctrine enunciated by the Senator from South Dakota [Mr. CASE]—namely, that rules are not needed for the protection of majorities; but that, instead, rules are for the protection of minorities, and that only minorities need rules—is a most remarkable and novel one. In my judgment it is utterly unsound, because the entire history of procedure in the judicial process, in the legislative process, and in the executive process in our form of Government, is one of the development of rules for the protection of both majorities and minorities. Time and time again a majority needs the protection of fair procedure against a minority which, in the absence of those rules of procedure, could run roughshod over the majority. The cloture rule is a good example of the kind of procedural protection a majority has against an adamant minority. The purpose of the rules of procedure bears no relationship to majorities of minorities. Their purpose is to guarantee an orderly process of law and the maintenance of a system of law, in contrast with a government by men.

So I wish to discuss this matter from the standpoint of the history of the procedure we are being asked to overrule, by means of the extraordinary request made this afternoon.

I submit that custom and practice are also parts of the law, just as the mores of a people constitute a vital part of the culture of the people.

In this matter we—particularly those of us who classify ourselves as liberals—had better take a long look at the customs and practices of the Senate of the United States in the handling of proposed legislation coming to the Senate from the House of Representatives.

There has been an interesting debate by sincere Members regarding the history of rule XIV. In years gone by, some precedents have been made in cases of placing directly on the calendar of the Senate bills which have come to the Senate from the House of Representatives. But I would have the Senate keep in mind two things: First, that most of those instances did not involve major pieces of proposed legislation, great ones such as the one now before the Senate, which rocks the Nation; and, second, in those instances the time factor was very important.

In other words, when, toward the end of a session, the House of Representatives has acted on a measure of no great consequence, and when the committees have suspended their work for the remainder of the session, there may be agreement that a House bill will be placed on the Senate Calendar and will be considered by the Senate, while operating essentially as a Committee of the Whole. In such a case the Senate is turned into a Committee of the Whole insofar as that particular measure is concerned. But most of the instances when the Senate has turned itself into a Committee of the Whole have not involved an important piece of proposed legislation, such as the civil-rights bill, in regard to which the Senate, in my judgment, should have the benefit of the committee process, including the testimony of witnesses and an opportunity for the citizens of the country to appear before the committee and testify.

But is it to be suggested that citizens be allowed to come before the United States Senate, sitting as a Committee of the Whole and testify here in the Senate on the bill which is proposed to be placed directly on the Calendar of the Senate? It is said that the Judiciary Committee has had the matter of civil rights before it since February, in the form of a Senate bill. However, that bill is not the House bill. In the course of the debate it has been admitted that there are several differences between the bill the Senate Committee on the Judiciary has been considering and the bill which has come to the Senate from the House of Representatives. The House bill has never been before the Senate Committee on the Judiciary. There has never been an opportunity for witnesses to appear before the Senate Committee on the Judiciary and testify on the House bill.

RIGHT OF WITNESSES TO TESTIFY BEFORE COMMITTEES

The right to appear before a Congressional committee and testify is, as I have said, also a part of the democratic rights of the people of the United States. Certainly they have a right to appear before the Senate committee, and to present their views, and to have them recorded for the official transcript, when such a bill is considered by a Senate committee.

Furthermore we all know that sometimes when a House bill comes before one of our Senate committees it is very helpful in ironing out conflicting viewpoints within the committee. It is my hope that sending the House bill to the Senate Judiciary Committee may speed up a compromising of differences within the Judiciary Committee and produce action much faster in the Senate than will be the case if we create a lot of ill will among Senators by following the course of action based upon parliamentary expediency which is being proposed by many of my liberal friends in this attempt to keep the House bill from going to the Senate Judiciary Committee.

So I believe we are turning our backs not only on long-established custom in connection with the handling of House bills, but also on a very important check which the people of the United States are entitled to have preserved for their benefit. In my judgment, citizens across the land should be given an opportunity to appear at public hearings held by the Judiciary Committee of the Senate, and to testify there regarding the House bill, because that measure is vital, and it might very well be vital even to the tranquility of the Nation.

Mr. President, on the basis of any time clock before the Senate of the United States on June 20, 1957, I do not think there is justification for rushing the House bill to the Calendar of the Senate.

In the colloquy had the other day, I stated that if a majority of the members of the Senate are ready to vote to place the bill on the Calendar, a majority vote will be available at any time in connection with a motion to discharge the Judiciary Committee from the further consideration of the bill, whenever the Senate believes the committee is not carrying out its responsibilities, as a committee child of the Senate, to its parent. But in my judgment the House bill should be referred to the Judiciary Committee, for its due deliberations. And if the committee were to decide, if necessary, because of differences between that bill and other bills pending before the committee, that hearings should be held on the House bill, a reasonable time should be allowed for the hearings, before the Senate committee, on the House bill. That is in accordance with the customary practice and the customary procedure. It is a rather precious procedure, Mr. President. Senators are busy; they serve on various committees. As a result, they must rely to no small extent upon the studies and reports of the committees on which they do not serve.

When a civil-rights bill is on the Senate Calendar, I wish to know whether a Senate committee which has responsibility and jurisdiction over the subject matter has given due consideration to that particular bill.

I think we also need to be very frank about the background of the present controversy. There are differences of opinion regarding the course of action the Judiciary Committee has followed in handling the Senate bill on civil rights. This afternoon I listened to the Senator from Missouri [Mr. HENNINGS] give a chronological statement regarding what has happened in the Senate Judiciary Committee in connection with the handling of the Senate civil-rights bill. I thought he made a fairly good case for the making of a motion to discharge the committee from the further consideration of the bill. But certainly I do not think he made any case at all for circumventing the committee procedures and customs of the Senate regarding the handling of House bills in the ordinary cases, by having the House bill placed on the Senate Calendar, without first being referred to the Judiciary Committee.

The other day I said—and I repeat it now—that if the House bill is referred to the Senate Judiciary Committee, and if thereafter it can be shown that the Senate Judiciary Committee has followed dilatory practices or procedures in connection with the handling of the House bill, I myself will move that the committee be discharged from the further consideration of the bill. I think that is the course of action the Senate should follow. It is the course of action which I thought most of my liberal colleagues contemplated, and I was quite surprised when that course of action was not followed.

That leads me to state that I also believe we owe respect to the House of Representatives. In connection with a matter as vital as this one, I believe the House of Representatives is entitled to have the Senate pay sufficient respect to the deliberations of the House, at least to the extent of having the House bill referred to a Senate committee which will subject the bill and the deliberations of the House to study, and also, if necessary, will subject the House bill to further hearings.

I do not think Senators would particularly appreciate it if the House were to treat the Senate quite as summarily and cavalierly as I believe it is proposed that the Senate treat the House in connection with this matter.

"Oh, but," it is said, "this is the only way we can get a civil-rights bill before the Senate"; and, of course, I deny it. The discharge procedure which would be involved in following the procedure under rule VII of the Senate is perfectly clear. It can be followed by a majority vote in the Senate, and if we have the majority vote to put the House bill on the calendar without first going to the Judiciary Committee, we have the majority vote to discharge the committee.

"But, ah," it is said, "that means maybe we shall have three prolonged debates." Well, let us call them what they are—three filibusters. Mr. President, we shall have only one, when all is said and done. It might go over a little longer time or on a different time schedule if the discharge procedure were followed than if the procedure now being suggested were followed; but I would be very much surprised, Mr. President, if by following the proposed procedure we did not have a filibuster.

At least, Mr. President, the proposed procedure does not remove the possibility of a filibuster. With a bill as lengthy as this one, there is no mathematician in this body who can count enough figures that would read out the possibility of amendments to this bill, if men had the will and determination to propose the amendments.

I think I can speak with some authority on this subject, Mr. President, because I have participated in filibusters, and I have participated in debates breaking filibusters. I want to say that the threat of a filibuster does not bother me, if Members of the Senate have the will to break a filibuster. I want to say a filibuster conducted on a fair civil-rights bill involves a subject matter that ought to result in at least enough will in the Senate to break it. To say that if we follow the discharge procedure, we may have to deal with this matter three times, as the Senator from Missouri indicated in his able speech, but if we follow the proposed procedure of placing the House bill on the calendar, we may have to deal with it only once, does not mean it is going to save 1 hour of time.

PARLIAMENTARY EXPEDIENCY IS NO SYNONYM FOR LIBERALISM

I will tell the liberals what it is going to do. It is going to put the liberals in a position where, in my judgment, they will be rightly charged with parliamentary expediency; and I do not think we as liberals ought to resort to parliamentary expediency. As I said the other day, parliamentary expediency is no synonym for liberalism. To the contrary, we liberals, who so frequently are the spokesmen for and representatives of minority groups in America, ought to always lean over backward to see to it that we give our opposition the full benefit of fair procedure. The full benefit of fair procedure in this matter is the fair procedure of committee consideration on this bill and a reasonable time for the committee to report it to the Senate, in accordance with the customary, long-standing practice of the Senate. Then, Mr. President, let us stay in session as long as is necessary—this summer and fall, and into New Year's if necessary—to pass a fair civil-rights bill. That is a liberal challenge. It is a challenge to the liberals, Mr. President, to avoid parliamentary expediency. If we run roughshod over our opposition by putting this bill on the calendar it will be the first time since the Reorganization Act was passed in 1947, that a House bill was put on the Senate calendar over the objection of other Senators. We should not yield to the pressure of those individuals and groups that want us to adopt the "end justifies the means" rationalization for this parliamentary expediency.

So I direct my attention for a moment to the National Association for the Advancement of Colored People and to the Americans for Democratic Action, because I happen to be an honorary vice president—at least, I was for years and, as far as I know, I still am—of the National Association for the Advancement of Colored People. I also happen to be a vice president of the Americans for Democratic Action. Some of the officials of those two organizations have been very busy in recent hours trying to impress upon United States Senators that we ought to vote for this parliamentary shortcut.

I want to say to those two liberal organizations, "You are making a terrific mistake, because I do not know of any group that has more at stake in regard to fair procedure than have the colored people of America." The Supreme Court, I think, has demonstrated to them, in recent years and recent days, how important the precious guaranties of fair procedure happen to be to liberty and freedom for the individual in this country.

Oh, Mr. President, I say to the liberals, parliamentary expediency is not the road to travel. The Senator from South Dakota this afternoon—and I paraphrase his remarks—thought I had engaged in a great fallacy when in my speech the other day I argued that by following the course of action of putting the House bill on the calendar we are going to find ourselves, in the not too distant future, faced with the problem of bad proposals from the House going directly on the calendar. He seemed to think that was an unsound argument for me to make when I warned the liberals that they may very well endanger their best parliamentary interests by going along with this proposal of parliamentary expediency. Well, it is a realistic one, and time will prove how right I am, and I shall be waiting for the speeches of liberals when proposals will be made to put directly on the calendar, without benefit of committee hearings, right-to-work, gas, and other proposed legislation not in the interest of the people generally.

No; the precedent the Senate is adopting this afternoon is a two-edged sword. I believe in the committee procedures of the Senate. I believe the Judiciary Committee ought to be respected by the Senate and given an opportunity to act on the bill.

BELIEF IN COMMITTEE PROCEDURES

Mr. President, I wish to say this—and it is my last point—what the Senate really is being asked to do today on the floor of the Senate, in my judgment, is discipline a committee before the committee has had a chance to act on the bill. That is what this adds up to. I ask Senators to listen to their own arguments. They have been arguing in the Senate, in speech after speech, that the Judiciary Committee has not acted on the Senate bill, and therefore the Senate is not going to give the committee a chance to act on the House bill. Senators are walking out on their own committee procedure, and I do not believe in convicting anyone before he commits the crime.

I believe the Judiciary Committee ought to have the opportunity to consider the House bill, if Senators believe in the Senate committee procedure. If the Senate does believe in it, then let the motion to discharge the committee be made. Oh, I know, Mr. President, there are political overtones in the great issue before the Senate this afternoon. There are minority groups in this country, because the pressure on me shows it, that think the test of liberalism in the Senate this afternoon is whether a Senator votes to put the bill on the Senate Calendar. I want to say to the National Association for the Advancement of Colored People and I want to say to the ADA, "I think you are both wrong and I think you are proposing a great injury to sound civil-rights programs in the United States."

I am perfectly willing, Mr. President, to stand on my record as a liberal in favor of resolving all doubts in favor of the exercise of the full committee procedures of the Senate.

It has been admitted on the floor of the Senate by proponent after proponent that this procedural shortcut is

extraordinary. It certainly is extraordinary, Mr. President. It is remarkably extraordinary, and, Mr. President, it is a denial of the ordinary committee procedure of the Senate. It is a denial to the Senate of the benefit of the judgment of the Judiciary Committee on the House bill. At least, it denies to the Senate of the United States the benefit of giving the Judiciary Committee an opportunity to live up to its committee responsibilities.

That is my case, Mr. President.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. MORSE. I am not going to be diverted, Mr. President, by all the extraneous arguments that have entered into the debate. We have here a great issue. It is a momentous issue, which has many people in this country divided. I think we ought to say to the voters of America, "We resolve every doubt in favor of a procedure which will assure a thorough committee analysis of the bill, including the right of free citizens to testify on it before a Senate committee, before we put it up for a vote in the Senate of the United States."

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, first I congratulate warmly the distinguished Senator. He has made an able speech, and a speech not easy for him to make. He has my very high respect for the speech which he has just made.

Mr. President, I should like to ask my distinguished friend if he thinks there would have been great enthusiasm among the members of the liberal organizations he has mentioned, and whose views he has so ably represented on so many occasions, if, at the time the House of Representatives passed, under the fervor of a war feeling, a measure to draft some tens of thousands or hundreds of thousands of union members, who were striking at the time, one Senator had gotten up on the floor and said, "That measure must go on the calendar without the benefit of hearings or the giving of good people, liberals and others, a chance to be heard before the committee."

Mr. MORSE. The Senator is quite correct. My answer is that is why we ought to follow the committee hearing procedure.

I answer the Senator further by saying that by clear implication the Senator has pointed out why we ought to also be on guard against runaway majorities.

Mr. HOLLAND. Of course, Mr. President, will the Senator yield for another question?

Mr. MORSE. I yield.

Mr. HOLLAND. The Senator knows full well that if this measure takes the course similar measures have taken, for many Congresses, the ultimate question is going to be whether or not 64 Members of the Senate are willing to vote to close debate, and the Senator well knows that the only practical difference is between 2 cloture and 3 cloture, each of which involves a maximum of something like 72 hours of time, and not over that.

Mr. MORSE. The Senator is correct. And January 1 is far enough away to take care of the matter.

Mr. HOLLAND. Having that in mind, does the Senator not think it almost humorous to hear Senator after Senator rise to piously state that the reason for this proposed action and the reason for upholding it is so that the rights of a minority may be served?

Mr. MORSE. I will answer the Senator's question. I simply do not agree with their arguments.

Mr. HOLLAND. I thank the distinguished Senator and congratulate him for his courtesy and clarity.

Several Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Oregon yield; and if so, to whom?

Mr. MORSE. I yield to the Senator from Michigan [Mr. McNAMARA].

Mr. McNAMARA. Mr. President, I am impressed by the argument of the Senator, particularly as it appeals for the allotment of a reasonable amount of time during which the committee is expected to act. Does the Senator not agree that 5½ months is a reasonable length of time to consider a bill and hear witnesses pro and con, as to everything concerned with this phase of the civil-rights problem which is before us?

HOUSE BILL NOT BEFORE SENATE COMMITTEE

Mr. MORSE. I think it was more than ample time to consider the Senate bill, but the committee has not been considering the House bill.

Mr. McNAMARA. That is a fact. I ask, in my question, if the Senate bill does not contain all the things in the House bill, plus some others?

Mr. MORSE. I think what the Senator needs to keep in mind is that when there are two bills, a House bill and a Senate bill, with differences between the two bills. When the committee has to make a choice as to which bill is going to be reported, it may be very important to call in some expert witnesses and get their points of view with respect to the differences between the two bills. We do that on all other pieces of legislation. There is no reason why we should make an exception for civil-rights legislation.

If the Senator wants my judgment as to how long I think is a reasonable time for the committee to consider the bill in this case, in view of the chronology the Senator from Missouri [Mr. HENNINGS] gave us this afternoon, I think if we send this bill to the Committee on the Judiciary for 2 weeks, and the Committee on the Judiciary does not keep faith in 2 weeks, then we certainly shall have given them ample time, and we then should support a motion to discharge the committee.

Mr. KUCHEL and Mr. COOPER addressed the Chair.

The VICE PRESIDENT. Does the Senator yield; and, if so, to whom?

Mr. MORSE. When I have finished my discussion with the Senator from Michigan, I shall yield.

Mr. McNAMARA. I just wish to say that I thought the Senator agreed 5½ months was a reasonable time.

Mr. MORSE. I think it was too long for the Senate bill.

Mr. McNAMARA. I think if the Senator does agree, his argument falls.

Mr. MORSE. I think not at all, because the committee has not had the House bill before it 1 minute of that time.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from California.

Mr. KUCHEL. I should like to ask the Senator from Oregon if in his opinion it would be a violation of the rules of the Senate for a bill from the House of Representatives to be read twice and then be placed on the calendar.

Mr. MORSE. I think, considering the action taken in the 1948 case and the Reorganization Act of 1946, that rule XXV prevails, and it modified rule XIV to that extent.

Mr. KUCHEL. So, in the Senator's opinion, the Senate cannot effectively uphold a ruling, if it is made on that basis?

Mr. MORSE. In my opinion, rule XXV modified rule XIV. I said that the other day, but today I based my argument on the assumption that I thought I should give the benefit of the doubt, for the purpose of argument, to those who feel rule XIV stands unchanged. I made my argument today on the basis that even if one thinks rule XIV is unchanged, I think with a piece of major legislation such as this it is of vital importance to orderly process here in the Senate that we put major legislation, at least, through committee hearings.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I have not entered into this debate, the principal reason being that it involves a matter of interpretation of the rules, which can best be determined by those who have worked with the rules a long time and have practical knowledge of their application.

I have listened to this debate very carefully. I must say that the arguments which have been made against expediency are very persuasive. Knowing the great legal ability of the distinguished Senator from Oregon, I should like to ask him for advice on this question.

Mr. MORSE. Will the distinguished Senator speak a little louder, please?

Mr. COOPER. I say, knowing the great legal ability of the distinguished Senator from Oregon, I should like to ask him for advice on this question, because I would agree with the Senator on this point——

Mr. MORSE. I want to say to the Senator from Kentucky, I wish I had his legal ability.

DANGEROUS EXPEDIENT

Mr. COOPER. I thank the Senator. If an expedient is to be used in the decision of any great question such as the one before the Senate, I think it is a very dangerous thing to do and a very bad thing to do.

The Senator has said that he considers that the Reorganization Act, which went into effect in January 1947, repealed rule XIV. The Senator made his argument on the theory and basis that the rule had been repealed.

An argument has been made by the distinguished Senator from Georgia [Mr. RUSSELL]. I arrived at the conclusion that he took the position, rather, that there was no other action to take than the reference of a bill to a committee.

I now invite attention to the wording of the rule. The rule says:

> Without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

Does the distinguished Senator believe that a motion could be made to refer to a committee, and then, if the entire body voted upon that motion and voted that it should not be referred to a committee but should be placed on the calendar, that that would be an action by this body which would remove from the procedure the opprobrium which the Senator has just discussed in his argument?

Mr. MORSE. I think we could amend our rules accordingly; but as they are presently worded, I do not think such procedure is provided for.

Mr. COOPER. The Senator from Ohio raised a question which has been raised in the debate today. If the wording "without being referred to a committee" implies that there is opportunity for the determination after a second reading, and after objection has been made, if there is opportunity for determination as to whether or not a bill shall be referred, that would mean, of course, that upon motion to refer, or not to refer, an opportunity would be given the entire body to vote. It seems to me that if that is possible under the rules, the argument that one Member can obstruct the procedure of the Senate would be removed.

Mr. MORSE. I would not want to render a curbstone opinion on that question. I should like to go back and restudy the precedents prior to the change of rule XIV in 1947 through the adoption of rule XXV, but I believe that in order to clarify the language we would need to amend the rule itself, along the lines which the Senator from Kentucky suggests; and if we are to keep rule XIV, I think it would be very desirable to add that kind of amendment to it.

Mr. COOPER. There is the argument—and it has been made here today by the Senator from Ohio and others—that the words "without being referred to a committee" implied that in every case in which objection is made there should be the opportunity for the entire body to vote upon the question as to whether or not the bill should be referred.

It seems to me that if that opportunity were given to the entire body, the argument with respect to the procedures of the Senate being determined by one man would be removed. It seems to me that the argument with respect to overturning a precedent would also be removed, because in every case in which objection was made the Senate would have opportunity to make a decision as to whether or not the bill should be referred.

Mr. MORSE. I would welcome such an addition to rule XIV. If we are to keep rule XIV, I think we certainly should protect the procedure by providing for some such procedure as the Senator has outlined.

Mr. COOPER. The point I make is whether or not, in the Senator's view, such a procedure is impossible.

Mr. MORSE. I believe that under the rule as worded at present, it is not provided for. There are not very many things that the Senate cannot do about changing its procedure and rules, by majority vote. I would not wish to decide the question until I conferred with the Parliamentarian.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. I was reminded by the colloquy between the senior Senator from Colorado and the senior Senator from Oregon of the proposal sent down under a previous Democratic administration, to draft striking railroad workers into the Armed Forces of the United States. I happened to be in the House of Representatives at that time. I do not recall offhand whether or not that question was referred to a committee in the House. I am quite certain, however, that if it was, the meeting was a matter of minutes only, and that there were no witnesses and no hearings to speak of; also that so far as voting on the measure over there was concerned, we did not even have the bill before us.

Unfortunately the House passed that measure, and it came to the Senate. At that time the distinguished Senator from Oregon was a Member of this body, as was the late distinguished Senator from Ohio, Senator Robert A. Taft. If I remember correctly, in the Senate an attempt was made to bypass the committee; but thanks to objections raised by Senator Taft and, I believe, the Senator from Oregon, after some debate on this floor the bill was referred to a committee, and the measure died in committee. Is that correct?

Mr. MORSE. The great Senator Taft of Ohio as I recall was the first man to speak out against that invasion of what many of us thought were very precious individual rights. We were convinced that a misuse of the draft was involved. I joined the Senator from Ohio, Mr. Taft, in his opposition to the proposal to draft strikers. That was when I made my unfortunate reference to the President of the United States, for which I later apologized.

I know what the history of that strike was. In fact, the surrender terms in that strike were written in my office, dictated by me at 8 or 9 o'clock one morning, and delivered to the White House by 10:30 the same morning. So I knew something of the history of that matter.

If the Senator from Montana will check the CONGRESSIONAL RECORD, he will find, I believe, that the Senator from Ohio protested the course of action which was proposed in the handling of the legislation that was proposed after the President recommended to the joint session of Congress that the railroad strikers be drafted.

Mr. MANSFIELD. Was the attempt made at that time to bypass the committee, and to bring a bill from the House directly to the floor of the Senate?

Mr. MORSE. I would have to check the RECORD. My recollection is that there was an attempt to take immediate Senate action without referral to a Senate committee, but I wish to check the RECORD. The question is easy of determination. I shall check the RECORD, and see to it that a statement is placed in the RECORD with regard to it.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

HIGHLY QUESTIONABLE LEGISLATIVE COURSE

Mr. KENNEDY. Even leaving out of consideration the Reorganization Act, does it not seem to the Senator, from reading rule XIV, particularly subparagraph 4, that it is intended to prevent precipitate action after the first and second reading, and that the whole intention of the four subsections is to provide for delay, and to provide that there shall not be action by a majority or a minority of Senators against the will of one Senator without Senate procedures being followed.

It seems to me there is no doubt that what was intended by subparagraph 4 of rule XIV was that if one Member objected, the bill should go to the calendar and lie over for a day. It could not have been intended that one Senator should be able to prevent a bill from going to a committee. Rather, the intention was to protect Senators, both individually and collectively, against action being taken on the three readings at one time without an intervening period.

If that is the legal interpretation of the section—it certainly is mine—I also stress the customs of the Senate, which the Senator from Oregon discussed. I think it would be disastrous for the Senate—conservatives and liberals alike—if we were to give credence to an interpretation of the rules which would permit one Senator to prevent important bills, whether they originated in the House or in the Senate, from being referred to the respective committees.

It seems to me that we are faced with making a choice between fighting out the question in connection with a discharge petition, if the Judiciary Committee does not act, and possibly having to enforce cloture 3 or 4 times, depending upon the decisions of the Parliamentarian and the Presiding Officer.

Mr. MORSE. I agree with the Senator.

Mr. KENNEDY. It seems to me we are faced with the choice of going through 3 or 4 clotures or doing it twice under the alternative procedure. So, in order to save ourselves from going through 1 extra cloture petition and procedure—and possibly 2, although, as the Senator says, we can do it easily if we have the votes—it is proposed to embark on a legislative course which is highly questionable. I cannot see any justification in connection with the proposed legislation, however important it may be, for giving up one of our maximum protections in order to save ourselves from

the mechanics of an extra cloture proceeding or two.

Mr. MORSE. I agree.

Mr. HUMPHREY. Mr. President, I have listened with keen interest to the comments which have been made by my colleagues. I have listened to them, I trust, with enlightment on this very important subject. I wish to say to the Senator from Oregon that I have the highest regard for his knowledge of the law, and for his intimate knowledge of the rules of the Senate, and for his dedication to sound procedures, and for his liberalism, which is second to none.

I say the same to the Senator from Massachusetts, and to any other Senator who may engage in this debate.

However, I feel that there is another point which needs to be stated, not original with me, but which must be reiterated, because this is not a question as to whether one is a liberal or a conservative; it is not a question whether one is for action or for inaction. Let me say that no one has yet denied that rule XIV is a valid rule. It is a rule in the rule book. It is there. It sets forth a legal procedure in the United States Senate. Rule XIV has been applied on other occasions. It is an extraordinary procedure, as has been indicated, for an unusual situation. But it is a procedure which is permitted under the rules of the Senate.

I said earlier today that one can argue as to whether it is desirable, and whether it is valid, but it is necessary to make up one's mind as to whether he will base his case on it.

I do not say it is the most desirable procedure, but I say it is a valid procedure. I further say that it is being used because for years the United States Senate has been the tomb, the graveyard, the burial ground of proposed civil-rights legislation.

No Senator has been more tolerant on this point than has the junior Senator from Minnesota. I remember last year, when I had to break with my dearest friends over a discharge petition. I was told, "This is no time to use a discharge petition. If you use a discharge petition to try to discharge the committee, you are going to interrupt consideration of important legislation." That was true. I responded to what I thought was a reasonable argument. I broke with friends. I took my fair share of abuse. I am perfectly willing to take the abuse, because when one engages in politics, that is a part of the price one must pay.

I have said to my friends that the time has come for the Senate to act on civil rights. I have said privately and publicly that I for one am through with delay, inaction, explanations, and procrastination. I am through with all the rationalizations which have been used.

Civil-rights bills were introduced on the first day of the first session of the 85th Congress. Civil-rights bills have been introduced by the half dozen or more. The very same civil-rights bill which passed the House of Representatives was introduced, word for word, in the Senate. That bill has been before the Senate Judiciary Committee for months. Bills similar to this were before the Judiciary Committee in the 84th Congress. Bills similar to this bill were before the Judiciary Committee in the 83d Congress, and in the 82d Congress. I know, because I sponsored them. They were word for word with this bill. We speak about the President's Commission on Civil Rights. That is just about as new as Ben Franklin's Almanac. I introduced that bill in 1949. It has not been acted upon.

Hearings? More hearings have been held on that bill and similar proposals than there are pebbles on the beach. We have had other civil-rights bills on the calendar.

I say most respectfully to my colleagues that on two occasions, at least, when I was a member of the Committee on Labor and Public Welfare, we spent months developing a bill called "Equality of Opportunity in Employment." It was a type of fair employment practices bill, giving to the States the authority to carry out the program, giving to the municipalities the authority to carry out the program, and taking away from the Federal Government complete supervision and giving to local and regional units an opportunity to administer it. Did it get anywhere? It got on the calendar. That is where it died.

I did not hear anyone say, "This is dangerous, because it got on the calendar." It got on the calendar through the committee. It got as far as the calendar, period.

I say to the Senate that those who are today arguing that the proposed procedure under rule XIV is unusual, and that it opens up a Pandora's box, do not come with very clean hands in terms of action on legislation in the field of civil rights.

Action has not taken place.

I have examined the rules. I am not one who engages in debates on Rules of the Senate. At least I do not do so ordinarily. I recognize that most of the rules are not applied too rigidly, but when we are faced with a difficult situation or controversy, the rules are applied rigidly and firmly and, I trust, always equitably. I might not like rule XIV if it were applied to a bill to which I personally was opposed. I am human. I have my prejudices. I have my likes and dislikes. It is entirely possible that if this rule were applied to a bill to which I had serious opposition I would argue against the use of the rule, saying many of the things which have been said here today, but that still would not mean that the rule was not valid.

I do not like some aspects of rule XXII. Let me say that before the present rule XXII was adopted it was necessary, apparently, to revise the former rule on cloture. Someone thought that it had a loophole in it, and that person thought about it and made it a reality. Therefore we tried to revise the rule on cloture. We adopted a compromise which was supposed to remedy a loophole. Instead, we built a tunnel in the rules of the Senate.

I have heard argument after argument made about how we ought to proceed through the Rules Committee. I have always argued that way myself. I think the Committee on Rules and Administration may at long last come forth with a rule. We have waited a long time. However, rule XXII has been a sacred cow. It has been a sacred monument. Rule XXII has denied a majority of the Senate, and even has denied a minority of the Senate on occasions, opportunity to obtain action.

Rule XIV was not repealed, according to my judgment, by the amendment to rule XXV. Rule XXV, as I said earlier, applies to the jurisdiction of committees. Rule XXV is explicitly set forth in the Reorganization Act, and it says if a bill relates to the certain items, it shall be referred to the Committee on Agriculture and Forestry, for example. The Legislative Reorganization Act does not say one word about repealing rule XIV. However, the Reorganization Act does say that rule XXV is amended. It says specifically that rule X of the House is amended, as is also rule XI and rule XII of the House.

I say to my friends in the Senate, who contend that rule XXV supersedes rule XIV that the burden of proof is indeed upon them. Of course, the rules which were changed by the Legislative Reorganization Act were changed specifically by direct reference, and not by innuendo or indirection. The only question one can ask is, Does rule XXV supersede rule XIV because the two are inconsistent?

I think the truth is that rule XIV stays intact.

There has been some argument made today that the procedure suggested would deny the Judiciary Committee judgment on the House bill.

Let us take a look at that argument. I repeat—and I believe the record will bear me out—that there is a bill before the committee upon which hearings have been held. It is a bill which is identical with the bill which was introduced in the House of Representatives, upon which hearings were held by the House committee and which was passed by the House. Has the Senate Committee on the Judiciary heard all the facts that ought to be heard on the so-called administration's civil-rights bill?

If there is any more evidence to be obtained, I wish somebody would bring it forth. Hearings, hearings, hearings, and hearings. Testimony at great length. The Committee on the Judiciary has not been denied the opportunity to make a judgment on any bill. The Committee on the Judiciary, I regret to say, has refused to make a judgment on a bill; it has not been denied the opportunity. It simply has not judged—and justice delayed, gentlemen, is justice denied. I repeat: Justice delayed is justice denied.

The rules have been used in the Judiciary Committee. The rules have been applied in the Judiciary Committee. I am not complaining about the fact that the committee has applied the rules. I am happy the committee has applied the rules. But I say to my friends who have applied the rules in the Judiciary Committee that some of us do not like it. The committee has been meticulous about the detail it has followed in the application of the rules, which has delayed action, but the committee has applied the rules. Now we are applying the rules. It is just that simple.

Someone may say, "Well, that does not seem to be very kind." I am not personal about this. This is not a matter of being kind; it is a matter of being fair. What is fair? To apply the law, as the law is written, with equity, with equal application, to friend and foe alike.

As I said earlier, the Judiciary Committee has prided itself upon a meticulous application of the rules, including the rule governing the ascertainment of a quorum, covering the necessity of the representative of a committee coming before the Senate and asking unanimous consent to have the right to meet, including the designation of the day upon which a committee meets, and the right of a member of the committee to interrogate witnesses. I am not complaining about that. It is simply a matter of record. I have heard members of the committee, including its distinguished chairman, say that not a rule of the committee has been abrogated.

I have even heard it said that one of the rules of the committee is that before any bill can be reported, the Attorney General or the Bureau of the Budget must give a cost analysis of what is involved in the bill. I believe that is a rule of the Committee on the Judiciary, if I am not mistaken. I believe the distinguished Senator from Wisconsin once asked that there be a rule in the committee that before bills were reported there be some estimate of what the cost would be. If I am wrong in my statement concerning the sponsorship of that request, I will correct the RECORD accordingly. But that is a rule of the committee, and that rule can be applied.

The Senate has rule XIV. Is the Committee on the Judiciary to be denied the right to pass judgment on the House bill? If no House bill had ever been before the committee—and I do not mean the number of the bill; I mean the substance—then the answer could be made: yes. But I submit to any reasonable person that the substance, the details, the articles, the provision, the penalties—every part of the House bill which is now lying on the desk of the Presiding Officer has been before the Committee on the Judiciary all year long.

Also, I may say most respectfully, there are hardly any secrets about what is in the bill.

I have also heard Senators say there need to be committee hearings on the bill. Committee hearings on the bill? Perhaps more hearings are needed. If so, and if it is the judgment of the United States Senate that there be more hearings, it takes only a quorum, a majority of the Senate, to get them. A majority of the Senate can get the bill off the calendar and have it sent to the committee, if the Senate feels there is a need for hearings.

I do not think anyone is being stampeded here. There are many Senators who have never shown any tendency to be stampeded about anything. They have shown themselves—and I say this respectfully—to be men of stature, of character, of stability, of sound judgment. They are not going to be stampeded. But if a majority of the Senate feel that a civil-rights bill which is placed on the calendar ought to go to committee, so that more information can be obtained on the subject, all that is necessary is to have a majority of the Senate so vote, and the bill will go to the committee.

I have been told that what we are doing is disciplining the committee before the committee has had a chance to act on the bill. No, I cannot agree with that. I do not think we are disciplining the Judiciary Committee. I think what we are saying to the Judiciary Committee is, "You have had not only months, you have had years, and you are unwilling to act, for some reason we cannot quite understand."

There is another procedure provided in the rules of the Senate, and that procedure undoubtedly was put there simply because of this very situation, but if the committee does not want to act, there is a way to get action.

Someone may say, "You can discharge the committee." If the Senate wants to discharge the committee, it can discharge the committee any time after it sends the bill to the committee. It is not necessary to wait 5 months. The Senate can discharge the committee the next day after it sends a bill to the committee.

Does it make the situation any more fair, simply because a committee is discharged?

When we talk about expediency or fairness, how do we judge? What is fair? That is fair which is right. What is right in this body? Right in this body is to permit every subject to have adequate explanaton and discussion, and ultimately to permit a majority to act one way or the other.

I have not been pressured by the NAACP or the ADA—not one bit. As a matter of fact, I have taken more heat from both organizations in recent months than have many other Members of the Senate. Maybe I have taken a lot of it because I have been their friend. Sometimes friends have a way of punishing one another.

I say to the National Association for the Advancement of Colored People that if their patience has run out, I can well understand why. Many of their fine members have suffered indignities which no American citizen should have to suffer. If the National Association for the Advancement of Colored People thinks rule XIV ought to be applied, I can understand why. That organization has been under severe attack, and that organization says the time is at hand for action; and this is a means to obtain action, not illegally, not by an irresponsible means, but by a legal, responsible means provided for in rule XIV of the Rules of the United States Senate.

So far as the ADA is concerned, I, too, am one of its officers. I think it is no secret that on occasion this great organization has seen fit to chastise me, and perhaps properly so. Perhaps I did not understand why at the moment, but their judgment undoubtedly was better than mine.

All I can say, as the Lord is my judge, is that not once has either organization written to me or telephoned to me within the last 3 months, much less the last 3 days, telling me what to do about the bill. What is more, if they had, I would have proceeded to do what I thought should be done anyhow. I have split with those organizations before, as has the Senator from Oregon, and we shall do it again, if we think we need to. After all, each of us has a vote here, and that vote is worth all the respect and trust one can give to it. But I do not want organizations to appear as if they were going to tell us what to do, particularly when those organizations have not told this Senator.

It was just suggested to me that I should mention the title of the bill and the number.

The number of the bill is H. R. 6127. What is it? It is:

An act to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The bill has several titles.

Part I—Establishment of the Commission on Civil Rights.

That, by the way, is a commission which many of my colleagues have sponsored in the Senate on other occasions. The next part of the bill is:

Part II—To provide for an additional Assistant Attorney General.

He is to be appointed by the President, by and with the advice and consent of the Senate.

The next part of the bill is:

Part III—To strengthen the civil-rights statutes, and for other purposes.

The next part of the bill is:

Part IV—To provide means of further securing and protecting the right to vote.

Mr. President, I conclude on this theme. I have repeated it over and over again. There are two courses of action in the Senate, two courses, we might say, of argument. One group talks of Senate rules and trial by jury. That is one group. Their theme is Senate rules and trial by jury.

HUBERT HUMPHREY talks about the Constitution of the United States and the right to vote.

Both subjects are contained in this document, the Senate Manual. Senators can take their choice.

The Constitution of the United States is every bit as explicit as rule XIV or rule XXV. The Constitution is a pretty important document, and it is being violated. What does the Constitution provide? The amendments to the Constitution are much more sacred than are the rules of the Senate, because the rules of the Senate are only designed to effectuate the Constitution.

I read again what I read in the Senate on Monday of this week. The 15th amendment provides:

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

I submit that this country is replete with evidence that the 15th amendment

is being violated. If it takes the application of rule XIV to make the 15th amendment become alive, then I am for applying rule XIV, because both are legal procedures in the United States Senate.

The 14th amendment is known as the due-process amendment. We have heard a great deal about due process in the Senate. I am in favor of due process in the Senate. But I am not in favor of illegal procedure in this body. I submit that due process under the Constitution of the United States is being denied to thousands of our citizens. Even if it is necessary to use rule XIV—which may not be as comfortable and charitable as the customary practices of this body—I am prepared to use it. I do not say that I like rule XIV as well as I like rule XXV. I do not. But I do not like the way the bills have been bottled up. On other occasions I have advocated that bills I disliked be taken from committee and placed on the calendar. If a majority of my colleagues wish to have this bill placed on the calendar, under rule XIV, and if then they decide to have the bill taken off the calendar, I shall respect their judgment.

But I submit that the time has arrived for the Members of the Senate literally to purge themselves of this block in their body politic—namely, the refusal to act on basic civil-rights proposals.

Mr. CLARK. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. CLARK. I have listened with great interest to the speech of the distinguished Senator from Minnesota. I wish to ask him whether I am correct in stating that rule XIV has been in effect in the Senate ever since the Senate was first organized.

Mr. HUMPHREY. I am informed by the Parliamentarian that it has been, in part. I am informed that section 4 came into the rule on January 16, 1377.

Mr. CLARK. However, is it not true that from the very first days of the Senate, it was the custom for the Senate from time to time to consider bills without having them referred to committee?

Mr. HUMPHREY. I believe that is true. On the other hand, I wish to say that the volume of legislative proposals we now have to handle literally compels the use of the committee system, except in an extraordinary situation in which it is found that the committee system does not function. In such a situation, there is more than one way to correct a committee system which does not function. One way is to discharge the committee from the further consideration of the bill. However, I submit that is not the only way. The other way to take care of such inaction by a committee is to invoke rule XIV.

Mr. CLARK. Does not the Senator from Minnesota agree that rule XIV or its predecessor has been used on countless occasions, since the earliest days of the Senate, in order to have bills considered without first being referred to a committee? Does not the Senator from Minnesota also agree that the distinguished Senator from Illinois [Mr. DOUGLAS] has previously listed for the RECORD innumerable instances in which that has been done?

Mr. HUMPHREY. I believe that is correct. But even if rule XIV had been used only once before, I still have no apologies for favoring its use now. I do not think it should be used all the time, any more than I believe that every time one has a stomach ache, he should have an operation. But when a severe stomach ache develops, and when the doctor states that the only way to save the patient's life is to have a surgical operation, there had better be an operation.

In the present case, the only way to obtain Senate action on civil-rights proposed legislation seems to be to make use of rule XIV. Incidentally, Mr. President, I do not say favorable action; I have no crystal ball to use, in order to learn how my colleagues will vote on this measure. I wish to see favorable action taken on civil rights proposed legislation; but certainly the Senate should at least have a chance to act, whether favorably or unfavorably.

However, in the case of civil-rights proposals, the fact is that the Senate has been denied an opportunity even to have the issue brought to the floor of the Senate. This is the first time the issue has been brought to the floor of the Senate for years; and now the Senate is arguing procedure, rather than substance.

Mr. CLARK. I wonder whether the Senator from Minnesota agrees with the distinguished Senator from Georgia, namely, that if rule XIV were to be invoked again, I understand that has been done many times in the past, legislative chaos would be created in this body.

Mr. HUMPHREY. Earlier today, when I stated that the Legislative Reorganization Act is of relatively new vintage—namely, 1948; and long before then we had rule XIV—I said that rule XIV has not resulted in chaos. It has not been abused. It did not destroy the committee system. It did not threaten free enterprise; it did not overthrow the Republic; it did not diminish democracy. It did not have all the political horns and hobgoblins we are now hearing about.

Mr. CLARK. I wonder whether the Senator from Minnesota will agree that if all bills were referred to committees, and if the committees acted with reasonable promptness on the bills and reported them to the calendar, it would not be necessary to invoke rule XIV, in order to enable the Senate to follow orderly procedure with reference to bills of the normal type.

Mr. HUMPHREY. I agree.

Furthermore, if rule XIV needs to be amended, that matter can be taken up with the Committee on Rules and Administration. But is it not interesting that although there has been a great deal of hassle and argument about the making of changes in other rules of the Senate, not until this civil-rights measure came along did we hear anything about the need for the making of a change in rule XIV. Many Members of the Senate are experts on the subject of its rules. However, during the more than 8 years that I have been a Member of the Senate never before have I heard Senators argue that rule XIV should be changed. There have been such arguments about rule XXII; but, despite them, rule XXII goes on forever, like Old Man River, the Mississippi; and rule XXII is still a part of the rules of the Senate.

Mr. CLARK. As a lawyer, it is very difficult for me to understand how it could be successfully contended before any judge that it was impossible to have both rule XXV and rule XIV construed together, or how it would be possible to reach what to me would be the incredible conclusion that the Legislative Reorganization Act repeals rule XIV, either in whole or in part. It seems clear to me that, instead, the two rules can easily be construed together.

Mr. President, if the Senator from Minnesota will yield a further minute to me, I should like to observe that in my judgment if it were now to be decided that section 4 of rule XIV is null and void, by reason of the Reorganization Act, then the Senate would have taken the unprecedented action of doing away with an unambiguous and often-used rule, which has constantly been in effect since the earliest days of this body. I hope the Senate will not do so.

Mr. HUMPHREY. Mr. President, I shall conclude by saying that there is now great concern about the procedures of the Senate. However, the Senate must realize that its procedures come into disrepute when they completely nullify the taking of action. The procedures which Senators should be worried about are those which make it impossible for the Senate to have an opportunity to act, or those which make it impossible for a majority of the Members of the Senate even to have an opportunity to vote on a measure of this sort. In the past, the procedures of the Senate have been abused, in the case of the civil-rights issue; and in my judgment it is not fitting and proper to put the civil-rights issue into another deep freeze, and then to have to blast it out by means of a motion to discharge the committee from the further consideration of the bill.

Mr. President, the majority leader has just said to me, "If you want to have action taken, I suggest that you desist now, and then we will get action."

Therefore, Mr. President, I shall desist.

Mr. JAVITS. Mr. President, I rise to take issue with Senators who state that the Senate should vote against the procedure or course of action proposed by the Senator from California [Mr. KNOWLAND]. Some Senators have stated that such procedure will not be liberal procedure. I wish to point out something that I have found in the course of my research on this matter.

Some Senators have stated that if the bill is not referred to committee, an illiberal procedure will have been followed. I wish to point out that the mother of parliaments does not refer many measures to committee; and especially—and perhaps there is very great significance in this case, as applied to the deliberations of the Senate—the mother of parliaments does not refer a measure to committee "where it is likely to be a pure formality."

It seems to me, Mr. President, that if anything has been demonstrated in the course of this debate, it is that a reference to a Senate committe of a civil-rights bill which has been passed by the House of Representatives is likely to be a mere formality, in that the bill will die there, as other civil-rights bills have died. On the other hand, I want this civil-rights bill to live, not to die.

It is a fact that the procedure we may employ in invoking rule XIV is unusual. Nevertheless, it is lawful. I think that point has been brought out during the debate. Rule XIV is being invoked because rule XXII has regularly been used in a way which is unusual, but lawful.

So, Mr. President, I think it is the course of liberalism not only to deliberate and to debate, but it is also the course of liberalism to decide. So I feel that in taking the position we are taking in reference to this matter, where we are trying to bring the Senate to the point of decision, it is just as liberal a point of view as is the right to deliberate, debate, and take a vote.

Finally, one thing this may very well do. I have no doubt we shall have a vote. I think it might interest my colleagues to see what the world thinks about this. We come into this Chamber and discuss questions back and forth, and sometimes lose sight of what is going on outside. I have in my hand a very interesting cartoon which appeared in the New York Daily Mirror. It shows two gentlemen, obviously Senators, arguing, the whole black and yellow world looking on. The words under the cartoon are, "The shouts heard 'round the world."

It seems to me if we do have a vote, and we probably shall have, at least one thing will be clear. It will show that the majority of the Senate wants to act on a civil-rights bill in this session. That is vitally important, and for this reason. I think those who would engage in protracted debate to such an extent as not to give the Senate an opportunity to vote on a civil-rights bill in this session would be doing it in the teeth of what has been one of their dearest arguments—that it is very necessary that they do debate, to prevent us from doing something we really do not want to do. I think it is high time we demonstrated by a convincing majority, that we want to do it, and want to do it in this session.

Mr. DIRKSEN. Mr. President——

The VICE PRESIDENT. Did the Senator from Illinois wish to be recognized?

Mr. DIRKSEN. Yes.

The VICE PRESIDENT. The Senator from Illinois.

Mr. DIRKSEN. I shall be very brief. I doubt that anything can be contributed to this discussion unless it sounds in a personal experience. Some allusion has been made—and I address myself particularly to you, Mr. President—to whether or not rule XXV, one way or another, impaired or repealed rule XIV or any part of it.

I served on the Joint Committee on the Reorganization of Congress, which was organized in 1945. That joint committee consisted of 6 Members of the House and 6 Members of the Senate. Only one House Member who served on that committee is still in the House of Representatives. Three Members of the Senate who served on that committee are presently serving in the Senate. One was the Senator from Georgia [Mr. RUSSELL], one was the Senator from Oklahoma [Mr. MONRONEY], and the third was myself.

I recall, Mr. President, my interest in the concurrent resolution to provide for the reorganization of the legislative branch, and the difficulty we had in securing a hearing, in the first instance, on that resolution in the 79th Congress. There was a good deal of anxiety and fear, certainly in the House of Representatives, that the committee was going to tamper with the rules. There was a fear it was going to tamper with the procedure either in the House or in the Senate. It was as a result of that apprehension and anxiety that there was incorporated in the resolution, before it was considered on the floor of the House, the language which the minority leader read today to the Senate. That language was found in section 2, and it reads:

> That nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendation with respect to the rules, parliamentary procedures, practices, and/or precedents of either House or the consideration of any matter on the floor of the House.

That was written into the concurrent resolution simply because of the anxiety that a good many Members entertained that the committee was going to tamper with the rules of procedure.

After 2 years of effort, first under the chairmanship of Senator Maloney, of Connecticut, and later under the chairmanship of the Senator from Wisconsin [Mr. La Follette], we finally brought forth the Legislative Reorganization Act, which contained a number of titles. One title dealt with tort claims. One dealt with bridge bills. One dealt with compensation and retirement pay of Members of Congress. One dealt with streamlining the committee organization of the House and Senate.

I think I attended my full share of the hearings, and I know the Senator from Georgia attended the hearings very diligently, but I must recite to the distinguished Senator from Georgia today that I have not the slightest recollection that there was any desire at any time, that there was ever any hope, or that there was ever any intimation that the Reorganization Act would bring about a modification of the rules except insofar as it was specifically done, and there was no intention of repealing any rule unless that was specifically done.

Mr. RUSSELL. Mr. President, the Senator has mentioned my name. I was a member of the reorganization committee.

Mr. DIRKSEN. That is correct.

Mr. RUSSELL. I was perhaps not so diligent in attending the hearings as other Members may have been, but I was reasonably diligent. My primary interest in serving on the committee, I am frank to say, was the question of the rules of the Senate. I had no desire to go on the committee, but at the insistence of the then Senator from Alabama, Mr. Bankhead, and the then Senator from Tennessee, Mr. McKellar, I did go on the committee. They thought I had some little familiarity with the rules of the Senate.

The Senator is correct in saying that the authorization for the committee did carry language that it was not authorized to touch a rule. When we got into the question of the rules, we had to come back and canvass the Senate to ascertain if there was any objection to going as far as we went with the rules. I would be less than frank if I did not say some of the concern of those who were interested in my service on the committee was lest rule XXII be amended to invoke a gag rule by a simple majority of Senators voting. I watched that phase of the proceedings very carefully. I did not understand, after we had written the rule, that we were doing anything that would impair the jurisdiction of the committees. Indeed, if anything caused us concern and trouble and research, it was spelling that out, and then going carefully over it to see that we had properly correlated, under the names of each committee, the questions over which they had jurisdiction.

If the Senator will recall, the bill went somewhat further with the Senate committee reorganization than it did with reorganization of committees of the House. The Senate Members spent hours in order to be sure every committee had its work properly described in the body of the rule. While there was no great issue—I do not recall it was ever mentioned—that the act was going to impinge on rule XIV or any other rule by name, we were concerned with the status-of-committee provision; and the Reorganization Act contains, in title I, the language that the title is written, "As an exercise of the rulemaking power," and if there is any conflict with the existing rules, the act shall stand in the stead of the existing rule.

Mr. DIRKSEN. Mr. President, while I was not a Member of the Senate at that time, I must say in all candor to my distinguished friend, the Senator from Georgia, that I have not the slightest recollection that rule XIV was ever mentioned.

Mr. RUSSELL. I did not state it was ever mentioned.

Mr. DIRKSEN. That is true.

Mr. RUSSELL. Nor was any other rule mentioned specifically by number in the discussion in the committee.

Mr. DIRKSEN. Where we modified rules, Mr. President, we specifically stated so.

Mr. RUSSELL. As to the House rules.

Mr. DIRKSEN. And also the Senate rules. When we modified a rule with respect to appropriations we said, "Rule XVI of the Senate rules shall be amended." When we modified rule XXV, we said specifically, "Rule XXV shall be amended." When we amended rule X of the House we recited specifically, in the Reorganization Act, "Rule X shall be amended." And the same was true with rule XI, and so on.

While the word "shall" was used as a referral word and appears in rule XXV, I think the plain fact of the matter is that nowhere in the English language

Only one House Member who served on

could we find a word to do what we wanted to do with respect to the jurisdiction of committees. We could not say "may," because then in every case there would have to be an interpretation or a determination as to whether a particular bill went to the Committee on Agriculture and Forestry, the Committee on Interior and Insular Affairs, the Committee on the Judiciary, or wherever it might go. We could not very well say "must." "Shall" was the only word in the English language to use. In employing that word there was no intent, insofar as I recall—and I must freely confess I am drawing in large part on memory—nor was there any desire with respect to the jurisdiction of committees, to modify or change any other rule of the Senate or of the House.

Mr. RUSSELL. Mr. President, the Senator from Illinois was a very distinguished Member of the House of Representatives at that time. I am sure he will agree, insofar as the rulemaking power was exercised in the Legislative Reorganization Act, that it was generally worked out as to the House rules by the Members of the House who served on the committee, and as to the Senate rules by the Members of the Senate who served on the committee.

Mr. DIRKSEN. That is very correct, I should say, but I would also say to my friend that I was a diligent member of the committee, and one could not serve for 2 whole years on that committee, first under Senator Maloney and then under Senator La Follette, day after day, week after week, without having some of the Senate rules rub off on him. One would have to offer a very passive resistance to the work of the committee not to receive some concept not only of the rules of the House of Representatives but of the Senate as well.

So, Mr. President, I simply offer these comments, as 1 of the 4 remaining members of a joint committee of the House and Senate, which was organized in 1945, which spent a long period of time in study, and which finally presented the Reorganization Act to the House and Senate. I have no recollection that there was any intent to modify a procedural rule of the Senate any more than there was to modify a procedural rule of the House. So with the greatest deference and respect to my esteemed and distinguished friend, the Senator from Georgia [Mr. RUSSELL] I do not believe that in his argument he was on good ground in contending that simply because there might have been a conflict, indirectly it might be indicated that some purpose, some sentiment, some language in rule XIV might have been modified. I could not share that conviction or that contention under any circumstances. I say it with the utmost of deference, but based entirely upon 2 years of experience with the joint committee which brought forth the Legislative Reorganization Act.

Mr. THURMOND. Mr. President, it is not often that I speak in the Senate, and then only briefly, but I should like to take this opportunity to associate myself with the remarks of the distinguished senior Senator from the State of Georgia [Mr. RUSSELL], a man who, incidentally, would make these United States a great President.

Mr. RUSSELL. I thank the Senator.

Mr. THURMOND. Mr. President, I think the Senator from Georgia has pointed out well the rule of the Senate and the precedent of the Senate in this instance. It is clear that the Legislative Reorganization Act amended the rule of the Senate, and that since that time the Senate has taken action on a question which is identical to the one before the Senate now. Therefore, we have an established precedent. It is now a question whether the Senate will upset that precedent or whether it will stand by it. I should like to see the United States Senate gain the reputation of standing by its decisions, which would be unlike the reputation of the United States Supreme Court.

We know what the Supreme Court is doing today. Only a short while ago they reversed a decision handed down last year. And almost every time they meet to hand down decisions the lawyers of the country wonder what the law is going to be. They feel unsafe in advising their clients. They do not know what the law is any more. It is unfortunate the Supreme Court does not follow the Latin legal phrase, stare decisis, which means to stand by previous decisions.

I hope that the United States Senate will stand by its previous decision, the precedent which it has already established in a case of this kind.

The distinguished Senator from Minnesota [Mr. HUMPHREY], I believe, said he introduced a civil-rights bill in 1949 and that is the last he has heard from it. That is fine. The country is better off.

I am wondering tonight, as I stand before the Senate, if this were not a civil-rights bill would we be considering this question? I am wondering if some persons have made up their minds that this bill must be passed, even if it means changing the procedure of the United States Senate?

I am wondering if they have arrived at the conclusion that the end justifies the means?

I hope the Senate will not upset its precedents. It would be a dangerous step, in my judgment, to do that. It would be dangerous, Mr. President, because important legislation comes before us. This is a bill of great importance, one of the most controversial bills, probably, that has ever come before this body. Are we going to bypass a committee and not let this bill go to the committee, where it can be considered?

There is a remedy for getting a bill out of a committee if the Senate feels the committee is holding it unduly. Why not follow that procedure? Why place this bill on the calendar immediately?

I again ask, if this were not a civil-rights bill would we be even considering the question we are considering on this occasion? I do not believe the end justifies the means or in following such a procedure as is proposed because if the Senate establishes such a precedent it will come back to haunt us in years to come.

Mr. President, there has been something said about majorities, and that the majority ought to rule. Majorities do not always rule. It is better that they do not always rule.

Our Constitution lays down the principle. If the President of the United States vetoes a bill, it takes a two-thirds vote of the Congress to override his veto. A majority does not control in that instance. Even though a considerable number above a majority might favor passing a bill, if the President of the United States should veto a bill it would take a two-thirds vote to override the veto and put the bill on the statute books.

If we attempt to amend the Constitution of the United States a majority does not rule. It takes two-thirds of both Houses of Congress to submit a Constitutional amendment to the States of the Nation, and it requires ratification by three-fourths of the State legislatures of the several States before an amendment becomes a part of the organic law of the land.

Majorities are sometimes safe, and sometimes not. But it is my prediction that this bill, if it is finally passed, will flare back into the faces of the very people for whose benefit it is intended.

Speaking of civil rights, the greatest civil rights the people of this country have are those which are contained in the Constitution. The Bill of Rights is the finest system of civil rights any citizen could desire. The Bill of Rights guarantees all the precious rights that have made this country the greatest nation on the face of the earth, with the highest standard of living; the Nation which has the highest income per capita of any nation in the world; a Nation which has the finest schools and the finest churches; a Nation which has more automobiles, more radios, more televisions, and a higher standard of living in every way than any other country in the world.

If all of these proposals are so imperative, how did our Nation make such progress? How did our citizens attain the heights they have attained? I say that the Constitution of the United States is the greatest civil-rights document that the people of this country could desire.

Mr. President, I shall not take more time. I congratulate the great Senator from Georgia [Mr. RUSSELL] for his presentation of this question.

I also commend the conclusion reached by the Senator from Oregon [Mr. MORSE] in his recommendation that the Senate should not bypass the committee, but should send the bill to the committee, where it can be considered line by line and paragraph by paragraph, to be followed by a recommendation by the committee to the Senate.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. RUSSELL. With great humility I wish to thank the Senator from South Carolina for his kind remarks about me.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. MORSE. I appreciate the Senator's compliments.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Morton
Allott	Gore	Mundt
Anderson	Hayden	Murray
Barrett	Hennings	Neuberger
Beall	Hickenlooper	O'Mahoney
Bennett	Hill	Pastore
Bible	Holland	Potter
Bricker	Hruska	Purtell
Bush	Humphrey	Revercomb
Butler	Ives	Robertson
Byrd	Jackson	Russell
Carlson	Jarvis	Saltonstall
Carroll	Jenner	Schoeppel
Case, N. J.	Johnson, Tex.	Scott
Case, S. Dak.	Johnston, S. C.	Smathers
Chavez	Kefauver	Smith, Maine
Church	Kennedy	Smith, N. J.
Clark	Kerr	Sparkman
Cooper	Knowland	Stennis
Cotton	Kuchel	Symington
Curtis	Lausche	Talmadge
Dirksen	Long	Thurmond
Douglas	Magnuson	Thye
Dworshak	Malone	Watkins
Eastland	Mansfield	Wiley
Ellender	Martin, Iowa	Williams
Ervin	Martin, Pa.	Yarborough
Flanders	McClellan	Young
Frear	McNamara	
Fulbright	Morse	

The VICE PRESIDENT. A quorum is present.

The question before the Senate is the point of order which has been raised by the Senator from Georgia [Mr. RUSSELL]. As the Senator from California [Mr. KNOWLAND] pointed out in the debate on a similar issue in 1948, two interpretations of the rules of the Senate are possible. In the opinion of the Chair the rules should be amended to clarify this question. Until this is done, it is the responsibility of the Chair to interpret the rules as fairly as possible.

If rule XXV is interpreted as requiring mandatory referral of all bills to the committee on which jurisdiction is conferred by the rule, it is directly in conflict with paragraph 4 of rule XIV, which clearly contemplates possible Senate action without referral to committee.

If this interpretation is accepted, it can logically be argued, as it has been argued today, that since rule XXV was adopted after rule XIV, it supersedes those provisions of rule XIV which are in conflict with it.

However, the Reorganization Act specifically provided, in section 101a, that the rules contemplated by it should supersede other rules only to the extent that they are inconsistent therewith. Since the act did not expressly amend rule XIV, as it did rules XXV and rule XVI, and since the legislative history of the act indicates no discussion of, and therefore no expressed intent to supersede rule XIV, it is the responsibility of the Chair to determine whether rule XXV can be interpreted in such a way that it will not be inconsistent with paragraph 4 of rule XIV.

The Chair believes that such an interpretation is both possible and reasonable. Rule XIV sets forth the procedure to be followed in referring bills to committee. On the other hand, rule XXV defines the jurisdiction of committees over bills when they are referred to committee.

The mandatory provisions of rule XXV can be interpreted, therefore, to be limited in their application to mean only that if a bill is to be referred to a committee at all, it shall be referred to the committee to which jurisdiction is assigned by the rule.

In the Chair's opinion, rule XXV does not require mandatory referral of all bills to committee, and, therefore, does not supersede paragraph 4 of rule XIV.

It does not follow, however, that if rule XXV does not require referral, an objection filed under rule XIV will automatically send the bill to the calendar without consideration being given to the question of referral.

It will be noted that the language of paragraph 4, rule XIV, provides that an objection to further proceedings is in order, not immediately after the second reading, but only after the bill shall have received second reading "without being referred to a committee."

This language must be read in conjunction with paragraph 3 of rule XIV, which provides that "no bill or joint resolution shall be committed or amended until it shall have been read twice, after which it may be referred to committee."

Both paragraphs 3 and 4 of rule XIV contemplate that before a Senator can, by objection following second reading of a bill, prevent any further proceedings, with the result that the bill is placed on the calendar, an opportunity should be afforded to the Sente to refer the bill to committee, if it so desires under paragraph 3 of rule XIV.

The Senate should not be denied, by the action of one Senator, the power to refer a bill to committee after second reading, which is conferred by paragraph 3 of rule XIV.

How can the right of the Senate to decide whether a bill should be referred to committee be protected?

In the opinion of the Chair, the following procedure, based on Senate precedents, accomplishes that objective.

In the absence of objection after second reading of a bill, it will, under the long-established practice of the Senate, be immediately referred to the committee designated by the provisions of rule XXV.

If objection is made under paragraph 4 of rule XIV and a point of order is not raised against the objection, the bill will be placed on the calendar. This was the procedure which the Senate followed in the consideration of H. R. 5992, the Tidelands case.

The Senate, in effect, by failing to raise a point of order, waived its right to refer the bill to committee.

If when a Senator attempts to invoke paragraph 4, rule XIV, a point of order is raised on the ground that the bill should be referred to committee—and that is the practical effect of the point of order raised by the Senator from Georgia [Mr. RUSSELL]—the Chair can decide the point of order or submit it to the Senate for decision, as did the President pro tempore, Mr. Vandenberg, in 1948 in a similar case.

It is the Chair's opinion that the point of order is not well taken, but since the basic issue to be decided is not, in the final analysis, a procedural question but the substantive question "Should the bill be referred?" the Chair believes that the proper procedure is to submit the point of order to the Senate under rule XX. If the Senate sustains the point of order, the bill will then be referred to the committee designated by the provisions of rule XXV. This was the practical effect of the Senate's action on H. R. 2245, the oleomargarine bill.

If the point of order is overruled, the Senate will have expressed its will to the effect that the bill should not be referred to committee and the bill will go on the calendar pursuant to paragraph 4 of rule XIV.

In this way a bill can be placed on the calendar not as a matter of individual senatorial prerogative, but as a matter of majority policy arrived at after thorough consideration and debate on the point of order.

In making this ruling, the Chair emphasizes that the Senate in the final analysis has the power to make and amend its rules. Until paragraph 4 of rule XIV is expressly repealed or amended, the foregoing interpretation, in the opinion of the Chair, is the one which is best calculated to allow a majority of the Senate to express its will on the issue before it.

The Chair therefore submits to the Senate the question: Is the point of order of the Senator from Georgia well taken?

SEVERAL SENATORS. Vote! Vote!

Mr. KNOWLAND. Mr. President, may we have the yeas and nays on this question?

The yeas and nays were ordered.

Mr. RUSSELL. Mr. President, there was a good deal of disorder in the Chamber, which led me to believe that the Vice President's ruling did not clearly decide this point. Did the Vice President sustain the point of order, or did he overrule it?

The VICE PRESIDENT. The Chair indicated that in this instance, because the practical effect of voting on the point of order is a decision on a substantive matter, it was proper for the Chair to submit the question to the Senate, rather than have the Chair rule on it. The Chair indicated only that in his own opinion the point of order was not well taken, but he does not make a ruling on the point of order as such.

Mr. RUSSELL. I could not follow the Chair all the way through. Did the Chair refer to the action of the Senate on May 4, 1948, as to whether that constituted any precedent in this matter?

The VICE PRESIDENT. The Chair referred to those precedents, and the opinion which the Chair has rendered was designed, so far as possible, to reconcile the precedents with the procedure which the Chair outlined. The Chair agrees that it is difficult to do so, but it is the responsibility of the Chair to do so if it is possible.

Mr. RUSSELL. In other words, the Chair has submitted the point of order to the Senate for decision.

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. If the point of order be sustained by the Senate under the ruling of the Chair, the bill will go to

the committee; and if the point of order be not sustained, it will go to the calendar. Is that correct?

The VICE PRESIDENT. The Senator is correct. That is the Chair's ruling.

Mr. RUSSELL. I have another parliamentary inquiry which I desire to address to the Chair. The discussion has centered around bills which come to the Senate from the House of Representatives and have received first and second reading. I should like to inquire of the distinguished Vice President if the decision would also apply equally to any bill or joint resolution introduced on leave in the Senate.

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. So that the precedent that we make as to whether a bill should be referred to a committee or should go to the calendar under circumstances of this kind will be a rule that will guide the Vice President in the future?

The VICE PRESIDENT. Will the Senator restate his question?

Mr. RUSSELL. If the point of order be not sustained by the Senate, did I properly understand the Chair to say that that would be a precedent which would guide the Chair in the future? In other words, if the point of order is not sustained and an objection is made to further proceedings after the second reading of a bill, then the Chair would hold that the bill go to the calendar?

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. So the question is then submitted to the Senate to decide whether the precedent will be established of permitting the objection of a single Senator to carry a bill after its second reading to the calendar, rather than to have it go to committee, and that will apply in all cases to bills introduced in the Senate as well as to bills and resolutions messaged from the House of Representatives?

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. Mr. President, the Senate is about to make a very fateful decision. That decision will decide the procedures in this body until the rule either is amended, after action by the Committee on Rules and Administration, or is reversed by the action of the Senate itself.

The Vice President has apprised the Senate of the fact that if the point of order be not sustained, and if a bill were to come from the House dealing with the subject of, say, atomic energy, as was suggested by the Senator from New Mexico [Mr. ANDERSON] this afternoon, then a single objection after the second reading would cause the bill to bypass the Joint Committee on Atomic Energy and would send the bill to the calendar.

I wish all Senators to understand clearly that in voting on this question they are not simply voting as to whether the bill that is the instant subject of the controversy shall go to the committee or shall go to the calendar, but they are voting to establish a rule which the Vice President says will guide him during his tenure and until it is amended by proper procedures in the Committee on Rules and Administration, and in the Senate a rule which will say that one Senator can object after the second reading of a bill, and that the bill will go to the calendar.

If the Senate votes to sustain the point of order that has been submitted, then we will have the rule that the bill will be referred to the appropriate committee either under subsection 3 of rule XIV or under rule XXV of the Reorganization Act.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BUTLER. Is the Senator saying that we will make a new rule to govern each case?

Mr. RUSSELL. In my opinion, if the point of order is not sustained, we will make a new rule, because it was the decision of the Senate in 1948 that bills should be referred to committees. That was the rule under which the Senate had operated from 1948 until the question was raised in the instant case.

But the Vice President, very properly, very clearly, and very cogently, has stated that if the point of order be not sustained, then in the future bills which are introduced in the Senate and bills which come to the Senate from the House of Representatives may, after the second reading, by a single objection be placed upon the calendar, and that the committees thereby will be bypassed.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CASE of New Jersey. I thank the Senator for yielding. I think a misunderstanding of the ruling of the Vice President exists in the mind of the Senator from Georgia. I say this with great deference, because it seems to me the Vice President very clearly in his ruling stated that the effect of our vote on the point of order raised by the Senator from Georgia was not merely a ruling on an interpretation of the rule, but rather a substantive decision that the bill in question should or should not go to committee, or should or should not go to the calendar.

I think it is wrong to infer from the ruling that the vote here taken would be a precedent in any way requiring all bills to which a single objection should be made after the second reading to be placed on the calendar.

I think under the ruling of the Vice President, the question on which we shall vote and decide is merely related to whether in this instance this bill shall go to a committee or go to the calendar.

Mr. RUSSELL. Oh, Senators have been trying to eat their cake and have it too as long as there has been a Senate; but no one has ever succeeded in doing it completely.

I propounded a parliamentary inquiry to the distinguished Vice President—and the record will so reveal—and he ruled, and properly so, because the rules of the Senate so hold, that if the point of order be not sustained, then in the future, as to bills introduced in the Senate and bills messaged to the Senate from the House, after the second reading a single objection would send them to the calendar.

Mr. CASE of New Jersey. It was because I understood the colloquy to be as I thought the Senator from Georgia has stated it, and because of my deep conviction that that involved a misunderstanding, that I raised the point I did, so that we might, if necessary, have a further clarification from the Vice President on this point.

Mr. RUSSELL. I shall be delighted to have the Vice President clarify it. The Vice President stated frankly, in his opinion, that there was no conflict, but that he was submitting the matter to the Senate now; and under every precedent we have ever had, if a point of order is not sustained, the Chair would be bound by that action in the future.

I submit that as a parliamentary inquiry to the Vice President.

The VICE PRESIDENT. The Chair's statement was in answer to a parliamentary inquiry, the effect of which was whether if an objection were made under paragraph 4 of rule XIV, bills introduced in the Senate on leave or bills coming over from the House could be put on the calendar; and the Chair indicated that that was the case.

However, the Chair clearly pointed out in his ruling—and the Chair understood that the Senator from New Jersey had that in mind—that in any case in the future other Senators, just as the Senator from Georgia did today, can, when a Senator objects under section 4 of rule XIV, raise a point of order.

When that point of order is raised, the Senate will have an opportunity to decide again if the Senate desires to refer the bill to committee.

Mr. RUSSELL. I regret that I was not able to follow the Vice President's argument; but under what rule would that be done?

The VICE PRESIDENT. The Chair believes that the statement he has made makes it quite clear that the procedure which has been outlined is a proper one; and the Chair also suggests that the Senator from Georgia himself has in effect invoked that rule today.

Mr. RUSSELL. I am not perfectly clear as to when the Senator from Georgia invoked that rule.

In my opinion, under subsection 3 of rule XIV bills would be committed, except by unanimous consent. But there is some difference in that construction from the construction I understand the Vice President has placed on it.

The VICE PRESIDENT. The Senator from Georgia raised the question on the opinion as expressed by the Chair, as to whether a bill should be referred to a committee, and the Chair indicated, in his opinion, that in the future a Senator may raise that objection, just as the Senator from Georgia did today, and that the Senate itself will decide whether under its rules the Senate, interpreting its rules, desires the bill to go to a committee, or whether it desires the provisions of rule XIV, paragraph 4, to operate.

The Chair believes that leaving that decision to the Senate is proper under the circumstances and is consistent with the Senate precedents.

Mr. RUSSELL. Then I will restate my understanding of the Vice President's ruling. I raised the parliamentary inquiry because I understood from the way the Vice President answered that he had agreed with my position.

Mr. CASE of New Jersey. I thank the Senator from Georgia.

Mr. RUSSELL. The Vice President by his ruling, rather than establishing any precedent here, as on this occasion, undertakes to establish a precedent that where rule XIV is invoked, and a point of order is made against it, the whole matter should be referred to the Senate for determination.

The VICE PRESIDENT. The Chair indicates that, in his opinion, in view of the present status of the rules, this procedure is the one best designed to carry out the intent of the rules and to effect the will of the Senate.

Of course, in the future, a future occupant of the Chair might not reach that conclusion. But this is the opinion of the current occupant of the Chair, and he believes it is a proper position.

Mr. KNOWLAND. At this point, Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. As I understand, the Senator from Georgia has raised a point of order. The Chair, under rule XX, section 2, reading as follows—

> The Presiding Officer may submit any question of order for the decision of the Senate—

Has submitted the point of order to the Senate; and, in effect, that gives the Senate control in the case of the question as to whether, if the point of order is sustained, the bill in question will be referred to committee. If the point of order is not sustained, the bill will go to the calendar.

The VICE PRESIDENT. Exactly.

Mr. RUSSELL. Of course that is wholly within the prerogatives of the Chair, and I do not complain that the Chair has submitted the question to the Senate. That is the course often followed when an interpretation of a rule is being made. But the interpretation which will be made in this case does not mean anything except insofar as it applies to this bill, as I understand the ruling made by the Vice President, because it will be necessary for the Senate to reinterpret it each time this situation arises.

The VICE PRESIDENT. The Senator from Georgia is correct.

Mr. RUSSELL. Then, Mr. President, I wish to point out that, in connection with the point of order, the question of whether the bill should be referred to committee is, of course, a debatable one. The Chair's ruling may result in a means of ridding the Senate of the very vexing question which plagues it now, but certainly it does not settle anything from a parliamentary standpoint. It only means that when the question is raised again, instead of having rule XXV apply and having the bill referred to committee, as the rule—according to my construction of it—provides, the Senate will embark on a prolonged debate as to whether the bill will go to the calendar or whether it will be referred to committee.

This ruling may extricate the Senate from the present difficulty, but it does not fix any guiding star or any lodestar for the Senate to follow in future years, because Senators will know that in any case in which there is raised the question of whether a bill shall go to the calendar, and not be referred to a committee, it will be likely, or even certain, that on that issue there will be debate which will include debate on the merits of the question, as has occurred in the present case—including debate on great constitutional issues and on various amendments to the Constitution; and all those matters will be discussed before the bill either will be referred to committee or will go to the calendar; and the Senate will have to thresh out the issue all over again when the bill is finally brought up for consideration. In such case, the Senate will be beating up again a lot of old straw, in my opinion; that will be the result unless the Senate sustains the point of order and sends the bill to the committee.

Mr. HOLLAND. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. As I understand the ruling made by the distinguished Vice President, in the event the point of order of the Senator from Georgia be not sustained, the following procedure would be established: In any subsequent case, when a Senate bill is introduced or when a House bill comes to the Senate, and when the second reading is reached, if a point of order is raised, a simple majority of one in the Senate—whether a majority of a bare quorum then present or a majority of a larger number—will have the power to work its will by withholding from committee consideration either the Senate bill or the House bill. Is that the way the Senator from Georgia understands the ruling the Vice President has made?

Mr. RUSSELL. There is no question about that. That was the final statement made by the Vice President in regard to his ruling.

Mr. HOLLAND. If that be the case, is not the Senator from Georgia of the opinion that such a ruling and such an enforcement of the ruling in the future would, of necessity, work the most sweeping changes in the practices and procedures of the Senate?

Mr. RUSSELL. Not only that, but it would be time consuming.

If the Chair had ruled—although I am delighted that the Chair did not do so—that section 4 meant what the Senator from Illinois [Mr. DOUGLAS], the Senator from California [Mr. KNOWLAND], and the Senator from Minnesota [Mr. HUMPHREY]—I do not wish to call the roll of the Senators who have taken that position; the ones I have named have been the most vigorous and the most active in that connection—have said it meant, the consumption of time would come at the other end of the calendar—in other words, at the time of the making of a motion that the bill be taken from the calendar and referred to committee.

This ruling by the Vice President means that the time will be consumed when the bill is brought up for consideration and when objection is made to further proceedings and when the roll is called on the question of whether the bill shall be referred to committee.

I do not think the Senate is making a great deal of progress as a result of the statement of the Chair that he would not be bound to do other than what he has done tonight, that is to say, to refer the question to the Senate again, under rule XX. That settles nothing and gives us no rule at all.

Mr. FREAR. Mr. President, will the Senator from Georgia yield for a question?

Mr. RUSSELL. I yield.

Mr. FREAR. From the interpretation placed by the Senator from Georgia on the decision made by the Chair, do I correctly understand that if the point of order is not sustained, and if the bill goes to the calendar, in the future when that happens, hearings such as those which have been held on the Hells Canyon Dam bill and other voluminous hearings would be held on the floor of the Senate, rather than in committee?

Mr. RUSSELL. They would have to be held on the floor of the Senate by hearsay; Senators would have to read the statements which the witnesses had made elsewhere. Of course, the Senate itself does not receive witnesses; but Senators could obtain statements from expert witnesses and could bring the statements into the Senate Chamber and could read them on the floor of the Senate, in order to make a record, instead of having the witnesses testify in committee, as is done in the normal course, under the regular procedure.

Mr. CASE of South Dakota. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. CASE of South Dakota. Will the Senator from Georgia restate his point of order?

Mr. RUSSELL. Yes, although I have already stated it, and we must be careful that we do not prolong this procedure unduly.

Mr. CASE of South Dakota. I should like to have the Senator from Georgia restate his point of order, as the foundation for a question I wish to ask.

Mr. RUSSELL. The point of order was that rule XXV of the Senate, requiring the reference of bills, supersedes and annuls paragraph 4 of rule XIV on which the Senator from California relied, and that the bill should have been referred by the Chair to the committee.

Mr. CASE of South Dakota. However, inasmuch as rule XXV has been modified or amended by the Legislative Reorganization Act——

Mr. RUSSELL. The act was substituted; the rule was not amended. That act struck out all the rule, and wrote a new rule.

Mr. CASE of South Dakota. Very well.

If the point of order of the Senator from Georgia be not sustained, in what respects would the procedures of the Senate differ from those prior to the enactment of the Legislative Reorganization Act? Was there chaos then?

Mr. RUSSELL. They would be different to this extent: They would be different because of the fact that since May 4, 1948, the Senate has been operating under a precedent which was established on that date—one in the establishment of which many distinguished Members of the Senate whom I see on the floor of the Senate tonight participated—namely, that rule XXV did obtain, and that the bill should go to committee.

The Senator from South Dakota has served in the Congress for a long time; I believe he was serving in Congress when I came here. He has been a Member of the Senate for a long time. He knows that the work of the Congress has multiplied during the past 20 years, and that it is now 2 or 3 times as great—in terms of the magnitude and the number of bills, and also in terms of the importance of the bills—as it was prior to the 100 days in 1933.

Mr. CASE of South Dakota. Earlier today I stated that I certainly favor the committee system, and I believe we need committees. But I still think we protect the right of a minority by recognizing the effect of rule XIV. If the point of order be not sustained, I do not see how the resultant procedure would differ essentially from the present procedure of the Senate. Rule XIV would still be in existence, as was the case before the Legislative Reorganization Act was enacted.

Mr. RUSSELL. I have an idea that from time to time it would be brought to the attention of the Senator from South Dakota, because objections would be made to the committee reference of bills after the second reading; and then, under this system, the Senate would decide what to do.

Mr. SALTONSTALL. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. As I listened to the ruling the Chair made, it seemed to me to be as follows: Ordinarily a point of order is made on a procedural matter. However, in view of the Reorganization Act, and with rule XIV not specifically repealed or amended, a question is raised by the objection the Senator from California [Mr. KNOWLAND] made this afternoon. Although essentially it is a procedural question, and although the point of order was made on a procedural basis, the question becomes one of substance for the Senate to decide. Therefore, until the rule is either amended or repealed—as I think probably should be done—each case must be decided on its own merits, by raising a point of order.

Therefore, as I view the matter, I say to my good friend and colleague, the Senator from Georgia, if the Senate votes to overrule the point of order and to sustain the ruling of the Chair, I do not believe the Senate will be in a position any different from the position it has been in during the past 10 years.

Mr. RUSSELL. The Senator, of course, is entitled to hold to that opinion, although I must say when he voted in 1948 he voted that the Senator from Arkansas was not entitled to raise the question at all and that the oleomargarine bill should go to committee. He made some rather persuasive comments at that time. They appear in the RECORD of that day.

Mr. SALTONSTALL. I do not think my position is any different today.

Mr. RUSSELL. The Senator is making an exception.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. If the Senator will indulge me, other Senators may desire to debate the matter. I have stated my views rather fully. I am not going to restate them.

I desire to point out to the Senator from New Jersey that I was completely correct. I was sure of what I said. I asked the reporter for a copy of the colloquy. I asked the Vice President a question. Before I read it, I want to say this has always been the procedure in the past. If a matter of this kind was submitted to the Senate, it was not submitted on the basis that the Senate was going to pick and choose which bill would bypass a committee, but the rule should always be followed. If the point of order was valid, the Chair would refer the bill. If the point of order was not valid, the Chair could follow the procedure which the distinguished Senator from California has outlined.

I have received a transcript of the colloquy from the reporter——

Mr. CASE of New Jersey. I know what the Senator is going to read. I myself heard it. Undoubtedly, I think there was a misunderstanding of the question by the occupant of the Chair.

Mr. RUSSELL. The Senator from New Jersey has refreshed the Chair's recollection on the subject, but I want to read what the Chair said before his recollection was refreshed.

Here is the question I propounded:

> If the point of order be not sustained by the Senate, did I properly understand the Chair to say that that would be a precedent which would guide the Chair in the future? In other words, if the point of order is not sustained and an objection is made to further proceedings after the second reading of a bill, then the Chair would hold that the bill would go to the calendar?
>
> The VICE PRESIDENT. The Senator is correct.

The Chair may have misunderstood me, but I did not misunderstand the Chair. [Laughter.]

The VICE PRESIDENT. If the Senator will permit, the Senator will note the Chair was responding to the second part of the Senator's question, where the Senator asked if the objection—

Mr. RUSSELL. Here are the words.

The VICE PRESIDENT. The Chair realizes that when the Senator reads the entire inquiry, the Chair's response should not have been made in that way. The Chair intended to respond to the second part of the question.

Mr. RUSSELL. Let me read the second part of the question asked of the Chair, and see if the Chair will agree that we shall not be establishing a rule, but instead shall be establishing a stadium or arena for future debate:

> In other words, if the point of order is not sustained and an objection is made to further proceedings after the second reading of a bill, then the Chair would hold that the bill go to the calendar?

That is the second part of the question, and the Chair said:

> The Senator is correct.

The VICE PRESIDENT. If the point of order is not sustained, the Senator is correct; the bill goes to the calendar. That is the way the Chair understood the Senator.

Mr. RUSSELL. The Chair understood we were discussing the question whether it would be a precedent to guide the Chair in the future?

The VICE PRESIDENT. That was the ruling, and the Chair regrets he did not hear the first part of the question.

Mr. RUSSELL. So do I. I share the Chair's feeling.

The VICE PRESIDENT. If the Chair had heard it, he would not have said that.

Mr. RUSSELL. The ruling of the Chair does not do anything but throw the question into the arena of the Senate for discussion in every case when the question is raised. If the Chair is going to decide that way, it would have been better to have had a ruling that rule XIV was not affected by the Reorganization Act and the bill could go to the calendar. Under this proceeding, Senators will make motions and either endeavor to have bills placed on the calendar or make points of order not to do so, and the point will be debated. We have not clarified the matter.

In my opinion, under the situation, it would be the part of wisdom to stand by the original point of order made by the Senator from Georgia, and that is that under rule XXV bills coming from the House or introduced in the Senate should go to committee for consideration.

Mr. President, I do not desire to speak further. I do not know whether Senators desire to speak or not. Before Senators have a chance to make a decision on this question, I suggest the absence of a quorum.

Mr. HUMPHREY. Mr. President, will the Senator withhold the suggestion of the absence of a quorum?

Mr. RUSSELL. For what purpose?

Mr. HUMPHREY. I should like to address myself to this question.

Mr. RUSSELL. The Senator from Tennessee [Mr. KEFAUVER] was on his feet. If I am going to withhold the request, I should yield to him first, because the Senator from Tennessee was on his feet and the Senator from Minnesota was not

Mr. President, I withhold the request for the time being. Apparently some Senators desire to discuss this important issue.

Mr. KEFAUVER. Mr. President, I have not, except in brief colloquy, discussed this matter or presented my views. All Senators present may have made up their minds, but I want the RECORD to show my opinion about the issue before the Senate. I am a member of the Judiciary Committee——

Mr. MANSFIELD. Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order.

Mr. KEFAUVER. And I am, of course, familiar with the lengthy proceedings we have had in that committee in connection with the civil-rights bill. Let me say, in the first place, I want the Members of the Senate to have a chance of considering a civil-rights bill, of discussing the amendments, and of debating it a reasonable length of time.

The VICE PRESIDENT. Will the Senator suspend? The Chair realizes the Senate would like to vote on this matter, and if we can have order, action may be expedited. The Senator is entitled to order, and the Senate will be in order.

Mr. KEFAUVER. In feeling that we can have a bill that really protects the right of people to vote, which I think all Americans want—the opportunity of everyone to vote without regard to race, color, or creed, and having that right protected—I hope we can get a bill that I may be able to support and that many who feel as I do can support.

I hope also we are not going to have lengthy filibusters in connection with this matter that will tie the Senate up all this session and perhaps part of next session. I believe in substantial debate and reasonable debate, but I want measures of this kind acted upon on their merits.

Mr. President, without doing violence to the rules of the Senate—I think if a point of order is not sustained that we will be doing violence to the rules of the Senate—there is a way which is just as expeditious, or almost so, as the shortcut which is being suggested here today, of getting this matter out of the Committee on the Judiciary, in the event the next meeting or two does not bring it out, without causing all the confusion and the chaos that is going to result from the sustaining of the ruling of the Chair, which the Chair has made. That way, of course, is a motion to discharge the Committee on the Judiciary. I wish to say that I think there has been dragging of feet in the Committee on the Judiciary. For a while, I thought we were making progress. We had amendments up for consideration, and we acted on some. Then we reached the point where we were not doing very much.

I should say that if on Monday, or the following Monday, the Committee on the Judiciary does not act one way or the other on the civil-rights bill, I would be willing to join in a motion to discharge the committee, and to vote for that motion.

I know it is said that that would add one more step, which might be filibustered, or that we might have a lengthy debate on it, but, Mr. President, in the final analysis I think everybody realizes that in order to get action on the civil-rights bill there is going to have to be a constitutional two-thirds majority which will be willing to cut off debate at some time or other. If there are two-thirds who are willing to do that—and I think there are in the Senate today two-thirds who probably would vote to close debate after a reasonable time—then there certainly are two-thirds of those who would be present and voting who would be willing to vote for a measure that would get the bill to the floor after it goes through the normal committee channels.

Two-thirds of those present and voting can suspend certain rules of the Senate. The bill, if it is brought from the Committee on the Judiciary, is supposed to lie on the table 1 day, but that rule can be suspended by a two-thirds vote. Other rules can be suspended.

I do not think the proponents of this measure will gain any time by following this unusual procedure and by causing the chaos which is going to result in the event the Vice President's ruling is sustained.

There may be some parliamentary discussion about this, but I have, for instance, had prepared a tentative resolution, just for the purpose of discussion, which would take the civil rights bill from committee and have it presented for consideration at the same time. I think a two-thirds vote would probably be able to accomplish that. That procedure would be no more lengthy in debate than the procedure which may be adopted here would require, and we would be holding intact the rules of the Senate, which have given protection against hasty action, and which certainly have been sustained by the Senate on one previous occasion.

We would then, at least, know where we were. As I understand what is going to happen if the Vice President's ruling is sustained, it will be that when any bill is introduced here, a Member can make objection to it being referred to a committee and it will go on the calendar. As to a bill coming from the House of Representatives, a Senator may make objection and the bill will be put on the calendar. If a point of order is made, debate will ensue, and the bill may be placed on the calendar by majority vote.

Mr. President, I can remember hasty actions that have been taken by the House of Representatives, which turned out to be unthoughtful legislation which was passed in the stress of emotion, where the rules of the Senate have provided a great protection to the Nation. I think it was in 1946, at a time of great provocation—I believe it was a railroad strike—when a bill was passed through the House of Representatives which would have literally put the railroad workers in the Army. It was passed at a time of great emotion, great stress, and great antagonism toward organized labor. The bill came over to the United States Senate, and there was a demand that it be immediately passed here in the Senate. I remember it was Senator Taft who said, "No, we have to have a little time for cooling off." He insisted that the bill be sent to the committee.

Mr. President, if at that time the Senate, in a period of emotion, could have immediately decided to place the bill on the calendar, and bring it up for consideration immediately, the Senate would not have had time to let the issue cool off and to let the country think about it. That is one of the great contributions the United States Senate has made to stability of Government in the United States.

Mr. MAGNUSON. Mr. President, will the Senator yield at that point?

Mr. KEFAUVER. I yield to my distinguished colleague, the Senator from Washington.

Mr. MAGNUSON. I am wondering whether under the ruling tonight the example I am about to give, to point up what the distinguished Senator from Tennessee has said, would be possible. Would it be possible for me to introduce a bill, about which I was very enthusiastic, which I wished to have passed right away, and then, when the bill was given its second reading, for me to object to its referral to the committee, which might be to my own committee, and to have somebody make a point of order and have the Senate pass on the bill right then and there? Is it the understanding of the Senator from Tennessee that that would be possible?

Mr. KEFAUVER. I think the ruling would be it could be passed on right then and there.

Mr. MAGNUSON. If I found some of my colleagues in the committee, like my old friend, the Senator from Ohio, or some of the others, were not quite in sympathy with me, I could object to sending my own bill to the committee and have it placed on the Calendar, have a point of order made against it, and the Senate could debate it then and there and have a vote and decide it once and for all? Is that understanding correct?

Mr. KEFAUVER. That is substantially correct.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield to the Senator from Massachusetts.

Mr. KENNEDY. Is it not possible, under the Vice President's ruling, to have unlimited debate on this question, and, even if cloture were finally put into effect on the bill, to have a Member introduce another bill and once again have unlimited debate? Therefore, we could stay in session week after week and month after month, not having an opportunity to dispose of a bill, with cloture always having to be provided, preventing a civil rights bill from finally being disposed of. Therefore it seems to me, when we are faced with that procedure on the one hand, and on the other hand we can wait for the Committee on the Judiciary to report a bill, or else adopt a discharge petition to force it, I do not think there is any question in my mind as to which will result in beneficial legislation sooner.

Mr. KEFAUVER. I think the Senator is correct. I believe the procedure here is placing two more steps that can be filibustered in the way of consideration of legislation. I think the Senator is correct. Instead of expediting legislation the procedure may develop in the future to be two steps more which would be subject to a filibuster.

Mr. MAGNUSON. Mr. President, will the Senator yield so that I may ask another question.

Mr. KEFAUVER. I yield to the Senator from Washington.

Mr. MAGNUSON. If the votes were available to sustain a ruling of the Chair in a particular case, such as I have mentioned, those votes would also be available, would they not, to discharge a committee? It is six one way and a half dozen the other.

Mr. KEFAUVER. The Senator is correct. If the votes were available in the one case, they would also be available to discharge the committee.

Mr. MAGNUSON. The votes of those who were sympathetic to the particular cause.

Mr. KEFAUVER. The votes of those who were sympathetic.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield to my colleague from Mississippi.

Mr. STENNIS. My question to the Senator from Tennessee is along the line of his fine thinking.

Take the mutual security program, the so-called foreign aid bill, which passed the Senate recently. Was it not true that what gave it impetus was the fact that the Foreign Relations Committee took testimony on the subject and came forward with an almost unanimous recommendation? By contrast, suppose that bill had been stopped and sent to the calendar. Suppose there had been a vote upon the question, and it had been sent to the calendar. What chance would there have been to pass that bill without a committee hearing and recommendation? It would have been impossible, would it not?

Mr. KEFAUVER. The Senator is entirely correct. The only way Members of the Senate can legislate intelligently is to have the facts, ascertained from expert witnesses who appear before committees. Committees hear from members of the administration, as well as from other Senators who wish to state their views. In my opinion the mutual aid bill would not have passed the Senate if the proposed procedure had been followed, that is, allowing a majority to place the bill on the calendar, and take it from the calendar for consideration in the Senate, without hearings before the committee. I do not think the bill would have passed in any form which would have been satisfactory to those who favored such legislation, and it would not have been satisfactory to the administration.

This is what I am worrying about: There are in progress before a subcommittee of one of the standing committees of the Senate hearings dealing with labor-management relations. Mr. Beck and other labor leaders have been testifying. In the country there is tremendous antagonism on the part of a great many people toward organized labor. There is a great deal of excitement over the issue at the present time.

Many persons overlook the need for protecting the hard-earned rights of 15 million good American trade unionists. We receive letters urging the passage of right-to-work laws and other laws to penalize organized labor.

That is the situation which exists. When a bill comes to the Senate in the midst of that kind of heat, pressure, and emotion, and the people of the country are excited and are demanding someone's blood, that is the time when we need cool, calm, calculated consideration by a legislative committee. I do not see how we can function intelligently unless we operate in that manner. The Senate will lose its stabilizing influence in the Nation if we place it in the power of a majority of the Senate, in connection with any particular bill, to vote not to refer a bill to a committee. Under such procedure, in my opinion, the Senate would lose its traditional stabilizing influence, which it has always had by reason of calmly considering questions while at the same time giving witnesses an opportunity to testify, while passions are allowed to cool. If we were to place it in the power of a majority immediately to send a bill to the calendar, and then act upon it without the benefit of testimony before one of our legislative committees, in my opinion such action would substantially destroy the committee system of the Senate.

If a Senator has a bill which he is afraid to have considered by a committee, and he wishes to take some shortcut, and he has the necessary political support, particularly the support of the majority leader or the minority leader, he can have the bill placed on the Calendar, and then immediately brought up for consideration.

How are we to ascertain what is behind any particular legislation? How can we determine the sinister motives of certain people who may be pushing for the passage of certain legislation? How are we to develop the effects of legislation upon the people of the United States if we give a majority of the Senate the right immediately to act on a bill without consideration by any committee?

Committees have another great importance. Committees of the Congress, and particularly those of the Senate, have great influence in regulating the way the executive departments are operated. In the consideration of bills, administrators come before committees of Congress and tell what they are doing with various programs, and Members of Congress have the opportunity to express their opinions. We would lose a great deal of control over the administrative and executive branch of the government if we were to destroy or cripple our committee system.

Furthermore, the administrators are entitled to know the intent of Congress, and the reviews of Congress as to how laws should be administered. The reports of committees furnish them guidance and direction. All that will be gone if we destroy our committee system.

We all know that the courts of the United States, in looking to the intent of Congress in interpreting statutes, consider committee reports. They consider what is said by members of the committee in the debates, and particularly what is in the reports, as a guide in determining how the laws of Congress should be interpreted. That, too, would be gone.

Members of the Senate are faced with a serious decision, particularly when they have another alternative. They have the alternative of discharging the Judiciary Committee. If, by a week from Monday next, the Judiciary Committee has not acted upon this bill, I will vote to discharge the committee. I think we should have acted before this time; but merely because I am dissatisfied with what one committee may have done, that is no reason why we should establish a precedent which would harm the Nation and the work of the Senate.

Mr. LONG. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. LONG. Does the Senator realize that if we were to adopt the device proposed here, it would offer to Senators who wish to defeat bills which must go to committees and be studied by committees opportunities to defeat such bills which do not exist at present?

Consider a bill such as the foreign aid bill. Suppose the Senator wished to oppose that bill. Suppose he did not want it passed. That is a bill which must be studied by the committee. A single Senator could start to debate the bill when it was introduced. He could object to a second reading, and, on that point, he could force the bill to the calendar, and debate a motion to take the bill from the calendar. So the proposed procedure would merely offer a device which does not exist at present, to allow one Senator to keep a bill from ever getting before a committee. Three or four Senators could continue to debate the motion to refer it. In such a case a cloture petition would be required to stop debate and get the bill before the committee.

Mr. DOUGLAS. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. KEFAUVER. Let me respond to the Senator from Louisiana, and then I shall be glad to yield to my colleague from Illinois.

I feel that what the Senator from Louisiana says is correct. A Senator may have a bill which is really unsound, but which sounds plausible, and seems, on its face, to be a good bill. Unless we dig into the bill with the aid of the spotlight of committee inspection, we do not see the bad provisions in it.

Therefore, the effort of that Senator would be to keep the bill on the calendar and immediately get it up for consideration when he had a favorable situation. Or, the reverse of this situation could be used by Senators opposed to a bill. They could keep it out of committee by extended debates or the point of order against referring the bill, knowing that the Senate would not want to pass a complicated bill which had not had committee consideration. I think the Nation would be badly harmed. Certainly the work of the United States Senate would be impaired and impeded, and its effectiveness would be in a large measure destroyed if we were to cripple the committee system in this way.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. DOUGLAS. I should like to propound a parliamentary inquiry based upon the question raised by the Senator from Louisiana [Mr. LONG]. Prior to propounding the parliamentary inquiry, I should like to have Senators remember that the Senator from Louisiana, as I understand, said that these discussions, as to whether a bill would go on the calendar or to a committee, might be determinative. I should like to ask this question of the Chair.

The PRESIDING OFFICER (Mr. THYE in the chair). The Senate will be in order.

Mr. DOUGLAS. Is not a point of order subject to a motion to table?

The PRESIDING OFFICER. The Chair thinks it is.

Mr. DOUGLAS. Is that the ruling of the Chair?

The PRESIDING OFFICER. That is the ruling of the Chair.

Mr. LONG. Mr. President, will the Senator yield at that point?

Mr. DOUGLAS. Just a moment, please. I have submitted a parliamentary inquiry.

The PRESIDING OFFICER. Will the Senator restate his question.

Mr. DOUGLAS. Is a point of order subject to a motion to table?

Mr. KEFAUVER. Mr. President——

Mr. DOUGLAS. If submitted under rule XX, is a motion subject to a point of order?

Mr. STENNIS. Mr. President, a point of order. [Laughter.]

The VICE PRESIDENT. Rule XXII, paragraph 1, provides that when a question is pending, no motion shall be received but a motion to lay on the table, among others. There is a pending question before the Senate, namely, Is the point of order of the Senator from Georgia [Mr. RUSSELL] well taken? It is the opinion of the Chair that that is a question within the scope of the above rule, and that a motion to lay on the table is therefore in order.

Mr. DOUGLAS. So that the motion to table a point of order is in order in connection with the point of order raised by the Senator from Georgia; and in any similar situation in the future a motion to table would be in order?

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am making a parliamentary inquiry.

The VICE PRESIDENT. At the appropriate time, when a Senator acquires the floor, a motion to lay on the table is in order when the question before the Senate is a point of order.

Mr. LONG. Mr. President, I should like——

The VICE PRESIDENT. The Senator from Tennessee has the floor.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. RUSSELL. I wish to make it perfectly clear that there is a rule, of course, that when a point of order to a ruling is pending, if a motion to table is made and the motion prevails, it is the sense that the point of order was not well taken, and the precedent would be established against the point of order. The Chair rules, as I understand, that where the Chair by his own action has submitted a point of order to the Senate for determination, that a motion to table would lie?

The VICE PRESIDENT. Under rule XXII, in the opinion of the Chair, that is a question to which a point of order would lie.

Mr. RUSSELL. When the motion is made, a Senator could protect himself by a point of order against a motion to table. Is that correct?

The VICE PRESIDENT. A Senator can always appeal from the decision of the Chair, if that is what the Senator from Georgia refers to.

Mr. LONG. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. LONG. I should like to have the Senator follow me on this point, and see if he can get across the second hurdle that I suggest. I am thinking of the awful precedent we would establish if the Senate does not sustain the point of order.

In this case many Senators want to put a bill on the calendar, but there are situations when a bill could not be passed and considered by the Senate unless it was first considered by a committee. Suppose a Senator objects to a bill and keeps that bill from committee. And suppose Senators want to get the measure into committee, knowing that it is absolutely necessary to have it studied by committee in order to have the bill passed. It may be a bill like the foreign-aid bill, or some other complicated and detailed bill that must be studied by a committee if it is to be passed upon by the whole Senate. In that event, a motion to table could not lie because the effect of that would be to put the bill on the calendar. If the point of order were debated at great length, there would be no way to cut off debate except by a successful cloture petition to get the bill in committee.

That being the case, it would be subject to unlimited debate.

I submit it is much better to have ourselves in a situation that will not plague us, but to get the bill into committee, rather than to plague the Senate with a ruling that will subject the Senate to interminable debate, if a group of Senators wished to keep a bill from getting into committee.

It makes much better sense to follow a procedure that has many remedies, either by discharging a committee, or by suspending the rules, if necessary, instead of leaving ourselves in an unprecedented mess, where a bill of a controversial nature can be introduced and where 1 or 2 Senators can keep that bill from reaching a committee, if it is the kind of bill that requires study.

The bill under discussion has been debated a great deal and has been considered many times. But how about controversial bills that will come up in the future, which must have study by a committee before it can be intelligently passed upon by the Senate? Do we want to subject ourselves to a situation where a single Senator or a small group of Senators can tie the Senate up interminably, without letting the bill be considered or let it go into committee?

Mr. KEFAUVER. I believe the situation would be that if a bill came from the House, or if a bill were introduced in the Senate and a point of order were made, and the bill sent to the calendar, the only way it could be taken off the calendar would be by motioning the bill up, which would be debatable, and there would ensue lengthy debate on the issue of whether to take up the bill.

Mr. LONG. A motion would have to be made to refer the bill to the committee.

Mr. KEFAUVER. That is correct.

Mr. LONG. And that would be a debatable question.

Mr. KEFAUVER. That motion would be debatable, if a group wanted to keep the bill from going to committee.

Mr. LONG. It would require a two-thirds majority to have the bill brought up for consideration, if a lengthy debate were waged against the bill, and it would again require a postponement to a subsequent day, with each Senator having additional time in which to debate the bill. Then a motion would have to be carried after debate to bring the bill up for consideration, and then a motion would have to be made to send it to committee, and that would be subject to a debate.

I submit that would plague the Senate, and could conceivably plague us indefinitely into the future. A motion to table in such a case would only accomplish what those who are opposing the bill were seeking to do in the first place, that is, get it on the calendar, without having it considered by the committee.

Mr. KEFAUVER. Mr. President, I think also that the history of the Reorganization Act is in favor of the interpretation that the Reorganization Act requires that bills be sent to committee. The Reorganization Act, of course, provides that they shall be referred to a committee. It does not say "if they are referred." It does not say that in the absence of something else, they shall be referred. It says that they shall be referred to the committee.

That is the interpretation which the Senate, by its vote, has placed upon it. This action today will leave us with no rule in this matter, as I see it. We do not know whether a bill will go to a committee. It will depend on what the Senate does in each individual case.

That is not the orderly way of doing business. It certainly will not expedite the judicious consideration of matters in committee. I think the Senate will be set back in its deliberative operations for many, many years if the position of the Chair is sustained.

Mr. HOLLAND. Mr. President, I shall detain the Senate but a few minutes. I remind the Senate that whatever we do on this vote will have very little application to the so-called civil-rights bill. Why? Because if the long debate develops, which is anticipated by all of us, the question will be, eventually, whether 64 Senators want to close debate. If they want to close it on one portion of the debate, of course, they will see it through.

The only difference between these two situations, so far as the civil-rights bill is concerned, is the difference between three clotures and two clotures. In the case of placing the bill on the calendar as is now being attempted, there would be only two clotures; one on the motion to take up, and then one on the action on the merits of the bill.

In the other case, there would be three clotures; first, on the motion to take up the resolution of discharge, and second, the motion to discharge the committee

and to make the bill the pending business, and then finally, third, the cloture on the merits of the bill. There would be 3 clotures as against 2. That is all the difference there is.

I have consulted with the parliamentarians, and I understand from them that there is no question about the fact that if the bill goes to the committee, there would first have to be a motion to take up the resolution to discharge the committee. That would require cloture. Then there would be the motion to discharge the committee, and there would also be included, of course, the factor of making the bill the pending business, which would require a two-thirds vote, but less than the vote on cloture. Then, again, there would be the final vote on the merits.

That is all the difference there is between the two ways of handling the situation, so far as the measure we have been talking about today, the civil-rights bill, is concerned.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. NEUBERGER. I have not spoken on this subject, but I should like to ask the Senator a question which occurs to me.

At least 15 to 20 times in the past 4 or 5 minutes which the distinguished Senator from Florida has been speaking he has referred to the necessity for cloture. Why is that necessary? Is it the determination of the opponents of the proposed legislation that they will not permit a vote on the bill unless debate is shut off arbitrarily by a vote of the Senate?

Mr. HOLLAND. I think the Senator from Oregon missed what I said before I first used the word cloture; that is, if the unlimited debate developed in this matter, which had heretofore given promise of developing, the situation I have just described would be the situation we would be in. The Senator from Oregon can judge for himself as to the degree of firmness of the opposition with which this measure will be faced.

The Senator from Florida does not predict what will happen; he only knows that so far as he is concerned he will oppose the measure in every reasonable and every legal way he can. The Senator from Florida, however, is one Senator who has voted for cloture when he thought things had gone far enough, and that was in the case of the atomic energy measure some 2 or 3 years ago.

Mr. NEUBERGER. Why should cloture be necessary at all?

Mr. HOLLAND. Cloture becomes necessary only when men are so determined in their opposition to certain proposed legislation, because they have a belief and a conviction that their area of the country will be disturbed beyond measure by the passage of such legislation, that they are willing to oppose it with all the vigor and strength they possess. As to whether that would occur in this case, the Senator from Oregon can reach his own conclusions.

The Senator from Florida has simply stated that if that situation develops in the way it has developed heretofore on this kind of measure, the only difference between one approach and the other in the Senate is the difference between 2 clotures and 3 clotures.

Mr. President, I call attention to the fact that if 64 Senators make up their minds that this measure, or any other, should be passed, they have it in their power, even with 3 clotures, to end debate in 9 days, because each cloture requires a waiting period of 2 days, then gives to each Senator who wants to be heard on the bill 1 hour, and then the vote takes place. So under no reasonable conception is more than 9 days involved.

The Senator from Florida has seen many instances when many more than 9 days have been used up in arguments, when no one even thought of cloture.

So the Senator from Florida is simply pointing out realistically to his distinguished friends who do not feel that they should sustain the point of order, what will be the result.

In the event the point of order is not sustained, the only difference will be a saving of 1 cloture. There will be 2 clotures instead of 3. But what is the other horn of the dilemma? If the point of order is sustained, there will be a rule in the Senate. What will that rule be? It will be that rule XXV has replaced paragraph 4 of rule XIV. Rule XXV states the provisions of the Reorganization Act which control, and the Senate will have so ruled.

By upholding the point of order, we will have a rule of stability; we will be able to transact business in an orderly manner. If the point of order be not sustained, there will be no rule, no stability, no assurance as to when measures can be considered or whether they will be considered. Why? Because, under the ruling of the able Vice President, if the point of order is not sustained, and the ruling of the Chair stands, it simply means that the Senate will be committed to a course under which on second reading of any bill, whether it be a Senate bill or a bill which comes over from the House, upon objection of one Senator, followed by the raising of a point of order, the Senate, by a majority vote of those present and constituting a quorum, can rule that the measure shall go to the calendar, so that it will never get to a committee. There is no question about it; that is what it means. It means that when 49 Senators are present and when a bill is introduced by any Senator, if 25 Senators have made up their minds not to let the bill go to a committee, their desire will prevail, and a simple majority of the smallest quorum possible will control the Senate.

To what lengths has the Senate gone that Senators should even think of having such a chaotic rule as we would have if the point of order should not be sustained. Each case would be considered separately.

Mr. President, I practiced law for a good many years. In an adjoining circuit to mine, there were two circuit judges who ruled differently in very serious matters of judicature. The rule was that the judges took cases in the order in which they were filed. The practice was that cases having odd numbers went to one judge, and cases having even numbers went to the other judge.

I have seen lawyers stand around waiting for the propitious moment to file their bills so that they would be certain to go to the judge who would rule the way they wanted the ruling to be made.

Mr. President, I do not want any such miserable practice to prevail in the Senate.

Yet I can visualize that Senators who are greatly devoted to a measure, and want it placed on the calendar, and want it brought up shortly thereafter, will be watching and waiting to see what other Senators are on the floor and what other Senators are not on the floor before introducing their bills. If such a chaotic situation exists, Senators will attempt to take advantage of it, merely to get bills in which they are interested supported by a temporary majority of a bare quorum, or a little more than a quorum, so as to have the bills go to the calendar. That is what will occur if the point of order is not sustained. There will be complete chaos. Instead of a rule of law, there will be a rule of cases, depending upon what Senators are present at a given time.

I can visualize that bills will be worn out from being carried around in Senators' pockets until the times comes when the membership of the Senate present in the Chamber suits their particular situation.

Mr. STENNIS. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield.

Mr. STENNIS. I wish to commend the Senator from Florida for his very fine statement, and especially for his plea for a rule.

With all due deference to the Vice President, I ask the Senator from Florida this question: Where did the Vice President leave the Senate by holding that questions relating to the reference of bills have to be passed on by this body? Where will that leave the committee system, except in exactly the way the Senator from Florida has pointed out?

It seems to me that those to whom we look primarily to carry on the committee system—namely, the chairmen of the committees and the ranking minority members of the committees—now should come to the defense of the committee system and should fight to keep it from being left in chaos and confusion.

I join the Senator from Florida in pleading for a rule and in pleading that the chairmen and the ranking minority members of the committees take the lead and close ranks in working to see to it that the Senate has a rule.

Mr. HOLLAND. I thank the Senator from Mississippi, who presided as the judge of a court of original jurisdiction long enough to know that there must be rules and laws, or else the whim of men will prevail—in this case, the whim of a majority of a bare quorum of the Senate, or of a little more than a quorum of the Senate, instead of the established rules of the Senate which have made the Senate the most stable body in the Government of this Nation, as the Senate was designed to be.

I have stated several times on the floor of the Senate, but I think it worth repeating, that I have read, not once, but at least 25 times, each and all of the Federalist Papers regarding what was intended by the Founding Fathers when the Government of the United States was established. Those papers of Jay, Madison, and Hamilton give the points of view of those three gentlemen, who should have known best what was intended when the Government of the United States was established. In those papers, the words "stability," "stabilize," or "stabilized"—depending on the connotation—are used five different times.

Mr. President, the Senate has had stability because it has operated under rules, and Senators have known what rules would be applied.

Mr. President, under the ruling of the able Vice President, the Senate will have a rule; but what will it be? It will be a rule requiring the submission—at a particular time, after the raising of a point of order—to the vote of a majority of the Senators then present, of each and every issue which arises in this particular field, whether it be when a Senator introduces a bill or when a messenger brings to the Senate a bill from the House of Representatives. Mr. President, how could there be greater instability, greater chaos, greater lack of order, greater loss of confidence insofar as the public is concerned, than to have such a procedure face the Senate an indefinite number of times in the future, as will be the case if the ruling made by the Vice President is sustained?

Mr. President, the point of order should be sustained; and the Senate should be given a fair rule, namely, that a bill will be referred to committee, if a point of order is raised.

Mr. LONG. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. LONG. I know many Senators have not realized the mischief involved in the rule which would be established if the point of order were not sustained.

Two years ago, it will be recalled, many Senators wished to have an amendment to the Sugar Act enacted into law. I believe that when that measure was finally passed by the Senate, the Senator from Illinois and the junior Senator from Arkansas were the only Members of the Senate who opposed it. But those two Senators, by delaying the sending of the bill to the committee during the first session of that Congress, were successful in preventing the passage of the bill at that session, because the Senate knew the bill was a complicated piece of proposed legislation, and the Senate knew it did not wish to act on such a measure without having it studied by the committee having jurisdiction of the subject and without having the benefit of the committee's judgment regarding that measure.

Mr. HOLLAND. I well remember that occasion.

Mr. LONG. Those two Senators, by preventing the reference of the bill to the committee, kept the bill from being passed at that session of Congress.

Now let us see the power that two Senators could have if the point of order were overruled and if the position taken by the minority leader were sustained.

In that event, suppose the same bill were to be introduced for the first time, and had not been considered by the committee. The Senate would have been busy, for the Senate has to consider a great many measures. In that situation, suppose that every time an attempt were made to advance the bill to a committee some Member objected and debated the motion until the Senate were forced to lay the matter aside. In that event, consideration of the bill by the committee would be impossible.

The only course then available would be to have the bill go to the calendar. In that event, every time an effort would be made to have the bill brought up for consideration by way of motion, the only motion that would not be debatable would be a motion to lay on the table the motion for consideration of the measure; and then the bill would have to go back to the calendar.

Thereafter, if an effort were made to have the bill referred to the committee, those two Senators would be able to delay for a considerable number of days the reference of the bill to committee; but if the bill were finally considered for reference to committee, a Senator could then debate the motion to commit the bill and would prevent committee consideration of the bill.

Let us suppose that finally a sufficient number of Senators succeeded in having a cloture petition presented, and succeeded in having cloture imposed—by means of the votes of 64 Senators—and finally succeeded in bringing the bill before the Senate.

Again it would be necessary to move that the bill be sent to committee, and again lengthy debate would be possible, and a second cloture petition would have to be submitted—all in an effort to have the bill referred to committee.

That situation could develop in connection with any controversial bill—for instance, in connection with the unfinished business of the Senate, the Hells Canyon Dam bill. A few Senators who were opposed to the bill would be able to make it impossible for the bill ever to be considered by the Senate, simply because when the bill was introduced, they could object to having the bill go to committee, and in that way they could prevent having the bill studied by the committee.

The Senate does not have time to consider bills which have not been studied by committees. The Senate cannot even find time to consider all the bills which have been studied by its committees.

I say that this situation would establish a legislative roadblock, if Senators wished to use it, in front of bills of merit which should be considered and acted on by the Senate. That would very definitely be the case, because although there are some bills which Senators might be willing to have passed without having them studied by committee or without having the committees take the testimony of witnesses, the great majority of the bills—approximately 90 or 95 percent of the measures, I would assume—are measures regarding which Senators would want the committees concerned to consider the views of expert witnesses and the views of the various executive departments of the Government, and to cross-examine the witnesses, in order to ascertain whether their views were sound.

Those are the things the Senate would deny itself, and that is the power which would be placed in the hands of one Senator or a few Members of the Senate, if the Senate were to vote for a rule by means of which a single Senator could debate a bill when it was introduced, and thus could keep the bill from being referred to a committee.

Mr. HOLLAND. Mr. President, the Senator from Louisiana has stated a powerful case in favor of sustaining the point of order.

Mr. COOPER. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. Mr. President, I shall yield to the Senator from Kentucky after I make two points.

First, since the distinguished Senator from Illinois has indicated that he may be disposed to make a motion to lay on the table the point of order, and since the distinguished Vice President has stated that such a motion would be in order, I wish to make it very plain that, as I see it, that would simply be a method of shortening the debate and of giving the Senate a chance to vote on the point of order, and nothing more or less than that. I hope it will be so regarded by all other Senators.

Second, I should like to say that throughout the debate the real liberals, of whom there are so many in the Senate, who seem to favor the other side of the issue, have no business on that side, because they are the very ones who would wish to defend the causes of citizens who might be hurt by a passionate outbreak of sentiment following some grave incident of one kind or another, and they would wish to see to it that such citizens would have any issues in which they were vitally concerned handled cautiously and patiently, in an effort to ascertain the facts.

I am delighted more than I can possibly state to find that not only the distinguished Senator from Oregon, who cast the die very early in this fight when he realized what was happening, but now also the distinguished Senator from Tennessee, have seen what is an undoubted truth, and that is that this monstrous thing, if once set up, not only will serve to bring grave disaster to the Senate, but will be more apt to militate against the very causes to which they are devoted than to help them.

I now yield to the Senator from Kentucky.

Mr. COOPER. I have listened to the Senator. I think he was correct when he outlined the steps which must be taken to bring the bill to a decision if it goes on the calendar. I know his concern that no trick, no device, no expediency be taken in a matter such as this. I may say I share that feeling, and stated it in the only other intervention I have made in this debate.

Mr. HOLLAND. I thank the Senator.

Mr. COOPER. I may be wrong, but I thought, as the Senator from Florida

outlined the long series of steps that must be followed to bring the action on the bill to a decision, he implied that in placing the bill on the calendar that perhaps was some expedient or trick which would be used if this ruling should be sustained.

Mr. HOLLAND. I make no such implication. I know only what my own attitude is on that.

Mr. COOPER. I should like to ask the Senator this question, however: If it be true that the rule is not repealed, by implication, by the Reorganization Act, does it not follow that all these steps, long and circuitous as they may be, are legal and rightful steps?

Mr. HOLLAND. If the Senator means by that the three debates without limitation, and the closing of those debates, to which the Senator from Florida referred in the case of recalling a bill from committee and taking it up and passing it, the Senator from Kentucky is correct.

Mr. COOPER. The Senator said if the ruling should be sustained, the Senate would be placed in chaos or turmoil.

Mr. HOLLAND. The Senator is correct.

Mr. COOPER. If the rule was not repealed by implication by the Reorganization Act, is it not true that all those steps are perfectly legal and perfectly proper steps under the rules of the Senate?

Mr. HOLLAND. If the rule was not repealed by implication, we might have had a different sort of ruling from the distinguished occupant of the chair than the one which he has handed down, which would not have left us in chaos. But we are not confronted with that possibility now. We are confronted with an actual ruling. What was the ruling? The ruling was that the distinguished Vice President had a personal idea about this matter, but his conviction was that in this case a question had developed which should be submitted to the Senate—the Senators then present—for determination by their vote. That is the meat of his ruling. So, if the point of order is not sustained, the ruling which will be in the records and precedents of the Senate will be that in each such case which arises—and, believe me, there will be many more of them arising if this rule of chaos is to be rule of the Senate—the question will have to be submitted to the Senate, provided an appropriate foundation has been laid, as was laid by the raising of the point of order this morning by the Senator from Georgia.

Mr. COOPER. In every case a decision could be made by the Senate itself. Is that correct?

Mr. HOLLAND. By the Members of the Senate who were present, whether their number was just 49 or the whole 96. By a simple majority of one, of the quorum present, the decision would be made, the decision depending upon the sentiment of the Members then present or a majority of the Members then present on the particular issue.

Mr. President, if there could be any surer way of plunging the Senate into utter chaos than that—without, in those cases, referring bills to committee, but instead handling them in the manner described—I do not know what it would be.

Mr. COOPER. I have laid my background for one question, because I know the Senator from Florida does not want to use or misuse the rules of the Senate——

Mr. HOLLAND. The Senator from Florida has not done so, and neither has the Senator from Kentucky.

Mr. COOPER. But I should like to ask the Senator from Florida this question and get his answer: If the rule was not repealed by implication by the Reorganization Act, then the procedure the Senator has outlined, distasteful though it may be, is perfectly legal and perfectly proper procedure, and it is not a trick and it is not an expedient. Am I correct?

Mr. HOLLAND. The Senator is correct in part. He does not point to the result. That result would be that there would be no fixed rule except that a simple majority of the Senate then present would decide each issue at that time, which means the Senate could call black white today, and call white black tomorrow, and then perhaps get on the right course in the next case. There would be no assurance as to how the Senate would function.

Mr. COOPER. The Senator argues that in every case a bill ought to go to committee. Is that correct?

Mr. HOLLAND. The Senator's feeling is that bills should go to committee except in those rare cases when the rule would be waived, when there is a sufficient sentiment for waiving the rule, so the Senate can follow the established, traditional course it has long followed.

I came to the Senate in September 1946. The Reorganization bill had been passed a few months before that. It became effective a few months after that. The Senator from Florida was in the Senate when it became effective, and was affected by it. The Senator from Florida heard the arguments which were made in extenso on the floor at that time. What were they? They were, in effect, that the business of the country had swollen so greatly that the old system which allowed Senators to be on 8, 9, or 10 committees should no longer be followed. It was loudly proclaimed that it was absolutely necessary to reform the practices of the Senate so as to allow each Senator to serve on two standing committees, and give him an opportunity to come to grips with the facts concerning the bills referred to those committees.

Not once, but time after time after time, it was brought out that that was a change which was necessitated by the loose practices and the impossibility of living up to the committee assignments and committee duties which had existed prior to that time.

Mr. President, the Senator from Florida does not think that the 79th Congress was joking when it passed the Reorganization Act. He knows we were not fooling in the 80th Congress when we reorganized the Congress. The Senator from Florida remembers with what pain some of the elder Senators gave up cherished assignments which they had held for many years, but they had to select two committees, and two only. What was the purpose of that? To assure the better functioning of the committee system of the Senate. That was the purpose of that part of the bill which applied to the Senate.

Mr. President, when Senators say that there is not any necessity for submitting any bill to a committee, either a Senate bill or a House bill, and that a loose procedure should be adopted, under which a simple majority of the Senate in attendance any given day can decide that any bill, Senate bill or House bill, will go directly to the calendar, without any study, that is an enormity of error, from my point of view. That is a completely destructive thing, Mr. President. Instead of building some constructive rule of conduct in the Senate, such a course would destroy and wipe out all or a large part of the good results we have achieved under the Reorganization Act.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Oregon.

Mr. NEUBERGER. Ever since this debate started there has been one essential fact I have not understood. I waited to ask a question about it until I heard the speech by the able Senator from Florida, because I respect his knowledge of American history.

Mr. HOLLAND. I thank the Senator.

Mr. NEUBERGER. Ever since this debate commenced it has been claimed by those who have made the point of order that they are the traditionalists, that they are the ones who represent the views of those who founded this country, that they go back to the Federalist papers, and that their position reverts back to the Founding Fathers who wanted the Senate to be the organ of stability in our Government. Yet their whole case rests on the one claim that rule XIV, which stems from Jefferson's Manual, was overruled by something that happened in 1946 or 1947. In one breath they say, "We are the traditionalists who want the Senate to be the balance wheel of stability." And in the next breath they say, "Something adopted in 1947 overruled Jefferson's Manual. Therefore, the Vice President is wrong in his ruling." Yet in all those years, prior to 1946 there has been chaos under rule XIV.

I do not understand that inconsistency, which has repeated here since this debate commenced.

Mr. HOLLAND. Mr. President, I shall be delighted to try to assist the Senator from Oregon in his understanding of the matter.

There has never been a contention by those who wish to see the Constitution preserved and wish to see the rules obeyed that the rules should never be changed. There has never been a contention that such acts as the Reorganization Act were not necessary.

Some of the finest traditionalists—if the Senator wishes to use that word—in the Senate were among the supporters of the Reorganization Act, because they thought it was needed. So if the Senator has gained any impression that those of us who are taking the position which the Senator from Florida is supporting

now desire no change and think that everything should be static, that we cannot dot any "i" or cross any "t," or otherwise accomplish any progress, the Senator is mistaken.

Mr. NEUBERGER. I thank the Senator.

Mr. HOLLAND. The Senator from Florida has supported these items of change and will continue to do so. All he is insisting is that the real, sound, fundamental objectives of those who founded the Senate shall never be lost sight of, because they have paid off handsomely throughout the history of this Nation.

What are those fundamentals? There are several that I can mention. One of them is that the large States and the small States shall each have 2 Senators, and they cannot be deprived of those 2 Senators except by their own consent and act. There are other things, with which the Senator from Oregon is fully familiar, because he is a keen student of history.

Mr. NEUBERGER. And which I would not do away with.

Mr. HOLLAND. The main objective is stability. The whole setup of the Senate was designed so that the Senate would not waver like a reed in the wind before the determination of the populace, who had all rushed in one direction on a certain issue, but instead would wait a little and see, and would consider all the multifarious things that come into the national scene.

Mr. President, I have always been proud to be a Member of the Senate, because I have sensed that here is where much of the stability of this Nation comes from. I do not wish to see the Senate, in any idle moment, pursuing an objective, supported by a majority, perhaps—such as the civil-rights bill—do something which is not necessary at all, simply to accomplish a purpose, while at the same time it is destroying the very foundation stones under the temple. That is what I have been trying to say to the Senator and to the Senate, with every bit of strength at my command, because I know that is what will be done if we establish a rule that is no rule; a rule that simply provides that each case shall be decided by the whim and caprice of the half-informed majority present, assuming that there is a quorum present.

Mr. DOUGLAS. Mr. President, will the Senator yield to me so that I may propound a parliamentary inquiry to the Chair, which involves certain points the Senator has developed or tried to develop during his address?

Mr. HOLLAND. I yield for the purpose of permitting the Senator to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. DOUGLAS. Mr. President, the Senator from Florida has said that the practical difference between putting the House bill on the calendar under rule XIV or moving to discharge the committee is merely the difference between 2 possible filibusters with 2 clotures and 3 possible filibusters with 3 clotures.

Mr. President, some of us have been examining this very issue very closely during these preceding days, and after an examination of the rules of the Senate and the precedents, we have come to the conclusion that the difference was not between 2 possible filibusters and 3 possible filibusters, if we moved to discharge the committee, but between 2 possible filibusters if the bill is put on the calendar and 4 possible filibusters if the bill is sent to the committee and we must then proceed to try to discharge the committee. With that as a preface I should like to propound the following parliamentary inquiry——

Mr. HOLLAND. Mr. President, will the Senator yield so that I may restate my position, so that he will understand it very clearly?

In the case of a bill upon the calendar, there are two proceedings to which cloture could be applied. One is a motion to take up and make the bill the pending order of business. The second is upon the passage of the bill.

In the case of a bill which is in committee—and this I have checked with the Parliamentarians today, and if I am not quoting them correctly, it is precisely the way I understood them—the cloture proceedings would be three in number. The first of them—after, of course, the filing of the motion to discharge the committee, which would take place in the morning hour, and which would have to lay over until the next day—would be when the point was reached where it was decided finally to take it up seriously, which would require a motion to take up the resolution of discharge. That is the first of the three.

The second would be accomplished by having the motion cover not only the discharge of the committee but also the making of the measure the pending business. The Senator from Florida stated that he was advised by the Parliamentarian that because of the inclusion of that factor a two-thirds vote would be required, but it would all be in one proceeding, and it is the second step that the Senator from Florida mentioned.

The third step, the same as in the case where the bill was on the calendar originally, is the passage upon the merits of the bill.

The Senator from Florida has been so informed in rather detailed discussions with the Parliamentarians during the day.

Now if the Senator from Illinois wishes to state his parliamentary inquiry, at least he understands what the statement of the Senator from Florida is.

Mr. DOUGLAS. I thank the Senator from Florida. Am I now permitted to propound this parliamentary inquiry to the Chair?

Mr. HOLLAND. I have yielded for that purpose.

Mr. DOUGLAS. I should like to ask the Chair this parliamentary inquiry: Let us assume that instead of keeping the House bill on the calendar, it is allowed to go to committee, and then assume that a motion is made to discharge the committee from the consideration of the bill, and that the motion to discharge is not disposed of in the morning hour when laid before the Senate. I assume that it then goes to the calendar.

The VICE PRESIDENT. The Senator is correct.

Mr. DOUGLAS. Then the motion to discharge would be on the calendar; and I ask the Chair if there would not be four possible filibusters and four requirements for cloture if the filibusters should take place: First, the motion to proceed to the consideration of the resolution to discharge. If a filibuster occurred, would not a 64-vote cloture be required?

Second, if that were carried, there would then come, would there not, a vote on the resolution to discharge the committee? And if a profound and prolonged filibuster occurred, another cloture motion would be necessary, which would have to be affirmatively voted for by 64 Members. If that carried, and the resolution to discharge were put into effect, I take it the bill would be placed on the calendar.

Mr. HOLLAND. Mr. President, the Senator has not followed the course outlined by the Senator from Florida.

Mr. DOUGLAS. Third, if the bill itself were on the calendar, would there not be two further steps? Would not a third step be a motion to proceed to the consideration of the bill, which would be subject to filibuster, which could be broken only by a 64-vote cloture? Then would there not be a vote on final passage, which would be subject to a fourth filibuster, which would require a 64-vote cloture to break?

Therefore I should like to propound to the Chair this inquiry: Whether, if the motion-to-discharge-the-committee route should be adopted, four filibusters would be possible—and I think in this instance they would be carried out—and would not four 64-vote clotures be required?

The VICE PRESIDENT. On the facts as presented by the Senator from Illinois——

Mr. STENNIS. Mr. President, may I address an inquiry to the Chair?

The VICE PRESIDENT. Let the Chair complete the reply to the Senator from Illinois.

On the facts presented by the Senator from Illinois, and under the procedure he suggests, four votes and four cloture petitions might be required.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HOLLAND. By the joinder of the second and third steps suggested in the course of procedure outlined by the Senator from Illinois—which, by the way, was the course suggested by the Senator from Florida—would not the number of 4 be reduced to 3, subject to one additional condition, and that is that the bill would have to be forced out of committee and become the pending business by a two-thirds vote, because waiver of a rule would be involved?

The VICE PRESIDENT. The Senator is suggesting, in other words, that steps two and three, namely, the vote on the resolution to discharge and the motion to proceed to the consideration, might be combined. The Parliamentarian, after his study of the precedents, informs the

Chair that that would not be in accordance with Senate custom. The Chair would be bound by the opinion of the Parliamentarian in this instance.

Mr. HOLLAND. All the Senator from Florida can say is that he submitted the tentative draft of a resolution which he now holds in his hand to the Assistant Parliamentarian, and he was advised to the contrary. He was told by the Assistant Parliamentarian that he was in touch with the Parliamentarian himself on this question.

The VICE PRESIDENT. The Chair understands that the Senator from Florida did make the statement on the basis of an opinion from the Assistant Parliamentarian. This, of course, explains the difference.

The Chair now is simply reporting to the Senate what further study by the Parliamentarian of the precedents has indicated. Under those circumstances the Chair believes that it would be proper to follow the advice of the Parliamentarian.

Mr. HOLLAND. That means, of course, that there is a difference of opinion between the Parliamentarian and his deputy. It also means that the Senator from Illinois, at most, would be confronted with 4, instead of 3 steps. It would not mean that the same 64 Senators who are willing to see this matter through could not put it through 4 procedures with just as much facility as they could put it through 3. Furthermore, it would add to the estimate of time the Senator from Florida made a while ago by 3 days, at the most, because the provision for cloture, which can be initiated by a relatively small number of Senators signing a petition and filing it, comes to a head in 2 days. Then each Senator who does not wish to close debate can speak and be heard for an hour. So 72 hours, or 3 days, ought to cover each phase of the procedure. It is entirely clear that at any time when there are 64 Members of the Senate who are determined to push something through, as against the opposition of 32, or less than 32, who feel otherwise, they have it in their full power to do so; and if they have the courage of their convictions they will do so.

Mr. LONG. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. LONG. When certain Senators seek to deprive a great many people of the Nation of the right to trial by jury, of the right to confront their accuser, and the right to cross examine adverse testimony, would it not seem reasonable that they should be required to devote an extra 3 days' work in an effort to enact such legislation?

Mr. HOLLAND. It seems so to the Senator from Florida.

Mr. President, I apologize for having taken so much time. In closing, let me say that to uphold the point of order would give us a rule under which to operate. What is that rule? It is that rule XXV prevails, and overcomes paragraph 4 of rule XIV. It means that the Reorganization Act applies to this situation, and that there will be an end to this foolishness of attempts to send direct to the calendar measures introduced in the Senate or measures coming over from the House.

Failure to uphold that point of order would result in complete chaos, and leave it to the decision of a simple majority, of more than a quorum, on any measure which is brought up, to decide which course shall be followed with reference to the particular bill involved. Nothing could be more destructive of the stability of the Senate than that.

Mr. CASE of New Jersey. Mr. President, in my judgment the ruling of the Chair, or the opinion of the Chair on this issue, is thoughtful, clear, and right. Objection to the position of the Chair can be made only by those who believe that all bills must automatically go to committee, regardless of the will of the Senate. That is to say, regardless of the will of all but one Member of the Senate, they must go to committee automatically in all cases.

I do not agree that this would lead to chaos. It is not my understanding that in the first 158 years of the history of this great deliberative body chaos prevailed; and yet the situation which the Vice President has ruled now applies, applied throughout the entire 158-year period before rule XXV of the Senate rules was placed in the rules by the Legislative Reorganization Act.

It is not my recollection that that constituted an enormity or complete chaos, or that it was utterly destructive of the proper legislative process, as the Senator from Florida has so many times alleged. He was here for 1 year during that period. I should be surprised if he thought complete chaos existed during 1 year of his direct experience.

Such a suggestion represents a fear of majority opinion—a majority opinion of Members of the Senate, two of whom are chosen to represent each State.

Are we to trust anyone? Are we to trust ourselves? Does any Senator really believe that the Senate could be stampeded into action obstructive of the liberties of the people, because a majority has the power to determine whether or not a bill shall go to committee, and because we will not let one man refuse to permit a bill to go anywhere but to a committee?

This is quite ridiculous. As a matter of fact, the suggestions made by the Senator from Louisiana on this point seem to me to be absolutely without basis in anything contained in the ruling of the Chair. It would be impossible, under the ruling, to have 1 or 2 or 3 or 4 Members of the Senate determine what shall happen to a bill. The basis of the ruling of the Chair is that the majority of the Senate shall determine whether a bill goes to committee or is placed upon the calendar.

That is the procedure which applied in this body for 158 years. Will chaos result if we return to the procedure which existed in the time of Madison, in the time of Clay, in the time of Calhoun, and in the time of the giants who are so often mentioned by the very people who now raise the greatest objection to this ruling—the Jeremiahs who claim that chaos will result from returning to a situation that existed in the grand old days?

Beyond this, Mr. President, I wish to say that the ruling of the Chair is not only right in substance, but was the only one possible within the framework of the rules of the Senate. The Chair stated he was obliged, if possible, to reconcile in any reasonable way the rules of the Senate, so that each could be given a construction consistent with the continuous existence of the other rules. The ruling made by the Chair in regard to the 2 rules, rule XIV, paragraph 4, and rule XXV, is the only ruling by which these 2 rules could be construed as continuing and as consistent with each other.

Therefore, if complaint is made, I say let the complaint be made, not against the Chair, or the occupant of the chair who made the ruling, but against the rules of the Senate, which required, in my judgment, that this ruling be made. It is a ruling that is a statesmanlike ruling, and is the only ruling that could possibly be made if the rules were to be construed as both continuing and consistent.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. CASE of New Jersey. I yield.

Mr. KUCHEL. Mr. President, I cannot tell my friends from New Jersey how delighted I am to listen to him. The President of the Senate was faced with a difficult legal question, a question that was not susceptible of easy interpretation. The Senate has rules. The President of the Senate, in interpreting those rules, was also required to determine the effect, if any, of the statute which Congress passed with respect to the rules of each House. Obviously there is a conflict. Obviously repeal by implication is not favored in the understanding of the law which prevails in this country. Therefore the President of the Senate was faced with a difficult legal question, and a difficult question of interpretation.

The President of the Senate in his clear and concise decision, by which he reconciled admirably two rules which apparently on their face were in conflict, performed an outstanding service as the Presiding Officer of the Senate. Thus the occupant of the chair did not hold that a single Member of the Senate could frustrate a majority and prevent a majority of the membership from making a decision which is, rightfully, its decision in the last analysis.

The Vice President, in the highest type of a strictly legal decision, first indicated the view that was his, namely, the interpretation which he placed upon the point of order made by the distinguished Senator from Georgia [Mr. RUSSELL], and then he said, "Let the majority of the membership of the Senate itself decide the question."

What is wrong with that?

We pass laws in each House by a majority of those present, and we speed them on their way to the White House. In my judgment, the decision is shorn of any personal predilection and is grounded in the best tradition of interpretation.

It was suggested a little while ago, while I sat here—if my friend from New Jersey will indulge me for a few more seconds——

Mr. CASE of New Jersey. Certainly.

Mr. KUCHEL. It was stated that the ruling would result in chaos.

Mr. President, my time in the Senate has been short. I have been here only 4 years. I have seen some chaos, though. I have seen some chaos when the rule of the majority was frustrated, when we were compelled to sit in our seats all day long and all night long, day in and day out. What a spectacle we made of parliamentary procedure before the people of the United States.

So I suggest, Mr. President, that rather than contribute to chaos, the President of the Senate did what he had to do, and what all of us ought to be ready now to stand up and vote for. For my part, there is no question about what I shall do. I shall vote in a fashion that will carry out the ruling of the Presiding Officer of the Senate. I shall vote to overrule the point of order which was made. I shall do so because, in my judgment, the interpretation given to rule XIV is fair and recognition is given to the responsibility of the Senate under the Reorganization Act. I congratulate the Vice President.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CASE of New Jersey. I yield.

Mr. JAVITS. I should like to associate myself with the views of both of my colleagues as to the merit of the ruling of the Chair and as to the action of the Chair, and I should like to call the attention of my colleague from New Jersey, who is one of the most distinguished lawyers in the Senate, to the fact that the Chair had no alternative. The Chair could not concoct recognition of a Member who will move to send the bill to committee. Therefore the Chair had only one possible alternative to follow, by submitting the matter to the Senate. It was the fair thing to do.

I should like to ask a question of my colleague from New Jersey. Are we not faced with this issue: Shall the majority control the conditions under which it will have a bill placed on the calendar, or shall the majority let a minority control those conditions? If we, the majority, do it now, we control the conditions, and if we wait for a discharge petition under rule XXII, we let the minority control the conditions under which we will place a bill on the calendar. Is that not the nub of the issue?

Mr. CASE of New Jersey. I believe that is the issue involved. In closing, let me say, on the merits of the question, that I believe the people of the country and the Members of the Senate really have a great deal more to fear from the abuse by our committees of their too-great power, including the power vested in the chairmen, insofar as the liberties of the people and the welfare of the people are concerned, than they have to fear from any bypassing of our committees. I believe we ought to look at this subject in its true perspective.

On the merits of the great issue of civil rights, there can, it seems to me, be only one answer, and likewise there can be only one answer when it comes to the merits of the fair and reasonable bill which, at long last, there seems to be a reasonable prospect of our enacting, after more than three-quarters of a century of effort with no success in legislation in this field, because of the very kind of opposition which so bitterly and to the last ditch makes its fight beginning, perhaps, tonight.

Mr. President, not only is the ruling right, but the obligation on the Members of the Senate responsibly to act upon the question which has been placed upon them so rightly by the presiding officer is equally clear.

Mr. ERVIN. Mr. President, as I understand the ruling of the Chair, it is this: Settle it among yourselves, boys; settle it among yourselves. [Laughter.]

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Morse
Allott	Gore	Morton
Anderson	Hayden	Mundt
Barrett	Hennings	Murray
Beall	Hickenlooper	Neuberger
Bennett	Hill	O'Mahoney
Bible	Holland	Pastore
Bricker	Hruska	Potter
Bush	Humphrey	Purtell
Butler	Ives	Revercomb
Byrd	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Church	Kefauver	Smathers
Clark	Kennedy	Smith, Maine
Cooper	Kerr	Sparkman
Cotton	Knowland	Stennis
Curtis	Kuchel	Symington
Dirksen	Lausche	Talmadge
Douglas	Long	Thurmond
Dworshak	Magnuson	Thye
Eastland	Malone	Watkins
Ellender	Mansfield	Wiley
Ervin	Martin, Pa.	Williams
Frear	McClellan	Yarborough
Fulbright	McNamara	Young

The VICE PRESIDENT. A quorum is present.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. As I understand, the question before the Senate is the point of order raised by the Senator from Georgia [Mr. RUSSELL].

The VICE PRESIDENT. The Senator from California is correct.

Mr. KNOWLAND. And the yeas and nays have been ordered?

The VICE PRESIDENT. The yeas and nays have been ordered.

Mr. KNOWLAND. As I understand, a vote "yea" is a vote to sustain the point of order and, in effect, to send the bill, H. R. 6127, to the committee.

The VICE PRESIDENT. If the point of order is sustained, the bill will go to the committee.

Mr. KNOWLAND. If the point of order is not sustained, the bill will go to the calendar under the objection previously raised.

The VICE PRESIDENT. Under the objection filed by the Senator from California.

The Chair recognizes the Senator from Oregon.

THE ISSUE BEFORE THE SENATE

Mr. MORSE. Mr. President, I wish to discuss briefly the ruling by the Vice President, because I respectfully point out to the Senate that we have been discussing the Vice President's ruling based upon an oral presentation without even having a copy of the ruling before us.

I happen to believe that from the point of view of the operation of the Senate, we are making very important history here tonight. In fact, I am not even sure that we ought to make any decision tonight on this issue until we have the Vice President's ruling before us and can study it at some length, because I think we ought to know the implications of the ruling, if it is a ruling, and its full impact upon the point of order which has been raised.

I think it is so important that, although it may not be a particularly popular thing to do, I propose, at least, to give my view of the Vice President's ruling, section by section. As I understand the ruling, the Vice President has not ruled on the procedural problem we have been debating all day, save and except to say that he thinks it ought to be ruled upon by the Senate itself.

I think there is some interesting obiter dictum in the statement of the Vice President; but I do not think that anywhere in the statement we have a ruling that is at all helpful to the Senate in determining the position it should take or the precedent it will make tonight. We are establishing a precedent.

The decision we make here tonight on this matter will, I think, live to haunt us if we vote to overrule the point of order raised by the Senator from Georgia [Mr. RUSSELL]. I think the Senator from Florida [Mr. HOLLAND] put it as crystally clear as it can be put. The Senator from Florida pointed out to the Senate, in his exceedingly able speech, that what can happen under the procedure which will be established in the Senate tonight, if we act, in effect, to overrule the Senator from Georgia [Mr. RUSSELL] and put the bill on the calendar, is that from now on, not only when bills and resolutions come over from the House, but also when they are introduced in the Senate, we can throw the Senate into a delaying and dilatory procedure that will cost us hours and days of time. Such a course will follow because some Senator can get up and object to a bill going to committee; and if he has any support at all, there can then be considerable discussion, which could last, theoretically, for days, on whether or not a motion to refer to committee should be adopted or not adopted.

I wish to have the attention of the committee chairmen and the attention of the ranking minority members of the committees. I say to them that if the Senate sustains the point of view of those who wish to overrule the point of order of the Senator from Georgia, in my judgment the power and the authority of each committee chairman and of the ranking minority member of each committee will be greatly weakened.

I would have the attention of the Senator from Virginia [Mr. BYRD], the chairman of the Finance Committee. I would have him keep in mind what would happen to his committee if, when some finance bill came to the Senate, a

considerable number of Members of the Senate decided they would circumvent the Finance Committee, by raising objection to having the bill referred to the committee. If they could wait until there was on the floor of the Senate a bare majority of a quorum of the Senate who happened to be of their point of view, then, under the procedure suggested as the one to be established as a precedent tonight, the Finance Committee would be kept from considering that proposed legislation.

Similarly, I should like to have the attention of the great senior Senator from Montana [Mr. MURRAY], the chairman of the Committee on Interior and Insular Affairs. I should like to have him consider the situation with respect to bills which normally are referred to his committee. Undoubtedly there are some Senators who would like to have some bills which normally would be referred to the Committee on Interior and Insular Affairs, kept from being the subjects of full and fair hearings by that committee. If objection were made to having such bills referred to the committee, then, under the procedure which I am satisfied would be established by the precedent which is proposed tonight in the Senate if the point of order raised by the Senator from Georgia were not sustained, the Interior Committee could be throttled.

Thus we can go down the line of the committees and their chairmen; and we can refer in similar fashion to the situation of the Committee on Agriculture and Forestry and its chairman, the Senator from Louisiana [Mr. ELLENDER]; and to the situation of the Committee on Banking and Currency and its Chairman, the Senator from Arkansas [Mr. FULBRIGHT].

Both the committee chairmen and the ranking minority members of the committees have a great obligation to the Senate to see to it that the committee system works properly.

In similar fashion I can refer to the situation of the Senator from Alabama [Mr. HILL], the chairman of the Committee on Labor and Public Welfare. Already in the debate there has been a discussion of some very controversial labor measures which may be pending before his committee during the present session of Congress. How would the Senator from Alabama like it if he had to fight, each time, to have such a bill referred to his committee, simply because a small group of Senators might wish to cause delay by making a fight of the sort that I have indicated will be possible if the point of order of the Senator from Georgia is overruled?

I repeat that if Senators wish to have a continuation of the Senate committee procedures which are based on the customs and traditions of the Senate, Senators should not join tonight in the taking of action which would do great damage to the customs and committee procedures of the Senate.

THE VICE PRESIDENT'S OPINION

However, Mr. President, as I read the ruling made by the Vice President, I say respectfully that I am very much in doubt, first, as to really what it means; and, second, if it holds some of the things I believe it holds, then nothing in the rules interpreted justifies the holdings.

So now I read the opinion:

The question before the Senate is the point of order which has been raised by the Senator from Georgia [Mr. RUSSELL]. As the Senator from California [Mr. KNOWLAND] pointed out in the debate on a similar issue in 1948, two interpretations of the rules of the Senate are possible. In the opinion of the Chair, the rules should be amended to clarify this question.

That would have been a good place to stop, because I think we had better have some new rules in the Senate. But I do not think we should have here a document which might be interpreted as amounting to the establishment of new rules of the Senate. However, if this document means anything at all, I respectfully submit that it means that; and I do not propose that the President of the Senate or the Presiding Officer of the Senate be given the rulemaking power. The rulemaking power must continue to be vested in the Senate itself.

The Chair further said:

Until this is done, it is the responsibility of the Chair to interpret the rules as fairly as possible.

If rule XXV is interpreted as requiring mandatory referral of all bills to the committee on which jurisdiction is conferred by the rule, it is directly in conflict with paragraph 4 of rule XIV, which clearly contemplates possible Senate action without referral to committee.

If this interpretation is accepted, it can logically be argued, as it has been argued today, that since rule XXV was adopted after rule XIV, it supersedes those provisions of rule XIV which are in conflict with it.

1948 PRECEDENT SUSTAINS POINT OF ORDER

Of course, the Reorganization Act was enacted subsequent to the adoption of rule XIV; and the Reorganization Act was interpreted by the Senate in 1948, in a specific case "on the nose," as we lawyers say—the so-called oleomargarine tax case. In that case the Senate decided, by its vote—as has been stated so many times in the course of this debate—that the bill should be referred to committee; and the bill was referred to committee.

In fact, let me digress from a discussion of the Vice President's ruling, in order to request for a moment the attention of the junior Senator from Montana [Mr. MANSFIELD]. Earlier today he raised a question as to what happened at the time of the railroad strike in 1946, at which time the President of the United States addressed a joint session of the Congress, and immediately thereafter there followed, on the floor of the Senate, the consideration of proposed legislation in that field. It so happened that on that particular day the Senate was in the midst of a debate on the Taft-Hartley bill, and was in the midst of the consideration of some amendments which, as the RECORD shows, were being offered in regard to the handling of so-called emergency disputes. In his speech to the joint session of Congress, the President of the United States recommended the enactment of legislation which would have the effect of drafting the strikers into the Army. A bill on that subject was immediately introduced in the House of Representatives. The then majority leader of the Senate, the great Alben Barkley, came to the floor of the Senate and immediately introduced in the Senate a bill carrying out the President's message. The majority leader requested the immediate consideration of the bill by the Senate without reference to committee. What did the Senate do? There was an emergency; a terrific war crisis was confronting the country. But the Senate sent the bill to committee.

Mr. President, I wish to say that if, in a situation such as that one, the Senate will hold fast to a position based on the importance of committee action, I know of no argument made in the course of this debate which would justify a failure on the part of the Senate to hold fast to its established committee procedure.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. MANSFIELD. Will the Senator from Oregon tell the Senate what Senator then made the first and perhaps the strongest objection to the proposal not to refer that particular bill—which had not been printed for the use of either the House or the Senate—to the committee?

Mr. MORSE. It was the Senator from Ohio; as I stated this afternoon, it was the great Bob Taft who objected to immediate consideration, and who favored the committee procedure. He was a great parliamentarian. Let me say, in tribute to the memory of that great man, that he recognized the importance of protecting procedural safeguards in order to guarantee substantive rights.

I know of no matter in the legislative process more important than holding fast to procedural safeguards, so that substantive rights can be guaranteed.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. MORSE. Yes.

Mr. MANSFIELD. Can the Senator tell the Senate what the position of the Senator from Oregon was on that occasion?

Mr. MORSE. Well, a considerable number of us took the same position that the Senator from Ohio took—a great many of us.

I want to stress that point because we have not only the 1948 oleomargarine case, which is a case on the nose, so to speak, but we have a great many other cases in the history of the Senate which justify our saying, as has been said so many times by so many in this debate, that the custom and the practice has been to send bills to committee. This custom and practice has grown up because we know the great importance of committee procedures and committee hearings and committee reports to maintaining a sound legislative process in the Senate. We depend on committees to do a large share of the legislative work of the Senate, and we pass judgment on the work of the committee by way of committee reports that come to us.

I have a great deal of sympathy for the point of view expressed by the Senator from Minnesota, who is one of the most able men I know, in or out of the

Senate. I know how exasperating it is for us to find ourselves in a position where we think that dilatory tactics are used and are being used in regard to civil rights legislation; but I think that is our fault. I think we have been too willing too many times to permit those dilatory tactics. I think, as I said earlier, if there is a majority vote to overrule the Senator from Georgia [Mr. RUSSELL] then there is a majority vote to discharge the committee.

As I said earlier, I do not care whether it is 1 cloture or 2 clotures or 3 clotures, or whatever the number might be; if we have the votes to apply cloture, then we have the votes to hold fast, and we can use it over a period of days. I think that we put ourselves in an exceptionally strong position with the public when we have exhausted all the procedural rights of the opposition, so that they cannot say that we have taken advantage of them to the slightest degree.

As I said earlier this afternoon, do not forget also that a majority has a terrific responsibility at all times to demonstrate procedural fairness. It is so important, in establishing a majority case, and getting a public acceptance of a majority case, that procedural fairness be established.

I do not mean, in these brief remarks I am going to make—because I want to direct most of them to the Vice President's ruling—to get into a discussion of the civil-rights issue itself. Let me tell Senators what I think we are seeing happen in this country. It may take some time longer, but I think we are seeing a growing recognition throughout the South of the importance of enacting fair civil-rights legislation.

Let me tell the Senate of an experience I had at a southern conference in Raleigh, N. C., not so many weeks ago. I went to Raleigh and talked on a legislative matter that is usually objected to on the grounds of States rights. I presented the point of view on States rights that Senators have heard me present on the ficor many times. I said to this southern conference that I certainly would be intellectually cowardly if I came to Raleigh, N. C., and was not willing to discuss the issue in the same way I discussed it on the floor of the Senate.

I did so discuss it. The chairman of the meeting was the editor of a great Southern newspaper, who had introduced me. I shall never forget his reply to that audience. He said, in effect, "I think we will all agree that we are making great progress in the South as shown by this audience's response to the Senator from Oregon. It was a great response. I am not so sure that 5 years ago most of you would not have walked out."

Progress is being made in the South on civil rights, but I want to say what we do in the Senate tonight is going to have a terrific impact on the South, and if the impression is created that in the Senate of the United States a majority is willing to override a minority by not even letting a House bill of such vital importance to the South go to the Senate Judiciary Committee for a reasonable length of time, I think we will do the civil-rights cause in the South a great injury. That is what I think, because I think so many people recognize the relationship of fair procedure to substantive rights. That is why, Mr. President, I think we ought to resolve the doubts in favor of the committee procedure, and then make the fight to discharge the committee within a few days——

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. In just a few seconds.

I think we ought to resolve the doubts in favor of the committee procedure, and then move to discharge the committee, and get a cloture vote and hold fast for as many cloture rollcalls as we have to have.

I now yield to the Senator from Illinois.

Mr. DOUGLAS. The Senator from Oregon is making a very eloquent defense for the committee system and committee procedure. I want to ask the Senator from Oregon if he thinks the committee system has worked when the committee has bottled up civil-rights legislation for nearly 2 years and, as the Senator from Missouri has said, gives every evidence of continuing to bottle it up. I think that the effect of what the Senator from Oregon is urging tonight would be to kill civil rights.

Mr. MORSE. Well, I do not think I have to even reply to that comment of the Senator from Illinois, because I will put my record on civil rights alongside that of the Senator from Illinois before any public jury and let them be the judge.

RULE XXV UNAMBIGUOUS; NO NEED TO GO BEHIND THE LANGUAGE

Mr. President, I want to go back to the ruling of the Vice President. He said:

However, the Reorganization Act specifically provided, in section 101a, that the rules contemplated by it should supersede other rules only to the extent that they are inconsistent therewith. Since the act did not expressly amend rule XIV, as it did rule XXV and rule XVI, and since the legislative history of the act indicates no discussion of, and therefore no expressed intent to supersede, rule XIV, it is the responsibility of the Chair to determine whether rule XXV can be interpreted in such a way that it will not be inconsistent with paragraph 4 of rule XIV.

Mr. President, there is a well-known rule of legislative construction, and that is that when a statute is unambiguous, when it is clear on its face, a court accepts the meaning of the language as written.

A court does not seek to find out what other meaning might be read into it if one made certain assumptions that are not raised at all by the language of the statute.

Rule XXV is quite unambiguous, Mr. President. There is nothing ambiguous about rule XXV. It makes perfectly clear where proposed civil liberties legislation should go. I think it is perfectly clear, as I said in answer to the Senator from California [Mr. KUCHEL] some little time ago, that rule XXV superseded rule XIV. It was adopted a later date than rule XIV. There is another rule of statutory construction followed by the courts, namely, that when a later statute provides for a procedure different or inconsistent with the procedure provided in a prior statute the procedure of the statute of the more recent date will control and prevail.

I am at a loss, Mr. President, to determine what there was that the Vice President thought he had to interpret about rule XXV. Its meaning is unambiguous. Its language is clear. The date of enactment was after rule XIV, and an interpretation of the Senate had been made of the rule by a rollcall vote of the Senate in 1948. I think those factors should have been binding in his decision.

But then he went on to say:

The Chair believes that such an interpretation is both possible and reasonable. Rule XIV sets forth the procedure to be followed in referring bills to committee. On the other hand, rule XXV defines the jurisdiction of committees over bills when they are referred to committee.

The mandatory provisions of rule XXV can be interpreted, therefore, to be limited in their application to mean only that if a bill is to be referred to a committee at all, it shall be referred to the committee to which jurisdiction is assigned by the rule.

In the Chair's opinion, rule XXV does not require mandatory referral of all bills to committee, and, therefore, does not supersede paragraph 4 of rule XIV.

I respectfully submit that is an example of an attempt at a rulemaking power on the part of the President of the Senate. There is no language in rule XXV, in my judgment, which is ambiguous in nature, which justifies the exercise of such rulemaking or rule-amending power as was attempted by the President of the Senate tonight.

VICE PRESIDENT'S INTERPRETATION GOES BEYOND RULE

Next he says:

It does not follow, however, that if rule XXV does not require referral, an objection filed under rule XIV will automatically send the bill to the calendar without consideration being given to the question of referral.

It will be noted that the language of paragraph 4, rule XIV, provides that an objection to further proceedings is in order, not immediately after the second reading, but only after the bill shall have received second reading "without being referred to a committee."

This language must be read in conjunction with paragraph 3 of rule XIV, which provides that "no bill or joint resolution shall be committed or amended until it shall have been read twice, after which it may be referred to committee."

Both paragraphs 3 and 4 of rule XIV contemplate that before a Senator can, by objection following second reading of a bill, prevent any further proceedings, with the result that the bill is placed on the calendar, an opportunity should be afforded to the Senate to refer the bill to committee, if it so desires.

Who says so? The rule does not. The Vice President says so. That is another exercise, Mr. President, in my judgment, of an attempt to exercise a rulemaking power upon the part of the Presiding Officer of the Senate, where there is not a word in the rule to justify the exercise of such a rulemaking power.

He goes on to say:

Under paragraph 3 of rule XIV:

"The Senate should not be denied, by the action of one Senator the power to refer a bill to committee after second reading, which is conferred by paragraph 3 of rule XIV."

But the rule does not support him. Mr. President, that is his amendment of the rule, by way of interpretation. It is not in the rule.

I do not propose, Mr. President, to vote to give the Vice President such rule-making power.

Then he goes on to say:

How can the right of the Senate to decide whether a bill should be referred to committee be protected?

In the opinion of the Chair, the following procedure, based on Senate precedents, accomplishes that objective:

In the absence of objection after second reading of a bill, it will, under the long established practice of the Senate, be immediately referred to the committee designated by the provisions of rule XXV.

Which is a recognition of the point many of us have made about the influence of custom and tradition and historic policy in the Senate. I think we ought to be following it, Mr. President, in this case.

The Vice President says:

In the absence of objection after second reading of a bill, it will, under the long-established practice of the Senate, be immediately referred to the committee designated by the provisions of rule XXV.

If objection is made under paragraph 4 of rule XIV and a point of order is not raised against the objection, the bill will be placed on the calendar. This was the procedure which the Senate followed in the consideration of H. R. 5992, the Tidelands case.

The Senate, in effect, by failing to raise a point of order, waived its right to refer the bill to committee.

I do not think the Senate did any such thing. Mr. President, I will tell the Senate what I think happened in the tidelands case. Nobody knew what was going on. That happens very often, Mr. President, here in the Senate, when we get into these procedural matters. We are accustomed to having them handled without any great attention being paid to them.

I have read the RECORD as to what happened in the tidelands case, and it was not until some time later that same day when the oleomargarine case arose, that the Senate, I would say, became fully cognizant of what happened in the tidelands case. I do not think that the Senate was at all cognizant of the fact that it was waiving any rights. I do not think that the matter was given the same consideration that the problem received the moment the objection was raised in regard to the oleomargarine case.

The Vice President's opinion continues:

If when a Senator attempts to invoke paragraph 4, rule XIV, a point of order is raised on the ground that the bill should be referred to committee—and that is the practical effect of the point of order raised by the Senator from Georgia [Mr. RUSSELL]—the Chair can decide the point of order or submit it to the Senate for decision, as did the President pro tempore, Mr. Vandenberg, in 1948 in a similar case.

It is the Chair's opinion that the point of order is not well taken—

Of course, Mr. President, I digress from the opinion to say that it was certainly within the prerogative of the Vice President, to rule on the point of order. What did he do? He said:

It is the Chair's opinion that the point of order is not well taken, but since the basic issue to be decided is not, in the final analysis, a procedural question, but the substantive question—"Should the bill be referred?"—the Chair believes that the proper procedure is to submit the point of order to the Senate under rule XX.

Mr. President, this is an "on again" "off again" ruling. It is one of these sleight of hand "now you see it now you don't" rulings. It is a verbal mirage.

VICE PRESIDENT'S OPINION NOT A RULING

He gives it to us and then he takes it away from us. He says he thinks the point of order is not well taken, as a personal opinion and then he says however, he is going to let the Senate itself decide, and so we really get no ruling in fact. We get obiter dictum from the Chair in regard to what his personal view about it is, but then he passes the buck immediately to the Senate for the Senate's determination.

Then he goes on to say:

If the Senate sustains the point of order, the bill will then be referred to the committee designated by the provisions of rule XXV. This was the practical effect of the Senate's action on H. R. 2245, the oleomargarine bill.

May I respectfully say, what the Senate made very clear in the oleomargarine case was that the bill should go to committee. In my judgment in that action it passed on rule XXV, and the Senate's action in the oleomargarine case is the only voting precedent we have had on this problem since the Reorganization Act of 1946.

Then the Vice President says:

If the point of order is overruled, the Senate will have expressed its will to the effect that the bill should not be referred to committee and the bill will go on the calendar pursuant to paragraph 4 of rule XIV.

In this way a bill can be placed on the calendar not as a matter of individual senatorial prerogative, but as a matter of majority policy arrived at after thorough consideration and debate on the point of order.

In making this ruling—

I digress to say the only true ruling I can find in any of his language is the ruling that the Senate should make the ruling, after he gave his personal opinion about the possible relations of rules XXV and XIV, which he then withdrew.

In making this ruling the Chair emphasizes that the Senate in the final analysis has the power to make and amend its rules. Until paragraph 4 of rule XIV is expressly repealed or amended, the foregoing interpretation, in the opinion of the Chair, is the one which is best calculated to allow a majority of the Senate to express its will on the issue before it.

The Chair therefore submits to the Senate the question: Is the point of order of the Senator from Georgia well taken?

EFFECT OF OPINION: SENATE IS BACK WHERE IT STARTED

I respectfully say, Mr. President, after we get through all of the language of the Vice President we are exactly where we started. He has left it up to us. He has indicated, by way of suggestion, some courses that we might follow in amending the Senate rules.

I happen to hold the point of view that we ought to amend the Senate rules. I have held to the point of view consistently that we ought to amend rule XXII.

Senators will recall that 2 or 3 years ago, when we had our most recent discussion of rule XXII, I took the position it did not make any difference whether the Senate was a continuing body or was not a continuing body; I thought that was irrelevant as to the issue about rule XXII.

I thought rule XXII ought to be amended, so that we could get a cloture rule along the lines of the then Lehman proposal, the Douglas proposal, the Humphrey proposal, or the Morse proposal. Those proposals have been pending before the Senate for some years.

I am still in favor of amending rule XXII and some other rules, but I am not for establishing in the Senate tonight a parliamentary precedent which in my judgment might haunt us, and which I believe would greatly weaken committee procedure in this body.

I hope the committee chairman and the ranking Republican members of our committees will think a long time before they vote tonight to overrule the point of order of the Senator from Georgia.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BARRETT in the chair). The Clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names.

Aiken	Goldwater	Morse
Allott	Gore	Morton
Anderson	Hayden	Mundt
Barrett	Hennings	Murray
Beall	Hickenlooper	Neuberger
Bennett	Hill	O'Mahoney
Bible	Holland	Pastore
Bricker	Hruska	Potter
Bush	Humphrey	Purtell
Butler	Ives	Revercomb
Byrd	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Church	Kefauver	Smathers
Clark	Kennedy	Smith, Maine
Cooper	Kerr	Sparkman
Cotton	Knowland	Stennis
Curtis	Kuchel	Symington
Dirksen	Lausche	Talmadge
Douglas	Long	Thurmond
Dworshak	Magnuson	Thye
Eastland	Malone	Watkins
Ellender	Mansfield	Wiley
Ervin	Martin, Pa.	Williams
Frear	McClellan	Yarborough
Fulbright	McNamara	Young

The VICE PRESIDENT. A quorum is present.

The question is, Is the point of order of the Senator from Georgia [Mr. RUSSELL] well taken? On this question the yeas and nays have been ordered.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DOUGLAS. Do I correctly understand that a yea vote means a vote to send the House bill to the committee, and a nay vote means to place the House bill on the calendar?

The VICE PRESIDENT. The effect of the vote would be as the Senator from Illinois has stated.

The Secretary will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Rhode Island [Mr. GREEN], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

I further announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

On this vote the Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Oklahoma [Mr. MONRONEY].

If present and voting, the Senator from Indiana would vote "nay" and the Senator from Oklahoma would vote "yea."

If present and voting, the Senator from Rhode Island [Mr. GREEN] and the Senator from West Virginia [Mr. NEELY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maine [Mr. PAYNE], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

If present and voting, the Senator from Maine [Mr. PAYNE] and the Senator from North Dakota [Mr. LANGER] would each vote "nay."

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate and is paired with the Senator from Oklahoma [Mr. MONRONEY]. If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "nay" and the Senator from Oklahoma [Mr. MONRONEY] would vote "yea."

The Senator from New Jersey [Mr. SMITH] is necessarily absent, and, if present and voting, he would vote "nay."

The Senator from Iowa [Mr. MARTIN] and the Senator from Vermont [Mr. FLANDERS] are detained on official business. If present and voting, the Senator from Iowa [Mr. MARTIN] would vote "nay."

The result was announced—yeas 39, nays 45, as follows:

YEAS—39

Anderson	Johnson, Tex.	Murray
Bible	Johnston, S. C.	O'Mahoney
Byrd	Kefauver	Robertson
Eastland	Kennedy	Russell
Ellender	Kerr	Scott
Ervin	Lausche	Smathers
Frear	Long	Sparkman
Fulbright	Magnuson	Stennis
Goldwater	Malone	Talmadge
Gore	Mansfield	Thurmond
Hayden	McClellan	Williams
Hill	Morse	Yarborough
Holland	Mundt	Young

NAYS—45

Aiken	Cotton	Martin, Pa.
Allott	Curtis	McNamara
Barrett	Dirksen	Morton
Beall	Douglas	Neuberger
Bennett	Dworshak	Pastore
Bricker	Hennings	Potter
Bush	Hickenlooper	Purtell
Butler	Hruska	Revercomb
Carlson	Humphrey	Saltonstall
Carroll	Ives	Schoeppel
Case, N. J.	Jackson	Smith, Maine
Case, S. Dak.	Javits	Symington
Church	Jenner	Thye
Clark	Knowland	Watkins
Cooper	Kuchel	Wiley

NOT VOTING—11

Bridges	Green	Neely
Capehart	Langer	Payne
Chavez	Martin, Iowa	Smith, N. J.
Flanders	Monroney	

So Mr. RUSSELL's point of order was overruled.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the point of order was overruled.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND], to lay on the table the motion of the Senator from Illinois [Mr. DIRKSEN].

Several Senators requested the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The yeas and nays are ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll, and Mr. AIKEN and Mr. ALLOTT voted in the affirmative when their names were called.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DOUGLAS. May I ask the Chair to explain what a vote of "yea" will mean in this case?

The VICE PRESIDENT. A vote of "yea" is a vote to lay on the table the motion to reconsider.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Ohio will state it.

Mr. LAUSCHE. In the event the motion to lay on the table is agreed to, what will be the subsequent right of any Member of the Senate to ask that the bill be referred to a committee, if it is once placed on the calendar?

The VICE PRESIDENT. By unanimous consent, the bill may be referred to a committee.

Mr. LAUSCHE. By unanimous consent only?

The VICE PRESIDENT. Once the bill is taken up for consideration, any Senator may move to refer it to a committee, and that may be done by a majority vote.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Minnesota will state it.

Mr. HUMPHREY. Is it not possible, once the bill has been placed on the calendar, that any Senator may move that it be sent to committee?

The VICE PRESIDENT. The bill would have to be before the Senate.

Mr. HUMPHREY. Could not a Senator call up the bill on motion?

The VICE PRESIDENT. As the Chair has stated, when the bill is taken up and is before the Senate, a motion would be in order at any time to refer the bill to a committee.

Mr. HUMPHREY. I merely wanted to inquire whether any Senator's right to call up the bill by motion for consideration by the Senate will be denied by the procedure which we are following.

The VICE PRESIDENT. Not that the Chair can ascertain.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE of South Dakota. If the bill is placed on the calendar, and the calendar is called in the regular course of events, and when the bill is reached at that time, could any Senator move to refer the bill to committee?

The VICE PRESIDENT. If a Senator could gain recognition when the bill was called up, he could move to refer it to committee, unless a unanimous-consent agreement were in effect which covered only bills to which no objection had been made.

Mr. JOHNSTON of South Carolina. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Carolina will state it.

Mr. JOHNSTON of South Carolina. But it would be in order at any time for any Senator, when he got the floor, to move to refer the bill to committee; would it not?

The VICE PRESIDENT. Only if the bill was before the Senate. If the bill was not before the Senate, it would not come up on the calendar.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. Is the yea-and-nay vote in progress?

The VICE PRESIDENT. The yea-and-nay vote has been ordered.

Mr. AIKEN. Mr. President, my name was called, and I voted "Yea."

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Georgia will state it.

Mr. RUSSELL. Does not all that has transpired here tonight entitle the senior Senator from California to a place among the major prophets because of his prophecy in 1948 that the adoption of this procedure would cause chaos, confusion, and delay?

The VICE PRESIDENT. As the Senator from Georgia, good parliamentarian that he is, is aware, that is not a parliamentary inquiry.

The yea-and-nay vote will proceed.

The legislative clerk resumed and concluded the call of the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Rhode Island [Mr. GREEN], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

I further announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

On this vote the Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Oklahoma [Mr. MONRONEY].

If present and voting, the Senator from Indiana would vote "yea" and the Senator from Oklahoma would vote "nay."

If present and voting, the Senator from Rhode Island [Mr. GREEN] and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maine [Mr. PAYNE], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

If present and voting, the Senator from Maine [Mr. PAYNE] and the Senator from North Dakota [Mr. LANGER] would each vote "yea."

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate and is paired with the Senator from Oklahoma [Mr. MONRONEY]. If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "yea" and the Senator from Oklahoma [Mr. MONRONEY] would vote "nay."

The Senator from New Jersey [Mr. SMITH] is necessarily absent, and, if present and voting he would vote "yea."

The Senator from Vermont [Mr. FLANDERS] is detained on official business.

The result was announced—yeas 49, nays 36, as follows:

YEAS—49

Aiken	Dirksen	McNamara
Allott	Douglas	Morton
Barrett	Dworshak	Mundt
Beall	Goldwater	Neuberger
Bennett	Hennings	Pastore
Bricker	Hickenlooper	Potter
Bush	Hruska	Purtell
Butler	Humphrey	Revercomb
Carlson	Ives	Saltonstall
Carroll	Jackson	Schoeppel
Case, N. J.	Javits	Smith, Maine
Case, S. Dak.	Jenner	Symington
Church	Knowland	Thye
Clark	Kuchel	Watkins
Cooper	Lausche	Wiley
Cotton	Martin, Iowa	
Curtis	Martin, Pa.	

NAYS—36

Anderson	Johnson, Tex.	O'Mahoney
Bible	Johnston, S. C.	Robertson
Byrd	Kefauver	Russell
Eastland	Kennedy	Scott
Ellender	Kerr	Smathers
Ervin	Long	Sparkman
Frear	Magnuson	Stennis
Fulbright	Malone	Talmadge
Gore	Mansfield	Thurmond
Hayden	McClellan	Williams
Hill	Morse	Yarborough
Holland	Murray	Young

NOT VOTING—10

Bridges	Green	Payne
Capehart	Langer	Smith, N. J.
Chavez	Monroney	
Flanders	Neely	

So the motion to lay on the table was agreed to.

The VICE PRESIDENT. The bill (H. R. 6127) will be placed on the calendar.

LEAVE OF ABSENCE

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may be excused from attendance on the sessions of the Senate until next Monday, because of a funeral I have to attend.

The VICE PRESIDENT. Without objection, leave is granted.

HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. JACKSON. Mr. President, in my discussion of S. 555, the bill to authorize a Federal high Hells Canyon Dam, I should like to emphasize one point at the outset: It is not yet too late to right the wrong at Hells Canyon.

The authority of Congress to override the decision of the Federal Power Commission on this or any other point has never been challenged, and it is not challenged now.

Furthermore, the Idaho Power Co. still has not progressed so far with its low Brownlee Dam that it would be physically impractical to proceed with a high Federal dam. While the Federal high dam and the privately owned small dams are, of course, mutually exclusive, I mean to suggest that the amount of work done by the Idaho Power Co. does not justify a demand that the Congress forego action on the proposed authorization.

For this, we can, in part, thank nature. Early this year, the Idaho Power Co.'s cofferdam system was flooded out—flooded out by the very river its engineers claim needs no control. Nature, itself, thus has helped delay the wasteful underdevelopment of this site, and has given us the additional time we need in which to act.

Costwise, we are not prohibited from righting this wrong, either. The question of compensation to the Idaho Power Co. for its expenditures is a matter to be settled in the courts. However, I refer my colleagues to the testimony of Joel Adamson, assistant director of Administration Management for the Bonneville Power Administration, to the effect that any fair sum set by the courts could be absorbed into the existing Bonneville rate structure without any increase at all.

I have talked of the wrong at Hells Canyon. The basic wrong, of course, is the Federal Power Commission's strictly political decision, unsupported by the facts, to license the Idaho Power Co. to build three low dams on the finest high dam site left in America. And even the Federal Power Commission has admitted there is little chance that the company will build more than two of its little dams.

It is a basic wrong for a number of compelling reasons. Most of these reasons were recited last year in the debate on Hells Canyon. I propose only to summarize them for the sake of the RECORD:

First. The high dam would provide 1.1 million kilowatt prime power—3 times the 325,000-kilowatt prime power of 2 low dams, and double the 505,000-kilowatt prime power of 3 low dams.

Second. The high-dam Federal power would be sold at approximately one-third the cost of low-dam private power.

Third. The high dam would provide nearly four times the storage of the low dams.

Fourth. The high dam would more than double the flood-control benefits of the low dams.

Fifth. The high dam would double the navigational benefits of the low dams.

Sixth. The high dam would attract twice as many tourists, and would provide double the recreational benefits.

Seventh. The high dam power revenue would help finance irrigation projects; the power revenue from the low dams would not.

Eighth. The high dam's low-cost power would stimulate the development of phosphate fertilizer and electroprocess industries; the low dams' high-cost power would not.

Ninth. The high dam would return five times as much taxes to the Federal Treasury as would the low dams—resulting from new industries and new payrolls that produce increased corporate- and personal-income taxes.

Tenth. The high dam power would create, annually, an estimated 70,000 new jobs and $700 million in new manufactured products in the region. The low dams would provide only for the private power company's normal load growth for 20 years, a result which would be provided at less cost to the company customers by the high dam.

The detailed testimony and evidence supporting these conclusions are to be found in the record of proceedings on the Hells Canyon Dam bill, including the findings of the Federal Power Commission's own examiner. I ask unanimous consent to have printed at this point in the RECORD the table from page 60 of the majority report on S. 555, for it provides basic statistical support for my conclusions.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of high Hells Canyon Dam with Idaho Power Co. dam plan

	Hells Canyon	3 dams	Oxbow and Brownlee only [1]
Height of dam (feet)	722	205, 395, 320	
Size of reservoir (acre-feet of usable capacity)	3,880,000	1,000,000	1,000,000
Power output (prime kilowatts)	1,122,000	505,000	325,000
Construction cost	$353,740,000	$175,766,000	$119,052,000
Annual cost of power at market	$28,567,000	$27,921,000	
Cost of power at market (mills per kilowatt-hour)	2.65	6.69	
Other benefits (annual):			
Flood control	$2,300,000	$1,000,000	
Navigation	$189,000 to $230,000	$108,000	
Recreation (number of annual visitors)	500,000 to 600,000	250,000 to 325,000	
Benefit-cost ratio	2.37 to 1	(2)	
Irrigation (availability of power revenues to subsidize)	Yes	No	

[1] Although the FPC license is for 3 projects, it provides no assurance that more than 2 will ever be constructed. At p. 20 of the Opinion and Order Issuing License the Commission stated:
"If a sufficient load does not develop to justify construction of low Hells Canyon within the time limits imposed in the license, the Commission may either extend the time for construction or terminate the license for that project, whichever is in the public interest at the time the matter is under consideration."

[2] Examiner's figure, 0.91 to 1; Commission's figures 1.29 to 1. (Annual value of power at market divided by annual cost of power at market.)

Mr. JACKSON. Actually, Mr. President, the case for the high dam has been understated. The conservative analysis made 9 years ago by the Federal agencies involved has been altered by time. Some benefits have been left out, some costs overstated, and some recent economies of construction not considered.

By way of example, 1,122,000 kilowatts of prime power is attributed to the high Hells Canyon Dam—686,000 at the site, 9,000 due to system integration, and 427,000 downstream. Yet the downstream power attributable to the high Hells Canyon has been limited to eight projects below Lewiston. Between Lewiston and Hells Canyon it is possible to obtain from dams at Nez Perce, Clarkston, and Asotin, 391,000 additional kilowatts that are directly attributable to the high Hells Canyon Dam. With full development of the stretch of the river between Lewiston and Hells Canyon, then, the power contribution of a high dam would be on the order of 1,500,000 kilowatts.

For accounting purposes, the high dam is credited with only a 50-year life. This is completely unrealistic. The Bureau of Reclamation uses 150 years to depreciate Hungry Horse Dam. TVA uses 100 years for depreciation of its dams. The Internal Revenue Service authorizes up to 150 years as the economic service life for dams. By using a more realistic service life for the high Hells Canyon Dam, we can double the benefit-cost ratio.

Then there is the matter of new economies—the collapsible steel forms, first used at Chief Joseph Dam, and the electric shovels used at The Dalles. The estimated cost of The Dalles Dam, for example, has been cut from $360 million to $270 million.

I have stated 10 reasons why the high dam is best; and I have sought to illustrate how, even in light of those 10 reasons, the case for the high dam remains understated.

There is an 11th point which I want to make: The high dam will cost the taxpayers far less than the low dam. This is my 11th point, which has achieved full public realization only at this 11th hour, because of the exposure of the fast tax writeoff granted to the Idaho Power Co.

Here is a company not satisfied to be given the finest dam site left in America to develop for private, guaranteed profit. It seeks to multiply the profit, at the expense of our taxpayers, by use of the fast tax writeoff.

We now have the testimony of the chief accountant of the Federal Power Commission that this fast tax writeoff will cost the American taxpayer $83 million.

The high dam will cost the American taxpayers only some $55 million—for the nonpower features of flood control, navigation, and so forth.

Like all our Federal multipurpose projects, the power features of the high dam—representing 85 percent of the cost—will be repaid to the Federal Treasury, with interest. Lest there be any doubts about the ability of our Federal projects to repay themselves, let me remind my colleagues that the Federal projects on the Columbia River system are presently $77 million ahead of schedule in repaying Uncle Sam.

When we talk about Federal financing of public power, we are talking about the temporary use of the Federal Government's credit. Once our Federal dams are paid for, with interest, at no cost to the taxpayers, except for the relatively small costs for nonpower benefits, these dams will belong to all our people. The power revenues after that time, except for the small percentage required to operate and maintain the dams, will go free and clear into the Treasury. They can be used for whatever purpose Congress may authorize—including cutting taxes.

So let us clear up, for once and for all, this nonsense about the "cost to the taxpayers" of a high dam.

And let us clear up, for once and all, the nonsense that the low dams of the Idaho Power Co. are not going to cost the taxpayer a cent.

The Idaho Power Co. has misled the taxpayer; it has misled the Federal Power Commission; it has misled the Congress.

I hold in my hand an advertisement which appeared in the Saturday Evening Post of May 26, 1956. It says:

> Three dams along the wild Snake River in Hells Canyon will * * * save you and other taxpayers $465 million.

A previous advertisement in the same magazine asked:

> Would you throw 357 million tax dollars into Hells Canyon?

And declared:

> The plan is to spend more than a third of a billion tax dollars to build a dam and hydroelectric plant on the Snake River along the Idaho-Oregon border. The site: Hells Canyon. This would be a needless expense, because the local electric light and power company already has offered to develop the power at no cost to American taxpayers.

And here is what the attorney for the Idaho Power Co. told the Federal Power Commission in his opening statement in support of the company's application to build the low dams at Hells Canyon:

> The applicant is here before you asking the privilege of constructing, solely with its own money, and without 1 cent of cost to the taxpayers of the United States, a great multipurpose project. * * *

Talk about fooling somebody. The FPC went for it hook, line, and sinker. Here is what the FPC order issuing a license to the Idaho Power Co. said about multipurpose benefits available at Hells Canyon:

> Under existing law, these public purposes will be realized without expense to the United States to the extent that the projects are constructed by a non-Federal entity.

Again, on May 6, 1955, in hearings before the Senate Interior and Insular Affairs Committee, the company attorney declared:

> We have here a private company providing great flood-control, navigation, and recreational benefits to the Nation, free of cost to the Nation, and without any request on the part of the company for contributions from the Federal Government.

Talk about misrepresentation. At the very time this statement was made, at the very moment save-the-taxpayer advertisements were running in a national magazine, the Idaho Power Co. had its application for a fast tax writeoff pending before the Office of Defense Mobilization. This is not news. More than a year ago I joined with colleagues in both the House and Senate from the Northwest States to oppose the application. And last July in the debate on Hells Canyon I said on the Senate floor:

> The figures purporting to show that the private development of Hells Canyon will return vast sums of money to the United States and State treasuries in taxes do not take into account the Idaho Power Co.'s pending application for a fast tax writeoff. This is sheer irony. The company bases its application for license on the grounds that it will pay large amounts of taxes into the Federal Treasury. With the license in hand, it immediately starts trying to avoid paying these taxes by applying for the fast tax writeoff benefits.

I should think any of my colleagues who were misled by this sort of misrepresentation would be pleased at this opportunity to right the wrong at Hells Canyon.

Misrepresentation aside, the low-dam scheme adds up to underdevelopment of a great public resource.

I say we cannot afford underdevelopment. Particularly, we cannot afford underdevelopment at a time when the Soviet Union is boasting it will catch up with us industrially by the mid-1970's. We no longer can afford to waste our resources—kilowatts or whatever—and stay ahead.

With my own eyes I have seen what the Russians are doing to build their industrial base so they can, perhaps, make good their boast to overtake us by the 1970's. I have seen with my own eyes the great new dam under construction at Stalingrad, on the Volga, which, when it is completed in 1960, will have a capacity of 2,300,000 kilowatts—300,000 kilowatts more than our own Grand Coulee Dam.

Although far behind us, today the Soviet Union is the second largest electricity producer in the world. Today Soviet power output still comes primarily from thermal stations, chiefly burning low-grade coal. But the change is to water power, in which the Soviets lead all other nations in potential. In 1940 the Soviet Union got only 10 percent of its electric power from hydroelectric projects; by 1950 it was getting 20 percent from hydro projects. The future is virtually unlimited.

Soviet production of electric energy grew from a half billion kilowatts in 1921 to 170 billion in 1955, and is expected to reach 320 billion in 1960, roughly half America's present output.

The dam I saw at Stalingrad is just 1 of some 40 great hydro projects reported underway in the U. S. S. R. This is the last big unit in Russia's great Volga project. This project will develop almost 5 million kilowatts of power. It will bring 10 million acres under irrigation.

In Siberia, the Soviets are building a new industrial empire around the power potential of the Angara River. Three

hundred and thirty rivers, large and small, feed Lake Baikal. Lake Baikal has more water reserves than the Baltic, and only one river flows out of it—the Angara. There are other big Siberian rivers—the Ob, Yenisei, Lena, and Amur. It has been said that if the 6 major rivers in Siberia were fully developed, alone they could produce 600 billion kilowatt-hours per year—more than 3 times present Soviet production, double the Kremlin's 1960 goal, and virtually equal to our own electric power output.

Two new power projects, Krasnoyarsk on the Yenisei and Bratsk on the Angara, are designed to have 3.2 million kilowatts capacity each—1½ times Grand Coulee. The several dams now under construction in Siberia are to be linked by high-tension lines similar to our Bonneville system, and within 15 years, if plans are successful, will be distributing between two hundred and fifty and three hundred billion kilowatt-hours per year throughout the new Siberian industrial empire.

The Russians understand multipurpose development, too. The first of the Angara dams is now underway. When completed, it will be the Soviet Union's third largest hydroelectric plant, after Kuibyshev and Stalingrad. It will bring close to realization a through waterway from Mongolia to the northern sea route along the Arctic Ocean. The first dam will raise the level of Lake Baikal by about 3 feet. This will make the river Selenga navigable from Lake Baikal to the Mongolian town of Sukhe Batur. From there, ships will be able to sail across the lake and along the Angara into the Yenisei, and farther on either to Archangel or Vladivostok. This will take a large load off the Siberian railway, among other considerations. Modern industry requires power. New plants to refine and manufacture aluminum, titanium, copper, zinc, tin, and other nonferrous metals reportedly will be concentrated in Siberia, near the source of raw materials—and power.

A moment ago I pointed out that by 1960 the Soviets hope to reach only half America's present power production. This is an unimportant figure, perhaps, unless we consider it in the light of two additional facts. The first is that the U. S. S. R.'s rate of expansion of electric power over a 6-year period, ending in 1954, was 125 percent, or more than double the United States rate. The second is that very little of Soviet power goes for rural electrification or household use.

Communist power programs are designed primarily to satisfy industrial needs. In this country perhaps two-thirds of our electric power goes for commercial and industrial purposes. In Communist countries the percentage is much higher.

It is likewise significant that the Soviet Union's sixth 5-year plan calls for a 10-percent increase in industrial employment, but a 50-percent increase in industrial productivity. Production and electric power—they go hand in hand.

Not just electric power, but Soviet steel, coal, and oil production is climbing as the Soviets seek to make good their boast to overtake us industrially by the 1970's. The United States Department of Commerce publication dated February 1957, on "Basic Data on the Economy of the U. S. S. R.," makes much of the gains the Soviet Union has registered in the bases for industrial expansion. I ask unanimous consent to insert in the RECORD at this point a table from the Commerce Department report.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 6.—*Soviet industrial production, 1928–55*

Primary products	Unit	1928	1940	1950	1954	1955	1955 over 1928, percent
Electric power	Billion kilowatt-hours	5.0	48.3	91.2	150.6	170.1	3,402.0
Coal	Million metric tons	35.5	165.9	261.1	347.1	391.0	1,101.4
Petroleum	do	11.6	31.1	37.9	59.3	70.8	610.3
Pig iron	do	3.3	14.9	19.2	30.0	33.3	1,009.1
Steel	do	4.3	18.3	27.3	41.4	45.4	1,055.5
Cement	do	1.8	5.7	10.2	19.0	22.5	1,250.0
Industrial timber	Million cubic meters	36.0	117.9	161.0	205.8	214.0	594.4

Mr. JACKSON. Supplemental data issued March 1, 1957, by the Department of Commerce shows additional gains in electric power of 22 billion kilowatt hours between 1955 and 1956, from 170.1 billion kilowatt hours to 192 billion kilowatt hours an increase of 13 percent, of which 6 billion kilowatt hours was increased hydroelectric power. Coal production, incidentally, was up from 301.0 million metric tons to 429 million metric tons, an increase of 10 percent; petroleum was up from 70.8 to 83.8 million metric tons, or 18 percent; pig iron was up from 33.3 to 35.8 million metric tons, or 7 percent; steel was up from 45.4 to 48.6 million metric tons, or 7 percent; cement was up from 22.5 to 24.9 million metric tons, or 11 percent; and industrial timber was down from 214 to 204 million cubic meters, although official Soviet sources listed timber production up 4 percent.

The 1960 goals are much higher, but just this table is a reminder of what progress the Soviet Union has made. Thirty years ago Czarist Russia made none of its machine tools, manufactured no trucks or cars, had no chemical industry. One third of its people could not read or write. Today the Soviet Union has the H-Bomb and the Bison bomber and threatens to beat us in the race for the Intercontinental Ballistic Missile. The USSR may be turning out more machine tools than we are now, and by 1960 may be producing more atomic power than either the United States or Britain, or perhaps both.

Remarking on Soviet history, People's China, a leading Chinese newspaper, recently commented:

> The capitalist countries began with the development of light industry, and the process of industrialization took from 50 to 100 years. The Socialist industrialization of the Soviet Union on the contrary, began with the creation of a heavy industry and was successfully achieved in about 10 years.

The conservative American publication, Business Week, reported not too long ago that:

> It is quite possible that Communist China may make as big a splash in the world during the next 30 years as the Soviet Union has in the past 30!

In this connection I should like to call attention to the New York Times report April 10 of this year from Hong Kong that work has begun on the Sanmen Gorge reservoir and dam on the Yellow River in North China. It is the biggest of 46 to tame the river. Six hundred top engineers and technicians reportedly have been drafted from all over China to work on it. It will be completed in 1962, with generating capacity of 1,100,000 kilowatts.

China's 1962 goal is 40 to 43 million kilowatts, almost triple its 1957 goal.

And, perhaps of more than passing interest, the electric power production of Poland, Czechoslovakia, Hungary, Romania, and Bulgaria, which totaled only 19 billion kilowatt-hours in 1948, reportedly totaled 44 billion by the end of 1955, and was planned to exceed more than 76 billion by 1960.

I mention these facts not out of fear, but for the sake of perspective. There are people who take comfort from the fact we are so many years ahead of the Communist world in terms of steel production or oil production or capital goods—or water power. I remind my colleagues that the potential enemy is catching up at a rate that should concern us, for industrial might means military might. We no longer can afford to waste our resources and stay ahead in the race for industrial supremacy, which relates to military supremacy, and which gives us our margin of safety.

So when I appeal to my colleagues for their votes for the high Hells Canyon Dam, I do so out of consideration of the project as a future national resource. I am delighted at the prospect of additional jobs and new industries and expanded tax base that the high dam would give my region. But more important than that, strengthening the economy of the Pacific Northwest will strengthen the economy of the Nation. The fact is accepted beyond debate that we live in a complicated and interdependent economic system in which increased purchasing power in one section of the Nation inevitably benefits every other.

We do not now have the power we need for full economic growth, but by 1963–64 the shortage will be critical. Construction of the high dam would improve the region's short power supply. It would reaffirm the intent of Congress to continue orderly development of our resources in the public interest. It would stimulate growth in the region, tap mineral deposits, stimulate growth of the light metals industries. By strengthening our region it would strengthen our Nation.

Mr. President, we live in an energy revolution, and we need every kilowatt we can get. Cheap atomic power is still a long way off. Our power needs are growing from 9 to 12 percent per year—or 6 to 8 times as fast as our population is growing.

I have seen estimates that industrial electricity, which now averages 8 kilowatt-hours per man-hour, will jump 125 percent to 18 kilowatt-hours by 1970, The General Electric Co. has estimated that in the year 2000 we will use 20 times as much electricity as we used in 1950.

Applying that standard to my own Pacific Northwest, by 2000 we shall need about 100 million kilowatts of generating capacity. Gus Norwood, the able executive secretary of the Northwest Public Power Association, has figured this out to be equivalent to three Columbia Rivers, fully harnessed.

The equivalent of two will have to come from atomic energy, which by then will probably carry the base load. But hydro power will always be needed for premium peaking power.

To state the case another way, by the year 2000, just 43 years away, the Pacific Northwest will need about as much electricity as the entire United States used in 1950.

That means we will need everything private power companies can generate as well as every kilowatt we can get from the great multipurpose projects, which—and there is no argument on this point—can be undertaken only by the Federal Government.

Mr. President, I said last year in the Hells Canyon debate, and I want to repeat it now, that I have no quarrel with the private power companies, even though they are only regulated monopolies, given monopoly use of a natural resource and guaranteed 6 percent profit. In my own State they have performed an essential service. Today they are building dams which will generate new power for their consumers. Most of them are doing a proper job of developing projects which have power potential, but no multipurpose potential. They are not attempting to underdevelop, for private gain, a great multipurpose resource.

Underdevelopment, Mr. President, is wrong. It is a shameful waste of God-given resources. Further, Mr. President, we cannot afford underdevelopment of any of our resources and stay ahead or abreast of our enemies in a highly competitive world. We cannot afford underdevelopment of this particular site at the cost of fast tax writeoffs and lost opportunity for real competitive free enterprise which would take the low-cost Federal power to create new jobs and new products.

We can afford to have full development of the Hells Canyon site, as a multipurpose Federal project which will provide more flood control, more storage, more power, cheaper power, navigation benefits, which will finance irrigation, make possible development of new industries vital to our farmers and to national defense, ultimately bring five times as much new taxes into the Treasury, and still pay back, with interest, every cent borrowed with Federal credit to build the high dam.

If we are genuinely concerned with maintaining America's industrial leadership, stimulating new business, and saving the taxpayers dollars, let us get on with the job of building a Federal high Hells Canyon Dam.

Mr. MORSE. Mr. President, early today I sent to the press gallery a detailed release of my major speech on the Hells Canyon Dam issue. I feel that I must make that speech a matter of record before adjournment tonight, which I now propose to do, although, Mr. President, let me say, in my introduction, the case for Hells Canyon Dam, in my opinion, was made yesterday on the floor of the Senate by the great speech delivered by the junior Senator from Idaho [Mr. CHURCH].

I think it is particularly significant and symbolic, Mr. President, that in this debate on the Hells Canyon Dam issue this year the great speech we heard yesterday was delivered by the new Senator from Idaho, because in our debates in recent years we have not had a voice from Idaho on the floor of the Senate in support of Hells Canyon Dam.

Mr. JACKSON. Mr. President, will the Senator yield at that point?

Mr. MORSE. Yes, I yield.

Mr. JACKSON. I should like to join with my distinguished colleague from Oregon in what he has had to say with reference to the outstanding presentation made by the junior Senator from Idaho [Mr. CHURCH] on the subject of Hells Canyon Dam. I think it is one of the finest statements that have been made on this subject. Point by point, he has stated the affirmative case, and has decimated the arguments the opponents to Hells Canyon Dam have been making over a period of years.

I regret very much that I was not able to be on the floor when the distinguished junior Senator from Idaho spoke yesterday. I want to take this opportunity to congratulate him on an excellent presentation in his maiden speech in the United States Senate.

Mr. CHURCH. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. CHURCH. I express my thanks to the junior Senator from Washington for his very generous remarks, and I also thank the senior Senator from Oregon for the very flattering things he has had to say about my address of yesterday. I want both to know that I very much appreciate the complimentary remarks they have made, and I am hopeful, that all of us together can win the Hells Canyon Dam fight for the people, because this represents the last opportunity the Senate will have to undo the wrong which is presently being perpetrated in Hells Canyon.

Mr. MORSE. I want to say to the junior Senator from Idaho that I am so thrilled with the great speech he made yesterday, and the logic and comprehensiveness of it, that, as I said yesterday, I am willing to make it the major case of the proponents of Hells Canyon Dam. The Senator from Idaho, as a result of his speech, has made it necessary, so far as I see the problem, for me to make only an exceedingly brief speech of my own. I am sure even my opponents in this debate will be very appreciative to the junior Senator from Idaho for that result, if no other result was obtained from the speech.

I say that good naturedly, but now I speak seriously when I say the Junior Senator from Idaho did a magnificant job. I think he has made a speech that will do down in the history of United States Senate speeches on natural resources problems and that will live for decades in the history of the Senate and be referred to by students of conservation and power and river problems for many, many years to come.

Mr. MAGNUSON. Mr. President, I wonder if my friend, the Senator from Oregon, will yield to me?

Mr. MORSE. I yield to the Senator from Washington.

Mr. MAGNUSON. I did not have the opportunity last night to add my congratulations to the Senator from Idaho [Mr. CHURCH], and I should like to do so at this time. As the Senator from Oregon [Mr. MORSE] and I know, having been in this fight for so many years, and having uttered several thousand words on the subject, sometimes we reach the point where we become tired of hearing the sound of our own voices. The Senator from Idaho made a good, solid speech on the whole natural resources program, and I am sure it was very refreshing to the Senator from Oregon, as well as to me, to know that someone could put together such worthwhile comments on the merits of the case and meet the arguments of the opposition so well and so forcefully as the Senator from Idaho was able to do.

Mr. MORSE. It was not only refreshing, but very reassuring.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me?

Mr. MORSE. I am always delighted to yield to the majority leader.

Mr. JOHNSON of Texas. I ask the Senator to yield to me so that I may propound a unanimous-consent request, with the understanding that the Senator will not lose his right to the floor.

Mr. MORSE. I yield.

ORDER FOR ADJOURNMENT TO TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in adjournment until 11 o'clock a. m., tomorrow.

The PRESIDING OFFICER (Mr. COOPER in the chair). Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I understand there will probably be less than an hour of discussion by the proponents of the Hells Canyon bill tomorrow. I am informed that perhaps there is 3 hours of discussion on the other side.

Mr. DIRKSEN. I believe that will be sufficient time, on this side.

Mr. JOHNSON of Texas. There are 2 or 3 hours of discussion on the other side. I hope, if the Senate convenes at 11 o'clock, and our colleagues can boil

down their speeches, that we can get a vote on this measure early in the day tomorrow. I do not want to have a night session, although, I think, with the calendar as full as it is—we added one bill to it today—we should have to try to dispose of these bills. The only way to dispose of them is to stay in session.

I wish to give notice of a night session, if that is necessary, and also a Saturday session, if that is necessary.

We have had reported the Interior Department appropriation bill. We will have the Defense Department appropriation bill reported next week.

The fiscal year is coming to an end. We have had less than a half dozen night sessions this entire session of Congress. We have had few, if any, Saturday sessions. The big workload, being sent to us by the House and brought to us by the various committees, is going to have to be taken care of by the Senate staying in session. It is going to be necessary, as I warned all Members, to have some Saturday sessions and to have some night sessions.

If we are able to take up the Hells Canyon bill at 11 o'clock in the morning, and our friends on this side can stay within their time commitment, we should be able to act on the bill tomorrow. The senior Senator from Washington [Mr. MAGNUSON] and the senior Senator from Oregon [Mr. MORSE] have indicated to me tonight that they thought the proponents of the bill would use only an hour. Is that a correct statement? Will the Senator confirm that for the RECORD?

Mr. MAGNUSON. I do not think it will require over an hour. The senior Senator from Oregon and the junior Senator from Oregon desire to make some remarks.

Mr. NEUBERGER. I assure the Senator from Washington that my speech will not take over 20 minutes, at the maximum, unless I am interrupted.

Mr. MAGNUSON. The Senator from Tennessee said he had a short speech of perhaps 20 minutes. The Senator from Washington will cut his speech to fit the occasion.

Mr. JOHNSON of Texas. My friend, the Senator from Illinois [Mr. DIRKSEN], has some indication of the number of speeches on his side. I understand there are 3 or 4.

Mr. DIRKSEN. I think the opponents will require 2 hours, or perhaps a little more.

Mr. JOHNSON of Texas. Mr. President, I desire to serve notice on all Senators that we expect to have a vote on this bill tomorrow. The acting minority leader has indicated the opponents need approximately 2 hours, and the proponents of the bill have indicated they desire 1 hour. That is 3 hours. If we give them twice as much as that, it would be 5 or 6 hours, and that should permit a vote sometime between 5 and 6 o'clock. I wish to give notice to that effect. If it is not possible to finish consideration by that time, I want to give notice of a night session tomorrow. If we are unable to conclude consideration tomorrow, I want to give notice of a Saturday session.

Mr. MORSE. Mr. President, I understand my friend, the Senator from Michigan [Mr. MCNAMARA] desires to have me yield to him for a minute, with the understanding that I shall not lose my right to the floor, although at this hour of the night I cannot imagine anyone challenging my right to the floor.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The Senator from Michigan may proceed.

THE CIVIL RIGHTS ACT OF 1957

Mr. MCNAMARA. Mr. President, I thank the Senator from Oregon. I wish to add my name to the list of those who commend the beautiful job done by the present occupant of the chair, the junior Senator from Idaho [Mr. CHURCH], on yesterday. I am very sincere in that remark.

Mr. President, the Senate rule book is a very interesting and absorbing document. Over the years, it has been stained with tears, both real and hypocritical, because of the use to which some of these rules have been put.

We who proposed the use of rule XIV are castigated and accused of steering the Senate into chaos.

Yet, when we seek to alter rule XXII so that the work of the Senate cannot be thrown into chaos, we are likewise heaped with abuse.

I might suggest, Mr. President, that those who oppose our invoking of rule XIV, should be aware of another rule—one which does not appear in the Senate rule book. That is the Golden Rule.

"Do unto others as you would have them do unto you."

Mr. President, those who oppose civil rights have been throwing the rule book at us for years.

They exercise their privilege under the rules to stifle civil-rights legislation in committee. Then, should this legislation, by some miracle, ever reach the floor, we are threatened with filibuster tactics, permitted by rule XXII.

And even should a filibuster eventually be defeated, I am sure they have other rules that we never even heard of to further delay and befuddle.

And now, Mr. President, we attempt to exercise our rights under both the Golden Rule and the Senate rule book—and we are suddenly destroyers of the hallowed traditions of the Senate.

I accept this rule book and its importance to the orderly operations of the Senate. We must have rules of procedure, of course.

We are accused, through the use of rule XIV, of destroying the committee system.

I would say that for all practical purposes, the committee system is destroyed when legislation of this importance can be hung up in committee for 6 months.

But I submit, Mr. President, that the issue here is even more important than the Senate rule book.

The underlying concern here is that of the people of the United States.

We can talk for days, and we very well might, on the technicalities of the rules. Yet, that is a smokescreen, and we all know it.

The real guts of this matter, and I use the word advisedly, is the right of all the people of this country to move toward the day when they can wear the mantle of a first-class citizen.

The man who is deprived of his right to vote is singularly unimpressed with this "gobbledegook" over the Senate rules.

Those who say they are not concerned with the civil-rights legislation, itself but who allege they are only concerned with protecting the orderly and holy procedures of the Senate, do a disservice to the people of this country.

They are laying this smokescreen.

It is time we blow away these billowing, sooty clouds and get down to the basic issue—the rights of the people of the United States.

And I say, Mr. President, these rights are vastly more important than any rule of the Senate. The people at least have the right to hear this civil-rights legislation debated on its merits.

I thank the Senator.

HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

FATEFUL DECISION AT HELLS CANYON

Mr. MORSE. Mr. President, in my major speech on the Hells Canyon Dam issue, which I shall give tonight, I wish to discuss the matter under the heading "Fateful Decision at Hells Canyon."

When Pilate saw that he could prevail nothing, but that rather a tumult was made, he took water, and washed his hands before the multitude, saying, I am innocent of the blood of this just person: see ye to it. (Matthew 27: 24.)

This was the most classic and tragic statement of inaction in the face of evil written upon the record of mankind.

No man may absolve himself of the results of a decision which he has the power to make by washing his hands before the multitude and saying: see ye to it.

Let us each take these words to heart as we proceed to judgment on a fateful issue.

At the close of this debate there shall be decided whether the greatest remaining multipurpose dam site in the United States is to be wasted permanently through underdevelopment, or used to the full to curb savage floods, bring power to farms, industry, and homes, promote navigation, to water thousands of arid acres, and to create a recreational area for thousands of our citizens.

More than that is at stake. The Senate shall decide—each Senator shall cast his vote and thereby decide—whether the principles of conservation and natural resource use for the greatest good to the greatest number shall prevail or be sacrificed for the limited advantage of profit raiders.

Why has Hells Canyon created such a furor not only in my region but throughout the Nation? Why have hundreds of thousands of propaganda dollars been expended to persuade the people of all regions that inadequate private dams are to be preferred over full public development of an irreplaceable, invaluable natural resource? The answer is not hard to find.

The private utilities of this country have spent hundreds of thousands of dollars in advertisements such as the two which appear at the rear of the Senate Chamber because they have attempted at Hells Canyon to defeat the greatest threat to the monopoly they seek to perpetuate—comprehensive resource development.

In the name of Theodore Roosevelt, Gifford Pinchot, Norris, LaFollette, Borah, Hiram Johnson, and McNary, we who support full development at Hells Canyon plead for a return to the bipartisan program which they and their followers fought for with only one enduring purpose: The dedication of our natural resources to the public good.

Chief among the public needs in the river rich Columbia Basin is adequate flood control.

DESPERATE NEED FOR FLOOD CONTROL STORAGE

The Army "308" comprehensive report of 1948, confirmed in its essentials by independent Bureau of Reclamation studies, remains the best plan for Columbia River Basin development. It is to be recalled that the high dam at Hells Canyon was included in all the alternative best plans put forward in the 308 report and the studies that immediately followed.

This basin blueprint was designed to achieve maximum economic water resource development. A major goal of such development is flood control.

Man has all too short a memory. In March 1956, I sat in the Senate Interior hearing room and examined General Itschner, Assistant Chief of Engineers for Civil Works, on the Columbia Basin flood threat.

At that time he was assistant. Now he has been promoted, as you know, to the head of the corps.

When I raised the question of the flood threat posed by heavy snowpacks he replied:

> The situation is serious in the Columbia Basin, and it is also serious in the Snake Basin as part of the Columbia. (Hearings, Upper Columbia River Development, p. 89.)

He went on to confirm my information that the snowpacks were of the proportion that caused the 1894 flood, the greatest on record.

Immediately following, he, Senator NEUBERGER and I, had these exchanges:

> Senator MORSE. Are the Army engineers still of the opinion that Hells Canyon Dam would be valuable as a flood control dam?
>
> General ITSCHNER. There is no question that it would be valuable as a flood control storage dam, sir.
>
> Senator NEUBERGER. Along that line, as Senator MORSE said, I remember when the hearing was held about the suggestion for revising the height of John Day, I believe that General Foote did comment at that time that one of the reasons he was somewhat disturbed about a lesser quantity of storage at John Day was the fact that Hells Canyon had been diminished or seemed to be diminishing as a storage project. I remember quite definitely that General Foote was quoted to that general effect.
>
> General ITSCHNER. That certainly is true. It is of concern that we have lost storage at Hells Canyon, as it is at other places, like Priest Rapids where we have lost 2 million acre-feet. We gave up Glacier View in the beginning, but we wanted an alternative site for Glacier View, which has not been forthcoming. We are having the greatest of difficulties in getting additional storage any place in the basin.
>
> Senator MORSE. In your statement you say that possible Canadian storage, because of its remote location with respect to the major areas of flood damage in the United States, would not be as effective in controlling floods as most storage in the United States. Doesn't this make the preservation of storage at Hells Canyon all the more important, therefore?
>
> General ITSCHNER. The value of flood control storage increases with its proximity to the point that you desire to protect. Hells Canyon is close to the points which we desire to protect, which are in the Columbia River Basin beginning at McNary Dam, but largely downstream from The Dalles. So the closer it is the more effective it becomes.
>
> We actually use a factor to apply against flood-control storage in various reservoirs. Some of it is 100 percent effective. I think the Hells Canyon factor of remoteness would certainly be 100 percent.
>
> On the other hand, for Mica Creek and some of the other remote reservoirs, we would use a factor of perhaps 65 percent for remoteness.

The need for flood-control storage and the growing scarcity of adequate storage sites were also underscored by Secretary Seaton in his letter of February 14, 1957, to the Federal Power Commission. He wrote:

> Agencies of the Department of the Interior have been working closely with the Corps of Engineers in its current review of the main control plan for the Columbia River Basin. The current flood-control plan of the Corps of Engineers, published in House Document No. 531, 81st Congress, 2d session, indicates the need for about 4 million acre-feet of flood-control storage on the Snake River above Lewiston.
>
> The Brownlee development of the of the Idaho Power Co., now under construction, will provide about 1 million acre-feet of flood-control capacity. The Oxbow and Hells Canyon developments of the Idaho Power Co. will not provide significant quantities of such capacity, and the proposals of the Pacific Northwest Power Co. for the Pleasant Valley and Mountain Sheep developments would provide about 500,000 acre-feet.
>
> In the light of the need for development of additional flood-control capacity in the Snake River Basin, I instructed the Bureau of Reclamation in September 1956 to evaluate data available concerning the potentials of the Pleasant Valley site for the joint major purposes of flood control and power development • • •.

In his letter, Secretary Seaton admits what the advocates of high Hells Canyon Dam have said all along: It is imperative to obtain maximum flood-control storage in the Middle Snake but the Idaho Power Co. plan for the Hells Canyon stretch fails to provide adequate storage.

During the last 3 years, the Nation has been shocked and grieved by major floods in New England, the Southwest, and along the west coast.

The devastation and suffering of those floods wrung the hearts of every American. What would we have given to stop the floods once they were upon us? The instaneous answer is: Just about anything.

Why then can we not act with foresight to build a major flood barrier in the Columbia Basin—Hells Canyon? If a major flood should engulf the area, the generosity of our people would know no bounds. We can save tens of millions in property damage and incalculable suffering by building the high dam. It is not so dramatic, but it is less expensive and even more humane.

Floods will come to the Columbia Basin. Only this past winter a flood engulfed the Hells Canyon area itself and drowned out the Brownlee dam site. Could anything demonstrate the need more clearly?

As population grows, as industry grows, the Columbia flood plain is more densely settled.

It is not sensible to sacrifice the 4 million acre-feet of water storage that high Hells Canyon can provide to make way for the Idaho Power Co. projects with only 1 million acre-feet of storage—one-fourth the feasible storage. If the company is permitted to underdevelop the site, we shall lose at least 1.6 million acre-feet of flood-control storage.

Let me read some of the hard facts of flood control contained in the committee report:

FLOOD CONTROL

> The goal of the main control plan is to reduce the worst flood of record to a limited-damage stage. This requires that the 1894 flow of 1,240,000 cubic feet per second at The Dalles be reduced to 800,000 cubic feet per second. Similarly, it was planned, by means of the main control-plan storage reservoirs, to reduce the 1948 flow at The Dalles from 1,010,000 cubic feet per second to 700,000 cubic feet.
>
> Testimony by the Corps of Engineers witness in the hearings on S. 555 indicated that at present there is available or under construction in the Columbia River Basin provision for less than 10 million of the 21 million acre-feet of storage required for control of the 1894 flood, including the 1 million to be provided by the Brownlee project. Of the additional minimum requirement of 11 million acre-feet, Hells Canyon would provide 1.6 million, according to the main control plan storage usage of House Document No. 531, or 14.5 percent of the additional requirement. Whether this figure is used, or the basic figure of 2.6 million acre-feet available at Hells Canyon comprising 12.4 percent of the total of 21 million required in the main control-plan routing of the 1894 flood, the conclusion is inescapable that Hells Canyon Dam is a vital component of the flood-control picture within the Columbia River Basin.
>
> There are no flood control substitutes for the storage of the high dam in Hells Canyon. Proposed alternative storage sites were planned for development in later stages of the comprehensive plan, and pressing them into service now is simply borrowing from the future, with no possibility of replacing the loss to the ultimate storage objective.

Potential flood losses equal, and before long will exceed, the entire cost of the high dam. Yet less than 15 percent of the dam's cost is attributable to flood control. It seems only prudent to make such a small investment to help prevent catastrophic losses which are sure to come if adequate flood control is not provided. As the committee report demonstrates, based upon the expert testimony of Government engineers, high Hells Canyon Dam is a crucial flood-control unit in the Corps of Engineers' main control plan.

ELECTRIC POWER FOR INDUSTRY, FARMING AND HOMES

It hardly need be demonstrated that the Pacific Northwest faces a power

shortage in the 1960's. The Columbia Basin contains 40 percent of the Nation's hydroelectric potential and 60 percent of the economically feasible hydroelectric potential.

The second great issue involved is: shall the full power of the Hells Canyon area be wasted for all time by permitting preemption of the area by the Idaho Power Co.'s inadequate dams?

Let me at the outset comment upon the FPC decision as it relates to power.

COMPANY PLAN WILL NET 2—NOT 3—DAMS

Throughout the FPC decision granting the Idaho Power Co. licenses in the Hells Canyon reach, the Commission compared the various benefits of the single, high Federal dam and the three Idaho Power dams. Even FPC did not claim the latter, all together, totaled the benefits of the high dam. But, even to come close for purposes of argument, the three dams were needed. That is why the comparison is always between the three company dams and the high dam. The FPC practically ignored the high dam's downstream power benefits in its decision and excluded them from its press release. Even that aside the 3-dam dodge is interesting—(see, for example, pages 16–17 of FPC decision).

The FPC, after resolving all of the doubts in favor of the 3-dam plan and licensing the 3-dam project, turned around and on page 20 of the decision stated:

> If a sufficient load does not develop to justify construction of low Hells Canyon within the time limits imposed in the license, the Commission may either extend the time for construction or terminate the license for that project, whichever is in the public interest at the time the matter is under consideration.

In effect, the FPC removed the third dam from the 3-dam project. Poor as the 3-dam plan is in comparison with the high dam, can you imagine how poor a showing a 2-dam project would make?

The third dam accounts for about one-third of the 3-dam plan's power. For example, finding No. 14 of the FPC Examiner gives these figures—page 35 of May 6, 1955, decision:

> (14) The initial powerplant capacities as proposed by the applicant for the three projects is as follows:

	Installed capacity (kilowatts)	Maximum peaking capacity (kilowatts)
Brownlee	360,400	414,400
Oxbow	151,000	173,800
Hells Canyon	272,000	312,800

Obviously, without little Hells Canyon Dam, the company plan is laughable. So, the FPC used it for purposes of comparison, found that it was almost as good as the high dam—even with more costly power—and then, without any reasoning to support the conclusion, found the 3-dam plan the best adapted project for basin development. (Finding 48.)

This amazing statement follows finding 47 which declares: "The three proposed power developments should be considered as a single project."

I submit that the evidence is clear on the face of the decision that the Commission, under Chairman Kuykendall, used the 3-dam plan for comparison only to achieve an appearance of plausibility, but in effect relieved the company of the burden of building the third dam for whose expensive power there is little or no expectation of a market.

In sharp contrast the high Hells Canyon Dam will provide a minimum of 1,122,000 kilowatts at site and downstream. It is the water storage superiority of high Hells Canyon over the company plan—a ratio of 4 to 1—which accounts for the downstream power benefits.

But that is a conservative estimate. Testimony before the Senate Interior Committee this year disclosed that up-to-date studies requested by the committee reveal that the high dam's at-site potential power capacity is even larger than originally planned.

Three Bureau of Reclamation engineers, in a letter dated March 14, 1957, informed the committee that instead of a 900,000-kilowatt capacity, the high dam could have at-site capacity of 1,250,000 kilowatts at a favorable benefit-to-cost ratio and only slight additional cost.

Moreover, it would be physically possible to install 1,500,000 kilowatts of capacity. Further studies would be required to confirm the design and cost of achieving that potential. Yet it is a reasonable possibility.

In other words, as originally designed, Hells Canyon, at site, was superior in power capacity to the company 3-dam plan, and all the more so when compared with the 2 dams that are probable.

We now know that high Hells Canyon can be built with at least one-third more capacity—and possibly as much as two-thirds more than originally planned.

POWER COSTS

Significantly the Federal Power Commission decision lacks a comparison of high dam and company power costs—although the latter are admittedly higher.

We need look no further than the Federal Power Commission examiner's findings of fact, which were not overruled, to find the comparison. He found that the high dam power would cost 2.7 mills per kilowatt-hour as compared with the 3 dams' 6.69 mills per kilowatt-hour—with even higher costs for Brownlee power alone.

Little wonder the Federal Power Commission examiner called the company power fancy priced. It would be so fancy priced that it would be of little use for industry, private industry which the region so badly needs.

For example in my testimony before the committee I said last March:

> The four Columbia Basin States of Oregon, Washington, Idaho, and Montana, are suffering, as they do each winter, from acute unemployment. According to the latest Department of Labor report on unemployment insurance—for the week ending February 16, 1957—Oregon and Idaho have the highest rates of unemployment in the country—10.8 percent and 10.4 percent, respectively. Montana has the fourth highest rate, 9.2 percent, and Washington is sixth with 8.8 percent.
>
> These States suffer from a chronic condition of seasonal unemployment directly related to the comparative lack of year-round industry.
>
> The situation in the State of Washington would be even more serious if it were not for the giant Boeing plant at Seattle, a plant which is sustained by low cost public power.

We desperately need industry for jobs and purchasing power, without which the Pacific Northwest will not make its maximum contribution to the economy of the Nation.

The unemployed of my State make poor customers for the products of other regions. The underemployed do not make their full contribution to the massive production of goods which is the hallmark of our free-enterprise system.

America needs an expanding market in the Pacific Northwest. And America needs the products which low-cost power alone would make possible.

INEXPENSIVE PHOSPHATE FERTILIZER FOR WESTERN AND MIDWEST FARMERS

A dramatic example are the virtually untapped phosphate beds of Idaho. Here are the facts as found by the Federal Power Commission examiner and not contradicted or overruled by the full Commission:

> The high dam project by providing power at low rates might be expected to stimulate large-scale development of the phosphate resources and large-scale expansion of fertilizer production. (Examiner's finding No. 159.)
>
> The three-dam plan would stimulate less phosphate development and less fertilizer production than the high dam project. (Examiner's finding No. 160.)

This means fertilizer to farmers in the Midwest and West at savings of $10 to $20 a ton.

At a time when farmers are struggling to escape the squeeze of high costs and low prices, this is a major consideration in favor of high Hells Canyon Dam.

"NO COST TO THE UNITED STATES"—THE PROPAGANDA BUBBLE IS BURST

Since 1953, the senior Senator from Washington and I have warned that the Idaho Power Co. propaganda that its inadequate projects would be built at no cost to the taxpayer was phony and untrue. That claim was carried into millions of American homes by the private utility multi-million-dollar advertising campaign. Two examples are posted in the rear of the Chamber for all to see.

In 1953, Senator MAGNUSON and I had no crystal ball. We knew a single fact—the Idaho Power Co. had filed for quick tax writeoff certificates for 2 of their 3 small dams—Brownlee and Oxbow.

We said then and have warned repeatedly since that the taxpayers would end up footing a large part of the bill for the Idaho Power Co. dams. Little attention was paid. When we said that the value to the company of the certificates would be about three times the cost of the company dams it sounded too preposterous for belief. When we said the taxpayers would be forced to put up millions of dollars of subsidy for the company we were not believed. But we stuck to our guns.

The senior Senator from Virginia was persuaded to look into the matter. His Joint Committee on Internal Revenue Taxation staff found out that the utility tax writeoff dodge ran into millions in subsidy. He called for a halt.

But the Idaho Power Co. apparently needed the certificates too badly and so in mid-April, the Office of Defense Mobilization granted quick tax writeoff certificates over the protest of many Members of Congress, who, in February 1956, filed detailed criticisms of the Interior and Office of Defense Mobilization memorandums recommending the certificates. The protest pointed out errors of fact in the memorandums. ODM Director Gray was so unfamiliar with the document that he was unaware of the fact that it requested a public hearing to settle the factual issues.

Secretary of Interior Seaton in March 1957 recommending against the certificates because their grant would be totally inconsistent with the company claim, echoed by its defenders in the administration and Congress, that the company projects would be built without cost to the United States Treasury.

In the course of the Kefauver subcommittee hearing, the chief accountant of FPC confirmed the predictions made by those of us who forewarned that the taxpayers would subsidize the Idaho Power small dams in large part.

In summary, he testified that in order to make up for the tax loss to the Treasury during the writeoff period and before the company repaid all the taxes over the 50-year depreciation period the Treasury would have to pay $83.5 million in additional interest payments.

He further testified that the value of the certificates to the company would be $339 million—or $10 million more than I said on April 29, 1957.

IDAHO WRITEOFF OUTSIDE POLICY OF LAW

Since 1953 I have pointed out that while utility-tax-writeoff certificates might be possible within the letter of the 1950 law, they violated the spirit and intent of the law.

On Tuesday the Kefauver subcommittee heard the testimony of an attorney on the staff of the Library of Congress.

It is so significant that I wish to read his statements into the RECORD.

STATEMENT OF JAMES P. RADIGAN, SENIOR SPECIALIST, LIBRARY OF CONGRESS

Mr. RADIGAN. Do you wish me to read it?

Senator KEFAUVER. Yes, sir.

Senator DIRKSEN. Will you first give me a little background about yourself?

Mr. RADIGAN. I have been working for the Legislative Reference Service since 1928 as an attorney.

Senator WILEY. You don't look that old, brother.

Mr. RADIGAN. We haven't been working hard enough. Previous to that I practiced law for 5 years here in the District. I was head of the American Law Division from the time it was created up until February 1955, when I moved overseas specialist. That is about it.

Senator WILEY. Married?

Mr. RADIGAN. Yes.

Senator WILEY. Wife, kids?

Mr. RADIGAN. Yes; residents of Washington.

Senator KEFAUVER. Did you graduate from a law school?

Mr. RADIGAN. Graduated from Georgetown, 1923.

Senator KEFAUVER. Have you had much experience in construing legislative intent and statutory enactment?

Mr. RADIGAN. I have been working on it since 1928 pretty much.

Senator KEFAUVER. Congress has been relying and Members of Congress upon your opinions?

Mr. RADIGAN. I have had requests from every Member here today.

Senator KEFAUVER. Unbiased; you have no interest in this matter at all?

Mr. RADIGAN. None whatever. It is just a matter of statutory construction as far as I am concerned.

Senator KEFAUVER. Very hurriedly read your opinion.

[Mr. RADIGAN. The words of the act (sec. 168 of the Internal Revenue Code of 1954) authorizing the issuance of accelerated amortization certificates for "emergency facilities" certified as "necessary in the interest of national defense" by an agency designated by the President, considered literally and separately from the known legislative purpose, might conceivably permit the issuance of such certificate to Idaho Power by the Office of Defense Mobilization.

Such a construction of the act, however, is certainly not the only nor necessarily the most logical one that might be made.

To arrive at such a construction requires stretching to the utmost, or disregarding entirely the cardinal rules of statutory construction applicable to this type of act.]

This act does not fall within the rule of statutory construction that where there is no ambiguity there is no room for construction, *United States* v. *Wiltberger* ((1820) 5 Wheat. 76); *Texas* v. *Chiles* ((1875) 21 Wall. 488); *Goodwin* v. *Colorado Mortgage Investment Co., of London* ((1884) 110 U. S. 1); *Yerke* v. *United States* ((1899) 173 U. S. 439); *United States* v. *Missouri P. R. Co.* ((1929) 278 U. S. 269), but rather under the rule that where there is ambiguity the character of the statute determines the type of construction, *United States* v. *Baltimore & O. S. W. R. Co.* ((1911) 22 U. S. 8).

In determining administrative powers the legislative purpose is the controlling element, *United States* v. *American Trucking Assn.* ((1940) 310 U. S. 534).

If there is more than one construction possible under a literal reading of the words of a statute, the one most consistent with the legislative purpose should be adopted, *United States* v. *Katz* ((1926) 271 U. S. 354).

The reason and spirit of the law should prevail, *Wilson* v. *Mason* ((1801) 1 Cr. 45); *United States* v. *Katz, supra*; *United States* v. *Kirby* ((1869) 7 Wall. 487).

Statutes should be construed so as not to lead to an absurd consequence, but so as to effectuate the legislative intention, *United States* v. *Kirby, supra*; *Oates* v. *First National Bank* ((1879) 100 U. S. 239; *Church of the Holy Trinity* v. *United States* ((1892) 143 U. S. 457); *Iau Ow Bew* v. *United States* ((1892) 144 U. S. 47); *United States* v. *Oregon and C. R. Co.* ((1896) 164 U. S. 526); *Hawaii* v. *Mankichi* ((1903) 190 U. S. 197); *Jacobson* v. *Massachusetts* ((1905) 197 U. S. 11); *Haggar* v. *Helvering* ((1940) 303 U. S. 389).

It is not proper to follow the literal meanings of the words of an act if to do so will lead to a variance with the policy of the legislation as a whole. *United States* v. *American Trucking Association*, supra.

There is no need to labor or to suppose that the administrators of this act were unaware of the fact that the necessity for the enactment of this act was the exhibited reluctance of business to build new emergency plants that might likely become wholly useless when the emergency period passed. *See: United States* v. *Allen-Bradley* ((1957) 1 L. ed. 2d 347). The 1950 act, under which the certificate was granted to Idaho Power is, for purposes under consideration here, the same as its predecessor 1940 act. In interpreting the latter, the court said the act was for the purpose of inducing private enterprise to aquire facilities for which they would have had no need, *Wickes Corp.* v. *United States* ((1952) 106 F. Supp. 616), or for inducing the immediate and large investment of private capital for construction of facilities for the production of materials vitally necessary, *Arkansas-Oklahoma Gas Co.* v. *Commissioner of Internal Revenue* ((1953) 201 F. 2d 98).

The Senate Committee on Finance, which inserted this provision in the Revenue Act of 1950, stated the provision had the same basic objectives as the 1940 act and was for the purpose of providing amortization for facilities of an emergency character. (See S. Rept. 2375 of 81st Cong., 2d sess., p. 58.)

To construe the words "emergency facilities necessary in the interest of national defense" as applicable to an electrical generating plant of permanent construction in an area where the existing and the future known demands for electrical energy (without the necessity of the continuance of the emergency) would justify its construction, requires a total disregard of the stated purpose and of the spirit of the act. The need for this generating plant, without the existence of the Korean situation or any other similar police action, is readily determinable from:

(1) The Annual Reports of the Activities of the Joint Committee on Defense Productions (H. Rept. 1097, 83d Cong., 2d sess.; H. Rept. 1, 84th Cong., 1st sess.; House Rept. 1669, 84th Cong., 2d sess.; House Rept. 1, 85th Cong., 1st sess); (2) Construction, Operation, and Maintenance of the Hells Canyon Dam, on the Snake River, between Idaho and Oregon (S. Rept. 324, 85th Cong., 1st sess.); (3) Rapid Amortization of Emergency Facilities (hearings before Senate Committee on Finance on S. 1795, 85th Cong., 1st sess.); (4) Public Works Appropriations for 1958, part 2 (hearings of House Appropriations Committees, 85th Cong., 1st sess.); and (5) a Report on 5-Year Amortization of Emergency Defense Facilities under section 168 of the Internal Revenue Code of 1954 (Committee print of Joint Committee on Internal Revenue Taxation, 1956).

[To epitomize—while an exceedingly broad construction of the literal wording of the act might make it permissible to grant an accelerated amortization certificate to Idaho Power, such action seems contrary to the legislative purpose and spirit of the act, the two elements which should control its administration.]

Senator KEFAUVER. That is your best judgment about this?

Mr. RADIGAN. Yes, sir.

THE FPC DECISION AND KUYKENDALL

Until recently apologists for the Hells Canyon giveaway have laid great stress upon the fact that the Federal Power Commission heard voluminous testimony and decided in favor of the Idaho Power Co. As I have already indicated, the FPC's Hells Canyon decision is questionable in the extreme.

ROLE OF CHAIRMAN KUYKENDALL

Let it be recalled that Kuykendall became Chairman of the Federal Power Commission in April 1953. Two weeks after he took office the Secretary of the Interior withdrew his predecessor's opposition to the Idaho Power Co.'s license application. Thereafter the FPC repeatedly made procedural rulings adverse to the high Hells Canyon advocates. The decision, itself, fails to set forth crucial findings of fact on such matters as the cost of power and downstream benefits of the high dam, to mention just two.

Just this week, the hearings on the renomination of Kuykendall as a member of the FPC and his conduct during the past 4 years have been put together and the pattern revealed is a shocking one. So for example, in 1954 before the Joint Committee on Atomic Energy he suppressed and withheld the fact that the Bureau of Law of the FPC had condemned the Dixon-Yates contract. He led the joint committee to believe that the Bureau of Law was not consulted. His testimony was given at a time when the joint committee was approaching a crucial vote on the Dixon-Yates case. I ask unanimous consent to put in the RECORD at this time the summary of that situation as presented by a release of Subcommittee No. 1 of the House Select Committee on Small Business.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SIGNIFICANT FACTS DEVELOPED IN THE HEARING HELD BEFORE SUBCOMMITTEE NO. 1 OF THE HOUSE SELECT COMMITTEE ON SMALL BUSINESS ON THURSDAY, JULY 28, 1955, IN THE EXAMINATION OF WITNESSES FROM THE FEDERAL POWER COMMISSION

I. Evidence relating to defects in the Dixon-Yates contract which was drafted and proposed prior to August 1954, disclosed that early in 1954 the Bureau of the Budget sought and secured help from the Federal Power Commission in connection with the drafting of the Dixon-Yates contract. The Federal Power Commission at that time was under the chairmanship of the Honorable Jerome Kuykendall, an Eisenhower appointee. In connection with that work on the Dixon-Yates contract, Francis L. Adams, Chief of the Federal Power Commission's Bureau of Power, in company with William F. McCandless, a representative of the Bureau of the Budget, visited the White House when the matter was being considered by the President. He stated that he was asked to accompany the Director of the Bureau of the Budget and Mr. McCandless and to sit in the hall outside of the President's office in case any technical questions that Mr. McCandless or others wished to direct to him while the President had this Dixon-Yates matter under consideration and discussion. (Transcript, pp. 829–830).

Thereafter Mr. Francis L. Adams of the Federal Power Commission and his assistant, Mr. Roberts, spent substantial time giving the Bureau of the Budget assistance on the Dixon-Yates matter. Much of the time that they gave to this matter was spent in the offices of the Bureau of the Budget. By August 23, 1954, the proposed contract for Dixon-Yates had been drafted and had been submitted to the Federal Power Commission for its study and report. In that connection, at the request of the Acting Chairman, Commissioner Digby, the Federal Power Commission's Bureau of Law was asked to review the draft of the contract and to state orally to the Federal Power Commission at a scheduled meeting for August 25, 1954, 'what, if any, questions the Bureau of Law had and the nature of the questions,' about the contract. (Transcript, pp. 864–865.)

Within that period of time between August 23 and August 25, 1954, by working strenuously and overtime, the Acting General Counsel, Mr. Lambert McAllister and Assistant General Counsel Howard E. Wahrenbrock made a study of the Dixon-Yates contract and presented memoranda of their comment thereon. In the meantime, the General Counsel of the Federal Power Commission, Mr. Willard W. Gatchell, returned to the city and received a call to appear before the Federal Power Commission in a meeting it held shortly after September 17, 1954, to discuss the Dixon-Yates contract. (Transcript, pp. 880–881). In that connection, he testified as follows:

"Mr. GATCHELL. * * * This came before the Bureau of Law. This Dixon-Yates contract came before the Bureau of Law through the Bureau of Power. And it happened to come at a time when I was out of the city on some business with the Commission, and so I knew nothing about it until I got back. I then saw both Mr. Wahrenbrock's and Mr. McAllister's memorandums, the ones that have been submitted here and received by the committee.

"These memorandums which were submitted by Mr. Wahrenbrock and Mr. McAllister were submitted at the request of the Bureau of Power. Ordinarily, when the Commission wants an opinion they ask the General Counsel for an opinion, which is prepared. And invariably the practice has been, as far as I know, without any exceptions, that these opinions then go to all members of the Commission and I have no reason to think that the two memorandums which were submitted, one by Mr. Wahrenbrock and one by Mr. McAllister did not likewise go to the members of the Commission.

"Mr. MACINTYRE (general counsel, Select Committee on Small Business). In the course of those discussions, did you inform them of the views of the Bureau of Law?

"Mr. GATCHELL. No, sir; I informed them of my views. And in my views, I, of course, took advantage of the study which had been made by Mr. Wahrenbrock and Mr. McAllister, because they are very fine technicians and both of them did a thorough job within the very limited time that they had.

"I was fortunate in having a little more time to study it. I raised all of the points that they raised, and quite a number of additional points myself. I raised those to the Commission."

In that connection the secretary of the Federal Power Commission, Leon M. Fuquay, also testified as follows (transcript, pp. 874–875):

"Mr. MACINTYRE. And you heard Mr. Wahrenbrock's testimony about having submitted to the secretary of the Commission copies of his memorandum on the Dixon-Yates contract?

"Mr. FUQUAY. Yes.

"Mr. MACINTYRE. And you heard him say that he passed that to the Secretary for distribution to the Commission?

"Mr. FUQUAY. Yes.

"Mr. MACINTYRE. Did you pass that on to the Commissioners, including the Chairman?

"Mr. FUQUAY. I would have no way to know that. I can only assume that I did. We don't keep the record of whether we did or we didn't. I assume the interoffice file would show perhaps a notation: 'Distributed to the Commission.' My girls usually do that. It is also perhaps possible that the agenda, if there was one on that date, would show that it was before them at the time.

"Mr. MACINTYRE. Would the record of the Federal Power Commission, the minutes of the Federal Power Commission, show whether or not the memorandum had been distributed and received by the Chairman?

"Mr. FUQUAY. The minutes would not. Agenda might show. The minutes only show what action took place.

"Mr. EVINS. Mr. Fuquay, would you address a letter to the counsel of the committee after examining your files, and tell us whether or not this memorandum was distributed to the Commission?

"Mr. FUQUAY. If I can ascertain that fact, I will be glad to do that.

"Mr. KUYKENDALL. I think I can clarify that point.

"Mr. EVINS. Proceed.

"Mr. KUYKENDALL. I saw Mr. Wahrenbrock's memorandum. We had it at the Commission meeting. I am sure all Commissioners had it. And we considered it and discussed it with him and with other members of the staff who were present."

Now what did the memorandums which had been prepared by Mr. McAllister and Mr. Wahrenbrock contain in the way of comment concerning the Dixon-Yates contract? In that connection the summary and concluding paragraphs of Mr. McAllister's opinion of those contracts are quoted as follows:

"I have never reviewed a power contract wherein each and every provision is written in such fashion that one party has an absolute veto right wherever any adjustment or change is indicated and no provision is made for the resolving of a dispute. The contract gives the impression that the generating company dictated the terms and conditions of the contract and either AEC was inept or without any right or opportunity to insist on relative provisions which would spell out the representative rights and circumstances under which an adjustment might be justified and provide for a resolution of any difference that might arise through an established form of negotiation or arbitration.

"The time which has been available for review of the contract from the standpoint of its provisions has been entirely inadequate. There are many provisions of the contract which could be specified in support of the statement that the contract is all one-sided but time would not permit the coordination and discussion of all such matters."

The concluding paragraph of Mr. Wahrenbrock's memorandums is as follows:

"Aside from minor questions of draftsmanship, the foregoing questions, arising from the limited and preliminary study which it has been possible to make, appear serious enough and numerous enough to cause grave apprehension that there are other questions and very substantial objections to the August 11 draft. It would seem reasonable to conclude that the immediate advantages from quick completion of the deal in these terms, to facilitate getting forward with certain parts of the construction before spring high water on the Mississippi, will be more than offset by the long-term substantial advantages to the Government of taking additional time to try to arrive at a better contract. And this is in addition to the grave question of legal authority for the contract under the Federal income tax provisions of section 165 (b) of the Atomic Energy Act of 1954 (enrolled)."

It is significant that the advice thus contained and set forth in Mr. McAllister's and Mr. Wahrenbrock's memoranda did not come to light so that they could be considered by the Members of Congress and others interested in the Dixon-Yates deal until Thursday, July 28, 1955.

In fact it appears that there was a concerted effort in the past to suppress the information contained in those memoranda. Let us recall the fact that at the time of the election in November 1954, frenzied efforts were being expended to have the Joint Committee on Atomic Energy of the Congress of the United States approve the Dixon-Yates deal prior to January 1, 1955, when the newly elected Democratic Congress would take control. Therefore, hearings were held on the matter by the AEC Joint Committee commencing November 4, 1954, just as the final election returns were being received.

During the course of those hearings on Friday, November 5, 1954, and at page 200 of the record of the hearings, Mr. Kuykendall, Chairman of the Federal Power Commission, an Eisenhower appointee, is reported to have testified as follows: (Transcript, page 878 of the hearings before Subcommittee No. 1 of the House Select Committee on Small Business, on Thursday, July 28, 1955.)

"Mr. KUYKENDALL. No, our lawyers were not called into this. Our Bureau of Power worked with the AEC and with the Bureau of the Budget and conferred with our Bureau of Accounts, Finance and Rates, which Mr. Smith heads. At a later stage, Mr. Smith and Mr. Adams participated in some staff conferences with AEC but our Bureau of Law did not. Then, when we got these requests from this committee and from AEC to give our opinion, we did not ask the Bureau of Law to get into the legal phases of it, because I thought that would simply be plowing the same ground, so to speak, that I knew the attorneys for AEC have plowed and the Attorney General. So, they were not asked to give us—wait a minute, I will take that back.

"Representative PRICE. I saw a press report to the effect that the general counsel had not given his approval.

"Mr. KUYKENDALL. We had not asked him for it, but the staff took the contract to him and started drawing him into it. I felt that it was unnecessary, and we said in our first letter to the AEC that our attorneys had not passed on it."

Why was it that Mr. Kuykendall so acted in keeping from Members of the Congress on that occasion the objections which he knew to exist to the Dixon-Yates contract? Was it something that fits into a pattern of what has been termed "cover up" of important facets of the Dixon-Yates matters such as, for example, the facts concerning the participation of Adolphe H. Wenzell of the First Boston Corporation, in negotiating the Dixon-Yates deal?

Mr. MORSE. Yesterday the Committee on Interstate Commerce received evidence, based on Kuykendall's own testimony, that as Chairman of the FPC he had entered into consultation with three representatives of industry in the drafting of a bill to remove Federal power control on natural-gas prices. Indeed, Kuykendall, in his testimony before the House Committee on Interstate and Foreign Commerce, said:

And I admonished those individuals that there should be no publicity about this, and there should be absolute secrecy. * * *

Kuykendall further testified that he did not confer with "alleged consumer groups." The principal question was that he did not confer with the committee composed of mayors of 200 large cities.

I ask unanimous consent to put in the RECORD portions of the transcript of the interrogation before the House Interstate and Commerce Committee as presented in the Senate hearings yesterday.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Congressman MACDONALD of Massachusetts. The actual questions and answers as appear in the reporter's transcript of the hearings [of the House committee] on the matter pertaining to what I am talking about follow. During the first day Mr. O'HARA was questioning Mr. Kuykendall and I asked Mr. O'HARA, cosponsor of the bill, to yield. I asked Mr. Kuykendall: "Do I understand that you say you were not consulted at all about this bill, or merely about the drafting of the bill?

"Commissioner KUYKENDALL. I was not consulted at all about this by anyone, that I can recall."

Later it came my turn to question Mr. Kuykendall and I said, "Sir, this morning there was some conversation about what part you had played in the formulation of H. R. 6790, which was introduced by Mr. O'HARA and Mr. HARRIS. Would you care to comment on your part, your role, in the formulation of this bill?

"Commissioner KUYKENDALL. Well, I commented this morning, and I will repeat it: I had no part in the formulation of this bill or any other bill.

"Mr. MACDONALD. If I were to say to you, sir, that it is common knowledge—or strike 'knowledge'—it is commonly reported, shall we say, that prior to the past Congressional and presidential elections, that you made it known to various segments of the industry that you wished they would get together to present to you a bill of this type so that you could make a report to the Director of the Bureau of the Budget, would I be saying something that was not correct?

"Commissioner KUYKENDALL. Yes, you would.

"Mr. MACDONALD. Then you categorically deny that you ever let any segment of the industry know that you were interested in their plans for the formulation of a new so-called gas bill?

"Commissioner KUYKENDALL. What happened was this, Mr. Macdonald: that while Congress was still in session last year, and after the Harris-Fulbright bill had been vetoed, Jerry Morgan at the White House contacted me and asked me if I, without saying anything to anybody, could prepare a draft of a bill which I thought would fulfill the requirements that the President had stated in his veto message. So I told him I would try to do that. I went to work on it all by myself, and I soon ran into many problems. So I talked to Mr. Morgan, explaining that I could not do it myself, and the only way I could think to get it done quickly would be to confer with some of the people who had opposed the bill. I said I would like to talk with Mr. Randall LeBoeuf, who had been the spokesman of the distributing companies that opposed the bill.

"Mr. MACDONALD. What is his official title?

"Commissioner KUYKENDALL. He is a lawyer in New York City. I think he is in the room here right now.

"I talked with Mr. LeBoeuf, and he was willing to lend any assistance he could. He, however, agreed that we probably should get some representative of the producers and some representative of the pipelines.

"So I selected two other lawyers. I asked Mr. Searles, who has been a spokesman here for the producing industry on the previous bill, and I selected a Mr. Tarver, who used to be an attorney some years ago, long before I was with the Federal Power Commission, on the Federal Power Commission staff, but who is very knowledgable about the Natural Gas Act and is now employed by one of the pipeline companies.

"Those gentlemen agreed that they would try to put together what they thought would be a good bill, and they did some work on it.

"In the meantime——

"Mr. MACDONALD. Did you see this bill while they were working on it?

"Commissioner KUYKENDALL. I don't think this bill was in existence.

"Mr. MACDONALD. You said they were working on a bill, not H. R. 6790, but a bill, and I am asking you if you saw that bill?

"Commissioner KUYKENDALL. I saw several drafts of things they had drawn. None of them, so far as I know, ever saw the light of day.

"Then, as you will recall, last year, the President vetoed the farm bill, and other things clogged up the Congressional Calendar, and it became quite clear to me that there would be no possibility of the administration sponsoring a gas bill, and I inquired of Mr. Morgan, and he later checked with me, and said that it was definitely out of the realm of possibility for this year.

"So I told these other three men I have mentioned that there was no chance of any bill coming up that year.

"In the meantime, I learned, and I have forgotten now from just whom, that Mr. Heyke——

"Mr. MACDONALD. Who is he?

"Commissioner KUYKENDALL. Mr. Heyke is president of the Brooklyn Union Gas Co., had instigated some conferences, not among lawyers, but among executives of the industry.

"Mr. MACDONALD. Each segment of the industry?

"Commissioner KUYKENDALL. Yes.

"And then later, Mr. Heyke came to me and said he had heard rumors about some lawyers drawing a gas bill, and he had started these conferences, he hoped they would be fruitful, and he requested that I defer to him and not have sort of a competing group going. And I acquiesced to that.

"Mr. MACDONALD. What time of the year was this conversation had?

"Commissioner KUYKENDALL. Oh, I don't know, perhaps around the time Congress adjourned, I am not sure.

"Mr. MACDONALD. August?

"Commissioner KUYKENDALL. And so I stepped out of the picture at that time, never called these three lawyers together again that I had talked with; but was aware of the fact, and was advised from time to time by Mr. Heyke or some of the other parties that he had gotten together, and generally of what they were trying to do.

"And Mr. HARRIS (that is Congressman HARRIS) mentioned that he had gotten ahold of a statement of principles. Well, I believe I received a copy of that.

"Mr. MACDONALD. A statement of principles from whom?

"Commissioner KUYKENDALL. I don't remember whether I got it from Mr. Jeyke or one of the others, from other segments of the industry, with whom he was conferring. But I took no part in that at all, but let them go their way with it.

"Mr. MACDONALD. And you say that is the last you had to do with those segments of the industry concerning a gas bill?

"Commissioner KUYKENDALL. Yes, except, as I said before, they reported to me now and then as a matter of courtesy. I remember one time they reported that they were just about at the end of their rope. They didn't think they could ever agree on anything.

"Mr. MACDONALD. What time of year was this?

"Commissioner KUYKENDALL. I don't recall. I didn't keep any record of it.

"Mr. MACDONALD. Was it during October and November preceding the election?

"Commissioner KUYKENDALL. I don't recall whether it was preceding or after that election.

"Mr. MACDONALD. And that is all the connection you have had with this bill?

"Commissioner KUYKENDALL. That is all; yes.

"Mr. MACDONALD. Well, sir, as I understand it, the bill under which you administer the act, the act which you administer, was put in for the protection of the consuming public of the United States; was it not?

"Commissioner KUYKENDALL. Yes.

"Mr. MACDONALD. And that, as such, your primary, if not sole duty, is to the consumers of the United States; is that not correct?

"Commissioner KUYKENDALL. Well, to the public interest, which embraces all segments of the country."

The CHAIRMAN. I might say to the Congressman that yesterday, in the testimony, there was some discussion by other witnesses and members of the committee on the basic purposes of the Federal Power Commission Act.

The preamble has been put in the record, which, of course, states that generally speaking, your assumption is correct that the act

was created to protect the public interest of the people.

Mr. MACDONALD. To continue the quotation:

"Mr. MACDONALD. Well, after elections are over, the public interest reverts to the people, the public interest is the consumers, because there are roughly 29 million consumers, and the number is going up all the time, as I understand it.

"Would you not say that your primary duty is to protect the people who use this gas, rather than those who produce it?

"Commissioner KUYKENDALL. Yes; and that is what I am endeavoring to do.

"Mr. MACDONALD. I would like to ask you this question: If, during the formulation of this bill which is now H. R. 6790, you did not call on any consumer group to find out how they felt about this matter and relied solely on only the three segments of the industry that had to gain from any such bill?

"Commissioner KUYKENDALL. Well, that is a loaded question.

"Mr. MACDONALD. It is not a loaded question.

"Commissioner KUYKENDALL. I don't know what the distributors had to gain.

"Mr. O'HARA. Let him answer that.

"Mr. HESELTON. I think he has a right to ask it.

"The CHAIRMAN. The gentleman may proceed in order.

"Mr. MACDONALD. I would just like to say this, sir: Any question that may seem adverse to you is not necessarily loaded, and I, as an impartial member of this committee, somewhat resent being told I am asking loaded questions when actually I am merely asking you why you did not consult with the people for whom the job that you occupy was created to protect the very people that you did not—at least as you yet have said—ever consult. And I am just asking you why.

"Now, that is not a loaded question.

"Commissioner KUYKENDALL. In the first place, I knew of no sufficient consumer groups to go to; and I wasn't going to groups. I went to three individuals, and I admonished those individuals that there should be no publicity about this, and there should be absolute secrecy, because I did not want any rumors started that there might be another gas bill during the last session of Congress.

"Furthermore, the pipeline group, and particularly the distributing group, were antagonistic to the producers, and were in, and had the same position on the matter as did the consumer, alleged consumer groups, that opposed the bill last time.

"That is why I went to Mr. LeBoeuf, who had been the spokesman, the chief spokesman, for the opposition to the previous bill.

"Mr. MACDONALD. I would just like to say that I think, under the circumstances, you acted wisely by acting in secret for the purposes you had in mind. But I repeat my question, for I have not had an answer to it yet. You have gone on about what you did, but you have said that you did not consult with any groups of consumers, because they appeared here 2 years ago when you were in the room and you listened to their testimony in opposition to the House bill.

"Commissioner KUYKENDALL. No; I did not consult with any consumer groups. I was consulting with lawyers.

"Mr. MACDONALD. Did you consult with any lawyers from a consumer group, of the mayors' association, for one, the mayors of 200 cities of the United States?

"Commissioner KUYKENDALL. No; I did not. I only consulted with these people I have mentioned.

"Mr. MACDONALD. Since the mayors of 200 large cities of the United States comprise, at least in theory, representation for millions of people, and millions of people who would be affected by this bill, I cannot quite understand why you did not, and I am asking for an explanation why you did not.

"Commissioner KUYKENDALL. This bill poses a question where the producers are one interest, and not only the consumers but the distributing companies and the pipeline companies were another interest.

"Many pipeline companies were not friendly to the bill last time.

"I got 3 extremely able men from those 3 segments of the industry, and I believe that among those the consumer interests were adequately represented.

"Mr. MACDONALD. Now, sir, I want to yield to my colleague, but I want to ask because I think this comes to the nub of it: You consulted with those three groups because you wanted a gas bill; is that not correct?

"Commissioner KUYKENDALL. Not groups; three individuals.

"Mr. MACDONALD. With 3 representatives of 3 segments of this industry. You, by virtue of consulting with them, were consulting with the industry, is that not correct, for the viewpoint of the segments which they represented?

"Commissioner KUYKENDALL. Yes, I chose one from each segment."

Mr. MORSE. This is the same Mr. Kuykendall who led the Federal Power Commission in its decision to grant licenses to the Idaho Power Co. to underdevelop the Hells Canyon reach of the Snake River.

RIGHTING THE WRONGS

It is not often given to men to have a second chance of righting a wrong. By a narrow margin the Senate defeated the high Hells Canyon bill last year.

But Congress and the public are older and wiser. The predictions of last year have come true. It has been demonstrated that the Idaho Power Co. has received undeserved favors to aid its weak cause. Its claims have been disproved. Its gulling of public and Congress has been revealed.

The high Hells Canyon Dam means a fresh start on meeting the pressing flood control and power problems of a potentially great region.

Let us build high Hells Canyon Dam. Let us develop this magnificent resource for the whole Nation.

Let it be said of the 85th Congress: bipartisan resource development was reborn by its decision to build this great structure and symbol of progress and plenty.

As I close this speech, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a telegram which I received from Mr. Fred R. Russell, president, Local 9201, CWA, AFL–CIO, Portland, Oreg. He is president of the local chapter of the Communications Workers of America. He is in favor of Hells Canyon Dam.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

KANSAS CITY, MO., *June 20, 1957.*

The Honorable Senator WAYNE MORSE,
Floor of the Senate, Washington, D. C.:

We regret that you are unable to attend our convention tomorrow. We understand the importance of your remaining in Washington. We give you our wholehearted support.

FRED R. RUSSELL,
President, Local 9201, CWA AFL–CIO.

Mr. MORSE. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a telegram which I received from Kansas City today, from the convention of the Communication Workers of America and the Oregon delegates thereto.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

KANSAS CITY, MO., *June 20, 1957.*

The Honorable Senator WAYNE MORSE,
Floor of the Senate,
Washington, D. C.:

The 11th constitutional convention of the Communication Workers of America at Kansas City, Mo., today unanimously passed a resolution to prevent the continuation of the building of the two small dams by the Idaho Power Co. and work for the full development of our rivers by building a high dam at Hells Canyon on the Snake River.

Oregon delegates and members at the Communication Workers of America, AFL–CIO 11th annual convention: Fred R. Russell, James O. Manley, Bernice E. Jones, Wesley D. McDuffee, Buckley T. Strader, Theodore H. Sutton, William M. O'Kelly, R. G. Fisher, Ronald E. Hathaway, Lawrence A. Peterson, D. G. Ward, Ronald A. Halen, and Sheila T. Russell.

Mr. MORSE. Mr. President, I also ask to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Against Hells Canyon Wall" published in the June 18, 1957, issue of the St. Louis Post-Dispatch.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch of June 18, 1957]

AGAINST HELLS CANYON WALL

As the Hells Canyon bill come to the floor of the Senate for debate and vote, one thing seems generally agreed. This will be the final back-to-the-wall stand to retain the richest remaining waterpower resource in the country for the people of the United States.

The opponents in Congress of a Federal project at Hells Canyon will have a lot to explain to the American public.

What they are opposing is maximum development of the great Snake River Gorge for electric-power production, flood control, irrigation benefits, and incentives to the manufacture of farm fertilizers from western phosphate ores.

What they are advocating is a limited development which will cost the American people as much electric power as the prime output from Bonneville Dam, nearly three-fourths the flood-control capacity of a maximum project, all the irrigation benefits, and all the incentives to phosphate-fertilizer production.

As a supreme irony, the proponents of this willful waste at Hells Canyon contend it will save the taxpayers money?

The opponents in Congress of full resource development at Hells Canyon are going to have a particularly hard time explaining to the people of the Pacific Northwest. That region, booming industrially, needs every kilowatt of power it can get. Its growth will be stunted with anything less than full development of its power resources.

The people of the Pacific Northwest are not going to understand how wasting a great block of power at Hells Canyon—how preventing it from ever being produced—is going to save them money.

The people of the United States as a whole are not going to understand how they can save money by giving the Idaho Power Co. a great natural resource on which the private utility expects to earn millions.

Idaho Power has not made the paradox any less paradoxical by the testimony of its president, T. E. Roach, to the Senate Judiciary Antimonopoly Subcommittee.

Mr. Roach said the tax treatment the Government has allowed his company on its projected dams at Hells Canyon will not take a single solitary penny away from the Federal Government.

Mr. Roach did not explain how his company is getting anything from the Government in the tax arrangement if the Government is not giving anything—or why, if Idaho Power is getting nothing, it went to so much trouble to get it. And Mr. Roach did not explain at all how his tax deferments square with the representation on which his company obtained licenses from the Federal Power Commission—that the projects would not cost the Government 1 cent.

Mr. Roach was still harder to follow on flood control. He said his company would supply, free of cost, flood control worth $1 million a year.

Presumably Mr. Roach based his contention on the trickle-down theory—that no matter how little a power dam and reservoir are operated in the interest of flood control, some flood control will result.

This is not always true, and sometimes it is the reverse of the truth. Sometimes a choice must be made between releasing water for control of expected floods, and keeping it for power production.

Did Mr. Roach mean he would choose a loss in power output in order to control a flood? We do not believe his stockholders would like to hear him say so.

And of course Mr. Roach does not say how he could compete with the flood control of a public dam having several times the reservoir capacity of his inadequate projects.

All told, the advocates of giveaway and throwaway at Hells Canyon are going to have much to explain. Let's listen carefully.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

POINT 4 PROGRAM FOR AMERICAN INDIANS—PETITION

Mr. HUMPHREY. Mr. President, not long ago I received from a lady in California a letter urging me to support Senate Concurrent Resolution 3, sponsored by the Senator from Montana [Mr. MURRAY], providing a point 4 program for American Indians.

I agree with everything that Mrs. Johnson, the writer of the letter, has to say; and I ask unanimous consent that the letter be printed in the RECORD, and appropriately referred.

There being no objection, the letter was referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

CLAREMONT, CALIF., *June 6, 1957.*

The Honorable HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: Under the present administration, Indians are losing 500,000 acres annually. Commissioner Emmons was trying to arrange leases for one-third of the large Navaho Reservation. On another he had 7 real-estate agents and was trying to get 5 more. The present policy of relocating Indians, too often in city slums, is not right, as the majority are far from being prepared to cope with conditions into which they are thrust.

Indians are far too rapidly losing their subsoil wealth as well as timber on reservations, although it is the duty of the BIA to protect their interests. For these reasons, won't you please do your utmost to have Senate Concurrent Resolution 3, Senator MURRAY's bill for a point 4 program for Indians, passed immediately?

An additional reason is that more just treatment of Indians may partially counteract foreign peoples' ideas of us due to treatment of Negroes.

You can do untold good by getting the Senate to pass this legislation. Indians are a truly fine race and can be a valuable national asset. The BIA seems to be doing its best to make them a liability.

Very sincerely,

CLARA STURGES JOHNSON.

ADDITIONAL REPORTS OF A COMMITTEE

The following additional reports of a committee were submitted:

Mr. BIBLE. Mr. President, from the Committee on the District of Columbia, I report favorably, with an amendment, the bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," and I submit a report (No. 477) thereon. I ask unanimous consent that the report be printed, together with minority views.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Nevada.

Mr. BIBLE. Also, from the Committee on the District of Columbia, I report favorably, with an amendment, the bill (H. R. 6306) to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two 4-lane bridges to replace the existing 14th Street or Highway Bridge across the Potomac River, and for other purposes," and I submit a report (No. 478) thereon.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar.

ISSUANCE OF SPECIAL NONQUOTA VISAS TO ELIGIBLE ORPHANS—ADDITIONAL COSPONSOR OF BILL

Mr. NEUBERGER. Mr. President, I ask unanimous consent that the name of the junior Senator from Idaho [Mr. CHURCH] be added as an additional cosponsor of Senate bill 866, authorizing the issuance of not to exceed 10,000 special nonquota immigrant visas to eligible orphans. The Senator from Idaho has asked that his name be included as a cosponsor of the bill the next time it is printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate stand in adjournment until 11 o'clock a. m. tomorrow, in accordance with the order previously entered.

The motion was agreed to; and (at 10 o'clock and 34 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until tomorrow, Friday, June 21, 1957, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 20, 1957:

COMPTROLLER OF CUSTOMS

Albert Cole, of Massachusetts, to be Comptroller of Customs with headquarters at Boston, Mass. (Reappointment.)

UNITED STATES ATTORNEYS

The following-named persons to the positions indicated:

Laughlin E. Waters, of California, to be United States attorney for the southern district of California for a term of 4 years. He is now serving in this office under an appointment which expires July 17, 1957.

George Harrold Carswell, of Florida, to be United States attorney for the northern district of Florida for a term of 4 years. He is now serving in this office under an appointment which expires July 1, 1957.

James W. Dorsey, of Georgia, to be United States attorney for the northern district of Georgia for a term of 4 years. He is now serving in this office under an appointment which expired June 9, 1957.

Frank O. Evans, of Georgia, to be United States attorney for the middle district of Georgia for a term of 4 years. He is now serving in this office under an appointment which expired June 9, 1957.

Henry J. Cook, of Kentucky, to be United States attorney for the eastern district of Kentucky for a term of 4 years, vice Edwin R. Denney, resigned.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 20, 1957

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Most merciful and gracious God, as we continue in the business of this new day, may we carry on without fear.

May our lives be blessed with that spirit of integrity which remains strong and steadfast in times of hardship and adversity, of trial and temptation.

Inspire us with the glad assurance that when we have conscientiously and honestly tried to do our very best, then we may confidently leave the issues in Thy hands.

Grant that we may appreciate and understand more fully that the measure of our faith and trust in Thee will be the measure of our courage and joy.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

A message from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who informed the House that on

the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On May 17, 1957:

H. R. 676. An act to authorize the city of Rock Hill, S. C., to acquire certain tribal lands on the Catawba Indian Reservation, S. C.

On May 21, 1957:

H. R. 2401. An act to provide for the reconveyance of certain land to the city of Spearfish, S. Dak.

On May 23, 1957:

H. R. 1544. An act to provide for the conveyance of certain real property of the United States situated in Cobb County, Ga., to the trustees of the Methodist Church, Acworth, Ga.

On May 27, 1957:

H. R. 4897. An act making appropriations for the Treasury and Post Office Departments and the Tax Court of the United States for the fiscal year ending June 30, 1958, and for other purposes.

On May 31, 1957:

H. R. 1400. An act for the relief of Mitsuko A. Hachita;

H. R. 1983. An act to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clint Independent School District and the Fabens Independent School District in the State of Texas, or to either of them, and for other purposes;

H. R. 2781. An act to amend the act entitled "An act to authorize the Secretary of the Navy to enlarge existing water-supply facilities for the San Diego, Calif., area in order to insure the existence of an adequate water supply for naval installations and defense production plants in such area," approved October 11, 1951;

H. R. 4285. An act to authorize the sale of degaussing equipment by the Department of the Navy to the owners or operators of privately owned merchant ships of United States registry;

H. R. 5832. An act to increase the retired annuities of the civilian members of the teaching staffs of the United States Naval Academy and the United States Naval Postgraduate School; and

H. J. Res. 123. Joint resolution for the relief of certain spouses and minor children of citizens of the United States.

On June 1, 1957:

H. R. 2013. An act to permit any State of the United States or any political subdivision of any such State to purchase from the District of Columbia Reformatory at Lorton, Va., gun mountings and carriages for guns for use at historic sites and for museum display purposes; and

H. R. 2797. An act to amend title 10, United States Code, to authorize the Secretary of a military department to furnish stevedoring and terminal services and facilities to commercial steamship companies, and for other purposes.

On June 4, 1957:

H. R. 6454. An act to amend the act for the retirement of public-school teachers in the District of Columbia, and for other purposes.

On June 5, 1957:

H. R. 2146. An act to amend the Small Reclamation Projects Act of 1956;

H. R. 5768. An act making appropriations for the Executive Office of the President and sundry general Government agencies for the fiscal year ending June 30, 1958, and for other purposes;

H. J. Res. 247. Joint resolution for the relief of certain aliens.

On June 11, 1957:

H. R. 6671. An act making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1958, and for other purposes.

On June 13, 1957:

H. R. 790. An act to amend the Legislative Appropriation Act, 1955, with reference to official office expenses of Members of Congress;

H. R. 5110. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes;

H. R. 6700. An act making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1958, and for other purposes; and

H. R. 7234. An act to fix the responsibilities of certifying officers and disbursing officer of the Library of Congress.

On June 17, 1957:

H. R. 53. An act to consolidate into one act, and to simplify and make more uniform, the laws administered by the Veterans' Administration relating to compensation, pension, hospitalization, and burial benefits, and to consolidate into one act the laws pertaining to the administration of the laws administered by the Veterans' Administration;

H. R. 2493. An act to authorize the Secretary of the Interior to permit the construction of a bridge and road across Chincoteague National Wildlife Refuge, and for other purposes; and

H. R. 4136. An act to extend the period within which Export-Import Bank of Washington may make loans.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 601. An act relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund.

FEDERAL LOTTERY BILL AS A MEANS TO REDUCE TAXES

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, in the past week, very discouraging news has come to Mr. and Mrs. American Taxpayer. The hard-pressed wage earners who spend nearly one-third of their working day to pay their taxes have been dealt another severe blow.

The taxpayers in this country have been told by our fiscal experts that all hopes for tax relief this year are gone. Little hope is held for even next year. Practically all of these economists who have testified before the Senate-House Economic Subcommittee have ruled out a tax reduction during a time of rising Government spending. This, to say the least, is the most disheartening news for our overburdened taxpayers to swallow—especially, when there is little chance of cutting Federal spending in the future.

Mr. Speaker, we can still brighten our taxpayers' hope for a tax cut if we are sincere in our desire to bring relief to our people. If the Members of this Congress would banish hypocrisy and display intestinal fortitude by voting for my National Lottery Bill, we can lighten this unconscionable tax burden from the shoulders of our American wage-earners.

Mr. Speaker, for years I have urged the adoption of a national lottery because of the tremendous revenue that can be legally tapped. I am convinced that a Government controlled and regulated lottery will bring into the treasury $10 billion a year which can well provide a tax cut for everyone.

If the Members of this Congress will remove the blinders and open their eyes to this painless and voluntary form of taxation we will not only solve our national fiscal problems but provide, in addition, sorely needed tax relief for our American taxpayers.

Mr. Speaker, now is the time for action—now is the time to make our tax-relief dream a reality. A recent news poll taken in every section of the country and from people in every income bracket showed that 59 percent of those interviewed favor my Federal lottery bill as a means to reduce taxes.

Mr. Speaker, the American taxpayers want a tax reduction now and we can give it to them if we demonstrate the same kind of courage that our forefathers showed when they ran lotteries to raise the funds necessary to carry on their fight for independence and in their struggle to build up this land of ours.

EXCISE TAX TECHNICAL CHANGES ACT OF 1957

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 270 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes, and all points of order against the bill are hereby waived. That after general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield one-half of my time to the gentleman from Ohio [Mr. BROWN], and at this time

I yield myself such time as I may consume.

Mr. Speaker, House Resolution 270 provides for the consideration of H. R. 7125, reported unanimously from the Committee on Ways and Means.

House Resolution 270 provides for a closed rule and 2 hours of general debate. All points of order against the bill are waived and only amendments offered by direction of the Committee on Ways and Means are in order. Such amendments are not subject to amendment.

H. R. 7125 provides for a revision of the technical and administrative provisions of the Internal Revenue Code relating to Federal excise taxes. The Committee on Ways and Means and its Subcommittee on Excise Taxes have worked on this revision for almost 2 years.

Title I of the bill is the first overall technical revision of the general excise tax provisions since 1932. Numerous changes are made in retailers', manufacturers', and similar types of excise taxes. The provisions relating to the communication and documentary stamp taxes, and the credit and refund provisions have been rewritten.

Title II is concerned with the provisions of the code relating to taxes on distilled spirits, wines, beer, tobacco products and firearms. It provides for a system for the payment of tobacco taxes by returns rather than by stamps, and also contains a provision advancing the due date for the payment of the special occupational taxes in the case of alcoholic beverages.

It is estimated that the annual loss of revenue as a result of this bill, if enacted, will be less than $15 million. The bill is primarily concerned with changes in the law to correct excise-tax inequities, clarify the law, and improve the administration thereof.

I urge the adoption of this resolution so the House may proceed to the consideration of H. R. 7125.

Mr. BROWN of Ohio. Mr. Speaker, the gentleman from New York [Mr. DELANEY] has very ably and adequately explained the purpose and content of this resolution, which would make in order the consideration, under a closed rule, waiving points of order, the bill H. R. 7125 which, as many of the Members will notice, is a very complicated and very comprehensive document containing a great deal of technical material and technical changes in our Internal Revenue Laws as worked out by the Committee on Ways and Means and approved unanimously by the membership of that committee.

Mr. Speaker, I have no requests for time and I yield back the balance of my time.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. COOPER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks in the RECORD prior to the passage of the bill; also that all Members of the House desiring to do so may have 5 legislative days within which to extend their remarks on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Tennessee.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7125, with Mr. DELANEY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. COOPER. Mr. Chairman, I yield myself 10 minutes, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Chairman, H. R. 7125 has required almost 2 years of concentrated work. It merits the endorsement and support of every Member of this House, for it will greatly benefit citizens all over the country by correcting numerous inequities and deficiencies in the field of excise taxes, at the cost of a very modest net revenue loss, estimated to be $15 million annually. This small cost is particularly impressive when we realize that excise taxes produce $10 billion in revenues.

H. R. 7125 is entitled, "A bill to make technical changes in the Federal excise-tax laws, and for other purposes." This title is aptly descriptive of the intent of the proposed legislation, but does not fully show the broad scope of the numerous technical and administrative improvements that will be achieved by its enactment. Time does not permit a detailed exposition of the many changes, but in a moment I will point out, in summary fashion, the more significant provisions. Some idea of the range and extent of the measure is indicated by the fact that the bill contains 429 pages of statutory changes, while the committee report explaining the reasons for, and the purposes and technical effects of, the provisions requires 212 pages.

Many of the recommended changes are the result of extended public hearings held at intervals in 1955 and 1956. The great public interest shown in this subject is illustrated by the published transcripts of the hearings, which comprise four volumes, containing nearly 2,200 pages of public testimony.

The bill is divided into two principal parts, designated as title I and title II. Title I contains the first overall technical revision of the general excise-tax provisions since 1932, the year when many of these provisions were adopted. It also contains numerous changes in virtually all classes of miscellaneous excise taxes. The basic objectives of the changes were to eliminate inequities, discriminations, and competitive disparities and to achieve a greater degree of certainty and simplicity.

One example of discrimination that exists today results from granting exemption to public schools on their purchases of articles subject to either retailers or manufacturers excise taxes, while not extending such an exemption to nonprofit private schools. The bill corrects this by providing an exemption from these taxes on articles purchased by nonprofit educational organizations that meet certain existing income tax exemption requirements. The bill also extends a similar exemption to payments for services or facilities that otherwise would be subject to the taxes imposed on communications or the taxes on the transportation of property or persons.

A measure of competitive equality is provided for manufacturers selling taxable articles at retail and to retailers under certain conditions. Under existing law, manufacturers' excise taxes that are based on sales prices are levied on the actual prices for which articles are sold, except in the case of sales at retail or sales not at arms length. In these instances a tax base may be set which often is lower in the first instance and higher in the second, in an effort to achieve some measure of equality with normal types of sales. The bill provides a downward adjustment in tax base for sales to retailers and provides a generally lower base than at present in the case of sales at retail.

Instances of competitive discrimination corrected in the bill are illustrated by additions to and deletions from the list of articles specifically subjected to a manufacturers excise tax under the general category of electric, gas, and oil appliances, and that of radio and television sets, phonographs, and so forth.

A typical inequity in present law relates to the tax on leases of articles subject to a manufacturers' excise tax. Except in the case of certain utility trailers, the law requires the tax to be paid on all payments received from leases. This frequently results in more tax being ultimately paid on leased articles than is paid when the same article is sold. The bill corrects this disparity by limiting the tax on leased articles to the amount of tax due when the same article is sold by the same manufacturer at retail.

The exemption from retailers' excise tax now permitted for clock movements sold with control or regulatory devices, such as thermostats, is extended by the bill to apply to complete clocks that are parts of, or replacements for, such devices.

The various sections of present law providing for certain types of exemptions from manufacturers' excise taxes are consolidated in the bill and made as simple and uniform as possible.

The bill will relieve a manufacturer from tax liability on sales where he in good faith accepts a certification by the purchaser that the article will be used in accordance with the stated eligible

exempt purpose, thus preventing what would be a manifestly unfair assertion of tax because of the acts of other persons of which he had no knowledge and over which he had no control.

In the case of the taxes on precious and semiprecious stones and on luggage, the listing of articles subject to tax is made quite specific to provide greater certainty.

Under present law, places that cater to young people by offering snacks and light nonalcoholic refreshments along with space for dancing to mechanical music are subjected to the cabaret tax of 20 percent on their receipts. Many feel that such milk bars were not intended to be taxed as cabarets. The bill exempts them from the cabaret tax.

Similar relief is extended to boys clubs and other nonprofit organizations by exempting them from the occupational tax on bowling alleys and billard and pool tables providing no charge is made for their use.

The bill makes several changes in the tax on club dues. One of these provides a more equitable basis for payment of dues tax on life memberships than now is available. Another provision will exempt dues paid for the construction or reconstruction of a club facility. This exemption will not be extended, however, to initiation fees or amounts paid for the purchase of land or already existing facilities. In the case of nonprofit swimming pools or nonprofit swimming clubs of the community or neighborhood type, however, exemption will be provided both for dues and initiation fees.

The sections of the Internal Revenue Code pertaining to the communications tax have been completely rewritten in the bill to provide more practicable rules and definitions. In addition, certain changes will be made in present exemptions to eliminate various discriminations.

An exemption from the tax on the transportation of persons is provided by present law for automotive taxes. To provide equality of treatment, the bill extends a similar exemption to air taxis.

Exemption from the tax on the transportation of property by ferryboat is provided by the bill, thus ending the present discrimination in favor of tunnels and bridges, and eliminating many administrative problems.

The artificial and unrealistic distinctions that exist because of the present basis for documentary stamp tax on stock issuance is remedied by imposing a tax of 10 cents on each $100—or major fraction—of the actual value of the stock issued, without regard to whether the stock is par or no par. Further equality is provided by imposing the tax on the total stock issued in a day rather than on each individual transaction.

A similar imbalance exists on sales or transfers of stock because of the present basis of the transfer tax. As in the case of the issuance tax, the transfer tax is to be computed on the actual value of the stock transferred without regard to whether it is par or no par. The rate of 4 cents per $100—or major fraction—of the actual value is expected to produce approximately the same revenue yield as the present base but in a much more equitable fashion.

The bill contains several other documentary stamp tax amendments that will result in fairer treatment and will prevent unwarranted excessive or double taxation in certain instances.

Provision is made for assertion of the wagering tax against runners or agents who receive wagers but do not disclose the required information about their principals.

In rewriting the important credit and refund sections of present law, provision for new types of credits and refunds is made to correspond with new exemptions provided elsewhere in the bill, such as that for nonprofit educational organizations. In addition, certain inequities are corrected.

Turning now to title II of the bill, you will see that it is concerned with the provisions of the Internal Revenue Code relating to the taxes on distilled spirits, wines, beer, tobacco products, and firearms. The provisions relating to distilled spirits have been completely rewritten, incorporating a general technical revision, the first since shortly after the Civil War. In addition, the occupational tax provisions relating to wholesale and retail dealers in alcoholic beverages have been revised. The sections of the law relating to wines, beer, and tobacco products were changed and modified at the time of the enactment of the 1954 code, but the bill makes some further limited changes in the case of the taxes on these products.

In general, the purposes of the changes in distilled spirits are to modernize the laws and to provide greater uniformity. In addition, they are intended to facilitate utilization of plans and equipment for national emergency purposes, to eliminate artificial statutory distinctions between similar operations, and to establish a more efficient system of liquor tax administration.

The bill permits the classification of a distilled spirits operation as being one single functional unit, thus creating substantial simplification in qualifying requirements and in operating procedures.

Many distillers have substantial stocks of older age spirits. If the present 8-year limitation on the bonding period of such spirits were not changed, these distillers would suffer severe financial hardship through being required to pay tax on stocks which many feel it would be impossible to sell without glutting the market. To prevent this, the bill extends the present bonding period to 20 years and permits limited commingling of spirits of different ages with the end product taking the age of the youngest spirits mingled for purposes of determining the expiration of the bonding period.

Under present law, no recovery is permitted of tax paid on distilled spirits which are subsequently lost in the course of rectifying and bottling by permitting such refunds or credit within certain limitations. It also makes available refunds or credits of tax paid on distilled spirits which are later found to be unsuitable for the purpose for which they were withdrawn, if the distilled spirits are destroyed or in some cases returned to bonded premises and reprocessed. Comparable credit and refund provisions for beer are provided.

Mr. Chairman, the provisions I have mentioned are only some highlights of the many beneficial provisions in the bill. As indicated by their general characteristics, the bill was not intended to, and does not, deal with the general question of excise tax rates or the desirability of adding or deleting entire tax categories. I realize that many Members of this House are understandably concerned over matters in these general areas. Later, separate consideration of these subjects is contemplated by the Subcommittee on Excise Taxes and the Committee on Ways and Means.

The public hearings referred to, and studies made in connection with them, showed that some of the existing excise tax provisions were outmoded. Others had created considerable confusion and uncertainty on the part of taxpayers and the administrative agencies. Still others, as has been seen, have resulted in inequities. A vast amount of work has gone into these findings and the recommendations contained in the bill are the result. In fact, it has not been possible to include in this bill all of the technical and administrative changes that probably should be made. The additional points of this nature are currently under consideration. In the meantime, though, the provisions of this bill will strengthen the existing Federal excise tax structure, in that they will substantially increase the fairness and equity of the present excise tax laws, and will improve their administration. The benefits to be gained by the many taxpayers directly affected and by the people in general should be made available to them as soon as possible.

I am deeply gratified that this bill has been a bipartisan accomplishment, and that the favorable reporting of it by the Committee on Ways and Means has been unanimous. I urge the House to approve the measure in similar fashion.

Mr. REED. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I support the bill, H. R. 7125, that is before this distinguished committee today and join my esteemed colleague, the gentleman from Tennessee [Mr. COOPER], in urging the membership to support the enactment of this measure. The title of the bill is descriptive of its content. It is called the Excise Tax Technical Changes Act of 1957. That is exactly what the bill does. It is a technical revision of our Federal excise-tax structure.

I will not endeavor to provide a detailed explanation of the bill at this time. The subcommittee hearings and the committee report accompanying the legislation are available and can be referred to by the Members having an interest in a specific aspect of this legislation.

H. R. 7125 is intended to improve the technical simplicity and administrative certainty with respect to the applicability of certain excises. The bill accomplishes these changes at what we are told is a minimum revenue loss. There are many other improvements and

changes that could be made in the excise provisions of our Federal tax law, but, for the most part, these changes would entail somewhat greater revenue loss.

It will be recalled that at the time the Congress was working on the Internal Revenue Code of 1954 it was necessary that we omit making a substantive revision of the excise tax provisions of the code because of the time limitation that was necessarily imposed on our endeavors. It will also be recalled that the Congress did accomplish substantial reductions in excise tax rates in 1954. H. R. 7125 is not an excise tax rate reduction bill. It is merely a revision of the technical and administrative provisions of the excise-tax law which constitutes the first such revision of the general excise tax provisions since 1932. The bill contains numerous changes pertinent to the miscellaneous excise taxes and rather basic changes in the area of the communications taxes and the documentary stamp taxes. In addition, the credit and refund provisions have been entirely rewritten. Title II of the bill relates to the provision of the code concerning the taxes on alcoholic beverages, tobacco products, and firearms.

It is to be expected that the changes contemplated by the bill will be of benefit to the taxpayers directly affected by the tax and that some of the provisions of the bill will be of general interest to the American people. The membership of this committee should support this legislation in the interest of improving our Federal excise tax structure. Accordingly, Mr. Chairman, at this time I urge my colleagues to vote in favor of passage of H. R. 7125.

Mr. Chairman, I might remark that one thing we have to remember when we require a great deal of revenue is that Great Britain placed quite a bit of emphasis on income from excise taxes. One reason why she did not suffer so severely during the depression as we did is that the excise taxes will hold up during a depression while the income tax will vanish into thin air. We have been through that experience. In spite of the fact we would like to eliminate many of the excise taxes, as a matter of fact, sound fiscal policy requires that we raise an appropriate share of the total revenue from excise taxes.

Mr. COOPER. Mr. Chairman, I yield 15 minutes to the chairman of the subcommittee and author of the bill, the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Chairman, my two colleagues who have preceded me, the distinguished chairman of the Committee on Ways and Means [Mr. COOPER] and the also distinguished ranking Republican member of that committee [Mr. REED] have gone into some detail as to what is contained in this bill now before us. I am going to try to avoid repetition and for that reason I am just speaking from notes and not from a manuscript.

Mr. Chairman, I do want to call your attention to the fact that while the bill H. R. 7125 contains 429 pages, it is only the first step in the revision of the excise tax code. Our committee has worked diligently for practically 2 years now, as has been said before, to try, for the first time in 25 years, to produce a major revision of the excise tax code which had become so complicated that even the men in the department charged with the responsibility of administering the law were unable to agree among themselves as to the meaning of several of its sections. In fact, because of the very nature of excise taxes not being considered as a major revenue-producing part of the code—that is, the revenue for our expenses—by employees of the Internal Revenue Service, the excise-tax schedule has been considered sort of an orphan child and for that reason has been neglected in more ways than one.

It is true that in 1954 we had a major revision of the entire tax code, with the exception of the excise-tax schedule, that required the Bureau of Internal Revenue to rewrite many of its rules and regulations, with the result that the orphan child was neglected again to the point that today if a corporation or an individual wants to go into the department-store business, for instance, where they handle thousands of items, and they go to the Bureau of Internal Revenue seeking light, wanting to know which items are subject to the tax and which are not, the best information they can get is a copy of the rules and regulations of 1941, which, of course, leaves them up in the air, because these are outdated.

Now, when the representatives of the Bureau of Internal Revenue were before our committee, the committee members questioned them as to why that was so, and we were told then that they had to devote their time to new regulations based on the 1954 code; that they did not have the personnel necessary to assign to the excise-tax section, in addition the regular staff they had. I inquired whether or not a request had been made for additional personnel. First I was told: No, no request had been made. Then later on it was said that a few new employees had been requested but it was difficult to get men experienced in the excise-tax field to do the work. This work, of course, being technical, as it is, requires experts. So, it was suggested to the Department that perhaps the best thing for them to do was to seek personnel in the lower levels and promote those who had been gaining experience right along so that they would have the experts handy.

When our committee first started to work on this technical and difficult bill, the committee felt certain that we would have a great deal of help from the Treasury Department tax officials, the Internal Revenue Service, the staff of the Joint Committee on Internal Revenue, and the staff of the Ways and Means Committee. It was thought that we would have the viewpoint of the administration and we would have the viewpoint of the Congress, but we would not actually have the viewpoint of the consumer, the taxpayer. For that reason the committee set out to hire some experts from the outside. It was a difficult task getting qualified men to come in and do this work, because most of the people engaged in tax work, it appears, are very familiar with income tax, corporate tax, inheritance tax, gift tax, and and so forth, but very few specialize in excise tax except men employed by some of the private concerns in this country. But, we were fortunate in getting three such experts. And, they are so humble; they do not want to be called experts, but I say they are, and we are very thankful because they brought a new viewpoint before the committee. While all of the staffs worked together, and every member of every staff that worked for us deserves commendation and congratulation, there was always that difference of viewpoint to the extent that when the staffs reported to the committee, instead of getting a unanimous report, we got reports from three different groups, and then the committee itself made the decision as to what should be adopted, and that is what you have before you now.

Now, I realize how technical this material is, and for that reason our committee insisted that the report that we would file on the bill would be a comprehensive one.

I invite the Members of the House to look at this report. You will find in every section explanations of what the present law is, what the changes are, and what the effect will be. So, if there are any questions in your minds regarding the items contained in H. R. 7125, if you will just take the trouble, you will find the answer and you will find it in good, easy-to-read English.

Now, in addition to what we are doing in this bill, I believe that all should know that, as a result of the studies and of the conferences held with the Department officials, a great deal has been accomplished that will never appear on paper. Many of our suggestions for improvement in the bureau relative to excise taxes have been adopted. More are under consideration, and we have periodically requested the Internal Revenue Service to give us a report of progress. We are keeping tab on the improvements as they are being made.

Now, the documents which I hold in my hand seem bulky. They are the result of the hearings held by our committee. And, right here I want to pay tribute to the members who served with me on the subcommittee for giving up so much of their time after Congress adjourned in 1955 and again after Congress adjourned in 1956. Like every other Member of this House, each and every one of us would have liked to be home, in our own districts, but we realized the importance of the work we were doing. We realized that excise taxes touch everybody directly or indirectly. We felt that we were rendering a service that the taxpayers of the country would appreciate and for that reason willingly gave up the time that we felt we should have spent at home to be here in Washington, working on this very, very important material.

It has been said before that this was just the beginning. I can assure you that it is only the beginning. When we started this work 2 years ago, I asked the legislative counsel's office how long it would take for them to draft a bill

based upon the report that we made in April of 1956, and I was told then that it would take at least 2 years to write up the draft of a bill encompassing the recommendations that were in this report. I could not believe it. But I assure you, Mr. Chairman, I believe it now because I have seen it; and the legislative counsel's office also deserves tremendous commendation, a real pat on the back, because they have done an excellent job.

They found, when they started to draft this bill, that they had no guideposts, that they had to start practically from scratch. And if any of you are interested in reading technical matter I invite you to spend a few of your evenings going through this bill. I think it will put you to sleep in a very short time; that is how dry it is.

We brought in our first report in April of 1956, then a second report in December of 1956. In fact, we had difficulty getting under the wire, getting our report to the Printing Office in time so that it would still be a part of the 84th Congress. But in addition to that, there has been prepared already a summary of excise-tax points and problems warranting further study. That was due to the fact that in June of last year I introduced a bill, H. R. 12298. All of us on the committee realized then that that bill would not even be considered by the House, but we believed in fairness and justice to the people who pay the taxes and to those interested in excise taxes that we should give them something to look at which represented the thoughts in the minds of the committee as to the changes that we planned to recommend.

I issued a press release inviting all who were interested in excise taxes to study the material in that bill so that they would be able to come before the committee in the fall—and they did last November in large numbers—and give us the benefit of their study. In other words, we were working on the theory that what we wanted to do was as good a job as could be done, and for that reason we limited ourselves more or less to the points that were incorporated in this first bill introduced in order to bring this bill to the floor here today. Other material, other suggestions offered to us are to be studied in the future, but it was our thought that if we could get at least this portion of the revision through the House this year it would get over to the other end of the Capitol where we hope it will be acted upon without delay. We hope that at least this much of a change will be put into effect during this Congress and thus bring a great relief to many people and make the administration of the Excise Tax Code so much simpler, so much easier.

Mr. REED. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Chairman, just as I left Mr. REED's desk he said I could have more than 5 minutes if I wanted it. I do not know whether I want more than 5 minutes, but I would like to have as much time as necessary to say what I think of this important legislation. This is indeed very important legislation. Practically every person in the country is interested directly or indirectly in this proposed legislation. It involves millions upon millions of dollars every year. Still it is not anything brandnew. It is not unusual in that respect. But it is general. The country is so big we have to have lots of money. We have to go in every direction in order to get it.

Here is one thing I observed in the conduct of the committee in the preparation of this legislation. I never saw such big, broad legislation handled in such a fine way. In other words, anybody in the country who had a complaint had an opportunity to come in and present it to the committee.

I want to compliment the chairman of the subcommittee on which I served. That is, the subcommittee of which Mr. FORAND acted as chairman. He took a great interest in this matter. I can say for him that everybody and anybody in the whole country, who wanted to, could come in and tell his story.

Then we would see to it that the person on the other side of the subject would have his chance to come in and tell his story.

So I say this to you that as one of your servants, we worked on this matter ceaselessly and without any politics or any favoritism, but for the best interests of the country and the best interests of all the people.

The Ways and Means Committee divided into 2 groups, and 1 group was to give consideration to the excise taxes and the other group was to give attention to Internal Revenue taxation. This word "excises" is a comparatively new word in the field of taxation. We have been using it for only about 10 years. But what does "excises" mean? What does it include? It includes all the usual commodities we use. It is a great, broad, wide subject. We have taken it up, and with very good results.

The 25 members of the Committee on Ways and Means and a whole lot of assistants, and the Treasury, which has a whole lot of assistants, tried these different plans out. We heard them day in and day out, and finally we voted out this bill that we are passing on today. We have brought to you the very best we could do, and now I, for one, recommend its passage.

We had to do something about the tax situation. We had to change the situation somewhat. We have changed these excise taxes. I think you will find that after this law goes into effect that you and your constituents will be much better satisfied. They will know better what to expect and you will be more able to answer their questions when the time comes, because you can say this was the work of 25 men who had worked at it assiduously, with probably 30 or 40 or maybe 50 of the best experts in the country.

Of course I am going to vote for this bill and am going to vote for it with pleasure, because I feel that we, the members of the Ways and Means Committee, have given this task our very best attention. I do want to say to all of you that I think you can go back home to your constituents and say, "While this bill might be faulty in some respects, it is not willfully faulty in any respect."

Again I say to you, my colleagues, that this is one of the most important pieces of legislation that we have been called upon to consider. It deals with practically all the commodities with which we deal. It will bring into the Public Treasury millions of dollars which we must have if our great country can continue to do great things.

I shall support this measure because our great country needs it.

Mr. COOPER. Mr. Chairman, I yield 15 minutes to a member of the subcommittee, the gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Chairman, no one who has had an opportunity to have anything whatever to do with the pending bill would be doing justice to the tremendous amount of work it represents, if he did not pay his respects to our distinguished and congenial chairman of the subcommittee, the gentleman from Rhode Island [Mr. FORAND] whose masterly skill and patience with which we are all familiar, has stood him in good stead on many occasions. I, too, would like to include for well-deserved plaudits the obviously unselfish and devoted work of the staffs of the full Committee on Ways and Means, the Subcommittee on Excises, the Joint Committee on Internal Revenue Taxation, the Treasury Department and the Internal Revenue Service. If I have omitted anyone to whom well-deserved plaudits are due that omission is, of course, accidental and not by design.

The pending bill, as has been said in several instances before now, is a good bill and one deserving the support of the membership of the House. What I should like to call to your attention is one provision in title II of the bill.

Title II of H. R. 7125 is generally good legislation, and is highly desirable from the viewpoint of both government and industry. It represents the first revision since the 1860's of the laws under which the alcoholic beverage industry is operated.

This proposed revision has been under study by the Ways and Means Committee and the Treasury Department for a number of years. During this period representatives of the industry have cooperated fully with both branches of the Government in this joint effort. Considerable progress was made during the 83d Congress, but time did not permit completion of the job at that time.

I quote from House Report No. 1337, 83d Congress, 2d session, Report of the Committee on Ways and Means to accompany H. R. 8300, a bill to revise the internal revenue laws of the United States, dated March 9, 1954:

> Page 95, article (or section) XXXIII paragraph C: "Due to a lack of time the revision of the distilled spirits provisions was more limited than in the case of the provisions relating to the other alcoholic beverage and tobacco taxes. In view of this, at the direction of your committee an Alcohol Tax Survey Committee of the Treasury Department is now working with a committee of the distilled spirits industry to consider further changes for submission to the next Congress."

Again in the 84th Congress time and a heavy calendar did not permit the completion of this revision by the committee.

During the 84th Congress a subcommittee was appointed to consider this proposed code revision. Under the chairmanship of the gentleman from Rhode Island [Mr. FORAND] this subcommittee held extensive hearings, culminating in this present bill, H. R. 7125.

Title II of this bill pertains exclusively to the distilled spirits and tobacco industries. In the main it is noncontroversial. However, so that the record may be clear, and in the hope that a serious inequity may be corrected before the bill becomes a law, I direct your attention to that part of the legislation pertaining to the bonding period for distilled spirits.

Under the present law, distilled spirits must be removed from bonded warehouses at the end of 8 years, and the Federal excise tax of $10.50 per gallon paid at the time of withdrawal. This bill, H. R. 7125, would extend that bonding period from 8 to 20 years for existing stocks as well as future production. This is retroactive legislation. It means that some distillers who have manufactured their products under the present law will be discriminated against, because they do not have large stocks of spirits approaching the 8-year age.

One relatively small segment of the industry is seeking to take competitive advantage over the others because it happens to have accumulated large amounts of spirits which under this proposed law they will be able to retain in bond and, in future years, offer the public those spirits with a greater age. Whether older age makes for better quality is a disputed fact.

It has long been the policy of the Congress in amending laws, and the Treasury Department in promulgating regulations, to avoid any retroactive effects which would create competitive advantages. Illustrative of Congressional policy in this respect is the legislative history of the bonding period which has been amended twice since its enactment in 1868. The amendments adopted in 1878 and 1894 provided for temporary compensatory penalties on existing stocks held in bond for a period longer than the previously existing bonding period. In taking such action the Congress deliberately avoided the retroactive competitive advantages which are inherent in this proposed bill.

The distilled spirits industry is unique in that it must produce today for an estimated market of 4, 6, or 8 years hence. Each distiller is entitled to know, in planning his operations on the basis of existing laws and regulations at the time of production, that he will not be subjected to the threat of financial disaster by changes of a retroactive nature, which would favor any segment of the industry which, either by design or through circumstances, did not plan its operations in a prudent manner.

In a report to the chairman of the Committee on Ways and Means, dated December 31, 1956, the Honorable AIME J. FORAND, chairman of the Subcommittee on Excise Taxes, which held extended hearings before the introduction of H. R. 12298—84th Congress, the predecessor of the pending bill, H. R. 7125—had this to say in regard to the proposed bonding period extension:

> However, as a result of evidence adduced during public hearings, the subcommittee feels that it is necessary to call the attention of the committee to the fact that a substantial segment of the industry is not satisfied with the bonding period provisions of H. R. 12298. This segment of industry feels that enactment of the presently proposed solution to the bonding period problem, that is, extension of the bonding period for 20 years for existing stocks and future production as well, and at the same time for the mingling of older whiskies with younger whiskies to obtain relief from the bonding limitation, will result in a serious competitive disadvantage for persons who do not hold large stocks of distilled spirits which are nearing 8 years of age.
>
> The segment of the industry not satisfied with the bonding period provision in the bill proposes as an alternate solution that (a) the commingling of older whiskies with younger whiskies be permitted, with the older whiskies taking the age of the younger for bonding limitation and labeling purposes, (b) as an alternative to the commingly treatment, but as to existing stocks only, the retention of the distilled spirits in bond beyond the present 8-year period be allowed with a gage at the end of the 8 years and taxpayment at the time of withdrawal on the basis of the 8-year gage, and (c) as to future stocks only, the principle of unlimited bonding be adopted.

Mr. Chairman, it is my sincere belief that the solution suggested and which I have just read is the only fair solution to an obviously difficult problem. It is a solution that is consonant with the long-established policy and practice of the Congress with respect to the retroactivity of any suggested proposals of law. It is my prediction that before this pending bill, as worthwhile a piece of legislation as it is, is enacted into law the solution which must be appraised by all reasonable men as the fairest will have been included.

Mr. JENKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, I am in favor of the bill now before us. If I may ask your indulgence, however, I would like to speak about another matter which was presented to this House some time ago by the Committee on Ways and Means. I refer to the bill, H. R. 6191, relating to the application of the Social Security Act and the provision that we included in that bill which would make it possible for a veteran receiving service disability compensation to receive that compensation and also receive the disability benefits provided by this Congress in 1956 under the old-age and survivors' insurance system.

In the social security amendment of 1956 we provided for disability insurance benefits in a limited area. We also provided, because at that time we felt we should start this system on a limited basis, that any such benefit that might be payable under this system would be reduced by the amount of any periodic disability payment that an individual received under any other Federal program or under a State workmen's compensation law.

It came to our attention this year that this limitation produced a situation whereby a person receiving a disability compensation from the Veterans' Administration would in many cases not be eligible at all for the disability insurance benefits under the social security system, even though the disabilities may have arisen out of entirely different situations or circumstances, and even though the person may have been contributing for a great length of time under the social security system by paying the social security tax. When this matter came to the committee's attention we acted to remove this limitation by an amendment to the bill, H. R. 6191.

I call this situation to the attention of the House only because information which I have just received is that in another body the House bill, H. R. 6191, has been reported with this particular item deleted with the explanation: We should wait and see what experience we have under the old-age and survivors' insurance disability provision before we make any changes in the 1956 act."

I would suggest, Mr. Chairman, that the present state of the law is most unjust and inequitable as it relates to veterans who are receiving and are entitled to receive disability compensation. It is my understanding that disability benefits under the old-age and survivors insurance system will become payable the first of next month, July. If we delay in correcting this situation, it means that those veterans will not be able to obtain disability benefits under the old-age and survivors insurance system. They will either have their benefits reduced or eliminated completely.

Mr. Chairman, I would hope that action will be taken either in the other body to preserve the amendment that was put in the bill by the Ways and Means Committee and approved by this House or at least that our conferees will stand by the position of the House when the bill reaches that stage. It would seem to me, if experience is needed, they might better experiment and see what the experience would be with the amendment proposed by the House and then act, if action is necessary, rather wait and see what the experience is under the provisions of the Social Security Amendments of 1956 without making the change. I would say, Mr. Chairman, in justice to those veterans who may be entitled to both benefits, that this amendment should be adopted in the other body and it should be sent to the President for his approval.

Mr. COOPER. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. MCCARTHY].

Mr. MCCARTHY. Mr. Chairman, when the preliminary action on the question of excise-tax rates was taken by the Ways and Means Committee, it was decided that the principal work of this subcommittee and the committee action following its report should be on technical changes, although, incidentally, some rate changes have been effected. A subcommittee, made up principally of the same people who worked so hard on this bill, is now authorized to consider the question of rate changes. As you know, there is widespread interest in a reduction of the excise tax on transportation,

particularly the transportation of property. There has been widespread advocacy of the reduction of the cabaret tax, of certain admission taxes, and other special excise taxes.

The committee is aware of the particular difficulties and, in some cases, of the inequities that exist in the present incidence of excise tax rates. The position taken by the Treasury Department for the most part has been one of opposition to excise tax rate changes on two grounds, principally: one, the loss of the revenue involved; and the other, that by reducing some excise tax rates we might establish other inequities. The committee for the most part has tried to stand by this position of the Treasury, but in doing so it is embarrassing to receive communications advising us that the Secretary of Labor, Mr. Mitchell, for example, in a public statement affecting the musicians union has come out for the removal of the cabaret tax.

EXTRACT FROM RADIO INTERVIEW OVER STATION WTIC, HARTFORD, MONDAY, MAY 20—PRINCIPALS: SECRETARY OF LABOR JAMES MITCHELL, REPRESENTATIVE EDWIN H. MAY, JR., REPUBLICAN, CONNECTICUT

Mr. MAY. Well, you know, interestingly enough, we have some people in the musicians union back home who have been unable to get employment—but necessarily because of age, though—but because of this cabaret tax—and I know that that particular segment of labor would be interested in your viewpoints on legislation to repeal that tax.

Mr. MITCHELL. I think that the cabaret tax (so-called—and it really is not a cabaret tax in the sense that we look at it) is discriminatory legislation and I think that it should be repealed, because it is not conducive to employment in the musicians' field.

Mr. MAY. I know you mentioned that you discussed that with Secretary Humphrey and so forth. • • • I see now that our time is almost up, Mr. Secretary. I'd like to thank you very much, for being on the program, and I'm sure the people enjoyed hearing from you.

Following that announcement I assumed that perhaps the administration had changed its position and communicated with the Treasury Department. The answer that I received from the Treasury Department after the Secretary of Labor had made a public speech in which he recommended that this excise tax be repealed was this:

TREASURY DEPARTMENT,
Washington, May 29, 1957.

Hon. EUGENE J. MCCARTHY,
House of Representatives,
Washington, D. C.

DEAR MR. MCCARTHY: This is in reply to your letter of May 28 to Secretary Humphrey, enclosing a release of May 21 from the American Federation of Musicians which referred to a statement by Secretary of Labor, James P. Mitchell, concerning the cabaret tax.

I understand that Secretary Mitchell's comment referred to what he would recommend when tax reduction becomes possible. Various departments and agencies within the executive branch of the Government doubtless consider different forms of tax reduction to be of particular importance. The Treasury Department has no predetermined position as to what form of reduction it would recommend. Recommendations for reduction will be made on the basis of all the facts existing at the time, taking account of all the various proposals from different sources inside and outside the Government.

Sincerely yours,
DAN THROOP SMITH,
Deputy to the Secretary.

So, thus, the Secretary of Labor has made public statements encouraging taxpayers to expect a tax reduction while the Treasury has been telling the committee that they are opposed to this tax reduction.

In somewhat similar vein, recently, the Vice President made a speech which was widely publicized in this country. He said the Congress should give serious consideration to granting a tax credit to people for money which was spent for educational purposes. A number of Members of Congress have sponsored legislation to accomplish that purpose. This is the position which the Treasury takes on legislation which recommends that very thing that the Vice President spoke for. The Acting Secretary of the Treasury replied to my inquiry and said:

TREASURY DEPARTMENT,
Washington, July 7, 1955.

Hon. JERE COOPER,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: Reference is made to your request for the Department's views on H. R. 4621 and H. R. 5429, bills "to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education."

These bills would provide a tax credit against individual income-tax liability equal to 30 percent of amounts paid for tuition to institutions of higher education, but not in excess of the amount of tax liability before this credit. H. R. 4621 would place no dollar limitation on the amount of the credit, while H. R. 5429 would limit it to $450 per year with respect to each student, without limitation on the number of credits allowed each taxpayer. The two bills differ in a number of other less-important respects.

These bills are intended to facilitate college attendance by reducing the net cost of college tuition. The question whether there is need for Government assistance in this area is outside the purview of this Department, and this report relates only to the question whether such assistance should take the form of a tax concession in the event that it becomes public policy to encourage enrollment in institutions of higher education.

The amount of assistance granted under these bills in connection with college tuition depends on the cost of tuition in the individual case, the number of students the taxpayer is sending to college, and the size of the taxpayer's tax liability before the credit. Those whose tax liabilities are less than the potential tax credit and those who have no income-tax liability would derive correspondingly less or no benefit. Since the tax value of the credit would bear no necessary relationship to the financial assistance required to enable the taxpayer to send a person to college, the program would necessarily be less efficient in terms of cost to the Government than if such assistance were granted as a direct subsidy, independent of the tax system.

Enactment of this legislation would reduce annual income tax revenues by an estimated $150 million. The ultimate revenue cost would probably be higher because if these bills were enacted, it would be difficult to confine the Government assistance to college tuition. A variety of related proposals have already been offered to your committee, including proposals for the deduction of: (1) college expenses, including tuition, room and board, (2) tuition paid to private secondary schools, and (3) educational expenses incurred by teachers or other professional persons for advanced occupational training.

The proposed legislation has important implications for the fairness of the income tax as well, since it would introduce an adjustment for an essentially personal expenditure. To the extent possible, income tax liability should be based on the taxpayer's net income and his family status without reference to his personal expenditures. Every departure from this principle reduces the amount of income subject to taxation, necessitating higher income tax rates generally than would otherwise be required to produce a given amount of tax revenue.

In view of the foregoing considerations, the Department strongly recommends against enactment of H. R. 4621 or H. R. 5429.

The Director, Bureau of the Budget, has advised the Treasury Department that there is no objection to the presentation of this report.

Sincerely yours,
DAVID W. KENDALL,
Acting Secretary of the Treasury.

The same time as the Vice President is making a public speech urging that Congress give serious attention to this kind of legislation the Treasury Department is recommending strongly against the passage of any similar legislation.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MCCARTHY. I yield to the gentleman.

Mr. BYRNES of Wisconsin. I wonder if the gentleman would put into the RECORD as part of his remarks the full report from the Department, so that all Members of the House would have complete information?

Mr. MCCARTHY. I would be glad to put in the full report.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. MCCARTHY. I yield to the gentleman.

Mr. FRELINGHUYSEN. As the gentleman may know I, too, have a bill which would provide a tax credit to those who are paying for education for our young people. But I wonder if the gentleman's position is that because the Treasury Department reports adversely on a bill, that Congress may not hold hearings or consider actively the pros and cons of the question. It may be that the Department of the Treasury could be convinced that there are policy considerations which would override their normal conservatism in matters of this sort. The gentleman is not saying necessarily that because the Treasury Department is opposed to it that Congress is unable to take a look at a question of this kind?

Mr. MCCARTHY. I have not said that. I said that it makes it difficult for us, if we accept the basic arguments of the Treasury Department in regard to the state of the Federal budget and their position with regard to tax cuts, to have the Vice President or someone else in the Cabinet make public speeches advocating what the Treasury Department is opposing.

Mr. KARSTEN. Mr. Chairman, will the gentleman yield?

Mr. MCCARTHY. I yield to the gentleman from Missouri.

Mr. KARSTEN. In view of all these conflicting statements, I was wondering whether that was part of the Republican workshop brainstorming program. Perhaps the gentleman can tell us about that.

Mr. MCCARTHY. I do not know whether I want to get into that. I did note that in the program of the Young Republicans Conference now in progress, they do have a workshop on brainstorming listed. As I recall, brainstorming is a technique whereby a number of people sit down together and everyone is supposed to speak then under leadership, irresponsibly. They do not say that. They say without any inhibitions. Each is to say the first thing that comes to his mind. I believe the technique was developed by Batten, Barton, Durstine and Osborn. Under the rules no one is supposed to have any negative thoughts and none that are judgmental. This creates some difficulty, but in any case the expressions are supposed to be positive thoughts. Whether a workshop is needed to study this at the Young Republican Federation is a question. I think they could just make a case study of the activities of some members of the administration.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. MCCARTHY. I yield to the gentleman from Illinois.

Mr. MASON. To get back to the subject under consideration, the question that was raised as to whether the Congress and the committee could act and do act and do conduct hearings on tax matters that have been reported unfavorably from the Treasury, I would think the gentleman would want to call the attention of the House to the fact that our committee does act, does conduct hearings, and does sometimes even report favorably on bills that have been reported unfavorably by the Treasury and the departments.

Mr. MCCARTHY. The gentleman is quite right. I would be quite willing to join with him in doing that very thing more often.

Mr. REED. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM of Iowa. Mr. Chairman, the committee report, on page 1, states that the bill now before us "is primarily concerned with technical and administrative changes designed to correct excise-tax inequities and competition disparities."

I was surprised, therefore, to learn from a good Iowa concern, the Maytag Co., that enactment of the bill in its present form would create for that company a competition disparity of grave proportions.

Section 115 provides that appliance manufacturers may use as an excise tax base the highest price they charge wholesale distributors, when they sell appliances directly to retailers. Now, all of Maytag's principal competitors sell primarily either to wholesale distributors or retailers. But Maytag sells also to a third group, called primary dealers. These are wholesalers who do not perform all the functions—especially in advertising and promotion—which a wholesale distributor normally performs. Hence, Maytag's price to this class is considerably higher than Maytag and its competitors charge regular wholesale distributors. It follows, then, that Maytag will have to pay a higher tax than will its competitors in sales to retailers, and thus will be placed at a competitive disadvantage. The company estimates this disadvantage at $1.025 per clothes dryer—an important amount in a highly competitive industry.

I understand that the entire industry asked the committee to base the tax on the lowest price to wholesalers, but that the Treasury objected on the ground of revenue loss. I also understand that this loss would be small in the appliance industry.

In behalf of the Maytag Co., as the last of the large independent home laundry manufacturers, I urge the committee to offer the necessary amendment to correct this inequity.

Mr. COOPER. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. KARSTEN].

Mr. KARSTEN. Mr. Chairman, it was my privilege to serve as a member of the reconstituted Subcommittee on Excise Taxes. The subcommittee held extensive hearings last fall and thoroughly reviewed the work of the original subcommittee. We had before us the omnibus tax bill, H. R. 12298, which was introduced during the closing days of the last session. This bill has been brought up to date and is presented today in the form of H. R. 7125.

I should like to take this occasion to compliment the distinguished chairman of the subcommittee, the gentleman from Rhode Island, for the capable and fair manner in which he conducted the hearings. At best, the subject of excise taxes is a difficult and complex one. We were fortunate to have as our chairman one of the outstanding experts on taxation. I know the other members of the subcommittee share the same feelings for the gentleman from Rhode Island.

The bill, I believe, is the best that can be devised under present circumstances. Many of us had hoped to go into the matter of rates and take some action in the pending legislation to lessen the oppressive burden of taxation in the excise-tax field. But the present fiscal situation of our country is such that the Secretary of the Treasury felt compelled to state that "no general tax reduction should be considered at the present time." The Secretary's representative who testified at length before the Excise Tax Subcommittee on various matters under consideration stated repeatedly that the Treasury would oppose any changes in our excise-tax laws which resulted in any substantial loss of revenue.

This means tax reduction will have to wait. To attempt tax reduction now under the present high-interest, high-budget, high-debt policy of the Republican administration might result in further increasing the national debt. A look at the recent history of the national debt is revealing. Following the close of World War II and the astronomical costs attendant upon that victorious endeavor, our national debt reached a peak in 1946 of $279.2 billion. During the last Democratic administration, this was reduced, so that by 1953, when the present Republican administration took over, the debt was $266.1 billion, or a reduction from the peak of over $13 billion. This also included the period of the Korean conflict and the high cost of that action.

The record shows that the Republican administration of President Eisenhower, in contrast, not only has not reduced the debt but has increased it. Thus, while the debt stood at $266.1 billion on June 30, 1953, it had advanced to $272.7 billion by June 30, 1956, or an increase of $6.6 billion in 3 years. As of March 31, 1957, it stood at $274.9 billion, or a total increase of $8.8 billion.

One of the planks in the Republican platform calls for "gradual reduction of the national debt." It has been so gradual that we are moving at a rather high rate of speed in the opposite direction.

Now, what has been the record of the Republican administration in the handling and management of the national debt? Five years ago, some 25.3 percent of the debt matured in 1 to 5 years, while today 31.2 percent matures in 1 to 5 years. This means more short-term debt comes up sooner for refinancing, at higher interest rates.

Also 5 years ago about 17.2 percent matured in 5 to 10 years, while today this figure is 12.5 percent, which is evidence of further deterioration. We know that in its recent refunding operation the Treasury had to pay extremely high rates, and even then could not refund all issues which came due.

What about the costs of handling the debt? It is a matter of common knowledge that the taxpayers are now having to pay higher and higher rates of interest on our huge national debt. According to figures compiled by the Library of Congress, there has been a rise of 10.6 percent in the computed annual interest rate on the total public debt from 1952 to 1956. This, however, does not reveal the entire story. This same study shows increases up to 55 percent in the cost of marketable security issues, which is the really significant area of our total debt insofar as the competition for money is concerned.

These figures present a startling and grave picture which should be of concern to all Americans. In the few short years of the Republican administration our debt has increased; it has been badly mishandled; and the cost of it has increased tremendously.

The conservative Wall Street Journal, in commenting on the situation, has said that "The plain, simple and incontrovertable fact is that the Government of the United States is in a fiscal mess." And another financial publication, Barrons, has charged, among other things,

that "While the Nation remains as solvent as ever, debt-management policy has come perilously close to bankruptcy."

Recognizing this extremely serious situation with which we are now confronted, a committee of the other body has recently embarked upon a study of our fiscal and financial policies and programs. It is my hope that this study will result in recommendations to clean up this "fiscal mess" of which the Wall Street Journal speaks. When that is accomplished, we can again start to make reductions in our national debt, and begin to plan for needed tax reductions for the American people.

Mr. COOPER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment.

No amendments are in order to the bill except the amendments offered by direction of the Committee on Ways and Means.

Are there any committee amendments?

Mr. COOPER. Mr. Chairman, by direction of the Committee on Ways and Means, I offer a committee amendment which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. COOPER: Page 50, line 13, strike out all that follows "miles." down through line 20, and insert "For purposes of this section, the term 'premises,' when used with respect to any refinery, plant, terminal, or facility, means only the tract of land on or over which such refinery, plant, terminal, or facility is located; and if any refinery, plant, terminal, or facility is located on or over more than one tract of land, each such tract shall be considered a separate premises. In the case of any such tract of land, the term 'premises' does not include any easement or right-of-way to or from such tract of land."

Mr. COOPER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Chairman, present law provides an exemption from the tax on the transportation of oil by pipeline for any movement within the premises of a refinery, bulk plant, terminal, or gasoline plant, if such movement is not a continuation of a taxable transportation. Section 136 of H. R. 7125 expands and clarifies this exemption by extending it to two kinds of movements in addition to the existing type. These are movements, first, between 2 units of a refinery located on separate premises; and second, between 1 premises on which is located a refinery, bulk plant, terminal, or gasoline plant, and a separate premises on which is located storage, loading or unloading, or other usual facilities which constitute an integral part of the refinery, plant, or terminal. Exemption for these two types of movements is limited to instances where the distance between the separate premises is 25 miles or less.

The term "premises" is defined in section 136 as meaning only the tract of land on which is located the refinery, plant, terminal, or unit thereof. The bill specifies that the term does not include any easement or right-of-way to or from such tract of land.

In addition to pipelines situated entirely on dry land, there are pipelines that extend from a point on dry land to a point in or over a body of water. One example is a pipeline extending 25 miles or less from a refinery, plant, or terminal located on an ocean shore to a terminus over the ocean surface at which are located facilities for loading oil on vessels. In this example, permission for the construction and maintenance of the pipeline and the loading facilities over the water would have been granted, in the form of an easement or right-of-way, by the State having sovereignity over the waters involved. Some concern has been expressed that the present language in section 136 of the bill might not permit exemption for transportation under these circumstances.

The committee's intention was and is to make exemption from the tax available in such cases. The committee amendment makes it clear that no distinction is contemplated between refineries, plants, terminals, or facilities located on dry land and those constructed in or over water. The amendment also emphasizes the fact that the only easement or right-of-way meant to be excluded from the definition of the term premises is one that goes to or from a tract of land on which is located a refinery, plant, terminal, or facility. If the tract of land itself is occupied by virtue of an easement or right-of-way, such tract of land is to constitute a "premises."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, I offer another committee amendment which is at the Clerk's desk.

The Clerk read as follows:

On page 102, line 14, strike out "(H)" and insert "(G)."

The amendment was agreed to.

Mr. COOPER. By direction of the Committee on Ways and Means, I offer another committee amendment which is at the Clerk's desk.

The Clerk read as follows:

Page 103, after line 24, insert:

"SEC. 164. Payments with respect to gasoline used for certain nonhighway purposes or by local transit systems.

"(a) In general: Section 6421 (c) (payments with respect to gasoline used for certain nonhighway purposes or for local transit systems) is amended to read as follows:

"'(c) Time for filing claims; period covered.—

"'(1) General rule: Except as provided in paragraph (2), not more than one claim may be filed under subsection (a), and not more than one claim may be filed under subsection (b), by any person with respect to gasoline used during the 1-year period ending on June 30 of any year. No claim shall be allowed under this paragraph with respect to any 1-year period unless filed on or before September 30 of the year in which such 1-year period ends.

"'(2) Exception: If $1,000 or more is payable under this section to any person with respect to gasoline used during a calendar quarter, a claim may be filed under this section by such person with respect to gasoline used during such quarter. No claim filed under this paragraph shall be allowed unless filed on or before the last day of the first calendar quarter following the calendar quarter for which the claim is filed.'

"(b) Effective date: The amendment made by subsection (a) shall apply only with respect to claims the last day for the filing of which occurs after the effective date specified in section 1 (c) of this act."

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point on the amendment just adopted.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXPLANATION OF COMMITTEE AMENDMENT TO H. R. 7125 PROVIDING FOR QUARTERLY REFUNDS TO USERS OF GASOLINE FOR NONHIGHWAY PURPOSES AND FOR LOCAL TRANSIT SYSTEMS

Mr. COOPER. Mr. Chairman, present law imposes a manufacturers excise tax of 3 cents a gallon on gasoline. One cent of this amount was added by the Highway Revenue Act of 1956. It was not the intention of that legislation to retain the additional 1-cent tax on gasoline that was used for certain nonhighway purposes, or in local transit service—subject to certain limitations. Accordingly, provision was made for refund, without interest, of the extra 1 cent per gallon directly to the ultimate purchaser of gasoline so used. Persons entitled to these refunds are permitted by the statute to file only one claim for each fiscal year ending June 30.

The committee believes that more frequent refunds should be available to large volume users in this category, so that the moneys to which they are entitled will be more readily available for use by them as working capital. To accomplish this, the committee amendment retains the present yearly refund arrangement in section 6421 (c) of the Internal Revenue Code, but adds a provision permitting a claim to be filed for a calendar quarter by any ultimate purchaser who is entitled to a refund of $1,000 or more with respect to gasoline used during such quarter for qualifying nonhighway or local transit purposes. Limiting quarterly refunds to claimants in this category will avoid the considerable administrative problems that would be created if they were made available to all persons eligible for refunds.

Under the amendment, eligibility for filing a quarterly claim is to be determined with respect to each separate calendar quarter. If an ultimate purchaser uses gasoline for both nonhighway and local transit purposes, his right to file a quarterly claim is to be determined by the aggregate amount refundable to him for the quarter. For a quarterly claim to be allowed it must be filed on or before the end of the following quarter. If this time limit is not met, the refund for the quarter still can be included in one claim filed at the close of the fiscal year ending June 30, along with any quarters for which the claimant's refund is less than $1,000.

Under the effective date provision of the amendment, quarterly claims may be

filed only if the last day for the filing of them occurs after the general effective date of the bill, which is the first day of the first calendar quarter which begins more than 60 days after the date of enactment. For example, if the bill were to become law at some point between August 2, 1957, and November 1, 1957, the effective date would be January 1, 1958. The earliest quarter for which a claim could be filed would be the quarter ending December 31, 1957, because the last day for filing that claim would fall after January 1, 1958.

This amendment is not expected to have any revenue effect.

Mr. Chairman, by direction of the Committee on Ways and Means I offer another committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COOPER: Page 104, line 1, strike out "SEC. 164." and insert "SEC. 165."

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, by direction of the Committee on Ways and Means I offer another committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COOPER: Page 107, line 4, strike out "SEC. 165." and insert "SEC. 166."

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, by direction of the Committee on Ways and Means I offer another committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COOPER: On page 151, line 11, strike out "manufacturing" and insert "manufacturer."

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, by direction of the Committee on Ways and Means I offer another committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COOPER: On page 240, line 15, strike out "2516" and insert "5216."

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, by direction of the Committee on Ways and Means I offer another committee amendment.

Amendment offered by Mr. COOPER: On page 243, line 19, strike out "(7)" and insert "(c) (6)."

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, there are no further committee amendments to be offered to the pending bill.

Mr. LECOMPTE. Mr. Chairman, the committee report, on page 1, states that the bill now before us "is primarily concerned with technical and administrative changes designed to correct excise-tax inequities and competition disparities."

I was surprised, therefore, to learn from my constituent, the Maytag Co., that enactment of the bill in its present form would create for that company a "competition disparity" of grave proportions.

Section 115 provides that appliance manufacturers may use as an excise-tax base the highest price they charge wholesale distributors, when they sell appliances directly to retailers. Now, all of Maytag's principal competitors sell primarily either to wholesale distributors or retailers. But this company sells also to a third group, called primary dealers. These are wholesalers who do not perform all the functions—especially in advertising and promotion—which a wholesale distributor normally performs. Hence, Maytag's price to this class is considerably higher than this company and its competitors charge regular wholesale distributors. It follows, then, that Maytag will have to pay a higher tax than will its competitors in sales to retailers, and thus will be placed at a competitive disadvantage. The company estimates this disadvantage at $1.025 per clothes dryer—an important amount in a highly competitive industry.

I understand that the entire industry asked the committee to base the tax on the lowest price to wholesalers, but that the Treasury objected on the ground of revenue loss. I also understand that this loss would be small in the appliance industry.

In behalf of the Maytag Co., both as my constituent and as the last of the large "independent" home-laundry manufacturers, I urge the committee to offer the necessary amendment to correct this inequity.

Mr. RHODES of Pennsylvania. Mr. Chairman, I rise in support of H. R. 7125 for the purpose of discussing one particular section of the bill in which I am very much interested. First, I would like to commend the distinguished chairman of the Excise Tax Subcommittee, the gentleman from Rhode Island [Mr. FORAND], the able members of the subcommittee and the full committee, and their capable staff members who have worked so diligently on this complex excise tax bill.

Mr. Chairman, I refer now to the section 132 (b) of H. R. 7125 entitled "Nonprofit Swimming Facilities." This section amends section 4243 of the Internal Revenue Code of 1954 by exempting amounts paid as dues and initiation fees to neighborhood nonprofit swimming pool organizations from the 20-percent Federal excise tax on "social, athletic, or sporting clubs" under section 4241 of the code. This provision is an amended version of my bill H. R. 10113, 84th Congress, which I introduced on March 21, 1956. The bill was also sponsored in the last Congress by the gentleman from Maryland [Mr. LANKFORD] and the gentleman from Virginia [Mr. BROYHILL].

The Internal Revenue Service held that payments of dues and fees to these private nonprofit swimming pool organizations was subject to the 20-percent excise tax. It is my feeling that these groups, because of their many unique and beneficial services to the community, were not intended to be taxed within the definition of "social, athletic, or sporting clubs." The bill which I introduced was intended to grant these nonprofit groups statutory exemption from the 20-percent tax, as is now enjoyed by certain fraternal societies, orders and associations under section 4243 of the Internal Revenue Code of 1954.

Neighborhood nonprofit swimming pool associations have become increasingly popular in recent years in many parts of the country. These organizations serve many useful community purposes in providing healthful recreational outlets for our children, young people, and their parents. They furnish, on a privately financed nonprofit basis, recreational facilities which many local communities have been unable to supply because of burdensome tax levels resulting from the need for new schools, sewers, streets, parking lots, and other improvements which usually take priority over recreational facilities. I am convinced that these neighborhood swimming pools can do much to lessen juvenile delinquency by providing recreational opportunities near home where children and parents alike can enjoy themselves.

Experience has shown that the 20-percent Federal excise tax is a distinct handicap in the solicitation of members and in the financing of these swimming pool projects in many areas. I feel that these projects are worth while and that an excise tax exemption would provide the needed incentive to assist many more local group to build their own swimming pool facilities.

My original bill, as amended by the Forand subcommittee, was included in H. R. 12298, the omnibus excise tax measure introduced last July by the gentleman from Rhode Island [Mr. FORAND]. Hearings on this omnibus bill were held last fall. Witnesses representing nonprofit swimming pool organizations testified in favor of this provision of the bill. They described to the subcommittee the objectives, recreational values, financing arrangements, and operating procedures of their groups. Many other swimming pool organizations filed statements and resolutions with the subcommittee, in support of the tax-exemption proposal. The subcommittee and full committee recommended the adoption of this provision to encourage the construction of nonprofit swimming pools throughout the country. It is my understanding that there was no opposition to this proposal in either the subcommittee or the full committee.

Meanwhile, Judge W. Calvin Chesnut, of the Federal District Court for the District of Maryland, handed down a decision on May 14, 1957, which is closely related to this section of H. R. 7125. The case involved a suit against the Government to recover the excise tax paid by a couple of initiation fees for membership in a private nonprofit neighborhood swimming pool association located in Rockville, Md. Judge Chesnut ruled that amounts paid to the nonprofit swimming pool organization are exempt from the 20-percent Federal excise tax under section 4241 of the Internal Revenue Code of 1954. He held that such groups are not, in effect, "social, athletic, or sporting clubs or organizations," and directed a refund of the tax to the plaintiffs.

Mr. Chairman, I was naturally pleased with Judge Chesnut's decision because of the relief it affords persons who have already paid the excise tax on dues and fees for membership in nonprofit swimming pool associations. It also recognizes the principle that this tax was

never intended to be applied to these groups. I still feel, however, that the statutory exemption of these nonprofit swimming pool organizations should be written into law, as is provided for in H. R. 7125. This is not intended to impair in any way the right of those persons who have already paid the excise tax under section 4241 to file for refunds from the Internal Revenue Service on the basis of Judge Chesnut's decision. The language of section 132 (b) of H. R. 7125 merely reaffirms the intent of Congress that dues and fees, paid to such organizations on and after the effective date provided, shall not be subject to the 20-percent excise tax.

Mr. Chairman, it is my hope that the Government attorneys will not appeal the decision rendered by Judge Chesnut in this case. I feel that the decision is sound, equitable, and in the public interest and trust that the action of the House in adopting this statutory exemption provision for neighborhood nonprofit swimming pool organizations will make an appeal of the decision less likely.

Mr. FERNÓS-ISERN. Mr. Chairman, under leave to extend my remarks in the RECORD, I wish to clarify my position as the representative of and spokesman for the Commonwealth of Puerto Rico in the Congress of the United States, concerning certain sections of H. R. 7125, which refer to Puerto Rico specifically.

First, I refer to section 5064 (d) of the bill, which makes the provisions of section 5064 applicable to Puerto Rico, with respect to distilled spirits, wines, rectified products and beer of Puerto Rican manufacture brought into the United States and lost or rendered unmarketable or condemned, as a result of a major disaster as determined by the President, under the act of September 30, 1950—42 United States Code, 1855. The Commonwealth of Puerto Rico is the recipient of the taxes paid on such distilled spirits, wines, rectified products and beer of Puerto Rican manufacture, and the Commonwealth of Puerto Rico evidently should be willing to reimburse the taxpayers in cases where the distilled spirits, wines, rectified products, and beer, upon which such taxes have been paid, are rendered unmarketable, or have been condemned as a result of a major disaster. The Commonwealth recognizes this obligation completely. As a matter of fact, the Commonwealth of Puerto Rico has recently adopted legislation to authorize the Secretary of the Treasury of Puerto Rico to make payments equivalent to the taxes paid on distilled spirits, wines, rectified products, and beer of Puerto Rican manufacture, shipped to the United States and lost, rendered unsalable, or condemned by reason of a major disaster, including disasters in 1954. Below I am including the text of that law.

May I suggest, then, that it is unnecessary that such taxpayers be reimbursed by the Federal Treasury, even though the Treasury be reimbursed from moneys collected for Puerto Rico by a delegate of the Federal Treasury stationed in Puerto Rico. For the taxes to be refunded are collected in Puerto Rico before shipment of the taxable merchandise to the mainland, and the collections are supposed to be covered into the Treasury of Puerto Rico. Under section 5064, the delegate of the United States Treasury is being directed to deduct from his collections in order to reimburse the United States Treasury.

Second, I refer to section 5314 of H. R. 7125, which makes applicable to Puerto Rico the provisions of chapter 51 of the Internal Revenue Code. The application to Puerto Rico of this chapter of the code appears to be in conflict with section 9 of the Puerto Rico Federal Relations Act, as continued by section 4 of Public Law 600 of the 81st Congress. Public Law 600, 81st Congress, was enacted in the nature of a compact with the people of Puerto Rico. Section 9 of the Puerto Rico Federal Relations Act provides that internal-revenue laws of the United States shall not apply in Puerto Rico.

It is true that the provisions of section 5314 of H. R. 7125 are intended to facilitate the shipment of denatured alcohol from Puerto Rico to the mainland. The expenses incurred by the Treasury of the United States, in the application of this part of the Internal Revenue Code to Puerto Rico, are to be reimbursed by the Treasury of Puerto Rico. I am most agreeable that Puerto Rico pay these expenses.

But because of the apparent conflict aforementioned, there is a strong possibility that undesirable lawsuits and other legal complications may arise. In order to dissolve such conflicts and, at the same time, attain the objectives which have motivated the extension of this part of the Internal Revenue Code to Puerto Rico, I have introduced H. R. 6043, which is now pending before the Ways and Means Committee and which may soon be reported on by the Treasury Department. I hope that when the time comes for this latter bill to be considered, there will be a meeting of the minds and a formula found for attaining the common objectives of all concerned in this matter without real or apparent legal conflict.

House Bill 274

An act to authorize the Secretary of the Treasury of Puerto Rico to make payments equivalent to the taxes paid on distilled spirits, wines, rectified products and beer of Puerto Rican manufacture shipped to the United States and lost, rendered unsalable, or seized, by reason of a major disaster, including disasters occurred in the United States in the year 1954.

Be it enacted, etc.—

SECTION 1. (a) When the President of the United States shall determine under Public Law 875 of the 81st Congress, approved September 30, 1950, that a major disaster, as defined in said act, has occurred in any area of the United States, the Secretary of the Treasury shall pay, without interest, a sum equivalent to the amount of the taxes paid or determined on distilled spirits, wines, rectified products and beer of Puerto Rican manufacture shipped to the United States and lost, rendered unsalable, or seized by a duly authorized officer by reason of a disaster occurred in said area in the United States, if said distilled spirits, wines, rectified products or beer were held for sale on the date of such disaster. The payments authorized by this section shall be made to the person possessing said distilled spirits, wines, rectified products or beer for sale at the time of such disaster.

(b) No claim shall be granted under this section unless (1) the same has been filed within 6 months from the date the President of the United States made the determination that the disaster referred to in subdivision (a) of this section occurred; and (2) the claimant furnishes evidence, to the satisfaction of the Secretary of the Treasury, to the effect that—

(A) he has not been compensated by insurance or otherwise for the tax paid on the distilled spirits, wines, rectified products, or beer covered by the claim; and

(B) he is entitled to the payment authorized by this section.

Claims made under the provisions of this section shall be processed according to the regulations the Secretary of the Treasury may prescribe.

(c) Whenever the Secretary of the Treasury shall make any payment within the scope of the powers vested on him by this section with regard to the tax on distilled spirits, wines, rectified products, or beer seized by a duly authorized officer, or rendered unsalable, said distilled spirits, wines, rectified products or beer shall be destroyed under the supervision required by the Secretary, unless said distilled spirits, wines, rectified products or beer have been already destroyed under supervision satisfactory to the Secretary.

SEC. 2. The provisions of this act shall also apply to those distilled spirits, wines, rectified products and beer of Puerto Rican manufacture shipped to the United States and lost, destroyed as unsalable, or seized, as a result of the hurricanes that swept part of the United States territory in the year 1954, and to which refers Public Law 363 of the 84th Congress, approved August 11, 1955, except that (1) claims made under the provisions of this section with regard to taxes paid or determined on distilled spirits, wines, rectified products or beer shall be filed with the Secretary of the Treasury within 90 days from the date of the taking effect of this act; and (2) the payments shall be made to (a) the person who held for sale the distilled spirits, wines, rectified products or beer at the time of the disaster; or (b) to any distiller, rectifier, manufacturer or dealer who has restored to the person holding for sale said products at the time of the disaster the complete equivalent of the distilled spirits, wines, rectified products, or beer so lost, rendered unsalable, or seized, without having received any compensation, payment or credit whatsoever with regard to the tax levied on said distilled spirits, wines, rectified products or beer.

SEC. 3. The Secretary of the Treasury is hereby authorized to prescribe the regulations necessary for the enforcement of this act.

SEC. 4. For the purposes of this act, the terms "Secretary" and "Secretary of the Treasury" shall mean the Secretary of the Treasury of the Commonwealth of Puerto Rico.

SEC. 5. This act shall take effect on the date of its approval.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DELANEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes, pursuant to House Resolution 270, he reported the same back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

POST OFFICE DEPARTMENT SUPPLEMENTAL APPROPRIATIONS, 1958

Mr. GARY, from the Committee on Appropriations, reported the joint resolution (H. J. Res. 379, Rept. No. 579) making supplemental appropriations for the Post Office Department for 1958; which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. CANFIELD reserved all points of order on the joint resolution.

Mr. GARY. Mr. Speaker, I ask unanimous consent that it may be in order to consider this resolution on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SUSPENSIONS IN ORDER ON MONDAY, JUNE 24

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to recognize on Monday next Members to suspend the rules on certain bills.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution No. 274 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That during the consideration of the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, all points of order against the bill are hereby waived.

CALL OF THE HOUSE

Mr. CURTIS of Missouri. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 117]

Ayres	Farbstein	Robeson, Va.
Bailey	Fisher	Sadlak
Barden	Healey	Scherer
Baumhart	Hillings	Taylor
Beamer	Holifield	Teller
Blatnik	Holtzman	Thompson, N. J.
Blitch	Kearney	Vursell
Bowler	Keeney	Walter
Buckley	Krueger	Wharton
Celler	LeCompte	Widnall
Coudert	McConnell	Williams, Miss.
Dawson, Ill.	McIntosh	Wilson, Calif.
Devereux	Machrowicz	Zelenko
Dorn, S. C.	Murray	
Edmondson	Powell	

The SPEAKER. On this rollcall, 386 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. MADDEN].

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield.

Mr. McCORMACK. Mr. Speaker, I simply want to remind the Members that at 2:30 p. m. this afternoon, a distinguished visitor to our country, the Prime Minister of Japan, will be the guest of the House. I urge all Members to keep the hour in mind so that they will be in the Chamber at 2:30 p. m.

Mr. MADDEN. Mr. Speaker, this resolution is merely a continuation of the full debate which took place last week on the bill H. R. 6794. The resolution merely calls for the waiving of all points of order on this legislation.

Mr. Speaker, I have no requests for time on this side and I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Indiana so ably explained, House Resolution 274 makes in order the further consideration of the bill, H. R. 6974, under a rule that waives all points of order against the bill. The bill, H. R. 6974, as many of you will recall, was before the House a week or 10 days ago, at which time a point of order was made against it on the ground it was an appropriation bill and had not been cleared by the Committee on Appropriations. The measure was then withdrawn from the floor and a rule was applied for, granted waiving points of order. H. R. 6974, would extend the Agricultural Trade Development and Assistance Act of 1954 and would increase from $3 billion to $4 billion the amount that could be expended for shipment and sale of surplus food and commodities abroad. It would also increase, in title II, the amount of money to be used for relief purposes for needy persons, both here and abroad, from $500 million to $800 million.

I have requests for time on this side. Does the gentleman from Indiana have any such requests?

Mr. MADDEN. No; I do not.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Speaker, it has been pointed out what the issue is going to be in this particular bill. It is a rather simple one to grasp. It is a question of fiscal responsibility. As a matter of fact, as I tried to point out in the debate on this bill last week, if we do not do something about tying down these counterpart funds which will be generated in this bill in some fashion, the Congress is just going to lose complete control, as we already have, over these expenditures.

The bill as it presently will come before us in effect will bypass the Foreign Affairs Committee as far as authorization of these particular projects is concerned, it will bypass the Appropriations Committee as far as going into the details of how these moneys should be appropriated for the various items that you will find in the committee report on page 8.

Looking at these items on page 8 you will see that they are the identical type of items that come before the House under the foreign aid authorization bill and will be coming before the House in the next week or two under the foreign-aid appropriation bill. It actually makes something of a mockery of both the Foreign Affairs Committee and the Appropriations Committee in trying to get hold of and gain a grasp of what is being done in the name of the foreign aid program.

It is my understanding that an amendment will be offered which will try to tie these down to normal Congressional procedure.

I want to emphasize this basic point for the Members who are on the Committee on Agriculture: This is in no sense an attempt to interfere with the disposal of these surplus agricultural products abroad. I am just as anxious as any Member of this House to see that disposal programs go forward. I think, however, the argument that was used during general debate on this bill that tying down the expenditure of counterpart funds that have been generated would interfere with the disposal program, is specious. In other words, the argument was advanced that in order to dispose of agricultural surpluses you had to make some sort of contract or understanding with the country that was going to take them, that the funds were to be used for the building of schools in that country, for example, or possibly a student exchange program, and so forth, and that if you did not have the immediate authority at that very time to go ahead and do it, it might interfere with the disposal of agricultural surpluses.

As a matter of fact, that is not so. I hope the membership will listen to what I have to say, for we are talking about an additional billion dollars, a billion dollars that is going to be spent in foreign aid. I think the House and the committee have been quite concerned about this entire subject of foreign expenditures. Next week or the week following when we will have the foreign-aid appropriation

bill upon the floor we are going to be wasting our breath, I submit, unless we do something about subjecting these funds that will be generated into counterpart funds to the same type of control that we presently have over the normal expenditures of our Federal funds.

Incidentally, in a recent hearing before our Joint Economic Committee Mr. Brundage, the Director of the Bureau of the Budget, and the Secretary of the Treasury, Mr. Humphrey, appeared before us. I asked them the question: "What control does the Bureau of the Budget have over these counterpart funds that are generated through the disposal of these agricultural surpluses?" And he said in effect: "While it does not come up under our normal budgeting processes, we do pay some attention to it."

I suggested at that time to him that it ought to come in under the regular budgetary control.

I asked the Secretary of the Treasury in the reporting and in the estimates of expenditures of our Federal funds whether or not the Treasury Department listed the expenditures of counterpart funds, and he said: "No, it is not listed." He said in effect: "We do not have the same control over it because some of these funds are deposited in foreign countries in banks designated. But I say in some instances, though, some funds are deposited in banks not designated by the Treasury Department." This is a real serious question of fiscal responsibility and it is something that I hope the House will pay serious attention to. In my judgment, unless we do pay this attention, I again say that we will be just wasting our breath in the coming weeks when we start discussing the details of the foreign-aid appropriation bill.

Mr. ALGER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Texas.

Mr. ALGER. I would like to commend the gentleman and to associate myself with his remarks.

Mr. CURTIS of Missouri. I thank the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Speaker, I am opposed to this rule but certainly not opposed to the principle contained in the legislation which will relieve us of our surplus farm products. I think the purpose of the bill is excellent, I think it can be used, but, certainly, to bring in a rule now to prevent the points of order that were raised when the bill was before us seems to me not the way to legislate.

You will note on page 8 of the report—we discussed this during general debate before—that here are funds for the International Exchange Program of $17 million. Just a few days ago this House passed the regular appropriations bill and we granted the exchange program, as I recall it, something over $22 million. Now, within a few days comes this bill, over which the Appropriations Committee has no control, that gives them an additional $17 million. You also have here "translation and publication" involving a million dollars plus. There again in a regular appropriation bill passed just a few days ago, this House worked its will upon the amount of money that should be used for this purpose. The House reduced the budget request from $144 million to $106 million, then in conference it was cut down further. So the Congress has worked its will. But here under this pending bill, with no control whatsoever by the Appropriations Committee, these additional funds can be allocated to the various agencies. There is another one for information and education, $7,400,000.

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman yield?

Mr. BOW. I yield to the gentleman from New York.

Mr. ROONEY. I should like to inform the distinguished gentleman from Ohio and the Members of the House with regard to the very matters that the distinguished gentleman from Ohio is now discussing that I have prepared an amendment which is acceptable to the Chairman and the Committee on Agriculture, requiring the United States Information Agency and the Department of State to come before the Appropriations Committees of both bodies and justify their requests for the expenditure of Public Law 480 funds.

Mr. BOW. I will say to the distinguished gentleman from New York, who is chairman of the subcommittee, that under this bill and the report thereto a house for the attaché of the Agriculture Department could be built. Does the gentleman's amendment cover that, so that the committee will be consulted with reference to this housing abroad?

Mr. ROONEY. The amendment I propose will not cover exactly that. On that proposition I offered an amendment to this very bill on June 4 last which was defeated by a division vote of 103 to 45. I did my best. Now, I am trying to salvage whatever I can for the Congress and taxpayers out of the morass.

Mr. BOW. I should like to say to the House here we have a bill with all of these funds where attaché housing abroad can be built with these funds. We do not know what kind of housing they are going to build. It may outdo the Ambassador. All of these foreign building operations are controlled, and we appropriate each year a certain amount for foreign buildings.

Mr. ROONEY. I am confident that no Government agency, including the Department of Agriculture, would attempt to start a program with regard to housing such as was mentioned in the report of the committee on the pending bill after reading the debate in connection with this bill. I would be utterly amazed if anyone would have the audacity to go ahead with such a program.

Mr. BOW. I will say to the gentleman that is true, and I am surprised here to see an amount of over a million dollars that can be used for that purpose without any control. We do not know what these funds are going to be used for.

On this matter of housing and the making of these contracts, and I will use foreign buildings as an example, in our appropriations we allowed $18 million of foreign currencies for these buildings abroad. Those currencies have been generated by agreements such as these. The control of the use of the funds does not affect in any manner the making of the agreements. I think there was confusion here several weeks ago that by having this control by the Committee on Appropriations we were attempting to control the type of contracts that could be made with these countries. That is not the fact. The Appropriations Committee would not in any way affect the contracts that could be made for the disposal of this property. The Appropriations Committee in all of these other instances is concerned only with the manner in which the counterpart funds or the foreign currencies are used.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from North Carolina.

Mr. COOLEY. I just wanted to ask the gentleman if he does not realize that the President of the United States is charged with the responsibility of carrying out the authorizations in existing law. Last week we referred to this bill as some sort of an appropriation bill. Actually, it is not an appropriation bill at all. I think the gentleman is apprehensive about something that is not at all likely to happen.

Mr. BOW. If the gentleman did not feel it was an appropriation bill, why did the gentleman ask that the Committee rise?

Mr. COOLEY. I made it perfectly clear at the time that I had every indication to believe that the Parliamentarian and the Chair would at that time have sustained the point of order, but I still maintain that the Parliamentarian was wrong in his views. This is not an appropriation bill, and in my own time I will give the House the benefit of certain information regarding the manner in which these transactions are finally consummated. I did say also that the language we used in the bill with reference to the possible building of some houses or buying of some houses for our attachés was probably ill advised. We put it in the report because it is only an indication by the committee of some advantageous use that the money could be applied to.

Mr. BOW. I say to the gentleman that that is the one concern that some of us had; that there may be other ill advised uses, not by the Department of Agriculture but perhaps other departments. May I ask the gentleman who will control these funds and determine where they will be put?

Mr. COOLEY. The President of the United States, in the first instance; the Bureau of the Budget has its say-so about it; the Secretary of Agriculture to whom certain authority has been delegated by the President would also have some authority in the matter; the Secretary of State.

Mr. BOW. May I ask this: If the Bureau of the Budget is going to have some authority in this mater, what objection can the gentleman have to the Committee on Appropriations of the House having control of these funds as they do in all other cases where these programs are made and these funds are used? What is the objection?

Mr. COOLEY. I have broad objections to it. It is incompatible with the very genesis of the act itself. The act itself is not an appropriation bill, never has been, and never will be. It authorizes your President and mine to exercise certain authority granted him.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Ohio.

Mr. SCHENCK. Mr. Speaker, I am very much in favor of this type of legislation for the disposal of surplus food and also to help our friends. At the same time I want to associate myself very clearly with the gentleman from Ohio [Mr. Bow] in that these counterpart funds should be completely and carefully and fully controlled, as the gentleman has suggested.

Mr. BOW. I thank the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, when people talk about this bill and about controlling funds, they are talking, apparently, about an appropriation. That is not the purpose of this act. The purpose of this act is to sell produce and not get the proceeds of those funds and put them in the hands of the Committee on Appropriations. It would not be possible to initiate these agreements if that is what you intend to do.

Those who are for a trade program to sell agricultural products, they had better be on one side, and those who are for making this an appropriation bill should get on the other so that there will be no doubt about where you stand.

I want to say that the purpose of this act, when we first drew it, was for the sale of agricultural produce, and this bill was drawn consistent with that purpose in mind. I have lived with this thing from the time it was first initiated, and I think I know something about the purposes of the act. But, if you are going to put an amendment on here to put these counterpart funds under the control of the Committee on Appropriations, you might just as well repeal this law. You cannot start out, if you have had any experience with or talked to any of these countries about purchasing agricultural products with that kind of thought in mind. They are not interested in coming back to an Appropriations Committee to make an agreement. Many of these countries in the very beginning, may I say, have to rig their own currencies, in effect. They have to build up the volume of their currencies on the books, so to speak, in order to take advantage of this agricultural trade program. That is what many of those countries are faced with. They are not going to do it if they have to depend upon an Appropriations Committee to say that the agreement is approved. The President of the United States cannot make contracts nor the Department of State nor the Department of Agriculture if they have to come back to the Appropriations Committee finally to get an appropriation.

Mr. Speaker, let me say this to my colleagues. I do not think there is any way by which you can take this bill and take the resulting funds therefrom and put them back in an Appropriations Committee if you are going to accomplish the purpose for which this act was set up. Those of you who are interested and really want to sell agriculture produce, I think, are going to have to take this act as it is presently written.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. CURTIS of Missouri. I wish the gentleman had spent more time developing why you cannot make these contracts, because I think the gentleman has not presented an accurate picture of what transpires in negotiating for or expending counterpart funds abroad. I might say further that if that is the basic issue, why did not the Committee on Agriculture develop that point? That is the very issue that is involved here. I do not think this can possibly interfere with the orderly disposal of surplus products.

Mr. SPRINGER. That is the point upon which the gentleman and I are in disagreement. I have talked to these countries. I know how these agreements are entered into. Once you start the kind of program the gentleman mentions, you could not sell any more agricultural produce, I can assure you of that. At least I will say that it would be severely curtailed.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. MORANO. The gentleman has made a very forceful statement with which I agree. I would like to ask the gentleman whether or not any attempt was made previously to put this under the control of the Committee on Appropriations, when this bill was before us?

Mr. SPRINGER. I will say this. I heard all the debate and I do not recall anything like that was brought up the other day. I will not say that it was not, but I just do not recall it, but I am pretty sure that it was not.

Mr. MORANO. If the argument that is made lies against it today, it should have been valid when we had the matter up before.

Mr. SPRINGER. What we are actually doing, in effect, is transferring Commodity Credit produce for the purpose of making a sale. In effect, that is what you are doing. I think it is the position of the committee and the chairman that you do not have a genuine appropriation in this particular instance.

Mr. MORANO. In effect what the gentleman is saying is that if this amendment is tacked onto this bill, there is going to be no program for the sale of surplus agricultural products.

Mr. SPRINGER. I do not see how there could be. I have talked to these countries. I do not think they would be interested, because we have had some difficulty in selling to those countries even under the present arrangements. I know that they are not going to wait until the Appropriations Committee determines whether or not this is the kind of thing they are going to allow.

In the second place if you take the contracts back to the Appropriations Committee, they can refuse to appropriate this money and reject all these agreements.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. DELANEY. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Minnesota.

Mr. JUDD. Perhaps it might help to remind ourselves these countries do not have to buy these surplus commodities of ours. They buy them with their money. They will buy only if the currency they pay for them will be used in their country for purposes they approve. Under the arrangement that is proposed, we would take the money that they paid voluntarily to buy our goods and we would determine just how their currency was to be spent in their country. These countries simply will not buy as much of our surpluses under those circumstances. A country is willing to buy, for example, $10 million worth of surplus commodities, with the understanding, in the negotiations, that $2 million of the currency paid—rupees or yen, or whatever it is—is to be used for a certain purpose in that country; $4 million of it is to be used for certain other purposes in their country, and so forth. If the executive branch of our country cannot make an agreement with them, so that they know in advance what their currency is to be used for, even though we own it, having gotten it in exchange for our commodities, they are not going to buy our goods; that is all there is to it.

Mr. SPRINGER. May I say that the gentleman from Minnesota [Mr. JUDD] has hit it. We approach these countries, let me say that. They are not approaching us. We are approaching them in an attempt to sell. This is a part of the agreement entered into by the President, that these funds shall be spent in the manner prescribed. That is the principal inducement to the country to purchase those goods.

Let me say this to those gentlemen who are so interested in there being an appropriation. If you want later on under foreign aid to come in here and say that we are going to take into consideration what has been done under Public Law 480 and therefore we feel that foreign aid in other fields having to do with nonmilitary assistance should be reduced, that is your business. Maybe it ought to be reduced in the light of what Public Law 480 is doing. That is your own business, and maybe there is some justification for that, but do not interfere with this program which is working well now. If you feel there must be a reduction and you want to control it, then do it through the foreign-aid field, where you have the appropriation entirely under your control, and not cripple this program.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from North Carolina.

Mr. COOLEY. The Appropriations Committee is fully aware of what use is made of these counterpart funds. I have here in my hand a statement indicating exactly how the money has been used, and I will put it in the RECORD for the benefit of those who are not aware of it:

PUBLIC LAW 480

Title I of Public Law 480 authorizes the President to carry out a program for the sale of United States surplus agricultural commodities under agreements with friendly nations or organizations of friendly nations. In negotiating agreements, the President is required to (1) take reasonable precautions to safeguard usual United States marketings and assure that such sales will not disrupt world prices of agricultural commodities; (2) assure the use of private trade channels to the maximum extent practicable; (3) use the program to develop and expand continuous market demand abroad for agricultural commodities, with appropriate emphasis on underdeveloped and new market areas; (4) secure commitments that the commodities sold for foreign currencies will not be reexported except with specific approval; and (5) afford any friendly nation maximum opportunity to purchase United States surplus agricultural commodities, taking into consideration the objectives of the law.

The law provides that Commodity Credit Corporation funds shall be used to finance the sales and authorizes appropriations to reimburse CCC for its costs, including the acquisition cost of price-support commodities from CCC stocks which may be shipped under the program.

The President is authorized to enter into agreements with friendly nations or organizations of nations to use foreign-currency proceeds for one or more of the following purposes: (1) Development of new markets for United States agricultural commodities; (2) purchase of strategic and critical materials for the supplemental United States stockpile; (3) procurement of military supplies for the common defense; (4) financing the purchase of goods or services for other friendly nations; (5) promotion of balanced economic development and trade; (6) payment of United States obligations abroad; (7) loans to promote economic development and multilateral trade; (8) financing international educational exchange activities; (9) financing the translation, publication, and distribution of books and periodicals abroad in an amount not in excess of $5 million in any fiscal year; or (10) assisting United States sponsored colleges and institutions abroad.

The act generally authorizes the use of foreign currencies for these purposes without regard to section 1415 of the Supplemental Appropriation Act. Section 1415 provides that foreign currencies held by the United States may be used only as authorized in appropriation acts. However, the act does provide that at least 10 percent of the foreign currencies and any use of the proceeds for nonmilitary grants to foreign countries are subject to section 1415 unless that requirement is waived by the President. About 20 percent of the currencies are being held subject to section 1415 and are being sold to the various United States Government agencies for appropriated dollars which are returned to the Commodity Credit Corporation. To the extent the Corporation is not reimbursed by other agencies, the act authorizes an appropriation to make payment to CCC in an amount not in excess of $3 billion for the Corporation's investment in commodities used under the program including processing, packaging, transportation and handling costs, and for costs incurred in financing the exportation of commodities.

No transaction may be undertaken under title I after June 30, 1957, except as required to carry out agreements entered into before that time.

DELEGATION OF AUTHORITY

Executive Order 10560 delegates authority vested in the President for administration of Public Law 480. Primary responsibility for foreign currency sales is assigned the Secretary of Agriculture and to him are delegated all functions conferred upon the President by title I of the act which are not delegated elsewhere by the order. Some of these more important delegations to other departments include: Department of State—the negotiation and signing of agreements with foreign countries; Bureau of the Budget—the function of allocating and apportioning foreign currency to be used for each of the purposes authorized under the act and authority to waive the requirement that appropriated funds be used to cover grants and not less than 10 percent of the foreign currencies acquired; International Cooperation Administration—the determination of the manner in which foreign currency loans are to be made for economic development and promotion of multilateral trade.

The order also assigns to the different departments and agencies responsibility for the use of foreign currencies acquired under title I. The most important of these include: (1) Department of Agriculture—for agricultural market development; (2) Department of Defense—for currencies used to procure military supplies for the common defense; (3) International Cooperation Administration—for currencies used in making loans to promote economic development and multilateral trade; (4) all agencies having appropriated funds which may be used in foreign activities—for use of currencies which accrue for the payment of United States obligations abroad; and (5) Department of State—for international educational exchange activities, the publication of books and periodicals, and assistance to United States schools and colleges abroad. The Treasury Department has issued regulations governing the purchase, custody, deposit, transfer, and sale of foreign currencies received under title I sales.

INTERAGENCY RELATIONSHIPS

Public Law 480 is a complex law combining different purposes, affecting many aspects of domestic and foreign economic policy and involving activities of several departments and agencies. These facts made it imperative that the administration of the program be effectively coordinated. Accordingly, by direction of the President an Interagency Committee on Agricultural Surplus Disposal has been established "to assist the agencies concerned in bringing into harmonious action consistent with the overall policy objectives of the Government, the various agricultural disposal activities vested in them by, or assigned to them pursuant to, the act." This committee is chaired by a representative of the White House and includes as members senior officials of the Departments of Agriculture, Commerce, Treasury, and State, International Cooperation Administration, and Bureau of the Budget.

The President also asked the Secretary of Agriculture "to assure the effective coordination of day-to-day operations through appropriate interagency relationships." To achieve such coordination, the Secretary of Agriculture established a staff committee under the chairmanship of an Assistant Administrator of the Foreign Agricultural Service of the Department of Agriculture, and consisting of staff-level representatives of agencies on the Interagency Committee on Agricultural Surplus Disposal, as well as representatives of the Department of Defense, Office of Defense Mobilization, and Export-Import Bank. This Staff Committee is responsible for consideration of specific proposals for foreign-currency sales and for working out the provisions of agreements.

DEVELOPMENT AND NEGOTIATION OF AGREEMENTS

The safeguards and standards contained in the law necessitate careful planning of country programs. In many cases foreign governments have requested programs from the United States Government. However, the Department of Agriculture and other agencies of the United States Government have often developed programs and initiated informal discussions. In the initial stages, the two most important factors in the development of programs are the proposed commodity composition and foreign-currency uses. Frequently, informal discussions on these two points precede the start of formal negotiations.

Utilizing the service and experience of other agencies represented on the Interagency Staff Committee, the Department of Agriculture takes the lead in the review and final development of proposed country programs. For each country program an analysis is prepared indicating a suggested commodity composition and foreign currency use program. Also, negotiating instructions and a draft agreement are prepared. The proposed programs are submitted to the Interagency Staff Committee for review and approval. In the event of disagreement, any member has the right of appeal to the policy-level committee chaired by a representative of the White House.

After approval by the Staff Committee, formal negotiations begin. Most of the negotiations take place in foreign capitals. The United States Ambassador is responsible for such negotiations. However, in most cases a team under his direction, including the agricultural attaché and a representative of the ICA mission, conduct the negotiations leading to signing of agreements. In some instances negotiations are carried out in Washington by an interagency team headed by the Department of State with representatives of the foreign government concerned.

The agreements generally follow a standard format, and usually include (1) the value and kinds of commodities to be financed; (2) the period during which the commodities will be taken; (3) provisions to protect against transshipment of commodities to other countries without specific approval and to prevent increased shipments to unfriendly nations; (4) provisions to safeguard the usual marketings of the United States; (5) the exchange rate at which commodities will be paid for in local currency and the method by which foreign currency payments will be made to designated United States accounts; and (6) the division of the currency which will accrue among the several purposes authorized under the act.

It is apparent that the foreign governments in negotiating agreements are especially interested in the amount of currency they will obtain for uses of special interest to themselves, such as loans for economic development. They are also interested in the exchange rate at which they will have to pay for the commodities. Finally, for some countries our provisions to protect the usual marketings of the United States often result in prolonged negotiations. There have been a few agreements where foreign governments have been prepared to sign agreements and permit the United States to utilize all foreign currency proceeds for any use authorized under the law. These have been the exception rather than the rule and have usually occurred in those countries where uses which would return dollars to the Commodity Credit Corporation are limited by the size of United States Government operations in the country. In most cases, however, the use to be made of foreign currency is the heart of the whole negotiation. Many countries are persuaded to take commodities from the United States for their own currency because they receive loans badly needed for economic development which further their general development programs. If negotiators were unable to tell them what particular use would be made of the currency, most of the countries would not sign agreements.

DOLLAR FINANCING AND FOREIGN CURRENCY PAYMENTS

After the government-to-government agreements are signed, the importing country applies to the Foreign Agricultural Service for purchase authorizations which provide for the dollar financing of the commodity sales and specify the conditions under which such financing will be made available. Public announcements are made when agreements are signed and purchase authorizations are issued. Since United States Government funds are used to finance title I sales, certain controls have been established.

The government of the importing country designates certain banks in the importing country and in the United States to participate in the program. The Commodity Credit Corporation issues letters of commitment to the designated United States bank in the amounts requested by the government of the importing country. Each letter of commitment names the designated foreign bank as well as the United States bank and constitutes a commitment by the CCC to reimburse the United States bank for payments made under letters of credit for the account of the foreign bank in connection with export sales under the purchase authorization.

The foreign importer who may be a private importer or in some cases an agency of the foreign government makes contracts with United States exporters and applies to their own designated local bank for letters of credit in favor of the United States exporter. These letters of credit are paid through designated banks in the United States holding a CCC letter of commitment which names the designated foreign bank.

The United States bank pays dollars to the United States exporter against a draft and shipping documents in the usual manner. However, instead of calling on the designated foreign bank for payment of such dollar amounts, the United States bank obtains reimbursement from the Commodity Credit Corporation.

The foreign bank then pays the value of the sale, after receiving shipping documents, by depositing local currency to the account of the United States Government rather than crediting dollars to the account of the designated United States bank. The amount of payment is determined by the amount of dollar disbursement for commodities and for transportation costs made by the designated United States bank at the rate of exchange specified in the country-to-country agreement. In general the United States is paid in foreign currency at the same rates at which the importer would purchase dollar exchange from his bank in his own currency. Payments are made at the exchange rate in effect on the day when the dollars are disbursed by the United States bank.

Deposits of foreign currency are required promptly upon receipt of notice of each dollar disbursement. The deposits are made to the account of the United States Disbursement Officer in the Embassy who reports monthly on these accounts to the Treasury Department. Dollar disbursements are also summarized monthly by the Commodity Credit Corporation and compared with deposits reported to the Treasury. In the event of discrepancies, the Foreign Agricultural Service takes action through the Embassy to correct any shortages in deposits. In general, there is a timelag between dollar disbursements by United States banks and the deposits of foreign currency by designated foreign banks because of the time required to transmit documents to foreign banks. However, despite this lag, most foreign currency payments are being made promptly. As of March 31, 1957, dollar disbursements totaled $1,172,000,000. On the same date the United States disbursement officers had reported to the Treasury Department deposits totaling $1,044,000,000.

CONTROL OF FOREIGN CURRENCY

The basic decision with regard to the use of foreign currency proceeds is made during the course of the negotiation of the agreement. This is the determination of what share of the proceeds will be used for purposes of particular interest to the purchasing country, usually a development loan, and what share will be used for purposes of interest to the United States. Most sales agreements do not further specify the division of the sales proceeds beyond an indication in the agreement of which of the various purposes included in section 104 of the act the United States share may be used.

Responsibility for designating the uses of foreign currencies in greater detail has been given by the Executive order to the Director, Bureau of the Budget. He carries out this responsibility by formally allocating foreign currencies to using agencies on their request. The allocations are made for purposes authorized by section 104 of Public Law 480 and permitted by the sales agreement.

The most frequent allocation is to the Treasury for sale of sales proceeds to any agency for any purpose for which dollars have been appropriated to that agency. These allocations to Treasury are always subject to section 1415 of the Supplemental Appropriation Act of 1953. They are requested by the Fiscal Assistant Secretary of the Treasury on the basis of regular reports received from the disbursing officers in the field of deposits into the Public Law 480 collection accounts and of the status of other Treasury foreign currency accounts available for sale.

Since all agencies which need foreign currencies to carry out overseas operations are required by Treasury regulation to inquire at the Treasury concerning the availability of Government-owned foreign currencies for their purpose and are further required to use Government-owned currencies in preference to purchasing currencies in the open market with dollars, there is an effective system for insuring that available Government-owned foreign currencies do not sit idle while appropriated dollars are needlessly used to purchase additional currencies of the same kind. There is a continuing informal check between staff of the Bureau and of the Treasury with regard to status of deposits and whether they may be released for Treasury sale or are committed by the sales agreement for other purposes. In the absence of such commitments Treasury requirements for sales to the agencies are given priority over other uses in both amount and timing.

Experience has demonstrated that the allocation of sales proceeds to the ICA for development loans is an unnecessary step. The commitment that there is to be a loan and as to amount is always explicit in the sales agreement contingent on the fulfillment of that agreement. Both the Bureau of the Budget and the ICA, so far as loans under section 104 (g) are concerned, found that the formal allocation added nothing and frequently made an unnecessary delay in the process of further programing and formalizing the loan to the country. For these reasons a modified wording was introduced into the Executive order in May 1957 which eliminates the requirement for an allocation of sales proceeds for loan purposes. This use, however, remains subject to apportionment, the procedure by which the Budget Bureau releases appropriated or other funds to an agency on a quarterly project or other agreed basis. The ICA may not draw foreign currencies from the Public Law 480 deposit account until they have been apportioned. Normally, the Bureau does not apportion sales proceeds for loan purposes until it is clear that the conditions of the sales agreement are being met and that the share of sales proceeds slated for United States use is or very soon will be available in full. Apportionments of available deposits are requested by the ICA after agreement has been reached with the borrowing country on the terms and uses of the loan.

Use of sales proceeds for the other two purposes which are generally of primary interest to the purchasing country, i. e., development grants under section 104 (e), and military assistance under section 104 (c), is also always decided at the time of the negotiation of the sales agreement. These two uses clearly raised questions of overlap with and expansion of the mutual-security program which are reviewed within the Government at that time. Since the ICA has not been willing to use mutual-security funds to purchase foreign currencies for development grants under section 104 (e), a waiver of the requirement in the law that such use be subject to 1415 has been required in each case. Such waivers have been requested and approved only twice—in the case of the 1955 sales agreement with Greece and the 1956 agreement with India—and in each case waiver was requested by the Secretary of State and issued by the Director of the Bureau of the Budget before conclusion of the sales agreement. While grants under section 104 (c) do not require a waiver, they are considered in the Bureau of the Budget, the ICA, and the Department of Defense in connection with available mutual-security funds and the needs for financial assistance to the military programs of our allies. The ICA and the Bureau of the Budget take account of funds available for the mutual-security purposes under sections 104 (c), (e), and (g) of Public Law 480 when screening subsequent mutual-security program requirements.

At the time of the consideration in the interagency staff committee of a proposed sales agreement, there is usually an informal indication from participating agencies of their anticipated needs for a share of the proceeds of the agreement for market development, section 104 (a); stockpiling, 104 (b); educational exchange, 104 (h); publication of books, 104 (i); or assistance to American-sponsored schools and community centers, 104 (j). In addition, the Department of Defense may indicate an interest in a share of the proceeds for military housing under sections 104 (f) or (c) as authorized in Public Law 166 or for a use under section 104 (c), such as a joint mapping project in Latin America, which has the effect of expanding a mutual-defense activity of a kind for which appropriated funds are available. At this stage these agency indications are informal and tentative and are subject to committee action and approval only to the extent that there is objection to any agency request or that the sum of the request exceeds the share of proceeds available for United States use without regard to section 1415. Since the agencies have generally been moderate in their request the latter is usually not the case. Subsequently, the requesting agencies develop more explicit programs for the use of sales proceeds and submit an allocation request to the Bureau of the Budget. This request is similar in purpose and in form to a budget request and receives the same screening and analysis in the Bureau as that given the request for appropriated funds. This analysis is normally carried out by the same staff that work on the agency's dollar budget. Usually hearings are held, at which agency representatives explain and justify their request in detail.

In the case of moneys requested under section 104 (h) for the Fulbright exchange program the allocation request is normally for sufficient funds to finance a 3-year program. They are apportioned, however, on an annual basis in conjunction with the budgeting and apportionment of dollars appropriated for the program. Public Law 480 funds are requested for this purpose only in areas where proceeds from the sale of surplus war goods are no longer available.

The availability of substantial foreign currency sums for market development abroad has presented the Department of Agriculture with new opportunities and has necessitated an essentially experimental approach in this area. Since it was clear that the Congress desired to generate a new program in this area the Bureau initially allocated to the Department the sums requested by it to provide a basis for program development. Now that some experience has been developed the Department is being requested to develop a fuller program justification for additional requests and to present reasonable evidence that the proposed expenditures will, in fact, result in expanded markets for American agriculture.

While provision has been included in a number of sales agreements for the use of part of the proceeds for USIA book programs under section 104 (i) or for assistance to schools or community centers under section 104 (j), the process of collecting adequate data from the field on which to base allocation requests has proved to be a long one. There have as yet been no allocations under either of these sections.

While it is inherently difficult to relate the use of foreign currencies without regard to section 1415 to the normal budget appropriations process, the Budget Bureau has attempted to do this to the extent possible and has insisted that full information on the use of currencies be available to the Congress. A general information schedule showing the nonappropriated uses of Public Law 480 currencies during the fiscal years 1956 through 1958 is included in the budget document. In addition, several of the agencies have discussed the relationship between the use of these currencies and their dollar programs extensively during the course of appropriation hearings.

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentleman from Michigan [Mr. HOFFMAN] for a unanimous-consent request.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that the remarks I made on the floor yesterday that were not printed in the RECORD may be printed in the RECORD of today following the adoption of the rule.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, this a very important matter. I listened with great care to the remarks made by the gentleman from Missouri [Mr. CURTIS]. I agree with him that this matter of fiscal responsibility and Congressional control over public funds is a basic matter.

In many other ways the executive branch of the Government has eluded Congressional control and regulations and we are losing the constitutional authority that we ought to exercise for the benefit of the people of the country.

In this connection I call attention to the report of the Hardy committee, Report No. 449, 85th Congress, filed with the House on May 15, 1957, entitled "Review of the Budget Formulation and Presentation Practices of the International Cooperation Administration."

The Hardy committee was concerned that the International Cooperation Administration in making its request for authority before the Foreign Affairs Committee and for funds before the Appropriations Committee was very vague and uncertain in the presentation and the representations of what they intended to do with the authority and the money if they were granted by Congress. That vagueness made it impossible for our Committee on International Operations to review the performance of the agency, because it had made no promise against which you could judge performance.

I call attention to the discussion of this very subject, Public Law 480, on pages 13 and 14 of the committee report. I believe that discussion, showing the lack of information given to the Foreign Affairs Committee and the Appropriations Committee with respect to the anticipated use of counterpart funds arising from Public Law 480, amply demonstrates that in this instance we in Congress have lost control over public funds. I think the House ought to consider this matter very, very seriously.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield.

Mr. HARDY. It seems to me the point the gentleman is making is an unusually good point and has not been developed. Under Public Law 480, there is not any way in the world that anyone can tell how the funds have been used. Congress has no control whatever over them because the executive department is permitted to make the contracts. There is no way that anybody can tell what has been done with the money after they have spent it under the agreements. I have reviewed the breakdown that the gentleman from North Carolina proposes to put in the RECORD, but the figures do not mean anything. I defy anybody to find out for what purposes these funds are being used. They have a statement here "Loans for multilateral trade and economic development $1,164.7 million." But there is no breakdown of that and nobody in the Congress has any breakdown for it. If you ask the departments about it, you will not find out what has been done. The gentleman knows, I am sure, that a lot of these funds have been used to pay for host country participation in technical assistance programs. So they have taken the money generated by our agricultural commodities. There are a good many cases where these funds have been used for purposes which certainly the Congress knew nothing about, and it is very doubtful whether the Congress would approve. Actually, my own point of view is that if these funds are going to be used in this manner, then the foreign aid program ought to be reduced by the amount of these funds.

Mr. MEADER. That is exactly what we said in the report. If these funds are taken into account in setting up their program, then why is not the dollar appropriation reduced by the amount of these funds?

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

DEMOCRAT HARMONY MICHIGAN'S PLIGHT

Mr. HOFFMAN. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to speak out of order in an effort to compliment the Democratic Party.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, this letter from which I read is dated May 28 last. It comes to me from a very, very dear personal friend who works effectively in the Congressional and other elections. He writes:

It is unfortunate for all of us that our interparty squabbles spill over into the newspapers where they are blown up into such proportions.

I might say insofar as I am concerned, I go down the middle of the road.

However, we should all work toward one particular goal and that is the election of Republicans no matter what office they are running for and no matter what their political beliefs may be. The constant bickering and fighting that goes on within the party is the one point that discourages me more than anything else.

Naturally, I have no part in that.

Let me read:

I have yet to see in the newspapers any public disagreement in the Democratic Party in the State of Michigan although I am certain they have as many divergent elements as we have. Insofar as the general public is concerned they present a solid and united front.

Mr. Speaker, opposition political unity in Michigan is due in part to the fact that the CIO and the Reuthers have taken the Democratic Party organization over. Reuther and his buddies strike with an iron and ruthless hand—and do not—will not brook opposition. Unfortunately in view of the tax plans of Governor Williams and Reuther's attitude toward business, management, and industry, all of whom he seems to hate, he and Soapy are, in a way, driving industry out of Michigan. But the Lord, if no one else, will take care of us—will, as it were, "temper the wind to the shorn lamb."

Industry is taking a look at other States. Listen to this editorial from the Detroit Free Press of June 18—yesterday—always friendly to labor:

I read:

THE BASIC ATTRACTION—WHEN INDUSTRY LOOKS AT OHIO

We were particularly impressed by a couple of observations made by Miller Hollingworth of the Free Press staff who has been writing a series of articles on Ohio industry. Hollingsworth has been comparing the climate for business in our sister State with that which exists in Michigan.

Discussing the expansion of Michigan's automotive industry into Ohio, Hollingsworth stated that "other industries have been really jumping in this huge State, with its fondness for big business and lenient tax policy toward the producers."

Again, referring to Ohio, Gov. C. William O'Neill, he says: "He (O'Neill) has no apologies for Ohio's soft tax policy toward big business. Certainly, he implies it will get no tougher than the present one-tenth of 1 percent of the value of a company allotted to Ohio."

Those two statements, we believe, explain rather clearly why Ohio may enjoy a competitive advantage over Michigan as far as industry is concerned.

First of all, the attitude toward business in Ohio, if these statements are valid expressions of the feeling there, is one of friendliness. Business is not only welcome. It is regarded as a partner, to be given equal consideration with other elements.

Unfortunately, that impression does not apply universally in Michigan.

The alliance between the Democratic administration in Lansing, and the big labor leadership has, in many instances, created an atmosphere of hostility against business. Politics has had a tendency to supplant sound economic principles.

There is an attitude on the part of State officialdom, derived from labor dogma, that business and industry are inherent enemies of the working people; that business should bear a disproportionate part of the tax burden regardless of the effect on jobs.

As far as industry is concerned, there is the feeling that in any controversy, labor will get the preferred treatment and industry will be held up as the villain, regardless of where the right lies or where impartial justice should be applied.

Whether oppressive taxes are the determining factor in industry expanding outside of Michigan is still a moot question, despite evidence that such is the case.

But the climate generated for political purposes, which marks industry as always bad and labor as abused, oppressed, and something to be favored first and at all costs, may have an equally important effect on discouraging growth and expansion in Michigan.

On the other point, made by Governor O'Neill, Ohio industry enjoys an advantage over Michigan by being sure where it stands.

It has what almost amounts to a guaranty that it will not be soaked with new or higher taxes by a labor-political alliance. Industry in Ohio apparently has a sense of security both for the present and the future and can plan accordingly.

Were that attempted in Michigan, we would surely hear that industry was getting preferred treatment at the expense of the workingman, the farmer, and the consumer.

Yet we can't help but wonder how the worker, the farmer, and the consumer fare in Ohio under a benign arrangement which encourages industry.

We strongly suspect they are doing as well as in Michigan—their taxes suggest they are—and, in addition, the resultant attraction of industry to their State offers new job opportunities and greater prosperity for all.

"Soapy" would tax corporations to death. Reuther would force them out of business by hiking wages and fringe benefits so high they cannot sell their products. Just why Reuther appears to hate employers so much is beyond understanding. Without them there would be no jobs—no unions.

But back to the point made by my friend—that all is harmonious in the Democratic Party in Michigan.

I call the attention of my friend and of the Republican Members of the House to the fact that at the last State Democratic convention Prentiss Brown, a former distinguished Member of this House, likewise one of the most able and efficient Members of the Senate, Michigan's one time and a long time highway commissioner, a wonderful man, had some differences with certain elements of his party. Why, over what, I cannot say, other than that he was probably right. Prentiss walked out. The Democrats do have some troubles, even in Michigan, although this gentleman does not seem to be aware of it.

Permit me to mention another instance. I recall the gentleman from the northern peninsula who was here at one time before our colleague John Bennett came down. Frank Hook, a very, very active Member on the Democratic side. He has been having trouble up in the northern peninsula with the Democratic organization. And Frank as you will remember, is, always was, a man with convictions. Now, I cannot say, I do not know why our Republican troubles always get on the front page. Certainly I do not contribute to them in any way. However when self-anointed leaders attempt to purge me out of a party to which I belong there will be some slight protest. When they kick me around all I do is yelp a little bit about their decree. I have voted with the party more often than some of Ike's advisers, that is, when I can discover just what it is they want. There is hardly a day when there is anything going on, a vote that might become controversial, that I do not go to my distinguished leader, the gentleman from Massachusetts [Mr. MARTIN], or our distinguished whip, the gentleman from Illinois [Mr. ARENDS], or the gentleman from Indiana, and ask them what the party position may be.

I noticed the other day on the Democratic side I saw the Speaker, Mr. RAYBURN, walking down on a teller vote with one group and then I saw the Democratic leader, JOHN MCCORMACK, walking down with the other group. The issue was a bitter one, but they both stayed in the party, there was no demand from either that the other get out.

Now, I want to appeal to my friends on the Republican side, instead of trying to kick some of us old reactionary conservatives out every time you get an idea, why do you not do like the Democrats do? They are charitable. They just bide their time and think that some day some of us old fellows will die off and then we will be out of the way.

It is a fact that as some of the Ike people insist, the world moves on, times change, new ideas and policies must be adopted. It is just as true that the world is round, still swings in space. The Ike boys cannot win without the other factions of the party. A faction tied to no man or group, a faction which votes the ticket on election day come heat or high water.

Mr. MCCORMACK. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes; I yield to the distinguished gentleman who gets a rating of 95 percent in the Quarterly as a supporter of the President. I do not know how he does it; he must be a miracle man; I do not know.

Mr. MCCORMACK. The gentleman from Michigan says he confers with the Republican leader; I wonder has the gentleman had any calls from the White House directly or indirectly?

Mr. HOFFMAN. There are two questions in one. That is a lawyer's trick, getting an answer yes or no to both. Direct from the White House, from the President? The answer is, no. Why should he call me if his advisers are worth a tinker's darn and my convictions are of any interest he knows my position. His advisers know I have never failed to endeavor to help them when, as so often happens they are so unjustly attacked by a House Democratic committee. He asks do I confer; first, it depends who is on the floor. If Mr. HALLECK is on the floor and Mr. MARTIN is not I ask Mr. HALLECK. True to the procedure, if Mr. MARTIN is on the floor I ask him first. Now about factions in the majority party. When I see the Speaker leading one group up the aisle on a teller vote, Members voting yea, and the gentleman from Massachusetts [Mr. MCCORMACK] leading another group down the same aisle in a nay vote on the same question it is difficult for a fellow with no more intellect than I have to figure out what is going on—just why the apparent split. But one thing I do know, that is that they have sense enough so that neither tries to kick the other out of the party.

Now, to come to the other question; what was it about? The White House.

Mr. MCCORMACK. The White House.

Mr. HOFFMAN. The last time I was down there I think was about 4 years ago when the Republicans came in, and they did send word to me to come down because I happened to be chairman of the Committee on Government Operations. The gentleman and I have been on that committee for a long, long time. They called me down, and we all sat around and, after quite a long while, I asked: "What about the Committee on Government Operations?" Anything for that committee. By the way, Joe McCarthy was there. It is the last time, I guess, that either one of us was there.

So after we sat there for quite a while I said: "What have you for the Committee on Government Operations?" They said "Nothing." So I thought the conference was over. I did not wait but came on back up here on the Hill. Then someone called up from down there and asked the office if I wasn't going to have lunch with them. The office reported that I did not know I had been invited or was expected to stay to lunch. I went down because I thought they had something for me to do. I am always willing and gratified and honored to do anything, even run errands.

If they call me up again, if I cannot go, I will ask them to send the lunch up.

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H. R. 6974, with Mr. HAYS of Arkansas in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on June 4, the Clerk had concluded the reading of the bill. The bill is open for amendment. Are there any amendments?

Mr. ROONEY. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. ROONEY: On page 1, after line 10, insert: "In the first proviso contained in section 104, after the words "subsection (f)" and before the word "and" insert: 'And for financing international educational exchange activities under subsection (h) and for financing the translation, publication, and distribution of books and periodicals under subsection (i).'"

Mr. ROONEY. Mr. Chairman, I understand that this amendment is perfectly agreeable to the Chairman and the House Agriculture Committee and will be accepted by the committee. In substance it provides that with regard to Public 480 funds the Department of State and the USIA must appear before the Committees on Appropriations of the House and Senate and justify the use of any funds generated under this program.

Mr. COOLEY. Mr. Chairman, will the gentleman yield.

Mr. ROONEY. I yield.

Mr. COOLEY. Mr. Chairman, as chairman of the House Committee on Agriculture, I am perfectly willing to accept the amendment, but I am not authorized by the committee to accept the amendment because the committee has not considered it. But I see no objection to the amendment at all, and I hope the amendment will be adopted.

Mr. ROONEY. I thank the distinguished gentleman from North Carolina.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. JUDD. I just want to be sure of one point. This does not forbid the use of these funds for such purposes but only requires them to go to the Committee on Appropriations for authorization or approval before they can be used for these purposes.

Mr. COOLEY. The gentleman is entirely correct.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. MORANO. Is there any limit on the amount of funds that must be expended before they are required to come back to the Committee on Appropriations?

Mr. COOLEY. No. The entire fund is turned over to the President who is authorized to use the funds in accordance with the agreements. The funds come about as a result of the agreements we have with foreign countries.

Mr. MORANO. It does not say how much?

Mr. COOLEY. Yes, we put a limit on it and proposed to increase the amount of $3 billion by $1 billion additional.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. HARDY. I would like to inquire as to how the rest of the membership of the House are going to be informed as to what is proposed to be done.

Mr. COOLEY. What does the gentleman mean when he says "What is proposed to be done"? In what way?

Mr. HARDY. I am talking about the report that goes to the Committee on Appropriations and whether that information is going to be made available to the rest of the House.

Mr. ROONEY. May I explain this to the gentleman from Virginia by referring to just one program, the international exchange program. This amendment would take the two programs, the Public Law 480 and regular programs, and place them in one spot so they would be required to come before the Appropriations Committees and justify the entire program. At the present time international exchange activities are financed out of Public Law 480 funds as well as by direct appropriations to the Department of State.

This amendment would channel both funds into one stream whereby they will be required to justify exactly what they propose to do. Then, when the Appropriations Committee of the House hears the testimony and brings the bill out on the floor of the House the committee will state what is to be done with funds from the Public Law 480 program and present the package to the House for its consideration.

Mr. HARDY. That is the point I wanted to be sure about, that it is presented to the House so the House will have an opportunity to act on it and that it will not simply be an act of the Appropriations Committee itself.

Mr. ROONEY. Just exactly so. In the final analysis, the House will make the decision.

Mr. HARDY. That brings up another question. The other matter I wanted to raise has do to with 480 funds used for the military housing program in Europe. There is supposed to be something over $50 million of Public Law 480 funds going into military housing.

Mr. ROONEY. This pending amendment, I may say to the distinguished gentleman from Virginia, unfortunately, does not encompass that program at all.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. COOLEY. Does the gentleman from Virginia object to using surplus agricultural commodities to pay for necessary military housing abroad?

Mr. HARDY. Certainly not; and I do not object to selling these commodities; I think it ought to be done. But I think Congress ought to know what is being done and that knowledge should not be confined to the Committee on Agriculture or the Committee on Appropriations.

Mr. COOLEY. If I may say so, the Committee on Agriculture has nothing to do with the negotiations which are made.

Mr. HARDY. Who does?

Mr. COOLEY. The President of the United States; and the House voted that into the law that we are now trying to recall. We gave him the authority to do that and he has been doing it.

Mr. HARDY. That is exactly what I have been complaining about. I think it is time Congress got back some of its responsibility.

Mr. ROONEY. If the gentleman from Virginia will vote for my amendment we will get some of it back, I submit.

Mr. HARDY. I will tell the gentleman that I will vote for his amendment.

Mr. COOLEY. Well, the gentleman and I are together on that.

Mr. ROONEY. With regard to the colloquy had between the gentleman from Connecticut [Mr. MORANO] and the gentleman from North Carolina [Mr. COOLEY] in which something was said or inquired about a limit on the amount of funds that must be expended before they are required to come back to the Committee on Appropriations, my amendment provides that none of these Public Law 480 funds may be expended by the President or the administration for financing international educational exchange activities and for financing the translation, publication, and distribution of books and periodicals or for USIA unless section 1415 of the Supplemental Appropriation Act, 1953, is strictly adhered to.

Mr. CURTIS of Missouri. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. CURTIS of Missouri as a substitute for the amendment offered by Mr. ROONEY: In the proviso contained in section 104 before the words "subsection (a)" insert: "And for financing any program set forth in this bill."

Mr. CURTIS of Missouri. Mr. Chairman, this simply makes the Rooney amendment all inclusive instead of limiting it to the three purposes designated in his amendment.

On page 8 of the committee report you will see set out in table 3 the various purposes listed for which these counterpart funds that are generated may be spent. You will notice that they are in very general terms.

The sole purpose of my amendment is to make all of these expenditures of counterpart funds subject to the Appropriations Committee.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Virginia.

Mr. HARDY. I just want to be sure I understand the gentleman's amendment. I understood the amendment offered by the gentleman from New York applied to only a limited portion of the funds that would be generated under this legislation.

Mr. CURTIS of Missouri. I regret to say that my amendment is subject to the same limitation.

Mr. HARDY. If the gentleman would broaden it so as to cover all of the funds which are contained in the bill I would feel better about it.

Mr. CURTIS of Missouri. I may say to the gentleman that I had thought the Appropriations Committee itself was going to prepare such a broad amendment. I regret to say that such an amendment has not been prepared, so I am broadening the Rooney amendment as best I can in the limited time I have

and wanting the amendment to be accurate.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from New York.

Mr. ROONEY. I should like to briefly explain my position in regard to this. When we had this pending bill on the floor previously, I believe it was on June 4th last, at which time the present speaker, the gentleman from New York made a point of order to the entire bill, that point of order was made following the rejection by a vote of 103 to 45, of an amendment offered by the gentleman from New York which was similar to the pending substitute offered by the gentleman from Missouri. Having been defeated in that effort on June 4th last, I am now in the position where I am willing to settle for what I can get and to salvage as much control by the Congress and taxpayers as I can.

Mr. CURTIS of Missouri. I appreciate the position of the gentleman from New York and I commend him for the fight he has conducted. I am hoping that since that debate the House has had an opportunity to think about this a little more and to understand the full extent of what we have been doing in the past and what we should be doing at the present time. It may be that the House is not yet ready to take over, as I call it, its responsibilities, fiscal responsibilities, in these areas.

I want to direct my attention to what I have termed the specious argument of the proponents of this bill who say this will interfere with the disposal of these agricultural products. As I stated previously, I am the last one who would want to interfere with that program because I happen to feel that the trouble that is generated in our agricultural economy today is largely the result of these large surpluses and any program that we can get within reason that will further the disposition of these agricultural surpluses will be to the benefit of agriculture generally. But I submit that any understanding of the authorization and appropriation procedure for any subject would indicate that this could not possibly interfere with the contracts that we are talking about that might be entered into with a foreign country. Any time the Committee on Appropriations appropriates money that may be spent the agency that has that money then goes out and lets contracts. It has ample authority to let a contract and to write the details and work the thing out. There is no limitation on the power of an executive agency to contract and to work out the deal necessary under any appropriation. To argue that it is just shows a lack of understanding of the appropriation procedures of the House. For the life of me, I cannot understand such an argument and if there were any validity to such an argument why was that not discussed and presented in the Committee on Agriculture hearings or report? Certainly, to anyone experienced with Federal appropriations it is clear that could not be the effect.

Mr. COOLEY. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I am for the Rooney amendment and I am surprised to note that apparently so many Members of the House seem to have forgotten the original purposes of this law. The House and the Congress certainly are fully aware of the importance of the subject we are now discussing. This business of subjecting these appropriations, these transfers and these expenditures to the scrutiny of the Appropriations Committee is not anything new. You would think that somebody has just made a great discovery.

The fact is that in the law itself, section 104, we refer to section 1415 of the Supplemental Appropriations Act of 1953 and that act subjects to the scrutiny of the Appropriations Committee all transactions involving currencies and credit.

Now, section 4 says:

Notwithstanding section 1415 of the supplemental act of 1953 or any other provision of law, the President may use or enter into agreements with friendly nations or organizations of nations to use the foreign currencies which accrue under this act for one or more of the following purposes.

And then it enumerates the purposes for which the President can use the funds. Then there is a proviso which the gentleman from New York [Mr. ROONEY] seeks to amend. The proviso reads as follows:

Provided, however, That section 1415 of the Supplemental Appropriation Act of 1953 shall apply to all foreign currencies used for grants under subsections (d) and (e) and for payment of necessary obligations involving grants under subsection (f) and to not less than 10 per centum of the foreign currencies which accrue under this title: *Provided, however,* The President is authorized to waive such applicability of section 1415 in any case where he determines that it would be inappropriate or inconsistent with the purposes of this act.

Certainly we knew what we were doing when we adopted the law. Now, this is no new discovery made by any of you gentlemen who have apparently restudied the law which has been operation and which has operated so well and so successfully in past years.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Michigan.

Mr. RABAUT. I have not restudied it or anything, but some years ago I was instrumental in putting section 1415 into the law. Now, why is it that you want it waived? All it does is ask for an accounting.

Mr. COOLEY. It has already been waived.

Mr. RABAUT. Why was it ever waived?

Mr. COOLEY. I do not know.

Mr. RABAUT. Did the department give any excuse for waiving it?

Mr. COOLEY. There are a thousand reasons why it was waived.

Mr. RABAUT. Well, give me some of them.

Mr. COOLEY. In the first place, here we are with our warehouses bulging with food and fiber running out of our ears, and we decided, in deliberate fashion, to use these commodities to aid the people of other lands and at the same time not only to build up friendship but to build up the economies of other countries. And, we had great confidence in the President of the United States, and we gave him the authority—this is not any appropriation act, I reiterate that—we gave him the authority to use these commodities in certain ways; that is, he could sell them for dollars; he could sell them for foreign currencies; he could exchange them for strategic materials; he could make grants; he could make loans. And, we also added specifically the things that the President could do, and he has done that. And, I stand here as a Democrat still reiterating that I have faith in the President, and I am proud of the fact that this program has been remarkably free from skulduggery and crookedness; at least, I have not heard of any. And, if anybody has any complaint to level at the way the program has been administered, let him stand up now and say so.

I do want to say this for the Administrator. When this bill was being considered in our committee, the committee room was packed and jammed with people who came there to testify in behalf of an extension. Before closing the hearing I asked the question: Is there a single witness here now who wants to appear in opposition to this law or who wants to offer an amendment to this law? Not one stood up and not one came forward. Now, if the gentleman from Missouri wants to say that he is opposed to the act, I yield to him for the purpose of saying so.

Mr. CURTIS of Missouri. I am not rising in opposition to the act. As I have already stated, I think the act is a sound one and a good one, with this exception. I do rise in answer to your challenge as to whether or not this money has been spent wisely.

Mr. COOLEY. I have not said it was spent wisely. I said it was spent like Congress intended it should be spent.

Mr. CURTIS of Missouri. I do not think Congress intended it should be spent unwisely. I think Congress intended that it should be spent wisely and economically. And, I submit the whole trouble with these foreign-aid programs comes from the fact that there has been so much unwise and uneconomical spending that the people are aroused and want the Congress to look into the matter.

Mr. COOLEY. The gentleman is now making a speech.

Mr. CURTIS of Missouri. I am answering the gentleman's question.

Mr. COOLEY. What is the question?

Mr. CURTIS of Missouri. Your question was: Is anyone willing to rise and say this money was not spent wisely?

Mr. COOLEY. I did not ask any such question as that. I asked if there was anybody opposed to the bill, let him rise and say so.

Mr. CURTIS of Missouri. I just say to the gentleman he should read his words again.

Mr. COOLEY. If I did, I will strike it out of this RECORD, that all of the money has been spent wisely and well spent. I said the President has, in remarkable fashion, carried out the intent and the purpose of this act. If you can point out one variation from the authority——

Mr. BASS of Tennessee. The gentleman said crookedness and skulduggery.

Mr. COOLEY. I said that it was free from crookedness and skulduggery, so far as I know and so far as the members of the committee know.

Mr. CURTIS of Missouri. If the gentleman will yield further, perhaps we can agree on this point. So far as the disposal of agricultural products is concerned, that has been good, but I have not been directing my attention to that. I have said that that part of the program, in my judgment, is excellent and in no way do I want to interfere with that.

Mr. COOLEY. Let me say to my friend that he is not only interfering with it, but he is going absolutely to destroy this program.

Mr. CURTIS of Missouri. That is the issue that the gentleman ought to discuss.

Mr. COOLEY. I am going to discuss the issue right now. If the gentleman's amendment is adopted, you might as well scuttle this whole program and do away with it.

Mr. CURTIS of Missouri. Why?

Mr. COOLEY. I will tell you why. The President is charged by the act with the responsibility of negotiating these agreements in good faith with these foreign governments, working out the details of these complicated contracts. Under the proposed amendment, then he would have to bring them back and submit them to the Committee on Appropriations. Then the Committee on Appropriations could veto the agreement or amend the agreement or modify it. Then it would have to be brought back to the floor of the House and then it would have to be taken over to the other body. That is exactly what would happen. Does that leave the President much authority to make an agreement? And that is what the gentleman from New York [Mr. ROONEY] wants done with the items with which he is dealing; and with those items I am in agreement.

Mr. CURTIS of Missouri. Will the gentleman yield further?

Mr. COOLEY. I want to talk about the amendment of the gentleman from New York. That amendment would amend the section that I just read a moment ago. Actually it is a proviso, and we can live with this amended proviso. But if you subject these thirty- or forty-odd international agreements to the scrutiny of the committees of Congress, of the House and of the Senate, you know and I know that no more agreements would be consummated; you know and I know that no more surplus commodities would be disposed of.

You say maybe that you do not agree with me. There is one item dealing with exchange students and information. We have already taken care of that. There are certain obligations in the proviso and I think the House should be willing to include the 2 items that the gentleman from New York [Mr. ROONEY] has in mind because it is easy to see that if you have 2 or 3 committees appropriating funds for exchange programs or information programs you might very well have duplication.

Here we do provide in this bill that section 1415 of the act of 1953 shall apply to all foreign currencies used for grants under subsections (d) and (e) and for payment of United States obligations involving grants under subsection (f) and to not less than 10 percent of the foreign currencies which accrue under this title.

Now we know what these funds are to be used for; it is not a detailed breakdown, but it shows what has become of $2,079,000,000. It shows that for the common defense we have spent through the use of these currencies the equivalent of $241,012,000; for the payment of United States obligations abroad the equivalent of $515 million plus.

The gentleman from Virginia complained that it has not been broken down into detail. I will say to the gentleman that if he wants any detailed information why does he not request it be furnished to him by the Department?

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. HARDY. To start with, I do not think that the list the gentleman has there says that those funds have been used for those purposes. They say that it is planned to use it for those purposes.

Mr. COOLEY. Both used or planned to be used.

Mr. HARDY. There is a great deal of difference, I will say to the gentleman, between the two. I would like to ask the gentleman if he can tell the Committee how much in terms of counterpart dollar equivalent still is available and unexpended as of now.

Mr. COOLEY. I am not certain, but I think a very small part of it is unobligated. I cannot understand what all this excitement is about at the last minute when we have been talking about Public Law 480 for 2 or 3 years and now certain gentlemen come in and complain that we do not have this broken down in detail. To break it down into detail as the gentleman desires it, we would have to furnish him with copies of all the numerous contracts that have been entered into with all of these governments. I can get those for him. I have some of them here with me.

Mr. HARDY. Let me make this observation: I will say to the gentleman that the reason I am in here discussing the matter now is that in recent months I have had an opportunity to do a little study on the application of funds generated by Public Law 480. This is the first time the bill has been before the House since then.

Mr. COOLEY. It has been before our committee.

Mr. HARDY. Of course it has. Is the gentleman attempting to stand up in this House and say we have not made any mistakes?

Mr. COOLEY. I have not said that.

Mr. HARDY. We have made mistakes when we have voted on legislation; and, frankly, I think we could have improved this legislation.

Mr. COOLEY. I do not see how the gentleman can read into my remarks the fact that I have said that all of this money was well and wisely spent, nor have I said that no mistakes have been made. But I do say it comes with ill grace when the gentleman from Virginia comes to the floor of the House and wants to subject all of these agreements to the scrutiny of Congress and the scrutiny of the committees of Congress after the program has operated so well so far.

We are building military housing in France right now, and we are paying for it largely with the surplus commodities we have in our storage warehouses. Would you rather use dollars or would you rather use commodities? I prefer to use these commodities. They have had some three-way transactions, triangular transactions involving two or more countries. In that way we have gotten rid of some of the surplus commodities, and in exchange for them we have gotten some advantages which inure to the mutual benefit of all of the people of this country and the security of our people.

To adopt this amendment will be fatal to this program.

Mr. ANFUSO. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I am perfectly in accord with the amendment offered by my distinguished colleague from New York [Mr. ROONEY] because it simply corrects a situation which should be corrected and makes the operation of the law that much simpler. I am unalterably opposed, however, to the substitute amendment because in effect it would destroy Public Law 480.

One thing that some of the proponents of this amendment have failed to realize is the basic purpose of Public Law 480. Right in the beginning of the act we say that Public Law 480 is adopted to make maximum efficient use of surplus agricultural commodities in furtherance of the farm policy of the United States. That is the thing we must bear in mind when we discuss any amendments to this act. We passed a law, a very good law, a law which has won for us many friends throughout the world. We placed certain limitations in that law. We said just how our counterpart funds were to be used. We placed the best interests of the United States into all of those limitations.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. ANFUSO. I yield to the gentleman from Ohio.

Mr. FEIGHAN. The gentleman feels that in furtherance of our foreign policy it is advisable for Congress to support Communist regimes which do not represent the will of the people but rather represent the dictates of the Kremlin?

Mr. ANFUSO. I certainly do not. I intend to touch upon that in a moment, but for the time being let me say that the person best equipped to make an agreement in relation to other countries, whether we like it or not, is the President of the United States. He alone has

adequate information. Certainly no Member of Congress and no committee of Congress can legislate for the United States and can make an agreement which will be satisfactory to the world and to these particular countries.

For that reason, I have examined many agreements which were signed under Public Law 480. I noticed a little difference in all of them. Our agreement with India was a little bit different. Our agreement with Israel was a little bit different. The agreement we recently signed with Poland was a little bit different. I think that is what the gentleman from Ohio had in mind in this agreement with Poland. Am I correct about that?

Mr. FEIGHAN. Yes. I expect to take the floor for a few minutes to discuss it.

Mr. ANFUSO. I intend to discuss that and I welcome this opportunity to discuss that very phase. There is no one who has done more to oppose communism than the person now addressing you. I have fought communism in war and in peace to the utmost of my ability. No doubt many others have done much to fight communism, but certainly I have never shied away from doing my share in that respect. Surely I would never in the slightest way do anything to help communism. When you are dealing with Poland, however, you are not aiding communism; on the contrary, I feel you are helping to destroy communism because the people of Poland have been bred and born in freedom.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. ANFUSO. I yield.

Mr. ROONEY. I certainly agree with that statement and wish to commend the gentleman from New York for making it. I am in thorough accord with his conclusion with regard to Poland and the valiant Polish people and shall support the proposed sale and loan to the deserving Polish people under the provisions of the surplus agricultural commodities program. However, I want it understood that my mind has not changed with regard to Tito and his Red atheistic dictatorship in Yugoslavia. I opposed the first Yugoslav loan almost 10 years ago and have since each year consistently opposed all military and economic aid to his Communist regime.

Mr. COOLEY. Mr. Chairman, will the gentleman yield for an observation?

Mr. ANFUSO. I yield.

Mr. COOLEY. In connection with the limitation of the use of the funds and the present situation that the administration is in, I would like to read from this letter from the Department of State. It is one short paragraph:

> You will note that the text of an agreement for the sale to Poland of some $46 million of agricultural commodities was drawn up during the discussion but will not be signed at this time. Signature of this agreement would commit funds which still await authorization by the Congress in the pending bill, H. R. 6974, to extend the Agricultural Trade Development and Assistance Act.

That clearly indicates they have run out of funds at this point.

Mr. ANFUSO. Mr. Chairman, I would like to read a brief statement. When we talk about communism and what others feel about communism, let me tell you that one of the greatest victims of communism in Poland, without a doubt, was Cardinal Wyszynski. I would like to read to you an excerpt from a statement he recently made to American reporters. This is what Cardinal Wyszynski said:

> People in your press are also wondering whether help should be offered to Poland or not. When you look at your child, which is sick, do you stop to think whether you should help it or not? When you see your mother in distress do you pause to think it over, to consider whether it would be politically advisable for you to help her? Dearest children: Do not commit this terrible mistake of refusing, for various political fancies, of refusing assistance, bread, and kindness to those who are in such great need of assistance, bread, and kindness.

May I say that this is wholly in the spirit of the Polish people.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield?

Mr. ANFUSO. I only have another half minute, but I cannot deny my colleague, the gentlewoman from New York, some of that time.

Mrs. KELLY of New York. I thank the gentleman. If the gentleman is so interested in these surpluses being given to the Polish people, why does he not introduce a resolution to give a certain amount of surpluses to the Polish people. In that way we can be sure that the Polish people will receive these surpluses.

Mr. ANFUSO. May I say to my very distinguished colleague from New York, who is a most able legislator and who I know is sincere in everything she says and does, that the agreement which we signed with Poland does exactly that. We have provided in that agreement not only for the sales of surpluses which will give us the necessary money to use counterpart funds in that country, but we have also provided that our charitable agencies, such as the National Catholic Welfare Conference, can work in Poland.

Mrs. KELLY of New York. That is not correct. The terms of the sale of surpluses to the Gomulka government forbid such distribution by any agency and even prohibit any check on the distribution. It was my Subcommittee on Europe of Foreign Affairs Committee which heard the terms of the negotiations. I will support a gift of surpluses to the Polish people to be distributed by any charitable agency, but this does not do that. Have you seen all the agreements?

Mr. ANFUSO. Yes, I have.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent Mr. ANFUSO was permitted to continue for 2 additional minutes.)

Mr. ANFUSO. I have received the copy of the agreement from the State Department. I have seen the release made by the State Department, and I now want to quote from the release of the Polish economic delegation. They issued a statement which to me was extremely interesting and showed their willingness to cooperate. I want to read to you the last two paragraphs:

> 4. I am convinced that apart from the economic negotiations which have just been completed, public opinion in both countries received with satisfaction the news that voluntary aid organizations, as for instance CARE and American Relief for Poland, will be able to resume their activities with respect to Poland.
>
> 5. The recently published decision of the Polish Government's reducing or abolishing customs duties in Poland for most goods sent in gift parcels from abroad will greatly facilitate this form of assistance given by Poles living all over the world, especially in the United States, to their relatives in Poland.

I do not know whether you get the significance of that, but it is now permitted for Poles throughout America to send gift parcels free, duty free, into Poland direct, which will be a person-to-person deal. It will indicate to those Polish people how we feel here in America, how people of Polish extraction feel and, particularly, that America remains the land of freedom.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield further?

Mr. ANFUSO. If I had time I would be glad to.

Mrs. KELLY of New York. I will take my own time.

Mr. ANFUSO. I thank the gentlewoman.

To me this is a very fine piece of legislation and I think it will be the best investment the United States has ever made.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and the substitute close in 30 minutes.

Mr. BOW. Mr. Chairman, I object.

Mr. HILL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I hesitate to make any remarks on this bill extending Public Law 480. We had, I thought, a fairly thorough discussion of this piece of legislation some 2 weeks ago, but I would like to associate myself with the gentleman from New York [Mr. ANFUSO], a member of our committee. While he represents a consumer area, he also represents agriculture, because all the consuming areas live on the products of agriculture.

Let me say I am one who thinks absolutely that this is the finest program for the disposal of surplus agricultural products that has been proposed by any Congress. To me this carries with it the germ of the solution of the farm surplus problem.

The question, I think, bases itself on one simple fact: Do you want to turn the farm machinery off that produces these surplus crops, and bankrupt the farmer; or would you rather do some real tough, hard work at the top in the matter of the disposal of surpluses?

This House has now decided that the job is the disposal of surpluses, and we have had all this study made by the Committee on Agriculture.

Another thing that must be remembered in agricultural production is fear of what might happen should we have extensive droughts in this country similar to what some of us have experienced in the West in the last few years.

Mr. Chairman, with a population of over 170 million people in these United States, a general drought over the entire country would certainly place us in a bad situation. That is what might

happen unless you support in some way or somehow the disposition of our surpluses when we have them. Our committee decided that there were three ways to do this. You could barter them away, you could trade them. You could trade them for currency, or you could give them away in distressed areas of whatsoever nature, domestic or foreign. Of course, we decided as a Congress we would do it through the Department of Agriculture, by way of Public Law 480.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Did not the gentleman overlook the first way, which is to sell them for dollars?

Mr. HILL. I did not overlook that for a minute. I did not think it was necessary to mention that. You cannot sell for dollars in foreign countries, and the gentleman knows that better than I do. You could no more sell the surplus wheat or cotton for dollars than you could fly to the moon with a model T Ford. What we must do is to dispose of these surpluses at the best advantage, and we must put all of our power behind disposing of them.

One of the ways to dispose of them would be to trade these surpluses for the money of other countries. If you were to attempt to trade on the basis of the dollar, you will get no trade. Our committee decided, and the House supported us, and rightly so, that we would trade for the currency of the other countries under whatever the plan might be and that the other country would accept, even to the extent of trading for the currency of more than one country in a 2- or 3-way trade. We could use even 2 or 3 countries in the disposition of thousands and thousands of dollars worth of surplus farm products every day, not only by the amount of money we spend for storage but through destruction of the article itself on account of deterioration.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield to the gentleman from North Carolina.

Mr. COOLEY. We have received information to the effect that since the inception of the program we have had 87 agreements and that these agreements have been with 30 countries. Does not the gentleman agree with me that if we adopt the substitute we might as well disband the program entirely?

Mr. HILL. Certainly. I am sure the amendment was offered in the very best of faith, but we are pleading with you this afternoon to help in disposing of our surpluses so that we can go along and keep our farm machinery in motion and still continue to produce surpluses.

As a member of the Committee on Agriculture and I say that anyone who gets up in the well of this House and finds fault with the surpluses that the God-given power of production has given us is doing a great disservice to the country, a disservice that cannot be repaired. That is a factual statement. We should be happy that we have surplus wheat, we should be happy that we have surplus fats and oils. Incidentally fats and oils have not been mentioned, yet the Secretary of Agriculture has done the finest job in the disposition of fats and oils of any surplus product. It has not been mentioned. Why? Because fats and oil deteriorate faster than other farm products. He has also done a great job in the disposition of butter. I mention that only to indicate that we must spend our time disposing of our surpluses.

Mr. Chairman, I shall go along with the amendment offered by the gentleman from New York [Mr. ROONEY] but let us not go further than that. I plead with you this afternoon with all the sincerity at my command that the farmer is in a perilous situation. Listen to the cottongrowers who appear before our committee; come over there and listen to the wheat producers who appear before our committee. Let us not this afternoon cripple the finest program for the disposition of farm surpluses that has ever been proposed to this Congress. I hope you will be cautious in accepting amendments that would destroy the very basis of the act that we are discussing and which has been doing a great job in the disposition of all surpluses through the Department of Agriculture in a very magnificent and excellent manner.

Mr. POAGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am afraid we have gotten off to chasing rabbits when we have big game involved this afternoon. We are discussing one of the most important of the agricultural programs that we have ever had before us and one of the very few that has been working. The question has been raised whether we are going to continue a program that has been successful, a program that has moved agricultural commodities. Those who have been sniping at this program have said, "Oh, yes; I am in favor of it but." These "butters" are just about butting out of the law the one great agricultural disposal program that has worked.

This Public Law 430 has moved a whole lot of agricultural commodities. It has not hurt anybody. It is moving surplus more cheaply than any other of our export programs have been moving them. We have got some programs that run into tremendous amounts of money now. We are moving cotton, we are moving wheat, and we are moving some other commodities at tremendous prices. Do you know, we are putting an export subsidy of 80 to 90 cents on every bushel of wheat moving out of the United States? Do you know we are putting an export subsidy of $71 for every bale of cotton that is moving out of the United States except through Public Law 480?

Why should we come in here and find some tricky reason for opposing a program that has been so successful? We are told we are stepping on somebody's jurisdiction. We find more evidence that somebody is afraid that their committee is going to be overlooked; somebody who is afraid that the legislation is not going to be referred to them. Well, now, I do not care who it is referred to as long as you carry on the program. But, it is an agricultural program and it seems logical that it should come out of the Committee on Agriculture, and when the program was expiring, it seemed logical that the Committee on Agriculture should be the one to extend it. And, that is what the Speaker thought, for he sent the bill to the Committee on Agriculture. That is what the Parliamentarian thought, because he approved sending the bill to the Committee on Agriculture and not somewhere else.

This bill does not make any appropriations. Oh, no; Mr. WHITTEN's committee had to make an appropriation and you did make one to start out with. You are providing the money for the Commodity Credit Corporation, to acquire these commodities. That was an appropriation. You made an appropriation, and you cannot appropriate the same money 3 or 4 times.

All we have done in this connection is that we have used money that came out of the Committee on Appropriations. It was for $3 billion. We have had the appropriation. The committee has appropriated the money in the regular order. We have spent that money just as the Committee on Appropriations said it should be spent, to support prices and to buy these commodities, and the United States Government acquired title to these commodities. Having acquired title to them and having no domestic market for them and finding that we can only subsidize them in export at fantastic figures, we thought that it would be sound to sell these commodities to people who could buy them with their own currencies. But, people cannot buy American commodities simply by giving their own currencies with no limitation upon the use of that currency. That is the point so many of us overlook.

We are inclined to think of this simply in terms of the individual. If I owe a debt, I have no right to tell the creditor how he shall spend the money that I pay him. No. But, it oftentimes makes a difference as an individual if you are making a deal with somebody else how he is going to use the property or how he is going to collect his debt. So, these nations that buy from us under Public Law 480 pay the full price. They do not buy at bargain rates. They are paying the full world market price in their currencies.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POAGE. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. HARDY. Mr. Chairman, reserving the right to object, we have extended time for every one of the members of the committee, and then we have the chairman of the committee propose to shut off debate. I would just like to have a little understanding that if we are going to have 5 minutes time, I withdraw my objection. I would like to take 5 minutes on this side.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. BASS of New Hampshire. I object, Mr. Chairman.

Mr. BOW. Mr. Chairman, I rise in support of the substitute.

Mr. Chairman, first I want to address my remarks to the gentleman from Illinois [Mr. SPRINGER] who has spoken on this bill and said that we are going to ruin it if we insist upon the Appropriations Committee passing on these agreements. That is the last thing that happens in these agreements. The Appropriations Committee does not pass on the agreements. They have nothing to do with the making of the agreements. The only thing that is done is, after these funds are generated by the agreements, after the whole thing has been accomplished, after your deal is over, then the manner in which the funds are used comes to the Appropriations Committee for approval.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman briefly.

Mr. SPRINGER. It is the question of bringing them back to the Committee on Appropriations.

Mr. BOW. But not for the approval of the agreements at all. That has never been done. We do this in every appropriation that has to do with counterpart funds; that is, we do not consider the agreements themselves, but we consider the use of the funds generated under the agreements.

I want to say to the gentleman from Texas [Mr. POAGE], who accuses some of of us of being selfish in this program, of trying to ruin the program by what we are doing that I am interested in the program and that I believe in it. I will say to the gentleman from Texas that I am interested particularly because of my dairy people. My dairy people are considered in this program. Oh, yes, in the worldwide markets for dairy products, which I represent, there is $25 million in this program. But I am looking at the chart, and for tobacco, although for my dairy products there is only $25 million, for the United Kingdom alone, for tobacco, there is $27 million. And for cotton $377 million, while for my dairy products there is $25 million. Selfish? For rice, $142 million; and for my dairy products $25 million.

I say to the gentleman from Texas that I am sincere when I say that I believe in this program. And if I thought that this amendment would ruin this program I would not support it. But knowing the manner in which these things are handled by the Committee on Appropriations, knowing that we have nothing to do whatsoever with the making of the contract or the disposal of the goods—I do not believe it will affect the contracts in any manner whatsoever but will protect us from the misuse of the counterpart funds which are generated under them.

You are going to have one bill come to the floor of this House before long concerning which I believe many Members of this House are going to be glad that the Committee on Appropriations gives consideration to the use of the counterpart funds. In that, one country being involved, there is an item turning over to an organization within the United States, for the use of a private organization, certain counterpart funds.

Mr. Chairman, I say to you again that I appreciate the $25 million for my dairy products; and I am sure that the rice and the cotton and the tobacco people and the fats-and-oils people with their large sums are also appreciative of this law. I shall support it. But I think we ought to check on the use of these funds generated under the contracts, not the contracts themselves.

Mr. BASS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. BASS of Tennessee. The gentleman says that this amendment would not interfere with the making of the contract.

Mr. BOW. Yes.

Mr. BASS of Tennessee. The very heart of the program is in the making of the contract wherein we agree to certain uses of the money before the country involved can afford to spend the money for our surplus commodities.

Mr. BOW. I do not know whether the gentleman has read any of these agreements or not.

Mr. BASS of Tennessee. Yes; I have.

Mr. BOW. The agreements provide that the funds shall be used for educational, scientific, cultural programs, and so forth.

Mr. BASS of Tennessee. Yes; I know that.

Mr. BOW. But they do not spell out the specific instance in which these funds shall be used, but merely refer to the large field in which they may be used. That is the way the contracts are written. We are limited to them. When it comes before the committee, if they are in that field, we are limited to that and we cannot have these funds used any place else. But I think the gentleman will agree with me when some of these bills come before you that you will find that there are certain times that these funds are used for purposes within the agreement which are not in the best interests of the United States.

Mr. BASS of Tennessee. But the country buying the surplus commodities could not afford to spend their currencies and make purchases unless they were assured before making the agreement where the money was going to be spent.

Mr. BOW. Does the gentleman mean on these specific projects?

Mr. BASS of Tennessee. On the specific projects.

Mr. BOW. Is that in the contracts?

Mr. BASS of Tennessee. It is in the agreement of purchase.

Mr. BOW. The agreement of purchase covers a broad range.

Mr. FEIGHAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, any proposal to give aid to or sell agricultural products to the satellite countries raises a number of basic policy questions. Among them is our relationship to the people of those unhappy countries and how that relationship might be effected by the giving of such aid. Another is our relationship to the Communist regimes which control and exploit the people of those countries and what effect our giving aid might have upon the stability and tenure of those Communist regimes.

It is a well-accepted fact that we want to do everything possible to help the people who are held within the ruthless grip of communism and where feasible, to lift some of the heavy burden which has been placed upon them by the Russian leaders of the Communist conspiracy. Up until a few years ago, our basic policy had been to seek a return of individual liberty and national independence for each of those countries without any strings attached to that policy. Somewhat recently, however, that policy has been watered down by the present administration through its support of evolution, peaceful coexistence, and turning its back upon the patriots of Hungary who determined that revolution was the only way they could get rid of their exploiters. Since the Hungarian revolution and the great disappointment our inability to act has brought to all the people behind the Iron Curtain, great care must be taken to measure every Government activity that would conceivably affect those people. Now more than ever before the people behind the Iron Curtain will be watching with intense interest our every move in order to determine whether all hope for political assistance from the Free World has been lost.

On the question of our relationship with the regimes behind the Communist Iron Curtain, we must make it clear to the people they enslave and exploit that we only tolerate such Communist regimes in order to keep a lifeline into the people. If we do anything which helps the regimes stabilize their position or which takes the pressure off any regime, we will, in effect, be telling the enslaved people behind the Iron Curtain that the leaders of our Government have entered into a status quo agreement with the Russians whereby the Russians will be allowed to keep under their domination all the countries within the Communist empire. If we fail to take precautions in this respect, we can severely damage the hopes and aspirations of those millions of people who were once free and independent and who today are suffering martyrdom for the cause of freedom.

It is for these reasons that I oppose aid to the so-called satellites merely for the sake of giving aid. But for these same reasons, I strongly favor aid to those countries provided it is conditional aid. By "conditional aid" I mean using our surplus agricultural commodities as a means of strengthening our bond of friendship with the people under Communist domination and weakening the control of the Communist regimes which today prevent those countries from being bona fide members of the family of nations. As an example of the conditions which should attach to any aid to the satellite people, I urge the following:

First. We must not allow any of our surplus food to be sold to the people of any Communist regime. To do so will only revive the economies of those countries and thereby strengthen the hand of the Communist regime. And food that we give to those Communist regimes must be distributed without charge to all the people without any discrimination whatever.

Second. If surplus cotton is to be given or bartered with the Communist regimes, a restriction should be put upon the end use of the products produced from our surplus cotton. Our surplus cotton must be turned exclusively into the manufacture of clothing and other household articles needed by the people of the satellite countries. None of the manufactured products should be sold for export. Obviously no military garments or equipment should be manufactured with our surplus cotton.

Third. United States observers must be permitted into each recipient country and given free access to all areas of that country. I would prefer that Americans who trace their origins back to the recipient country and who have a fluency in that language be chosen as observers. Such an arrangement would go a very long way toward preventing favoritism and manipulation by the Communist regime and in any case provide a reasonable means for the American people to know whether or not the people of the recipient countries really benefited from our surplus agricultural commodities.

Too much has been said about the possibility of splitting off the Communist regime of the so-called satellite states from their Russian masters. There has been too much theorizing on this subject and a seeming refusal on the part of some of our policymakers to face up to the hard, cold facts. If, as is claimed, the Communist regimes in the satellite states want their independence from Moscow and want to ease the burden of the people they exploit, then there should be no objection on their part to the very simple conditions which I recommend be attached. If, on the other hand, the Communist regimes refuse to accept these conditions, a clear test case will have been made and the responsibility for keeping American aid from the oppressed people behind the Iron Curtain will be squarely placed. It is about time that we had a real test on the so-called breakoff policy before support of such a policy breaks us.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FEIGHAN. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

Mr. BASS of New Hampshire. Mr. Chairman, I object.

Mr. SPRINGER. Mr. Chairman, I rise in opposition to the amendment.

Mr. BECKER. Mr. Chairman, a point of order. What are we discussing at the present time, the substitute amendment or the general provisions of the bill?

The CHAIRMAN. The pending amendment is a substitute amendment offered by the gentleman from Missouri [Mr. CURTIS] to the amendment offered by the gentleman from New York [Mr. ROONEY].

Mr. BECKER. Then, may we proceed in order, Mr. Chairman.

The CHAIRMAN. The Committee is proceeding in order.

Mr. BECKER. I have heard a general discussion of the bill, but not on the provisions of the substitute amendment.

The CHAIRMAN. The Chair assumes that gentlemen have been speaking in order since there was no objection.

The Chair recognizes the gentleman from Illinois.

Mr. SPRINGER. Mr. Chairman, I can assure the House that I will stay directly on the point involved. I think we have gone far afield. An amendment was introduced by the gentleman from New York [Mr. ROONEY] which limited these funds in two items. The amendment introduced by the gentleman from Missouri [Mr. CURTIS] would have limited all of these funds and return the counterpart funds contained in this bill to the Committee on Appropriations before any expenditure could be made. I think there has been this misapprehension by those who are seeking to put this back in the Committee on Appropriations after it has already been appropriated once, and that is that they are assuming this is foreign aid or foreign assistance. It is not. This bill is an agricultural trade development bill and that is the title of it. That is what it means. And that is the character of the program in the past 3 years it has been in effect. If we attempt to cripple this law with all kinds of limitations as to how this money may be spent and by providing that the Chief Executive may not enter into these agreements except, in effect, after he comes back to the Board of Directors and gets the approval of the Board of Directors, you can see just how far we would get with the sale of these surplus goods overseas.

If any of you have ever had any business experience, you know full well that if you went out on the circuit to sell goods and you said, "Now I cannot make this sale to you, but our Board of Directors is going to meet again next January and I will have to get their approval of this sale and I will come back to you then with the goods." You can see just how far you would get with the sale. It is just that simple. These contracts are being executed every month even when this Congress is not in session. These agreements are being entered into in anticipation of delivery months later. It is just not feasible to do what the Members who have introduced these amendments are seeking to do. It is not good from our own standpoint for agricultural trade development and it is not good business, in my opinion.

Do not, however, attempt to cripple this act here and now.

In addition to that, it is my understanding that the Appropriations Committee has taken into consideration this program in making appropriations for foreign aid. So may I say that what they hope to do is, in effect, being accomplished under the foreign-aid program in that that program is being limited in anticipation of what is being sold under this program.

There seems to be a further assumption on the part of people who have been discussing the Curtis amendment that foreigners are rushing over here eagerly trying to get these goods. We have made very few sales that way. Actually, we have been in the market trying to sell these goods. Further limitations will make the program ineffective. It will certainly do a great deal of harm, and, to say the least, this program will be severely curtailed if you adopt the Curtis amendment.

As for the Rooney amendment, I cannot see that it will hurt the program substantially. I am in favor of the Rooney amendment and am going to vote for it. The Committee on Agriculture has given me some reasons why the Rooney amendment should be supported, and I am going to support it; but to apply the broad provisions contained in this substitute amendment would do this program irreparable harm.

Mr. RABAUT. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the gentleman from Illinois [Mr. SPRINGER] said "It is just as simple as this." I am going to tell you just exactly how simple it is. This House is just trying to get back where it belongs. It was in 1952 that the Committee on Appropriations discovered that the expenditure of these counterpart funds in Europe and all over the world, funds belonging to the United States, was not accountable to anybody. We had a conference about it in the Deficiency Subcommittee at that time and I introduced the amendment that is sought to be set aside here today. The amendment is now known as section 1415 of the Supplemental Appropriation Act, 1953. I want you to listen to the reading of this simple amendment:

SEC. 1415. Foreign credits owed to or owned by the United States Treasury will not be available for expenditure by agencies of the United States after June 30, 1953, except as may be provided for annually in appropriation acts and appropriations for the utilization of such credits for purposes authorized by law are hereby authorized to be included in general appropriation acts.

What does it mean? It means that this money is going to be handled like any other money that belongs to the United States.

These amendments should be adopted to make these moneys just as accountable as any other money that belongs to the United States. All this talk about the security of other people and so on is not the real issue. This money is the money of the United States Government and should not be handled loosely by a half dozen different agencies all over the world.

There is no need for argument. This money belongs to Uncle Sam; it is his money. If it is spent, we want it accounted for; we want to know where it is going. We are willing to spend it. We are not against this program and we do not want anybody to say: So you are against the expenditure of money for this person or that group or some other group behind the Iron Curtain. That is not so at all. All we want is respect for the things that we have done in order to protect the funds of the American taxpayer.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I yield to the gentleman from Virginia.

Mr. HARDY. As I understand it, if we pass the simple extension act as it now is, there will be a waiver with respect to that provision the gentleman has been discussing?

Mr. RABAUT. That is what it is. It says, in effect, "We wish to waive section 1415."

Mr. HARDY. If the Rooney amendment is approved, to what extent will that waiver apply?

Mr. RABAUT. The Rooney amendment only applies to 2 purposes of section 104 of Public Law 480. The amendment offered by the gentleman from Missouri is designed to make section 1415 applicable to all purposes covered in section 104. We should pass the amendment to take care of every one of them.

Mr. HARDY. May I ask the gentleman, to what extent would the amendment of the gentleman from Missouri interfere with the development of these program contracts?

Mr. RABAUT. It would not interfere to any extent at all unless you want to say: Go out and spend it, never mind getting advance approval of Congress for the use of the currencies generated.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I yield to the gentleman from North Carolina.

Mr. COOLEY. Is the gentleman saying that these funds do not come under the scrutiny of the Appropriations Committee? Here it is in the budget.

Mr. RABAUT. They do not come under the scrutiny of the Appropriations Committee as it was intended by this House under section 1415 because you have the language right in there waiving that requirement.

Mr. COOLEY. It says "notwithstanding—"

Mr. RABAUT. "Notwithstanding." That is what I do not like. All the other arguments do not affect me but I do not want to bypass a fiscal control that the House has agreed to.

Mr. COOLEY. Is not the gentleman charged with the responsibility of knowing what is in the budget?

Mr. RABAUT. That is why we have section 1415 in the law and that is why I do not like it when you say "notwithstanding."

Mr. COOLEY. I am not saying that. I am asking the gentleman about the budget.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. MCCORMACK, having assumed the Chair, Mr. HAYS of Arkansas, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes had come to no resolution thereon.

COMMITTEE TO ESCORT THE PRIME MINISTER OF JAPAN INTO THE CHAMBER OF THE HOUSE

The SPEAKER pro tempore (Mr. MCCORMACK). The Chair appoints as members of the Committee to escort the Prime Minister of Japan into the Chamber the gentleman from Massachusetts [Mr. MCCORMACK], the gentleman from Massachusetts [Mr. MARTIN], the gentleman from Illinois [Mr. GORDON], and the gentleman from Illinois [Mr. CHIPERFIELD].

RECESS

The SPEAKER pro tempore. The House will stand in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 28 minutes p. m.), the House stood in recess subject to the call of the Chair.

VISIT OF HIS EXCELLENCY NOBUSUKE KISHI, PRIME MINISTER OF JAPAN

During the recess the following occurred:

The Doorkeeper (at 2 o'clock and 35 minutes p. m.) announced His Excellency Nobusuke Kishi, Prime Minister of Japan.

The Prime Minister of Japan, escorted by the committee of Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk. [Applause, the Members rising.]

The SPEAKER. Members of the House of Representatives, it gives me great pleasure and I deem it a high privilege to have the opportunity of presenting to you the representative of a great, and a free people, a people who are friendly to the people of the United States; and in that friendship we respond with all the depth of its meaning.

I take pleasure in presenting to you the Prime Minister of Japan.

The PRIME MINISTER. Mr. Speaker and Honorable Members of the House of Representatives, I am deeply grateful for your warm reception and cordial welcome. You have accorded me a great honor today—the honor of speaking in this living citadel of democracy.

It has been a thrilling experience for me to drive up Capitol Hill to this time-honored Hall. It is an inspiration to me to stand on this rostrum which has witnessed the evolution of the modern democratic process of government, thus providing the pattern for new democracies, including my own country. Today Japan is endeavoring with pride and resolution to consolidate the foundations of a truly democratic government. The whole effort of our nation is dedicated to this task, for we believe in the lofty principles of democracy—in the liberty and dignity of the individual. [Applause.]

It is because of our strong belief in democratic principles and ideals that Japan associates herself with the free nations of the world. We are ranged on the side of liberty, justice and equality, because there can be no true peace, no true security, no true progress nor true human happiness unless men and nations live by these principles. [Applause.]

In all our free world relations, our association with the United States is to us the most important. We are grateful to your country for the generous aid we have received since the war in restoring our shattered economy. We believe that our friendship, our mutual respect and trust, and our bonds of cooperation must ever be strong, especially in these times when tensions persist in many parts of the world. [Applause.]

International communism is now trying to win over Asia by exploiting the fervent spirit of nationalism of the Asian peoples and by appealing to their impatience to overcome poverty and privation. The Communists are trying to demonstrate that their way is the quicker way to develop underdeveloped economies and to raise living standards.

We firmly believe that they are wrong [applause], and that the democratic method is the only way to serve the welfare and to promote the happiness of mankind. We must prove that we are right. [Applause.]

As the most advanced and industrialized nation in Asia, Japan has already shown that economic and social progress can be achieved without the Communist short cut. We have already demonstrated that free enterprise serves human happiness and welfare in an honorable way with full respect for the dignity of man. [Applause.] It is my firm conviction that Japan, as a faithful member of the free world, has a useful and constructive role to play, particularly in Asia, where the Free World faces the challenge of international communism. We are resolved to play that role. [Applause.]

I have come to this country at this time, in response to an invitation from your President, to have a frank exchange of views with the highest officials of your Government on a wide range of problems of mutual interest and concern as they affect our two countries and as they affect the world. I hope that our discussions, now in progress, will bear good fruit. [Applause.] From our talks there will emerge, I sincerely trust, a strong and enduring partnership that will open the door to a new era of Japanese-American relations.

Let me, in closing, express to you, and through you to the people of America, my high esteem and warm feelings of friendship, and my best wishes for the prosperity and happiness of your great Republic, the United States of America. [Applause, the Members rising.]

AFTER RECESS

The recess having expired at 3 o'clock p. m., the House was called to order by the Speaker.

PRINTING OF PROCEEDINGS HAD DURING THE RECESS

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the

State of the Union for the further consideration of the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6974, with Mr. HAYS of Arkansas in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose there was pending the amendment offered by the gentleman from New York [Mr. ROONEY], and the substitute offered by the gentleman from Missouri [Mr. CURTIS]. Without objection, the Clerk will again report the amendment and the substitute.

There was no objection.

The Clerk again reported the amendment and the substitute.

The CHAIRMAN. The Chair had recognized the gentleman from Virginia [Mr. HARDY] when the Committee rose.

Mr. HARDY. Mr. Chairman, I move to strike out the last word.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HARDY. Briefly.

Mr. CURTIS of Missouri. I would like to have the gentleman yield for the purpose of getting a unanimous-consent request to withdraw the substitute and offer another substitute. I think I can explain in my own time why it simplifies the matter, but it is exactly the same thing we have been talking about.

Mr. HARDY. I wonder if the gentleman could withhold the reading of it and just get unanimous consent to withdraw his substitute.

Mr. CURTIS of Missouri. Mr. Chairman, I ask unanimous consent to withdraw the substitute previously offered.

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman yield for that purpose?

Mr. HARDY. I hope it will not last long.

Mr. GROSS. I hope the gentleman will yield. If unanimous consent is secured, that would automatically take the gentleman from Virginia off the floor, would it not, because he has obtained time to speak on the pending substitute.

The CHAIRMAN. What the gentleman from Missouri requests could be accomplished without taking the gentleman from Virginia off the floor.

Mr. GROSS. And that unanimous consent be granted that the gentleman would not be deprived of the floor?

The CHAIRMAN. Yes. The gentleman is correct.

Mr. GROSS. And only under that condition?

The CHAIRMAN. The gentleman is correct. It would require unanimous consent.

Mr. CURTIS of Missouri. I would add that to my unanimous consent request.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. SPRINGER. Mr. Chairman, reserving the right to object, is it in order to have the substitute to be offered by the gentleman from Missouri read so that we would know what is in it? Is it in order to have it read?

Mr. HARDY. Mr. Chairman, I hate to have to decline to yield further.

The CHAIRMAN. The Chair feels that the gentleman from Virginia should be given the privilege to proceed before further proceedings are had to yield or not to yield. There is a parliamentary problem here, and the Chair does not want to take the gentleman off his feet.

Mr. HARDY. I thank the Chairman. I would like to ask the gentleman from Missouri to withhold his request until after I have finished.

Mr. Chairman, I want to clarify my own position with respect to this legislation in support of the amendment offered by the gentleman from New York [Mr. ROONEY] unless we have a substitute which will be more suitable.

First of all, with respect to Public Law 480 I would like to say that I supported that legislation. I think it is desirable legislation. I have supported it in times past and I think we ought to continue the legislation. That does not mean, Mr. Chairman, that the legislation is perfect and cannot be improved. I feel just a little put out that the gentleman from North Carolina [Mr. COOLEY], makes the suggestion, makes the bold statement that it comes with poor grace that I should make any suggestion that the legislation can be improved.

Mr. Chairman, when the measure was up before I did not know quite as much about the way it was going to work as I have since learned. I think maybe I should say to the House that I know a little bit more about the operations of Public Law 480 than that which has to do purely with the 3-cornered proposition with respect to military housing.

In our studies by the Subcommittee on International Operations, of which I have the privilege of being chairman, we tried to make some analysis of the foreign-aid program and the manner in which budgets were presented. We issued a report on our findings. Included in our consideration were some facets of the Public Law 480 proposition. We tried our best to find out what funds had been available in countries where our foreign-aid program is operating under Public Law 480. We tried to find out the purposes for which those funds had been expended.

Mr. Chairman, I must say that our efforts were certainly not as productive as they should have been and on page 179 of the hearings of our committee there is a report submitted by the ICA purporting to respond to criticisms made by the General Accounting Office of the manner in which the International Cooperation Administration handled Public Law 480 funds. I sent a copy of our report to the chairman of the Committee on Agriculture. I called attention, I think, to the report which we had issued. He might not have had an opportunity to read that particular part of our hearings.

Virtually all of the information we have been able to get on use of these funds has been expressed in the most general terms.

There are two phases of the matter that we are discussing here today. One is the development of the programs. Of course, there can be a lot of debate as to whether the President should have complete authority to develop programs as he does. That is not the aspect of the matter that I am talking about at the moment. However, I should mention the fact that the first time I had occasion to raise any question about the operations of this program, I made inquiry about the programs carried out in one specific country with respect to the sale of wheat. There was approximately $25 million in each of two programs under Public Law 480 going on simultaneously with approximately $25 million as a foreign-aid grant, under the mutual-security program. Those three were going on simultaneously. One of the $25 million Public Law 480 programs carried a provision in the agreement that 90 percent of the funds generated under that program would be deposited in banks of the recipient country for the stabilization of the economy of that country; 10 percent of the funds would be deposited in banks of that country for the use of the United States Government for United States purposes.

The second of Public Law 480 agreements in that same country going on at the same time provided that 100 percent of the funds would be for the use of the recipient country for the stabilization of its economy. Maybe we ought to review the making of these agreements, but that is not the thing that I am talking about now.

We ought to have better control over the agreements but, after making the agreements the 10 percent certainly should be subject to some control by the Congress as to the purpose for which it is expended. I contend that with respect to such amounts in whatever country they are generated there should be some detailed reporting to this Congress and we ought to know what happens to them.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

(By unanimous consent, at the request of Mr. COOLEY, Mr. HARDY was permitted to proceed for 3 additional minutes.)

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from Iowa.

Mr. GROSS. I have had the opportunity to read the report submitted by the gentleman's committee. I certainly can recommend it to the other Members of the House. The gentleman did an excellent job. I want to compliment him and his committee.

Mr. HARDY. I thank the gentleman very much.

It was not my purpose, Mr. Chairman, to espouse the cause of any particular committee. I realize there has been a little bit of this question of committee jurisdiction that has entered into this debate. I am not the least bit concerned with that, but I am concerned that we should be advised about, and have some control over, the use of every dollar of foreign currency that has been generated under Public Law 480. I defy the gentleman from North Carolina or any member of his committee to find out as of now the purposes for which these funds have been used. He can get generalities, but

the gentleman cannot find out in detail the real purposes for which they have been used.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from North Carolina.

Mr. COOLEY. I am not going to argue the point with the gentleman at all. I agree with him that Congress should have the full benefit of all information that can possibly be made available. What I have said in the midst of our own committee is that we have received no complaints about this program. We asked for complaints and asked for opposition, but we received no complaints and heard no opposition.

I want to make one other statement. The gentleman is on the Committee on Armed Services. One big item involved here is the military housing item. It is now just about to start. My understanding is that the gentleman's committee knew all about this million-dollar item and approved it.

Mr. HARDY. I not only serve on the Committee on Armed Services; I serve on a subcommittee that has jurisdiction over that particular subject; but I must say to the gentleman that the information we have thus far has not been entirely adequate. I think we will eventually get it. But I must say that with respect to all these funds we could certainly use a little bit better information than we are getting now. The legislation ought to provide requirements to that effect.

Mr. COOLEY. I am anxious for the gentleman to have full and detailed information, but we are confused about two things. The gentleman is talking about details with reference to the use of all these funds. I am talking about one item, the military housing item. I understood that the gentleman's committee approved that transaction.

Mr. HARDY. That is correct. We approved it, but when the project was first submitted we did not have adequate information and we asked for some more. On this project I think we will find out what we need to know.

Mr. COOLEY. I hope the gentleman is successful. If there is anything I can do to help him, I shall be glad to do it.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from Pennsylvania.

Mr. FULTON. The gentleman's point is that he wants the legislative committees of the House having jurisdiction over these programs, such as the Armed Services Committee and the Foreign Affairs Committee, to have adequate information?

Mr. HARDY. Let me correct the gentleman. No. I am not concerned only about the legislative committees having adequate information. I am concerned that every Member of this Congress have information to justify his own actions. I think we have depended too much on the committees to carry the ball entirely. For the gentleman from North Carolina to say, "Our committee has approved this legislation and it is up to the rest of you to follow," or for the Foreign Affairs Committee to say, "Our committee has approved this legislation and the rest of you should blindly follow us," or for any other committee to do this I think is a great mistake and ought not to be done. Certainly it does not justify me.

Mr. FULTON. Does not the gentleman think the legislative committees that have jurisdiction of these particular matters should be advised as well as the Appropriations Committee?

Mr. HARDY. Of course they ought to be advised.

Mr. CURTIS of Missouri. Mr. Chairman, I ask unanimous consent that I be permitted to withdraw my substitute amendment and offer a substitute for it.

Mr. COOLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOLEY. If the unanimous-consent request the gentleman has now submitted is granted, would his amendment be a substitute?

The CHAIRMAN. It is offered as a substitute.

Mr. COOLEY. But it is at a different place in the bill from where the Rooney amendment was offered.

The CHAIRMAN. The Chair suggests that the amendment be reported.

The Clerk will report the substitute amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Substitute amendment offered by Mr. CURTIS of Missouri for the amendment offered by Mr. ROONEY: Strike out the initial clause of section 104 "Notwithstanding section 1415 of the Supplemental Appropriation Act, 1953, or any other provision of law," and strike out the two proviso clauses of section 104.

Mr. COOLEY. Mr. Chairman, I reserve a point of order against the amendment.

Mr. FULTON. Mr. Chairman, reserving the right to object, I do so because I feel that the surplus agricultural disposal program has been successful under Public Law 480 and because I feel I must oppose any amendment that would severely limit or change the program. I must object to the unanimous consent request.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. CURTIS of Missouri. I might state, as I have explained, that this is only to simplify the procedure here. I can offer this amendment at a later time, and I am simply trying to submit it here to simplify matters. The gentleman gains nothing, I might state.

Mr. FULTON. I must say this. When an amendment would effectively destroy the setting up of programs abroad and limit them, I must object to it because this program has been so successful. I must object.

The CHAIRMAN. Objection is heard.

Mr. KNOX. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. COOLEY. Mr. Chairman, perhaps we can come to an agreement to limit the time for debate. I ask unanimous consent that all debate on the pending amendment, and all amendments thereto, close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KNOX. Mr. Chairman and members of the committee, I hope that I may briefly have your attention. What I have to say today possibly has in the past affected you or it may affect you in the future. I regret that I must take this time to bring to your attention a misuse of the authority which has been vested in certain employees of the House of Representatives, the doorkeepers. On May 28, 1957, I issued 17 cards, gallery passes, to constituents of mine who had traveled a thousand miles to come to Washington, D. C. These constituents requested that they have the opportunity to see their Nation's Congress in action. I issued the passes to them. They were admitted to No. 4 gallery in this section on my right here and without reason or cause they were ejected from the gallery after sitting there for 20 minutes. I have discussed this affront with the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK] who said that he did not believe that such an occurrence could happen in the United States House of Representatives. I informed the gentleman that it not only could happen but that it had happened. The gentleman from Massachusetts asked me to take it up with Mr. Miller, the Doorkeeper. I did as suggested by the majority leader. Mr. Miller in turn referred to his subordinate, Mr. Louis Della-Camera, who is in charge of the gallery section in which my constituents were seated. The doorkeepers assured me I would have a letter of apology for the abuse that was given to the people to whom I had given the cards to enter the gallery. This promise of apology was given some 2 weeks ago and to date there has not been any sign of a letter of apology forthcoming for the discourteous treatment which my constituents received from the House employees involved.

Now, I would like to know what this gallery card which I hold in my hand means? What is its import. These cards are sent to every Member of the House. Have you read the printing on the back of the card? It reads:

This visitor's pass for the 85th Congress will be honored at the House Gallery doors for the entire 85th Congress except on joint session days or unless otherwise advised.

Mr. Chairman, I think it is about time this House took cognizance of the treatment that your constituents and my constituents are receiving from these certain House employees—people we have put in positions of trust.

They have officiously abused the authority we have delegated to them, and I think it is about time there were appropriate changes made as far as these employees are concerned who have irresponsibly betrayed the faith we have vested in them.

Their action is a direct violation of the terms of the pass card. If my signature on that card is no good, then your signature on that card is similarly no good.

I direct this matter to your attention because it constitutes a gross violation of delegated responsibility and a deliberate usurpation of congressional prerogatives by appointed House employees.

I am surprised that Mr. Miller, the Doorkeeper of this House, compounded the affront by breaking his word when he told me there would be a letter of apology forthcoming so that I could transmit it to my constituents affected. I have not received that letter to date. I have noted many days when people from foreign countries and privileged guests have come into these galleries and have never been molested in any way or asked to leave. When our good American children come to Washington, D. C., to visit the Capitol and are treated with officious disrespect by certain employees of the House, that is something I will not tolerate.

I hope the majority leadership of this House takes cognizance of this abuse of delegated authority and acts to assure that the people who have violated the pass cards are properly dealt with.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. KNOX. I yield.

Mr. HOFFMAN. If there are lobbyists here, they can come in and stay all day.

Mr. KNOX. Yes; lobbyists can stay all day if they want to; they are never molested.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. KNOX. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Actually I have had dealings for 13 years with these men who watch the gallery doors and have always found them courteous.

I must say I know Fishbait Miller, know what a fine fellow he is, and I have never seen any discourtesy on his part.

I would like to ask the gentleman whether this was a specific instance or a repeated instance, and was there any good reason why they were asked to leave? Were the other galleries filled, or how did they explain the thing?

Mr. KNOX. The only excuse given to me was that the Doorkeeper wanted to rotate them because other people were waiting.

Mr. FULTON. That might be a good excuse to me.

Mr. KNOX. It is not a good excuse to me. They should not be treated in this manner. The Doorkeeper made no effort to notify my office of his intention to violate the terms of the passes I had given to my constituents.

Mr. FULTON. If other people were waiting outside——

Mr. KNOX. Sir, you are taking up my time.

Mr. FULTON. I am speaking for Fishbait Miller.

Mr. KNOX. I am not going to stand for Mr. Miller abusing my constituents or any other Member's constituents.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KNOX. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. The Chair will advise the gentleman from Michigan that the time has been fixed by unanimous consent.

Mr. SIEMINSKI. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 1 minute.

The CHAIRMAN. According to the request submitted by the gentleman from North Carolina, debate was limited to 30 minutes.

Mr. SIEMINSKI. I ask for this extension of time inasmuch as Mr. Miller cannot speak for himself.

Mr. FULTON. Mr. Chairman, I ask unanimous consent to yield 1 minute of my time to the gentleman from Michigan.

Mr. HOFFMAN. Mr. Chairman, I object to that request because I am entitled to recognition under that same division of time, and that is 2 minutes, is it not?

The CHAIRMAN. Yes.

Mr. HOFFMAN. I want recognition.

Mr. FULTON. Mr. Chairman, I would like to yield——

Mr. HOFFMAN. Will you wait until I get through?

Mr. Chairman, I want recognition so I can yield to the gentleman part of my time.

The CHAIRMAN. The Chair recognized the gentleman from Pennsylvania and he has yielded to the gentleman from Michigan.

Mr. FULTON. Mr. Chairman, may I say to the Chair that I did not yield to the gentleman from Michigan [Mr. HOFFMAN]. I do not know whether he realized that when he was speaking. I yielded to the other gentleman from Michigan.

Mr. LONG. Mr. Chairman, what is the parliamentary situation at this moment? And does it take a unanimous consent request to be carried out?

The CHAIRMAN. The gentleman from Pennsylvania has the floor. He was recognized by the Chair for 2 minutes. He was on the list, under the unanimous consent agreement, and he now yields to the gentleman from Michigan [Mr. KNOX].

Mr. SIEMINSKI. Mr. Chairman, will the gentleman yield?

Mr. KNOX. I yield to the gentleman from New Jersey.

Mr. SIEMINSKI. Mr. Chairman, inasmuch as Mr. Miller cannot speak for himself on the floor of the House may I say that I have known him for 7 years. I do not think anything deliberate was meant and I am sure that if there were many schoolchildren here that day it was merely a question of seeing that all of them, whether they came 2 miles, 2,000 miles or 3,000 miles, had a chance to witness some of the proceedings.

On behalf of Mr. Miller. I would like to say that I am sure he is sorry, and for whatever reason there is, that no letter has come to the gentleman, I am sure no offense was meant to the gentleman or to the children of his district or to the children or constituents of any of us here. It is merely a question of promptness and efficiency and to enable those who come to see the proceedings of the House to have the opportunity to do so, which may be once in a lifetime.

While there are only 700 to 800 seats in the gallery, the following might be pertinent:

Four surveys have been made this year at different intervals to find out just how many people visited the galleries during a given period—3½ hours—and it was found out that those school groups, the guided tours, the people who had been issued cards and those visitors brought to the galleries by the Members of Congress, averaged out to a total of 8,500 per survey.

This visit took place during the visit of an official from one of our friendly countries and certain rules had to be laid down contrary to the usual daily use of the galleries.

Mr. KNOX. I appreciate the efforts of the gentleman from New Jersey to explain the manifestation of discourtesy on the part of these House employees that is apparently at issue here. However, I would suggest that in his efforts to condone this action he is not familar with the facts. The fact is that my constituents were ejected from the gallery in derogation of the terms of the pass by which they had gained admittance at a time when there was no visiting official from a foreign country present in the House of Representatives. There was no special rules for admittance in the galleries in effect at that time.

My constituents were ejected at 1: 30 p. m., on May 28, and an examination of the CONGRESSIONAL RECORD for that date will clearly indicate that no official representative of a foreign country was in attendance in the House of Representatives at that time. The fact is that the foreign dignitary visited the House of Representatives at 12:30 p. m., and briefly addressed the House for a period of not to exceed 20 minutes. My constituents entered the gallery only after the House had recessed following the completion of the visit by the foreign dignitary.

Another fact directly bearing on this matter is found in the established practice followed with respect to visitors' admittance in the galleries. Rotation of visitors is observed in galleries 1, 10, and 11, which are used for tour purposes and the time spent in those galleries is controlled by the guides in charge of the groups. My constituents were seated in gallery 4 where there is no rotation of spectators.

The considered efforts of my colleague from New Jersey to express an apology in behalf of Doorkeep Miller is appreciated but does little to safeguard the membership of the House from such indiscretions and from abuse of authority on the part of the Doorkeeper's office.

The Doorkeeper's disregard of the prerogatives of Members of Congress and the Doorkeeper's disregard of the considerate treatment of our constituents is the Doorkeeper's own doing. He must answer to me and to my constituents for his indiscretion in this instance. His continued failure to do so exemplifies his indifference to the responsibilities of his office and typifies the attitude

he brings to the performance of his official duties.

Mr. Chairman, I should like to offer for the RECORD the following names of my constituents who were discourteously treated:

Lorraine Baur, Gary Boldrey, Elaine Cadieux, Lyle Carter, Elaine Compeau, Robert Davis, Bruce Fisher, Sharon Hamilton, Neil Hoeft, Owen Keegan, Kenneth LeFleche, Francis Ranger, William Smart, Deanna Snow, Duane Stevens, and Mr. and Mrs. William Green.

These were the individuals who were ordered to leave the gallery and who carried a pass with my signature. To these valued constituents I apologize for the discourteous treatment they received at the hands of the House employees involved.

Mr. FULTON. I concede that when the gentleman's constituents did get back home they may have been upset about it. They may not have known the real reason. I believe a gentleman previously speaking pointed out that there is a rotation system and after these people have been in the gallery for a certain time they are often escorted out of the end and corner galleries. I see it every day. I have had my people up there, including young people from schools, and when the time came I told them it was time to go so that another group could be let in. I said to them, "I guess it is our time to go."

May I say that being Doorkeeper to the House of Representatives is not an easy job and Fishbait Miller does an excellent job.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. McGOVERN].

Mr. McGOVERN. Mr. Chairman, there is no problem that is of any greater interest to me than the problem of using America's agricultural abundance for constructive purposes.

I have never accepted the view which regards food surpluses as an evil. At a time when millions of Americans are subsisting on inadequated diets and when most of the inhabitants of the globe are hungry, it is shortsighted for us to wring our hands over surplus food production in the United States.

There is no American asset which the Soviet Union eyes with greater envy than our agricultural production. Does anyone seriously believe that Russia would regard surplus food production as a liability.

I am firmly convinced that we have no more effective instrument in the struggle for a peaceful world than American food. That is why I am in favor of Public Law 480 and other programs designed to place agricultural surpluses in the hands of hungry people abroad.

I am disturbed, therefore, by an article appearing in the June 19, 1957, issue of the Wall Street Journal under the byline of Mr. James Reynolds. This article calls attention to a recent decision by the Department of Agriculture which has blocked a program of valuable aid to farmers and metal producers.

Under this program authorized by Congress in 1949, the Commodity Credit Corporation has disposed of approximately $1 billion of farm surplus which have been bartered for metals produced in foreign countries. The program has also helped support the price of metals because metals secured by barter are kept off the market in Government stockpiles.

The barter program, as reported by Mr. Reynolds, has had the support not only of the Congress, but also President Eisenhower, the Secretary of Interior, and the Secretary of State, as well as farm supporters.

I find it hard to understand why the Department of Agriculture saw fit last month to block further operations under the barter program.

I believe that the Members of Congress will be interested in reading the entire Wall Street Journal article, and I am, therefore, including the article at this point:

CROP SWAPPING—FARM CHIEFS SEEM SURE TO REVERSE THEMSELVES, RELAX CURBS ON BARTER—MORE SURPLUS FOR MINERALS DEALS URGED BY EXPORTERS, FARMERS, CABINET MEMBERS—FIGHT MAY FLARE TOMORROW

(By James A. Reynolds)

WASHINGTON.—Under pressure from inside and outside the official family, Uncle Sam's farm chiefs are unhappily bracing themselves for an about-face on their recent decision to cut back a program of significant aid to farmers and to metal producers.

The program involves the barter of this country's farm surpluses for minerals produced abroad. It tends to cut farm gluts, and because minerals received by barter are locked off the market in Government stockpiles, barter tends to prop metal prices. In the past few years, nearly $1 billion worth of barter contracts have been signed. In recent months, as Government stockpile purchases have slackened, barter has been the biggest support under lead and zinc prices, metal men agree.

Although this program doesn't quite provide something for everybody, it does enjoy wide popularity. Farmers and metal producers who stand to gain from barter are naturally all for it; so are their official friends in Washington. Exporters are speaking up strongly in behalf of barter, since some of them now do most of their business this way under contract with Uncle Sam. Many foreign lands benefit from the program, so the State Department favors barter.

SHARP CURBS ADOPTED

Late last month, after a brief suspension, the Agriculture Department, which runs barter, slapped sharp restrictions on the program. "The rules were designed to kill off barter," says one official frankly. The announced reason for curtailment was fear of displacing more desirable export sales for cash. But officials also believed they were being forced to support metal prices as well as farm prices. They were leery of possible windfall-type scandals under the old rules. And they figured Congress' economy drive would trim barter funds anyway.

Now lead and zinc prices are falling and insiders predict it may be only a matter of weeks before barter rules are relaxed. "I see signs that we'll be forced to back down," says one farm official "I don't think the department can stand up under the pressure."

The pressure may be exerted as high as the Cabinet level. Interior Secretary Seaton praises the barter idea and hints he'll go to Farm Chief Benson or even the White House if he decides that's the only way "to save lead and zinc producers from disaster." President Eisenhower himself is on record in favor of barter. "A long-range expansion of barter is inevitable," Mr. Seaton argues. "It makes too much sense to trade a bushel of wheat for pounds of minerals." He adds: "I expect some action on the barter front soon."

Another high Interior Department official bitterly claims the Agriculture Department is sacrificing the domestic mining industry on what he calls "the mere assumption" barter is displacing cash sales.

ARGUING FOR BARTER

State Department men, too, are reported arguing for barter revival. When the recent curtailment was proposed, the diplomats warned of ill effects on United States foreign relations. Now, they say, foreigners believe the barter restrictions, along with the new long-range minerals policy, which includes proposed lead and zinc import duties, mean Uncle Sam is withdrawing a price support for world lead and zinc and, at the same time, offering to support domestic lead and zinc at the expense of foreign producers.

The behind-the-scenes fight may break into the open tomorrow at Senate Agriculture Committee hearings on surplus-crop-disposal programs. Key committee members who have privately voiced sympathy for exporters' complaints against barter curtailment are expected to snipe at the farm agency's new rules. These farm State Senators generally favor barter as a glut cutter, and committee member SYMINGTON, the Missouri Democrat, represents metal mining as well as farm areas.

"I think you'll soon see some shaking up of the Agriculture Department barter regulations," one committee member confidently predicts.

The Department is particularly sensitive to criticism of traders who help dispose of farm surpluses abroad, and the traders are hopping mad over the new barter rules. One farm official reports receiving 75 protest telegrams from disgruntled exporters in a single day.

What's more, the mining industry, once apathetic to barter, is starting to clamor for large-scale resumption of crops-for-minerals swapping. And the Nation's lead and zinc producers have banded together in a new committee, headquartered here, to lobby for more Government aid.

PRESSURE MAY GROW

If anything, the pressures may grow in time to come. Some administration officials predict further drops in lead and zinc prices unless the Government acts. And a farm official figures farm exports will drop this fall as Western Europe and Argentina, which have been Uncle Sam's best customers, harvest bumper crops. An export drop, he figures, would give the Agriculture Department a good excuse for an about-face on barter.

What form would a relaxation of the rules take? Farm officials naturally won't say, but present straws in the wind suggest easing of two major restrictions in the regulations announced last month. Under one of these new provisions, contractors in most barter deals must prove that the importing country would not take the farm surplus commodity if it had to pay in dollars.

"How can you prove it?" complains one barter contractor, Charles A. Cogliandro, president of Calabrian Co., Inc., of New York City. This rule alone, he claims, kills barter entirely. He says it gives the Agriculture Department the power of God over the program.

And a farm official confides: "We can't furnish such proof ourselves. So I don't see how traders can be expected to do so." He adds there's no proof, but only strong assumptions, that barter deals have cut into cash sales of United States surpluses abroad.

The other major curb that may come up for relaxation involves processing of the materials acquired through barter. Under the new rules, such materials must be both produced and processed abroad; formerly, they

had to be produced overseas but could be smelted in this country.

The American Mining Congress, the mining industry's trade organization, noting that a substantial part of all lead and zinc barter transactions has involved United States smelted products, singles out this restriction for denunciation. And barter contractors say facilities just aren't available abroad to process some materials.

One other new rule seems unlikely to be scrapped, since it is designed to prevent windfall-type scandals. It works like this: Normally a contractor gets rid of the surplus crop before he delivers minerals to the Government; such delivery may not be made for up to 2 years. In the meantime, under the old rules, he had interest-free use of the money from the crop sales. But the new regulations require contractors to pay interest to Uncle Sam. Evidence in Agriculture Department hands indicates some of these funds have been used for purposes far removed from the barter program.

Barter is handled through United States contractors who export farm commodities from stocks held by the Commodity Credit Corporation, Uncle Sam's surplus warehouseman. The contractors then repay the CCC with imported lead, zinc, and other strategic materials which are on the agency's barter shopping list. The minerals may or may not come from the country that takes the farm commodities. It's up to the contractor to dispose of the crops abroad and use the proceeds to buy the strategic materials he must deliver to the CCC.

AUTHORIZED IN 1949

Crops-for-minerals swapping was authorized by Congress in 1949 and started in 1950, but didn't amount to much until 1954. Since then, however, CCC has been making barter deals at a better than $300 million-a-year clip—or was, until the program was throttled down. To date, the total value of the CCC's barter contracts tops $975 million, with lead and zinc making up $112 million of the total. Significantly, $76 million of these lead and zinc deals have been added just since last summer. Other materials on the barter shopping list include antimony, bauxite, chromite, manganese, and selenium.

The CCC tries to unload minerals acquired through barter on one of the Nation's stockpiles. Some minerals go into the so-called strategic stockpile, and the Office of Defense Mobilization foots the bill. More often bartered goods go into a supplemental of price-propping stockpile, and the CCC must go directly to Congress for repayment.

The current budget furor is a direct cause of barter's curtailment. The CCC is holding nearly $350 million worth of minerals it wants to put into stockpiles. But the lawmakers trimmed O. D. M.'s mineral-buying money, and clearly indicated they wouldn't look with favor on CCC requests for reimbursement.

The difficulty involved in disposing of minerals is a major reason why farm officials are arguing for straight crop sales for cash. "Cash sales get rid of our surpluses without a lot of falderal," one official contends. "When crop exports are at a record high, as they are now, it's likely that a good portion will move for dollars."

Barter's backers might overcome most of the CCC's objections to the program if they could induce Congress to widen the agency's outlets for its metal. Congress could do this either by increasing the ODM's mineral-buying money or by granting CCC requests for reimbursement. The outlook for either action is dubious.

But, regardless of Congress' position, barter's backers hold that the CCC is better off holding minerals than crops.

They figure 10,000 tons of wheat with an export price of $800,000 costs $67,200 a year just to store. But this wheat could be traded, say, for $600,000 worth of cadmium, which would require annual storage costs of only $2,500.

Interior Secretary Seaton notes that a mineral such as cadmium is nonperishable and can be cheaply stored for years. Crops, on the other hand, spoil sooner or later. The Secretary also notes that new crops can be grown each year, but the world's crop of lead, zinc, and other minerals can be harvested only once.

POOH-POOHS CLAIMS

Mr. Seaton pooh-poohs claims of some industry spokesmen that barter actually does more for foreign producers than United States miners.

"I am not aware that barter has unduly encouraged foreign production," he declares. And an aide says, "Even if it has, so what?" This official contends the object is to push domestic-mineral prices higher, and if this is accomplished it makes little difference whether foreign output is stimulated.

"Barter is a terrific instrumentality to keep prices up," this man opines. "It can be used, not only to help the lead and zinc industry, but also to prop domestic mining of tungsten and other metals."

Mr. Seaton, while heartily espousing barter, believes other relief is on the way for the hard-pressed lead and zinc industry. Zinc's price has sagged to 11 cents a pound, while lead has dropped to 14 cents—both the lowest prices since 1954.

Although few observers agree with him, Mr. Seaton insists Congress will pass the administration's long-range minerals program this session. This program recommends, among other things, import duties designed to guarantee a 16-cent price for lead and 14 cents for zinc.

The Secretary also refuses to go along with published reports that lead and zinc stockpiling is due to end this year. He discloses a high-level administration conference will soon determine the future of stockpile purchases of lead, zinc, and other metals. He holds out hope the policymakers will decide to go on buying lead and zinc until prices firm up.

Meanwhile, a so-called Emergency Lead-Zinc Committee has sprung up to put heat on Congress and the administration to bolster the industry. Head of the committee is Charles E. Schwab of Bunker Hill Co. (formerly Bunker Hill & Sullivan Mining & Concentrating Co.), Kellogg, Idaho. A spokesman says the committee represents practically 100 percent of the Nation's lead and zinc producers and will advocate Government props to insure 17-cent lead and 14½-cent zinc—a more liberal program, in other words, than the administration favors.

"We approve the theory of the administration's program," one spokesman says, "but we want to strengthen the underpinning. Higher import duties than the administration proposes are needed to stifle the terrific inflow of foreign lead and zinc."

But this industry spokesman also sees barter as an effective stopgap to help clean up surplus stocks of lead and zinc which he says "are overhanging the market." He points to the sag in lead and zinc prices when barter was suspended as evidence of the program's value.

"We certainly saw the reaction as soon as the barter props were pulled," he comments.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, I think no one familiar with operations under this program can deny that some grave difficulties have arisen under it, and in some instances the local currencies have been used by our own Government agencies for purposes that have not been approved or even considered by any committee of the House, either legislative or appropriations committee. That ought to be corrected. But, I do not believe that the kind of blanket amendment offered by the gentleman from Missouri, which would block all uses of these foreign currencies under agreements entered into by the President, is a wise thing to do. It is not the right way to handle the problem. It requires a much more careful study by the committees most familiar with this program. The Committee on Foreign Affairs, where the use of surplus commodities in lieu of dollars in our foreign-aid program originated, is considering it in the next few days.

One thing I am afraid of is that under the Curtis amendment we might really knock out about half of the sales of surpluses, injuring both our agricultural economy and our mutual security program. If you will look at page 8 of the committee report, you will find an example of what I mean. Here is the largest sale, to India, amounting to $360 million over a 3-year period. Now, what are the rupees received to be used for? If you look at about the 6th column, $234 million worth of rupees that the Indians paid to buy these commodities, is to be used, under the agreement for loans to India for developing multilateral trade and economic development. Now, what is economic development? That is for the construction, maybe, of dams, dynamos, highways, or hospitals or other projects that will strengthen India's economy or increase her production. India is willing to pay her rupees to buy these American commodities that she needs, with the understanding that substantial portions of those rupees will be loaned to India for important development projects in her country to strengthen her and, we believe, also strengthen the Free World's security in that part of the world.

At the bottom of that column on page 8 you will find that 56 percent of all the local currencies we have received from sale of surpluses have gone for this sort of loan program. If we require that every single yen or rupee or whatever it may be, that we receive is to come back to the Appropriations Committee regardless of our agreement with the other country, then I fear pretty close to 56 percent of the American surplus commodities that those countries are now buying would not be bought. It would cut our Public Law 480 program in two. Therefore I do not believe that we ought to adopt without further examination this amendment of the gentleman from Missouri.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I was anxious to take this time because I want to call the attention of the gentleman from Minnesota to the fact that item (f) is already exempted from the exemption.

Mr. JUDD. I am talking about (g).

Mr. CURTIS of Missouri. (f) is the one you read off. I do not know whether you meant (g). (f) is listed.

Mr. JUDD. I meant 104 (g).

Mr. CURTIS of Missouri. I thought you were reading (f). Incidentally, section 104 starts out by saying these 10 items of expenditure for foreign affairs are exempted from the regular appropriation procedures. Then there is an exemption to the exemption listing 3 of the 10 items. Mr. ROONEY's amendment adds 3 more, making 6. My amendment added 4 more, making a total of 10. All I was doing with the amendment I sought to substitute instead of saying these 10 are exempt and then saying later that these 10 are exempt from the exemption, is simply to wipe out the basic exemption from the appropriation procedures in the first place. That, in effect, is what is done by my original substitute.

Now, all this talk about hurting the disposal program obviously is not correct, because three of these items are already subject to the Committee on Appropriations, items (d), (e), (f), and items (h), (i), (j), which the gentleman from New York [Mr. ROONEY] wants to add on in his amendment are not found objectionable because it is agreed that his amendment will be accepted. Now, why not go the whole way and exempt items (a), (b), (c), and (g), the only four items remaining not subject to the appropriations procedure? What is so sacred about item (a) "to help develop new markets for United States agricultural commodities on a mutually benefiting basis.' Or about item (b) "to purchase or contract to purchase strategic and critical materials, within the applicable terms of strategic and critical materials, Stockpile Act, and so forth," (c) "to procure military equipment, materials, facilities, and services for the common defense," or (g) "for loans to promote multilateral trade and economic development, and so forth," that exempt them from the appropriations procedures? Are these 4 items so different for the 6 now going through regular appropriation procedures that the basic program will be altered by bringing about this uniformity? An examination shows quite clearly that there is no real difference. All of this emphasizes the point I have made throughout the debate that subjecting the items for which the counterpart funds may be spent to the regular appropriation procedure will in no sense interfere with the contracts for disposing of our agricultural surplus.

My point is that the whole program, of course, should be subject to the Appropriations Committee procedure and it is not going to hurt or alter the program at all. One thing that will be altered is that the Congress will know for a change what these foreign aid programs are going to spend in counterpart funds as we now know what funds which come directly from the United States Treasury are spent for.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. BROWN].

Mr. BROWN of Missouri. Mr. Chairman, I believe there is more common ground here between these two points of view than we realize. All of us want the closest possible scrutiny of every dime expended by the Government, whether it is American dollars or foreign currency. And I honestly believe there is actually more supervision than some may think, or at least as much as the Congress can reasonably exercise.

I have here in my hand an agreement negotiated with Austria and article 1 shows what we are trading them: Wheat, feed grains, cotton, tobacco, lard, canned and dried fruit—$22 million. Article 2 shows that the first $5.8 million is to go to help develop new markets for United States agricultural commodities; $2 million of it is to go to the purchase or contract for the purchase in Austria of materials under section 104 (d). The third part of it $14½ million for loans to the Federal Government of Austria to promote their economic development.

I should like to ask a member of the Committee on Agriculture whether this is a typical specimen agreement.

Mr. POAGE. I think it is fair to say that that is rather a typical agreement.

Mr. BROWN of Missouri. In this instance, two-thirds of it is going for loans to the Federal Government of Austria. Now the administration of these loans must be handled by the President and his Cabinet, just as we in Congress appropriate money to the Small Business Administration to negotiate loans to small businesses and have to rely on the Small Business Administration to approve or disapprove each individual loan. Congress cannot review each one and approve or disapprove it.

I do not know how far Congress can go in the matter of actually handling details of supervision. Surely, we have to assume that the executive department will work at the job and watch the money, and I think Congress must get reports on how it is spent. Do we get a report or does Congress ever have a chance to see just what these loans are that are made?

Mr. POAGE. Yes, we have a chance to see what they are. They are loans that are made to these governments and the effect is that the Government buys on credit as well as for foreign currencies, although I think in the Austrian agreement, as is true in many agreements, it is provided that there shall be repayment of the loan in American dollars.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. MEADER].

Mr. TABER. Mr. Chairman, will the gentleman yield to me for a suggestion?

Mr. MEADER. I should be glad to yield to the gentleman.

Mr. TABER. It seems to me that these counterpart funds ought to be under the control of the Congress. I hope the amendment offered by the gentleman from Missouri [Mr. CURTIS] will prevail. I think it is important.

Mr. MEADER. I thank the gentleman for that statement.

Mr. Chairman, I should like to have the attention of the chairman of the Committee on Agriculture, if I may, to make an inquiry. The gentleman has said that these agricultural surpluses cannot be sold to foreign governments on a straight sale for their currency, but in addition to selling for their currency we must agree in advance what we are going to do with the proceeds of that sale; is that correct?

Mr. COOLEY. I think that is substantially correct.

Mr. MEADER. Just what testimony was taken by the Committee on Agriculture from the Department of State or anybody in charge of this program that we would be unsuccessful in trying to sell these surplus commodities for foreign currencies in a straight sale, with the United States owning the currencies and disposing of them as we saw fit?

Mr. COOLEY. The law requires the administration first to determine that ordinary private trade transactions will not be interfered with and that the commodities going to any recipient country shall be over and above the normal consumption of such commodities from the American market.

We certainly could not make those determinations and I do not think a committee of Congress could make them with as much accuracy or precision as someone in a department of the executive branch of the Government.

Mr. MEADER. That is not quite an answer to my question. I am asking what evidence there was before the Committee on Agriculture that in these sales for foreign currency authorized by Public Law 480 we could not make a straight sale and just get the currency without going further and making an agreement with the Government as to how we were going to spend the money, before we ever got it.

Mr. COOLEY. That depends on the negotiations the President conducts. The twofold purpose of the act is to get rid of the currencies and at the same time help the economies of foreign countries.

Mr. MEADER. I hope someone will answer that question.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Chairman, it is rather unusual to meet opposition when we have a good program that has been working—I think most people are fairly satisfied with it, and we are only asking to extend the program—and I think it is unfortunate, but in view of their past actions it is understandable, that some of the Members on my left do not trust the President to make these negotiations. I think that is one of the reasons why this amendment has been offered. They do not trust the President.

I think before we start trying to have the investigation and the notice of where all of these funds go we might start with the general foreign-aid bill rather than this bill, which authorizes the sale of agricultural commodities for foreign currencies, the use of which obviates the necessity of our appropriating dollars. We are using these funds for the purpose of carrying on some work in those countries for which we would be appropriating dollars if we did not use these funds. In any sale like this you can always make a better deal and probably sell more of those commodities if you are in a position to do a little trading, a little bargaining there. I say it is better to do it in that instance than just to throw

the funds loose when you are appropriating dollars. I am in favor of and want to see us account for every penny of this money. Particularly, do I want to see the counterpart funds accounted for. But let us begin in the big foreign-aid bill and tie that down before we start to destroy this program which has worked so well.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. Gross].

Mr. GROSS. Mr. Chairman, I am not naive enough to believe this program, although I support it, will contribute in an effective way to a solution of the serious economic agricultural problem in this country. I can see no reason in the world why there should not be a checkup in every possible way by Congress on the spending of counterpart funds in foreign countries.

I want to recall to you again that 3 or 4 years ago someone in this Government authorized the turning over of approximately $1 billion in counterpart funds to the British Government for the purpose of retiring their debt, and about the same time another $400 million for the production of aircraft in Great Britain. Who authorized the turning over of those funds? I have never seen any publicity on it. I am surprised that the Foreign Affairs Committee has not dug into it. That happened, incidentally, at a time when Anthony Eden was apparently having a tough time getting himself elected to office in Great Britain.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes. The gentleman from Minnesota mentioned counterpart funds in India. I wonder whether any of our counterpart funds in that country are being used to pay for a steel mill reportedly being constructed in India by Russia?

Mr. JUDD. No; I can assure the gentleman that is not being done. But to get back to the gentleman's question of whether sometimes our counterpart funds have been used to help retire a country's debt, that is true, and it was very successful. For example, in Italy they were having dangerous inflation.

Mr. GROSS. Who authorized the turning over of a billion dollars in counterpart funds?

Mr. JUDD. I am not familiar with such a transaction, but if it was done, it was done by the President, under authority specifically granted in the legislation, using the agencies set up to try to stabilize the economies and the currencies of our allies. The most useful thing to do was to take that surplus currency in Italy and retire it, even burn it. It helped stabilize the Italian lira, instead of its going sky high. That was the best use we could make of that counterpart.

Mr. GROSS. I have no doubt that our counterpart funds were also used to help the British embark on all-out trade programs with the Communist countries. You can call that useful if you want to.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HAGEN].

Mr. HAGEN. Mr. Chairman, I would like to commend the chairman of the committee on his presentation and on the report which accompanies the bill.

Mr. Chairman, I wish to endorse the value of this legislation to our American farm community as a proper method of handling surplus production in a noncompetitive manner and its value to our foreign policy as an economical method of strengthening our allies and making new friends.

I am particularly interested in the question of the scope of this program in terms of definition of the kinds of commodities which we will dispose of hereunder. As a member of the House Agriculture Committee I heard testimony on this subject during consideration of this legislation and participated in discussion of the same during open and closed hearings on this bill. It was the conclusion of this committee that the disposal operations were not intended to be limited only to those agricultural products which were held in fee or under some security arrangement by the Commodity Credit Corporation. Rather the program would be used with respect to any farm commodity which was in surplus supply in this country by any reasonable definition and with respect to which such disposal would reasonably tend to develop new and expanded commercial markets abroad. It was stated that disposal operations of such broad character would result in the kind of permanent expansion of our foreign trade which would solidify our position in the world of nations.

The report of the committee—Report No. 432—accompanying H. R. 6974 verifies the foregoing conclusions.

At page 10 of the report, under the heading "Construction of the Act," the statement is made:

What are these benefits sought to be achieved? One need look no further than the title of the act itself to discover the first, and in the opinion of this committee, the most important tangible benefit Congress had in mind: Development abroad of new and expanded commercial markets for American agricultural products.

Again on page 11 of the report reference is made to this question under the subject caption "Development of New Markets." Here the statement is made:

It appears to the committee that the effectuation of the policy of Congress with respect to market development under Public Law 480 will require not only the allocation of a greater portion of available foreign currencies to this purpose but also the use of these funds in additional ways, and a more liberal interpretation by the Secretary of Agriculture of commodities available for sale under title I.

At a later point on page 11 of the report the statement is made:

The objective of developing new markets and future profitable trade in United States agricultural commodities and their products can be furthered also by making available to other countries—as contemplated by the general purposes of Public Law 480—commodities and products of a type which might reasonably be expected to find a substantial volume of profitable commercial demand in the country to which they are sent. Effectively to stimulate and facilitate foreign trade in these commodities and products and to further the policy of Congress as declared by Section 2 of the act necessitates full recognition by the Secretary of Agriculture and other administrative officials of the intent of Congress to make any surplus agricultural commodity as defined in the act eligible for sale under the authority of the act, whether or not the Commodity Credit Corporation owns or has acquired stocks of such commodities under price support programs.

At page 13 of the report under the caption "Fruit and Other Commodities" additional evidence for my conclusions is found in the statement:

The committee also concurs in the position of the Senate committee with respect to the application of title I to fruit and other commodities as expressed on pages 4 and 5 of Senate Report No. 198. The committee believes that substantial market potential exists for many non-CCC inventory items such as poultry and dairy products and other livestock products. This measure will permit the undertaking or the continuation of programs such as the poultry program which was started in Germany last year and has already demonstrated possibilities for establishing entirely new markets which never before existed for United States agricultural products.

I will conclude by explaining the committee reference at the bottom of page 11 of the report to the statute's definition of surplus agricultural commodity. Section 106 of the Agricultural Trade Development and Assistance Act defines such surplus agricultural commodity to mean:

Any agricultural commodity or product thereof, class, kind, type, or other specification thereof, produced in the United States, either privately or publicly owned, which is or may be reasonably expected to be in excess of domestic requirements, adequate carryover, and anticipated exports for dollars, as determined by the Secretary of Agriculture.

On the basis of our discussion in the committee I conclude that this definition does not require any inquiry into the question of whether or not the commodity commands a prescribed parity price in the domestic market as a condition of Public Law 480 eligibility. Rather the question is purely one of surplus supply in excess of domestic requirements and anticipated foreign sales plus a reasonable carryover. If this definition is applied in this fashion the 480 program—as it should be applied—will apply to commodities which now have straitjacket parity formulas for participation in marketing order and marketing agreement programs. I am certain that this was the intent of our committee and will be the intent of this Congress with the passage of this legislation. It is obvious that no parity criteria would apply to a definition which refers to commodities which may be reasonably expected to be in surplus.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SPRINGER].

Mr. HARVEY. Mr. Chairman, I ask unanimous consent that the time allotted to me may be used by the gentleman from Illinois [Mr. SPRINGER].

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Chairman, I thank the gentleman from Indiana [Mr. HARVEY] for his courtesy.

I would like to ask my colleagues here how many times do we have to march up the hill and down? May I say for those whose recollection is not too long that so far as the effect of the amendment is concerned, we had exactly the same amendment before us when we debated this bill last week. It is exactly the same amendment as far as the effect is concerned as the gentleman from New York [Mr. ROONEY] presented. Let me talk just a second about the amendment which my distinguished colleague, the gentleman from Missouri intends to introduce. It is in different language, but it is exactly the same amendment so far as the effect is concerned as the one the gentleman from New York [Mr. ROONEY] introduced last week. It is exactly the same in effect as the amendment which is now pending as an amendment to the amendment of the gentleman from New York [Mr. ROONEY] today.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield for a question.

Mr. CURTIS of Missouri. I simply want to confirm what the gentleman is saying. It is true that the purport of this amendment is just as the gentleman has stated. It is the amendment that the gentleman from New York [Mr. ROONEY] offered and it was debated before.

Mr. SPRINGER. But the point is this amendment was decisively defeated last week. We talked about this, as I recall, for some three hours. The amendment which is now pending, as an amendment to the amendment offered by the gentleman from New York [Mr. ROONEY] and the amendment which the gentleman from Missouri intends to introduce has exactly the same effect as the amendment pending now. So I want to be sure the Members understand what these amendments are about. I talked with the parliamentarian and I might say to my distinguished colleague from Missouri that I had intended to object to both amendments, but I am informed that because the wording is different it is not possible for me to object to the amendments as being the same ones that we have already gone over before. I want to tell you what the parliamentary situation is so that you will have an understanding of what his amendments are about.

I would like to answer the inquiry of the gentleman from Michigan [Mr. MEADER] as to why we just cannot take these foreign currencies and do what we want with them. When we enter into these agreements—take India as an example, when the administrator of the foreign service program under this law, talked with the Government of India a few years ago, India did not want to enter into any agreement with us because it created expansion of their currency. In order to keep their currency stabilized, the expansion which was created had to be controlled and the expenditures had to be in such a way that they would not be a threat of inflation to the Government of India. That is one reason and one example that I can give to you as to why these countries have to know how this money is going to be spent. If we were to take a large sum of money and enter into contracts with other countries to use those currencies in competition with their own trade—and, there are any number of things that we could do, we could buy arms and we could do many things—that would be a threat to their economy. They realize that. But, we were able to enter into a contract so that the moneys which were generated as a result of this, that is the number of rupees, and the expansion of their country, was not a danger to their economy and there was no threat of inflation. As you well know, inflation has been the big problem in India ever since the British left India.

May I just talk for a second about the matter raised by the gentleman from Iowa [Mr. GROSS] and that is the checkup on the expenditures. I hope that the House understands that the gentleman from North Carolina, the chairman of this committee, has explained and has read from the budget facts which indicate that there is a checkup of these funds. I think I am right in that; am I not, Mr. Chairman?

Mr. COOLEY. I believe the gentleman is correct.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan, [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, I yield my time back to the Chair.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I want to try to clear up 1 or 2 misapprehensions.

In the first place with regard to this money we are talking about, most of it is not counterpart funds at all. It does not become counterpart funds until after somebody pays it back to the United States. For a long time the United States has got somebody else's currency. That is the very reason that we cannot accept this Curtis amendment, because it is not a matter of dealing with money that has been paid back; it is an entirely different matter. We are faced with the question of whether or not we are going to require that the Appropriations Committee must pass on every item of every agreement before the agreement is made.

We have already accepted the Rooney amendment which will authorize us through the Appropriations Committee to appropriate the money after it comes into the Treasury.

The Curtis amendment would keep us from making agreements with these foreign countries. It is not simply the matter of goods; it is not even the fact that we take their currency in payment; it is the fact that we enable them to make an agreement with us whereby we commit ourselves as to how we will use that money over a substantial period of time, which has enabled us to make as many sales as we have.

As the gentleman from Illinois so well pointed out a few moments ago, no nation on earth can afford to let some foreign power hold a large block of its own currency without submitting itself directly to the complete economic control of the power holding its currency; and that is what the Curtis amendment would require. It would require that foreign currency be under the complete control of the Appropriations Committee here in the House. We must either require the purchasing country to turn over its currency without any assurance as to how the Appropriations Committee will spend it, or we must admit that the Appropriations Committee would be a part of the negotiating process.

This bill as it has been in operation for the last 3 years allows the President of the United States to enter into agreements with these foreign countries as to the purpose for which we will use those foreign currencies, and the biggest part of it has been used to make loans back to those same countries. Those loans are made in foreign currencies, but about three-quarters of them are repayable in American dollars. It is when we get the dollars back that they come under the control of the Appropriations Committee; and we want them to then come under the control of the Appropriations Committee.

The Curtis amendment should not be in the bill.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY] to close debate.

Mr. COOLEY. Mr. Chairman, after all of this brilliant debate, I would like to call the attention of the members of the committee to this language in the budget message:

Foreign currencies, generated by the sale of agricultural surplus commodities under title I of the Agricultural Trade Development and Assistance Act of 1954, may be allocated to the Department of Defense to finance the construction of housing for our military personnel and families stationed abroad. The Department of Defense will pay the Commodity Credit Corporation in dollars, as authorized by Public Law 161, approved July 15, 1955, from appropriations otherwise available to pay quarters allowances to military personnel occupying the housing, for the foreign currencies used to provide this housing.

How could it possibly be said by Members of the House that Armed Services Committee or the Appropriations Committee are not aware of this expenditure of money? Here are the estimates in dollars and cents presented in the budget in the manner of all budget estimates. It is estimated that in the year 1958 we will use $67,532,143 for military housing and other direct defense purposes abroad; in 1957 we will use about $71 million.

Furthermore, after all of this controversy about what this money is used for, here in the budget are items set forth on page 1156 of the budget: Foreign currency information schedules: Foreign Agricultural Service, General Services Administration, Interservice Activities, Defense Department, mutual security program, State Department and United States Information Agency.

Mr. Chairman, all of this is public information and is available in the budget for the fiscal year 1958 and if any Member is anxious to obtain the information it is available in this document.

that I can give to you as to why these
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Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Actually under the provisions of the statute any department of government that uses the money generated under this program must pay into the Commodity Credit Corporation the amount they are saving in their own appropriations. So it is really under the Appropriations Committee.

Mr. COOLEY. The gentleman is correct.

The CHAIRMAN. All time has expired. The question is on the substitute amendment offered by the gentleman from Missouri [Mr. CURTIS] to the amendment offered by the gentleman from New York [Mr. ROONEY].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ROONEY].

The amendment was agreed to.

Mr. THOMPSON of Louisiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of Louisiana: Page 2, following line 3, add the following new section:

"SEC. 2. The Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following new section:

"'SEC. 306. (a) The Commodity Credit Corporation is authorized, on such terms and under such regulations as the Secretary may deem in the public interest, to donate raw cotton, and mattress ticking, sheeting, and blanketing made of cotton, to such State, Federal, or private agency or agencies as may be designated by the proper State or Federal authority and approved by the Secretary, for use in the United States in assisting needy persons, and in charitable institutions, including hospitals, to the extent that needy persons are served.

"'(b) The Secretary, before making any donations under this act, shall obtain such assurances as he deems necessary that—

"'(1) such raw cotton and such cotton products will be used by the recipient agency in a program under which such cotton and cotton products will be processed into finished mattresses, sheets, and blankets and distributed among needy persons,

"'(2) the recipients of such raw cotton and such cotton products will not diminish their normal expenditures for cotton and such cotton products by reason of such donation.

"'(c) (1) In order to facilitate the appropriate disposal of such raw cotton and cotton products, the Secretary may from time to time announce the quantity thereof which will be available for distribution.

"'(2) The Commodity Credit Corporation may pay, with respect to cotton and cotton products disposed of under this act, the cost of acquiring such commodities (unless procured from the stocks of such Corporation), and the cost of reprocessing, packaging, transporting, handling, and other charges accruing up to the time of their delivery to a Federal agency or to the designated State or private agency.

"'(3) For the purposes of this act, the terms "State" and "United States" include the District of Columbia, Puerto Rico, and each Territory or possession of the United States.'"

Mr. AUGUST H. ANDRESEN. Mr. Chairman, a point of order.

The CHAIRMAN The gentleman will state it.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I make the point of order against the amendment that it is not germane to any part of this bill. This bill reads "To extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes." The bill that we are considering here deals strictly with foreign countries of the world in developing export markets for surplus agricultural products and providing for assistance to those countries. Now, I cannot read into this bill or into existing law any authority for our Government to deal with commodities and purposes indicated in the amendment proposed by the gentleman from Louisiana. Therefore I make the point of order against the amendment.

Mr. THOMPSON of Louisiana. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. Yes.

Mr. THOMPSON of Louisiana. This amendment creates a new section in the bill under consideration, and I have been told from what I think is competent authority that it is germane to the intent of the bill. And I might add my own belief that if it applies, as the gentleman contends, to the foreign aspects under Public Law 480, then certainly I think it is germane to hand over some of these commodities where it will do some good in our own country.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Louisiana. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I might say to the gentleman that we had that very point up before the Committee on Agriculture. It is receiving sympathetic consideration. We are now distributing our surpluses to people in need throughout the United States, milk, dairy products, for school lunches, hospitals, and to needy people.

Mr. THOMPSON of Louisiana. I know of the gentleman's great work in this matter, and my amendment is an attempt to expedite that great work.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Louisiana. I yield to the gentleman from North Carolina.

Mr. COOLEY. I would like to say that the bill we have before us, H. R. 6974, is a bill to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, and the first division states that the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended as follows. Now, I understand the gentleman proposes to further amend the Agricultural Trade Development and Assistance Act of 1954. While the act already provides that food and feed might be made available under certain circumstances, you now are seeking to provide that fiber might be made available to charity and other needy persons within the continental limits of the United States.

Mr. THOMPSON of Louisiana. That is merely one commodity in addition.

Mr. COOLEY. And that is added to the feed and the seed or whatever else we have in surplus.

Mr. THOMPSON of Louisiana. The gentleman is correct.

Mr. COOLEY. I submit, Mr. Chairman, though I am not authorized to speak for the committee, it seems to me that the gentleman's amendment is entirely germane and in order and meritorious, and I personally would like to see it adopted.

Mr. FULTON. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. Yes.

Mr. FULTON. Title II and title III of the original act specifically provide that there is to be distributed among the needy people through charitable institutions and various other institutions in the United States agricultural commodities. Cotton is certainly an agricultural commodity. It comes within the general purview of the act on distribution both at home and abroad, and this particular legislation is to cover the basic act on the distribution end. So I believe the gentleman is completely in order, and I agree with the chairman of the Committee on Agriculture.

The CHAIRMAN (Mr. HAYS of Arkansas). The Chair is prepared to rule.

The act which the bill proposes to amend and extend contains a provision relating to the subject matter and, as pointed out, is sufficiently broad and does cover the material offered in this amendment. The language is specific that notwithstanding the foregoing the Corporation on such terms and conditions as the Secretary may deem in the public interest shall make available any farm commodity or product thereof owned or controlled by it in relieving distress.

The Chair holds the amendment is germane and overrules the point of order.

Mr. THOMPSON of Louisiana. Mr. Chairman, I shall not burden this Committee in explaining this amendment. It explains itself. The mere reading of it by the Clerk tells you what it does.

The great Committee on Agriculture has labored long this year and for many years past in trying to make proper disposition of what we have in surplus in this country, and in foreign lands to help our State Department in our relations with friendly countries.

I think no one would be in disagreement with extending that type of charity to our people here at home where a great need exists, even in my district and perhaps yours. I hope it does not exist in yours any more than it does in mine, but I have seen over the years so many of our families at home who read about the great generosity of Uncle Sam overseas who are actually in trouble and in need of these things that we call basic and fundamental to a decent standard of living.

This is just as important to these poor, indigent people as the distribution of food which is in surplus. This concerns sheeting and mattresses and cotton for the purpose of making mattresses, which would not only help to reduce our surpluses but we would also do this great good that I know can be done in many areas of our country where the need exists.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Louisiana. I yield to the gentleman.

Mr. FULTON. May I compliment the gentleman on his amendent; because, if we are going to be fair, cotton should be included along with other surplus agricultural products included in Public Law 480. I might say to the gentleman, that we have 611,000 needy people in Pennsylvania who are receiving free surplus food from the Federal Government. It has been a fine program as far as our cities and towns in Pennsylvania are concerned.

Mr. THOMPSON of Louisiana. I thank the gentleman.

Mr. GATHINGS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Louisiana. I yield.

Mr. GATHINGS. Mr. Chairman, I compliment the gentleman on his amendment. This amendment was presented to our Committee on Agriculture last Saturday. The gentleman did a splendid job. I trust the amendment will be agreed to.

Mr. THOMPSON of Louisiana. I thank the gentleman. I would ask the chairman of the great Agricultural Committee if he would accept the amendment.

Mr. COOLEY. Personally I am very much in favor of the amendment and hope it will be adopted. And I hope the Secretary will provide a very worthwhile program pursuant to the provisions of the amendment.

Mr. LONG. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Louisiana. I yield to my colleague.

Mr. LONG. Mr. Chairman, I would like to compliment my colleague from Louisiana on the amendment he has offered and associate myself with him in the remarks he has just made, and say that I am very much in favor of the amendment.

Mr. THOMPSON of Louisiana. I thank the gentleman.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Louisiana. I yield.

Mr. POAGE. I want to ask the gentleman if he does not apply to cotton exactly the same principle that we applied last year in the Bailey bill to wheat and to corn, which are edible commodities? We apply in the gentleman's amendment the same principle to cotton.

Mr. THOMPSON of Louisiana. That is correct. It serves as great a purpose as food does in many cases.

Mr. POAGE. Exactly. This Congress last year authorized the Commodity Credit Corporation to pay the expenses of processing foods into a form that would be usable in the kitchen and authorized the CCC to pay the expense of processing cotton into forms usable in the home. The purpose is exactly identical and it should be easy to further the program of using these surpluses for our American people.

Mr. THOMPSON of Louisiana. I am asking the committee not to indulge me, but to help the needy people in our country, by going along with this amendment.

Mrs. SULLIVAN. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Louisiana.

The Clerk read as follows:

Amendment offered by Mrs. SULLIVAN, of Missouri, as an amendment to the amendment offered by Mr. THOMPSON of Louisiana:

Page 2, after line 3, insert:

"SEC. 2. Title III of such act is amended by adding at the end thereof the following new section:

"'SEC. 306. (a) The Secretary of Agriculture (in this section referred to as the "Secretary") is hereby authorized and directed to promulgate and put into operation, as quickly as possible, a program to distribute to needy persons in the United States through a food stamp system a portion of the surpluses of food commodities acquired and being stored by the Federal Government by reason of its price-support operations or other purchase programs.

"'(b) In carrying out such program, the Secretary shall—

"'(1) distribute surplus food made available by the Secretary for distribution under this program only when requested to do so by a State or political subdivision thereof;

"'(2) issue, or cause to be issued, pursuant to section 3, food stamps redeemable by eligible needy persons for such types and quantities of surplus food as the Secretary shall determine;

"'(3) distribute surplus food in packaged or other convenient form on the local level at such places as he may determine;

"'(4) establish standards under which, pursuant to section 3, the welfare authorities of any State or political subdivision thereof may participate in the food stamp plan for the distribution of surplus foods to the needy;

"'(5) consult the Secretary of Health, Education, and Welfare and the Secretary of Labor, in establishing standards for eligibility for surplus foods and in the conduct of the program generally to assure achievement of the goals outlined in the first section of this act; and

"'(6) make such other rules and regulations as he may deem necessary to carry out the purpose of this act.

"'(c) The Secretary shall issue, to each welfare department or equivalent agency of a State or political subdivision requesting the distribution of surplus food under section 2 (1), food stamps for each kind of surplus food to be distributed, in amounts based on the total amount of surplus food to be distributed and on the total number of needy persons in the various States and political subdivisions eligible to receive such food. The food stamps shall be issued by each such welfare department or equivalent agency, to needy persons receiving welfare assistance, or in need of welfare assistance but ineligible because of State or local law, and shall be redeemable by such needy persons at local distribution points to be determined by the Secretary under section 2 (3).

"'(d) Surplus food distributed under this act shall be in addition to, and not in place of, any welfare assistance (financial or otherwise) granted needy persons by a State or any political subdivision thereof.

"'(e) In any one calendar year the Secretary is authorized to distribute surplus food under this act of a value of up to $1 billion, based on the cost to the Federal Government of acquiring, storing, and handling such food.

"'(f) The distribution of surplus food to needy persons in the United States under this act shall be in place of distribution to such needy persons under section 32 of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes," approved August 24, 1935 (7 U. S. C., sec. 612c), as amended, and section 416 of the Agricultural Act of 1949, as amended: *Provided, however,* That nothing in this act shall affect distribution of surplus food presently provided for in such sections other than to needy persons as defined in section 7 of this act.

"'(g) For the purposes of this act, a needy person is anyone receiving welfare assistance (financial or otherwise) from the welfare department or equivalent agency of any State or political subdivision thereof, or who is, in the opinion of such agency or agencies, in need of welfare assistance but is ineligible to receive it because of State or local law.

"'(h) The Secretary, in consultation with the Secretary of Health, Education, and Welfare and the Secretary of Labor, shall make a study of, and shall report to Congress within 6 months after the date of enactment of this act, on the feasibility of, the costs of, and the problems involved in, extending the scope of the food stamp plan established by this act to include persons receiving unemployment compensation, receiving old-age and survivors insurance (social security) pensions, and other low-income groups not eligible to receive food stamps under this act by reason of section 7 of this act.

"'(i) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.'"

Mrs. SULLIVAN (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as read, because the wording of this amendment was in a bill I introduced, H. R. 949, and hearings have been held in the committee on that bill.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mr. HOEVEN. Mr. Chairman, I make the point of order against the amendment that it is not germane to the subject under discussion. It imposes upon the Secretary of Agriculture new duties not contemplated in this act, and sets up a plan entirely extraneous and foreign to the subject matter of this bill.

Mrs. SULLIVAN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Chairman, I have been advised I will probably have to bow to the point of order, but before doing so I should like to say that while this amendment may not perhaps be germane from a strictly technical application of the rules of the House, it certainly was not dragged out of thin air and it is certainly relevant. It amends the law of 1954 which incorporates the present program for the distribution of surplus food to needy persons in this country. While it is true that the present bill contains provisions dealing only with the foreign distribution of this surplus, it is relevant, I think, and practical on this question of feeding our own hungry in this country.

May I ask the gentleman from Iowa to reserve his point of order until he has heard my statement?

Mr. HOEVEN. I reserve the point of order, Mr. Chairman.

Mrs. SULLIVAN. Mr. Chairman, my amendment consists, almost verbatim, of my bill H. R. 949, to establish a food stamp plan for the distribution of up to $1 billion in surplus food a year to needy persons in this country.

Most of the Members, I believe, are generally familiar with my bill, since I have been pressing here for it for more than 3 years and have enlisted the active support and cosponsorship of numerous Members of the House and several Members of the Senate. Hearings on this bill, or on various versions or approximations of it, have been held at various times before both Agriculture Committees and also, in connection with the social security program, before the House Ways and Means and the Senate Finance Committees.

So this amendment which I submit today is not some new and unfamiliar proposal. The committee knows all about this idea. It has studied it several times. But it has failed to act on it.

I think the time is now here when we can no longer remain idle or silent over the desperate plight of millions of our own American citizens who are not now receiving adequate diets—who do not—who simply do not—get enough to eat.

These are primarily the people on any form of public assistance—those on general assistance administered by the various States, and those on any of the joint Federal-State programs for old age assistance, aid to the blind, aid to dependent children, and so on.

These people are hungry in the midst of plenty. Statistically, our country was never so prosperous. Yet we have at least 5 million Americans who go to bed at night hungry, dieting not to lose weight but because they cannot afford enough food.

And the food is here, in mountainous piles. The warehouses bulge with it. Our Government is desperate to give it away as fast as possible.

But all the emphasis is on giving it away abroad, as this bill provides.

Yes; we do distribute some of it to needy persons in this country. But the program under which it is distributed here is tragically inadequate. Some States and the District of Columbia do not participate in it at all; others find it so horribly expensive to distribute the food under the program of the Department of Agriculture now in effect that they say it costs them more to distribute this surplus to some of their needy than the food itself is worth.

If we can use this food to feed needy persons all over the world, then I say we can also spare some of it, and afford the cost of distributing some of it, to every needy American.

I am speaking now of the certified cases of need, those on public welfare. There are many in every State. We are not getting this food to most of those needy. I repeat that we are not under the present program helping most needy in most States.

In some States, vast quantities are handed out to all who register for it, depending upon size of family and the amount of income. In others, some of this food goes just to a few families, comparatively, in areas of excessive joblessness.

Mr. COOLEY. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield.

Mr. COOLEY. I would just like to point out according to the record I have here, you have 10,366 dependent people receiving aid in the State of Missouri and the State of Mississippi has 257,869. I wonder why under the law, and since the food is now available, why is it that the needy people are not receiving it at the present time?

Mrs. SULLIVAN. Because it is so terrifically expensive for many of the States to participate and to distribute it. You mentioned that in Missouri we have 10,000 who are receiving aid. That is true, but we have 232,000 who are on the relief rolls and who are getting none of it.

Mr. COOLEY. Are they not eligible for relief and are they not eligible to receive these commodities?

Mrs. SULLIVAN. No, because in order to be eligible they have to be in distressed areas, and the State government has to ask for these commodities and distribute them.

Mr. COOLEY. I agree with the gentlewoman. I notice on the same chart that I hold in my hand that my own State of North Carolina is not even participating in the program at all. I know we have some needy people in the State of North Carolina. Just why are we not participating, I am not quite sure. But, apparently, the State of Missouri is participating and I wonder why it is that they cannot participate on a broader scale.

Mrs. SULLIVAN. Because they cannot afford to do it. That is the answer that I repeat to the gentleman.

Mr. COOLEY. In other words, the distribution of the commodities is the problem.

Mrs. SULLIVAN. That is right.

Mr. COOLEY. I would like to say that I am thoroughly in sympathy with what the lovely lady is trying to do, and I would be very glad to work on legislation dealing with that problem before our Committee on Agriculture. I know you have legislation pending there, but I doubt the propriety of it in this bill.

Mr. FULTON. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I am glad to yield to the gentleman.

Mr. FULTON. May I say to the chairman of the Committee on Agriculture that the gentlewoman from Missouri has a real point because we, in Pennsylvania, went down to the Secretary of Agriculture and set programs up. But the real trouble is that while the Department of Agriculture is willing to ship it in, and while they have to store it anyhow at its source point, they will not pay the local storage expenses. The real trouble is that neither the Secretary of Agriculture nor the Department of Agriculture will help pay the storage costs on delivery to the distribution points. So in many cases it stays there for 2 weeks or 3 weeks or a month. There is where the cost which the gentlewoman from Missouri points out have to be borne by the local agencies and cannot be taken care of in their budget. Why cannot there be by the Department of Agriculture local storage points put, for example, in Missouri at Federal expense, and in Pennsylvania, because we, in Pittsburgh, are closing the program for the same reason that the gentlewoman cites.

Mr. COOLEY. I would like to point out that in the State of Pennsylvania you have 611,000.

Mr. FULTON. Yes. 611,000.

Mr. COOLEY. In the State of Pennsylvania you have 611,000 and that is twice as many people as they have on relief in Puerto Rico.

Mr. FULTON. Yes. I do not see any reason in the world why the Department of Agriculture cannot arrange to have all of these foods stored in the area where they are being consumed.

Mrs. SULLIVAN. May I point out to the gentleman from Pennsylvania that you have 611,000 who are receiving surplus food now, but you have 215,000 who are on the relief rolls, but that does not mean that these people on the relief rolls are getting this food.

Mr. FULTON. It does, because in Pennsylvania we give it to the department of public assistance on certification, as well as by local boards which are set up by the citizens on a voluntary basis. We have worked with our labor unions and have a very fine program worked out for Pennsylvania. As the chairman of the Committee on Agriculture points out, if the Secretary of Agriculture can set up local storage points at points other than the origination of the surplus, then they can be distributed without extra cost to the Government of the United States.

I do not see why it cannot be done. I compliment the gentlewoman from Missouri.

Mrs. SULLIVAN. In conclusion, I wish to call the Chair's attention, on the matter of germaneness, to the reference in Cannon's Precedents, volume 8, section 2941:

> An act continuing and reenacting an existing law is subject to amendment modifying the provisions of the law carried in the act.
>
> The Committee overruling the decision of the Chair held that an amendment germane to existing law is germane to a bill proposing its reenactment.

I submit that reference to the Chair for its consideration.

Mrs. KELLY of New York. The gentlewoman does not concede the point of order, does she?

Mrs. SULLIVAN. No; I do not.

Mr. BROWN of Missouri. Mr. Chairman, may I be heard briefly on the point of order?

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. BROWN of Missouri. Mr. Chairman, I see very little difference in principle here between amending this act to provide foodstuffs for needy persons and the amendment offered by the gentleman who proposed the amendment to provide cotton products for needy people. It seems to me the principle is the same in both cases, and foodstuffs are in much more total surplus than cotton in this country. In the development of trade and assistance in agricultural products surely foodstuffs deserve greater consideration.

The CHAIRMAN (Mr. HAYS of Arkansas). The Chair is prepared to rule.

The Chair calls attention to the fact that the amendment offered by the gentlewoman from Missouri is offered as an amendment to the pending amendment offered by the gentleman from Louisiana and that that amendment is confined to cotton. The amendment offered by the gentlewoman from Missouri goes beyond that and includes other commodities, and for that reason would not be germane as an amendment to the amendment.

The Chair has not weighed the other matters that were mentioned by the gentlewoman, but it seems to the Chair that the arguments advanced and the points mentioned would be made perhaps in connection with an amendment to the bill. As an amendment to the amendment, however, the Chair is constrained to hold that since the amendment is limited to cotton and the amendment to the amendment includes other foodstuffs it would not be in order.

Mrs. SULLIVAN. Then, Mr. Chairman, I ask unanimous consent to withdraw this amendment to the amendment offered by the gentleman from Louisiana, and offer my amendment at a later time.

The CHAIRMAN. The parliamentary situation is that the amendment has been declared out of order. It is not pending and could not be offered until the other amendment is disposed of.

The question is on the amendment offered by the gentleman from Louisiana.

The question was taken; and on a division (demanded by Mr. AUGUST H. ANDRESEN) there were—ayes 71, noes 61.

Mr. HOEVEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. THOMPSON of Louisiana and Mr. HOEVEN.

The Committee again divided, and the tellers reported that there were—ayes 95, noes 85.

So the amendment was agreed to.

Mr. WHITTEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I voted for the amendment that just passed, but I would like to point out, once again, certain basic facts to the membership of this body. That amendment sounds good. I voted for it, but really it will be of very little benefit to the indigent, nationwide, and it will do very little, if anything, to meet our cotton problem.

But, I take this floor once again, because of the line of debate that has always come up with Public Law 480 and point out the fact that for a number of years that while our Government had complete authority to sell commodities the Government owned, in world trade at competitive prices, the Department of Agriculture refused to use such authority. For many years we followed such a course, holding our commodities above world markets, paying storage, while other countries sold their products. During that same period, through Public Law 480 and before that through other foreign-aid programs, we were giving away the commodities we would not sell for dollars. That policy caused the huge buildup of commodities in our Government's hands.

The membership is familiar with the course we had to take of finally demanding that these commodities be offered for sale for dollars. Our committee finally having to set up a sales organization in the CCC and we went so far as to say orally we would not recommend funds to control acreage on any commodity we refused to sell.

As a result we started offering Government stocks for sale for dollars in world trade. Sales have been tremendous. Last January for the first time we offered cotton for sale in world trade at competitive prices, and to date we have sold 8 million bales of cotton. Now, it is true that the books show we did not recover all the money we had invested, much of which was storage costs while we would not sell, but we did recover about 80 percent of our investment. Make no mistake under this bill, you give cotton away under Public Law 480, and it costs you a full $1 for each $1 worth of cotton the Government owns. Under the sales program you lose not more than one-third of the investment and many times less. This program is good but only if it is in addition to normal sales. Let us see what we have done through sales. Since we started selling commodities before giving them away, the Department of Agriculture sold last year $2.6 billion of commodities for cash. It is estimated under the present sales program that we will sell something like $3.9 billion worth of commodities for cash in this year.

Now, why do I make this point?

I am afraid the Department may once again return to giveaway instead of sales. Not only would the taxpayers lose but so would the farmers.

The answer to the farm problem is not getting rid of surpluses. The answer, as I see it, is in regaining our markets, and we can regain the markets only as we sell competitively for dollars through normal channels. We can never regain markets if we let Public Law 480 be substituted for normal sales through regular channels.

Now, as to this cotton amendment just adopted, here is the record as of today. Notwithstanding the fact that we have sold 8 million bales of cotton for cash, notwithstanding the fact that we are down to a carryover of about 6 million bales, notwithstanding the fact that we are now entitled to additional acreage in the new year, because supplies will be under that level, the Department is dragging its feet on getting out the catalog to show what cotton we have for sale so that the buyers can buy our cotton for export to foreign markets.

Because of this neglect we will lose the sale of thousands of times more cotton by this delay in getting out the catalog so that the buyers can buy our cotton across the counter for dollars, than that amendment will provide and further, you lose much more in gain for our farmers than you could expect to help under this giveaway under Public Law 480. I say that it is ridiculous for us to make the argument that Public Law 480, and the giveaway, is the answer to our farm problem, though it can help if held as an additional means of meeting the problems largely caused by holding our production off world markets.

Believe me, I supported this bill; but if this bill and this giveaway for foreign currencies and then turning around and giving them the currency, which means a dollar's worth lost for a dollar invested, is to be once again substituted for sales through normal channels where we get at least two-thirds of our money back—if that is the purpose, then I think it would be better to defeat this bill.

The authors of the bill, the chairman of the committee insists that it is their intent that this act be used in addition to normal sales and I am glad that they have made that statement, because I know they mean it. But I would point out again that for at least 5 years we held our commodities off world markets, away from normal channels for dollars and were using various foreign aid and giveaway type programs in substitution. Now the sales program is working and I hope that the debate here indicating that this bill is so very important—and I agree that it is important—will not be taken by the Department as an excuse to return to the old policy of holding our commodities off world markets and thereby holding up the world price but letting somebody else have the market while they increase their acreage as we reduce ours.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman.

Mr. HILL. Mr. Chairman, I go along with the gentleman from Mississippi 100 percent. We should be putting our pressure on the sale of surplus products, but here is a demonstration where the gentleman says himself that he voted for cotton. Cotton, as we put it into this bill, has no place in this legislation, because you are going to delay Public Law 480 and the first thing you know we will not have a program of 480 at all. I do not see any reason why we should put that amendment onto this bill.

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. WHITTEN] has expired.

Mr. WHITTEN. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HILL. The point I make is this. Is there any reason why we should clutter up this bill with this particular crop, cotton?

Mr. WHITTEN. I did not see and do not see any great benefit in the amendment. On the other hand if all the commodities of which the Commodity Credit Corporation has a supply, which are basic, are being given to foreign countries for foreign currencies, and then we turn around and give them the currencies, it is almost indefendable to say that you are not willing to do the same thing for the indigent people of the United States.

Again, there is going to be precious little relief as a result of this amendment and there is going to be practically no relief to your cotton situation. As I pointed out, because of the delay in getting out the catalog, so that those who want to buy cotton and are ready to buy it, and who have proven they are ready, would have the opportunity to buy; it will cost us a thousand times more in benefits by not going at it in the proper

way, than we can get under this bill, giving away our products.

Mr. Chairman, the answer to the farm problem is not just to get rid of the surpluses. You could burn them up and you would be in the same predicament in a short time. The answer is to regain your markets and you can regain your markets only as you sell competitively. And I hope that the Department will not take the debate here which points out how essential this bill is as any evidence that they should quit selling commodities in world trade for dollars. May I repeat again—and do not misunderstand me—anything that you get rid of under Public Law 480, you lose every dollar you have invested in it. But for this supply that we have sold through normal channels for dollars; at least we have regained about two-thirds of our investment and you regain your markets. There can be no question as to the choice between the wisdom of selling through normal channels for dollars as against giving such commodities under Public Law 480.

May I say again, Mr. Chairman, the great need for agriculture is to regain our markets and it will not come from Public Law 480 or any other giveaway program, but through sales through normal channels at competitive prices for dollars.

Mr. ALGER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I simply take this time to express my amazement and disappointment, to say that I am appalled at the fact that the United States Government considers it is its role to give away food. I merely want to express my distaste for this provision of law 480 and I speak, I believe, for the people of my district. In fact, it is unconstitutional. I cannot understand why the Federal Government should take the taxpayers' money and then turn around and give the money away. I myself cannot differentiate between that and socialism, even though we may be helping needy people.

I yield to the gentleman from Illinois.

Mr. MASON. I should like to propound a very profound question to the gentleman from Pennsylvania and the gentlewoman from Missouri, who say Uncle Sam now is handing out freely these foodstuffs to the needy but the States where it is handed out must provide the vehicle by which it is distributed, and that costs the States money, so they want Uncle Sam not only to hand out the foodstuffs free but they want the States to be relieved from paying for the handing out of the food. They want Uncle Sam not only to take it to them but then to distribute it for them. I say that that is expecting a bit too much from feeble Uncle Sam, who is $276 billion in debt, while a good many of the States are not too much in debt.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Pennsylvania.

Mr. FULTON. The gentleman from Illinois is misinformed on the Federal surplus agricultural distribution program, because the States and the local agencies have methods set up for distribution of the surplus foods at their own expense. For example, in Allegheny County, where Pittsburgh is located, we have voluntary citizens' committees who perform that service free and without pay; our local government agencies on various levels supply personnel and trucks as well as local storage and distribution centers. The trouble is something different. It is that the Agriculture Department, because it is not set up for quick local distribution, sends the foods in bulk at times when the local authorities must store the bulk surpluses in warehouses at the points of distribution. These storage costs are expensive and not a usual budget item of the local authorities and voluntary agencies.

My comment is this: The Agriculture Department of the United States Government should have a policy for the storage of United States agriculture surplus products not simply at the point of origin of the surpluses, but should likewise have some of those storage facilities at the points where they might be distributed in the United States. It would then cost the Agriculture Department no more money because it has to store them someplace or another, and by statute the Agriculture Department already pays the cost of processing, packaging, and transportation costs to the points of distribution by local agencies. But there is an insufficiently broad policy of just storing these surplus agricultural products, for example, only where the corn comes in or where the wheat comes in or where the various other surplus crops come into the hands of the Commodity Credit Corporation.

The Federal Government might just as well have agriculture storage points in various distribution districts, because we people pay the taxes, too, for this $5 billion agricultural program, and likewise we pay the high storage prices that Congress has voted for under the price-support programs. So when we in Pittsburgh and western Pennsylvania are paying over $1 billion a year in Federal taxes, maybe when we have some needy people with no purchasing power, the Federal Government in all justice should take care of this surplus-storage problem in a manner that will not cost us extra expense. This local storage program near the point of distribution is agreed to by the chairman of the Agriculture Committee, the gentleman from North Carolina [Mr. COOLEY], whom I compliment for his understanding of this serious problem that holds back the United States distribution of these agricultural surpluses to needy people.

It will cost the Federal Government little more money, because the Federal Government already pays under statute the storage and the transporation costs to the points of distribution under the various State programs.

Mr. ALGER. I had not planned to speak further on this. I would only say this: I heartily disagree with the gentleman in his views. Further, it is my understanding that many of the people get food throughout this country that are not needy persons. I question the administration of the program in that regard. I understand local agencies have even solicited people saying, "Food is coming from Uncle Sam, come and get yours." I understand, and though I could be wrong, I mention this to the gentleman from Mississippi, that the wealthiest county in Mississippi is now receiving a great share of this food.

I also want to protest that I do not believe cotton should be given away by Uncle Sam, either.

Mr. SMITH of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield.

Mr. SMITH of Mississippi. The food going into Mississippi, I assure the gentleman, is going to people who are very needy. By any comparison they will be found to be as needy as any of those seeking assistance under the plan in other States.

Mr. ALGER. I assure the gentleman I did not mean just to single out Mississippi. To conclude, Mr. Chairman, I do not believe it the role of Government to feed and clothe us. Neither do I believe it sufficient cause to compare it to giving food away to other countries. This is not the role of Federal Government either, using taxpayers' money. I cannot see the difference of this program from socialism.

I believe there are other ways to care for our needy, through local charity and local and State government. If Government's role is appropriately established.

Pages 13 and 14 of the report document my disapproval wherein 39 States are listed as getting all this Federal food. This is not in the proper sphere of our Federal Government.

Mrs. SULLIVAN. Mr. Chairman, I offer the amendment which I offered previously.

The Clerk read as follows:

Amendment offered by Mrs. SULLIVAN: Page 2, after line 3, insert:

"SEC. 2. Title III of such act is amended by adding at the end thereof the following new section:

"'SEC. 306. (a) The Secretary of Agriculture (in this section referred to as the "Secretary") is hereby authorized and directed to promulgate and put into operation, as quickly as possible, a program to distribute to needy persons in the United States through a food stamp system a portion of the surpluses of food commodities acquired and being stored by the Federal Government by reason of its price-support operations or other purchase programs.

"'(b) In carrying out such program, the Secretary shall—

"'(1) distribute surplus food made available by the Secretary for distribution under this program only when requested to do so by a State or political subdivision thereof;

"'(2) issue, or cause to be issued, pursuant to section 3, food stamps redeemable by eligible needy persons for such types and quantities of surplus food as the Secretary shall determine;

"'(3) distribute surplus food in packaged or other convenient form on the local level at such places as he may determine;

"'(4) establish standards under which, pursuant to section 3, the welfare authorities of any State or political subdivision thereof may participate in the food stamp plan for the distribution of surplus foods to the needy;

"'(5) consult the Secretary of Health, Education, and Welfare, and the Secretary of Labor, in establishing standards for eligibility for surplus foods and in the conduct of the program generally to assure achievement of the goals outlined in the first section of this act; and

"'(6) make such other rules and regulations as he may deem necessary to carry out the purpose of this act.

"'(c) The Secretary shall issue, to each welfare department or equivalent agency of a State or political subdivision requesting the distribution of surplus food under section 2 (1), food stamps for each kind of surplus food to be distributed, in amounts based on the total amount of surplus food to be distributed and on the total number of needy persons in the various States and political subdivisions eligible to receive such food. The food stamps shall be issued by each such welfare department or equivalent agency to needy persons receiving welfare assistance, or in need of welfare assistance but ineligible because of State or local law, and shall be redeemable by such needy persons at local distribution points to be determined by the Secretary under section 2 (3).

"'(d) Surplus food distributed under this act shall be in addition to, and not in place of, any welfare assistance (financial or otherwise) granted needy persons by a State or any political subdivision thereof.

"'(e) In any one calendar year the Secretary is authorized to distribute surplus food under this act of a value of up to $1,000,000,000, based on the cost to the Federal Government of acquiring, storing, and handling such food.

"'(f) The distribution of surplus food to needy persons in the United States under this act shall be in place of distribution to such needy persons under section 32 of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes," approved August 24, 1935 (7 U. S. C., sec. 612c), as amended, and section 416 of the Agricultural Act of 1949, as amended: *Provided, however*, That nothing in this act shall affect distribution of surplus food presently provided for in such sections other than to needy persons as defined in section 7 of this act.

"'(g) For the purpose of this act, a needy person is anyone receiving welfare assistance (financial or otherwise) from the welfare department or equivalent agency of any State or political subdivision thereof, or who is, in the opinion of such agency or agencies, in need of welfare assistance but is ineligible to receive it because of State or local law.

"'(h) The Secretary, in consultation with the Secretary of Health, Education, and Welfare and the Secretary of Labor, shall make a study of, and shall report to Congress within 6 months after the date of enactment of this act, on the feasibility of, the costs of, and the problems involved in, extending the scope of the food stamp plan established by this act to include persons receiving unemployment compensation, receiving old-age and survivors insurance (social security) pensions, and other low-income groups not eligible to receive food stamps under this act by reason of section 7 of this act.

"'(i) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

Mrs. SULLIVAN. Mr. Chairman, many of the Members heard my remarks previously when I attempted to amend the amendment of the gentleman from Louisiana [Mr. THOMPSON]. I do not want to go back and repeat all of the statements I made at that time in connection with my proposed amendment for a food stamp plan.

But it will be recalled, Mr. Chairman, that I was interrupted for a colloquy with the distinguished Chairman of the Committee on Agriculture, and other Members, and I did not finish my speech. So I will just pick up where I left off at that time.

I pointed out that some of our States presently participate in the plan for distribution of surplus food to needy citizens and that other States do not, and that the method and manner of participation and the standards vary widely as between States.

I would like to make this point clear about our present distribution system: feeding the hungry is secondary under this whole program to dumping surpluses. I think it is time we recovered our sense of values on this matter and put at the top the need to help those who are hungry rather than to find the quickest route to dumping the largest amount of surplus with the least amount of effort or expense.

Since this act was passed in 1954, we have been dumping or giving away about a billion dollars worth of food a year overseas. I say giveaway even though in some instances the other countries put up currency of their own for it. We then use that currency largely—not entirely but largely—on development programs within each country to help the people of that country. I have no objection to that giveaway.

But I do object, bitterly, to the miserly, narrowminded, pinchpenny, cruel and heartless position of this administration that we cannot afford—we cannot afford, they tell us—to spend a similar amount in helping our own needy through a food stamp plan.

I am not proposing a new, $1 billion a year expenditure. I am proposing that we use up to $1 billion of this food a year—food already in Government ownership—and distribute it among our own needy, just as we do under this bill abroad. The $1 billion limitation applies not only to the original cost of the food, but also to the cost of storing and handling it. So it would mean less than $1 billion in actual foodstuffs going to hungry, needy Americans.

We ship that much abroad each year under this giveaway, and even, in many cases, pay the shipping costs out of American dollars.

Yet we are told, we cannot afford to distribute this food on an intelligent basis to our own needy.

The food-stamp plan is the only practical one for getting some of this food to every American family in need of it. The eligibility requirements are simple but clearcut. There could be no chiseling. There would be no possibility of scandal in giving away surplus to those who can afford to buy.

Mr. Chairman, the bill before us amends a law which also provides for the present system of distribution of surplus food to the needy in this country. That is in title III of the present act. My amendment would revise title III to provide for a food-stamp plan.

Let those Members who know of no needy persons in their districts—who do not believe there are Americans unable to afford decent and nourishing food—vote against this amendment if they like. But those of us who come from urban areas particularly know that the need exists and is not being met.

How often do we have to read of children scavenging in garbage cans to get enough to eat before we will act to establish a food-stamp plan?

Let us solve this problem now.

I ask the chairman of the committee if he will accept this amendment.

Mr. COOLEY. Mr. Chairman, while I am not authorized, unfortunately, to accept the amendment, I wonder if the gentlewoman would be willing to eliminate the word "directed" and let the amendment read that the Secretary is authorized to promulgate the program. That would leave it entirely in his discretion and, if he thought he could do it feasibly, he would; otherwise, he would not. If he did not do it, you could blame him for not doing it. I personally am in sympathy with what the gentlewoman is proposing to do. As an individual Member of the Congress, I will vote for it, but I cannot bind any member of the committee. Every member of the committee is free to speak for himself.

Mrs. SULLIVAN. Then, Mr. Chairman, I ask for a vote on my amendment.

Mr. COOLEY. And will not the gentlewoman agree to eliminate the word "directed"?

Mrs. SULLIVAN. I am sorry I cannot agree to that.

Mr. FULTON. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield.

Mr. FULTON. I would ask that the gentlewoman come before the Committee on Agriculture rather than have the whole problem voted on here on the spur of the moment.

Mrs. SULLIVAN. May I tell the gentleman from Pennsylvania that this matter has been before the Committee on Agriculture in hearings before that committee on three different occasions and it has been thoroughly discussed and testimony has been received and it has been considered in the committee. If you want to have a food-stamp plan enacted, this bill appears to provide the best opportunity.

Mr. HILL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is exactly the same situation as we had with reference to cotton. I assure you I am not opposed to this program, but I certainly am opposed to putting it on this bill this afternoon. What we are trying to do, it seems to me, that would-be friends of this program are trying to amend the bill so that it will go down the sewer and we will be here until we adjourn with no legislation. The other body has already passed this extension. I hope the gentlewoman will withdraw her amendment. I know that the chairman of our Committee on Agriculture, as he said before, will call hearings. The Committee on Agriculture is always in session and the gentlewoman can have time to state her proposition, and I am sure we would give this problem every consideration.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield.

Mr. COOLEY. I know my good friend does not want to characterize this program as trash.

Mr. HILL. I did not say the program was that. I said that is what you are trying to do with this bill.

Mr. COOLEY. You said that it was being loaded down with trash.

This amendment offered by the gentlewoman from Missouri is not trying to kill the bill. The gentlewoman is honestly for the bill and for her amendment as well. While I agree with you that primarily this is the function of our committee.

Mr. HILL. Would not the gentleman agree with me that it has no place in this bill whatsoever.

Mr. COOLEY. The gentlewoman has found a very good place for it, if the gentleman will vote for it and approve it.

Mr. HILL. That is exactly it. I am not about to vote for it. I was not opposed to the cotton bill, but I did not vote for it either. There is no place for it. We have had no hearings on this matter.

Mr. COOLEY. Yes, we have had hearings on it in a previous session.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield.

Mr. FULTON. May I join with the gentleman from Colorado in asking the gentlewoman to withdraw her amendment at this point because I think it will hurt the program that she is speaking about. There are many people here who think this is not the place for it and that it will hurt the Public Law 480 program which is the disposition of agricultural surpluses.

Mrs. SULLIVAN. If the gentleman from Pennsylvania will permit me, I will state that I have tried since 1954 to get action on this particular thing and I think this is just as important as it is to feed the hungry people abroad.

Mr. HILL. Mr. Chairman, I have the floor.

Mrs. SULLIVAN. I beg the gentleman's pardon.

The CHAIRMAN. Does the gentleman yield?

Mr. HILL. I will let the gentlewoman finish her remarks.

Mrs. SULLIVAN. Mr. Chairman, will the gentleman yield that I may finish?

Mr. HILL. I yield.

Mrs. SULLIVAN. I think it is just as important to feed the hungry on our own relief rolls as it is to feed those abroad. I have been in favor, and I will always be in favor, of sending this food and selling it abroad.

Mr. HILL. The very fact the gentlewoman could not get through the Agriculture Committee in times gone by is sufficient proof that we should not take time this afternoon discussing this amendment.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield to the gentleman from Illinois.

Mr. ARENDS. Just let me say that some Members of the House are sincerely interested in getting through Public Law 480. If the rest of the Members are interested in seeing this bill go through they better take notice of what they are trying to do to this program now, or it will run into some trouble.

Mr. DINGELL. Mr. Chairman, I rise in support of the amendment of the gentlewoman from Missouri [Mrs. SULLIVAN] whom I salute as a true humanitarian and as one who offers wise and beneficial legislation.

Mr. Chairman, I want to make it very clear that I have voted for a lot of these giveaways and for a lot of money for a lot of foreigners who often neither thank us nor appreciate our help, but I want the membership of this House to know right here and now that I am getting tired of hearing a lot of Members of Congress trying to argue why we should not make some slight provision for our own people.

Remember, we tax our consumers to keep the price of these foods high enough that many of these same consumers cannot afford enough to eat. Let us give these people some help—now.

What is the situation in my own city of Detroit? Right now we have 100,000 people out of work. In the State of Michigan we have 192,000 people out of work. We have thousands of others on minimum or lower income. Other cities and States face similar problems. Twelve million people today in America live on subsistence level or lower.

I want to tell you that the food program that the Department of Agriculture has had for the past few years just is not a program of disposal of this food to these needy people.

I have been in contact with the Secretary of Agriculture on this thing for some time and I happen to know a little bit about it. Every time you inquire about the program it has been changed, it is modified, the qualifications which a person has to have so far as income is concerned are raised, and the amount of food a person can get is reduced, the kinds of food a person can get are reduced in number; the amount of food an individual can get at any one time is reduced in amount or it is increased to the point where an individual cannot use it or store it on his own behalf. The packaging and conditions under which this food is presently disposed of to needy are embarrassing, and are made so difficult and costly as to be virtually impossible for the people who really need them. Worse than this, the financial level fixed for needy to qualify prevents many from receiving any benefits whatsoever. The result is that our poor cannot get a decent meal while we have granaries bursting with food.

We are not trying to kill this program, as one gentleman speaking on the other side of the aisle has said. I have consistently voted for this and other programs which helped our friends around the world. We are merely trying to see to it that in giving away a lot of these products we think a little more of our own people; that we care for our own hungry, our own needy, our own aged, our pensioners, our unemployed, our retirees.

What does this amendment do? It does not hurt Public Law 480 at all, but it does tell the Secretary of Agriculture, command him, to work out a program which will make it easier for us to take care of our old folks, which will make it easier for us to take care of our needy, which will make it easier for us to take care of our sick and of our retirees and those who are out of work. This country is sitting on a mountain of food bigger than this Capitol. We have $11 billion worth of food rotting. Let us feed our hungry with it.

If you vote against this amendment and if you vote to take this out of this bill I hope you will recall it at election time when you come to report to your people, and I hope if you do not someone else can recall it for your people, so they can recall it for you when they vote at the polls.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. FULTON. Some of us in Congress have had quite a bit of experience with these United States programs of local distribution of surplus food and agriculture products. I was one of those Congressmen who set up the program now feeding 611,000 people in the State of Pennsylvania. In Michigan you have 192,000 persons on the program in a similar state, so you are really not using Public Law 480 authority as much as you should and can. Why do you not work out a program with the Secretary of Agriculture to expand your program, which you can do under present legislation? But to come in here and put a complicated amendment such as this on a marketing bill of this nature will only hurt the bill and will not be effective. I can tell you that in Pittsburgh and the United States generally, the distribution program is already working well under Public Law 480, and there is no reason why it should not work as well in Michigan as it does in Pennsylvania.

Mr. DINGELL. It may be working well in Pennsylvania, but it is not working well in Michigan; it is not reaching the needy and the unemployed in our State.

Mr. FULTON. Why is not your State government working on it? In Pennsylvania we have three times the program you have in Michigan; in Pennsylvania we have 611,000 persons assisted and you have only 192,000 persons. What is the reason?

Mr. DINGELL. I will tell you why: Because the Secretary of Agriculture is constantly and consistently doing things to make this program unworkable in the State of Michigan. He has raised the income requirements, he has reduced the amount of food to be allowed to the program, and to the individual. He has changed the amount of food that any individual can get. The result is that our State government cannot cover more than that number although we have constantly tried to relieve our hungry. If we are going to be humanitarian with a bunch of people over across the ocean, we can start right here at home. I keep recalling the maxim that charity begins at home. Much of the cost of this program will be lost in the vast charge to the taxpayer of just storing the food, which exceeds $1 million per day, which will be reduced very substantially by helping feed our hungry.

Mrs. SULLIVAN. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. I would like to ask the gentleman from Pennsylvania this question: Did he not say a while ago that Pennsylvania was going to have to stop this because of the excessive cost?

Mr. FULTON. Various Members, both Republicans and Democrats, have some cities and towns where they do not have the budgetary capacity in the current year to pay the storage costs. So this program is probably going to be curtailed somewhat. But it could be done with the Federal Government having local storage and distribution points in the State. We Republicans have cooperated on our Federal surplus food distribution program in Pennsylvania across party lines with a Democratic Governor and administration in power. It is a good program for the United States taxpayers and for the needy people in Pennsylvania.

Mr. HOEVEN. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close 10 minutes after the gentleman concludes his remarks.

Mr. LONG. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONG. How much does that give each one standing?

The CHAIRMAN. Ten minutes divided among 7 Members.

Mr. LONG. Mr. Chairman, I object.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close 15 minutes after the conclusion of the gentleman's remarks.

The CHAIRMAN. Is there objection to the modified request?

There was no objection.

Mr. HOEVEN. Mr. Chairman, it is high time that the committee pull itself up by its own bootstraps and see what is going on. At this session of the Congress the administration has presented three major agricultural bills.

The first one was the emergency corn bill, which was scuttled by our friends on the right. The second was the bill authorizing appropriations for the soil bank, which was scuttled by our friends on the right. Now we are witnessing the scuttling of the extension of Public Law 480 by an effort to load it down with amendments which they know very well will not be approved by the President of the United States.

I am not here to argue the merits or demerits of the food-stamp plan. The fact is such a bill has been pending in the Committee on Agriculture since the first of the year. I am amazed to find the chairman of the Committee on Agriculture practically conceding that the Sullivan amendment is germane, as he did concede that the cotton amendment was germane. It seems to me we are confronted here with another scuttling operation. The amendment proposed by the gentlewoman from Missouri has a great deal of merit, but, as I said, I am not debating the merit or demerit of it. There is a great deal of merit in the food-stamp plan. Only fragmentary hearings have been held by the Committee on Agriculture. If my good chairman and other Members on his side are so interested why has not the bill been presented to the Committee on Agriculture for further hearings and attention? They have the votes to report out any bill.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. I want to make it perfectly clear that I have not any authority to accept the gentlewoman's amendment and I have not accepted it. I am in sympathy with what she is trying to do. The gentleman knows we have been trying to do this in our committee in season and out of season and that we directed the Department of Agriculture to make a study of the matter, which has come to nothing.

Mr. HOEVEN. The chairman is displaying no interest in protecting his bill.

Mr. COOLEY. It has been protected very well.

Mr. HOEVEN. The chairman knows that accepting his amendment or having it adopted is going to scuttle the bill.

Mr. COOLEY. I have not accepted this or any other amendment. I voted for the other amendment and I have no apologies for it.

Mr. HOEVEN. You should protect the committee bill.

Mr. COOLEY. Personally, I did not have any objection to the cotton amendment, but that is my right as an individual Member.

Mr. HOEVEN. The members of the committee have heard the debate and can judge for themselves what is going on.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Illinois.

Mr. ARENDS. What position does the chairman of the committee intend to take on this amendment? Does he intend to oppose the amendment?

Mr. COOLEY. I do not intend to speak in opposition to it and I will vote as I see fit when the time comes to vote. I assume some member of the committee will speak in opposition to it.

Mr. ARENDS. I was hoping that the gentleman from North Carolina would speak in opposition to it.

Mr. HOEVEN. I want to say in closing that the committee bill is an administration proposal. It is a program which is working out well; one of the programs that is paying dividends. I urge you to vote down the amendment offered by the gentlewoman from Missouri and vote for the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. COAD].

Mr. COAD. Mr. Chairman, I know that Public Law 480 is a measure which has from the beginning been an instrumental measure in reducing the agricultural surpluses of our land. In its present form this measure is directed only to contract relations and agreements with foreign lands. The amendment offered by the gentlewoman from Missouri [Mrs. SULLIVAN] will create a food-stamp plan to give the indigent of our country a workable program to receive the benefits of some of this surplus. No one is saying that this is not going to be a costly program to the American taxpayer but it certainly will not be any more costly than the present programs of surplus disposal.

Now this is only the second time in which I have taken part in debate in this House regarding any farm legislation. But I have observed a good number of measures presented here this year related to agricultural subjects and whenever there are measures offered which will be forward looking and which help people who cannot help themselves that there are those on the other side of the aisle who strenuously argue that the measure should be defeated. Here is a program which will benefit millions of persons in this country by giving them food and clothing—and at the same time using a mountain of surplus stocks on which we pay storage. This food-stamp plan will do a double duty.

But now comes the hue and cry that to amend this bill to provide this further program would be an attempt to scuttle the entire bill. I am for Public Law 480 in every sense of the word. I am for selling our commodities to foreign countries for their own currency and I am for this food-stamp plan which will also benefit our own home people. There is the heavy indication here that to amend this bill in any degree would render the measure so that it will not be acceptable to the administration. But in spite of this I add my voice to the many others who give support to this program.

If we have been sent here by the people we represent to formulate a program which is good for our people, good for America and good for our friends around the world—then we should do it. But do we have to go around dotting every i and crossing every t in strict conformity to the administration? If this is so then we are here simply as a rubber stamp Congress, and I never came here to be a rubber stamp and I am not going to be today.

Now, if we can reduce our surpluses as we have been able to do through Public Law 480, we should continue this program. And if we believe that we can make this program more effective and help our people here at home at the same time, then I feel we should do so. And, let me remind you that there are at least 12 million people in this land of ours who are living on a bare subsistence diet.

The adoption of this food-stamp amendment would make this not only a surplus disposal program but would also make it a humanitarian program. And, I think it comes with very poor grace for this program to be labeled a "trash" as one of the Members has stated. It is a good program for it essentially helps people and at the same time we will maintain every workable provision which

has worked in the reduction of our surpluses in the past.

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. McINTIRE].

Mr. McINTIRE. Mr. Chairman, I simply want to say that the Committee on Agriculture has considered this bill which is before the committee today in a very orderly procedure. As one member of the committee I shall be perfectly happy to consider the amendment offered by the gentlewoman from Missouri in committee in the most objective manner possible. I do feel that the amendment is meritorious in that it deserves our consideration, but it has not been up for hearing in this Congress. It has been up in other sessions in other Congresses. However, it is a very far-reaching approach to the system of distribution, and I would like to assure the gentlewoman from Missouri that on a call of the committee for appropriate and extensive and detailed hearings in order that we may know the full impact of this legislation, as one member of the committee I would like to analyze it very objectively. But, I do think that it is inappropriate at this time, because it needs much more analysis in order that it can be worked out constructively.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I would like to ask a question of a member of the Committee on Agriculture, and I think it is one that should be asked. When there is a broad stamp plan to be adopted such as this of the gentlewoman, how much will it cost? Has there been any estimate of cost as to how many hundreds of millions we are getting into?

Mr. HARVEY. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. HARVEY. Apropos the question of the gentleman from Pennsylvania [Mr. FULTON], I think that is the most important factor to consider in this proposed amendment. There is no estimate of the cost. We have tried to evaluate that in the past, what the cost would be. But I think it would certainly be untimely to add such an amendment at this time when it is beyond the best guess of any of us as to what the cost would be.

Mr. McINTIRE. I thank the gentleman. I urge the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Chairman, I have supported every foreign-aid program that has been sent up here by this administration. I have voted for some cuts in committee, but when the bill was finally worked out by the committee I have supported the program on the floor.

I would like to tell you what one of the nations which is a recipient of surplus commodities under Public Law 480 is doing. I do not want to mention the name because I do not want to embarrass anyone. But they give out stamps to families that have children under 16 years of age. A certain number of stamps is given for each child and they can buy a quart of milk a day for each child and pay approximately 3½ cents a quart for it. The Government makes up the difference through the stamp.

If we can afford to—and apparently we can—if we can afford to make more than $2 billion worth of commodities available under Public Law 480 to others, certainly we ought to be able to make these commodities available to the people in this country, who need them, and under an orderly procedure.

I think probably a stamp plan is the most orderly procedure you can get because you have some kind of an accurate control over who gets the commodity. In addition to that, you operate through the storekeeper and in the smaller towns of the country through the small, individual businessman. You do not have the Government taking his customers to some warehouse and taking them away from him, but you have the plan operating through his store.

Finally I would like to say that I think it comes with poor grace from anyone on my left to accuse the Democrats of scuttling the farm program when for the past 4 years Mr. Benson has been spending most of his time scuttling the farmers.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. BROWN].

Mr. BROWN of Missouri. Mr. Chairman, I feel that the purpose of Public Law 480 is to get better use of the worthless farm surpluses that we are accumulating. I think the first place where we should try to use them is here at home. Maybe you do not get the mail that I get, but sometimes when I read these letters from these people who are on the public assistance rolls back home, drawing $55 a month—and you know and I know that they cannot begin to live on that—I wonder what we are doing putting a lock and key on these food surpluses and denying them to Americans who need them. Even Mr. Benson approves of sending surpluses overseas. Why cannot we utilize some of them to help our people here at home, too?

That is the first principle that is involved here. The second principle that has been brought up is the matter of cost. Surely, we have much of the cost already invested in the products. Cheese and milk products in storage, doing nobody any good at the moment. Why cannot they be distributed? And if you believe that the amendment of the gentlewoman is not a polished gem of perfection, surely it can be polished and perfected in administration. As broad as it is, and with the leeway that is left to the Secretary of Agriculture, surely the Secretary should be able to figure out some kind of plan on the 1-cent sale idea, where a person may purchase a quart of milk and get a stamp for so much more milk. That would not interfere with the normal channels of trade and would increase the utilization of the product. Certainly if the Secretary of Agriculture is worthy of being a Secretary of Agriculture he has the imagination to figure out the details.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Missouri. I have only a short time; I cannot yield.

Mr. FULTON. That is an illegal program the gentleman is suggesting.

Mr. BROWN of Missouri. Under the gentlewoman's proposal I think it can be designed and is not illegal.

Mr. FULTON. You cannot use those tie-in sales. You will be violating the law of the land. You cannot tell the Secretary of Agriculture to do what the average citizen cannot do. You will get him arrested.

Mr. BROWN of Missouri. The 1-cent sales on soap, and so forth, have been used all over this country.

Mr. FULTON. This is an authorization to get free food. If you buy something else and tell the Secretary of Agriculture to go into the stores of this country and make the tie-up for these poor people who have no purchasing power, you have really got it.

Mr. BROWN of Missouri. What did I say? I said with the purchase of a quart of milk you might get a stamp for an extra quart of milk. If that is illegal under the statutes of the United States, the soap companies are violating the law every day in every store of the country.

The third principle involved here is a new and different approach at helping the farmer. This would direct some of our agricultural efforts toward expanding demand rather than devote all efforts to cutting back, cutting back, constantly struggling to decrease production.

This amendment will not cost as much as the soil bank, and I submit it will help twice as many people: The farmers and the hard-pressed people who sorely need the food.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. LONG].

Mr. LONG. Mr. Chairman, I am really somewhat amused today. I think back at the election when I heard all the Democrats and Republicans all over the country telling how they loved the poor people and how they wanted to feed, clothe and look after them. They were crying crocodile tears about the poor people of this country. Then, we come here today and want to feed a few of them and we find more reasons not to feed them than we can find food to feed them with.

I see no reason why we cannot use a little of this food that we have here at home. Why we cannot feed some of the poor people in my district and your district with some of the butter and other commodities that are being stored. I cannot understand why, unless it is this, and I just wonder if maybe some of you on the left can answer this question. Have you worked up through this program a program where you have so many people, bureaucrats, on the payroll that you are afraid you will get rid of the commodities and you will not have jobs for your friends? Is that the reason? There must be some good reason why you would deny hungry people all over this country some of the food that is stored. We are paying for storage on these surplus items that our hungry people could be consuming. By the time we have disposed of the surplus food for dollars,

the storage will have eaten up all the dollars so that program is a complete loss. Wouldn't you rather feed our hungry people than to lose it entirely?

For 4 long months the water has been over much of the cultivable land of the 8th Congressional District of Louisiana. I do not know how much longer it is going to be there. My constituents are wiring and writing me day after day, "Can't you in some way let us use the land we have in the soil bank in order that we can raise just a little food or graze our cattle on it?" Some of the land is out of water, but no, you cannot plant a peanut on it, you cannot plant any peas, you cannot plant any cabbage, you cannot use it for any purpose at all. Then, there is the land that has been allotted to cotton that is now under water. There will not be time to plant cotton on that land this year, and when the water recedes, the land cannot be planted in vegetables or feed without having the cotton allotment cut for next year.

What kind of a program is this? Let us take care of our own people before giving more to foreign countries.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. HILL].

Mr. HILL. Mr. Chairman, I should just like to say a short word. As I recall, in handling this bill in our committee, I heard our chairman when the committee room was fairly full of people ask if there was anyone who wished to speak against this bill, and not one single soul arose.

We were talking about this bill, the extension of Public Law 480. Now, why can we not go back to the original bill that we introduced and passed unanimously out of our committee, and not try to put these amendments on it? Let us not discuss whether they are good or whether they are bad or otherwise. Let us just pass the bill. The reason I say that is that time is of the essence. We should pass Public Law 480 without any longer delay.

I yield to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. It has been said before, and very effectively I think, and I am inclined to think it ought to be said again that the bill before us coming from the Committee on Agriculture provides for a simple extension of Public Law 480 dealing with certain problems having to do with agriculture and agricultural surpluses. To me it would be the height of irresponsibility to jeopardize a program that is working by writing in on the floor of the House, before committee action has been had, a whole new program. As the gentleman said, possibly it is good and possibly it is not good, but it certainly would be irresponsible to try to legislate in that fashion. If the program is as good as those who speak for it claim it is, then there should be no trouble at all in getting consideration for it before the proper committee and getting a bill reported with whatever amendments are deemed desirable and bringing such a bill to the floor of the House in the proper manner for consideration and determination. To my mind, it would be a great mistake to adopt this amendment at this time.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield.

Mr. FULTON. Actually, to answer the gentleman from Louisiana, might I ask are there not 3,400,000 people getting this surplus food in the United States and in the gentleman's own State of Louisiana there are 177,000 people getting it, and they are not even up to the State of Mississippi where they have 257,000 people under the program. So there is something wrong according to the gentleman's own statement, if they are not utilizing the Public Law 480 program.

Mr. HILL. Let us not get into that question because maybe there is something wrong in the gentleman's State of Louisiana according to his idea when they voted last fall, but to my way of thinking they all voted correctly down there. But let us not get this bill any further into politics. What I would like to see done is to pass the bill as is and get it over to the other body. If there is anything wrong, the conference committee can certainly take the time to iron out the difficulties.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I yield to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I want to say in behalf of the Committee on Agriculture that we have had hearings on this food-stamp program. The majority of the committee felt that the program was not adequately worked out in sufficient detail for us to put our stamp of approval on it. That does not mean that I or any other member of the committee is opposed to a food-stamp program if it can be worked out so that it is practical.

But, it seems to me quite visionary to assume that the Federal Government is not going to be out anything on this food-stamp program except some surplus commodities. The very figures that all of us have been quoting for the last few years, to the effect that the farmers' part of the consumer's food basket has gone down from 54 cents to, I believe, 39 cents out of every dollar, means that the Federal Government would have to put up about $2 for every $1 invested in surplus commodities, or, in other words, would have to put up $2 for every $1 you spend for surplus commodities or for every dollar's worth of surplus commodities that you moved or got rid of. So you spend about $3 to move $1 worth of surplus commodities under this program. Now it may be worth that, but there have not been enough details presented to the committee. As one member of the committee, I am deeply interested in the passage of the bill before us extending Public Law 480, which I think has been the most successful of all of the agricultural disposal programs. It seems to me no matter how laudable the objective of some other kind of disposal proposal may be, if it definitely jeopardizes the possibility of securing the extension of a program that we know is working and which we know is doing some good, it would be the height of folly to try to use the proven program simply as a means of carrying through something that we do not know will work, something which the committee itself cannot recommend to the Congress, and something which we feel is extremely doubtful as to details no matter how meritorious it may be if we could work out the details.

This amendment has not even been read. How can any Member say that he is satisfied that it is practicable? Its objective is admittedly good, but will it work? And, if it will work, what will it cost? I cannot conscientiously support even so worthy an objective until I know lots more about its practical effect than we know about this plan.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mrs. SULLIVAN and Mr. AUGUST H. ANDRESEN.

The Committee divided and the tellers reported that there were—ayes 89, noes 128.

So the amendment was rejected.

Mrs. KELLY of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. KELLY of New York: On page 2, line 4, insert: "(4) section 107 of such act is hereby amended by striking out the period at the end thereof and inserting 'at any time since 1950 unless the Congress by concurrent resolution determines it to be a friendly nation.'"

Mrs. KELLY of New York. Mr. Chairman, my amendment is not aimed at any one particular country. Its purpose is plain, clear, and uninvolved—namely, to retain within the Congress the judgment as to what nation or area dominated by world communism at any time since 1950, is nevertheless a friendly nation.

I have given much thought and study to this amendment. It is my hope that all Members of Congress will also consider it very carefully in making their decisions. That is all I ask. I would be remiss in my duty if I did not give the representatives of the free, independent people of the United States the opportunity to make this decision. Their decision will be a basic one, because it will be based on their belief and faith in the absolute principles upon which our country is founded, or it will be based on their belief in and support for expediency.

To the history of the Agricultural Trade Development and Assistance Act—Public Law 480, 83d Congress, 2d session—I must refer briefly. In 1954, the Congress adopted my amendment to this law thereby defining friendly nations. This amendment prohibits the sale of agricultural surpluses to certain nations—the U. S. S. R. and those nations under Soviet domination or controlled by Communist organizations.

By clause 1 of section 107 of Public Law 480, Congress has already exercised its judgment with respect to the U. S. S. R. and has declared that the U. S. S. R. is not a friendly nation. My amendment to H. R. 6974 will revise clause 2 of

existing legislation so as again, with respect to other nations, leave the choice with the Congress on any determination of what constitutes a friendly nation.

Secretary Dulles, in speaking for the President late in 1956, made the determination that Poland is not now dominated or controlled by the U. S. S. R., and accordingly qualifies as a friendly nation within the meaning of section 107 of the Agricultural Trade Development and Assistance Act of 1954, as amended. I insert at this point a letter from the Department of State advising the Congress that Poland is a friendly nation:

DECEMBER 28, 1956.

The HONORABLE WALTER F. GEORGE,
Chairman, Committee on Foreign Relations, United States Senate.

DEAR MR. CHAIRMAN: As you know, following the developments in Poland last October, the President stated that, to help freedom-loving people, such as the Polish people, would add strength to the security and peace of the Free World. The executive branch is considering various measures, within the framework of existing legislation, which would contribute to the achievement of these objectives.

Poland has indicated a desire to purchase a number of items, including certain agricultural products, a number of which are in surplus. Following a reexamination of executive branch policy, it has been decided to allow surplus agricultural commodities to be exported for dollars at world-market prices to eastern European countries (except the Soviet Union) on a selective basis in the national interest. Accordingly, it has been determined that surplus agricultural commodities may be sold to Poland for dollars at world-market prices.

The Secretary has also determined on the basis of a careful examination of the Polish situation since October 1956, that Poland is not now dominated or controlled by the U. S. S. R., and accordingly qualifies as a friendly nation within the meaning of section 107 of the Agricultural Trade Development and Assistance Act of 1954, as amended, (Public Law 480, 83d Cong., 2d sess.). He intends to inform the Secretary of Agriculture that Poland is eligible for title I and title III, Public Law 480 transactions. The Secretary has taken his decision on the basis of the current situation and all the evidence available to him. He recognizes, of course, that important new developments are taking place in Eastern Europe and that the future course of events may alter this situation.

Accordingly, these events will be followed closely and the validity of the current appraisal will be kept constantly under review.

Sincerely yours,

ROBERT C. HILL,
Assistant Secretary.

The Secretary of State used this determination and involved us in negotiations with Poland. Full details of the negotiations are unknown not only to the American people, but to most of the Members of Congress. It is true that on Friday of last week the secret terms of the agreements between the Polish representatives and the United States representatives were signed. These negotiations do not deal alone with the sale of agricultural surpluses. Believe me—these negotiations are more far-reaching. I feel that if we are to enter into negotiations with Poland or with any other country, the Congress should be given the facts first. The release accompanying the signing of the Polish agreements places special emphasis on the passage of this bill, H. R. 6974, to complete the full negotiations of the sale of $47 million of agricultural surpuses to the Polish Government. But, nowhere does it mention the total amount of money involved in the entire agreement. As chairman of the Subcommittee on Europe—and it was to this committee the State Department reported these negotiations—I know what I am talking about.

Have we forgotten that we are engaged in a sinister, cold war with a ruthless and diabolically clever enemy who is ready to exploit our kindness, our humanity, our decency, our adherence to treaties, and our adherence to the pledged word? The enemy is slick and subtle in his guile. To counteract such an enemy requires the full positive force of the Congress of the United States in conjunction with the executive branch. We should not lightly yield the great power and force which we in the Congress possess, for if we do, we shall fail the American people and the rest of the Free World at a time in our history when none of us can afford another failure.

There are those who cry "the Polish aid program will be wrecked by this amendment." I suspect it is the Department of State which has been stirring up a storm over my amendment. You see, they wish to retain absolute discretion within themselves to determine which nation or area is a friendly nation. Maybe Red China. Recent developments should give us pause for great fear on this score. Recognition of Red China—admission of her representatives to represent China in the United Nations—trade with Red China—surplus agricultural commodities to Red China. Red China—a friendly nation.

Or, perhaps the State Department would like to consider Syria a friendly nation. Or North Vietnam. Or North Korea. The State Department desires this discretion without Congressional interference. On the other hand, they distrust the Congress in the use of its discretion. I say that if they are not willing to rely on the judgment of the Congress to make a determination, then they must be aware for once of the sentiment of the American people which is opposed to dealing with Communist nations and the Communist government of captive peoples.

If the State Department is concerned over aid to the Polish people, why do they not have a resolution introduced giving $50 million worth of agricultural surpluses to the Polish people? In this manner and by this method, we would supervise the distribution. I am sure the American people would prefer this if they realized that it costs $3 billion to move $1 billion worth of these surpluses to foreign nations. The Committee on Agriculture, on page 10 of their report on this bill, admits—and I quote—"It is an emergency law designed for the sole purpose of making the best of a bad situation by providing for the disposal of agricultural surpluses in a manner which will return some benefit—if possible, a permanent benefit—to the United States."

The State Department admits the expediency of this transaction by saying—in the letter to which I have previously referred—and I quote:

> He [the Secretary of State] recognizes, of course, that important new developments are taking place in Eastern Europe and that the future course of events may alter this situation.

The procedure set forth in my amendment is straightforward and direct. The Congress, by concurrent resolution, adopted by both Houses of Congress, and necessarily by both sides of the aisle, would be enabled to make the determination which I feel only the representatives of the American people should make. A determination of this kind affects the American people so vitally, and our foreign policy so basically, that I feel only the Congress should make it. Let me point out that the Congress of the United States makes many important and vital decisions and determinations with respect to our foreign policy. It does this usually after the most careful examination and investigation and after thorough questioning of executive department witnesses and after independent staff and committee examinations. The determination of the Congress will not be an arbitrary one. I fail to see, therefore, how anyone can validly object to my amendment. An objection or a vote against my amendment surely is tantamount to saying to the American people "We, your elected representatives, do not consider that dealings with Communist countries are any of our business and we are perfectly willing to rely on the gentlemen in the State Department."

The issue here is not the Congress versus the executive branch of our Government. The issue here is, Shall it be the executive branch in conjunction with the Congress or just the executive branch alone making a vital determination.

My amendment gives each one of you an opportunity to reaffirm your faith in the American people and in their elected representatives to do the right thing and to exercise commonsense on behalf of our national security and best interests.

If my proposed amendment to H. R. 6974 is adopted, Public Law 480 will then read:

> SEC. 107. As used in this Act, "friendly nation means any country other than (1) the U. S. S. R., or (2) any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement at any time since 1950, unless the Congress, by Concurrent Resolution determines it to be a friendly nation.

I have been asked why I have used the words "at any time since 1950". It is because, to many people, that was about the year when the imperialistic designs of Soviet Russia blossomed forth into full bloom.

My amendment will preserve the prerogative of Congress to make sure that legislation is not bypassed.

The decision on the distribution of agricultural surpluses will remain in Congress—where it belongs.

The people of the United States should decide. The decision should be by elected representatives of the American people when dealing with Communist-dominated countries.

A vote against this amendment would be a vote against the commonsense of Congress.

Do you fear your own judgment? Do you fear your own commonsense? If you do, you will vote against my amendment.

Mr. Chairman, I feel it is necessary at this point to refer briefly to some of the remarks that were made at the time of the debate on the rule on this bill. I would like to say in answer to the gentleman from Texas [Mr. POAGE] that I am not chasing rabbits in this situation. I am hunting big game; I am chasing Communists.

Now, how did Poland become involved in this agricultural bill? The Secretary of State made the decision that Poland was a friendly nation and thereby qualified Poland under Public Law 480. I do not believe that any person in this House would now say that Poland is not dominated by Moscow. I feel the Secretary bypassed the determination of Congress expressed in this act and thereby involved us in the negotiations with Poland. I do feel that it is our duty and our responsibility to express our views by means of a concurrent resolution. I also would like to say that the negotiations with the representative of Poland which involve us went much further than just agricultural commodities. There are few Members of Congress who know the secret negotiations. In the discussion on this bill today there has been much emphasis on how the accrued money accumulated in foreign currency can be spent. There has been the argument that military housing could be built such as is being built in other countries where this money has accrued. Military housing for whom, I ask. Soviet troops? We Members of Congress are aware of these secret negotiations, but we do not know the agreements, and I believe that if we are to be participants in any negotiations with any country which has been and is now possibly dominated by Moscow, we should deal with that issue directly on the floor of this House. The real issue involved is whether we should relieve the responsibility of the Communist Government of the captive people of Poland by bearing the responsibility of the failure of the Communist economic theory.

Therefore, Mr. Chairman, I feel that my amendment is very important to this bill.

Mr. BENTLEY. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY of New York. I yield to the gentleman from Michigan.

Mr. BENTLEY. I merely wanted to say to the gentlewoman that this is one Member who does not believe that Poland is dominated by Moscow at the present time. However, when I am recognized, I will deal with that.

The CHAIRMAN. The time of the gentlewoman from New York has expired.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that the lady be permitted to proceed for 30 additional seconds.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FLOOD. Mr. Chairman, I must concur in what my friend from Michigan has said, that under no circumstances could I agree with the attractive and distinguished lady from New York [Mrs. KELLY] that Poland or the Polish people are dominated by the Soviets.

The CHAIRMAN. The time of the gentlewoman from New York has again expired.

Mr. COOLEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HAYS of Arkansas, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, had come to no resolution thereon.

THE PARTY OF EBENEZER SCROOGE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, I rise to pin the tail on the elephant. I ask the attention of the very distinguished gentleman from Massachusetts, the minority leader [Mr. MARTIN], who is present on the floor, standing there by the committee table on the minority side of the aisle.

I challenge him to deny to me and to the American people so the American people can tell who is the party of Ebenezer Scrooge, and which party is willing to spend money overseas but not willing to spend it here at home on our hungry and needy. I ask the distinguished minority leader if he dare deny at this time the fact that only one Member of the minority party, the Republican Party, and I salute that one lonesome Member, the gentleman from Pennsylvania [Mr. SAYLOR], who went through the teller line with us Democrats, when we were trying to get the poor and the unemployed, the aged, and the needy of this country, some relief, by enacting a food-stamp plan to dispose of this vast surplus of food, which we propose to send overseas by the legislation on the floor.

Will the gentleman from Massachusetts, or any other Member of the minority, Republican Party, deny that my statement is correct and true? I challenge them to deny that every other Republican Member, but that one exception present, voted against the food-stamp plan offered by the gentlelady from Missouri [Mrs. SULLIVAN]. I ask the distinguished minority leader to deny that the Republican Party, to paraphrase its distinguished leader the President, is liberal and humanitarian in principle and tight and stingy with money and the hungry of this country.

The SPEAKER. The time of the gentleman from Michigan has expired.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight tonight to file a conference report on the District of Columbia appropriation bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INVESTIGATION AND STUDY OF CERTAIN DISTRICT OF COLUMBIA ACTIVITIES

Mr. BOLLING (on behalf of Mr. TRIMBLE) from the Committee on Rules reported the following privileged resolution (H. Res. 251, Rept. No. 589), which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on the District of Columbia, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study of the following:

(1) The operation, administration, and enforcement of the District of Columbia Public Works Act of 1954;

(2) The operation, administration, and enforcement of the District of Columbia Revenue Act of 1956; and

(3) The organization, management, operation, and administration of the Department of Public Health of the District of Columbia (including but not limited to the District of Columbia General Hospital).

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, exclusive of any Territory, Commonwealth, or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

With the following amendments:

Page 1, line 3, strike out "and directed."

Page 2, line 5, strike out "is in session,".

Page 2, line 10, change the semicolon to a period, strike the balance of line 10 and all of lines 11, 12, and line 13 through the word "House."

AMENDING SMALL BUSINESS ACT OF 1953

Mr. BOLLING (on behalf of Mr. O'NEILL) from the Committee on Rules, reported the following privileged resolution (H. Res. 283, Rept. No. 590), which

was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7963) to amend the Small Business Act of 1953, as amended. After general debate, which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 284, Rept. No. 591), which was referred to the House Calendar and ordered to be printed.

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowing, of the St. Lawrence Seaway Development Corporation. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. BOLLING. Mr. Speaker, on behalf of the gentleman from California [Mr. ROOSEVELT], I ask unanimous consent that he may insert his remarks at this point in the RECORD and include the reprinting of material previously inserted by him in the RECORD in two instances.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, in the RECORD of June 18, 1957, my colleague, the Honorable GORDON H. SCHERER, inserted certain remarks of his own and a statement of his on page 9581. My colleague complains that I have subtly violated, in his words, the rules of the House by implying criticism of my distinguished friend and colleague from California, the Honorable CLYDE DOYLE.

The gentleman from Ohio has, of course, not subtly or indirectly, but instead, directly done the things of which he complains.

After discussing the matter with Mr. DOYLE, and to include all of the facts which the gentleman from Ohio conveniently omitted, I wish to point out that my insertion in the RECORD of March 29, 1957, never in any way mentioned the name of Mr. DOYLE. The resolution of the California State Bar Association did not in any way complain of Mr. DOYLE, but did complain regarding the subcommittee counsel. And further, to make sure that no one could misinterpret the California State Bar Association's resolution, I took pains to insert in the daily RECORD of April 8, 1957, on page A2771, a letter from the president of the association specifically denying that its complaint was directed toward Mr. DOYLE. I am including, by unanimous consent, both insertions, that my colleagues may judge for themselves the accuracy of my statements.

My colleague from Ohio most certainly has every right to his opinion and I do not impugn his motives or his patriotism in any manner. I trust that he and others who thinks as he does will do likewise for those of us who have different points of view.

COMMITTEE ON UN-AMERICAN ACTIVITIES

(Mr. ROOSEVELT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include a resolution by the California State Bar Association.)

Mr. ROOSEVELT. Mr. Speaker, I have recently received a resolution of the California Bar Association condemning the tactics of a subcommittee of the Committee on Un-American Activities at a recent public hearing held in Los Angeles, Calif., to investigate opposition to the McCarran-Walter Immigration Act.

The character of these charges, which relate to the mistreatment and ridiculing of the attorneys for witnesses present, is so grave that I am sincerely considering introducing a resolution to amend the rules of the House to transfer the functions of the Committee on Un-American Activities to the Committee on the Judiciary.

It is essential that Congressional committees be in the forefront of those who would preserve all those guaranties of individual liberty and guards against Government tyranny that are written in the Constitution. The right to counsel is one of the most important of these rights.

Mr. Speaker, at this point I include the resolution of the State bar of California, adopted by its board of governors on March 15, 1957:

"Through press reports and communications from several members of the bar the attention of the board of governors of the State bar of California has been called to incidents occurring at a recent public hearing in Los Angeles, Calif., of a subcommittee of the Committee on Un-American Activities, the House of Representatives, United States Congress. The board has reviewed a reporter's transcript of that hearing and has heard a tape recording of the proceedings. The announced purpose of the hearing was to investigate opposition to the McCarran-Walter Immigration Act.

"From the transcript and recording, the following facts appear:

"1. Several witnesses were interrogated by the committee's counsel as to whether they were or ever had been members of the Communist Party.

"2. Each of the witnesses was represented by counsel.

"3. Counsel appearing for the witnesses were not permitted to address the committee or to make objections to the manner in which the proceeding was being conducted; but counsel were repeatedly told that 'their sole and exclusive right was to advise their clients.'

"4. Several witnesses were asked if they knew as a Communist one of the lawyers appearing. That lawyer, apparently, was not one of the witnesses whom the committee intended to call and interrogate.

"5. The interrogation of one witness was interrupted so as to permit the hearing of the testimony of an undercover member of the Communist Party. This undercover member, in response to a question put by the committee's counsel calling for such an answer, testified that she knew one of the attorneys appearing for another witness as a Communist. Thereafter the attorney so identified was referred by the committee's counsel as 'comrade.'

"6. Counsel who insisted on making an objection for the record were ejected from the hearing room.

"7. Counsel appearing for the witnesses were insistent upon their position and upon their right to make appropriate objections. They were not, however, disrespectful, unruly, or boisterous.

"This Board has heretofore affirmed that the right of a person to counsel requires public acceptance of the correlative right of a lawyer to represent and defend, in accordance with the standards of ethics of the bar, any client without having imputed to him his client's reputation, views, or character. A similar affirmation has been made by the American Bar Association.

"The right to be represented by counsel necessarily involves freedom of choice on the part of the client. Conduct on the part of any tribunal before whom a lawyer is entitled or permitted to appear, which attacks a lawyer's reputation or otherwise subjects him to obnoxious personal consequences, inevitably deters lawyers from accepting employment to appear before such tribunals. Thus the right to independent counsel of the client's own choice is seriously impaired.

"It is the duty of every lawyer, to the faithful discharge of which he takes an oath, to abstain from all offensive personality.

"In the opinion of the board of governors the proceedings of the committee and the conduct of the committee's counsel, to which reference is made above, were improper and lacking in the dignity and impartiality which should govern the conduct of agencies of the United States; they resulted in grossly offensive personality directed at counsel for witnesses; and they were of such a character as to pose a threat to the right to appear by counsel and to the proper independence of the bar: It is, therefore,

"*Resolved*, That copies of this statement be transmitted to the Speaker of the House of Representatives of the United States; to the chairman and the counsel of the House Committee on Un-American Activities; and to each Congressman and Senator from the State of California; it is further

"*Resolved*, That a copy of this statement be transmitted to the president of the American Bar Association with the request that the matter be appropriately considered by that association with the end in view of formulating proposals to the Congress for a system of committee procedure which will adequately protect the rights of witnesses and of counsel appearing for witnesses.

"I hereby certify that the foregoing is a full, true, and correct copy of statement unanimously adopted by the board of governors of the State bar of California, 13 members then being present, on March 15, 1957.

"JACK A. HAYES,
"*Secretary, State Bar of California.*"

COMMITTEE ON UN-AMERICAN ACTIVITIES

(Extension of remarks of Hon. JAMES ROOSEVELT, of California, in the House of Representatives, Friday, April 5, 1957)

Mr. ROOSEVELT. Mr. Speaker, in view of my insertion in the CONGRESSIONAL RECORD of March 29, 1957, it gives me pleasure to insert the following letter addressed to the Honorable CLYDE DOYLE, a copy of which has been sent to me.

I am sure that my colleagues will be glad to know of the attitude of the California State bar as expressed by their president, Mr. Joseph A. Ball:

THE STATE BAR OF CALIFORNIA,
OFFICE OF THE PRESIDENT,
Long Beach, April 2, 1957.

Hon. CLYDE DOYLE,
House of Representatives,
House Office Building,
Washington, D. C.

DEAR CLYDE: The resolution of the board of governors of the State bar of California stated that "the proceedings of the committee and the committee's conduct were improper and lacking in dignity and impartiality which should govern the conduct of agencies of the United States; they resulted in grossly offensive personality directed at counsel for witnesses." This statement was not directed at any statement made by you as chairman of the Subcommittee on Un-American Activities of the House of Representatives. The board was particularly concerned with the questions asked by Richard Arens, who bears the title of staff director and who was acting counsel for the committee and the remarks made by committee members directed toward counsel for certain witnesses. The record does not disclose that you, as chairman, directed offensive or insulting remarks to anyone at the hearing.

Cordially,

JOSEPH A. BALL,
President.

ROCHAMBEAU MEMORIAL BRIDGE

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 768) to designate the east 14th Street Highway Bridge over the Potomac River at 14th Street in the District of Columbia as the Rochambeau Memorial Bridge.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the east 14th Street Highway Bridge over the Potomac River from a point near 14th Street in the District of Columbia to a point in Virginia shall be known and designated hereafter as the Rochambeau Memorial Bridge. Any law, regulation, map, document, record, or other paper of the United States in which such bridge is referred to shall be held to refer to such bridge as the Rochambeau Memorial Bridge.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to designate the east 14th Street Highway Bridge over the Potomac River from a point near 14th Street in the District of Columbia, to a point in Virginia, as the Rochambeau Memorial Bridge. After enactment of this legislation, any law, regulation, map, document, record, or other paper of the United States in which such bridge is referred to shall be held to refer to such bridge as the Rochambeau Memorial Bridge.

The year 1956 was the 175th anniversary of the year in which Lt. Gen. Jean-Baptiste Donatien de Vimeau Count de Rochambeau crossed the Potomac River near the site of the present bridge on his way to aid General Washington's forces at what was to be the Battle of Yorktown.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

TIME TO CURB THE SUPREME COURT

The SPEAKER. Under previous order of the House, the gentleman from Georgia [Mr. DAVIS] is recognized for 45 minutes.

Mr. DAVIS of Georgia. Mr. Speaker, it is commonplace to say that every generation, at least in modern times, has always considered its own era as one of the most critical in history. Many of us feel that we have been living in a continuing state of crisis ever since World War I broke out in Europe in 1914. And our own country, at least since the depression of 1930, has gone from one crisis to another.

Scare words and alarms pelt down on us like rain. Strontium 90—radioactive fallout—superhydrogen bombs—even deadlier cobalt bombs—worldwide radiation peril—new intercontinental guided missiles with atomic warheads which can blast whole cities from the map. To listen to the scareheads of the newspapers and sensational magazine articles we live from day to day under a deadly cloud of new scientific horrors.

The human mind is fearfully and wonderfully constructed. It can absorb just so much alarming and worrisome news before a countermechanism automatically in sheer self-protection switches on apathy and benumbing indifference. I therefore fully realize that I work under a handicap when I try to call the attention of the Members of this House to a far deadlier peril to our continued existence as a free and self-governing people than all the grisly mass-extinction weapons our scientists are working to perfect. I refer to what a great American, a great Senator, and a great Democrat—Pat McCarran of Nevada—once called "the stealthy and silent supersession of State functions" by the United States Supreme Court.

For over a century and a half our Supreme Court enjoyed a public esteem and respect which equalled if it did not exceed that given to other branches of our Government. While an occasional decision might have aroused public criticism because it affected sectional, partisan, or class interests, it nevertheless was sound law. During those years the Supreme Court refused to trifle or tinker with the Constitution. Whatever may have been the personal philosophies of the Justices, the Court respected the law, followed the law and stated the law.

During that time the Supreme Court generally was above politics and the philosophy of the spoils system that "to the victor belongs the spoils." Sociological experimentation, like economic and social tinkering, it left severely alone.

Foreign students of government have generally conceded that our Supreme Court was a most unique institution in government. Indeed, no other nation that I know of has ever developed over a period of 150 years a high court of last resort beyond the reach of the executive arm of the governent comparable to our United States Supreme Court. I hardly need add that this unique institution was able to maintain its exalted position entirely because our Presidents since George Washington, with a few exceptions, appointed as justices only outstanding members of the legal profession.

You will recall that President Roosevelt's plan to pack the Supreme Court met with ignominious and deserved failure. However, the passage of time and death brought about what all the power of the presidential office failed to accomplish. As vacancies occurred they were filled not with men deeply versed in our constitutional law but justices who by their decisions demonstrate that they are actuated by other interests and concerns—largely of a sociological reform bias.

In fact, we now have Supreme Court Justices whose records and backgrounds reflect only the most casual acquaintance with Constitutional law. On the other hand, in a number of decisions the present Supreme Court has shown a high degree of legal adroitness in deftly evading a ruling on the critical issue at law and finding some picayune little technicality for remanding or reversing. Such evasion, while it may be clever or even highly ingenious, is unworthy of a true Supreme Court. A case which illustrates this statement is *Communist Party* v. *Subversive Activities Control Board* (351 U. S. 115).

Look at the essential facts in this truly astounding case. Congress enacted the Internal Security Act in 1950. This law set up the Subversive Activities Control Board before which the Attorney General of the United States presented evidence that the Communist Party of the United States was in fact a Communist-action organization as defined by statute.

The Subversive Activities Control Board held extensive and unhurried hearings over a period of 18 months or more. The Department of Justice brought before the Subversive Activities Control Board a long list of highly competent and trustworthy witnesses and authorities. Many of them had been top-ranking officers of the Communist conspiracy in this country. The transcript of this voluminous testimony

makes a stack 8 feet high. There followed then the usual Communist delaying tactics. The years passed and slowly, the recommended decision by the Subversive Activities Control Board crawled at snail's pace through the lower courts to the United States Supreme Court. After a long period of incubation that august body handed down its ridiculous decision that—the testimony of three of the Government's witnesses was tainted or questionable. The Subversive Activities Control Board could either start the whole dreary 7 years process all over again, or eliminate what six Justices were pleased to call possibly tainted testimony.

Three Justices—Clark, Reed, and Minton—dissented, pointing out that the Supreme Court "refuses to pass on the important questions relating to the constitutionality of the Internal Security Act of 1950, a bulwark of the Congressional program to combat the menace of world communism. Believing that the Court here disregards its plain responsibility and duty to decide these important constitutional questions."—Minority decision in No. 48, October term, 1956.

Justice Clark went further, and declared:

> I have not found any case in the history of the Court where important constitutional issues have been avoided on such a pretext. • • • In this case the motion itself was wholly inadequate, and even if the testimony of all three challenged witnesses were omitted from the record the result could not have been different. • • • The only purpose of this procedural maneuver is to gain additional time before the order to register can become effective. This proceeding has dragged out for many years now, and the function of the Board remains suspended, and the Congressional purpose frustrated at the most critical time in world history.

So we have the Supreme Court laboriously wading through all of the testimony before the Subversive Activities Control Board, making a pile 8 feet high, finding that a very small part of the testimony may be tainted, but then avoiding completely the issue of whether the Subversive Activities Control Board is legally constituted or whether the act setting it up is constitutional.

Bear in mind that in this case no individual stood in jeopardy of loss of life, liberty, or property. All this solicitude was for an alien-controlled organization found guilty of having "been a satellite of the Soviet Union since its inception," and merely being directed to register with the Department of Justice. Small wonder that men charged with the responsibility of making our country secure against internal subversion and with exposing and combating communism lapse into despair and hopelessness when faced with such Supreme Court decisions as this one.

One swallow does not make a summer and one or two capricious and frivolous decisions by the highest Court in this country do not make a pattern. However, we now have a long and unbroken chain of such decisions going back over the years, all concerned with the Communist question. The Supreme Court's steady and insidious erosion of all protective safeguards against subversion, if not arrested by the Congress, will prove far deadlier to our security and future than the hydrogen and atomic bombs.

I want to note in passing that the United States Government over a period of 20 years spent hundreds of thousands of dollars trying to have one obnoxious alien Communist—Harry Bridges—deported, without success. Bridges has been convicted of fraud in denying Communist Party membership in attempting to obtain United States citizenship. He had also been convicted and ordered deported on the grounds that he had belonged to organizations advocating the overthrow of our Government by force and violence.

Harry Bridges is still with us and still maintains his iron grip on west-coast and Hawaiian shipping as far as the docks and loading of ships is concerned. Every time that a case involving him reached the Supreme Court, that Court found some way to reverse lower court convictions.

Judith Coplon worked in an extremely sensitive branch of the Department of Justice dealing with counter-intelligence against Soviet spies and American Communists. She was shadowed by FBI men and was observed handing over confidential documents to a Soviet spy, Valentin Gubichev, attached to the United Nations as an engineer. She was duly convicted of espionage. Two juries, two trial judges, and two appellate courts found her guilty, yet Judith Coplon went off scot free thanks to the Supreme Court of the United States. It reversed two lower courts because, first, her arrest without a warrant was illegal and hence the packet of papers taken from her was not properly introduced as evidence; second, the court erred in refusing to let her lawyers look at records of phone taps made by the FBI; and, third, the lower court had erred in refusing to let defense counsel pursue a line of questioning as to whether the original tapping of her phone was secured by information other than phonetapping. Soviet spy Judith Coplon was never brought to trial again although there was no doubt that her guilt was plain.

In a very similar case—*Gorin* v. *United States* (312 U. S. 19) in 1941 the Supreme Court affirmed the convictions of a Soviet spy, M. N. Gorin, and a naval intelligence investigator named Salich. Salich illegally abstracted confidential Government reports and transferred them to Gorin. Salich was sentenced to 6 years, and Gorin to 4 and both fined $10,000. The Supreme Court of 1941 was a different court composed of justices who did not search for minute technicalities in order to give a Soviet spy every possible legal loophole to escape just punishment.

Let us now consider the Steve Nelson cases. Nelson, born Mesarosh in Yugoslavia, is about the closest anyone could possibly come to a prototype hardcore, veteran, international Communist. Mesarosh, alias "Nelson," was a ruthless, top commissar in the International Brigade—Communist—in Spain. The House Committee on Un-American Activities has extensive information on "Nelson" linking him to Soviet espionage in connection with the atomic bomb. That committee released a 30-page report on Nelson setting forth his entire record as far back as 1949. It is worth noting that Nelson entered this country illegally in 1920.

After a lifetime of sinister Communist activity against this country Nelson was finally indicted and brought to trial by the State of Pennsylvania under a State sedition statute. He was convicted in 1952 and sentenced to 20 years' imprisonment. His appeal reached the United States Supreme Court in 1954. The attorneys general of a number of other States concerned with the same problem of administering their sedition and anti-Communist laws filed an extremely well-reasoned brief amici curiae.

By a majority of 6 to 3, Chief Justice Warren writing the opinion, the Supreme Court ruled that it knew better than the Congress just what the intent was of the latter when it passed the Smith Act of 1940. Six men decided that:

> Looking to all of them in the aggregate, the conclusion is inescapable that Congress has intended to occupy the field of sedition. Taken as a whole, they evince a Congressional plan which makes it reasonable to determine that no room has been left for the States to supplement it. Therefore, a State sedition statute is superseded regardless of whether it purports to supplement the Federal law (350 U. S. 497).

Here the Supreme Court added clairvoyance to usurpation of legislative powers. It now knows better than the Congress just what the latter had in mind when it passes a law even though it spells out in plain English just what the intent of the law is.

Let us next consider very briefly the Emspak, Quinn, and Bart cases. Here again, the Supreme Court demonstrated solicitude for Communists in trouble with the law rather than narrow issues at stake in the law. Some 8 years ago three Communists, Julius Emspak, Philip Abraham Bart, and Thomas Quinn refused to answer a list of questions about Communist affiliations and activities before the House Committee on Un-American Activities. After the usual long delays preceding trials they were finally all convicted and sentenced to prison terms.

All three of them took their appeals to the Supreme Court—now well established in the Communist mind as a safe refuge and snug harbor for Communists in trouble with the law. Two years ago in *Emspak* v. *United States* (349 U. S. 190); *Quinn* v. *United States* (349 U. S. 155); and *Bart* v. *United States* (349 U. S. 219), the Supreme Court ruled that all three had validly invoked constitutional guaranties against self-incrimination when they had appeared before the House committee. It set aside their contempt of Congress convictions. The Daily Worker exulted once more that communism had achieved another victory in the Supreme Court.

Another case is that of Prof. Harry Slochower, of Brooklyn (N. Y.) College. Slochower had been identified as a Communist, using the party name of Flint, by the Rapp-Coudert committee of New York State as far back as 1940. He had openly contributed material under his right name to a long list of Communist publications. Slochower also had been connected with at least six or more known Communist Party front organizations. Twelve years elapsed and in 1952 Professor Slochower was called before the Senate Internal Security Subcommittee investigating subversive infiltration in the educational field. He invoked the fifth amendment and was a contumacious and hostile witness.

Section 903 of the New York City Charter calls for the automatic dismissal of any city employee who pleads the fifth amendment on any legitimate question propounded to him by a competent board or agency of the State of New York. Dr. Slochower in due time was summoned before a board of the New York City Board of Education and he again invoked the fifth amendment when asked whether or not he had ever been a Communist. The New York State Court of Appeals upheld section 903 and Slochower's dismissal.

The Brooklyn College professor took his case to the United States Supreme Court, and in view of that Court's cumulative record in such cases, no doubt with a feeling of considerable assurance. He was not mistaken. In the now celebrated 5 to 4 decision, *Slochower* v. *Board of Education of New York* (350 U. S. 551, 1956), the Supreme Court ruled that such summary dismissal violated the due process clause of the Constitution, and that the provision of the charter of New York under which he had been discharged was unconstitutional. I need hardly point out that this decision likewise struck down State and municipal statutes all over the United States which have as their objective protection of their governments and educational systems from subversive and seditious teachers and employees. The Daily Worker hailed this decision with front page headlines.

Professor Slochower also had reason to be grateful to the Justices who rendered this extraordinary decision. His total legal costs were estimated to be in excess of $1,000—the Supreme Court's decision meant his reinstatement with full back pay of $39,633.78 plus about $2,500 interest, plus his court costs. So the taxpayers of New York paid Professor Slochower well over $42,000 for doing nothing. He was again dismissed after 11 days for administrative reasons safely outside the jurisdiction of the Supreme Court. What the cost of this whole long drawn out process over a period of years to rid the New York school system of one Communist finally totaled, I cannot say. It must have run into many tens of thousands of dollars.

Far more important than the senseless waste of money and time on this preposterous case is the coldly calculated destruction of States' rights and subdivisions thereof to govern themselves and regulate their own affairs as guaranteed by the forgotten 10th amendment. What this case boiled down to was that a local school board may no longer fire a Communist teacher without benefit of the United States Supreme Court.

Early this year, the Supreme Court freed three underground Communists from serving richly deserved prison terms. I refer to the so-called harboring case of Shirley Kremen, Sidney Steinberg, and Samuel Coleman. In 1949 Robert Thompson, New York State chairman of the Communist Party, was indicted and tried with 10 other top Communists for violation of the Smith Act. He jumped $20,000 bail and disappeared in 1951 before he could be sentenced. The FBI spent over 2 years of expensive search for Thompson and three other fugitive Communists.

Government men finally tracked him down in 1953, hiding in a cabin in a remote and almost inaccessible part of the Sierra Nevada Mountains in California. With Thompson, the FBI men found another fugitive, Sidney Steinberg, who had fled after indictment but before trial. The FBI had warrants for Thompson and Steinberg. They obviously could not know whether there were other persons involved in hiding these two Communists until they caught them.

After keeping the isolated cabin under observation for 24 hours, the FBI men closed the net and caught not only their two badly wanted fugitives but an unknown man and woman. Both naturally refused to identify themselves. A careful search was made of the cabin and, after compiling an inventory, a number of documents and objects were removed to the FBI office in San Francisco, 200 miles away. Here the true identity of Mrs. Kremen and Samuel Coleman was finally established and they were subsequently indicted for harboring two known fugitives from the law. Coleman received a 3-year sentence and Mrs. Kremen a 1-year sentence. They appealed to the Supreme Court.

By a 6-to-2 majority, the High Court reversed their convictions and ordered new trials on the grounds that—

> The seizure of the entire contents of the house and its removal some 200 miles for the purpose of examination is beyond the sanction of any of our cases. While the evidence seized from the persons of the petitioners might have been legally admissible, the introduction against each of the petitioners of some items seized in the house in the manner aforesaid rendered the guilty verdicts illegal.

I regard this as legal quibbling.

Our present Supreme Court has developed a hypercritical faculty for finding microscopic flaws in the cases of convicted Communists. No matter how carefully and meticulously a Communist case is passed with kid gloves through the lower courts, our present Supreme Court can be trusted to find what it is pleased to call a reversible error. This is accomplished, of course, by the pattern the Supreme Court has established of usurping legislative functions, and changing the law and amending the Constitution at will.

The Court handed down, just 2 weeks ago, another extraordinary and far-reaching decision—the Clinton Jencks decision. This case was thoroughly covered in the press. Seven Justices ordered a new trial for a New Mexican Communist convicted of falsely swearing he had never been a Communist in connection with a Taft-Hartley affidavit. The reversal was based on the specious argument that the Government at the trial had not made FBI reports available to the defense.

In fact, the defense had not even asked to see the documents in question—it had merely asked that the judge examine them first to determine whether or not they should be made available to Jencks' lawyers. Justice Clark was the lone dissenter. He stated:

> Unless the Congress changes the rule announced by the Court today, those intelligence agencies of our Government engaged in law enforcement may as well close up shop for the Court has opened their files to the criminal and thus afforded him a Roman holiday for rummaging through confidential information as well as vital national secrets. This may well be a reasonable rule in State prosecutions where none of the problems of foreign relations, espionage, sabotage, subversive activities, counterfeiting, internal security, national defense, and the like exist, but any person conversant with Federal Government activities and problems will quickly recognize that it opens up a veritable Pandora's box of troubles. And all in the name of justice. For eightscore years now our Federal judicial administration has gotten along without it and today that administration enjoys the highest rank in the world.

This decision will lead to utter chaos in the Federal courts as lawyers can readily appreciate. It may upset and nullify the Government's 7-year effort to compel the Communist Party to register its membership and finances with the Department of Justice as required by the Internal Security Act of 1950. The Government will be forced to drop narcotics and other criminal cases if it believes that the defendants' lawyer will demand to see confidential Government reports. The Washington News quoted "one of the Government's budget law-enforcement officers as having said:

> In 25 years of law enforcement I have never seen a court decision at any level or in any jurisdiction cause so much turmoil.

We come now to the cases of Rudolph Schware and Raphael Konigsberg. Here again, I will confine my remarks to the briefest of general summaries and comment. Schware had been turned down by the New Mexico Supreme Court on appeal from a refusal by that State's Board of Bar Examiners to admit him to the bar. Schware admitted having been a Communist prior to 1940, to have been arrested in several instances of labor violence, and to having used aliases. On the other hand, he had a good war record and claims to have broken completely with the Communist conspiracy.

The simple fact remains that here again is a question of States' rights and of each State's bar to determine the eligibility of its own membership. Justices Black, Whittaker, Brennan, Douglas, Burton, and Chief Justice Warren reversed and remanded the Schware case, thus extending the long arm of the Supreme Court into every bar examination board in the country, and taking from the bar and the courts of 48 States the right to determine qualifications of members of the bar.

Konigsberg v. *State Bar of California* (25 LW 4281) of May 6 of this year has

to be read to be appreciated. The majority opinion was written by Justice Black with Chief Justice Warren, and Justices Douglas, Brennan, Whittaker, Black, and Burton concurring. Konigsberg refused to tell the California Committee of Bar Examiners whether he had ever been a Communist, pleading constitutional privilege.

The majority held that "even if it be assumed that Konigsberg was a member of the Communist Party in 1941, the mere fact of membership would not support an inference that he did not have good moral character." The decision then went on to say that—

> It may be, although there is no evidence in the record before us to that effect, that some members of the party were involved in illegal or disloyal activities, but the petitioner cannot be swept into this group solely on the basis of his alleged membership in that party.

Here is another invasion of the right of each State to determine and set its own fitness qualifications for membership in the bar.

The Supreme Court's decisions of last Monday are still reverberating through the press and the halls of Congress. Again there is rejoicing wherever Communists and traitors to this country gather. I have confined myself today only to Supreme Court decisions protecting and coddling sworn enemies of our country. And I have selected only a few out of several dozen such cases. I have avoided and left for another day any reference to an equally long list of infamous decisions calculated to still further whittle down and destroy our already deeply compromised States rights; nor have I had time to refer even briefly to a long list of decisions concentrating more power into the hands of the executive branch or usurping legislative powers by the Supreme Court.

IS THERE A REMEDY?

The decisions of last Monday have deeply stirred the country. I am preparing and intend to introduce specific bills to meet this objectionable action by the Supreme Court. A constitutional amendment will also have to be prepared which will effectively curb the Supreme Court in its wild orgy of usurpation of power and destruction of States' rights.

Finally, there is the obvious and fairly simple procedure of a Commission on Constitutional Law set up by joint Congressional action. I am preparing a bill to create such a commission. The Commission on Government Security which is just about to wind up its affairs and issue its report next Sunday is example of what I have in mind. Or, we might follow the general example of S. 3608 calling for the establishment of a Joint Congressional Commission on Fundamental Farm Policy.

The commission which I envision would consist of 7 to 15 of the country's outstanding constitutional lawyers. Past presidents of the American Bar Association, retired justices of State Supreme Courts, distinguished and outstanding Appellate jurists would give the Congress a wide field from which to select.

The ever-encroaching power of the Supreme Court which President Jefferson warned against in 1824 must be curbed. The executive arm has far outgrown in power that of the legislative but it can at least in some small degree be restrained by the Congress' control of the purse strings and by the Supreme Court. The acts and powers of Congress, as we all know only too well, can be curbed and, indeed, countermanded by the Supreme Court and circumvented by the executive.

This, I submit, is the crisis of our times. This, and not total atomic war, is the deadly threat to our very existence. This, and most intelligent Americans are beginning to see it, is the one problem which if allowed to continue will most surely spell the end of our Republic.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. FLYNT. I wish to congratulate my colleague from Georgia [Mr. DAVIS] on his presentation and on bringing to the attention of the House of Representatives the series of decisions recently handed down by the Supreme Court, and giving to us the benefit of his analysis of that entire line of decisions.

With permission of the gentleman from Georgia I would like to say that the supply of cases in which the Supreme Court of the United States as presently constituted, at least the majority of that Court, has favored and espoused possibly not the Communist cause but at least has turned loose and reversed convictions of convicted Communists, that supply of cases is apparently inexhaustible.

On Monday last, the 17th day of June, 1957, the Supreme Court of the United States handed down a large number of decisions in which they reversed convictions of convicted Communists and, in effect, impaired the power of Congress to continue Congressional investigations.

The gentleman from Georgia [Mr. DAVIS] referred specifically to and made a very fine analysis of the Steve Nelson case in which the Supreme Court of the United States reversed the conviction in the State courts of Pennsylvania of a Communist and a seditionist by the name of Steve Nelson.

I wish to call to the attention of the gentleman and of this House the decision handed down on Monday last in Cases Nos. 6, 7, and 8, October term, 1956, the cases of Yates et al, and Schneiderman, and others against the United States, in which the majority—and I am glad to report that this was not a unanimous decision—but the majority of the Court again put the stamp of approval on the activities of the Communist Party in this country and, for all intents and purposes, declared that the Communist conspiracy, the underlying and illegal conspiracy, is rather, according to the view of the majority of the Court today, a bona fide, legitimate, and respectable political activity within the United States of America.

I wish to call attention, if I may, to the dissenting opinion by Associate Justice Clark; and at this point, Mr. Speaker, I ask unanimous consent to have included in the RECORD as part of my own remarks at this point the dissenting opinion of Mr. Justice Clark in cases Nos. 6, 7, and 8, October term, 1956.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The decision referred to follows:

SUPREME COURT OF THE UNITED STATES—Nos. 6, 7, AND 8, OCTOBER TERM, 1956.—OLETA O'CONNOR YATES, HENRY STEINBERG, LORETTA STARVUS STACK, ET AL., PETITIONERS, v. UNITED STATES OF AMERICA—WILLIAM SCHNEIDERMAN, PETITIONER, v. UNITED STATES OF AMERICA—AL RICHMOND AND PHILIP MARSHALL CONNELLY, PETITIONERS, v. UNITED STATES OF AMERICA—ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT—JUNE 17, 1957

Mr. Justice Clark, dissenting.

The petitioners, principal organizers, and leaders of the Communist Party in California, have been convicted for a conspiracy covering the period 1940–51. They were engaged in this conspiracy with the defendants in *Dennis* v. *United States* (341 U. S. 494 (1951)). The Dennis defendants, named as coconspirators but not indicted with the defendants here, were convicted in New York under the former conspiracy provisions of the Smith Act (54 Stat. 671, 18 U. S. C. (1946 ed.), sec. 11). They have served or are now serving prison terms as a result of their convictions.

The conspiracy charged here is the same as in Dennis, except that here it is geared to California conditions, and brought, for the period 1948–51, under the general conspiracy statute (18 U. S. C., sec. 371), rather than the old conspiracy section of the Smith Act. The indictment charges petitioners with a conspiracy to violate two sections of the Smith Act, as recodified in title 18, United States Code, section 2385, by knowingly and willfully (1) teaching and advocating the violent overthrow of the Government of the United States, and (2) organizing in California through the creation of groups, cells, schools, assemblies of persons, and the like, the Communist Party, a society which teaches or advocates violent overthrow of the Government.

The conspiracy includes the same group of defendants as in the Dennis case though petitioners here occupied a lower echelon in the party hierarchy. They, nevertheless, served in the same army and were engaged in the same mission. The convictions here were based upon evidence closely paralleling that adduced in Dennis and in *United States* v. *Flynn* (216 F. 2d 354 (C. A. 2d Cir. 1954)), both of which resulted in convictions. This Court laid down in Dennis the principles governing such prosecutions and they were closely adhered to here, although the nature of the two cases did not permit identical handling.

I would affirm the convictions. However, the Court has freed five of the convicted petitioners and ordered new trials for the remaining nine. As to the five, it says that the evidence is "clearly insufficient." I agree with the Court of Appeals, the District Court, and the jury that the evidence showed guilt beyond a reasonable doubt.[1]

[1] Petitioners Richmond, Connelly, Kusnitz, Steinberg, and Spector are set free.

Richmond at the time of his indictment had for many years been the editor in chief of the Daily People's World, the official organ of the Party on the west coast. He had joined the party in 1931 and received his indoctrination in Communist technique at the offices of the Daily Worker, the official party paper on the east coast. In 1937 he was chosen by the party's central committee to be managing editor of the Daily People's World and was transferred to California. From 1946 through 1948 he regularly attended secret meetings of the State and county boards of the party, admission to which was by identification from a special list of party members prepared by the party chairman or its security chief. Party strategy was mapped out at "very secret meetings" attended by Richmond and the core of the party machinery, including at least seven of the petitioners here. Richmond served on a special committee to help develop "preconvention discussion" with petitioner Yates; he represented the State committee at the 1950 convention; he addressed many party meetings preaching the "vanguard role" of the party and the importance of the People's World in the Communist movement; and his articles in the paper urged the "Leninist and Marxist approach."

Connelly, a party member since at least 1938, was the Los Angeles editor of the People's World. During the mobilization effort early in World War II he devoted his efforts to "building up sentiment against • • • the war effort" among steel, aircraft, and shipyard workers. He attended the same secret meetings attended by Richmond.

There can be no question that the proof sustained the charges against Richmond and Connelly in the conspiracy. Their newspaper was the conduit through which the party announced its aims, policies, and decisions, sought its funds, and recruited its members. It is the height of naivete to claim that the People's World does not publish appeals to its readers to follow party dictrine in seeking the overthrow of the Governmetn by force, but it is stark reality to conclude that such a publication provides an incomparable means of promoting the party's aim of forcible seizure when the time is ripe.

Petitioner Spector has been active in the California Party since the early 1930's. He taught "Marxism-Leninism" in party schools and was "division organizer" in Los Angeles County. He attended "underground meetings" with petitioners Lambert, Dobbs, Healy, Carlson, and Schneiderman. The witness Rosser testified that these meetings were "so hid that you couldn't get to them unless you were invited and taken there." In 1946 he "conducted classes" for party members in Hollywood, and in 1947 as a member of a committee of three party officials examined the witness Russell, a student in one of his classes, on charges of being a party "police spy."

Petitioner Kusnitz, following an organizational indoctrination period in New York City, became a party leader in California in 1946, served as "section organizer," and later as "organizational secretary" in Los Angeles. Her position was directly below that of the local chairman in party hierarchy. She attended many secret meetings and was present at a party meeting with petitioner Yates when Yates advocated the necessity of "Soviet support" and "Marxist-Leninist training" as a means of bringing about the Soviet "type of government • • • all over the world." She contributed articles to Communist publications and was very active in the "regrouping of • • • clubs into smaller units"; conducting a "six session leadership training seminar"; carrying on campaigns for subscriptions to the People's World; and leading the "party building drive" for the recruitment of members.

Petitioner Henry Steinberg, active in the Young Communist League, and associated with the party since 1936, was the "educational director." He took part in the creation of the program for the party's training schools in Los Angeles County. His "education department" sponsored several meetings, one honoring the 25th anniversary of the death of Lenin. He worked with petitioner Schneiderman, the party chairman in California, attended meetings regularly, was active in circulation drives for the People's World and was the principal speaker at many meetings.

It paralleled that in Dennis and Flynn and was equally as strong. In any event, this Court should not acquit anyone here. In its long history I find in no case in which an acquittal has been ordered by this Court solely on the facts. It is somewhat late to start in now usurping the function of the jury, especially where new trials are to be held covering the same charges. It may be—although after today's opinion it is somewhat doubtful—that under the new theories announced by the Court for Smith Act prosecutions sufficient evidence might be available on remand. To say the least, the Government should have an opportunity to present its evidence under these changed conditions.

I cannot agree that half of the indictment against the remaining nine petitioners should be quashed as barred by the statute of limitations. I agree with my Brother Burton that the Court has incorrectly interpreted the term organize as used in the Smith Act. The Court concludes that the plain words of the act,[2] "Whoever organizes or helps, or attempts to organize any society, group, or assembly of persons" embodies only those "acts entering into the creation of a new organization." As applied to the Communist Party, the Court holds that it refers only to the reconstitution of the party in 1945 and a part of the prosecution here is, therefore, barred by the 3-year statute of limitations. This construction frustrates the purpose of the Congress for the act was passed in 1940 primarily to curb the growing strength and activity of the party.[3] Under such an interpretation all prosecution would have been barred at the very time of the adoption of the act for the party was formed in 1919. If the Congress had been concerned with the initial establishment of the party it would not have used the words "helps or attempts," nor the phrase "group or assembly of persons." It was concerned with the new Communist fronts, cells, schools, and other groups, as well as assemblies of persons, which were being created nearly every day under the aegis of the party to carry on its purposes. This is what the indictment here charges and the proof shows beyond doubt was in fact done. The decision today prevents for all time any prosecution of party members under this subparagraph of the act.

While the holding of the Court requires a reversal of the case and a retrial, the Court very properly considers the instructions given by the trial judge. I do not agree with the conclusion of the Court regarding the instructions, but I am highly pleased to see that it disposes of this problem so that on the new trial instructions will be given that will at least meet the views of the Court. I have studied the section of the opinion concerning the instructions and frankly its "artillery of words" leaves me confused as to why the majority concludes that the charge as given was insufficient. I thought that Dennis merely held that a charge was sufficient where it requires a finding that "the party advocates the theory that there is a duty and necessity to overthrow the Government by force and violence • • • not as a prophetic insight or as a bit of • • • speculation, but as a program for winning adherents and as a policy to be translated into action" as soon as the circumstances permit, 341 U. S., at 546–547 (concurring opinion). I notice, however, that to the majority—

> "The essence of the Dennis holding was that indoctrination of a group in preparation for future violent action, as well as exhortation to immediate action, by advocacy found to be directed to 'action for the accomplishment' of forcible overthrow, to violence 'as a rule or principle of action,' and employing 'language of incitement,' id., at 511–512, is not constitutionally protected when the group is of sufficient size and cohesiveness, is sufficiently oriented toward action, and other circumstances are such as reasonably to justify apprehension that action will occur."

I have read this statement over and over but do not seem to grasp its meaning for I see no resemblance between it and what the respected Chief Justice wrote in Dennis, nor do I find any such theory in the concurring opinions. As I see it, the trial judge charged in essence all that was required under the Dennis opinions, whether one takes the view of the Chief Justice or of those concurring in the judgment. Apparently what disturbs the Court now is that the trial judge here did not give the Dennis charge although both the prosecution and the defense asked that it be given. Since he refused to grant these requests I suppose the majority feels that there must be some difference between the two charges, else the one that was given in Dennis would have been followed here. While there may be some distinctions between the charges, as I view them they are without material difference. I find, as the majority intimates, that the distinctions are too subtle and difficult to grasp.

However, in view of the fact that the case must be retried, regardless of the disposition made here on the charges, I see no reason to engage in what becomes nothing more than an exercise in semantics with the majority about this phase of the case. Certainly if I had been sitting at the trial I would have given the Dennis charge, not because I consider it any more correct, but simply because it had the stamp of approval of this Court. Perhaps this approach is too practical. But I am sure the trial judge realizes now that practicality often pays.

I should perhaps add that I am in agreement with the Court in its holding that petitioner Schneiderman can find no aid from the doctrine of collateral estoppel.

Mr. FLYNT. Mr. Speaker, it is evidently clear from the skillful language of Mr. Associate Justice Clark in his vigorous dissent in the Yates et al. and Schneiderman cases, that he realizes the impending threat by this Communist conspiracy upon our entire way of life. Mr. Justice Clark in his opinion which appears above, stated in unmistakable terms that it was never the intent of the Congress of the United States to preempt

[2] 18 U. S. C., sec. 2385.

[3] Congressman MCCORMACK's remarks on the floor of the House of Representatives on July 29, 1930, during the debate on the Smith Act reflect the underlying purpose behind that act. He stated, inter alia:

> "We all know that the Communist movement has as its ultimate objective the overthrow of government by force and violence or by any means, legal or illegal, or a combination of both. That testimony was indisputably produced before the special committee of which I was chairman, and came from the lips not of those who gave hearsay testimany, but of the actual official records of the Communist Party of the United States, presented to our committee by the executive secretary of the Communist Party and the leader of the Communist Party in the United States, Earl Browder. • • • Therefore, a Communist is one who intends knowingly or willfully to participate in any actions, legal or illegal, or a combination of both, that will bring about the ultimate overthrow of our Government. He is the one we are aiming at • • •" [Emphasis added.] 84 CONGRESSIONAL RECORD 10454. See also hearing from Subcommittee No. 3 of the House Committee on the Judiciary on H. R. 5138, 76th Cong., 1st sess. 84.

the field of sedition cases and thenceforth to prohibit the States from also enacting antisedition and antisubversive statutes.

I want to quote, if I may, at this time, the language of our distinguished majority leader, the gentleman from Massachusetts, whose own language appearing in the CONGRESSIONAL RECORD of July 29, 1939, emphasizes clearly his own feeling at that time, and I am sure his feeling today that the Congress of the United States in passing the Smith Act did not intend to preempt that field. Quoting Mr. MCCORMACK, the gentleman from Massachusetts said among other things the following:

> We all know that the Communist movement has as its ultimate objective the overthrow of the Government by force and violence or by any means, legal or illegal, or a combination of both. That testimony was indisputably produced before the special committee of which I was chairman and not by those who give hearsay testimony, but from the actual official records of the Communist Party of the United States presented to our committee by the executive secretary of the Communist Party and the leader of the Communist Party in the United States, Earl Browder.
>
> Therefore the Communist Party is one that intends knowingly or willfully to participate in any action, legal or illegal, or a combination of both, that will bring about the ultimate overthrow of our Government.

In this dissenting opinion of Mr. Justice Clark he very carefully and clearly states that he feels that it is not the intention of the courts of this country, State or Federal, to usurp the powers of the jury to determine the facts in criminal cases.

Mr. Speaker, I most respectfully urge that each Member of this House read carefully and clearly the dissenting opinion of Mr. Justice Clark which appears above and to reason carefully the warning which he is sounding at this time that we may in our official capacities, as well as in our role as a private citizen of the United States dedicated to uphold, protect, defend and preserve the Constitution of the United States and our way of life.

Mr. Speaker, at this time I would like also to call attention to case No. 261 of the Supreme Court of the United States, October Term, 1956, known as the Watkins case, in which case also Mr. Justice Clark dissented.

Mr. Speaker, I ask unanimous consent to have included at this point as a part of my remarks the dissenting opinion of Mr. Justice Clark in the Watkins case.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The opinion referred to follows:

SUPREME COURT OF THE UNITED STATES—No. 261, OCTOBER TERM, 1956—JOHN T. WATKINS, PETITIONER, v. UNITED STATES OF AMERICA—ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT—JUNE 17, 1957.

Mr. Justice Clark, dissenting.

As I see it the chief fault in the majority opinion is its mischievous curbing of the informing function of the Congress. While I am not versed in its procedures, my experience in the executive branch of the Government leads me to believe that the requirements laid down in the opinion for the operation of the committee system of inquiry are both unnecessary and unworkable. It is my purpose to first discuss this phase of the opinion and then record my views on the merits of Watkins' case.

I

It may be that at times the House Committee on Un-American Activities has, as the Court says, "conceived of its task in the grand view of its name." And, perhaps, as the Court indicates, the rules of conduct placed upon the committee by the House admit of individual abuse and unfairness. But that is none of our affair. So long as the object of a legislative inquiry is legitimate and the questions propounded are pertinent thereto, it is not for the courts to interfere with the committee system of inquiry. To hold otherwise would be an infringement on the power given the Congress to inform itself, and thus a trespass upon the fundamental American principle of separation of powers. The majority has substituted the judiciary as the grand inquisitor and supervisor of Congressional investigations. It has never been so.

II

Legislative committees to inquire into facts or conditions for assurance of the public welfare or to determine the need for legislative action have grown in importance with the complexity of government. The investigation that gave rise to this prosecution is of the latter type. Since many matters requiring statutory action lie in the domain of the specialist or are unknown without testimony from informed witnesses, the need for information has brought about legislative inquiries that have used the compulsion of the subpena to lay bare needed facts and a statute, title 2 United States Code, section 192 here involved, to punish recalcitrant witnesses. The propriety of investigations has long been recognized and rarely curbed by the courts, though constitutional limitations on the investigatory powers are admitted.[1] The use of legislative committees to secure information follows the example of the people from whom our legislative system is derived. The British method has variations from that of the United States but fundamentally serves the same purpose—the enlightenment of Parliament for the better performance of its duties. There are standing committees to carry on the routine work, royal commissions to grapple with important social or economic problems, and special tribunals of inquiry for some alleged offense in government.[2] Our Congress has since its beginning used the committee system to inform itself. It has been estimated that over 600 investigations have been conducted since the first Congress. They are "a necessary and appropriate attribute of the power to legislate" *McGrain* v. *Daugherty* (273 U. S. 135, 175 (1927)).

The Court indicates that in this case the source of the trouble lies in the "tremendous latitude" given the Un-American Activities Committee in the Legislative Reorganization Act.[3] It finds that the committee "is allowed, in essence, to define its own authority, [and] to choose the direction and focus of its activities." This, of course, is largely true of all committees within their respective spheres. And, while it is necessary that the "charter," as the opinion calls the enabling resolution, "spell out [its] jurisdiction and purpose," that must necessarily be in more or less general terms. An examination of the enabling resolutions of other committees reveals the extent to which this is true.

Permanent or standing committees of both Houses have been given power in exceedingly broad terms. For example, the Committees on the Armed Services have jurisdiction over "Common defense generally";[4] the Committees on Interstate and Foreign Commerce have jurisdiction over "Interstate and foreign commerce generally";[5] and the Committees on Appropriation have jurisdiction over "Appropriation of the revenue for the support of the Government."[6] Perhaps even more important for purposes of comparison are the broad authorizations given to select or special committees established by the Congress from time to time. Such committees have been "authorized and directed" to make full and complete studies "of whether organized crime utilizes the facilities of interstate commerce or otherwise operates in interstate commerce";[7] "of • • • whether organized crime utilizes the facilities of interstate commerce or otherwise operates in interstate commerce in furtherance of any transactions which are in violation of the law of the United States or of the State in which the transactions occur, and, if so, the manner and extent to which, and the identity of the persons, firms, or corporations by which such utilization is being made, what facilities are being used, and whether or not organized crime utilizes such interstate facilities or otherwise operates in interstate commerce for the development of corrupting influences in violation of law of the United States or the laws of any State: *Provided, however*, That nothing contained herein shall authorize (1) the recommendation of any change in the laws of the several States relative to gambling, or (2) any possible interference with the rights of the several States to prohibit, legalize, or in any way regulate gambling within their borders."[8]

[House Resolution 298, 81st Cong., 1st sess., in pertinent part provides:

"authorized and directed to conduct a study and investigation of (1) all lobbying activities intended to influence, encourage, promote, or retard legislation; and (2) all activities of agencies of the Federal Government intended to influence, encourage, promote, or retard legislation."

[House Resolution 596, 82d Cong., 2d sess., in pertinent part provides:

"authorized and directed to conduct a full and complete investigation and study (1) to determine the extent to which current literature—books, magazines, an comic books—containing immoral, obscene, or otherwise offensive matter, or placing improper emphasis on crime, violence, and corruption, are being made available to the people of the United States through the United States mails and otherwise; and (2) to determine the adequacy of existing law to prevent the publication and distribution of books containing immoral, offensive, and other undesirable matter."

[Senate Resolution 74, 85th Cong., 1st sess.:

"authorized and directed to conduct an investigation and study of the extent to which criminal or other improper practices or activities are, or have been, engaged in in the field of labor-management relations or in groups or organizations of employees or employers to the detriment of the interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities."

[Senate Resolution 202, 81st Cong., 2d sess., in pertinent part provides:

"authorized and directed to make a full and complete study and investigation of all lobbying activities intended to influence, encourage, promote, or retard legislation";[9] "to determine the extent to which current literature • • • containing immoral, [or] obscene • • • matter, or placing improper emphasis on crime • • • are being made available to the people of the United States • • •";[9] and "of the extent to which criminal or other improper practices • • • are, or have been, engaged in the field of labor-management relations • • • to the detriment of the interests of the public."[10] Surely these authorizations permit the committees even more "tremendous latitude" than the charter of the Un-American Activities Committee. Yet no one has suggested that the powers granted were too broad. To restrain and limit the breadth of investigative power of this committee necessitates the similar handling of all other committees. The resulting restraint imposed on the committee system appears to cripple the system beyond workability.

The Court finds fault with the use made of compulsory process, power for the use of which is granted the Committee in the Reorganization Act. While the Court finds that the Congress is free "to determine the kinds of data" it wishes its committees to collect, this has lead through the abuse of process the Court says, to an encroachment on individual rights. To my mind this indicates a lack of understanding of the problems facing such committees. I am sure that the committees would welcome voluntary disclosure. It would simplify and relieve their burden considerably if the parties involved in investigations would come forward with a frank willingness to cooperate. But everyday experience shows this just does not happen. One needs only to read the newspapers to know that the Congress could gather little data unless its committees had, unfettered, the power of subpena. In fact, Watkins himself could not be found for appearance at the first hearing and it was only by subpena that he attended the second. The Court generalizes on this crucial problem saying "added care on the part of the House and the Senate in authorizing the use of compulsory process and by their committees in exercising that power would suffice." It does not say how this added care could be applied in practice; however, there are many implications since the opinion warns that procedures which prevent the separation of power from responsibility would be necessary along with constitutional requisites of fairness for witnesses. The power and responsibility for the investigations are, of course, in the House where the proceeding is initiated. But the investigating job itself can only be done through the use of committees. They must have the power to force compliance with their requirements. If the rule requires that this power be retained in the full House then investigations will be so cumbrous that their conduct will be a practical impossibility. As to fairness for witnesses there is nothing in the record showing any abuse of Watkins. If anything, the committee was abused by his recalcitrance.

While ambiguity prevents exactness (and there is "vice in vagueness" the majority reminds), the sweep of the opinion seems to be that "preliminary control" of the Committee must be exercised. The Court says a witness' protected freedoms cannot "be placed in danger in the absence of a clear determination by the House or the Senate that a particular inquiry is justified by a specific legislative need." Frankly, I do not see how any such procedure as "preliminary control" can be effected in either House of the Congress. What will be controlled preliminarily? The plans of the investigation, the necessity of calling certain witnesses, the questions to be asked, the details of subpenas duces tecum, etc.? As it is now, Congress is hard pressed to find sufficient time to fully debate and adopt all needed legislation. The Court asserts that "the Congress has practically abandoned its original practice of utilizing the coercive sanction of contempt proceedings at the bar of the House." This was to be expected. It may be that back in the twenties and thirties Congress could spare the time to conduct contempt hearings, but that appears impossible now. The Court places a greater burden in the conduct of contempt cases before the courts than it does before "the bar of the House." It cites with approval cases of contempt tried before a House of the Congress where no more safeguards were present than we find here. In contempt prosecutions before a court, however, the majority places an investigative hearing on a par with a criminal trial, requiring that "knowledge of the subject to which the interrogation is deemed pertinent • • • must be available [to the witness] with the same degree of explicitness and clarity that the due process clause requires in the expression of any element of a criminal offense." I know of no such claim ever being made before. Such a requirement has never been thought applicable to investigations and is wholly out of place when related to the informing functions of the Congress. See Frankfurter, Hands Off The Investigations, 38 New Republic, May 21, 1924, page 329, 65 CONGRESSIONAL RECORD, 9080–9082. The Congress does not have the facts at the time of the investigation for it is the facts that are being sought. In a criminal trial the investigation has been completed and all of the facts are at hand. The informing function of the Congress is in effect "a study by the Government of circumstances which seem to call for study in the public interest." See Black, Inside a Senate Investigation, 172 Harpers magazine, February 1936, pages 275, 278. In the conduct of such a proceeding it is impossible to be as explicit and exact as in a criminal prosecution. If the Court is saying that its new rule does not apply to contempt cases tried before the bar of the House affected, it may well lead to trial of all contempt cases before the bar of the whole House in order to avoid the restrictions of the rule. But this will not promote the result desired by the majority. Summary treatment, at best, could be provided before the whole House because of the time factor, and such treatment would necessarily deprive the witness of many of the safeguards in the present procedures. On review here the majority might then find fault with that procedure.

III

Coming to the merits of Watkins' case, the Court reverses the judgment because: (1) The subject matter of the inquiry was not "made to appear with undisputable clarity" either through its charter or by the chairman at the time of the hearing, and, therefore, Watkins was deprived of a clear understanding of "the manner in which the propounded questions [were] pertinent thereto"; (2) the present committee system of inquiry of the House, as practiced by the Un-American Activities Committee, does not provide adequate safeguards for the protection of the constitutional right of free speech. I subscribe to neither conclusion.

Watkins had been an active leader in the labor movement for many years and had been identified by two previous witnesses at the committee's hearing in Chicago as a member of the Communist Party. There can be no question that he was fully informed of the subject matter of the inquiry. His testimony reveals a complete knowledge and understanding of the hearings at Chicago. There the chairman had announced that the committee had been directed "to ascertain the extent and success of subversive activities directed against these United States [and] on the basis of these investigations and hearings • • • [report] its findings to the Congress and [make] recommendations • • • for new legislation." He pointed to the various laws that had been enacted as a result of committee recommendations. He stated that "The Congress has also referred to the House Committee on Un-American Activities a bill which would amend the National Security Act of 1950" which, if made law, would restrict the availability of the Labor Act to unions not "in fact Communist-controlled action groups." The chairman went on to say that "It cannot be said that subversive infiltration has had a greater nor a lesser success in infiltrating this important area. The hearings today are the culmination of an investigation. • • • Every witness who has been subpenaed to appear before the committee here in Chicago • • • [is] known to possess information which will assist the committee in performing its directed function to the Congress of the United States."

A subpena had issued for Watkins to appear at the Chicago hearings but he was not served. After Watkins was served the hearing in question was held in Washington, D. C. Reference at this hearing was made to the one conducted in Chicago. Watkins came before the committee with a carefully prepared statement. He denied certain testimony of the previous witnesses and declared

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[1] *United States* v. *Rumely* (345 U. S. 41 (1953)); *Sinclair* v. *United States* (279 U. S. 263 (1929)); *Reed* v. *County Commissioners* (277 U. S. 376 (1928)); *McGrain* v. *Daugherty* (273 U. S. 135 (1927)); Landis, Constitutional Limitations on the Congressional Power of Investigation, 40 Harv. L. Rev. 153 (1926)).

[2] Symposium on Congressional Investigations, 18 U. of Chi. L. Rev. 421, Finer, The British System, 532, 554, 561 (1951).

[3] The committee originated in 1938 under H. Res. 282, 75th Cong., 3d sess., 83 CONGRESSIONAL RECORD 7568, and was patterned after a resolution of 1934 authorizing the investigation of Nazi propaganda H. Res. 198, 73d Cong., 2d sess., 78 CONGRESSIONAL RECORD 4934. The resolution read much the same as the present authority of the committee which is quoted below. By a succession of House Resolutions (H. Res. 26, 76th Cong., 1st sess., 84 CONGRESSIONAL RECORD 1098; H. Res. 321, 76th Cong., 3d sess., 86 CONGRESSIONAL RECORD 572; H. Res. 90, 77th Cong., 1st sess., 87 CONGRESSIONAL RECORD 886; H. Res. 420, 77th Cong., 2d sess., 88 CONGRESSIONAL RECORD 2282; H. Res. 65, 78th Cong., 1st sess., 89 CONGRESSIONAL RECORD 795) the committee continued in existence until in 1945, by amendment of the House Rules, it was made a standing committee. Ninety-first CONGRESSIONAL RECORD 10, 15. The Legislative Reorganization Act of 1946 retained it as one of the standing committees and provided:

"All proposed legislation, messages, petitions, memorials, and other matters relating to the subjects listed under the standing committees named below shall be referred to such committees, respectively: • • •

"(q) • • • (2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of Government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation." 60 Stat. 828.

The committee is authorized to sit and act at any time, anywhere in the United States and to require the attendance of witnesses and the production of books and papers. A resolution of the 83d Congress adopted the rules of the previous Congresses as amended by the Legislative Reorganization Act of 1946. H. Res. 5, 83d Cong., 1st sess., CONGRESSIONAL RECORD, vol. 99, pt. 1, pp. 15, 16, 18, 24.

[4] 60 Stat. 815, 824.

[5] 60 Stat. 817, 826.

[6] 60 Stat. 815, 824.

[7] Senate Resolution 202, 81st Cong., 2d sess., in pertinent part provides:

[8] House Resolution 298, 81st Cong., 1st sess., in pertinent part provides:

[9] House Resolution 596, 82d Cong., 2d sess., in pertinent part provides:

[10] Senate Resolution 74, 85th Cong., 1st sess.:

that he had never been a "card-carrying member" of the party. He admitted that for the period 1942–47 he "cooperated with the Communist Party • • • participated in Communists activities • • • made contributions • • • attended caucuses at [his union's] convention at which Communist Party officials were present • • • [and] freely cooperated with the Communist Party." This indicated that for a 5-year period he, a union official, was cooperating closely with the Communist Party, even permitting its officials to attend union caucuses. For the last 2 years of his liaison the party had publicly thrown off its cloak of a political party. It was a reconstituted, militant group known to be dedicated to the overthrow of our Government by force and violence. In this setting the committee attempted to have Watkins identify 30 persons, most of whom were connected with labor unions in some way. While one "operated a beauty parlor" and another was "a watchmaker," they may well have been "drops" or other functionaries in the program of cooperation between the union and the party. It is a non sequitur for the Court to say that since "almost a quarter of the persons on the list are not labor people, the inference becomes strong that the subject before the subcommittee was not defined in terms of communism in labor." I submit that the opposite is true.

IV

I think the committee here was acting entirely within its scope and that the purpose of its inquiry was set out with "undisputable clarity." In the first place, the authorizing language of the Reorganization Act [11] must be read as a whole, not dissected. It authorized investigation into subversive activity, its extent, character, objects, and diffusion. While the language might have been more explicit than using such words as "un-American," or phrases like "principle of the form of government," still these are fairly well understood terms. We must construe them to give them meaning if we can. Our cases indicate that rather than finding fault with the use of words or phrases, we are bound to presume that the action of the legislative body in granting authority to the committee was with a legitimate object "if (the action) is capable of being so construed." *People ex rel. McDonald* v. *Keeler* (99 N. Y. 463, 487 (1885)), as quoted and approved in *McGrain* v. *Daugherty, supra*, at 178. Before we can deny the authority "it must be obvious that" the committee has "exceeded the bounds of legislative power." *Tenney* v. *Brandhove* (341 U. S. 367, 378 (1951)). The fact that the committee has often been attacked has caused close scrutiny of its acts by the House as a whole and the House has repeatedly given the committee its approval. "Power" and "responsibility" have not been separated. But the record in this case does not stop here. It shows that at the hearings involving Watkins, the chairman made statements explaining the functions of the committee.[12] And, furthermore, Watkins' action at the hearing clearly reveals that he was well acquainted with the purpose of the hearing. It was to investigate Communist infiltration into his union. This certainly falls within the grant of authority from the Reorganization Act and the House has had ample opportunity to limit the investigative scope of the committee if it feels that the committee has exceeded its legitimate bounds.

The Court makes much of petitioner's claim of exposure for exposure's sake and strikes at the purposes of the committee through this catch phrase. But we are bound to accept as the purpose of the committee that stated in the Reorganization Act together with the statements of the chairman at the hearings involved here. Nothing was said of exposure. The statements of a single Congressman cannot transform the real purpose of the committee into something not authorized by the parent resolution. See *United States* v. *Rumely* (345 U. S. 41 (1953)); *Sinclair* v. *United States* (279 U. S. 263, 290, 295 (1929)). The Court indicates that the questions propounded were asked for exposure's sake and had no pertinency to the inquiry. It appears to me that they were entirely pertinent to the announced purpose of the committee's inquiry. Undoubtedly Congress has the power to inquire into the subjects of communism and the Communist Party. *American Communications Assn.* v. *Douds* (339 U. S. 382 (1950)). As a corollary of the Congressional power to inquire into such subject matter, the Congress, through its committees, can legitimately seek to identify individual members of the party. *Barsky* v. *United States* (167 F. 2d 241 (1948)), certiorari denied (334 U. S. 843). See also *Lawson* v. *United States* (176 F. 2d 49, 52–53 (1949)), certiorari denied (339 U. S. 934); *United States* v. *Josephson* (165 F. 2d 82, 90–92 (1947) certiorari denied, 333 U. S. 838).

The pertinency of the questions is highlighted by the need for the Congress to know the extent of infiltration of communism in labor unions. This technique of infiltration was that used in bringing the downfall of countries formerly free but now still remaining behind the Iron Curtain. The Douds case illustrates that the party is not an ordinary political party and has not been at least since 1945. Association with its officials is not an ordinary association. Nor does it matter that the questions related to the past. Influence of past associations often linger on as was clearly shown in the instance of the witness Matusow and others. The techniques used in the infiltration which admittedly existed here, might well be used again in the future. If the parties about whom Watkins was interrogated were Communists and collaborated with him, as a prior witness indicated, an entirely new area of investigation might have been opened up. Watkins' silence prevented the committee from learning this information which could have been vital to its future investigation. The committee was likewise entitled to elicit testimony showing the truth or falsity of the prior testimony of the witnesses who had involved Watkins and the union with collaboration with the party. If the testimony was untrue a false picture of the relationship between the union and the party leaders would have resulted. For these reasons there were ample indications of the pertinency of the questions.

The Court condemns the long-established and long-recognized committee system of inquiry of the House because it raises serious questions concerning the protection it affords to constitutional rights. It concludes that compelling a witness to reveal his "beliefs, expressions or associations" impinges upon first amendment rights. The system of inquiry, it says, must "insure that the Congress does not unjustifiably encroach upon an individual's right to privacy nor abridge his liberty of speech, press, religion or assembly." In effect the Court honors Watkins' claim of a "right to silence" which brings all inquiries, as we know, to a "dead end." I do not see how any first amendment rights were endangered here. There is nothing in the first amendment that provides the guaranties Watkins claims. That amendment was designed to prevent attempts by law to curtail freedom of speech. *Whitney* v. *California* (274 U. S. 357, 375 (1927)). It forbids Congress from making any law "abridging the freedom of speech, or of the press." It guarantees Watkins' right to join any organization and make any speech that does not have an intent to incite to crime. *Dennis* v. *United States* (341 U. S. 494 (1951)). But Watkins was asked if he knew named individuals and whether they were Communists. He refused to answer on the ground that his rights were being abridged. What he was actually seeking to do was to protect his former associates, not himself, from embarrassment. He had already admitted his own involvement. He sought to vindicate the rights, if any, of his associates. It is settled that one cannot invoke the constitutional rights of another. *Tileston* v. *Ullman* (318 U. S. 44, 46 (1943)).

As already indicated, even if Watkins' associates were on the stand they could not decline to disclose their Communist connections on first amendment grounds. While there may be no restraint by the Government of one's beliefs, the right of free belief has never been extended to include the withholding of knowledge of past events or transactions. There is no general privilege of silence. The first amendment does not make speech or silence permissible to a person in such measure as he chooses. Watkins has here exercised his own choice as to when he talks, what questions he answers, and when he remains silent. A witness is not given such a choice by the amendment. Remote and indirect disadvantages such as public stigma, scorn, and obloquy may be related to the first amendment, but they are not enough to block investigation. The Congress has recognized this since 1862, when it first adopted the contempt section, R. S. section 103, as amended, title 2, United States Code, section 193, declaring that no witness before a Congressional committee may refuse to testify "upon the ground that his testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous." See also *McGrain* v. *Daugherty, supra*, at 179–180; *United States* v. *Josephson* (165 F. 2d 82, 89 (1947), certiorari denied, 333 U. S. 838). See also Report on Congressional Investigations, Association of the Bar of the City of New York, 1948, pages 3–4.

We do not have in this case unauthorized, arbitrary, or unreasonable inquiries and disclosures with respect to a witness' personal and private affairs so ably and properly denounced in the Sinclair case, *supra*, at 291–292. This inquiry is far different from the cases relied upon by the Court. There is no analogy to the case of Richard Thompson [13] involving the sermons of clergymen. It is not Floyd's [14] case involving criticism of the royal family. There is no resemblance to John Wilkes' struggle for a seat in Parliament. It is not Briggs [15] where

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[11] See note 3, supra.

[12] See ante, at 9–10. See also the statement by Congressman Velde, chairman of the Committee on Un-American Activities, April 29, 1954, at Washington, D. C., where Mr. Velde stated, inter alia: "This committee is set up by the House of Representatives to investigate subversion and subversive propaganda and to report to the House of Representatives for the purpose of remedial legislation.

"The House of Representatives has by a very clear majority, a large large majority, directed us to engage in that type of work, and so we do, as a committee of the House of Representatives, have the authority, the jurisdiction, to ask you concerning your activities in the Communist Party, concerning your knowledge of any other persons who are members of the Communist Party or who have been members of the Communist Party, and so, Mr. Watkins, you are directed to answer the question propounded to you by counsel."

[13] *Proceedings against Richard Thompson*, 8 How. St. Tr. 2 (1680).

[14] See 1 De Lolme, The Rise and Progress of the English Constitution, 1838, at 347–348.

[15] *Briggs* v. *MacKellar* (2 Abb. Pr. 30, 65 (N. Y. Common Pleas 1855)).

the prosecutor sought to develop the national origin of policemen. It is not Kilbourn [16] involving a private real estate pool. Nor is it Quinn,[17] Emspak,[18] or Bart,[19] involving the fifth amendment. It is not Rumely [20] involving the interpretation of a lobbying statute. Nor is this "a new kind of Congressional inquiry unknown in prior periods of American history • • • [i. e.] a broad scale intrusion into the lives and affairs of private citizens." As I see it only the setting is different. It involves new faces and new issues brought about by new situations which the Congress feels it is necessary to control in the public interest. The difficulties of getting information are identical if not more difficult. Like authority to that always used by the Congress is employed here and in the same manner so far as Congressional procedures are concerned. We should afford to Congress the presumption that it takes every precaution possible to avoid unnecessary damage to reputations. Some committees have codes of procedure, and others use the executive hearing technique to this end. The record in this case shows no conduct on the part of the Un-American Activities Committee that justifies condemnation. That there may have been such occasions is not for us to consider here. Nor should we permit its past transgressions, if any, to lead to the rigid restraint of all Congressional committees. To carry on its heavy responsibility the compulsion of truth that does not incriminate is not only necessary to the Congress but is permitted within the limits of the Constitution.

Mr. FLYNT. Mr. Speaker, I call attention to the following words which appear above:

It may be that at times the House Committee on Un-American Activities has, as the Court says, "conceived of its task in the grand view of its name." And, perhaps, as the Court indicates, the rules of conduct placed upon the committee by the House admit of individual abuse and unfairness. But that is none of our affair. So long as the object of a legislative inquiry is legitimate and the questions propounded are pertinent thereto, it is not for the courts to interfere with the committee system of inquiry. To hold otherwise would be an infringement on the power given the Congress to inform itself, and thus a trespass upon the fundamental American principle of separation of powers. The majority has substituted the judiciary as the grand inquisitor and supervisor of Congressional investigations. It has never been so.

Mr. Speaker, it is evident and it is clear that unless some action is taken to curb and check the unwarranted abuses of the Anglo-American system of jurisprudence by the present majority of the Supreme Court of the United States, they will gradually or precipitously devastate and shatter our Constitution, our laws, our statutes, the Congress of the United States, indeed our very Nation itself.

Mr. DAVIS of Georgia. Mr. Speaker, I know of the great interest of the distinguished gentleman from Georgia in the preservation of constitutional government. I thank him for his remarks and his contribution.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Alabama.

Mr. ANDREWS. I want to congratulate the gentleman for the fine statement he has made and to assure him that I agree with him 100 percent. I have said many times, and I repeat, I fear more the Supreme Court of the United States as presently constituted than I do Russia.

The gentleman mentioned the case of the Communist Party against the Subversive Activities Control Board. I would like to say that within a day or two after that case was announced, an attorney for the Justice Department made this statement which was in a Washington paper. He said that the reversal of that case was the greatest victory the Communist Party had won in the last 10 years.

Now, does the gentleman know of a single case of any importance that a Communist has lost before the Supreme Court in the last 5 years?

Mr. DAVIS of Georgia. It seems that if there is one thing well settled, it is that a Communist cannot lose a case in the United States Supreme Court.

Mr. ANDREWS. Well, I think a study of the decisions of the past few years will substantiate the correctness of that statement. The gentleman mentioned the 2 bar association cases, 1 from California and the other from New Mexico. Is it the opinion of the gentleman that in those decisions the right of the States to regulate the practice of law in the States has been abolished?

Mr. DAVIS of Georgia. Let me say this: The effect of these decisions is that the bar associations and the courts of the States under those decisions no longer may regulate and designate the qualifications of those who are to be admitted to the bar.

Mr. ANDREWS. Well, that was the impression I had from reading the two decisions. Also, it opens up the legal profession to Communists; is that not right?

Mr. DAVIS of Georgia. I agree with the gentleman. That is correct.

Mr. ANDREWS. Does the gentleman not think that the legal profession would be a fine place, so far as Communists are concerned, to place one of their numbers?

Mr. DAVIS of Georgia. I can think of no more dangerous place for a Communist to be.

Mr. ANDREWS. Well, again I want to congratulate the gentleman and assure him that I will support any bill he will bring out here to try to regulate and curb the dangerous trend of the present Supreme Court.

Mr. DAVIS of Georgia. I thank the gentleman.

Mr. KITCHIN. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from North Carolina.

Mr. KITCHIN. I want to add my endorsement to every comment the gentleman from Georgia has made concerning a very, very vital subject. I think one comment should be made and, as a freshman in this House, I can make it with impugnity, being inexperienced, as I am, in matters of this nature, but I think it is a shame that the entire membership of the House did not hear Judge DAVIS' fine speech today. I certainly would say that it is a commentary that should be widely spread to the people of this country through the channels of the CONGRESSIONAL RECORD. I want to again congratulate the gentleman and tell him that he has my wholehearted support in any move that will be directed toward curbing this usurpation of power that the Supreme Court is now on the march to do as far as this Congress is concerned.

Mr. DAVIS of George. I thank the gentleman.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Georgia.

Mr. LANHAM. I want to say to my colleague from Georgia that I regret that I was called from the floor and did not get to hear all of his address. I just want to say that I, too, am terribly disturbed about the tendency of the Supreme Court to usurp the powers of the Congress and to attempt to amend the Constitution. These recent decisions, I think, have alarmed every lawyer, or should alarm every lawyer in America.

Mr. Speaker, I would like at this time to include as part of my remarks an article by Dr. W. H. Lewis, of Rome, Ga., dated August 25, 1956.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The article reads as follows:

ROME, GA., *August 25, 1956.*

Below are the first three paragraphs of an article entitled "Judicial Encroachment" appearing 116 years ago in the United States magazine published in 1850. These paragraphs are so explicit, so correct, and so prophetic, that they apply today and could very well be broadcast across the land.

W. H. LEWIS, M. D.

"The tendency of all governments to encroach on their constitutional limits, and to transcend the powers with which they were originally gifted, has so often been shown, that it has passed into an axiom, and the question now is, not whether the tendency exists, but how far it is left unchecked? The necessity for placing the strongest restraints on this expansive principle, was very apparent to the Convention which produced our National Constitution, and they have, it would seem, effectually guarded against executive encroachment, and, probably, sufficiently against that of the legislative department. But their caution seems either to have exhausted itself at this point, or to have been completely lulled to sleep, and the third of the great branches of our government stands alone in its irresponsibility, almost wholly devoid of those evidences of careful caution which are so thickly strewn around the executive and legislature. The result has been in exact accordance with what was to be expected from universal experience of the effect of placing unrestricted power in the hands of any body of men, or giving them a position above all practicable restraints. While the other two great departments of government have remained within the constitutional limits, prescribed for them, the judiciary has gradually enlarged its power, and extended

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[16] *Kilbourn* v. *Thompson* (103 U. S. 168 (1881)).

[17] *Quinn* v. *United States* (349 U. S. 155 (1955)).

[18] *Emspak* v. *United States* (349 U. S. 190 (1955)).

[19] *Bart* v. *United States* (349 U. S. 219 (1955)).

[20] *United States* v. *Rumely* (345 U. S. 41 (1953)).

its jurisdiction, with a velocity increasing with its progress, until those who truly love the Constitution are at a loss to know where to look for a remedy.

"There is, in truth, more danger in judicial encroachment than in any other kind. The executive and legislature are constantly and wholly before the people. Every act and deed of theirs is exposed to the comments of hundreds and thousands of jealous witnesses. Any infraction of the Constitution on the part of either of them, or any transgression on the constitutional limits of their power, would be instantly met by a cry of indignation rising up from one end of the land to the other, and such a lesson would be administered to the offending party as would be likely to create considerable disinclination, on the part of others, to follow in such footsteps. This is not so with the judiciary. They are little thought of by the people at large, and seldom or never come before them in an official capacity. Their action takes place, in a quiet form, in a retired courtroom, under the eyes of few except the members of a profession, which, as a general thing, has always been in favor of strengthening the hands of government; a profession of which they are but the higher portion, and from the ranks of which their successors must be taken. Above all, the subject of their action, although involving the dearest rights of every individual, is surrounded with a language, and forms, so technical, so unintelligible to the uninitiated, and looked upon by most people with so much dread, that any attempt to explain a legal question is almost certain to drive one's hearers out of earshot. In short, while encroachment by any other branch of government is bold, open, and daring, that effected by the judiciary is covert, noiseless, unknown; and as people find their rights vanishing one by one, they are more likely to think they have been lost by the fault of those whose duty it was to legislate for their protection, than to attribute the result of their plight by legislating them out of existence.

"The judiciary in this country has been treated with a degree of respect which is extended to no other department of government. They have been looked upon with a sort of awful reverence; few have been willing to examine their course with a view to discover whether or no they have conducted themselves properly; and any one who gravely attempts to censure them is looked upon, by some people, as a madman or something worse. It is of little importance, to our present purpose, whether this consideration has been merited or not. We are free to admit that the character of the Federal judiciary is, generally, very high. But if, from mistaken views, they have arrived at wrong conclusions, the weight of their personal and professional character only tends to increase the influence of error, and makes it more necessary that the process, by which such results have been reached, should be stripped of all its technicalities, and laid, in a simple form, before the people at large, who are best entitled to understand it."

This article is truly prophetic and everything that was prophesied with reference to the attempt of the Supreme Court to dominate our entire Government has come to pass in our day. I think it would be most interesting to the Members of Congress to read this article that was written so long ago. I commend the gentleman again for his splendid statement and will be glad to cooperate in any way in an effort to do something to restrain the Court in its headlong dash toward the destruction of our constitutional Government.

The SPEAKER pro tempore. The time of the gentleman from Georgia [Mr. DAVIS] has again expired.

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 3 additional minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SELDEN. Mr. Speaker, will the gentleman from Georgia yield to me?

Mr. DAVIS of Georgia. I am glad to yield to the gentleman from Alabama.

Mr. SELDEN. Mr. Speaker, I would like to commend my friend, the gentleman from Georgia [Mr. DAVIS] for the excellent statement he has made. I trust that many will have an opportunity to read his very fine address in the RECORD.

My colleague from Georgia knows that for a number of years the Supreme Court has held that when Congress passes a law on any subject, it intends that all State laws on that subject be superseded. This rule of law recognizing exclusive Federal jurisdiction in all cases is now having rather iniquitous results. The Steve Nelson case, which was referred to earlier, is an example. In that case, a Communist was convicted and sentenced under the sedition laws of Pennsylvania. The Supreme Court held that Nelson was illegally convicted because the Smith Sedition Act, passed by Congress, preempted the field of sedition and deprived the States of all jurisdiction in that field.

Let me illustrate how a recent United States Supreme Court decision affected my own State of Alabama. For the purpose of protecting our own citizens, the State of Alabama sought to inspect the product of the Cloverleaf Co. This company was engaged in the renovation of butter, some of which was shipped in interstate commerce and subject to inspection under the Federal Pure Food and Drug Act. The Supreme Court in the case of the Cloverleaf Co. against Patterson held that since Congress had enacted the pure food and drug law, it had assumed entire jurisdiction over the subject and the States were powerless to enforce their laws for the protection of the health of their citizens.

As we all know, in recent years, Congress has legislated on a variety and multitude of subjects. As a result, if the Supreme Court continues to follow this doctrine, it will be only a matter of time before the States will be deprived of practically all powers and sovereignty in the enactment and enforcement of laws for the protection of the health and welfare of their local citizens.

Realizing these dangers, I joined with Representative HOWARD W. SMITH of Virginia on the first day of the present session, in introducing identical bills that would modify this doctrine. This proposed legislation, if it is enacted into law, will permit concurrent jurisdiction in order that the State law, where not in conflict with the Federal act, also can be enforced in the State courts for the protection of the State and of its citizens.

Mr. Speaker, there is urgent need for the enactment of legislation of this type. These bills are in the Committee on the Judiciary. I trust that in the very near future the Judiciary Committee will see fit to hold hearings on this important legislation.

Mr. DAVIS of Georgia. I concur heartily and thank the gentleman for his contribution.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. EDMONDSON, for 2 days, on account of official business.

To Mr. BOW of Ohio (at the request of Mr. MARTIN), for Friday, June 21, 1957, on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ABERNETHY, for 1 hour, on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MADDEN and to include an article.

Mr. BARING (at the request of Mr. BOLLING) and to include extraneous matter.

Mr. CELLER.

Mr. COLLIER (at the request of Mr. BALDWIN) and to include extraneous matter.

Mr. SAYLOR and to include extraneous matter.

Mr. MCGOVERN to include an article in his remarks made today on the extension of Public Law 480.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 7221. An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 601. An act relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 7221. An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

ADJOURNMENT

Mr. WHITTENER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 41 minutes p. m.), under its previous order, the House adjourned until tomorrow, Friday, June 21, 1957, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

966. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of the order suspending deportation in the case of Fritz Willy Reinhardt, pursuant to Public Law 863, 80th Congress; to the Committee on the Judiciary.

967. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of the order granting the application for permanent residence filed by Nadina Dzirkalis, pursuant to the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

968. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Rural Electrification Administration, Department of Agriculture, for the fiscal year ended June 30, 1956; to the Committee on Government Operations.

969. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation entitled "A bill to amend the Government Corporation Control Act, as amended"; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARY: Committee on Appropriations. House Joint Resolution 379. Joint resolution making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes; without amendment (Rept. No. 579). Referred to the Committee of the Whole House on the State of the Union.

Mr. PORTER: Committee on Post Office and Civil Service. H. R. 7910. A bill to revise the laws relating to the handling of short paid and undeliverable mail, and for other purposes; with amendment (Rept. No. 580). Referred to the Committee of the Whole House on the State of the Union.

Mr. SANTANGELO: Committee on Post Office and Civil Service. H. R. 7907. A bill relating to contracts for the conduct of contract postal stations, and for other purposes; without amendment (Rept. No. 581). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 1576. An act to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act; without amendment (Rept. No. 585). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 7785. A bill to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia; with amendment (Rept. No. 586). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 7835. A bill to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia, and for other purposes; without amendment (Rept. No. 587). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 8256. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes; without amendment (Rept. No. 588). Referred to the Committee of the Whole House on the State of the Union.

Mr. TRIMBLE: Committee on Rules. House Resolution 251. Resolution to authorize the Committee on the District of Columbia to conduct an investigation and study of the operation, administration, and enforcement of the District of Columbia Public Works Act of 1954, the District of Columbia Revenue Act of 1956, and the organization, management, operation, and administration of the District of Columbia Department of Public Health; with amendment (Rept. No. 589). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 283. Resolution for the consideration of H. R. 7963, a bill to amend the Small Business Act of 1953, as amended; without amendment (Rept. No. 590). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 284. Resolution for consideration of H. R. 5728, a bill to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation; without amendment (Rept. No. 590). Referred to the House Calendar.

Mr. RABAUT: Committee of Conference. House Resolution 6500. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes. (Rept. No. 592). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. S. 1264. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia; without amendment (Rept. No. 582). Referred to the Committee of the Whole House.

Mr. McMILLAN: Committee on the District of Columbia. S. 1586. An act to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia; without amendment (Rept. No. 583). Referred to the Committee of the Whole House.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 7409. A bill to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia; with amendment (Rept. No. 584). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Michigan:

H. R. 8262. A bill to amend title II of the Social Security Act so as to permit the State of Michigan to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. BROYHILL:

H. R. 8263. A bill to make the Policemen and Firemen's Retirement and Disability Act amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and the United States Secret Service; and to their widows, widowers, and children; to the Committee on the District of Columbia.

By Mr. EBERHARTER:

H. R. 8264. A bill to amend the public assistance provisions of the Social Security Act to include Guam as a State to which Federal assistance may be extended thereunder; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H. R. 8265. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:

H. R. 8266. A bill to promote the welfare of the people by authorizing the appropriation of funds to assist the States and Territories in the further development of their programs of general university extension education; to the Committee on Education and Labor.

By Mr. LANE:

H. R. 8267. A bill to create an independent establishment to be known as the Consumers Protective Bureau, and for other purposes; to the Committee on Government Operations.

By Mr. McCORMACK:

H. R. 8268. A bill to amend section 512 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. PORTER:

H. R. 8269. A bill to prohibit further testing by explosion of nuclear devices so long as all other countries refrain from exploding such devices; to the Joint Committee on Atomic Energy.

By Mr. MORRIS:

H. R. 8270. A bill to authorize the construction, operation, and maintenance of the Canton project, Oklahoma, by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H. R. 8271. A bill to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor; to the Committee on Interior and Insular Affairs.

H. R. 8272. A bill to stimulate the production of certain strategic and critical minerals, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORRISON:

H. R. 8273. A bill to amend title II of the Social Security Act to include Louisiana among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mrs. GRANAHAN:

H. R. 8274. A bill providing that there shall be equal pay for equal work for women; to the Committee on Education and Labor.

By Mr. RHODES of Pennsylvania:

By Mr. SCOTT of Pennsylvania:

double I funds by amending section 28 (e)

MAO MINIMIZES BUT CAN'T DENY MURDERS

by the Congress were made only because

By Mr. RHODES of Pennsylvania:

H. R. 8275. A bill to amend the act of October 30, 1951, with respect to certain second-class mail rates; to the Committee on Post Office and Civil Service.

By Mr. PHILBIN:

H. R. 8276. A bill to amend title II of the Social Security Act to eliminate the requirement that a woman be married to an insured individual for at least 3 years in order to qualify for wife's insurance benefits; to the Committee on Ways and Means.

By Mr. CELLER:

H. R. 8277. A bill to amend the Clayton and Robinson-Patman Acts to include the sale of services by independent contractors; to the Committee on the Judiciary.

By Mr. KING:

H. R. 8278. A bill to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such State; to the Committee on Interior and Insular Affairs.

By Mr. GARY:

H. J. Res. 379. Joint resolution making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

By Mr. CEDERBERG:

H. J. Res. 380. Joint resolution designating the week beginning June 30, 1957, as National Safe Boating Week; to the Committee on the Judiciary.

By Mr. BRAY:

H. J. Res. 381. Joint resolution to establish a commission to investigate the utilization of the radio and television frequencies allocated to the agencies and instrumentalities of the Federal Government; to the Committee on Interstate and Foreign Commerce.

By Mr. OSTERTAG:

H. J. Res. 382. Joint resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission; to the Committee on Public Works.

By Mr. SCOTT of Pennsylvania:

H. Res. 282. Resolution to provide equal access for all news media before proceedings of the House; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the Speaker: Memorial of the Legislature of the State of Louisiana, memorializing the President and the Congress of the United States requesting that Federal funds be made available to assist the States in carrying on a program for exterminating certain ants and pests; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Nebraska, memorializing the President and the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces along the lines proposed in S. 2014, H. R. 7574, and H. R. 7642; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Nebraska, memorializing the President and the Congress of the United States to enact legislation which will secure a modification or denunciation of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States transmitting copies of certain joint resolutions, and Act 255, enacted by the Legislature of the Territory of Hawaii in its regular session of 1957; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the Virgin Islands, memorializing the President and the Congress of the United States to provide for the continuation of the so-called double I funds by amending section 28 (e) (ii) of the Revised Organic Act for the Virgin Islands; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H. R. 8279. A bill for the relief of Newton D. Cantwell; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. R. 8280. A bill for the relief of Mrs. Alberta S. Rozanski; to the Committee on the Judiciary.

H. R. 8281. A bill for the relief of Paul Nelson; to the Committee on the Judiciary.

H. R. 8282. A bill for the relief of James E. Driscoll; to the Committee on the Judiciary.

By Mr. FALLON:

H. R. 8283. A bill to provide for the renewal of design patent numbered D-168,296, relating to an ash tray design; to the Committee on the Judiciary.

By Mr. FINO:

H. R. 8284. A bill for the relief of Innocenza Guarascio; to the Committee on the Judiciary.

By Mr. KEAN:

H. R. 8285. A bill for the relief of Idel Volkman; to the Committee on the Judiciary.

By Mrs. KEE:

H. R. 8286. A bill for the relief of Mrs. W. L. Taylor; to the Committee on the Judiciary.

By Mr. McDONOUGH (by request):

H. R. 8287. A bill for the relief of Mrs. Chana Isacsohn and Bracha Isacsohn; to the Committee on the Judiciary.

H. R. 8288. A bill for the relief of Rabbi Yehuda Isacsohn; to the Committee on the Judiciary.

By Mr. McFALL:

H. R. 8289. A bill for the relief of Vito Fontana; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Opposition To Recognition of Red China by the United States

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 20, 1957

Mr. SAYLOR. Mr. Speaker, the internationalists are urging that the United States follow the British trade example, deserting the Nationalist Government on Formosa and welcoming the Communist Chinese into the world of nations, with full recognition.

I do not agree that "recognition is inevitable, so let us do it now," because I am thoroughly convinced that to do so would be a serious mistake in our foreign policy, now and in the future.

I am inserting in the RECORD a letter which I have written to the chairman of the Senate Interstate and Foreign Commerce Committee, and an editorial which appeared in the June 15 edition of the Johnstown Tribune-Democrat.

The letter and editorial follow:

JUNE 19, 1957.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Interstate and Foreign Commerce, The United States Senate, Washington, D. C.

DEAR SENATOR MAGNUSON: As Representative of Pennsylvania's 22d Congressional District, I submit this statement in opposition to any change in the official policy of the United States Government with respect to the total embargo on trade with Communist China.

I remind the committee that in the military prisons of this country there are today a number of military men convicted of cooperating with Red China during the period of their captivity by that renegade government. There has been no change in the political or philosophical makeup of that government. It is comprised of the same tyrants who were responsible for the invasion of South Korea, who drove captured American soldiers like despised beasts across the Yalu River into the illegitimately acquired territory beyond the Manchurian border, who tortured our men and boys without respect for the rules of war or the laws of God or man, who even today are holding more than 400 American soldiers, if they have not already put them to death by the sword or through starvation and disease.

These are the brigands with whom the State Department suggests that we do business. The abrupt about-face prompts the question of whether that has been brainwashing carried out right under the American flag in recent months. The fact that Great Britain has decided to widen its commercial channels with Red China is not a satisfactory answer, for the British merchant ships were conducting trade with that country at the very time that our men and boys were dying on Korean soil.

I implore your Committee to do everything in its power to uphold the American tradition of refusing to trade with the enemy under any circumstances. To open aveniues of trade between the United States and Red China would serve to the advantage of the enemy alone. It would aid in building up that country's industrial potential, in return for which the United States could expect the greatest opium-smuggling effort in history as a means of obtaining our dollars.

The material disadvantages to the United States are obvious, but that consideration cannot be the determining factor. Any breakdown in the trade embargo with Red China would be a surrender to the forces of evil and would decimate the symbol of Uncle Sam as a moral leader in this confused world.

Sincerely,

JOHN P. SAYLOR,
Member of Congress.

MAO MINIMIZES BUT CAN'T DENY MURDERS

Mao Tse-tung's speeches of last February and March have come to light, in which the Chinese Communist dictator admitted that security forces of his regime liquidated—a less brutal word to describe the brutal fact of murder—800,000 enemies of the people between the Communist takeover in 1949 and 1954.

Heretofore the number of Chinese dissidents murdered by the Communists has been estimated as up to 20 million, with 10 million a probable average of the informed guesses. In huge China, with a present population of almost 600 million, either number could disappear without marked effect on the country. And it is safe to assume that Mao would make his own estimate as low as he thought he could get away with, without seeming ridiculous.

Since 1954, Mao is quoted as saying, "We are no longer using methods of terror," and instead have substituted "persuasion and education." The reports which have leaked out of China suggest that these words also conceal some extremely brutal facts. The stories told by our servicemen who were captured during the Korean war indicate that the persuasion used on Chinese must have been pretty intense.

Mao dealt with many subjects in his speeches, which were obviously designed to paint his regime in as favorable light as possible. He announced a new doctrine of "Let 100 flowers bloom," or "Let 100 schools of thought contend"; but those who take this to mean they can argue with the Communists would do well to think twice, or they are likely to end up as cut flowers.

The mere fact that it has taken months for such a major speech to emerge from hidden China itself indicates the nature of the regime with which, according to some schools of thought, the West can resume normal relations. The fact is, and probably will remain for a long time, that this is an absolute despotism over the Chinese people, which will suffer no genuine expression of popular will. And we discover daily in the reports from Korea that it will pay no attention to honor in its relationship with the West.

It suits the Chinese dictatorship now to pretend that it wants to become a respected member of the family of nations—without, of course, giving up its usurped place in Korea or abandoning its subversion throughout Asia. When there is some tangible evidence that the Chinese Communists have changed their brutal nature, it might be worth considering a change in America's relationship with them.

Until that time, however, any indication that this country is watering down its hostility to the things Mao and his Communists represent can only do harm to the anti-Communist cause in Asia, and make our friends there wonder if they, too, shouldn't start dickering with the Communists in Peiping.

Administration's Long-Range Mineral Policy Not Effective

EXTENSION OF REMARKS
OF
HON. WALTER S. BARING
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 20, 1957

Mr. BARING. Mr. Speaker, the amount of thought, economic skill, and knowledge of the domestic-mining industry that has been put into the new administration long-range mineral policy is well illustrated by the recommendation on copper which reads:

> Copper has not been included in view of the continuing good price and the fact that a 2-cent excise tax comes into effect when the price falls below 24 cents. The current rate of domestic production is expanding, and the market situation is stable under current conditions.

Secretary of the Interior Seaton delivered this dictum to the Senate Interior Committee on June 4, 1957. At this time, the copper prices were beginning to fall and already had dropped from a high in early 1957 of over 55 cents per pound for electrolytic copper in New York to 31.288 cents per pound on June 6, 1957, and then on June 19 in London, the price was 27½ cents. Domestic mining companies have already started to curtail production, and at least one large company has been forced to a 5-day week rather than lay off men, the New York price now having dropped to 29 cents as of today.

Since the original Copper Tariff Act was passed with the 24 cents peril point, it has been pointed out by representatives of the copper industry that because of rising costs, the peril point now should be at least 30 cents per pound and the tariff or excise tax restored to at least 4 cents when the price falls below the peril point.

One of the principal mining unions points out in discussing the Seaton-Wormser program:

> The situation in copper, while not yet as serious as that in lead and zinc, also contains many dangerous possibilities. A 30-percent drop in the price of copper in the past year, plus the accumulation of world stocks, in the face of rising supplies, similarly threatens the future life of many United States mines.

The statement continues:

> The present administration's failure to project effective remedies for the now critical situation of the United States nonferrous metals industry places the issue squarely before Congress. Drastic remedies are now required to prevent what could develop into a collapse of an essential United States industry.

So much for the Secretary's knowledge of the needs of the domestic producers of one metal. "Continuous good price" and "stable market"—poppycock. And most of his reasons for not doing anything for a long list of other minerals are about as valid.

Changing the Pattern in Supplemental Appropriations

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 20, 1957

Mr. COLLIER. Mr. Speaker, the action of the House of Representatives in defeating the Third Supplemental Appropriations Bill on Tuesday was a source of some encouragement to me and I trust it was to millions of Americans who feel that the budget cuts effected by the Congress were made only because they are politically fashionable.

It is common knowledge that authorities on our national economy and fiscal policies have sneeringly questioned the sincerity of the Members of Congress in voting appropriation reductions. Yes, and many of these experts, journalists and commentators have termed the action "budget cuts for home consumption" or "for political show." Certainly the pattern and backlog spending and constant approval of supplemental and deficiency appropriations in the past have justified their mockery of the economy motives of many Members of this House in the past 2 decades.

And so, Mr. Speaker, I would like to feel that the action taken by the House in not only rejecting this appropriation bill, but in also voting down legislation that proposed to put the Federal Government in the insurance business, will be consistent with the action which will be taken on future supplemental and deficiency appropriation bills. We will, undoubtedly, be confronted by this oft-repeated situation, that of being asked to spend beyond the sums provided in original bills which were pared by this body.

By consistent and determined action in not yielding to demands for more money, we can serve notice on Members of the other body, department heads and their under secretaries, and all those who might otherwise fall into the category of bureaucrats, that we intend to hold the line. We will, at the same time, confound the mass of economists and experts who have pointed to the economy efforts of the House as political maneuvers rather than as a sincere effort to slash the cost of government.

I, for one, did not particularly like an article which appeared in the local press recently calling attention to the budget cuts voted by the Congress as a means of staging a political exhibition for the appeasement of the folks back home. Past performances, however, certainly gave the author of this article every right to this conclusion. Now we have an opportunity to change this attitude. The author of the particular article to which I refer noted that budget items cut in March and April are restored by means of supplemental and deficiency appropriation requests. So frequently in the past, Congress has rubberstamped these requests from the executive departments. Hence, when the various department heads and their top-ranking assistants observe this pattern, it is natural that they assume that when Congress says, "No," it means "Maybe," and when Congress says "Maybe," it merely means, "Wait a while and you will get your money but not right now while the voters are looking."

Well, Mr. Speaker, I hope that Tuesday the Members of this House who voted to defeat the third supplemental appropriations bill, in doing so served notice that assumption must no longer prevail.

I took particular pleasure in the action we took on the proposed tungsten subsidy request for $20 million. Now, under this tungsten stockpiling program, we

have managed to accumulate a 6-year supply of tungsten at a magnanimous 48 percent above the regular market price. This is a 6-war-year supply. Used at normal rate of consumption, it is estimated that this supply of tungsten will last us—if not another ounce of the expensive metal is produced—until 1984.

This in itself is ridiculous. But there are even more weird facets to this situation. For instance, 10 percent of the entire program is distributed among the 682 so-called small producers while 90 percent of the money goes to a handful of others.

The purpose—if there could have been any purpose to a measure such as this—was allegedly to help the small producer of tungsten. It obviously did not nor would it accomplish this purpose.

This tungsten measure was admittedly a subsidy program. It was brought before us at a hearing of the Interior and Insular Affairs Committee, and its proponents had difficulty explaining the measure away. In fact, always when an outright subsidy is proposed, those who propose it find it extremely difficult to explain for the general good of the people rather than a special few why they are making this effort. Their explanations always ring just a little hollow. Even those receiving the subsidy must find it a little difficult to explain to themselves whence came this manna.

And when the proponents of these subsidies can dig up a reasonable explanation for them—such as wartime stockpiling of tungsten—the subsidies, Federal aid programs and Federal giveaways have a tendency to outlive their usefulness as well as their creators. Once on the books, it is hard to tear these subsidy programs away from the Federal charge account.

Wartime taxes have continued because wartime programs have been resuscitated when it would have been kinder to let them die, and, in some cases, kinder still to have strangled them. When many of these Federal subsidy programs are faced with the reality of natural death, there are those who come racing forth with the pulmotor of the Federal Treasury to revive the patient who would be better off if laid to final rest. In most cases the mourners would be few indeed.

The tungsten program we voted down Tuesday was certainly one of these attempts to revive the patient for a few additional years of lush life at the expense of the already heavily laden American taxpayer. In my estimation no such future programs should be undertaken in view of the demands of the taxpayer for relief from this sort of thing, and in view of the already monstrous $270 billion debt.

What we did Tuesday, then, was in its own small way a refutation of the old law that what Congress refuses to give today, will be gladly donated tomorrow, when the voter and taxpayer is looking the other way.

It should be carefully noted by the Cabinet officers and their underlings as a warning of things to come. For the first time in a decade it appears that Congress is in no mood to trifle with the taxpayer's pocketbook. We have been dipping into his wallet too often, he is tired of it.

May the department heads come to the full understanding that what we are cutting now, will remain cut. In the past the Cabinet officer has looked at his sliced budget, apparently murmured that it is the way the ball bounces, and bided his time. In March of the next year he sends a little note up to the Hill and tells us, quite calmly, quite blatantly, that he has spent all his money, and he needs more. And, Congress has so often obliged him and abetted him in this winking at the law. We obligingly introduce and pass 1, 2, or 3 emergency supplemental appropriations bills. Then on April 15, the American taxpayer sadly accepts the tab while the national debt remains at its astronomical level.

We have made a good beginning in the House; we have this year received more cooperation than usual from the other body. Now, we must drive home to everyone in the executive departments that we are not fooling either ourselves or the taxpayer. We cannot afford the luxury of so many supplemental appropriations while our Government and our people are so deeply in hock.

Television Broadcasting Industry

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 20, 1957

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address delivered by me before the Federal Communications Bar Association, at the Washington Hotel, Washington, D. C., Thursday, June 20, 1957:

I am very happy to have the opportunity to discuss with you today the hearings of our House Antitrust Subcommittee and the subcommittee's report on the television broadcasting industry. It is, of course, not possible, in the few minutes that I have, to go into all the matters which were covered. I shall limit myself, therefore, to outlining a few of the problems posed by the investigation which are of particular interest to you as members of the Federal Communications bar.

At the outset, let me point out that the Antitrust Subcommittee's television inquiry originated in its lengthy hearings in 1955 on current antitrust problems posed by new forces active in the economy. In the course of these hearings, disturbing testimony was presented that Federal regulatory agencies, including the Federal Communications Commission, not only had become unduly industry minded, but had, contrary to antitrust principles, sanctioned and fostered excessive economic concentration in industries subject to their jurisdiction.

This testimony, so far as the Federal Communications Commission and television broadcasting were concerned, was particularly disquieting since there is no field in which antitrust objectives assume greater significance. It is hardly necessary to point out that monopolistic control of television broadcasting would enable a handful of individuals to convert the public airwaves into a medium for force feeding the American viewing public with handpicked opinions and programs. It would mark the end of hoped-for multiplicity of independent local outlets devoted to the discussion of local issues and the development of local talent. And it would negate the fundamental principle that mass communications in a democratic society call for the widest dissemination of information from diverse and antagonistic sources.

In these circumstances, the antitrust subcommittee concluded that it was of crucial importance to examine closely into various facets of this industry, and into the manner in which the Federal Communications Commission has exercised its regulatory responsibility in the public interest. To this end, the committee staff conducted an extensive preliminary investigation which included interviews with numerous persons associated with the industry, careful analysis of testimony before other congressional committees dealing with broadcasting matters; and thorough examination of the files of the Federal Communications Commission and of the industry. I am happy to say that the committee received excellent cooperation from the industry and from the Federal Communications Commission in connection with the inquiry.

Thereafter the committee conducted extensive hearings in June, July, and September of 1956, in the course of which it received testimony from members of the Federal Communications Commission, the president of each of the television networks, the past and present heads of the Antitrust Division of the Department of Justice and many other persons familiar with various aspects of television. It was on the basis of the record made in the course of these hearings that the subcommittee issued its report on June 10.

What are some of the important conclusions flowing from this investigation?

To me a matter of most serious concern is that the Federal Communications Commission has failed to perform its statutory obligations adequately, that it has not infrequently failed to conform its regulatory activities to the letter and spirit of the antitrust laws; and that it has, for many years, fumbled the vital problem of station outlets and frequency allocations. What is more—and this should be especially disturbing to members of this bar—the committee found that the Commission has been unduly informal in its relationships with members of the industry. In fact, for many years such an air of informality has surrounded the Commission's adjudicatory process that members of the Commission have repeatedly discussed with interested parties the merits of pending cases. It is needless for me to point out that such practices by members of a quasi-judicial agency are clearly repugnant to fundamental principles and tread dangerously close to, if they do not transgress, the outer limits of due process of laws.

It is inconceivable that members of this specialized bar association will tolerate continuation of this situation, which is so inconsistent with order and fairness. I am confident that you will assist in the formulation of procedures necessary to assure that the Commission will act as a truly quasi-judicial body.

As a first step, it is imperative for the Commission promptly to adopt a code of ethics that will prohibit further ex parte discussions of pending issues between Commission personnel and litigants and restore due process to its adjudicative process. I recognize that adoption of such a code will not in and of itself solve the basic problem of effective broadcaster regulation. What is required is appointment to the Commission

of persons dedicated to serving the public interest. In my opinion there has never been a greater need for qualified personnel in the Federal Communications Commission, both at the staff and the Commission level. For a number of years the Federal Communications Commission has simply not measured up to the standard of public service required to inspire public confidence.

In the exercise of its licensing function, for example, the Federal Communications Commission has a unique opportunity and responsibility for protecting the public interest in a competitive broadcasting industry by closely scrutinizing both the nature of the transactions underlying license applications and the antitrust background of the applicants. The Commission's official policies recognize and assert that responsibility. Yet in practice the Commission has on several occasions subordinated the public interest in these respects. The NBC-Westinghouse station exchange of 1955 is a case in point. In that case, NBC persuaded Westinghouse to give up valuable Philadelphia stations in exchange for NBC's Cleveland stations plus $3 million. The Commission had reports from its staff expressing concern over the concentration and overlap of NBC coverage which would result from this transaction. It had detailed information from its staff reporting that Westinghouse was reluctant to surrender its Philadelphia outlets and may have been coerced to agree, or face possible loss of NBC network affiliation in several cities. Nevertheless, the Commission approved the exchange without a hearing, without giving specific consideration to the antitrust backgrounds of the various participants and without maintaining adequate liaison with the Antitrust Division of the Department of Justice, to whose attention it had specifically called the case, and which had been investigating the transaction.

The NBC-Westinghouse case is not an isolated example. A recent decision by the Commission affecting the Boston area again highlights the Commission's disregard of antitrust principles in its licensing process. In that case one of the applicants already owned newspapers and radio stations which were dominant in the area and was controlled by persons who had frequently run afoul of the antitrust laws in the past. Parenthetically, it was rated by the Commission's chief hearing examiner as tied for last place below two other applicants. The Commission awarded this applicant the license over all competitors notwithstanding the Commission's avowed policy of favoring diversity of ownership of mass communications media and of considering a history of antitrust violations in licensing proceedings. Let me emphasize that decisions of this nature shatter competition in the mass communications field.

The Antitrust Subcommittee did not investigate this transaction because it had completed its hearings before the Commission acted. However, it is to be hoped that the House Commerce Subcommittee on Legislative Oversight, which was recently established, will investigate the Commission's handling of this matter.

In yet another field, the area of frequency allocations, the Commission has proved incapable of correcting the chronic and critical station shortage which is one major obstacle to achievement of a nationwide competitive system. Although the Commission repeatedly declared the use of UHF to be essential to such a system, for many years it not only failed effectively to encourage UHF development, but until recently, its every action further strengthened and entrenched VHF. As a result UHF stations face an impossible competitive situation due largely to the absence of all-channel set circulation. After 12 years, the situation still cries out for constructive solution.

In a related area the Commission has been remiss in failing to bring to a conclusion either of the two long-pending proceedings that bear on the difficulties of rural television stations that are not in the A. T. & T. transmission system in obtaining network programs for live broadcast at reasonable transmission rates. One of these proceedings, initiated in 1954, seeks permission to construct and operate private relay facilities whenever the cost of American Telephone & Telegraph services is disproportionate. The other, which has been pending since 1948, is a formal investigation of American Telephone and Telegraph common carrier charges for network transmission services. In view of the importance of these proceedings to the achievement of national objectives for broadcasting, the length of time which they have been permitted to drag on is unconscionable.

Turning to the problems of concentration in the industry, the committee's study revealed that CBS and NBC today occupy a dominant position in television broadcasting, accounting for over 40 percent of the entire television broadcast business. By virtue of that dominant position, these two networks, using spectrum frequencies that are a precious natural resource belonging to all the people, exercise vast influence and determine in large measure what the American people may see and hear on their television sets. It must not be overlooked, however, that they have done much that is in the public interest. Thus they have engaged in extensive pioneering activities, assumed large financial risks and brought to the public programs of great popular appeal. These factors explain in part their present dominance. There are other factors too which have contributed to the present concentration in CBS and NBC. These include physical considerations such as the natural limitation of frequency space which prevents unrestricted entry into broadcasting, and shortage of station facilities that has been aggravated by faulty frequency allocations. Various practices that have had a detrimental effect on competition have also, however, contributed to the present economic concentration in the control of television broadcasting. These practices include option time, must-buy, first call arrangements, possible tie-in of network time sales to the sale of programs in which the networks have a financial interest, quantity discounts granted by networks to large advertisers in the sale of time, multiple station ownership by networks, long-term exclusive network talent contracts, and broad caster activities in the field of music.

I would stress that the Federal Communications Commission and the Department of Justice have ample statutory authority to correct virtually all the foregoing restrictive practices. In this context, the solution does not lie in the enactment of extensive new legislation at this time but rather in the exercise by the Government agencies of authority which they have already been provided by the Congress. Only if the agencies fail to carry out their responsibilities will appropriate legislative proposals have to be considered by the Congress.

There is, however, one area where additional legislation is now required so as to amend section 2 of the Robinson-Patman Act and section 3 of the Clayton Act. In the sale of time, the networks allow advertisers a variety of quantity discounts which run as high as 25 percent and which are not related to any cost saving. Such discriminatory discounts in the sale of goods would constitute violations of the Robinson-Patman Act. However, since the act is not applicable to the sale of services, the large network advertiser can obtain a competitive advantage solely because of superior mass purchasing ability. This is true notwithstanding there is no distinction in principle between a discrimination in the sale of goods and in the sale of services. Similarly, section 3 of the Clayton Act which bans certain tie-in arrangements is not applicable where services are involved. To plug these loopholes, I have introduced a bill today to amend the Robinson-Patman and Clayton Acts so as to make them applicable not only to the sale of commodities but also to the sale of services by independent contractors.

In respect of the other recommendations, I think the past record of the Antitrust Subcommittee demonstrates that its reports are not issued merely to be filed. On the contrary, it is the policy of the committee to keep a watchful eye on the steps taken to carry out committee recommendations. In this connection I may mention the effectiveness of past recommendations of the committee with respect to such matters as conflicts of interest cases; adoption of a code of ethics by the Department of Justice; employment of WOC's; measures to improve enforcement of the Celler-Kefauver Antimerger Act and other antitrust statutes; activities of the Civil Aeronautics Board in respect to policies concerning a general passenger fare investigation, and the licensing of travel agents.

In accordance with its policy, the subcommittee has made formal request to the Federal Communications Commission and the Antitrust Division for detailed progress reports as to steps these agencies undertake to carry out each of the committee's recommendations pertaining to television broadcasting. Beyond this, the committee will continue to scrutinize carefully the manner in which the Commission and the Antitrust Division carry out these recommendations and implement the congressional policy of a nationwide competitive system of broadcasting. The public interest requires no less.

Graver Tank & Manufacturing Co.—Centennial Anniversary

EXTENSION OF REMARKS
OF
HON. RAY. J. MADDEN
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 20, 1957

Mr. MADDEN. Mr. Speaker, Indiana's great industrial Calumet region, located in the northwest corner of Indiana, on the shores of Lake Michigan, is indeed proud of its honor to be ranked as the most concentrated and progressive industrial center in the United States. Three of the Nation's major steel mills are located in Indiana's First Congressional District. All major oil companies have offices or plants within the borders of this area. Several hundred other industries and manufacturing plants, both large and small, have located here in order to enjoy the unlimited water, rail, air, and truck transportation facilities in the center of the great Midwest.

The Graver Tank & Manufacturing Co. of East Chicago, is one of the major industries in Lake County, Ind., which has reached the position of leadership in its industrial field over the last century.

Today I wish to call to the attention of

zation with plants in Indiana, Delaware

the spot. He retained his Chicago shop

Today I wish to call to the attention of Members of Congress, some of the history of the Graver Tank & Manufacturing Co. which this year celebrates its centennial anniversary.

The growth of Graver Tank since 1857 exemplifies the courage and endeavor of the men who have assumed leadership in the industrial progress of the United States. A leader in the field of tank production, Graver Tank has supplied the oil industry with storage units since the discovery of oil in 1859 and has witnessed and served the many extensions and expansions of that industry since that time.

While an expanding firm in an expanding economy is not an incident of note, reviewing the economic history of the United States over the past 100 years brings to mind the times the American economic system has suffered financial misfortunes.

However, the inherent strength of the country and the legitimacy of our system of economy during these times of financial disaster becomes evident in the stability of companies such as Graver Tank. Firmly believing that the economy was not doomed, these many young producers, in a young country, held fast to original standards and helped avert a complete collapse of American industry.

Graver has assumed leadership during its 100-year history. A pioneer industry of the Calumet area, Graver Tank was the first manufacturing plant to discover the physical assets of northern Indiana as a great production center. Now, more steel is fabricated in this area than anywhere else in the world.

We salute a successful area inhabited by a resourceful population—men like William Graver, who founded Graver Tank & Manufacturing Co., at the age of 15; men like Edward N. Gosselin, who guided its growth in the final decades of Graver Tank's first century of craftsmanship now being celebrated throughout the country by Graver's 4,000 employees.

The petroleum industry and Graver Tank grew up together. The storage of petroleum and petroleum products has presented problems ever since the first discovery of oil, and Graver Tank—2 years senior to the oil industry—has always been ready to provide workable answers to these storage problems.

In 1857, 15-year-old William Graver joined with his half brother, Michael, in a little iron plate business which has, 100 years later, grown into a national organization with plants in Indiana, Delaware, Oklahoma, Texas, and California.

Two years after the start of this little backyard shop in Pittsburgh, oil was discovered in western Pennsylvania. Almost overnight, the Graver shop became a regular supplier of tankage. The Graver brothers, trained to old-world standards of workmanship by their father, a boilermaker who had emigrated from Germany, early gained a reputation for craftsmanship that has stood untarnished for a century.

Relying on native ingenuity to solve problems, the infant industry of tank-building flourished with the oil industry.

However, this stream of prosperity and success was suddenly dashed by the great panic of 1883. The steel mills along the Allegheny were dark, and business was at a standstill. William Graver was hard hit, but he decided to leave his many ties with Pennsylvania and make a fresh start in the West.

Chicago was a thriving city, largely rebuilt after the great fire, and offering a diversity of industry—grain, packing plants, railroads and steel mills—attractive to a tank builder bent on success. William Graver bought a small lot on Chicago's South Side and moved his family from Pittsburgh to its newly adopted locale.

Still, business was not easy to find and he turned his hand to whatever metalworking was available. Wheelbarrows had a ready market and Graver supplied them for a while. Soon he had orders for lard tanks from a meat packing house and William Graver was back with the product of his choice.

Storage tanks at that time were made of heavy boilerplate of the same thickness throughout the tank structure. It was William Graver's theory that in a vertical tank, since the pressures were less in the upper sections, these could be made of lighter plate. Although this theory had been successfully demonstrated by Graver-built oil tanks in Pennsylvania, no one in the Middlewest would accept the idea. Finally Graver Tank took an order for four large linseed oil tanks of this type of construction. The tanks were erected and when tests were completely successful, a new design in storage tanks was established—the first of Graver's many contributions to tank-building technology. After oil was discovered in Ohio, the Midwestern demand for tankage became acute. When Graver Tank received an order for a large battery of 35,000-barrel tanks, William Graver moved his plant to Lima in order to handle this and other jobs on the spot. He retained his Chicago shop, but put most of his equipment on flatcars and set up new quarters at Lima. Work there continued from 1886 to 1883.

At a time propitious to return to Chicago, William Graver was persuaded by Gen. Joseph Thatcher Torrence to locate in East Chicago, Ind. The area was then only an expanse of sand dunes and sloughs, but Graver had the foresight to envision the potential of the area. Graver thus became the first industry in the great Calumet area, perhaps now the greatest concentration of heavy industry in the world.

In 1910 William Graver retired, leaving the administration of the Graver Tank Works to his five sons.

At this time Graver Tank boasted two frame buildings housing a powerplant, a machine shop and fabricating shops, a warehouse, and a riveting yard and shed. Steel plate had replaced wrought-iron plates and, consequently, larger plates could be handled.

In the next 20 years Graver erected another assembly department, and new shops were equipped with overhead cranes. These new facilities enabled the company to meet the demands of increasing business from new oilfields in Oklahoma, Louisiana, Arkansas, and Texas.

Progress in tank-fabricating methods partially outmoded the use of riveting. Acetylene welding in small-tank construction and, by 1930, electric welding became fairly standard procedures in the shops and on some field work. The industry and Graver Tank kept pace with American endeavor as a whole.

In 1920 Edward N. Gosselin assumed the presidency of the Graver corporation.

Gradual expansion followed, marked by new plants in Delaware, Oklahoma, California, and Texas. Welding procedures became specialized, modern steel buildings with efficient handling facilities replaced the wooden factories, and new office buildings were erected. Assets and volume grew.

The Graver Tank story could, in effect, be called the boilermaker story. It is a story of a boy just 15 who wanted to get into the mainstream of American life and was successful. It is the story of his industrious sons and daughters who have perpetuated his name, his skill, and his high standards. It is an American story which has been recorded in other industrial fields.

These industrial pioneers have contributed greatly to win for the Nation its position as leader of the world.

UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 85th CONGRESS
FIRST SESSION

VOLUME 103—PART 8

JUNE 21, 1957, TO JULY 10, 1957
(PAGES 9903 TO 11306)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1957

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 85th CONGRESS, FIRST SESSION

SENATE

FRIDAY, JUNE 21, 1957

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God, whose glory the heavens and the earth declare, and whose garments, vast and white, we touch in all truth, all beauty, and all goodness, in a world swept by violent forces with which unaided we cannot cope, Thou only art our help and hope. Though our faces are shadowed by the tragedies which blight the earth, we lift them in faith to the light that no darkness can put out. Praying for a strength not our own to make us worthy of so momentous a time, when the pattern of humanity's life in the tomorrows may be largely fixed by the power to help and to heal, as wielded on this Hill, our intercession rises for our Nation and all who influence its policies and for all the people of the Republic, that the fearful cost paid to defend the decencies and sanctities of free life may at last bring all mankind, without shackles of mind or body, to the fairer earth for which we pray. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Thursday, June 20, 1957, was approved and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 768) to designate the east 14th Street highway bridge over the Potomac River at 14th Street in the District of Columbia as the Rochambeau Memorial Bridge.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committees or subcommittees were authorized to meet today during the session of the Senate:

The Committee on Finance.

The Committee on Rules and Administration.

The Committee on Agriculture and Forestry.

The Subcommittee on Health, Education, Welfare, and Safety, of the Committee on the District of Columbia; and

The Subcommittee on Welfare and Pension Plans Legislation, of the Committee on Labor and Public Welfare, until 12 o'clock noon today.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the introduction of bills and the transaction of other routine business. In that connection, I ask unanimous consent that statements be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOTICE OF DISSOLUTION OF THE UNITED STATES COMMERCIAL COMPANY

The PRESIDENT pro tempore laid before the Senate the following letter from the Secretary of the Senate, which, with the accompanying papers, was ordered to be placed on file:

JUNE 21, 1957.

THE PRESIDENT OF THE SENATE,
United States Senate.

In accordance with law, the Reconstruction Finance Corporation has transmitted to me, as Secretary of the Senate, an official copy of a notice of the dissolution of the United States Commercial Company, a Government corporation, effective at the close of business on June 20, 1957.

I am transmitting the letter to you to be laid before the Senate for its information.

Respectfully,

FELTON M. JOHNSTON,
Secretary of the Senate.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON COOPERATION WITH MEXICO IN CONTROL AND ERADICATION OF FOOT-AND-MOUTH DISEASE

A letter from the Acting Secretary of Agriculture, reporting, pursuant to law, that there have been no significant developments to report for the month of May 1957, relating to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease; to the Committee on Agriculture and Forestry.

AMENDMENT OF GOVERNMENT CORPORATION CONTROL ACT

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to amend the Government Corporation Control Act, as amended (with accompanying papers); to the Committee on Banking and Currency.

AUDIT REPORT ON RURAL ELECTRIFICATION ADMINISTRATION

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Rural Electrification Administration, Department of Agriculture, for the fiscal year ended June 30, 1956 (with an accompanying report); to the Committee on Government Operations.

LAWS ENACTED BY LEGISLATURE OF TERRITORY OF HAWAII

A letter from the secretary of Hawaii, Honolulu, T. H., transmitting, pursuant to law, copies of laws enacted by the Legislature of the Territory of Hawaii in its regular session of 1957 (with accompanying papers); to the Committee on Interior and Insular Affairs.

PETITION

The PRESIDENT pro tempore laid before the Senate a letter in the nature of a petition from the Hawaiian Telephone Co., Honolulu, T. H., signed by J. Ward Russell, executive assistant to the president, praying for the enactment of House bill 7431, to provide the necessary funds to implement the recommendations of the National Science Foundation with respect to the provision of adequate training and research facilities at the Hawaii Institute of Geophysics at the University of Hawaii, which was referred to the Committee on Appropriations.

RESOLUTIONS OF MINNESOTA UNITED NATIONS ASSOCIATION

Mr. HUMPHREY. Mr. President, I have just received a copy of 10 resolutions approved at the annual meeting of the Minnesota United Nations Association. Most of these recommendations are ones which I myself have made on

many occasions in the past. As a delegate to the 11th General Assembly of the United Nations, I am particularly pleased that the Minnesota association continues its forward-looking community leadership on these issues.

I ask unanimous consent that the resolutions be printed in the RECORD, and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Draft Resolutions Reported by the Committee on Resolutions for Consideration at the Annual Meeting of the Minnesota United Nations Association, and Approved as Revised on May 4, 1957

1. Membership: We note with satisfaction the expansion of the membership of the United Nations to include 81 states. We do not share the fear that some have expressed that this will alter the balance of power in the General Assembly to the disadvantage of the West. We value the firm support of United Nations principles demonstrated by the new members in recent crises.

2. The Middle East: We commend the General Assembly of the United Nations and the Secretary General and his staff for the vigorous action taken in securing withdrawal of the forces which invaded Egypt, in maintaining order on the frontier between Egypt and Israel by use of the United Nations emergency force, and in clearing the Suez Canal.

The mobilization and deployment of the emergency force has been a model of rapid, effective action, which goes far to demonstrate the utility of an international police and the capacity of the United Nations to direct it.

The clearing of the canal, which was accomplished with exceptional efficiency and economy, reflected great credit upon the capacity of the Secretary General's staff for effective administrative management, even under emergency conditions.

We believe that the restoration of the status which existed under the general armistice of February 24, 1949, was a necessary preliminary step for an orderly determination of the rights of the parties. We note with satisfaction the decisive support of this policy by the Government of the United States. We urge that the United Nations also seek an authoritative determination of the question of the right of Israeli ships to innocent passage through the Suez Canal and the Strait of Tiran. In the probable event that Egypt and Israel are unable to agree upon submitting the issue to adjudication by the International Court of Justice, we believe that an application by the General Assembly or the Security Council for an advisory opinion would be appropriate.

Although restoration of order has been a necessary first step, we believe there must also be a major effort through procedures of peaceful change to adjust some of the continuing issues between Israel and her neighbors. In particular, we urge the United Nations and the Government of the United States to seek a permanent solution of the problem of the Palestine refugees in the Gaza strip and a final determination and recognition of the boundaries of Israel.

We favor a fair trial of Egypt's willingness to operate the canal in accordance with the principles of the Treaty of Constantinople (1888), as interpreted by the International Court of Justice. We also favor substantial economic assistance to Egypt in the development of the Nile, provided the Egyptian Government demonstrates a willingness:

(a) To satisfy the claims properly arising from expropriation of the Suez Canal,

(b) To respect the rights of Israel in the Suez Canal and the Gulf of Aqaba as determined by the International Court of Justice,

(c) To move in a reasonable spirit toward settlement of outstanding issues with Israel.

3. Hungary: We condemn the ruthless brutality of the Government of the U. S. S. R. in suppressing the political liberties and right of self-determination of the Hungarian people. Although the United Nations is unable to apply sanction to the U. S. S. R., it has justly condemned its conduct. We support every effort to unite the forces of world opinion against the conduct of the U. S. S. R.

4. North Africa: We urge the Government of France to discontinue its practice of frustrating discussion of north African problems in the United Nations. We believe it is in the best interests of France and of world peace to have a full airing of these problems in the United Nations. We believe that the effort of Egypt to poison the atmosphere of the entire Arab world should be exposed and condemned.

5. Kashmir: We urge the Government of India to refrain from any steps to integrate the Kashmir area into India until there has been an impartial plebiscite to determine the preferences of the inhabitants. To that end we urge a genuine effort to achieve demilitarization, if necessary by acceptance of a United Nations emergency force to patrol the area until the plebiscite has been taken.

6. Atomic energy—disarmament: We commend the efforts of those whose energy and devotion have produced the framework of the International Atomic Energy Agency. It is our conviction that the work of this Agency will be a positive contribution, not only to development of scientific, medical, and industrial uses of atomic energy for the benefit of mankind, but also to the solution of the problem of effective inspection to prevent misuse of fissionable materials. In this way it may mark a path toward atomic disarmament. We note also with satisfaction the apparent disposition of the powers represented in the United Nations Subcommittee on Disarmament to agree upon preliminary steps in a plan of progressive disarmament. Such agreement, even upon a modest scale, will help to establish the mutual confidence needed for more significant steps.

7. Technical assistance: We believe that the continued expansion of progress of technical assistance to underdeveloped countries is essential because of the obstacles to movements of private capital and the disruption of traditional foreign trade patterns. We consider the United Nations peculiarly fitted to undertake such work in that it can in a flexible manner draw upon the skills of many countries and can make continuing contributions without arousing fears of economic imperialism, distrust, or resentment. We therefore urge that increasing reliance be made upon the technical assistance programs of the United Nations. To that end we believe that it is desirable—

(a) To increase the funds available for technical assistance and economic development. The creation of the International Finance Corporation has been a useful step. We hope support will be given also to the establishment of the Special United Nations Fund for Economic Development.

(b) To implement the Secretary General's suggestions for training a permanent corps of international civil servants in administrative management who could assist nations lacking trained administrators in their national development program.

8. International trade: The success of the General Agreement on Tariffs and Trade (GATT) in providing a framework for negotiations to minimize trade barriers has demonstrated the utility of international organization for this purpose. To give permanent expression to the principles upon which GATT is based and to provide a regular system of consultation which will be a safeguard against any recurrence of the economic nationalism which aggravated the great depression, it is desirable to set up the proposed Organization for Trade Cooperation. We urge the Government of the United States to support this proposal.

9. Human rights: We welcome the resumption of consideration during the last Assembly of the draft Covenants on Human Rights, and the plan to conclude redrafting during the 12th Assembly. We urge the Government of the United States to reverse its position that it will not submit human rights covenants to the Senate for ratification.

10. Committee on Foreign Relations: We recommend adoption by the United States Senate of Senate Resolution 113 (85th Cong., 1st sess.), submitted by Senator HUBERT H. HUMPHREY and referred to the Committee on Rules and Administration, which calls for redesignation of the Senate Committee on Foreign Relations as the Committee on International Relations. We believe the proposed title better expresses spirit of reciprocal and mutual action of states and reflects also the growing importance of action through international agencies. A corresponding change in the names of the House Committee on Foreign Affairs and of the Department of State might appropriately be considered.

RESOLUTIONS COMMITTEE,
CHARLES MCLAUGHLIN, *Chairman*.
VERNIE WOLFSBERG.
DR. CLARENCE RIFE.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 1730. A bill to implement a treaty and agreement with the Republic of Panama, and for other purposes (Rept. No. 479).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GOLDWATER:

S. 2351. A bill for the relief of Kim Choi Sam; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2352. A bill for the relief of Deanna Marie Greene (Okhe Kim); and

S. 2353. A bill for the relief of Charles Fredrick Canfield (Kim Yo Sep); to the Committee on the Judiciary.

(See the remarks of Mr. NEUBERGER when he introduced the above bills, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2354. A bill for the relief of Mae Susan Parr (Mai Soon Bai); and

S. 2355. A bill for the relief of Frances Mary Jones (Kim Jung Sook); to the Committee on the Judiciary.

By Mr. POTTER (for himself and Mr. MCNAMARA):

S. 2356. A bill to authorize the Honorable Thomas J. McAllister, judge of the United States Court of Appeals, to accept and wear the decoration tendered him by the Government of France; to the Committee on Foreign Relations.

By Mr. SCOTT:

S. 2357. A bill to establish a Federal employees' health insurance program; to the Committee on Post Office and Civil Service.

By Mr. HRUSKA:

S. 2358. A bill for the relief of Julia Ann Ayars (Kim Jan Tark); to the Committee on the Judiciary.

By Mr. HAYDEN:

S. 2359. A bill to authorize the establishment of the Petrified Forest National Park, in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KERR:

S. 2360. A bill for the relief of Wayne Bryan McKinney (Cho Byung Oh); and

S. 2361. A bill for the relief of Kim Lynn Nix (Kim Kyoo Im); to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 2362. A bill to exempt conveyances of real property by or to a State or local political subdivision from the documentary stamp tax; to the Committee on Finance.

By Mr. ALLOTT:

S. 2363. A bill to authorize the erection of a national monument symbolizing the ideals of democracy; to the Committee on Interior and Insular Affairs.

By Mr. BARRETT:

S. 2364. A bill for the relief of Antonious Nicholaos Kapranis; to the Committee on the Judiciary.

By Mr. CHURCH:

S. 2365. A bill to amend the Internal Revenue Code of 1954 to provide that no documentary stamp tax shall be imposed with respect to conveyances to which a State or political subdivision thereof is a party; to the Committee on Finance.

By Mr. POTTER:

S. J. Res. 108. Joint resolution to authorize the President to proclaim the week which includes July 4 as "National Safe Boating Week"; to the Committee on the Judiciary.

By Mr. BUTLER:

S. J. Res. 109. Joint resolution to authorize the sale of one Victory-type vessel for conversion to an ore and coal carrier for use on Great Lakes operations; and

S. J. Res. 110. Joint resolution to authorize the sale of a troopship of the C–4 type for conversion to a passenger and cargo carrier; to the Committee on Interstate and Foreign Commerce.

By Mr. SALTONSTALL:

S. J. Res. 111. Joint resolution to extend the time limit for the Secretary of Commerce to sell certain war-built vessels for utilization on essential trade routes 3 and 4; to the Committee on Interstate and Foreign Commerce.

REPORT OF UNITED NATIONS SPECIAL COMMITTEE ON HUNGARY

Mr. KNOWLAND. Mr. President, it has been 8 long months since the people of Hungary first took the control of their destiny out of the hands of the Communist rulers in their country. The United Nations Special Committee on Hungary has just reported a document of terror which is the most comprehensive and authentic indictment ever rendered against a ruthless and immoral government.

Mr. President, if the special report of the Special Committee on Hungary were not so completely documented, I would ask permission to have it inserted in the body of the RECORD. I would sincerely urge all Members of the Congress, both of the House of Representatives and the Senate, to obtain a copy of this report so that they might have a full understanding of the tragedy of Hungary which has, up to this point, been magnified by the inaction of the United Nations itself. I want to pay by personal tribute, and I am sure the tribute of all of my colleagues on both sides of the aisle, to the representatives of Australia, Ceylon, Denmark, Tunisia, and Uruguay who, in a unanimous report—and I underline the word unanimous—have performed a service in the cause of justice which will assure forever their place in the halls of international statesmanship.

Mr. President, as the Members of this body know, the United Nations, in its deliberations on the Hungarian revolution, passed 10 resolutions which were ignored and flouted by the Union of the Soviet Socialist Republics and its puppet Kadar regime in Hungary. With the evidence that has now been made public, and in the words of the special United Nations committee itself, "A massive armed intervention by one power on the territory of another, with the avowed intention of interfering with the internal affairs of the country must, by the Soviet's own definition of aggression, be a matter of international concern," the United Nations is now at one of its turning points in history, as a world that cries for peace with justice calls upon it for its decision.

In my judment the people of the United States and those of all other nations which are members of the United Nations, desire that the report of the special committee be given prompt consideration.

I hope it will not be delayed until the United Nations session next year, but, rather, that the United Nations General Assembly will be called into session to act on the report.

I am, therefore, on behalf of myself, and the senior Senator from Illinois [Mr. DOUGLAS], submitting, for appropriate reference, a concurrent resolution which will express the judgment of the Congress that the United Nations be convened in special session to consider its committee's report on the Hungarian revolution.

I will request the Foreign Relations Committee to give this concurrent resolution prompt consideration and approval, and I hope its unanimous report.

The PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 35), submitted by Mr. KNOWLAND (for himself and Mr. DOUGLAS), was received and referred to the Committee on Foreign Relations, as follows:

Senate Concurrent Resolution 35

Whereas the Special Committee on the Problem of Hungary, established by the General Assembly of the United Nations under its Resolution 1132 (XI) adopted at its 636th plenary meeting on January 10, 1957, has now submitted a report (A/3592) of its findings to the General Assembly under terms of the said resolution; and

Whereas it has been established by the said special committee:

That what took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by longstanding grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the U. S. S. R.; and

Whereas the said special committee concludes that a massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs must be a matter of international concern; and

Whereas the General Assembly of the United Nations, by its Resolution 1119 (XI) adopted at its 668th plenary meeting on March 8, 1957, authorized "the President of the General Assembly, in consultation with the Secretary General and with the member states the representatives of which are serving as the General Committee during the session to reconvene the General Assembly as necessary in order to consider further item 66 or 67," item 67 being the problem of Hungary:

Therefore it is the sense of the United States Congress that the United States Government instruct the United States delegation to the General Assembly of the United Nations to take urgent steps to recommend the reconvening of the General Assembly at this time to consider further the problem of Hungary in the light of the report of the United Nations' Special Committee on the Problem of Hungary.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. KNOWLAND. Yes.

Mr. MORSE. I may say once again I find myself in accord with the distinguished minority leader on a foreign policy matter. I wish to say, as a colleague of his on the Foreign Relations Committee, I shall be associated with him in the effort he is making.

Mr. KNOWLAND. I thank the Senator for his support of the concurrent resolution.

STUDY OF CANADIAN FAMILY ALLOWANCES ACT AND ITS ADMINISTRATION

Mr. NEUBERGER. Mr. President, for nearly 12 years there has been in operation in Canada a family allowance program designed to make available more clothing, better and more wholesome foods, more medical care, and greater opportunities for cultural and educational advancement for the children of Canada who are under 16 years of age.

From personal observation and conversation and correspondence with Canadian officials and citizens, I am convinced that this program has been a great boon, not only for the children of Canada, but for all Canada. Increased milk consumption, greater production of children's shoes, rises in purchases of healthful foods are only a few of the visible benefits which can be traced directly to initiation of the family allowances program. Under this program both the child and the economy prosper.

During the 84th Congress, I submitted Senate Resolution 109 to create a special Senate committee to study family allowances plans, and particularly the Canadian Family Allowance Act, with a view to determining the advisability of such legislation for the United States. Today I resubmit my resolution. I am happy to be joined in sponsoring this legislation by the Senator from Minnesota [Mr. HUMPHREY], the Senator from Illinois [Mr. DOUGLAS], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Michigan [Mr. MCNAMARA]. A similar resolution is being submitted in the House of Representatives by Representative CHARLES O. PORTER of Oregon.

Recent events in Canada, Mr. President, have impelled me again to sponsor at this time this resolution for a study of Canada's experiment with family allowances.

To begin with, the Canadian Parliament this year increased the monthly payment provided for under the family allowances system. This increase was not controversial and was supported by all major political parties in Canada.

Under Canada's family allowances plan, as amended, regular monthly payments of $6 for each child under 10 years of age and $8 for each child 10 to 15 years old are made to the child's mother or legal guardian. Canadian law requires only that the money be spent for "the health and welfare of the child."

Secondly, family allowances were in no sense an issue in the Canadian election held earlier this month, because family allowances were indorsed by the Liberals, by the Conservatives, by the CCF—indeed, by every party fielding candidates for seats in the House of Commons. I think this is significant proof of the success of the program.

On top of all this, Canada has been enjoying an unprecedented prosperity. It is the most attractive spot in the world for wealthy American investors. It has made vast gains in population, national income and sources of wealth. The Canadian dollar is now worth $1.05 in relation to the American dollar. Orthodox economists in the United States cite Canada as an example to follow in balancing our budget and retiring our debt. And, during all this period of prosperity, Canada has supported an extensive system of family allowances.

Furthermore, Mr. President, our present national budget which is such an object of controversy contains huge subsidies for airlines and steamship operators, for various farm crops such as corn and cotton and tobacco, for private utility companies in the form of fast tax writeoffs, for certain postal users, for all sorts of special-interest groups. In view of these facts, I am not ashamed to suggest that we of the Senate study Canada's experiment with a subsidy for the most important and precious resource that any nation can possess—namely, its children.

It is my belief that a family allowances program in the United States would have a favorable impact on the health, happiness, and welfare of the nation's children, and I therefore again urge the adoption of my resolution, so that a committee of the Senate may undertake a careful study of Canada's record of operation and management of its family allowances program, thus providing the people of the United States with a sound basis on which to determine how and when they may wish to adopt for themselves and their children the benefits of family allowances.

Mr. President, I ask unanimous consent that my resolution be printed in the RECORD, together with my article in the May 1957 issue of America in which I discuss family allowances and their application in the United States.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, the article will be printed in the RECORD.

The resolution (S. Res. 149), submitted by Mr. NEUBERGER (for himself and other Senators), was received and referred to the Committee on Labor and Public Welfare, as follows:

Whereas there are now more births each year in the United States than ever before in American history; and

Whereas it is in the best interest of this Nation that its children be adequately provided with the necessities of life in order that they may develop into strong, healthy, well-educated and useful citizens; and

Whereas our good neighbor, Canada, this year is marking the 12th year of an enlightened social experiment known as family allowances, which was adopted originally to promote the well-being of its children; and

Whereas the Canadian family allowances program is reported to have had a favorable effect upon infant mortality, child health, juvenile delinquency and the general welfare of children in that country; and

Whereas the welfare and well-being of the millions of children in the United States call for careful study and examination of the operation and the effectiveness of the family allowances program in Canada: Therefore be it

Resolved, That a special committee of five Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete inquiry and study of the Canadian Family Allowances Act and its administration, with a view to determining the advisability of instituting a similar system of family allowances for the promotion of health, development, and well-being of children in the United States. The committee shall report to the Senate, as soon as practicable, the results of its inquiry and study, together with its recommendations, if any, for appropriate legislation.

SEC. 2. (a) The committee is authorized to sit and act at such places and times during the sessions, recess, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, and clerical and stenographic assistants as it deems necessary.

(c) The expenses of the committee, which shall not exceed $26,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the committee.

The article presented by Mr. NEUBERGER is as follows:

[From America of May 11, 1957]

FAMILY ALLOWANCES

(By Senator RICHARD L. NEUBERGER)

Within the next few weeks I intend to offer again my resolution in the Senate for a full-scale study of Canada's program of family allowances. When I offered such a proposal in the summer of 1955, it was the first time that legislation dealing with family allowances ever had been presented in either Chamber of our Congress. I felt it was long overdue. I still think so. Cosponsors of the family-allowances resolution were Senators Paul H. Douglas of Illinois, Herbert H. Lehman of New York, John F. Kennedy of Massachusetts, Wayne Morse of Oregon, Hubert H. Humphrey of Minnesota, Estes Kefauver of Tennessee, and Patrick V. McNamara of Michigan.

EXAMPLE OF CANADA

It is my hope that a careful and thorough analysis by a Senate committee of Canada's highly successful experiment with family allowances—an experiment now nearly a dozen years old—will convince the United States that it no longer should be virtually the only nation of the Free World without some form of governmental assistance to the families who are carrying the major burden of raising the next generation.

I know that a question will inevitably be raised, in view of our present record peacetime budget of $72 billion. People will wonder how I can offer a resolution to study a welfare program that costs some $397 million in Canada and would cost approximately $3.9 billion if applied to the far larger population of the United States. Yet certain aspects of the 1958 budget must be understood, and one of these is the fact that its expenditures per capita are less than those for a good many earlier years.

Furthermore, a New York Times breakdown of the budget has shown that such items as national defense, overseas aid, veterans' benefits, and interest on the public debt absorb 80 percent of the total budget. By contrast less than 5 percent of it is assigned to items broadly classified as labor and welfare.

I believe strongly in adequate defenses, of which foreign aid is a legitimate part. But I fear that growing disillusionment will sweep our country if to pay for both overseas assistance and our Military Establishment we deny the American people needed programs in the field of education, natural resources, public health and general welfare.

Here is how I look at family allowances. A good part of our foreign-aid expenditures in the military field goes to countries that have some form of governmental aid to families with young children—the Scandinavian nations, France, Italy and others. I do not begrudge this. Such expenditures serve to strengthen our allies in the constant war against communism.

Yet it is ironic that the United States, a land whose children must forego family allowances because of the huge Federal budget and debt, is providing financial assistance to nations where family allowances are an accepted part of the social structure. This anomaly will not be tolerated indefinitely by the American people.

I have no doubt that Treasury Secretary Humphrey's theory of economics pretty rigidly excludes any such welfare program as family allowances. It does not exclude, I might add, the 27.5-percent depletion allowance which practically exempts so many big oil companies from income taxes, nor does it rule out the accelerated tax writeoffs that have been such a bonanza to private utility companies and similar corporations. It does not even militate against the subsidies which go to airlines, steamship lines and other carriers in connection with mail contracts. Yet subsidies for children would in the long run do more good to the United States and the rest of mankind than subsidies to immense business combines.

The Humphrey theory of economics is not the only one, of course. Some economists believe that the spending of money by consumers helps to keep a Nation prosperous. Prof. Sumner H. Slichter, of Harvard, wrote in the New York Times for March 22: "Certainly one procedure that will not solve the problem of inflation is encouraging people to spend less than is needed to maintain full employment. That would merely substitute the problem of unemployment for the problem of slowly rising prices."

Every study made in Canada has demonstrated that the bulk of family-allowance funds soon find their way into channels of trade and business. In 1951, after family allowances had been distributed for 6 years, researchers at Laval University in Quebec discovered that the allowances had been used most frequently for the following purposes:

1. Children's clothing.
2. Insurance policies and annuities for children.
3. Medical care and medicines for children.
4. More nutritious food for children.
5. Children's savings accounts in banks and other savings institutions.
6. Toys and amusement for children.

Family allowances require about 8 percent of the total budget of the National Government of Canada. This is a substantial proportion. It exceeds by 3 percent the proportion of the United States budget that goes to all labor and welfare matters. It likewise exceeds by exactly 3 percent the proportion of our Federal budget that a program of family allowances would constitute, should our Congress enact legislation patterned precisely after the Canadian plan.

Has this had an adverse impact on the Canadian economy? Has it made the investing of money in Canada less attractive to those rugged individualists south of the international boundary who describe disdainfully as a handout any proposal for family allowances in this country?

Last January the English quarterly Lloyds Bank Review gave this advice to prospective investors:

"Canada is booming. • • • The relative importance of American capital is increasing all the time. Over the past 7 years, it has accounted for more than 80 percent of the increase in the book value of all foreign investments in Canada. In 1954, some 60 percent of the American capital—$5.7 billion—was the direct investment of American companies in Canadian business."

In other words, during the very period when family allowances have been in the process of adaptation to Canada's social-welfare program, hardheaded American businessmen have been hurrying to invest an unprecedented amount of their funds in Canadian enterprises.

This, of course, does not prove that family allowances have anything to do with Canada's attractiveness for American investors. It does most definitely prove, however, that family allowances are in no degree the deterrent to free enterprise that some American critics seem to think.

HOW IT LOOKS TO CANADIANS

What do Canadians themselves think of the Government checks which are mailed on the 20th day of each month to mothers or principal guardians of Canadian boys and girls?

I was serving in the Yukon Territory with the American troops building the great Alcan Highway to Fairbanks when such men as the then Prime Minister Mackenzie King, Father Léon Lebel, and Prof. Leonard Marsh were discussing the idea of family allowances. Canadians confessed to me their skepticism. This was particularly true of families who felt they could raise their children without a sop from Ottawa. A Gallup poll in 1943 showed that slightly less than 50 percent of Canadians favored the proposal. Many of the opponents were vocal and vehement.

Between the end of World War II in 1945 and my election to the United States Senate in 1954, my wife and I returned to Canada each year to gather material for books and articles. We talked with literally hundreds of Canadians—with Indians and Eskimos, Hudson's Bay Co. factors, Catholic, and Anglican missionaries, members of Parliament, train conductors, mounted police officers, utility executives, fishermen, nurses, teachers. We saw opposition to family allowances slowly but steadily wane, even on the part of our most conservative Canadian friends.

A 1950 Gallup poll showed 90 percent of the people of Canada in favor of family allowances. There has been no serious criticism of the program in Parliament for almost a decade. All the major political parties today accept the program as a worthwhile feature of the country's national life.

Whenever I address a meeting on the topic of family allowances, some member of the audience is sure to charge that such a program would sap individual initiative. That this has not occurred in Canada seems to make no difference to the complainants. Many American leaders of big business frequently point to Canada as an example of a nation with a balanced budget and a sound dollar. And what of the long experience of other lands with family allowances? What country resisted Soviet aggression more heroically, for example, than did little Finland in the cold and bitter winter fighting of 1939? Government payment to every Finnish family with a child younger than 16 does not appear to have weakened the vitality of this hardy northern people.

GILT-EDGED INVESTMENT

My legislative proposals concerning family allowances are occasionally criticized as offering an undue reward to families with large numbers of children. To this there is an abundance of answers.

To begin with, children, whether in large or small families, are the hope of our nation and of the world. It is essential that they have adequate diet, warm clothing, competent medical and dental care, sound schooling, development of their natural talents and a valid opportunity for fun and for personal happiness. Why should a child in a large family be penalized?

Secondly, the Bureau of the Census has disclosed that about 33 percent of the individuals in the Nation's total civilian labor force are rearing over 90 percent of the children under 18 years of age. Thus the next generation of Americans is being reared largely upon the earnings of only one-third of the population. What is wrong with using a progressive system of taxation to help spread this burden somewhat more equitably?

In addition, the United States has long ago established the basic principle of granting at least indirect aid to families with large numbers of children. This was done when the Federal income-tax laws first allowed extra exemptions for each dependent.

Few questions are asked of me more frequently than why I do not try to accomplish my goal through increased income-tax deductions for dependents, rather than through a complicated governmental system of family allowances.

The inquiry is a logical one. I can understand the reasoning behind it. Yet, to me, there are two unanswerable replies:

1. The increasing of exemptions would be disproportionately beneficial to those in the upper-income brackets, as compared with low-income families, whose children probably require assistance the most.

2. The increasing of exemptions would put no pressure or moral suasion on a family to spend the additional money for the special benefit of the children. It merely would be another tax reduction, and the savings might be spent on an automobile, fishing tackle, golf-club dues, or anything else. Under a program of family allowances, by contrast, the payments are by law made for the direct benefit of the health and welfare of the child.

The latter point deserves amplification. If a general tax reduction takes place, no particular advantage accrues to children. They may indeed share in some of the bounty; but it is, at most, a very general and across-the-board sharing. Family allowances, on the other hand, are pinpointed for the express benefit of the children to whom they are assigned. There is a real difference.

NEW DAY FOR CANADA'S CHILDREN

During the first year that family allowances were in force, infant mortality in Canada dropped from 51 to 47 per 1,000 births—a most heartening and welcome development. In the same period, the monthly production of children's shoes soared from 762,000 pairs to 1.18 million pairs, a prodigious increase of over 54 percent.

On the streets of Edmonton, Mrs. Neuberger and I have seen long lines of mothers and children waiting to purchase shoes a day or so after the monthly family-allowances check was due in each household. Traders at remote wilderness outposts told us there had been no real demand for Pablum or vitamins until family allowances went into effect. The number of Canadian doctors specializing in pediatrics has multiplied many times since the system was adopted.

At the British Columbia community of Revelstoke, in the heart of the towering Selkirk Mountains, I met a Canadian Pacific locomotive engineer. He and his attractive wife had five young children. Their first few family-allowances payments each year were used to finance a thorough medical and dental checkup at a local clinic for all five children. Several potentially serious difficulties had thus been detected in ample time.

Would the engineer and his wife have undertaken such an expenditure if they had received merely a tax reduction? Would the reduction have carried with it the compulsion to do something specifically for the children, as is the case with family allowances?

Every year 4 million babies are born in the United States. A program of family allowances would be an annual investment by the Government of $3.9 billion in the health, happiness, and security of these babies, at least until their 16th birthdays. What subsidy—and I am not afraid to use the word—could be more justifiable? After all, millions of veterans received a subsidy under the GI bill of rights. Railroads received fabulous subsidies in rich land grants along their western rights-of-way. Airlines and merchant shipping are still subsidized as mail carriers. Farmers get soil-bank payments and price-support loans. Many newspapers, magazines and book publishers enjoy mailing privileges.

I am not criticizing these subsidies. They are part of our way of life. The $5-billion agricultural budget has come in for relatively scant questioning. Our rural economy desperately needs bolstering. But since we almost automatically provide subsidies for so many segments of our population, can anybody seriously argue that it is unwise or inadvisable to extend this policy to our most precious resource of all—our children?

There is not the slightest doubt in my mind that the United States will eventually join the long roster of free nations that support some form of family allowances. I am not irrevocably wedded to the precise form that the American system of family allowances will take. I merely hope that those in charge of our governmental decisions can keep in mind a couplet from the poem which was Lincoln's favorite, "The Present Crisis" by James Russell Lowell:

New occasions teach new duties
Time makes ancient good uncouth.

REVIEW OF GRANTING OF TAX AMORTIZATION CERTIFICATES FOR ACCELERATED DEPRECIATION

Mr. CASE of South Dakota submitted the following resolution, which was referred, as indicated:

S. Res. 150. Resolution favoring a review of the granting of tax amortization certificates for accelerated depreciation; to the Committee on Finance.

(See the remarks of Mr. CASE of South Dakota when he submitted the above resolution, which appear under a separate heading.)

RELIEF OF CERTAIN IMMIGRANT ORPHANS

Mr. NEUBERGER. Mr. President, I recently received a petition sent to me by George Vanaman, of 420 East 31st Street, Eugene, Oreg., and signed by 149 students of Roosevelt Junior High School of Eugene, strongly urging the passage of legislation similar to my bill to admit to the United States 10,000 orphan children who have been or will be adopted by American families. These children cannot now enter the United States unless general orphan legislation is enacted or unless private legislation is passed in each specific case.

I was indeed pleased that the chairman of the Senate Immigration Subcommittee and the Senate Judiciary Committee [Mr. EASTLAND] yesterday advised the Senate that our proposed legislation relating to orphans will soon be on the Senate Calendar and that he favors such legislation. This is certainly good news to the parents who are encountering such difficulties in bringing their adopted children to the United States.

Mr. President, on behalf of myself and my colleague, the senior Senator from Oregon [Mr. MORSE], I introduce, for reference to the appropriate committee, two additional private bills so that these adopted children will be permitted to enter the United States and join their parents. I ask unanimous consent that the fine, humanitarian petition of the students of Roosevelt Junior High School be printed in the RECORD.

The PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the petition without the signatures attached, will be printed in the RECORD.

The bills, introduced by Mr. NEUBERGER (for himself and Mr. MORSE), were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 2352. A bill for the relief of Deanna Marie Greene (Okhe Kim); and

S. 2353. A bill for the relief of Charles Frederick Canfield (Kim Yo Sep).

The petition presented by Mr. NEUBERGER is as follows:

JUNE 11, 1957.

To the Honorable RICHARD L. NEUBERGER:

We, the undersigned students of Roosevelt Junior High School of Eugene, Oreg., believe the following to be true:

1. The United States has a definite responsibility toward the illegitimate and orphaned children of American servicemen in foreign countries.

2. These children in most cases are not accepted by the people of their own countries.

3. Many of these children will starve, and most will not receive adequate education, if any at all.

4. Some of these children that the orphanages will not find will die of diseases because they will have to get their food from garbage cans and will have to sleep in the streets and gutters.

5. Such men as Harry Holt are doing an excellent work of charity, while at the same time filling an obligation which our entire country owes.

Believing this to be true and for other unlisted reasons we strongly urge the passage of pending legislation which would permit the entry of 10,000 orphans of 12 years of age and younger into this country in the next 10 years.

(Signed by George Vanaman, and 148 other students of Roosevelt Junior High School, Eugene, Oreg.)

DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1958—AMENDMENT

Mr. MORSE (for himself, Mr. MANSFIELD, Mr. MURRAY, Mr. NEUBERGER, and Mr. JACKSON) submitted an amendment, intended to be proposed by them, jointly, to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MORSE:

Address delivered by Senator CLARK, of Pennsylvania; on May 1, 1957, at mid-Atlantic regional conference, the President's Committee on Education Beyond the High School.

NOTICE OF CONSIDERATION OF A NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, the Committee on Foreign Relations' received today the nomination of Neil H. Jacoby, of California, to be the representative of the United States of America on the Economic and Social Council of the United Nations, vice John C. Baker, resigned.

Notice is given that the nomination will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

EXCESSIVE OIL IMPORTS

Mr. JOHNSON of Texas. Mr. President, I was informed yesterday that the Texas Railroad Commission had to cut the oil allowable by 390,000 barrels a day.

This is a tremendous blow to our independent oil producers. It means that since the Suez Canal has been reopened, their production has been cut 700,000 barrels a day.

And meanwhile, oil imports have reached the level of 1,700,000 barrels a day.

Mr. President, the situation for our independent producers has become a one-way street leading to oblivion.

When the Suez Canal was shut down, they were asked to increase production. The Texas Railroad Commission responded by raising the allowable 400,000 barrels a day without regard to normal procedures.

Now that the crisis is over, they have been left in the lurch. There is clear authority to handle this situation, and it is time that cooperation again become a two-way street.

Mr. President, I am hopeful that action taken recently by the Office of Defense Mobilization will expedite a decision by the President under the authority of the Reciprocal Trade Agreements Act. Such a decision is long overdue, and I call upon the Executive to administer the law, and utilize the authority given to him, to correct the terrible situation to which I have called attention.

I ask unanimous consent that there be printed in the RECORD following my statement an article from the Wall Street Journal of yesterday relating to this matter.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEXAS BOARD CUTS STATE'S JULY OIL OUTPUT RATE 390,449 BARRELS A DAY—IT SETS 13-DAY OPERATION, DOWN FROM 15 IN JUNE—ONE COMMISSIONER OPPOSED

AUSTIN, TEX.—Heeding pleas by both purchasers and producers of oils, the Texas Railroad Commission reduced the State's permitted production for July by 390,449 barrels a day from the June 15 level and nearly 800,000 barrels below the record high reached during the last week of March.

Next month's proration order calls for 3,027,786 barrels daily average crude oil output. This compares with 3,418,235 barrels daily for the week ended June 15 and the record 3,821,426 barrels in the final week of March, when oil demand from Europe was high because of the Middle East crisis.

The July order will allow only 13 days' flow in the 31-day month. The June schedule is 15 days.

Howard-Glasscock field in west Texas, formerly exempt from shutdown, will be restricted to 23 days in July. Six-day production was ordered for two other west Texas pools, the Headlee (Devonian) and the Dora Roberts.

Commission Chairman Olin Culberson, absent from the statewide hearing, wrote that he objected to any reduction below 15 days monthly. He said other States have not borne their proportionate share of production cuts and that a further reduction would have a serious and adverse effect upon State government finances in Texas.

Texas collects nearly 13 cents a barrel in tax on oil production, making this a principal source of State income. Reductions ordered since March will trim tax revenues at a rate of nearly $30 million annually.

Commissioners Ernest O. Thompson and William J. Murray, Jr., issued the order for a July cut. Witnesses from both producing and refining segments of the industry called for this as the only course to avoid more serious problems of oversupply later.

Imports plus the effort to supply Europe with oil during the Suez crisis were blamed for the domestic industry's present plight.

Webb Walker, Jr., representing Fort Worth independent operators, drew laughter with a statement: "It is our belief that the President will act soon to limit imports."

"Belief or hope?" interrupted Commissioner Murray.

"Both," replied Mr. Walker.

Presidents of four Texas producers' associations, after the hearing, sent a telegram to Senator JOSEPH C. O'MAHONEY, Democrat, Wyoming, chairman of the Senate subcommittee investigating the oil industry, urging action to limit imports of foreign oil.

The telegram said the 13-day production schedule for July is an "unprecedented low, thereby placing in jeopardy thousands of independent producers and undermining national security." The action, it stated, "underscores the fact that imports now supplant domestic production, making the United States dependent on unreliable foreign oil. It amplifies the urgency for immediate action for curtailment of excessive imports."

Mr. JOHNSON of Texas subsequently said: Mr. President, for some time I have maintained close touch with the Office of Defense Mobilization on the question of the excessive oil imports which threaten our domestic producers.

Since I made my statement earlier today, ODM Director Gordon Gray has assured me that action is under way. I hope that it will be followed through.

Mr. Gray advised me that the President is in agreement with his preliminary findings that there is reasonable ground to believe that excessive oil imports are threatening the national security.

Mr. Gray also said that the President indicated he was ready to initiate the investigation under section 7 of the Reciprocal Trade Agreements Act. Such an investigation is a necessary preliminary to action.

The President has also asked Mr. Gray to explore the feasibility of making voluntary arrangements which will help solve the situation, if he concludes that import reductions are necessary.

Mr. President, it is good news that action is under way. I have already discussed some of the latest developments which threaten our domestic producers.

The ODM Director assures me that he is taking expeditious action. I hope that a conclusion will not be too long delayed.

SVENSKARNAS DAG CELEBRATION

Mr. THYE. Mr. President, on Sunday, June 23, thousands of Swedish Americans in the Twin Cities area of my State of Minnesota will gather for the annual observation of Svenskarnas Dag, or Swedes Day.

Last weekend it was my pleasure to join with our Swedish friends in the Duluth area in observation of this midsummer eve festival. I am sorry I will not be able to be present for the festivities in Minneapolis on Sunday; but I am pleased that my friend and colleague, the able senior Senator from Washington [Mr. MAGNUSON], will be the speaker of the day. Senator MAGNUSON is a native of our State; he was born in Moorhead, Minn. I know he will enjoy returning to Minnesota for this occasion, and I know he will be well received in traditional Minnesota Scandinavian hospitality.

Svenskarnas Dag originated in Sweden more than 1,000 years ago. Originally it was the celebration of the end of the cold winter, long nights, and the accompanying hardships, and the return to long, warm summer days and an easier way of life. This year, as the people of Sweden again prepare to celebrate this midsummer eve festival, they will rejoice in more than the warmth and brightness of summer. They will be celebrating their freedom, a democratic way of life, and one of the highest standards of living in the world today. Our Minnesota Scandinavians speak with pride of the remarkable economic and social progress in Sweden. They also are proud to say that for more than 500 years, the ordinary people of Sweden have had a real voice in their government.

I also know, from conversations with people from Sweden, that they are proud of the close and friendly association of their nation with the United States. I know they are particularly proud of the great contributions which men and women of Swedish descent have made toward the development of our own great Nation. People of this type came to Minnesota years ago, and dedicated themselves to the transformation of a wilderness into a vigorous and prosperous State. All this has been done in less than 100 years.

We must not forget that Sweden was the first nation, not engaged in the Revolutionary War, which recognized the independence and equality of the United States. A Swede, John Hanson, was the first President of the United States in Congress assembled. It is also worthy of note that one of the very first permanent settlements in this country was a colony of Swedes on the shores of Delaware.

We can observe the leadership of Sweden in world affairs through the work of Dag Hammarskjold, as Secretary General of the United Nations. It is this type of sensitivity to changing world conditions which sets Sweden apart as a nation dedicated to the cause of freedom and independence.

Mr. President, these are some of the reasons why Svenskarnas Dag means so much to the people of Minnesota.

WE'VE BEEN EISENHOWERED

Mr. MORSE. Mr. President, there are times when I truly regret our self-restraint in prohibiting photographic reproductions in the RECORD. This is one such time. In the Central Oregonian, of June 13, 1957, this Prineville, Oreg., newspaper had on its front page a news picture which in capsule form epitomizes what so many of us have been saying for so long. The scene is a cafe which has just gone out of business. The laconic explanation is lettered on the front window: The simple stark sentence reads: "We've been Eisenhowered."

Mr. President, since the photograph cannot be reproduced in the CONGRESSIONAL RECORD, I ask unanimous consent that the caption of the photograph be printed at this point in the RECORD, in connection with my remarks. It reads as follows:

We've been Eisenhowered, points out Davey Pinkston as he waves the white flag of surrender after closing the doors on his cafe business last week. The Republican administration's tight money policy, which is being blamed for the current lumber recession, is also blamed by Pinkston for his troubles. "What's good for General Motors wasn't good enough for me," said Davey, who predicts there won't be enough Republicans left in office to make it worth while counting them when the 1958 election is over.

ECONOMIC SLUMP IN OREGON

Mr. MORSE. Mr. President, I have talked at some length on the slump that is stalking the economy of the State of Oregon. Anyone who doubts that the housing industry is in bad shape should read some recent articles by William Dean, which were published in the Eugene (Oreg.) Register Guard.

I ask unanimous consent that these articles be inserted in the body of the RECORD.

I want to say I am indebted to William Dean for the very fine reporting job he has done. I also wish to say I have talked in recent days to a number of Oregon businessmen who have come to Washington to express their great concern about the exceedingly serious recession which has struck the economy of Oregon. They point out—and most of them are Republicans, I may say—that the fiscal and economic policies of the Eisenhower administration, as epitomized by the big-business attitude of Secretary of the Treasury Humphrey, in connection with his tight-money policy and high-interest policy, are doing great damage to the economy of our State and great damage particularly to the bellwether of the economy of our State—the lumber industry.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

TIGHT MONEY DID IT: LUMBER'S BOOM TURNS TO GLOOM

(EDITOR'S NOTE—The state of the Nation's housing industry determines to a large extent the condition of the Emerald Empire's economy. In the last year, there have been some drastic changes and much confusion over the condition of housing, the causes and the solutions. This is the first of a series which will attempt to explain some of the factors involved.)

(By William Dean)

Look around your own neighborhood. Probably, you'll find someone who is out of work, or is getting only a short shift, or whose business isn't quite as good as he thinks it should be.

It may be you.

There are a number of reasons for this—but ask most any lumber producer or seller, real-estate man or builder, and he'll give it to you in two words: "Tight money."

This doesn't mean that the dollar bill is any more giddy than usual as a medium of exchange. This two-word phrase has become the symbol of the jagged rock on which nearly 8 out of every 10 of us saw our hopes for a sustained boom flounder early in 1956. In the year since these two words first came into public use they have been blamed for everything but the common cold.

BEHIND THE DITTY

Behind these 10 letters there are unspoken volumes about national policy, economics, astute politics and the future health of the lumber industry, as well as of the Nation's second largest industry: home construction. Many of these volumes, however, have little to do with the Federal Reserve Board's tight-fisted money policy.

In the last 2 weeks, lumber producers from this area have been getting a concentrated lesson in what that catch-all, two-word ditty really encompasses. At a meeting a week ago of the Western Forest Industries Association in Vancouver, British Columbia, and of another meeting last week of the West Coast Lumbermen's Association in Portland they were told that there are about as many

ramifications to what is going on in the housing business as a bandsaw has teeth.

Every one of these ramifications has had some effect on home construction. In 1955 home building was at an all-time high of 1,350,000 starts. Lumbermen couldn't seem to satisfy the demand for forest products. Mortgage credit was free and easy.

In fact, it may have been too free and easy. The Federal Reserve Board, keeping a sharp eye on the state of the economy, foresaw a burgeoning inflation and clamped on some controls. The Board, through its regional banks, began charging more for the money it loaned to member banks. It became less easy for homebuilders to get credit and financing.

INVESTMENT INFLATION

However, the financing controls did not slow down the accumulation of consumer credit, nor the "investment inflation"—the pouring of additional millions of dollars into business and industrial expansion.

At the same time, the industry itself apparently underwent a change. There was a shift from many relatively low-cost units to fewer, more expensive houses.

Early in 1956, lumber and plywood producers watched housing starts slide off their peak. Less than 1,100,000 new housea were started during the year. Lumber demand skidded downward almost in pace with the new starts. By the beginning of 1957 the monthly lumber production rate was anywhere from 7 to 10 percent below the 5-year average.

Stated another way, the loss of 200,000 houses meant a loss in demand for forest products of almost twice the annual production of all of Lane County's mills.

Western producers scrambled to hold on to their markets and to develop new ones to cushion the drop. Just how hard a blow it was depends largely on individual circumstances and how well the lumber sales organizations scrambled.

LUMBER PRICES SKID

More seriously for most western Oregon mills was the sharp drop in lumber prices. Buyers, who found the industry geared up nationwide to supply the needs developed during a 10-year boom of the construction industry, began to dicker.

By mid-March, 1957, when industry market analysts finally began to see a consistent upward flicker in western lumber prices and demand, the average of all the Northwest's major species was $13.19 below the same period last year. Plywood was correspondingly lower priced. The average for green fir lumber, western Oregon's mainstay, was down an even $14.

In many cases, these prices meant that the value of the product had been squeezed down so close to the cost of timber that there was little left in between for logging and milling costs, let alone for profit.

The result was a general cutback in production during 1956, and probably during most of 1957. This is why there is probably someone in your neighborhood, perhaps even yourself, who has had a pretty lean time of it. Men were laid off. In many cases the mills have been able to soften the shock to individual employees by working shifts on alternate weeks, giving each man 1 week of work out of every 2 or so, or by cutting back from 5- to 4-day weeks.

SOME ENCOURAGING SIGNS

The picture is not all bleak. In fact, there are some encouraging signs for the near future, despite predictions that home construction this year will be down around 1 million or even less. Almost everyone says there will be a great year dawning about 1958 or 1959.

But in view of what happened last year, it'a no wonder that ears prick up whenever there is mention of the magic but loosely used words "tight money."

HIGHER INTEREST RATES FOR BUSINESS LOANS; CONSUMER CREDIT ATTACTS CAPITAL—COMPETITION FOR MONEY, NOT LACK OF IT, HURTS HOUSING INDUSTRY

(EDITOR'S NOTE.—The state of the Nation's housing industry determines to a large extent the condition of the Emerald Empire's economy. In the last year there have been some drastic changes and much confusion over the condition of housing, the causes and the solutions. This is the second of a series which will attempt to explain some of the factors involved.)

(By William Dean)

Anyone who has bought a house knows that real-estate men and loan officers have a lingo all their own.

Sometimes this bafflegab would seem to have little point other than to confuse the purchaser. But this is only a grammar-school version of the pidgin English used upstairs in the money market.

And that is exactly what it is, a money market. Greenbacks, securities, mortgages are merely commodities that some people sell in the same way many of us sell lumber, beets, or gasoline.

Recent events in this particular commodity market have a lot to do with what has happened to the home construction industry of the Nation—as well as to our own local lumber industry. This money market is a highly refined world of paper, discounts, points and careful dealing in dollars to make dollars. The uninitiated can wander through it in complete bewilderment and pick up only a pointer here and there; a familiar, ordinary word like rent.

RENT A KEYSTONE

Rent seems to be one of the keystones to what is wrong with the housing business. Rent is what you pay a landlord for one of his houses, or for the use of some equipment that you are not able to buy outright. It's also what you pay if you want to use some other guy's money.

Right now money rent is one of the key topics among builders, lenders, a unique creature called Fannie May, and a host of others, including politicians.

One of the big problems of the housing business today is that money is like any other free commodity—it goes to the highest bidder—the one who can pay the most rent. And today the highest bidders are the businesses and industries who can borrow for expansion and charge off part of the cost through taxes. House builders are limited on their Government-backed financing to a rate of rent which is below the starting bid of most business loans—and they are limited by the nature of the market and some other factors to the amount that can be paid in rent on the so-called conventional loans.

COMPETITION COUNTS

This competition for money, more than any actual shortage of it, has turned a lot of capital from house construction, which will pay rates from 4½ to 6½ percent, to business loans at 8 percent or consumer credit financing with interest rates of 12 percent.

Actually, there is more money in circulation now than there was a year ago. It just seems as though there is less money because the demand is so great, Hermann N. Mangels, president of the Federal Reserve Bank of San Francisco, told the West Coast Lumbermen's Association last week. Mangels said that it would be possible for "The Fed" to allow more money to circulate but that if this were done without a corresponding increase in production, the result would be a pyramiding inflation.

Another view of essentially the same problem was stated by Nels Severin, a vice president of the National Association of Home Builders. Severin told the Western Forest Industries Association convention week before last that he usually builds 500 houses a year in his area in southern California. This year, he said, he has 21 houses under construction because of the difficulty of obtaining financing.

"I'm not nearly as concerned with inflation today," Severin said, "as I am with deflation. My business is deflating."

Severin's group—which is made up of builders as well as manufacturers of such items as toilets and doorknobs—has been critical of the effect of credit restrictions on home financing at a time when consumer credit and industrial expansion are allowed to run unfettered.

"It's absurd to consider our tight money policy as though it stands by itself. Our monetary policy goes off in one direction to curb inflation and causes a deflation in the home building industry. On the other hand, our tax policy encourages business spending rather than saving," Severin said.

He said that business investments in plants and facilities rose 48 percent during 1956 while the light construction industry fell off 29 percent.

"If the administration were sympathetic with our problems," he said, "we could get some of this money channeled down to us rather than into industrial expansion."

FANNIE MAY

One way Severin would take to channel money into the housing industry is to beef up the activities of Fannie May. This is formally known as the Federal National Mortgage Association and is part of the Housing and Home Finance Agency of the Federal Government. It operates as a central mortgage bank, buying mortgages where and when money is scarce and selling them where money is more plentiful.

Although Fannie May can buy only the GI and FHA guaranteed mortgages (about 40 percent of the Nation's total house-mortgage debt), Severin and others feel that stronger purchases by Fannie May could contribute greatly to the health of the house construction industry.

Paul Akin, western manager for Fannie May, told the WFIA group that the purpose of his organization is to do just that by providing some liquidity in the mortgage market.

"Capital is scarce in the West because this is a relatively new region," he said. "We buy mortgages more heavily in this area than in most parts of the Nation and attempt to resell them in the East and New England States where there actually is something of a surplus."

IN NEW ENGLAND

As an illustration of the differences between the capitalization of the West and the East, Akin pointed out that the GI home loan program, which ground to a halt in most parts of the Nation a year ago, is still functioning in New England.

"We want to have a sustaining and leveling effect on the mortgage market," Akin said, "but we operate only when it is clear that we must."

It became clear last fall that Fannie May "must." Limited to purchases of GI and FHA mortgages the organization holds about 3 percent of the $93 billion invested in such paper. Last August, Fannie was purchasing about 4,000 mortgages a month. By December 1956, a high point which has been sustained since, purchases were at 18,000 a month with a value of about $140 million monthly.

Akin forecast a continuation of this high level, which is now considerably more than 3 percent of current loans, throughout the year.

However, housing's problem is not simply a case of whether Fannie can continue to buy heavily in the secondary mortgage market. As Akin said, "We can only hope to level out some of the hills and valleys" in mortgage investments.

Neither Fannie nor anyone short of Congress can help the home builder compete with expanding industry for money. Congress can help but it would involve, at least, major changes in Government-guaranteed loan provisions. Possibly it would involve subsidization. And, even that might not solve a basic problem created by a change within the industry itself.

BUILDING SLUMP SWELLS LINES OF UNEMPLOYED

(EDITOR'S NOTE.—The state of the Nation's housing industry determines to a large extent the condition of the Emerald Empire's economy. In the last year, there have been some drastic changes and much confusion over the condition of housing, the causes and the solutions. This is the final installment of a series which has attempted to explain some of the factors involved.)

(By William Dean of the Register-Guard)

An employee of a Eugene firm which is largely dependent on the lumber industry has been laid off since early in the year. He's been more fortunate than some fellow workers who were turned out as long ago as last summer.

The other day he checked with his old employer after making the rounds looking for another job and he was told:

"Don't expect to come back to work here. The way things look, we'll be cut down to the bone at least through early summer, maybe longer."

The experience of this Eugene man shouldn't come as a shock to anyone who has gone by the Oregon State Employment Service office on East 11th or Carpenters Hall, at 5th and Willamette, in the early morning. At these two offices and several others there are regular morning lines of men looking for work.

These lines are made up of many of the 1,777 men and 578 women who drew State unemployment compensation for the week ending March 28. For this period, there were 507 more men and women out of work than the same week a year ago. Besides these people there are another group of railroad employees who are drawing compensation from a railway fund.

The unemployment figures don't show the number of men who are getting 1, 2, or 3 days of work a week, nor the plywood workers who are on a 4-day week.

Nor do they adequately describe the 2 skilled workmen who were glad to split $1.50 for a lawn-raking job a week ago.

Nor the part owner of a substantial small lumber mill who said, "It hurts to work like hell all month and end up losing money."

Nor the equipment dealer who commented, "Collections are sure slow."

Even these examples do not make up a fully accurate picture of the effect on Lane County of a 30-percent slump in the Nation's housing industry. Economically, times are bad here; but they are better in some businesses than others, and they could be worse overall.

There are many who figure that the low point has been reached; that the downward trend of the house-construction industry will be halted and the industry perhaps will be started back upward this year.

Last week's employment figures, worse than last year's, are still better than those of a month ago. Last week's lumber prices, lower than last year's, are still higher than those of a month ago.

And looking ahead to the next year and the next some expect something almost similar to the housing boom of the last 10 years.

In the immediate future changes in Government support and financing of new houses are almost certain to come. An equally important factor is that industrial and business expansion are showing signs of leveling off. This is the thing that has caused tight money, the competition of the high-bidding industries with relatively low-bidding home builders for the available investment money.

LONG-RANGE OUTLOOK

However, as one builder said, "There's quite a time lapse between the gleam in a builder's eye and the moment he starts work." In other words, actions taken by Congress and the administration in attempts to beef up home construction probably won't be felt strongly until the next building season, spring of 1958.

The long-range outlook is more encouraging.

The principal reason for this is that we've had a lot of babies in the last 17 years and some of them—the first wave—are about ready to move out of the home nests into vine-covered bungalows of their own.

Dan Goldy, of the Department of Labor's regional office in Seattle, outlining the effect of this young population wave, says that the demand for housing is being dammed up behind the current slump in construction.

FIGURES CONSERVATIVE

Based on Labor Department figures, the Nation should be building in 1957 about as many houses as we built in 1955—or 1,300,000. The yearly average of new starts between 1960–65 should go to 1,400,000 and then to 1,600,000 in the next 5-year period. In the 1970's it should be around 1,800,000.

Goldy, who says these figures are considered conservative, explains that these new houses will be needed not only for new families but to take care of the destruction and obsolescence of existing houses. He says that around one-half million replacement houses will be needed yearly in the next 5 years.

These are a lot of figures, glowing figures when stacked up against estimates of housing starts for this year ranging from a low of 800,000 to a high of about 1 million.

And they mean a lot of lumber when you figure that it takes forest products equivalent to about 975 million board feet of lumber to build 100,000 houses. That is about the same volume of lumber produced annually in Lane County.

But these figures won't do much this month toward reducing the line of men looking for work.

WILL-O'-THE-WISP FARM PROSPERITY

Mr. MORSE. Mr. President, in common with many, if not all, of my colleagues, I am in receipt of much mail from constitutents justifiably concerned with the high cost of living. The Eisenhower "prosperity" evidently is a selective prosperity; to judge from my mail, it is not shared by many of my correspondents.

Why this is so can be well illustrated by some figures, based on data provided by the Departments of Agriculture and Commerce, which have been prepared by the Conference on Economic Progress and are published in the May 24 issue of the Washington Newsletter of the National Farmers Union.

Here are the simple but compelling facts: Net farm operators income has dropped 5.4 percent since 1953; labor income for the same period is up but 3.2 percent; unincorporated business and professional income has had only a 2.3 percent increase. Who then has received the benefit of Eisenhower "prosperity"? Interest income has climbed 6.8 percent; dividends have kept pace; they are up 6.6 percent.

This seems to me, Mr. President, to lay a foundation for questioning again the statement of an Eisenhower Cabinet official that "What's good for General Motors is good for the country." Surely an economic distribution of income that favors the holders of capital by increasing their share by more than 6 percent, while farmers are penalized by an income drop of 5.4 percent—and that in a period of rising prices—does not make for a very healthy economic situation.

If consumer food prices had reflected the loss the farmers have taken, Mr. President, although it would not have been just, it might have been accepted as a necessary sacrifice on their part for the greater good of the whole economy. But this is not the case. The consumer did not receive lower food prices as farm prices fell. Profiteering by big business and the manipulation of the interest rate upward to favor the holders of stocks and bonds at the expense of the farmer and the consumer, the laboring man and the small-business man, Mr. President, are the hallmarks of this Eisenhower "prosperity."

Leon Keyserling, Chairman of the Council of Economic Advisers under President Truman, has made an excellent analysis of our economy today. The study is called Consumption: Key To Full Prosperity, and it was published by the Conference on Economic Progress. I ask unanimous consent, Mr. President, that an article entitled "Business in Slump—Ike's Management of Economy Hit," a review of the Keyserling report that underlines the main conclusions that were reached in it, be printed in full in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BUSINESS IN SLUMP—IKE'S MANAGEMENT OF ECONOMY HIT

The United States economy again has been dragged to a halt by the administration's upward manipulation of interest rates and profiteering by the major corporations.

The current slump in business just about wipes out whatever hope might have existed for even slight improvement in the farm economy this year.

Two months ago (March 29) this Newsletter forecast that "another recession is just around the corner." The present business slump is now generally acknowledged and identified by expert observers of economic trends. The Wall Street Journal recently stated that the latest trend is now called a lull, or the lull, and that it seems to be deepening.

A hard-hitting diagnosis of what's ailing the United States economy, plus a bold prescription for curing it and stimulating robust good health comes, therefore, at an exceptionally appropriate time this week.

It was published by the Conference on Economic Progress, headed by Leon Keyserling, Chairman of the Council of Economic Advisers under President Truman. Among the conference's national committee members are FU leaders Jim Patton, Glenn Talbott, and M. W. Thatcher, along with other farm, co-op, and labor leaders and businessmen.

The most important point driven home by the Keyserling study is that this is a growing Nation, with a fast increasing population and rising productive ability, and that

its economy must grow at a healthy rate to keep up.

As Keyserling puts it:

"Our rate of economic growth, the basis of expanding consumption and living standards, has slowed down during recent years to only about half our best past performance in peacetime. Yet we preen ourselves on a little more production and consumption today than a year ago, like a child who has grown 1 inch when it should have grown 2."

Keyserling's entire criticism of the administration's economic policies, and his proposals for alternative policies, hinge upon this point. Contrariwise, the administration's defense of its management of the economy turns backward on this identical point; United States planners boasted that national production in 1954 was almost as good as in 1953, and similarly bragged on very inadequate performances in 1955 and 1956. Of this record, Keyserling says:

"The growth in our total production has fallen from more than 4½ percent a year during 1947-53, to only about 2½ percent a year during the past few years, and to only about 2 percent from fourth quarter 1955 to fourth quarter 1956. We have thus slowed down to less than half the rate of progress within our power."

For farmers especially, economic growth is of utmost importance. Farm production in the United States has increased at a remarkably steady pace. From 1900 to 1950, total United States farm production increased at an average rate of 2 percent per year, and regardless of drought, flood, depression, or war, farm production never varied either up or down from the previous year by more that 4 percent in any of those 50 years.

Obviously, farmers cannot hold their own unless the economy expands sufficiently to absorb the steady annual average increase in farm production. Actual experience over the past 25 years has been that farmers' purchasing power is likely to drop unless the gross national product increases by 8 percent or more over the previous year. This experience is all the more meaningful with the administration now hinting darkly that it will give less and less help to farmers in securing a fair share of the national income.

The farm depression is recognized in the Keyserling study as a major cause of the economic slowdown.

"This is true, even though net farm operators' income is a small fraction (4 percent) of total consumer income, because farm income has collapsed so drastically," the study points out. "In the 10 years ending last December, net farm operators' income, measured in uniform dollars, declined about 32 percent (mostly since 1951) while total national income rose about 42 percent."

Keyserling blames inadequate consumer purchasing power for the failure of the economy to maintain full employment and full production. "Some groups have received relatively too little," he maintains. As a result of this unbalance, he contends, big businesses are putting more money than is needed into investments in new plants, while consumers aren't able to buy even the full output of existing factories.

Keyserling's prescription for balanced and maximum economic expansion consists primarily of policies which would increase consumer purchasing power, including an entirely new farm program using income parity aids, ending the hard money policy immediately, reduced income taxes for low-income families, and action to probe and halt monopoly where involved in selectively administered price inflation and profiteering. He advocates increased spending for schools, old-age assistance, housing, and other welfare programs, increased natural resource development projects. Rising national productivity would cut the size both of the budget and the national debt in relation to national income, and increased national income would boost tax revenues sufficiently to balance the higher budget, he maintained. He proposes that by 1960 wages, salaries, and employee benefits be increased by 20 percent, and net farm operators' income by about 72 percent, over the 1956 level.

The hard money policy is roundly scored in the Keyserling booklet. The administration, in following it, is fighting "the wrong economic enemies at the wrong time with the wrong weapons," he asserts, and in doing so is tilting at windmills of an imaginary general inflation, while pouring oil on the fires of selective inflation and water on the embers of selective deflation.

"To be sure," Keyserling points out, "some industrial prices have been rising sharply. And the cost of living has risen to new all-time peaks, at a faster pace than in any previous period other than war or quick transition from war to peace. But these soaring prices have not been caused by excessive demand, nor justified by higher costs. Administered price fixing and profiteering are cutting into consumer purchasing power, and feeding a boom in plant and equipment out of line with deficient consumption."

A classic example is furnished by what is happening in the steel industry. Steel production has been running at approximately full capacity most of the time since World War II. Everyone agrees that the price of almost any manufactured commodity is directly influenced by the price of steel. Defenders of hard money have pointed to the tight steel supply as justification for their contention that demands need to be curbed in order to prevent prices from being bid up.

This argument is new completely exploded. Steel production has been running below 90 percent of capacity. The New York Times and other industry analysts predict that it will sag below 80 percent later this year, when the rush orders to beat the expected July 1 price increase is over.

But in the face of this steel surplus, reports the New York Times, the steel industry is preparing new price increases July 1. It goes on to say that most observers feel the increase will be in the $5 to $6 (per ton) range. (Steel is now $140 per ton.)

THE CONGRESSIONAL QUARTERLY

Mr. NEUBERGER. Mr. President, in order that the Senate may know both sides of an important public issue, I ask unanimous consent to have printed in the body of the CONGRESSIONAL RECORD a letter dated June 14, 1957, from the executive editor of the Congressional Quarterly, Mr. Thomas N. Schroth, to the distinguished Senator from Kansas [Mr. SCHOEPPEL].

On June 13, 1957, the Senator from Kansas voiced some very sharp and direct criticisms of the Congressional Quarterly during a speech on the Senate floor. Because I myself have considered the Congressional Quarterly to be a useful source of information and facts, I believe that my colleagues are entitled to know all aspects of this question, which is certainly the privilege of legislators and other public officials in a free land.

Therefore, Mr. President, I ask unanimous consent that the letter from Mr. Schroth to the Senator from Kansas, presenting the side of the Congressional Quarterly, be printed in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL QUARTERLY,
Washington, D. C., June 14, 1957.

Hon. ANDREW F. SCHOEPPEL,
Senate Office Building,
Washington, D. C.

DEAR SENATOR SCHOEPPEL: It seems a shame that an experienced and knowledgeable lawmaker such as yourself should be misled into delivering on the floor of the United States Senate inaccurate and unfair attacks on Congressional Quarterly. I believe that, if you knew of the false basis of the "research" material you have been handed, purporting to analyze CQ studies, you would not use that material.

Certainly our presidential support story of May 12, which I sent to you, did not flatter the Republicans. But it was prepared with the same objective disinterest in the results that our stories in past years have featured. It was simply based on the votes of the Members and not on any "political viewpoint."

You noted in your speech on June 13 that the study prepared for you last year was "based on the entire record." So was the Congressional Quarterly Presidential Support story for last year. In the Congressional Quarterly story, you had a record of support for the President's program of 69 percent. Taking your own statistics, which you say are much more reliable than ours, you have a support score of 67.5 percent.

If we are trying to "distort" the record, then the "statistics" you are using compound the "distortion." I suggest you review the source of the "statistics" you quote. I believe you will find the Congressional Quarterly approach far more objective than the one you have been led to accept.

Frankly, Senator, I am at a loss to understand why you accept figures which put the Republican record in a worse light than that revealed by CQ figures.

For example, in your speech on the Senate floor on June 13 (CONGRESSIONAL RECORD p. 8995), you refer to the "flexible methods used by Congressional Quarterly to make the statistics fit their own purposes. Their purpose in this case was to divide the Republican Party and to continue to further the Congressional Quarterly theory that over the years President Eisenhower has been supported by the Democrats in this body and opposed by members of his own party."

Here are the facts: Congressional Quarterly's summary scores for the 83d Congress:

[Percent]

	Republicans		Democrats	
	Support	Opposition	Support	Opposition
Senate	72	17	41	43

Congressional Quarterly's summary scores for the 84th Congress:

[Percent]

	Republicans		Democrats	
	Support	Opposition	Support	Opposition
Senate	72	16	44	38

Not only does this show exactly the opposite of what you charge—the Congressional Quarterly figures show clearly that the Republicans gave greater support than the Democrats to the President's program during the 83d and 84th Congresses—but our score of Republican support in both Congresses is greater than your scores of 64.7 percent for the 83d Congress and 59.4 percent for the 84th Congress.

Indeed your own Republican "truth squad" used the Congressional Quarterly figures repeatedly to plead the Republican cause throughout the 1956 election campaign.

I do not understand why you accept an analysis of Presidential support which worsens the record of the Republicans in preference to the Congressional Quarterly analysis which presents the objective facts.

The Congressional Quarterly interim story on Presidential support for the current session, issued as of May 12, was, as you say, timed to reach the press when President Eisenhower made his first television address. We consider that good journalism and the scores of newspapers of all political points of view which used the story apparently agreed with us.

In reference to your comment about flexible methods used in tabulation of Presidential support and opposition scores may I point out that Congressional Quarterly has used a consistent method since it began its tabulations and it is clearly defined in each release of Congressional Quarterly's Presidential support and opposition scores. The method used for the tabulation of the May 13, 1957, release is the same method used for the previously listed scores for the 84th and 83d Congresses.

Senator, if what you say is true—that Congressional Quarterly deliberately distorts the voting records of Congress—we would go out of business within a year. Why? Because we are designed to serve and we get most of our revenue from newspapers of the widest political differences, such as these clients: the Chicago Tribune and the New York Post; the Los Angeles Times and the St. Louis Post-Dispatch; and our list of more than 230 publications includes such fact-conscious publications as Time magazine, the New York Times, the Christian Science Monitor, Newsweek, U. S. News & World Report, and the Kansas City Star.

Your own minority leader, Senator WILLIAM F. KNOWLAND, whose family publishes a distinguished newspaper and Congressional Quarterly client, the Oakland (Calif.) Tribune, used the very analysis you complain about just last week on a nationwide television program, Face the Nation, when he said: "* * * according to Congressional Quarterly, I stand among the six highest Republicans, percentagewise in support of the President's program, both domestic and foreign, with a percentage, I think, of 89 percent."

Because of the distortion of the fine record of reporting which Congressional Quarterly has supplied to newspapers and others interested in an objective view of Congress during the last decade, I feel it is important that your colleagues in Congress get the true facts. Accordingly, I am going to send them a copy of this letter in the near future.

I would like to repeat my interest, as expressed in my letter of August 2, 1956, to you, in discussing the Congressional Quarterly methods with you. You or any member of your staff are welcome to visit us at 1156 19th Street NW., to examine how we go about our studies of congressional activity. We are trying to present a fair and understandable picture of this activity and we are always open to suggestions for improvement. Our success so far in this field has led us to believe that there will be a continuing interest in this type of intensive coverage of Congress.

Cordially yours,

THOMAS N. SCHROTH,
Executive Editor.

DECREASE OF TEXAS OIL PRODUCTION

Mr. YARBOROUGH. Mr. President, the latest news dispatches from Texas carry distressing news that the Texas Railroad Commission has cut Texas oil production back to a new low point. This means less income for Texas and the Nation; it is a stunning reverse for a great national industry, vital to our national economy.

This cut in production and resulting cut in the income of Texas is particularly hard on the small companies and the independent oil producers who have borrowed money to explore for oil, based on their pledged income from oil production.

This decrease in production will materially reduce the revenues of the State and its school districts, making it harder for Texas to build the school plant it needs to educate its youth.

The small companies represent the truest spirit of American business enterprise; they have the spirit of initiative and competition upon which the free enterprise system was nurtured and upon which it grows.

This ordered reduction in oil production will cause smaller runs at refineries, and lessened employment, not only at refineries, but with truckers, oil well drillers, equipment companies, and, ultimately, the manufacturers of pipe and other oil-field equipment.

Mr. President, why was the production of oil in Texas ordered reduced by 25 percent from the production of 3 months ago? The answer is simple: The tanks and pipelines are full of oil, and there is no room for this Texas production.

Why, Mr. President, is there no room for this Texas oil production in this Nation? The answer, again, is simple: This administration has opened the floodgates for foreign oil, and Arabian oil produced by American companies, but free of American taxes, has glutted the American market. The flood of oil from the Middle East is drowning out our American oil production, to the detriment of our businessmen, bankers, laborers, and our governmental revenue sources.

The O'Mahoney committee has done an outstanding job of exposing the tax dodging of the American-Arabian oil interests, but the full damage to the economy of this Nation, caused by the subservience of the American Government to the American-Arabian oil interests, is only now becoming known to the public.

Mr. President, this administration has often pledged to do something about these foreign oil imports, and then just as often has hedged its pledge, and done nothing.

Since this administration's known proclivity and settled reputation for doubletalk is known to the Senate, I am hopeful that the Congress has time left to do something to halt these uncontrolled oil imports before our small domestic companies are ruined.

The small producer in America has learned that this administration worships "Mr. Big." I call on the Congress of the United States to aid our domestic producers against the squeeze play of this administration and the Arabian-American oil interests.

Oil imports should be cut before the hair of our domestic oil industry is grayed as well as curled.

DEVELOPMENT OF UNITED STATES WATER RESOURCES

Mr. JOHNSON of Texas. Mr. President, the key to the future of our country is the development of our water resources.

If a human being fails to get a drink of water every now and then, he soon dies. If our water resources are not conserved and used to supply our expanding economy, then the point will be reached at which it can no longer expand.

WE ARE NOT DOING ENOUGH

I am deeply concerned that we are not doing enough—not nearly enough—in the field of water-resources development.

The President's budget for fiscal 1958 proposes only 24 new and resumed projects by the Corps of Engineers. It proposes only six new and resumed projects by the Bureau of Reclamation.

Think of it. Only 30 new starts and resumptions in the field of water development in the entire United States.

Mr. President, we are falling far behind the Nation's needs.

This is a dynamic and aggressive era. Technological advances present new and exciting frontiers. We cannot reach those frontiers on a road paved only with good intentions.

We must have a big program, not a puny one. We must have action—bold, farsighted action—not just soothing words from an advisory committee.

Mr. President, I call upon the Congress to exercise fully its constitutional responsibility for the national land and water resources program.

We must resist the tendency of the Bureau of the Budget to exercise a pocket veto over vitally necessary projects by refusing to include them in the budget.

We must improve the present procedure for presenting projects. We are losing too much time between initiation and construction of a project. We are permitting too much secrecy about the status of projects after the engineers' findings regarding them are transferred to other executive agencies.

COOPERATIVE EFFORT NEEDED

We must insist that the Corps of Engineers and the Bureau of Reclamation work together for the good of the people both are designed to serve.

At the same time that we are coordinating the work of Federal agencies, we must integrate the Federal effort with State leadership and local community effort.

Above all else, we must get rid of the kind of thinking that would have us believe we cannot afford more new flood control and water-conservation projects. We can afford them. We must have them.

Mr. President, I regard these as reasonable goals in the field of water-resources development. More than that, I regard them as essential goals. I will continue to press for their attainment.

Mr. President, I desire to speak on another subject.

The PRESIDING OFFICER. The Senator from Texas has the floor.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I desire to give notice that the District of Columbia appropriation bill conference report is ready for the consideration of the Senate. As soon as I can coordinate with Senators on both sides of the aisle, I shall try to work out a convenient time to bring up that report for consideration.

In addition, Mr. President, there is on the calendar, reported from the Committee on Appropriations, the very important Interior Department appropriation bill. It has been pending for some time now, and we are very anxious to get it before the Senate and to the President at the earliest possible date.

Next week we expect to have ready for consideration the Defense Department appropriation bill and, we hope, the public-works appropriation bill. We still have conference reports on the District of Columbia appropriation bill, the Labor-Health, Education, and Welfare appropriation bill, the Agriculture appropriation bill, and the independent offices appropriation bill.

I should like to give notice that as soon as those conference reports are ready for action they will take priority in the Senate.

Furthermore, I serve notice that if we can conclude consideration of the unfinished business early today, as we planned last night, we certainly should do so. If not, we expect to have a night session to conclude consideration of the bill. If it is impossible to dispose of it at the night session, I must serve notice, reluctant as I am, that there must be a Saturday session.

We have great responsibilities in the present situation. The Congress is of one party, and the administration is of another. The President has submitted to the Congress 146 recommendations. We have attempted to expedite action on those recommendations in the Senate. We wish to pass as many of them as the Senate believes should be passed at this session. We have held relatively few night sessions. I doubt if the Senate has remained in session later than 8 o'clock more than a dozen times this session. I doubt if there have been half a dozen Saturday sessions during this session of Congress.

It is customary, in May, June, and the early part of July, for the Senate to convene early and stay late, working 6 days a week. Certainly the majority party wishes to do that, and I expect to receive the cooperation of all my colleagues. I know that some of us have family obligations. It is graduation time. Some of us like to go home for weekends. Some of us have friends and members of the family who are ill, and whom we wish to visit. But our first job is here in the Senate. It is our responsibility to meet the issues. If for any reason the measures to which I have referred are delayed, it will not be the fault of the majority leader.

I hope Senators will make their remarks as brief as possible in connection with the unfinished business, and I hope a vote can be reached by 3:30 or 4 o'clock this afternoon.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. I should like to ask the majority leader whether the estimate of the time to be consumed in debate which he made last night is still current, so far as his side of the aisle is concerned.

Mr. JOHNSON of Texas. Yes. I expect less than an hour to be consumed on this side of the aisle. Has the Senator changed his estimate so far as the other side of the aisle is concerned?

Mr. DIRKSEN. So far as I know, the estimate with respect to this side of the aisle remains the same.

Mr. JOHNSON of Texas. I appeal to my friend from Oregon, my friend from Washington, and all my other friends on the other side of the aisle not to consume more than an hour. If we can stay within the limitations already referred to, we can reach a vote by 3:30 p. m. today.

If action on the Hells Canyon bill is completed, one way or the other, the majority leader will ask unanimous consent that the Senate adjourn or recess until Monday next. In the event the bill is disposed of this afternoon, there will be no night session, and no Saturday session, and on Monday we hope there will be no controversial legislation before the Senate.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that, following the statement I made this morning, there be printed in the RECORD a statement I have prepared showing night and Saturday sessions of the Senate from January 3 to June 21, 1957. I should like to have the detailed breakdown appear in the RECORD at the conclusion of my previous remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Eighty-fifth Congress, first session, January 3, 1957, to June 21, 1957:

Saturday sessions, two: January 5, March 2.

Night sessions, seven (cutoff, 8 p. m.): May 15, May 28, May 29, June 11, June 14, June 18, June 20.

CONDITIONS IN KOREA

Mr. FULBRIGHT. Mr. President, I read with considerable interest this morning the announcement by the Department of Defense that the United Nations Command in Korea has been instructed to advise the Communists that we can no longer ignore Communist violations of the 1953 Armistice Agreement, and that steps will be taken to build up our military forces in the area.

From time to time we have had indications that the Communists have violated the truce agreement, and I do not question that there is sufficient reason for the United Nations to take the proposed action. It is rather curious, Mr. President, that there has been no consultation with the Committee on Foreign Relations about this step. As chairman of the Foreign Relations Subcommittee on the Far East, I would certainly have been interested in knowing of a development of this kind prior to its public announcement.

I cannot help but contrast the vigor with which the administration has pressed its desire to send Senators to the London disarmament negotiations with the complete silence which has surrounded steps taken to abrogate certain parts of the Korean Armistice Agreement.

It is also rather curious that at the very moment we are engaged in most serious disarmament negotiations in London the United States should have urged a course of action in Korea involving substantial increase in our military power in that area.

It also seems rather strange that an announcement of a political decision having such serious potentialities should be made by the Department of Defense. I am aware, of course, that the Department of Defense has been urging for some time that new arms be sent into South Korea, and that the Department of State has apparently had serious doubts about the wisdom of this move. Now that the step has been taken, however, I assume that it represents a major policy decision which has been considered by the National Security Council, and that the decision is based upon consultation with other United Nations forces stationed in Korea.

In this connection, I note, however, that Assistant Defense Secretary Murray Snyder, according to the report in the Washington Post and Times Herald for this morning, would not say whether the decision to strengthen our forces in Korea was unanimous with respect to other United Nations members who still maintain forces in Korea—Great Britain, Canada, Australia, New Zealand, France, Turkey, Greece, and Thailand. According to the newspaper report, Mr. Snyder did say "every opportunity was given to every country" to express its views and there were no protests after the decision was made.

In concluding my comments, I wish to reiterate the remark which I made earlier, that I do not question that the Department of Defense has reliable evidence of the Communist buildup in North Korea in violation of the terms of the armistice. I am sure that the United States would not propose any buildup on the part of the United Nations forces without firm evidence of Communist violations of the agreement.

In this connection I ask unanimous consent to have printed in the body of the RECORD an article entitled, "Modern Planes, Tanks, Artillery To Be Provided," written by John G. Norris, and published in the Washington Post this morning.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 21, 1957]

MODERN PLANES, TANKS, ARTILLERY TO BE PROVIDED

(By John G. Norris)

The United Nations Command in Korea nullified the arms proviso of the 1953 Korean Armistice early today and immediately began modernizing American forces there.

Representatives of the United States and its Allies at Panmunjom told the Chinese and North Korean Communists that the step is being taken to counter an enormous Red buildup in North Korea carried on in complete disregard of the truce agreement.

New jet warplanes, capable of carrying atomic bombs, were standing by to fly to South Korean bases as soon as the notice was served on the Reds Friday (at 1:30 a. m., e. d. t.), a Pentagon spokesman said last night.

Article II, section 13 (d) of the Korean Armistice agreement banned either side from reinforcing its forces in Korea, and prescribed that wornout weapons could be replaced only with those of the same type. Scrupulous compliance of this proviso by the U. N. Command, in the face of gross violations by the Reds, has upset the military balance and endangered South Korea, the Pentagon said.

Assistant Defense Secretary Murray Snyder said that modern tanks, artillery, and other ground equipment also will be shipped to Korea to replace obsolete weapons in the hands of the two United States Army divisions there.

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But no atomic weapons or missiles are being sent to ground forces "at this time," Snyder said in answer to newsmen's questions. Also, only American forces in Korea are being shipped modern arms, for the present, he said, although consideration is being given to modernization of the 21 South Korean divisions under the military assistance program.

Snyder said he could not explain the decision to withhold atomic weapons and missiles from the Army. Only last month Defense Secretary Charles E. Wilson said that plans for modernizing American forces in Korea called for equipping them with Honest Johns, Corporals, and other missiles capable of carrying nuclear as well as conventional warheads.

There was speculation that withholding these weapons—normally part of the equipment of Army forces—from the 7th and 24th United States Infantry Division in Korea, stemmed from the fact that almost simultaneously this Nation was presenting a disarmament plan in London.

Snyder declined to say whether the United States fighters and bombers moving in South Korea would be equipped with atomic bombs—on the ground the law prohibits disclosure of the whereabouts of nuclear weapons.

The Pentagon gave out the text of a statement to be handed to Communist Chinese and North Korean representatives by Maj. Gen. Homer L. Litzenberg, USMC, of Washington, D. C., senior member of the Armistice Commission. A Defense Department statement also handed out for release at the same time.

The Pentagon statement declared that at the time of the Armistice, the Communists had not one combat plane in North Korea and that all Red airfields south of the Yalu had been bombed out. Today, it was asserted, the Communists have "hundreds of the most modern jet types of combat aircraft based in North Korea."

"This conclusion," said the Defense Department, "is supported by all types of intelligence information including the evidence of radar trackings, the testimony of defectors, as well as long-range photographs."

Similarly, the truce agreement has been violated by the Red introduction of modern ground equipment, it was charged.

The document presented to the Reds declared that their "flagrant, repeated, and willful violations" of the truce in the face of repeated protests entitles the U. N. Command "to be relieved of corresponding obligations" not to replace its outmoded weapons with modern arms.

The U. N. Command statement stressed that: (1) The only purpose of their action was to restore the relative balance of military strength contemplated under the truce pact; (2) their replacement weapons are being deployed for defensive purposes only; (3) all other provisos of the truce agreement, including the cease-fire, will continue to be fully observed by the United States and its allies.

Snyder said that the decision to abrogate the truce provision was made by the United States "after consultations and discussions" with other United Nations members who still maintain forces in Korea. They are: Great Britain, Canada, Australia, New Zealand, France, Turkey, Greece, and Thailand.

The Defense official would not say whether the decision was unanimous but said that "every opportunity was given to every country" to express their views and that there were no protests after the decision was made.

Intelligence sources estimate that the Communist and United Nations forces in Korea have been approximately equal in numbers, but not equipment. The North Koreans have a reorganized and reequipped army of 400,000 men, and about 350,000 Chinese soldiers are still in North Korea, plus another million across the Yalu in Manchuria.

The Reds have about 800 tanks and some 700 planes, including 500 jets, based at 38 airfields in North Korea. By contrast, there are about 700,000 South Korean troops, 80,000 Americans, and less than 5,000 other U. N. forces. They are equipped with only 150 F-86 Sabrejet fighters and outmoded tanks and other wagons.

ACCELERATED TAX AMORTIZATION FOR THE AIRCRAFT INDUSTRY

Mr. BEALL. Mr. President, in view of much recent discussion over accelerated tax amortizations, I wish to present for printing in the body of the RECORD a statement by Mr. Jacob Friedman, a Maryland engineering consultant and mathematician, concerning the adverse effect that the denial of acceleration would have upon our aircraft industry.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ACCELERATED TAX AMORTIZATION FOR THE AIRCRAFT INDUSTRY

(By Jacob Friedman, business and engineering consultant)

Accelerated tax amortization apparently still remains one of the most misunderstood national issues. Repeated statements by certain Government officials and congressional members to eliminate it immediately in its entirety represent criticism of a destructive nature. The purpose of this discussion is to point out the need to at least continue the granting of accelerated tax amortization to the aircraft industry.

It is well known that the financial stability of any company is subject to considerable risk when military business exceeds 50 percent of total volume during peacetime. This condition is applicable to the aircraft industry where military projects comprise a minimum of 50 percent up to 100 percent of total volume of business but where expansions of facilities are required solely to meet current military requirements.

The realization that this country cannot afford to be second best in the matter of weapons for national defense has been accompanied by a continual need for new developments to insure such an objective. Now new weapons are not designed, developed, and evaluated overnight. It requires considerable lead time from the drafting board to their prototype development and evaluation so that they can be ready for production as called for by military logistics. For example, no plane designed after Pearl Harbor was ever flown in combat during World War II. Sound military mobilization planning should give special attention to those items requiring a long lead time, which is the situation in the aircraft industry.

Let us assume that a military logistic plan calls for a new type of guided missile that will meet requirements so rigid that they would have been considered merely a theoretical monstrosity heretofore. The Government must set up a design competition among aircraft producers that are qualified beyond doubt to handle such a product. In spite of "scuttlebutt" to the contrary, military business is brutally competitive from the standpoint of technical know-how. This should be quite obvious in view of the "ups and downs (or out completely)" of highly respected firms in the aircraft industry.

Among the items considered are capacity of present facilities to handle such a project. However, the matter of facilities is not a simple one. As well known, adequate facilities without the necesary know-how or adequate know-how without the necessary facilities is to no avail. It is the latter condition that usually exists. What steps does the Government take? Normally, the Government will insist that the contractor finance his own plant and certain items of equipment but a complex financing problem may confront the contractor. A large current investment in facilities has already been made solely for Government development and production projects. The company is well acquainted with the nature of military projects, which are subject to sudden drastic cutbacks and terminations due to obsolescence, failure of final product after evaluation due to circumstances beyond control of contractor, change in policy due to international situation, dependency on congressional appropriations, etc. Thus, a satisfactory necessity certificate may be a condition precedent to the approval of bank loans to finance new facilities at various stages of the project. Due to the complex nature of the developments involved, it is impracticable in the early planning stages (often until the research project is about 80 percent complete) to determine the facilities that will be required by either prime or subcontracting levels to ensure completion of the project.

If the company is either a sole source of supply or a desired source of supply because of unique qualifications, it may well be in a position to demand that the Government directly finance the new plant in the absence of the accelerated tax amortization procedure. In other words, if the Government really needs the project, does it want the know-how of the aircraft industry to accomplish its intended purpose? When the Government finances the plant through a facilities contract, the start of construction will be delayed about 10 months as compared to the contractor financing a plant to be covered by a necessity certificate. This is a very important factor because of the ramifications involved, particularly as to meeting overall logistic schedules.

The important benefit derived from necessity certificates is the use without interest of money that would otherwise be paid into the United States Treasury as taxes the first 5 years after construction of the plant. If the tax rate and profits remain the same, the entire tax saving will be recovered by the Government over the normal depreciation period. After the end of 5 years, unless the tax rate is lower (which even after considering the political issues involved doesn't seem practicable), the Government has made an apparent modest investment in saving the contractor interest in consideration of additional capacity required for meeting an objective that our national defense will not be second best. However, certain other factors to lessen this modest investment by the Government must also be taken into consideration. If the plant has no further economic or practical utilization, the contractor rather than the Government is burdened

with the cost of maintaining it. In addition, the Government from the very start of construction is not also burdened with various administrative costs, such as record keeping, plant inspections, maintenance, disposition, etc. These costs arise due to the justified necessity for Government interference with the business of the contractor to insure protection of its property.

The cost-plus-fixed-fee contracts held by aircraft manufacturers are referred to as being lush from some sources. The reason for such contracts being on a cost-plus basis is that they are usually of a development nature. Under such conditions, it is not practicable to establish a firm price. The fees allowed on such contracts are usually less than the profit returns normally received in commercial business for precision work. Disallowed costs, which are more prevalent than the general public realizes, further reduce these fees. In addition, the renegotiation procedure acts as a control against apparent excess profits. There is no such control against losses.

A military source has predicted that the present plants of aircraft companies will be utilized to less than half capacity by 1960 due to availability of more powerful and destructive weapons and cutbacks in manned aircraft production. This seems somewhat of a paradox as there is an unprecedented current requirement for a large quantity and variety of facilities, both brick and mortar and highly specialized equipment. Thus, the aircraft industry and the military not only have the problem of how to obtain facilities to manufacture weapons of the future but the main problem concerns the manufacture of the weapons of today. This is all the more reason for allowing the accelerated tax amortization to the aircraft industry since the expansions are required to meet current peculiar defense needs. By 1960 it may be a question of the survival of the fittest among aircraft manufacturers because of a meager military budget but a tremendous mobilization standby capacity will be available. This is another reason why certifying percentages should be currently raised for the aircraft industry. The possibility of utilizing the facilities for standard commercial products is remote. There is already a tremendous surplus of facilities to produce commercial products in very highly overdeveloped competitive markets. With the specialized facilities and highly skilled type of labor required by the aircraft industry, it would be impossible to compete in such a market. In the event of a future sale of this amortized facility, a normal gain rather than a capital gain for tax purposes is allowed for that portion of the cost which has been the maximum allowed or allowable writeoff through accelerated tax amortization.

In view of the above, when the contractor carries the risk of utilizing his facilities to advantage, more initiative will be exercised to develop further know-how so that the organization can qualify for additional developments or production to be undertaken under future Government contracts that will require the facilities. This represents a rigid condition of risk to the contractor. It is emphasized that to obtain benefits through a necessity certificate the contractor must make profits through the utilization of the certified plant. The aircraft manufacturer can remain financially stable only through a demonstrated efficiency in meeting requirements of the armed services. The tremendous volume of potential standby capacity that is being made available through necessity certificates where the risk is borne by the contractor is undoubtedly one of the most overlooked factors in the entire defense program.

After World War II, accelerated tax amortization was eliminated. However, in the spring of 1948 the cold war started. In retrospect, there is no doubt that the resumption of accelerated tax amortization then would have saved the Government considerable funds in the long run and have increased our industrial might where and when required in a rapid manner. At that time the Government began to curtail its activities in the disposition of Government-owned facilities and provide for a more formidable military industrial reserve. However, we were not set up to expand military production rapidly. If accelerated tax amortization had been adopted in 1948, the inertia stemming from a voluntary expansion of facilities by private industry would have allowed the further necessary expansion in 1950 to be accomplished in a more orderly manner, that is, not accompanied by such inflationary tendencies and undue confusion (less activity in priorities, allocations, etc.). As long as a cold war exists, let's not knowingly limit our potential military strength.

A pattern of 30 percent has been generally applied as a certifying percentage to buildings constructed by airframe, guided missile, and jet engine manufacturers (40 percent to buildings applied for by component manufacturers with additional 5 percent if in small business category). Equipment is generally certified at 65 percent with additional 5 percent if applicant is in small-business category. Certain specialized structures, such as wind tunnels and jet engine test cells, have been certified at 80 percent according to a pattern established. Other structures just as specialized as wind tunnels and jet engine test cells, such as a static test facility, are also utilized by the aircraft industry. The present need for a static test facility would generally arise solely because of an unique specialized military requirement. Thus, it is logical and reasonable that such a facility should also fall into the pattern of 80 percent certification. A review is also suggested to determine whether or not more favorable certifying percentages should be applicable to the cost of large new aircraft and guided missile plants to be located in nonindustrial areas. It must be recognized that the financial risks of the aircraft industry are extraordinary in the light of the current technological revolution, obsolescent factors and changing requirements attendant to the aircraft and guided missile programs.

An example of extreme unfairness to the certifying authority is the unfavorable publicity regarding the Idaho Power Co. applications recently approved. The following facts and conditions point out the relative merit of these applications:

(a) When the Idaho Power Co. filed two applications for a necessity certificate in 1953, an open expansion goal for electric power existed.

(b) The same objective standards had to be applied to Idaho Power as were applicable to other companies in the same industry.

(c) Final action on these applications was delayed pending the outcome of litigation involving the validity of the licenses issued by the Federal Power Commission.

(d) When the license granted to Idaho Power was determined to be valid, final action was taken on the applications.

(e) The Office of Defense Mobilization would have discriminated against Idaho Power in favor of other companies in the same industry had it not certified their applications at the same percentages that were established as a pattern for the electric power industry.

It would be appropriate if those who question the action taken by ODM on the Idaho Power applications would analyze the above factors. Unfair criticism has far-reaching ramifications even to the point of affecting merited cases. The aircraft industry would be particularly hurt if the applicable facts as confirmed by aircraft specialists were not the guiding factor in the resolution of unusual cases.

The aircraft industry has always been enthusiastic to cooperate in behalf of the defense effort as evidenced by its advanced creative technological contributions thereto. However, in the interest of national security, the fear of financial instability cannot be ignored either by the individual companies or by the Government. Thus, the need to at least continue the granting of accelerated tax amortization to the aircraft industry is self-evident.

The writer believes that the true plight of the aircraft industry has been pointed out above in only a mild manner. However, the objective of this discussion will be accomplished if it will only stimulate a desire to understand the facility problems confronting the aircraft industry due to the current technological revolution and how our very security is dependent upon the satisfactory solution of such problems.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Is there further morning business? If not, morning business is concluded.

Without objection, the Chair lays before the Senate the unfinished business.

HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorized the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on final passage of the bill, so that all Senators may know that we expect to have a yea and nay vote.

The yeas and nays were ordered.

Mr. GOLDWATER. Mr. President, once again we have the notorious—and, from the way things are being misrepresented to the public, I might even say nefarious—Hells Canyon bill pending before the Senate.

About a year ago we were debating S. 1333—the 1956 version of the hardy perennial bill to authorize a Federal dam at Hells Canyon. On July 19, 1956, the Senate defeated that bill by a vote of 51 to 41.

The defeat was not due to lack of adequate consideration. Proposed legislation to authorize this Federal development has been introduced in every Congress since 1950. Extensive hearings have been held before both House and Senate committees. In the 84th Congress Senate hearings, including the appendix, ran to 1,365 pages, and the printed record of the House hearing, serial No. 14, was 523 pages long. There were 4 days of full debate last year before the Senate wisely defeated the proposed legislation for the third time since 1950.

Mr. President, on August 4, 1955, the Federal Power Commission, an independent agency of the United States Government, created by the Congress, an arm of the Congress itself, issued a license to the Idaho Power Co. to construct 3 dams at the same location on the Snake River where the bill now pending before the Senate (S. 555) would authorize construction of a Federal dam. The company has proceeded with construction as it was required to do under the FPC license. The largest of these three dams is already half completed and both it and the second dam will be

completed with power on the line by the end of next year.

The right of the Federal Power Commission to issue a license to the company has been contested in the courts, as the Hells Canyon Association threatened it would be. The FPC action was unanimously upheld by the United States Court of Appeals, and the Supreme Court has twice refused to review the lower court's decision.

Mr. MAGNUSON. Mr. President, will the Senator yield? I think we can clear up a certain point, as between the opponents and the proponents of the bill.

Mr. GOLDWATER. I yield.

Mr. MAGNUSON. I think the RECORD should show—and I think the distinguished Senator from Utah [Mr. WATKINS], who is one of the good lawyers of the Senate, will agree—that the Court ruled in this case upon the authority of the Federal Power Commission to issue such licenses, and not on the merits of the particular license.

Mr. GOLDWATER. That is perfectly admissible. I do not think that affects the issue at all. The Court, in ruling on the authority, has in effect denied a hearing.

Mr. WATKINS. Mr. President, inasmuch as my name has been mentioned, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. WATKINS. I do not agree with the statement which has been made. I think the Court looked at the entire situation before it decided to deny a writ of certiorari. I do not believe that the decision was confined to the question of authority.

Mr. MAGNUSON. I thought we could agree on that point. If we cannot, very well.

Mr. GOLDWATER. Not to disagree with my distinguished friend from Utah, the question of authority was certainly a part of the decision. I agree with my friend from Utah that the entire subject had to be reviewed if the Court was to come to any conclusion.

Mr. WATKINS. When the Court denies a writ of certiorari we do not know the ground on which it is denied. But the Court certainly took a look at the entire record. We have a right to assume that the Court looked at the entire question before it decided that there was nothing for it to decide, nothing to review, and that the case had been handled properly.

Mr. GOLDWATER. Mr. President, the public-power proponents have exhausted every legal means of stopping the company from providing a sorely needed supply of electric power to a power-short area. Now they come back to the Congress and ask us to stop them.

Mr. President, there should be a time when this Hells Canyon controversy is resolved once and for all. Otherwise it will cast a cloud on every order or license issued by any administrative agency. It is my sincere hope that this Congress will put the final quietus on this Hells Canyon Dam issue. Business, more and more every day, has to rely on orders, permits, licenses, and other controls of Federal agencies. If the Congress is going retroactively to overrule the acts of the agencies it has created, we can only live in fear and trembling of the direction in which we are heading.

Mr. President, never in my life have I heard so much confusion, so many misstatements and accusations, and so many quotations taken out of context as I have in connection with this Hells Canyon issue.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. WATKINS. The Senator has mentioned Government agencies, and the doubt that will be cast on them, particularly in connection with the activities of the Federal Power Commission, if that Commission is now overruled. Is it not a fact that the Federal Power Commission is a direct agency of Congress, not under the control of the executive department at all? In other words, Congress created the Federal Power Commission for the purpose of going into the very matters which are involved here, namely, the comprehensive development of the river systems of the United States.

Mr. GOLDWATER. I might say in answer to the distinguished Senator that in my opening remarks I said, "The Federal Power Commission, an independent agency of the United States Government, created by the Congress, an arm of the Congress itself, issued a license to the Idaho Power Co. to construct three dams."

Mr. WATKINS. That is a very fine statement of the situation. I should also like to ask the Senator whether it is not true that one of the reasons Congress created such an agency, to go into these matters for Congress, was the complex character of the problems which arise in determining what is best for the river systems of the country and what is in the interest of the best overall comprehensive development.

Mr. GOLDWATER. There is no question about that. The Senator and I know, because we come from the dry area of the West, that this agency in particular goes into these matters very thoroughly. I do not believe there is an issue—certainly since I have been in the Senate—which has received such thorough attention by an agency of the Government as has this particular issue.

Mr. WATKINS. I thank the Senator. If he will yield for one more observation, I should like to say that the Federal Power Commission has no other job to do than to take care of the particular assignments which are made to it by Congress. In other words, they have ample time to sit and listen to the contesting parties on the subject of river development.

Let us consider a case such as the one before us today. The questions raised by the proponents of the high Hells Canyon Dam, a Federal dam, and the proponents of another system, were heard by the Commission. The Idaho Power Co., a private utility, filed with the Federal Power Commission, under the law, a petition to have their proposal considered. Then the Federal Power Commission, with its staff of experts and lawyers and engineers and power-rate people and other specialists, listened carefully to the evidence, and it considered fully what would be the best thing to do and what would be to the greatest advantage to the Government and to the people and in the interest of a comprehensive development of the river system. All the facts were considered.

Since all the interested persons cannot come to our committees, because we do not have the time to hear them, a Government agency like the Federal Power Commission does that work for Congress. After all, we have to consider not only reclamation legislation, and other legislation dealing with matters within our country, but we must consider legislation for practically the half of the world, it seems. The Federal Power Commission is the arm of Congress and is the agency which fully considers matters related to the subject of power. That certainly was done in this particular case.

Mr. GOLDWATER. Yes. The Senator is anticipating my next few sentences.

Mr. WATKINS. I am sorry, but I think that ought to be emphasized time and time again.

Mr. GOLDWATER. I thank the Senator.

Mr. WATKINS. What the proponents of the Hells Canyon Dam are now proposing is that we overrule the Federal Power Commission, after that Commission made one of the most thorough investigations a commission could make.

Mr. GOLDWATER. I thank the Senator for that observation. I am not going to go into all the questions of how much power can be generated under one plan as against another or what the cost of that power will be. I covered that subject completely last year in my speech in the CONGRESSIONAL RECORD, volume 102, part 10, pages 13014 and those that follow.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. WATKINS. I should like to ask the Senator if he would be willing to have his speech reprinted in the RECORD at this time, for the information of Senators?

Mr. GOLDWATER. The Senator from Arizona would be very happy to do so. However, I should like to tell the Senator from Utah a little secret. If the debate becomes prolonged, I may wish to use the speech again, because the situation has not changed. However, I shall be very happy to have it printed in the RECORD at the conclusion of my remarks.

Mr. President, I ask unanimous consent that that be done.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GOLDWATER. Mr. President, there is no reason for repeating those facts, which were well documented at the time I presented them to the Senate. The Federal Power Commission, with experts on this sort of thing, had 12 months of public hearings and compiled a record of more than 20,000 pages of testimony on this subject, and then decided that the Idaho Co. plan and not the Federal

development was best adapted to a comprehensive development of the river.

The FPC was severely criticized for not issuing a license to the company until August 4, 1955, which was after Congress adjourned, although it had decided to issue the license while Congress was still in session. I, for one, have no criticism of the Commission on that ground. A bill to authorize a Federal development was pending before the Congress. If FPC had then rendered its decision that the company plan was best, that alone would have greatly diminished whatever chance the Hells Canyon bill might have had of obtaining Congressional approval. Then the Commission could have been accused, with some justification, of trying to influence the Congress. But as it was, the Commission's delay should have been appreciated rather than condemned by the proponents of a Federal development.

But that is not all that FPC has been charged with, Mr. President. They have been quoted with approval in one breath and condemned in the next. When quoted they were quoted out of context, of course, which left an erroneous impression of their findings. As I said before, I do not wish to burden the Senate with a rehash of all this argument, but if not familiar with the facts, I urge the Senators to read my speech of July 17, 1956.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. WATKINS. Is it not a fact that in the committee report, by the majority of the Committee on Interior and Insular Affairs, instead of quoting from the Federal Power Commission's decision, most of the quotations are from the hearing examiners?

Mr. GOLDWATER. The Senator is correct in that statement.

Mr. WATKINS. It seems to me that would be like someone quoting from a committee recommendation, as against quoting from the final decision of the Senate itself on an important matter.

Mr. GOLDWATER. The two cases would be exactly the same.

Mr. WATKINS. In other words, what the proponents are saying is that the opinion of the Committee on Interior and Insular Affairs is the important thing, and that what the committee found is the sound position, but that what the Senate itself decided to do in the way of proposed legislation which had been reported by the committee—the final decision by the Senate—is not so important as the recommendation of the committee. That would be a fair comparison, would it not?

Mr. GOLDWATER. I think that is a very fair comparison.

Mr. President, inasmuch as that speech has already been ordered to be printed in the RECORD at the conclusion of my remarks, I shall not read the speech again, unless it becomes obvious that the facts are needed to be restated on the floor.

Now, Mr. President, the latest furore raised in connection with this subject is over the fact that the Office of Defense Mobilization issued so-called rapid amortization certificates to the Idaho Power Co. on April 17, 1957, permitting them to accelerate depreciation for tax purposes only on a part of the cost of their development.

I believe most Senators are aware of the fact that the Idaho Power Co. addressed a telegram to Mr. Gordon Gray, Director of the Office of Defense Mobilization, declining its tax amortization certificate. Reference to that fact was made in this morning's newspapers. However, I wish to read the opening sentence of the telegram, because I believe it highlights the whole matter. I quote from the telegram:

"To eliminate further beclouding of the real issues involved in the pending Hells Canyon legislation"—then it lists the reasons for their declining the tax amortization, which has been enjoyed by 21,000 other corporations and firms in the country.

I say that is important, because the real issue in the controversy is public versus private power. I am happy, now that we can get back to that issue.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. BARRETT. At the outset, let me commend the Senator for the splendid statement he is making today. Idaho Power Co. was very fair and quite wise in removing the cloud of the rapid-tax amortization controversy from the main issue, which is the construction of three dams on the Snake River by private industry, without expense to the Federal Government.

Personally, I think Congress is obligated to take a good look at the authority for rapid-tax amortization. As a matter of fact I think that provision of law has outlived its usefulness and should be repealed. But the Senator from Arizona is eminently correct when he says that more than 900 utility companies have taken advantage of that provision of the law, without complaint having been made by any Member of the Senate, so far as I have been able to ascertain. Furthermore, 20,000 corporations have been granted the same privilege.

Moreover, it seems to me that despite all the discussion with reference to rapid tax amortization, no mention has been made of the fact that any company, under the 1954 Revenue Act, as a matter of right and as a matter of law, can obtain rapid-tax amortization merely by filing a return with the Internal Revenue Service to that effect. As I understand, under the provisions of section 167 of the Internal Revenue Code of 1954, the applicant can use a rapid-tax amortization based on the sum of the year's depreciation for income-tax purposes and thereby will accomplish somewhat the same result, although probably not exactly the same as was allowed in this instance by the Federal Power Commission and the Office of Defense Mobilization.

I commend Idaho Power Co. for removing this cloud from the controversy at the present time, so that we can proceed on the real merits of the case and seek to uphold the decision of the Federal Power Commission, an impartial body created by Congress, which, as the Senator from Arizona has well pointed out, held 160 days of hearings and took 20,000 pages of testimony.

I commend the Senator from Arizona again for his excellent presentation.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. WATKINS. Since the telegram from the Idaho Power Co. has been mentioned, it seems to me it would be very appropriate to place it in the RECORD at this point.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the telegram be printed at this point in my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

BOISE, IDAHO, *June 20, 1957.*

Mr. GORDON GRAY,
Director, Office of Defense Mobilization, Washington, D. C.:

To eliminate further beclouding of the real issues involved in the pending Hells Canyon legislation, Idaho Power Co. notifies you that we hereby decline to exercise any right under ODM Certificates No. TA-NC 26407 (Oxbow) and TA-NC 26500 (Brownlee), and are returning the certificates to you by registered mail for cancellation.

We most sincerely believe that neither yourself or members of your staff, nor any industry, or company, should be subjected to criticism for issuance or acceptance of these certificates in accordance with the law. Any criticism of the granting of these certificates should be directed against the law itself, rather than toward the agency administering that law or a certificate holder who has qualified under that law. If the provisions of the Internal Revenue Code, which authorize this amortization procedure, are no longer of value to the Nation, they should be appropriately amended or repealed.

We submit that both the Oxbow and Brownlee projects were fully qualified for certification under all criteria and procedures established under the Internal Revenue Code and Office of Defense Mobilization regulations. The importance of these projects to the needs of not only Idaho but to the entire Pacific Northwest, including industries and installations vital to national defense, should be fully apparent in view of the admitted and serious power shortage which exists, and the fact that our projects will make available large power surpluses by the winter of 1958 to satisfy these shortages. No other source of electric supply can be so quickly provided.

The record is clear that Idaho Power Co. has repeatedly made known its position regarding accelerated amortization certificates. Our applications for these certificates were filed nearly 4 years ago in 1953, and our intention to qualify for certification, if available, has been consistently and repeatedly made clear to the Federal Power Commission, the courts and, especially during last year's debate, before the Congress itself. As we did in recent voluntary appearance before Senate subcommittee, we again most emphatically deny that any true basis exists for any claim that this company has at any time failed to make known its intention to obtain certification if we were found to qualify.

We now reject both the Brownlee and Oxbow certificates so there can be no diversionary questions pending to direct attention away from the merits of our licensed projects now under construction. Those merits were fully established by the Federal Power Commission, and the Commission's decision has been sustained by the highest court in the land.

T. E. ROACH,
President, Idaho Power Co.

Mr. WATKINS. Mr. President, I should like to call attention to some of the statements which are made in the telegram. For instance, in the second paragraph of the telegram to Mr. Gordon Gray, Director of the Office of Defense Mobilization, Mr. T. E. Roach, President of Idaho Power Co., stated:

We most sincerely believe that neither yourself or members of your staff, nor any industry or company, should be subjected to criticism for issuance or acceptance of these certificates in accordance with the law. Any criticism of the granting of these certificates should be directed against the law itself, rather than toward the agency administering that law or a certificate holder who has qualified under that law. If the provisions of the Internal Revenue Code which authorize this amortization procedure are no longer of value to the Nation, they should be appropriately amended or repealed.

Would the Senator from Arizona like to comment on that paragraph?

Mr. GOLDWATER. I will comment only in this way: If tax amortization certificates are no longer needed, if they should not be given in time of peace, then the act should have been terminated after World War II. If it was necessary to start the procedure again for the Korean war, it should have been stopped again after the Korean war. But the fact of the matter is that it was never stopped. I know of only one piece of proposed legislation which has been directed toward the cessation of those certificates, and that is at present being considered by a committee of Congress.

Mr. WATKINS. Is that the one in the Senate?

Mr. GOLDWATER. That is the one in the Senate.

Mr. WATKINS. Is that the proposal of the Senator from Virginia [Mr. BYRD]?

Mr. GOLDWATER. That is the proposal of the Senator from Virginia.

Mr. WATKINS. That does not actually provide for stopping the issuance of the certificates; it merely redefines more narrowly the conditions under which the certificates shall be issued.

Mr. GOLDWATER. That is the point. The opponents of the tax amortization certificates given to Idaho Power Co. have had many more years than I have had to introduce proposed legislation to stop their issuance.

As I said in my remarks on the subject earlier, I am not in favor of rapid tax amortization in peace time. On the other hand, so long as provision to that effect is a part of the law, I actually feel that the stockholders of any corporation have a right to go before their board and complain if the corporation fails to take advantage of what is the law of the land. I do not condone the law; I should like to see the law either tempered, modified, or repealed in time of peace. Nevertheless, in this instance an American company took advantage of the law.

Mr. WATKINS. I call attention to the fact that the Senator has mentioned a large number of companies which have been given the amortization certificates. The Senator was referring, I take it, to utilities.

Mr. GOLDWATER. No. The Senator again is anticipating my next paragraph. But I shall mention in my statement that of the 22,000 certificates which have been issued, more than 900 were issued to the utility industry.

Mr. WATKINS. On page 9640 of the CONGRESSIONAL RECORD of June 19, 1957, there appears a table entitled "Tax Amortization for Power Company Certificates of Necessity Issued for Electric Facilities." The listing is by States. Everything is stated in detail. The listing covers several pages of the RECORD. It is astounding to see that these certificates have been issued to the electric power utilities of practically every State in the Union, with the possible exception of one—not to all the companies, but, at least, to some of them. That went on in the Truman administration, and the policy has been carried on in the Eisenhower administration, as well.

For instance, I find that in 1956 some 15 certificates were issued to utilities in Virginia. I never heard a single protest about any of them.

Mr. GOLDWATER. The Senator is correct. I think there is only one State in the Union in which some of these certificates have not been granted to utilities. I am not certain which State it is.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. KEFAUVER. I point out to the Senator from Arizona that counsel for the Idaho Power Co. and other persons have stated that the company expected to build the proposed dams without cost to the Government. Mr. Roach stated he had only a faint hope of getting the tax amortization certificates when he filed the application for a license with the Federal Power Commission. Indeed, the Federal Power Commission named as one of the considerations that the dams would be built without cost to the Government.

We find that after the Idaho Power Co. got the license, they increased their efforts to get a certificate, and did exactly what some of the officials of the company had said they were not going to do, when they said the dams would be built without cost to the Government. So immediately before a vote in the Senate, they have again reversed themselves, apparently for the purpose of trying to get more support in the Senate.

The point is that a mere statement from Mr. Roach does not indicate or assure anyone that when it comes to preparing the tax return for the Idaho Power Co. in 1960, he will not again reverse himself and claim the benefit which he has a right to elect.

Mr. GOLDWATER. I think the Senator from Tennessee is stretching his imagination quite a bit when he seeks to determine what Mr. Roach will do in 1960. I do not know Mr. Roach personally, but I have every reason to believe he is an honorable man. I do not think he would try to do anything dishonorable.

I do not believe the Senator from Tennessee can charge that there has been anything illegal about the procedure. It has been done perfectly in accordance with the law.

I do not believe the Senator from Tennessee can say there has been anything immoral in connection with the procedure. It has been done under the laws of the United States. There was no conniving that we have learned of. There was no pressure that has been proved, or that we know of. In other words, a company came to the United States Government in 1953, 4 years ago, and made application for the certificates. The certificates were granted only a few months ago.

At the time, as the Senator from Tennessee knows, I was critical, as I have been openly critical of the tax-amortization certificates ever since the war with Korea was finally brought to a close.

Mr. KEFAUVER. I cannot agree with the Senator from Arizona that Idaho Power Co. has not been talking out of both sides of its mouth.

Mr. GOLDWATER. The Senator from Arizona did not make such a statement as that.

Mr. KEFAUVER. I cannot agree that Idaho Power Co. has been dealing openly and above-board about the matter of the certificates.

First, the company said if the dams were built by it, they would not cost the Government anything. Nevertheless, the company obtained the certificates, which—according to Mr. Rainwater, of the Tax Commission—would cost the taxpayers $83,500,000.

But now, on the eve of the vote, the company issues a press release again changing its position, and saying it is giving up something of great value to it—in an apparent effort to persuade the United States Senate today. But until the certificates have finally been canceled—and they have not been canceled—and withdrawn by the Office of Defense Mobilization, and until the board of directors of the Idaho Power Co. has acted, we have no assurance that in 1960, when the company has a right to use the certificates, it will not elect to use them, and again will not change its position on this matter, on some pretext or another.

Mr. GOLDWATER. Again, I call attention of the Senator from Tennessee to the first paragraph of the telegram: "and are returning the certificates to you by registered mail for cancellation."

If the Senator from Tennessee wishes to call Mr. Gray, I suggest that about tomorrow or the next day the certificates ought to reach Washington; and then the Senator from Tennessee can satisfy himself as to their location.

Mr. BARRETT. Mr. President, will the Senator from Arizona yield to me?

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Does the Senator from Arizona yield to the Senator from Wyoming?

Mr. GOLDWATER. I yield.

Mr. BARRETT. In reference to the colloquy the Senator from Arizona has had with the Senator from Tennessee, let me say that the figure the Senator from Tennessee just stated—namely, $83,500,000, as testified to by Mr. Rainwater, when he appeared before the committee of the Senator from Tennessee—is based on compound interest. So I asked the Federal Power Commission to compute the figure, based on simple interest at 3½ percent. Today, I have received from the Federal Power Commission a letter

in which the computed interest is stated. The letter states that on the basis of simple interest, at 3½ percent, the figure is $26,699,045, rather than the $83,595,827 testified to by Mr. Rainwater and computed on the basis of compound interest, rather than simple interest.

I submit it is only fair to state the figure on the basis of simple interest. Although the question is moot at this time, nevertheless it is proper, in my opinion, to state that the figure should have been stated as $26 million, rather than $83 million.

Mr. KEFAUVER. Mr. President, on that point, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. JOHNSON of Texas. Mr. President, we are very anxious to have a vote reached today. Although we do not wish to have debate limited, and although we wish Senators to speak for as long as they desire, nevertheless usually the Senators who speak during the day are not present in the evening. Therefore, I wish to announce that I desire to have the Chair enforce the rule that Senators who have the floor may yield for questions only.

Mr. GOLDWATER. This is the first opportunity the opponents of the bill have had to make their presentation.

Mr. JOHNSON of Texas. We wish all Senators to have ample opportunity to make the speeches they desire to make, and to yield for any questions which other Senators may wish to ask them.

Mr. GOLDWATER. Mr. President, by some queer coincidence, around 22,000 such certificates had been issued to many types of industries that contribute to national defense. Over 900 of them had been issued to the utility industry, and there had not been any fuss about it. But, Mr. President it was a different story when the Idaho Power Co. got one for its Snake River development at Hells Canyon. I shall deal with this tax amortization feature, even though the company has sent back its certificates. Until I read of the matter in the morning newspaper, I did not know of that action on the part of the company. However, I think it would be improper to allow some of the charges which have been made to go unanswered, because they touch on American business, not merely on the Idaho Power Co.

The President was compared with Dave Beck, and was accused of stealing from the taxpayers. The matter was called a rape of our resources, a perversion and prostitution of our tax laws, a big bonanza for private industry, grand larceny on the American public; and any number of other slanderous accusations were made. Why did this provision of the law—which was sponsored, enacted, and administered under a Democratic administration, years before—become so terrible all of a sudden, when the Idaho Power Co. got one of the more than 22,000 certificates which have been issued to industries all over the country?

Before going any further, Mr. President, let us have a clear understanding of just what this law is all about. The accelerated amortization program has a long history. It was used during two World Wars. Most recently, it was used as a defense incentive during the Korean War and the cold war period which still exists. President Truman, in his midyear economic report of July 26, 1950, under the summary of legislative recommendations, said:

> To expedite the production of certain commodities needed for the military and for adequate stockpiling, and to guard against a dangerous shortage of these materials in the event of any emergency calling for further expansion of our military efforts, a program should be adopted which provides loans and incentives for the expansion of capacity, for technological developments, and for the production of essential supplies (pp. 14–15).

That is the reason for our accelerated amortization law, Mr. President: to provide that incentive, so as to encourage industry to build the surplus capacity for production needed during an emergency. Electric power is a very essential part of our production capacity, for without it the wheels of all industry would be at a standstill. Mr. President, if the period of emergency has passed, we certainly are wasting a great deal of the taxpayers' money by maintaining our large military establishment. It is true that from time to time we may catch up with our requirements in the case of certain industries; and when we do, we should suspend the rapid amortization for that industry, until again we fall behind. But, as I shall show later, electric power in the Northwest is not in that category at present.

The law, as passed by Congress in 1950, states:

> Every person, at his election, shall be entitled to a deduction with respect to the amortization of the construction cost of an emergency facility. Such amortization deduction shall be * * * in lieu of the normal depreciation deduction with respect to such facility.

Mr. President, I emphasize the word "shall," in the clause "every person, at his election, shall be entitled." That is the law, as passed by the Congress of the United States, and signed by President Truman. When Congress passed the Internal Revenue Code of 1954, it included the same tax provision, and it is still the law.

It is not my intention to argue the relative merits or demerits of the law at this time, except to say, as I have stated before, that I think it is a good law for the purpose it was designed to fulfill. But in my opinion it is not a law which should remain on the statute books when emergencies do not exist.

No one could expect prudent businesses to provide, at the expense of their owners, capacity in excess of that needed for their normal operations, unless there was some incentive for so doing. The American people cannot expect individual businesses to provide such capacity for the benefit of all, unless the people are willing to encourage them to do so by providing some sort of incentive.

Of course, the Government could build this excess capacity itself; it could give business grants of tax funds with which to build it; it could guarantee to take the output of the plant over a period of years at a certain price; or it could offer the rapid amortization incentive as under the present law.

Unless we want to revert to the government-ownership system of some of the countries we now support, it would seem to me that the rapid tax-amortization method of providing capacity for national emergencies is far superior to other methods, because it more nearly conforms to our American free-enterprise system. It will harness the full power and strength of American industry; it saves capital investment of tax funds; it provides capacity that will produce, rather than consume, tax funds; and private industry can build, maintain, and operate the facilities, along with their other facilities, much more economically than could the Government.

Yes, Mr. President, I am sure that rapid tax amortization incentive provides the facilities needed for national defense at much less cost to the taxpayers than any other method we can employ. It may be that the need for such a program, or a part of it, no longer exists. If so, we should repeal the law; but that is a question which should be thoroughly explored with those responsible for maintaining our national defense at an adequate level. In the meantime, we have no right to crucify a private utility company for complying with the law, just because it has stepped on the pet ideology of some "Government-or-nothing" power boys.

Mr. President, before I conclude, I shall discuss some of the idiotic figures of cost to the Government and benefit to the company that have been bandied around in connection with the Idaho Power Co. case; but at this point I want to make it crystal clear that no taxes are forgiven by the rapid tax-amortization method. The recipient of the certificate simply pays less taxes during the first 5 years than it would pay under normal depreciation methods, and pays higher taxes during the remaining useful life of the facility. The Government collects the same amount of taxes in the end.

Mr. BUSH. Mr. President, will the Senator yield, or would he prefer to continue with his statement?

Mr. GOLDWATER. I yield to the Senator from Connecticut.

Mr. BUSH. I should have asked the Senator the question before he opened up a new subject, but I was very much interested in what he was saying about the desirability of having private industry develop power. I should like to ask the Senator a question on the subject. In order that I may develop my question, I desire first to read from the Republican platform of 1956. This is a very brief quotation:

> On its centennial, the Republican Party again calls to the minds of all Americans the great truth first spoken by Abraham Lincoln:
>
> "The legitimate object of government is to do for a community of people whatever they need to have done but cannot do at all, or cannot so well do, for themselves in their separate and individual capacities. But in all that people can individually do as well for themselves, government ought not to interfere."

I ask the Senator if such a case is not one to which this issue specifically and directly applies.

Mr. GOLDWATER. The distinguished Senator from Connecticut, who was chairman of the platform committee of the Republican convention, could not have chosen a better example of what the Republican platform specified, nor could he have chosen a better example to offer to keep the party in consonance with the thinking of Abraham Lincoln.

Mr. BUSH. Is it not true that government participation is completely unnecessary at this time? There is no necessity whatever for the Federal Government's barging into the Hells Canyon situation, because there is a private organization ready, willing, and able—financially and in every other way—to do the job and provide electric energy. Is not that so?

Mr. GOLDWATER. It is not only so, but the first dam is nearly half completed. The second dam is under construction. The two dams will be completed by 1958, and power will be in the lines by the end of that year.

Mr. BUSH. The Senator will recall that when he and I ran for office together in 1952, one of the pledges we and the President made was that we would try to get the Government out of business as much as we possibly could. I remind the Senator, as he already knows, I am sure, that because of the efforts of the administration, the Government has gotten out of 500 business enterprises, some of them substantial, indeed, such as the artificial rubber plants. I ask the Senator if it is not highly inconsistent with that kind of progress to put the Government back into a very large business enterprise, when there is absolutely no necessity for it.

Mr. GOLDWATER. I could not agree more with the Senator from Connecticut. I may say that the partnership program of the administration is working, and will continue to work, in relation to power needs; but there certainly is no necessity at the present time for the taxpayers of the Nation to be asked to pay for the construction of a high dam in the reaches of the Snake River. I might say, for the information of the Senator—this information is a year old, and since the cost of living is going up, the figure would be slightly higher now—if the Government built the high dam at Hells Canyon, it would cost the people of Connecticut $5,968,000. Can the Senator from Connecticut imagine any benefit that might accrue to the people of Connecticut from a dam built on the border of Idaho and Oregon?

Mr. BUSH. I believe the cost to the people of Connecticut would be more than $10,000,000. And I might say to the Senator the enthusiasm for this project in the State of Connecticut is exceedingly cool, and the enthusiasm for it is so well controlled that it might be called nonexistent.

I congratulate the Senator for the splendid address he is making.

Mr. THYE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. THYE. Of the three dams proposed to be constructed by the Idaho Power Co., which two dams have been authorized? Are they the 2 larger of the 3 dams in question?

Mr. GOLDWATER. They are the two smaller dams.

Mr. THYE. The rapid tax amortization or writeoffs were first approved for the two smaller dams. Now, according to the newspapers of this date, the Idaho Power Co. has rejected the privilege of using the rapid tax writeoff. The question is, Will we be confronted with the same question when the third dam is considered, and will there be a possibility of granting a rapid tax writeoff on the third dam?

Mr. GOLDWATER. I cannot answer the Senator. I wish I could. Not knowing the persons in high office in the company, I do not know what they have in mind. I will say this to the Senator, however, as I said earlier: If the law is still on the books, or substantially so, I would think any American corporation would be derelict in its duties to its stockholders if it did not apply for a rapid tax writeoff. I have no idea what the Idaho Power Co. intends to do as to the third dam. I have only a copy of the telegram and a copy of the newspaper, which show that the two certificates are being returned to the Office of Defense Mobilization.

Mr. THYE. It must have been disturbing to the Senator from Arizona, as it was disturbing to me, when the Defense Mobilization Director granted the certificate for a rapid writeoff of taxes on the two projects which had been approved. I personally voted for the Idaho Power Co. when I opposed the proposed legislation that was before the Senate a year ago, which would have authorized a high Federal dam.

I will be perfectly frank and state that when I learned about the rapid tax writeoffs, I had made up my mind that I was going to vote for S. 555. I am now trying to determine, on the floor of the Senate, whether there is any justification for my changing my opinion, because I was greatly disturbed to think that the Idaho Power Co. had gone so far as to obtain fast tax writeoffs when it had preempted a wonderful power site at Hells Canyon for its own private power development. For the power developed the utility company would be able to charge rates which would cover the company's cost of the project and all the costs of depreciation which might be involved. In addition to that, the company was to get the benefit of a rapid tax writeoff. That fact was so disturbing to me that I had deliberately made up my mind to vote against the project of the Idaho Power Co.

Now we are confronted with the statement that the company is going to deny itself the benefit of the fast tax writeoff. I frankly state to the Senator that I am trying to make up my mind whether there are facts which would justify my continued support of the Idaho Power project, because I am in favor of private enterprise in this American system of ours. I am not, however, in favor of giving the American private enterprise system in any sense get the benefit through the government, of taxpayers' dollars.

Mr. GOLDWATER. I am happy to hear the Senator from Minnesota state his openmindedness on this subject. I sincerely hope the explanation I shall make will convince him the charges which have been made on the tax amortization case are a little on the idiotic side.

To get down to some of the specifics in the Idaho Power Co., one of the most ridiculous charges made in this connection is that Congress was deceived a year ago when it killed the Hells Canyon bill because Congress was led to assume that the Idaho Power Co. was going to build these dams without cost to the United States and that it did not intend to obtain rapid amortization certificates. In the first place, the company is building these dams without cost to the United States. Not one single dime of appropriation has been sought. The dams are being financed completely and entirely with moneys raised by the Idaho Power Co. The charge that rapid amortization results in cost to the United States is a question I intend to pursue later, but the charges that Congress did not know anything about the Idaho Power Co. having requested rapid amortization certificates of ODM were discussed numerous times on the floor of the Senate by Senators who voted both for and against the Hells Canyon authorization bill. I, myself discussed the matter on July 18, 1956, as appears in the CONGRESSIONAL RECORD, volume 102, part 10, page 13014. So the Senate, Mr. President, was not in ignorance of the fact that the company had requested certificates.

The charge has also been made that FPC, when considering the company's application for license, had no knowledge of the fact that the company was trying to obtain such certificates. This charge, too, has no foundation in fact. In December 1953 the president of the company testified that not only had applications been filed with ODM with respect to Oxbow and Brownlee projects, but he also testified that if rapid amortization were available, the company would certainly take advantage of it. At one time he did say that he had faint hope of receiving certificates, and for very good reason. At the time he made the statement the electric power "goal" had been temporarily suspended and, since there was so much interference and delay because of opposition to the company license from FPC, it was doubtful to him that he would receive licenses in time to complete construction under the ODM deadline. But there was never any concealment of the fact before either Congress or the FPC that the Idaho Power Co. had made request for certificates and would use them if issued.

When testifying before a Senate committee on May 31, 1957, the Chairman of the FPC, Mr. Kuykendall, was asked this question by the Senator from Illinois [Mr. DIRKSEN]:

> When you issue a license, there is no requirement on the FPC insofar as I know that you take into account whether or not at some future time a licensee is going to make application for a rapid amortization certificate. Does that enter into your consideration at all

when the matter of issuing a license is before the Commission?

Mr. KUYKENDALL. No; it does not and did not in this case enter into our considerations at all.

Senator KEFAUVER. Does it at any time with respect to any project?

Mr. KUYKENDALL. None that I know of.

Mr. KEFAUVER. Is there anything in the law under which you operate that makes it necessary for you to give attention to that factor?

Mr. KUYKENDALL. No, there is nothing that I am aware of.

Mr. Kuykendall later stated to the committee, when discussing cost to Government:

Of course, what we were really talking about was that there would have to be no appropriation from the Federal Government for these projects to be built.

The Senate Subcommittee on Antitrust and Monopoly, under the chairmanship of the Senator from Tennessee [Mr. KEFAUVER], has tried to make a great deal out of the fact that the company did not definitely schedule completion of Oxbow until after the Supreme Court decision. There is nothing strange to me about the fact that the company did not rush headlong into construction of the Oxbow development with an appeal pending before the Supreme Court, until it had some assurance that it would not be stopped from building the project. Otherwise the company could have spent a great deal of money for which it might not have been reimbursed if the Court decided its license was not legal. As soon as the Supreme Court decision was handed down, the company proceeded to schedule its second dam for completion during 1958, which qualified it for a rapid amortization certificate. Personally, I cannot see what the committee is driving at. Under the regulations laid down by ODM there is a certain completion date required. The company is endeavoring to comply with that completion date. If it does not, of course, it cannot use its rapid amortization certificate.

The committee has also made a great deal, Mr. President, of the fact that the Secretary of the Interior recommended against issuance of certificates to the Idaho Power Co. He did, Mr. President, but his recommendation was not directed at the Idaho Power Co. There was no contention on his part that the Idaho Power Co.'s facilities did not meet the criteria laid down by ODM, and therefore did not rate a certificate. The Secretary's objection was to the ODM criteria. Of course, the responsibility for setting up the criteria was in ODM, and not in the Interior Department. There could be many opinions on the criteria. One can no doubt go to other agencies, such as the Defense Department, and find complete accordance with the criteria. ODM certainly believed in it, or it would not have established it, and, after all, it was the agency under the law that carried the responsibility.

If the Idaho Power Co.'s construction met the criteria as laid down by ODM—and ODM said it did, or it would not have issued the certificates—the company would have been derelict in its duties to its consumers if it had not applied for the certificates. In fact, the State Commission under which the company operates could and should have severely censured the company for not taking advantage of any tax benefits under the law.

There have been charges that, regardless of cost or benefits, there was no justification for issuing certificates on these Idaho Power Co. dams because the company would have built them anyway. In this connection, Mr. President, I wish to point out that the FPC did not permit the company to follow its own program of construction which it presented to the Commission. The company intended to build the Oxbow plant first. Oxbow would have taken care of the company's existing needs. The company then intended to build the Brownlee plant. In its license order, however, the FPC changed this order of construction completely around. Because of the value of the million acre-feet of storage which the Brownlee Dam would provide for power, flood control, and navigation purposes, the Commission required that the Brownlee Dam be constructed first. Brownlee had twice the power capacity of Oxbow and required more than twice as much capital investment. The fact that Oxbow would have taken care of the company's immediate requirements, and the company was required to build another development which would provide twice as much power as Oxbow, certainly establishes the fact that the company was being required to build in excess of its immediate requirements, thereby making additional capacity available to the area. Now then, the company has scheduled Oxbow for completion at the same time as the Brownlee development, which means just that much more capacity in excess of the company's requirements for the Northwest area. In other words, Mr. President, the company is bringing in more than half a million kilowatts of new power in an area where a critical shortage now exists.

Mr. THYE. Mr. President, will the Senator yield for another question?

Mr. GOLDWATER. I am happy to yield for another question.

Mr. THYE. When does the Idaho Power Co. expect to put in the third installation?

Mr. GOLDWATER. I am sorry I cannot answer that question. Perhaps the Senator from Utah [Mr. WATKINS] is able to answer it. The question is, When does the Idaho Power Co. intend to put in the third dam?

Mr. WATKINS. As I understand the testimony, that installation will be constructed just as soon as the demand justifies its being put in. It is definitely a part of the program approved by the Federal Power Commission. A certificate on that installation was not issued at the time the other two certificates were issued, because the two dams, Brownlee and Oxbow, will take care of the load for a number of years.

Of course, it is a pretty heavy burden on a company to finance three low dams at one time. They are not small dams, by any manner of means. The third installation will come along just as soon as the point is reached where demand will justify it.

Mr. THYE. I thank the Senator.

Mr. GOLDWATER. I thank the Senator from Utah for answering the question.

Mr. WATKINS. Mr. President, if I may add one comment, that dam probably will be one of the largest contributors of power when it is actually constructed. It will be built somewhere near the site proposed for the high Hells Canyon Dam.

Mr. THYE. Mr. President, may I make one further inquiry, in view of the statement of the Senator from Utah? Why has the company not proposed to construct the highest installation as the first construction project?

Mr. GOLDWATER. I thought I covered that, but possibly I did not cover it clearly enough. They are building only what they require for current needs. It is very difficult for a utility company to finance for anticipated needs. It is even difficult, as the Senator from Utah knows, for the Federal Government to decide the distribution of power where a Federal dam is being built when the call or demand is not already there.

I think the Idaho Power Co. is following perfectly good business practice by building the two dams they are now constructing. I have been in that canyon. In fact, last year, when I was on duty with the Air Force at Boise, I flew down the entire length of the canyon.

I am not an engineer, but the Oxbow Dam is the one I would have constructed first, as the power company desired, because they already have a small power unit there, and there is a natural sharp curve in the river which would make construction of the dam and production of energy from falling water a little easier.

As I related, the Federal Power Commission made them reverse the order of construction.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. GOLDWATER. I am happy to yield.

Mr. WATKINS. I think the principal reason why the Idaho Power Co. is building the dams as they are is that that was the requirement of the Federal Power Commission. The Federal Power Commission thought that ought to be done, and required the Idaho Power Co. to build Brownlee Dam first. Actually, the other dam site will not be as high as the Brownlee Dam, but because of its location it will produce a great deal of power, which will bring up the total of the power that will finally be produced under the three-dam program.

Mr. THYE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. THYE. The Senator from Utah stated that the Federal Power Commission had demanded that the company build the dams in a certain order. Did not the Federal Power Commission have before it the applications on which it was acting, and would it be within the prerogative of the Federal Power Commission to direct a private utility where to build, when to build, and how much to construct? That seems a little out of its jurisdiction, in my opinion.

Mr. GOLDWATER. Let me repeat what I said shortly before the distinguished Senator asked his question.

I wish to point out that the FPC did not permit the company to follow its own program of construction which it presented to the Commission. The company intended to build the Oxbow plant first. Oxbow would have taken care of the company's existing needs. The company then intended to build the Brownlee plant. In its license order, however, the FPC changed this order of construction completely around.

These are the reasons which were given: Because of the value of the million acre-feet of storage which the Brownlee Dam would provide for power, flood control, and navigation purposes, the Commission required that the Brownlee Dam be constructed first. Brownlee had twice the power capacity of Oxbow and required more than twice as much capital investment.

The Federal Power Commission does have such authority, and uses it quite often.

Mr. THYE. In other words, the Commission took into consideration the factor that the one installation would afford greater flood-control protection?

Mr. GOLDWATER. And control of navigation, which comes within its jurisdiction.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. NEUBERGER. I believe that the distinguished Senator from Minnesota asked about the third proposed dam of the company's trio. Is that correct?

Mr. THYE. That is correct.

Mr. NEUBERGER. I should like to read to the Senator from Minnesota and the Senator from Arizona what the Federal Power Commission actually said about the third dam, which, I think, would be a slightly more accurate answer, even, than the speech of the Senator from Arizona.

Mr. GOLDWATER. The Senator from Arizona has not touched on the third dam.

Mr. NEUBERGER. I believe the Senator from Minnesota asked about the third dam.

Mr. THYE. I did.

Mr. GOLDWATER. And I believe he got an answer.

Mr. NEUBERGER. I should like to read what the Federal Power Commission had to say with respect to the situation at Hells Canyon:

If a sufficient load does not develop to justify construction of low Hells Canyon within the time limits imposed in the license, the Commission may either extend the time for construction or terminate the license for that project, whichever is in the public interest at the time the matter is under consideration.

So the Senator from Minnesota certainly can see that there is no definite assurance that the third dam will be built at all.

Mr. GOLDWATER. I thank the Senator from Oregon for supplying that information, because it does more accurately answer the question of the Senator from Minnesota. I think it further points up the flexibility in the situation. If the company does not fulfill the requirements under the order, construction of the third dam can be denied.

I may say, judging from our experience in the West, that as the demand for electric power develops, the company will be in a position to know whether or not it would be justified in going ahead with the third dam, and so will the Federal Power Commission.

Last January, with only 24 hours' warning, the Bonneville Power System was forced to drop completely all of the interruptible industrial loads in Oregon and Washington—490,000 kilowatts. That power cutoff required the shutdown of 17 plants owned by 13 of the largest industrial firms in the Northwest. These were all strategic metal industries and it is my understanding that it was weeks before these plants were finally back in service. That was because of a power shortage, Mr. President—a half million kilowatt power shortage, if you please—that exists today, not sometime in the future, but right now. Can you picture, Mr. President, the effect upon this country, upon the American people, if that had happened during war or other national emergency?

But the public power people out there say, "What's the difference?" After all, it was only supposed to be interruptible load and interruptible power that these industries were using in the first place. A fine answer, Mr. President. I suggest that they try to explain that one to the American people—to our soldiers, sailors, Air Force men, and marines—some fine day when the chips are really down.

Do Senators know why it was only interruptible power? It is because there is no other kind of power except interruptible power left out there in the Northwest—with its air bases, airplane factories, metal plants, and atomic energy installations. It is power which is available to essential defense industries only on an "if, as, and when we've got it" basis.

I point out that the Brownlee and Oxbow plants will add over 500,000 kilowatts of installed capacity to the Northwest system. The point is that if these two dams and powerplants had been in service last January, with half a million kilowatts of power in the Northwest system, of which the Idaho Power Co. is a part, that entire shutdown could have been prevented.

Mr. President, I ask unanimous consent to insert in the RECORD at this point a portion of a news article which appeared in the Portland Oregonian on January 27, 1957.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

POWER CUTBACK BY BPA SLOWS 17 BIG PLANTS

The mercury plunged toward the bottom of the thermometer throughout the Northwest Saturday, and was expected to come near the all-time low record of minus 3 degrees at Portland early Sunday.

The temperature dropped to 6 above shortly after 6 a. m. Saturday at Portland International Airport, where the area's all-time low of minus 3 was recorded February 2, 1950.

The temperature climbed back to 28 degrees in midafternoon, but had dropped back to 9 by 1 a. m. Sunday.

BPA CUTS OFF SOME

Among more serious effects of the prolonged cold snap were frozen water pipes, a power outage in the southeast Portland area and cutoff by Bonneville Power Administration of interruptible power to 17 plants owned by 13 Northwest firms. Largest are the three aluminum companies—Aluminum Company of America, Reynolds Metals Co., and Kaiser Aluminum Corp.

Alcoa announced closing of 2 potlines—1 at Vancouver and 1 at Wenatchee.

Donald H. Tilson, Northwest manager for Alcoa, said about 170 men will be laid off through shutting down of its 2 lines at 7 a. m. Sunday. The 2 plants employ a total of about 2,800 men.

Reynolds Metals Co. Saturday night was in the process of taking one potline out of production at its Troutdale plant. Half a line dropped Saturday at the firm's Longview plant and the rest of the line was being taken out of production Saturday night.

LAYOFFS TO FOLLOW

The Troutdale line represents about 25 percent of the plant's capacity and H. W. Shoemaker, plant manager, said a proportional number of the plant's 920 employees would be affected. V. G. Kneeskern, manager of the Longview plant, said more than 100 men of the 515 employed would be affected there with one-third of the plant capacity down.

In Spokane, Kaiser Aluminum Corp. said it was considering closing one potline at its Mead reduction plant. About 200 men would be affected. Officials estimated that the Trentwood rolling mill there could continue for 10 more days with materials on hand.

The power cutbacks resulted from a situation in which power just wasn't available in any form. BPA originally had planned to stop all delivery of interruptible power at midnight Saturday, but had expected to replace it with provisional power from Hungry Horse Dam in Montana.

By Saturday morning, however, demands for power for such items as home heating had grown so heavy BPA cut 200,000 kilowatts from its interruptible powerload, a reduction of about 45 percent.

So heavy were demands on the system that the additional power could not be brought in from Hungry Horse. Bonneville Dam also reported that ice conditions at the intakes for water used to cool its generators forced a slowup in generation, costing the BPA system 70,000 kilowatts.

Spokesmen for both Alcoa and Reynolds pointed out that they could not obtain even the more expensive steam power to replace the hydroelectric from BPA.

Mr. THYE. Mr. President, inasmuch as the Senator has interrupted his statement to place something in the RECORD, will he yield to me again?

Mr. GOLDWATER. I yield.

Mr. THYE. The Senator stated that these two installations would provide half a million kilowatt-hours.

Mr. GOLDWATER. Yes.

Mr. THYE. And that that was the need at the time.

Mr. GOLDWATER. It is the need at the present time.

Mr. THYE. We know that the load is constantly increasing. We have the history of the TVA, and we have the history of utilities furnishing power in all sections of the United States. If the present need is 500,000 kilowatts, it is a certainty that in possibly 1, 2, or 3 years the need may very well be 1 million

kilowatt-hours, because the load increase can be expected to be that much.

For the first electricity I was privileged to buy, I thought $6 or $7 a month would be the maximum bill. Today it is not uncommon to receive an electric-power bill for $40 or $50. That represents the increase in the load factor in my case. That experience can be multiplied many times. We know what the TVA has demanded, because there has not been a year when we have not been faced with the question of firming up electric power with steam plants in that area.

The question is simply this: Would the 3 dams planned by the Idaho Power Co. furnish as much electricity, if the 3 dams were completed, as the 1 high dam would furnish if it were completed? I know that is a hypothetical question, because it involves three dams. However, we know the potential of the three dams, and we also have statistical information as to the potential of the high dam. Which of the projects—the high dam or the three dams—would ultimately generate the greater amount of electricity?

Mr. GOLDWATER. I may say to the Senator in answering that question that one can reach several conclusions. Let me give one answer.

The 3-dam plan would produce 1,175,000 kilowatts, while the proposed high dam would produce 900,000 kilowatts. I readily admit that if 5 additional dams were built downstream from the proposed Federal high dam, the difference would be about 17,000 kilowatt-hours in favor of the Federal high dam. It has been the contention of the junior Senator from Arizona that it would be wrong, in the first instance, to ask the taxpayers of the country to build the high dam. It would be doubly wrong to ask them to spend nearly $750 million for a difference of 17,000 kilowatts.

Mr. THYE. Mr. President, if the Senator will further yield, the positive engineering figures with respect to the high dam for Hells Canyon show that the single dam would generate 900,000 kilowatts, or less than 1 million kilowatts, and that the 3 dams of the Idaho Power Co., if all were installed, would generate 1,175,000 kilowatts. Are those the engineering figures?

Mr. GOLDWATER. Those are the figures available to me. However, as I stated in a speech last year, there are numerous figures for the high dam. The 3-dam system proposed would produce 1,175,000 kilowatts. With the completion of the Federal project, if it were ever completed—and it requires more than merely the high dam—there would be an increase of 17,000 kilowatts above the production of the 3-dam project. In my opinion, the production of the Federal project would be somewhere in the neighborhood of 1,900,000 kilowatts.

Mr. THYE. Mr. President, if the Senator will yield further, I should like to ask him another question. Assuming that the high dam were installed, would it be possible to install a series of smaller dams on the same river at a lower area in the canyon?

Mr. GOLDWATER. Oh, yes, certainly; the stream could be dammed. I am not an engineer, but I have visited it and I have flown over it, and I think that the other dams could be built. In fact, by a peculiar coincidence, the Senator from Minnesota asked me to yield to him almost a year ago on the precise question he is asking me now. I have been looking up the record.

Mr. THYE. I do not consider these questions lightly, because I know that electric energy is something the Nation must develop to the maximum potential of all the hydroelectric installations in the United States, for cheap power is the economic need of the Nation if we are to remain competitive throughout the world. Therefore every hydroelectric site to me is of potential value to the economy of the Nation.

If I thought a high dam would generate more electricity and still allow a series of low dams to be constructed, as the need required, I would be in favor of a high dam today, and not in favor of destroying the potential of additional smaller dams on the streams at a later date.

That is what is disturbing me. If the three dams are authorized and constructed, would they destroy the possibility of developing as much electricity as if we were to build a high dam first and then build a series of other dams as the Nation's needs required?

Mr. GOLDWATER. The answer is no. I should like to refer to my remarks of last year. I quote from my speech from the CONGRESSIONAL RECORD, volume 102, part 10, page 13461:

> When the proponents of the high dam talk about any more power than 648,000 kilowatts, they are talking about the construction of 8 dams downstream, 5 of which have not been built, and they do not include in the cost of the construction of the high dam the cost of the other 5 dams.

Therefore, if we can build five dams downstream from the Federal project to augment other power to bring it up to a comparable figure with the three-dam system, certainly the construction of the three dams will not preclude further development, if it is proven necessary in the years to come.

Mr. THYE. Inasmuch as the Senator from Arizona has flown over the area, and even though he is not a civil engineer—and of course the Senator has basic knowledge of the canyon and is generally alert to the questions involved, and therefore his opinion would have considerable weight—I should like to have him answer this question for me: How many miles on that canyon are capable of development so far as hydroelectric sites are concerned?

Mr. GOLDWATER. That would be a very difficult question to answer exactly. I should like to consult a map before I answered a question like that. At best I could only make an estimate, based on how long it took me to fly an airplane down the canyon at a certain speed.

Mr. WATKINS. I have asked to have a map brought to the Chamber. It will illustrate the situation on the river. If the high Hells Canyon Dam is built, it will flood out the three smaller dam programs.

Mr. THYE. If the Senator from Arizona will permit me to ask him this further question, I should like to inquire whether the high Hells Canyon Dam is intended to be constructed below the site of the two dams which have been authorized and the third project which is contemplated for the future?

Mr. GOLDWATER. The high dam is proposed to be built at almost the exact spot at which the third dam would be built. If the Federal dam were built, it would flood out the two dams below, and would require the Federal Government to pay damages to the Idaho Power Co.

Mr. THYE. I should like to ask a further question. This seems to be developing into a matter of much greater importance than I thought at the outset. I am commencing to get the mental picture involved. I said last year that I regretted I had not flown over the area before I had cast my vote. I said last summer if I were ever faced with this question again I would fly over the area before I would cast my vote. I should like to see with my own eyes what the situation is there. However, the Senator from Arizona, and the Senator from Utah also, have made it possible for me to see this fully even though I am not there. The Senator states that the high dam would be constructed at a lower point in the Hells Canyon?

Mr. GOLDWATER. The Senator is correct.

Mr. THYE. Lower than the three dams?

Mr. GOLDWATER. No. The high dam would be built below the present two dams, but it would be built at about the same site at which the company would build its third dam.

Mr. THYE. In order to get the picture completely in my own mind, how many feet higher would the high dam be than the highest of the private-utility dams?

Mr. WATKINS. I do not have the exact figures, but I can get them. The total head—that is what is important—is exactly the same in the high dam and in the three dams.

Mr. THYE. The Senator says that the total head from the standpoint of flowing water is the same?

Mr. WATKINS. That is correct.

Mr. THYE. But from the standpoint of the backed up water in the canyon, which is important if there are flood conditions—and flood control is involved here—what is the situation? In other words, if the one high dam is 500 feet higher than the three dams, the water level, of course, is raised in the entire canyon. At the head of the dam it would be 500 feet higher, and then it would slope back, as the water sought its level in the canyon. The question, therefore, is, do we effect greater flood control in that way with a high dam than we do with a series of of low dams?

Mr. WATKINS. Mr. President, I should like to answer that question. The greatest flooding area is in the two lower streams, the Clearwater and the Salmon. Actually we do not have at this stage of the river a great deal of flooding.

Mr. THYE. That is below, the Senator says?

Mr. WATKINS. Those two rivers are below the high Hells Canyon Dam. There is no serious flood-control problem at the site of the high Hells Canyon Dam. The greatest contribution to flood control would be derived from the building of the Bruces Eddy Dam on the Clearwater. That is a stream in Idaho, a tributary of the Snake. So is the Salmon River. Both flow into the Snake River below the high Hells Canyon Dam site. They are the real flooders. They are located in Idaho, where it is impossible to take out any water for irrigation. Idaho cannot use either one of those streams for irrigation.

Mr. THYE. In the event enough electricity is not obtained from the development at Hells Canyon, then in the future it would be necessary to go to the Clearwater and the other rivers and place installations on them for the purpose of getting the maximum development of the entire Northwest river network. Is that correct?

Mr. GOLDWATER. I do not believe I can give an answer to that question. Because of the rapid development of atomic sources of electric power, it is my opinion that we may well be constructing the last hydroelectric dams in this country. I am convinced that as time goes on atomic-produced power will be gotten down to a level, millwise and coastwise, which will compare favorably with steam and flowing water generation of electricity.

Mr. WATKINS. I wish to point out for the RECORD the discussion which has taken place to the effect that the matter of power development depends on water supply. A high Hells Canyon Dam under the program would require almost 4 million acre-feet in order to operate. There would be many years, the testimony showed, when there would not be enough water to operate the powerplant to capacity. It could operate to full capacity in only about 1 year in about 19. But it would make some contribution to power generation downstream.

The reason why Idaho Power Co. decided to build 3 dams instead of 1 was that they could get the same head at 602 feet and not require so much water as might be needed for future development of irrigation of land upstream in the Snake River Valley. That, apparently, is about the only area Idaho has in which to develop water for consumptive uses. It has approximately 2 million acres of land which may be developed.

Mr. THYE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. THYE. Could the Hells Canyon Valley or Hells Canyon in itself be considered something like the rain barrel which the oldtimer used to have under the eaves of his house? He knew that only so many inches of rain fell in a year, so he put out enough rain barrels to get for himself a supply of water which would last throughout the dry spells.

If there is a large enough installation, and the rains come, so that the water can be kept from going over the spillway, in order to retain the amount of rain which falls, there is a rain barrel so to speak, which will hold the water against the day when a dry season or two will come.

Therefore, Hells Canyon may be more important from the standpoint of a head of water, a supply of water, and a reservoir, than simply what meets the eye from first examining the question.

Mr. GOLDWATER. The Senator from Minnesota has put his finger on a point which to us western Senators is very important in the public versus private power fight. The Senator from Utah related to the Senator from Minnesota the testimony before our committee that there would not be sufficient water in the river to create 4 million acre-feet. The high dam would be built in an almost inaccessible canyon. There is no possible use for that water for irrigation purposes. So the comparison of the dam with a farmer's rain barrel would not be correct in this instance.

The Senator from Minnesota must keep in mind that one of the purposes of the high dam would be navigation control. The Columbia River is a navigable stream, so a plug could not be put in the petcocks; they have to be kept open to let a certain amount of water go through to supply a regulated flow.

There are downstream users—farmers and cities—who have prior rights to the water. They will have to be satisfied. That is one reason why Western Senators have been so strongly back of the three-dam system. They feel it will never impair the water rights of the downstream users.

Statements have been made on the floor that the construction of a high dam would in no way imperil the rights of users downstream. I think that statement could be made in some degree of good faith if the Supreme Court had not issued an opinion—in fact, two opinions—which cause westerners great apprehension. It might work, if the Attorney General did not hold so strongly to the idea that the Federal Government does have rights, and prior rights, in the waters of the West. That is what frightens us. If the high dam is built, and we get proof of the testimony that there is not enough water to fill the dam, what is the first thing the Federal Government will say under the concept of the prior rights of the Federal Government? The Federal Government will say to the upstream irrigation users, "We will have to let so much water out this year, because we cannot deprive the downstream users of it; nor can we control navigation with the amount of water that is coming down."

The distinguished Senator from Wyoming is probably the most expert person in this field in the United States. I certainly would appreciate any comment he might make to enlighten Senators further. Water is extremely important to us in the West. It is far more important to us than water is to the farmers in the East. We have to have our rights to it.

Mr. THYE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. THYE. Going back to the storage of rainwater in the barrels under the eaves of the plains-country shack where the rain comes at certain times of the year, the rancher is trying to store all the water he possibly can.

If the high dam is built at Hells Canyon and 1 or 2 extremely wet years occur, years having high rainfall and much snow, the water will back up in large quantities. But if there are 3 low dams, the water will go over them, downstream toward the ocean. With 1 high dam, however, the water will keep backing up at Hells Canyon. It will not overflow and bring destruction to property, because the canyon walls are there—solid rock—and they will hold, as will the high dam. So there will be the effect of a huge reservoir which will impound water. The water can be held. There will be, of course, a little evaporation, but a tremendous amount of water can be impounded and held as a head against the dry years. Of course, it will be necessary to let some water run out at all times, but the vast reservoir of water can be held back. The level can be kept firm. At the same time, there will be a tremendous head in the reservoir for the purpose of generating electricity.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. BARRETT. Is it not true that there is no compact between the State of Idaho and the States of Oregon and Washington with respect to the Snake River?

Mr. GOLDWATER. That is correct.

Mr. BARRETT. As a consequence, the irrigators upstream from the high Hells Canyon Dam or from the three dams of Idaho Power Co. need some protection. As I understand the situation—I am certain the Senator from Arizona is familiar with this point—Idaho Power Co. obtains its State water rights through application to the State. In addition to that, the licenses from the Federal Power Commission specifically ordered that the project should be operated in such manner as would not conflict with the future depletion of water from the flow of waters upstream from the dam. So the irrigators on the Snake River upstream from the sites at Hells Canyon have adequate protection under the existing arrangement with Idaho Power Co.

The same is not true so far as the Federal dam is concerned, notwithstanding section 2 of the bill. A future Congress could change that section. For that reason, the people of Idaho quite generally have objected to the bill which is before the Senate today, because water can be used for development purposes upstream from the dam.

It seems to me, as a matter of fairness, that the people of Idaho, whose State, after all, is the one that contributes water to the Snake River, with which we are concerned today, are entitled to some protection. The only way they can get the protection is through the recourse they have presently in the State application granted to Idaho Power Co. under the restrictions of the Federal Power Commission.

I think that certainly is a complete answer to the question that if we are to protect the future developments of the waters of the Snake River in Idaho, a State where thousands and thousands of acres may be put under water in the years ahead, we certainly must afford

the people of the State protection, so that when the time comes they will not find that their water rights have been legislated away or given away by someone else.

Mr. GOLDWATER. I do not think I have completely answered the Senator's question, but I want to refer to an answer I used with him last year, because it touches on this year's question. That is the matter of storing water from river control or flood or navigation control. Let me read what I said last year. I read from the bound volume of the RECORD of July 19, 1956, page 13462, the first column:

> Let us see what the United States Government has just found out, as published in the Oregonian, a very responsible newspaper in Oregon, after the last flood, which was the third largest flood in the history of the basin. It is said that if the high dam had been constructed and in operation it would have saved the crest of the flood 0.8 of a foot. It is also said that if Brownlee, one of the dams of the three-dam project, had been constructed, it would have saved the crest 0.6 of a foot. That is the difference of 0.2 of a foot. What is two-tenths of a foot? It is about two and a half inches.
>
> How crazy can the United States Senate become, when it is proposed to take a quarter of a billion dollars from the taxpayers of the country to pay for 2½ inches of flood control on the Columbia River?

That statement brings out what was said in the course of the testimony, namely, that the Brownlee Dam is sufficient for all known flood conditions, and that it is extremely doubtful that the proposed high dam at Hells Canyon will be filled. I do not say it cannot be filled, because, as the Senator has suggested, after 2 or 3 wet years in a row, the dam could be filled. But the present proposal is to have the Government spend one-quarter of a billion dollars, as opposed to nothing, in order to provide flood control to the extent of two-tenths of 1 foot, or approximately 2½ inches.

Mr. THYE. That would be on the Columbia River, would it not?

Mr. GOLDWATER. Yes. By the way, any floods on the Snake River would, after they meet the waters of the Salmon River, have their worst effect on the Columbia River.

Mr. WATKINS. Mr. President, will the Senator from Arizona yield to me?

Mr. GOLDWATER. I yield.

Mr. WATKINS. I think it should be pointed out that the high Hells Canyon Dam, as proposed, is not what is called a carryover storage dam to any great extent. It is not like the Glen Canyon Dam, on the Colorado, which has a 26-million-acre-foot reservoir and carries over the water for 20 years—or, as one Senator has suggested, catches the water in rain barrels. The Glen Canyon Dam is planned to take care of the consumptive needs downstream, in Arizona, Colorado, and the other States.

On the other hand, the bill now before the Senate provides for purely a power dam with some incidental flood control.

Mr. THYE. But could not the high Hells Canyon Dam be used for the purpose of rain-barrel storage? After all, Hells Canyon is composed of granite, and is very deep; and if a dam is built high enough to shut off all the flow, then, at times of heavy rainfall or excessive snow meltings, it will be possible to impound absolutely all the water in the canyon, and to keep it there for 20 years, if that is desired.

Mr. WATKINS. But that is not the flooding part of the Snake River.

Mr. THYE. I grant that. But if there is excessive rainfall or an excessive amount of snow in the canyon, although it may not cause a devastating flood at that particular time, it would be possible to impound the water and to hold it there.

I am seeking information; I am not trying to cross-examine. I have been greatly concerned about this matter, in view of the fact that a year ago I voted in favor of construction of the dams of the Idaho Power & Light Co. Subsequently, I became disturbed about the rapid tax-writeoff situation; and I made up my mind that I would support proposed legislation providing for the building of a high dam at Hells Canyon.

Now I am searching for facts, in order to be certain that my judgment is not in error.

Certainly there is a question here. An investment has been made by the private company in the smaller dams at Hells Canyon. If the present installation of the Idaho Power & Light Co. is destroyed, the company will have to be reimbursed for it. I do not know what amount of money is involved, but compensation would have to be made. So this matter involves good faith on the part of an agency of the United States Government, namely, the Federal Power Commission, which granted the license to the Idaho Power Co. The courts have passed on that question. Therefore, the private company has acted on the basis that the Federal Government has given it a certificate, and the judicial branch of the Government has approved it.

All these features cause me to ask questions. I am not attempting to needle or to make things difficult for the Senator from Arizona.

Mr. GOLDWATER. I shall try to answer the various questions which the Senator from Minnesota has indicated are in his mind.

He must remember that the proposed project, whether built by the Federal Government or built by private industry companies, is purely and simply a power project. No reclamation or irrigation at all is connected with it. It has an element of flood control, by virtue of the fact that it is a dam, and dams control rivers. It also has a navigation feature, by virtue of the same phenomenon. So we must think of this proposal as purely one involving power.

It is possible to develop with the three dams the same head that can be developed with the high dam. The head is what develops the power—in other words, the falling water. The water passing through the three dams will create as much electricity—and more—under this proposal, as will the high dam.

The Senator's argument about falling water over a period of time does not apply in the case of Hells Canyon, although certainly those of us in the West, those of us who live in the reclamation States, are interested in that. If the Senator's argument were valid for a dam of that size, I would suggest that it might be built twice as high, and thus impound that much more water. But the Senator from Minnesota must keep in mind that this project is one solely for power.

Mr. THYE. Mr. President, will the Senator from Arizona yield for a further question?

Mr. GOLDWATER. I am glad to yield.

Mr. THYE. What is the drop from the top? That makes a great deal of difference, in terms of the amount of water which can be stored in the canyon, because if the drop is a great number of feet to the mile, less water will be backed up by the dam, whereas, if the drop in Hells Canyon were only a few feet per mile, a dam there would back up a great deal more water. We can demonstrate that by tilting a trough. When the trough is level, it holds a certain amount of water; but when the trough is tilted, much of the water it was holding will gush out at the low end.

If Hells Canyon has a drop of only a certain number of feet per mile, only a certain amount of water can be stored behind a dam there. On the other hand, if there were a smaller drop per mile, a series of dams would hold or store much more water than the amount which could be stored behind one large dam.

Mr. GOLDWATER. I am sorry that I do not have that information.

Mr. THYE. Is not the information obtainable from the engineers? If the drop per mile is a certain number of feet, only a certain amount of water can be stored behind a high dam; but if a series of small dams is built up the stream, water will be impounded behind each one of the dams. Therefore, I believe it very important for us to ascertain the drop in feet per mile, in the case of Hells Canyon, for in that way we can determine how effective the high dam will be, as compared to a series of lower dams.

Mr. GOLDWATER. Undoubtedly that point was taken into consideration by the engineers, in arriving at their determination. I have never heard the figure for the number of feet drop per mile stated, so far as I recall, in any of the hearings. I may say that figure is not considered of extreme importance in the case of developments in the West where dams are built. For instance, in the case of the Grand Canyon—and I think the Snake River has a drop of at least as much as the Grand Canyon, if not more—if a development were to be made at Marble Canyon, or if a development were to be made at Bridge Canyon, which is below the park, it would be possible to develop more storage by means of a series of dams, as compared to a high dam, as the Senator from Minnesota has suggested.

But in this instance it has been determined that three low dams will develop more power and will store all the water needed to be stored and will prevent floods—based on the floods which have occurred in the past. So the three dams will do all that the high dam will do, and more; and they will do it, in fact, at no cost to the American people.

As I have stated, if we consider this matter purely as one involving power, we proceed on a sounder basis.

In my State, the companies will build a series of dams—as the Senator from Minnesota has stated—one dam after the other. In fact, on the Salt River system of Phoenix, Ariz., there are 4 dams; and the water from 1 dam backs up to the other, because of the rapid drop of the river; and it is possible to store there approximately 2½ million acre-feet of water, although at the present time a little less than 500,000 acre-feet is stored. So the Senator's theory of dam construction is correct, although we do not figure the drop per mile. We figure out how high the dam should be to produce the kind of power and other features needed.

Mr. THYE. If a stream does not have the high granite walls that Hells Canyon has, no more water can be impounded than what the banks will hold. Therefore, that factor would have to be taken into consideration. But Hells Canyon is different from the average canyon, and the question involved is as between a series of small dams and one large dam. The issue involves a high dam constructed by the Federal Government versus three small dams constructed by a private company. I do not know why the Idaho Power Co. did not decide to build one large dam, in accordance with the findings of the engineers for the Federal Government, but I presume the reason is——

Mr. GOLDWATER. If the Senator will yield, it is cheaper to build 3 low dams than 1 high dam, for substantially the same results. If a high dam were built there would still have to be built 5 of the other 8 dams to produce the additional 17,000 kilowatts.

To get a better picture of Oxbow and Brownlee, they are located in a portion of the canyon that is wider. Oxbow will be 205 feet high. That is nearly double the height of Bonneville. Hells Canyon will be 325 feet high, which is nearly twice the height of Niagara. Brownlee will be 275 feet high, which is higher than the Capitol dome.

Mr. THYE. What would have been the height of the high dam had it been constructed?

Mr. GOLDWATER. I would have to speak only from memory. I believe it would have been 100 feet higher than the proposed high dam of the company, but I may have to stand corrected on that point. In other words, these 3 dams will produce what is needed. The lower dams, the 205-foot dam and the 275-foot dam—which is not a small dam—are in reaches of the river where there is a rather wide valley, but where the Federal high dam would be, and where the company high dam will be, there are granite walls that rise nearly 2,000 feet above the stream. It is nearly 7,000 feet from the top of the mountains in Idaho to the river. I hate to admit it, but it is higher than Grand Canyon, although we do not exactly call it a canyon.

Mr. THYE. What is the maximum height to which a dam could be built and still have canyon walls hold the water back and not have the water spill out somewhere?

Mr. GOLDWATER. I am trying to answer the Senator's question. If he will bear with me for one moment, I can read the decision of the Federal Power Commission:

> After full consideration of the comparative economics of the power features of the 1-dam and the 3-dam plans as presented by the evidence of record and as analyzed in the several briefs filed herein we conclude that, assuming financing, construction and operation of both plans by the same entity, the ratio of power benefits to power costs of the 3 high dams is greater than that for the 1-dam plan, and although the high Hells Canyon project would produce a greater amount of power than the 3-dam plan, the additional amount of power that could be produced by the high Hells Canyon project would have a benefit-cost ratio of about 1 to 1.

That is substantially the backbone of the decision.

The Senator asked one other question, and that is how high the dam could be built within the granite walls. There again I would have to know the foot drop. Assuming that a dam 1,000 feet high could be built—which I do not think could be done—it would back up the river and probably flood the small town at the head of the canyon, which would be a distance of 35 or 40 miles.

Mr. THYE. I thank the distinguished Senator for yielding to me as many times as he has yielded. His answers have been most educational.

Mr. GOLDWATER. I thank the Senator from Minnesota for the questions he has asked, which have been helpful.

These two projects, with half a million kilowatts of new power capacity, a large part of which will be surplus over and above the Idaho Power Co.'s present needs, are so closely related to national defense and emergency needs that to have refused certificates of rapid amortization would have been rank and unjustifiable discrimination under the law and the policy which the ODM has consistently been following.

I also call attention to the fact that every application for Federal development of power facilities in the Pacific Northwest recites as a most important reason for development of the needs of national defense. That applies to the bill now pending before the Senate for a Federal development at Hells Canyon. I ask, How is it, if the Federal Government develops a waterpower project on a river, that is in the interest of national defense, but if private industry develops approximately the same capacity at the same site, using the same water, it has no connection with national defense? Just how absurd can we get when discussing these questions of Government versus private power?

Let us consider some of these ridiculous charges of cost to Government and benefit to company. We have had all kinds of estimates, and the proponents of public power have either willfully or ignorantly confused the two. They have arrived at some astronomical figure of benefit to company and have at least conveyed the impression that the benefit to company is cost to the taxpayers. They claim that "they have ransacked the Treasury" of these vast sums of money. I was not surprised when the Washington lobbyist for REA, Mr. Ellis, and the Public Power Association, Mr. Radin, made such wild statements and when some of my colleagues echoed these statements on the floor of the Senate. They have no experience with corporate financing, and the organizations they represent are not bothered with the Federal tax problem—they do not have to pay such taxes. I was surprised, however, when the Chief Accountant of FPC, Mr. Rainwater, came up with such ridiculous figures. It is rather a sad situation, Mr. President, when the Chief Accountant of a Federal agency, charged with the duties and responsibilities of regulating our largest single industry, has no conception of the important question of business finance. In fact, I cannot help but wonder how the electric and gas industries are able to operate under the Commission. If this is what is going on, I think we ought to hurry up and pass the gas bill and look into passing a bill that will give some kind of relief to the electric companies, also.

In figuring cost to Government both the lobbyists for public power and the chief accountant of the FPC have used compound interest. It is assumed that the cost of tax amortization to the Federal Government is the amount of money that the Government must pay in interest to borrow an amount equal to the taxes deferred under the tax-amortization program. Because under this amortization, tax revenues are paid later than normally, it is thought that the Government must float bonds to make up the revenue lag, and the cost to Government is the interest it must pay on these bonds. In order to follow that assumption, we must assume that the Government is operating on an unbalanced budget and is having to borrow additional money because of taxes deferred; or that if these deferred taxes were collected earlier, this money would be used to retire Government debt and not for additional appropriations. In order to use the compounding theory it is assumed that in the second year, and every year thereafter throughout the revenue-lag period, the Government would be paying interest, not only on the bonds themselves, but that bonds would have to be floated in order to obtain money to pay the interest charges on those bonds. In this manner the debt service charges on bonds compound throughout the tax-deferral period until all postponed taxes have been repaid.

This interest cost to Government view involves a basic tax fallacy. It assumes that tax revenues are something that preexist and are separate and apart from the law of the land. If Congress says the tax income does not exist, its receipt cannot be postponed, and when Congress enacted section 168 of the Internal Revenue Code, permitting deductions from income for the cost of constructing defense

related facilities, it did precisely this. Congress declared that rapid amortization deductions did not constitute taxable income. To claim that what Congress has defined as a business expense deduction constitutes a cost to Government is simply a contradiction in terms.

Moreover, what is involved here is a business expense that Congress said can be deducted from gross income if the Government obtains a certain quid pro quo. Therefore, from the standpoint of the Federal Government the result is no different from any situation where the Government has failed to impose a tax. The result is no different from the tax the Government does not collect on rental value of the parsonage; on interest paid on State and municipal bonds; on the income generated by State and municipal proprietary business activities. Finally, the result is no different, from the standpoint of Federal revenues, from the 5-year accelerated amortization of grain storage facilities. None of the above are properly described as "cost to Government." More properly they are illustrations of situations where Congress has said that taxable income does not exist.

That is, if by congressional declaration taxable income does not exist, there is no taxable income to be postponed. Admittedly, the national debt is always with us, but specific interest costs on the debt can no more be attributed to deductions taken under code section 168 than they can be attributed to deductions taken under code section 104.

It can be effectively argued that amortization increases overall tax revenues. In other words, unless industry constructed and successfully operated the amortized facility—or its certified portion—at a profit, industry would contribute no additional revenue to the Government, only a portion of which is deferred. Thus, before amortization may be characterized as an interest-free loan it should be made clear that amortization increases overall tax revenues. It provides the Government with the very capital that hypothetically it loans back to industry.

Statistics presented, the purpose of which is to show the cost to Government, give the impression that Government is giving a tangible-cash amount to the certificate holder, that something is being given away that the taxpayer has, that money is taken from the Treasury and given to the business—ransacked from the Treasury. This is not true. The Government, as a result of laws passed by Congress, merely has said to the recipient, "you can keep this a little longer and use it if you do something that we, the Congress, say is in the public interest."

Another important point is that these estimates on the cost of the program to Government seldom, if ever, are presented in net terms. In other words, estimates as to cost are not related in any way to what the Government received in return. The estimates always assume that the Government got nothing. Even if we should assume that the interest cost to Government theory is valid, it is still clear that the Government has realized substantial benefits through the tax-amortization program. That is, even if it did cost the Government something in interest, the Government obtained productive capacity for national-defense purposes without capital cost to the Government.

If there is any justification for compounding the interest cost on bonds that substitute, theoretically, for the tax-revenue lag, one could just as reasonably compound the value of the annual Federal taxes that would not be collected if the Government built the project. These and many other things would have to be taken into consideration in order to figure net cost or benefit to Government.

Mr. President, if we are going to go into this question, perhaps we should take the amount of Federal taxes to be paid by the company and compound that $6 million a year at 3½ percent interest. The FPC accountant admitted that in order to be fair this should be done. That was brought out when he was questioned by the Senator from Utah. That computation alone would amount to more than $209 million over a 50-year period. This $809 million gain by Government would be in comparison with the so-called eighty-odd million dollars loss to Government.

On the other hand let us consider the $50 million of nonreimbursable costs of Federal development as proposed under S. 555, and start compounding that to see where we come out. That, according to my mathematics, would be about $279 million, and I am just using the same kind of arithmetic that the lobbyists for public power and the chief accountant of the FPC use. This shows what the nonreimbursable features of Federal construction alone would cost the taxpayers over a 50-year period—of course, it goes on forever.

Now, let us turn it around and talk about benefits to Government by company construction. It is estimated—and these are Army engineer estimates—that benefits from flood control would amount to $1 million per year, that benefits from fish and wildlife would be approximately $200,000 per year, and that benefits from navigation would be approximately $100,000 a year. These are just a few of the benefits that would accrue from company construction. Let us start compounding these, and at the end of 50 years we will come up with a figure of $175 million for the national benefits due to company construction. I might add that this has nothing to do with added power capacity available for defense production or taxes that the company will pay.

The point I am trying to bring out, Mr. President, is that one can take mathematics or figures and prove almost anything. But the important thing is what one starts out with as basic assumptions. No one denies the ability of either the public power lobbyists or the chief accountant of the FPC to multiply and add, but the important thing is, what assumptions did they use when they started out? Are their assumptions valid, Mr. President? I say to the Senate that they are ridiculous. Answers are bound on one side of the ledger, which absolutely disregard any benefits that accrue to the Federal Government on the other side.

Now, Mr. President, the Washington lobbyists of REA and the Public Power Association figure that the cost to the Federal Government from this rapid amortization in connection with the Idaho Power Commission development amounts to some eighty-odd million dollars. And the chief accountant for FPC verifies those figures. It is strange to me that he goes right along with the public power crowd, when it is perfectly obvious that all one has to know are the simplest rudiments of economics and finance to know that the assumptions started off with are ridiculous. It would seem to me that the chief accountant would have gone a little deeper into this question, that appears on the surface. One cannot figure deficits without figuring benefits, but this is something that was obviously ignored.

Now, Mr. President, I want to bring up a ridiculous and utterly absurd question of the compound interest theory on benefits to the recipient of rapid amortization certificates. The public power lobbyists—and I might say that the chief accountant of FPC agrees with their arithmetic—argue that the benefits to the company from these rapid amortization certificates are some $339 million—from these taxes that are deferred by the Idaho Power Co. for 5 years, then paid back in higher taxes during the next 45 years.

No one denies that all these deferred taxes are paid to the Government in full, but while the company is paying these taxes over the 45 years it is said to have made $339 million on the side from the earnings in interest on the original amount of the taxes deferred.

How is this done, Mr. President? By taking their tax deferrals and the earnings thereon each year and investing them in new utility property and making 6 percent on it, and then reinvesting this 6-percent profit and making 6 percent on that, and so on year after year ad infinitum. I do not know why they stop with 50 years, because this process would go on forever.

The story goes, Mr. President, that they put this money to work, they earn on it, they get earnings from it, they get income from it.

The claim is made, Mr. President, that the owners of the company—the stockholders—make all of this money. Those making these claims know, or should know, that that cannot happen. In the first place FPC itself and practically all of the State regulatory commissions have ordered that these tax-deferred funds cannot be paid out in dividends. Secondly, the Idaho Regulatory Commission requires that any savings in interest costs that result from the use of such funds in the business by the company will redound directly to the benefit of the consumers in the form of cheaper finance cost. Moreover, the representatives of the Idaho Power Co. have openly explained that they will use their tax deferrals to reduce their outstanding debt. It is clear, therefore, Mr. President, that there will be no mysterious earnings of enormous sums of money.

Even if the earnings did compound, Mr. President, one simple, obvious, and absolute fact that all these figuring statisticians have overlooked is that we have a Federal income tax in this country. The overall corporation rate, as we all well know, is that the corporation pays 52 percent out of every dollar of net taxable income that it makes. Uncle Sam takes 52 cents and the corporation keeps only 48 cents. Now, this $339 million which the public power lobbyists and the chief accountant of FPC say the corporation will make, Mr. President, is all income. The Idaho Power Co. has to earn it all and keep it all, because the story goes that at the end of the 50-year period it is all still there, invested in utility property—every dollar of it—and that is, of course, the $339 million benefit to the company.

Perhaps these so-called economists and statisticians have not heard about the income tax—at least they forgot about it—because this $339 million represents the 48 cents out of every dollar that the Federal income tax will permit the company to keep.

At least some of the mathematicians overlooked this plain and obvious fact because they were more interested in propaganda than in facts. If the Idaho Power Co. was benefited to the extent of $339 million from the 5-year partial tax deferral, all of which was later repaid, then during the same period the Government was also benefited to the extent of $367 million in income taxes that the company would have had to pay in order to retain the $339 million that it earned and put to work at 6 percent in new property investment. And remember this represents only part of the revenues paid through company development. So, however we figure it, if the company benefits the United States gets a much greater benefit due to the fact that the company did benefit.

Of course, Mr. President, even if you assume these incredulous earnings first you have to assume that the minute this saving, or the interest thereon, becomes available, the company has an immediate investment to put the money into and that that money immediately begins to earn and return the full 6 percent. Of course, if the company puts the money into new plant it takes a certain time to build a new plant and earnings cannot start until this new plant is built and in operation, a factor that anyone who knows anything about new plant construction knows is an absurdity to start with. Who knows, Mr. President, whether the company, prudently and realistically speaking, will need all this additional and increasing plant investment over a period of 50 years? I am sure the company cannot tell you that.

Mr. President, on June 5, 1957, at pages 8378–8379, I inserted in the RECORD some discussion between the Senator from New Mexico and a Mr. Robinson, a staff engineer with National Rural Electric Cooperative Association on the subject of earning a 6-percent return on investments. Mr. Robinson had been testifying about this big "bonanza" the company was going to get by investing its tax deferrals at a 6-percent compounded return. He had the company making some $338 million profit over the 50-year period.

The Senator from New Mexico, a cosponsor of the pending bill (S. 555), is also a good businessman. He could not swallow such absurd assumptions. He jumped Mr. Robinson on this question and said, "But you cannot figure that somebody is going to invest his money so it makes 6 percent."

Furthermore, Mr. President, the assumption is based upon the company being guaranteed a 6 percent return on its investment. Mr. President, one thing that these proponents of public power forget is that the company has no assured earnings of any percent on its investment at any time. Under some corporation commission laws companies are entitled to earn up to 6 percent or maybe more on their invested capital. But this is no assurance. The company has to justify its investment and justify its operating expense. If the company has not been prudent in its investments it may not be entitled to earn anything. There is no assurance of any income. And this is another fallacious assumption of those who go into the wild blue yonder in their calculations of company returns.

You would have a hard time convincing some of the owners of utility stocks during the depression years that the companies had any guaranteed earnings. If the big war loads drop off in the Pacific Northwest and the company should lose that outlet for power and lose its irrigation pumping loads because of some national situation, do you think the regulatory commission would let it double or triple its rates to make some set earnings on its investments? Certainly not, Mr. President, and if the Commission did let it so increase rates, who would or could afford to buy the power?

Mathematics can do anything, Mr. President. It is not hard to sit down and become a millionaire, on paper, of course, in the chicken business. All you have to do is take the eggs laid and the chickens hatched, let them lay some more eggs and hatch them and then raise them up and sell them at a certain profit, and you can become rich. But just get out and try it.

Mr. President, in these remarks, I have answered some of the latest charges that have been drummed up to stop the progress of free enterprise and load the overburdened taxpayers with further unnecessary expenditures. Technical questions have already been thoroughly debated on the floor of the Senate. I have purposely refrained from rehashing all of these old questions at this time. I would like to see us vote on the question and get it behind us once and for all so we can proceed with important business. But I understand, Mr. President, that some of our colleagues have expressed their intention of discussing all phases of the question at some length. If they do, I give notice right now that there assertions are going to be answered. I am against a Federal development at Hells Canyon, Mr. President, and the facts and the record bear me out. Otherwise I would not have the temerity to take up the time of the Senate in further discussion.

I feel that the case was well made last year. The situation has not changed one iota. The situation today calls for a resounding vote against the waste of taxpayers' money in the reaches of Hells Canyon.

EXHIBIT I

PROPOSED HELLS CANYON DAM

Mr. GOLDWATER. Mr. President, I rise in opposition to S. 1333, a bill which will be under consideration later this week. I apologize for making this speech today. I would rather have made it during the debate on the bill, but because of the limitation of the time for debate, I shall be unable to do so.

Had this proposed legislation been allowed to proceed through the ordinary and customary legislative channels, it would never have been on this calendar. The full committee that was asked to pass final judgment on the bill last year, after reviewing all of the testimony and argument pro and con, voted against reporting it to the Senate. This year, however, the Democratic national chairman, Mr. Paul Butler, declared in a letter to the leaders of both Houses that this was a "must" piece of legislation in order to enhance the chances of reelection of one of our colleagues. I may be naive in my inexperience in this body, but I do not believe it has ever come to my attention before that a chairman of one of the two major political parties exerted such power over the leadership in the Congress that they are willing to go around the customary procedures in order to satisfy Mr. Butler's desires. Certainly the Constitution does not prescribe that this power should exist, and I do not believe the people of the United States are particularly pleased with the idea that such control is in effect.

The committee of Congress which was charged with the responsibility of listening to the testimony and passing on the merits or demerits of it refused to report the bill. The fact that the committee membership was changed is not of extreme importance and is not deserving of mention at this time, for the change was probably a natural one, occasioned by the untimely death of two of our beloved colleagues. But to barter one piece of legislation against another, with the suggestion that one, a highly desirable and long-needed act, might not be favorably looked upon if this particular bill, S. 1333, were not reported, is a maneuver that smacks of six-gun technique and is not, in my opinion, in conformity with the best standards of the Senate. Our distinguished majority leader has termed it legislation from the heart. I agree with the heart part of it. It would put a knife right through the heart of our private enterprise system. I am amazed that this body of lawmakers should even entertain proposed legislation having the far-reaching implications of the bill before us. Frankly, I am somewhat astounded when I look over some of the names of the distinguished Senators who sponsored it.

We are considering a development which private industry is not only willing and able to build, but is actually well in the process of building, and we are standing on the floor of the Senate debating whether we should take it away from private enterprise and build a monument to Federal fiscal folly. It is a development which the Federal Power Commission, a nonpartisan Federal agency, well staffed with career technicians, after 12 months of public hearings and 20,000 pages of testimony, unanimously decided should be built by the Idaho Power Co.

The Federal Power Commission was brought into being by Congress to make just such determinations. Not only that, but the act plainly states in section 28 of part I that a license granted by the Commission cannot be altered, amended, or revoked after it has once been issued without the mutual consent of the parties thereto.

ficit has realized substantial benefits which absolutely disregard any benefits money.

The utilities rely on these licenses in planning their future requirements and financing such undertakings. Now we are debating whether we should pass legislation which will tell the utilities that a Federal license is not worth the paper it is written on. This is something in which all of us should be interested. If a Federal license authorizing a power development is no good, what value has any Federal license? What value have radio, television, oil leases, and any other free-enterprise undertakings which are under Federal regulation? Passage of this proposed legislation would mean the beginning of the downfall of all Federal regulation.

Of course, it will not happen, at least not during this session of Congress, but I should like to suggest that there come before the Senate a bill to authorize the nationalization of all the electric power industry of the United States. Then we could have a yea-and-nay vote and see who stands for what. There is not a Member of the Senate who does not profess to stand for free enterprise, but there are entirely too many Members of the Senate who cast votes at every opportunity for proposed legislation which, if enacted into law, would gradually destroy free enterprise. Many Members of this body, Mr. President, have voted in favor of every public power bill which has come before the Senate, and sponsored or supported many other bills which have never gotten past a committee assignment. Many of those Members are sponsors of the bill now before the Senate. Let me tell my friends who continually support Federal power legislation that they can destroy our free-enterprise system bit by bit just as surely as they can in one overall action. The only difference is the timing. The bit-by-bit method is just as sure, but it takes a little longer.

In the early thirties only seven-tenths of 1 percent of the electric power in the United States was produced by the Federal Government. In 1953, 12.4 percent of it was produced by the Government. Presently authorized developments would increase the Federal power production by an additional 24,557,000 kilowatts, or 20 percent of the present total capacity. During this period, 190 electric companies have been taken over in whole or in part by some form of Government ownership. This is all a direct result of the Federal Government's activities in the field of electric power. In other words, for the past several years we have been chiseling away at our private-enterprise system bit by bit under the guise of flood control, navigation, and so forth. Now the public-power advocates are getting bolder. They want the Federal Government to spend tax funds to build an all-out hydroelectric power project—one that could not by the farthest stretch of the imagination be justified under flood control, navigation, or irrigation; a project already authorized by a Government agency for private development; a development well under construction by that private company; a project that could not get the authorization of the Congress during the heyday of the New Deal-Fair Deal.

What kind of politics are we playing, Mr. President? I do not have to think back very far to remember when a great deal of to-do was made over a $2,500 campaign contribution—in fact, so much to-do that this body created a special committee of four distinguished Senators to make an investigation of the affair. But we have quit playing with marbles now. We are playing with hundreds of millions of dollars which are squeezed out of the taxpayers—my constituents and yours. Bringing this bill up for consideration is politics in its rawest form, and nothing else. I am a Republican, but I would condemn my own party for such tactics just as I am now condemning some members of the other party. When we sink to such a low in this country that we have to resort to squandering tax funds to try to win elections, we are in a sad plight.

The taxpayers rely upon us, the elected representatives, to protect their interests, and it is certainly not to their interest to spend tax dollars to buy elections. We are not going to betray that solemn trust, Mr. President. Thank God, there are enough statesmen on both sides of the aisle to stop this scandalous waste of public money.

I have in my hand, Mr. President, a tabulation showing what this boondoggle would cost each State. I also hold in my hand a copy of the bill we are considering, with a list of its sponsors. Some of the names on this list are a mystery to me.

Any Senator has a perfect right to, and should, sponsor and support any proposed legislation which he believes to be to the national interest. But what national interest is involved in subsidizing the electric bills of some power consumers in Idaho?

I notice that the distinguished senior Senator from Illinois [Mr. DOUGLAS], a noted economist, is one of the sponsors. It is hard to reconcile his position on this bill with the fact that time and again on this very floor I have heard him offer amendments to cut appropriations for projects which had some merit. I am sure the Senator was sincere in his efforts to save the taxpayers' money on these other appropriations, so why does he now propose spending more than $38½ million of Illinois money to subsidize some power bills for people in the Pacific Northwest? Illinois people get their power from private industry; they are not asking anyone else to help pay their power bills. Are the people of Illinois that interested in electing or defeating some candidates for public office?

Another sponsor of the bill is the distinguished junior Senator from Michigan [Mr. MCNAMARA], who is now occupying the chair. The people of Michigan finance their own utilities through private industry, and their power bills include 25 percent for taxes. But their junior Senator is willing to tax his constituents to the tune of almost $29 million to furnish some tax-free power to people in the Far West.

I am not surprised to note that the distinguished and generous junior Senator from New York [Mr. LEHMAN] is a sponsor. He has been supporting legislation for years to give his taxpayers' money to other sections of the country to build their TVA's, Bonnevilles, and so forth; so another 76 million New York State dollars for Idaho does not mean much to the wealthy State he, in part, represents. It is a heavily industrialized State, so I am sure it can afford to spend its tax dollars to subsidize power in other areas so as to strengthen the position of the poorer areas in competing for some of New York's industries.

Both of the distinguished Senators from Oklahoma favor the pending proposed legislation, but it will only cost that wealthy oil State $5 million, and I am sure that is peanuts to them; but $5 million of tax funds still is not hay in Arizona.

In going over the list of sponsors, Mr. President, I do not think I should leave out the distinguished senior Senator from West Virginia [Mr. NEELY]. The economy of his State depends largely upon the coal industry, and that industry is sick. We hear a great deal of talk about limiting oil imports because of the effect of foreign oil upon our American coal industry. I might suggest to my friend from West Virginia that cheap oil is necessary if private industry is forced to complete with tax free subsidized Federal power.

Here is West Virginia sitting on top of the finest coal fields in the world. It should have an advantage over almost any State in producing cheap power. It should be in a very good competitive position for industries. But is it using that competitive advantage to increase its industrial strength? No, Mr. President; its senior distinguished representative in this body supports subsidized Federal hydroelectric power so that industries which might otherwise settle in this State are attracted to the cheap Federal power areas.

I might suggest to my friends who are supporting a Federal development at Hells Canyon that the tax dollars they are so willing to send from their States to help pay the electric power bills for some Idaho folks would build a lot of roads, schools, hospitals, and other needed additions in their own States.

In most of the States represented by sponsors of this proposed legislation the people finance their own power requirements through private industry, and pay their fair share of taxes in their power bills. But that does not satisfy some of my colleagues from other States, they want a benevolent Federal Government to use their constituents' taxes to do a job in Idaho which the Idaho people are willing to do for themselves.

I want to make it crystal clear, Mr. President, that no Member of the Senate is a stronger advocate of irrigation, reclamation, flood control, and other beneficial conservation uses of land and water resources than the junior Senator from Arizona, and the record will bear out that statement. If irrigation is needed for the economic growth of any area, I will support it. If flood control is needed, I will support that, too, although I believe that those benefited should bear a part of the cost. If hydroelectric power can be developed economically and sold to help defray the costs of irrigation and flood control, I will support that. And if there was—but there is not—an area in the United States that needed electric power, and private industry was unable or unwilling to supply it, I would favor the Federal Government going to the assistance of that area.

But in the legislation pending before the Senate, Mr. President, we have no irrigation, we have no navigation benefits, and we do not have enough additional flood-control benefits even to discuss. We have an all-out Federal hydroelectric power project—nothing more, nothing less. The Idaho people do not need the taxpayers from other States to help them build their power requirements or help pay their power bills. They are taking care of their own requirements and building these dams now with private enterprise dollars, not tax funds; yet here we are talking about stopping them and letting Uncle Sam do it for them.

Mr. President, in all my experience I have never encountered so many misstatements of fact as have been made, and so much misleading propaganda as has been put out, on the Hells Canyon Dam issue. But we are going to clear up this fog of propaganda and look at the facts.

The most misleading statement we hear—and I am being very kind when I call it only misleading—is the comparison of the amounts of power between the two methods of development. In speeches and in print, some of the most vociferous proponents of a Federal development charge that Idaho Power Co. is developing only one-half of the power potential of this site. They conclude, therefore, that the Government is giving away half of the power potential of the best remaining power site in the country.

When they get down to quoting figures to try to prove this erroneous claim, they go back to the hearings held before the Federal Power Commission and drag out some figures which purport to show that the Federal high dam would produce 924,000 kilowatts and the 3 company dams would produce only 505,000 kilowatts. That is just about like saying that John Jones' orchard produces 20 tons of grapefruit per acre a year because it produced that much 1 year when weather conditions were perfect, and

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the mutual consent of the parties thereto.

that Bill Williams' orchard produces only 10 tons per acre a year because that is what it produced the year of the big freeze.

This comparison appeared in a statement, obviously prepared by Government dam advocates, which the senior Senator from Washington [Mr. MAGNUSON] had printed in the CONGRESSIONAL RECORD, volume 101, part 6, page 7523. The same comparison appears in another statement, the authorship of which was not disclosed, inserted by the senior Senator from Oregon, in the CONGRESSIONAL RECORD, volume 102, part 8, page 10211.

As the installed capacity of the Federal dam is to be only 800,000 kilowatts, any statement that its power output would be 924,000 kilowatts obviously bears looking into.

Both figures—924,000 kilowatts for the single dam, and 505,000 kilowatts for the 3 dams—are referred to in the tentative decision of the Federal Power Commission hearing examiner. The examiner, however, made no such comparison. He made it very clear that these 2 figures represent 2 entirely different things, which are in no way comparable. The 924,000-kilowatt figure for the high dam represents not only the power output at the single dam itself, but also power assumed to be produced at downstream plants, and "allocated" to the Federal Hells Canyon as a result of the release of its water held in storage. In the second place, the 924,000-kilowatt figure for the single dam is based on so-called nominal prime power, which assumes conditions of most favorable river flow. This power is not firm, Mr. President; it is not dependable. It is power that might be there in some years and will not be there in other years.

To make matters worse, the estimated, assumed downstream power generation, credited back to the single dam, came from 8 so-called downstream plants—5 of which are not even in existence. Construction of only 1 of these plants—Ice Harbor—has barely begun. The other 4—John Day, on the Columbia; and Little Goose, lower Granite, and lower Monumental, on the lower Snake—have not been started; no appropriations have been made for their construction; and some of them may never be built. The construction cost of these dams has been officially estimated at over half a billion dollars. So there go a lot more tax dollars, Mr. President, if any of those kilowatts are ever to be realized.

On the other hand, the 505,000-kilowatt figure used for the 3 dams—as the examiner's opinion and exhibits before the FPC make clear—is at-site production only, with no consideration given to downstream power generation from storage releases, and is based upon assumed conditions of critical streamflow in a low-water year. These Federal power advocates cannot live on facts, Mr. President; they have to pick out a figure here and a figure there. It makes no difference that the figures relate to two different things, just so long as they can be quoted to serve their purpose.

During all of the period since 1949, when bills to authorize the Government dam have been before Congress every year—and have consistently failed of passage—so many estimates have been made of its power capacity, that a review of such estimates is enlightening. It seems that the power capacity at Hells Canyon is however many kilowatts it takes to justify the Federal development.

When the Hells Canyon Dam was still part of the Army's program, the Corps of Engineers' power estimate for the Government dam is contained in the 308 Review Report on the Columbia River, volume VIII, page 4066. In that official document, 602,000 kilowatts was estimated as the capacity of the Hells Canyon plant at site. The reports also gave it credit for 199,000 additional kilowatts at downstream plants—the same 8 plants referred to above, 5 of which are not built. That made a total of 801,000 kilowatts, both at-site and downstream.

But—and this is important, Mr. President—included in this figure was the power from a second smaller dam at Hells Canyon, just downstream from the high dam—a reregulating dam to level out the water surges in the river that would be caused by the operation of Hells Canyon.

That additional reregulating dam and the powerplant, which the Army said was necessary, were estimated to cost approximately $50 million at that time. Of course, they would cost considerably more now. Somehow, the need for the cost of a reregulating dam have been lost in the shuffle, since the Bureau of Reclamation took over Hells Canyon from the Corps of Engineers. This is just another of the cost items that does not show up in a project proposal until after the Congress has been sucked into an authorization. But, Mr. President, you can bet your last bottom dollar that this oversight would be discovered once the main dam was under construction.

The 801,000 kilowatts of prime power which the Army engineers attributed to Hells Canyon, including downstream power at other plants, also included 100,000 kilowatts from the regulating dam, which the Bureau has managed to drop out of the picture. Actually, therefore, the estimate for the Hells Canyon Dam alone was only 701,000 kilowatts, based upon the Army engineers' studies as contained in the 308 report.

The Bureau of Reclamation, in its own report on the Hells Canyon Dam—House Document No. 473, 81st Congress, 2d session, volume 2, page 196—estimated only 854,000 kilowatts for the single dam including downstream production. But that was not enough to sell the idea to Congress, Mr. President; so in a supplemental typewritten report, approved by the Secretary of the Interior on May 11, 1951, they increased the high dam's output to 1,430,500 kilowatts. That report is the one now referred to in section 1 of S. 1333 and its identical companion bills in the House.

The report itself admits that all the power that the Hells Canyon plan could produce would be only 688,000 kilowatts—less than half the total amount of prime power which the report claims. All the rest of it was to come from these 8 downstream plants, of which, let me repeat, 5 are not built, and based upon a so-called incremental nominal prime power theory, which, as hereinafter mentioned, Federal Power Commission engineers have denounced as improper for comparative purposes.

Even the Federal dam enthusiasts could not support such a ridiculous figure, Mr. President; but the report is still referred to in the present bills. On March 31, 1950, in the House hearings on H. R. 5743—identical in purpose with the present bills—a Bonneville Power Administration witness came down into the stratosphere with another estimate of 1,124,000 kilowatts—again claiming only 688,000 kilowatts for the Hells Canyon Dam itself, and relying on the assumed 8 downstream plants for the remaining 436,000 kilowatts of incremental nominal prime power.

Incidentally, the same witness, the power manager for the Bonneville Power Administration, also made it clear that in a low-water year such as 1936–37, his 688,000 kilowatts of nominal prime power was an average for 9 months of the year only; and that during the 3 months of the year required to refill the reservoir, the actual power production from the high Government dam would have to be cut down to only 66,000 kilowatts. In other words, when a low-water year came along—which is not too infrequent—you and I could run our refrigerator and turn on our lights for 9 months, and then could use them for less than 10 percent of the time for the remaining 3 months. What kind of power is that, Mr. President? It is not firm and it is not prime. The very best we can call it is interruptible.

In the New York Times, on August 19, 1955, a letter to the editor was printed, written by the junior Senator from Oregon. The Senator defined prime power as "power available almost 365 days a year." An output of only 66,000 kilowatts—from an 800,000-kilowatt powerplant—during 3 entire months of a low-water year presents an interesting comparison with the astronomical figures of prime power available almost 365 days a year, which the advocates of the Federal dam have put forth in so many varying amounts. This well illustrates the fallacy of the incremental nominal prime power method of approach, upon which the Government dam advocates pin all their assumed power output figures for the single dam, but not for the three dams. The Federal Power Commission's regional engineer in charge of its San Francisco office, testified at the FPC hearing that, "You can't use the incremental approach correctly" to evaluate or compare mutually exclusive projects—that is, projects in the same reach of the river, where only one can be built.

I should like to hear some of these Federal power advocates explain some of this nominal prime power, or the "almost 365 days a year power" of the Senator from Oregon, or "now you have it and now you don't power" whichever one chooses to call it, to some chicken hatchery people with incubators full of eggs, or dairy farmers with a herd of bawling cows on their hands and no one at the dairy who knows how to handmilk, or to some irrigators whose crops are burning up because there is no power with which to pump water. The public power zealots would get a free lesson in what constitutes firm power, and probably would pick up, in the bargain, a few choice words for their vocabulary.

The FPC engineering staff made a 44,000 man-hour study of the entire Hells Canyon problem, which was presented to the Commission by three FPC engineers, with numerous supporting exhibits. These men are career men, Mr. President. They are expert technicians—not political engineers. The testimony of these men was that the actual dependable power capacity from the Hells Canyon Dam, would be only 785,000 kilowatts, and that the average output from the high dam would be only 634,000 kilowatts. Remember there is quite a bit of difference between average and dependable. Why have these figures been so studiously ignored in the statements which the proponents of the Government dam have been supplying to Congress and its committees? Why were the Power Commission staff engineers, career men who are experts in this field, not called by the subcommittees in the House and Senate hearings a year ago, and only Bonneville and Bureau of Reclamation witnesses called instead? The Federal Power Commission heard all the witnesses—those from BPA and the Bureau of Reclamation, as well as their own FPC engineers. The answer, of course, is that proponents of the high dam are obviously trying to present only one side of the case, and to obscure the actual facts.

Mr. President, there is only one agency of the Government that is in a position to give a fair and impartial judgment of all these questions. That agency is the Federal Power Commission. It is the bipartisan agency created and delegated by the Congress, in the Federal Power Act, to decide these complex questions. Every one of its five members was confirmed by the Senate. It has no ax to grind. As it stated in its license decision, its sole duty under the Federal Power Act was that of "determining what is the best plan of development."

The FPC heard all the evidence, on all sides, in a hearing that lasted over a year, and the record of which includes almost 20,000 pages of testimony as well as some

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450 technical exhibits. It heard the Bureau witnesses, the Bonneville witnesses, the Army witnesses—experts of every kind, including three of its own staff engineers.

It concluded that the three-dam plan covered by its license to Idaho Power Co., was "best adapted to a comprehensive plan of development" of the river; and that "The United States itself should not undertake the development of the water resources of the Hells Canyon reach of the Snake River for public purposes."

The FPC found that the dependable capacity of the 3-dam licensed project will be 767,000 kilowatts. This figure compares with 785,000 kilowatts for the proposed Government dam, a difference of only 18,000 kilowatts, or about 2.3 percent. Thus, although the Government dam would cost approximately a quarter of a billion dollars more than the FPC-licensed project, it would provide only 18,000 kilowatts more, measured in terms of actual dependable capacity. This represents a cost of about $14,000 per kilowatt for the additional dependable capacity—about 100 times what it would cost per kilowatt to build steam capacity to offset it.

In summarizing its findings, the FPC stated that on an equal basis of comparison, "the power features of the 1-dam plan have no clear economic advantage over those of the 3-dam plan." The Commission further found that "the ratio of power benefits to power costs of the 3-dam plan is greater than that for the 1-dam plan."

The comparison of 924,000 kilowatts for the Government dam, as against 505,000 kilowatts for the FPC-licensed 3-dam project, has been used time and time again by those who are attempting to obtain authorization of the Federal project. Such a pretended comparison is not only misleading as to power output, but is also further misleading because of the effect that these figures have upon the purported comparison of power costs—another fallacy which advocates of the Government dam have given wide publicity and distribution.

The farfetched comparison, appearing in the table in the CONGRESSIONAL RECORD, volume 102, part 8, page 10211, is the statement that the cost of power from the Government Hells Canyon Dam would be only 2.7 mills per kilowatt-hour, while that from the FPC-licensed 3-dam project would cost 6.69 mills per kilowatt-hour.

Mr. President, I am rather apologetic about taking up the Senate's time on this subject. It is so ridiculous on the face of it. Here is a project built by an electric company that is going to cost $133 million as compared with a Federal project that is going to cost about 3 times as much. They both produce about the same amount of power. But we are told that the power produced by the power company will cost 2½ times as much as that produced by the Government. It is time for a real investigation if the Government is subsidizing Federal power to that extent, unless someone is naive enough to believe that the Government is several times as efficient as private industry.

In order to recognize the absolute and utter misinformation in the statement that power from the Government dam would cost 2.7 mills, one has only to look at the paragraph numbered 3, following the tabulation. In one breath, it says that the power will be generated at 2.7 mills; and, in the next, that it will be available to serve loads at "slightly over 2 mills per kilowatt-hour." All in one and the same sentence, Mr. President. And then another paragraph goes on to tell how there will be available power revenues to subsidize irrigation.

So we produce power at a cost of 2.7 mills, sell it for slightly over 2 mills, pay off the power investment in 50 years, and still make enormous power profits to subsidize irrigation. Are these people trying to make us believe that the Government can sell at a loss and still make a profit?

Mr. President, how far can we go with this big-lie technique?

At the Senate subcommittee hearings on S. 1333, at page 271 of the printed record, a statement was made to the subcommittee by the distinguished senior Senator from Oregon [Mr. MORSE]. Governors Smylie and Langlie, of Idaho and Washington, had presented some figures against the Federal dam which the Senator did not like. The Senator from Oregon said:

"Let me state to the people of my State, your Senator is going to continue to stand on the figures of the Army engineers and the figures of the Reclamation Bureau engineers."

Very well. Mr. President, what did the Bureau of Reclamation say as to the cost of power from the Hells Canyon powerplant?

According to the Bureau of Reclamation report, the cost of firm power from the Government Hells Canyon Dam would be 4.4 mills per kilowatt-hour (H. Doc. No. 473, USSR rept., vol. 2, pp. 189, 202). That is what the Bureau of Reclamation engineers, to whom the distinguished Senator referred, said in their official report that Hells Canyon power would cost in order to pay out the project—not slightly over 2 mills, nor even 2.7 mills, as this pretended comparison would lead one to believe, but 4.4 mills per kilowatt-hour.

Where, then, did the 2.7-mill figure, which appears in the tabulation (CONGRESSIONAL RECORD, vol. 102, pt. 8, p. 10211) come from? It came from a statement in the FPC examiner's preliminary opinion that firm power from the Government dam would cost approximately $23.80 per kilowatt-year, as compared with the present Bonneville rate of $17.50 per kilowatt-year. Dividing $23.80 by 8,760—the number of hours in a year—we arrive at 2.72 mills. However, to get this figure of $23.80 per kilowatt-year the examiner had to use the 924,000 kilowatt nominal prime power output for the Government dam, that is, at-site production plus assumed production at 8 downstream plants, 5 of which are not built, in a high-water year; and it is furthermore based on 100 percent load factor, which assumes that a power customer uses his peak-power requirements continuously, 24 hours a day around the clock, for 365 days a year. We do not have that kind of customers, Mr. President, and the Snake River does not flow that kind of water. Actual power use, except for a few selected industries, is an approximately 60- to 70-percent load factor, which makes the cost of power correspondingly higher.

Turning now to the other side of the comparison, it is said that 6.69 mills is the cost of power from the FPC-licensed 3-dam project. This figure also comes from the examiner's tentative opinion; and, as he clearly pointed out, it was based upon 505,000 kilowatts of at-site generation only. The use of these incomparable power-output figures in itself makes the pretended comparison of power costs invalid and worthless.

But, Mr. President, that is not all. For his estimate of construction cost of the 3-dam licensed project, upon which the 6.69-mill power cost is based, the examiner chose a figure of $191,328,000. Both the company and the contractor, which is now constructing 2 of the powerplants, at Brownlee and Oxbow, estimated the cost of the 3-dam project at $133 million. In using the highest figure available for the cost of the three dams, the examiner said that it "would provide the greatest margin for error"—certainly a novel basis for factfinding.

For his annual operating costs for the three-dam project, the examiner adopted an even greater differential, for what he called a margin of safety. His estimate of annual operation and maintenance costs for the three-dam project was admittedly higher by far than Idaho Power Co.'s. Actually, they exceeded those of the power company, based on its operating experience, as well as estimates submitted by Major General Robins, formerly of the Corps of Engineers, as the examiner said, "by about 370 percent."

For his costs of transmission of the power from the three dams to market areas, the figure used by the examiner resulted in a cost of 1.8 mills per kilowatt-hour for transmission alone. This is approximately double the costs estimated by Idaho Power Co., and approximately 50 percent higher than average transmission costs anywhere in the Northwest.

Obviously, Mr. President, if construction costs estimates are arbitrarily increased by 44 percent, if operating costs estimates are quadrupled, and the estimated cost of transmission is doubled any power can be priced out of the picture. This type of estimating the company's plan is highly satisfactory to the Federal power advocates, but when they start estimating costs for the Federal project they take off in the opposite direction and the taxpayer usually gets hooked for a lot more than he originally contemplated.

It thus appears that the purported comparison of 2.7 mills, as against 6.69 mills, was based entirely upon choosing the most favorable figures which could be found anywhere in the record for the Government dam, as against the worst possible figures available for the three-dam project.

According to the examiner's computations in the examiner's opinion, it appears that the estimated cost of power from the 3 dams would run from a minimum of 2.72 mills to as high as 4.82 mills per kilowatt-hour, depending upon which estimates were chosen for annual fixed charges and operating costs. As pointed out, the examiner selected the highest possible figures for the three-dam project, in order to provide the greatest margin for error.

The examiner also pointed out that the FPC staff assigns a cost of 6.69 mills per kilowatt-hour to the output of the 3-dam plan. An examination of the record, however, shows that this figure was based upon 66.2 percent load factor.

To summarize this pretended comparison of 2.7 mills for the Government dam, as against 6.69 mills for the Idaho Power dams, we have the following:

For the Government dam: At-site plus assumed downstream production, in a high-water year, and assuming 100 percent load factor use by customers.

For the 3-dam project: At-site production only, in a critical water year, and the FPC staff made it clear that their 6.69-mill cost was based upon use of power at only 66.2 percent load factor.

The FPC staff estimate of the cost of power from the 3 dams at 6.69 mills, at 66.2 percent load factor, is equivalent to only 4.43 mills at 100 percent load factor—almost identical with the 4.4-mill cost of power from the single dam, as referred to in the Bureau of Reclamation report. In other words, the estimated cost of power from the two plants of development will be almost identical, even accepting the fact that estimates for the Federal dam are put forth in their best light and those of the company dams in their worst.

But, and listen to this, Mr. President, the Idaho Power Co.'s present rates in its 1955 reports on file with the FPC show that its sales of power to other utilities and large industrial users average from 2.5 mills to 4.8 mills per kilowatt-hour, depending upon size of load and amount of use. Officials of the company testified that the 3-dam project can be built for less per kilowatt of installed capacity than the cost of many of the powerplants now in its system; that power from the 3 plants would be salable at from 4 to 5 mills, and that it could be sold

under the company's existing rate structure, the actual rate depending upon size of load and load factor.

Furthermore, it should not be overlooked that included in these rates is a substantial taxload which the licensed project will have to pay, and which the Federal dam will avoid. The FPC reports show that in 1955 the utility company paid over $6,790,000 in taxes—about 31 percent of its total gross revenue.

The proponents of the Federal dam have mixed feelings about the examiner and his decisions. They blow hot and cold on him. They quickly adopt some of his computations, like those referred to above—but only those which suit their purposes. The others, they blithely ignore. To his proposed decision, they objected violently. Here are some of the things they said about him when their lawyers filed their exceptions to his opinion: They called the findings irresponsible guesswork. They said his conclusions were based on dubious assumptions and tealeaf prognosis. They even said that his analysis of the law was a diametric perversion. But they hang onto his power output and power cost computations—even with the examiner's clear explanation of them—like a drowning man clutches at a straw.

Mr. President, another subject which has been quite controversial is the question of cost of constructing the two plans. The tabulation in the CONGRESSIONAL RECORD, volume 102, part 8, page 10211, shows the cost of the Federal dam, without transmission lines, as $308,473,000. This is compared with $175,766,000 as cost of the three-dam plan. The figures for the company's 3 dams is the one used by FPC in its licensing order, which the Commission pointed out was 28 percent higher than the estimates of the power company and the contractor that is now building 2 of the dams.

I wish to point out, Mr. President, that the contractor who prepared the estimate and is now building the dams is one of the largest in the world and has probably built more dams than any other contracting company. The company's and the contractor's estimate for the three dams is $133 million, and I am reliably informed that construction is proceeding well within cost estimates.

Whence came the $308,473,000 figure for the high dam?

Not from anything in the FPC record. There, the sworn testimony of Government engineers was that the Hells Canyon Dam would cost $356,810,000 based on January 1952 prices; and that, at present-day price levels, it would cost $399 million.

In the tabulation, immediately following the $308,743,000 figure for the Hells Canyon dam, there appears a quotation picked at random from the examiner's decision. The apparent implication, of course, is that this cost figure came from the examiner's findings. This is another example of the misleading use of figures which the proponents of the high dam have foisted upon Members of Congress, to have printed in the CONGRESSIONAL RECORD and then used for publicity purposes.

Neither the examiner, nor the Commission, made any such finding, nor referred to any such figure; nor is there anything in the entire FPC record that even approaches any such figure. What did the examiner find?

The examiner found that the capital cost estimated by the Bureau of Reclamation for the high dam project (exclusion of fish facilities) is $383,570,000, based on January 1952 prices.

This, of course, is one of the examiner's findings which the proponents of the Government dam so studiously overlook and so blithely ignore.

Mr. President, so many estimates of the cost of the Hells Canyon dam have been given to the Congress, that a brief review of the question will be enlightening.

When the Hells Canyon dam was being considered by the Corps of Engineers, as officially reported on in the 308 report—House Document 531, 81st Congress, 2d session—the cost estimate made by the Army engineers appears in volume I of the report, at page 216, and again, in detail, in volume IV, page 1499. Including interest during construction, and a downstream reregulating dam which the Corps of Engineers determined was necessary to level out the water surges from the Hells Canyon powerplant, the cost of the Hells Canyon project was estimated—at 1948 prices—at $372,863,000.

Later, the Hells Canyon dam was transferred to the jurisdiction of the Bureau of Reclamation, and in their exhaustive and detailed report—House Document No. 473, 81st Congress, 2d session—in volume II, pages 181 and 182, their cost estimate of the dam was $433,660,000, including transmission, and estimate was also based on construction cost levels which existed in 1948.

Later, in May 1951, the Bureau of Reclamation estimated the cost of the powerplant alone, without transmission lines, at what the Commissioner of Reclamation reported to be 1951 price levels, at $356,810,000.

At the FPC hearings on the proposed 3-dam project, the Bureau of Reclamation sent their chief estimator from their main office in Denver to testify. His testimony was given under oath. He said his estimates were based on construction costs as of January 1952. He further testified that the records of the Bureau indicated that a 4-percent increase in the estimate would be necessary to bring it up to then current levels. That appears in the FPC transcript of the hearings, volume 77, pages 9786 and 9787.

The chief estimator from the Bureau of Reclamation then testified that the cost of the Hells Canyon Dam was officially estimated at $356,810,000, based on 1952 prices. The basis for all items comprising the estimate were given in great detail. But the above did not include any allowance for interest during construction, which would be at least another $26 million to $27 million—see 1955 Senate hearings on S. 1333, pages 451 and 452. In the power-cost studies made by the FPC's engineering staff, the Bureau's estimated figure of $356,810,000 was used, interest during construction was added, and it was adjusted to current prices by adding the 4 percent which the Bureau admitted was a proper allowance for rise in cost levels, bringing the cost of the high dam, exclusive of fish facilities, to $399 million.

But, Mr. President, according to the table in the CONGRESSIONAL RECORD, volume 102, part 8, page 10211, we find that the Hells Canyon Dam will now cost only $308,473,000. And again, this purported estimate does not include interest during construction.

The genesis of this estimate is in the testimony of this same Bureau of Reclamation engineer, given when he appeared at the Senate subcommittee hearings on S. 1333—pages 428 and 478—on May 2, 1955, a year ago. In the morning of that day, this witness appeared and claimed that construction cost levels were lower than in 1952, and he reduced his cost estimate from $356,810,000 to $353,740,000, based on April 1955 prices.

The tabulation appears in the printed hearing record at page 428. The witness made it clear that this figure did not include any allowance for transmission lines and, again, it included nothing for interest during construction. That was during the morning session of the subcommittee hearing.

In the afternoon, following the luncheon recess, this same witness came back to the witness stand. He then stated that he had prepared "a revised cost estimate based on experience gained at Hungry Horse." As a result of this experience at Hungry Horse this witness then said that he thought that Hells Canyon could be built for $308,473,000, roughly, $308,500,000.

It would, indeed, be interesting to know what happened to the witness during the lunch hour. Who talked to him? Who called him back to testify again? When was this new estimate prepared? Obviously, Mr. President, this new figure was not an estimate at all, as all the witness did—hearing record, page 478—was to reduce some of the items of cost by percentage figures.

What was the experience at Hungry Horse that brought about the witness' sudden change of mind during the noon recess at the hearing, to the extent of $45 million? If a comparison of the original estimates for Hungry Horse, made to obtain project authorization, with actual completed project costs means anything at all, the estimate for Hells Canyon should have been increased substantially, instead of being reduced to the tune of $45 million.

The Analysis of Cost Increases of Reclamation Projects, published by the Bureau of Reclamation under date of May 5, 1953, tells the story.

Hungry Horse was originally authorized in 1944, on the basis of a cost estimate prepared by the Bureau of Reclamation, in the amount of $48 million. Although the project was authorized in 1944, necessary appropriations were not obtained and work was not started until 1947. By this time, the Bureau of Reclamation had changed the plans, increased the height of the dam by 20 feet—after Congressional authorization had been safely obtained—and their estimate of the project costs had nearly doubled—from the $48,319,000 to $93,500,000.

Later, as the Bureau of Reclamation report shows, and in spite of the fact that several structural and engineering modifications of the dam were made, which actually decreased the construction cost by over $5,400,000, the project cost estimate, by 1954, had again increased by another $10 million, to $102,900,000. So if we are going along with the Bureau estimator, based on Hungry Horse experience, maybe we should double his estimate instead of reducing it.

That is the basis for the $308,473,000 figure which appears in the table, which the senior Senator from Oregon [Mr. MORSE] caused to be printed in the CONGRESSIONAL RECORD for June 13, 1956, at page 10211.

The Senator from Oregon should check his figures. He, too, had appeared as a witness before the Senate subcommittee, at its 1955 hearings on S. 1333—page 453. There the Senator himself stated that according to the latest figures the Hells Canyon Dam and powerplant will cost $356,810,000; transmission lines, $144,274,000; additional turbines and generators at downstream dams, $53,707,000, for a total of $559,791,000, in round numbers.

I am sure, Mr. President, able lawyer that he is, the Senator is not a construction estimator so he must have obtained these figures from reliable sources and, in fact, they are subject to verification in numerous official studies and reports made by responsible officials of the Bureau of Reclamation.

Again, it must not be overlooked—see hearing report, pages 451 and 452—that the above figures which the Senator gave to the subcommittee do not include interest during construction, estimated at between $26 million and $27 million. So, according to the Senator's own figures, and they are the official figures of the Bureau of Reclamation, the total cost of the Hells Canyon Dam—including transmission lines, and the additional turbines and generators that would have to be installed at downstream dams in order to obtain the 924,000 kilowatts of power output referred to in the tabulation—would not be $559,791,000 as he stated, but—using the lowest figure for interest during construction, hearing report, page 451—would be $586,321,000.

But, Mr. President, the Hells Canyon powerplant and transmission facilities are not all

that S. 1333 and companion House bills would authorize. Also included are 2 additional powerplants on Scriver Creek, estimated to cost another $52,134,000. In the controversy over Hells Canyon, this part of the bill has been completely overlooked. And when you add the reregulating dam below Hells Canyon, which the Army engineers said was necessary and which I am sure the Bureau of Reclamation would find necessary, after the project was started, of course, you add another $50 million.

When we talk about authorizing S. 1333, Mr. President, we are not talking about $308 million—we are talking about over twice that much—almost $700 million.

Mr. President, my colleagues who are really interested in reclamation and irrigation had better look this one over for a long time before authorizing a power project that will eventually require $700 million of Federal funds. This one will separate the true friends of reclamation from advocates of all-out Federal power. Over a period of the past 10 years the Bureau of Reclamation has received in appropriations for construction purposes about $1,950,000,000, an average of $195 million a year. If we authorize the Hells Canyon development, and I must assume that those in favor of authorization are in favor of appropriating the money to build it, it will mean that approximately $87 million a year will come out of the Bureau construction funds for this power project. We need not delude ourselves. The Bureau of Reclamation will only get so much money each year for construction purposes and every cent of that money used for a strictly power project is just that much less money for irrigation.

Irrespective of his ideology on the private enterprise versus Government socialism of the electric industry, I fail to see how any true friend of reclamation can support diverting funds from the limited appropriations granted reclamation to build Federal power projects unless his belief in this socialistic endeavor is so fanatical that he is willing to make any sacrifice to further its cause.

Mr. President, erroneous statements of power costs, construction costs, and available capacity are not the only misstatements of fact the proponents of a Federal development at Hells Canyon have used in an attempt to mislead the people on this subject. We continually hear the charge that the Idaho Power Co. is a foreign corporation. I thought I had put the quietus on that sort of humbuggery when I inserted in the CONGRESSIONAL RECORD, volume 102, part 8, pages 10804–10805—an exchange of correspondence between Mr. T. E. Roach, president of the Idaho Power Co., and the senior Senator from Tennessee [Mr. KEFAUVER], in which Mr. Roach completely refuted any such charge. But the Federal power advocates continue the charge in their speeches and their publications.

Mr. President, we in public life should be very careful of our public utterances. We are privileged to represent the people in a very distinguished position. The dignity of the position demands such respect that people are likely to accept what we tell them as fact, unless they have had the opportunity to study the subject and know otherwise. So we owe the public a solemn duty to be sure of our facts when making public statements. It is embarrassing to go back to our public and tell them something we had stated as fact we later found was not true. Too many are prone to let the first statement ride without correction, hoping that it will not come back to haunt them and that is particularly true if the erroneous statement was effective in helping their side of an issue.

I do not know where this charge of foreign corporation leveled at the Idaho Power Co. got started, but I do know that the charge originated in order to prejudice the people against the company. Of course, the word "foreign" could leave several implications. Some might think that some foreign government owned this company, and I am sure that impression would be all right with the originators of the charge, for that would certainly increase the prejudice. On the other hand, some may think of that sinister group located in an area bounded on the south by Philadelphia, on the north by Hartford, on the east by the Atlantic Ocean, and on the west by some line not many miles inland, as foreign. But the Idaho Power Co. was incorporated in Maine. Possibly there are some who still think of that State as foreign although they would not turn down her delegates' votes when seeking high office at the national convention of their party.

I am sure, however, that if pinned down, the originators of the charge "foreign" would say they meant that the local people served by the company did not own it lock, stock, and barrel. Well, I wonder if there is any utility operation, whether it be public or private, where the local people served put up all of the money to finance it. When municipalities, public utility districts, and State authorities issue revenue bonds to finance their utilities, they sell the bonds to investment houses, most of them located in the area I bounded a few minutes ago. Private companies finance their expansion by issuing stocks and bonds and by distributing them to the public through investment houses.

I am certain that the people of Idaho have invested many times the interest in the Idaho Power Co. that the 1.17 percent interest the people of Tennessee have invested in the Tennessee Valley Authority represents.

And if Congress is ever so foolish as to permit the TVA to issue revenue bonds, I feel sure the bonds will be sold to the general public through the channels of investment houses. I would also wager that when the bonds were distributed, the ownership in Tennessee would not exceed the present 1.17 percent. I am sure also that if someone called the Tennessee Valley Authority a foreign corporation, the senior Senator from Tennessee [Mr. KEFAUVER] would be the first one on his feet protesting in righteous indignation, despite the fact that the people of Tennessee had only put up 1.17 percent of the investment.

Every director and every officer of the Idaho Power Co. lives in the area served by the company. The company was incorporated in Maine in 1916 for good and sufficient reason, as explained in Mr. Roach's letter, but the company has to conform to the corporation requirements of every State in which it operates.

Mr. PAYNE. Mr. President, will the Senator yield?

Mr. GOLDWATER. I yield.

Mr. PAYNE. Those good and sufficient reasons are undertaken by a good many other corporations, too, because of the very favorable climate in Maine for the organization of corporations.

So far as Maine being in a foreign country is concerned, it is true that in 1936 there were some persons in the United States who thought Maine and Vermont were in foreign countries and outside the borders of the United States. But since that time, I am happy to say, the other 46 States generally have seen the wisdom of joining us, so that we are all one country at the present time.

Mr. GOLDWATER. I am grateful to the distinguished Senator from Maine for explaining to our colleagues in the Senate what I mean by a proper climate for corporation formation. I happen to know something about the desirable climate of Maine for that purpose, because in connection with the incorporation of my own firm we looked into Maine very thoroughly. However, we went to another State for reasons which were good and sufficient unto us.

Mr. President, the company has wisely refrained from the foolish expenditure of $300,000 to change the place of incorporation, which would serve no useful purpose, never dreaming that anyone would direct prejudicial charges at it for not having done so.

Mr. President, while talking about misleading statements and erroneous information, I also invite your attention to the charge of little dams. Every statement I have heard and every article I have read in opposition to the company's development has referred to the three little dams. The junior Senator from Oregon [Mr. NEUBERGER] referred to them as pygmy dams. What impression does the expression pygmy leave with you? If I referred to dams as "pygmy dams," I would be thinking in terms of somebody's stock water tank. I feel certain the junior Senator from Oregon would not be too disappointed if the people got the same idea from his description of the three company dams.

What will be the size of the three company dams, Mr. President? The Brownlee Dam, 1 of the 3, will be among the 15 largest in the United States, and there are a great many dams in this country. It will be 395 feet high. What is pygmy about that? The Oxbow Dam will be 205 feet high, and the Hells Canyon 320 feet high. What is pygmy about those dams, Mr. President? Those are big dams, all three of them. So why should the public-power advocates continually refer to them as three small dams, and why should a United States Senator continue to call them pygmy dams?

Another thing on which proponents of a Government Hells Canyon Dam are trying to mislead us, Mr. President, is flood control. One would think that if the Government did not build the dam, the whole lower valley of the Columbia River would be flooded out. Well, only recently there was a flood out there—the third largest on record. The Army engineers and the United States Geological Survey made their computations. One can read all about this in the Oregon Journal of June 19, 1956.

The record shows that, if high Hells Canyon Dam had been in existence, the flood crest at Vancouver would have been reduced by eight-tenths of a foot. It also shows that the Brownlee Dam, one of the company dams, would have reduced the crest by six-tenths of a foot—only two-tenths of a foot less than the high Hells Canyon. Mr. President, that is less than 2½ inches. Have we become so free with the taxpayers' money that we are willing to spend a quarter of a billion dollars more than the company is spending for less than a 2½-inch reduction in a flood crest? How wild eyed can we get?

I commend the Oregon Journal article to you Senators. It goes on to say that if Pleasant Valley Dam on the Snake River, for which the Pacific Northwest Power Co. is now seeking a license, is built, it, together with the Idaho Power Co. dams, would give control equal to that of a high Hells Canyon Dam.

When we consider navigation, the company plan is superior to the Government plan. The Army engineers say that navigation requires a minimum release of 5,000 second-feet. The company plan contemplates exactly that, while the release from the Government dam would vary down to less than 2,000 second-feet.

The company plan is far superior for fish, wildlife, and recreation. Two of its lakes will be at a constant elevation, while the elevation of the third lake formed by the largest of the dams will fluctuate within reasonable limits. The elevation of the water in the lake to be formed by the high Federal dam would fluctuate as much as 289 feet. Anyone who has had experience with lakes subject to large drawdowns knows that such lakes are very unsatisfactory for fish propagation and recreation facilities. Recreation facilities at water's edge at one time may be miles from water at another time, with nothing but mud flats in between.

Another old, wornout charge which we continually hear from the Federal Hells Canyon people is the cry of "giveaway". What is being given away, Mr. President? The company is not being given any water. As a matter of fact, if some of the water the company is depending upon is used for irrigation upstream at a later date, the company will simply be out of luck. It is not being given any concrete or any equipment. No, Mr. President, the company is not being given anything. It is simply permitted to spend money, money invested in the company by American citizens who have confidence in its management to build facilities to supply American people with a very necessary service. The company pays taxes to the local, State, and Federal Governments at the rate of 31 cents on every dollar it collects for this service and the investors pay taxes on the dividends and interest they collect from the company for money they have invested to finance these facilities. The company also provides for public benefit flood control, navigation, and recreation without cost to the Federal treasury.

Mr. President, the people who finance the company facilities do so willingly. But what do the Federal High Hells Canyon people want? They want to take our taxes, yours and mine, from citizens all over the country, although they may be unwilling, and invest this conscripted money in an undertaking that will and should be constructed by local people through private enterprise. And that is not all: The power from this Federal facility would be tax free. Although built with the confiscated taxes of all the people, this proprietary business venture would pay no taxes. It would dodge paying its fair share of the very taxes that would be used in part to build it. And that is still not all; the power produced at this Federal business undertaking would be reserved for distribution by public agencies that also dodge taxes.

No, Mr. President, we who favor private financing and construction of the Hells Canyon reach of the Snake River are not favoring a giveaway of anything that belongs to the people. We are opposing a takeaway of something which belongs to all of the people, namely their money, taken away from them by taxation.

It is extremely hard for me, Mr. President, to follow the philosophy of these Federal power proponents, the reason being that it is inconsistent and simply does not make good sense.

They claim that private industry is not doing the job; that it is necessary for the Federal Government to step into the business of producing electric power. And that applies whether it is hydro or atomic energy. They are always visioning power shortages. And yet every time private industry starts an undertaking, these same Federal power advocates leave no stone unturned to oppose private industry. We have it now on the Hells Canyon issue. They fought that before the Federal Power Commission, are fighting it in the courts, and are now fighting it before the Congress. The Pelton development is the same story. It was fought before the FPC, then in the courts, and now before the Congress. John Day, Trinity, Pleasant Valley, Mountain Sheep, and others are all objected to by this same group of individuals and organizations.

They say, "the Government has got to do it because private enterprise cannot, or will not, but if private enterprise tries we will fight it every step of the way—through the commissions, through the courts, and through the Congress." Mr. President, what kind of reasoning do you call that? Do you have any question as to why I have a difficult time trying to understand it?

They claim that natural resources belong to all of the people, so only the Government should develop them. Of course, now they are talking mostly of water, and in particular hydroelectric power. But I am sure that once they put their water philosophy across, the next step will be toward coal, oil, gas, land, and other resources. But aside from that, they claim that when these resources are developed, the electric power should be made available to a selected few of the citizens—only 20 percent of the total—who are supplied power by some form of Government operations.

Mr. President, what kind of philosophy is that? The resource belongs to all the people, so it should be financed by tax money from all of the people, but the benefits should go tax free to a privileged minority of the people. Mr. President, are you now beginning to get the idea of why I have such a hard time understanding such illogical arguments?

Another thing these Federal power advocates argue, Mr. President, is that electric power is such an essential commodity to our way of life that it should be made available to all our people in ample quantities at a cheap price. I agree that electric power is an essential commodity, but I also know that it is cheap now—the cheapest element in our family and industrial budget. I know, too, that it is not Federal competition that has made it cheap. It is cheap because of technological advancements made by private industry over the years.

But how sincere are these people, Mr. President? They say an abundance of power is needed; yet they do everything within their power to stop development of additional power, even in areas threatened with a power shortage. That is what they are trying to do at Hells Canyon now, and in other places in the Pacific Northwest. They would rather see a power shortage than have private industry develop the supply.

And what about the cheap part? The only place they want to see cheap power is where it is subsidized with tax funds; otherwise why do they contest private industry's attempts to develop a source of cheap power for their customers?

Moreover, Mr. President, when the Federal power advocates talk about making cheap power available, one would think they were talking about making it available to the little fellow—the homeowner. But, Mr. President, as soon as the power is available they start talking about getting industries into the area. Of course, it does not matter that the industries would come from other areas or would otherwise locate in other areas where electric power is supplied by privately financed electric companies. No; it is perfectly proper with them to use tax-free subsidized Federal power as the bait to entice industries to locate in the Federal power area. They do not recognize the fact that it is the industries which use the power that get out of paying the taxes on it—industries which compete with other industries, some with their power bill subsidized by the Federal Government as against others which pay their full share of taxes on the electric power they use. What kind of Americanism is that, Mr. President? Is it any wonder that I have a hard time finding any logic in their arguments?

There is still another contention, Mr. President, and that is we have to have Federal power in order to furnish competition with power companies and hold rates down—a yardstick, so to speak. But what kind of a yardstick do these people want to use? Is the measurement by the same standards? Oh, no, Mr. President, I find that the Federal power advocates have two standards of measurement—a 36-inch yardstick for the power companies, and a 20-inch stick for the Government power. We were not taught to measure in that fashion by our forefathers who established our form of government. In their philosophy a yardstick was a full 36 inches and all citizens were measured by the same standards.

For the past several years we seem to have accepted the two units of measurement concept. As taxes on the power companies have increased and subsidies to Federal power operations have increased, the yardstick applied to Government power has become shorter. If we continue this trend, it will be only a matter of time until electric utilities in this country will be in Government ownership and operation. That is nationalization of a basic industry, Mr. President. After taking the step with one industry, it will be only a matter of time until we nationalize other basic industries. Passage of S. 1333 would be a big step in that direction. If we are ready to stop private development at Hells Canyon and launch the Federal Government into an all-out proprietary business undertaking, I can see no end in sight.

Mr. President, I have put in a great deal of study on this Hells Canyon question. I have read most of the statements and claims of the proponents of the bill, and I have studied the hearings held before the Federal Power Commission. In this speech I have cited misstatements of fact, misleading representations, and pure distortions of the truth. I have yet to see or hear one statement—I repeat, one statement—by the proponents of this proposed legislation purporting to be fact that will withstand the light of impartial analysis. I have reviewed some of the arguments advanced in favor of Federal power and shown them to be illogical, discriminatory, and entirely foreign to the basic concept of our free-enterprise system. I hope and pray, Mr. President, that this, the greatest deliberative body on earth, will rise above partisan politics and bury once and for all this un-American attack on our free-enterprise system.

Actions speak louder than words, Mr. President. By the yea-and-nay vote on this bill, we shall know those who truly believe in our present system and those who would launch the Federal Government into foreign ideologies which have proved the downfall of every government that has tried them.

VISIT TO THE SENATE BY SENATOR MILADY L'OFFICIAL OF THE DOMINICAN REPUBLIC

Mr. JOHNSTON of South Carolina. Mr. President, I should like to introduce to the Senate a distinguished visitor, Senator Milady L'Official of the Dominican Republic, who is accompanied by Miss Maria Perdomo, First Secretary of the Dominican Embassy.

The PRESIDING OFFICER. May the Chair state, in behalf of the Senate, that we are delighted to have these distinguished visitors with us. [Applause, Senators rising.]

FIFTEEN-HUNDRED-DOLLAR BILL STUNS PARENTS OF RESCUED BOY

Mr. PURTELL. Mr. President, in the course of our daily lives, we have become accustomed to the ordinary run of what may be termed the usual quota of sensational news in our daily papers. If we are seasoned, we discount the sensations and put them in proper perspective in the day's news.

But on rare occasions we come upon an item that touches the heart and excites the emotions because it is so unusual.

Such an item was printed in the Nation's newspapers this morning. It shocked me profoundly because it seems to be a callous affront to the whole character of our people.

Let me recount briefly the circumstances on which this morning's item is based.

Some 5 weeks ago, little 6-year-old Benjamin Hooper, while playing in the yard of his parents' modest home, fell into and was trapped in a well his father was digging. Frantic efforts of his father to release him proved unsuccessful and the community of Manorville, Long Island, became aroused at the boy's plight.

Firemen, policemen, public-utility workers, and hundreds of others from the local and surrounding communities literally dropped everything and concentrated on preventing a tragedy in the lives of this little boy and his parents. Searchlights, oxygen supplies, earth-moving equipment, and other materials were rushed to the wellhead to aid in the rescue.

The plight of the boy and the desperate fight of his rescuers to release him before life was choked out of him drew the attention of the Nation. Bulletins appeared hourly on the radio and television and newspapers reported progress of the rescue. Soon the whole Nation was aroused to this small human tragedy being enacted in Long Island. Thousands of messages of hope, courage, and sympathy poured into the home of his parents. Bibles, prayerbooks, cards, toys, and small sums of money came spontaneously from the hearts of people in every section of the country and millions of prayers were offered in churches, homes, and places of work.

The boy's rescue seemed hopeless as method after method failed to bring satisfactory results. Finally, a countershaft was sunk and buttressed parallel to the well where the boy was trapped. A continuous shift of handworkers operated around the clock to dig a lateral tunnel to the well imprisoning the boy. It was as if God were watching over the youngster because after interminable hours, in which he could hardly be expected to live, he was finally reached and lifted out alive. The whole country breathed a sigh of thankfulness and of gratitude to those who toiled to free the boy at what was truly a miracle rescue.

Little Benny Hooper was rushed to the hospital and remained there for 7 days while a case of pneumonia was counteracted. Today, the boy is healthy and well and another tragedy which wrung the heartstrings of our people had been averted.

I wish I could say this was the happy end of this episode. It could have been the end of it, but for the shocking item in this morning's news. This item bears the headline: "One Thousand Five Hundred Dollar Doctor Bill Stuns Parents of Rescued Boy."

It seems that Dr. Joseph K. Kris, who was described as a volunteer and who attended the boy all during his ordeal and in the hospital afterward, feels that Benny Hooper's tragedy is just another commercial call. It is he who sent this $1,500 doctor bill to the parents of the boy.

I do not doubt that Dr. Kris performed the services stated in his bill. He says his colleagues told him he would be foolish not to present a bill. He says that his time is worth $30 an hour; and he probably feels generous in charging only half of what his 100 hours of service would have amounted to.

I cannot believe that this represents the thinking of the medical profession today. I am sure that it does not represent the traditions of that great profession.

But, Mr. President, this is not an ordinary case. The Nation was aroused over this impending tragedy. Over 200 workmen rushed to the scene and gave of their time freely. These volunteers worked more than 23 hours around the clock. The hospital made no charges for the 7 days the boy had to spend there. Dr. Kris himself was listed in the newspaper accounts of the event as among the volunteers.

A Negro worker, Sam Woodson, took on the extra dangerous task of going through the small, unstable lateral tunnel to reach the boy. He had worked around the clock at the well and risked his life to rescue the boy.

Not one of all these people whose sympathies were aroused by the plight of this little boy ever thought of asking a penny's compensation. None rendered a bill for services or risk of life.

Only Dr. Kris seems to think that this was a case within the routine run of medical business. His bill for $1,500 has stunned the modestly situated parents of Benny Hooper.

From all reports of their circumstances, they cannot possibly pay this bill. They have already suffered much in damages to their property, unexpected loss of worktime and wages, not to mention the shock of the tragedy to their emotions and health.

Yet, they are now faced with this medical bill which would be large even for many in far better circumstances.

Mr. President, if this doctor must exact the last pound of flesh from the practice of his profession, perhaps we can prevail upon the thousands of people whose hearts were touched 5 weeks ago to make one more display of America's great reputation for human kindness. I think we ought to appeal to them to take up a collection to pay this doctor what he feels he must get from this tragedy. And I am willing, out of the outrage to my soul, to subscribe the first $50 to such a fund.

Mr. THYE. Mr. President, will the Senator yield?

Mr. PURTELL. I yield.

Mr. THYE. I too read the same article to which the Senator from Connecticut has referred. It was as shocking to me as it was to my colleague, the distinguished Senator from Connecticut.

I am glad the Senator has spoken as he has on the floor of the Senate, voicing his sadness and indignation that such a bill should be rendered to these unfortunate parents. I thought that the colored man who lay in the tunnel, digging with his bare hands in trying to protect the little boy and to free him from the entrapping sand, was probably rendering a greater service than the doctor who controlled the valve at the oxygen tank.

I commend the Senator for having spoken as he has. It had to be said, and the matter had to be brought to the attention of the public, in order to show just exactly what this doctor is doing.

Mr. PURTELL. I am about to finish my remarks. I call attention to the article in the newspaper which quotes the doctor as saying: "He must be a great boy. He takes things as they come." I am glad the doctor at least recognizes this virtue in someone else.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. PURTELL. I yield.

Mr. PASTORE. If I may give a little bit of advice, it would be that the Hooper family consult their legal aid society to determine their legal responsibility for the bill. If the doctor volunteered his services and he served as a volunteer, and there was no intention at the time that he be compensated for his services, and the family understood at the time that they were not to pay him, there is no legal responsibility in the premise. I think they ought to take it up with the local legal profession. I know that there are throughout the country local legal agencies to assist people who cannot afford to pay for legal services. The parents can get such legal advice by applying to the local legal aid society.

Mr. PURTELL. I do not know under what circumstances the doctor was called to render his professional services. I assume that the legal profession in the neighborhood will advise the parents of the boy. All I know is that they got a bill from the doctor for $1,500.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 10, 20, and 28 to the bill, and concurred therein, and that the House insisted on its disagreement to the amendment of the Senate numbered 1 to the bill.

The message also announced that the House had passed a bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 7125) to make technical changes in the Federal excise tax laws, and for other purposes, was read twice by its title and referred to the Committee on Finance.

THE UNITED NATIONS SPECIAL COMMITTEE REPORT ON THE HUNGARIAN UPRISING

Mr. JAVITS. Mr. President, we have before us today one of the most epoch-making reports which has ever been issued by the United Nations, and the Senate certainly should give it the strictest attention. It is a report issued by the United Nations Special Committee on the Problems of Hungary, which exposes the tragic crimes committed against the people of Hungary by their Soviet masters and the real masters of Hungary.

What makes it so significant is that the factfinding committee is composed essentially of small powers—indeed, some powers which may have been considered neutralist—and therefore the report is weighted on the side of complete objectivity. I believe that the names of the men who served on the committee, to whom the world is greatly indebted, should be mentioned. They are Alsing Andersen, of Denmark; Mongi Slim, of Tunisia, a new country; Enrique Rodriquez Fabregat, of Uruguay; and R. S. S. Gunewardene, of Ceylon.

The Soviet Union has been trying very hard to throw a great deal of dust in the air in an effort to deny that it was enslaving its satellites and had repressed Hungary by force.

We now have an objective finding by four distinguished men from small countries, who state that this was one of the high crimes and misdemeanors committed against mankind.

Our State Department has expressed the view—and it is a view which I believe the Congress should endorse—that this report stands as a grave indictment of Soviet misdeeds in Hungary and of the repression which has been ruthlessly applied in that unfortunate country at Soviet direction.

Everyone of us in the Congress should back the proposed action of our country, which, according to the State Department, is that we shall seek all practical redress of the wrong that has been committed, in violation of the principles of the United Nations and of elemental requirements of humanity.

Mr. President, I hope that every power in the world which favors mediation between the United States and the U. S. S. R. as to international tensions will be clear eyed enough to see that mediation is open only when nations have clean hands, and that the Soviet Union must come into the court of mankind with clean hands and must cleanse itself of the crimes against the people of Hungary.

CONSTRUCTION OF HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. NEUBERGER obtained the floor.

Mr. KEFAUVER. Mr. President, will the Senator yield so that I may suggest the absence of a quorum?

Mr. NEUBERGER. I would do so ordinarily, and I appreciate very much the Senator's courtesy in that respect. However, the majority leader said earlier today that a great many Senators were eager to vote before very many more hours of the afternoon had elapsed, because many of them had made commitments over the weekend. For that reason, if it is agreeable to the Senator from Tennessee, I should like to save the time of the Senate by not asking for a quorum call at this time. I am afraid a quorum call would consume too much of the fleeting time which remains for the disposition of the bill.

Mr. KEFAUVER. Of course I shall abide by the decision of my friend, but we could have a quorum call started and call it off at any time, if necessary.

Mr. NEUBERGER. I appreciate the Senator's courtesy. However, since the majority leader stated earlier today that he wanted to save time, I should like to proceed without a quorum call, which would perhaps produce a larger attendance on the floor, but I appreciate the Senator's kindness.

Mr. President, one of the most urgent reasons for passing the bill for a high dam at Hells Canyon is to protect one of the last great upland wilderness realms remaining within the borders of the United States.

Let me explain what I mean. The people of the Pacific Northwest are entitled to flood-control safeguards and to hydroelectric power for industries, farms, and homes. In the Senate, on June 1, 1955, the prediction was made by me that if this flood control and power were not obtained at Hells Canyon, a move would develop to obtain it by desecrating the vast Clearwater-Salmon River solitudes. This is the only part of the fabulous Lewis and Clark trail, from St. Louis to the Pacific's shores, which is still in its original primeval grandeur.

Unless the high Hells Canyon Dam is built, I fear that the scenery, wildlife, migratory fisheries, and wilderness majesty of this unparalleled region will be sacrificed to reservoirs providing power and flood control.

This is no idle or academic fear. It is desperately real. Indeed, it is upon us now. My prophecies of 2 years ago have materialized even earlier than I thought they would.

Bruces Eddy Dam on the north fork of the Clearwater River actually has been authorized by the Senate—over my strenuous objections, I might add—and now is pending in an omnibus bill before the House Public Works Committee.

Mr. THYE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. THYE. I am not familiar with the valley, except as I have looked at it on the map. Is Bruces Eddy below the Hells Canyon area, or above it?

Mr. NEUBERGER. Bruces Eddy is in the Snake River Valley, which is a part of the Columbia Basin. However, Bruces Eddy is a part of the Clearwater River system. It is on the North Fork of the Clearwater River, not far from Lewiston, Idaho. Lewiston, Idaho, is about 100 or 120 miles below the site of the proposed Hells Canyon Dam.

Mr. THYE. That was my understanding as I studied the map. It is a little difficult for me to associate the importance of Bruces Eddy from a conservation and wildlife standpoint in relation to the Snake River and the Hells Canyon installation.

Mr. NEUBERGER. If the Senator from Minnesota will listen to my remarks a little further along, I will attempt to make the association for him. I might say, in very brief reply to the question he has voiced, that Bruces Eddy, Penny Cliffs, and Nez Perce, all projects which would be immensely injurious and perilous to wildlife, have been proposed as alternatives to Hells Canyon, so that the flood control and power lost by the abandonment of the Hells Canyon site would be recovered at the alternative sites in the same river basin.

Mr. THYE. Would the construction of a high dam in Hells Canyon on the Snake River foreclose any future possibility of developing either Bruces Eddy or any of the other installations?

Mr. NEUBERGER. It would not impose any legal restrictions on such development, but it would make less likely, certainly for a good many years in the future, that there would be pressure on those sites for power and flood control, because the high dam at Hells Canyon would provide an additional supply of both.

Mr. THYE. My questions are in the interest of seeking information, not in an endeavor to obstruct. My understanding is that the power requirements are such that there is a need for only two installations by Idaho Power Co. at present, and that the third is a matter for the future. That is the information which the Federal Power Commission has in its records, as it was read to me when I sought information on the floor less than an hour ago.

Mr. NEUBERGER. There must be a need for more power, because the Bruces Eddy project, which is opposed by virtually every great outdoor conservation group in America, has already been authorized by the Senate in an omnibus public works bill.

Mr. THYE. Is the Bruces Eddy project strictly a power development, or is there some flood control feature involved in it.

Mr. NEUBERGER. At Bruces Eddy both power and flood control are involved, although to a substantially smaller degree than at the proposed high dam at Hells Canyon.

Mr. THYE. What is the distance in actual mileage between the Hells Canyon Dam site and Bruces Eddy?

Mr. NEUBERGER. They are not on the same tributaries.

Mr. THYE. I grant that, but I am speaking of geographics—distances in miles.

Mr. NEUBERGER. I would have to estimate it cursorily. It would be probably 120 miles, as the crow flies, over the mountains. There are several great mountain ranges intervening, such as the Seven Devils.

Mr. THYE. This is strictly rugged terrain, is it?

Mr. NEUBERGER. Very rugged.

Mr. THYE. Therefore, to construct transmission lines would be almost impossible. To attempt to transmit current from Hells Canyon over the mountains into the valley of Bruces Eddy would not be practicable. Therefore, Bruces Eddy, for the purpose of the generation of electricity, is not a site from which power could be wheeled by transmission lines over the rugged terrain of the mountains.

Mr. NEUBERGER. I think the Senator from Minnesota misunderstands the manner in which the power would be used. There is no need for power at Bruces Eddy, which is located in a vast wilderness. The power would be generated there, but it would be carried downstream by transmission lines and put into the general Bonneville pool system, perhaps at Lewiston, Idaho.

Mr. THYE. Is not the distance from Bruces Eddy to the Bonneville system closer by 100 miles than to Hells Canyon?

Mr. NEUBERGER. No, not at all. Hells Canyon, if I am not mistaken, is west of the Bruces Eddy area, and is therefore closer to Bonneville. These areas are in very high mountains, not necessarily on the same tributary of the Columbia.

I do not see what the Senator from Minnesota is driving at, because all the power from the proposed Federal projects in this area would go into the Columbia River system.

Mr. THYE. The Senator from Minnesota is not driving at anything; he is trying to draw from a vacuum of considerable confusion, caused by varying statements of first one Senator, and then another, who has spoken, information concerning the installations and the generating potentials of Hells Canyon, Bruces Eddy, and other locations in that vast area. I am asking the questions only to get as much information as I can. I am not driving at anything.

Mr. NEUBERGER. The proposed projects are on different tributaries, but they are a part of the general Columbia River system. If one project is abandoned, or if one project is ruled out because the site is taken over for a smaller capacity of generation by a private utility company, pressure will immediately spring up in the region to utilize less favorable sites because of the need for flood control and power.

One paragraph I was about to read, when the Senator asked me his very valid question, bears directly on this point.

Mr. THYE. If the Senator will bear with me, and will permit me to ask one more question, some conservationists, sportsmen, and other persons who have been most influential and helpful in the development of the wilderness area of northeastern Minnesota have written to me, expressing great alarm over the danger of destruction to wildlife, game, and fish which may be involved if the high dam is not constructed. I have endeavored to gather all the information available to determine why they have such a fear. In the event Idaho Power Co. were permitted to proceed with the construction of its dams, why will they involve the jeopardizing of wildlife, including game and fish, in the entire network of streams in the vicinity of that area of the Nation?

Mr. NEUBERGER. I know the Senator from Minnesota, who is an ardent conservationist, is concerned with the future of wildlife and fish. The best analogy I can make is that when Meriwether Lewis and William Clark, the first Americans who went west with our flag, came through the very region of which we are speaking, they were short of game; they had nothing to eat. They were starving. They found no wild-game animals while they crossed the Bitterroots. They had to kill their horses for food. That is the best parallel I know of in this situation. Because of a lack of game, they resorted to eating their horses. Because of a lack of good power sites, people today may be goaded into using sites which will endanger our wildlife.

The Hells Canyon site is a site from which, if the high dam is built, the people of the great Northwest can obtain hydroelectric power and flood control to a high degree. If that site is abandoned and the high dam is not built, pressure will spring up, and has already started, to get alternative kilowatts of power and also flood-control advantages at sites in the region which will do great damage to migratory fish, big game animals, and wilderness areas which have been dedicated for recreation. That is the specific situation involved in this controversy.

Mr. THYE. I thank the Senator from Oregon.

Mr. NEUBERGER. In a letter from a White House administrative assistant to seven Pacific Northwest Senators, both Bruces Eddy and the Penny Cliffs Dam, the latter across the beautiful Middle Fork of the Clearwater, have been proposed as alternatives to Hells Canyon.

Furthermore, the staff of the Federal Power Commission has recommended the Nez Perce Dam as another alternative to Hells Canyon. This dam would imperil the great Chinook salmon pilgrimages of the Columbia Basin.

These alternatives, if carried out, would spell the doom of the scenic and wildlife resources to which I have referred. Bruces Eddy will choke off steelhead migrations and will flood the winter feeding grounds of our Nation's largest surviving elk herd. Penny Cliffs will thrust a reservoir into the marvelous Selway-Bitterroot wilderness area; it would create an impounded artificial lake along the crystal-clear Lochsa Fork of the Clearwater, which has been spared in its primeval state ever since the great explorers, Meriwether Lewis and William Clark, trudged down its shores a century and a half ago, with the American flag.

All of these adverse effects upon our last great timbered frontier of mountains, uplands, and wilderness could be avoided if only the high dam at Hells Canyon is built. At Hells Canyon, through the erection of the Government dam, we can obtain in the future an ultimate 1,122,000 kilowatts and 3.8 million acre-feet of flood-control storage.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. MORSE. First, I wish to thank my colleague once more for the great leadership he is extending to our State and our country in regard to the issue of full river basin development.

Mr. NEUBERGER. The real leader in this fight is the senior Senator from Oregon, as he has been for many years.

Mr. MORSE. No; we have teamwork in this matter. I wish to develop, if I may, a few questions with my colleague, concerning what I consider to be needed answers for the RECORD to a couple of objections I have heard to the high dam proposal.

One of them is the so-called inflation objection, namely, that the authorization of Hells Canyon dam at this time might increase inflationary pressure.

The first question: Is it not true that for some time past we have suffered, particularly in our State, although it is true that the suffering exists in the region as a whole, an unemployment rate, in the long winter months, of from 10 to 12 percent, and that the rate seems to be increasing? Has not that been the case for the past several years?

Mr. NEUBERGER. For the past several years, and particularly during the last winter, the State of Oregon, which the senior Senator from Oregon and I are privileged to represent in the Senate, has had the highest unemployment rate in the Nation, during the winter months.

Mr. MORSE. Does my colleague agree with me that whenever he finds such an economic situation existing in his State, he has the clear duty to do what he can to bring into the State new industries which will create new jobs and will put unemployed men back to work, thus bringing, of course, an economic livelihood to their families?

Mr. NEUBERGER. Of course we have that obligation, and our State desperately needs the type of payroll and economic development which the high Hells Canyon Dam will provide.

Mr. MORSE. Does the junior Senator from Oregon think that the full river basin development, which—as the Senator has pointed out—will bring with it new jobs, is inflationary or anti-inflationary?

Mr. NEUBERGER. I think it is anti-inflationary, because it creates much new wealth which adds to the resources of the country, and the dam will be paid for by the people who purchase the power—just as the Bonneville Dam has been nearly half paid for, although the Bonneville Dam has been in operation for only 20 years, this year.

UNANIMOUS REQUEST AGREEMENT

Mr. JOHNSON of Texas. Mr. President, I wonder if I may have the attention of my friend from Illinois, the acting minority leader [Mr. DIRKSEN]. It is late in the week. Most of our colleagues would like to be informed in advance of a vote. Most of the Senators who desire to speak have spoken. We are down to the last few moments of debate. I wonder if it would be agreeable to have some kind of agreement that we begin

voting at about 4 o'clock, after a live quorum is obtained.

Mr. DIRKSEN. I have been canvassing the situation. The Senator from Utah [Mr. WATKINS] would like to have about 45 minutes.

The PRESIDING OFFICER. The Chair will state that five Senators have requested an opportunity to speak.

Mr. JOHNSON of Texas. Will the Chair give me a list of those names?

The PRESIDING OFFICER. The Senator from Idaho [Mr. DWORSHAK], the Senator from Connecticut [Mr. PURTELL]——

Mr. NEUBERGER. The Senator from Connecticut has spoken.

The PRESIDING OFFICER. The Senator from Kentucky [Mr. MORTON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from Maryland [Mr. BEALL].

The Chair is advised that the Senator from Maryland's speech will take 3 minutes.

Mr. MAGNUSON. Mr. President——

The PRESIDING OFFICER. The Senator from Oregon has the floor.

Mr. MAGNUSON. Will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. MAGNUSON. I may say that the Senator from Tennessee will take only about 15 minutes. I myself will take only 5, 10, or 15 minutes.

Mr. JOHNSON of Texas. Mr. President, I shall be glad to change the request to 4:15 p. m. That will be 2 hours from now. I will be glad to agree that the majority use only 30 minutes of those 2 hours, to show my desire to cooperate with the minority. That will allow us 2 extra hours. The majority will use only 30 minutes of that time, and we will yield 1 hour and a half to the minority.

Mr. WATKINS. Mr. President, I am delighted with that, but I wonder why the majority leader is so generous?

Mr. JOHNSON of Texas. Because the minority needs more time than we do.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. JOHNSON of Texas. Mr. President, I desire to make a unanimous-consent request, if I can obtain the form which I have sent for. I have not received it yet.

I ask unanimous consent that at 4:15 p. m., it be in order to suggest the absence of a quorum, and, when a quorum is obtained, that the Senate proceed to vote on the pending measure, provided that the time between now and 4:15 be divided as follows: 30 minutes to the majority, and 1 hour and 30 minutes to the minority, to be controlled, respectively, by the majority leader and minority leader; provided, further, that no amendment that is not germane to the provisions of said bill shall be received.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the majority leader? The Chair hears none, and the agreement is entered.

Mr. JOHNSON of Texas. Mr. President, I yield my friend the Senator from Oregon 5 minutes.

Mr. NEUBERGER. Mr. President, because of the brief time left for debate, I ask unanimous consent that the rest of the statement I have prepared for delivery be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

HELLS CANYON WOULD SPARE FISHERIES

This development would obviate the need, at least for many decades, of such dams as Bruces Eddy and Penny Cliffs with their destructive impact upon fisheries, scenery, and big-game animals. Every great outdoor group in America is opposed to these alternatives to Hells Canyon.

How tragic is it, Mr. President, that this administration is so callus to values of this imperishable quality that it is willing to sacrifice them in order to appease the avarice and greed of a private-utility empire. Such a decision, although he may not know it now, would haunt Dwight Eisenhower's reputation all through the corridors of time.

Mr. President, America is on the move and America is growing. In 20 years, from 1926 to 1946, the use of recreational facilities in our national forests tripled from 6 million people to 18 million. Their use nearly tripled again in the 10-year period between 1946 and 1956—from 18 million people to over 53 million. Attendance in national parks reflects a similar demand for healthful and inspiring recreation in the outdoors.

The Congress has authorized a program costing $33 billion to build a great 41,000-mile network of interstate highways. This will add to the need for recreational opportunities under the heavens and the stars. People will travel more than ever. The great wilderness basins of the Clearwater and the Salmon Rivers could serve to acquaint countless millions, in the years ahead, with what this continent once was like when the Stars and Stripes first was carried across it.

Shall we end such an opportunity for all time, merely in order to add a few ciphers to the dividends and salaries of the owners and executives of the Idaho Power Co.?

I realize there are many Members of this Senate who, perhaps, will wonder why we should spare the great north Idaho wilderness from commercial desecration. They will feel that the sacrifice of this vast green realm is worth while if it will make possible the surrender of Hells Canyon to so-called free enterprise.

Let me say to those among my colleagues who may entertain such a philosophy, that wilderness values are intangible but they are nonetheless real. Long ago, in America's infancy, the great naturalist, Henry David Thoreau, wrote: "We need the tonic of wilderness to wade sometimes in marshes where the bittern and the meadowlark lurk, to hear the booming of the snipe, to smell the whispering sedge where only some wilder and more solitary fowl builds her nest, and the mink crawls with its belly close to the ground."

That was written by one of the most eloquent and gifted of Americans, long before bulldozers and blasting powder removed most of the solitudes within our borders.

Recently there were found some hitherto-unpublished letters of the great British poet, William Blake. Among them appears this sentence: "The tree that moves some to tears of joy is in the eyes of others only a green thing that stands in the way." Taking off from this moving utterance, I can only add that we shall have removed from our way a resource which can never be duplicated if we permit reservoirs to invade the fastnesses of the Salmon, the Clearwater, the Lochsa, and the Selway in order that this Government can go through with its complete relinquishment of Hells Canyon to the Idaho Power Co.

HELLS CANYON HIGH DAM CONSISTENT WITH WILDLIFE

I believe the Columbia River can be developed in such a way that maximum production of both fish and kilowatts can be attained. But this invaluable goal may not be reached if the Hells Canyon area is abandoned to wasteful, partial development. The conclusion is inescapable. If the potential of Hells Canyon is wasted, the total benefits from use of Columbia Basin waters will be sharply reduced for all time to come. A basic conservation principle rides with the fate of the bill now before the Senate, but other issues of economic and governmental policy are at stake, too.

For many generations it has been the policy of our Government to spend river-control funds where the need for such expenditures has existed. That is why about 38 percent of all Corps of Engineers' appropriations has been invested since the year 1900 on the Mississippi-Missouri River system. This is the principal river system of our country, and it is where the major threat of floods has existed.

Second greatest of our river systems in volume of water is that of the Columbia, and it exceeds the Mississippi-Missouri substantially in power potential because the Columbia bisects lofty mountain ranges rather than meandering across flat prairie and plains. In 1933 President Franklin D. Roosevelt commenced the first Federal power and flood-control developments in history on the Columbia River.

But since 1953 not one power and other multipurpose undertaking has been authorized by the Federal Government in the river basin where murmurs approximately one-third of all the potential waterpower available in the United States. This is not only discrimination. It is blind and senseless waste of a resource of incalculable value, as the surging reaches of the Columbia pour unchecked and unused to tidewater and the sea. That is why the Hells Canyon issue is so vital a test. It is a test of whether or not the great Government of the United States plans to use in the public interest—nay, in the national interest—the single greatest source of inexhaustible energy within our borders.

Lack of new construction starts at Columbia Basin Dam sites is ample evidence that the administration has turned its back on needs of the region since 1953.

Although the Columbia annually discharges 180 million acre-feet of water, its reservoirs store only about 9 million acre-feet, or less than one-third the goal sought by Army engineers to curb costly floods such as the one which claimed 52 lives in 1948. The Columbia is capable of turning generators to produce over 30 million kilowatts, but the output of Federal projects existing and under construction will provide only 4 million kilowatts, or about one-eighth of the potential power. The Columbia is the Nation's only great river to traverse a major mountain range, but only a fraction of its capacity for handling waterborne commerce has been developed. Although the region has about 4 million acres of farmland under irrigation, water is available to bring another area of like size into production.

In light of the benefits possible from full development of Columbia Basin water resources, it is difficult to explain the administration's wanton discrimination against further Federal participation in this field. Perhaps part of the reason derives from the fact that some westerners themselves are among the most vocal critics of Columbia River projects. I have heard the claim that Pacific Northwest States already have received more than a fair share of Federal

funds for water-resource projects. Yet the region has vast power potential, a threatening flood problem, great possibilities for navigation and irrigation. Where should investments be made except in an area with latent assets and imminent dangers inherent in the handling of its water resources?

COLUMBIA POWER SYSTEM IS FINANCIAL SUCCESS

Similarly, critics of the Federal Columbia River power system have argued that the Bonneville Power Administration sells power at a price below the cost of production at individual dams. It is true that the Bonneville Power composite average rate of 2.38 mills per kilowatt-hour is the lowest in the Nation. But this enviable condition has not been achieved at the cost of fiscal solvency. Indeed, the latest annual report of the Bonneville Power Administration states that "repayment of $202,176,121 on the invested power capital to June 30, 1956, exceeds the estimated scheduled capital repayment requirements by approximately $77.1 million." The Bonneville system also has repaid to the Treasury $109 million to cover all operation and maintenance costs, and $137 million in interest payments. Profitable operation such as this does not come from selling a product below cost.

In their attempts to discredit Federal dams on the Columbia, critics have claimed that power from such dams at Hungry Horse in Montana, is marketed below cost. Perhaps such assertions are the fruits of ignorance of Federal power system operation. Power from the separate units in the Bonneville system is not marketed on the basis of isolated projects. The system secures much of its fiscal and operating strength from the fact that all dams are interconnected as a unified system, thus enabling the averaging of costs between structures such as Bonneville and Grand Coulee—built during periods of low-construction costs—and subsequent dams built during times of higher prices.

The ability to blend low-cost kilowatts with those of greater cost is one of the best reasons for continuing and expanding the Federal power system. Power consumers are thus assured of the benefits resulting from averaging in the low-cost kilowatts from sites of high productivity, developed when prices were low.

Operation of the Federal power system as an integrated unit has contributed to the assurance that low rates needed for industrial expansion can be maintained. The nationally known engineering firm of Ford, Bacon & Davis, Inc., in a detailed and exhaustive 1955 study of Bonneville power operations said:

"BPA should not increase the overall level of its present rate structure, since it already has a comfortable surplus and the estimated revenues for each of the fiscal years 1956 through 1963, exceed cash-payout requirements as determined by BPA."

Power-rate experts of the Bonneville Power Administration have testified that Hells Canyon Dam can be added to the system without disturbing the prevailing rate of $17.50 a kilowatt-year, the lowest wholesale power rate in the United States.

Mr. President, I have been amazed by the array of nagging but baseless objections raised by opponents to the Hells Canyon project. But, most baffling is the fact that the administration's discriminatory, wasteful, and antiwestern water-resources policies have found adherents among some westerners. The most contradictory of the arguments used by the opponents of Hells Canyon is the double standard they have set up for judging its value. They use one yardstick for projects in their own region, but another table of measure for Hells Canyon Dam.

PROPHETS OF GLOOM ARE REPUDIATED BY HISTORY

The economic progress of our Nation must be seen as a continuing entity. Federal investment has been necessary for such basic fundamentals of economic progress as river channels, ports, and other navigation facilities. Federal support was the instrument which thrust railroads and modern highways into isolated segments of the Nation. Such action is also needed for the best development of the great natural resources of the West at sites such as Hells Canyon. The objections to a high Federal dam are facsimiles of the captious arguments since the founding of this Nation to curb western growth and progress. The Lewis and Clark Expedition was assailed as a squandering of public funds. Setting aside of forest preserves and the activation of the first reclamation projects likewise were objects of the most specious arguments. Fortunately, the petty faultfinders did not prevail. Nor can we permit such frivolous arguments to triumph over Hells Canyon.

Ever since the administration withdrew its objections to licensing of Idaho Power Co. exploitation of Hells Canyon in 1953, confusion has reigned in policy for developing the remaining stretch of the middle Snake River. The river's great power and flood control has become the object of chaotic mismanagement.

We have heard over and over again the argument that Congress should rely on the judgment of the Federal Power Commission in the Hells Canyon issue. Many Senators will remember when the administration withdrew from the Hells Canyon case, we were told that Congress should not take action for a high dam because it was being considered by the FPC. We were told that it was necessary to rely on the experts of the Commission. Yet, Mr. President, when the FPC decision awarded three licenses to the Idaho Power Co., we were told the action was taken because Congress had failed to authorize the construction of a high Federal dam at Hells Canyon.

This has been a colossal runaround.

I wonder, Mr. President, what the congressional action would be if the FPC—instead of awarding Hells Canyon to a private utility—had carried out its responsibility under the Federal Water Power Act and had recommended development by the Federal Government. I think the weight of such a recommendation would have had great influence on the Congress. Instead, the Commission said, in effect: "We don't think Congress will approve a high dam at Hells Canyon, so we won't recommend it, and instead will approve the less adequate projects of the Idaho Power Co."

The FPC's strange decision has set an undesirable precedent. If licenses are henceforth decided by the Commission on reasoning that unsound development is better than delayed full development, and that its recommendations in favor of Federal development depend on political forecasts by Commission members as to what Congress might or might not do, then the American people stand to lose their great undeveloped dam sites one by one. The granting of licenses on such a basis would wipe out any consideration of a project's merits. The FPC would merely serve the function of rubberstamping the license applications of the private utilities as fast as submitted.

POWER COMPANY WILL BE TREATED FAIRLY BY GOVERNMENT

Mr. President, we have also heard the argument that Hells Canyon Dam should not be authorized because of expenditures made by the company on its Brownlee project. I would like to call the attention of the Senate to a section of the committee report on the Hells Canyon bill which states:

"It is the consensus of the committee that in event of the passage of S. 555 all the equities of the case would require that the company be recompensed for its actual expenses in proceeding with work in the canyon under the FPC license."

This additional expense would not increase the net cost of the dam to the taxpayer at all; since it would all be charged to the cost of power from the dam, it would be repaid in full from power revenues, with interest.

This additional charge to the cost of the dam allocated to power could hardly be said to constitute a very serious burden to the electric ratepayers of the Northwest. In discussing this problem on page 9 of its report on S. 555, the Interior Committee stated:

"For instance, a payment of $15 million to the power company would require a charge of less than 10 cents a kilowatt-year, or barely one one-hundredth of a mill per kilowatt-hour, in the present system and could very easily be absorbed in the existing rate structure without any increase in it."

If the cost of buying the company out of the canyon should prove to be as high as $30 million, this would therefore mean an increase of only two one-hundredths of a mill per kilowatt-hour in the cost of power in the area. I can assure you, Mr. President, that the people of the Pacific Northwest would gladly pay far more than this tiny amount to save the nearly half-million kilowatts which will be lost forever if the Idaho Power Co. is permitted to complete its underdevelopment of this tremendous resource.

Much also has been said about so-called alternatives or substitutes for high Hells Canyon Dam., Mr. President, there are no substitutes for Hells Canyon Dam. Under the light of examination and analysis, each supposed alternative means that the American people would get less power, less flood control, less opportunity for power-revenue assistance to irrigation.

Why should the people of this great Nation be asked to accept less than total productivity from their river resources? Fundamentally, that is the question which will be answered one way or another by the action on this bill. Either the multipurpose usefulness of Hells Canyon will be reserved for the benefit of the American people, or this vast stretch of the Snake River will be doomed to piecemeal and fragmentary use. The decision will be irreversible. It is my hope that the Senate will accept the challenge of this decision, and will authorize the construction of a Federal dam at Hells Canyon. That is the fateful action which will best serve this generation and those yet unborn.

Mr. NEUBERGER. Mr. President, before I yield the floor, in the few minutes which are left to me from the time granted to me by the majority leader, I should like to comment very briefly on the announcement in the early hours of this morning by the President of the Idaho Power Co. that they are forsaking the so-called fast tax writeoff certificate which was granted to them earlier by the Office of Defense Mobilization. Mr. President, if ever I have seen deathbed repentence, this is it. What was right, presumably, a few days ago, is repudiated now. What does this do to the wisdom of the agency of the administration that originally granted it?

Let me also ask this question: For how long does this renunciation take place? At a later hour, if perhaps—and I hope it does not take place—the high dam bill should be defeated, will they again change their minds and ask that there be restored the fast tax writeoff? Furthermore, the renunciation does not apply, presumably, to the third dam in their triumvirate of three low dams in

the Hells Canyon stretch of the Snake River.

These questions remain unresolved, and the Idaho Power Co. has not made clear for how long this renunciation will take place. The RECORD should show that at his press conference several days ago the President of the United States confirmed and upheld the fast tax writeoff granted by the Office of Defense Mobilization.

Mr. President, I ask unanimous consent that at the conclusion of my remarks, there may appear an article from the New York Times of June 20, entitled "President Backs Gray in Tax Fight."

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. NEUBERGER. Mr. President, because I have emphasized the extremely important issue of conservation of natural resources in my remarks to the Senate on S. 555, I ask unanimous consent that there may also be printed in the RECORD at the conclusion of my remarks an article from the New York Times of June 18, in which the great Dr. Vannevar Bush, one of the most eminent scientists of our times, is quoted as saying that it is absolutely necessary for us to protect our natural resources, and particularly that one natural resource which is of paramount importance to the continuation and survival of human life—water.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 2.)

Mr. NEUBERGER. Mr. President, I yield the floor.

EXHIBIT 1

PRESIDENT BACKS GRAY IN TAX FIGHT—SAYS AID WAS RIGHT IN NOT REVEALING SEATON OPPOSED IDAHO POWER'S WRITEOFF

(By William M. Blair)

WASHINGTON, June 19.—President Eisenhower confirmed today that a White House decision had cleared for public information the opposition of the Secretary of the Interior to a fast Federal tax writeoff for the Idaho Power Co.

The President defended the action of Gordon Gray, director of the Office of Defense Mobilization, in not having made known to a Senate subcommittee a letter of opposition written by Fred A. Seaton, the secretary until Mr. Gray was allowed to do it.

However, General Eisenhower did not describe the circumstances of the case that Democratic public power advocates have used as an example of the concealment by the administration. They have made this point to bolster their charges that the administration is favoring private-power interests.

The President's statements at his morning news conference came shortly before the Senate began debate on another bill to authorize a Federal dam in Hells Canyon of the Snake River on the Idaho-Oregon border.

Democrats and Republicans clashed on the floor over public or private development of natural resources, an issue the Democrats are expecting to carry into the 1958 congressional elections. A vote on the Federal dam, which the Senate twice has rejected, is expected on Friday.

ATTACKED BY DEMOCRATS

Senate Democrats have hammered at Mr. Gray on the rapid tax amortization he granted on April 17 to Idaho Power for two dams on the Snake River. Senator ESTES KEFAUVER, Democrat, of Tennessee and chairman of the Senate antimonopoly subcommittee, has charged Mr. Gray with seeking to suppress Mr. Seaton's opposition and withholding other vital information under a claim of executive privilege.

Mr. Seaton's opposition was stated in a letter to Mr. Gray's predecessor, Dr. Arthur S. Flemming, who had requested Mr. Seaton's views. The Seaton letter was dated March 11. Mr. Gray succeeded Dr. Flemming on March 14.

Yesterday, at another subcommittee hearing, Senator KEFAUVER charged Mr. Gray with withholding another important document, a memorandum that had been attached to the Seaton letter in Dr. Flemming's files. Mr. Gray declined to produce the memorandum on the ground of executive privilege and contended it was not relevant to the official files.

Mr. Gray also disputed what he said was an inference by the Senator that Dr. Flemming also had opposed the Idaho Power tax concessions. "That is not the case," he asserted. Repeatedly, however, he refused to make the memorandum available to the subcommittee.

PRESIDENT NOT CONSULTED

General Eisenhower said in answer to a question today that he had not been consulted on the differences between Mr. Gray and Mr. Seaton because Mr. Gray was the official "responsible" for a decision in the Idaho Power case and Mr. Seaton was not.

"The actual fact is that there was an associate's opinion, his personal convictions, given to Gordon Gray, and he studied them, but Gordon Gray is the responsible man in executing this law," the President said.

In answer to a question, the President said he had "never heard of the practice of withdrawing from the official files." He added that Federal law provides punishment for destruction of public records.

He reaffirmed, however, the use of executive privilege on communications among officials. "You must have this privileged character of these communications or you soon are going to have no coordination in that executive department," he asserted.

He went on to say that he did not know the exact circumstances of the questioning of Mr. Gray on Capitol Hill, but, he continued:

"I can well understand that he was very embarrassed, because he did not know what he was allowed to do, and it was only after he determined that this particular communication could be exposed that he would be allowed to do it."

Otherwise, he added, so far as Mr. Gray was concerned, the letter from Secretary Seaton was a "privileged opinion given by an associate in the executive department to him."

The President did not explain how the Seaton letter came to be regarded as privileged by Mr. Gray and how the White House came to remove it from the privilege category.

OFFICIAL OPINION

White House sources said that Mr. Seaton's letter had been a formal official expression of the Interior Department's opposition to the Idaho Power tax writeoffs and therefore a part of the official record and not privileged.

Mr. Gray, however, has taken a different view. His position, shared by the general counsel of ODM, Charles H. Kendall, is that there was every indication that the White House and Mr. Seaton regarded the latter's letter as privileged.

This view stems from a press release prepared to announce the tax writeoffs and cleared with Mr. Seaton and the White House. That press release made no mention of Mr. Seaton's opposition but contained a statement that the Interior Department had recommended the tax writeoffs be granted in 1955.

EXHIBIT 2

PIONEERING URGED TO AID RESOURCES—VANNEVAR BUSH TELLS PARLEY SCIENTISTS MUST ACT—CITES WATER SHORTAGE THREAT

(By Donald Sanson)

OKLAHOMA CITY, June 17.—Vannevar Bush called on independent scientific groups tonight to pioneer in finding ways to assure an adequate future supply of natural resources.

The eminent scientist said the shortage of water was becoming particularly dangerous in some areas.

He visualized ideas that he said now seemed farfetched as holding promise for long-range answers. In a measure, he explained, this rules out Government studies toward solutions because "some programs will call for experiments that are sheer gambles" employing unconventional approaches.

"The Government will do more if there are independent organizations with aggressiveness setting the pace and seeking out the opportunities," he asserted, in an address prepared for delivery at a 1-day international symposium on science, industry, and education.

SURFACE ONLY SCRATCHED

Mr. Bush, chairman of Massachusetts Institute of Technology Corp., suggested that "skillful use of 'detergents' could teach science how to make soils absorb the water of a sudden violent rain instead of allowing most of it to run off.

"The magnitude of effort in water research is by no mean commensurate with its importance," he declared. He said science had a long way to go in learning how to restore salty or contaminated water to its essential purity.

The scientist added that the surface has only been scratched in recovering needed elements the ocean holds in vast amounts but in diluted form.

"It is entirely possible that great bodies of sea water could be isolated and made to contain enormous concentrations of special lower organisms supplied with nutrients, with all parasites and competitors excluded," he suggested, "devoting their lives to concentrating from sea water things that we could find very useful."

Some lower organisms have the facility of seizing on minute quantities of a chemical element and concentrating it in their structure.

He said it was in fields such as these, which are not of the most immediate concern, where "Government proceeds haltingly or not at all."

Mr. Bush, president emeritus of the Carnegie Institute, was "scientific chief of staff" of the Nation's Military Establishment in the World War II period. He was a key force in the program that developed the atomic bomb.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1958—CONFERENCE REPORT

During the delivery of Mr. NEUBERGER's speech,

Mr. JOHNSON of Texas. Mr. President, will the Senator from Oregon yield? I wish to ask unanimous consent for the consideration of the conference report on the District of Columbia appropriation bill, with the understanding that the remarks made in that connection will appear in the RECORD following the speech of the Senator from Oregon, and with the further understanding that in yielding for that very

laudable purpose, he will not lose the floor.

Mr. NEUBERGER. I yield.

Mr. MORSE. I am happy to suspend; and thereafter I shall continue my questions.

Mr. PASTORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the admendments of the Senate to the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. CLARK in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 21, 1957, pp. 10002–10003, CONGRESSIONAL RECORD.)

Summary of District of Columbia appropriation bill, 1958 (H. R. 6500)

Item	Appropriations, 1957	Budget estimates, 1958	House bill	Senate bill	Conference bill
OPERATING EXPENSES					
Executive Office	$323,000	$387,400	$362,500	$378,200	$370,930
Department of General Administration	3,788,960	4,373,000	4,525,000	4,545,000	4,540,000
Office of Corporation Counsel	483,660	565,200	544,000	544,000	544,000
Compensation and retirement fund expenses	11,100,000				
Regulatory agencies	1,080,240	1,248,600	1,200,000	1,215,000	1,207,500
Department of Occupations and Professions	265,200	294,800	287,000	294,800	294,800
Public schools	32,670,750	37,789,200	37,160,000	37,246,050	37,246,050
Public library	1,783,000	1,958,000	1,950,000	1,950,000	1,950,000
Recreation Department	1,903,000	2,161,000	2,145,000	2,161,000	2,161,000
Metropolitan Police	14,531,100	18,201,000	18,100,000	18,201,000	18,150,000
Additional municipal services, inaugural ceremonies	155,000				
Fire Department	6,755,000	9,036,000	9,000,000	9,000,000	9,000,000
Veterans Service Center	98,500	104,300	104,000	104,000	104,000
Office of Civil Defense	78,000	193,000	86,000	86,000	86,000
Department of Vocational Rehabilitation	147,000	209,600	200,000	208,500	208,500
Courts	4,370,850	4,534,600	4,488,500	4,534,600	4,534,600
Department of Public Health	25,694,020	28,710,700	28,130,000	28,229,300	25,229,300
Department of Corrections	4,710,000	5,328,000	5,275,000	5,275,000	5,275,000
Department of Public Welfare	11,062,500	13,136,000	12,450,000	13,136,000	13,136,000
Department of Buildings and Grounds	1,780,000	2,096,000	2,000,000	2,010,000	2,010,000
Office of the Surveyor	170,000	180,000	180,000	180,000	180,000
Department of Licenses and Inspections	1,658,000	1,902,000	1,840,000	1,885,700	1,902,000
Department of Highways	6,533,000	7,202,000	7,050,000	7,050,000	7,050,000
Department of Vehicles and Traffic	1,303,000	1,437,000	1,370,000	1,438,000	1,438,000
Motor Vehicle Parking Agency	295,000	692,000	519,000	692,000	510,000
Department of Sanitary Engineering	10,896,200	12,310,000	12,210,000	12,210,000	12,210,000
Washington Aqueduct	2,137,000	2,328,000	2,250,000	2,322,000	2,322,000
National Guard	145,500	155,300	155,300	155,300	155,300
National Capital Parks	2,535,000	2,702,000	2,730,000	2,730,000	2,730,000
National Zoological Park	720,000	708,000	770,000	708,000	784,000
Personal services, wage scale employees	940,000	1,162,500		1,162,500	1,162,500
Total, operating expenses	150,143,350	161,417,000	157,081,300	159,672,850	159,480,480
CAPITAL OUTLAY					
District debt service	304,500	572,000	572,000	572,000	572,000
Public building construction	14,479,529	14,377,800	10,495,000	10,733,000	10,733,000
Department of Highways	14,668,000	22,612,000	14,791,000	15,301,000	15,391,000
Department of Sanitary Engineering	15,068,000	9,568,000	9,400,000	9,400,000	9,400,000
Washington Aqueduct	3,500,000	958,000	180,000	958,000	180,000
Total, capital outlay	48,110,029	48,087,800	35,449,000	36,964,000	36,196,000
Grand total	198,253,379	209,504,800	192,530,300	196,636,850	195,676,480

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. MORSE. Mr. President, as a member of the Committee on the District of Columbia, I wish to say that I appreciate very much the leadership the Senator from Rhode Island [Mr. PASTORE] has given in the case of this appropriation bill. Of course he knows that I wish the bill provided larger appropriations. But the responsibility for the insufficient appropriations carried in the bill—in my opinion they are insufficient—is not the responsibility of the Senator from Rhode Island.

I wish to say to the people of the District of Columbia that I know, of my own personal knowledge, that the Senator from Rhode Island fought hard for the highest figure he thought there was any chance of getting the Congress to vote for this year. I thank him for it.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. PASTORE. Mr. President, the conference report provides for appropriations totaling $195,676,480. This sum is $960,370 less than the amount of the appropriations provided in the bill as passed by the Senate; it is $3,146,180 larger than the amount of the appropriations included in the House version of the bill; and it is $13,828,320 less than the total budget estimates.

In order to enable the Members of the Senate and other interested persons to know the appropriation details, I ask unanimous consent to have printed at this point in the RECORD a summary of the 1958 appropriation bill for the District of Columbia.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

At the same time, I wish to have the RECORD show my keen disappointment in the appropriations provided in the conference report. I cast no reflection upon the Appropriations Committee, but I do cast a reflection upon the entire Congress. I think it is very sad that the Congress subjects a people who have no franchise rights to what I consider to be an appropriation by the Federal Government that is far below what the Federal Government owes to the people of the District of Columbia, by way of a fair Federal contribution.

Again I wish to say that I do not know what the word "quit" means, and I am not going to quit in this fight. We have lost this round again this year; but I am satisfied that our case is sound; and the people of the District of Columbia are entitled to a larger appropriation by way of Federal grants, for reasons which I have stated so many times in the past.

At this time I simply wish to serve notice that, so far as I am concerned, as a member of the Committee on the District of Columbia, I shall continue to fight for a larger Federal contribution for the District of Columbia. The lump-sum payment made by the Federal Government to the District of Columbia should, instead of being 13 or 14 percent of the District of Columbia budget, be 25 percent.

Mr. PASTORE. Mr. President, I thank the Senator from Oregon for his statement. I wish to point out that the conferees on the part of the Senate tried very hard to retain in the conference report the amount voted by the Senate, but it was impossible to do so. The House had just voted to reject the $500,000 increase the Senate previously voted.

I repeat that my sentiments parallel those expressed by the Senator from Oregon.

Mr. FREAR. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. FREAR. Does the conference report include the item of $1,710,000 for equipment for the new hospital in the District of Columbia?

Mr. PASTORE. No; that item comes under the independent offices appropriation bill, and I understand that it was included in that bill. It does not come under this bill.

Mr. DIRKSEN. Mr. President, if the Senator from Rhode Island will yield to me, let me say to the Senator from Delaware that the item of $1,710,000 was included in the independent offices appropriation bill, as it was passed by the Senate.

Mr. FREAR. I thank the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I wish to say that the distinguished Senator from Rhode Island has very stoutly and in very distinguished fashion contended for the position taken by the Senate. However, in view of the fact that the House of Representatives has already, by separate vote, rejected the increase voted by the Senate in the lump-sum payment for the District of Columbia, it appears that all that the Senate can do at the moment is to agree to the conference report.

Mr. LAUSCHE. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. LAUSCHE. In the discussion which took place several weeks ago, I pointed out to the distinguished Senator from Rhode Island that the moneys voted this year by the Senate for allocation to the District of Columbia are, I believe, less than those of last year. The distinguished Senator from Rhode Island said to me that that disparity in figures does not reflect accurately the fiscal position of the District of Columbia, as created by the new highway program which was adopted. Will the Senator from Rhode Island explain that situation?

Mr. PASTORE. At this time I cannot state the exact figures, but, in round figures, when the ratio was changed from 50–50 to 90–10 in the case of Federal participation in the highway-construction program for the District of Colombia, that enabled the District of Columbia to pick up approximately $7,500,000, insofar as the highway fund is concerned; and that amount is reflected as a difference between the appropriation for 1957 and the appropriation for 1958. However, it does not mean that the various departments of the District of Columbia government will have larger appropriations in 1958 than they had in 1957. As a rule, the appropriations have been a little higher each year.

Mr. LAUSCHE. The Senator from Rhode Island seemed to point out to me that although the cold figures included in the report would seem to show smaller appropriations for the District of Columbia for 1958 than those for 1957, yet when the additional $7 million benefit is considered, it will be found that much more money will be available to the District of Columbia.

Mr. PASTORE. Yes; I would say that. How much more is pretty hard to say, unless the figures submitted are consulted.

Mr. LAUSCHE. I think the figures, as I saw them, indicated about $7 million more. Is that correct?

Mr. PASTORE. Approximately so, but again, without having the papers, I would not want to commit myself to a specific figure. But it is true that the figure is larger.

Mr. LAUSCHE. I recognize that the same advantage which has come to the District of Columbia has also come to every municipality in the country. Is that correct?

Mr. PASTORE. Absolutely. The District of Columbia is not unique in that respect. The advantage that has come to the District of Columbia comes under the highway construction act, and all the States have the same privileges and the same advantages.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 6500, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S., *June 21, 1957.*

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 10, 20, and 28 to the bill (H. R. 6500) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes," and concur therein;

That the House insist on its disagreement to the amendment of the Senate numbered 1.

Mr. PASTORE. Mr. President, I move that the Senate recede from its amendment No. 1.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. JOHNSON of Texas. Mr. President, I commend the very able junior Senator from Rhode Island for the excellent job he has done, and for the very excellent manner in which he has discharged his responsibility. This is his first year on the Appropriations Committee. I know all the people in the District of Columbia are grateful to him for the interest he has manifested in their problems. I think his service has not only been a credit to his country, but has been a service that all the members of his party can be proud of.

Mr. PASTORE. I thank the Senator.

CONSTRUCTION OF HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. MAGNUSON. I yield myself 1 minute of our time.

I merely wish to supplement for 1 minute what the Senator from Oregon has said about the unusual announcement made earlier this morning. The newspaper reporters called me on the telephone about midnight, with relation to the matter, and I said it reminded me of the fellow who was caught outside the chicken house with a bag of chickens, when he said, "I will give them back"; but on the next dark night, when the dog is tied up, he will be back again.

This is a repudiation of strong testimony given by the Idaho Power Co. only 4 or 5 days ago—last week, as a matter of fact—when they refused to adopt any suggestion of doing what they are now doing. The company has changed its mind on many occasions. This has nothing to do with the question of whether a third dam should be built or whether small dams should be built.

I do not know that there has been a meeting of the board of directors, or that the stockholders of the company have met. I remember a statement made by the president of the Idaho Power Co. who said—and I think I quote him almost verbatim—he owed it as a duty to his stockholders to insist upon this right.

This announcement is an obvious attempt on the eve of a vote to influence the votes of Senators on the Hells Canyon Dam bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MAGNUSON. Mr. President, I yield myself 2 additional minutes.

Those of us who have fought for a long time for this resource and its full potential development did not bring this matter up; it was brought up by the Idaho Power Co. people, by virtue of their action in an application for a tax amortization certificate.

I merely wish to say, for the benefit of those who might read the statement, that the announcement does not change the issue one iota. There still is a very simple problem which we have to face. One of the last great remaining dam sites on the whole of the North American Continent, which belongs to the people, is involved. We are trying to develop it to its full potential, to fit it into a comprehensive development of the river.

The construction by the Idaho Power Co. of the 2 or 3 small, measly dams, compared to the great multipurpose high dam on the river violates a concept of 50 years of planning for the development of this river for the benefit of all. If the Idaho Power Co. were going to build a high dam in Hells Canyon, I think we would say, "More power to them," to coin a phrase. If they were going to build a high dam and develop water storage so that the power would go into the pool which encompassed public, municipal, and private power, we would be cheering, but they want literally to take the cream off the river, under certain concessions they have obtained.

That is what this controversy is all about. I do not know that the solution is so simple in the minds of some people, but the problem is simple. It is a problem of whether or not we desire to develop to the full potential a great natural resource, or whether we wish to foreclose forever the development of the greatest dam site left on the whole North American Continent. I shall have a little more to say at the end of the debate, but, because we are trying to save time, I ask unanimous consent that I may have printed in the body of the RECORD at this point some remarks I prepared on this subject.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

PARTISANSHIP VERSUS WESTERN UNITY

(Speech by United States Senator WARREN G. MAGNUSON, of Washington)

Should any Member of the Senate not now know the real merits of a high Federal dam in Hells Canyon—and my advocacy of full development of this God-given resource—there is no use wasting your and my time simply discussing it.

Ten months ago in closing our debate over Hells Canyon, I stood on this floor and promised that if I was returned to the Senate I would remind my colleagues of certain things.

That promise I fulfill today.

And let my very presence here this afternoon, regardless of what I say, remind many of you of a basic fact that transcends much

Mr. LAUSCHE. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. LAUSCHE. In the discussion which took place several weeks ago, I pointed out to the distinguished Senator from Rhode Island that the moneys voted this year by the Senate for allocation to the District of Columbia are, I believe, less than those of last year. The distinguished Senator from Rhode Island said to me that that disparity in figures does not reflect accurately the fiscal position of the District of Columbia, as created by the new highway program which was adopted. Will the Senator from Rhode Island explain that situation?

Mr. PASTORE. At this time I cannot state the exact figures, but, in round figures, when the ratio was changed from 50–50 to 90–10 in the case of Federal participation in the highway-construction program for the District of Colombia, that enabled the District of Columbia to pick up approximately $7,500,000, insofar as the highway fund is concerned; and that amount is reflected as a difference between the appropriation for 1957 and the appropriation for 1958. However, it does not mean that the various departments of the District of Columbia government will have larger appropriations in 1958 than they had in 1957. As a rule, the appropriations have been a little higher each year.

Mr. LAUSCHE. The Senator from Rhode Island seemed to point out to me that although the cold figures included in the report would seem to show smaller appropriations for the District of Columbia for 1958 than those for 1957, yet when the additional $7 million benefit is considered, it will be found that much more money will be available to the District of Columbia.

Mr. PASTORE. Yes; I would say that. How much more is pretty hard to say, unless the figures submitted are consulted.

Mr. LAUSCHE. I think the figures, as I saw them, indicated about $7 million more. Is that correct?

Mr. PASTORE. Approximately so, but again, without having the papers, I would not want to commit myself to a specific figure. But it is true that the figure is larger.

Mr. LAUSCHE. I recognize that the same advantage which has come to the District of Columbia has also come to every municipality in the country. Is that correct?

Senate to House bill 6500, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S., *June 21, 1957.*

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 10, 20, and 28 to the bill (H. R. 6500) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes," and concur therein;

That the House insist on its disagreement to the amendment of the Senate numbered 1.

Mr. PASTORE. Mr. President, I move that the Senate recede from its amendment No. 1.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. JOHNSON of Texas. Mr. President, I commend the very able junior Senator from Rhode Island for the excellent job he has done, and for the very excellent manner in which he has discharged his responsibility. This is his first year on the Appropriations Committee. I know all the people in the District of Columbia are grateful to him for the interest he has manifested in their problems. I think his service has not only been a credit to his country, but has been a service that all the members of his party can be proud of.

Mr. PASTORE. I thank the Senator.

CONSTRUCTION OF HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. MAGNUSON. I yield myself 1 minute of our time.

I merely wish to supplement for 1 minute what the Senator from Oregon has said about the unusual announcement made earlier this morning. The newspaper reporters called me on the telephone about midnight, with relation to the matter, and I said it reminded me of the fellow who was caught outside the chicken house with a bag of chickens, when he said, "I will give them back"; but on the next dark night, when the dog is tied up, he will be back again.

This is a repudiation of strong testimony given by the Idaho Power Co. only 4 or 5 days ago—last week, as a matter of fact—when they refused to adopt any

This announcement is an obvious attempt on the eve of a vote to influence the votes of Senators on the Hells Canyon Dam bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MAGNUSON. Mr. President, I yield myself 2 additional minutes.

Those of us who have fought for a long time for this resource and its full potential development did not bring this matter up; it was brought up by the Idaho Power Co. people, by virtue of their action in an application for a tax amortization certificate.

I merely wish to say, for the benefit of those who might read the statement, that the announcement does not change the issue one iota. There still is a very simple problem which we have to face. One of the last great remaining dam sites on the whole of the North American Continent, which belongs to the people, is involved. We are trying to develop it to its full potential, to fit it into a comprehensive development of the river.

The construction by the Idaho Power Co. of the 2 or 3 small, measly dams, compared to the great multipurpose high dam on the river violates a concept of 50 years of planning for the development of this river for the benefit of all. If the Idaho Power Co. were going to build a high dam in Hells Canyon, I think we would say, "More power to them," to coin a phrase. If they were going to build a high dam and develop water storage so that the power would go into the pool which encompassed public, municipal, and private power, we would be cheering, but they want literally to take the cream off the river, under certain concessions they have obtained.

That is what this controversy is all about. I do not know that the solution is so simple in the minds of some people, but the problem is simple. It is a problem of whether or not we desire to develop to the full potential a great natural resource, or whether we wish to foreclose forever the development of the greatest dam site left on the whole North American Continent. I shall have a little more to say at the end of the debate, but, because we are trying to save time, I ask unanimous consent that I may have printed in the body of the RECORD at this point some remarks I prepared on this subject.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

PARTISANSHIP VERSUS WESTERN UNITY

of the technical detail that is invoked to obscure this simple issue.

That basic fact is that most of the citizens of this country in general—and the Northwest in particular—know about Hells Canyon, have not been fooled by anybody's assertions, and want and continue to demand even after being victims of a 9-year brainwashing, a high dam with full development of the resource potential of this site.

Last year on this floor—by questions or statements—some Senators were under the delusion that the voters did not want a high Hells Canyon Dam. They based this misconception on the trumped opposition of a few elected officials in the area.

Well, I am here and most happy to sit among you today after being returned by the voters—voters who I went before as an out-and-out advocate of a high Federal dam—a high dam such as is provided in the bill again before you for rollcall shortly.

My opponent, a former governor, who was one of the leaders of the opposition, is not among us.

But that is not the end of the story, or an isolated instance.

Through the States of Washington, Oregon, and Idaho, in the legislatures, in the gubernatorial mansions, the House of Representatives, and the Senate contests, wherever there was a pro- or anti-Hells Canyon issue drawn—and that was just about everywhere—the voters rejected the opponents of the high Hells Canyon Dam and elected the advocates.

It was as clear a mandate in the election of candidates as I have ever witnessed—it was a grand slam.

I knew what my people wanted.

I heard and heeded their verdict when they shouted, "Save us from the dinky corporation dams and give us the high Federal dam; don't waste our resource."

But I want to assure Senators they were not talking to me alone; they were also talking to this entire body.

I recommend, my colleagues, you listen when the people speak.

And that is the first thing I remind you of in accordance with my promise when last we debated this matter.

Senators now have the answer to the question some onetime opponents of this bill raised as to what the people really wanted, and it is a clear and final answer.

And so we now are possessed for the first time in this Hells Canyon debate with a clear, fresh answer as to what the people really want.

Something new and very important to us has been added since we last discussed this subject.

Now there is another matter of which I promised a year ago to remind the Senate if I sat among you again.

It is to many of us so significant I will not hesitate—always with the greatest respect—to command your attention by addressing some questions to Senators regarding certain great public works in your States for which you have identified yourselves as champions.

Those are primarily works to develop—through the strength and wisdom of our National Government for the benefit of all the people—the full water and power resources of your communities.

This Hells Canyon project—on which we will shortly vote—is so clearly in that category and has been studied, analyzed and appraised, and endorsed unanimously by our trained and recognized national experts for such tasks, that it has become a national issue.

I leave to my colleagues the realm of technical justification.

Our exhaustive studies have established—all quibbling aside—that the highest Federal dam in the world at Hells Canyon would provide this Nation with virtually double the needed kilowatts at half the price; almost quadruple the flood protection the small dams would yield.

Yet a power company is rushing to preempt this canyon while we talk.

Here we have, in crystaline form, a national water and power policy in jeopardy, a national water and power policy that we and our predecessors have spent three-quarters of a century developing, and implementing and ratifying, largely through acts on this Senate floor.

And as we put it into effect by building such stupendous works as Boulder Dam, Grand Coulee in my State of Washington, Shasta in California, and many others elsewhere, all foursquare in philosophy with Hells Canyon—as provided in the authorization before us now—the United States and this Senate both had great pleasure and pride in the results.

Many of us here in the Senate contributed to, and participated in, developing and writing into law that national water and power policy.

Fundamental was the concept that the Nation's rivers belonged to all the people, and should be fully developed for the benefits for all the people, and, when necessary and feasible, this could be done by all the people through the Federal Government.

Clearly indicated and included was this belief, these rivers should not be given away, in whole or in part, to special interests.

Naturally, public bodies were more nearly representative of all the people than private corporations, so public body preference was given in distributing power benefits.

Some private power corporations did not like that then.

They do not like it now.

But it is the national policy.

I think it fair to say this policy developed in a nonpartisan fashion with the West taking leadership because of its outstanding water and power needs and its lack of alternatives.

The West first banded together in unity, regardless of political persuasion, to achieve the framework of policy and law in this field.

Later, as possibilities and needs became apparent elsewhere, particularly in matters of hydroelectric development, the Senators from TVA, the Niagara-St. Lawrence areas, and elsewhere joined up in common cause to establish true national policy through true nonpartisan unity.

I remind the Senate of this because I want to ask you what's happened to that nonpartisan unity now?

I also want to ask my colleagues how they individually expect to reap the benefits of that unity—in terms of benefits through projects for their individual States—if we shatter the unity, abandon the policy, and defy the very underlying laws we have passed to achieve those ends?

Now this Hells Canyon controversy has been falsely termed—for transparent reasons—just another public versus private power fight. Or, more extravagantly, a fight for survival of private power.

It is nothing of the kind, and that is not the issue.

I think we must, should, and always will have private power.

The power corporations will have all they can do meeting the legitimate and skyrocketing demands made on them for low-cost kilowatts—kilowatts our people must have.

The issue here is not, and never was, public versus private power.

We must have both.

The issue is reversing national policy to give away to a corporation—for perpetual preemption as long as water runs down hill—the best remaining dam site on our continent for developing about half the power potential at double the kilowatt-hour rate and virtually ignoring many other public benefits available. This issue can be resolved rightly if and when we stand up to our national, legal, and public responsibility and pass this bill.

This controversy has also been termed, for equally transparent reasons, a partisan political fight.

I regret that on such realistic evidence as some rollcalls—which, with a few exceptions reflected chiefly straight partisan divisions, with Democrats favoring, and Republicans opposing a high Federal Hells Canyon Dam authorization. It seems true that partisanship, invoked and policed by the administration lash, has been substituted for bipartisan unity—a unity which could achieve such a spectacular development for all the people, as a high Federal Hells Canyon Dam.

And I'll also make good on my promise this reminder day to remind Senators just how that happened.

It occurred, because in 1952 an administration came into power that proclaimed disbelief and disenchantment with a lot of established national policy and Federal laws which it had taken an oath of office to support and fairly and faithfully administer.

Whether it was beholden or not, to certain corporate powers that long opposed these policies and laws, I will not speculate.

And the merits of the administration's disbelief and disenchantment are not here appraised.

The fact remains that the administration and its spokesmen—including President Eisenhower—publicly branded our Federal power development as "an example of creeping socialism."

A broad offensive was undertaken through all the executive agencies—operating in lockstep and reciting in chorus—to revise and reverse the national water and power policies the legislative branch—chiefly through the Senate—had developed through nonpartisan unity over three quarters of a century and written into law we thought was lasting.

It was no simple task the administration undertook, no matter how dedicated and devoted it was to such nullification.

In some areas some progress was reported, but on Hells Canyon the going was so rough that instead of the high dam concept quietly dying a dramatic and recognized national political issue was created.

It is of such partisan tactics that political issues are inevitably and inescapably born.

There is no other way under our system of government.

Without embroidering the oblique tactics of how a stacked Federal Power Commission reversed all previous recommendations of legislative, executive, and judicial branches—as well as its precedessor Commission's findings—not to mention its own existent hearings officer, who sat for over a year considering the merits, the quiet giveaway route did not work at Hells Canyon.

Therefore, we are about to stand up and be counted again on the proposition of authorizing a high dam.

That authorization I recommend to my colleagues.

But I am no novice here and under no delusion as to the weight of my study and recommendation on Hells Canyon as compared with the fury of the administration lash being laid on many of my colleagues to vote this authorization down or else.

So, as a realist, I will always with due respect and within all Senate proprieties and practices of courtesy, do a bit more promised reminding, and call the roll on some one-time practitioners of nonpartisan unity toward water and power national policy, colleagues who may want to recall certain facts before they cast their votes.

Let me remind my colleagues from California that there is in their fair State an all-California water and power and flood

control project known as the Central Valley project.

I have seen it personally. I believe it to be a splendid project in the public interest, a project of even greater total scope than Hells Canyon.

After long controversy over the same frequently reconfirmed, reratified, and reindorsed national water and power policies that Hells Canyon opponents here propose to obliterate, the Central Valley project is well along toward completion.

I have observed over the years my distinguished California colleagues have done great service in securing and protecting the Central Valley project.

This protection always came under our reclamation—public power law—and policy verbatim with the high Hells Canyon Dam bill before us now.

For their performance I want to now pay them public tribute for the courageous manner in which they voted down every proposal to give away the power facilities of their Central Valley's resource.

I thought they were so everlastingly right in so doing that I believe they will acknowledge that I, a member of an opposite political faith but as one practitioner of the now somewhat forgotten western unity, voted with them on every Central Valley rollcall I can remember for the last decade.

I pay public tribute to the senior and junior Senators from California for their great performance, but remind them that they have not achieved final victory yet.

Just the other day when the administration sent up to us still another proposal to give away Central Valley power, this time on the new Trinity division and under the same type of sloganized and ill-defined partnership scheme by which it has sought to give away Hells Canyon—the junior Senator from California, I am sure with the support of the senior Senator from California, rose to blast and denounce it and proclaim it would never pass with his vote.

I now take pleasure in publicly pledging them here and now that separate and distinct from—and regardless of how they vote on Hells Canyon—I am going to vote, I hope with them as soon as I get the chance, against the Central Valley power giveaway proposal. I'm voting that way as a matter of public interest and principle.

But at the same time I say to them now that any vote for the Hells Canyon giveaway is inevitably a vote to establish a new national precedent favoring the pending Central Valley giveaway, and there is no escape from that fact.

Let me remind my colleagues that we must vote legislation up or down for all the people. We should not vote as apostles of any thesis that what's rotten for California is just fine for the Pacific Northwest where Hells Canyon happens to be located.

Likewise, I would remind good Republican friends of the upper Colorado States that there is a huge project in that area called the upper Colorado storage project, to which you claim undying devotion.

It is not yet built—in fact, it has just started into construction—and years of appropriations will be required before the benefits therefrom are actually reaped by your constituents.

The last Democratic Congress scorned any deals linking the upper Colorado and Hells Canyon bills and authorized the upper Colorado, regardless of opposition to Hells Canyon from some Senators from that area.

Speaking for myself alone, I know I voted for upper Colorado as a matter of principle and as a continuing practitioner of nonpartisan western unity in water and power development. I firmly believe it is a good project, in the public interest for all the people, even if it obviously falls far short of Hells Canyon in financial feasibility and repayment criteria.

This is not a failure of principle, but merely the result of natural phenomena that the Colorado River does not possess the magic power potential of those rivers in the Columbia Basin.

We must acknowledge—and I herewith remind Senators of it—that no matter how we seek to bewilder each other by technical hairsplitting, both the upper Colorado storage project and Hells Canyon authorizations are—and were presented and supported—under the same broad policy. That policy demands the full development of the resource for all the people by the Federal Government where necessary.

In fact, both projects came before the Senate under the philosophy and terms and many times the verbatim provisions of the reclamation laws.

Let me remind Senators that in this league there is such a thing as consistency, and none of us can perpetually and simultaneously run with the hare and bay with the hounds without coming a cropper.

The upper Colorado is not built, or even appropriated for yet, and if we westerners who know these problems can bring it to near completion in 20 years, we are, indeed, lucky.

Just ask yourselves, gentlemen, if you vote against Hells Canyon—and thereby succeed in rejecting, reversing, and repealing a policy and precedent—that happens to be the identical policy and precedent under which we all forgot partianship last year and undertook the upper Colorado—are you serving yourselves and your constituents?

Are Senators speeding or delaying the day when their great States can actually reap some of the promised—and to me, very real—benefits of the upper Colorado project?

And to my able friend, the senior Senator from Colorado, let me issue a special invitation and a special reminder. He is not only an upper Colorado Senator but also the home-State Republican sponsor of the Fryingpan-Arkansas project still to be authorized by the Congress under the same justification, theory, philosophy, policy, and actual laws supporting the high Federal Hells Canyon Dam.

In fact, the twin proposals come before us virtually simultaneously by the same route, with the same endorsement of the Senate Committee on Interior and Insular Affairs which functions as our working expert in this field.

No matter what political pressure the Senator may be subjected to, how in the name of all that is logical and rational can he ask us tomorrow, or the next day, to vote for and forward Fryingpan-Arkansas when, and if, he kicks out the very essence of its justification by voting against Hells Canyon?

If Senators think that is a cruel question, let me withdraw it now—I didn't expect an answer. I was merely modestly trying to dramatize for the Senate that, despite our senatorial dexterity, there is a limit beyond which we should not be allowed to venture.

And further on this problem let me pledge to the Senate here and now my vote for Fryingpan-Arkansas as a matter of principle, because I think it a project in the public interest and as a token of my continuing convictions as to the necessity of nonpartisan western unity on such matters.

Last year this Democratic majority passed Fryingpan-Arkansas through the Senate, my vote included.

I hope and believe it will do so again with the essential votes of the Hells Canyon sponsors helping Colorado.

Respected colleagues, I am getting to be a veteran around here. I am not now speaking to fill the air with unanswerable conundrums, to fill up the CONGRESSIONAL RECORD, or to justify myself to any constituents back home on Hells Canyon.

They've all known for years just where I stood in favor of Hells Canyon high dam and many other natural resource developments and that's one reason they've sent me back to enjoy—as I do enjoy—the society of the Senate for 6 more years.

This afternoon I am talking in honest terms. Terms I'm certain all will understand and I hope appreciate in a frank endeavor to secure some votes for the high Hells Canyon Dam in what must shortly be a close rollcall.

I could go on and on with this recap of vital western projects—projects which exemplify the western bipartisan unity which resulted in their authorization and construction.

My South Dakota colleagues know, for example, of the difficulties they faced in battling for and winning public power dams in the Missouri Basin—say at Fort Randall, Oahi, Gavins Point, and Angastoria—even though today they appear allergic to the best of them all at Hells Canyon.

Other Midwestern colleagues swear allegiance to the Federal reclamation dams along the North Platte, which is certainly consistent representation of the only State which long since exercised its sovereign rights and banned private-power companies. Nevertheless, these same esteemed colleagues seem to think Hells Canyon should be given away to a Maine corporation for gross underdevelopment—in the name of private profit—just because it's in the Pacific Northwest.

I might even courteously soliloquize about the schizophrenic views of a very few of my colleagues from the TVA South and the St. Lawrence-Niagara area on power policy—their views at home in contrast to their views on Hells Canyon.

But I will not exhaust the Senate. We are adults; we know the score.

The truth is the partisan lash is being laid on many today to whip them cruelly into line to defeat Hells Canyon or else.

Senator's own convictions—this Senate's privilege and right to decide such matters—national policy, and the laws we've enacted—all must be ignored or else.

It makes no difference how the voters vote, when they get their hands on this issue in the only way they can, namely, by defeating candidates opposed to Hells Canyon and electing Hells Canyon advocates many Senators are told to vote it down or else.

This is no secret.

The word has been passed—vote it down or else.

This has even been done formally by communications of record from the Bureau of the Budget—by the rulings of the stacked Federal Power Commission—and by the statements of such an unhappy administrative scapegoat and spokesman of the administration as genial Douglas McKay, Secretary of the Interior, retired.

Let me point out—even if it extends and contradicts my previous little rollcall—this Hells Canyon bill has three good Republican sponsors. Witness the names of the distinguished Republican senior Senator from Wisconsin [Mr. WILEY]—and both the senior and junior Senators from North Dakota [Mr. YOUNG and Mr. LANGER].

They are voting their true convictions on Hells Canyon; are refusing to be told "vote against it or else."

This may be the last time around on Hells Canyon, so I also remind Senators, it may be your last chance to speak up.

And, good friends and colleagues, don't try to answer my simple questions now. I'll have my answers when Senators stand up to be counted on the Hells Canyon rollcall.

Mr. MAGNUSON. Mr. President, I wish to add one more thought, although it has been expressed many times. The Idaho Power Co. originally said that they would build these dams without cost to the taxpayers, and then it turned out, of course, that they are going

to cost the taxpayers a great deal. However, let us assume that is not the case. I hope there is no misconception about it, for I never feel embarrassed about asking the United States Senate to appropriate money for the development of known, feasible, engineer-tested hydroelectric developments, because all we ask is a loan, which is paid back with interest.

I have often been asked, "How is it paid back? When is it paid back?"

We started this about 20 years ago——

The PRESIDING OFFICER. The Senator has used 6 minutes of his time.

Mr. MAGNUSON. I yield myself 5 additional minutes.

The Senator from Montana [Mr. MURRAY] was here in the Senate when this program started. In the area there is a power capital investment of $1,268 million. Hells Canyon Dam would make the investment much greater, and it would also firm up the power downstream.

We have repaid, as of June of this year, $200,176,000 on the capital investment. We paid into the Treasury interest expense of $137,702,000 as of June 1.

Bonneville Dam, the first dam on the system, has now paid back to the Federal Treasury 41.22 percent, with interest. Bonneville Power Administration has paid back 25 percent. The Columbia Basin has paid 25 percent, and even Hungry Horse has already paid back nearly 6 percent, with interest, to the Treasury.

Hells Canyon Dam will do the same, and at the same time will add to the taxable wealth of the Nation and assure the development of a great river system.

The problem is as simple as that. If there are constructed 2 or 3 measly dams—it may be 2, for I do not know whether Idaho Power is going to build the third dam—it will be an inadequate development of this great resource we have, which we must develop, rather than throw away the substance of our people. Surely we are the guardians of our natural resources and we should provide for their development for our children and our children's children.

I hope that the Senate will treat this bill in that light.

Tax amortization added another feature to the problem, but I predicted last year that the company would ask for this benefit and would get it, if Congress did not pass the bill which was under consideration at that time, and that prediction came true. I will predict now that the minute this fight is over and the dust has settled, the company will be back again seeking the same benefit. I think I am safe in that prediction.

I shall have a little more to say at the the end of the discussion.

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. The Senator from Washington has used 8 minutes of the 30 minutes allotted to the majority under the unanimous-consent agreement.

Mr. JOHNSON of Texas. Mr. President, I wish to reserve the remaining time of the majority, but if the Senator from Tennessee [Mr. KEFAUVER] is ready to speak, I will yield him 3 minutes.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 3 minutes. The Senate is operating under a unanimous-consent agreement, the Chair advises the Senator, and there are only 19 minutes left of the time allotted to the majority.

Mr. KEFAUVER. Mr. President, the Idaho Power Co. and the administration have now gone full cycle. We read from the newspapers that Mr. T. E. Roach, the president of the Idaho Power Co., has decided that he does not wish to have the $339 million in tax benefits from the Government after all. Whether this is the end of the dance, or whether the band will strike up "Waltz Me Around Again, Willie" is not determinable at this time. Mr. Roach has been coy about these tax certificates before. At first, when he was trying to get his license from the Federal Power Commission, he was going to build the dams "without one cent of cost to the taxpayers," and then, when he got the license, he decided to push the application for the certificates, because he owed it to his stockholders. Originally he said he had no faith that he would get these certificates, but nevertheless he hired Ebasco to pursue them and bent every effort to get them.

Now, with the Hells Canyon bill on the floor, lo and behold, Mr. Roach, overcome by a burst of generosity for the taxpayers of the United States, has decided to forego the $339 million worth of benefits to his stockholders.

Or has he? There is nothing official about this. All we know is what we read in the newspapers. Mr. Roach issued a press release. The chief counsel for the Antimonopoly Committee, Mr. Rand Dixon, called the chief counsel of ODM this morning when he read about Mr. Roach's decision, and asked if the certificates had been canceled. The answer was "No." As a matter of fact, under the law I do not know how they can be canceled. The option is with the holder, and the holders' day of decision is not until January 1, 1959, when he makes out his tax return.

I received a message from Mr. Kendall a little while ago in which he stated that this transaction was treated as a withdrawal of the application for certificates. But I cannot find any legal justification under the statute for ODM taking such action. Regardless of the action of ODM, we do not know what the Internal Revenue Service will do about this case when 1959 rolls around.

It is nice to know that Mr. Roach wrote Mr. Gray about this. But all Mr. Gray has, as I understand, is a copy of the certicate. The official certificate is in the hands of the Internal Revenue Department, the people who collect the tax. Mr. Roach wrote the wrong pen pal. Russell C. Harrington, the Commissioner of Internal Revenue, has the certificate.

Furthermore, Mr. Roach's withdrawal is not effective without approval of the stockholders or the board of directors. This is, undoubtedly, a valuable right that cannot be given away by an officer of the company, and a minority stockholder might file a suit to enjoin it.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. JOHNSON of Texas. I yield an additional minute to the Senator from Tennessee.

Mr. KEFAUVER. It should be pointed out that Mr. Roach, in speaking of this rate amortization matter, said he felt it was an obligation inherent in the fulfillment of the obligation of the officers of the company.

Certainly no officer of the company, even if he were acting in good faith, and not merely for the purpose of trying to obtain votes for the passage of the bill, has a right to give away something of great value—almost as valuable as the property of the Idaho Power Co. at the present time—without the consent of the stockholders or, at the very least, the consent of the board of directors.

After this controversy is over, in the event the bill is not passed, we may find that a minority stockholder or the board of directors will overrule Mr. Roach's action, or contend that Mr. Roach had no authority. The regulatory commission of the State of Idaho may say that he cannot give away benefits of the Idaho Power Co., and we shall be back exactly where we started.

The vote on Hells Canyon Dam will be taken today. Mr. Roach might say today that he has decided he does not want the certificates. But he can change his mind tomorrow. He can change his mind anytime between now and January 1, 1959. He might decide again that he owes it to his stockholders to change his mind.

I think Mr. Roach is trying today to induce the Senate, with an unsecured promissory note for $83½ million of the taxpayers' own money, to vote against the Hells Canyon bill.

Mr. President, I warn the Senate not to take this press release of Mr. Roach's at face value. I warn Senators that this deal smells as bad as Dixon-Yates. Like Dixon-Yates, the more you nudge it, the more vermin crawl out.

Something mighty funny happened between June 13, when Mr. Roach appeared before our committee, and last night, when he put out a press release tossing away $339 million in benefits.

Before our committee this exchange took place:

Senator O'MAHONEY. Why do you not pay them back now, pay them now? Why do you not surrender this certificate and pay the taxes now, and thereby help the Government to pay the interest upon the Federal debt?

Mr. ROACH. I will tell you exactly why, Senator, if you will give me the opportunity.

Senator O'MAHONEY. Of course.

Mr. ROACH. We are a publicly regulated, taxpaying utility. We are not free agents, as corporate officers or as administrators of a publicly regulated agency, to wave aside any of the provisions of the Federal income-tax law.

The only result, the utilization of which would be a slight reduction or maybe more than a slight reduction in the overall cost of the money, every benefit of which accrues, not to the benefit of the company, but to the customers we serve.

And our Idaho Public Utilities Commission has stated not once but many times that we have an obligation, as a regulated utility,

to take full advantage, and I do not agree for one second that the use of the amortization certificate is in any way a subsidy, nor do I agree that Idaho Power should be singled out from among 22,000 or 30,000 taxpayers of the State for persecution simply because, in pursuit of its normal course of business, it filed its application, and that application was favorably acted upon by the ODM for no reason other than we met every established criteria in exactly the same fashion as the people in your State of Wyoming who receive certificates of permit.

Then at page 1271:

Mr. ROACH. I very positively stated that if the certification were available to us, we certainly would take advantage of it, Senator.

Now the signals have been changed, for the purpose of this vote today, I dare say. Mr. Roach has shifted gears and gone into reverse. Tomorrow he may begin the forward movement again.

This whole deal, like the Dixon-Yates deal, is surrounded in secrecy. There have been pleas of privilege all around the lot. We are not through trying to find out what really happened. Today I sent this telegram to Mr. Roach:

MR. T. E. ROACH,
President, Idaho Power Co.,
Boise, Idaho.

Note by this morning's paper you have decided to forgo rapid tax writeoff. The Subcommittee on Antitrust and Monopoly Legislation is in process of preparing further hearings on this subject for next week. In view of your strong testimony before our subcommittee last week that you were entitled to the writeoff and in view of your testimony that you owed it to your stockholders to make the effort to obtain the writeoff, please wire immediately the names of offices of the executive branch of the Government with whom you, Mr. Parry, Mr. Kimball or any others of your company or any representative of Ebasco or anyone in your behalf have had contact, conferences or consultation regarding this step. Please wire immediately giving time and details of such contacts, conferences, or consultations.

ESTES KEFAUVER,
Chairman, Subcommittee on Antitrust and Monopoly Legislation, Committee on the Judiciary.

I do not think we will get the full facts by this method.

I think that eventually there is only one way we will get them. That will be when President Eisenhower orders all agencies, as he did in the Dixon-Yates deal, to get up a chronology, stating just exactly all the conferences held, all the moves they made. And this time I hope he will tell them in the beginning not to leave things out of the chronology, as they did of the name of Adolph Wenzell, in the Dixon-Yates deal.

Mr. President, I have prepared a statement showing the facts developed in our investigation to date, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR KEFAUVER

The relative merits of the multipurpose, high Hells Canyon Dam, as opposed to the 2 or, maybe someday, 3 low dams that have been licensed to be built by the Idaho Power Co. for that reach of the Snake River, have been discussed previously on this floor.

On the merits alone, it seems to me that there is no question but that the high dam should be built. This great area should not be despoiled by the plans of the Idaho Power Co.

However, the opposition to the comprehensive full development of the river has been so arbitrary, some of the concerted actions of Government officials and company officials have been so close to rare coincidence, that it has long seemed to me there must be a fairy godfather somewhere in the picture looking after the interests of the Idaho Power Co.

A review of the facts seems pertinent here.

On June 24, 1947, the Idaho Power Co. filed its application with the Federal Power Commission for a preliminary permit to investigate the Oxbow site.

At the direction of President Truman, the Department of the Interior and the Army Corps of Engineers instituted a study of development of the river and on October 1, 1948, a comprehensive plan was published. Among other things, it included as a key project the construction of the high Hells Canyon Dam. On June 21, 1949, the FPC endorsed this coordinated plan. On December 15, 1950, 2 weeks before the expiration date of its preliminary permit, the Idaho Power Co. applied to the Federal Power Commission for a license to construct the Oxbow Dam. To this application the Interior and the Agriculture Departments, as well as other interested groups, filed protests.

On November 10, 1952, the Idaho Power Co. amended its Oxbow application to include a new proposal to construct three dams, Oxbow, Brownlee, and Little Hells Canyon. When the new administration was installed in office in February 1953, Secretary of Agriculture Ezra Taft Benson, withdrew that Department's intervention against Idaho Power Co.'s Oxbow application which had been filed under Secretary Brannan in late December 1952.

On May 5, 1953, coincidental to the withdrawal of Secretary Benson's intervention, then Interior Secretary Douglas McKay withdrew former Secretary Chapman's intervention against the Oxbow application.

The greasing of the tracks for Idaho Power had begun.

On May 15, 1953, Idaho Power Co. filed for licenses to build Brownlee and Little Hells Canyon Dams. With this application the Federal Power Commission then consolidated the three dam applications into one proceeding and scheduled hearings before Federal Power Commission which began on July 7, 1953.

And thereupon began the company's big deception—which I think we could justifiably call a big fraud—the propaganda that this is a way to get something for nothing, a propaganda which they are resorting to today. Thereupon they began telling us that the dams they were going to build weren't going to cost the taxpayers 1 cent.

In its opening statement before the Federal Power Commission, Idaho Power Co.'s attorney stated: "The applicant is here before you asking the privilege of constructing solely out of its own money and without a cent of cost to the taxpayers of the United States a great multipurpose project."

This statement by the Idaho Power Co. was reiterated time after time during the proceedings, and before Congressional committees as well as the court. For instance, in the company's opening brief to the Federal Power Commission on November 5, 1954, it was stated: "It is difficult to conceive of a development which will more completely fulfill the definition of a comprehensive plan for the development of a waterway. When accompanied by the fact that this is accomplished by a tax-paying utility without investment of public funds then the correctness of the statement is even more apparent."

Also, at page 138 of the transcript it is stated: "It (applicant's project) will be privately financed and will contribute large amounts of tax benefits both to State and local tax units and to the Federal Government."

Also in this same brief, in a footnote on page 48 it is stated: "Applicants financing studies have assumed entirely conventional financing and taxation under laws as existing in 1953, and to give no consideration to possible accelerated tax amortization, or increased rates of depreciation for tax purposes. To the extent available to applicant these would increase cash generation and to such extent reducing the amount of securities required to be issued."

Subsequently in the same vein, Idaho Power Co. attorney, Mr. R. P. Parry, told the Senate Interior and Insular Affairs Committee during hearings on the Hells Canyon bill, S. 1333: "We have here a private company providing great flood control, navigation, and recreational benefits to the Nation, free of cost to the Nation, and without request on the part of the company for contributions from the Federal Government." (Hearing, p. 571.)

Likewise, during the course of the hearings the Idaho Power Co. president, in answer to a question as to why the company had not made any provision in the projected exhibit for any accelerated amortization items relating to Oxbow and Brownlee stated as follows:

"I think I have explained it in its entirety as far as I know. Our filing of the application I felt was an obligation and inherent in our fulfillment of our responsibility as officers of the company, because the Internal Revenue Act, section 124 (a), specifically provides for it, and had we not at least made the effort, even though we had faint hope of any success, we would have been derelict in our responsibility to our customers. (FPC hearings, pp. 8733–8734.)

The representations by Idaho Power Co. that licenses should be issued for the construction of the three dams because the construction would be realized without cost to the Government in that the cost of such construction would be assumed by conventional financing without any real hope of obtaining tax amortization certificates was most effective upon the Federal Power Commission as indicated by its opinion of July 27, 1955, granting the licenses for all three projects. In this opinion No. 283 which accompanied the decision there is included the following: "However under existing law, these public purposes will be realized without expense to the United States to the extent that the projects are constructed by a non-Federal entity. Development by applicant for the Hells Canyon reach of the Snake River would provide 1 million acre-feet of flood control storage and the required stream flow regulation in aid of navigation on the lower river at no cost to the United States."

Mr. President, coincidentally with these representations before the Federal Power Commission and a committee of the Senate, the Idaho Power Co. was engaged in a large nationwide advertising program as a sponsor of advertisements appearing in nationally circulated magazines, such as the Saturday Evening Post and others, also stressing the representation that the Idaho Power Co. would build its dams in Hells Canyon at no cost to the taxpayers.

During proceedings which are presently being conducted by the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary looking into the issuance of tax amortization certificates it has been revealed that at the same time the Idaho Power Co. was representing to the Federal Power Commission and to the Members of Congress that it intended to build its dams at no cost to the Government and that it intended to finance the dams with conventional financing, it nevertheless was vigorously pressuring applications for rapid writeoff certificates on

the Oxbow and Brownlee projects before the Office of Defense Mobilization.

I believe that an excellent case has been made out for the reopening of the proceedings by the Federal Power Commission. I believe that body was misled into issuing licenses to the Idaho Power Co. by the fraudulent misrepresentations which were made to it during the proceedings. When these misrepresentations were called to the attention of the chairman of the Federal Power Commission during recent hearings before our subcommittee, the chairman commented that it certainly was a mistake to say that this was to be built at no cost to the Government in view of the granting of the tax certificates to the Idaho Power Co.

The decision rendered by the Federal Power Commission granting the licenses to the Idaho Power Co. in July 1955 was appealed to the Circuit Court of Appeals for the District of Columbia which court subsequently upheld the decision of the Federal Power Commission and the decision of this court was made final on April 1, 1957, by decision of the Supreme Court.

Quite obviously during this pending litigation it was never final until the Supreme Court's decision that the action of the Federal Power Commission would be upheld.

During this period of time while the case was pending the series of coincidental occurrences took place which materially affected the ultimate tax certificates that were issued by the Office of Defense Mobilization to the Idaho Power Co. In December 1953 the Office of Defense Mobilization suspended goal No. 55 which established the Defense Mobilization goal for the generation of electric power. Under this goal tax certificates could be issued for electric generating facilities meeting certain prescribed criteria within the limit of 117 million kilowatts and if such facilities could be completed by December 1956. The suspension of this goal remained in effect until April 15, 1955, when the goals were reopened by the Office of Defense Mobilization and reset at 150 million kilowatts to be completed by December 31, 1958.

At a hearing held June 18 by the Antitrust and Monopoly Subcommittee exhibits were received which conclusively show that during the period of time when goal 55 was suspended and prior to April 15, 1955, when the goal was expanded, the Interior Department vigorously protested the reopening and expansion of the goal as proposed by the Office of Defense Mobilization. As of this date the Antitrust and Monopoly Subcommittee has been unable to determine the exact reasons or basis for the expansion of goal 55 other than the explanation that it was decided to expand this goal in order to take care of full mobilization. This appears to be more than coincidence because it must be remembered originally goal 55 for this industry was created in order to meet the Korean emergency situation. It is also to be remembered that this situation had come to a head in 1953 and at about the very time the goal was reopened and expanded, President Eisenhower was in Europe at the Summit giving the American people the definite impression that "we had entered a new and peaceful era."

Nevertheless the Office of Defense Mobilization saw fit to expand goal 55 based on full mobilization. Quite obviously with this expansion the Idaho Power Commission tax amortization application was kept alive as well as keeping alive the opportunity to grant some 96 other applications.

On April 17 the Office of Defense Mobilization issued tax amortization certificates to the Idaho Power Co. for the Oxbow and Brownlee Dams in the amount of an estimated total cost of $103,081,970. Brownlee was certified for 65 percent of its cost estimate by the company at $67,138,240, and Oxbow was certified for 60 percent of its cost estimate at $35,943,730.

The Chairman of the Federal Power Commission was accompanied during his appearance by the chief accountant of the Federal Power Commission, who volunteered the information that they had computed the benefits of the two certificates to the Idaho Power Co. in the amount of $339 million to the company. He likewise stated that as a result of the loss of revenue it would cost the Government $83.5 million.

Mr. President, I ask you to take note of this statement by the chief accountant of the Federal Power Commission in the light of representations that have repeatedly been made by the Idaho Power Co. that it would build its dams without any cost to the Government. Perhaps $83.5 million is too small a sum of money for the Idaho Power Co. to characterize as any sizable cost to the Government. Certainly it is too large a sum for the president of the company to be able to give away today without stockholders approval.

Perhaps coincidentally but nevertheless of vital importance was the statement given by Mr. Gordon Gray to the Antitrust and Monopoly Subcommittee in explanation of his action in granting the certificates to the Idaho Power Co. Mr. Gray very carefully among other things pointed out to the subcommittee that the Department of Interior which was the delegate agency for this purpose, by a memorandum of October 25, 1955, had recommended the issuance of necessity certificates for both of the projects to Idaho Power Co.

Mr. Gray quoted quite extensively from this memorandum and pointed to the fact that the application for these two projects met the criteria upon which applications were measured.

During Mr. Gray's appearance members of the staff of the Antitrust and Monopoly Subcommittee were allowed to examine pertinent files of the Department of the Interior. As a result of this examination a letter dated March 11, 1957, addressed by Dr. Flemming, former director of the Office of Defense Mobilization, to the present Secretary of Interior Seaton, was made available to the staff by the Department of Interior.

Within 15 minutes of the time this letter was made available to the staff, Mr. Gray saw fit to make available the original copy of the letter upon his reappearance before the subcommittee.

In this letter of March 11, 1957, Secretary Seaton, as had been requested, reviewed the application of the Idaho Power Co. for rapid tax amortization for the Oxbow and Brownlee developments. He concluded definitely therefrom that in view of the record before the Federal Power Commission it was clear the company had never established any basis of need for financial assistance for the issuance of tax amortization certificates nor had the Idaho Power Co. established that the two projects would create any excess capacity in the company's system which would be a critical factor in the granting of the tax amortization certificates. He accordingly recommended the denial of tax certificates as requested by the Idaho Power Co.

When examined concerning this letter Mr. Gray's explanation in effect was that in his opinion the recommendations of Secretary Seaton, who was the head of the delegate agency or the expert in advising on these matters, was not relevant to the criteria by which such applications were to be measured.

It was stated by the General Counsel of the Office of Defense Mobilization that he nor no one under his supervision ever rendered a legal opinion on the issuance of any certificates in the electric generating field and particularly in the case of Idaho Power Co.

Mr. President, a great deal of mystery seems to surround the issuance of the tax amortization certificates to the Idaho Power Co. On February 6, 1956, Senators MORSE, MAGNUSON, JACKSON, NEUBERGER, MURRAY, and MANSFIELD joined by Representatives PFOST, METCALF, GREEN, and MAGNUSON, addressed a letter to Director Flemming of the Office of Defense Mobilization outlining in detail opposition to granting certificates to Idaho Power Co., and specifically requesting that the Office of Defense Mobilization hold full and public hearings on the applications.

When asked why these members were not accorded the courtesy of an answer to their request or as to why such hearings were not held Mr. Gray professed to have no knowledge of the correspondence. This same atmosphere seemed to prevail throughout Mr. Gray's appearance. When he was examined concerning a pertinent notation which was found on a staff paper concerning expansion of goal 55 containing the names of Sherman Adams, Governor Pyle, General Persons, Gerald Morgan, and Elmer Bennett, Mr. Gray explained that these names had been written by one of his assistants, Mr. Wycoff, for the purpose of checking a proposed press release announcing the granting of the certificates to the Idaho Power Co.

Mr. Gray repeatedly retreated behind the screen of executive privilege when interrogated concerning details of his conversations with these persons, as well as others in the executive branch.

Mr. President, it is a sorry situation indeed when the people of the United States are denied a complete look at the circumstances surrounding a relationship of a branch of its Government with a private party. Indeed this is a strange setting for the partnership power policy. Any explanation or inquiry into the relationship is inevitably met with the plea of executive privilege.

The most recent refusal of Mr. Gordon Gray, the Director of the Office of Defense Mobilization, occurred on June 18. I had telephoned Dr. Arthur S. Flemming, Mr. Gray's predecessor, on Saturday, June 15, and among other things asked for an oral explanation concerning the March 11, 1957, letter which was addressed to him by Interior Secretary Seaton.

Dr. Flemming advised me that he had addressed a memorandum to Mr. Gray specifically concerning the March 11 letter of Secretary Seaton. I was given the impression by Dr. Flemming that he had not considered this memorandum privileged and accordingly I requested Mr. Gray to produce it for examination by the subcommittee.

Mr. Gray again pleaded privilege. I am quite sure that this memorandum could have thrown considerable light upon this troublesome question but again this body was refused the privilege of examination.

Mr. Gray told the Antitrust and Monopoly Subcommittee that he made his mind up to issue the tax certificates to the Idaho Power Co. on or about April 9 or 10. He stated that thereafter he checked with the four individuals in the White House and the present Solicitor of the Interior Department, the proposed press release that was issued by the Department on April 29. At the instruction of Mr. Gray the tax certificates were signed on April 17.

Mr. Jacob B. Wycoff, chief of the Tax Amortization Branch of the Office of Defense Mobilization, stated that on either April 16 or 17 he telephoned the Ebasco representative, a service company, and agent for the Idaho Power Co. He told the representative to come by his office the next morning, that he had something for him. A copy of the tax certificates was delivered to the agent who receipted for them on April 18. The Ebasco agent stated that upon receipt of the first call he telephoned the vice president of the Idaho Power Co. in Boise, Idaho, and informed him that he believed the tax certificates had been issued. When he actually received copies of the certificates he confirmed this fact by a later call to the same official of the Idaho Power Co.

Coincidentally, with the mystery surrounding this telephone call, a peculiar fact occurred on the New York Stock Exchange. On April 17 some 4,300 shares of Idaho Power Co. stock turned over on the exchange. During 1956, an average trading day in this stock consisted of approximately 700. This fact would not have been so unusual had the public been let in on the announcement that the tax certificates had been issued to the Idaho Power Co. However, according to the testimony of Mr. Gray, the first public mention of the granting of the tax certificates was made by him at a press conference on April 25. The official press release was not made public until April 29.

The Subcommittee on Antitrust and Monopoly is presently investigating the purchases of this stock. Last week I noted with pleasure that on the order of the Director of Defense Mobilization the practice of that office of informing the recipients of tax amortization certificates privately prior to public announcement was discontinued. I understand that in the future the public announcement will be made on the date that the certificates are issued.

Mr. President, those in support of the administration's position vigorously argue that benefits accruing to the State and Federal Governments in the form of taxes, navigational aids, irrigation aids, will amount to in excess of $400 million.

If these benefits are possible, they are possible only by virtue of extremely high payments by the consumers for the power which is to be produced by this company. The hearing examiner, in a report recommending the licenses for the construction of these dams, referred to the power that would be produced by these dams as fancy-priced power. I cannot foresee how this great section of our Pacific Northwest will be in any way materially benefited by the construction of these dams by the Idaho Power Co., resulting in such high cost. I cannot foresee any orderly industrial development in an area wherein power is fancy priced. I would challenge any member of this body to predict that any great aluminum plant might be built in an area served by such high-priced power. Should S. 555 be passed and the high dam built in Hells Canyon, the power generated by such a dam would be cheap power. Its sale to industry and to the ultimate users at cheap prices would completely repay the Government for the construction of the dam. I can also foresee, if this dam is built, an orderly development for this great area. I can foresee great plants being built in this area. I can foresee great prosperity if the dam is built.

I cannot foresee the corresponding prosperity if the Idaho Power Co. is allowed to destroy this great dam site by the so-called low dams that are presently being constructed.

I recommend the passage of this bill.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from Colorado [Mr. CARROLL].

Mr. CARROLL. Mr. President, I wish to compliment the distinguished Senator from Tennessee, who has been chairman of the Antitrust Subcommittee of the Judiciary Committee investigating the Idaho Power Co.'s fast tax writeoff.

The statement of the distinguished Senator from Tennessee with respect to this morning's rejection of the tax writeoff certificates by the Idaho Power Co. was accurate. I read now from a headline on the front page of this morning's Washington Post:

Idaho Power decides to reject writeoff.

Here we are, on the eve of voting on one of the most important national issues to come before this body in 5½ months. The present president of the Idaho Power Co., Mr. T. E. Roach, we are now informed, has taken action to reject the fast tax writeoff.

As a matter of fact, he is in no position to reject it, and there is no official document before this body to show that he is authorized to take such action.

A few days ago, on June 8, when he appeared before the Antitrust Committee, Mr. Roach was interrogated by the distinguished Senator from Tennessee [Mr. KEFAUVER] and the distinguished Senator from Wyoming [Mr. O'MAHONEY]. He was asked, in substance, "Why did you mislead the Federal Power Commission when you were applying for your license?"

The Chairman of the Federal Power Commission, Mr. Kuykendall, had testified before our committee that he never intended that the company should receive any financial assistance from the United States Government. By their own testimony the company officials indicated that they had faint hope of any fast tax writeoffs. This is what Mr. Roach said when the Senator from Wyoming pressed him and asked why, after he had obtained the license, he had asked for this tax writeoff relief. Mr. Roach said, only 8 days ago:

We are a publicly regulated taxpaying utility. We are not free agents as corporate officers or as administrators of a publicly regulated agency, to waive aside any of the provisions of the Federal income-tax law.

And our Idaho Public Utilities Commission has stated, not once, but many times, that we have an obligation, as a regulated utility, to take full advantage of the law.

I agree with the distinguished Senator from Tennessee that this action is a sham, a hoax, and fraud on the eve of this important vote. It is another attempt to misrepresent the position of the Idaho Power Co. before this body.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. CARROLL Let me make one further observation.

This body will decide this issue today. This body should pass the bill now before it. The effort we are making as legislators is the only safeguard, the only protection we can give to the great Snake River project which the distinguished Senator from Washington has accurately described as being in the public interest.

And let me make one further observation. No statement by the Idaho Power Co. to a newspaper, and no official notice, even to ODM, is binding on the United States Government. If the stockholders and the board of directors have certain rights under the law, they will assert those rights. I ask this body not to be deceived, as I believe it was deceived a year ago, when many distinguished and able Members of this body said that there would be no Federal contribution to this program.

I now yield to the distinguished Senator from Tennessee.

Mr. KEFAUVER. As the Senator says, at various times Mr. Roach, in speaking about the rapid tax writeoff, said that he had an obligation to his stockholders and to the company which he could not waive, to try to obtain this valuable right. Having obtained the valuable right, however he may have obtained it, would not the same situation prevail, that he could not, on his own responsibility, waive or give away something valuable which the company had obtained? And, of course, this right is of tremendous value.

Mr. CARROLL. The Senator is correct. A stockholder could institute suit against him. A great benefit of $339 million flows to the corporation from these tax writeoff certificates.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. MANSFIELD. I yield 1 minute more to the Senator from Colorado.

Mr. CARROLL. There is only one way, in good faith, that this tax amortization certificate can be revoked under the law by ODM. Let me read what the law says:

The certifying authority—

That is, the ODM—

may cancel any certificate where it has been obtained by fraud or misrepresentation.

If the appropriate document from ODM had been received by this body—and I assume none has been received—we would then know that there had been a withdrawal or cancellation of the certificates. No such document is forthcoming.

In these last few moments of debate before this momentous vote, let me say that we have studied this question for weeks and months. I cast no reflection upon the fine men who voted against this project a year ago. But I think they were misled, and I think this latest development, this attempt to turn back in the ill-gotten tax certificates is false propaganda to mislead us again, on the eve of the vote.

Mr. HUMPHREY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. MANSFIELD. I yield 1 minute more to the Senator from Colorado.

Mr. CARROLL. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I merely wish to ask the Senator from Colorado if, in the situation to which he refers, the announcement by the Idaho Power Co. that it decides to reject the writeoff is not something like the action of the man who was caught stealing chickens? As he was walking out of the coop the chickens began to squawk, and when he was caught by the local sheriff he wanted to put the chickens back in the coop. I say, "Watch out for the dark of the night, when the watchdog is on the job."

That is what the Senator from Colorado is saying, that this will be a replay, and now the propaganda comes out that, "We don't want anything to do with this nice bonanza which was going to be handed to us." They were perfectly willing to accept it until Sheriffs KEFAUVER and O'MAHONEY exposed them. When they are caught with their hand in the cash register they say, "Oh, we were just looking around to see what

cost estimate at $35,943,730.

amortization certificates to the Idaho Power Co. On February 6, 1956, Senators MORSE,

a later call to the same official of the Idaho Power Co.

was happening." Mr. President, I urge the passage of the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. Mr. President, I yield 30 minutes to the distinguisher Senator from Idaho.

Mr. DWORSHAK. Mr. President, last year the Senate by a decisive vote of 51 to 41 defeated legislation to authorize a Federal dam at Hells Canyon on the Snake River. That action was accepted as ending a controversy which has retarded water resource development in the State of Idaho. Even during the campaign of 1956 Hells Canyon was not discussed as an issue in Idaho.

However, Mr. President, there have been tremendous forces, not only in some sections of Idaho, but throughout the Northwest, which have persisted in maintaining Hells Canyon as a symbol of the public versus private power controversy. Many advocates of this Federal power development at Hells Canyon have professed an interest in our State, but unfortunately, there has been conclusive evidence to show that selfish objectives have motivated those who arbitrarily claim the right to plan a comprehensive basin development along lines which give priority to other considerations which are detrimental to Idaho.

In the great Columbia River Basin, we have had a diversified and integrated resource development to provide maximum benefits of irrigation, flood control, navigation, recreation, and power development. In some areas, the Federal Government is best qualified to construct multiple-purpose projects, while in other areas non-Federal agencies and private utilities have been able to do an outstanding job sponsoring projects for which they were best qualified. More than half of the power generated in the Columbia Basin has been provided by non-Federal sources. Competition between these various groups has resulted in stimulating materially power generation so that consumers are beneficiaries of both efficient service and reasonable rates. It is my opinion that such a competitive situation is highly desirable in preventing monopolistic trends by either Government or non-Federal interests.

I refuse to accept the theory that all power projects should be constructed by the Federal Government; and therefore, I believe that it is imperative that constant turmoil and friction over the public-power issue be submerged so that a realistic approach may be used in orderly development of the Columbia Basin. Great progress has been made through the Northwest power pool to insure efficient marketing of power regardless of its source. This system of distribution has been widely accepted, and shows what can be accomplished when there is cooperation and integration.

Hells Canyon Federal Dam is only one of several projects vitally affecting Idaho. Both the Army Engineer Corps and the Bureau of Reclamation have recommended such projects as Bruces Eddy on the North Fork of the Clearwater River and the Burns Creek Reregulating Dam on the South Fork of the Snake River. It is extremely unfortunate that Members of Congress from other States and interests outside of Idaho have attempted to influence resource development on the basis of their own selfish interests rather than letting Idaho plan its own development.

On April 29 of this year, I addressed the annual meeting of the Idaho Reclamation Association at Pocatello, Idaho, and proposed that a State water coordinating advisory board be created to unify planning of water-resource development. Idaho has extremely valuable water resources, and maximum conservation and use of these resources would be expedited if we had a State advisory board which could endeavor to compose differences and insure orderly development. This would take into account the various areas within our State and the needs for our industrial, agricultural, and recreational growth.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD some of the objections to S. 555 as outlined in the minority views, which I signed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SOME OF THE OBJECTIONS TO S. 555 AS OUTLINED IN THE MINORITY VIEWS

While the Congress is struggling to reduce the budget so that inflation can be halted and debt and tax reductions granted, the proposal made in S. 555 would represent an unnecessary out-of-Treasury expenditure or an outright tax loss, of a billion dollars.

The action recommended in S. 555 would result in a denial to the Nation of the benefits of assistance from non-Federal sources in the development of our hydroelectric resources.

S. 555 proposes upsetting a unanimous decision of the Congress' own bipartisan power agency, the Federal Power Commission. This proposal is made in spite of the fact that the FPC deliberations on the Hells Canyon decision were the most extensive in the agency's history—extending over 2 years and amassing 20,000 pages of testimony in 150 hearing days. The FPC procedures and decision were upheld by a recent action of the United States Supreme Court.

Power is still urgently needed in Idaho and elsewhere in the Pacific Northwest, and yet S. 555 would halt the contemplated delivery of energy from the Brownlee project in 1958 and postpone comparable power production at the Hells Canyon reach of the Snake River at least until 1964.

High Hells Canyon Dam would not contribute a drop of water for irrigation, municipal, or industrial use in Idaho.

In demanding the high Hells Canyon Dam as a flood control necessity, supporters of S. 555 are ignoring the fact that at least 90 percent of the unsolved flood control problem on the Columbia River originates from flood flows downstream from Hells Canyon and on other Columbia River tributaries. Furthermore, the high dam would not solve flood control problems upstream on the Snake River and its tributaries, where it is needed within the State of Idaho.

Rejection of S. 555 would not mean discrimination against the States of Oregon and Washington in their water resource development. These States already have received one-seventh of Federal flood control and navigation construction funds and one-fifth of Federal reclamation construction funds appropriated for all the 48 States.

If the project proposed in S. 555, including both transmitting and generation facilities, were built in 6 years, as the supporters contend it will be, the project would require nearly $100 million a year in reclamation appropriations. Total reclamation construction funds requested in the 1958 Presidential budget amount to only $156 million for all 17 Western States, and efforts are being made in some quarters to reduce this amount.

Section 3 (c) of S. 555 directs the Secretary of the Interior to supply and transmit from the McNary Dam, many miles downstream, the necessary construction power for the Hells Canyon Dam, in spite of the fact that the Secretary of the Army has specifically stated that "the purpose of this provision is not clear and might prove undesirable from an economic standpoint."

Mr. DWORSHAK. Mr. President, the limitations of time make it inadvisable to refer to all of the inaccuracies and misstatements contained in the report of the Committee on Interior and Insular Affairs favorably recommending authorization of the high Hells Canyon Dam on the Snake River.

On page 16 of the report are two paragraphs under the heading "Hells Canyon, a Prime Weapon Against Floods." Attention is then called to the flood threat in the Columbia Basin in 1956 being as great as any year of record, but that the orderly runoff of snow packs precluded any devastating floods in that year. The report emphasizes the need of providing storage to impound flood waters in the Columbia Basin with the implication that a high Hells Canyon Dam would remove the flood threat which occurs almost annually in the lower Columbia Basin.

While the Army Engineer Corps and the Bureau of Reclamation have in the past evaluated flood storage in the middle Snake River area, it should be pointed out that the Snake River is the only 1 of 4 main watersheds in Idaho which has any storage dams or river development.

As recently as March 28, 1957, at hearings before the House Subcommittee on Appropriations on the Public Works Budget for 1958, General Foote, divisional engineer from the Portland Army Engineer Corps office, testified as follows: "The existing gross storage on the Snake River above its confluence with the Salmon River totals approximately 9,967,000 acre-feet, located in a total of 138 reservoirs. Of this amount, approximately 8,750,000 acre-feet is considered active storage. There are approximately 2,833,000 acre-feet of usable storage for downstream flood control, and in addition to this, irrigation diversion and storage will provide a considerable measure of flood control."

At the same hearing, General Foote submitted pertinent data on the source of major floodwaters in the Columbia River Basin.

Naturally, many of these reservoirs on the Snake River were not in existence in June 1894 when the major flood occurred in the Columbia Basin. In 1894, the Engineer Corps table, showing the Columbia River peak flow at The Dalles as 100 percent, the Snake River above Salmon—at Oxbow—contributed 8.5 percent of the peak flow and only 9 percent of the volume flow during the flood period.

In the devastating Columbia River flood of May 1948, the same basis of 100 percent peak flow of the Columbia River at The Dalles, the Snake River

above Oxbow contributed only 5 percent of the peak and only 4.9 percent of the volume of the water in the Columbia River at The Dalles during the flood period. In the June 1956 Columbia River flood, according to the Army engineers' testimony before the House group, the Snake River at Oxbow contributed only 5.8 percent of the peak flow of 100 percent in the Columbia River at The Dalles and only 6.4 percent of the volume flow during the flood period.

Therefore, according to these figures submitted by General Foote for the 2 major floods of June 1894 and May 1948 and also June 1956, more than 90 percent of the floodwaters in the lower Columbia River originated downstream from the site of the proposed high Hells Canyon Dam. In all sincerity, I ask my colleagues to explain how a dam built to control floodwaters comprising less than 10 percent of the total flood potential of the Columbia River will effectively control floodwaters arising on the Columbia River in Canada, the Kootenai River, the Clark Fork and the Pend O'reille River, the Clearwater River, Salmon River, the Spokane River below Coeur d'Alene Lake, and several miscellaneous streams and tributaries downstream from the Snake River at Oxbow.

I appreciate fully Mr. President that it is possible to make preposterous political claims concerning the floodwaters of any watershed like the Columbia River. However, the figures submitted at the House hearing by the Army Engineer Corps should prove conclusively the fallacy of claiming that a high Hells Canyon Dam would be the potent weapon in alleviating the flood menace in the Columbia Basin. This is about as impractical as attempting to make water run uphill. But even this may be contemplated by those who should realize that their speeches, claims, and unrealistic planning cannot disprove or refute accurate records compiled by the Army Engineer Corps.

Some of the cosponsors of the proposed Hells Canyon project have vigorously opposed the authorization of a multiple-purpose dam at Bruces Eddy on the north fork of the Clearwater River. According to the data submitted by the Army Engineer Corps at the recent House hearing, the Clearwater River at Spaulding in 1894 contributed 12.2 percent of the peak flow at The Dalles compared with only 8.5 percent from the Snake River at Oxbow.

In 1948, the Clearwater River discharged 16.4 percent of the peak floodwaters as compared with only 5 percent from the Snake River at Oxbow.

In 1956, the Corps reports, the Clearwater River discharged 10.7 percent of the peak waters in the Columbia at The Dalles as compared with only 5.8 percent contributed by the Snake River at Oxbow.

These figures should decisively show the need of flood storage reservoirs on the Clearwater River such as Bruces Eddy where the real flood threat originates when the Columbia River is confronted with a flood menace.

Mr. President, in the recent spring of 1957 there were some devastating floods in the upper watershed. But it plainly shows that those floods were not in the vicinity of the proposed Federal dam in the Hells Canyon reach of the Snake River. The floodwaters were either in the upper tributaries or far downstream tributaries, such as the Clearwater River, in a different watershed.

So again I must emphasize that if we want to control floodwaters, obviously it is necessary to build dams where the flood waters are being discharged. A flood control dam should not be built in some remote canyon, where the floodwaters are not a real menace.

Mr. President, I shall devote my remarks now to the question of why the compact between the seven States in the Columbia River Basin has not been ratified by the Legislatures of either Oregon or Washington. The Legislatures of Idaho, Utah, and Nevada—the latter two States participating only to a limited extent in the utilization of the waters of the Columbia River Basin—have ratified the compact. However, in Oregon and Washington, without regard to partisanship, there has been opposition to the compact. A meeting has been scheduled for this week of members of the compact commission at Portland, Oreg., and it is possible that some new effort will be made to reach an equitable agreement conducive to greater cooperation among the seven States of the basin.

During debate on the Senate floor on Monday, January 14, 1957, the senior Senator from Oregon [Mr. MORSE] emphatically declared that he would do everything he could to defeat the compact. On that occasion, in response to a question from me, the Senator from Oregon said:

> We are not going to agree on the question of the compact. I think a compact would not be in the interest of my State or the Pacific Northwest, and I shall oppose it.

Continuing, the senior Senator from Oregon declared during that debate:

> I want to say that in the State of Oregon the compact does not have the chance of a snowball in a hot oven. I am not going to sit in the Senate and support a program which I am satisfied the people of my State would want me to reject.

That is the ultimatum delivered to the upper basin States, and I question whether that reflects a firm determination in Oregon that the people there will oppose a basin compact indefinitely.

Negotiations for an interstate compact between the seven States have been in progress for more than 6 years. They were first conducted on an informal basis by representatives of the various States, prior to the passage of authorizing legislation. Then, after formal authority to conduct such negotiations had been enacted by the Congress and the legislatures of the States involved, the negotiations were continued by the officially appointed representatives of the various States.

From the point of view of the upstream States, the fundamental requisite of any compact is proper protection for present and future irrigation water rights against the large water rights which are necessarily required for, and become appurtenant to, the great downstream powerplants. In other words, already there are water requirements for the great downstream plants which, in low-water periods, require more than the entire flow of the stream. If these rights are strictly enforced, there can be no further irrigation expansion in the great semiarid upstream basins of the Columbia River tributaries.

This was particularly important to the State of Idaho, which has the greatest potentials for irrigation development. Admittedly this will reach a minimum of a million additional acres, with the possibility that this may increase up to 2 million additional acres. All of this is over and above the present irrigated empire of approximately 2¾ million acres.

Accordingly, throughout all the negotiations, the Idaho representatives have insisted that, without qualification, there must be a provision that present and future upstream irrigation water rights have priority over downstream nonconsumptive power rights. Idaho was fully supported in this position by the other upstream States. It was agreed that the same priority for irrigation rights should prevail with respect to the eastern portions of the downstream States of Washington and Oregon, for they, too, are dependent upon expansion of irrigation reclamation for their future agricultural growth.

Also, the upstream States, with Montana as their leading spokesman, have insisted that with respect to any future power developments having large storage reservoirs in any upstream State, the rights of the State in which the project is located to an equitable share of all of the resulting power, both at site and downstream, should be protected. From the experience at Hungry Horse, it was realized that storage reservoirs would be operated, not with the principal object of producing the most power at site, but rather with respect to producing maximum power in the overall hydro system, extending clear down through the lower reaches of the Columbia, so that much of the actual resulting power from the storage would be produced at lower plants. It was also realized that the impending power shortages on the Pacific coast would initially absorb all new power, but the State of Montana felt that they should have the right hereafter, after due and proper notice, to draw back for use in the State their equitable share of the new generation when it was there needed in future years.

The other upstream States fully supported Montana in this position.

Many other questions are involved in the compact, but these were the basic matters discussed.

The history of the proceeding so far in the compact negotiations is as follows:

First. Negotiations of Columbia River compact authorized by act of Congress of July 16, 1952, amended July 14, 1954.

Second. (a) The States of Idaho, Washington, Nevada, and Montana each passed specific legislative acts in 1951 creating commissions to negotiate this compact.

(b) Wyoming, Utah, and Oregon all had continuing compact negotiating authority of a general nature which enabled them to participate without further legislative action.

Third. After many meetings, in all the States of the basin, of the full group of commissioners, comprising some 40 men, and many meetings of special subcommittees, drafting committees, and other groups, a draft of the compact was agreed upon and was formally approved by the full group in Spokane, Wash., on December 29, 1954.

Fourth. The compact was formally signed at Portland, Oreg., on January 15, 1955, by the commissioners, and was approved by the Federal representative, Mr. Frank A. Banks.

Fifth. The 1955 Legislatures of Idaho, Nevada, and Utah formally approved the compact. It has not been approved by the legislatures of the other States.

BACIC FEATURES OF COMPACT

While necessarily lengthy, and technical in language, the compact is basically simple.

The one absolutely mandatory provision, article VII, is that which provides that all irrigation water rights in the upstream area which are either now in existence or which may be acquired prior to the year 2000 shall be prior to any downstream, nonconsumptive power rights.

Mr. President, in the compact which was originally negotiated, it is provided that either at the year 2000—or in 2050 if it is later unanimously agreed to extend the time to that date—any then unappropriated waters may be apportioned among the States.

The importance of this provision is emphasized by the specific provision—article VII (D)—that the compact shall not become effective unless the Federal law approving it accepts this priority provision. All other provisions of the compact with respect to power or water rights, other than the foregoing absolute priority of irrigation rights acquired up to and including the year 2000, are merely recommendatory.

The compact provides for a permanent interstate compact commission comprised of 11 members, 2 each from Idaho, Montana, Oregon, and Washington, and 1 each from Nevada, Utah, and Wyoming. This commission is intended to be a truly representative body, representing all of the States in the basin. It is given the power either to initially propose or to review and consider proposals made by other Federal or State agencies with respect to all plans for the construction of works relating to flood control, navigation, power development, irrigation, or other water uses. It is intended to have general planning and review authority, with the purpose of making it a truly adequate and representative spokesman for the whole basin.

Among the things upon which this permanent commission shall make recommendations are those with respect to the allocation of power in connection with all newly proposed projects. There is stated the basic provision that there shall be a fair and equitable apportionment of the hydroelectric power among the States in the basin. Also, that with this basic principle in mind the commission shall, with respect to all new projects, whether either federally constructed or constructed under licenses issued by the Federal Government, determine the amount of power and energy which, in its judgment, is equitable for reservation and use in the State or States in which the project is located, and the kind of reservation which would be reasonable and practical in the particular case, and shall make its recommendation to the Congress or the licensing agency.

It is, of course, recognized that the only power of the permanent commission is to make such a recommendation, and that the determination with respect thereto would, in the final analysis, be made either by Congress or by the Federal Power Commission, as the case may be.

The commission also is directed to make recommendations to the proper agencies with respect to pollution control, fish, wildlife, and recreation protection, and to itself engage in general planning activities. The commission would be financed by the States of the basin. A nonvoting Federal representative shall serve as chairman of the commission.

Mr. President, the need for the execution of such a compact before the creation of any new downstream Federal project is very great. And particularly is there need for such a compact prior to the construction of any Federal project on the Snake River above the mouth of the Salmon River, for the demands for water in that section of the Columbia River Basin are already highly competitive and will rapidly become more so.

All now concede that if any such Federal project as Hells Canyon Dam were constructed, the Federal Government, under its constitutional authority, would be supreme, regardless of whatever protective language might be included in the act, for the reason that any such protective clause would be at best subject to immediate change by Congress and of no binding effect upon any Federal executive department claiming constitutional rights.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. DWORSHAK. Yes, briefly.

Mr. BARRETT. Is it not a fact that Wyoming and Idaho have entered into a compact for a division of the waters of the Snake River?

Mr. DWORSHAK. Yes, that is true. I intend to mention that later in my statement. That compact was entered into in 1950, I think.

Mr. BARRETT. Is it not true that the people of Idaho feel that the only assurance they can have of securing their full share of the waters of the Snake River is through a compact between Idaho and Oregon?

Mr. DWORSHAK. Yes, that is true, because Idaho furnishes so much of the water which flows down the Snake, the Clearwater, and the Salmon into the lower Columbia River Basin.

Mr. BARRETT. Practically all the water is furnished by Idaho except for water from Wyoming.

Mr. DWORSHAK. Yes, that is true, and there is a small portion which comes from Eastern Oregon.

Mr. BARRETT. So Idaho would be unprotected unless there were a compact if a Federal dam were built on the Snake River.

Mr. DWORSHAK. That is correct, in the section of the Snake River which would be largely dependent on water discharged by the main Snake River.

The Snake River above the mouth of the Salmon River already has almost 10 million acre-feet of storage, this being by far the best developed stream in the basin. This existing storage will not fill in low water years. In 1934 the American Falls Reservoir, with the second oldest priority of the large reservoirs, filled only approximately 50 percent. Even the ardent advocates of the high dam admit it will not fill in years of low stream flow. Accordingly, there will inevitably be a clash between the demands for water in the Federal dam and the demands of the upstream irrigation water rights.

Without a prior interstate compact, the present and future irrigation water rights are in great danger. With an investment of a half billion dollars in the Hells Canyon project and its transmission lines, and additional billions of dollars in affected downstream projects, the pressure would be irresistible on the operators of the Federal dam in low water years to demand sufficient water for its full operation, even if it adversely affected upstream water rights. The downstream interest would demand that this be done.

A compact would be the only protection. It would bind the downstream States to recognize the upstream irrigation priorities. It would bind the Congress both morally and legally. And no Federal officials who were operating dams could trespass on irrigation rights unless and until the Congress had with all formality terminated or altered the compact.

Mr. President, the specious argument, in the committee report completely overlooks the point that a compact would bind the downstream States. It also overlooks the fact that such documents, executed in accordance with the express permission of the United States Constitution, are instruments of the highest character—similar to international treaties. They are the approved and frequently used methods for establishing rights between several States.

No further Federal dams on the Snake River, below the great irrigated empire, should be built until, by compact, the irrigation rights of the upstream areas have been assured protection.

It is appropriate at this point to refer—as has already been done by the Senator from Wyoming—to the fact that Public Law 464, of the 81st Congress, 2d session, is an act granting the consent and approval of the Congress to a compact entered into by the States of Idaho and Wyoming, relating to the waters of the Snake River. That act was approved on March 21, 1950. It is very significant that this compact is conclusive evidence of the good will and the desire for cooperation on the parts of the States of Idaho and Wyoming to have an equitable distribution and full utilization of the waters of the upper Snake River. If the States of Idaho and Wyoming could agree, as they did, to this compact—which makes a division and allocation of the water of the upper Snake River—then certainly the States of Oregon and

Washington could be expected to do likewise.

Article 1 of the compact or agreement between Wyoming and Idaho provides as follows:

A. The major purposes of this compact are to provide for the most efficient use of the waters of the Snake River for multiple purposes; to provide for equitable division of such water; to remove causes of present and future controversies; to promote interstate comity; to recognize that the most efficient utilization of such waters is required for development of the drainage area of the Snake River and its tributaries in Wyoming and Idaho; and to promote joint action by the States and the United States in the development and use of such waters and the control of floods.

So, Mr. President, I am sure that the people of Idaho are justified in the position they take, namely, that in the absence of a compact ratified by the States of Oregon and Washington, there is little justification for the State of Idaho to consent to the building of a high dam in the Hells Canyon, almost entirely dependent upon water from the States of Wyoming and Idaho to operate the dam, until there is a complete understanding, based upon the provisions of the basin compact which already has been ratified by the Legislatures of the States of Idaho, Nevada, and Utah.

Mr. President, I think one of the most potent arguments made by those who are opposed to the high Federal dam is that thus far there has been a complete lack of good faith and good intentions on the part of the officials of the two lower-basin States of Oregon and Washington.

Mr. President, at this point I should like to refer briefly to the distinction which exists when projects are built by non-Federal agencies, under licenses granted by States such as Idaho.

The Department of Reclamation, State of Idaho, has granted to the Idaho Power Co. three water permits for construction and operation of dams on the Snake River—Brownlee, Oxbow, and Hells Canyon. These permits contain a provision which makes these water rights subordinate to all upstream present and future consumptive uses.

The Federal Power Commission license provides that the private project—

shall be operated in such manner as will not conflict with the future depletion in flow of the waters of Snake River and its tributaries, or prevent or interfere with the future upstream diversion and use of such water above the backwater created by the project, for the irrigation of lands and other beneficial consumptive uses in the Snake River watershed.

Thus, Mr. President, under this plan the State retains full control, whereas under the high-dam proposal the Federal Government would exercise absolute control.

Mr. BARRETT. Mr. President, at this point will the Senator from Idaho yield to me?

Mr. DWORSHAK. Yes; I yield briefly.

Mr. BARRETT. Is it not a fact that the water rights for upstream users are protected under the State license granted to the Idaho Power Co. for the construction of its dams?

Mr. DWORSHAK. Yes; that is the interpretation made by those who are authorities on water law.

Mr. BARRETT. So the State application protects the irrigators upstream from the dam, and the Federal Power Commission has done the same thing in granting the license.

Mr. DWORSHAK. That is stipulated in the license.

Mr. President, a concise statement of this position is that made by J. Lee Rankin, Solicitor General of the United States, at a hearing before the House Interior and Insular Affairs Committee on February 22, 1956, while that Committee was considering the "Water Rights Settlement Act of 1956," which is the same act as the so-called Barrett bill. I now read from the hearing:

The Representative from the Second Congressional District in Idaho—

Just one question, and then I will yield. To bring this down to a specific bill which is pending before this committee * * * if that bill were enacted, then would the State laws be abrogated, so far as the waters of the Snake River and its tributaries are concerned?

Mr. RANKIN. You have to have certain assumptions. Assume that it is a valid Federal project—and we would assume that—and that the Congress approved that action, any place where the State law would interfere with the carrying out of the will of Congress, we would say that the executive branch did not have to comply with that particular part of the State law, because they could not carry out the Congressional will, and, insofar as the State law would try to prevent the Federal Government from acting in its proper sphere, it has no control.

Mr. BUDGE. In other words, if this Congress should pass the Hells Canyon bill, the control over the waters of the Snake River and its tributaries would be under the control of the Federal Government, insofar as any conflict arose between the operation of the project and State water laws. Is that correct?

Mr. RANKIN. I think that would have to follow.

So, Mr. President, I think that is convincing evidence that the people of the upper Snake River Valley, in Idaho, are justifiably alarmed over the possibilities of having their water rights placed in jeopardy by the construction of a Federal dam in the Hells Canyon area.

Mr. WATKINS. Mr. President, will the Senator from Idaho yield at this point, in order to give me an opportunity to request that an insertion be made in the RECORD?

Mr. DWORSHAK. I yield.

Mr. WATKINS. Mr. President, the minority members of the Interior Committee stated their views regarding this threat to Idaho's water rights. I ask unanimous consent to have printed at this point in the RECORD that portion of the minority views.

There being no objection, the excerpt from the minority views was ordered to be printed in the RECORD, as follows:

S. 555 THREATENS IDAHO'S WATER RIGHTS

4. S. 555 violates the precedent of Congressional respect for States rights in water resource legislation affecting the semiarid West.

No interstate compact has been effected to adequately protect the rights of Idaho and other upper Snake River Basin States to consumptive uses of water in the Columbia River and its tributaries. This was a basic objection to S. 1333. It remains a basic objection to S. 555.

People who live in the humid sections of the country have difficulty in comprehending the active interest in water resource legislation that is taken by people who live west of the 98th meridian, in what is the semiarid region of this great country of ours. In much of this part of the West, annual precipitation averages only from 5 to 10 inches a year. This represents only a little more moisture than falls in the humid East during a typical week of heavy hurricane rains. Furthermore, most of this limited precipitation in the semiarid West occurs in the winter in the form of snow. Therefore, to have water for its cities and its relatively small agricultural oases, the West is obliged to build storage reservoirs which trap moisture during the spring snow melt and conserve it for use during the dry months of the year.

In western water development, a major advantage has been enjoyed by the downstream water users on our large rivers. The downstream areas frequently are the first to develop, have the best hydropower sites, and build up population justifying earlier development.

COMPACT PRECEDENT SET ON NEIGHBORING RIVER

This was the situation faced by the upper States of the Colorado River Basin when the downstream users first proposed large-scale storage on that river in the 1920's. The upper basin States, whose watersheds supply 90 percent of the water of the Colorado, recognized that the tremendous storage capacity proposed for the Boulder Canyon project would enable the downstream States of California and Arizona to put to use all the available unappropriated water in that river. Hence, the upper basin States refused to approve the construction of the Boulder Canyon project until the lower basin States had guaranteed to them, in an interstate compact, specific consumptive water uses in the river. Ratification of such a compact was required by Congress in 1928 as a condition to authorization of the project act which ultimately made possible the construction of Hoover Dam.

A similar situation exists on the Columbia River today. Tremendous power and irrigation projects have been constructed on the lower river. In this river basin, however, unlike the situation on the Colorado, the coastal sections are a water-surplus area, and considerable reclamation development has already occurred in Idaho's arid Snake River drainage basin. Hence, there has not been a comparable drive in the Northwest for protection of the legitimate uses in the several basin States. The day is here, however, when an agreement between the States is necessary to safeguard the rights of investors in water-use projects and to avoid unnecessary waste of millions in needless litigation.

In the Snake River Basin of Idaho, a lack of an interstate compact or a judicial adjudication will be a barrier to future water development in that State. This is the basis of Idaho opposition to the high Hells Canyon proposal at this time.

IDAHO'S FEARS AMPLY JUSTIFIED

These fears are amply justified A power dam consumes relatively little water, but it establishes an appropriative right to streamflow which must be considered legally and morally in any future water development. In the case of the high Hells Canyon Dam, long-term storage rights are sought for a reservoir impounding 4 million acre-feet of water, held vitally necessary for national defense, flood control, power production, and regulation of the riverflow to provide firm power at downstream power dams.

Proponents of high Hells Canyon Dam have sought to reassure the people of Idaho that their future water rights in the Snake River are adequately protected by section 2

of S. 555. Responsible western water law authorities do not concur in this opinion.

When H. R. 5743 was introduced into the 82d Congress, section 2 read as follows:

"SEC. 2. The operation of the Hells Canyon division shall be only such as does not conflict with any present beneficial consumptive use, valid under State law, of the upstream waters of the Snake River and its tributaries, and as does not conflict with any future depletion of flows arising from future upstream diversions for beneficial consumptive uses under State law—

"(1) in a total amount which is reasonable and equitable for the irrigation of new and supplemental land developments which are, in total area, like those indicated in chapter IV of the substantiating materials to the Hells Canyon Project Report, as set forth in volume 2 of House Document No. 473, 81st Congress; and

"(2) in a total amount which is reasonable and equitable for future upstream consumptive uses for domestic, municipal, stockwater, mining, and industrial purposes."

PROVISO NO ADEQUATE SUBSTITUTE FOR COMPACT

This provision, we maintain, is no adequate substitute for a formal interstate compact, but it does spell out the rights preserved for the upstream States, which are the only rights endangered by this proposed reservoir project.

In S. 1333 of the 84th Congress, this section had been watered down to this form:

"SEC. 2. The operation of the Hells Canyon Dam shall be only such as does not conflict with present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the upstream waters of the Snake River and its tributaries."

In committee, this was further modified, to read as follows (new material in brackets):

"SEC. 2. [Notwithstanding the provisions of any other law,] the operation of the Hells Canyon Dam shall be only such as does not conflict with present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters of the Snake River and its tributaries upstream from the dam [and downstream]."

1956 SECTION 2 RATED ULTIMATE

This section was described as follows in the committee report on S. 1333, last session:

"The committee concludes that section 2, as amended, provides the fullest possible protection against infringement by this project on any beneficial consumptive use rights, present or future. The only way greater protection could be afforded would be by an amendment of the Constitution."

In spite of this unqualified endorsement, the section was further amended in S. 555, to read as follows (new material in brackets):

SEC. 2. Notwithstanding the provisions of any other law, the operation of the Hells Canyon Dam shall not conflict with, [and shall be subordinate to], present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters of the Snake River and its tributaries upstream from the dam and downstream.

A close analysis of section 2 of S. 555 discloses that at best it is confusing, and at worst it holds out false hopes to the people of Idaho that their future needs for water for consumptive purposes will be fully protected.

HIGH DAM WOULD ESTABLISH RIGHT UNDER STATE LAW

It is the understanding of the minority that the State laws of both Idaho and Oregon recognize the use of water for hydropower production as an appropriative beneficial use right which will have priority over any other rights initiated and established subsequently upstream from the powerplant. Section 2 limits the protection for so-called future rights to those valid under State law. A future use upstream would be subsequent to the establishment of the Hells Canyon Dam, which under both the laws of Oregon and Idaho in such a situation would be first in time and, therefore, first in right. That would be a valid right under State law, and any future use right upstream would be junior to the Hells Canyon hydropower right. Under the same State law, therefore, the upstream water development is defined as a junior right and, consequently, is only valid to that extent.

Thus we have one valid right against another, or two valid rights under State law—one senior and the other junior. And this State law cannot be changed by an act of Congress.

Thus section 2 fails to accomplish its announced purpose.

There is still another point of view to be considered. It has long been the position of Idaho irrigation interests that the language of section 2 is, in actuality, meaningless. First, it is obvious that this or any other Congress could repeal or amend this language at any time; and in the event of a clash of water rights between the single dam and irrigation interests, as mentioned above, this would be a probable occurrence. And, secondly, this language does not give any protection against Federal control of the river.

Most western water States have had disillusioning experiences with downstream hydroplants on streamflow subsequently required for upstream consumptive water uses. Such downstream plants, including at least one Federal project, have had to be purchased outright, or otherwise compensated for water intended to be used by the water users, to fill reservoirs which were being planned to store water for municipal, industrial, and agricultural uses.

FPC LICENSE MAKES POWER USE SUBORDINATE

This prospect is not faced by Idaho in the case of the Federal Power Commission dams, because the license specifically provides that upstream water depletion for future consumptive use takes precedence over production of hydropower at the Hells Canyon site, now and in the future.

If section 2 does not in fact—and should this be later established by the courts—protect the rights of the upstream States to all consumptive use needs now and in the future, as proponents contend, then it should be pointed out that such future needs could very likely deplete the flow of water of the Snake to the point where efficient power generation at the high dam will be greatly reduced. That is a risk that may well become a reality, and under such circumstances the Federal Government certainly should not make an investment of over $500 million based on such a risky water supply.

We believe this comment is fully justified. If the downstream States of Oregon and Washington are willing to consent to a provision of this bill that will fully protect Idaho's future rights to water for consumptive needs now and in the future, then why are these States so adamant against joining in an interstate compact which would be ratified by their legislatures and bind them formally to recognize such rights and make it possible for Idaho's rights to be fully protected in the courts of the land?

COLUMBIA RIVER STATES HAVE DRAFTED COMPACT

The Columbia River States have a proposed compact, drafted in 1954 after interstate considerations extending over several years. However, the proposed compact, while signed by the Interstate Compact Commission in early 1955, has not been ratified by the lower basin States of Oregon and Washington and these States have refused to ratify a revised draft completed in 1956. In fact, the impression has been given that these States will never ratify such a document. Hence, Oregon and Washington are telling Idaho, in effect, "We refuse to guarantee upstream rights by entering into a compact, but we offer you in place of such a formal legal compact, a so-called protective clause in S. 555 which we believe will effectively protect your rights to Snake River waters."

So far, Idaho has not accepted the assurances that a proviso of S. 555 will protect its rights to develop a rightful share of Snake River water. On the contrary, Idaho leaders and farm groups have accepted the alternative proposal of the Idaho Power Co. to develop needed kilowatts by a 3-dam project which requires only 1 million acre-feet of storage.

No one has contended that this smaller reservoir could not be filled from excess streamflow, and it is not authorized by Congress as the key to a regulatory program to increase firm power production at large downstream Federal power dams. Furthermore, the license for this 3-dam project contains a proviso (art. 41), which specifically directs that water rights for the Idaho Power Co. dams—obtained on application to the State of Idaho—shall be subordinate to consumptive uses upstream, now and in the future.

This restrictive article in the Federal Power Commission license provides that the project "shall be operated in such manner as will not conflict with the future depletion in flow of the waters of Snake River and its tributaries, or prevent or interfere with the future upstream diversion and use of such water above the backwater created by the project, for the irrigation of lands and other beneficial consumptive uses in the Snake River watershed." Both the Federal Power Commission and the State of Idaho can police this directive. Legal remedy, if required, can be obtained in Idaho courts.

An attempt was made in committee to substitute the language of this proviso for section 2 of S. 555, but it was beaten down by the supporters of high Hells Canyon. Such an amendment would not be an adequate substitute for a compact, but it would more effectively spell out the upstream rights, which are the only ones at stake here.

Mr. DWORSHAK. Mr. President, I have indicated that I believe wholehearted cooperation among the seven States in the Columbia River Basin is highly desirable if we are to have equitable conservation and use of our valuable water resources.

At this point I should like to call attention to the fact that the total acreage in the Snake River drainage—according to House Document No. 531, of the 81st Congress, 2d session, a printed report of the Chief of Engineers, dated February 14, 1950—is 69,760,000. In other words, there are approximately 70 million acres in the Snake River Basin. The report indicates that Idaho has 46,297,600 acres, or approximately two-thirds of all the acreage in the entire Snake River drainage. Yet we have heard Senators from other States in the Columbia River Basin contend that they are so solicitous about the interests of Idaho that they want to have a dam built in complete disregard of the fact that most of the water originates in the State of Idaho, as well as in the State of Wyoming, and of the fact that Idaho has approximately two-thirds of the total acreage in the Snake River drainage area.

Mr. President, in this connection I ask unanimous consent to have a brief table on the Snake River drainage printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Snake River drainage

State	Irrigated acreage [1]	Total acreage [2]	Square miles [2]
Oregon	422,500	12,992,000	20,300
Washington	7,105	3,392,000	5,300
Idaho	2,166,980	46,297,600	72,340
Wyoming	76,573	3,270,400	5,110
Nevada	40,904	3,577,600	5,590
Utah	6,320	230,400	360
Total	2,722,475	69,760,000	109,000

[1] Irrigation census of 1950 covering year 1949.
[2] H. Doc. 531, 81st Cong., 2d sess., a printed report of the Chief of Engineers (Feb. 14, 1950).

Mr. DWORSHAK. Mr. President, Idaho wants upstream development and maximum utilization of her vast water resources. This development must safeguard water rights, prevent encroachment by the Federal Government, and nullify selfish efforts of the lower basin to preempt Idaho's rich heritage.

Mr. President, a few minutes ago, during the debate, some references were made to the value of fish and wildlife and whether that element is involved to a great extent in the building of the Federal Hells Canyon Dam. During the past 2 years extensive studies of fish and wildlife have been in progress throughout that section of the middle Snake River and on the Clearwater River drainage, in order to determine the extent to which fish and wildlife are affected.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The time yielded to the Senator from Idaho has expired.

Mr. DWORSHAK. Will the Senator from Illinois yield an additional minute to me?

Mr. DIRKSEN. Mr. President, I yield 1 additional minute to the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho is recognized for 1 additional minute.

Mr. DWORSHAK. I thank the Senator from Illinois.

Mr. President, at this point I should like to read a telegram which I have just received from Blaine Stubblefield, of Weister, Idaho. It reads as follows:

WEISER, IDAHO, *June 20, 1957.*

HON. HENRY DWORSHAK,
Senator from Idaho,
Washington, D. C.:

Suggest these points be emphasized in debate on Senate bill 555. Anyone can see that unless Brownlee goes on the line as ordered by Federal Power Commission the Northwest will face a drastic power shortage in 1958, which will curtail industry and jeopardize defense. Ask opposition where is alternate power source. Also emphasize that proposed Federal dam would inundate low-level gorge and seriously impair scenic values. Drawdown of nearly 300 feet would leave muddy smear unfavorable to water sports. The three-dam project ordered by FPC will create impoundments much like present running river, vastly superior for recreation. I am pioneer and only commercial navigator of Hells Canyon. Thanks.

BLAINE STUBBLEFIELD.

Mr. President, although the limitation on time has prevented me from discussing various other aspects involved in this controversy, which involves public power versus private power, I have tried to emphasize, in the brief time at my disposal, the fact that in Idaho there is real apprehension over what will result if the lower basin States are permitted to take over completely the control of the waters which flow down the great Snake River in Idaho.

Mr. BARRETT. Mr. President, will the Senator from Illinois yield 1 additional minute to the Senator from Idaho?

Mr. DIRKSEN. I yield an additional minute to the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho is recognized for 1 additional minute.

Mr. BARRETT. Mr. President, will the Senator from Idaho now yield to me?

Mr. DWORSHAK. I yield.

Mr. BARRETT. I wish to commend the Senator from Idaho for his splendid presentation of the issues involved in the pending controversy. I know he has referred to the interests of the conservation groups in this bill. I have before me an article, issued by the Hells Canyon Association, Lynn Tuttle, Chairman, of Clarkston, Wash. He is urging the passage of Senate bill 555 and also the construction of the Nez Perce Dam.

As I understood, all the conservation people were opposed to the Nez Perce Dam.

Mr. DWORSHAK. I think that question should properly have been submitted to some of the proponents of the high dam, because, obviously, that dam would impair the migration of fish up the Salmon River.

Mr. BARRETT. So I have understood, but I cannot quite understand how the proponents of this bill can come into the Senate with clean hands and say they are looking after the interests of conservation when they are proposing construction of a dam at Nez Perce which will obstruct the passage of salmon up the Salmon River.

Mr. DWORSHAK. Possibly that controversy will come before the Congress at some future time.

Mr. BARRETT. I thank the Senator.

Mr. DIRKSEN. Mr. President, I yield 6 minutes to the Senator from Vermont.

Mr. FLANDERS. Mr. President, let me first say, in my considered opinion, the persisting idea that there is some intrinsic reason why hydroelectric power should be developed by the Federal Government is fallacious. Special consideration should rule in each case, and not generalities. There are special considerations in favor of the high Federal dam in Idaho. One of these special considerations is that it would provide cheap subsidized power. A second consideration, less effective than the first one, is that to some extent at least it would be a multipurpose dam. However, the information we have just had as to the importance of its flood-controlling capabilities for the waters downstream indicates that the multipurpose element of it is scarcely worthy of consideration.

There is another reason which sometimes makes it advisable for the Federal Government to undertake a development of this sort, and that is that the project may be too big for private development. That is not the case here, because a private corporation has already begun the development.

There are certain special considerations which lead in the opposite direction, toward the construction of this power project by private capital. The proposed dam, the single high dam, is by the very necessities of engineering design, expensive in capital cost for the power produced. That is inherent in the situation, in the matter of tons of reinforcing steel and cubic yards of poured concrete. The increased power derived is at an expense too great to make it cheap in any sense of the word.

Furthermore, I do not want to be taxed for cheap subsidized power from Hells Canyon. I want the Idaho Power Co. taxed, so as to relieve, to that extent, my tax burden; and I have confidence in the legal safeguards of the Federal Power Commission and the Idaho Utilities Commission. Let me close these brief remarks by saying, just a little louder, "I don't want to be taxed."

Mr. DIRKSEN. Mr. President, I yield 4 minutes to the Senator from Kentucky [Mr. MORTON].

Mr. MORTON. Mr. President, I realize the so-called fast tax writeoff has become a moot question, but there has been much said recently and much heat generated by proponents of S. 555, a bill to authorize construction of a Federal high Hells Canyon Dam. I am particularly disturbed that some of my colleagues have chosen to indict the present administration as having done something morally wrong in granting certificates of necessity which make possible the so-called fast tax writeoff to the Idaho Power Co. in its private development of Hells Canyon.

This is a very important issue and one in which there well may be varying opinions and philosophies. However, the basic argument is concerned with the development of Hells Canyon and whether it shall be a public or a private project. Undoubtedly, much can be said for either side of that question. But I believe that specious arguments which attempt to label private development or the granting of certificates of necessity as morally wrong are wholly unjustified, unreasonable, and a disservice to this body and the citizens of this Nation.

As a matter of fact, certificates of necessity are granted to private companies as an instrument for encouraging private investment for defense supporting facilities. These certificates were provided for by Congress and up to May 27, 1957, 21,929 certificates were granted, totaling $23,106,134,000. Of these, 927 certificates were in the power field. There is no question of dishonesty or immorality here. These certificates are granted as a matter of public policy, as established by the Congress itself.

The Office of Defense Mobilization on April 29 announced it had authorized Idaho Power Co. to depreciate 65 percent of the $67,138,240 cost of Brownlee Dam

and 60 percent of the $35,943,730 cost of Oxbow Dam in 5 years rather than over a longer period. This means Idaho Power Co. could have deducted—until it withdrew its privilege today—$65,206,094 from its taxable income in figuring out its income taxes over that 5-year period. Ordinarily, the company could deduct only one-fiftieth of that amount each year, or $6,520,609 for the 5-year period. The difference equals $58,685,485. This extra depreciation deduction would have saved the company $30.5 million in taxes over the 5-year period. But its subsequent taxes would have been higher because it would have used up some of its depreciation deductions.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. BARRETT. The Senator from Kentucky is making a very fine statement. The fact of the matter is that the rapid tax amortization is based on $6 million a year for 5 years.

Mr. MORTON. The Senator is correct. The amount would be $30½ million, according to my calculations.

To simplify the matter, let us look at it in another way. If the owner of a small grocery store spent $1,000 to enlarge his store, he would be able to deduct the depreciation on the $1,000 from his taxable income. If he used the fast tax writeoff concept he could deduct $200 a year for 5 years from his taxable income. This would lower his taxes for 5 years. However, since the normal depreciation period is 20 years, he would pay higher taxes for the remaining 15 years, since he would have no depreciation left to deduct. In simple terms this explains the fast tax writeoff. And the Congress has authorized all business to depreciate its investment in facilities.

If the Congress wishes to do away with certificates of necessity it may do so. Until it does, however, these certificates must be understood for what they are—a public policy to encourage private investment for defense supporting facilities. And electric power is certainly a primary defense supporting facility.

The facts are that if S. 555 is enacted and the partially built private 3-dam project is brought to a halt, the Federal Government will be committed to spend up to $551,800,000 over the next 6 years, only to face an outright Federal loss of roughly $400 million which includes the loss of prospective tax receipts. Also the State of Idaho would lose roughly $200 million in taxes. At the same time, we would be delaying for at least 6 years the objective now obtainable in 1958 of providing 1 million acre-feet of needed flood-control storage on the Columbia River's Snake River tributary, producing needed wintertime electric power for Idaho and the Northwest at 2 of the 3 FPC-licensed dams.

This total cost of the Federal high dam and the downstream generating and transmission addition is estimated at $651,000,000 in the minority views expressed in Senate Report No. 324.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. MORTON. Mr. President, will the Senator from Illinois yield me 2 additional minutes?

Mr. DIRKSEN. I will yield 1 additional minute to the Senator from Kentucky, Mr. President.

Mr. MORTON. Mr. President, this is $651,800,000 which the taxpayers of the United States will not have to pay if the private development goes forward. Completion of the project will initiate production of power, which ultimately will return $5,642,526 annually to the Federal Treasury in Federal income taxes, and another $4 million annually to State and local taxing units in Idaho. Furthermore, the industrial expansion and additional employment made possible by the project, and the additional energy generated, will return additional millions to the Treasury in personal income taxes. Hence, the assumption properly should be that it will not be necessary for the Federal Government to borrow anything to make up for the temporary deferral of Idaho Power taxes on the defense-certified facilities. If the high Federal dam is authorized, on the other hand, no Federal, State, or local taxes will be paid on the construction of the facility or on the generation of power.

Let me reemphasize this point. This issue of the so-called fast writeoff is a smokescreen. It should more logically be labeled a deferred tax plan. The certificates of necessity issued to Idaho Power defer taxes but do not forgive them. If the Government builds the high dam, there will be no taxes at any time and all will be forgiven. And now the Idaho Power Co. does not intend even to use these certificates.

I agree with President Eisenhower that private initiative and capital should develop the resources of America whenever possible. The Federal Government should step in only when the job cannot be done by private interests or local governmental units. In this case private capital and initiative are ready, willing, and able to do the job. In fact, the Idaho Power Co. has already spent or committed itself to spend about $50 million. Let us defeat this proposed legislation, and permit the great American system of free enterprise to get on with the job.

Mr. DIRKSEN. Mr. President, I yield 4 minutes to the distinguished Senator from Michigan [Mr. POTTER].

Mr. POTTER. Mr. President, I should like to comment briefly on the effect which the pending bill, if enacted, would have on States which themselves do not manufacture large quantities of hydroelectricity.

My own State of Michigan is a water-conscious State. With the exception of a relatively short strip of land on her southern border, Michigan's vast boundaries are entirely formed by water. However, these are lake waters which do not lend themselves to power development in the same way as do our Nation's fast-running streams.

Nevertheless, Michigan has a vital stake in the Hells Canyon bill. It is simply this: Her taxpayers would contribute to the cost of a high Federal dam across the Snake River. In that way the people of Michigan would be subsidizing a power development which over the long run would work to their harm. For what would happen, once the dam is completed and the kilowatts begin pouring forth? The power manufactured at Hells Canyon will be sold at the low rates made possible by Federal subsidization—the same type of cheap power produced in our southern regions. And following the pattern established in the South, that cheap power will lure our Michigan industries away from their communities and their established position in my State.

This principle holds true for the taxpayers of all those States which do not possess within their boundaries the natural resources for development of cheap hydro power. The Hells Canyon proposal which is now under consideration asks my State to sign away its own economic vitality. It asks my State to help build its own competition. Therefore, I oppose it.

I should like to draw a distinction between the type of Federal power project we are considering and the fine work which is being done by the Rural Electrification Administration. A number of REA projects in my State have distinguished themselves for wise and prudent operation. They pay for their power and amortize their investment as they go along. This is entirely businesslike and commendable. But surely it is asking a great deal of these citizens to "shell out" tax dollars so that their Government may construct a project which threatens their own operation.

As we all know, Federal projects frequently are "under-priced" as they come before Congressional scrutiny. Later, when the work gets under way, we find that the cost is two or three or more times the estimates given to Congress. This, unfortunately, is now happening with a most worthy project, the St. Lawrence Seaway. But nowhere have I seen figures so grossly out of line as the estimates for the high dam at Hells Canyon. The proponents State that it would come to $352 million. Mr. President, the figures presented in the minority views on this bill list items involved here which would at least double that figure. I repeat, at least double it. I predict that the total cost would come close to $1 billion.

The PRESIDING OFFICER. The time of the Senator from Michigan has expired.

Mr. POTTER. Mr. President, will the Senator yield me 1 additional minute?

Mr. DIRKSEN. I yield 1 additional minute to the Senator from Michigan.

Mr. POTTER. Mr. President, the Congress has had a mandate from the American people to economize. Let us think a long time before committing public funds up to a billion dollars for a proposal that can be equally well carried out by private enterprise.

A number of cogent objections to this bill appear in the minority views. I should like to emphasize a few:

S. 555 would upset a unanimous decision of the Federal Power Commission, which studied this matter for over 2 years, and whose decision was upheld by a recent action of the United States Supreme Court.

This bill violates a precedent we in Congress have long observed—water resource legislation affecting the semiarid West should originate in the States.

The high dam would not contribute precious water for irrigation, municipal, or industrial use in Idaho or anywhere else in the West.

The three-dam project is more economical. While additional kilowatts would be produced by the single high dam, its production would still fall far short of basin requirements.

Mr. President, we have come a long way from the early thirties, when private power companies dragged their feet and hesitated to step into power-short areas. The Federal Government stepped into the South and provided cheap power in a poverty-stricken area of our Nation. Today the situation is entirely different. Private power companies stand ready and willing to pioneer in these developments and the three-dam proposal is a case in point. If we are to do anything more than pay lip service to the term "private enterprise," we must give the Idaho Power Co. this opportunity to serve the people of the States of Idaho and Oregon.

Mr. DIRKSEN. Mr. President, I yield 30 minutes to the distinguished Senator from Utah [Mr. WATKINS]. Incidentally, I may say, in yielding time to the Senator, I salute him at the same time for the vigilant and sustained way in which he has carried on the struggle with respect to the bill which is pending before the Senate.

The PRESIDING OFFICER. The Senator from Utah [Mr. WATKINS] is recognized for 30 minutes.

Mr. WATKINS. I thank the Senator from Illinois.

Mr. President, there is one question that has received little or no attention in this debate. At least, it certainly has not been answered. That is the question, Mr. President, of what the consequences would be to the people of southern Idaho, and northern Nevada, and eastern Oregon—yes; and also the people of my own State of Utah—in terms of power shortage, should Congress now pass S. 555.

The immediate result, of course, would be that it would put a stop to the hydroelectric construction now underway on the Snake River, which will develop over half a million kilowatts of power, and a million acre-feet of flood-control storage, that will otherwise be ready and in operation by the winter of 1958.

What would be the effect of this stoppage? What would be the impact upon the entire Northwest, and the effect upon the problems of national safety and defense? These are vital and immediate questions, Mr. President, which cannot be overlooked or avoided in the consideration of S. 555.

Completion of Oxbow and Brownlee late next year—in time for the winter peak loads, and when water is short on the main Columbia power system—will add over half a million kilowatts of generating capacity to an area that is already desperately short of power even today.

It has already been said here, I believe, that last winter many defense plants were partially closed down during the winter.

Mr. President, if the Brownlee and Oxbow construction is stopped, I ask the question—what will that area do for its power requirements, which are growing rapidly? There is no additional power to be had from the Bonneville Power Administration. Bonneville and the Federal power system out there cannot even take care of its own requirements now.

Just last January, Bonneville was forced to cut off 490,000 kilowatts of industrial loads—including metal industries and loads that would be vital to defense—because it did not have the power to serve them. That was this year, January 1957, Mr. President, and electric demands are constantly growing. These power requirements certainly could not be supplied from a Federal Hells Canyon project, which would take 7 to 10 years to construct, after plans were completed, and after appropriations were made.

There is no source of power other than Brownlee and Oxbow that can possibly be completed in 1958, to supply these shortages. No other source of power is available for the Northwest requirements in the years immediately ahead. What would happen to Idaho and the Northwest, should we pass S. 555 and stop this construction now?

Do the proponents of S. 555 propose a moratorium on Northwest power consumption? Are they ready to say to business, industry, and agriculture that they should stop all growth and progress for 7 to 10 years, and stop any further increased use of electricity, so they can ultimately get their power from a Federal project, rather than to get it now from a privately financed project licensed under the Federal Power Act?

What about the farmers, Mr. President, and their continuing increase of power uses on their farms and ranches, and for irrigation pumping? Do the proponents of S. 555 say to the farmers that the national public power demands that they put a halt to their progress and wait 7 to 10 years for Hells Canyon?

How about industrial growth, Mr. President? Do we have another 7- to 10-year moratorium in industry, too, and in the expansion of many industries that will be vital to national safety and defense? Are they willing to impose a shutdown on industrial growth, stop the creation of new jobs, and stagnate the area for the sake of substituting an expensive Federal power development some 7 to 10 years from now for practical developments now well along to completion?

There has been a great deal of talk about taxes, their possible loss through rapid tax amortization, and the urgent need of the Federal Government for additional tax revenues. If we pass S. 555, Mr. President, we not only stop the construction of projects that will ultimately provide the Government with nearly $6 million a year in new Federal income, but those jobs that we forestall, those industries we prohibit from starting or expanding—all of these would provide taxes, too.

The real tax loss develops, Mr. President, when we adopt a public-power-or-nothing program, the only result of which can be to aggravate an already existing power shortage and to isolate the people of Idaho and the Northwest from the power supply that they simply must have if they are to maintain their economy and a healthy and tax-productive place in the national economy.

What are the people of Idaho going to do for their future power needs—even for their present-day requirements—if Brownlee, for example, is not ready next year? That affects my own constituents, too, Mr. President, down in Utah, for we are also a part of the Northwest power pool.

To tide over the delay in getting its license from the Federal Power Commission, the Idaho Power Co. has been getting up to 100,000 kilowatts of power from the Utah Power & Light Co. from Salt Lake City. That contract expires in September 1958, because Utah is growing too. That means that the Idaho Power Co.—which serves about 60 percent of the entire population of the whole State of Idaho—will lose all of its power supply from Utah upon the expiration of its steam power contract in the fall of next year.

Mr. President, where is this power for southern Idaho to come from, if Congress puts a stop to their construction, by passing S. 555 at this late day, when the first of the 3 dams at Brownlee, with 360,000 kilowatts, is half completed, and the Oxbow plant also underway?

Certainly Utah can no longer supply this power, Mr. President. We need it down in Utah ourselves. It is the Idaho customers who will suffer. Where is the power going to come from to supply the present load—let alone future growth requirements? If S. 555 is passed and construction is stopped, a half a million kilowatts of power for Idaho and the Northwest will not exist in 1958. It simply will not be there. And the people will have to take their power shortage, and lump it. It does not require a slide rule, Mr. President, to figure that out.

There are several hundred thousand people to be considered here—good, honest citizens, I am sure—half the entire population of Idaho—entitled to fair and equitable consideration of their problems—as much as any other group of citizens of this country. And their electric power supply today—not 7 to 10 years from now, is their problem.

Authorization of a Federal Hells Canyon power dam now would force these people to stop where they are—stop their growth and development and prosperity for at least 7 years. Does that make sense, Mr. President, when the local power company has already spent $50 million to supply them with needed power next year? Shall we now destroy that investment—tear it out, flood it out—and then pay for doing it both in dollars and delay in getting power that the whole Northwest critically needs today?

Those are questions that are basic in our consideration, Mr. President, and the answers can only point to the defeat of S. 555.

Mr. President, I have previously had occasion to remark about the warmed-over hash which some of the supporters of S. 555 have again dished up to us in

this debate. Nothing new has been added; we have had the same arguments that were made and considered last July when the Senate defeated S. 1333 by a 51 to 41 vote. We are wasting the time and money of the Senate, Mr. President. I suggest that what we should have done is to have inserted the CONGRESSIONAL RECORD of July 17, 18, and 19, 1956, in the RECORD by reference only, and adopted it as the debate on S. 555.

We have listened to the same old claim that power from a Federal dam at Hells Canyon could be sold for 2.7 mills per kilowatt-hour. Apparently, the continuous repetition of this statement, which was fully exploded in the argument a year ago, is on the theory that if one repeats the claim that black is white often enough, there are some people who will eventually believe him. Even the Bureau of Reclamation and Army engineers did not claim anything so ridiculous as that.

The Bureau's report on the Columbia River and the Army's 308 report on the Columbia River are the law and the gospel to the supporters of S. 555—at least, those parts that support their contentions. But they have apparently forgotten, as was pointed out in last year's debate, that both the Army engineers and the Bureau admitted in those reports that Hells Canyon power would have to be sold at 4 to 4.4 mills, if the big dam was ever going to pay out.

Mr. President, I have on previous occasions remarked about the subsidization of power on the Bonneville system in the Northwest—and the fact that Bonneville is selling much of its Government power at less than cost.

I filled the RECORD with the details, giving the names of the big industries which are receiving a free ride on the so-called tax amortization certificates. In addition, they were getting their power at less than cost from the new dams.

The time has long passed when this situation should have been corrected. I do not believe that the taxpayers in 46 States, all of which have their own industrial and economic problems, should any longer continue to subsidize power and industry in two States out in the Pacific Northwest.

Mr. President, recently an article appeared in Public Utilities Fortnightly magazine, the issue of April 11, 1957. It was entitled "Bonneville's Net Revenues Shrinking Rapidly."

The Columbia River power system now represents a Federal investment of about $1.7 billion. It is claimed that about 16 percent of the Government's investment has been repaid, and while repayments are said to be ahead of schedule. According to the BPA's report, these estimates are "tentative pending the formalization of the cost allocations and repayment schedules."

This is the picture, Mr. President, and it is not a healthy one. In 1952, Bonneville's net revenues reached their peak, and have been declining rapidly ever since. In 1952, BPA had a gross revenue of $40,180,000 with a net revenue of $15,891,000, or nearly 40 percent of total operating revenue. For the fiscal year 1956, BPA's gross revenue had increased to $60,993,000, but its net revenue had actually declined to only $5,949,000—or less than 10 percent of gross.

But the worst of it, is the BPA estimate for fiscal year 1958, when an all-time gross revenue of $74,400,000 is anticipated—with a net revenue of only $5,980,000, or only 8 percent. You can well imagine, Mr. President, what it would do to the BPA financial picture to put Hells Canyon power in the pool at a cost of 4 to 4.4 mills per kilowatt-hour, and then turn around and sell it at an average of 2.7 mills or even less.

I ask unanimous consent that the article, Bonneville's Net Revenues Shrinking Rapidly, be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BONNEVILLE'S NET REVENUES SHRINKING RAPIDLY

The Columbia River power system consists of the Bonneville Power Administration (BPA) and various other hydro projects such as Grand Coulee, Hungry Horse, McNary, Chief Joseph, The Dalles, and so forth. The system is operate by BPA under the United States Department of Interior. During the year the Columbia River system added 562,000 kilowatts new generating capacity, including 280,000 at McNary, 256,000 at Chief Joseph, and 26,000 elsewhere.

The Columbia River system now represents an investment of $1.7 billion, of which nearly three-quarters is allocated to power and over one-quarter to nonpower functions such as irrigation, flood control, navigation, and so forth. Since 1952 the increased investment allocated to power has increased 148 percent while the nonpower component gained only 70 percent. About 16 percent of the Government's investment had been repaid as of last June. While these repayments are said to be ahead of schedule, the estimates are tentative pending the formalization of the cost allocations and repayment schedules.

With favorable hydro conditions, sales to customers of Bonneville totaled 26 billion kilowatt-hours in the fiscal year ended June 30, 1956, an increase of 19 percent over the previous year. Water conditions were favorable during the year. Of the combined power revenues of $61 million for the Columbia River power system, the aluminum industry last year contributed 33 percent, other industry 13 percent, publicly owned utilities 32 percent, privately owned utilities 20 percent, and others 2 percent.

During its 18 years of operation, the composite average kilowatt-hour rate charged by BPA has averaged 2.38 mills per kilowatt-hour. Sales to publicly owned utilities averaged 2.81 mills, and to privately owned 2.30 mills. Industries paid 2.24 mills (aluminum slightly less), benefiting by very high load factors approaching 100 percent.

Bonneville and Grand Coulee are very low-cost power producers, primarily because they were constructed largely at prewar price levels. However, since 1952 the cost of the additional hydro projects has been much greater per kilowatt of capacity, which has resulted in a rapid rise in costs, particularly depreciation and interest. Since wholesale power rates have not been increased, net revenues have dropped sharply. Net revenues reached a maximum of $15.9 million in 1952, equal to nearly 40 percent of operating revenues, but by last year had dropped to $5.9 million or less than 10 percent of gross, and the ratio is expected to drop to 8 percent in 1958. (See chart, page 541.)

The Administration is hopeful of increasing net revenues by revising rates. Sales of nonfirm energy to the industries on an interruptible basis have been substantial in recent years, but have not been covered by formal contracts. BPA hopes to place sales of interruptible power on a firm contractual basis, with possible advantages to both itself and the customer.

While interruptible power is available for a fairly substantial percentage of the time, on the average, additional and substantial amounts are available for a much smaller part of the time, during the high runoff months of late spring and early summer and during other times when stream flow conditions are unusually favorable. If this low-availability energy can be offered for sale at sufficiently attractive rates, it may be possible to sell large quantities to replace steam generation, particularly for new steam plants, to supplement coastal hydro plants, or to industries that can adapt their operations to such power.

Ford, Bacon & Davis has prepared a report of the entire rate structure, which is being studied. Bonneville Power Administration's recommendations relative to the report will be submitted to the Secretary during the coming year.

Mr. WATKINS. There is one other matter, Mr. President, which I cannot let pass. During most of the years of my life and legal career I have worked with western water law and the problems of farmers and water users. Day before yesterday, in his opening speech on S. 555, the junior Senator from Idaho repeated the old argument—again an argument that was made and answered last year—that the power company, with an FPC license, which be just as much of a threat to upstream irrigators and waters rights as would the much larger Hells Canyon power reservoir owned and operated by the Federal Government. I shall not again compare the size of these reservoirs, and point out again that the Brownlee Dam can be filled every year, even low-water years, during the spring flood runoff period—whereas the larger reservoir could not be refilled in many years. That has been gone over time and time again.

But I do want to point out the oratorical inaccuracy of the junior Senator from Idaho [Mr. CHURCH] when he said:

It seems clear, then, that the Federal power over the Snake River in Hells Canyon remains paramount, even though the private dams are built there. The Federal power, whatever it may be, floats on the river all the way to the sea. Those who fancy this power as a possible threat to future upstream diversions of the water in the Snake River are furnished no shield by private dams in Hells Canyon. The same Federal power will rest on top of them as it rests on the Government dams downstream.

Mr. President, the distinguished junior Senator from Idaho was not in the Senate a year ago, when this same point was debated. So he could not be blamed for repeating the argument again, except for the fact that Senator CHURCH got himself involved in a newspaper debate last year with Representative BUDGE, of Idaho, on this same point. Representative BUDGE is a distinguished and able lawyer in the field of water law. The junior Senator from Idaho made this same contention, and Representative BUDGE answered it.

I do not ask Senators to accept either side of this legal argument, although I personally and strongly agree with Representative BUDGE. But, as to the rights of an FPC license on a navigable river, I again refer the junior Senator from Idaho to the decision of the United States Court of Appeals in California—as Representative BUDGE also referred him. The junior Senator from Idaho may not have taken the time to read Representative BUDGE's reply to this argument; or if he did, he most conveniently avoids reference to the case of *U. S.* v. *Central Stockholders of Vallejo* (52 Fed. 2d, p. 322).

A licensee under the Federal Power Act does not have the same powers, or the sovereignty, of the United States.

The Supreme Court has in several decisions held that the licensee does not obtain the paramount rights of the Federal Government itself: *Henry Ford & Son* v. *Little Falls Fiber Co.* (280 U. S. 369); *U. S.* v. *Central Stockholders of Vallejo* (52 F. 2d 322); *Federal Power Commission* v. *Niagara Mohawk Power Corporation* (347 U. S. 239). In the Vallejo case, the United States Court of Appeals held that a licensee under the Federal Power Act "is not clothed with any of the sovereign rights of the United States to assert control of the stream under the commerce clause of the Constitution, and that a licensee is, by the Federal Power Act itself, 'subordinated to the rights of private owners interfered with or affected by the authorized project.'"

Mr. President, the Idaho Power Co. has obtained from the State of Idaho—through whose great irrigated valleys the Snake River flows—a waterpower permit for its plants that makes them specifically subject to both present and future needs for irrigation upstream. The water users can therefore enforce this protection against the company in their own States courts. And the company's FPC license contains the same provision, so that the company's rights under Federal law are likewise limited.

I should like to point out that I offered in committee the same provision that the Federal Power Commission put into the license granted to the Idaho Power Co. I offered it as an amendment to the pending bill. It was rejected. In place of it, section 2 was added, which I believe is completely phony in its effect to protect the Idaho users in the future of nearly 2 million acres of land yet to be put under cultivation. That land cannot be cultivated without a water supply, and the only water supply is in the Snake River. The high Hells Canyon Dam, calling for 4 million acre-feet a year will deprive the upper basin of much-needed water for its future use.

Those State and Federal rights are all the company has. They are limited, Mr. President, by their very creation and definition. And that is a far different matter from the sovereignty of the United States Government under the commerce clause of the Constitution, as the Vallejo decision of the United States court of appeals has pointed out.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Utah has 14 minutes remaining.

Mr. THYE. Mr. President, will the Senator yield?

Mr. WATKINS. I will yield for a brief question, because I must hurry along. My time is limited.

Mr. THYE. The question is this, If the Idaho Power Co. is permitted to continue with its installations, will that cause any greater danger to fish and wildlife and conservation practices than if the high dam were constructed?

Mr. WATKINS. It will not cause as much, because the dams are not so high. Besides, the Federal Power Commission requires the Idaho Power Co. to construct some bypasses for the fish, at its own expense. Under the high Hells Canyon Dam scheme the United States Government would have to pay for all of it. That cost is not reimbursable, I may say.

Mr. THYE. The other objection is that if there are 3 installations, and 3 flues are built, through which the water must pass in those installations, in order to get the water through the power units, there would be danger to fish life, because there would be actually 3 dams the fish would have to bypass, or the fingerlings would be sucked into the flue.

Mr. WATKINS. The company would put in whatever the Fish and Wildlife Service required. There are several ways in which the situation could be handled. They could even collect the fingerlings and bypass them by truck and put them into the river upstream.

Mr. THYE. That would be at a tremendous expense, would it not?

Mr. WATKINS. That would be paid for by the Idaho Power Co.

Mr. THYE. I thank the Senator.

Mr. WATKINS. They would pay for all of it. On the other hand, it would be paid for by the Federal Government out of taxpayers' money, and would not be reimbursed, under the high Hells Canyon scheme.

Mr. THYE. In the event that the Idaho Power Co., with its 3 dams, should not generate as much power as 1 high dam would, they would then have to go downstream and put in additional installations, which again would have the tendency to flood vast areas of wildlife refuge. Is that correct?

Mr. WATKINS. Of course wherever a dam is built in that region, the result is bound to be that it will flood out some wildlife. At the same time, additional wildlife areas would be created.

Mr. THYE. Of course the Senator lives in that area and is familiar with it. That is the reason I am asking these questions of him.

Mr. WATKINS. I am satisfied that the three-dam plan is better for wildlife and for conservation than the high Hells Canyon Dam. However, there are many more dams to be built on the Columbia River, and particularly on the Salmon and Clearwater, and those dams will give more flood control, because they are where the floods occur. The upper Snake is very largely controlled now. There should be no great floods on the upper stream. The place to provide for flood control is on the Clearwater and Salmon, where the real floods occur.

Mr. President, I shall speak on miscellaneous matters connected with the issue now under discussion.

While I applaud the action of the Idaho Power Co. in rejecting the proffered rapid tax amortization certificate and in that way removing a beclouding diversion, I deplore the insinuations of misconduct which have been directed at the company and at the officers of ODM in this matter. I wish to point out that I have gone through the record and I have read the proceedings affecting Mr. Gray of ODM before the Kefauver committee. I have read the statements made by the Idaho Power Co. officials before that committee. I was there and took part in the proceedings. I cannot find in the record one instance where the law was violated. It was a law that was placed on the statute books by Congress. It has been administered year after year. The Idaho Power Co. came forward as other companies did, and made its case, under the regulations of the Office of Defense Mobilization, and Mr. Gray carried out the provisions of the law. All should be equal before the law. The tax amortization was granted. Today they have renounced it. That ought to end the matter. It seems as though all one need to do is to make insinuations in asking questions and in that way smear a good man in Government. I do not know Dr. Gray. I have never met him. I have talked to him on the telephone once. I want to say, however, that I think he has been very unfairly treated by Members of the Senate and members of our committee. He has been smeared. He was carrying out the law which Congress had enacted. There is nothing immoral or dishonest about his actions. I went into this matter and what the Idaho Power Co. had done. They acted in compliance with the law.

I wish to call the attention of the Senate to what they were willing to do.

They were willing to pay taxes, which would have amounted to $229 million, as I recall, in 50 years. They were also willing to do certain things which, under the high Hells Canyon Dam scheme, would be required to be done at the expense of the taxpayers of the United States, without any hope of reimbursement. The Idaho Power Co. would do them at no expense to the Government. There are direct Federal costs which would not be reimbursed, or actual Federal tax losses which would result if the private project were terminated. There would be $48 million in nonreimbursable allocation to flood control, aid to navigation, and recreation, as set forth in the summary on page 392 of the Senate hearings on S. 1333, 84th Congress.

To my knowledge, this does not include funds for fish-protection facilities, which would add at least another $5 million to this figure, according to an FPC estimate. These services would be provided without cost to the Federal Government by the Idaho Power Co. in its three-dam project, but would be paid for by Uncle Sam if the Federal dam should be authorized.

Mr. THYE. Mr. President, will the Senator yield?

Mr. WATKINS. I cannot yield. I have only a few minutes left

The Idaho Power Co. has gone ahead in good faith. It has spent approximately $50 million. The people of that area are desperately in need of power. They have come to Utah to get power until 1958, which is as long as Utah can furnish it.

What are the farmers of Idaho going to do for power? They cannot wait 7 years, until a high Federal dam has been built, a dam which will give them very little more than what the dams now being built will supply.

If the high dam should be built, the Idaho Power Co. would be in the Court of Claims, because the company has been upheld by the Supreme Court, by the Federal circuit court of appeals, and by the Federal Power Commission, in their right to a legal, lawful license.

What about the people who will lose by not having power? What about the revenue which the power company will lose if they are stopped now, after having made expenditures in the millions of dollars?

Consider what the Federal Government will lose by way of taxes paid to the Federal Treasury during the 50-year period of the Federal license. Also during the same period, Idaho Power Co. would pay local and State taxes in the State of Idaho totaling $200 million. Those State tax revenues are not included in the Federal summary. That money will be lost if Idaho Power Co. cannot go forward with its three-dam Hells Canyon project.

Federal income taxes that would be paid to the Federal Treasury during the 50-year license period of the private 3-dam project would amount to $282,126,300.

The grand total of all the items I have mentioned is $398,126,300. If we amortize that, as Mr. Rainwater did, on the so-called tax amortization which was deferred, and if we figure it at the same compound interest rate on the $398,126,300, the total, roughly, would come to $2,226,495,452.

I point out that Mr. Rainwater said that if compound interest were used in figuring the benefits which Idaho Power Co. would get, we are entitled, by the same token, to use the same compound interest rate on the benefits Idaho Power Co. would bring to the Federal Government.

If that be done, I say without fear of contradiction from anyone that Idaho Power Co. would be building that project without cost to the Federal Government or the taxpayers of the United States. The balance in that partnership arrangement between the Federal Government, on the one side, and the power company, on the other side, would be overwhelmingly in favor of the private investment company, which would be building the dams. Senators ought to keep that in mind. Senators who have projects in their various States should keep in mind, as well, that it will take $100 million, at least, each year, to get a high Hells Canyon Dam finished in about 7 years. It will cost approximately that amount of money.

The House has appropriated $113 million for reclamation construction in the entire country. That is almost as much as the amount in the pending bill. That means that if the Federal Government now attempts to build a high dam at Hells Canyon and calls upon the taxpayers to build it, all those who need power in that region will have to stand aside while the Government rushes in and contributes at least $100 million a year for construction. That is not fair to us. Washington and Oregon have already received one-fifth of all the reclamation money spent in the United States. They have received one-seventh of all the flood-control money spent in the United States. They have received all that they are entitled to, and a lot more besides. Yet they claim there has been discrimination practiced against them.

I voted for many of their projects. I would vote now for a Federal dam—probably the three-dam program, because I believe it is superior under the circumstances in the Hells Canyon reach of the Snake River—if there were no other means of building it. But as long as there is a means of building the dams and furnishing the power needed, together with some flood control at that point through the resources of private enterprise, then we ought to take advantage of that, because the Federal Government should do for the people only those things which the people cannot do for themselves. It has been demonstrated that private capital can and is doing the job there.

Our own agency—the FPC—has heard all the evidence and has concluded that the private program will bring about faster, more comprehensive development of the river system. The license has been granted. Now it is sought to revoke it on the basis of evidence which was taken in committee, where there were only 2 or 3 Senators present, and probably not 4 or 5 Members of the entire Senate have read the evidence which was taken before the committee. Nevertheless, a bipartisan commission has heard the testimony, has made a careful analysis of it, and has approved a program.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD several statements I have prepared, which I will not have time to deliver.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR A. V. WATKINS

Much of the attention in this debate on S. 555 has centered upon a feature which has never been really germane to this legislative measure. It is the subject of rapid tax amortization, a matter that really belongs in the Finance Committee and not in this floor discussion of a reclamation bill.

There is nothing in the bill relative to rapid tax amortization.

Furthermore, if the bill passes, and the Federal dam is authorized, the private project will be effectively killed, and the rapid tax amortization certificate granted to Idaho Power Co., even though it had not been declined—as it has—would be without effect.

On the other hand, regardless of action on this bill, the problem of what to do about rapid tax amortization and other incentives for defense facilities will remain with us—in other committees and in other legislation.

However, since the proponents for the high Federal dam injected the subject of rapid tax amortization into this debate, I think it entirely appropriate that we delve back into legislative history and review the background of the defense incentive. This should be done in all fairness to Mr. Gordon Gray, of the ODM, and to the Idaho Power Co.

First of all, I think we should review the findings of the Special Committee Investigating the National Defense Program. This committee's report on "Renegotiation," published February 20, 1948, during the second session of the 80th Congress, included this revealing information on profiteering during World War II:

"ACCOMPLISHMENTS

"Mr. John R. Paull, Chairman of the War Contracts Price Adjustment Board during 1947, testified before the committee that based on the latest figures then available, the Price Adjustment Boards had renegotiated more than $190 billion of war business and recovered excessive profits of over $10 billion. As excess-profits taxes would have recovered about $7 million of this amount the actual recovery directly attributable to renegotiation was between 3 and 4 billion dollars. The cost of making this recovery was about $37 million, or slightly over 1 percent of the net amount recovered.

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"The average profits allowed contractors from whom recoveries were obtained was approximately 10 percent. For example, in 1943 and 1944, the average profit was 10.7 percent, and in 1945 it was 10.4 percent. This is an average figure made up of a great many individual cases where profits ranged from a very small percent of gross sales to a relatively substantial percent of such sales. It is interesting that the average remained so constant.

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"The War Department Price Adjustment Board furnished the committee a study of the renegotiation of companies in the $100,000 to $500,000 bracket under the 1942 act. Of 3,728 cases in this bracket 1,631 or 44 percent were found to have made excessive profits totaling $57,371,000. Even more interesting is a tabulation of a group of 13 companies selected at random, and all in the $100,000 to $500,000 bracket during 1943 and therefore not subject to renegotiation. These companies had average profits of 38.1 percent of gross sales. One company's profits were 91 percent of its $152,860 in gross sales.

"Administrators of the act testified that companies in this bracket could be renegotiated with very few more renegotiators and that the cost of renegotiating them would be very small.

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"CERTIFICATES OF NECESSITY

"Certificates of necessity are mentioned in this report on the renegotiation law only because they have been the source of considerable war profiteering. Section 124 of the Internal Revenue Code provided that companies constructing new facilities for war production could under certain conditions obtain a certificate of necessity permitting them to amortize the cost of such facilities over a 5-year period. Furthermore, if the emergency period was declared over prior to the end of the 5-year period, the company could accelerate the amortization over the period up to the date of such a declaration. About 43,500 certificates covering facilities values at $6 billion were issued during the war. Until December 1943, the War and Navy Departments were authorized to issue these certificates and they issued about 39,000. After December 1943, the War Production Board issued the balance.

"Practically all the certificates issued by the War and Navy Departments were on a 100-percent basis. Thus, a company could amortize the facility's entire cost over the 5-year period or less. However, the War Production Board official responsible for issuing certificates of necessity testified that about 80 percent of the certificates issued by that Board were for only 35 percent of the cost of the facilities. The percentage certificates take into consideration the postwar value of the facility and only allow amortization of the war use of the facility. He testified that in his opinion the cost of the war could have been reduced by $3 billion if the War and Navy Departments had used a similar percentage method.

"Legal profiteering resulted from certificates of necessity. Many companies came out of the war with new, valuable, fully amortized facilities which they could either use or, as some have done, sell. In this way a facility actually paid for out of a contractor's war taxes was additional war profit to him to the extent of its postwar value.

"High-profit war contractors profited even more when they were permitted to accelerate the rate of amortization over the period from the date of the certificate to the date of the declaration ending the war emergency. This period might be any length of time up to 5 years. When a contractor elected to do this his resulting increased annual amortization expense was credited against excessive profits that Price Adjustment Boards may have assessed against him. He would therefore have to refund a lesser amount of excessive profits and would own a fully depreciated and probably valuable facility. For example, the committee found that 20 of the largest oil companies were able to credit amortization in the amount of $59 million against excessive profits determined after renegotiation to be $65 million. These companies had to refund only $6 million and in fact paid for these facilities out of their excessive war profits. It would seem that these results redounded to the financial benefit of the high-profit producer rather than the war contractors who had priced closely and made no excessive profits.

"Serious study should be given to the formulation of a procedure under which war facilities could be financed by private capital to the greatest extent possible and at the same time unreasonable profits prevented. Many administrators of the Renegotiation Act think that the largest unjustifiable war profits were made as a result of the certificate-of-necessity program."

STATEMENT BY SENATOR WATKINS

These excerpts disclose, for one thing, that the average profits allowed contractors who did $190 billion worth of defense business during World War II were approximately 10 percent. In 1943 and 1944, the report states, the average profit was 10.7 percent, and in 1945 it was 10.4 percent. I bring these figures up only to contrast the earnings of 6 percent allowed regulated utilities in both peacetime and wartime.

The report also disclosed that 39,000 out of 43,500 rapid tax amortization certificates issued during World War II were for 100 percent of the cost of the facilities. This contrasts with the more conservative policies pursued under this program after organization of the War Production Board in World War II and under administration of the Defense Production Authority and the Office of Defense Mobilization since 1950.

The report also suggests that 20 of the largest oil companies not only were allowed a profit of at least 10 percent in war contracts, but also were permitted to write off $65 million in amortization credits against excess profits determined after renegotiation.

These points are brought up to suggest that we have had many years of experience with rapid tax amortization and with war profits at a significantly higher rate than 6 percent.

This World War II experience on rapid tax amortization was reviewed in 1951 by Acting Secretary Thomas J. Lynch, in a memorandum to Chairman Burnet R. Maybank, of the Joint Committee on Defense Production and published in Defense Production Act progress report No. 8.

I hereby append this memorandum at this point:

THE SECRETARY OF THE TREASURY,
Washington, April 20, 1951.

Hon. BURNET R. MAYBANK,
Chairman, Joint Committee on Defense Production, United States Senate, Washington, D. C.

MY DEAR SENATOR: I am enclosing a memorandum on the tax effects of the special amortization provisions of the Internal Revenue Code which we prepared in response to your letter of April 5, 1951. Since the several questions raised in your letter are interrelated and concern the question of whether the revenue cost of this program will not be recouped through future taxation of income from fully amortized property, we have organized our reply in the form of a general discussion and have not attempted to answer each question separately.

As you know, this Department has no responsibility for the issuance of necessity certificates but is charged only with responsibility for the proper allowance of amortization deductions with respect to approved certificates. Accordingly, the accompanying memorandum is limited to the tax aspects of this problem.

I hope that the enclosed material will be useful to your committee in its investigations, and that you will feel free to call on us if we can be of any further assistance to you.

Sincerely yours,
THOMAS J. LYNCH,
Acting Secretary of the Treasury.

"TAX EFFECTS OF THE SPECIAL AMORTIZATION PROVISIONS OF THE INTERNAL REVENUE CODE

"As a result of the greatly enlarged requirements for national defense after Korea, the Revenue Act of 1950 reenacted the World War II amortization provisions of section 124 as section 124A of the Internal Revenue Code. While the former provisions of section 124 were modified in several respects, the essential features of the law are similar. In addition, the Renegotiation Act of 1951 requires that amortization be allowed as a cost before recapture of excessive profits.

"Section 124 of the Internal Revenue Code, enacted by the Second Revenue Act of 1940, permitted taxpayers to amortize over a period of 5 years the cost of facilities constructed or acquired in the interest of national defense. Such amortization was authorized by the principal procurement agencies upon the issuance of necessity certificates for construction of new facilities. Any unamortized balance could be written off, at the election of the taxpayer, when the facility ceased to be needed or by September 29, 1945, the end of the emergency period. Section 124A of the Revenue Act of 1950 provides for a similar 5-year writeoff but no provision is made for acceleration of such amortization before the end of this 5-year period.

"A deduction for amortization is in lieu of, not in addition to, normal depreciation charges for the portion of cost eligible for amortization. The adjusted tax basis of fully amortized property is therefore zero or the same as that of fully depreciated property.

"Amortization differs from depreciation in that the total cost written off is unadjusted for residual values. Further, land may be amortized under section 124 of the code, as in the case of section 124; land, of course, is not subject to depreciation for tax purposes, although depletion may be taken on depletable property such as mineral and oil property.

"In the event of a sale of property amortized either under section 124 or section 124A, the new basis of the property for depreciation is the cost of the property to the purchaser regardless of its adjusted basis in the hands of the seller. Thus fully amortized property with a zero basis to the vendor is depreciable by the buyer to the full extent of its purchase price. When there is a tax-free exchange between A and B of property owned by A and amortized under these sections, the adjusted basis of this property carries over to B. For example, A's fully amortized property establishes a zero basis for depreciation to B in such an exchange.

"Under the World War II amortization provisions of section 124, gains from the sale of such property were taxed at the preferential capital gains rate of 25 percent. Gains from the sales of property amortized under section 124A are taxed as ordinary income to the extent of the difference in the adjusted basis as between normal depreciation and 5-year amortization.

"World War II experience

"Legislation

"The purpose of rapid amortization was to remove tax deterrents to the private financing of new plant facilities essential to national defense but whose usefulness to the business might end with the termination of the emergency. Provision for amortization was made at the recommendation of the Advisory Committee of the Council of National Defense which advised that substantial capital would not be invested in the construction of emergency facilities unless corporations were permitted to depreciate such assets in a shorter period than that ordinarily allowed under the tax laws. These deterrents were believed to be particularly significant in conjunction with the profit limitation on Government contracts then imposed by the Vinson-Trammel Act. Rather than adopt the practice followed during World War I of allowing estimated actual wartime losses in value to be written off for tax purposes, the committee urged that the entire cost of wartime facilities be written off over the period of the emergency but not to exceed an arbitrary period of 5 years. The World War I provision, enacted 3 months after the armistice, permitted corporations to recompute their wartime taxes on the basis of the loss in useful value of war-constructed facilities. Such determinations of value were frequently contested and resulted in prolonged litigation.

"As a result of section 124, businesses were able to write off the cost of new facilities against high wartime income and excess-profits tax rates which reached a maximum of 95 percent and an effective rate ceiling of 80 percent before the postwar credit allowance of 10 percent of excess-profits taxes paid. In addition, it should be noted, price-adjustment boards were required to allow such amortization deductions in the determination of excessive profits upon renegotiation. Amortization costs were at first expressly disallowed for this purpose but the law was subsequently amended by a joint resolution of February 5, 1942, to permit such costs to be recovered by corporations in renegotiation of contracts.

"Total Amortization Deductions

"It is estimated that between 1940 and 1947 amortization deduction in the amount of $5.7 billion were taken by corporations for tax purposes. Of this amount $1.4 billion represents amortization estimated to be taken in 1945, with the termination of

a high Hells Canyon Dam finished in this bill, the problem of what to do about issued about 39,000. After December 1943,

but also were permitted to write off $65 that the total cost written off is unadjusted be taken in 1945, with the termination of

the emergency period, and spread back to the applicable years by amended income-tax returns. The total and annual amounts before adjustment for spread back were as follows:

	Millions
1940	$7.6
1941	113.8
1942	410.8
1943	690.5
1944	981.2
1945	1,950.8
1946	64.5
1947	58.9
Spreadback (estimated)	1,411.8
Total	5,689.9

"The discrepancy between the amount of amortization deducted by corporations for tax purposes and the total amount of certificates issued of $7.3 billion may arise from failure to complete facilities costing this amount as well as from failure of corporations to elect to take amortization in all cases. The total actually taken by corporations is not completely recorded in statistics of income which are computed from original tax returns, while the speedup in amortization taken at the end of the emergency period was allocated by taxpayers to prior years through amended income-tax returns. The estimate of the spreadback of $1,411.8 million is subject to some margin of error. No data are available on the amount of amortization taken by unincorporated businesses.

"During World War II amortization appears to have been of greatest benefit to large corporations. In 1945, for example, corporations with assets over $100 million accounted for $1,297 million, or about two-thirds of the total amortization reported for that year. This contrasts with their ownership of about one-half the gross capital assets and of about one-third of the reported profits of all corporations.

"Usefulness of Emergency Plants After the War

"Although amortization was originally designed to encourage private financing of wartime facilities which might have only limited, if any, postwar usefulness, it is believed that the great majority of these plants were continued in peacetime production. Some, in fact, saw little or no wartime use, but nonetheless could be written off for tax purposes in the last year of the emergency.

"The high proportion of wartime emergency plants retained in postwar production can be explained by the fact that tax amortization, in itself, did not permit corporations to recoup the entire cost of such facilities since tax rates were less than 100 percent. Where the value of such facilities was clearly limited to wartime production there was little inducement to undertake their private financing. Some corporations were reimbursed for the cost of emergency plants through procurement contracts and allowance for amortization in the recapture of excessive profits renegotiated. For the most part, however, the Federal Government undertook the financing of facilities which were of questionable postwar value.

"The Treasury has field reports on a considerable number of corporations which retained practically all their amortized property in postwar use. These corporations accounted for approximately $700 million of amortization taken during the years 1940–45, on which estimated wartime tax savings were realized of $440 million, after allowance for ordinary depreciation.

"The following pertinent data are presented on several representative cases:

"Case 1: A corporation acquired emergency facilities at a cost of $4.8 million and fully amortized them in the period ended September 30, 1945. These facilities represented approximately one-third of taxpayer's total plant and equipment as of December 31, 1948. Only $130,000 of the emergency facilities had been disposed of since 1945; the remainder were being used in the business. For book purposes, the taxpayer had computed normal depreciation on the emergency facilities and had accumulated a reserve of $1.3 million against them by December 31, 1948. The excess of amortization over normal depreciation in the war years was approximately $3.3 million, resulting in a gross tax saving of approximately $2.8 million. On December 31, 1948, these facilities were carried on the taxpayer's books at a depreciated value of $3.3 million.

"Case 2: The taxpayer, an electric power company, constructed a generating unit at a total cost of $8.2 million. The project was fully amortized in 1944 and 1945. It is still in use, and taxpayer has added another unit since the war. In 1944 and 1945 the excess of amortization over normal depreciation (at 3.5 percent per year) was $7.8 million, resulting in a gross tax saving of approximately $6.7 million.

"Case 3: In the years 1940–45 a large manufacturing company acquired $29.1 million of land and buildings under a certificate of necessity. These outlays were fully amortized against income of the period 1940–45. In 1950 the buildings were still being used in normal peacetime operations. The normal depreciation allowance on buildings of this type would have been 2.5 percent a year, and would have totaled $2.4 million in 1940–45. The excess of rapid amortization over normal depreciation was $26.7 million, which reduced the company's wartime tax liabilities by approximately $18.4 million.

"Case 4: A cotton mill acquired regular textile equipment under certificates of necessity. This equipment is still being used in peacetime operations. The normal depreciation rate on this type of equipment is 4 percent a year. In the taxpayer's fiscal years 1944–46 amortization allowed was $115,000, compared with normal depreciation of $11,000. The excess of amortization over normal depreciation in these 3 years was, therefore, $104,000 and the estimated tax saving was approximately $89,000.

"All of these facilities are believed to be operated by the same taxpayer which received the benefits of accelerated amortization. While many emergency facilities were subsequently sold, the Treasury has no evidence of the extent to which such sales took place.

"Tax benefits to business

"Avoidance of High Emergency Tax Rates

"As a result of amortization, corporations (and other businesses) have the benefit of writing off the cost of facilities acquired at high income and excess-profits tax rates enacted during the emergency period and, where such property continues to have usefulness, of deferring taxable income to the postemergency period when tax rates are expected to be lower. Since the depreciable basis of property is then reduced to zero, taxable income in future years is higher than it might have been under ordinary depreciation. Direct tax benefits may, therefore, be realized by the difference in tax rates during the period of amortization and those in effect after the 5-year period to which such income is deferred.

"The gross tax saving indicated above must, therefore, be reduced by the amount of future taxes payable over the depreciable life of the fully amortized property. However, possible tax reductions after the end of the emergency period should be taken into account in estimating net tax savings, as occurred following World War II when the excess-profits tax was repealed and the income-tax rate reduced to 38 percent for the years 1946–49. Corporations thus had the benefit of writing off their 'emergency' facilities at a maximum excess-profits tax rate of 95 percent (less 10 percent postwar credit) and sacrificed depreciation deductions at a rate of 38 percent in the postwar years. Subsequent rate increases have narrowed this disparity, but a substantial rate differential still remains. The likelihood that special amortization will result in permanent tax saving is enhanced by the probability that corporations would not continue to be subject to excess-profits tax in every year following the period of special amortization, even if this tax were retained.

"It is also significant that amortization allowances are more comprehensive and complete than those for ordinary depreciation. No recognition is given to residual value in computing depreciation, whereas the percentage allowed as amortization applies to the full cost of the facilities. Also, land may be amortized but is not subject to depreciation.

"Prospective tax benefits from amortization for new investment during the present period are not significantly different from those during World War II. At the present time, corporations are subject to a maximum income tax rate of 47 percent. Corporations subject to the excess profits tax must pay an additional tax of 30 percent on such excess profits, but not to exceed a combined effective income and excess profits tax rate of 62 percent on net income. The maximum marginal tax rate payable is therefore 77 percent. The Treasury Department has proposed increasing the corporation income tax rate to a maximum of 55 percent, which would raise the top marginal income and excess profits tax rate to 85 percent, and the combined ceiling rate to 70 percent.

"The gross tax savings for each million dollars of new amortizable investment with a depreciable life of 40 years, at the above tax rates, for the 5-year amortization period are shown as follows:

	Amount	Percent
Present rates:		
47 percent	$411,200	41.1
77 percent	673,750	67.4
62 percent	542,700	54.3
Proposed rates:		
55 percent	481,200	48.1
85 percent	743,750	74.4
70 percent	612,500	61.3

"The operation of the tax benefit may be illustrated as follows: A facility costing $1 million, with an ordinary life of 40 years, is entitled to annual amortization of $200,000 under the accelerated program, compared with ordinary depreciation of $25,000; the excess of $175,000 at a rate of 77 percent amounts to an annual saving of $134,750, or 13.5 percent a year. The total tax saving over the 5-year period amounts to $673,750 or 67.4 percent of the investment.

"Financial Benefits of Tax Postponement

"It is frequently overlooked that rapid amortization affords substantial benefits to taxpayers in the postponement of gross tax savings indicated above. That is, the taxpayer has the benefit of the use of tax funds which in the absence of special amortization he would have paid to the Treasury. In effect, he has an interest-free loan from the Government for the useful life of the assets. Such benefits are in addition to direct tax savings which might be realized by reductions in tax rates after the emergency period. Therefore, even if tax rates remain indefinitely at their present levels, corporations would realize definite and predictable advantages in the postponement of taxes attributable to amortization.

"The benefits from tax postponement vary with the gross amount of tax savings realized in the 5-year amortization period, the length of time over which depreciation would ordinarily be taken, and the cost of capital to the corporation. If, for example, necessity certificates in the amount of $10 million were issued for the construction of plant and equipment with an average depreciable life of 20 years and were amortized under income- and excess-profits tax rates of 77 percent, the gross tax savings would amount to $6,737,500. By postponing the payment of taxes over the 20-year period, a corporation having the use of such funds at an assumed rate of 5 percent would enjoy a benefit worth about $1,860,000. At an income- and excess-profits tax rate of 85 percent, the tax deferment value of such benefit would amount to about $2,056,000.

"The value of tax postponement to a corporation with depreciable assets of 40 years would be considerably greater. Assuming an alternative cost of financing $10 million capital additions at 5 percent, the value of the use of such tax funds to a corporation would be about $3,350,000, at a tax rate of 77 percent, and about $3,700,000 at a tax rate of 85 percent.

"Cost to the Government

"As a result of amortization, the Government incurs a revenue loss which reflects the value of this privilege to industry. It is not possible to forecast the aggregate amount of necessity certificates which will be awarded, the percentage of amortization which will be allowed, or the trend of future tax rates. However, on the basis of the $3.9 billion necessity certificates already granted (by March 23, 1951) on which $2.8 billion amortization was allowed, it is estimated that the decrease in income and excess-profits tax liabilities during the next 5-year period would be $1,550 million, at the present corporation rates. If the rates proposed in the 1951 tax program are enacted, the immediate loss in revenue is estimated at $1,700 million. Future authorizations will of course increase this revenue loss correspondingly.

"Because of the uncertainty over future tax rates, it is not possible to calculate the ultimate loss to the Treasury arising from amortization deductions. In addition to any ultimate net revenue loss, the cost of the special amortization program from the viewpoint of the Government includes the interest on the tax revenue which would have been received in the absence of amortization. The cost to the Treasury of such postponements is measured by the average interest cost of Treasury financing for the average length of life of the amortized assets."

STATEMENT BY SENATOR WATKINS

It will be recalled that some have objected to the rapid tax amortization granted to Idaho Power Co. on the grounds that the facilities did not have a 5-year life for exclusive defense purposes. Therefore, I wish to underscore Secretary Lynch's estimate of the program pursued during World War II:

"Although amortization was originally designed to encourage private financing of wartime facilities which might have only limited, if any, postwar usefulness, it is believed that the great majority of these plants were continued in peacetime production. Some, in fact, saw little or no wartime use, but nonetheless could be written off for tax purposes in the last year of the emergency (when $1,950 billion worth of facilities were written off in one big year).

"The high proportion of wartime emergency plants retained in postwar production can be explained by the fact that tax amortization, in itself, did not permit corporations to recoup the entire cost of such facilities since tax rates were less than 100 percent. Where the value of such facilities was clearly limited to wartime production there was little inducement to undertake their private financing. Some corporations were reimbursed for the cost of emergency plants through procurement contracts and allowance for amortization in the recapture of excessive profits renegotiated. For the most part, however, the Federal Government undertook the financing of facilities which were of questionable postwar value."

If I might interject, I would like to suggest that the Federal Government also took a heavy financial beating on the billions invested in those wartime defense plants. In fact, the extreme losses under the Federal-built facility program contributed to post-War II enthusiasm for private financing under the rapid tax amortization incentive.

It is also significant that a report was made by this Treasury official on the tax effects of the rapid tax amortization program. He reported that by March 23, 1951, amortization of $2.8 billion had been granted on certificates issued. On the basis of the proposed 1951 tax rates, Mr. Lynch estimated, this would cost the Federal Government a total of $1.7 billions.

Now I trust that the Senate will note that this report was made to the joint committee on April 20, 1951. Inasmuch as no changes were made in the tax structure, I think it safe to assume that the Congress felt that this concession was justified by the defense considerations and by the disillusioning experience of Government-built war plants during Wars I and II.

Furthermore, inasmuch as this 1950 legislation has not been changed until this day, I think it can be safe to assume that until the law is modified, the Congress still stands behind its policy of granting rapid tax amortization for defense facilities. In fact, I believe that Senator BYRD's bill, which I expect to support, does not repeal rapid tax amortization; it merely narrows the definition of the qualifications for such assistance.

The verdict of the Nation's chief defense official on the value of rapid tax amortization was expressed to the joint committee in a statement made by DPA Administrator William H. Harrison in an appearance as a witness in April of 1951. I hereby submit the Harrison statement as carried in the Defense Production Act Progress Report No. 8.

"The CHAIRMAN. Senator Brewster, in the 80th Congress, took over the committe that Senator Truman and Senator Mead had carried on during the last war. He made a rather scathing attack as to what had been done in the last war. I am not going to read it. It is a public record, and I guess most people are familiar with it.

"Anyhow, I am going to ask that this be made a part of the record.

"For instance, he says: 'Practically all the certificates issued by the War and Navy Departments were on a 100-percent basis.'

"Well, I am glad to note that the certificates of necessity you gentlemen have issued so far this time are far better than that because some of them only run 20 percent and very few run 100 percent. But this is what happened last time.

"Then he goes on and says:

"'Legal profiteering resulted from certificates of necessity. Many companies came out of the war with new, valuable, fully amortized facilities which they could either use or, as some have done, sell.'

"Then he goes into this long report that Senator Brewster filed on April 28, 1948. I guess you gentlemen are familiar with it. If not, it is worth reading, because that is just what we do not want to happen again: to have a report here 2 or 3 years from now showing that these big business corporations profited unduly from tax amortization—and we have got nothing against big business here; they deserve it. Senator Brewster ends up that it is his opinion that the cost of the war could have been reduced $3 billion if the War and Navy Departments had used a similar percentage method.

"I understand, and I want to say the good with the bad; that this time you gentlemen have not gone into this 100-percent amortization except in a few isolated cases.

"On the other hand, you have sent me the list up to March 16 showing that the little-business man of the small-business man, as far as I can see, is still sort of out in the cold. You have a lot of applications pending.

"How many more, Mr. Harrison, have you gotten that you have not certified? You had $7.5 billion last time.

"Mr. HARRISON. I would guess, Senator, that they are in terms of around a value of eleven-odd-billion dollars and probably six-thousand-odd requests.

"The CHAIRMAN. Six thousand requests for around 11 billion?

"Mr. HARRISON. Yes.

"(Mr. Harrison's prepared statement, by direction of the committee, follows:)

"'STATEMENT OF WILLIAM H. HARRISON, ADMINISTRATOR, DEFENSE PRODUCTION ADMINISTRATION

"'Mr. Chairman and members of the committee, it is my understanding you wish me to discuss the broad matter of emergency tax amortization, and I welcome the opportunity to do so.

"'Sound administration of the functions of the Defense Production Act is of tremendous importance, for the Congress has granted wide administrative authority. With particular reference to emergency tax amortization, under section 124A of the Internal Revenue Code, wise and courageous use of this authority can be of far-reaching value in accomplishing the objectives of the Defense Production Act; and similarly, because of the tax benefits to the recipients, there must be clear justification for the certifications thus made.

"'This was recognized at the outset, and in October of 1950 administrative regulations covering this matter were issued by the Chairman of the National Security Resources Board, and approved by the President. Later, with the establishment of the Office of Defense Mobilization and its subordinate agency, the Defense Production Administration, further clarifying administrative policies were established. Your committee has copies of these regulations.

"'I personally have been associated with the administration of this important matter since its inception; first, in the National Production Authority, and more recently in the Defense Production Administration. I am mindful of the meticulous care which is required in the administration of this statutory authority. There must be balanced on the one hand the pressing need for expansion of resources and of certain special facilities, and on the other there must be scrupulous regard that no tax advantage be granted other than that intended by this statute.

"'Fundamentally, the election to accelerate the amortization of defense facilities is granted a taxpayer by the statute, and our job as certifying authority is to carry out the Congressional mandate to determine as a matter of fact, on the basis of our best judgment, whether a particular facility is necessary for defense, and, if so, what proportion of the investment thereof is entitled to enjoy accelerated depreciation. Once we have answered that question, the machinery of the law takes over and the consequences follow automatically.

"'My opinion of the virtues or failings of the statutory scheme cannot alter the job the Congress and the President have given us to do. I must say, however, that I am convinced emergency amortization is one of the soundest instrumentalities of government to encourage expansion of industrial strength for national security. In this I assume, of course, there will continue to be careful and well-balanced administration of these operations, and our organization and procedures are being constantly strengthened to attain this end.

"'The defense production effort in which we are engaged has been described many times; by the Congress as in the opening paragraphs of the Defense Production Act, by the President as in the Economic Report of January 12, and by the Director of Defense Mobilization as in his first report on mobilization of April 1.

"'Without exception, to my knowledge, that production effort has been described as consisting of two major parts: First, a rapid increase in our current armed strength, planes, tanks, weapons, combat vessels, and all the rest of the modern arsenal; and, second, an expansion of our capacity to maintain a strong economy, to retard inflation, and to be ready to produce armament in a quantity and at a speed that would deter or overwhelm an aggressor.

"'Many devices are available to increase the production of military end items. Armament procurement is supported by preference ratings, by limitations on nonessential uses of materials and facilities, by conversion of peacetime industry to war work. For the short run, the explosive effort, these methods are adequate. But we must be prepared for quick mobilization at any time over a period of years—we must have in being the machinery for war production while production for peace continues.

"'Emergency controls channel and direct an industrial vitality that is built upon normal commerce and trade. Too long continued, those controls would weaken our economy, nourish ruinous inflation, and reduce our war-making potential.

"'From the experience of 2 world wars, we have learned 2 outstandingly effective ways to increase basic capacity for production. One is Government construction; the other is accelerated amortization for tax purposes.

"'Although both methods were used to secure needed expansion in World War II—the dollar outlay for Government plants was more than twice the amount of expansion certified for tax purposes.

"'In the present situation, it is my opinion that in most cases privately financed expansion of resources or facilities which are indicated to have postemergency use is preferable to the construction of Government plants. On the other hand, there likely will be instances where Government-built plants represent the sound procedure; and in the revision of the Defense Production Act, authority is being requested for this purpose.

"'Emergency amortization operates to encourage expansion by permitting concentration of depreciation allowances in the first few years after construction or acquisition of the facility. In effect, it allows the taxpayer to postpone a part of his taxes for 5 years. And there is always the possibility of further tax gains in that taxes may be lower when the 5 years are up.

"'It is not alone in the promise of a possible net gain in taxes that encouragement to expansion lies. Emergency amortization helps the taxpayer to finance expansion by telescoping much of the process of capital adjustment into the years immediately ahead, when the chances for high income and full use of the new facility seem good.

"'From the Government's standpoint, there is put at risk a part of the cost of the facility in terms of taxes postponed, and there is the indicated immediate loss of tax revenue. Whether the ultimate revenue will be less or greater for the postponement cannot be known. But neither is there any certainty in the recovery of Government investment in its own plants.

"'In no case where the expanded facility is anticipated to have post-emergency utility should the accelerated depreciation be recognized as an item of cost in the pricing of Government contracts. To do this would be contrary to public interest.

"'Applications totaling roughly $16 billion have been received with request for certification. Approximately $4.6 billion has been certified at an average of 70 percent. Normal depreciation allowance would have averaged between 20 and 25 percent. So we have authorized the concentration of about $2.4 billion in capital-asset depreciation into the next 5 years, which would normally be spread over 20 years or more.

"'In return there is substantial present expansion in the production of iron and steel, and of aluminum. Basic chemicals will be available in larger quantities; our rail transportation system will be strengthened. And, not least, our capacity for the production of weapons is being greatly enlarged.

"'I make no claim the certifications are precise and subject to a formula test. Rather, they are based in large measure on factors of judgment in evaluating the necessity and the risks involved. We have a limited but well-qualified staff, and against the background of existing conditions, I feel we are administering the statute to insure the end result the Congress sought, and with meticulous regard for the public interest.

"'It should be pointed out that the 70-percent figure thus far authorized does not represent a cross-section treatment of the entire file of pending applications now totaling over $11 billion. Many of the most urgently needed expansions have been processed, and the bulk of the remainder will likely fall into a category of cases receiving lower depreciation benefits.

"'In my judgment, the accelerated depreciation granted is a sound investment for the Nation; I think the Congress was very far sighted when it made this grant of administrative authority. There will result a far stronger America, a more nearly self-sufficient Free World, a greater readiness to combat and defeat both aggression and inflation in the years to come.

"'To facilitate your consideration of the types of expansion thus far approved, the attached table will be of interest. A tabulation of the application received as of March 16, the applications granted and those denied as of March 23, has been made available to your committee.'"

It will be noted that in this statement, DPA Chief Harrison said flatly: "In my judgment, the accelerated depreciation granted is a sound investment for the Nation; I think the Congress was very far-sighted when it made this grant of administrative authority. There will result a far stronger America, a more nearly self-sufficient Free World, a greater readiness to combat and defeat both aggression and inflation in the years to come."

STATEMENT BY SENATOR WATKINS

I shall not take time to comment on other excerpted material presented in this review, but it is assembled here as a record for those who want to look at some of the hitherto-ignored background of this incentive for defense expansion.

And, I might add that this is still a defense period we are in, based upon expenditures for goods and services in the interests of national security since 1950:

1950	$21,400,000,000
1951	33,600,000,000
1952	50,400,000,000
1953	54,500,000,000
1954	44,900,000,000
1955	40,800,000,000

I append at this point other material from Governmental reports on defense production since 1950:

"ACCELERATED TAX AMORTIZATION

"One of the strongest instruments Congress has provided to encourage the expansion of our industrial capacity, is the accelerated tax-amortization authority in section 124–A of the Internal Revenue Code.

"The far-reaching effect of this authority in accomplishing the objectives of the Defense Production Act was recognized as early as October 1950 when regulations were issued by the Chairman of the National Security Resources Board and approved by the President. Later, when DPA was established, the administrative responsibility for processing the certificates of necessity was transferred to this agency.

"Accelerated amortization operates to encourage expansion by permitting concentration of depreciation allowances in the first few years after construction or acquisition of the facility. It is designed also to help the taxpayer to finance expansion by telescoping much of the process of capital adjustment into the years immediately ahead when the chances for high income and full use of the new facilities seem good.

"Prior to passage of section 124–A of the Internal Revenue Code, the period permitted for depreciation of new facilities by the Bureau of Internal Revenue varied up to 25 years depending on the normal life expectancy of the facility. Under the statute, this period may be shortened to 5 years for such portion of the new investment as DPA may determine.

"The percentage authorized for amortization depends primarily on the need for increased productive capacity in the industry to meet defense needs. Other factors taken into consideration are the type of facility, the probable usefulness of the plant for other than defense purposes after the emergency, and the degree of financial aid deemed necessary to encourage the expansion. In the case of machine tools the percentage varies from 50 to 85 percent with an average of 70 percent for all cases approved to date. The industry has never felt this percentage adequate. It has repeatedly requested 100 percent amortization on the premise that no machine-tool builder needs to expand his present plant to handle the business he will have when the defense program is terminated.

"In view of their general situation, a tax amortization plan was the type of financial aid the machine-tool builders needed from the Goverment if they were going to expand their production. As early as November 1950 tool builders began to send their applications to Washington. The machinery had not been set up to properly review and handle applications and naturally they began to pile up. Even the claimant agencies, who are the point of first reference, were not staffed with personnel properly trained to review and pass judgment as to whether 'a particular facility was necessary for defense, and if so, what percentage of the investment thereof was entitled to accelerated depreciation.'

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"CONCLUSIONS

"Three main problems dominate the field in considering the adequacy of the electric-power supply:

"1. Widespread difficulties are being encounterd in having allocation tickets honored.

"2. Because of differences of opinion concerning the size of the expansion program required in this field, doubts are expressed by some as to whether sufficient allocations of materials are being made for increasing electric-power-production capacity.

"3. Coupled with the fact that manufacturing capacity for large steam-turbine generators appears to be completely booked through 1953, every day lost in adequate planning now because of lack of appreciation of lead time as a factor means that for a large portion of the electric industry no net gain in productive capacity can be realized until 1954. The lost day cannot be effectively made up until that time. Before then, a new order for such turbines could merely displace another already on the order boards with no net gain in productive capacity. There is no magic wand which can cure this situation. It behooves officials in charge of planning and carrying out the electric-power program to give adequate recognition to lead time and the danger of delay. As shown elsewhere in this report, the usual time required to translate a decision to increase power-production capacity into a physical plant capable of that production varies from 3 to 5 years for a hydroelectric plant. It takes 3 years for a steam plant to be completed.

"Have you ever stepped on the starter of an automobile on a cold morning and been unable to start the motor because of battery failure? You have an investment of between $2,000 and $3,000 unable to function because of lack of electric power from a battery representing a cost of about 1 percent of the investment. For your purposes at that moment the automobile is useless and so is the entire investment it represents. The same analogy applies to a defense plant lacking the electric power to make it operate.

"Unfortunately, the difficulties of this problem are compounded because, while you can normally replace your automobile battery from any auto-parts supplier's stock, it takes from 3 to 5 years to build electric-power systems for some defense plants, even without considering further delays caused by lack of materials under an allocation economy.

"If this study does nothing more than instill in all who control its programing an understanding of the importance of lead time in the electric-power industry, it will have served a useful purpose.

"Other problems have also arisen to harass those trying to provide adequate electric power to turn the wheels of America's industries.

"An electric powerplant is not like the old automobiles which reputedly would run even without all the component parts with which they were originally equipped. A steam plant needs a boiler and a boiler needs a fan. Yet a fan is a B product in our present system of allocations and may not receive the same preferred treatment as a boiler when it comes to allocations. It is important that in the administration of the allocations system, adequate measures be taken to assure that the fan will be available when needed so that the boiler may be incorporated in the steam plant on schedule and the plant in turn may be ready to supply the energy to produce defense items on time. It is urgent that the 'kingdom' not be lost 'for want of a horseshoe nail.'

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"'ELECTRIC POWER ADVISORY COMMITTEE

"'Recently DPA Administrator Fleischmann appointed an Electric Power Advisory Committee to make recommendations to him in regard to the size of an electric power-expansion program which will serve adequantely the country's needs for both defense and civilian purposes.

"'As a groundwork for its recommendations the Committee has requested the Defense Electric Power Administration to collate the latest and best possible information in regard to electric power requirements and supply from everyone who is concerned with the supply or demand for electric power and energy. The Committee has requested the assistance of DEPA in obtaining from utilities their estimates of power and supply in the geographical areas in which they operate and has requested DEPA to obtain from the Defense Production Administration and National Production Authority their estimates as to the requirements of the defense program and supporting programs and civilian needs.

"'After it has available the best possible information in regard to requirements and supply needs, the Electric Power Advisory Committee will make recommendations to Mr. Fleischmann as to what it thinks the power program should be. It will, to the best of its ability, evaluate for him risks which might be taken if power is not provided for every need and purpose. The Committee's function is to prepare information for him and assist him in making a decision.

"'The decision as to the carrying out of the program, its size, and its timing, is, of course, the responsibility of Administrator Fleischmann.

"'2. ELECTRIC POWER FOR ALUMINUM

"'Aluminum requires large amounts of electric energy—approximately 9 to 10 kilowatt-hours per pound. Some of the older plants are of varying sizes and are somewhat less efficient than modern ones. They may require between 11 and 12 kilowatt-hours per pound.

"'The electric energy used in making aluminum is one of the largest two items in the production cost of the metal; and, as a general statement, production plants are located wherever electric energy can be purchased at the lowest prices. It makes little difference as to the source of the energy—it can be from hydroelectric plants, steam-driven generating plants or internal-combustion-engine-driven generating plants—the important factor being the cost per kilowatt-hour of the energy.

"'Early production of aluminum in this country was at Niagara Falls, N. Y., Massena, N. Y., and Badin, N. C.—these plants getting their energy from hydroelectric sources. There was little change in this pattern until 1941 when, because additional low-priced power was not available, one producer turned to the gas fields of the Southwest as a source of cheap energy and built a plant which receives its power from both steam-driven and internal-combustion-engine-driven units. Both generating plants use gas as a source of fuel, and the cost of energy on the bus is approximately 3 mills or less per kilowatt-hour.

"'At this same time, in 1941, additional aluminum-reduction plants were built in the Pacific Northwest because it was possible to obtain a limited supply of hydroelectric energy there at a price of about 2 mills per kilowatt-hour. An additional plant was built at Massena, N. Y., near the one in existence; but, as no more low-priced hydroelectric energy was available, it was necessary to gather up steam energy from sources in the area and transmit it to Taylorsville, N. Y., to Massena over a new line built by the Corps of Engineers.

"'As no more low-priced hydroelectric power was available in the country, plants were built wherever the amounts of power needed could be obtained; and, as these were located in areas where power was produced from steam-driven sources, it was necessary to pay a higher price for the energy. A plant built at Maspeth, N. Y., obtained energy at the rate of 6.6 mills per kilowatt-hour. The plants at Riverbank and Los Angeles, Calif., paid about 4.9 mills and 6.2 mills, respectively, per kilowatt-hour, and another plant at Burlington, N. J., bought at 6 mills per kilowatt-hour. After the war, all these plants were shut down, as it was not possible for them to compete economically with plants getting power for 2 to 3 mills.

"'After World War II the Aluminum Company of America built a plant at Port Lavaca, Tex., using internal-combustion engines and this is the first case of a primary producer following such a course in peacetime and without the compulsion of wartime production. Other primary producers are also locating plants in the Southwest turning to gas-fired plants as a source of cheap energy. Some new reduction facilities are being installed in the Pacific Northwest, but at present, the amount of low-cost power available there is somewhat limited.

"'The present price of aluminum is dependent on the availability of electric energy at about 3 mills per kilowatt-hour. The producers say that anything above this would necessitate a price increase. Aluminum's competitive position at present is excellent, with the copper supply being more or less limited, and with the greatly increased demand for aluminum for use in many fields, its prospects are very bright.

"'Finally, price is the primary consideration when purchasing electric energy for use in making aluminum. The producers do not care what the source of the fuel is—hydro, coal, gas, lignite, oil, or anything else. Their need is for large amounts of electric energy at the lowest possible prices and they will locate reduction plants wherever they find the combination of large, adequate supplies of energy at low prices.'

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"The American Public Power Association endorsed the December 6, 1951, statement of Administrator Fairman of DEPA warning of the danger of a power shortage. Stating that its member systems throughout the country, consisting primarily of municipally owned systems, are actively engaged in programs to increase their power supply, the association concluded:

"'In view of this situation, our recommendations to your committee are threefold:

"'1. Because of the vital defense-supporting nature of the electric power industry, we respectfully request that your committee urge the Defense Production Administration to give full support to the Defense Electric Power Administration's power program by making available to the electric industry critical materials in amounts sufficient to carry forward the DEPA power program without further slippage.

"'2. Because of the considerable lead time which is required in the construction of hydroelectric projects, we urge that the Congress give continuing consideration to the orderly development of our Nation's hydroelectric resources, so that the economically feasible projects may be brought into production at the earliest practicable time. Such renewable resources should be harnessed with the least possible delay.

"'3. We note with considerable regret, through press reports, that at least one State regulatory commission has injected the private versus public power issue in its comments to your committee. At a time when power supplies from all sources are urgently needed for our national security, we believe such an action by a State regulatory commission or any other group is untimely and reprehensible. Neither public nor private power groups should attempt to block the efforts of the other during this emergency period. We believe that support should be given to the private power companies wherever necessary, and at the same time we strongly advocate that these companies abandon their fight on the public systems during this national emergency, so that both public and private systems can make the maximum contribution to our mobilization program. Such a policy, we believe, is clearly in the national interest.'

"Because it was the only organization replying from the standpoint of rural needs for electric power, there is included at this point the comments of the National Rural Electric Cooperative Association made on its behalf by its executive manager, Mr. Clyde T. Ellis. The association notes that 863 systems are members of this service organization of the rural electric systems of the United States, and that it has a consumer membership of

approximately 3 million farm families in 42 States and Alaska.

"Mr. Ellis stated:

"'The farmers of America have been asked to produce more food and fiber than ever before in history. Tremendous quantities of these raw materials are needed to feed and clothe the Armed Forces and civilian populations of nearly every nation fighting against totalitarian aggression. These agricultural production goals must be achieved despite the fact that farm labor is being siphoned into more lucrative industrial jobs and into the Armed Forces. This manpower loss must be compensated for by more intensified use of machinery on the farm. The term "farm machinery" no longer denotes a gasoline tractor and its associated apparatus, but includes a myriad of electrically driven equipment. Such items as barn cleaners, silage elevators, feed grinders and dryers, milking machines, water pumps, and automatic brooders are examples of electrically driven laborsaving machinery used on the farm. If this machinery is to prove really productive, it must be employed on a large scale, operate efficiently, and be available when needed. An adequate source of reliable electric power must be available at all times.

"'Some 2½ million farms in the United States receive central station electric service from rural electric cooperatives and power districts, local autonomous farmer-owned electric distribution systems financed on a self-liquidation basis by the Rural Electrification Administration. Last year (1950), these cooperatives purchased 7½ billion kilowatt-hours of energy at wholesale for distribution to farms and other rural establishments, some 4 billion of which they bought from commercial power companies. At the present time, the cooperative loads are doubling every 5 years and would increase even more rapidly were abundant wholesale energy available. Thus, by 1960, if present trends continue, the cooperatives may require 30 billion kilowatt-hours for their consumers. Of this amount, about 16 billion kilowatt-hours will be required of the power companies compared with 4 billion kilowatt-hours purchased from such companies last year. The experience of the cooperatives indicates that many of these companies may not be in a position to meet this increased load. Such inability will be manifest in poor voltage regulation at cooperative substations, excessive periods of outage, limited transmission-line capacity, and rate structures that discriminate against large farm loads.

"'Last year, while the power companies were appearing before committees of the Congress, reiterating with the aid of elaborate charts and graphs the fact that they were willing and able to serve all loads, 19 percent of the rural electric distribution systems were already handicapped by an existing shortage of wholesale power. Twenty-one percent of the systems had insufficient power to meet anticipated load growth. These figures are not guesses. They are results tabulated from an annual survey conducted by the rural electric cooperatives of the country through their national association.

"'The electric power shortage is an old story to leaders of rural electric systems. Wherever and whenever these leaders have met during the past 5 years, they have spoken of their increasing demands for electric service and methods of meeting these demands from the meager sources of energy made available to them. Time and time again they have called to attention of the Congress and the public existing and threatening power shortages in many parts of the country. But in almost every instance, our efforts to point out weaknesses in the electric power reserves of the country were met by loud denunciations from the power companies. The power shortage which farsighted men have been predicting for years is no longer problematical. It is with us in the form of interruptions to aluminum production as well as the inability of industry to locate any applicable block of power anywhere in the United States for expansion purposes, defense, or otherwise. The elaborate plans of proposed generation plants and the multicolored maps of planned transmission systems which have so frequently decorated Congressional hearing rooms are doing little to turn the wheels of new industry.

"'DEPA Administrator James F. Fairman recently stated that: "Present estimates indicate that by the end of 1952, total capacity requirements will be in the neighborhood of 85 million kilowatts. The generating capacity, if the whole 1952 program is achieved will be slightly less than 85 million kilowatts. Thus, failure for the third successive year to increase the margin between supply and demand means that during 1952 we can expect greater areas in which the power supply will be precarious." Mr. Fairman is a power company official.

"'Thus, assuming that every bit of new capacity scheduled for delivery in 1952 is installed, the electric capacity of the Nation will fall further behind. What is even worse, a national survey conducted by the electric power industry indicates that although some 10 million kilowatts of capacity are scheduled for delivery in 1952, from 2 to 4 million kilowatts of this capacity will not be available because of material shortages. Therefore, generation capacity may fall an additional 4 or 5 million kilowatts behind anticipated demand.

"'This is a dangerous situation, a situation which can mean nothing but greater curtailments in the industrial and agricultural expansion needed to meet emergency production goals.

"'No other major American industry is growing anything like as fast as the electric power industry. Demands are and have long been growing so fast that it must double the capacity of its entire plant facility every 10 years. The rate of increase now requires a 100-percent increase every 7½ years. The loads of the rural electric systems are growing even faster. They are doubling every 5 years.

"'Despite the fact that rural electric cooperatives have, to an increasing degree, been hard pressed to obtain sufficient wholesale energy during the last few years, power company spokesmen were stating as late as July of 1950 that the industry stood ready to meet all electric requirements in the country. One particular industry spokesman stated, "We are in an enviable position to meet power demands, not only for an enlarged defense program but to continue civilian production at a high rate."

"'Early in the Korean war, the same people predicted that the Government would use the war as excuse to impose controls on the industry and to increase Government production in the power business. Not until the war was well underway did the companies realize how badly they had underestimated the country's need for electricity. They then poured a torrent of frenzied orders for new equipment onto overloaded manufacturers. Predictions of large reserves were revised downward, but still the companies did not admit any serious shortage. As late as April 1951 they were still not fully awake to the fact that the situation was critical. A reserve of 8½ percent was predicted for this winter. A reserve of not less than 15 percent is considered safe. The peak load for 1951 will occur next week and I feel very strongly that the reserve capacity during this peak may well be less than half of what was predicted. Next week's figures of demand versus capability for the Nation will purport to indicate what reserve is available. Figures for demand will, however, indicate only connected loads. There is no way of knowing the real demand for electric power because no company ever connects more load than it can serve. It is therefore impossible for the measured demand to exceed the generation capability. However, the unavailability of large quantities of power for industrial expansion anywhere in the country is the real indication of what we are facing in the way of a power shortage. I am of the opinion that if the unconnected demand were considered in next week's determination of reserve capacity for 1951, the result would be an appreciable deficit rather than any reserve margin.

"'With this situation as the background, increasing numbers of the rural electric cooperatives are attempting to develop independent sources of wholesale energy. They are working at top efficiency to get construction underway on additional generation and transmission systems so that agricultural production will not be interrupted by power shortages. Many of these cooperative generation plants will operate as integrated parts of Federal hydroelectric facilities. The engineers say that integration with hydroelectric capacity is the best way to derive the maximum benefit from the steam plants, and we certainly need every available kilowatt just as fast as it can be developed.

"'The commercial utility companies are fighting these generation plants and integration plans to the utmost. They are fighting them in committees of the Congress; they are fighting them in the offices of the Rural Electrification Administration; they are fighting them before State regulatory bodies; they are fighting them in State legislatures; and they are fighting them in State and Federal courts. I have spent 2½ days of this week in the United States District Court for the District of Columbia listening to the legal arguments of 10 Missouri power companies that are trying to prevent the farmers of western Missouri from constructing a steam-generating plant to serve themselves. The companies say this is competition and claim they have the absolute right to operate free from competition. How these attempts to restrict the electric capacity of the Nation can be justified in these times of emergency, we do not know. We think that there is no justification for it any more than we think there is justification for the industry's long fight against the development of Federal hydroelectric capacity and the transmission lines to deliver the hydro power at wholesale where it is needed. In short, we see the present acute power shortage as the inevitable result of the commercial power companies' perpetual underestimation of national power requirements and their long fight against expansion of the electric capacity of the Nation, and we see these same companies, unable to meet expanding loads themselves, still fighting to prevent others from rectifying the serious shortage they have brought about. The power companies have still apparently not learned what is wrong. They still talk about achieving adequate reserves of 16 percent by the end of 1954. It appears to us that we will have an ever present power shortage until the Nation recognizes the need of encouraging not a 16 percent reserve by 1954 but an all-out unrestricted development of all the power resources of the Nation.

"'The limiting factor in our power development must be the power needs of the country rather than the economic capability of the companies. Certainly the companies are entitled to a fair return on their investment. Such a return is one prerequisite for maintaining and expanding modern efficient commercial utilities. We encourage such expansion because our systems purchase over 50 percent of their power from commercial utility companies. We paid them over $37 million for power in fiscal 1950. We have never opposed the expansion plans of any utility anywhere. In turn, we only ask that where these private utilities find it uneconomical to serve thin areas, even at wholesale, as evidenced by excessive rates and inadequate service, they allow the rural electric cooperatives and federally financed hydroelectric facilities to fill the gap instead of jeopardizing the welfare of the country by attempting to maintain exclusive rights to generate and transmit electric power.'

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"DETERMINATION OF POWER PROGRAM

"3. Those in charge of allocation policy must give due recognition to the vital need for electric power as an essential ingredient in the formula for successful defense mobilization. The exact amount of power required is a matter subject to honest differences of opinion. The determination of this amount should be recognized as a problem separate from the policy decision regarding what amount of scarce materials should be made available to meet that target. It boils down to the question 'How much power do we need?' as distinguished from the question 'How much power can we get in an allocated economy?' Your committee appreciates that the latter question is a difficult one to answer, especially when the answer must be obtained by balancing requirements for electric power against requirements for other elements needed in a mobilization economy. Your committee agrees that the needs of the Armed Forces deserve and must get first priority. Administrative officials and policymakers, however, cannot afford to underestimate the need for adequate electric power to produce the items needed by the military services. A Nation twice unprepared for its own defense within the lifetime of those now living should surely recognize the folly of allowing itself to lapse into that situation again. With our understandable pride in the miracles of modern American productive capacity in industry, there is danger that we rely too heavily on the ingenuity of American business to produce vast quantities of defense and civilian materials overnight. It must be realized that production takes time and advance planning. Embarking on a policy of increasing the productive capacity of American industry during the present emergency, care must be taken to see that all necessary elements required for that increase are given due consideration and provided. Obviously one of these elements is electric power. Your committee cannot emphasize too strongly the need for realizing the long lead time required to increase the output of electric power. In the face of past and current predictions by men competent in this field that the Nation faces a power shortage, especially in the Southeast and the Northwest, our policymakers both in Government and in industry must give full recognition to the lead-time factor. As recently as this month, Administrator Fairman, of DEPA, forecast that by the end of 1952 total generating capability will be slightly less than total capacity requirements even if the whole 1952 program is achieved. Because electric power, due to physical limitations, cannot be carried effectively to all parts of the country, Mr. Fairman's forecast points up the danger of shortages in specific geographic areas. He believes the prospects are that power will be short in 1952 from the Great Lakes to the gulf and in the Northwest. His forecast considered the growing aluminum-producing program, which consumes vast quantities of electric power. Approximately 10 kilowatt-hours of electricity are required to manufacture a single pound of aluminum.

"Already on the controlled materials list, aluminum is held forth as one of the materials which can be used as a substitute in some uses for even scarcer copper. As noted on page 22 of Progress Report No. 11 of your committee, DPA is working on an assumption that the estimated supply of aluminum for the first quarter of 1952 will be 646 million pounds. This translates roughly into a requirement for 6,460,000,000 kilowatt-hours of electricity. Electric output in the week ended December 8 has been estimated at 7,443,964,000 kilowatt-hours, which of itself represents a 7.7-percent increase over estimated output in the comparable 1950 week. Output for the preceding 1951 week ran slightly higher at 7,475,693,000 kilowatt-hours. Projecting this same output into the first quarter of 1952 would give an approximate output of 97 billion kilowatt-hours. While this figure is used for illustrative purposes only and not as an accurate forecast, it is noted that the manufacture of the amount of aluminum contemplated would use about 7 percent of the total available output. With current discussions of an increase in Air Force strength with its accompanying demands for more aluminum, it should be borne in mind that this in turn will greatly increase the demand for electric power.

"It must also be remembered that DEPA's estimates for power requirements are based upon present military requirements. Any increase in these requirements—which is entirely possible—will cause an increase in requirements for electric power capacity.

"In view of these considerations, there is more danger of underestimating than of overestimating electric power requirements—yet this Nation cannot afford to underestimate those requirements."

MINORITY VIEWS OF MR. WATKINS, MR. DWORSHAK, MR. BARRETT, AND MR. GOLDWATER ON S. 555

We, the undersigned members of this committee, recommend against enactment of S. 555, and submit for committee consideration this summary of views in opposition to the proposed Federal dam project at Hells Canyon.

For convenience, the opposing views are summarized herewith, with a detailed discussion following:

OBJECTIONS TO BILL SUMMARIZED

1. While the Congress is struggling to reduce the budget so that inflation can be halted and debt and tax reductions granted, the proposal made in S. 555 would represent an unnecessary out-of-Treasury expenditure or an outright tax loss, of a billion dollars.

2. The action recommended in S. 555 would result in a denial to the Nation of the benefits of assistance from non-Federal sources in the development of our hydroelectric resources.

3. S. 555 proposes upsetting a unanimous decision of the Congress' own bipartisan power agency, the Federal Power Commission. This proposal is made in spite of the fact that the FPC deliberations on the Hells Canyon decision were the most extensive in the Agency's history—extending over 2 years and amassing 20,000 pages of testimony in 150 hearing days. The FPC procedures and decision were upheld by a recent action of the United States Supreme Court.

4. S. 555 violates the precedent of Congressional respect for States rights in water-resource legislation affecting the semiarid West.

5. Power is still urgently needed in Idaho and elsewhere in the Pacific Northwest, and yet S. 555 would halt the contemplated delivery of energy from the Brownlee project in 1958 and postpone comparable power production at the Hells Canyon reach of the Snake River at least until 1964.

6. High Hells Canyon Dam would not contribute a drop of water for irrigation, municipal, or industrial use in Idaho or elsewhere in the semiarid West.

7. Based on expected average power production at the dam site, the three-dam project is eminently justifiable economically, and the additional generation at a high dam is but a small fraction of basin requirements.

8. The action upsetting the FPC decision undoubtedly would entail Federal liability for a large investment, of as yet unspecified size, already made by a private utility acting under a license lawfully issued by a Congressional agency in procedures sustained by the United States Supreme Court. Proponents have not offered an adequate estimate of this expected liability, nor shown its impact upon project feasibility.

9. In demanding the high Hells Canyon Dam as a flood control necessity, supporters of S. 555 are ignoring the fact that at least 90 percent of the unsolved flood control problem on the Columbia River originates from flood flows downstream from Hells Canyon and on other Columbia River tributaries. Furthermore, the high dam would not solve flood control problems upstream on the Snake River and its tributaries, where it is needed within the State of Idaho.

10. Section 4 of S. 555 provides for establishment of a Snake River project account but does not specify how the account would operate. This is a serious defect in this legislation, especially in view of the fact that no reclamation projects, as such, are authorized in the bill.

11. Proposed sale of 4-mill power from high Hells Canyon for 2.1 mills represents a large subsidy from taxpayers for industries, private utilities, and other prospective large volume users of that power.

12. Rejection of S. 555 would not mean discrimination against the States of Oregon and Washington in their water resource development. These States already have received one-seventh of Federal flood control and navigation construction funds and one-fifth of Federal reclamation construction funds appropriated for all the 48 States.

13. Revenues from the high dam would not be available to support reclamation development in the Snake River Basin until, at earliest, the year 2014, and then only upon direct Congressional authorization of such participating projects.

14. If the project proposed in S. 555, including both transmitting and generation facilities, were built in 6 years, as the supporters contend it will be, the project would require nearby $100 million a year in reclamation appropriations. Total reclamation construction funds requested in the 1958 Presidential budget amount to only $156 million for all 17 Western States, and efforts are being made in some quaretrs to reduce this amount.

15. The rapid tax amortization granted Idaho Power Co. is no giveaway as charged.

16. Section 3 (c) of S. 555 directs the Secretary of the Interior to supply and transmit from the McNary Dam, many miles downstream, the necessary construction power for the Hells Canyon Dam, in spite of the fact that the Secretary of the Army has specifically stated that "the purpose of his provision is not clear and might prove undesirable from an economic standpoint."

DETAILED EXPLANATION OF OBJECTIONS

1. While the Congress is struggling to reduce the budget so that inflation can be halted and debt and tax reductions granted, the proposal made in S. 555 would represent an unnecessary out-of-Treasury expenditure or an outright tax loss, totaling a billion dollars.

A brochure widely distributed by 10 organizations supporting S. 555 states that the cost of the high Hells Canyon project amounts to only $352 million.

The true costs of the project—since the brochure deals with power production at site and downstream—actually are in excess of a half billion dollars for power generation and

transmission facilities. These costs, as set forth in committee hearings and in the majority report on S. 1333 last session, and affirmed in the hearings on S. 555, are as follows:

Estimated costs of high Hells Canyon project

Construction of Hells Canyon Dam [1]	$367,000,000
Interest costs during construction [2]	33,000,000
Transmission:	
Southern Idaho and system integration	68,200,000
Main system additions	8,700,000
Total, Hells Canyon Dam and transmission	476,900,000
Scriver Creek power project	52,100,000
Total costs authorized in S. 555	529,000,000
Transmission for additional system generation	69,100,000
Installation of 11 generating units at downstream plants	53,700,000
Total estimated cost to produce at-site and downstream power	651,800,000

[1] Containing powerplant of 1,250,000 kilowatts capacity.

[2] Estimated 6¾-year construction period and 3 percent interest.

This total does not include compensation that presumably would have to be paid to Idaho Power Co., if S. 555 is passed, thereby abrogating a legally issued Federal Power Commission license sustained by a recent action of the United States Supreme Court. This reimbursable cost is estimated at more than $48 million, including costs for construction expenditures and equipment orders.

In addition, it must be considered that the Idaho Power Co. and the area it serves are badly in need of additional power and are now in a position to obtain energy from Brownlee Dam in 1958. If passage of S. 555 abrogates this entire legal license to obtain additional power when it is needed, we believe that the Federal Government would be liable to demands for additional compensation to meet redress for damages and extra costs that would be suffered by the Idaho Power Co.

A BILLION DOLLAR MISTAKE

Now, in addition to all these actual project costs—which are nearly double the estimate of high Hells Canyon Dam proponents referred to previously—the passage of this measure would destroy a private power project now under construction. In 1958 this three-dam project of Idaho Power Co. could start paying local, State, and Federal taxes on its power generation at the Brownlee unit. It is estimated that the taxes which would be derived from the 3 dams would amount to $10 million annually, or $500 million in the 50-year licensing period. The Federal Government would be the recipient of $300 million of these estimated taxes.

This means, that in addition to forcing the Federal Government to spend more than a half billion dollars that it does not need to spend, the passage of S. 555 would throw away another half billion dollars in potential tax revenues.

This all adds up to a billion-dollar mistake that the Nation cannot afford to make in these days when the Congress and the executive branch are trying desperately to reduce Federal spending to halt inflation and to permit debt and tax reduction.

CLOSES THE DOOR TO PRIVATE ENTERPRISE

2. The action recommended in S. 555 would result in a denial to the Nation of the benefits of assistance from non-Federal sources in the development of our hydroelectric resources.

One of the issues posed by S. 555 is simple, yet fundamental. It is whether there is to be any place in the development of our hydroelectric resources for assistance from non-Federal sources when that assistance can be rendered entirely consistent with development in accordance with a coordinated comprehensive plan.

S. 555 would deny the Nation the benefit of such assistance. By so doing, S. 555 would overturn national resource policies developed over the last half century, and embodied in the National Reclamation Act of 1902 and in the Federal Water Power Act of 1920. The latter act encourages non-Federal participation in the development of our water resources under conditions adequately protecting the public interest, when such development is best adapted to a comprehensive plan for the improvement of the water resources for beneficial public purposes.

Approval of S. 555 would mark a departure from a half century of reclamation policy that reserves Federal sponsorship to projects which are not practicable for State or private financing.

Private enterprise has constructed three-fourths of the reclamation works in this country. Reclamationists are strong believers in private enterprise, and the whole purpose of the historic Reclamation Act of 1902 was to provide for Federal financing of sound reclamation projects which could not be undertaken by State or local interests. Nowhere in the Federal reclamation program is it proposed that the Federal Government should exclusively develop our water resources.

POWER NEEDS ESTIMATED AT $94 BILLION

There exists a tremendous backlog of desirable public-works projects, authorized and proposed, that could conceivably qualify for Federal financing. This backlog in the water resource development field was estimated at $70 billion alone. Secretary Seaton recently estimated private and public power needs for the next 20 years at $94 billion. To find these billions, and, at the same time, to meet our continuing astronomical defense costs, it is essential that all avenues of financial assistance—Federal, State, local, and private business—be utilized.

Here in the Hells Canyon area, we have a sound private utility that not only has offered to finance a power-flood control project, but also has obtained the necessary license from the FPC and energetically expedited construction work. Under these circumstances, and in view of the billions required for a large variety of needed public works, it just doesn't make sense to kill a going private enterprise project which will provide low-cost power and, at the same time, will provide 1 million acre-feet of flood-control storage free to the lower Columbia Basin, especially when it is considered that both power and flood-control benefits can be provided under the private plan several years ahead of the high Federal dam.

Abraham Lincoln long ago told the people: "The legitimate object of government is to do for a community of people whatever they need to have done but cannot do at all or cannot so well do, for themselves in their separate and individual capacities. But in all that people can individually do as well for themselves, government ought not to interfere." These sentiments were sound a century ago, and they are a good guiding principle for us today.

PROPOSES UPSET OF CONGRESS' OWN AGENCY

3. S. 555 proposes upsetting a decision of the Congress own bipartisan power agency, the Federal Power Commission. This proposal is made in spite of the fact that the FPC deliberations on the Hells Canyon decision were the most extensive in the agency's history—extending over 2 years and amassing 20,000 pages of testimony in 150 hearing days. The FPC procedures and decision were upheld by a recent action of the United States Supreme Court.

Section 7 of the Federal Power Act provides that, as between private applicants the Federal Power Commission shall give preference to the one which has the best plan to "develop, conserve, and utilize in the public interest the water resources of the region."

If the Commission's findings indicate that Federal development should be undertaken, the Commission is instructed by section 7 (b) not to approve a license application, but instead to submit its findings and recommendations to the Congress. Section 10 (a) requires that any license issued must be on condition that the project approved be the one "best adapted to a comprehensive plan for improving or developing a waterway * * * for * * * beneficial public purposes," and that section directs the Commission, if necessary, to require any modification of the project requisite to that end before the Commission gives its approval.

FPC CONSIDERED BEST COMPREHENSIVE PLAN

The Federal Power Act stresses repeatedly the concept that development proposals must measure up to the standard of being best adapted to a comprehensive plan for the utilization of the region's water resources. In determining whether non-Federal applicants are to be refused an opportunity to undertake a project, that concept of comprehensive development is properly the test. But if a project measures up to the test of comprehensive development, not only is there nothing in the Federal Power Act that calls for a license application to be refused in favor of Federal development, but such a position is entirely contrary to the objectives of the act.

The Federal Power Act came as the culmination of decades of study and experience by trial and error which demonstrated that administrative government machinery to test all project proposals by the measuring rod of comprehensive development was essential to the optimum utilization of the Nation's water resources in the public interest.

Late in the 19th century and in the early years of the 20th century, the Congress itself undertook to examine and license by separate statutes each individual non-Federal hydroelectric project proposal. This practice did not assure consistency with the public interest because the Congress was not equipped technically to examine proposals from the point of view of optimum development of the resources of the region involved. Furthermore, the lack of uniform standards made determination of the best multipurpose development impossible and tended toward piecemeal, limited development of the better hydroelectric sites.

FPC APPROACH FAVORED BY TEDDY ROOSEVELT

These deficiencies were early recognized by Presidents Theodore Roosevelt and William Howard Taft, who refused to approve individual licensing bills and who urged upon the Congress the necessity for legislation of general application that would establish standards to be met by non-Federal project proposals.

Out of this, and after prolonged study by Congressional committees and commissions established to develop national water policy, came the Federal Water Power Act of 1920, enacted during the administration of President Woodrow Wilson.

This act, which was designed to enable and encourage participation in water-resource development by non-Federal entities, public as well as private, contains the provisions

and requirements mentioned above in order to assure that, whatever the agency of development, the end served will be that of a comprehensive, coordinated water-resource program.

FPC PROGRAM EXPANDED BY F. D. ROOSEVELT

These provisions, after most thorough Congressional review, were reenacted as a part of the Federal Power Act of 1935, during the administration of President Franklin D. Roosevelt.

The present Commission was established by the 1935 act as an independent body of 5 members, no more than 3 of which may be of the same political persuasion. The Commission is equipped with a staff of expert engineers and attorneys to study and to present to it all of the facts relevant to the applications pending before it. All parties having an interest in any proposal before the Commission are afforded the opportunity to participate fully in the proceedings.

All of this is designed to assure that applications for licenses will be thoroughly and searchingly examined, with the fullest opportunity for presentation of all points of view, in order that decision may be reached whether the act's standard of "comprehensive, coordinated development" can be met by a non-Federal development proposal.

The enactment of S. 555 would abrogate by special legislation, in an individual case, a license which has been lawfully issued by the Federal Power Commission as a result of its consideration, after protracted proceedings in which all points of view, including the proponents of Federal development for Hells Canyon site, were fully heard. These proceedings occupied a period of more than 2 years, during which a record of approximately 20,000 pages and nearly 400 documents were amassed. It was, in fact, the most extensive proceeding in the Commission's entire history, the hearings alone occupying approximately 150 hearing days.

PROCEDURES SUSTAINED BY HIGHEST COURTS

Upon its consideration of the record and after applying the tests specified by the Congress, the Commission found the three-dam private development proposal to be "best adapted to a comprehensive plan" for the development of the Columbia Basin for the public purposes of flood control, navigation, recreation, and power. This finding, as provided by law, was sustained by the United States court of appeals, and the United States Supreme Court on April 1 denied a petition to review the license. High Hells Canyon backers immediately filed a motion for a rehearing, but no decision has been made on this motion.

We of the minority do not presume to decide these issues as between the Hells Canyon 1-dam plan and the 3-dam plan. The majority would have the Congress undertake this task. In so doing, the majority would commit the Congress to a task for which it has neither the time nor the technical resources. It would have the Congress return to a method of individual project review tried and found wanting 50 years ago.

Furthermore, the majority position appears to be based upon the false premise that comprehensive development requires exclusive Federal development of our water resources—a concept never approved by the Congress. The fundamental purpose of the Federal Power Commission is "to issue licenses" for the construction of water-resource projects by non-Federal public and private agencies.

We submit that the proper way to correct inadequacies, if any there be, in the Federal Power Act is by general legislation and not by special legislation such as S. 555.

Furthermore, passage of S. 555 would tend to throw a cloud over the licensing actions of all independent agencies set up by Congress. What reliance could a licensee take in any legally issued Federal license, including those from highly respected agencies such as the ICC, FCC, and other administrative agencies comparable to FPC, if the public concludes that this precedent-making Hells Canyon proposal means that such licenses are subject to arbitrary upset by Congress, even if legally issued and sustained by our highest courts?

S. 555 THREATENS IDAHO'S WATER RIGHTS

4. S. 555 violates the precedent of Congressional respect for States rights in water resource legislation affecting the semiarid West.

No interstate compact has been effected to adequately protect the rights of Idaho and other upper Snake River Basin States to consumptive uses of water in the Columbia River and its tributaries. This was a basic objection to S. 1333. It remains a basic objection to S. 555.

People who live in the humid sections of the country have difficulty in comprehending the active interest in water resources legislation that is taken by people who live west of the 98th meridian, in what is the semiarid region of this great country of ours. In much of this part of the West, annual precipitation averages only from 5 to 10 inches a year. This represents only a little more moisture than falls in the humid East during a typical week of heavy hurricane rains. Futhermore, most of this limited precipitation in the semiarid West occurs in the winter in the form of snow. Therefore, to have water for its cities and its relatively small agricultural oases, the West is obliged to build storage reservoirs which trap moisture during the spring snow melt and conserve it for use during the dry months of the year.

In western water development, a major advantage has been enjoyed by the downstream water users on our large rivers. The downstream areas frequently are the first to develop, have the best hydropower sites, and build up population justifying earlier development.

COMPACT PRECEDENT SET ON NEIGHBORING RIVER

This was the situation faced by the upper States of the Colorado River Basin when the downstream users first proposed large-scale storage on that river in the 1920's. The upper basin States, whose watersheds supply 90 percent of the water of the Colorado, recognized that the tremendous storage capacity proposed for the Boulder Canyon project would enable the downstream States of California and Arizona to put to use all the available, unappropriated water in that river. Hence, the upper basin States refused to approve the construction of the Boulder Canyon project until the lower basin States had guaranteed to them, in an interstate compact, specific consumptive water uses in the river. Ratification of such a compact was required by Congress in 1928 as a condition to authorization of the project act which ultimately made possible the construction of Hoover Dam.

A similar situation exists on the Columbia River today. Tremendous power and irrigation projects have been constructed on the lower river. In this river basin, however, unlike the situation on the Colorado, the coastal sections are a water-surplus area, and considerable reclamation development has already occurred in Idaho's arid Snake River drainage basin. Hence, there has not been a comparable drive in the Northwest for protection of the legitimate uses in the several basin States. The day is here, however, when an agreement between the States is necessary to safeguard the rights of investors in water-use projects and to avoid unnecessary waste of millions in needless litigation.

In the Snake River Basin of Idaho, a lack of an interstate compact or a judicial adjudication will be a barrier to future water development in that State. This is the basis of Idaho opposition to the high Hells Canyon proposal at this time.

IDAHO'S FEARS AMPLY JUSTIFIED

These fears are amply justified. A power dam consumes relatively little water, but it establishes an appropriative right to streamflow which must be considered legally and morally in any future water development. In the case of the high Hells Canyon Dam, long-term storage rights are sought for a reservoir impounding 4 million acre-feet of water, held vitally necessary for national defense, flood control, power production, and regulation of the riverflow to provide firm power at downstream power dams.

Proponents of high Hells Canyon Dam have sought to reassure the people of Idaho that their future water rights in the Snake River are adequately protected by section 2 of S. 555. Responsible western water law authorities do not concur in this opinion.

When H. R. 5743 was introduced into the 82d Congress, section 2 read as follows:

"SEC. 2. The operation of the Hells Canyon division shall be only such as does not conflict with any present beneficial consumptive use, valid under State law, of the upstream waters of the Snake River and its tributaries, and as does not conflict with any future depletion of flows arising from future upstream diversions for beneficial consumptive uses under State law—

"(1) In a total amount which is reasonable and equitable for the irrigation of new and supplemental land developments which are, in total area, like those indicated in chapter IV of the substantiating materials to the Hells Canyon project report, as set forth in volume 2 of House Document No. 473, 81st Congress; and

"(2) In a total amount which is reasonable and equitable for future upstream consumptive uses for domestic, municipal, stockwater, mining, and industrial purposes."

PROVISO NO ADEQUATE SUBSTITUTE FOR COMPACT

This provision, we maintain, is no adequate substitute for a formal interstate compact, but it does spell out the rights preserved for the upstream States, which are the only rights endangered by this proposed reservoir project.

In S. 1333 of the 84th Congress, this section had been watered down to this form:

"SEC. 2. The operation of the Hells Canyon Dam shall be only such as does not conflict with present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the upstream waters of the Snake River and its tributaries.

In committee, this was further modified, to read as follows (new material in brackets):

"SEC. 2. [Notwithstanding the provisions of any other law,] the operation of the Hells Canyon Dam shall be only such as does not conflict with present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters of the Snake River and its tributaries upstream from the dam [and downstream]."

1958 SECTION 2 RATED ULTIMATE

This section was described as follows in the committee report on S. 1333, last session:

"The committee concludes that section 2 as amended provides the fullest possible protection against infringement by this project on any beneficial consumptive use rights, present or future. The only way greater

protection could be afforded would be by an amendment of the Constitution."

In spite of this unqualified endorsement, the section was further amended in S. 555, to read as follows (new material in brackets):

"SEC. 2. Notwithstanding the provisions of any other law, the operation of the Hells Canyon Dam shall not conflict with, [and shall be subordinate to,] present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters to the Snake River and its tributaries upstream from the dam and downstream."

A close analysis of section 2 of S. 555 discloses that at best it is confusing, and at worst it holds out false hopes to the people of Idaho that their future needs for water for consumptive purposes will be fully protected.

HIGH DAM WOULD ESTABLISH RIGHT UNDER STATE LAW

It is the understanding of the minority that the State laws of both Idaho and Oregon recognize the use of water for hydropower production as an appropriative beneficial use right which will have priority over any other rights initiated and established subsequently upstream from the powerplant. Section 2 limits the protection for so-called future rights to those valid under State law. A future use upstream would be subsequent to the establishment of the Hells Canyon Dam, which under both the laws of Oregon and Idaho in such a situation would be first in time and, therefore, first in right. That would be a "valid" right under State law, and any future use right upstream would be junior to the Hells Canyon hydropower right. Under the same State law, therefore, the upstream water development is defined as a junior right and, consequently, is only valid to that extent.

Thus we have one "valid" right against another, or two valid rights under State law—one senior and the other junior. And this State law cannot be changed by an act of Congress.

Thus section 2 fails to accomplish its announced purpose.

There is still another point of view to be considered. It has long been the position of Idaho irrigation interests that the language of section 2 is, in actuality, meaningless. First, it is obvious that this or any other Congress could repeal or amend this language at any time; and in the event of a clash of water rights between the single dam and irrigation interests, as mentioned above, this would be a probable occurrence. And, secondly, this language does not give any protection against Federal control of the river.

Most western water States have had disillusioning experiences with downstream hydroplants on streamflow subsequently required for upstream consumptive water uses. Such downstream plants, including at least one Federal project, have had to be purchased outright, or otherwise compensated for water intended to be used by the water users, to fill reservoirs which were being planned to store water for municipal, industrial, and agricultural uses.

FPC LICENSE MAKES POWER USE SUBORDINATE

This prospect is not faced by Idaho in the case of the Federal Power Commission dams, because the license specifically provides that upstream water depletion for future consumptive use takes precedence over production by hydropower at the Hells Canyon site, now and in the future.

If section 2 does not in fact—and should this be later established by the courts—protect the rights of the upstream States to all consumptive use needs now and in the future, as proponents contend, then it should be pointed out that such future needs could very likely deplete the flow of water of the Snake to the point where efficient power generation at the high dam will be greatly reduced. That is a risk that may well become a reality, and under such circumstances the Federal Government certainly should not make an investment of over $500 million based on such a risky water supply.

We believe this comment is fully justified. If the downstream States of Oregon and Washington are willing to consent to a provision of this bill that will fully protect Idaho's future rights to water for consumptive needs now and in the future, then why are these States so adamant against joining in an interstate compact which would be ratified by their legislatures and bind them formally to recognize such rights and make it possible for Idaho's rights to be fully protected in the courts of the land?

COLUMBIA RIVER STATES HAVE DRAFTED COMPACT

The Columbia River States have a proposed compact, drafted in 1954 after interstate considerations extending over several years. However, the proposed compact, while signed by the Interstate Compact Commission in early 1955, has not been ratified by the lower basin States of Oregon and Washington, and these States have refused to ratify a revised draft completed in 1956. In fact, the impression has been given that these States will never ratify such a document. Hence, Oregon and Washington are telling Idaho, in effect, "We refuse to guarantee upstream rights by entering into a compact, but we offer you in place of such a formal legal compact, a so-called protective clause in S. 555 which we believe will effectively protect your rights to Snake River waters."

So far, Idaho has not accepted the assurances that a proviso of S. 55 will protect its rights to develop a rightful share of Snake River water. On the contrary, Idaho leaders and farm groups have accepted the alternative proposal of the Idaho Power Co. to develop needed kilowatts by a 3-dam project which requires only 1 million acre-feet of storage.

No one has contended that this smaller reservoir could not be filled from excess streamflow, and it is not authorized by Congress as the key to a regulatory program to increase firm power production at large downstream Federal power dams. Furthermore, the license for this 3-dam project contains a proviso (art. 41), which specifically directs that water rights for the Idaho Power Co. dams—obtained on application to the State of Idaho—shall be subordinate to consumptive uses upstream, now and in the future.

This restrictive article in the FPC license provides that the project "shall be operated in such manner as will not conflict with the future depletion in flow of the waters of Snake River and its tributaries, or prevent or interfere with the future upstream diversion and use of such water above the backwater created by the project for the irrigation of lands and other beneficial consumptive uses in the Snake River watershed."

Both the FPC and the State of Idaho can police this directive. Legal remedy, if required, can be obtained in Idaho courts.

An attempt was made in committee to substitute the language of this proviso for section 2 of S. 555, but it was beaten down by the supporters of high Hells Canyon. Such an amendment would not be an adequate substitute for a compact, but it would more effectively spell out the upstream rights, which are the only ones at stake here.

S. 555 WOULD DELAY NEEDED POWER FOR NORTHWEST

5. Power is still urgently needed in Idaho and elsewhere in the Pacific Northwest. Yet S. 555 would halt the contemplated delivery of energy from the Brownlee and Oxbow projects in 1958 and postpone comparable power production at the Hells Canyon reach of the Snake River at least until 1964.

The power that will be produced from the Idaho Power Co. dams presently under construction is vitally needed, and is being counted upon, both in that company's service area and in the whole Northwest region.

Denial of this power to the Idaho Power Co.'s service area could bring about a regional economic catastrophe. Evidence was presented at the hearing that the company's peak demands already are greatly in excess of its present dependable peaking capacity. Temporary supplies available from steam plants in Utah will no longer be available after next year and emergency supplies can be obtained from the Bonneville Power Administration only during the Columbia flood season in late spring and summer.

BROWNLEE POWER WOULD PREVENT INDUSTRY SHUTDOWN

As it stands now, the company and its area will be in a very critical condition from September 1957 until April 1958. If by act of this Congress, construction of the Brownlee Dam were halted, the position of the power users in the company's service area would be tragic. The Brownlee project of the company, which will begin supplying power in the fall of 1958, is the one possible source of supply which can alleviate the condition in the company's area. Likewise, that project will make immediately available additional power for use in the Pacific Northwest region as a whole, and prevent shutdowns of great electrometallurgical industries such as occurred in the spring of 1957. Expected shortages in the Northwest in 1958 were expected to be made up by delivery of energy from Brownlee Dam.

All planning with respect to serving power needs in the Pacific Northwest through 1964 is based on the assumption that the company's three units—Brownlee, Oxbow, and Hells Canyon—will come into service on the planned time schedule of the company.

The chart introduced in evidence (Committee Hearings Record, facing p. 256) depicts graphically how the company's plants will supply its own needs and, in addition, make available surpluses for the so-called West Group of the Pacific Northwest power pool. It is in this region that the greatest shortages occur.

Any action which would prevent the scheduled completion of these FPC-approved powerplants will bring severe economic loss, not only to Idaho, but also to the entire Pacific Northwest. In addition, production at vital defense industries in the Northwest could be seriously impaired for several years if power shortages result from passage of this measure.

HIGH DAM CONTRIBUTES NO WATER FOR ARID WEST

6. High Hells Canyon Dam would not contribute a drop of water for irrigation, municipal, or industrial use in Idaho or elsewhere in the semiarid West.

In spite of the fact that this measure was handled by the Senate Irrigation and Reclamation Subcommittee, it is not fundamentally a reclamation project. On the contrary, it is primarily a power project with some flood-control values which can be adequately provided under an alternative program in the same reach of the river and elsewhere in the basin.

The high Hells Canyon Dam would not conserve water for use over sustained drought cycles. Nor does it provide any water for reclaiming land by irrigation or for the municipalities and industries in the semiarid region of Idaho, eastern Oregon and Washington. It is not a holdover storage reservoir like those on the Upper Snake and

on the Colorado River. The reservoir behind the dam would be used exclusively for flood control, river regulation, and power production. This means that the dam would merely retard the flow of the Snake River for a relatively brief period of time, and would not conserve it for use over prolonged dry cycles.

In fairness, it should be pointed out that revenues from this project may be utilized to finance irrigation projects in the Snake River Basin upon completion of the 50-year amortization period, if Congress so directs. But the same claim could also be made for the 3-dam project, which is licensed only for 50 years.

It is significant that the Idaho State Reclamation Association, representing over 2 million acres of irrigated land in the State most directly affected, has been adamantly fighting the high Hells Canyon proposal for the past 9 years, and is solidly opposed to S. 555.

THREE-DAM PROJECT EMINENTLY JUSTIFIABLE ECONOMICALLY

7. Based on expected average power production at the dam site, the 3-dam project is eminently justifiable, economically, and the additional generation at a high dam is but a small fraction of basin requirements.

Most comparative analyses of costs for the two competing projects at Hells Canyon deal not with the actual costs of producing and transmitting the power, but with the price at which the Federal power will be sold. This gives a tremendous advantage to the Federal project because S. 555 prescribed that the power from the high Federal dam would be sold by the Bonneville Power Administration, much of it presumably at the system wholesale industrial rate, which averages 2.1 mills per kilowatt-hour, largely because of extremely low-cost power from a few depression-built hydro dams.

In other words, even though the actual cost of power produced at the proposed high Federal dam will be in excess of 4 mills, for energy generation and transmission, it will be sold for slightly more than 2 mills, and the proponents of high Hells Canyon will be claiming that this sales price represents the costs of power from that project. At the same time, advocates of high Hells Canyon ignore the actual cost of power from the 3-dam private project and quote, instead, a production-cost figure which includes local, State, and Federal taxes, none of which is paid by the Federal project.

COMPARATIVE DATA GIVEN FOR PROJECTS

In order to give a true statistical picture of the comparative costs of these two projects, and the high Pleasant Valley project which was injected into committee deliberations this year, an analysis was made of all testimony submitted last session and this to show comparative costs. The comparative data are as given in table I of this report:

TABLE I.—*Comparison of costs and economics of plans for power development on Snake River between Weiser, Idaho, and confluence with Salmon River*

[High Pleasant Valley would inundate Hells Canyon unit of the 3-dam plan]

	3-dam plan under license of FPC	High Hells Canyon Dam	High Pleasant Valley Dam
Cost of structure [1]	$133,000,000	$400,000,000	$300,000,000
Annual cost [4]	$15,400,000	$18,170,000	$13,100,000
Average annual generation, millions kilowatt-hours at site	4,793	4,800	4,830
Cost per kilowatt-hour, at site, mills	3.21	3.08	2.71
Cost less Federal tax, mills	2.38		
Cost less Federal and State taxes, mills	1.75		
Installation, kilowatts	[2] 1,175,100	[3] 1,250,000	1,250,000
Initial, kilowatts	783,400	800,000	
Heads, maximum, feet	602	602	575

[1] Including power installation, but exclusive of transmission.
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Economic values as measured by a comparison of at-site investment cost per average kilowatt of output, also are reflected in table II, which is reproduced for Senate consideration at this point:

TABLE II.—*At-site investment analysis*

[All values in round numbers]

	3-dam plan	High dam [1]
Total cost of dams	$133,000,000	$367,000,000
Interest during construction		$33,000,000
Transmission: Local and regional	$21,000,000	$77,000,000
Total project investment, Idaho area	$154,000,000	$477,000,000
Annual generation, at site in average kilowatts [2]	546,000	634,000
Investment cost per average kilowatt of output	$280	$752

[1] Idaho area only.
[2] These values are derived by dividing the "average annual generation" quantity of the previous table by 8,760, the hours in a year.

Table I shows that, based upon average annual generation, the three-dam plan would produce energy for 1.75 mills per kilowatt-hour, if Federal, State, and local taxes are disregarded. Comparable energy costs for the high dam are 3.08 mills based upon the estimated output from the larger installed capacity (1,250,000 kilowatts) proposed by the committee at the 1957 hearings. The costs per kilowatt-hour also are lower at the proposed high Pleasant Valley Dam, which, like the three-dam project, would cost considerably less than the high dam. No report has been made on the latter project, however, and this reference does not imply approval of that project.

Based upon plant investment and unit energy costs, therefore, the three-dam plan is shown by these tables to be eminently justifiable from an economic standpoint.

THREE-DAM PLAN VALUES CONFIRMED

Another interesting observation in the engineer's report is that even though the installed capacity of the high Hells Canyon powerplant is increased 50 percent—from 800,000 kilowatts to 1,250,000 kilowatts—the expected average generation will be increased only a little less than 4½ percent. The engineer's estimate of the average annual energy output of the 1,250,000-kilowatt plant is indicated in the table at 5,900 million kilowatt-hours. The estimate is based upon an analysis of available water supply, covering 20 years of streamflow records, extending from 1929 to 1948.

The official project report, however, recommends an initial installation of 800,000 kilowatts with provisions for addition of a 100,000 kilowatt unit.

Increased downstream production, which could result from the storage releases of all three proposed reservoirs, is disregarded because no such installation of additional generating equipment is authorized in this legislation.

Downstream production of power properly is a matter for later legislation, which will be required to authorize appropriation of at least $150 million for that purpose. Also, before the maximum amount of downstream power can be produced from Hells Canyon storage, it will be necessary for the Congress to appropriate more than a billion dollars to build additional power dams on the Columbia River below Hells Canyon.

LIABILITY FOR DESTRUCTION IS IGNORED

8. The action upsetting the FPC decision undoubtedly would entail Federal liability for a large investment, of as yet unspecified size, already made by a privately owned public utility, acting under a license issued by a Congressional agency in procedures sustained by the United States Supreme Court. Proponents of high Hells Canyon dam have not offered a concrete estimate of this expected liability nor shown its impact upon project feasibility.

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Company officials predict that the Brownlee project will be entirely completed and in operation in the fall or early winter of 1958, in time to supply winter peak loads. Initial deliveries will exceed 360,000 kilowatts of energy for both groups of the Northwest power pool.

In anticipation of this production, the power company on May 3 announced the start of construction on a $4,500,000 transmission line. In addition, substations at Boise and American Falls, Idaho, are being built at a cost of $7,500,000.

Proponents of the high Hells Canyon Dam have made no visible effort to assess the total loss and the expected Federal liability that would result if this going project is destroyed by Congressional approval of S. 555. Compensation paid by the Federal Government to this licensee would, of course, be a legitimate part of the high-dam costs.

FLOOD-CONTROL NEEDS ON OTHER TRIBUTARIES

9. In demanding the high Hells Canyon Dam as a flood-control necessity, supporters of S. 555 are ignoring the fact that at least 90 percent of the unsolved flood-control problem on the Columbia River originate from flood flows downstream from Hells Canyon and on other Columbia River tributaries. Furthermore, the high dam would not solve flood-control problems upstream on the Snake River and its tributaries, where it is needed within the State of Idaho.

An Army engineer testified at the 1957 hearings (pp. 228–229) that the Snake River above the Oxbow Dam site, contributed less than 10 percent of the flood flows in the three largest Columbia River floods on record. Furthermore he pointed out that the proposed Brownlee and Pleasant Valley Dams

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FLOOD-CONTROL NEEDS ON OTHER TRIBUTARIES

9. In demanding the high Hells Canyon Dam as a flood-control necessity, supporters of S. 555 are ignoring the fact that at least 90 percent of the unsolved flood-control problem on the Columbia River originate from flood flows downstream from Hells Canyon and on other Columbia River tributaries. Furthermore, the high dam would not solve flood-control problems upstream on the Snake River and its tributaries, where it is needed within the State of Idaho.

An Army engineer testified at the 1957 hearings (pp. 228–229) that the Snake River above the Oxbow Dam site, contributed less than 10 percent of the flood flows in the three largest Columbia River floods on record. Furthermore he pointed out that the proposed Brownlee and Pleasant Valley Dams

will solve 70 percent of the flood-control problem on the upper Snake River.

Percentages of the record floods contributed by Columbia River tributaries were fixed as follows:

Columbia River floods

Year of record	Percentage of flood flows at The Dalles contributed by major tributaries		
	Snake River above Oxbow Dam	Salmon and Clearwater Rivers	Remainder of Columbia River
	Percent	*Percent*	*Percent*
1894	9.0	16.0	75.0
1948	4.9	19.3	74.7
1956 (preliminary figures)	7.0	23.0	70.0

When it is considered that nearly half of the flood-control storage capacity recommended for the central and upper Snake River by the Corps of Engineers in 1948 is under construction at the Brownlee Dam site, it is obvious that the concern for flood control on the Columbia should be directed at other tributaries.

UPPER SNAKE RIVER ADEQUATELY CONTROLLED

The facts are that the upper Snake River today is one of the best-controlled rivers in the Nation. Twenty water-storage reservoirs have been built on the Snake River above Hells Canyon since 1906, with a total storage capacity of 7,781,000 acre-feet or the equivalent of about two-thirds of the average annual flow of the Snake River at Weiser, Idaho. Another 1 million acre-feet of storage capacity will be added in 1958, upon completion of Brownlee Dam. Four other storage reservoir projects are under active study: Garden Valley on the Payette River, with a capacity of 843,000 acre-feet; and 3 Snake River dams at Burns Creek, 120,000 acre-feet; Alpine, 780,000 acre-feet, and Marsing, 830,000 acre-feet, or a total additional storage capacity of 2,573,000 acre-feet. This means that storage existing, under construction, and in planning on the Snake River above Hells Canyon totals 11,354,000 acre-feet, or roughly equal to the average annual flow of the river at Hells Canyon. Certainly three-quarters of this active storage space, 8,500,000 acre-feet as a minimum, is beneficial directly to alleviating flood damages on the Columbia River.

NO STORAGE AT ALL ON WORST FLOODERS

By contrast, there is no existing reservoir storage on the Clearwater and Salmon Rivers, long characterized as two of the worst "floodders" on the Columbia.

House Document 531 of the 81st Congress, 2d session, estimated that 7,380,000 acre-feet of flood-control storage space was required for the upper Snake River, including tributaries. By operating the existing and planned reservoirs on the Snake River for flood control as well as other storage uses, and incorporating modern runoff forecasting based on snow measurements, it appears reasonable to conclude that the addition of the Brownlee storage will meet all but local control requirements on the upper Snake River. Additional information on this subject should be included in the coming report on the engineers' review of the Columbia River "308" report, expected this summer or fall.

Meanwhile, we are provided with the spectacle of high-dam supporters trying to force this measure through Congress, prior to receipt of this up-to-date flood-control review, ostensibly to correct a flood-control problem that does not exist to any demonstrable extent, on this portion of the river, and ignoring the flood-control hazards on other tributaries where flood-control funds logically should be spent. Moreover, passage of S. 555 would prevent completion of 1 million acre-feet of flood-control storage by the fall of 1958.

It is significant that the Corps of Engineers, which is the responsible agency for flood control, did not object to the three-dam license granted Idaho Power Co. by the FPC. The Brownlee Reservoir will be operated for flood control, with the entire 1 million acre-feet of storage available for this purpose under the Corps of Engineers, whenever required. And this storage will be provided several years before Hells Canyon Dam could be constructed.

NO PROVISION FOR PROJECT ACCOUNT OPERATION

10. Section 4 of S. 555 provides for establishment of a Snake River project account, but does not specify how the account would operate. This is a serious defect in this legislation, especially in view of the fact that no reclamation projects, as such, are authorized in the bill.

The bill ostensibly establishes a project fund to support reclamation projects, but no reclamation projects as such are authorized and no funds to assist reclamation are expected to be available from this project until after the repayment in 50 years, of capital costs of the authorized high Hells Canyon Dam and the Scriver Creek power units. Furthermore, project power would not be priced and sold by the Secretary of Interior, as in the case with other reclamation projects on the upper Snake River, but would be marketed by the Bonneville Power Administration, which has as its objective, not reclamation development, but low-cost Federal power.

If such a fund is set up in this reclamation legislation, this section should be clarified to insure that it will operate in the interests of reclamation development as well as low-cost power. It is significant, however, that when an amendment was introduced in committee, calling for a pricing policy to produce revenues for water resource development concurrent with the repayment of the power facilities, it was defeated by the backers of high Hells Canyon Dam.

NORTHWEST PROJECTS SELL POWER BELOW COST

11. Proposed sale of 4-mill power from high Hells Canyon for 2.1 mills represents a large subsidy from taxpayers for industries, private utilities, and other prospective large volume users of that power.

Estimates of 3.79 mills per kilowatt-hour for the cost of power from high Hells Canyon Dam, including transmission, were made at the 1957 hearings by a Department of Interior witness. Costs for the Scriver Creek power were estimated at 4.7 mills per kilowatt-hour. An estimate given by a departmental spokesman in a letter to Senator WATKINS during 1956 placed the costs for the power from the combined projects at 4.5 mills per kilowatt-hour, including transmission. Table I of this report fixes the energy cost at 3.08 mills. When BPA unit transmission costs are added, the total power cost becomes 4.18 mills.

In spite of these estimates of plus 4-mill power at high Hells Canyon, proponents of the Federal project testified that the power would be sold at the Bonneville Power Administration wholesale rate, which averages 2.1 mills per kilowatt-hour for large industrial users and 2.3 mills for all power users.

That such below-cost sale of power in the Pacific Northwest would not be a precedent is indicated in the experience at the recently completed Hungry Horse project in Montana. This project produces power at an at-site cost of 3.76 mills per kilowatt-hour, according to Department of Interior figures, and the cost ultimately will increase to 4.19 mills per kilowatt-hour.

POWER SALES FROM HUNGRY HORSE

Yet, in spite of these actual costs for power at the Hungry Horse plant, the half-cost rates at which a large amount of this power was sold during fiscal 1956 are indicated in the following table, prepared by Bonneville Power Administration:

TABLE C.—*Power sales in Montana by the Bonneville Power Administration*

Purchaser	Fiscal year 1956					Estimated load in fiscal year 1961 (average kilowatts)
	Energy sales (in thousands of kilowatt-hours)			Revenue	Average revenue (mills per kilowatt-hour) [1]	
	Total	Firm	Nonfirm			
Anaconda Aluminum Co.	806,908	709,418	97,573	$1,541,581	1.72	110,000
Victor Chemical Works	340,613	267,558	73,055	762,142	2.24	30,000
Montana Power Co.	385,799	351,391	34,408	961,020	2.49	40,000
Pacific Power & Light Co.	71,521	50,019	21,504	175,792	2.46	13,000
Flathead Electric Cooperative	17,746	17,746	----------	57,431	3.24	4,000
Lincoln Electric Cooperative	8,296	8,296	----------	22,488	2.55	2,000
Missoula Electric Cooperative	9,067	9,067	----------	31,929	3.54	1,000
Ravalli County Electric Cooperative	7,756	7,756	----------	26,254	3.39	1,000
Northern Lights	2,807	2,807	----------	9,283	3.31	1,000
Total	1,710,536	1,513,996	226,540	3,594,920	2.07	[2] 202,000

[1] The low rate realized by the Anaconda Aluminum Co. is the result of buying power at the system at-site rate. This rate is $14.5) per kilowatt-year of maximum demand as compared with the basic C rate of $17.50 per kilowatt-year of maximum demand. The at-site rate is available only to customers taking power at site for use within 15 miles of the project. This variation in the rates paid by the other customers is due to different load factors at which they take power. The basic rate applies to the maximum demand and does not change as the load factor changes. The $17.50 rate at 100 percent load factor results in about 2 mills per kilowatt-hour. As the load factor drops, the mills per kilowatt hour increase.

[2] Shortly after fiscal year 1961 these Montana loads will require the full 208,000 kilowatts.

This table shows clearly that, in spite of the at-site costs of 3.76 mills to produce this power at Hungry Horse, more than $1.5 million worth was sold to Anaconda Aluminum Co. for an average cost of 1.72 mills per kilowatt-hour. This, therefore, represents an annual subsidy of roughly $2 million a year in below-cost power, or a total subsidy of $107,600,000 during the 50-year repayment period.

It is obvious from analysis of this table that other large industries in the State of Montana also are the recipients of a considerable subsidy of below-cost power from Hungry Horse. The table shows that 3.76-mill Hungry Horse power is supplied to these large industrial corporations and private utilities at these bargain rates:

	Mills per kilowatt-hour
Victor Chemical Works	2.24
Montana Power Co	2.49
Pacific Power & Light Co	2.46

COOPERATIVES PAY MORE THAN BIG INDUSTRY

It is also interesting that the power sold to the 5 cooperative customers brings a more realistic rate of return—an average of 3.24 to 3.55 mills per kilowatt-hour.

At another recently completed power dam on the Columbia—at The Dalles, Oreg.—power is produced for 3.4 mills per kilowatt-hour, but is sold for 2.1 mills per kilowatt-hour. One large industrial customer, the Harvey Machine Co., gets a price of 1.72 mills per kilowatt-hour for 120,000 kilowatts of power. The subsidy for this large industrial user, therefore comes to approximately $1.8 million annually, or nearly $90 million in 50 years.

There is nothing illegal about this below-cost sale of power. The authority is provided for in legislation authorizing a so-called postage stamp power rate for the system, and the agency employees and the consuming industries apparently are proceeding legally and aboveboard in setting these rates and negotiating contracts.

This makes it readily apparent that large quantities of higher-cost power are being absorbed into the Bonneville power system, which has long prided itself on its 2-mill rate. Estimates for at-site power costs at some forthcoming projects, provided by BPA, are as follows: Ice Harbor, 4.8 mills; Hills Creek, 4.6 mills; Cougar, 5.1 mills; and Roza, 3.3 mills per kilowatt-hour. Yet, in spite of such Columbia River power costs in excess of 4 mills, the backers of high Hells Canyon dam have been endeavoring to discredit all hydro projects that must sell power at a higher rate than 2 mills.

ONE TWENTY-FOURTH OF STATES RECEIVE ONE-SEVENTH OF INCOME

12. Rejection of S. 555 would not mean discrimination against the States of Oregon and Washington in their water-resource development. These States already have received one-seventh of Federal flood-control and navigation construction funds and one-fifth of the reclamation construction funds appropriated for all the 48 States.

The Northwest States of Oregon and Washington—which represent one twenty-fourth of the 48 States by number—have received approximately one-seventh of the total construction funds for flood-control and navigation projects, and an even greater proportion of the reclamation construction appropriations for all 48 States. And they have roughly one-fourth of the backlog projects already authorized for construction.

Maj. Gen. Charles G. Holle, Deputy Chief of the Corps of Engineers, in a speech in the Pacific Northwest in the fall of 1955 stated:

"During the 4 years, fiscal 1953 through 1956, almost a half billion dollars have been appropriated for new works by the Corps of Engineers in this basin—a sum far greater than that provided for any other river basin in this Nation, and amounting to some 30 percent of the new work appropriations for the entire United States."

NORTHWEST IS GENEROUSLY TREATED

This does not make it appear that the great Pacific Northwest has been discriminated against in funds appropriated for water-resource development. On the contrary, it makes it abundantly clear that just the reverse is true.

In addition to this generous treatment, it is true that the States of Oregon and Washington will benefit tremendously from the three-dam project on the Snake River. This Idaho Power Co. project will make it possible for downstream Federal powerplants to produce much additional energy, simply by the addition of supplemental generating and transmission equipment. Furthermore, the Brownlee Dam will contribute a million acre-feet of storage to the Columbia River flood-control program aimed at reducing the flood danger to downstream power and navigation installations and to the city of Portland, Oreg. The project also will provide navigation benefits to the Pacific Northwest, again at no cost.

It also should be considered that there is underway in the Pacific Northwest today one of the greatest hydroelectric construction programs ever undertaken at one time in any single area in the Nation. This billion dollar program, the Wall Street Journal estimated, will result in the addition of 4.6 million kilowatts to Northwest power generation, roughly the equivalent of the installed capacity of the Federal hydroelectric plants completed in that region. This partnership program, involving both public power agencies and privately owned utilities, would suffer from enactment of S. 555.

NO REVENUES FOR WATER DEVELOPMENT FOR HALF CENTURY

13. Revenues from the high dam would not be available to support reclamation developments in the Snake River Basin until, at earliest, the year 2014, and then only upon direct congressional authorization.

The conventional reclamation project authorizes so-called participating projects, which are water-development projects eligible to participate in excess revenues from project units which produce hydropower. Project-power rates, therefore, are set at a level to return both the cost of power facilities and funds to help develop water. This is definitely not the case with respect to S. 555, which authorizes only 3 power units, which are to be repaid from revenues within 50 years.

This means that the power users of the high Hells Canyon project would be the exclusive project beneficiaries for a half century. Also it would mean that projects to help develop water in the Snake River Basin—where all the water for the Hells Canyon reservoir originates—would have to wait at least until the year 2014 for assistance from high Hells Canyon power revenues, because it would require at least 6 years to complete construction of the high dam and 50 years to repay its cost.

Revenues from the three-dam project, on the other hand, would be available for such purposes several years earlier, if they were deemed essential for area water development and if the Government assumes operation of the facilities or provides for such revenues in a license extension at the end of the 50-year licensing period. Hence, the possibilities for irrigation and municipal water assistance from the three-dam project are just as good as they are from the Federal project, and funds can be obtained several years earlier—in spite of claims to the contrary by supporters of S. 555.

Under the FPC plan, the Government retains ownership of the dam and reservoir site, and the water rights are left within the States affected. Only a limited revocable license is issued to the privately owned public utility, which must construct and operate the power facilities required. Hence, there is absolutely no justification for the charge of an alleged giveaway of this Federal power resource.

WOULD COMPETE WITH BONA FIDE RECLAMATION PROJECTS

14. If the project proposed in S. 555, including both transmitting and generating facilities, is built in 6 years, as the proponents contend it will be, the high Hells Canyon project would require nearly $100 million a year in reclamation appropriations. Total reclamation construction funds requested in the 1958 Presidential budget amount to only $156 million for all 17 Western States, and efforts are being made in some quarters to reduce this amount.

Explanation: Self-explanatory.

TAX INCREASE MAY ELIMINATE ADVANTAGE

15. The rapid tax amortization granted Idaho Power Co. is no giveaway as charged.

Proponents of high Hells Canyon are seeking to build a smokescreen on the granting by the Office of Defense Mobilization of a rapid tax amortization certificate to Idaho Power Co. on the Brownlee and Oxbow plants.

The minority feels that the merits and demerits of the tax-amortization program have no direct bearing on the authorization of a Federal power dam on the Snake River. This defense-building incentive program was authorized by Congress during the Truman administration, and the legislation has been left, in effect, by the Democratic 84th and 85th Congresses. Both President Eisenhower and Treasury Secretary Humphrey have announced their opinion that this Korean war legislation should be reviewed and a major part of the program curtailed.

It is significant that tax-amortization certificates have been granted to some 913 privately owned utilities throughout the country, including the Pacific Northwest. Hence, the granting of such a certificate to Idaho Power Co. was not a precedent by any means.

CERTIFICATE TERMS DESCRIBED

Furthermore, it should be considered that the certificate merely permits the Idaho Power Co. to amortize 65 percent of its investment on 2 dams in 5 years instead of the customary 20 to 30 years. This means that, in the event of tax increases between 1963 and 1978 or 1988, the company may actually pay more in taxes than it would have had to pay if the amortization period were extended over the entire first 20 to 30 years of the project repayment. In addition, the 2 dams must be completed in 1958 in order for the firm to qualify for the certificate.

And since this is a regulated public utility, if any savings in company operations result from this transaction, the overall savings would have to be passed on to the power customers in the utility's area. It should be considered, however, that the firm is undergoing heavy expense in investing $133 million in the new facilities, a private investment which will make it possible for the Federal Government to forego the necessity of spending more than a half billion dollars in the Hells Canyon area. These private facilities, moreover, will contribute flood-control benefits valued at $1 million annually, and public recreational and navigation values worth many million dollars more. It also contributes a windfall of potential increased power production to Federal plants downstream from Hells Canyon.

TAX AMORTIZATION GRANTS TO NORTHWEST INDUSTRIES

By contrast, among the tax amortization grants extended in the Pacific Northwest was one to Anaconda Aluminum Co. at Butte, Mont. This company not only will receive a subsidy of a hundred million dollars' worth of below-cost power from Hungry Horse, but also received in 1952 a rapid-tax-amortization certificate for 85 percent of its $65,250,000 aluminum plant.

From the same Hungry Horse project, Montana Power Co. obtains a million dollars worth of power annually at a rate one-third below the at-site cost. In addition to this total rate subsidy of $16 million, Montana Power has received 3 tax-amortization certificates between 1951 and 1956, for a total of $11,285,000, or nearly half of the firm's investment in new power facilities.

And farther down the river, the Harvey Machine Co., in December 1953, received a rapid-tax-amortization certificate for $55,462,000, or 85 percent of the cost of its new aluminum plant at The Dalles, Oreg. This concession to an industry which operations and profits are not State-regulated, as is the

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case with public utilities, was granted. In addition, a below-cost rate of 1.72 mills for power, which in 50 years will amount to a subsidy of $300 million.

This type of public generosity apparently is fine for the States of Montana, Oregon, and Washington—because no one from that area has complained of it publicly—but a lesser concession in the State of Idaho is being criticized today as morally reprehensible, or worse.

It is also surprising that backers of high Hells Canyon Dam would object to a defense production incentive for Snake River power facilities. The authorizing section of virtually every Hells Canyon Dam bill, including S. 555, stresses the national defense values of this proposed project.

HIGH HELLS CANYON BACKERS AFFIRM DEFENSE VALUES

In the Senate hearings, Representative GRACIE PFOST made this statement of the importance of Hells Canyon power to national defense:

"We have learned once again how close the world teters on the brink of conflict—and we know that might and force are still the universal language. We remember what Bonneville and Grand Coulee meant to us during World War II, and we realize that only by continuing to be the arsenal of democracy can our voice be truly effective in a grave and uncertain future. Huge blocks of low-cost power, such as the high Hells Canyon Dam would provide, lend considerable authority to that voice."

In view of the urgent need for large blocks of new power in the Pacific Northwest, as persistently proclaimed by many supporters of the high Hells Canyon project, we fail to see how these individuals can justify destruction of a partially built project that can produce comparable power and start delivery of it in 1958 in favor of a project that cannot be in production to the same level until 1964. Furthermore, we fail to see how they can now consistently attack the ODM tax-amortization action of the three-dam Hells Canyon project as not being justified for defense needs.

M'NARY CONSTRUCTION POWER USE QUESTIONED

16. Section 3 (c) of S. 555 directs the Secretary of the Interior to supply and transmit from the McNary Dam, many miles downstream, the necessary construction power for the Hells Canyon Dam, in spite of the fact that the Secretary of the Army has specifically stated that "the purpose of this provision is not clear and might prove undesirable from an economic standpoint."

This objection from Secretary Brucker is included in a letter to Chairman MURRAY of the Senate Committee on Interior and Insular Affairs, dated March 4, 1957, and reproduced in the Senate hearings on S. 555.

ARTHUR V. WATKINS.
HENRY C. DWORSHAK.
FRANK A. BARRETT.
BARRY GOLDWATER.

Mr. DIRKSEN. Mr. President, I yield myself 10 minutes.

It was just 11 months ago, almost to the day, that we considered the Hells Canyon issue. It was defeated in the Senate by a vote of 51 to 41. I have been looking over the yea and nay vote at that time. It is rather interesting. Probably I should ask at an appropriate time that it be made a part of my remarks.

I listened also with interest the other day to a very lengthy speech by a very distinguished Member of the Senate who seemed to be experiencing some spiritual agony about it. I can well understand his agony, because in Idaho, it would appear from letters I have seen, Hells Canyon was regarded as a dead issue in October 1956. But in 1957 it certainly becomes a glorious issue again.

All we have to do, I think, is to recite the facts. The first plans of Idaho Power Co. were made in 1946. That was 11 years ago. There is nothing new about this project. They applied to the Federal Power Commission for their preliminary permits in 1947. That was 10 years ago. All that was done in the light of day.

Then came their license applications—their formal applications for licenses. The first one was in 1950; the second one, in 1953. That was 7 years ago and 4 years ago, respectively, that the company made the applications. The hearing was the longest in the history of the Federal Power Commission. As I recall, there were 20,000 pages of testimony in the transcript.

The hearing was conducted by regular procedures. I read from page 23 of the Federal Power Commission findings:

> On the contrary, these applications were processed in accordance with usual Commission procedures and when the applicant has made any change or addition to its original proposals, amendatory or supplementary applications have been filed with the Commission.

There was nothing extraordinary about that. The application was considered like any other application before the Commission.

Then, the findings are here for anyone to see. They consist of two short paragraphs, on page 19. The Commission said:

> For the reasons heretofore stated, it is our judgment that the United States itself should not undertake the development of the water resources of the Hells Canyon reach of the Snake River for public purposes.

That was the Commission speaking, after the taking of thousands and thousands of pages of testimony before their examiner.

The Commission said one thing more:

> Most of what we have already said indicates that the applicant's three-dam proposal is best adapted to a comprehensive plan of development as required by section 10 (a) of the Federal Power Act * * *.

If that is not conclusive, then I have not seen any conclusive language anywhere, at any time.

There was their finding. They were ready to go ahead. The finding was in the public interest. But the company was before the Supreme Court, and it did not get out of the Court until April of this year. But at last the writ of certiorari was denied, and then the Idaho Power Co. was ready to go ahead.

Then came the question of the certificate. Mr. President, how long ago do you think it was when the company made its application for the certificate? It was in 1953.

It was stated that the company's dams would be built at no cost to the taxpayers of the country. Quite true, that was an assertion before the Federal Power Commission; but it had nothing to do with the Office of Defense Mobilization.

Much was made of the statement by the president of the Idaho Power Co. that they had faint hope. That statement was based on the possibility of completion in 1956. But after the company was ready to go ahead, then came the suspension of the goals in December. Later the goals were reopened. Later they were suspended again. Later they were again reopened.

It is said that the estimate of the power which would be required had been pushed up. However, when the war in Korea was over and when the goals were suspended, certainly there was faint hope.

Mr. Roach, the president of the Idaho Power Co., was under obligation to the consumers, to the customers of his company. It has 130,000 customers in 75 communities. Mr. Roach has been in the power business for a great many years, and he made one of the best witnesses I ever saw appear before the committee.

Mr. THYE. Mr. President, will the Senator from Illinois yield to me?

The PRESIDING OFFICER (Mr. GORE in the chair). Does the Senator from Illinois yield to the Senator from Minnesota?

Mr. DIRKSEN. I yield briefly.

Mr. THYE. The distinguished Senator from Illinois has been privileged to attend many of the hearings. What is the estimated cost per ton which would be saved if the high Hells Canyon Dam was constructed, as compared with the cost if the three low dams to which reference has been made were constructed?

Mr. DIRKSEN. The cost per ton of what?

Mr. THYE. The cost per ton of commercial fertilizer.

Mr. DIRKSEN. I do not know; no testimony on that particular question was taken before our committee.

Mr. THYE. There have been statements to the effect that if the low dams were constructed, the cost would be increased by $15 a ton. I have searched for facts in connection with that statement, but I have not been able to find them. I repeat the statement now on the floor of the Senate, in the hope that some Senator will be able to answer my question, because I cannot make sense out of that charge.

Mr. DIRKSEN. Mr. President, that matter was outside the jurisdiction of the committee, so no testimony on it was adduced there.

But much testimony was adduced on the question of tax writeoffs. It was made to appear that the company came in with unclean hands. But the company was in court for 4 years, where all the world could see.

Now it has been stated that the company has rejected the tax-writeoff certificates. But what compensation does the company receive for rejecting them? It is subject to nothing but suspicion, as is evidenced by statements made on the floor of the Senate. It has been stated that the company could not reject the certificates. It has also been stated that if the company did reject the certificates, later it could go into court and could obtain relief by way of an injunction.

Mr. GOLDWATER. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I yield.

Mr. GOLDWATER. The Senator from Illinois is a member of the Appropriations Committee. Can he state whether any funds have been appropriated to cover any of the losses which would be sustained, as alleged, if the tax amortization went through?

Mr. DIRKSEN. I have not seen any appropriation of that sort.

Mr. GOLDWATER. Is it not a misstatement for anyone to suggest that $339 million would be given this company?

Mr. DIRKSEN. A fancy gimmick of compounding the interest for 50 years was used. But if that is to be done, then let the cost of the high dam be compounded for 50 years. If that were done, the sum would be so astronomical that the mind of man simply could not comprehend it.

Mr. GOLDWATER. Furthermore, inasmuch as the $339 million represents 48 percent of the taxes which would be paid, would not 52 percent be $367 million?

Mr. DIRKSEN. Exactly so.

Mr. President, before the time available to me expires, I wish to read a statement made by the president of the Idaho Power Co. in response to a question asked by the Senator from Wyoming [Mr. O'MAHONEY]. The question by the Senator from Wyoming was this:

> Where is your crystal ball, Mr. Roach?

Mr. Roach replied:

> I will guarantee this, Senator: $300 million of Federal taxes; State and local taxes, Oregon, Idaho, northern Nevada, $200 million.
>
> The value of the flood control we are supplying free of cost to the Federal Government has been stated by the Army engineers to be worth at least a million dollars a year; for 50 years, $50 million.
>
> The navigation benefits, $100,000 a year; and over 50 years, $5 million.
>
> The Federal Power Commission estimated that the annual saving or the annual cost of the fish-handling facilities which otherwise would be a burden to the Federal Government, are $200,000 a year. Over a 50-year period, $10 million.

Then I asked, "Did you compound the interest on that, Mr. Roach?"

Mr. Roach replied, "No."

I said that he ought to do it, in view of the fact that these very fancy figures have been floating around. But there are tax benefits that add up to $565 million, and they have not been disputed.

But, Mr. President, the essential fact remains that the Federal Power Commission for months and months, after careful examination and exploration, unanimously issued these licenses on a matter that has been pending for nearly 11 years, where all the world could see; and the application for the tax amortization certificates was pending for 4 years. Yet an effort has been made to read mystery into that matter and to make it appear that something is radically wrong.

I never saw a witness before any congressional committee who was so candid and so frank and who presented his whole case in so persuasive a manner as did the man who is the guiding genius of the private power interest, which now is licensed to build the Oxbow, Brownlee, and Hells Canyon dams.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

The Senator from Illinois has 2 minutes remaining under his control.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the distinguished Senator from South Dakota [Mr. CASE].

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 1 minute.

Mr. CASE of South Dakota. Mr. President, two issues seem to be before the Senate. One is the Hells Canyon proposal, on its own merits. The other is the tax-amortization matter.

Personally, I intend to vote, as I did before, to permit the use of private capital for the construction of the smaller dams, believing that I am not warranted in asking the reclamation funds or the taxpayers of my State to provide the funds needed for that purpose, when other capital is available.

However, I think the facts which have been developed by one of the Senate committees are important, and should not be ignored.

Therefore, I propose to submit the following resolution:

Resolved, That the Senate of the United States believes that tax-amortization certificates for accelerated depreciation should not be granted unless there is a clearly defined need of an increase of industrial potential for the purposes of national defense and that pending action on the comprehensive review undertaken by the appropriate committees of the Congress, all agencies having any responsibilities in connection with the granting of such certificates should suspend the processing of such applications and their granting forthwith.

The PRESIDING OFFICER. The time yielded to the Senator from South Dakota has expired.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that I may submit the resolution at this time, for appropriate reference.

The PRESIDING OFFICER. Is there objection?

There being no objection, the resolution (S. Res. 150) was received and referred to the Committee on Finance.

The PRESIDING OFFICER. The Senator from Illinois has 1 minute remaining under his control.

The Senator from Texas has 6 minutes remaining under his control.

Mr. DIRKSEN. Mr. President, before the vote is taken, I wish to say that the distinguished junior Senator from North Dakota [Mr. YOUNG] is detained in the departments downtown, this afternoon, as a result of a need to look after constituents who have been disastrously affected by a tornado which struck the city of Fargo, N. Dak. It may be impossible for the Senator from North Dakota to return to the Chamber in time to vote, but I think this fact should be noted for the RECORD.

Mr. JOHNSON of Texas. Mr. President, I should like to suggest to the distinguished acting minority leader that in cases of this kind, we are always glad to cooperate. There will be a quorum call at 4:15 p. m. We shall have the quorum call proceeded with slowly, so that notice may be given to any absent Senator. I do not anticipate we shall have it before 5 o'clock. So that will allow almost 1 hour. I ask the aids on each side of the aisle to get on the telephone immediately and notify any absent Senator, whether he is for the bill or against the bill, that a quorum call will be started at 4:15 p. m. We will ask that Senators be present for the quorum call, and after a quorum is obtained, then we will have the yeas and nays on the bill.

The PRESIDING OFFICER. Does the Senator from Illinois wish to yield back the time remaining to him?

Mr. DIRKSEN. I yield back the time remaining to me.

Mr. JOHNSON of Texas. Mr. President, I yield myself the remaining time.

Mr. MANSFIELD. Will the Senator yield to me before he starts?

Mr. JOHNSON of Texas. Yes.

Mr. MANSFIELD. There has been a good deal of talk on the other side of the aisle about tax losses inherent in the building of a high Hells Canyon structure. I think Senators ought to examine the photographic map in the back of the Chamber and see how much taxable land will be taken out of production, and then take a look at the topographic map on the other side. May I illustrate by saying that the building of Hungry Horse Dam resulted in a loss of $5,000 a year in taxable property, but as a result of the construction of that dam there has been an increase in the assessed valuation of Flathead County, Mont., from $32 million to $87 million. As a result of that dam a new aluminum plant has been built, employing 700 people on a year-round basis, as well as a phosphate plant in Silver Bow County employing 400 people. The tax base has been broadened. More people and industries are paying taxes, electric rates for the REA's have been reduced, and prosperity has been brought to that area. I think the same thing that happened as a result of Hungry Horse Dam will happen if a high Hells Canyon Dam is constructed. I hope the measure now before us, S. 555, will be adopted.

Mr. JOHNSON of Texas. Mr. President, I cannot yield any more time, because I have very limited time, and I wish to be able to complete my statement.

Mr. President, I rise to support the Hells Canyon bill.

I do so not because of any abstract philosophy as to public or private power. My position is based solely upon my judgment—after examining the facts—that this specific measure best serves the interests of our people.

My attitude toward public and private power has always been that there is need for both and room for both. I think we must go carefully into every project that is proposed and decide which method—in a specific case—does the best job for the people.

Mr. President, I expect there will come before the Senate next week the Niagara power measure and the TVA measure,

Mr. GOLDWATER. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I yield.

Mr. GOLDWATER. The Senator from Illinois is a member of the Appropriations Committee. Can he state whether any funds have been appropriated to cover any of the losses which would be sustained, as alleged, if the tax amortization went through?

Mr. DIRKSEN. I have not seen any appropriation of that sort.

Mr. GOLDWATER. Is it not a misstatement for anyone to suggest that $339 million would be given this company?

Mr. DIRKSEN. A fancy gimmick of compounding the interest for 50 years was used. But if that is to be done, then let the cost of the high dam be compounded for 50 years. If that were done, the sum would be so astronomical that the mind of man simply could not comprehend it.

Mr. GOLDWATER. Furthermore, inasmuch as the $339 million represents 48 percent of the taxes which would be paid, would not 52 percent be $367 million?

Mr. DIRKSEN. Exactly so.

Mr. President, before the time available to me expires, I wish to read a statement made by the president of the Idaho Power Co. in response to a question asked by the Senator from Wyoming [Mr. O'MAHONEY]. The question by the Senator from Wyoming was this:

> Where is your crystal ball, Mr. Roach?

Mr. Roach replied:

> I will guarantee this, Senator: $300 million of Federal taxes; State and local taxes, Oregon, Idaho, northern Nevada, $200 million.
>
> The value of the flood control we are supplying free of cost to the Federal Government has been stated by the Army engineers to be worth at least a million dollars a year; for 50 years, $50 million.
>
> The navigation benefits, $100,000 a year; and over 50 years, $5 million.
>
> The Federal Power Commission estimated that the annual saving or the annual cost of the fish-handling facilities which otherwise would be a burden to the Federal Government, are $200,000 a year. Over a 50-year period, $10 million.

Then I asked, "Did you compound the interest on that, Mr. Roach?"

Mr. Roach replied, "No."

Mr. President, I ask unanimous consent that the entire statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> Idaho Power Co. is a public utility serving 75 percent of the area of Idaho and 17 counties in eastern Oregon. Its service area has been in existence for many years and is well witnessed by the communities and industries which have been developed in the area.
>
> Idaho Power Co. has been a taxpaying public utility since its inception. Its taxes have been paid to the State of Idaho, to the State of Oregon, to the counties and municipalities in which it operates, and to the Federal Government. Its taxes have been paid in full and on time. Its taxes have been paid without any special consideration or favor.
>
> Idaho Power Co. has been a public utility which has been regulated by the Federal Power Commission, by the Idaho Public Utilities Commission, and by the Oregon Public Utilities Commission. It has been regulated in the public interest and has been required to charge rates which are fair and reasonable to the customers and which will provide a fair return to the investors.
>
> Idaho Power Co. has been a public utility which has been developed in the public interest. It has been developed to provide power and energy to the people of the area at the lowest possible cost consistent with sound business practices. It has been developed to provide power and energy to the people of the area when they needed it and where they needed it.
>
> Idaho Power Co. has been a public utility which has been developed in the public interest. It has been developed to provide power and energy to the people of the area at the lowest possible cost consistent with sound business practices. It has been developed to provide power and energy to the people of the area when they needed it and where they needed it.
>
> Idaho Power Co. has been a public utility which has been developed in the public interest. It has been developed to provide power and energy to the people of the area at the lowest possible cost consistent with sound business practices. It has been developed to provide power and energy to the people of the area when they needed it and where they needed it.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. President, I am in favor of the Hells Canyon project. I am in favor of the tax-amortization bill. I am in favor of the Federal Government's building the high dam. I am in favor of the private power interest, which now is licensed to build the Oxbow, Brownlee, and Hells Canyon dams.

The PRESIDING OFFICER. The time of the Senator from Illinois has expired.

The Senator from Illinois has 2 minutes remaining under his control.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the distinguished Senator from South Dakota [Mr. CASE].

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 1 minute.

Mr. CASE of South Dakota. Mr. President, two issues seem to be before the Senate. One is the Hells Canyon proposal, on its own merits. The other is the tax-amortization matter.

Personally, I intend to vote, as I did before, to permit the use of private capital for the construction of the smaller dams, believing that I am not warranted in asking the reclamation funds or the taxpayers of my State to provide the funds needed for that purpose, when other capital is available.

However, I think the facts which have been developed by one of the Senate committees are important, and should not be ignored.

Therefore, I propose to submit the following resolution:

> *Resolved*, That the Senate of the United States believes that tax-amortization certificates for accelerated depreciation should not be granted unless there is a clearly defined need of an increase of industrial potential for the purposes of national defense and that pending action on the comprehensive review undertaken by the appropriate committees of the Congress, all agencies having any responsibilities in connection with the granting of such certificates should suspend the processing of such applications and their granting forthwith.

The PRESIDING OFFICER. The time yielded to the Senator from South Dakota has expired.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that I may submit the resolution at this time, for appropriate reference.

The PRESIDING OFFICER. Is there objection?

There being no objection, the resolution (S. Res. 150) was received and referred to the Committee on Finance.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the distinguished Senator from Wyoming [Mr. HICKENLOOPER].

Mr. HICKENLOOPER

both of which are somewhat controversial, and I expect the membership to resolve those controversies solely on the basis of what is best for all the people.

The last minute decision of the Idaho Power Co. to relinquish its tax amortization privileges does not alter my position.

It seems to me that if the company had a just case for accepting the privilege, it should have stuck by its guns. If it did not have a just case, it should not have applied for the privilege originally.

The unexpected and dramatic announcement—right on the eve of a vote—is not very impressive. At best, it merely raises a question in my mind as to the merits of the company's whole case.

But it does not alter the basic facts that emerge from comparing the proposal in this bill with the plans of the private power company.

The Federal dam would produce twice the power at half the cost to the consumer.

The Federal dam would produce almost four times the amount of active storage for flood control.

The Federal dam would have a benefit-to-cost ratio of 1.83 to 1—compared to a ratio of 0.91 to 1 for the private power project.

These are facts—facts taken directly from the report of the Federal Power Commission examiner who held 150 days of hearings on the project.

I do not agree with his nontechnical recommendations. But the engineering facts and estimates speak for themselves. I ask unanimous consent that they be printed in the RECORD at this point in my remarks.

There being no objection, the findings were ordered to be printed in the RECORD, as follows:

Summary of the FPC examiner's comparative findings for Hells Canyon Dam and the three-dam plan

Item	High Hells Canyon Dam	Idaho Power Co., 3 dams [1]
1. Power output (prime kilowatt).	924,000	505,000.
2. Power costs (per kilowatt-hour).	2.7 mills	6.69 mills.
3. Active storage (acre-feet)	3,880,000	1,000,000.
4. Flood-control benefits (annual).	$2,300,000	$1,000,000.
5. Navigation benefits (annual).	$189,000	$108,000.
6. Recreation benefits (number annual visitors).	500,000–650,000	250,000–325,000.
7. Power revenues for aid to future reclamation.	Yes	No.
8. Availability of power to entire region.	Yes	No.
9. Development of phosphate fertilizer.	"The high-dam project, by providing power at low rates, might be expected to stimulate large-scale development of the phosphate resources and large-scale expansion of fertilizer production" (examiner's finding No. 159).	"The 3-dam plan would stimulate less phosphate development and less fertilizer production than the high-dam project" (examiner's finding No. 160).
10. Development of electroprocess industries.	"The high-dam project, because of its high volume and low cost power output, might be expected to stimulate the expansion of electroprocess industries to a greater extent than the 3-dam plan, including those which would utilize regional mineral resources" (examiner's finding No. 162).	(See examiner's finding No. 162 opposite.)
11. Cost of project (less transmission lines).	$353,740,000	$175,766,000.
12. The better investment	FPC examiner said: "The facts seem to point to the inescapable conclusion that with the marked and substantial advantage of the Government's credit the high dam would be dollar-for-dollar the better investment and the more nearly ideal development of the middle Snake."	
13. Benefit-to-cost ratio	1.83 to 1	0.91 to 1 (dividing the examiner's figures on annual value of power at market by the annual cost of power at market. This shows the 3-dam plan to be economically unfeasible.)

[1] In fact, the FPC and company have indicated that the 3d dam may never be built even if the FPC decision is not reversed.

Mr. JOHNSON of Texas. Mr. President, it seems to me that much of the opposition to the Federal project is based upon confusion as to the cost situation. The confusion arises from a failure to distinguish between initial cost and cost to the taxpayer.

The latest revised cost estimate of the high dam—including an expanded power plant—is $367 million.

But of this total cost, over 85 percent will be allocated to power. That means that this 85 percent will be repaid—with interest—over the 50-year pay-out period.

Only $55 million will be non-reimbursed Federal expenditures to cover the cost of such public benefits as flood control and recreation.

It seems to me that these are benefits well worth the money. Any Texan can tell you from harsh experience that money spent for flood control is money well spent indeed.

Moreover, we should look beyond the pay-out period, when about 90 percent of the power revenues will be net profit to the taxpayers. In the long run, this project does not represent a drain upon our pocketbooks.

Mr. President, the arguments that favor construction of the Federal dam at Hells Canyon appear to me to be compelling.

The Federal dam provides the fullest use of the water resources available in the area.

The Federal dam provides the greatest benefits at the lowest cost to consumers.

And finally—and I think this is an important factor—all the evidence indicates that the people of the area desire the Federal dam.

I am a strong advocate of granting the people of an area the strongest possible voice in determining their own destiny. They have made their wishes clear in 2 gubernatorial, 3 senatorial, and a number of House elections.

As one who has always felt that the people of my State should have a strong voice in working out their own problems, I believe that the people of the Northwest should also have a strong voice in working out their own problems.

Mr. President, on the basis of the record, the Federal dam appears to me to be the best course of action for all of our people. For that reason, it shall have my affirmative vote.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Fulbright	Morse
Allott	Goldwater	Morton
Anderson	Gore	Mundt
Barrett	Green	Murray
Beall	Hayden	Neuberger
Bennett	Hennings	O'Mahoney
Bible	Hickenlooper	Pastore
Bricker	Hill	Payne
Bush	Hruska	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Robertson
Carlson	Jackson	Russell
Carroll	Javits	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Chavez	Kefauver	Smathers
Church	Kennedy	Smith, Maine
Clark	Kerr	Sparkman
Cooper	Kuchel	Stennis
Cotton	Langer	Symington
Curtis	Lausche	Talmadge
Dirksen	Long	Thurmond
Douglas	Magnuson	Thye
Dworshak	Malone	Watkins
Eastland	Mansfield	Wiley
Ellender	Martin, Iowa	Williams
Ervin	Martin, Pa.	Yarborough
Flanders	McClellan	
Frear	McNamara	

Mr. MANSFIELD. I announce that the Senator from Florida [Mr. HOLLAND] and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate.

The Senator from California [Mr. KNOWLAND] is necessarily absent attending the wedding of his daughter.

The Senator from West Virginia [Mr. REVERCOMB] and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Jersey [Mr. SMITH] and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The PRESIDING OFFICER. A quorum is present.

The Senate will be in order. The Chair is not advised as to the need for so many guests in the Chamber of the Senate, and will ask the Sergeant at Arms to invite them to leave unless order is preserved.

The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and to be read the third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THYE (when his name was called). On this vote I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I therefore withhold my vote.

Mr. JOHNSON of Texas (when his name was called). On this vote I have a pair with the distinguished minority leader [Mr. KNOWLAND], who is unavoidably absent. I wish to protect him. If I were at liberty to vote I would vote "yea." If he were present and voting he would vote "nay." I therefore withhold my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. MANSFIELD. I announce that the Senator from Florida [Mr. HOLLAND] and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

The Senator from Oklahoma [Mr. MONRONEY] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Oklahoma would vote "yea" and the Senator from Indiana would vote "nay."

The Senator from West Virginia [Mr. NEELY] is paired with the Senator from West Virginia [Mr. REVERCOMB]. If present and voting, the Senator from West Virginia [Mr. NEELY] would vote "yea" and the Senator from West Virginia [Mr. REVERCOMB] would vote "nay."

The Senator from Florida [Mr. HOLLAND] is paired with the Senator from North Dakota [Mr. YOUNG]. If present and voting, the Senator from Florida would vote "nay" and the Senator from North Dakota would vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Jersey [Mr. SMITH] and the Senator from Indiana [Mr. JENNER] are necessarily absent.

If present and voting, the Senator from Indiana [Mr. JENNER] and the Senator from New Jersey [Mr. SMITH] would each vote "nay."

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate and is paired with the Senator from Oklahoma [Mr. MONRONEY]. If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "nay" and the Senator from Oklahoma [Mr. MONRONEY] would vote "yea."

The Senator from California [Mr. KNOWLAND] is necessarily absent attending the wedding of his daughter, and his pair with the Senator from Texas [Mr. JOHNSON] has been previously announced.

The junior Senator from West Virginia [Mr. REVERCOMB] is absent on official business and is paired with the senior Senator from West Virginia [Mr. NEELY]. If present and voting, the junior Senator from West Virginia [Mr. REVERCOMB] would vote "nay" and the senior Senator from West Virginia [Mr. NEELY] would vote "yea."

The Senator from New Hampshire [Mr. BRIDGES] is absent because of illness and is paired with the Senator from Minnesota [Mr. THYE] as previously announced.

The Senator from North Dakota [Mr. YOUNG] is absent on official business and is paired with the Senator from Florida [Mr. HOLLAND]. If present the Senator from Florida [Mr. HOLLAND] would vote "nay" and the Senator from North Dakota [Mr. YOUNG] would vote "yea."

The result was announced—yeas 45, nays 38, as follows:

YEAS—45

Aiken	Hayden	Morse
Anderson	Hennings	Murray
Bible	Hill	Neuberger
Carroll	Humphrey	O'Mahoney
Chavez	Jackson	Pastore
Church	Johnston, S. C.	Russell
Clark	Kefauver	Scott
Cooper	Kennedy	Smathers
Douglas	Kerr	Smith, Maine
Eastland	Langer	Sparkman
Ellender	Long	Stennis
Ervin	Magnuson	Symington
Fulbright	Mansfield	Talmadge
Gore	McClellan	Wiley
Green	McNamara	Yarborough

NAYS—38

Allott	Dirksen	Martin, Pa.
Barrett	Dworshak	Morton
Beall	Flanders	Mundt
Bennett	Frear	Payne
Bricker	Goldwater	Potter
Bush	Hickenlooper	Purtell
Butler	Hruska	Robertson
Byrd	Ives	Saltonstall
Carlson	Javits	Schoeppel
Case, N. J.	Kuchel	Thurmond
Case, S. Dak.	Lausche	Watkins
Cotton	Malone	Williams
Curtis	Martin, Iowa	

NOT VOTING—12

Bridges	Johnson, Tex.	Revercomb
Capehart	Knowland	Smith, N. J.
Holland	Monroney	Thye
Jenner	Neely	Young

So the bill (S. 555) was passed, as follows:

Be it enacted, etc., That in order to foster comprehensive development of the resources of the Columbia River and its tributaries, and for the purposes, among others, of controlling and utilizing the Snake River and its tributaries for beneficial objects, including generation of hydroelectric power and energy for the national defense and other purposes, irrigation of lands, navigation and flood control, and for purposes incidental to any of the foregoing, including providing financial assistance to Federal reclamation projects, the Department of the Interior, under the supervision and direction of the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized and directed to construct, substantially in accordance with the physical plans set out in the reports referred to hereinafter as—

(a) the Hells Canyon Dam, as described in volume 2 of House Document No. 473, 81st Congress, and as modified by the report of the Commissioner of Reclamation, approved by the Secretary on May 11, 1951; and

(b) the Scriver Creek power facilities of the Payette unit of the Mountain Home division, as described in the report of the Commissioner of Reclamation, approved by the Secretary on May 11, 1951.

The Secretary in prosecuting his activities under this section and in operating and maintaining said projects shall, except as is otherwise provided in this act, be governed by the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto).

SEC. 2. Notwithstanding the provisions of any other law, the operation of the Hells Canyon Dam shall not conflict with, and shall be subordinate to, present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters of the Snake River and its tributaries upstream from the dam and downstream.

SEC. 3. (a) In order to facilitate the development of the central and upper Snake River Basin, and also that of downstream areas, the Hells Canyon Dam and powerplant and the Federal Columbia River power system shall be interconnected, and 500,000 kilowatts of firm power attributable to the Hells Canyon project, or such portion thereof as is required from time to time to meet loads under contracts made within this reservation, shall be made available for use in central and upper Snake River Basin and to all other parts of Idaho lying outside the central and upper Snake River Basin.

(b) Electric energy available from Hells Canyon Dam and powerplant and the Scriver Creek power facilities not required for the operation thereof shall be marketed by the Secretary in accordance particularly with sections 1, 2, 3, 4, 5, 6, and 7 of the Bonneville Project Act of 1937, as amended (50 Stat. 731), dealing with transmission, distribution, sale, and rate schedules.

(c) The Secretary is authorized and directed to supply and transmit from the McNary Dam the necessary construction power for the Hells Canyon Dam.

SEC. 4. (a) The initial works of the projects authorized by section 1 of this act and any additional works or division, including the irrigation features of the Payette unit of the Mountain Home division, that may be authorized as hereinafter provided shall be treated as one project for the purpose, among others, of providing for the application of project revenues to the return of reimbursable costs in accordance with the provisions of the Federal reclamation laws. Federal reclamation developments proposed to be constructed in the central and upper Snake River Basin may be authorized as works of divisions of these projects but only if such authorization is specifically provided by an act of Congress. Recommendations by the Secretary with respect to such authorizations shall be made in connection with the Secretary's report and findings under section 9 of the Reclamation Project Act of 1939 (53 Stat. 1187), which report shall include findings as to the costs and benefits of the proposed developments and as to the effect of such authorization on the project's power rate structure. In the case of the irrigation features of the Payette unit of the Mountain Home division, such a report shall be made and transmitted to the Congress not later than during the term of the 85th Congress.

(b) The term "central and upper Snake River Basin" as used in this act shall mean the area comprising the drainage basin of the Snake River and its tributaries down to and including the Clearwater River.

SEC. 5. There are hereby authorized to be appropriated, out of moneys not otherwise appropriated, such sums as may be required to carry out the purposes of this act.

[Manifestations of applause in the galleries.]

Mr. RUSSELL. Mr. President, may we have order in the galleries?

The VICE PRESIDENT. The Chair reminds the guests of the Senate in the gallery that demonstrations of approval or disapproval are not permitted.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MAGNUSON. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Washington [Mr. MAGNUSON].

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order.

NATIONAL SYSTEM OF NAVIGATION AND TRAFFIC CONTROL FACILITIES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 446, S. 1856.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill, S. 1856, to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of of the Senator from Texas.

The motion was agreed to, and the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with amendments.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. JOHNSON of Texas. Mr. President, I have agreed with certain Members of the Senate that if we concluded action on the bill which has just been passed by the Senate, there would be no further business transacted this evening, there would be no session tomorrow, and the Senate would adjourn until Monday.

Therefore, Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today—and I shall yield now only for insertions in the RECORD—that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATORIAL PARTICIPATION IN DISARMAMENT TALKS

Mr. JOHNSON of Texas. Mr. President, I have received two letters from the Secretary of State today, which should be of interest to all Members of the Senate. For their complete information, I will read the letters verbatim. The first letter is dated June 21, 1957, and reads:

JUNE 21, 1957.

Hon. LYNDON B. JOHNSON,
United States Senate.

DEAR LYNDON: I am enclosing herewith a formal request to you which is identical with a letter I am likewise sending Senator KNOWLAND.

In the light of some press reports which have indicated that there might be a divergence of views between you and myself on this matter, I want to make it quite clear that I have never felt that such a divergence existed and that, on the contrary, I have been most appreciative of your repeated efforts to further bipartisan cooperation in matters of international concern.

Sincerely yours,

JOHN FOSTER DULLES.

The second letter is dated June 21, 1957, and reads:

The Honorable LYNDON B. JOHNSON,
United States Senate.

DEAR SENATOR JOHNSON: You are aware that the United States has long considered the achievement of a sound and safeguarded disarmament agreement one of its most vital foreign policy objectives. We have persistently sought such an agreement in the United Nations and more recently in the negotiations in the subcommittee of the United Nations Disarmament Commission. This subcommittee is now meeting in London.

The course of the negotiations which are going on at the present time suggest the desirability of obtaining further senatorial participation in this important endeavor. Any agreement which might eventuate would, we hope, be of a scope and character which would require it to be submitted to the Senate as a treaty, for its advice and consent to ratification. It is my belief that senatorial participation at this juncture could contribute substantially to the achievement of the end result we seek. Accordingly, I ask that you and Senator KNOWLAND designate Members of the Senate who would study, observe, and, to the extent they desire, consult with appropriate officials engaged in these negotiations. While it is my judgment that it would be premature at this time for Senators to join the delegation at London, I hope that it will be possible for some of the designated Senators to participate in these talks if that becomes desirable. The President fully concurs in this request.

In making this request I should emphasize that whereas the Soviet position has moved closer to that of the United States in several respects in recent months, many important and difficult obstacles remain in the way of the achievement of even a limited agreement for the control of armaments. The Soviet Union has, in recent months, affirmed its readiness to seek a limited first-step agreement and to accept certain controls and verifications, and it is our hope that the Soviet position will further evolve so as to increase the prospects that a first-phase agreement of some worthwhile dimensions can be reached. Senatorial participation at this time will serve as a further earnest of the United States seriousness of purpose. It will demonstrate anew our consistent desire for an agreement which will reduce the threat of war and improve the outlook for a true and lasting peace.

If you agree, I will arrange for the appropriate briefings and other assistance.

I am sending a similar letter to Senator KNOWLAND.

Sincerely yours,

JOHN FOSTER DULLES.

Mr. President, because there has been considerable comment on the issues involved in senatorial participation at the London talks, I wish to make a brief statement elaborating on these letters.

Last week, the distinguished minority leader and I were approached by the Secretary of State. He requested that we set up an arrangement whereby certain Senators would be designated to attend the disarmament conference in London.

I told the Secretary that in line with our customary procedure, the Senate would be pleased to cooperate in advancing the foreign policies of this Nation. I raised four points, however, which I felt should be considered.

First, I felt it should be made clear that senatorial attendance could not become a matter of usurpation of an Executive responsibility and prerogative.

Second, I felt that the Senators should attend in the capacity of observers—rather than advisers making binding and advanced commitments for the Senate. In this connection, I feel it should be noted there is a distinction between giving advice and having the official status of an adviser.

Third, I felt that the difficulties of detaching Senators from the Senate floor during such a crucial period of the legislative session should be considered.

Fourth, I felt that in accord with established practices, the request should come from the President as head of the executive department, either directly or through the Secretary of State, with an indication of the urgency for senatorial attendance in London at a particular time.

By some, these reflections were construed as a rejection of the Secretary's request. I do not know how that interpretation arose as neither I nor the Secretary felt that way.

We were merely discussing the detailed questions involved in the request, as we frequently have done during the closing day of a legislative session.

It seems obvious to me that Congress should not usurp Executive functions. It seems obvious to me that Senators should maintain a position which will enable them to express an independent judgment when they consider a treaty that might grow from an international conference.

It seems obvious to me that in a closely divided Senate, Members should be called away only upon questions of urgency. It seems equally obvious that the request should come from the President, either directly or through the Secretary of State.

At any rate, these matters have now been cleared up. As the Secretary of State indicated in the letter I just read, he and the President believe it would be premature to have senatorial attendance in London at the present time.

Within a brief period, I shall designate—after consultation—Members of the majority. They will be charged with the specific responsibility of following the negotiations closely.

I might add that some time ago there was established a Subcommittee on Disarmament, composed of members of the Senate Committee on Foreign Relations, the Senate Committee on Armed Services, and the Joint Committee on Atomic Energy. The Subcommittee on Disarma-

ment, headed by the distinguished junior Senator from Minnesota [Mr. HUMPHREY], is made up of some of the most distinguished and able Members of the Senate. Only a few days ago they met at some length and received a full report from the Secretary of State and his assistant, Mr. Stassen, concerning the current status of the disarmament negotiations. The subcommittee is now, and has been all the time, ready, willing, and eager to receive any briefing or any report, and to consult at any time, anywhere.

At any time the President deems it essential that they go to London to participate in the conference, we shall cooperate.

It seems to me that we now have a complete meeting of the minds on all points. In line with the policy of this Congress—to cooperate responsibly on these questions—we now have an arrangement satisfactory to the President, the Secretary of State, and the leadership on both sides of the aisle.

I ask unanimous consent to have printed in the body of the RECORD as part of my remarks, a memorandum covering instances in the past where the President has requested senatorial participation in international conferences.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

NOTE ON PRACTICE OF NAMING SENATORS AS MEMBERS OF UNITED STATES DELEGATIONS TO INTERNATIONAL CONFERENCES

When individuals (including Senators) are named as official Members of United States delegations to international conferences, it is the normal practice for the President of the United States formally to issue them a commission for that purpose. In the case of United States delegations to annual meetings of the United Nations General Assembly, delegates are nominated by the President, subject to confirmation by the Senate as required by the United Nations Participation Act.

In past instances when Senators have been named as delegates to conferences culminating in the conclusion of a peace treaty—the Japanese peace treaty, for example—they serve under a Presidential commission. In such cases, there is no requirement that they be confirmed by the Senate.

Nonofficial records available indicate that Senators participating in the 1945 San Francisco Conference on the United Nations were invited to participate as members of the delegation by the President of the United States. Former Senator Connally has reported in his autobiography that "Roosevelt now asked me to serve as a member of the United States delegation to help write the United Nations Charter" (see Connally and Steinberg, My Name Is Tom Connally, p. 272). Senator Connally reported that he had advised the President to make the delegation bipartisan. Continuing, Connally wrote: "As a result, he (President Roosevelt) agreed to appoint two Senators and Representatives as Congressional delegates to the future Charter Conference" (p. 272).

The Private Papers of Senator Vandenberg discuss at some length problems that arose during the period when Senator Vandenberg was considering whether or not to accept an invitation from President Roosevelt to participate in the San Francisco Conference. (See The Private Papers of Senator Vandenberg, edited by Arthur H. Vandenberg, Jr., pp. 146 and following). The following excerpt may be noted:

On February 13, 1945, the State Department announced that the Senator had been named as a delegate to the United Nations Conference. Vandenberg did not immediately accept" (pp. 146–147).

On February 15, Vandenberg wrote to President Roosevelt as follows: "I take the liberty of inquiring what specific commitments, if any, would be implicit in my acceptance of this designation; and whether I might feel that I would not violate your commission or your expectations if I freely present my own points of view to our delegation and if I reserve the right of final judgment upon the ultimate results of the conference" (p. 149).

On February 17, Vandenberg wrote to Dulles that: "I cannot go to this conference as a stooge. • • • I do not think the Republican Party can make a graver blunder than to decline senatorial cooperation (under appropriate circumstances) when it is tendered by the President in a critical case of this nature and at such a critical moment."

On March 5 1945, Vandenberg issued a press release reading in part as follows: "Following an exchange of cordial and satisfactory personal letters with the President, clarifying my right of free action I am glad to say that I have accepted this invitation" (p. 154).

Subsequently, after the death of Roosevelt, President Truman told the delegation "there would be no changes in the delegation" (p. 169).

One final point might be noted. Edward S. Corwin in his book The President: Office and Powers, notes that "beginning with Washington, Presidents have practically at discretion despatched 'secret' agents on diplomatic or semidiplomatic missions without nominating them to the Senate; while at other times they have, with or without the consent of the Senate, designated Members of that body or of the House to represent the United States on international commissions."

INVITATION TO SERVE AS DELEGATES TO THE UNITED NATIONS CONFERENCE AT SAN FRANCISCO

Letter from President Roosevelt to Secretary of State Stettinius, Hon. Cordell Hull, Senator Connally, Senator Vandenberg, Representative Bloom, Representative Eaton, Comdr. Harold Stassen, Dean Virginia Gildersleeve:

"I take pleasure in inviting you to serve as a member of the Delegation of the United States to the United Nations Conference which is to meet at San Francisco on April 25, 1945, to prepare a charter for a general international organization along the lines proposed in the informal conversations at Dumbarton Oaks. You will understand, I am sure, that the sending of this invitation several days after the public announcement is due to the unavoidable delay in my return to Washington from the Crimea Conference.

"I feel certain that this important conference bringing together all the United Nations which have so loyally cooperated in the war against their common enemies will successfully complete the plans for an international organization through which the close and continuing collaboration of all peace-loving peoples may be directed toward the prevention of future international conflict and the removal of the political, economic, and social causes of war.

"I am confident that as a member of the delegation you would effectively contribute to the realization of the hopes and aspirations of the American people for an international organization through which the Nation may play its full part in the maintenance of international peace and security."

(Above letter dated February 28, 1945.)

Mr. JOHNSON of Texas. I have had some difficulty in understanding the Secretary's letter since at one point it reads:

> It is my belief that senatorial participation at this juncture could contribute substantially to the achievement of the end result we seek.

At another point the letter emphasizes:

> Senatorial participation at this time will serve as a further earnest of the United States seriousness of purpose.

Apparently, however, the Secretary has in mind that Senator KNOWLAND and I "designate Members of the Senate who would study, observe, and consult." I assume he means their activities will be confined to the United States for the present.

I am not clear as to why members of the existing disarmament subcommittee should not serve this consultative purpose. They have been working hard on the subject for 2 years under the able chairmanship of Senator HUMPHREY.

If the Secretary and the President, however, desire specific designees, I shall be glad to accommodate them.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. DIRKSEN. There has been some preliminary discussion of the matter, and I recall distinctly the emphasis which was placed upon the items set forth by the majority leader: the necessity for always having proper respect for the separation of powers, so that there will be no encroachment upon the executive by the legislative branch; and to be certain that the emphasis in every case be that Senators act in their capacity as observers rather than to act as participants.

I know from my discussions with the majority leader, with the chairman of the minority conference, and others, that Senators on this side of the aisle are fully ready to cooperate at the appropriate time and are prepared to name Senators who would attend the conference pursuant to the request of the Secretary of State and, I think, at the request of the President of the United States.

Mr. JOHNSON of Texas. I deeply appreciate the statement of my friend, the acting minority leader. So far as I am aware, there has never been any difference between the minority leader [Mr. KNOWLAND] and the majority leader with regard to the importance of the selection of representatives.

We have discouraged Senators from being away from the Chamber during the last days of a session. It has not been necessary to discourage them, because very few Senators are willing to leave except with the understanding that their rights will be protected during their absence. However, at any time the President and the Secretary of State feel that we can make a contribution, we certainly want to do so. We would do so only at their invitation and with the assurance that matter was of the greatest urgency.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. HUMPHREY. I thank the Senator from Texas, the distinguished majority leader. I want the RECORD to show that the majority leader has consulted very carefully with the Members of the Senate who are deeply involved in these matters by way of their assignments to the Committee on Foreign Relations, the Committee on Armed Services, and the Joint Committee on Atomic Energy. I should like the RECORD to show that the minority leader, likewise, has been extremely cooperative. There has been no effect on the part of anyone in the Senate to bypass constituted authority.

The Senate Subcommittee on Disarmament is a bipartisan committee of 12 members, 6 Democrats and 6 Republicans.

I suggest to the distinguished acting minority leader that with his observations as to the role of Senators at such a conference, if their attendance is required, the junior Senator from Minnesota fully agrees, and, I gather, the majority or all the Members of the Senate agree—in other words, that there should be participation, if needed and if requested; but the participation should be in the role of observers and, as the Secretary of State has noted, as consultants, if advice and counsel are sought.

Let me assure the Secretary of State and the President of the United States, and also let me assure the majority leader and the minority leader, that the Senate Subcommittee on Disarmament is prepared at all times to work with Mr. Stassen, with whom it has always worked in the closest cooperation; that the subcommittee is prepared to work with and consult with, and to do whatever else it possibly can to be of assistance, with the Secretary of State or any of his assistants. We are prepared to receive and review documents, cables, and other information, on the basis of being informed and on the basis of consultation.

If the majority leader and the minority leader feel that further representation is needed, I should like to have both of them know that the members of the Subcommittee on Disarmament, or at least its chairman, will feel that that is a decision which rests solely in their hands, and that it will be respected.

There is no attempt on the part of anyone to do anything but cooperate.

I read with considerable interest, and some dismay, yesterday, an editorial which was published in one of the great newspapers of this city. I felt that the editorial was unfortunate. I wish to state for the record that, as chairman of the subcommittee, I have worked in the closest cooperation with Mr. Stassen, both in public and in private sessions. At no time has there been any desire or effort to play politics or to interfere with the good work he is attempting to fulfill. The wishes of the Senator from Minnesota are for success at the conference at London—success for effective disarmament and success for the policies of the United States of America.

I wish to commend the majority leader for the diligence with which he has pursued this subject. It has been a delicate one; and it has also been one which has been misunderstood, I regret to say. But the position the majority leader has taken is a sound one, and one in which I am confident the Senate concurs.

Mr. THYE. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. THYE. Mr. President, I believe in a bipartisan attitude regarding these matters, as has just been stated by the Chairman of the Disarmament Subcommittee. But I believe that if and when there comes a time when specific agreements will be made among nations, a representation of the United States Congress or of the United States Senate should be present. I believe that will do much to assist in bringing about a general understanding of what the United States is committing itself to.

We are dealing with a most vital question, namely, disarmament; and that question will be negotiated with the Soviet Union and with other nations. It is necessary that there be a disarmament program. I believe that the steps now being taken in connection with the conference in London are bringing about confidence and understanding on the part of the people of many countries, who are pleased at the progress of the conference. When there is a final agreement, I believe a Senate delegation will be most helpful in allaying any fear that the United States would be committing itself to any arrangement which would not be desirable.

So I believe that the designation of a delegation, in order to have it ready to attend such a conference, whether in Great Britain or elsewhere, is most timely.

Mr. SPARKMAN. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. SPARKMAN. Mr. President, I wish to ask the majority leader for clarification in the case of one matter. I listened to his reading of the letter, and the statement was repeated several times. But I am not quite clear about the point that the attendance of Senators at the present time would be premature. Did I correctly understand the Senator from Texas?

Mr. JOHNSON of Texas. Yes.

I read that part of the letter again:

> While it is my judgment that it would be premature at this time for Senators to join the delegation at London, I hope that it will be possible for some of the designated Senators to participate in these talks if that becomes desirable.

Mr. SPARKMAN. In other words, this is merely an alert for later on; but the letter does not call for active participation at this time; is that correct?

Mr. JOHNSON of Texas. The letter does not call for active participation at London at this time; it says it would be premature. We have provided for adequate participation in the view of the majority leader. But the majority leader has found, from one morning to an other, a change of arrangements, and sometimes certain Members have been designated for him without his knowledge and his consent. I do not say the Secretary of State has done that; but I refer to the news stories, and otherwise.

I may say that I was never asked about who might serve on the delegation.

I have always consistently expressed the hope that consultation would be carried on so far as possible in the Nation's Capital. In other words, if the President can be briefed each morning on these consultations and if the Secretary of State can be briefed on them, I assume that the Senate Subcommittee on Disarmament can be briefed on them. I assume that that applies likewise to our experts in the field of foreign relations and in the field of armed services and in the field of atomic energy.

But if it became urgent for these Members to go to the Conference, then I wanted the President to say so, just as President Roosevelt said to Senator Vandenberg in 1945. In that connection, I may quote from the letter which Senator Vandenberg wrote to President Roosevelt on February 15, 1945:

> I take the liberty of inquiring what specific commitments, if any, would be implicit in my acceptance of this designation; and whether I might feel that I would not violate your commission or your expectations if I freely present my own points of view to our delegation and if I reserve the right of final judgment upon the ultimate results of the Conference.

On February 17, Senator Vandenberg wrote to Mr. Dulles:

> I cannot go to this conference as a stooge. • • • I do not think the Republican Party can make a graver blunder than to decline senatorial cooperation (under appropriate circumstances) when it is—

I emphasize these words—

> tendered by the President in a critical case of this nature and at such a critical moment.

On March 5, 1945, Senator Vandenberg issued a press release reading in part as follows:

> Following an exchange of cordial and satisfactory personal letters with the President, clarifying my right of free action, I am glad to say that I have accepted this invitation.

Subsequently, after the death of President Roosevelt, President Truman told the delegation that there would be no changes in it.

One final point might be noted. Edward S. Corwin, in his book The President: Office and Powers, notes that—

> Beginning with Washington, Presidents have practically at discretion dispatched "secret" agents on diplomatic or semidiplomatic missions without nominating them to the Senate; while at other times they have, with or without the consent of the Senate, designated Members of that body or of the House to represent the United States on international commissions.

Senator Connally has reported in his autobiography that—

> Roosevelt now asked me to serve as a member of the United States delegation to help write the United Nations Charter—

And so forth. We have adequate precedents; but we were trying to determine on what basis, at what time, in what number, we should do what?

The Secretary has made it clear, this afternoon, what he desires done, namely, for the time being to consult with Members of the Senate who are interested in this subject, and to receive our suggestions and to keep us aware of what is developing. I think this is highly commendable. If it becomes necessary for

a delegation to go abroad, then I shall select from the membership of the Subcommittee on Disarmament and the Foreign Relations Committee and the Armed Services Committee and the senatorial representation on the Joint Committee on Atomic Energy, Members of the Senate to carry out that mission, if three members from the majority can go. If not, then we shall have to select one at a time.

Mr. SPARKMAN. Mr. President, will the Senator from Texas yield further to me?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Texas yield further to the Senator from Alabama?

Mr. JOHNSON of Texas. I yield.

Mr. SPARKMAN. I wish to say that, as the distinguished majority leader knows, and as all other Senators know, he did talk with members of the Disarmament Subcommittee and members of the Foreign Relations Committee, although of course I have no way of knowing what other Senators he talked with. But is it not true that from the very first, the majority leader took exactly the same stand he has taken here this afternoon, and the same stand that was taken by Senator Vandenberg?

Mr. JOHNSON of Texas. That is correct.

Mr. SPARKMAN. In other words, that there should be a little more to it than merely a telephone call or a suggestion carried through the press?

Mr. JOHNSON of Texas. I may say there have been more than telephone calls. I have had numerous conferences with the Assistant Secretary of State, and with the Secretary of State himself. I thought that we were reasonably close to agreement, and I thought that agreement was in accord with the previous practices of the Senate, and I did not think it would require Members of the Senate to be absent at this time. Subsequently, interpretation was placed on my remarks that indicated I was less than enthusiastic about even participating in the matter. Nothing could be further from the fact.

Mr. SPARKMAN. Mr. President, will the Senator yield further?

Mr. JOHNSON of Texas. Yes, indeed.

Mr. SPARKMAN. I want to say that I felt the treatment of this matter in many parts of the press was most unfair so far as the majority leader was concerned.

Mr. JOHNSON of Texas. The majority leader realizes that happens at times.

Mr. SPARKMAN. As a matter of fact, he was simply trying to establish the proper liaison, as has been done by many of the majority leaders who have preceded him.

Mr. JOHNSON of Texas. Can the Senator from Alabama imagine the cry that would go up if the Senator from Texas sought to recommend that six Senators leave before the vote yesterday or before the vote today, and have them away from town, except upon the request of the President, and except upon a matter of the greatest urgency?

Mr. SPARKMAN. In spite of all the outcry, Senators are not desired in London, are they? The urgency has not at all been shown to be the kind of urgency that many columnists and writers tried to insist it was.

Mr. JOHNSON of Texas. Mr. President, I do not want to get into any argument with columnists or newspapers.

Mr. SPARKMAN. I do not want to, either.

Mr. JOHNSON of Texas. I find myself in enough difficulty with them already without wanting to aggravate it; but I will say this: From the time the matter was first broached to me I have thought that the Secretary of State and the leadership on both sides of the aisle were in reasonable agreement. I thought that we understood each other and understood the problems that were facing us. The only question was, Would it be helpful to our national interest for a delegation of Senators to be present in London? There had been some indications that it would be helpful. So I said, if that is true, and if the President so indicates, or if the Secretary indicates, with the knowledge and concurrence and approval of the President, then I will be prepared to take prompt action.

Mr. SPARKMAN. If the Senator will yield once more, and then I shall be through——

Mr. JOHNSON of Texas. I yield.

Mr. SPARKMAN. Frequent mention has been made of the Subcommittee on Disarmament. I count it a privilege to be a member of that subcommittee, but I particularly want to pay tribute to the chairman of the subcommittee, the Senator from Minnesota [Mr. HUMPHREY], and I wish to say a tremendous job has been done by that subcommittee. Much work has been carried on, and excellent reports have been made. I feel that considerable progress has been made in the line of moving toward something that may at long last be tangible. I think much credit should go to the Senator from Minnesota.

I am using that statement as a predicate to this statement to the majority leader: The life of the committee is about to expire; I believe that one of the most important things that we could do would be to extend the life of that committee. My own feeling is, and I want to say it now for the RECORD, that the life of the committee ought to be extended as long as there is some hope of accomplishing some result in the field of disarmament.

Mr. JOHNSON of Texas. I share completely the views expressed by my able friend from Alabama. He may be assured of my absolute, complete, and enthusiastic cooperation to that end.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield now to my delightful friend from Rhode Island.

Mr. PASTORE. I want to applaud the distinguished majority leader for the position he has taken, not only today, but in all his discussions with the State Department with reference to this very delicate situation. I think he is perfectly right. I wish to add a rejoinder to the statement made by our distinguished colleague, the Senator from Alabama, in praising the chairman of the subcommittee, the Senator from Minnesota [Mr. HUMPHREY]. I think if the subcommittee has served any purpose at all—and certainly it has served many, many noble purposes—it has been in creating an adequate liaison between the Senate and the executive department. On the last return of Mr. Stassen to the United States, he was invited to come before the subcommittee, and the chairman of the subcommittee took the pains and the trouble not to confine that meeting only to the members of the Subcommittee on Disarmament, but, indeed, to include the representatives of all committees of the Senate that were interested in the subject of disarmament.

If I remember correctly, the distinguished majority leader attended that meeting. The meeting was briefed by the Secretary of State himself and by Mr. Stassen. We were there for a whole afternoon, if I recall correctly. I think we were told everything that could be told to us.

Mr. JOHNSON of Texas. I will say the majority leader and the minority leader and the members of the subcommittee met with the Secretary of State and with Mr. Stassen. We met at length, and were briefed in detail. The majority leader has again and again and again expressed to the Department of State his willingness and the willingness of every Senator on this side of the aisle to meet at any time, any place, for any purpose that could conceivably contribute to bringing about a better world. The entire question was whether Senators could and should leave and go to London at this stage of the game. If so, they should do so only under certain circumstances: First, under circumstances that they themselves would accept; second, under circumstances which their colleagues would approve and understand, because it would do no good to send 2 or 3 Senators away to act as observers for the Senate if they did not go with the approval of the Members of the Senate.

The distinguished chairman of the Subcommittee on Disarmament and the distinguished chairman of the Foreign Relations Committee [Mr. GREEN] both worked cooperatively with me and with the Department of State, and we plan to continue to do so.

I appreciate the very fine attitude of my friend, the junior Senator from Rhode Island [Mr. PASTORE], whom I consider to be one of the outstanding experts in the field of atomic energy. I know whenever he can make a contribution, he will be only too glad to do so, without regard to party.

IMPORTANCE OF STRENGTHENING LATIN-AMERICAN TIES

Mr. WILEY. Mr. President, will the Senator yield to me?

Mr. JOHNSON of Texas. I yield to my friend from Wisconsin.

Mr. WILEY. Mr. President, today's newspapers demonstrate how America's responsibilities have grown in the shrunken world of the atomic age, the changed world which has been foreshortened by man's scientific ingenuity and inventiveness.

The papers report, of course, on our leading domestic issues like the Hells Canyon debate, but in addition, a great many foreign matters. The many news reports from abroad evidence America's growing responsibility on the world scene.

Concerning Asia, we read of Japanese Premier Kishi's welcome visit to the United States, and also in that area, we read of the sound United States decision to reinforce our weapons in Korea.

MUCH NEWS ON LATIN AMERICA

We read here, in our own hemisphere, about the signature by the International Finance Corporation of its first investment in Latin America.

This $92 million institution, which was set up last year by 49 governments to make profit-sharing investments in private enterprise, is lending $2 million to a company in Brazil to finance a new electrical factory there. This investment decision is a most welcome sign of economic progress.

It is on Latin America that I should like to make these remarks today, for I recall very clearly my visit 1½ years ago to Brazil as a delegate to an inter-American economic conference there. That great country is headed toward vast new horizons, and so are its sister republics. This vast continent of Latin America is worthy of our best energies and attention.

WE MUST UNDERSTAND LATIN AMERICANS

It is also worthy of our sympathetic understanding because, aside from its common heritage with us, there are many differences which do exist between ourselves and the various lands.

Let us note that it is easy enough to be friends with those who speak the same language and have the same form of government as ourselves. But it is more difficult, yet vitally necessary, to be friends with those who are our next-door neighbors, but who have different forms of government from our own.

Fortunately, there is an increasing awareness on the part of the American people that we must give wider attention to the problems of the Western Hemisphere.

In the past we, as a people, have been traditionally preoccupied with challenges facing us in Europe and later in Asia.

REDS IN GUATEMALA REMINDED US OF DANGERS HERE

Only when some crisis has arisen as, for example, during the alarming period of the Communist Arbenz regime in Guatemala, have we remembered that world communism is actively at work in "our own backyard" as well.

If we are to be successful in combatting the Communist danger here and elsewhere, we must work with the various friendly governments. We may not fully agree with those governments, any more than we fully agree with regimes elsewhere in the world. But we must not allow communism to capitalize on avoidable frictions between ourselves and our friends.

Fortunately, during the last few decades, we have been enjoying ever improved relations with Latin America.

There have been growing economic, defense, political, cultural, and psychological ties with the 20 nations below the Rio Grande.

MANY WISCONSIN BRANCH ENTERPRISES IN LATIN AMERICA

Not so long ago, for example, it was my privilege at the kind invitation of Mr. H. F. Johnson, president, to address the S. C. Johnson Co., in Racine. The company had brought in the managers of its successful subsidiaries from all over Latin America, as well as the rest of the world, to discuss trade and related problems.

Many other Wisconsin businesses and businessmen likewise enjoy splendid economic and other relations with Latin lands—with Brazil, Venezuela, the Argentine, Cuba, the Dominican Republic, Mexico, and so forth.

All of this has occurred within the past 25 years.

GOOD NEIGHBOR POLICY REPLACED DOLLAR DIPLOMACY

During this fruitful period, we as a Nation have fortunately helped to erase the scars which were left over from the unfriendly time of what was known as United States dollar diplomacy.

This was the period when America intervened directly in the internal affairs of various Caribbean countries. It was the period when United States Armed Forces were used as instruments of American political power in several of these lands.

I will not go into the history of that regrettable era, the circumstances which caused and followed that situation.

I will only state that it has taken a great deal of patient and constructive diplomacy to undo the bitter taste which was left in Latin America.

The indignation over what was called Yankee imperialism still has not completely subsided. Fortunately, however, our good neighbor policy of the past two and one-half decades has healed most of the scars.

Fortunately, too, there is an awareness on the part of Latin America that the American people have invariably proceeded from the best of motives—motives of friendship, motives of desiring the best for the peoples of Latin America.

I trust that America's vital role in the International Finance Corporation, to which I have earlier referred, will be clearly noted as one of a great many indications of the sound economic approach which we have followed and which we will continue to follow.

The World Bank, the Export-Import Bank—these, too, have played a splendid role and must do still more if we are to do justice by our friends in terms of the many economic challenges to them.

OUR MANY REASONS FOR RELIANCE ON HEMISPHERE

Think now of the vast markets which this hemisphere represents: of the raw materials we urgently need, the foodstuffs.

Think of the indispensable Panama Canal and of our vital relations with our friends of Panama, who now look to us for passage of certain essential land, wage-rate, and bridge legislation which we have promised and which we intend to carry out.

MUCH MILITARY COOPERATION

Think of the military cooperation—from all the many ways in which, for example, our Panamanian friends cooperate to the important guided-missile tracking station in the Dominican Republic, and to the 12 military assistance agreements which we have signed with the nations there.

It is for these and related reasons that I want my country to be especially understanding in appraising problems in the hemisphere.

That is my basic purpose in speaking today—to urge that we minimize instead of maximize frictions between us, that we stick to the facts in our occasional disputes, instead of indulging in personalities or in hearsay inferences or in idle conjecture.

DARE WE RISK A NEW TYPE OF IMPERIALISM UNDER IDEALISTIC CLOAK

It is with deep regret, therefore, that I note evidence in some recent developments of an opposite tendency, a tendency which can impair friendships with several of the nations which have different forms of government from our own. Yes, some folks, well-intentioned though they may personally be, may unwittingly be recommending, in effect, that the practice of a new type of "Yankee imperialism" be revived.

Some people may not realize the nature of this unsound tendency. Why? because the present idea of intervention is clothed under the so-called idealistic concept that it is up to us Americans to undermine those strong-men governments which are not established on the same basis of freedom as ours in the Western Hemisphere.

Any such approach is, of course, utterly contrary to the policies of the State Department. The Department carefully and rightly hews to a correct line of sound and friendly relations with all governments of the hemisphere.

No other policy would be tolerable or acceptable.

THE ABORTIVE EFFORT TO UNDERMINE PERON

Let us frankly recall that the last time any such undermining or overthrow effort was reportedly tried against a strong man, it was a notorious failure.

I refer, of course, to the period when American actions in Argentina were interpreted as an effort on the part of the United States to overthrow the then existing regime of General Peron.

That purported effort completely backfired, as all such efforts reportedly involving a foreign government, would inevitably fail. The reason is because no people wants to be told by a foreign government or a foreign people who its leaders shall be, and what its way of life shall be.

I REVERE FREEDOM

Let me make it quite clear: I, for one, like all of my colleagues here, prize freedom as much or more than any other American.

Freedom is a part of my being. It is a part of my religion, of my devotion to this Republic, of everything that I have learned and revered in fraternal, political, social, and spiritual life.

I hope that all peoples will come to enjoy the political standards we enjoy.

DIFFERENT PEOPLES AND GOVERNMENTS HAVE DIFFERENT LEVELS CONCEPTS

But I point out that each people—in Latin America, Europe, Asia—is the product of a different background. Our national cultures are different, our religious and interpretations of religion are different.

We come from different political, economic, military, and other conditions.

We all live on one globe. But we are at different stages of development. Peoples are in different stages of readiness for government and self-government.

I hope that all peoples will come to govern themselves democratically. But it is clear that circumstances and obstacles and limitations in different parts of the world give pause to think if anybody attempts an automatic or uniform solution of this problem.

MY BASIC SUGGESTION TODAY: LET AMERICANS BE MORE JUDICIOUS

And so, today, as I have indicated, I have risen for the purpose of suggesting this to my colleagues and to the public generally: Let us be more judicious and more careful in our gratuitous suggestions and advice.

I urge that we be a little more respectful and understanding of the feelings of our Latin friends, especially the heads of state. I urge that we do what our experts in the State Department well advise us; namely, let our friends work out their destiny in their own way.

I point out to my colleagues and to the public that if we were to attempt—overtly or covertly—to interfere, if we were mistakenly to attempt to tell them what is best for them, what leader or government is best for them, what way of life is best for them—they would simply feel that we are "know-it-all Yankees" trying to boss them around.

INSULTS TO FOREIGN HEADS OF STATE SHOULD BE AVOIDED

Of course, every American is entitled to his own opinions. Every American, especially a Member of Congress—of the House or Senate—is entitled to present his opinions about a foreign government to his constituents and to the Republic generally. But we should certainly not be unfair in our presentation of the facts and of our opinions, nor should we indulge in personalities, if it can be possibly avoided.

And we should certainly think twice and more times before ourselves indulging in insults against a friendly government, and leader with whom we as a Nation have enjoyed good relations.

And that includes any personal attacks against men who have been good friends to the United States in these various lands, such as General Batista in Cuba, President Luis Somoza in Nicaragua, Generalissimo Trujillo in the Dominican Republic, President Perez Jiminez of Venezuela, and others.

My remarks are not, however, confined to this hemisphere. I include heads of states elsewhere in the world, whether it be King Ibn Saud, of Arabia—who admittedly heads an absolute monarchy—or other men with whom we are endeavoring still further to improve diplomatic and other relations, despite differences which do exist.

In other words, let's keep our eyes on the main ball—our own national interest.

Aren't there enough problems already in Latin America, enough ferment, enough of a danger of Communist intrigue exploiting conditions, without our allowing the situation to be aggravated?

Can we not try to resolve problems in accordance with established diplomatic procedures.

FATHER THORNING'S WARNINGS AGAINST DANGEROUS AGITATION

Problems in the Caribbean, as for instance regarding our Dominican friends, are a case in point. The Caribbean is the neighboring area which is well called the American Mediterranean, the very title used by an expert in the area's problems—Father Joseph Thorning—for an article which appears in the summer edition of World Affairs, of which he is associate editor.

Father Thorning, often called the Padre of the Americas, has long been an expert observer of the dangerous Communist intrigue in the Caribbean and elsewhere.

He has pointed often to the systematic, unceasing agitation against our country's friends in this and other areas, and he has rightly urged Americans to be wary of becoming unwitting pawns of any such unjustified agitation.

CONTRASTING CONDITIONS IN HAITI, DOMINICAN REPUBLIC

Recent developments on the island of what Columbus called Hispanola reemphasize what I am saying regarding the already severe ferment in the area.

There have been no fewer than six governments recently in the island Republic of Haiti. Following President Magloire's fall, there has been continuous instability, intermittent rioting, coups d'etat. And Haiti's still relatively primitive economy has been brought almost to a dead halt.

The contrasting conditions of stability on the other side of the island have been apparent.

THE BASIC QUESTION: OUR NATIONAL INTEREST

In looking at American relations with the Caribbean, or for that matter any other area, my interest always is in answering this question: "What action will best serve the national interests of our own beloved country?"

That question must be asked in terms of our relations with any country anywhere in the world—Haiti, the Dominican Republic or any other land.

OUR SOUND RELATIONS WITH SPAIN

For example, turning again to another part of the world, for a number of years there has been the vital issue of improving relations with the Government of Spain.

Critics have fired all sorts of irrelevant arguments over that issue and over General Franco, personally. The critics ignored the basic point, however, that the Spanish regime has been exceedingly cooperative with us on the highest priority matters of national interest, particularly in the construction of air and naval bases in Spain.

Commencing next month, we will have operational, essential Strategic Air Command bases in Spain.

To me, this is a crucial factor which obviously overrides all considerations of lesser magnitude.

For this and other reasons, therefore, of our own national interest, I welcome improved economic, political, social, and cultural relations with the Spanish Government and Spanish people.

SMALLER COUNTRIES HAVE HELPED

Other countries—smaller nations—may occupy less of a military-national security role, so far as we are concerned.

But the fact is that they do what they can to the limit of their own resources.

Let the facts be noted, therefore, of the tremendous cooperation which was afforded to us during World War II by the Cuban and Dominican Governments when enemy submarines prowled all through the neighboring waters, doing tremendous damage to Allied shipping.

DOMINICAN MILITARY-NAVAL COOPERATION

Let the fact be further noted that, along with 11 other governments of this hemisphere, the Dominican Republic has signed a standard military-assistance agreement with us for the protection of the mutual defense of this hemisphere.

Let the fact be noted that our Government has signed a loran agreement giving us the right to set up a loran station there—a long-range aid to sea and air navigation. This will provide assistance, as well, in the tracing of hurricanes.

And let the fact be further noted, that earlier this year we were glad to sign a naval mission agreement, under which for the same objective of common defense, we will assist in modernizing and improving Dominican naval forces.

PRAISE FROM CONGRESSMAN JOHN M'CORMACK

I quote the words of the Democratic leader of the House of Representatives from the May 8 CONGRESSIONAL RECORD. The Honorable JOHN W. MCCORMACK stated, referring to a recent visit by 4 House Members to the Dominican Republic:

Mr. MCCORMACK. Mr. Speaker, it is encouraging to note that four of my distinguished colleagues, in the course of a visit to the Dominican Republic, formed the same favorable impressions of the broad, humanitarian policies of Generalissimo Rafael Leonidas Trujillo Molina, LL. D., that have been entertained by numerous United States leaders and citizens throughout the last 27 years.

My colleagues discovered what the highest officials in our Army, Navy, and Air Force have known, namely, that good will, cooperation, and friendship are among the best ideals of the Dominican Government now headed by President Hector B. Trujillo Molina.

LET US KEEP OUR PERSPECTIVE

I refer to all this because the Dominican Republic, like a few other lands, currently has problems with us. I cite these facts so that the problems will be understood in proper perspective, so that we will not look simply at the problems themselves and ignore the whole of our past, present, and future relations.

DOMINICAN ECONOMIC PROGRESS AND STABILITY

What are some other facts in the United States-Dominican record?

Here are a few:

Last year, the prospering Dominican Republic, despite its relatively small size, imported $108 million worth of goods, and exported $124 million.

Between the years 1945 to 1955, her exports went up three times; her imports five times. Her international reserves increased from $15 million to $36 million.

Let the fact be noted that she is a signatory to the bilateral atoms-for-peace agreement with us. And she has taken her own steps for the harnessing of atomic energy for the betterment of her Republic and of its citizens.

Let the fact be remembered that she has made tremendous strides in the improvement of public health, public sanitation, and in other fields.

These facts of economic progress, the facts of sound monetary and fiscal policies under Generalissimo Trujillo, the fact that the country has no foreign debt are, therefore, for all to see. The facts speak for themselves.

They are not the only facts by any means, but they are significant points worthy of remembrance by us.

Now, these factual observations may unfortunately be misunderstood in some quarters. But I trust they will not be, because they are intended merely to cite a factual record which we, in our own national interest, should not forget.

I repeat: Our own national interest. That is my concern.

STOP, LOOK, AND LISTEN BEFORE WE CONDEMN

And so, when we hear all sorts of criticisms of the head or leader of a foreign state, let us follow the words of the old motto on the caution sign at the railroad crossings: Stop, Look, and Listen.

In other words, when there is a lot of uproar and furor, let us stop, look, and listen. Let us find out where we are, in what direction we are going, and why. Let us see whether the furor and uproar is moving us in the right direction.

GALINDEZ-MURPHY CASES UNDER APPROPRIATE REVIEW

Let me make it quite clear, the two specific pending cases involving the Dominican Republic which have caused so much comment are matters which are now being expertly handled by the Department of Justice and the Department of State.

I know nothing of these cases but what I have read in the papers.

What I have read—what everyone has read—however, is accusation after accusation, hearsay and conjecture; inference piled on top of inference.

Let us wait on coming to our final opinions till the facts are in and have been properly evaluated by those well qualified to do so.

DON'T PREJUDGE CASES

Yes, I urge that we, as individuals, not try to be prosecutor, judge, and jury all at once, mistakenly assuming that we now have all the facts, when obviously we do not.

In other words, what I urge is that we try to be more judicial in our approach, that we not prejudge a case, that we not condemn a man or a government before we have the facts, that we try to be fair and objective.

Can any fair-minded person disagree with such an approach?

Let me affirm emphatically that I have faith that the Departments of Justice and State will take whatever action they feel is appropriate in the public interest. Let me make this point quite clear, too: The protection of American citizens or, for that matter, of aliens in the United States is a matter of significance always and must be effectively followed through.

But that is why we have an executive branch of Government. And we in the legislative branch likewise have important responsibilities to get the facts and then judge accordingly.

MAINTAIN CORRECT RELATIONS

In the meanwhile, let us be especially fair and understanding; neither ignoring facts nor exaggerating hearsay or rumor.

In any event, let us maintain correct diplomatic relations with all legally established governments—in Central America, South America, in Europe, Asia, the Middle East, or elsewhere, neither meddling nor interfering in internal affairs.

This is an attitude worthy of us as a great Nation. It is an attitude of a Nation which, while it is convinced that its own way of life is best, respects the right of other governments and peoples to enjoy their own way of life.

It is an attitude of a Government which does not presume that it is omniscient and omnipotent.

FAITH IN STATE DEPARTMENT

I reiterate my confidence in our State Department and in its Assistant Secretary for Latin American Affairs and his associates. I know they will do their best to advance the diplomatic objectives of our country. I say, "Give these men the chance to do their job, as all their years of experience and dedication enable them."

And so I conclude—not, I repeat, for purposes of defense of any man or government in Latin America, Spain, the Middle East, or anywhere else, but in defense of a principle—I mean the principle of correct diplomatic relations, the principle of a good neighbor, the principle of noninterference, of never again doing anything that may be construed as imperialism in any way, shape, or form.

My remarks have not been directed against any particular individual nor for any individual as such. These comments are solely for one great cause, one great objective in this atomic age: protecting the national interest of this Republic. That is a goal above personalities. It is a goal which we must never forget.

PASSAGE OF HELLS CANYON DAM BILL

Mr. NEUBERGER. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield to my friend, the Senator from Oregon.

Mr. NEUBERGER. Mr. President, today the Senate of the United States voted to authorize one of the greatest projects for waterpower and flood control possible anywhere in the world. This feat could not have been accomplished without the leadership of many men. To enumerate all the people who participated outstandingly in this great undertaking would not only intrude too greatly upon the time of the Senate, but would run the risk of the omission of the name of someone who should be given recognition.

However, like the junior Senator from Washington, who represents a State which borders on this great river development for power, I should like to refer to one or two people.

I believe the majority vote of the Senate today was a tribute to the long, persistent, and tireless fight carried on in this Chamber by the senior Senator from Oregon [Mr. MORSE], often against seemingly hopeless and overwhelming odds.

I believe, in addition, that every single one of us from the Pacific Northwest who favors this great undertaking owes a debt to the senior Senator from Texas [Mr. JOHNSON]. He represents a State which is not as generously favored with an abundance of water as is our State, yet his people in the Southwest, like our people in the Northwest, have the same urgent need for flood control and water conservation. Perhaps the types of projects may be slightly different, but the reliance upon a Federal Government with liberal and enlightened policies is the same.

I want the senior Senator from Texas to know and realize that we from the Pacific Northwest are fully conscious of the leadership which he has provided and which he has demonstrated today, and in the days leading up to today, before this great project was authorized.

Before I conclude I should like to mention 1 or 2 other Senators who truly deserve more than a slight reference.

The senior Senator from Montana [Mr. MURRAY], the chairman of the Senate Committee on Interior and Insular Affairs, has continually provided in the committee the guidance necessary to bring this bill to the Senate floor.

Furthermore, all of us in the committee know that the full committee itself never could have considered the bill had not the junior Senator from New Mexico [Mr. ANDERSON] managed and presided over long, almost interminable hearings in the subcommittee in charge of irrigation and reclamation matters of the full Committee on Interior and Insular Affairs. In addition, we all are grateful for the cheerful and never-flagging encouragement provided by the senior Senator from Washington [Mr. MAGNUSON], whose name already is associated with Grand Coulee and other heroic undertakings.

Today, two dramatic episodes occurred, one on this side of the aisle, and one on the other side of the aisle, and they should be mentioned.

The oldest Member of the Senate, as shown by history—and by "old," I mean old in years and not old in heart, because he is young in heart—the senior Senator from Rhode Island [Mr. GREEN], returned, at great sacrifice to his time

and energy, to the Senate today so that he could arrive here at the last moment, in time to vote on this great project, which is 3,000 miles from his home State. That is a tribute to the youthful attitude and political courage of THEODORE FRANCIS GREEN, because he has a national viewpoint and not a provincial or local viewpoint. I believe every single Member of the Senate, regardless of how he voted on this issue, was thrilled with the vigor demonstrated by the senior Senator of the Senate, when he came to the Chamber today to vote on the Hells Canyon issue.

In addition, I know all of us felt an emotional experience when the senior Senator from North Dakota [Mr. LANGER], a man who has been plagued with illness the past 10 or 12 weeks, rose from a hospital bed and came to the Chamber so that he could vote, as he has always voted, for the people's management and custodianship of their own natural resources.

I have no desire to mention anybody further, because if I were to go beyond the few names I have mentioned, I know I might omit somebody who deserves encomiums quite as much as those I have listed in this brief roster today.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am happy to yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I wish to associate myself wholeheartedly with the remarks of the junior Senator from Oregon. I, too, was happy to see our oldest and most distinguished colleague [Mr. GREEN] come to the Chamber at the last moment to cast his vote to help our youngest colleague, the junior Senator from Idaho [Mr. CHURCH].

I think due credit should be given to the junior Senator from Idaho for the magnificent speech he made following the opening remarks by my senior colleague, the chairman of the Committee on Interior and Insular Affairs [Mr. MURRAY], because I think his speech set the tone for the whole proceeding, and, to me, it was one of the finest speeches, if not the finest speech, I have ever listened to relating to hydroelectric projects.

Yesterday our party was divided, so some people thought. Today, under the leadership of our majority leader, we showed that while we have our differences, when the chips are down we can obviate those differences and work together. I think the Democratic Party acted, performed, and voted today in a way which will show the Nation exactly what we stand for in the field of natural resources, because the vote today was a vindication on a national scale of what the Democratic Party stands for.

In addition to all the others who have been mentioned by the distinguished Senator from Oregon, I think a great deal of credit is due to our majority leader, who, while he comes from a semiarid State in large part, at least, nevertheless put his shoulder to the wheel today and was able to come up with what I would call—and this is a modest statement—a very respectable showing with respect to the construction of a high dam at Hells Canyon. There is enough credit to go all the way around.

I think, so far as we Democrats are concerned, this has been a good day for the country.

Mr. MORSE. Mr. President, will my colleague yield to me?

Mr. NEUBERGER. I should like to comment briefly on the remarks of the Senator from Montana first, and then I shall be glad to yield.

I concur with everything the Senator has said. I believe the vote today was a demonstration that the Democratic Party stands for full development, and development in the public interest, of our resources.

I do want to say this—and I am sure the Senator from Montana and the majority leader will agree with me—that those very few members of the Republican Party who did not concur with the policy of their own national administration on the rollcall vote, certainly deserve credit for joining us on this issue. Again, that was a demonstration of the fact that, throughout the modern history of this country, there have always been a handful of Republicans who have been willing, occasionally, to join the Democrats, and to aid them in making possible the wise use of such resources as water, timber, and soil. These are Republicans in the tradition of Theodore Roosevelt and Gifford Pinchot and our own Charles L. McNary.

I yield now to the senior Senator from Oregon.

Mr. MORSE. I wish to say to my colleague that he has demonstrated once again a fact which I know from many, many experiences is true, that he is one of the most gracious and considerate men I have ever known. I want to join with him in expressing, on behalf of the two Senators from Oregon, our very deep and sincere appreciation for the wonderful help the people of Oregon—not only the Senators, but the people of Oregon and of the Pacific Northwest and of the Nation—received from Members of the Senate of the United States this afternoon. Let it be understood that no Senator has won a victory, just as no candidate ever wins. A candidate is elected by the people who support him and work for him. The candidate symbolizes a program and a policy. All that the Senators who are cosponsors of the Hells Canyon bill have done, really, is to symbolize a great principle in the field of natural resources, namely, that full river basin development is the right of all the people of the United States.

It was the people of the Nation who won a victory here this afternoon, but I do wish to join with my colleague in putting into the RECORD today a word of appreciation for the support we received from the Senate this afternoon.

At the head of the list is the name of the great majority leader from the State of Texas. I wish to say to the people of Oregon from my desk this afternoon that the victory they won on the floor of the Senate today could not have been accomplished if we had not had the leadership of Senator LYNDON JOHNSON of Texas. In fact, I know that when he leaves tonight for a few days of very much deserved rest he is going to be greatly relieved because he knows that he is not going to have to listen to the senior Senator from Oregon at least once a day, and sometimes many times a day, discuss the Hells Canyon Dam parliamentary situation with him. I wish it were possible for me to really tell to the people of Oregon the many, many hours the Senator from Texas has spent on this issue during his years of majority leadership since I have been in the Senate and I have been the author of the Hells Canyon Dam bill. I thank LYNDON JOHNSON today. I think he knows how appreciative I am, but I want the RECORD to show that I believe the people of the Nation, as well as of my State individually, are greatly indebted to him.

Then I wish to say that one of the greatest sources of strength I have had in the struggle for the successful passage of the bill has been my junior colleague [Mr. NEUBERGER]. In fact, I would be less than frank if I did not say that sometimes it looked a little hopeless, and Senator NEUBERGER's comment was, "WAYNE, you never quit," and it was in that spirit that both of us persisted on this issue.

I do wish to put into the RECORD the names of each and every one of my colleagues who are co-sponsors of the bill, because I think that is the best way for us to express appreciation to them. Some of them are here on the floor. Sitting a few seats from me is the Senator from Minnesota [Mr. HUMPHREY]. I do not know how anyone could have been more encouraging and helpful to us on this issue over the years than Senator HUMPHREY.

Then there is my good colleague from Tennessee [Mr. GORE], who has fought shoulder to shoulder with me on every natural resource issue—TVA, the Missouri Valley problem, Mississippi problems, Columbia and Snake River problems, and all the other river project problems, along with his colleague, the senior Senator from Tennessee [Mr. KEFAUVER]. To Senator KEFAUVER let me say that his investigation of the tax writeoff giveaway to the Idaho Power Co. did much to awaken the people of the Nation to what the Eisenhower administration is up to in the field of natural resources.

I wish to share the expressions of the Senator from Montana [Mr. MANSFIELD] in regard to the help we have received in the historic fight from the new Senator from Idaho [Mr. CHURCH].

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may yield the floor to the Senator from Montana, so that he may in turn yield to the other Senators who may desire to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield to the senior Senator from Oregon.

Mr. MORSE. I wish to share the evaluation of the Senator from Montana [Mr. MANSFIELD] of the contribution of the Senator from Idaho [Mr. CHURCH] to fight on the issue concluded today. I have already expressed myself to the same effect on the floor of the Senate. I think his was the best analysis on the issue in the whole debate.

I believe that the Democratic whip [Mr. MANSFIELD] knows how much help I think he was to me and I thank him from the bottom of my heart.

Of course, I express appreciation to the young man of the Senate, the senior Senator from Rhode Island (Mr. GREEN). On some occasions he has said, "Don't give up. You are going to win." That happens to be the philosophy of Senator GREEN. He advised me as follows: "If you think you are right, and don't give up, the chances are that the public will rally behind you and you will win."

I also wish to join in expressing appreciation to the Republicans who helped us, MARGARET CHASE SMITH, JOHN SHERMAN COOPER, Senator AIKEN, of Vermont, Senator WILLIAM LANGER, Senator WILEY, of Wisconsin, Senator YOUNG, Senator THYE, whose records will show that they either voted for or were paired for Hells Canyon Dam. I think the votes of these Republicans will stand to their everlasting credit, and will be appreciated by future generations of American boys and girls.

Let me stress that natural resource issues are nonpartisan issues in the opinion of the people of the country and we Senators ought to keep them so. There are millions of Republicans who are sincere ardent conservationists. They recognized in the Hells Canyon issue a great conservation issue. The Republican Senators who joined us really vote in support of the natural resource philosophy of Teddy Roosevelt and Gifford Pinchot, who were the two great liberal Republicans that fathered the doctrine that each generation is the trustee of God's gift of natural resources to our people. Of course I want to pay special tribute to that great and grand rugged liberal and populist from the great State of North Dakota, BILL LANGER. I am sure he would not object if I added this personal note to the discussion, because I was not sure that BILL LANGER should come to the Senate today.

Mr. NEUBERGER. He would not have stayed away.

Mr. MORSE. That is right. For a time we thought we might have to use strong-arm tactics to keep him away, because I said to him, as he will acknowledge, "Bill, you must not come if it would in any way be a risk to your health." He said, "It would be the best tonic I could have to come and cast a vote in support of my friend WAYNE MORSE, and in support of a bill which the country needs. I insist that you let me know in time to get to the Senate and vote."

Of course, the great record of BILL LANGER in the many fights for the protection of natural resources always will be a great monument that will live in the history of the United States Senate. As I have said to BILL LANGER personally, I want to say in the RECORD, I am never going to forget the act of personal friendship and dedication to public duty which WILLIAM LANGER, of North Dakota, demonstrated on the floor of the Senate today by coming for the first time in months to the Senate so he could vote for Hells Canyon Dam. I pray that it did not cause him to overtax his strength. I want him to be sure that the people of my State will appreciate his devotion to the cause of Hells Canyon Dam. I also wish to express appreciation to all others who were of help to us and who joined me in sponsoring the Hells Canyon Dam bill, which I authored. The names of all the cosponsors of the bill are as follows:

Mr. MAGNUSON, Mr. CHURCH, Mr. JACKSON, Mr. MURRAY, Mr. MANSFIELD, Mr. NEUBERGER, Mr. O'MAHONEY, Mr. ANDERSON, Mr. CARROLL, Mr. CHAVEZ, Mr. CLARK, Mr. DOUGLAS, Mr. FULBRIGHT, Mr. GREEN, Mr. HENNINGS, Mr. HILL, Mr. HUMPHREY, Mr. JOHNSTON of South Carolina, Mr. KEFAUVER, Mr. KERR, Mr. LANGER, Mr. MCNAMARA, Mr. NEELY, Mr. SCOTT, Mr. SPARKMAN, Mr. WILEY, Mr. MONRONEY, and Mr. YARBOROUGH.

Now I want to say a word about our fellow Senators who oppose us in this legislative fight. I want the opposition to know that I have not the slightest rancor or ill feeling about this matter. Our differences were honest and sincere.

Mr. NEUBERGER. They were never personal.

Mr. MORSE. They were never personal. I hope as we continue to support legislation on natural resources issues in other parts of the country we may be more successful in convincing some of our opponents on the Hells Canyon Dam issue that they should join forces with us in our obligation of trusteeship of God's gift of natural resources to the people of this country.

The very essence of my philosophy in this field is that no one owns these natural resources. They belong to God. They are loaned to us from generation to generation, under what I consider to be a sacred trusteeship, and we have the duty of seeing to it that we hand them down to future generations in better condition than that in which we found them. That is the epitome of my position on the natural resource issue.

Only to the extent that we keep faith with that trusteeship do we keep faith not only with the people of our generation, but with American history to come.

Mr. NEUBERGER. Mr. President, I thank the senior Senator from Oregon. I should like to add a comment which I thought of when he was echoing my words of praise of the senior Senator from Texas [Mr. JOHNSON].

About a week ago member of Senator JOHNSON's staff told me that the Senator had received some criticism from his home State because he was spending so much time on a project that was so far from Texas.

I have been thinking about it ever since, because every Senator is concerned with his relationships with his own State. I was thinking of the fact that there would be no national-forest reserves at all in our great Western States if Gifford Pinchot, of Pennsylvania, had not devoted himself to the protection of the great uplands 2,500 miles from Pennsylvania, which resulted in the saving of the vast forest reserves in the Western States.

There would be no Tennessee Valley Authority in the State so ably represented by the senior Senator from Tennessee, who exploded the tax-writeoff plot, and by the junior Senator from Tennessee, who is on the floor, had not George W. Norris, of Nebraska, devoted himself to the welfare of these great natural resources in the Tennessee Valley, 1,500 miles from Nebraska. There would have been no Grand Coulee Dam on the uplands above the Columbia River in the State of Washington, over 3,000 miles from Hyde Park, N. Y., had not Franklin D. Roosevelt successfully championed that greatest of undertakings ever built by human hands.

Therefore, when Senator JOHNSON of Texas shows an interest in the development of Hells Canyon, 2,000 miles from the State of Texas, he is following in the great American legacy and heritage of people of vision and enlightenment in both major political parties, like Gifford Pinchot and George W. Norris and Franklin D. Roosevelt. I know the people of the State of Texas will value having their Senator in such illustrious company.

I now yield to the Senator from North Carolina.

Mr. SCOTT. Mr. President, I should like to join in paying tribute particularly to the two young Senators, Senator GREEN and Senator CHURCH, as well as to all the other Senators who helped to secure the passage of the bill. Of course, I agree that it is dangerous to start calling names. However, I would especially like to pay tribute to LYNDON JOHNSON for the time he has given so devotedly to this subject.

I also wish to mention another thing that I do not believe any other Senator has mentioned. I was glad to see the outburst in the galleries. The people sitting there could not contain themselves. Neither could I. I merely wished to add this statement to these proceedings.

Mr. NEUBERGER. The Senator from North Carolina purposely became a member of the Committee on Interior and Insular Affairs last year so that this issue could be brought before the Senate in 1956. All of us realize that there is no greater champion of the welfare of rural people and of farmers than the Senator from North Carolina, who all his adult life has been a foremost advocate of bettering the condition of our farm people. I know that he championed the Hells Canyon bill and he voted for the bill, and that he helped us get the bill out of committee, because he realized that this vast supply of low-cost power in the Intermountain States will mean cheap fertilizer with the development of the Idaho phosphate deposits for the benefit of all the farmers of America, including the farmers in the wonderful State of North Carolina.

Therefore, I wish to express my great appreciation to the Senator from North Carolina, whose sincerity and whose rugged qualities of friendship have the admiration and affection of all of us.

I now yield to my seat mate, the Senator from Idaho.

Mr. CHURCH. I thank my seat mate, the junior Senator from Oregon.

Mr. President, there is nothing I can add to what has already been said. There is nothing that I can say so well as what I have heard said by the great Senators from Oregon [Mr. MORSE and

Mr. NEUBERGER]. I wish to associate myself with their remarks.

I desire to say to the present Presiding Officer, the Senator from North Carolina [Mr. SCOTT], whose support of the Hells Canyon bill has been a source of great inspiration to me in my brief tenure in the Senate of the United States, that I hope my years of service will be characterized by the same devotion to the public interest that he invariably has displayed in his service as a Senator.

I wish to associate myself, too, with the statement of the junior Senator from Oregon [Mr. NEUBERGER], when he spoke about our leadership, because I believe that the Senate, in passing the bill today, has not only done a beneficent thing, but has taken a giant stride toward recapturing for the people the Hells Canyon site.

This could not have been accomplished had it not been for the devoted and continuing support and direction given to us by our very distinguished majority leader, in whom all Democrats should take great pride, the Senator from Texas [Mr. JOHNSON].

I agree, too, with what the junior Senator from Oregon has said with reference to the role which has been played these many years by the senior Senator from Oregon [Mr. MORSE]. He has been the champion of Hells Canyon. It is the senior Senator from Oregon to whom the people of the country today will properly turn their eyes and whose efforts will be in their thoughts today as the news reaches them that this bill has at last been passed.

To each of the other Senators—to the Senator from North Dakota [Mr. LANGER], who came from his hospital bed; to the Senator from Rhode Island [Mr. GREEN], who came with police escort from the airport, and to many other Senators who made a special effort to come to the Chamber to register their vote—I wish to express my heartfelt thanks.

I can only add that it happens that today is my 10th wedding anniversary, and I cannot think of a finer anniversary present to be given to a Senator of the United States.

Mr. NEUBERGER. I thank the Senator. I did not know that this was such an auspicious day. It makes it more eventful than ever to have had such a great occurrence take place.

When the Senator mentions the senior Senator from Oregon and the senior Senator from Texas, who teamed together to give us this leadership, I can remember on one occasion, when talking to both of these men, and when it seemed almost impossible that the passage of the bill would be brought about, to save this greatest of all North American power sites, quoting to them that famous passage from Alfred Lord Tennyson's, Ulysses, which is inscribed on the cross in the white wastes of Antarctica over the graves of some of the bravest men who ever lived, Captain Robert Scott and his companions, who staggered back from the South Pole only to perish 11 miles from One-Ton Camp and safety. It reads:

To strive, to seek, to find, and not to yield.

Because our leaders did not yield, because they did not surrender in the face of overwhelming political difficulties, today the Senate of the United States passed a bill to save for the people of this generation and of future generations the finest site for the development of water power within the borders of our country.

Mr. MANSFIELD. So long as we are throwing out all these posies, we should not forget the floor management by the able distinguished senior Senator from Washington [Mr. MAGNUSON] and his equally distinguished colleague, the junior Senator from Washington [Mr. JACKSON]. They were steady and consistent, and they formed a good backstopping team for the shock troops in the battle. Together with the distinguished junior Senator from Idaho [Mr. CHURCH], the distinguished Senators from Oregon [Mr. MORSE and Mr. NEUBERGER], and the distinguished senior Senator from Montana [Mr. MURRAY], the chairman of the Committee on Interior and Insular Affairs, they were the ones who carried the brunt of the fight; they were the ones who were primarily successful in the necessary efforts leading up to this day.

Mr. GORE. Mr. President, I rejoice with my colleagues in this great victory for the bill. I have read something of the history of the Senate, and I thrill in the thought that here truth will out, and right will prevail. I have observed that if a Senator, though he may feel that his voice for a while is lonely, like one in a wilderness, speaks the truth and speaks it with conviction and vigor, that Senator cannot long be ignored if he speaks in the well of the Chamber the truth with frequency and vigor.

There are other battles for the people that we must win. We must go forth with renewed vigor. We must, for one thing, drive the moneychangers from the temple of the Government.

DEPRECIATION OF UNITED STATES GOVERNMENT BONDS

I regret to call to the attention of the Senate that bonds of the United States Government again, yesterday, sank to an all-time low. Fourteen issues, in all, reached all-time lows on yesterday. One day after another, the obligations of our country are deteriorating. The people who invested in those marketable bonds lost yesterday, in the value of their holdings, $99,893,450.

The losses in value to the holders alone, however, is by no means the most far-reaching or the most damaging consequences of a fallacious policy. I say it is fallacious, Mr. President, because it has as its purpose a reconcentration of wealth, income, and economic opportunity in the United States.

Mr. President, this policy must be altered. It will be altered in time.

Mr. NEUBERGER. Mr. President, I wish to pay brief tribute to the people at the grassroots, without whom this victory would not have been possible.

I should like to mention the National Hells Canyon Association and the many groups associated with it all over the country, including the farm groups, the labor groups, the rural electric cooperative groups, public power groups, and many other organizations which raised money at the grassroots, and whose members went out and pushed doorbells, and sent postcards, telegrams, and letters to Members of Congress.

The distinguished Senator from Minnesota [Mr. HUMPHREY], who is one of the stanch conservationists in Congress, has also just handed me a reminder about the valiant conservation groups which fought to save the Hells Canyon site because they did not want the great wilderness realms of the Clearwater River and the Salmon River and the Lochsa River desecrated and despoiled by alternative projects.

I should like to read the list which the Senator from Minnesota has given me and to remind the Senate of the groups which joined with us in making victory possible:

North American Wildlife Federation, Wilderness Society, Izaak Walton League, Citizens Committee on Natural Resources, National Parks Association, National Wildlife Federation, Wildlife Management Institute, and the Save the Clearwater Association.

Possibly there were other organizations which may have been overlooked. For that neglect, we apologize, and we include them all here, at least in spirit and by implication.

ORDER FOR RECESS UNTIL MONDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 12 o'clock noon on Monday.

The PRESIDING OFFICER (Mr. SCOTT in the chair). Without objection, it is so ordered.

PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, on a question of personal privilege, I wish to make a public reply to a charge which has been made against the senior Senator from Oregon, the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MURRAY], and I understand also the Senator from Massachusetts [Mr. KENNEDY]. I shall not name the colleague who is reported by the wire services to have made the charge; but I want to answer it in the RECORD. I hope my erring colleague will retract the charge because he has wronged himself. He owes it to himself to retract his false statement.

I understand that a colleague has told the press, in recent minutes, that the Senators I have named sold out civil rights this afternoon in a trade for votes for Hells Canyon.

I say on the floor of the Senate that if that colleague is correctly reported in the press, his statement is a vicious, unwarranted falsehood. I have never traded a vote in the Senate in my terms here, and I never shall.

I am likewise satisfied that my colleagues who are mentioned in the press statement have been falsely charged.

I think this kind of attack upon colleagues in the Senate of the United States is unwarranted, unjustified, and unbecoming any United States Senator who makes it. I realize that some people in defeat let their feelings run away with them but I hope that upon reflection the Senator involved in this false charge will repudiate his unwarranted attack.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HUMPHREY. Knowing the Senators whom the senior Senator from Oregon has named, it is indeed quite obvious that not one of them is for sale; not one would trade his vote; not one would have tried to use such influence.

Mr. MANSFIELD. Mr. President, I join with the Senator from Minnesota and the Senator from Oregon in their remarks. I express the hope that the author of the alleged statement will reconsider his position and not make accusations which are untrue on their face.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. NEUBERGER. I had not heard of this infamous report until the senior Senator from Oregon mentioned it. I believe the very division of the Senators from the Northwest on this issue demonstrates how false that charge is.

I am a Senator from the Northwest. I share the responsibility with the senior Senator from Oregon for trying to get the Hells Canyon Dam authorized. No one ever mentioned at a single time during the entire episode prior to the vote, that there be any trade or swap or barter of any kind; and I am certain that is true of the other Senators whose names were mentioned.

Mr. MORSE. It is true, to my knowledge.

PASSAGE OF HELLS CANYON DAM BILL

Mr. YARBOROUGH. Mr. President, I wish to say a word about how thrilled I am, as the most junior Member of the Senate, to have voted for the Hells Canyon bill today.

I pay tribute to those who welded together the great Democratic leaders who have made possible the passage of the bill.

As the most junior Member of the Senate, I was privileged to join with the Senator having the greatest seniority, the distinguished Senator from Arizona [Mr. HAYDEN]; with the Senator who is oldest in years, the distinguished Senator from Rhode Island [Mr. GREEN]; and with the Senator who is youngest in years, the distinguished Senator from Idaho [Mr. CHURCH], who made such a brilliant case for the people not only of Idaho alone, but of the entire Nation; and with all Senators who for many years have fought to attain this victory.

I hope I may be pardoned this personal expression. I served in 1935 on the original board of directors of the Lower Colorado River Authority, in Texas, which we call the little TVA. We built six dams under the leadership of the then youngest Representative in the Nation, the present majority leader, the distinguished senior Senator from Texas [Mr. JOHNSON]. It was under his leadership in the United States Congress that those dams were built.

We have watched from afar, and with great admiration, the fight which has been made over decades for this great power development in the Pacific Northwest.

As recently as a year ago, I never dreamed that I would have the privilege of sitting on the floor of the Senate of the United States and voting for that development for the benefit of all the people.

This has been a proud day for me, and I think the result has been a great victory for the United States and all its people—when, by means of this development, this great natural asset has been turned back to its rightful owners and for their benefit—all the people of the United States.

Mr. CHURCH. Mr. President, will the Senator from Texas yield to me?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Texas yield to the Senator from Idaho?

Mr. JOHNSON of Texas. I yield.

Mr. CHURCH. I wish only to say that it was a proud day for the Democratic Party when RALPH YARBOROUGH was elected to the United States Senate.

Mr. YARBOROUGH. I thank the Senator from Idaho for his very generous words.

Mr. JOHNSON of Texas. Mr. President, I wish to express my appreciation for the very generous words which have been said of me this afternoon.

Mr. HUMPHREY. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield to my friend, the Senator from Minnesota.

Mr. HUMPHREY. First of all, Mr. President, I wish to join in the statements of thanks and appreciation which have been made this afternoon by several of my colleagues to all of those responsible for the success of the Hells Canyon Dam bill, Senate bill 555, on which the Senate has taken action today.

Again I wish to state, along with my colleagues, that the work of the majority leader on that bill, as on many others, was monumental and meant, indeed, the difference between victory and defeat.

I share with the junior Senator from Texas [Mr. YARBOROUGH] this moment of happiness and jubilation over the great achievement for the people.

Let me add that it would not have been possible if it had not been for some of our new Members, such as the junior Senator from Texas, who came to the Senate to cast his vote in behalf of the people and to work in the interest of the sound management of the Nation's great natural resources.

THE EFFECT OF HIGHER INTEREST RATES

Mr. JOHNSON of Texas. Mr. President, in reading the statment made before the Senate Finance Committee on Tuesday, by Secretary of the Treasury George Humphrey, I took a great deal of pleasure in finding a thought with which I could agree.

In his concluding paragraphs he said:

> We have not achieved perfection. We have been unable to fully accomplish some of our debt-management objectives. We have perhaps checked, but not entirely stopped, inflationary pressures.
>
> In the process, some of our citizens, some of our municipalities and some of our businesses have been unable to obtain all the credit they would have liked.

I believe Mr. Humphrey is to be congratulated for pointing out that some of our citizens, municipalities, and businesses cannot obtain all the credit they would like. I only wish that he had continued his train of thought and had designated the companies which have been able to get the credit they want.

A clue which might lead to the answer can be found in Tuesday's and Wednesday's issues of the Wall Street Journal.

The Wall Street Journal of June 18 carries an article headlined "Michigan Utility's $30 Million Bonds Go at 6.145-Percent Rate."

The Wall Street Journal of June 19 carries an article headlined "Southern Bell $70 Million Issue Sold at 4.91-Percent Rate."

Such headlines have not been uncommon in the past few weeks. They indicate clearly that the businesses which can get credit are those who do not care how much they pay for it, because they can pass the cost directly on to the consumer.

But how about the small-business man who is not in a position to pass the cost on to the consumer? But can he survive in a money market where bond issues go at 6.145 percent and 4.91 percent?

Mr. President, this is a game where everybody loses except the lender—and the corporations who can force the public to take their services and commodities at any price.

The small-business man is squeezed out of the money market. The consumer finds himself forced to pay higher and higher prices to live.

This is a situation which cannot continue indefinitely. Eventually we will have to act.

I ask unanimous consent to have printed in the RECORD the two articles from the Wall Street Journal which give the borrowing costs in detail.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of June 18, 1957]

MICHIGAN UTILITY'S $30 MILLION BONDS GO AT 6.145 PERCENT RATE—MICHIGAN CONSOLIDATED GAS ACCEPTS THAT COST ON 6¼ PERCENT FIRST MORTGAGE SECURITIES—ISSUES EXPECTED TO SELL FAST

DETROIT.—Michigan Consolidated Gas Co. accepted a 6.145 percent borrowing cost to sell its $30 million of first mortgage bonds, due 1982.

That rate is a bit lower than the 6.185 percent Michigan Wisconsin Pipe Line Co. is paying for the $30 million it raised last week on 20-year first mortgage pipeline 6¼ percent bonds.

But this does not mean that there has been an improvement in the corporate bond market, investment bankers noted, since yesterday's Michigan Consolidated issue outranks in rating the Michigan Wisconsin 6¼s.

Underwriters led by White, Weld & Co. and Lehman Brothers took the new Michigan Consolidated securities with their bid of 101.309 for a 6¼-percent coupon.

Following compliance with Securities and Exchange Commission requirements, the group is putting the bonds out for general distribution at 103.216, to yield 6 percent.

Indications were that all or nearly all of the 25-year issue would sell out quickly at that price.

Investment bankers last week were taking a possible 5½-percent to 5¾-percent yield for the public in yesterday's Michigan Consolidated bonds, rather than the 6 percent which investors now actually are getting. The borrowing cost for the utility presumably would have been correspondingly lower had the issue come to market at that time.

The Michigan Consolidated 6¼s carry an A rating, compared with the Baa rating carried by the Michigan Wisconsin Pipe 6¼s. The latter issue also went to investors on a 6-percent yield basis, on reaching the market in the middle of last week.

Yesterday's bonds will be optionally redeemable by Michigan Consolidated at 109.47 until July 1, 1958, and thereafter at prices ranging down to par.

The only other bid for the issue—101.260 for a 6¼-percent coupon—came from Halsey, Stuart & Co., Inc., and associates. A third group, led by Blyth & Co., Inc., withdrew from the competition prior to the bidding deadline.

[From the Wall Street Journal of June 19, 1957]

SOUTHERN BELL $70 MILLION ISSUE SOLD AT 4.91 PERCENT RATE—BORROWING COST ON 29-YEAR DEBENTURES IS HIGHEST FOR THE UTILITY SINCE 1929—BIG RETAIL DEMAND REPORTED

NEW YORK—Southern Bell Telephone & Telegraph Co. will pay 4.91 percent annually for the $70 million it raised on 29-year debentures.

That marks the borrowing as the costliest for Southern Bell since October 18, 1929, when it sold $32 million of 5 percent bonds at 5.32 percent.

It also ranks as the most expensive debt financing by any Bell System unit since January 13, 1930, when parent A. T. & T. itself floated $150 million of 5 percent debentures at a cost of 5.22 percent.

Yesterday's lofty rate came about notwithstanding the fact that Southern Bell agreed to make the 29-year securities non-callable for the first 5 years.

Halsey, Stuart & Co., Inc., and associates won the big issue with a bid of 101.33 for a 5 percent coupon.

Following compliance with Securities and Exchange Commission requirements, the group is putting the debentures out for general distribution at 102.32, to yield 4.85 percent to maturity on June 1, 1986.

An unmistakably big retail demand for the securities at this price was building up, ahead of today's formal public offering.

A closely competing bid of 101.20 for the debentures as 5s came from a Morgan Stanley & Co. group.

Yesterday's 4.91 percent net interest cost compares with the 3.95 percent Southern Bell is paying for the $60 million it raised last October 8 on 27-year debenture 4s.

Southern Bell will use the proceeds from the new issue, President Ben S. Gilmer said, "to provide telephone facilities to meet the continuing strong demand for telephone service in the South."

INCREASE IN THE INTEREST RATE ON SHORT-TERM BORROWINGS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article appearing in the Wall Street Journal. The article shows that a business institution engaged in lending money to consumers has increased, for the second time in 1 week, the interest rate it pays on its borrowings on short-term notes. This, of course, will be reflected in increased costs paid by this lending institution's consumer borrowers.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEALERS RAISE COMMERCIAL PAPER RATES ANOTHER ONE-EIGHTH PERCENTAGE POINT—ASSOCIATES INVESTMENT ALSO BOOSTS RATES IT PAYS, FOR SECOND HIKE IN WEEK

NEW YORK.—Interest rates on commercial paper marketed through dealers moved upward one-eighth percentage point for the second time in 2 weeks.

One major sales finance company that sells its notes directly to investors also raised its rate another one-eighth point—its second in a week—but other finance firms did not follow suit yesterday.

This finance company, Associates Investment Co., South Bend, Ind., raised the interest rate it pays investors after it announced postponement of a $20 million debenture issue it had been planning to offer today.

But Associates Investment's borrowing cost on short-term notes, even at the top rate of 4 percent set in its new schedule, still will be substantially under the rate it would have had to pay on the debentures, in the view of money market observers. Recent issues of similar long-term securities have entailed a borrowing cost of 5 percent or more.

Commercial paper is the money-market term for leading corporations' short-term promissory notes. Commercial paper dealers sell such notes in the open market, mainly to banks outside New York City. Finance paper is placed directly with investors by large sales finance companies.

The new schedule on dealer-marketed paper is a 3⅞ percent rate, up from 3¾ percent, on prime 4-to-6 month paper of the biggest industrial borrowers. Notes of smaller industrial concerns and small finance companies went up to 4¼ percent from 4⅛ percent. On prime 90-day paper offered by some dealers the rise was to 3¾ percent from 3⅝ percent.

Associates Investment's new rates on notes of varying maturities are: 5 to 29 days, 3⅜ percent; 30 to 89 days, 3½ percent; 90 to 179 days, 3⅝ percent; 180 to 239 days, 3¾ percent; 240 to 270 days 4 percent.

Those rates are one-eighth percentage point above the level to which five large finance firms, including Associates, had raised their rates, also by a one-eighth percentage point boost, last Wednesday and Thursday. Until last week there had been no change in these rates since last October.

On dealer-marketed paper, the one-eighth percentage point rise of 2 weeks ago, now duplicated, ended 8 months of stability in that sector of the money market.

The new interest boosts were described as a reflection of general conditions in the money market.

"There's no one thing you can ascribe it to," said one commercial paper dealer. "It's just an inevitable part of the whole action of the money market—Government bonds, Government agency bonds, Treasury bills and tax-exempts."

The Treasury bill rate—the interest cost to the Government on 91-day borrowing—rose on this week's offering to 3.404 percent, its highest level in 24 years. Fluctuations in that rate are an index to the availability of short-term money, and are usually used as a guide by those who set commercial paper rates.

Dealers said a special factor in the past week's money market situation was Monday's income tax settlement date for big corporations, which cut down the amount corporations might otherwise have had available for the purchase of Treasury bills.

Mr. JOHNSON of Texas. Mr. President, I express to my delightful friend, the Senator from Minnesota [Mr. HUMPHREY], my gratitude for his indulgence and his patience.

THE VOICE OF THE WHEAT-GROWERS

Mr. HUMPHREY. Mr. President, I wish to call the attention of the Senate to the overwhelming approval voted by the Nation's wheatgrowers yesterday for continuing market quotas—and avoiding further cuts in price-support levels.

While returns are incomplete because of storm conditions in the upper Midwest, the Department of Agriculture agrees that there is no doubt about the outcome. At present, it appears that over 83.3 percent of farmers voting cast ballots in favor of continuing the program, with that figure still rising. It is likely it will reach over 85 percent. Minnesota, with more returns still coming in, voted 97.1 percent in favor of the wheat quotas. North Dakota returns are running 96.7 percent favorable, with less than 17,000 out of an expected 60,000 votes yet to be counted, because of storm conditions. Historically, North Dakota has been one of the strongest supporters of the program.

Mr. President, I hope the Senate appreciates the significance of this vote. It is emphatic evidence that farmers are opposed to Secretary Benson's announced intention of seeking further flexibility in price-support laws, so he can further lower support levels. By voting "yes" in the referendum, farmers have agreed to accept quotas in 1958 in return for an assurance of at least 75 percent of parity—too little, but all that Secretary Benson will grant them under his present discretionary authority. If they had voted "No," they could have avoided quotas, but they would have received only 50 percent of parity. Despite all the talk about farmers being against "controls," this vote is overwhelming evidence to the contrary. They are willing to try and help adjust their own production downward, if they are given some assurance of price protection. They are unalterably opposed to breaking the support level down still further.

I hope Secretary Benson pauses in his campaign to undermine the farm program, in his current series of appeals for support from among nonfarm groups around the country, to consider this expression of sentiment from wheat growers—including, I may emphasize, Republican wheat growers, or, at least, wheat growers from what have been Republican States; I am inclined to think they have

learned enough of a lesson to change their minds in 1958 and 1960.

Mr. President, I ask unanimous consent to have printed at the conclusion of these remarks a statement I had broadcast in the Midwest, in advance of the referendum, urging the growers to vote favorably, as I am happy to report they have done.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WHEAT REFERENDUM

(Statement by Senator HUBERT H. HUMPHREY, of Minnesota, for GTA, June 18, 1957)

With the plight of our family farmers growing worse instead of better, farmers must speak up themselves in every way possible to protect their right to earn a decent living.

Farmers have a chance to speak for themselves Thursday, in the wheat referendum. Every wheatgrower should vote, and every grower should consider carefully the alternatives he faces.

Admittedly, the farmer does not have a very happy choice—as a result of constant undermining of the farm program by Secretary Benson.

However, by voting "yes" wheatgrowers can prevent prices from plunging down still further.

A "yes" vote in the referendum could benefit the average wheat farmer between $7 and $9 an acre.

A "yes" vote by two-thirds of the growers will mean continuing quotas next year with price support at around $1.78 a bushel.

A "no" vote would drop price support to 50 percent of parity, or $1.19 a bushel. It would eliminate quotas, but allotments would be continued—and a grower who planted in excess of his allotment would not be eligible for the soil bank.

Failure of two-thirds of our wheatgrowers to express themselves as wanting the higher support level could well mean the end of the price-support program and much lower market prices.

There would be no doubt about the outcome, if Secretary Benson set the support level at 90 percent of parity as it should be instead of 75 percent. But 75 percent is far better than 50 percent—and that is all farmers will get if they vote "no."

Unfortunately, we have not been able to get much improvement in farm legislation this year in the face of all-out opposition from the administration. Instead of improving the farm program, they want to make it more flexible than ever—and flexible downward.

Secretary Benson has made it clear that he wants Congress next year to give him more discretion to lower supports further.

If farmers vote against the highest level that they can now receive, it will be regarded as approval of Secretary Benson's request for lower supports.

But if farmers vote "yes" overwhelmingly, it will help encourage Congress to resist the administration pressures for lower farm prices.

For that reason I am convinced it is urgently important for all wheatgrowers to vote in the referendum Thursday—and to vote "yes."

AFL–CIO CODES OF ETHICAL PRACTICES

Mr. HUMPHREY. Mr. President, the recent disclosures concerning abuses in the management of union welfare funds have focused attention on a problem which has concerned the national AFL–CIO.

On many occasions, I have said that the disclosure of wrongdoing is proper whenever and wherever it occurs. I have also said that it would be highly unfortunate if the disclosures of certain practices by labor leaders should cast discredit on the ethical practices which characterize the behavior of the vast majority of national labor leaders and their unions.

This whole matter is such a timely one, Mr. President, that I think our attention should be directed to the AFL–CIO Codes of Ethical Practices. These have been conveniently assembled in a new booklet published by the AFL–CIO. Because of their widespread interest and their relevance to investigations now being undertaken by the Congress, I ask unanimous consent that the text of this booklet be printed in the body of the RECORD following my remarks.

Mr. President, at this point I wish to add that every American is deeply indebted to Mr. George Meany and Mr. Walter Reuther for the excellent standards they have established and for the manner in which they have sought to maintain honorable practices in the trade-union movement—a living standard for all representatives of organized labor to abide by.

Mr. KENNEDY. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I am glad to yield.

Mr. KENNEDY. I am glad the Senator from Minnesota is having the AFL–CIO Codes of Ethical Practices printed in the RECORD. I think they have given a great leadership to the labor cause, and they demonstrate that the responsible labor leaders are anxious to maintain a high standard in the labor movement. Certainly the maintenance of a high standard in the entire labor movement will be of great benefit to all the country.

So I am very glad that the Senator from Minnesota is drawing attention to these codes, which I believe will help considerably the whole situation.

Mr. HUMPHREY. I thank the Senator from Massachusetts. I recall that recently he addressed a rather large labor meeting, where he expressed himself in like manner in what I thought was one of the most constructive addresses I had read for some time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

There being no objection, the codes were ordered to be printed in the RECORD, as follows:

AFL-CIO CODES OF ETHICAL PRACTICES—AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

FOREWORD

The American Federation of Labor and Congress of Industrial Organizations is committed, by word and deed, to the concept that free, democratic trade unionism must be clean, honest, trade unionism.

This handbook contains the sections of the AFL-CIO constitution relating to corrupt or Communist efforts to infiltrate the labor movement; pertinent resolutions and policy statements adopted by the AFL-CIO convention in 1955 and by subsequent meetings of the AFL-CIO executive council; and six codes of ethical practices prepared by the AFL-CIO Ethical Practices Committee and adopted by the executive council.

I commend these documents to union members and officials as guides to help insure the continued healthy development of our American labor movement.

GEORGE MEANY, *President.*

1. AFL–CIO CONSTITUTION ON ETHICAL PRACTICES

Article II, section 10

The objects and principles of this federation are:

To protect the labor movement from any and all corrupt influences and from the undermining efforts of Communist agencies and all others who are opposed to the basic principles of our democracy and free and democratic unionism.

Article VIII, section 7

It is a basic principle of this federation that it must be and remain free from any and all corrupt influences and from the undermining efforts of Communist, Fascist or other totalitarian agencies who are opposed to the basic principles of our democracy and of free and democratic trade unionism. The executive council, when requested to do so by the president or by any other member of the executive council, shall have the power to conduct an investigation, directly or through an appropriate standing or special committee appointed by the president, of any situation in which there is reason to believe that any affiliate is dominated, controlled or substantially influenced in the conduct of its affairs by any corrupt influence, or that the policies or activities of any affiliate are consistently directed toward the advocacy, support, advancement or achievement of the program or of the purposes of the Communist Party, any Fascist organization or other totalitarian movement. Upon the completion of such an investigation, including a hearing if requested, the executive council shall have the authority to make recommendations or give directions to the affiliate involved and shall have the further authority, upon a two-thirds vote, to suspend any affiliate found guilty of a violation of this section. Any action of the executive council under this section may be appealed to the convention, provided, however, that such action shall be effective when taken and shall remain in full force and effect pending any appeal.

Article XIII, Section 1 (d)

The Committee on Ethical Practices shall be vested with the duty and responsibility to assist the Executive Council in carrying out the constitutional determination of the Federation to keep the Federation free from any taint of corruption or communism, in accordance with the provisions of this constitution.

2. AFL-CIO RESOLUTION ON ETHICAL PRACTICES (ADOPTED BY AFL–CIO CONVENTION, DECEMBER 1955)

The democratic institutions of the United States of America were established on the foundation of honesty, integrity, responsibility. The free and democratic labor movement of our country similarly rests upon the foundations of brotherhood, honesty, and integrity.

Any departure from the most exacting ethical principles is harmful not only to the people directly affected but to the whole fabric of our civilization.

The American labor movement has ever been quick in its denunciation of public officials who betray their trust. We have been equally critical of businessmen who have used corrupt methods and bribery to gain their selfish, acquisitive ends. We must be equally quick to recognize and condemn those instances of racketeering, corruption, and disregard for ethical standards when they occur inside our labor movement.

The vast majority of labor union officials accept their responsibility and trust. They endeavor honestly to carry out the democratic will of their members and to discharge

the duties of their office. Yet the reputations of the vast majority are imperiled by the dishonest, corrupt, unethical practices of the few who betray their trust and who look upon the trade union movement not as a brotherhood to serve the general welfare, but as a means to advance their own selfish purposes or to forward the aim of groups or organizations who would destroy our democratic institutions. By the adoption of the Constitution of the American Federation of Labor and Congress of Industrial Organizations, the American labor movement has clearly accepted the responsibility for keeping its own house in order and to protect the movement "from any and all corrupt influences and from the undermining efforts of Communist agencies and all others who are opposed to the basic principles of our democracy and free and democratic unionism." Only by their wholehearted dedication to this constitutional objective can labor unions meet their obligations to their memberships. Failure to meet these responsibilities can only result in governmental assumption of what are properly trade union functions. Reliance on the agencies of Government for keeping our movement free from the infiltration of racketeers, crooks, Communists, Fascists and other enemies of free democratic unionism would constitute a threat to the independence and freedom of the entire movement: Now, therefore, be it

Resolved—

1. The first constitutional convention of the AFL–CIO calls upon all its affiliated national and international unions to take whatever steps are necessary within their own organizations to effect the policies and ethical standards set forth in the constitution of the AFL–CIO. When constitutional amendments or changes in internal administrative procedures are necessary for the affiliated organizations to carry out the responsibilities incumbent upon autonomous organizations, such amendments and changes should be undertaken at the earliest practicable time.

2. This first constitutional convention of the AFL–CIO pledges its full support, good offices, and staff facilities of the AFL–CIO committee on ethical practices to all national and international unions in their efforts to carry out and put into practice the constitutional mandate to keep our organizations "free from any taint or corruption or Communism."

3. RESOLUTION ON PROCEDURES (ADOPTED BY AFL–CIO EXECUTIVE COUNCIL, JUNE 1956)

Whereas, article II, section 10 and Article VIII, Section 7, of the AFL–CIO constitution provide that it is a basic principle of this federation that it must be and remain free from any and all corrupt influences; and

Whereas, article VIII, section 7, authorizes the executive council, upon the request of the president or any other member of the executive council, "to conduct an investigation directly or through an appropriate standing committee or special committee appointed by the president, of any situation in which there is reason to believe that any affiliate is dominated, controlled or substantially influenced in the conduct of its affairs by any corrupt influence • • •"; and

Whereas, article XIII, section 1 (d) provides for a committee on ethical practices which shall be vested with the duty and responsibility to assist the executive council in carrying out the above constitutional principles, and such committee has been appointed by the president with the approval of the executive council; Now, therefore, be it

Resolved by the Executive Council of the American Federation of Labor and Congress of Industrial Organizations, 1. That the committee on ethical practices is vested with the authority of the council to conduct formal investigations, including a hearing if requested, on behalf of the council, into any situation in which there is reason to believe an affiliate is dominated, controlled or substantially influenced in the conduct of its affairs by any corrupt influence and in which such formal investigation is requested by the president or any member of the executive council. The committee shall report to the executive council the results of any such investigation with such recommendations to the council as the committee deems appropriate.

2. The committee is authorized, upon its own motion or upon the request of the president, to make such preliminary inquiries as it deems appropriate in order to ascertain whether any situations exist which require formal investigation. The committee will report to the executive council as to any situations in which it believes that formal investigation is required or desirable and shall undertake such formal investigation as provided in paragraph 1 of this resolution.

3. The committee is directed to develop a set of principles and guides for adoption by the AFL–CIO in order to implement the constitutional determination that the AFL–CIO shall be and remain free from all corrupt influences. Upon the development of such recommended guides and principles, they shall be submitted by the committee to the executive council for appropriate action.

4. AFL–CIO STATEMENT REGARDING COOPERATION WITH ALL APPROPRIATE PUBLIC AGENCIES INVESTIGATING RACKETEERING (ADOPTED BY THE AFL–CIO EXECUTIVE COUNCIL, JANUARY 28, 1957)

The American Federation of Labor and Congress of Industrial Organizations is pledged both by its constitution and by fundamental principles of trade union morality to keep the labor movement free from any taint of corruption.

While the AFL–CIO has its own responsibility for keeping its house in order and is attempting to meet this obligation to the best of its ability, this does not in any sense mean that appropriate agencies of government and the public do not have rights, obligations, and responsibilities in eliminating racketeering and corruption from all segments of American life, including the labor movement.

No institution or agency, whether labor or business, public or private, enjoys special immunity from the equal application of the laws, from appropriate investigation by duly constituted legislative committees and from scrutiny of its operations by the members of the press or the general public.

Investigations by fair and objective legislative committees in the field of labor-management relations have been of tremendous help in eliminating abuses in this area.

The investigation conducted by the La-Follette committee exposing as it did, unsavory and illegal practices on the part of important business interests, contributed greatly to the enactment of the Wagner Act and to the elimination of employer practices which prevented union organization and caused strife and violence in labor-management relations. The recent investigation by the Douglas subcommittee of the Senate Labor Committee, exposing, as it did, instances of corruption and improper conduct by labor officials and others in the handling of health and welfare funds, has provided for the public and the labor movement invaluable information which has laid the foundation for proposed disclosure legislation in this field, endorsed by the AFL–CIO, and which in addition, has enabled the AFL–CIO and its affiliates to do a better job of keeping their house in order. Both law enforcement agencies, in the interest of enforcing law, and legislative committees in the interest of enacting corrective legislation, by reason of their power and authority to subpena witnesses and to place them under oath, as well as their superior investigatorial facilities, have means beyond those of the labor movement to expose and bring to light corrupt influences.

It goes almost without saying that law enforcement agencies, legislative committees, and the labor movement itself share the common responsibility of conducting investigations fairly and objectively, without fear or favor and in keeping with due process concepts firmly imbedded in the tradition and Constitution of our great country. It is a firm policy of the AFL–CIO that the highest ethical standards be observed and vigorously followed by all officials of the AFL–CIO and its affiliates in the conduct of their offices, in the handling of trade union and welfare funds, and in the administration of trade union affairs. Trade union and welfare funds are the common property of the members of our unions and must, therefore, be administered as a high and sacred trust for their benefit.

The AFL–CIO is determined that any remaining vestiges of racketeering or corruption in unions shall be completely eradicated. We believe that Congress, in the interest of enacting corrective legislation, if the same be deemed and found necessary, has the right, through proper committees, to investigate corruption wherever it exists, whether in labor, industry, or anywhere else.

It is the firm policy of the AFL–CIO to cooperate fully with all proper legislative committees, law enforcement agencies and other public bodies seeking fairly and objectively to keep the labor movement or any other segment of our society free from any and all corrupt influences. This means that all officials of the AFL–CIO and its affiliates should freely and without reservation answer all relevant questions asked by proper law enforcement agencies, legislative committees, and other public bodies, seeking fairly and objectively to keep the labor movement free from corruption. We recognize that any person is entitled, in the exercise of his individual conscience, to the protection afforded by the fifth amendment and we reaffirm our conviction that this historical right must not be abridged. It is the policy of the AFL–CIO, however, that if a trade-union official decides to invoke the fifth amendment for his personal protection and to avoid scrutiny by proper legislative committees, law enforcement agencies, or other public bodies into alleged corruption on his part, he has no right to continue to hold office in his union. Otherwise, it becomes possible for a union official who may be guilty of corruption to create the impression that the trade-union movement sanctions the use of the fifth amendment, not as a matter of individual conscience, but as a shield against proper scrutiny into corrupt influences in the labor movement.

5. CODES—ETHICAL PRACTICES CODE I—LOCAL UNION CHARTERS (APPROVED BY THE AFL-CIO EXECUTIVE COUNCIL, AUGUST 29, 1956)

The AFL–CIO, as one of its specific objectives, has a constitutional mandate "to protect the labor movement from any and all corrupt influences • • •"

The committee on ethical practices has been vested by the AFL–CIO constitution with the "duty and responsibility" to assist the executive council in its determination to keep the AFL–CIO "free from any taint or corruption • • •"

As the statement on ethical practices adopted unanimously by our first constitutional convention pointed out, "The vast majority of labor union officials accept their responsibility and trust. • • • Yet the reputations of the vast majority are imperiled by the dishonest, corrupt, unethical practices of the few who betray their trust and who look upon the trade-union movement not as a brotherhood to serve the general welfare but as a means to advance their own selfish purposes. • • •"

The statement of our constitutional convention apecifically called upon our affiliated national and international unions "to take whatever steps are necessary within their own organizations to effect the policies and ethical standards set forth in the constitution of the AFL–CIO." The same resolution pledged the "full support, good offices, and staff facilities" of the ethical practices committee to our affiliated national and international unions in "their efforts to carry out and put into practice the constitutional mandate" to keep our organization free of corruption.

At its June 1956 meeting the executive council directed the committee on ethical practices "to develop a set of principles and guides for adoption by the AFL–CIO in order to implement the constitutional determination that the AFL–CIO shall be and remain free from all corrupt influences" and directed that such recommended guides and principles be submitted to the council.

In accordance with these constitutional responsibilities and mandates, the committee on ethical practices, in the period since its formal creation, undertook an analysis of the issuance of local union charters as it relates to the problem of corruption. The code recommended in this report is the first in a series which the committee plans to develop in accordance with the executive council's direction.

The committee found that in this area, as in the field of union welfare funds, the instances of corruption are relatively rare. The vast majority of local union charters are issued by the affiliated national and international unions of the AFL–CIO for legitimate trade union purposes and without any taint or possibility of corruption. In a few instances, however, local union charters have fallen into the hands of corupt individuals who have used these charters for their own illicit purposes instead of legitimate trade union objectives.

The posession of charters covering "paper locals" has enabled such racketeers to victimize individual workers, employers and the general public, while giving a black eye to the labor movement. They have used these charters to enter into conspiracies with corrupt employers to prevent, for a price, the genuine organization of workers into legitimate unions, thus depriving these workers of the benefit of honest collective bargaining agreements. These racketeers also use a charter as a basis to falsely invoke the collective strength of the trade union movement for their illegitimate ends, thus demeaning the trade union's historic respect of the legitimate picket line, and injuring honest businessmen in the conduct of their affairs. A local union charter, improperly issued, can be used to control a local union unit vote, which negates the legitimate unit vote of bona fide local unions and thus subverts the democratic process within the trade union movement at various levels. A racketeer treats a charter as a "hunting license" to invade the jurisdictions of other national or international unions, in the interests only of corruption and dishonest gain, and to cloak with a respectable name a whole range of nefarious and corrupt activities.

Such corrupt practices are not widespread. But even the few instances in which local union charters have been corruptly used are too many. The name of the AFL–CIO, and of the national and international unions affiliated with it, must always be a hallmark of ethical trade-union practices.

Scrupulous adherence, the committee believes, to certain traditional practices and principles of the trade-union movement with reference to the issuance of local union charters will serve to prevent and to eliminate the specific evils in this area.

The basic principle with reference to the issuance of a local union charter is that the charter is, in all unions, a solemn instrument establishing a subordinate or affiliated body of the international union, composed of organized workers in a particular subdivision of the union. The committee has made a study of the practices and constitutions of a greater number of national and international unions with respect to the issuance of local union charters. In the vast majority of cases, the committee found, there is a constitutional prohibition against the issuance of charters in the absence of application by a minimum number of bona fide employees, eligible for membership in the union, within the jurisdiction covered by the charter.

The specific rules governing the issuance of charters necessarily vary greatly from to union. And each national and international union, as part of its autonomous right, has comeplete authority to prescribe the particular procedures governing the issuance of local union charters. But whatever the particular procedures, each autonomous union has the duty to see to it that the purpose of issuing local union charters is to promote the general welfare of workers. The constitution of the AFL–CIO makes it clear that no affiliate has an autonomous right to permit corrupt or unethical practices which endanger the good name of the trade-union movement.

The committee believes that implementation and enforcement of the basic principle that local union charters are to be issued only to give recognition to workers joining together in a subordinate or affiliated body of a national or international union, which is in fact expressed in the vast majority of union constitutions, will provide an effective method of preventing the kind of evils described in this statement.

Therefore, the ethical practices committee, under the authority vested in it by the constitution of the AFL–CIO and pursuant to the mandate of the first constitutional convention of the AFL–CIO, recommends that the executive council of the AFL–CIO adopt the following policies to safeguard the good name of the AFL–CIO and its affiliated unions and to prevent any taint or possibility of corruption in the issuance of local union charters:

1. A local union charter, whether issued by the AFL–CIO or by a national or international union affiliated with the AFL–CIO, should be a solemn instrument establishing a subordinate or affiliated body. To assure this, the AFL–CIO and each national and international union, by constitution or administrative regulation, should require, for issuance of a local union charter, application by a group of bona fide employees, eligible for membership in the union, within the jurisdiction covered by the charter.

2. The purpose of issuing such charters should be to promote the general welfare of workers and to give recognition to their joining together in a subordinate or affiliated body.

3. A charter should never be issued to any person or persons who seek to use it as a "hunting license" for the improper invasion of the jurisdictions of other affiliated unions.

4. A charter should never be issued or permitted to continued in effect for a "paper local" not existing or functioning as a genuine local union of employees.

5. A charter should never be issued to persons who are known to traffic in local union charters for illicit or improper purposes.

6. The provision of the AFL–CIO constitution prohibiting the AFL–CIO and any affiliated national or international union from recognizing any subordinate organization that has been suspended or expelled by the AFL–CIO or any national or international union plainly includes and prohibits the issuance of a local union charter by the AFL–CIO or any affiliated national or international union to any group of individuals or any individuals suspended or expelled from the AFL–CIO or any affiliated national or international union for corruption or unethical practices.

7. The AFL–CIO and each national and international union shall take prompt action to eliminate any loopholes through which local union charters have been or can be issued or permitted to continued in effect contrary to these policies.

8. The AFL–CIO and each national and international union shall take prompt action to insure the forthwith withdrawal of local union charters which have been issued and are now outstanding in violation of these policies.

ETHICAL PRACTICES CODE II—HEALTH AND WELFARE FUNDS (APPROVED BY THE AFL-CIO EXECUTIVE COUNCIL, JANUARY 31, 1957)

At its June 1956 meeting the executive council directed the committee on ethical practices "to develop a set of principles and guides for adoption by the AFL–CIO in order to implement the constitutional determination that the AFL–CIO shall be and remain free from all corrupt influences" and directed that such recommended guides and principles be submitted to the council. In accordance with this direction, and its constitutional responsibilities, the committee on ethical practices submitted to the executive council at its August 1956 meeting the first of a proposed series of recommended codes. This code covering the issuance of local union charters was unanimously adopted by the council.

This report, and the recommended code contained in it, is the second in the series which the committee, in accordance with the council's direction, is developing to implement the constitutional mandate that the AFL–CIO shall be and remain free from any and all corrupt influences and the determination of the first constitutional convention of the AFL–CIO that the reputations of the vast majority of labor union officials, who accept their responsibilities and trust, are "imperiled by the dishonest, corrupt, unethical practices of the few who betray their trust and who look upon the trade union movement not as a brotherhood to serve the general welfare, but as a means to advance their own selfish purposes * * *."

Both the American Federation of Labor and the Congress of Industrial Organizations prior to the merger of these two organizations into the AFL–CIO gave thorough consideration to the subject of health and welfare funds. This subject was also considered by and dealt with by the first constitutional convention of the AFL–CIO and a resolution dealing with this subject matter was adopted by that convention.

As stated in the resolution adopted by the first constitutional convention of the AFL-CIO, the task of administering and operating health and welfare programs which have been developed through collective bargaining has placed heavy new responsibilities upon the shoulders of trade-union officials. The funds involved are paid for through the labor of the workers covered by the plans. They much be administered, therefore, as a high trust for the benefit only of those workers.

Most trade-union officials have been faithful to the high trust which has been imposed upon them because of the development of health and welfare funds. The malfeasances of a few, however, have served to bring into disrepute not only the officials of the particular unions involved, but also the good name of the entire American labor movement. For this reason, it is imperative that the AFL-CIO and each of the national and international unions affiliated with it rigorously adhere to the highest ethical standards in dealing with the subject of health and welfare funds.

For these reasons, the ethical practices committee, under the authority vested in it

by the constitution of the AFL–CIO and pursuant to the mandate of the first constitutional convention of the AFL–CIO, recommends that the executive council of the AFL-CIO adopt the following policies to safeguard the good name of the AFL-CIO and its affiliated unions:

1. No union official who already receives full-time pay from his union shall receive fees or salaries of any kind from a fund established for the provision of a health, welfare or retirement program. Where a salaried union official serves as employee representative or trustee in the administration of such programs, such service should be regarded as one of the functions expected to be performed by him in the normal course of his duties and not as an extra function requiring further compensation from the welfare fund.

2. No union official, employee or other person acting as agent or representative of a union, who exercises responsibilities or influence in the administration of welfare programs or the placement of insurance contracts, should have any compromising personal ties, direct or indirect, with outside agencies such as insurance carriers, brokers, or consultants doing business with the welfare plan. Such ties cannot be reconciled with the duty of a union official to be guided solely by the best interests of the membership in any transactions with such agencies. Any union official found to have such ties to his own personal advantage or to have accepted fees, inducements, benefits or favors of any kind from such outside agency, should be removed. This principle, of course, does not prevent the existence of a relationship between a union officer or employee and an outside agency where—

(a) No substantial personal advantage is derived from the relationship, and

(b) The outside agency is one in the management of which the union participates, as a union, for the benefit of its members.

3. Complete records of the financial operations of all welfare funds and programs should be maintained in accordance with the best accounting practice. Each such fund should be audited regularly by internal auditors. In addition, each such fund should be audited at least once each year, and preferably semiannually, by certified public or other independent accountants of unquestioned professional integrity, who should certify that the audits fully and comprehensively show the financial condition of the fund and the results of the operation of the fund.

4. All audit reports should be available to the membership of the union and the affected employees.

5. The trustees or administrators of welfare funds should make a full disclosure and report to the beneficiaries at least once each year. Such reports should set forth, in detail, the receipts and expenses of the fund; all salaries and fees paid by the fund, with a statement of the persons to whom paid; the amount paid and the service or purpose for which paid; a breakdown of insurance premium paid, if a commercial insurance carrier is involved, showing, insofar as possible, the premiums paid, dividends, commissions, claims paid, retentions and service charges; a statement of the person to whom any commissions or fees of any kind were paid; a financial statement on the part of the insuring or service agency, if an agency other than a commercial insurance carrier is employed; and a detailed account of the manner in which the reserves held by the fund are invested.

6. Where health and welfare benefits are provided through the use of a commercial insurance carrier, the carrier should be selected through competitive bids solicited from a substantial number of reliable companies, on the basis of the lowest net cost for the given benefits submitted by a responsible carrier, taking into consideration such factors as comparative retention rates, financial responsibility, facilities for and promptness in servicing claims, and the past record of the carrier, including its record in dealing with trade unions representing its employees.

The trustees of the fund should be required to include in reporting to the membership the specific reasons for the selection of the carrier finally chosen. The carrier should be required to warrant that no fee or other remuneration of any kind has been paid directly or indirectly to any representative of the parties in connection with the business of the fund.

7. Where a union or union trustees participate in the administration of the investment of welfare fund reserves, the union or its trustees should make every effort to prohibit the investment of welfare fund reserves in the business of any contributing employer, insurance carrier or agency doing business with the fund, or in any enterprise in which any trustee, officer, or employee of the fund has a personal financial interest of such a nature as to be affected by the fund's investment or disinvestment.

(This is not to be construed as preventing investment in an enterprise in which a union official is engaged by virtue of his office, provided (i) no substantial personal advantage is derived from the relationship, and (ii) the concern or enterprise is one in the management of which the union participates for the benefit of its members.)

8. Where any trustee, agent, fiduciary or employee of a health or welfare program is found to have received an unethical payment, the union should insist upon his removal and should take appropriate legal steps against both the party receiving and the party making the payment. Where health and welfare funds are negotiated or administered by local unions or by other organizations subordinate to or affiliated with a national or international union, provision should be made to give the national or international union the authority to audit such funds and to apply remedies where there is evidence of a violation of ethical standards.

9. Every welfare program should provide redress against the arbitrary or unjust denial of claims so as to afford the individual member prompt and effective relief where his claim for benefits has been improperly rejected. Every program should provide for the keeping of complete records of the claims experience so that a constant check can be maintained on the relationship between claims and premiums and dividends, and on the utilization of the various benefits.

10. The duty of policing and enforcing these standards is shared by every union member, as well as by local, national and international officials. The best safeguard against abuses lies in the hands of a vigilant, informal and active membership, jealous of their rights and interests in the operation of health and welfare programs, as well as any other trade union program. As a fundamental part of any approach to the problem of policing health and welfare funds, affiliated unions, through education, publicity and discussion programs, should seek to develop the widest possible degree of active and informed interest in all phases of these programs on the part of the membership at large. International unions should, wherever possible, have expert advice available for the negotiation, establishment and administration of health and welfare plans, and should provide training for union representatives in the techniques and standards of proper administration of welfare plans.

11. Where constitutional amendments or changes in internal administrative procedure are necessary to comply with the standards herein set forth, such amendments and changes should be undertaken at the earliest practicable time.

ETHICAL PRACTICES CODE III—RACKETEERS, CROOKS, COMMUNISTS, AND FASCISTS (APPROVED BY THE AFL-CIO EXECUTIVE COUNCIL, JANUARY 31, 1957)

This is the third in a series of recommended codes which the committee on ethical practices has developed in accordance with the direction of the executive council that it should "develop a set of principles and guides for adoption by the AFL-CIO in order to implement the constitutional determination that the AFL–CIO shall be and remain free from all corrupt influences."

Article VIII, section 7, of the constitution of the AFL–CIO establishes that "it is a basic principle of this federation that it must be and remain free from any and all corrupt influences and from the undermining efforts of Communist, Fascist, or other totalitarian agencies who are opposed to the basic principles of our democracy and of free and democratic trade unionism." Under this constitutional provision there is no room within the federation or any of its affiliated unions for any person, in a position of leadership or responsibility who is a crook, a racketeer, a Communist, or a Fascist. And it is the obligation of every union affiliated with the AFL–CIO to take appropriate steps to insure that this principle is complied with.

To be sure, neither the AFL–CIO nor its affiliated unions are law-enforcing agencies. It is not within the purview or authority of a trade union to convict its members of a violation of statutory law. But it is the duty and responsibility of each national and international union affiliated with the federation to see to it that it is free of all corrupt, Communist, or Fascist influences. Consequently, a trade union need not wait upon a criminal conviction to bar from office corrupt, Communist, or Fascist influences. The responsibility of each union to see to it that it is free of such influences is not a responsibility placed upon our unions by law. It is a responsibility which rests upon our unions by the AFL–CIO constitution and by the moral principles that govern the trade-union movement. Eternal vigilance in this area is the price of an honest democratic trade-union movement.

It is not possible, nor is it desirable, to set down rigid rules to determine whether a particular individual in a position of responsibility or leadership in the trade union movement is a crook, a racketeer, a Communist, or a Fascist. Obviously, if a person has been convicted of a crime involving moral turpitude offensive to trade union morality, he should be barred from office of responsible position in the labor movement. Obviously also, a person commonly known to be a crook or racketeer, should not enjoy immunity to prey upon the trade unions movement because he has somehow managed to escape conviction. In the same manner, the fact that a person has refrained from formally becoming a member of the Communist Party or a Fascist organization should not permit him to hold or retain a position of responsibility or leadership in the trade union movement if, regardless of formal membership, he consistently supports or actively participates in the activities of the Communist Party or any Fascist or totalitarian organization.

In this area, as in all others, determinations must be made as a matter of commonsense and with due regard to the rights of the labor unions and the individuals involved.

On the basis of these considerations, the ethical practices committee, under the authority vested in it by the constitution of the AFL–CIO, pursuant to the mandate of the first constitutional convention of the AFL–CIO, recommends that the executive council of the AFL–CIO adopt the following policies to safeguard the good name of the AFL–CIO and its affiliated unions:

1. The AFL–CIO and each of its affiliated unions should undertake the obligation,

through appropriate constitutional or administrative measures and orderly procedures, to insure that no persons who constitute corrupt influences or practices or who represent or support Communist, Fascist, or totalitarian agencies should hold office of any kind in such trade unions or organizations.

2. No person should hold or retain office or appointed position in the AFL–CIO or any of its affiliated national or international unions or subordinate bodies thereof who has been convicted of any crime involving moral turpitude offensive to trade-union morality.

3. No person should hold or retain office or appointed position in the AFL–CIO or any of its affiliated national or international unions or subordinate bodies thereof who is commonly known to be a crook or racketeer preying on the labor movement and its good name for corrupt purposes, whether or not previously convicted for such nefarious activities.

4. No person should hold or retain office or appointed position in the AFL–CIO or any of its affiliated national or international unions, or subordinate bodies thereof who is a member, consistent supporter or who actively participates in the activities of the Communist Party or of any Fascist or other totalitarian organization which opposes the democratic principles to which our country and the American trade-union movement are dedicated.

ETHICAL PRACTICES CODE IV—INVESTMENTS AND BUSINESS INTERESTS OF UNION OFFICIALS (APPROVED BY THE AFL-CIO EXECUTIVE COUNCIL, JANUARY 31, 1957)

This is the fourth in a series of recommended codes which the committee on ethical practices has developed in accordance with the direction of the executive council that it should "develop a set of principles and guides for adoption by the AFL–CIO in order to implement the constitutional determination that the AFL–CIO shall be and remain free from all corrupt influences." Prior codes have dealt with the issuance of local union charters, welfare funds, racketeers, crooks, and Communists. The code herein recommended deals with conflicts of interest in the investment and business interests of union officials.

It is too plain for extended discussion that a basic ethical principle in the conduct of trade union affairs is that no responsible trade union official should have a personal financial interest which conflicts with the full performance of his fiduciary duties as a workers' representative.

Obviously an irreconcilable conflict of interest would be present if a trade union official, clothed with responsibility and discretion in conducting the representation of workers, simultaneously maintains a substantial interest in the profits of the employer of the workers whom he is charged with representing. Even though, in a particular instance, there may be no actual malfeasance in the representation of the employees involved, the opportunity for personal gain at the expense of the welfare of the employees whom the union official represents obviously exists.

Such a simple case, however, does not fully present the problems which exist, or may exist, in this area. There may be cases in which the conflict of interests is not so clear, but nevertheless exists. There are, on the other hand, forms of private investment which seem wholly devoid of any possibility of corruption or dereliction in trade union responsibility. It will be the purpose of this report to discuss some of the varying situations which may arise in this area and, on the basis of such discussion, to present a recommended code of minimum standards to which the committee believes all trade union officials should adhere in their investment and business interests.

The problems in this area, of course, could all be eliminated by adoption of the simple principle that no trade union official should, under any circumstances, use his own personal funds or property in any form of business enterprise or investment. But the committee feels that it is both unnecessary and unwise to establish such a rigid standard for trade union officials; union officers and agents should not be prohibited from investing their personal funds in their own way in the American free enterprise system so long as they are scrupulously careful to avoid any actual or potential conflict of interest. The American trade union movement does not accept the principle that either its members or its leaders should own no property. Both union leaders and members have the right to set aside their own personal reserves for themselves and their families, and to invest and use those reserves in legitimate ways.

But the trade-union leader does have certain special responsibilities which he must assume and respect because he serves as a leader in the trade-union movement. And those responsibilities, the committee believes, necessarily imply certain restraints upon his right to engage in personal investment, even with his own funds and on his own time. In a sense, a trade-union official holds a position comparable to that of a public servant. Like a public servant, he has a high fiduciary duty not only to serve the members of his union honestly and faithfully, but also to avoid personal economic interest which may conflict or appear to conflict with the full performance of his responsibility to those whom he serves.

Like public servants, trade-union leaders ought to be paid compensation commensurate with their services. But, like public servants, trade-union leaders must accept certain limitations upon their private activities which result from the nature of their services. Indeed, the nature of the trade-union movement and the responsibilities which necessarily must be accepted by its leaders, make the strictest standards with respect to any possible conflict of interest properly applicable.

It is plain, as already stated, that a responsible trade-union official should not be the owner in whole or in part of a business enterprise with which his union bargains collectively on behalf of its employees. The conflict in such a case is clear.

It is almost equally clear, the committee believes, that a trade union official should not be the owner of a business enterprise which sells to, buys from, or in other ways deals, to any significant degree, with the enterprise with which he conducts collective bargaining. Again, the possibility that the trade union official may be given special favors or contracts by the employer in return for less than discharge of his obligations as a trade union leader, exists.

Somewhat different considerations, however, apply to the ownership, through purchase on the open market or other legitimate means, of publicly traded securities. Employee ownership of stock is certainly a fairly common practice in American life. Often, indeed, there are special stock purchase plans designed to stimulate such employee investments.

On the other hand, ownership, even of publicly traded securities, in sufficient amounts to influence the course of management decision seems to the committee incompatible with the proper representation of the employees by a trade union official.

The committee believes, therefore, that the minimum standards of ethical conduct in this area should not forbid all investment by a trade union official in the corporate securities of companies employing the workers he represents. Such investment by a trade union official, however, should always be subject to the restriction that it is not acquired in an illegitimate or unethical manner, that it is limited to securities which are publicly traded, and that his interest should never be large enough so as to permit him to exercise any individual influence on the course of corporate decision.

There is nothing in the essential ethical principles of the trade-union movement which should prevent a trade-union official, at any level, from investing personal funds in the publicly traded securities of corporate enterprises unrelated to the industry or area in which the official has a particular trade-union responsibility. Such securities offer a wide choice of investment and are, generally speaking, so far removed from individual stockholder control or influence that with the exceptions above noted, there is no reason to bar investment by trade-union officials.

The same principles apply with respect to privately owned or closely held businesses which are completely unrelated to the industrial area in which the trade-union leader serves.

On the basis of these considerations, the ethical practices committee, under the authority vested in it by the constitution of the AFL–CIO and pursuant to the mandate of the first constitutional convention of the AFL–CIO, recommends that the executive council of the AFL–CIO adopt the following policies to safeguard the good name of the AFL–CIO and its affiliated unions:

1. No responsible trade-union official should have a personal financial interest which conflicts with the full performance of his fiduciary duties as a workers' representative.

2. No responsible trade-union official should own or have a substantial business interest in any business enterprise with which his union bargains collectively, or in any business enterprise which is in competition with any other business enterprise with which his union bargains collectively.

3. No responsible trade-union official should own or have a substantial business interest in a business enterprise a substantial part of which consists of buying from, selling to, or otherwise dealing with the business enterprise with which his union bargains collectively.

4. The provisions of paragraphs 2 and 3 above do not apply in the case of an investment in the publicly traded securities of widely held corporations which investment does not constitute a substantial enough holding to affect or influence the course of corporate decision.

5. No responsible trade-union official should accept "kickbacks," under-the-table payments, gifts of other than nominal value, or any personal payment of any kind other than regular pay and benefits for work performed as an employee from an employer or business enterprise with which his union bargains collectively.

6. The policies herein set forth apply to: (a) all officers of the AFL–CIO and all officers of national and international unions affiliated with the AFL–CIO, (b) all elected or appointed staff representatives and business agents of such organizations, and (c) all officers of subordinate bodies of such organizations who have any degree of discretion or responsibility in the negotiation of collective bargaining agreements or their administration.

7. The principles herein set forth apply not only where investments are made by union officials, but also where third persons are used as blinds or covers to conceal the financial interests of union officials.

ETHICAL PRACTICES CODE V—FINANCIAL PRACTICES AND PROPRIETARY ACTIVITIES OF UNIONS (APPROVED BY THE AFL–CIO EXECUTIVE COUNCIL, MAY, 22, 1957)

This is the fifth in a series of recommended codes which the committee on ethical practices has developed in accordance with the direction of the executive council that it should "develop a set of principles and guides

for adoption by the AFL–CIO in order to implement the constitutional determination that the AFL–CIO shall be and remain free from all corrupt influences." On August 29, 1956, the council approved a code dealing with the issuance of local union charters; on January 31, 1957, the executive council approved codes dealing with health and welfare funds, racketeering, crooks and Communists, and investment and business interests of union officials.

There are principles inherent in the conception of a free, honest, and democratic trade-union movement, which, the committee believes virtually dictate the outlines of any code of ethical practices dealing with union finances. The first of these principles hardly requires statement. It is simply that a labor union is an organization whose primary function is to improve the wages, hours and working conditions of the employees it represents, through the processes of collective bargaining with employers. It is not a business enterprise or an investment company. Unions, of course, must have funds with which to operate and it is clearly desirable that they should maintain reserves to cover contingencies which may arise in the course of the performance of their functions as workers' representatives. But, equally clearly, the accumulation of funds per se is not the objective for which the union exists. A union is not a profitmaking institution but a democratic organization with definite social aims and principles. Union funds are held in trust for the benefit of the membership. But a union, unlike a bank, a trustee, or other fiduciaries, is not primarily a manager of funds vested with the duty of enhancing their value and making distributions. Increasing the value of the union's funds should never become an objective of such magnitude that it in any way interferes with or obscures the basic function of the union, which is to devote its resources to representing its members, honestly and faithfully.

A second basic principle which dictates the terms of a code of ethical practices with respect to the handling of union funds is again simple. It is that unions are democratic organizations. The fact that a union is a democratic organization plainly implies that the members of the union are entitled to assurance that the union's funds, which are their funds, are not dissipated. They are also entitled to be reasonably informed as to how the funds of the organization are being used or invested. Finally, their delegated representatives in the union's governing body and conventions should have the power and responsibility to oversee the expenditure of the union's moneys so that the members can be guaranteed that funds are expended solely for the purposes for which the organization exists.

A final fundamental principle, the committee believes, is involved. That principle is that each national or international union affiliated with the AFL–CIO, in the words of the resolution on ethical practices which was unanimously adopted by the founding convention of the AFL–CIO in December 1955, "has clearly accepted the responsibility for keeping its own house in order and to protect the movement 'from any and all corrupt influences and from the undermining efforts of Communist agencies and all others who are opposed to the basic principles of our democracy and free and democratic unionism.'"

From these three basic principles, the committee believes that certain conclusions necessarily follow. Since a union holds its funds for the benefit of its membership and to further their interests it should comply with standards generally applicable to fiduciaries or trustees with respect to the manner in which it keeps its records and accounts. Regular audits should be made and there should be appropriate distribution of summaries of such audits so that the membership and the public are adequately apprised of the state of the organization's finances.

In this connection, a committee of secretary-treasurers of AFL–CIO affiliates has drawn up a suggested set of minimum accounting and financial controls for affiliates of the AFL–CIO. This set of controls represents, the committee believes, the minimum with which any affiliated organization should comply in order to fulfill the constitutional mandate that the labor movement should be kept free from any taint of corruption. Almost all unions, the committee believes, today comply with the minimum controls set forth in the recommendation of the secretary-treasurers. Many, indeed, have much stricter controls. The minimum controls suggested by the secretary-treasurers, therefore, should not be regarded as an optimum. Unions are to be commended and encouraged to establish and maintain even more stringent accounting and financial controls.

In addition to accounting and financial procedures necessary to conform to the controls applicable generally to well-run business organizations and fiduciaries, the committee believes that certain other rules follow the basic principles set forth above. Because a union is a union, not a business organization or a trust company, the rules which guide its use and investment of funds are necessarily different. For example, investments by business organizations in other businesses from which they buy or sell, so that the investing business may get favored treatment in its sales or purchases, may be an acceptable business practice; similar investment by a labor union in business enterprises with which it bargains collectively presents serious problems. Such investment is not good practice for a union.

The fact that the basic objective in the management of trade union funds is not the maximizing of profit, but to further the objectives of the members joining together in a union leads to additional conclusions.

A business organization has one function: to make money for its stockholders. A fiduciary's primary obligation is to preserve and, within limits defined by the necessity for safety, to augment the funds which the trustee is charged with holding for the benefit of the beneficiaries.

Since these are not a union's primary function, a union's investment policy may properly be governed by different considerations. For example, business institutions and corporate trustees might question today the propriety of investing all of their reserves in Government bonds because of their comparatively low yield. Yet, for a trade union, one of whose fundamental objects is to protect and strengthen our democratic institutions, such an investment policy is to be commended. Similarly, since another object of a trade union is to aid and assist other unions and to promote the organization of the unorganized into unions of their own choosing loans and grants for mutual aid and assistance are part of the proud tradition of the labor movement even though foreign to the business community and not justified by any considerations of financial gain or even security.

Similarly, the business community may not regard it to be a bad business practice for a business enterprise to buy or sell from firms in which the officers of the business have a financial interest. Nor may the business community regard it as bad practice for a business organization to lend money, on adequate security, to members of the organization. Because the funds of a labor union are both held in trust for the benefit of its members and are held to further legitimate trade union purposes, practices which may be acceptable in business organizations, the committee believes, should be limited if not completely eliminated among labor organizations.

All of these considerations lead to this ultimate conclusion. With respect to accounting and financial controls and the expenditure of its funds for proprietary (housekeeping) functions the labor movement, it goes almost without saying, should follow the strictest rules applicable to all well-run institutions. With respect to the policies governing its financial and proprietary decisions, a higher obligation rests upon the trade union movement: to conduct its affairs and to expend and invest its funds, not for profit, but for the benefit of its membership and the great purposes for which they have joined together in the fraternity of the labor movement.

On the basis of these considerations the committee on ethical practices, under the authority vested in it by the constitution of the AFL–CIO and pursuant to the mandate of the first constitutional convention of the AFL–CIO and of the executive council, recommends that the executive council of the AFL–CIO adopt the following policies to safeguard the good name of the AFL–CIO and its affiliated unions:

1. The AFL–CIO and all affiliated national and international unions should comply with the minimum accounting and financial controls suggested by the committee of secretary-treasurers and approved by the executive council, which is annexed hereto.

2. The AFL–CIO and all affiliated national and international unions should conduct their proprietary functions, including all contracts for purchase or sale or for the rendition of housekeeping services, in accordance with the practices of well-run institutions, including the securing of competitive bids for all major contracts.

3. Neither the AFL–CIO nor any national or international union affiliated with the AFL–CIO should permit any of its funds to be loaned, invested, or otherwise dealt with in a manner which inures to the personal profit or advantage of any officer, representative or employee of the union.

4. Neither the AFL–CIO nor any national or international union affiliated with the AFL–CIO should enter into any contracts of purchase or sale or for the rendition of services which will inure to or result in the personal profit or advantage, including gifts of more than nominal value, other than his regular salary or compensation, of any officer, representative or employee of the union.

5. Neither the AFL–CIO nor any national or international union affiliated with the AFL–CIO should invest in or make loans to any business enterprise with which it bargains collectively.

6. The provisions of paragraph 5 shall not be construed as prohibiting investment by unions in the publicly traded securities of widely held corporations which investment does not constitute a substantial enough holding to affect or influence the course of corporate decision; the provisions of paragraphs 3 and 4 shall not be construed as applying to the profit that may result from a proper investment by a union officer, representative or employee. Nor shall such provisions be construed as preventing investment in a business or enterprise in which an official of an affiliate is engaged by virtue of his office, provided (a) no substantial personal advantage is derived from the relationship, and (b) the business or enterprise is one in the management of which the affiliate participates for the benefit of its members. The provisions of such paragraphs, however, shall apply wherever third persons are used as blinds or covers to conceal the personal profit or advantage of union officials.

7. Neither the AFL–CIO nor any national or international union affiliated with the AFL–CIO should make personal loans to its officers, representatives, employees, or members, or members of their families, for the purpose of financing the private business or investment of such persons.

8. Each national or international union affiliated with the AFL–CIO should promptly take whatever internal steps are needed to insure that the standards set forth in this code are made applicable to itself and each of its locals and other subordinate or affiliated bodies. Wherever constitutional amendments or changes in internal administrative procedures are necessary to fully comply with those standards, such amendments and changes should be undertaken by the affiliates at the earliest practicable opportunity.

SUPPLEMENTAL CODE—MINIMUM ACCOUNTING AND FINANCIAL CONTROLS (DRAFTED BY SPECIAL COMMITTEE OF UNION SECRETARY-TREASURERS; APPROVED BY EXECUTIVE COUNCIL, MAY 22, 1957)

A. Detailed and accurate records of accounts, in conformity with generally recognized and accepted principles of accounting, should be currently maintained by all affiliates of the AFL–CIO. These records should include, as a minimum need, a cash receipt record, a cash disbursements record, a general ledger, a dues or per capita tax record, an investment record, and a payroll record.

B. All receipts should be duly recorded and currently deposited. No disbursements of any nature should be made from undeposited cash receipts.

C. All expenditures should be approved by proper authority under constitutional provision and be recorded and supported by vouchers, providing an adequate description of the nature and purpose of the expenditure sufficient for a reasonable audit by internal and independent auditors. Disbursements should be made only by check, with the exception of disbursements from petty cash, in which situation, an imprest petty-cash fund should be established.

D. Salaries of elected officials should be established only by constitutional provision. Compensation to nonsalaried elected officials, and to other officials, representatives and employees, if not fixed by constitutional provision, should be established and paid in strict conformity with such authority as is provided by the constitution and in accordance with its applicable provisions.

E. Reimbursement of expenses, including per diem expenses, should be made only where such expenses have been duly authorized and are supported in a manner that will permit a reasonable audit.

F. Every precaution should be taken to insure the soundness and safety of investments and that investments are made only by persons duly authorized to act for and on behalf of the affiliate. Investments in securities should either be restricted to the type of securities which legally qualify for trust fund investments in the domicile state or a person or persons authorized to invest funds of an affiliate should, in making such investment, be required to exercise the judgment and care under the circumstances then prevailing which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of their funds, considering probable safety of their capital as well as probable income. No investment should be made by an affiliate in a business or enterprise in which any officer of that affiliate has a direct or indirect personal financial interest of such a nature as to be affected by the affiliate's investment or withdrawal of investment. (This last stated provision is not to be construed as preventing investment in a business or enterprise in which an official of an affiliate is engaged by virtue of his office, provided (a) no substantial personal advantage is derived from the relationship, and (b) the business or enterprise is one in the management of which the affiliate participates for the benefit of its members.) Securities owned by the affiliate should be under dual officer control and held by a bank or a trust company as agent or if that is not feasible, such securities should be placed in a safety deposit vault. All investments and legal title to all assets of an affiliate should be in the name of the affiliate or its duly designated agent or trustee.

G. Periodic, but not less than semiannual, detailed financial reports should be prepared in accordance with generally recognized and accepted standards of financial reporting. These reports should be prepared and submitted by the elected financial officer of the affiliate to the executive body of such affiliate for its study and such action as may be required.

H. A record of each meeting of the executive body of an affiliate should be made and maintained. These records should note all official actions taken by that body, in relation to accounting and financial matters.

I. Adequate fidelity bond coverage should be required by an affiliate for all officers, representatives and employees of that affiliate in positions of trust, including officers and employees of subordinate bodies of such affiliate.

J. Affiliates and their subordinate bodies should be subject to a system of internal audits made by auditors or by other competent persons in accordance with generally accepted standards of auditing so as to maintain current vigilance over all financial transactions.

K. At least annually, an audit of the accounts of each affiliate, except directly affiliated local unions of the AFL–CIO, should be made by independent certified public accountants. A summary of such audit approved by such independent certified public accountants should be made available to the membership of the affiliate and the public.

Each such affiliate should require, at least annually, that an audit be made of the accounts of its subordinate bodies by competent persons. A summary of such audit approved by such competent persons should be made available to the membership of such subordinate body.

An annual audit of the accounts of directly affiliated local unions should be made by authorized competent representatives of the AFL–CIO designated by the secretary-treasurer of the AFL–CIO. A summary of such audit, approved by such representative, shall be made available to the membership of such directly affiliated local unions.

L. All financial and accounting records of affiliates and their subordinate bodies, and all supporting vouchers and documents, or microfilm copies thereof, should be preserved for a period of time not less than that prescribed by applicable statutes of limitations.

M. Neither the AFL–CIO nor any national or international union affiliated with the AFL–CIO should make personal loans to its officers, representatives, employees, or members, or members of their families, for the purpose of financing the private business or investment of such persons.

N. No kickbacks or any other improper payments should be accepted or made, directly or indirectly, by any officer, representative or employee of an affiliate in connection with any financial transaction of such affiliate.

O. Affiliates should take every precaution necessary to insure their full compliance with all properly authorized and applicable requirements of State or Federal law pertaining to financial and accounting matters and to reporting.

P. In order to protect and safeguard the good name and reputation of the AFL–CIO and its affiliates, the financial and accounting controls set forth herein are made applicable to itself and each of the affiliates of the AFL–CIO and their subordinate bodies and to all their funds of whatever nature.

Q. Where constitutional amendments or changes in internal administrative procedure are necessary to a full compliance with the standards set forth herein, such amendments and changes should be undertaken by affiliates at the earliest practicable opportunity.

ETHICAL PRACTICES CODE VI—UNION DEMOCRATIC PROCESSES—(APPROVED BY THE AFL–CIO EXECUTIVE COUNCIL, MAY 23, 1957)

This is the sixth in a series of recommended codes developed by the AFL–CIO committee on ethical practices. The prior codes have dealt, primarily, with the questions related to corruption and conflicts of interest. The present code has been developed by the committee pursuant to the mandate contained in article II, sections 10 and 11, of the constitution of the AFL–CIO which sets forth the basic objectives of the federation to protect the labor movement not only from corrupt influences and Communist agencies but also from all others who are opposed to the basic principles of our democracy and free and democratic unionism, and to safeguard the democratic character of the labor movement.

These constitutional provisions of the AFL–CIO give effect to the democratic tradition upon which the entire labor movement is based. Freedom and democracy are the essential attributes of our movement. Labor organizations lacking these attributes, like Hitler's labor front, Franco's syndicates, and Moscow's captive unions, are unions in name only. Authoritarian control, whether from within the labor movement or imposed from without by government, is contrary to the spirit, the tradition and the principles which should always guide and govern our movement.

We are proud of our record. Just as the constitution of the AFL–CIO proclaims its dedication to the concepts of freedom and democracy and contains machinery for their implementation in the federation's operations, so also do the constitutions of its affiliates. Almost without exception, they provide for the basic elements of union democracy: The right of full and equal participation by each member in the affairs and processes of union self-government, in accordance with the principles of representative democracy, and the necessity for protecting the rights of individual members.

The record of union democracy, like the record of our Nation's democracy, is not perfect. A few unions do not adequately, in their constitutions, provide for these basic elements of democratic practice. A few unions do not practice or implement the principles set forth in their constitutions. Finally, while the overwhelming majority of American unions both preach and practice the principles of democracy, in all too many instances the membership by apathy and indifference have forfeited their rights of union citizenship.

The provisions of the Taft-Hartley Act have substantially frustrated previously successful efforts by unions to insure maximum attendance and participation by the membership in union meetings and affairs. The real corrective in this area is not so much the establishment of new principles as the exercise of rights presently recognized and accorded. Just as eternal vigilance is the price of liberty, so is the constant exercise of the rights of union citizenship the price of union democracy.

It is valuable, nevertheless, to restate the principles which should govern all free and democratic unions and to rededicate the labor movement to the preservation of these principles.

The committee on ethical practices has attempted to formulate in the following code the basic and elementary principles which any affiliated union should achieve if it is to comply with the basic principles and objects of the AFL–CIO constitution. Necessarily, since each union has grown up in its own tradition and with its own background, forms and procedures may differ widely. Unions should be free to determine their own

governmental structure and to regulate their own affairs. But, whatever the form, the basic democratic rights set forth in the code should be guaranteed.

1. Each member of a union should have the right to full and free participation in union self-government. This should include the right (a) to vote periodically for his local and national officers, either directly by referendum vote or through delegate bodies, (b) to honest elections, (c) to stand for and to hold office, subject only to fair qualifications uniformly imposed, (d) to voice his views as to the method in which the union's affairs should be conducted.

2. Each member of a union should have the right to fair treatment in the application of union rules and law. The general principle applicable to union disciplinary procedures is that such procedures should contain all the elements of fair play. No particular formality is required. No lawyers need be used. The essential requirements of due process, however—notice, hearing, and judgment of the basis of the evidence—should be observed. A method of appeal to a higher body should be provided to ensure that judgment at the local level is not the result of prejudice or bias.

3. Each member of a union has the responsibility (a) fully to exercise his rights of union citizenship and (b) loyally to support his union. The right of an individual member to criticize the policies and personalities of his union officers does not include the right to undermine the union as an institution, to advocate dual unionism, to destroy or weaken the union as a collective-bargaining agency, or to carry on slander and libel.

4. To safeguard the rights of the individual members and to safeguard its democratic character, the AFL–CIO and each affiliated national or international union should hold regular conventions at stated intervals, which should be not more than 4 years. The convention should be the supreme governing body of the union.

5. Officers of the AFL–CIO and of each affiliated national or international union should be elected, either by referendum vote or by the vote of delegate bodies. Whichever method is used, election should be free, fair, and honest and adequate internal safeguards should be provided to insure the achievement of that objective.

6. All general conventions of the AFL–CIO and of affiliated national or international unions should be open to the public, except for necessary executive sessions. Convention proceedings or an accurate summary thereof should be published and be available to the membership.

7. The appropriate officials of the union and such bodies which are given authority to govern a union's affairs between conventions should be elected, whether from the membership at large or by appropriate divisions, either by referendum vote or by the vote of delegate bodies. Such bodies shall abide by and enforce the provisions of the union's constitution and carry out the decisions of the convention.

8. Membership meetings of local unions should be held periodically with proper notice of time and place.

9. Elections of local union officers should be democratic, conducted either by referendum or by vote of a delegate body which is itself elected by referendum or at union meetings.

10. The term of office of all union officials should be stated in the organization's constitution or bylaws and should be for a reasonable period, not to exceed 4 years.

11. To insure democratic, responsible, and honest administration of its locals and other subordinate bodies, the AFL–CIO and affiliated national and international unions should have the power to institute disciplinary and corrective proceedings with respect to local unions and other subordinate bodies, including the power to establish trusteeships where necessary. Such powers should be exercised sparingly and only in accordance with the provisions of the union's constitution, and autonomy should be restored promptly upon correction of the abuses requiring trusteeship.

12. Where constitutional amendments or changes in internal administrative procedures are necessary to comply with the standards herein set forth such amendments and changes should be undertaken at the earliest practicable time.

APPROVAL OF BAN ON FORCED LABOR

Mr. HUMPHREY. Mr. President, news dispatches from Geneva indicate that delegates from 78 countries now attending the International Labor Organization Conference will approve today a ban on forced labor. This subject has been close to my heart, Mr. President, because of the hearings which have been held in the Congress. The ILO Committee on Forced Labor 3 days ago gave its approval to the draft which will be considered today. The committee rebuffed amendments from the Iron Curtain countries to shift the emphasis away from forced labor of the type practiced in the Soviet orbit.

I was glad to note in the press today, Mr. President, that Mr. George Delaney, the AFL-CIO international representative at the conference, spoke in strong terms about the hypocrisy of ratification of the forced labor convention by Communist-bloc countries. We are finally doing what we should have been doing in previous conferences on this issue—putting the Communists on the spot in unmistakable terms.

There was a time when our Government, out of fear and timidity, was unwilling to back an international forced labor convention. This was the situation last year when I introduced Senate Resolution 284, Senate Concurrent Resolution 75, and Senate Joint Resolution 117. These resolutions would have placed the Senate on record in support of the ILO Forced Labor Convention. The hearings which were held on Senate Joint Resolution 117 by the Senate Labor Subcommittee in April 1956 played, I am convinced, an important role in reversing our own Government's position.

Mr. George Delaney himself is due a major share of the credit for this reversal. I want to commend him again, as well as the distinguished senior Senator from Illinois [Mr. DOUGLAS], for his valiant help in chairing the subcommittee hearings last year.

Mr. President, I ask unanimous consent that an article by A. H. Raskin which appeared in the New York Times on June 18, 1957, and another article by him which appeared in this morning's Times be printed at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times of June 18, 1957]

ILO GROUP VOTES BAN ON SLAVE LABOR

(By A. H. Raskin)

GENEVA, June 17.—The Committee on Forced Labor of the International Labor Organization gave unanimous approval tonight to a world ban on slave labor.

Representatives of the United States, the Soviet Union, Britain, and most other major powers took part in the vote. All that now stands in the way of a draft treaty outlawing compulsory labor is the necessity for formal endorsement of the committee's action by the full conference of the United Nations agency.

The committee rebuffed attempts from the Iron Curtain countries to load the treaty with amendments designed to shift the emphasis away from forced labor of the type practiced in the Soviet orbit.

The treaty would bind each ratifying power to suppress all forms of labor coercion as means of political punishment, economic development, labor discipline, reprisal against strikes or racial discrimination.

Its approval is the fruit of a fight begun 10 years ago by the American Federation of Labor and aimed at slave labor in the Soviet Union. Two official investigating committees appointed as a result of the campaign found many instances of labor enslavement in Iron Curtain countries.

However, all the Communist countries at the present conference insist that they have no forced labor and that the chief abuses exist in the Asian and African colonies of capitalist powers.

The Soviet Union and its 8 satellite delegations have given every indication that their Governments will ratify the treaty when it is sent to the 78 member nations for action.

COMPLAINTS SAID TO GROW

This will intensify pressure for more effective enforcement machinery within the United Nations labor organization to guard against hypocritical assumption of international obligations by the Soviet bloc. Complaints on this score have grown as a result of the wholesale ratification by the Communist countries in the last few months of treaties guaranteeing free trade unionism.

The watchdog committee of the labor organization on the application of conventions will ask the full conference early next week to authorize a special request to Communist Hungary for information on how she is living up to the treaty on free unionism. Under normal procedures no official report from the Hungarian regime is due until late in 1959.

The Hungarian delegation already has told the committee it does not intend to be rushed. However, the moral force of a demand for early submission of the data by the full conference may prove more persuasive than the unsupported request of the committee.

The labor organization changed its rules this afternoon to end the ability of the Soviet countries to filibuster by demanding rollcall votes any time they wanted them. Under the old rules a rollcall was obtainable on the demand of 20 delegates; the new rules require a minimum of 50. The combined number of all the Iron Curtain representatives is 36.

At a plenary session of the conference, a speaker urged private employers in industrial countries to give their workers job guaranties for a fixed period. The proposal was made by Leon E. Troclet, Belgian Minister of Labor and Social Welfare.

He warned that fear of unemployment would retard automation unless labor received assurances of job security. He called also for a revision in concepts of unemployment insurance to meet the challenge of machines used to run other machines.

[From the New York Times of June 21, 1957]

ILO BARS CHECK ON SLAVE LABOR—KILLS MOVE FOR PERMANENT INSPECTION—UNITED STATES UNIONIST HITS REDS ON HUNGARY

(By A. H. Raskin)

GENEVA, June 20.—The International Labor Organization killed today a move for a

permanent inspection system to police the projected world ban on forced labor.

The action came after a United States union leader had denounced the Soviet Union for its suppression of the Hungarian revolt and had accused the Communist bloc of hypocritical ratification of treaties guaranteeing labor freedom.

The entire Hungarian delegation to the annual conference of the United Nations labor agency walked out during the attack, made by George P. Delaney, international representative of the American Federation of Labor-Congress of Industrial Organizations.

Prof. Amazasp A. Arutiunian, chief Soviet representative, also quit the hall while Mr. Delaney was listing the findings of the United Nations Special Committee on Hungary to support his charge that Moscow had been guilty of one of history's greatest betrayals.

PROPOSALS CALLED TOO LATE

Mr. Delaney made an unexpected proposal yesterday for the establishment of a watchdog committee to check on how faithfully countries lived up to their commitments on wiping out slave labor. Today Arnold Saxer, of Switzerland, Chairman of the Committee on Forced Labor, ruled that the idea had been put in too late for consideration at the present experience.

Delegates from 78 countries are scheduled to approve a treaty against compulsory labor at tomorrow's plenary session. Each country must then submit the pact to its own government for individual ratification.

Mr. Delaney gave the conference its first knowledge of the contents of the United Nations special report on Hungary. After an extended recital of the Committee's findings, he asked how the Soviet delegates could come before the sessions and prattle of Moscow's desire for peace or its concern for workers' rights.

"How long do we propose to allow member states of the ILO to violate at will every principle of this organization and yet come here to give us lipservice and boast of the ratification of conventions?" the United States unionist asked.

He asserted that without proper inspection treaties to protect labor would be just dead pieces of paper.

Later two Communist spokesmen struck back with personal attacks on Mr. Delaney.

Laszlo Hermann, director of Hungary's acoustical and cinematographic equipment factory, termed the union official an employer delegate. He described the talk as despicable and improper.

Serge A. Slipchenko, the Ukrainian Deputy Minister of Foreign Affairs, asserted that Mr. Delaney's wrath stemmed from the inability of the United States to stir successful uprisings in Communist countries, despite the spending of hundreds of millions of dollars to organize provocations.

DESIGNATION OF LYON, YELLOW MEDICINE, REDWOOD, AND BROWN COUNTIES, MINN., FOR EMERGENCY LOANS

Mr. HUMPHREY. Mr. President, about 2 days ago in the Senate I urged action by the Department of Agriculture in behalf of the people of Minnesota that have been the victims of tremendous, devastating floods—floods all through the southwestern portion of our State. I am happy to report today that a letter has just been delivered to me by my assistant stating that "the State Farmers Home Administration director, in making this report has recommended to the Department the designation of Lyon, Yellow Medicine, Redwood, and Brown Counties for emergency loans. This proposed action is in accordance with the provisions of Public Law 38."

Mr. President, I ask unanimous consent that the letter to which I have referred, from the Department of Agriculture Farmers Home Administration, be printed in the RECORD at this point in my remarks, since it is in reply to a statement I made in the Senate on, I believe, Wednesday of this week.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
FARMERS' HOME ADMINISTRATION,
Washington, D. C., June 21, 1957.

Hon. HUBERT H. HUMPHREY,
United States Senate.

DEAR SENATOR HUMPHREY: This letter is in reply to your telegrams of June 19 regarding the damage that has occurred on farms in some of the southwest Minnesota counties as a result of the recent floods.

On Monday, June 17, the State Farmers' Home Administration officials were in the flooded area and began a general survey of the farm damage and emergency credit needs. The completion of this necessary work preparatory to the Department of Agriculture taking action to make emergency loans available has been hampered somewhat by the road conditions and by the lack of good communications in the flooded area. However, we received in Washington today a full report covering the results of the survey. The State Farmers' Home Administration director in making this report has recommended to the Department the designation of Lyon, Yellow Medicine, Redwood, and Brown Counties for emergency loans. This proposed action is in accordance with the provisions of Public Law 38. The farm damage in the area consists mainly of losses of corn and bean crops, other small grains, hay, and pastures. Some farm buildings have been lost or damaged. Although some damage has occurred in other surrounding counties as a result of the floodwater, the survey submitted shows that the credit needs of farmers in these other counties can now be handled through private sources of credit supplemented by the Farmers' Home Administration under its regular lending programs. FHA county officials in these surrounding counties have been requested to inform local agricultural leaders, farmers, and other interested groups of the credit services available through the agency.

We have assured FHA field officials that quick action will be taken by this agency and by the Department regarding their recommendation to authorize emergency loans in the four-county area. When these emergency loans are authorized, farmers may apply for both at the local Farmers' Home Administration county offices. These loans will be available to meet the cost of replanting crops, other expenses incurred as a result of the flood, and for meeting general agricultural expenses necessary for the continuation of the farming operations of the applicant. For your ready reference we are enclosing several copies of leaflets explaining in more detail the emergency loan program. We will be glad to inform you as soon as final action has been taken in connection with the making of emergency loans available in the area indicated.

We greatly appreciate your interest in the activities of this agency and want to assure you of our desire to be of assistance to you in connection with any additional questions you may have regarding this agency's activities.

Sincerely yours,

H. C. SMITH,
Acting Administrator.

ARMAMENTS IN KOREA

Mr. HUMPHREY. Mr. President, this morning the United Nations Command in Korea announced that it would begin to replace the obsolete weapons of its forces in South Korea. The decision turns our attention once again to the situation existing in Korea. I should like to spend a few minutes to review that situation and at the same time to offer what I think is a constructive additional step for our Government to consider taking at this time.

The announcement of the United Nations Command was not surprising. Ever since the Korean armistice was signed in 1953, the Communists have been steadily adding to and modernizing the weapons of North Korean forces. They paid no heed to those clauses of the armistice which prohibited the reinforcement of military personnel and equipment. On the other side of the armistice line, however, the United Nations Command scrupulously observed the armistice agreement and shipped into South Korea only replacements for existing weapons, however outmoded those weapons were.

The result has been an ever-widening imbalance in military strength in Korea, although the very purpose of the arms-control provisions of the armistice had been to maintain the balance which existed at the end of hostilities. At first glance there appears to be a balance in manpower. In North Korea there is reportedly an army of 790,000, of whom 490,000 are North Koreans and 300,000 are Communist Chinese. In South Korea the Republic of Korea has an estimated army of 650,000, supplemented by 80,000 American troops and 5,000 troops from other members of the United Nations.

However, the apparent manpower balance in Korea masks a dangerous imbalance. Beyond the Yalu River in Manchuria there are a million additional Chinese Communist troops who could march into Korea at any time. Equally serious, the United Nations and South Korean forces, having observed the armistice, are equipped only with the amount and types of weapons which they had 4 years ago when the Korean war ended. This means they are saddled with outmoded planes, tanks, and artillery. In contrast, and in violation of the armistice, the Communists have been supplied new weapons. Whereas there were no planes in North Korea at the time of the armistice, there are now known to be more than 700 planes, of which 500 are jets.

Such an imbalance in power is exceedingly dangerous. It is to correct this imbalance, this invitation to aggression, that the administration has decided to begin immediately to modernize the equipment of American forces in Korea. I am happy to note that some restraint in this decision has been exercised. The United States acted only after consulting all the other nations with troops still in Korea. The announcement made it clear that all other provisions of the armistice will continue in effect. For the present only the American forces will be supplied the

modern armaments, and for the present atomic weapons and missiles will not be included at all.

This is not the first portion of the armistice which has been grossly violated by the Communists. They also sabotaged the inspection system which was established to supervise the arms control provisions. They hampered attempts at inspection in every conceivable way.

Unfortunately, the inspection system established by the armistice left some loopholes which made evasion of the inspection provisions possible. It did not provide for aerial inspection. Two of the four members of the Neutral Nations Supervisory Commission, Poland and Czechoslovakia, acted as agents for the Communists and blocked effective inspection by the other 2 members, Sweden and Switzerland. There was no neutral chairman to break a tie vote. Finally, even ground inspectors were limited to certain areas rather than having unimpeded access to all of Korea. However, the inspection system did provide valuable lessons on the requirements of effective inspection which we can utilize in future agreements.

I submit, in the negotiations at London, the lessons of Korea should be carefully watched and applied.

As a result of the failure of the inspection system, on May 31, 1956, the United Nations Command announced that as long as the Communist side defaulted in its obligations for inspection, the United Nations side would also not comply with the inspection provisions.

The action of the Communists in North Korea, as I have pointed out, invited and made necessary the decision of the United Nations Command to equip United States forces in Korea with modern armaments. The Communists could hardly expect to replenish and augment their military force in Korea indefinitely and have the United Nations Command sit idly by and watch the armistice being flagrantly violated.

Mr. President, this problem was brought directly to my attention and to the attention of the subcommittee on disarmament some time ago by Arthur Dean, former special Ambassador to Korea. Mr. Dean, when he testified before the subcommittee in January of this year, cited numerous examples of how the Communists had violated the inspection and arms limitation provisions of the armistice. I have pondered about this problem for a long time and I have tried to think of it both in terms of protecting our forces and position in Korea, and also in terms of the present state of international tension throughout the world.

Mr. President, what I am about to suggest should not in any way be construed as criticizing the decision of the National Security Council to rearm our troops in Korea under the present circumstances. I believe firmly that if the Communists continue to supply their forces with new armaments with increased firepower, and if they insist on ignoring the armistice, we must act to protect our troops and to fulfill our responsibility to the United Nations and to South Korea.

I think, however, that at this stage in crucial disarmament negotiations we must look at the Korean problem also from a world viewpoint. We are all aware, Mr. President, that the United States is working diligently in London today to try to achieve a first-step disarmament agreement. We must recognize that the world is desperately hoping that the arms race may be halted. We want to be able to reduce world tensions.

Therefore, I suggest to my colleagues and to the administration that another step should be fully explored. That step is this. We should offer to meet with the Communist command and propose new military arrangements providing for a thinning out of armed forces and armaments and for effective mutual inspection. We know that the inspection system that had been followed in the Korean armistice was woefully inadequate. But the Soviet Union has subsequently accepted, in principle at least, the concept of both ground and aerial inspection. If proper inspection safeguards could be installed, then a potentially dangerous arms competition between North and South Korea might be averted. If such an agreement could eventually be worked out, it would simultaneously provide an excellent pilot area for the mutual air and ground inspection on which the United Nations Disarmament Subcommittee is at present negotiating in London. I also believe that an eventual thinning out of the armed forces and armaments of both sides would be more likely to enhance a political settlement of the Korean problem than action which would result in sending more armaments to an area already charged with extreme tension.

Mr. President, Korea can be a testing ground of the sincerity of the Soviets. Korea can be a test area as to whether or not we can enter into a disarmament negotiation and agreement with any degree of safety. Korea can be a test area for the effectiveness of inspection. And Korea is a pilot area which ought to be fully explored with reference to disarmament discussions.

Mr. President, it is apparent that wars may break out between small powers and in specific geographical areas in the same way that they can be fomented by a large power. The danger of surprise attack has not been removed in Korea. Therefore, this country has a vital interest in seeing that the likelihood of armed conflict does not increase but, in fact, decreases. We need to be trying arms control and inspection systems wherever we can. Let us test the Communists by giving them an opportunity to submit to effective aerial and ground inspection and a reduction of the armaments and armed forces in Korea.

Mr. President, I hope that this course will commend itself to the administration. We have shown admirable restraint in the decision to supply our forces in Korea by not at this time supplying them with atomic weapons. But even this choice may be made inevitable if the Communists refuse to consider the folly of continuing to send armaments into North Korea. I firmly believe that it would help the cause of peace and the cause of disarmament if the United States were to proceed simultaneously with the modernization of military equipment in Korea and the offer to renegotiate with the Communists for a new arms limitation and inspection system in Korea.

I underscore the statement that we must proceed simultaneously to notify the Communists that we will rearm every man and every division of troops in every area where we have military forces at the same time we are prepared to negotiate to secure disarmament.

We must be careful that the tenuous armistice does not become broken altogether and allow the war to be resumed. If we offer and the Communists refuse, then we shall again receive sad but realistic news that the Communists are not yet willing to take positive steps for peace.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

FARM CREDIT ADMINISTRATION

The Chief Clerk read the nomination of Marshall R. Edwards, of Florida, to be a member of the Federal Farm Credit Board, Farm Credit Administration, for the term expiring March 31, 1963.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of George W. Lightburn, of Oklahoma, to be a member of the Federal Farm Credit Board, Farm Credit Administration, for the term expiring March 31, 1963.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. I wish to give notice, Mr. President, that on Monday we expect to proceed to consider the Interior Department appropriation bill. We will also handle any conference reports that may be agreed upon.

In addition, we expect there will be reported to the Senate next week the Defense Department appropriation bill and the Public Works appropriation bill,

and we expect those to be considered at the earliest possible date.

We are hopeful we may be able to finish all the appropriation bills, with the exception of the mutual aid-mutual security bill, and send them to the President, by the end of the fiscal year.

Mr. President, I should like to announce also that it has been agreed among the majority leader, the minority leader, the Senator from Georgia [Mr. RUSSELL] and the Senator from Illinois [Mr. DOUGLAS] that none of us—nor anyone we can persuade to follow our suggestions—will take any action with regard to the civil rights bill which was placed on the calendar yesterday, or any other bill of that nature, before July 8. We hope to use the intervening time to pass appropriation bills, which must be passed before the end of the fiscal year, and to clear our calendar of emergency measures. It may be, on July 8, that a motion will be made to proceed to the consideration of the civil rights bill, or that some other action will be taken, but the agreement entered into by the Members involved provides that none of them will take such action prior to July 8.

I desire to make a parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. An order has been entered, has it not, that when the Senate concludes its deliberations today it will stand in recess until Monday noon?

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. The Senate will stand in recess, and not in adjournment?

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. I previously announced, but I wish to repeat, that we expect to call the calendar next week. I should like to have the calendar committees on both sides to take notice of that fact.

The PRESIDING OFFICER. What is the pleasure of the Senate?

RECESS TO MONDAY

Mr. JOHNSON of Texas. Mr. President, if there are no other Senators who desire to address the Senate at this time, in accordance with the order previously entered, I now move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 26 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Monday, June 24, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 21, 1957:

UNITED NATIONS

Neil H. Jacoby, of California, to be the representative of the United States of America on the Economic and Social Council of the United Nations, vice John C. Baker, resigned.

UNITED STATES DISTRICT JUDGE

Joseph C. Zavatt, of New York, to be United States district judge for the eastern district of New York, vice Clarence G. Galston, retired.

UNITED STATES ATTORNEY

William Cozart Calhoun, of Georgia, to be United States attorney for the southern district of Georgia for a term of 4 years. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate June 21, 1957:

FARM CREDIT ADMINISTRATION

To be members of the Federal Farm Credit Board, Farm Credit Administration, for the term expiring March 31, 1963

Marshall R. Edwards, of Florida
George W. Lightburn, of Oklahoma

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 21, 1957

The House met at 11 o'clock a. m.

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCCORMACK). The Chair lays before the House the following communication from the Speaker.

The Clerk read as follows:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES, U. S.
Washington, D. C., June 21, 1957.

I hereby designate the Honorable JOHN W. MCCORMACK to act as Speaker pro tempore today.

SAM RAYBURN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou Eternal God, as we turn to Thee in prayer, may we receive a vivid and vital sense of those spiritual realities and resources which invest life with dignity and worth.

Give us the certainty that none of the high and noble ideals and aspirations which we cherish are too lofty to be fulfilled by Thy divine wisdom and power.

Grant that by Thy grace we may triumph over all our doubts and fears and daily be strengthened in mind and heart by a joyous faith in the Lord God omnipotent.

May our whole life be aglow with a radiant vision of the splendor and glory of that great day when the kingdom of peace and good will shall be established upon the earth.

In Christ's name we offer our prayer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 196. Concurrent resolution commemorating the week of June 30 through July 6, 1957, the "125th Anniversary of 'America' Week."

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 118]

Anfuso	Diggs	Murray
Ayres	Dorn, S. C.	O'Hara, Minn.
Bailey	Durham	Patterson
Barden	Edmondson	Powell
Baumhart	Farbstein	Rains
Beamer	Fino	Rivers
Blatnik	Fisher	Robeson, Va.
Biltch	Grant	Rogers, Mass.
Bonner	Gubser	Sadlak
Bow	Healey	Santangelo
Bowler	Hébert	Saund
Buckley	Hollfield	Scherer
Cederberg	Holtzman	Scott, Pa.
Chamberlain	Kearney	Sheehan
Christopher	Kluczynski	Sikes
Clark	Knutson	Steed
Collier	Krueger	Teller
Colmer	LeCompte	Vursell
Coudert	McConnell	Walter
Curtis, Mo.	McIntosh	Wharton
Dawson, Ill.	Machrowicz	Williams, Miss.
Dawson, Utah	May	Wilson, Calif.
Delray	Montoya	Zelenko

The SPEAKER pro tempore. On this rollcall, 364 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FURLOUGH TRAVEL BY SERVICE PERSONNEL

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill H. R. 7954, relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons.

The bill was unanimously reported favorably by the Committee on Ways and Means.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

Mr. FULTON. Mr. Speaker, reserving the right to object, this is a very worthy measure, but is there any information from the committee as to when coal is going to be relieved from the transportation tax which was put on as a wartime measure?

Mr. COOPER. That is not involved in this matter at all.

Mr. FULTON. No; I am aware of that; but that is a possible proposal.

Mr. COOPER. I suggest that the gentleman might take that up with the Treasury Department. They have told us they are opposed to any changes in the tax laws that will result in the loss of revenue.

Mr. FULTON. I have full confidence in the gentleman and in his committee, and I thought he might be taking up something on his own motion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, effective with respect to amounts paid after the date of the enactment of this act, section 4263 (e) of the Internal Revenue Code of 1954 (relating to exemption from the tax on the transportation of persons in the case of certain round trips by service personnel) is amended by striking out "2.025 cents per mile" and inserting in lieu thereof "2.5 cents per mile."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, H. R. 7954 is intended to preserve and continue an existing statutory exemption from the excise tax on the transportation of persons that is provided for our servicemen and servicewomen under certain conditions.

This exemption is available to them when they are traveling in uniform at their own expense while on official leave or furlough, if they are traveling on round-trip tickets sold to them under special tariffs providing for fares of not more than 2.025 cents per mile. The exemption has been in effect since enactment of Public Law 878, 81st Congress, on December 15, 1950.

The rate per mile just mentioned has been sufficiently high to permit all of the fares of this type to qualify for exemption. Now, however, increases in the special round-trip rail tariffs for service personnel have been approved by the Interstate Commerce Commission, to take effect July 1, 1957. It is my understanding that these increases follow general raises in regular coach and first-class rail fares authorized earlier this year.

The great majority of the new special fares will be at the rate of 2.25 or 2.277 cents per mile, although in a few instances the rate will be 2.475 cents. If no change were made in the amount specified in the existing exemption provision, it would mean that after July 1, 1957, service personnel traveling on leave would be required to pay an additional 10 percent on top of the increased fare. This would be an unwarranted additional financial burden on the men and women of our Armed Forces.

To prevent this, I introduced H. R. 7954, and my distinguished colleague, the gentleman from New York [Mr. REED], ranking minority member of the Committee on Ways and Means, introduced an identical bill, H. R. 7955. Both bills would set the mileage rate limit on fares eligible for the exemption at 2.5 cents per mile. While this figure is higher than the new rates will be, it was set so that exemption will continue to be available to all service personnel and not denied to a few. The amount selected is not intended to presage a further increase in special fares, for these, like regular rail fares, are subject to control by the ICC.

The Committee on Ways and Means was unanimous in favorably reporting H. R. 7954. I urge prompt and favorable action on the bill, so that it may become law by July 1, 1957, thus continuing the existing exemption for servicemen and servicewomen.

Mr. REED. Mr. Chairman, will the gentleman yield?

Mr. COOPER. I yield to the distinguished gentleman from New York.

Mr. REED. Mr. Speaker, it is my privilege to join with the distinguished chairman of the Committee on Ways and Means, the gentleman from Tennessee [Mr. COOPER], in urging my colleagues in the House to act favorably on H. R. 7954. This legislation would continue the tax-exempt status of certain railroad travel for Armed Forces personnel on furlough.

Under present law our young men and women in uniform are exempt from the 10-percent Federal excise tax on transportation of persons if they are traveling by reason of furlough or other similar reason on round-trip tickets sold to them at a rate of not more than 2.025 cents per mile. The special tariff applicable to such travel has recently been increased effective July 1, 1957, to an amount slightly in excess of the statutory exempt amount. Accordingly, the Committee on Ways and Means, in the interest of continuing this exemption has unanimously acted favorably on this legislation so as to increase the maximum exempt amount from its present level to a level of 2.5 cents per mile.

This meritorious legislation should receive the favorable action of the Congress.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. COOPER. I yield to the gentleman from Ohio.

Mr. JENKINS. Mr. Speaker, I am in favor of this bill. It gives meritorious benefit to the deserving young men and women serving in our Country's Armed Forces. H. R. 7954 would increase from 2.025 cents per mile to 2.5 cents per mile the exemption on the special tariff that is exempt from the Federal excise tax on transportation of persons for travel by members of the Armed Forces on furlough.

COMMITTEE ON THE JUDICIARY

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be privileged to sit during general debate next week.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Speaker, reserving the right to object, and, of course, I shall not object. In the future, however, I am going to insist that chairmen of committees desiring to transact business go to the microphone to state their request, and I am going to insist on that for the remainder of this session.

Mr. MARTIN. Reserving the right to object, does this meet with the approval of the gentleman from New York [Mr. KEATING]?

Mr. CELLER. Yes, it does.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

PROGRAM FOR WEEK OF JUNE 24

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time in order to ask the majority leader if he will kindly advise us as to the program for next week.

Mr. ALBERT. I shall be delighted to do so.

I may say to the gentleman that it is the plan of the leadership to adjourn over to Monday if we finish this week's program today. The bills previously announced will be considered today except H. R. 72, the Veterans' Guardians Gratuities Act, and H. R. 7168, is the Federal Construction Contract Procedures Act, both of which will go over to next week.

Monday is District day. There are 10 bills on the District Calendar, as follows:

H. R. 7249, change support of families law.

H. R. 6517, District of Columbia retirement of police, firemen, and Secret Service.

H. R. 8256, amend Income and Franchise Tax Act of 1947.

H. R. 7409, Association of Oldest Inhabitants.

S. 1264, exempt from taxation, National Trust for Historic Preservation.

H. R. 7835, increase authorization appropriations, Hospital Center.

S. 1586, American Historical Association, estate holdings.

S. 1576, exempt certain war memorials from sales tax.

H. R. 7785, provide appointment additional judge, juvenile court.

H. R. 6259, the Marine Insurance Act.

House Joint Resolution 379, supplemental appropriation, Post Office Department, 1958.

There are three bills that will be called under suspension of the rules:

H. R. 7992, amend Atomic Energy Act of 1954.

H. R. 7050, county school funds, Klamath Indians.

H. R. 7522, authorize extension certain timber rights.

The bill H. R. 7168, the Federal Construction Contract Procedures Act, will also be considered.

For Tuesday and the balance of the week the following bills will be taken up:

H. R. 7963, Small Business Act.

H. R. 5728, authorize deferment of interest payments on borrowings, St. Lawrence Seaway Development Corporation.

H. R. 72, the Veterans' Guardians Gratuities Act, which is carried over from this week.

House Resolution 251, investigations, District of Columbia Committee, re public works and revenue acts and Department of Public Health of the District.

Any further program will be announced later; and, of course, there is the usual reservation that conference reports may be called up at any time.

Mr. ARENDS. May I ask the gentleman further if he has any information as to when we may expect the postal rate bill to be called up for consideration? It has been some time since it has been reported from the committee and I am hoping that it may be brought up for consideration very quickly.

Mr. ALBERT. I desire to state to the gentleman that that is a matter that will be taken up with the appropriate committee at a future date.

Mr. ARENDS. It seems to me it is very important, and I hope we can have early consideration of the bill.

I thank the gentleman.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1958

Mr. RABAUT. Mr. Speaker, I call up the conference report on the bill H. R. 6500, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes, and as unanimous consent that the statement of the manager on the part of the House may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 592)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 25, 30, 34 and 35.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 7, 8, 9, 11, 14, 15, 17, 18, 19, 21, 24, 26, 29, 32, and 33, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$370,930"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,540,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,207,500"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$18,150,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,960,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "but not more than $900 per annum for each automobile"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert "not exceeding 6 per centum of appropriations for such construction projects"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,862,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$784,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum stricken by said amendment insert "$646,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 10, 20, and 28.

LOUIS C. RABAUT,
OTTO E. PASSMAN,
WILLIAM H. NATCHER,
CLARENCE CANNON,
EARL WILSON,
BENJAMIN F. JAMES,
JOHN TABER,
Managers on the part of the House.

JOHN D. PASTORE,
JOHN L. MCCLELLAN,
LYNDON B. JOHNSON,
ALAN BIBLE,
J. ALLEN FREAR, JR.,
EVERETT M. DIRKSEN,
IRVING M. IVES,
J. GLENN BEALL,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

FEDERAL PAYMENT TO DISTRICT OF COLUMBIA

Amendment No. 1: Reported in disagreement.

Amendments Nos. 2 and 3: Increase the loan authorization to the highway fund by $510,000 to finance the construction of a bridge on Park Road over Piney Branch as proposed by the Senate.

Operating expenses

Amendment No. 4—Executive Office: Appropriates $370,930 instead of $362,500 as proposed by the House and $378,200 as proposed by the Senate.

Amendment No. 5—Department of General Administration: Appropriates $4,540,000 instead of $4,525,000 as proposed by the House and $4,545,000 as proposed by the Senate.

Amendment No. 6—Regulatory agencies: Appropriates $1,207,500 instead of $1,200,000 as proposed by the House and $1,215,000 as proposed by the Senate.

Amendment No. 7—Department of Occupations and Professions: Appropriates $294,800 as proposed by the Senate instead of $287,000 as proposed by the House.

Amendments Nos. 8 and 9—Public schools: Authorize $408,666 for development of vocational education as proposed by the Senate instead of $375,598 as proposed by the House; and appropriate $37,246,050 as proposed by the Senate instead of $37,160,000 as proposed by the House.

Amendment No. 10—Public schools: Reported in disagreement.

Amendment No. 11—Recreation Department: Appropriates $2,161,000 as proposed by the Senate instead of $2,145,000 as proposed by the House.

Amendments Nos. 12 and 13—Metropolitan Police: Appropriate $18,150,000 instead of $18,100,000 as proposed by the House and $18,201,000 as proposed by the Senate; and provide that of the sum appropriated $1,960,000 shall be payable from the highway fund instead of $1,952,850 as proposed by the House and $1,969,000 as proposed by the Senate.

Amendment No. 14—Department of Vocational Rehabilitation: Appropriates $208,500 as proposed by the Senate instead of $200,000 as proposed by the House.

Amendment No. 15—Courts: Appropriates $4,534,600 as proposed by the Senate instead of $4,488,500 as proposed by the House.

Amendments Nos. 16, 17 and 18—Department of Public Health: Increase the limitation on annual allowance for dairy inspectors' privately owned automobiles from $840 as proposed by the House to $900 in lieu of language proposed by the Senate authorizing the District Commissioners to establish the limitation; appropriate $28,229,300 as proposed by the Senate instead of $28,130,000 as proposed by the House; and increase the inpatient per diem rate for medical care rendered to indigent patients by contract hospitals to $18 as proposed by the Senate instead of $16 as proposed by the House.

Amendment No. 19—Public Welfare: Appropriates $13,136,000 as proposed by the Senate instead of $12,450,000 as proposed by the House.

Amendment No. 20—Public Welfare: Reported in disagreement.

Amendments Nos. 21 and 22—Department of Buildings and Grounds: Appropriate $2,010,000 as proposed by the Senate instead of $2,000,000 as proposed by the House; and increase the percentage limitation on the amount that may be spent for construction services to 6 per centum instead of 4 per centum of the first $2,000,000 and 3¾ per centum of amounts in excess of $2,000,000 as proposed by the House and language proposed by the Senate authorizing the District Commissioners to administratively determine such amount.

Amendment No. 23—Department of Licenses and Inspections: Appropriates $1,852,000 instead of $1,840,000 as proposed by the House and $1,885,700 as proposed by the Senate.

Amendment No. 24—Department of Vehicles and Traffic: Appropriates $1,438,000 as proposed by the Senate instead of $1,350,000 as proposed by the House.

Amendment No. 25—Motor Vehicle Parking Agency: Appropriates $519,000 as proposed by the House instead of $602,900 as proposed by the Senate.

Amendment No. 26—Washington Aqueduct: Appropriates $2,322,000 as proposed by the Senate instead of $2,250,000 as proposed by the House.

Amendment No. 27—National Zoological Park: Appropriates $784,000 instead of $770,000 as proposed by the House and $798,000 as proposed by the Senate.

Amendment No. 28—Personal services, wage-scale employees: Reported in disagreement.

Capital outlay

Amendments Nos. 29, 30, and 31—Public building construction: Appropriate $10,733,000 as proposed by the Senate instead of $10,496,000 as proposed by the House; and authorize $646,000 for construction services instead of $569,475 as proposed by the House and language proposed by the Senate authorizing the District Commissioners to determine such amount.

Amendments Nos. 32 and 33—Department of Highways: Appropriate $15,301,000 as proposed by the Senate instead of $14,791,000 as proposed by the House; and provide that of the sum appropriated $14,901,000 shall be payable from the highway fund as proposed by the Senate instead of $14,391,000 as proposed by the House.

Amendment No. 34—Washington Aqueduct: Deletes language for continuing construction of a flocculation-sedimentation basin at Dalecarlia as proposed by the Senate.

Amendment No. 35—Washington Aqueduct: Appropriates $190,000 as proposed by the House instead of $958,000 and language as proposed by the Senate.

LOUIS C. RABAUT,
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CLARENCE CANNON,
EARL WILSON,
BENJ. F. JAMES,
JOHN TABER,
Managers on the Part of the House.

Mr. RABAUT. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 1, line 9, strike out "$20,000,000" and insert "$20,500,000".

Mr. RABAUT. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 10: On page 8, line 8, after "District", insert "*Provided further*, That this appropriation shall be available for the payment of retirement costs to the public school food services fund."

Mr. RABAUT. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20: Page 17, line 7, insert "*Provided further*, That when specifically authorized by the Commissioners this appropriation may be used for visiting any ward of the Department of Public Welfare placed outside of the District of Columbia and the States of Virginia and Maryland."

Mr. RABAUT. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 28: On page 25, line 18, insert:

"PERSONAL SERVICES, WAGE-SCALE EMPLOYEES

"For pay increases and related retirement costs for wage-scale employees, to be transferred by the Commissioners to the appropriations and funds from which the employees are properly payable, $1,162,500, of which $142,000 shall be payable from the highway fund, $101,600 from the water fund, and $56,400 from the sanitary sewage works fund."

Mr. RABAUT. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

Mr. RABAUT. Mr. Speaker, for the information of the House, the budget estimates for this bill were $209,504,800. The House figure was $192,530,300. The Senate figure was $196,636,850.

The conference bill figure is $195,676,480.

The conference bill is below the budget estimates by $13,828,320. The conference figure is above the House bill by $3,146,180 and below the Senate bill by $960,370.

While the conference bill is above the House bill by $3,146,180, I would like to point out to the membership that approximately $2,220,000 of the increase was occasioned by supplemental budget estimates not considered by the House but agreed to in conference as being necessary for the efficient operation of the District government.

GIRARD CASE

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JARMAN. Mr. Speaker, the unfortunate situation resulting from the dispute over the proper authority to assume jurisdiction for the trial of Specialist Girard is being solved in a proper manner by court action interpreting the law governing the case. Federal District Judge McGarraghy, in his decision, pointed up sharply the right of court martial to which every member of the armed services is entitled when an offense is committed while on duty status. It has been undisputed by evidence that the offense allegedly committed by Specialist Girard was committed while in a duty status. Under these circumstances, our domestic law and international law conclusively provide for the right to trial by court-martial.

Even in the Status of Forces Agreement of 1953 entered into with Japan, American military authorities are reserved the primary right to exercise jurisdiction over a serviceman in relation to offenses arising out of any action or omission done in the performance of official duty. It appears that since both nations agreed to all parts of this pact, the United States should expect the Japanese government to recognize the clear language of the agreement and further recognize that the commanding general of Girard's division certified that Girard was on duty at the time of the offense.

Aroused foreign sentiment about a particular case should not compel our Government to abandon all the written law and written agreements between nations which undertake to both protect our troops and regulate the relationship created by their presence on foreign soil.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6974, with Mr. HAYS of Arkansas in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there was pending the amendment offered by the gentlewoman from New York [Mrs. KELLY]. Without objection, the Clerk will again report the amendment.

There was no objection.

The Clerk again reported the Kelly amendment.

Mr. MATTHEWS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment will, I know, be very thoroughly discussed and debated. Let us please keep in mind that according to the provisions of H. R. 6974 as reported by the Committee on Agriculture there is a section prohibiting transactions under this act with Communist nations, or nations dominated or controlled by the U. S. S. R.

It should be pointed out that the bill transmitted to the Speaker by Executive Communication No. 480 included a provision which would have repealed this section and would have had the effect of authorizing barter transactions with such nations.

Our committee thoroughly discussed this proposition and we concluded that it would be best to retain this language that we already have in the bill. We did not grant this authority to condone, if you please, barter transactions with these nations in question.

The gentlewoman from New York [Mrs. KELLY] wants to give the Congress, by means of a concurrent resolution, the adjudication of the question of these nations that are dominated or controlled by Soviet Russia. The committee's bill, if I interpret it properly, leaves with the President of the United States that particular authority.

Mr. Chairman, let it be said at the outset that I am not willing to abdicate to the President of the United States authority that I believe constitutionally belongs to Congress. I do not think this is an issue of whether or not we shall abdicate. I do not think this is an issue of whether we are for communism or against communism. I am convinced that the gentlewoman from New York, who sponsors this amendment, is just as opposed to communism as I am. But I am going to be a little bit confused now as this debate proceeds, because I know that earnest members of this Committee on both sides of the aisle are going to have conflicting opinions which pinpoints again to me the fact that the President of the United States, through his Secretary of State, ought to have this paricular authority which is limited now, mind you, to the provisions of Public Law 480.

I know that our opinions change constantly here on the floor of the House. For example, just a few days ago, when the citizens of Formosa despoiled the Stars and Stripes, it would have been very difficult for me to conceive of Formosa as a friendly nation at that time.

This morning, in the Washington Post, I read a very interesting article by the columnist, Mr. Alsop, referring to the Middle East crisis. He said:

> But this policy we have embarked upon runs squarely counter to the Nasser-style brand of Arab nationalism, which is the strongest popular force in the Arab lands today. It is also a policy of inordinate complexity and delicacy. It necessarily involves much secret diplomacy and many accurate judgments of character and situation. It calls for inordinate tact mingled with occasional extreme boldness.

Deliberations under Public Law 480 are similar. They require extreme tact and diplomacy. I for one am willing to leave to the President of the United States the adjudication of what nation is friendly to our great country and what nation is entitled to receive this aid under Public Law 480.

Several days ago I heard a distinguished colleague comment that if the President of the United States would invite Tito to this country he would resign in protest. I respect his judgment, but I do not believe the people I represent would agree with that statement. The way I personally believe about it, if the President of the United States wants to invite the Prime Minister of Shangri-La or the President of Timbuktu—I am using these names because I believe they refer to hypothetical countries, and I do not want to offend anyone; you cannot talk about anyone with impunity in here except the Anglo-Saxon population of the Deep South, and I do not want to offend anyone—if the President of the United States wants to invite these gentlemen and they are not enemies of the United States, they are not controlled by the despotic rule of Russia, I for one would be delighted to see him render that invitation. But I have come to the opinion, Mr. Chairman, that if he refused to invite these gentlemen because he was afraid of any one Congressman, I would be inclined to resent in disgust such weakness of a President, be he Republican or Democratic.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. POAGE. Mr. Chairman, I ask unanimous consent that the gentleman from Florida may be permitted to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MATTHEWS. I am grateful for the indulgence of the Committee.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I will be delighted to yield to the gentleman from Ohio.

Mr. VORYS. I agree with the gentleman's statement, but in my judgment the question involved in the Kelly amendment is not merely a general matter of policy; it is a matter of involving the constitutional powers of the President. Let me quote briefly from the annotations to the Constitution, prepared by the Library of Congress, by Edward S. Corwin. The annotation states:

> In consequence of his power to receive and dispatch diplomatic agents, but more especially the former, the President possesses the power to recognize new states, communities claiming the status of belligerency, and changes of government in established states; also, by the same token, the power to decline recognition, and thereby decline diplomatic relations with such new states or governments. The affirmative precedents down to 1906 are succinctly summarized by John Basset Moore in his famous Digest, as follows: "In the preceding review of the recognition, respectively, of the new states, new governments, and belligerency, there has been made in each case a precise statement of facts, showing how and by whom the recognition was accorded. In every case, as it appears, of a new government and of belligerency, the question of recognition was determined solely by the Executive."

This amendment places the determination of the recognition of friendly states solely in the hands of the Congress through the concurrent resolution device, cutting the President out entirely from that constitutional responsibility of his. This is clearly a violation of the Constitution; and remember, we are sworn to uphold and defend the Constitution.

Mr. MATTHEWS. I thank the gentleman for his contribution.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Indiana.

Mr. HALLECK. I commend the gentleman on the statement he has made. May I add to that this word: I have served here quite a few years. There have been times when I have resented what seemed to me to be Executive usurpations of legislative authority. Having taken that position through the years, I have also felt it incumbent upon me to be very careful to see to it that we did not undertake to exercise legislative usurpation of what is clearly Executive authority.

I think the gentleman has spoken very well on this particular matter. I agree with him that this sort of decision is one that should be made by the executive branch under the discretion vested in the executive branch by the legislation enacted by the Congress of the United States. I think that, having enacted that legislation, we have gone as far as we should go in respect to the matter.

Mr. MATTHEWS. I thank the gentleman for his statement.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from New York.

Mr. WAINWRIGHT. In the first place, may I commend the gentleman from Florida on his fine statement. He has fast become one of the House's foremost spokesmen. May I say that the gentlewoman from New York in suggesting that the House of Representatives or the United States refuse aid to a nation which is clearly dominated by the Russian flag is on very, very sound ground.

It is with a great deal of regret that, intellectually, I must concede the statement made by the gentleman from Ohio [Mr. VORYS] that she is invading a constitutional prerogative of the President of the United States, otherwise, I would support her amendment 100 percent.

Mr. MATTHEWS. I thank the gentleman.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. FEIGHAN. I would like to make a comment with reference to the observation made by the gentleman from New York in which he admitted that the Polish Communist regime is now dominated by Russia. Consequently, the interpretation of the President or the State Department that the Communist regime is a friendly nation is wrong or else the gentleman from New York is right, and I believe that today Poland is still under Russian occupation just as it was prior to October 1956.

Mr. MATTHEWS. Of course, I do not want the Committee to forget my position. I am certainly opposed to the amendment of the gentlewoman from New York, and I think the discussion we have had so far pinpoints the difficulty of obtaining a concurrent resolution of the Congress to adjudicate whether one of these nations is friendly or not.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. FULTON. I compliment the gentleman on his statement and I agree with him. Of course, it is the President of the United States who should have the right under the Constitution to decide which are friendly and unfriendly countries and which countries should be recognized. I think you have made a good point. I would add further that this Kelly amendment is really aimed at knocking the props out from under the present negotiations with Poland to give the Polish people necessary food and cotton and supplies to keep these poor people from starving to death, and to permit the Polish people to renew their ties and friendship with their good friends, the American people.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FULTON. Mr. Chairman, I move to strike out the last word.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to my friend from Connecticut.

Mr. MORANO. Mr. Chairman, I take this moment to express my opposition to this Kelly amendment, and also to say that my distinguished colleague, the gentleman from Connecticut [Mr. SADLAK] is unavoidably absent, unhappily because he has to attend the funeral of a former member of his staff. I know that my colleague from Connecticut would want me to say that he is opposed to this amendment. If he were here, he would oppose it most vigorously and vote against it.

Mr. Chairman, I thank the gentleman from Pennsylvania for yielding.

Mr. FULTON. Mr. Chairman, if the ladies and gentlemen of the Congress will look at the RECORD of yesterday, they will find what the situation is on this Kelly amendment. For example, on page 9885 the Congresswoman from New York [Mrs. KELLY] said:

> I do not believe that any person in this House would now say that Poland is not dominated by Moscow. I feel the Secretary bypassed the determination of Congress expressed in this act and thereby involved us in the negotiations with Poland.
>
> I disagree, and believe that Poland is not dominated by the Soviet Union as determined by the President and Secretary of State.
>
> As you know, negotiations with the Polish representatives have been concluded and they have now returned to Poland. There has been an arrangement for $95 million worth of surplus farm products such as oil, fats and so on. While the negotiations have been secret, I will read you the list from the classified paper, but I believe I am not yet allowed to give the amounts in detail.
>
> Under the Export-Import Bank, the items provided are wheat, cotton, soy beans, and lastly machinery—but in a small amount—4.2 percent of the $95 million. Transportation is a good-sized item added to these items.
>
> There are also items: cotton, tallow, vegetable oil and transportation. Under Public Law 480, to be expended by the act, we are working on here wheat and cotton and again transportation. That means on agricultural surplus commodities, out of $95 million, $77.6 million total, the rest of it is transportation and only 4.2 percent has any kind of machinery or industrial equipment at all.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. WAINWRIGHT. Why should it be that items going to a Communist nation should be a secret from the Members of the House of Representatives?

Mr. FULTON. That secrecy is placed on the negotiations to protect the negotiators against outside pressures while the negotiations are in progress, and of course once these preliminaries are concluded, there is little need for secrecy.

Mr. WAINWRIGHT. Is there a member of your committee who can answer that question?

Mr. FULTON. I can answer, but my paper is still marked "classified" right on top of this statement.

Mr. WAINWRIGHT. All I am trying to find out is why it is marked "classified."

Mr. FULTON. Mr. Chairman, some of the Members of Congress have been currently kept advised of the secret negotiations with the Polish representatives. I am one of the Members who knows about these negotiations and who feels they should be supported because our United States representatives have already made the firm agreement in part, and have made a tentative commitment for the balance of this aid for the Polish people.

I doubt if you realize what the amendment offered by the gentlewoman from New York [Mrs. KELLY] will do. The amendment is defective because it will let go through in the Polish aid program anything else than agricultural products. Unless this amendment is defeated it will mean that we will have to come here for a joint resolution of Congress for agricultural products. Public Law 480 refers only to agricultural products, and Congresswoman Kelly adds the amendment on to the agricultural products bill, Public Law 480.

Mr. BENTLEY. Mr. Chairman, if the gentleman will yield, the gentleman cannot tell us just what the export is; that is classified.

Mr. FULTON. I believe the individual amounts only are classified.

Mr. BENTLEY. I have here a breakdown of the gentleman's figure; I believe it is the same information.

Mr. FULTON. I will give the items then, so I am glad you helped me.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. FULTON. I yield to the gentleman from New York.

Mr. ROONEY. Is it not the fact that this surplus agricultural commodity disposal program with Poland is already in effect and that the pending legislation would merely authorize an extension of it?

Mr. FULTON. Yes, the Department through its negotiators is able to give part of the current aid to Poland under the previous authorizations now in effect, under Public Law 480.

Mr. ROONEY. So the program is already in effect, and the pending bill refers only to the $46.1 million balance of the total $95 million program?

Mr. FULTON. Part of the Polish program is already in effect, but there is $46.1 million worth that must be authorized by this particular extension bill we are now discussing.

Mr. ROONEY. My question was whether or not it is the fact that the program with the Polish people is already in existence right now and in this current fiscal year.

Mr. FULTON. That is right; and if the Kelly amendment is put into the bill it will drop the remaining portion of Polish aid that is being granted under the proposed agreement. Our United States negotiators have only been able to sign a memorandum of intention to agree on the final amount, which is $46,100,000, as there is not enough authority remaining under Public Law 480.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FULTON. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes to explain this.

Mr. MASON. Mr. Chairman, reserving the right to object, and I shall not in this instance, but from now on I do not want the time of this House monopolized by those on the committee and on the Foreign Affairs Committee who have simply dominated the time during the last day or so. From now on there will be no extension and no giving of time by one Member to the other.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 additional minutes.

Mr. FULTON. May I say to the gentleman from Illinois, my good friend, that I have been asked by the Chairman of the House Foreign Affairs Committee, as well as several senior members of the Committee on Agriculture to give my time at the committee table during this debate because I know the programs, know of the secret agreements, and some have not been developed publicly. So I have given my time on the floor for 3 days to be of assistance.

Mr. GROSS. How secret are they?

Mr. FULTON. They have been released, I am glad to say.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentlewoman from New York.

Mrs. KELLY of New York. I thank the gentleman.

The gentleman from Pennsylvania said, and I feel that I am quoting him correctly, that the effect of my amendment, if passed, is that "it will let go through" the other negotiations. Now I want to say this——

Mr. FULTON. That it will let go through the other current negotiations? No.

Mrs. KELLY of New York. It will let go through.

Mr. FULTON. No. It will block the remainder of the current negotiations for further food aid to Poland.

but I do not believe the people I repre-

man for his contribution.

Mr. MATTHEWS. I yield.

Mrs. KELLY of New York. It will not block the secret negotiations that have already been agreed to a week ago Friday by the State Department, but it would block the remaining $47 million under the surplus.

Mr. FULTON. That is just what I said.

Mrs. KELLY of New York. I do not want to be associated in any way with the secret negotiations signed by the State Department 2 weeks ago Friday.

Mr. FULTON. I would like to say to the gentlewoman that she will block the remainder of the United States agricultural surplus being sold to Poland, the remaining $46,100,000 that has already been tentatively agreed to. That amount is under this particular extension bill we are debating, and we need the authority for it. Under the previous Public Law 480 authorization that part of the agreement is all going through. But I might say to the gentlewoman that if she is worried about the secrecy, her present amendment is only referring to agricultural surpluses. Where there is machinery involved, and I shall give the machinery item, $4 million in this program, her amendment does not block that item but merely food for these almost starving Polish people.

Mrs. KELLY of New York. I have no control over that.

Mr. FULTON. You are attacking the wrong place.

Mrs. KELLY of New York. That is under the mutual security section of the Presidential fund which I cannot control.

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Ohio.

Mr. HAYS of Ohio. I would like to ask the gentleman, what is this highly secret information he has? Does he have any more or has he revealed it all up to this time? I was in the committee and if there is anything he has not revealed, I will be glad to give the membership the benefit of it. The only thing he has not said is "Coal mining machinery" which is what it is.

Mr. FULTON. That is the end item. We on our European Subcommittee all know what the secret negotiations were as they went along. The Department kept us well advised and I favor this program to aid our longtime friends, the Polish people.

Mr. DORN of New York. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from New York.

Mr. DORN of New York. The gentleman knows and some of the other Members do.

Mr. FULTON. We are talking about the Subcommittee on Europe of the House Foreign Affairs Committee.

Mr. DORN of New York. I would like to know whether the gentleman favors giving our surplus agricultural produce to Communist nations.

Mr. FULTON. The point is this: We must distinguish as between the Communist governments and the Communist-dominated peoples in these satellite nations who are doing their best to stand on their own feet, and become independent and free peoples again. We must all remember, too, that hunger has occurred in Poland, and many Polish people are unemployed and in dire economic straits.

Mr. DORN of New York. What is the difference between a Communist-dominated people and a Communist people? They are both controlled by Russia. I would like to keep on asking this question.

Mr. FULTON. Would the gentleman repeat the question?

Mr. DORN of New York. Does the gentleman believe we should give surplus agricultural produce to Communist nations?

Mr. FULTON. I believe we must look to see what friendly peoples are trying within their abilities to become independent and free even though now dominated by military force and Communist regimes.

It is a pleasure to say that Senator KENNEDY and I have the same position, that the United States should not use food and starvation as a method in our foreign policy. The United States policy should not force the satellite peoples into the position where they have to revolt, as they did in Hungary, even to exist. In Poland, Hungary, Eastern Germany and in Yugoslavia, the people are moving from the Communist form of government in order to get their independence.

We should show these satellite peoples that they also have strong ties with the West, that we are still their friends. We must remember that 95 percent of the people of Poland are now Catholic and a religious people. I admire the Polish people for standing up for their religious beliefs under great hardship. Wladyslaw Gomulka, the present Premier, has been backed by outstanding representatives of the Catholic Church for reelection to form this current government. The Polish people themselves and the Jugoslav people likewise are by the mere power of the people, moving toward more freedom of religion, more freedom of enterprise, more political and press rights and a broader based government. Should we turn our backs on these satellite peoples who in large majority are not now Communist, and have not been, but have been overrun by stronger military force?

I believe that we should strongly oppose those Americans who wrongly propose that the United States should refuse food and clothing assistance to the Polish people, or the Jugoslav people, yes and even to the Hungarian refugees on the argument that these poor refugees should not have fled. I still remember the food packages which we Americans through our Government facilities, were able to give to the citizens of East Berlin, and East Germany, under the leadership of President Eisenhower, when these people were desperately in need of food and assistance.

I oppose the proposal that the United States maintain a firm or repressive policy against the peoples of Eastern Europe now dominated by outside military force, and Communist ruling groups. I do not agree with those who say that this policy would make more burden for the Communist governments and absentee military power that has dominated this area. We must not put this burden on these poor dominated peoples, as such policy is certainly not in our United States humanitarian and religious traditions.

I visited Jugoslavia last month, and was deeply impressed with rising independence and power of the Jugoslav people, and the progress they are making against great odds and in many instances against, and changing the policy of the Tito Communist government. In spite of the religious leaders being restrained or imprisoned, the people of Jugoslavia have opened their churches to everybody, and are attending church services.

In spite of the collectivization program of the government, the Jugoslav people have left the collective farms so that 85 percent have closed since 1953. Do not think that because we want to give the people the chance to progress, when they are so overwhelmingly non-Communist, that any of us favor the particular kind of Communist or totalitarian government now in power or now dominating such unfortunate peoples from abroad. I continue to oppose Communist domination of any type or variety. I do not believe the Poles, the East Germans, the Ukrainians, the Hungarians, the Jugoslavs, or the majority of the Eastern European peoples are Communist people.

Senator JOHN F. KENNEDY, of Massachusetts, a good personal friend whose views I respect, and with whom I concur fully on this question of aid to Poland, says in his letter to the Secretary of State dated March 12, 1957:

"I visited Poland less than 2 years ago, and I know first hand of the population's rejection of Communist philosophy. Poland may still be a satellite government—but the Poles are not satellite people. To deny them help because they have not been able to shake off total Communist control would be a brutal and dangerous policy, either increasing their dependence on Russia or drawing them into the slaughter of a fruitless, premature revolt."

Since the Hungarian revolution last fall, and the ruthless suppression by the Soviets of the Hungarian people, the satellites and Eastern European peoples are afraid of similar use of force against them likewise, and will not permit their governments to move closer to the Soviets, but are moving toward their friends in the West, and our type of economic progress and freedom. We in the United States must assist them in their gradual progress toward greater freedom, and we must not confuse the peoples who are taking part in this gradual silent revolution, with their dominating and presently powerful governments of any Communist persuasion.

I confidently look forward to the day when the friendly peoples of Eastern Europe will again be free, and join the society of the free democratic governments of the world.

Mr. MADDEN. Mr. Chairman, I move to strike the requisite number of words.

SURPLUS AID FOR POLAND

Mr. Chairman, I hope the Congress will enact the pending bill, which will extend the agricultural trade development and assistance program. I also oppose the amendment offered by Congresswoman KELLY of New York. This amendment has good import but should be considered separately from this bill. This legislation is not only an emergency program for disposing of surplus agricultural commodities, but I believe, if properly administered, will help us considerably in building up good will among nations throughout the world. By disposing of our grain surplus in this manner, we are not adding any additional burden upon the taxpayers, but are accomplishing two much-needed objectives: First, the opportunity to aid unfortunate humanity who need food and supplies on account of their country's weakened economic conditions and in this way build up international good will; and second, it will bring about a reduction of the accumulated surplus-grain problem which in recent years has been a detriment to the prosperity and economy of our farmers.

A great deal has been said in this debate against approving the sale of surplus grain and commodities to Poland. The Polish people have made great progress in the last couple of years by securing concessions of self-government and independence from the Soviet tyrants who have had this Nation under complete domination since World War II. Ninety-five percent of the Polish people are anti-Communists, and one only has to read the history of the Soviet duplicity, infiltration, aggression and military force to learn how the Polish Nation was a victim of Communist slavery. No doubt the executive department of our Government will receive the proper assurances that this surplus grain and foodstuffs will be given to the Polish people and not used by the Soviet controls within their country to aid communism. Americans of Polish descent are almost unanimous for our Government to send aid to the Polish people in their fight for liberty.

I wish to here incorporate with my remarks a telegram which I received from Charles Rozmarek, president of the Polish-American Congress concerning this legislation:

WASHINGTON, D. C., *May 3, 1957.*

Hon. RAY MADDEN,
House Office Building,
Washington, D. C.:

Opinion of Americans of Polish descent is undivided and enthusiastic in support of legislation which would enable aid in the form of credits to Poland. Urge you to oppose any amendment to the Agricultural Trade Development and Assistance Act which would prevent aid to the Polish Nation, which is gallantly striving to free itself from Moscow domination.

CHARLES ROZMAREK,
President, Polish American Congress.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Pennsylvania.

Mr. FULTON. First, may I compliment the gentleman on his excellent speech. May I ask the gentlewoman from New York [Mrs. KELLY] a question? What would she do if there was a sudden crisis and need for food and aid abroad that the President of the United States feels should be given but the Congress is out of session so that for

6 or 7 months there could be no joint or concurrent resolution of the Congress? What would she do then? Her amendment would block vital United States policy.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield to the gentlewoman from New York.

Mrs. KELLY of New York. I would like to say to my colleague from Pennsylvania that this determination that we are dicussing today in late June was decided in December. I am sure that if the administration was so interested in aid to Poland at that time there were sufficient funds under this bill. And, I will say this, I feel that the short duration that would be encountered when we are not in session would not be disastrous for there is plenty of flexibility in other laws, for one under the mutual-security program, to send aid and gift food to nations.

Mr. FULTON. Suppose Congress is out of session for 5 months and a big revolution occurs abroad such as last fall in the Eastern European countries. Then the gentlewoman's amendment prevents major action for relief until there is a concurrent resolution of the Congress. The United States Government must have immediate authority to act, and should not be required to take the time to come back to Congress for a concurrent resolution to use United States surplus-food products under Public Law 480.

Mrs. KELLY of New York. Did the President not send food to the people of Hungary? He has all the authority needed.

Mr. FULTON. Yes, but under the present language of the law, the President did not have this Kelly amendment blocking action in the future. Now the gentlewoman wants to limit the President's power, and I am strongly against it, as we in the United States need the ability to act quickly in the case of a new Hungarian, Polish, or satellite crisis or revolution.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from New York.

Mr. WAINWRIGHT. I would like to ask the gentleman from Indiana whether he saw in the New York Times yesterday the picture of the Prime Minister of Poland and the Prime Minister of East Germany, which I am sure the gentleman will grant is under Russian domination, linked arm in arm, having just signed a treaty of warm friendship between the Polish people, who he now claims are not under Russian domination, and the East German people? Now, how can he say that one nation that has joined with another Communist nation is free and independent and should receive support?

Mr. MADDEN. I think the greatest asset in our fight against communism would be the good will of 98 percent of the people of the Polish Nation rather than the Prime Minister.

Mr. BENTLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I might inform the House that because of the position of the gentleman from Illinois [Mr. MASON] I am not going to be able to yield to any Members for questions during the time allotted me.

Now I would like to tell the House just a little bit about this Polish situation. As the gentleman from Pennsylvania [Mr. FULTON] said, $48,900,000 of the assistance is already in effect regardless of what we do or do not do on the pending amendment. The passage of this proposed legislation, the extension of Public Law 480, will permit another $46,100,000 in this negotiation.

I would like to say just one thing with respect to something that was made a great deal of yesterday. That is the repayment in local currencies. In the first place, a large part of this, approximately one-third of this money, is repayable in dollars at an interest rate of 4½ percent, by the Polish Government. That has already been agreed to.

In the second place, the rest of it is repayable in local currency, but the Polish Government has already agreed that after 5 years from the date of this agreement they will buy back at the official rate, for dollars, all of the unused local currency existing at that particular time over a period of time.

I should like to go on for a minute on the terms of these negotiations. The gentleman from Pennsylvania I think was a little bit in error when he talked about the fact that a great deal of this was classified, because the press release from the State Department 2 weeks ago today gave a rather complete breakdown and I am going to ask the attention of the House to tell you just what is in this aid for Poland.

First of all, what is in the $48.9 million that will go through whether or not this amendment is agreed to.

One hundred thousand metric tons of wheat. Twenty-five and one-half thousand metric tons of cotton. Sixty thousand metric tons of soy beans. Seventeen and one-half thousand metric tons of fats and oils. Four million dollars worth of mining machinery. Nine million, seven hundred thousand dollars for transportation costs.

If they are able to conclude the rest of these negotiations with the extension of Public Law 480, there would be in addition to this, 400,000 metric tons of wheat, 24,500 metric tons of cotton and an estimated transportation cost of $3,400,000.

So there is nothing secret about this at all. I have here another press statement. This is a press statement that was given to the press 2 weeks ago today by the chairman of the Polish delegation here in Washington explaining what was going to be done with these particular commodities. I read as follows:

1. The agricultural products which will be purchased now by Poland in the United States will be used in the following ways:

(a) The wheat is to be used for an increase of stockpiles which is necessary in order to stabilize wheat prices on the free market at a level fair to producers and consumers.

An agreement of January 1957 between the Polish United Workers Party and the Polish Peasant Party established that the compulsory deliveries of grain and other agricultural products should be gradually reduced with the objective of their eventual elimination.

In this connection the Polish Government recently made public its decision to reduce in part the compulsory deliveries of grain. This decision will enable the peasants to sell about 700,000 more tons of grain than heretofore at free market prices which are higher than the prices under the compulsory deliveries system. In order to avoid serious problems in meeting consumer needs, the Government must have sufficient stockpiles of grain at its disposal. The purchase of wheat in the United States will be made with this purpose in mind.

(b) Cotton and fats are to be used in order to increase the inventories in the factories. Poland had to import every year large quantities of raw materials necessary for industrial production. Because of balance of payments difficulties, inventories of these raw materials are insufficient.

The policy of giving more freedom of decision to individual industrial enterprises makes it necessary to provide these enterprises with larger inventories. It is this policy which has contributed recently to larger imports of iron ore, wool, nonferrous metals, etc., and the agreement just concluded will enable us to meet, on favorable conditions the needs of our cotton textile and fat industries, giving them larger inventories of raw materials.

2. The relatively small amount of $4 million will be allocated to the purchase of mining equipment necessary for our coal-mining industry. Poland is interested in buying American investment goods for much larger amounts but these bigger needs could not be satisfied at the present moment.

3. The agreements just concluded are of great importance for the economic relations between our countries and are a considerable step toward their further development.

4. I am convinced that apart from the economic negotiations which have just been completed, public opinion in both countries received with satisfaction the news that voluntary aid organizations, as for instance CARE and American Relief for Poland, will be able to resume their activities with respect to Poland.

5. The recently published decision of the Polish Government's reducing or abolishing customs duties in Poland for most goods sent in gift parcels from abroad will greatly facilitate this form of assistance given by Poles living all over the world, especially in the United States, to their relatives in Poland.

Mr. WAINWRIGHT. Mr. Chairman, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from New York.

Mr. WAINWRIGHT. Can the gentleman see any difference between the presentation he is making now and the presentation he made last year when he opposed similar aid to Tito in Yugoslavia?

Mr. BENTLEY. I am going to take some time during the discussion of the Mutual Security legislation to tell the gentleman from New York and anybody else interested why I am still not in favor of aid to Yugoslavia and am in favor of limited assistance to Poland, but I am not going to take the time to do it now.

I should like for the remaining few minutes I have to tell the House 1 or 2 things. I regret that my colleague from the First Congressional District of Michigan [Mr. MACHROWICZ] has not yet returned from his visit to Poland so he could give the Members the benefit of his views and experiences over there.

Mr. BASS of Tennessee. Mr. Chairman, I move to strike out the last word.

Mr. COOLEY. Mr. Chairman, if the gentleman will yield, I wonder if we cannot agree on a time limit on the pending amendment. I suggest we close all debate on the amendment in 30 minutes.

Mr. ROONEY. I object, Mr. Chairman.

Mr. COOLEY. Let us make it 45 minutes.

Mrs. KELLY of New York. I will not object if I can be assured of having sufficient time, 4 or 5 minutes.

Mr. COOLEY. The gentlewoman has already spoken on the amendment.

Mrs. KELLY of New York. I spoke on my amendment yesterday, but there were several things said today that I want to answer.

Mr. COOLEY. I have no objection to that. I may yield to the gentlewoman some of my time.

Mr. ROONEY. Reserving the right to object, Mr. Chairman, I want to be sure there is opportunity for everyone who so desires to be heard on this matter.

Mr. COOLEY. All right; I just want to get through with it.

Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 1 hour.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BASS of Tennessee. Mr. Chairman, about 2 months ago the Committee on Agriculture of which I am a member came before the House with what was referred to at that time as the corn bill. Several times during the debate on that bill, and immediately after, colleagues of mine in the House would say to me, "Ross, why don't you people on the Agriculture Committee get together? Why don't you decide what you want to do, so we will know how to support you and help you? They said "Come out on the floor united, and we can get your bill through for you."

I felt the same way as they did. We were not united, and we had trouble with our bill and did not pass it.

This time we come to the floor of the House for the first time this year with an important piece of legislation united—and, mind you, this is from the Committee on Agriculture, notwithstanding all of the other debate and amendments that have been offered to this bill. This bill comes from the Committee on Agriculture. We are united. This bill was reported out of our committee unanimously, this extension of Public Law 480.

Now what happens? When we from the Committee on Agriculture come to the floor united the Appropriations Committee and the Foreign Affairs Committee try to take our bill over and wreck it with amendments. Let me bring this debate back into focus. This is a bill for the purpose of disposing of surplus agricultural commodities. It is not one making international agreements. It does not have anything in the world to do with making diplomatic agreements with other nations. This is a farm bill, a bill allowing us to dispose of our surplus agricultural commodities. It does not create the expenditure of any new money. The money has already been appropriated and has already been spent for the commodities that are now in surplus in our warehouses. Let me make this point clear. Through the disposal of these agricultural commodities, we are not just doing these countries a favor. They are also doing us a favor. They are helping us to stabilize an agricultural program that has been hampered by the excess of surplus commodities in the warehouses. They are buying and paying for most of the commodities under this bill. Some of the debate here would lead Members of the House to believe that these countries are doing us a great favor by buying commodities that are in surplus in our warehouses today. We are doing this in order to help ourselves to try to do something for the American farmer. Judging from the debate and the amendments that have been offered to this bill, it is so confusing that I would venture to say that people reading the CONGRESSIONAL RECORD or sitting in the galleries and listening to the debate would think that we here today are talking about some great expansive international agreement or the appropriation of new funds to be expended by the Government, which is absolutely not the case. I would like all of you, my colleagues of the House, to consider this bill as a bill to dispose of agricultural commodities. It is a bill that has been brought to the floor of the House by the Committee on Agriculture and has had the unanimous approval of all the members of that great committee. Let us pass this bill and be about our business of trying to do something to take care of our surplus commodity situation.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. DORN].

Mr. DORN of New York. Mr. Chairman, this amendment not only will prevent the sale of surplus agricultural produce to Poland, but it will prevent such sale to Communist China, to Communist Hungary, and to other Communist nations in the world. I believe that if we keep on going the way we are, we will soon be doing business with all of the Communist nations in this world.

It is a mistake. I wish to support the amendment offered by the gentlewoman from New York [Mrs. KELLY]. It is time that we in the House of Representatives take a stand against dealing with Communist nations. Oh, yes, some have said that Poland is not a Communist nation, but its leader and its spokesman Wladyslaw Gomulka is a Communist. Chester Bowles wrote from Warsaw just 4 months ago:

Gomulka is * * * still a Communist. He knows his Communist Party is a minority in an anti-Communist sea. Second, he knows that Poland is at the mercy of the Red army. * * * Poland is a long, long way from being out of the Soviet woods. On her eastern border are 100 Red army divisions, 20 more are to the west in Germany. The government in power, although in no mood to accept direct Soviet domination, is a Communist government. * * * As long as Germany remains divided Soviet divisions will remain there. Because its military communication lines run across Polish territory Moscow will allow only limited independence.

Of course, as someone has said, probably 98 percent of the people of Poland are non-Communist, but they were non-Nazi when they were under the domination of Germany. That does not mean that we should have helped Poland when it was Nazi controlled.

I am unalterably opposed to any means by which aid, financial, military, agricultural, or otherwise, may be extended to Communist countries. I have the greatest respect and sympathy for the Polish patriots—those brave men and their families who fled before the Nazi hords or who have remained to be tread under the Communist's heavy heel. If there were any way by which we, of the Free World, could assure these particular people of our assistance without helping Russia and communism, I would be the first to applaud.

In the June 2 issue of the New York Times was a special dispatch telling of the visit of Edward Ochab, Poland's Minister of Agriculture to Moscow. While purportedly his visit was to participate in a Soviet agricultural exhibition at Moscow's invitation, it is significant to note that he was the Polish party's First Secretary until Gomulka's restoration to power last October. This augurs his sustaining strength and his ties to Soviet Russia. Only the week before, this same dispatch states Gomulka "conducted conversations with Khrushchev, Soviet party chief, with unusual success."

In the June 6 issue of the New York Times, a dispatch from Warsaw dated June 5, reads, and I quote:

Wladyslaw Gomulka told the workers of Poznan today that Poland's alliance with Soviet Union was "necessary for Poland to exist." The First Secretary of the United Workers (Communist) Party also told them: "In the present political situation we are forced to abide by the Warsaw Pact." This is the military alliance linking the members of the Soviet bloc.

The dispatch goes on to say:

Part of the United States credit agreed upon, Mr. Gomulka said, has "such high interest compared to the terms of credit in Socialist countries that it becomes a burden."

"Despite the smallness of the total amount, considering our needs, the final agreement has helped our economic difficulties," Mr. Gomulka said. "In the present political situation it is important to remember that such credits carry political implications."

He made clear his belief that despite the "political implications" Poland had no alternative to the closest ties to the Soviet Union.

"There were many mistakes and many lies in our national life in the last 10 years," he said. "But there was one truth among it all, and this truth has always been said by our party and by every patriotic Pole: that the alliance with the Soviet Union is essential. We say this and we continue to say it not only because we love socialism but because we love our country, our nation, our Poland."

He was asked whether the Soviet Union would be in a position to guarantee Poland's postwar frontier on the Oder and Neisse Rivers. To this he replied:

"The Soviet Union can guarantee the Oder-Neisse frontier when we ourselves can guarantee to them that we will follow a policy of friendship with the Soviet Union and with the countries of the Socialist bloc."

These facts and these statements by Poland's top leaders would seem to leave no doubt as to the closeness of Poland's present Government to that of Communist Russia.

The reports from Poland have established that the sustenance of the Polish people, both in food and raw materials, has been drained off and sent to Russia. It is now being fed back in heartbreaking driblets. I cannot believe that pouring our great wealth of surplus into Poland will come to any other end.

The basic difficulty with dealing with any Communist government is that Communists are not to be trusted. The word of a Communist government is no more valuable than the air into which it is uttered. The history of the last 40 years is replete with one Communist perfidy after another.

Until such time as we can find definite assurance from responsible governments that such aid, loans, or assistance as we may be able to offer will be used for the benefit of peoples and not governments, I believe we, in the legislative body, should direct the Executive to withhold any such offers.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. GORDON].

Mr. GORDON. Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from New York [Mrs. KELLY]. Although this amendment does not mention Poland by name, it has for its object the denial of surplus agricultural commodities to Poland.

Of course, Poland has a Communist government. It is also true that under this same government the people have, to a measurable extent, been able to break away from the iron control of the Kremlin. Recent months have witnessed considerable strides by the Polish people in achieving a degree of freedom and reestablishment of their ties with the Western democracies.

The Polish people and the American people have a long tradition of mutual friendship. We should not overlook the fact that the Polish people are forced to follow a careful and restrained policy if they are not to endanger and lose the little they have recently gained in their struggle for freedom. I am personally convinced that the desire for human rights and justice and religious freedom is as strong today in the hearts of the Polish people as it ever was. We must not forget that Poland has seen in the brutal Soviet action in Hungary what premature action can bring.

I believe that our own interests require that we take a realistic approach to the situation in Poland. After the Polish revolution of October 1956, we promised aid to the Polish people. The Polish people need our help to secure the gains they have made. It may well be that we are taking a risk in supplying our agricultural commodities to Poland, but it is a risk well worth while.

If there is anything we can do in supplying agricultural surpluses to Poland which will help her attain some degree of economic security and make her less dependent on Soviet Russia, it is in our mutual interest to do so. The adoption of this amendment cannot possibly help our foreign policy. It would have a negative effect. In the words of Cardinal Wyszynski:

Do not commit this terrible mistake of refusing, for various political fancies, of refusing assistance, bread, and kindness to those, who are in such great need of assistance, bread, and kindness."

Mr. Chairman, I urge my colleagues in the House to vote against this amendment and I hope it will not be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Chairman, I will take time to read only two sentences from the voluminous precedents which show that the Kelly amendment is an unconstitutional attempt to take away from the President the authority he has under the Constitution of the United States, and give this power to Congress.

In Cannon's precedents, volume 7, page 305, it is stated:

Congress cannot deal with foreign powers.

Another quotation:

The Supreme Court of the United States has said that the President has the sole power of recognition.

Yet the Kelly amendment reserves this power solely to the Congress, the power to recognize friendly governments. We certainly should not establish such an unconstitutional precedent.

I regret we did not hear further from the gentleman from Michigan [Mr. BENTLEY] who has just recently returned from a study mission in Poland.

Mr. BENTLEY. Mr. Chairman, will the gentleman yield?

Mr. VORYS. I yield to the gentleman from Michigan.

Mr. BENTLEY. I would like to say to the committee that when I went into Poland some 2 months ago, I went in there with as skeptical a mind on the question of Polish aid as any Member of the House could possibly have. But I came back convinced that although we may not be able to get Poland out from under Soviet political pressure, the passage of this bill and the extension of this assistance will definitely assist the Poles in getting away from economic domination by the Soviet Union and it will strengthen Poland's ties with the West.

Let me say further that I know that the Gomulka government is Communist. The gentleman from New York [Mr. DORN] said it is a Communist island in an anti-Communist sea. What we are interested in is the fact that 98 percent of the people of Poland are definitely anti-Communist and are trying to get away from control by Moscow.

Mr. VORYS. However, if we adopt the Kelly amendment we know there will be no agricultural surplus going to Poland under this law unless and until the Congress passes a concurrent resolution sometime in the sweet by-and-by.

Mr. BENTLEY. If the Kelly amendment were adopted it would mean that the contemplated amounts for assistance to Poland will be cut in half. Yesterday, I received a letter from our Ambassador at Warsaw to the effect that a great deal of the psychological advantage which we

hoped to gain by this assistance to Poland has been lost already.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, Chicago has the largest population of people of Polish descent of any city in the world. The gentleman from Illinois [Mr. GORDON], the distinguished chairman of the powerful Foreign Affairs Committee of this House, before he was city treasurer of Chicago was the business manager of a daily newspaper with the largest circulation in the world of Polish newspapers printed in the English language. The Polish Americans in Chicago constitute a fine, patriotic, proud, and religious segment of our population. They are looking for the day when Poland will be again free of the heel of the conquerer. They are all strongly in favor of the giving of aid at this time of trial and of crisis to the people of Poland as is here contemplated. I do not know of any better guide we can have for our action than the decision arrived at by these fine Polish American fellow citizens of ours, all of whom are agreed that it is necessary now to help Poland regain her freedom. Therefore, I am opposed to the pending amendment.

From Jamestown, where men of Polish blood helped in the laying of the foundations of the land that has become the world fortress of liberty, to the 85th Congress, in which our Chairman GORDON and many others of our distinguished colleagues of Polish blood, the pages of American history carry the imprint of Polish influence. Polish blood has been spent on every American battlefield and Polish sweat has gone into every work that has built our country into her position of world power.

My fellow Chicagoans of Polish blood abhor a communism that is based upon a philosophy of materialism and denies the existence of a God. No group of people in our own or any other land is more uncompromising or more militantly in combat with an ideology that would destroy every concept that to them makes life worth while.

While proud and noble Poland has been under the heel of a brutal and godless invader, in every Polish-American home in Chicago daily have prayers gone up for her liberation. While many generations of American citizenship separate the Polish-Americans of Chicago from the Poland of today there has been a continuing contact by Polish-Americans with those remaining in Poland and of the same family bloodlines. If there are Americans of any group who are qualified to pass upon the advisability of the program we have under consideration it is only commonsense to say that that group is composed of our fellow Americans of Polish blood and descent.

They would be the last people in the world to do anything or to encourage the doing of anything that would strengthen the Communist hold upon Poland. They would be the first people in the world to do anything that, in good conscience, could be done or encourage such doing, to loosen forever the hold on noble and proud Poland of a power that would supplant a government under God with a government of brutal materialism.

Anything that we in the Congress do, or anything that is done by anyone with human limitations, can prove to be the thing that should have been done or the thing that should not have been done. When the moment of decision comes to us in voting on the measures before this body we are guided by our understanding and by our consciences. Conscience cannot exercise itself unless there be understanding. From whence do we get our understanding? It has been my experience, as I am certain it has been the experience of my colleagues, that the best source of understanding is that which is given us by those closest to the problem; most earnest and most devoted to the attainment of the desired objective.

Our fellow Americans of Polish blood and descent recommend that we give this helping hand to the Polish people, even though the Polish Government was not established by the free choice of the Polish people but is much more moderate than its predecessor under the conqueror as a result of the revolt of the Polish workers. This course is recommended to us by every organization of Polish-Americans. It is recommended to us by individual Polish-Americans of highest distinction and of the lowest station in life. Are we to turn to this recommendation ears that are deafened by our own conceit that we know better?

On every Polish anniversary occasion, I with my colleagues in this body pledge our support to the people of Poland in their fight for the light and life of freedom, and we pledge ourselves to stand by however long and dark the night until proud and noble Poland again is free. Mr. Chairman, I intend to keep my pledge. I will not now slap down our fellow Americans of Polish blood who recommend that to help the hungry and the needy and to advance the coming of the light of a new day to Poland we should take this course. I trust, Mr. Chairman, that the amendment will be defeated by such a vote that into every Polish heart in Poland, in our own country and throughout the world will come the joy of knowing that in the House of Representatives of the Congress of the United States the loyalty to the cause of a free Poland is a loyalty of action as well as of words.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the distinguished gentleman from Illinois.

Mr. BOYLE. Transmitting the grave constitutional problem posed by the amendment of the gentlewoman from New York [Mrs. KELLY] and appreciating the magnificent motivation which has urged her to introduce her amendment, I am compelled to urge the rejection of the Kelly amendment. Time is of the essence since the present law 480 expires on June 30, 1957. I would like to commend my distinguished colleague and friend the gentleman from Illinois [Mr. O'HARA] for his excellent statement. I want to associate myself with what the gentleman from the great Foreign Affairs Committee has stated. I share his philosophy, I share his feeling. He is truly representing the enlightened thinking of the Polish people of Chicago and of Illinois. It would be a shame to let any extraneous issues cloud our thinking to the extent that we would literally chase the Polish people into the Soviet Union Communist orbit. This is a very critical time in world history and the great Polish people do not have very much freedom of specification. Let us remember they have made many contributions to the society of free nations. If our conduct induce the Polish people, because of no other choice, to turn their direction totally to the Soviet bloc, the help extended should not be predicated because of our surpluses but as a gesture of good will. The exigencies of the moment demand we extend the hand of sympathy, the arm of compassion and our total essence on behalf of enlightened brotherhood.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I am delighted to hear some members of the Committee on Foreign Affairs now expressing the utmost concern for the preservation of the Constitution of the United States. I wish that they had been as much concerned last year when hearings were held before the Foreign Affairs Committee on the status of forces treaties and agreements by which the constitutional rights of American servicemen and their dependents are forfeited and they can be tried in foreign courts and incarcerated in foreign prisons.

I rise to ask somebody, perhaps some member of the Committee on Foreign Affairs, what has been the experience with the $90 million loan that was made to Poland back in 1946 or 1947. Has any of that money been repaid? I understand we are now making a new loan agreement with Poland, and someone said here on the floor this morning that Poland has agreed to repay us in terms of interest at 4 percent on the money. Since no one cares to respond, I must assume the answer is that there have been no payments on the $90 million loan made back in 1946 or 1947.

I would like to ask someone on the House Committee on Agriculture: what is the purpose of giving food to Poland? Is it to feed hungry people?

Mr. GATHINGS. Mr. Chairman, if the gentleman will yield, I will say to the gentleman that it is not a question of Poland alone.

Mr. GROSS. Wait a minute. Let us use Poland.

Mr. GATHINGS. We want to feed these people who are hungry.

Mr. GROSS. So as to feed the hungry people; is that correct?

Mr. GATHINGS. That is right.

Mr. GROSS. Then I wonder why in Poland they do not keep their canned pork and canned hams at home and feed their hungry people?

Mr. GATHINGS. I want to say to the gentleman that they do ship some of that ham over to this country—the gentleman is right—but the Polish people need other foods as well.

Mr. GROSS. Yes, about 25 million pounds of pork products last year.

Mr. GATHINGS. Surplus agricultural commodities could or should be bartered to Poland in exchange for scarce metals and defense needs of the United States.

Mr. GROSS. But if the Polish people are hungry, they ought to keep their fats and oils at home. I want to agree with the gentleman from Ohio [Mr. HAYS], who spoke of his concern about the exportation of mining machinery to Poland. I wonder what is going to happen when we ship mining machinery and technicians over there to teach them how to use it. What will happen to the exportation of American coal to Western Europe? I doubt whether in the history of this country we have ever exported more coal to Western Europe than we have in the past year or two.

The CHAIRMAN. The Chair recognizes the gentleman from Vermont [Mr. PROUTY].

Mr. PROUTY. Mr. Chairman, I am not qualified to discuss the constitutional question which has been raised, but certainly if the Kelly amendment were to be adopted, Members of Congress would be setting themselves up as experts in the very complex and involved field of international relationships. I just do not feel so qualified. I think we have to rely on the judgment of the people who have the requisite background of knowledge and experience. Certainly if there were no other evidence to suggest that Poland is veering away from the yoke of Soviet tyranny, I think the mere fact that Cardinal Wyszynski and other high officials of the Catholic Church in that country, all endorsed the candidacy of Prime Minister Gomulka, not because he is a Communist but because they believed that he could with assistance from others gradually ease the Polish people from the yoke of Soviet tyranny.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. PROUTY. I yield.

Mr. FULTON. Just to answer the question asked by the gentleman from Iowa [Mr. GROSS] with reference to the 1946 Polish loan; the Polish Government is 100 percent up to date in all its payments. It has made them all.

Mr. PROUTY. Let us not consider this question on a basis of blind and unreasoning emotionalism. Let us think of it realistically, objectively. I think the Polish people and their hopes for freedom will certainly be harmed tremendously if we approve this amendment which will deny them the help so desperately needed.

Moreover, the adoption of this amendment will be against the best interest of the American farmer, because it will place a needless restriction upon the disposal of farm surpluses.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. FLOOD].

WHY POLAND SHOULD BE HELPED

Mr. FLOOD. Mr. Chairman, legally I consider the amendment unconstitutional and procedurally most mischievous.

Since the October upheaval in Warsaw, when, in the wave of unrest and discontent of the population, Polish Communists recognized the urgency of needed economic and political reforms, American sympathy for Poland has been growing rapidly. From humanitarian and, to some extent, diplomatic views, at least 90 percent of American press and radio and television commentators favor technical and economic help for Poland. However, in this gratifying wave of sympathy for the Polish people a sense of apprehension could be detected. One question is being frequently asked—whether while helping Poland we would at the same time strengthen the Soviet Union and communism.

The answer to this question is an emphatic "No," for the following reasons:

First. The Polish people are painfully aware of the fact that Communist concepts of economy and industrial planning have brought them to the brink of disaster. The Communists themselves accepted this truth by retreating from such spheres of economic activities as the collectivization of farms which has been brought to a standstill and complete socialization of small private enterprises which has been abandoned.

These two examples prove beyond doubt that the Polish people have forced Communists to a considerable retreat from stubborn entrenchment in Marxist-Leninist theories and practices. And this is only the beginning. Given more time and morale as well as material support, the Poles will eventually go farther on the road to complete independence.

Second. Polish national interests, historic evolvement, as well as cultural and spiritual ties with Western civilization, clash with Communist designs for world domination. Polish implacable hostility toward communism in general and toward Russian colonialism in particular is a proven fact of history.

There is no danger that by helping Poland economically we would be strengthening communism and the Soviet Union. On the contrary, stronger and more independent Poland would mean a gradual retreat of communism in Central and East Europe and would effectively oppose Russian designs for conquest.

Another argument is being set forth even by people whose sympathy toward Poland is sincere, that there is a great risk involved in helping the Polish people now. They say that American aid for Poland would provoke Russian wrath against the Poles. They add that the Polish people have already aroused Russian antagonism to a breaking point.

Let us bear in mind, therefore, that the Poles are well aware of the risk. They are willing to take it. The very fact that they asked us for help instead of begging the Kremlin for handouts proves beyond doubt that Poland wants to return to the Western family of nations where her national birth placed her a thousand years ago. The Poles have already taken a risk by turning to the West. It should be evaluated as a calculated risk. They are risking far more in turning to us than we are risking in granting them help.

The stakes are high and worth the chance both for Poland and for the United States. In the long view of history, the Communist system of government forced on Poland by the might of Russian Army is only transitory. Poland as a nation successfully opposed "russification" in the past and, with her boundless devotion to freedom and democracy, will emerge victorious from Communist oppression. But she needs our help and fully deserves to be helped in her hour of dire need.

Finally, some aspects of Poland's foreign policy are being used in arguments against a large-scale help. We should remember that Poland's current foreign policy is not of her own choice. It has been linked to Russia with full consent and support of the Western Powers at Yalta. Poland is not yet able to follow an independent course in foreign affairs. This can develop only in accordance with the amount of material and moral help that Poland could get from the West.

I will now read a resolution introduced by me on May 6:

Whereas the recent changes occurring in the Government of Poland, which tend to indicate that the present rulers of Poland have in some degree drawn themselves away from the strict control of the Kremlin, may have an important effect on the efforts of the United States to bring about peace in the world; and

Whereas these changes were forced upon the present rulers of Poland by a gallant people whose dedication to the principles of freedom dates back 1,000 years and was most recently demonstrated during the Poznan uprisings; and

Whereas, even though the Polish people do not yet enjoy complete freedom of assembly, freedom of the press, or free self-government, the present Communist rulers of Poland nevertheless mirror to some degree the diminution of the terror and exploitation which prevailed in Poland prior to the Poznan uprisings, and they have to some degree restored religious freedom in that country; and

Whereas it is essential that the United States encourage the further development of freedom in Poland as a part of a relentless struggle against the world Communist conspiracy which has unremittingly sought to enslave mankind: Therefore be it

Resolved, That the House of Representatives expresses its continued opposition to the international Communist conspiracy which is attempting to enslave the world and with it eventually the United States. Despite the continued presence of Communist rulers in Poland, the House of Representatives recognizes that the people of Poland have made real gains toward freedom and should be encouraged to continue their peaceful efforts toward complete liberation from Communist rule. The House of Representatives extends to the people of Poland its warm and sincere congratulations for the magnificent manner in which they have conducted themselves in bringing about a significant break in the Iron Curtain, and pledges that the moral strength and material resources of the United States will be used, in the search for a just and lasting peace and for international security in a world where freedom reigns, to help the people of Poland in their difficult progress toward full freedom.

SEC. 2. It is the sense of the House of Representatives that, in order to provide immediate and effective support for the people

of Poland in their struggle for complete liberation from Communist rule—

(1) the United States should speedily furnish substantial economic and technical assistance to the people of Poland, subject to careful control through the use of inspection teams or otherwise to insure that commodities and equipment so furnished will not be diverted to Russia or her satellites but will remain in Poland for the purpose of strengthening her internal economy and bolstering her people in their quest for freedom;

(2) the United States should seek permission from the Government of Poland for Americans to send CARE packages into Poland, and for recognized American relief agencies to enter that country and distribute surplus American farm commodities to the Polish people, until such time as future harvests eliminate the near famine which has resulted from the coerced collectivization of Polish farms;

(3) mailing charges on packages being sent by Americans into Poland should be reduced so as to encourage a greater flow of such packages and a corresponding increase in help to the Polish people during the present economic crisis;

(4) the United States should seek, as a condition of economic and technical assistance, a reduction in (or the elimination of) the high tariffs presently imposed by the Polish Government on relief packages being sent into Poland from the United States.

(5) the United States should recognize Poland's western boundaries as established in the Potsdam agreement, thereby bolstering the faith of the enslaved nations of eastern Europe in American leadership, dispelling their fear that the revival of predatory militarism in Germany is being achieved with American help, and depriving Russia of her only claim for keeping Soviet troops in Poland;

(6) the United States should seek through diplomatic channels the return to Poland of her eastern lands which have been seized by Russia;

(7) the United States delegation to the United Nations should continue to press for free and unfettered elections in Poland so as to give to the people of Poland the complete freedom of self-expression which was in fact denied them in the recent alleged Polish elections;

(8) the United States should not release the $75 million in Polish private assets presently frozen in the United States until the zloty-dollar exchange is brought to a more equitable level;

(9) the obsolete and unfair formula for determining quotas under the Immigration and Nationality Act should be changed to provide a more realistic quota system under which Poland and the other middle European nations would be granted larger quotas; and

(10) the Department of State should take immediate steps to enlarge its embassy staff in Warsaw to facilitate the issuance of immigration and tourist visas to Polish nationals.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, it seems to me, with reference to the Kelly amendment that we should be very careful that we do not abandon the section of the Constitution which delegates to the President the authority to fix our foreign policy. That is within his province. He understands it much better than most of us here, perhaps with the exception of members of the Committee on Foreign Affairs who are all experts. But I think as far as I am concerned, while I may not always agree with the foreign policy, I think we are better off to leave it in the hands of the President who has his diplomatic staffs and agents throughout the world to keep him informed of what is going on in every country.

So I feel that the Kelly amendment should be defeated and should not become part of this bill.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Chairman, I rise in opposition to the pending amendment. It is indeed seldom that I find myself in disagreement with my distinguished colleague from New York [Mrs. KELLY]. However, I should be remiss if I did not point out that in this morning's New York Times there is an article by Sydney Gruson from Warsaw, Poland, under yesterday's date, which reads in part as follows:

CARDINAL WYSZYNSKI LEADS 300,000 IN WARSAW IN LARGEST RELIGIOUS MARCH SINCE 1930'S

This capital was the scene today of an extraordinary display of Roman Catholic devotion and of the harmony now existing between the church and Poland's ruling Communists.

A great crowd, estimated by some policemen at 300,000, walked in the first Corpus Christi procession since Stefan Cardinal Wyszynski, Primate of Poland, was freed from house detention last year—the beginning of the church-state accord.

The tremendous turnout was yet another demonstration of the esteem in which the cardinal had come to be held.

I should like to read a translated extract or two from certain remarks made by His Eminence Stefan Cardinal Wyszynski to a group of American women of Polish descent who participated in the ceremonies at the conclusion of the Marian Year at Jasna Gora, in Poland, on the 3d of May last, on the subject of aid to Poland:

Your press is also deliberating as to whether one should aid Poland or not.

When you see your child sick, do you deliberate whether to aid it or not?

When you see your mother in distress, do you rack your brains and deliberate politically, whether it is fitting to hurry to her assistance or not?

Beloved children, do not make the great mistake of refusing—for various political considerations—aid, bread, your hearts, to those who need aid, bread, your hearts.

The nation needs aid, bread, and your hearts.

Mr. Chairman, I submit that the man who uttered these words has fearlessly stood under the guns of the Soviet Union for many years. He is no Red, no atheist, no Communist. I think he is qualified to speak in behalf of the freedom-loving Polish people, and I shall take his judgment in the premises rather than the judgment of others who cannot possibly be as acquainted with the situation in Poland as he is. We must be realistic about this matter of surplus agricultural products for Poland and we must hold out some hope to her people.

I am in agreement with the gentleman from Michigan [Mr. BENTLEY] in that while I oppose adoption of the pending Kelly amendment which as a lawyer I am sure is unconstitutional, and which would bar the sale of any of our surplus agricultural commodities to Poland, that this does not mean that I favor aid of any kind to Tito. I opposed the first Yugoslav loan and since then I have each year consistently opposed all military or economic aid for this Communist dictator.

On yesterday the distinguished, capable, and charming gentlewoman from New York [Mrs. KELLY] at the time she offered the pending amendment inferred that if it were rejected it was possible that the Department of State might next advocate admission of Red China's representatives to the United Nations. In this connection let me say that the regular annual appropriation bill for the Department of State which bears my name as author and which was passed by the House and Senate, signed by the President on June 11, and thereby enacted into law, contains the following provision:

SEC. 105. It is the sense of the Congress that the Communist Chinese Government should not be admitted to membership in the United Nations as the representative of China.

A section similar to the foregoing section has been contained in each of the State Department appropriation bills bearing my name as author which have become law in the past 4 or 5 years and it is my intention to continue to vigorously resist admission of the Communist Chinese Government to membership in the United Nations.

The following are additional translated excerpts from the address given by His Eminence Stefan Cardinal Wyszynski at Jasna Gora on May 3 last:

Perhaps they will say about us there [in America], "You are going far; maybe you are going too far."

We shall reply: "Yes, truly we are going far. We often go very far, even to prisons, when necessary."

And for us this is not heroism. It is duty, which we perform calmly, with dignity and with the confidence that—ultimately God triumphs because He is the Lord of this land, He is the Lord of the hearts which He animates and arouses for this land. He is the Lord of this people.

I read in the Polish-American press considerations and articles on the subject: Should Poles visit the motherland?

Opinions differ. Some accept it with enthusiasm, as a normal, natural thing, and others with reservations.

My answer is: Everyone has the right to do something about the feelings which are awakened in him, and everyone has the right to his motherland.

You, too, have it. And you do well when you show an independent judgment, an independent decision, and you come here to pray in common with us, to look at the motherland, to bring us joy.

If anyone should ask you: "What does the primate think—should the children of Poland visit their motherland or not?" you can reply that I answer boldly: "They have the right and even the duty to do so."

We are defending life, and we defend it as our first duty, because one must first live. And everyone who is aware of his community with the nation must remember that he has the duty to come to the aid of the nation, regardless of the conditions in which the nation finds itself, because that is the duty of natural law.

Everyone who can should come to the aid of those who are in dire need. And the Polish nation is in dire need.

In this respect my attitude may be very distinct and different, but full of conviction and full of truth, as I understand it.

We are here and want to remain here. We know the needs of the nation and we appeal for aid to that nation. We appeal, perhaps, at times in a manner which is very humiliating for us.

Let the statesmen defend the prestige of the nation * * * they sometimes have the duty not to go further than the prestige of the nation requires.

But I am not a statesman. I am a child of my nation.

And if there be a need to humiliate myself for the good of that nation, I will do it, regardless of any raison d'etat, of any policy.

My policy is first: To feed the hungry, to clothe the naked, to assure the poor of a roof. Anyone anywhere can judge me as he sees fit. In this instance it makes no difference to me. I am performing my duty.

So I say:

Tell your sisters, tell your compatriots, tell your daughters, tell your husbands, that the primate of Poland on his knees—because he is not obliged to fight for his dignity—appeals to you for aid to the hungry, to the naked, to the sick (of whom there are terribly many in our land) and to the homeless.

On the issue presented by the pending amendment I prefer to err, if I do, in charity to a historically freedom-loving people. These are not American dollars with which we are concerned, these are surplus agricultural commodities which may subsequently go to waste and ruin. I am willing to support the administration's negotiated program for Poland in connection with these surplus products and I hope that when the roll is called on this issue there will not be a half dozen votes in support of the pending amendment. I urge its rejection.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I think it is of paramount importance that the Congress immediately pass this bill, and thus validate and implement the essential agreement for assistance to Poland.

I do not think any Member of this House seriously considers the Polish people or any considerable part of the Polish people as Communists. That would be a great injustice and a great error. They are historically a people and a nation that throughout the centuries has made very gallant, bloody struggles for freedom, and they have invariably associated themselves with the democratic nations of the world. They are our friends and now in their despair and distress they deserve our wholehearted support. I think it is of the utmost urgency that we move fast in this matter. We cannot afford to delay further in enacting this bill. We must not temporize with sacred human life. We will not do so.

I believe it is clearly demonstrated by this debate and by the quotations that were made from the recent remarks of a beloved and very distinguished spiritual leader of the Polish people, by the distinguished gentleman from New York [Mr. ROONEY], that human lives are at stake, lives of a great people who above all peoples on the democratic side have made bitter sacrifices for the cause of the Free World.

I know that the House understands the dire and tragic need that this program will relieve. It is time to act with promptitude and dispatch. It is time to hold out the hand of compassion and sympathy and brotherhood to the suffering peoples of Poland. If this program does nothing else, if it achieves that end, it will more than justify its continuance.

So, Mr. Chairman, I am convinced that this bill, amended as it will be in accordance with the will of the House, is meritorious and should be passed forthwith. I hope that it will be speeded through the other body and promptly be put into effect by the President.

In the name of humanity, as well as in our own interests, let us act favorably upon this bill now.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. PHILBIN. I yield to the gentleman from Pennsylvania.

Mr. FULTON. May I compliment the gentleman on his fine statement for the people of Poland.

Mr. PHILBIN. I thank the distinguished gentleman.

Mr. DONOHUE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. GATHINGS].

Mr. GATHINGS. Mr. Chairman, just as the gentleman from Massachusetts has said, time is of the essence. This bill ought to be speedily enacted. June 30 is the deadline and the very last day. The act will expire at midnight on June 30.

The amendment offered by the charming lady from New York would require affirmative action of this Congress on the matter of who would be considered as a friendly nation. I believe those matters, and such decisions, should be left in the hands of the executive branch of the Government. Last summer Secretary of State Dulles came before our committee and made a splendid case for additional discretionary power with respect to this act. He wanted to strike out section 304 of the act and be given the authority to make bilateral agreements with certain nations behind the Iron Curtain in return for goods we needed. I wish that we had approved his suggestions in both Houses. Our committe was favorable to the Secretary's recommendations. He foresaw the trouble and unrest in the satellite nations. We should have given him the authority to move these surpluses into the hands of the needy people behind the Iron Curtain. I wish it had been done.

Mr. BENTLEY. Mr. Chairman, will the gentleman yield?

Mr. GATHINGS. I yield to the gentleman from Michigan.

Mr. BENTLEY. Was this strictly for barter purposes, not for sale but barter?

Mr. GATHINGS. For barter. That was the purpose of his coming before our committee, to give him the privilege to go in there and barter these various foods, and hold them up to the hungry mouths of those people who needed the food so badly. We, in turn, could get precious minerals and metals that we could use in our stockpile.

More elasticity is needed in this program, to my way of thinking. The amendment now under consideration would restrict the act and make it more rigid and difficult to administer. Secretary Benson and his associates have done a splendid job in moving these commodities.

Mr. Garnett, the Administrator, and Mr. Whipple, Assistant Administrator of the Foreign Agricultural Service, are entitled to the praise and plaudits of an appreciative people for their highly commendable service in the disposition of surplus agricultural commodities. Just to show you, let me read these figures. They have entered into 30 contracts with as many countries for the distribution of 2½ million bales of cotton, 22 million bags of rice, 430 million bushels of wheat, 150 million pounds of meat, 130 million pounds of dairy products, and many other commodities of various types, including 1.2 billion pounds of vegetable oils and feed grains, totaling 75 million bushels. The three main objectives of this program are being carried out and fulfilled and they are to regain and maintain our rightful markets in the world, to move out of our swollen warehouses these surpluses, thereby saving enormous storage costs.

I hope the amendment offered by the gentlewoman from New York will be defeated.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY of New York. Mr. Chairman, I want it clearly understood that I am not against the people of captive nations. I have in the past voted for and I will in the future vote to give agricultural surpluses to these people. Nor do I want at this point to bring religion into the issue. My only wish in life is that all peoples regardless of their faith will have their natural God-given rights and be recognized as children of God. If the President of the United States decided tomorrow that Red China or North Korea or North Vietnam were friendly nations, I wonder how the Members would vote on my amendment or I wonder how they would wish they had voted. That is the issue. If you do not vote for my amendment, you divest the Congress of any say in this critical and crucial matter which is the disposition of these surplus commodities and nothing else. I feel it is absolutely ridiculous to consider my amendment an invasion of the President's power. This is no more an invasion of the President's power than clause 1 of this section 107 of the bill because in clause 1 the Congress precludes the U. S. S. R. from being a friendly nation. Therefore, I believe, Mr. Chairman, that when this original definition of mine was accepted by the Committee on Agriculture and accepted

by that able chairman, our former colleague from Kansas, Mr. Hope, it could have been declared unconstitutional at that time. It has been in operation since that time. My amendment is not to clause 1 of section 107, but it is to clause 2. Therefore, if clause 2 as amended by me would be unconstitutional then you must declare that clause 1 is unconstitutional.

Mr. Chairman, I hope my amendment will be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. McINTIRE].

Mr. McINTIRE. Mr. Chairman, I simply want to express my opposition to this amendment. May I say that the factors involved, the issues underlying this discussion and the purpose of the amendment, are problems that I have given close consideration. While I feel that there is merit in an objective consideration of the issue, it is inappropriate to attach this amendment to this legislation. Decisions should be reserved to the President.

Mr. Chairman, I urge the Members to vote against the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. WAINWRIGHT].

Mr. WAINWRIGHT. Mr. Chairman, the gentlewoman from New York is a very courageous person. She is defending international morality by refusing to aid a country which is clearly Communist and within the Communist orbit. It is a strange thing that many of the Members who are opposing her amendment—who are normally very isolationist—are doing so on the grounds that the Polish people in their districts are in favor of aid to Poland. We do strange things for politics in this House.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. POAGE] to close the debate.

Mr. POAGE. Mr. Chairman, might I suggest to the membership that we have an important bill before us, one that everybody agrees is a sound bill, one that everybody thinks we need to continue, a program that has worked well—and that is saying a great deal for one of these agricultural programs—a program that almost everybody agrees with.

Now we have an amendment proposed that bears no relationship to the purpose of the legislation. Whether the purpose of the amendment is desirable or undesirable, it has nothing to do with the disposition of surpluses but is intended to impose a type of philosophy or thought about the government of some foreign nations. That is not a very relevant part of the legislation before us that we are trying to extend.

Whether you feel we should have a separate vote here every time we make a trade agreement or whether you do not, whether you feel that the Polish Government is controlled from Moscow or that the Poles are trying to establish a government of their own; whether you feel we should be of help to them, or not, it seems to me it is altogether out of place to use this bill, this successful program, as a vehicle on which to attach a program about which there is so much controversy and which we know would be so detrimental to this program of disposal of surpluses.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Why should we bring in the question of the recognition of Communist China on the sale of our United States agricultural surplus products that are involved in the bill debated here, extending Public Law 480? This is farm legislation from the Agriculture Committee. Members of the Foreign Affairs Committee should handle consideration of major foreign affairs problems but not as amendments to farm legislation. Why do this today?

Mr. POAGE. I have not the slightest idea, I will have to say to the gentleman from Pennsylvania.

But I have observed that every time the Committee on Agriculture brings a bill onto this floor about six other committees want to help us write the legislation. I simply want to suggest to the Foreign Affairs Committee that when they bring in a bill sometime in the next few weeks, a bill which is similar in character to this this bill I hope they will not feel it is out of place for us of the Agriculture Committee to try to write in some of the details.

Mr. BOLAND. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Chairman, I rise in opposition to the amendment of the gentlewoman from New York and I sincerely hope that the House will vote it down. The effect of this amendment is to deprive Poland of any assistance under the provisions of Public Law 480, the extension of which is now under consideration by this committee.

In the debate on the amendment yesterday, it was said that no one in the House would now say that Poland is not now dominated by Moscow. I am one who, in the face of recent events and facts, is willing to declare that Moscow does not dominate Poland or the brave, courageous Polish people. The stirrings, declarations, and pronouncements that have emanated from the leaders of the Polish nation under Premier Gomulka ever since the upheaval of last fall tend me to believe that the leaders have veered away perceptibly and are not completely subservient to the Kremlin. Of course, the facts and events demonstrate that the Polish people generally have never been arrayed or ever will be found on the side of communism. For their whole character and makeup is opposed to any system that kills freedom of the individual and stifles the desires of a people to have a government of their own choosing.

The change in the political climate of Poland over the past months has been remarkable and it has been continuing. The Gomulka regime has removed the jamming of Western radio broadcasts. The Polish people are now free to listen and to learn. The newspapers of the Western world are now permitted in the stores and on the streets of Poland and the Polish people are no longer isolated of the world events and news. Cardinal Wyszynski is again free to mingle with his people and to travel outside of Poland as he recently did in his visit to the Vatican. The present Polish rulers are now permitting Americans and other westerners to visit Poland and to allow Poles to travel in the West. Those of us in this Congress who have been close to this situation know how difficult and how impossible it was to obtain visas for anyone to enter Poland or for anyone to leave Poland before the Gomulka government assumed control. And it is significant to note the number of people that are now freely traveling to and from Poland. All of these events have brought more freedom to this once completely dominated Communist country or whose government was Communist dominated. And we have been taking advantage of these avenues of freedom. We want these freedoms to continue and to grow. To turn our backs on the realities of the times and the great opportunities that are before the Western world would be tragic indeed. Here is another and a real and a great chance to prove to the world that we are willing and anxious to help people to cast off the shackles of slavery and domination. For if these people cannot turn to us, where will they turn? The answer, it seems to me is crystal clear for there is no other place, is to the Soviet. It is idle to believe that Poland can pull itself up by its own bootstraps. To think this, one would have to close one's eyes to the past 17 years from the time that Hitler started the destruction of Poland followed by the terrible slaughter of the Polish people and the shattering of her entire economy and the stifling of freedom by Stalin and his gang. Poland needs a big shot of American assistance. Under this bill we are debating she gets a start, a real start on the long road back. By this help we are giving the Polish people real hope that they can get a better break under the Gomulka's national communism than under a regime that is tied lock, stock, and barrel to Moscow.

Mr. Chairman, this bill helps to dispose of our surplus commodities. Poland will pay in her own currency and this money will be used to trade with her and to build up her own economy.

Mr. Chairman, I ask for the defeat of the amendment that would deny assistance under Public Law 480 to Poland.

The question was taken; and on a division (demanded by Mr. ROONEY) there were—ayes 5, noes 108.

So the amendment was rejected.

Mr. SMITH of Mississippi. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Mississippi: Add a new section, to be numbered properly, to read as follows: "That section 210 of the Agricultural Act of 1956, Public Law 540, 84th Congress (70 Stat. 202), is amended (1) by inserting after the word 'State' the words 'and local penal and,' and (2) by striking out 'for minors'."

Mr. SMITH of Mississippi. Mr. Chairman, this amendment is not one which is unfamiliar to the committee

Members. It was considered in committee and at one time approved by the committee at a certain stage of the proceedings. I offer it today not in any attempt to impede Public Law 480 but because I think it offers an opportunity to accomplish what I believe is a desirable purpose in regard to our surplus food program.

The amendment would have the effect of making surplus foods available to local and State penal institutions. They are now available to penal institutions that are of the reform school type but they are not available to penal institutions generally. I do not understand the difference in the classification and why surplus food was made available to reform schools but was not made available to all penal institutions.

In this program where surplus food is being given away to public institutions of various types, given away for relief and things of that nature, and given away in all types of distribution, we should make it available to our own public institutions. This amendment has been recommended by The American Correctional Association.

The language of the amendment provides that this surplus food be made available in addition to the regular normal purchases by these institutions. I think the merit of the idea is obvious to everyone. It would help supplement the diets of these people, and this is a very important matter to all of us. This surplus food should be made available to penal institutions throughout the country and I hope, therefore, that the committee will adopt the amendment.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Mississippi. I yield to the gentleman from North Carolina.

Mr. COOLEY. The amendment just adds "penal institutions." The law already provides for reformatories?

Mr. SMITH of Mississippi. The law makes it available to reformatories and this would make it available to all types of penal institutions.

Mr. COOLEY. Mr. Chairman, while I have no authority from the committee to accept the pending amendment I do want to say that our committee has considered this matter very carefully on 2 or 3 former occasions and, if my recollection is correct, on these former occasions our committee reported legislation of this type. The law does provide now that surplus foods can be made available to reformatories, and I see no real difference between a reformatory and a prison as far as the distribution of surplus food is concerned. Therefore, I have no further comment to make, and I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. SMITH].

The amendment was agreed to.

Mr. COOLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COOLEY: Page 2, following line 3, add the following new paragraph numbered (4):

"Section 104 (e) of such act is amended by striking out the semicolon at the end thereof and adding a comma and the following: 'for which purposes not more than 25 percent of the currencies received pursuant to each such agreement shall be available through and under the procedures established by the Export-Import Bank for loans mutually agreeable to said bank and the country with which the agreement is made to United States business firms and branches, subsidiaries, or affiliates of such firms for business development and trade expansion in such countries and for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products: *Provided, however*, That no such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States. Foreign currencies may be accepted in repayment of such loans.'"

Mr. COOLEY. Mr. Chairman, this is a slight variation from the amendment which was adopted by the committee. I was instructed, I think by unanimous vote of the committee, to offer this amendment. But, there has been a slight change in the amendment that I now have presented by the proviso which I will read:

Provided, however, That no such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States.

I introduce it with that explanation as a committee amendment. There was one other change which I am sure the members of the committee are entirely familiar with.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Iowa.

Mr. GROSS. Now, under the terms of this loan could foreign countries buy surplus feed grains from the United States?

Mr. COOLEY. Yes. But this amendment has no effect on that—it is in the law now.

Mr. GROSS. All right. Let me ask the gentleman this question: Having bought these grains, can they, for instance, feed hogs in foreign countries and then ship canned hams and other pork products into this country?

Mr. COOLEY. No. The proviso takes care of that: "No such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States."

Mr. GROSS. How are you going to distinguish? The Poles are now shipping pork into this country at the rate of about 25 million pounds of boned canned ham and other similar products a year. How can you determine whether the feed shipped over there at bargain prices is not used for this purpose? How do you break that down?

Mr. COOLEY. The gentleman realizes, of course, that the President has the authority to prevent the importation of agricultural products when it conflicts with our own agricultural program.

Mr. FULTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. FULTON. I have been waiting for a question on the amendment, but, if they are starting to debate it, I have a point of order against the amendment. They are starting to debate it, and I want to reserve my point of order.

Mr. COOLEY. We have been debating it for about 5 minutes.

Mr. GROSS. Mr. Chairman, I submit the point of order comes too late.

Mr. FULTON. There was a question on the amendment, so I have a point of order on it.

Mr. COOLEY. All right. I make the point of order that the point of order comes too late.

The CHAIRMAN. The gentleman from Pennsylvania will state his point of order.

Mr. FULTON. I make the point of order that the amendment is not germane to this bill; that it is actually tariff legislation; and, secondly, that it is an impossible, indefinite amendment. It would mean a restriction abroad on the production of plants without any time limit on it. First, it is tariff legislation; secondly, it is a restriction abroad that we have no control over in the United States of America.

The CHAIRMAN. The Chair would have to overrule the point of order because debate has been had on the amendment. The gentleman's point of order comes too late.

Mr. FULTON. Mr. Chairman, may I be heard on that point?

The CHAIRMAN. The Chair regrets that there is no point in discussing the matter. The Chair has ruled that the point of order comes too late.

Mr. FULTON. Mr. Chairman, may I be heard on that point? I had understood——

Mr. COOLEY. Mr. Chairman, I thought the Chair had already ruled.

The CHAIRMAN. The Chair has already ruled. I am sure the gentleman understands that points of order have to be made before there is debate upon the amendment. Debate has been had upon the amendment. The Chair, therefore, rules that the point of order comes too late. The Chair cannot hear the gentleman further.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman.

Mr. GROSS. The gentleman made some statement, when the interruption came, to the effect that there was some way by which these imports of pork products could be shut off.

Mr. COOLEY. The President already has the authority to prevent the importation of agricultural commodities that compete with our own commodities to the extent that they interfere with our farm programs.

Mr. GROSS. Surely, he does. Let me remind the gentleman that we in Congress passed, in good faith, the Battle Act, to deny aid to foreign countries that shipped strategic materials to Communist countries. Yet when the President was confronted with the question of shutting off aid to Britain and France, who admittedly were shipping strategic materials to Communist countries, he said that it was in the interest of the

United States to continue to give aid to those countries, hereby completely nullifying the Battle Act. And the President will not intervene, and the gentleman knows it, to shut off the importation of agricultural products such as canned hams from Poland.

Mr. COOLEY. What can the gentleman from North Carolina do about it if your President does not act? The gentleman from North Carolina has no authority to compel him to act.

Mr. GROSS. I am saying that by the gentleman's amendment he is going to help increase the importation of certain agricultural commodities into this country.

Mr. COOLEY. No, it certainly will not do that. The purpose of this amendment is to make loans to American businessmen to build processing plants for agricultural commodities abroad, and for other purposes. It just provides an additional use for the funds rather than to let the money rest in some banks in some 20-odd nations.

Mr. GROSS. And what did we do in Japan after the end of the war? We sent modern knitting machinery and technicians over there to teach the Japanese how to make knitted products that Americans would wear and today they have absorbed a substantial part of our production and have driven many of our knitted wear plants out of business.

Mr. COOLEY. That would not be possible under my amendment.

Mr. GROSS. Yet, but it is by just such enactments as this that Congress made it possible to do these things.

Mr. COOLEY. The gentleman is wrong. If we have given up control over these matters, we gave them up when we originally enacted the law. This is an effort to tie down at least 25 percent of the funds, to be used for a purpose that we think would be advantageous to the American taxpayer.

Mr. BROWN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman.

Mr. BROWN of Missouri. Mr. Chairman, I share the sentiments of the gentleman from Iowa [Mr. GROSS] regarding the importation of pork products. But as I read the chairman's amendment, I believe the proviso that the chairman has included will definitely shut off these importations.

Mr. COOLEY. That is the reason I put the proviso in there. I will say to the gentleman from Iowa [Mr. GROSS] that that was the reason and the one purpose of the proviso—to prevent loans for manufacture of products to be imported into the United States—including agricultural products such as hams.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. MASON. Mr. Chairman, I object.

Mr. JENSEN. Mr. Chairman, I am sure every Member of Congress knows that we have a great many people out of work in America today. The primary reason is that our tariff wall has been reduced year after year to such an extent that a flood of foreign goods are coming into this country and being sold so cheaply that our affected industries cannot compete.

Mr. Chairman, whatever this House does in this bill today, I hope we will not do anything that will in any way help American industry or industry of any other country build factories or processing plants in any foreign country to compete against our domestic industry. Much as I should like to help the peoples of the world, people that need and deserve help, we must not forget that if we do not keep our great buying power, our friends across the seas will really suffer.

Every year we buy billions of dollars worth of their products which they must sell and which we need. If the time ever comes when the American people no longer buy those products, then our friends across the seas will really be in trouble.

There is another thing I want to talk about. The peoples of the world are all clamoring for American dollars. Those who buy for the Government of the United States and for private industry go all over the world and, knowing that those people want our dollars, buy cheaper than they should. In fact they say, "You need our dollars. We will pay you so much for these goods." Which is generally much too little. Then in order to build up their economy, Uncle Sam sends them billions upon billions of dollars for Christmas, so to speak, at all the United States taxpayers' expense.

It reminds me of the time I was a boy on the farm. Our neighbor always bought our calves. He would come over about September 1 and say to my father, "Martin, you have some calves about ready to sell, haven't you?" Dad would say, "Yes." "What do you want for them?" "What are you paying?" "Oh, $12 a head." The price was always the same, $12 a head. And Dad would sell them. But that neighbor always sent us a big sack of candy at Christmas time.

That is what we do. We buy from peoples all over the world for less than we should pay for their products, and then we send them billions of dollars to keep them in good humor and on our side, we hope.

I had an experience while I was in Japan a number of years ago. The press asked for a press conference with our delegation and a Japanese reporter asked us this question, "Do you think Japan would be better off in the long run to tie their business relations and their economy to China or to the United States?" Congressman McGrath, of New York, was chairman of the committee. He asked me to answer that one. So I gave them a lot of reasons why they should tie to the United States of America. I said, "The American dollar is good all over the world. We buy your silk and we buy your tea and we buy your toys. We buy almost everything you have for sale." I gave him a lot of reasons. So said I, "I am sure that Japan would be better off if they tied their economy and their trade relations to the United States." Then the reporter said, "That is what I thought your answer would be." I said, "What is wrong with it?" He said, "Well, only this, all your private purchasers and your Government purchasers come over here and they beat the price down on everything we have to sell to the point where we cannot pay our laboring people anything above a subsistence." Said he, "If the United States of America would pay what our goods are worth comparable to what such goods are worth in America, we would need little financial assistance from the United States and would take care of ourselves, and all our relations with the United States would be greatly improved."

I hope the Members of Congress and our importers will really take this serious matter to heart, for certainly it has far-reaching implications. Nations are no different than most individuals regardless of who they are or where they are, they would rather stand on their own feet than to be obligated to anyone, at least when they are able to operate on their own power.

Mr. PELLY. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. PELLY moves that the Committee of the Whole House do now rise and report the bill back to the House with the enacting clause stricken out.

Mr. PELLY. Mr. Chairman, what I have to say is said with the greatest respect. I am a Member of the Congress, but I am not a member of the Committee on Agriculture. Like many of the Members who have been in this Chamber during both days of debate on this bill, I have thought that I had a right to look to the members of the Committee on Agriculture for leadership and guidance. I have been present through this entire debate and I have seen the chairman of the Committee on Agriculture in several instances not defend the committee against what I considered certain crippling amendments.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield.

Mr. COOLEY. The gentleman evidently was not listening to me a moment ago. I said this is a committee amendment.

Mr. PELLY. I heard the gentleman say the amendment was almost similar to one supported by the committee.

Mr. COOLEY. And we have only had 1 amendment adopted, or 2 amendments.

Mr. PELLY. What I want to say is said in the greatest respect but the gentleman has not defended the bill against attack.

Mr. COOLEY. The last amendment adopted was an amendment that had been reported by our committee on 3 or 4 different occasions. It could not possibly be construed as an attack on the bill.

Mr. PELLY. I want to explain the confusion caused by the chairman.

Mr. COOLEY. The chairman has not confused the gentleman.

Mr. PELLY. Mr. Chairman, I cannot yield further until I make this explanation.

First of all, the chairman of the committee said he would accept personally certain amendments, but that he did not speak for the rest of the committee. This was with reference to earlier amendments. Later on, he did present and support an amendment which came up, which he said was a little bit different in form. But, in any event, I want to repeat that I look to the members of the Committee on Agriculture who have heard the committee testimony on this agricultural extension act for leadership and for support of the position of the committee. I do not think I have seen that in this instance. Personally, I am going to vote against the bill unless some of the amendments that have been accepted are stricken out later on when the time comes.

Mr. COOLEY. Will the gentleman be kind enough to specify the amendments to which he objects?

Mr. PELLY. One amendment, to be specific, would be the Thompson amendment on cotton. I urge its defeat. I do support legislation to reduce CCC surplus commodities as reported by the full Agricultural Committee. I trust my statement here and position are clear. Certainly I have intended in no way to reflect on the actions of the chairman of the Agricultural Committee or any member.

Mr. ABERNETHY. Mr. Chairman, I move to strike out the last word.

I am not going to oppose the motion, Mr. Chairman, in fact, I think I am going to vote for it. I am going to do so reluctantly, however. We have now spent about 3 days in an effort to pass a bill, a pretty good bill, incidently, which was requested by the administration. It is wanted by President Eisenhower, Secretary Dulles, and Secretary Benson. They want the bill, and for 3 days now we have been trying to pass it. But there does not seem to be very much cooperation. If we had a little better cooperation, I think perhaps we could have gotten the bill for them. Evidently no one wants the bill—that is, not many in the House, especially among the Republicans.

So, that being their attitude, I suggest we go along with the gentleman's motion, strike out the enacting clause and get on with something that somebody does want.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I yield.

Mr. ARENDS. I have listened very attentively to what the gentleman said about the President, the Secretary of State, and others.

Mr. ABERNETHY. I was not saying that critically.

Mr. ARENDS. I agree with what the gentleman says about this bill. I think it is absolutely correct, 100 percent correct.

I wonder if there has been any desire on their part to have incorporated in this bill what I term to be the needless amendment that was adopted yesterday.

Mr. ABERNETHY. I could not answer the gentleman; I do not know, but the amendment which was adopted yesterday is certainly not the crux of all the controversy we have here. This matter has been shuttled off into so many different channels and so much criticism has been made of the Committee on Agriculture—I happen to be a member of that committee—that we are just beginning to tire of it. This is one instance in which we have done our best to cooperate and assist the leaders of this administration. But we are not getting much cooperation from where it is most needed or most expected. So I suggest that the House ought to adopt the preferential motion offered by the gentleman from Washington and get on with something else.

Mr. LAIRD. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I yield.

Mr. LAIRD. I have been sitting here throughout the consideration of this bill and I have not noticed that there have been many crippling amendments.

Mr. ABERNETHY. I am not speaking of amendments.

Mr. LAIRD. As a matter of fact, no amendment was offered from this side of the aisle.

Mr. ABERNETHY. I am not speaking altogether of amendments; I am speaking of the general attitude of many in the House who have for 3 days criticized everything about this bill, including the Committee on Agriculture. Evidently the House does not want the bill, so I am suggesting that we adopt the preferential motion and get on to something the Members do want. If the Members do want the bill, then let us put an end to this marathon of controversy and pass it.

The CHAIRMAN. The time of the gentleman from Mississippi has expired; all time has expired.

The question is on the preferential motion.

The motion was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from North Carolina [Mr. COOLEY].

The question was taken; and on a division (demanded by Mr. COOLEY) there were—ayes 75, noes 56.

So the amendment was agreed to.

Mr. ARENDS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, an amendment passed yesterday would authorize the Commodity Credit Corporation to donate raw cotton, mattress ticking, sheeting, and blanketing to States for distribution to needy persons and charitable institutions. The amendment contemplates that the State distributing agencies—which handle the distribution of surplus foods—would be responsible for financing the cost of further processing these materials into mattresses, sheets, and blankets.

I strongly feel that the House should reconsider its action of yesterday. Such a program cannot make a contribution to the effective disposal of CCC inventories. In fact, these donations are certain to replace the regular purchases of cotton products—especially by the institutions that would be receiving the mattresses, blankets, and sheets.

First, there is a practical limit to the number of mattresses, blankets, and sheets a family or institution can use. Thus, if the Federal Government makes them available without cost, there is no reason why these families will continue to buy such products. Thus, a program the Congress passes in the name of surplus disposal is, in fact, a program to reduce the regular markets of the cotton industry.

Second, few, if any, States would find it practical to undertake the expenses involved in contracting for the manufacture of these donated cotton materials into mattresses, sheets, and blankets. When a program of this type was operated during the depression years, the manufacturing was done in WPA sewing projects—at no cost to the State. Even then—when the need for such a program certainly could better be defended, only 657,000 bales of cotton were moved in the 5 years the program was in operation. I do not see, therefore, how we can expect such a program to contribute to the cotton disposal program under present-day conditions.

You will recall that the Department of Agriculture found it was impractical to give wheat and corn to States when the States had to bear the expense of processing these grains into flour and meal. If that program did not prove possible, I cannot see how we could expect that States will be in a position to finance the manufacture of mattresses. If this legislation should pass, the Congress would soon be faced with the necessity of putting CCC in the mattress business. Is that what you want—more Government in business in competition with your people?

Third, this program would require the Commodity Credit Corporation to take on added expenses that could not be justified. In addition to the investment in raw cotton, it would cost more than $100 a bale for the CCC to process cotton into mattress ticking, sheeting, and blanketing. Not proposed in Committee nor considered. And, added to that, would the costs of hiring additional employees to contract for the processing and supervise State administration of the program. And, all this would be authorized at a time when the administration and the Congress is seeking every means of holding down Federal expenditures.

I know every Member of the House is seeking ways to constructively use our surplus agricultural inventories. But this program will only add to the difficulties faced by the cotton industry and to the costs of the Federal Government.

Also, the addition of this amendment to the bill gets away from the real purpose of Public Law 480, to define CCC commodities abroad. Also, the amendment might well place in jeopardy the final passage of this worth while and objective legislation. Let us not load this bill with this unneeded amendment. On a rollcall vote, which will be had, the amendment should be defeated.

The program authorized in this amendment cannot—for all the expenditures involved—result in any significant increase in domestic consumption of cotton. It will, in fact, jeopardize the industry's market among the institutions and families that would be receiving free mattresses, blankets, and sheets.

When the time comes to request a separate vote on any amendment, I shall demand a separate vote on this amendment, and I trust the House in reconsidering this matter, in view of the information it has on the whole problem, will reject the amendment, go ahead with the basic purpose of the bill as reported by the Committee on Agriculture of the House, and get it over to the Senate for action.

Mr. COOLEY. Mr. Chairman, I move to strike the last two words.

Mr. Chairman, if I might temporarily divorce myself from my position as chairman of the Committee on Agriculture, I would like to speak as a mere Member of the House in favor of the amendment which was adopted, and to which the gentleman from Illinois has just referred.

Basically, this amendment is perfectly sound and I cannot see any reason why we are willing to give cotton and other fibers to all the needy of the universe and deny it to our own needy people in this country. Under the law we make available to all of our needy people the entire amount of food we have in storage and we have adopted an amendment here today which does not seem to be very controversial making this food available to prisoners, to people who have committed infamous crimes and are now incarcerated. We make food available to orphanages and mental institutions. Now, the only propcsition here is to make some cotton available to the poor people in America who just cannot afford to buy cotton goods.

Now, the situation could never arise as has been indicated by the speaker who just preceded me, that the market for American textiles would be taken over by the Federal Government as the result of this amendment. That is not true at all, because the only person that would be eligible for this raw cotton would be some poor person who has been certified as eligible.

Now, in the State of Pennsylvania alone we are told that there are 611,000 people that cannot even buy food. Now, if they cannot buy food, how can they afford to buy mattresses for their children to sleep on or a cheap blanket to keep them warm in the wintertime? Now, we are being generous with everybody on earth except with our own people. I grant you that we are not going to get rid of an awful lot of cotton as the result of this, but we will get rid of some. The relief aspects have more appeal to me than the economic values involved. I submit it is a good amendment and it should be put into operation. We had a similar program to this back in the days of the depression, and I have seen people in my own little town take these mattresses with deep gratitude, people that had been sleeping on shucks and straw. What is wrong with having a mattress to sleep on and a blanket to keep them warm?

Now, you say it is going to cost $100 a bale. It is not going to cost that; I do not think it will cost over $75 a bale to give it away under the old mattress program. It costs $70 a bale to put our cotton in the foreign export market under a subsidy program, and as the result of that subsidy program it has cost the taxpayers of America $535 million in the last 18 months, and this program certainly could not approach any such sum as that.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Could a southern Congressman from south Pittsburgh ask why, this being a bill for the disposal of surplus agricultural commodities, and cotton is a surplus agricultural commodity, cotton should be discriminated against?

Mr. COOLEY. Well, that is it. It is just the idea that somebody has proposed here. Now, I am frank to say that we have bills before our committee providing for this very program, but we cannot pass this sort of a program over Presidential veto. We cannot pass it, perhaps, with Mr. Benson's objection out of our committee. But I know one thing: The President of the United States will not find this amendment so obnoxious that he will veto this bill. I do not think anybody would be foolish enough to even suggest the possibility of a veto. It is just the idea that we want to be generous with everybody else in kingdom come except our own people.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Connecticut.

Mr. MORANO. Was not this amendment adopted in the Committee of the Whole?

Mr. COOLEY. Certainly; but the gentleman from Illinois said he would demand a separate vote. I hope the committee will vote to keep this amendment.

Mr. McGOVERN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I will not use all the 5 minutes. I had intended to offer an amendment at this point, but I am withdrawing it lest it further complicate the passage of this fine bill which provides for the constructive use of American farm surpluses. The amendment that I had planned to offer contains a concept that I hope will in the near future become a part of Public Law 480. I am referring to the extension of that program to give greater assistance to the voluntary agencies that have done such a wonderful job of implementing the program to date.

Now, under the present provisions of the law, it is possible for Public Law 480 surplus foods to be used by the voluntary agencies, by religious and humanitarian and charitable organizations, in the distribution of food abroad. These agencies are carrying on that function with great credit to themselves and to the tremendous advantage of America's relations abroad. Last year alone private American agencies distributed more than 1 billion pounds of surplus food.

But we have not yet seen fit to grant authority to these same voluntary agencies to use Public Law 480 funds for carrying on medical work, the training of practical nurses and medical personnel, the carrying on of educational programs, and other humanitarian activities that have been so important a part of our efforts to assist our brothers in other countries.

I think we have reached a point, in terms of some of the basic things that we are trying to achieve in American foreign policy, where we ought to give much greater attention than we have thus far to the tremendous role that these private voluntary agencies can play. The best conceived foreign-aid programs under the sponsorship of our Government have oftentimes been misinterpreted by foreign countries as evidence on our part of a desire to control their economies or to dictate to them politically. But no such objection has ever been raised to aid programs carried on by religious organizations or by charitable or humanitarian groups from this country. The peoples of the world know that the religious institutions of America and our charitable and philanthropic organizations are motivated only by their belief in the dignity and brotherhood of man.

I hope that in the very near future the Committee on Agriculture and the Congress itself will see fit to extend this Public Law 480 program so that we can make greater use of the facilities and the personnel provided by our great voluntary agencies.

Mr. ZABLOCKI. Mr. Chairman, I rise in support of H. R. 6974, the bill to extend the Agricultural Trade Development and Assistance Act of 1954.

This legislation was enacted by Congress to aid in disposing of our surplus agricultural commodities through various means calculated to bring some permanent benefits to our entire Nation.

These means include the sale of our surplus agricultural commodities for foreign currency, barter, and domestic and foreign donations.

There is no doubt but that this legislation has been of tremendous assistance in aiding to reduce our vast stock of surplus agricultural commodities. United States farm exports, for instance, increased with the help of this legislation from approximately $3 billion in fiscal 1954 and fiscal 1955 to an estimated $4.5 billion in the current fiscal year. I am confident that, with the continuation of this program, we will be able to make an even more impressive record in the year to come.

These export gains are needed to help us solve our agricultural surplus problem. According to the recent annual report of the Secretary of Agriculture, the Commodity Credit Corporation has between $8 billion and $9 billion tied up in supporting the prices of agricultural commodities. During the last fiscal year, the CCC's net realized program losses amounted to almost $1 billion.

Surely it is good sense on our part to stimulate the export of agricultural surplus and to work for a reduction in the huge surpluses which are crowding all available storage facilities and depressing the overall agricultural situation.

I believe that the program which the legislation before us proposes to extend has proved to be useful and constructive. We should continue it, and, I for one, am strongly of the opinion that the legislation merits our active support.

Mr. GEORGE. Mr. Chairman, needless to say, I was extremely disappointed

in the action taken by the Public Works Subcommittee of the Appropriations Committee, in deleting an item of $85,000 for final planning on the Elk City—Table Mound—Dam and Reservoir project.

When I checked with members of the subcommittee, I discovered that the information supplied to members of this committee by the staff inadvertently had this project listed as a new start, which was not true, as it was an appropriation to complete planning; $165,000 had previously been allocated by your committee for this project.

When your committee established the policy of no new starts in considering the budget for fiscal year 1958, and when the membership glanced down to the Elk River project and saw it listed as a new start, no question was raised when writing up the final bill, as to the deletion of this item.

It seems to me that this project was the victim of an unfortunate error in the preparation of the worksheet, and I hope that when your conferees meet with the Senate conferees in the finaling out of this bill, consideration will be given to the error that has been made, and that the error will be rectified.

I have been reliably informed by numerous members of your committee that it always has been customary to pass the final appropriations for planning on projects that are as far along as this one, without controversy.

Again, I wish to state I hope that this error may be rectified in your conference with the Senate conferees, so that equal treatment may be granted by your committee to the people of the Third Congressional District of Kansas, that has been extended to other sections of the United States.

This $85,000 is to complete planning of the Elk City—Table Mound—Dam and Reservoir project. It is not for a new start as $165,000 for planning has already been appropriated and spent.

Mr. DONOHUE. Mr. Chairman, with deepest appreciation and respect for the most earnest and sincere motives of our distinguished colleague, the gentlewoman from New York, who so conscientiously and capably fulfills her legislative responsibilities, I am nevertheless impelled to speak and vote against this proposed amendment designed to provide for Congressional determination of friendly nations, under the language of this bill.

In my studied judgment, the dangers of disastrous and unjust discrimination, inherent and inevitable, in the provisions of this amendment make it most doubtful and uncertain that it would work out in the wholesome and patriotic manner I know is sincerely envisioned by the gentle lady.

For instance it could, and very probably would, develop that the courageous and long-suffering people of Poland, currently in such desperate need of even basic foods, might be determined ineligible to participate in and benefit from this surplus-commodity distribution and exchange program.

While it is true that Poland is now within the Soviet orbit it is just as true, as their great history demonstrates, that the Polish people will never succumb to attempted Communist infusion of principle and philosophy based on atheistic godlessness. The Polish people have valiantly and continuously opposed and refused to bend under the iron heel of cruel and ruthless Russian tyranny for over 36 years and they will never surrender their Christian heritage to the Kremlin leaders or any other oppressor. The blessed beliefs in individual dignity, liberty, and allegiance to the Almighty burn brightly in the hearts and minds of all Poles and they will forever.

This country and the Free World is under enormous debt to heroic Poland and it would be most unwise to unwittingly provide evidence upon which a mistaken impression could be generated that we were abandoning or neglecting their continuing basic welfare. While there is some element of gamble in this situation it is a gamble on the side of the good Polish people and the divine providence that watches over them and all of us. There is no doubt that the Polish people are our ally. There is no gamble in this Nation and the Free World doing everything within reason to maintain and encourage the high spirit and unparalleled fortitude of the Polish people to fight on against Communist imperialism to the blessed day when she will regain her freedom and independence; please God may that day not be distant.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. COOPER) having resumed the chair, Mr. HAYS of Arkansas, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, had directed him to report the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask for a separate vote on the cotton-mattress amendment adopted yesterday in Committee of the Whole.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en bloc.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of Louisiana: Page 2, following line 3, add the following new section:

"SEC. 2. The Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following new section:

"'SEC. 306. (a) The Commodity Credit Corporation is authorized, on such terms and under such regulations as the Secretary may deem in the public interest, to donate raw cotton, and mattress ticking, sheeting, and blanketing made of cotton, to such State, Federal, or private agency or agencies as may be designated by the proper State or Federal authority and approved by the Secretary, for use in the United States in assisting needy persons, and in charitable institutions, including hospitals, to the extent that needy persons are served.

"'(b) The Secretary, before making any donations under this act, shall obtain such assurances as he deems necessary that—

"'(1) such raw cotton and such cotton products will be used by the recipient agency in a program under which such cotton and cotton products will be processed into finished mattresses, sheets, and blankets and distributed among needy persons,

"'(2) the recipients of such raw cotton and such cotton products will not diminish their normal expenditures for cotton and such cotton products by reason of such donation.

"'(c) (1) In order to facilitate the appropriate disposal of such raw cotton and cotton products, the Secretary may from time to time announce the quantity thereof which will be available for distribution.

"'(2) The Commodity Credit Corporation may pay, with respect to cotton and cotton products disposed of under this act, the cost of acquiring such commodities (unless procured from the stocks of such Corporation), and the cost of reprocessing, packaging, transporting, handling, and other charges accruing up to the time of their delivery to a Federal agency or to the designated State or private agency.

"'(3) For the purposes of this act, the terms "State" and "United States" include the District of Columbia, Puerto Rico, and each Territory or possession of the United States.'"

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. AUGUST H. ANDRESEN), there were—ayes 79, noes 121.

Mr. THOMPSON of Louisiana. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So the amendment was rejected.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

Mr. THOMPSON of Louisiana. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Two hundred and thirty-seven Members are present, a quorum.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. MASON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MASON. I am, Mr. Speaker.

The SPEAKER pro tempore. The gentleman qualifies. The Clerk will report the motion of the gentleman from Illinois to recommit the bill.

The Clerk read as follows:

Mr. MASON moves that the bill be recommitted to the Committee on Agriculture.

Mr. COOLEY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 345, nays 7, not voting 81, as follows:

[Roll No. 119]

YEAS—345

Abbitt	Devereux	Kitchin
Abernethy	Dies	Knox
Adair	Dingell	Laird
Addonizio	Dixon	Landrum
Albert	Donohue	Lanham
Alexander	Dorn, N. Y.	Lankford
Allen, Calif.	Dowdy	Latham
Allen, Ill.	Doyle	Lennon
Andersen, H. Carl	Dwyer	Lesinski
	Elliott	Lipscomb
Anderson, Mont.	Engle	Long
	Evins	McCarthy
Andresen, August H.	Fallon	McCulloch
	Fascell	McDonough
Andrews	Feighan	McFall
Arends	Fenton	McGovern
Ashley	Flood	McGregor
Ashmore	Flynt	McIntire
Aspinall	Fogarty	McMillan
Auchincloss	Forand	McVey
Avery	Ford	Macdonald
Baker	Forrester	Mack, Ill.
Baldwin	Fountain	Mack, Wash.
Barting	Frazier	Madden
Barrett	Frelinghuysen	Magnuson
Bass, N. H.	Friedel	Mahon
Bass, Tenn.	Fulton	Mailliard
Bates	Garmatz	Marshall
Becker	Gary	Martin
Beckworth	Gathings	Matthews
Belcher	Gavin	May
Bennett, Fla.	George	Meader
Bennett, Mich.	Gordon	Merrow
Bentley	Granahan	Metcalf
Berry	Gray	Michel
Betts	Green, Oreg.	Miller, Calif.
Boggs	Green, Pa.	Miller, Md.
Boland	Gregory	Miller, Nebr.
Bolling	Griffin	Miller, N. Y.
Bolton	Griffiths	Mills
Bosch	Gross	Minshall
Boykin	Gubser	Moore
Boyle	Gwinn	Morano
Bray	Hagen	Morgan
Breeding	Hale	Morris
Brooks, La.	Haley	Morrison
Brooks, Tex.	Halleck	Moss
Broomfield	Harden	Moulder
Brown, Ga.	Hardy	Multer
Brown, Mo.	Harris	Mumma
Brown, Ohio	Harrison, Nebr.	Natcher
Brownson	Harrison, Va.	Neal
Broyhill	Harvey	Nicholson
Budge	Haskell	Nimtz
Burleson	Hays, Ark.	Norblad
Bush	Hays, Ohio	Norrell
Byrd	Hemphill	O'Brien, Ill.
Byrne, Ill.	Henderson	O'Hara, Ill.
Byrne, Pa.	Heselton	O'Konski
Byrnes, Wis.	Hess	Osmers
Canfield	Hiestand	Ostertag
Cannon	Hill	Passman
Carnahan	Hoeven	Patman
Carrigg	Holifield	Pelly
Chamberlain	Holland	Perkins
Chelf	Holmes	Pfost
Chenoweth	Holt	Philbin
Chiperfield	Horan	Pilcher
Christopher	Hosmer	Pillion
Chudoff	Huddleston	Poage
Church	Hull	Poff
Clevenger	Hyde	Polk
Coad	Ikard	Porter
Coffin	Jackson	Preston
Cole	Jarman	Price
Cooley	Jenkins	Prouty
Cooper	Jennings	Rabaut
Corbett	Jensen	Radwan
Cramer	Johnson	Ray
Cretella	Jonas	Reece, Tenn.
Cunningham, Iowa	Jones, Ala.	Reed
	Jones, Mo.	Rees, Kans.
Cunningham, Nebr.	Judd	Reuss
	Karsten	Rhodes, Ariz.
Curtin	Kean	Rhodes, Pa.
Curtis, Mass.	Kearns	Riehlman
Dague	Kee	Riley
Davis, Ga.	Keeney	Roberts
Dawson, Utah	Kelley, Pa.	Robison, Ky.
Delaney	Kilburn	Rodino
Dempsey	Kilday	Rogers, Colo.
Dennison	Kilgore	Rogers, Fla.
Denton	King	Rogers, Mass.
Derounian	Kirwan	Rogers, Tex.
Rooney	Springer	Van Zandt
Roosevelt	Staggers	Vinson
Rutherford	Stauffer	Vorys
St. George	Steed	Wainwright
Saylor	Sullivan	Watts
Schenck	Taber	Weaver
Schwengel	Talle	Westland
Scott, N. C.	Teague, Calif.	Whitener
Scrivner	Tewes	Whitten
Scudder	Thomas	Widnall
Seely-Brown	Thompson, La.	Wier
Selden	Thompson, N. J.	Wigglesworth
Shelley	Thompson, Tex.	Williams, N. Y.
Shuford	Thomson, Wyo.	Willis
Sieminski	Thornberry	Wilson, Ind.
Siler	Tollefson	Winstead
Simpson, Ill.	Trimble	Wolverton
Simpson, Pa.	Tuck	Wright
Sisk	Udall	Yates
Smith, Miss.	Ullman	Young
Smith, Va.	Utt	Younger
Smith, Wis.	Vanik	Zablocki
Spence	Van Pelt	

NAYS—7

Alger	Kelly, N. Y.	Smith, Kans.
Hoffman	Mason	
Johansen	Smith, Calif.	

NOT VOTING—81

Anfuso	Durham	Murray
Ayres	Eberharter	O'Brien, N. Y.
Bailey	Edmondson	O'Hara, Minn.
Barden	Farbstein	O'Neill
Baumhart	Fino	Patterson
Beamer	Fisher	Powell
Blatnik	Grant	Rains
Blitch	Healey	Rivers
Bonner	Hébert	Robeson, Va.
Bow	Herlong	Sadlak
Bowler	Hillings	Santangelo
Buckley	Holtzman	Saund
Burdick	James	Scherer
Cederberg	Kearney	Scott, Pa.
Celler	Keating	Sheehan
Clark	Keogh	Sheppard
Collier	Kluczynski	Sikes
Colmer	Knutson	Taylor
Coudert	Krueger	Teague, Tex.
Curtis, Mo.	Lane	Teller
Davis, Tenn.	LeCompte	Vursell
Dawson, Ill.	Loser	Walter
Dellay	McConnell	Wharton
Diggs	McCormack	Williams, Miss.
Dollinger	McIntosh	Wilson, Calif.
Dooley	Machrowicz	Withrow
Dorn, S. C.	Montoya	Zelenko

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Taylor.
Mr. Keogh with Mr. Keating.
Mr. Buckley with Mr. Baumhart.
Mr. Walter with Mr. Vursell.
Mr. Anfuso with Mr. Sheehan.
Mr. Rains with Mr. O'Hara of Minnesota.
Mr. Holtzman with Mr. Collier.
Mrs. Blitch with Mr. Coudert.
Mr. Colmer with Mr. Dellay.
Mr. Santangelo with Mr. Dooley.
Mr. Dorn of South Carolina with Mr. Beamer.
Mr. Bonner with Mr. James.
Mr. Bailey with Mr. Wharton.
Mr. Farbstein with Mr. Scott of Pennsylvania.
Mr. Durham with Mr. Sadlak.
Mr. Zelenko with Mr. McIntosh.
Mr. Healey with Mr. McConnell.
Mr. Machrowicz with Mr. Bow.
Mr. Teller with Mr. Cederburg.
Mr. Powell with Mr. Fino.
Mr. Dawson of Illinois with Mr. Ayres.
Mr. Celler with Mr. Kearney.
Mr. Bowler with Mr. Krueger.
Mr. Clark with Mr. Curtis of Missouri.
Mr. Dollinger with Mr. Patterson.
Mr. O'Neill with Mr. Scherer.
Mr. Kluczynski with Mr. Withrow.
Mr. Sheppard with Mr. Wilson of California.
Mr. Williams of Mississippi with Mr. Burdick.
Mr. Blatnik with Mr. LeCompte.
Mr. Loser with Mr. Hillings.

Mr. HOFFMAN changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. ALGER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, I regret that so few share my disapproval of this bill. This in no way lessens my objection. There are other ways of disposing of our agricultural surplus besides giving it away. There are other means to provide for our needy. I too believe we must dispose of the surpluses and help those less fortunate.

I hold simply that it is not the role of the Federal Government to feed, clothe or house our citizens or citizens of other nations. This is socialism; this is flagrant disregard for traditional constitutional government, United States style; this is flagrant disregard for States rights through asserting Federal prerogatives. Therefore, I oppose the bill.

CONTINUING IN EFFECT HOUSE RESOLUTION 190 AND HOUSE RESOLUTION 386, 83D CONGRESS

Mr. WILLIS. Mr. Speaker, I offer a privileged resolution (H. Res. 21) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That effective from January 3, 1957, the provisions of House Resolution 190, 83d Congress, agreed to March 26, 1953, and House Resolution 386, 83d Congress, agreed to August 1, 1953, are continued in effect.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, in 1953, certain members, former members, and employees of the Un-American Activities Committee of the House of Representatives were named as defendants in the case of Wilson, et al., against Loew's, Inc., et al.

This proceeding contained 23 separate causes of action brought by 23 persons against certain motion-picture companies, their executives and certain members, former members, and employees of the Committee on Un-American Activities. The plaintiffs sought recovery of damages, both actual and punitive, to the extent of $2,250,000, or a grand total of $51,750,000 for all.

The complaint in the above-entitled suit alleged a conspiracy on the part of all the defendants and alleged also that the members of the committee had acted both in their official capacity with relation to the said House Un-American Activities Committee and individually in nonofficial capacities. Under House Resolution 190, the Committee on the Judiciary under its then chairman, the late Mr. Reed, of Illinois, appointed a subcommittee to carry out the authorized study and investigation. The subcommittee then retained Guy Richard Crump, Esq., of Los Angeles, Calif., as counsel to represent the members and former members of the Un-American Activities Committee, as well as the staff who had been named defendants in the case. Prior thereto, the defendant members of that committee and its staff had been ably represented by Slate & Sawtelle, also of Los Angeles, Calif., who were continued in the case as associate counsel by authorization of the subcommittee of the Committee on the Judiciary.

On August 1, 1953, the House passed House Resolution 386 which continued the authority contained in the earlier House Resolution 190 and further authorized the Committee on the Judiciary to arrange for the defense of members, former members, and employees of the Committee on Un-American Activities in any suit thereafter brought against such individuals. Both resolutions also authorized the Committee on the Judiciary to incur all necessary expenses for the purposes authorized, including such items as expenses of travel and subsistence, employment of counsel and other persons to assist it and also, if deemed advisable by the Committee on the Judiciary or a subcommittee, to employ, counsel to represent any and all members of the House Committee on Un-American Activities who might be named as party defendants in any such action or actions. This, of course, included the case of Michael Wilson, et al., against Loew's Inc., et al. The payment of these expenses were to be made from the contingent fund of the House of Representatives on vouchers authorized by the Committee on the Judiciary and signed by the chairman thereof and approved by the Committee on House Administration.

As a result of the representation of the attorneys retained as counsel for these members, former members, and employees, the circuit court of Los Angeles County set aside the summonses and subpenas that were issued upon the nonresidents of the State of California. The subpenas against Messrs. Doyle and Jackson were recalled and quashed but the service of summons was held valid. As to the defendant Wheeler, an employee of the committee, both the summons and subpena were ruled valid. This action took place after a special appearance had been entered on behalf of the House defendants and a motion had been made to set aside and quash subpenas and depositions.

On July 9, 1954, demurrer filed by the defendants to the complaint was sustained. Plaintiffs thereupon filed an amended complaint to which the defendants again demurred and were sustained. On September 16, 1954, plaintiffs appealed from that ruling. On that appeal briefs were filed and oral argument held in the district court of appeals, the second appellate district in the State of California. Those involved in the appeal were Messrs. Doyle, Jackson, and Wheeler. That court affirmed the judgment of the superior court sustaining the demurrers and dismissing the complaint.

Petition was then filed with the Supreme Court of the State of California, but the petition was denied.

On November 5, 1956, a petition for writ of certiorari was filed in the Supreme Court of the United States. Briefs were submitted by all parties, including one by the American Civil Liberties Union, southern California branch, as amicus curiae. On January 21, 1957, the petition for the writ of certiorari was granted. The matter is now pending before the Supreme Court of the United States.

To date counsel has been paid fees in the sum of $2,550 to Mr. Crump, which entails services rendered for 17 days, at $150 per day, and the sum of $2,500 to Slate & Sawtelle for legal services rendered of 136 hours, plus $96.36 for out-of-pocket expenses, making a total of $2,596.36.

Since the above payment, Mr. Crump has submitted an additional bill for the sum of $1,746.45 for services and out-of-pocket expenses on an appeal, covering the period from September 1, 1955, to November 1, 1956. These expenses are broken down as follows:

Legal services for 11 days, at $150 per day	$1,650.00
Printing respondents' brief	96.45

It is expected that additional moneys will be necessary to pay for the legal services which will be rendered in connection with the case now pending before the Supreme Court of the United States. In order that these legal fees and expenses may be paid and also subsequent fees, it is necessary that this resolution be favorably approved. This is due to the fact that the authority to retain these attorneys and to pay them from the contingent fund of the House expired at the termination of the 84th Congress.

Therefore, the Committee on the Judiciary recommends favorable enactment of House Resolution 21.

FOOD-STAMP PLAN TO DISTRIBUTE SURPLUS FOOD

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mrs. SULLIVAN. Mr. Speaker, I was on my feet seeking recognition in order to offer a motion to recommit H. R. 6974 before the passage a few moments ago of that bill extending Public Law 480, but could not get recognition because, under the rules of the House, the minority party has priority in offering motions to recommit. Had I been recognized, I intended to offer a motion to recommit the bill to the Committee on Agriculture with instructions to report the bill back forthwith with an amendment establishing the food-stamp plan to distribute our surplus food to needy people on the relief rolls in this country. I am extremely sorry this was not accomplished in this bill. I have reservations about the bill because of this omission. Nevertheless, I voted for the passage of the bill, because I feel we must continue authority now expiring for the programs it does cover.

GENERAL LEAVE TO EXTEND REMARKS

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed, H. R. 6974.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6500) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes."

The message also announced that the Senate recedes from its amendment No. 1 to the above-entitled bill.

GOVERNMENT SPENDING VERSUS GOVERNMENT BUDGET

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, for several weeks we have been discussing Government spending versus Government budget. We cannot blame the Appropriations Committee for appropriating the money when we, who are Members of Congress and are members of legislative committees, authorize that appropriation. I believe we should assume our responsibility and, if we want to cut down expenditures which are not absolutely essential and necessary to the welfare of our country, vote no when unnecessary subjects and projects are presented to us for authorization.

The records will show that I have voted consistently for reduction in expenditures, except where our expenditures are necessary for our welfare and the protection of our freedoms. The foreign aid bill will again soon be on the floor of Congress for our consideration. Although I am not a member of the Foreign Affairs Committee which handles this legislation, I sincerely hope that the Committee will carefully scrutinize and analyze, yes, with a "fine-tooth comb," every request and every expenditure for foreign aid. I firmly believe that in this period of high taxes, high living costs,

and large national debt we should hold financial aid to foreign lands at a minimum, if at all. We have many people in this country who are finding it hard to pay taxes, raise a family, and maintain a living standard which our freedoms grant to us.

I cannot help but make the observation that some people in foreign lands will "sit in the shade" as long as we continue to give them handouts. It seems ridiculous to me that this great Nation, which is in debt more than any other, should continue to give finances to those countries which are in debt the least.

JOINT COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. SMITH of Virginia. Mr. Speaker, I call up the concurrent resolution (H. Con. Res. 172) to establish a joint congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there is hereby established a joint congressional committee to be composed of the members of the Committee on the District of Columbia of the Senate and the members of the Committee on the District of Columbia of the House of Representatives. The joint committee shall select a chairman and a vice chairman from among its members. A majority of the joint committee shall constitute a quorum except that a lesser number, to be fixed by the joint committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 2. The joint committee, or any duly authorized subcommittee thereof, shall examine, investigate, and make a complete study of any and all matters pertaining to (a) the problems created by the growth and expansion of the District of Columbia and its metropolitan area, (b) how and with what degree of success such problems are handled and resolved by the various agencies and instrumentalities of the Government which are charged with the duty of resolving such problems, and (c) how the resolution of such problems is affecting the affairs of the District of Columbia. The joint committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate and the House of Representatives at the earliest practicable date, but not later than January 31, 1958. Upon the submission of such report, the joint committee shall cease to exist and all authority conferred by this resolution shall terminate.

SEC. 3. The joint committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within the United States, to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony as it deems advisable.

SEC. 4. The joint committee shall have power to employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

Mr. SMITH of Virginia. Mr. Speaker, I think the language of the resolution explains it. I know it is not at all controversial. The author of the bill is the gentleman from Maryland [Mr. HYDE] and he is more competent to explain the provisions of the resolution than I am. I favor the resolution and I would like to yield to the gentleman from Maryland [Mr. HYDE] for an explanation of its purposes such time as he may desire.

Mr. HYDE. Mr. Speaker, I thank the gentleman from Virginia for yielding me time to explain this resolution. As the gentleman from Virginia has just stated, there is no controversy regarding this resolution so far as I know. It received the unanimous support of the Committee on Rules and has also been studied by the House Committee on the District of Columbia. That committee unanimously stated that it had no objection to the resolution. Moreover, it has the support of the Commissioner of the District of Columbia, the Washington Board of Trade, and all local planning groups. What it does, as we will see from reading it, is simply to establish a joint committee of the Congress to study problems created by the growth and expansion of the District of Columbia and its metropolitan area.

Actually it is an investigation and study that is of the utmost importance, because it involves one of the most serious crises facing America today, and that is the crisis created by urbanization.

As a matter of fact, this resolution was suggested by a number of things that have occurred this past year. This past winter a meeting of the National Planning Association called for a 10-year program for the metropolitan areas of the country. I understand also that the association suggested a White House conference on this subject because of its serious importance.

All of you, I am sure, are aware of the tremendous expansion of metropolitan areas, actually since World War II. The urban centers of many of our great cities are becoming obsolete.

The problems that should be studied involve traffic stranguiation, slum areas, mass transportation systems, schools, recreational areas, hospitals, streets, water supply, sewers, air pollution, flight plans, and social aggravations, and so forth.

In other words, the purpose of this committee will be to make a study of all these serious problems and how these problems should be met and to study how the different political jurisdictions involved in these great metropolitan areas are coping with these problems.

When we first considered the drafting of this resolution it was thought that we should have a joint committee to study urbanization throughout the United States, but then it was thought that we might get more definitive answers of real value in trying to solve the problem if we confined the study to just one particular metropolitan area; and, of course, the most logical place for a joint committee of Congress to make the study is the metropolitan area of the District of Columbia.

That, Mr. Speaker, briefly, is the purpose of this resolution to establish this committee to make this study.

A good deal of the work that such committee might do has already been done and will have been completed this fall. You will recall, of course, that this Congress provided for a mass transportation study. That study will be completed this fall, I understand, and, of course, that will all be available to this committee. Several of the committees have done a good deal of work. So quite a lot has already been done, but there remain many other problems to be studied other than that of mass transportation, and unless we can make a thorough study of the problem and come to some definitive answers it is going to be more difficult in the future to meet it, we will come to a problem so aggravated that it will create chaos.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield.

Mr. GROSS. Is there any presently existing committee or commission that can study this problem without creating a whole new staff of consultants, experts, and so on and so forth?

Mr. HYDE. No, there is not. The answer is "No."

Mr. GROSS. What is it going to cost?

Mr. HYDE. We do not know, but it is a study of a problem. I would say to the gentleman from Iowa, that we cannot afford to put off; in fact, we are all familiar with the chaos that now exists in many areas as the result of the explosion of our urban centers. Different political jurisdictions within the same metropolitan areas acting without common direction present a situation that should be handled in some joint way and on some cooperative basis.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. HYDE. I yield.

Mr. GROSS. Who is going to pay for this? Is this going to be paid out of the Treasury or what is the story?

Mr. HYDE. The money will be provided by the Committee on House Administration just as is the case with other joint committees of Congress.

Mr. GROSS. So it is coming out of the Federal Treasury.

Mr. HYDE. That is correct.

Mr. GROSS. It is going to serve the metropolitan area which means, of course, that it will include Maryland and Virginia. Is that not correct?

Mr. HYDE. Oh, yes.

Mr. GROSS. Are they going to make any contribution to this?

Mr. HYDE. No.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from New York.

Mr. MULTER. I am pleased to associate myself with what the gentleman has said in favor of this resolution. It may be true that the surrounding area in Virginia and Maryland may benefit ultimately from this but benefits will come to all the taxpayers of the country and the various communities at taxpayers' expense. This is a study that is long past due. I am sure benefits will be developed that can be obtained for the entire community and the country because this is the capital of the United States and this will redound to the benefit of all the taxpayers who, incidentally, must pay for the cost of the study. We in the Congress will have the right to say how much will be spent before this

committee can operate. After we pass this resolution, the Committee on House Administration will present a resolution and you will have the opportunity then to say what should be spent.

Mr. HYDE. I thank the gentleman for his contribution. Actually what we are proposing will serve as a pilot study for the use of urban centers throughout the United States. That is another one of its real purposes.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from California.

Mr. MILLER of California. I want to congratulate the gentleman and ask for the adoption of this resolution. I invite his attention and those of you who are interested in the problem, and all of us who come from metropolitan areas must be, to a statement I put in the RECORD which was a reprint from an article that included an interview with Professor Robsion, of the University of London, who is an exchange professor at the University of California, an authority on these matters. He stated that the same thing applies here as applies to a mess of Balkan States. That is that these subdivisions are going off in different directions. It is one of the greatest problems that confronts the people of this country today. I think it is a fine thing to have the Nation's Capital as a testing ground for these investigations.

Mr. HYDE. I thank the gentleman.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Michigan.

Mr. RABAUT. I thank the gentleman. I want to know how much duplication there is going to be in this investigation. The Committee on Appropriations has made 3 or 4 investigations during this past year, upon which considerable money has been spent. I notice the gentleman states something about hospitals. We just had an investigation of the hospitals in the District. We have had an investigation of welfare conditions in the District, and we have had an investigation of the schools of the District. Is this going to be a complete duplication?

Mr. HYDE. No.

Mr. RABAUT. Further, the District of Columbia is in no way different from any other big city of this country. The city of Detroit, for instance, has had a city the size of Pittsburgh built around its perimeter. These are facts. It is not going to be built; it is built now. The District Commissioners stated before our committee that one of the problems is that business is going just outside the District lines with these new big department stores. The same thing has happened in Detroit.

Mr. Speaker, I do not think that the general public of the United States ought to pay for an investigation that deals with two States and the District of Columbia. The amount of it that should be paid ought to be about one-fourth by the District, one-fourth by the Federal Government, one-fourth by Virginia, and one-fourth by Maryland. Years ago somebody established a high-water line over there in Virginia. The person who did it was a smart one. We have been paying for bridges across the river ever since because it is in the territory of the District of Columbia. I do not think it is right.

Mr. HYDE. The purpose of this study is not to study the welfare system of the District of Columbia or to study hospitals or a hospital program in the District of Columbia.

I think I can best explain it and its benefit to the Nation as a whole in this fashion by quoting a statement put out by the National Planning Association:

> If Americans continue to stumble into future developments in and around the rapidly expanding metropolitan areas on the basis of thousands of separate and unrelated private development schemes and local plans, and if they deal separately with highways, with schools, with housing, and with hospitals, they are likely to misdirect their efforts and waste their time and resources. And what happens to the future requirements for open spaces and recreation, or any other need which happens not to be powerfully represented by an interest group at a given moment of decision?

In other words, may I say that the purpose of this is to study how these problems are being handled by the different political jurisdictions and how they best may be handled on a cooperative and coordinated basis. It is a much different proposition, may I say to the gentleman, than studying a particular welfare system or a particular hospital. As I tried to point out several times, the purpose and hope of this is that it will be of benefit to the entire United States.

When we first thought about establishing this joint committee, it was thought first to study the problem of urbanization throughout the United States, but then it was felt that more definitive answers, better results, could be obtained by studying a particular problem and that it would serve as a guide for other great metropolitan areas.

Mr. RABAUT. Mr. Speaker, will the gentleman yield further?

Mr. HYDE. I yield to the gentleman from Michigan.

Mr. RABAUT. I appreciate the gentleman's interest in it, and there is much truth to what he says; but do you think that every big city in this country has been standing idly by while these developments are going on all around?

Mr. HYDE. No.

Mr. RABAUT. They are all putting through superhighways in their cities, building them on less valuable ground, steering them in a direction so as to avoid big buildings, and so forth. I think there is a tremendous amount of duplication going to take place here.

Mr. HYDE. I would say to the gentleman certainly there have been cities in this country which are doing a tremendous job. My attention was just called by the gentleman from Pennsylvania [Mr. FULTON] to the great job that was done in the Pittsburgh area in connection with this urbanization problem. New York is studying it on a regional basis. The District of Columbia has established a regional council for the purpose of getting together the political leaders, the officeholders of the various jurisdictions for meeting regularly to consult with regard to these mutual problems. This plan is to make a study to act as a guide to these areas as to how best to handle these mutual problems that are now being handled on a separate political basis, and in many, many areas on a basis that is creating chaos, losing recreational areas, and that sort of thing.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Since the city of Pittsburgh has been mentioned, I might say that the city of Pittsburgh has a city the size of it outside of its own borders. We have had a redevelopment authority for some time, and we have worked across party lines to redevelop. I can see no objection to this resolution that has been suggested, and I hope it passes, just as it has been brought before us.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from California.

Mr. YOUNGER. Mr. Speaker, I would like to associate myself with this measure, and I want to call the attention of the House to a bill that I presented 4 years ago for the creation of a Department of Urbaculture. The arguments presented today and the problems of the cities that are growing on us all the time is just water over the mill, and I am glad to associate myself with this particular measure.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Ohio.

Mr. VANIK. Will the gentleman tell me what special reason there is for the subpena power for this kind of a committee? It would seem to me that information of this type should be voluntarily submitted, and I do not offhand see any reason for it. I am sympathetic to the purposes of the resolution, but what are the reasons for the subpena power?

Mr. HYDE. The only reason is that it is the same provision that is put in all resolutions for the establishment of committees of the House and Senate. I do not anticipate any need for the use of it, but it is the same language that is used in all other resolutions establishing committees of the House and Senate.

Mr. VANIK. Would there be any objection to taking it out if there is no special need for it?

Mr. HYDE. Unless there is some special technical reason why it should be there, I hold no particular brief for it.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. LATHAM].

Mr. LATHAM. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. Mr. Speaker, 8 long months ago the people of Hungary demonstrated in an act of pure nobility

that they simply could not tolerate being compelled to live any longer as something less than human beings. They rose to give the Communist world conspiracy the greatest blow it has ever received. They exposed the falsity of the vaunted boast of the Communists that by indoctrination and controlled education they could produce in human beings the kind of subservient creature they wanted, just as Pavlov could produce in animals the kind of conditioned reflex that he wanted. The world learned with a thrill, and the masters in the Kremlin with terror, that students trained by Communist techniques are in fact, more violently anti-Communist than are people who have not had first-hand experience with its cruelties.

This exposé can give the death blow to Communist propaganda if we exploit it successfully.

You will recall that the United Nations General Assembly passed 10 resolutions condemning the Red aggression and demanding various corrective actions by the U. S. S. R. or the Kadar regime. The United Nations resolutions were defied, ignored, or scorned on every occasion.

So the United Nations Assembly set up a special committee to examine the facts in the situation and report back. On that committee were appointed representatives of Australia, Ceylon, Denmark, Tunisia, and Uruguay. In the last 2 days they have made public their report. It is a devastating indictment—and it is unanimous. Ceylon is one of the leading neutralist countries; Tunisia is a newly independent Arab country. These two groups of countries generally have not gone along with too severe criticisms of the Soviet Union. Their participation in preparing and their endorsement of this report makes all the more eloquent its factual but scathing exposure of the cruelty and the barbarism exhibited by the Soviet Union in Hungary. It is the adequate reply to Mr. Khrushchev's TV program revealing the fakery and bypassing of his peaceful pretenses.

Every Member should read the findings of the United Nations Special Committee as to what the real facts are in a country under communism. Among its conclusions is the following:

A massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs must, by the Soviet's own definition of aggression, be a matter of international concern.

Mr. Speaker, the United Nations itself is now on trial. What will it do about its own committee's report? The resolution establishing the special committee authorized the President of the United Nations General Assembly to call the Assembly back into session to deal with the report of this special committee. And so today several of us have introduced resolutions calling upon our President to instruct our delegate to the United Nations to press the President of the United Nations General Assembly to call it back into special session immediately to deal with this report on the Hungarian revolution.

The Communists never miss an opportunity to make propaganda even out of the most transparent fakery. Here is an unanswerable indictment of Communist behavior by the official representatives of civilized mankind and we must, for the sake of the truth and to get the facts before those here or abroad who may still be misled or befuddled by Communist propaganda, get this report presented dramatically to the public.

The gentleman from Arkansas [Mr. HAYS] has joined me in introducing the following resolution here and I know other Members will also wish to do so. In the other body a similar resolution is being introduced today by Senator KNOWLAND of California, and Senator DOUGLAS, of Illinois:

Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary

Whereas the special committee on the problem of Hungary, established by the General Assembly of the United Nations under its resolution 1132 (XI) adopted at its 636th plenary meeting on January 10, 1957, has now submitted a report (A/3592) of its findings to the General Assembly under terms of the said resolution; and

Whereas it has been established by the said special committee that what took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by longstanding grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the U. S. S. R.; and

Whereas, the said special committee concludes that a massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs, must be a matter of international concern; and

Whereas the General Assembly of the United Nations, by its Resolution 1119 (XI) adopted at its 668th plenary meeting on March 8, 1957, authorized "the President of the General Assembly, in consultation with the Secretary General and with the member states the representatives of which are serving as the General Committee during the session to reconvene the General Assembly as necessary in order to consider further item 66 or 67," item 67 being the problem of Hungary: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the United States Congress that the United States Government instruct the United States delegation to the General Assembly of the United Nations to take urgent steps to recommend the reconvening of the General Assembly at this time to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem of Hungary.

Mr. Speaker, I should like also to quote a few sentences from the U. N. special committee's report:

What took place in Hungary was a spontaneous national uprising, caused by longstanding grievances.

The uprising was led by students, workers, soldiers, and intellectuals, many of them Communists or former Communists. • • • It is untrue that the uprising was fomented by reactionary circles in Hungary or that it drew its strength from imperialist circles in the West.

The uprising was not planned in advance, but actually took participants by surprise. • • • It would appear that the Soviet authorities had taken steps as early as October 20, to make armed intervention possible.

Mr. Nagy has established that he did not issue any invitation to the Soviet authorities to intervene.

It is incontrovertible that the Nagy government, whose legality under the Hungarian Constitution, until it was dispossessed, cannot be contested, protested against the entry and the use of Soviet forces on Hungarian territory, and not only asked that these forces should not intervene in Hungarian affairs, but negotiated and pressed for their ultimate withdrawal.

Irrespective of the assurances given to Premier Nagy by Soviet political personalities, there existed a definite plan for the reconquest and military subjugation of Hungary. This plan in fact was carried through fully.

It is no less incontrovertible that the Nagy Government was overthrown by force. The successor assumed power as a result of military aid by a foreign state. The Nagy government neither resigned nor transferred its powers to the Kadar government. • • • Strong repressive measures have been introduced and general elections have been postponed for 2 years. • • • (Kadar) refuses in present circumstances to discuss withdrawal of the Soviet troops. • • • Since the second Soviet intervention on November 4 there has been no evidence of popular support for Mr. Kadar's government. • • • Capital punishment is applicable to strike activities.

Mr. ZABLOCKI. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I am happy to join with my colleagues in cosponsoring a concurrent resolution to express the sense of the Congress that our Government, through our delegate to the United Nations, should press for the reconvening of the General Assembly to promptly consider the report of its special committee on Hungary.

The special committee has established that what took place in Hungary in the latter part of 1956 was a spontaneous, national uprising caused by longstanding grievances engendered by the Communist oppression.

The special committee further established, and thoroughly documented, the brutal Soviet intervention in Hungary, and the bloody Soviet suppression of the uprising.

Finally, the special committee concluded that massive armed intervention by one power on the territory of another, with the avowed intention of interfering in its internal affairs, is a matter of international concern.

These findings, included in the report submitted by the special committee, provide ample reason for immediate consideration of this grave matter by the General Assembly.

I believe that the United States ought to, and must, urge prompt reconvening of the General Assembly. The concurrent resolution which I am cosponsoring is intended to further the achievement of this end.

In justice to the heroic stand taken by the people of Hungary, and to their tremendous sacrifice for the cause of freedom, I believe that the free world should not wait even a day in considering, within the United Nations, the report of the special committee. The time for action is now.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, I take this time to call attention to a very serious matter involving the Rules of the House of Representatives.

In the Washington Post of yesterday this headline appears: "RAYBURN Will Ban Televised Hearings."

In the Washington Post of this morning this headline appears: "WALTER Scorns RAYBURN'S House Rule, Continues Televising His Hearing."

I have today introduced a resolution which will set at rest this continuing controversy over the interpretation of House rules. I am glad the chairman of the Committee on Rules is on the floor, as I want to call this important matter to his attention. My resolution would amend rule XI, 25 (g), by adding a new provision reading as follows:

(2) Each committee may upon such terms and conditions as it deems advisable permit the broadcasting and telecasting of its proceedings by radio and television and the dissemination of news of its proceedings by such methods and by other methods and media of communication.

Let me call attention to the fact that this question first arose in February of 1952 when the Un-American Activities Committee was conducting hearings in the city of Detroit. At that time the distinguished minority leader of the House, Mr. MARTIN, propounded a parliamentary inquiry to the then Speaker, Mr. RAYBURN, concerning the propriety under the Rules of the House of permitting telecasting and broadcasting of the un-American activities hearings in Detroit. At that time Speaker RAYBURN ruled that the Rules of the House being silent on the subject there was no authority in the House or in its committees to permit the telecasting and broadcasting of the committee proceedings.

Subsequently, in the 83d Congress, when the former distinguished minority leader became the Republican Speaker of the House, although there was no formal parliamentary ruling Speaker MARTIN indicated informally that he had no objections and that under the Rules of the House he thought the committees had the right to permit the telecasting and broadcasting of their proceedings in their discretion; and in fact, the committees of the House did permit the telecasting and broadcasting of their proceedings in the Republican 83d Congress.

In January of 1955 when Mr. RAYBURN again became Speaker of the House, early in the session I propounded a parliamentary inquiry on the same subject and the Speaker reaffirmed the position he had taken earlier. In response to the colloquy, in which other Members joined, he even expanded the ruling to include not only television and radio apparatus but also movie cameras and still photography.

I regret that there has been this disagreement between two longtime friends, two outstanding leaders on the Democratic side of the House of Representatives, but I am happy that it has called to the attention particularly of the Rules Committee of the House the kind of situations which can arise when ambiguities in the rules exist.

Since February of 1952 I have sought to have this matter brought before the House of Representatives so that it can be clarified and the House can work its will on its rules and eliminate this ambiguity. Perhaps it was not so serious when it was simply a disagreement between a Republican Speaker and a Democratic Speaker but it has now become a disagreement between one of the foremost constitutional lawyers in this body and a Speaker of long and distinguished experience. When two minds of that distinction disagree, is it not the duty of the Committee on Rules to study this question and settle this ambiguity and decide whether or not the American people are entitled to have this new instrument of learning about the public business available to them in the House as it is in the Senate and in the press conferences of the President?

Mr. ROONEY. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from New York.

Mr. ROONEY. Would the gentleman care to make an expert prognostication of his chances of success in the adoption of his amendment?

Mr. MEADER. I know that I could not succeed without the support of a great many friends like the gentleman from New York, who I am sure does not wish to keep the American people from knowing about the public business.

Mr. Speaker, under permission to include extraneous material, I include the two articles I referred to from the Washington Post and Times Herald and the text of the resolution which I have introduced today.

[From the Washington Post and Times Herald of June 20, 1957]

RAYBURN WILL BAN TELEVISED HEARINGS

(By Frank Eleazer)

Speaker SAM RAYBURN said yesterday he would put a stop to out-of-town televised hearings by the House Committee on Un-American Activities.

RAYBURN said the lid he clamped on broadcasting or televising proceedings of House committees several years ago applies wherever the committees are meeting.

He expressed surprise at reports that the Committee on Un-American Activities had been permitting filmed or live TV coverage at some of its out-of-town hearings.

RAYBURN'S attention was drawn to the committee's practice by news accounts of the apparent suicide of a scheduled witness before the committee at current hearings in San Francisco. In a farewell letter the prospective witness, a biochemist, said he had "a fierce resentment of being televised."

RAYBURN said if he found the committee had been violating the ruling he propounded in 1952 and again in 1955, he will direct that the practice be stopped.

Richard Arens, staff director for the Un-American Activities group, confirmed that the committee at some hearings outside Washington has been admitting TV film or live cameras. He said the committee considered that RAYBURN'S ruling applied only in Washington.

"Outside Washington we use the facilities of the Federal courts," he explained. "We take the position we are guests of the local Federal judge. We follow whatever rules he applies to the courtrooms we use."

Arens said some judges admit TV film cameras only, while others permit live telecasts. Others bar all cameras.

RAYBURN ruled in 1952 that in the absence of specific rules by the House to the contrary, the general House rules apply also to its committees. He said the general House rules do not permit radio or television broadcasts of House sessions.

He told the House then it was his interpretation that unless the House wanted to vote otherwise, the radio and TV ban also applied to committee sessions, whether in or outside Washington.

[From the Washington Post and Times Herald of June 21, 1957]

WALTER SCORNS RAYBURN'S HOUSE RULE, CONTINUES TELEVISING HIS HEARING

(By Warren Unna)

Representative FRANCIS E. WALTER (Democrat, of Pennsylvania) curled his lip at Speaker of the House SAM RAYBURN yesterday and Mr. Sam didn't like it one bit.

Informed that WALTER, as chairman of the House Un-American Activities Subcommittee, was defying his House rule by holding televised hearings in San Francisco, RAYBURN declared: "There will not be any more (House) Committee or Subcommittee hearings in Washington, or anywhere else televised or broadcast by radio. Period."

Informed of RAYBURN'S command, WALTER glared into the cameras in San Francisco and told a pleading witness: "There is no such rule."

A United Press teletype of WALTER'S remarks was brought to RAYBURN in the Speaker's lobby in the midafternoon yesterday. He masticated each word as he read it. His face reddened right up through his bald scalp. And then he snapped: "No comment."

But the news of WALTER'S action swept through the House cloakrooms. Whispered comments ignored debate on an agricultural bill and crept along the benches on the House floor. Both Democrats and Republicans were seen to head for the news ticker in the back of the lobby.

Representative CLYDE DOYLE (Democrat, California), a member of WALTER'S Un-American Activities Subcommittee who drafted fair-play amendments for House committee hearings 2 years ago, declared:

"The existing interpretation of the Rules of the House by the Speaker of the House take preference and priority over any ruling or any position taken by any Member of the House. TV may have educational value but we are all familiar with the Speaker's ruling and we have no business permitting it (TV hearings)."

Representative ROY W. WIER (Democrat, Minnesota), who has voted against appropriations for WALTER'S subcommittee ever since his first year in Congress in 1949, declared:

"I think I have got the cure for the whole controversy and that is to wipe out the committee. It assumes to be the investigator, the judge and the jury and even takes over judicial authority in the disposition of its cases.

"What's more," said WIER, "I do not like the way they are using the committee to get headlines in the districts of the men running for election."

RAYBURN and Representative WILBUR D. MILLS (Democrat, Arkansas), were overheard discussing Monday's Supreme Court ruling

ing, within the United Nations, the report of the special committee. The time for action is now.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MEADER].

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in which Chief Justice Earl Warren had castigated the Un-American Activities Subcommittee for "exposure for the sake of exposure."

Fellow Congressmen said RAYBURN and MILLS voiced agreement with the Court's remarks and declared WALTER's investigation methods had gone too far.

House Members of both parties seemed to make no bones about their allegiance to Speaker RAYBURN yesterday. For the past few years, criticism of WALTER has been muted because of his three powerful positions:

1. Chairman of the House Democratic patronage committee, which dispenses Capitol Hill jobs.

2. Chairman of the House Immigration Subcommittee, which approves private immigration bills and enhances a Congressman's popularity back in his district.

3. Chairman of the House Un-American Activities Subcommittee, which keeps the files on black marks.

For years, WALTER has been known to be one of Speaker RAYBURN'S closest advisers. In recent months, however, Democratic Members have been quietly saying that WALTER hopes to become the next Democratic Speaker, once RAYBURN steps down.

They point to WALTER'S speech last Thursday on behalf of a jury trial amendment to the civil rights bill and term it an outright appeal to the southern bloc for a someday Speaker's candidacy.

The Rayburn-Walter fracas began Wednesday when the Speaker's attention was drawn to the fact that a San Francisco Peninsula biochemist had committed suicide to avoid appearing as a witness before the WALTER subcommittee's current Communist investigation. The scientist, in a suicide note, explained he had a fierce resentment of being televised.

(In San Francisco, the scientist's widow, Mrs. William K. Sherwood, filed a $500,000 "wrongful death" suit against members of the subcommittee, the United Press reported. Mrs. Sherwood filed the suit in San Francisco superior court naming WALTER and Members ROBERT J. MCINTOSH, Republican, of Michigan, and GORDON H. SCHERER, Republican, of Ohio; staff counsel, Frank Tavenner; and staff investigator William Wheeler.)

RAYBURN had ruled in 1952, and again in 1955, that unless the House voted otherwise, radio and TV would be banned from House hearings in or outside Washington. The House never voted otherwise.

The first response to RAYBURN'S ruling came from Richard Arens, Un-American Activities Subcommittee staff director.

"Outside Washington, we use the facilities of the Federal courts," he explained. "We take the position we are guests of the local Federal judge. We follow whatever rules he applies to the courtrooms we use."

WALTER backed Arens, first by declaring that he thought RAYBURN'S rule applied only to Washington hearings, and was no longer in force anyway.

WALTER said he intended to bring a contempt citation against at least one of the witnesses before his hearing and force a court test of his subcommittee's power to investigate. He also predicted that Congress would soon pass anti-Communist laws that even the Supreme Court will understand.

RESOLUTION TO AMEND RULE XI OF THE RULES OF THE HOUSE OF REPRESENTATIVES

Resolved, That rule XI 25 (g) of the Rules of the House of Representatives is hereby amended by inserting "(1)" immediately after "(g)," and by adding at the end thereof the following:

"(2) Each committee may, upon such terms and conditions as it deems advisable, permit the broadcasting and telecasting of its proceedings by radio and television, and the dissemination of news of its proceedings by such methods and by other methods and media of communication."

I have discussed this matter on many occasions, and a list of references to those discussions appears in the CONGRESSIONAL RECORD of May 18, 1954, volume 100, part 5, on pages 6778 to 6780. Since then my remarks on this subject appear in the CONGRESSIONAL RECORD as follows:

July 19, 1954, volume 100, part 8, pages 10955 to 10956.

January 20, 1955, re televising press conferences, volume 101, part 1, page 494.

January 24, 1955, re parliamentary inquiry and remarks on televising committee hearings, volume 101, part 1, pages 628 to 629 and pages 636 to 637.

February 10, 1955, re House Resolution 99, volume 101, part 2, page 1427 and pages 1442 to 1445.

March 21, 1955, re House Resolution 151 to amend rules relating to committee procedures, volume 101, part 3, pages 3297 to 3299.

March 23, 1955, re debate on House Resolution 151, volume 101, part 3, pages 3569 to 3585.

Mr. MEADER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, this is the second time in 20 years that it became necessary to confess that after my vote had been cast listening to a colleague, a misunderstanding arose. I changed my vote and later discovered I was right in the first instance. That happened on the bill today. I changed from "aye" to "nay" when from my viewpoint "aye" was the correct vote.

I promise my constituents—not the Members of the House, but my constituents—that I will be a little more careful hereafter. I hope they will forgive me for this one, even though the result was not affected that is a bad thing to do especially when you want to answer a Democrat who in his remarks made a slight mistake, as did the gentleman from Michigan [Mr. DINGELL]. He said:

Mr. Speaker, I rise to pin the tail on the elephant.

I thought I had better confess before he told me that I made the same mistake he did yesterday. You remember how the game was played? The player was blindfolded, given a cloth tail and attempted to pin it on a drawing of either an elephant or a donkey. I think we were both misled. He had quite a little to say about Republicans not going through on a teller vote on an amendment. He said:

I ask the distinguished minority leader to deny that the Republican Party is liberal and humanitarian in principle and tight and stingy with money and the hungry of this country.

Well, that reminds me of the argument we had when other appropriations bills were up. He made the too broad, general charge that the Republicans want to see the hungry continue to be hungry. An absurdity on its face. Neither party can be charged with anything like that. We are all about the same kind of people, whether we are in one party or the other.

The gentleman then said this:

What is the situation in my own city of Detroit? Right now we have 100,000 people out of work. We have thousands of others on minimum or lower incomes. Other cities and States face similar problems. Twelve million people today in America live on subsistence-level or lower. We are merely trying to see to it that in giving away a lot of these products, we think a little more of our own people: that we care for our own hungry, our own needy, our own aged, our own pensioners, our unemployed, our retirees.

That we take care of our own first, has always been my creed. That may be one reason I have been called an isolationist, which, when the test is whether it is my country or the interest of another first; I always have been.

Then he calls attention to the fact that he hopes someone will bring that situation in Detroit and in Michigan to the attention of the voters when next we have an election. That is a good suggestion.

I think the record is rather clear that some of us have consistently and from the very beginning of the program voted against giving so much aid abroad, in favor of taking care of first our own people here in America. So we do not need to worry about that issue. The Democratic Party under Roosevelt and Truman started that and carried it on.

If anyone is in doubt as to whether the Republicans or the Democrats are responsible for the situation described by our colleague from Detroit yesterday, listen to our former colleague, Democrat Frank Hook.

Mr. RABAUT. He came here with me. We came together.

Mr. HOFFMAN. Mr. Hook is a very active statesman. Now let us see—and this is good for your Democratic Party and I hope that your Detroit papers will get it because Frank places the blame for Detroit's and Michigan's plight, which we all wish to end, where it ought to be. He writes to the editor of the Detroit Free Press. The letter was published on the 18th of June.

I read:

For your information there is a powerful group of Democrats who are sick and tired of being pushed around by the Gust Scholle-Williams-National Socialist Labor group.

And if you want to compliment Frank Hook in his opposition to that, join up; if you will give me your names and addresses, I will be glad to send them to him. He adds:

We are organizing as free Democrats for the purpose of bringing the Democratic Party back to the Democrats.

I see the gentleman is nodding his head—does that mean, yes, you are in favor of that? You are. Thanks.

All we have had is a captive government since 1948 in Michigan under the domination of the Gust Scholle-Williams gestapo.

Gust, president of the CIO, said that no voter in Michigan should ever vote for a Republican, no matter how able or how patriotic he might be. That label "Republican" is one which to Gust prevents office holding. We ought to have had something of that kind in the civil-rights bill.

Then, Frank wrote:

It is my sincere hope that Senator MCCLELLAN'S committee investigate the unholy alliance of the State administration and that gang—

While I do not approve of that word "gang," it may be descriptive.

Frank says:

It might prove very interesting.

It sure will be helpful to the State and its people.

There you have it.

I noticed Senator MCNAMARA put in the RECORD the other day a list of corporations that had moved into Michigan in the last few years.

It was quite impressive. Then, just a day or two ago, I received a letter from a resident of one of the towns named in the Senator's list as one in which 2 corporations had located, with the statement that 1 of the industries which came in had faded out almost immediately and that the other was on its way out.

It would be very informative and, as Frank wrote, interesting, to know just how many industries have left Michigan, just how many have come in, since Governor Williams inaugurated his policy of soaking industry—especially corporations—and Reuther ascended his throne as dictator of when an industry should and should not produce and how much it should pay for the privilege of employing workers.

One thing is indisputable and that is that no sound, sensible individual or board of directors or operators of a business will long continue the effort to produce, to give jobs, where taxes are unduly high, labor relations arbitrary, unreasonable.

Business people are like everyone else. Unless there is a profit in sight—an opportunity to be successful—they just will not make the effort.

Michigan has many, many natural advantages. It has an almost unlimited supply of skilled workers. There is no reason why it should not be, and continue to be, one of the foremost industrial States of the Union.

Long ago, Williams and Reuther should have seen the light. We all hope it is not too late.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. HILL].

Mr. HILL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a statement by Assistant Secretary of State Thorsten V. Kalijarvi.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Now, with your permission, I should like to review the steps taken with a view to limiting the quantities of scrap shipped abroad. The exportation of scrap from the United States in quantity, largely a phenomenon of the recent postwar years, attracted attention when in 1954 shipments began to rise sharply. In the case of the European Coal and Steel Community the rise was precipitous and in mid-1955 this trend was discussed informally with the high authority which undertook to level off the Community takings at the rate of 150,000 metric tons per month during the second half of the year.

At the beginning of 1956 it was determined that shipments to Japan and the United Kingdom might also be reaching too high a level and the Departments of State and Commerce consulted with the three major importing areas to urge voluntary restraint as a means of avoiding the possible necessity of restrictive action. We were informed that the Coal and Steel Community, Japan and the United Kingdom would require minimums of 1,980,000, 1,320,000 and 550,000 short tons respectively. At this time we did not seek commitments from the importers but expressed to them our hope that their imports for the year would not exceed these essential quantities.

When, at the middle of the year, export licensing was running somewhat ahead of the indicated requirements, the three major importers were again urged to exercise moderation. The Coal and Steel Community gave assurance that its 1,980,000-ton limit would be respected while the United Kingdom indicated that any taking on its part over the 550,000 tons would be negligible. However, Japan expressed the view that the figure quoted in its original estimate had been inadequate and that nearly 2 million short tons (1,800,000 metric tons) would be needed. In response to this unexpected development, we noted that an increase of this magnitude might make mandatory limitations unavoidable and again urged Japan to hold imports to a minimum.

During the closing months of the year, Japan's imports continued heavy and several times our Embassy in Tokyo made oral representation of the subject. The increase in Japanese imports also created an indirect problem in the sense that our urging of moderation to the other major importers in the face of this increase could be interpreted by them as discriminatory in favor of Japan. However, in enacting the extension of the Export Control Act of 1949, Congress had instructed the Department of Commerce to make a survey of scrap availabilities in the United States. Until this survey, under preparation by the Battelle Memorial Institute, and its evaluation by the Department of Commerce were completed we were without concrete information as to whether or not a scrap shortage was imminent. However, the problem of excessive exports was raised in the Council on Foreign Economic Policy where it was determined not to apply quotas but to seek a solution to the problem through further discussions with the importing areas.

Toward the end of the year the Coal and Steel Community expressed the hope that

I. DISCUSSIONS WITH MAJOR FOREIGN IMPORTERS OF UNITED STATES SCRAP

The Department of State is involved in the ferrous scrap export problem because of the need to balance conservation of essential supplies of this material at home with the essential requirements of friendly countries which represents a legitimate foreign policy consideration. The principal importing areas, Japan, the European Coal and Steel Community, and the United Kingdom, are heavily dependent on us for the scrap supplies which are essential to the health of their economies and to their defense positions. These considerations are important to the security interests of the United States.

Accordingly, the Department has been actively engaged in the consideration of the scrap problem since 1955. It has recognized that, in attempting to insure a continuing flow of minimum essential requirements to the major importers, we cannot indefinitely continue to make ever-increasing supplies of scrap available to them. We have, on the contrary, emphasized the need for moderation and have encouraged the importing areas to achieve a balance in their metallica supply which will bring such dependence on us to an end. We have also, through our missions abroad, surveyed the scrap reservoirs of other countries on a worldwide basis in an effort to ascertain if there are any untapped or insufficiently tapped sources of the material the exploitation of which might reduce the demand on the United States as a world supplier. These latter efforts have not produced any particularly fruitful results.

However, we are hopeful that the years following 1957 will see a progressive lessening of the demand upon us. The European Coal and Steel Community will have heavy requirements in 1958 and substantial ones in 1959 but assures us that by 1960 its demands on us will be negligible. It advises that at the present time it is using only 39 percent of scrap in its melt (as compared with about 50 percent in the United States and still higher in Japan) but that by 1960 the scrap component may be reduced to as low as 21 percent. The Community states that this reduction will be the result of an investment program by means of which it is planned nearly to double blast furnace capacity between 1956 and 1960. Moreover, the high authority of the Community has established an incentive system entailing payment of a premium to producers for scrap saved through increased consumption of pig iron.

Japan has a steel industry less developed than that of the Coal and Steel Community and envisages some continuing dependence on us. However, it plans to increase its 417,000 metric ton 1955 capacity in converter steel (which uses very little scrap) to 750,000 tons in 1957 and to a tentative 3,800,000 tons by 1960. Pig-iron production, at 5,256,000 metric tons in 1955, is to be raised to 6,560,000 tons in 1957 and to a tentative 9,163,000 tons in 1960.

its imports from us might be increased by about 55,000 short tons per month. We asked the community to adhere to its original limitation and it agreed to do so for the balance of the year but warned that during 1957 additional quantities would be required. However, we indicated our belief that the 1957 level of shipments should not be permitted to exceed that of 1956.

At the beginning of February 1957 the Department of Commerce survey was published and showed that although there was no shortage or prospect of shortage in lighter grades of scrap there was a likelihood of shortages developing in the heavy melting grades which ordinarily constitute approximately two-thirds of our exports. At the same time a mission representing the Japanese steel industry arrived in Washington to discuss scrap requirements with the Department of Commerce, and stated that over 2,700,000 tons would be needed during 1957. The Japanese were told that the matter would be studied but it was indicated to them that the 1956 level of shipments should not be exceeded.

Subsequently, the data presented by the Japanese scrap mission were reviewed in the Departments of State and Commerce. Although the United Kingdom and the Coal and Steel Community were on notice that moderation was still required, further discussions with them were not undertaken at the time. It was felt that Japan represented the most pressing problem both because of the increase in its imports and of the relative extent of its dependence on us as a source of supply which has been brought about by the industry's rapid postwar growth.

On concluding review of Japan's requirements in the light of the Department of Commerce survey we decided that in view of the fact that only heavy melting material appeared to be in danger of depletion, we should ask Japan to limit its imports on heavy melting scrap to the amount shipped in 1956 but that exports of lighter grades should be unrestricted. Similar proposals were then made to the Coal and Steel Community and to the United Kingdom.

All three importing areas agreed to study these suggestions but Japan and the Coal and Steel Community indicated that acceptance of the terms would have serious effects on steel production. Subsequently Japan returned with a counterproposal involving quantities somewhat greater than last year's but less than those previously requested. It was determined that the Japanese figure struck an acceptable balance between that country's dependence on us in scrap and our need to conserve the material. The proposal was accepted by us and the Government of Japan states that the Japanese steel industry will be advised not to import during 1957 in excess of the agreed figure. Understandings based on the same formula have recently been reached with both the Coal and Steel Community and United Kingdom. Pursuant to these understandings the 3 major importers will limit their imports of premium material to tonnages about 13 percent higher than those of last year but no limits will be placed on movement of the lighter grades of scrap.

II. FOREIGN SCRAP IMPORTING ARRANGEMENTS

Let us now discuss the second problem, namely, the foreign business arrangements for the importation of United States generated scrap. It is my understanding that lengthy testimony has been presented to the committee setting forth in detail the manner in which scrap importing arrangements in the European Coal and Steel Community and Japan allegedly have interfered with the exports of certain United States scrap firms. Several witnesses have referred to "protests" or representations by the Department of State in this connection. The committee has indicated that it would appreciate the Department's comments concerning these representations and our present policy with respect to this problem. First, it should be pointed out that the actions which the Department has taken are in conformity with and in furtherance of the basic United States foreign economic policy calling for the encouragement of free competitive enterprise in the Free World nations and for the elimination of restrictive business practices in international trade. Under this policy the United States seeks to encourage competitive enterprise and to eliminate restrictive practices as a means of contributing to the economic strength of the Free World. Free economic institutions offer greater promise of more favorable conditions than economies burdened by monopolies, restrictive business practices, and excessive government regulation. In response to the request of the chairman, we have prepared for the information of this committee a more detailed presentation of our foreign economic policy in this field. It is attached to the copies of my statement.

(See attachment A.)

EUROPEAN COAL AND STEEL COMMUNITY

Before discussing the Department's policy toward the scrap importing arrangements of the European Coal and Steel Community (sometimes referred to as the CSC), it may be helpful for the committee to have some background information about the Community and about these arrangements.

Since 1948, the United States has supported projects designed to further the economic integration of Western Europe. One of the more important is the six-nation Coal and Steel Community which came into existence in July 1952 after the basic treaty had been ratified by the national parliaments of France, the Federal Republic of Germany, Italy, Belgium, Luxembourg, and the Netherlands. Less than a year later the common markets for coal, iron ore, scrap, and steel had been established. With the creation of these common markets, national barriers to trade, such as tariffs, quantitative restrictions, and discriminatory pricing, were abolished within the Community. The object of these unprecedented steps was to bring the coal and steel industries of the 6 CSC countries into competition with one another in one vast common market comprising 150 million consumers.

The CSC Treaty also envisaged the elimination of private agreements restricting the production and marketing of these commodities. Articles 65 and 66 of the treaty, directed against cartels and monopolies, were accurately characterized as "Europe's first major antitrust law." These provisions were completely unprecedented outside of the United States.

In any consideration of the Coal and Steel Community it is important to note that the six member states have relinquished to the Community by treaty most of their powers over their coal and steel industries. The principal organ of the Community is the executive body known as the high authority. This body has the major responsibility for administering the CSC Treaty, subject to certain checks and balances by the other Community institutions such as the common assembly and the court of justice.

As regards CSC scrap importing arrangements, the private scrap organization in Brussels known as the OCC (Office Commun des Consommateurs de Ferraille), or the Joint Office of Scrap Consumers, was set up in the spring of 1953. This organization is responsible for CSC scrap imports and was established to cope with special problems arising out of shortages of scrap in the Community. Payments are made from a common fund to purchasers of scrap imported through the OCCF to equalize the higher delivered cost of imported scrap with that of domestic scrap. The creation of the OCCF was authorized by the high authority under article 65 of the CSC Treaty. Article 65 prohibits all restrictive agreements which would tend in any manner to impede the normal operation of competition within the common market. However, agreements for specialization of production or joint selling or buying may be authorized by the high authority under certain specified conditions.

Early in 1955 we became aware of the fact that the OCCF had concluded an exclusive contract with a group of three United States scrap dealers headed by Luria Bros., Inc. In March of that year the Acting United States Representative to the CSC informed the high authority that the United States questioned the compatibility of this exclusive arrangement with the CSC objectives of establishing and maintaining competitive conditions in the community. This action was stimulated in part by protests from other United States scrap dealers who were precluded by the arrangements from exporting to the community. Later, on May 4, 1955, the acting United States representative submitted to the high authority a letter recapitulating the views of the United States Government on this exclusive arrangement. Since the committee has expressed a specific interest in the nature of the Department's approach to the high authority on this problem, I shall be glad to submit the text of this letter for insertion in the record if the committee so desires.

The exclusive purchasing arrangement with the Luria group was terminated by the high authority effective December 1, 1955. A public announcement of this decision was made in November of that year in the form of a press release issued by the high authority. It was announced that in the future the OCCF "would not enter into any commitments involving exclusive purchasing arrangements or bearing on a fixed percentage of Community requirements" as regards scrap imports from the United States. Further, the release stated that the OCCF "will in the future examine proposals submitted by third country suppliers on the basis of normal commercial criteria, such as price, quality, delivery possibilities, etc." I should like to submit the text of this press release for insertion in the record.

Although exclusive purchasing in the United States has been terminated, centralized purchasing by the OCCF has been continued. Beginning about July 1956 and continuing down to the present, various United States scrap exporters have complained to the Department and our CSC mission in Luxembourg about OCCF purchasing methods. These complaints have been presented in detail to the committee. One point should be emphasized with respect to these charges by United States scrap exporters. Neither the Department nor our CSC mission has been in a position to evaluate them. The mission has been instructed to present the nature of these complaints to the high authority or to members of the high authority staff and to discuss with them the practices being pursued by the OCCF, and their conformity with the criteria stated in the high authority press release.

Until recently responses which we received from the high authority with respect to the specific complaints concerning the purchasing methods of the OCCF indicated that the high authority was inclined to leave such matters to the OCCF which they considered in the nature of day-to-day commercial transactions. The Department still wished to bring about an improvement in the situation and to this end instructed our CSC mission to continue its discussions of the matter with the high authority. On June 18 the high authority delivered to our mission in Luexembourg an aide-memoire on the Community's scrap import purchasing arrangements and the high authority's policy concerning these arrangements. Copies of this aide-memoire are attached to my statement. (See attachment B.) The essence of this statement is as follows: "The high authority has decided that steps should be taken to avoid any possibility of misunderstanding, either in the United States or the Community, of the policies of the high authority or of its determination to enforce those policies. It has, therefore, • • • undertaken to formulate detailed criteria and procedures to be followed by the OCCF in purchasing scrap in the United States. These criteria and procedures will be designed to eliminate any discriminatory or restrictive practices or any other practices in any other way contrary to the purposes of the Community."

We feel that this is a significant step by the high authority and we are hopeful that it will produce a substantial improvement in the situation.

JAPAN

Now let us consider the situation with respect to importation of scrap by Japan. As in the case with the coal and steel community, Japan purchases virtually all of its imported scrap through a central buying organization known as the scrap coordinating committee. This committee, which is composed of representatives of the leading Japanese steel mills, is a private group operating in close liaison with the Ministry of International Trade and Industry.

The first complaint relating to Japanese scrap importing arrangements was made to the Department in August 1956. It was charged that the scrap coordinating committee was about to conclude an exclusive contract with one United States firm. The Embassy in Tokyo looked into this matter and determined that the committee had given the United States firm, Luria, a fourth-quarter contract for 335,000 tons. Although this was not an exclusive contract in form, it had the effect of virtually cutting off scrap exports to Japan during that quarter by all other United States suppliers. The Department subsequently received complaints from other suppliers which were sent to the Embassy for discussion with appropriate Japanese officials.

When the scrap coordinating committee began negotiating contracts for 1957, the Department learned that the committee had decided to apportion their requirements among four United States dealers. The Embassy was again instructed to intercede but, although the number of dealers was raised to six, this intercession was unsuccessful in obtaining a restoration fo competitive conditions.

Throughout our dealings with both the Japanese Government and the Coal and Steel Community on this problem, we have consistently maintained the position that all United States suppliers should have an equal opportunity to compete for the business. Of course, if one firm obtained a majority or all of the business, there could be no objection provided free and open competition had prevailed. It should also be emphasized that we have not, and cannot, intercede in the interest of any one supplier or group of suppliers. The basic principle which we have been attempting to establish is a nondiscriminatory purchasing policy.

In conclusion, Mr. Chairman, permit me to point out that with respect to discussions with foreign governments on scrap imports from the United States we have sought to reach a balance which will preserve and promote the national interests of the United States. We have tried to give adequate consideration to our domestic industry and to meet, as far as possible, the requirements of friendly importing nations. As to the scrap importing arrangements in foreign countries, we have followed a policy designed to give all United States firms an equal opportunity to compete for foreign-scrap business. This is in accordance with our foreign economic policy of encouraging free competitive enterprise abroad.

ATTACHMENT A

ATTACHMENT TO STATEMENT BY THORSTEN V. KALIJARVI, ASSISTANT SECRETARY OF STATE FOR ECONOMIC AFFAIRS, BEFORE THE HOUSE SELECT COMMITTEE ON SMALL BUSINESS—UNITED STATES FOREIGN ECONOMIC POLICY WITH RESPECT TO RESTRICTIVE BUSINESS PRACTICES

This memorandum sets forth the recent historical development of United States foreign economic policy with respect to the encouragement of free competitive enterprise abroad and the elimination of restrictive business practices, the means by which this policy is carried out, and the progress which has so far been made.

GENERAL HISTORICAL DEVELOPMENT

The United States has long recognized the adverse effects of restrictive practices in international trade on its own economy. Our own antitrust laws, for example, have always applied to restrictions on our foreign as well as domestic commerce. In addition, the effects of foreign cartel activity have been repeatedly felt both by American business and the United States Government. Foreign cartels have resulted in barring American firms from investment and trade opportunities abroad and in discriminatory treatment of, or high prices to, American industries dependent on foreign sources of supply. The activities of foreign cartels in frustrating economic development in the United States were brought home with particular vividness in the last war with the revelations of their effects in such vital fields as synthetic rubber.

United States foreign economic policy with regard to restrictive business practices necessarily developed after World War II as an integral part of our overall policy and programs to attack and reverse a serious international trend toward restrictionism. Before the war, a variety of factors including the rise of nationalism and the effects of the depression had caused a greatly increased use of protectionist devices and other restrictive measures in trade between states, and use of economic planning and controls within national boundaries. In this period the official policies of foreign governments increasingly favored the cartel system as a form of stabilization, some countries even adopting compulsory cartelization statutes. In the international field likewise little attention was given to the strangling effects on international trade of private restrictive agreements.

In deciding what course to pursue in its postwar foreign economic policy, the United States was thus faced with the prevalence abroad of a restrictive philosophy extending throughout governmental planning and approaches on the national and international levels and with regard to both governmental and business activities. It became clear that this trend must be reversed if the nations which had been devastated by the war were to revive. It was natural that at first primary emphasis should be directed to international trade to develop the basis for an expanding international economy. In the cartel field, various proposals for multilateral cooperation on international cartel practices were advanced. However, none has yet proven practicable for generalized adoption.

As a specialized aspect of this policy of expanding international trade, the United States became particularly interested in promoting trade liberalization within Europe as a major force in European economic cooperation. The adverse effects of restrictive practices on this program were recognized in Europe as well as in the United States. The Organization for European Economic Cooperation declared in 1950 that private restraints in Europe "may well restrict competition more than foreign trade controls and tariffs alone. • • • The risk is that, as official restrictions were removed, these restrictive practices created within the business world itself may tend to expand in their stead."

Our concern with this problem led to the inclusion in the bilateral ECA agreements with the European governments of a commitment to take appropriate action with respect to restrictive practices international in scope which were found to interfere with the recovery effort.

The problem of restrictive practices in the European recovery program was, however, not limited purely to the question of international trade. It was soon recognized that such practices on a national level were a major impediment to the expansion of European production and the achievement of higher living standards, both vitally necessary to economic recovery and popular resistance to the lure of communism. Arrangements of a restrictive nature among business enterprises have been widely prevalent in many countries, particularly in Western Europe. These cartel activities, typically carried out through domestic trade associations, have as one of their principal purposes the fixing of prices throughout entire industries. Many also establish production quotas, receive and allocate orders among enterprises, set up exclusive areas of sale, and control the entry of new firms. By removing much of the incentive for more efficient methods of production, they have been a significant factor in Western Europe's lag in productivity behind both the United States and the U. S. S. R. They have tended to inhibit Europe's ability to compete in world markets and thus have contributed to balance of payments problems. They have held down new investment and therefore basic economic expansion. In connection with the mutual defense effort, it became apparent that a substantially added cost could result from the operation of cartel arrangements.

The Congress gave recognition to the importance of this problem in 1951 by the adoption of an amendment to the Mutual Security Act explicity stating a policy of encouraging free enterprise and competitive activity in countries receiving United States aid. This policy has been reaffirmed in subsequent amendments of the act. In its present form, known as the Thye amendment, the amendment reads as follows:

"The Congress recognizes the vital role of free enterprise in achieving rising levels of production and standards of living essential to the economic progress and defensive strength of the Free World. Accordingly, it is declared to be the policy of the United States to encourage the efforts of other free nations to increase the flow of international trade, to foster private initiative and competition, to discourage monopolistic practices, to improve the technical efficiency of their industry, agriculture and commerce, and to strengthen free labor unions; and to encourage the contribution of United States enterprise toward the economic strength of other free nations, through private trade and investment abroad, private participation in the programs carried out under this act (including the use of private trade channels to the maximum extent practicable in carrying out such programs), and exchange of ideas and technical information on the matters covered by this section."

President Eisenhower also gave attention to the subject when he stated in his 1955 Economic Report to the Congress:

"It is to the advantage of each nation to attend to the barriers that have caused international trade and investment to lag behind the growth in production and incomes. Our own interest clearly calls for a policy that will in time extend into the international field those principles of competitive

enterprise which have brought our people great prosperity with freedom."

Considerable interest in and concern over this problem has also been expressed by United States business representatives. For example, Mr. Ernest Breech of the Ford Motor Co. aptly described the situation as follows:

"Some Europeans are still skeptical of many United States industrial policies that have led to greater productivity and higher living standards in this country. They have an ingrained fear of competition and prefer to divide the existing market through cartels and other voluntary agreements, rather than through free competition for ever-expanding markets.

"These and other similar attitudes are a challenge to the American businessman. They are, in a sense, psychological roadblocks to the maximum expansion of Free World economies. Anything we can do to persuade them to change will, in my opinion, be a major contribution to Free World strength."

IMPLEMENTATION OF POLICY

The measures which can be taken to implement our policy of discouraging restrictive business arrangements and encouraging competitive enterprise are subject to two important limitations. First, rapid and dramatic results cannot be expected in this field, because we are dealing with methods of doing business and a whole pattern of thinking that has become engrained over scores of years. The process of change can therefore only be gradual. Second, we cannot interfere in the internal affairs of other sovereign nations, and it would certainly defeat our aims to do so. We can only encourage and assist where this is desired.

With these caveats in mind, the United States has been able to pursue the following activities:

1. One of the basic requisites of progress in this field is the adoption of effective anticartel legislation in other countries. Accordingly, emphasis has been placed on this objective. Foreign governments have been assisted in a variety of ways in the preparation or administration of anticartel legislation by enabling them to draw on United States antitrust experience where it can appropriately be applied to their own problems and needs. Of particular importance have been a number of missions from foreign governments brought to the United States to study in detail our antitrust laws and related statutes and their administration. These have included teams from the United Kingdom, France, the Federal Republic of Germany, and Belgium.

2. Related to this but somewhat broader in scope, this Government has placed considerable emphasis in the programs for increased productivity on the necessity of encouraging competitive activity. These programs have been centered on the training of employees and management in more efficient technical and business methods. It became apparent that the benefits of this technical training could not be maximized unless accompanied by increased competition. Accordingly, the productivity programs were planned with this factor in mind, and many foreign officials and businessmen have been brought to this country to observe the operation of our competitive system at first hand. The constitution of the European Productive Agency, established several years ago to coordinate European national efforts in this field, reflects this emphasis. The EPA now has a continuing long-range program on the subject, adopted under United States stimulus, which includes regular meetings of European government specialists on restrictive business practices, the preparation of basic studies, and the exchange of ideas and experiences with American specialists. The cross-fertilization of ideas and experience thus taking place among government officials in Western Europe in a position to guide the policies of their governments on this subject is proving highly productive.

3. The United States has adopted the policy of making Export-Import Bank and other public loans in a manner to avoid strengthening international cartel arrangements or contributing to monopoly situations.

4. In the program for offshore procurement of defense materials, United States procurement officers have been instructed to use channels of procurement which would reduce risk of prices being inflated, deliveries hampered, or production impeded by restrictive business practices. Competitive bidding is employed where circumstances permit. In one case alone, the refusal to accept a collusively fixed price resulted in a saving of $4 million for the United States. In addition, our NATO allies have agreed to employ international competitive bidding on most projects being jointly financed by the members of NATO.

5. We have included in our recent bilateral treaties of friendship, commerce, and navigation, a provision under which the two governments agree to consult with regard to restrictive business practices harmful to trade between them and to take such action as may be deemed appropriate. There are currently treaties in force containing this provision with the Federal Republic of Germany, Greece, Ireland, Israel, Italy, and Japan. Five others have been negotiated.

6. The Government has, wherever possible, assisted American business concerns to overcome foreign cartel restraints on their activities. In some cases, this assistance has taken the form of diplomatic representations, in others more informal action; in either case it is designed to remove discriminations by private cartels and business associations. Such discriminations may involve, for example, denying an American firm the right to invest or do business in a foreign country, cutting off its supply of raw materials, or attempting to force it into arrangements for price fixing or divisions of markets. In a few cases more direct assistance has proven practical. For example, an American firm was encouraged to develop a source of industrial diamonds free of control of the diamond cartel and was given financial assistance under the program for acquisition of strategic materials.

PROGRESS TO DATE

As noted above, before the war, governments often supported and encouraged cartels and little action was taken against them. Now there is a significant body of foreign legislation pointing in the direction of free competitive enterprise and a considerably wider body of vocal public opinion is in support of this course. These changes are truly significant when viewed in light of the fact that progress in this field must of necessity consist of gradual change.

There is no concrete way of assessing the degree to which United States policy and programs have influenced these developments. It is safe to say, however, that these activities plus the example of our own vigorous antitrust policy have been significant factors.

Laws to regulate restrictive practices of varying effectiveness are now in force in a growing number of foreign countries. In Western Europe alone, Austria, France, the Netherlands, the Scandinavian countries, and the United Kingdom have already adopted laws. The present United Kingdom statute, adopted this past year, promises to be one of the most effective yet enacted. The Federal Republic of Germany is actively working on an anticartel law of its own to replace the Allied occupation statutes in this field.

The movement toward western European integration has likewise produced significant developments in the anticartel field. In marked contrast to the operations of the prewar international steel cartel, the treaty establishing the European Coal and Steel Community contains strong provisions forbidding private arrangements in restraint of completion in the community and controlling the degree of economic concentration in the community coal and steel industry. The recently negotiated treaty for a European common market, which, when ratified will embrace the same six countries as the Coal and Steel Community, contains provisions to prohibit restrictive agreements among the member countries. These were inserted in specific recognition of the fact that it would be useless to remove governmental barriers to trade, such as tariffs and quotas, and then permit private restrictive agreements to take their place. While it is too early to assess the effectiveness of these provisions, they are highly significant as the first attempt at multilateral cooperation to control cartel agreements. In addition, if successful, this international activity will inevitably lead to the strengthening of national legislation in the area.

Many evidences of Europe's determination to move in the direction of free competitive enterprise are contained in public statements of key government officials. For example, German Economics Minister Erhard, in commenting on the remarkable economic recovery of Germany, asked his countrymen why they would want "to go back to regulations and restrictions," when "we have demonstrated what competition and free prices can do."

The enhancement of the competitive system in Western Europe which is taking place is of direct significance and benefit to the United States. Not only will it aid American businessmen to operate more freely and efficiently in the area, but the greater economic strength thus achieved will contribute to the security of the free world in general and to our own national security.

ATTACHMENT B

ATTACHMENT TO STATEMENT BY THORSTEN V. KALIJARVI, ASSISTANT SECRETARY OF STATE FOR ECONOMIC AFFAIRS, BEFORE THE HOUSE SELECT COMMITTEE ON SMALL BUSINESS—TEXT OF HIGH AUTHORITY AIDE-MEMOIRE ON SCRAP IMPORT PURCHASING ARRANGEMENTS, JUNE 18, 1957—ARRANGEMENTS MADE BY ENTERPRISES OF THE EUROPEAN COAL AND STEEL COMMUNITY FOR THE PURCHASE OF FERROUS SCRAP IN THE UNITED STATES

The high authority of the European Coal and Steel Community desires to submit this aide-mémoire in response to the request of the United States mission to the high authority for information with respect to the practices relating to ferrous scrap purchases on behalf of enterprises of the community and the policy of the high authority in this regard.

The community is an institution with sovereign powers, delegated to it by the six countries that established it by treaty, and separate from the coal and steel enterprises subject to its jurisdiction. The high authority, as the executive branch of the Coal and Steel Community, has the responsibility for seeing that the common market for coal, steel, and iron, created under the treaty, operates free of restrictions and discriminations and that competitive conditions are maintained within the community.

In carrying out this responsibility, the high authority has taken note of the special situation created by the shortage of ferrous scrap. Prior to the establishment of the common market, each of the member countries of the community maintained quota or other restrictions to deal with the problems created by this shortage. With the establishment of the common market those restrictions were abolished. In order to prevent economic dislocations the high authority approved a system whereby the additional cost of scrap imported from nonmember countries is apportioned equitably among all users of scrap within the Community. It is contemplated that this system will be needed so long as the acute scrap shortage continues.

So as to provide the machinery through which this system could be operated, the high authority in 1953 authorized the enterprises of the Community that use scrap to create an independent association. This association, known as the OCCF, acts as a common clearinghouse for the purchases of scrap from sources outside of the community and serves as a mechanism for apportioning the additional cost of imported scrap among its member enterprises.

The OCCF maintains an office in Brussels. It does not itself purchase scrap but locates potential sources and negotiates purchase agreements on behalf of member enterprises. In this way the OCCF assures that the claims made for compensation under the apportionment arrangements are not excessive.

In addition to this function in relation to the apportionment arrangements, the OCCF has since its establishment served as a mechanism through which the high authority has been able to limit scrap import from the United States, in compliance with voluntary limitations imposed by the high authority after discussion with the United States Government.

In authorizing the creation of OCCF the high authority made the findings required by the provisions of article 65 of the treaty establishing the Coal and Steel Community. It found that the operations of the OCCF would contribute to a substantial improvement in the distribution of scrap: that the association was essential to achieve those results and was not more restrictive than necessary and that the OCCF was not capable of giving the member enterprises the power to determine prices, or to control or limit the introduction or selling of a substantial part of scrap within the community market, or of protecting those enterprises from effective competition by other enterprises within the community market.

Under the provisions of article 65, the high authority must revoke or modify its authorization of the agreement creating the OCCF if it should find that as a result of a change in circumstances the OCCF no longer fulfills the conditions found at the time of its establishment or that the actual results of its operations are contrary to those conditions.

By a letter of May 4, 1955, Mr. Robert Eisenberg, the then acting United States representative to the high authority, called the attention of the high authority to the fact that certain exclusive scrap purchasing arrangements, which existed between the OCCF and a group of American scrap dealers, might not be compatible with the objectives of establishing and maintaining competitive conditions in the European coal and steel industry.

Upon the receipt of this letter, the then president of the high authority, M. Jean Monnet, communicated with Mr. F. A. Goergen, the then president of the OCCF, in order to ascertain the facts and to take steps to correct any practice that might be contrary to the community's purposes. After conversations between officials of the high authority and of the OCCF, the OCCF terminated all exclusive agreements then in effect for the purchase of scrap in the United States. Following this action, on November 10, 1955, the high authority issued a press communique in which it announced:

"In accordance with the position previously taken by the high authority, it has been agreed that in the future the OCCF in importing from the United States will not enter into agreements containing exclusive provisions, nor relating to a fixed percentage of the community's needs.

"Consequently, the OCCF in the future will examine the offers of suppliers in third countries in accordance with customary commercial criteria, such as prices, quality, delivery terms, etc."

During the year 1956 following the termination of its exclusive purchase arrangements, the OCCF purchased scrap in the United States through about a dozen scrap dealers.

In spite of the elimination of these exclusive arrangements it has now come to the attention of the high authority, that in testimony before the Small Business Committee of the United States House of Representatives, certain United States scrap dealers have charged that the buying practices of the OCCF continue to discriminate against them in favor of the group of American scrap dealers with whom the OCCF previously had exclusive arrangements. The high authority is undertaking a thorough investigation to ascertain the facts as to the validity of these charges. Whether or not these charges prove to be well founded, however, the high authority has decided that steps should be taken to avoid any possibility of misunderstanding, either in the United States or the community, of the policies of the high authority or of its determination to enforce those policies. It has, therefore, also undertaken to formulate detailed criteria and procedures to be followed by the OCCF in purchasing scrap in the United States. These criteria and procedures will be designed to eliminate any discriminatory or restrictive practices or any practices in any other way contrary to the purposes of the community.

It is contemplated that the formulation of these criteria and procedures, together with control arrangements necessary to assure that they will be followed, will be completed and adopted after consideration at the next meeting of the OCCF. When adopted these arrangements will be made available to the State Department and enforced by the high authority.

Mr. RIEHLMAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

IRON AND STEEL SCRAP—EXPORT POLICY

Mr. RIEHLMAN. Mr. Speaker, the Honorable Thorsten V. Kalijarvi, Assistant Secretary of State for Economic Affairs, made a statement today before the House Small Business Committee concerning, first, the discussions with foreign governments dealing with the limitations on the scrap they plan to take from the United States; and second, the Department's policy pertaining to the scrap importing arrangements of the European Coal and Steel Community and Japan. My distinguished colleague and ranking minority member on the House Small Business Committee, the gentleman from Colorado [Mr. HILL] has placed the entire statement of the Assistant Secretary of State in the CONGRESSIONAL RECORD. I join him in recommending to the membership of the House a careful reading of the statement.

Personally, after listening to and carefully studying the Assistant Secretary's remarks, I am convinced that the Department of State, Department of Commerce, and other agencies of our Government which have been working to find a proper solution to the problems created by the exportation of iron and steel scrap have earnestly and consistently had in mind the welfare of the many thousands of small-business men engaged in the iron and steel scrap business in the United States. It must be remembered that the problems involving the exporation of iron and steel scrap not only concern the needs of our friends abroad but also concern the economic health and welfare of the United States. The Export Control Act of 1949, as amended, declares that "it is the policy of the United States to use export controls to the extent necessary (a) to protect the domestic economy from the excessive drain of scarce materials and to reduce the inflationary impact of abnormal foreign demand; (b) to further the foreign policy of the United States and to aid in fulfilling its international responsibilities; and (c) to exercise the necessary vigilance over exports from the standpoint of their significance to the national security." The statement of the Assistant Secretary of State has very definitely clarified the situation which has obtained with respect to the exportation of a valuable raw material. As I stated, the testimony is irrefutable that at no time has the United States Government failed in its several discussions with foreign governments to take into account the small-business aspects of the iron and steel scrap problem. In its negotiations with the high authority of the European Coal and Steel Community on the purchase of ferrous scrap in the United States, it is very apparent that the best interests of our free competitive enterprise system and our national security have been adequately and faithfully preserved.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield.

Mr. EVINS. Mr. Speaker, I should like to associate myself with the remarks of the gentleman from Colorado [Mr. HILL] in pointing out some of the constructive work of the Select Committee on Small Business of the House.

Our committee has been holding a series of objective hearings on an alleged domestic, monopolistic situation in the steel-scrap industry, which extends into an international cartel system of absolute control. The State Department has taken cognizance of the situation and has indicated that steps are being taken to insure in every way that free trade and competitive competition be maintained.

In this connection I ask unanimous consent to have reproduced in the RECORD a statement of the distinguished chairman of our committee, Congressman WRIGHT PATMAN, relating to some developments of our hearings and investigations.

The statement follows:

STATEMENT OF WRIGHT PATMAN, CHAIRMAN, SELECT COMMITTEE ON SMALL BUSINESS, UNITED STATES HOUSE OF REPRESENTATIVES

This morning, the Honorable Thorsten V. Kalijarvi, Assistant Secretary of State, read to the House Small Business Committee a diplomatic note from the high authority of the European Coal and Steel Community, which states that the high authority is taking steps to eliminate restrictive purchase practices of the OCCF, the central buying

of ideas and experience thus taking place

Integration has likewise produced significant

strictions were abolished. In order to pre-

enter into agreements containing exclusive

find a proper solution to the problems

practices of the OCCF, the central buying

agency of the community countries for purchasing scrap from the United States. This action, when carried out, will break the near monopoly control which a small combine of United States firms have recently had for exporting scrap to the six European countries which make up the European Coal and Steel Community, known as the CSC. This note which was transmitted by Mr. Butterworth, our Ambassador to the CSC in Luxembourg, said that the high auhority has "undertaken to formulate detailed criteria and procedures to be followed by the OCCF in purchasing scrap in the United States. These criteria and procedures will be designed to eliminate any discriminatory or restrictive practices or any practices in any other way contrary to the purposes of the community."

Assistant Secretary Kalijarvi told the committee that "in furtherance of the basic United States foreign economic policy calling for the encouragement of free, competitive enterprise in the free-world nations and for the elimination of restrictive business practices in international trade," the State Department has taken steps to encourage free trade practices in the purchase of iron and steel scrap by both the OCCF and Japan. The community countries and Japan are the principal foreign markets for United States iron and steel scrap. Both make scrap purchases from the United States through central buying cartels.

The committee listened with approval to the statement of the Assistant Secretary of State and suggested that it would welcome on the part of the high authority its promised action, "which should not only strengthen free, competitive enterprise in Europe—an objective of the CSC—but an action which will help preserve free, competitive enterprises within the United States, by freeing some 4,000 small scrap dealers in this country from the threat of monopoly control." The committee further expressed the hope that the State Department will follow very closely developments of the corrective actions which have been promised by the high authority, and that it will take whatever steps are appropriate to encourage an early adoption of these actions.

The House Small Business Committee has been holding hearings since May 20, on both domestic and export problems affecting the United States iron- and steel-scrap trade. On June 6, Representative PATMAN invited attention of the State Department to transcripts of the committee's hearings, saying witnesses had charged "that a central buying cartel in Japan and the OCCF, the central buying agency for the European Coal and Steel Community, restrict opportunity for making sale of scrap in these markets to a small group of selected United States companies."

In its diplomatic note of June 18, the high authority said it had previously asked its OCCF purchasing agency—in November of 1955—to eliminate the exclusive contract with the small group of United States firms for all scrap shipped from the United States, but the note continues:

"In spite of the elimination of these exclusive arrangements, it has now come to the attention of the high authority, that in testimony before the Small Business Committee of the United States House of Representatives, certain United States scrap dealers have charged that the buying practices of the OCCF continue to discriminate against them in favor of the group of American scrap dealers with whom the OCCF previously had exclusive arrangements."

Assistant Secretary Kalijarvi told the House Small Business Committee that the State Department had interceded with the Japanese to open up their market to all United States firms on a competitive nondiscriminatory basis, saying:

"But, although the number of dealers was raised to six, this intercession was unsuccessful in obtaining a restoration of competitive conditions."

The CSC is made up of France, Germany, Italy, Belgium, Luxemburg, and the Netherlands. The Assistant Secretary told the committee that the CSC was formed in July of 1952 "to bring the coal and steel industries of the 6 CSC countries into competition with one another in 1 vast common market," and to eliminate barriers to trade within the CSC countries "such as tariffs, quantitative restrictions, and discriminatory pricing." The Assistant Secretary added that the CSC treaty among the six nations has anticartel provisions which are accurately described as "Europe's first major antitrust law."

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield.

Mr. ROOSEVELT. I want also to commend the gentleman from Colorado and to agree as well with the remarks made by the gentleman from New York [Mr. MULTER].

I believe the results of this investigation have pointed out once again how important the work of the Small Business Committee is and how productive it can be when all of the Members on both sides of the aisle work together.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield.

Mr. VANIK. I want to associate myself with the remarks of the gentleman from Colorado.

Mr. HILL. Mr. Speaker, I would like to read a paragraph or two of the letter that Mr. Kalijarvi presented as he appeared before our committee. This is not information that happened yesterday. This is information that happened today. And I want to tell the Members of the House that we are happy to report this is a matter that is very important to these United States, it is very important to our friends, the Japanese, as they are working on that particular issue now.

The high authority of the European coal and steel community desires to submit this aide-memoire in response to the request of the United States mission to the high authority.

Then he goes ahead and tells us what they have done to get the countries of middle Europe together on the purchase of scrap steel.

SMALL BUSINESS COMMITTEE HEARINGS ON SCRAP METAL

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield to the gentleman from New York.

Mr. MULTER. Mr. Speaker, I am pleased to associate myself with the remarks of the gentleman from Colorado, the ranking minority member of the Select Committee on Small Business, and at the same time to pay my compliments to the chairman of the committee, the gentleman from Texas [Mr. PATMAN]. They have done a fine job in setting up these hearings, and the results speak for themselves.

I wish also to pay my compliments to the distinguished majority leader, the gentleman from Massachusetts, [Mr. MCCORMACK] for having given impetus to this study and also to say a word of appreciation to the gentleman from Pennsylvania [Mr. GREEN] and the gentleman from New Jersey [Mr. RODINO] for having submitted much material to us that was helpful in this work. The majority leader, Mr. MCCORMACK, has been as interested in this work as the most diligent committee member. We are grateful to him for his aid. The small-business men of this industry owe him a vote of thanks.

As a result of this study the foreign cartels which have been, certainly, if nothing else, hurting small business in this country, will, we hope, adhere to their agreements to permit free competition in their markets. This should give an opportunity to small-business men, some 4,000 of them throughout the country, who are engaged in the scrap metal industry, to participate freely and competitively in exporting their scrap to Japan, the United Kingdom, and the European Continent.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL. Mr. Speaker, to bring the discussion back to the business at hand, I should like to rise in support of House Concurrent Resolution 172 and to commend my colleague from Maryland with whom I share the honor of representing the suburban areas of Washington for his authorship and sponsorship of this resolution.

There has been some reference made here earlier that Washington is no different from a lot of other big cities in the country. There is a difference, a big difference, the difference being that Washington is our Nation's Capital, the Capital City of all the people of the United States. It is not necessary for me to remind the Members of this body that the Congress is the city council of the District of Columbia and it is charged with the responsibility of helping in the solution of the many problems confronting our Nation's Capital.

One of the more difficult things in arriving at a solution of these problems is that it is very difficult to confine these problems within the geographic boundaries of the District of Columbia. It only contains about 840,000 people. The District of Columbia, in effect, has grown out into the surrounding States to where we now have to look at the solution of these problems as a metropolitan area as a whole and as a great big city of over 2 million people.

What aggravates that problem further is the fact there are two States involved, in addition to the District of Columbia, and various political subdivisions within those States. Congress has recognized its responsibility in helping us to arrive at a solution of this problem before. Back in the 83d Congress we set up a Presidential Commission to do what this resolution would do here today, but the bill was vetoed, due to an amendment which was placed on the bill by the other body. In the meantime, the various States and communities around here have been desperately trying to arrive at a solution to these problems.

Someone has said that the States of Virginia and Maryland are not spending any money to solve these problems. That is not true. These States have

spent hundreds of thousands of dollars in studies and surveys in an effort to solve the vast problems that seem to be getting worse and worse every day. It is almost impossible to coordinate the various activities into one great big metropolitan community in order to secure a coordinated solution to the problem.

The main purpose of this resolution is to provide a means to coordinate all of these various studies and surveys and the efforts of the people of the various communities to come up with one major overall project to solve the problem.

There is the matter of traffic, there is the matter of bridges, which have been mentioned here today, something about future bridges in the District. There is the matter of pollution and the water supply. Those are very serious problems.

In 1950 the Congress authorized the construction of another airport here for the District of Columbia. There is a great deal of disagreement and argument as to where that airport should be located. I do not want to suggest that this resolution will take any jurisdictional authority away from the Committee on Interstate and Foreign Commerce, but certainly insofar as the location of an airport having an impact on the surrounding community is concerned, I do believe that that matter could be discussed by this committee once it is established. So, let us say that the adoption of this resolution will give us a better chance to arrive at an orderly solution to this problem. I say again that everyone in the country should be concerned with this, because this is the Nation's capital, and as pointed out by the gentleman from Maryland [Mr. HYDE] in addition to that, it would set up a pilot plan which a lot of the metropolitan areas of the country who are experiencing similar problems may follow.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Iowa.

Mr. GROSS. I simply want the RECORD to show that I am opposed to this resolution, and opposed to the taxpayers of all the country continuing to finance projects of this kind in the District of Columbia and the surrounding territory. I thank the gentleman for yielding to me so that I can make my position clear in the RECORD.

Mr. BROYHILL. I assume the gentleman does not object to the Congress as well as the District of Columbia meeting its obligations to assist in arriving at a solution of a problem of this sort.

Mr. GROSS. I have always voted for reasonable appropriations for the District of Columbia for carrying on the Federal city.

Mr. BROYHILL. The main purpose of this resolution is in the interest of our National Capital, which is the Capital of all the people.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. JACKSON].

Mr. JACKSON. Mr. Speaker, the current issue of national interest, or certainly one of the current issues, is the controversy which is presently raging over the House Committee on Un-American Activities. That controversy has resolved itself to the point where the future effectiveness of this instrument of the House of Representatives may well be determined within the course of the next few weeks.

The present situation as respects the committee has been brought about by several factors, one of which, as we well know, is the issue of the televising and the broadcasting of committee hearings. I should like to point out to the House that the original order by the Speaker of the House relative to the televising of committee hearings came in 1952 when the House Committee on Un-American Activities was in the city of Detroit, Mich., attempting to determine, if possible, the extent to which the Communist elements in that city had succeeded in infiltrating into the Ford union, the largest union in the country. We had placed on the stand a number of union officials, from top to bottom; a number of the board of directors of that union, all of whom had previously been identified under oath by other witnesses as past or present members of the Communist Party. Midway in the hearings an order was received from the Speaker to cease television broadcast of the hearing.

As has been pointed out by the gentleman from Michigan [Mr. MEADER], that order was rescinded during the Speakership of the gentleman from Massachusetts [Mr. MARTIN], who gave into the hands of the committee chairman the power to decide whether or not televised hearings were to be held. However, the pot is boiling again, and it is my understanding that resolutions have been introduced or will be introduced to abolish the House Committee on Un-American Activities. To that resolution I might say that I lend my wholehearted support, not out of any sympathy for the purposes behind the resolution but in order that the resolution may be brought to the well of this House and that the membership of the House may then have an opportunity to express their confidence or their lack of confidence in the House Committee on Un-American Activities. For my part I am proud of the work done by the House Committee on Un-American Activities and of the disclosures relative to Communist penetration of our institutions and our Government which have been made by this committee.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. JACKSON. I am happy to yield to the gentleman.

Mr. HOFFMAN. Does the gentleman mean that he is in favor of a resolution under which we would be required to answer to a rollcall and identify ourselves as either favoring the continuance of the committee or not?

Mr. JACKSON. I would say to the gentleman that it would give me a great deal of personal pleasure.

Mr. HOFFMAN. Nothing would give me greater personal pleasure, too.

Mr. JACKSON. I certainly hope that the appropriate committee having jurisdiction over this matter will promptly report to the House such a resolution in order that we may determine once and for all whether the House is to have any investigative powers in the area of subversive activities, the Supreme Court to the contrary notwithstanding, or whether we shall, in effect, remove the dome from the top of the Capitol and move it across the street and hang a sign on that beautiful building "Open Under New Management."

On Thursday next, I have a special order to address the House and I issue a most ardent and enthusiastic invitation to those who have traditionally disapproved of and opposed the House Committee on Un-American Activities, quietly it is true—they have not had the fortitude to come into the well and oppose it openly with possibly one or two exceptions. At that time I shall discuss the activities of this committee and, I invite those who are in opposition to its operations to participate in the debate. I think it might bring out some facts of interest not only to the Congress but to the people of the United States. That special order is on Thursday next following any other special orders heretofore entered.

Mr. Speaker, these issues are of transcendent importance to the Congress if it is to retain in the first instance its power to legislate; and in the second instance if it is to continue its inherent power to investigate and recommend remedial legislation.

Mr. LATHAM. Mr. Speaker, I ask unanimous consent that all Members who have spoken on this resolution may have permission to revise and extend their remarks.

The SPEAKER pro tempore. Without objection, it is so ordered. There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina, the chairman of the District of Columbia Committee [Mr. MCMILLAN].

Mr. MCMILLAN. Mr. Speaker, I heartily endorse the pending resolution and say to the Members of the House that in order for the Committee on the District of Columbia to properly perform its functions, the functions which have been placed on our shoulders, we must have all the information we can possibly get as to conditions existing in the District of Columbia.

I hope this resolution will pass.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

KLAMATH TRIBE OF INDIANS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 265 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 469) to authorize the United States to defray the cost of assisting the Klamath Tribe

"But, although the number of dealers was raised to six, this intercession was unsuccess-

to this study and also to say a word of appreciation to the gentleman from

any money to solve these problems. That is not true. These States have

tainly one of the current issues, is the

order that we may determine once and

fray the cost of assisting the Klamath Tribe

of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. LATHAM] and yield myself such time as I may require.

Mr. Speaker, House Resolution 265 provides for the consideration of Senate 469, authorizing the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, and defer the sales of tribal property. This bill was reported by the House Interior and Insular Affairs Committee with amendments.

The resolution provides for an open rule and 1 hour of general debate on the bill.

Public Law 587 of the 83d Congress provided for the termination of Federal supervision over the property of the Klamath Indian Tribe, located in Oregon, and the individual members of the tribe. S. 469, as amended, amends Public Law 587 to provide that no sales of tribal property be made until after the adjournment of the second session of the 85th Congress. The bill also extends the final termination date from August 13, 1958 to August 13, 1960. It is believed that during this period the sales of tribal property, which consists of approximately 590,000 acres of commercial timberland, may be arranged at times and in quantities which will not depress the market and reduce the stumpage prices to the Indians.

Another amendment to Public Law 587 provides for the reimbursement of an amount equal to one-half of the expenditures made from tribal funds in carrying out the termination program, or the sum of $550,000, whichever is the lesser amount. The Senate provided $1,100,000 for this purpose.

A further amendment gives preference rights for the purchase of the property to the tribe and to members who stay in the tribe as well as members who withdraw from the tribe. Studies have been conducted which indicate that under the provisions of Public Law 587 70 percent of the enrolled Klamath Indians, residing in 18 States and the Territory of Alaska, will elect to withdraw from the tribe and have their interest in tribal property converted into money and paid to them. The other alternative is to remain in the tribe and participate in a management plan to be set up under the provisions of this law.

S. 469 also clarifies the provision in Public Law 587 which provides for the protection of the rights of members of the tribe who are minors, noncompos

mentis or who need assistance in conducting their affairs.

I urge favorable action on the rule so the House may proceed to the consideration of this bill.

Mr. LATHAM. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

A FALSE AND WICKED CHARGE

Mr. HOFFMAN. Mr. Speaker, under a dateline of June 10 out of South Haven, Mich., local daily papers carry the statement that Irving Fidelman, South Haven resort owner, while host to the fourth annual Institute on Human Relations at his vacation spot charged that "Michigan leads the Midwest with more than 48 percent of its resorts, inns and hotels admitting they discriminated against Jews."

His tirade brought headlines which may have been Fidelman's purpose.

Not long ago he gained publicity by threatening court action against school officers who permitted the reading of portions of the Bible in public schools. He also may have wanted to advertise his resort.

The News Palladium, of Benton Harbor, headlines read: "Charge Michigan Is Anti-Semitic—South Haven Conference Told State's Record Is Worst.

St. Joseph Herald Press headlines read: "Tourist Discrimination Hit by South Haven Hotel Man."

South Haven's Daily Tribune carried the story on the front page.

From Deputy Attorney General Joseph Sullivan came the comment:

I am shocked. I had no idea that Michigan had reached this stage of infamy with regard to discrimination in the resort business.

As applied to the six southwestern counties of Michigan, Fidelman's story is false and wicked.

That Sullivan, as one of Governor Williams' law-enforcing officers, knows or should know Michigan has a law prohibiting discrimination. As Deputy Attorney General did Sullivan cite violations or convictions? The press give none. Has Fidelman ever made a complaint? He cites none.

Fidelman's charge as applied to the community in which he lives is not only false and wicked—it is an insult to the members of his race. To accept his charge one must believe that Jews as a race are dumb, ignorant and completely foolish. A silly suggestion. They are known to be exceptionally intelligent, shrewd and alert. Jews do not go where they are not wanted and they flock to southwestern Michigan.

South Haven is almost directly across the Lake from Chicago. To reach it you go by boat across the lake or around its foot over 4-lane superhighways.

You first hit St. Joseph. There Leon Harris, a Jew and one of the finest men alive, operates the Whitcomb Hotel, one of the country's finest. Filled the year around, it is difficult to obtain a room unless advance reservation is made. Most of his guests are wealthy Jews, who come year after year to enjoy the mineral baths and cool Lake Michigan breezes. Just across the river is Benton Harbor. For years an exceptionally pleasant and capable Jewish lady presided at the desk.

Then on to South Haven 23 miles away. That is the community in which Fidelman lives. And 90 to 95 percent of the resort business is operated and patronized by Jews.

Southwestern Michigan plays no favorites, discriminates against no one. I know. I have lived there 80 years. I humbly suggest Fidelman consider what John Heywood wrote more than 400 years ago. I quote: "It is a foule byrd that fyleth his owne nest."

Read it again Mr. Fidelman.

Mr. Speaker, I yield back the balance of my time.

Mr. LATHAM. Mr. Speaker, I am in accord with the statement of the gentleman from Missouri. I am in favor of the resolution.

Mr. Speaker, I have no further requests for time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

Mr. HALEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 469) to authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, S. 469, with Mr. ROONEY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Florida [Mr. HALEY] will be recognized for 30 minutes, and the gentleman from Pennsylvania [Mr. SAYLOR] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this is one of the very simple, little Indian bills that we have in our committee every once in a while. I think it is well agreed that this legislation is necessary. Briefly, the legislation does three things. As stated by the gentleman from Missouri, it helps defray the cost and the expenses of the Klamath Tribe or at least to assist them in the termination program which is under way at the present time. It also defers for 2 additional years the termination date.

It provides for private trust companies to look after the interests of the incompetent Indians when the Secretary of the Interior determines the need for

assistance. That, Mr. Chairman, is about what this bill accomplishes.

The bill was on the Consent Calendar and the only reason it is here is because there was some disagreement with the committee's original bill. I believe that the amendments that will be offered today will clear up this slight disagreement entirely and I think everyone is actually in harmony on this bill.

Mr. SAYLOR. Mr. Chairman, I yield 10 minutes to the gentleman from South Dakota [Mr. BERRY].

Mr. BERRY. Mr. Chairman, the Klamath Indian Tribes are in a unique position in that their reservation is located in the heart of a very wealthy timber area in Oregon. The Klamath Indians themselves are now in a unique position in that a large percentage of the Indians at Klamath have been integrated into the white society up and down the coast.

There is a provision in the Klamath treaty which reads as follows:

SEC. 6. The Congress of the United States may hereafter abolish these restrictions and permit the sale of the land so assigned if the prosperity of the Indians will be advanced thereby.

For 20 years the Klamath Indians have been trying to get out from under the jurisdiction of the Federal Government. They want to take this property that is theirs and to go on their own. They have asked, they have appealed, they have voted, they have done everything trying to get out from under the yoke of the Federal Government, but until the 83d Congress they were turned down. This, of course, was not popular in the timber area because they had too much virgin timber within their reservation, they have too many natural resources; so the white people of the area were careful to see that their property was kept under their control and that it was kept under the supervision of the Indian Department.

The above was the situation for about 20 years. Then came a new Commissioner of Indian Affairs, a new commissioner with a new idea that the Indian people were, after all, not too much different from their white neighbors, and that if they were ever going to be anything other than just wards of a Great White Father, they should be given an opportunity to own their own property, to use their own property for their own best interests and for their own economic welfare.

As I said a while ago, the 83d Congress, following the Commissioner's lead, passed this legislation giving them the opportunity to control their own destinies, to take this tribe out of the bondage of socialism where an all-wise Federal Government in Washington shall decide for these people what property they can own, what they shall do with their property, what they shall do with the moneys received from rentals, and so forth. The legislation that was passed by the 83d Congress provided briefly four things.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. BERRY. I yield to the gentleman from Colorado.

Mr. ASPINALL. The gentleman I know does not want to leave the impression that there was a unanimous desire on the part of this tribe to get out from under Federal supervision. What the gentleman is saying is that there was such a large majority that it was sufficient to make those who were studying this problem feel that it was the desire of the Klamath Nation itself. Is that not right?

Mr. BERRY. That is absolutely correct. I thank the gentleman from Colorado for his remarks. The gentleman has a very complete understanding of the Indian problem and he has given a great deal of his time and effort in the solution of many of these problems and programs. I have the greatest respect for his judgment and ability and I appreciate his contribution. There was a division of about 50–50 of those who wanted to get out. But the two different groups got together and worked out this agreement.

The agreement that they worked out and the legislation that we passed as a result of that agreement provided for termination of Federal supervision over the Klamath Tribe and the individual members thereof, and provided as follows:

First. Cause an appraisal to be made of all tribal property showing its fair market value by practical logging or other appropriate economic units.

Second. Give each adult member of the tribe an opportunity to withdraw from the tribe and have his interest in tribal property converted into money and paid to him, or to remain in the tribe and participate in a management plan.

Third. Determine and select the portion of the tribal property which, if sold at the appraised value, would provide sufficient funds to pay the members who elect to have their interests converted into money, arrange for the sale of such property, and distribute the proceeds of sale among members entitled thereto.

Fourth. Cause a plan to be prepared satisfactory to the tribe and the Secretary for management of tribal property retained by those who remain in the tribe. This management plan would be carried on under a trustee, or by the tribe operating as a corporation or other legal entity.

Mr. Chairman, because of the unwarranted delay that came about following the passage of this bill, this amendment has become necessary and I want to emphasize this unwarranted delay.

This bill:

First, extends final determination date to August 13, 1960, 2 years;

Second, gives preference rights to the tribe and the members who stay in the tribe; and

Third, provides a few minor changes some of which I am certain are good, such as more fully protecting the property of minors by going into State court, and so forth.

Mr. Chairman, I want to read from the May, 1957 issue of the American Forest Magazine, which gives, I think, a good illustration of the reason back of the delay in carrying out this law. This magazine has a long article on this Klamath withdrawal. Among other things it says:

It would be helpful now if someone a decade ago had heeded the clear signals of impending liquidation of the Klamath Reservation. Somebody should have started a comprehensive economic study of the Klamath Basin to determine the role of the reservation in the overall economy.

They are not talking about the economy of the reservation; they are talking about the overall economy of the area.

Fundamentally the question regarding disposal of Klamath Indian property are another evidence of the tremendous pressures exerted upon the Nation's natural resources by a rapidly expanding population. Other friction points known to all include such things as the million acres being absorbed annually by new urban, industrial, highway, and other uses; land withdrawals for military use; wilderness needs; loss of valuable agricultural and forest land in flood control projects; drainage of the nesting grounds of migratory waterfowl, to name just a few.

The American Forestry Association believes that thorough study of future needs and planned use of all the Nation's resources to meet these needs is mandatory.

I think that gives you just a little idea of why this delay is required, not for the benefit of the Indians of the Klamath Reservation but because of the desire on the part of these organizations to provide an overall program for the basin and the Klamath Indians; because of the pressure of the chambers of commerce, the wildlife groups, the lumber companies, the sportsmen who want to preserve their flyways, and so forth—all at the expense of the Indians. The telegrams received by the committee were nearly all from these groups, while the telegrams from the Indian people were primarily against the extension of time.

The delay is sought not by the Indians but by these other groups and it will be made at the expense of the Indians.

Mr. HALEY. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Chairman, I rise in support of the general objectives of the bill now before the House, S. 469, to authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes, but with certain reservations as to the provisions of the bill in several respects.

I refer the Members of this body to the remarks I made on this floor on May 14, 1957, at the time I introduced a bill, H. R. 7524, to provide minors and incompetents of the Klamath Indian Tribe with certain much-needed protections against excessive guardianship fees and costs.

I noted at that time my deep and abiding respect for the members of the legal profession to whom we all are so deeply indebted. Those enduring fundamental rights and freedoms enshrined in our Bill of Rights owe much to the legal profession for their preservation. My fears, therefore, concerning the amounts which may be charged in guardianship fees and costs do not in any way stem from any mistrust of lawyers. Quite the contrary is true.

But we must be realists. In every profession, in every occupation there are bound to be a few who are so devoid of the deep and abiding faith in ethical principles that they may—if no restraints are placed in their way—act unscrupulously toward those too weak to defend themselves.

It is for this reason that I have already proposed that such guardianship fees and costs be limited by a Federal law tying them to the amounts which may be charged, under State law, by guardians of veterans. I hope, therefore, that an amendment to this bill will be offered to that effect or, in the alternative, that the House Committee on Interior and Insular Affairs will promptly schedule and hold hearings on the measure which I have already presented to this body.

Another provision in this bill which is of concern to me is the provision in paragraph (d) permitting, in the case of minors and persons declared incompetent by judicial proceedings, the Secretary of the Interior to designate a person to make the election as to whether the minor or incompetent will remain in the tribe or will withdraw.

This is a dangerous provision. For we must remember that about half the persons involved are minors. The passage of this measure in its present form will give into the hands of the Secretary of the Interior, without any recourse whatsoever on the part of the parents of these minors or the guardians of these incompetents—the power to determine the results of the total tribal election. Such unbounded, uncontrolled power should not be given to the Secretary of the Interior, whoever he may be. We must give to the parents of these minors and to the guardians some voice, some recourse, some appeal from arbitrary action on the part of the Secretary of the Interior or his subordinates. We give to the members of the Klamath Indian Tribe in the present law a choice as to whether they want to stay in or leave the tribe. Let that choice be real, not illusory.

I therefore hope that, with respect to this provision also, an amendment will be offered to safeguard the rights of the parents of these minors and of the guardians of these incompetents, thereby also protecting the rights of the minors and incompetents themselves.

There is a further point that disturbs me greatly, Mr. Chairman, disturbs me as much as any of the others.

I have spoken already of the dangers that may lie in the present statute with respect to the dissipation of the estates of minors and incompetents through excessive guardianship fees and costs.

I have shown that under the fee schedule adopted by the Klamath County bar association, if the estate of a minor is $50,000, the cost in the first year to establish the guardianship estate will run as high as $4,064 where an individual guardian is used. Assuming no withdrawals of capital and a normal return, annual attorney and guardianship fees will consume $1,000 of the estate, so that at the end of 15 years the estate, through guardianship and attorney's fees alone, will have been decreased by $18,064. The minor, out of an estate of $50,000 would have left about $31,000.

And this example is based on the assumption that only the minimum fees will be charged.

It has been estimated that about one thousand members of the Klamath Tribe are minors. If we assume that the estate of each will be $50,000, the total sum involved for all these minors will be $50 million. Under the Klamath County bar association's minimum fee schedule, if individual guardians are appointed, $4,064 of the estates of these Indian minors could be expended the first year in fees and charges merely to establish guardianships for these children.

I have offered a bill limiting these charges. What does the bill before us offer? It would authorize the Secretary of the Interior, as an alternative to guardianship through judicial proceedings in the State courts, to establish trusts for these minors and incompetents. The bill, however, contains no limitation on the discretion that the Secretary of the Interior may use.

In the first place, there is no appeal from his decisions to establish trusts. He can, under it, establish trusts for minors who have parents entirely competent to manage their estates. He can under the provisions of this bill establish trusts for persons declared incompetent and for whom the courts of my State have already appointed guardians perfectly capable of managing the estates of such incompetents.

Word has already reached me that, even before the passage of this bill, the Bureau of Indian Affairs has been negotiating with a few banks in Portland, Oreg., for the establishment of trusts for these minors and incompetents. The terms of the tentative draft of a proposed trust agreement have come to hand, and it contains provisions which cause me concern.

My reservations with respect to the proposed trust arrangements should not be construed as reflecting in any way upon the integrity, stability, or ability of any of the banks involved. Their competence to manage trust funds has been amply proven.

My reservations, however, are with respect to the relations that do and should exist between the Klamath Indians and the Federal Government, the duty which this Government owes them upon termination of supervision, and the fact that under the proposed trust agreement the banks will be called upon to perform duties not always of a fiscal nature.

These Indians are at present wards of the Federal Government. If we permit the Secretary of the Interior to enter into trust agreements with corporate banking institutions to act as trustees for the estates of more than 1,000 minors and the unknown number found to be incompetent are we not thereby substituting one wardship for another wardship?

If well over half of these Indians are to become, in essence, the wards of a few banks rather than the wards of the Federal Government, what have they gained?

As I say, I do not question the ability of any of the banks involved to manage the estates wisely and well from a fiscal standpoint.

I can see where the corporate trustee would be competent on affairs dealing with safe and profitable investments, but is it correct to equate the bank trustee with one who is competent also to counsel on such matters as the education of the minor or the business or profession in which he should train and engage?

Is it wise to leave such decisions entirely to a bank without recourse or appeal on the part of the minor, his parents, or the incompetent's legally appointed guardian?

Yet that is exactly what the tentative draft of the proposed trust agreement would do.

Permit me, Mr. Chairman, at this point to read from that agreement:

> The beneficiary, if of an age and mental capacity to do so, shall be encouraged and given reasonable financial assistance to obtain a satisfactory education, including training in a trade or profession where deemed appropriate.

Since when are banks education counselors? Suppose the young Indian lad wants to go to college and the bank—in its fiscal wisdom—does not believe that he is good college material? Is such a lad—and his parents—to be denied the opportunity of making such a basic decision, so vital to his future, merely because it does not jibe with some trust officer's opinion of educational values?

Let us look at another provision:

> The trustee shall pay to or apply on behalf of the beneficiary at convenient intervals, such amounts of income and/or principal as the trustee in its sole discretion may deem advisable for the maintenance, care, welfare, support, and education of the beneficiary and for those members of his family for whose care he is legally responsible.

These are decisions the agent for the Bureau of Indian Affairs now makes. They will be made by the bank in the future. Is this what we mean by termination of Federal supervision over the Klamath Indian Tribe? Is it not rather the transfer of supervision to the banks?

How long will the trust last? That too is left to the corporate trustee. This is the provision in the tentative, proposed agreement:

> A beneficiary who has attained legal majority shall be given all reasonable opportunity to demonstrate his fitness and ability to manage his own financial affairs in a prudent and businesslike manner. In exercising its discretion with respect to distributions to the beneficiary the trustee shall give full and careful consideration to the judicious distribution of lump-sum amounts at such time or times and in such manner as the trustees may feel will enable the beneficiary to gain experience in the handling of funds and to assist in determining his competence in that respect.

The term of a trust for a minor could, therefore, be for the life of the minor and is to be determined within the discretion—the unreviewable discretion—of the trustee.

And finally, Mr. Chairman, what of fees? I have made considerable point of this with respect to guardianship fees and costs. The argument has been advanced that the trust device proposed would be cheaper. Perhaps it would, but let us look at what the tentative proposed trust agreement provides:

> The trustee shall • • • have the right and power • • • to pay all taxes, charges, commissions and other expenses of the trust estate, including the compensation for its own services in accordance with the schedule of fees in use by the trustee at the time such fees become payable and reimbursement for all outlays and advances.

I call your attention to the words "including the compensation for its own services in accordance with the schedule of fees in use by the trustee at the time such fees become payable." In effect this means, Mr. Chairman, that the fees will be set by the corporate trustee without any maximum at all in the trust agreement, without any appeal being vested in the beneficiary.

The bill before us contains no safeguards or limitations. I think it should. I hope some are proposed so that the minors and incompetents of the Klamath Indian Tribe will be afforded full protection against dissipation of their estates without, at the same time, sacrificing their rights.

My remarks, Mr. Chairman, are not prompted, as I have already stated by any lack of appreciation of or respect for the vital functions performed in our society either by attorneys or corporate trustees. They are prompted only by a sincere and earnest desire to protect the members of the Klamath Indian Tribe as fully as possible and to accord to them the treatment and the protections they need and deserve.

I hope amendments will be offered to write into this bill such protections. If they are not, I shall continue to work toward securing them.

Mr. HALEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Chairman, there is serious doubt in many informed quarters as to Public Law 587 of the 83d Congress and the feeling is growing among those closest and most unselfish to Indian welfare that this law of the 83d Congress should be repealed. The measure now under consideration is to extend the termination period, which otherwise would have been reached on March 31, 1958, another 18 months. If the present measure should be enacted into law, it is to be hoped that immediately a restudy of the entire question will be commenced and that in the next session of the 85th Congress we will have the opportunity of voting for a measure, resulting from this restudy, and which will assure us that the Indians of the Klamath Tribe will receive full justice in their own interest and in the interest of our country.

Dr. Sol Tax, chairman of the department of anthropology of the University of Chicago, is recognized as one of the outstanding authorities on the American Indians. Perhaps no one is more fully and more intimately informed in this field. Dr. Tax is strongly convinced that the Klamath termination is a disaster and that the consent of the Indians was obtained by threats and bribery. I have just received a letter from Dr. Tax, sent special delivery to my office and which has just been brought to me here on the floor of the House. I know that this will prove of interest to my colleagues and that it will furnish food for thought for them in the present deliberations. Therefore I am taking the liberty of reading the letter, as follows:

> DEAR CONGRESSMAN O'HARA: A quick reply to your request for my reaction to S. 469, which postpones some of the acts of termination for the Klamath Tribe of Indians and provides that not all of the costs of the termination be borne by the tribe.
>
> The Klamath termination (like the Menominee termination) is a disaster. The consent of the Indians was obtained pretty much by threats and bribery; the Indians were really given no choice. The result in both cases is clearly seen now by all who study the situation to be harmful to the interests and futures of the Indians. Fairly prosperous and well-integrated communities that were costing the Government virtually nothing are almost certainly going to be dispossessed of their lands and ancestral heritage and broken up. The Indians will become poor and dependent—a great many of them charges on county, State, and Federal treasuries. The only gainers may be some people who buy forest holdings cheap when their sale is forced by the termination.
>
> The Indians are in a great fright at the prospect ahead. In turn it is their panic which in part brings on the disaster. They are unable to act in any constructive manner while the termination ax hangs over their heads.
>
> What S. 469 does is (1) stay the ax for 18 months, and (2) provide that the Indians only have to pay half the cost of the ax.
>
> Under the circumstances of course S. 469 is good.
>
> But the only really good bill would be a repeal of Public Law 587, 83d Congress, which turns out to have been a tragic mistake. Once that termination act is repealed, the Indians and their friends would work with Congress toward a plan that would be in everybody's interest. The previous system whereby the Government ran all the affairs of the tribe was bad indeed; but termination as enacted turns out to be a cure far worse than the sickness—it is simply killing the patient.
>
> Postponement (S. 469) is obviously necessary, and a bill to repeal Public Law 587 should be introduced and passed as soon as possible. Then the Klamath can begin work on a constructive solution. (Ditto for Menominee.)
>
> With best regards,
>
> Sincerely,
>
> SOL TAX,
> *Chairman.*

Mr. SAYLOR. Mr. Chairman, the difficulties which existed in this bill and caused the rule have been worked out amicably between the members of the committee, and the amendments which will be offered to the committee amendment are satisfactory to everyone.

I have no further requests for time, Mr. Chairman.

Mr. HALEY. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Chairman, the Klamath Indian Reservation is located in my district in Oregon. It is a very important asset. It was established by treaty in 1864 and today comprises a reservation of approximately 860,639 acres of land, of which we have 745,000 acres forested. Five hundred and ninety thousand of those acres are good commercial timber. There are 115,639 acres of open grazing land, much of it in the Klamath marsh, which is very essential to the flyway for ducks in that area. There are 2,043 members of the Klamath Indian Reservation, about half of them being minors. This is an important asset not only from the point of view of the human resources; it is very important from the point of view of the economy of the area. By act of August 13, 1954, as was referred to by my friend the gentleman from South Dakota [Mr. BERRY], the Klamath Temination Act was passed by this body. It set up certain procedures whereby the reservation would be terminated. The purpose of this bill before us today is to defer the final termination as if was originally set up under the act of August 13, 1954. We are deferring the original sale of the assets until the end of the 85th Congress and are deferring the final sale of those assets until August 13, 1960.

The additional purposes of the legislation is to partially defray the cost of termination due to the fact that this is more or less a guinea-pig program of terminating major Indian reservations and it is taking a considerably longer period of time to get the job done. Therefore we will partially help the Indians defray the cost of that termination. And then, in addition, there are certain technical amendments that have been offered and supported by the Bureau of Indian Affairs in order to help facilitate this termination procedure.

The support for this legislation is nearly unanimous. The only opposition comes from very small segment of the Indians. We have the Klamath Tribe behind us on the legislation; the Tribal Council; the Secretary of the Interior; the Bureau of Indian Affairs; the management specialists who went into the field in order to carry out the terms of the act. The Oregon State house and senate have passed a joint memorial urging this legislation. The Oregon Council of Churches and various wildlife organizations are behind it. I think it is very necessary legislation and I urge its support by the Members of the House.

Mr. WIER. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from Minnesota.

Mr. WIER. Much has been said about the great resources of virgin timber, which interests me. Under the terms,

who disposes of this timber? Does the tribe, or the Government, or is it sold on the open market by the individual who holds it?

Mr. ULLMAN. In answer to the question of the gentleman from Minnesota, under the terms of the act of August 1954, the management specialists are having an appraisal made of the assets of the Indians. They are in the process of dividing the forest land and the other land into parcels. Under the terms of the existing law, they will sell those parcels of land to the highest bidder. That is the present procedure.

I am glad the gentleman raised the question because I believe there are certain fundamental defects in the procedure as it is being worked out. This additional time will give this body an opportunity to consider the perfecting of this legislation so that it will not harm the resources of the area, the economy of the area; and so that it will give the greatest benefit to the Indians who actually own this land.

Mr. BERRY. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the gentleman from South Dakota.

Mr. BERRY. The gentleman indicated that a very small segment of the Indians was in favor of the legislation. Is it not a fact that about 70 percent of the Indians are in favor of withdrawal and want to withdraw?

Mr. ULLMAN. I am glad my friend from South Dakota asked that question. It is my opinion that a great majority of the Indians favor this particular legislation which allows the termination to proceed but which defers the final termination. Many of those Indians who favor this legislation are definitely in favor of withdrawing but desire an orderly termination.

I firmly believe that Congress has an obligation of effectuating such an orderly termination. Enactment of the legislation now before us would give Congress the needed time to both devise and adopt a sound termination program. Such a program would not only mean the full protection of the welfare of the Klamath Indians, but it would also insure preservation of great natural resources.

Mr. HALEY. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina [Mr. SHUFORD].

Mr. SHUFORD. Mr. Chairman, I take this time to call the attention of the members of the committee to page 3 of the bill, lines 10 and 11. That subsection provides in part as follows:

> Immediately after the appraisal of the tribal property and approval of the appraisal by the Secretary, give to each member whose name appears on the final roll of the tribe an opportunity to elect to withdraw from the tribe and have his interest in tribal property converted into money and paid to him, or to remain in the tribe and participate in the tribal management plan to be prepared pursuant to paragraph (5) of this subsection.

Then I call your attention to this particularly:

> In the case of members who are minors, persons declared incompetent by judicial proceedings, or deceased, the opportunity to make such election on their behalf shall be given to the person designated by the Secretary.

I want to ask the members of the committee why it is necessary that the Secretary of the Interior give his consent to a deceased person. I think it would be well to strike out the comma after "proceedings" and the words "or deceased" and then the comma thereafter, so that it would be clear. If a person is deceased then his property and his rights have descended to his next of kin or heirs at law. Suppose a competent person inherited the deceased person's land, then you would not want the Secretary of the Interior making a decision for a dead person, when a competent person is then owner of the property and could make his own decision. Can the gentleman from Pennsylvania give any reason why the phrase should not be stricken out?

Mr. SAYLOR. I know of no reason why that should not be stricken out.

Mr. SHUFORD. Then I propose to offer an amendment to strike out the comma and the words "or deceased" and the comma appearing thereafter, when the appropriate time arrives.

May I say that the members of the Indian Affairs Subcommitte of the Committee on Interior and Insular Affairs were in accord on this bill. I think it is proper legislation. I believe it is necessary that we have it. I hope the Members of the House will accept the amendments which have been agreed upon also, and that the bill will be passed.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. SHUFORD. I yield to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Can the gentleman tell me how many minors there are in the Klamath Tribe?

Mr. SHUFORD. I have been informed there are 1,100 to 1,400. I am not exactly sure. Perhaps the gentlewoman can tell me that.

Mrs. GREEN of Oregon. If there are 2,100 members on the Klamath roll, then more than half of them would be either minors or incompetents for whom guardians or trustees would have to be appointed.

Mr. SHUFORD. I would not say incompetents. I know there are a good many minors there. The provisions of the bill take care of the control of their property during their minority.

Mrs. GREEN of Oregon. I mean the minors and the incompetents, the sum total would be over half the members of the tribe.

Mr. SHUFORD. I will have to rely on the gentlewoman to advise me on that.

Mrs. GREEN of Oregon. Then, in effect, are we not transferring the minors and the incompetents, if there be some, from one wardship to another? So what have we really gained if we transfer a thousand or 1,200 or 1,400 of the minors and incompetents from being wards of the Federal Government to being wards of the banks?

Mr. SHUFORD. I cannot agree with the gentlewoman because I think that when the termination has occurred and the individuals have the ownership of their property the same would be held under a trust agreement and managed pursuant to the terms of that trust agreement. It could not be carried on under the Department. They are relieved of any supervision by the Department of the Interior or the Indian Bureau.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. SHUFORD. I yield to the gentleman from Colorado.

Mr. ASPINALL. What the gentleman is saying is that he believes in local control rather than the control of such property rights from Washington?

Mr. SHUFORD. That is it exactly. We have already passed the legislation for the termination of the supervision over the Klamath Tribe, and this is simply continuing the present operation until it can be terminated.

Mr. HALEY. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Chairman, it had been the intent of the Agriculture Committee to bring up the so-called desert entry bill immediately following the consideration of this bill. The members of the Committee on Agriculture remained here for the purpose of taking that bill up.

As chairman of the subcommittee that heard the bill, I want to say in all frankness I think it is a fair bill. I think it is a bill that should be passed. I think it is a bill that does nothing but justice to a group of people who were evidently inadvertently omitted from the previous law. But, apparently, there are powers in this House who do not want legislation presented simply on its merits. I think we had an example of that in the vote an hour or two ago when, with only two exceptions, we had a solid party vote to take out a provision which would have made cotton mattresses, sheets, and so forth, available to the needy on the same terms we now make processed milk products, or processed grain products available. Apparently, as soon as the gentlemen on my left realized that this might be of benefit to the cotton-producing areas they voted against it. I do not believe in that kind of legislating. I do not believe in legislation that would penalize the gentleman from Idaho [Mr. BUDGE] simply because somebody does not like him or his politics. Earlier this week there was an effort to take a project out of the civil-works bill. Someone said the effort was made because someone else did not like Mr. BUDGE. I thought the project was sound. I voted for it. I think this bill is fair. I supported it in the committee. I am ready to support it on the floor.

Mr. MARSHALL. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. MARSHALL. Surely I never supposed that the time would come in this House when I would have difficulty with some of my colleagues putting words in my mouth. I was rather shocked and amazed a while ago to hear rumors on the floor of the House that I was opposing this bill because my good friend, the gentleman from Idaho [Mr. BUDGE] is

interested in it. That is the furthest removed from any intention that I have. I disagree entirely with the chairman of this subcommittee even though I have a high regard for him. I think this bill is one of the worst proposals that could possibly come before the Congress at this time. It is going absolutely in the opposite direction from what we are trying to do so far as surpluses are concerned. It is directly in opposition to the fundamental principles of the Farmers' Home Administration. For those reasons and for a few other reasons that I expect to go into, I am opposed to the legislation because of the legislation itself. Never have I opposed any legislation upon this floor because of any personality conflict. One of the last persons I would oppose would be the gentleman from Idaho even though I have disagreed and will continue to disagree with the gentleman from Idaho. He is a hard working, conscientious, member of our committee, and he has a right to his opinions. I do resent the fact that anyone is trying to put words into my mouth indicating that I am opposing the bill because of any feeling I have for the gentleman from Idaho. The gentleman from Idaho is entitled to have his bill discussed in the House, I did not attempt to delay it today or any other day. I objected to it on the absent calendar, I felt that the House should be given the opportunity to work its will. To my knowledge no one on the Democratic side has tried in anyway to delay consideration of it.

Mr. POAGE. I am sure the gentleman from Minnesota has good reasons for opposing the bill, and I certainly was not referring to him but I heard on the floor statements earlier this week as to why certain other Members were opposed to the amendment offered by the gentleman from Idaho to the Civil Works bill. I am simply referring to what is in the RECORD of the proceedings of this House.

Why the pending bill was passed over this afternoon, I do not know, but I do know that the leadership on the Republican side has decided that they do not want to bring the bill up. They do not want to bring the bill up before this House. And if they do not want to bring it up before the House, that is perfectly all right with me. The bill does not have any application in either my district or my State. I have no ill will for its author. I consider him a high-class gentleman. But my support of the bill is based solely on my belief that if we are to make FHA loans to homestead entrymen we should treat the desert entrymen just the same.

Mr. BUDGE. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. BUDGE. May I say to the gentleman from Texas that I very much appreciate the consideration he has given this bill both in the subcommittee and for remaining here on the floor to present the bill on its merits, which is all that I would seek to do and all that he would seek to do.

Mr. POAGE. I know it.

Mr. BUDGE. The gentleman from Minnesota has previously expressed to me his opposition to this measure and as a matter of fact we have had several friendly discussions concerning it. He and I have served and are serving together on the Committee on Appropriations and I know the gentleman from Minnesota is well aware of the fact that I hold him in the highest esteem and that I know of his complete sincerity in his objection to this legislation. And I do appreciate very much the courtesy that has been extended by the gentleman from Texas. I hope at some later date the bill can be presented on its merits for such disposition as the House may see fit to make.

Mr. POAGE. I hope the bill can be considered on its merits. I do not mean to imply that anybody here is fighting it on any basis other than the merits of the bill. I can only express regret that my Republican friends did not see fit to use this formula of merit alone in dealing with the amendment relating to cotton earlier this afternoon. I cite the cotton amendment as an example of bad legislative procedure, and I am sorry that we shall not have an opportunity this afternoon to demonstrate that the majority members of the Agriculture Committee do not engage in such procedures. We were and are ready to try to pass this bill or any other bill we consider fair without regard to whose district would be benefited. If the Republican leadership could agree to proceed we would pass this bill this afternoon, but the Republican leadership does not agree. Maybe they fear we would apply the vindictive rule they applied. If so, their fears are groundless, but I want to make it clear it is the Republican leadership who objects to considering the bill today.

Mr. HALEY. Mr. Chairman, I have no further requests for time.

Mr. SAYLOR. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That (a) the act entitled "An act to provide for the termination of Federal supervision over the property of the Klamath Tribe of Indians located in the State of Oregon and the individual members thereof, and for other purposes," approved August 13, 1954 (68 Stat. 718), is amended by adding at the end thereof the following new section:

"SEC. 27. Notwithstanding any other provisions of this act, no sales of tribal property shall be made pursuant to paragraph (3) of subsection (a) of section 5, or section 6 of this act prior to the adjournment of the 2d session of the 85th Congress."

(b) Subsection (b) of section 5 of such act is amended to read as follows:

"(b) Such amounts of Klamath tribal funds as may be required for the purposes of this section shall be available for expenditure by the Secretary. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as the Secretary deems necessary, but not to exceed $1,100,000 to reimburse the tribe for such expenditures of tribal funds."

(c) Subsection (b) of section 6 of such act is amended by striking out "four years" and inserting in lieu thereof "7 years."

(d) Subsection 5 (a), paragraph (2), of the act is amended to read as follows:

"(2) immediately after the appraisal of the tribal property and approval of the appraisal by the Secretary, give to each member whose name appears on the final roll of the tribe an opportunity to elect to withdraw from the tribe and have his interest in tribal property converted into money and paid to him, or to remain in the tribe and participate in the tribal management plan to be prepared pursuant to paragraph (5) of this subsection; in the case of members who are minors, persons declared incompetent by judicial proceedings, or deceased, the opportunity to make such election on their behalf shall be given to the person designated by the Secretary as the person best able to represent the interests of such member;".

(e) Subsection 5 (a), paragraph (3), of the act is amended by deleting the second proviso and by inserting in lieu thereof the following: "*Provided further*, That if such property is not purchased for public use any person whose name appears on the final roll of the tribe, or a guardian on behalf of any such person who is a minor or an incompetent, shall have the right to purchase, for his or its own account but not as an agent for others (which fact shall be subject to final and conclusive determination by the Secretary), any of such property in lots as offered for sale for not less than the highest offer received by competitive bid; any individual Indian purchaser may apply toward the purchase price all or any part of the sum due him from the conversion of his interest in tribal property; and if more than one right is exercised to purchase the same property pursuant to this proviso the property shall be sold to one of such persons on the basis of competitive bids:".

(f) Subsection 2 (e) of the act is amended to read as follows: "'Adult' means a person who is an adult according to the law of the place of his residence."

(g) Subsection 8 (c) of the act is amended by inserting after "on land owned by" the words "one or by".

(h) Subsection 8 (b) of the act is amended by deleting the language that precedes the proviso and by inserting in lieu thereof "All restrictions on the sale or encumbrance of trust or restricted interests in land, wherever located, owned by members of the tribe (including allottees, purchasers, heirs, and devisees, either adult or minor), and on trust or restricted interests in land within the Klamath Indian Reservation, regardless of ownership, are hereby removed 4 years after the date of this act, and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any valid encumbrances:".

SEC. 2. Nothing in the act of August 13, 1954 (68 Stat. 718), shall affect the authority to make timber sales otherwise authorized by law prior to the termination of Federal control over such timber.

Mr. HALEY (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill may be considered as read, be printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Page 2, line 9, after the word "Secretary.", strike out the balance of line 9 and all of lines 10, 11, 12, and 13, and insert in lieu thereof the following: "In order to reimburse the tribe, in part, for expenditure of such tribal funds as the Secretary deems necessary for the purposes of carrying out the requirements of this section, there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, an amount equal to one-half of such expenditures from tribal funds, or the sum of $550,000, whichever is the lesser amount."

The amendment was agreed to.

The Clerk read as follows:

Page 2, line 23, strike out the word "seven" and insert the word "six".

The amendment was agreed to.

The Clerk read as follows:

Page 3, line 17, after the word "That", strike out "if such property is not purchased for public use."

The amendment was agreed to.

The Clerk read as follows:

Page 4, after line 9, insert a new subsection, as follows:

"(g) Subsection 5 (a), paragraph 5, of the act is amended by deleting 'tribe' and by inserting in lieu thereof members who elect to remain in the tribe".

The amendment was agreed to.

The Clerk read as follows:

Page 4, line 13, strike out "(g)" and insert "(h)".

The amendment was agreed to.

The Clerk read as follows:

Page 4, line 16, strike out "(h)" and insert "(i)".

The amendment was agreed to.

The Clerk read as follows:

Page 5, after line 2, add a new subsection as follows:

"(j) Section 15 of the act is amended by changing the period at the end thereof to a comma and by adding 'without application from the member, including but not limited to the creation of a trust of such member's property with a trustee selected by the Secretary, or the purchase by the Secretary of an annuity for such member: *Provided, however*, That no member shall be declared to be in need of assistance in conducting his affairs unless the Secretary determines that such member does not have sufficient ability, knowledge, experience, and judgment to enable him to manage his business affairs, including the administration, use, investment, and disposition of any property turned over to such member and the income and proceeds therefrom, with such reasonable degree of prudence and wisdom as will be apt to prevent him from losing such property or the benefits thereof: *Provided further*, That any member determined by the Secretary to be in need of assistance in conducting his affairs may, within ninety days after receipt of written notice of such Secretarial determination, assert in any naturalization court for the area in which such member resides, that he does not need assistance in conducting his affairs, and the decision of such court shall be final with respect to the affected member's conduct of his affairs."

Mr. SAYLOR. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR to the committee amendment: Page 5, line 20, after the word "within", strike out "ninety" and insert "one hundred twenty"; and on line 21 after "determination," strike the balance of line 21 and all of lines 22 to 25, inclusive, and insert "contest the Secretarial determination in any naturalization court for the area in which said member resides, by filing therein a petition having that purpose; the burden shall thereupon devolve upon the Secretary to show cause why such member should not conduct his own affairs, and the decision of such court shall be final and conclusive with respect to the affected member's conduct of his affairs."

Mr. SAYLOR. Mr. Chairman, this amendment has been agreed to by all the members of the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was agreed to.

The CHAIRMAN. The question recurs on the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. SHUFORD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHUFORD: Page 3, line 10, following the word "proceedings", strike out the comma and the word "or deceased".

Mr. SHUFORD. Mr. Chairman, I think I explained my amendment just a few minutes ago and I hope it will be accepted. I do not see how anyone can make a decision for a deceased person. Someone may explain that to me otherwise, but it is just impossible for me to understand how the Secretary of the Interior can make a decision for a deceased person.

I hope the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. SHUFORD].

The amendment was agreed to.

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: On page 3, line 14, after "member" strike out the semicolon and insert "*Provided, however*, That any member for whom the Secretary has so designated a representative may (on his own behalf, through his natural guardian, or next friend) within 120 days after receipt of written notice of such secretarial designation, contest the secretarial designation in any naturalization court for the area in which such member resides, by filing of a petition therein requesting designation of a named person other than the secretarial designee, and the burden shall thereupon devolve upon the Secretary to show cause why the member-designated representative should not represent the interests of such member, and the decision of such court shall be final and conclusive."

Mr. SAYLOR. Mr. Chairman, this amendment has been agreed to by all parties and is self-explanatory.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was agreed to.

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SAYLOR: Page 3, line 22, after "other" strike out the balance of line 22, line 23, and "tary" and the parenthesis on line 24.

Mr. SAYLOR. Mr. Chairman, this amendment is one to correct language which it is necessary to have deleted by the other two amendments that have been adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The amendment was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. COOPER] having resumed the chair, Mr. ROONEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 469 to authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes, pursuant to House Resolution 265, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. COOPER). Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE WHEAT QUOTA VOTE: A REPUDIATION

Mr. ANDERSON of Montana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. ANDERSON of Montana. Mr. Speaker, announcement today of the overwhelming vote of the farmers for wheat acreage allotments and quotas should stop dead in its tracks Ezra Benson's crusade to abolish farm price-support programs.

Approximately 5 out of 6 of the wheat farmers voted to retain their programs, in the face of Secretary Benson's current crusade before Congress and on the stump before city groups, to end them.

The vote is a repudiation of the Secretary, and a new demonstration that he does not represent the people in agriculture. If farm people could vote directly on retaining the Secretary or discharging him, he would be ousted by at least as great a majority as was given the wheat marketing quotas.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ROONEY to revise and extend remarks he may make in Committee of the Whole today and to include extraneous matter therein.

Mr. MASON on the subject of foreign aid and to include a statement.

Mr. ARENDS.

Mr. BURDICK.

Mr. FASCELL and to include extraneous matter.

Mr. BREEDING and to include extraneous matter.

Mr. BARING.

Mr. O'KONSKI in two instances and to include extraneous matter.

Mr. KELLEY of Pennsylvania.

Mr. MULTER and to include extraneous matter.

Mr. ENGLE and to include extraneous matter.

Mr. VAN ZANDT (at the request of Mr. ALLEN of Illinois) and to include a speech made by Mr. VAN ZANDT.

Mr. MILLER of Nebraska.

Mr. FLOOD (at the request of Mr. ALBERT), the remarks he made in the Committee of the Whole today and to include a resolution.

Mr. HOLT and to include extraneous matter.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 17 minutes p. m.), under its previous order, the House adjourned until Monday, June 24, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

970. A letter from the Chairman, President's Appointed Bipartisan Commission on Increased Industrial Use of Agricultural Products, transmitting the Report of the Commission on Increased Industrial Use of Agricultural Products in its final printed form, pursuant to Public Law 540, 84th Congress; to the Committee on Agriculture.

971. A letter from the Acting Secretary of Agriculture, transmitting the report of the month of May relating to the cooperative program of the United States with Mexico for the control and eradication of foot-and-mouth disease, pursuant to Public Law 8, 80th Congress; to the Committee on Agriculture.

972. A letter from the Administrator, Housing and Home Finance Agency, transmitting a draft of proposed legislation entitled "A bill to provide an interim extension of the voluntary home mortgage credit program"; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURDICK: Committee on the Judiciary. H. R. 5810. A bill to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954; without amendment (Rept. No. 602). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 6259. A bill to amend the act known as the "District of Columbia Revenue Act of 1937", approved August 17, 1937; without amendment (Rept. No. 603). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANE: Committee on the Judiciary. S. 1169. An act for the relief of Herbert C. Heller; without amendment (Rept. No. 593). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 1339. A bill for the relief of the Malowney Real Estate Co., Inc.; without amendment (Rept. No. 594). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 2752. A bill for the relief of Frank A. Simmons; without amendment (Rept. No. 595). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 3344. A bill for the relief of Kenneth F. Alles; without amendment (Rept. No. 596). Referred to the Committee of the Whole House.

Mr. CRAMER: Committee on the Judiciary. H. R. 5365. A bill for the relief of Robert B. Peterman; with amendment (Rept. No. 597). Referred to the Committee of the Whole House.

Mr. POFF: Committee on the Judiciary. H. R. 6166. A bill for the relief of Michael S. Tilimon; with amendment (Rept. No. 598). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 6530. A bill for the relief of Arthur L. Bornstein; without amendment (Rept. No. 599). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 6664. A bill for the relief of Raymond R. Sanders Van Service; with amendment (Rept. No. 600). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6961. A bill for the relief of Walter H. Berry; with amendment (Rept. No. 601). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 528. An act for the relief of Nicolaos Papathanasiou; without amendment (Rept. No. 604). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Siemon Noma or Loutfie Noama); without amendment (Rept. No. 605). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1212. An act for the relief of Evangelos Demetre Kargiotis; without amendment (Rept. No. 606). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPINALL:

H. R. 8290. A bill to authorize the erection of a national monument symbolizing the ideals of democracy in the fulfillment of the act of August 31, 1954 (68 Stat. 1029), an act to create a National Monument Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H. R. 8291. A bill to amend section 239 of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. DEMPSEY:

H. R. 8292. A bill to amend the Internal Revenue Code of 1954 to provide that no documentary stamp tax shall be imposed with respect to conveyances to which a State or political subdivision thereof is a party; to the Committee on Ways and Means.

By Mr. ELLIOTT:

H. R. 8293. A bill to make the evaluation of recreational benefits resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FLOOD:

H. R. 8294. A bill to provide for national scholarships for college and university undergraduate study; to the Committee on Education and Labor.

By Mr. HYDE:

H. R. 8295. A bill to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JONES of Alabama:

H. R. 8296. A bill to authorize the erection of a national monument symbolizing the ideals of democracy in the fulfillment of the act of August 31, 1954 (68 Stat. 1029), an act to create a National Monument Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'BRIEN of New York (by request):

H. R. 8297. A bill to amend Public Law 517, 83d Congress, chapter 558, 2d session, an act to revise the Organic Act of the Virgin Islands of the United States; to the Committee on Interior and Insular Affairs.

By Mr. O'HARA of Illinois:

H. R. 8298. A bill to require that all negotiable securities, paper money, and stamps be plate printed from engraved plates in the Bureau of Engraving and Printing; to the Committee on Banking and Currency.

By Mr. REES of Kansas:

H. R. 8299. A bill to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SMITH of Wisconsin:

H. R. 8300. A bill to authorize the erection of a national monument symbolizing the ideals of democracy in the fulfillment of the act of August 31, 1954 (68 Stat. 1029), an act to create a National Monument Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WESTLAND:

H. R. 8301. A bill to authorize the erection of a national monument symbolizing the ideals of democracy in the fulfillment of the act of August 31, 1954 (68 Stat. 1029), an act to create a National Monument Commission, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WILLIAMS of New York:

H. R. 8302. A bill to amend title 18 of the United States Code to exempt certain retired officers of the Armed Forces from the operation of section 281 thereof; to the Committee on the Judiciary.

By Mr. GEORGE:

H. R. 8303. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

By Mr. THOMPSON of Louisiana:

H. R. 8304. A bill to incorporate the Blinded Veterans Association; to the Committee on the Judiciary.

By Mr. ANDERSON of Montana:

H. R. 8305. A bill to change the method of computing basic pay for members of the uniformed services, to provide term retention contracts for Reserve officers, and for other purposes; to the Committee on Armed Services.

By Mr. MORRISON:

H. R. 8306. A bill to amend the Internal Revenue Code of 1954 to provide that no documentary stamp tax shall be imposed with respect to conveyances to which a State or political subdivision thereof is a party; to the Committee on Ways and Means.

By Mrs. PFOST:

H. R. 8307. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

By Mr. POAGE:

H. R. 8308. A bill to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes; to the Committee on Agriculture.

By Mr. REED:

H. R. 8309. A bill to amend the provisions of the Social Security Act to consolidate the reporting of wages by employers for income tax withholding and old-age, survivors, and disability insurance purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. SAYLOR:

H. R. 8310. A bill to provide for the issuance of a postage stamp bearing the phrase "Highway Courtesy Is Contagious"; to the Committee on Post Office and Civil Service.

By Mr. ZABLOCKI:

H. R. 8311. A bill to increase the normal tax and surtax exemption, and the exemption for dependents, from $600 to $700; to the Committee on Ways and Means.

By Mr. COFFIN:

H. J. Res. 383. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. PROUTY:

H. J. Res. 384. Joint resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission; to the Committee on Public Works.

By Mr. WATTS:

H. J. Res. 385. Joint resolution to authorize the Library of Congress to provide a loan service of captioned motion-picture films for the deaf; to the Committee on House Administration.

By Mr. HAYS of Arkansas:

H. Con. Res. 197. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mr. JUDD:

H. Con. Res. 198. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mrs. BOLTON:

H. Con. Res. 199. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mr. FEIGHAN:

H. Con. Res. 200. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mr. ZABLOCKI:

H. Con. Res. 201. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mr. MEADER:

H. Res. 285. Resolution to amend rule XI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. PORTER:

H. Res. 286. Resolution creating a select committee to conduct an investigation and study of the Canadian Family Allowances Act for the purpose of determining the advisability of enacting similar legislation in the United States; to the Committee on Rules.

H. Res. 287. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 286; to the Committee on House Administration.

By Mr. BURNS of Hawaii:

H. Res. 288. Resolution creating a select committee to conduct an investigation and study of the Canadian Family Allowances Act for the purpose of determining the advisability of enacting similar legislation in the United States; to the Committee on Rules.

H. Res. 289. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 288; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to payments in lieu of taxes to counties containing large areas of federally owned land; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the use of national forests; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H. R. 8312. A bill to authorize the President to award posthumously to George Fox, Alexander Goode, Clark Poling, and John P. Washington, Congressional Medals of Honor; to the Committee on Armed Services.

By Mr. BARTLETT:

H. R. 8313. A bill for the relief of Wayne W. Powers, of Walla Walla, Wash.; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H. R. 8314. A bill for the relief of Mrs. Ingeborg Ruth Ohlemann Takeuchi; to the Committee on the Judiciary.

H. R. 8315. A bill for the relief of Tobun Arakaki; to the Committee on the Judiciary.

By Mr. DEVEREUX:

H. R. 8316. A bill for the relief of Warren S. Boggess; to the Committee on the Judiciary.

By Mr FORD:

H. R. 8317. A bill to authorize the Honorable Thomas J. McAllister, judge of the United States court of appeals, to accept and wear the decoration tendered him by the Government of France; to the Committee on Foreign Affairs.

By Mr. KEAN:

H. R. 8318. A bill for the relief of Regina Kraessel; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 8319. A bill for the relief of Orville Bindley Ince and Melanese Yvonne Ince; to the Committee on the Judiciary.

By Mr. McINTIRE:

H. R. 8320. A bill to authorize and direct the Secretary of the Treasury to cause the vessel *Edith Q.* owned by James O. Quinn of Sunset, Maine, to be documented as a vessel of the United States with full coastwise privileges; to the Committee on Merchant Marine and Fisheries.

By Mr. TOLLEFSON:

H. R. 8321. A bill for the relief of Elmer E. Johnson; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

292. Mr. McCULLOCH presented a petition of W. H. Preston and 52 other citizens of the Fourth District of Ohio in support of H. R. 4835, which was referred to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Postal Pay

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. MULTER. Mr. Speaker, the following is my statement before the House Post Office and Civil Service Committee on June 21, 1957, regarding the necessity of an increase in the salaries of postal employees:

STATEMENT OF REPRESENTATIVE ABRAHAM J. MULTER OF NEW YORK, BEFORE THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE, JUNE 21, 1957

Mr. Chairman and members of this distinguished committee, I appreciate the opportunity you have given me to present my views on the legislation now before you, H. R. 2474.

I appear before this committee to urge the immediate adoption of H. R. 2474, which provides for a salary increase to postal employees. This increase has been long overdue. It will merely allow postal offices to catch up with wage increases that employees in private industry, who have the benefit of collective bargaining, have received over recent years.

I will not reiterate the facts which you have already before the committee. It is well known that the efficiency of postal employees has increased over recent years and their rise in productivity compares favorably with the gains in efficiency of employees in manufacturing or other sectors of the economy where increases in wages for improved productivity are taken as a matter of course. Many employees in private industry also receive adjustments in wages when the cost of living increases, but postal employees have been subjected during the past year to a reduction in their real take-home pay, as the cost of living increased by more than 4 percent.

The arguments that a salary increase to postal employees would be inflationary appears to me spurious as well as callous. We cannot expect that postal employees will continue to subsidize the cost of Government by accepting low wages which provide for less than a decent standard of living.

Self-interest would require us to improve the wages of postal employees. I do not have to belabor the point that the services of the post office are essential for the operations of the economy. Failure to provide for adequate wage increases for postal employees would have the effect of allowing the postal service to deteriorate through many resignations and the inability of the postal service to recruit new competent employees.

Having worked as a railway mail clerk in the Post Office Department, I know how hard these employees work. Never having lost my interest and contacts with them, I can personally attest to their loyalty and integrity.

Mr. Chairman, yes, adoption of H. R. 7474 is not good only for the postal employees, it is also good for the country. This proposed legislation can no longer be postponed, I repeat—I urge this distinguished Committee to consider this bill favorably.

Again, let me thank you for the privilege of presenting my views.

What the Giveaway Means

EXTENSION OF REMARKS
OF
HON. ALVIN E. O'KONSKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. O'KONSKI. Mr. Speaker, on April 28, 1957, speaking on the Farm Day program at Ashland, Wis., I said:

This country is mortgaged to the hilt at this moment. The $275 billion Federal debt—that you and I owe—equals the full assessed value of all the land, all the buildings, all the mines, all the machinery, all the factories, all the livestock—everything of tangible value—in the United States of America.

The total of American gifts to foreign nations from July 1, 1940 through June 30, 1957, is $130,350,032,000. That is 48½ percent of the $275 billion national debt Senator BYRD mentions.

In 27 years, the American Government has taken away from the American people, by force of tax laws, 48½ percent of their total wealth for gifts to foreign nations. The American Government has given away to foreign governments 48½ percent of America.

The human mind cannot comprehend such a sum as $130,350,032,000.

But break it down a bit.

The estimated population of the United States at present is 170 million. Let us say that this 170 million averages out to about 43 million American families.

One hundred and thirty billion three hundred and fifty million thirty-two thousand dollars represents more than $3,000 for every family in America.

What do you suppose 43 million American families, each with $3,000 to spend, would buy and build in America? There are those who say:

"A Government spending program of $80 billion a year represents that much buying of goods and services from American business. Think how many jobs that creates and how it stimulates the economy. If you suddenly cut off the $80 billion a year that Government is pumping into the economy, you'd create a terrible depression."

Where does the Government get the $80 billion that it pumps into the economy? The Government does not create the money, it takes it away from the people.

If you keep the money from going to the Government, you don't take it out of our economy. You merely change pumpers, so to speak. You leave $80 billion a year in the hands of the people who earned it, the 170 million Americans who will do their own pumping into the economy.

I'd rather pump my own money into the economy, for things I want, than to have Washington politicians take my money away from me and spend it on things I consider harmful to me and my country.

If the $130,350,032,000 which has been taken away from the American people for foreign gifts had been spent by the American people for things they wanted, we would not have inflation today.

Government foreign aid is the primary cause of inflation. The Government pours vast sums of money into the economy, but takes goods out of the economy and sends them abroad. This means that there is more money in circulation than there are goods to buy: hence, the price of all goods and services goes up.

This is the main reason why the purchasing power of the American dollar is now about half what it was in 1940 when the great foreign giveaway began.

A Triumph for Senator Hill

EXTENSION OF REMARKS
OF
HON. JOHN F. KENNEDY
OF MASSACHUSETTS
IN THE SENATE OF THE UNITED STATES
Friday, June 21, 1957

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a very fine article written by Doris Fleeson and published in the Evening Star, Washington, D. C., on June 14, 1957, concerning the legislative achievements of our distinguished colleague, Senator LISTER HILL, from Alabama.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A TRIUMPH FOR SENATOR HILL—POPULAR LAWMAKER WINS $32 MILLION EXTRA FUNDS FOR MEDICAL RESEARCH

(By Doris Fleeson)

A dedicated Senator, riding his personal popularity in the Senate, and putting to a test his feeling that the economy wave has receded from its peak, has succeeded in adding $32 million more than President Eisenhower had called for to the budget. The object was more medical research.

Senator LISTER HILL, the son of a distinguished pioneer surgeon, has been a sponsor of health legislation throughout his Senate career. It was he who first raised the question with the then Secretary of Health, Education, and Welfare Oveta Culp Hobby as to whether the Department had planned to meet the demand for Salk vaccine. It had not foreseen the demand, Mrs. Hobby declared, a statement later quoted in hundreds of Democratic speeches. It eventually was a Hill-sponsored bill which made possible free vaccine for all children between the ages of 5 and 20.

Senator HILL is in a unique position to further his interest in health matters. He is chairman of the Senate Labor and Public Welfare Committee before which such matters come. He also is chairman of the appropriations subcommittee which operates in the same field. He has made the most of his opportunity. Again and again Senate appropriations for medical research have outrun the proposals of the administration.

There is a certain amount of sublimation in HILL's devotion to the cause of health. Early in his career in the Senate he was chosen as whip under the leadership of Alben Barkley, at that time majority leader. The young Senator had a bright career before him, which certainly would have landed him the position of majority leader by now. It might have taken him to higher things.

The growing discord over the question of civil rights settled HILL's fate. He recognized that he could not sponsor Democratic civil-rights legislation as majority leader and remain as a Senator from Alabama. He resigned his post as whip. Since then he has concentrated on health and welfare matters.

HILL had been heard to say that he would not try to increase the health research appropriations unless he felt a change in the Senate's economy mood. In a number of instances lately that mood has been exhibited more fiercely than in the House. His judgment was apparently correct. There was not a single vote against his amendments.

On the contrary, even some of the most avid economists in the body practically fell over themselves in praising HILL. In the RECORD the praise appears fulsome enough to have done appropriately for a departed colleague of whom no one will say unkind things.

HILL went right down the line reaching for increases, playing no favorites among the enemies of mankind. Cancer research got an added $11.6 million. Mental-health problems received $4.2 million more, heart disease research $5.3 million extra, arthritis

and metabolic diseases $5.6 million additional, and neurology and blindness $5.1 million more.

Although voting to support Senator HILL at every turn, the Senate salved its conscience in the matter of economy by voting more than $96 million less for the total labor-welfare appropriation bill than President Eisenhower had requested. It even managed to reduce the amount appropriated by the House by $38 million or so.

But for Senator HILL, no one would say him nay. It was a triumph not only over the winds of economy which have been blowing through the Congress, but over an administration he thinks has been lagging in promoting medical research.

Results of Questionnaire

EXTENSION OF REMARKS
OF
HON. JOE HOLT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. HOLT. Mr. Speaker, I recently sent out to the people of the 22d Congressional District, which consists of Hollywood and the San Fernando Valley, my Fifth Annual Legislative Questionnaire. The response I received was better than ever before and most gratifying. Approximately 50,000 returns have been received. Inasmuch as it is always difficult to ask questions on all legislation pending before Congress and the many governmental problems facing us today, I received hundreds of additional comments and letters from my constituents expressing their viewpoints and recommendations. Tabulation of the answers has now been completed.

The results are as follows:

	Percent
I. Please check 3 of the following 6 items you think should be cut most in Federal spending:	
Number of Federal employees	78
Construction of Federal public works, (highways, dams, airports, buildings, etc.)	19
Federal aid to States, municipalities, school districts, and local public agencies	44
Foreign aid	80
National defense	11
Federal aid to agriculture and small business	30
II. To put the Post Office Department on a pay-as-you-go basis, the administration has recommended two alternative proposals: (1) Combine airmail and first-class mail with a 5-cent rate. All first-class mail would then be sent by the fastest available means, whether by air, rail, or otherwise; or (2) increase first-class mail 1 cent to a 4-cent rate. Both plans include increases in 2d- and 3d-class mail rates (advertising matter, newspapers and magazines). I favor:	
Plan (1) above	32
Plan (2) above	47
Neither plan and no increase	16
No opinion	5

	Percent		
	Yes	No	No opinion
III. Do you favor—			
(1) Reduction of Federal taxes even though it unbalances the budget?	32	63	5
(2) Our Government inviting to this country for conference the heads of foreign states with whom we do not agree?	65	30	5
(3) Requiring all new National Guardsmen and Army reservists to take 6 months' training on active military duty?	68	17	15
(4) Congress authorizing the admission of a greater number of immigrants to the United States from Hungary?	31	58	11
(5) A special tax reduction or some type of special relief for small business?	70	20	10
(6) Union welfare funds being more closely regulated by the State and Federal Governments?	89	8	3
(7) Labor unions being allowed to make contributions to political campaigns by using funds from their regular membership dues?	12	83	5
(8) Including private business in partnership with municipalities, States, and the Federal Government, for the development of water uses in irrigation, flood control, power production, domestic and industrial uses?	51	32	17
(9) The sale and barter of farm surpluses to Communist nations?	30	61	9
(10) The "tight money" policy of the Federal Reserve Board, which is currently being used to check inflation, recognizing that this policy tends to restrict the availability of mortgage money?	65	21	14
(11) Stronger anti-trust laws, including closer Government scrutiny of merger proposals of large companies?	76	14	10
(12) Controls by the Federal Government of rents, wages and prices in peacetime?	13	83	4

Which Party Is Best Able To Reduce Taxes?

EXTENSION OF REMARKS
OF
HON. LESLIE C. ARENDS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. ARENDS. Mr. Speaker, the most recent Gallup survey of public opinion, published a few days ago, raised the question as to which party—Democrat or Republican—is best able to reduce taxes?

According to this survey, 25 percent of the voters said there was no difference between the two parties in that respect; 24 percent believed the Republicans were best able; and, 35 percent believed the Democrats to be.

But what does the actual record show? The true test is not in words of promise but in acts of accomplishment. The measure of ability is not in what one promises to do but in what one actually does.

The record shows that it was the Democrat Party which, in 1913, enacted the first Federal income tax. Since that time there have been 15 increases in individual income taxes. The Democrat Party is responsible for 14 of them and the Republicans for only 1.

The record also shows that during this same period since the adoption of the 16th amendment to allow income taxation, there have been 12 reductions. We Republicans brought about 9 of them, and the Democrats only 3.

The record further shows that it was the Democrat Party which placed people of low income under the Federal tax law by reducing the exemption for the married from $2,500 to $1,000 and for the single from $1,000 to $500. During the 2 years of Democrat rule approximately 45 million people were added to the tax rolls.

That is the actual record. It speaks for itself. The people need only to be reminded of it. With deeds, not mere words, as the measure they will have conclusive proof that the Democrat Party is traditionally the party of taxing and spending, and the Republican traditionally the party of economy and less taxes.

Foreign-Aid Program

EXTENSION OF REMARKS
OF
HON. NOAH M. MASON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. MASON. Mr. Speaker, the official total of the amount of American money spent or invested in foreign countries between July 1, 1940, and July 1, 1956, is $109 billion. If we add the amount appropriated for the current fiscal year ending June 30, 1957, it will amount to approximately $115 billion.

In addition to this huge sum of $115 billion, we left behind us billions when we brought the boys home at the end of World War II—billions of dollars worth of supplies, machinery, barracks, roads, and even scrap. We have also reduced our tariffs for the entry of foreign goods made with cheap labor at the expense of American industries and American workingmen's jobs.

Mr. Speaker, the three countries that have benefited most by our soft-headed American largess are Great Britain, Russia, and Nationalist China. Of these three, today only Britain is still a solid ally, and Britain is gradually breaking away, as shown by her Egyptian fiasco and her present attitude toward trade with Communist China, the direct opposite to our attitude.

Mr. Speaker, I ask those Members of Congress who have been voting for these giveaway billions: What have we bought with your squandering of the American taxpayers' hard-earned dollars? Why continue this foolish effort to buy friends? Why not spend some of these billions for the benefit of our own people, or leave the dollars in the American taxpayers' pockets for them to spend, or save, or use for their own special welfare?

These are questions that should be faced and answered by each and every Member of Congress. Let us face the facts as they are today. Let us take care of our own people first. Charity should begin at home.

Minerals Program a Joke

EXTENSION OF REMARKS
OF
HON. WALTER S. BARING
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. BARING. Mr. Speaker, on June 4 the Department of the Interior presented to the Congress, in an obviously jocular vein, what it chose to call the administration's long-range minerals program.

I use the term "jocular vein" advisedly because the program was a joke, and a cruel one at that, in view of the plight the American mining industry finds itself in. Thousands of miners already out of work, and thousands of others facing unemployment may be a joking matter with the Department of the Interior but I say it is a deadly serious problem that this Congress needs to face up to and provide remedies.

The program presented by the Department of the Interior calls for affirmative action in respect to only two minerals—lead and zinc—and the author of the lead and zinc so-called remedy must have had his tongue in his cheek when he wrote it.

It calls for an inadequate sliding scale import tax schedule in lieu of present inadequate tariffs on these two minerals.

But the real joker in the proposal, Mr. Speaker, is that the President already has legislative authority to accomplish what the Department is asking the Congress to do. Yes, even more than that, the President has adequate legislative authority to accomplish even more for lead and zinc than it is proposed that Congress act upon.

I call the membership's attention to the fact that section 7 of the Trade Agreements Extension Act of 1955 provided that the President has power to, and I quote, "Take such action as he deems necessary to adjust the imports of such articles to a level that will not threaten to impair the national security." And, Mr. Speaker, I submit that there is more than adequate historical background for a determination of foreign imports that threaten to close down our domestic mines, which in the language of the statute is a situation that does "threaten to impair the national security."

And, Mr. Speaker, if that is not sufficient authority, under section 1364 of the United States Code annotated—the so-called escape clause—where articles are being imported into the United States in such quantities and I quote "either actual or relative, as to cause or threaten serious injury to the domestic industry producing like or directly competitive products" the President has authority, and I again quote from the statute, "to make such adjustments in the rates of duty, impose such quotas, or make such other modifications found to be necessary to prevent or remedy serious injury to the domestic industry."

In other words, Mr. Speaker, the Department of the Interior in the case of lead and zinc has asked the Congress to assume the responsibility of making a decision for the President.

The Girard Case

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. BURDICK. Mr. Speaker, the action of the Government in this case is another black page in our national history. The exact situation is this: We are quartering our Armed Forces in Japan for the protection of Japan. Our soldiers were ordered there by the administration and are not there from their own choice. An area was set aside for the camp of our soldiers, and in this area the jurisdiction over crimes committed by our men remains with the army of occupation. In this manner, and that alone, can the constitutional rights of our soldiers be protected.

Girard was on guard duty at the time of this incident, and did exactly what he was ordered to do. He was to protect the area from trespassers and was provided with arms to enforce that protection. Some Japanese citizens came into the area and were ordered to leave. When they did not do so Girard, then on duty, fired a few shots to scare these trespassers off, and one of these shots accidentally killed a Japanese woman who came into the area and was a trespasser there.

If the shooting was not justified the United States Army court-martial had authority to make an inquiry, which it did, but because of the Status of Forces Treaty, held that he should be turned over to the Japanese for trial.

Whatever the outcome of this matter finally is, it means that we have tried to abandon one of our soldiers in time of trouble, and in order to appease the Japanese we have thrown this soldier to the wolves.

This action clearly demonstrates that under the policy of appeasement followed by this administration and the two preceding ones we are willing at any time to sacrifice one of our men if the Japanese Government cannot be conciliated in any other way.

The people of the United States should be advised on whose order Girard was turned over to the Japanese, and should further be advised that our altruistic policy toward the Japanese should be stopped at once, and every last soldier of the United States be withdrawn from Japan. The people of this country will never stand for any policy that keeps our soldiers in a foreign country for the protection of that country, and at the same time permits them to be tried by a foreign government.

When the NATO treaty was up for approval in 1953, under which it was agreed that members of our Armed Forces abroad should be tried by the NATO government of the countries in which our troops were stationed, I raised a protest and my statement appeared in the CONGRESSIONAL RECORD. But the appeasement slant to our foreign policy was so strong that it had no effect, and the treaty was approved.

The President stated that the agreement to have our troops tried in foreign countries is justified because that gives us the power and jurisdiction to try foreign soldiers in this country. What a statement. The President must have known that this country does not have to have foreign soldiers here for our protection, and that no foreign troops are here except a few for observation purposes. What a trade this was. To trade away the constitutional rights of thousands of our men in the Armed Forces for a chance to try foreign soldiers in this country—when we have none to try.

If we are powerless or spineless enough to abandon Girard, then we should immediately remove every last man of our Armed Forces in Japan. The same doctrine applies to any other foreign country where this treaty is in force. If we cannot protect our own men it simply shows just how weak and vacillating this great country has become, and it is time to call a halt to such procedure. Judge McGarraghy has called a halt on it by issuing an order enjoining the Army from turning Girard over to Japan. If the administration could muster up courage enough to follow this judge's decision we could end this whole squabble.

As court decisions are now coming out, this decision of Judge McGarraghy's is a bright spot in the present obviously confused judicial pronouncements.

Who Got It?

EXTENSION OF REMARKS
OF
HON. ALVIN E. O'KONSKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. O'KONSKI. Mr. Speaker, who got the money from our grand give-away program? Here is a list of where the money went since June 30, 1945.

But the spenders say we had to do it to stop communism. Yet if you look at these figures closely you will see that the two biggest Communist countries, Russia and Yugoslavia, got a big chunk. Yes; the givers want to see communism prosper, too, on taxpayers' dollars.

Here is a list of who got it:

Aid to international organizations	$1,126,325,000
Aid to unspecified areas in Europe	11,393,213,000

Aid to unspecified areas in Asia and in the Pacific	$3,112,623,000
Aid to unspecified areas in Near East and Africa	1,746,502,000
Aid to "other" unspecified areas	402,612,000
Aid to unspecified areas in South and Central America	327,945,000
Afghanistan	4,254,000
Albania	20,444,000
Argentina	198,000
Australia	12,539,000
Austria	1,061,196,000
Belgium-Luxembourg	582,773,000
Belgian Congo	17,000
Bolivia	49,576,000
Brazil	26,914,000
Britain (England, Wales, Scotland, Northern Ireland, Isle of Man, Channel Islands)	3,763,332,000
British Bahamas	68,000
British Borneo	216,000
British East Africa	90,000
British Africa (unspecified place)	15,000
British Guiana	170,000
British Honduras	439,000
British Leeward and Windward Islands	163,000
British Gambia	34,000
British Gold Coast	174,000
British Hong Kong	4,043,000
British Jamaica	807,000
British Malaya	695,000
British Malta	1,333,000
British Nigeria	50,000
British Sierra Leone	7,000
British Singapore	55,000
Burma	20,956,000
Cambodia	39,827,000
Canada	3,964,000
Ceylon	238,000
Chile	11,644,000
China—Taiwan	2,200,208,000
Colombia	9,496,000
Costa Rica	14,972,000
Cuba	1,705,000
Czechoslovakia	185,827,000
Denmark	247,634,000
Dominican Republic	2,223,000
Ecuador	9,710,000
Egypt	50,363,000
El Salvador	5,675,000
Ethiopia	9,872,000
Finland	3,522,000
France	4,333,707,000
French Africa (unspecified place)	299,000
French Algeria	107,000
French West Africa	13,000
French West Indies	17,000
Germany (East)	17,318,000
Germany (West)	3,793,559,000
Greece	1,677,991,000
Guatemala	31,776,000
Haiti	15,460,000
Honduras	6,734,000
Hungary	5,855,000
Iraq	8,902,000
Iran	187,839,000
Iceland	29,758,000
India	216,334,000
Indochina (unspecified as to whether aid went to Cambodia, Laos, or Vietnam)	111,317,000
Indonesia	118,476,000
Ireland	18,346,000
Israel	251,151,000
Italy	2,574,663,000
Italian Somaliland	43,000
Italian Trieste	48,155,000
Japan	2,360,520,000
Japanese Ryukyu Islands	221,133,000
Japanese Islands—miscellaneous	13,000
Jordan	28,988,000
Korea	1,497,449,000
Laos	65,502,000
Lebanon	17,203,000
Liberia	$6,981,000
Libya	27,931,000
Mexico	105,685,000
Morocco	780,000
Nepal	3,549,000
Netherlands	911,239,000
Netherlands New Guinea	23,000
Netherlands Surinam	526,000
New Zealand	2,300,000
Nicaragua	11,701,000
Norway	236,482,000
Pakistan	223,552,000
Palestine	175,000
Panama	10,802,000
Paraguay	9,102,000
Peru	17,437,000
Philippines	$763,531,000
Poland	364,978,000
Portugal	18,217,000
Portuguese India	349,000
Portuguese Africa (unspecified place)	61,000
Rhodesia and Nyasaland	1,000
Saudi Arabia	4,255,000
Soviet Union (since 1946)	465,434,000
Spain	116,638,000
Spanish Canary Islands	16,000
Sudan	6,000
Sweden	87,143,000
Switzerland	1,803,000
Syria	1,026,000
Tangier	817,000
Thailand	52,000,000
Tunisia	339,000
Turkey	495,068,000
Uruguay	2,183,000
Venezuela	2,207,000
Vietnam	316,325,000
Yugoslavia	734,304,000

Yes, folks, that is the way your money goes—where it goes nobody knows. Supposedly, it is all to stop communism—yet even the Communists are getting billions from our great and grand giveaway. Thank the Lord I never voted for this.

P. G. & E. Co., Already Second Largest Beneficiary of Fast Tax Writeoff, Can Get the Same Deal on the Trinity River Project as Idaho Power Co. Got on Snake River

EXTENSION OF REMARKS
OF
HON. CLAIR ENGLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. ENGLE. Mr. Speaker, in presenting its proposal to build the Trinity River powerhouses, the Pacific Gas & Electric Co. has indicated a great solicitude for the Federal taxpayer. The P. G. & E. Co. says that it will pay $65 million in Federal taxes over the 50-year period of the proposed contract. While thus asserting that it will fatten the United States Treasury to the tune of $65 million, the P. G. & E. is holding fast tax writeoff certificates amounting to $179 million. This has been calculated as a benefit to the P. G. & E. Co. to the tune of $270 million over the normal 33-year amortization period, and $880 million over 50 years. The actual loss to the Treasury of the United States in interest that the Federal Government will have to pay on borrowed money because of the P. G. & E. Co.'s tax payments being reduced during the writeoff period is about $220 million. The difference in the value to the company and the actual cost to the Treasury is explained by the fact that the value to the company is based on the commercial interest rates for money, whereas the actual cost to the Treasury is less due to the fact that the Federal Government borrows its money at lower rates of interest.

On the basis of the compilation submitted by the Office of Defense Mobilization, the Pacific Gas & Electric Co. is receiving the second largest subsidy in the Nation in accelerated tax depreciation certificates. Since the P. G. & E. Co. has indicated such an interest in saving the taxpayers money, I wish to suggest that this company forfeit the subsidies it has received, thus saving the Treasury the amount of $220 million. The Idaho Power Co. set a good precedent for the P. G. & E. last week. This is four times the cost of construction of the Trinity River powerhouses of $55 million.

It will be recalled that the Idaho Power Co. led the Federal Power Commission to believe that its construction on the Hells Canyon project would not cost the Federal Treasury a cent. Now we find out that the Idaho Power Co. secured the benefit of accelerated tax depreciation certificates, which would, unless forfeited, cost the Federal Treasury, according to the estimate of Russell C. Rainwater, Chief Accountant of the Federal Power Commission, the sum of $83.5 million and will yield a benefit to the Idaho Power Co. in the amount of $339.3 million over a 50-year period.

Since the Idaho Power Co. secured a writeoff under what the Office of Defense Mobilization calls normal procedures, what is to prevent the P. G. & E. Co., if granted the right to build the Trinity River powerhouses, from making a similar application? If such an application is made and certificates granted covering 60 percent of the cost of the power facilities, the actual cost to the Federal Treasury would be about $43 million, and the value of the tax writeoff to the Pacific Gas & Electric Co. would be $170 million over the 50-year contract period, or more than 2½ times the $65 million the company claims it will pay the Federal Government in taxes. It is apparent from these figures that in such event the Federal Government would save no money whatever, but actually would lose money by turning the powerhouses on the Trinity over to the Pacific Gas & Electric Co.

Social Security for Disabled Workers

EXTENSION OF REMARKS
OF
HON. AUGUSTINE B. KELLEY
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. KELLEY of Pennsylvania. Mr. Speaker, in less than a fortnight, on July 1, a very important new program

of Government goes into effect—one of the most far-reaching changes in social security since the original act was passed in 1935.

It is the program for full social-security benefits for workers age 50 or older who are considered completely and permanently disabled. This program was authorized in the social-security amendments we passed last year. Under the previous law, a disabled worker could obtain a "freeze" of his work record to protect the future size of his benefits from being reduced because of enforced long unemployment, but he still had to wait until age 65 to collect benefits.

I want to make it clear that although I think the law we passed to begin payments of the benefits at age 50 or thereafter for the disabled was a great advance—an outstanding improvement in the social-security concept—nevertheless, I do not believe the program is being administered in a way to assure benefits to all those for whom they were intended.

Many disabled persons, I am afraid, will find themselves almost strangled to death in red tape in trying to qualify. Others will probably become so discouraged by the runaround and the buck-passing and the delays and the heartbreaking rejections that they will give up and write the whole thing off as a cruel deception.

I have called for a Congressional investigation by the House Committee on Ways and Means into the whole administration of the disability features of social security, based primarily on the unhappy experiences of so many disabled persons trying to get a "freeze" of their work records, as allowed by law. My bill, House Resolution 195, states as its premise that the way the program is now being administered "results in a denial of the benefits of this program to virtually all workers except those who are completely paralyzed."

That is because the administration interprets the wording in the law to mean that if a disabled person could do any work at all—whether or not such work would normally be available to him—he is not completely disabled. The fact that he cannot do the work for which he is trained or cannot be trained into doing some other skilled work, does not seem to be taken into account.

DISABLED WORKERS SHOULD APPLY IMMEDIATELY

I have protested such rulings in many cases, and just this week succeeded in having one decision reversed for a man in Westmoreland County. But more than a half year was spent on getting this one decision reversed. Usually the administration turns the applicant down almost automatically on the first step, and the disabled person has to appeal to get any consideration at all. Often, the worker is so discouraged he does not even bother to appeal. My advice to any disabled person who believes himself to be eligible under the disability program is to expect a turndown the first time around, and then appeal immediately.

In any event, it is important for disabled persons covered by social security, whether they are under or over 50, to apply for a "freeze" of their work record. It is important, too, that they do this as soon as possible. Unless they apply by July 1, or unless Congress acts by then to enact a House-passed bill now pending in the Senate, such persons could lose many years of valuable retroactive benefits. The bill referred to would extend the deadline for applying for the "freeze" until July 1, 1958, but anyone who is possibly eligible should not count on that and should apply immediately.

While protesting bitterly the delays and redtape in certifying eligibles for the disability program, I have also called upon the Department of Health, Education, and Welfare to take a more effective course of action in helping disabled persons who do not qualify for full disability certification. I have demanded that they help retain those whose disabilities are not considered sufficiently complete to prevent their doing substantial work.

In this connection, I am now assured by Secretary Marion B. Folsom that they are going to work with the vocational rehabilitation agencies of the States to refer for training individuals too disabled for their regular jobs but still physically able to do substantial work if properly helped and trained.

Status-of-Forces Agreements

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. MILLER of Nebraska. Mr. Speaker, as you know, a great wave of indignation is sweeping the Nation as a result of the gross and inexcusable handling of the William Girard case in Japan. This wave of resentment will grow and grow unless the judgment of a patriotic and courageous United States judge is upheld and the jurisdiction of Japan is denied.

Mr. Speaker, the Vice President of the United States yesterday inserted in the CONGRESSIONAL RECORD the text of a resolution recently passed by the Legislature of Nebraska. I appreciate the action of the Vice President in this important matter.

I am informed that several other State legislatures have taken similar action with more to follow. This is a healthy sign. I want to call your particular attention to these two paragraphs from the Nebraska resolution as follows:

Now, therefore, be it

Resolved by the Legislature of the State of Nebraska, That the members of this body deplore the arrangements now existing which make service in our Armed Forces abroad a hazard by depriving our servicemen, their civilian components, and dependents of each, of the rights and guaranties of our Constitution when they are stationed in foreign lands; and be it further

Resolved, That we respectfully urge the Congress of the United States to immediately enact legislation now pending or similar legislation which will secure a modification or denunciation of the provisions of the NATO Status-of-Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen.

In addition to the resolution from the Nebraska Legislature, Mr. Speaker, I have received many letters from individuals and from civic and patriotic organizations concerning the Girard case.

Individuals and organizations alike have expressed in no uncertain words their amazement and their abhorrence of the fact that such a series of circumstances could exist under the Constitution and the flag of the United States of America. "How?" they ask, and "Why?"

Mr. Speaker, I have received from my distinguished colleague, the gentleman from Ohio [Mr. BOW], some statistics which have surprised, disturbed, and horrified me.

These statistics point up the fact that reports from the military show a great lag in time. The last figures are for November 30 of last year.

Figures from January 1 to November 30 of 1954 indicate that during 11 months 7,416 charges against American servicemen were filed in courts of foreign nations, in the following year ending November 30 the figure was 10,249 and last year 14,394.

Of the more than 32,000 cases, the number brought to trial was 9,054. In 7,691 cases the defendant was fined or reprimanded. In 425 cases the defendant was sentenced to confinement but the sentence suspended. In 305 cases the defendant was jailed.

The report showed 88 persons confined as of last November 30, 50 of them in Japan.

Mr. Speaker, of the letters and resolutions I received, few commented on the guilt or innocence of young Girard. That matter is entirely beside the point. If he is innocent, he should be cleared of all charges. If he is guilty of a crime, he should be punished accordingly.

However, I feel, and all my Nebraska correspondents feel, that he should be tried under the laws of the United States and not by the courts of Japan.

This young man was on duty in Japan, not of his own volition but because he was assigned there by the Department of Defense. To my mind, it is absolutely unthinkable that there should be any question of jurisdiction.

This boy—innocent or guilty—is an American. The Constitution and the flag must follow him around the world, wherever he is assigned. To do otherwise, is to sell him down the river.

It is argued that he will get a fair trial in a Japanese court. That may or may not be true. In this particular case, able to save face, it might be the Japanese court would lean over backward to be lenient. That, again, is beside the point.

Americans have grown up under a certain set of rules. We have our own way of life. Foreign nations have their ways of life. The precepts upon which our various nations were founded are

different. What is the common custom of one is abhorrent to another. What may be a major crime in one nation is a misdemeanor in another.

Some nations chop off a man's right hand on conviction of petty theft. Some nations have no right to trial by jury. Some nations presume that the charged defendant is guilty until he proves himself innocent. Some nations hold a cow to be holy and sentence to death a man who kills a cow.

It is inconceivable to me that we have bartered away some of the rights on which this Nation was built.

I maintain with all my strength it is wrong to delegate any of the power of the United States of America to any nation on earth. I will do all in my power to protect not only the rights of William Girard but of every American boy who, as a member of the Armed Forces, is an official representative of our country.

The Status of Forces Agreements must be modified for the protection of our servicemen. They should be modified now.

Dupont Plaza Center a New Service Facility Concept at Miami, Fla.

EXTENSION OF REMARKS
OF
HON. DANTE B. FASCELL
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. FASCELL. Mr. Speaker, almost every literate person in our country is aware of some of the tremendous strides taken by Florida in the past decade.

Florida has created innumerable opportunities for the aggressive businessman.

Florida is welcoming a swelling tide of new residents, some 2,500 new families each week.

During the past year hundreds of new industries, employing thousands of personnel, have established in Florida.

This extraordinary progress has resulted in unprecedented construction in Florida. In the first quarter of 1957 alone building permits in Dade County, Fla., increased 24 percent over the like period of 1956.

The eyes of the entire construction industry of the United States are centered on Florida—not only for the reasons I have set forth, but also because of a most unusual development now under construction.

In Miami, Fla., there is presently building the only project of its kind in the world—an $11 million triple purpose structure designed to serve the general public, the construction industry, and all its collateral or associated services, and the great body of building product manufacturers in the United States.

This great project, the Dupont Plaza Center, will house under a single roof the 120,000-square-foot Architects International Institute of Building Products, the 70,000-square-foot "Number One Miami" office building, and the 301-room Dupont Tarleton Hotel.

This mammoth structure will be 625 feet in length and 14 stories high. It will spread more than 1,000 feet along Biscayne Bay, and on its water side will provide safe anchorage for many yachts.

Despite many engineering problems that beset this enterprise, due in some measure to its location in downtown Miami, on Biscayne Bay, its developers have pursued their plans with determination, and have recently announced that the Architects International Institute and the "Number One Miami" office building will be opened in November of this year, while the Dupont Tarleton Hotel will open its doors before Christmas of 1957.

This is a tremendous accomplishment. Florida is grateful to the group of Miami businessmen who conceived, developed and carried to fruition this entire project.

I have been informed by Mr. Clinton T. Wetzel, executive vice president of the Dupont Plaza Center, that between 800 and 1,000 building product manufacturers will have permanent displays of their products and services in the Architects International Institute portion of this structure. They will exhibit between 8,000 and 10,000 items of interest to everyone, from the owner of a single family dwelling to corporations planning the erection of new industrial structures.

Another important and far-reaching aspect of the Dupont Plaza Center's operation is spelled out in the fact that provisions have been made to include exhibits of foreign manufacturers of building products, and to extend both a warm welcome and special assistance to foreign visitors, particularly those from our good neighbor Latin American nations.

Indicative of the scope of planning applied to this unique venture are some of the completely new services that will be available to its guests, exhibitors, and tenants.

This structure, already considerably more than one-half completed, will have facilities to stage conventions and banquets of up to 1,200 persons. It will have closed circuit television. There will be color television in each hotel room. A pool of secretaries fluent in Spanish, French, Italian, and German will be available for those who require their services.

The most comprehensive library of architectural, engineering, and construction publications in our country will be housed in this center.

The leading technicians of both this country and foreign nations will lecture before professional groups in the center's auditorium.

There is actually only one other facility in the world that remotedly approaches the concept of Dupont Plaza Center. That is the "Bouwcentrum" in Rotterdam, Holland. This is purely a center for the maintenance of technical information about construction. It was established to aid in the reconstruction of Rotterdam and other bombed-out cities of Europe.

However, the Bouwcentrum" is limited in both its services and its physical facilities. Its display area, for instance, is less than one-half that of the Architects International Institute of Building Products. Further, it does not have office space and it does not have a hotel.

The importance of the Dupont Plaza Center may be further judged by the eminent professional societies which will move their headquarters to this structure when accommodations are ready next fall.

Seven of these societies, all well-recognized and authoritative in their various fields, will have their offices in the Dupont Plaza Center. I am advised they include the following:

The American Institute of Architects, Florida South Chapter.

The Florida Architects Association.

The Florida Engineering Society.

The American Institute of Decorators.

The Producers Council, Inc., Miami Chapter.

The Associated General Contractors of America, South Florida Chapter.

The Home Builders Association of South Florida.

When this project is completed and functioning to the fullest planned extent, it will be to the construction industry what a legal reference library is to an attorney.

I have every belief that this new enterprise will also be a fruitful source of employment for many of Florida's new residents.

I am aware that many of our new citizens bring with them unusual skills in the construction and allied fields. I am certain that the advent of Dupont Plaza Center will act as a notable stimulant to the construction industry in addition to supplying a substantial quota of jobs under its own operation.

My optimism for the future potentials stems from my belief that almost every manufacturer who is exposed to the dynamic progress of Florida, will make it his business to aggressively pursue the expanding business possibilitites in Florida. I feel certain that many of the 800–1,000 manufacturers of building products who will exhibit their merchandise in this new facility, will eventually establish local production in Florida.

Increase in REA Interest Rates

EXTENSION OF REMARKS
OF
HON. J. FLOYD BREEDING
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 21, 1957

Mr. BREEDING. Mr. Speaker, I have been studying with great concern the President's proposal to increase interest rates on REA and other Government loans.

New legislation which has recently been sent from the Bureau of the Budget to the House Committee on Ways and Means calls for the rate of interest to be set on the average yield on marketable Government securities which, in my mind, is worse than setting it on the average interest rates. President Eisenhower's plans for raising interest rates in the form of a recommended bill which

was sent to the Congress recently would wipe out all legal ceilings and let the administration set interest rates on all Government loans as high as they want.

The proposed bill, sent from the Bureau of the Budget, provides that the interest rate shall be fixed by the Secretary of the Treasury, and takes into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the loans made to the Department or Agency. The interest rate on any loans hereafter made by any department or agency shall not be less than the interest rate paid by the Treasury on its borrowings, if borrowed from the Treasury at the time the interest rate on the loan is fixed.

For example, a 3-percent interest rate maturing bond issued by the Federal Government now, for maturity in 40 years, sold for 88 cents on the dollar recently. Thus the market yield is about 3½ percent on the $88 for which such a bond can now be bought. So in order to figure the market yield you ignore the 3-percent rate printed on the bond and look at what the market is paying on the bond. The lower the price goes the higher the rate of interest.

There is added to the above increased interest rate an additional amount deemed adequate to cover administrative expenses and probable losses to the extent consistent with the purposes of the loan program. The Secretary of the Treasury will set the interest rate insofar as it will be consistent with the loan program. This is a very flexible arrangement. In the case of REA they have estimated that this would be one-half of 1 percent on the loan at the present time. From all indications it is reasonable to expect that this new interest rate would double the interest cost on REA loans. In fact it could go higher if inflation continues. The financial page of the New York Times recently carried an article from the financial lenders working for even higher interest rates.

The money markets fixed interest rates at the highest point since the 1933 bank holiday.

The Rural Electrification Administration of the Department of Agriculture today furnished me the following figures by telephone:

REA applications for loans pending as of June 20, 1957

United States total electric loans, 106	$177,000,000
United States telephone loans, 160	64,000,000
Kansas total electric loans, 2	1,400,000
Kansas total telephone loans, 13	2,700,000

Just consider the added interest cost on these pending REA applications if this bill is passed. With this proposed increase in interest rates think what it would mean to my great State of Kansas and the Nation as well.

I am deeply concerned about the far-reaching implications of this proposed legislation. In fact, it prompted me to wire the President and make a plea for consideration to protect Mr. and Mrs. Rural America.

JUNE 19, 1957.

The PRESIDENT,
The White House,
Washington, D. C.:

Legislation has recently been introduced in Congress to increase interest rates on future loans for REA and similar projects. Hundreds of rural and urban families of my district and America would not have rural electrification or telephone communications today if it had not been for this law. Cheap interest rates have made these necessities available to many of us. This is only a means of starting a program to increase interest rates for many Americans. I am opposed to any increase in interest rates on these loans or any similar future loans. I hope that you see fit to protect Mr. and Mrs. Rural America.

Education: A National Responsibility

EXTENSION OF REMARKS
OF
HON. WAYNE MORSE
OF OREGON
IN THE SENATE OF THE UNITED STATES
Friday, June 21, 1957

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD a very able address by our colleague, the Senator from Pennsylvania [Mr. CLARK], delivered before the Mid-Atlantic Regional Conference of the President's Committee on Education Beyond the High School.

I wish to say one only has to read this speech to know full well why this great liberal from the State of Pennsylvania was elected in the 1956 election. I commend the Senator from Pennsylvania for what I think is a most excellent speech, and I ask unanimous consent to have it printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

EDUCATION: A NATIONAL RESPONSIBILITY

(Address by Senator JOSEPH S. CLARK, Democrat, of Pennsylvania, the Mid-Atlantic Regional conference, the President's Committee on Education Beyond the High School)

I am glad to be able to meet today with so many thoughtful persons concerned with the State of higher education in America. No problem facing our country is more worthy of your attention.

The problems which confront higher education are a part of the general crisis in education—and I want to discuss today the question of support for education generally, not merely education beyond the high school.

I need not outline the dimensions of the crisis—you have all seen the figures. We can agree that the President spoke truly last January when he described the task facing education as unprecedented in its sheer magnitude. He called rightly for the greatest expansion of educational opportunity in our history. And this committee, in its interim report, stated the inescapable statistic—that twice as many Americans were born in 1956 as in 1936.

For higher education, that means at least twice as many students in 1975 as in 1955—considerably more than that if we succeed in getting into college all the young people who should be there.

All this is numbers. But because the numbers have already engulfed us, the quality of education—which is what counts—has been falling for some time now. In any case, our standards of education are not nearly good enough. We are a sluggish giant educationally.

Let's look around us. We see hundreds of thousands of children getting only a part-time education; hundreds of thousands more are being cheated of effective instruction because classes are too large; hundreds of school buildings are in use that should be torn down as obsolete; thousands of teachers are employed who do not meet minimum qualifications, and in none of these aspects is the situation improving. The teacher shortage is moving upward—it is still acute in the lower grades, has reached the high schools, and is beginning to be felt in the colleges.

In the higher college and administrative levels, salaries will not buy even as much of the world's goods as they bought in 1904. And at no level, as Mr. Rumi has shown, have teachers' salaries kept pace over the past half century with those of coal miners or auto workers or electrical workers. Thus the teaching profession has been losing its drawing power and thousands of our ablest teachers have left, and are leaving. As for education beyond the high school, few communities, engrossed as they have been in building elementary schools and high schools, have truly comprehended the compelling need for new facilities and expanded programs. I am not at all sure that, as a Nation, our plans to handle the flood of children who will be of college age in the next few years are much more adequate than were our plans for the lower grades some years ago, despite what we should have learned from that experience.

That is the sorry picture as we look around us.

I do not believe that all this has come about because the American people have ceased to value education as they once did. Americans know, whenever we stop to think about it, that all of the goals of our society rest on education. Our material progress; the self-realization and happiness of the individual; the success of democratic institutions; the richness of our culture; the good life both individually and collectively; above all, the grasp and mastery of the challenges and the dangers that confront us around the globe, all depend on the development of skills, of knowledge, and of wisdom in our schools.

Yes, Americans still believe in education. We have not become so material minded that we are deliberately neglecting the institutions that mold the mind and spirit of America. We do want to provide our children with greater and greater educational opportunity.

Then, you may ask, why aren't we doing it? The answer, I am afraid, is this: We have allowed ourselves to succumb to a myth, a piece of folklore that has been sedulously propagated, for both altruistic and not-so-altruistic reasons, the myth that education is a State and local problem, that, therefore, the problem should be dealt with locally, and national action through the Federal Government would be improper or immoral.

The breakdown in education is not local in its scope, it is nationwide. It affects every State, almost every school district, and the vast majority of American homes. Its impact is not only on the local community but on the national economy, the national well-being, the national security. If Soviet communism outstrips us in education, particularly scientific and technical education, as they show every sign of doing already—that could determine our national survival. Does anyone contend that whether we survive is exclusively a State and local problem too?

Of course, there is a deep national interest in the breakdown of education. Let's admit it and start from there. That is why the White House Conference on Education was held. That is why this President's Committee was held. That is why this President's

Committee was established. That is why, as a nation, we must either solve the problem through national action or satisfy ourselves that it is being, or can be, solved without it.

What we are talking about, of course, is dollars. Billions of dollars must be obtained from somewhere and poured into education—for buildings, for teachers, for better pay, for scholarships and fellowships to induce the fullest development of talent. We may debate just how much money is needed and how it should be used—but these are secondary. The basic issue is how to get the billions. It is a matter not of education, but of finance; not for educators primarily but for politicians and statesmen. And the basic issue, of course, is whether we tap our great and rising national resources on a national basis for the purpose.

It is my considered judgment that we must. The State and local governments simply cannot do what has to be done—certainly not with the speed and decisiveness that the national interest makes imperative.

I have been a local official, and I am intensely aware of the handicaps that communities are up against.

Some localities—not many, but some—lack the will and the leadership. We may decry this, but it is a pragmatic fact. You can say, "That's their funeral." Sure, but it's ours, too.

Where there is all the will in the world, there is still the severe limitation of local tax systems, which rest so heavily on the property tax. Our property tax is relatively inflexible, relatively less productive, and grossly unfair. Property is unevenly distributed; some school districts have a railroad or a powerplant to tax, some nothing but farms or houses. The location of large concentrations of taxable wealth bears no necessary relation to the location of children who need to be taught. Intangible wealth is rarely taxed at all. As the national income rises, the property tax base responds but slowly and unevenly.

State aid is only a partial answer. Wealth is also spread unevenly among the States. Some of the poorer States make the greatest educational effort in terms of the proportion of their per capita income spent on schools—and yet their schools are still below the average. State tax systems are inflexible, too, and in some States are hedged in with constitutional restrictions.

Finally, there is the fact of tax competition. In last Sunday's New York Times is the story of how General Motors and other industrial concerns are threatening to locate outside the State of Michigan if new corporation taxes are imposed to meet the needs of education. The president of General Motors says they have already been giving preference to low-tax States. The companies have also been avoiding metropolitan centers in the State and locating in low-tax suburbs. So the State or the school district that sets out to outstrip its sister States or districts in education does so at its peril. And with threats like these big taxpayers can beat down educational advance.

All this explains why State and local action has not been adequate up to now in dealing with our educational crisis. It explains why it will be even less adequate to cope with what is ahead. And, therefore, as long as we succumb to the myth that it has to be done that way, so long as we consider Federal action improper or dangerous or immoral, so long will we fail the children of America—and national safety itself.

Now, is there any good reason Federal resources shouldn't be employed? I don't think so. But, like other Members of Congress, I've been reading my mail, and I regret to tell you that the opponents of Federal aid to education have succeeded in raising three very live and formidable bogies.

I've been trying to lay these creatures to rest with my constituents, and I'd like to try to lay them to rest here.

The first bogey is Federal control.

There is no question but that this Nation is virtually unanimous in its opposition to Federal control of education. I know of no responsible person who wants the Federal Government involved in matters of curriculum or teacher training or educational policy in any sense. The President has denounced any such idea; so has every Member of Congress who has spoken on the subject; so, I think, has every educator.

There have been Federal-aid programs in other fields which involved Federal control; but that has been by deliberate choice, where uniform standards have been essential to the success of the program. To say that Federal aid must mean Federal control, whether or not we will it, is to deny our very capacity in America for self-government. Of course, we can do what we unanimously want to do. To say otherwise is to have no faith in democracy.

The bills which Senator MORSE and I have introduced, for Federal aid to public schools and for Federal scholarships, have as strong a prohibition against Federal control as anyone has found possible to write. If a stronger prohibition can be drafted, we will accept it.

I am sure that among those lobby groups who are agitating loudest against Federal aid are those who don't put any more stock in this Federal control bugaboo than I do. They aren't really concerned about keeping faith with Thomas Jefferson or about the sanctity of the 10th amendment. They simply believe that if they kill off Federal aid, the money won't be spent at all, for the reasons I've given—or, to the extent it is spent, it will be raised through a different kind of taxing system.

This difference in taxing systems is perhaps the most important point of all to understand. Once it is understood, it frames a new kind of issue—the issue of essential fairness.

The Federal tax system is progressive; State and local systems are not. The Federal Government collects most of its tax revenue—more than 80 percent—from taxes which are related to ability to pay—mainly personal income taxes and corporation profit taxes. State governments, on the other hand, collect most of their revenue from taxes which pay no attention to ability to pay—more than half from sales and excise taxes. And local governments, including school districts, collect almost all of their revenue from the property tax.

As a consequence, State and local taxes fall twice as heavily on the lower income groups as do Federal taxes, and Federal taxes fall twice as heavily on upper income groups. And the trend is even more in the same direction; State tax systems are getting less, not more, progressive. To finance a bold program in the field of higher education, the Governor of my State is proposing a tax of a penny a bottle on soda pop, which is one of the least progressive taxes conceivable but about all that is permitted under our constitution.

So this issue of Federal aid raises another question: Not just whether the States and local communities alone can and will support public education but whether they should—whether these added billions that we need for education should be raised through sales taxes and property taxes or through income and corporation taxes on the time-honored basis of ability to pay. That's the essential issue: Which tax system do you prefer? I believe the Federal tax system is far superior from the point of view of equity and fairness.

Now we come to the second bogy.

This is the notion that the Federal Government has been usurping State responsibilities, and that the States and cities are lying down on the job and not putting forth the effort they should.

The facts are just the opposite. Since 1946, Federal taxes and other receipts per capita, in constant dollars, have gone up 16 percent. But State and local taxes have gone up 3 times as fast, by 49 percent. While the Federal debt actually declined in the last decade, States and localities have been forced to more than triple their debt, and many have reached the limit of their borrowing capacity. So it can truly be said that far from lying down on the job in this postwar period, the States and localities have strained themselves to a greater degree than has the Federal Government. The Federal taxpayers have indeed succeeded in pushing an increasing proportion of the total taxload onto the people who pay the greater share of property taxes and sales taxes, and when there are efforts now to push it further I doubt that supposed constitutional principles are in every case the most important motivation.

The third bogey in the public mind is that President Eisenhower's budget is so large that it threatens the strength of our economy, threatens our free-enterprise system with destruction.

This, of course, is economic nonsense, and vicious nonsense at that. From the economic standpoint, taxes are nothing more than the means for diverting expenditures from the private to the public sector of the economy. Taxes are the means—and the only means we have—for buying public schools and public roads, and all the rest.

I think it can be demonstrated that it is the public sector of the economy, not the private, that has been neglected. How many of you have seen sleek new $3,000 motorcars idling away at congested intersections because we have not built the roads they need? How many of you have seen fine new subdivisions of $30,000 houses, with a bedroom for every child, but the same child with barely room to sit down in school? Huge private investments in our fine old cities are threatened because of lack of public action to clean up congestion, blight, and slums. Our rivers are turned into life-killing sewers for lack of public control and public expenditure. And so it goes.

Yet I have just come from Capitol Hill, and I can tell you that oldtime Members of Congress say the pressure for cutting taxes has never been so great as now.

They tell us that Federal aid to education at any level is apt to be a casualty of this tax-cutting fever. In other words, we are in the midst of witnessing an epic of national shortsightedness.

There is a short-term and a long-term reason for this disaster. The short-term reason is this: When the Secretary of the Treasury attacked the President's budget at the time it was sent to Congress, the President didn't defend it. In fact, he virtually disowned it. For a long time, nobody at all defended the President's budget—it was abandoned on Congress' doorstep like an unwanted foundling. I had the temerity to speak a kind word about it during a visit to Pennsylvania, and not even the Republicans defended me. All I got for my pains was twice as much antitax mail. By the time the President came to the defense of his budget, it was too late; the pressure against it was unstoppable.

The long-term factor in the present situation is the incessant propaganda campaign that has been waged nationwide against taxes. It carries a simple three-word theme, "Taxes are bad." You see it in the cartoons of the taxpayer clad in a barrel or with his pockets inside out. You see it in more subtle ways: I picked up a serious study of taxation the other day and found the word "burden" seven times on the first page. Try an association test on your friends. Ask them to repeat the first word that enters their heads when you mention "taxes." Most of them will automatically say "high" or "cut." It will be one man in a thousand who will say "services" or "benefits." People have

been conditioned, like Pavlov's dog, to hate taxes.

Now, I am not being partisan when I say that, unfortunately, for 20 years one of our great political parties lent its weight to this propaganda—by campaigning unendingly on the theme that Federal taxes were too high and the taxpayer was being scalped unnecessarily. Millions of people came to believe it. They were convinced that when the Republicans came in, things would be different. Now they feel they have been betrayed. They are frustrated and they are angry. There may be a question as to whether it's fair for them to blame their Senators and Congressmen, but there is no question as to their mood. They sure feel like taking it out on somebody.

This is the national frame of mind that all of us who believe in public education must work to counteract. The time is short and the prospects may be slim, but we need to launch right now a concerted campaign to save Federal aid to education from being ground to death under the wheels of the economy drive that is underway.

Where the national interest lies, it seems to me, is clear. We need to tap our national resources on a national basis to raise the standards of education in America to where they ought to be—in the elementary schools, in the high schools, and beyond the high schools. It cannot be done without Federal action. It can be done without Federal control. We should not limit our vision nor apologize in our approach. We should proceed with a clear conscience to give a broad, general lift to education at all levels—not as an emergency matter but permanently.

At a time when we have the highest national output, the highest national income, the greatest corporate profits, the highest wage levels of any nation in the history of the world—when we are spending more on highways, more on cars, more on European travel and Caribbean cruises, more on alcohol and tobacco, more on pleasure seeking of every kind, it is ludicrous to say that we do not have the resources to do what needs to be done in the field of education.

This is a moral issue. Complacency and materialism are our enemies.

Let us measure the national need—and then let us fulfill it.

The Lutheran Missionary in the Middle East

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 21, 1957

Mr. VAN ZANDT. Mr. Speaker, it was a distinct privilege to address the annual convention of the Eastern District of the American Lutheran Church at Chambersburg, Pa., Tuesday, June 19, 1957, on the subject, "The Lutheran Missionary in the Middle East."

The address follows:

THE LUTHERAN MISSIONARY IN THE MIDDLE EAST

(Address delivered by JAMES E. VAN ZANDT, Member of Congress, 20th District of Pennsylvania, at the convention banquet of the Eastern District, American Lutheran Church, at Chambersburg, Pa., June 19, 1957)

The responsibility of religion in our time is probably without precedent, with the result that the duties of evangelism today are at least as great as they were in the days of Paul of Tarsus.

It happens that as I speak the prime target of the great struggle that engulfs mankind is the Middle East.

Those who speak of the Middle East in the councils of the great powers may emphasize oil or geography or military strategy.

But the key to the issues is a moral one, and its solution in the end will be moral and religious.

The question at the root of the multiplicity of middle eastern troubles, so far as the American Lutheran Church is concerned, is simply this:

How can religion help?

It is my conviction that it is impossible to be a good evangelical American Lutheran in any area of the world without being at the same time in the best sense an American ambassador of good will.

Yet I wish I could convince myself that the problem is as ordinary as that.

For what is involved are postures and attitudes, tolerance and understanding, in the most delicate of all human relationships, namely, man's dignity, his fiery sense of independence, his pride, and finally his need.

Religion can help today as it did in the days of early Christendom, by fulfilling man's gnawing spiritual aspirations.

But because of the character of the world of our time, the dominance of the economic phases, of modern life everywhere, spiritual aspirations must be promoted without indifference to people's other needs, such as shelter, nourishment, and their medical wants.

One cannot help but be impressed by the splendid record of humanitarian service rendered by American Lutheran missionaries and institutions in the Holy Land, in Ethiopia, in Hong Kong, and New Guinea, and in Indonesia.

It is reported that Lutheran world action, in its world mission, is expending an excess of $1 million a year.

In addition to some 60,000 baptisms annually and the operation of over 1,400 mission schools with an enrollment of some 81,000 students, Lutheran hospitals and clinics treat nearly three-quarters of a million patients.

This impressive record of service to humanity is a tribute to the faith and zeal of Lutheran missionaries all over the world.

As a veteran of two world wars and brief service in the Korean conflict, I have seen countries in time of war and upheaval.

There is of course the stirring and sometimes terrifying situation of a whole nation in a state of convulsion.

Terror may fill the streets and uncertainty seize the governments.

Epidemics may be prevalent or threatening and violence unreasoned and uncontrollable may take hold of entire populations, destroying all semblance of law and order.

In the Middle East, more especially than anywhere at the moment, the potential situation is charged with unlimited possibilities.

It is because of this that I emphasize the important role played by American missionaries as they strive to give a positive answer to the Biblical question, Am I my brother's keeper?

It is my opinion that no American missionary in our time, anywhere in the world, represents himself alone or represents merely the religious denomination that sent him.

We must remember, all of us, that in a very particular and a special sense the American missionary represents the United States.

The missionary in the Middle East today may arrive there with only the Gospels and spiritual dedication to his work.

But whether he realizes it or not, he arrives also as an American and his role unofficially, but most importantly, is that of an ambassador of good will.

Forty years ago that might not have been so much the case.

But today every American in Egypt, in Korea, on Formosa, in Africa and Asia, yes, anywhere on the face of the globe, is regarded by the native population as a living image of Uncle Sam.

He is constantly watched with a scrutiny in every nook and corner of the earth that will not miss his every gesture, the smallest comment, or the faintest expression of opinion or criticism.

This is because the world divided is engaged in what is termed "a contest for the minds of men."

In this contest the high point is the spiritual value.

In this contest, too, is also the position of the United States as a Nation before mankind.

What they are asking themselves in the Middle East more hotly at the moment than anywhere else is, Are Americans sincere?

In other words, shall they believe the Kremlin or the Americans?

They know that the Middle East is the most strategic piece of real estate on earth.

It is the heartbeat of Europe, Asia, and Africa.

Napoleon gambled on it and lost to Nelson and the British Navy.

In losing he had to give up his ambitions for Africa, India, and the Far East.

The Middle East is the wall that the Soviet Union is now seeking to climb because on the other side rests two-thirds of the world's oil supply.

If the free world should permit the Middle East to pass under Communist domination it would mean the crippling of NATO and paralysis for the industrial capacity of Western Europe and Great Britain.

It could mean catastrophe for the free world because it would give Russia precisely what she has been seeking since she dreamed of warm-water ports in the days of Peter the Great.

Recently Russia attempted to establish a Communist government in Greece.

She toyed desperately with Turkey in an effort to get control of the Dardenelles.

Elsewhere she sought domination by all manner of modern tricks of infiltration and the manipulation of situations of poverty and need.

Of course, it is not the function of the religious missionary to perform the role of the official or even the unofficial diplomat.

It is not the function of the missionary to come to Egypt or the Holy Land or Iraq or Pakistan or Saudi Arabia or Iran or Syria with the Bible in one hand and the job of winning political battles in the other.

Nevertheless, the Lutheran missionary, his sermons, his teachings, his medical ministrations, his contacts, his schools, his orphanages, and his clinics represent a connecting link between the people of the United States as well as Lutheranism and the people in the area.

He will be judged by these people not only as an exemplary Lutheran but also as a representative of the United States.

Everything he does will operate for or against not only himself, his religious preaching and organizational work, but also for or against his country.

And in this hour of the world's struggle between the spiritual values of the Western World and the materialistic values of Soviet communism, the missionary from the West is certainly charged with a powerful responsibility.

But there is another reason with a downright diabolical background that invests with special significance the role of the missionary in the Middle East.

This has to do with the Soviet weapon of religious infiltration for political ends.

For tragic as the situation is, it is nevertheless one of the most melancholy facts of our time that the Russian Orthodox Church in the Soviet Union is not so much a church as it is a political arm of the Soviet Union.

The Kremlin has taught itself to recognize that a prostituted church manipulated by the Soviet regime as it manipulates all elements in the total state, can become a creature of value for subversive activity.

Thus religion may be used to tie together the slave world everywhere.

During World War II it was announced that a so-called understanding had been reached between the leaders of the Russian Orthodox Church and the Soviet Government.

Since that time and as a result of the much-heralded understanding the Russian Orthodox Church has emerged as a political agent of Soviet intrigue and infiltration.

If I were asked: What are the problems of the Lutheran missionary in the Middle East? I would say that this is one of the most pressing.

But while I can pose the problem before you I cannot provide you with its solution or with advice on how to go about counteracting this insidious type of religious prostitution.

This is a field of endeavor in which, as a Congressman, I find I must place in the capable hands of American missionaries of all religious faiths.

They have the experience abroad and the skill in dealing with anti-Christian religions that strive to halt or cripple their missionary activities.

The Lutheran missionary will know best how to summon the kind of delicacy of approach, the manner of warfare, the perhaps refined form of spiritual combat that a situation fraught with so much evil demands.

I know the Lutheran Church is an old and tested hand and its missionaries will know their way around in any struggle with a religious swindle so obvious as a Kremlin-dominated church trying to make capital out of Middle Eastern unrest.

The Lutheran Church is well equipped to battle the Soviet technique of using the Christian religion as a political pawn.

For example, whenever the Soviet Union launches one of its fraudulent peace movements it compels its church dignitaries to travel to the target countries on presumably peace missions like so many spiritual circus horses.

Frequently these so-called religious missions make great propaganda out of the spectacle of the devil which they invent and that devil is invariably America and her Wall Street warmongers.

I was very much moved recently when reading some of the Lutheran Evangelical literature to find one method of persuasion that is employed by Lutheran missionaries abroad.

Just how this method is implemented interests me very much as I find the idea highly inspiring.

I was particularly impressed with the fact that it was being employed in Egypt's Cairo, which is one of the key spots in the Middle East now calling for the best possible display of American character and influence.

The method this missionary is described as using is simply that he "loved Moslems into the kingdom of God."

This Lutheran missionary went about his task without the unbecoming zeal that may excite hostility more often than it wins converts.

Rather, he went about, according to his own words, "seeking to understand the world of Islam."

There is, of course, nothing so powerful as the understanding heart.

This Lutheran missionary studied the Koran and made not merely contacts, but friends with as many Moslem students as possible.

He was their appreciative companion and he indicated the respect for them that he wished them to display for him.

In such a mutual situation it was not long before the Moslem students were asking the missionary about his religion, about Christianity, and in particular about Lutheranism.

Truly he had sown the seed for the kind of mutual understanding, perhaps the conversion, that makes for a peaceful world and attitudes of international courtesy.

In this connection it is significant that the Lutheran Churches of America have sent as much as 100,000 pounds of clothing to Egyptian victims of the recent war within a month.

This is good and effective work.

The shipments went to refugees in the Port Said area and were authorized by the Lutheran world relief.

This is a concrete example of practical Christianity at its best.

But beside it, let me insist, is the work of the missionary who made it his business to understand the Moslems and their faith.

He had the remarkable grace and restraint to enter into discussion with them concerning his own faith only when in due course they proceeded to make their inevitable inquiries.

This missionary in portraying the role of a modern John the Baptist by preparing the way for our Lord added greatly to the good intentions of American Lutherans in sending material gifts from the United States.

In reviewing Lutheran activities in the field of foreign missions the hundreds of Lutheran missionaries merit our heartfelt gratitude for their remarkable achievements in the holy land, in Egypt, throughout the entire Middle East, and around the world.

It is appropriate at this point to pay a marked tribute of love and respect to those Lutheran missionaries who have suffered persecution by the Communists.

With their brothers in Christ of other religious faiths they have like the early Christian martyrs remained steadfast in their faith preferring to suffer death if necessary in defense of the truths of Christianity.

We owe them not only our expressions of gratitude but our constant and earnest prayers.

May God continue to watch over them and rescue them from the chains that bind them.

It is my firm conviction that the work done by Lutheran missionaries will make its mark on world history.

It is my further conviction that the struggle we are now engaged in for the minds of men and for the survival of the free world will be decided ultimately by moral and religious values.

These are the same moral and religious values which the missionaries firmly implant all over the world in the interests of the true faith and for the betterment of the human race.

SENATE

MONDAY, JUNE 24, 1957

(Legislative day of Friday, June 21, 1957)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. J. Sanford Lonsinger, minister of the Third Presbyterian Church, of Newark, N. J., offered the following prayer:

Our help is in the name of the Lord, who made heaven and earth.

Blessed is the nation whose God is the Lord.

Blessed be Thou, O Lord our God, by whose almighty hand hath been brought into being this glorious Nation, dedicated to righteousness, to freedom, to peace among the nations, to the dignity and worth of all men.

We make our earnest prayer that Thou wilt keep the United States in Thy holy protection. Grant us peaceful times and fruitful seasons; bless our homes, prosper our industries, and unite the hearts of Thy people in unity and godliness.

Govern and protect Thy servant, the President of the United States, his Cabinet, the Congress, the Supreme Court, and all in the seats of authority and power. We beseech Thee to grant to the Senate of the United States that guidance and wisdom which shall protect and strengthen the glorious heritage of this great Nation.

Bless all governments and peoples of the world which are dedicated to a just and lasting peace. Bring deliverance to all peoples who languish in fear and enslavement.

Make us equal to our high trusts; make us reverent in the use of freedom; make us just in the exercise of power; make us generous in the protection of the weak. May our Nation be one, truly under God, indivisible, with liberty and justice to all. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Friday, June 21, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Vinton Chapin, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary to Luxembourg, and withdrawing the nomination of August Todd to be postmaster at Joppa, Ill., which nominating message was referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 469) to authorize the United States to defray the cost of assisting the Klamath Tribe

of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6974. An act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes; and

H. R. 7954. An act relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 172) to establish a joint Congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area, in which it requested the concurrence of the Senate.

The message informed the Senate that Hon. JOHN W. MCCORMACK, a Representative from the State of Massachusetts, had been elected Speaker pro tempore during the absence of the Speaker.

ENROLLED BILLS SIGNED

The message also announced that the Speaker pro tempore had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 768. An act to designate the east 14th Street Highway Bridge over the Potomac River at 14th Street in the District of Columbia as the Rochambeau Memorial Bridge; and

H. R. 6500. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

HOUSE BILL REFERRED

The bill (H. R. 7954) relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons, was read twice by its title and referred to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 172) to establish a joint Congressional committee to investigate matters pertaining to the growth and expansion of the District of Columbia and its metropolitan area, was referred to the Committee on the District of Columbia, as follows:

Resolved by the House of Representatives (the Senate concurring), That there is hereby established a joint congressional committee to be composed of the members of the Committee on the District of Columbia of the Senate and the members of the Committee on the District of Columbia of the House of Representatives. The joint committee shall select a chairman and a vice chairman from among its members. A majority of the joint committee shall constitute a quorum except that a lesser number, to be fixed by the joint committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 2. The joint committee, or any duly authorized subcommittee thereof, shall examine, investigate, and make a complete study of any and all matters pertaining to (a) the problems created by the growth and expansion of the District of Columbia and its metropolitan area, (b) how and with what degree of success such problems are handled and resolved by the various agencies and instrumentalities of the Government which are charged with the duty of resolving such problems, and (c) how the resolution of such problems is affecting the affairs of the District of Columbia. The joint committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate and the House of Representatives at the earliest practicable date, but not later than January 31, 1958. Upon the submission of such report, the joint committee shall cease to exist and all authority conferred by this resolution shall terminate.

SEC. 3. The joint committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within the United States, to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony as it deems advisable.

SEC. 4. The joint committee shall have power to employ and fix the compensation of such experts, consultants, and other employees at it deems necessary in the performance of its duties.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Agriculture and Forestry was authorized to meet today during the session of the Senate.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there may be the usual morning hour, during which Senators may introduce bills and transact other routine business, subject to a 3-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AUTHORIZATION FOR CERTAIN PERSONNEL OF ARMED FORCES TO ACCEPT AND WEAR CERTAIN DECORATIONS

A letter from the Assistant Secretary of the Navy, transmitting a draft of proposed legislation to amend the act of August 3, 1956, to authorize certain personnel of the Armed Forces to accept and wear decorations conferred by the Philippine Government (with an accompanying paper); to the Committee on Armed Services.

PROPOSED TRANSFER BY NAVY DEPARTMENT OF AIRCRAFT RESCUE BOAT TO STATE OF MARYLAND

A letter from the Assistant Secretary of the Navy (Material), reporting, pursuant to law, that the Department of the Navy proposes to transfer a 63-foot aircraft rescue boat, with engine, to the State of Maryland; to the Committee on Armed Services.

PROMOTION OF NATIONAL DEFENSE BY AUTHORIZATION OF CERTAIN FUNCTIONS OF AERONAUTICAL RESEARCH

A letter from the Executive Secretary, National Advisory Committee for Aeronautics, Washington, D. C., transmitting a draft of proposed legislation to promote the national defense by including two representatives of the Department of the Army as members of the National Advisory Committee for Aeronautics and by authorizing specifically certain functions necessary to the effective prosecution of aeronautical research (with an accompanying paper); to the Committee on Armed Services.

EXTENSION OF VOLUNTARY HOME MORTGAGE CREDIT PROGRAM

A letter from the Administrator, Housing and Home Finance Agency, Washington, D. C., transmitting a draft of proposed legislation to provide an interim extension of the Voluntary Home Mortgage Credit Program (with an accompanying paper); to the Committee on Banking and Currency.

REPORT OF COMMISSION ON GOVERNMENT SECURITY

A letter from the Chairman, Commission on Government Security, Washington, D. C., transmitting, pursuant to law, a report of that Commission, dated June 1957 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF TITLES 10, 14, AND 32, UNITED STATES CODE, RELATING TO CODIFICATION OF MILITARY LAW

A letter from the General Counsel of the Department of Defense, Washington, D. C., transmitting a draft of proposed legislation to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code (with an accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Agriculture and Forestry:

"Assembly Joint Resolution 25

"Joint resolution relative to use of national forests

"Whereas the State of California has long recognized and supported the wise and proper use of the multiple resources available within the federally controlled national forests in this State; and

"Whereas the individual citizens of this State as well as the industrial and agricultural economy of this State are becoming more and more dependent upon these lands for commodities, services, and above all, the necessary water to insure our present and future well-being; and

"Whereas certain groups have, from time to time, sponsored Federal legislation which has the tendency to dedicate specific portions of our national forest areas to the limited use of these groups for limited purposes at the expense of the other segments of the population dependent on these areas; and

"Whereas a similar movement is presently underway to limit the use of these areas in the form of legislative proposals to create a national wilderness preservation system: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California (jointly)*, That the

Legislature of the State of California respectfully memorializes the Congress of the United States to completely retain without qualification the existing authority of the Secretary of Agriculture to regulate the use of all national forests, including wilderness areas; and be it further

"*Resolved*, That the chief clerk of the assembly is directed to transmit suitably prepared copies of this resolution to the President, Vice President, and the Secretaries of Agriculture and Interior of the United States, and the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Armed Services:

"Assembly Joint Resolution 32

"Joint resolution relative to the Navy jet base in Lemoore

"Whereas the United States Government has already appropriated $10 million to buy land and draw plans for a proposed Navy jet base at Lemoore, Calif.; and

"Whereas the location of this base, because of its extensive size and remoteness from densely populated areas, is eminently suitable for its use as an airfield for modern aircraft; and

"Whereas it is ideal from a defense standpoint due to its proximity to the coast, yet its vulnerability to enemy attack is lessened by the range of mountains separating it from the ocean; and

"Whereas economically considered, operation of the base at Lemoore will benefit the people of the entire area, and thus is desirable from a business point of view; and

"Whereas construction of the base is heartily endorsed by all of the local chambers of commerce in the region, and enthusiastically supported by the citizens: Now, therefore, be it

"*Resolved by the Assembly and the Senate of the State of California (jointly)*, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to continue their plans for construction of the United States Navy jet base at Lemoore, Calif.; and be it further

"*Resolved*, That the chief clerk of the assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Secretary of Defense, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on Government Operations:

"Senate Joint Resolution 14

"Joint resolution relative to payments in lieu of taxes to counties containing large areas of federally owned land

"Whereas the Federal Government owns approximately 47 percent of the total land acreage in California; and

"Whereas counties in which national forests are located receive annually 25 percent of the revenue received; and

"Whereas Mono County, which has by far the largest acreage of federally owned forest lands of any county in this State, having 771,587 acres in the Inyo National Forest and 378,601 acres in the Toiyabe National Forest, all of which are withdrawn from the tax rolls of the county, received only $15,774.90 as such 25-percent payment in the fiscal year 1955–56; and

"Whereas these two national forests are comprised primarily of watershed lands and do not and will not produce revenues to any large amounts as do national forests primarily comprising commercial timber; and

"Whereas in the instance of Mono County, in excess of 400,000 vacationists visit the Inyo and Toiyabe National Forests for fishing, hunting, general recreation, and other uses every year. This influx of people creates sanitation, police, and other problems for the local residents and taxpayers of Mono County: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly)*, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to take such action as may be required to insure that a thorough study be made to determine the amounts to be apportioned to counties in which exist large areas of federally owned land and which place additional burdens of local governmental services on account of such Federal ownership; and be it further

"*Resolved*, That the secretary of the senate is hereby directed to prepare and transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the Secretary of Agriculture."

A joint resolution of the Legislature of the State of California; to the Committee on Interstate and Foreign Commerce:

"Assembly Joint Resolution 33

"Joint resolution relative to nonstop air transportation between San Francisco and New York

"Whereas the city and county of San Francisco, through its public utilities commission, owns and operates the San Francisco International Airport provided by the citizens of San Francisco at great expense in order that they may enjoy the finest air transportation service possible; and

"Whereas the city and county of San Francisco is one of the largest cities in the West and one of the great air markets of the United States and the world and the air hub of the San Francisco metropolitan area; and

"Whereas American Airlines, Inc., has on file with the Civil Aeronautics Board a motion to sever and set down for immediate hearing the San Francisco-New York nonstop portion of its application in docket No. 5903; and

"Whereas the public utilities commission of the city and county of San Francisco deems that the public convenience, interest, and necessity of the people of that city and county and the surrounding area require that they be provided with all possible and necessary facilities for air commerce to and from San Francisco and New York City; and

"Whereas the city and county of San Francisco has a civic, property, and financial interest in the motion of American Airlines, Inc., which would afford the city and county of San Francisco improved air service between San Francisco and New York; and

"Whereas the legislature has been informed that the city and county of San Francisco is about to file an answer and motion with the Civil Aeronautics Board supporting the motion of the American Airlines, Inc., to sever and set down for immediate hearing the San Francisco-New York nonstop portion of the application in docket No. 5903, in believing that San Francisco is entitled ot a third nonstop air service between San Francisco and New York: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California (jointly)*, That the Legislature of the State of California respectfully requests the Civil Aeronautics Board to give consideration to the answer and motion of the city and county of San Francisco requesting an immediate hearing on the San Francisco-New York nonstop portion of the application in docket No. 5903, and requests the United States Senators from California and the Congressmen from the San Francisco metropolitan area to support said answer and motion; and be it further

"*Resolved*, That the chief clerk of the assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Chairman of the Civil Aeronautics Board, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the legislature of the State of California; to the Committee on Public Works:

"Assembly Joint Resolution 34

"Joint resolution relative to Federal support of air pollution control activities

"Whereas air pollution continues to be a serious problem throughout California with areas affected by air pollution in the past continuing to increase in size and definite evidence of air pollution in new areas; and

"Whereas although local air pollution control districts in the State of California, the United States Public Health Service, the State department of public health, universities throughout the State, and a number of private nongovernmental agencies have been and are now engaged in air pollution studies and research, many basic questions as to some of the causes and some of the components of air pollution, effective methods of control, and the extent of the health hazard created by air pollution remain unanswered; and

"Whereas the Congress of the United States has recognized that the grave air pollution problem existing in this country is one of Federal concern and, in 1955, enacted a 5-year, $25 million potential Federal air pollution program to provide technical service and financial aid to State and local agencies in their air pollution programs (act of July 14, 1955; Public Law 159, 84th Cong.; 69 Stat. 322); and

"Whereas the act recites that it is the policy of the Congress to preserve and protect the primary responsibilities and rights of the State and local governments in controlling air pollution, to support and aid technical research to devise and develop methods of abating such pollution, and to provide Federal technical services and financial aid to State and local government air pollution control agencies and other public and private agencies and institutions in the formulation and execution of their air pollution abatement research programs; and

"Whereas the moneys appropriated for this program since its inception have not yet approached the amounts authorized to be appropriated; and

"Whereas the Legislature of California, cognizant of the seriousness and magnitude of the problem and the need for additional and coordinated research to permit evaluation of the inter-relationships among the causes, the distribution, dispersion, and effects of air pollution, has furnished specific funds in the past, and in this 1957 regular session is engaged in developing a program to expand and coordinate the air pollution research activities throughout the State of California: Now, therefore, be it

"*Resolved by the Assembly and Senate of the State of California (jointly)*, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to appropriate the full amounts authorized by Public Law 159, 84th Congress, in order to provide to State and local agencies the technical services and financial aid which are essential to eventual abatement of the air pollution menace; and be it further

"*Resolved*, That the chief clerk of the assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution of the Legislature of the State of Nebraska; to the Committee on Post Office and Civil Service:

"Legislative Resolution 42

"Whereas the majority of postal employees receive a salary of approximately $3,700 per year; and

"Whereas the top average salary of postal employees is approximately $4,410 per year; and

"Whereas the standard of living costs have increased and the inadequate pay scale doesn't permit the postal employees to maintain the American standard of living; and

"Whereas there is now pending in the Congress bills which would increase the salaries of postal employees commensurate with existing costs of living: Now, therefore, be it

"*Resolved by the members of the Nebraska Legislature in 68th session assembled*—

"1. That this legislature favors adequate compensation for postal employees, and respectfully memorializes the Congress of the United States to enact such legislation that will increase the wage scale of postal employees commensurate with existing costs of living.

"2. That authenticated copies of this resolution be transmitted to the President of the Senate and the Speaker of the House of Representatives of the United States, and to each of the United States Senators and Representatives from Nebraska."

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Finance:

"Senate Joint Resolution 95

"Joint resolution relating to memorializing Congress to enact legislation restricting the importation of plywood

"Whereas a large number of hardwood plywood plants have already been shut down, with others curtailing operations to the extent that hundreds of workers have lost their means of livelihood; and

"Whereas these plants comprise the backbone of the economy of many communities and towns; and

"Whereas hardwood plywood imports ate up 46.6 percent of United States markets in 1956; and

"Whereas American industry cannot compete with imported hardwood plywood sold duty-paid, for less than the cost of production in the United States; and

"Whereas a number of bills are now pending in the Congress of the United States relating to such restriction on imports as provided in Congressman LAIRD's bill, H. R. 5939; Congressman O'KONSKI's bill H. R. 5837; Senator WILEY's joint Senate bill, S. 1598; and other similar legislation: Now, therefore, be it

"*Resolved by the senate (the assembly concurring)*, that the Wisconsin Legislature memorializes the Congress of the United States to enact early legislation restricting the importation of hardwood plywood; and be it further

"*Resolved*, That a copy of this resolution be sent to the President of the United States, the Secretary of Commerce, the Tariff Commission, and to each House of Congress, and each Wisconsin Member thereof, and to Congressmann JERE COOPER, chairman of the House Ways and Means Committee of Congress.

"ROBERT G. MAROTZ,
"*Speaker of the Assembly.*
"ARTHUR L. MAY,
"*Chief Clerk of the Assembly.*
"W. P. KNOWLES,
"*President of the Senate.*
"LAWRENCE R. LARSEN,
"*Chief Clerk of the Senate.*"

A joint resolution of the Legislature of the State of Illinois; to the Committee on the Judiciary:

"Senate Joint Resolution 24

"*Resolved by the Senate of the Seventieth General Assembly of the State of Illinois (the House of Representatives concurring herein)*, That the Congress of the United States of America hereby is respectfully requested to propose an article in the following form, or substantially so, as an amendment to the Constitution of the United States:

"'ARTICLE—

"'SECTION 1. On or before the 15th day after the beginning of each regular session of the Congress, the President shall transmit to the Congress a budget which shall set forth his estimates of the receipts of the Government, other than trust funds, during the ensuing fiscal year under the laws then existing and his recommendations with respect to expenditures to be made from funds other than trust funds during such ensuing fiscal year, which shall not exceed such estimates of receipts. The President in transmitting such budget may recommend measures for raising additional revenue and his recommendations for the expenditure of such additional revenue. If the Congress shall authorize expenditures to be made during such ensuing fiscal year in excess of such estimated receipts, it shall not adjourn for more than 3 days at a time until such action has been taken as may be necessary to balance the budget for such ensuing fiscal year. In case of war or other grave national emergency, if the President shall so recommend, the Congress by a vote of three-fourths of all the Members of each House may suspend the foregoing provisions for balancing the budget for periods, either successive or otherwise, not exceeding 1 year each.

"'SEC. 2. This article shall take effect on the first day of the calendar year next following the ratification of this article.

"'SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress'; and be it further

"*Resolved*, That the Congress of the United States hereby is respectfully requested to provide as the mode of ratification that such amendment shall be valid as part of the Constitution of the United States, when ratified by the legislatures of three-fourths of the several States; and be it further

"*Resolved*, That the secretary of state of the State of Illinois is directed to send one duly certified copy of this resolution to the Senate of the United States and one such copy to the House of Representatives of the United States and one such copy to the secretary of state of each of the other States.

"Adopted by the senate, May 15, 1957.

"JOHN WM. CHAPMAN,
"*President of the Senate.*
"EDWARD E. FERNANDEZ,
"*Secretary of the Senate.*

"Concurred in by the house of representatives, June 13, 1957.

"WARREN L. WOOD,
"*Speaker of House of Representatives.*
"FRED W. RUEGG,
"*Clerk of House of Representatives.*"

By Mr. WILLIAMS:

A resolution of the House of Representatives of the State of Delaware; to the Committee on Public Works:

"House Resolution 96

"Resolution expressing the sentiment of the city of Seaford as to the operation of the Nanticoke River Bridge at Sharptown, Md.

"Whereas it has come to the attention of the house of representatives of the 119th general assembly that the mayor and Council of the City of Seaford have voiced their objections to the proposed operation of the Nanticoke River Bridge at Sharptown, Md.;

"Whereas it has been proposed that the Nanticoke River Bridge at Sharptown, Md., be open only from 6 a. m. to 6 p. m. unless there is given a 6-hour notice; and

"Whereas such a reduction of hours of operation of the bridge would seriously hamper the daily flow of oil and grain and other commodities being shipped by way of the Nanticoke River to and from the Seaford, Del., area: Now, therefore, be it

"*Resolved by the members of the house of representatives of the 119th general assembly*, That the Highway Department of the State of Maryland continue the operation of the Nanticoke River Bridge at Sharptown, Md., on a 24-hour basis, in order to expedite the transportation of commodities being transported by way of the Nanticoke River to and from the Seaford, Del., area; be it further

"*Resolved*, That a copy of this resolution be transmitted forthwith to the chief engineer of the Maryland Highway Department, the chief engineer of the Delaware Highway Department, the mayor of the city of Seaford, and to the Members of the Senate and the members of the House of Representatives of the United States from the State of Delaware."

By Mr. COTTON (for himself and Mr. BRIDGES):

A concurrent resolution of the Legislature of the State of New Hampshire; to the Committee on Armed Services:

"*Resolved by the house of representatives (the senate concurring)*, That the general court of New Hampshire urges the Congress of the United States to provide that the so-called Portsmouth Air Base, located in Newington, N. H., be named and hereafter be known as the Pease Air Force Base, in honor of Harl Pease, Jr., holder of the Congressional Medal of Honor and the Distinguished Flying Cross; be it further

"*Resolved*, That the secretary of state transmit certified copies of this resolution to the Senators and Representatives of New Hampshire in the Congress, and to the Speaker of the House of Representatives and the President of the Senate of the United States.

"Passed June 19, 1957.

"Attest:

"HARRY E. JACKSON,
"*Secretary of State.*
"W. DOUGLAS SCAMMAN,
"*Speaker of the House of Representatives,*
"ERALSEY C. FERGUSON,
"*President of the Senate.*"

The memorial of Edward T. Paca, of Englewood, Colo., relating to tax writeoffs; to the Committee on Finance.

A letter from the vice president, Legislature of the Virgin Islands, informing the Senate that the Legislature of the Virgin Islands had agreed to a resolution to adopt the recommendations of the report of Dr. Carl J. Friedrich to the organic act committee of the legislature; to the Committee on Interior and Insular Affairs.

A resolution adopted by the North Iowa Conference, the Methodist Church, Waterloo, Iowa, favoring the enactment of legislation to prohibit the interstate transportation of alcoholic beverage advertising; to the Committee on Interstate and Foreign Commerce.

RESOLUTION OF SOUTH HIWAY 41 ADVANCEMENT ASSOCIATION

Mr. WILEY. Mr. President, I have received from Theodore Fadrow, president of the South Hiway 41 Advancement Association in Milwaukee, Racine, and Kenosha Counties of Wisconsin, a

resolution dealing with the future of that important road artery.

I present the resolution and ask unanimous consent that it may be printed in the RECORD and be thereafter referred to the Committee on Public Works.

There being no objection, the resolution was referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

To the Honorable United States Senate, the Honorable House of Representatives, and the Honorable United States Committees on Finance, Highways, and Judiciary:

Whereas the South Hiway 41 Advancement Association was organized in 1952, and duly assigned a State charter for the purpose of advancing and improving the welfare of all people concerned, comprised of small business, residential, and farm lands zoned for future business and residence; and

Whereas the said advancement association represents Kenosha, Racine, and Milwaukee Counties in the State of Wisconsin, and has certified membership in said named counties; and

Whereas United States Highway 41 is in the process of relocation and improvement; and

Whereas appraisals and purchase of certain properties as of executed date are already completed; and

Whereas to the best knowledge and information of the advancement association, the proper authorities, directed and under the supervision of the State and county governments, did not inform the general public, including the small businesses, of the intent to relocate U. S. 41, involving the following strip area: from the south limits of Kenosha County, and through Racine County, to the south boundary of West Layton Avenue, said Layton Avenue situated on the south end of Milwaukee County; and

Whereas the advancement association believes that proper information and public hearings should have been held with respect to the relocation of U. S. 41, in the said named counties; and

Whereas millions of dollars of property adjacent to and abutting U. S. 41, in the said named counties, such as already established business houses and residences, will be affected detrimentally, particularly so in Milwaukee County along strip heretofore described; and

Whereas established business places in Milwaukee County, along U. S. 41, from West Layton Avenue to the southern boundary of Milwaukee County, will be particularly affected, with possible complete loss of business, or business dangerously impaired by the projected relocation of said highway, from the Root River north to West Layton Avenue; and

Whereas the advancement association believes that the authorities empowered to proceed with relocating said highway did not fairly consider the tremendous population and business which would be direly affected adversely; and

Whereas the advancement association believes that the Constitutions of the United States and the State of Wisconsin provide full public protection and fair dealing with all concerned, and finally resorting in justice for all, to the long-established maxim of properly conducted public hearings: Now, therefore, be it

Resolved, That the South Hiway 41 Advancement Association do pray, appeal to, and beseech the honorable Senate, the honorable House of Representatives, and the honorable committees directly involved in this matter, to consider diligently the above resolution and to investigate the complaints herein stated, and to quickly and fairly rectify any and all abuses that have been engendered by improper proceedings.

Respectfully submitted.

THEODORE FADROW,
President.
ARTHUR G. BURT,
Secretary.

JOINT RESOLUTION OF VERMONT LEGISLATURE

Mr. FLANDERS. Mr. President, I present, for appropriate reference, and ask to have printed in the RECORD, a joint resolution from the Legislature of the State of Vermont, sent to me by the Honorable Howard Armstrong, secretary of state, requesting the repeal of Federal excise taxes on the transportation of persons and property.

There being no objection, the joint resolution was referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 28

Joint resolution urging the repeal of Federal excise taxes on transportation of persons and property

Whereas the Federal transportation tax on the movement of passengers and freight was adopted as a wartime tax to discourage movement of civilian passengers and freight in 1942; and

Whereas hostilities have ceased, this tax, rather than being of a benefit to Vermont welfare, is now working as a detriment to Vermont economy; and

Whereas the transportation tax is not applicable to private carrier operations, it is working a hardship on for-hire carriers which are essential to the national defense and welfare; and

Whereas the transportation tax, because of its nature or application tends to become discriminatory as to communities and individuals; and

Whereas the transportation tax, because of its nature or application tends to restrict trade areas, thereby interfering with the free flow of commerce: Now, therefore, be it

Resolved by the senate and house of representatives, That the Vermont Senate and House of Representatives be placed on record in favor of the repeal of the 3 percent Federal transportation tax on all commodities shipped by for-hire carriers, and the repeal of the 10 percent transportation tax on all passenger fares, and be it further

Resolved, That a copy of this resolution be forwarded by the secretary of state to the representatives of the State of Vermont in the Senate and House of Representatives of the United States with the recommendation that serious consideration be given to supporting the repeal of excise taxes as applicable to the movement of people and goods via for-hire carriers.

RESOLUTION OF HOUSE OF REPRESENTATIVES OF ILLINOIS

Mr. DOUGLAS. Mr. President, on June 13, 1957, five members of the Illinois House of Representatives introduced House Resolution 100, memorializing Congress to make the golden corn tassel our national floral emblem. This resolution was bipartisan in nature as two sponsors, Messrs. Morris and Simon are Democrats and three sponsors, Messrs. Lewis, Laufer, and Rogers are Republicans. This was adopted unanimously by the Illinois house. Thus, the importance of corn to the economy of the Nation and to the great State of Illinois transcends party lines and I hope Members of both sides of the aisle will join me in support of my resolution, Senate Joint Resolution 105 making the golden corn tassel our national floral emblem.

I ask unanimous consent that Illinois House Resolution 100 be printed in the RECORD, and thereafter be referred to the Committee on the Judiciary.

There being no objection, the resolution was referred to the Committee on the Judiciary, and, under the rule, ordered to be printed in the RECORD, as follows:

House Resolution 100

Whereas a bill has been introduced in the Congress of the United States which would establish the corn tassel as the official floral emblem of the United States; and

Whereas as a food and as an agricultural commodity, corn has been closely associated with the settlement, growth and development of this Nation; and

Whereas the State of Illinois is this Nation's leading producer of corn: Therefore be it

Resolved by the House of Representatives of the 70th General Assembly of the State of Illinois, That we respectfully urge the Congress of the United States to enact legislation which will establish the corn tassel as the official floral emblem of the United States; and, be it further

Resolved, That a suitable copy of this preamble and resolution be forwarded by the secretary of state to the Members of the United States Senate and the United States House of Representatives from this State.

Adopted by the house, June 13, 1957.

WARREN L. WOOD,
Speaker, House of Representatives.
FRED W. RUEGG,
Clerk, House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 669. A bill for the relief of Mrs. Antonietta Giorgio and her children, Antonio Giorgio and Menotti Giorgio (Rept. No. 481);

S. 789. A bill for the relief of Herbert T. King; his wife, Chang Si-Ling King; and his daughter, Chen Hsiao-Ling King (Rept. No. 482);

S. 811. A bill for the relief of Fannie Alexander Gast (Rept. No. 483);

S. 832. A bill for the relief of Matilda Strah (Rept. No. 484);

S. 862. A bill for the relief of Barbara L. Weiss (Rept. No. 485);

S. 1053. A bill for the relief of Poppy Catherine Hayakawa Merritt (Rept. No. 486);

S. 1097. A bill for the relief of Francoise Beyronneau (Rept. No. 487);

S. 1309. A bill for the relief of Susanne Burka (Rept. No. 488);

S. 1363. A bill for the relief of Vassilios Kostikos (Rept. No. 489);

S. 1397. A bill for the relief of Angeline Mastro Mone (Angelina Mastroianni) (Rept. No. 490);

S. 1508. A bill for the relief of Salvatore LaTerra (Rept. No. 491);

S. 1519. A bill for the relief of Isaac Lidji, Henry Isaac Lidji, and Sylvio Isaac Gattegno (Rept. No. 492);

S. 1774. A bill for the relief of Yee Suey Nong (Rept. No. 493);

S. 1838. A bill for the relief of Charles Douglas (Rept. No. 494);

S. 1848. A bill for the relief of Michelle Patricia Hill (Patricia Adachi) (Rept. No. 495);

S. 2027. A bill for the relief of Vendelin Kalenda (Rept. No. 496);

H. R. 1752. An act for the relief of Frank J. and Mae T. W. Burger (Rept. No. 513);

H. R. 1754. An act for the relief of Eleanor French Caldwell (Rept. No. 514);

H. R. 2964. An act to confer jurisdiction on the United States district court for the eastern district of Texas, Jefferson division, to hear, determine, and render judgment on certain claims of George W. Edwards, Jr., against the United States (Rept. No. 515);

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson (Rept. No. 516); and

H. J. Res. 273. Joint resolution to waive the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, in behalf of certain aliens (Rept. No. 510).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 20. A bill for the relief of the widow of Col. Claud C. Smith (Rept. No. 497);

S. 178. A bill for the relief of Mrs. Edward J. Smith (nee Concetta Chiodo) and her daughter, Roberta Smith (Rept. No. 498);

S. 554. A bill for the relief of Giorgio Giordanella (Rept. No. 499);

S. 823. A bill for the relief of Maud Abraham (Rept. No. 500);

S. 876. A bill for the relief of Katharina Theresia Beuving Keyzer (Rept. No. 501);

S. 1007. A bill for the relief of Sgt. Donald D. Coleman (Rept. No. 502);

S. 1244. A bill for the relief of Teiko Watanabe Holderfield (Rept. No. 503);

S. 1283. A bill for the relief of Garth Cecil Briden (Rept. No. 504);

S. 1311. A bill for the relief of Maria Gradi (Rept. No. 505);

S. 1510. A bill for the relief of Reginald S. Levy (Rept. No. 506);

H. R. 3558. An act for the relief of Ernest Hagler (Rept. No. 517);

H. R. 4159. An act for the relief of Z. A. Hardee (Rept. No. 518);

H. J. Res. 288. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 511);

H. J. Res. 307. Joint resolution for the relief of certain aliens (Rept. No. 512); and

S. Con. Res. 27. Concurrent resolution to create a joint committee to represent Congress at the 350th anniversary of the founding of Jamestown, Va. (Rept. No. 480).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 439. A bill for the relief of Susan Tsiang Ho (Rept. No. 507);

S. 1240. A bill for the relief of Panagiotis Tullos (Rept. No. 508); and

S. 1817. A bill for the relief of Alexander John Panagiotov (Rept. No. 509).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 1823. A bill to authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Ky., to the Commonwealth of Kentucky for public park purposes (Rept. No. 519).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Jean Sala Breitenstein, of Colorado, to be United States circuit judge, 10th circuit, vice Walter A. Huxman, retired;

John Minor Wisdom, of Louisiana, to be United States circuit judge, fifth circuit, vice Wayne G. Borah, retired;

Leonard G. Hagner, of Delaware, to be United States attorney for the district of Delaware;

George E. MacKinnon, of Minnesota, to be United States attorney for the district of Minnesota;

Wendell A. Miles, of Michigan, to be United States attorney for the western district of Michigan; and

C. Enard Erickson, of Minnesota, to be United States marshal for the district of Minnesota.

By Mr. DIRKSEN, from the Committee on the Judiciary:

William W. Kipp, Sr., of Illinois, to be United States marshal for the northern district of Illinois.

By Mr. HENNINGS, from the Committee on the Judiciary:

Edward L. Scheufler, of Missouri, to be United States attorney for the western district of Missouri; and

Omar L. Schnatmeier, of Missouri, to be United States marshal for the eastern district of Missouri.

By Mr. MCCLELLAN, from the Committee on the Judiciary:

Richard Beal Kidd, of Arkansas, to be United States marshal for the eastern district of Arkansas.

By Mr. WATKINS, from the Committee on the Judiciary:

Howard Call, of Utah, to be United States marshal for the district of Utah.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CARLSON:

S. 2366. A bill for the relief of Giuseppe Camardelli; to the Committee on the Judiciary.

S. 2367. A bill to provide for the issuance of a special postage stamp to commemorate the 100th anniversary of the American Dental Association in 1959; to the Committee on Post Office and Civil Service.

By Mr. JAVITS:

S. 2368. A bill for the relief of Aristogiton Zahariadis; to the Committee on the Judiciary.

By Mr. DIRKSEN:

S. 2369. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. MCCLELLAN:

S. 2370. A bill for the relief of Kim Yoo Hwa; to the Committee on the Judiciary.

By Mr. DWORSHAK:

S. 2371. A bill to terminate the issuance of certificates under section 168 of the Internal Revenue Code of 1954 relating to rapid amortization of emergency facilities; to the Committee on Finance.

By Mr. ANDERSON:

S. 2372. A bill for the relief of Andres Torres; to the Committee on the Judiciary.

By Mr. WATKINS:

S. 2373. A bill for the relief of Janet R. Parker; and

S. 2374. A bill for the relief of Christine Fahrenbruck; to the Committee on the Judiciary.

By Mr. WATKINS (for himself and Mr. BENNETT):

S. 2375. A bill to provide a program for the development of the minerals resources of the United States, its Territories and possessions by encouraging exploration for minerals and providing for payments as incentives for the production of certain minerals, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2376. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Finance.

(See the remarks of Mr. WATKINS when he introduced the above bills, which appear under a separate heading.)

By Mr. O'MAHONEY (for himself, Mr. EASTLAND, Mr. KEFAUVER, Mr. WILEY, Mr. DIRKSEN, and Mr. BUTLER):

S. 2377. A bill to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses; to the Committee on the Judiciary.

(See the remarks of Mr. O'MAHONEY when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 2378. A bill to authorize the sale of five Liberty-type vessels to Belgium or its citizens for use in the exportation of anthracite coal from Philadelphia to ports in Belgium and the Netherlands; to the Committee on Interstate and Foreign Commerce.

By Mr. CARLSON:

S. J. Res. 112. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MUNDT (for himself, Mr. THURMOND, Mr. SMITH of New Jersey, and Mr. MANSFIELD):

S. J. Res. 113. Joint resolution proposing an amendment to the Constitution of the United States with respect to the election of President and Vice President; to the Committee on the Judiciary.

(See the remarks of Mr. MUNDT when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. EASTLAND (for himself and Mr. JOHNSTON of South Carolina):

S. J. Res. 114. Joint resolution proposing an amendment to the Constitution of the United States prescribing the term of office of members of the Supreme Court; to the Committee on the Judiciary.

APPOINTMENT OF MEMBERS TO ATTEND NEXT MEETING OF COMMONWEALTH PARLIAMENTARY ASSOCIATION

Mr. GREEN submitted the following concurrent resolution (S. Con. Res. 36), which was referred to the Committee on Foreign Relations:

Resolved by the Senate (the House of Representatives concurring), That the Vice President and the Speaker of the House of Representatives are authorized to appoint 4 Members of the Senate and 4 Members of the House of Representatives, respectively, to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India on the invitation of the Indian branch of the association and to designate the chairmen of the delegations from each of the Houses to be present at such a meeting. The expenses incurred by the members of the delegations and staff appointed for the purpose of carrying out this concurrent resolution shall not exceed $15,000 for each delegation and shall be reimbursed to them from the contingent fund of the House of which they are Members, upon submission of vouchers approved by the chairman of the delegation of which they are members.

PROPOSED AMENDMENT OF IMMIGRATION AND NATIONALITY ACT

Mr. DIRKSEN. Mr. President, on the last day of the 84th Congress, 2d session, the Senate passed an immigration and

nationality bill, to meet certain emergency and hardship situations. That bill passed the Senate, but failed in the House.

Today I am introducing a bill substantially like that which failed at the last session. There are some additions, to meet additional situations which arise.

In that connection I submit a statement which I ask to have printed in the body of the RECORD. It explains in some detail the various provisions of the bill.

The bill (S. 2369) to amend the Immigration and Nationality Act, and for other purposes, introduced by Mr. DIRKSEN, was received, read twice by its title, and referred to the Committee on the Judiciary.

There being no objection, the statement presented by Mr. DIRKSEN was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DIRKSEN

I have today introduced a bill (S. 2369) designed to take care of certain emergent situations which have arisen in the immigration and nationality field. This proposal contains several points of my own legislative program contained in a bill (S. 129) which I introduced early in January of this year. A related measure to S. 129 passed the Senate during the closing days of the session last year when the Senate accepted the amendments proposed by the senior Senator from Connecticut [Mr. BUSH], former Senator Clements, of Kentucky, and myself, as a substitute to the House-passed bill, H. R. 6888. That measure failed enactment by the time the 84th Congress adjourned sine die.

This new bill is designed to take care of the general orphan situation. It defines the term "child" and would apply the term "stepchild" to a child whether or not born out of wedlock. It also contains a provision to admit foreign-born children adopted by American parents.

I have included in this proposal certain provisions of the administration's immigration bill (S. 1006) as well as certain provisions contained in H. R. 8123, introduced in the House by Congressman WALTER, chairman of the Judiciary Subcommittee on Immigration and Naturalization.

In addition, I have also included certain amendments of the House Judiciary Committee to two Senate-passed private immigration bills, both of which passed the House on May 21, 1957. The first private bill (S. 247) was amended to clarify the immigration status of certain aliens who misrepresented their nationality and/or place of birth in visa applications because of fear of repatriation to certain countries ruled and dominated by Communist governments, and the second bill (S. 461), as amended, would make it possible for certain foreign skilled specialists in this country to adjust their status to that of aliens lawfully admitted for permanent residence, if petitions are filed prior to the date of enactment of this measure.

In other words, this measure as drafted would eliminate the processing of a great number of private immigration bills. As of the week of June 10, of this year, nearly 3,000 private immigration bills of all categories have been introduced in the 1st session of the 85th Congress. Of that number, for instance, approximately 320 of those bills are for the relief of orphans.

Briefly, my new bill, analyzed section by section, is as follows:

ANALYSIS OF BILL TO AMEND THE IMMIGRATION AND NATIONALITY ACT

Section 1: Under section 101 (b) (1) of the Immigration and Nationality Act, much difficulty has been encountered in the interpretation of the term "stepchild." As now written, that designation does not apply to a child born out of wedlock to a woman who subsequently marries a man not the father of the child. As a result, much hardship is caused by separation of families, since a child in this circumstance is not in a position to receive a nonquota or preference status under the law. For example, an American citizen who marries such a woman can bring her to this country as a nonquota immigrant; but he cannot bring her illegitimate child as a nonquota immigrant, resulting often in a long wait by the infant for a quota visa. This proposal would apply the term "stepchild" to a child whether or not born out of wedlock. (Identical provisions can be found in section 22 of S. 1006 which was introduced by Senator WATKINS on January 31, 1957, in furtherance of the President's recommendations for revision of the immigration laws. Substantially the same provisions can be found in section 2 of H. R. 8123 introduced on June 13, 1957, by Congressman FRANCIS E. WALTER, chairman of the House Subcommittee on Immigration.)

Section 2: Section 101 (b) of the Immigration and Nationality Act defines the term "child" as used in titles I and II. This section of the bill would amend the definition by adding two further categories of children. The first would clarify the law so that an illegitimate child would, in relation to his mother, enjoy the same status under immigration laws as a legitimate child. It is believed that the drafters of this provision of the act did not intend to deprive an illegitimate child of the status he enjoyed under earlier law, but it appears that the language contained in section 101 (b) requires the interpretation that an illegitimate child may not be considered the "child" of his mother.

The second change would extend the definition of "child" to adopted children under limited circumstances. An adopted child may not now be given the status of child under the immigration laws. This has led to hardship in many cases, particularly where a child was adopted at a young age, long before his adoptive parents contemplated emigration to the United States. If, in such cases, the child was born in a country with a heavily oversubscribed quota, he cannot accompany his adoptive parents. It is therefore desirable that consideration be given to an amendment whereby a child adopted while under the age of 14 and who has lived with his adoptive parents for at least 2 years prior to the visa application may be considered a child under the immigration laws. A proposal of this type would prevent abuse through ad hoc adoptions made only for the purpose of circumventing the immigration laws. (Substantially the same or similar provisions can be found in sec. 23 of S. 1006 and sec. 2 of H. R. 8123.)

Section 3: Section 203 (a) (1) of the present law accords first preference status to spouses and children accompanying an alien to the United States who has been given first preference status because he has a special skill, ability, education, or experience which is needed in the United States. This section would amend existing law by granting first preference status also to spouses and children of the skilled aliens who are following to join him in the United States. This would prevent separation of families and permit the prompt immigration of such families who were, for one reason or another, possibly illness and the like, unable to accompany their father or husband when he came to the United States. (Substantially the same provision can be found in sec. 25 of S. 1006.)

Section 4: Under existing law there is no available method whereby American citizens who wish to adopt alien children can bring them to this country without encountering the delays which follow if the child was born in a quota area the quota of which is exhausted. It has been established under previous legislation which permitted the admission of orphans that these children were well suited for adjustment to the American form of life and that they made worthy additions to our population. This section would authorize the issuance of not more than 2,500 nonquota immigrant visas annually to certain alien orphans, under the age of 14 years, who are adopted or are to be adopted by a United States citizen. Special provision is made for the filing of assurances with the Attorney General that the proposed adoption will be completed, that the child shall be actually an orphan, and that the natural parent shall derive no benefit under the immigration laws by virtue of the admission of the orphan to the United States. (Substantially the same provisions can be found in sec. 36 of S. 1006. Comparable but not identical provisions are contained in sec. 1 of H. R. 8123.)

Section 5: This section vests the Attorney General with discretionary authority to authorize a visa for, and to admit to the United States spouses, parents, or children of a United States citizen or of an alien lawfully admitted for permanent residence notwithstanding the commission by such relative of crimes involving moral turpitude or the fact that the relative may have at some time in the past been connected with or engaged in certain immoral activities. This measure would leave to the sound determination of the Attorney General consideration of the question whether this extraordinary relief should be granted in those cases where, for example, extreme hardship would be caused if the alien were to be excluded, and where it appears to the Attorney General that the admission to the United States of the alien would not be contrary to the national welfare. (Similar provisions can be found in sec. 9 of H. R. 8123.)

Section 6: This section would permit the Attorney General to authorize a visa for, and to admit to the United States, under such controls as he deemed necessary, the spouses, parents, and children of United States citizens or of lawfully resident aliens, notwithstanding the fact that such relative is afflicted with tuberculosis. This is another measure primarily designed to alleviate hardships and to prevent the unnecessary separation of families. (Substantially the same provisions will be found in sec. 5 of H. R. 8123.)

Section 7: This section sets up a procedure whereby the immigration status of parolees may be adjusted to that of a lawfully permanent resident. The Attorney General could grant such adjustment of status, as a discretionary matter, after the alien has been in the United States for at least 2 years and if the applicant is of good character, and if the adjustment would not be contrary to the national interest. A report of the Attorney General's action, if favorable, would be submitted to the Congress. Unless the Congress disapproved, the alien's entry would be recorded as of the date of his last arrival in the United States. If the Congress does not approve the administrative action, the Attorney General is directed to require the departure of the alien from the United States. This measure is of vital importance at this time particularly because of the numbers of persons, including Hungarian escapees from Communist oppression, certain orphans, and other worthy folk, who are now in the United States in a parole status, and for whom there is no prospect of acquiring a lawful status or citizenship unless this legislation is enacted. (The identical provisions can be found in sec. 5 of S. 1006.)

Section 8: This section permits the United States to waive the documentary travel requirements for persons temporarily coming to the United States on a reciprocal basis if they are coming from countries in the Western Hemisphere, or if they are crewmen or visitors for business or pleasure coming from any country. Such waivers are now permitted on a limited basis. This proposal would allow a further optional relaxation of certain formal documentary requirements which have the effect of impeding travel to this country, but only if reciprocal arrangements have been made with other countries. It will show the free world that we are not averse to the visits here of bona fide visitors. (The identical provisions can be found in sec. 2 of S. 1905, introduced by Senator BUTLER on April 17, 1957.)

Section 9: In prescribing the procedures for the conduct of hearings before special inquiry officers of the Immigration and Naturalization Service to determine eligibility of persons to enter the United States (so-called exclusion hearings), existing law provides that such hearings shall be conducted by a special inquiry officer. The law does not specifically provide for the assignment of an additional officer to present evidence at such hearings. In regard to deportation proceedings, the existing statute provides for the assignment of an additional officer to present the Government's case. In order to remove any doubt as to the authority of the Attorney General to assign an additional officer to perform the prosecutive functions in exclusion cases, in his discretion, where he deems such procedure to be desirable in particular cases, express statutory authority should be provided. Section 9 of the bill would remove any doubt as to the authority of the Attorney General to make such assignments of examining officers in exclusion cases. (The identical provision can be found in sec. 15 of S. 1006.)

Section 10: This section would provide that deportation proceedings may be instituted otherwise than by a warrant of arrest. Under a practice of long standing, deportation proceedings have been instituted by a physical arrest of the respondent. Such action has been regarded on occasions as being unduly harsh, particularly when the alien is a child of tender years, or is of advanced age, or for some other reason is not likely to abscond. Although section 242 (b) of the present law prescribes the deportation hearing procedure, it does not specify the manner in which such proceedings must be initiated. The Department of Justice has recently adopted the practice of commencing a deportation proceeding with an order to show cause, reserving a physical arrest for those cases in which custody and detention of the alien is regarded as necessary in the public interest or safety. While this procedure is regarded as being entirely within the contemplation of the law, enactment of this section would afford an unmistakable statutory sanction for this less drastic procedure. (The identical provisions can be found in sec. 18 of S. 1006.)

Section 11. This section will forgive certain displaced persons and refugees, as well as spouses, parents and children of United States citizens or residents, misrepresentations made in applying for immigration visas or for entry into the United States. Most of the persons affected by this section are displaced persons, many of whom I understand are in my State, who were forced to make misrepresentations when they were applying for their visas in order to avoid forcible repatriation by the Communists to countries behind the Iron Curtain. Substantially the same provisions are contained in section 4 of H. R. 8123. (This legislation passed the House of Representatives in the bill, S. 247, on May 21, 1957. Similar provisions are contained in section 17 of S. 1006. A similar measure passed the Senate last year when it accepted the amendments to H. R. 6888, 84th Cong.)

Section 12: This section would grant discretionary authority to the Secretary of State and the Attorney General to waive the requirement of fingerprinting on a reciprocal basis, for aliens coming temporarily to the United States as nonimmigrants. This type of proposal has been twice recommended by the President of the United States as being within the interest of relieving the restrictions upon travel to the United States. I would have you observe that there is nothing mandatory about my proposal; should the appropriate officials of the Government believe that fingerprinting is necessary, they have all the power they need to require it. (Provisions having a similar effect are contained in sec. 14 of S. 1006.)

Section 13: This section grants the Attorney General discretionary authority to adjust the status of certain skilled specialists who are in the United States temporarily but whose services have been deemed to be urgently needed in the United States. Spouses and children of those aliens would also be granted nonquota immigrant status. This section applies only to foreign skilled specialists who are in the United States on May 1, 1957. It should be carefully noted that the benefits of this proposal will be available only to those aliens who are not subject to the restrictions imposed upon exchange students and visitors under the act of Congress which became law on June 4, 1956, known as Public Law 555. (Substantially the same provisions as my proposal passed the House of Representatives in the bill, S. 461, on May 21, 1957. Similar provisions are also contained in sec. 3 of H. R. 8123.)

Section 14: This section would cancel the mortgages imposed on the quotas of certain countries as the result of the issuance of visas under the Displaced Persons Acts, as well as under two acts relating to immigration of sheepherders from Spain. (The same result would be accomplished by sec. 8 of H. R. 8123 as well as sec. 1 of S. 1006.)

Section 15: Section 323 of the Immigration and Nationality Act, relating to the naturalization of children adopted by citizens of the United States, would be amended by this section so as to authorize the naturalization of children adopted by United States citizens in those cases in which the parent is stationed abroad in the Armed Forces or in the employment of the United States Government, or of an American firm or international organization when it is intended that the child reside abroad with the parent until the parent's employment is terminated. The new provision would confer benefits upon adopted children similar to those conferred upon spouses of citizens under the provisions of section 319 (b) of the act. Specifically, the present requirements for residence and physical presence in the United States by the child before he may be naturalized would be waived. This amendment is regarded as necessary to avoid separation of families. (The same provisions can be found in sec. 33 of S. 1006 and sec. 1 (e) of H. R. 8123.)

Section 16: This section makes applicable to my bill, where necessary, the existing definitions contained in section 101 (a) and (b) of the Immigration and Nationality Act.

PROPOSED AMENDMENT OF CONSTITUTION RELATING TO VOTING EQUALITY IN PRESIDENTIAL ELECTIONS

Mr. MUNDT. Mr. President, I introduce, for appropriate reference, a joint resolution proposing an amendment to the Constitution of the United States, on behalf of myself, the Senator from South Carolina [Mr. THURMOND], the senior Senator from New Jersey [Mr. SMITH], and the majority whip, the acting majority leader, the Senator from Montana [Mr. MANSFIELD]. Mr. President, I ask that the joint resolution be printed in the RECORD at this point.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S. J. Res. 113) proposing an amendment to the Constitution of the United States with respect to the election of President and Vice President, introduced by Mr. MUNDT (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved, etc., That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by three-fourths of the legislatures of the several States:

"ARTICLE —

"SECTION 1. Each State shall choose a number of electors of President and Vice President equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be chosen an elector.

"The electors to which a State is entitled by virtue of its Senators shall be elected by the people thereof, and the electors to which it is entitled by virtue of its representatives shall be elected by the people within single-elector districts established by the legislature thereof; such districts to be composed of compact and contiguous territory, containing as nearly as practicable the number of persons which entitles the State to one Representative in the Congress; and such districts when formed shall not be altered until another census has been taken. In choosing electors of President and Vice President the voters in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

"The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of Government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors chosen; and the person having the greatest number of votes for Vice President shall be the Vice President, if such number be a majority of the whole number of electors chosen.

"If no person voted for as President has a majority of the whole number of electors, then from the persons having the 3 highest numbers on the lists of persons voted for as President, the Senate and the House of Representatives, assembled and voting as individual members of 1 body, shall choose immediately, by ballot, the President; a quorum for such purpose shall be three-fourths of the whole number of the Senators and Representatives, and a majority of the

whole number shall be necessary to a choice; if additional ballots be necessary, the choice on the fifth ballot shall be between the 2 persons having the highest number of votes on the fourth ballot.

"If no person voted for as Vice President has a majority of the whole number of electors, then the Vice President shall be chosen from the persons having the three highest numbers on the lists of persons voted for as Vice President in the same manner as herein provided for choosing the President. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

"SEC. 2. The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may chose a President or a Vice President whenever the right of choice shall have devolved upon them.

"SEC. 3. This article supersedes the second and fourth paragraphs of section 1, article II, of the Constitution, the 12th article of amendment to the Constitution and section 4 of the 20th article of amendment to the Constitution.

"SEC. 4. This article shall take effect on the first day of July following its ratification, but shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within 7 years from the date of its submission to the States by the Congress."

Mr. MUNDT. Mr. President, this is a proposed revision of the so-called Mundt-Coudert amendment, which has been before the Congress and the country for several years. It is also a revised version of part of the twin purpose constitutional amendment on which the Senate had an opportunity to act about a year ago. In the main, the proposed amendment follows the outline of the so-called district plan of electoral college reform.

The proposed amendment has been redrafted to overcome the one valid objection which was made against the amendment, namely, the one with regard to gerrymandering.

This new joint resolution which has been introduced provides language whereby the congressional district lines within each State shall be drawn in such a manner as to eliminate distorted geographic shapes, grossly unequal population, and purely partisan movements, which are within the meaning of the word "gerrymandering."

The proposed amendment provides that the districts shall be composed of compact and contiguous territory, containing, as nearly as practicable, the number of persons which entitles the State to one Representative in the Congress. This does not mean necessarily that the congressional district and the presidential elector district within a State will be one and the same, although in many instances, and probably most instances, that will be true.

Mr. President, this amendment proposes the restoration, by constitutional amendment, of the original plan envisioned by the Founding Fathers of the Constitution, by which the electoral college was to operate.

This plan was abandoned when strong majority parties of certain States early in the history of the Republic, arrogated to themselves the full presidential weight of the State, by adopting the general presidential ticket system, whereby each voter voted for a statewide slate of presidential electors, under the winner-take-all theory, whereby the winner received the credit not only for those people who voted for him but also credit for the votes cast for the losing side and the losing candidate.

I think the present system, the general ticket system has developed in this country what we can call a presidential United States of America and a Congressional United States of America, both operating within one single national boundary, but each having its officials elected by different electors in a different way. This accounts in a large part for the growing split in opinions, attitudes and policies which have come to exist in this country between the executive branch of the Government and the Congressional branch of the Government.

In addition, this amendment would provide for the first time since the early days of this Republic, that the vote of each American citizen voting for President would have equal weight and equal authority, whether the citizen lived in a large State or a small State. Under the terms of the new amendment each voter in the United States will vote for 3, and only 3, presidential electors.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. MUNDT. I am happy to yield to my distinguished friend, the Senator from New Jersey, cosponsor of the proposed amendment, and I ask that he be allowed the regular time under the morning hour, while I hold the floor.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. SMITH of New Jersey. Mr. President, I rise to congratulate the distinguished Senator from South Dakota for introducing this joint resolution. I have been interested in this subject for some years. In fact, I was a cosponsor of the joint resolution introduced on the subject a few years ago by Ambassador Henry Cabot Lodge, when he was a Member of this body and took the initiative in introducing it in the United States Senate. We had long debate on the subject that year. That joint resolution passed the Senate and was approved by the appropriate committee in the House, but was not passed by the House and submitted to the States. Since then the whole matter has been carefully studied, and the terms of the joint resolution have been refined.

Thanks to the leadership of the distinguished Senator from South Dakota, I feel the Senate has now before it a joint resolution which the Senate should consider carefully to see if we cannot submit a constitutional amendment to the States this year to improve the operation of the electoral college.

Mr. President, in connection with my remarks I ask unanimous consent to have printed at this point in the RECORD a statement prepared at my request by Dr. Lucius Wilmerding, of Princeton, N. J., on the subject of amending the method of electing Presidents. Dr. Wilmerding is an expert in this field, and was formerly connected with Princeton University. He has given a great deal of study to determining the best way of accomplishing the desired results. He has now come to consideration of a refinement of the so-called district system, which the Senator from South Dakota [Mr. MUNDT] advocated. I feel his statement is very relevant.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT PREPARED BY DR. LUCIUS WILMERDING, OF PRINCETON, N. J., ON AMENDING THE MANNER OF ELECTING THE PRESIDENT

In considering this and every proposition change the method of electing the President of the United States we must constantly bear in mind one fundamental proposition, a proposition that, I believe, will be accepted by every Member of the Senate: The President is the man of the people—not the man of the States or of any combination of States. He is a national officer, elect him as you may; and all his powers operate nationally.

But if the President is the man of the people, he should, I submit, be chosen according to the sense of the people. The primary practical problem that we have to consider is by what means the sense of the people may most accurately be ascertained. No method is absolutely infallible, but some are better than others. The worst is surely the one which we now use—the general ticket system under which the entire electoral vote of each State is credited to a single person regardless of the sentiments of divisions within the State.

I shall not catalog all the objections that might be made against the general ticket system, but I can demonstrate its unfairness by one simple example. Let it be assumed that the Union consisted of only two States—New York and Pennsylvania. If these 2 States voted by general ticket every election would be governed by the plurality party in New York, for they would always cast 45 electoral votes, and no more than 32 votes could ever be brought against them. Yet it is plain that a vast majority of the people in the two States together might be opposed to the candidate of the New York plurality party and in favor of his principal opponent. In a union of 48 States the mathematics are more complicated but the argument is the same: the President, the man of the people, is given a federative instead of a popular origin; the large States, as such, rather than the people of the Union as a whole, determine who he shall be.

This arrangement is, I maintain, contrary to the intention of the Constitution, as we understand it now and as the Founding Fathers understood it in 1787. For as Senator Benton, of Missouri, long ago pointed out, that instrument "in giving to each elector a separate vote, instead of giving to each State a consolidated vote composed of all its electoral suffrages, clearly intended that each mass of persons entitled to 1 elector should have the right of giving 1 vote according to their own sense of their own interest." As every student of history knows, the general ticket system is not prescribed by the Constitution, was scarcely known to the Founding Fathers, and was adopted by the several States separately, with apologies and excuses, on the sole basis of retributive justice, as "the only expedient for baffling the policy of the particular States which had set the example." The explanation is Madison's.

Among the people almost everyone who has given thought to this matter agrees that change is necessary. Three plans are before the country—the national-plebiscite system; the proportional-voting system; and the district system.

The national-plebiscite system is a good one and perfectly consonant to the intention of the Constitution. It would get rid not merely of the presidential electors but the electoral votes and commit the choice of the President to the qualified voters in the Nation at large. But it presents certain difficulties. As we all know, the requisites to the right of suffrage are very different in the different States and even in adjoining States, and these requisites are determined by the State legislatures. If the President were elected by a nationwide popular vote, an unseemly competition would arise between the States to increase their relative weights by extending the franchise, say by lowering the voting age to 18, to 16, to 14. To prevent this competition it would be necessary to impose uniform voting qualifications throughout the Union. And this reform, however meritorious it may be, I do not think the States are ready to accept. Nor do I think that the small States will willingly give up the advantage that they now possess in the distribution of electoral votes by reason of the two electors allotted to each State without regard to population. In short, I think that the national-plebiscite system must be ruled out of consideration on the ground that it has no chance of being accepted by the Senate or adopted by the States.

The proportional voting system is not open to these objections. It would preserve the electoral votes and consequently the present relative weight of the States, but it would divide the whole number of each State's electoral votes among the several candidates by the principle of proportion; a candidate who polled a fraction of a State's popular vote would receive the same fraction of its electoral vote. On the point of fairness I have no criticism of this system. But it has two practical disadvantages and one theoretical one. In the first place, every close election would be a disputed election—disputed in every State, in every county, in every election district, for on the principle of ratios a gain anywhere would be a gain everywhere; such elections would be difficult to resolve. Secondly, it might often happen that in close elections the President and the majority of the House of Representatives, solely because of the mode of election, might be of different political parties. For it is by no means certain that the two methods of taking the sense of the people, the proportional voting system, and the district system will produce the same result. But my main objection to the proportional voting system is one of principle. The underlying idea of that system is that equal ideological masses of people, rather than equal geographical masses, are entitled to equal votes, and that, I submit, is an idea that ought not to be introduced into our institutions. I am not worrying about the President, for he is a single person, not susceptible to subdivision; you cannot make him Republican from the waist up and Democratic from the waist down, with perhaps a Communist big toe. But I am worrying about the House of Representatives. If we admit the principle of P. R.—the proportional representation of ideological groups—in the distribution of a State's electoral votes, it will be hard to deny it in the distribution of a State's congressional seats. And I think most of us agree that a legislative body elected by ideological rather than geographical constituencies is a body scarcely able to legislate.

The proposal that I support would establish by constitutional amendment a uniform mode, of electoral voting by districts. It makes no change in the method of distributing the whole number of electoral votes between the several States, but it provides for their further distribution within each State by the principles of the single-member district system. It is grounded on the idea—which I believe to be solid—that each equal mass of persons, comprising voters and nonvoters alike, is entitled, through its qualified voters, to cast one electoral vote for President according to its own sense of its own interests.

Putting the matter in the broadest possible point of view, I would say that the district system would let the election for the presidency rest wholly on the people; furthermore it would put all the people of the Union on the same footing. I confess it would break down the power of the great States, or rather of the dominant parties in the great States, since they would no longer be able to control the election by seizing the votes of their minorities and counting them as if they had been cast for themselves. But I can see no objection if, in curtailing their power, the same measure regulates the rights of the whole Nation equally.

There is one other point that I am led to make at this time. We all know that sectional feeling and sectional prejudices are rising in different parts of our country. Any measure that would tend to diminish the rancor and bitterness of party should be given careful consideration. It is my thought that if districts in different parts of the Union were permitted to unite with each other in promoting the election of the President of their common country, a strong bond of union would be formed and sentiments generated friendly to the harmony of the Nation. Madison, I think, had this in mind when he said this: "The States when voting for President by general tickets are a string of beads; when they make their elections by districts, some of these differing in sentiment from others and sympathizing with that of districts in other States, they are so knit together as to break the force of those geographical and other noxious parties which might render the repulsive too strong for the cohesive tendencies within the political system."

I have heard but one real objection against the district system. It is said that the States will convert it into the gerrymandering system, and so manage to cast a consolidated vote or a nearly consolidated vote for a single person after all. But this proposal contains an antigerrymander clause, requiring the States to draw the district boundaries fairly; furthermore, it gives to Congress an original and concurrent power to make or alter the State regulations on this subject if they do not conform to the Constitution. It is my opinion that these clauses will not only prevent the drawing of unequal presidential districts but will tend to prevent the same abuse in the drawing of congressional districts. One of the reasons for making the number of presidential districts in each State equal to the number of its Representatives in Congress (leaving two electoral votes to be cast at large) is to encourage the use of these districts for the election of Representatives. If the States are compelled to elect the President by a fair and uniform single-member district system, they will find it hard to elect Representatives by the gerrymandering or the general ticket system.

I have directed my remarks to the leading principles of this proposal. I am persuaded that the course of things under the present mode of electing the President is pernicious and that it has a tendency to prevent the object intended by the Constitution of a pure elective magistracy. I am equally persuaded that the establishment of a uniform mode of election by districts will provide the necessary corrective.

Mr. MUNDT. Mr. President, I thank the Senator from New Jersey very much, indeed.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MUNDT. Mr. President, I ask that I may yield to the distinguished Senator from Montana [Mr. MANSFIELD], coauthor of the joint resolution, under the same arrangement.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I wish to express my appreciation to the distinguished senior Senator from South Dakota for allowing me to be one of the cosponsors of the proposed amendment.

The Senator from South Dakota has been, in a sense, a pioneer in the field of electoral college reform. Those of us who join with him; namely, the senior Senator from New Jersey [Mr. SMITH], the Senator from South Carolina [Mr. THURMOND], and I, hope that it will be possible, before too long, for the Judiciary Committee to hold hearings, and that all who are interested may make their views known.

Again I express my appreciation to the pioneer in his field, the Senator from South Dakota.

Mr. MUNDT. I thank the Senator very much, indeed.

Mr. President, I ask unanimous consent that I may yield to the fourth cosponsor of the proposed amendment, the distinguished Senator from South Carolina [Mr. THURMOND], under the same conditions.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, I wish to make a few brief remarks with reference to the joint resolution for revision of the electoral system which is being sponsored by the senior Senator from South Dakota, the senior Senator from New Jersey, the junior Senator from Montana, and myself.

I believe the sponsorship of this measure is sufficient evidence that its intent is purely nonpartisan and nonsectional.

Mr. President, the intent of the joint resolution is to bring about changes in the electoral system, through the method provided for constitutional amendments, so as to more exactly reflect the will of the citizens of this Nation in presidential elections.

I am convinced that it would create more interest in presidential elections, because each electoral district would be represented in the electoral college by one elector from that district.

In addition to choosing one elector from each district the voters also would choose two other electors on the basis of a statewide vote to represent the State in the electoral college.

This would mean that every vote would count more than under the present system, when electors are chosen in most States by statewide voting instead of the district system. Under the present system, it is not unusual for a candidate to receive from 40 to 49 percent of the popular vote in a State without receiving a single electoral vote.

The district system would more nearly reflect the candidate's proportional share of the popular vote in the electoral college.

Such an improvement would greatly increase the possibility over the present system of nominating candidates best qualified for the offices of President and Vice President. It would no longer be necessary to limit the choices to a few

persons from geographically strategic States.

Sectional considerations would be almost entirely eliminated from the standards now applied to prospective presidential candidates in nominating conventions.

The joint resolution would provide for a system which was conceived by the framers of the Constitution, and which was generally used in the early days of the Republic.

To my mind another important effect would be that of equalizing the voting power of individual citizens. Presently, citizens in New York vote for 45 electors, while in the smallest States they vote for only 3. The proposed amendment to the Constitution would cause each citizen, regardless of where he lived, to vote for 3 electors—1 in his own district and 2 in statewide voting.

Mr. President, I am convinced that adoption of the proposed amendment would do more to equalize the voting power of citizens in this country than any step taken since the Constitution was adopted.

I hope the joint resolution will be considered in the light in which it is being offered to the Senate—as nonpartisan and nonsectional. Electoral system reform is an old subject, but there has been long consideration and no action on it. Now is the time for action.

In closing, I wish to congratulate the senior Senator from South Dakota for the magnificent work he has done along the line of electoral college reform. In 1955 and 1956 I had the pleasure of working with him and the then junior Senator from Texas, Senator Price Daniel, on this same project. At that time the joint resolution was not brought before the Senate for final passage, because a two-thirds vote would have been required, and there was some question as to the system being advocated at that time.

We feel that the joint resolution being introduced today will meet all the necessary qualifications to bring about the desired change in the electoral college system.

It is a pleasure to join the senior Senator from South Dakota, the junior Senator from Montana, and the senior Senator from New Jersey in trying to help to bring about this desirable change, and to bring to the attention of the American people the importance of the change, which is so badly needed.

Mr. MUNDT. Mr. President, I thank my distinguished friend for his felicitations. I appreciate the cosponsorship of the three distinguished Senators joining me in sponsoring the proposed constitutional amendment. We all hope the Judiciary Committee will promptly hold hearings on the joint resolution, and that it will be brought before the Senate for a vote, because we believe the proposed amendment is in such form that it will receive the necessary two-thirds vote.

I ask unanimous consent to have printed in the RECORD at this time a news release which I have prepared on this subject.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

VOTING EQUALITY IN PRESIDENTIAL ELECTIONS

Senator KARL E. MUNDT, Republican, South Dakota, today, with three other Senators, introduced a constitutional amendment to guarantee voting equality of citizens in presidential elections regardless of the difference in electoral votes of the States in which they live. Joining with Senator MUNDT in sponsoring the amendment are Republican Senator H. ALEXANDER SMITH, of New Jersey, and Democratic Senators MIKE MANSFIELD, of Montana, and STROM THURMOND, of South Carolina.

"This amendment," said Senator MUNDT, "is a revision of the so-called Mundt-Coudert amendment. It overcomes the only valid objection raised against the original amendment, namely, 'gerrymandering.' 'Gerrymandering,' I should explain, is the practice indulged in by the majority party in some States of drawing Congressional district lines to its own advantage by carving out districts of distorted geographic shapes and of grossly unequal population, to insure party control."

The amendment, as introduced, provides that "the electors to which a State is entitled by virtue of its Senators shall be elected by the people of the State," and "the electors to which it is entitled by virtue of its Representatives shall be elected by the people within single-elector districts established by the legislature," with "such districts to be composed of compact and contiguous territory containing as nearly as practicable the number of persons which entitles the State to one Representative in the Congress."

"In other words," explained Senator MUNDT, "the new amendment would require State legislatures to set up presidential elector districts according to constitutional standards. In most cases these districts would correspond with Congressional districts, but not necessarily so.

"The district system is the plan envisioned by the Founding Fathers and followed by most of the States in the early days of the Republic. It was abandoned when the majority party in a State arrogated to itself the full presidential weight of that State by adopting the general ticket system whereby each voter voted for a statewide slate of presidential electors. However, this principle of representation has not been applied, except in a few instances, to the election of Members of the House of Representatives.

"As a result of the universal use of the general ticket system by the States in Presidential elections, presidential United States of America and Congressional United States of America are different countries, politically speaking, within one national boundary. But, under the terms of the new amendment each voter in the United States would vote for 3, and only 3, presidential electors, just as he now votes for 2 Senators and for 1 Representative in Congress. Today, as we all know, the voter in New York votes for 45 presidential electors but for only 2 Senators and 1 Representative. His ratio of voting influence in presidential elections is 15 times his influence in Congressional elections.

On the other hand, citizens in such 1 Representative State, as Delaware, vote for 3 presidential electors just as they vote for 2 Senators and 1 Representative. Their influence in presidential elections is exactly the same as in Congressional elections.

"Under the proposed amendment every voter in every State, regardless of population, would have exactly the same weight in a presidential election that he now has in elections of the Congress. It would mean true voting equality for every citizen."

The amendment follows:

"ARTICLE —

"SECTION 1. Each State shall choose a number of electors of President and Vice President equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be chosen an elector.

"The elector to which a State is entitled by virtue of its Senators shall be elected by the people thereof, and the electors to which it is entitled by virtue of its Representatives shall be elected by the people within single-elector districts established by the legislature thereof; such districts to be composed of compact and contiguous territory, containing as nearly as practicable the number of persons which entitles the State to 1 Representative in the Congress; and such districts when formed shall not be altered until another census has been taken. In choosing electors of President and Vice President the voters in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

"The electors shall meet in their respective States, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors chosen; and the person having the greatest number of votes for Vice President shall be the Vice President, if such number be a majority of the whole number of electors chosen.

"If no person voted for as President has a majority of the whole number of electors, then from the persons having the three highest numbers on the lists of persons voted for as President, the Senate and the House of Representatives, assembled and voting as individual members of one body, shall choose immediately, by ballot, the President; a quorum for such purpose shall be three-fourths of the whole number of the Senators and Representatives, and a majority of the whole number shall be necessary to a choice; if additional ballots be necessary, the choice on the fifth ballot shall be between the two persons having the highest number of votes on the fourth ballot.

"If no person voted for as Vice President has a majority of the whole number of electors, then the Vice President shall be chosen from the persons having the three highest numbers on the lists of persons voted for as Vice President in the same manner as herein provided for choosing the President. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

"SEC. 2. The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a President or a Vice President whenever the right of choice shall have devolved upon them.

"SEC. 3. This article supersedes the second and fourth paragraphs of section 1, article II, of Constitution, the 12th article of amendment to the Constitution and section 4 of the 20th article of amendment to the Constitution.

"SEC. 4. This article shall take effect on the first day of July following its ratification, but shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within 7 years from the date of its submission to the States by the Congress."

ADDRESSES, EDITORIALS, ARTICLES ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the CONGRESSIONAL RECORD, as follows:

By Mr. BEALL:

Address delivered by him at dedication ceremonies for new dormitory building of the Ner Israel Rabbinical College, Baltimore, Md., June 23, 1957.

By Mr. YARBOROUGH:

Address delivered by him before the Democracy Club of Galveston County, Texas City, Tex., June 15, 1957.

NOTICE OF CONSIDERATION OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the nomination of Vinton Chapin, of New Hampshire, a Foreign Service officer of the class of career minister, to be Ambassador of the United States to Luxembourg.

Notice is given that the nomination will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

NOTICE OF HEARING ON NOMINATION OF LEONARD PAGE MOORE TO BE UNITED STATES CIRCUIT JUDGE, SECOND CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, July 2, 1957, at 10 a. m., in room 424 Senate Office Building, upon the nomination of Leonard Page Moore, of New York, to be United States circuit judge for the second circuit, vice Jerome N. Frank, deceased.

At the indicated time and place all persons interested in the above nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Indiana [Mr. JENNER], and myself, as chairman.

CRACKING DOWN ON THE DISGRACEFUL NARCOTICS TRAFFIC

Mr. WILEY. Mr. President, I was pleased to note in the June 20 Evening Star an article about a press conference held by the Nation's No. 1 fighter against the narcotics evil—the Honorable Harry J. Anslinger, Commissioner of the Narcotics Bureau, of the Treasury Department. Commissioner Anslinger reiterated the importance of tough sentences to be handed down by Federal, State, and local judges against the peddlers of dope.

Fortunately, the Congress has acted by enacting a tough minimum sentence against the human vultures who poison the Nation with dope, especially those who sell it to our country's youngsters.

Unfortunately, however, in quite a few States and cities the judges fail to mete out tough sentences. As a result, narcotics traffic continues locally or statewide on a widespread basis.

I earnestly hope that the remaining cities and States which are infested with this evil will crack down, as the Congress has cracked down.

I hope, too, that the nations of the Free World will continue to use every available means to impede the flooding of the world by narcotics from Red China.

The Peiping government is today the No. 1 source of illicit narcotics in the world, according to the well-documented evidence compiled by Commissioner Anslinger and his men.

I send to the desk the text of the Star's article, and I ask unanimous consent that it be printed at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ANSLINGER CITES PROGRESS IN WAR ON DOPE TRAFFIC

(By G. K. Hodenfield)

The illicit traffic in narcotics is being stamped out throughout the world despite the active noncooperation of Communist China, an expert in the field said today.

Harry J. Anslinger, United States Commissioner of Narcotics, told newsmen the Red Chinese are reaping an "enormous" harvest of foreign exchange from dope addicts the world over.

The China mainland, Mr. Anslinger said, is the source of about 65 percent of the narcotics found in illicit channels.

"Other countries are making an effort to stop the traffic," he said. "The Red Chinese government is doing nothing at all. The narcotics come down from Red China to Burma, Thailand, and Laos. Some of it then finds its way to Hong Kong and Japan, thence to the United States."

SYRIA IS HEROIN SOURCE

Aside from Red China, Mr. Anslinger said, the main source of heroin has shifted to Syria. Last year Lebanon was the chief source of heroin smuggled into the United States, he said, but pressures from the Lebanese government forced the smugglers to move their operations to Syria.

Turkey grows much of the opium poppy crop found in that region and converts the poppies into legitimate medical purposes. Dope traffickers, however, buy the poppies from farmers and smuggle them into Syria. There, in clandestine laboratories, the poppy seeds are converted into opium, then morphine, then heroin.

"The situation has grown so bad," Mr. Anslinger said, "that the Turks recently mined their borders to keep the smugglers out."

Mr. Anslinger is the United States representative to the United Nations Commission on Narcotic Drugs and recently studied the full report on the worldwide narcotic situation.

PRAISES SHAH OF IRAN

He lauded a number of nations for battling the scourge of dope addiction but reserved his highest praise for Iran, one of the world's greatest producers of opium. The Shah of Iran, Mr. Anslinger said, has pushed through a law prohibiting the production of opium and has asked the United States and United Nations to help in eradicating the evil in his country.

In the United States, the commissioner said, there are about 50,000 addicts. That represents 1 addict to every 3,500 of the population. Twenty to 30 years ago the ratio was 1 addict to every 400 persons.

The smoking of opium is now almost unheard of in this country, Mr. Anslinger said. "In fact, we can't even find an opium pipe to use for an exhibit," he added. Most dope taken in this country today is by injection of heroin into the bloodstream.

Just as in other parts of the world, dope traffic in this country suffers most when stiff laws against it are passed and enforced.

Mr. Anslinger said judges throughout the country are getting tougher with convicted "pushers" and are handing down stiffer and stiffer penalties.

The main trouble spots in this country, he said, are in New York and Texas. There is practically no problem in the South or in New England.

SENATORIAL DELEGATION TO THE LONDON CONFERENCE

Mr. KNOWLAND. Mr. President, under date of June 21, I received the following letter from the Secretary of State:

THE SECRETARY OF STATE,
Washington, June 21, 1957.

The Honorable WILLIAM F. KNOWLAND,
United States Senate.

DEAR SENATOR KNOWLAND: You are aware that the United States has long considered the achievement of a sound and safeguarded disarmament agreement one of its most vital foreign policy objectives. We have persistently sought such an agreement in the United Nations and more recently in the negotiations in the Subcommittee of the United Nations Disarmament Commission. This subcommittee is now meeting in London.

The course of the negotiations which are going on at the present time suggests the desirability of obtaining further senatorial participation in this important endeavor. Any agreement which might eventuate would, we hope, be of a scope and character which would require it to be submitted to the Senate as a treaty, for its advice and consent to ratification. It is my belief that senatorial participation at this juncture could contribute substantially to the achievement of the end result we seek. Accordingly, I ask that you and Senator JOHNSON designate Members of the Senate who would study, observe, and, to the extent they desire, consult with appropriate officials engaged in these negotiations. While it is my judgment that it would be premature at this time for Senators to join the delegation at London, I hope that it will be possible for some of the designated Senators to participate in these talks if that becomes desirable. The President fully concurs in this request.

In making this request I should emphasize that whereas the Soviet position has moved closer to that of the United States in several respects in recent months, many important and difficult obstacles remain in the way of

the achievement of even a limited agreement for the control of armaments. The Soviet Union has, in recent months, affirmed its readiness to seek a limited first-step agreement and to accept certain controls and verifications, and it is our hope that the Soviet position will further evolve so as to increase the prospects that a first-phase agreement of some worthwhile dimensions can be reached. Senatorial participation at this time will serve as a further earnest of the United States seriousness of purpose. It will demonstrate anew our consistent desire for an agreement which will reduce the threat of war and improve the outlook for a true and lasting peace.

If you agree, I will arrange for the appropriate briefings and other assistance.

I am sending a similar letter to Senator JOHNSON.

Sincerely yours,

JOHN FOSTER DULLES.

On June 21, I replied to the Secretary of State as follows:

JUNE 21, 1957.

The Honorable JOHN FOSTER DULLES,
Secretary of State,
Department of State,
Washington, D. C.

DEAR MR. SECRETARY: Pursuant to your letter of June 21 and our conversations of recent date, I am prepared to recommend three members of the minority in the Senate to be fully briefed on all aspects of the current disarmament negotiations including incoming and outgoing cables.

At such a time as the President and you might decide it would be helpful to have senatorial observers at the disarmament negotiations one or more of the group with similar representation from the majority side would be available to attend such sessions in London or elsewhere.

The three from the minority will be: Senator ALEXANDER WILEY, of Wisconsin; Senator BOURKE B. HICKENLOOPER, of Iowa; Senator LEVERETT SALTONSTALL, of Massachusetts.

With best personal regards, I remain

Sincerely yours,

WILLIAM F. KNOWLAND.

SAVING WILDERNESS AREAS

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the RECORD an effective editorial from the New York Times of June 23, 1957, entitled "Saving Wilderness Areas." This editorial is particularly propitious now because the Senate and House Interior Committees have just held hearings on the legislation under discussion. As one of the sponsors of S. 1176, the bill to establish a system of wilderness reserves, I can indorse wholeheartedly the splendid New York Times editorial, which answers effectively some of the captious and frivolous objections that have been raised to date against this merited legislation.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 23, 1957]

SAVING WILDERNESS AREAS

Hearings are being held in both Senate and House on the wilderness bill, a proposal sponsored by a dozen Senators and a half-dozen Representatives from both parties, and from States as widely separated as Maine and California. It would establish as a matter of national legislative policy the protection of certain unspoiled wilderness areas that now are under Federal control.

The basic purpose of the bill would be to preserve permanently a small remnant of primeval America for scenic, recreational, and other uses, free from further encroachments of civilization and from the relentless developments of this mechanized age.

A wide variety of Federal lands would be covered by the bill, some already dedicated to wilderness preservation, some set aside primarily for other uses, but all still in relatively untouched state. The agencies that now administer these lands would continue to do so. The big change brought about by the wilderness bill would be not to take land away from previously productive uses but to prevent arbitrary disposal of our existing wilderness areas, and, even more important, to place Congress clearly on record as approving a national wilderness-preservation system formally set up under protection of law rather than by administrative fiat. The wilderness bill has met with a bureaucratic and a special-interest opposition that its moderate and reasonable terms do not deserve.

THE MONETARY PROBE

Mr. BUSH. Mr. President, the Hartford Courant, of Hartford, Conn., is the oldest newspaper in the United States in continuous publication since its founding, and one of the most responsible newspapers in New England today.

An exceptionally fine editorial in this newspaper deals with the subject of the investigation being conducted presently by the Finance Committee, under the chairmanship of the distinguished Senator from Virginia [Mr. BYRD]. The title of the editorial is exceedingly well chosen. It reads, "A Bad Beginning in the Monetary Probe."

The editorial points out that if the political tone which has marked the opening of these hearings is to continue, very little in the way of constructive results will come out of the investigations.

The editorial commends the President for pointing out earlier this year the need for an objective study of all financial arrangements in the United States, including the Federal Reserve System, the banking system and all its component parts, and the whole question of Government finance. The President asked for a nonpartisan commission to make such a study, but Congress has refused to act on that request, and the Finance Committee picked up the loose ball and now is running wildly, but without so far making any favorable impression.

Mr. President, I ask unanimous consent that the editorial, which is entitled "A Bad Beginning in the Monetary Probe," be printed at this point in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Hartford Courant of June 22, 1957]

A BAD BEGINNING IN THE MONETARY PROBE

There is, and should be, considerable discouragement over the start of the Senate Finance Committee's hearing into the financial condition of the United States. This was the hearing that the Finance Committee seized upon in response to the President's request for a serious and sober study of the banking system by a National Monetary and Financial Commission. But in the political tone that has marked the opening of the hearings, little can be expected.

Secretary of the Treasury George M. Humphrey knew that when he sat in the witness chair. He had been warned that Democrats were expected to challenge the tight money and high interest rates of the present day. He has also been under pressure as a result of what looks like a deliberate campaign to discredit the Treasury, by suggesting that this agency of the Government may run out of money. The latter is impossible—but it is based on the squeeze in which the Treasury finds itself in borrowing to meet its bills, pay off loans, and redeem savings bonds.

So Mr. Humphrey attacked, with one of the finest demonstrations of the administration's economic achievements possible. His statement deserves to be read in full. He summed it up himself: "It is a record of a prospering America with new high levels of employment, rising income, and increasing purchasing power. It is a record of more and better homes, jobs, more homes, more cars, more leisure, and more recreation. It is a record of unequaled prosperity with both the blessings and the problems of such a period."

Mr. Humphrey's defense was magnificent, although Senator BYRD promptly challenged him on a statement that the debt had been reduced. Senator BYRD's point was that Federal spending has risen again, which is indisputable. Senator BYRD cannot comprehend how costs can be greater in a cold war than in a shooting war. He is too able a man not to realize that if this country loses the cold war, it may well have no chance in a hot one. But for political purposes, the point is enough to make.

These political exchanges are disheartening. There is a serious and important job to be done in measuring the investing and lending activities and institutions of the country. We need to know more about fiscal and credit restraints, and about public policy in promoting stable growth. The investigation and study must be made, however, without endangering confidence in the system as it stands. The facts suggest that improvements are necessary to reconcile the growth of governmental financial institutions outside the scope of the Federal Reserve, to mention only one factor. But they must be accomplished with care and precision, not in the hoop-la of a Congressional political circus.

FEDERAL STUDENT LOAN BILL

Mr. JAVITS. Mr. President, in connection with a bill introduced by me and the senior Senator from New York [Mr. IVES], the Senator from Kentucky [Mr. COOPER], the Senator from Maine [Mr. PAYNE], and the Senator from Maryland [Mr. BEALL] to establish a student loan program to help institutions of higher education meet their problems in the field of education and to help students of merit who cannot go to institutions of higher learning for economic reasons, I ask unanimous consent to have printed in the RECORD a digest of an analysis made by the Library of Congress of comments from a great many colleges and universities on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FEDERAL STUDENT LOAN BILL

Following is a digest of an analysis by the Library of Congress of comments from colleges and universities on the bill sponsored by me with Senators IVES, COOPER, PAYNE, and BEALL to establish a student loan program to assist students needing financial help for a college education. Of 30 letters received, 23 are generally favorable (16 private and 7 public institutions), 6 are generally unfavorable (3 private and 3 public) and 1 will comment later.

Following the introduction of the bill, a sampling of leading colleges and universities was made to determine professional opinion in the educational field on the merits of the proposal and whether changes in the bill were desirable. The Library of Congress then was requested by Senator JAVITS to make the analysis.

The overwhelming support of the principles advocated in this program by those institutions replying indicates the need for the Federal Government's participation in aid to students through a loan program. I am highly gratified that the vast majority of those institutions replying share my view that a loan program is the most acceptable form of Federal aid to institutions of higher learning. And I am also grateful to those who criticize the program for outlining their arguments and reasons supporting them.

"The enthusiasm of the replies, the variety of comments, and the overwhelming interest in the specifics of the bill could only be covered generally in these letters, however. It is for this reason that I urge the Senate Committee on Labor and Public Welfare to conduct hearings on this bill, so that objections can be aired and divergent viewpoints considered."

The bill provides that the Secretary of Health, Education, and Welfare shall set up a program to assist individuals in obtaining an education beyond the secondary school level. The creation of a Bureau of Student Loans in the Department of Health, Education and Welfare to operate under the Commissioner of Education is provided for in the bill.

According to the terms of the bill, a special fund to be known as the Federal education loan and loan insurance fund would be established in the Treasury to be used as a revolving fund for insuring private loan sources. The loans shall not exceed $1,000 per student for any academic year of education, and shall not be made for more than 5 such years of education.

Direct loans would bear interest at 2 percent a year or such higher rate as shall be fixed by the Secretary so that it is contemplated that the rate is equal to about one-half the going rate of commercial loans. The Secretary may make up the difference in interest needed to get the loans. No interest would accrue prior to the commencement period of repayment or 1 year after ceasing full-time study, whichever is sooner. The borrower would have 10 years to repay.

The bill provides for Government insurance on loans made by private sources, including universities and colleges, to students. Administration of this program would largely be concentrated in the institutions themselves. This section of the bill states that the loan insurance plan provides for payment to financial institutions and institutions of higher education of 90 percent of any losses suffered on loans.

Specific comments on the bill included:

From President Conolly, Long Island University:

"This loan program should be reserved especially for that portion of high-school graduates who possess the ability and can qualify for college admission but who are not at the very top, and hence cannot benefit from the State and private scholarship programs and the scholarships available at the colleges and universities throughout the land."

From President Sadler, of Texas Christian University:

"The Federal Government, cooperating with the State government, should provide a perfectly ample number of good scholarships so that no person would be deprived of higher education regardless of financial circumstance."

A few representative leaders in higher education should be brought in by the committee to discuss "A few changes • • • which would improve the bill."

From Columbia University's vice president, John A. Krout:

"The annual limit of $1,000 and the 5-year limit of $5,000 are very high • • •. A lower dollar limit and a higher number of years to allow for professional and graduate school would be better • • •. Holding a scholarship or receiving veterans' aid should not prevent a student from borrowing."

President Malott, of Cornell University:

"I am happy to endorse the provisions of S. 1727 because it seems to me it is a sound way to assist deserving students to obtain a college education."

The president of the University of Rochester, C. W. de Kiewiet, said that "This type of program has a great deal to be said for it, and I congratulate you for your share in carrying the thing as far as it has gone."

While the president of Tuskegee Institute, B. H. Foster, expressed the hope that "The Congress will find it possible to enact this constructive piece of legislation."

President Eric A. Walker, of Pennsylvania State University, emphasized that "Everything that the Federal Government can do to lighten the burden of these individuals whose education is in the public interest will be greatly appreciated. Your Senate bill 1727 represents one important phase of a program which will result in better leadership in America."

President John S. Dickey, of Dartmouth College, in expressing opposition to the bill, stated that "it simply does not make sense to me to have the Federal Government worrying about a scholarship or loan program for college students while at the same time the Federal Government is frankly being subsidized in the performance of one of its most essential responsibilities by hundreds of American colleges and universities which have ROTC programs."

The general comments most frequently made among those supporting the education loan program were:

1. A loan program is "the most acceptable form of Federal aid to institutions of higher education."

2. Loan program places responsibility on the borrower.

3. Loan program would supplement current private scholarship programs.

4. Loan program could be a supplement to a Federal-State scholarship program.

The general comments most frequently made by those opposing the bill were:

1. Loan funds in many institutions of higher education are not now used to capacity.

2. Loan program does not help institutions very much. They increase the student body and the need for facilities.

3. Would a student loan program actually reach the financially needy student?

4. The Federal Government could help in other ways, such as income tax deduction for dependent's college education, assistance to institutions for ROTC programs, and help with medical education facilities.

5. Will the cost of administration be prohibitive?

6. Problems of collection appear to be most complicated.

In addition to general and specific comments on the bill, the survey catalog suggested additions to the bill's provisions. These included:

1. It should include junior colleges.

2. What about theological seminaries?

3. A provision should be included which would preclude the use of the loan money to pay tuition in a tax-supported institution.

4. Could an installment plan for the payment of tuition be included in the bill?

5. The bill should include a provision similar to Government home-loan insurance which would encourage private investment capital to enter the student loan market.

Following is a list of institutions commenting on the student loan bill:

Cornell University, Maryland State Teachers College, Maryland State College, Baltimore Junior College, Maryland College of Notre Dame, Goucher College in Maryland, Long Island University, Loyola College in Maryland, and the University of Maryland.

Also replying were New York University, Penn State University, Tuskegee Institute in Alabama, St. John's College in Maryland, Washington College in Maryland, Westminster Theological Seminary in Maryland, Yeshiva University in New York, Roth Brothers Marketing Analysts in Illinois, Texas Christian University, University of Florida, Vassar College, Columbia University, University of North Carolina, and the University of Rochester.

All of the above reported favorably. The following six were generally unfavorable:

Dartmouth College, George Washington University in the District of Columbia, Hood College in Maryland, Montgomery Junior College in Maryland, State University of New York, and the University of Tennessee.

ORDER FOR CALL OF THE CALENDAR ON WEDNESDAY NEXT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that measures on the calendar to which there is no objection, commencing with order No. 389, Senate bill 25, may be called on Wednesday, June 26, immediately following the close of morning business.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

HELLS CANYON

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD sampling of some telegrams I have received on the Hells Canyon issue.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

SALEM, OREG., *June 22, 1957.*

SENATOR WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Congratulations on your victory. Thank you for your untiring efforts.

DEMOCRATIC PARTY OF MARION COUNTY,
CORNELIUS C. BATESON, *Chairman.*

CORVALLIS, OREG., *June 21, 1957.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We have just received news of Hells Canyon bill passing the Senate. Words cannot express our deep appreciation for your many efforts and hard work toward the passage of this bill. Many thanks.

BOARD OF DIRECTORS, CONSUMERS POWER, INC.

THE DALLES, OREG., *June 21, 1957.*

SENATOR WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Congratulations on a marvelous piece of work on Hells Canyon.

BILL DENT AND VERN BURDA.

PORTLAND, OREG., *June 21, 1957.*

Senator WAYNE L. MORSE,
Senate Office Building,
Washington, D. C.:

Oregon Democrats thrilled with Hells Canyon vote and proud of our Senators who helped make it possible. Congratulations.

BOB BOYER, *State Chairman.*

JUNE 21, 1957.

Hon. Senator WAYNE MORSE,
United States Senate.

DEAR SENATOR: Congratulations to you and your colleagues for the passage of the Hells Canyon bill.

Mr. and Mrs. LLOYD KEY.
Mr. and Mrs. FRANK GARRED.

NEWBERG, OREG.

Senator WAYNE MORSE,
Washington, D. C.:

Congratulations on a tremendous job well done.

FRANCIS STRONG NEWBERG.

WASHINGTON, D. C.

HON. WAYNE MORSE,
Senate Office Building:

Congratulations on your Hells Canyon victory.

CHARLIE CALLISON,
National Wildlife Federation.

PORTLAND, OREG., *June 21, 1957.*

Hon. WAYNE MORSE,
Senate Office Building:

Congratulations on Senate Hells Canyon victory, and many many thanks for the long hard work that made it possible. This is a happy day for all of us in the Northwest.

Kindest regards,

J. T. MARR,
President,
National Hells Canyon Association.

ALBANY, OREG., *June 21, 1957.*

Senator WAYNE MORSE,
Senate Office Building:

Senate action on Hells Canyon a great victory for the people. Kindly express the sincere appreciation of the Oregon Farmers Union to your fellow Senators who by their vote today demonstrated both the judgment and the courage to act in the public interest. People of the Northwest have real cause to be grateful for the services performed this day by you and your colleagues.

HARLEY LIBBY,
President, Oregon Farmers Union,
Salem, Oreg.

PORTLAND, OREG., *June 22, 1957.*

Senator WAYNE MORSE,
Senate Office Building:

Hells Canyon Dam victory in United States Senate yesterday is a great personal tribute to Oregon's two Senators. Young Democrats of Oregon are proud of you and congratulate you on a job well done. Your tireless and effective efforts on behalf of enlightened resource development policies reflect credit on the State of Oregon as well as upon yourself. We, young Democrats, reaffirm our support for your tremendous battle in carrying the Hells Canyon authorization successfully over the first great hurdle. We know you will continue the good fight until turbines on the high Hells Canyon Dam are producing jobs and payrolls for young people, now and for future generations.

BRUCE BISHOP,
President for the Executive Committee, Young Democratic Clubs of Oregon.

GREAT FALLS, MONT., *June 22, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Appreciate your outstanding work on the successful Hells Canyon fight in the Senate.

LEONARD KENFILD,
President, Montana Farmers Union.

SPRINGFIELD, OREG., *June 22, 1957.*

Senator WAYNE L. MORSE,
Senate Office Building,
Washington, D. C.:

Congratulations on important victory for public power and a job well done.

SPRINGFIELD UTILITY BOARD,
DON PEGLOW, *Chairman.*

PORTLAND, OREG., *June 23, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We congratulate you on your courageous stand in promoting favorable action on Hells Canyon bill.

MEGGIE and CHARLIE HENSLEY.

GRANTS PASS, OREG., *June 22, 1957.*

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.:

Heartiest congratulations on a hard-fought battle and a beautiful piece of statesmanship. Our best to you and Mrs. Morse.

ELLA AND ED KINSTRA.

LA JUNTA, COLO., *June 22, 1957.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Your work and vote for Hells Canyon bill almost completely approved and applauded by citizens of this valley.

J. D. CRAIGHEAD.

FOREST SERVICE TIMBER ACCESS ROADS

Mr. MURRAY. Mr. President, I wish to associate myself with the remarks of my colleagues in favor of appropriating the full authorization for timber access roads. There is substantial evidence which indicates the necessity for these roads. The fact that the Forest Service plans to expend $60 million on timber access-road construction alone demonstrates the emphasis that is being put on this program, but only $15 million of this expenditure must be accomplished under the sound and tried procedures prescribed by the Federal Highway Act. This alone should cause us to make the full authorization available.

There is a great need for these roads in order to put our national forests on a sound operating basis. The sale of timber is inhibited and the development of many forested communities is held back because the timber in the rough and inaccessible parts of the forest is not available. If the Government were to adopt the position of a private owner it would purposefully be slow in developing and marketing its timber in the hope that adjacent supplies would be used up, and then the remaining supply would rise in price. The Government is not in the business of holding these forests to make every last cent it can by using such tactics. It is in this activity to promote a full sustained cut of the timber.

It is impossible to really practice sustained yield forestry unless most of our forest area is accessible. This is particularly true in my State, where we have vast stands of pine which should be cut selectively. Without a full road network one can cut the sustained yield amount in one part of the forest, to be sure. However, in the rest of the forest there may be annual losses as great or greater than the cut, due to insects, disease, and fire. If, however, roads were available, one would be able to salvage and cut the timber which is otherwise lost to nature. It is a double loss when there is not a full access-road system.

I am familiar with the dollar and cents arguments, demonstrating the soundness of this program, which my colleagues so ably make. I fully appreciate the soundness of Congressional control over the appropriations which each agency receives. To my way of thinking, a major point which we in the Congress must consider is whether the program we are approving for the Executive to carry out provides for the full and proper development of our natural resources. On this basis it is my conclusion that we should expand timber access-road construction and, in expanding, we should give preference to the use of appropriated funds for its financing. This approach is also recommended by the Comptroller General, and I believe his views deserve our consideration.

COMMISSION ON GOVERNMENT SECURITY

Mr. McNAMARA. Mr. President, yesterday the report of the Commission on Government Security was made public.

I should like to read for the RECORD a brief statement I issued this morning on this report:

REPORT OF THE COMMISSION ON GOVERNMENT SECURITY

The proposals of the Commission on Government Security, while clearly motivated by a desire to strengthen national security, nevertheless seem to contain many serious threats to individual liberties.

The need for a commonsense approach to governmental loyalty and security programs is self-evident. Confusion, arbitrary decisions, and the deprivation of constitutional rights have long been the result of the multitude of conflicting programs in existence.

Yet, in my view, the answer does not lie in the ever-tightening control over the individual as propounded by the Commission's proposals.

These proposals, from the creation of a Central Security Office in an already overburdened field, through the application of severe restrictions in industry, passport issuance, immigration procedures, and a recommended legalizing of wiretapping, contain, to me, many elements of police state control. There is likewise serious danger in the proposed punishment of civilians who disclose so-called classified documents.

Coming as it does in the wake of several historic Supreme Court decisions which have emphasized the basic rights of the individual, the Commission's report strikes me as being in sharp conflict with a reawakened desire of the American people to fight back against an insidious encroachment of their liberty.

The need for a rational approach to security and loyalty remains. But I feel this can be, and should have long ago been, clearly set forth by the President through Executive order and other administrative procedures.

In short, we need fewer restrictions on the individual; not more.

Mr. President, I ask unanimous consent that an editorial from today's New York Times on the same subject be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SECURITY IN A DEMOCRACY

The long-awaited report of the Commission on Government Security turns out to be a monumental document, helpful in some important respects and disappointing in others. It is the product of some 18 months work to study violations of civil liberties and individual rights in the Federal Government's internal security system.

No one can pretend that the problem of reconciling the basic freedoms of American citizens with the requirements of internal defense against the Communist threat is an easy one. But we think no objective observer could deny that during the past decade a drastic imbalance occurred in which individual liberty grievously suffered in the hopeless quest for an absolute security. Only within the last couple of years has the commonsense of the American people tended to reassert itself in favor of the Constitution and the Bill of Rights. This trend has been greatly stimulated and fortified by a succession of notable decisions on the part of the Supreme Court.

It is because the tone and some of the recommendations of the Commission report tend to revert toward the old stress on ultrasecurity that we say it is disappointing. In striking contrast to last year's fine report on the same subject by the Association of the Bar of the City of New York, the Commission would extend the Federal employee security system instead of curtailing it.

The Commission urges the legislative and judicial branches of Government to establish loyalty and security programs of their own. It would formalize the Attorney General's list of subversive organizations, which has been notoriously misused and misinterpreted, after making certain changes "to minimize possible abuses."

The Commission would extend the security program into the civil air transport industry, and would broaden the scope of its application to United States citizens in international organizations. In some respects the Commission would tighten present passport procedures. Its general approach to the immigration laws partially reflects the security-mania of Representative WALTER, one of its 12 members. Another indication of the Commission's point of view lies in its proposals to legalize evidence obtained by wiretapping in certain cases and to extend the penalties for disclosure of classified information.

Without a detailed examination and discussion of each of these various proposals it would be premature to say that they are all wrong; but we are bothered by the apparent tendency toward tightening and extending the program disproportionately to the size and immediacy of the threat. Our confidence in the objective of the report has not been heightened by the concluding statement issued last week by the Commission's Chairman, Loyd Wright, a former president of the American Bar Association, who delivered himself of a sharply critical and ill-considered comment on the Supreme Court's ruling in one of the important recent civil liberties cases.

Nevertheless, there is much in the Commission's voluminous report that is of great value, and many recommendations that would immensely improve the present Federal security process. Establishment of greater uniformity in security procedures—whether or not through the specific device of a Central Security Office, as the Commission recommends—is a vital need. Separation of the loyalty problem from that of security is, of course, desirable. Training of security personnel, as recommended, could do much to improve the whole picture. Reforms of hearing and screening procedure are in the right direction. Emphasis on the right to confrontation—though it is not deemed an absolute right—is all to the good. Important reforms in the security program for military personnel are proposed. A more sensible approach to classification of documents is urged. Abolition of the present confusion between State and Justice Departments in immigration matters would be highly desirable.

There are plenty of good suggestions in the report, which we hope will be considered on their merits, and with due regard for the various other studies that have been made of these problems. As the Supreme Court has so tellingly reminded us in recent days, there are issues here that go to the heart of the democratic process.

The PRESIDING OFFICER (Mr. CARLSON in the chair). Is there further morning business? If not, morning business is concluded, and the Chair lays before the Senate the unfinished business.

DEVELOPMENT AND MODERNIZATION OF THE NATIONAL SYSTEM OF NAVIGATION AND TRAFFIC CONTROL

The Senate resumed the consideration of the bill (S. 1856) to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes.

APPROPRIATIONS FOR INTERIOR DEPARTMENT AND RELATED AGENCIES, 1958

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 484, House bill 5189, the Interior Department appropriation bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, which had been reported by the Committee on Appropriations with amendments.

ADDITIONAL FUNDS FOR A STUDY OF JUVENILE DELINQUENCY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 300, S. Res. 126.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 126) providing additional funds for a study of juvenile delinquency in the United States.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration with amendments, in line 2, after "March", to strike out "20" and insert "19", and, after line 7, to insert:

SEC. 2. The limitation of expenditure as authorized by Senate Resolution 89, agreed to June 1, 1953, as amended, is hereby increased by $548.83; and the limitation of expenditure as authorized by Senate Resolution 62, agreed to March 18, 1955, as amended, is hereby increased by $1,000.

So as to make the resolution read:

Resolved, That Senate Resolution No. 173, agreed to on March 19, 1956, as amended, be amended by striking out, in section 4, lines 21 and 22, "Expenses of the committee, under this resolution which shall not exceed $80,000" and inserting in lieu thereof the following: "Expenses of the committee, under this resolution which shall not exceed $82,500."

SEC. 2. The limitation of expenditure as authorized by Senate Resolution 89, agreed to June 1, 1953, as amended, is hereby increased by $548.83; and the limitation of expenditure as authorized by Senate Resolution 62, agreed to March 18, 1955, as amended, is hereby increased by $1,000.

Mr. KEFAUVER. Mr. President, the resolution would amend three prior resolutions of the Senate under which funds were made available to the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary. In toto, an additional amount of $4,000 would be made available to cover obligations of the subcommittee in excess of the three previous authorizations. The amounts go back over a number of years, and have just recently come to my attention. As chairman of the subcommittee, I believe they should be paid.

Mr. KNOWLAND. Mr. President, will the Senator yield for a question?

Mr. KEFAUVER. I yield.

Mr. KNOWLAND. Did the Senator say $4,000 or $2,500?

Mr. KEFAUVER. The total amount is $4,000. The resolution as originally submitted was for $2,500. Then section 2 was added in committee. That accounts for an additional $1,500.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 126), as amended, was agreed to.

CLERICAL AND OTHER ASSISTANTS OF THE LATE SENATOR McCARTHY, OF WISCONSIN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 440, Senate Resolution 147.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 147) to continue on the payroll for a further period the clerical and other assistants of the late Senator Joseph *R.* McCarthy, of Wisconsin.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. CURTIS. Mr. President, the resolution is for the purpose of continuing on the payroll the clerical and other assistants of the late Senator Joseph R. McCarthy 60 days beyond July 3, 1957, with a considerable measure of control over such employees exercised by the Secretary of the Senate.

The resolution was favorably considered by the Committee on Rules and Administration, and was favorably reported by the committee. We urge that it be adopted by the Senate.

In presenting the resolution, I merely wish to say that the general practice of the Senate is to continue in employment for a period of 60 days only the employees of a deceased Senator. The resolution is not intended to change that general practice, and is not intended as a precedent for continuing employees in such circumstances for a longer period than in the past.

Senate Resolution 147 is designed to meet a situation which is peculiar to this case. My information is that 47 States of the Union provide that in case of a vacancy in the office of United States Senator, the Governor may appoint to fill the vacancy. Wisconsin is the only State which does not have such a law. Consequently, it is not possible for Wisconsin to hold the necessary primary election, nominating activities, or other election, within the 60-day period. Because of that unusual situation, Senate Resolution 147 was submitted, and was reported favorably by the Committee on Rules and Administration.

The purpose of the resolution is not to grant employment or other benefits to the employees; it is to continue the necessary services required for the benefit of the State of Wisconsin, in order to complete the work which needs to be done to continue the official business of the office of Senator McCarthy. It is believed that, by the expiration of the time provided in the resolution, a Senator will have been chosen by the State of Wisconsin.

I urge that the resolution be agreed to.

The PRESIDING OFFICER. The resolution is open to amendment. If there be no amendment to be proposed, the question is on agreeing to the resolution.

The resolution (S. Res. 147) was considered and agreed to, as follows:

Resolved, That the clerical and other assistants of the Honorable Joseph R. McCarthy, late a Senator from the State of Wisconsin, on the payroll of the Senate on the date of his death, shall be continued on such payroll at their respective salaries for a further period of 60 days from July 3, 1957, to be paid from the contingent fund of the Senate: *Provided*, That any such assistants continued on the payroll, while so continued, shall perform their duties under the direction of the Secretary of the Senate, and he hereby is authorized and directed to remove from such payroll any such assistants who are not attending to the duties for which their services are continued.

APPROPRIATIONS FOR INTERIOR DEPARTMENT AND RELATED AGENCIES, 1958

Mr. MANSFIELD. Mr. President, I ask that the Senate resume the consideration of the Department of the Interior appropriation bill, which was temporarily laid aside.

The Senate resumed the consideration of the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HAYDEN. Mr. President, as shown by the committee report, the amount of the Interior Department and related agencies appropriation bill for 1958 as passed by the House was $454,395,700.

The amount by which the bill was increased by the Appropriations Committee of the Senate is $1,856,900 net.

I might say the appropriations contained in the bill as passed by the House represented a reduction of about 12 percent from the appropriations estimated by the Budget Bureau.

As I have said, the Senate Committee on Appropriations has added $1,856,900 to the amount of the bill as passed by the House, making the total of the bill as reported to the Senate $456,252,600. This still leaves the total amount of the bill practically 12 percent under the estimates of the Bureau of the Budget.

The estimates of the Bureau of the Budget which were considered by the committee totaled $515,189,700.

The amount of the appropriations for fiscal 1957, including supplemental and deficiency appropriations, was $463,187,700.

The bill as reported to the Senate is $58,937,100 under the budget estimates; and it is $6,935,100 under the appropriations for the fiscal year 1957.

It should be noted that the amount recommended by the committee includes funds in the amount of $7,896,900 for activities and programs for which the House did not provide any funds.

These are: Fish and Wildlife Service, administrative expenses, $1,196,000; and the acquisition of strategic materials, $6,700,000.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc; that the bill as thus amended be considered the original text for the purpose of the amendment; and that points of order shall not be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments agreed to en bloc are as follows:

Under the heading "Title I—Department of the Interior—Departmental Offices—Office of Saline Water", on page 2, line 7, after the word "uses", to strike out "$1,159,000" and insert "$725,000."

Under the subhead "Office of the Solicitor", on page 2, line 25, after the word "amended", to insert a colon and the following additional proviso:

"*Provided further*, That not to exceed $18,500 of the unobligated balance remaining on June 30, 1957, of the appropriation granted under this head in the Department of the Interior and Related Agencies Appropriation Act, 1957, shall remain available during the current fiscal year for printing the Handbook of Indian Federal Law."

Under the subhead "Office of Minerals Mobilization", on page 3, line 12, after the word "fuels", to strike out "$313,000" and insert "$263,000."

On page 3, after line 13, to insert:

"ACQUISITION OF STRATEGIC MINERALS

"For necessary expenses in carrying out the provisions of the 'Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956' (70 Stat. 570), including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), $6,700,000, to remain available until December 31, 1958: *Provided*, That this appropriation shall not be available for expenses incurred in connection with materials procured under said act after their transfer to the strategic or supplemental stockpile."

On page 3, line 24, after the amendment just above stated, to insert a colon and the following additional proviso:

"*Provided further*, That none of the funds appropriated in this paragraph shall be available for purchases authorized in section 2a of said act."

Under the subhead "Bureau of Land Management—Construction", on page 5, line 5, after the word "expended", to strike out "$6,500,000" and insert "$5,480,000".

Under the subhead "Administrative Provisions", on page 5, line 18, after the word "of", to strike out "31 passenger motor vehicles for replacement only" and insert "not to exceed 41 passenger motor vehicles, of which 31 shall be for replacement only."

Under the subhead "Bureau of Indian Affairs—Education and Welfare Services", on page 7, line 16, after the word "museums", to strike out "$59,560,000" and insert "$59,460,000".

Under the subhead "Resources Management", on page 8, line 3, after the word "Indians", to insert a colon and "*Provided*, That, notwithstanding the provisions of section 4 (a) of the Civil Service Retirement Act of July 31, 1956 (70 Stat. 747), not to exceed $80,000 of this appropriation shall be available for payment of the Federal matching contribution to the retirement fund for Federal employees paid from tribal funds."

Under the subhead "General Administrative Expenses", on page 9, line 11, after the word "offices", to strike out "$3,400,000" and insert "$3,500,000".

Under the subhead "Administrative Provisions", on page 9, line 21, after the word "exceed", to strike out "270" and insert "300".

Under the subhead "Tribal Funds", on page 10, line 11, after the word "appropriated", to strike out "$3,000,000" and insert "$2,920,000".

Under the subhead "Geological Survey—Surveys, Investigations, and Research", on page 12, at the beginning of line 14, to strike out "$36,000,000" and insert "37,500,000".

Under the subhead "Administrative Provisions", on page 13, line 3, after the word "exceed", to strike out "125 passenger motor vehicles, for replacement only" and insert "145 passenger motor vehicles, of which 125 are for replacement only", and in line 21, after "(63 Stat. 145)", to strike out the colon and "*Provided*, That notwithstanding the provisions of any other law, the President is authorized to appoint a retired officer as such representative, without prejudice to his status as a retired Army officer, and he shall receive such compensation and expenses in addition to his retired pay."

Under the subhead "Bureau of Mines—Conservation and Development of Mineral Resources", on page 14, line 10, after the word "substitutes", to strike out $18,700,000" and insert "$18,910,000".

Under the subhead "General Administrative Expenses", on page 14, line 25, after the word "offices", to strike out $1,195,000" and insert "$1,095,000."

Under the subhead "National Park Service—Management and Protection", on page 16, line 12, after the word "Basin", to strike out "$13,750,000" and insert "$14,500,000."

Under the subhead "Maintenance and Rehabilitation of Physical Facilities", on page 16, line 21, to strike out "$11,500,000" and insert "$11,763,000."

Under the subhead "Construction", on page 17, line 6, after the word "expended", to strike out "$20,000,000" and insert "$17,000,000."

Under the subhead "Administrative Provisions", on page 17, line 22, after the word "exceed", to strike out "117 passenger motor vehicles for replacement only," and insert "124 passenger motor vehicles of which 117 shall be for replacement only."

Under the subhead "Fish and Wildlife Service—Construction", on page 19, line 15, after the word "therein", to strike out "$5,332,000" and insert "$5,677,000".

On page 19, after line 20, to insert:

"GENERAL ADMINISTRATIVE EXPENSES

"For expenses necessary for general administration of the Bureau of Sport Fisheries and Wildlife, including such expenses in the regional offices, $166,190."

Under the subhead "Bureau of Commercial Fisheries—Management and Investigations of Resources", on page 20, line 10, after the word "law", to strike out "$6,000,000" and insert "$5,781,000".

At the top of page 21, to insert:

"GENERAL ADMINISTRATIVE EXPENSES

"For expenses necessary for general administration of the Bureau of Commercial Fisheries, including such expenses in the regional offices, $117,510."

On page 21, after line 16, to insert:

"OFFICE OF THE COMMISSIONER OF FISH AND WILDLIFE

"*Salaries and expenses*

"For necessary expenses of the Office of the Commissioner, $913,200."

Under the subhead "Administrative Provisions", on page 21, line 24, after the word "exceed", to strike out "114 passenger motor vehicles" and insert "124 passenger motor vehicles of which 114 shall be".

On page 22, after line 20, to insert:

"Not to exceed 5 percent of any appropriation for the Fish and Wildlife Service in this act may be transferred to any other such appropriation, exclusive of appropriations for general administrative expenses and salaries and expenses, upon the approval of the Secretary: *Provided*, That no appropriation shall be increased by more than 5 percent by such transfers."

Under the subhead "Office of Territories—Administration of Territories", on page 23, line 24, after the name "Samoa", to strike out "$1,965,000" and insert "$1,940,000".

Under the subhead "Trust Territory of the Pacific Islands", on page 25, line 13, after the word "Congress", to insert a colon and "*Provided further*, That, notwithstanding the provisions of any law, the Trust Territory of the Pacific Islands is authorized to receive, during the current fiscal year, from the Department of Agriculture for distribution on the same basis as domestic distribution in any State, Territory, or possession of the United States, without exchange of funds, such surplus food commodities as may be available pursuant to section 32 of the act of August 24, 1935, as amended (7 U. S. C. 612c) and section 416 of the Agricultural Act of 1949, as amended (7 U. S. C. 1431)."

On page 26, after line 6, to strike out:

"ALASKAN PORT OF ENTRY FACILITIES

"For necessary expenses in the preparation of plans for port of entry and related facilities adjacent to the Alaskan Highway at the Alaska Canadian border, in Alaska, as authorized by the act of August 2, 1956 (70 Stat. 939), $30,000, to remain available until expended."

Under the subhead "General Provisions, Department of the Interior," on page 28, line 22, after the word "exceed", to strike out "$50" and insert "$100", and in line 23, after the word "exceed", to strike out "$125,000" and insert "$200,000".

Under the heading "Title II—Related Agencies—Department of Agriculture—Forest Service—Forest Protection and Utilization," on page 30, line 14, after the word "lands", to strike out "$69,000,000" and insert "$68,750,000", and in the same line, after the word "which", to strike out "$5,250,000" and insert "$5,000,000".

On page 31, line 2, after the word "law", to strike out "$11,325,000" and insert "$11,335,000."

Under the subhead "General Provisions, Forest Service," on page 33, line 10, after the word "exceed", to strike out "157" and insert "168".

On page 36, after line 4, to insert:

"BOSTON NATIONAL HISTORIC SITES COMMISSION

"The appropriation granted under this heading in the Supplemental Appropriations Act of 1956 shall remain available until June 30, 1958."

Under the subhead "National Capital Planning Commission," on page 37, at the beginning of line 4, to strike out "$4,793,000" and insert "$1,393,000"; in the same line, after "(a)", to strike out "$3,475,000" and insert "$75,000", and in line 9, after the word "exceeding", to strike out "$125,000" and insert "$69,000".

Under the subhead "Smithsonian Institution," on page 39, after line 2, to strike out:

"Additions to the Natural History Building: For necessary expenses of preparing plans and specifications for additions on the east and west ends of the Natural History Building, as authorized by the act of June 19, 1930 (46 Stat. 785), including incidental expenses of the Regents of the Smithsonian Institution, $800,000, to remain available until expended: *Provided*, That the preparation of the design, plans, and specifications for the additions and all work incidental thereto shall be under the supervision of the Administrator of the General Services Administration in accordance with provisions of the Public Buildings Act of May 25, 1926, as amended (40 U. S. C. 345)."

The PRESIDING OFFICER. The bill is open to further amendment.

Mrs. SMITH of Maine. Mr. President, I have an amendment at the desk which I desire to call up at this time.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 31, after line 24, it is proposed to insert:

ASSISTANCE TO STATES FOR TREE PLANTING

For expenses necessary to carry out section 401 of the Agricultural Act of 1956, approved May 28, 1956 (70 Stat. 188), $500,000, to remain available until expended.

Mrs. SMITH of Maine. Mr. President, my amendment would provide $500,000 for assistance to States for tree planting. This program was authorized in the Soil Bank Act of 1956, and is commonly known as the Title IV Program.

The budget included an estimate of $4 million for this purpose. This estimate was disallowed by the House, and the Committee on Appropriations has recommended that it be disallowed by the Senate.

While it is true that the testimony before the committee was to the effect that very few States were ready to proceed with this program, I have been advised that 10 States are not only interested, but have funds available for this purpose. It is my understanding that these State funds can be used only if they are matched with Federal funds. I know that is true with respect to my own State of Maine, the legislature of which has appropriated $20,000 that can be used only if a like amount of Federal funds is provided.

Mr. President, the record should indicate that the following States are ready to proceed with this program, and my amendment would provide the necessary Federal funds: (1) Florida, (2) Maine, (3) Michigan, (4) Minnesota, (5) New York, (6) Pennsylvania, (7) Oregon, (8) Rhode Island, (9) Vermont, and (10) Washington.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mrs. SMITH of Maine. I am glad to yield.

Mr. HOLLAND. First, I thank the distinguished Senator from Maine for offering the amendment.

Second, I wish to add my voice to hers. The Legislature of Florida which has just adjourned, appropriated a small amount of funds to match the funds called for by the existing Federal law, in which the Federal Government offers to match the funds of the States if the States are interested in taking part in this particular effort. Certainly I think it is not only the part of wisdom, but also the part of justice in the observance of our commitments, for Congress to go along with the States which have evidenced a complete willingness to provide funds, and to move ahead with the States in the joint venture to increase reforestation planting.

I thank the Senator from Maine for having interested herself in this matter.

Mrs. SMITH of Maine. I thank the Senator from Florida very much.

Mr. AIKEN. Mr. President, will the Senator from Maine yield to me?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Maine yield to the Senator from Vermont?

Mrs. SMITH of Maine. I yield.

Mr. AIKEN. I wish to compliment the Senator from Maine for having this particular matter in mind and for proposing

the amendment to provide a small amount of funds for the States which are ready to go ahead with the comprehensive reforestation program. This appropriation will be applicable to title IV of the soil-bank law, which is the only permanent part of the soil-bank law, the other provisions of it expiring at the end of 4 years. In the long run, this may be the most important part of the entire soil-bank law, not only because it is permanent, but also because it looks toward providing an adequate supply of timber in the United States, and particularly softwood timber, so that it may enhance our national security and also may add materially to the economic welfare of the country.

This provision of the law—title IV—provides, in effect, that the Federal Government may cooperate with States on reforestation programs in a manner similar to that in which it now cooperates with them in the small watershed program, which is intended to conserve soil and water. It ties in very nicely with the small-watershed program.

So I hope the Senator from Arizona will accept the amendment offered by the Senator from Maine.

Mr. HAYDEN. Mr. President, I am quite sure that when the House Appropriations Committee denied this item, it was under the same impression that the Senate Appropriations Subcommittee was under at the time when it held its hearings, in that it was generally understood that the States had taken no action. The House committee indicates that by saying that to delay matters will permit the State legislatures to meet and to take action.

In the meantime, direction was given to the clerk of the committee to ascertain whether any States had taken the necessary steps. As the Senator from Maine has pointed out, 10 States have done so. Under the circumstances, inasmuch as the budget item was $4 million, whereas the amount proposes that $500,000, or one-eighth of the budget item be made available immediately, and because a sufficient number of States are prepared to match the Federal funds, I have no objection to taking the amendment to conference.

Mr. MUNDT. Mr. President, will the Senator from Maine yield to me?

Mrs. SMITH of Maine. I yield.

Mr. MUNDT. Speaking as the ranking Republican member of the Appropriations Subcommittee, let me say that I have discussed the amendment with some of those who are interested. Like the chairman of the subcommittee, the distinguished senior Senator from Arizona, I may say that this matter came to us in the form of new information since the time when we marked up the appropriation bill and since the time when the House of Representatives considered it.

I shall raise no objection to taking this amendment to conference.

I think the RECORD should clearly show that the amendment is not intended solely for the 10 States mentioned in the debate, but that the money is to be available for any other States which subsequently may qualify under the terms of the proposed legislation.

Mr. HAYDEN. That would be true in the case of those which qualified during the fiscal year.

Mr. MUNDT. Yes.

Mr. HAYDEN. We had not been advised that as many as 10 States had qualified.

Mrs. SMITH of Maine. Mr. President, that is the purpose of having the amendment provide $500,000—in other words, so that other States whose legislatures may provide the necessary matching funds will be able to qualify.

Mr. President, I wish to state that I appreciate very much, indeed, the remarks made by the chairman of the Appropriations Subcommittee, the distinguished senior Senator from Arizona [Mr. HAYDEN]; those made by the Senator from Florida [Mr. HOLLAND]; those made by the ranking Republican member of the subcommittee, the distinguished senior Senator from South Dakota [Mr. MUNDT]; and especially those made by the distinguished senior Senator from Vermont [Mr. AIKEN], who, as I understand, was the first to make such a proposal in this field.

I very much appreciate the willingness of the chairman of the Appropriations Subcommittee to take the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maine [Mrs. SMITH].

The amendment was agreed to.

Mr. MORSE. Mr. President, I wish to take a few minutes to discuss the question of timber-access-roads.

My colleagues, the junior Senator from Oregon [Mr. NEUBERGER] the senior Senator from Montana [Mr. MURRAY], and the junior Senator from Montana [Mr. MANSFIELD] have very ably discussed the various aspects of our timber access road amendment. They have presented the issue so well that I do not propose to make a speech about it. However, there are some questions which I should like to ask the distinguished chairman of the Appropriations Committee, so that as we consider the key points, perhaps we can reach agreement on how to proceed. I am sure I have an open mind; but if someone can demonstrate to me that timber access roads are a bad investment of the taxpayers' money, I shall be very much surprised.

In the past few years dynamic events have been taking place in our national forests. Timber demand has increased, recreational use has increased water is in greater demand. I think the Senate and House have done a good job of responding to the challenge. I am pleased with the language in the committee report, but I think we should back it up with some action on our part by making the full amount of the present modest authorization available.

I wish the chairman of the Appropriations Committee and his colleagues to know that the questions I ask this afternoon are not intended as any criticism of the chairman of the committee or his colleagues. I believe that over the years they have done an excellent job in regard to timber access roads. However, I wish to have the Federal Government move forward as rapidly as possible in regard to such roads, and that is why I ask the chairman of the committee to engage with me in this colloquy.

Before asking the questions, I request unanimous consent to have printed at this point in the RECORD a letter from the gentleman from Oregon, Representative CHARLES O. PORTER, to the Forest Service, and the reply of the Forest Service. I think these letters tell the story. In this case the Forest Service is pushing new timber inventories. In that connection, the Appropriations Committee and the Senate Committee on Interior and Insular Affairs lit a fire under the Forest Service. The new inventories prove there is more timber; for instance, one forest in my State shows a 138-percent increase. The Forest Service simply needs more roads, in order to make possible the cutting of this timber.

At this time, Mr. President, I ask to have the letters to which I have referred printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MAY 7, 1957.

Mr. RICHARD E. MCARDLE,
Chief, Forest Service,
Department of Agriculture,
Washington, D. C.

DEAR MR. MCARDLE: The Eugene Register-Guard of April 17, 1957, carried an article which noted, "An increase of 138 percent in the known merchantable timber volume in the Siuslaw National Forest was revealed Tuesday when J. Herbert Stone, regional forester for the United States Forest Service, announced the results of an intensive inventory made in the last year."

In this connection, I should like to ask the following questions:

1. Will this mean a proportionate increase in allowable cut?

2. What are your findings or estimates with regard to the inventories in the other national forests in southwestern Oregon, that is, the Fourth Congressional District?

3. Do not these increased figures mean that more money will be needed for access roads, personnel, equipment, and the like?

Your comments on these questions and related matters will be much appreciated.

Sincerely,

CHARLES O. PORTER,
Member of Congress.

UNITED STATES
DEPARTMENT OF AGRICULTURE,
FOREST SERVICE, PACIFIC
NORTHWEST REGION,
Portland, Oreg., May 24, 1957.

Hon. CHARLES O. PORTER,
House of Representatives,

DEAR CONGRESSMAN PORTER: Your letter of May 7 has been referred to this office for reply.

The questions raised are discussed below in the same order as in your letter.

1. Will this (increase in volume on the Siuslaw National Forest) mean a proportionate increase in allowable cut? The answer is "Yes." Representatives of this office will confer with forest personnel next week to work on the calculation of allowable annual cut. The final answer must await calculations, but a substantial increase is evident.

2. Findings from inventories of forests in southwestern Oregon. New inventories were started on the Umpqua, Siskiyou, and Rogue River National Forests last week. It is estimated that completion will take two seasons. Interim cuts have been established on these forests which reflect our best estimates of the increases which can be expected in allowable cut as a result of new inventories.

3. Will more money be needed for access roads, personnel, equipment, and the like? As a rule of thumb, 1 additional man is required for sales of each additional 10 million board-feet. A tentative estimate of the increase in allowable cut on the Siuslaw, Umpqua Rogue River, and Siskiyou Forests is 200 million board-feet. Assuming this estimate to be reasonably accurate, there will be a need for at least 20 additional foresters to market and administer the increased cut. One of the serious bottlenecks we are experiencing today is technical help. It appears now that we will be able to obtain only about one-third of the 170 additional foresters we would like to hire for this region during 1957. While a part of our lack of success to get men stems from a disadvantage in salary scales, it must be recognized that there just are not enough technical foresters graduating from our schools to satisfy the demand from all sources.

Additional money will be needed for housing. There is little advantage in hiring men if we cannot provide adequate housing.

Present policy dictates that a majority of volume sold be in small- to medium-sized sales. Additional funds for access roads will be necessary if increased volume is put on the market under this policy. Funds for added equipment will also be necessary if additional personnel is to function effectively.

Your interest in this subject is appreciated. We welcome the opportunity to provide information which will give you an insight into our problems.

Please advise if we can be of further service.

Sincerely yours,

J. HERBERT STONE,
Regional Forester.

By WM. DUNHAM.

Mr. MORSE. Mr. President, I should like to ask the distinguished chairman of the Appropriations Committee to inform me regarding the forest road and trail program of the Forest Service, by means of his answers to the following questions:

First. Page 24 of the committee report shows that $60 million will be spent on timber access roads alone by the Forest Service in the coming fiscal year, and that only one-fourth of this road construction money will come from funds appropriated by the Congress. The other three-fourths or $44 million to $45 million in road construction funds will come from reductions in the price of Federal timber so that the timber purchaser can build the roads needed. Am I correct in this?

Mr. HAYDEN. The Senator from Oregon has made a correct statement.

Mr. MORSE. Second. Does Congress have any control over the $45 million the Forest Service will deduct from the price of timber so that purchasers can build roads?

Mr. HAYDEN. In the past we have relied entirely upon the Forest Service in this matter. I think they have done an excellent job.

Mr. MORSE. Third. If the Government appropriated such part of $45 million as was needed for main line access roads, the budget would go up, but offsetting revenue would come in, so in reality there would not be an uncompensated increase in Federal expenditures. Is that statement correct?

Mr. HAYDEN. That is a correct statement.

Mr. MORSE. I wish to point out, as the Senator from Arizona and I have pointed out in past colloquies in making the legislative history regarding this item, that this really is a money-making investment for the Federal Government, when everything is added up.

Mr. HAYDEN. I have been convinced of that for a long, long time.

Mr. MORSE. Of course, part of the necessary funds for the roads are included in the appropriation bill; and by that means the Federal Government saves some of the timber which otherwise would be lost because of insects, fire, and rot. When the road is already in, then more of the timber is sold, and competitive bidding is increased, with a result that a better price is obtained for the timber. All that adds up to increased revenue in the Federal Treasury. Is that correct?

Mr. HAYDEN. That is correct.

Mr. MORSE. Fourth. Someone is going to spend the money, either the purchaser who pays less for the Federal timber and builds the road, or the Government, which builds the road and then sells the timber for more money. So there is no inflation involved in an increase in the budget here.

Mr. HAYDEN. No inflation whatever.

Mr. MORSE. Fifth. I should particularly like the distinguished chairman to consider with me another aspect of this problem. Is it not true that where national forests are located, both in the West as well as in the East, often 50 percent or more of the land in the county is in national forests?

Mr. HAYDEN. That is true.

Mr. MORSE. Sixth. Is it not also true that these counties depend upon 25 percent of the revenue from the national forest as "in lieu" payments?

Mr. HAYDEN. Again the Senator from Oregon is correct.

Mr. MORSE. Seventh. Is it also true that these funds must be used for the schools and roads in those rural counties?

Mr. HAYDEN. The law so provides.

Mr. MORSE. Yes, and that should be stressed at this point in the RECORD. When we speak of these funds in lieu of taxes, it should be pointed out that the counties use these funds for roads and for schools in the counties, and this is a very important source of county income.

Mr. HAYDEN. Many small counties could not carry on a county government unless they had this revenue.

Mr. MORSE. Otherwise the school system would break down, in such cases; is that true?

Mr. HAYDEN. That is true.

Mr. MORSE. And we must not forget that the schools are in part for the benefit of children of hundreds and in some cases thousands of workers in the woods and in the mills, whose livelihood is dependent upon the timber economy. In fact, in some counties in my State the entire economy would come to a standstill, as it is gradually happening now in some of our counties where the lumber industry suffers a depression.

My eighth question is as follows: I should like to inquire whether or not the Senator from Arizona believes that these several hundred rural counties in the 38 States where there are national forests are in good financial shape to maintain their roads and schools.

Mr. HAYDEN. They must have these funds.

Mr. MORSE. Ninth. Would the Senator agree that they do not have a tax base for these Federal lands which would enable them to put on such forest lands, a valuation of, for example, $50 an acre and a 100 or 200 mill tax rate?

Mr. HAYDEN. The answer is "Yes."

Mr. MORSE. Tenth. Instead, is it not true that the counties get 25 percent of receipts, and these receipts may fluctuate between counties as cutting varies in the national forests; and thus the counties lack a stable or predictable income?

Mr. HAYDEN. That is true, also.

Mr. MORSE. Eleventh. These counties cannot collect back "in lieu payments," can they, if cutting temporarily drops and revenues decline?

Mr. HAYDEN. No; it all depends on what was done during a given year.

Mr. MORSE. That is, on an annual basis. That is why I receive so many protestations, when the economy of so many counties in Oregon is suffering. If the counties do not receive the money this year, they cannot collect it on any retroactive basis.

Twelfth. On page 853 of the House hearing I inserted the timber access road cost record in Oregon and Washington. In 1953 roads financed by reducing the value of Government timber worth $6.8 million were constructed, while in 1956 almost 3 times that, or $18 million worth of roads, were constructed by this method. In 1955 the value of such road construction was about $12 million. It jumped about $6 million between 1953 and 1954, and $6 million more between 1955 and 1956. Does it not appear to the Senator that the Forest Service has drastically expanded the part of its road-construction program that is to be built by timber purchasers?

Mr. HAYDEN. It has, in recent years.

Mr. MORSE. I so understand. I deplore it, Mr. President, so far as roads built by purchasers are concerned. I commend the Forest Service for every road it helps build itself.

Mr. HAYDEN. The Senator should remember it has been somewhat difficult to persuade Congress it was sound public policy to build such roads. The Forest Service should not be blamed entirely.

Mr. MORSE. I do not blame it entirely. This is really an educational process, in getting many persons, including Members of Congress, to understand that a capital investment such as is here proposed is not only self-liquidating, but actually returns to the Treasury many times its cost, by way of increased profit from timber.

Thirteenth. Is it also not true that, by using this method to finance road construction, in 1956 alone, $4½ million that should have been available to the counties for local schools and roads was in effect taken from them?

Mr. HAYDEN. That is my understanding.

Mr. MORSE. Fourteenth. Does the Senator understand that it is a part of

quently may qualify under the terms of the proposed legislation.

to timber access roads. However, I wish to have the Federal Government move

mated that completion will take two seasons. Interim cuts have been established on these forests which reflect our best estimates of

Mr. HAYDEN. That is a correct statement.

Senator from Arizona believes that these several hundred rural counties in the 38

Mr. MORSE. Fourteenth. Does the Senator understand that it is a part of

the administration's program and a part of the program of the Democratic Party to aid local governments in school construction?

Mr. HAYDEN. That is my understanding.

Mr. MORSE. Fifteenth. If we appropriated the full authorization, would we not be helping to see to it that the local governments got all the money from these vast Federal holdings to which they were entitled? Might this also perhaps help to meet a portion of the demand for Federal aid to education?

Mr. HAYDEN. It undoubtedly would.

Mr. MORSE. I think that would be sound Federal aid to education. Here are these in-lieu payments going to the counties, with a pledge by the counties that a certain amount of the 25-percent portion will go to provide schools to benefit the children of lumber workers who are developing these forests.

Sixteenth. Is it not possible that in the last 4 years the several hundred counties in the 38 States where national forests are located have been shorted by $40 million or more in funds which could have been used for schools and roads?

Mr. HAYDEN. If the Congress had done what the Senator from Oregon and I would have liked to see done, that would not have occurred. That is true.

Mr. MORSE. That would have been the effect of it. I think it is a fair description of what has happened. This has been false economy on the part of the Congress. As a result, the counties have suffered in getting "in lieu" payments, and the Federal Treasury has suffered, because if the roads had been built, our national forests would have produced more revenue.

Seventeenth. Is it not true that the way this timber purchaser-road construction program has operated, it has been hard for the local governments to understand what has been happening to their potential forest income?

Mr. HAYDEN. That appears to be so.

Mr. MORSE. Eighteenth. I want to be perfectly fair with this question, I may say to the chairman of the committee. If the Forest Service had not proceeded to sell timber, even though a big road job was tied in, then there often would have been no revenue. Is that correct?

Mr. HAYDEN. That is correct.

Mr. MORSE. Nineteenth. So the Forest Service had no choice in the face of Budget Bureau policy?

Mr. HAYDEN. That is correct.

Mr. MORSE. The Forest Service is not to be blamed entirely for that, as the Senator from Arizona said previously, although I have felt it should have been more militant in its activities before Congress, and prior to the matter reaching Congress, with the Bureau of the Budget, and, through it, the administration, whether it was Republican or Democratic, in trying to get larger amounts for access roads.

Twentieth. I should now like to inquire about another aspect. The national forests are about 2 billion board feet under their stated allowable cut. If this timber could be put on the market, would it help the economy in the 38 States that have these great national forests?

Mr. HAYDEN. There can be no doubt about that.

Mr. MORSE. Twenty-first. Is the Senator familiar with the fact that our old-growth, high-quality timber is being cut much faster than it grows?

Mr. HAYDEN. That is true.

Mr. MORSE. Twenty-second. Is the Senator also familiar with the Forest Service report that timber quality is declining?

Mr. HAYDEN. I have heard such reports.

Mr. MORSE. Twenty-third. So if more of the national forest timber could be cut up to sustained yield, overcutting in some private forests might be reduced?

Mr. HAYDEN. That is correct.

Mr. MORSE. Twenty-fourth. So when the General Accounting Office makes the recommendation to build roads with appropriated funds, it does so because it has studied the situation and sees an economy? Is that correct?

Mr. HAYDEN. That is true.

Mr. MORSE. I wish to commend the GAO for the recommendation it has made in this matter.

Twenty-fifth. Did the GAO not show that when we appropriated funds to the Forest Service for roads they had bids 13 percent below the engineers' road cost estimates? So there was a stretching of the taxpayers dollar here?

Mr. HAYDEN. It so appears in its report.

Mr. MORSE. Twenty-sixth. GAO also showed that when timber purchasers built the road, the timber cut often exceeded the estimate. In the cases it sampled there was a 21 percent loss. Is that correct?

Mr. HAYDEN. That is correct.

Mr. MORSE. Twenty-seventh. Thus, is it not true we may have a 21-percent loss under timber-purchaser construction, and we do not always have the opportunity for a 13-percent saving due to bids?

Mr. HAYDEN. The Senator is again correct.

Mr. MORSE. It illustrates the great saving we would make for the taxpayers if we did not have this pennypinching, false economy move in regard to access roads. If we built the roads needed, we would help the counties, the schools, and the Treasury of the United States.

Twenty-eighth. The Senator is also aware that these road projects may cost $500,000 or more each. So some big losses have occurred, have they not?

Mr. HAYDEN. They have.

Mr. MORSE. I wish to say to the Senator that because I have had a discussion with him about it and I know his attitude concerning the amendment I had intended to propose, I am not going to offer the amendment, but I am going to have it printed, inasmuch as I do not believe in engaging in idle gestures on the floor of the Senate. I belive it is a sound amendment, but I am going to follow my leader's advice, and the Senator from Arizona is my leader in this matter, I may say. I hope next year we shall be more successful, if the administration follows a course which will make it necessary to offer such an amendment.

The amendment to which I refer would appropriate the full authorization, which is $27 million, instead of the $24,336,000 requested by the Budget Bureau, which would be but a $2,664,000 increase. It is all we could do under the circumstances it seems to me, but am I correct in my understanding that the Senator thinks it would be a mistake for me to offer the amendment because he does not believe anything could be accomplished by taking the amendment to conference?

Mr. HAYDEN. That is my view. The Senator understands the situation with which we are faced. There has been an insistent and persistent demand for economy, and that the budget be cut. The House has made reductions in all appropriation bills.

Only in one instance this year, prior to this time, has the Senate passed a bill providing for a larger total sum of money than the House had provided. In all other instances, the Senate has provided less than the House.

In the Health, Education, and Welfare appropriation bill, we did provide some additional money for cancer, heart disease, and other research work. It yet remains to be determined whether those amounts will be retained in conference.

With respect to this matter, I have carefully read the report of the Comptroller General. I think he makes an excellent argument. For the first time we observe that an agency of the Government actively supports, with facts and figures, what the Senator has been saying and what I have been saying. This is, I think, the first time I have ever asked the Senate under any circumstances not to vote money for access roads in the national forests. I have always urged that more and more money be spent. For that matter, I have always supported road appropriations of all kinds.

However, in this instance, we propose to find out during the course of the present year what the true situation is. As the committee report shows, we have asked the Forest Service to give us even more accurate and more detailed figures than have been obtained by the General Accounting Office. The General Accounting Office operated only through spot checks in various sections of the country. The Forest Service can consolidate that information.

Based upon that action, I intend to request the Secretary of Agriculture and the Director of the Bureau of the Budget, as an economy measure, to recommend more money for this purpose. What is really needed is not an increase of approximately $3 million, which the Senator is suggesting, but an increase of about $30 million. If we appropriate $30 million more for this work, which is approximately what the Forest Service is now allowing the major operators to spend, for which they get a reduced price on their stumpage, that expenditure will

bring in a very substantial profit to the Treasury. If those involved can be made to understand that point, the budget estimates next year should be in very much different shape from what they are this year.

Mr. MORSE. If the Senator from Arizona will yield further—and I am almost through—I want him to know that I speak for the cosponsors of the amendment when I say that we appreciate very much not only the statement he has made on the floor of the Senate at this time, but also the grand cooperation he has always extended to those of us from national forest States with respect to the access road problem.

I agree with the chairman of the committee that $30 million ought to be the minimum figure. I think the Senator will agree that we have not gone that high before, because we have had pretty hard sledding, so to speak, in getting as much as we have been able to get from year to year.

As a result of the request the chairman of the committee has made to the Forest Service, we hope that we can obtain a figure next year somewhere near $30 million.

Mr. HAYDEN. The Senator will agree that $3 million, while helpful, is not adequate to do the work.

Mr. MORSE. It is certainly not adequate. We thought it was a request in the right direction, and that is why we urged that this much be provided.

For the record, I wish to say that we desire to work with the chairman and the distinguished members of his committee. We do not want to ask them to take to conference an item that may prove difficult just now. We agree that it would be proper to conduct the careful study the committee has called for as promptly as possible so the results will be ready for next year's budget.

The record should show that if we appropriated the full authorization we would not really be expending 1 cent more. Instead of timber access roads getting $15 million plus from appropriated funds, they would get $18 million. Timber purchasers would contract $42 million worth of roads instead of $45 million worth. I think the conference report should show this to be the fact. We can extend this help to our timber economy, and to local governments that need schools and roads.

If the chairman believes that in these friendly discussions we have helped develop a factual record on this matter, we will not seek to put the question to a vote but await the study.

I think the remarks of the chairman of the committee on the floor of the Senate show that we are in complete agreement as to our objective. I want the chairman to know that we appreciate the legislative history he is making. We hope the conferees in their report will cover this matter thoroughly, so that next year, without having to offer amendments, we can secure an appropriation somewhere near $30 million.

Mr. President, I should like to have my amendment, which is identified as amendment A at the desk, printed at this point in the RECORD, but I announce that I shall not call it up, because of the legislative history which the Senator from Arizona has helped me make on this matter, for which I thank him very much.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. MORSE (for himself, Mr. MANSFIELD, Mr. MURRAY, Mr. NEUBERGER, and Mr. JACKSON) to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, viz:

On page 31, line 18, strike out "$24,336,000" and insert "$27,000,000."

Mr. MANSFIELD subsequently said: Mr. President, I have before me a statement which I wished to incorporate in the RECORD at the time the Senator from Oregon [Mr. MORSE] was discussing his amendment relative to forest-timber access roads. I ask unanimous consent that the statement may be printed in the RECORD at the conclusion of his remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MANSFIELD BEFORE SENATE ON TIMBER ACCESS ROADS FOR THE NATIONAL FOREST

Mr. President, I want to urge that the Senate appropriate the full authorization of $27 million as provided in the Federal Highway Act which the Congress enacted last year. The present budget estimate as approved by the House calls for only $24,336,000, or $2,664,000 less than the authorization for timber access roads.

If economy could be effected by reducing the expenditures for this program, I would warmly endorse a reduction in this item. However, there will be no economy by appropriating less than the present authorization. This authorization covers only a small part of the total expenditures for road and trail construction and maintenance. The Forest Service estimates that it will have available to it $36,184,000 for its entire road program, of which the $24,336,000 is only the part which comes under the Federal highway authorization. The balance comes from 10 percent of revenues which are made available under a separate law. If $36 million covered the entire road budget, I would not be here requesting this additional money. But it does not, for there is at least another $45 million which is hidden from congressional scrutiny and which is expended by the Forest Service. As I understand the procedure, if a road is needed into timber and appropriated funds are not available for its construction, the Forest Service will reduce the price of its timber by an estimated amount so that the purchaser can construct the road. There are two weaknesses to this procedure. First, if this is a large road-construction job and there is only one bidder for the timber, the Government may lose money if the estimate is higher than the actual cost. I am advised that the Comptroller General has found that, during one period, estimates on road-construction projects for timber access were 13 percent above the actual cost. So if we do not have the benefit of competitive bidding, we have a substantial loss to the taxpayers.

Second, a loss may occur if there is more timber cut under the contract than was originally contemplated. As I understand the situation, the Forest Service divides the total estimated cost of the road by the estimated volume of timber in the sale to arrive at a cost per thousand board-feet. If the volume of timber cut is greater than the estimate, the road allowance has been greater than is needed. I understand that, in one group of contracts, the Comptroller General found that the road allowance was 21 percent greater than was originally contemplated.

The advantage of using the Federal highway authorization to the full amount specified by the Congress is that the chance for losses by these two situations becomes limited. All roads are constructed after a competitive bid has been received from a road contractor, and the road is not tied into a timber sale.

One of the reasons that I joined as a sponsor on S. 1136 is that I believe a complete review is needed of our timber access road program. However, as long as the Forest Service is, in effect, taking $45 million a year from revenues for road construction, I do not believe that we can justify appropriating less than the current authorization. As far as I can see, the amount of money being expended annually over which the Congress, and particularly this important Appropriations Committee, has no control is far too great.

If the Congress does not appropriate the full authorization, the Forest Service will still expend $60 million for timber access road construction. Therefore, it seems to me that the only question that is before us is the extent to which it is both desirable and necessary to have congressional control over revenues and expenditures. On this basis I am confident the Senate will agree with me that the full authorization should be appropriated this year.

Mr. NEUBERGER. Mr. President, I should like to compliment the Appropriations Committee for the generally excellent job they have done to provide the necessary funds for the Forest Service to carry out its many functions. As a member of the Senate Interior and Insular Affairs Committee, I participated in exhaustive hearings which were held in 1955 and 1956 on Federal timber sale policies. Our committee concluded that the construction of an adequate system of timber access roads was the most important capital investment that could be made to assure sound management of Federal forest lands, and I am delighted to note that the Appropriations Committee has recommended that the Department of Agriculture review the situation with the Public Works Committees to determine if it is in the interest of the Government to increase the authorization. I think we can accomplish this in the Senate Public Works Committee as we consider S. 1136, which would expand the authorization for timber access roads.

Last year the Congress authorized $27 million for direct appropriations to construct timber access roads. I think it is significant to remember that the House set a $27 million authorization in the Fallon bill when it was reported. In the Senate we arrived at this figure when we voted on the Allott-Morse amendment. When the Department came before Congress for this year's appropriation, they asked for only just enough more than they received last year under the Federal highway authorization to pay the increased cost for contributions to the retirement fund pursuant to Public Law

854. In other words, they did not ask any part of the increase authorized by Congress last year. Their request is $2,664,000 below the authorization.

The Forest Service has two apparent sources of access road funds which appear in the budget document: the money appropriated under the Federal Highway Act, and their authority to utilize up to 10 percent of revenues from timber sales for roads. Because of revenue uncertainties, it is difficult to forecast exactly what will be available for the coming year when these two accounts are merged. The Forest Service has authority, for example, to transfer funds, and in fiscal year 1956 $1,200,000 less than the estimated amount was spent for road construction than was planned because of the necessity of diverting funds to repair flood damage. There may appear to be a saving in not budgeting the authorized access road funds, but it is wholly illusory. The Forest Service has available to it other road money which again the Congress does not control.

I was amazed to discover that it is far bigger than the amount we appropriate. Whenever you sell timber, you have to have a road in to it in order to log it. After the Forest Service allocates the money controlled by Congress to various projects, it still does not have enough to get all the roads constructed. Thus, it has been the practice to reduce the price of the timber to the purchaser by the estimated cost to build the road. In this coming fiscal year the Forest Service estimates that it will be able to allocate between $15 million and $16 million for the actual construction of timber access roads from appropriated funds. It will secure road construction valued at another $45 million without any congressional control or authorization. I understand that 10 years ago only about 5 million dollars was secured for road construction by this method. Now it is up to $45 million, over which we have no control. I would like to urge that the Senate give consideration to what the Comptroller General has suggested to us in his audit report of the Forest Service. His recommendation to the Congress is—

> To provide the Congress with a better opportunity to review and control expenditures for road construction and to permit wider use of road construction contracts awarded on the basis of competitive bidding, we recommend that the Congress consider greater use of appropriated funds for financing construction of mainline access roads.

The Comptroller General also pointed out in his report the importance of access roads when he told us:

> The presence or lack of access roads has a direct and controlling influence on the amount of timber that can be marketed. Because of lack of access roads and other factors, the actual timber cut, about 7 billion board feet for fiscal year 1956, fell short of the annual allowable cut by more than 1½ billion board feet.

He also stated:

> Under the current system of financing mainline access roads, partly from appropriated funds and partly from appraisal allowances, the Forest Service, through determining its overall road program, exercises a degree of control over use of national forest receipts. The Service determines which roads are to be financed through appraisal allowances, and thereby reduce receipts. Year-to-year variations in payments to States may, therefore, result. We believe that the reduction of national forest receipts through allowances granted purchasers of timber and the level of payments made to States are matters which the Congress may wish to control.

His report shows that when the Forest Service relied upon appropriation-financed projects to construct timber access roads, the bids were appreciably lower than the engineering estimates. These construction contracts are let under a system of competitive bids. On 34 projects which were tested by him, the low bids were 13 percent less than the engineering estimates.

On the other hand, his audit showed that the major road construction projects financed through reduction in timber sale prices are generally associated with large timber sales, and on these sales frequently only limited bidding competition develops. Thus, if there are errors in the estimate of road cost, the Government does not secure the savings that the competitive bid system of road construction would provide. His study also showed that the amount of timber cut often exceeds the sale estimate. There was a 21 percent loss in the cases he tested.

The Forest Service is capable of, and in fact is planning on, spending $45 million for timber access road construction outside the appropriation process. If we increase the budget by $2,664,000, it will not in any way close the gap to $45 million, but it will enable the Forest Service to program more of the difficult road construction jobs with the use of appropriated funds. I think it is our duty to look at this question from both sides, because as we strive to balance the budget we seek to control both expenditures and revenues. If the Forest Service reduces the income paid to the Treasury by $2.6 million, it has exactly the same effect as if we appropriate the money. However, if the allowance that the Forest Service makes is too liberal by 13 percent, as was disclosed by the Comptroller General's audit, the Treasury will have lost money. If the timber-sale estimate is off, perhaps another 21 percent will be lost. Thus, it would be far cheaper for the Congress to have appropriated the full authorization. I think that this factor alone should command the consideration of all of us who are economy minded.

Several Senators addressed the Chair.

Mr. HAYDEN. I yield to the Senator from Mississippi [Mr. STENNIS].

Mr. STENNIS. Mr. President, I wish to commend and thank the Senator from Arizona and the other members of his subcommittee for their fine work in considering and reporting the Interior Department appropriation bill. Again I call to the attention of the Senate and the Nation the knowledge and interest and understanding the distinguished Senator from Arizona has for forestry and his recognition of the importance of Federal programs for reforestation, proper forest management, and forestry research, in cooperation with the States.

The further development of our forest resources represents perhaps our greatest long-range potential in increasing and stabilizing farm income, and this is a matter of vital concern to my own area of the country. Each year I spend in my own State several days learning firsthand more about the programs underway there by the United States Forest Service, in cooperation with the various State agencies and associations. In Mississippi, during the past 10 or 15 years, more and more of our small timber owners have become aware of the many opportunities offered by a long-range investment program in forests.

Through increased funds for research it has been possible for these small growers to obtain the necessary information about sound and practical management practices. Today they realize what a sound investment well-managed and well-stocked timberlands can be.

In addition, many of our farmers and others in our rural areas find employment in growing, harvesting, transporting and processing forest products, and of Mississippi's 3,300 manufacturing plants, more than 2,000 derive their raw materials from our forests. More than one-third of our people are employed full time by forest industries, and many more supplement their income by part-time work.

GENETICS RESEARCH INCREASE

Past research findings justify the prediction of a new variety of trees scientifically developed to serve as parents for the breeding of future quality trees. The supertree—one which grows twice as fast—is disease resistant and produces more wood, is definitely a part of our future. Years will be required to develop this tree, but it can be realized sooner under this expanded research program as provided by the committee.

I wish to thank the Senator from Arizona for his special interest in genetics research with reference to the southern variety of the pine tree. As the Senator knows, a small unit is engaged in genetics research, which is not expensive at all, but which is greatly improving the variety of the tree for pulpwood, poles, pilings, and saw logs. In the course of years they are certain to produce a supertree.

Mr. HAYDEN. I am convinced of that. I think it is one of the most important of the new undertakings engaged in by the Forest Service.

Mr. STENNIS. We thank the Senator. He has pushed that program and expanded it. It does not cost a great deal of money, but it is highly important.

FOREST-FIRE-CONTROL RESEARCH

Fire research, the first step in effective forest-fire control, needs to be expanded, and the committee recommended an increase of $250,000 for this year. This was a sound move, indeed.

HARDWOOD RESEARCH

This year I joined with the Senator from Vermont [Mr. FLANDERS] in an effort to secure additional funds for important hardwood research. I commend

and thank him for his untiring efforts in support of this necessary research. Although the committee did not recommend an increase for hardwood research in the Southeast, I am pleased that the committee did direct the Forest Service to submit a full report on progress made in this field within the last 5 years. That report will undoubtedly show the need for expanding research on producing better southern hardwood. A vast area of our southern bottomlands are best suited for growing hardwood, and increased funds for this research are fully justified. I shall renew my efforts next year for funds which would expand the fine work already underway on hardwood research at the Southern Forest Experiment Station at Stoneville, Miss.

The funds we make available will keep our National and State cooperative forest programs moving forward on a sound basis and will enable us to take advantage of the great opportunities afforded through our forests, our greatest resource. Long after many of our other resources are exhausted, the forests we rebuild now will furnish a livelihood for many millions of people.

I thank the Senator, and his committee.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Vermont.

Mr. FLANDERS. I should like to express my appreciation, on behalf of the hardwood wood-lot owners of my area, for the $100,000 appropriation the committee has recommended for hardwood research. The soft woods have had quite a bit of attention. Some of the softwood forest lots are of an immense size, and many of them are owned by great corporations, whereas the hardwood business is a small-owners business. It is not the business of giant corporations.

Both in the effective use and development of the national and State forests in my area, and also in the private forests, this appropriation will make a great deal of difference.

Mr. HAYDEN. I am convinced it will. I think it is highly desirable that this research be undertaken.

Mr. FLANDERS. I thank the Senator for his interest, which is a real and effective interest, in this matter.

With respect to genetics, I might mention the fact that in Sweden genetics research was conducted as to the yellow birch, and a fast growing variety with a superior grain was developed, which is the basis of the Swedish furniture industry, which industry has sent many thousands of pieces of furniture to this country. Genetics applies to hardwoods the same as it does to soft woods. I hope we shall make a beginning in that direction. Our thanks, in the Northeast and in New England, go to this committee and its chairman.

Mr. HAYDEN. I thank the Senator.

Mr. JAVITS. Mr. President, I invite the Senator's attention to page 26 of the report, which relates to the Jamestown-Williamsburg-Yorktown Celebration Commission, for which there is provided a modest appropriation for the celebration of a very great event, namely, the first settlement at Jamestown.

I should like very much to have the Senator's views on this question. A situation arose in New York in which six New Yorkers—I will not say they were all New Yorkers, but six men, including Dr. C. B. Powell, publisher of the New Amsterdam News, which is circulated in areas heavily populated by Negroes, were barred from a Virginia State celebration because they were Negroes. Although they were natives of Virginia, and had received invitations from the Governor, as soon as it was learned that they were Negroes the invitation was withdrawn.

I know the views of the chairman of the committee, and I am not raising this question to ascertain his views, but I think the record should be made clear that any money the United States may appropriate will not be used for any celebration from which Negroes may be barred when they properly belong there.

Mr. HAYDEN. The incident to which the Senator refers was a very unfortunate circumstance, and I hope it will not occur again.

Mr. JAVITS. I thank the Senator very much.

Mr. MANSFIELD. Mr. President, the Senior Senator from Montana [Mr. MURRAY] and I have an amendment at the desk having to do with increasing the amount on page 4, line 12, for the item "Bureau of Land Management, Management of Lands and Resources," from $22 million to $22,060,000.

The reason for the amendment is that a number of events have been occurring recently which my distinguished colleague and I have not been able to bring to the attention of the committee, because of the fact that they happened so recently.

Mr. President, the American Legion Post No. 57, in Malta, Mont., has under lease from the Department of the Interior a hot-water plunge which has been developed into one of the chief recreation attractions of northeastern Montana.

The plunge began as an abandoned oil well out on the prairie which produced hot water and has been steadily developed into an unusual recreation center drawing tourists from a wide area. The plunge is complete with modern swimming pools, cabins and picnic grounds.

The 25-year lease now held by the Legion Post is up for renewal in 1958 and during the past it has been negotiating with the Bureau of Land Management about the renewal of their lease or the outright purchase of this property under the provisions of the Recreation Act of June 14, 1926, as amended.

A recent Government appraisal of this land and improvements set the value of the property at $40,000, involving a considerable investment on the part of the American Legion estimated at $75,000. The Federal Government's original investment was $22,667.

The hot-water well has been gushing 108° water at a pressure of 500 pounds per inch for nearly 40 years and on the 5th of June only 19 days ago, the well stopped flowing because of an obstruction. It is estimated that repairing the existing well will cost $15,000 while a new well could not be drilled for much less than $60,000.

I ask that a letter I have received from the Geological Survey, dated May 31, 1957, and a letter dated May 28, 1957, from the Montana office of the Bureau of Land Management be printed at this point in my remarks. Both documents provide information of a background nature and the Geological Survey report gives the status of the well and estimated cost of repairs.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
BUREAU OF LAND MANAGEMENT,
Billings, Mont., May 28, 1957.

Hon. MIKE MANSFIELD,
United States Senate,
Washington, D. C.

DEAR SENATOR MANSFIELD: Yesterday, we met in the Northern Hotel with you to discuss a problem which has recently developed in connection with the use of the hot water well under lease by American Legion Post, No. 57, of Phillips County, Malta, Mont. Mr. Harry Perrigo, of the USGS office, and a delegation from the Phillips County American Legion Post and other civic organizations were also present. You asked that you be furnished with a report as to circumstances and problems in this connection in order that your office may be fully informed and take whatever action appears appropriate.

American Legion Post, No. 57 has a lease agreement with the Department of the Interior which was entered into on July 20, 1933, for a period of 25 years under the special act of Congress signed June 30, 1932 (47 Stat. 452). The lease grants the exclusive right of using warm water from the abandoned Bowdoin well located on the east one-half southeast one-quarter southwest one-quarter, section 35, township 32 north, range 32 east, principal meridian, Montana. The lease also authorizes the legion post the right to construct on these public lands buildings, plants, and improvements necessary for the full use and enjoyment of the water from the well for other recreational uses.

The terms of the lease provide that the lessee is to pay annually a royalty of 5 percent of the gross revenue derived from the operation of the plunge for the first 5 years of the lease and at the end of which the royalty may be adjusted to such an amount as may be considered equitable by the Secretary of the Interior, but in no case more than 10 percent of the gross revenue. The lease also provides that no buildings or other recreational improvements shall be placed nearer than 50 feet in any direction from this hot water well, and that the lessee shall maintain the improvements constructed on the lands by the Government in a proper state of repair without expense to the United States.

The Government-owned improvements on the lands consist of a recreation hall, pumphouse, underground powerhouse, a Legion clubhouse, a wellhouse, a semienclosed pavilion, an icehouse, a woodshed, a swimming pool, and other miscellaneous structures used in connection with the recreational development. These improvements were placed on the land by the Resettlement Administration. The American Legion post has also constructed several buildings and for recreational purposes.

Public Law 589, 84th Congress (68 Stat. 173), authorized Phillips County Post, No. 57, of the American Legion, to purchase lands (60 acres) on which the improvements are located, together with all Government-owned improvements under the provisions of the Recreation Act of June 14, 1926, as amended. Pursuant to this authorization, the American Legion post filed application to purchase the lands.

An appraisal made by this office of the Government-owned improvements and lands involved revealed a value of $40,000. Under the Recreation Site Act above referred to, the Secretary of the Interior may adjust the purchase price to the extent of as much as 70 percent where the facilities and lands are to be used for public purposes.

In the land office manager's decision of November 26, 1956, it was determined that a 70 percent reduction in the purchase price could be authorized and the American Legion post thereby required to pay $12,000 for the improvements. The Legion post has appealed from this decision and final action is now pending in our Washington office.

The above is a brief history of the past use and leasing arrangements. Recently, as you were informed at our meeting, the hot-water well has been flowing shale intermittently and in varying amounts, which indicates that serious trouble is developing possibly through corrosion and rusting away of the well casing. This seriously interferes with the use of water for recreational purposes and is a threat to the future use of this entire development which fills a most significant need to residents in Phillips County and adjoining areas.

In view of this development, I have suggested to our Washington office that action on the pending appeal be suspended until a determination is made as to what should be done to recondition the water well. I have discussed this matter with Mr. Perrigo, of the United States Geological Survey, whose office has responsibility for supervision of oil and gas production on public lands and who also supervises the well abandonments and conditioning of oil and gas wells for use such as in the instant case. Mr. Perrigo is of the opinion that it may be necessary to install tubing or casing inside the present well in order to shut off the intrusion of shale. If this is not successful, then it may be that a new well may have to be drilled. Preliminary estimates of the United States Geological Survey are to the effect that installation of tubing will cost in the neighborhood of $10,000. Construction of a new well and plugging of the old well may exceed $40,000.

Mr. Perrigo will, no doubt, report to you concerning other technical aspects concerning this reconditioning project. There is the possibility that in the event the present condition is allowed to continue that the well may become a serious menace to the existing producing gas field in the Bowdoin area, and there are at least two producing gas wells within a quarter of a mile of this hot-water well.

Our office is fully cognizant of the problems concerning this well. At the same time, we have no funds available which could be used for reconditioning this well and it is pointed out by the American Legion post the expense is probably prohibitive to their organization. This problem is considered an emergency and some action needs to be taken at an early date.

I trust that the above information will help you to understand the problem and its significance to the people of northeastern Montana.

If you desire further information, I shall be happy to provide that which is available.

I am furnishing a copy of this report to our Director Woozley, in Washington.

Sincerely yours,

R. D. NIELSON,
State Supervisor.

UNITED STATES
DEPARTMENT OF THE INTERIOR,
GEOLOGICAL SURVEY,
Billings, Mont., May 31, 1957.

Hon. MICHAEL J. MANSFIELD,
United States Senate,
Washington, D. C.

DEAR SENATOR MANSFIELD: Reference is made to the conference held in the Northern Hotel on May 27, 1957, relative to the Bowdoin Oil & Gas Co. well No. 2, SE¼SW¼ sec. 35, T. 32 N., R. 32 E., M. P. M., lease Great Falls 079208.

This well was commenced October 3, 1922, and completed October 5, 1923, at a depth of 3,180 feet, bottomed in the Madison formation. The Bowdoin Oil & Gas Co. was unable to complete or plug the well because of financial difficulties and it was reclaimed and conditioned by the United States from Public Works Administration moneys at a cost of $22,667. This work was completed August 14, 1931. The area is now under lease to the Phillips County Post, No. 57, of the American Legion, department of Montana, under a special-use lease approved June 30, 1932.

The log of the well shows the following:

Water	Gas	Oil
68 to 138 feet	242 feet (show)	2,338 to 2,340 feet (show).
230 to 242 feet	710 to 780 feet (heavy gas flow)	
1,740 to 1,745 feet	970 feet (gas)	
2,120 feet	2,270 to 2,280 feet (show of gas)	
2,293 to 2,295 feet		
2,226 to 2,235 feet (flowing)		
2,311 to 2,325 feet (flowing)		
2,338 to 2,340 feet (flowing 1,000 barrels)		
2,858 to 2,900 feet		
3,100 to 3,180 feet (flowing 24,840 barrels warm water (Madison)).		

Size	Casing, weight per foot (pounds)	Amount (feet)
15⅓-inch	70	148
12½-inch	50	915
10-inch	40	1,912
8⅝-inch	32	2,420
6⅝-inch	24	2,920
5⅜-inch	20	3,180

It is unofficially reported that the 5⅜-inch casing was not run to the bottom of the hole at 3,180 feet as reported above, but was set at approximately 3,100 feet.

On or about May 1, 1957, the manager of the pool noticed particles of shale in the water which later increased to as much as a cubic yard during a 24-hour period. This matter was brought to my attention on May 13, and I visited the area on May 22, 1957, and collected samples of the shale. The samples of shale cannot be positively identified and may be coming from an upper horizon through a hole in the casing or they may be coming from between the top of the Madison and the bottom of the 5⅜-inch casing. Holes could and may have developed in the casing as all strings are badly corroded both inside and out.

The well was drilled through the Bowdoin Dome gas horizons and presents an immediate danger as the water may break out and flood these horizons at any time. The Bowdoin Dome unit is comprised of approximately 50 percent Federal lands.

Two methods of handling the situation are proposed:

NO. 1

Move in equipment and see if hole is open to bottom. If so, run string of 3½-inch tubing to bottom of hole, cement from bottom to top, perforate opposite Madison formation, and install wellhead connections. If unable to reach bottom, it is recommended that the well be plugged. It is estimated that the well can either be reconditioned or plugged at a cost of $15,000.

NO. 2

In the event of failure to recondition the well under plan No. 1, it is recommended that a new well be drilled with estimated cost as follows:

3,200 feet of drilling at $6 per foot	$19,200
1,000 feet of 8⅝-inch 24-pound casing at $2.85 per foot	2,850
3,200 feet of 5½-inch 14-pound casing at $1.67 per foot	5,344
Mud, cement, well services, etc	15,000
Total	42,394

The actual estimated cost of the above is $57,394; however, it is recommended that the total amount be increased to $60,000 to cover cost of supervision and miscellaneous expenses.

Sincerely yours,

H. H. PERRIGO,
District Engineer.

Mr. MANSFIELD. The big problem facing these people in northeastern Montana is how are they going to save this resort. Numerous individuals have contacted the Senator from Montana [Mr. MURRAY], Representatives LEE METCALF and LEROY ANDERSON and myself asking our assistance in this matter. Let me say for the RECORD that the people of northeastern Montana have spent a fortune in telephone calls and telegrams to make us aware of the difficulty.

The Montana delegation called a special meeting with the appropriate departmental officials in my office, and at that time it was resolved that under existing law the Legion post is responsible for maintaining the improvements on the land without expense to the Federal Government. In addition, the Department of the Interior has no legal authority to make the necessary repairs.

This case may appear to be clear cut as to the responsibility for these repairs, but the American Legion post is not in a position to finance the repairs because under their lease they have operated as a nonprofit organization with a minimum of profit which was immediately reinvested on improvements. The post has been under a contractual limitation in its charges and fees made to the public and have not been able to build up a cash reserve to meet such a major emergency. Fees and charges have not been increased to correspond with increased costs.

I feel that the Federal Government has a responsibility in the matter because of limitations imposed on the lessee. The American Legion has maintained the buildings and facilities without cost to the Government.

The plunge is of great importance economically to the community and I am told that if it were abandoned the existing properties would be of little value to anyone because the stone buildings cannot be removed. I understand that the actual value of the land is about $300.

Let me say to the distinguished chairman of the Appropriations Committee that my senior colleague [Mr. MURRAY] and I have an amendment at the desk providing that $60,000 shall be made available in this appropriation bill to make the necessary repairs on the hot-water well at the Phillips County American Legion Plunge so that it can be put into operation again. I should like to have the Senator's advice.

Mr. HAYDEN. Mr. President, if the bill is passed today it will probably go to conference before the end of the week.

The House conferees would naturally say that they had never heard of the item, and have no knowledge of it. There have been no committee hearings on the subject.

Could this subject be properly looked into and brought to the attention of the House committee, even before it is brought to the attention of the Senate, in connection with the supplemental bill which will be coming along very soon?

Mr. MANSFIELD. Is that the advice of the Senator?

Mr. HAYDEN. That is my advice, as a practical matter. The item might be entirely rejected by the House in connection with its action on this bill, because Members of the House have no knowledge of it.

On the other hand, if the item is brought to the attention of the House committee in the manner I have suggested, it may be glad to earmark a sum of money for that purpose in connection with the supplemental bill.

Mr. MANSFIELD. My distinguished colleague and I are glad to accept the Senator's suggestion. We shall do the best we can to inform Members of the other body of the situation. As I have stated, this event took place on June 5 of this year, only 19 days ago, so naturally Members of the other body have had no means of knowing about it.

Mr. BARRETT. Mr. President, I notice that in the item for forest surveys there is an increase of $309,800.

Mr. HAYDEN. Mr. President, that item is for the purpose of expediting and speeding up forest inventories.

Mr. BARRETT. I think the committee is to be commended for increasing the funds for that purpose.

The question I have in mind particularly relates to the matter of cooperation with the States, particularly the Mountain States, in making intensified local forest-timber surveys. In a good many sections of Wyoming, as well as in the forest areas of other States in the Rocky Mountain region we have never had a survey made of timber supplies and requirements conducted or carried out. This will be the first time that surveys have been conducted. We are very badly in need of information with reference to the timber resources of States like Wyoming if we are going to be able to furnish the statistical information necessary to encourage the expansion of forest industries. We need that inventory right now.

What I should like to inquire about particularly is what arrangements, could be made, through contributions from the States, to accelerate the program of forest surveys?

Mr. HAYDEN. I am sure that any State legislature which would advance funds for that purpose would find the Forest Service ready and willing to cooperate. There can be no question about that.

Mr. BARRETT. As I understand, in this bill funds for this purpose have been increased by $309,800 for the next fiscal year. Can the Senator tell me what proportion of that amount would be available for cooperative arrangements with the States?

Mr. HAYDEN. Since there has been no testimony given on that subject, it is a question which would be left to the discretion of the Secretary of Agriculture.

Mr. BARRETT. In other words, the Secretary of Agriculture does have the discretion under the bill to enter into cooperative agreements.

Mr. HAYDEN. That is correct. He could enter into such cooperative agreements. There is a total of $1,406,000 provided for the survey.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the yeas and nays be ordered on the question of the passage of the bill.

The yeas and nays were ordered.

Mr. BARRETT. Mr. President, I thank the distinguished chairman of the Committee on Appropriations for his assistance in this matter. A very worthwhile purpose will be served by increasing funds for the survey.

Now I would like to take a moment to discuss funds for forest roads and trails.

I understand that not only the full amount of the budget request has been made available for that purpose but an additional amount of $336,000. I assume the additional amount was to take care of payments to the civil service retirement fund.

Mr. HAYDEN. Yes; the full budget estimate figure was allowed.

Mr. BARRETT. I thank the Senator.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. CASE of South Dakota. First of all I wish to express my personal appreciation for the constructive action the committee has taken with reference to the funds for roads and trails in all three categories; namely, the forest roads and trails, with an allowance of $24,336,000, under the Department of Agriculture; the $31 million for the National Park Service, and the $12 million for the Bureau of Indian Affairs.

As the distinguished chairman knows, over a great many years the National Park Service and the Indian Bureau, particularly, have suffered from a situation whereby—although Congress authorized appropriations to build the roads——

Mr. HAYDEN. They could never obtain the funds.

Mr. CASE of South Dakota. They could not obtain the funds. There was a great lag. In the 1954 public roads bill I proposed that there be established the principle of contracting authorizations. That has been recognized by the Committee on Appropriations, and it is now made possible for the services which administer the roads on lands where Uncle Sam has responsibility, to take care of the roads and to do justice and a fair job, as in the case of other roads.

I know the Senator from Arizona, who has done so much for the building of good roads, believes in the principle that Uncle Sam should take care of his public lands as well as privately owned lands are taken care of.

Mr. HAYDEN. I certainly do.

Mr. CASE of South Dakota. I should like to ask a few questions. With respect to the funds for the mineral purchase program, I notice a sentence to the effect that there are adequate funds for carrying on the columbium-tantalum buying program. Can the Senator be more specific on that point? I refer to the item "Acquisition of Strategic Materials" on page 4 of the committee report.

Mr. HAYDEN. The amount recommended to be appropriated for that purpose is ample. If additional money is not needed, there is no use in recommending that it be appropriated.

Mr. CASE of South Dakota. When the debate occurred not so long ago with reference to the tungsten program we were told that there would be included in the bill an amount for columbium-tantalum.

Mr. HAYDEN. That debate involved a lump-sum appropriation. Our information is that the columbium-tantalum program has a balance left over which will take care of it for the entire year, and that additional appropriations are not necessary at this time.

Mr. CASE of South Dakota. I am glad to have the assurance of the chairman on that point, because I recall testimony by experts from downtown who stated that the columbium-tantalum program had not reached the national defense goal and that there was need for further acquisition of those two minerals, which are increasing in importance.

Mr. HAYDEN. There is no doubt that they are increasing in importance, but the development has been slow, and money is available. Therefore, there was no necessity for appropriating any more money at this time.

Mr. CASE of South Dakota. There is one further point about which I should like to inquire. It is with reference to the Office of Saline Water. I note that the House allowed the budget estimate of $1,159,000, whereas the Senate committee's recommendation is for $725,000.

Mr. HAYDEN. The Senator will note that that is a very substantial increase over the appropriation of last year. The committee, after careful consideration, decided that we could not justify such an increase as the House provided. The amount was increased over the previous year, however.

Mr. CASE of South Dakota. Yes; it was an increase of possibly $175,000 over the amount provided last year.

Mr. HAYDEN. That is correct.

Mr. CASE of South Dakota. I believe the Senator agrees with me that the Office of Saline Water has produced notable results, and that possibly the money which the Government expends

on this research program will repay itself many times over and over again in the form of increased water supplies which we may be able to obtain for some of our larger municipalities, for example.

Mr. HAYDEN. We hope that some inventive genius will break through the barrier and make it possible to get the salt and alkali out of water. That has not yet been done from an actual economical standpoint. But the experiments are proceeding, and from them we hope results will come. It is an important program. In fact, it is of such importance that the committee recommends more money than was appropriated last year, although we do not recommend as much as the budget estimate calls for.

Mr. CASE of South Dakota. The junior Senator from South Dakota has prepared a statement on this subject. I shall not take the time to read it or to burden Senators with it. However, I should like to ask permission to have it printed in the RECORD as a part of my remarks, in the hope that the conferees may refer to it, and that possibly in conference during the consideration of this item, some of the points I make may lead toward approaching the House figure.

Mr. HAYDEN. If the Senator's statement is up to his usual par, I am sure we will benefit from having the statement before us.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that the statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE OF SOUTH DAKOTA

The original Saline Water Act of 1952 with the amendments introduced and strongly supported by myself was for $2 million for 5 years, or $400,000 a year. In 1955, because of the encouraging results obtained by the Department of the Interior under that small exploratory research program, I introduced and urged enactment of the amendments in 1955 which increased and extended the program that was then approaching pilot-plant phases.

Those amendments were enacted, increasing the authorization from $2 million to $10 million, or about $1.2 million a year. This was done in light of the growing water shortages throughout the country and the rapid progress being made into the more expensive pilot-plant phase on several of the developments.

Now for the first full appropriation year under the 1955 amendment the House of Representatives has passed without a single reduction or limitation the amount requested by the Department, which was slightly less than the pro rata annual fraction of the $10 million. That appropriation is sorely needed.

The pro rata amount is approximately $1,250,000 and the Department requested only $1,159,000 based upon conservative estimates for this very essential expansion. The amount requested was necessarily estimated more than a year ago, of course.

Now only a few weeks ago the House Committee on Interior and Insular Affairs issued a report insisting that the Department expedite and expand this important work in fiscal year 1958, and the Department has advised that all of this appropriation is essential to move the program into high gear. The research and development work has clearly reached the stage where the more extensive pilot-plant activity is imminent and the House committee, which has kept close surveillance on this fine work, concurred in the need for this expansion.

As might be expected, only a few ideas of the many hundreds proposed have withstood the tests of scientific study and laboratory experimentation.

One of them, developed entirely under the saline-water conversion program, is a method called solvent extraction, whereby certain solvents are used to extract fresh water from salt water.

Another is a completely new process which the Department has named osmionisis; in that process the difference in the salt concentrations of two saline water sources is used as the energy source in a separation process using ion-exchange membranes, eliminating the need for a separate power supply.

Another method uses hydraulic pressure in combination with certain membrane materials to extract the fresh water.

Under this program work has been done on the development of small conversion units which would be suitable for household or individual farm use, particularly for such a purpose as livestock watering, for example. I certainly believe that such developments have a definite place in the program. Some type of small distillation equipment or perhaps some type of membrane demineralizer which could improve the quality of water supplies from underground or brackish sources by removing salts and at the same time softening the water—such a household unit would be most useful in my State as well as in North Dakota, Nebraska, Texas, Oklahoma, Arizona, and other States that have similar water problems; it would also be useful, of course, in coastal States. Research is needed in order to develop practical foolproof units of that type which could be sold at a reasonable price.

This program, which I have described very briefly, reflects the fact that additional sources of fresh water will become necessary in the future. Our population is growing rapidly. It is generally agreed that someday we will need to develop fresh water from the ocean for great cities. This program is pointing the way.

The annual report of the Secretary of the Interior for 1956 says:

"Progress during the year on several conversion processes shows continued improvement in factors affecting low-cost production.

"Several improvements in distillation processes have been developed and, if intermediate research and pilot plant work now started is successful, it appears reasonably certain that costs of large-scale distillation of saline water will be reduced to 50 cents or less per 1,000 gallons in the near future.

"Improvements in solar distillation, consisting of both increased production rates and reduced capital costs, show rather clearly that water may be produced by these processes in areas where the climate and other pertinent factors are favorable, at costs comparable with the costs of other distillation processes.

"Developments in improved freezing processes for separating salt from water also appear promising and one contract research program is underway which offers promise of producing water at between 50 cents and $1 per 1,000 gallons.

"The various electrochemical and osmotic processes which appear more suitable for treatment of brackish waters are advancing very satisfactorily, both in this country and abroad, and the results of field testing of one membrane process have provided valuable information by aid of which major further improvements are now being undertaken."

There is another aspect of the problem. It is the problem of personnel.

I have followed the program closely and I know something of the difficulty that is encountered in persuading engineering and scientific organizations to divert the time and attention of their scarce professional personnel from one scientific pursuit to another. I commend the officials of the Department for having obtained the cooperation and assistance of some of the finest scientific engineering and industrial organizations of the country on this work.

They have been able to do so, however, only through faith that the Congress will follow through on the more advanced stage of the research and development—indeed as both Houses have unanimously declared should be done when they enacted the amendments of 1955.

The curtailment of much of this research as proposed under this committee reduction would not merely cause delay of some work to 1959, more seriously even, it would cause the reassignment of much of this scientific personnel to other work, discourage the cooperation of the industrial and scientific organizations, and set the saline water program back many years.

These are precious years—waterwise—in this country and we cannot afford to waste them.

This important program has cost only about $2 million all together in 5 years. This is approximately only one-half of one-thousandth of 1 percent the total national budget.

Therefore, I hope that the conferees should restore the amount of the budget estimate as passed by the House.

Mr. CASE of South Dakota. Mr. President, I asked the Department of the Interior, Saline Water Division, to advise me as to what would be the result, in terms of program curtailment, if the budget estimate is not fully provided for this research program. The Department replied under date of June 21, 1957, and I ask unanimous consent that the letter, together with an attached statement, be printed in the RECORD at this point.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., June 21, 1957.

Hon. FRANCIS CASE,
United States Senate,
Washington, D. C.

DEAR SENATOR CASE: In response to telephonic request today by your administrative assistant, Mr. Jack Gerken, there follows the information as best as we can estimate at present of the effects of the proposed appropriation cut reported by the Senate Appropriations Committee in appropriations for the saline water conversion program for fiscal year 1958:

The field testing of the new Hickman distillation process which you inspected at Cambridge, Mass., some time ago would have to be delayed until fiscal year 1959.

Further work on the W. L. Badger evaporation cycle would have to be postponed in February and the technical personnel dispersed, causing perhaps another 6 months' delay and at the added cost of closing down and starting up.

The large-scale solar distillation pilot plant scheduled now for San Diego would have to be deferred a year.

Much of the very productive exploratory work on the valuable new ideas for low-cost conversion would be stopped. The work on processes suitable for treating brackish waters would have to be curtailed, although not quite in the same proportion as the others because of the emphasis placed on this work in the Senate committee report.

The needs and reductions are shown on the attached table.

Sincerely yours,

DAVID S. JENKINS,
Director.

Office of Saline Water

Effect of Senate reduction of $434,000 on research and development program, fiscal year 1958

Activity	Needed	Reduction
Development of rotary stills; defer field test Badger-Hickman still (continue research and development)	$85,000	$35,000
Other distillation (except solar); shutdown W. L. Badger, LTV distillation Mar. 1, 1958. Suspend low temperature difference development October 1957	175,000	150,000
Solar distillation; cancel construction of large in-place still	130,000	75,000
Membrane processes (brackish waters); suspend testing work at Bureau of Reclamation and postpone all cell development but continue existing membrane research and development	217,000	80,000
Freezing processes; eliminate previously approved project	95,000	20,000
Other processes and surveys; postpone for 1 year work on nuclear energy combinations and industrial use survey	156,500	74,000
Total reduction		434,000

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. I should like to ask the Senator from Arizona, the distinguished chairman of the Committee on Appropriations, why the committee cut out all the planning money for the Natural History Museum of the Smithsonian Institution. As a member of the committee, I voted to eliminate the money, but I did so without completely realizing its importance. I call the attention of the chairman of the committee to page 564 of the hearings, where in a very succinct manner is pointed out the necessity for the planning money. This project was originally started in 1930, when it was considered that the facilities in the Natural History Building of the Smithsonian were inadequate. This year the House adopted the budget estimate, but the Senate committee eliminated the $800,000. I realize the Senate committee cut out all new planning money in the bill.

Mr. HAYDEN. There is $30 million now available for their new museum on which action has been very slow.

Mr. SALTONSTALL. What did the Senator say? Is there money available?

Mr. HAYDEN. Thirty million dollars is available for the new museum, progress on which has been going along very slowly.

Mr. SALTONSTALL. Oh, yes; but that is entirely different from the matter under discussion.

Mr. HAYDEN. So I understand, but it is in the same general area.

Mr. SALTONSTALL. The money provided by the House was for additional space in the present building, which is extremely crowded so that the employees have to work under very difficult conditions. I am not going to ask the Senate now to restore any of the money, because I know that the committee voted against all these authorizations. But the House did include $800,000. I know that even half that amount would be extremely acceptable to the Smithsonian Institution in order to go forward with the project this year.

I only ask the chairman that he be not too stiff in his conference with the House on this subject, because half the amount provided by the House would allow the Smithsonian to go forward with what is really a very great need.

Mr. HAYDEN. I am certain the Senate conferees will give very special and respectful consideration to any representation made on the part of the House.

Mr. SALTONSTALL. I am certain I speak for veteran Senators who are regents of the Smithsonian and who have gone into this subject for 2 or 3 years. I hope the Senator, with his usual broadmindedness, will reconsider the matter.

PUBLIC LAW 733—THE MINERALS PURCHASE ACT

Mr. MALONE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. MALONE. I notice on page 4 of Report No. 476 concerning the Interior Department and related agencies appropriation bill, 1958, that an appropriation is recommended in the amount of $6,700,000 under the Minerals Purchase Act, Public Law 733, 84th Congress, for the purchase of fluorspar and asbestos.

Mr. HAYDEN. That is correct.

Mr. MALONE. That amount is provided to continue the purchase of the minerals asbestos and fluorspar; but no money is included for the purchase of tungsten. The report says that there is money reserved for the purchase of columbium-tantalum.

Will the distinguished chairman of the Committee on Appropriations give us an explanation.

Mr. HAYDEN. The explanation is that we have tried earnestly and on frequent occasions to obtain appropriations for tungsten, and have found the House to be absolutely adamant against them. Originally, as the Senator from Nevada will remember, this appropriation was included in the urgent deficiency bill, and the House refused even to consider it. Then we added it to two supplemental bills.

So on three different occasions the Senate gave the House an opportunity to act on the matter. Finally there was a very decisive vote on the floor of the House, which indicated that the House would not accept the item. Such being the case, we felt that the only way to handle the matter, in view of all the representations which we made, and our apparent inability to get anywhere, was at least to try to obtain what it seemed the House would agree to, which, in this instance, is to make the funds available for asbestos and fluorspar.

Mr. MALONE. The first appropriation approved by the Senate last year was $35 million. The conference committee came up with $21 million, which we knew would not last out the 1957 fiscal year. I am certain the chairman of the Committee on Appropriations agrees with me that Congress should appropriate funds to continue the purchase of tungsten along with the other minerals, in accordance with Public Law 733 of the 84th Congress. What suggestion would the chairman have to handle this matter in the future?

Mr. HAYDEN. Under the circumstances, there having been two very decisive record votes in the Senate, showing that the vast majority of Senators favor this program, and indicating their view that there is a very important moral commitment and obligation on the part of Congress to those who engage in the mining of tungsten, in view of the attitude of the House, which refuses to agree, the only suggestion I can make—and I have heard it advanced by the Senator from Nevada on other occasions—is that if we cannot provide a subsidy of this kind in cash, a tariff protection would be the only other way out. That is to say, if there were to be an adequate import duty on tungsten, so that the difference between the cost of production in the United States and abroad could be made up, then the mines in the United States could continue to develop, and would not have to be closed.

As a practical matter, I understand, in accordance with the new strategic metals program, which the administration is advocating, the House Committee on Ways and Means proposes to give this proposal prompt consideration. If such be the case, and if such a bill then comes over from the House, the Senate will have an opportunity to see what can be done for the domestic producers of tungsten.

FIXED PRICE PER UNIT OR A DUTY DIFFERENCE IN WAGE STANDARDS OF LIVING

Mr. MALONE. Then the chairman of the Committee on Appropriation believes, as does the senior Senator from Nevada, that it is necessary to make up the difference between the cost of production here and in the chief competing nation on each product—tungsten, in this particular case—either by a fixed price, which was done in Public Law 733, or with a flexible import duty or tariff, which would make up that difference.

In either case the difference in the wage standard of living and by this cost of doing business here and abroad must be represented.

Mr. HAYDEN. Those are the only two known ways which to accomplish that result, if we are to have a living, thriving, continuous strategic minerals industry in the United States.

Mr. MALONE. The Senator from Nevada agrees wholeheartedly with the distinguished Senator from Arizona that it would be much better if Congress were again to reassert its constitutional responsibility in the field of foreign trade and were again to establish the policy, such as it had for 145 years, of making up the difference with a duty. Take the profit out of sweatshop labor at the water's edge. Article 1, section 8, of the

Constitution specifically provides that Congress shall regulate foreign trade and the national economy, and provides Congress the means to do the job with a duty that would equalize labor costs.

Since the Secretary of the Interior apparently has broken the sound barrier at the White House and has at least a suggestion from the White House concerning lead, zinc, and some other metals, that a difference made up either in a duty or a fixed price is necessary to continue the mining of such strategic materials in the United States, does the Senator from Arizona believe that a bill introduced in the House and considered by the House Ways and Means Committee called the administration long-range plan is the manner in which to handle the matter?

Mr. HAYDEN. That is my judgment. There are only two ways to do it, and that is one way. If it is handled in that way, we will be doing nothing more for tungsten than the administration is proposing for lead and zinc.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. MUNDT. I agree with the Senator from Arizona. The committee tried, I think, every conceivable way of including this item, from the standpoint of the Committee on Appropriations, but there was no realistic chance of including it, because of the position taken by the House. As a matter of fact, when the committee held its first meeting to mark up the Interior Department appropriation bill, which we are now discussing, we met around the table and decided among ourselves that we were going to cooperate with the economy program, in which the country is tremendously interested, and that we would not only hold the line as drawn by the House Committee on Appropriations, but would bring about some reductions in places where we thought the House has been overly generous in its appropriations.

So the appropriation recommended by the Senate Committee is, in fact, some $1 million less than that provided by the House, with the sole exception of strategic materials item. Having done that, having reached our judgment on the items, and having brought about a $6 million reduction in the House appropriations, we adjorned to wait and see what the House would do on tungsten and other strategic minerals. We could have had a bill before the Senate a long time earlier, except for that.

The chairman suggested, and we all thought, that it was wise to wait to see what would happen in the House. We know what happened.

As a consequence, the Senate committee placed in the bill $6,700,000, which is not in controversy with the House, and which is essential if we are to continue the program affecting fluorspar and asbestos, which is amply justified by the record, and if we are going to continue to have columbium and tantalum.

By putting the $6,700,000 in the bill, that brought the total appropriation bill to an amount slightly above the amount provided by the House, a net increase of $1,856,900.

But there is no question that the problem which the Senator from Nevada points out is a very realistic one. It is understood by our committee. But I think we are going to have to find a new tool with which to work.

We have in the State which I have the privilege to represent, in part, the Homestake Gold Mining Co., which is the largest domestic producer of gold in the United States. It is confronted with a very serious problem growing out of the situation of the fixed price of gold and a constantly increasing cost of production. With the dwindling supply of gold, the market is not very relaxed. The matter is one of serious consequence. We must consider this question carefully. I do not know what will happen if we cease producing gold altogether in America.

After all, the Homestake Gold Mining Co. is a commercial institution, not an eleemosynary institution. It must be able to obtain for the gold it produces an amount sufficient to meet its cost of production; it cannot produce gold at a loss or just for the fun of producing it.

In the United States we are reaching a situation in which we require gold in abundance for monetary purposes. But our great Nation is about to be without a single operating gold mine because of a failure to face a problem in regard to gold very closely analogous to that the Senator from Nevada is discussing in the case of other minerals.

Mr. MALONE. Mr. President, let me say that about the only way to help gold mining would be either through a realization that gold is a depleting metal, and thus to include it under the depletion allowance, which I think really should be done. We raised the depletion allowance on 24 metals in the Senate Finance Committee from 15 percent to 23 percent in 1951, I believe it was. I have two gold bills in the Senate—one a free market—and one for a gold standard.

Mr. MUNDT. I agree.

OWNERSHIP OF FORT KNOX GOLD

Mr. MALONE. As a matter of fact, although at Fort Knox the United States has $22,400,000,000 of gold in storage, only $6,500,000,000 of it belongs to the United States. In a few days I shall take the floor of the Senate to explain that the difference between the $6½ billion and the $22½ billion is owned by foreigners, bought with Marshall plan money or with the money of the successor of the Marshall plan.

Mr. MUNDT. When the Senator from Nevada makes that speech, which I know will be of edification to the Congress and to the entire country, I hope he will point out at the same time that the United States is about to lose its last large supplier of gold. So someone had better begin to think seriously about providing, by means of governmental action, some relief for the gold producers of the United States.

Mr. MALONE. Mr. President, in closing my remarks about gold, I should like to say that the important point in that connection is the security of the Nation. The gold standard may also be a contributor to the security of the United States. For 24 years the United States has had no gold behind its currency. Now the Congress of the United States says it is trying to stop inflation, but they make no move that would do it.

The Senate Finance Committee, of which I am a member, has now embarked upon an inquiry into this situation; and in that connection it is important to bear in mind that the Congress has gone crazy the last 24 years in dividing the markets of the United States among the other nations of the world through the 1934 Trade Agreements Act. They took this country off the metal standard in 1933. They have sent more than $60 billion of taxpayers' money to foreign nations.

I ask unanimous consent, Mr. President, to have printed at this point in the RECORD a statement appearing on page 4 of the report of the Appropriations Committee, under the heading "Acquisition of Strategic Minerals."

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Acquisition of startegic minerals

Appropriation, fiscal year 1957	$21,000,000
Budget estimate, fiscal year 1958	40,000,000
House allowance	None
Committee recommendation	6,700,000

The committee recommends the allowance of $6,700,000 for the acquisition of strategic minerals under Public Law 733, 84th Congress.

The recommendation will provide $4,200,000 to continue the fluorspar program and $2,500,000 to continue the asbestos program. There are adequate funds available to continue the columbium-tantalum program.

The committee recommends that no funds be allowed for the purchase of tungsten. It is the view of the committee that it is not possible to obtain funds for the purchase of tungsten under the provision of Public Law 733. In the event Public Law 733 is amended or new legislation enacted pertaining to the acquisition of tungsten the committee would consider a request for funds, which should be submitted in the regular manner, to implement such legislation.

FOREIGN EFFORT TO BREAK TUNGSTEN MARKET

Mr. MALONE. Mr. President, I should like to point out, particularly to the chairman of the committee, so the debate will show that in the last few months there has been a great, concentrated effort to break the tungsten market of the world.

The history of all the strategic and critical materials, especially the minerals, has been that there is always an effort to put our domestic producers out of business through low unit prices, and then to raise the world price as much as the market will bear when the domestic producers are closed down.

The United States market is the objective of all foreign producers. Whenever the producers in the United States are engaged in production, the foreign market goes down. Whenever the United States producers go out of production, the foreign market goes up, and the foreign price goes up as much as the market will bear. The sweatshop labor countries of Europe and Asia can do this under the 1934 Trade Agreements Act.

In the case of tungsten, we have foreign contracts as high as $59 a unit, and we are still carrying out the contracts.

FOREIGN CONTRACTS

I ask unanimous consent to have printed at this point in the RECORD a table showing the foreign contracts for tungsten which the United States intends to fulfill.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Active contracts with foreign tungsten producers as of Dec. 31, 1956

Contract No., GS-OOP (1)	Contract date (2)	Contractor (3)	Origin (4)	Undelivered balance (STU) Dec. 31, 1956 (5)	Contract unit price in effect Dec. 31, 1956, per STU (6)	Estimated value undelivered quantity [1] (7)	Termination date (8)
614 (SCM)	Feb. 6, 1951	King Island Scheelite	Australia	101,250	$55.00	$5,568,750	Apr. 8, 1958
724 (SCM)	June 22, 1951	Wah Chang Corp.	Brazil	414,460	55.00	22,795,300	Dec. 4, 1959
1068 (SCM)	May 1, 1951	Minerales y Metales	Argentina	179,140	50.00	8,957,000	June 30, 1958
1336 (SCM)	Oct. 11, 1951	S. A. Fernin Malaga	Peru	118,250	46.739	5,526,886	Dec. 21, 1958
1612 (SCM)	Oct. 2, 1951	Canadian Exploration, Ltd	Canada	180,000	55.00	9,900,000	Do.
2486 (SCM)	Jan. 2, 1952	Mauricio Hoechschild	Bolivia	51,214	59.00	3,021,626	June 30, 1957
2610 (SCM)	Dec. 31, 1951	Bolivian Tin & Tungsten	do	58,333	[2] 59.00 [3] 55.00	3,348,256	Dec. 31, 1957
3727 (SCM)	Jan. 27, 1953 [4]	African Metals Co.	South Africa	3,000	53.00	159,000	Feb. 28, 1957
2857 (SCM)	Apr. 22, 1952	Storeys Creek Tin Mining Co.	Tasmania	5,130	55.00	282,150	Apr. 21, 1957
18934 (D)	Aug. 29, 1952	Minerales de Compostela	Spain	10,300	53.00	545,900	Mar. 20, 1957
12224 (D)	Mar. 15, 1952	Beralt Tin & Wolfram	Portugal	39,000	47.50	1,852,500	Sept. 30, 1957
Total				1,160,076	53.60	61,957,368	

[1] Based on contract unit price in effect Dec. 31, 1956.
[2] Grade A.
[3] Grade B.
[4] Offer actually accepted by the Government Sept. 5, 1952.

Columbite, 800,532 pounds, at $2.411=$1,929,282.
Fluorspar, 169,322 short dry tons, at $65.03=$10,672,365.
Asbestos, all grades, 2,883 short tons, at from $250 to $832=$1,722,887.

Mr. MALONE. The total amount of the contracts is greater than any appropriation we have proposed to continue a domestic going concern mining industry under the provisions of Public Law 733. The total amount of the foreign contracts is double the proposed appropriation of $30 million for domestic purchases.

Mr. HAYDEN. They vastly surpass it.

Mr. MALONE. Naturally, we believe that the purchases under the contracts should be fulfilled, since the credit and honor of the United States are involved, although the contracts should not have been entered into in the first place.

In order that the RECORD may be complete, I should like to point out that the amount of tungsten being used in the manufacture of jet engines and other critical materials then being constructed in the United States was reduced during the Korean war and subsequent thereto. Early last year, Mr. Quarles testified. In that connection, I now read from the CONGRESSIONAL RECORD of February 18, 1957, at page 2166:

Mr. Quarles testified before our committee last year. Mr. Quarles had never heard of the production of tungsten in this country.

I digress to remind the chairman of the committee that for 20 years very little tungsten was produced in this country, according to all the statements of the Government officials there was no tungsten to be found in this Nation.

Of course, under a policy of free trade, with no tariff or no fixed price to make up the difference in the wage living standards here and abroad the tungsten mines in the United States could not operate, so no tungsten was produced in the United States.

We pay more per workingman in industrial insurance and social security than many foreign nations pay in wages.

Mr. HAYDEN. As I recall, during those years the United States was dependent almost entirely upon a Chinese source.

Mr. MALONE. That is correct. What a predicament the United States would be in today, if that situation had continued.

I read further from the CONGRESSIONAL RECORD of February 18, 1957:

Mr. Quarles testified before our committee last year. Mr. Quarles had never heard of the production of tungsten in this country. He still thought it to be in short supply—and must be rationed—that is, the amount of tungsten which could be used in jet engines, or percentage must be reduced below the needed amount for a maximum life of the engine. The life of the engines was very much shortened through this shortsighted policy.

Many of our aviators, who participated in the Korean war, flew in jetplanes with engines made with too little tungsten. As a result, the engines had a short life, and no doubt that fact resulted in additional loss of life among our aviators from engine failures.

I read further:

However, as soon as he learned that we were producing large amounts of tungsten in this country he abolished the limitation provision.

That was only last year, let me point out, when at that moment we were producing twice as much as we were consuming.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of my Senate bill 34, which is before the Committee on Interior and Insular Affairs.

Eighteen critical minerals are included and when the Tariff Commission taxes only as an agent of Congress—this Nation will be back in business.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc.,

DECLARATION OF POLICY

SECTION 1. It is declared to be the policy of the Congress—

(a) to facilitate and encourage trade with foreign nations on the basis of fair and reasonable competition;

(b) to maintain an investment climate through the principle applying equally to the whole country;

(c) to provide necessary flexibility of import duties, on certain critical minerals, metals, and materials, thereby making possible appropriate adjustments in response to changing economic conditions;

(d) to assure the accomplishment of these objectives by returning to the provisions of the Constitution (article 1, section 8) in the control over American import duties on such critical minerals, metals, and materials, now subject to international agreements;

(e) that as used in this act and amendments made by this act the term "critical metals, minerals, and materials" includes antimony, asbestos, beryllium, chromite, cobalt, columbium-tantalum, copper, fluorspar, lead, manganese, mica, molybdenum, nickel, titanium, tungsten, vanadium, uranium, and zinc, all being used in the production of jet engines;

RESTATEMENT OF EXISTING IMPORT DUTIES

SEC. 2. Title I, paragraph 1 to 1559, inclusive, of the Tariff Act of 1930 are hereby amended by repealing the classifications and rates therein contained on critical minerals, metals, and materials, and substituting therefor the classifications and rates obtaining and in effect on the expiration of 90 days after the date of enactment of this act, by reason of proclamations of the President under section 350 of the Tariff Act of 1930 or otherwise; and all other acts and parts of acts inconsistent with any of the provisions of this act are hereby repealed.

ADMINISTRATION OF TRADE AGREEMENTS

SEC. 3. Title III, part II, of the Tariff Act of 1930 is amended by adding after section 331 the following new section:

"SEC. 331A. Administration of trade agreements.

"(a) All powers vested in, delegated to, or otherwise properly exercisable by the President or any other officer or agency of the United States in respect to the foreign trade agreements on critical minerals, metals, and materials, entered into pursuant to section 350 of this act are hereby transferred to, and shall be exercisable by the Commission, including, but not limited to, the right to invoke the various escape clauses, reservations,

and options therein contained, and to exercise on behalf of the United States any rights or privileges therein provided for the protection of the interests of the United States.

"(b) The Commission is hereby authorized and directed—

"(1) to terminate as of the next earliest date therein provided, and in accordance with the terms thereof, all the foreign trade agreements on critical minerals entered into by the United States pursuant to section 350 of this act;

"(2) to prescribe, upon termination of any foreign trade agreement, that the import duties established therein shall remain the same as existed prior to such termination, and such import duties shall not thereafter be increased or reduced except in accordance with this act."

PERIODIC ADJUSTMENT OF IMPORT DUTIES

SEC. 4. Title III, part II, section 336, of the Tariff Act of 1930 is hereby amended to read as follows:

"SEC. 336. Periodic adjustment of import duties.

"(a) The Commission is authorized and directed from time to time, and subject to the limitations hereinafter provided, to prescribe and establish import duties on critical minerals, metals, and materials, which will, within equitable limits, provide for fair and reasonable competition between domestic articles and like or similar foreign articles in the principal market or markets of the United States. A foreign article shall be considered as providing fair and reasonable competition to United States producers of a like or similar article if the Commission finds as a fact that the landed duty paid price of the foreign article in the principal market or markets in the United States is a fair price, including a reasonable profit to the importers, and is not substantially below the price, including a reasonable profit for the domestic producers, at which the like or similar domestic articles can be offered to consumers of the same class by the domestic industry in the principal market or markets in the United States.

"(b) In determining whether the landed duty paid price of a foreign article, including a fair profit for the importers, is, and may continue to be, a fair price under subdivision (a) of this section, the Commission shall take into consideration, insofar as it finds it practicable—

"(1) the lowest, highest, average, and median landed duty paid price of the article from foreign countries offering substantial competition;

"(2) any change that may occur or may reasonably be expected in the exchange rates of foreign countries either by reason of devaluation or because of a serious unbalance of international payments;

"(3) the policy of foreign countries designed substantially to increase exports to the United States by selling at unreasonably low and uneconomic prices to secure additional dollar credits;

"(4) increases or decreases of domestic production and of imports on the basis of both unit volume of articles produced and articles imported, and the respective percentages of each;

"(5) the actual and potential future ratio of volume and value of imports to volume and value of production, respectively;

"(6) the probable extent and duration of changes in production costs and practices;

"(7) the degree to which normal cost relationships may be affected by grants, subsidies (effected through multiple rates of export exchange, or otherwise), excises, export taxes, or other taxes, or otherwise, in the country of origin; and any other factors either in the United States or in other countries which appear likely to affect production costs and competitive relationships.

"(c) Decreases or increases in import duties on critical minerals, metals, and materials, designed to provide for fair and reasonable competition between foreign and domestic articles may be made by the Commission either upon its own motion or upon application of any person or group showing adequate and proper interest in the import duties in question: *Provided, however*, That no change in any import duty shall be ordered by the Commission until after it shall have first conducted a full investigation and presented tentative proposals followed by a public hearing at which interested parties have an opportunity to be heard.

"(d) The Commission, in setting import duties so as to establish fair and reasonable competition as herein provided, may, in order to effectuate the purposes of this act, prescribe specific duties or ad valorem rates of duty upon the foreign value or export value as defined in sections 402 (c) and 402 (d) of this act or upon the United States value as defined in section 402 (e) of this act.

"(e) In order to carry out the purposes of this act, the Commission is authorized to transfer any article from the dutiable list to the free list, or from the free list to the dutiable list.

"(f) Any increase or decrease in import duties ordered by the Commission shall become effective 90 days after such order is announced: *Provided*, That any such order is first submitted to Congress by the Commission and is not disapproved, in whole or in part, by concurrent resolution of Congress within 60 days thereafter.

"(g) No order shall be announced by the Commission under this section which increases existing import duties on foreign articles if the Commission finds as a fact that the domestic industry operates, or the domestic article is produced, in a wasteful, inefficient, or extravagant manner.

"(h) The Commission, in the manner provided for in subdivisions (c) and (f) in this section, may impose quantitative limits on the importation of critical minerals, metals, and materials, in such amounts, and for such periods, as it finds necessary in order to effectuate the purposes of this act: *Provided, however*, That no such quantitative limit shall be imposed contrary to the provisions of any foreign trade agreement in effect pursuant to section 350 of this act.

"(i) For the purpose of this section—

"(1) the term 'domestic article' means an article wholly or in part the growth or product of the United States; and the term 'foreign article' means an article wholly or in part the growth or product of a foreign country;

"(2) the term 'United States' includes the several States and Territories and the District of Columbia;

"(3) the term 'foreign country' means any empire, country, dominion, colony, or protectorate, or any subdivision or subdivisions thereof (other than the United States and its possessions);

"(4) the term 'landed duty paid price' means the price of any foreign critical mineral, metal, and material, after payment of the applicable customs or import duties and other necessary charges, as represented by the acquisition cost to an importing consumer, dealer, retailer, or manufacturer, or the offering price to a consumer, dealer, retailer, or manufacturer, if imported by an agent.

"(j) The Commission is authorized to make all needful rules and regulations for carrying out its functions under the provisions of this section.

"(k) The Secretary of the Treasury is authorized to make such rules and regulations as he may deem necessary for the entry and declaration of foreign articles with respect to which a change in basis of value has been made under the provisions of subdivision (d) of this section, and for the form of invoice required at time of entry."

AMENDMENT OF SECTION 337

SEC. 5. Title III, part II, section 337, of the Tariff Act of 1930 is hereby amended as follows:

(a) Subdivision (a) thereof by striking out the word "President" and substituting therefor the words "Tariff Commission."

(b) Subdivision (b) thereof is hereby repealed.

(c) Subdivision (d) thereof is hereby repealed.

(d) Subdivision (e) thereof is hereby amended to read as follows:

"(e) Exclusion of articles from entry: Whenever the existence of any such unfair method or act shall be established to the satisfaction of the Commission, it shall direct that the articles concerned in such unfair methods or acts, imported by any person violating the provisions of this act, shall be excluded from entry into the United States, and upon information of such action by the Commission the Secretary of the Treasury shall, through the proper officers, refuse such entry."

(e) Subdivision (f) thereof is hereby amended to read as follows:

"(f) Entry under bond: Whenever the Commission has reason to believe that any strategic and critical mineral, metal, and material is offered or sought to be offered for entry into the United States in violation of this section, but has not information sufficient to satisfy it thereof, the Secretary of the Treasury shall, upon its request in writing, forbid entry thereof until such investigation as the Commission may deem necessary shall be completed; except that such articles shall be entitled to entry under bond prescribed by the Secretary of the Treasury."

(f) Subdivision (g) thereof is hereby amended to read as follows:

"(g) Continuance of exclusion: Any refusal of entry under this section shall continue in effect until the Commission shall find and advise the Secretary of the Treasury that the conditions which led to such refusal of entry no longer exist."

STATISTICAL ENUMERATION

SEC. 6. Title IV, part III, section 484 (e), of the Tariff Act of 1930 is hereby amended to read as follows:

"(e) Statistical enumeration: The Chairman of the Tariff Commission is authorized and directed to establish from time to time, after consultation with the Secretary of the Treasury and the Secretary of Commerce, a statistical enumeration of imported articles in such detail as he may consider necessary and desirable to effectuate the purposes of this act. As a part of each entry there shall be attached thereto or included therein an accurate statement giving details required for such statistical enumeration. The Secretary of Commerce is hereby authorized and directed to make such reasonable and proper digests from, and compilations of, such statistical data as the Chairman requests. In the event of a disagreement between the Chairman and the Secretary of Commerce as to the rasonable and proper nature of any request the matter shall be referred to the President, whose decision shall be final."

REVISED TEXT OF TARIFF ACT

SEC. 7. The Tariff Commission, as soon as practicable, shall prepare and cause to be printed as a public document available for public distribution a complete revised text of the Tariff Act of 1930, as amended: *Provided*, That all acts or parts of acts conflicting herewith are hereby repealed.

EFFECTIVE DATE

SEC. 8. This act shall take effect upon the expiration of 90 days after the date of its enactment, but no foreign trade agreement shall be entered into under section 350 of the Tariff Act of 1930, as amended, after the date of enactment of this act.

Mr. MALONE. The bill amends the 1930 Tariff Act and provides the flexibility needed by the Tariff Commission, an agent of the Congress, to take the profit out of foreign cheap labor at this water's edge. The flexible duty or tariff would be reduced as the wage living standard of the chief competitive nation were improved—and when they approached our standard free trade would be almost automatic and immediate. The duty would be sufficient at all times to make up the difference between the wage standard of living and the cost of doing business in the United States and in the chief competing foreign nation.

KOREAN GOVERNMENT HELPED BREAK MARKET

Let me say to the chairman of the Appropriations Committee that on June 4, 1957, the Korean Government sold at auction to 3 bidders, 225 tons of tungsten concentrates. The price ranged from $15.50 less $2 penalty, to $12.08 without penalty; $7.93 duty was paid on the entire lot. That had the effect of breaking the entire world market.

In addition, let me say that the taxpayers of the United States are the ones who spent the money to open the Korean mines, purchased the machinery and opened the mines in Korea, while the Korean war was going on. As a matter of fact, when the Korean war became unpopular, toward the end—when our troops were being murdered, because they were neither allowed to win nor allowed to lose—some of the State Department officials said that the Korean war was justified because it made the necessary tungsten available to the United States—although, as a matter of fact, there is in the United States more tungsten than can be used in 500 years; and all that is needed—as the chairman of the committee has pointed out—is a duty or a fixed price sufficient to make up for the difference between the wage standard of living and the cost of doing business in the United States and in the chief competing country.

Mr. President, if the Senator will yield further, would the chairman believe that in the bill which is now before the House Ways and Means Committee—the administration bill to deal with zinc and lead—through imposing tariffs or duties when the world market dropped below a certain price or parity and would not apply when the price rose beyond a given point could be utilized to stabilize the price for tungsten?

Could an appropriation be included in that bill to buy tungsten under the Public Law 733?

Let us remember that the Secretary of the Interior, Mr. Seaton, has testified repeatedly before the Interior and Insular Affairs Committee that he approves Public Law 733, and the necessary appropriation, and did recommend that $40 million be included for fiscal year 1958 for the purchase of tungsten, fluorspar, asbestos, and columbium-tantalum. Does the chairman of the committee believe we could handle the matter in that way through that legislation?

Mr. HAYDEN. Let me ask the Senator a question first. The quantity of tungsten used to harden steel is comparatively small. I am speaking now of percentagewise. In a given ton of steel, the amount of tungsten necessary to harden the steel is small—so small that any fluctuation in the price of steel would more than compensate for the amount of tungsten in it. Is that correct?

Mr. MALONE. I would say to the Senator, which is something little realized by the public, it is like the soda in biscuits. The amount of tungsten or the amount of manganese in a ton of steel makes no apparent difference in the price of steel.

Mr. HAYDEN. That is true.

FLEXIBLE TARIFF

Mr. MALONE. The price of tungsten or manganese makes no difference because they are like the soda in the biscuits—so little is used.

Mr. HAYDEN. That being the case, I cannot conceive why there should be any strong objection to a flexible tariff such as the Senator from Nevada has suggested, and such as the Secretary of the Interior suggested with respect to lead and zinc. The principle would be the same; but an increase in the price of lead and zinc, because they are mineral products used in comparatively large quantities would more adversely affect American industry than would the price of tungsten.

Mr. MALONE. That is correct. The Senator from Nevada was a special consultant for the Senate Military Affairs Committee during World War II, and also for the Secretary of the Interior, on critical minerals and materials—and the examination of military establishments.

He used the phrase in reports then that the price of tungsten or manganese had little relation to the price of the end product, simply because it was like the soda in a biscuit. Whether one paid 10 cents or 50 cents a pound for it, he could not find that difference in the price of the product. I point out, further, that manufacturers using tungsten in their tungsten-carbide product have a tariff on tungsten-carbide of 42 cents a pound, plus a 10 percent ad valorem tariff, which makes the difference in American and foreign wages—keeping them in business.

Mr. HAYDEN. That is the old story that we must have a tariff on a manufactured product, but we must have raw materials free of tariff.

Mr. MALONE. Everybody, I think—logically so from their standpoint—is for free trade on what he buys and for a tariff on what he sells; but I will say to the distinguished chairman of the committee we are beyond that point. We must have a principle laid down by Congress, if our security is not to be threatened. The security of the Nation comes first.

According to laboratory experiments tungsten is shown as being the most important critical mineral, simply because there is nothing except a tungsten alloy that will increase the heat resistance of metals from 1,650° to 2,000° and above.

As guided missiles replace long-range airplanes, and as jet airplanes increase in speeds, higher heat resistance in metals is necessary. So it would be very easy to defeat the security program of this country by closing domestic mines and making us dependent on nations across major oceans for our supply.

In connection with this debate, and without going into it further, I should like to point out, that on page 5900 of the debate on April 17, 1957—this year—I pointed out the Morgenthau referendum, where Harry Dexter White first suggested that we give $5 billion to Russia to furnish these minerals to us, so that we would become dependent entirely on Russia.

This was when the Secretary of the Interior had sold his bill of goods to the country—that we did not have any tungsten or manganese—which we knew was a hoax, but he evidently believed it. Then Morgenthau sent to the President of the United States a recommendation for giving $10 billion to Russia to furnish these materials.

Mr. THYE. Mr. President, will the Senator yield at that point?

Mr. MALONE. Let me complete this one statement first.

Mr. THYE. Very well.

Mr. MALONE. I want to have the debate show that for 20 years we produced little of these materials simply because of the free-trade program—this 1934 Trade Agreements Act—the so-called reciprocal trade act. The people were sold a bill of goods that we had no such materials when as a matter of fact the only thing preventing production was that Congress put the American workingmen in direct competition with the sweatshop labor of Europe and Asia through the 1934 Trade Agreements Act which expires in June of 1958 and should not be renewed.

I will say now, for the benefit of the Senate, and I would like anyone who cares to debate it to do so, that we can be independent in the production of manganese and tungsten and several of these critical and very vital materials in the United States if we are willing to lay down the policy that countries which send those materials to us pay the difference between the wages and cost of doing business in this country and those in the chief competing nations on each product.

What these spokesmen for cheap imports mean is they do not want to pay American wages.

Mr. THYE. Mr. President, will the Senator yield?

Mr. MALONE. If the chairman will allow me to.

Mr. HAYDEN. Certainly.

Mr. THYE. If the distinguished chairman of the committee will permit me——

Mr. HAYDEN. Certainly.

Mr. THYE. The Senator from Nevada is very familiar with the various minerals, because he has made them a specialty in his life's work. We in Minnesota have endeavored to obtain an appropriation, and we have been successful, because $100,000 has been provided

for plans and planning for a research laboratory which will come under the Bureau of Mines. We in Minnesota have a vast deposit of low-grade iron ore in the form of taconite. We have other known minerals in the iron ore region in my State. A research laboratory might well develop methods of obtaining various strategic materials which are so essential and so needed in a self-sufficient economy.

Does the Senator, as a mining engineer, agree with me that the provision for a research laboratory in an area of vast iron-ore deposits in the northern region of Minnesota is a most timely and most worthwhile expenditure on the part of the Federal Government?

Mr. MALONE. We have discussed it in our committee. I am wholeheartedly in favor not only of that laboratory work, but of all the laboratory work going on in the Bureau of Mines at the present time. We should supplement it and we should augment it, for the very reason that the taconite ore now made available through a new laboratory process will result in not millions but billions of tons of profitable iron ore.

Mr. THYE. An unlimited quantity.

Mr. MALONE. So far as anyone knows, the supply is unlimited. Therefore, instead of the United States being short of iron ore, as everybody was writing in magazines a few years ago, it would be running out of our ears if we would just pay the price necessary to make up the difference in the labor costs.

The same is true with manganese.

Mr. THYE. Yes.

Mr. MALONE. We had never been able to work 10 or 12 percent manganese ore until the new experiments showed us the way, but all we need now is to take the action already described under article I, section 8 of the Constitution.

If Congress reassumes its constitutional responsibility by not extending the 1934 Trade Agreements Act in June of next year, the United States will be in business again, and not dependent upon India for manganese, for example, where we could not get a pound of the required ore, when war started, and where they can stop delivery in peacetime, like they stopped the shipment of monosite sands a few years ago, because they thought we did not have another source. We did have another source.

If we become dependent upon these nations, then we are forced to sign further agreements for their benefit, because they will say it may not be convenient to continue sending these minerals to us. It is a case of genteel blackmail.

Mr. THYE. Mr. President, will the Senator yield further?

Mr. HAYDEN. I yield.

Mr. THYE. Mr. President, I am a member of the committee. I am delighted to know we were able to obtain in the appropriation bill an item of $100,000 for the purpose of the research laboratory to be established in Minneapolis, Minn.

Mr. President, for years we carried on research in the field of taconite, to find a method of separating the mineral from the rock to make that mining operation economically feasible. Having been successful, through the research conducted at the University of Minnesota and the Bureau of Mines, we developed a plan for the separation of the mineral from the rock. That brought about the development of a new industry in Minnesota.

There is a large plant at Silver Bay on the north shore of Lake Superior. At that plant not only are hundreds of men employed, but the development of iron-ore mining and iron-ore operations has been greatly increased, because the taconite was an overburden on the high-grade ore. There was a cost involved in its removal and handling, but now, rather than being a cost, it is actually a part of our iron-ore economy.

Also, as the Senator from Nevada [Mr. MALONE] has said, this process has opened up unlimited tonnage of iron ore within the confines of the United States, and we will not be dependent for our iron on some other country.

This research laboratory which is provided for by the planning funds of $100,000 might well make available other startegic minerals which are necessary in this age of advanced science and scientific development.

Mr. MALONE. Mr. President, will the Senator yield further?

Mr. HAYDEN. I yield.

Mr. MALONE. In closing my part of the debate Mr. President—and the reason I have taken this time is because I think the record should be clear—that the chairman believes that the principle embodied in Public Law 733 can be augmented in the administration's long-range mineral bill, either through a tariff or duty arrangement, or the necessary appropriation for the continued purchase of tungsten either in the long-range minerals bill or a subsequent supplemental appropriation bill.

Mr. BIBLE. Mr. President, will the Senator from Arizona yield for a few observations?

Mr. HAYDEN. I yield.

Mr. BIBLE. First, I read with great regret that there is no inclusion in the regular Interior Department appropriation bill of money for the purchase of tungsten. I am certain the Senator from Arizona knows my feelings in that regard. I have expressed them at other times.

Mr. HAYDEN. They are very similar to my own.

Mr. BIBLE. I recognize that the Senator from Arizona has been most sympathetic and has done his very best to prevail upon the House of Representatives to recede on that particular item; without success, to date.

I am interested in determining what the Appropriations Committee means when it says in its report, on page 4:

> In the event Public Law 733 is amended or new legislation enacted pertaining to the acquisition of tungsten the committee would consider a request for funds, which should be submitted in the regular manner, to implement such legislation.

Mr. HAYDEN. We were hopeful that something would come out of the long-range mineral program the administration recently submitted. That is what we were driving at. We are still hopeful something will be done in that respect.

Mr. BIBLE. I am asking the question, I may say, primarily because of the fact that the Secretary of the Interior, Fred Seaton, speaking before the Committee on Interior and Insular Affairs, with relation to the long-range mining program, specifically said that so far as tungsten was concerned the administration wholeheartedly supported Public Law 733 and wholeheartedly supported the appropriations that went with it, but that was, in effect, the long-range program. Since I happen to be a member of the Committee on Interior and Insular Affairs, I wonder if there is any thought in the mind of the Appropriations Committee as to how the law could be amended so as to secure proper implementing legislation.

Mr. HAYDEN. The language read from the report was inserted merely because we knew there was a new program underway, which was recommended by the Department. Having tried and tried to operate under the program and having been unable to get the money, we were hopeful that something could be done, and we thought it would do no harm for the committee to suggest that if any new legislation is enacted, we would consider funds to carry out such legislation.

Mr. BIBLE. Is it fair to say that if the climate on the other side of the Hill should improve, the position of the Senate Committee on Appropriations is the same as it has been throughout on this particular problem; that is, to keep full faith with the American miner in carrying out the plain provisions of Public Law 733?

Mr. HAYDEN. I think we have demonstrated over and over again that we felt the Government was breaking faith, by our failure to provide the money. We would like, certainly, to have full faith maintained.

Mr. BIBLE. The Senator from Arizona feels, however, that at this particular time there is no particularly good purpose to be served by again going to the House of Representatives with this item.

Mr. HAYDEN. We have tried it 3 times without any success. Of course, this bill has to be passed. We simply had to give that item up. We did take care of the other two minerals.

Mr. BIBLE. I thank the Senator.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. ALLOTT. There is just one question which has occurred to me.

In the language of the report which has been read, it says:

> In the event Public Law 733 is amended or new legislation enacted pertaining to the acquisition of tungsten the committee would consider a request for funds, which should be submitted in the regular manner, to implement such legislation.

May I inquire, does that mean that perhaps the Committee on Interior and Insular Affairs should itself initiate some legislation in order perhaps to make a new request for tungsten?

Mr. HAYDEN. What the committee had in mind was that undoubtedly the administrators would submit to the Committees on Interior and Insular Affairs of the House and Senate their new plan. It is not essential at all that those committees accept the plan without change. They may modify it. If they should make such a modification, we thought it might be helpful to tungsten, and we wanted to show it.

Mr. ALLOTT. Then is it the intention of the committee to have this request come through the executive department in the ordinary course as a request for funds in the budget, and so forth?

Mr. HAYDEN. Yes.

Mr. ALLOTT. I am sure all the other Senators who are interested feel just as I do; that is, we are very appreciative of the effort the chairman of the Committee on Appropriations and the other members have made to look into this very critical question, which is going to affect so many of our people in the West.

I would be very remiss if I did not at this time pay my compliments to the chairman, and thank him for all the efforts he has made in behalf of our western miners.

Mr. HAYDEN. We did it with sincerity, I assure the Senator.

Mr. NEUBERGER. Mr. President, it is not my purpose to ask a long list of questions, because I know that the chairman of the committee has already been subjected to a great deal of arduous interrogation.

I should like to ask about one item in which I am particularly interested. I think the chairman realizes my preoccupying interest in outdoor recreation, and particularly in the national forests, which are so important to the chairman's State and to my State.

With respect to the amounts allowed by the committee for recreation in the national forests, I note that the committee has recommended $8,770,000. I believe that is the same sum that was proposed by the House of Representatives.

Mr. HAYDEN. It is.

Mr. NEUBERGER. I note that it is somewhat lower than the budget estimate. This is the question that I should like to ask the distinguished chairman of the committee.

Is it his belief and that of his colleagues on the committee that the sum recommended for recreation in the national forests will permit the inauguration on an effective basis of the so-called Operation Outdoors, by which the officials of the Forest Service expect greatly to expand the recreational facilities and opportunities within the borders of the national forests?

Mr. HAYDEN. Of course, it will not carry out the proposed plan as fully as more money would. On the other hand, the committee report states that this amount will provide an increase of $5 million over the amount available for the current year. That allows for a start on the program, and that is what we were aiming at.

Mr. NEUBERGER. Let me ask one further question. I am sure the chairman of the committee has in mind that for the next 5 years, at least, which is the immediate scope of the contemplated program, there will be generous appropriations for recreation in the national forests, so that such facilities as campgrounds, picnic grounds, trails, and similar facilities, can be improved and saved from the deterioration which has taken place in the past several decades?

Mr. HAYDEN. There is no question about the need of money for that purpose. The need is so great that I do not see how the Budget Director could refuse to recommend more money for the program. That is my own judgment. I am living in that hope. Our committee asked the Forest Service to present such a program. We feel that we have made a good start, and we intend to stay with the task.

Mr. NEUBERGER. I thank the chairman of the committee. I am well aware of his great interest in this program. If I am not mistaken, in 1955, which was the year when I first came to the Senate, I had some conferences with the chairman of the committee. That was one of the things which contributed toward his sponsorship of the largest sum the Forest Service had ever received for recreation in the national forests. I may be mistaken about that, but certainly in recent years that was the most generous appropriation ever allowed for that purpose.

Mr. HAYDEN. I have tried to be helpful in that regard.

Mr. NEUBERGER. I appreciate the interest of the chairman of the committee. Having visited in his State, I know that the forests in Arizona have fully as great recreational opportunities for visitors as do those magnificent national forests in Oregon. So I am sure the Senator from Arizona will continue to watch this program very vigilantly.

I thank the chairman of the committee.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. ANDERSON. I know the Senator from Arizona is careful, thoughtful, and helpful in connection with these bills.

It so happens that I am a member of the Board of Regents of the Smithsonian Institution, and have been very much interested in its building program.

On page 564 of the hearings there was a presentation of an item of $800,000 for planning for new wings of the Natural History Building.

The able chairman, if he will consult the hearings, will find that only 2 or 3 questions were asked, but the item was eliminated. It was approved by the House. I wonder if there was any particular reason for that action, or whether it was merely a desire to keep the bill within proper proportions.

Mr. HAYDEN. It was important to keep the bill in line. We shall have an argument with the House conferees over whatever increases or reductions we have made when we reach the stage of conference.

However, the fact is that other building enterprises for the Smithsonian Institution have progressed very slowly. What is practically a $30 million program is underway. In view of the slow progress being made with that, we felt that perhaps a little delay in this instance would not be harmfull.

Mr. ANDERSON. The slowness in connection with the $36 million building program resulted from the fact that the architects came back with a $50 million program, and we felt that the Congress had expressed itself as desiring a $33 million program. So we asked the architects to cut the program back to the figure of Congress, which I am sure the Senator from Arizona would feel to be the proper course. But the other additions have been authorized for a substantial period of time. I do not intend to argue with the able Senator from Arizona on the floor of the Senate about this item, but I express the hope that when the bill reaches conference this subject will receive careful consideration.

Mr. HAYDEN. We shall certainly give it careful consideration.

Mr. ANDERSON. The United States has made very slight progress in museum construction of this type in the past 50 years. Other countries have made most substantial progress. If a person wishes to see the latest in museum design, he must go to Germany, France, or Switzerland to see it. He will not see it in the United States. It seems too bad that the Smithsonian Institution, which I think the Senator will agree is a most distinguished institution—

Mr. HAYDEN. There is no question about that.

Mr. ANDERSON. It seems too bad that the Smithsonian Institution cannot have this money. I only express the hope that when the bill goes to conference the Senator from Arizona will take a more optimistic attitude toward the possibility of constructing these facilities.

Mr. DOUGLAS. Mr. President, will the distinguished chairman of the committee yield for a few questions?

Mr. HAYDEN. Certainly.

Mr. DOUGLAS. First, I congratulate the chairman of the committee for effecting substantial reductions in the total appropriations requested by the administration. I understand that such reductions amount to approximately 11 percent. I think the committee deserves a great deal of credit for the economies which have been effected. I have studied the bill in some detail. I think the cuts have been made very judiciously. Essential services have been conserved, and in some respects expanded, while wasteful expenditures have been reduced, and in many cases eliminated.

However there is one subject about which I should like to ask a series of questions.

On May 31 of this year an article written by a well-known commentator and columnist was published in the Washington Post, and in numerous other

newspapers over the country, in which it was stated that the redecorating of the offices in the Fish and Wildlife Service and the two bureaus underneath the Fish and Wildlife Service had entailed an extra expense of $38,287.33. I should like to ask the distinguished chairman, whom we all respect and honor, and for whom we have great affection, whether he went into this charge?

Mr. HAYDEN. Inquiry was made with regard to it. We were advised that the figures the Senator has quoted were Services Administration for such furnishings.

Mr. DOUGLAS Are the figures substantially correct?

Mr. HAYDEN. Yes; they are substantially correct, but they are comparable to other figures——

Mr. DOUGLAS. These figures represent the cost of redecorating certain offices, if I may use a phrase, "to suit the advanced status" of the officials thus appointed. Is that correct?

Mr. HAYDEN. That may be assumed to be at least one reason why it was done.

Mr. DOUGLAS. Am I correct in understanding that the cost of redecorating the office of Assistant Secretary Leffler came to $8,256.08?

Mr. HAYDEN. I believe that is correct.

Mr. DOUGLAS. And of this amount scarlet-colored carpeting and oriental rugs cost $2,320.29.

Mr. HAYDEN. It is so stated.

Mr. DOUGLAS. Is that correct, approximately?

Mr. HAYDEN. It is.

Mr. DOUGLAS. That is approximately correct?

Mr. HAYDEN. It is.

Mr. DOUGLAS. Those are very expensive rugs for which the taxpayers had to pay. They are oriental rugs, not American rugs. I understand that some scarlet-colored drapes for the assistant secretary cost $766.25. Is that correct?

Mr. HAYDEN. I believe that is correct

Mr. DOUGLAS. Those are rather extravagant drapes, I would say, costing $766.25. I wonder whether there were not some other drapes left over that could have been used.

Mr. HAYDEN. Undoubtedly there were some old ones available.

Mr. DOUGLAS. My wife has some drapes which she bought, I believe, for about $20, and they look very well. Then I am told that $1,135.60 was spent for two electric typewriters. Are those figures approximately correct?

Mr. HAYDEN. Yes, they are correct. There is a great demand for electric typewriters.

Mr. DOUGLAS. Did they need the electric typewriters?

Mr. HAYDEN. I assume that they were substituted for some old ones.

Mr. DOUGLAS. So that possibly this particular expenditure might be justified; is that correct?

Mr. HAYDEN. I believe so.

Mr. DOUGLAS. Then there was an expensive desk and some chairs for $1,130.37. Is that not rather an expensive desk? The figure of $1,130.37 for a desk and some chairs is correct, is it not?

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. Does that not seem to be a rather extravagant expenditure for a desk and chairs?

Mr. HAYDEN. Knowing what good furniture costs, it may or may not be.

Mr. DOUGLAS. Were there not already desks and chairs available that could have been used?

Mr. HAYDEN. Perhaps.

Mr. DOUGLAS. I believe the desk in my office and I think the Senator's desk in his office have been in use for a good many years.

Mr. HAYDEN. I would not trade my desk for any other desk in the world.

Mr. DOUGLAS. Perhaps the market value would not be in excess of $100. Is that not true?

Mr. HAYDEN. If age and depreciation have anything to do with my desk, I believe that is true.

Mr. DOUGLAS. In Illinois we had an expenditure of $99 for a wastepaper basket, which some said was a necessity. Now we have in a Federal Government office an expenditure of $1,130.37 for a desk and some chairs.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. CHAVEZ. One of the problems in connection with the new Senate Office Building at the moment is providing furniture for it.

Mr. DOUGLAS. I hope the Senate will be more careful than the Department of the Interior has been.

Mr. CHAVEZ. I am hopeful the Senator from Illinois and the Senator from Arizona and the other Senators will keep their old desks.

Mr. DOUGLAS. I pledge myself to keep my old desk and wastepaper basket. I believe my wastepaper basket has a commercial value of 90 cents.

Mr. CHAVEZ. Because if we are going to buy new furniture for all the new offices in the new building, and also furniture in the refurbishing of the old office building, it will amount to a great deal of money. I am giving that notice now.

Mr. DOUGLAS. I think the warning is a very timely one, and I hope all of us will heed the injunction of the Senator from New Mexico. I want to say that I will do so.

Mr. President, when the new Assistant Secretary was appointed head of the Fish and Wildlife Service, he was given a deputy, was he not?

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. Mr. Suomela is the deputy, as I understand.

Mr. HAYDEN. That's correct.

Mr. DOUGLAS. For redecorating his office, an additional expenditure was made of $2,234.32.

Mr. HAYDEN. That is quite a modest sum.

Mr. DOUGLAS. I shall comment on it in a moment. One item is for $540.95, for an oriental rug. Is that correct?

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. In justice to Mr. Suomela, it should be noted that he tried to stop the redecoration of his office.

Mr. HAYDEN. It has been so reported.

Mr. DOUGLAS. Is it not true that Mr. Suomela tried to avoid having his office redecorated at the expense of the taxpayers?

Mr. HAYDEN. It was so reported.

Mr. DOUGLAS. But he was forced to have his office redecorated by higher officials in the Department of the Interior. Despite his protests, an oriental rug costing $541, approximately, was forced down his throat, so to speak. Is that not true?

Mr. HAYDEN. Apparently so.

Mr. DOUGLAS. The Senator from Arizona is a very cautious man. I am glad that he is cautious, because I do not believe in besmirching reputations. However, I wish to say for the sake of the RECORD that Mr. Suomela seems to be a very conscientious man, and I wish we had more people like him in the Government service, people who are interested in saving the taxpayers' money.

Now to continue. Am I correct in my understanding that two additional offices were fitted up, for the Director of Commercial Fisheries and the Director of Sports Fisheries?

Mr. HAYDEN. There was a general refurnishing.

Mr. DOUGLAS. The refurnishing of those offices came to $27,796.93.

Mr. HAYDEN. I believe that is the correct figure.

Mr. DOUGLAS. For the sake of the RECORD, I believe it should be made clear that these figures are comprised in the total figure of $38,287.33, and should not be considered as being in addition to that figure.

There was also expended in this total of $38,287.33 a sum of $16,510 for partitions and tile lavatories.

Mr. HAYDEN. Tile is very popular.

Mr. DOUGLAS. Very popular and very expensive.

Mr. HAYDEN. It costs money.

Mr. DOUGLAS. Is it necessary for these functionaries to take shower baths in a tile lavatory? Is it necessary for them to stand on expensive tile? Is it not possible for them to stand on concrete while they wash their physical bodies?

Mr. HAYDEN. From a practical standpoint, I believe that is possible.

Mr. DOUGLAS. Am I correct also in understanding that $4,008.14 was spent on additional carpets for the offices?

Mr. HAYDEN. An office must have carpeting.

Mr. DOUGLAS. Did they not already have some carpeting which could have been used, even though it was slightly worn?

Mr. HAYDEN. They were starting anew.

Mr. DOUGLAS. The Senator is trying to be fair, and he is leaning over backwards. That is always a good thing to do, but I think the truth should be brought out. Is it not true that $4,008.14 was spent on new carpets for these two offices?

Mr. HAYDEN. I believe the Senator's figures are correct.

Mr. DOUGLAS. Is that not a gross waste of public money? Am I correct in understanding that the excuse of the Department for making these expenditures is that since these men were promoted in status by Congress they were entitled to the prerequisites of their higher status and that it was Congress' fault because it created the new positions?

I should like to ask the Senator from Arizona this question: Is there any act of Congress providing that when a man becomes an Assistant Secretary, he should get $2,320 worth of oriental rugs, $766 worth of scarlet drapes, and a desk and some chairs worth $1,130, or $16,510 in partitions and tiled lavatories and $4,000 in carpeting for another office?

Mr. HAYDEN. There is no such mandatory provision in the law.

Mr. DOUGLAS. In other words, the Department took advantage of the increase in status of these people in order to expend the taxpayers' money on lavish and extravagant expenditures not justified in any way?

Mr. HAYDEN. The criticism of the Senator may be justified in some respects.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LAUSCHE. Does the new lighting equipment which has been installed in Senators' offices come under this budget?

Mr. HAYDEN. That is provided for in the legislative budget.

Mr. LAUSCHE. Does the Senator know the lighting I have in mind?

Mr. DOUGLAS. Yes, I do.

Mr LAUSCHE. I did not know whether some conceived the idea of throwing money away, and that that was the most effective way to do it. At least I was greatly disturbed when I saw the new lamps being brought into the office. The lamps I had were wholly adequate. It looked to me as though someone was trying to serve the seller, not the Senators or the taxpayers.

Mr. DOUGLAS. We do not have $1,000 desks or $2,300 worth of carpet, or $766 worth of drapes, or $2,000 worth of other carpeting, or expensive tile lavatories.

Mr. CHAVEZ. But we are likely to have them unless we stop them before the new Senate Office Building is furnished and the Old House Office Building is refurnished.

With the indulgence of the Senator from Illinois, I may say to the Senator from Ohio that one of those lights was placed in my office without my asking for it. I preferred the old lights. I asked to have the new light removed, because it made the room look like an operating room. It looked as though preparations were being made to work on someone's physique. The lamps are beautiful. But if we had let them put in the new hospital lamps, every one of the old, fine lamps would have become junk, and probably would have been sold as surplus to some junk dealer.

Mr. DOUGLAS. I think the Senator from New Mexico has given a very timely warning. I hope we will all use restraint and back him up in the furnishing of the new Senate Office Building. I think it is a great mistake when people get the idea that dignity of office must be shown in extravagance of expenditures. There is too much of it.

Mr. CHAVEZ. Such as in the purchase of new lights.

Mr. DOUGLAS. Or drapes, or oriental rugs, or desks, or wastebaskets, or other articles. Simplicity ought to govern.

Mr. CHAVEZ. And more than simplicity. The desk before which I now stand in my desk. It was occupied, I have been told, by Henry Clay. I would not exchange it for a $1,500 desk. There are some people who would be glad to furnish me one, if the Senate would buy it.

Mr. LAUSCHE. May I ask the Senator if it was felt there would be a lot of operating done in the Senator's office, and that therefore it was necessary to put in surgery room lighting equipment?

Mr. CHAVEZ. That must have been what they had in mind. But I would not change the lamps which are now in my office. Not long ago a whole string of new lights was installed across the room unbeknown to me. The girls could not work on the typewriters or answer the telephone because the lights were so bright.

Mr. DOUGLAS. I am certain that no improper operating of any kind took place in the office of the Senator from New Mexico.

Mr. CHAVEZ. It will have to be done with my consent, or it will not be done.

Mr. DOUGLAS. I should like to ask one final question on this subject. Did the subcommittee of the Committee on Appropriations dealing with the Interior Department consider the possibility of reducing the administrative expenditures of the Department of the Interior for the coming year by an amount sufficient to penalize the Department for the lavish extravagance which it showed?

Mr. HAYDEN. The committee made a reduction of approximately $700,000.

Mr. DOUGLAS. In the administrative expenses?

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. The committee took into account the lavish expenditures, and felt that the department should tighten its belt correspondingly?

Mr. HAYDEN. The committee felt that the department could get along with less money.

Mr. DOUGLAS. I congratulate the committee and the Senator from Arizona. I hope similar action will be taken in the case of every department which is wasting the people's money by making lavish expenditures. While I do not wish to make a partisan issue of this, I may say that the insolence of office quickly enmeshes people, so that any pledge of economy disappears quickly, and they acquire extravagant habits, particularly when they can charge them up to the taxpayers.

Mr. CHAVEZ. Mr. President, will the Senator from Arizona yield, to permit me to make an observation?

Mr. HAYDEN. Certainly.

Mr. CHAVEZ. I have been in Congress and on the Appropriations Committee for 27 years. In what I am about to say I am not referring to the Department of the Interior particularly, but to all departments. Every time a new appointee takes over a particular office, he wants new furniture, new rugs, new everything. That generally costs something. The discarded equipment is sent to surplus. Some study should be made of such practices in all departments. I know how such persons behave and how they operate. A man will hold office for 8 months; then he will leave and return to his own business. A new businessman comes into the picture, and he has to change everything. That is the viciousness of this system.

Mr. DOUGLAS. Each secretary has to have a deputy and has to have an undersecretary. Each undersecretary has to have a deputy. There is a multiplicity of assistant secretaries. Each assistant secretary has to have a deputy. So there is a proliferation of officials having high-sounding titles, plus extremely costly redecorating. Is that not true?

Mr. CHAVEZ. Yes.

Mr. DOUGLAS. Does the Senator from New Mexico not think it is high time the administration became thrifty and tried to save the taxpayers' money?

Mr. CHAVEZ. I do.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. GOLDWATER. Will the Senator allow me a few moments to comment on the resurrection of my good friend from Illinois [Mr. DOUGLAS]? I use the word "resurrection" advisedly, because I recall that back in 1950 or 1951 the distinguished Senator wrote what was, in my opinion, one of the finest works which was ever written about economy in the Federal Government. I have felt on occasions that my good friend from Illinois has wandered away from his original thesis.

Mr. DOUGLAS. Oh, no.

Mr. GOLDWATER. I am glad to hear him today sounding like the Senator DOUGLAS of old, who stands up and defends wasteful practices in the Government.

Mr. DOUGLAS. The Senator does not mean "defends," does he? I am opposing them.

Mr. GOLDWATER. Yes; the Senator is opposing wasteful practices in Government. There were occasions during the last week when I felt he might have wandered a little afar from his original thesis.

If the Senator from Illinois has the figures showing the amount of the waste in the Department of the Interior, the junior Senator from Arizona will be very glad to join him in offering an amendment to strike out the amounts for those expenditures, if the Senator from Illinois will prepare the amendment. I suggest that only because I do not have the figures.

Mr. DOUGLAS. I should be glad to do it, but I understand from the Chairman that that has already been done. The committee has already inflicted punitive damages, so to speak, upon the administrative officials of the Department of the Interior.

Mr. HAYDEN. The expenditures to which the Senator from Illinois refers

have already been made. The committee took that situation into consideration and made a cut of $700,000 in the amount available for administrative expenses in the next fiscal year.

Mr. GOLDWATER. Am I correct in assuming, then, that the figures related by the Senator from Illinois are history?

Mr. DOUGLAS. Yes; but they are recent history.

Mr. GOLDWATER. They are nothing at all compared with the inventory of 120 years' supply of jeep parts, which the Senator found in 1951; or the 280,000 pounds of hamburger which the Navy had in 1950.

I thank the Senator from Illinois for bringing these things to the attention of the Senate. I agree that that is the way to cut budgets. We ought to look for bright lights; we ought to stop dripping faucets; we ought to stop the purchase of expensive carpets and equipment; and we ought to stop financing Hells Canyon dams.

Mr. DOUGLAS. I thought the Senator would come to that. I am very glad the Senator from Arizona has shown the solicitude for my moral character which he has. I tried to be solicitous about it myself. I am very glad when others also are solicitous.

Mr. GOLDWATER. It is a subject for which no solicitude is needed.

Mr. DOUGLAS. I am always glad to have criticism, even though gentle, which suggests lines of thinking and lines of improvement.

This is no recent cause on my part. I criticized waste under the Truman administration, under my own party's administration.

I think, therefore, I am privileged to criticize waste under this administration. I have done so on numerous occasions this year. So far as the implication of the junior Senator from Arizona that I should not have voted for the Hells Canyon bill and certain other bills, I may say that I believe the Government should be an instrument for human welfare. I believe the Government should carry out natural resource development when such development is economical.

I believe in national security, but I do not believe in waste. Neither do I believe in subsidies to people who do not need them. That is my position.

I opposed the upper Colorado project because it is an extremely wasteful project, with very high-cost power. The cost of power is about 7 mills on the upper upper Colorado.

I favored Hells Canyon because that will provide low-cost power, power costing about 2.5 to 2.7 mills a kilowatt-hour.

Where the projects are economically justifiable, I will favor them; where they are not economically justifiable, I will oppose them.

Similarly, I favor Federal expenditures to help education, to help the aged, and to help those who are sick. But I am opposed to huge subsidies to airlines who do not need them or to shipbuilders who do not need them or to ship operators who do not need them or to mineral interests who do not need them, and to a whole series of other wasteful subsidies to the rich and powerful who do not need them.

I mention these in order that the Senator from Arizona may realize that I am more consistent regarding these matters than he might believe me to be.

Mr. GOLDWATER. I have never doubted the consistency of the Senator from Illinois, although at times, as I have stated, I thought his feet were beginning to wander from the true path.

Mr. DOUGLAS. When that occurs, I hope the Senator from Arizona will notify me; and if that happens, I shall try to correct myself.

Mr. GOLDWATER. It develops that the Senator from Illinois is in favor of these projects, but is opposed to having certain persons in the Department of the Interior stand on tile, and is opposed to the use of Persian carpets——

Mr. DOUGLAS. They cost money, too.

Mr. GOLDWATER. And the Senator from Illinois is opposed to expenditures for draperies. So the issue narrows down to one of interior decoration.

Mr. DOUGLAS. No; there are many other aspects which involve economy, which I have opposed this year and in other years, but this is one on which I have touched today.

Mr. GOLDWATER. Tonight, I shall read the Senator's book again; but I believe that in 1951 he had more expansive—not expensive—ideas, which I think included dealing with such items as hamburger.

Mr. DOUGLAS. And I did not want the major auto makers to "soak" the Government by way of excessive markups for spare parts, as I pointed out in my book.

Mr. GOLDWATER. And there was also objection regarding 11,000 dozen oyster forks.

I simply wished to lay the basis for my next question to my senior colleague, as follows:

On page 469 of the hearings, in connection with the matter of research which will be done to local archeological areas in Arizona, New Mexico, and Utah, I notice the following:

> It is planned to carry out much of the survey and excavation work with the full cooperation of local agencies, such as the University of Utah and the New Mexico State Museum. However, as their resources are limited, it would not be possible for them to carry out a program of this scope unaided.

Is it not true that the committee also had in mind that the University of Arizona, the Museum of Northern Arizona, and possibly Arizona State College might participate in this?

Mr. HAYDEN. Yes. The others are referred to as examples.

Mr. GOLDWATER. I have no objection to the inclusion of the University of Utah and the New Mexico State Museum, but I wished to make sure that my senior colleague intended that the Arizona institutions also be included.

Mr. HAYDEN. That is correct.

Mr. HRUSKA. Mr. President, on page 16 of the committee report, there is an item regarding the DeSoto-Bertrand Bend Wildlife Refuge. Reference to the hearings indicates that the estimate for the project is $200,000. I should like to know where the money to be allocated will come from.

Mr. HAYDEN. It will come from two sources: the duck stamp fund, and probably from an additional appropriation later on.

Mr. HRUSKA. Is it not true that the balance remaining in the duck stamp fund is relatively so meager at the present time that any substantial depletion of it would be unwelcome in other parts of the country?

Mr. HAYDEN. I did not understand that the duck stamp fund had faded out.

Mr. HRUSKA. It has not, and I do not mean to say that it is insolvent.

Mr. HAYDEN. I assume a share will come from that source, and the rest will have to be appropriated.

Mr. HRUSKA. The report also states:

> None of the funds provided for this refuge are to be obligated until the Migratory Bird Conservation Commission has considered the proposals and granted its approval of the refuge.

As I understand, until that approval is granted, none of this money will be expended.

Mr. HAYDEN. It was judgment of the committee that an authority of this kind knew much more about migratory bird matters than we do, and that it was the proper authority to pass upon the feasibility and practicability of carrying on that work.

Mr. HRUSKA. Of course, there would be much objection by the landowners on either side of the river, as I understand, to the taking of the property.

Mr. HAYDEN. They might object; but, on the other hand, if they are paid what the land is worth, their objections may cease.

But as to the question of whether this is the proper place in the area for the refuge, we wish to consult the best authority.

Mr. HRUSKA. I thank the chairman of the committee.

My next question is somewhat contingent on the public works appropriation bill, which contains an item of approximately $600,000 for the digging of the cutoff channel, pursuant to the recommendation which has been submitted by the Fish and Wildlife Service. Unless that language is changed, or unless some alternatives are proposed, it would appear that it is taken for granted that the refuge will be approved as an entire plan, because the engineers are directed to dig that channel.

Mr. HAYDEN. If it were deemed to be advantageous, from the point of engineering reasons, that the channel be dug, that could be done without any relationship whatever to the establishment of a wildlife refuge. For example, I remember that a witness who owned land in that bend said he had no objection to the construction of a channel, but he did not want his farm taken for a wildlife refuge.

Mr. HRUSKA. That might be true. My question is this: If it is done, where will the funds come from, to compensate for the separation damages in the case of approximately 4,000 acres of Nebraska land which will be separated from the mainland of Nebraska?

Mr. HAYDEN. What is the separation damage to which the Senator refers?

Mr. HRUSKA. The damage is this: Those 4,000 acres are now within one mile and a half or so of a paved highway, and they are within the reach of utilities, markets, and so forth. However, they will be removed by at least 10 miles from a paved highway, and there will be difficulty of access, and they will be isolated, and will virtually be an island; and I presume that separation damage will ensue as a result, because that land will be included within the loop created by the digging of the cutoff channel.

Mr. HAYDEN. Will those circumstances be greatly different from the circumstances in connection with other cases of the construction of such loops?

Mr. HRUSKA. My question is this: Will funds be allowed for the damage which will be caused by reason of that separation?

Mr. HAYDEN. It seems to me that the Corps of Engineers will have to take those factors into consideration. Frankly, I do not know whether they have taken them into consideration.

Mr. HRUSKA. I appreciate the Senator's statement. Apparently they have not taken them into consideration, because they are expecting the funds for the land acquisition and the development of the land within the loop for the bird refuge to come from the Fish and Wildlife Service, and apparently they are making no allowance for the $600,000 for the digging of the channel itself. My question simply was where those funds would come from, if that transpired.

Mr. HAYDEN. That will have to be developed.

Mr. HRUSKA. I thank the chairman.

Mr. SMITH of New Jersey. Mr. President, I should like to ask a question about the item for additions to the Natural History Building of the Smithsonian Institution. I am a member of the Board of Regents of the Smithsonian Institution, and some of my colleagues have asked me about this matter and about the position of the Senate Appropriations Committee regarding the amount approved by the House of Representatives in connection with the plans for additions to the Natural History Building of the Smithsonian Institution.

I wish to say that I am among those who feel that it is most unfortunate that this item has been deleted. I understand that it has been authorized since 1930, and that the only thing which now stands in the way is our desire not to spend any more money than necessary this year.

I should like to have the RECORD show why that item was deleted.

Mr. HAYDEN. I have previously stated that to other members of the Board of Regents.

Mr. SMITH of New Jersey. I am sorry that I was not in the Chamber at the time.

Mr. HAYDEN. One of the reasons was that we had made an appropriation for other construction for the Smithsonian Institution; and so little progress had been made, that we thought the same situation might apply in this case.

Second, as the Senator from New Jersey has stated, we thought the Smithsonian Institution could get along with a little delay at a time when there is widespread demand for reduction in Federal expenditures.

Mr. SMITH of New Jersey. Am I correct in my understanding, along with that of the Senator from Massachusetts [Mr. SALTONSTALL] and others, that the Senator from Arizona plans to discuss this matter in the conference?

Mr. HAYDEN. Yes, indeed. We shall be glad to.

Mr. SMITH of New Jersey. I hope that will be done, so that we can get all the facts before the conferees.

Mr. HAYDEN. We shall not be adamant about the matter. We shall be open-minded, and shall be glad to listen to reason.

Mr. SMITH of New Jersey. I thank the Senator very much.

SURVEY OF GROUND WATER RESOURCES IN THE MISSISSIPPI VALLEY EMBAYMENT AREA

Mr. FULBRIGHT. Mr. President, I am pleased that funds are provided in the pending Department of Interior appropriation bill to initiate a survey of the ground water resources in the Mississippi Valley embayment area.

In the 84th Congress I introduced a bill to authorize the Department of the Interior to conduct such a survey. This bill was cosponsored by Senators Hill, Sparkman, McClellan, Clements, Long, Stennis, Symington, Kefauver, and Gore. I am sure that the cosponsors will be glad to learn that the survey proposed by the bill will be initiated in the next fiscal year. When the bill was pending before the Senate Interior and Insular Affairs Committee, the Department of the Interior and the Bureau of the Budget recommended against enactment of the legislation on the basis that passage of this type of legislation would hinder their efforts to carry out an orderly nationwide program for studying our water resources. However, at the same time the Department announced that it was in full accord with the objectives of the legislation. The distinguished chairman of the committee, the Senator from Montana [Mr. MURRAY] wrote to Secretary Seaton and urged that the Department of the Interior request funds for the 1958 fiscal year to begin the survey, in view of the fact that the Department in its objections to the authorizing legislation assumed the responsibility for requesting funds from Congress to carry out an orderly program for conducting surveys of this type. I am grateful for the helpful and cooperative work of the Senator from Montana, and everyone in the Mississippi Valley embayment area will be indebted to him for his efforts in getting the survey started.

The Mississippi Valley embayment area is that portion of the Midsouth area which in the geologic past was covered by the sea. It is now underlain by a natural groundwater reservoir which furnishes more than 90 percent of the water used for domestic, industrial, and agricultural purposes in the entire region. The embayment area covers parts of Arkansas, Alabama, Mississippi, Kentucky, Louisiana, Missouri, Tennessee, and Texas. It would be rather superfluous for me to point out at this time that we have ample supplies of surface waters in this area. However, not even 10 percent of the water used for all purposes in the region is derived from surface sources. To indicate the importance of groundwater reserves in the embayment region, I might point out that the Memphis area alone uses more than 135 million gallons a day for municipal and industrial purposes, while irrigation requires 400 million gallons a day during the 3-month rice-growing season in the Grand Prairie region in Arkansas. The water supply of almost every farm, town, and city in the region is dependent upon underground water reservoirs.

Our water resources are a depletable asset, and we must find ways to recharge the reservoirs which are slowly being depleted by the increased demands for water in the region. The disastrous droughts of the last few years in the area west of the Mississippi have graphically illustrated the need for preserving this precious asset. The proposed survey will enable the Geological Survey, in cooperation with other interested Federal, State, and local agencies, to examine this multistate system of underground water formations in order to determine its capacity to transmit and store water, the quality and quantity of the water, and the extent to which the water table may be recharged by use of surface waters. A thorough knowledge of the characteristics of the underground water system in the area will be of untold value in determining how to use our water resources most efficiently.

It has been estimated that it will take 5 years or more to complete an exhaustive survey of the entire embayment area. I understand that the Geological Survey is prepared to spend $75,000 in the next fiscal year in getting the survey underway. This is certainly a very small initial investment on a program which could be of tremendous importance to all the States within its region. I know that the results will prove to be a wise investment toward better management of our Nation's water resources.

Mr. President, I request unanimous consent to have a statement which I prepared concerning this project printed in the body of the RECORD following my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

NEED FOR A COMPREHENSIVE INVESTIGATION OF THE GROUND-WATER RESOURCES OF THE MISSISSIPPI VALLEY EMBAYMENT

The Mississippi Valley embayment as here considered consists of 90,000 square miles in the Mississippi River Valley extending from about the latitude of the 32d parallel northward to the confluence of the Ohio and Mississippi Rivers, as shown on the attached map. It includes parts of eight States—eastern Arkansas, northwestern Alabama, northern Mississippi, southwestern Kentucky, northern Louisiana, southeastern Missouri, western Tennesseee, and northeastern Texas.

Because the area extends into the related coastal part of the Gulf Coastal Plain the southern boundary is not clearly defined and has been drawn arbitrarily along county lines.

For many years in the geologic past this area was an embayment covered by an arm of the sea, during which time several thousand feet of sediments were deposited in the embayment. Included in these sediments are deposits of sand and gravel which now form the huge ground-water reservoirs of the embayment, and make the area one of the most important ground-water provinces in the United States. The reservoirs consist of water-bearing formations, or aquifers. Water enters these geologic formations where they are at or near the surface, and moves considerable distances to points of withdrawals, in some places passing under State lines. Thus the area is underlain by a natural hydraulic system which should be studied as a unit.

Large surface streams cross the area at various points. However, this supply is not available where it is needed most, as the use of these streams for irrigation is economically limited in most instances to the proximity of the streams.

The most valuable resources of the area are the soil and the water that makes the soil productive. The average annual precipitation is 45 to 50 inches. However, droughts are common during the growing season.

The importance of ground water can best be realized when one considers that the water supply of almost every farm, town, and city in the region comes from wells. More than 90 percent of the water used for domestic, industrial, and irrigation supplies comes from wells and springs, because ground water is nearly everywhere available and costs less to develop and treat than surface water. Also, ground water has a relatively constant temperature and quality, and is silt free.

Large quantities of ground water are pumped from the water-bearing formations of the embayment for irrigation, municipal, and industrial supplies. It is estimated that in the Grand Prairie region of Arkansas 400 million gallons of water a day is pumped for rice irrigation during the 3-month growing season. With the expansion of the area of rice irrigation northeast and east of the Grand Prairie region, the consumption of water for irrigation in that part of the State is more than that for the Grand Prairie region. In part of the Grand Prairie region the rate of withdrawal of ground water exceeds the rate of replenishment by natural recharge, and therefore further studies are needed to determine whether it is feasible to replenish the aquifers by artificial recharge. Within the last few years the area of rice irrigation has been extended into Mississippi and Missouri. In Mississippi the number of irrigation wells in the Mississippi alluvial plain increased from about 25 to 350 between 1949 and 1954. The volume of water pumped for rice irrigation in Mississippi almost doubled each year during this period. In 1954 the total pumpage of ground water for irrigation in all of northern Mississippi was estimated at 325 million gallons a day, average for the entire year. For the 3-month growing season in the delta the average pumpage was at the rate of 1,210 million gallons a day.

Supplemental irrigation of row crops and pasture is increasing rapidly, and will continue to increase, as a result of the present drought conditions and the fact that recent research by agricultural experiment stations has demonstrated that supplemental irrigation is practical as a means of saving the crops and also of increasing their yields even in seasons of normal rainfall. The extension of the Bankhead-Jones Farm Tenant Act to include the entire United States and the passage of the Hope-Aiken bill will tend to further the use of supplemental irrigation. Recent experiments by Louisiana Agricultural Experiment Station in northern Louisiana show that the yield of such crops as sweetpotatoes can be increased considerably by irrigation, and that use of water from underground sources eliminates the danger of plant disease carried by surface water. It appears reasonable to conclude that eventually such a large number of farmers will install irrigation systems that the resulting demand for ground water will become greater than the supply.

In addition to the use of water for irrigation, industrial plants and municipalities in the embayment area down to the 32d parallel in Mississippi use a total of about 134 million gallons of ground water a day. Also, in the Memphis area more than 135 million gallons of ground water a day is used for municipal and industrial purposes.

Industrial expansion and increased agricultural prosperity therefore are dependent to a considerable extent upon the availability, amount, and quality of ground water, and the extent to which the supply may be reused as a result of adoption of methods of natural or artificial recharge.

Ground water in the Mississippi Valley embayment occurs in four principal aquifers, all of which extend under more than one State. All yield water to wells in more than one State. Water may enter the aquifers in one State and move to centers of pumping in other States. In each aquifer the effects of pumping may extend across State boundaries. For example, effects of heavy pumping from wells in the Memphis area extend into Mississippi and Arkansas, and part of the water pumped in Memphis comes from these States. Likewise, large withdrawal of water in Mississippi and Arkansas may affect the parts of ground-water reservoirs that underlie Tennessee. None of these aquifers is sufficiently investigated so that the availability, amount, and quality of the ground water can be evaluated. It would be unwise to attempt a large-scale development without this information. Also, the proposed investigation will yield information needed to assure wise conservation and regulation of water.

The present investigations being made by the United States Geological Survey in cooperation with the States of Alabama, Arkansas, Kentucky, Louisiana, Mississippi, Tennessee, Texas, and the city of Memphis give valuable information on parts of embayment. However, they do not cover the entire area, and they do not treat the study on a regional basis. The Mississippi Valley embayment includes parts of eight States, and is underlain by a geologic and hydrologic system that must be studied as a unit. Therefore, in view of the major importance of ground water to the welfare of the area, a comprehensive regional study of the ground-water resources is needed, and should be conducted either as a Federal program or as a joint, coordinated Federal-State cooperative program, in contrast to the group of generally unrelated Federal-State cooperative programs in each of the States.

In studying the occurrence, quantity, and quality of ground water it would be necessary to map the aquifers both on the surface and in the subsurface. Where an aquifer crops out and is subject to recharge, the size and shape of the recharge area would be determined. The possibility of increasing the recharge through recharge wells or spreading of surface water on the recharge area would be studied. The relationship of ground water to flood control and drainage projects and to the use of excess rainfall for recharge, thus saving flood water otherwise lost to the gulf, would be considered. In areas where water is discharged from the aquifer, the relationship between the aquifer and streamflow would be studied, both to determine the effect of decreased discharge from an aquifer into a stream brought about by increased pumping from wells and to predict the base flow of the stream when there is no direct surface runoff.

The extent of the water-bearing formations, the continuity of the different formations, the capacity of the ground-water reservoirs to transmit water, the storage capacity of the aquifers, the amounts of pumping, the configuration of the water tables, and the quality of water would be determined. By combining all of the information as to the outcrop area, the amount of recharge to and discharge from the aquifer, and the continuity and ability of the aquifer to transmit water, it would be possible to estimate the perennial yield of each water-bearing formation.

All available information, both from the Federal projects now in operation and from State surveys, would be used. It is estimated that such a program would require 5 years and cost $900,000; the cost during the first year would be $100,000. A large part of this money would be spent on an exploratory program of test-well boring and conducting pumping and other aquifer tests and making electrical and radioactivity logs of wells to determine the character, thickness, and extent of the aquifers. By the end of the third year the major part of the exploratory drilling and boring program would be completed and emphasis would be placed on pumping tests and other quantitative studies and on the chemical analyses of the water. Observations on the fluctuations of the water to determine storage effects and quantitative changes in storage should be started as soon as practicable and continued indefinitely.

Progress reports covering the results of the work would be prepared annually, with a comprehensive report on the geology and hydrology to be included in the report at the end of the third year. A final report analyzing all the data obtained and giving information in regard to the perennial yield of the area, the areas of overdraft, and the areas in which additional water could be developed would be prepared at the end of the fifth year.

AREA BY STATES

Alabama

All or parts of six counties in the northwestern part of Alabama are included in the embayment region. The water-bearing formations (aquifers) which underlie this part of Alabama are some of the most productive in the State and extend into Mississippi. Some of the water which enters these formations in Alabama moves into Mississippi. Studies are needed to determine how much water is available in Alabama and the quantity that moves into Mississippi.

None of these aquifers in Alabama have been sufficiently investigated, so that the availability, amount and quality of ground water can be evaluated. It would be unwise to attempt a large-scale development without this information. Also, the proposed investigation will yield information needed to assure wise conservation and regulation of water.

Arkansas

About one-half of the State consisting of all or parts of 46 counties in eastern and southern Arkansas is included in the project. This part of the State is the source of some of the largest groundwater supplies in Arkansas. In the Grand Prairie region, Arkansas, more than 400 million gallons of water a day is required for rice irrigation during the 3-month growing season. With the expansion of the area of rice irrigation northeast and east of the Grand Prairie region the consumption of water for irrigation in that part of the State is more than that for the Grand Prairie region. Also, the use of ground water to irrigate crops such as cotton, corn, and oats is increasing. It appears reasonable to conclude that eventually such a large number of farmers will install irrigation systems that the resulting demand for ground water will become greater than the supply. Industrial expansion and increased agricultural prosperity therefore are dependent to a considerable extent upon the availability, amount, and quality of ground water, and the extent to which the supply may be replenished as a result of adoption of methods of natural or artificial recharge.

In a large part of the area in Arkansas none of these aquifers are sufficiently investigated to make possible a sound evaluation of the availability, amount, and quality of ground water. It would be unwise to attempt a large-scale development without this information. Also, the proposed investigation will yield information needed to assure wise conservation and regulation of water.

Mississippi

Fifty-one counties in Mississippi are included in the embayment region. More than 95 percent of the public water supplies are from wells. In the Mississippi alluvial plain (Yazoo delta) the number of irrigation wells in operation increased from about 25 to 350 between 1949 and 1954. The volume of water pumped for irrigation almost doubled each year during the period. In 1954 the total pumpage of ground water for irrigation was estimated at 1,225 million gallons a day during the growing season.

The use of supplemental irrigation from wells for row crops and pasture is growing rapidly, and will continue to grow, as a result of the passage of the Hope-Aiken bill. In addition to the irrigation development, several industrial plants in the Mississippi alluvial plain are using a total of about 100 million gallons of water a day.

Some of the aquifers in Mississippi are not sufficiently investigated, so that the availability, amount, and quality and quantity of water can be evaluated. It would be unwise to attempt a large-scale development without this information. Also, the proposed investigation will yield information needed to assure wise conservation and regulation of water.

Kentucky

All or parts of 11 counties in the western part of Kentucky are included in the Mississippi Valley embayment. About 90 percent of the municipal supplies are from ground water. This is one of the most productive ground-water areas in Kentucky. This region has the greatest potential for ground-water development of any area in Kentucky, with the possible exception of glacial alluvium along the Ohio River known as the Jackson Purchase region. It is an area of rapid industrial growth, and information on the quantity and quality of water available is urgently needed. It would be unwise to attempt a large-scale development without this information. Also the proposed investigation will yield information needed to assure wise conservation and regulation of water.

Missouri

All or part of nine counties in southeastern Missouri are included in the embayment region. This forms a part of a large area in which large quantities of ground water are used for rice irrigation. Further studies of the area are needed to determine the quantity and quality of water available.

Louisiana

Fourteen parishes in northern Louisiana are included in the embayment region.

Tennessee

Most of Tennessee west of the Tennessee River—all or parts of 19 counties—is included in the embayment. This is the most productive ground-water area in Tennessee. Large quantities of water from wells are used for domestic, public, and industrial supplies. In the Memphis area more than 135 million gallons of ground water a day is used for municipal and industrial purposes.

In most of this area these aquifers are not sufficiently investigated, so that the availability, amount, and quantity and quality of ground water can be evaluated. It would be unwise to attempt a large-scale development without this information. Also, the proposed investigation will yield information needed to assure wise conservation and regulation of water.

Texas

Four counties in northeastern Texas are included in the embayment region.

Mr. CLARK. Mr. President, I should like to call up my amendment to the pending bill, sent to the desk earlier today.

The PRESIDING OFFICER. The amendment offered by the Senator from Pennsylvania will be stated.

The LEGISLATIVE CLERK. On page 17, line 6, it is proposed to strike out "$17,000,000" and insert in lieu thereof the following: "$17,900,000: *Provided*, That of such amount $1,000,000 shall be used for the construction and development of the Independence National Historical Park."

Mr. CLARK. Mr. President, this amendment has been discussed with the distinguished chairman of the Committee on Appropriations and with the ranking minority member. Its purpose is to make it possible to continue in the fiscal year 1958 the improvements already under way at Independence Hall in Philadelphia, and the surrounding area.

In 1948 the Congress created the Independence National Historical Park. It was a three-way deal. The city of Philadelphia gave Independence Hall and the surrounding area to the United States Government and undertook to make certain improvements. The Commonwealth of Pennsylvania undertook to improve the area north of Independence Hall, has spent some $7½ million already, and is about to spend more. The Federal Government has already spent $7½ million in the area which it undertook to improve.

Because of something, which I can only describe as a "snafu," with which the distinguished Senator from Arizona is cognizant, the necessary amount to continue that work this year was left out of the budget.

The Director of the National Park Service, Mr. Wirth, appeared before the Committee on Appropriations and explained how that unfortunate incident had occurred. He pointed out they had programed for this work, during the coming fiscal year of 1958, an amount slightly in excess of $1 million, which was to be divided among demolition, landscaping, and restoration of historic buildings.

Mr. President, if this amendment is not adopted and I hope it will be accepted by the distinguished Senator from Arizona [Mr. HAYDEN]—the work which is now about one-third to halfway completed will stop, and nothing will happen to the Federal part of the program during the fiscal year, while the State and city will go ahead. The Federal Government will be unable to continue the work that it has been undertaking.

Mr. President, as a result of the appearance before the distinguished Senator's Subcommittee on Appropriations by the senior Senator from Pennsylvania [Mr. MARTIN], myself, and the Chairman of the committee appointed by the President to put this project through, Judge Edwin O. Lewis, of Philadelphia, the sum of $100,000 was appropriated for this work.

Mr. President, it has been my view—and I imagine the Chairman of the committee will agree with me—that not very much can be done on a $1 million program if only $100,000 is provided to carry it out. I hope very much that the distinguished Chairman of the committee will accept the amendment.

Mr. HAYDEN. Mr. President, I do not think we can agree to all the Senator asks for, as the Senator has stated that there is no budget estimate. It was an accident or something which happened, so that the estimate simply was not submitted.

We are, of course, loath to put items in an appropriation bill for which there is no estimate or request.

There was an explanation made of the item, to which perhaps the committee did not respond properly when it provided $100,000.

How would the Senator feel if I conferred with my friend, the ranking Republican member of the subcommittee [Mr. MUNDT], and suggested $500,000 as a suitable amount for the next fiscal year? Could something worth while be done with that amount?

Mr. CLARK. I may say to my friend, the Senator from Arizona, that every little bit helps. We can certainly do 5 times as much with $500,000 as we can do with $100,000. While we can only do half as much as we could with $1 million, I have come to learn, in my short span in the Senate, that half a loaf is better than no bread.

Mr. HAYDEN. We can take that amount to the House. Is that agreeable?

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. MUNDT. Mr. President, I have conferred with the chairman of the subcommittee on the Interior Department appropriations about this matter and I have also talked with the distinguished Senator from Pennsylvania [Mr. CLARK]. I have also been approached by the distinguished Senator from Pennsylvania [Mr. MARTIN].

I must say that I visited at Independence Square just a week ago tomorrow in connection with the Alexander Hamilton Student Scholarship Convention, which was concluded there on Friday, and I had an opportunity to be shown around the place. I looked at some of the improvements which are being made, and I feel it is a highly meritorious project of interest to all Americans. After all, that is the birthplace of the Constitution, the greatest charter of freedom any free people have ever had.

I wish to associate myself with the statement made by the chairman of the

committee, and agree to take the $500,000 to conference.

Mr. CLARK. Mr. President, I desire to modify my amendment by reducing the amount requested from $1 million to $500,000, which will call for decreasing the total sum from $17,900,000 in the proposed amendment $17,400,000.

As modified the amendment would read as follows:

On page 17, line 6, strike out "$17,000,000" and insert in lieu thereof "$17,400,000: *Provided*, That of such amount $500,000 shall be used for the construction and development of the Independence National Historical Park."

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

Mr. HAYDEN. It will be earmarked in the bill instead of in the report.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. CLARK] as modified.

The amendment, as modified, was agreed to.

Mr. CLARK. Mr. President, I take this opportunity to express my deep gratitude to the distinguished Senator from Arizona [Mr. HAYDEN] and the distinguished Senator from South Dakota [Mr. MUNDT] for their understanding of the need to have this work go forward not only for the benefit of my hometown, but for the benefit of the Nation as a whole.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. COOPER. Can the distinguished Senator, who has charge of the Interior Department appropriation bill, tell me whether the pending bill includes any funds for the acquisition of lands to create, to add to, or to take the place of a wildlife refuge in western Kentucky between the Tennessee and Cumberland Rivers, near the site of the Barkley Dam?

Mr. HAYDEN. There is no money in this bill for that purpose.

Mr. COOPER. Many citizens of Lyon, Trigg, and other counties have written me. They express great concern over a reported plan to acquire a large acreage, estimated at some 15,000 acres, in their counties. They have stated that the proposed refuge would require the acquisition of most of the land along the shores of the lake to be created on the Tennessee and Cumberland Rivers, and that it would remove from the tax rolls a large percentage of the arable and cultivable land in their counties. Can the Senator also inform me whether or not there were any deliberations in the committee relating to plans in anticipation of such acquisition?

Mr. HAYDEN. There was no discussion whatsoever.

In a general way, my understanding is that the construction of the Barkley Dam would do away with a certain area devoted to fish and wildlife refuges, and that the Corps of Engineers feels obligated to replace the area taken away. From what the Senator says, the proposed replacement is not acre for acre, but some proposals would very greatly increase the acreage.

Mr. COOPER. This proposal would call for 15,000 acres in place of the wildlife refuge of 4,000 acres.

Mr. HAYDEN. This is a matter which Congress must consider very carefully before anything is done. Nothing of the kind is provided for in the pending bill.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LAUSCHE. Under the heading "Acquisition of Strategic Minerals," there is a proposed appropriation of $6,700,000, to remain available until December 31, 1958, for the purpose of "carrying out the provisions of the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956." My inquiry is: Will this appropriation, if made, be available for the purchase of tungsten?

Mr. HAYDEN. No. There is a specific limitation in the bill.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Was the amendment offered by the Senator from Pennsylvania [Mr. CLARK] accepted?

Mr. HAYDEN. I understood that the amendment was adopted.

The PRESIDING OFFICER. The amendment, as modified, was agreed to.

Mr. LAUSCHE. As I understand, the bill does not contemplate the purchase of tungsten.

Mr. HAYDEN. Not at all.

Mr. LAUSCHE. I understand that the exclusion of the money for use for the purchase of tungsten is covered in the following language:

Provided further, That none of the funds appropriated in this paragraph shall be available for purchases authorized in section 2 (a) of said act.

Mr. HAYDEN. Purchases under section 2 (a) of the act are discussed in the committee report, in the following language:

The committee recommends the allowance of $6,700,000 for the acquisition of strategic minerals under Public Law 733, 84th Congress.

The recommendation will provide $4,200,000 to continue the fluorspar program and $2,500,000 to continue the asbestos program. There are adequate funds available to continue the columbium-tantalum program.

The committee recommends that no funds be allowed for the purchase of tungsten. It is the view of the committee that it is not possible to obtain funds for the purchase of tungsten under the provision of Public Law 733. In the event Public Law 733 is amended or new legislation enacted pertaining to the acquisition of tungsten the committee would consider a request for funds, which should be submitted in the regular manner, to implement such legislation.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Minnesota [Mr. HUMPHREY], the Senator from Texas [Mr. JOHNSON], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

I further announce that if present and voting, the Senator from Minnesota [Mr. HUMPHREY], the Senator from Texas [Mr. JOHNSON], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Georgia [Mr. RUSSELL], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Mississippi [Mr. STENNIS] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate.

The Senator from Indiana [Mr. JENNER] is necessarily absent.

If present and voting the Senator from New Hampshire [Mr. BRIDGES], the Senators from Indiana [Mr. CAPEHART and Mr. JENNER], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

The result was announced—yeas 81, nays 0, as follows:

YEAS—81

Aiken	Church	Green
Allott	Clark	Hayden
Anderson	Cooper	Hennings
Barrett	Cotton	Hickenlooper
Beall	Curtis	Hill
Bennett	Dirksen	Holland
Bible	Douglas	Hruska
Bricker	Dworshak	Ives
Bush	Eastland	Jackson
Butler	Ellender	Javits
Byrd	Ervin	Johnston, S. C.
Carlson	Flanders	Kefauver
Carroll	Frear	Kennedy
Case, N. J.	Fulbright	Kerr
Case, S. Dak.	Goldwater	Knowland
Chavez	Gore	Kuchel
Lausche	Mundt	Smith, Maine
Long	Murray	Smith, N. J.
Magnuson	Neuberger	Symington
Malone	Potter	Talmadge
Mansfield	Purtell	Thurmond
Martin, Iowa	Revercomb	Thye
Martin, Pa.	Robertson	Watkins
McClellan	Saltonstall	Wiley
McNamara	Schoeppel	Williams
Morse	Scott	Yarborough
Morton	Smathers	Young

NOT VOTING—14

Bridges	Langer	Payne
Capehart	Monroney	Russell
Humphrey	Neely	Sparkman
Jenner	O'Mahoney	Stennis
Johnson, Tex.	Pastore	

So the bill (H. R. 5189) was passed.

Mr. HAYDEN. I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HAYDEN, Mr. CHAVEZ, Mr. MAGNUSON, Mr. MUNDT, and Mr. YOUNG conferees on the part of the Senate.

PROPAGANDA EXPOSED JEOPARDIZING PALESTINE ARAB REFUGEES

Mr. JAVITS. Mr. President, in the press in Washington today and in the press in New York we have two widely divergent stories on what is happening in the latest chapter in Egypt's propaganda against the United States. The Washington Post says in its headline, "Egypt's Press Says United States Plot Stirs Revolts." The New York Times headline is "New Cairo Drive Aims at Refugees."

We are told by the Egyptian press of secret negotiations between Iraq, Jordan, and Israel, with the United States in the alleged role of mediator to resettle in Iraq the approximately 500,000 Palestine Arab refugees now in Jordan. This is called an American plot. The facts of the situation are that the propaganda datelined Cairo, and emanating from the Government-controlled Egyptian radio and press, deals with the very lives of 922,000 Palestine Arab refugees. I wish to denounce this as false propaganda and it is exposed by the New York Times. It is dangerous propaganda, too. It plays with the misery of human beings, and holds back again the solution of this vexing problem of the Palestine Arab refugees.

Such malicious irresponsibility must be promptly and unhesitatingly exposed. It must be well known to Colonel Nasser and his propagandists that riots and bloodshed among the Palestine Arab refugees—which have occurred before—are the only likely outcome of such false propaganda.

The time is ripe for the United States to spark a major drive in the Middle East for the resettlement of the Palestine Arab refugees, including implementation of the Johnston plan for the development of the Jordan River valley. But this would be done in the open, with full consultation of all parties and assurances of Israel's contribution toward resettlement.

The Palestine Arab refugees remain one of the most nettling problems standing in the way of some affirmative progress toward permanent peace and regional cooperation in the Middle East. It is my conviction that for some time Egypt's Colonel Nasser has been the principal advocate of continuing to use these 922,000 unhappy human beings as the main unsettling factor in the Middle East by blocking efforts to resettle them in Arab lands.

I have made inquiries here into this matter. I state again that I can find no substance to the Cairo story I have referred to. I hope this irresponsible propaganda—maliciously false—will backfire even in the troubled Near East, and show the Palestine Arab refugees that the Arab States other than Egypt—which, in my opinion, is in effect doing the Soviet Union's work in that area of the world—and that the other nations, including our own, who contribute so generously to the UNRWA for Palestine Arab refugees, know how essential is resettlement of the Palestine Arab refugees on the highest priority.

I ask unanimous consent that the two news stories to which I have referred may be printed in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from New York?

There being no objection, the news articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of June 24, 1957]

EGYPT'S PRESS SAYS UNITED STATES PLOT STIRS REVOLTS—HAMMERS AT CHARGES OF SECRET PARLEYS ON REFUGEE HOME IN IRAQ

CAIRO, June 23.—The Egyptian press today predicted that wat it called an American plot against Palestine Arab refugees would lead to revolts and disturbances in Jordan.

For the third day, the Government-controlled press hammered away at the charge that the United States was mediating in secret talks between Israel and pro-Western Arab countries to resettle refugees from Jordan in neighboring Iraq.

(Israeli sources in Jerusalem denied any such talks were in progress.)

A half million Arab refugees of the 1948 Palestine war are crowded into the territory west of the Jordan River annexed by Jordan after the war.

The press accused Saudi Arabia, Jordan, Iraq, and Lebanon of treating with hated Israel and with American colonialism.

Iraq officials denied that Iraq would accept the refugees. A statement said Iraq is not in favor of settling Palestine refugees in any country except in their homeland in Palestine.

The Egyptian press also carried a report of the semiofficial Middle East News Agency that Foreign Minister Samir Rifai of Jordan and Israeli Prime Minister David Ben-Gurion met recently in Aqaba, Jordan, with a view to reaching agreement on preliminary steps toward the conclusion of a peace agreement between the two countries.

The leftist newspaper Al Massa said: "The biggest treason is being committed these days in the history of the Arab nations—a treason that will remain a black spot in Arab history and lead to the ouster of those who committed it."

[From the New York Times of June 24, 1957]

NEW CAIRO DRIVE AIMS AT REFUGEES—REPORT OF JORDANIAN-ISRAELI TALKS VIEWED AS EFFORT TO STIR UP UNREST

(By Osgood Caruthers)

CAIRO, June 23.—Using the Palestine refugee problem as his most powerful weapon President Gamal Abdel Nasser has opened a massive propaganda campaign against those Arab governments that have abandoned him to line up with the West.

This has become evident during the last 3 days in a sudden outburst of obviously inspired stories, bitter editorials and radio broadcasts emanating from Cairo.

President Nasser's semi-official Middle East News Agency topped a barrage against Jordan today with a completely unattributed story that Samir el-Rifain, Jordan's Deputy Premier and Foreign Minister, had met secretly with Premier David Ben-Gurion of Israel at Aqaba "with a view to reaching agreement on preliminary steps toward the conclusion of a peace agreement between the two countries."

The story went on to say that "agreement was reached between Israel and the representatives of pro-West Arab countries on the forcible transfer of Palestinian refugees to unpopulated areas in the desert between Jordan and Iraq."

The Middle East agency distributed this story under an Amman dateline although the news service has not had a reporter in Jordan since its correspondent was expelled from that country in April.

The principal target of the Cairo stories, editorials and broadcasts has been King Hussein and his pro-Western Jordanian Government. Diplomats in Cairo see in President Nasser's campaign an all-out effort to incite the half-million Palestine refugees in Jordan to open revolt.

Those who have watched the events of the last three months, in which Jordan, Lebanon, and Saudia Arabia have come out in open opposition to the pro-Soviet policies of Egypt and Syria, have wondered how President Nasser would strike back.

The Egyptian leader has held that the people of those countries still support his nationalist policies of "positive neutralism," which in fact have invited Soviet penetration into the Middle East.

PAST RIOTS CITED

In now becomes clear that the Egyptians have decided that Palestine refugees, whose hungry and hopeless thousands make up half of Jordan's population, are the best weapon.

Incredible as the Middle East agency's report may seem to a student of the Middle East, it is certain to have some effect among more innocent masses of refugees and Arabs throughout the Middle East.

Any suggestion of a final peace with Israel is like a red flag among the great majority of Arabs. More important, however, is the fact that any suggestion of a resettlement of Palestine refugees or of trying to resolve their problem any way other than by their return to their homes in what is now Israel is almost certain to incite violence. Such suggestions in the past have caused riots among the refugees.

An analysis of Egyptian press and radio reports shows that President Nasser's campaign began subtly a month ago. At that time there was a sudden spate of inexplicable attacks against the United Nations Relief and Works Agency for Palestine Refugees, which is charged with caring for almost 1 million refugees.

Although Egyptian authorities pledged full cooperation with the United Nations agency, charges continued that it was "plotting to annihilate refugees," was helping the Jordanian Government identify and arrest "Arab nationalist" element in refugee camps and was halting its rehabilitation services as part

of a so-called Western imperialist plot to settle the problem in Israel's favor.

IRAQ AID TO JORDAN SEEN

(By Sam Pope Brewer)

BAGHDAD, Iraq, June 23.—Iraq has agreed to give important economic aid to Jordan, according to a reliable source. Representatives of the two countries conferred today on details.

King Feisal of Iraq, King Hussein of Jordan, and Crown Prince Abdul Illah of Iraq attended part of the meetings, but the main talks involved cabinet ministers in technical discussions.

Iraq already has paid 250,000 dinars ($700,000) to Jordan as the first installment of the equivalent of $4,620,000 pledged last year for development projects.

Ali Mumtaz, Iraq's Minister of Finance, said that Iraq was prepared to aid Jordan, but he added that he could not give any details before the talks were completed. The meetings began last night and were expected to continue at least through tomorrow. The atmosphere of the discussions was reported to be harmonious.

DEVELOPMENT NEEDS OUTLINED

The Jordanian delegation was understood to have presented detailed specifications of Jordan's needs for basic industrial and agricultural development projects. The question of defense aid also was expected to come up.

Development aid is important to Jordan, but she also is worried about replacing the £12,500,000 ($35 million) annual subsidy she formerly received from Britain under their defense treaty.

Saudi Arabia, Egypt, and Syria agreed in January to furnish an equivalent sum to Jordan following cancellation of the British treaty. But only Saudi Arabia has paid her first installment.

Iraq is represented at the talks by Premier Ali Jawdat, Finance Minister Mumtaz, Dr. Nadim Pachachi, Minister of Economy, and Ahmed Mukhtar Baban, Minister of Defense.

Jordan's representatives are Premier Ibrahim Hashem; Samir Rifai, Foreign Minister and Deputy Premier; Anastas Hananiyah, Minister of Finance, and Kheiousi Alkhairi, Minister of Economy.

ALTERING OF MATERIAL FOR PUBLICATION IN U. S. NEWS & WORLD REPORT

Mr. JOHNSTON of South Carolina. Mr. President, I should like to call to the attention of the Senate an unusual and uncalled for case of censorship by the editor-publisher of a leading magazine. What I have to say should serve as a warning to other Senators, when submitting material for publication in U. S. News & World Report. Senators should realize that the editor-publisher of that magazine, David Lawrence, may alter it to serve his point of view.

In the May 24 issue of U. S. News & World Report there appeared an article entitled "You Can Have Better Postal Service—If," by Postmaster General Summerfield, covering 15 pages of the magazine. In my judgment, it was not an accurate portrayal of the complex postal problem. It contained many discredited claims, distorted statistics, and charts.

In the interest of correcting the record I telegraphed Mr. Lawrence as follows on May 28:

Have read exclusive interview with Postmaster General Summerfield, "You Can Have Good Mail Service—If." As you no doubt know, there has existed a difference of opinion between the Congress and the Postmaster General over Post Office policy. I would appreciate opportunity to present opposing side of this complex issue. Knowing your creed of presenting all facts in interest of better informed public, trust you will accept this article for an early June issue.

I received a hand-delivered reply on May 29 signed by Carson F. Lyman, managing editor. That letter stated:

Your telegram addressed to Mr. Lawrence was referred to me as I am in charge of the news content of the magazine. We would be glad indeed to have you send us at an early date the article on the postal service referred to in your telegram, so that we may publish it in a future issue. Please address the article to my attention.

My manuscript reply was delivered to Mr. Lyman's office on June 7. On June 12 I wrote a letter to Mr. Fitzhugh Turner, another editor of the magazine. Mr. Lyman had gone on vacation and I was advised to deal with Mr. Turner. In the June 12 letter, I requested that some additional language be included in my original manuscript. I also included the following sentence:

Should this be too long an insertion and need rewriting, I would appreciate your checking with me any such rewriting in order that we all may be sure the proper sense of my suggestion is carried out.

I kept my reply to the Summerfield article reasonably short. It would have covered 5 or 6 pages of the magazine, as contrasted with the 15 pages and 6 charts required for the Summerfield interview. I sent two very effective charts along with my manuscript.

I fully expected that my article would appear as written. I know it will shock Members of the Senate, as it did me, to learn that Mr. Lawrence took it upon himself to trim 25 percent of my manuscript—and I might say the most telling arguments—without so much as a phone call to let me know what he was up to. The two very enlightening charts I prepared were discarded and did not appear with the article.

I recognize that Mr. Lawrence had no obligation to accept for publication an article prepared by me. I feel strongly, however, that once having agreed to print the article, he violated the code of a newspaperman and publisher when he performed major surgery on my manuscript without first notifying me of his intention to do so.

Certainly, I would have withdrawn the article if I had had any advance warning that 25 percent of my language would be censored. I condemn Mr. Lawrence's lack of courtesy in this matter. In my opinion, he trimmed from the article those viewpoints which did not happen to coincide with his own. As I said previously, Senators should be on notice regarding this practice of U. S. News & World Report.

In order that Senators may judge for themselves whether the censored paragraphs are as important and informative as I believe them to be, I ask unanimous consent that the article as submitted by me for publication be printed at this point in the RECORD with the deleted language appearing in italics.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the U. S. News & World Report of June 21, 1957]

I am grateful to the editors of U. S. News & World Report for this opportunity to set the record straight on the complex postal issue. The granting of this privilege is in the best traditions of the free press we all cherish so deeply.

I have no desire to engage in a war of words with the head of the postal service. Yet there are two sides of the postal coin. The American people have heard the arguments of the Postmaster General. In my judgment he has used distorted statistics to achieve a preconceived result. If the Congress were to accept his arguments, we would reverse almost overnight 180 years of postal history.

The American people are entitled to the best postal service in the world. They are not getting it today. What's more, service will deteriorate further if Mr. Summerfield carries out his newest threat to close post offices on Saturday, and curtail operations in other areas. The morale of postal employees is at its lowest ebb.

Postal patrons know without my telling them just how bad service is today. Both the House and the Senate postal committees have been studying the Department for the past 4 years in an effort to improve service. Senators and Representatives are hearing constantly from constitutents about unsatisfactory postal service. Newspaper editors pound out editorials daily about the need for improvement in the archaic workings of the post office. Never in my lifetime has mail delivery been so slow. Recently I mailed a letter to my office in Columbia, S. C. It arrived 7 days later. The people are justifiably aroused at such poor service when they learn that in Paris a letter mailed at noontime is delivered within the city the same night.

There seems to be unanimity on one important phase of the postal problem: The physical facilities of the postal service are "archaic and antediluvian," to use the phrase of Deputy Postmaster General Stans. Aside from the substandard conditions our loyal postal workers must endure—poor lighting, insufficient space, poorly designed buildings, inferior ventilation, etc.—the outmoded postal plant slows down mail handling to a considerable degree while adding to costs.

If we are to provide the best postal service in the world for the American people, we must come to grips with the over-riding need for modern postal facilities. The Post Office Department's thinking in this regard is reminiscent of the gay nineties. While industry is constantly moving ahead in the 20th century to provide the most efficient buildings and equipment to accommodate the needs of the modern world, the post office has virtually stood still.

I propose to introduce legislation shortly which would remedy this tragic condition. My bill would authorize the Postmaster General to borrow the sum of $2 billion from the Federal employee's retirement fund. Under the supervision of a special commission composed of Members of the Senate, Members of the House and representatives from the executive branch, such funds would be expended for (1) the construction of modern postal buildings throughout the land, (2) modernization of existing facilities, and (3) the development of the most

advanced mechanical devices to process the everexpanding volume of mail.

This plan would offer an immediate solution to Post Office Department problems and provide the necessary funds for a sweeping modernization and rebuilding program. This program, when completed, would insure much better service at drastically reduced costs to the American people.

It should be noted that the Federal Treasury is presently paying 2¾ percent interest on such retirement funds, which it borrows from Federal employees. My bill would provide for the payment of 3¼ percent interest by the Post Office for the loan of such retirement funds. The people would benefit all around under my proposal and the Federal Employees' Retirement Fund would be strengthened.

This may sound like a revolutionary proposal. It is. But I consider it a sound approach to a problem which Postmasters General and the Congress have not dealt with adequately in the past.

Congress has never been unwilling to provide adequately for the United States Postal Service. It has resented the misuse and overspending of such funds. Particularly, when higher and higher postal appropriations have been followed by poorer and poorer service.

Are postal rate increases necessary to improve service? I submit the answer is "No." The fact is that even if the Government extracted a billion more dollars a year from the public, through mail rate increases, the Postmaster General would not get one extra dime to run the postal service. All receipts from stamp sales and other fees levied by the Post Office go to the United States Treasury. There is no connection between postal receipts and Post Office operating funds. The Post Office cannot spend any of the money it takes in. Every penny of the $3-billion-plus it takes to run the Post Office for a year is appropriated by Congress, in the same fashion as for other Government departments. I repeat it is a plain fact that increasing rates has nothing to do with improving service.

The propaganda war now being waged to force Congress to raise postage rates is unparalleled.

In my experience, no Cabinet Member ever spent so much time on Capitol Hill or lobbied so much with Senators and Representatives to put across his project. One House leader revealed he was telephoned by Mr. Summerfield seven times in a single day, each call being to urge action to raise mail rates. Many Members have wondered: Why this massive and continuous campaign? It will be recalled that the previous Postmaster General, Jesse Donaldson, a Democrat, also advocated rate increases on several occasions. But Mr. Donaldson proposed; he did not demand. Some Members say that is why Mr. Donaldson succeeded where the present Postmaster General has failed. This issue, however, cannot be settled on the basis of personalities.

What is the real reason for this insistence on raising postal charges, which of course is just another way of raising taxes? I think I know the answer. Mr. Summerfield decided he could gain the headlines by making an ogre out of the postal deficit. He knew that the cost of running the total postal establishment has exceeded the revenue for many years, except during wartime when the military assumed many postal costs. He would change all that, and put the Post Office on a pay-as-you-go basis. The Postmaster General soon discovered that the only way this could be done fast would be to increase first-class letter rates to 4 cents. This he set out to do when he assumed office in January 1953.

Somehow, this plan has not succeeded, and I hasten to add that the shifting political tides are not the reason. After all, he had a Republican Congress in 1953 and 1954, and still failed. The Congress takes seriously its constitutional prerogative of establishing postal policy for the United States and will not be stampeded into hasty or ill-advised action.

I mentioned at the start that—

many of the claims of the Postmaster General are neither factual nor logical. Let's take some examples. A chart often used by the Postmaster General and reproduced in his article attempts to prove that there were fewer postal employees in 1956 than in 1952. This chart is designed to show that the Post Office Department is handling a greater volume of mail with fewer employees. Experts know that the proper measure of employment is man-years. A man-year is one employee working full time for 12 months. One man working 60 hours each week would constitute 1½ man-years.

Thousands of substitute clerks and carriers have even declined to become regulars because their workweek would then be restricted to 40 hours. To make ends meet they work many long hours overtime.

On this basis, the Senate Committee on Appropriations disclosed recently that there has been a substantial increase in employment, actually about 47,000 more man-years in 1956 than 1952. So the claim of reduced employment is not factual.

Let's look at the key argument that Mr. Summerfield makes in his demands for rate increases. We are led to believe 3-cent letters are carried at a loss. He demands a 4-cent rate, and suggests that a 5-cent rate is required. The Post Office's figures for 1956 show that first-class mail made a profit of about $36 million.

I referred to distorted statistics and this is what I had in mind.

Since the Post Office's own report shows a profit on first-class mail, and the Postmaster General claims he is losing money at the 3-cent rate, the public is entitled to ask, How come? This conflict between fact and claim is difficult to rationalize.

The Post Office decided it needed a new formula if 4-cent letters were to be justified, so it created intangible factors which are now included in its computations. These intangible factors would place a percentage value on first-class mail in excess of the actual cost of handling such mail matter. Until the present Postmaster General assumed office, no consideration was ever given to such an arbitrary formula. When the rate on first-class was increased in 1932 from 2 cents to 3 cents, the legislation was processed by the House Ways and Means Committee as a tax measure. During the depression years the Federal Government was seeking funds from every conceivable source. First-class users, as a result, have been paying more than their fair share of postal costs for the past 25 year. In my judgment it is unfair, on the basis of newly conceived factors, to again tax such users through the medium of a 4-cent rate. It may simply be coincidence but the use of these arbitrary intangible factors transforms a $36 million first-class profit into a $346 million loss—just enough to justify a 4-cent rate.

Actually first-class letter mail would not show a profit if it were not for the fact that billions of letters carry more than 3 cents in postage. A first-class letter weighing 1.1 ounces requires 6 cents postage, and it would be 8 cents if pending legislation passes. The Post Office makes a considerable profit on letters weighing over 1 ounce since the average cost of handling first-class mail as a whole is just a little over 3 cents per each ounce.

Considering the fact that first-class post cards are handled for only 2 cents, it will be obvious that the profit on first-class letter mail would be even greater if the $31 million current loss on these cards were not included in the overall first-class mail cost statistics.

A claim often made by the Postmaster General and Department officials is that they have achieved a $1 million a day savings in the operation of the postal service through efficiency. The basis of this assertion is that the postal deficit was $720 million in 1952, and $368 million in 1955. Mr. Summerfield's charts on this achievement are most dramatic. But let's take a close look at the claim.

Rate increases enacted by a Democrat Congress in 1951, but not fully effective until 1954, increased postal revenues by $272 million annually. (I sponsored the legislation which increased second-class rates by 30 percent and the third-class bulk rate by 50 percent. Post cards were increased 100 percent. In addition, parcel-post rates have been hiked more than 100 percent since 1949, including a substantial boost since Mr. Summerfield assumed office.)

Congress also passed a law which transferred $37 million of franked and penalty mail costs to other Federal agencies.

In like manner the airmail subsidy of $70 million was transferred to the Civil Aeronautics Board. Theretofore the Post Office was charged for this large item.

Of course, the taxpayers did not save a dime by these actions. The users of the mails and the taxpayers are still paying for these $370 million of statutory and bookkeeping adjustments. Yet the Postmaster General, relying on the public's lack of knowledge regarding these items, claims a daily saving of $1 million.

Facts are revealing, aren't they?

We are now faced with another crusade. The Postmaster General says that unless he gets an additional $149.5 million in operating funds for the coming year, he will cut service on July 1. At this writing, I do not want to prejudge a matter on which I will have to vote, after weighing the evidence. But I can and do deplore Mr. Summerfield's tactics in giving Congress an ultimatum. He says, in effect, "give me all the money I want or I will take it out on the public by cutting service." This is what he did last spring, causing the greatest public outcry ever raised against any Postmaster General. The April service cutback was completely unnecessary. The fact is that financial mismanagement—to the point of being illegal according to the official opinion of the Comptroller General—caused the April crisis. The Postmaster General knew, a year in advance, how much he had to spend during the fiscal year ending June 30, 1957. He overspent the funds allowed him during the first 9 months of the year, then demanded that Congress give him more money to operate in the last quarter. This shotgun-to-the-head approach was without precedent in our history. I regret to say that it worked, at least in part. Congress knuckled under. Having once succeeded in bending Congress to his will, Mr. Summerfield is now staging a repeat performance.

The whole Nation is up in arms over the level of Government spending. There is an unprecedented demand for every possible economy, and I say it is about time we heeded the public outcry. It is only proper that the Post Office should cut some corners, like every other Government department is being forced to do.

I refuse to believe that a small reduction in the Postmaster General's requests for additional postal funds forces such drastic action. The little bit of economy required can be achieved without reducing service or

firing regular employees. Actually Congress already has given him $166 million more for 1958 than it appropriated last year.

Why is it that whenever Congress declines to give Mr. Summerfield every cent he demands, he reacts by slapping the faithful mailman? Why not do some trimming among the brass? After all, the faithful mailman is the one who delivers the mail to your door thereby performing the vital service for which the Post Office was created. The many top postal officials can only confuse that service by issuing orders from the many new different levels of authority. The salary of 1 top administrator equals the pay of 4 mailmen.

A disturbing angle of the current controversy is the suspicion that all this fuss about funds to run the Post Office is really a false front to focus attention on the annual effort to raise postal rates. The two issues are in no way related.

One area of postal operations where a considerable saving could be achieved is in the regional and district offices established since November 1953. The Postmaster General over my objection and without the approval of the Congress, divided the Nation into 15 postal regions, each with a regional director at $16,000 per annum, an assistant director, an operations manager, a real estate manager, a vehicle manager, a personnel manager, an industrial engineering manager, and a comptroller. Each regional director has about 6 district managers, and each of them has a large staff working to complicate postal operations.

The regionalization program has raised costs by over $20 million a year. Where there was always one level of responsibility, this administration has produced three which has created the ridiculous situation of conflicting orders, that serves only to slow the service.

Publicity activities of the Post Office offer another opportunity for economy. I asked the Comptroller General to tell me how many press agents there are on the Post Office payroll. The budget shows seven public relations positions in Washington, but the Comptroller General reported to me the publicity staff had increased 1000 percent under this administration, despite job descriptions which obscure the nature of the work being done.

There is a steady flow of press releases from the Department, all devoted to the same sort of propaganda for the Postmaster General's program. These releases are numbered consecutively; not long ago the number got so high as to be embarrassing, so the Postmaster General started all over again with No. 1. The waste in manpower, paper and ink is more than I can measure. You would think that a Postmaster General really interested in economy would do a bit of paring of publicity.

The Postmaster General keeps insisting that he can exercise no real discretionary control over 98 percent of his $3¼ billion budget. His claim is that no economy is possible except on about $140 million of his operating funds. What he does not tell you is that he has almost complete control over the number of persons he employs and man-hours they work, which, after all, determine how much money he spends. He apparently has misled himself because in his article he pats himself on the back for saving $500 million a year through efficiencies and economies, etc. This wizardry with figures is truly amazing.

What can be done to find a permanent solution for the ills of the Post Office? I don't regard the situation as completely hopeless. As a matter of fact, I think it is possible to devise a set of ground rules which will be sensible, workable, and constructive. The Senate Committee on Post Office and Civil Service is on the threshold of attaining such a goal. It has taken a long time, partly because of the vigorous opposition of the Postmaster General, and we still have a way to go. But the outlook is reasonably good for a solution this year.

To explain what I mean, let's review a little history. Back in 1953, a Republican-controlled Senate authorized a $100,000 study of postal problems, including rates. After a thorough investigation in which many experts participated, an excellent report was issued in 1954. Senator Frank Carlson, Republican, of Kansas, headed the postal committee at that time and took the leadership in directing the study. I was the ranking minority member of the committee at the time, and cooperated fully with Senator Carlson. If the recommendations contained in the Carlson report had been adopted by the Post Office, I am confident that the present controversy would never have arisen.

Unfortunately, Postmaster General Summerfield chose to attack the findings, even questioning the motives of some of those who had contributed their time and energy in an effort to draw a blueprint to solve the postal problem. The Post Office even produced an expensive book which cost thousands of dollars to print and circularize, all to answer the Carlson report. While accepting some of the suggestions made, the Postmaster General rejected the major premise and recommendations of the report and little action resulted. He brushed aside all helpful suggestions and continued his relentless drive for a 4-cent first-class letter rate.

When I again assumed the committee chairmanship in 1955, Senator Carlson and I decided to make another try at setting forth some ground rules for the guidance of the postal establishment, and to assist the Congress in legislating sensibly for the Post Office. For the second time the Senate voted unanimously for another full-scale study of the postal establishment. Again, the reaction of the Postmaster General has been completely derisive. The report of the Citizens' Advisory Council was condemned by the Postmaster General even before it was released. In violation of the code of a gentleman, he broke the release date of the report and bitterly assailed the Council's findings. Once again, he impugned the motives of the authors of the report. Though only 3 of the 7 distinguished citizens who served on the Advisory Council are publishers and second-class mail users, the Postmaster General cried "publisher domination." (Incidentally, the Postmaster General also has a Citizens' Advisory Board. Two of its members are publishers and second-class mail users.)

Because of the propaganda efforts of the Postmaster General, the recent report of the Citizens' Advisory Council has not received the attention it deserves. It contained these recommendations:

1. Congress should enact a modern postal policy now to lay the groundwork for subsequent consideration of proper rate adjustment.

2. Such a policy should enumerate and separate the costs to be borne by users of the mails from those to be met in the public interest by appropriation.

3. Congress should reaffirm its responsibility for, and power to set all postal rates so that a uniform policy once established can be maintained.

4. Congress should direct the executive branch to make an immediate survey of the impact of postal rate increases on the economy, especially on small business.

5. Congress should direct the Post Office to request adequate appropriations for research and capital improvements compatible with the highest standards of modern business efficiency, and provide for a periodic review by the Congress of progress achieved.

6. Improvement in postal service and better working conditions for postal workers can only come about if wage scales are adjusted on the basis of merit and economic conditions, and not tied to postal rates or postal revenues.

One of the main features of the Council's report is a set of charts demonstrating that the postal deficit for fiscal 1955, the latest year for which complete figures were available when the report was prepared late last year, was $362.7 million. Items considered by the Council to be of a public welfare nature, the cost of which should be recovered through taxes rather than by increased rates, are shown to total $392.4 million. Should the Congress adopt this finding, the alleged deficit would diminish or completely disappear.

(See chart I.)

Enumerated among these public welfare costs are nonpostal services performed by the Post Office ($14.4 million); free services for newspapers within the country publication, free mail for the blind, and free registered mail for Government agencies ($15.9 million); and preferred rates on books and exempt publications ($60.5 million). Other costs cited are the loss on postal cards ($35.8 million); losing special services such as registered and special delivery mail ($48 million); the loss on parcels diverted from the mail because of a size and weight limitation law passed in 1951 ($73 million); the estimated loss on rural delivery ($95 million); and the loss in operating third- and fourth-class post offices which do not meet expenses ($51.8 million). The total of these items is $392.4 million which represents only 12 percent of present postal expenditures.

The report also points to other hidden public welfare costs which cannot be precisely determined. These costs are estimated in the millions and occur in transportation costs and free services. Here is a partial listing from the Council's report of free services performed for the American people by our great postal establishment. It is impossible to put a dollar value on these desirable services and no one would recommend their elimination:

Provide notary public service for people.

Make collections for the Collector of Customs on mail received with duty charged.

Sell documentary stamps for deeds and stock transfers.

Help the armed services to find relatives of deceased servicemen.

Aid the FHA (Federal Housing Administration) in making surveys of vacancies.

Make flags for veterans' funerals available on behalf of the Veterans' Administration.

Register aliens for the State Department.

Aids the Federal Bureau of Investigation in the apprehension of criminals.

Helps recruit employees for the entire Federal Government.

Sells United States savings bonds and stamps.

Distribute income tax forms for the Department of Internal Revenue.

Receive and transmit funds for volunteer charities: Heart, cancer, polio, etc.

Witness the marking of absentee ballots.

Witness declarations of competence by private bondsmen.

Administer oaths of office.

Certify widows and children in January and July for continued pension benefits.

Although the total public welfare cost is debatable, I am very sure the Council was on the right track in making its compilation. The report will be most useful to our committee in drawing the ground rules for postal operations.

One of the most helpful charts contained in the Council's report demonstrates graphically how the Post Office Department leads all Government agencies in the recovery of costs. Only the postal establishment can point to an 88-percent recovery of costs. The word "deficit" is a word applied to the Post Office alone. All other Federal agencies have appropriations. (See chart II.)

This report, entitled "The Post Office as a Public Service," is a most enlightening document, prepared by seven well-qualified and highly public-spirited citizens. It gets more directly to the heart of the postal problem and suggested remedies than anything offered to date. The report has been the subject of hearings before a Senate Subcommittee which I head. The witnesses were practically unanimous in endorsing the report. I am hopeful that very soon there will be a tangible result from this report and the hearings on it.

I anticipate that a bill setting forth fundamental policy for the postal establishment will be introduced and reported. The chances for Senate passage this year are excellent. Once such a bill becomes law, it should not take long to make whatever rate adjustments seem required. This appears to me to be the orderly way to approach the complex problems of the Post Office.

One facet of the rate situation that worries many Members of Congress, but seems to be of little concern to the present administration, is the impact that across-the-board rate increases will have on our economy. Many small business concerns back home in South Carolina, which depend entirely on mail distribution, have informed me that they will be forced out of business if drastic rate increases are enacted. This would lead to unemployment and loss of tax revenue. While our Committee has asked for it, we are still waiting for some agency of Government to supply us with factual material on the impact of mail rate increases. I am particularly concerned about the little fellows, who lack the flexibility and resources of big business. The most shocking suggestion made by Mr. Summerfield in his article was a reduction of mail volume through increased rates. This is apostasy on the part of a Cabinet officer who should agree with the administration's goal of an expanding economy. A reduced volume of mail can only mean that the small mailer will be forced to the bankruptcy wall. My view is that an increasing volume of mail is good for America. Benjamin Franklin had such a concept. I can see no reason in the year 1957 to depart from the Franklin goal.

I strongly feel that we must proceed full speed ahead with our consideration of a postal policy. Once that issue has been decided by the Congress and agreed to by the President, the Congress should, without delay, enact a rate bill that would more fairly distribute the burden of postal costs in accordance with that policy.

I disagree with the Administration goal that first-class mail users should carry the entire burden for the postal service.

Mr. Summerfield summed up the administration's policy on this question when he told the House Post Office and Civil Service Committees:

"Why are we asking an increase in first-class mail when that is the only class that, considering arithmetical reckoning alone, shows a profit?

"The practical fact is that it is the only class of mail which can help make a substantial reduction in our annual deficit without inflicting any particular hardship on the individual."

One final comment. I note that your earlier interview bore a title, quoting Mr. Summerfield as saying, "You can have good mail service, if—." I would like to make it plain that I don't think there should be any ifs about good mail service. Service is what the post office was created to render. Frankly, I think postal service has deteriorated under the present management, and I think the general public agrees with me. I have faith that Congress will provide the necessary funds, when the Postmaster General lays his pistol down and turns his unbounding energies toward providing an efficient, modern postal service at the lowest possible cost to the American people.

DEVELOPMENT AND MODERNIZATION OF THE NATIONAL SYSTEM OF NAVIGATION AND TRAFFIC CONTROL

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which shall be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1856) to provide for the development and modernization of the national system of navigation and traffic control facilities, to serve present and future needs of civil and military aviation, and for other purposes.

FLOOD DAMAGE IN ARKANSAS, OKLAHOMA, MISSOURI, AND TEXAS

Mr. FULBRIGHT. Mr. President, today I received from the Corps of Engineers a report on the damage caused by the flood conditions which have existed for the past several months in parts of Arkansas, Oklahoma, Missouri, and Texas.

The report contains a commentary on flood-affected areas of the Arkansas, White, and Red River Basins, and contains also a number of tables showing the status of the public works projects in each of these major river basins.

Since the Senate will soon consider the appropriation bill providing funds for public works projects, I think my colleagues will find the reports interesting. Therefore, I ask unanimous consent that they be printed in the body of the RECORD.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

ARKANSAS RIVER BASIN

The eastern part of the Arkansas River Basin lying in Oklahoma and southeastern Kansas has been subject to severe flood conditions for almost 2 months. Major flooding is still underway on a number of the tributary streams and heavy rainfall has just occurred over the lower Canadian River Valley. At the beginning of this year the area generally was still in the grip of a prolonged drought.

On the main stem of the Arkansas River peak flows have reached from 6½ feet above flood stage at Tulsa, Okla., to 14½ at Van Buren, Ark. Levees at Hutchinson, Kans.; Tulsa and Jenks, Okla.; and uncompleted works at Wichita and Valley Center, Kans., have been fully effective, but heavy losses have occurred in unprotected areas. The main line levees of the lower Arkansas River are carrying the flood to the Mississippi. In this reach there has been a major flood and some flood fighting has been necessary, but the levees have so far prevented inundation of the lower valley.

The Cimarron River has experienced 3 storms with rainfalls of as much as 10 inches in 24 hours. Peak flows were over 8 feet above flood stage at Guthrie and Perkins, Okla. There are no Federal flood control projects on this tributary. In its lower valley the cities of Enid, Rover, Stillwater, and Doyle suffered severe flood damage. The floodway authorized for Enid, but not yet constructed, would have reduced damages substantially.

The Verdigris River has suffered a series of storms and its greatest flood is now underway, and crested on June 13 at Bartlesville, Okla. The Fall River Reservoir is now storing water but is still well below full pool and it is anticipated that the Hula Reservoir will fill to at least three-fourths of its capacity. Four additional reservoirs are authorized for construction on this stream, of which two—Oologah and Toronto—are now under construction.

There has been serious flooding in the valley of the Grand (Neosho) River in Oklahoma; and flows from this tributary have contributed to flooding in the Arkansas Valley below Muskogee, Okla. There are two reservoirs on this river, Pensacola, of the Grand River Dam Authority, and the Fort Gibson Reservoir, which are operated for flood control by the Corps of Engineers. Late in May storms of cloudburst intensity were experienced over these reservoirs and immediately above, when they were almost at full pool. Necessary releases from Fort Gibson reached 210,000 cubic feet per second. Although this flow was much greater than channel capacity and caused serious flooding, an even greater degree of flooding would have occurred without the two reservoirs. Details of the effect of these reservoirs are not yet available. The program for this river is only partly complete as 4 additional reservoirs are authorized for construction upstream in Kansas and 1 reservoir, Markham Ferry is authorized, but not started, in Oklahoma. The 2 existing reservoirs have a flood-control storage capacity of 1.4 million acre-feet. Those now authorized would add over 700,000 acre-feet.

There was moderate flooding on the Illinois River above the Tenkiller Ferry Reservoir but practically no flooding below the dam. The reservoir is within less than a foot of being full.

Flooding has also occurred on the Poteau River in Oklahoma, Petit Jean, and Fourche La Fave Rivers in Arkansas. On these rivers the existing Wister, Blue Mountain, and Nimrod Reservoirs have filled, and capacities of the first two have been exceeded. Although flood damages have occurred, they would have been much greater without these projects.

Preliminary estimates indicate that for the Arkansas Basin as a whole the completed reservoirs and local flood-protection works have prevented damages of about $20 million. Since flooding is still underway, it is possible to present only an approximation of the damage that has occurred, but this appears to be at least $38 million. It is believed that about $13 million of this could have been prevented by Federal works authorized but not yet built.

There are now over 3 million acre-feet of floodwater in storage in the Arkansas River Basin which must be released when downstream conditions permit. This is over and above the water in power and conservation pools, which will be used.

The figures given above of damage prevented do not reflect the value of the main-line levees below Pine Bluff, Ark., which have protected the broad lower valley. Failure of these levees would have resulted in tremendous losses.

The attached tabulations show the cost and status of the authorized program in the Arkansas Basin which affected or would affect this flood, and the status of authorized flood storage.

ARKANSAS RIVER BASIN

TABLE 1.—*Status of program*

Projects	State	Estimated cost	Funded through fiscal year 1957	In fiscal year 1958 budget
1. Complete or in operation:				
Reservoirs:				
Nimrod, Fourche La Fave River	Arkansas	$3,772,000	$3,772,000	0
Blue Mount, Petit Jean River	do	4,771,000	4,771,000	0
Wister, Poteau River	Oklahoma	10,428,000	10,428,000	0
Tenkiller Ferry, Illinois River	do	22,115,000	22,115,000	0
Fort Gibson, Grand River	do	41,063,000	41,063,000	0
Pensacola, Grand River [1]	do			
Hula, Verdigris	do	10,808,000	10,808,000	0
Fall River, Verdigris	Kansas	10,455,000	10,455,000	0
Heyburn, Polecat Creek	Oklahoma	2,374,000	2,374,000	0
Local works:				
Levees, Fort Smith-Pine Bluff	Arkansas	13,159,000	13,159,000	0
Jenks	Oklahoma	345,000	345,000	0
Tulsa and West Tulsa	do	2,785,000	2,785,000	0
Total		122,165,000	122,165,000	0
2. Under construction:				
Reservoirs:				
Oologah, Verdigris River	Oklahoma	31,400,000	5,397,000	$6,800,000
Markham Ferry, Grand River [1]	do			
Keystone, Arkansas River	do	137,000,000	2,237,000	3,100,000
Eufala, Canadian River	do	153,000,000	2,650,000	5,200,000
Toronto, Verdigris River	Kansas	15,000,000	8,146,000	4,700,000
Local works:				
Oklahoma city floodway	Oklahoma	8,700,000	8,700,000	0
Conway County Levee District No. 1	Arkansas	250,000	0	250,000
Wichita and Valley Center	Kansas	11,906,000	10,936,000	830,000
Total		357,850,000	38,666,000	20,880,000
3. Authorized, not started:				
Reservoirs:				
Elk City, Verdigris	Kansas	22,600,000	165,000	85,000
Neodesha, Verdigris	do	18,100,000	0	0
Strawn, Grand-Neosho	do	31,000,000	330,000	125,000
Council Grove	do	12,100,000	150,000	125,000
Cedar Point	do	5,460,000	0	0
Marion	do	6,850,000	0	0
Local works:				
Holla Bend	Arkansas	344,000	0	0
Enid, Buggy Creek	Oklahoma	1,050,000	0	0
Total		97,504,000	645,000	335,000
Grand total		577,519,000	160,876,000	21,215,000

[1] Constructed by Grand River Dam Authority.

TABLE 2.—*Authorized storage capacity*

[Acre-feet]

Reservoirs	Flood control	Power	Water supply	Permanent pool	Total
1. Complete or in operation:					
Nimrod	307,000	0	0	29,000	336,000
Blue Mountain	233,000	0	0	25,000	258,000
Wister	400,000	0	0	30,000	430,000
Tenkiller Ferry	600,000	345,000	0	285,000	1,230,000
Fort Gibson	922,000	365,000	0	0	1,287,000
Pensacola	523,000	996,000	0	134,000	1,653,000
Hula	252,800	0	26,900	15,400	295,100
Fall River	236,000	0	17,000	10,000	263,000
Heyburn	49,500	0	5,200	5,000	59,700
Total	3,523,300	1,706,000	49,100	533,400	5,811,800
2. Under construction:					
Oologah	950,000	0	46,000	25,000	1,021,000
Markham Ferry	233,000	187,000	0		420,000
Keystone	1,414,000	0	50,000	415,000	1,879,000
Eufala	1,428,000	1,379,000	0	897,000	3,704,000
Toronto	171,000	0	10,000	14,000	195,000
Total	4,196,000	1,566,000	106,000	1,351,000	7,219,000
3. Authorized, not started:					
Elk City	263,000	0	0	26,000	289,000
Neodesha	80,000	0	0	10,000	90,000
Strawn	320,600	0	17,300	50,000	387,900
Council Grove	60,000	0	0	25,000	85,000
Cedar Point	36,200	0	15,800	3,000	55,000
Marion	60,000	0	25,300	4,700	90,000
Total	819,000	0	58,400	118,700	996,900
Grand total	8,539,100	3,272,000	213,500	2,003,100	14,027,700

WHITE RIVER BASIN

There has been a continuous flood on the White River in Arkansas and Missouri since late March of this year. Heavy rains of from 4½ to 7½ inches fell over the upper basin early in April; and even greater rainfall returned in May. The volume of the resulting flood exceeds that of record above the Table Rock project (under construction) in Missouri and is about the maximum of record downstream in Arkansas at Bull Shoals.

The river has been above flood stage at Newport, Ark., since mid-April. Operation of the two existing reservoirs, Bull Shoals and Norfolk, has resulted in a peak flow of 87,000 cubic feet per second at Newport, which would otherwise have exceeded 200,000 cubic feet per second.

The reservoirs on White River, and its tributary Black River, have functioned well in this flood. It is expected that water now in sight will fill Bull Shoals. The Clearwater Reservoir is filled to within about 1 foot of full pool; and Norfolk is about two-thirds full. Also it was possible to store over a million acre-feet in the Table Rock project now under construction. There are now about 5 million acre-feet of floodwaters in storage in these reservoirs which must be released over the coming months.

The completed reservoirs and local flood-protection works prevented damages of about $7 million. Damages that occurred are estimated at $6 million and it is estimated that at least $2 million of these could have been prevented by the works under construction or authorized but not started.

Table 1 herewith shows the cost and status of the part of the authorized program for flood control and water conservation on White River that affected or would affect the current flood. Table 2 shows the storage capacity of the reservoirs which form a major part of this program.

WHITE RIVER BASIN

TABLE 1.—*Status of program*

Projects	State	Estimated cost	Funding through fiscal year 1957	In fiscal year 1958 budget
1. Complete or in operation:				
Reservoirs:				
Bull Shoals	Arkansas	$75,260,000	$75,260,000	0
Norfork	do	28,602,000	28,602,000	0
Clearwater	Missouri	9,715,000	9,715,000	0
Local works:				
Newport	Arkansas	314,000	314,000	0
Village Creek	do	532,000	532,000	0
Des Arc	do	177,000	177,000	0
De Valls Bluff	do	241,000	241,000	0
Clarendon	do	227,000	227,000	0
Augusta to Clarendon	do	2,579,000	2,579,000	0
Total		117,647,000	117,646,000	
2. Under construction:				
Reservoirs:				
Table Rock	Missouri	69,600,000	33,401,000	$17,000,000
Greers Ferry	Arkansas	52,100,000	1,145,000	1,700,000
Local works: None		0	0	0
Total		121,700,000	34,546,000	18,700,000
3. Authorized but not started:				
Reservoirs:				
Beaver	Arkansas	46,700,000	275,000	250,000
Lone Rock	do	29,460,000	131,000	0
Local works: Levee units 5 and 6	Arkansas-Missouri	5,900,000	20,000	0
Total		82,060,000	426,000	250,000
Grand total		321,407,000	152,344,000	18,950,000

TABLE 2.—*Authorized storage capacity*

[Acre-feet]

Reservoirs	Flood control	Power	Water supply	Permanent pool	Total
1. Complete or in operation:					
Bull Shoals	2,360,000	2,084,000	0	964,000	5,408,000
Norfork	732,000	707,000	0	544,000	1,983,000
Clearwater	391,000	0	0	22,000	413,000
Total	3,483,000	2,791,000	0	1,530,000	7,804,000
2. Under construction:					
Table Rock	760,000	1,932,000	0	770,000	3,462,000
Greers Ferry	934,000	716,000	0	1,194,000	2,844,000
Total	1,694,000	2,648,000	0	1,964,000	6,306,000
3. Authorized, not started:					
Beaver	308,000	759,000	0	587,000	1,654,000
Lone Rock	657,000	0	0	30,000	687,000
Total	965,000	759,000	0	716,000	2,341,000
Grand total	6,142,000	6,198,000	0	4,111,000	16,451,000

RED RIVER BASIN

There have been two major flood-producing storms over the Red River Basin during the past 2 months, and a large amount of intervening rainfall. The first of these storms produced a peak stage at the control point at Fulton, Ark., of about 30.5 feet, or about 3½ feet above flood stage. The volume of the flood at Denison (Lake Texoma) will apparently approach that of of the previous of record in 1908.

Floodwater from above Denison came from a relatively small part of the basin above the dam, due to rainfall of high intensity in parts of the area. In the upper basin flooding occurred along the Washita with damage at Pauls Valley and Lindsay, Okla., and to farmlands. Other upper tributaries also suffered damages and flooding occurred at Waurika, Okla., and at Wichita Falls, Tex.

The full capacity of Denison Reservoir was used and the maximum water in storage at the peak was about 4.2 million acre-feet, including use of part of the power pool with storage 3 feet above the full pool level. Damages in unprotected areas along the Red River below Denison were substantial, but would have been much greater if storage had not been available at Denison.

Serious flooding along the north bank tributaries below Denison, the Boggies, Kiamichi, and on Little River, contributed to flows on the main Red River and to damage on that stream. The three reservoirs authorized to control those streams (Boswell, Hugo, and Millwood) but not yet constructed, would have provided about 4 million acre-feet of storage and would have greatly reduced damages on the rivers below.

The Texarkana Reservoir, although not complete, was used to store floodwaters, and the existing reservoirs, Wallace Lake and Bayou Bodcau, on small tributaries in Louisiana were used but were largely local in effect.

On the lower Red River, below Fulton, Ark., there has been a large amount of flooding in areas not protected by the Federal levees. Due to high flood stages and long duration of the flood, drainage of local tributaries has been blocked and backwater areas between Alexandria and Shreveport, La., have been flooded to a much greater extent than in the flood of 1953.

The 467 miles of main-line Red River levees are in good condition and are protecting the vast agricultural areas and cities and towns of the lower valley. The Corps of Engineers and local agencies have cooperated in guarding and strengthening this incomplete levee line.

There has been high water on the Ouachita River but no major flood.

Is is estimated that completed reservoirs and local flood protection works, exclusive of main line levees generally below Shreveport, prevented about $8 million in damages. Flooding in unprotected areas caused damages now estimated at $11 million. Of this latter amount it is probable that the Federal works authorized but not yet started could have prevented about $4 million in damage. The main line levees are successfully passing the flood downstream.

There are about 4 million acre feet of flood waters in storage in the Red River basin which must be released over subsequent months.

The attached tabulations show the cost and status of the authorized flood control program in Red River basin that affected or would affect this flood; and the status of authorized storage.

RED RIVER BASIN

TABLE 1.—*Status of program*

Projects	State	Estimated cost	Funded through fiscal year 1957	In fiscal year 1958 budget
1. Complete or in operation:				
Reservoirs:				
Denison	Texas-Oklahoma	$74,280,000	$73,280,000	$1,000,000
Texarkana	Texas	33,800,000	33,800,000	0
Bayou Bodcau	Louisiana	4,075,000	4,075,000	0
Wallace Lake	do	1,212,000	1,212,000	0
Local works: Levees (approximate)	do	8,348,000	8,348,000	0
Total		121,724,000	120,724,000	1,000,000
2. Under construction:				
Reservoirs: Ferrells Bridge	Texas	11,900,000	8,506,000	3,294,000
Local works: Levees below Denison	Arkansas, Texas, Louisiana	9,530,000	6,285,000	300,000
Total		21,430,000	14,791,000	3,594,000
3. Authorized, not started:				
Reservoirs:				
Boswell	Oklahoma	21,300,000	129,000	0
Hugo	do	18,700,000	60,000	0
Millwood	Arkansas	51,500,000	197,000	0
Cooper	Texas	12,500,000	125,000	275,000
Mooringsport	Louisiana	11,200,000	0	0
Local works: Minor				
Total		115,100,000	511,000	275,000
Grand total		258,154,000	136,026,000	4,867,000

TABLE 2.—*Authorized storage capacity*

[Acre-feet]

Reservoirs	Flood control	Power	Water supply	Permanent pool	Total
1. Complete or in operation:					
Denison	2,694,000	1,730,000	21,000	1,085,000	5,530,000
Texarkana	2,509,000	0	0	145,300	2,654,300
Bayou Bodcau	357,300	0	0	0	357,300
Wallace Lake	88,300	0	0	7,800	96,100
Total	5,648,600	1,730,000	21,000	1,237,100	8,637,700
2. Under construction: Ferrells Bridge	538,300	0	251,600	32,100	842,000
3. Authorized, not started:					
Boswell	1,084,200	0	0	35,800	1,130,000
Hugo	830,000	0	0	20,000	850,000
Millwood	2,208,000	0	0	52,000	2,260,000
Cooper	130,000	0	10,000	5,000	145,000
Mooringsport	660,000	0	0	150,000	810,000
Total	4,922,200	0	10,000	262,800	5,195,000
Grand total	11,129,100	1,730,000	282,600	1,532,000	13,874,700

SENATORIAL ATTENDANCE AT LONDON DISARMAMENT CONFERENCE

Mr. MANSFIELD. Mr. President, in view of the announcement made by the distinguished minority leader, I believe it would be appropriate to read for the information of the Senate a letter addressed by the distinguished majority leader to the Secretary of State:

JUNE 22, 1957.

HON. JOHN FOSTER DULLES,
Secretary of State,
Washington, D. C.

MY DEAR MR. SECRETARY: I am enclosing a page from the RECORD in which I stated my position yesterday following receipt of your letter. As I said, naturally I am ready to be cooperative in any worthwhile enterprise pertaining to our Nation's security and foreign policy.

In my opinion, it would not be the part of wisdom to set up another group to compete with the present disarmament subcommittee in obtaining information on the current disarmament negotiations. Therefore, I urge that you have this group briefed and kept fully informed in accordance with the terms of your communication.

When and if you and the President deem it essential that Senators be assigned to travel to London to serve as observers and in a consultative capacity, I will designate Members to perform that responsibility. Naturally, they will come from the Disarmament Subcommittee which combines the three committees which have major jurisdiction in this field.

Sincerely,

LYNDON B. JOHNSON.

Mr. President, this letter is based upon the belief that there is no point in duplicating existing activities of the Senate. The disarmament subcommittee is a regularly established group which has been conducting hearings in this field.

It is apparent that, as time goes on, the work of this subcommittee will become increasingly important. Therefore, it is the group which will have to have the fullest and freest access to the facts of the current talks in London.

The designation of Senators to attend a conference in London is a practical problem which depends upon the circumstances of the time. There are some Senators who could go one week but who could not go another.

The President and the Secretary of State tell us that it would be premature to send Senators to London at present. Therefore, when the President and the Secretary decide that such a step is necessary, the designation will be made on the basis of conditions then prevailing.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 1264. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia;

S. 1576. An act to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act;

S. 1586. An act to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia; and

S. 2243. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 24, 1957, he presented to the President of the United States the enrolled bill (S. 763) to designate the east 14th Street Highway Bridge over the Potomac River at 14th Street in the District of Columbia as the Rochambeau Memorial Bridge.

LEGISLATIVE PROGRAM—ORDER FOR RECESS TO WEDNESDAY

Mr. MANSFIELD. Mr. President, for the information of the Senate, I should like to make an announcement about the legislative program. The Senate having completed action upon the Interior Department appropriation bill, it is the intention of the leadership to move that the Senate recess until 12 o'clock noon on Wednesday next. This will give the committees of the Senate an opportunity to meet tomorrow and transact important committee business and file reports with the Senate.

Mr. President, I also ask unanimous consent that when the Senate completes it business today, it stand in recess until noon on Wednesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION FOR COMMITTEES TO FILE REPORTS DURING RECESS OF SENATE

Mr. MANSFIELD. Mr. President, I now ask unanimous consent that all standing committees of the Senate be permitted to file reports during the recess of the Senate following the completion of today's business.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS SUBJECT TO CONSIDERATION FOLLOWING CALL OF CALENDAR

Mr. MANSFIELD. Mr. President, I have already announced and obtained unanimous consent for a call of the unobjected to measures on the calendar on Wednesday following the completion of morning business. It is the intention that at that time, after it is ascertained what proposed legislation remains on the calendar following the consent call, to schedule for consideration by the Senate, either then or on Thursday or Friday, such measures as can be acted upon by motion at that time.

There are some bills on the calendar which we can be reasonably sure will not be passed on the consent call. Accordingly, I should like to list some of these bills which will be taken up on Wednesday after the calendar call in the event they are objected to during the call of the calendar:

First. Calendar No. 448, S. 1856, the Airways Modernization Act, which is the pending business before the Senate.

Second. Calendar No. 420, S. 1918, to increase the appropriation authorizations for the construction of the Atomic Energy Commission office building.

Third. Calendar No. 437, S. 2194, to increase the appropriation authorization for the District of Columbia Hospital Center.

Fourth. Calendar No. 446, S. 2299, amending section 3 (b) of the Securities Act of 1933.

Fifth. Calendar No. 447, S. 2212, amending the North Pacific Fisheries Act.

Sixth. Calendar No. 449, S. 1718, amending the Civil Aeronautics Act relative to the terms of office of board members.

Seventh. Calendar No. 472, S. 1459, amending section 208 (c) of the Interstate Commerce Act.

Eighth. Calendar No. 481, H. R. 7238, amending the Public Assistance provisions of the Social Security Act.

It is anticipated that during the remainder of the week conference reports on appropriation bills will be periodically submitted to the Senate. It is our intention to schedule action on such conference reports at the very earliest opportunity, and accordingly, I wish to advise Members of the Senate to maintain contact with the aids on the floor in order to learn from them as soon as possible when such action on conference reports is planned to be taken.

It is still anticipated that the Defense, legislative, and public works appropriation bills may be reported this week. I should like to remind Senators that their consideration by the Senate will be scheduled just as soon as arrangements for such action can be worked out.

FRYINGPAN-ARKANSAS PROJECT

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ALLOTT. I should like to inquire with respect to Calendar No. 331, Senate bill 60, to authorize the construction, operation, and maintenance of the Fryingpan-Arkansas project in Colorado. It was my previous understanding that upon the completion of the business last week, the Fryingpan-Arkansas bill might well be considered at this time, or perhaps this week. I do not think it will require much time.

Mr. MANSFIELD. I may say to the Senator from Colorado that the distinguished minority leader has brought this matter to my attention, as has also the distinguished junior Senator from Colorado [Mr. CARROLL]. I cannot make a definite commitment about the bill at this time, but I assure both Senators from Colorado and also the minority leader that we will do our best to try to have this measure taken up on Thursday, if that is at all possible, and if it be agreeable to the minority leader.

Mr. ALLOTT. I am sure that both my colleague and I would be very happy if the bill could receive the attention of the Senate on that day. I believe the distinguished junior Senator from Colorado will agree with me that the probability is that not much time will be consumed on the bill. A similar bill has been before the Senate twice, and has passed the Senate by a unanimous vote. For that reason, we are anxious to have the bill brought before the Senate, because it covers a subject which is very vital and critical to our State.

Mr. MANSFIELD. I assure the Senator from Colorado that I will do my best to have the bill considered on Thursday.

Mr. CARROLL. Mr. President, will thet Senator yield?

Mr. MANSFIELD. I yield.

Mr. CARROLL. I fully concur in the views expressed by my colleague, the distinguished senior Senator from Colorado. Although minority views were filed, the bill was approved by the committee unanimously. A minor question was raised by the distinguished Senator from California, with whom I discussed the matter this morning. A pro forma amendment will be offered. I think it can be disposed of very quickly. As the distinguished senior Senator from Colorado has said, similar bills passed the Senate twice on previous occasions, without much debate.

Mr. MANSFIELD. I wish to assure both Senators that we shall do our best to accommodate them, and we shall try to bring up that matter on Thursday.

Mr. ALLOTT. Mr. President, I wish to express my appreciation to the Senator from Montana; and the people of Colorado will also be very appreciative of having this matter taken care of.

EXEMPTION OF CERTAIN WHEAT PRODUCERS FROM LIABILITY UNDER THE AGRICULTURAL ADJUSTMENT ACT

Mr. MANSFIELD. Mr. President, I ask that the unfinished business be temporarily laid aside, and the Senate proceed to the consideraiton of Calendar No. 465, Senate bill 959.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. Calendar No. 465, Senate bill 959, to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes.

The PRESIDING OFFICER. Is there objection?

Mr. YOUNG. Mr. President, reserving the right to object, I wish to ask a question of the acting majority leader: Does he intend to have the Senate consider immediately thereafter Calendar No. 466, Senate bill 606? The Department of Agriculture believes that the enactment of Senate bill 606 will be needed in any event; and most farm organizations believe that the two bills should

have been joined. If one of the bills is to be passed, I believe the other one should be passed immediately thereafter.

Mr. MANSFIELD. Mr. President, this is the first notice we have heard about that particular measure. I wish to assure the Senator from North Dakota that it will be given every possible consideration. But we have been asked to have Calendar No. 465, Senate bill 959, considered at this time.

Mr. YOUNG. I think I shall have to object, because the understanding of the Department of Agriculture is that the provisions of Calendar No. 466, Senate bill 606, are very important if Calendar No. 465, Senate bill 959, is passed. As one who has favored the wheat bill, I do not believe there should be a separation.

Mr. MANSFIELD. Mr. President, after consultation with the minority leader, it is agreeable to have both bills brought up at the same time. However, I ask unanimous consent that Calendar No. 465, Senate bill 959, be taken up first.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 959) to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes, which had been reported from the Committee on Agriculture and Forestry, with an amendment.

Mr. MANSFIELD. Mr. President, I ask the Senator from Delaware [Mr. WILLIAMS] to explain the bill.

Mr. WILLIAMS. This bill would exempt excess wheat from marketing penalties if the entire crop is used for feed, seed, or food on the farm where grown. It would be retroactive to the 1954 crop. Except for retroactivity and provisions with respect to food use, the first section of the bill is identical to S. 46, which passed the Senate in 1955.

Section 2, which would be added by the committee amendment, would amend section 114 of the Soil Bank Act to permit farmers who obtain exemptions from marketing penalties under the bill to qualify for payments under the acreage reserve programs for other commodities and the conservation reserve program. Section 114 disqualifies farmers who exceed their allotments from eligibility to receive any payments under the Soil Bank Act. Since farmers obtaining exemption would be permitted to exceed their allotments, they should not be penalized for so doing.

Mr. President, I have at the desk an amendment to the bill, which I call up and offer at this time on behalf of the committee; and I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, after line 23, it is proposed to insert the following new paragraph:

If any producer on the farm votes in any referendum under section 336, beginning with the referendum applicable to the 1959 crop, no producer on the farm shall be eligible for exemption under this section with respect to the crop to which such referendum is applicable.

Mr. WILLIAMS. Mr. President, this amendment is offered on behalf of the committee.

Section 336 of the Agricultural Adjustment Act of 1938 restricts the wheat marketing quota referendum to farmers who will be subject to the quota. Farmers who obtain exemption under the bill should, therefore, not be permitted to vote in the referendum. However, the referendum is held before application for exemption is likely to be required. The committee therefore included in the report a recommendation to the Secretary of Agriculture that he require farmers to elect, at the time of the referendum, whether they will vote in the referendum or will maintain their eligibility for exemption under the bill. This recommendation is set out on page 2 of the report.

The committee also directed the committee staff to discuss this recommendation with lawyers for the Department of Agriculture, so that an appropriate amendment could be offered when the bill was considered by the Senate, if such amendment was determined to be necessary to carry out the committee's recommendation. While the committee's intention probably would be carried out in any event, it was agreed that the adoption of the amendment I am now offering would be advisable to assure that result. The amendment provides that if any producer on the farm votes in the referendum, no producer on the farm would be eligible for exemption.

Since the referendum for the 1958 crop was held on June 20, this provision would become effective with the 1959 crop.

Mr. POTTER. Mr. President, will the Senator from Delaware yield to me?

Mr. WILLIAMS. I yield.

Mr. POTTER. First, I should like to commend the Committee on Agriculture and Forestry for reporting the bill.

As the Senator from Delaware will recall, earlier in the session I submitted, as an amendment to another agricultural bill, a bill of this nature. At that time, as a result of the statements made by the members of the committee, we did not press for the adoption of that amendment because of the assurance that the committee would report the bill which now is before the Senate.

I also wish to state that I think the amendment the Senator from Delaware has called up is a just one. Certainly a farmer should not be allowed to vote in the referendum if he is not going to come under the provisions of the act. Many farmers in my State who have grown an amount of wheat just a little bit over the limitation have been prosecuted, and fines have been levied. I know that such action, if continued, would be a real blow to free agriculture. So I commend the distinguished Senator from Delaware and his committee for reporting the bill to the floor.

Mr. WILLIAMS. I thank the Senator from Michigan. It is true that at that time the committee had before it a similar bill, which had been introduced by the Senator from Michigan, and also a bill introduced by the senior Senator from Utah [Mr. WATKINS]. Those bills were along the same line.

As the Senator from Michigan has stated, this bill provides that a farmer can raise and feed his own wheat without being subject to any penalties, but at the same time if a farmer chooses to take advantage of this provision, he cannot use his acreage as a means of qualifying himself to vote in a referendum on wheat.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

Mr. WILLIAMS subsequently said: Mr. President, I ask unanimous consent that a portion of the committee report on S. 959 be printed as a part of my remarks.

There being no objection, the excerpts from the report (No. 458) were ordered to be printed in the RECORD, as follows:

This bill would exempt excess wheat from marketing penalties if the entire crop is used for feed, seed, or food on the farm where grown. It would be retroactive to cover the 1954, 1955, and 1956 crops, as well as future crops. If exemptions were obtained on the 1954, 1955, or 1956 crops, penalties paid on such crops would be refunded; wheat stored to avoid such penalties would be released from storage; and the Secretary would pay producers the value of any wheat delivered to him to avoid such penalties. Except for retroactivity and provisions with respect to food use, the first section of the bill is identical to S. 46, which passed the Senate in 1955, and is substantially the same as S. 403, S. 658, and S. 901 introduced by Senators WATKINS, BYRD, and POTTER, respectively. The substance of this provision was also included in an amendment offered by Senator POTTER to S. 1771 earlier this year.

Section 2, which would be added by the committee amendment, would amend section 114 of the Soil Bank Act to permit farmers who obtain exemptions from marketing penalties under the first section of the bill to qualify for payments under the acreage reserve programs for other commodities and the conservation reserve program, even though they exceed their wheat acreage allotments. (Sec. 114 disqualifies farmers who exceed their allotments from eligibility to receive any payments under the Soil Bank Act.)

The bill and the committee amendment are further explained in the attached letters from the Department of Agriculture.

Section 336 of the Agricultural Adjustment Act of 1938 restricts the marketing quota referendum to farmers who will be subject to the quota, and producers exempt under the bill would therefore not be eligible to vote. The Secretary should, by appropriate regulation, require producers to elect whether they will vote in the referendum or maintain their eligibility for an exemption under the bill. Applications from producers for exemption should not be approved after they have elected, by voting in the referendum, to remain subject to quotas. Since exemptions are made on a farm basis, the Secretary may provide that the election of any producer on the farm to remain subject to quotas. Since exemptions are made on a farm basis, the Secretary may provide that the election of any producer on the farm to remain subject to the quota shall prevent the exemption from being granted for the farm. The requirement that producers make an election as to whether they will vote in the referendum or maintain their eligibility for an exemption should, of course, only be made applicable to referendums held with respect to the 1959 and subsequent crops.

The exemption provided by the bill is restricted to farms which consume all of the wheat they produce and introduce no wheat into commerce. The exemption is null and void if the conditions upon which it is granted are not met, and the entire crop would be subject to the penalty provisions of the act if even the smallest quantity should be removed from the farm contrary to the provisions of the bill. It is expected that the Secretary would take special care to see that the conditions of exemption are fulfilled and that the amount of wheat moving in commerce is not increased by any wheat produced on farms exempted under the bill.

The PRESIDING OFFICER. The committee amendment will be stated.

The CHIEF CLERK. On page 3, after line 23, it is proposed to insert:

SEC. 2. Section 114 of the Soil Bank Act (70 Stat. 196) is amended by changing clause (2) in the first sentence thereof to read as follows: "(2) in the case of a farm which is not exempted from marketing quota penalties under section 335 (f) of the Agricultural Adjustment Act of 1938, as amended, the wheat acreage on the farm exceeds the larger of the farm wheat acreage allotment under such title or fifteen acres, or."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question now is on the engrossment and third reading of the bill.

The bill (S. 959) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 335 of the Agricultural Adjustment Act of 1938, as amended, is further amended by adding a new subsection (f) after subsection (e) to read as follows:

"(f) The Secretary, upon application made pursuant to regulations prescribed by him, shall exempt producers from any obligation under this act to pay the penalty on, deliver to the Secretary, or store the farm marketing excess with respect to any farm for any crop of wheat harvested in 1954 or subsequent years on the following conditions:

"(1) That none of such crop of wheat is removed from such farm except to be processed for use as human food on such farm or with respect to wheat of the 1954, 1955, or 1956 crop to be placed in off-farm storage or delivered to the Secretary in accordance with applicable regulations in order to avoid or postpone the payment of any penalty due under the provisions of this act;

"(2) That such entire crop of wheat is used on such farm for seed, human food, or feed for livestock, including poultry, owned by any such producers, or a subsequent owner or operator of the farm; and

"(3) That such producers and their successors comply with all regulations prescribed by the Secretary for the purpose of determining compliance with the foregoing conditions."

Failure to comply with any of the foregoing conditions shall cause the exemption to become immediately null and void unless such failure is due to circumstances beyond the control of such producers as determined by the Secretary. In the event an exemption becomes null and void the provisions of this act shall become applicable to the same extent as if such exemption had not been granted. No acreage planted to wheat in excess of the farm-acreage allotment for a crop covered by an exemption hereunder shall be considered in determining any subsequent wheat-acreage allotment or marketing quota for such farm.

In accordance with regulations issued by the Secretary in the case of wheat of the 1954, 1955, or 1956 crop upon which the producer obtains an exemption as herein provided, such producer shall be entitled to a refund of any penalty paid by him under the act with respect to such wheat, or of the value, as determined by the Secretary, of any such wheat delivered to the Secretary in accordance with applicable regulations in order to avoid or postpone payment of the penalty, and shall be authorized to remove from storage any such wheat stored under applicable regulations to avoid or postpone payment of the penalty under this act for use on the farm for any purpose authorized by the exemption hereunder. There is hereby authorized to be appropriated sums necessary for the payment of the refunds provided for herein, and in addition sums collected as wheat penalties which are on special deposit for refund of excess collections, may be used to make the refunds provided for herein.

If any producer on the farm votes in any referendum under section 336, beginning with the referendum applicable to the 1959 crop, no producer on the farm shall be eligible for exemption under this section with respect to the crop to which such referendum is applicable.

SEC. 2. Section 114 of the Soil Bank Act (70 Stat. 196) is amended by changing clause (2) in the first sentence thereof to read as follows: "(2) in the case of a farm which is not exempted from marketing quota penalties under section 335 (f) of the Agricultural Adjustment Act of 1938, as amended, the wheat acreage on the farm exceeds the larger of the farm wheat-acreage allotment under such title or 15 acres, or."

Mr. CARLSON subsequently said: Mr. President, I was called off the floor of the Senate when the Senate passed Calendar No. 465, S. 959, to exempt certain wheat producers from liability under the act when all the wheat crop is fed or used for seed or food on the farm.

I certainly would not move to reconsider the vote by which the bill was passed, but I wish to make a short statement.

I appreciate very much the report from the Senate Committee on Agriculture and Forestry which accompanied the bill. I think the bill is a timely one. It exempts from penalties farmers who plant wheat for home use on their own farms. It should have been passed years ago. As a matter of fact, many farmers have been penalized in the Federal courts and fined because of small violations amounting to an excess of 3 or 5 acres, in the marketing quotas established for their counties.

I have in my hand a list of cases filed in the United States district court in Kansas by the United States attorney for 1954, 1955, 1956, and 1957. As I read the bill, the provision with respect to penalty payments will be retroactive, and, where penalties have been collected, will be refunded. Cases which are pending, if the bill becomes law, will be removed from the docket. This is very timely proposed legislation, and I appreciate the fact that the Senate Committee on Agriculture and Forestry reported the bill.

I ask unanimous consent to have printed in the RECORD as a part of my remarks a short statement from the President's message to the Congress of January 9, 1956, and also a resolution adopted by the American Farm Bureau Federation at its 38th annual meeting at Miami Beach, Fla., on December 13, 1956, regarding this proposed legislation.

There being no objection, the extract from the President's message and the resolution were ordered to be printed in the RECORD, as follows:

In the President's message to the Congress of January 9, 1956, he stated as follows:

"Legislation already has passed the Senate and is pending in the House of Representatives which would exempt from marketing quotas those producers who use for feed, food, or seed on their own farms all the wheat they raise. Because of the failure to pass this legislation last year the Department of Agriculture has been compelled by law to hail before the courts farmers whose only offense was to raise and feed wheat outside their quotas. Again the administration urges prompt enactment of this legislation. Correction of this problem should be delayed no longer."

RESOLUTION ADOPTED BY THE AMERICAN FARM BUREAU FEDERATION AT THE 38TH ANNUAL MEETING, MIAMI BEACH, FLA., DECEMBER 13, 1956

FEED WHEAT

We recommend legislation to exempt from wheat-marketing quotas if all wheat produced thereon is used only as food, feed, or seed on the farm where grown or on farms under the same operation. Producers taking advantage of this exemption should not be eligible to participate in any price-support program for wheat or other feed grains, and all wheat producers affected by marketing quotas should be eligible to vote thereon. Such legislation should be substituted for the present 15 acre and 200 bushel wheat-marketing quota exemptions.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. WATKINS. I just heard the Senator's remarks with respect to S. 959. I also was called off the floor, and when I returned to the floor the bill had been passed. I had stepped out for a few moments. I am not going to ask for its reconsideration. I certainly desire to associate myself with the remarks the Senator from Kansas has made. I think it is high time such a bill was passed. A number of wheat growers in my State have been penalized. I am sure such legislation will prevent such events in the future.

As a matter of fact, in some sections of my State the kind of wheat which is ordinarily sold on the wheat markets of the country is not grown. The wheat is used largely for feed. Occasionally the farmers grow a few acres of millable wheat. By reason of the provisions of the law it has been very difficult for these farmers to operate. They have been penalized, or threatened with penalties, even in areas which suffered severe drought, because they were using some of the wheat to feed animals which were in need of food.

Mr. President, if the Senator will yield further, I ask unanimous consent to have printed in the RECORD as a part of my remarks following the passage of the bill a statement which I had prepared and which I had intended to deliver.

Mr. CARLSON. Mr. President, I certainly have no objection.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WATKINS

I urge the Senate to pass S. 959. Section 1 of this bill would (1) exempt excess wheat from marketing quota penalties if the entire crop is used for feed, seed, or food on the farm where grown; (2) refund such penalties on the 1954, 1955, and 1956 crops if such entire crop of wheat was used for feed, seed, or food.

This section of the bill, as the report makes clear, "is substantially the same as S. 403" which I introduced on January 9, 1957. My action in introducing S. 403 was prompted by a genuine concern for the welfare of livestock producers in deficit feed producing areas such as the Intermountain and New England States, where livestock, poultry, and dairy production are the major agricultural activities.

Section 1 of S. 959 will serve to alleviate much of the economic distress producers in these areas have been and are experiencing. In some of these States, drought conditions not only have reduced local feed production, which at best cannot meet local needs, but also have served to raise retail feed prices. Producers who have not adequate financial resources simply cannot make ends meet even in spite of the USDA's feed grain subsidy program. In other States, rising costs of production and marketing, especially transportation, when coupled with continued increase in livestock numbers in the "basic commodities" producing areas of the country, in spite of the soil bank, have resulted in market prices way below parity.

For example, in May 1956, eggs were bringing producers 89 percent of parity; in May 1957, average prices received by producers had declined 23 points to 66 percent of parity. During the corresponding period, the average prices received index declined (1) 7 points for lambs; (2) 17 points for turkeys; (3) 8 points for chickens; and (4) 1 point for sheep. As of May 15, 1957, the average prices received as percentages of parity prices for (1) cattle stood at 78 percent of parity; (2) calves at 76 percent of parity; and (3) hogs at 79 percent of parity.

As these data indicate, if any part of agriculture has been hard hit by the cost-price squeeze, it has been the livestock and poultry industries. Passage of S. 959 will provide some measure of relief to these industries. On the other hand, its passage will not adversely affect, materially, the welfare of commercial wheat producers, since the wheat produced under the exemption features of this bill will not find its way into commercial trade channels nor will it end up under price support.

By way of illustration, let me point out that whereas farmers in my own State of Utah produced over 6.5 million bushels of wheat in 1954, less than 8 percent of it was placed under price support.

In many of the deficit feed-producing States which are designated as being in the "commercial wheat area" acreage allotments are very small. With respect to 1954, the only year such data is available, the USDA reported that of 12,163 farms which produced wheat in Utah, for example, only 1,313 had wheat acreage over 100 acres, 2,993 had acreages between 16 and 100 acres, and 7,857 had acreage below 16 acres. Utah farmers derive only 6.4 percent of their income from wheat production, and although it qualifies as a commercial-wheat State, because Utah farmers produce more than 25,000 acres of wheat, it plainly is not a major commercial-wheat-producing State. On the other hand, Utah farmers derive a major portion of their income from livestock products, as follows: 22.5 percent from beef cattle and calves, 16.8 percent from dairy products, 8.8 percent from eggs, and 7.7 percent from turkeys. Most of the grains produced, including wheat, are fed to livestock; they are not sold in commercial trade.

In general, what is true of Utah's agriculture is also true of the agriculture of many other States in the intermountain and New England areas, and other parts of the country as well. Authority for farmers in such areas to produce wheat for feed without penalty on their farms would be of material assistance under prevailing economic conditions.

Historically, wheat used for livestock was a significant proportion of our annual wheat crop. For many reasons, this is no longer true. But the fact remains, as the President noted in his January 1956 special agricultural message, "there are opportunities to use more wheat for feed in feed-deficit areas distant from the Corn Belt."

This point of view is substantiated by a letter dated January 21, 1957, to me from Mr. David H. Jones, former Utah commissioner of agriculture. In part, this letter reads:

"I want to congratulate you on your fine thinking and the action you have taken to remove the restrictions on wheat acreage where extra wheat is needed for feed or seed purposes. We in the State of Utah really import grains for feeding purposes, and the bill should prove to be a worthy one.

"In my own farming experience, I never sold grain off the farm. I found there was no equal to wheat mixed with other grains for livestock feed. I am certain it will be a fine thing to have Senate bill 403 passed, and it should benefit many people."

Similar concern was expressed to me in a letter also dated January 21, 1957, from Mr. Ralph Blackham, a director of the executive council of the Utah Council of Farmer Cooperatives. In part Mr. Blackham wrote:

"I am very much in favor of the passage of * * * S. 403, and I appreciate more than I can say your action in instituting this legislation. Farmers in the intermountain area who feed livestock or poultry have been put to an increasing disadvantage the past several years for two reasons: high Government price supports and reduced acreage allotments on wheat, and rapidly increasing freight rates on all feed."

Typical of the reactions I have received from producers to S. 403, which substantially was incorporated as section 1 of S. 959, was that of Mr. Zelph S. Calder, of Vernal, Utah. His letter of February 5, 1957, reads in part as follows:

"I read with interest and approval press comments to the effect you were entering a bill in Congress which would allow a farmer to feed his excess wheat to his cattle without paying a penalty on it.

"The following example might be of help to you.

"Last year I produced about 6,000 bushels of wheat and fed and pastured 200 stocker cattle that I bought last spring. The local USDA wheat-allotment office declared October 31, 1956, that I had excess wheat in the amount of 2,780 bushels and that if the penalty of $1.07 per bushel was not paid on the wheat stored and bonded by November 15, 1956, I would have to pay the above penalty on the 6,000 bushels. (I was and now am of the opinion that I did not have an excess acreage because of winter-killed and volunteer wheat acreage counted by the said office.)

"Uintah County was declared last fall a drought disaster area. I could not qualify for the $1.50 per cut subsidy given by the Government in this area on grain fed to cattle because I had wheat and because I had stocker and feeder cattle, notwithstanding I had suffered greater loss due to the drought than my neighbor who had breeding cattle."

The Congress to date has given very little attention to pleas for relief from such livestock producers. Other than a few direct purchase or surplus removal programs, which more often than not have had very little price-boosting effect, livestock producers have received little assistance. Passage of S. 959 will help a great many farmers and ranchers in the nonbasic commodity producing areas of this country.

Mr. CARLSON. Mr. President, I wish to state that the Senator from Utah [Mr. WATKINS] is always watching after the interests of the farmers not only in the State of Utah but in the Nation. I am in thorough accord with the Senator's statement that this is timely legislation. It is pretty hard to go to a farmer and tell him he cannot grow wheat for feed on his own farm. That has been the situation in the past. This bill, if enacted, should correct it. I am very happy about it.

Mr. WATKINS. I thank the Senator. I wish to point out that many poultry producers in my State have been heavily penalized because of the situation as it exists under the present law. When the bill, amending the law, has been finally passed by both Houses, I think that situation will be largely corrected. I think they will be very grateful to those who have reported the bill and had it passed by the Senate.

TRANSFER OF WHEAT ACREAGE ALLOTMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be again temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 466, Senate bill 606.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. Calendar No. 466, Senate bill 606, to permit the transfer of wheat acreage allotments of lands taken by any Federal, State, or other agency having the right of eminent domain.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 606) to permit the transfer of wheat acreage allotments of lands taken by any Federal, State, or other agency having the right of eminent domain, which had been reported from the Committee on Agriculture and Forestry, with an amendment, to strike out all after the enacting clause and insert:

That section 334 of the Agricultural Adjustment Act of 1938, as amended, is amended (1) by striking out in the second sentence of subsection (c) the word "three" immediately preceding the words "marketing years" and inserting in lieu thereof the word "four"; (2) by adding at the end of subsection (c) two new sentences reading as follows: "Any acreage planted to wheat in excess of the 1958 and subsequent farm acreage allotments shall not be taken into account in establishing future State, county, and farm acreage allotments. The planting on the farm of wheat of the 1958 or any subsequent crop for which no farm wheat acreage allotment was established shall not make the farm eligible for an allotment as an old farm under the first sentence of this subsection."; and (3) by changing subsection (d) to read as follows:

"(d) Notwithstanding any other provision of this section, the acreage allotment established, or which would have been established, for a farm which is removed from agricultural production in 1954 or thereafter because of acquisition by any Federal, State, or other agency having a right of eminent domain shall be placed in an allotment pool and shall be used only to establish equitable allotments for other farms owned or acquired by the owner of the farm so acquired by such agency: *Provided*, That such owner makes application therefor within 3 years after the end of the calendar year in which such farm was removed from agricultural production: *Provided further*, That the allotment so made for any farm, including a farm on which wheat has not been planted during any of the 4 marketing years preceding the marketing year in which the allotment is made, after taking into consideration the acreage allotment which was placed in the pool from the farm acquired from the applicant, shall compare with the allotments established for other farms in the same locality which are similar except for the past acreage of wheat."

Mr. YOUNG. Mr. President, I ask unanimous consent that the report of the Senate Committee on Agriculture and Forestry, starting with page 2, be printed in the RECORD as a part of my remarks.

There being no objection, the excerpt from the report—No. 459—was ordered to be printed in the RECORD, as follows:

THE COMMITTEE SUBSTITUTE

The report of the Department of Agriculture suggested an amendment in the nature of a substitute, which was subsequently modified pursuant to suggestions of Department spokesmen and is recommended by your committee. The substitute would make the following changes in the wheat marketing quota law:

First, it would give "old" farm status to farms on which wheat has been produced during any of the previous 4, instead of 3, marketing years. (At least 97 percent of the State wheat acreage allotment must be apportioned to "old" farms.) This change would give recognition to crop rotation systems, well established in certain areas, under which wheat is planted once each 4 years.

Second, it would prohibit wheat planted in excess of 1958 and subsequent allotments from counting as history for future State, county, or farm allotments, and would prohibit wheat planted to 1958 or subsequent crops in the absence of allotments from giving any farm "old" farm status. Provisions preventing excess acreage from counting as history are now applicable to the other basic commodities, except corn, and a provision preventing plantings in the absence of allotments from giving old farm status is applicable to tobacco; 563,000 wheat farms overplanted their wheat allotments in 1956. About 95 percent of these planted less than 15 acres and were exempt from quotas. Crediting these farms with their overplanted acreage results in a shift of allotments from farms which complied with their allotments and a shift from the large wheat farm areas to small wheat farm areas.

Third, it would amend the provision pooling allotments of farms acquired by the United States for national defense purposes to—

(a) Extend it to farms acquired for any purpose of any agency having a right of eminent domain;

(b) Restrict it to farms removed from agricultural production in 1954 or thereafter on account of such acquisition;

(c) Permit allotment to other farms from the pool only if application is made within 3 years after the end of the calendar year in which the original farm was removed from production; and

(d) Require the acreage placed in the pool to be taken into account in fixing the acreage allotted to any farm from the pool.

The pooling provision proposed in the committee amendment differs from that proposed in the bill as introduced in that (1) it eliminates a provision applicable to farms acquired for national defense purposes since 1950 on the ground that no wheat farms have been so acquired since 1950; (2) it clarifies the cutoff date on the period within which application for allotment from the pool must be made; and (3) it makes a technical change to reflect the proposed change in the definition of old wheat farms.

MODIFICATIONS OF DEPARTMENT RECOMMENDATIONS

The Department's report on the bill included a suggestion that allotments be apportioned on the basis of 5-, instead of 10-, year seeded acreages. Since it made this recommendation, the Department determined that the acreage planted in excess of allotments during recent years was such that this suggestion would result in a substantial shift of allotments to areas of noncompliance. The Department consequently withdrew this recommendation. Department spokesmen also suggested that the allotment pooling provision suggested by the Department be modified by (1) striking out the words "in 1955 or thereafter" where they appeared after the words "because of acquisition"; and (2) inserting the words "in 1954 or thereafter" before the words "because of acquisition." Use of 1954 is preferable to 1955 in order to cover the situation as fully as possible. (Wheat acreage allotments were not in effect in the years prior to 1954 so that the Department does not have adequate data to extend the provision prior to 1954.) This modification would also make pooling effective at the time of removal of the farm from agricultural production rather than the time of acquisition, since frequently farms continue in production after acquisition by an agency having the right of eminent domain.

DEPARTMENTAL REPORT

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., April 5, 1957.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, United States Senate.

DEAR SENATOR ELLENDER: This is in reply to your request of January 16 for a report on S. 606, a bill to permit the transfer of wheat acreage allotments of lands taken by any Federal, State, or any other agency having the right of eminent domain.

This Department recommends the enactment of this bill, modified as indicated below.

This bill would amend subsection 334 (d) of the Agricultural Adjustment Act of 1938, as amended, so as to extend the so-called Barden amendment for wheat to include acquisitions of farms made for any purpose in 1956 or thereafter by any Federal, State, or other agency having a right of eminent domain. In addition, the bill would limit to 3 years the period in which a dispossessed farm owner could apply for an adjustment in the wheat allotment determined for other farms owned or acquired by him. Under existing legislation the Barden amendment is limited to Federal acquisition for national-defense purposes beginning with 1950. The inclusion of such earlier date in the modified amendment is not necessary since there have been no acquisitions for national-defense purposes during the period 1950 to the present time.

We believe that the objective of this amendment could best be achieved by changing the language therein to read as follows:

Notwithstanding any other provision of this section, the acreage allotment established or which would have been established for a farm which is removed from agricultural production because of acquisition in 1955 or thereafter by any Federal, State, or other agency having a right of eminent domain shall be placed in an allotment pool and shall be used only to establish equitable allotments for other farms owned or acquired by the owner of the farm so acquired by such agency: *Provided*, That such owner shall make application therefor within 3 years after the end of the calendar year in which such farm was removed from agricultural production: *Provided further*, That the allotment so made for any farm, including a farm on which wheat has not been planted during any of the 4 marketing years preceding the marketing year in which the allotment is made, after taking into consideration the allotment acreage which was placed in the pool from the farm acquired from the applicant, shall compare with the allotments established for other farms in the same locality which are similar except for the past acreage of wheat.

The principal changes made by this revised language are (1) the elimination of the 1950 date for reasons explained above; (2) clarification of the cutoff date within which a dispossessed farm owner must apply for an adjusted allotment under the amendment; and (3) change the definition of an old wheat farm in a manner described in more detail under item 2 below.

In addition to the change in the Barden amendment, there are certain other changes in section 334 which should be made at the same time to improve the operations of the acreage allotment and marketing quota programs for wheat. The additional changes needed for this purpose are as follows:

1. Eliminate in subsections (a) and (b) the word "ten" wherever it appears and insert in lieu thereof the word "five". These changes would require that the national wheat acreage allotment be apportioned to States and counties on the basis of the acreage seeded for production of wheat during the preceding 5 years instead of the preceding 10 years. Such changes are considered desirable because it is believed that the use of a 5-year period would result in State and county wheat acreage allotments which are more representative of current production operations.

2. Eliminate in the second sentence of subsection (c) the word "three" immediately preceding the words "marketing years" and insert in lieu thereof the word "four". This change would redefine an old wheat farm to be one on which wheat has been seeded in at least 1 of the immediately preceding 4 years instead of 3 years. It is believed that this change will result in the establishment of allotments for "old" wheat farms which reflect more accurately the crop-rotation system carried out on the farm. There are certain areas of the country where seeding wheat for grain once every 4 years is a well-established crop rotation practice. Therefore, to avoid the necessity of classifying such farms as "new" wheat farms, a 4-year period should be used.

3. Add at the end of subsection (c) two new sentences reading as follows: "Any acreage planted to wheat in excess of the 1958 and subsequent farm acreage allotments shall not be taken into account in establishing future State, county, and farm acreage allotments. The planting on the farm of wheat of the 1958 or any subsequent crop for which no farm wheat acreage allotment was established shall not make the farm eligible for an allotment as an old farm under the first sentence of this subsection." Both of these legislative requirements now apply to tobacco and the first now applies to all basic crops except wheat and corn. It is felt that the planting of wheat in excess of the farm allotment should not be permitted to influence the size of future allotments and

that the planting of wheat on a farm for which no wheat allotment was established should not be allowed to make the farm eligible for an old-farm allotment.

Enclosed is a draft of a proposed bill, which if enacted into law, we feel would not only accomplish the objective of S. 606 but also would add the three additional changes referred to above which would greatly improve the operations of the acreage allotment and marketing quota program for wheat.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938

SEC. 334 • • •

(c) The allotment to the county shall be apportioned by the Secretary, through the local committees, among the farms within the county on the basis of past acreage of wheat tillable acres, crop-rotation practices, type of soil, and topography. Not more than 3 percent of the State allotment shall be apportioned to farms on which wheat has not been planted during any of the [three] *four* marketing years immediately preceding the marketing year in which the allotment is made. *Any acreage planted to wheat in excess of the 1958 and subsequent farm acreage allotments shall not be taken into account in establishing future State, county, and farm acreage allotments. The planting on the farm of wheat of the 1958 or any subsequent crop for which no farm wheat acreage allotment was established shall not make the farm eligible for an allotment as an old farm under the first sentence of this subsection.*

(d) Notwithstanding any other provision of this section, the allotments established, or which would have been established, for [any farm acquired in 1950 or thereafter by the United States for national-defense purposes] *a farm which is removed from agricultural production in 1954 or thereafter because of acquisition by any Federal, State, or other agency having a right of eminent domain* shall be placed in an allotment pool and shall be used only to establish *equitable* allotments for other farms owned or acquired by the owner of the farm so acquired by [the United States. The] *such agency: Provided, That such owner make application therefor within 3 years after the end of the calendar year in which such farm was removed from agricultural production: Provided further, That the* allotment so made for any farm, including a farm on which wheat has not been planted during any of the [3] *4* marketing years preceding the marketing year in which the allotment is made, *after taking into consideration the acreage allotment which was placed in the pool from the farm acquired from the applicant,* shall compare with the allotments established for other farms in the same [area] *locality* which are similar except for the past acreage of wheat.

Mr. YOUNG. The report gives a good explanation of the provisions of the bill. All the provisions are recommended by the Department of Agriculture.

There are three major provisions. First, the original purpose of the bill was to provide a system of redistributing acres of wheat lost to any Federal project or to any governmental unit having the power of eminent domain.

Under the second provision any farm which has a 4-year rotation system will not lose wheat acres by reason of not planting wheat once every 3 years, as is the case at the present time. This provision is especially needed in the Midwest; Ohio, Indiana, and similar areas.

Under the third provision there will not be any increase in acreage history for wheat farmers who overseed their allotted acres, as is the case now. This will merely put wheat in the same position as other basic commodities, except corn.

That outlines in brief the provisions of the bill. Unless there are questions that is all I have to say.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

Mr. CARLSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas desire recognition?

Mr. CARLSON. I should like to ask a question or two, if I may.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. CARLSON. Do I understand correctly that when this bill is approved farmers who use and practice good soil conservation practices will not be penalized if they do not use the allotment acreage more than once every 4 years?

Mr. YOUNG. The Senator is correct. At the present time the farmers have to plant wheat once in 3 years or they lose their wheat allotment. This bill provides that if they plant wheat once in 4 years they can retain the allotment. Those farmers who use the 4-year-rotation system will receive a benefit from this bill.

Mr. CARLSON. That is one of the problems in my State, and I think it is a problem in the wheat-producing area generally. Many of our best farmers, who worked hard at soil-conservation improvement programs, lost their allotment acres many years ago. They were penalized. The man who did a poor job of farming continued his crop year in and year out, and now has his allotment acres. It is an unfair and unfortunate situation. This bill, if enacted will make it possible to plan on a 4-year rotation.

Mr. YOUNG. The Senator is correct.

Mr. CARLSON. It will not cure the basic problem of some years ago, which I hope some day Congress will correct.

Mr. YOUNG. I think this provision will be particularly helpful to the farmers of eastern Kansas. The Department was thinking mostly of the farmers in Ohio, Indiana, Michigan and that area.

Mr. CARLSON. I thank the Senator.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 606) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill to amend the wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended."

THE URBAN RENEWAL PROGRAM

Mr. CLARK. Mr. President, we have been put on notice that powerful groups within the administration still have as one of their prime targets the urban renewal program, which means so much to the cities of the Nation. Apparently the administration is unimpressed by the decisive action this body took not long ago in indicating its conviction that the urban renewal program should move ahead at full speed, and the corresponding action of the House of Representatives in approving a program of $250 million a year.

In the New York Times of yesterday, June 23, Mr. Edwin L. Dale, Jr., reported that influential forces within the Eisenhower administration are advocating a complete end to the Government's slum clearance program. He says, "Opposition to the program centers in the Treasury, with a similar attitude in the Budget Bureau and the Council of Economic Advisers, it is understood."

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an editorial, published this morning in the Washington Post, which expresses very well the reasons why the urban renewal and slum clearance program should be carried out.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EASY PICKINGS?

It is difficult to fathom why the Treasury and the Budget Bureau reportedly consider the Federal slum clearance and urban redevelopment program to be "easy pickings" in their long-range economy drive. By far the great majority of Americans live in cities, and the population trend is increasingly in that direction. Even with most cities still in the early planning and clearance stages of their redevelopment efforts, the program has strong support from municipal administrations throughout the country. In Congress, this support manifested itself this spring despite the economy drive there, resulting in authorizations for next year higher than those proposed by the administration.

Somehow the job of rebuilding the outworn cores of urban America has to be done. Problems of land assembly and population relocation make it an impossible job for private enterprise alone. The division of taxes makes it equally impossible for cities to finance redevelopment without some Federal help. Federal redevelopment aid is merely a proper recognition of the stake which the Treasury has in healthy, productive urban growth, a chief source of Federal revenues.

Mr. CLARK. Mr. President, I hope very much that all Members of the Senate who stood steadfastly behind the program of urban redevelopment and slum clearance when the housing bill was before the Senate several weeks ago, will stand fast against the present move, which I can describe in no other way than an attempted rape of the cities.

Mr. President——

The PRESIDING OFFICER. The Senator from Pennsylvania.

THE KINZUA DAM, ON THE ALLEGHENY RIVER

Mr. CLARK. Mr. President, in the Washington Post of today there appeared, under the title "Questionable Project," an editorial having to do with an item, included in the appropriation bill passed last week, for the beginning of construction of the Kinzua Dam, in western Pennsylvania. The dam was authorized in 1936, as the result of disastrous floods which caused $200 million worth of property damage in the Pittsburgh area and took 36 lives. Since then, from time to time the Allegheny River has again flooded and overflowed its banks and has caused great loss of life. Nevertheless, here, in the year 1957 is the first time when the construction of that dam—first approved by the Army engineers in 1936—has been implemented by legislation.

Despite that fact, the editorial in this morning's Washington Post attacked the action of the House of Representatives.

I ask unanimous consent that the editorial from the Washington Post may be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

QUESTIONABLE PROJECT

One item in the public works appropriations bill passed by the House ought to be scrutinized with special care in the Senate. The House included a million dollars to start work on the Kinzua Dam to provide flood control on the upper Allegheny River in spite of vigorous protests from the Seneca Indians based on a treaty their ancestors signed with President George Washington. Some control of the upper Allegheny appears to be essential to curb disastrous floods, but this would not justify violation of a solemn agreement without a specific finding by Congress that the taking of the land is necessary.

The Corps of Engineers recognized as long ago as 1939 that the proposed construction of the Kinzua Dam would probably necessitate that an agreement be entered into with the Seneca Nation before the Indians' lands could be taken. Indeed, the treaty of 1794 pledged that the United States will never claim the land in question nor disturb the Seneca Nation in its occupancy of that area. No agreement to alter this commitment has been reached. It is true that Congress has authorized the dam and that it can under its powers of eminent domain take the land for public use despite the treaty. But it is extremely doubtful whether the Indians' land can be legally flooded without specific legislation on that point and the moral responsibility of Congress in the matter seems unmistakably clear.

The Indians claim that alternative plans for flood control would be more effective than the proposed dam. Certainly those alternatives should be carefully studied, and we are glad to know that the Indians' protests are under review by the Interior Department. If there are feasible alternatives, the President could well ask the Senate to strike out the appropriation. If not, the least Congress can do is to pass a law specifically authorizing the seizure of this land and providing equally desirable living space for the Indians elsewhere.

Mr. CLARK. The Kinzua Dam project is a major unit in the general comprehensive plan for flood control in the Ohio River Basin, as authorized by Congress back in 1936.

One of the objections in the editorial relates to the displacement of some Seneca Indians. The editorial states:

It is extremely doubtful whether the Indians' land can be legally flooded without specific legislation on that point.

While we are all sympathetic with the problems of the Seneca Nation, and while they certainly deserve just and fair treatment by our Government, in cases such as this one, their interests, like the interests of any other citizens affected, must be subordinate to the interest of the entire region.

In a decision of the Federal district court at Buffalo, N. Y., last January, Judge Morgan held that legislation "establishes, clearly and convincingly, that Congress authorized the construction of the Allegheny Dam and Reservoir, not only with presumed but with actual knowledge of the history of the lands within the Allegheny Indian Reservation, and particularly the so-called Pickering Treaty of 1794," and that the Secretary of the Army had authority to "take these lands for flood-control purposes."

Judge Morgan further held that "the treaty of November 11, 1794—with the Seneca Tribe—cannot rise above the power of Congress to legislate."

The other point raised in the editorial related to certain "alternative plans for flood control"—presumably a diversion canal from the upper Allegheny River to Lake Erie. The Corps of Engineers have studied this possibility several times, first in 1924. These surveys show that such a canal would be more costly to build, more costly to maintain, and less efficient than a single flood-control reservoir. To eliminate projects which ultimately pay for themselves in direct economic benefits is not true economy.

I hope we will not have again property damage and loss of life because the Congress of the United States is unwilling to start a project that will make the banks of the Allegheny River a safe place on which to live.

THE GIRARD CASE

Mr. NEUBERGER. Mr. President, like other Members of the Senate, I have received numerous letters from men and women in Oregon expressing surprise and disagreement with the decision of the American Government to agree to the trial of Sgt. William S. Girard in a Japanese court for the death of a Japanese woman which he caused while on guard duty at an American base in Japan.

The recent decision by Federal District Judge Joseph C. McGarraghy, that the United States military forces in Japan may not turn Sergeant Girard over to the Japanese for trial, is further evidence of the fact that an extremely doubtful and difficult legal decision was involved in this determination of our Government in the Girard case.

Mr. President, I am not a lawyer and do not presume to predict the ultimate legal determination which may be reached on appeal from Judge McGarraghy's decision. Clearly, the problem is not a simple or easy one, involving, as it does, both our international relations and the status of Americans who are serving in our Nation's Armed Forces. This whole problem of the adjudication of controversies involving our servicemen stationed abroad has been and will be one of the most troublesome consequences of our assumption of new international responsibilities in the postwar world.

On the one hand, we cannot expect foreign nations to accept virtual extraterritoriality for the many thousands of members of our armed services who spend long periods of time in their countries. Certainly, it seems reasonable that Americans abroad should be answerable in the ordinary courts of the country for actions which they commit on their own time, off their military bases, perhaps even in civilian clothes. On the other hand, there must be the clear rule that a foreign civilian court cannot try an American serviceman for acts committed by him in execution of his orders while on military duty.

The difficulty obviously lies in defining and administering the rules to govern the gray area between these two extremes of black and white. Its solution is of fundamental significance because of the fact that the American whose rights are in question may very well have been drafted into the armed services and sent abroad without any consent of his own—in other words, because simple and unmitigated compulsion by our own Government is involved at every step of the process.

As I understand, under the agreement we have with Japan, a board of representatives of the two nations decides the jurisdictional question in each instance. To avoid the kind of crisis of constitutional dimensions which is likely to develop under the Girard case, we may be entitled to expect the United States members of such bipartisan boards to bend over backward to preserve United States military jurisdiction in every case in which any claim can be made that the serviceman is question was on duty or under military orders at the time of the event. Apparently, for the sake of our relations with Japan, this seems not to have been done in the Girard case. Serious questions about the long-range effect of this choice made by our Government are being raised, not only among opponents of the entire concept behind our status-of-forces agreement, but also among supporters of the kind of international accommodations and cooperation which are necessary for our modern arrangements for the defense of the free world.

I ask unanimous consent, Mr. President, to have printed in the body of the CONGRESSIONAL RECORD, at the conclusion of my remarks, an editorial from the Eugene Register-Guard of June 5, 1957, which is an example of this attitude.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNITED STATES PUSILLANIMITY IN THE GIRARD CASE

The case of William C. Girard, an American soldier stationed in Japan, threatens to blow wide open the smoldering controversy

about the status of forces agreements this country has negotiated within nations where our troops are stationed. This is unfortunate, because the case appears to us to be an exceptional one, and one in which the American decision was wrong—unfair to the soldier and prejudicial to the idea of the status of forces agreements. First, some background:

The agreements provide that American soldiers stationed on foreign soil can be tried in foreign courts and held in foreign jails for crimes they commit outside the line of duty. If, for example, an American soldier rapes a French girl, robs a British store, or murders a Japanese civilian and if such acts are not committed in line of duty, then he will be turned over to the courts of the nation where the crime was committed.

In the Girard case, the soldier had been assigned to guard United States Army property. While he was on duty, a Japanese woman was killed by a cartridge case which had been fired from a grenade launcher. The Japanese accused the soldier of a crime. Feeling in Japan, fanned by the left-wing and anti-American press, ran high. The Japanese wanted to try him. The Americans bowed to this pressure and now say they will permit this to happen.

For the first time in several years, we find ourselves in agreement with Ohio's Senator BRICKER. The Senator described the American decision as "the sacrifice of an American soldier to appease Japanese public opinion." And that's certainly how the decision looks from here.

If the Japanese had reason to believe that the soldier killed the woman on the street, not in line of duty, it would have been a different matter. Then we would agree—although Senator BRICKER probably would not—that the Japanese should try him, just as our courts would try a foreign soldier who was accused of a crime in this country.

But this is not the case. The soldier was assigned to guard the United States property. He was on duty. He may have exceeded his orders. He may have been guilty of poor judgment or even, as the Japanese contend, have been guilty of enticing the woman to come closer before she was shot. But these are suppositions that should be disposed of by the United States Military Establishment in a court-martial. America now is in the dangerous position of permitting a Japanese court to decide whether or not an American soldier exceeded his duty.

What may such a decision mean to American morale? How will a guard in England, France, Italy, or Germany feel in the future if he tries to do his duty and protect property he was ordered to protect? Must he feel that when the chips are down Uncle Sam will abandon him?

The decision in this matter is bound to bring heavy resentment from the United States. It is too likely that this case will be regarded as a typical case under the status-of-forces agreements. And it is not at all typical. It is too likely that the case will lead to further demands that America abrogate these treaties. In our view it is not the treaties that are at fault. Rather it is the pusillanimous attitude of the folks at home.

THE PROBLEM OF HUNGARY

Mr. KNOWLAND. Mr. President, last Friday I submitted for myself and the distinguished Senator from Illinois [Mr. DOUGLAS] Senate Concurrent Resolution 35. The Senate Foreign Relations Committee has included the concurrent resolution on its agenda for consideration at tomorrow morning's session. I ask unanimous consent that the concurrent resolution may be printed in full at this point in my remarks in the RECORD.

There being no objection, the concurrent resolution (S. Con. Res. 35) was ordered to be printed in the RECORD, as follows:

Whereas the Special Committee on the Problem of Hungary, established by the General Assembly of the United Nations under its resolution 1132 (XI) adopted at its six hundred and thirty-sixth plenary meeting on January 10, 1957, has now submitted a report (A/3592) of its findings to the General Assembly under terms of the said resolution; and

Whereas it has been established by the said special committee. That what took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by longstanding grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the Union of Soviet Socialist Republics; and

Whereas the said special committee concludes that a massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs, must be a matter of international concern; and

Whereas the General Assembly of the United Nations, by its resolution 1119 (XI) adopted at its six hundred and sixty-eighth plenary meeting on March 8, 1957, authorized "the President of the General Assembly, in consultation with the Secretary General and with the member states the representatives of which are serving as the general committee during the session to reconvene the General Assembly as necessary in order to consider further item 66 or 67", item 67 being the problem of Hungary: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the United States Congress that the United States Government instruct the United States delegation to the General Assembly of the United Nations to take urgent steps to recommend the reconvening of the General Assembly at this time to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem of Hungary.

Mr. KNOWLAND. Mr. President, I also ask unanimous consent that there may be printed in the body of the RECORD as a part of my remarks a number of editorials and comments relative to the situation in Hungary, growing out of events of last October and November, and more particularly pointed up by the United Nations recommendations of the special committee which studied the Hungarian situation and the action of the Soviet Union in enforcing its will upon the people of Hungary.

The first is an editorial from Life magazine of June 24, 1957, under the heading "Still Time To Help Hungary."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STILL TIME TO HELP HUNGARY

"To all U. N. members and delegates—delegates of the peoples:

"While your sons are at peace, we sons of the Hungarian nation are falling under the cruel fire of Soviet tanks. Our country has been attacked from abroad. We turn to you. You are our last citadel of hope." (Free Radio Csokonay, November 4, 1956.)

Seven months have gone by since the Russian tanks, in defiance of all principles of international law and morality, and in betrayal of the Soviet Union's own promise to withdraw, crushed the last cries of the heroes of Hungary and drowned the nation's freedom in their blood. What has the U. N., their last citadel of hope, the organized conscience of the world, done in answer?

As is well known, the U. N. has made 10 separate demands about Hungary, calling on the Soviet Union to get out of Hungary, to provide free elections, and allow U. N. observers; it has condemned the Soviet invasion as violating the U. N. Charter. All the resolutions have been ignored, the violation continues and instead of holding free elections the Kadar puppet regime is executing patriots in a reign of Stalinist terror.

The U. N. has done something more. For 5 months the events in Hungary have been studied in minute detail by a special committee composed of delegates from small nations (Australia, Ceylon, Denmark, Tunisia, Uruguay). Unable to enter Hungary, the fire have gone everywhere else that eyewitnesses could be found. They have interviewed all free members of the short-lived freedom regime and more than 100 witnesses of the revolt and suppression. This week they are issuing their report. Important findings:

The report gives the lie for all time to Soviet claims that the Hungarian revolt was the inspired act of Fascists. It proves beyond question that the uprising was the spontaneous revolt of a whole people, aimed not at overthrowing socialism but rather at achieving freedom.

It proves the Red army was not "invited" to intervene, as the Soviet claims, but did so though Hungarian leaders refused at gunpoint to request such intervention.

It confirms that thousands of men, women, and children have been deported. Countless others have been tortured.

The puppet regime, contrary to Khrushchev's recent claim on United States TV, has no support from the Hungarian people.

All these facts, of course, are well known to the Free World. They are even known in the Soviet Union, where increasing questions are being asked about the murder of Hungary. But the confirmation of these facts by a judicial body made up of impartial small nations now provides an unassailable legal basis for the U. N. to take new action upon Hungary, and to take it quickly.

Cynical and weary men—some of our State Department spokesmen among them—are asking feebly, "What can the U. N. really do?"

The answer is: It can do plenty.

It can reconvene, now and urgently, the General Assembly which suspended its session in March pending this investigation. If the Assembly is not called it will not meet until September.

The reconvened Assembly can demand that the Soviet Union show cause why, if it continues to violate the resolutions of the General Assembly, it should not be expelled.

It can expel the Kadar puppet delegates.

Secretary General Hammarskjold, who was long denied access to Budapest but was told recently he can now "come anytime," ought to go there immediately to present this indictment on his arrival and demand answers. His mere physical presence in Hungary would go far toward halting the execution of patriots. Some 2,000 of them have already been sentenced to death.

Economic sanctions against the Soviet should be considered by the 59-nation majority which voted for this investigation. It will be argued these would not be very effective but the taking of them—as a display of moral opprobrium—is all important.

A permanent UNEF military force, ready to act in future Hungarys, should be created.

Not only action by the U. N. is needed. A vigorous worldwide protest by individuals and organizations should be made to the Soviet Union. In Warsaw the Polish Writers' Union, even under communism's eye, has just had the courage to protest it. United States and other writers and journalists can demand, specifically, the release of these Hungarian writers now known to be imprisoned: Zoltan Molnar, Gyula Fekete, Aneras Sandor, Joseph Gali, Miklos Obersovsky, Julius Hay, Zoltan Zetzk, Tibor Tardos, Balasz Lengyel, Domokos Varka, Sandor Novobaczky, and the world-renowned Gyorgy Lukacs. Let the eight Nobel prizewinners who cabled their outrage last year cable it again, to prominent opposite numbers in Soviet professions. Let British Laborites send a new and sterner protest. Let Pandit Nehru recall his sorrow of December and give it notice anew. Let the United States Congress solemnly memorialize the supreme Soviet on the crime of Hungary.

The Kadar regime, after promising amnesty to the freedom fighters, has begun exterminating the survivors. It proclaims: "We have two paths ahead of us, a merciless government or a state of chaos." The U. N. clearly has two alternatives: a somnolent summer undisturbed by the death cries of forsaken patriots, or the path of duty to keep a merciless spotlight upon the murderers so that their guilt will stand clear in the glare of condemnation from the world.

Mr. KNOWLAND. I also ask unanimous consent that there be printed as a part of my remarks in the body of the RECORD an editorial from the New York Times of last Friday, under the heading "The Rape of Hungary."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE RAPE OF HUNGARY

An extraordinarily moving document was presented to the world yesterday. It is the indictment of the Soviet Union for its rape of Hungary, an indictment prepared by the United Nations Special Committee on Hungary. It is the unanimous judgment of the Hungarian events by official representatives of Australia, Ceylon, Denmark, Tunisia, and Uruguay, and through them it represents the judgment of Free World public opinion upon Soviet treachery, aggression, and murder.

Already yesterday Moscow began denouncing this document as propaganda. That was to be expected. No individual or nation that commits acts of murder and treachery likes to be exposed. But the very calmness of the language employed in this document, the scrupulous care given to present accurately the Soviet point of view, and the enormous body of evidence on which the report is based, all these give the lie direct to the Soviet complaints.

We can make clear why Moscow is so seriously disturbed merely by quoting briefly some of the conclusions of this report:

"What took place in Hungary was a spontaneous national uprising, caused by long-standing grievances. • • •

"The uprising was led by students, workers, soldiers, and intellectuals, many of them Communists or former Communists. • • • It is untrue that the uprising was fomented by reactionary circles in Hungary or that it drew its strength from imperialist circles in the West. • • •

"During the few days of freedom, the popular nature of the uprising was proved by the appearance of a free press and radio and by general rejoicing among the people. • • •

"Since the second Soviet intervention on November 4 there has been no evidence of popular support for Mr. Kadar's government. • • •

"Consideration of the Hungarian question by the United Nations was legally proper. • • • A massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs must, by the Soviet Union's own definition of aggression, be a matter of international concern."

The report, in short, demolishes all of the lies, inventions, and rationalizations by which the Soviet Government has sought to explain, justify, and defend its crimes in Hungary. It strips the Soviet Government morally bare. It makes plain that what the Soviet Government did in Hungary was as rotten and criminal as anything in the worst pages of the bloody history of Czarist Russia.

The question now arises: What is to be done? Hungary today is a country occupied by Soviet troops and controlled from Moscow through the use of a puppet regime. The protests of the free people of the world have up to now been of no avail and the demands for justice in Hungary voiced in the United Nations have been met with complete contempt and defiance. To accept this situation is to make a mockery of all standards of decency and law in international affairs. It is in effect to legitimize a double standard of international morality in which some nations are required to submit to United Nations injunctions while others, specifically the Soviet Union, are permitted to defy them without reprisal.

Our own Government's representatives are reported to be planning strategy for next September's scheduled meeting of the General Assembly. But is not the situation revealed in this report more than adequate justification for immediate reconvening of the General Assembly to consider the enslavement of Hungary? And is it not a mockery of the facts and of the sentiments of all who love freedom and justice that the puppet regime in Budapest is still recognized as a legal government? The oppressed people of Hungary deserve more of the Free World than they have received. It is not too late to make plain the outrage of all decent humanity against their oppressors.

Mr. KNOWLAND. Mr. President, I ask unanimous consent next that there be printed in the body of the RECORD an editorial which appeared in the New York Herald Tribune under date of Friday, June 21, entitled "The Crime Against Hungary."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE CRIME AGAINST HUNGARY

When the cruel suppression of the Hungarian revolt against communism was shocking the world last year, the pro-Soviet regime of Budapest steadfastly refused all pleas to admit a United Nations inspection team into the strifetorn country. The Western world, and large sections of the Eastern world, too, wanted to get a clear and honest picture of what was happening in Hungary, but officials in Budapest and Moscow, fearing the truth, blocked all attempts to send U. N. observers to the scene.

But a special investigatory committee was set up by the General Assembly; unable to do its work in Hungary, it held hearings in Geneva, Rome, Vienna, London, and New York. It conducted its operations by interviewing refugees from Hungary—more than 100 of them gave testimony—and by delving into recent Hungarian history and firsthand reports of the events of last October and November.

Now the report to the General Assembly is ready—a 391-page document that constitutes probably the most biting and bitter denunciation that any U. N. member has ever undergone at the hands of its peers. The report represents the unanimous finding of five nations which range from pro-Western to neutralist—Australia, Denmark, Uruguay, Tunisia, and Ceylon. By no stretch of the imagination can it be called a partisan or biased document. Rather does it represent the finding of the world's conscience in the wake of one of the most vicious crimes of modern times.

What does the committee find? It finds that the revolt of the Hungarian people was "a popular uprising" instigated not from the outside, as the Communists allege, but by the people's effort to redress "long-standing grievances." It finds that the revolt was suppressed not by the legitimate Hungarian authorities but by the "armed intervention" of Russian troops. It estimates the strength of Soviet forces rushed into Hungary at from 75,000 to 200,000 men with 1,600 to 4,000 tanks. Many of these soldiers were Mongol and Tartar forces from Central Asia who had been told they were being sent to Egypt to do battle against "Anglo-French imperialists." Brutality, ruthlessness and torture were the weapons of these foreign forces, and the shackles of Communist control removed briefly by the insurrectionists are now "being reimposed step by step."

The Commission points out in the clearest and strongest possible language: "It is incontrovertible that the Nagy government, whose legality under the Hungarian constitution, until it was deposed, cannot be contested, protested against the entry and the use of Soviet forces on Hungarian territory. • • • It is no less incontrovertible that the Nagy government was overthrown by force. Its successor assumed power as the result of military aid by a foreign state." That is to say, the Soviet Union, by the use of naked force, imposed a puppet regime upon a people desperately battling for independence, in order that it could maintain its grip over Hungary and keep its garrisons on Hungarian soil.

These are the methods by which the Communists succeeded in reestablishing a satellite regime which the overwhelming majority of the Hungarian people had acted to cast off at the risk of their lives and possessions. Few documents of our time are more moving in their depiction of human suffering or more convincing in establishing the guilt of the responsible parties. If the Kadar regime or its Kremlin masters have any human feelings left, surely they must flinch before the accusing fingers pointed at them in this devastating and damning report.

But the question remains, what can the Free World or the United Nations do about it? The U. N. Commission plainly asserts the right of the world organization to take countermeasures. "A massive armed intervention by one power on the territory of another," concludes the report, "with the avowed intention of interfering with the internal affairs of the country must, by the Soviet's own definition of 'aggression' be a matter of international concern."

To translate that concern into action now becomes the business of the U. N. The Kadar regime, the report finds, has little support within Hungary; free elections would make short work of it. Ambassador Lodge has called a meeting of the 24 nations which sponsored the Hungarian resolution to plan for action at next September's General Assembly session, when the foreign ministers of the leading powers will be present. The U. N. must make it clear that it does not intend to let the Hungarian matter rest, that it will not accept the Kremlin's orders as the final word on this brave nation's fate.

Mr. KNOWLAND. Finally, Mr. President, I ask unanimous consent that there be included in the body of the RECORD as a part of my remarks an editorial which appeared in the Washington Daily News of today, under the title "Soviet Blackmail."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SOVIET BLACKMAIL

Never has the weakness and double standard of the United Nations been exposed so clearly as during the brutal Soviet intervention in Hungary last fall. In the end, a majority of U. N. members were willing only to wag a finger at Moscow and set up a committee to investigate and report on what happened.

The report of that committee is now before the world. It indicts the Soviet Union of almost every crime possible against humanity.

It is now up to the U. N. Assembly to decide what to do. The least it can do is to make sure that this report is widely distributed, widely and thoroughly debated, and then made part of official U. N. records. And the sooner this process is started—a midsummer session of the Assembly if necessary—the better.

The Soviets and their puppets in Hungary refused to let the committee enter Hungary to make on-the-scene observations. Therefore, it is not surprising that Pravda denounces the report as illegal and slanderous propaganda.

What is disturbing, however, is the beginning of cries by the timid to forget the crime against Hungary—lest we anger the Bolsheviks while they are acting nice. Those who tried to soft pedal the U. N. debate on Hungary last fall will be at it again. Already India's elder statesman Chakravarti Rajagoapalachari is saying:

"The U. N. committee's report on Hungary may be good or it may be unreliable.

"But let us hope that it does not develop into a conspiracy to sabotage the hopes that peep through the London disarmament talks."

It is not surprising that that is Pravda's line, too—that the West is using the Hungarian report to distract public attention from Soviet disarmament proposals.

What rot.

If the Soviet disarmament proposals are genuine—and we confess to continued great skepticism—nothing can damage them. But if they are only phony propaganda, then debate on the Hungarian report will help expose them.

In fact, Pravda's reaction makes it look much as though the Soviet proposals on disarmament were partially blackmail—made to try to get the West to forget Soviet crimes in Hungary. Some haven't fogotten that the Soviet "new look" on disarmament was made last November 17—in the midst of the Hungarian revolution and at a time when world opinion was aghast at the bloody massacre of Hungarians by the Soviets.

The U. N.'s record in the Hungarian case is not good. If it is scared out of accepting the Hungarian report as part of its official records by Pravda's wolf cries or neutralists' scared cries, the consciences of freemen everywhere should revolt.

ASSISTANCE TO KLAMATH TRIBE OF INDIANS TO PREPARE FOR TERMINATION OF FEDERAL SUPERVISION

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 469) to authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes, which were, on page 2, line 9, strike out all after "Secretary." down through and including line 13, and insert "In order to reimburse the tribe, in part for expenditure of such tribal funds as the Secretary deems necessary for the purposes of carrying out the requirements of this section, there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, an amount equal to one-half of such expenditures from tribal funds, or the sum of $550,000, whichever is the lesser amount."."; on page 2 line 16, strike out "seven" and insert "six"; on page 3, lines 3 and 4, strike cut "or deceased,"; on page 3 line 7, strike out "member;" and insert "member: *Provided, however*, that any member for whom the Secretary has so designated a representative may (on his own behalf, through his natural guardian, or next friend) within 120 days after receipt of written notice of such secretarial designation, contest the secretarial designation in any naturalization court for the area in which such member resides, by filing a petition therein requesting designation of a named person other than the secretarial designee, and the burden shall thereupon devolve upon the Secretary to show cause why the member-designated representative should not represent the interests of such member, and the decision of such court shall be final and conclusive".; on page 3, lines 10 and 11 strike out "if such property is not purchased for public use."; on page 3, line 15, strike out all after "others" down to and including "tary)" in line 17; on page 4, after line 3, insert:

(g) Subsection 5 (a), paragraph 5, of the act is amended by deleting "tribe" and by inserting in lieu thereof "members who elect to remain in the tribe."

On page 4, line 4, strike out "(g)" and insert "(h)"; on page 4, line 6, strike out "(h)" and insert "(i)"; and on page 4, after line 16, insert:

(j) Section 15 of the act is amended by changing the period at the end thereof to a comma and by adding "without application from the member, including but not limited to the creation of a trust of such member's property with a trustee selected by the Secretary, or the purchase by the Secretary of an annuity for such member: *Provided, however*, That no member shall be declared to be in need of assistance in conducting his affairs unless the Secretary determines that such member does not have sufficient ability, knowledge, experience, and judgment to enable him to manage his business affairs, including the administration, use, investment, and disposition of any property turned over to such member and the income and proceeds therefrom, with such reasonable degree of prudence and wisdom as will be apt to prevent him from losing such property or the benefits thereof: *Provided further*, That any member determined by the Secretary to be in need of assistance in conducting his affairs may, within 120 days after receipt of written notice of such secretarial determination, contest the secretarial determination in any naturalization court for the area in which said member resides, by filing therein a petition having that purpose; the burden shall thereupon devolve upon the Secretary to show cause why such member should not conduct his own affairs, and the decision of such court shall be final and conclusive with respect to the affected member's conduct of his affairs.

Mr. NEUBERGER obtained the floor.

Mr. WATKINS. Mr. President——

Mr. NEUBERGER. Mr. President, I should like to make a motion.

Mr. WATKINS. Is it for the purpose of having conferees appointed on the Klamath Indian bill?

Mr. NEUBERGER. The Senator is correct.

Mr. WATKINS. I just took over from the Senator from California [Mr. KNOWLAND]. He said there was no further business to come before the Senate this afternoon, except what I wished to say. That is why I asked the question. I have no objection.

Mr. NEUBERGER. Mr. President, I move that the Senate disagree to the House amendments, request a conference thereon with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. TALMADGE in the chair) appointed Mr. NEUBERGER, Mr. ANDERSON, Mr. CHURCH, Mr. WATKINS, and Mr. GOLDWATER conferees on the part of the Senate.

IMPLEMENTATION OF LONG-RANGE MINERALS POLICY

Mr. WATKINS. Mr. President, on behalf of my colleague, the junior Senator from Utah [Mr. BENNETT], and myself, I introduce, for appropriate reference, two bills to implement the long-range minerals policy recommended by the President and Secretary Seaton. I hereby invite any of our colleagues interested to join as cosponsors of the proposed legislation, and for that purpose I ask that the bills lie on the table for 2 days.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be held at the desk, as requested by the Senator from Utah.

The bills introduced by Mr. WATKINS (for himself and Mr. BENNETT) were received, read twice by their titles, and referred, as indicated:

To the Committee on Interior and Insular Affairs:

S. 2375. A bill to provide a program for the development of the minerals resources of the United States, its Territories, and possessions by encouraging exploration for minerals and providing for payments as incentives for the production of certain minerals, and for other purposes.

To the Committee on Finance:

S. 2376. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc.

Mr. WATKINS. Mr. President, this is legislation to contribute to the stability of a vital domestic industry, and I believe that it fully merits a wide measure of bipartisan support.

The first bill provides for the establishment of a program of Federal financial assistance on a participating basis for exploration by private industry within the United States and its Territories for such minerals, excluding organic fuels, as the Secretary of Interior may designate. If exploration financed in part by the Government in this program results in a discovery, the Federal assistance would be repaid, with interest, from production royalties.

This type of a program not only will contribute to additional discoveries of vital new mineral wealth for this country, but it also will be greatly appreciated by many small operators who face the prospect of being forced out of the mining business by increased costs and competition from foreign imports. It is the little operator, the prospector, who makes the bulk of the new mineral discoveries, and who has been the backbone of the mining industry since it was established in this country.

Title II of this bill would authorize a program of incentive payments as a bonus for the domestic production of certain essential minerals. Strategic minerals specified on the list include beryl, columbium-tantalum, and chromite.

Title II of the bill provided for a review of this program in 2 years by the Secretary of the Interior.

A second bill proposes amendment of the Internal Revenue Code of 1954 to provide for imposition of import taxes on lead and zinc.

The proposed excise taxes would not apply on lead until the price of the metal goes below 17 cents a pound, when excise taxes of 1 cent to a maximum of 3 cents per pound would be applied. For zinc metal, excise taxes ranging from one-half cent to 2 cents a pound would apply when the price of the metal drops to less than 14½ cents a pound.

The need for import regulation to preserve the domestic lead-zinc industry already has been recognized by the United States Tariff Commission, after an extensive review conducted under the escape clause of the Trade Agreements Act.

I have assembled a sampling of news articles on the present situation faced by the lead-zinc industry, including recent telegrams to me from individuals and organizations in lead-zinc mining communities, and I hereby request unanimous consent to have these communications printed in the RECORD at this point.

There being no objection, the articles and communications were ordered to be printed in the RECORD, as follows:

[From the Salt Lake Tribune of June 13, 1957]

ACT NOW TO AID LEAD-ZINC, AMC EXECUTIVE IMPLORES

(By Robert W. Bernick)

Speedy enactment of measures to relieve the lead-zinc industry of the Western United States was urged Wednesday by Julian D. Conover, executive vice president of the American Mining Congress.

Mr. Conover said the move was especially necessary "in light of recent drastic declines in lead and zinc prices" in the United States.

(The price drops resulted in announcement of closure Wednesday of the Chief Consolidated Mining Co. at Eureka, Utah.

The Washington resident said "The minerals policy as presented by Interior Secretary Fred Seaton * * * is highly gratifying as to lead and zinc in that it recognizes the principle of protection that has been so consistently expressed by the American mining industry."

This principle, he explained, is that some degree of protection must be provided against low-cost imports of these metals when domestic prices decline to the point that they threaten serious injury to domestic producers.

The proposed excise taxes on imports would be removed when domestic prices are at a level under which the American industry can live, he added.

CONSTRUCTIVE SUGGESTIONS

The veteran mining leader said the industry would have constructive suggestions for the consideration of Congress on the details of the program. These will concern peril points which are to be established in the proposed law, amount of the proposed import tax and the differentials between taxes on metals and on imported concentrates. A peril point is that point at which the excise import tax would become operative.

"In the light of recent drastic declines in lead and zinc prices, it is fervently hoped that this lead-zinc proposal will be speedily formulated into legislation and enacted into law," Mr. Conover said.

He added that "it must be recognized that the stockpile purchases and bartering of surplus commodities for the foreign-produced metals and minerals, while of definite help in past years, are necessarily temporary, stopgap measures."

He said these measures also contributed to "world overproduction" of metals.

SERVE OTHER MINERALS

The American Mining Congress executive said the "proposed import tax measure for lead and zinc could well serve for other minerals to which it would be applicable."

He said it was "unfortunate that the 'long range minerals program' as presented does not seem to provide adequate relief for other branches of the mining industry which currently are in a depressed condition."

He said proposals to expand the exploration effort of the domestic industry, while commendable, do little good if the ore bodies developed cannot be sold at economic prices.

"It is noteworthy that Secretary Seaton, in response to questioning by Senators recently, stated directly that the proposed import tax program had been concurred in by all departments of Government concerned—including the State Department," Mr. Conover emphasized.

He said that some 2,000 mining industry leaders were expected to attend the western metal mining sessions of the AMC September 9-11 in Salt Lake City. The meetings at Newhouse Hotel and Hotel Utah will be preceded by 2 days of preliminary sessions and followed by a day of trips to mine and metallurgical facilities in the State.

[From the Salt Lake Tribune of June 13, 1957]

END OF THE MINING ROAD, UTAH'S CHIEF CON CLOSES

(By Robert W. Bernick)

Chief Consolidated Mining Co., producer of lead and zinc for the Nation since 1909, Wednesday announced indefinite suspension of operations, effective June 15.

This date thus marks the end of the road for the last operating metal mine in the historic Eureka-Tintic district of Utah, which has produced $500 million worth of strategic metals during two World Wars and the Korean war for the United States.

Cecil Fitch, Jr., president and general manager, said Wednesday, "We have been fighting an economic battle against foreign imports for 11 years. The mines that are closing now, including the Chief Consolidated, are not marginal mines. They all closed 5 years ago.

"It is simply that under the impact of inflationary costs and low-wage-produced foreign metals coming into the United States, every mine in America will become marginal at a certain price," the Utahan said.

Some 70 miners and their families will be affected immediately by the closure.

But for the miners in the Eureka-Tintic district, the process of economic struggle has been a losing one since the start of active promotion and subsidization by successive Washington administrations of metals produced in foreign nations and imported to this country.

Where thousands once labored in the creation of wealth for Utah there remained only hundreds in this district in the postwar period.

In September 1954 the mining company pulled its pumps in the main ore-producing areas of the Chief No. 1 mine. From 286 miners, employment was reduced to the present 70 whose jobs end in a few days.

The miners of yesterday have now found other work, many outside the industry.

Mr. Fitch paid high tribute Wednesday to the men who have worked for the Chief.

"They have been a very faithful crew. They have produced as no other miners, even though in recent years wage reductions were necessary if any jobs were to be had at all. The United Steelworkers of America (AFL–CIO) has recognized our peril and our labor relations have been excellent.

"But we just cannot carry on any longer," the Eureka district spokesman said.

The Chief Consolidated Mining Co. was founded by the late Walter Fitch and his son, Cecil Fitch, Sr., both Michigan miners.

Mr. Fitch, Sr., on Wednesday marked his 72d birthday.

[From the Salt Lake Tribune of June 2, 1957]

UNITED STATES MINERALS PROGRAM: THE STRESS IS ON SPEED

(By Robert W. Bernick)

With only about 6 weeks remaining for Congress to act on the administration's long-range minerals program, it is plain that great speed and dexterity will be required to steer the plan, as amended, through the legislative halls to the President's desk.

The issues inherent in the tariff program might strain some ties within the lead-zinc industry, as they have in the past.

This should be of little importance to the Congressional delegations from the mining States.

The 1 or 2 importers of these 2 metals, who for too long have had the ear and support of the United States State Department, are not voters. Jobs their imports would liquidate are held by voters, however.

As for the operators, only by presenting a basic unity and refusing to compromise on the principles of tariff as laid down in the administration program, will the entire industry be able to survive on a rewarding basis the immediate years ahead.

There are those in the Utah segment of the business who believe that where opposition is presented by self-seeking foreign producers of these metals, then these interlopers to this domestic issue should be effectively exposed once and for all.

TIME HAS PASSED THEM BY

Time has long since passed these people by.

Even during the halcyon days of Federal (taxpayers) support of the metals started by the administration as an alternative to the tariff principle now recommended, foreign producers did not abide by Mr. Eisenhower's request to voluntarily limit dumping of their metals on our shores.

They cannot now appear in Washington with clean hands.

The long-range minerals program is not being established for the benefit of low-wage cost foreign producers of metals.

Its necessity results from a final battle for survival for the remaining operating properties in the Western and Middle Western States.

Nor are we, as Americans and westerners, called upon to make any apologies to anyone, anywhere, for fighting to the last inch to protect and to expand the basis of our employment and our livelihood.

Salt Lake City is no different from mining areas such as Wallace, Idaho, Butte, Mont., or Ely, Nev. It's only a bit bigger town. But it doesn't live on air, any more than do those other towns.

Close the mines down and every merchant on Main Street will feel the pinch.

Close the mines down and every school district will be hurt.

Close the mines down and limit the opportunity of our children.

Close the mines down and eventually you close us all down.

For lead and zinc are but a few of the metals that are in trouble. The long-range minerals program aims to aid by establishment of its principles of protection of all important metals.

To say otherwise is to say it is but half a loaf.

Tungsten, copper, mercury, fluorspar, manganese, potash, chromite—all face these selfsame issues in varying degree.

WITHOUT BASIC TARIFF OR IMPORT QUOTA PROTECTION

Without basic tariff or import quota protection, mines, smelters, refineries, and concentrators producing these materials for American consumption must: (1) face declining profits placing a squeeze on wage increases; (2) dropping production, which affects employment; (3) closure, which eliminates jobs, stockholders, and taxes paid to cities, counties, and States.

Today it is lead, zinc, tungsten, and other metals.

Tomorrow it may be copper, potash, iron ore, oil.

Lateness of the hour by which the administration finally prepared its "barebones specifics" as to the minerals program may pose problems.

By adhering to the tariff principle, many complaints can be downed.

A "dogfight" over commodity amendments can be avoided.

Consumer objections—generally raised not by consumers but by manufacturers desiring cheaper raw materials—can be faced resolutely and frankly.

Giving the lead producer the same sort of protection afforded fabricators of lead products in the United States against competing finished materials from abroad would add 30 cents on the dollar to import of raw lead.

Giving the tungsten producer like consideration with the domestic fabricator and processor of this metal would double the existing tariff on tungsten metal. (Not a bad idea.)

You can include other domestic metals in this same situation.

INCLUDE OTHER DOMESTIC METALS

Such actions will not raise the price to the consumer. The price is there now, on the finished goods.

Western raw-materials producers seek only elimination of growing inequities in this relationship.

By any conceivable index, they too long have been denied a just share of our expanding economy.

For too long has the western economy been stilted by an injurious Federal policy now forcing our minerals industry to its knees.

SALT LAKE CITY, UTAH, *June 11, 1957.*
Hon. ARTHUR V. WATKINS,
United States Senate,
Washington, D. C.:

Many western mines facing near future decision concerning continued operations in face of falling metal prices—lead from 16 to 14 cents and zinc from 13½ to 11 cents. Current imports of those metals continue at record levels, putting further pressure on prices, and mine operators are despairing of constructive action on long-range minerals policy so long discussed as basic relief measure.

Labor, investors, and public vitally interested, and we, therefore, urge that you use all possible influence to implement action on long-range minerals program recently announced but not yet introduced for Congressional consideration.

NEW PARK MINING CO.
UNITED PARK CITY MINES CO.
CHIEF CONSOLIDATED MINING CO.
INTERNATIONAL SMELTING & REFINING CO.
COMBINED METALS REDUCTION CO.
UNITED STATES SMELTING, REFINING & MINING CO.

SALT LAKE CITY, UTAH, *June 21, 1957.*
Senator ARTHUR V. WATKINS,
United States Senate,
Senate Office Building,
Washington, D. C.:

All of us miners and our families want to call on you once again and ask you to please contact members of the House Ways and Means Committee to urge immediate action on the proposed legislation to help lead and zinc.

FRANK WARDLAW.

HEBER CITY, UTAH, *June 21, 1957.*
Senator ARTHUR V. WATKINS,
Senate Office Building,
Washington, D. C.:

Our economy in balance. Vital that minerals policy bill passed. Appreciate your support.

R. N. JIACOLETTI,
Mayor.

PARK CITY, UTAH, *June 22, 1957.*
Hon. ARTHUR V. WATKINS,
Senate Office Building,
Washington, D. C.:

We are faced with almost certain shutdown if Congress does not act on minerals policy bill during this session. Please do everything possible to start hearings right away.

UNITED PARK CITY MINES CO.
H. K. DROUBAY, *General Manager.*

PARK CITY, UTAH, *June 22, 1957.*
Hon. ARTHUR V. WATKINS,
Senate Office Building,
Washington, D. C.:

Western independent miners will suspend operations unless minerals policy bill is acted upon this session. Mines stoppage would be disastrous to this community and its people. Please do everything possible to secure action this session.

ALBERT B. SMITH,
Park City Progressive Association.

[From the Department of the Interior, Information Service]

STATEMENT OF THE HONORABLE FRED A. SEATON, SECRETARY OF THE INTERIOR, BEFORE THE SENATE INTERIOR AND INSULAR AFFAIRS COMMITTEE ON THE ADMINISTRATION'S LONG-RANGE MINERALS PROGRAM, TUESDAY, JUNE 4, 1957

I am glad to have this opportunity to discuss with the members of this committee the administration's long-range minerals program.

It is hardly necessary to emphasize to this committee the importance of the domestic minerals industries of the United States. These industries employ people in every State of the Union. The value of their production in 1956 was $17.3 billion. In 1955, according to the Department of Commerce, the extraction of minerals and their processing into salable products accounted for 7 percent of our national income. If we include the manufacturing industries turning out machinery and other products derived from metals and minerals, we find fully one-fourth of our total national income generated by this sector of our economy.

The administration believes that the Federal Government has a proper role to play in keeping this important group of American industries healthy and strong. The long-range minerals program is designed to serve this purpose, within the scope of proper Federal activity and within the limits imposed by the Government's other responsibilities, both to the people of the United States and to the community of free nations.

More than 2 years of intensive work have gone into planning this program.

On November 30, 1954, President Eisenhower approved the recommendations of a Cabinet Committee on Minerals Policy. The President had asked this Committee to study the problems relating to the production and utilization of metals and minerals and to make recommendations for national policies in this field.

One of the Committee's observations was that twice within a 15-year period the United States had been drawn into international conflict with almost no stockpile of strategic and critical materials and had been forced to resort to costly expansion programs to obtain them.

As a result of the Committee's studies and recommendations, in the past 2 years there has been a systematic and critical review of the Nation's mineral resources in the light of our national security needs. Action has been taken to increase the Nation's ready store of essential minerals and metals, to strengthen segments of the mobilization base, and to revitalize segments of the domestic mining economy. Existing legislation provides adequate authority for any additional measures that may be needed to obtain mineral raw materials required for defense.

The Committee, however, not only made security recommendations, it also called for an optimum development of the country's mineral resources. For it recognized that a strong, vigorous, and efficient domestic mineral industry is essential to the long-term economic development of the United States.

Some of the recommendations of the Committee regarding the development of domestic mineral resources are being carried out under the general authority the Department has in connection with public lands, the Geological Survey and the Bureau of Mines. The stockpiling program and other programs carried on for defense purposes have also contributed to the development of these resources.

The long-range program is designed to serve the general needs of our peacetime economy as well as the longer term demands of our national defense. Through this program we are trying to maintain a mining industry large enough and strong enough to take advantage of the abundant opportunities for production of mineral wealth within this country.

We might have tried to achieve these ends in any one of three ways:

(a) By advocating an all-out effort by the Federal Government to underwrite virtually every mine and miner. Such an approach would entail Government management of the minerals economy—a course which neither the industry nor the Government favors. This approach the administration rejected.

(b) By saying that the basic problems of the minerals industry had to be resolved by the industry itself, and that no steps should be taken beyond those normally performed by the bureaus of our Department. Such an approach was also rejected.

(c) By recognizing the problems facing the domestic industry and by arriving at

their solution through programs of benefit to the industry and to the national economy as a whole. This requires a continuous appraisal of problems within the industry on a case-by-case basis and an evaluation of each minerals-industry problem in terms of its national significance. This is the course which was selected.

I should like to comment briefly on the principal features of the program we are submitting.

The first thing the Department proposes is to intensify its research. Mineral resources cannot be renewed. We therefore have to learn all we can about finding new ore deposits and about handling lower grade deposits. Geologic mapping will have to be expanded, as will such newer types of investigations as those which make use of colorimetry, microchemistry, thermal analysis, and radioactivity. Through such activities the Geological Survey will serve American mining even better than it has long done.

The program of the Bureau of Mines must likewise be speeded up to enable the Government to find ways to process lower grade ores more efficiently, expand the uses of plentiful materials, develop substitutes for scarce materials, and find greater uses for newer materials. The value of such work is illustrated by the part which the Bureau of Mines played in the development of titanium and zirconium, the latter being the metal which in large part made possible the Navy's atomic submarine, the *Nautilus*. If engineering progress is to keep pace with inevitable changes in such fields as nuclear technology and aircraft design and propulsion, an acceleration of research is required to develop mineral products capable of containing and supporting the complex, expanding, and in part unknown stresses, temperature, and speeds involved.

We must make a continuing review of our mining and mineral leasing laws in order to encourage as a matter of Federal policy the conservation and wise development of the mineral resources of the public domain. The Department now has under study the problem of further revising the mining laws in order to encourage and facilitate the use of newer geophysical exploration techniques.

Under the new program it is also planned that the administration will continue to adopt fiscal policies which encourage private initiative and the investment of risk capital in exploration for and development of the Nation's mineral resources.

Related to this feature is the Department's recommendation that legislation be enacted to provide a long-term program of financial assistance to private industry for mineral exploration. The greatest problems faced by the domestic mining industry today are the depletion of its easily accessible high-grade reserves, the substantially increased costs that go with the mining of low-grade ores, and the difficulties encountered in the search for and mining of more deeply buried ore deposits. It is generally conceded that the obvious large and easily worked mineral deposits in the United States have been found.

Since April 1951, under authority of the Defense Production Act of 1950, as amended, the Defense Minerals Exploration Administration has conducted a program to encourage exploration for strategic and critical minerals. The program appeals especially to small business, and many small mine operators participate. Nearly 60 percent of all the contracts entered into by DMEA have been for projects of less than $25,000 each. Another 16 percent of the contracts have been for projects of between $25,000 and $50,000 each. Of a total of 1,013 contracts approved, 434—or 42.8 percent—call for the operator to supply less than $3,000. These small operators have been especially active in exploration for highly strategic minerals not found in the United States in deposits of sufficient size to interest large companies.

As part of the new long-range program the Department recommends that a program of financial assistance to private industry for exploration be authorized and made a responsibility of the Department of the Interior under new legislative authority.

Finally, in addition to those long-term essentials, the new program includes measures for special assistance to the lead and zinc industries to minimize injury as a result of imports; and special encouragement to producers of beryl, columbium-tantalum, chromite, and asbestos. It is believed that technical advances will eventually make these latter four industries competitive. This listing of minerals which now need long-range assistance is neither final nor exhaustive. We recognize that other mineral commodities may need similar assistance in the future when defense or interim purchase programs near completion. On the basis of the current position of such minerals, we believe that long-range plans should be formulated after these commodities have had an opportunity to adjust to nondefense markets.

The Department believes it necessary to increase the duties on imports of lead and zinc because of the recent sharp decline of prices of these commodities and to minimize the further threat to the lead and zinc mining industries posed by the high level of imports.

In order to provide more adequate protection to the domestic producers of lead and zinc without at the same time materially restricting needed imports of these commodities, the Department recommends the use of an import excise tax which becomes effective when price declines threaten injury to domestic producers, and which is suspended when prices again return to and remain firm at levels sufficiently high to prevent distress to the domestic industry. The tariff would be eliminated. The excise tax, substituted for it, applicable in three stages would be suspended when prices reach prescribed levels. This plan is outlined in detail in the description of the program.

The other minerals recommended to receive special assistance are in a very different category from that of lead and zinc. For three of these minerals—specifically beryl, columbium-tantalum, and chromite—domestic production is now almost entirely related to defense programs. It is believed, however, that competitive domestic industries may eventually be developed in these commodities. Known reserves of these minerals are substantial, but the grade of ore is so low that production at this time is not profitable at world prices.

Limited known world reserves, the strategic nature of these minerals, and the heavy dependence of the United States on distant overseas sources for supplies underscore the desirability of making every effort to develop and maintain some production of these commodities from domestic sources.

In view of longer term security considerations the Department proposes that a continuing program be established to pay bonuses for a limited production of these commodities as research continues to seek ways of making these industries competitive. A special program is also recommended at this time for chrysolite asbestos.

These programs should be reviewed at intervals of no longer than 2 years, not only to determine the desirability of continuing such assistance, but also to ascertain whether similar provision should be made for other commodities.

Many minerals of economic and defense importance are covered by this program only through the general provisions for research and development and financial assistance for exploration. There are a variety of reasons for not including some of the more important minerals in the program for direct Government assistance at the present time. For example:

ANTIMONY

Two major considerations lead the Department to conclude that no special program is justified for antimony:

1. Requirements for primary antimony are decreasing. Economies in use and changes in our industrial mix are resulting in a long-term downtrend in consumption of primary antimony.

2. The Nation's resource base in antimony, on the basis of the best available information, is insufficient to support a sustained high level of output of this commodity. Recently, at the request of the Office of Defense Mobilization, the General Services Administration undertook a study of potential domestic antimony production. It was determined that as much as 3,000 or 4,000 short tons per year could be produced at a price roughly double the present market price of 33 cents per pound. If the Government were to support domestic production at this level, it would increase the production of primary requirements supplied from domestic mines from 5 percent to 25–30 percent, and raise the proportion of total requirements (including secondary) from 70 percent to 80 percent. At this rate of production our known resource base in antimony would probably be exhausted in a few years.

Much antimony goes to market in the form of antimonial lead. If a program is established to aid primary antomony producers, it will probably encourage only the extraction of antimony from this antimonial lead and also from scrap. The practical reason for this is that the price necessary to aid primary antimony producers would be large enough to make extraction from antimonial lead and scrap profitable. Consequently, the primary antimony producers would receive little benefit from such program.

BARITE

Barite is used primarily as a constituent of drilling muds and in the chemical industry. Domestic production of this commodity has shown a steady growth from the 1948 level of 778,000 short tons to production in 1956 estimated at 1,200,000 short tons. Consumption is in a steadily rising uptrend. Imports, while increasing, do not now constitute a threat to the domestic industry. No special program beyond that of the Bureau of Mines, which is directed toward the development of improved methods of separation of barite from complex ores is necessary at this time.

BAUXITE

Domestic production of bauxite has increased steadily since 1948. Consumption is at record rates; it is still growing. Consequently, there is no present necessity for any special assistance for this commodity.

BORON

Since 1948 domestic production of boron has increased from 450,000 short tons per year to a 1956 record high of 1,124,000 short tons. This industry has shown such steady growth and there is such promise of an increasingly broad range of applications for this commodity, that no special Government action is indicated beyond the limited research programs now underway.

COBALT

Cobalt does not meet the criteria for commodities requiring special programs. Domestic resources are not abundant, and there is little promise, aside from that presented by research, of the development of a fully competitive domestic industry for this material in the foreseeable future. The long-term outlook is for significantly increased

world supplies of cobalt. We anticipate that this will result in substantial decreases in price. No reasonable program of support could, on the basis of present technology, provide assurance of development of a commercial domestic industry in the near future. We shall continue to investigate the technology of cobalt; such investigation constitutes the most hopeful long-term approach to the problems presented by this commodity.

The bulk of domestic production of cobalt is currently being mined and sold to the Government under premium price contracts.

COPPER

Copper has not been included in view of the continuing good price and the fact that a 2-cent excise tax comes into effect when the price falls below 24 cents. The current rate of domestic production is expanding, and the market situation is stable at current conditions.

FLUORSPAR (ACID-GRADE)

The Public Law 733 program for acid-grade fluorspar received administration support because it provided a remedy for the problem posed by the temporary surplus of this material then on the market as a result of completion of Government stockpile contracts. The Public Law 733 program, if continued as we have urged, will enable the industry to ride out the period of temporary surpluses and provide time for consumption to catch up with supply, and for the industry to orient its operations to normal commercial markets. At the conclusion of the Public Law 733 program we shall review the situation with respect to this commodity. Industry requirements are expanding rapidly, and new uses should create additional new markets.

FLUORSPAR (METALLURGICAL GRADE)

Government buying for the defense stockpile is providing a floor under the domestic price. It is expected that with the continuance of the stockpile-purchase program for a while longer, the industry will be reoriented at reasonable price and production levels.

GYPSUM

Gypsum is one of the major mineral products used in building construction in the United States. Production since 1948 has risen from 7,255,000 short tons to nearly 11 million short tons. Over the same period industrial consumption has increased by roughly 50 percent. It is anticipated that with the continued expansion of construction activities in the United States, gypsum and gypsum products will continue to have a ready market. The present health and vigor of this industry make unnecessary the provision of any special governmental program beyond research conducted by the Bureau of Mines on the problem of hydration of gypsum plaster.

IRON ORE

Iron ore presents one of the most serious problems within the minerals area. The enormous demands of two world wars and the recent period of emergency together with the requirements placed on this industry by the sustained growth of the economy have depleted a major portion of our high-grade iron ore reserves. Steel producers and merchant producers of iron ore have done an outstanding job in utilization of low-grade domestic resources. This has largely solved the immediate problems confronting this industry. At the present time there is no requirement for any special Government program for iron ore. We are watching this commodity carefully, however, and are conducting a research program with expenditures at the rate of approximately three-fourths million dollars per year by the Bureau of Mines. Nearby large deposits on the North American continent are supplying a large portion of our requirements.

MAGNESIUM

Production of magnesium in the past has expanded in time of war and receded just as rapidly once the emergency has passed. The domestic industry is currently operating at approximately 65,000 tons per year, most of this from a single firm. There are no particular problems with respect to this commodity which are amenable to treatment through special governmental programs in peacetime. We shall continue to conduct research aimed at cheaper methods of producing magnesium, but the major task, to increase markets for this commodity, must be performed by the industry itself through developing new markets.

MANGANESE

The Nation's resources of manganese are for the most part low grade and complex. The basic solution to the domestic manganese problem lies in research to advance the technology of this commodity. The existence of a special Defense Production Act purchase program which will continue into 1960 makes unnecessary the provision for any further programs of special assistance at this time. Approximately $1 million a year is being spent by the Bureau of Mines on research directed toward improved beneficiation methods.

MERCURY

Since 1952 the market price for this commodity has been sufficiently high to cause domestic production to more than double in volume. At the present time, and through 1958, a Defense Production Act purchase will provide a floor of $225 per flask. At this time there is no requirement for an additional Government program. With the duty paid, the current price in New York is approximately $257 per flask.

MICA (STRATEGIC)

The long-range problem in strategic grades of mica can best be solved by emphasis upon research leading to synthesis of mica, and development of mica substitutes. The Bureau of Mines is now conducting a modest program along these lines. In addition, the General Services Administration is administering a program of Government financed industry research in mica synthesis. The Government stockpile program takes all strategic mica produced in the United States today and will continue to do so until December 1962.

MICA (NONSTRATEGIC)

The United States produces the bulk of its requirements (more than 90 percent in 1956) of nonstrategic mica. Domestic production is expanding rapidly. Production in 1956 was almost three times the 1949 level. It is anticipated that the domestic mica industry will continue to grow rapidly as the total economy expands and particularly as construction requirements increase. There is at the present time no requirement for a special program for this commodity.

MOLYBDENUM

Domestic production of molybdenum has increased almost threefold since 1948. The domestic industry is now producing this commodity at full capacity to supply an expanding domestic market, an expanding export market, and the stockpile. The bulk of domestic production is from a single producer. Most of the remainder is produced as a byproduct from other mining operations. The increased level of production of this commodity, together with the health and vigor of its industry, indicates that there is no requirement for any special Government program beyond a modest program of research conducted by the Bureau of Mines and directed towards the production of massive, ductile molybdenum.

NICKEL

Prior to 1953 domestic mine production of nickel was negligible. Currently the United States is producing about 4,500 short tons of this commodity, some 3 percent of our requirements. This production is under Government contracts. The long-term outlook for nickel is for continued dependence upon Canadian and Cuban sources of production. In all probability there will eventually be established on a sound commercial footing a small production in the United States, probably not greatly in excess of that currently prevailing. There is no requirement for any special Government program for this commodity beyond those now being conducted under Defense Production Act authority and by the Bureau of Mines. The Bureau is spending approximately $150,000 per year to develop an efficient economic method of separating cobalt and nickel and a process for extracting nickel, cobalt, iron, and chromium from nickelliferous laterite deposits of low metal content.

PHOSPHATE ROCK

Domestic production of phosphate rock is currently approximately 18,500,000 long tons per year. Production has increased by approximately 50 percent from 1949 levels, and it is estimated that there will be further increases in production as utilization of fertilizers expands. The growth and high level of activity in this industry make unnecessary the provision of any special Government program beyond that of the Bureau of Mines, which is designed to conduct mining and processing investigations.

POTASH

Domestic production of potash (K_2O equivalent) has increased from 1,140,000 short tons in 1948 to 2,140,000 short tons in 1956. It is anticipated that consumption of this commodity will continue to increase as fertilizer use becomes more widespread. Imports are a minor factor. There is no requirement for any special Government program beyond that now conducted by the Geological Survey directed toward expanding knowledge of United States reserves of this commodity.

SULFUR

Domestic production of sulfur has increased from 5,500,000 long tons in 1948 to approximately 7,000,000 long tons in 1956. Steadily expanding domestic and export markets for this commodity, in conjunction with the health and vigor of the producing industry, make unnecessary the provision of any special Government assistance beyond the Bureau of Mines research on processes for the development of economical supplies of sulfur from presently marginal or submarginal sources. The United States, the world's largest producer of this commodity, has the largest known reserves.

TIN

Production of primary tin in the United States is negligible. Secondary production provides roughly one-third of total domestic consumption. The remainder is from imports. There is no requirement for a special program of assistance for tin in this country, because we have no known commercial deposits and have never developed a producing industry. However, there is a need for continuance by the Bureau of Mines of long-term research to develop techniques for recovering tin from ores, scrap, slimes, and other tin-bearing materials.

TUNGSTEN

The Department of the Interior has supported and will continue to support the tungsten purchase provisions of Public Law 733. We feel that it is right and proper that the domestic industry be enable to amortize investments made at the urgent request of the Government during the Korean conflict, and be given an opportunity to reorient their operations to the market. Continuation of Public Law 733 is the best method of assuring these objectives. We believe that if the industry operates under this program until December 1958, the production then existing, coupled with new and reasonably anticipated demands from industry, will provide a more realistic basis from which to evaluate the position of the industry in our overall economy.

Other minerals were included in the administration's review, but they are not mentioned in the above list because the reasons for their exclusion from the direct assistance program require no detailed explanation. In one category are minerals of national significance—such as sand and gravel or clay—which have problems largely local in character. In another category—gold or uranium, for example—are minerals of which the production or price is regulated by the Federal Government. In the case of a third group, which includes germanium and cadmium, production is primarily a byproduct of the mining of other minerals, which have been discussed. A final category includes minerals like titanium, and the rare earths, which have only lately entered into commercial use.

This program, which I have briefly outlined for you, represents the administration's judgment on what should properly be done now to maintain the vigor of the country's minerals industries. Such a program, of course, cannot be rigid and fixed and permanent. It is intended to be a sensitive and sensible response to certain economic facts; and such facts, in a dynamic and expanding economy, constantly change. For this reason the program would demand continual scrutiny and review. Such review would assure that the program would be as sound for the needs of tomorrow as we believe it is for the needs of today.

Officials of the Department will be available to supplement the information contained in the description of the program given to you.

Mr. WATKINS. Mr. President, the Congress is now embarked upon the task of considering legislation for the first long-range minerals program ever attempted, at least to my knowledge, in this country. For the minerals-producing States of the Nation, we Members of Congress are charged with a serious responsibility in this task, and I hope that we enter into it with a high degree of cooperation and serious intent. This legislative phase is equally important, and equally as difficult, as the planning phase completed by the executive branch. I sincerely trust that we get on with the business at hand and complete some sound legislative action as soon as possible this session.

My State is one of the principal lead-zinc producers, and we have been particularly anxious about the establishment of a long-range minerals policy which would help sustain this and other vital domestic mining industries.

However, we have tried to be fair in our firmness in demanding action on this matter. We have recognized that the mess in which the mining industry finds itself today was not created by Secretary Seaton and the Eisenhower administration. Our troubles were created largely by trade policies and piecemeal minerals policies of preceding Congresses and executive administrations of both parties. Secretary Seaton and the administration may not have moved as fast as we would have liked to see them move on this matter, and they may not have gone as far as we would like to see them go; but they have moved, and they are trying to solve a complex problem which, by and large, they inherited in 1953.

On May 27 of this year, following the announcement of the administration's program, the Salt Lake Tribune, carried an editorial headlined, "An Excellent Long-Range Mine Program." Here are some excerpts from this editorial published by a newspaper which has consistently stressed the need for such a program:

The administration's long-range minerals program represents a great victory for those who believe that the solution for the minerals industry's problem lies in the application of the protective tariff principle. • • •

Now, after careful consideration and intensive study, Mr. Seaton has drafted a program which has won the approval of both President and Cabinet. This latter accomplishment is in itself notable, since the State Department had previously opposed any program which involved use of the tariff power.

While the administration's program represents a major victory, the ultimate victory is yet to be won. Mr. Seaton has prepared the program, but it must now win the approval of Congress. And that will take the same concerted effort that resulted in the administration's program.

Secretary Seaton deserves high praise for his work. So, too, do western leaders, both in the mining industry and in public life, who have fought for the principle of protection over the years.

This is the type of response evoked in a mining State by the announcement of the administration's program. We in the Congress may desire to extend this program or to increase the protective measures proposed. That is our prerogative, and I am sure that Senate hearings will be extensive and thorough enough to provide expression from all segments of the mining industry, and representatives of States and communities where mining is a basic industry.

In this regard, I wish to direct your attention to the concluding paragraph of Mr. Seaton's statement to the Senate Interior Committee last June 4:

This program, which I have briefly outlined for you, represents the administration's judgment on what should properly be done now to maintain the vigor of the country's minerals industries. Such a program, of course, cannot be rigid and fixed and permanent. It is intended to be a sensitive and sensible response to certain economic facts; and such facts, in a dynamic and expanding economy, constantly change. For this reason, the program would demand continual scrutiny and review. Such review would assure that the program would be as sound for the needs of tomorrow as we believe it is for the needs of today.

What Mr. Seaton has proposed is a flexible policy which can be expanded to meet new problems as they arise, and which can be pursued soundly, without, I hope, undue opposition from interests which are likely to oppose positive legislation of any type for the mining industry. This means that this policy legislation, and its future refinements, will be a constant problem for and challenge to this Congress and to our successors for many years to come.

In view of the tremendous importance of the mining industry to the economic strength of this Nation in peace and war, I urge my colleagues in the Senate and the House to expedite action on this vital legislation. It is a program that warrants a large share of bipartisan support from representatives of mining States, and a sympathetic reception from the representatives of other States who can recognize the national interest in maintaining a stable domestic mining industry.

I urge my colleagues that we all get in and work unitedly and on a bipartisan basis to the end that the Congress may prove adequate to the leadership which has been exhibited by the executive branch in this important field of long-range minerals policy.

Mr. President——

The PRESIDING OFFICER. The Senator from Utah has the floor.

FIRST NAVAHO STUDENTS GRADUATE FROM RICHFIELD (UTAH) SCHOOL

Mr. WATKINS. Mr. President, some seven years ago the people of Brigham City, in the northern part of my native State, became host to Indian students, largely Navaho, at the Intermountain School, converted from what was previously the Bushnell General Hospital.

More recently our people in Richfield in the south-central portion of Utah became hosts in their public schools to a smaller group of Navaho students in a program worked out with the Bureau of Indian Affairs and Sevier County school board.

I am now happy to report that, according to the Richfield Reaper, some days ago 15 Navaho school students—9 girls and 6 boys—became the first group to graduate from Richfield Junior High School, according to the school's principal, Roy Adams.

All completed 4 years work in 3 except Jim Jensen, who attended school only 1 year. As juniors these students have covered themselves with honor

The graduating students are: Sallie Tsinniginnie, Mary Etta Jackson, Josephine Small Canyon, Sarah Sombrero, Susie Bighorse, Maud Chee Lane, Lorraine Yellowhair, Laura Johnson, Maxine Tree; Jim Jensen, Fred Salt, George Whitehat, Wilford Smith, Herman Smith, Kee Nez Fowler.

It has been remarked time and time again that there are very few places on the reservation where schools for the Navahos could be built. For a long time approximately 16,000 Navaho children were unable to go to school, not because they did not want to go, but because of lack of facilities. A plan was finally worked out to take many of these youngsters who wanted to go to school to the neighboring white settlements, and make arrangements with the school boards to have them attend classes with their white neighbors, while living in dormitories or boarding houses provided by the Federal Government for their keep during the school year.

By means of that program, and a series of trailer schoolhouses placed upon the reservation, it has been possible to bring nearly all of the 16,000 students into school, for the first time in many years.

The circumstance to which I have called attention shows what the result in one of these communities has been. Fifteen Navaho Indian students were recently graduated from the Richfield Junior High School.

Mr. President——

The PRESIDING OFFICER. The Senator from Utah.

NAVAHOS PUT FIVE-TWELFTHS OF ANNUAL BUDGET IN EDUCATION TRUST FUND

Mr. WATKINS. Mr. President, this year, due largely to income derived from oil and gas leases, the Navaho Tribal Council had nearly double its funds for the previous year to apportion in the 1957–58 annual budget.

I think we in Congress will gladly note that of the $12 million budget agreed on for the new year the tribal council voted to set aside $5 million to provide a trust fund yielding $200,000 annually. This will be used for scholarships in colleges and universities to support alert young Navaho men and women, in order that they may further their educational progress.

Those selected must be approved in a tribal committee screening. Also, they must agree to return to aid the tribe with their newly acquired skills.

Mr. President, I most heartily commend the wise and far-seeing leaders of the Navahos for this thoughtful provision of five twelfths—nearly half—their budget for educational needs of their younger men and women of promise. I know that money might well have been spent in myriad and no doubt useful other ways. This very act speaks well, however, at once of self-sacrifice and of the faith in the Navaho youth that so strikingly characterizes our Navaho leaders. I feel that their trust will be honored, a hundredfold, by those in whom they are willing to express such confidence.

I ask unanimous consent that an article from the June 22 issue of the Christian Science Monitor, commenting on this topic, be included here as a part of my remarks in the CONGRESSIONAL RECORD. I deeply urge my colleagues in the Senate and House to take note of this heartwarming development.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor of June 22, 1957]

SCHOLARSHIPS TO AID NAVAHO YOUTH—TRIBE EARMARKS FUNDS

(By Dorothy L. Pillsbury)

SANTA FE.—One of the most significant acts in the history of American education took place recently at Window Rock, Ariz. There the Navaho Tribal Council, representing about 80,000 Navahos living largely in northwestern New Mexico and northeastern Arizona, adopted their 1957–58 budget. That budget of $12 million was twice as large as any ever set up for the tribe. It was made possible by $30 million derived from oil and gas leases on their arid, unproductive land.

Of the $12 million budget, the Tribal Council set aside nearly half—$5 million—to provide a trust fund yielding $200,000 a year to be used for scholarships in colleges and universities by their likely young people.

MUST RETURN TO RESERVATION

Navaho youth granted these scholarships are carefully selected by a tribal committee. They agree to return to the reservation at completion of their training in law, engineering, business administration, public health, education, and other subjects to share their newly acquired skills with their people.

More than a dozen years ago, this writer sat in on a Tribal Council meeting at Window Rock for a full week—morning, afternoon, and evening sessions—where Navaho oratory rolled endlessly like the surge of a sea. At that time the Navahos were at one of their lowest financial ebbs, due to the reduction of their flocks by the Indian Bureau. This reduction seemed necessary because of overgrazing. The tragedy was that nothing had been provided to make up the loss in income. Navajo economy had suffered a staggering blow. Starvation was an ever-present specter.

A white man from far away Washington appeared on the platform to outline various suggestions how this great loss might be met. The Navahos listened politely but with smoldering eyes. At last an aged Navaho wearing a little fur cap on his long hair got to his feet and in broken English said, "Mr. Chairman, I move that all this talk go on the table. Let us use all the time we have left to talk about education. Unless we are educated, what good is all this fine talk?"

UNLESS WE ARE EDUCATED

"Unless we are educated" became a kind of tribal slogan for the years to come. In 1945 there were school facilities on the reservation for only one-fourth of the school-age children. Fewer than 100 out of 20,000 children of school age were in high school. Indian boarding schools in the region were not accredited to the State universities of either Arizona or New Mexico.

It has been a long hard pull to get Navaho children into school. It has taken every educational facility available—Indian Bureau schools, public schools, and mission schools. It has meant hauling children 50 miles a round trip by bus to public schools. It has meant the building of dormitories in nearby towns where Navaho children from a distance could live through the school week and return to their families over weekends. It has meant trailer schools rolling about the reservation in hot pursuit of children whose parents moved from scattered pasture to pasture.

Within the past few years, it could be said truthfully that every Navaho child of school age whose parents wanted him to "learn paper" was in school. During the last few years the tribal council has been spending $100,000 a year from the tribal income to send outstanding graduates of these schools to colleges and universities.

INVESTMENT STABILIZED

This year that investment has been stabilized by the establishment of the trust fund of $5,000,000 allowing $200,000 a year for scholarships.

Somewhere out between the towering red rocks of Navaholand where the scent of cedar fills the dry warm air, I hope that aged Navaho with his little fur cap on his long black locks knows that the words he used long years ago, "Unless we are educated," have blossomed prodigiously. They have blossomed in this great tribal trust fund which in turn will blossom strangely with young Navaho engineers, business administrators, lawyers, and educators—year after year.

UTAH FATHER, FOUR SONS, ALL HAVE DOCTOR'S DEGREES

Mr. WATKINS. Mr. President, my native State of Utah is proud of many educational attainments, and now we feel that we Utahans may have another.

At least I doubt if there are many families in America that can boast a father and four sons—all with doctor's degrees, either in medicine or philosophy.

Dr. Wayne B. Hales, the father, a Ph. D. for many years, is professor of **physics and mathematics at Brigham Young University in Provo. I might note that in addition to the 4 sons now** possessing doctor's degrees, that Mrs. Hales and their 2 daughters also hold college degrees. In all then here is a family that has amassed a total of 56 years of education on the college level and 59 years in teaching.

If any Senator or Representative can lay claim in his or her State to a comparable or superior record, I surely would like to know of it.

As teachers and as doctors of medicine I think we all know the service to our country that such a family has and will render.

Mr. President, I ask unanimous consent to have included as a part of my remarks in the CONGRESSIONAL RECORD a news account regarding the Hales family printed in the Daily Herald of Provo, Utah, June 13.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EVERY MAN HAS DOCTOR'S DEGREE—WAYNE B. HALES FAMILY SETS EDUCATION RECORD

If you were to ask for Dr. Hales at a Wayne B. Hales family reunion you'd be apt to get five answers.

For that's how many members of the family—every man in it, incidentally—who have attained doctor's degrees, either doctors of medicine or philosophy.

Dr. Wayne B. Hales, the father, has held his Ph. D. for many years as a professor of physics and mathematics at Brigham Young University. He won his Ph. D. in 1926, at the California Institute of Technology.

Every one of his four sons have by now attained their doctor's degree, the latest of whom was Robert, who graduated this spring from the University of Utah School of Medicine. Others holding the coveted degree are J. Vern Hales, who achieved his Ph. D. in 1952 from the University of California at Los Angeles, and is now a department chairman of meteorology at the University of Utah; D. Wilson Hales, who graduated as a doctor of medicine in 1945 from the University of Wisconsin and is now a staff member at an Ogden clinic and instructor in surgery at the University of Utah Medical School, and Richard W. Hales, who attained his Ph. D at the University of California in 1952 and is now an associate professor of physics at Brigham Young University.

Not to be outdone by the men, all three women in the family—Mrs. Wayne B. Hales and two daughters—have college degrees. Each graduated from Brigham Young University with bachelor degrees. Mrs. Hales in 1938; her daughter Isabel (Mrs. George L. Cannon), in 1944, and daughter Margaret (Mrs. Delos E. Bown), in 1946.

Every member of the entire family has graduated from Brigham Young University except Richard, whose studies were interrupted by World War II and who took his bachelor degree from Iowa State College in 1946.

The family has amassed a total of 56 years' education on the college level, 29 of them at Brigham Young University. There have been 59 years spent by the family in teaching, headed by the father, who has taught a total of 41 years—27 of them at the "Y."

PARSONS COLLEGE SENIORS IN THE SERVICE OF GOD AND STATE

Mr. MARTIN of Iowa. Mr. President, on Sunday, June 2, I was accorded the honor of delivering the commencement address at the commencement exercises of Parsons College, Fairfield, Iowa. The baccalaureate sermon on that occasion was delivered by the Reverend Dr. Paul Silas Heath, of New York City. The Reverend Millard G. Roberts, president of Parsons College, conferred the doctor of divinity degree upon the Reverend Kenneth L. Hubler, minister of the Grace Presbyterian Church at Council Bluffs, Iowa, and the doctor of laws degree on John A. Fisher, president of Buena Vista College, Storm Lake, Iowa, the Reverend Dr. Paul S. Heath, of New York City, and me.

I ask unanimous consent that the baccalaureate sermon delivered by Dr. Heath and the commencement address delivered by me be printed in the body of the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

THE BIRTH STRUGGLE OF A NEW CHURCH, AND ITS NEED FOR LEADERSHIP—A BACCALAUREATE SERMON PREACHED BY THE REVEREND DR. PAUL SILAS HEATH, GENERAL PRESBYTER OF THE PRESBYTERY OF NEW YORK CITY, AT PARSONS COLLEGE, FAIRFIELD, IOWA, ON JUNE 1, 1957

Norman Cousins, the editor of the Saturday Review of Literature, on returning recently from a visit around the world, summed up some of his conclusions in this way:

"The world is wide open for a new and big idea. Communism no longer fills that role for millions of Asians and Africans. Only a short time ago communism seemed to many of these people to be a fast express to a better future • • • but no longer. Somewhere along the line the express has gone off the track.

"But neither is democracy as proposed by America this big idea. We do not do a very good job of translating what democracy means to us into foreign languages in a way that gives meaning to the hopes of the multitudes. The big idea, when it comes, will have something to do with giving reality to the great connections between people that exist independent of ideologies or national units."

In this same editorial, Mr. Cousins tells of an interview he had with Dr. Martin Buber, Jewish philosopher and theologian—one of the great minds of our time. "Year by year the things that separated men from one another have been hardening," Buber said, "year by year the price of such separation has been growing." Then the wise scholar added, "The burden on young people is especially large. They must comprehend what is needed and move toward it with all the resources at their command."

You young people are graduating from college and entering into new responsibilities at a crucial time in the history of the world. It is at one and the same time the winter of despair and the spring of hope—a time of crisis, but a time of opportunity. The nuclear age which has brought us to omnipotence in nature, is also a time of impotence in using these powers for the well-being of man.

This is also true with the church in America today. At a time when more and more people are turning to the church, we have the increasing crime and delinquency and the extraordinary callousness and indifference of people to the malfeasance of many leaders in politics, in labor unions, and in other fields.

You graduates may well ask, "How can we cope with such a day as ours?" I would like to speak to this point, beginning as we narrow down the complexity of our problem to at least one sore spot.

I believe the sickness of our world lies in "separation" and all that word implies. The new "big idea" for which the world is waiting will be one that gives reality to connections between people. We must learn through this idea to conquer separation and bring about acceptance.

THE SIN OF SEPARATION

It would be a mistake to presume this sin of separation and the need for acceptance is applicable just to relations between whole peoples and nations alone. Actually, this same sin and sickness of separation lies at the root of despair and breakdown and failure and defeat right here in our own land, and even right here on this campus.

Are there people here on this campus hurt by the sin of snobbery, by the pride of superiority, by the cruelties of ostracism and condescension? This is the sin and sickness of separation. Let us remember the 1 out of 10 Americans in institutions of mental health is there because of failure to conquer separation in oneself, between oneself and one's fellows, and between oneself and God.

In the city of New York the large numbers of young people in trouble, becoming involved in gang violence or the influence of drugs or alcohol, who become rootless and aimless, are the victims of our failure to bring down the walls of separation and achieve acceptance.

The actual taking of such drugs is to these young people a sacrament of the meaninglessness of life. When we remember what the Lord's Supper can mean to us, in the knowledge that we are forgiven and accepted by God and that separation within ourselves or with our fellows is ended by His grace, we begin to understand this. A life can be so riven from wholesome community with one's fellows that drug taking seems the only out.

OUR INNER SELVES

This finally narrows down to our own inner selves. Most of our personal problems and difficulties arise from this same inward division. The good that we would do we do not; the evil that we would not we do. We find it very difficult to accept ourselves. We become separated from ourselves, from our fellows, and isolated from God.

Certainly such a world as ours is wide open for a new big idea, one that will bring to an end the sickness of separation. This must give reality to the great connections which exist between people independent of nation or race or ideology, and lead to the greatest connection of all—the reality of our connection with God.

It is here that we preachers come along and say: "The Christian Church has the answer to all this. The Gospel of Jesus Christ is the idea big enough to win the world and conquer its ills." Just to say this doesn't really help in a world like ours. The plain truth is that the Christian Church as presently constituted does not persuade people that it is big enough to give reality to the great connections that exist between people, independent of one's nationality, the color of one's skin, the amount of money one has, or the side of the track one comes from.

THE CHURCHES PRACTICE SEPARATION

In America today, more than two-thirds of the people are listed as members of some church. Dr. Wilbur La Roe, a Presbyterian elder and former moderator of the general assembly, has made a tongue-in-cheek definition of the Presbyterian Church as:

"A fellowship of middle-class people who enjoy being affiliated with an organization of good standing in the community to which they can belong with comfort and without heavy expense; who believe in brotherhood within well-defined limits and in social progress if it is not carried too far; most of whom cast a conservative vote, and who find real satisfaction in listening to good sermons and tolerable church music and in being associated with respectable people of his own class."

Certainly the practitioners of such a faith do not have the big idea which can win and heal the world. D. T. Niles, the brilliant and able young church leader from Ceylon said recently in New York that "our sickness results from our failure to meet God at the places where God comes to meet us." This is profoundly true. Our failure in New York City, and in many another city, is that church people have been hanging around their own tree-lined suburban street corners, and not in the teeming cities where the problems of separation lie.

We are not meeting God at the spots where He comes to meet us, and so we miss Him. Where are these spots? They are the spots where the sin of separation and alienation have erected barriers that wall off human beings from each other, where there can be no community, no sharing, no mutuality. These things never happen, because we never meet. Pride, superiority, and self-righteousness coupled with fear and hatred, have made us strangers to each other.

ARE CHURCHMEN REALLY CONCERNED?

Dr. Paul Tiddich, of Harvard, has recently defined faith as the state of being ultimately, unconditionally, infinitely concerned. This is not the state of our Christian faith within the churches today.

Our church is so set in its ways; its patterns are so firmly fixed. Most of the men of my age preaching sermons are too old to bring about a revolution commensurate with the revolution going on in our world today. This makes the burden on you young people especially large.

I know young people today who are hearing this challenge and taking it seriously. Let me speak of just one such group. In the upper East Side of Manhattan there is an area known as East Harlem. It is an area of blighted slums with people crowded into filthy tenements.

If you have never been in a city slum with a 5- or 6-story walk-up, rat-infested, a cold water spigot in your crowded apartment where there is no privacy, and a water closet on the floor below you, you have no idea what it means to try to survive physically, mentally, spiritually. This is the area of greatest density of population, highest delinquency, and drug addiction. Every school is crowded, hopelessly old and inadequate. Family life is completely disorganized.

Into this area came a group of young ministers and their wives and other seminary students to live there and identify themselves with these people in all their problems. They have felt that if the Gospel of the Incarnation meant being ultimately concerned it should have the power for such a situation as this.

Into this group last fall came a young student and his wife to live and work. He was from Princeton University, president of his class. Speaking rather frankly, he was a good Christian who, like the rich young ruler, had consistently kept the law and been a fine leader of youth in a conventional way.

Let me read you some words he wrote after being there a few months, for he found out something about human separation:

"The following could be written about countless places. I write it about East Harlem where some things may be easier to see.

East Harlem breaks my self-confidence—the first time I have known real breakage in my life. My life has been marked by one success piled atop another—the presidency of my class throughout high school and college, repeated academic and personal honors—

"Yet, neither dramatically nor suddenly, I have nevertheless been broken, broken by this place called East Harlem, and I am very thankful. Here I have dimly known what the New Testament calls rebirth. Truly to hear the cry from the Cross in our time, to know truly our guilt in the crucifixion this day."

Here is a young man actually facing the state of being unconditionally, ultimately concerned. With it, we can see a glimpse of the new "idea" big enough to give reality to the connections between people. He goes on:

"Let me try to explain why I believe the East Harlem Protestant Parish hears the muffled cry of a suffering world. Separation, alienation are the realities of human existence. Human separation cannot be overcome except by the grace of God in Jesus Christ. The grace of God alone can overcome separation within a man, between man and God. God's word of radical forgiveness and acceptance must undergird the form and the spirit of the churches' ministry."

Slowly, these young people are building a new kind of spiritual community, not just a new kind of church. It is not dominated by a ministry that does all the work, but the people become the ministers and the people themselves carry the gospel of acceptance into the community. They meet to carry on worship and prayer; to share problems and analyze personal and community needs and to accept assignments of ministry. Everyone becomes a witness.

AN APPEAL TO GRADUATES

I have taken some time in describing this particular situation because these young people are strongly convinced that their situation is not unique despite its more desperate character. As young Brown says, "It is easier to see things in East Harlem."

But the sin of separation and the need for acceptance are everywhere, and the need for the appearance in the church of an outburst of fresh dynamics for the "big idea" is everywhere—in rich suburbia, in Fairfield, as well as East Harlem.

For only as rich suburbia and Fairfield realize they are like East Harlem in its desperate need of God's forgiveness and in its need of meeting Him where He comes to meet us, is there any hope. Only then can the Church mediate the powerful healing force entrusted to it.

This is my appeal to you young people as you set out in your new life. Comprehend what is needed, and move toward it with all the resources at your command. Involve yourselves in the birth of a fresh creative expression of the gospel of the Incarnation in the Church, big enough for the healing of the separations that are threatening to destroy the spring of hope in the nuclear age.

ADDRESS BY SENATOR THOS. E. MARTIN AT THE COMMENCEMENT EXERCISES, PARSONS COLLEGE, FAIRFIELD, IOWA, JUNE 2, 1957, ENTITLED "THE FUTURE, OPPORTUNITY, AND RESPONSIBILITY OF THE EDUCATED AMERICAN"

The educated American is up against everything the Free World is up against in this second half of the 20th century—only more so.

This makes the role of the graduates of Parsons College and the role of the graduates of other institutions of learning everywhere in our country one, that is touched with a proud but a fearful destiny.

There is a burden of responsibility upon your generation of Americans. This burden is balanced by the promise of a full and an ample life, rich in the realization—actually—of great dreams. No people in all the ages have ever had the state of well-being, the national and individual dignity, that cloak you as you leave this, your alma mater, for the great world in front of you.

And no previous generation in all the annals of history was ever confronted by a greater peril.

It is in this context that I ask you to evaluate your career that stands before you and relate these coming years to the story of man since the beginning of time.

Let us ask ourselves:

Is this generation really unique in terms of the problems that face it? Or is this term, this word—unique—merely the text that invests every commencement address?

As I see it the answer is that every age is of course unique in some form.

In the days of early Christianity the issue was between God and Caesar, an issue that has a strikingly identical parallel today.

In the days of Columbus there was the task of bringing whole new continents within the compass of contemporary civilization.

In the latter part of the 18th century there was the question of a small group of American colonies seeking freedom and independence from an oppressive tyranny.

We are the immediate beneficiaries of the incredible success of these incredible ventures.

The Civil War raised the question, and answered it, whether this Nation or any nation conceived in liberty and dedicated to the proposition that all men are created equal can long endure.

World War I and World War II presented supreme tests to mankind of certain fundamental tenets of civilization and of government.

Today the issue, I firmly believe, is clearer than it ever has been, for the world of this generation stands clearly divided between the slave and the free. It is the collateral issues that are complex.

There is nothing unique in this primary issue, except possibly its greater clarity, since the days of the Old Testament.

But there is this about your generation that is unique:

Our age is more extraordinary than any comparable period of the past, because what is done anywhere on earth engulfs the whole planet, whether it is the development and use of penicillin, nuclear fission, or the question of what ships may or may not pass through the Suez Canal.

This time in which we live presents the whole race of man on this earth and everywhere in it with certain basic questions.

The first question is whether man, under God, wants to be governed by himself, or whether, without God, he will submit to the tyranny of dictatorship and the erasure of his own personality and the elimination of the dignity of the individual.

The second question is whether man has the intelligence to recognize that a democracy or a republic sincerely means government by consent of the governed, or whether he can indeed be deceived into believing that a Soviet despotism is a people's democracy, and whether he can be blinded to the omnipresent fact that communism is a dictatorship of deceit.

Unless this generation of graduates of Parsons College and kindred institutions knows, recognizes, and acts upon its role in this unique crystallization of the issue of the centuries, then this much of the victory is lost to the Free World.

The Napoleonic wars were fought without our participation.

The Civil War was fought without Europe's participation.

We know now that wars like these can never again be localized, or isolated, or contained.

Thus, your generation of Americans is unique in that your horizons, as of this moment, cover this entire planet and may—before long—be obliged to reach into stellar space.

All this represents uniqueness indeed on a canvas so sweeping, so enormous, so total—it engulfs not only all of mankind, but it carries with it the question of whether there is to be a future at all, the question of whether man is so limited in his capacity to manage himself that he will use the power that is now his to destroy forever all life on this planet.

Your generation is unique because until this hour man has never been presented with so vast and so final a decision.

The burden of my message to you today is that you are the recipients of the richest fruits our civilization has within its gift, and that, as the custodians of this intellectual and spiritual wealth, there rests upon you precisely a certain concentration of responsibility.

All Americans are involved in the issues, the educated, the near-educated, and the uneducated, and all—in a democracy—have a voice, but democracy has never denied the principle of leadership under law. The educated men and women of America constitute certainly a selected fragment of mankind toward whom, in the first instance, the mass of Americans will look for guidance, so that when the decision is made by all of us, we shall have taken counsel properly and duly with those among us who are presumably, the better trained and the best informed.

What I plead for is not a priesthood of the educated. What I plead for is the service of the dedicated.

The United States has a right to expect that its educated citizens will serve as an echelon of enlightenment on all local, State, National, and international issues that confront, a government such as ours. This is not to be construed to mean that I expect that we shall have government by college graduates per se. It is of the nature of the intellect to be controversial and probing. Men who think never conform to a single pattern. It is the contest of ideas that gives democracy its strength. But feeding the contest we want knowledge and not prejudice. It is at this juncture that education plays its most magnificent role.

Thomas Jefferson put it this way:

"I know of no safe depositary of the ultimate powers of society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education."

Having quoted a distinguished Democrat permit me to quote an equally distinguished American whose thinking constitutes—I believe—the foundation of the Republican Party of today. Alexander Hamilton put it this way:

"A representative democracy, where the right of election is well secured and regulated, and the exercise of the legislative, executive, and judiciary authorities is vested in selected persons, chosen really and not nominally by the people, will, in my opinion, be most likely to be happy, regular, and durable."

Here are two men—among the greatest political scientists this Nation has produced—political opposites, yet agreed on the basic tenet that the best democracy is of course an informed democracy. Woodrow Wilson has insisted that "the informing function of Congress should be preferred even to its legislation function."

One of the dangers of our time and therefore pregnant with threats to the republican form of government and the Free World is the weariness of the average voter with the problems of the day. This weariness may better be described as a boredom derived in the first instance from the complexity of the issues collateral to the struggle between the free and the Communist world. The weariness may have deep psychological roots in two world wars and Korea. If so, it is the youth now coming up and the educated youth more directly to which I am now addressing myself, that, it seems to me, must take up the slack.

The workload of knowledge about public affairs with which a self-governing people must burden itself is more considerable and more complicated in detail than it ever has been in the life of nations. It goes to the very heart of representative government and the effectiveness of its operation. In a republican form of government like our own we must have representatives of the people—not delegates. When I speak in the Senate of the United States my voice is only as good as the constituency I represent. Once a Senator or a Representative is obliged to think of himself as a delegate whose thinking bears no relation to the thinking back home, or whose constituency is too wearied or preoccupied to think of public affairs, then we have arrived at the beginning of the end of free government.

If we are to persist successfully in this extraordinary phenomenon of Government where 170 million people are actually governed by themselves—for civilization as we know it hangs upon our survival—then the duty for the electorate to be informed, to vote and act on their information and their convictions, is not only sacred in the most exalted meaning of the term, but it is indispensable. Either we know or we cease to be citizens. This means that the man in the street must have some understanding of a $71.8 billion budget. True, yesterday it was Korea, then Formosa, now the Middle East. But if we know, as we must, that civilization for a certainty, and perhaps all life on this planet rests in the balance, then how can we fail to participate in the Government which must make the decision and which is founded on the idea of the people's participation? It is not only up to us here in Iowa, to know the difference between fixed and flexible price support, but it is up to the agriculturally withdrawn folk in the canyons of Manhattan also to know their respective meanings. We are all citizens of the same Nation, and again unless we recognize our close interrelationship we stand on the doorstep of doom. It is not enough that we know the Monroe Doctrine, like something learned by rote in grammar school: We must know the Truman doctrine and what it did and we must know the Eisenhower doctrine in favor of which I voted. We should look to see what it is doing now to stop dead in its tracks a communism that has its Red tentacles over one-fourth of the world's surface and one-third of the earth's population.

Nor am I one of those who is altogether convinced that the brain of the electorate is too tired to be informed. We are gifted with an immense and an extremely competent system of private communication, instantaneous, free as communications have never been free in the history of civilization, and richly endowed not only with talent, but with resources and overwhelming technical proficiency. This communication comes to us by voice, in print, in pictorial form and by television and recordings: Newspapers, magazines, periodicals, trade journals, radio, television. It is of the very heart stuff that democracy and the republican form of government is made. Thus the educated men and women of today—the graduates of Parsons College—have at their hands, created for them, a vast arsenal of communication to be used by them as a tool for the dissemination of the ideas that make up the genius of America. In our regional arrangements, NATO or SEATO or the Baghdad Pact, call for clarification to the general public, is it too much to expect that—in the interest of representative government—you will help to inform your fellow citizens? Is it too much to expect that, your training having made you intellectually more accessible to understanding of the problems that shake the world, you will now serve as the interpreters and the explainers of the complex?

For we are living in an age when the function of the Congress to inform the people must have reinforcement. If the representative process is to work so that the liaison between the Members of the Senate and the House, and the people, is close and constant and fluidly informative, then our system of government under its present burdens must look to you for participation. I argue that this participation must of necessity be far more intense from your group—the educated American—than from any other, short of the Members of Congress themselves. My faith in the electorate's eagerness to know—as distinguished from their alleged weariness with public affairs—has its concrete testimony in a questionnaire I have composed and mailed from Washington each year for the past 8 years to people in this State.

My purpose in sending out a list of some 36 highly significant questions about contemporaneous events and trends, legislative propositions, and issues, was as much to widen the range of public interests in these issues, as to determine public reaction to them in Iowa. Out of more than 41,000 questionnaires this year, I got no less than 6,256 replies, many of them indicating the wealth of discussion the questionnaires precipitated among farmers, laboring people, businessmen, the professions, the white-collar category, women's groups, and others. More than half wrote me highly informative and illuminating letters along with their questionnaires. Nothing that I can recall in my public life has helped so much to establish the close contact I seek with the people of my State so that my action in Federal affairs may be invested with the thinking, the support, the cooperation of the people whose representative I am in the Senate of the United States.

That is how I see one function of my role in the Senate of the United States.

When I speak of the obligation of the educated American to the representative form of government, I am not speaking in merely ideological equations. I speak rather in terms of contractual commitments. Our universities and colleges are State supported, in many instances tax exempt, privately and publicly endowed. Parsons College, as you know, gets its financial backing from its endowment income, from gifts from the town of Fairfield, the alumni of the college, the Presbyterian Church of the United States and the Presbyterian Synod of Iowa, the trustees of the college, corporations, and other friends of the institution. Campaigns are now afoot to augment the facilities of this institution and I hope these efforts receive the wide and wholehearted support they certainly have earned for themselves. But my point is that all this combined communal effort to provide higher education for our youth must call forth a concomitant response wholly independent of one's concentration upon the advancement of one's own career.

I note from a survey of the council for financial aid to education, that present private giving falls $600 million short of meeting the rockbottom annual needs of the Nation's nearly 1,900 colleges and universities during the next decade. It has been estimated that it will cost the average American college and university $1,000 a year in the near future to educate each student. It is possible that enrollments will reach well beyond 6 million in 1970. I am informed that this will bring the total annual educational bill to $10 billion or more. These figures do not take into account the need for additional buildings. It is not my point here to go into the situation of privately controlled as against publicly controlled institutions of learning. The products or graduates of both owe something to the community whose substance provides them their training and their learning. Certainly in the case of Parsons College—it provides them the strengthening of their spiritual and moral background.

But consider what a force rests behind democratic and representative government in a Republic like ours if we could depend for our first line of intellectual defense, of missionary effort, of communication of the problems and ideals that concern us, upon the more than 3 million students enrolled in 1956–57 in our institutions of higher education in continental United States. Next year—1957–58 this enrollment will be 3,450,000. By 1970 it will, as I said, be well over six and a half million. We are, incidentally, proud that standards today are higher than in the past.

Ten billion dollars for the cost of higher education in the United States is no criterion by which to evaluate the inspirational and moral values instilled in the minds and and hearts of four, five, or six millions of American youth. But it does indicate in at least one concrete form the measure of the burden. There is the element of selection. Youth admitted to certain of our institutions of learning and receiving their benefits constitute a properly and correctly favored group in our society. Inherent in this fact is a reciprocal contract that has profound meaning both for the individual student and for the country. Here is the force upon which the Nation must depend to help overcome the appalling statistic that almost half of our citizens do not vote. In the light of the average the citizens of the State of Iowa emerge well ahead of the rest of the country in their sense of political responsibility. The figures show that while throughout the Nation the average of citizens of voting age who went to the polls in the 1956 presidential year was only 60.4 percent, in Iowa it was 74.1 percent.

Iowa was sixth among the 48 States.

Our 74.1 percent was bested by Idaho with 77.3 percent; Connecticut with 76.6 percent, Utah with 76.1 percent, Massachusetts with 75.3 percent, and New Hampshire with 75.2 percent. What these figures prove is that Iowa might do better but it proves also that our State is well toward the top and this is something of which we may be reasonably proud. I like to think that the influence of institutions like Parsons College is a contributor to this exemplary record.

Finally, in seeking citizenship participation in representative government let us remember that election or appointment to office is perhaps the highest and the most direct of all forms of service. I do not hold the opinion by any manner of means that a college graduate is ipso facto an ideal legislator or the perfect public servant. But in a definitely preponderant number of cases it is surely an asset. Easily the heavier proportion of Members of Congress have been touched by the advantages of some kind of collegiate training. The technical age that confronts us with petrochemicals, plastics, antibiotics, radioisotopes, nuclear energy, electronics, nucleonics and automation, is reaching out for the trained mind with an almost savage desperation.

The geopolitical age that confronts us demands a new dimension in statesmanship. It is possible to travel now between New York and Paris faster than it was possible 30 years ago to travel between Boston and New York by motor. Overall the issue before mankind—whether the immediate problem is civil rights or Taft-Hartley, or Suez, or foreign aid, or aid to education, or Federal authority over the money structure—is a

moral one. Your fellow citizens will, consciously or unconsciously, reevaluate you 5, 10, 20, 30 years from now. In the ultimate the tabulation of your contribution to yourself, your community, your nation, your family, your alma mater, will be a moral tabulation.

If you take away with you from Parsons College the powerful Presbyterian precepts that do so much to mold character, you will be found in the coming years, to the limit of your capacity, performing services in every aspect of life, that will keep your country strong and free and that will put the underpinnings of moral might and righteousness beneath what is today a badly shaken world.

I give you my salute and I wish you Godspeed.

DISCLOSURE OF GOVERNMENT FILES

Mr. O'MAHONEY. Mr. President, on behalf of the Senator from Mississippi [Mr. EASTLAND], the chairman of the Committee on the Judiciary, the Senator from Tennessee [Mr. KEFAUVER], the Senator from Wisconsin [Mr. WILEY], the Senator from Illinois [Mr. DIRKSEN], the Senator from Maryland [Mr. BUTLER], and myself, I desire to introduce a bill for appropriate reference to amend chapter 223 of title 18 of the United States Code. The purpose of this bill is to clarify the law with respect to the disclosure of Government files to defendants in criminal cases.

The reason the bill is being introduced today is that there has been considerable misinterpretation in the press and even in the courts as I see it, of the decision which was handed down by the Supreme Court on June 3, 1957, in the case of Clinton E. Jencks, petitioner, versus the United States of America.

The effect of the misinterpretation of the decision has been to require United States attorneys in various districts to drop pending criminal cases rather than to submit irrelevant information in the hands of the Government which would have resulted in the improper disclosure of hearsay and confidential evidence which had no bearing upon the case at issue.

Among these cases have been numerous prosecutions of defendants charged with violation of the Narcotics Act.

In an antitrust action in the United States District Court for the District of Western Pennsylvania the Justice Department declined to call FBI agents as witnesses when it was reported that the defense would demand all the FBI reports. In the case of Vice President James R. Hoffa, of the Teamsters Union, the Department of Justice was ordered by the court to produce oral statements made to FBI agents by the Senate committee counsel whom it was alleged the defendant had attempted to bribe.

It has been stated in some news articles in the press that the effect of the decision is to open the files of the FBI to any and all defendants, and therefore to make it impossible for the Government to prosecute cases in which subversive activities against the country were being carried out.

In one case it has been reported that the presiding judge seemed to feel that the information gathered by the FBI should be revealed before the case began, while in another court it was reportedly held that the material should not be made available until after the Government evidence was in. These are only samples of contrary interpretations which began to develop immediately after the decision was rendered.

The cause of these contrary interpretations may have been the result of the fact that the opinion of the court was handed down by Justice Brennan, with the concurrence of Chief Justice Warren, Justice Black, and Justice Douglas. Two concurring opinions were filed, one by Justice Frankfurter and one by Justice Burton and Justice Harlan, which reached the same result as the Court but for different reasons, and finally a dissenting opinion was filed by Justice Clark, formerly Attorney General, who did express the view that unless Congress changes the rule the decision would cripple intelligence agencies of Government and open to defendants in criminal cases "confidential information as well as vital national secrets."

I desire only to point out that a careful reading of the opinion would indicate that the Court was thinking only of relevant material in the Government files furnished by the Government witness who was produced in court.

I desire to point out that in this decision the Court quoted language from other cases, making it clear that the reasoning of the Court in reaching the majority opinion was that the rule it was upholding would not propose any broad or blind fishing expedition among documents possessed by the Government.

Briefly stated, the theory of the majority was that if the Government sent into court a witness to testify against a defendant, and had at the same time in its files a statement by such witness having to do with the activities of the defendant which was not presented, the defendant would be justified in asking for and receiving an order compelling the presentation in court of the additional material, if it were relevant to the case. It does not appear from a reading of the decision that a defendant would be entitled to rove at will through the Government files.

It is always a marvel that laws or opinions or statements can be written by black marks on white paper and be made intelligible. It would also be a marvel if any laws were ever enacted by any government which were not the subject of conflicting opinions with respect to their meaning.

The Department of Justice has found that by reason of what it regards as a loose interpretation of the decision of the Supreme Court, the Department has been compelled to abandon many cases which were valid.

The Subcommittee on Improvements in the Criminal Code, of the Committee on the Judiciary, of which I happen to be the chairman, plans to conduct a hearing upon this measure in order to make clear just what the scope of the Court decision should be.

In order that the measure which I am introducing may be available immediately, I ask unanimous consent that the text of the bill may be printed at this point in my remarks.

The bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, introduced by Mr. O'MAHONEY (for himself, Mr. EASTLAND, Mr. KEFAUVER, Mr. WILEY, Mr. DIRKSEN, and Mr. BUTLER), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That chapter 223 of title 18, United States Code, is amended by adding a new section 3500 which read as follows:

SEC. 3500. Demands for production of statements and reports of witnesses.

(a) In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding, no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States shall be the subject of subpoena, discovery, or inspection, except as provided in paragraph (b) of this section.

(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce for the inspection of the court in camera such reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified. Upon such production the court shall then determine what portions if any, of said reports or statements relate to the subject matter as to which the witness has testified and shall direct delivery to the defendant, for use in cross-examination, such portions, if any, of said reports or statements as the court has determined relate to the subject matter as to which the witness has testified. The court shall excise from such reports and statements to be delivered to the defendant any portions thereof which the court has determined do not relate to the subject matter as to which the witness has testified.

(c) In the event that the United States declines to comply with an order of the court under paragraph (b) hereof to produce the report or statement of any witness to the court or to deliver to the defendant any report or statement or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

RECESS TO WEDNESDAY

Mr. WATKINS. Mr. President, in accordance with the order heretofore entered, I now move that the Senate stand in recess until Wednesday next at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 53 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, to Wednesday, June 26, 1957, at 12 o'clock noon.

NOMINATION

Executive nomination received by the Senate June 24 (legislative day of June 21), 1957:

DIPLOMATIC AND FOREIGN SERVICE

Vinton Chapin, of New Hampshire, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

WITHDRAWAL

Executive nomination withdrawn from the Senate June 24 (legislative day of June 21), 1957:

POSTMASTER

Mr. August Todd, at Joppa, in the State of Illinois.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 24, 1957

The House met at 12 o'clock noon.

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCCORMACK). The Chair lays before the House the following communication from the Speaker.

The Clerk read as follows:

THE SPEAKER'S ROOMS,
House of Representatives, U. S., Washington, D. C., June 24, 1957.

I hereby designate the Honorable JOHN W. MCCORMACK to act as Speaker pro tempore today.

SAM RAYBURN,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art our creator and bountiful benefactor, we beseech Thee to be present and favorable unto us during this day, granting us grace to discharge our duties in faith and in faithfulness.

We pray that the Members of the Congress may know how to legislate wisely as they daily seek to find the best ways and means of promoting the welfare of all mankind.

Give wisdom to our minds and courage to our hearts and may we never take counsel with our fears or allow anything to shatter and supplant our faith in Thy divine power.

Grant that we may understand more clearly that if our vexing national and international problems are ever to be solved then the souls of men must be touched and transformed by the spirit of brotherhood and good will.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Friday, June 21, 1957, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 555. An act to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes.

ELECTION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will request the gentleman from Oklahoma [Mr. ALBERT] to take the chair.

Mr. ALBERT assumed the chair.

Mr. COOPER. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 290

Resolved, That Hon. JOHN W. MCCORMACK, a Representative from the State of Massachusetts, be, and he is hereby, elected Speaker pro tempore during the absence of the Speaker.

Resolved, That the President and the Senate be notified by the Clerk of the election of Hon. JOHN W. MCCORMACK as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

Mr. MCCORMACK took the oath of office as Speaker pro tempore as administered by Mr. COOPER.

TESTIMONY BEFORE COMMITTEE ON FOREIGN AFFAIRS ON MUTUAL-SECURITY BILL

Mr. GORDON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GORDON. Mr. Speaker, the Committee on Foreign Affairs is now in its final week of executive session hearings on the mutual-security program. Much of the material submitted to the committee in support of the mutual-security bill is classified and cannot be released. Nearly all the details concerning the military-assistance program are secret, and there are a number of other items relating to specific countries which cannot be made public in the national interest.

Part of this classified information is classified by the executive branch, because it would aid our enemies if it were known to them. The rest is classified because if it became known, it would, in the judgment of our officials, injure us in our relations with other nations. The committee is obligated to observe these restrictions placed on this information by the executive branch.

Neither the committee nor the executive desires to keep any of this classified material from any Member of Congress. The most complete statement of the program is contained in seven loose-leaf volumes which are classified "Secret." These volumes also contain unclassified information and are so marked that there is no difficulty in determining which data are secret and which can be made public.

I wish to announce, Mr. Speaker, that a set of these seven volumes is available in the committee room on the gallery floor where it may be examined by any Member of the House who is willing not to divulge the classified information they contain. I also plan having these volumes on the floor when the bill comes up for consideration by the House.

I might mention that I believe these volumes constitute the best presentation yet made to the committee by the executive branch. Each year the committee has insisted upon more complete data and its presentation in such a way as to make the essential facts more easily accessible. These volumes are not perfect, but they do constitute a further significant improvement in presentation, particularly over the great masses of unrelated documents and papers submitted to the committee in the early days of the foreign-aid program.

I do hope that Members of the House will avail themselves of this opportunity to examine these books and I am confident that those who do so will strictly observe and respect their classification.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations be authorized to file a supplementary report to accompany the bill H. R. 7390.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

SP3C. WILLIAM S. GIRARD

Mrs. KEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

Mrs. KEE. Mr. Speaker, many a father and mother with sons in our Armed Forces, stationed overseas, or approaching draft age, will, I know, breathe a sigh of relief at the decision handed down by Judge Joseph C. McGarraghy, in Federal court last week, in the Girard case. Status of treaty commitments notwithstanding, it is tremendously reassuring to every American—parent or not—to know that, as matters now stand, American youths, serving the Nation in foreign lands, will stand trial for their misdeeds in our own military courts and in accordance with our own American standards of justice.

The administration has filed an appeal in the Supreme Court against Judge McGarraghy's decision which directed the Government to retain custody of Specialist First Class Girard, and not to hand him over to the Japanese Government for trial on charges of killing a Japanese woman while on active duty. The administration's action is, I feel, ill-advised. Public sentiment strongly supports Judge McGarraghy's verdict and it is to be fervently hoped that the decision of the Supreme Court will do likewise.

We have already spilled precious American blood, and our people have poured out billions of their hard-earned dollars—and are being asked to pour out still more billions—to preserve freedom in many of these foreign lands. But freedom—the love of freedom—Mr. Speaker, is not something to be bartered for the highest favors in the cold war of international politics. How much reliance can the Western World place in

friends and allies who can be won in no other way?

Mr. Speaker, are the American people now to be asked to offer up their sons on the dubious auction blocks of the administration's shaky diplomatic maneuvers to improve our foreign relations?

EFFECTIVE CROP PRODUCTION CONTROLS

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, final results of last Thursday's referendum among the Nation's wheat producers make it amply clear that an important segment of agriculture has once again, firmly and convincingly endorsed the principle of effective crop production controls in return for a decent price.

It is also exceedingly clear that Secretary of Agriculture Benson is completely out of step with farmer thinking in these United States, and consequently should resign his post as Secretary of Agriculture.

Official reports indicate that more than 83 percent of those participating in the wheat referendum, approved marketing quotas and acreage allotments for next year's crop. I believe this is especially significant in view of Secretary Benson's recent plea to Congress to grant him the authority to abandon all mandatory price protection on farm commodities, and in view of the psychological warfare to which he has been subjecting the Democratic farm programs during the last 4 years.

If wheat farmers were in agreement with Secretary Benson they would have rejected acreage allotments for 1958 and the price support level of $1.78 a bushel, which they are guaranteed in return for their compliance with Government regulations. The alternative would have given them the legal permission to produce all the wheat they desired next year, without penalty—except loss of Government price support.

This was agriculture's opportunity to return to the free market system, which Secretary Benson has extolled, in a free and open referendum, which is the heart of our democratic system of government. But they spoke firmly and strongly against a return to anarchy in the market place.

It is my earnest hope, as I know it is of millions of farmers, that Congress will heed these significant expressions of agriculture and go on to enact farm programs accordingly.

WATER DIVERSION PROJECT

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am much concerned with the present apparent attitude of the Government of Canada toward the United States. There is the appearance that the new administration in the Dominion is about to embark on a program inspired by a spirit of anti-Americanism. I trust this will not prove to be the case, but if it should be the policy of the new government to work at cross-purposes with the United States it is well that we in the Congress and the American people should be alerted.

In the Chicago Sunday Tribune of June 23, 1957, is a dispatch from Ottawa by Eugene Griffin quoting an unidentified member of the Cabinet of the Dominion Government predicting that his government would authorize more trade with Communist China, ignoring America's objections. Further, that the defense expenditures by Canada would be reduced by the Tory government and that the defense cuts would go through despite any objections from Washington, which objections this unidentified Cabinet member stated would be ignored.

He also stated that the new government in Canada would start a movement to divert the Dominion import trade from the United States to England, and Canadian industry would be encouraged to process in Canada national resources that now are exported in the raw state to American mills. All through this interview with an unidentified member of the Canadian Government ran a strong note of hostility to the United States.

In recent weeks we have been informed that young men graduating from the large universities in England have expressed their intention of leaving England and of settling in Canada. To this we certainly have no objection, but if there is a growing trend in Canada to work, not in wholesome competition with the United States, but at cross-purposes, we are concerned.

The amiable relations that have existed for many years between the Dominion of Canada and the United States of America have been an inspiration to us on both sides of the border. If a new Canadian Government is to depart from the spirit and the practice of friendly cooperaitón it is well that we should take time by the forelock. In this connection it is well to remember that while the United States has strained its economy to maintain the security of the free world the treasury of the Dominion of Canada has not suffered a strain in any comparable degree. Meanwhile, American capital, in tremendous volume, has gone into the Dominion of Canada to build up her industries and develop her resources.

The unidentified cabinet member of the new government of the Dominion of Canada is quoted as saying that Canada will continue to oppose the diversion from Lake Michigan into the Illinois Waterway at Chicago. This diversion, as planned in the bill thrice passed by the House, cannot possibly have any harmful effect upon Canada. It is as necessary to the health of the city of Chicago and to the people living on the inland waterway as medicine to a patient lying dangerously ill.

It is to the common interest of the people of Canada and of those of the United States that the friendly relations between the 2 governments and the 2 peoples that have existed so long should not be disturbed. I trust that the new Premier of Canada will immediately disown the statements made in the Chicago Tribune by this unidentified member of his cabinet.

But in any event the answer of the United States should be the passage in jig jig time by the other body of the Lake Michigan water diversion bill and its immediate signing by the President of the United States. This kind of a reply would be in the best American tradition. There is no sense in continuing negotiations with someone who has no legitimate interest in the subject matter and feeds vanity by playing a dog-in-the-manger game.

THE SUPREME COURT

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ANDREWS. Mr. Speaker, I was distressed to read in yesterday's Star the following Associated Press story, dateline London, June 22, the headline of which was "British Communist Paper Praises Justice Black." The article is as follows:

BRITISH COMMUNIST PAPER PRAISES JUSTICE BLACK

LONDON, June 22.—London's Communist Daily Worker praised United States Supreme Court Justice Hugo Black today in the newspaper's Profile of the Week. The unsigned short biography of Justice Black said:

"Victims of McCarthy during America's dark years of prejudice and persecution have been consistently defended by Justice Hugo Lafayette Black. • • •

"Unknown Negroes, the tragically well-known Rosenbergs, aliens and deportees, radical professors, trade unionists, and Communist leaders have heard the voice of Justice Black speak out for their rights as laid down by the American Constitution."

The paper quoted from a number of Justice Black's decisions and underlined that he "wanted all 14" Communists acquitted in the Supreme Court's decision this week to free 5 and send for retrial 9 convicted California Communists.

"What sort of man is this," asked the Daily Worker, "who for 20 years on 3 Mondays a month hands down judgments on appeals on every conceivable point of law, and whose dissenting opinions on behalf of the rights of man will remain longer in men's minds and more thumbed in the lawbooks than many majority opinions?"

The Daily Worker said he was named Hugo, after "the great French radical writer, Victor Hugo, whose book his mother was reading when he was born."

It said Justice Black joined the Ku Klux Klan "as a southern lawyer seeking advancement in politics," and that opponents of Franklin Roosevelt's New Deal exploited his membership in the Klan, from which he resigned.

"A lesser man would have been destroyed," said the Communist Party organ, "but Black calmly rode the storm and remained to write court opinions, which show him as the champion of every human right denied by the Klan."

Mr. Speaker, and Members of the House, let me appeal to you to take action before the Supreme Court destroys this Nation.

CONGRESS AND THE COURT

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, in view of what the gentleman who preceded me a little while ago said about Mr. Justice Black, may I suggest one possible remedy the Congress apply to the Supreme Court if the Congress ever comes to believe the Court's decisions are in disregard, in opposition to the principles of the Constitution? That remedy would be impeachment—on the theory that the Court is attempting to overthrow the Government through fallacious reasoning, rendering decisions which make constitutional provisions void.

While we are talking about Justice Black, why do we not give him and his associates a little credit for this decision Monday, June 10, where the Court held that those two women who were convicted by a military court for killing their husbands in some foreign country should be freed because they did not have a jury trial?

If the Supreme Court continues along the same line of thinking enunciated in Reid against Covert and Kinnella against Krueger, what becomes of the civil-rights bill we passed a few days ago which denied the right of trial by jury to one accused with interfering with the right to vote? If it is not improper, may I humbly suggest that Members read these two cases, 701 and 713, October term, 1955, decision handed down June 10, 1957. The Congress said that the armed services should try certain offenders. The armed services did just that. But the Court said the accused were entitled to a jury trial, and our legislation to the contrary was unconstitutional.

If the Congress cannot give the armed services power to charge, try, convict, and punish killers living in foreign lands under its control, how can it be said Congress has authority to give the Attorney General and a district court the power to indict, try, condemn, and punish an alleged offender without trial by jury?

MODERN REPUBLICANISM

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, Abraham Lincoln once said that he devoted as much or more time to analyzing the thinking of his opposition as he devoted to his own views on matters of public controversy.

Following that advice I have tried to keep posted on developments in the opposition party as well as those that are taking place in my own party. One thing that has had me confused in recent weeks, however, is the considerable amount of talk about modern Republicanism. All this talk has complicated the difficulties of those of us who try to keep posted on the thinking of our opposition.

I had about decided that modern Republicanism must refer to the thinking of the younger members of the GOP, as contrasted to the old-fashioned stalwarts of an earlier clime.

It was, therefore, something of a surprise to me to read in yesterday's press that delegates to the National Young Republican Convention have just repudiated President Eisenhower's leadership on 4 out of 5 issues on which convention votes were taken.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. McGOVERN. Not at this time.

This would seem to indicate either that President Eisenhower is not a modern Republican, or that I have been mistaken in assuming that the young Republicans are modern. Perhaps some of the confusion stems from the fact that young Republicans are changing their minds. We are informed that they approved the right-to-work law in an overwhelming voice vote whereas 2 years ago they laughed this proposal out of the hall.

In any event I am developing an appreciation for the frankness of Senator GOLDWATER who said recently:

None of us in the Republican Party seems to know what modern Republicanism means.

CALL OF THE HOUSE

Mr. MASON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. McMILLAN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 120]

Adair	Colmer	Gwinn
Anfuso	Cooley	Healey
Bailey	Coudert	Holtzman
Barden	Cretella	Kearney
Barrett	Curtis, Mass.	Kelley, Pa.
Baumhart	Curtis, Mo.	Kelly, N. Y.
Beamer	Dawson, Ill.	Keogh
Becker	Delaney	Kilburn
Beleher	Denton	Kluczynski
Blatnik	Digga	Krueger
Boland, Mass.	Dollinger	Latham
Bolton	Donohue	Lennon
Bonner	Dooley	McConnell
Bosch	Farbstein	McCulloch
Bow	Fenton	Macdonald
Bowler	Fino	Machrowicz
Broomfield	Fountain	Moore
Brownson	Frelinghuysen	O'Neill
Buckley	Grant	Osmers
Byrne, Pa.	Green, Oreg.	Patterson
Celler	Green, Pa.	Philbin
Chudoff	Griffiths	Pillion
Powell	Siler	Teller
Rains	Spence	Thompson, Tex
St. George	Staggers	Tollefson
Saund	Steed	Wainwright
Sheehan	Taylor	Wigglesworth
Shelley	Teague, Tex.	

The SPEAKER pro tempore. On this rollcall, 349 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AUTHORIZING FILING OF MINORITY VIEWS ON H. R. 4520

Mr. HARRIS. Mr. Speaker, I am today filing a report on the bill (H. R. 4520) to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certifications for certain air carriers operating between the United States and Alaska, and I ask unanimous consent that any Member of the minority may have until midnight Wednesday to file a report to accompany the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

SUBCOMMITTEE HEARING ON H. R. 1108

Mr. DOYLE. Mr. Speaker, I ask unanimous consent that the subcommittee hearing witnesses on the bill, H. R. 1108, be privileged to sit today during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

RULES GOVERNING COMMITTEE HEARINGS

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, today I have introduced an amendment to the rules of the House of Representatives to permit each committee of the House to decide if its public hearings are to be carried by radio, movie, and television facilities.

The resolution also provides that if a witness objects he would not be required to testify before these media.

At present, the House rules are silent as to whether committee hearings can be televised or broadcast. Speaker MARTIN has ruled in the past that the decision is up to each committee. Speaker RAYBURN has ruled that the decision shall be made by the Speaker of the House.

I believe the time has come to bring uniformity and continuity to this situation. My own personal feeling, as outlined in this resolution, is that the sovereignty of each committee should be preserved and each should make its own rulings as to the manner in which it is to carry out its proceedings.

The present House rules state broad principles within which the committees

are to operate. That concept would be carried out by enactment of my resolution. Otherwise, we can be subjected to outright fiat by the Speaker, which I do not believe is the proper approach. As a matter of fact, it is my understanding that the distinguished Speaker would welcome clarification of the rules.

Certainly there are matters of sufficient public interest to justify the use of radio and television in committee hearings. These are well recognized means of public information, and it is hard to exclude them completely while allowing free rein to members of the press.

We must not pass up any legitimate and sound way to familiarize the American people with the legislative process. But any such move must, of course, be tempered by our concern to protect the constitutional rights of the people involved.

There are serious constitutional questions raised when an unwilling witness is compelled to testify before radio, television and movie facilities. It is highly possible the courts would rule it a denial of due process under the fifth amendment.

To safeguard the rights of witnesses, I believe each should have the right to refuse to make his appearance before television, movie, and radio facilities.

I believe my resolution would chart the proper middle course by leaving the decision as to radio, movie, and television coverage up to each committee, but at the same time assuring each witness his rights by permitting him to refuse to be subjected to such coverage.

It is time for the House once and for all to resolve the tangled jurisdictional, procedural, and constitutional problems brought on by the increasing use of these new media of communication. I hope the Rules Committee will recognize the importance of clarifying the House rules on this subject and will give early consideration to my proposal.

A copy of the proposed resolution is attached.

Resolved, That rule XI of the Rules of the House of Representatives is amended by adding at the end thereof the following:

"(r) Each committee is authorized in its discretion to permit the dissemination of news of its proceedings, or the proceedings of any subcommittee thereof, during such proceedings or thereafter, by radio and television, and by such other methods and mediums of communication, and upon such terms and conditions, as it deems advisable. Each committee shall ascertain in advance from each witness whether the witness is willing to appear and testify before newsreel and television cameras, or have his testimony broadcast or specially recorded. If the witness informs the committee of his unwillingness to appear and testify under any such condition, he shall not be required to testify under such conditions."

PERSONAL ANNOUNCEMENT

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, on rollcall No. 119 I was unavoidably absent from the Chamber when the roll was called. If I had been present, I would have voted "aye."

REREFERENCE OF BILL H. R. 7534

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that the Committee on Public Works be discharged from the further consideration of the bill H. R. 7534, and that it be rereferred to the Committee on Interior and Insular Affairs.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

DISTRICT DAY

The SPEAKER pro tempore. This is District of Columbia day. The gentleman from South Carolina [Mr. McMILLAN] is recognized.

AMENDING DISTRICT OF COLUMBIA REVENUE ACT

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill H. R. 6259, to amend the act known as the District of Columbia Revenue Act of 1937, approved August 17, 1937, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

Mr. O'HARA of Minnesota. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. McMILLAN. Yes. It has to do with the regulation of marine insurance in the District of Columbia and changes the method so as to bring it in conformity with the systems used in the States of Virginia and Maryland.

The District of Columbia Marine Insurance Act of 1922—Public Law 162, 67th Congress; act of March 4, 1922 (42 Stat. 402, ch. 93)—was an act complete within itself for the regulation of marine insurance in the District and changed the method of taxation of marine insurance companies from a premium receipts basis to an underwriting profits basis for the purpose of fostering the development of the marine insurance business in this country as an adjunct to a strong American Merchant Marine by placing American marine underwriters on a parity with their foreign competitors, which were taxed—and are still taxed—on the basis of underwriting profits. This act imposed an annual license fee of $200 on every company writing marine insurance in the District if its assets exceeded $5 million—title 35, District of Columbia Code, section 1113—and fixed the annual tax at 5 percent of the annual underwriting profits of the companies on marine insurance written within the District—title 35, District of Columbia Code, sections 1108 and 1109. This method of taxation of marine insurance companies was thereafter adopted by a number of the States where a large volume of marine insurance is written. It was adopted by New York in 1927, Pennsylvania in 1927, Rhode Island, Oregon, and the State of Washington in 1929, California in 1931, and Massachusetts in 1946.

In 1937 the District of Columbia Revenue Act of 1937 was enacted. Sections 1 and 6, title II, of this act as originally introduced provided, respectively, for an annual license fee of $25 and an annual premium tax of 2 percent on all lines of insurance—title 47, District of Columbia Code, sections 1801 and 1806. At the request of the counsel for the American marine insurance industry the following provision was added in section 6 in order to continue the taxation of marine insurance companies on the basis of underwriting profits rather than on the basis of premiums;

"Nothing contained in this section or in section 1 or 7 of this title shall apply with respect to marine insurance written within the said District and reported, taxed, and licensed under the provisions of the act entitled 'An act to regulate marine insurance in the District of Columbia, and for other purposes,' approved March 4, 1922, as amended.

This provision now appears as the last sentence of title 47, District of Columbia Code, section 1806. It is clear that the Revenue Act of 1937 made no change with respect to the Marine Insurance Act of 1922 imposing an annual license fee of $200 and an annual tax of 5 percent of underwriting profits.

In 1940 Congress passed the Fire and Casualty Act—Public Law 824, 76th Congress, 3d session—a regulatory, not a revenue statute—title 35, District of Columbia Code, sections 1301 through 1350. Section 46 of the act provides:

All laws or parts of laws, insofar as they relate to the business affected hereby, and are in conflict with any of the provisions of this act, are hereby repealed.

The wording of section 46 now appears in a compiler's note after section 35–1349.

An examination of the hearings and reports—including those of this committee—on the bills which became the Fire and Casualty Act discloses that neither the proponents of the Fire and Casualty Act, nor the Superintendent of Insurance, nor the Congress or its committees, had any intent or idea that the enactment of the provisions of the Fire and Casualty Act would affect, modify or repeal the provisions of the Marine Insurance Act relating to the taxation of marine insurance which had then been in effect for 18 years.

In 1953 the Superintendent of Insurance requested the opinion of the Corporation Counsel as to the rate of taxation applicable to marine insurance companies in the District of Columbia. On August 11, 1953, the Corporation Counsel advised the Commissioners that as marine insurance companies were licensed under the Fire and Casualty Act, the exclusion provision of the 1930 Revenue Act with respect "to marine insurance written within the said District and reported, taxed, and licensed" under the provisions of the Marine Insurance Act were in the conjunctive, and as marine insurance companies were no longer licensed under the Marine Insurance Act, they lost the benefit of the exclusion provision of the 1930 Revenue Act and were

therefore taxable under the provisions of that act on the basis of premium receipts.

The reasons which led Congress to tax marine insurance companies on the basis of underwriting profits—to foster the development of the marine insurance business in this country by taxing American marine underwriters on the same basis as their foreign competitors—are as valid today as when Congress enacted the Marine Insurance Act in 1922 and when it reconsidered the problem at the time it passed the 1937 Revenue Act.

Restoration of the tax to the underwriting profit base will not necessarily reduce the amount of tax payable to the District. A relatively small amount of marine insurance is written in the District of Columbia and the Marine Insurance Act of 1922 imposes an annual license fee of $200 and fixes the annual tax at 5 percent of the annual underwriting profits of the companies on marine insurance written within the District, whereas the Revenue Act of 1937 only imposes an annual license fee of $25 and an annual premium tax of 2 percent.

As the foreign marine insurance companies with whom American marine insurance must compete are still taxed on the basis of underwriting profits, the committee believes that marine insurance companies doing business in the District of Columbia should be taxed on a like basis.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina, that the bill be considered in the House as in the Committee of the Whole?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the last sentence of section 6 of title II of the District of Columbia Revenue Act of 1937 (act of August 17, 1937, 50 Stat. 676, ch. 690, title II, sec. 6; 47 D. C. Code, 1951 edition, sec. 1806) is amended to read as follows: "Nothing contained in this section or in section 1 or 7 of this title shall apply with respect to marine insurance written within the said District, which shall be taxed under the provisions of the Act entitled 'An Act to regulate marine insurance in the District of Columbia, and for other purposes,' approved March 4, 1922, as amended (35 D. C. Code, 1951 edition, secs. 1101 to 1132)."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that after each District bill called up I may have permission to extend my remarks in explanation of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

ASSOCIATION OF OLDEST INHABITANTS OF THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia I call up the bill (H. R. 7409) to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia.

The Association of the Oldest Inhabitants in the District of Columbia was forced to give up property, which they occupied, some time ago and now have an opportunity to acquire a piece of property that is owned by the District of Columbia government and is not used for any purpose whatsoever.

The Commissioners of the District of Columbia have agreed to deed this property to the Association of the Oldest Inhabitants of the District of Columbia in return for having given up quarters which they formerly occupied in an old enginehouse at 19th and H Streets NW.

The Commissioners are favorable to this legislation but suggest certain amendments to the bill which were written in by the subcommittee which considered this legislation and the full committee at the time it was reported so as to safeguard the rights of the District of Columbia whenever the Association of the Oldest Inhabitants no longer occupies the property for the purposes of the association. In other words at the time the title and the property will revert to the District of Columbia.

The other amendment written into the bill simply gives an accurate property description of the property being transferred by the bill.

A public hearing was held by the Judiciary Subcommittee of the House District Committee on June 10, 1957, and no one appeared in opposition to this legislation.

The Clerk read as follows:

Be it enacted, etc., That the Board of Commissioners of the District of Columbia is authorized and directed to convey, without monetary consideration, to the Association of the Oldest Inhabitants of the District of Columbia, all right, title, and interest of the District of Columbia in and to the real property in the District of Columbia described in section 2 of this Act.

SEC. 2. The property referred to in the first section of this act is part of lot 47 in square 1200 described as follows:

Beginning for the same on the south line of M Street to a point distant 127.50 feet west of the west line of Wisconsin Avenue and running thence east along the said south line of M Street 38.50 feet more or less to a point distance 89 feet west of the west line of Wisconsin Avenue, thence south 90 feet, thence west 38.50 feet, and thence 90 feet to the beginning.

With the following committee amendments:

On page 1, line 8, immediately before the period at the end of the first section insert the following: ": *Provided*, That whenever the said real property no longer is occupied by the said association for the purposes of said association, all right, title, and interest of the said association in and to such property shall revert to the District of Columbia.

"As used in this section the term 'purposes of said association,' means substantially the purposes of the said association as they were set forth in the constitution and bylaws of the said association as of January 1, 1957, and such purposes shall be deemed to include the housing and care of such firefighting equipment belonging to the District of Columbia or to said association as we being housed and cared for by said association as of January 1, 1956. No conveyance pursuant to this Act shall be effective until such time as there shall be filed with the Recorder of Deeds of the District of Columbia a certified copy of said constitution and bylaws, and an itemization of said firefighting equipment approved by the said Board of Commissioners: *Provided*, That the said Board of Commissioners may, without effecting a reverter, withdraw from the custody of said association such of the firefighting equipment as is the property of the District of Columbia."

On page 2 strike lines 3 through 9 and insert in lieu thereof the following: "Beginning for the same at a point on the south line of M Street, said point of beginning being 127.50 feet west of the west line of Wisconsin Avenue; and running thence east along the south line of M Street 38.38 feet to the center line of the west wall of the premises 3208 M Street, N. W.; thence in a Southerly direction along the centerline of said wall and a continuation thereof 90.0 feet; thence in a westerly direction along a line parallel to the south line of M Street 38.88 feet, more or less, to a point 127.50 feet west of the west line of Wisconsin Avenue; thence in a northerly direction 90.0 feet to the point of beginning: All as shown on plat of survey recorded in the Office of the Surveyor of the District of Columbia in survey book 51, page 66."

Mr. HALEY. Mr. Speaker, may I inquire of the gentleman from South Carolina if this land of the Oldest Inhabitants Asscciation was sold by the District of Columbia and who bought it?

Mr. McMILLAN. The Federal Government condemned it for the building of a bank building.

Mr. HALEY. Did they pay the Oldest Inhabitants Association?

Mr. McMILLAN. The District of Columbia owned the property.

Mr. HALEY. I thank the gentleman.

The SPEAKER pro tempore. The question is on the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL TRUST FOR HISTORIC PRESERVATION IN THE UNITED STATES IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 1264) to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. O'HARA of Minnesota. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

Mr. McMILLAN. I may say to the gentleman from Minnesota that the purpose of the bill is to free this historic building from taxation. There is no profit at all in this historic preservation and I feel it should fall in the same category as other properties that are free from taxation.

Mr. THOMPSON of New Jersey. This is the Decatur project?

Mr. McMILLAN. Yes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That certain property in the District of Columbia described as lots numbered 42, 43, 44, 45, and 46 in the subdivision of lot numbered 36 in square numbered 167, as said subdivision is recorded in the office of the Surveyor of the District of Columbia in book W. B. M., at folio 293, now known as lot 46 and lot 809, in square numbered 167, together with the improvements thereon and the furnishings therein, being premises numbered 748 Jackson Place, Northwest, known as "Decatur House," owned by the National Trust for Historic Preservation in the United States, a corporation chartered by Act of Congress, approved October 26, 1949, be exempt from all taxation, so long as the same is used in carrying on the purposes and activities of the National Trust for Historic Preservation in the United States, and is not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia", approved December 24, 1942 (56 Stat. 1091; D. C. Code, secs. 47-801b, 47-801c, and 47-801e). Use of the premises by agencies of the United States of America or by the Truxtun-Decatur Naval Museum of the Naval Historical Foundation for museum purposes and conference accommodations shall not affect the exemption from taxation provided for herein. Any real estate taxes, penalties or interest on the aforesaid property which may be due to the District of Columbia with respect to periods after the property was acquired by the National Trust for Historic Preservation in the United States shall be abated.

Mr. THOMPSON of New Jersey. Mr. Speaker, the purpose of this bill is to exempt from taxation certain property, now known as lot 46 and lot 809, in square 167, in the District of Columbia, being premises 748 Jackson Place NW., known as Decatur House, owned by the National Trust for Historic Preservation in the United States.

The National Trust for Historic Preservation is a charitable, educational, and nonprofit corporation chartered by act of Congress, approved October 26, 1949. Its purpose is to receive donations of sites, buildings, and objects in American history and culture, to preserve and administer them for public benefit, to accept, hold, and administer gifts of money, securities, or other property in connection with carrying out the preservation program. The national trust anticipates keeping Decatur House open as an education museum during normal daily visiting hours every weekday, as any other historic house museum.

The assessed value of the 2 lots involved is $293,212, and, at the current rate of tax of $2.30 per hundred, the tax loss to the District of Columbia would be $6,743.88 annually.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMERICAN HISTORICAL ASSOCIATION

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 1586) to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. RABAUT. Mr. Speaker, reserving the right to object, how much money is involved in these various properties that are being considered today, and how much is being taken off the tax rolls? The reason I ask that question is every time the District of Columbia appears before the Appropriations Committee they are everlastingly wanting to increase Federal payments to the District predicated upon so much property being transferred out of the District and thereby reducing the tax revenues of the District. I wonder how much is involved in these properties?

Mr. McMILLAN. In connection with this building there will be a loss of $228 in revenue.

Mr. RABAUT. Will the gentleman tell us what the other two amount to?

Mr. McMILLAN. I do not have the exact figures.

Mr. RABAUT. Are they substantial amounts?

Mr. McMILLAN. One involves $6,000.

Mr. RABAUT. That is what happens. One day they are taken off the rolls and the next day they think the Feleral Government ought to reach in and pay the difference.

Mr. McMILLAN. I think, too, we are taking too much property out from under taxation.

Mr. RABAUT. I think the gentleman watches these operations closely, but I want to note the complaint that comes to us on the Appropriations Committee with reference to the number of pieces of property that are taken off the tax rolls.

The SPEAKER pro tempore. Is there objction to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to incorporate the American Historical Association," approved January 4, 1889 (25 Stat. 640), is amended by striking out in the second sentence thereof "only as may be necessary to its lawful ends to an amount not exceeding $500,000" and inserting in lieu thereof: "as may be necessary to its lawful ends."

SEC. 2. The real property situated in square 817, in the city of Washington, District of Columbia, described as lot 23, owned, occupied, and used by the American Historical Association, is exempt from all taxation so long as the same is so owned and occupied, and not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the act entitled "An act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942 (56 Stat. 1089; D. C. Code, secs. 47-801b, 47-801c, and 47-801e).

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is twofold. It would eliminate the financial limitation of $500,000 on real and personal estate holdings of the American Historical Association, and would exempt from taxation certain property of such association in the District of Columbia.

The charter of the American Historical Association was approved by Congress under an act of incorporation approved January 4, 1889, and the association was authorized to hold real and personal estate in the District of Columbia to an amount not to exceed $500,000. As a result of the devaluation of the dollar in the 1930's and the existing general prosperity of the country, the securities now held by the association have a market value of about $650,000. In addition, it owns real estate valued at about $40,000, which is used entirely for nonprofit, educational, and historical purposes.

The bill would exempt from District of Columbia real estate taxes, the real property situated in square 817, described as lot 23, owned, occupied, and used by the American Historical Association, so long as the same is so owned and occupied, and not used for commercial purposes. This property is located at 400 A Street SE., and the land and building is assessed at $9,923. The current rate of tax is $2.30 per hundred, and the tax loss to the District of Columbia would be $228.22 annually.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASING APPROPRIATIONS FOR HOSPITAL CENTER IN D. C.

Mr. McMILLAN. Mr. Speaker, I call up the bill (H. R. 7835) to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, this municipal hospital center is being built out at the Old Soldiers Home site. I had some questions that I wanted to raise about not only the report but the lack of funds for completing the hospital center.

You will recall that in 1946 we passed some legislation to authorize Garfield Memorial Hospital; Episcopal Eye, Ear, and Throat Hospital; and the central

dispensary at Emergency Hospital to sell their properties to the Federal Government and then go into this hospital center that is being built out at the site of the Old Soldiers Home. I think there was one error created at the time we passed the original bill, and I call attention to it in the report on the first page, third column: "Under the act as amended, 50 percent of the amount appropriated was to be repaid by the District of Columbia over a 30-year period." Well, that is true, but there is another hitch in that. It will be repaid if the Congress sets up a formula for repayment. We never did do that in the original legislation. In other words, it takes affirmative action by the Congress to have 50 percent of the $21.7 million repaid to the Treasury, and I think the Congress ought to take some affirmative steps to do just that.

Then the other item I would call attention to is on page 4 of the report, which lists some of the costs of the center, including the acquisition of the site. They originally wanted some $2.5 million to complete the hospital center. Costs have gone up considerably so that we have to make some additional appropriation, but I raise the question why the land cost of $638,541 should be charged to the hospital center, when I believe those lands are in the control of the District of Columbia. Maybe I am wrong on that point. It was part of the Old Soldiers Home, which, I understand, dates away back to Civil War days as a place to send their wounded, as well as soldiers during World War I and World War II, which are being taken care of at this center. But, I believe this land was owned by the District of Columbia, and they are charging the hospital $638,541 for the land that they already own.

Then there is another item in the bill. The building is being built by the GSA, and they have an item for design and administration by GSA of $1,459,400. In other words, here is one arm of the Government charging another arm of the Government for design and supervising and building of the hospital. If those two items had been left out of the costs, there would be no further need of appropriating additional funds to complete the hospital. I raise the question as to why they should have charged them first for the land and, second, the GSA charge for supervising the building of it, because they are an arm of the Government.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Michigan.

Mr. RABAUT. What land is the gentleman referring to, the Soldiers Home?

Mr. MILLER of Nebraska. I am referring to the land in the Old Soldiers Home.

Mr. RABAUT. That belongs to the old soldiers.

Mr. MILLER of Nebraska. I raised that question; does it?

Mr. RABAUT. Yes.

Mr. MILLER of Nebraska. Did not Congress pass some legislation about 1890 transferring that land to the District of Columbia?

Mr. RABAUT. I do not think so.

Mr. MILLER of Nebraska. Then it belongs to the old soldiers?

Mr. RABAUT. It belongs to the old soldiers. I think the transfer of it was a matter of a conference and an appraisal.

Mr. MILLER of Nebraska. I was under the impression that some 50 or 60 years ago this land was returned to the District of Columbia.

Mr. RABAUT. I do not think so.

Mr. MILLER of Nebraska. The other question that I raised was the charge by the GSA of $1,459,000 for supervising the building of the institution.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman.

Mr. GROSS. Does this call for spending $36,710,000?

Mr. MILLER of Nebraska. I am not able to answer that. The original appropriation, I think, was $35 million. Then there were some Hill-Burton funds which raised the amount of the appropriation. The gentleman from Virginia [Mr. SMITH], may be able to answer that question.

Mr. SMITH of Virginia. The original authorization was $35 million. Now they find in view of the increased costs that it is necessary to increase the authorization by $2 million.

Mr. GROSS Is this medical center designed to serve all the people of the District of Columbia?

Mr. McMILLAN. Mr. Speaker, I would like to say that they are supposed to sell Emergency Hospital, Garfield Hospital, and Sibley Hospital and use that money to pay for this medical center for the District of Columbia.

Mr. GROSS. Then it does serve all the people in this area?

Mr. McMILLAN. That is correct.

Mr. MILLER of Nebraska. I yield back my time.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, the purpose of this act is to increase the authorization for appropriations for the hospital center and facilities in the District of Columbia.

The act of August 7, 1946 (60 Stat. 896), as amended (65 Stat. 657), authorized $35 million to be appropriated at such times and in such amounts as the Congress shall determine, for the establishment, in the District of Columbia, of a modern, adequate and efficient hospital center, and for the making of grants for hospital facilities to private agencies in the District of Columbia and for other purposes. Of this amount all but $290,000 has been allocated. An additional appropriation in the amount of $2 million is necessary to complete equipping the hospital center. This will require a net increase of $1,710,000 in the amount authorized to be appropriated.

ADDITIONAL JUDGE FOR THE JUVENILE COURT OF THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I call up the bill (H. R. 7785) to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 19 of the Juvenile Court Act of the District of Columbia approved June 1, 1938, as amended (sec. 11-920, D. C. Code, 1951 edition) is hereby amended so as to read as follows:

"SEC. 19. The juvenile court of of the District of Columbia shall consist of two judges learned in the law and appointed by the President, by and with the advice and consent of the Senate. Each judge appointed after the effective date of this amendatory Act shall serve for a term of 10 years or until his successor is appointed and qualified. To be eligible for appointment as judge of the juvenile court a person must, for at least 5 years immediately preceding his appointment, have been a member of the bar of the District of Columbia and a resident of the District of Columbia or of the metropolitan area of the District, and have a knowledge of social problems and procedures and an understanding of child psychology. Each judge shall before entering upon the duties of his office, take the oath prescribed for judges of the courts of the United States. The President shall designate one of the judges to be the chief judge of the juvenile court. The chief judge shall serve as the chief administrative officer of the court. During the temporary absence or disability of the chief judge the associate judge of the juvenile court shall act as the chief administrative officer of the court. The salary of the chief judge shall be equal to the salary of the chief judge of the municipal court for the District of Columbia and the salary of the associate judge shall be equal to the salary of an associate judge of the municipal court for the District of Columbia. For the purpose of this act the term 'Metropolitan Area of the District' means Montgomery and Prince Georges Counties in Maryland and Arlington and Fairfax Counties and the cities of Alexandria and Falls Church in Virginia."

SEC. 2. The judge of the juvenile court of the District of Columbia who, on the effective date of this Act, is occupying the position of judge created by such Act approved June 1, 1938, shall continue in office and shall be deemed to be occupying one of the two positions of judge provided for by section 19 of such Act, as amended by the first section of this Act, until the term for which he was appointed shall expire and until his successor is duly appointed and qualified. Such judge shall be entitled to compensation in accordance with the provisions of section 19 of such Act approved June 1, 1938, as amended by the first section of this Act.

SEC. 3. (a) Section 20 of the Juvenile Court Act of the District of Columbia, as amended, is amended by striking the word "the" where it first appears before the word "judge" and inserting in lieu thereof the word "either."

(b) Sections 3 and 27 of such Act, as amended, are amended by striking the word "judge" wherever it appears therein and inserting in lieu thereof the word "judges".

(c) Sections 22 and 24 of such Act, as amended, are amended by inserting the word "chief" before the word "judge" where the same appears therein.

(d) Sections 5, 13, 26 and 36 of such Act, as amended, are amended by striking the word "the" where the same appears immediately before the word "judge" and inserting the word "a" in lieu thereof.

(e) Section 23 of such Act, as amended, is amended by striking from the second sentence "the judge" and inserting in lieu thereof "a judge"; and by striking from the third sentence "the judge as he may direct and keep full records of its work", and inserting in lieu thereof "the court as it may direct and such Department shall keep full records of its work".

(f) The second sentence of subsection (b) of section 28 of such Act, as amended, is amended by striking therefrom "The judge may also provide by rule or", and inserting in lieu thereof "The court may also provide by rule or a judge may provide by".

(g) Section 42 of such Act, as amended, is amended by striking the words "judge and other."

SEC. 4. Section 21 of such Act, as amended, is amended (a) by striking the word "judge" and inserting in lieu thereof the word "court", (b) by striking thereform "a clerk, a deputy clerk," and (c) by inserting at the end of such section the following: "The court shall also have power to appoint a clerk and a deputy clerk who shall hold office at the pleasure of the court."

SEC. 5. Wherever in any statute reference is made to the judge of the juvenile court of the District of Columbia such reference shall be construed to mean any judge of such court.

With the following committee amendments:

On page 1, line 11, strike the word "or" and insert "and."

On page 4, at the end of section 5, add a new section 6:

"SEC. 6. Appropriations for expenses necessary for carrying out the purposes of this Act, including personal services, are hereby authorized."

The committee amendments were agreed to.

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is to provide for the appointment of an additional judge for the juvenile court of the District of Columbia.

At the present time the juvenile court has one judge. The bill would authorize an appointment of a second judge for the court. In the opinion of many witnesses who testified on the bill a second judge for the court is urgently needed to carry on the work of the court.

In 1938 the number of cases heard by the court was 2,500. In 1948 the number rose to 3,000. In 1953 the court heard approximately 10,000 cases, and in the fiscal year 1956 the number of court hearings was in excess of 16,000.

The jurisdiction of the court includes all children under the age of 18 years who are charged with violations of the law, who are beyond parental control, who are truant from home or school, who are engaged in conduct endangering their own health, morals, or safety, or the health, morals, or safety of others, or who are without adequate parental care. The court also has original and exclusive jurisdiction in cases involving the paternity of children born out of wedlock, adults charged with violation of the child labor and compulsory education laws, and with contributing to the delinquency of minors. The court also has concurrent jurisdiction with the United States District Court for the District of Columbia in criminal cases involving non-support of wife or children.

It should be noted that a great many of the cases are of the felony type, i. e., cases involving offenses which, if commited by an adult would be within the exclusive jurisdiction of the United States District Court for the District of Columbia. Cases of this kind before the juvenile court are now running about 2,000 a year.

The need for this legislation was pointed out in public hearings held by the judiciary subcommittee of this committee by the United States Attorney for the District of Columbia, Honorable David Karick, a member of the Board of Commissioners for the District of Columbia, the chief judge of the municipal court for the District of Columbia, the chairman of the council on law enforcement for the District of Columbia, the present judge of juvenile court for the District of Columbia, the president of the District of Columbia Bar Association and Inspector John E. Winters of the Youth Aid Division of the Metropolitan Police Department.

The cost of this legislation has been estimated at approximately $35,000.

Mr. MULTER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 2, lines 3 and 4, strike out the words "immediately preceding his appointment."

Mr. MULTER. Mr. Speaker, this language as to the qualifications of a judge of the juvenile court, I understand, is new to the courts in the District. Presently there are requirements for municipal court judges to have local residence, and for admission to practice before the local bar. There is no such provision for qualifications of judges of the juvenile court. This bill as now presented without this amendment requires that there be at least 5 years residence in the District or in the metropolitan area and 5 years membership in the local bar for a continuous period immediately preceding the appointment.

There is no objection to the 5-year provision for admission to practice before the local bar or residence in the District or the metropolitan area.

My amendment would simply take out the words "immediately preceding appointment." That would continue the 5-year requirement. It would not require that the 5 years be continuous or immediately precede the appointment.

I urge the adoption of the amendment.

Mr. DAVIS of Georgia. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, I introduced this bill, and before introducing it talked with Mr. George Hart, who is the president of the Council on Law Enforcement in the District of Columbia.

This bill would provide for a second judge for the juvenile court. In my opinion, such a judge is very much neded. This bill was carefully drawn. Hearings were held before the Judiciary Subcommittee of the Committee on the District of Columbia. The gentleman from Mississippi [Mr. ABERNETHY] is chairman of that subcommittee, and the gentleman from Minnesota [Mr. O'HARA] is the ranking minority member on it.

My thought is that if there should be any amendment offered that is the place to offer it, in the subcommittee and while the bill is still before the committee, and not come now on the floor of the House to offer an amendment which would have such a changing effect as this one would have.

Everyone who is familiar with the juvenile court knows that when the last appointment was made there was some question as to the residence of the judge who subsequently qualified. This bill was drawn after that. I think it is a wise bill. I think one who is going to fill this important position of judge of the juvenile court certainly ought to have 5 years of residence here immediately before being appointed. There are some very unusual conditions in Washington. I think that one who is going to fill this important position ought to be familiar with the conditions here.

Frankly, I can see no reason why this amendment should be offered. If there is any reason for it, I think it should have been offered in the subcommittee and while the bill was still in the committee. Therefore, I hope it will be voted down.

Mr. MILLER of Nebraska. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I am in opposition to the amendment. I do not think it improves the bill. I do want to speak in favor of an additional juvenile judge. If the Members of the House will take the time to read the report, you will note that in 1938 the number of cases heard by the court was 2,500. In 1948 the number rose to 3,000. In 1953 the court heard approximately 10,000 cases, and in the fiscal year 1956 the number of court hearings was in excess of 16,000. So in 10 years the number of cases has jumped from 3,000 to 16,000, which ought to offer occasion for pretty sober thinking to the people of the District of Columbia and the Members of Congress, as to the direction we are going in our juvenile problem. Certainly the load has increased to such an extent that it is not possible for one judge to handle properly all the cases that come before the court.

I am not a lawyer, but I would agree with the gentleman from Georgia [Mr. DAVIS] that the amendment does not improve the bill. I believe we ought to go forward in providing an additional judge for the juvenile court because of the tremendous increase in juvenile delinquency cases that now appear daily before this court.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentleman from Iowa.

Mr. GROSS. Can the gentleman give the reason for this tremendous increase in the number of juvenile cases in the District of Columbia?

Mr. MILLER of Nebraska. On page 2 of the committee report appear these words:

The jurisdiction of the court includes all children under the age of 18 years who are charged with violations of law, who are beyond parental control, who are truant from home or school, who are engaged in conduct endangering their own health, morals, or safety, or the health, morals, or safety of others, or who are without adequate parental care. The court also has original and exclusive judisdiction in cases involving the paternity of children born out of wedlock, adults charged with violation of the child labor and compulsory education laws, and with contributing to the delinquency of minors.

There is a whole list of items the courts are charged with enforcing. The gentleman knows as well as I do the trend of the times, whether it is caused by automobiles, television, speed of living or the change in the thinking of the people all over the world, that there has been a tremendous increase in the number of cases of juvenile delinquency.

Mr. GROSS. Yes, but those reasons can apply to any city in the United States. Am I to understand that there has been the same increase in juvenile delinquency in cities of comparable population?

Mr. MILLER of Nebraska. I believe the other body had a committee investigating juvenile delinquency; they held some hearings all over the United States. I believe the results of those hearings show there is a general increase in the trend in juvenile delinquency—maybe not as fast as in the case here. We have jumped from 3,000 in 1948 to over 16,000 10 years later. That is a tremendous increase. Perhaps, it is due to the environment of people living in the city of Washington or the influx of people coming to the city. The cases of children born out of wedlock is a shocking example of what happens here in the District of Columbia.

Mr. GROSS. If the gentleman will yield further, we had a bill here the other day to provide a planning commission for the District of Columbia, one or two gentlemen took the floor to say that its report would serve as a model for all of the rest of the cities of the country. And now we hear that juvenile delinquency has probably increased more here than any other city in the United States.

Mr. MILLER of Nebraska. It is part of the general trend, I would say to the gentleman, and I think it is desirable that an additional juvenile court judge be supplied to the district to handle the ever-increasing load.

Mr. GROSS. I just do not understand how it can be such a model city on the one hand and so ridden with juvenile delinquency on the other hand. Perhaps, it can be better described as the most wonderful city of make-believe in the country.

Mr. MILLER of Nebraska. I would not agree with the gentleman that this is the most model city in the United States.

Mr. GROSS. I did not say it was. I just said that other gentlemen, in supporting the bill the other day by which all the taxpayers are called upon to pay for a planning commission here, made that assertion.

Mr. MILLER of Nebraska. The gentleman makes an excellent point.

Mr. MULTER. Mr. Speaker, I ask unanimous consent to withdraw the amendment I have at the desk and to make an explanation and to say that this is a good bill and I do not want it confounded or confused with this amendment which I have there, which I am now told was not considered by the committee. I suggest to those who have urged that I offer this amendment to present their case in support of this on the other side when that committee is considering the bill there, and I am sure that they will get proper and ample consideration of the proposal.

Therefore, Mr. Speaker, I ask unanimous consent to withdraw my amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The amendment offered by the gentleman from New York [Mr. MULTER] is withdrawn.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDING DISTRICT OF COLUMBIA SALES TAX ACT

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 1576) to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act, and ask unanimoust consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 128 of the District of Columbia Sales Tax Act, as amended (63 Stat. 112; D. C. Code 47-2605) is amended by adding at the end thereof the following:

"(r) Sales of material to be incorporated permanently in any war memorial authorized by Congress to be erected on public grounds of the United States."

SEC. 2. The amendment made by the first section of this Act shall be effective only with respect to sales taking place on and after January 1, 1957.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to amend section 128 of the District of Columbia Sales Tax Act, as amended—Public Law 76, 81st Congress—so as to exempt from sales tax, sale of materials to be incorporated permanently in any war memorial authorized by Congress to be erected on public grounds of the United States. This exemption shall apply only with respect to sales taking place on and after January 1, 1957.

The District of Columbia Sales Tax Act provides that a "semipublic institution means any corporation, and any community chest, fund, or foundation organized exclusively for religious, scientific, charitable, or educational purposes, including hospitals, no part of the net earnings of which inures to the benefit of any private shareholder or individual. For the purpose of this title an organization or institution which does not embrace the generally recognized relationship of teacher and student shall be deemed not to be operated for educational purposes." There is no provision in the Sales Tax Act for the exemption of a transaction made between two nonexempt parties because the transaction takes place on Government ground or because the property involved may be located on Government ground.

The Office of the Assessor, Sales and Use Tax Division, has determined that these organizations do not comply with the Sales Tax Act as organizations organized exclusively for religious, scientific, charitable, or educational purposes, and therefore they would have to pay a sales tax on the sale of materials to be used for war memorials in the District of Columbia. This bill would exempt such sales from the District of Columbia Sales Tax Act.

The loss in revenue to the District of Columbia is so small that it was impossible to estimate what it would really amount to.

The bill has the approval of the Board of Commissioners of the District of Columbia.

The bill was ordered to be read the third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECIPROCAL LEGISLATION IN SUPPORT CASES

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 7249) to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following provisions to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law in respect thereto, shall be in effect in the District of Columbia on and after the effective date of this Act.

DEFINITIONS

SEC. 2. As used in this act, unless the context requires otherwise—

(a) "State" includes any State, Territory, or possession of the United States and the Commonwealth of Puerto Rico and the District of Columbia in which this or a substantially similar reciprocal law has been enacted.

(b) "Initiating State" means any State in which a proceeding pursuant to this or a substantially similar reciprocal law is commenced.

(c) "Responding State" means any State in which a proceeding pursuant to the proceeding in the initiating State is or may be commenced.

(d) "Court" means the Domestic Relations Branch of the Municipal Court for the District of Columbia and, when the context requires, means the court of any other State as defined in a substantially similar reciprocal law.

(e) "Duty of support" includes: (1) any duty of support imposed by statute or by common law, or by any court order, decree, or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, judicial separation, separate maintenance, or otherwise; (2) any duty of reimbursement imposed by law for moneys expended by a State or a political subdivision or an agency thereof for support, including institutional care; and (3) the duty imposed by section 20 of this act.

(f) "Dependent" means any person who is in need of and entitled to support from a person legally liable for such support.

(g) "Plaintiff" means any person or any State or political subdivision or agency thereof, commencing a proceding pursuant to this or a similar reciprocal law, whether on his or its own behalf, or on behalf of a dependent as herein defined.

(h) "Defendant" means any person owning a duty of support, against whom a proceeding is commenced pursuant to this or a similar reciprocal act.

REMEDIES ADDITIONAL TO THOSE NOW EXISTING

SEC. 3. The civil remedies herein provided are in addition to and not in substitution for any other remedies.

EXTENT OF DUTIES OF SUPPORT

SEC. 4. Duties of support enforcible under this act are those imposed under the laws of any State in which the defendant was present during the period for which support is sought, or in which the dependent was present when the failure to support commenced or where the dependent is when the failure to support continues. The defendant shall be presumed to have been present in the responding State during the period for which support is sought until otherwise shown.

REMEDIES OF A STATE FURNISHING SUPPORT OR INSTITUTIONAL CARE

SEC. 5. Whenever any State or a political subdivision or agency thereof has furnished, or is furnishing support or institutional care to a dependent, it shall for the purposes of securing reimbursement of past expenditures and of obtaining continuing support, have the same right to invoke the provisions of this act as the dependent to whom such support or care was furnished, or is being furnished.

HOW DUTIES OF SUPPORT ARE ENFORCED; JURISDICTION

SEC. 6. Proceedings to enforce duties of support initiated in the District of Columbia shall be commenced by the filing of a complaint irrespective of the relationship between the plaintiff and defendant. Jurisdiction of all proceeding under this act shall be vested in the domestic relations branch of the municipal court for the District of Columbia, which branch in exercising the jurisdiction vested in the court by this act, shall have all of the power and authority which is vested in the court by the act entitled "An act to establish a domestic relations branch in the municipal court for the District of Columbia, and for other purposes," approved April 11, 1956 (70 Stat. 111, chapter 204).

CONTENTS OF THE COMPLAINT

SEC. 7. The complaint shall be verified and shall state the name and, so far as known to the plaintiff, the address and circumstances of the defendant and of the dependents for whom the duty of support is sought to be enforced, and all other pertinent facts necessary to enable the court to determine whether a duty of support exists on the part of the defendant. The plaintiff may include in or attach to the complaint any information which may help in locating or identifying the defendant including, but without limitation by enumeration, a photograph of the defendant, a description of any distinguishing marks of his person, other names and aliases by which he has been or is known, the name of his employer, his fingerprints, or social security number.

REPRESENTATION OF PLAINTIFF

SEC. 8. In any instance in which the Corporation Counsel of the District of Columbia is satisfied that a public support burden has been incurred or is threatened, it shall be his duty to represent the plaintiff in any proceedings arising under this act or a similar reciprocal act. In all other cases the court may, in its discretion, appoint private counsel to represent the plaintiff: *Provided*, That the plaintiff may be represented by private counsel in any proceedings under this act at his own expense.

COMPLAINT ON BEHALF OF A MINOR

SEC. 9. A complaint on behalf of a minor dependent may be brought by any person or agency as next friend of the minor, regardless of whether such person or agency has been appointed guardian of such minor.

DUTY OF COURT WHEN DISTRICT OF COLUMBIA IS INITIATING STATE

SEC. 10. If the court finds that a complaint initiated in the District of Columbia sets forth facts from which it appears that the defendant owes a duty of support, as defined in this act, and that a court of a responding State may obtain jurisdiction of the defendant, it shall so certify and shall cause to be transmitted to the court in the responding State, 3 copies of its certificate, 3 certified copies of the complaint, and 3 copies of this act.

COSTS AND FEES

SEC. 11. The complaint, when initiated in the District of Columbia, shall be accompanied by such fees and costs as may be required by the court as well as by the court of the responding State: *Provided*, That the court whether the District of Columbia be the initiating or responding State, may in its discretion direct that payment or prepayment of any part or all fees and costs incurred in the District of Columbia be waived upon the filing of an affidavit representing that the plaintiff is unable to pay the same: *Provided further*, That the court shall direct waiver of payment or prepayment of such fees and costs whenever the plaintiff is a State having a similar provision for waiver of fees, or a political subdivision or agency thereof. Nothing in this section shall be construed to deprive the court of its discretion to assess costs and fees.

JURISDICTION BY ARREST

SEC. 12. When the court has reason to believe that the defendant may flee the jurisdiction of the responding State, it may (a) as the court of the initiating State, request in its certificate that the court of the responding State obtain the body of the defendant by appropriate process if that be permissible under the law of the responding State, or (b) as the court of a responding State, obtain the body of the defendant by any appropriate process.

INFORMATION AGENT

SEC. 13. The Corporation Counsel of the District of Columbia is hereby designated as the reciprocal information agent under this act and it shall be his duty to transmit a copy of this act and any subsequent changes therein to the State information agency of every other State which has adopted this or a substantially similar act, and to maintain a registry of the names and addresses of the courts having jurisdiction of such proceedings in other States.

DUTY OF THE COURT WHEN THE DISTRICT OF COLUMBIA IS RESPONDING STATE

SEC. 14. (a) When the court receives from the court of an initiating State certified copies of a complaint or other proceedings containing the essential allegations of a complaint, under whatever name it may be known, and a certificate similar to that required by section 10 hereof, it shall docket the cause and refer the matter to the Corporation Counsel, or to private counsel, if appropriate, for such further action as may be necessary to obtain jurisdiction of the defendant in order to carry out the provisions of this act.

(b) If the court is unable to obtain jurisdiction of the defendant due to inaccuracies or inadequacies in the complaint or otherwise, the court shall communicate this fact to the court in the initiating State, and shall hold the case pending receipt of more accurate information or an amended complaint from the court in the initiating State.

ORDER OF SUPPORT

SEC. 15. If the court finds a duty of support as defined by this act it may order the defendant to pay such amounts under such terms and conditions as the court may deem proper. The court may require the defendant to furnish recognizance in the form of a cash deposit or bond, and may punish a defendant who violates any order of the court to the same extent as is provided by law for contempt in any other suit or proceeding cognizable by the court.

COPIES OF ORDERS TO BE TRANSMITTED TO INITIATING STATE

SEC. 16. The court shall cause to be transmitted to the court of the initiating State a certified copy of all orders of support or for reimbursement therefor entered by it.

ADDITIONAL DUTIES OF THE COURT

SEC. 17. The court shall have the additional duty, which may be carried out by the clerk of the court, to receive payments made pursuant to order of the courts by defendants within the District of Columbia or transmitted by the court of a responding State, and to disburse the same in accordance with the order of the court, and upon request of the court of an initiating State shall furnish to that court a certified statement of all payments received and disbursed in a particular case.

TESTIMONY OF SPOUSE

SEC. 18. In all proceedings arising under this act, husband and wife shall be competent witnesses and may be compelled to testify to any relevant matter, including marriage and parentage.

APPLICATION OF PAYMENTS

SEC. 19. No order of support entered by the court in any proceeding arising under this act shall supersede any previous order of support entered in a divorce or separate maintenance action, or any other proceedings, but the amounts for a particular period paid pursuant to either order, when verified, shall be credited against amounts accruing or accrued for the same period under both.

SUPPORT OF ILLEGITIMATE CHILDREN

SEC. 20. The natural father of an illegitimate child shall have the duty to support such child until the age of 16 years (a) when paternity has been established by judicial process, or (b) when paternity has been directly acknowledged by the putative father under oath.

EFFECT OF PARTICIPATION IN PROCEEDING

SEC. 21. Participation in any proceedings under this act shall not confer upon any court jurisdiction of any of the parties thereto in any other proceedings.

APPEALS

SEC. 22. Any party aggrieved by any final or interlocutory order or judgment entered in the court shall have the same right of appeal available in respect to any final or interlocutory order or judgment entered in the civil branch of the municipal court for the District of Columbia.

SEVERABILITY

SEC. 23. If any provision hereof or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

APPROPRIATIONS AUTHORIZED

SEC. 24. Appropriations for expenses necessary for carrying out the purposes of this act, including additional personal services for the court and for the Office of the Corporation Counsel, are hereby authorized.

REORGANIZATION

SEC. 25. Where any provision of this act refers to an office or agency abolished under the provisions of Reorganization Plan No. 5 of 1952 (66 Stat. 824), such reference shall be deemed to be to the office, agency, or officer now or hereafter exercising the functions of the office or agency so abolished. Nothing contained in this act shall be construed as a limitation on the authority vested in the Commissioners by such reorganization plan.

EFFECTIVE DATE

SEC. 26. This act shall take effect 60 days after appropriations therefor become available.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to enact for the District of Columbia the Uniform Reciprocal Enforcement of Support Act, substantially similar versions of which are in effect in each of the States and in Alaska, Guam, Hawaii, and Puerto Rico.

H. R. 7249 represents a revision of other bills introduced in the House on the same subject, namely, H. R. 3413, H. R. 5334, and H. R. 5965.

At a hearing held by the Judiciary Subcommittee of this Committee on May 8, witnesses representing the Commissioners, the Judges of the Municipal Court, the corporation counsel, the United States Attorney for the District of Columbia, the Bar Association of the District of Columbia, and members of the National Conference of Commissioners on Uniform State Laws, testified in favor of H. R. 7249.

The bill creates a new civil remedy in the District of Columbia whereby a person entitled to be supported who is not in the District may bring an action in the place where he or she is, and have the claim litigated in the District of Columbia if the person owing the duty of support is to be found in the District of Columbia; and likewise a person in the District of Columbia claiming support from a person outside the District would be able to bring the action in the District, and have the claim litigated in the place where the person owing the duty may be found. The bill is not intended to be a substitute for any other remedy a person may have to enforce duties of support, such as a criminal nonsupport action.

The plaintiff in any such action may be represented by counsel of his own selection or by counsel appointed by the court or by the corporation counsel if the latter is satisfied that a public support burden has been incurred or is threatened.

The court in a responding State, for example, a State where the defendant is found, after obtaining jurisdiction of the defendant and giving him a hearing, determines his ability to pay, orders payments made to the court and transmits these payments to the court in the initiating State which disburses the money to the persons entitled to support. The Domestic Relations Branch of the Municipal Court is designated as the court to adjudicate cases arising in other jurisdictions when the District of Columbia is the responding State as well as cases arising in the District where the District is the initiating State.

In addition to providing for the enforcement of duties of support as between individuals, the bill includes the duty to reimburse a State or a political subdivision or an agency of a State for support, including institutional care.

The bill also establishes a statutory duty for the natural father of an illegitimate child to support such child until the age of 16 years when paternity has been established by judicial process or through acknowledgment by the father under oath. This statutory duty is not in substitution for the remedies now provided in the act entitled "An act relating to children born out of wedlock," approved January 11, 1951, the provisions of which are enforcible in the juvenile court.

The bill authorizes appropriations to be made for carrying out the purposes of the act, including additional personal services for the Domestic Relations Branch of the Municipal Court and for the Office of the Corporation Counsel. Since the District is the only jurisdiction in the United States in which the act is not in force, it has been charged that the District is a "haven for runaway fathers." For that reason, it is believed the number of cases referred to the District as a responding State will greatly exceed the number of cases originating in the District.

The additional cost to the District of Columbia for administering this act is estimated at $98,000 a year.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 8256) to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I think this bill requires some explanation. In the first place may I address a question to the chairman? In effect this is a tax-reduction bill, is it not?

Mr. McMILLAN. In the case of certain people.

Mr. BYRNES of Wisconsin. Do I understand that the total revenue loss or reduction is about $300,000? If not, what is the total loss?

Mr. McMILLAN. That is correct.

Mr. BYRNES of Wisconsin. Referring to the report I find the first six pages deals almost exclusively with the business tax or licensing fee. Is that correct?

Mr. McMILLAN. I will yield to the gentleman from Virginia [Mr. SMITH], chairman of the subcommittee that handled this bill.

Mr. BYRNES of Wisconsin. Then, if I may address myself to the gentleman from Virginia. I do not find any particular explanation in the committee report, for instance, with regard to section 2 of the bill which I understand in effect increases the standard deduction from $500 to $1,000. Is that correct?

Mr. SMITH of Virginia. I wonder if the gentleman would let me take a little time and explain the bill. He may find therein the answers to his questions as I go on.

I happen to be chairman of the Fiscal Affairs Subcommittee of the Committee on the District of Columbia. Last year we enacted a pretty comprehensive District income-tax law in which we raised the income taxes on citizens of the District of Columbia to a very great degree.

In reviewing the operation of that bill this year it became apparent, as it would in any bill as comprehensive as that, that there were some inadvertent things in the bill, that pretty obviously needed correcting. With that end in view we held a hearing on those items.

This bill is designed to bring the District income tax law into line with the Federal income-tax law. There are several discrepancies here where the District law allows a smaller exemption or no exemption in certain areas, where the Federal law allows an exemption. You will find, therefore, that practically all of this bill is devoted to correcting those things. For instance, allowing an exemption to the blind, increasing certain other exemptions from $500 to $1,000, bringing it into conformity with the Federal law.

The gentleman's remark about reducing taxes is very pertinent but let me say to the gentleman that by reason of this law that we enacted last year we increased the collections for the District of Columbia by an amount that runs into $16 million.

These corrections that we are making we think are just and should be made. The total reduction estimated by the Commissioners is that it will be around $300,000.

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Minnesota.

Mr. O'HARA of Minnesota. May I say, in addition to concurring in what the distinguished gentleman from Virginia has said, that this bill does correct inequities and injustices which had accumulated under our tax-revenue program. The revenue that has been raised has also been increased so that this $300,000, while it is certainly not a small amount, is one that goes to a good purpose in that it gives relief to a type of people who are in need of it.

Mr. BYRNES of Wisconsin. Can the gentleman tell me why the committee report, does not spell out in detail for the Members of the House what the changes are that are made in sections 2, 3 and 4, in fact all of the changes that were made. The only change I can find any explanation of, I may say to the gentleman from Virginia, is the item with respect to the licensing fees, the $25 revenue license fee which is placed on various people doing business in the District of Columbia. The only other explanation has to do with effective dates. Then we get into the Ramseyer rule.

Mr. SMITH of Virginia. Yes. The Ramseyer rule gives you a full explanation.

Mr. BYRNES of Wisconsin. It shows what the changes are but no explanation as to why they are made. For instance, section 2 changes the personal exemption, the standard deduction from $500 to $1,000; does it not?

Mr. SMITH of Virginia. I did not get the gentleman's question. Will he state it again?

Mr. BYRNES of Wisconsin. On page 2 of the bill, section 2. One of the things that is done is to increase the standard deduction available to all persons in the District of Columbia from $500 to $1,000 for a single person or a married person not living with either husband or wife.

Mr. SMITH of Virginia. Certainly. That is in the bill.

Mr. BYRNES of Wisconsin. You are giving a general tax reduction to that extent?

Mr. SMITH of Virginia. Yes.

Mr. BYRNES of Wisconsin. Can the gentleman tell me why you are giving that tax reduction at this time?

Mr. SMITH of Virginia. If the gentleman will let me answer his question, then ask another question, we will get along better. I have already explained to the gentleman that the income-tax bill which we labored over last year raised taxes very drastically and we find now that we are not in conformity with the Federal law. We are merely bringing this in line with the Federal exemptions. I have explained that thoroughly. The gentleman may not agree with the reasoning, but I do not think he can say we have not made clear what we are doing. Maybe we are wrong, but that is our best judgment on it.

Mr. BYRNES of Wisconsin. Why do we not find the explanation in the report on this bill?

Mr. SMITH of Virginia. If you will look in the section that complies with the Ramseyer rule you will find certainly that we struck out "$500" and inserted "$1,000." I have undertaken to give the gentleman the best explanation I can of why that was done. I did not write the report and I do not know why it is not in there.

Mr. ALLEN of California. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from California.

Mr. ALLEN of California. Is it not also true that this income tax is now being imposed for the first time with a withholding provision? The anticipated revenue was quite a bit less than the revenue actually realized, so we find now we are receiving more money by the tax than we had originally intended to raise, and that made it rather evident, if we wanted to raise the revenue back to our original intention, that some change had to be made in this act.

Mr. BYRNES of Wisconsin. Mr. Speaker, it is not my intention to hold the floor, but my suspicion was aroused with respect to this legislation when I read in the newspapers over the weekend a story concerning this bill which, in effect, is a tax reduction for the District of Columbia, and then in another article I found where the District is coming in with an expanded building program, and in discussing the method of financing this expanded building program they have suggested that it not be done by any increase in District tax, but it should be done by calling on the Federal Government for an increase in the Federal Government contribution. It occurred to me, as long as they were talking about an expanded public works program, which they know would require additional funds, that maybe we should take a second look at this matter of reducing the income taxes that are paid.

I would suggest, Mr. Speaker, that the House should have more of an explanation than the fact that this is an attempt to bring the District of Columbia income tax laws in conformity with the Federal tax laws. I know, for example, in my State of Wisconsin we do not get many of the exemptions provided under the Federal tax laws, but that fact does not furnish a justification for a reduction in Wisconsin income taxes. The only point I make, Mr. Speaker, is that I think we are moving pretty fast in giving a tax reduction to the people of the District at this time and I wonder whether all of the Members have full information as to exactly what we are doing and why it is being done.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 2 (b) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended (61 Stat. 328; sec. 47-1557a (b), D. C. Code, 1951), is amended by adding at the end thereof the following new subsection:

"(15) Social-security benefits: Insurance benefit payments received under section 202 (a), (b), (c), (d), (e), (f), (g), (h), (i), of title II of the Social Security Act, as amended."

SEC. 2. Subsections "(a)" and "(b)" of section 2, title VI of the District of Columbia Income and Franchise Tax Act of 1947, as amended (sec. 47-1567a, D. C. Code, 1951, Supp. V), are amended to read as follows:

"(a) (1) An exemption of $1,000 for a single person or a married person not living with husband or wife.

"(2) An additional exemption of $500 for the taxpayer if he has attained the age of 65 before the close of his taxable year, and an additional exemption of $500 for the spouse of the taxpayer if a separate return is made by the taxpayer, and if the spouse has attained the age of 65 before the close of such taxable year, and, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.

"(3) An additional exemption of $500 for the taxpayer if he is blind at the close of his taxable year, and an additional exemption of $500 for the spouse of the taxpayer if a separate return is made by the taxpayer, and if the spouse is blind and, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer. For purposes of this subsection, the determination of whether the spouse is blind shall be made as of the close of the taxable year of the taxpayer; except that if the spouse dies during such taxable year, such determination shall be made as of the time of such death. For purposes of this subsection, an individual is blind only if his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

"(b) An exemption of $2,000 for a head of a family or a married person living with husband or wife. A husband and wife living together shall, in addition to the exemptions for age and for blindness allowed by subparagraphs (a) (2) and (a) (3) above, receive but one personal exemption of $2,000, but if such husband or wife make separate returns, the personal exemption of $2,000 shall be divided equally between them."

SEC. 3. Section 2 (b) (9) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended (sec. 47-1557 (a) (b) (9), D. C. Code, 1951), is amended to read as follows:

"(9) Payments to veterans and others: (A) Payments, under any of the laws relating to veterans, of benefits made to or on account of a beneficiary, to the extent such payments are not subject to taxation under the Internal Revenue Code of 1954.

"(B) Amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country or in the Coast and Geodetic Survey or the Public Health Service to the extent such amounts are excluded from gross income under section 104 (a) (4) of the Internal Revenue Code of 1954."

SEC. 4. Section 3 (a) (13) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended (sec. 47-1507b (a) (13), D. C. Code, 1951, Supp. V), is amended to read as follows:

"(13) Optional standard deduction and irrevocable election: In lieu of the foregoing deductions, any resident may elect to deduct for the taxable year an optional standard deduction of 10 percent of the adjusted gross income or $1,000, whichever is lesser; in the case of joint returns filed by husband and wife living together, the combined standard deduction shall be limited to 10 percent of the adjusted gross income of both, or $1,000, whichever is lesser; in the case of separate returns by husband and wife, living together, the standard deduction of each spouse shall be limited to 10 percent of the adjusted gross income of that spouse or $500, whichever is lesser, but the standard deduction shall be allowed to neither if the net income of one of the spouses is determined by itemizing the deductions. The option provided in this paragraph shall not be permitted on any return filed for any period less than a full calendar or full fiscal year.

"The election to claim the optional standard deduction, or to itemize deductions, shall be irrevocable for the taxable year for which the election is made."

SEC. 5. Section 4 (a) of title VI of the District of Columbia Income and Franchise Tax Act of 1947, as amended (sec. 47-1567b (b), D. C. Code, 1951, Supp. V), is amended by striking from said section the figure "$10,000" and inserting in lieu thereof the figure "$5,000."

SEC. 6. Subparagraph numbered "Second" of paragraph numbered 10 of section numbered 6 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903 and for other purposes," approved July 1, 1902 (32 Stat. 590, 620, ch. 1352) as amended (sec. 47-1208, D. C. Code, 1951, Supp. V), is amended by striking from said subparagraph the phrase in parentheses reading "(to the extent of the first $1,000 of their value)," and by inserting a comma after the word "boats" in said subparagraph.

SEC. 7. Subsection (b) of section 1 of title XIV of the District of Columbia Income and Franchise Tax Act of 1947, as amended (sec. 47-1591 (b), D. C. Code, 1951, Supp. V), is amended to read as follows:

"(b) Trade, business, or professional license: Every person, other than a corporation, who, as an individual, sole proprietor, partner, associate, or joint venturer shall, in the District of Columbia, engage in or conduct a trade, business, or profession which is excluded from the imposition of the District of Columbia tax on unincorporated businesses under the definition set forth in section 1 of title VIII of this article, shall file with the Assessor prior to December 1 of the calendar year 1957 and prior to December 1 of each calendar year thereafter, an application for a trade, business, or professional license, accompanied by a license fee of $25, which license, upon issuance, shall entitle such person to engage in or conduct a trade, business or profession in the District of Columbia during the next ensuing calendar year: *Provided*, That no license shall be required under this subsection to be obtained by any individual or sole proprietor engaging in or conducting a trade, business, or profession in the District of Columbia whose annual gross receipts from such trade, business, or profession in the District of Columbia were, during the prior calendar year, less than $5,000, and no partner, associate, or joint venturer shall be required to obtain a license where the annual gross receipts of the partnership, association, or joint venture in the District of Columbia were, during the prior calendar year, less than $5,000 and provided further that every person who, during any calendar year commences as an individual, sole proprietor, partner, associate, or joint venturer, to engage in or conduct a trade, business, or profession in the District of Columbia without having so engaged in the prior calendar year, shall, within 15 days after the date in said commencement year on which such trade, business, or profession attains gross receipts of $5,000, make application to the Assessor, accompanied by a license fee of $25, for the license required by this subsection for the calendar year during which the trade, business, or profession was commenced, and any person who, during the prior calendar year, although engaged in a trade, business or profession, did not attain gross receipts of $5,000, shall, within 15 days after the date within the calendar year on which such trade, business or profession attains gross receipts of $5,000, make application to the Assessor, accompanied by a license fee of $25, for the license required by this subsection for the calendar year during which the trade, business, or profession, attained gross receipts of $5,000.

"No license shall be required of any registered nurse or practical nurse for the purpose of engaging in or conducting a trade, business, or profession of registered nurse or practical nurse in the District of Columbia, and no officer or employee of the Government of the United States, or the government of the District of Columbia, and no individual in private or public employment who is compensated for services performed by him as an employee for his employer shall, for such employment, be required to obtain a license and, in the case of a partnership, association, or joint venture, no license shall be required of any partner, associate, or joint venturer who does not himself engage in or conduct the trade, business, or professional activities of the partnership, association, or joint venturer in the District of Columbia."

SEC. 8. The amendments made by sections 1, 2, 3, 4, and 5 of this act shall be applicable to taxable years beginning after December 31, 1956. The amendment made by section 6 of this act shall be effective on July 1 next following the date of approval of this act. The amendment made by section 7 of this act shall be applicable to the calendar year 1958 and subsequent calendar years.

Mr. McMILLAN. Mr. Speaker, the purpose of this legislation is to amend the District of Columbia Income and and Franchise Tax Act of 1947, as amended, so as to exclude social-security benefits, to provide additional exemptions for age and blindness. The legislation would also increase the exemption for the head of a family to $2,000 as provided under Federal law. The bill would further exclude from gross-income tax subject to tax disability payments to all Armed Forces personnel. Excuse from the personal property tax—boats used solely for pleasure purpose—in the District of Columbia.

The bill would also amend the law relating to the so-called $25 professional tax so as to exclude professional men who serve in the position under salary or whose gross income was less than $5,000 annually.

Another provision of the bill would be to change the option standard deduction from $500 applicable under District Law to $1,000, the same as the Federal income tax law.

The total loss in revenue to the District of Columbia under this legislation would be approximately $300,000.

Mr. HYDE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HYDE: Page 3, line 21, insert "(a)" immediately after "SEC. 3."

Page 4, after line 11, insert the following:

"(b) Section 2 (b) (2) of title III of the District of Columbia Income and Franchise Tax Act of 1947, as amended (D. C. Code, sec. 47-1557a (b)), is amended by adding at the end thereof the following new subparagraph:

"'(C) Government annuities: In addition to any amount excluded from gross income under any other provision of this paragraph, amounts not to exceed $1,200 received as a pension, annuity, or other retirement benefit, under the Civil Service Retirement Act, the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved January 15, 1920 (41 Stat. 387), as amended, the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved August 7, 1946 (60 Stat. 875), as amended, or section 12 of the act entitled "An act making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes," approved September 1, 1916 (39 Stat. 676), as amended.'"

Mr. HYDE. Mr. Speaker, this amendment would exempt from the District of Columbia income tax the first $1,200 of income received from Government pensions, annuities, and other retirement benefits, which would include policemen, firemen, and teachers. In other words, it would give the same exemption in the District of Columbia income-tax law on income from Government pensions as now prevails in the Federal income-tax laws.

The general purpose of the bill is to bring the District income-tax laws, as far as certain exemptions are concerned, in line with the Federal income tax, and certainly it seems to me that this is another Federal income-tax exemption which should apply also to the District of Columbia income-tax laws. I confess that we do not have the exact figures of how much this would increase the loss in revenue. I will say that I offered this amendment in the Committee on the District of Columbia but it was suggested that I offer it on the floor and that is the reason for my offering it here.

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Virginia.

Mr. BROYHILL. Mr. Speaker, I should like to associate myself with the gentleman in the remarks he has made. I support his amendment. I believe that our colleague, the gentleman from Virginia [Mr. SMITH], did point out, as did the gentleman from Maryland also, that the main purpose of this bill is to bring it more into line with the Federal income-tax laws. Certainly the great Committee on Ways and Means and the Congress recognized that there was merit in giving those citizens who have to live on meager annuities some small additional tax relief. I believe, by the same token, we should provide that relief for the people of the District of Columbia who likewise have to live on meager annuities in a very high-cost area. I am hopeful that the Committee on Post Office and Civil Service will in the very near future take cognizance of this and do something about increasing those meager annuities.

Now one question. Maybe this is somewhat superfluous but generally, when we adopt legislation here affecting active employees, it does not affect those who are on retirement. Obviously, if this amendment is approved, the retirees, those already retired, will get the same exemption as those who retire in the future; is that correct?

Mr. HYDE. That is right. I thank the gentleman for his support. The District revenues were increased some $16 million by the income-tax law which has just been mentioned by previous speakers on this bill. The revenues realized from it, as I understand it, run well over $1 million more than expected.

This amendment, as I understand it, would not increase the loss in revenue to the District more than the amount which was collected in excess of the estimated amount.

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Minnesota.

Mr. WIER. Mr. Speaker, I want to congratulate not only the chairman of this subcommittee, our good friend, the gentleman from Virginia [Mr. SMITH], for initiating this legislation, but, also, I want to associate myself with my colleague on the District Committee, Mr. HYDE, for the amendment he has offered. I think, after years of experience, and after the passage of the income tax last year to raise certain revenues, we discovered there is room for improvement in this tax bill that we passed hurriedly last year. That improvement, of course, goes to those in the lower brackets in the community of the District. So I want to add my support to the gentleman from Virginia [Mr. SMITH] and the gentleman from Maryland [Mr. HYDE] on the bill and the amendment which has been offered by the gentleman from Maryland.

Mr. SMITH of Virginia. Mr. Speaker, I rise in opposition to the amendment. Let me say, Mr. Speaker, that getting all the kinks out of a tax bill is not the easiest task in the world.

I see my friend, the gentleman from Minnesota [Mr. O'HARA] over there. He and I labored for months on this income tax bill for the District of Columbia. We placed quite a burden on the people of the District of Columbia. I remember, for instance, that before we passed this bill every citizen of the District of Columbia had an exemption of $4,000; something I think unheard of any other place. That exemption resulted before he was compelled to pay any income tax. We reduced that exemption to $1,000.

The amendment which the gentleman refers to may have merit, but it does so happen that this bill did not include that amendment. There may be other amendments which, upon study, may be found to have merit. The matter was brought up hastily in the committee. Commissioner Karrick was present and testified. He advised us that this matter had just come to his attention, that he had no idea what it would cost in the way of loss of tax revenue and until he could study it and make some recommendation to the committee, he would like it deferred. Somebody along the line has to protect the Treasury. We who are on this committee and we who have studied this thing and devised this kind of taxation are doing the best we can to be fair to everybody.

I think it would be a great mistake for us to just up and offhand, without knowing anything about the results of our action, say, "Yes, we will allow you this. We don't know what it will cost and we don't much care."

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. O'HARA of Minnesota. I wonder if the great State of Maryland or Virginia has such an exemption as this.

Mr. SMITH of Virginia. I am not aware because I am trying to legislate for the District of Columbia at the moment.

Mr. BROYHILL. I might say to the gentleman that no, the State of Virginia does not have such a provision now, but all the candidates for the House of Delegates are promising that in their campaign now.

Mr. SMITH of Virginia. Of course they are approaching an election.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was rejected.

Mr. GROSS. Mr. Speaker, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I should like to ask someone the meaning of these words in the title of the bill: "to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes."

I wonder why pleasure boats are being exempted from taxation.

Mr. SMITH of Virginia. Does the gentleman desire me to answer?

Mr. GROSS. Yes.

Mr. SMITH of Virginia. That puzzled me a little bit, too, and it is a peculiar situation, but this is what happened. It seems that the owners of these boats naturally trade with District merchants and bring in a sales tax and other kinds of taxes. They have gotten into the habit, so they tell me, and that was the evidence before the committee, of moving down to Annapolis, so that the District loses the revenue that would otherwise be derived indirectly from the fact that the boats were anchored here, that would bring other benefits and other trade and other revenue to the District government. I am told that the total amount of the tax is negligible. That is the best explanation I can make.

Mr. GROSS. What type of boats are exempted?

Mr. SMITH of Virginia. Pleasure boats.

Mr. GROSS. I mean what length or draft; what is the specification for a pleasure boat for tax purposes, or is there any?

Mr. SMITH of Virginia. I am not a sailor, and I do not know how long these boats are.

Mr. GROSS. There are some large pleasure boats parked in the river along Maine Avenue.

Mr. SMITH of Virginia. Let me say to the gentleman in further answer that the amount of revenue derived from all of them put together is only about $14,000.

Mr. GROSS. Well, that helps some.

On page 8 of the report appears this language:

> Income exempt under treaty: Income of any kind to the extent required by any treaty obligation of the United States.

Is my understanding correct that some foreign countries own revenue-producing property in the District of Columbia? I am just asking for information. Do some foreign countries own revenue-producing property in the District of Columbia?

Mr. SMITH of Virginia. I am not competent to answer the gentleman's question.

Mr. GROSS. Does anyone else know, and if so, are they exempt from taxation in the District of Columbia?

Mr. SMITH of Virginia. If I may try to straighten this question out. I was not sure what the gentleman was talking about. What the gentleman has reference to is on page 8 of the report, which is merely a reprint of an existing law under the Ramseyer rule, which is not changed by this law, and therefore has nothing to do with what is taking place under this bill.

Mr. GROSS. I would still like some information as to how much property, if any, various foreign countries own in the District of Columbia accumulating rents therefrom and, perhaps, being exempt from taxation. I do not know and I want to find out because we are doing a pretty good job of subsidizing foreign countries in many other ways.

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. O'HARA of Minnesota. I will try to answer the gentleman's question. Of course, the embassies and other such official buildings under the jurisdiction of the foreign governments are exempt here from taxation. But, I do not know whether any foreign government owns any income-producing property. If they do, I do not know anything about it, I will say that much to the gentleman. But, as I said, of course, the embassies are exempt.

Mr. GROSS. I understand that, but I wonder if they own any apartment houses and property of that description from which they derive rents and perhaps are exempt from taxation.

Mr. O'HARA of Minnesota. None that I know of.

Mr. HYDE. I will be glad to try to answer the gentleman's question. I will say to the gentleman from Iowa, I know of some property here in the District which is owned by some foreign countries which are revenue producing, but they pay taxes on it.

The pro forma amendments were withdrawn.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

METROPOLITAN POLICE FORCE, FIRE DEPARTMENT, UNITED STATES PARK POLICE FORCE

Mr. McMILLAN. Mr. Speaker, I yield to the gentleman from Georgia [Mr. DAVIS], chairman of the Subcommittee on Police, Fire, Streets, and Traffic of the Committee on the District of Columbia.

Mr. DAVIS of Georgia. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H. R. 6517) to provide for the retirement of officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and of certain officers and members of the United States Secret Service, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. O'HARA of Minnesota. Mr. Speaker, reserving the right to object, would the gentleman explain the bill and then yield to me later for some questions?

Mr. DAVIS of Georgia. I will be glad to follow the suggestion of the distinguished gentleman from Minnesota.

The purpose of this bill is to completely overhaul the police and fire pension system, the beneficial effects of which remained substantially unchanged since 1916, and to give to the members coming under its benefits substantially similar benefits given by the Civil Service Retirement Act amendments of 1956. Further, it is the intent of the bill to prevent the loss of any benefits under existing legislation.

PRINCIPAL PROVISIONS OF THE BILL

(a) The rate of contribution by members is increased from 5 percent to 6½ percent.

(b) After 20 years of police or fire service and attaining age 50, it provides credit for prior Federal and District government service in computing total service for pension eligibility. It also provides a credit for military service, except where such military service was subject to social-security deductions.

(c) It provides for non-service-connected disability benefits after 5 years of police and fire service. Lack of such a provision is one of the glaring inequalities in the present law.

(d) Provides for disability benefits for service-connected injuries from a permissible maximum of 50 percent to a minimum of 66⅔ percent with a maximum of 70 percent contingent upon the required service which would determine such eligibility. This provision was the result of an attempt to equalize benefits arising from the Federal Employees Compensation Act available to civilian employees of the Federal and District governments, but heretofore denied police and firemen.

(e) Provides that the minimum age to which a policeman or fireman may be eligible to retire after 20 years of police or fire service shall be age 50. This provision is identical with the minimum age at which Federal law-enforcement officers may retire under the provisions of Public Law 854—Civil Service Retirement Amendments of 1956—84th Congress. Language is also provided for the suspension of the right of a member to retire at age 50 after 20 years of service when the Commissioners of the District of Columbia determine the existence of an emergency which places the public safety in jeopardy. However, the Commissioners, the Chiefs of the White House Police force, United States Park Police force, or the United States Secret Service Division may individually determine in such a situation whether to suspend the rights of eligible members subject to their respective jurisdictions to retire. The purpose of this proviso is to place responsibility in one body only for determining the existence of an emergency. Flexibility is provided by permitting the chief of the respective service to determine individually whether the mission of his service would be materially affected unless such retirement privilege were suspended for the duration of the emergency.

Provision is also made for police or fire service to be given retirement credit at 3 percent for each year of service in excess of 20, but not to exceed a total service of 30 years. On this basis, a possible maximum pension of 70 percent may be achieved over a 30-year career.

(f) Provides for an increase of survivors' benefits available to widows and children and includes a provision for dependent widowers which parallels a like provision in the Civil Service Retirement Act Amendments of 1956.

(g) A further provision specifically excludes any employee covered by the provisions contained in this bill from being eligible for any benefits of the Federal Employees Compensation Act. This provision has for its purpose clarification of any doubtful or questionable areas which might later be the subject of interpretation unless made clear by substantive legislation.

COST

The District of Columbia government will realize a substantial saving for the first few years, due to the increased retent from 5 percent to 6½ percent.

The expenses for the next few years will be offset by the accrued savings of the initial period, thus it will be many years before the District government has any actual increased expense.

At public hearing held by the Police, Firemen, Streets, and Traffic Subcommittee of the House District Committee on April 30 and again on May 3, 1957, the president of the Board of Commissioners, the Chief of the Metropolitan Police Department, the head of the White House Police Department, the Acting Chief of the United States Park Police, Hon. George L. Hart, chairman of the Law Enforcement Council of the District of Columbia and many other individuals and organizations appeared in support of this legislation.

The Commissioners did not agree with this one provision to which I have already called attention and that is for the 10 years of service following the first 20 years of service the percentage shall be 3 percent. They objected to that. The subcommittee gave careful hearing and consideration to their objections and concluded for reasons which I will go into later on that the bill should contain this provision. Substantially, I believe that covers the principal provisions of the bill.

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Minnesota.

Mr. O'HARA of Minnesota. I want to ask several questions, the first one of which is, How much is the employee going to pay in? As I understand it, that is increased from 5 to 6½ percent?

Mr. DAVIS of Georgia. Yes.

Mr. O'HARA of Minnesota. That is the standard payment that is made by the general civil-service employees?

Mr. DAVIS of Georgia. Yes, that is correct.

Mr. O'HARA of Minnesota. What does the Federal Government pay in with reference to the civil-service employees? It pays in 6½ percent?

Mr. DAVIS of Georgia. As the gentleman knows, the payments have been somewhat irregular during the past 5 or 6 years. In some years the Federal Government contributes and in some years it does not.

Mr. O'HARA of Minnesota. It is my understanding that in the case of the general civil-service employees, the employer pays in 6½ percent and the employee pays in 6½ percent.

Mr. DAVIS of Georgia. That is the theory if the Government pays in every year, but it has not paid in every year.

Mr. O'HARA of Minnesota. Is it not true that the District government under this bill will be compelled over the years to average 39.02 percent instead of the 6½ percent paid in by the Government theoretically for the general civil-service employees? The District government will have to pay in 39 percent?

Mr. DAVIS of Georgia. That is covered in the report, I believe.

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Virginia.

Mr. BROYHILL. Under the present law, the District of Columbia government has to pay 33.2 percent. Insofar as the civil-service system is concerned, the Federal Government pays 18½ percent for the law-enforcement men.

Mr. O'HARA of Minnesota. Those are new figures and I am glad to have the gentleman give them. I have not heard them before. Let me ask the gentleman this question: Are the Capitol Police included in this bill?

Mr. DAVIS of Georgia. No; the Capitol Police are not included in this bill.

Mr. O'HARA of Minnesota. Why are the Park Police and the Secret Service people included as an obligation on the part of the District of Columbia?

Mr. DAVIS of Georgia. Because that is the method under which they have been employed and under which they have worked.

Mr. O'HARA of Minnesota. They are Government employees; they are not District government employees.

Mr. DAVIS of Georgia. That is true; however, many of the Park Police, and they testified in the hearings as to the percentage of them, operate within the District of Columbia. Many of them serve here in the District of Columbia. I believe that the percentage who serve inside the District is 45 percent and those who service outside the District 55 percent.

Mr. O'HARA of Minnesota. The Park Police are scattered all over this country. Now, you pick up a few of the Park Police here in the District of Columbia, who are hired by the Federal Government, and impose them for this purpose

on the District of Columbia, as you do the Secret Service people.

Mr. DAVIS of Georgia. No. They serve here in the District, and the District Committee and the District of Columbia have always handled this, and this bill makes no change in that respect. This bill deals only with the retirement of these Park Police, the Secret Service Police, and the White House Police.

Mr. O'HARA of Minnesota. Who is going to pay the retirement fund?

Mr. DAVIS of Georgia. The District of Columbia will get reimbursement for the proportionate part which should be reimbursed to the District from the Federal Government and from these other agencies which are involved.

I call the attention of the gentleman to the testimony of Commissioner McLaughlin on page 15 of the hearings. He states:

> Section 6 authorizes reimbursement to the District of Columbia from Federal funds for excess amounts paid by the District of Columbia as benefits to such members of the United States Park Police who are paid from Federal funds, to members of the White House Police force, and to such members of the United States Secret Service Division as are entitled to the benefits of both bills to the extent that such payments are in excess of the deductions from salaries of such persons. This provision is similar to one which has been in effect since 1951 in respect to members of the White House Police force and the Secret Service Division.

I would say also to the gentleman that there are no Park Police involved in this except those who serve here in the District of Columbia and in the metropolitan area.

Mr. O'HARA of Minnesota. Of course, you are giving under this bill considerably greater retirement benefits to those that you are picking up, then, than you are to the other Federal employees; is that not true?

Mr. DAVIS of Georgia. Of course, these benefits, it is obvious on the face of it, are greater than those which are given to a stenographer or clerk or other civil-service employee in the Federal Government. But, they are equal insofar as the age limit and those features are concerned to the benefits which are given to the FBI, to the employees of the penitentiary system, except that in this bill the percentage for the 10 years after 20 years service, from 20 to 30 years service, is 3 percent instead of 2 percent, and in the long run that will not be any advantage over the FBI and the penitentiary employees, for this reason, that in this bill the maximum amount which they can receive, that is, the police and firemen, is 70 percent of their basic salary whereas the FBI can receive 80 percent, and every employee in the Federal Government can receive 80 percent.

Mr. O'HARA of Minnesota. The gentleman admits, though, that they have an optional retirement at 50 years under this bill.

Mr. DAVIS of Georgia. That is true.

Mr. O'HARA of Minnesota. Now, you certainly do not extend that across the board to the other Government employees, do you?

Mr. DAVIS of Georgia. No.

Mr. O'HARA of Minnesota. That will follow up this bill, is that not the situation?

Mr. DAVIS of Georgia. That is true. But, the reason for that is that the Chief of Police and everyone who keeps up with law enforcement here knows that it is most difficult to recruit police up to the authorized strength. For instance, the authorized strength now in the Metropolitan Police force is 2,500, and although that has been the authorized strength for something like 2 years, today the actual strength of the Metropolitan Police force is 2,298. They are short 202 policemen of being up to the authorized strength. This is an incentive, and they said that this incentive is sorely needed in order to bring the actual strength of the police force up to the authorized strength.

Mr. O'HARA of Minnesota. The concern that I have about this bill is this: If it passes and the cost is imposed—and like legislation, of course, is going to be asked for the rest of the Government employees—I want to say to the gentleman that it is going to increase the Government cost for all of the Government employees about $1.2 billion a year. Now, we better be fair about this. If we are going to pass this bill, it is going to cost the Federal Government more money and it is going to cost the District of Columbia government more money.

Mr. DAVIS of Georgia. I will give the gentleman the figures on the costs. They are shown on page 4 of the committee report. They are shown there in detail; the cost from the first year up to the 20th year and on.

For the first year there would be no cost whatsoever. The Government will make $455,145 on the deal.

Mr. O'HARA of Minnesota. I do not see how they figure that, because somebody is going to retire.

Mr. DAVIS of Georgia. Here is the way they figure it. The increase in contribution from 5 percent to 6½ percent will put this extra money into the Treasury.

Mr. O'HARA of Minnesota. Mr. Speaker, will the gentleman yield at that point?

Mr. DAVIS of Georgia. I yield.

Mr. O'HARA of Minnesota. It is my understanding that the Civil Service Commission and the Budget have computed that this bill, overall, will cost an average of 39 percent over the lifetime of the legislation; that is, 39 percent per year to the District government. I hope there is no dispute about that because I understand those figures are not disputed.

Mr. DAVIS of Georgia. I think the gentleman from Virginia gave the answer to that a moment ago when he said that the present cost is 33 percent plus. Of course, when you increase retirement naturally there will have to be an increase in the cost of it. And it should not all fall on the employee and in this bill it will not. But in the 20th year of the operation of the law with this amendment, the additional cost, for all of the firemen and all of the policemen, will be $1,074,785. Let me add this to that; that there is only a difference of $126,000 per year if the 10-year period involved should be at 2 percent as contrasted to 3 percent. That was brought out in the hearings. That is the only difference between this bill and the bill which has the wholehearted and unconditional approval of the Commissioners.

Mr. O'HARA of Minnesota. If the gentleman will yield further, why were the Capitol Police left out of this bill?

Mr. DAVIS of Georgia. They do not draw their retirement under this system. They are not employees of the District. As I understand it, they come under the legislative branch.

Mr. O'HARA of Minnesota. You take care of the Park Police and the Secret Service; why could they not have been taken care of here?

Mr. DAVIS of Georgia. That has been the law for many more years than I have been here, I will say to the gentleman.

Mr. O'HARA of Minnesota. Who else is left out of this bill besides the Capitol Police? Are there any other policemen up here?

Mr. DAVIS of Georgia. They are not left out; they have never been in the District of Columbia retirement system. They have not been left out. They are where they have been all the time.

Mr. O'HARA of Minnesota. Are they not subject to the same hazards as the average policeman, to some degree at least?

Mr. DAVIS of Georgia. I would not say yea or nay. I would say probably they are when a bill comes up for them, I think that would be the time to take it up and certainly not now, because they are not involved in this bill.

Mr. O'HARA of Minnesota. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act be cited as the Policemen and Firemen's Retirement and Disability Act Amendments of 1957.

SEC. 2. It is the intent of Congress in enacting the Policemen and Firemen's Retirement and Disability Act of 1957 to give the members coming under such act benefits substantially similar to benefits given by the Civil Service Retirement Act Amendments of 1956 to officers and employees covered by the Civil Service Retirement Act of May 29, 1930, as amended.

SEC. 3. Section 12 of the act approved September 1, 1916 (39 Stat. 718), as amended, is amended to read as follows:

"DEFINITIONS

"SEC. 12. (a) Wherever used in this section—

"(1) The term 'member' means any officer or member of the Metropolitan Police force, of the Fire Department of the District of Columbia, of the United States Park Police force, of the White House Police force, and any officer or member of the United States Secret Service Division to whom this section shall apply.

"(2) The terms 'disabled' and 'disability' mean disabled for useful and efficient service in the grade or class of position last occupied by the member by reason of disease or injury, not due to vicious habits or

intemperance as determined by the Board of Police and Fire Surgeons, or willful misconduct on his part as determined by the Commissioners.

"(3) The term 'widow' means the surviving wife of a member who was married to such individual while he was a member.

"(4) The term 'widower' means the surviving husband of a member who was married to such individual while she was a member.

"(5) The term 'child' means an unmarried child, including (a) an adopted child, and (b) a stepchild or recognized natural child who received more than one-half his support from the member in a regular parent-child relationship, under the age of 18 years, or such unmarried child regardless of age who, because of physical or mental disability incurred before the age of 18, is incapable of self-support.

"(6) The term 'basic salary' means regular salary established by law or regulation including any differential for special occupational assignment but shall not include overtime, holiday, or military pay.

"(7) The term 'annuitant' means any former member who, on the basis of his service, has met all requirements of this section for title to annuity and has filed claim therefor.

"(8) The term 'survivor' means a person who is entitled to annuity under this section based on the service of a deceased member or of a deceased annuitant.

"(9) The term 'survivor annuitant' means a survivor who has filed claim for annuity.

"(10) The term 'police or fire service' means all honorable service in the Metropolitan Police Department, White House Police Force, Fire Department of the District of Columbia, the United States Park Police Force, and the United States Secret Service Division coming under the provisions of this act.

"(11) The term 'military service' means honorable active service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States, but shall not include service in the National Guard except when ordered to active duty in the service of the United States.

"(12) The term 'Commissioners' means the Commissioners of the District of Columbia or their designated agent or agents.

"(13) The term 'service' means employment which is creditable under subsection (c).

"(14) The term 'Government' means the executive, judicial, and legislative branches of the United States Government, including Government-owned or controlled corporations and Gallaudet College, and the municipal government of the District of Columbia.

"(15) The term 'Government service' means honorable active service in the executive, judicial, or legislative branches of the United States Government, including Government-owned or controlled corporations and Gallaudet College, and the municipal government of the District of Columbia, and for which retirement deductions, other than social security deductions, were made.

"(16) The term 'department' means any part of the executive branch of the United States Government, or any part of the government of the District of Columbia whose members come under this section.

"UNITED STATES SECRET SERVICE DIVISION

"(b) Whenever any member of the United States Secret Service Division has actively performed duties other than clerical for ten years or more directly related to the protection of the President, such member shall be authorized to transfer all funds to his credit in the Civil Service Retirement and Disability Fund created by the act of May 22, 1920, to the general revenues of the District of Columbia and after the transfer of such funds the salary of such member shall be subject to the same deductions for credit to the general revenues of the District of Columbia as the deductions from salaries of other members under this section, and he shall be entitled to the same benefits as the other members to whom this section applies.

"CREDITABLE SERVICE

"(c) (1) A member's service for the purposes of this section shall mean all police or fire service and such military and Government service as is authorized by this section prior to the date of separation upon which title to annuity is based.

"(2) Each member shall be allowed credit for periods of military service served prior to the date of the separation upon which the annuity is based; however, if a member is awarded retired pay on account of military service, such military service shall not be included, unless such retired pay is awarded on account of a service-connected disability (a) incurred in combat with an enemy of the United States or (b) caused by an instrumentality of war and incurred in line of duty during an enlistment or employment as provided in Veterans' Regulation No. 1 (a), part I, paragraph I, or is awarded under title III of Public Law 810, 80th Congress. Nothing in this section shall affect the rights of members to retired pay, pension, or compensation in addition to the annuity herein provided.

"(3) Credit shall be allowed for leaves of absence granted a member while performing military service, excluding from credit so much of any other leaves of absence without pay as may exceed 6 months in the aggregate in any calendar year.

"(4) A member who, during any war or national emergency as proclaimed by the President or declared by the Congress, has left or leaves his position to enter the military service shall not be considered, for the purposes of this section, as separated from his position by reason of such military service, unless he shall apply for and receive his salary deductions: *Provided*, That such member shall not be considered as retaining such position beyond December 31, 1957, or the expiration of 5 years of such military service, whichever is later.

"(5) Each member shall be allowed credit for Government service performed prior to appointment in any of the departments mentioned in paragraph (1), subsection (a) of this section: *Provided*, That such member deposits with the Collector of Taxes of the District of Columbia, for credit to the revenues of the District of Columbia, a sum equal to the entire amount including interest, if any, refunded to him for such period of Government service: *Provided, further*, That if such member so elects he shall deposit with the Collector of Taxes of the District of Columbia, the total amount of such refund in equal monthly installments not exceeding 24.

"(6) The total service of a member shall be the full years and 12th parts thereof, excluding from the aggregate any fractional part of a month.

"DEDUCTIONS, DEPOSITS, AND REFUNDS

"(d) (1) From and after the first day of the first pay period which begins on or after the effective date of this amendatory section, there shall be deducted and withheld from each member's basic salary an amount equal to 6½ percent of such basic salary. Such deductions and withholdings shall be paid to the Collector of Taxes of the District of Columbia, and shall be deposited in the Treasury to the credit of the District of Columbia.

"(2) Any member coming under the provisions of this section who is separated from his department, except for retirement as authorized by this section, shall be refunded the amount of the deductions made from his salary under this section. The receipt of payment of such deductions by such member shall void all annuity rights under this section, unless and until such member shall be reappointed to any department whose members come under this section. If such officer or member is subsequently reappointed to any department whose members come under this section, he shall be required to redeposit the amount of deductions so refunded to him.

"(3) In order to facilitate the settlement of the accounts of each member coming under the provisions of this section who dies prior to retirement leaving no survivor entitled to receive an annuity under the provisions of this section, the Commissioners shall pay all deductions for retirement made from the salary of such deceased member to the person or persons surviving at the time of death, in the following order of precedence, and such payment shall be a bar to recovery by any other person of amounts so paid:

"First, to the beneficiary or beneficiaries designated in writing by such member, filed with the Commissioners and received by them prior to the death of such member;

"Second, if there be no such beneficiary, to the child or children of such deceased member and the descendants of deceased children by representation;

"Third, if there be none of the above, to the parents of such member, or the survivor of them;

"Fourth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased member, or if there be none to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased member.

"MEDICAL AND HOSPITAL SERVICE

"(e) Whenever any member shall become temporarily disabled by injury received or disease contracted in the performance of duty, to such an extent as to require medical or surgical services, other than such as can be rendered by the Commissioners, or to require hospital treatment, the expense of such medical or surgical services, or hospital treatment, shall be paid by the District of Columbia; but no such expense shall be paid except upon a certificate of the Commissioners setting forth the necessity for such services or treatment and the nature of the injury or disease which rendered the same necessary.

"RETIREMENT FOR DISABILITY NOT INCURRED IN PERFORMANCE OF DUTY

"(f) Whenever any member coming under this section completes 5 years of police or fire service and is found by the Commissioners to have become disabled due to injury received or disease contracted other than in the performance of duty, which disability precludes further service with his department, such member shall be retired on an annuity computed at the rate of 2 percent of his basic salary at the time of retirement for each year or portion thereof of his service: *Provided*, That such annuity shall not exceed 70 percent of his basic salary at time of retirement: *Provided further*, That the annuity of a member retiring under this subsection shall be at least 40 percent of his basic salary at time of retirement.

"RETIREMENT FOR DISABILITY INCURRED WHILE PERFORMING DUTY

"(g) Whenever any member is injured or contracts a disease in the performance of duty or such injury or disease is aggravated by such duty at any time after appointment and such injury or disease or aggravation permanently disables him for the performance of duty, he shall upon retirement for such disability, receive an annuity computed at the rate of 2 percent of his basic salary at the time of retirement for each year or portion thereof of his service: *Provided*, That such annuity shall not exceed 70 percent

of his basic salary at the time of retirement, nor shall it be less than 66⅔ percent of his basic salary at the time of retirement.

"OPTIONAL RETIREMENT

"(h) (1) Any member who completes 20 years of police or fire service may, after giving at least 60 days' written advance notice to his department head stating his intention to retire and stating the date on which he will retire, voluntarily retire from the service and shall be entitled to an annuity computed at the rate of 2 percent of his basic salary at the time of his retirement for each year of service; except that the rate of 3 percent of his basic salary at time of retirement shall be used to compute each year's police or fire service in excess of 20 years: *Provided*, That such notice requirement may be waived by the department head when, in his opinion, circumstances justify such waiver: *Provided further*, That whenever the Commissioners or the Chief of the White House Police force, or the Chief of the United States Park Police force, or the Chief of the United States Secret Service Division shall determine that there exists an emergency which is likely to endanger the safety of the public and that the public safety cannot be adequately protected except by suspending the retirement provisions of this paragraph (1), then the Commissioners or any of said Chiefs shall be authorized to suspend the retirement provisions of this paragraph (1) in any one or more of the departments under their respective jurisdictions until such time as, in the opinion of the Commissioners or any of said Chiefs, respectively, public safety can be adequately protected without such suspension.

"(2) Any member of the Metropolitan Police force or of the Fire Department of the District of Columbia having reached the age of 60 years shall, in the discretion of the Commissioners, and any member of the White House Police force or of the United States Park Police force or of the United States Secret Service Division to whom this section applies shall, in the discretion of the head of his department, be retired from the service and shall be entitled to receive an annuity as computed in subsection (h), paragraph (1).

"(3) No annuity granted under paragraph (1) or (2) of this subsection (h) shall exceed 70 percent of the basic salary of such member at the time of retirement.

"INVOLUNTARY SEPARATION FROM SERVICE

"(i) If any member is injured or contracts a disease during his first 5 years of service in his department which, in the judgment of the Board of Police and Fire Surgeons, disables him from performing further duty in his department, and if the Police and Firemen's Retiring and Relief Board finds that such injury or disease was not incurred in the performance of duty in his department, such member shall, upon the approval of such finding by the head of his department, and without regard for the provisions of any other law or regulation, be separated from the service.

"RECOVERY FROM DISABILITY OR RESTORATION TO EARNING CAPACITY

"(j) (1) If any annuitant retired under subsection (f) or (g), before reaching the age of 55, recovers from his disability or is restored to an earning capacity fairly comparable to the current rate of compensation of the position occupied at the time of retirement, payment of the annuity shall cease (1) upon reemployment in the department from which he was retired, (2) 1 year from the date of the medical examination showing such recovery, or (3) 1 year from the date of determination that he is so restored, whichever is earliest. Earning capacity shall be deemed restored if in each of two succeeding calendar years the income of the annuitant from wages or self-employment or both shall be equal to at least 80 percent of the current rate of compensation of the position occupied immediately prior to retirement. Nothing in this subsection shall preclude such member from having an annuity reestablished if his disability recurs, or when his earning capacity is less than 80 percent of the rate of compensation of the position occupied immediately prior to retirement for any full year thereafter: *Provided*, That whenever any member is reinstated with his respective department it shall be at the same grade or rank held by the member at the time of his retirement.

"(2) When an annuitant recovers prior to age 55 from a disabling condition for which he has been retired, and applies for reinstatement in the department from which he was retired, he shall be reinstated in the same or nearest equivalent grade and salary available as that received at the time of his separation from the service: *Provided*, That such applicant meets the current entrance requirements of such department as to character.

"SURVIVOR ANNUITIES

"(k) (1) In case of the death of any member before retirement, or of any former member after retirement, leaving a wife or husband, such wife or husband shall be entitled to receive an annuity in the greater amount of (1) $1,800, or (2) 30 percent of such member's basic salary at the time of death, or 30 percent of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed. Such annuity shall begin on the first day of the month in which the member or former member dies, and such annuity or any right thereto shall terminate upon the survivor's death or remarriage. If such member or former member is survived by a wife or husband, each surviving child shall be entitled to receive an annuity equal to the smallest of (1) 40 percent of such member's basic salary at the time of death, or 40 percent of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed, divided by the number of children, (2) $600; or (3) $1,800 divided by the number of children. If such member or former member is not survived by a wife or husband, each surviving child shall be paid an annuity equal to the smallest of (1) 50 percent of the member's basic salary at the time of death, or 50 percent of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed, divided by the number of children, (2) $720; or (3) $2,160 divided by the number of children. The annuity of any child under this subsection shall begin on the first day of the month in which the member or former member dies, and such annuity or any right thereto shall terminate upon (1) his attaining age 18, unless incapable of self-support, (2) his becoming capable of self-support after age 18, (3) his marriage, or (4) his death.

"(2) Upon the death of the surviving wife or husband or termination of the annuity of a child, the annuity of any other child or children shall be recomputed and paid as though such wife, husband, or child had not survived the member or former member.

"(3) Any member retiring under subsection (f), (g), or (h) of this section, may, at the time of such retirement, elect to receive a reduced annuity in lieu of the full annuity, and designate in writing the person to receive an increased annuity after the retired annuitant's death: *Provided*, That the person so designated be the surviving spouse or child of the retiring member. Whenever such an election is made, the annuity of the designee shall be increased by an amount equal to the amount by which the annuity of such retiring member is reduced. The annuity payable to the member making such election shall be reduced by 10 percent of the annuity computed as provided in subsection (f), (g), or (h). Such increase in annuity payable to the designee shall be reduced by 5 percent for each full 5 years the designee is younger than the retiring member, but such total reduction shall not exceed 40 percent. The increase in annuity payable to the designee pursuant to this paragraph (3) shall be paid in addition to the annuity provided for such designee pursuant to paragraph (1) or (2) of this subsection and shall be subject to the same limitations as to duration and other conditions as the annuity paid pursuant to such paragraphs (1) and (2).

"FUNERAL EXPENSES

"(l) The Commissioners are authorized to pay a sum not exceeding $300 in any one case to defray the funeral expenses of any deceased member dying while in the service thereof.

"DUTIES OF COMMISSIONERS IN RETIREMENT AND ANNUITY MATTERS

"(m) The Commissioners shall consider all cases for the retirement of members and all applications for annuities under this section. In each case of retirement of a member the Commissioners shall certify in writing the physical condition of the member for whom retirement is sought. The Commissioners shall give written notice to any member under consideration by them for retirement to appear before them and to give evidence under oath. The proceedings before the Commissioners involving the retirement of any member, or any application for an annuity under this section, shall be reduced to writing and shall show the date of appointment of such member, his age, his record in the service, and any other information which may be pertinent to the matter of such retirement or annuity. The Commissioners are authorized to administer oaths and affirmations, may require by subpena or otherwise the attendance and testimony of witnesses and the production of documents at any designated place. In the event of contumacy or refusal to obey any such subpena or requirement under this subsection, the Commissioners may apply to the municipal court for the District of Columbia for an order requiring obedience thereto. Thereupon the court, with or without notice and hearing, as it in its discretion may decide, shall make such order as is proper and may punish as a contempt any failure to comply with such order in accordance with the provisions of subsection (c), section 5, of the act of April 1, 1942 (56 Stat. 193, ch. 207; sec. 11-756 (c), D. C. Code, 1951 edition).

"PAYMENT OF ANNUITIES

"(n) (1) Each annuity is stated as an annual amount, one-twelfth of which, fixed at the nearest dollar, accrues monthly and is payable on the first business day of the month after it accrues.

"(2) Any person entitled to an annuity under this section may decline to accept all or any part of such annuity by a waiver signed and filed with the Commissioners. Such waiver may be revoked in writing at any time, but no payment of the annuity waived shall be made covering the period during which such waiver was in effect.

"(3) In order to facilitate the settlement of the accounts of each person who, at the time of his death, was receiving or was entitled to receive, an annuity under this section, the Commissioners shall pay all unpaid annuity due such person at the time of death to the person or persons surviving at the date of death, in the following order of precedence, and such payment shall be a bar to recovery by any other person of amounts so paid:

"First, to the widow or widower of such person;

"Second, if there be no surviving spouse, to the child or children of such person, and descendants of deceased children, by representation;

"Third, if there be none of the above, to the parents of such person or the survivor of them;

"Fourth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased person, or if there be none, to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased person.

"DELEGATION OF FUNCTIONS

"(o) The Commissioners are hereby vested with full power and authority to delegate from time to time to their designated agent or agents any of the functions vested in them by this section.

"REGULATIONS

"(p) The Commissioners are authorized to promulgate such rules and regulations as they may deem necessary to carry out the purposes of this section.

"REORGANIZATION

"(q) Where any provision of this section refers to an office or agency abolished by Reorganization Plan No. 5 of 1952 (66 Stat. 824), such reference shall be deemed to be to the office, agency, or officer now or hereafter exercising the functions of the office or agency so abolished. Nothing contained in this section shall be construed as a limitation on the authority vested in the Commissioners by Reorganization Plan No. 5 of 1952."

NO REDUCTION IN PRESENT RELIEF

SEC. 4. Nothing in this act shall be deemed to reduce in the relief or retirement compensation to which any person is entitled on the effective date of this act and the rights of such members and their survivors shall continue in the same manner and to the same extent as if this act had not been enacted.

REPEALS

SEC. 5. The following acts and parts of acts are hereby repealed:

(1) The paragraph under the heading "Police and Firemen's Fund" in the act entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes," approved June 7, 1924 (43 Stat. 539);

(2) Section 5 of the act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia," approved June 1, 1930 (46 Stat. 839);

(3) Section 7 of the act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia," approved May 27, 1924 (43 Stat. 176);

(4) The act entitled "An act to permit retired policemen and firemen of the District of Columbia to waive all or part of their relief or retirement compensation," approved August 31, 1954 (68 Stat. 1044).

REIMBURSEMENT TO DISTRICT OF COLUMBIA

SEC. 6. There are hereby authorized to be appropriated from revenues of the United States such sums as are necessary to reimburse the District Columbia, on a monthly basis, for benefit payments made from revenues of the District Columbia to or for Federal employees and to or for the surviving children and spouse of such Federal employees under the provisions of the Policemen and Firemen's Retirement and Disability Act, to the extent that such benefit payments exceed the deductions from the salaries of Federal employees for credit to the revenues of the District of Columbia. For the purpose of this section, (a) the term "benefit payments" includes relief, retirement compensation, pensions, and annuities and medical, surgical, hospital, and funeral expenses, and (b) the term "Federal employees" means and includes such members of the United States Park Police force as are paid from funds of the United States, members of the White House Police force and such members of the United States Secret Service Division as have or may hereafter become entitled to benefits under the Policemen and Firemen's Retirement and Disability Act.

EFFECTIVE DATE

SEC. 7. This act shall take effect on the first day of the first month which begins more than 30 days after the date of approval of this act.

With the following committee amendments:

On page 1, line 6, after the word "Act", insert the word "Amendments."

On page 2, line 25, after the word "term", strike the word "'widower'" and insert in lieu thereof "'dependent widower.'"

On page 3, line 2, after the word "member", insert the following: ", and who is incapable of self-support by reason of mental or physical disability, and who received more than one-half his support from such member."

On page 7, following line 18, insert a new subsection:

"(7) Notwithstanding any other provision of this subsection, any military service (other than military service covered by military leave with pay from a civilian position) performed by an individual after December 1956 shall be excluded in determining the aggregate period of service upon which an annuity payable under this act to such individual or to his widow or child is to be based, if such individual or widow or child is entitled (or would upon proper application be entitled), at the time of such determination, to monthly old-age or survivors benefits under section 202 of the Social Security Act based on such individual's wages and self-employment income. If in the case of the individual or widow such military service is not excluded under the preceding sentence, but upon attaining retirement age (as defined in section 216 (a) of the Social Security Act) he or she becomes entitled (or would upon proper application be entitled) to such benefits, the Commissioners shall redetermine the aggregate period of service upon which such annuity is based, effective as of the first day of the month in which he or she attains such age, so as to exclude such service. The Secretary of Health, Education, and Welfare shall, upon the request of the Commissioners, inform the Commissioners whether or not any such individual or widow or child is entitled at any specified time to such benefits."

On page 7, lines 21 and 22, strike out "the effective date of this amendatory section" and insert in lieu thereof "October 1, 1956."

On page 11, line 11, after the word "who", insert the following: "attains the age of 50 years and."

On page 11, strike line 18 and insert in lieu thereof "year of service; except, that the rate of 3 per."

On page 14, lines 23 and 24, strike the following: "leaving a wife or husband, such wife or husband" and insert in lieu thereof the following: "leaving a widow or dependent widower, such widow or dependent widower."

On page 20, following line 15, insert a new subsection:

"SHORT TITLE

"(r) This section may be cited as the 'Policemen and Firemen's Retirement and Disability Act.'"

On page 20, line 20, strike the word "members" and insert the word "persons."

On page 22, following line 16, insert a new section as follows:

"ELIGIBILITY UNDER THE FEDERAL EMPLOYEES' COMPENSATION ACT

"SEC. 7. Notwithstanding any other provision of law, no person entitled to receive any benefit under the Policemen and Firemen's Retirement and Disability Act on account of death incurred, an injury received, or disease contracted, or an injury or disease aggravated, in the performance of duty shall be entitled, because of the same death, injury, disease, or aggravation, to benefits under the Federal Employees' Compensation Act, as amended (5 U. S. C. 751, and the following)."

On page 22, lines 18 through 20, strike out the following: "This act shall take effect on the first day of the first month which begins more than 30 days after the date of approval of this act" and insert in lieu thereof the following:

"SEC. 8. The effective date of this act shall be October 1, 1956."

The committee amendments were agreed to.

Mr. BROYHILL. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I hope the discussion so far on this legislation has not created the impression that this is an extravagant measure by any means. It is a most reasonable bill. I believe anyone who is familiar with the problems of the Metropolitan Police force and the Fire Department of the District of Columbia and has studied the situation will agree that it is a very reasonable bill.

As pointed out by the gentleman from Georgia [Mr. DAVIS] we have not made any amendments to this act or any major revisions to this act for the past 41 years. A very interesting and rather serious situation insofar as the Police and Fire Department Retirement System is concerned is that we have a very severe mortality rate. The average age at death of a policeman or fireman is 62. The median age at which they come to work is 26. They work an average of 26 years and are on retirement for an average of 10 years. The average age at death is 62. This is true in spite of the fact that 75 percent of the applicants for positions are turned down on account of physical disability. It is serious and hazardous work and a strain on the members of those departments, which does shorten their natural life span.

The gentleman from Minnesota [Mr. O'HARA] pointed out that this might encourage increases in other retirement systems. On the contrary, this more or less follows increases in other retirement systems throughout the Government. We increased the retirement for the civil service generally throughout the Government last year, and early this year we increased it for school teachers, so this is merely bringing it in line with what has happened for other civil service employees.

Mr. Speaker, I believe it is of urgent concern that we take speedy action on

H. R. 6517 which will provide long overdue improvements in the retirement and disability protection of policemen and firemen and their families in the District of Columbia. At the present time, members of the Metropolitan Police Force, the Fire Department of the District, the United States Park Police, and certain officers and members of the United States Secret Service are governed by a pension plan which has remained substantially unchanged for the last 41 years.

The modernization of this system is not only a matter of simple equity to its members but it is also necessary if the residents of the District of Columbia are going to have adequate police and fire protection. Within the last 2 weeks, Metropolitan Police Chief Robert V. Murray has testified before the Senate District Subcommittee that the proposed retirement plan revisions were "a life and death matter" to the police and fire departments. The problem of recruiting and retaining competent personnel has greatly increased. During the past 5 years, the 2,500-man police force has been short 200 to 300 at all times. There are at the present time, Chief Murray stated, 85 applications pending for transfers to Federal law-enforcement agencies and the United States Marshal's office. This legislation, by equalizing retirement and disability benefits available to district policemen and firemen with those available to law-enforcement officers of Federal agencies in the Washington area, will make it possible for the District to recruit and hold the kind of men we need for effective police and fire departments.

The bill is designed to give District policemen and firemen substantially the same benefits as those granted Federal employees under last year's Civil Service Retirement Act amendments. These liberalizations will help to close the large gap between the benefits of Washington policemen and firemen and those of policemen and firemen in other large cities of comparable size.

Let me summarize some of the major improvements which will be effectuated by H. R. 6517.

Under present law a District policeman or fireman, unlike a Federal civil-service employee, has no benefit protection if he becomes disabled while off duty. The bill will eliminate this inequality of treatment and provide benefits which will range from 40 to 70 percent of his salary, depending upon his length of service.

Under present law a District policeman or fireman can receive a maximum benefit of only 50 percent of his salary for disabilities incurred in the line of duty. The bill would raise this to a minimum of 66⅔ percent with a maximum of 70 percent, depending on his years of service. This is designed to equalize benefits for policemen and firemen protection with those afforded Federal employees and other District employees under the Federal Employees Compensation Act.

Under present law a District policeman or fireman has to wait until he has attained the age of 55 and has 25 years of service before he has the option of retirement. H. R. 6517 would liberalize this provision so that an individual could retire at age 50 after 20 years of service. This is in line with a provision of the Civil Service Retirement Act for employees engaged in hazardous law enforcement duty.

Under present law a District policeman or fireman can receive a maximum retirement benefit of only 50 percent of his salary. H. R. 6517 would raise this maximum to 70 percent over a 30-year career. This would be done by allowing retirement credits of 2 percent for the first 20 years of service and 3 percent for the next 10. The Civil Service Retirement Act permits a maximum benefit of 80 percent. The purpose of this provision of the bill is to encourage qualified men to remain in service after they have the option to retire. H. R. 6517 provides a further incentive to remain in service by allowing 20-year men to credit prior Federal, District and military service. Under the present law no credit is given to any policemen or firemen for such service.

It is unfortunate that an identical bill—S. 1770—has been delayed in the Senate where some misunderstanding has arisen in regard to cost aspects of this legislation. It was asserted on the floor that the Government would be paying percentagewise a much greater amount for these benefits than for Federal employees under the Civil Service Retirement Act. The facts, I maintain, do not seem to bear out this argument. John P. Jones, Acting Actuary, for the Treasury Department, estimates that the new plan would cost the Government only 1.4 percent of payroll more than the systems providing retirement and disability benefits to employees in similar positions covered by the Civil Service Retirement Act and the Federal Employees Compensation Act. Moreover, as Warren B. Irons, Civil Service Commission, testified, trying to compare the proposed plan with the civil service retirement program is like trying to compare "apples and oranges." This is true because the civil service retirement system does not bear the cost of retirement for occupational disability which is borne by the Federal employees' compensation system. I agree with him when he states that the District plan should be compared with those in other cities.

I feel sure that, when these facts are brought to the attention of the full Senate, the bill will receive speedy approval. The legislation is the result of many days of hearings before the House and Senate Committees, the president of the board of commissioners, the chief of the Metropolitan Police Department, the head of the White House Police Department, the acting chief of the United States Park Police, the Honorable George L. Hart, chairman of the law-enforcement council of the District of Columbia, and many other individuals and organizations, have appeared in support of this legislation.

Let us remember that the costs of this measure are no greater than the costs of 1 major 4-alarm fire. We are here concerned with providing the kind of benefits which will keep competent men in our police and fire establishments. This will provide protection not only for the men on the force but for all of us. It is poor economy penny-pinch in this vital area. We need to get, and keep, the best people we can.

All of us are concerned with the need for further reducing crime in the District, not only because of its cost in dollars but because of its cost in human terms. Last year's crime statistics testify to the efficiency of the men who now man our police force in the District. They show that, while serious crime over the country rose 13.3 percent and passed the 2.5 million mark for the first time, the District's crime total dropped 9.3 percent below the 1955 total. Police Chief Murray attributed the decrease to better utilization of his department's manpower. He said he had been able to work with the equivalent of a 2,500-man force by working men on overtime, 6-day weeks, and by using rookie school trainees. The loss of a single one of these trained and dedicated officers is a matter of crucial concern.

In order to keep these men on the job, and so that we can recruit men of equal caliber for the future, we must offer them the kind of retirement protection which they need. They must also have adequate protection for their families in case they should meet death in the line of duty. The Congress cannot trade much longer on their loyalty to the force and to the city which has kept them on the job. We must act on this bill, and act promptly on their behalf.

I submit finally that this is a reasonable bill. I hope the House will overwhelmingly adopt it and then permit us to come back and take care of those who are already retired who should likewise be taken care of.

Mr. McMILLAN. Mr. Speaker, I would like to state for the benefit of the Members of the House that the purpose of this legislation is simply to bring these law-enforcement officers here in the District of Columbia in conformity with other law-enforcement officers throughout the country that are employed by the Federal Government. These policemen are required to take similar examinations that law-enforcement officers in all of the departments take.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield.

Mr. HOLIFIELD. I want to ask this question. This was arrived at on the same basis that the Treasury agents and the alcoholic tax unit agents retirement provisions were?

Mr. McMILLAN. That is the example we are trying to follow.

Mr. HOLIFIELD. It takes into consideration the hazards of the employment of these men rather than the nonhazardous employment of regular civil-service employees; is that correct?

Mr. McMILLAN. That is the reason for the proposed legislation.

Mr. HOLIFIELD. I want to thank the gentleman for yielding and also I congratulate the committee for bringing in this bill which I think is long overdue. I have talked to some of these people about their retirement who have served on the Metropolitan Police, and from what they have said to me and from looking over this bill, I think it is a very meritorious bill and I shall support it.

Mr. McMILLAN. I further understand that the rate of accidents on this police force here in Washington is very high. I understand that 431 men were injured during the past year. It is rather regretable that we did not bring this bill for consideration before this late date.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield.

Mr. WILLIAMS of Mississippi. I think it might be pointed out also that the subcommittee had available to it information regarding the policemen and firemen retirement programs in cities of comparable size to the District of Columbia. We took that into consideration in working out this bill. I can assure the Members of the House that the program of retirement that has been worked out under this bill is very much in line with the retirement programs of other cities and is not out of line by any means.

Mr. McMILLAN. I thank the gentleman. I further understand that one of the members of the Metropolitan Police Force tendered his resignation for the purpose of accepting a position with the Maryland Highway Patrol because they have a better retirement pay and better facilities.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. McMILLAN. I yield.

Mr. DAVIS of Georgia. In that connection, I would like to point out that from January 1, 1956, through January 1957 there were 84 resignations from the Metropolitan Police Department.

The reasons given for those 84 resignations are that 9 resigned to accept work in other police departments, 10 resigned to accept work in other governmental departments, 27 resigned to accept work in private industry, and 7 resigned to accept employment elsewhere. That is pretty well the average rate of resignations, and this bill is very much needed.

While I am on my feet, if I may, I wish to pay tribute also to the head of the Metropolitan Police Department of Washington, Chief Murray. I have had a number of years' experience with law enforcement. He measures up to the very highest standards of law enforcement that I have observed anywhere during my lifetime. The Metropolitan Police Force is one of the finest and has one of the best records of law enforcement of any body of men I have observed anywhere. I think they deserve the very highest praise. I could not let this opportunity pass without saying these few words in their behalf.

Mr. McMILLAN. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. KEARNS].

Mr. KEARNS. I thank the gentleman.

I merely wish to add that the subcommittee throughout the course of these hearings was furnished with all the accurate data we needed, and I am sure that when we submitted our report unanimously to the full committee we were highly sincere in the belief that the firemen and policemen of the District of Columbia should be taken care of. I feel it is our obligation to improve the retirement system, that we may encourage the best police force possible under the leadership of Mr. Murray.

Mr. McMILLAN. Mr. Speaker, I yield to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. I appreciate the wonderful tribute paid to the Metropolitan Police Force and others included in this bill by various Members. There is one point, however, I wish to call to your attention. It has been suggested that this bill is not going to cost anything for a while. How are you going to get along without its costing money when you put all these additional provisions in the bill?

You are going to charge the employee 6½ percent. Someone said you were following the 1956 bill as applied to Federal Government employees. The 1956 bill would charge those employees 6½ percent and the Federal Government is expected to contribute a like amount. But where are you going to get the money to pay the difference which we all know has got to be met some way. Does it come from District funds or the Federal Treasury.

Looking through the bill I see that the Park Police have been included. That is all right if you want to put them in, but you have thousands of Park Police in other parts of the country. What are you going to do about them? You are now putting Park Police under the same category as the FBI as I understand this legislation.

Mr. McMILLAN. The only United States Park Police I know anything about are located here in Washington. The other people connected with law enforcement in the national parks are park rangers, not Park Police.

Mr. REES of Kansas. They act in the same capacity.

Mr. McMILLAN. No. These Park Police in Washington act under a system of reciprocity with the District Police which gives them jurisdiction of law enforcement in the city and in the parks.

Mr. REES of Kansas. But they will be paid out of the Federal Treasury; will they not? Once more, how are you going to get the money when the time comes to take care of these increased retirement benefits. Out of the Federal Treasury or out of the District of Columbia?

Mr. McMILLAN. Did the gentleman listen to the figures read by the gentleman from Georgia [Mr. DAVIS]?

Mr. REES of Kansas. I did.

Mr. McMILLAN. I would like to say that our committee is merely following the gentleman from Georgia, and to remind the gentleman from Kansas that the gentleman from Georgia is a member of the Committee on Civil Service. He does not recommend a bill that has not been fully considered.

Mr. REES of Kansas. I appreciate that and I appreciate his services, but I still would like to know where you are going to get this extra money, that is all; and the gentleman has not told us that yet.

Mr. DAVIS of Georgia. The cost of it will be paid as the present cost is paid. The employee will pay 6½ percent and the District of Columbia will pay the difference. The figures are given on page 4 of the committee report. The Commissioners have unanimously endorsed this legislation with the one exception which I pointed out and that was the 1 extra percent on the 10-year period following the first 20 years of service.

Mr. REES of Kansas. When there will be an appropriation bill for the District of Columbia to make that contribution, is that correct?

Mr. DAVIS of Georgia. The District will make $455,000 out of it the first year, $359,000 the second year, $97,000 the third year and $29,000 the fourth year. It will not cost the District a penny extra until 5 years. Then it will cost $39,480, and it goes up until at 20 years it will cost an additional $1,616,000.

Mr. REES of Kansas. I do not want to labor the point but where does that $440,000 come from?

Mr. DAVIS of Georgia. From the increase of retent the employee pays.

Mr. REES of Kansas. That is their contribution to the fund?

Mr. DAVIS of Georgia. They will pay 6½ percent.

Mr. REES of Kansas. Does the gentleman think that 6½ percent, the extra 1½ percent, will take care of these charges?

Mr. DAVIS of Georgia. It goes into the Treasury every year and, as I said, the first year the District of Columbia will make $455,000 out of it.

Mr. REES of Kansas. That is rather interesting to me because on behalf of Federal workers, we have to contribute several million dollars. I wish the gentleman would make that apply to the Federal Treasury as well as the District of Columbia.

Mr. DAVIS of Georgia. I join the gentleman in that respect.

Mr. REES of Kansas. I would not be misunderstood—I want the employees in the District of Columbia to be accorded just as fair treatment as those in classified service outside the District. I do think, however, that if this committee is asking the Congress to approve legislation that will cost an additional sum of several hundred thousand dollars, arrangements should be made for the appropriation of funds to take care of the additional charge. I can't understand, in view of the statement of Mr. O'Hara that there are no funds on hand at the present time, how in the world you are going to take care of the extra cost without appropriations from the Federal Treasury or from funds allocated direct to the District of Columbia. Let me repeat, I am willing to help the employees in the District as well as but no better than those outside of the District.

Mr. THOMSON of Wyoming. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, in connection with this bill and the other District bills which we have considered today, I certainly voice my respect for the work done by the District Committee. I know the gentlemen who serve on this committee oftentimes do so by "detail" as an additional service and at no request of their own.

The thing that concerns me about this bill, and some of the other District bills considered previously today, is the amount of money involved. Several of these bills will eventually call for an appropriation of money. This bill eventually, as I understand it, will cost $1.7 million. I have listened to the justification for the money and can certainly agree that the functions of police and fire protection are proper functions of government. We should make adequate provision therefore within the limitations of funds available.

We have though the responsibility to pick and choose. I am concerned from what I have read in the newspapers and from personal experience with the public-school system here in the District of Columbia, an equally important if not more important function of local government. The judiciary is also included in one of these previous bills and that will cost money. That too is a necessary function of government. But, again, I say, so is education. I think it is an alarming thing when in this Congress there is proposed and another committee has reported a bill to take care of the school-construction needs of the Nation at large, when we are not taking care of our own responsibilities here in the District of Columbia to provide an adequate number of classrooms. We are asked to usurp local responsibilities to construct schools across the Nation without any showing of need and over the protest of local governments and the people while here in the District where you have classrooms with 39 or 40 children, and we are not doing anything about it. I think it is time to stop and take an inventory of this overall question.

Of course, some of us as individuals can do something about it, but I would do so with reluctance; that is, send our children to private schools. I, though, happen to believe in the public school system. I prefer my children go to the public schools. I think it would behoove all of us to ask the Committee on the District of Columbia to give this matter their immediate and careful attention. From now on as to any District bills that cost money, I am going to look at them with a tough eye until we take care of a problem that is a great one, a responsibility that is ours: to provide at least a minimum number of adequate classrooms in the District. I certainly am not going to take care of the needs and to pay money out to States that do not want it and do not need it until this immediate problem is taken care of, either by appropriation or at least by authorizing the District to solve its own problem by raising the necessary construction money through the issuance of bonds.

Mind you we have not even given authority to the District to bond itself for the purpose of solving this problem of providing an adequate number of classrooms. Here we are coming to the people of my State of Wyoming and every other State of the Union and saying, "We encourage you to bond yourself; we encourage you to go into debt to build your school buildings," but at the same time we refuse to even permit such here in the District. They have already taken care of their responsibility. If we will just take care of our own responsibility instead of meddling in someone else's business we will make available here in the District adequate classroom space. I can speak from personal observation and experience that they do not have such today, with from 39 to over 40 students grouped in one classroom and the teachers telling you that they cannot give the children the attention that they need, particularly if they need a little extra attention. I hope the District Committee will accept this responsibility and do something to correct a deplorable condition without delay.

Mr. O'HARA of Minnesota. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I have been concerned about the cost of this bill. And I believe that some of the information which we originally got was not very accurate.

Now, an identical bill was debated for some 2 days over in the other body, and the distinguished chairman of the subcommittee finally asked that it be sent back to the Senate District Committee for further consideration. Now, I want to say to you that this bill is going to cost you a lot more money than you expect it would. The cost to the District government, if this retirement bill is passed, is going to be increased from the overall standard of what the Federal Government pays to the regular civil-service employees from 6.5 to 39.2 percent. That will be the overall cost. Then, if this bill becomes law—and usually this is the way the pilot operations work—out of the District Committee will come a bill, and they will say "Well, that is the lead," and that goes through, and then the other Government employees come in and they want the same thing, justly so. There is no reason why there should be discrimination.

Now, if you add this kind of a bill to all of the rest of the Government employees, there will be an annual cost of $1.2 billion. And, I want you to know that.

Mr. Speaker, I think the healthy thing would be for this bill to be sent back to the District Committee until we review some of this business, until we find out what the other body has found out about this bill that they did not know about when it got on the floor and asked that it be returned to the committee. I say to you that it cannot possibly cost less to the District government than 39 percent in its overall 20-year basis. That will be the average cost. The District employees and these other employees here will pay in 6.5 percent. Now, if we can afford to pay that kind of retirement, all right; we ought to understand it, but I want to say to you that I am very troubled about this type of legislation that is not thought through as to its cost and its ultimate effect and its overall effect upon the other employees of our Government. It is impossible to write one of these bills on the floor. I think the thing that should be done is that it should be sent back to the committee for further study and consideration.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I was a member of the subcommittee that considered this bill, and I can assure my distinguished friend from Minnesota that the subcommittee went into every problem connected with this bill that has been raised on the floor today. The report of the subcommittee was unanimous, as well as I recall, after having worked out the committee amendments and getting the bill in the shape that it is in now. I am thoroughly convinced that this is good legislation and needed legislation, and I hope that it will be approved by the House.

Mr. DAVIS of Georgia. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. Mr. Speaker, the committee, as the gentleman from Mississippi [Mr. WILLIAMS] has just said, held extensive hearings on this proposed legislation. We had 2 days of hearings. We had before the subcommittee the District Commissioners, the head of each department involved, the Police Department and the Fire Department; and we opened up the hearings to everyone who wanted to be heard, private citizens as well as officials. In these two volumes of hearings there is accurate testimony on every issue that is involved in this legislation. If the bill were to be returned to the committee, not one iota of information that is not in these hearings could be adduced. For instance, on page 36 of the hearings we have in great detail a statement of the cost of this retirement; what it has cost every year from 1950 through 1956. We have the payments to beneficiaries; we have the hospital and benefit care; we have the refunds; we have the reimbursements from the White House Secret Service; deduction from salaries. Every bit of information which could be adduced is here.

I recommend that every member of the committee examine the committee report. It is a complete and accurate statement of this legislation. Everything that could be brought out has been brought out. It is good legislation, and I think it is long overdue.

It makes no difference what the other body does. They can do as they see fit about legislation, this as well as all other. But the duty rests on us to get this retirement bill out and to provide this incentive to the morale of the Metropolitan Police force so that the head of that force can get the actual strength up to the authorized strength.

Mr. MULTER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I wish to associate myself with those who have urged the enactment of this bill. It is a good bill. If there are any defects in it, and my attention has been called to none, they can be worked out as experience may dictate, after the bill is enacted. It is high time this legislation was enacted for the benefit of the large corps of civil servants in the District.

Home rule for the District of Columbia will relieve Congress from the burdens of this kind of legislation.

In the absence thereof, we would be derelict in our duty if we failed to pass this bill.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. McMILLAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

Mr. O'HARA of Minnesota. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. O'HARA of Minnesota. I am.

The SPEAKER pro tempore. The gentleman qualifies.

The Clerk read as follows:

Mr. O'HARA of Minnesota moves to recommit the bill H. R. 6517 to the District of Columbia Committee for further study.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion was rejected.

The SPEAKER pro tempore. The question is on passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. POAGE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended as follows:

(1) Sections 109 and 204 of such act are amended by striking out "1957" and substituting in lieu thereof "1958."

(2) Section 103 (b) of such act is amended by striking out "$3,000,000,000" and inserting in lieu thereof "$4,000,000,000."

(3) Section 203 of such act is amended by striking out "$500,000,000" and inserting in lieu thereof "$800,000,000."

(4) Section 304 of such act is deleted.

Mr. POAGE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: Strike out all after the enacting clause and insert the provisions of the bill H. R. 6974, as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUPPLEMENTAL POST OFFICE DEPARTMENT APPROPRIATIONS, 1958

Mr. GARY. Mr. Speaker, under unanimous consent obtained last Thursday, I call up the joint resolution (H. J. Res. 379) making supplemental appropriations for the Post Office Department for the fiscal year 1958 and for other purposes, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Post Office Department for the fiscal year ending June 30, 1958, namely:

POST OFFICE DEPARTMENT

Current authorizations out of postal fund

Administration and Research

For an additional amount for "Administration and research," $2 million.

Operations

For an additional amount for "Operations," $90 million.

Transportation

For an additional amount for "Transportation," $24 million.

Facilities

For an additional amount for "Facilities," $17 million.

Mr. GARY. Mr. Speaker, I move to strike out the last word, and ask unanimous consent that my time be extended 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GARY. Mr. Speaker, this is a joint resolution providing for a supplemental appropriation for the Post Office Department. The Post Office Department submitted to the Congress a supplemental request for the fiscal year 1958, which begins on July 1 next, of $149,500,000. Our committee has unanimously recommended an appropriation of $133 million, which is a reduction of $16,500,000 in the Department's request. The original request for funds for the Post Office Department for the year 1958 was $3,250,000,000. You will recall that the House upon recommendation of our committee cut those funds $58 million and appropriated $3,192,000,000 in the regular appropriation bill. The total recommended for 1958 with this supplemental appropriation is $3,325,000,000. That is an increase of $75 million over the original request. It is an increase of approximately $300 million over the appropriation for 1957.

I think it is fair to the Post Office Department to say that in the $300 million increase are included some mandatory payments which are being made in accordance with laws subsequently adopted by the Congress. In other words, the retirement fund contribution for 1958, which has been transferred by law from the general fund of the Treasury to the Department, amounts to $131,482,059. There will be an extra work day in 1958, which will cost the Department $6,552,042.

The within-grade promotions require $24,523,679 and the biannual surety bond premium $400,000. This makes a total of $162,957,780, but that still leaves a balance of $136,702,220 over and above the mandatory payment.

The department insists that this full amount is made necessary because of the increased volume of mail. I want to be perfectly frank with the Members of the House, and to say to you that I think the amount which our committee has recommended is too high. In my opinion the Department could operate with much less than this amount by instituting proper economies and by making some adjustments which would not seriously curtail the necessary services of the Post Office Department.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield.

Mr. MORANO. I am concerned about reports that have appeared in the press that there may be a Saturday closing of the Post Office and all services turned off on Saturday. I was wondering whether this subcommittee has officially recommended that such be done in order for the Department to live within the amount recommended by the committee.

Mr. GARY. I will answer the gentleman by saying that this committee has not recommended any curtailment of any services and the committee believes that the amount which this appropriation would give the Post Office Department will be ample for them to operate on without any serious curtailment of services and without any reduction in the number of its employees.

Mr. MORANO. If the gentleman's committee has decided that there would not need to be any curtailment of services on Saturday, then where does the gentleman think a saving can be made so that this appropriation will be sufficient for the needs of the Post Office Department?

Mr. GARY. Any administrator who cannot save $16 million out of a total appropriation of $3,325,000,000 to my mind is not making a proper contribution toward economy which the country is demanding at the present time.

Mr. MORANO. Then will the gentleman agree that the services to be rendered by the Post Office Department in

the next fiscal year need not in anyway be curtailed under this appropriation?

Mr. GARY. Certainly not seriously curtailed. If the gentleman will permit me to proceed for just a few moments, I will discuss that.

Mr. MORANO. I thank the gentleman.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield for a question?

Mr. GARY. I yield.

Mr. BASS of Tennessee. Can the distinguished gentleman from Virginia tell me whether he has any information in relation to the Postmaster General also curtailing or about to put an embargo on third-class mail effective as of July 1?

Mr. GARY. I will answer that too, if the gentleman will just permit me to proceed for a few moments.

Mr. BASS of Tennessee. I thank the gentleman.

Mr. GARY. During this entire discussion, the Postmaster General has insisted that they cannot save enough money to cut their expenditures below the amount they have asked for. Set out on page 25 of the hearings, however, is a list of possible service curtailments which would effect estimated savings of $149,500,000, the amount of this request. In its list of curtailments, the Department says that the discontinuance of the city and rural delivery of mail and the closing of the post office services on Saturday would save $70 million. It also says that the elimination of the sale of money orders in first and second-class post offices and their branch stations woulld save $26 million. The reduction of mail distribution in railway post offices; reduced frequency of star-route service to once daily, where practicable; the deferring of new highway post office routes and the making of other transportation revisions would save $18 million. The suspension of all additions and extensions of city carrier service during the entire fiscal year—except extensions already deferred from fiscal year 1957—would save $16,300,000.

The reduction of renovation work in post offices, the light color, and ventilation program to $2.5 million, and the reduction of purchases of needed equipment by $3 million, and the reprograming of other capital expenditures would save $7,400,000.

To require second-class publications and third-class bulk mailers to zone their mail would save $5 million.

I think the gentleman from Connecticut will agree with me that is a substantiol savings, if they can save $5 million simply by requiring users of second-class mail and users of third-class bulk mail to zone their mail. We asked the representatives of the Post Office Department why they did not do this a long time ago.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield.

Mr. MORANO. What was the answer the Post Office Department gave to the question you asked?

Mr. GARY. There was no answer to that, to be frank with the gentleman. I say that is one savings they could make and one change they should make. That is one reason I would not say to the gentleman that there would not be any changes in the service. That is one that should be made. I think the Post Office Department recognizes it and that it will go into effect very shortly.

Then to close 2,000 small post offices would save $2.5 million; and an embargo on third-class mail from December 1 to December 25 would save $4 million.

Frankly I do not think that embargo should be put into effect unless it is clearly demonstrated that it would not seriously affect third-class mail.

Mr. BASS of Tennessee. Mr. Speaker, did the gentleman say December 1?

Mr. GARY. Yes; December 1 to December 25.

Mr. BASS of Tennessee. The question I would like to ask if the gentleman will yield, is that in addition to the embargo which the Postmaster General has said he would put in effect on third-class mail effective July 1 this year?

Mr. GARY. That is out and there is no suggestion of that kind at all. This is merely a suggestion to embargo bulk third-class mail from December 1 to December 25; and that will not be necessary under the action this House has taken.

Mr. BASS of Tennessee. In other words the gentleman is now saying that the July 1 embargo will not be put into effect.

Mr. GARY. It will not be put into effect.

I can also say that if this bill is passed there will be no reason for the loss of salary or position by any postal employee in the service because the bill contemplates an increase in personnel of 24,000 during the next year to take care of the increased volume of mail. Twenty thousand of these would be new employees.

We have recommended a reduction of $16,500,000. Therefore there should not be one single person cut off of the Post Office payroll because of this bill.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield.

Mr. BROWN of Ohio. Did I understand the gentleman to say that if third-class mail is curtailed by embargo from December 1 to December 25 of each year it would not have any effect on third-class mail?

Mr. GARY. No; I did not say that; the gentleman misunderstood me. I said I did not think it ought to be embargoed unless it could be proven that it would not seriously affect third-class mail.

Mr. BROWN of Ohio. How could it help but affect it if third-class mail were embargoed for a whole month at a time?

Mr. GARY. It would unquestionably affect it but I am not prepared to say how seriously. I do not believe, however, that the Postmaster General is going to put it into effect. Our committee certainly is not telling the Postmaster General how to run his department.

Mr. BROWN of Ohio. Does the gentleman think there is any likelihood of the Post Office Department's doing so.

Mr. GARY. I do not think so. I think they may require zoning of bulk mail. That in itself would result in considerable savings and is entirely in conformity with the low rate the users are paying for handling it.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Wisconsin.

Mr. LAIRD. With reference to the curtailment of service under the present appropriation that the gentleman read from pages 25 and 26 of the committee hearings, many people fail to realize the curtailment outlined in that statement is not the recommendation of the Post Office Department but was submitted to the Appropriations Committee and the subcommittee of which the gentleman from Virginia is chairman at the request of the subcommittee in order to show the subcommittee where curtailments could be made in the amount of $149,500,000. Many people, from letters I have received and from the newspapers, particularly the Hearst Press in Wisconsin, are led to believe that is a recommendation for curtailment by the Postmaster General. Actually it was a request for information which the committee made of the Postmaster General.

Mr. GARY. It is not the recommendation of the Post Office Department, nor is it the recommendation of our committee. It was a list submitted by the Post Office Department merely to show what curtailments they would have to make if our committee did not grant any part of the $149,500,000 which the Department had requested.

Mr. LAIRD. The list was submitted to the committee at the request of the committtee, is that correct?

Mr. GARY. No; I do not think that is strictly correct.

Mr. LAIRD. In reading over the statement on page 25 it appears in the hearing record on june 7 that the hearing was adjourned until June 11 with the directive to the Post Office Department to come prepared to submit such a program.

Mr. GARY. To submit a program under which they would operate if no additional funds were granted. They submitted that program. They had this list prepared previously, however, which they were going to present to the committee to show what curtailments would have to be made if the Congress did not grant their request.

Mr. LAIRD. These curtailments were not recommended by the Postmaster General?

Mr. GARY. They were not recommended by the Postmaster General, that is correct. Certainly I have not tried to convey the impression to the House that they were recommended either by him or by our committee. However, our committee has recommended a reduction of $16,500,000 in the request which we think can be accomplished by economies in the Department. For example, the Post Office Department has set up in the United States 15 new regional offices in which they have a number of high-priced new officials.

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired.

(By unanimous consent (at the request of Mr. Bass of Tennessee) Mr. GARY was allowed to proceed for 5 additional minutes.)

Mr. GARY. Mr. Speaker, they have set up 100 additional district offices. Frankly, I have an idea that all of them could be abolished without imparing the service. I have never been sold on this decentralization idea, but I am not prepared to say that is correct. I am convinced, however, that by a reduction in the number of those offices they could save substantial sums of money without impairing the efficiency of the Post Office Department one particle.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. I want to commend the gentleman for his attitude and, certainly, I would like to suggest his committee go further into the possibility of the expenditures involved in regional and district offices. I should like to ask a further question. I am sure the gentleman realizes that Christmas greeting cards, which are mailed primarily in the month of December, are for the most part mailed as third-class mail. This possible embargo on third-class mail would have the effect then of making all Christmas cards subject to being mailed first class; is that correct?

Mr. GARY. I can say to the gentleman that I have no idea there will be any embargo on any mail. I do not think there should be any embargo. I think we should carry the mail and that it ought to pay its own way.

Mr. BASS of Tennessee. I agree with the gentleman.

Mr. GARY. Let me call the gentleman's attention to the fact that the estimate of the deficit for 1958 was $650 million. That estimate has now been revised upward and the present estimate of the deficit for 1958 is $702 million.

Mr. BASS of Tennessee. That is the greatest in the history of the country?

Mr. GARY. It is certainly near the top.

Mr. BASS of Tennessee. I would like to ask the gentleman a further question. Can he tell the Committee if the Postmaster General now has authority to require complete zoning on all second- and third-class mail, or would that require legislation?

Mr. GARY. He has the authority now.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from Minnesota.

Mr. McCARTHY. Did the Post Office Department give the gentleman any estimate of the cost of maintaining the regional and district offices?

Mr. GARY. They claim that it is a saving. There is a lot of testimony in the hearings on that subject, if the gentleman is interested. Frankly, I still am not convinced.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. GARY. I yield to the gentleman from North Carolina.

Mr. JONAS. With respect to the zoning comment that has been made, would that apply only within city mailings? It would, would it not?

Mr. GARY. Of course, that is in the bulk mail for these advertisers.

Mr. JONAS. It would be impossible for an advertiser to zone mail in Chicago if he mailed it to New York?

Mr. GARY. Yes.

Mr. JONAS. The zoning would apply only within the city.

Mr. GARY. It would be governed by regulation of the Department, which I am certain would be reasonable.

Now, Mr. Speaker, just let me give you a little illustration to show what the appropriation that this bill carries together with the regular appropriation heretofore made, would mean in expenditures for the Post Office Department for 1958. When the Wise Men of the East made their immortal journey to the manger in Bethlehem nearly 2,000 years ago, if instead of bringing gifts of gold, frankincense, and myrrh, they had established a memorial fund in honor of the King and 5 cents had been placed in that fund every second from that day until the present, the fund still would not amount to as much as the wise men of the West tell us is necessary for the operation of the Post Office Department for the fiscal year 1958. That illustrates how much money is involved.

If this bill passes, the total appropriation for the Department for the fiscal year 1958 will be $19.44 per man, woman, and child in the United States. The expenditures of that Department will be $63,942,307 per week, $9,134,615.38 per day, $380,608.97 per hour, $6,343.48 per minute, and $105.72 per second.

I submit that should be more than enough money to run the Post Office Department of the United States, even though it is one of the greatest businesses in the entire world.

Mr. CANFIELD. Mr. Speaker, I move to strike out the last word, and I ask unanimous consent to proceed for 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Speaker, I think my good friend and colleague, the distinguished gentleman from Virginia [Mr. GARY], the chairman of our committee handling Post Office-Treasury funds, has made a very factual and a very forthright statement concerning this bill.

Now, this year, on this supplemental request of the Post Office Department for $149.5 million to permit it to operate normally and properly during the fiscal year 1958, we had a most satisfactory and a most cordial meeting of our subcommittee with the witnesses from the Post Office Department, headed by the Postmaster General. At the conclusion of that hearing I was so glad to hear the gentleman from Virginia, the chairman of our committee, say, in so many words, that this was one of the most satisfactory hearings we have ever held with the Post Office Department witnesses. He said to the Postmaster General, "You have presented your case very efficiently and very effectively. I am sure the committee will do what they think is right to give you the money needed."

I agree with the distinguished gentleman from Virginia that, barring an unanticipated increase in the volume of mail during fiscal year 1958, barring intervening legislation on the part of the Congress of the United States leading to additional service costs, and barring fire, storm, or flood disasters in our country, the Department will be able on these funds appropriated here to operate properly and normally. It will permit the Department of the Post Office to accommodate an increase in volume of mail of 4 percent during the fiscal year 1958 over that required during the fiscal year 1957.

It will enable the Postmaster General to project into the cities of our land and into suburbia 5,000 additional much needed extension routes. And it will provide funds, too, to pay for soaring supply costs. Furthermore, it will enable the Department to go ahead with its mechanization and modernization program which it has had to defer in recent months.

Let me say this, too. I agree with the distinguished gentleman from Virginia [Mr. GARY] that there is no reason, as a result of this bill and these funds we shall appropriate today, why the Postmaster General should find it necessary to indulge in any serious curtailments of service of any kind.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman.

Mr. SCHENCK. That was one of the questions I had intended to ask our distinguished colleague from New Jersey. Newspaper reports carried the story that the Committee on Appropriations had recommended certain changes and cutbacks in postal service. I gather from the gentleman's statement that that is not a true report.

Mr. CANFIELD. As the gentleman from Virginia [Mr. GARY] so well stated, our committee has done no such thing. We are not mandating the Post Office Department to indulge in any serious curtailment of service. Under the funds we are according the Postmaster General in this bill today there is no reason why he should make any serious curtailments of any kind. Only $16.5 million is being cut from a request totaling $3,341,000,000 for the fiscal year 1958 and $5 million of this cut can be saved through zoning of second-class publications and third-class bulk mailings.

Mr. SCHENCK. I thank the gentleman.

Mr. CANFIELD. The gentleman from Virginia [Mr. GARY] has spoken about the Wise Men of the East and the number of years and minutes and seconds that have elapsed since their time. The gentleman talked about the cost per capita to our country as a result of the appropriation bill for 1958. He said that the cost per capita would be $19.44 for 1958 as a result of this bill. That is not exactly the factual picture. This amount, of course, is largely offset by estimated revenues of $16.44 per capita as a result of the sale of stamps and special services in the Post Office Department of the United States. The cost would be almost entirely offset by revenues if an equitable postal rate increase bill were enacted. Think of it. We never give our Department the tools

they require to maintain a business operation. We compel them to live on 1932 rates when they have to face 1957 costs.

In respect to the 1958 estimated $700 million postal deficit carried by the taxpayers, it should be remembered that business accounts for practically 75 percent of the mail by volume, while contributing only 40 percent of the total tax revenue.

Mr. Speaker, I want to say a word about Saturday deliveries. While we have not mandated the Department in any way to curtail Saturday deliveries in our United States, it is true that the distinguished gentleman from Virginia [Mr. GARY] and I have a different philosophy, a different approach to, or viewpoint on, Saturday deliveries. The delivery of mail on Saturdays by city carriers for residences and business is now restricted to one delivery a day. If Saturday delivery were discontinued, it would mean that a letter arriving in a city after 6 o'clock on Friday morning could not be delivered in the residential section for more than 3 days; and mail received for business firms after noon on Friday would not be delivered until the following Monday. In other words, you could mail a letter in your home city to some person in that city; you might put the letter in the mailbox late at night, and that letter would not get to the post office before 6 o'clock the following morning. Four days would be involved in that transaction, the delivery of that letter occurring on the following Monday. Millions of persons on rural service and in the cities, particularly in the smaller cities, would be deprived of their daily paper. This would materially affect business concerns, particularly those in the distributing, publishing, and sales activities. Many weekly and other publications which are regularly received on Saturday and enjoyed over the weekend would not be delivered until the following week. Read the telegram sent to the Postmaster General this last week by Mr. James L. Knight, president of the Southern Newspaper Publishers Association, on that issue. Much of the merchandise delivered to retailers on Saturdays is now sold on the very same day. Business firms which are open on Saturdays have regularly expressed the desire for mail delivery on that day, and serious objections were raised in all sections of the country by an appreciable portion of such firms when deliveries were reduced to one on Saturday. Further restrictions of delivery service on Saturday will be short of that which the public desires and has the right to expect. We want to avoid placing a handicap on business firms by reason of inadequate mail service.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Virginia.

Mr. GARY. I am certain the gentleman does not want to create the wrong impression. He said he and I disagreed on Saturday deliveries.

Mr. CANFIELD. Yes, on the extent of such services.

Mr. GARY. That is true. But I want to make it perfectly plain, and I think the gentleman will agree, that I have never advocated a complete abolition of Saturday deliveries.

Mr. CANFIELD. That is very true.

Mr. GARY. What I have said is that I think in view of the fact that industry and business in the United States are rapidly turning to a 5-day week the Post Office Department could save substantial sums by recognition of that fact and adapting their service to this modern trend. In that connection, there is on page 52 of the hearings a survey which was conducted by the Post Office Department itself in which they asked various postmasters throughout the country their reaction to the Saturday closing which took place on order of the Postmaster General several months ago. Then there was a complete stoppage of mail on Saturday. Even on that question this survey shows that sentiment in this country was almost evenly divided.

Mr. CANFIELD. Let me answer the gentleman on that very point. Having in mind that this question might arise today, I asked the Post Office Department for a statement bearing on the testimony to which the gentleman from Virginia has just alluded. This is the statement given me by the Post Office Department, and I shall read it to the gentleman:

> While the public tolerated to some degree the mail service curtailment for 1 week and the closing of post offices on Saturday, from the information we have received through newspaper publicity and other communications including numerous complaints we feel that there would be strong opposition to such curtailment on a continuing basis.
>
> The size of the sample check, there being only 214 offices contacted, was too small to give reliable results. Other offices have been contacted with particular reference to the delivery of parcel post, and we feel that at some places more than 95 percent of the business houses are open on Saturday and expect their mail.
>
> We feel that some of the postmasters—

I am sure the gentleman from Virginia will be interested in this and will understand—

> may have been biased in answering the questions concerning Saturday delivery, since such an arrangement would tend to give them a 5-day instead of a 6-day week.
>
> On further inquiry, and especially some compliants, we are confident that a majority of the business firms are not ready for a 5-day week so far as mail service is concerned. Such action would not only eliminate the mail service on Saturday, but would delay delivery during the following week.

The gentleman will recall that when the Postmaster General was before us on this supplemental appropriation bill, we asked him this question: Has this Saturday cutoff ever been presented and reviewed before the House legislative Committee on Post Office and Civil Service? And his answer was in the negative.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield.

Mr. GARY. I would like to say to the gentleman that my mail from my district, and a great deal of mail from other sections of the country shows that the great majority of people in the United States would be willing to have their Saturday mail deliveries curtailed if they could get some economy. That is the one thing the people of this country are clamoring for above everything else. The people want economy in Government, and they want these tremendous Government costs cut. If they can get some economy, then they would be willing to suffer a little inconvenience in their postal service.

Mr. CANFIELD. Yes, the people of the United States want economy, but they do not want economy at the expense of the postal service of the United States of America. When they compare our postal service with the postal service of the leading nations of the world, they know of our deficiencies, particularly, in the frequency of mail delivery. Why even in Moscow they have two deliveries of mail a day in residential areas today.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to my friend from Colorado.

Mr. ROGERS of Colorado. Do I understand from the report on the appropriation made to the Post Office Department that the Postmaster General assures us that that is sufficient money for him to carry on the department, and that we will get Saturday mail deliveries?

Mr. CANFIELD. That is true.

Mr. ROGERS of Colorado. And that so far as your committee is concerned, you have given him sufficient funds for that operation according to the representation made? And has this committee denied to the Postmaster General any funds whatsoever to keep him from carrying out efficient postal service to the people of the United States?

Mr. CANFIELD. The committee has not and this report is unanimous on the part of our subcommittee and the full committee of the House and the Committee on Appropriations. There are no differences as to the sum involved here.

Mr. ROGERS of Colorado. And you feel if there should be a curtailment of service by the Postmaster General where he places his finger on the Congress of the United States for not performing its duty, do you feel he would be in error in making such an accusation in the future as he has been in the past?

Mr. CANFIELD. The Postmaster General has never put his finger on the Congress of the United States. He has come down here to ask for counsel and advice repeatedly. I am sure that no member of our subcommittee will say otherwise. He has been very frank and forthright. He has come down to say, "Well, now, gentlemen of the Congress, you want me to live under this appropriation. They involve serious cuts in our service. Tell me where those cuts should be. I want to counsel with you. I want your help. I want your advice."

Mr. ROGERS of Colorado. Do you recall recently there was a curtailment of the postal service?

Mr. CANFIELD. Yes; and the gentleman knows why.

Mr. ROGERS of Colorado. The Postmaster General said it was because we did not give him the money.

Mr. CANFIELD. That is true. That is correct.

Mr. ROGERS of Colorado. Now the point I want to make certain, and you

have clarified it so that he who runs may read in the future, will know that the Congress of the United States has acquiesced in giving to the Postmaster General everything that he asked for. Is that not true?

Mr. CANFIELD. The Congress of the United States has given to the Postmaster General the funds he said are needed to operate normally during fiscal year 1958.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to my colleague of the House Appropriations Committee.

Mr. LAIRD. I would like the gentleman to explain to me in view of the statement he just made the discrepancy I see in the report that the Postmaster General asked for $149,500,000.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

Mr. LAIRD. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey may proceed for an additional 5 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. LAIRD. The amount recommended in this bill was $133 million. The bill compared with the estimate is $16½ million below the amount asked for by the Postmaster General. I note in the report where a saving of $5 million can be made through orders which I understand are in preparation in the Post Office Department at the present time to zone second- and third-class mail in cities. That still leaves the figure of $11.5 million and I would like the gentleman to explain to me where those savings will be made.

Mr. CANFIELD. I cannot explain just where those savings will be made, and I agree with the distinguished gentleman from Virginia; and, Mr. Speaker, every member of our subcommittee thought a request of $3,341,500,000 by the Post Office Department for the fiscal year 1958, that Department headed by Postmaster General Summerfield could absorb those extra costs; and I do not think there will be any trouble on the part of the team doing that job.

Mr. LAIRD. Mr. Speaker, will the gentleman yield further?

Mr. CANFIELD. I yield.

Mr. LAIRD. I have two wires here, one from the Wisconsin Daily Press and another from the publisher of the Milwaukee Sentinel, in Milwaukee, in which they allude to the proposed orders of Postmaster General Summerfield to curtail Saturday mail deliveries. I am at a loss to understand why such information ever reached such reliable people as these editors in Wisconsin; where could they have received such information?

Mr. CANFIELD. I know of no such orders.

I think the gentleman from Virginia was very forthright on that point. Our committee has in no sense mandated the Postmaster General to effect such cuts, and there is no reason under the sun why he is obliged to effect serious curtailments under this bill. If he got a bad press in some places that is unfortunate. He was deserving of better treatment because he wants the postal patrons of our country to have the best possible service.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to my friend from California.

Mr. BALDWIN. On the question originally raised by the gentleman from Colorado, does not the record still show that the request received by Congress from the Post Office Department was for $149,500,000? And that the House Committee on Appropriations, not the Postmaster General had cut it by the sum of $16,500,000? I think the record should be clear on that.

Mr. CANFIELD. True, but let me tell the gentleman from California that the subcommittee of the Appropriations Committee—the gentleman will recall—when the Treasury-Post Office bill was before us last February, unfortunately the first key bill to come before us, slashed that bill. The House cut that bill $58 million, and the Senate sustained that cut. That is the way the bill went to the President and he reluctantly was forced to sign the bill, knowing as the Postmaster General did, that he would have to request supplemental funds.

In this bill under consideration we restore every cent of that $58 million cut plus $75 million additional to meet this 4 percent increase in volume throughout the country over 1957, and the extension of routes that have to be made in our cities into the suburbs, and to meet other increased costs and demands.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield further?

Mr. CANFIELD. I yield.

Mr. BALDWIN. As I understood the gentleman from Colorado he was trying to turn this around in such way where if there was any reduction necessary because of this $16,500,000 cut the reduction would be the fault of the Post Office Department and no responsibility of the Congress whatsoever; but the facts of this committee report show that the cut was made by the Committeee on Appropriations and not by the Post Office Committee.

Mr. CANFIELD. In all fairness, the cut was made by the House Appropriations Committee, every member of that committee believing that the Post Office Department could operate efficiently and properly under such funds for the fiscal year 1958.

I believe that if the gentleman from California were to call the Postmaster General to ask him how he feels about it he would say "I am perfectly satisfied, and I believe we are going to do the job the American people want us to do under these appropriation funds."

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield.

Mr. GARY. Is it not a fact that our committee approached this whole problem on the assumption that the House by its action on the supplemental appropriation bill had decided that they did not want any cuts in the postal service? We tried to agree on a figure that would not bring about any reduction in the postal service, although some of us did not agree with that position—I for one felt that some reduction would not be objectionable—but we agreed, and $133 million was the only figure that our subcommittee could unanimously agree on.

Mr. CANFIELD. That is true.

Mr. GARY. In other words, it was a case of you sacrificing some of your views, and the other members of the committee sacrificing some of theirs, so that we could bring this unanimous report to the floor.

Mr. CANFIELD. Will the gentleman agree with this statement: Outside of the zoning matter we did not in any way direct or mandate the Postmaster General to effect any curtailment in service?

Mr. GARY. We did not direct him there, but we said we could not understand why he had not done that a long while ago. If he can get by without doing that he can still do it under this bill.

Mr. CANFIELD. That is true. It was in effect an indirect request.

Mr. GARY. We said in our report we thought it should have been done a long while ago. It is $5,000,000 which can easily be saved.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

(By unanimous consent (at the request of Mr. PELLY) Mr. CANFIELD was allowed to proceed for 5 additional minutes.)

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Washington.

Mr. PELLY. Do I understand from the distinguished gentleman from New Jersey that the committee is unanimous that the salaries now paid in the Postal Department are proper and comparable to private industry in all areas of the Nation?

Mr. CANFIELD. No, the committee is not unanimous and I am sure the gentleman knows we do not have jurisdiction over the salary question.

Mr. PELLY. I understand that.

Mr. CANFIELD. That is under the jurisdiction of the House Committee on Post Office and Civil Service. I see some of the members of that committee on the floor who may be able better to answer the gentleman.

Mr. PELLY. The gentleman does not believe there would be enough money in this bill if an adjustment were made?

Mr. CANFIELD. Of course not.

Mr. PELLY. Then could I ask the gentleman to indicate as to whether or not he might not agree with me that in certain areas wages are not the same as private industry?

Mr. CANFIELD. I certainly do. That has been my position for a long time.

Mr. SIEMINSKI. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from my home State of New Jersey.

Mr. SIEMINSKI. I think it might be helpful to the gentleman from California if he had two factors in mind. First, that of the total postal budget expended,

78.4 percent goes for wages, salaries, and fringe benefits to postal employees, leaving for operations and other factors like research and development, about 23 percent of this $3 billion plus budget to operate on. It might be significant to register this added factor, that the production in pounds per man-hour in 1956 was 10.2 pounds. On the basis of first-class letters at 1 ounce each that would mean that per man-hour we were handling in 1956 163.2 letters an hour. That certainly allows this subcommittee, it seems to me, to feel with confidence that there is much room for increased efficiency without hurting people or their wages for an increase in productive efficiency in the Department.

Mr. CANFIELD. I thank the gentleman.

Mr. TEWES. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Wisconsin.

Mr. TEWES. The question which disturbed the gentleman from California and the gentleman from Colorado still bothers me. The Postmaster General requested $149 million.

Mr. CANFIELD. One hundred and forty-nine and one-half million in this supplemental: a total of $3,341,000,000 for the fiscal year 1958.

Mr. TEWES. We are awarding him $153 million, so he is still short $16.5 million. There seems to be agreement in the committee that probably $5 million of that can be absorbed in the zoning provision. But there is $11.5 million here the disposition of which is a matter of opinion and well could be the matter of disagreement between the committee and the Postmaster General so that if the Postmaster General came back here and said: "You did not give me this $11.5 million and I have to curtail Saturday service," there would still be a matter of disagreement between the committee and the Postmaster General?

Mr. CANFIELD. I talked with the Postmaster General in recent hours, and I measure my words. There is no division on this $133 million. He believes and we believe that he and his team can operate efficiently and properly on the funds we are voting today.

Mr. TEWES. Will the gentleman say that the Postmaster has agreed he will not need to curtail Saturday service if he is deprived of this $11.5 million?

Mr. CANFIELD. Yes.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Michigan, a member of the legislative Committee on Post Office and Civil Service.

Mr. CEDERBERG. We cannot definitely state at this time that the possibility may not arise for a further supplemental appropriation?

Mr. CANFIELD. I emphasized that in prefacing my remarks today; barring some unforeseen circumstances, some changes in our economy, this amount is sufficient.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield further?

Mr. CANFIELD. I yield.

Mr. CEDERBERG. When we go back and look at the history of the Department, we had about 3 years where there was money turned back to the Treasury. But historically, because of the extension of the mail service to all areas of the country and the extension of the number of people and the number of homes, we cannot pinpoint it so close, and we cannot say right now at the end of this fiscal year that we may not need an additional few million dollars, or whatever it may be.

Mr. CANFIELD. I am glad the gentleman brought up that point, because the Postmaster General, our present Postmaster General, has been so fair, so decent, so honest with the Congress of the United States. During the fiscal years 1953, 1954, and 1955, what did he do? He returned as surplus to the Treasury of the United States $236 million.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Virginia.

Mr. GARY. Is it not probable that if we, the Congress, adopt this rate-increase bill, as we should, the increased rates may cause some curtailment in the volume of mail? In that case, the volume may not be as large as now estimated for 1958, and, therefore, under this appropriation, he still may have something to turn back to the Treasury at the end of this next fiscal year?

Mr. CANFIELD. That may be so, but the testimony of the Postmaster General was that if that eventuated, and we of our subcommittee all hope it will, he did not anticipate now any great discrepancy in volume.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has again expired.

(By unanimous consent, at the request of Mr. CEDERBERG, Mr. CANFIELD was given permission to proceed for 5 additional minutes.)

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Do I understand that this appropriation has some relation to the proposed postal increase bill that is pending in the Committee on Post Office and Civil Service?

Mr. CANFIELD. No; it does not.

Mr. ROGERS of Colorado. It does not contemplate any of that at all, and whether we pass it or whether we do not, the Postmaster General, according to your statement, was satisfied that he had sufficient funds?

Mr. CANFIELD. That is true.

Mr. ROGERS of Colorado. One other question. Of course, we recognize that if the discharge petition for a postal pay increase to postal workers should secure the necessary signatures or the Committee on Post Office and Civil Service should report an increase bill for the postal workers, it would be necessary then for this committee to again reevaluate the situation and come in with a supplemental appropriation in the event that the President signed the increase to those postal workers.

Mr. CANFIELD. If that pay bill became the law of the land, our committee would find it necessary to recommend additional proper supplemental funds.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield further?

Mr. CANFIELD. I yield.

Mr. CEDERBERG. This matter of rates has nothing to do with the appropriation, because the revenues of the Department go directly to the Treasury, so the Committee on Appropriations appropriates only for the actual needs of the Department. The gentleman from Virginia said that there may be some reduction if an increase were put into effect. I think historically that really has not been quite the case, although we have not had any adequate increase recently; only third-class mail was increased the last time—there was for a short time a reduction, but then the volume went up gradually or probably even faster than it had in previous times.

Mr. CANFIELD. May I comment as to the effect of what happens when you eliminate a service by the Post Office Department. It has been suggested that we eliminate money order sales at first- and second-class offices. Now, what does that mean? The discontinuance of postal money orders at first- and second-class offices would result in a fee revenue loss of about $55 million as against a cost of $26 million that would be saved, and by eliminating that service, which many of our Members contend for today, it would increase the deficit around $26 million.

Mr. CEDERBERG. After this supplemental is concluded, what will the deficit of the Department be?

Mr. CANFIELD. The projected deficit of the Post Office Department for fiscal 1958 in terms of today is $702 million.

Mr. CEDERBERG. And the rate bill that has been proposed by our committee, if I recall correctly, will be around $400 million, so we will still be faced with a $300 million deficit and no salary increase in addition to that. I would like to say one more thing as a member of the committee. I think before any cuts are made in the service, that ought to be done in cooperation with the Committee on Appropriations and the Committee on Post Office and Civil Service. I think we have a joint responsibility there, and I think it is a mistake for the Committee on Appropriations to come in and say, "You ought to cut here, you ought to cut here, you ought to cut there." We have a legislative committee and they ought to look into that, too.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to my friend from North Carolina.

Mr. JONAS. I have been reading in the press since the trouble back in the spring, a great many editorials criticizing the Department for trying to operate a modern Post Office Department with horse-and-buggy machinery. Just for the record, I should like the gentleman to tell the House whether the Department has been engaged in any modernization program and to what extent that exists.

Mr. CANFIELD. Under this bill, for the fiscal year 1958, the Department will have between $4 million and $5 million for research and additional millions for capital modernization. It is true that we have an ancient, inadequate plant. I think there is some merit in the proposal made by a Member of the other body that before long some billions, possibly as much as $2 billion, will have to be spent to modernize our post office plant throughout the country. Currently, in the buildings that we have in our larger cities, we are cramped for space, and many do not even lend themselves to automation.

Mr. JONAS. Mr. Speaker, I understood that in Detroit, Chicago, New York, and other places, they have pilot programs under way now streamlining inter-post office operations; is that correct?

Mr. CANFIELD. That is true. And the Department expects those operations to pay off in the years ahead.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from Virginia.

Mr. GARY. Mr. Speaker, I would like to say to the gentleman that under the proposal the Department would have $4,871,000 for research and engineering, and $9,550,000 for a revised capital program.

Mr. CANFIELD. Those are the correct figures; I thank the gentleman.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mr. CANFIELD. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. Mr. Speaker, I wish to commend the gentleman from New Jersey [Mr. CANFIELD] for what has been to me a demonstration of zeal and care and intelligent action in connection with this appropriation. The gentleman has answered the questions which have been asked him in a way that has been most satisfactory and which he could do only by the close study he has given the matter. I wish also to commend the chairman of the subcommittee [Mr. GARY] who has worked in such close cooperation with the gentleman from New Jersey [Mr. CANFIELD] in this splendid work they have done and which they have presented so well to the House today.

Mr. CANFIELD. Mr. Speaker, I think the dean of our New Jersey delegation may be a little biased with reference to the gentleman from Virginia [Mr. GARY] and the gentleman now in the well of the House, but I know I speak for the gentleman from Virginia and for myself when I say we are very grateful. Now, Mr. Speaker, one other item. Reference has been made to the subject of decentralization. Let me present a bit of testimony shown on page 103 of our subcommittee hearings on this supplemental:

Mr. CANFIELD. Before the session closes I would like to get one bit of testimony on the record in answer to one question.

Among the witnesses today is Mr. Bruce of the Post Office Department. I referred to him on one occasion as "Mr. Post Office Department" because he has been down at the Department so long and he is so expert in departmental matters. Reference has been made in our discussion today to the regional program of the Department. I would like Mr. Bruce to tell us briefly what he thinks about the program of regionalization and the costs and efficiency produced as a result of that program.

Mr. BRUCE. Mr. Canfield, as you mentioned I have been with the postal service for quite a few years. That service has covered everything from Bangor to San Diego, from Lake-of-the-Woods to the Gulf of Mexico. I have had the advantage of seeing the operation of the service from, you might say, before and after, prior to the regionalization program and of course subsequent to that program. It was evident to all of us in the service, particularly those of us who were in the field at the time, that even during the depression years prior to the beginning of the war years of World War II, the Department began to get topheavy in management, that the field even then was growing beyond the point at which sound management could be exercised at a central point.

Following World War II, of course, it was very evident that we were rapidly approaching the point of diminishing returns. I think that was evident to each of us who was in the Department at the time from the voluminous backlog of correspondence that we had at that time and the difficulty we were having in trying to control the post offices, particularly those on the west coast and the outlying areas, where you simply could not get to them except through correspondence. At that time we had over 40,000 post offices, and each post office was a law unto itself. It did the best it could under the circumstances. It was quite evident that the management at the departmental level could not cope with the situation at that point.

Following decentralization, we had the usual amount of confusion that we always have in a tremendous operation of that sort. After a year or so it settled down, and it has reached the point now that we are beginning to reap the rewards of that system. The difficult part has been resolved through routine. We have centralized the financial management in the regions, where we get accurate and prompt information. We think that we are just beginning to reap the full benefits of that system.

Speaking for myself, I have reached one conclusion. Whether the exact format that we follow now will be the exact regionalization program 10 or 15 years from now I do not know. One thing I do know is that we will never again have centralized management of the postal service.

Mr. CANFIELD. Was there a time in yesteryear when there were thousands of letters at headquarters completely unattended to, completely unanswered? Is that not true?

Mr. BRUCE. Hundreds of thousands, over the years.

Mr. CANFIELD. Hundreds of thousands.

Mr. BRUCE. During the war it was absolutely hopeless.

Mr. CANFIELD. You are the best witness that the Post Office Department has on that problem, I think, and I am glad to hear you make that statement. You are from Louisiana, and the gentleman from Louisiana, Mr. Passman, has such an affection for you.

Mr. PASSMAN. Louisiana produces executives of that caliber, of course.

Mr. CANFIELD. That is all, Mr. Chairman.

Mr. SIEMINSKI. Mr. Speaker, the challenge we face in the operation of the post office is to get more and more mail to more and more people at a price they are willing to pay and to get this mail to them when they expect it.

You can mail a letter day or night anywhere in the United States rain or shine, Saturdays, Sundays, or holidays, and know that it is in safekeeping and will be on its way when expected.

You pay twice for the letter you mail, once when you buy your stamp and again when you pay your income tax to Uncle Sam. One penny of every tax dollar coming to Uncle Sam for 1957, it is estimated, will go to pay for the postal deficit. That deficit will amount to over $500 million. In 1958, the deficit might be over $700 million. This in spite of the $133 million we vote the post office in this supplemental bill today.

Either postal rates will be raised to meet the deficit, or there will be a realization and an acceptance by our citizens that more and more of their annual tax dollar to Uncle Sam will be used to get the mails through. One penny of every tax dollar collected by Uncle Sam now goes to make the post office break even.

It should be clear that we are not borrowing money at interest to meet the postal deficit year after year. It does not put the Government further into debt. The postal deficit does not add to our national debt as I understand it. We do not have to go out and borrow money to tide the post office over from year to year. The people meet this deficit in their annual taxes to Uncle Sam. One penny of every tax dollar collected in 1957 will go to meet the 1957 postal deficit, as I understand it.

I have labored at length on this point, Mr. Speaker, lest those who clamor for an increase in postal rates forget one point; and that is that if postal rates are raised to meet postal deficits, that the penny or two out of every tax dollar now or about to be used to meet the postal deficit be specifically earmarked and used to reduce taxes or to reduce the national debt, and thus the interest on the national debt.

It seems to me that it would be unfair to raise postal rates to meet the postal deficit and not give the penny or two out of every tax dollar now used to cover the deficit back to the people. To raise rates without doing this would make Congress guilty of the old shell game.

Above, in my remarks directed for the benefit of the gentleman from California, certain data were cited. For example, I said that in 1956, the Post Office handled 10.2 pounds per paid man-hour. That means that in 1956, according to the figures furnished me, in fiscal 1956, the Post Office handled 10,928,906,050 pounds of mail in 1,069,120,000 man-hours. This comes to some 10.2 pounds per man-hour. Assuming every first-class letter weighs 1 ounce, I further said above, that on this volume, it meant 163.2 letters were handled per man-hour.

For fiscal 1957, it is estimated 1,098,240,000 man-hours will have been used. No estimate by weight in pounds is yet available. But we do know that in fiscal 1957 we will have used 29,120,000 more man-hours than in 1956. It will be interesting to see how 1957 pounds per man-hour change over 1956.

The question is, Will this knowledge help the Post Office better gage its request for funds and enable the Congress more readily to meet its request? I hope so.

To what extent these added ratios contribute to our all around confidence in voting postal appropriations in the future, I do not know. But I hope they help. For example, in Life magazine, in an April 1957 issue, an editorial commented on the President's 1958 budget. It said that the $71.8 billion budget, though the highest in peacetime history,

was only 16 percent of the gross national product. It has been as high as 20 percent. Further, our national debt had gone down to 50 percent of our national income. What about Post Office figures?

The estimated 1958 Post Office expenditure budget is seven-tenths of 1 percent of the gross national product. And it is 4 to 5 percent of the total $71.8 billion budget. Nine other Cabinet officials swallow up the other 95 percent of the budget.

And, of course, 78.4 percent of the postal budget, as I said above, goes to employees' wages, salaries, and fringe benefits. That leaves 21.6 percent for the Postmaster General to use for other factors. It would seem that this is a most unique ratio. The challenge is terrific. Good luck, General.

Mr. GARY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BOLLING). The question is on engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read the third time and was read the third time.

The SPEAKER pro tempore. The question is on passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. GARY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks on the joint resolution just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

CONGRESSIONAL REVIEW OF ATOMIC POWER PROGRAM

Mr. DURHAM. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 7992) to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The Clerk read the title of the bill.

Mr. DURHAM. Mr. Speaker, I withdraw my motion, and instead move to suspend the rules and pass the bill (S. 2243) to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That section 261 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 261. APPROPRIATIONS.—

"a. There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this act, except—

"(1) Such as may be necessary for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction or expansion: *Provided*, That for the purposes of this subsection a., any nonmilitary experimental reactor which is designed to produce more than 10,000 thermal kilowatts of heat (except for intermittent excursions) or which is designed to be used in the production of electric power shall be deemed to be a facility.

"(2) Such as may be necessary to carry out cooperative programs with persons for the development and construction of reactors for the demonstration of their use, in whole or in part, in the production of electric power or process heat, or for propulsion, or solely or principally for the commercial provision of byproduct material, irradiation, or other special services, for civilian use, by arrangements (including contracts, agreements, and loans) or amendments thereto, providing for the payment of funds, the rendering of services, and the undertaking of research and development without full reimbursement, the waiver of charges accompanying such arrangement, or the provision by the Commission of any other financial assistance pursuant to such arrangement, or which involves the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion undertaken by the Commission as a part of such arrangements.

"b. The acts appropriating such sums may appropriate specified portions thereof to be accounted for upon the certification of the Commission only."

SEC. 2. The Atomic Energy Act of 1954, as amended, is amended by adding a new section 58 with appropriate amendment to the table of contents, as follows:

"SEC. 58. Review: Before the Commission establishes any fair price or guaranteed fair price period in accordance with the provisions of section 56, or establishes any criteria for the waiver of any charge for the use of special nuclear material licensed or distributed under section 53 the proposed fair price, guaranteed fair price period, or criteria for the waiver of such charge shall be submitted to the Joint Committee, and a period of 45 days shall elapse while Congress is in session (in computing such 45 days there shall be excluded the days in which either House is not in session because of adjournment for more than 3 days): *Provided, however*, That the joint committee, after having received the proposed fair price, guaranteed fair price period, or criteria for the waiver of such charge, may by resolution waive the conditions of or all or any portion of such 45 day period."

The SPEAKER pro tempore (Mr. MCCORMACK). Is a second demanded?

Mr. COLE. Mr. Speaker, I demand a second. I assume the Senate bill, S. 2243, to which the gentleman's motion is now directed, is identical with the House bill?

Mr. DURHAM. The gentleman is correct.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DURHAM. Mr. Speaker, the bill, S. 2243, amends the Atomic Energy Act of 1954 by amending section 261 concerning authorization of appropriations and providing a new section 58 concerning Congressional review of Atomic Energy Commission determinations which affect the civilian reactor power program.

I may say this measure was very carefully drafted after a long series of meetings between the Commission and the committee. The bill has the unanimous approval of the joint committee, both Republican and Democratic members alike.

The Atomic Energy Commission has indicated that it will comply with the provisions of the bill in submitting its annual request for authorization.

From 1946 up until the 1954 act the Atomic Energy Commission had blanket authorization to come to the Appropriations Committee and secure its operating funds.

At that time the Joint Committee placed section 261—which is the authorizing section—in the 1954 act. This required the Commission to get authorization for the construction or acquisition of certain projects. S. 2243 amends 261 and further broadens the control of Congress over authorizations. In my opinion, the Commission has, of course, done an excellent job over these many years, but I think it is always best for the Congress as far as possible to keep its control over authorizations.

We had the same situation when we set up the NACA which operated for many, many years without specific authorization legislation because of the fact that most of its equipment, such as wind tunnels, was complicated. A few years ago we adopted a plan to have the NACA obtain specific authorizations. The Commission's position is somewhat similar to that situation because it, too, is technical. In most of the reactors that we deal with it is difficult to separate out the Commission's research which goes into the development of a power program for this country by private enterprise. This bill, in effect, I think gives Congress better control over the cooperative arrangements of the Commission. The gentleman from California [Mr. HOLIFIELD] who is chairman of the subcommittee on legislation handling this bill is very familiar with it and so is the gentleman from New York [Mr. COLE].

Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, I do not know whether it is necessary to take 5 minutes at this time. We have spent several weeks working over this language and holding hearings on the provisions of this bill. Very briefly, the purpose of this bill is to regain control over an area of projects which have heretofore been handled by the Atomic Energy Commission on the basis of broad authorization language contained in the act of 1954. The Atomic Energy Commission took the position that this broad authorization language for reasearch and development activities authorized them to go ahead and make cooperative contracts for the building of reactors with both cooperative groups and private industry groups.

Some few weeks ago the chairman of the Committee on Appropriations arose on the floor and made a speech. He pointed out certain areas where in his opinion the original act did not authorize these specific arrangements. He also thought the act did not authorize the waiver of fuel costs of these experimental reactors which are, in effect, a loan of fissionable material to place in these experimental reactors. We have carefully drawn this bill so that both present and future projects will be outlined in the line item authorization bill, which is to be considered within a few days. The Atomic Energy Committee will go

over each one of those items very carefully and, if we feel they are justified, we will authorize them. If we feel they are not justified, we will have the privilege of striking out the request from the Atomic Energy Commission. That is as plainly as I can explain that part of it.

Another part of the bill provides that the Joint Committee is to see any general price schedule before the schedule becomes effective for the production of special nuclear materials in these reactors. Special nuclear material is made in some of these reactors. Since the original act places title to that material in the United States Government it is mandatory that we take charge of this material.

A schedule of prices will be publicized in the Federal Register for this material which is made in a privately owned reactor or in a reactor under some type of special arrangement with the Commission under contract. Heretofore this has occurred without any consultation with the Congress. In the future all such schedules of fair prices for the repurchase of material or the waiver of rental price of this material which will be used in experimental reactors will come to the joint committee for thorough scrutiny and will lie before the joint committee for 45 days before it becomes effective.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. GROSS. As I understand, this gives the committee a long overdue authority to scrutinize expenditures for the purposes contained in this bill; is that correct?

Mr. HOLIFIELD. That is exactly right.

Mr. GROSS. May I ask the gentleman another question?

Do the expenditures under the terms of this bill apply strictly to reactors constructed in this country?

Mr. HOLIFIELD. As I understand, this applies to reactors constructed in this country, research reactors which are not plutonium producing as such but are for medical or research purposes and already authorized under the law. We have had some of these small research reactors located in foreign countries. We had one at the Geneva Conference.

Mr. GROSS. This applies to any reactor built with AEC funds, whether it is in this country or some other country.

Mr. HOLIFIELD. I was going to continue to say that we are furnishing special nuclear material to run these medicinal- and research-type reactors in one or two instances now.

Yes, if any reactor is going to be built in a foreign country with AEC funds in the future which uses this material they would have to come to us for authorization.

Mr. GROSS. My concern is this: The gentleman well knows that the other body last week, or the week before, adopted a statute providing for an international atomic agency, I believe.

Mr. HOLIFIELD. Yes.

Mr. GROSS. Is that correct?

Mr. HOLIFIELD. That is right.

Mr. GROSS. Do the provisions of this bill relate in any way to control with respect to that statute?

Mr. HOLIFIELD. In my judgment that statute is a treaty, and the House has nothing to do with it. It was approved in the other body, and this has no direct relationship to that, so far as I know.

Mr. GROSS. May I ask the gentleman where they will obtain the money to carry out the provisions of that treaty, or agreement, statute, call it what you will? Where will they obtain the money to finance the projects contemplated under that?

Mr. HOLIFIELD. Any money that is used must come from the Congress.

Mr. DURHAM. It comes from the participating funds of the nations involved.

Mr. HOLIFIELD. Yes; but our own particular part would have to come from the Congress.

Mr. GROSS. Of course, the United States would put up some participating funds, would it not?

Mr. DURHAM. I imagine so.

Mr. GROSS. Under the terms of the pending bill the committee will have no control over those funds. Is that correct?

Mr. DURHAM. The bill before us has nothing directly to do with the general appropriations for the agency. Some participating legislation will be needed to supplement the international treaty.

Mr. GROSS. My hope was that we would find some control in this bill over those funds, because I think there are some very serious deficiencies in the statute passed by the other body creating the international atomic agency.

Mr. COLE. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from New York.

Mr. COLE. On the point that has been raised by the gentleman from Iowa, if it should develop at a later time the Atomic Energy Commission desires to participate in some special project under the sponsorship of the international agency whatever funds the Atomic Energy Commission may desire to use for that project will have to follow the same route which is provided in the terms of the pending bill with respect to domestic projects.

Mr. HOLIFIELD. They would have to have authorization.

Mr. COLE. They would have to come to the joint committee and apply to the joint committee before funds could be appropriated for that purpose.

Mr. HOLIFIELD. I thank the gentleman.

Mr. COLE. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, as has been pointed out, this bill is necessary in order to resolve a dispute which has arisen in respect to the authority of the Atomic Energy Commission to obtain public funds by way of appropriation without those funds having been previously authorized expressly by statute. Originally, the Commission had blanket authority to seek and obtain appropriations for whatever purpose it desired. The joint committee had no responsibility with respect to the appropriation of funds except to keep itself informed as to what is going on. In 1954 when the act was changed, the committee inserted a provision in the act which continues the general authorization within the Commission to have appropriations for whatever purposes it might want, with the exception that funds needed for a Commission plant or facility or project would have to be specifically authorized.

A question has arisen as to whether this was intended without limitation to also apply to projects in which the Commission might have some participating action or relationship. The Commission has argued that its procedure with respect to appropriations in the past has been completely in compliance with the Atomic Energy Act of 1954. Personally, I am not in disagreement with that interpretation. However, some question has arisen, and, in order to resolve this dispute and properly to give the joint committee greater responsibility for the appropriation of funds than it has in the past, this bill seems to be advisable at this time.

Mr. Speaker, I ask unanimous consent to insert at this point, following my remarks, the opinion on this question of interpretation of the law which has been submitted and prepared by counsel for the Atomic Energy Commission, Mr. William Mitchell, who, may I say, in my opinion, has done a remarkable job in helping the joint committee initially in revising the atomic-energy law, which in itself was quite a substantial and monumental task, and more particularly for his part in interpreting and guiding the work of the Commission in connection with the interpretation of the intent and purposes of the provisions of that law. His counsel has been both sound and enlightened, and I deeply regret that he has found it necessary to leave the Commission both for reasons of health and salary. He has done a remarkable job for the Commission and will be greatly missed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The statement referred to follows:

COMMENTS ON STATEMENT OF CONGRESSMAN CANNON, APRIL 16, 1957, CONGRESSIONAL RECORD, PAGES 5790–5802

I. INTRODUCTORY

These comments are addressed only to the assertions, in Mr. CANNON's statement, that the Atomic Energy Commission and, in some instances the Joint Committee on Atomic Energy, have acted in contravention of law. Those assertions are twofold. Mr. CANNON states (1) that "the Commission's atomic electric power program is in some respects in contravention of the law," and (2) that the program "must be specifically authorized in its entirety." Before considering the specific legal issues raised by Mr. CANNON, it is appropriate to set forth the statutory basis for the Commission's program for the development and demonstration of atomic electric power and the extent to which it has been reviewed in the Congress.

A. Statutory basis

Section 31 of the Atomic Energy Act directs the Commission "to exercise its powers in such manner as to insure the continuing conduct of the research and development activities in the fields specified below, by private or public institutions or persons," and authorizes and directs the Commission "to make arrangements (including contracts,

agreements, and loans) for the conduct of research and development activities" relating to those fields. One of the specified fields is "the utilization of special nuclear material, [and] atomic energy, * * * for all other purposes, including industrial uses, the generation of usable energy, and the demonstration of the practical value of utilization or production facilities for industrial or commercial purposes." Thus, the Commission is authorized and directed by the Congress to "make arrangements" for the conduct of research and development activities relating to the generation of electric energy and the demonstration of the practical value of nuclear means for such generation. The contemplated arrangements are such as will insure the continued conduct of research and development activities in this area by private or public institutions.

This grant of authority is designed to implement the purposes stated in section 3 of the Atomic Energy Act of providing—

"(a) a program of conducting, assisting, and fostering research and development in order to encourage maximum scientific and industrial progress; and * * *.

* * * * *

"(d) a program to encourage widespread participation in the development and utilization of atomic energy for peaceful purposes to the maximum extent consistent with the common defense and security and with the health and safety of the public."

The policies underlying these provisions are clearly expressed in the following passages in the reports of the Joint Committee on Atomic Energy on the bill which became the Atomic Energy Act of 1954:

"Many technological problems remain to be solved before widespread atomic power, at competitive prices, is a reality. It is clear to us that continued Government research and development, using Government funds, will be indispensable to a speedy and resolute attack on these problems. It is equally clear to us, however, that the goal of atomic power at competitive prices will be reached more quickly if private enterprise, using private funds, is now encouraged to play a far larger role in the development of atomic power than is permitted under existing legislation. In particular, we do not believe that any developmental program carried out solely under governmental auspices, no matter how efficient it may be, can substitute for the cost cutting and other incentives of free and competitive enterprise."

* * * * *

"We do not believe that the efforts of free enterprise, using its own resources and moneys, are by themselves adequate to achieve the speediest possible attack on the goal of peacetime power. Neither do we believe that maximum progress toward this objective will be afforded by an effort relying exclusively on governmental research and development, using the public's moneys. We believe, rather, that teamwork between Government and industry—teamwork of the type encouraged by these amendments—is the key to optimum progress, efficiency, and economy in this area of atomic endeavor. In other words, our legislative proposals aim at encouraging flourishing research and development programs under both Government and private auspices." (H. Rept. No. 2181, S. Rept. No. 1699, 83d Cong., 2d sess., pp. 3, 9.)

Consistently with this authority and these objectives, the Commission has sought to make arrangements both for the conduct of Government research and development activities and for the encouragement and assistance of private research and development activities, all looking toward the demonstration of the practical usefulness of nuclear means of generating electric energy. In doing so it has sought so far as practicable to bring to bear on the difficult developmental problems "the cost cutting and other incentives of free and competitive enterprise." It has aimed at relieving the burden on the Federal Treasury by encouraging the maximum contribution of non-Government funds toward the achievement of a common goal in a spirit of teamwork between Government and industry.

All of the activities which Mr. Cannon has characterized as the Commission's electric power program constitute research and development activities within the scope of section 31. They attempt by various means to make arrangements for the construction and operation of developmental plants which will serve to demonstrate the practical usefulness of nuclear means of generation of electric energy. While in many cases the technical feasibility of the plants is established, the economic feasibility remains to be established. Indeed, in general, it is expected that the plants now being built will not prove economically competitive with conventional means of generation, but that the experience in constructing and operating them will lead to further improvements which will make possible in 5 or 10 years the accomplishment of the goal of peacetime power.

B. Congressional review of the program

As Mr. Cannon points out, the Nation's program for development of electric power may be divided into three parts:

1. The Commission's experimental program: This program was instituted prior to the enactment of the Atomic Energy Act and has been continued and expanded ever since. It presently involves the construction and operation, with Government funds, of one full-sized power demonstration reactor (the Shippingport PWR), and numerous reactor experiments, critical assemblies, test reactors, and other facilities important to the development of atomic electric power. With the exception of the Shippingport reactor, which was authorized prior to the enactment of the Atomic Energy Act of 1954, this program does not presently include full-scale demonstration reactors, although the Commission has announced its intention of seeking authorization for such reactors if it determines that a particular type of reactor is at a technological stage warranting construction of a demonstration reactor and no acceptable nongovernmental proposal to build such a reactor has been obtained.

2. The power demonstration reactor program: This program is based on cooperation between the Commission and publicly, cooperatively, or privately owned sponsors, with each bearing a portion of the cost of a demonstration reactor. Three public invitations for proposals have been issued, dated January 10, 1955, September 21, 1955, and January 7, 1957, offering varying degrees of Government assistance. Two contracts have been executed with private utility organizations, calling for Government assistance by waiving fuel-use charges and bearing the cost of certain specifically identified research and development; the entire cost of construction and operation of the reactor and turbine generator will be borne by the proposer. Contracts with five publicly or cooperatively owned proposers are in negotiation; these proposals contemplate that the Commission will waive fuel-use charges, bear the cost of identified research and development, bear a major part or all of the cost of construction of the reactor, and in some instances make contributions toward operating costs. In each of these cases the reactor will be owned by the Commission and will not be a licensed facility. Additional proposals are anticipated. In each case under this program the Commission will receive, and may disseminate publicly, full technical and economic reports on the project, and will retain appropriate patent rights.

3. The private industrial program: Under this program no part of the cost of the project will be borne by the Federal Government, and the proposers will retain full rights to patents and information except such as may be required for regulatory purposes under the licensing provisions of the Atomic Energy Act. Three construction permits have been issued for power reactors under this program.

As required by the Atomic Energy Act, the Commission has reported to the Congress, both currently and periodically, its actions and policies in respect to these three programs. They were the subject of detailed presentations and discussion at the annual hearings before the Joint Committee on Atomic Energy on the Growth, State, and Development of the Atomic Energy Industry in 1955 (pp. 90–106, 152–192), 1956 (pp. 15–32, 78–80), and 1957 (transcript, pp. 28–33, 45–171, 452–651 passim, 1189–1225); in hearings before the joint committee on authorizing legislation in 1955 (pp. 48–59); and in hearings before the Appropriations Committees of both Houses. Hearings on Public Works appropriations, 1956 (operating expenses), House, pages 361–362, 388–391, 394–402, 403, 406, 407; Senate, pages 19–22. Hearings on the supplemental appropriation bill, 1956 (plant and equipment), House, pages 960, 964, 985, 990, 992; Senate, pages 679, 684. Hearings on second supplemental appropriation bill 1957, House, pages 9–11, 114, 145–149, 299, 307; Senate, pages 62–68.

The following funds have been appropriated, since enactment of the Atomic Energy Act of 1954, for purposes of the Commission's atomic electric power programs:

	Fiscal year 1956	Fiscal year 1957
Plant and equipment	$39,850,000	$15,000,000
Operating	55,430,000	63,156,000
Total	95,280,000	78,156,000

The foregoing programs were again extensively reviewed in hearings at the 84th Congress on proposed legislation, introduced by Senator Gore and Congressman Holifield, to accelerate the civilian atom-power program. Hearings before the Joint Committee on Atomic Energy on Proposed Legislation for Accelerating Civilian Reactor Program, S. 2725 and H. R. 10805. In its reports on these bills (S. Rept. 2390, H. Rept. 2622, 84th Cong., 2d sess.), the Joint Committee on Atomic Energy summarized (pp. 4, 7–11) the projects for the construction of prototype reactors which were currently under way or in contemplation under all these programs. Its report emphasized (p. 11) that the program contemplated by the proposed legislation "is entirely supplementary to, and is in no way intended to curtail, the existing programs and projects of the Commission."

Each of the two contracts which have been executed pursuant to the power demonstration program has been the subject of review by the Comptroller General. On February 19, 1957, the Comptroller General transmitted to the chairman of the Joint Committee on Atomic Energy, the President of the Senate, and the Speaker of the House of Representatives, a Report on Review of Atomic Energy Commission Contract No. AT (30–3)–222 with Yankee Atomic Electric Co. The report reviews the AEC power-demonstration reactor program generally (pp. 10–13) and comments in detail on certain provisions of the Yankee contract. The report nowhere contains any suggestion that either the power-demonstration reactor program or any of the provisions of the Yankee contract are in contravention of law. It makes certain recommendations, with respect to the Yankee arrangements and future negotiations of similar contracts, adoption of which in the view of the Comptroller

General would be desirable (pp. 1, 8–9). This report was extensively discussed before the joint committee at the hearings on the Growth, State, and Development of the Atomic Energy Industry on March 5, 1957 (transcript pp. 1189–1224). Subsequently on March 22, 1957, the Comptroller General addressed to the Chairman of the Commission a letter, based on review of the proposed PRDC contract, advising that inclusion of a provision for audit by the Comptroller General was not necessary and making certain other recommendations all of which were carried out in the executed contract.

II. THE COMMISSION'S ATOMIC-ELECTRIC-POWER PROGRAM IS SPECIFICALLY AUTHORIZED BY THE ATOMIC ENERGY ACT OF 1954 AND IS NOT IN CONTRAVENTION OF LAW

Mr. Cannon's assertion that the Commission's atomic-electric-power program is in contravention of law is said to be based on "11 separate provisions of the act"—section 261 of the act, which will be discussed later, and sections 169, 104b, 11q, 31, 32, 33, 53, 105, 152, and 159 (Congressional Record, April 16, 1957, p. 5792). We shall discuss those sections in turn in this part.

Section 169: The principal issue is raised by the assertion that the Commission has misinterpreted the limitations of section 169, the so-called "no subsidy" section (Congressional Record, pp. 5792, 5793, 5797). Section 169 states:

"No funds of the Commission shall be employed in the construction or operation of facilities licensed under section 103 or 104 except under contract or other arrangement entered into pursuant to section 31."

On its face, this language appears to mean that by contract or other arrangement under section 31 for the conduct of research and development, and in return for an appropriate consideration to the Government, the Commission can lawfully contribute funds to the construction and operation of a licensed facility. Nothing in the text of section 169 or of sections 31 or 104 purports to limit the Commission's authority to enter into research and development arrangements in connection with licensed facilities to cases in which an operating license had been issued. On the contrary, section 31 confers general authority on the Commission to enter into such arrangements with private or public institutions or persons, and section 169, if it can be read as a limitation on this authority at all, does not purport to restrict the point in time at which the contract or arrangement can be entered into, but merely to limit the extent to which funds paid by the Commission can be used to pay construction and operation expenses. Indeed, the lumping of construction and operating expenses in the same phrase appears to preclude any distinction based on the time of completion of construction and receipt of an operating license.

Nothing in the committee hearings, reports, and debates on the 1954 act appears to require a more restrictive interpretation of section 169 than that above stated. Accordingly, the Commission in its first invitation for power-demonstration proposals offered to enter into contracts under section 31 under which the amounts paid by the Commission for the information derived from the project could be used for development, fabrication, and experimental operation.

At the hearings before the Joint Committee on Atomic Energy on the growth, state, and development of the atomic energy industry (1955), conflicting interpretations of this section were expressed by members of the committee.

Congressman Cole and Senator Anderson both expressed, in the passages quoted by Mr. Cannon and elsewhere, the view that the Commission had misinterpreted section 169 and that the only thing intended to be authorized by the "except" clause of section 169 was a contract for specific research and development entered into subsequent to the completion of construction of a licensed reactor. On the other hand, Congressman Holifield, to whom Mr. Cole referred as having suggested the inclusion of section 169 in the act (p. 173), disagreed with the interpretation stated by Mr. Cole and Senator Anderson and stated:

"Mr. Chairman, I want to interrupt here to say that I think the Commission was wisely and completely in accord with the law in this line of reasoning. I cannot see how they can be condemned for proceeding as they have proceeded in this particular instance" (p. 169; see also pp. 173–4, 175).

Senator Hickenlooper stated that he was "in agreement with Mr. Holifield on his legal pronouncements here" and "sorry to disagree with our esteemed chairman and our esteemed former chairman" (p. 175). He added:

"As I read section 169, it plainly says that the funds of the Commission can be used—putting it in a different order—in the construction or operation of facilities licensed under section 103 or 104 if they are used in pursuance of section 31 but not any other section" (p. 176).

No other members of the joint committee expressed themselves on the point.

It may also be noted that during this discussion Mr. Cole observed that "I am sure the Commission had no intention to deliberately circumvent the provision of section 169 * * * I can see that there is a misunderstanding and it is not clear" (pp. 160–161). Senator Anderson added, "I agree with Mr. Cole that we are not trying to accuse people of deliberately flouting the law" (p. 161).

Faced with this direct disagreement among members of the joint committee as to their understanding of the meaning and intent of section 169, the Commission, as a matter of policy, adopted an intermediate position. The 1955 authorization bill included an item of $25 million for power reactor acceleration. At hearings in May 1955 before the joint committee on authorizing legislation, the Commission stated its intention to use this money for "work in joint ventures with industry," as well as projects financed wholly by the Commission (p. 48). Its general counsel emphasized, however, that the Commission would not "grant money to the contractor to be expended by him for something to which he would retain title" (p. 50), and agreed that, under the Commission's interpretation, "if any such research assistance involves capital items that the title to those items must be in the Government" (p. 57).

The report of the joint committee on the authorizing legislation, Senate Report No. 438, House Report No. 787, 84th Congress, 1st session, stated:

"It is the intention of the joint committee that no funds authorized to be appropriated under this act shall be used to provide subsidy to private companies or in any way contrary to the force or intent of section 169 of the Atomic Energy Act of 1954" (p. 7).

It further characterized in general terms the intent of section 169 to prevent subsidy of the "construction or operation" of "reactors owned by licensees." It did not refer to or comment on the policy, which the Commission had stated at the hearings, of contracting for the support of separately identified research and development in connection with licensed reactors or of providing construction funds for and taking title to demonstration reactors.

In its application of the policy expressed at the 1955 authorization hearings, the Commission has followed, as appropriate, either of two courses of action:

(a) In cases where the facility will be a licensed facility and section 169 is applicable, it will, in addition to waiving fuel use charges, support specifically described research and development programs. It has also offered, in its third invitation, to consider requests for research and development assistance in recognition of exigencies relating to the experimental nature of the projects, such as examining causes of fuel element failure and other experimental operations. No part of the funds paid by the Commission may be used to defray the costs of construction or of normal operation.

Examples of this course of action are afforded by the Yankee and PRDC contracts. The only Commission payments called for by these contracts are for research and development which, whether performed in Commission or private facilities, is specifically identified in appendices to the contracts and is to be performed under contractual arrangements which give the Commission full administrative and financial controls over the funds expended, thereby enabling it to insure that they are in fact expended for specific research and development within the approved programs and for no other purpose. In neither case will Commission funds be employed in the construction or operation of the reactor.

(b) The Commission will also finance part or all of the construction of the reactor and take title to the entire reactor. In this case the reactor is a Commission facility and not a licensed facility; section 169 has no application; and the energy produced in the facility is required to be distributed in accordance with the preference provisions of section 44 of the act. Arrangements of this type are being negotiated with Consumers Public Power District and with four proposers under the second invitation. No such assistance is offered by the third invitation.

It may be noted that under neither of these courses of action does the Commission propose to make "cash grants." Its assistance is in the form of waivers of charges and of an undertaking to pay the actual costs of certain work. In each case it reserves sufficient administrative and financial controls—as it has in the Yankee and PRDC contracts—to ensure that its payments are used only to defray those costs which it has undertaken to defray and are not diverted to other purposes.

This distinction was clearly expressed by Congressman Cole during the 1957 hearings before the Joint Committee on the Growth, State, and Development of the Atomic Energy Industry. In discussing the scope of Commission assistance to licensed projects and the possible effect of section 169 as a deterrent to progress with such projects, he there stated:

"As it stands now, the commission may participat in any of these developmental projects by way of research contract under another authority of the law, but the commission is prohibited from making an outright subsidy of so much money and having it publicized as an outright gift given by the commission to the project for the sole purpose of proving out the concept of furthering development." (Transcript, p. 497).

The Commission's policies relating to the power demonstration reactor program have been fully explained to the Joint Committee on Atomic Energy and to the appropriation committees. In the light of its understanding of them, the joint committee, in its report on the Gore bill, referred with apparent approval to the actions currently being taken by the Commission under the power demonstration reactor program, and emphasized that the legislation which it was proposing was "in no way intended to curtail the existing programs and projects of the Commission."

Thus, it appears that the text of section 169 on its face authorized direct Commission contributions to the construction and operation of licensed reactors provided such contributions were made and supportable under a contract for research and development pursuant to section 31 of the act. Nothing

doing so it has sought so far as practicable

project, and will retain appropriate patent rights.

ture negotiations of similar contracts, adoption of which in the view of the Comptroller

169 was a contract for specific research and

search and development programs. It has

pursuant to section 31 of the act. Nothing

in the legislative history of the Atomic Energy Act of 1954, as disclosed in the public hearings, reports and debates, indicated that any different interpretation was intended. Nevertheless, in deference to the expressed views of the chairman and former chairman of the joint committee, and notwithstanding the public disagreement of other committee members with those views, the Commission has, as a matter of policy, adopted a more limited position. Its position and actions have been fully reported and explained to cognizant committees of the Congress in connection both with general hearings and with requests for appropriations, which the Congress granted, to enable the Commission to carry out its power demonstration reactor program. In the light of these circumstances, the assertion that the Commission has disregarded the requirements of section 169 is not supportable.

Section 104b: Mr. CANNON's only references to this section are in connection with the argument which centers on section 169 and which has been discussed at length under that section.

Section 11q: This section defines research and development as including "the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes * * *." It thus makes clear that all of the reactor projects comprised in the Commission's electric power program, including both the experimental reactors which the Commission is constructing and the demonstration reactors being or to be constructed by both the Commission and nongovernment groups, constitute research and development within the meaning of section 31.

Section 31a (4) and b: Mr. CANNON's references to section 31a (a) are in connection with the argument centered on, and which we have discussed under section 169. Mr. CANNON also asserts (CONGRESSIONAL RECORD, p. 5793), without stating his reasons, that the Commission has misinterpreted the authority of section 31b (now renumbered 31c)—to make arrangements without regard to the provisions of Revised Statutes, section 3709—the competitive bidding statute. Section 31c permits arrangements to be made without formal advertising by competitive bid upon certification by the Commission that advertising is not reasonably practicable. Since the Commission's objective was to assist any project which offered a promising approach toward the achievement of competitive nuclear power, and since it was not feasible or desirable to write rigid specifications for projects of such a nature, it was obviously not practicable to proceed on a basis of formal advertising and fixed price competitive bids. However, each of the power demonstration projects was approved after a comparative evaluation of proposals received in response to public invitation.

Section 32: Section 32 (referred to by Mr. CANNON at CONGRESSIONAL RECORD, p. 5793) authorizes and directs the Commission to perform in its own facilities certain research and development activities. It nowhere detracts, however, from the force of sections 31 and 33 which authorize the Commission to arrange for the performance of research and development by private organizations either in their own or in Commission facilities. Hence, the question is whether sections 31 and 33 authorize the arrangements which the Commission has made and contemplates making.

Section 33: Mr. CANNON asserts (CONGRESSIONAL RECORD, pp. 5793, 5797) that the provisions in power demonstration arrangements for performance of research and development in Commission facilities without charge violate the intent of section 33 of the act. That section authorizes the Commission to conduct for others through its own facilities certain research and development activities and provides, "The Commission is authorized to determine and make such charges as in its discretion may be desirable for the conduct of such activities and studies." This authority to make such charges as in its discretion may be desirable cannot be read as a direction to impose charges. The Commission's offer to waive charges for research and development thus performed in Commission facilities was consistent with its offer to pay the cost of research and development performed in private facilities. That is, since the Commission was prepared to reimburse the cost of research and development which it agreed to be necessary, it could appropriately waive the charge for work performed in its own facilities, rather than collect it with one hand and reimburse the company with the other. It should be noted, also, that under the executed and contemplated power demonstration contracts the Commission will receive full rights to all information concerning the research and development work, the cost of which it is defraying through reimbursement or waiver, and to all patent rights in the atomic energy field resulting from such work. Thus, this information and these patent rights will be available for the public benefit.

Section 52: While section 52 is not referred to in Mr. CANNON's enumeration, Mr. CANNON asserts (CONGRESSIONAL RECORD, p. 5798) that the PRDC contract is in contravention of this section. This assertion is based on the last sentence of section 52, which requires the Commission to pay a fair price to any person who produces special nuclear material except pursuant to a contract with the Commission under sections 31 or 41. Nothing in this sentence precludes paying a fair price for special nuclear material produced by a contractor. Moreover, it is doubtful whether the special nuclear material will be produced pursuant to a contract under section 31. The contract merely obligates the contractor to furnish information; it does not require delivery to the Commission of special nuclear material produced. Finally, since the Yankee and PRDC reactors are licensed reactors, the provision of section 56 that the fair price, as may be determined by the Commission, shall apply to all licensed producers of the same material would appear to require that a fair price be paid.

Mr. CANNON also states that "the Commission is proposing to pay the [PRDC] group 3 to 4 times its own established fuel value." There are several inaccuracies in this statement. The PRDC contract nowhere contains any commitment on the part of the Government to pay any price for plutonium; the Government's commitments in this regard are established by the guaranteed fair prices which it has established pursuant to section 56 of the act and which are applicable uniformly to all licensees. In fact, the Commission has made no commitment of any kind with respect to a price to be paid beyond June 30, 1963. It has established:

(a) A guaranteed price schedule for plutonium delivered on or prior to June 30, 1962. This schedule is classified.

(b) A guaranteed price of $12 per gram for plutonium delivered between June 30, 1962, and June 30, 1963. This price is declared to be based on the fuel value of plutonium.

The figure of $48.6 million for plutonium referred to by Mr. CANNON has been used by the company as its estimate of the revenues to be received from plutonium based on the assumption that the present classified price schedule will be extended by the Commission to cover deliveries from June 30, 1962, through 1970. While the company has prepared its financial estimates for the operating period for use in the pending licensing proceeding (*Matter of Power Reactor Development Company*, Docket No. F-16) on the assumption that these prices will continue, it has made no contention that the Commission is committed to continue these prices, and the Commission has made no such commitment. The Commission's position is that whatever price is established pursuant to section 52 for payment to all licensees on a nondiscriminatory basis will be the price paid to PRDC. Moreover, since that price is what PRDC would be entitled to by law, if it had no contract with the Commission, it is obviously not part of the cost to the Commission of the power demonstration contract. That cost consists of the undertaking to pay the actual cost of identified research and development, not to exceed $4,500,000, and the waiver of fuel use charges, estimated at $5 million, or a total of $9,500,000, as compared with research, development, and construction costs to the company estimated at $43,216,000 (exclusive of the turbine generator).

Section 53: Mr. CANNON also contests (CONGRESSIONAL RECORD, pp. 5793, 5796) the authority of the Commission under section 53 to waive charges for special nuclear material. Section 53c specifically provides that the Commission shall charge for special nuclear material distributed for use under a section 103 license, and may charge for use of special material distributed for the conduct of research and development activities or for use under a section 104 license. In view of this clear distinction between the permissible "may" and the mandatory "shall," it is difficult to perceive on what basis it could be contended that the Commission is required to make a charge in both instances. Moreover, any contention that a charge is mandatory would be inconsistent with the second sentence of section 53c which provides that the Commission "shall establish criteria in writing for the determination of whether a charge will be made"—a provision which clearly recognizes that a charge need not be made. The Commission's written criteria applicable to power demonstration projects are embodied in the three public invitations for proposals under the power demonstration reactor program, each of which declares that the Commission will consider waiving fuel use charges in the case of proposals which are found to meet the criteria of the invitation, including the requirement that information concerning the project be made available to the Commission for dissemination to the public.

Section 105: While Mr. CANNON lists section 105 as a provision which the Commission has misconstrued or ignored, his discussion of this section (CONGRESSIONAL RECORD, pp. 5798–5799) concludes merely that section 105c, by its terms, is not applicable to the PRDC case, and that the Commission was therefore under no obligation formally to notify the Attorney General of its proposed issuance of a construction permit. The facts concerning the PRDC application are all of public record and the Commission will, of course, report to the Attorney General, pursuant to section 105b, any information which it may acquire indicating that this or any other atomic energy project appears to violate or tends to violate the antitrust acts, or to restrict free competition in private enterprise.

Sections 152 and 159: Section 152 provides that any invention or discovery, useful in the production or utilization of special nuclear material or atomic energy made or conceived under any contract, subcontract, or other arrangement with the Commission shall be deemed to have been made and conceived by the Commission except that the Commission may waive its claim to such invention or discovery in cases under section 33 and "under such other circumstances as the Commission may deem appropriate." Section 159 provides that nothing in the act shall affect the right of the Commission to require that patents granted or inventions made or conceived during the course of federally-financed research or operations be assigned to the United States. Mr. CANNON apparently contends that both have been disregarded in the Yankee and PRDC contracts. (CONGRESSIONAL RECORD, pp. 5797, 5798.)

In applying these provisions to the power demonstration contracts with Yankee and PRDC, the commission has retained full rights to all inventions resulting from work which is either financed by the Federal Government or performed at a commission facility or utilizes the services of commission or commission contractor personnel. The only exception to these rights is the reservation to the contractor of a nonexclusive license, which by its nature does not derogate from the commission's right to grant licenses to others. Such a nonexclusive license serves merely to assure the contractor of the rights to which he would be entitled in any event under the commission's policy of licensing inventions in the atomic energy field to which the Government has title. Thus the commission has exercised the right conferred by section 159.

In addition, the commission has obtained a license for governmental purposes under inventions not financed with Federal funds or resulting from work performed at commission facilities or by commission personnel. Since the power demonstration contracts are arrangements within the meaning of section 152, the commission could have insisted on full rights to such inventions. It chose, rather, to exercise its discretionary authority to make a partial waiver of such rights. It considered that since the lion's share of the cost and risk of those developmental projects was being borne by the private sponsors, it was not equitable to give to possible competitors rights in inventions developed with private funds. However, in recognition of the Government's minority contribution to the project as a whole, the commission reserved the full right to use such inventions for governmental purposes.

Mr. CANNON's assertion that the contracts fail to require Yankee and PRDC to make available for the benefit of the public the "technology, know-how, technical, and economic data acquired in the construction" of the project is not supported by the terms of the contracts. Both contracts require the contractor to submit reports containing such technical, economic, progress and operating data as the commission may request and authorize the commission to disseminate such data and reports for use by others. These reporting provisions cover not only construction but also operation during the contract period. In addition, the commission is given rights to inspect the work and activities of the entire project. Thus, the full technical and economic information to be obtained from the project will be made available not only to the Government but to the public at large.

The industrial program: In addition to his charges of contravention of law with respect to the power demonstration reactor program, Mr. CANNON also asserts that "the atomic giveaway under the independent industrial program is not authorized by law." He bases this assertion on the following statement:

"Under this program, industry applicants are to be given all of the technology acquired by the Government at a cost of about $230 million, and industry is not required to return to the Government the technical and economic information which it needs to acquire and apply for the benefit of all." (CONGRESSIONAL RECORD, p. 5797.)

To this there are two answers.

First, the Commission's action in making technical information available is in accordance with the purpose of section 3b of the 1954 act which establishes a "program for the dissemination of unclassified scientific and technical information and for the control, dissemination, and declassification of restricted data, subject to appropriate safeguards so as to encourage scientific and industrial progress." See also section 141b. Nothing in the act authorizes the Commission to deny such information to any person having a legitimate interest in it (apart from limitations required to achieve necessary security safeguards), or to collect from users a charge which will compensate the Government for its research and development costs incurred for the public benefit. Indeed, it has generally been contrary to Federal policy to impose such a charge for the use of patents and technical information owned or controlled by the Government.

Second, section 31c, to which Mr. CANNON refers in this connection, does not require that the Commission receive full technical and economic information from licensed projects. That section (renumbered 31d) relates only to arrangements under section 31. In the case of the industrial program, the research and development is being performed by industry independently and not as part of an arrangement with the Commission under section 3*. The Commission's authority to obtain information from straight licensed projects is derived primarily from sections 103, 104, and 182a, which refer to information affecting the common defense and security and the health and safety of the public. Notwithstanding this, the participants in the industrial program have in fact voluntarily met with Commission representatives from time to time to advise the Commission of the status of their projects.

III. THE APPROPRIATIONS MADE TO THE COMMISSION TO CARRY OUT ITS ATOMIC ELECTRIC POWER PROGRAMS HAVE ALL BEEN AUTHORIZED BY LAW

Mr. CANNON asserts that the Commission has "effectively evaded the clear language, purpose, and intent of [section 261 of the Atomic Energy Act of 1954] insofar as atomic electric power is concerned." (CONGRESSIONAL RECORD, p. 5791.)

AEC's practice has been to divide its appropriations request into two parts, plant and equipment, and operating, and to seek specific authorization only for "plant" expense. The distinction between operating expense and plant and equipment expense had been consistently employed by the Atomic Energy Commission in requesting appropriations prior to the enactment of section 261 of the Atomic Energy Act of 1954. We believe that it is consistent with the practice of other Government agencies which are required by their particular statute to receive authorization for construction. With the passage of the 1954 act, the AEC continued to use the same principles in submitting requests for authorizing legislation under the provisions of section 261 as had been consistently used in seeking appropriations in the past, except that, in deference to the view of the joint committee, it has excluded from the authorization request those portions of the plant and equipment budget which did not constitute plant or facility within the meaning of section 261.

In the determination of what constituted plant and equipment expense and what constituted operating expense, the AEC has preceded in accordance with its understanding of normal Government appropriation practice.

The foregoing practice of the Commission in seeking, and the Joint Committee on Atomic Energy in granting, authorization for appropriations is, we submit, wholly consistent with section 261.

The first sentence of section 261 provides:

"There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this act except such as may be necessary for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion."

It thus authorizes the appropriation of all sums necessary and appropriate to carry out the purposes and provisions of the act—including, necessarily, the purposes and provisions of section 31 of the act. The only exception from this authorization is for such appropriations as may be necessary for acquisition or condemnation of real property or any facility or for plant or facility acquisition, construction, or expansion. Specific annual authorization is required for those appropriations, but for no others.

There can be no possible dispute that section 261, by its terms, fully authorizes appropriations which do not involve either acquisition or condemnation of real property or acquisition, construction or expansion of a plant and facility—as for example, appropriations for the performance of research and development in existing Commission-owned facilities or in nongovernment facilities. The only serious question of interpretation presented by section 261 is as to the meaning of the words "plant or facility."

This question was raised and discussed at the hearings before the Joint Committee in May 1955 on the authorizing legislation. The Commission, in preparing its request for authorization, adopted the view that section 261 required specific annual authorization for substantial additions or alterations or improvements to real estate or plants which are intended to be permanent and which by their nature are permanent." (Hearings before the Subcommittee on Authorizing Legislation of the Joint Committee on Atomic Energy, 84th Cong., 1st sess., May 1955, p. 16.) In addition, for convenience, it included in its authorization request, although not legally required to do so, other items normally budgeted for as plant and equipment even though they were not considered to constitute plants or facilities within the meaning of section 261 (ibid).

The discussion at the hearings revolved principally about the appropriate treatment for reactor experiments which involved construction of Commission-owned facilities of a temporary nature and which the Commission, in accordance with its expressed position, had not included in the authorization request.

In its reports on the authorizing act, the Joint Committee pointed out that the word "facility" was used in section 103 and 104 of the act in a sense different from that in which the Commission was using it in its interpretation of section 261 and that "the Commission's operating budget, however, includes some reactor facilities." It added, "Since the Commission reported that it did have authority to have appropriated funds for such temporary or experimental facilities, and did not request authorization for them, the Joint Committee has not included them in this bill. The Joint Committee does not intend by the action of not including these items in the bill to indicate concurrence with the interpretation given section 261 by the Commission, and indeed has strongly indicated the contrary." (H. Rept. No. 787, S. Rept. No. 538, 84th Cong., 1st sess., p. 2.)

In addition, the Joint Committee indicated that it had "excluded from this bill those items which the Commission had inserted in the bill but which did not properly come within the permissible scope of authorizing legislation of section 261." (p. 3)

Thus, the committee's action clearly indicates that its only difference with the Commission lay in the treatment of certain Commission reactor experiments which the Commission regarded as temporary in nature but which the Joint Committee considered to constitute "facilities" within the meaning of sections 103 and 104 and for that reason to require authorization under section 261. The Joint Committee's action in excluding from the authorization bill appropriation requests for equipment which did not constitute "facilities" clearly expressed its recognition of the fact that, except as to real

estate, plant, and facilities, section 261 did

to the need for authorization legislation con-

Mr. COLE. An identical Senate bill

estate, plant, and facilities, section 261 did not require annual authorization.

Notwithstanding the expressed disagreement of the Joint Committee with the Commission's position on the narrow question of whether the Commission's temporary reactor experiments should be considered "facilities" within the meaning of section 261 so that annual authorization was required, the Congress approved appropriations for the Commission which carried these items in the operating budget without specific authorization in the authorization legislation.

On November 4, 1955, in response to a request of the Commission, the Comptroller General in opinion B-123918 addressed himself to this question. He characterized the position of the Commission in the following terms:

"The letter states that it is the view of the Commission that 'real estate' or 'plant' and 'facility' are substantial additions or alterations or improvements to real estate or plants which are intended to be permanent and which by their very nature are permanent and that 'facility' is a part of a plant comparable to what in common law would be classified a fixture which becomes part of the real estate. Thus, only an object having a permanent and lasting value and a production or end-use purpose is to be considered a 'facility' within section 261, while an item constructed for use in conducting weapons tests, a pilot plant constructed to prove out methods of operation, and a project constituting an experiment in itself, being expendable and without permanent or lasting value, are not to be considered covered by section 261."

After discussion of the relevant legislative matters, he concluded:

"Thus, there are obviously divergent views as to what was intended to be embraced by the word 'facility.' While the Joint Committee on Atomic Energy or at least some members thereof indicated nonconcurrence with the interpretation given section 261 by your Commission no affirmative action has been taken by the Congress in the matter. In the circumstances, we do not feel we are in a position to dispute the interpretation of section 261 as set out in your submission. Accordingly, in the absence of any Congressional action to the contrary, we would not be required to take exception to otherwise proper expenditures made on the basis of your interpretation of section 261."

Accordingly, the Commission's authorization and appropriation requests for fiscal years 1957 and 1958 were presented on the same basis as for fiscal year 1956. In connection with the fiscal year 1957 request, the joint committee did not raise further question concerning the Commission's interpretation and the authorization and appropriation acts reflecting that interpretation were enacted.

IV. CONCLUSION

For the reasons stated, it is submitted that the Commission's atomic electric power programs have been carried out in full compliance with law. Indeed, it is apparent that much of Mr. Cannon's comment, while cast in the form of assertion that the Commission, and in some instances the Joint Committee on Atomic Energy, have acted in contravention of existing law, is really an argument that existing law should be changed. For example, his broad charges of "atomic giveaway" in connection with the private industrial program re-echo similar arguments advanced in 1954 in opposition to the legislation which became the Atomic Energy Act of 1954. Much of his objection to the power-demonstration reactor program appears to be an objection to the philosophy expressed in those provisions of the Atomic Energy Act and those passages of the committee reports on that act which were quoted at the outset of this memorandum. Similarly, his arguments with respect to the need for authorization legislation constitute in essence an argument in opposition to the authorization for appropriations, other than for real estate, plant, and facilities, made by section 261 of the Atomic Energy Act. Insofar as Mr. Cannon's remarks are addressed to the wisdom of the Atomic Energy Act of 1954, rather than the question whether the Commission and Joint Committee on Atomic Energy have acted in conformity with law, they are outside the scope of this memorandum.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield to the gentleman from California.

Mr. HOLIFIELD. May I say that I have no objection to putting the statement of the counsel for the Atomic Energy Commission in the RECORD at this point, but I want to say also that it is not to be taken as Congressional intent insofar as this legislation is concerned, but merely his opinion.

Mr. COLE. To be sure. I agree with the gentleman, and at this point I want to compliment him on the admirable manner in which he has dealt with the difficult problem. A dispute has arisen. The gentleman from Missouri, chairman of the Committee on Appropriations, has given an explanation of the basis of his agreement. It seems only fair that representatives of the Commission should have an opportunity to have their views presented also.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield to the gentleman from Iowa.

Mr. GROSS. I want to commend the gentleman from new York [Mr. COLE] for his support of this bill. I wish, however, that it had gone far enough to take care of providing that this committee have some scrutiny over the funds which will apparently have to be appropriated and spent under this international agency.

Mr. COLE. The gentleman can be very sure that the Joint Committee will have some responsibility in that regard.

Mr. GROSS. And I think the House of Representatives should have some responsibility in approving the creation of the international agency validating that treaty.

Mr. COLE. I would delight to engage in a discussion in defense of the international agency, because I am wholeheartedly in support of it, and I am reasonably confident after ample discussion that I would be able to convince the gentleman from Iowa that it is a justifiable proposal. However, time is so limited, we better not go into that matter.

Mr. GROSS. It will take a good deal more time than the gentleman will have available to him this afternoon or tomorrow to convince me.

Mr. HOLMES. Mr. Speaker, will the gentleman yield?

Mr. COLE. I yield to the gentleman from Washington.

Mr. HOLMES. At the beginning of the consideration of this legislation, the gentleman from North Carolina [Mr. DURHAM] moved to suspend the rules, and then I missed on a matter in relation to a Senate bill. Will either of you gentlemen explain that?

Mr. COLE. An identical Senate bill to H. R. 7992, which the gentleman from North Carolina initially called up for suspension, has already passed the Senate, so that in order to expedite the parliamentary process he asked to have the Senate bill substituted for the House bill.

Mr. HOLMES. And the Senate bill, when passed this afternoon, will technically be the same as House bill H. R. 7992?

Mr. COLE. Exactly.

Mr. HOLMES. I thank the gentleman.

Mr. DURHAM. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A similar bill, H. R. 7992, was laid on the table.

SCHOOL BOARD OF KLAMATH COUNTY, OREG.

Mr. ENGLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 7050) to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes:

The Clerk read as follows:

Be it enacted, etc., That section 24 of the act of August 13, 1954 (68 State. 718, 723), is amended by deleting "Effective on the first day of the fiscal year beginning after the date of the proclamation provided for in section 18 of this act" and by inserting in lieu thereof "Effective on July 1, 1957".

The SPEAKER pro tempore. Is a second demanded?

Mr. ENGLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. ULLMAN. Mr. Speaker, passage of H. R. 7050 is of great importance to Klamath County, Oreg., as it remedies an inequitable situation existing under present law.

Under previously enacted Federal legislation, school districts which contain Indian lands have been relieved from the repayment of Federal funds previously expended for the education of Indian children. Klamath County, because of a technicality, was not covered. Thus, the county would have been required to make payment for the fiscal year beginning July 1, 1958.

The bill which has just been passed relieves Klamath County of this recoupment obligation which amounts to approximately $95,400. The repayment of any or all of this sum would be an extreme hardship on the county as well as an inequity in view of the relief which was previously given to other school districts in a similar position.

I am very pleased that this bill has been passed and know that the Klamath School District and the Oregon State Department of Education, who have supported this legislation, share my enthusiasm.

AMENDING THE ACT OF AUGUST 11, 1955

Mr. ROGERS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 4748) to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made.

The Clerk read as follows:

Be it enacted, etc., That the act of June 29, 1956 (Public Law 636, 84th Cong.; 705 Stat. 438), is amended by inserting "(a)" after "That", by striking out "July 1, 1957" and inserting in lieu thereof "July 1, 1958", and by adding at the end thereof the following new subsection:

"(b) The time during which labor must be performed, or improvements made pursuant to the provisions of section 2324 of the Revised Statutes of the United States (30 U. S. C. 28), on any other unpatented mining claim subject to the act of August 11, 1955 (Public Law 357, 84th Cong.; 69 Stat. 679; 30 U. S. C. 541-541l), for the period commencing July 1, 1936, is hereby extended to 12 o'clock meridian, July 1, 1958."

The SPEAKER pro tempore. Is a second demanded?

Mr. METCALF. Mr. Speaker, I demand a second.

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROGERS of Texas. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, this is a bill having to do with the deferment or suspension of assessment work on mining claims in uranium lignite deposits. It is a bill that was introduced by the gentleman from South Dakota [Mr. BERRY], and the reason the suspension or deferment is requested on this assessment work is because there has not been an economically feasible process as yet developed to extract the uranium from the lignite deposits. Now, as I understand, the bill will defer this assessment work for 1 year, and if at the end of that time there has not been a process developed that will make it economically feasible to extract this uranium from the lignite, no further extensions will be asked.

Mr. Speaker, at this time I yield 3 minutes to the gentleman from South Dakota [Mr. BERRY]. This is his bill and I want to give him an opportunity to explain it.

Mr. BERRY. Mr. Speaker, I thank the gentleman from Texas. Perhaps I should say that out in this area, northwestern South Dakota, northeastern Wyoming, southeastern Montana and southwestern North Dakota, there is a low-grade lignite coalfield in which has been found a uranium deposit. There is yet no known process that is economically feasible for the removal of this uranium from the lignite.

In 1955 this Congress passed a multiple-purpose mining law authorizing the filing on the mineral deposit in this fuel mineral. Because of the fact that there was no process for the removal of it, last year, in 1956, we passed a law deferring the time for 1 year when the annual assessment work, $100 per year, had to be done. Jesse Johnson of the Atomic Energy Commission came before our committee and told us that they have at Grand Junction, Colo., about 2,000 tons of this uranifarous lignite and that they are running it through their pilot plant at the rate of about 20 tons a day and hope to have it all processed within the next 2 or 3 months. When complete they will know whether the ore can be economically removed from the lignite or not. If not, these people have nothing but a low-grade lignite which is practically worthless. If a process is discovered then they can go ahead and do their 2 or 3 years of assessment work.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield to me?

Mr. BERRY. I yield to the gentleman from Colorado.

Mr. ASPINALL. May it be said that because of some of the inducements held out by the Atomic Energy Commission, this legislation is made necessary at this time and is really an exception to the general mining assessment work that is concerned.

Mr. BERRY. That is correct, and I thank the gentleman for his contribution. I do want to say for the record that there will be no request for another extension beyond this, because of the fact that is is a one-shot proposition. Within the next 6 months we should know whether they have anything. Actually the only people affected are the little people who have gone out there and made these fillings. The large operators already have done their assessment work. They can charge the cost of assessment work off as company expense, but the small operator, who holds a few claims is unable to do this. He must either do the work himself or dig up the cash to hire it done, or he must exchange an interest in his claim to hire some big outfit with the equipment to do the work for him.

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield for one further question, I think it is correct, is it not, to state that the assessment work must be done by June 30, 1957?

Mr. BERRY. That is correct. That is the reason there is the need for speed in the passage of this bill. I thank the gentleman very much.

By way of summary let me say that AEC had given these people to understand that they would know before this whether or not an economically feasible process for the removal of the uranium from the lignite can be effected. They now state it will be another 4 or 5 months before they can be sure. The small operators cannot afford to sink another two or three hundred dollars into each of these claims on the chance that AEC will find a process. AEC will know definitely before another year and these individuals may then either go ahead with their claims or drop them, depending upon the success of the studies of AEC. It would not be fair to squeeze them out now however.

This is a special situation. It was necessary to pass Public Law 357 of the 84th Congress to legalize filing in this area. Because of the peculiar situation in 1956 Congress passed Public Law 636, 84th Congress, deferring compliance with the assessment law for 1 year. This bill simply extends such deferment another year until June 30, 1958, because of a further continuance of the same situation.

Mr. METCALF. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, this bill is a suspension of the necessity to do assessment work for the current fiscal year. The reason advanced is that unless there is an economical process for the recovery of uranium from the lignite formation in the affected area these claims will be valueless. The delay in determining whether such a process is going to be perfected is attributable in part at least to the Atomic Energy Commission. However there are thousands of miners all over the West who would like to avoid their assessment work because there is not a means for them to recover the ore and sell it at a profit. Gold miners continue to do assessment work on their claims even though the federally controlled price of gold is so low that under present conditions they cannot mine at a profit. Uranium miners in other areas find that their costs of recovery are such that they cannot profitably develop their claims, yet they continue to perform their annual assessments.

From its inception this project has been irregular. Special legislation was required to permit the filing of these uranium claims on land classified as coal lands and containing minerals that must be leased from the Government. Twice Congress has suspended the necessity of doing the annual assessments pending development of an economical process for the recovery of this uranium. I welcome the assurances from the gentleman from South Dakota [Mr. BERRY] that if this bill passes it will be the last time that he will seek special treatment for this area. Otherwise we would have rights continued from one year to another without the locators of these claims doing anything to perfect those rights except to stake a claim and initially pay a nominal filing fee. Special treatment to one class of miners, in one particular area, is unjustified and unwarranted in spite of the fact that an agency of the Federal Government, the Atomic Energy Commission, is partly responsible for the uncertainty as to whether these claims will ever be of any value.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill H. R. 4748?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL CONSTRUCTION CONTRACT PROCEDURES ACT

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7168) to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes, and further ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) this act may be cited as the "Federal Construction Contract Procedures Act."

(b) It appears desirable, and in the best interests of the Federal Government, for the Federal Government in contracting for the construction of buildings to use the single contract system of procurement under which the general contractor is solely responsible to the Government for completion and has undivided responsibility therefor and full control and authority to coordinate and complete, but that such system should include procedures under which the subcontracts for the mechanical specialty work involved should be finalized as far as practicable prior to the submission of the prime bids or proposals to give the Government the full benefit of competitive subcontract prices, as well as maximum efficiency in performance, and that such procedures should be so established as to eliminate the unfair trade practices of bid shopping by general contractors and bid peddling by subcontractors and other unfair trade practices in connection with bidding on Federal works.

SEC. 2. (a) Each executive agency shall list in the bidding or contract documents, relating to each lump-sum construction contract before accepting bids or proposals with respect thereto, each major category of mechanical specialty work involved in the performance thereof.

(b) No executive agency shall award to or enter into a lump-sum construction contract with any general contractor unless the name of the contractor, with whom the general contractor will contract for the performance of each major category of mechanical specialty work involved which may have been listed by the contracting executive agency in the bidding or contract documents, has been specified by the general contractor in the bid or proposal upon which the contract is awarded or made: *Provided*, That with respect to any such category the general contractor may, in lieu of listing the name of such contractor, give the executive agency as part of his bid or proposal a written statement: (1) Stating that he has made an effort to secure subbids for such category; (2) setting forth that at least 5 days (Saturdays, Sundays, and Federal holidays excepted) prior to the date for opening of bids or proposals he requested subcontract bids from not less than three responsible subcontractors; (3) listing the names of all subcontractors from whom he has requested or received subcontract bids or proposals; and (4) stating that he received no definite, complete, or responsive bid from any contractor for such category: *Provided further*, That in the event a general contractor shall submit such a statement in lieu of listing the name of a contractor, he shall, if he is an apparent low bidder, within 5 days (Saturday, Sundays, and Federal holidays excepted) after the date of the opening of the bids, notify the exective agency in writing of the name of the contractor with whom he will contract for the performance of such category or that he will himself perform such category of work: *And provided further*, That if a general contractor shall fail or refuse to comply fully with the requirements of the immediately preceding proviso, the general contractor shall not be relieved thereby of any responsibility for his bid or proposal and the executive agency, where in its discretion it believes the failure inadvertent or otherwise excusable, may award the contract to such general contractor or the executive agency may hold such general contractor liable for any loss occasioned by such failure or refusal. Any other bidder shall, within 5 days (Saturdays, Sundays, and Federal holidays excepted) after receipt of a request from the executive agency, notify such agency in writing of the name of the contractor with whom he will contract for the performance of such category of mechanical specialty work or that he will himself perform such work.

(c) This section shall not prevent any general contractor from himself performing any major category of mechanical specialty work, or any part thereof, under a lump-sum construction contract awarded to or undertaken by him if the bid or proposal referred to in subsection (b) of this section states that the general contractor is able to and intends to perform such mechanical specialty work himself.

(d) This section shall not be construed to forbid or prevent any executive agency from awarding several prime or direct lump-sum construction contracts for any one construction project, where because of special circumstances or because of the nature of the project this would be desirable.

(e) No general contractor under a lump-sum construction contract shall contract to have any major category of mechanical specialty work, involved in the performance of such construction contract as listed by the contracting executive agency in the bidding or contract documents, performed by any person other than the person named for the performance of such work in accordance with subsection (b) or (c) of this section, except in accordance with the provisions of subsection (f), (g), or (h) of this section.

(f) A general contractor who submits a bid or proposal with respect to a lump-sum construction contract to be awarded on a competitive basis, whether or not after public advertising, may, at any time within 5 days (Saturdays, Sundays, and Federal holidays excepted) after the date of the opening of the bids or proposals therefor, engage a substitute or different contractor from the one named in accordance with subsection (b) to perform any major category of mechanical specialty work or any part thereof or the general contractor may perform the work himself: *Provided*, That within such period he notifies the contracting executive agency in writing of the name of the substitute contractor or notifies such agency that he will perform such work himself.

(g) If a contractor named by the general contractor under a lump-sum construction contract in accordance with subsection (b) of this section shall refuse to enter into a contract in accordance with his subbid therefor or shall fail or refuse to post any performance bond or to make any statement that there was no collusion in the preparation of the subbid, which bond or statement was expressly called for in a written invitation from the general contractor to the contractor for a subbid or shall fail or refuse to perform or complete the work to be performed by him in accordance with the terms of his subcontract therefor, the general contractor at any time may engage a substitute or different contractor to perform such work or he may himself perform such work or if such contractor shall be disqualified or be determined to be unqualified to perform such work by or under any applicable Federal statute or any Federal governmental order, ruling or determination, the general contractor shall, if so requested by the contracting executive agency, engage a substitute or different contractor to perform such work or he may perform such work himself: *Provided*, That he first notifies the contracting executive agency in writing of the name of the substitute contractor or notifies such agency in writing that he will himself perform such work, ascribing one of the reasons set forth in this subsection, which notice and receipt thereof shall constitute a final determination of compliance with this subsection: *Provided further*, That if, in the opinion of the contracting agency, the substitution may have resulted in a money savings which under subsection 2 (h) would inure to the benefit of the Government, the contracting executive agency may determine whether the substitution was properly made under this subsection or should have been made under subsection 2 (h). In the event the contracting executive agency determines that the substitution should have been made under subsection 2 (h), the total contract price shall be adjusted by the net difference in cost if such substitution results in a lower cost to the general contractor.

(h) If for any reason not specified in subsection (g) and after the expiration of the period referred to in subsection (f) and after the award of the contract to him, a general contractor under a lump-sum construction contract prefers to have any major category of mechanical specialty work on the project covered by such construction contract, as to which he has named a contractor under subsection (b) hereof, performed by a contractor other than the one named in accordance with said subsection (b) the general contractor may engage such substitute contractor if prior to such change (1) the general contractor submits to the contracting executive agency in writing the name of the substitute contractor and such information as the contracting executive agency may request as to any change in cost to the general contractor involved in the proposed change in contractors; and (2) the total contract price to the satisfaction of the contracting executive agency is adjusted by the net difference in cost in the event such substitution results in a lower cost to the general contractor.

(i) This act shall not apply to the following proposed construction contracts:

(1) Proposed contracts to be performed outside the continental limits of the United States which limits shall be deemed to include Alaska.

(2) Proposed contracts which are estimated by the contracting executive agency to involve less than $100,000.

(3) Any proposed contract with specific reference to which a chief officer responsible for procurement of the executive agency which is to award the contract determines that the procedure prescribed herein would result in undue delay and that the public exigency or military necessity will not admit of such delay.

SEC. 3. For the purposes of this act—

(1) The term "executive agency" means any executive department or independent establishment in the executive branch of the Government, including any wholly owned Government corporation, and any chief officer responsible for procurement of such executive department or independent establishment.

(2) The term "construction contract" means any contract entered into by any executive agency for the erection, repair, moving, remodeling, modification, or alteration of any building or structure upon real estate intended for shelter or comfort, or for production, processing, or travel, including, without being limited to, buildings, bridges, and tunnels but not including highways, aqueducts, reservoirs, dams, irrigation and regional water-supply projects, flood-control projects, water-power development projects, jetties, and breakwaters or the buildings, bridges, tunnels, or structures incident to and included in the contract for such excluded projects.

(3) The term "mechanical specialty work" in connection with a construction contract means all plumbing, heating, piping, air conditioning, refrigerating, ventilating, and electrical work, including but not being limited to the furnishing and installation of plumbing, heating, piping, air conditioning, refrigerating, ventilating, and electrical materials, equipment, and fixtures to a point 5 feet outside the building line.

(4) The term "major category of mechanical specialty work involved" means, with respect to a particular construction contract project, those general categories of mechanical specialty work for which a general contractor normally would let a direct subcontract in view of the type of project and the geographical area involved.

(5) The term "general contractor" means a person having a direct contractual relationship with an executive agency for the performance of a construction contract.

(6) The term "person" means an individual, corporation, partnership, association, or other organized group of persons. All references to contractor or general contractor shall include individuals, corporations, partnerships, associations, or other organized groups of persons who are contractors or general contractors.

(7) The term "lump-sum construction contract" means a construction contract, whether awarded after bid or negotiated, under which the price is fixed or is to be fixed by any method other than the cost-plus-a-fixed-fee method.

SEC. 4. (a) Neither this act nor compliance with the provisions thereof shall be construed to create any privity of contract between the United States Government, or any agency thereof, and any contractor submitting a bid to or contracting with the general contractor under any construction contract or give any such contractor any cause of action against the United States or any of its agencies.

(b) Nothing contained in this act shall be construed to limit or diminish any rights or remedies which the United States or any agency thereof may have against the general contractor arising out of the construction contract, or to relieve the general contractor of any responsibility for performance of the construction contract because of any action taken by the United States or any agency thereof under any provisions of this act.

(c) Nothing in this act contained shall be construed to prevent any executive agency from requiring, in its discretion, approval or acceptance by it of contractors engaged or to be engaged by any general contractor on a construction contract or from making any other requirements it deems advisable, in its discretion, with respect to contractors engaged or to be engaged by general contractors on any construction contract or from requiring any information it deems advisable, in its discretion, as to the cost of performance of any construction contract, nor shall the imposition of such requirements give rise to any cause of action against the United States or its agencies by the general contractor or by any contractors engaged or to be engaged by the general contractor or by any other person.

(d) Nothing contained in this act shall in itself be construed to create any contract or property rights in any person.

SEC. 5. This act shall become effective 6 months after the date of its enactment.

Mr. LANE. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I am pleased to have this opportunity to address you in behalf of H. R. 7168, the Federal construction contract procedures bill.

As some of you know, I have sponsored substantially similar bills, providing for subcontractor listening on Federal lump-sum construction, in the last several Congresses.

In the past two Congresses I have been chairman of the subcommittee to which this legislation was referred. Extensive and comprehensive hearings were held in each Congress.

I would like to discuss briefly the background history of the bill and some of its technical aspects.

1. HISTORY OF THE LEGISLATION

In the 82d, 83d and 84th Congresses a number of bills similar in purpose but more complicated and with more extensive provisions were introduced and considered by the committees of both the House and the Senate.

In the 84th Congress, S. 1644 passed the Senate and received a 100 majority vote in the House but failed by 15 votes to obtain the two-thirds necessary for passage under suspension of rules.

After the adjournment of the 84th Congress, representatives of the various segments of the construction industry met on several occasions in an effort to resolve the then disagreement within the industry on the question of subcontractor listing legislation on Federal construction. In particular, in the past general contractors had strongly opposed S. 1644 of the 84th Congress and earlier measures.

As a result of these discussions between the representatives of the general contractors and the mechanical specialty contracting industries, substantial agreement was reached with respect to the general principles which should be embodied in a subcontractor listing bill. The representatives of the general contractors and officials of the Council of Mechanical Specialty Contracting Industries, representing all segments of the mechanical specialty contracting industry, were satisfied that if these general principles were incorporated in the legislation it would benefit the entire construction industry and the Federal Government alike.

With the convening of the 85th Congress, 5 bills generally similar in form and purpose and embodying the general principles recommended by the industry itself were introduced by Representatives MILLER, New York, MADDEN, Indiana, BRAY, Indiana, WRIGHT, Texas, and myself.

The Associated General Contractors of America met in annual convention in Washington after the introduction of these bills. A resolution was passed by the convention stating that there was no objection to the principles set forth in the redrafted bills.

While the subject matter of the proposed legislation had been studied extensively in past Congresses with hearings held in the 83d and 84th Congresses, our committee nevertheless held extended hearings on March 20, 27, and 28, 1957 in order further to receive the benefit of the views of all interested parties, particularly with respect to whether administrative burdens and problems of the earlier bills had been eliminated.

During the hearings a number of amendments, sponsored by the general contractors and the Federal agencies, most of which were of a technical and qualifying nature, were considered by the committee. Virtually every specific amendment so recommended was either adopted verbatim and incorporated in the present bill or the substance thereof was adopted and incorporated therein.

As a consequence, I think it is a fair statement that the clean bill, H. R. 7168, has the support of virtually all the entire construction industry, including general contractors, and has eliminated the administrative burdens and minimized the administrative problems of previous bills.

2. PURPOSES OF THE BILL

The purposes of the bill are twofold, namely:

(a) To prescribe policy and procedure to improve existing practices in connection with the letting of lump-sum construction contracts thereby placing the awarding of such contracts on a more efficient basis; and

(b) To eliminate indiscriminate shopping or peddling of subbids after the award of the prime contract in connection with Federal construction contracts.

The bill establishes procedures for Federal agencies to follow in awarding construction contracts which are in line with the practices followed by prudent private purchasers of construction. Major private purchasers of construction, such as Ford, General Electric, Dow Chemicals, Republic Aviation, and the like, require their prime contractors to submit the names of the mechanical specialty contractors they intend to use to perform the mechanical specialty work as part of the prime bid. They do this first in order that they may be assured that there is active competition for the mechanical subcontracts, and second, that they may be assured that the price to them reflects the final, low price for the mechanical specialty work which makes up almost half of the total cost. Several of our States, including the States of California, Massachusetts, Idaho, Arkansas, and South Carolina also require the general contractor to list the mechanical specialty contractors in the general bids. This contracting system is operating effectively to the economic benefit of these public bodies and to the satisfaction of substantially all of the construction industry in the respective localities.

With the incentive for bid shopping eliminated by taking the profit out of such activity, the mechanical specialty contractor has assurance that his bid will not be misused and that if he is the low responsible bidder whose bid is used in preparing the prime bid he will get to perform the work. This fact alone will encourage mechanical specialty contractors who do not now bid on Government work to submit bids on Federal construction. Hence, it will give the Government the benefit of a full range of mechanical specialty bids and of greater competition

in this field which in modern construction amounts to 40 percent and upward of the total cost. Moreover, since the subcontractors may assume they will be used if they submit the lowest subbid prior to the award, it will induce them to submit their final bid prior to the award. Thus, the prime bids will be based upon and will give the Government the price advantage of the lowest subcontract costs.

3. PROVISIONS OF THE BILL

The Federal Construction Contract Procedures Act prescribes fair bidding procedures to govern the award of Federal lump-sum construction contracts which are in excess of $100,000 and will be performed in the United States.

It requires a general contractor to list in his prime bid the names of the subcontractors which he will engage to perform each major category of mechanical specialty work. These include plumbing, heating, piping, air conditioning, ventilating, electrical, and the like.

In the event a general contractor does not receive a definite and complete bid after requesting such at least 5 business days prior to bid opening from at least 3 responsible subcontractors, he may so state in his bid and is thereby relieved of listing the names at the time of submission of the prime bid. But within 5 business days thereafter the names of those to be engaged to perform each major category of mechanical specialty work must be submitted to the Government.

Also, within 5 business days after the opening of the prime bids, a general contractor may change a listed subcontractor without any permission or assigning any reasons therefor simply by notifying the Government of the name of the substitute subcontractor in writing. This provision is to enable a general contractor to evaluate all subbids received and to make whatever checks are needed with respect to the competency, ability, and responsibility of each mechanical specialty subcontractor. It was incorporated in the bill because of the earnest representation of the general contractors that a reasonable period of time was essential after the bid opening to make certain necessary checks because frequently the subcontract bids were not received until a few hours prior to the deadline for submitting the prime bid. It was incorporated in the bill for the bona fide use of general contractors. It was not incorporated in the bill to permit bid shopping or bid peddling of any kind, limited or otherwise.

It is recognized that this 5-day period could be abused or misused. It was the general view of the committee, however, that the added flexibility which the provision provided was desirable and the committee was of the opinion that the very fact that listing was required would serve as an effective deterrent to bid shopping and bid peddling during such period. A contractor, be he general or mechanical specialty, who habitually shops or peddles a bid during the 5-day period will, as a result of the listing provision, stand out prominently in the industry, to the awarding authority and to the Members of the Congress as one engaging in an unfair trade practice which subverts the purpose and the intent of the legislation. Congressional committees and individual Members of the Congress have access to the factual data which will establish whether the legislation is working effectively or whether the intent of the Congress is being thwarted. Should experience indicate that the 5-day clause is being abused or misused then the construction industry would have only itself to blame for any rigidity which would result from further amendment of the act.

Thereafter, except for default or disqualifiaction, a change may not be made unless the money savings resulting therefrom, if any, accrues to the benefit of the Government.

4. MAJOR DIFFERENCES BETWEEN H. R. 7168, THIS BILL, AND S. 1644 OF THE 84TH CONGRESS

The revised bill still remains a simple subcontractor listing measure but significant new provisions have been added and certain old provisions have been expanded and spelled out with more particularity.

As a result, the provisions of the new bill are more flexible and the administrative burdens of the old bill have been eliminated.

The major differences follow:

First. A new subsection has been added at the beginning of the bill which recites that the single contract system in procuring building construction appears desirable and in the best interest of the Federal Government, providing procedures are adopted to finalize mechanical specialty work as far as practicable prior to the submission of the prime bids.

Second. If no definite and complete subbid for a particular category of mechanical specialty work has been received and the general contractor so certifies in his bid, he is relieved of the requirement of listing a subcontractor for the particular category until 5 business days after the submission of the prime bid.

Third. If a general contractor intends to perform any particular part of the mechanical specialty work himself, he may do so if he lists himself and providing he certifies that he is able to perform such work.

Fourth. The right is reserved to executive agencies to award several prime contracts for any one project where special circumstances or the nature of the project make this desirable.

Fifth. A general contractor may change mechanical specialty subcontractors without obtaining any permission from the Government or assigning any reasons therefor providing the change is accomplished within a period of 5 business days after submission of the prime bid and the Government is notified in writing.

Sixth. In addition to permitting a change of mechanical specialty contractor in the event of default, a change may be made if he fails to post a performance bond or to issue a noncollusion statement if that is required, or if he is, by Government regulations, unqualified or disqualified.

Seventh. After the expiration of 5 business days from the bid opening and other than for default or disqualification, a change of subcontractors may be made only if the total contract price is adjusted to the satisfaction of the Government by the net difference in cost, if a lower cost results.

Eighth. Provisions of the act may be waived by a chief officer responsible for procurement, instead of by the agency head, and for military necessity, as well as when the public exigency requires.

Ninth. Highways are excluded from the provisions of the act.

Tenth. The act is effective 6 months after enactment.

CONCLUSION

The legislation is needed by the construction industry and is in the best interest of the Government, and hence should be passed by this body.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. LANE. I yield.

Mr. MADDEN. I wish to commend the gentleman from Massachusetts as chairman of the subcommittee of the Committee on the Judiciary for bringing this legislation to the floor, also the other members of the subcommittee.

In the last session of Congress this bill was before the House and came within 15 votes of passing under a suspension of the rules. The subcommittee is to be commended for being able to get the General Contractors' Association, also the Defense Department and the General Services Administration to agree on a compromise so that there is no opposition to the bill from any department of Government, and I know that the bill will serve a great purpose and save the Government money on contractors and be sufficient incentive to bring the small contractors into it. Today we are losing a lot of subcontractors who would bid if they had an opportunity to get something out of it.

Mr. Speaker, I wish to commend the gentleman from Massachusetts, Mr. THOMAS J. LANE, and the subcommittee for bringing this bill out of the Judiciary Committee.

I am cosponsor of H. R. 7168, known as the Federal construction contract procedures bill, because I am convinced that the time has come when the Federal Government can no longer ignore the existence of the uneconomic, unfair, and unethical trade practices of bid shopping and bid peddling which are so prevalent today on Federal construction.

Under present bidding procedures mechanical specialty contractors, one of the few remaining independent small-business groups, are becoming more and more reluctant to submit subbids on Government work. The reasons they are not interested in submitting subbids is that they cannot afford to spend the money necessary to estimate a mechanical job and still have no reasonable assurance that they will get the job if they are the lowest responsible bidder and their bid is used in preparing the prime bid.

Passage of H. R. 7168, which applies only to Government contracts over $100,000, will eliminate these unfair trade practices with the result that active competition will increase to the benefit of both the construction industry and the Federal Government.

The Federal Construction Contract Procedures Act prescribes fair bidding procedures to govern the award of Federal lump-sum construction contracts which are in excess of $100,000 and will be performed in the United States.

It requires a general contractor to list in his prime bid the names of the subcontractors which he will engage to perform each major category of mechanical specialty work. These include plumbing, heating, piping, air conditioning, ventilating, electrical, and the like.

In the event a general contractor does not receive a definite and complete bid after requesting such at least 5 business days prior to the date for opening of the bids from at least 3 responsible subcontractors, he may so state in his bid and is thereby relieved of listing the names at the time of submission of the prime bid. But within 5 business days thereafter the names of those to be engaged to perform each major category of mechanical specialty work must be submitted to the Government.

Also, within 5 business days after the opening of the prime bids, a general contractor may change a listed subcontractor without any permission or assigning any reasons therefor simply by notifying the Government of the name of the substitute subcontractor in writing. This provision is to enable a general contractor to evaluate all subbids received and to make whatever checks are needed with respect to the competency, ability, and responsibility of each mechanical specialty subcontractor.

Thereafter, except for default or disqualification, a change may not be made unless the money savings resulting therefrom, if any, accrues to the benefit of the Government.

Mr. LANE. I thank the gentleman from Indiana for his contribution. I know that in previous Congresses he has filed similar bills and is 1 of 5 who filed a similar bill in this session and appeared before the subcommittee of the Committee on the Judiciary. Also the gentleman was most helpful in the Rules Committee in obtaining a rule on this bill.

Mr. MUMMA. Mr. Speaker, will the gentleman yield?

Mr. LANE. I yield to the gentleman from Pennsylvania.

Mr. MUMMA. I would like to inquire whether during the hearings any other trades had asked to be heard or were considered in addition to the group included in the bill?

Mr. LANE. No; there were not any others.

Mr. MUMMA. In other words, you heard everybody who was entitled to be heard or wanted to be heard?

Mr. LANE. Not only that, but we had 3 days of hearings, with all parties who were interested in this bill given a chance to meet together in our hearing rooms when we had to come over here to the sessions of the House. We gave them an opportunity to sit down and to prepare and offer any amendments or suggestions which they might decide on. Your committee wrote a new bill taking into consideration any advice we might have received either from the general contractors, prime contractors, or from those who came before us representing various agencies of our Government.

Mr. MUMMA. I thank the gentleman.

Mr. KEATING. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this is a bill designed to modernize policy and procedures to be followed by the Federal Government in awarding lump sum construction contracts. It would bring the Government's practices into line with long-established practices of many large corporations in awarding similar contracts. I am persuaded that its enactment would benefit all parties involved in the awarding of these contracts. The Federal Government, as the purchaser, would receive firmer bids and the benefit of increased competition among contractors. And both general contractors and subcontractors would be protected from the unfair practices of bid-shopping and bid-peddling.

Bills similar to H. R. 7168 were introduced in the last three Congresses. Just last year the House favored, by a vote of 245 to 145, a similar measure, S. 1644, which had been passed by the Senate unanimously. Unfortunately, since the bill was brought up under suspension of the rules, it failed by 15 votes to obtain the two-thirds necessary for passage.

The bill as originally introduced this year was substantially similar to last year's bill. After careful study by the Committee on the Judiciary, certain major changes were made. These changes make this bill more acceptable to all parties concerned. In fact, the only remaining opposition to the bill comes from the Government agencies themselves. They apparently feel that its passage would result in additional administrative work on the part of the agencies. That may be true although not to the extent contended by them. I cannot escape the feeling that their basic objection stems from a natural bureaucratic reluctance to change established procurement policies.

Let me illustrate what we are dealing with here. Suppose the Government advertises for bids on construction of a Federal building. A number of general contractors invite bids from subcontractors. An electrical contractor prepares extensive plans and submits a bid to a general contractor, stating that he can do the electrical work involved for $200,000. To arrive at this estimate he is forced to spend several thousand dollars in preparation of his bid. The general contractor submits his bid, based upon the electrical contractor's bid to him, and is awarded the contract. With the contract in his pocket, the general contractor is now in a position to go to other electrical subcontractors to see whether he can get the work done for less than $200,000. He finds that another subcontractor will do it for $180,000. Now he can either substitute him for the original subcontractor, or make the latter come down on his price.

The original subcontractor is bound to lose either way, and the general contractor can make additional profit at the expense of the Government. This so-called bid-shopping is one of the unfair practices that this bill is designed to eliminate.

Another unfair practice sought to be eliminated by this bill is what is called bid-peddling. That occurs where a subcontractor, who either did not submit a bid in the first place, or whose original bid was too high to be accepted, goes to the general contractor who has been awarded the contract and offers to do the work at a price less than that previously bid to the general contractor. This practice goes hand-in-hand with bid shopping, and can lead subcontractors to pad their bids to allow for any reduction in price which may be forced upon them after the contract has been awarded. This means that the Government in many cases will be accepting an inflated bid.

Many large firms in private industry have curtailed bid shopping by requiring prime contractors to list their subcontractors. As a matter of fact, because of the expense involved in making accurate estimates, many mechanical specialty subcontractors are now reluctant to bid on Federal projects at all. Because of these unfair practices, they have no assurance that, even if their bid is the lowest bid submitted, they will get the job. For this reason, competition among subcontractors for work on Federal projects is not as keen as it should be.

This bill, by eliminating these unfair practices, would increase competition among subcontractors, protect the small-business man, and cut down the cost of construction to the Government.

The basic provision of this bill, like the bill before the House last year, is the requirement that a general contractor list, in his prime bid, the names of the mechanical specialty subcontractors who are to perform each major category of mechanical specialty work.

General contractors complained of the bill last year that it left no leeway for last-minute adjustments so often necessitated when subcontractors' bids were submitted just before general bids were closed. The wording of the bill last year gave the general contractor, who may not have received a responsive bid or who may have been forced to accept bids only a short time before submitting his prime bid, no time, after the contract had been awarded him, to obtain bids or to determine the financial responsibility and other qualifications of subcontractors. For this reason a compromise has been reached in the present bill which will make the procedure a great deal more flexible.

This bill provides that, if the general contractor has not received a definite or a responsive bid for a particular category of work after requesting bids from at least three responsible subcontractors, he may submit a statement to that effect in his prime bid and need not name the subcontractor in that category when he submits the bid. If his bid is accepted he must advise the Government within 5 days, that he has obtained a subcontractor for that work or that he will perform the work himself.

Where the general contractor determines, after the contract has been

awarded, that a subcontractor is unsatisfactory, he can, within 5 days, substitute a different subcontractor from the one listed in the prime bid. He need give no reason for this substitution to the Government. It is felt that this will give the general contractor a reasonable time in which to investigate any subcontractor's credit rating, his reliability, and his general qualifications and also to evaluate his bid.

While I realize that this 5-day period could be used by an unethical general contractor to practice bid shopping, I consider it a fair and reasonable concession to the needs of general contractors. I do not believe that they will abuse it. Furthermore, the listing provisions of this act would certainly bring to the attention of the industry and the Government any attempts at bid shopping or bid peddling. If, after this 5-day provision has been put into practice, it can be shown that serious and repeated abuses have occurred, I will certainly support an amendment to eliminate it from the act.

Provision is also made in the bill this year for the situation where the general contractor finds that the subcontractor cannot perform his contract. In that case, the general contractor simply notifies the Government agency of the name of the subcontractor to be substituted. If the agency, upon inquiry, finds that the substitution is not based upon any of the causes set forth in the act, and that a saving in cost will result to the contractor, it may adjust the overall contract price to the benefit of the Government.

Further flexibility is effected by allowing the general contractor to substitute subcontractors at any time and for any reason by submitting pertinent data to the contracting agency. Such a substitution cannot be made, however, unless the Government benefits from any saving which may result.

The procedure established by the bill now before us is acceptable to both subcontractors and general contractors. The only opposition comes from Government agencies. They seem to feel that the construction industry should clean its own house. They have also expressed concern that increased administrative details will result.

In answer to these objections, it is interesting to note that members of the industry have expressed the opinion that the publicity which will be given all bidding under this act will do more toward cleaning the industry's house than anything else. As for administrative details, the improvements made in this year's bill should serve to keep them at a minimum. Only where the agency has reason to suspect foul play need it make extensive inquiry.

I strongly urge passage of this bill as a means of promoting competition in the construction industry, eliminating unfair practices and, as a possible means of effecting economy in Government through increased competition and resultant lower prices.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman.

Mr. GROSS. Does the gentleman agree that the real abuses could come in giving the general contractor too much elbow room?

Mr. KEATING. I think there is a possibility there.

Mr. GROSS. The gentleman does not feel the general contractor has been given too much room in which to maneuver under the terms of this bill?

Mr. KEATING. No, I do not think so. We have had such a struggle in trying to work out the terms of this bill that I am satisfied with the terms as they stand. But I do recognize the possibility of abuse during this 5-day period, which was not presented in the bill we had last year. And if abuses do develop it is something which Congress should learn about, because it has to do only with Federal Government contracts. I would be the first to try to correct those abuses if they do develop.

Mr. GROSS. I thank the gentleman.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Indiana.

Mr. MADDEN. The gentleman mentioned Government agencies. Is it not true that the General Services Administration and the Department of Defense submitted recommendations?

Mr. KEATING. They did submit recommendations for changes in the bill, many of which were adopted, so I think their opposition has been considerably blunted by the action taken by the committee.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I am glad to speak today in favor of H. R. 7168, the Federal Construction Contract Procedures Act.

This bill is the product of extensive hearings by the Judiciary Committees of both the House and Senate and comprehensive studies by these committees and by the entire construction industry itself.

It represents a composite of the best thinking on the subject of policy and procedure which should be used in connection with the award of Federal lump-sum construction contracts. It has the support of all segments of the construction industry, including general contractors, and thus no longer is a controversial matter.

The bill itself is a refined and simplified version of similar subcontractor listing bills which were considered by the committee in the past. It remains, however, basically a simple subcontractor listing measure which requires a general contractor on Federal lump-sum construction in excess of $100,000 to list in the prime bid the names of the mechanical specialty contractors who will perform each major category of mechanical specialty work.

The prime purposes of the legislation are to effect a procedure, first, under which Federal works will be erected at the lowest possible cost; and, second, under which general contractors and mechanical specialty subcontractors alike will be protected against the unfair trade practices of bid shopping and bid peddling which under present procedures plague Federal construction.

The record of the hearings clearly establishes that this measure is needed and that enactment should benefit the construction industry and the Federal Government alike.

Mr. BRAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, as an author of one of several companion House bills, I am glad to speak in behalf of the Federal Construction Contract Procedures Act, H. R. 7168.

Enactment of this legislation will establish fair bidding procedures to govern the award of Federal construction contracts. This not only will benefit the thousands of independent small businessmen in the construction industries but also will be of benefit to the Government in the form of substantial savings on Federal construction.

Too frequently our laws do not enable the small-business man to get a fair share of Government business. As a rugged individualist he wants no special favor but he does expect a fair chance to compete.

This legislation establishes the climate in which he has a fair opportunity to compete.

I, therefore, recommend its passage because I believe it will provide full opportunity for the independent small-business man in the mechanical specialty fields, as well as the entire construction industry, to prosper in a free economy.

Mr. MILLER of New York. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I am pleased to join with Chairman CELLER, of the full House Judiciary Committee, and Representative LANE, chairman of the subcommittee which conducted extensive hearings again this year on the Federal Construction Contract Procedures Act, H. R. 7168, in support of this legislation, the purpose of which is to establish fair bidding procedures to govern the award of Federal lump-sum construction contracts.

WHY I FAVOR THIS LEGISLATION

I am wholeheartedly in favor of this legislation which requires a general contractor to list his principal mechanical specialty subcontractors at the time of submitting his bid to the Government, because I believe it will improve the contracting procedures of the Federal Government, encourage additional general contractors and subcontractors to bid on Federal work, give the benefit of final low subcontract prices to the Government, and eliminate the unfair trade practices of bid shopping and bid peddling.

SUPPORTED LEGISLATION IN PREVIOUS CONGRESSES

Because of my belief that this legislation is needed and is in the public interest I have sponsored substantially identical bills in the past four Congresses, including the 85th. Other sponsors in this and other Congresses are Representatives LANE, MADDEN, BRAY, and WRIGHT.

You will recall that in the last Congress I spoke in support of S. 1644. That bill finally received House consideration in the closing days of the session under suspension of rules. It received a majority of 100 votes but failed to gain the requisite two-thirds majority by the scant margin of 15 votes.

NEW BILL HAS SUPPORT OF ENTIRE CONSTRUCTION INDUSTRY

A study of the record convinced me that major objections registered against the bill by opponents could be eliminated without affecting the primary objectives of the legislation, namely, to protect both the Federal Government and the entire construction industry from the unfair bidding practices which have crept into Federal construction and are so prevalent on these projects today.

Members of the construction industry must have had similar thoughts. During the adjournment period representatives of the various segments of that industry met on several occasions in an effort to isolate the principal areas of disagreement and then to resolve such disagreement. Spearheading these efforts was the Council of Mechanical Specialty Contracting Industries, a nonprofit membership organization representing companies in all branches of the mechanical specialty contracting industry such as electrical, plumbing, heating, piping, air conditioning, ventilating, and sheet metal.

As a result of the diligent efforts of the trustees of the council and the officers and staff members of the Associated General Contractors of America substantial accord was achieved. Previous legislation was revised to reflect the accord achieved and five companion bills reflecting this accord were introduced in the House in the early days of this session by Representatives LANE, MADDEN, BRAY, WRIGHT, and myself.

The Associated General Contractors of America, which had strongly opposed earlier bills, decided at its 38th annual convention in Washington on March 11, 1957, that there was no objection to the principles stated in the Federal construction contract procedures bills, already introduced, and passed a resolution so stating. This position was reaffirmed by representatives of that association who testified before Subcommittee No. 2 of the Judiciary Committee during the extensive and comprehensive hearings on March 20, 27, and 28, 1957.

While complete unanimity cannot be expected in a great industry such as the construction industry with its many thousands of separate companies, I believe it is a fair statement that the entire construction industry generally, including general contractors, is united in the belief that the proposed legislation will provide an efficient and beneficial system for both industry and the Federal Government.

ATTITUDE OF EXECUTIVE AGENCIES

Federal agencies, while not recommending the legislation are satisfied that the administrative burdens of previous bills have been eliminated and that administrative problems have been reduced to a minimum.

In general, the executive agencies stated in their written comments and by the oral testimony of their representatives that the revised bill is a vast improvement over previous bills. The Comptroller General, for example, stated that "the bills did not contain the burdensome administrative features which we previously had objected to in similar proposed legislation"—letter of February 27, 1957, to Chairman CELLER of the House Judiciary Committee.

Several of the agencies suggested additional amendments which would further ease, if not altogether eliminate the administrative problems. The Department of the Army, chief spokesman for the agencies, stated that when the changes it suggested had been made "there would be a substantial lessening, if not actual elimination of most of the administrative problems involved"—letter of March 19, 1957, to Chairman CELLER of the House Judiciary Committee.

Virtually every amendment suggested by the agencies was adopted either verbatim or in substance in the clean bill, H. R. 7168. Hence, it is a fair statement that almost every specific objection of the executive agencies has been met.

NEW BILL REMAINS SIMPLE SUBCONTRACTOR LISTING MEASURE

Basically, the legislation remains a simple subcontractor listing measure, requiring a general contractor at the time he submits his bid to the Federal Government on a lump-sum construction project in excess of $100,000 to list the names of the subcontractors he will engage to perform the major categories of mechanical specialty work.

It does, however, contain significant modifications and expansions of certain provisions in earlier bills. The most important and vital changes I would like to discuss briefly with you. However, before I comment on them I think some background information dealing with the reason the legislation is needed and is in the public interest will be helpful.

HOW THIS LEGISLATION WILL BENEFIT THE FEDERAL GOVERNMENT

(A) LEGISLATION WILL ENCOURAGE COMPETITION

On modern construction 40 percent and upward of the total cost of a Federal construction project is reflected in the price of the mechanical specialty work and this percentage is steadily increasing almost every year.

Under present statutes a prime contractor is not required to list the names of the mechanical specialty contractors that he will engage to perform the major categories of mechanical specialty work.

These same statutes do, however, require competitive bidding on the nonmechanical part of the construction. Thus the Government obtains competitive prices on only 60 percent or less of the cost of construction.

The proposed legislation will provide similar price wise protection for the mechanical specialty work which represents more than 40 percent of the total cost.

To estimate accurately the cost of the mechanical specialty work on a major Federal project is a highly complex, tedious, and technical process. This is because mechanical specialty work is tailored to fit the needs of each project. Out-of-pocket expenses frequently are very substantial. And since the mechanical specialty contractor submitting the lowest responsible bid, and the one used in preparing the prime bid to the Government, has no assurances that he will get the job, he is reluctant to spend the money required to prepare a bid. As a consequence, for example, 75 percent of the best qualified electrical contractors state that they customarily do not bid on Federal construction in their areas of operation. Thus the price which the Government gets is too high because of the thinness of competition.

(B) LEGISLATION WILL GIVE GOVERNMENT BENEFIT OF FINAL, LOW COMPETITIVE SUBCONTRACT PRICES

Moreover, this price is too high because is does not represent the finalized price for the mechanical specialty work. This is due to the unfair trade practices of bid shopping and bid peddling which are engaged in after the award of the prime contract.

Bid shopping is the continuation of negotiations between the successful prime contractor and the mechanical specialty contractors in an attempt by the prime contractor to obtain a lower price than the price he used in figuring his prime bid. Bid peddling is the solicitation by the subcontractor of a last "look" at the price quoted by the mechanical specialty contractor whose subbid was used in preparing the successful prime bid to undercut that price a bit in order to get the job.

Regardless of which party initiates this unfair trade practice the results are unhealthy for the construction industry. And it is not difficult to understand the economic consequences to the Government.

At present the prime bid merely reflects inflated estimates or rough guesses as to the cost of construction. And unless and until the low subcontract prices are negotiated prior to the award of the prime contract and fully reflected therein, these subcontracts will not produce the right price to the Government.

As the Tax Court of the United States stated in the case of *Ring Construction Corporation* (8 T. C. 1074), present bidding procedures cause the subcontractor who does submit a bid "to bid so high that he, the subcontractor can still come down and get the job."

HOW THE LEGISLATION WILL BENEFIT MECHANICAL SPECIALTY CONTRACTORS

By prohibiting bid shopping after the award of the prime contract, the bill will lead prime contractors to take competitive subbids and arrive at final prices prior to the award. It will encourage competition, give all subcontractors, the vast majority of whom are independent small-business men, an equal opportunity to bid on and get their fair share of Government work and it will create a system

under which a subcontractor may bid his final, low price prior to the award with reasonable assurances that if he is the low bidder he probably will get the job.

HOW THE BILL WILL BENEFIT GENERAL CONTRACTORS

The bill will enable general contractors to obtain a wider circle of competitive bids in which the final low price for the mechanical specialty work is reflected. This will enable the general contractor to fix his cost definitely and thus enable him to bid more competitively.

IN ACTUAL PRACTICE A SYSTEM OF SUBCONTRACTORS LISTING SIMILIAR TO THAT PROPOSED BY THE BILL HAS OPERATED TO THE ADVANTAGE OF THE ENTIRE CONSTRUCTION INDUSTRY AND HAS RESULTED IN LOWER CONSTRUCTION COSTS

"Subcontractor listing" is not something new and untried.

(A) THE STATE OF CALIFORNIA HAS FOUND THAT ITS SUBCONTRACTOR LISTING LAW ON STATE PUBLIC WORKS SAVES MONEY

Mr. Frank B. Durkee, director of public works of that State, certified for the record in the Senate hearings on S. 1644, at page 14, that—

The division of architecture has found that substantial savings have resulted from the flexible system now in use.

(B) THE STATE OF MASSACHUSETTS KNOWS FROM EXPERIENCE THAT ITS SUBCONTRACTOR LISTING LAW IN EFFECT FOR MANY YEARS NOW HAS OPERATED TO THE BENEFIT OF THE STATE AND THE CONSTRUCTION INDUSTRY

Commissioner Ernest A. Johnson, of the Department of Labor and Industries, certified for the record during the hearings on S. 1644 before the House Judiciary Committee, at page 201:

I can say without reservation that our Massachusetts law has worked to the advantage of the state and its political subdivisions, of contractors and subcontractors, and labor in stabilizing costs, creating a higher quality of workmanship, and greatly improved contractual relationships during the construction of the building projects.

(C) MANY OTHER STATES (SUCH AS WISCONSIN, IDAHO, ILLINOIS, AND SOUTH CAROLINA) USE THIS SYSTEM AND FIND IT EQUALLY SUCCESSFUL

For example, Governor Timmerman of South Carolina, stated in a letter to the chairman of the Senate Judiciary Committee during the hearings on S. 1644 and recorded at page 218 of those hearings:

For the last 4 years South Carolina has been engaged in an extensive school building program. * * *

In 1951, when this program was begun, the commission (State educational finance commission) adopted the policy of requiring prime contractors to specify in their bids the names of the principal subcontractors.

(D) MANY LARGE INDUSTRIAL CONCERNS, ESPECIALLY THOSE WITH VAST CONSTRUCTION PROGRAMS, USE SIMILAR CONTRACTING PROCEDURES TO THOSE PROVIDED BY THIS LEGISLATION IN THEIR OWN SELF-INTEREST TO SAVE MONEY

Ford Motor Co.:

All of our lump-sum contracts are bid by general contractors who must specify the subcontractors they intend to use.—Henry Ford II, president (p. 7, Senate hearings, 84th Cong.).

Colgate-Palmolive Co.:

Our current normal practice in letting lump-sum contracts for major buildings and facilities includes requiring prime contractors to specify in their bids the names of the principal subcontractors they intend to use.—Hugh Jewett, vice president (p. 26, Senate hearings, 84th Cong.).

Du Pont:

We wish to advise that we operate closely in accordance with alternate method No. 4 (subcontractor listing).—C. M. Read, chief engineer (p. 34, Senate hearings, 84th Cong.).

General Electric:

In the award of such contracts (for new buildings) it generally is our practice with respect to major lump-sum or similar competitive-bid projects to use the method described under item 4 (subcontractor listing) of your letter.—R. L. Yowell, manager, real estate and construction service department (p. 23, Senate hearings, 84th Cong.).

The Budd Co.:

The prime contractor is asked to specify his principal subcontractors.—Frederick E. Laig, assistant to vice president (manufacturing) (p. 219, Senate hearings, 84th Cong.).

VITAL CHANGES IN NEW BILL

Now, to mention the most important and vital changes in the new bill and to discuss them very briefly.

First. A new section has been added at the beginning of the bill which is in the nature of a preamble. It states that the use of the single-contract system of procurement of construction appears desirable and in the best interest of the Government, providing procedures are adopted to finalize the prices of the mechanical specialty work as far as practicable prior to the submission of the prime bid. Such a system will enable the Government to receive the full benefit of competitive subcontract prices and maximum efficiency in performance by eliminating unfair trade practices in connection with bidding on Federal works, including the unfair trade practices of bid shopping and bid peddling.

Second. If, after a bona fide effort, a general contractor is unable to obtain a definite, complete or responsive bid from a subconstractor for a major category of mechanical specialty work, he may, in lieu of listing the name of such contractor, so state in his prime bid. But within 5 days after the bid opening he must list the name of such contractor or advise the Government that he will himself perform such work. Should he fail to do this and the Government determines that such is inadvertent or otherwise excusable, the award may nevertheless be given to him. This is to assure that the Government will receive the full advantage of the low bid and will serve to prevent a general contractor from "ducking out" of his bid. However, if such failure is not inadvertent or excusable the low bidder is responsible to the Government for any loss occasioned by such failure or refusal.

Third. At any time within 5 business days after the opening of the bids a general contractor may substitute a mechanical specialty contractor different from the one listed in his bid simply by notifying the Government in writing within such period of the name of the substitute or that he will himself perform such work. This provision is inserted for the bona fide use of a general contractor to enable him to make the necessary checks concerning a subcontractor's credit standing, his financial responsibility, his reliability, his technical qualifications, his current workload, his relationship with labor, and to evaluate the completeness and accuracy of the subbid and like matters. It is not for the purpose of permitting bid shopping, limited or otherwise, during such period. And should the provision be abused or misused—and I do not believe it will be because of the deterrent effect of the listing itself which will focus the spotlight of public opinion on those engaging in this unfair trade practice—I will be the first to recommend amendment to eliminate it entirely.

There are other changes in the new bill, most of which are of a technical and clarifying nature, but the above appear to me to be by far the most important and significant.

CONCLUSION

I submit, Mr. Speaker, that H. R. 7168 is needed, and is in the public interest; that it will operate not only to the advantage of the entire construction industry but will also result in lower construction costs. It should, therefore, be enacted into law.

Mr. CRAMER. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I, too, should like to join my distinguished colleagues on the Judiciary Committee and others who have discussed this bill, stating that it is in my opinion excellent legislation. I had the privilege of being on the subcommittee that considered this legislation. It was considered exhaustively not only in the last session but in this. There was no controversy on it. I think it is a clear indication of what can be done by taking legislation and giving the parties involved an opportunity to consider it and make suggestions to the Congress as to the manner in which it can be clarified, differences worked out and opposition eliminated. It is a sound piece of legislation, I am confident it will do a good job, and I am wholeheartedly in favor of it.

I had been concerned as to whether the bill would have overburdened the Government in having to police these contracts in order to make sure the intent of Congress was carried out. In order to keep this from happening and to prevent an undue cost and administrative load from falling on the contracting agencies I offered in the subcommittee the first proviso appearing in subsection g of section 2 which reads as follows:

Provided, that he first notifies the contracting executive agency in writing of the name of the substitute contractor or notifies such agency in writing that he will himself perform such work, ascribing one of the reasons set forth in this subsection, which notice and receipt thereof shall constitute a final determination of compliance with this subsection;

It was intended by this proviso that when the contractor certified the full compliance with subsection (g) of the Government would not be required to investigate the matter further providing there was no evidence that subsection g had not been complied with in good faith. Of course if the latter appeared then subsection h would come into play if the reasons set out in compliance with g were not complied with in good faith. In any event the Government would not have to review each case under (g) with my amendment.

Subsequently in committee consideration an additional subsection was added which seems to me to again burden the Government with having to make a factual determination if a savings results from the substitution which was no fault of the contractor and in each event that a savings is found to result then the Government is duty bound to determine further "whether the substitution was properly made under this section" (g) "or should have been made under subsection 2 (h)." I trust that this additional subsection which, in my opinion thwarts the purpose of the first proviso will be fully considered by the Senate and the conferees in an effort to simplify the contracting agencies responsibilities under this section—which was my objective. Otherwise, the cost of administering the act will be too high and the burden of reviewing each substitution too great.

Mr. BOYLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BOYLE. Mr. Speaker, I am pleased to join with the distinguished chairman of the Judiciary Committee, the ranking minority member, other committee members, both Democrats and Republicans, and the House sponsors, in support of the Federal Construction Contract Procedures Act, H. R. 7168.

I am a member of the subcommittee of the Judiciary Committee which conducted 3 full days of extensive hearings on the legislation on March 20, 27, and 28, 1957, and as such attended each committee session and listened attentively to all arguments.

It is my considered opinion that this legislation is fair to everyone in the construction industry and is in the best interest of the Federal Government and hence should be enacted into law.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

House Resolution No. 271 was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. LANE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ACREAGE RESERVE PROGRAM UNDER THE SOIL BANK PLAN

Mr. UDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. UDALL. Mr. Speaker, in a few days the House will be called upon to consider again its refusal to appropriate funds to continue the acreage-reserve part of the soil-bank program beyond the present crop year.

Last week, our colleague from Minnesota [Mr. MARSHALL], one of the House conferees, stated that this program has "failed to serve the purpose for which Congress authorized it." He requested that Members give him their views on the situation in the various farming areas of the country. I am responding to his request this morning.

I have been doing some digging into the facts in my own congressional district, and I have some startling conclusions to report.

Mr. Speaker, considerable surprise and amazement was provoked in the Congress last winter by the disclosure that a Kansas corporation, the Garvey Farms Co., of Colby, Kans., received a $61,000 soil-bank payment for not cultivating land located in the State of Colorado. I am prepared to report today that now that the soil-bank program is in full operation in all parts of the country it is plain to see that the Garvey Farms Co. is a "piker."

In one of the cotton-growing counties in my district one farmer will receive this year a payment of $209,701, for not cultivating his land. In another county the top payment contracted for to a single farmer is $204,000. In addition, other farmers have already signed up for individual payments of $96,706, $82,500, $78,650, $71,500, $69,300, $64,000, $60,885, $59,925, and $56,700.

As near as I can ascertain, Mr. Speaker, all of these contracts are quite legal and within the letter of the soil-bank law. Here is boondoggling on a grand scale—indeed the old-fashioned term "boondoggling" is utterly inadequate to describe this program. After the facts which I shall relate in a moment maybe you will agree with me that we should coin a new term, "boonswoggling," to cover the manipulations of some of these farmers who are attempting to hornswoggle the taxpayers of the United States.

The sole overriding purpose of the Soil Bank Act, we were told, was to reduce the output of our farms by taking a substantial portion of our land out of cultivation. The program must stand or fall by its failure or success in achieving this objective. We must, this week perhaps, pass judgment again on this program, and I believe it is our duty to attempt to ascertain, if we can, whether farm production is actually being reduced as a result of the enormous expenditures entailed for the soil bank.

So let us look at specific cases, and the actual operation of this law. If I could report to you that my constituent who is receiving the $209,701 payment—and who did not plant one-thousand-five-hundred-odd acres into cotton—was sitting quietly on his back porch, or on a pleasure trip abroad, it might be possible to conclude that after all a substantial reduction in cotton planting has been effected by the soil bank.

However, I cannot report such facts to you today. I am reliably informed that the recipient of this record payment—perhaps the largest outright gratuity ever bestowed by this or any other Government—has apparently decided to parlay his soil bank payment into further cotton production. This farmer, I am told, is the owner of a cotton gin which he has moved some 150 miles to a new location in Arizona where he is is now—perhaps with other associates in a corporate arrangement—planting nearly 4,500 acres of penalty cotton.

It is his plan, so I am informed, to pay the penalty on this cotton and recoup his loss either on the operation of his cotton gin, or by a direct sale on the foreign market.

All this, mind you, is being done within the law. I doubt that this shrewd speculator will be found to be in violation of any provision of the Soil Bank Act.

In short, in this particular case, this expenditure of tax money has not taken 1,500 acres of cotton land out of production, but has resulted in a situation where a net increase of nearly 3,000 acres of cotton land has been brought into production.

REGULATION OF FOREIGN COMMERCE AND TARIFF RATES

Mr. LANHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANHAM. Mr. Speaker, almost daily more evidence accumulates supporting the view that I have often expressed in this Chamber during the past 2 years, namely, that the Department of State behaves as if the Congress had delivered its constitutional authority to regulate our foreign commerce and to determine tariff rates to the Department bag and baggage and had renounced its responsibility to the American people in this field.

Of course, Congress could not, even if it so desired, divest itself of its constitutional responsibilities. However, that fact has not prevented the State Department from creating a situation in which it exercises the substance of power while leaving to Congress the mere shell.

This fact has again been demonstrated by the public hearings that were held by the Committee for Reciprocity Information on June 18 on the question of extending for a further period of 3 years the binding character of the tariff concessions made in the General Agreement on Tariffs and Trade, that is, GATT.

I am quite sure that it will come as a revelation to many Members as it did

to me that the general agreement contains an article that recognizes the right of any member of GATT for any reason whatsoever to withdraw a concession previously extended to another member, provided only that the withdrawal be negotiated with the country to which the concession was granted in the first instance, and an appropriate quid pro quo arranged.

This means that without going through the escape clause proceedings the United States, should it so desire, could restore any duty that had been reduced in a trade agreement.

However, there is a hitch. The article in question, namely, No. XXVIII, has never been put into effect. Originally it was to become effective January 1, 1951. As that date approached the effective date was postponed to January 1, 1954; and before that time arrived another postponement was agreed to, and then another. As matters stand now, article XXVIII will become effective January 1, 1958.

The purpose of the hearings before the Committee for Reciprocity Information was to consider a yet further postponement of the effective date of the article in question. The United States as represented by the State Department has been solidly behind these postponements and has indeed sought to make the postponement automatic and permanent.

Here we have a clear case of the State Department taking the place of Congress and committing the United States to a future course of action in an international executive agreement that has not even been submitted to Congress for approval.

Regardless of the previous silence of Congress when postponements were made, the proposed new postponements should not be allowed to go unchallenged by Congress.

While it is true that if article XXVIII did become effective and the United States were free under GATT to withdraw concessions, no one could induce the State Department to do so, this is nonetheless not merely an academic question. The point is that the State Department has no shadow of a right to bind the United States to a course of action that may not be in accord with the will of Congress. The Department may argue, as it has on a number of occasions, that Congress authorized the President to bind the United States, and that the Department merely acts for the President, but I say to you that Congress has no power to authorize the State Department, the President, or anyone else to bind a future Congress or even a current Congress in an international executive agreement in a field that is exclusively in the jurisdiction of Congress, as are the regulation of foreign commerce and the shaping of the tariff.

The State Department itself acknowledges the freedom of Congress to legislate as it sees fit, but this is nothing more than lip service. The fact is that the Department proceeds almost at will to make agreements that commit the United States to a course of action thereby leaving to Congress the freedom to dishonor this country by legislating in contravention of such international commitments.

It is an intolerable and even an impudent interpretation of constitutional authority to hold that Congress is free to violate an international agreement signed on behalf of the United States by the State Department. I say this is no freedom at all and that it is disgraceful that the State Department should stoop to such an interpretation.

The obvious and honorable course for the State Department to pursue would be to avoid agreements that trench upon or abridge the powers of Congress. That would admittedly narrow the Department's field of operation in tariff and trade matters and that is what the Department so frantically seeks to avoid. It is also the obsession with tariff and trade matters and the realization that in the control of these matters lies the seed of possibly reshaping the world economy, that have driven the State Department into the unenviable position in which it finds itself.

It was the thirst for power to launch an internationally planned economy that impelled the State Department toward the stillborn ITO or International Trade Organization after the war, and then when that failed, into GATT. GATT fell short of the sweeping and all-embracing powers that would have been exercised by the ITO but the State Department was not slow in its efforts to shore up GATT where it seemed weak. Article XXVIII was an obvious weakness because it opened the door to nullification of concessions. It was, therefore, a foregone conclusion that the State Department would do all in it power to set aside the article. So far the Department has succeeded.

Having for some years operated under the trade agreements program with Congressional indulgence and under what now is revealed as an unjustified degree of trust, the State Department became bold enough to challenge Congress to its face. The Department refused point blank within the past 2 years to send the general agreement to Congress for approval although it did send the OTC—Organization for Trade Cooperation—in lieu of GATT. This again was sending the shell while withholding the substance.

And now the Department relies on what seems to me to be an unworthy and shabby design that is noted principally for its inevitability of double-dealing. The lines of this gambit are brought to light in the appended statement of Mr. O. R. Strackbein, who testified before the Committee for Reciprocity Information during the June 18 hearings.

It is a source of deep regret to me to see the State Department taking refuge in deceitful tactics as a means of maintaining its grip on a power that has never belonged to it and that by many accounts it has used unwisely in delegated form. When the Department has been forced by events into a position of being dishonest either with Congress or with the foreign countries with which it deals in trade agreements, as revealed in Mr. Strackbein's statement, it is time that we in Congress who bear the constitutional responsibility of regulating foreign commerce, shed our trust in the State Department's trade-agreements stewardship.

Let me point out that the United States is probably the only country that is actually bound by GATT under GATT's own terms. The other countries almost without exception can find a way out, as they have done on a truly grand scale, by resorting to one or more of the loopholes available to them. These loopholes, mind you, were provided specifically to accommodate these other countries. The State Department was so anxious to get GATT signed that it was ready to make almost any exception for other countries in order to obtain their approval and adherence.

They may and do restrict imports—that is, they may and do impair or even nullify a concession such as a duty reduction, by imposing one or more restriction on imports in the form of import quotas, exchange controls, import licenses, or the like. This they are free to do if they are in "balance of payment difficulties." Many countries have been and are still in that circumstance. I do not say that they should not have the right to stop a drain on their monetary reserves. I merely point out that this loophole has been used freely and extensively and without the need of going through escape clause procedures. Most of the leading trading nations among the members of GATT restrict imports through quotas, exchange controls or import licenses.

For them article XXVIII is meaningless. They already enjoy the freedom that the article would give them. The postponement of its effective date therefore succeeds only in continuing the binding of the United States.

The underdeveloped countries have the same privilege of restricting imports if they find protection necessary for their industrial development.

The upshot is that the United States has been freely offered up by the State Department as the sacrificial goat as a means of gaining and holding GATT together. Other countries had little appetite for GATT and could be interested in it only if their positions were accommodated while the United States market was opened to them. Through invocation of the exceptions written into GATT they could protect themselves almost at will. One notable exception was the British imperial preference system which was narrowed considerably. This was upon our insistence and today stands out as an inconsistent action by us in view of our support of the proposed common market and free trade area in Europe.

Even article XXVIII itself has been used by other countries to modify concessions. How this could be done when it had never taken effect is not thoroughly clear. Nevertheless, in 1954 when the first 3-year postponement of its effective date was about to expire and a new postponement was negotiated under GATT, 16 member countries as a condition of agreeing to another extension withdrew or modified numerous concessions that they had previously granted under GATT. Not so the United States.

In this country even unanimous decisions under the escape clause by the Tariff Commission have failed to bring action to withdraw or modify concessions.

In 1951 Cuba before signing the first postponement of article XXVIII withdrew a number of important concessions that she had given on rayon and cotton textiles and raised the tariff on these items very sharply.

I have gone into these details to show how one-sided the State Department has been in her stewardship of the delegated power entrusted to the Department through the President under the Trade Agreements Act.

My own conclusion is that the Department is willing to do almost anything that may be necessary, first, to keep the GATT system alive and, second, to retain in the Department's grip the power over our foreign commerce that she has amassed in the past 20 years. Of the two objectives, in my opinion, the second one, that is, the maintenance of the Department's grip on its usurped power, is primary. Even GATT is only a means to an end. GATT has been the Department's principal reliance as a means of holding on to its ill-gained and expanded powers and that is why GATT is so precious to the Department. That is why the Department, seeing the sham of GATT being progressively exposed, is now trying to save it by setting up the OTC—Organization for Trade Cooperation—under the approval of Congress.

The OTC maneuver is but one of a succession of efforts of the Department to prolong and perpetuate its power to use American industry and agriculture and their workers as pawns in international diplomacy. Heretofore the Department succeeded largely because it was able to serve the export interests and therefore attracted their support. Even this support shows signs of falling away as other countries begin hitting competitively in the very areas, both at home and abroad, where our exports so long had their own way.

Under leave to extend my remarks I insert the statement of O. R. Strackbein before the Committee for Reciprocity Information. I commend it to your attention.

THE PROBLEMS OF THE AGED

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, an observant American journalist once said, "As you become older, you gradually accustom to neglect." Too many of our older citizens would agree on the wisdom of this advice. Their children have married and moved away. The letters, though they came often at first, have gradually fallen off. Their jobs have disappeared as retirement age is reached, and they no longer feel that they are contributing members of the community. Their income has dropped appreciably, and they cannot afford many of the conveniences they once enjoyed. Their health may be poor, but no one seems to pay much attention. Is it any wonder that they feel neglected? Is it fair that the community should reject them after they had given so much of their lives to it?

Since my first election to Congress I have been particularly concerned with the problems of the aged. Many times I have called the attention of my colleagues to these problems. I have introduced several bills to set up a commission similar to the Hoover Commission to study the situation and problems of the aged and to make recommendations. I shall continue to press for such legislation.

I have been very gratified by State activities in the field. Many States have set up commissions to study the problems of the aging, many have promoted conferences dealing with the aged, and many have taken important steps toward solving the problems.

One of the most significant State studies had its genesis right here in New Jersey. In 1954 our State legislature passed a joint resolution introduced by Senator Walter H. Jones. This resolution established the New Jersey Old Age Study Commission. Four legislators and three private citizens were to be appointed to the commission. Their assignment was to study the problems of the aging group in our population in reference to employment, housing, health, recreation, and general social and economic needs, and to report the results of their study, together with their recommendations, including proposed legislation, to the governor and the legislature. The commission held many hearings, and the members worked long and diligently. The report appeared at the beginning of this year, and it is already recognized as one of the foremost documents in the field. The people of our State can be proud of this commission and its work. If its recommendations are studied and followed, we will have done much to give needed help to our senior citizens. I am convinced, as I have been for some time, that a similar study is needed at the Federal level.

Many of you might well wonder why all of this current interest in the aged. You may be thinking that "when I was a boy" I heard little talk of older people and their problems. Perhaps you can still remember your grandmother and grandfather sitting before the fire, happy and content. I might here say, after asking your indulgence for the use of such a well-worn phrase, "Times have changed." Great medical strides have added years to the lives of most of us. At present two-thirds of the newborn babies can be expected to live to be 65 whereas at the turn of the century only two-fifths had such a life expectancy. This increase in longevity has meant a constantly increasing proportion of aged in our total population. Consequently, the demand for attention to their problems has become more insistent.

Another reason for our present concern is the great change in population distribution. Whereas in 1890 about 65 percent of our people lived in rural areas, in 1950 only 41 percent were on the farms or in the small towns. Older people are more easily integrated into the community and the family in the rural areas than they are in the cities. This aspect of the problem is particularly acute in our own State of New Jersey. With the exception of Rhode Island, we find a larger proportion of our aged in urban areas than any other State in the Union. Both the increasing proportion of the aged in our population and the movement of people from the farm to the city have brought on those problems about which we hear so much.

We speak of the problems of the aged but we have not always defined them. I would like to discuss some of them with you. The problems arise in several areas, and I am sure you are aware of many of them. Of the people in our State who are over 65, nearly one-half have some chronic disease of physical impairment. Many of these people need constant care. They require medical attention for their ailments, but they need more. They need the hope to carry on. They ned companionship to while away lonely hours. They need to feel that living is worthwhile. We have nursing homes, hospitals, and other institutions, but is institutional life truly satisfactory? Of course such institutions are necessary in many cases. But the New Jersey Study Commission urges further development of local counseling services and diagnostic centers in order to leave as many persons in their home surroundings as possible. Home care services should be expanded along with community services. By following these recommendations we will have accomplished a great deal.

Another big problem lies in the field of employment. Many people over 65 are vigorous and active. They need and want a job, one in which they feel they can contribute their bit to the community. Many employers, public and private alike, set arbitrary and inflexible retirement ages, usually 65, at which time the employee is compelled to quit his job. Many of you are probably asking yourselves, what is the problem? You look forward to retirement and its expected blessings as you did toward Christmas or your birthday when you were a child. Unfortunately retirement for many is not the heaven on earth it is usually advertised to be. Many retired men and women sorely miss the regular paycheck. They need the money a job provides to live comfortably. Many have not developed the outside interests necessary to entertain themselves during the long, leisure hours. Many obtain satisfaction from a job that they gain in no other way, a sense of being needed, of contributing to the community. The New Jersey Commission has made numerous recommendations whereby State agencies and community resources can be used to find new jobs. Certainly the able people over 65 represent a resource we can ill afford to neglect. If they want to work we should provide them with the opportunity.

Housing for our aged presents still another problem. Some older people are fortunate enough to have made satisfactory living arrangements with their children or with relatives. Many are happy

in their own homes and can get along very well. But many others are in institutions in which they do not belong. Thousands of our older citizens live alone or with their spouses in inadequate houses, often old and lacking modern conveniences. Some of their apartments are dilapidated and neglected, but social security or public assistance checks are too small to enable them to move. The New Jersey Commission makes wise recommendations in the field of housing. It suggests that State and local housing legislation be reexamined in terms of its adequacy for encouraging housing for the aged. It asks that more recognition be given to providing housing, both public and private, for our older people.

I want to mention one last field in which there are major problems. This field includes education and recreation. Education for the aged is really a much broader concept than at first appears. All of us are getting older much as we may dislike admitting the fact. Would it not be wise to prepare ourselves now for those years after retirement? The chances are much greater than they ever have been that we will live well into those years. The process of education for the last years of life must continue from childhood on through the middle years. The New Jersey Commission recommends that educational budgets, budgets for schools, libraries, adult educational services, and the like, be reviewed with attention directed toward the needs of an aging population.

Recreational problems are closely tied in with those of education. A man with an adequate educational background is more able to amuse himself and to enjoy the companionship of others than is a man without such a background.

These are some of the problems. Now what do we propose to do about them? The citizens of New Jersey are already doing much. The State department of health is promoting the development of community resources for the control of chronic diseases. General hospitals, welfare homes, and community centers are developing rehabilitation services for the aged. We find an increase in homemaker services. These services are provided by trained persons who visit the homes of those older people who live alone and help with some of the chores of daily living. The State department of education is promoting adult education services, and some 6,300 people over 60 years of age take part in classes. Other State departments are also active, providing inspection services for nursing homes, giving advice on nutrition needs, and setting up training centers for those who work with the aged.

Governor Meyner, himself, has shown an active interest in the problem and has made several speeches expressing his concern. In fact, he spoke before the Federal-State Conference on Aging held in Washington in June of 1956. In that speech the Governor pointed out clearly the obligations we owe our older citizens today, obligations I have tried to set forth here.

We can be proud of what we are doing, but it is not enough. This is clearly revealed by the report of the Old Age Study Commission. In the fields of health, housing, recreation, and employment the problems have overwhelmed our efforts to cope with them. The report of the New Jersey Study Commission points the way, and it is up to us to follow the lead. And with the help of all of us and of our fellow citizens we will succeed.

WHO IS THE FRIEND OF BUSINESS?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. CHRISTOPHER] is recognized for 40 minutes.

Mr. CHRISTOPHER. Mr. Speaker, I would begin by asking my colleagues on either side of the aisle, please not to ask me to yield until I have used at least half of my time. Then I will be glad to yield to colleagues on either side of the aisle.

Mr. Speaker, I sought this time because of two articles I read in the Washington Evening Star. According to the Washington Evening Star, Secretary Weeks made this assertion in speaking of President Eisenhower. He said:

"Business has not had as good a friend in Washington since Herbert Hoover was President."

I rubbed my glasses and read that statement again. Sure enough, there it was. Then I began to ask myself just what business Herbert Hoover was a friend to when he was in Washington. It certainly could not have been the manufacturing industry in the United States because during the regime of that distinguished Republican, ex-President, their chimneys ceased to smoke. So I marked them off the list.

I concluded it could not be the banking fraternity because almost 10,000 bankers went broke during the Hoover administration, and the administration of the two Republicans who preceded him. So I concluded he was not a friend to the bankers.

Certainly, he was not a friend of the big life-insurance companies because before his term had expired, most of them were operating under a moratorium and you could not even borrow your cash-or-loan value on your life insurance policy that was specified in the policy. So I marked off the life-insurance companies.

Then I wondered if he could have possibly been a friend of labor. I concluded that that was not possible because 15 million of them were unemployed at the close of his administration and they were walking on the highways and riding in empty boxcars and looking for jobs that had ceased to exist. So I marked off labor.

Then I thought of the farmers and I wondered if Herbert Hoover could have been a friend to them, and I soon realized from my own experience that he could not possibly have been a friend of the farmers.

Now President Eisenhower may be a friend of American business, but just to exceed the record of friendship evidenced by Herbert Hoover, he would not have to be much of a friend. So enough for Secretary Weeks.

Now we come down to a quote from President Eisenhower according to the Washington Evening Star. President Eisenhower told a group of Republicans from different places in the United States that a Democratic victory or a Republican defeat in 1960 would mean a return to the loose spending and fiscal irresponsibility of the New Deal and the Fair Deal. I cleaned my glasses and read that again and sure enough it was there, right in that paper. "Loose spending and fiscal irresponsibility of the New Deal and the Fair Deal." In order to understand that quotation, we first have to understand what the New Deal was and what it did. You can go out into any city or town between New York and Los Angeles and ask the first 10 men you meet what the New Deal was and at least 8 of them would not know. We have a Republican propaganda machine that has held up the New Deal as some vile, hydraheaded monster that Franklin Delano Roosevelt and the Democratic Party drew up out of the bottomless pit and foisted on the American people.

That has been told over, and over, so often that thousands and thousands of people in the United States believe it to be true.

Who benefited by the New Deal? If you are a banker you ought to remember that the New Deal when they started the FDIC guaranteed your depositors' money that is in your bank.

If you are a businessman, a manufacturer, in these United States, you should remember that it was the New Deal that started your factory chimneys to smoking again, put you back in business.

If you are a life insurance executive you should remember that the New Deal lifted the moratorium off of you so you could do business as you did before the early 1930's, and as you are doing it today.

If you are an investor you should remember that the New Deal created the Securities and Exchange Commission that keeps slick-tongued salesmen from coming along and selling you the blue sky in return for your good money.

If you are a working man you should remember the New Deal gave you your first minimum wage and gave you back your job.

If you are a farmer or a farmer's wife you will remember every time you flip on an electric switch in your farm home that the New Deal made it possible for you to have an REA, for you to have electric lights, and electric refrigeration, and electricity to pump your water, electricity to milk your cows. Farmers will also remember that the New Deal gave them their first price supports.

That is the New Deal.

People have got the wrong idea. The Republican Party does not have a record of service to the rank and file of the people of the United States. They served just a select few of the people of the United States, and they are still serving that select few.

I want to say to the Democrats in the United States that we have lost two national elections; we have lost them not because we do not have the facts, not because we do not have the record of service, but because we have not gotten over to the American voter the facts

in the case. We have slept on our right and permitted the Republican propaganda machine to win two national elections.

We have lost campaigns, and we deserved to lose them; and if we do as poor a job of selling our record to the public in 1960 as we did in the past two campaigns we will lose again and will deserve to lose.

We have the record of accomplishments and can prove it.

President Eisenhower speaks of the loose spending and fiscal irresponsibility of the New Deal and the Fair Deal. I want to quote from a very good colleague of mine and yours, MARTIN DIES, of Texas. He said on May 29, and I quote:

> The Eisenhower administration has increased the national debt $9 billion. Furthermore, the total of the last 5 Eisenhower budgets is $73,600 million higher than Harry Truman's last 5 budgets. I repeat, the 5 Eisenhower budgets are $73,600 million more than the last 5 Truman budgets.

Then Mr. DIES goes further. I have here the figures of the Roosevelt administration from 1934 to 1941, one of the most dangerous periods in the history of this country. Those of us who served immediately preceding World War II realize and will agree that we were confronted with the greatest economic and defense problem that ever faced this country. During that entire 8-year period the total expenditures were $67,041 million, all 8 of these Roosevelt budgets added together; yet the budget of this administration for 1958 exceeds all of the budgets of President Roosevelt's administration during that difficult period.

What did we get for that $67,041 million under Roosevelt? Labor was put back to work, our factory chimneys were put to smoking again, our production credit associations were organized, REA was instituted. We were well on the way with the social security program. We had bank deposits guaranteed. We got a minimum wage, collective bargaining, and old-age assistance. All the things that the New Deal accomplished in the first 8 years were paid for with less money than Eisenhower is asking for 1 year.

What happened to the farmer during that period? In 1934 the per capita income of farm people was a measly $94 a year from farming. In 8 years that per capita average income was raised to more than $500. Farmers had 100 percent of parity and kept it for 11 years until another Republican President was elected. The farmers kept that 100 percent of parity for all those 11 years—1941 to 1952.

What did that cost? Well, we will ask Clifford Hope to see what Clifford says it cost. Clifford Hope says:

> For 20 years the price-support program cost the taxpayer in the United States a total of $1,194,800,000.

I called the Department of Agriculture this morning and asked them what the price-support programs had cost in CCC losses alone from the time Eisenhower was elected up to the present time and they told me $3,522,400,000, or almost exactly three times as much in four and a half years as a better service cost under the Democrats for 20 years. Those are the figures.

What have we got in the last 4½ years? What has the farmer got for that $3,522,400,000 that this Republican administration has spent in its abortive effort to support farm prices. The farmers lost $12 billion in net income during that period. They have suffered a loss of $8.7 billion in the inventory value of livestock on American farms. The farmer is receiving today 80 percent of parity instead of the 100 percent of parity that he was receiving when Harry Truman went out of office. The Republicans have spent three times as much money ruining the American farmer in 4½ years as the Democratic Party spent making him prosperous and keeping him prosperous for 20 years. Then they say that we spent our money loosely, we Democrats, and that we are fiscally irresponsible.

Mr. SEELY-BROWN. Mr. Speaker, will be gentleman yield?

Mr. CHRISTOPHER. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. I am very much interested in the statement the gentleman has made because I think all of us share his concern over the problems that agriculture faces. Of the 20 years the gentleman spoke of, and I do not want to get involved in any partisan program, would the gentleman indicate how many of those 20 years were war years where our agricultural surpluses were being used to feed the world?

Mr. CHRISTOPHER. During the first 8 years of the Roosevelt administration, when the Democratic Party was raising the farmer's level from less than $100 a year up to more than $500 and getting 100 percent of parity, none of those years were war years. The war years began in 1941. Really the war began in 1942. But, from 1942 for several years we did have a war economy. However, this tremendous spending has been done in what the Republicans tell us is peace times. The last campaign was made by President Eisenhower on a peace and prosperity platform.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield further?

Mr. CHRISTOPHER. Certainly.

Mr. SEELY-BROWN. Again I am not trying to get into a political argument, but what I am saying is that with all the money we have spent in the last 25 years, to make sure we include two administrations, do you feel we are any closer to solving the basic agricultural problem that is involved?

Mr. CHRISTOPHER. Well, it seems to me that if the Democratic Party was able to pull the farmer out of the depression, stop the storm of foreclosures that was sweeping the land, raising his price up to 100 percent of parity in 8 or 9 years and keeping it there for 11 years, with the cost to the taxpayer of about $1.2 billion, they must have had a rather successful program.

Now, these figures are by Clifford Hope. During that 20-year period he says cotton showed a profit of $237.9 million, cottonseed products $10.2 million, soybeans $3.9 million, tobacco $1.7 million, and all other supports less than $100,000 brings the total up to $253.7 million in profits. Now, the loss was $1,448,500,000. You subtract the profits from that, and it leaves a total cost over the 20 years of $1,194,800,000, and this administration has spent three times that much in 4½ years and we have lost 20 percent of parity and we have lost over $20 billion in income and livestock loss to the American farmer to show for all of that expenditure of money, and I contend that our farm program died the day President Eisenhower vetoed H. R. 12, because that was a program that had proven itself in both peacetime and wartime over a 20-year period. The cost was reasonable. But now we have no program.

Now, during the years of the 1920's we just had Republicans in control of the Government. Now we have modern Republicans in control; in fact, we have a modern Republican President. Now, I have wondered what a modern Republican President was, but I have concluded that a modern Republican President is a President who can out-promise Franklin D. Roosevelt, out-spend Harry Truman, still pose as a Republican, still have outwardly, at least, the wholehearted support of our minority leader, the gentleman from Massachusetts, as well as the distinguished gentleman from Indiana and the gentleman from Illinois. I submit that a man that can do that and win two campaigns the way Eisenhower has won them is a man of many accomplishments. He does not win these campaigns on the record of his party. He wins them on personal popularity and pure propaganda, and we Democrats stand by and allow him to do it.

Now, that is why I am taking issue with the members of my own party today. If the Republican Party had the record of service to the American people that the Democratic Party has got, we would not elect a Democratic President in 50 years. The Republicans are making something out of nothing, and we Democrats are making nothing out of everything. We have got the record of service. We have the record of rescuing business, labor, transportation, and agriculture from the depths of a Republican depression. And now the President still leaves the New Deal out there as a whipping boy, and yet President Eisenhower and the Republican Party have stolen the New Deal at home, stolen the Fair Deal abroad, and call it modern Republicanism. They have given it a new name. What is the Fair Deal? An extension of the New Deal plus the Marshall plan, plus foreign aid, plus economic foreign aid that the President wants about $4 billion for each year as far into the future as you can see.

They have surely stolen our thunder and made good use of it.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. CHRISTOPHER. I yield.

Mr. McCARTHY. Under Secretary of Agriculture, Mr. McMillen, was out our way a week or so ago and he indicated what I thought was a lack of coordination. He said he did his best work in the evening, 10 or 11 o'clock, while the

Secretary did his best work in the morning, between 5 and 6 a. m. Does the gentleman suppose that this lack of common time for good work might have some effect in the mistakes of the Department of Agriculture?

Mr. CHRISTOPHER. Well, that could be. Of one thing I am reasonably certain. As long as the American farmer has Ezra Taft Benson as Secretary of Agriculture, they will have less and less of everything, even money in the bank.

There is another thing that does not look fiscally responsible to me. I called the Bureau of the Budget this morning and asked them what the interest was on the national debt in the fiscal year 1952. They told me it was $5,859,000,000. Then I asked them what it was in 1956 and they said that it was $6,786,000,000. So it takes $927 million plus more money to pay 1 year's interest on the national debt now than it did when President Eisenhower was elected. Is that fiscal responsibility? Or, what is it?

This year it is freely conceded even by the Bureau of the Budget that it will cost a cool $1 billion more to pay the interest on the national debt than it did to pay it in 1952. And still they say that the Democrats are fiscally irresponsible and that we are loose spenders. These things ought to be taken to the American people.

American farmers, 600,000 of them, have quit in the last 4 years, some of them because they had to and some of them because they could do better some place else. Most of them quit because they simply could not make a go of farming under Benson. My own State has lost 28,431. My home county has lost 278. I shall not list the others in my district, because that has been put in the RECORD previously.

But I just could not let those two statements go by, that Herbert Hoover was a friend of American business and that if the Democrats won the national election in 1960 we would go back to loose spending and fiscal irresponsibility. My God, if we could spend any more loosely than this administration and have less fiscal responsibility than this administration, we would wreck the country, sure enough.

I can remember when men came down to this very "mike" that I am talking over right now and you would have thought, to listen to those gentlemen, that Harry Truman was the most profligate spender in the world. Now, by comparison, he looks like an ultraconservative.

Mr. Speaker, it is the duty of the Democratic Party to take these truths to the people, because we can prove them. The figures I have quoted are not my figures. They come from the Bureau of the Budget, the Department of Agriculture and the Congressional Library. I did not make up these figures. They will appear in the CONGRESSIONAL RECORD. If anybody can prove these figures are wrong, I wish they would do it, because it would confer a service on me if they did do it as well as confer a service on the American people.

INCREASED INDUSTRIAL USE OF AGRICULTURAL PRODUCTS

The SPEAKER pro tempore (Mr. MADDEN). Under previous order of the House, the gentleman from Mississippi [Mr. ABERNETHY] is recognized for 60 minutes.

Mr. ABERNETHY. Mr. Speaker, today I am introducing a bill designed to provide what American farmers need most—markets for what they grow. Companion bills are being introduced by the gentleman from Indiana [Mr. HARVEY], and the gentleman from Virginia [Mr. JENNINGS].

We have tried a good many other ideas. Some of them has been helpful, some have been necessary for emergency situations, but none has created the substantial new markets which are essential.

We have tried acreage reductions, price supports, export subsidies, plowing under, and we are now even handing out Federal checks as compensation for doing nothing—all of these things and more in earnest effort to solve the farm problem. Results have been no more than partly satisfying.

But there is one method, the most promising of all, that we have not tried, and that is to make agriculture an equal participant in the scientific revolution. Up to now, agriculture has not been able to go modern, except to a limited extent, in production.

We now stand face to face with the possibility, if not the likelihood, of socialized farming. The farmer does not want it. The people do not want it. But I am afraid that is what we are heading for, and it is not the farmer's fault. It is the fault of Government mainly, and of industry, both of which have failed to give the farmer a fair shake in the great scientific revolution that is now performing such wonders in our economy and way of living.

The farmer has participated substantially in one-half of this revolution—the half that has to do with production; but he has been denied the rich fruits of the other half that has to do with utilization. He knows how to produce more than we know how to use. The burdensome crop surpluses now in warehouses are ample evidence in support of that statement. Giving commodities away at home and abroad will not solve the surplus problem; neither will cutrate sales. But scientific research might in time empty the storage places and prevent further oversupplies of serious size.

Meanwhile, industry has been invading the markets which naturally belong to agriculture. Synthetic fibers have displaced cotton and wool, synthetic detergents have replaced fats and oils in soaps, and synthetic resins are now pushing natural oils out of the paint market.

How has industry done this? By research. Industry has studied the needs of the market and has set its scientists to figuring out means to produce things the people will buy.

Manufacturing industry invests about 2 percent of its gross sales in research. Some fast-growing lines, such as chemical and petroleum, invest up to 7 percent in research. But in agriculture the investment is only about one-half of 1 percent of total sales. No other important segment of the national economy is compelled to risk its present and its future on such limited efforts to expand and improve.

Agriculture has made tremendous gains in its ability to produce. How? Through research.

What, then, could be more logical than for agriculture to find markets by the same means it has improved its ability to produce? If research expanded farm production and enlarged industrial markets, should it not also be put to work to solve the overwhelming problem of agriculture, the development of adequate markets?

Farmers, themselves, cannot solve the problem of using for the common good the abundance they can produce. There are 5 million of them scattered from coast to coast, from Canada to Mexico, growing some 150 different crops. It is impossible for them to operate as a compact unit, building their own laboratories, carrying on their own research, studying the growing needs of industry for new raw materials, for improved qualities, for lower costs. Industries can perform these functions for themselves and are doing so at great profit. It is sensible and right that they should progress and prosper as they are. I'll never protest that. But I do protest the fact that agriculture, our most essential activity, is not given the chance to participate as an equal in all around scientific research, which now is a necessity for economic survival.

Congress last year provided for the appointment by the President of a bipartisan Commission on Increased Industrial Use of Agricultural Products. That Commission has explored the entire field with great seriousness.

This Commission called to its assistance more than 180 leading men in American science and industry, specialists in agricultural materials and their uses. These experts, working in task groups appropriate to their specialties, suggested to the Commission more than 400 important proposals by which, through research, the markets for farm products can be expanded for industrial uses, as contrasted to the present limited food and feed markets.

The Commission has presented Congress with a report which may well be a document historic in American agriculture. The report lists as illustrative examples only a few of the more than 400 proposals advanced by the task groups. Among them are ways by which research can substantially expand the markets for cotton, for soybeans, for corn and rice, and for almost every other important product of American soil.

Moreover, it has suggested definite approaches to the development of wholly new crops for which markets await or can be created. Most present crops, it points out, were in agriculture centuries ago, long before man had laboratories to examine plants for their chemical uses. Sufficiently profitable new crops can prevent surpluses, because they will

naturally take over acres on which now we may be growing too much cotton or grain.

The Commission also points out that American farmers are now producing 4 or 5 percent more total output than the markets are consuming. It indicates that the momentum of technology is such that for several years ahead surpluses may be expected to increase rather than to grow less.

The present markets, domestic and export, are not expected to expand that fast. Therefore, the necessity to create new markets, especially new industrial markets, is highly urgent.

The little research done in this field—and it is only a little—has been immensely profitable. I need to point not further than to the profits the citrus industry has gained from the process for concentrating and freezing citrus juices. That is, of course, a food use, but it came from research.

Congress is now providing only about $16 million for research in new uses and new crops—a little more than the cost for storing surpluses 2 weeks. The Commission urges that this outlay should at least be trebled.

The report points sharply to the great lag in basic research. It is filled with constructive suggestions and should be studied by everyone interested in sound solutions for agriculture.

There is one simple fact about industrial uses for farm products that I wish everyone understood. When a consumer buys enough for three good meals a day, that is all the food he wants. You can't sell him any more. But hardly anyone ever acquires all the industrial products he wants. He can use radios in every room, 1 in his car, and 1 to carry around. He can use 2 or 3 TV sets. He can use 2 or 3 cars. He may even have two homes. The potential consumption of industrial products has no limit except buying power. I want to see farmers get a bigger chance at this great market for industrial goods.

Research appeals to me for many reasons. It is the modern way to improve existing products, to discover new products and new uses, and to lower costs. It is the dynamic, the affirmative way to tackle a difficult situation. Restrictions are negative. They are contrary to the experience of our American free-enterprise system. They do not give the individual full use of his abilities and ambitions. In approaching the continuing problem of farm surpluses, let us think affirmatively, expansively, not restrictively. The American farmer shows an ever-increasing capacity to produce. It is up to us, through our Government, educational institutions, and our industries to find ways to use what he can grow.

What has happened to cotton and other natural fibers illustrates the need for scientific agricultural research. A few years ago the only fibers used were from natural sources, such as cotton, wool, hemp, and silk, but today about 45 percent of the fabrics market is taken over by synthetics. While this great change was taking place, all of it the result of scientific research, there was no comparable research going on in the interest of cotton. Vegetable oils suffered similar inroads in the manufacture of paints, leather was pushed out of more than half the shoe-sole market, animal fats and oils lost heavily in the soap market to detergents made from petroleum, and so on. The chemical and petroleum people were busy in their laboratories, while farm products were left largely to get along without the kind of modern help that is essential.

No one knows exactly what the economic status of farmers would be today if, from the outset of the scientific revolution, they had been able to drive forward on equal terms with industry. We do know it would have been far better than it is now. The scientist rarely knows what he will find when he begins his work, but generally he finds something. He is the pioneer of today, exploring the unknown, and his frontier is an infinite distance ahead. The Commission, whose report I have mentioned, suggests seven new uses for cotton, everyone of them a distinct possibility if adequately researched. This Commission also finds that new crops are needed, but here again the development of these crops must be preceded by research.

The time is here for action if we are to save the American farmer and the American economy from greater surpluses than we ever have known or from permanently restricted, controlled farming, under which the farmer cannot be a free American.

The bipartisan Commission, after studying the whole farm problem, aided by numerous task groups composed of the ablest and best qualified business and scientific men, comes to the conclusion I have stated: The best hope for agriculture lies in utilization research.

The bill I am introducing is designed to carry out the recommendations of this Commission. That the report is perfect, or that this bill is perfect, I shall not assert. But I do say that the approach is right.

The amount of money required is relatively small. Results could be fantastically good. Actually, the cost is only about as much as we are now requiring the taxpayers to spend to store the Government-accumulated surpluses for 3 months.

Considering that research has always proved itself to be a highly productive investment, rather than an irrecoverable expenditure, I believe the enactment of this bill would actually be an economy measure.

Farmers need this job done and need it now. Let us get it underway.

Mr. HARVEY. Mr. Speaker, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from Indiana.

Mr. HARVEY. Mr. Speaker, I want to compliment the gentleman from Mississippi [Mr. ABERNETHY], chairman of the Subcommittee on Research of the House Committee on Agriculture, and express my very great pleasure in joining with him in introducing a bill of a nature similar to his.

It is in our national interest to increase the level of farm income in order that the farmer may share more equally with his industrial counterpart in the general prosperity which now prevails throughout our Nation.

Current productivity of farms in the United States is substantially in excess of current market demand at price levels which will provide a fair and substantial income to the farmer. No program has been developed, nor is one foreseeable that will successfully shrink farm production for an extended period of time. However, research programs offer the most potential to substantially increase the industrial uses of agricultural products and thereby achieve a farm prosperity based on full, rather than curtailed, production.

Of course, there is no one immediate answer to this vexing problem of agriculture. But it is my view that one long-range solution to our agricultural problem is research for broader utilization.

Employment of scientific research as an aid to agriculture is not new in our history. Legislation creating our land-grant agricultural colleges was enacted 95 years ago and after nearly a century of research activities under Government direction, we have witnessed amazing advancements in the productivity of our farms. This progress released millions of people from cultivating the soil to boost our living standards and general well-being by working in the factories and mills of industry.

American farms have tremendous productive potential and we have great know-how for utilization, but we have not proceeded as fast with our utilization program as we have with our production. It would seem, in terms of national well-being, we need not produce more, but to realize more from what we currently produce. Even so, this year finds us spending about eight times as much for still greater production than we are spending to find new and extended uses for the surpluses. In the face of mountainous surpluses, is it not apparent that the time is past due when we should shift the emphasis of our agricultural research?

This bill, presented by Mr. ABERNETHY, Mr. JENNINGS, and myself, follows the objectives of the President's Commission To Increase Industrial Uses of Agricultural Products, to establish a board whose duties shall be to coordinate and expedite efforts to develop, through research, new industrial uses, and increased use under existing processes of agricultural products; to develop new replacement crops; and to reduce the stocks of commodities owned by the Commodity Credit Corporation. Incidentally all of the three above named members of the House Committee on Agriculture are also members of the Subcommittee on Research and Industry and have devoted much time and study to the problems of agricultural research.

The proposed bill creates a board with adequate power and authority, within the limits of the funds available, to coordinate and expedite activities directed

toward research, pilot-plant development, trial commercialization and industrial uses with Federal and State governments, educational institutions, private research organizations, trade associations, individuals, and industrial corporations in expanding the industrial utilization of the products of farm and forest and the development of new crops.

In the discharge of these duties the Board is empowered to draw on existing facilities and experts of the Department of Agriculture and Commerce and other Federal departments and agencies, land-grant institutions, and experiment stations.

Provision has been made in the proposed bill for Board approval of research grants, student fellowships, scholarships, and similar aids to strengthen graduate training in each of the four major agricultural regions.

Further, the Board is empowered to enter into appropriate contracts for putting into practice the developments of research, by establishing trial commercial scale operations as well as to extend suitable incentives to farmers and to industry to accelerate the development and establishment of new crops or of new industrial uses which are likely to broaden existing markets and open durable additional ones.

Under this proposed legislation all contracts provide for the disposition of inventions produced thereunder in a manner calculated to protect the public interest and the equities of the individual or organization with which the contract or other arrangement is executed.

Meantime, as a protection to private enterprise, the Board is not permitted to directly conduct research, operate plants or processes, or otherwise engage in business.

In considering legislation for agricultural research we must not lose sight of the fact that the individual farm unit is too small an enterprise to afford the research that is necessary to compete in the market with our large commercial enterprises. Today we find it suddenly has become imperative for some means to be made available for handling the research problem of the farmer.

It is important to determine what level of research is essential to keep farm producers, and producers of farm commodities, in the maximum competitive position so that they can get the things they need out of the economy, on the equivalent basis with other people working in other lines of endeavor.

Another implication is that the extent to which the farmer finds his competitive position in the total economy lessened, he is then compelled by economic circumstances, to mine some of his capital in the form of his land resources. That has an effect upon the conservation of land resources. Most of our lands are in private ownership—farm ownership, generally speaking—and I think it is highly important that whatever we do, our foremost consideration is to perpetuate our free enterprise system and this can only be done by keeping the farmers of this country in an economically competitive position.

Confining this observation to research alone, I think the facts are obvious, agriculture today has not achieved a competitive position in research comparable to that found in other segments of the American industry.

Development of new and improved uses of existing farm products and new farm products, and the creation and extension of markets and outlets for farm products and byproducts will insure increased income opportunities for the farmer. Such agricultural progress will make great strides in reducing Government participation and costs in the acquisition, storage, and ultimate disposition of commodities now in surplus.

The present cost estimate for storing our surplus farm commodities is $1 million a day. This expense touches all taxpayers, those of the city as well as the country. I venture that these same taxpayers would join me in seeing the wisdom to devoting at least a percentage of such a sum to an elightened approach of trying to remedy the problem rather than further aggravating it by continuing to pile up surpluses with little hope for their eventual use.

The net result of such enlightened approach will inevitably lead to a higher standard of living, not for our American people alone, but for all the world, because everyone profits from the benefits of new knowledge and this is essentially what we are attempting to attain.

The cost of such a research program may be expected to be more than offset by increased tax revenues resulting from increased earnings of both farmers and those who sell goods, wares, and merchandise to farmers, as well as savings to the United States in costs of current agricultural assistance programs.

In the long run, research is not a cost, it is an investment; we get returns manifold over the cost.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from Virginia.

Mr. JENNINGS. Mr. Speaker, I wish to associate myself with the remarks of my distinguished colleague, the gentleman from Mississippi [Mr. ABERNETHY], who has ably and thoroughly presented the objectives of the bill introduced today. Mr. ABERNETHY is chairman of the Subcommittee on Research and Extension of the House Committee on Agriculture. It is a privilege to serve with him on this subcommittee, which is concerned over the need to find greater industrial uses for agricultural commodities.

I am in agreement with the objectives of the program that has been outlined. Therefore, I am introducing a similiar bill as an indication of my strong support and interest in the beginning of such a program. This proposal merits the attention and support of every Member of this body concerned with the disposing of our surpluses and the future farm income of the Nation. Authorization and funds for this research should be provided immediately.

Our agricultural surpluses have resulted from a variety of reasons. Among them is the reduction in grain used on the farm for feeding work animals as more and more farmers turned to gasoline-powered equipment; our harvests have continued to grow as farming methods improved; and synthetic materials have replaced many basic materials formerly obtained from the farm. Intensive efforts have been made to dispose of this farm production through domestic and overseas programs. However, we have been unable to keep pace with production and new efforts are long past due. To curb production is not the simple solution because the question of farm income must be given primary consideration.

Areas for research and development in the industrial uses of farm products are indeed broad. Take grain as an example. We have barely scratched the surface in the uses of grain alcohol in industry. It is estimated that 200 to 300 such uses are possible, an excellent example being in the production of synthetic rubber. What about using more of this versatile product to power the equipment that replaced the work animals on the farm, the previous consumers of much grain? There are few figures available on the amount of grain that could be used in numerous other ways, if the basic research were provided to find and perfect them.

The Commission on Increased Industrial Uses of Agricultural Products has recently published an interim report. I recommend it highly to any Member interested in learning more about the need for and the possibilities of such a research program as contemplated in these bills being discussed today.

In addition to finding new uses for existing farm products, we might consider the possibility of developing a new product to replace or supplement the existing production to some extent. A new crop for the American farmer is not beyond the realm of possibility.

We must attain and maintain an increased share of the industrial market for our agricultural products to insure the future of our farmers. Intensive and immediate effort in the field of research is the answer. We can begin such efforts by approving of the bills introduced today.

Mr. DIXON. Mr. Speaker, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from Utah.

Mr. DIXON. Mr. Speaker, I wish to associate myself with the gentleman from Mississippi [Mr. ABERNETHY], the chairman of our Subcommittee on Research, and compliment him on his leadership in this fine movement to increase the consumption of surplus agricultural commodities through research, also upon his inviting the President's Commission on the Increased Industrial Use of Agricultural Products to meet with the Committee on Agriculture so that the committee may understand the fine work the President's Commission is doing. I am happy to associate myself with this fine leadership.

The marvelous success of scientific research in increasing the supply of agricultural commodities has now culminated in an explosive situation which calls for similar and equal success in increasing the demand for farm products. The supply has far outdistanced the demand.

Production research and improved methods of farming have helped to create huge price depressing surpluses and consequent loss of farmer income. Best available estimates place the loss to farm income due to these surpluses at $2 billion a year. In other words the competition of this surplus of $8 billion in farm crops has reduced the farm prices an estimated $2 billion a year.

THE SUCCESS OF PRODUCTION RESEARCH AND RESULTANT IMPROVED FARMING METHODS HAS BEEN PHENOMINAL

Let us cite a few evidences of the success of production research.

In 1830, 1 farmer produced enough for 4 people. In 1930, 1 farmer produced enough for 10 people, while today 1 farmer produces enough for 20 people. There was a time when 80 percent of our people were engaged in farming. Today farmers number less than 13 percent of the total population.

There was a time when smut in wheat and barley took 90 percent of the crop in certain areas in Utah. Today, as a result of our research at the Utah State University of Agriculture and Applied Sciences, smut takes practically nothing.

One seed man in Box Elder County, Utah, told me that they raise more alfalfa seed on one farm in his county than was raised in the entire State before research at Utah State University conquered the lygus bug.

Fifteen years ago 100 pounds of feed produced on the average 24 pounds of broiler chickens, while today the average is 36 pounds of broiler chickens per 100 pounds of feed grain.

The average yield of corn in the Corn Belt States was 35.3 bushels per acre during the 10-year period 1935–44. It was 42.8 bushels per acre, 1945–56. It was 50.3 bushels per acre in 1956. Last fall a boy received a prize for producing 300 bushels per acre.

The price-support program has forced cotton and wheat farmers to take about one-third of their land out of the production of these two crops; yet last year the country produced almost as much cotton and wheat as before.

Striking examples of the success of production research are almost limitless and need not be further expanded here. Suffice it to say that scientific methods of farming threaten to expand production almost as fast as the soil bank and acreage restrictions under the price-support program succeed in reducing production. This is borne out by the statement of Dr. Earl Butz, Assistant Secretary of Agriculture, who says:

Surpluses have continued at high levels even after years of production controls, acreage allotments, and marketing quotas.

PRESENT PROGRAMS TO CONTROL PRODUCTION ARE TEMPORARY, ONLY PARTIALLY SUCCESSFUL AND INCREASINGLY PROHIBITIVE IN COST

Chief among these programs to control production are high rigid price supports, the soil bank, marketing quotas, and flexible price supports. Yet in spite of these programs we have been jumping from one emergency into another. At best they are only stopgap measures. Secretary Benson says:

We must not for a moment allow ourselves to lose sight of the fact that these programs are emergency and temporary. • • • In a terrific rainstorm it may be necessary to use buckets to catch the water from a leaky roof. But the permanent and sound solution is to fix the roof.

Like aspirin these palliatives have temporarily deadened the pain (which is sometimes necessary), but they have done little to cure the patient.

Now let us appraise briefly the permanent benefits of some of these stopgap provisions of the law.

During the war it was necessary to offer incentives to farmers to produce—and produce they did—patriotically and often at a financial sacrifice. The war stopped suddenly while farmers were at the peak of production, so it would have been disastrous and thankless to take off 90-percent price supports until an orderly transition could be made. The high supports were left on too long—until the 1955 crop. As a result over $8 billion in surpluses piled up.

Because of these unwieldy surpluses the Government lost $1.9 billion last year and the farmers lost approximately a like amount in depressed prices. And that is not all—such programs have so much vote appeal that a corn and feed grains bill costing around $996 million above the present budget came close to winning in the House. It could have doubled the acreage under Government control, added 9,122 more employees to the United States Department of Agriculture staff, impaired the soil bank in many areas, and reduced production but very little.

The total number of USDA employees jumped 11,000 in the last 2 years and the budget is $5.3 billion, or 44 percent of net farm income of the entire United States. If we hadn't killed the corn bill, the USDA budget would have exceeded the astonishing ratio of 50 percent of the entire United States net farm income. In other words, the Federal Government would have been spending 50 cents for every dollar that farmers earned in net income. The support-price structure is growing so top heavy it is about to fall of its own weight. Some think that the defeat of the corn bill might spell the beginning of the end of the entire support system.

They think the public will no longer accept huge expenditures for agriculture unless it can be shown that these expenditures help to solve the farm problem. The budget which Congress is considering for 1958 would represent an average cost of $1,730 for every family in the United States. The American public has seldom been as tax conscious as it is now and will go very little further in this futile attempt to "repeal the law of supply and demand." We simply haven't enough money to do it.

SINCE THE LIMITATION ON THE SUPPLY HAS PROVED ONLY PARTIALLY SUCCESSFUL, HOPE LIES IN INCREASING THE DEMAND

The farm problem must be attacked with equal vigor on all fronts. Unfortunately for the farmer, this has not been the case in recent years. It is also unfortunate that temporary stopgap measures resembling palliatives have tended to steal the center of the stage almost to the exclusion of other less spectacular and more basic solutions.

One of these basic solutions is to increase the demand for farm products. Whether or not this demand can be stepped up to meet the entire supply, in normal times, is a much mooted question. My thesis is that an all-out effort must be made to increase the demand for agricultural commodities and that this effort represents a basic and fruitful line of attack.

One popular idea about increasing demand is to dispose of more farm commodities abroad.

Many people ask: "Why not sell and give away our surpluses to foreign countries where people are starving?" That is exactly what the Secretary is doing. He disposed of more commodities last year than any year in history. Were it not for the success of his disposal program, the Government investment would be $15 billion instead of $8.2 billion. There are limitations, however, upon such a disposal program overseas. Among these limitations are, first, it cannot develop into "dumping," a process contrary to international commitments; second, it is impracticable, beyond a certain point, due to lack of storage and markets overseas; third, in some cases foreign disposal involves a heavy subsidy; fourth, if carried too far it might result in the loss of more friends internationally than we would gain.

Since the present export market is nearing saturation, there is only one place to turn and that is to the domestic market. We must increase consumption at home. How can this be done, when our domestic food market is close to being saturated?

Those who have the best grasp of the farm problem are now coming rapidly to the conclusion that the most important and effective long-term program for agriculture has been, and remains, a program of research and education in more efficient production, marketing and utilization.

UTILIZATION AND MARKETING RESEARCH WILL INCREASE CONSUMPTION OF FARM CROPS

While I was president of Utah State University, I was impressed by the miracles of production research coming out of that great school. May I point out that the research developed there creates more wealth every year than its experimentation station has cost since its inception.

If we are smart enough to bring about miracles in production, we are also smart enough through research to bring about miracles in consumption. Yet, this is not the case to the same extent either in Utah or in the United States.

Perhaps as a result of our historic emphasis on production research, many of our scientists do not agree with my appraisal of the value and the possibilities of utilization and marketing research. Our current practice proves this partiality. For every $100 of farm income we spent 50 cents for research. Only 4½ cents, or 9 percent, of agricultural research expenditures goes to marketing and utilization research. The same bias was evidenced in opposition to the House Committee on Agriculture's position that 25 percent of the research funds should

be spent on marketing and utilization research. I even have letters from splendid scientists at Utah State University which hold out that marketing and utilization research is largely a waste of money.

In view of our present imbalanced position of overproduction and underconsumption I still think I am right, and as the old verse says:

> In moments of controversy my perception is quite fine. I always see two points of view—the wrong one and mine.

In support of my position I call to your attention the fact that Congress proposed last year that President Eisenhower appoint a commission to study increased industrial use of farm products. June 15 is the date of the final report to the Congress of this commision.

The establishment of the commission was definitely in line with Secretary Benson's program.

How valuable has utilization research been and how productive of results might it become if given the support which it merits? I shall supply only a few examples to help answer these questions.

Frozen foods: In 1930 the USDA established a special laboratory in Seattle and staffed it with vigorous, farseeing scientists who found the answers to the key problems related to frozen foods. With those barriers removed a billion-dollar-a-year frozen foods industry has resulted. The money spent on this research was infinitesimal when compared with the wealth produced.

Frozen fruit juices: Research saved the Florida citrus industry. In 1943 the Winter Haven Laboratory—USDA—in cooperation with the Florida Citrus Commission, developed the basic process for producing concentrated orange juice. Today no less than 50 percent of all Florida oranges are converted into frozen concentrated juice, showing that research has created a new market for one-half the entire crop. Exports to foreign countries are up 18 percent. It should be noted here, however, that there is danger of overestimating the net benefits because in this instance the increased consumption of citrus fruit juices might have resulted in diminished consumption of other fruit products and other beverages.

In his March speech in Florida Secretary Benson said:

> Such bountiful harvests as you have had in recent years would have been a gloomy prospect in times past. But now you dispose of nearly every orange. * * * If you had attempted to build your industry on price supports, you would not be in your present favorable position today.

Research on frozen orange juice stimulated the production of other frozen concentrated fruit juices, including lemon, lime, tangerine, grapefruit, grape, and apple juices. At the Eastern Regional Research Laboratory, Philadelphia, I recently saw how these splendid research people evaporated the water out of fruit juices, caught the volatile flavors through condensation, reduced the juices to a very concentrated form and then reintroduced the original flavor. The same process will retain the original fruit flavors in jams and jellies.

When we consider the thousands of tons of peaches, apples, apricots, and cherries that go to waste in Utah, we are warmed at the thought that research might transform our fruit industry as it has that of Florida. We especially need such research in view of our high transportation costs and the distance from major markets. I am pleased to see that our own Utah State University is attacking this problem.

I have tasted tomato juice, made from tomato powder, that retained practically all of the palatability of the fresh juice. One plant in California is being built to manufacture tomato powder.

In the case of frozen juices we are again tempted to ask the question: "How many thousand times over have the benefits more than liquidated the cost of the research?"

Potato granules: The Department has also been instrumental in increasing the storage life of potato granules, or instant potato, and in developing equipment for its production. The instant potato can be converted into a mash which is virtually indistinguishable from the product made from fresh potatoes. Five companies are now producing this form of dehydrated potato. I should like to quote from G. E. Hilbert, Assistant Administrator for Utilization Research, Agricultural Research Service, United States Department of Agriculture: "The domestic demand is so great that the industry has been having difficulty in supplying the market. This industry will continue to expand. We believe this development will do for the potato industry what frozen concentrated orange juice has done for the citrus industry."

The one limitation with potato granules is that they may be produced from only Maine and Idaho potatoes of high specific gravity. At the eastern Philadelphia laboratory I ate fluffy whipped potatoes made from their new potato flake discovery. These potato flakes were manufactured from lower specific gravity potatoes and are even superior to the granules. They have not been produced commercially as yet.

Whole-milk powder: Think of the saving in cost, refrigeration, bottling, and marketing of whole milk that would result from a whole-milk powder producing milk just as palatable and nutritious as milk itself. We are almost assured of such a product within the next few years.

Expanded use of animal fats: Dr. Waldo Ault at the Philadelphia laboratory said to me:

> The use of detergents instead of soap, plastics instead of leather, and vegetable oils instead of lard (all the results of research) has almost put the livestock man out of the byproducts business. I am confident that research will put him back in. We cannot afford not to do research.

In 1947 the soap industry alone used 1,500,000,000 pounds, or 71 percent, of our animal fats. Today it uses only 812,720,000, or 27 percent of total inedible fats. This is all due to the development of competitive detergents by industry. Synthetic detergents put animal fats on the skids. Most detergents have a petroleum base of 20 to 30 percent. Dr. Ault told me there are some disadvantages to petroleum-based detergents. Soap is better in soft waters but poor in hard waters. Soap can be produced in bar form. Petroleum-based detergents cannot. Detergents are less effective in keeping soil suspended in the water.

The USDA has research underway designed to make an animal-fat-based detergent that will compete successfully with petroleum-based detergents. The USDA has also developed oils from animal fats which oils will compete successfully with petroleum oils as additives. Their product is fully as good as the commercial oils and better for some purposes. To illustrate—as the parts of machinery get smaller and smaller and the pressure greater and greater, oil plays an important role. Commercial oils break down under 1,700 pounds pressure, while the oils being developed from animal fats in the Philadelphia laboratories stand up under 2,000 pounds pressure. This development has significant possibilities and could have a positive influence on livestock prices and markets. Its potential could reach 300 million pounds or 10 percent of the production of animal fats.

In addition to uses in detergents and oils, fats have an increasing outlet in plastics. Plastics are tending to put leather out of business and research on animal and plant fat-based plastics could replace the losses to farmers from low-priced hides. A number of the larger plastic manufacturers are using more and more fats in the manufacture of plastics. You will be interested to note that the new soft pliable plastic lawn hose is a rather recent result of research in the use of fats to give the softness and pliability to plastics. The same is true of plastic seat covers and Armstrong's vinyl floor tile.

The discovery and use of antioxidents to prevent melted fats from becoming rancid has opened up the fertile field of fats in mixed livestock and poultry feeds. Such fats can sell for 7 cents a pound and are worth 8 cents a pound in feeds in competition with corn at its present price. If the 3 billion pounds of fats produced each year could be sold at 7 cents per pound in feed grains, instead of the zero to 4 cents, the cash income to livestock people would be increased by $90 million per year. The outlet of fats for animal feeds has jumped from nothing in 1952 to 223.3 million pounds in 1956—already equal to 7.5 percent of the total national production. Furthermore, the amount used for this purpose almost doubles each year.

Penicillin: To the Northern Regional Research Laboratory—USDA—Peoria, Ill., must go the credit for making possible commercial production of penicillin through developing strains of molds and perfecting the medium in which molds grow. Alexander Flemming, an Englishman, discovered penicillin in 1929, but it was not used to any considerable extent until Dr. H. W. Florey, of Oxford, England, came to the United States in 1941 to ask the help of the USDA to make possible large-scale production. By June of 1943 the total output was 400 million units, enough to treat 300 serious cases and by 1945 a monthly average of 677 billion units was produced. The wholesale price dropped in these 2 years from $20 to 60 cents per 100,000 units and the length of time it lasts in storage was increased from 3 to 18 months. The money value of the product in 1945 alone was $100 million. This is more money saved each year than the Government has spent on all 4 of its great utilization laboratories in the last 16 years, let alone any consideration of the hundreds of thousands of lives that have been saved by our research.

Synthetic rubber: Discovery of the outstanding success of hydrogenated inedible fats for production of synthetic rubber cost the Government $40,000. The estimated value to the public has been $10 million a year based on increased production. There has been a return to agriculture of approximately $3,400,000 a year through the market for inedible fats.

Turpentine and rosin: Improved methods of collecting and processing turpentine and rosin cost the Government $182,000. Just through 1946, this research already had a value of $18 million through increased yields, improved grades of rosin and better quality of turpentine.

Dehydration: Research on dehydration cost the Government $1,350,000. During the war alone, $500 million worth of the dehydrated vegetables, fruits, and eggs purchased for the Armed Forces and lend-lease must be credited to the the application of research findings of USDA.

Cleaning and sorting peas: The development by the USDA of a new froth flotation process which efficiently cleans vined peas cost about $21,000, including the time and expenses of consulting with processors about application of the process. This is estimated to save about $2 million annually. The savings resulted from elimination of three-fourths of the labor involved in hand sorting small sieve peas, improving the quality of the peas by more complete removal of the splits and skins and by saving large quantities of peas that would otherwise have been discarded as a result of their infestation with weeds.

Strawboard: Strawboard mills began to have difficulty getting enough straw when the combine harvester came into use scattering the straw over the field, rather than blowing it into stacks as did the stationary thresher. A cooperative effort was made for the development and promotion of efficient methods of collecting and baling of straw and preserving it against rotting. The cost to the USDA was $69,000. Yet the farmers and straw mills profited from this research in 1948 alone by $2,200,000.

Cottonseed: Research by the Southern Regional Utilization Laboratory costing $20,000 advanced the technology of solvent extraction from cottonseed. The estimated value of the increased cottonseed oil produced is from $6 million to $9 million annually.

Coloring of citrus: The discovery was made that ethylene gas added in small amounts to storage atmospheres causes the fruit to lose its green color and develop a mature natural color within a few days. This cost the USDA $11,000. This process allowed the marketing of otherwise unsalable mature fruit. The estimated profit to the industry from this process was estimated at more than $40 million for the years up to 1952.

Cotton conforming bandage: The USDA spent $75,000 developing a semi-elastic cotton bandage which readily conforms to the contours of the body but still allows freedom of movement and circulation of blood. In 1952 the Armed Forces Medical Procurement Agency ordered 13,400,000 of these particular bandages. The saving over the nearest competitor was about $5 million for that year alone.

UTILIZATION: RESEARCH LIQUIDATES ITS COST

The above are just a few examples from a list which I have compiled of 115 developments from utilization research. They are sufficient to prove: First, that such research more than liquidates its cost; second, that it is not an expenditure but a most profitable investment for the Federal Government, because 1 or 2 discoveries alone produce more wealth each year than the annual $3 to $14 million which the Government has invested in utilization research over the entire past 16 years since the 4 laboratories were established; third, that there are scores of equally promising undeveloped or partially developed research projects awaiting the touch of the scientist's hand to spring into full fruition; and fourth, that it has the power to reduce price-depressing agricultural surpluses by increasing the demand and, therefore, by bringing supply and demand more into balance. These results will not spring forth overnight, but they will come, nevertheless, if only given more encouragement.

THE FARMER CANNOT "GO IT ALONE"

Now you ask: "Inasmuch as marketing and utilization research holds out such promise as one of the basic solutions to the farm problem, why is it not sponsored by the farmers themselves?"

This is a good question in the light of the fact that industry spends an average of $3 for research and development—with a range of 0 to $10—out of every $100 received. Industry has found this a mighty profitable investment. The comparable figures for farm research is only 50 cents per $100 and 72 percent of that is spent on production—not utilization research.

The fact of the matter is that the farmer and most farm cooperatives are too small and too poor to go it alone, while many of our huge industrial concerns have the money, they cash in on their expenditure, and they are motivated by the reward of handsome profits.

RENEWED FEDERAL IMPETUS IS NECESSARY

We have already shown that President Eisenhower and Secretary Benson are in agreement on the urgent need for a stepped-up utilization research program. Furthermore, I am pleased to report that there appeared to be considerable agreement on both the Republican and the Democratic sides of the aisle to the general proposals of the President's Commission on Utilization Research as briefly set forth in a joint meeting which I helped arrange between the House Committee on Agriculture and the President's Commission. I am also pleased to report that Representative ABERNETHY, Democrat, of Mississippi, chairman of the House Committee on Research, has introduced the same bill as I introduced last year and the one supported by the administration.

I have introduced a similar bill again this year. In this bill—

> The Secretary of Agriculture is authorized and directed to conduct research into the findings of new, increased, extended and perfected uses for farm products and to the finding of new farm products.

The bill gives the Secretary broad authority to use the most efficient methods of conducting the research. It allows him to expand pilot plants, utilize commercial plants, use various types of laboratory and field studies, make grants to agricultural experiment stations, colleges, universities and private nonprofit research institutions, to hire full-time employees as well as to use part-time consultants and establish appropriate advisory committees. The Secretary is authorized to establish salaries outside and above civil-service classifications for not to exceed 100 positions requiring specially qualified scientific or professional personnel.

The Secretary is directed to report annually to the Congress on progress on research programs undertaken pursuant to the act. The bill also authorizes for appropriation a sum of $50 million for the fiscal year beginning July 1, 1957. It is hoped that this money can come from funds appropriated but not used for the soil-bank program.

THE USDA SHOULD BE THE AGENCY

The bill I introduced last year is identical in purpose with other bills on utilization research but differs in the organizational arrangements proposed for carrying on the work. Some of these bills called for a new agency to be created in the executive branch of the Government, while I favor placing the work under the Secretary of Agriculture to be administered separately in the Agricultural Research Service by the new Deputy Administrator for Utilization Research. Named to the new post is George W. Irving, Jr., working under Dr. Byron T. Shaw, administrator of all agricultural research.

My reasons for favoring the USDA as the agency are as follows:

First. The Commission bill would add another agency which would be more costly than administration under our existing agency—the USDA. The trend should be in the direction of eliminating, not expanding, Federal agencies, especially since use of the present organization would save money.

Second. There would be unity of command under the USDA. Any agency outside the Department and under the executive branch would of necessity use the organization of the USDA to accomplish its assignment. This double-headed organization would lack unity of command, and, as a result, cause continuous confusion, delay, and friction.

Third. Utilization researchers must have the help of production researchers. We need to develop strains of wheat containing a greater percentage of properties from which rubber and alcohol can be manufactured; yucca plants containing more cortisone; corn with 80 percent instead of 50 percent corn wax or amylose. Many other examples can be cited to show that the plant breeder and the utilization researcher must work as a team.

Fourth. There is no group with the needed background and established relationships except the United States Department of Agriculture.

Fifth. United States Department of Agriculture has a vast organization upon which it can draw.

Sixth. Its tie-up with the extension service and experiment stations would make research better adapted to the needs of various areas.

Seventh. United States Department of Agriculture in the light of its experience would be assured close cooperation and financial support from the States and would include experiment stations as an integral part of the program.

Eighth. As a result of the scholarships offered, more graduate students in land grant colleges could be added to the staff of researchers, help relieve the shortage of research people and develop into potential staff members.

Ninth. In the light of past experience the United States Department of Agriculture would make maximum use of the personnel and facilities of the land grant colleges through research contracts. This would benefit both the research program and the colleges.

Tenth. Dispersion of industry is becoming more necessary every day. Research assigned to the land grant college would encourage such dispersion.

In conclusion, some of the most productive dollars we can spend on our surplus problems will be in a stepped-up program of finding new industrial uses for farm products and new commercial crops. Research in production has contributed to overproduction. Research in utilization can likewise contribute to the answer to overproduction—increased consumption.

ATOMIC POWER DEVELOPMENT SLOWED BY CHEAPER SOURCES OF ELECTRICITY

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, occasionally a newspaper headline, such as the recent report on a United Nations study, will charge the public imagination with ideas about a magic process for the generation of electricity. So much has been done in the past decade toward harnessing the power of the atom and applying this energy to the job of creating electric current that occasionally the public might generally assume that scientists and engineers have perfected a reactor that will provide electricity at practically no cost, and therefore oil and gas and coal will no longer be needed for this purpose.

It is true that we are making great strides in the use of the atom for purposes of construction as well as destruction. The Atomic Energy Commission and those private research organizations and companies working in cooperation with it have made sensational progress in their work, including developments in the reactor field. Unless anyone gets the idea, however, that within a few years a compact atomic energy power kit will be available for every home, I believe that from time to time we should stop and explain what scientists feel are the limitations—at least so far as is foreseeable—in the field of nuclear fission and electricity.

The reactors now under construction and on the planning boards are designed to produce the same type of electricity that we are getting today through the use of conventional fuels. Using the atom instead of coal, oil, or gas, water will be heated to become steam. The steam will turn turbine blades and in turn the generator will spin and electricity will be sent out along the wires—in the same way it is being transmitted today. We will still have transmission lines to substations and eventually to the home. We will still have the maintenance crews who so efficiently see to it that service is maintained even under the most adverse conditions. We will still have our fine electric utility buildings which provide employment for so many technicians, clerks, and other office people.

These are the conditions which will continue to exist even if the dreams of the most optimistic enthusiasts of atomic nuclear power are fulfilled.

What we must not lose sight of now is that, regardless of the pace at which our reactor development program proceeds, we will still be using conventional fuel for the production of electricity for long in the future. Our great utility industry is planning outlays of billions of dollars for the enlargement of present steam generation facilities and the construction of new ones, particularly in areas where there is an abundance of coal. An electric company has already joined with a leading coal producer to construct a pipeline that will carry more than a million tons of coal a year into a generating plant near one of our metropolitan areas. Our railroads look to the transport of coal into electric utility plants as a primary source of revenue for as far into the future as a long-range business program can be planned. Waterways are busy with barge traffic between coal mines and powerplants. Given a fair chance with competitive fuels, the coal industry will more than hold its own against whatever scientific developments are enjoyed in the years ahead.

One of the factors overlooked is the record of the coal and utility industries in increasing coal's efficiency as a boiler fuel. An average of less than 1 pound of coal is now required for the generation of 1 kilowatt-hour of electricity, whereas just 10 years ago an average of 1.31 pounds per kilowatt-hour was required. This figure is constantly being reduced. In addition, important advances in the preparation of coal are making possible the utilization of grades which were previously not considered usable. What this continuous progress in coal preparation and utilization amounts to is that, regardless of how fast we can bring down the cost of producing electricity via the atom, coal's advantage will be continually more difficult to overcome so far as cost is concerned. In emphasis of this situation, I should like to insert in the RECORD an article which appeared in the financial and business section of the New York Herald Tribune on May 12, 1957. I believe that it will help to bring down to earth some of the atomic fantasies that have been painted in the sky by overenthusiastic reporters and the more credulous nontechnical observers. True, we must hope for achievement of the maximum potential in the peacetime use of nuclear fission, yet to permit imagination to run rampant can be detrimental to the position of other fuels on which we and our succeeding generations must depend.

For anyone who questions that coal will continue to be the most inexpensive source of electric energy, even though the cost of atomic power is reduced to the extent anticipated by the Atomic Energy Commission, the Herald Tribune article will be of particular interest.

ATOMIC POWER DEVELOPMENT SLOWED BY CHEAPER SOURCES OF ELECTRICITY—UNITED STATES UTILITIES PROBE USE OF H-BOMB

(By Charles Carroll)

Continuing success in producing cheaper electricity by conventional methods is tending to delay atomic power in most sections of the Nation.

Against the backdrop of private industry's newly announced program to attempt to harness the hyrogen bomb for production of electric power, American Gas & Electric Co. last week displayed what it billed as the world's most efficient power plant.

A group of 11 utilities has joined with General Dynamics Corp. to sponsor a $10 million program to probe the peaceful uses of the H-bomb. But results for the consumer of that undertaking are thought to be a long way off.

NEW APPROACH

The American Gas plant at Philo, Ohio, is a reality. That station, nestled in the rolling hills of central Ohio, represents a new approach in conventional power output, according to Philip Sporn, American Gas president.

The plant turns out power at a supercritical pressure of 4,500 pounds a square inch, almost double the previous high point. It also uses a double reheat of steam, another milestone.

The effect of such developments as Philo is that the day of atomic power, on an economical basis, is many years away, according to best industry guesses.

Experience gained from design and building the Philo plant has led American Gas to start 2 new units—the world's largest power producers, at 450,000 kilowatts each. These giant units will be built in Indiana and West Virginia.

Some critics have contended that the United States is dragging its feet on exploitation of the atom. Industry spokesmen reply: "We need knowledge, not kilowatts."

EUROPE'S SITUATION DIFFERENT

They point to America's plentiful supply of coal, gas, and water power. Europe, with its dwindling supply of conventional fuels, faces quite a different situation.

Nations abroad have been forced to rush into atomic-power generation with the technology now available.

United States utilities feel they can turn their attention to developing efficient atomic plants for the future.

By 1965, coal-hungry Britain will have 6 million kilowatts of nuclear capacity. Its utility industry grows at an annual rate of about 2 million kilowatts.

United States industry traditionally doubles capacity every 10 years, which means that by 1965, between 135 million and 140 million kilowatts will have been added to capacity.

Supporting the go-slow school of thought in the United States circles, Mr. Sporn had this to say about the Philo project:

"There has been some indication of an effort to interpret this challenging development in the economics of power generation as an answer on the part of some members of the power industry to the challenge of atomic power.

"This, obviously, is not only wholly without foundation but, as a matter of fact, does not make very much sense. The electric-power industry not long ago indicated its awareness of the potentialities and its determination to explore and develop atomic energy whenever or just as soon as it can be done with benefit to its consumers.

"But while waiting and helping to bring this about, it would be an act of folly to neglect opportunities for further development of technologies that have done so much to bring the industry to its present flourishing state," Mr. Sporn said.

No one disputes the advantages of atomic power. The availability of uranium promises to make the atom a greater potential source of power for the world than hydraulic and fossil fuels. The United States has coal reserves for many decades, but these reserves obviously will run out some day.

Another big gain offered by atomic power is the lower cost of transportation. A big item in any power bill is the expense of shipping fossil fuels from the source to the place where energy is needed.

Atomic power will be of particular advantage in areas remote from fossil-fuel sources and lacking in potential hydraulic power sites.

No plant on the drawing boards today, industry experts contend, can compete with the cost of producing power in the Ohio Valley, which is about 4 mills a kilowatt-hour. However, they add, there is some promise of nuclear plants competing in the 8-mill areas of the Nation.

Based on the 1957 price levels, the industry looks for atomic plants from 1960 to 1964 that will turn out power in the range of 10 to 13 mills a kilowatt-hour. Present costs of electricity in the most modern coal-fired plants are as low as 4 mills and range up to 9 mills in other areas.

Nuclear plants going into operation between 1965 and 1967 are projected to achieve costs in the range of 9 to 11 mills. Further cuts, from 6 to 7 mills, are seen by 1980.

UTILIZATION RESEARCH—ONE ANSWER TO FARM SURPLUSES—A SIGNIFICANT STEP TOWARD INCREASED USES FOR FARM PRODUCTS

Mr. DIXON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. DIXON. Mr. Speaker, Public Law 540 of the 84th Congress created the President's Bipartisan Commission on Increased Industrial Use of Agricultural Products. The Commission, through its Chairman J. LeRoy Welsh, submitted its interim report to Congress on April 19, 1957, and its final report to the Congress on June 15.

The Commission's report is such a significant one that it merits much favorable comment, widespread publicity and careful study by the Members of Congress. Its recommendations can bring far-reaching and permanent benefits to our farmers if these recommendations are carried out. Inasmuch as Congress initiated this study, Congress should now capitalize upon its findings.

Mr. Speaker, I appreciate this privilege of reviewing briefly a few outstanding features of the report.

The Commission offers a wealth of proposals which if pursued can narrow the gap between what our farms can produce and the capacity of our economy to consume. By doing that, agriculture will approach its goal of "a full, free, and profitable production." It warns, however, that utilization research is not a panacea which can be expected to produce magical transformations overnight.

INCREASE CONSUMPTION THROUGH RESEARCH

The products of our 475 million acres of land are consumed 12 percent as food, 7 percent as animal and poultry feed, 10 percent for export, and 7 percent for industrial purposes—nonfood and nonfeed. Total production is now running some 4 or 5 percent in excess of domestic and foreign demand. For the next 8 years production could outpace population increase. Other things being equal, exports are not likely to increase because the foreign market seems to be nearing saturation and foreign countries are becoming increasingly more self-sufficient. Therefore, our best hope is to increase the domestic and foreign market for agricultural products by research on new crops and additional industrial uses of present crops.

As a result of this program, new markets may result in such unusual developments as farmers growing corn for plastics, grain to build roads, acres and acres of bamboo, and plants that absorb rare high-priced metals from the soil—which sell for $12 to $250 a pound.

FARMERS BEING RESEARCHED OUT OF THE MARKET

Research has made great inroads on agricultural fields that only a few years ago were regarded as monopolies of certain crops. Research can put us back into these markets for cotton, wool, flax, hemp, and silk. As cases in point we note that, livestock people suffer because 10 years ago 80 percent of inedible tallow was used in making soap while now, as a result of research on detergents, the figure is only 30 percent. Five years ago we could not supply enough hide leathers for our own use, while in 1955, as a result of the competition of new products, hides were in surplus and 62 percent of all shoe soles are made from materials other than leather.

The Commission says:

In the past 25 years agriculture has often been researched right out of its own natural domain. Agriculture must compete (with industry) as an equal in the contest for consumer acceptance. It is now losing by default.

All manufacturing industry invests about 3 percent—and some industries as much as 10 percent—of its gross sales income in research. In contrast total expenditures for agricultural research are only slightly more than one-half of 1 percent of total farm sales.

TASK FORCES STUDY POSSIBILITIES OF EXPANDED RESEARCH IN 17 FIELDS

The Commission found it necessary to set task forces and committees to work in 17 fields. The assignment of each was to report for its field: First, the current state of industrial utilization research; second, an appraisal of the possibilities; and, third, the obstacles to further development.

One hundred and seventy-nine eminently qualified specialists, drawn from industry, the United States Department of Agriculture, the four Government utilization-research laboratories, the various State agricultural experiment stations, unsversities, research centers, and organizations, manned these committees and filed their reports. The Commission has included in its report to Congress a summary of the significant findings of task groups. The subjects of these subcommittee reports are Cereal Grains, Cotton, Oilseeds, Meat, and Animal Byproducts, Tobacco, Wool and Mohair, Dairy Products, Sugar, Fruits and Vegetables, White Potatoes, Forest Products, New Crops, and Food and Feed Research.

Those subcommittee reports confirm by an analysis of possible projects the worthwhileness of greatly expanded utilization research as a means of increasing consumption of farm products and gave rise to the adoption by the Commission of the following general principles and recommendations.

BASIC VIEWS CONCERNING PROGRAM DEVELOPMENT

For its own guidance the Commission determined upon 13 points of principle and practice which are enumerated below:

First. The current industrial outlets for the products of the total farm acreage, estimated to be less than 7 percent, are undesirably small.

Second. To attain and maintain an increased share of industrial markets will require intensive efforts on two fronts—research and action.

Third. The machinery and its functions must be such that the people in charge of the program will succeed or fail in relation to specific attainments in increased industrial uses. Adequate authority, direct responsibility, timely action, are essential.

Fourth. The program must attract industrial and private-enterprise laboratories to increase their attention to farm products as raw materials.

Fifth. The program must be oriented to stimulate more effective roles for

land-grant colleges and endowed institutions in research and personnel training that will lead to increased industrial uses.

Sixth. The administrative arrangement must be such as to enlist the capacities of personnel and facilities from the various arms of Government—Departments of Agriculture and Commerce, Small Business Administration, National Science Foundation, and others.

Seventh. Production and economics research designed to reduce costs of production and upgrade quality are recognized as essential parts in an integrated industrial-uses program.

Eighth. The program must be carefully planned to avoid potential areas of conflict.

Ninth. The framework must be one within which joint financing arrangements with State and private-enterprise groups could be evolved and encouraged.

Tenth. A board or a commission of high-caliber industrial, agricultural, and scientific people would be an integral part of the framework to be concerned with policymaking, budget development, and a closer interdependence of industry and agriculture.

Eleventh. It should be possible to utilize foreign scientific establishments where basic or other pertinent research may be conducted advantageously, especially in countries where funds from Public Law 480 may be available.

Twelfth. Further development of profitable production opportunities through broadened industrial outlets is essential to the conservation of both renewal and irrenewable natural resources.

Thirteenth. The dynamic forces which created American industrial development must be motivated in the farm economy.

MAJOR RECOMMENDATIONS OF COMMISSION

First recommendation: The Commission proposes as its first and most necessary recommendation that funds for industrial-uses research be increased to not less than 3 times the amounts currently—$16,145,000—available; and that additional sums be provided as herein suggested for new crops research, trial commercialization, development, and incentives.

Second recommendation: The Commission recommends that Congress declare as a matter of policy the obligation to foster basic research in agricultural products and their uses, and that the administrators, in the allotment of funds at their disposal, be directed to place appropriate emphasis upon research projects having as their objective the discovery of new basic knowledge of farm products.

Third recommendation: The Commission recommends that administrators be authorized, in addition to using the facilities of the Department of Agriculture, land-grant institutions, and experiment stations, to contract also with other universities and colleges, nonprofit or profitmaking research organizations, private corporations, and foreign institutions especially in countries where Public Law 480 funds may be available.

Fourth recommendation: The Commission recommends that the administrators be given authority to share research costs on specific projects with private industries or with other public research agencies where in their judgment such sharing will bring desirable results economically and efficiently.

Fifth recommendation: The Commission recommends that the administrators be directed where appropriate to provide research grants, student fellowships, scholarships, and similar aids which, while accomplishing research projects, will also increase the supply of trained scientists. These funds should be allocated so that graduate training may be strengthened in each of the four major agricultural regions.

Sixth recommendation: The Commission strongly recommends that an adequate annual investment in research and development for new crops be favorably considered, along with suitable authority to the administrators of the program to provide incentives where essential to bridge over the "awkward" stage of establishment.

Seventh recommendation: The Commission recommends that the administrators of the industrial utilization and new crops program be empowered to enter into appropriate contracts for development of research results into trial commercial scale operations, and that an adequate proportion of funds be authorized to be used for this purpose.

Eighth recommendation: The Commission recommends that the administrators of the industrial utilization and new crops program be provided with authority and funds to extend suitable incentives to farmers or to industry where appropriate to hasten the establishment of a new crop or of a new industrial use, where such appear likely to lead to durable additional markets, and for rapid disposal through industrial channels of accumulated surpluses.

Ninth recommendation: The Commission recommends the creation of a nonpartisan board with 5 members to be appointed by the President by and with the advice and consent of the Senate, 1 of whom shall be an Assistant Secretary of Agriculture; the Board shall be known as the Agricultural Research and Industrial Board.

Tenth recommendation: The Commission recommends that 15 percent of the annual gross receipts from customs revenues be allotted to the administrators of the industrial utilization and new crops program for carrying out the proposals herein described. Authorization should be provided whereby such funds could be carried forward in amounts not to exceed $150 million. Continuity of funds will greatly improve the ability to plan and execute both research and followup actions.

The Commission gives considerable space to splendid material in support of each of the above 10 recommendations.

The Administrative Agency: Recommendation nine includes an administrative plan for the operation of the program. Two plans were considered. The one that finally received the most support was a nonpartisan board with 5 members to be appointed by the President by and with the advice and consent of the Senate, 1 of whom shall be an Assistant Secretary of Agriculture, to be known as the Agricultural Research and Industrial Board. This Board would appoint a director and employ a staff, but develop cooperative and contract relationships with the USDA and other Federal and private agencies and research institutions.

The alternate administrative plan reported out by the Commission would be to integrate these activities within the Department under a single administrative office such as a director with the rank of Assistant Secretary of Agriculture.

The Commission report says:

> While this administrative arrangement might not provide the vigorous initial impact that an independent agency might provide, it would have the advantage of diminishing confusing competition for funds, and reduce the difficulties of integrating the overall research program.

The report says that if Congress chooses the alternate plan, consideration should be given to providing for an Agricultural and Research and Industrial Board within the USDA itself appointed by the Secretary of Agriculture to function similar to a board of directors in private industry.

Financing: The Government is now spending $16,145,000 per year on its 4 utilization research laboratories. The President's Commission on Utilization Research recommends that this amount be trebled—to total about $50 million—but that additional funds never to exceed $150 million will be needed after the program gets underway for a time. As a source of this revenue the Commission suggests 15 percent of the annual gross customs revenues. Under section 32, Public Law 320, 74th Congress, 30 percent of annual customs revenues was set apart to be used by Secretary of Agriculture for certain designated purposes. In the last fiscal year the amount available to the Secretary was $195,476,003. The Commission believes that the additional 15 percent suggested will provide sufficient and continuous funds for the research and other programs proposed. Congress will have to decide whether it is preferable to earmark customs revenues or to employ normal appropriations procedures to supply funds for the programs.

The Commission provides from dozens of sources ample proof to show that utilization research is an investment—not an expenditure. In speaking of the returns from the four USDA regional utilization research laboratories, the report says:

> Had they done nothing more than to perfect the practical method of producing penicillin quickly on a large scale, no more than to have played an essential part in establishing the frozen concentrated fruit juice industry, their cost to date would have been justified.

The Research Subcommittee of the House Committee on Agriculture now has before it 2 bills, 1 by the subcommittee chairman, THOMAS ABERNETHY, and an identical bill by myself designed to carry the recommendations of the Commission on Utilization Research into effect. Our measures, however, would make the USDA not an outside agency—the administrative agency. The gentleman from Mississippi, Representative ABERNETHY, has today submitted a bill which he indicates he is not prejudging. The bill would enact the findings of the President's Commission into law. The Commission's bill differs from the bills the gentleman from Mississippi, Representative ABERNETHY, and I previously submitted in two major respects. First, it provides for an agency outside the USDA to administer the program and, second, it offers incentive payments to farmers to grow experimental crops in incentives to industries to use more agricultural commodities in manufacturing.

My reasons for favoring the USDA as the agency are as follows:

First. The Commission bill would add another agency which would be more costly than administration under our existing agency—the USDA. The trend should be in the direction of eliminating, not expanding, Federal agencies, especially since use of the present organization would save money.

Second. There would be unity of command under the USDA. Any agency outside the Department and under the executive branch would of necessity use the organization of the USDA to accomplish its assignment. This double-headed organization would lack unity of command, and, as a result, cause continuous confusion, delay, and friction.

Third. Utilization researchers must have the help of production researchers. We need to develop strains of wheat containing a greater percentage of properties from which rubber and alcohol can be manufactured; yucca plants containing more cortisone; corn with 80 percent instead of 50 percent corn wax or amylose. Many other examples can be cited to show that the plant breeder and the utilization researcher must work as a team.

Fourth. There is no group with the needed background and established relationships except the USDA.

Fifth. USDA has a vast organization upon which it can draw.

Sixth. Its tie-up with the extension service and experiment stations would make research better adapted to the needs of various areas.

Seventh. USDA in the light of its experience would be assured close cooperation and financial support from the States and would include experiment stations as an integral part of the program.

Eighth. As a result of the scholarships offered, more graduate students in land-grant colleges could be added to the staff of researchers, help relieve the shortage of research people, and develop into potential staff members.

Ninth. In the light of past experience the USDA would make maximum use of the personnel and facilities of the land-grant colleges through research contracts. This would benefit both the research program and the colleges.

Tenth. Disperson of industry is becoming more necessary every day. Research assigned to the land-grant college would encourage such dispersion.

INCENTIVES

At the present time I am not certain of my position with regard to all of the incentive payments provided in the Commission's report.

The report calls for salary incentives. The demands for chemists, physicists, engineers, and technologists is so great and industry is so competitive that the administration should be given authority to employ 100 such people for salaries ranging from $10,000 to $19,000, outside of regular civil-service regulations.

The report recommends patent incentives. Present policy dedicates patents to the public through the Secretary. The Commission recommends a review of this policy to increase incentive for private research.

The report provides incentives to farmers for new crops. The Commission offers some incentives to farmers to grow new crops needed for experimentation or commercialization in industry. "Farmers will not plant without a market, and processors will not build a plant without assurance of a supply," says the Commission.

The report provides incentives to increase industrial uses in order to meet competition.

"We admit at the outset that incentives are dangerous, costly, and open to abuse; but, still, are incentives not more desirable than our costly agricultural surpluses?" asks the Commission. It is not exactly a question of which is best, but one of which is the "most worst"—a question of taking the lesser of two evils. "Is it not better to lose our money on incentives that will cause our agricultural surpluses to flow into industry than to lose it in the exchange of our products for unusable foreign currencies?" they ask.

For example, the 60 percent of our grain which we sell for cash at 76 percent of our cost could not be economically converted into industrial alcohol. But the market value of 93 million bushels of wheat shipped to foreign countries under title I was $1.65 per bushel, as compared with a CCC cost of $3.38 per bushel. Also, the market value for 11 million bushels of export corn was $1.44 per bushel, and our cost was $2.42. This is a loss of $1.73 per bushel for wheat and $0.98 per bushel for corn.

The Commission says:

> A comparison of the costs of the disposal of surplus grains for foreign currency and the cost of diverting grain for conversion to alcohol indicates that the latter might be less costly.

Many of us, and I for one, will accept this latter conclusion only with serious reservations. Incentives to farmers and to industry, proposed by the Commission report, are in reality only subsidies. Many of us are fed up on subsidies which appear to us now to be injuring the very people they are designed to help most. We ask, "Why jump from one subsidy to another?" We are aiming to move toward the law of supply and demand rather than toward more subsidy. Other reasons against these subsidies are:

First. If the results of utilization research and research for new crops and new uses are really sufficiently good to endure, industry without any subsidy will jump in to reap the profits.

Second. It will be more difficult to secure the approval of Congress with this subsidy to farmers and industry included because Congress appears to be a bit allergic to both subsidies and to adding new commissions and bureaus just at the present time.

Third. In special cases where a great deal of surplus could be disposed of for a relatively small subsidy, it might be better to have Congress pass a law rather than leave it to administrative discretion.

Fourth. If subsidies are allowed, they might get out of hand.

Fifth. In cases where the costs of initiating the innovation are high, existing authority may be sufficient since it allows contracts both to growers or to manufacturers for trial experiments and operations.

Mr. Speaker, the report of the President's Commission on Agriculture Research is a splendid one. I compliment the Congress on its vision in passing legislation initiating this study of utilization research; the President and the Secretary of Agriculture upon recommending the program to Congress; and the members of the Commission and its staff for carrying out so well the will of the Congress. I am so enthusiastic over the possibilities of the program recommended that I intend to give it my wholehearted support. While, as indicated above, I might differ with the Commission on a few details, I am for the program as a whole, first, last, and all the time.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KEE.

Mr. BURNS of Hawaii and to include extraneous matter.

Mr. MORANO and include a telegram from a distinguished attorney in his district and a letter he wrote to the Defense Department in his behalf.

Mr. BROOKS of Louisiana and to include extraneous matter.

Mr. HUDDLESTON and to include extraneous matter.

Mr. MULTER and to include extraneous matter.

Mr. PORTER.

Mr. ALGER.

Mr. ULLMAN (at the request of Mr. JENNINGS) and to include extraneous matter.

Mr. CRAMER and to include extraneous matter.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NORRELL, for Tuesday, June 25, 1957, on account of official business.

Mr. FOUNTAIN (at the request of Mr. KITCHIN), for today, June 24, 1957, on account of official business.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table, and under the rule, referred as follows:

S. 555. An act to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes. To the Committee on Interior and Insular Affairs.

trators be given authority to share re-

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore:

H. R. 6500. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore announced his signature to an enrolled bill of the Senate of the following title:

S. 768. An act to designate the east 14th Street Highway Bridge over the Potomac River at 14th Street in the District Columbia as the Rochambeau Memorial Bridge.

ADJOURNMENT

Mr. JENNINGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 25, 1957, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

973. A letter from the Executive Secretary, National Advisory Committee for Aeronautics, transmitting a draft of proposed legislation entitled "A bill to promote the national defense by including two representatives of the Department of the Army as members of the National Advisory Committee for Aeronautics and by authorizing specifically certain functions necessary to the effective prosecution of aeronautical research"; to the Committee on Armed Services.

974. A letter from the Assistant Secretary of the Navy transmitting a draft of proposed legislation entitled "A bill to amend the act of August 3, 1956, to authorize certain personnel of the Armed Forces to accept and wear decorations conferred by the Philippine Government"; to the Committee on Armed Services.

975. A letter from the Assistant Secretary of the Navy (Material), relative to the Department of the Navy proposing to transfer a 63-foot aircraft rescue boat, with engine, hull No. C-16490, to the State of Maryland, pursuant to title 10, United States Code, section 7308 (c); to the Committee on Armed Services.

976. A letter from the Chairman, Commission on Government Security, transmitting the report of the Commission on Government Security, pursuant to Public Law 786, 84th Congress; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FASCELL: Committee on Government Operations. Supplemental report. H. R. 7390. A bill to amend the Administrative Expenses Act of 1946, and for other purposes; without amendment (Rept. No. 576 pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. Report pursuant to House Resolution 107, pertaining to television broadcasting industry; without amendment (Rept. No. 607). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG: Committee on Post Office and Civil Service. S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended; without amendment (Rept. No. 608). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPINALL: Committee on Interior and Insular Affairs. Senate Joint Resolution 39. Joint resolution to authorize the construction of certain water-conservation projects to provide for a more adequate supply of water for irrigation purposes in the Pecos River Basin, N. Mex. and Tex.; with amendment (Rept. No. 609). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H. R. 4520. A bill to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska; with amendment (Rept. No. 610). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary. H. R. 3273. A bill to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes; with amendment (Rept. No. 619). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary: H. R. 6533. A bill to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person; with amendment (Rept. No. 620). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 7520. A bill to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.; without amendment (Rept. No. 621). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANE: Committee on the Judiciary. H. R. 1473. A bill for the relief of Richardson Corp.; without amendment (Rept. No. 611). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 1695. A bill for the relief of Harry N. Duff; without amendment (Rept. No. 612). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 3720. A bill for the relief of Carl J. Warneke; without amendment (Rept. No. 613). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 4768. A bill to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same; with amendment (Rept. No. 614). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 4174. A bill for the relief of Filomena and Emil Ferrara; with amendment (Rept. No. 615). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6492. A bill for the relief of Maj. Harold J. O'Connell; without amendment (Rept. No. 616). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 4986. A bill for the relief of the widow and children of John E. Donahue; without amendment (Rept. No. 617). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 6523. A bill for the relief of Mrs. Lyman C. Murphey; without amendment (Rept. No. 618). Referred to the Committee of the Whole House.

Mr. COOLEY: Committee on Agriculture. H. R. 2259. A bill to provide for the conveyance of all right, title, and interest of the United States to certain real property in Prairie County, Ark.; with amendment (Rept. No. 622). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Concurrent Resolution 194. Concurrent resolution granting permanent residence to certain aliens; with amendment (Rept. No. 623). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MURRAY:

H. R. 8322. A bill to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. REES of Kansas:

H. R. 8323. A bill to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ABERNETHY:

H. R. 8324. A bill to create an Agricultural Research and Industrial Board, to define its powers and duties, and for other purposes; to the Committee on Agriculture.

By Mr. HARVEY:

H. R. 8325. A bill to create an Agricultural Research and Industrial Board, to define its powers and duties, and for other purposes; to the Committee on Agriculture.

By Mr. JENNINGS:

H. R. 8326. A bill to create an Agricultural Research and Industrial Board, to define its powers and duties, and for other purposes; to the Committee on Agriculture.

By Mr. ANDREWS:

H. R. 8327. A bill to amend sections 204a and 216 of the Interstate Commerce Act, so as to provide that shippers may designate the routing of property transported by motor carriers in cases where two or more through routes have been established, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BARING:

H. R. 8328. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

By Mr. BYRNE of Illinois:

H. R. 8329. A bill to amend the Labor Management Relations Act, 1947, as amended; to the Committee on Education and Labor.

By Mr. CUNNINGHAM of Nebraska:

H. R. 8330. A bill to amend the Federal Airport Act to provide that unused State allotments shall not be reallotted, but instead shall revert to the Treasury; to the Committee on Interstate and Foreign Commerce.

H. R. 8331. A bill to amend the Federal Civil Defense Act of 1950 to provide that unused State allotments shall not be reallotted; but instead shall revert to the Treasury; to the Committee on Armed Services.

By Mr. DAWSON of Illinois (by request):

H. R. 8332. A bill to amend the Government Corporation Control Act, as amended; to the Committee on Government Operations.

By Mr. HARRIS:

H. R. 8333. A bill to provide for the recordation of certain instruments evidencing the mortgage, lease, conditional sale, or bailment of certain motor vehicles; to the Committee on Interstate and Foreign Commerce.

By Mr. HIESTAND:

H. R. 8334. A bill to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HILLINGS:

H. R. 8335. A bill to amend chapter 223 of title 18, United States Code, by adding a new section 3500; to the Committee on the Judiciary.

By Mr. BARING:

H. R. 8336. A bill to impose a tax on the importation of lead; to the Committee on Ways and Means.

H. R. 8337. A bill to impose a tax on the importation of zinc; to the Committee on Ways and Means.

By Mr. HIESTAND:

H. R. 8338. A bill to prescribe a standard of loyalty to the United States Government for military personnel, to prescribe procedure for the determination of the loyalty of such personnel, and for other purposes; to the Committee on Armed Services.

H. R. 8339. A bill to amend the Immigration and Nationality Act to provide more effectively for immigration and passport security, and for other purposes; to the Committee on the Judiciary.

H. R. 8340. A bill to authorize certain investigative officers of the United States, with the approval of the Attorney General, to intercept and disclose under stated conditions wire and radio communications in the detection and prosecution of offenses against the security of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 8341. A bill to amend chapter 223 of title 18 relating to demands for production of statements and reports of witnesses; to the Committee on the Judiciary.

By Mr. MILLER of Maryland:

H. R. 8342. A bill to authorize the sale of one Victory-type vessel for conversion to an ore and coal carrier for use on Great Lakes operations; to the Committee on Merchant Marine and Fisheries.

H. R. 8343. A bill to authorize the sale of a troopship of the C-4 type for conversion to a passenger and cargo carrier; to the Committee on Merchant Marine and Fisheries.

By Mr. NORBLAD:

H. R. 8344. A bill to authorize the restoration of times taken from patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by governmental controls; to the Committee on the Judiciary.

By Mr. SAUND:

H. R. 8345. A bill to amend the act of July 3, 1926, so as to restrict, under regulations of the Secretary of State, the travel from the United States of certain unaccompanied minors not possessing valid passports; to the Committee on Foreign Affairs.

By Mr. HYDE:

H. R. 8346. A bill to amend title III of the Legislative Reorganization Act of 1946, as amended, and for other purposes; to the Committee on the Judiciary.

By Mr. COUDERT:

H. J. Res. 386. Joint resolution proposing an amendment to the Constitution of the United States with respect to the election of President and Vice President; to the Committee on the Judiciary.

By Mr. VORYS:

H. Con. Res. 202. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mr. KEATING:

H. Res. 291. Resolution to amend rule XI of the Rules of the House of Representatives to authorize each committee to provide for the dissemination of news of its proceedings by radio, television, and otherwise; to the Committee on Rules.

By Mr. ZABLOCKI:

H. Res. 292. Resolution to express the sense of the House of Representatives with respect to the return of, or a satisfactory accounting for, the 450 American prisoners of war who were taken prisoners by the Communists; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States relative to proposing an amendment to the Constitution of the United States relating to the budget; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Nebraska memorializing the President and the Congress of the United States relative to favoring adequate compensation for postal employees, and requesting legislation that will increase the wage scale commensurate with existing costs of living; to the Committee on Post Office and Civil Service.

Also, memorial of the Legislature of the State of New Hampshire, memorializing the President and the Congress of the United States to provide that the so-called Portsmouth Air Base, located in Newington, N. H., be named and hereafter be known as the Pease Air Force Base, in honor of Harl Pease, Jr.; to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CUNNINGHAM of Nebraska:

H. R. 8347. A bill for the relief of Julia Ann Ayars (Kim Jan Tark); to the Committee on the Judiciary.

By Mr. JACKSON:

H. R. 8348. A bill for the relief of Michael Romanoff; to the Committee on the Judiciary.

By Mr. MATTHEWS:

H. R. 8349. A bill to provide for a posthumous cash award in recognition of the scientific contributions in the field of electronic ordnance made by the late Paul M. Tedder; to the Committee on the Judiciary.

By Mr. PELLY:

H. R. 8350. A bill for the relief of Maurice L. Hoffman; to the Committee on the Judiciary.

By Mr. ROONEY:

H. R. 8351. A bill for the relief of Francesco Lo Piccolo; to the Committee on the Judiciary.

By Mr. SAUND (by request):

H. R. 8352. A bill for the relief of Mrs. Emma Obermayer Branham; to the Committee on the Judiciary.

H. R. 8353. A bill for the relief of William Poulos (Vasilios A. Petropoulos); to the Committee on the Judiciary.

By Mr. SCHERER:

H. R. 8354. A bill for the relief of Peter Tabakov; to the Committee on the Judiciary.

By Mr. UTT:

H. R. 8355. A bill for the relief of Mondello Francesca Colleraffi; to the Committee on the Judiciary.

By Mr. WILSON of California:

H. R. 8356. A bill for the relief of Mrs. Juana Gaytan de Gomez; to the Committee on the Judiciary.

By Mr. WALTER:

H. J. Res. 387. Joint resolution for the relief of certain spouses and minor children of citizens of the United States; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Statehood for Hawaii

EXTENSION OF REMARKS
OF
HON. JOHN A. BURNS
DELEGATE FROM HAWAII
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. BURNS of Hawaii. Mr. Speaker, Hawaiian statehood is a most important matter. The number of hearings and investigations conducted by the Congress on the subject clearly shows this importance. Hawaiian statehood has been the subject of as many, if not more, hearings and investigations than any other subject ever considered by the Congress.

Because it is important and because a great many Members of Congress are understandably concerned with the subject and wish to be better informed, I am including herein an index of Congressional hearings on statehood for Hawaii and an index of the printed volumes on House and Senate hearings and reports on Hawaiian statehood. Within the printed volumes is the complete story of Hawaii:

INDEX OF CONGRESSIONAL HEARINGS ON STATEHOOD FOR HAWAII

Twenty Congressional investigations on the question of admitting Hawaii to statehood have been made since 1935. The date,

penses Act of 1946, and for other purposes; erty in the county of San Jacinto, Tex., and and Means.

authorization, and locale of these hearings are as follows:

1. May 31, 1935, H. R. 3034, Washington.
2. October 7–18, 1935, H. R. 3034, Hawaii.
3. October 6–22, 1937, Senate Concurrent Resolution 18, Hawaii.
4. January 7–18, 1946, House Resolution 236, Hawaii.
5. June 4, 1946, H. R. 3643, Washington.
6. March 7–19, 1947, H. R. 49 and 10 other identical bills, Washington.
7. January 5–20, 1948, H. R. 49 and S. 114, Hawaii.
8. April 15, 1948, H. R. 49 and S. 114, Washington.
9. November 1–12, 1948, H. R. 49 and S. 114, Hawaii.
10. March 3 and 8, 1949, H. R. 49 and related bills, Washington.
11. May 1–5, 1950, H. R. 49, Washington.
12. February 23–27, 1953, H. R. 49, Washington.
13. March 6, 1953, S. 49, Washington.
14. June 29, 30, July 1, 2, 3, 6, 7, 9, 11, 1953, and January 7 and 8, 1954, Senate committee on S. 49; S. 51; and H. R. 3575, Washington.
15. January 13, 14, 15, and 19, 1954, Senate committee on S. 49; S. 51; and H. R. 3575, Washington.
16. December 16 and 17, 1954, House subcommittee (public hearings), Hawaii.
17. January 25, 27, 28, February 2, 4, 7, 8, 14, 15, 16, 1955, House on H. R. 2535 (Hawaii-Alaska), Washington.
18. February 21, 22, 28, 1955, Senate on S. 49 (Hawaii-Alaska), Washington.
19. April 1 and 2, 1957, Senate subcommittee on S. 50, Washington.
20. April 8, 9, and 16, 1957, House subcommittee on H. R. 49, Washington.

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22. Statehood for Hawaii, Senate hearings, Insular Affairs, June 29, 30, July 1, 2, 3, 6, 7, 9, 11, 1953, and Jan. 7 and 8, 1954	652
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Managing the Nation's Monetary Affairs

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mrs. KEE. Mr. Speaker, under leave to extend my remarks, I include in the RECORD quotes from a letter to the Washington Post from Prof. Seymour E. Harris and other references to the administration's management of the Nation's money matters:

MANAGING THE NATION'S MONETARY AFFAIRS

Prof. Seymour E. Harris, chairman of the department of economics at Harvard University, is one of the country's leading economists whose opinions command the respectful attention of financiers, bankers, investors, and Members of Congress. In a recent letter to the Washington Post, Professor Harris has made a critical appraisal of the management of our monetary and debt problems over the past 5 years. In these 5 years, he states, "Federal expenditures are way above those of any peacetime year. The rate of interest has gone sharply upward."

"In the last year," he points out, "inflation has exceeded that of any peacetime year in the last 25 years and average several times that of nonwar years (exclusive of immediate postwar years) under the Democrats."

Most damaging is his statement: "In no area are the failures (of the Secretary of the Treasury) more evident than in the management of the national debt. The redistribution and the lengthening of maturities were 'musts' for the Treasury. Yet despite the meteoric rise of rates, not since the latter part of the 19th century has the Government security market been in such bad shape as at present. It requires some genius to accomplish this, not when debt is rising as in World War II or in the 1930's, but when debt is falling."

Protest letters reaching my desk from the Fifth District of West Virginia give full support to Professor Harris' views. In one such letter, the writer, who is personally known to me and whose opinions I respect, declares: "The present administration is certainly doing everything that will tend to promote inflation. Prior to 1953, the interest payments on the Federal debt amounted to roughly $3.5 billion and I know that today the interest on practically the same amount of Federal debt is roughly $8 billion. Why? So that the big corporations holding bonds can make the money, while the taxpayers have to pay the bill."

Then this writer goes on to point out: "Ninety-day Treasury bills that used to be bought on the open market, and there was always a good market for them, carried an interest rate of less than 1 percent. Today these same bills are carrying an interest rate of over 3 percent. The high point, I believe, was 3.35 percent. Is there any sound reason why the Government should pay such a rate of interest for short time maturities?"

Knowing only too well how dearly all this is costing the average businessman, the average consumer and the average taxpayer, I most earnestly hope that the present investigation of the Nation's monetary management which has just got under way in the Senate will provide the means to correct a situation which, in the Secretary of the Treasury's own words, if unchecked "could lead to a hair-curling depression."

Washington Report by Congressman Bruce Alger

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. ALGER. Mr. Speaker, each week I report to my constituents as space allows, a 1-page presentation of the legislative week. The report of June 15 follows:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

The civil-rights bill and 10 days' debate will be remembered as a classic struggle between North and South; the latter were outnumbered. With rare exceptions, it was a sectional matter to the Members, regardless of political party. The southerners were dead serious, presenting articulate and carefully documented arguments. Generally, rancor and bitterness were missing, though neither side pulled any punches. Every parliamentary trick was used. Sincerity of belief was evident on both sides. Yet, all were conscious of the heavy political implication. Each party desired credit for championing civil rights, thus appealing to the Negro and racial votes. For a while, southerners felt they could secure the right of jury trial, which traditionally accompanies Federal criminal contempt (except when the Federal Government is a party to the case) but this vote was lost 199 to 167.

The bill provides for a Civil Rights Commission to investigate allegations of loss of voting rights by reason of color, race, religion or national origin; a new Assistant Attorney General and staff; and new court procedure, permitting the bypassing of the State courts and going directly to the Federal courts. Opponents of the bill felt the securing of the jury trial would be a necessary protection while proponents of the bill felt that such an amendment would defeat the intent of the bill since the southern juries might be too lenient.

As my contribution, I addressed the House, analyzing the bill, section by section. Later, I offered an amendment to protect the individual's right to work without union membership, which is our Texas "right to work" law. The chairman ruled the amendment "out of order, not germane to the bill" because the bill dealt with "political rights and not labor rights." As I pondered this, after contesting the ruling, I recalled the amendment to eliminate "religion" from the bill was voted down. Yet, it is a "civil rights" bill. Are not freedom of worship, speech, press, assembly—the amendments to the Constitution—all civil rights? Is not a laboring man's freedom to work, to join a union or not, a civil right to be protected? Are not the laborer and all of us to be privileged to have the right of trial by jury if accused of criminal contempt, which labor already has in Federal contempt cases? Otherwise, the Federal judge, in the name of the Government, is plaintiff, prosecutor and judge who decides guilt and penalty. Any man can go to jail without jury trial. Is this civil liberty? The bill reads "Civil rights, including the right to vote." What are these civil rights, exclusive of the right to vote? We haven't been told. Shouldn't we know, and limit the law's jurisdiction, if we don't define it clearly, what freedom have we left from big Federal Government? All our civil rights are violated until and unless the bill's jurisdiction is clearly defined.

Other criticisms which trouble me, and I so explained to the Members, include these: (1) Help from voluntary and uncompensated personnel may be accepted by the Commission (NAACP or Communist volunteers?). (2) State jurisdiction over voting rights is destroyed, leaving State at mercy of Federal Government. (3) Citizens can be subpenaed to appear at Commission's pleasure, largely at individual's expense, then citizens, taxpayers can be sued by the Federal Government with their own money, and no repayment of cost and inconvenience if innocent—civil rights? Guilty until proven innocent? (4) Religion should not be in bill, thus becoming subject to Federal Government. I am disheartened more than I can say by this prejudiced, emotional, political bill violating States' rights and our civil liberties with both parties at fault.

The Public Works Committee granted a full-dress hearing of Dallas' interest in Garza-Little Elm (Lake Dallas) and Grapevine Lakes, Thursday. City Attorney Henry Kucera, Jim Cotten of Forrest & Cotten, Dallas' consulting engineers, and Hugh Steger of Lakefront Property Owners, each testified and helped to write the language which the committee will include in the final bill. Dallas' concern is that acreage just above the present shoreline not be reconveyed to former owners of the property since it may yet be needed, and Dallas has a financial and contractual interest in this land. The lakefront property owners do not want to be cut off from the water, so they'll have a chance to buy land between them and the water if it is to be sold. The Dallas witnesses did a fine job. The committee chairman (DAVIS, Tennessee) graciously permitted me to lead the proceedings. The rain and floods have shown again the need for conservation (drinking water) and flood protection, so we tried to tell the Dallas and Texas story to the committee.

A healthy exchange of viewpoints occurred during a White House breakfast this week, which I enjoyed. The President is looking the picture of health.

Address by Hon. J. Glenn Beall, of Maryland, at Dedication of Ner Israel Rabbinical College New Dormitory Building

EXTENSION OF REMARKS
OF
HON. J. GLENN BEALL
OF MARYLAND
IN THE SENATE OF THE UNITED STATES
Monday, June 24, 1957

Mr. BEALL. Mr. President, yesterday I had the great honor of participating in dedicating ceremonies for the new dormitory of the Ner Israel Rabbinical College, in Baltimore. It was a privilege and a pleasure for me to deliver a brief address at this important occasion. I should like to mention that the ceremonies, which were arranged by Rabbi Herman N. Neuberger, executive director of the Rabbinical College, and others, were as impressive as any I have ever attended. I ask unanimous consent that the address delivered by me be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF UNITED STATES SENATOR J. GLENN BEALL, DELIVERED AT DEDICATION CEREMONIES FOR THE NEW DORMITORY BUILDING OF THE NER ISRAEL RABBINICAL COLLEGE, BALTIMORE, JUNE 23, 1957

I esteem the high honor you pay me by your invitation to participate in these dedication ceremonies and to be the spokesman of the community sentiments.

You are dedicating this new dormitory building on the campus of your Yeshiva. The structure will provide an added facility to this college which emphasizes the study of the Talmud, that great repository of Jewish learning.

This occasion suggests some interesting thoughts. The very location of this structure is suggestive. It is in Maryland, which prides itself on its tradition of religious freedom; and it is in a nation which makes it a cardinal principle that belief or disbelief is personal, and is not to be commanded or forbidden or punished by Government. This is a religious Nation. It cherishes the ethics of religion and the spirit of reverence, but it leaves to each individual's determination for himself questions of doctrine and the notions of man's relation to his God.

It is a satisfaction to know that your college is located in close proximity to houses of worship and other religious and educational institutions of other denominations in this city. Protestant, Catholic, and Jewish institutions exist side by side, and none is molested, but all are treated with respect. It is a happy circumstance that in this land of freedom, religion is unfettered by Government, and Government is not dominated by sectarian influence. We are likely to take this for granted, because we are so accustomed to it in America; but it is well to remember that there are not many lands that enjoy such freedom. While I would be the last to claim for this country that it has always lived up to its lofty traditions, nevertheless, unlike the totalitarian lands, which abandoned freedom, we have never repudiated our ideals. When we have strayed, we have acknowledged our faults and always returned to fundamental principles. America loves freedom as the totalitarians hate and fear it.

It has often been pointed out that there is a harmony between our religious ideals and those of democracy, for the foundation of democracy is moral, even as its structure is political. When Jefferson wrote into the Declaration of Independence the phrase about the unalienable rights of man, he meant exactly what the religionist means when he speaks of the dignity of human personality.

Democracy accepts as fundamental the religious doctrine that righteousness exalteth a nation.

While rabbinic and talmudic studies have been the guides to Jewish living, they have also contributed greatly to the spiritual well-being of mankind. Throughout the ages, there have been notable Jewish contributions to the arts and sciences, to medicine, to law, and in other fields; but the great glory of the Jewish people is that they have provided the ethical foundation upon which western civilization rests. We Christians recognize and acknowledge that debt.

Would it not be a great pity, and a tragedy for the whole human family, if this noble creativity of the Jewish people which has so enriched mankind should be discontinued in our day? The spiritual values that Judaism has taught, and which we Christians hold in common with you, need to be nurtured.

This Ner Israel Rabbinical College is dedicated to the great task of advancing the study of the Talmud. Not only the Jewish people, but the whole community, treasures this institution as a valuable spiritual and cultural asset. May it prosper in its work of spreading higher Jewish education, and may it help to bring about on these shores a new flowering of the religious spirit and learning.

What distinguishes American nationalism from that of the totalitarians is that while we all willingly meet the demands of political loyalty, we do not stifle diversities in religion, ancestral traditions, group living, culture, or education. Those who understand and love America truly know that it is a thing of many components, and there are many elements that enrich it in distinctive ways.

May your institution continue to play a noble role.

Let's Have the Facts

EXTENSION OF REMARKS
OF
HON. ALBERT P. MORANO
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. MORANO. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include a letter which I have written to the Secretary of Defense, Mr. Wilson, after receiving a request for aid from Attorney Raymond C. Lyddy, who seeks information on possible harmful effects of a light ray on a group of servicemen engaged in a secret Army experiment during World War II.

Following are the original telegram from Mr. Lyddy and my letter to Defense Secretary Wilson:

On behalf of all veterans of the 538th Ordnance Company of the 9th Armored Division during World War II and specifically on behalf of Harold Saunders and John J. Zawesza, residents of your Congressional district, I am herewith enlisting your aid in securing all available information from the United States Army concerning a secret experiment conducted by the Army during World War II having to do with the construction, installation, servicing, and operation of a form of light ray mounted on tanks. We suspect that a possible connection may exist between my clients' exposure

to these rays and their mechanism and an unusually high percentage of deformed births, stillbirths, miscarriages, mentally retarded children, and sterility reflected in the marital relations and families of these veterans. I should like to meet with you at your earliest convenience to discuss this matter in detail but any aid you may be able to give us in obtaining this formerly classified information would be sincerely appreciated.

RAYMOND C. LYDDY,
Attorney.

JUNE 24, 1957.

HON. CHARLES E. WILSON,
Secretary of Defense, Department of Defense, the Pentagon, Washington, D. C.

DEAR MR. SECRETARY: Today I have received a formal request for aid from Raymond C. Lyddy, an attorney from Bridgeport, Conn., who is representing two residents of my district who were engaged in a secret Army experiment during World War II.

Mr. Lyddy believes that a possible connection may exist between the servicemen's exposure to a light ray mounted on tanks, and an unusually high percentage of deformed births, stillbirths, miscarriages, mentally retarded children and sterility reflected in the marital relations and families of these veterans.

The veterans of the 538th Ordnance Company of the 9th Armored Division who participated in the experiment should be advised whether the exposure to the powerful rays and their mechanism is the cause of their unfortunate marital relations.

I believe that this classified material should be made known insofar as it does not impair our national security. I suggest that an authorized representative of the Army or Defense Departments meet with the attorney for the veterans involved, possibly in my Congressional office as soon as possible.

First reports of the possible harmful effects of the experiment have given rise to all kinds of newspaper and radio speculation.

Perhaps if all the facts were made known many wild rumors and irresponsible estimates could be curbed.

Although the attorney and two of the veterans, Harold Saunders and John J. Zawesza, are residents of my district, other members of the company are residing in other parts of Connecticut. Therefore, Congressman EDWIN H. MAY, of Hartford, and Congressman ALBERT W. CRETELLA, of New Haven, join with me in asking for disclosure of information which may help to clear up this situation.

Sincerely,

ALBERT P. MORANO,
Member of Congress.

Light on Hells Canyon

EXTENSION OF REMARKS
OF
HON. AL ULLMAN
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. ULLMAN. Mr. Speaker, the June 22 edition of the Washington Post and Times Herald carried the text of an excellent letter written to the editor by Senator ESTES KEFAUVER.

Senator KEFAUVER has been doing an excellent job in exposing the true nature of the fast tax writeoffs granted by this administration. I want to take this opportunity to commend him for the fine job he has been doing in bringing to light some of the shady dealings surrounding the issuance of tax certificates to the Idaho Power Co. Senator KEFAUVER's letter to the editor of the Washington Post is characteristic of his calm and sensible approach to a matter of national importance. I am certain it will be of interest to all Members of this Chamber and I ask that it be included in the RECORD.

The letter follows:

LIGHT ON HELLS CANYON

I want to congratulate you on your fine June 9 editorial, "Light on Hells Canyon," to which Senator WATKINS took exception in his letter which you printed on June 18.

Like Senator WATKINS, I represent a State which has no great direct interest in the Columbia River Basin, and which will feel no immediate impact from the development of Hells Canyon. But I do feel qualified to recognize a scheme to waste a great natural resource when I see it, and I don't need a set of distorted figures to understand that the effect of such a scheme can only be to weaken the entire Nation.

What I find shocking is the attempt of the opponents of Hells Canyon to justify their position by the use of incredibly confused statistics.

For example, in his letter which you published Tuesday, June 18, Senator WATKINS came up with $398 million as his figure for the cost to the Government of the high dam at the end of 50 years. He then performed the truly remarkable accounting gyration of carrying his own ultimate figure back through history from the end to the start of the 50-year period, and proceeded to compound it annually throughout that period to arrive at his utterly ridicuous $2.2 billion figure.

Either Senator WATKINS' accountant is extremely confused, or he has a very low opinion of the intelligence of your readership. In any event this sort of figure-juggling hardly lends credence to his conclusions.

Lest I appear to be in complete disagreement with Senator WATKINS' letter, I hasten to praise two separate points in it. The first is his candid admission, so rare among opponents of Hells Canyon, that a large part of the cost of the high dam will be repaid with interest. In fact, the total of the nonreimbursable costs is only $48.8 million; all the rest of the project's costs will be repaid with interest.

I should like to emphasize also that after this repayment has been completed the high dam would belong to the people of the United States, while the low dams, complete with subsidy, would be the property of the private company.

In addition Senator WATKINS referred to the business and industrial expansion made possible by the new power and the additional millions of dollars this would mean to the Treasury in increased personal and corporation taxes. Here, of course, is the heart of the entire issue, and I am glad it is at long last being conceded by the opponents of Hells Canyon.

According to the most expert estimates available, based upon years of experience in the Northwest, the amount of power the high dam would produce in excess of the low-dam plan would result in the creation of about 35,000 new jobs in industry and $45 million annually in Federal taxes.

I do not intend to indulge my imagination in the calculation of what this latter figure might amount to with compound interest over 50 years, but I can hardly resist pointing out that in less than 9 years all of Senator WATKINS' claimed 50-year losses resulting to the Government from the construction of the high dam would be completely paid off, using only the excess power benefits of the high dam over the low-dam scheme.

I think it is most doubtful that there would even be much broadening of the economic base of the Northwest based on power from the private company dams. In order to locate in the Northwest industry needs low-cost power to compensate for the high cost of shipping its products to the market centers of the East, and even the FPC examiner referred to power from the Idaho Power Co. dams as being fancy-priced power.

Senator WATKINS referred to the cost of compensating the Idaho Power Co. for its expenditures to date, using a figure of $48 million. Actually the Senator is confusing expenditures with cancelable commitments, and the correct figure would be under $30 million, which would of course be a reimbursable cost of power production, contrary to the assumptions of his letter which included it in the nonreimbursable total.

But this raises another intriguing question. By letter of May 6 to Congressman ULLMAN, Chairman Kuykendall, of the Federal Power Commission, admitted that the power company in its construction to date had not complied with its own design plans as approved by the FPC.

If this is true it may be that the company cannot claim to have been proceeding under the FPC license in claiming damages if Hells Canyon Dam is authorized by Congress. Is it possible that here, as in the infamous Dixon-Yates deal, we shall see the Attorney General in court opposing the company's claims for reimbursement?

Senator WATKINS' letter cited the FPC as deciding that the three-dam plan (the FPC admitted the third dam may never be built) was the best plan for comprehensive development of the river. It neglected to point out that the FPC's own technical hearing examiner found the high dam would produce almost twice as much power at less than half the cost as the low dams, and provide almost four times as much active storage usable for flood control.

It offered no allusion to what the examiner called "the inescapable conclusion that * * * the high dam would be the better investment and the more nearly ideal development of the Middle Snake."

It omitted mention of the fact that it was the FPC's own chief accountant who estimated the cost of the low dams to the taxpayer at $83.5 million some $34 million more than the net nonreimbursable costs of the high dam. It ignored the recent brief of the FPC's own staff in the Mountain Sheep-Pleasant Valley proceeding urging that 4 million acre-feet of storage are needed in the Snake Basin for flood control, almost the exact capacity of Hells Canyon Dam.

ESTES KEFAUVER,
Senator from Tennessee.

WASHINGTON.

Canadian Family Allowances Act: A System Which Merits Study in the United States

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. PORTER. Mr. Speaker, last week I took great pride in introducing for the first time in this House a resolution which asks that a select committee be created to study the feasibility of our Nation's adopting the Family Allowances Act which has proven so successful in Canada for nearly 12 years. I am happy that my distinguished colleague, the Honorable JOHN BURNS, of Hawaii, introduced identical legislation.

These resolutions are like one which last week was introduced by Senator RICHARD NEUBERGER and several cosponsors. Senator NEUBERGER introduced it originally in the Senate during the 84th Congress. Since that time, this proposal has drawn support from many individuals and organizations. There is an ever-growing feeling on the part of many that this Nation should look further into this program.

The select committee we propose would have five members appointed by the Speaker. They would be authorized to investigate the Canadian plan with a view to determining if a similar system here would promote the health, development, and well-being of our children. The committee would be allowed as much as $26,000 for the study, and could meet outside the borders of the United States.

I am told by Canadians, familiar with the allowances act, that the system has improved the health and standard of living for their children. More boys and girls have the vegetables, meats, fruits, and milk needed in their diets. More youngsters have shoes. Many will have higher education because their parents are putting the money aside for that purpose. The allowance is paid to the mother or guardian and goes to all children, regardless of family income, race, color, or creed.

Happily I can tell you that misuse of allowances or fraud is negligible.

Canadians who were skeptical of the plan 12 years ago now proudly claim the program as a sample of their country's forward thinking. The major political parties there would each like to claim the idea as their own.

I respectfully call to your attention comments by Mr. Lawrence Burg, a Chicago businessman who is research director for a private company. He is one of 10 children, he votes independently, he is a World War II veteran. He and his wife have four children.

Mr. Burg is concerned with the cause of juvenile delinquency. He and his wife feel that the monetary cost of children may be a missing clue to the major cause of juvenile delinquency. I neither confirm nor deny their supposition, but tell you that the Burgs feel that lowered living standards "might have an adverse effect on some parents and older children." They say it costs them $729 per year to raise each child, despite frugalities.

As a sample of what the cost of child-rearing means, Burg points out that the couple with no children and earning $100 weekly takes home a spendable income of $4,504. The family with four children, on the other hand, has a spendable income of $2,484, after the cost of the children has been deducted. His solution is amending the tax laws to enable all adults to pay identically, and then giving a social security or child-support payment of $50 per month for each child. This would be given to the parents to aid them in rearing their children. Mr. Burg says payment for such a program could come from funds transferred from foreign aid and topheavy national defense. He terms his plan one of tax relief.

In introducing the resolution initially on June 14, 1955, the distinguished junior Senator from Oregon called the plan the next great step forward in social legislation. He said the program seeks a healthier, happier, and more secure life for the children of America.

He and his wife, Maurine, have had many occasions to discuss this program with Canadians and can say in all truthfulness that they found our neighbors to the north strongly in favor of the family allowances system. He, like Mr. BURNS and me, is convinced that the system is good, not only because of its help today to the children, but also because it is building a stronger nation for tomorrow.

This Canadian program has received caustic comments from persons unfamiliar with its worth and operation. These doubters call it a baby bonus. I must point out that this has not been the case in Canada. The birthrate there continues at a normal pace.

The Family Allowances Act was introduced in Canada in 1944. The first payments were made in July of 1945. The act was a basic social-security measure designed to assist in providing equal opportunity for all Canadian children.

Payments come out of the Federal consolidated revenue fund and are no part of taxable income, although persons with children eligible for family allowances obtain a smaller income-tax exemption for such children than for children not so eligible. Family allowances are administered by the Canadian Department of National Health and Welfare through regional offices. The annual cost is currently around $380 million. I am told the administrative cost has never exceeded 1.6 percent of the allowances amount. The allowances are paid at the monthly rate of $6 for each child under age of 10 and $8 for each child 10 to 16.

I know this brief summary of the program and the digest of the resolution my colleague and I have introduced does not tell this body all it may wish to know about family allowances. The full text of the Senate resolution, which is like the House version, appears with Senator NEUBERGER's comments in the RECORD of June 21, 1957.

Address by Hon. Ralph W. Yarborough, of Texas, Before Democracy Club of Galveston County, Tex.

EXTENSION OF REMARKS
OF
HON. RALPH W. YARBOROUGH
OF TEXAS
IN THE SENATE OF THE UNITED STATES
Monday, June 24, 1957

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of an address I delivered in my home State at the annual banquet of the Democracy Club of Galveston County, Texas City, Tex., on Saturday, June 15, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR RALPH W. YARBOROUGH AT DINNER MEETING OF DEMOCRACY CLUB OF GALVESTON COUNTY AT TEXAS CITY, TEX., JUNE 15, 1957

Mr. President, friends, fellow Democrats, fellow Americans, we are overwhelmed by the generosity of your greeting; your advance reservations were beyond anything we ever experienced in Galveston County before.

Mrs. Yarborough and I are very grateful for this privilege of visiting with you, because it is both encouragement and an inspiration to see such a strong Democratic organization as yours—one with a continuing existence, not dependent upon whether the party is in power or out of power. Your Democracy Club, organized in 1951, was not organized for any one candidate or for any one year or any one campaign. It was organized to serve the cause of democracy and it has done a noble job of it.

We are personally grateful to you, because you have supported us in several hard campaigns; you gave us a 4,000-vote majority in Galveston County in the close governor's race in 1956, the largest lead we had in any single Texas county, and you gave us a long lead in the Senate race. God bless you all for it.

It is good to be back in Texas, and to celebrate with you the growing resurgence of the Democratic Party as the party of the people. We in Texas have a right to be proud of that resurgence, because it largely originated here, and, from the plains and valleys of Texas, this resurgence is spreading over the Nation. This resurgence should be sparked by an all-out war of righteous indignation against the studied financial injustices and inequities at home, and the fumbling foreign policy abroad, of this administration.

You here in Galveston County have had and are having a major role in this Democratic resurgence. For a quarter of a century Walter Hall has been demanding a more vigorous democracy for all the people; he has been an outspoken champion of the people's rights in precinct, county, State, and National conventions and in primary and general elections. You know I made my services available to the people for governor several times, in a quiet sort of a way, not loud enough for people to hear the offer, but here in Walter Hall, a business statesman of the first rank, you have a man who ought to be governor of Texas.

You will note from your program that I am right between Walter Hall and Rev. Harry Burch. That's where I came in, 5 years ago. When I announced for governor the first time May 1, 1952, they both came to my aid, the first two people in Galveston County to aid and encourage me in that race and they have aided me ever since, not just in Galveston County, but statewide.

Here I want to pay tribute to one of the outstanding Democratic Congressmen of the Nation, CLARK THOMPSON of Galveston. He and his gracious wife, Libby, gave a dinner in Washington in our honor; and showed us innumerable other courtesies. We shall never forget their kindnesses. And CLARK THOMPSON is a stanch oak in the Congress, a credit not only to this district, but to Texas and the Nation.

It is good to be in a Congress with Democratic majorities, with the Democratic leadership in both Houses in the hands of capable Texans. Speaker SAM RAYBURN is my friend; he has supported me in 4 campaigns in 5 years. His counsel is sought by all Democrats in Washington and is respected by all Republicans.

The distinguished Senate majority leader, LYNDON JOHNSON, and Mrs. Johnson gave a

lunch in our honor in Washington and Senator Johnson led the Democratic Steering Committee in placing me on three important senatorial committees. Our relationship was never more cordial.

Turning from these pleasant thoughts to the tasks before us, we realize that we need a speeded-up Democratic drive over the Nation, for the benefit of the people of Texas, of America, and of the world.

With the dollar worshipers at present at an alltime high point of power in our Government, similar to the days of Harding and Coolidge, it is going to take resolute men and women to turn this Nation back to the idealism of Woodrow Wilson and Franklin D. Roosevelt. We need a modern Jeremiah in every State and in every city in the Nation. More than that, we need at least another hundred Democracy Clubs in Texas, like this Galveston County Democracy Club. You have the leadership and the dedication here.

What has this cult of the dollar worshipers who furnish all the high priests of this Republican administration done to the American people in the last 4 years?

This Republican administration has given public utility power companies a large share of the 778 millions of dollars in tax write-offs awarded—which is more than $10 a person from every wage earner in America, taken out of the pockets of American wage earners by the United States Government, and given as an unearned increment to big public utility power companies.

The administration's high-interest rate and hard-money policy is lifting between 10 billion and 15 billion more dollars each year out of the pockets of Americans in increased interest rates on public and private debts, than were charged as interest on the same debts in 1952, the last year of Democratic rule. It takes that extra sum out of consumer pockets and lays it on the altar of the big money in increased interest. Such a policy long continued, eats up purchasing power and will inevitably slow down consumption of consumer goods.

There may be a few here tonight old enough to remember 1929. If you will travel away from the big cities and this golden Gulf Coast area, you will find that stagnation of trade is already here in the little cities and the county seat towns of Texas.

The most vicious dollar cult practice of this administration is found in the so-called discount practice in the home-building industry. The discount rate varies in home-building from 5 percent to 10 percent out over the country. Last spring in Texas, it ran about 7 percent. Here is the way it works: A homebuilder goes to a mortgage company to borrow $10,000 to build a home. He signs notes for $10,000. With a discount date of 7 percent, he only gets in cash $9,300. The notes are paid off, all $10,000, usually over a period of 25 years at a rate of 5 percent interest on $10,000. When the interest rate is computed, it will be found that it averages out over 15 percent per year on the money actually advanced by the money lenders, and those loans are guaranteed by the United States Government. Just this week we are advised that the discount rate in San Antonio is running as high as 13 percent. I read here a telegram dated June 12, 1957, from Mr. Bennett, president of the Bennett Lumber Co. of San Antonio, saying the discount rate in San Antonio is now 13 percent on VA and FHA loans and that this ruinous discount rate has stagnated trade and ended homebuilding in San Antonio.

That usurious interest collected does not usually go to the local mortgage company that lend the money; the local company gets only about 1 percent brokerage fee; the excess take, the discount, goes into the prime money markets of the country as a part of the unearned increment the big financial interests are collecting. It's part of their reward for being clever enough to let the American people have the kind of government the Madison Avenue hucksters sell for the Republican Party and its allies.

Last week we voted in the Senate to reduce the down payment requirement on FHA-insured loans to 3 percent on the first $9,000, and 10 percent on the next $7,000. I advocated that reduction in my campaign, and voted for it in the Senate. If the House of Representatives agrees with the Senate, this will end the depression in home building if, and only if, we end the ruinous discount rate. I voted for the Gore amendment to the housing bill which would have outlawed these ruinous discounts. Unfortunately, the Gore amendment lost.

The Republicans tried to increase the interest rates on loans for student dormitories at colleges, thus raising room rent and making it more expensive for students to go to college. We Democrats beat it down. That too, was in the housing bill. With Russia training two engineers and scientists to every one in an American school, it is shortsighted to increase the burden on college students as the Republicans tried to do in Washington by increased rentals for college students, and as the present State administration unfortunately did in Austin. The path to America's future is not paved with impediments to the education of our youth. Any government imposed burden on the education of our youth is a ball and chain on America's destiny.

In addition to the education of the youth, we are working for soil and water conservation projects for the benefit of this and future generations. I have testified for seven such projects before congressional committees since I have been in Washington. I have testified for the extension of the Galveston seawall before the Senate committee. And, under date of May 31, 1957, we have a favorable report from the Army engineers for a $7 million Texas City seawall with about 16 percent of the cost to be borne by local interests.

On Texas river projects, we have been working actively for McGee Bend Dam on the Angelina River, and many other projects.

On other projects not yet to far advanced as McGee Bend Dam, my policy will be as follows:

Texas must push ahead vigorously in the development of its rivers. Where this can best be done by local and State means, it should follow that course. Where Federal aid is needed in order to develop our water resources we should obtain it. If the best solution is at odds with Federal policy then we should sit down together and work out a solution to fit the needs of each particular watershed. Federal aid for dams, in any event, should be sought only when desired by the people who need it.

Texas cannot reach its full destiny without the proper development of our water resources. Our towns and cities have had to ration water even for purely domestic use, our irrigated farms have suffered from lack of water, and our industries have suffered both from short supply and poor quality of available water. Industries are passing up Texas and locating elsewhere. This is particularly true with respect to location in the Baton Rouge, La., area.

Our State has vast water resources awaiting development. These resources, harnessed and utilized, will give us needed water and prevent floods which create great damage to lives and property. Texas has suffered over a hundred million dollars in property damage in recent floods and tornadoes. We need both flood dams and supply dams, small retaining ponds on the farms and ranches, small dams on the tributary streams, and big dams on the main streams. Not only is this essential for flood control and water supply, but without it our land will continue to wash into the sea. We should proceed with these developments on a basis consistent with the uses of water with priority for domestic and municipal use for human consumption; then for use in industrial, irrigation, mining, hydroelectric, navigation, recreational, and other uses.

This development must protect the rights of municipalities, and other owners whose water projects entailing vast investments have played vital roles in the great irrigation and industrial development of Texas, especially in the gulf coast and valley. This development should also produce the best possible quality of water, otherwise little use can be made of it.

All people living within a river valley, indeed all the people of Texas, must have full and fair consideration in this vital program. These problems vary from watershed to watershed and the solution should be worked in each watershed which best serves the people in that watershed. I shall support with all my energy such an undertaking until the rivers of Texas are harnessed and producing vast benefits for all the people of Texas, both now and in the future.

The farm decline is a story in itself, with a million farm families leaving the land never to return—their places taken by a corporate-type farm, more like a Soviet collectivist farm than anything else. Brooks Adams has pointed out, in "The Law of Civilization and Decay," how the yeomenry of England became extinct in 80 years.

This must not happen in America. The Democratic Party is the only party really trying to prevent it. The Democratic Party is the only party trying to save the family-type farm. We have lost 300,000 farm families, gone from the land forever, under this Republican administration, and 40,000 of those families were in Texas alone. When questioned about it by a Senate committee, Benson answered: "It's cheaper to keep them on relief in a city than to keep them on the farm." I'd prescribe for the Secretary of Agriculture a little reading in Roman history.

In the field of taxation, the people are neglected by this administration, while things are in the saddle and ride mankind. The vaunted $7 billion tax cut by Republicans was a corporation tax cut. Seventy-three percent of the cut went to corporations; 18 percent to individuals in the large income groups and only 9 percent to the 80 percent of the people in the lower and middle income groups. I propose a tax cut now for the people.

An equitable cut could be had by increasing all personal exemptions from $600 to $800 per person per year. Let's let the Madison Avenue boys and their friends share these windfalls with us regular folks by giving the big rich that $200 a head deduction also. It will mean more dollars to them than it does to us, for they are in the high tax brackets and that will save them about $150 each, while it will only save most of us $25 or a little more for each dependent.

These are some of the reasons why I've said modern Jeremiahs are needed. The facts need to be driven home to the American people every day in every possible form and forum. Of course, when we continue to press for reforms, the Republican press will probably call it obstinate pig-headedness, while the determined effort by Republicans for higher and higher interest would be cited as an example of firm determination. We must not be intimidated by semantics, nor cowed by contumacious words.

I'm here tonight partly to make a report to you of my first 45 days on Capitol Hill. In my race this spring, I promised to work for a pay raise for our postal employees and Federal employees. The Democratic leadership placed me on a subcommittee to hear testimony on the pay-raise bills and we have already reported on a pay-raise bill to the full committees; too small, but a beginning step.

I promised to try to help cut the fat out of the Eisenhower budget and out of foreign aid. We are making progress. I've voted for some reductions in the budget that carried, and some that lost. Yesterday we lost by a vote of 49 to 40 in an effort to cut some more fat out of foreign aid, on the Long amendment. It is my hope that we can cut enough fat out of excesses in the budget to raise postal pay and have a tax cut, too. And if I could persuade enough of my colleagues to go along with me, we would get the job done. I'm encouraged at the progress made.

But we are not cutting everything. The Democratic Party is the party with a heart. In our campaign last March, I promised to support larger appropriations for cancer research, heart-disease research, mental-hygiene research, arthritis research, and allergy research. And this week we voted them in the Senate. In the Senate we voted to raise those appropriations, as follows:

[Dollars in millions]

	Appropriation		Percent increase 1958 over last year
	1957	1958	
Cancer research	$48	$58	20
Heart disease research	33	38	15
Mental health	35	39	11½
Arthritis research	15	23	50
Allergy, and all allied research	13	17	30
Neurology and blindness studies	18	24	33⅓

And in the fields of dental research, public health, research in tuberculosis and other communicable diseases, we have voted substantial higher appropriations than for last year. In the enforcement of the pure food and drug law, we voted this week an increase of 37 percent in funds for enforcement, over the 1957 funds; this will allow the employment of 162 additional personnel, 115 of them as field inspectors to stop the adulteration and pollution of the food that flows from the far-away factory to your table. This is a realistic step of the utmost practicality.

These health appropriations are to ease the pains of today and bring mankind into a new era of health and happiness. This promotes the general welfare in the most beneficial of all governmental fields; the health of the human race.

In the field of foreign affairs, the Democratic opportunity for service is similarly unlimited. The dreadful deepening concern over the perils of the hydrogen age have struck deeper into the Democratic conscience than in the Republican understanding. When Adlai Stevenson and Estes Kefauver braved the storms of Republican big money wrath to call for reason last October and a stop to dangerous nuclear explosions, they were derided and even their patriotism questioned.

Today, every newspaper, every TV and radio-broadcasting station, are replete with details of the horrors of the fallout effects. Whether the effect be bone cancer, infertility, malformed babies, stunted children, or any of the other equally dreadful effects on the human race described by the scientists, the answer is the same. The human race is waiting for leadership intelligent enough to put a stop to the nuclear explosions before our children and our children's children are doomed by a polluted earth and air.

And now, I want to close on a more cheerful note:

It is the Democratic Party that best realizes its responsibility to the people of our own land and to the world. Let us all hope and expect, as I do, that the Democratic Party will show us the way out of the night that now shrouds us. Through the years, the people of America have turned to the Democratic Pary in time of crises. They will do so again.

The time of crises is at hand, both on the domestic front and in foreign affairs. And the Democratic Party has led the way in pointing out the dangers to the human race from nuclear fallouts. First, Adlai Stevenson and Estes Kefauver last fall, and now Senator Clinton Anderson's committee is giving the facts to all the world.

Last Saturday night in New York, the Democratic majority leader, Senator LYNDON JOHNSON, called for reason and action before the human race is annihilated. Senator JOHNSON called for an "open curtain" to let the truth of democracy lighten up the darkness behind the Iron Curtain. Senator JOHNSON'S forthright leadership for an open curtain has been praised from the Atlantic to the Pacific.

When the Democratic Party quits tiptoeing down timidity street and, boldly as Roosevelt, proclaims its faith and belief in men over money and machines, then will America again place her faith in the party of Jefferson and Jackson and of Wilson, of Roosevelt and of Truman. I fervently pray for that day.

That day is nearer at hand now than for some years. The Anderson committee investigation and the Johnson declaration show it.

I want my children and their children to live in the same pure air that was on this earth in the days of man's first creation.

The Future of Our Supreme Court

EXTENSION OF REMARKS
OF
HON. OVERTON BROOKS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 1957

Mr. BROOKS of Louisiana. Mr. Speaker, the Constitution says that the United States Supreme Court Justices shall be appointed during good behavior by the President of the United States. They are removable only by impeachment and they serve for life, unless they retire earlier. This gives these judges a tenure during their active lives.

As a matter of practice, these judges are formally nominated by the President of the United States. In actual practice, however, the President is a very busy man and he leaves, and I suppose must leave, the details of selection of a justice up to the operation of the Justice Department, headed by the Attorney General. Very often, the Attorney General has some political friend, or some especial favorite—and this seems to be the case more frequently in recent years—whom he maneuvers into the position of being nominated. These appointments, in other words, are largely made on the recommendation of and with the advice of the Attorney General. This is the way it works out in actual practice.

Increasingly, in recent years, cases involving one of the sovereign States—I hesitate to use this word "sovereign" because of the tremendous loss of power by the States in recent years—is handled by this tribunal; and the sovereign State must suppliantly present its petition for redress before this High Court. It places the attorneys general of the various States at a distinct disadvantage, I am sure, to be compelled to come up against this sort of arrangement. They are required to present their cases before judges who are nominated on the recommendation of the same official who may be presenting the case of the United States before the tribunal.

Judges are human, whether they be members of the United States Supreme Court, appointed for life, or whether they be members of lesser courts. It is human to think kindly of your friends, and to be influenced by their judgment and their recommendations. Now, then, can the attorneys general from the various so-called sovereign States throughout the Union hope to get a fair break in the presentation of the cases of their States before this august tribunal which holds the unchecked power of decision in its hands and from which there is no appeal?

More important than this: In the light of this appointing process, how can we, who believe in States rights and who steadfastly oppose the constant encroachment of power on the part of the United States Government over the several States, under this arrangement expect or hope to check the growing tendency of the United States to take away from the States their very sovereignty itself?

My own State has before the United States Supreme Court at this time litigation of vast importance to the people of our State and, I think, also to the Union. I do not wish to comment upon this litigation at this time. Other States will in the future have more and more litigation before this Court. Can judges, even after years of experience on the bench, throw aside their own petty likes and dislikes and throw aside their feeling of gratitude for the office and to the man—the Attorney General—who nominated and recommended them and render decisions which will give the States a fair break? The more so, we ask, can judges without prior judicial experience, accustomed to the point of view of the advocate and accustomed to rewarding others for favors and for help, forget all of these things and, in the cloistered sanctum of the judicial study, render a judgment with the wisdom of a Solomon and the vision of a prophet?

I rather think that some other method should be created for the recommendation to the President of names of suitable persons for Federal judges. Perhaps this should be done by recommendation from the Congress, or by recommendations from a judicial council, or from the States, or in some other manner. This matter should be given careful study, and out of the thought and care given to a grave problem—for it is the problem of preserving the States—should come a plan created under which judges can be recommended by some other authority than the one—the Attorney General of the United States—who argues and presents the case for the Federal Government.

I read more and more of decisions of the Supreme Court which upset settled law and jurisprudence and which do not seem to be tempered with the spirit of the Constitution. There is criticism of

the Court as being arbitrary and capricious. The national commander of the American Legion, an organization which personifies patriotism and loyalty to country, suggests that these judges—perhaps all Federal judges—be elected, and that the appointive method be abandoned. Is he right? This is something to think about in these present times, and his suggestion is worthy of careful consideration.

The Supreme Court Should Use the Light of Reason

EXTENSION OF REMARKS
OF
HON. WILLIAM C. CRAMER
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. CRAMER. Mr. Speaker, as a member of the Judiciary Committee of the House, I was, like many of my colleagues, I am sure, quite disturbed by the Supreme Court decision in the Watkins case where the Court decided that a man who admits to having a long period of Communist affiliations can refuse to state to the Congressional Committee on Un-American Activities whether he knows that certain named persons with whom he is familiar were members of the Communist Party.

The scope of the decision is so far reaching that it cannot be permitted to stand unchallenged on principle. The majority of the Court in the decision acknowledged broad investigatory powers in Congress as being inherent in the legislative process, but then goes on to strike down and encompass these admitted powers with wholly unwieldy and impractical restrictions, under the guise of protecting an individual under the first amendment against abridgement by law of freedom of speech or press or assembly.

The decision is so vague and indefinite that it gives no real guideposts to Congress or Congressional committees that can be applied in an effort to comply with the decision.

The decision seems to make a distinction in the powers of Congress to investigate between the admitted power to "expose corruption, inefficiency waste" in the public interest and as a public affair and the lack of power or authority to expose private affairs or beliefs of individuals—and as applied to this case, apparently, even when these private beliefs constitute adherence to the communistic philosophy of overthrow of our Government by force and violence. Could not this lead to the wholly unrealistic conclusion that the belief in communism is really a private belief protected within the first amendment and thus not subject to Congressional investigation and public scrutiny through this method? Such a possibly conclusion certainly is to be condemned in the interest of preserving our constitutional form of government in America.

If this decision stands, future investigations by Congress will be in constant jeopardy, and the first amendment could possibly be pleaded as often as the fifth amendment is pleaded today. The Court, which in my opinion failed to recognize the practical problems and workings of Congress, and would unduly restrict the legislative arm of government in carrying out its admitted function of investigating matters charged with the public welfare, looking to future legislation, the effects of legislation, activities of the executive branch and so forth.

I would like to cite a few examples of what could possibly result in the field of Congressional investigations, as I interpret the decision.

First. It could possibly place on Congress the burden of proving that the terms of the charter of the committee or the statements of the chairman preceding the questioning would reasonably establish to the satisfaction of any witness the pertinency of each and every question on which the witness might claim the first amendment which would be an almost impossible burden;

Second. It could possibly strike down the broad authorizing or chartering provisions of committees and thus limit measurably the scope of their investigations on the technical grounds that although the investigation would be within the power of Congress to conduct unless every phase of the investigation is spelled out, the witness would not be put on adequate notice of the pertinency of any question asked by the committee and on which he claimed the right to refuse to answer because of the first amendment;

Third. It could possibly be construed to require "preliminary control" by Congress of its committee activities to the extent of requiring specific enumeration of every facet of any problem to be investigated or that might arise during an investigation even though the history of the investigative process has shown that Congress cannot foresee the new fields often uncovered as the result of hearings and that must be exhausted if the public welfare is to be served;

Fourth. The practical effect could possibly be that most future witnesses before Congressional committees could only be voluntary because the compulsory subpena procedure would be completely outmoded and the witness could refuse to appear on the basis that he believed his first amendment constitutional rights were being prejudiced because he wasn't advised adequately of the questions to be asked and the pertinency thereof; or upon appearance could raise the same question and refuse to answer.

Fifth. It could conceivably require that any committee lay a foundation of a more specific nature than the "charter" granted by Congress in order to establish the pertinency of every question asked in order to prevent a witness from claiming the "right of silence" which is surely an impractical burden.

Sixth. It could possibly require these committee restrictions as suggested in 1, 2, 3, and 5 above even when the rights of the person testifying are not involved but rather the rights of third persons whom the witness has been asked to identify as in this case and even though it is well settled that one cannot invoke the constitutional rights of another;

Seventh. It raises doubt about the fact that a Congressional committee is acting within the scope of its authority with reference to any given question upon which the first amendment is claimed on the basis that an insufficient foundation of relevency of the question involved has been laid unless it appears clear on the record or in the "charter" powers of the committee that the specific facet of the investigation being challenged is spelled out in the record and that it doesn't violate anyone's "private affairs."

Thus, a mere statement of some of the possible implications of the decision, I am sure, points up its dangers.

Also the court overlooked completely in its reasoning the fact that every contempt action by a committee must be ratified by the body of Congress under whose authority the committee operates, the facts fully debated, the relevancy of the question upon which the refusal to answer gives rise to the contempt, the pertinency of the question to the investigation involved and of the question asked as well as the validity of the grounds for refusing to answer the question—and only after the passage of a resolution by the respective House or Senate after full debate and determination if the committee was acting within its "charter" and preliminary (broad) authority can the committee acquire needed authority to bring a court action through the Attorney General for contempt of Congress. I fail to understand how the Court, under the separation-of-powers doctrine, can inject itself into this matter in this instance on the facts and overturn the findings and policy determinations as they relate to the previously determined relevancy and pertinency as made by the Congress. Although broad investigatory powers are often granted, many protections against the abuse of the contempt power of Congress are provided. It is interesting to me that this phase of practical legislative process apparently escaped the Court—and indicates further the impracticality—due to lack of understanding of some of the problems of Congress and its workings—of the proposals made by the Court in this case.

I trust the Court will reexamine its decision in the light of reason and more clearly define its decision in order that Congressional activity in the field of investigations might go forward within constitutional limitations.

The Small Farmer's Battle for Survival

EXTENSION OF REMARKS
OF
HON. GEORGE HUDDLESTON, JR.
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. HUDDLESTON. Mr. Speaker, last Saturday morning it was my privilege to address the ninth annual meeting of the Alabama Association of County Agricultural Agents at the

Thomas Jefferson Hotel in Birmingham, Ala. The meeting was well attended by the county agents in our State and by the members of their respective staffs. I selected for my subject "The Small Farmer's Battle for Survival."

I am pleased to insert my speech in the CONGRESSIONAL RECORD, under leave heretofore granted.

THE SMALL FARMER'S BATTLE FOR SURVIVAL—AN ADDRESS BY CONGRESSMAN GEORGE HUDDLESTON, JR., OF ALABAMA, AT THE NINTH ANNUAL MEETING OF THE ALABAMA ASSOCIATION OF COUNTY AGRICULTURAL AGENTS, THOMAS JEFFERSON HOTEL, BIRMINGHAM, ALA., JUNE 22, 1957

I am glad to have the opportunity to participate in the program here today for at least two reasons. First of all, it gives me an opportunity to discuss with you what I consider Alabama's most important farm problem, "The Small Farmer's Battle for Survival." Another reason equally as important is that I have a chance to be back in my home State and my home town, Birmingham. It is especially pleasant and refreshing to be here today, particularly in view of the multiplicity of problems before the Congress this session, which constantly keep Members embroiled in some form of turmoil.

This meeting of the Alabama State Association of County Agricultural Agents represents to me about as important a meeting as can take place in our State or anywhere in the Nation.

Basically, what I am going to be concerned with this morning is the question of the survival of our family farms. I should like to consider with you at least three problems farmers face today, problems of real significance to farmers and city people as well.

The first of these is the status of the family farm; second, the problem of falling farm income and the cost-price squeeze; and third, how we may attack these problems.

With respect to the status of the family farm, there are disturbing reports from the broad agricultural domain of the Nation, telling that increasing numbers of farm families are leaving the soil because of the deterioration of their competitive position. Examination of the reports reveals that the acreages previously in family farms are becoming consolidated by purchase into larger holdings where hired labor supplants the family-unit enterprise.

This has been a concern of farm people, agricultural leaders, and Members of Congress for some time. Studies have been conducted to determine ways and means to protect, foster, and promote the family farm as the continuing dominant unit in American agriculture. Special attention has been given to the problem of adjusting our farm programs to accommodate the convenience, productivity, and prosperity of the family-farm unit.

We need only to observe the trend during the past 4 or 5 years to be convinced that there is a deterioration of the economic structure of the family farm. The disappearance of thousands of small family-operated farm units proves beyond a doubt that such a trend exists.

Let us examine the record for a moment to see what is happening. Since 1930 we have observed a continuous trend toward fewer and larger farms in the State of Alabama and in the United States as a whole. In 1954 there were 80,439 fewer farms in Alabama than in 1930. This represents a decrease of about 31 percent in the total number of farms in the State. In 1954 nearly 35,000 fewer farms were in the State than in 1950, representing a decrease of over 16 percent in 4 years.

While we have fewer farms, there has been an increase in the number of farms in the larger size groups. For example, since 1950 the number of farms in the size group under 10 acres has slightly increased. There was a decrease in the number of farms in all size groups from 10 acres to 219 acres. All size groups from 220 acres to 1,000 acres and over, showed an increase in the number of farms from 1950 to 1954.

The trend for the Nation is similar to that in Alabama. Over a million and a half fewer farms were in the country in 1954 than in 1930, and about 600,000 fewer farms in 1954 than in 1950, a decrease of about 23 percent from 1930, and a decrease of over 11 percent since 1950. As is true for Alabama, the trend is in the direction of fewer family farms and an increasing number of large farms. There was a decrease in the number of farms in all size groups from 10 to 260 acres. The number of farms from 260 acres to 1,000 acres and over, showed an increase.

In the numerous discussions of changing world conditions and changing technological developments in the agricultural industry, we hear a great deal about the factors responsible for the increases in production on our farms, and the increasing productivity per man employed on the farm. But what is the trend with respect to our total farm population? This trend is in the same direction as the number of our farms. Today, only about 13 percent of the people in the United States live on farms. The other 87 percent live in urban or suburban areas and are available for many other pursuits. Twenty-five years ago the farm population in the United States was about 25 percent of the total population.

For Alabama the decrease in farm population has been even greater than for the Nation as a whole. In 1930 almost 51 percent of Alabama's population was classed as "farm." In 1950, the latest year for which official State population data are available, it was about 32 percent. This represents a decrease of about 28 percent. Meanwhile, from 1930 to 1950, as Alabama's farm population decreased 28 percent, her total population increased by 16 percent, or by a total of about 415,495 persons. If we consider the decade from 1940 to 1950, the picture is somewhat different. Total population for Alabama increased by 228,782 persons, or about 8 percent. Farm population decreased 378,171 persons, or about 28 percent. Rural nonfarm population increased almost 37 percent during this same decade.

A significant observation to be made from these population figures is the trend of our farm population to migrate to the urban areas within the State and to other urban areas in the Nation.

This growing migration from the farm to the city today is a matter of real concern to the small family-size farmer. It is becoming more and more difficult for a young man to get started in farming and to own his farm. Because of technological developments which have greatly increased the productivity per man employed in agriculture, the decreasing number of people on farms has had no adverse affect on our production. We have been able to produce more than is required for market demand for a number of years.

In view of the prospect that our population 20 years from now will exceed 200 million people, will American farmers still be able to produce an abundant supply of agricultural products, if the present trend of migration from farms continues? When we consider the rate at which productivity per man employed in agriculture increased during the past decade, there seems sufficient reason to believe that it can be done. The advance of technology, mechanization of farms, and the application of new sciences has rendered the land more productive. These advances assure an abundance of food and fiber for the larger population, at less and less cost, in relation to individual income. One farm worker today produces food for 20 persons. As late as 1930 a worker in agriculture provided food for only 10 persons. The output per farm worker has doubled during the past 25 years. Fewer persons are required in agriculture as efficiency advances, and the threat is ever present that the increase in mechanization will bring greater industrialization into agricultural production. A natural result will be the concentration of economic resources in fewer and fewer hands.

Do we want our agricultural industry to move so far in the direction of the "factory in the field," as to entirely supplant family-farm operations? Do we desire our agricultural industry to approach the point where opportunities are few for sons to follow in their fathers' footsteps and venture into individual and family enterprises upon the land? It seems to me that if we permit such a trend to continue without modification, it will endanger our free-enterprise system. It should be our aim to keep opportunities open for individual venture, with the hope of due reward and the perpetuation of the rural family and the community order, indispensable to the Nation as a source of spiritual, social and political vitality.

Agricultural authorities have pointed out time after time that our future need for food and fiber can be supplied from our present farmland through the application of scientific methods and technological developments. But scientific farming costs money and except for a few of the largest commercial farms, few can afford to enlarge their land holdings and purchase the latest equipment.

This brings me to my second point, the problem of falling farm income, and the cost-price squeeze.

We have heard a great deal about farm income, farm prices, farm price supports and the cost-price squeeze during the past 5 years. Probably the most disturbing aspect of the immediate farm situation is that farm income has been dropping sharply, particularly since 1951. Farm markets have been breaking under the impact of heavy production and reduced export demand. Many of the younger generation of farmers who started farming after the war under a heavy debt load are in danger of being forced out of farming entirely if the reduced incomes continue.

Falling farm prices have directly affected net farm income in recent years. The realized net farm income for the United States has sunk from $14.8 billion in 1951, to $11.8 billion in 1956.

For the State of Alabama, the realized net farm income dropped from $300.7 million in 1951 to $262 million in 1955.

During this period of falling prices, the prices paid by farmers for the commodities required for production and for living, have either risen or have not fallen as rapidly as have prices received by farmers for their products.

This cost-price squeeze and farm income situation can be seen more clearly if we compare the current index of prices received and prices paid by farmers with the index of prices received and prices paid in the base period 1910–14.

In 1951 the index of prices received was 302, or over 3 times that established in the base period. The index of prices paid for commodities which farmers used in production was 282, or 2.82 times as much as in the base period. The ratio of prices received to prices paid was 107. In other words, the relationship of prices received by farmers to prices paid by them was 7 percent more favorable than in the base period. Another way of saying the same thing is that prices received in 1951, on the average, were 7 percent above parity.

As of May 15, 1957, the latest date for which these price relations are available, the prices-received index had dropped about 20 percent, to 243. The index of prices paid had risen to 296, an increase of 5 percent.

The ratio of prices received had dropped to 82, a decrease of over 23 percent. In other words, farm prices today average about 18 percent below parity.

These figures demonstrate beyond a doubt, what we mean by a cost-price squeeze and falling farm prices.

Is there any hope of finding a solution to the problems of the declining number of family farms, the falling farm prices, and the reduced incomes? How can this trend be stopped? Answers to these questions have been attempted in a number of ways, by those interested in farm problems. However, I don't need to remind you that these problems have not been solved. It appears obvious that a floor must be maintained below which farm prices cannot drop, if further declines in prices and income are to be prevented. Our farm program has attempted this for a number of years. In view of a relatively rigid price structure for industrial goods and the numerous price maintenance schemes used by industry, there can be no doubt that farmers are entitled to similar price protection.

This fight for economic justice for the farmer has been going on for a long time. Some progress has been made through the numerous farm programs, for farmers to share in our relatively high degree of prosperity. But the battle has not been won. There are forces that curb and impair the operation of programs intended to give the farmer such price and income protection such as other industries have been able to provide for themselves. We must all continue this fight together, farmers, farm leaders, Congressmen, Senators, and farm organizations to provide a program that is just both to farmers and to society as a whole.

Through our farm program many attempts have been made to find new markets and new uses for agricultural products. The solution to our temporary oversupply of agricultural products probably lies within these two areas. While a great deal of effort has gone into expanding our markets at home and abroad, this is one area in which all possibilities have not been exhausted. We must make a more determined effort to sell our farm products in foreign markets.

Another area in which there is room for advancement is in the use of more scientific methods and more extensive mechanization. In recent years, we have seen examples of what technology can do for agriculture. Fewer farmers are producing about 69 percent more food than they did 40 years ago. Steel, chemicals, and power now substitute for additional land and labor to increase food production. For instance, about 2¼ times more tractors are now on the Nation's farms than in 1940. Since 1910, tractors in use on farms have increased from 4,500 to nearly 5 million in 1954.

These advancements have been taking place in Alabama as well as in the Nation as a whole. In 1954, over 11,000 more farms had telephones than in 1950; nearly 11,000 more farms reported electricity in use; and over 2,000 more farms reported milking machines in use. There were more than 500 additional grain combines on farms, some 2,260 more cornpickers, and 572 more pickup hay balers. Farmers also had nearly 13,000 more motor trucks, 20,000 more tractors, and 12,000 more automobiles.

Don't be misled, however, all the Alabama farms are not mechanized. In 1954, nearly 58,000 Alabama farms were without tractors. This is nearly 39 percent of all farms in the State.

A higher degree of mechanization on more farms will assist Alabama farmers to raise the level of their income. But before this can happen, farmers must have access to credit on reasonable terms, in order to purchase the required equipment. In many instances they must have credit to be able to enlarge their farming operation, and thus to justify the use of modern machinery.

Much emphasis has been placed on diversion of agriculture as a means of stabilizing individual farm incomes. Diversification certainly is important. A farmer who carries on a diversified operation is less vulnerable to complete loss of income due to crop failures than is one who operates on a single crop basis. But here again, in this era of mechanization, we reach limits. One small farmer cannot afford to buy mechanical equipment suited to a large number of crops. This is especially true of harvesting equipment, whose specialized use is limited to a few weeks of each year.

It must be recognized that any discussion of the family-type farm is easily associated with affection and sentiment, and perhaps emotion. This is true because of the long identity of this rural order with the fundamental values. As pointed out earlier, these family-size farms are threatened by the technical evolution and the growing competition within agriculture. However, there is every reason to believe that the family system in farming, in adequate production units, can continue to be the most efficient, the most economic, and the most satisfying operation in a prosperous agriculture.

Our farm program must be more adequately adapted to the family farm. These programs should not promote the "factory in the field" type of farming operation. Except in a few specialized operations, there probably are no values for the Nation in substituting a hired labor agriculture for the independent family farm. Greater emphasis must be placed upon the development of our smaller farms into adequate units with resources sufficient for economic production. We must do more to protect the rights of tenants as well as those of landowning farmers.

Steps ought to be taken to protect the income of family farms by giving them a fair return on their production. Government efforts should be directed toward this objective, and the major benefits should be limited to the output level of the family-type farm.

Much could be done to improve the status of small farms by the enactment of legislation that would assure each family-size farm its fair share in the Nation's agricultural production, and in the prosperity which the American system has provided for the Nation's general economy.

The needs of small farmers and their families for a decent standard of living must be protected. This is only fair. Its accomplishment depends upon the inclusion of adequate production adjustments in the farm program.

Operations under the Farmers' Home Administration ought to be intensified. This is especially true of those operations that provide the small farmers with credit to acquire adequate farms and equipment. Lending through the Farmers' Home Administration should be on a constructive basis, within the capability of the farm, under the management of its owner, to repay in a reasonable term of years.

The small farmer can no doubt be assisted by placing greater emphasis on marketing. This requires expansion of the Research and Marketing Act of 1946 with special reference to the section which authorizes Federal matching of State funds for action and service programs in the field of farm marketings. A substantial part of the answer to the family-farm problem lies in cooperative marketing where farm families assemble their products at one location for grading and cleaning, and for sale in quantities sufficient to attract buyers for extensive distribution. It has been suggested that the Secretary of Agriculture should examine the feasibility of expanding the Farmer Cooperative Service of the Department of Agriculture to include a section devoted to the small farmer service phase of cooperative activity.

There are real opportunities for community programs to cut production costs and improve the competitive position of the family farm. Cooperative arrangements can make available equipment and services of high quality to increase the productivity of the family farm. Much could probably be done through the organization of cooperative breeding associations, cooperative use of tractors, combines, ditching, and other equipment. Modern equipment requires heavy capital investment and its efficient and full use can in many instances be more fully realized by cooperative effort of individual farmers who find a common need.

We must do more in the field of vocational instruction in the junior and senior high schools to help our young people discover the occupation for which they appear to have the greatest aptitude and in which they have a real interest. Our national welfare demands that this be done, regardless of whether the young people select careers in farming or some industrial activity.

Last, but not least, we must continue to encourage more trained leaders to take part in community organization. Programs for economic improvement can be put into effect far more quickly and beneficially in organized rural communities. Local initiative and cooperation are essential in programs directed as improving the economic position of the family farm. The county agricultural agent has long been providing leadership in our rural communities, but with increasing demands he needs help to carry on the numerous community programs.

When we reflect more fully upon the problems I have just discussed with you it must be clear to all of us that we are living in a changing world, and that the farmer's position is also constantly changing. The extent to which the farm problems are solved so that the farmer can share in the Nation's growing prosperity, measures the extent to which all sectors of our economy will benefit. The problems which farmers face today are not insoluble, but their solution will require the determined efforts of leaders in Government, farm organizations, farm leaders, farmers, and numerous research institutions. Such efforts will be rewarded by a solution that will be in the interests of all sectors of the economy. To this end, let us all strive to make American agriculture strong and secure. What we do to render farmers better able to play their role in this changing world will help the entire Nation to achieve final victory in its struggle for world peace, security, and economic opportunity for all.

Practices in the Automotive Field

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 24, 1957

Mr. MULTER. Mr. Speaker, since the House Interstate and Foreign Commerce Committee is again considering legislation on this subject, I wish to call to the attention of our colleagues my statement made to that committee on May 2, 1956, as follows:

STATEMENT OF HON. ABRAHAM J. MULTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. MULTER. Mr. Chairman, gentlemen, it is always a privilege for me to appear before your committee. I want to take a moment to thank you for the opportunity you have allowed me of coming here.

Mr. KLEIN. Do you propose to read this entire statement?

Mr. MULTER. I suggest that we put the statement in the record, Mr. Chairman, if it is agreeable to the committee, and then I can in much less time summarize it, and in that way avoid much repetition of evidence that you have already received.

Mr. KLEIN. Very good.

(The information referred to follows:)

"STATEMENT OF HON. ABRAHAM J. MULTER, REPRESENTATIVE IN CONGRESS FROM THE 13TH DISTRICT OF NEW YORK

"Mr. Chairman and distinguished members of the committee, I appreciate the opportunity of appearing before your committee to present my views concerning proposed legislation to eliminate certain unfair practices in the automotive industry. I am aware of the long, untiring efforts of the committee to protect the public interest and to stave off the serious consequences threatening our economy because of certain unfair marketing practices in the industry.

"The public interest

"In commenting on some of the existing unfair practices in the automobile industry, I should like to specificate one underlying fact, namely, that in the automobile market both the consumer and the dealer have little choice in the selection of the manufacturer. As you well know, the year 1955 saw the disappearance of one more private automobile manufacturer—Kaiser-Willys. Today only 5 sources remain—General Motors, Ford, Chrysler, American Motors, and Studebaker-Packard. It is an anomalism that as the market has grown, the number of companies in the market has lessened. The public was only amused upon reading in the press that the General Motors Corp., the biggest manufacturer in this country, which at the same time is the country's largest automobile manufacturer, in testifying before the Senate Antitrust and Monopoly Subcommittee in December 1955, said that it 'is the servant of the dealer.' It is public knowledge that dealers have been forced into serflike submission to the manufacturer. The dealer's plight is manifest from the figures, such as those submitted by the General Motors Corp. last December, showing that the 1953 return on net worth for dealers averaged 14.40 percent, and was reduced in 1954 to 9.4 percent. Comparable figures show that the corporation earned 20 percent in 1953 after taxes and bonuses, and almost 24 percent in 1954.

"Manufacturer-dealer relations

"Although the committee in the current hearings has directed its study to the subjects of territorial security for automobile dealers, bootlegging, and so-called phantom-freight, there are also other unfair marketing practices in the industry that must be appraised in evaluating the position of the industry in our economy. With the committee's permission, I should like to comment on some of these practices.

"A substantial part of the problems which beset the industry stem from the dealer agreement which is so drawn that manufacturers may grant or withdraw the franchise at will. I am in favor of the principle in the Steed bill, H. R. 6544, which would validate manufacturer-dealer contracts establishing exclusive representation by dealers for fixed periods of time. Heretofore, such contracts have been at the will of the manufacturer. In my opinion, manufacturers have wielded their whip of economic power too long, and if we are to avoid repetition of the picture of the thirties, and if we are to meet our obligation to the public, legislation must be enacted now to protect our economic structure.

"As long as manufacturers want to have dealers under contract to handle only particular makes of cars, the manufacturers should be required to sell only to such dealers and to prohibit bootlegging. Manufacturers should be required to cancel the franchise of bootleggers. I wholeheartedly agree in this proposal which is covered in the Williams bill, H. R. 2688. I have incorporated similar views in H. R. 10314, which I introduced on March 29, 1956.

"As a result of the recent Congressional investigations, we have observed newspaper reports that the manufacturer's cancellation privilege will be superseded by a provision requiring the cancellation to be for cause. But will the manufacturer be compelled to define the term "cause"? There is no uniformity among the court decisions construing automobile franchise agreements.

"Incidentally, some State legislatures are making strides in revoking the manufacturer's arbitrary cancellation privilege. Just a few days ago in my own State of New York, Governor Harriman on April 20, 1956, signed a bill amending the New York general business law, for the purpose of prohibiting automobile manufacturers from arbitrarily revoking the franchises of dealers in New York State. Under the law effective October 1, 1956, auto manufacturers are required to register with the secretary of state and are prohibited from terminating a dealer contract except for cause. A maximum penalty of $1,000 fine is imposed for each violation. We should not be surprised to learn that automobile manufacturers opposed the legislation, claiming that 'the public interest is not sufficiently affected.' In his statement upon signing the bill, Governor Harriman announced it was his firm conviction that 'it is very much in the interest of the people that small- and medium-sized business should be protected against unfair exercise of economic power.'

"In view of the peculiar nature of the automotive industry, coupled with the clear proof that previous Congressional admonishments have been flouted, it is the duty of the Congress to enunciate a public policy that will protect the consumer interests in their relations with the several economic giants who not only produce this article of necessity, but also control its distribution, as well as the price thereof.

"Advertising abuses

"The dealers must pay for advertising literature they do not want and would not order. It is sent in to the dealer in such quantities as the manufacturer thinks he should distribute, and the dealer is billed and must pay for that literature even though he throws most of it into the wastebasket. The dealers must pay a fixed sum per car to the manufacturers toward the cost of advertising. The dealer's name and address is never part of that advertising, only the product is mentioned. This policy would cease if the responsibility for exaggerated and fraudulent advertising were laid at the door of the manufacturer and if the manufacturer were prohibited from requiring dealer contributions toward the cost of such advertising.

"Only recently, as a result of testimony adduced at Congressional hearings, the Federal Trade Commission filed charges against the General Motors Corp. for false and deceptive advertising. Independent manufacturers have reported that General Motors use of the words 'genuine Chevrolet' to describe parts used in making repairs is diverting business from the independent manufacturers and small repair shops. The parts manufacturers contend that the items, distributed and warranted by General Motors, actually are bought by General Motors from the independent manufacturers. The implication is that the 'genuine Chevrolet' parts are superior to the same parts sold by competitors without such label.

"Deliveries without orders

"Manufacturers require dealers to file each month several reports showing sales and inventory volumes. The manufacturer bases his deliveries to the dealer upon these figures. Whether or not the dealer considers this quota salable is immaterial.

"Moreover, the dealer has no control over the various built-in accessories that are billed as extras. For instance, the automobile is listed as equipped with vacuum windshield wipers, but is later shipped in with an electric wiper billed as an 'extra.' Every car comes with a hole in the dashboard for a cigarette lighter, but the lighter is an extra.

"It is the manufacturer, also, who determines the stock of parts and accessories that the dealer must purchase from the automobile manufacturer. The dealer could purchase these same parts and accessories directly from the parts manufacturer and much cheaper, too.

"The only way to abolish this practice is to prohibit lump-sum bills and to require of the manufacturer and of the dealer a complete itemization of all charges. No amount should be collectible by either for extras unless ordered in writing by the buyer.

"Old cars sold as new

"The need to eliminate the unfair practice on the part of some dealers in selling as new automobiles those which have been towed or driven from the factory or used as demonstrators has long been recognized but completely ignored. Under legislation I have introduced, it would be a violation for any manufacturer or dealer to replace or disconnect the speedometer on an automobile or to change its reading in a manner to mislead the public as to the mileage, condition, or usage of the automobile.

"The foregoing, as well as the other unfair automobile marketing practices commented upon throughout this statement, are dealt with in the omnibus bill, H. R. 10310, which I introduced on March 29, 1956, to provide for the enactment of a general motor vehicle law.

"Automobile financing

"Not to be overlooked in any compilation of unfair automobile marketing practices are the reports of substantial overcharges under the 'package' finance deals. Dealers complain, too, they are forced to grant 'wild credit' to consumers in order to satisfy quotas in the manufacturer's race for sales.

"Insofar as General Motors installment sales are concerned, it should be noted that if the purchaser defaults, the manufacturer has recourse against the dealer. Contemplate, if you will, the situation of the small-business man—the average dealer with an investment of his life savings in showroom, service station, autos, and parts. Should the market fall, upon whom would the loss rest? Upon the dealers themselves, because the manufacturers have so directed. If my memory serves me, the total amount of installment paper on all consumer items last year was $26 billion—of which $14 billion represented the automobile business. Thus far in 1956 auto installment loans extended in January and February totaled $2.5 billion—an increase of 14 percent from last year. Yet, on the other hand, production and sales are running about 26 percent below a year ago.

"Within the past several days three large finance companies have announced increases in auto-loan costs which will be passed on to the dealers. Dealers, in turn, must either absorb the costs or pass the increase on to their consumers. The consequences is that the squeeze is continually put on the dealers. General Motors defies the country to compel it to accept any shrinkage in its predetermined profits. Incidentally, GMAC has not yet made any statement on its installment costs. It, of course, is the largest auto finance company. As a group, the finance companies account for 55 percent of the auto installment credit volume. The other

36 percent is handled by the banks which have also recently raised rates. Is it not fair to assume that General Motors will also make such an additional charge?

"Cheating our soldiers

"At this point I should like to touch on a matter that involves the now well-known adage: 'What is good for General Motors is good for the country.' You will see in a moment that we can now change that to 'What is wrong for the insurance companies is not wrong for the automobile companies.'

"On September 8, 1955, I wrote to Secretary of Defense Wilson, calling his attention to a scheme by which armed service personnel returning to this country are being duped and mulcted of thousands of dollars in connection with the sale to them of new automobiles. I indicated that the matter had been called to the attention of the automobile manufacturers who have failed to do anything to prevent these practices. I further stated that the Secretary of Defense need not make any determination of whether these practices are fraudulent or merely unethical, but urged him to direct all commanding officers to alert their men to these practices to afford them an opportunity to protect themselves accordingly. My letter of September 8, 1955, is exhibit A, annexed. I received an answer, dated September 23, 1955, a copy of which is annexed as exhibit B, in which the Department of Defense refused to take any action. I replied by letter of September 26, 1955, a copy of which is annexed as exhibit C, again indicating the need for departmental action. No answer has been received to my last letter.

"Now let us see what happened when the Department's attention was called to similar fraudulent practices by insurance salesmen. No General Motors was involved. An investigation was instituted which confirmed the charges. A complete set of regulations was promulgated by the Defense Department, including a directive to commanders of all bases, making them responsible for protection of the men against such frauds. Another reason for different treatment of the phony automobile salesmen is that the fraudulent business is so profitable that the automobile manufacturers have sent their own 'direct' representatives overseas to grab this business.

"Manufacturing warranties

"What is the situation today? The consumer may need a new automobile, but he dreads the purchase. Breaking in the car means running back and forth to the dealer to correct inherent mechanical failures that are uncovered long after the guaranty period has expired. The attitude of the consumer is aptly defined in two unsolicited letters I received, which were printed in the daily CONGRESSIONAL RECORD—one appearing in the January 31, 1956, issue (pp. A993–A995); the other in the February 9, 1956, issue (p. A1331). The dealer, on the other hand, is called upon as a regular procedure to comply with, not his warranty, but a warranty the company requires him to make. What has been the dealer's redress? The answer the dealer receives from the manufacturer is to step up or maintain his sales volume—even if that means come-on advertising, bootlegging, price packing, and any other unfair trade practice. Even outright fraud is countenanced by the manufacturer.

"Many an inexplicable accident is caused by defective vehicles. The manufacturer upon whom the blame should rest passes the responsibility on to the dealers who cannot assume nor begin to fulfill the obligation. The automobile manufacturer today makes only a spot check of 1 out of every 10 or 20 automobiles that leave the assembly line. The company's warranties are plainly worthless, and the dealer upon whom the responsibility falls gives a minimum of service until the guaranty period expires; after which, he charges the consumer for 'repairs.'

"In testifying last December before a Senate committee a spokesman on behalf of one of the six manufacturers in the country stated: 'The manufacturer assumes the greater risks and bears the ultimate responsibility to the customer.' Should we not make certain, then, that this responsibility is firmly fixed? My bill, H. R. 10309, prohibits the interstate sale, transportation, or use of a new automobile unless accompanied by a certificate of fitness from the manufacturer or assembler, showing that the automobile has been inspected and found in good working order and, further, that it has been road-tested and found in good operating condition.

"Manufacturer reaction to these hearings

"On the heels of the disclosure of so many unfair practices in the industry, we now see by the papers that the manufacturer pretends he is reforming. General Motors Corp. has predicted 'the beginning of a new era—an era of good will in relations with its dealers. The Ford Motor Co. announced dealer-management talks to show dealers how they will gain by joining the fight against bootlegging. In so doing Ford said this was the first time dealers have been called to discuss the bootlegging problem with top management. I say to you, gentlemen of the committee, that such overtures are too late.

"The public confidence can only be restored by the affirmative action of this committee. Let us recall that a similar false contrition permeated the atmosphere in 1938 after the Congress enacted House Joint Resolution 594, which directed the Federal Trade Commission to investigate the policies of motor-vehicle manufacturers and dealers in their relation to the public interest. The Commission, 1 year later, made public its findings, which were not at all unlike the unfair practices that are now paraded before Congressional committees. Unfortunately, the Congress took no action at that time, for the reason, among others, that the industry itself rejected any type of Federal legislation.

"The manufacturers' way of eliminating an unfair trade practice

"The elimination of acknowledged unfair practices in the automobile industry cannot be left to the discretion of the industry itself. Let me illustrate. The 'phantom' freight charge has long been prevalent in the automobile industry. A similar practice among steep producers, 'Pittsburgh plus,' was eliminated in the thirties. Under this practice the manufacturers ships the automobiles to dealers from nearby assembly plants and requires the dealer to pay for the transportation in an amount equivalent to, or even greater than, the rail freight rates from the factory to the dealer's delivery points.

"Let us examine the 1954 shipment record for motor vehicles as reported in the 35th edition of Automobile Facts and Figures, 1955. Of the 6,601,071 motor vehicles shipped, 80.5 percent or 5,314,842, left the factory by highway—on a big truck that hauls several other cars, or towed behind another new car. Shipment by boat accounted for 5.6 percent, or 370,044; while rail shipments accounted for only 13.9 percent. In other words, only 916,185 out of a total of 6,601,071 motor vehicles shipped went by rail. You have seen reports stating that the 'phantom' freight charges have annually amounted to over $250 million. And what has the manufacturer to say? Ford has admitted that in 1954 it gained $50 to $60 million on its total distribution charges. General Motors testified before a Senate committee that its excess of actual freight for last year would be about $152 million. We may rest assured those were conservative estimates and do not forget that the excess profit per unit in previous years was much greater, because it would not be based on the lower rates announced at various times by the industry.

"I urge that the public announcements now being flaunted in our faces by the manufacturers as to their 'amended ways' is merely an attempt to becloud the issue.

"As of February 29, 1956, Chrysler Corp., General Motors Corp., and the Ford Motor Co. eliminated 'phantom' freight charges. Those three manufacturers at the same time increased the wholesale price of their cars to their dealers. This in the face of the Chrysler testimony that they paid out more for freight charges than they collected. The manufacturers contend they should be permitted to deal with the so-called phantom freight on an industrywide basis. Their testimony and their actions, in my opinion, indicate they cannot be trusted to solve these problems.

"As long as the industry practice is to collect a separate charge from the public, which is represented as the cost in making delivery of the automobile from the factory to the consumer, then the industry should not be permitted to collect any more than such actual cost. For this purpose I have introduced H. R. 7935, which would amend the Internal Revenue Code of 1954 to require every seller of property, who collects from the purchaser any amount as a charge for the transportation of such property, to furnish such purchaser a statement showing the amount of transportation charges, if any, taxable under section 4271 (a) of such code, and the amount of tax imposed.

"I have heretofore referred to the report filed by the Federal Trade Commission in 1939, pursuant to its study of the automotive industry. It should be noted that irrespective of whether or not legislative action was necessary, the Government controls of World War II, limiting production, obviated the need for positive action by the Congress at that time. Nevertheless, we find the same unfair practices prevalent in the industry today, and what is worse, on a larger scale. In these circumstances, our duty to the public is not discharged by a formal disclosure of their nature.

"In conclusion I should like to make this observation. The manufacturers representing the automotive industry can best be described as giant octopuses whose tentacles of economic power extend over every phase of the industry, as well as over many unrelated products. On the other side of the picture are the 42,340 dealers—90 percent of whom are small-business men, the very backbone of our free-enterprise system. In most cases they are the civic and philanthropic leaders in their communities. In the past their position has been one of dignity among their fellow citizens. They are fast becoming the most despised members of their communities. There were 219 dealer bankruptcies in 1953, the highest number since 1938. Two hundred and forty-one dealer mortalities occurred in 1954. The April 30, 1956, issue of Automotive News gives some interesting figures on General Motors dealer terminations. The figures are based on the first 10 months of 1955 as against 1954. In 1955 there were 178 nonrenewals against 150 for 1954; 214 involuntary terminations in 1955 against 192 for 1954; 1,585 voluntary terminations in 1955 as against 1,908 for 1954.

"It is high time to put this house in order.

"Again, Mr. Chairman and members of the committee, permit me to thank you for the opportunity to attend here and express my views on these very important matters."

EXHIBIT A

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., September 8, 1955.

Hon. CHARLES E. WILSON,
Secretary of Defense,
Department of Defense,
Washington, D. C.

MY DEAR MR. SECRETARY: For some time Members of Congress have been receiving complaints about the tactics being used by various dealers in selling new automobiles to members of the Armed Forces returning from posts outside of the country.

It seems that some of these retailers have sent representatives abroad who, through fraud and deceit, induce these men who are about to return to the United States to sign contracts, and to pay deposits for the delivery of new automobiles to them at the port of their arrival in this country. As part of this scheme these retailers have made exclusive rental agreements for offices in the hotels in this country at which these men and their families are temporarily lodged upon their arrival here. The deceptive practices are continued at those places until the delivery of a new automobile is made and payment obtained.

No purpose can be served by setting forth in this letter the nature of the fraudulent representations that are made, nor is it necessary for the purpose of this letter to determine whether or not these practices are actually fraudulent or merely unethical business practices. The result of all of these practices is that these men are being duped and taken advantage of. They are paying more for these automobiles than if they bought them in their hometowns or, for that matter, if they bought them at the port of arrival. They are paying higher finance charges than they would pay if they took the opportunity of financing their automobiles in their hometowns or in the city in which they are discharged from the service, and they are being deprived of the inspection and service that ordinarily goes with a new-car purchase when made in their hometowns.

The automobile manufacturers, when apprised of these practices, have taken the position that these retailing practices are no concern of theirs.

I believe you will agree with me that in the absence of the manufacturers undertaking to prevent these practices, something must be done to help these men.

My suggestion is that you immediately issue a directive requiring commanding officers in all stations outside of this country to alert the men under their command to this situation, and to advise those men that it is inadvisable for them to make such purchases while abroad, or, for that matter, even at the place of arrival in this country, or the place of discharge from the service in this country, and that their best interests will be served by their making such purchases from dealers in their home communities. The hometown dealers, in almost every instance, can arrange for the delivery of a new automobile to them at their point of arrival or discharge in this country, which would then be available for them for transportation to their hometowns.

I hope you will agree with me that such a directive will serve a very useful purpose. As a matter of fact, the directive and the notice from the local commanding officer can be appropriately worded so that neither manufacturers nor retailers need be accused of any wrongdoing or impropriety, and yet provide some measure of protection to the members of our Armed Forces.

With kindest personal regards, I am,

Sincerely yours,

ABRAHAM J. MULTER.

EXHIBIT B

MANPOWER AND PERSONNEL
ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., September 23, 1955.

Hon. ABRAHAM J. MULTER,
House of Representatives.

DEAR MR. MULTER: This is in reply to your letter of September 8 concerning certain practices of automobile dealers in selling to members of the Armed Forces returning from overseas posts.

You appreciate, I am sure, that no agency of the Department of Defense sponsors any plan of automobile sales such as you describe, and the Department is, therefore, without jurisdiction to discontinue it. The selection of an automobile salesman or sales contract is a matter of individual choice.

Overseas representatives of United States automobile dealers are not amenable to military control. So long as they comply with the laws of the locality in which they do business they can offer their merchandise for sale to both civilian and military. Control of this group like their contemporaries at the port would appear to rest with the automobile dealers, their trade associations, and perhaps the manufacturers.

I believe that the directive you suggest would be more restrictive than is appropriate for issuance by this Department and that it might affect the legitimate activities of firms and dealers who render real service to our personnel. I believe that the objective we seek, the use of caution and judgment by servicemen in their purchases from unknown vendors, can best be accomplished by a continuation of the present normal counseling given by commanders to their troops. I am taking the liberty of sending a copy of your letter to the military departments.

Your interest in the welfare of our Armed Forces personnel is appreciated.

Sincerely yours,

CARTER L. BURGESS.

EXHIBIT C

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., September 28, 1955.

CARTER L. BURGESS,
Assistant Secretary of Defense,
Department of Defense.
Washington, D. C.

DEAR MR. BURGESS: Receipt is acknowledged with thanks of yours of September 23.

I fail to understand how the directive as suggested by me is in any manner restrictive. It does not require the Department or any commanding officer to take a position on the matter, nor in any manner to interfere with automobile dealers in this country or abroad. It has always been proper for the Defense Department to alert the members of the Armed Forces against dangers that they may encounter, whether physical, moral, or financial.

Alerting these men to these practices is in direct line with such procedure.

Sincerely yours,

ABRAHAM J. MULTER.

H. R. 10310

[84th Cong., 2d sess.]

A bill to provide for the regulation of motor vehicles on the highways of the United States, and for other purposes

Be it enacted, etc., That this act may be cited as the "General Motor Vehicle Act of 1956."

DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the policy of Congress through the exercise of this act of its power to regulate commerce, in accordance with which policy all of the provisions of this act shall be interpreted, to promote safety in the operation of motor vehicles by the general public on the highways of the United States, and to regulate the trade practices between manufacturers of motor vehicles and their franchised dealers and the general public.

DEFINITIONS

SEC. 3. As used in this chapter—

(a) "Manufacturer" means any individual, partnership, corporation, association, business trust, or any other form of business enterprise, or any branch or agent thereof engaged in the business of manufacturing or assembling motor vehicles or of selling motor vehicles for resale, or servicing, or financing motor vehicles intended for resale.

(b) "Dealer" means any individual, partnership, corporation, association, or any other form of business enterprise, or any branch or agent thereof, engaged in the business of purchasing motor vehicles for resale and of exchanging or servicing motor vehicles.

(c) "Motor vehicle" means any motor driven or propelled vehicle, except airplanes, road rollers, traction engines, power shovels, and other equipment used in construction work and not designed for or employed in general highway transportation, as well as farm and agricultural machinery, and vehicles designed for running on tracks or rails.

(d) "New motor vehicle" means a motor vehicle which has never been the subject of a sale with intent to pass an interest therein and has never been driven, pushed, towed, or propelled over a public highway.

(e) "Used motor vehicle" means a motor vehicle which has been sold, bargained, or exchanged, given away, of whose title has been transferred from the person who first acquired it from the manufacturer or dealer, and so used as to have become what is commonly known as secondhand, within the ordinary meaning thereof, or which has been driven, pushed, towed, or propelled over a public highway.

(f) "Franchise" means the right, privilege, or authorization accorded the dealer by the manufacturer, whether by contract, agreement, or otherwise, to purchase, sell, and service motor vehicles.

(g) "Commerce" means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation.

UNLAWFUL PRACTICES

SEC. 4. It shall be unlawful for anyone to sell, ship, transport, drive, push, tow, or propel any motor vehicle in commerce unless accompanied by a manufacturer's certificate of fitness which must state (1) that the motor vehicle and all the parts and accessories thereon have been inspected and found in good working order, safe and ready for operation on the public highways, and in complete accord with all specifications as set forth in all descriptive and advertising matter, and (11) that the vehicle has been road-tested for 500 miles and found in good operating condition after have been road-tested for at least 100 miles at each of the speeds of 15, 30, 45, 60, and 75 miles per hour.

SEC. 5. It shall be unlawful for any manufacturer or dealer to sell, ship, transport, drive, push, tow, or propel in commerce a motor vehicle with equipment, parts, or assessories different from or in addition to those specified in the current literature and advertisements of motor vehicles of the same make and model for which an additional or extra price or charge is made or sought to be collected for such equipment, parts, or

accessories: *Provided*, That nothing herein shall prohibit the order or shipment of any motor vehicle equipped in accordance with the specifications set forth in a writen order or written agreement of the parties, which separately itemizes each additional or extra item by full description and price.

SEC. 6. (a) It shall be unlawful for any manufacturer to sell, ship, transport, drive, push, tow, or propel in commerce any motor vehicle without first having sealed the speedometer thereof so as to prevent tampering therewith or to prevent its operation.

(b) It shall be unlawful for anyone to replace, disconnect, or prevent the normal and proper operation of the speedometer on any motor vehicle or change its reading in such a manner as to mislead or deceive a person as to the usage, mileage, condition, or other character of the motor vehicle.

SEC. 7. It shall be unlawful to deliver a motor vehicle to a retail purchaser unless such delivery shall be accompanied by an itemized invoice of the cash sale price which shall separately set forth the amount attributable to each part, piece of equipment, and each accessory; Federal excise tax; State or local taxes; transportation; advertising; handling charges; service; motor-vehicle license; motor-vehicle title registration; and any other charge included in the price of the vehicle delivered: *And provided further*, That when sale of a motor vehicle is made other than on a cash-delivery basis the invoice shall also include the components of the charges added to the sale price by reason of the fact that the vehicle is delivered under a time sale or other agreement, separately stating the amount of each item charged in connection with the financing and the insurance, if any; and also indicating whether or not, and if so, how much of such charges are refundable if the balance is paid before maturity.

SEC. 8. It shall be unlawful for any manufacturer or dealer to charge or collect as a charge for transportation of a motor vehicle or taxes thereon any amount in excess of the actual cost to such manufacturer or dealer of the freight or other transportation charges incurred or taxes payable by the manufacturer or dealer in making delivery of such motor vehicle.

SEC. 9. It shall be unlawful for any manufacturer or dealer to advertise, or cause the advertisement of a motor vehicle in a manner so as to confuse or mislead, or to tend to confuse or mislead, a prospective purchaser as to the price or description of such motor vehicle that is intended to be or has been delivered at the dealer's place of business.

SEC. 10. No manufacturer shall directly or indirectly require any dealer or group of dealers to advertise or pay for the advertisement of the manufacturer's product except by the usual signs at a dealer's place of business indicating he deals in the manufacturer's products.

SEC. 11. It shall be unlawful for any manufacturer to threaten to terminate, to terminate or cancel, or to fail to refuse to renew the contract, agreement or franchise of any dealer because of the dealer's unwillingness or refusal to purchase parts, accessories, equipment, or tools of any particular type, kind, or description from said manufacturer.

PRICE DISCRIMINATION

SEC. 12. It shall be unlawful for any manufacturer in any manner whatsoever, or by any device or method whatsoever, to discriminate pricewise between dealers by way of discounts, rebates, or other allowances to any dealer over and above, or any different from, any discounts, rebates, or other allowances available at the time of such transaction on equal terms to all other dealers. Volume discounts, allowances, or rebates are hereby expressly prohibited.

MANUFACTURER-DEALER RELATIONS

SEC. 13. (a) Every contract or agreement between a dealer and a manufacturer by which such dealer in motor vehicles operates as such under a franchise granted by such manufacturer may include provisions to provide for the termination or cancellation of the contract by mutual consent or upon breach of provisions specifically contained therein, and such contract shall be canceled only for one or more of the reasons stated therein.

(b) Nothing contained in this act or in any other law shall render unlawful any contract or agreement between a manufacturer and a franchised dealer, in which such manufacturer agrees that such franchised dealer shall have the sole and exclusive right to sell in a specified geographical area and/or for a specific period of time a new or used motor vehicle produced or distributed by said manufacturer.

(c) Nothing contained in this act or in any other law shall render unlawful any contract or agreement between a manufacturer and a franchised dealer in which such dealer agrees to sell only within a designated geographical area and to refrain from selling oustide said area any new or used motor vehicle produced, assembled, or distributed by said manufacturer.

(d) Nothing contained in this act or in any other law shall render unlawful any contract or agreement between a manufacturer and a franchised dealer in which such dealer agrees not to resell, either directly or indirectly, any current model motor vehicle made by such manufacturer, to any person, partnership, corporation, or other entity engaged in the business of selling new or used motor vehicles other than a person or entity operating under a franchise or authorized dealer agreement with such manufacturer.

(e) Nothing contained in this act or in any other law shall make it unlawful for a manufacturer of motor vehicles to enforce any agreement authorized by subsection (d) by refusing to sell to, or canceling the franchise of, any dealer who knowingly engages in the sale of a motor vehicle of current model made by such manufacturer to any person, partnership, corporation, or other entity engaged in the business of selling new or used motor vehicles other than a person or entity operating under a franchise or authorized dealer agreement with such manufacturer.

ENFORCEMENT

SEC. 14. Any manufacturer or dealer shall be entitled to sue for and have injunctive relief, in any district court of the United States having jurisdiction over the parties, to enforce the terms of valid agreements or to enjoin violation thereof, or against threatened loss or damage by a violation of this act, when and under the same conditions and principles injunctive relief against threatened conduct that will cause loss or damage is granted by the courts, and upon the execution of proper bond against damages for an injunction improvidently granted: *Provided, however*, That the parties may agree to accept the decision of an arbitration body to be composed of three members—one of whom shall be selected by the manufacturer; one of whom shall be selected by the dealer; the third of whom shall be selected by the two appointees, provided the third person so named shall not be a manufacturer or dealer, or a stockholder, officer, or employee of, or person affiliated with, either a manufacturer or a dealer.

SEC. 15. Anyone who shall be injured in his business or property by reason of anything prohibited or made unlawful by this act may sue therefor in any district court of the United States in the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover twofold the damages by him sustained, and the cost of suit, plus a reasonable attorney's fee.

PENALTIES

SEC. 16. Any person violating any of the provisions of this act shall, upon conviction for each violation, be fined not more than $10,000, or imprisoned for not more than 1 year or both.

SEC. 17. Whenever a corporation shall violate any of the provisions of this act, such violation shall be deemed to be also that of the individual directors, officers, or agents of such corporation who shall have authorized, ordered, or participated in doing any of the acts constituting in whole or in part, such violation, and such violation shall be deemed a misdemeanor, and upon conviction therefor of any such director, officer, or agent, he shall be punished by a fine of not exceeding $5,000 or by imprisonment for not exceeding 1 year, or by both.

SUITS BY UNITED STATES

SEC. 18. The several district courts of the United States are invested with jurisdiction to prevent and restrain violations of this act; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney General, to institute appropriate proceedings to prevent and restrain such violations and for damages and penalties. Pending final determination of the matter, the court may issue such temporary restraining order or prohibition as shall be deemed just in the premises.

SEC. 19. A final judgment or decree rendered in any criminal prosecution or in any suit or proceeding brought by or on behalf of the United States under this act to the effect that a defendant has violated said laws shall be prima facie evidence against such defendant in any suit or proceeding brought by any other party against such defendant under this act as to all matters respecting which said judgment or decree would be an estoppel as between the parties thereto.

SEC. 20. Whenever any suit, proceeding, or criminal prosecution is instituted by the United States to prevent, restrain, or punish violations of this act, the running of the statute of limitations in respect of each and every private right of action arising under said act and based in whole or in part on any matter complained of in said suit or proceeding shall be suspended during the pendency thereof, and the time within which to bring such suit or proceeding shall be extended by the length of time elapsed between the institution and final determination, by appeal or otherwise, of such suit, proceeding, or criminal prosecution.

TECHNICAL AMENDMENTS

SEC. 21. (a) Part II of subchapter C of chapter 33 of the Internal Revenue Code of 1954 (relating to tax on amount paid for transportation of property) is hereby amended by adding at the end thereof the following section:

"SEC. 4274. Statement of transportation charges.

"(a) Requirement: Any person who, in connection with any sale of property, collects form the purchaser any amount as a charge for the transportation of such property shall, in any case in which any part of the amount attributable to such transportation is taxable under section 4271 (a), furnish such purchaser a statement showing—

"(1) the amount attributable to such transportation upon which a tax is imposed by section 4271 (a), and

"(2) the amount of such tax.

"(b) Treble damages:

"(1) Recovery by purchaser: Any person who, by reason of any misrepresentation in the statement required under subsection (a) of this section, is required to pay any amount as a charge for the transportation of property, including the tax imposed thereon, which exceeds the amount actually paid by the seller for such transportation, including such tax, may, within 2 years after the date of such payment, bring a civil action against the seller to recover three times the amount paid as such transportation charge, including such tax, in excess of that actually charged the seller. Whenever any person successfully maintains an action under the provisions of this paragraph, such person shall be entitled to recover, in addition to the amount provided in the first sentence of this paragraph, a reasonable attorney's fee, to be fixed by the court, which fee shall be taxed and collected as part of the costs in the case.

"(2) Recovery by United States: In any case in which a person entitled to bring a civil action against a seller under the provisions of paragraph (1) of this subsection, shall fail to bring such action within the period of time prescribed therein, the Attorney General is authorized to bring a civil action against the seller in the name of the United States, within 2 years after the expiration of such prescribed period of time, to recover three times the amount paid as a charge for the transportation of the property purchased, including the tax thereon, which exceeds the amount actually paid by the seller for such transportation, including such tax, plus the sum of $500 as additional costs of the suit, the amount recovered to be paid into the Treasury of the United States.

"(c) Cross-references:

"(1) For penalty for false statement to purchasers relating to tax included in purchase price, see section 7211.

"(2) For penalty for failure to furnish statement required by this section or for furnishing false statement, see section 7276."

(b) The table of sections for such part II is hereby amended by adding at the end thereof the following:

"SEC. 4274. Statement of transportation charges."

SEC. 22. (a) Subchapter B of chapter 75 of the Internal Revenue Code of 1954 (relating to offenses in connection with certain taxes) is hereby amended by adding at the end thereof the following section:

"SEC. 7276. Misrepresentations in connection with tax on amount paid for transportation of property

"Any person required under the provisions of section 4274 to furnish a statement who willfully furnishes a false or fraudulent statement or who willfully fails to furnish a statement showing the information required under section 4274, shall, for each such offense, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than 1 year, or both."

(b) The table of sections to such subchapter B is amended by adding at the end thereof the following:

"SEC. 7276. Misrepresentations in connection with tax on amount paid for transportation of property."

SEPARABILITY OF PROVISIONS

SEC. 23. If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of the act, and the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

EFFECTIVE DATE

SEC. 24. This act shall take effect 90 days after its enactment.

NOW LET US HEAR FROM THE AUTOMOBILE OWNER

(Extension of remarks of Hon. ABRAHAM J. MULTER, of New York, in the House of Representatives, Thursday, January 19, 1956)

Mr. MULTER. Mr. Speaker, for some weeks now Congressional committees have been hearing from automobile manufacturers and dealers. Each group has been telling how good they were and the faults of the other.

There is a third side to this story: That of the consuming public.

Following is an item I received unsolicited, which is the consumer's story. I am afraid it is all too typical. Incidentally, it confirms one phase of my testimony before the committee of the other body. The item follows:

"YOU ARE HELPING TO SEND TENS OF THOUSANDS OF AMERICANS TO THEIR DEATHS EVERY YEAR BY FAILING TO PUT A STOP TO THE FLAGRANT ABUSE OF THE CONSUMER BY THE AUTOMOBILE INDUSTRY

"Abuse through—

"1. Cars with engines designed for constantly increasing power 'to meet competition'—in spite of the fact that the cars' chassis, the cars' safety elements, our public highways, and the maturity of our drivers are not necessarily able to handle this power safely.

"2. Cars assembled so rapidly as to breed possible carelessness. (Buick was producing 67 an hour, when I went through the plant in August.)

"3. Frequent dishonesty in servicing, with the average consumer unable to know what has to be done or, after he gets the bill, what was done.

"4. Making excuses for defects to customers, often as if they were imagined by the new car owner, instead of admitting them an either correcting them properly or seeing to it that the customer gets a corrected car either this year or adequate adjustment when such corrections had been made.

"5. Refusal to accept responsibility for a defective product, forcing customer either to accept it or to buy a new one.

"6. Lack of any definite pattern in costs to the automobile owner in servicing, parts or gasoline products, with many of these products overpriced, especially by dealers and in tourist areas.

"7. Constantly increasing prices for cars with constantly decreasing quality in workmanship, while the companies boast constantly increasing net profits.

"8. Dealer policies that result in the cheapest kind of bargaining tactics to sell cars, with the customer never knowing exactly what he is paying, and for what.

"The following is a record of servicing required by my 1955 Buick super convertible (cost, $4,086.29):

"The first 6 months of servicing is one small evidence of the foregoing.

"Please note that many of the 'subsequent servicings' reported below were necessitated by careless, inefficient dealer servicing originally. • • • And almost all of the original dealer servicing would not have been necessary if the factory had produced the proper, efficient engineering and workmanship for which the customer pays so highly when purchasing a car.

"Picked up car March 11, 1955. Back plastic window had flaw in it. Was replaced.

"Trunk flooring torn and sloppy. Replaced, but in process floor greased up and stained.

"Left door hanging 1 inch off frame—both doors rattling and banging against locks; when car 10 days old, left door jammed and could not be opened. Serviced March 22, March 24, April 11, April 28, May 2, June 1, June 21, July 5, September 27. Apparently, because of body shake and poor engineering originally, these doors always will rattle and bang—and periodically the left door will shimmy out of position so badly that it will jam. It wasn't until fifth servicing that left door was hung flush with dash. Then I was advised that lock had been welded into wrong place. Rattling continued. When Buick servicemen unjammed left door on March 22, they sprung it. When they righted this on March 24 they broke the inside trim. There also is a dent under lock outside. Car had two different locks on doors when new. This was corrected and new striker plates were installed April 28 and again June 21, but chucking noise did not disappear. Body shake of car, caused by only slight bumpy roads, jiggled doors out of position during summer months until noise became unbearable and left door became more and more difficult to open. I advised Buick that left door was on its way to jamming again. Their eastern service manager insisted nothing was wrong. On September 20 it jammed shut again. They opened it, but door continues to bang around in its frame causing irritating noise that interferes with driver's control of car. Right door also rattles and bangs, but eastern service manager refused to do anything about it when he had the car in New York for going over, because 'we might damage something else in trying to reposition this door.' In spite of above servicing, I am left with a noisy, unsafe car in spite of original investment of over $4,000 for what should have been a well-engineered, carefully and accurately assembled car.

"Carburetor needed adjustment March 22. Constant thudding noise; low gas mileage. Serviced April 2, 11, 28, June 1. After first adjustment car stalled. Buick man readjusted and cut off all air so had to stop on road for another readjustment same day (April 2). Gas mileage still poor—do well when we average 13 miles per gallon.

"Speedometer cable needed readjustment March 22. Serviced April 11. Buick admitted this defect in 1955 Supers. Failed to repair first time. Now O. K.

"Top leaked at left side. Serviced March 22 and September 20. Still leaks. Also air pours through the top.

"Air coming through vents March 22. Air still is objectionable unless heat is on.

"Discovered through skidding noise under car when it stopped or slowed that motor that runs the top was loose. Serviced March 22. Now O. K.

"Reverse gear caused car to hop, March 22. Repaired.

"Left front tire fell apart at seam. Had reported 'feel steady thump as if tire was bad' on March 22. They could find nothing.

"On June 3, after 3 days in Buick shop when the factory representative was supposed to see what he could do to improve ride, a customer, watching as they started to drive out the car for delivery to me, discovered a 5-inch gash in front left tire; it had fallen apart at seams after only 3,000 miles of driving. (Not one of the many men who worked on the car spotted it, although front end was supposed to have been checked.) U. S. Royal (a subsidiary of General Motors) agent insisted that I pay $5 for mileage used, although they admitted it was defective, and although tire was still on warranty, according to Buick. Buick paid when I refused to. Bouncing noise continued in right rear tire which Buick replaced July 9–16. Bad front end of the car wore down these brandnew tires which I had put in front in less than 3,000 miles.

"Right rear window failed to close; wires were so badly taped, according to Buick dealer who serviced that they short-circuited. Serviced April 4, 11, and 28. Wires were repaired by District of Columbia dealer, but upholstery was not properly restored.

"Brought car to Buick dealer September 12

It took two followup servicings by my own dealer to get it right. Now O. K.

"Boot that covers top was improperly designed so that it took three men to snap it on. Serviced April 3 and July 9. Buick sent new boot from factory, same size, but they sent snaps separately for dealer to install on outer rim. Boot still too tight; seams are ripping open.

"Left visor was sprung. Rattled and fell into line of vision. Serviced April 11, April 28, and July 9. It's now sprung again.

"Front floor carpeting not laid properly; ended below front seat, underlining exposed. Serviced April 11 and July 9. Was relaid first time, but it blew up when the top was down. Reinstated. Now O. K.

"Reported oil leak—either from engine or Dynaflow, or both. Serviced April 28, August 22, and September 8. On August 22, when oil was changed at service station, was advised that there was no gasket in engine oil equipment—then they found it. Also on August 22 a Buick serviceman informed me, when I needed a quart of Dynaflow oil after only 6,000 miles that they "all leak." In Flint, Mich., the Buick plant, when I complained that I had needed 2 quarts of engine oil in the last 1,000 miles, they said they were instructed to tell customers that "that's normal for a Buick." When I returned to my own independent serviceman at end of a trip on September 8, he discovered that the gasket in engine oil drain was faulty (Buick dealer admitted "we have had some of those") and the Dynaflow still was leaking. Buick repaired Dynaflow.

"Talked to factory representative on May 20 after returning from trip on New York State Thruway in wind when car was impossible to handle, and rattles were unbearable. He asked to go over car himself the next week or so. We made date for June 1 after my frequent calls to pin him down.

"On June 1 factory representative supervised checking of car. He said front end needed correction, and wheels were alined. He also tightened power-steering wheel to degree where it was hard to handle. I later was advised that this could damage steering gear over period of time. Front end continues to be weak and car still is difficult to handle. Car has had front-end correction and wheel alinement and balancing 4 times in 13,000 miles.

"As result of my advising the president of GM that my unanswered letters to him would be left with my insurance papers and that my family were being instructed to sue GM to the hilt if I should lose my life in this unsafe car, the eastern service manager for Buick flew up to see me on June 21. He drove car and insisted it was normal. He did admit a strange noise from rear left tire * * * admitted to chucking of left door against lock * * * and he did suggest that either I bring the car to New York for the Fisher Body man to go over under his supervision, or he would send the man up here to go over it. I chose New York in order for the manager to supervise, hoping this would result in more positive results than in the past. Later was advised that it was against GM policy to reimburse me for the train fare involved in so doing. It was at his instruction that two new striker plates were installed on the doors."

Following is his list of repairs (on a car still new and already serviced as this record indicates so far): Left rear tire was replaced. Front floor carpeting reinstalled. Right quarter drain hole was opened (this had been neglected at factory). Left vent window spring was repositioned. Top boot cover was restitched. Left visor again was realined. Both door garnish mouldings were reset but the manager telephoned me to say that he would not reposition the right door (which I complained was chucking, rattling, and obviously out of position) because they might damage something else. He also told me during this call that my complaint of overheating was unjustified—these motors run hot. Dealer later found that thermostat was defective. Fan belt and power steering belt were replaced.

"Brought car to dealer on July 25 to be put in completely safe condition for cross-country trip. Pointed out that motor was running hot, and car pulled to right, especially when brakes were applied. (Note that this was less than 10 days after car was gone over in New York City eastern service division shop.) I also had them put two new tires on front.

"Dealer discovered that thermostat was defective.

"When I got car on road, found pulling had not been eliminated. Car was almost impossible to handle on road from here to California, and in San Diego (August 15) brought it into an oldtime wheel alinement specialist who reported the front end to be extremely loose. He corrected this, balanced wheels, and changed the cam and caster.

"When I returned to tell him car handled better, but still pulled when I applied the brake, he advised that there must be grease on the brake lining. (See story on this after I got home.)

"A serviceman who lubricated car (August 8) discovered inner tread of each front tire was worn from defective front end (less than 3,000 miles after brandnew tires were put on front), with compensating wear on rear. He also showed me a drawer full of Buick transmission differential plugs he had to keep on hand because they regularly broke off when he opened them.

"Stopped at Buick plant at Flint August 31, where we saw cars coming down assembly line with sprung doors, just as I had complained of in March.

"Visited consumer service office, Flint, August, to complain of following:

"Excessive consumption of engine oil.

"Excessive consumption of Dynaflow oil.

"Excessive body shake, resulting in loose doors and general noise and discomfort.

"Advised that left door was on way to jamming again.

"Car scraping bottom on inclines.

"Poor handling of the car on the highway.

"Young man's comment on use of oil was, 'Two quarts per 1,000 miles is normal. We must tell you that, but I wouldn't want it on my car.'

"Regarding other complaints, he said they would be forwarded to New York City service office (where car already had been serviced).

"Tired of Buick's constant motions without action in correcting faults reported herein, and concerned about continual risk of life entailed by car's poor performance; on September 8 I took car to my own serviceman upon return from the coast. He discovered:

"Defective rear axle oil seals had leaked so much grease on my brake linings that although right lining could be cleaned, left brake lining had to be replaced.

"Defective drain plug gasket had caused leakage of engine oil.

"Dynaflow still was leaking.

"Tailpipe was hitting against differential as result of body shake.

"Because of design of this car, repair of brake linings and rear axle oil seals was an expensive job. This repair bill, including complete servicing was $60, greater than I ever had in the 6 years and 90,000-mile history of my 1949 car (including replacements).

"In talk on September 9 with spring man who had corrected the front end of the car, which again was in bad shape as result of 3,000 miles driving over good highways, he advised that in 1 week he had had 3 new Buicks in for change of shock absorbers because of poor performance of those on the Buick.

"Brought car to Buick dealer September 12 for repair of Dynaflow leak—also brought along left brake lining to show them. Also to ask for repair of left door which was banging around and about to jam.

"Eastern service manager happened to be in that day. He insisted that there was no trace of grease on the lining. When I picked it up I got grease all over my suit. He also drove the car and assured me that 'nothing was wrong with the door.'

"September 27 left door jammed and could not be opened. Buick dealer opened door. Said car must have been jacked up causing chassis to spread, thus admitting poor structure of car. Car had only been raised on standard lubrication rack.

"Other defects: Body shake caused hood spring to loosen, causing hood to vibrate as you drive. Knobs of heater controls fall off periodically. Car continues to handle badly, and to be uncomfortably noisy as doors shake in their frames.

"This car is not an isolated case (the term used by General Motors to pass off dealers' reports on customer complaints, and continually used until, according to my own dealer, defective cars reported amount to 3 to 4 percent of the sales, a sizable percentage of over a million cars) but is typical of careless engineering in an effort to turn out cars for rapid sales, is indicated by:

"The record showing that, while denying the defects verbally and failing to correct them through servicing, General Motors (Buick) picked up the dealers' bills for servicing this car and did some servicing themselves.

"Reports from Buick owners and both Buick and independent servicemen whom I met all over the country, plus the consumer report on 1955 cars revealing the same problems.

"The promotion sent by Buick's main office to all Buick owners, urging wheel switching every 2,000 to 4,000 miles to prevent tire wear.

"Advertisements for the 1956 Buick, claiming new front-end geometry, newly balanced chassis, new shock absorbers (although the 1956 cars generally have not been changed basically).

"The public is helpless against the literally deadly competition between automobile companies: The reckless pricing and poor quality of auto products and auto servicing; the constantly increasing power of cars; the slowness with which safety factors are being added and then only as extras; the pack and other price policies that make it impossible for a customer to know what he is buying and for what price.

"Isn't it time for Government regulation of the automobile industry?

"Miss JANE BARTON,
"*Albany, N. Y.*

"(Who has never owned anything but a Buick and had never expected to own anything else.)"

PURCHASE OF NEW AUTOMOBILE—LETTER FROM L. J. SALTER, OF NORTH ROSE, N. Y.

(Extension of remarks of Hon. ABRAHAM J. MULTER, of New York, in the House of Representatives, Tuesday, February 7, 1956)

Mr. MULTER. Mr. Speaker, I desire to call to the attention of our colleagues the following letter which was forwarded to me on February 6, 1956, by Mr. L. J. Salter, president of the Salter Canning Co., of North Rose, N. Y.

The letter concerns Mr. Salter's experiences in purchasing a new automobile:

SALTER CANNING CO., INC.,
North Rose, N. Y., February 6, 1956.

Representative ABRAHAM J. MULTER,
Washington, D. C.

DEAR MR. MULTER: I have followed with interest the discussions in Congress on the plight of auto dealers, including your insertion in the RECORD of January 24. There is

one aspect, however, that has not been presented: namely, to what extent has the public turned against buying new cars because of bad experiences with the ones they presently own? Here is an angle that the dealers in no way were responsible for but which is injuring them unmercifully. Here's how:

I now own my third Lincoln, bought in the spring of 1953. The first two were excellent but this third one (cash paid on delivery) occasioned so much trouble that I often wished I had the old one back. On the day it was delivered I had difficulty in starting the motor and when it did start it galloped, rocking the body of the car. The following day I decided to take my wife for a ride in the new "buggy." We were not 10 miles from home before the motor began to halt, wheeze, and stumble, and I had to turn back for fear of being stranded. I complained to the dealer (45 miles away) and he sent down a mechanic who put in all new spark plugs. This did not help and over the next 2- or 3-month period I drove my car to the dealer (in Rochester), several times, to try to cure the evil. On one occasion I had to stay overnight in Rochester, to complete the overhaul. Later I learned that many other Lincoln owners had similar troubles with this model.

I had also discovered that the car's rearvision mirror was unusually low, blending with the front glass, and 2 or 3 times on approaching a curve or crossroad I narrowly missed collision with approaching cars hidden behind the mirror. I complained to the dealer; he replied that other owners had the same complaints but he could not provide mirrors with shorter stems. I thereupon wrote the Ford Motor Co., pointing out that my attorney informed me that if an accident could be proven due to faulty design, it—Ford—could be sued. I had a shorter-stemmed mirror in trigger time.

Now I wish to emphasize that I believe the dealer was doing his best under the circumstances. But I could not see how he could stand all these repairs, and I assumed that he charged them back to Ford. Apparently not, from information now available. At one point in the attempts to "cure," a salesman told me that Ford put together a Mercury in 28 minutes. I replied that Ford put together this Lincoln in 10.

Lincoln was not the only "bad egg" that year. I heard of a man who bought a new Cadillac and started for Texas; he spent more time in garages than on the road with it. Back ends went out of Chryslers, and a friend owning a new Nash had two new rears put into it. I assume all these expenses were absorbed by the dealers, not the manufacturers.

For the past year and a half my Lincoln has operated excellently. I would like to buy a new car, but I simply balk at going through such grief again. I have lost confidence in the new cars, like, no doubt, thousands of others have. In fact, today, with dealers in the plight they find themselves, there is a greater risk of no service whatsoever. I just wonder if the makers, in futile attempt to overcome this negation, are not hoping the new crop of gaudy colors will re-bait the hook. Not for me, and I doubt for the man on the street. Too many of the latter have, in my presence, commented upon the gruesome mess of design and colors. The interesting thing is that the body design of the cars is fundamentally good, but that the gingerbread on the sides, the chopping up of otherwise flowing lines, made more hideous by colors that do not complement, suggests a managerail floundering around with a double-barreled shotgun. The aim may be rotten, but scattered shot must hit something.

So the dealers, poor devils, are caught between the makers piling unwanted cars upon them and the public resistance to being mulcted again. The seriousness of the latter is that, while the makers are guilty of asking higher prices for poorer and poorer products, the public blames the dealer for the makers' sins.

It might be a very good thing if auto dealers in certain zones alternately agreed to shut up shop and boycott the makers over a period of time. This would have to be all dealers of all makes of cars within a designated area. I have found that in dealing with big business the club or knobbed battle ax is much more efficient than legislation or the bended knee.

Most sincerely,

L. J. SALTER.

Mr. MULTER. I know that your committee has labored long and hard with this problem and so have your predecessor committees, that is, the standing committees of prior Congresses. This is not a new problem.

Let me give you the titles of the various subdivisions of the topic as I think they have been presented to your committee and which will highlight the problems to which you are directing yourself.

You have as one title concentration of the motor vehicle industry. Another is competition in production and prices; competition among motor vehicle dealers; padding, new and used car prices, more recently referred to as packing; dealer price-fixing activities; the legal aspects of used car valuation or appraisal bureaus; unfair methods of motor vehicle manufacturers in their relations with their dealers; manufacturer's treatment of dealers, abuses of installment financing; itemized invoices needed for consumer protection; deception in charges for transportation of motor vehicles; sale of driven cars as new cars.

I have covered possibly not under the same titles or headings almost all of these subjects, both in my statement and in an attempt to remove most of those abuses by my bill, a copy of which I have submitted to the committee with my statement, which bears the number H. R. 10310.

Now, the title I read to you a moment ago, strange as it may seem, come from House document volume No. 27, Report on Motor Vehicle Industry No. 468 of the 76th Congress, 1st session, 1939, and the headings come from the headings of the conclusions made by that committee in 1939.

You will find that, just as all of these abuses that resulted in those conclusions under those headings were documented at that time, almost word for word, item for item, they have been duplicated in the testimony before the Senate committees this year and before your committee up to the present time, and I am sure that before you close your hearings they will be documented completely.

After 1939 the automobile manufacturers indicated that they were going to clean house, they would clean up these abuses without any legislative intervention, and that it should be left to them.

Well, the fact that you are hearing this identical testimony from new witnesses as to new occurrences since 1939 demonstrates that the industry cannot be relied on to clean up these abuses, and unless you are going to enact legislation you will never stop these abuses. You have had documented, as I say, all of them. I am not going to touch on too many of them.

Mr. KLEIN. May I interrupt the gentleman?

Mr. MULTER. Yes.

Mr. KLEIN. I notice, Mr. MULTER that your bill was just introduced on the 29th of March?

Mr. MULTER. Yes.

Mr. KLEIN. I must say that neither I nor the staff have had an opportunity to examine it, nor have we gotten a report yet from the executive departments. So might I suggest that you just explain your bill?

Mr. MULTER. Yes. My bill does not contain any novel or new thoughts, and I do not pretend to claim any originality in the ideas contained in the bill.

You will find that most of them have been presented to your committee in other bills, in individual bills. What I sought to do was to take them all and put them all into one bill so that you can eliminate all of these abuses, and bring them before the House for action so as to do the full job at one time.

I cover the question of franchise dealers that you discussed with Judge Barnes. You know the strange thing about it is, as you probably recall, that inclusive franchises were the order of the day many years ago. A man who got a franchise from an automobile manufacturer got an exclusive right just as he bound himself to sell only that particular automobile, whether it was Buick or Ford or Chrysler, whatever it was, and he also got with his franchise a territorial restriction and a time restriction.

His contract ran for a period of years, and no one else could sell in his territory. Now, a few years ago the automobile manufacturers, in order to get out from under that kind of contract, in order to be able to push their cars as fast as they could, wherever they could, went to the Attorney General and asked him, "What about this? Can we continue to do this, or are we in violation of the antitrust laws?"

The opinion came down shortly thereafter from the Attorney General that you cannot give these restrictive contracts in your franchise-dealer agreements because they are in violation of the antitrust law, and the Big Three then used that as their excuse not to give their dealers these exclusive franchise contracts.

I know there is a division of opinion between the dealers. Half the dealers want the exclusive territorial rights, and the other half are against it. The fellow in the little town wants his exclusive territorial right. He does not want anybody coming in there. The fellow in the big city says, "I am going to sell my car wherever I can."

Now, whether or not you should take sides in the question I think is beside the point. I think that is a matter which the dealers can work out with the manufacturers, provided they will be in a position to negotiate with the manufacturers. In some places it may be the thing to do and in other places it may be the thing not to do, but I do not believe the manufacturers should be in a position to sit back and say, "Our hands are tied because of the antitrust laws and the opinion of the Attorney General."

Mr. KLEIN. Does your bill, Mr. MULTER, contain anything on territorial security?

Mr. MULTER. Yes. My bill, sir, has a provision permitting, not directing, permitting the manufacturer and dealer to negotiate freely on the subject of franchises.

Mr. KLEIN. Do they not have that right at the present time without any legislation?

Mr. MULTER. The manufacturer contends that he does not have and his position is bolstered by the Attorney General's opinion that to give the exclusive franchise with exclusive territorial rights is a violation of the antitrust laws.

Now, I do not agree with the opinion, but I think the manufacturers have a right to rely on the opinion of the Attorney General rather than mine, and they have a right to say to the dealers that as long as that opinion is outstanding, unless it is reversed by legislation or by another opinion to the contrary from the Attorney General, we are not going to give you exclusive franchises.

Under my bill they are permitted to do it, not directed to do it. It is left to free negotiation and I say in my bill that if they make that kind of contract it will not be in violation of the antitrust laws.

Mr. KLEIN. Looking at it realistically, if the Department of Justice has held that this would violate the antitrust laws if there was such a clause in the agreement, you would

have to override the opinion of the Attorney General?

Mr. MULTER. Yes; I do.

In other words, if this bill were enacted, it overrides the Attorney General's opinion.

Mr. KLEIN. It is similar to the Steed bill, then, on that point?

Mr. MULTER. Yes. On that point it is quite like the principle in the Steed bill.

I also cover in my bill the question of putting the responsibility directly on the manufacturer for anything that is wrong with the car, and then, of course, if he wants to let the car be sold anywhere at all and continue to advertise that it can be serviced in any service department of a franchise dealer, let us put the responsibility where it belongs, on the manufacturer.

Require him to inspect and road test and certify that every car that leaves his plant, before it arrives at the dealer's shop, is in good condition and safe for use.

Now, you will probably recall the words of the late Judge Holmes of the United States Supreme Court in that famous McPherson versus Buick case where there were inherent defects in the automobile and Judge Holmes, writing for a unanimous Court, said that an automobile is potentially a lethal weapon and that is what it is as it leaves these manufacturers' plants today. They do not test them, they do not do anything except pass it on to the automobile dealer, who is required to give not the automobile dealer's warranty but the manufacturer's warranty, and then the automobile dealer, because of the economics involved, is forced to kid that purchaser along for 4 months or 3 months or 4,000 miles, or whatever the terms of the warranty may be, and then at the end of the warranty when the warranty has expired, either because of mileage or the period of time, then the owner of the car begins to get a bill for repairs, so-called repairs, and 90 percent of those repairs are not repairs. They are correcting inherent defects, defects that were in the car when it left the manufacturer's plant.

I will take you into any automobile dealer's shop in Washington or anywhere in the country and pick out at random any new car that is on that man's floor ready for delivery, ready for delivery to the purchaser, and I tell you we will run it around the block and there will be a dozen different defects that will turn up in that time. If you happen to pick one that does not have them, it is the exception, not the rule.

My bill will prevent that.

Mr. KLEIN. Would you advocate similar legislation in other industries?

Mr. MULTER. Wherever you are putting an object such as an automobile in the hands of a user which may be a potentially lethal weapon, I say yes, it should apply to every industry; if there is any other industry that does this.

I do not know any other industry that would take an item that sells for anywhere from $1,500 to $5,000 or more and, except in the case of the custom-built car, you get an object that is delivered to the person which he has a right to believe is safe for use and which is not safe for use.

Now, there are any number of accidents, unexplained accidents, on the road every day in the week which are caused by inherent defects in the automobile, and as a practicing lawyer, you know there are many cases where you just cannot explain why the accident happened. The road was good, visibility was good, the person was sober who was behind the wheel, he was apparently an experienced driver, and there is an accident.

Mr. KLEIN. The gentleman is absolutely correct and, as he knows, I usually agree with him, but I know he also agrees with me in our opposition to the relaxation of the antitrust laws. This is what we would be doing in your bill and this would call for similar action in other industries, as Judge Barnes pointed out.

So we should be very careful about passing legislation such as this for a particular industry. I would be opposed to it even if it applied generally to most industries.

Mr. MULTER. What you say applies to that part of my bill which is directed to the automobile dealer's franchise contracts and their terms. I respect your views on that subject. I, nevertheless, urge the contrary views so far as that is concerned.

But, so far as road testing is concerned, so far as inspection is concerned, so far as phony advertising is concerned, you are not in any way interfering with the antitrust laws when you tell these manufacturers, "You are going to be responsible for all of you advertising. You are going to be responsible for a good car being delivered in safe condition. You are not going to be permitted to continue to charge phantom freight when your freight is actually $50 a car and you charge your customer freight of $235 a car, because that is the rail freight."

Mr. KLEIN. Well, the gentleman agrees that if they do not label it as freight, if they do not falsely advertise, then the companies could charge any amount they would choose?

Mr. MULTER. Yes; but then you and I have the right to go to the dealer and say, "Your price for this car is $2,500. It is not worth that to me. And you will bargain with them. But when you get through bargaining and you have the price fixed and he says, "That is what I paid for freight and this is what I paid for freight to them and that is what you have to pay," then there is no argument.

You and I, who do not know the facts, might argue.

Mr. KLEIN. But that is at the present time illegal. The Federal Trade Commission would step in there because it would be misrepresentation.

Mr. MULTER. They have not done it. How long do you think it will be before they file their first complaint to cease and desist against the manufacturer?

It will take them 5 years. After they have gotten the cease-and-desist order, it will take them another 5 years to go into court and punish for contempt.

Let us write into the law that this is a violation and if you violate this law you can be taken into court either by the person harmed or by the United States attorney and pay the penalty for violating the law; that is the way to handle this situation.

Mr. KLEIN. It is my opinion that the gentleman does have that right.

Mr. FRIEDEL?

Mr. FRIEDEL. On page 5 you say:

"Only recently, as a result of testimony adduced in the congressional hearings, the Federal Trade Commission filed charges against the General Motors Corp. for false and deceptive advertising."

Mr. MULTER. Yes.

Mr. FRIEDEL. You said, "How long did they do it?"

Mr. MULTER. Look how long General Motors has been carrying on this false advertising, as long as I can remember. This is just the filing of the complaint. What about against the other companies?

Mr. FRIEDEL. I am in accord with you all the way through.

Mr. MULTER. I think if you are going to rely on the Federal Trade Commission to enforce these laws, we are not going to get anywhere, that is just the history of their operation.

Now, in addition to that, you have the question of bootlegging that you are very familiar with, and that can be covered only if you permit the manufacturers to make these agreements, exclusive agreements, with their dealers. If you do not, you will never stop the so-called bootlegging.

Another part of my bill which is also aimed against preventing deception and fraud and misrepresentation of dealers, and that is to require them to itemize their invoices.

The recommendation was made in 1939, as I told you before. The companies said they were going to follow it. They do not follow it.

My bill provides that not only will they be required to itemize it but that they cannot collect for any so-called extra unless it has been ordered in writing and itemized on the bill.

Now, I think every member of this committee has an automobile. I wonder if you ever checked on whether or not you have an electrically operated windshield wiper or a vacuum one. The joke about it is this:

The standard equipment on all these automobiles is a vacuum-operated windshield wiper, but when your car is delivered to you it is delivered with an electrically operated one for which you are billed extra and you do not know it, and you pay for it as an extra.

Your cigar lighter on your car—there is not an automobile manufacturer that does not have a hole, a receptacle, built into the dashboard for the cigar lighter. But the electric lighter itself is extra and is charged to you as such and billed to you as such, and there are any number of other items all the way down the line.

Then there comes the question of buying parts. The franchise dealer will lose his franchise if he goes to the company that makes the spark plugs for the manufacturer and buys them directly from him. That is a violation of his franchise. He must buy directly from the manufacturer.

Why? The manufacturer adds on a profit. A spark plug is not one bit better because it carries the name Ford or Chrysler or General Motors. They all have been manufactured for them by other companies. You can buy that spark plug, if you buy it from an independent accessory shop, under the name of the manufacturer, and you will buy it for almost half the price that you will pay to your serviceman to get it marked Ford or Chrysler or General Motors.

You can be sure that your spark plugs will operate just as well and just as efficiently whether you buy it from the independent accessory dealer and have a serviceman put it in as if you buy it from your dealer.

Mr. KLEIN. Could you buy that car without the cigar lighter and buy the cigar lighter some place else and put it in?

Mr. MULTER. Yes; you could.

What happens to your cigar lighter when it is lost out of the dashboard or swiped? Every time you park it in a public parking lot where you must leave your keys in the car, when you come back your cigar lighter is usually gone. You do not want the hole there, you want the cigar lighter. If you are smart, you buy it from the independent shop, not from the serviceman, and you buy it for half the price.

Now, there is one other thing I would like to call your attention to, Mr. Chairman and gentlemen of the committee.

Mr. FRIEDEL. Before you get into that, I want to get this into the record.

Mr. MULTER. Yes.

Mr. FRIEDEL. The Senate committee sent out a questionnaire to the different dealers with reference to phantom freight charges. They sent 203 questionnaires to the Maryland dealers; 150 of the dealers said they would like to stop that abuse, and 12 said they would like to continue their present arrangements.

Look at the proportion; 150 to 12 in favor of eliminating phantom freight charges. I think that is one of the things that should be corrected immediately.

Mr. MULTER. There is is not any doubt that you are right, Mr. FRIEDEL. Ninety-five percent or more of the automobile dealers are decent, honorable men. They have occupied places of dignity and respect in their communities. They want to do a decent job. Most of them are the leaders in the civic and philanthropic endeavors in their communities and they have been respected.

In recent years they have become the most despised men because of the pressures of the manufacturers of these automobiles. Their very livelihood is at stake. Their tremendous investment of capital in their place of business is at stake unless they meet the pressures o the manufacturers and something must be done by this Congress to lift those pressures from their backs.

There is one other important thing I would like to call your attention to. It is covered in my statement under the heading of "Cheating Our Soldiers."

A practice has grown up, started by some of the dealers, of sending representatives into the camps abroad where men are about to be discharged and sent home, and they sell these soldiers on the idea that they will sell them a car at list price for delivery at their port of debarkation in the United States, either in New York or San Francisco or wherever they may happen to be coming into the States, and that they will use their travel allowance from that point to their home as the downpayment on the car and the car will be financed for them there.

They are not told about the fact that they will get no service when they get their car back home except that they will pay for it. They are not told that they will have to pay list price and that the car back home is selling under list.

There is not a dealer anywhere in the country who gets list price for his car. They are not told about the high-pressure deals being made now, about buying a car without a downpayment and getting 3 to 5 years to pay.

There are many other very serious abuses coming close to actionable fraud that are perpetrated on these men in order to get them to sign these contracts of purchase of a new automobile before they get back to the States.

Mr. KLEIN. Can the gentleman tell me what he proposes to do on that subject and where it is in the bill?

Mr. MULTER. I think that might be covered by that section of my bill against fraudulent advertising and making the company responsible for the advertising.

Mr. KLEIN. You mean the manufacturer?

Mr. MULTER. Yes.

Mr. KLEIN. Even though these people that make these representations are not the manufacturer?

Mr. MULTER. Let me follow one step further.

The dealers complain to the manufacturers about these fraudulent practices. You know what the manufacturers did? They did nothing to try to stop them. They set up their own selling offices in Europe and have their own representatives now selling these cars, with the additional representation, "You are not buying from a dealer, you are buying from a manufacturer."

It was called to my attention and I wrote a letter to our distinguished Secretary of Defense, Mr. Wilson, and I thought that I would get a better answer than I did from a man who would try to protect the General Motors industry.

He did not answer the letter, but Mr. Burgess, his Under Secretary, answered it and said that they cannot do anything about it.

Mind you, I did not ask them to make a charge of fraud. I submitted these letters to you.

My first letter is dated September 8, 1955. I call the attention of the Secretary of Defense to the entire problem and I then conclude with this paragraph:

"I hope you will agree with me that such a directive" meaning a directive to the commanding officers to alert the men to these practices "will serve a very useful purpose."

As a matter of fact, the directive in the notice from the local commanding officer can be appropriately worded so that neither manufacturers nor retailers need be accused of any wrongdoing or impropriety and yet provide some measure of protection to the members of our armed services.

The answer from Mr. Burgess, September 23: "Sorry, can do nothing about it."

The letter in full is in my statement. That is, in effect, his answer.

On September 28, I wrote again to him and said: "I fail to understand how the directive as suggested by me is in any way restrictive."

Then I concluded: "Alerting these men to these practices is in direct line with such procedure" which is the procedure of the Department to alert their men to any dangers that may affect them wherever they are stationed, not only healthwise but also financialwise.

Now, do we have any precedent for this?

Of course we have. The insurance companies were perpetrating frauds on our soldiers and selling them life insurance under false pretenses and fraudulent representation. The same Defense Secretary, the same Under Secretary, when the matter was called to his attention, what does he do?

Immediately he investigated. What does he find? That the charges are correct. What does he do?

The same Secretary, the same Under Secretary, issues a directive dated December 21, 1955, No. SCCNAV1741.5. What does he do? Not only directs his commanding officers to alert the men as to these dangers and as to the perpetration of these frauds, but in the directive makes every commanding officer responsible for seeing to it that no such salesman comes upon the base or operates in the vicinity of the base except that he is licensed, and except further that he will submit to restrictions and make no false representations.

Now, as I say in my statement, the adage, "What is good for General Motors is good for the rest of the country," can be slightly changed. Apparently what is wrong for the insurance companies is not wrong for General Motors.

Now, whether my bill is strong enough to cover this kind of situation, Mr. Chairman, I do not know. It may not be. If it is not, it should be strengthened, but something should be done to protect those men and our Secretary of Defense should be told in no uncertain language that he is not doing his full duty. He is violating his duty and his obligation when, in the one instance, when fraud is called to his attention he investigates, and in the other he refuses to investigate.

In the one instance, when he finds the facts justify the charge, he issues a proper directive and, in the other cases, he closes his eyes to it because it involves an industry with which he has been so closely allied.

Mr. KLEIN. Well, it is not only he. I do not think it is any surprise to the gentlemen who know that General Motors gets special consideration from this administration in other branches besides the Army. I think that is a situation that should be called to the attention of the Armed Services Committee. I agree with the gentleman that something ought to be done about it.

I do not know, frankly, whether this committee would have any jurisdiction over that phase of it. It certainly is an alarming thing. It is a surprise to me. I had never heard of it before.

Mr. MULTER. That is the situation, sir. It is substantiated by the facts. An investigation of the manufacturers will disclose it very quickly. There are half a dozen dealers in any of the big ports of the countries that you can call upon and they will substantiate the facts.

The facts were given to me in the first instance by dealers. I did not take their word for it, I asked the Secretary of Defense to investigate and determine what is the fact, and he refuses even to investigate.

Thank you very much, Mr. Chairman, for the opportunity to come here.

Mr. KLEIN. Any other questions?

Mr. MULTER. If there are any other questions, I will be glad to try to answer them.

Mr. KLEIN. I may say that my colleague from New York always contributes matters of value. I am sorry that we did not have the information which you disclosed when we interviewed the representatives of the manufacturers because it is a bad situation.

I believe the Department of Defense ought to be able to deal with it.

Mr. MULTER. You are absolutely right. They can deal with it if only they will.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 25, 1957

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, whom we worship and adore as the supreme ruler of the universe and the beloved companion of our souls, fill our minds and hearts this day with a larger measure of Thy kind and gracious spirit.

We humbly confess that we greatly need Thee for we are so frequently baffled and bewildered by the mysteries and dilemmas of life, its struggles and strifes, its tragedies and tribulations.

Grant that, in fidelity to our high calling, we may champion and proclaim proudly and courageously those lofty ideals and principles of democracy which are the secret of our national greatness.

Inspire us to pray and labor for that blessed day when there shall be a new birth of Thy spirit in the heart of all mankind, transforming hatred into love, selfishness into service, and evil into goodness.

In Christ's name we offer our prayer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 606. An act to amend the wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; and

S. 959. An act to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5189. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. CHAVEZ, Mr. MAGNUSON, Mr. MUNDT, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 469) entitled "An act to authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. NEUBERGER, Mr. ANDERSON, Mr. CHURCH, Mr. WATKINS, and Mr. GOLDWATER to be the conferees on the part of the Senate.

ADMISSION OF ALASKA INTO THE UNION

Mr. O'BRIEN of New York from the Committee on Interior and Insular Affairs submitted a privileged report (Rept. No. 624) on the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union, which was referred to the Union Calendar and ordered to be printed.

THE LATE HONORABLE R. GREGG CHERRY

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, it is with profound regret that I bring to the attention of the House the death of the distinguished North Carolinian, Hon. Robert Gregg Cherry, former Governor of North Carolina.

His death came at 7:40 a. m. this morning at the Gaston Memorial Hospital in Gastonia, N. C.

Governor Cherry was born on October 17, 1891, in York County, S. C. In his early childhood he moved to Gastonia, where he was educated in the public schools. On completion of his public-school education, he entered Trinity College, now Duke University, where he received his bachelor of arts degree and his legal education. In 1914 he was admitted to practice law in the State of North Carolina and immediately entered upon the practice of his profession in Gastonia, where he has continued through the years to be one of the outstanding lawyers of our State.

At the outbreak of World War I Governor Cherry volunteered his services and served with distinction and valor with the 30th Division. He was discharged as a major and thereafter maintained his interest as an officer in the North Carolina National Guard.

Governor Cherry was always dedicated to public service. He served as mayor of Gastonia from 1919 to 1923. In 1931 he was elected to the North Carolina General Assembly, in which body he served until 1940. His colleagues in the house of representatives elected him as speaker for the session in the year 1937.

In 1941 Governor Cherry was elected to the State senate from Gaston County, where he continued his distinguished service to the people of North Carolina. This record of service in the legislative halls resulted in the election of our departed friend to the high office of Governor of North Carolina in 1945.

His record as Governor was one of conservatism and a businesslike administration, resulting in the accumulation of a great surplus in the treasury of the State.

Since retiring as Governor of North Carolina, Mr. Cherry has practiced law in his home town of Gastonia.

Governor Cherry was always interested in the things which make his community, State, and Nation a better place in which to live. This is evidenced by his membership on the board of trustees at Duke University, his service as State chancellor of the Knights of Pythias; North Carolina State commander of the American Legion, 1923; his active membership in the Gaston County, N. C., and American Bar Associations; the various Masonic bodies; Improved Order of Red Men; Independent Order of Odd Fellows; Elks; Kiwanis; and many other civic and fraternal groups.

Governor Cherry was a longtime member of the First Methodist Church in Gastonia, and served for many years as teacher of the Men's Bible Class of our church.

The passing of my distinguished fellow townsman and fellow North Carolinian is a great personal loss to me, particularly. As a young lawyer I had the benefit of his continuing interest and advice as I sought to enter upon and continue in the practice of the law. As one interested in public affairs, I was the beneficiary of the advice, interest, and helpfulness of this great man as decisions had to be made. He never failed to give freely and honestly the kind of advice that only a man of his ability and character could give to one of younger age.

But even more, his passing brings to me a deep sense of loss because of the love and affection which I know existed between the two of us. At a time such as this it is futile to undertake to express one's inner feelings. The Heavenly Father into whose arms he has passed today is the only one who can know my sentiments and feelings in this hour.

A great oak has fallen. May his passing and the memory of his good works aid those of us who are numbered among his thousands of friends as we meet the challenges and responsibilities of private and public life.

May God rest his courageous soul.

Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks on the life, character, and public service of the late Governor Cherry at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. SCOTT of North Carolina. Mr. Speaker, it is with deep and profound sorrow that I learn of the passing of my personal and political friend, Hon. Robert Gregg Cherry, gentleman, statesman, and lawyer, who rose from the ranks of the humble to become one of North Carolina's greatest and most beloved governors. It is given to only a few men to attain the position of chief executive of his State, a position of power, honor, and prestige likely to turn the heads of little men. But Gregg Cherry received and carried this honor gracefully, in humble gratitude, never losing the common touch. He received many honors during his distinguished career and all were well deserved because they were only incidental to the constructive services he so capably rendered to his county, State, and Nation. He was not a man who sought positions of distinction merely for the honors they might bring. He was a plain man who loved the battle of life and whose greatest satisfaction rested in his endeavors to serve his party and his people well. Graduating from Duke University in 1914, and being admitted to the bar in the same year, he entered the practice of law in Gastonia, N. C. He served his country with distinction in World War I, achieving the rank of major. Soon after his discharge, he was elected as mayor of the city of Gastonia, and later was elected as representative in the North Carolina General Assembly, where he served five consecutive terms. He was elected as speaker of the house of representatives in 1937. Of the many honors conferred upon him, he was probably proudest of his selection and service as State chairman of the Democratic executive committee. He was a great Democrat, but first a great citizen in whom interest and concern for the welfare of his country remained alive to the last. I would join his host of admiring friends in extending to his family and loved ones my sincere and heartfelt sympathy.

Mr. SHUFORD. Mr. Speaker, North Carolina has suffered a great loss in the death of one of its former Governors, the Honorable R. Gregg Cherry. I have lost a very close and dear friend. He was a remarkable man of outstanding character, dedicated in his love of God and of his fellow man.

Governor Cherry's life was one of service. An outstanding veteran of World War I, he returned to his home in North Carolina and unstintingly gave of his time and energy to the advancement of the area in which he lived. He was sent to the State legislature by the people of his county, and became speaker of the house. He was thereafter elected Governor of the State of North Carolina, which office he held from 1945 to 1949. During his term of office he continuously fought for the causes in which he deeply believed and vigorously espoused. His tenure of office was marked, amongst other things, for the strong fiscal policy he adopted and maintained. Truly a great man has fallen. North Carolina is richer because of his life.

I extend my deepest sympathy to Mrs. Cherry.

Mr. HEMPHILL. Mr. Speaker, ladies and gentlemen of the House, I join in

and share the expressions of my distinguished and able colleague from North Carolina [Mr. WHITENER], and his acknowledgment in the passing of that great American, Robert Gregg Cherry, former Governor of North Carolina. Like many others of his admirers, I always addressed him as Governor Cherry, as his good works followed him long after his term, and will benefit the people of North Carolina and the Nation for many years to come.

It is with considerable pride that I point out that this distinguished patriot was born in York County, S. C., in my district. He later moved to Gaston County, N. C., as an orphan boy, and became one of the most beloved, useful, and distinguished citizens of this Nation. Throughout his public life he gave freely of his time, his talents, and the needs of his countrymen. Every phase of his lovable personality and every facet of his brilliant mind was used by him to improve his State and his Nation. He was an able and outstanding lawyer, and honored his chosen profession by his dedication to the highest ethical practices.

North Carolina and the Nation have lost a true friend. South Carolina has lost one of her most illustrious sons. In behalf of the many who knew and loved him in my State, I salute his exemplary life.

Mr. ALEXANDER. Mr. Speaker, it is with great sorrow and profound regret I learned of the sudden death of the Honorable Gregg Cherry who passed to the Great Beyond this morning.

I had known him intimately for many years and had worked with him on veterans' matters since World War II. He was an able lawyer, good businessman, devoted legislator, and an outstanding Governor of the State of North Carolina. I had the privilege of serving in the General Assembly of North Carolina while Gregg Cherry was governor and came to know and love him.

He was an humble man and a great leader. He loved people and possessed an understanding of human nature few men have matched. He was a courageous man. He possessed the intellectual honesty to hue the mark regardless of where the chips fell. His intellectual integrity, his unblemished honesty in public service, and his ability to chart a direct course on public matters gave him the qualities of true statesmanship.

He was a kind and considerate leader who had time for rich and poor alike.

Governor Cherry was known throughout his State and the Nation as an able administrator who conducted his stewardship as Governor of North Carolina in a businesslike manner and above reproach.

Gregg Cherry was truly a great American and a great North Carolinian. I shall miss his warm friendship and I extend to his wife and family my heartfelt sympathy.

Mr. TUCK. Mr. Speaker, I cannot permit this occasion to pass without joining with the other friends of former Gov. R. Gregg Cherry, of North Carolina, in paying tribute to his memory.

He served as Governor of the State of North Carolina from January 1945 until January 1949. I had known him for a number of years prior to that time, but it was during his term as Governor that I became so closely associated with him in respect to matters of mutual public concern. He was a faithful and efficient public official with a natural aptitude for the rendition of public service of the highest sort and character. He served the State of North Carolina in a manner which was commendable indeed, and I am sure it brought satisfaction to him and to his family, as well as to the people of that great State.

The Nation needs more men of his ability and character and it is only natural that we should mourn at the passing of such a useful public servant and citizen and such a warm and dependable friend.

Mr. KITCHIN. Mr. Speaker, I wish to join with my colleagues in paying tribute to the Honorable R. Gregg Cherry, a great American and former governor of North Carolina, whose death occurred yesterday. North Carolina has lost an outstanding leader who contributed so largely to the growth and prosperity of our great State.

His death has brought sorrow to thousands of North Carolinians who had known him and who had labored with him, and it has brought particular sadness to those who were so closely associated with him in his public service in the State. He was a man of deep loyalty and devotion to friends, party, State, and Nation.

Early in life Gregg Cherry entered the practice of law in Gastonia, N. C., and likewise began his public-service career, first as mayor of Gastonia, representative in the North Carolina General Assembly, speaker of the North Carolina General Assembly, and later as State senator.

When he became a candidate for governor his public service and other positions of trust caused the people of the State of North Carolina to conclude he would make a good executive and he was elected governor in the fall or 1944.

He was proud that he was a son of a democratic State and represented democratic people who had placed him in a position of prestige and power. He liked people. He was at home among people in all walks of life.

As soldier and governor he fought that all men might have a fairer and better opportunity and that those who inherited the land might enjoy its fruits, their rightful heritage.

During his lifetime he accomplished much as an administrator and as chief executive of the State of North Carolina.

With the death of this North Carolina statesman, there has passed from the scene a great American.

PERSONAL EXPLANATION

Mrs. KNUTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Minnesota?

There was no objection.

Mrs. KNUTSON. Mr. Speaker, knowing I would have to be absent for the rollcall on H. R. 6974 to extend the Agricultural Trade Development and Assistance Act of 1954, I arranged to be paired thereon. Had I been present I would have voted "aye." My name appears in the RECORD for June 21, 1957, page 10020, rollcall No. 119, merely as "not voting," although I had made my wishes known that I desired to be paired "for."

SMALL BUSINESS ACT

Mr. O'NEILL. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 283.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7963) to amend the Small Business Act of 1953, as amended. After general debate, which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. O'NEILL. Mr. Speaker, I yield myself at this time 30 minutes, and at the conclusion of my remarks I yield 30 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. Speaker, I call up House Resolution 283 providing for the consideration of H. R. 7963, to amend the Small Business Act of 1953, as amended. The resolution provides for an open rule and 3 hours of general debate on the bill.

H. R. 7963 makes the Small Business Administration a permanent agency. It is the feeling of the Committee on Banking and Currency that if SBA is a permanent agency, it will strengthen all of the agency's small business programs.

The bill clarifies the provisions on procurement to make it clear that it is the intent of Congress that small business concerns shall obtain a fair proportion of all types of Government contracts. The bill also requires the Administrator to establish a new definition of small business for procurement purposes by providing that when the number of employees is used as a standard for defining small business, the number shall vary from industry to industry to the extent necessary to reflect differing characteristics of such industries rather than applying the present 500-employee rule to all industries.

The business loan authority is increased $500 million; the prime-contract authority, which has never been used, is reduced from $100 million to $25 million, and the authority for disaster loans remains the same—$125 million.

The bill would reduce the maximum permissible interest rate in SBA's share of loans to small business from 6 percent to 5 percent. However, if a local bank is willing to make a loan at 6 percent interest the SBA will not entertain the loan application.

The present Loan Policy Board is replaced with a National Small Business Advisory Board made up of the Administrator of SBA, the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 or more than 6 representatives of small business.

These are the principal provisions of the bill. There are several other provisions including provisions dealing with credit standards for business loans, broadened SBA programs, pool loans, and studies by SBA of matters affecting small business. These provisions, I am sure, will be fully discussed by members of the committee.

I urge prompt action on House Resolution 283 so the House may proceed to the consideration of H. R. 7963.

Mr. MARTIN. Mr. Speaker, I am in favor of the rule because it establishes an agency that can be of great value to the country.

The United States has become a great industrial country because it is a Nation of small businesses. The country does well to encourage them because they are the real foundation of our prosperity. This bill will be of material assistance and as one who has always been a supporter of small business I am glad to aid in the passage.

Mr. O'NEILL. Mr. Speaker, I yield 15 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SMALL BUSINESS

Mr. PATMAN. Mr. Speaker, the Small Business Administration Act is up for renewal, and it is proposed that it be made a permanent agency. Normally I would be in favor of a permanent agency to help small business, but at this time I am not in favor of a permanent agency, and I shall offer an amendment to make it expire in 2 years so that we can review what they have done 2 years from now and see whether or not it should be made a permanent agency or continued at all.

EQUALITY OF OPPORTUNITY

It is my sincere hope that small business concerns will be given equality of opportunity to the extent that they will not need special laws in their favor. I have never pleaded for special considerations and special privileges for small business. All I have ever asked for was the opportunity of the small man to compete with the big man under the same facts and circumstances without being discriminated against. That is all I have ever asked for the small concerns, is protection against being discriminated against.

To make a permanent agency of the Small Business Administration will be in effect saying that we except this problem to be with us always; that we do not see any hope for the solving of the problems relating to small business—that they have a chronic situation—and we are reconciled to the fact that we cannot help them; that we are just going to give them an agency that will be available to consider applications for loans and certain other things from here on out; that we have thrown up our hands; that we are not willing to say that their problems can be solved without an agency that is permanent.

SBA BETTER LAST YEAR

Now, I am not satisfied that this agency has made such an outstanding record that we should reward them by making the agency permanent. I will admit, and I commend the organization, the Small Business Administration, for doing a much better job the past year. For 3½ years preceding the last year I think the record was terrible, it was disgraceful, but last year it was heartening, and we are encouraged to believe that much more is being done and will be done for the small-business man, and I am perfectly willing and glad to state that a better job has been done the past year. But, still, a sufficiently good job has not been done to cause me to believe that we should reward them by making the agency permanent; in other words, I want something to offer the small-business people of this country that we will be more proud of in appreciation of their efforts and what they are trying to do.

SMALL BUSINESS BACKBONE OF COUNTRY

The small-business people of this country, as we know, are the backbone of the country. Even the Communists recognize that small business is our greatest bulwark against communism in the United States of America. I had the Library of Congress look up that quotation for me a few days ago and I want to read you what Lenin said. In a recent national broadcast, Lenin's name was mentioned as one of the so-called great Communist leaders by the present leaders of communism in Russia. I happened to remember what Lenin had said about the strength of small business in America and why it would always be impossible to have communism in America as long as small business is strong. This is the actual quotation:

LENIN QUOTATIONS ON THE STRENGTH OF SMALL PRODUCTION

The strength of capitalism lies in the strength of small production for, unfortunately, small production still survives in a very, very large degree, and small production gives birth to capitalism and to bourgeoisie, constantly, daily, hourly, spontaneously, and on a mass scale—Lenin, Left-Wing Communism, an Infantile Disorder (1920), Selected Works (International Publishers, New York, 1943, volume X, page 60. (A discussion of one of the basic problems facing the Bolsheviks, the solution of this being a necessary prerequisite to their success.)

Source: Soviet World Outlook, A Handbook of Communist Statements, prepared by the Division of Research for U. S. S. R. and Eastern Europe, Office of Intelligence Research, Department of State, for the Coordinator of Psychological Intelligence, United States Information Agency.

I shall put this in the RECORD. In other words, communism will never have a chance in America as long as small business is strong. That is admitted by the Communist leaders.

SMALL BUSINESS WEAK

Small business today is weaker, relatively, than ever before. And the outlook for the future for the small-business man is not good; we know that. So we are opposed to communism. We are in favor of the capitalistic system. We want the capitalistic system to continue as we have had it in the past. But the capitalistic system depends upon the survival of the small-business man. There are 4 million small-business people in the United States. They are very important to our economy. When they are submerged or when they are destroyed, it jeopardizes the security of our entire Nation and particularly our economy. So we must give them some concern.

LOAN LIMITATION SMALL

I am not willing to say that the bill proposed is my appreciation of small business in the United States of America, wherein we offer them so little. We place a limitation of $250,000 on loans. That will allow the little people to fight amongst themselves. They can fight all they want to amongst themselves, $250,000 each. But it is not enough to allow them at any time to become competitors of a big-business man. In other words, we are saying, "We will let you fight amongst yourselves, we will let you have a little money, but we will not let you ever have enough to step on the toes of one single big-business man in the United States of America. We are going to keep you out of any field of the big-business man."

In national defense we have millions of gadgets that are manufactured, mostly by big-business concerns, because they are better able to manufacture these gadgets.

I am not criticizing or condemning business because it is big. I do not do that. I am not asking to destroy big business; no. I am only asking that the little man be given a fair opportunity together with the big-business man.

We have these public demonstrations by the Small Business Administration. They will have big charts and they will have samples of gadgets that can be made. The little-business man will pick out something and say, "I can make that in my shop." All right. He investigates, and he finds out he has to have half a million dollars to equip his shop. If he were to get that half million dollars, he could make something that now General Motors or General Electric is making but would save the Government maybe 50 percent in the price. There would be enormous savings. But the SBA would have to say, "No, we can't let you have that much." Some of them would have to have a million dollars to equip their shops and plants. "No, we can't let you have that much. That is stepping on the toes of the big man. We can't go that far. Congress told us to stop, that we can let you have only $250,000."

BROADER EXPERIENCE NEEDED

That is not my appreciation of the efforts of the little-business man in this country. We should never make an agency permanent when we are so restricting them as we are restricting them here. We should wait and have a greater and broader experience than we have had in the past before we make the agency permanent. We should know more about the good they are going to do. I think the test in passing legislation for the little man is, we can say, "Yes, I voted for the little man, I voted for this bill, I voted for that bill and that bill," but that is not the test. The test is, when did I vote for the little man when the legislation was opposed by the big man. That is the test.

It seems to me that a lot of people do not like the little man to have equality of opportunity, but this Congress has expressed itself a number of times in that direction. I do not know of a single Member of this body who is not in sympathy with the small-business man, but sometimes when these bills come up and there is a conflict of interest between the big man and the little man, as to whom we are going to vote for, that is the test.

The United States Chamber of Commerce is a great organization. I know they do lots of good. But, like all big national organizations, the big people who are qualified become leaders, they become the managers, and they direct the policy of the organization. It is no different from any other national organization like that that is old. It is working hard. The people who have the time to devote to meetings and go to conventions are the ones who become the lasting leaders. And who are they in these national organizations? They are the big-business men.

I do not condemn them for it. I recognize their importance. Big business has made a great contribution to the success of this country both in time of peace and particularly in time of war. I am not condemning them. I only want equality of opportunity for the little man.

A United States Chamber of Commerce man came to see me about something. I said, "Now, that enables me to bring up a point that I want to ask you about. I have never found the United States Chamber of Commerce on the side of the small-business man when there was a conflict of interest between the small-business man and the big-business man. The United States Chamber of Commerce has always taken the side of the big-business man. I do not know of a single instance where it has ever taken the side of the little-business man in a case like that, where there was a conflict of interest."

He was a very sincere, conscientious person working at the United States Chamber of Commerce. He said, "I am going to take that up with our board and I am going to give you an answer, because there is bound to be an answer."

I met him 2 weeks later. I said, "Whatever happened to that request I made?" He said, "Well, I am certainly glad you mentioned it because just yesterday we had a board meeting and we discussed it nearly all day. We discussed the question that you brought up that the United States Chamber of Commerce always finds itself on the side of big business whenever there is a conflict of interest. We finally decided that that question could not be answered because it was just a trick political question." So there is no attempt made to answer it, but it is the truth. So whenever they begin to talk about little business and how sympathetic they are for little business, it would be well for them sometime in their career or in their history to be able to point to at least one time when there was a conflict of interest between the big ones and the little ones where they took the side of the little-business man when the little-business man was fought by big business. That is the test. Of course, you can always vote for a bill saying that you were for little business—this is for little business—this is for the benefit of little business. That is fine, but that is not the test. The test is whether you are doing enough for little-business men where they are opposed by the larger ones. I think we have done all right for the big people. I am not trying to take it away from them. I am not trying to do them any harm. All I want is to give the little man equality of opportunity. Not so long ago there was a banquet here in Washington. I think all Members were invited except one—I was not invited because I was supposed to be the victim, I assume. They were talking about me. It was about a bill that I have to amend the Robinson-Patman Act. They pictured that bill as a terrible thing. But, it is so simple—so simple. That bill would help the little-business man more than almost anything that this Congress could do. That bill is H. R. 11—or S. 11 in the other body.

S. 11

A bill to amend the Robinson-Patman Act with reference to equality of opportunity

DECLARATION AND PURPOSE OF POLICY

To reaffirm the national public policy and the purpose of Congress in the laws against unlawful restraints and monopolies, commonly designated "antitrust" laws, which among other things prohibit price discrimination; to aid in intelligent, fair, and effective administration and enforcement thereof; and to strengthen the Robinson-Patman Anti-Price Discrimination Act and the protection which it affords to independent business, the Congress hereby reaffirms that the purpose of the antitrust laws in prohibiting price discriminations is to secure equality of opportunity of all persons to complete in trade or business and to preserve competition where it exists, to restore it where it is destroyed, and to permit it to spring up in new fields.

Be it enacted, etc., That subsection (b) of section 2 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1944, as amended (15 U. S. C. 13 (b)), is hereby amended to read as follows:

"SEC. 2. (b) Upon proof being made, at any hearing on a complaint under this section, that there has been discrimination in price or services or facilities furnished, the burden of rebutting the prima facie case thus made by showing justification shall be upon the person charged with a violation of this section, and unless justification shall be affirmatively shown, the Commission is authorized to issue an order terminating the discrimination: *Provided, however,* That unless the effect of the discrimination may be substantially to lessen competition or tend to creat a monopoly in any line of commerce, in any section of the country, it shall be a complete defense for a seller to show that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor: *Provided further,* That nothing contained herein shall be construed to alter the law applicable to the absorption of freight or of shipping charges."

Please notice the last provision. It represents my views. The only time freight absorption is interfered with is when it is used for the purpose of price discrimination; that is by giving one merchant an advantage by paying his freight but refusing to pay the freight of his competitor across the street. As long as all competing customers are treated alike the law is not violated.

What does it do? It will really help the little man. It passed the House of Representatives by a vote of 393 to 3 a year ago. But, now it is being opposed by the big man. So the test will come. Here is a bill that will help little business which is now opposed by big business. Which side are we going to take? It is not often that we have a bill where there is a conflict of interest, but there is a bill here now. So this bill merely provides just exactly the same as we have provided with reference to railroad freight rates. Suppose a railroad were giving special discounts to certain shippers. You would not like it. The people of this Nation did not like it more than 70 years ago and they passed the Interstate Commerce Act. The Interstate Commerce Act says that whenever you ship over a railroad, you pay the same price per car and the same price per 100 pounds as anybody else pays. There is no discrimination. It provides that the carload rate will be the maximum discount on freight rates. Everybody is treated exactly alike. That is what the Robinson-Patman law is. It says to the big manufacturer who is selling to the retail stores in your hometown that they shall treat everybody alike. That is all in the world that it does. It says, "Mr. Manufacturer, when you come to my hometown and you have two representatives or outlets there in stores across the street from each other, and one of them is a big interstate chain which has stores all over the Nation and the other one is owned by local people we want them treated in exactly the same way on prices they pay for their merchandise that you treat the interstate chain on the basis of the same facts and circumstances. We are willing for you to make a difference in the price where there is a difference in the quantity or there is a difference in the cost of manufacture or a difference in the cost of delivery—that is perfectly all right. But do not discriminate against our hometown man and give the other person an advantage over him, which is not justified by any difference in cost of manufacture, sale, or delivery." That is the Golden Rule. That is nothing but the Golden Rule. How can you fight the Golden Rule? Suppose the Post Office Department was discriminating against people in the delivery of the mail? You would not like that. That bill is just a bill to prohibit discrimination against the little man. It is not a bill to give

him an advantage or an unfair advantage or an unequal opportunity.

It is a bill guaranteeing equality of opportunity, and that is exactly all there is to it. The big man says they do not want it. Why? All of them are not that way; most of them want the law. Most people want it because it protects them against the chiseler.

A lot of the big people complain that the chiselers make them, compel them, to give discounts they do not want to give. This law protects them from it, and they thank Congress for passing the law. It helps them.

CHISELERS, CHEATERS, AND RACKETEERS

But there are certain people who like to be chiselers—there are not many; there are just a few—chiselers, cheaters, racketeers. They do not like the Golden Rule bill. They want the privilege of making discounts and unearned allowances, under-the-table settlements, and dishonest money passing. There are not many of them, but remember this, Mr. Speaker, that laws are made for the exceptions; they are not made for the general rule.

The general rule of people are law-abiding people. You do not need laws for most of them; you pass laws only for the exceptions, and the exceptions among the big-business people who are manufacturers and sellers to the hometown merchants, the exceptions are some cheaters, some chiselers, and a few racketeers—not many, just a few, but enough to destroy many small-business people, and that bill will help them more than anything else.

HIGH INTEREST CAUSES INFLATION

Another thing that small-business people need is a relief in taxes, and I could mention other things, but the worst thing that is hitting all America today is high interest. High interest causes high cost; high cost causes high prices; high prices cause high inflation.

I wish we had here a committee that would take it upon itself to investigate this problem and not say that the lender is so sacrosanct that we cannot even call his name, that interest is such a sacred word that we cannot mention interest. I wish we had an investigation made by people who are not timid here in this House, who are not shy, and who are willing to call a spade a spade, and who are willing to point their fingers at the people who are actually causing the inflation by causing higher and higher interest rates.

Mr. MARTIN. Mr. Speaker, I yield such time as he may desire to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, in view of the speech just made by my very eminent and highly respected friend, I think some answer should be made in the way of a review of the history of this thing. It is familiar to some of the Members, but it might possibly be new to others, especially the newer Members.

Seventeen or eighteen years ago, after the outbreak of hostilities in Europe it became apparent that the impact of an increasing defense effort was jeopardizing the small business of this country.

At the time, and I think it was 1939, our minority leader, Mr. MARTIN, of Massachusetts, who was then minority leader, created a Small Business Committee. It was a Republican Small Business Committee. He made me chairman of that committee. We undertook to hold some hearings around the country. They were very illuminating, and, I think, very helpful. They attracted a lot of interest. After that time the gentleman from Texas introduced a resolution for the creation of an official Small Business Committee of the House of Representatives. That resolution was adopted and the committee was created.

He became the chairman of that committee and I became the ranking Republican member of the committee. I served in that position until I became majority leader of the 80th Congress, at which time I relinquished my membership on that committee.

May I say that throughout the years we did things that were useful for small business. Sometimes I disagreed with my chairman [Mr. PATMAN]. On many thing we did agree. He has mentioned one thing here that I would like to discuss briefly. He has mentioned the bill, S. 11. He speaks of it in connection with the Robinson-Patman Act. You are undoubtedly getting a lot of communications with reference to S. 11 and this bill. I supported the Robinson-Patman Act. I was here when it was written into law. I think that these unfair discriminations in respect to prices among distributors should be prohibited. But the gentleman from Texas has had something else he consistently adds to that, sometimes out in the open and sometimes where you cannot see it so clearly.

If I understood him correctly, through the years he has been very much of an advocate of the abolition of so-called freight absorption. To explain, many manufacturers in this country have a policy of quoting a delivered price and they adjust that out of the freight. That is, they absorb the freight charges. Let me show you how it works. You talk about what favors the big man and you talk about what favors the small man. Here is a big soap company with manufacturing plants all over the United States. They are producing in the consuming area, their freight charges are not high. But here is one little soap company that is located in your hometown or my hometown. It advertises nationally, it sells all over the country. Why, they cannot sell a bar of soap in one place for 15 cents and in another place for a dime. In order to compete with the big company they have to be permitted to absorb freight. The whole economy of this country has been built on that sort of program. I say when we begin to tinker with that we tinker with something that is a very delicate matter.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Texas.

Mr. PATMAN. May I urge the gentleman to consider the bill that is pending, S. 11 does have a specific provision against anything that interferes with the basing point system. The gentleman is clearly wrong about that, I will say to him. This does not affect it, and I am opposed to that, like the gentleman.

Mr. HALLECK. I well recall when we were having those recurring fights over the so-called basing point system that the gentleman was an open advocate of the elimination of freight absorptions; is that not correct?

Mr. PATMAN. Only where it involved price discrimination, where they were using it as a means to discriminate against a local merchant. I am against that when it is used as a means for discriminating in price.

Mr. HALLECK. The gentleman has said the chamber of commerce is always on the side of the big fellows. There are chambers of commerce in Lafayette, in Valparaiso, in Warsaw, Ind., all in my district. There are a few big concerns with plants in 1 or 2 of those towns, but the 800 or 900 members of the Chamber of Commerce of Lafayette, Ind., are not big-business people. They have their choice. So let us keep this thing where it ought to be. I did not get permission to speak out of order, and the gentleman from Texas did not get permission to speak out of order, but S. 11 has nothing to do with the measure that is before us.

Mr. PATMAN. I will state it does have something to do with it because it involves small business.

Mr. HALLECK. We are setting up here a Government agency. The gentleman objects to it because it is a permanent agency.

I would like to recount a little more history with the gentleman on that very point. He will recall with me that when we established the Small Business Committee we saw that shortages of material were handicapping small business. These firms were not getting the part of the defense effort they should have had. So we decided something ought to be done. I have heard the gentleman say a hundred times, and I have said it myself, that the big fellows have their people in Washington to plead their case. The small-business man generally cannot do that.

What did we do, I ask the gentleman from Texas? We set up a separate small-business operation, the Small Defense Plants Corp. Then we had a Smaller War Plants Corp.

Mr. PATMAN. The Smaller War Plants was the first one.

Mr. HALLECK. Let me remind the gentleman from Texas I stood with him at that time and I have not changed my mind since. I might also say to him that there have been some vigorous arguments about it in some places.

But I thought that we needed a separate organization to avoid what otherwise might be the domination of the very interests that you seem to fear.

Now, there have been contentions lately that the present small business organizations should be merged in the Department of Commerce. There are many responsible people who urge that there should be no duplication; that everybody should be treated alike in the one Department. Personally, I have opposed that because I believe there is a place for this kind of small business organization.

Now, you can see from that, and the fact that the gentleman from Texas through the years stood with me on that proposition, or I stood with him—let us put it the other way around—I am nothing less than astounded that he would now come in here, when it was sought to set this organization up on a permanent basis, recognizing, of course, that at any time the Congress wants to terminate it, it could terminate it—but to find some sort of a question why he cannot go along with this legislation.

Now, I say in all frankness that it would seem to me that he was seeking to read a very definite implication that somehow or other since President Eisenhower has been in office and for 2 years the Republicans had control of the Congress—that somehow or other that bodes ill for small business. I just do not happen to feel that it does. So, feeling that way about it, I do not see why there should be any reason why this should not be made permanent because, again, let me remind the Members of the House that through the years back there long before this administration ever came into power, when I am sure we had administrations that the gentleman from Texas would argue were all for small business, we found it necessary not only to enact specific legislation but to continue the establishment of a special small business corporation to look after the interests of small business. So, why now confuse the issue Why not go along with this program that I say is a sound one. Here is a chance to prove whether or not you are on the side of small business. Here is a chance to say to small business, "We think you ought to have special consideration. We are going to see to it that you have it so far as it is within our power to see that you get it." And I might say if the $250,000 is not enough for the loan maximum, why it is perfectly simple to offer an amendment to increase it, and I am not so sure that I would not go along with it. But somewhere there comes a line that we have to draw.

Mr. PATMAN. Mr. Speaker, if the gentleman will yield, I expect to offer an amendment to take the limit off, just like it is on all other concerns.

Mr. HALLECK. Well, I do not think I would buy that one. I do not think I would go sled length on that. Frankly, I will say to the gentleman, in my State there is a great automobile corporation, Studebaker, which has been in existence for a long time, now teamed up with Packard. I want them to get along; I want them to do well, and I hope they will survive in the competition with others. I do not know whether you would have this corporation loan them enough money to insure their staying in the picture or not, I do not know. But I say that somewhere you have to draw the line, and I say it is high time we make it clear that we are in favor of small business, and I think this legislation is one place where, by staying with it, you can establish that very fact.

Mr. O'NEILL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

CALL OF THE HOUSE

Mr. VAN PELT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 121]

Bailey	Colmer	Krueger
Barden	Cooley	McConnell
Beamer	Dawson, Ill.	May
Blitch	Grant	Norrell
Bonner	Gray	Powell
Bowler	Griffiths	Roosevelt
Boykin	Holifield	Shelley
Brownson	Holtzman	Taylor
Buckley	Kearney	Vursell
Christopher	Kirwan	Wilson, Ind.

The SPEAKER pro tempore. On this rollcall, 399 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill, H. R. 6287, making appropriations for the Departments of Labor and Health, Education, and Welfare.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

SMALL BUSINESS ACT

Mr. SPENCE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7963) to amend the Small Business Act of 1953, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7963, with Mr. Boggs in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. SPENCE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H. R. 7963 is a bill to extend the Small Business Act and to make permanent the Small Business Administration. If we are to preserve our way of life, if we are to encourage competitive independent business interests, it is essential to give some help to the small-business man. He is the backbone of our economy. He is the preserver of our liberties. Competitive small business is an attribute of free governments.

Small business, in the broad competitive field, is at a disadvantage. There is no such permanent group in our country as small business. The small-business man of today in this land of opportunity may be the big-business man of tomorrow. I do not want to create any animosity between the small-business man and the big-business man. Every small-business man, who is a normal American, wants to become a big-business man some day; and a great many of them attain that goal. But in the process he meets many obstacles. It is the purpose of this bill to see that small business is preserved in America. I do not know any finer achievement that could be had, or anything that would inure more to the happiness of our people and the stability of our institutions than that. To paraphrase the well-known poem:

Ill fares the land, to hastening ills a prey,
Where wealth accumulates, and men decay;
Princes and lords may flourish or may fade;
A breath can make them, as a breath has made;
But a bold middle-income class, the country's pride,
When once destroyed, can never be supplied.

We must preserve the small-business man. We must give him some advantages in order that he may maintain his position and continue to exert his influence and strength for the benefit of his community and the welfare of all our people.

This bill gives to the small-business man help and accommodation that he otherwise could not obtain. The greatest need for the small-business man is the assurance that he can obtain sufficient finance to carry on. He is often at a disadvantage because entrenched big business is always able to obtain sufficient finances for its operation. Often the small-business man meets obstacles which he might not surmount unless there were some Government help that would tide him over his difficulty.

This bill provides for direct loans by the Small Business Administration to the small-business man. But before he can get a loan, he must prove to the Administration that he cannot obtain it from private lenders.

The bill fixes the interest rate that the Government obtains on these loans. It reduces the present maximum interest rate from 6 percent to 5 percent.

The present law also places a ceiling on the interest rate obtained by the participants. This bill places no ceiling on the interest charged by the private lenders who participate in the loans. The accepted applicant is assured of getting a loan at not more than 5 percent from the Government. If the private lender wishes to participate, the Government does not attempt to control his interest rate. This provision protects private enterprise from Government competition.

Under the present law there is established in the Small Business Administration a Policy Committee. It consists of the Administrator of the Small Business Administration, the Secretary of the Treasury, and the Secretary of Commerce. This has been changed in the present bill. The committee feels that the responsibility for administration should be centered in the Administrator and that he should be also responsible for the policies adopted.

The Policy Committee has been abolished in the bill and in lieu thereof

The resolution was agreed to.

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an Advisory Committee has been substituted. The Advisory Committee under the bill consists of the Administrator, the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 nor more than 6 members representing small business. I think this is a desirable amendment because I have always believed that public officials charged with a duty should have no excuse for evading responsibility.

I believe the interest rate should be as low as the Government would fix it without loss. Some of these loans are for long periods and the interest rate will be an important factor. A low interest rate will save the borrower a substantial amount. I do not anticipate the Government's sustaining any loss with this provision for a lower interest rate.

I wish to recall to you the Reconstruction Finance Corporation's fine record and the great accomplishment it achieved without loss to the Government. You remember the Home Owners Loan Corporation, that was set up as a rescue measure in times of deepest depression. At that time banks, railroads, and insurance companies were failing and men were being dispossessed of their homes and farms. That Corporation was created to help the people. It loaned over $3 billion to the people in distress. It made over a million loans and saved the homes of approximately 5 million people. When it was finally liquidated there was paid into the Treasury $14 million.

I think we can have somewhat the same beneficial result with the Small Business Administration. The American businessman wants to pay his debts, and I think he will pay them. I think we can furnish this help to these people who are greatly in need of it without any loss to the Government.

I think it is desirable to establish this agency as a permanent one. The objective is of sufficient importance to justify a permanent agency.

If you value our way of life, if you want to see our Government continue in the future as it has in the past there is a powerful motive to have the small-business man survive that we shall not come to a situation "where wealth accumulates and men decay." For that reason, I think this Administration should be a permanent Administration. I believe as time goes on, as it gathers experience, as it becomes wiser in the administration of its affairs, it will do a better and a better job.

These are some of the salient features of this bill. I know of nobody who is against its objective. Some may have objections to technical provisions, but I am confident that you are going to pass it by an overwhelming vote. I do not think it is necessary for me to take any further time of the House. Others may discuss definite features of the bill. I have spoken of its definite purpose. It is a truly American bill. It will aid in perpetuating our institutions and our financial structure in the same way that has heretofore given us the strength, confidence, and prestige that we have today. May that always continue. The importance of small business should persuade us to ungrudgingly provide for this assistance. I do not say that with any prejudice against big business. I know men who have started without anything who have become millionaires. The small-business man of today may be the big-business man of tomorrow. As long as the profit motive remains and opportunity presents itself there is no fixed category of small business. But we must see that small business will still remain as numerous as it has existed in the past and that it shall continue to exercise the same influence and be of undiminished importance. I hope the House will pass this bill.

Mr. TALLE. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I agree fully with the gentleman from Kentucky [Mr. SPENCE], chairman of the Committee on Banking and Currency that everyone is in favor of small business. I agree with him too in his statement that every small business should have the opportunity to grow. If we did not agree to those principles, we would be out of harmony with what we say when we take great pride in the fact that ours is the land of opportunity. Anyone who reads the history of the origin, development, and growth of Douglas Aircraft knows that large business can grow from a small undertaking. There is ample evidence in the business world that giant oaks from little acorns grow. I can cite more than one industry in my own district which proves that to be true, but I also say that most businesses in my State are small and most businesses in the United States are small. There is good reason why everybody should be in favor of small business.

Now, Mr. Chairman, perhaps, it may be helpful, especially to Members who have not served in this Chamber a long time, that I review some history relating to the Small Business Administration. SBA was enacted into law on the 30th of July, 1953. So you see it is not quite 4 years old. In my opinion it has done a very good job during its short tenure and has won for itself a useful place in our economy and in my opinion the right to continue.

This agency was amended in 1955 and its functions have been enlarged. It is the first independent Government agency created to serve and represent all small business both in time of peace and in time of national emergency. Looking at the general purposes of this agency we find that they are:

First. To assist in supplying adequate credit for small business;

Second. To see that small business gets a fair share of Government procurement; and, of course, that has been a large part of total business these past years; and

Third. To develop competent management, and to offer technical and production counsel to small business.

In addition to these broad general purposes, the Small Business Administration has inherited a number of functions. I always felt that the service which was performed by the Reconstruction Finance Corporation for small business was good. As you recall, those of us who believed that to be true were eager in mid-1953 to see to it that, inasmuch as the RFC would expire in September of 1953, another agency should take over the functions that had been performed for small business by the Reconstruction Finance Corporation.

In addition to the functions that were inherited from the Small Defense Plants Corporation and from the Reconstruction Finance Corporation some added functions have been assigned to the Small Business Administration. I believe I should read a paragraph or two from a statement of the Small Business Administration itself in which it sets out its functions. I read from the statement the following:

> In addition to the activities specifically authorized in the Small Business Act of 1953, as amended, the Small Business Administration as a part of its financial assistance operations is cooperating with the Fish and Wildlife Service of the Department of the Interior in the administration of this Department's fisheries loan program. The Small Business Administration develops the necessary credit information for such loans which are closed and administered through its regional offices.

The statement continues:

> Its regional offices are also servicing the liquidating of disaster loans made by the Reconstruction Finance Corporation which were transferred to the Small Business Administration by Reorganization Plan No. 2 of 1954. The agency has been working closely with the Housing and Home Finance Agency in connection with its community facilities disposal program to determine whether Small Business Administration loans may be made to purchasers of Government-owned business properties held for disposal by that agency, and with the medical facilities branch of the Department of Health, Education, and Welfare in developing a program of loans to proprietary hospitals, nursing homes, and medical and dental laboratories.

Indeed, the functions of the Small Business Administration are numerous and broad in scope; and I repeat that I believe a good job has been done, and a good job is being done.

How much money could SBA lend under the law in 1953? The limit was $150,000 to a single borrower. Under an amendment of 1955 the amount was raised to $250,000. A subsequent amendment permitted a corporation pool to be formed and the sum that might be lent in that case would be $250,000 times the number of firms participating in the loan.

You will note on the front page of the report that accompanies this bill that there are five changes proposed in the pending bill. I will not take time to review those changes, but you will note, Mr. Chairman, that one of the changes has to do with the Loan Policy Board. May I ask this question: How many members know what the Loan Policy Board, as now constituted, does not do? That Board, you know, is made up of the Administrator, the Secretary of the Treasury, and the Secretary of Commerce. The Policy Board does not supervise the SBA. It does not manage the SBA. It does not review the loans. It does not make any determination as to what loans shall be made.

Then, what does it do? It does two things. It formulates general policies for the SBA to follow. Secondly, it coordinates the policies of the SBA with the policies and activities of other agencies of Government. It seems reasonable, keeping in mind that the money lent by SBA is taxpayers' money, money from the Treasury, that lending policies should be adopted with care and coordinated with policies of other Government agencies.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. TALLE. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, I repeat that the SBA deals with taxpayers' money. In the second place, it is the business of that agency to see to it that it does not lend taxpayers' money unless it is in the public interest that it do so. The agency, in my opinion, has followed that policy scrupulously. Would it not seem reasonable, too, that a board of that character should be made up of people who know what the other activities and policies of the Administration and of our Government may be? However, in the opinion of the majority of the Committee on Banking and Currency, a revision is proposed and the chairman of that committee has pointed out what that revision is.

Let us now look at the criteria that are kept in mind when SBA lends money, for those are the criteria that are used in all good financial management. In textbooks on money and banking they are usually referred to as the three C's. Those three C's are character, capacity, and capital. Obviously, the most important criterion is the character of the borrower. It matters not what other considerations might enter into the picture, if the borrower is not of good character the loan would not be safe. Then there is the ability to carry on the business successfully which is the capacity part of the three criteria and, finally, the borrower should have enough capital himself so that with what he has and with what he can borrow he will have a favorable chance for successful operation of his business.

There are some other functions that SBA performs. Let me mention those briefly. For instance, it assists small business by giving good financial counsel. That is not unimportant. It explores means for the borrower to get money from other lenders so that SBA is not competing with private business. It steps in when small business cannot get money on reasonable terms from other sources. The Small Business Administration looks into the accounting of these firms with a view to helping them, in the event that their accounting is bad, or that their auditing procedures are defective. In addition, it assists small business in getting defense contracts.

Now, inasmuch as time is rather short, some other matters that might well be discussed will be passed over. I will not enter into the difference between what is called deferred participation loans and immediate participation loans or say anything about direct Government loans. But, may I point out, that the SBA has been very successful in getting banks and private lenders to participate, because 70 percent of the loans made by SBA have been participation loans and banks in every State of our Union have joined with SBA in that form of lending, as well as in Alaska, Hawaii, Puerto Rico and the District of Columbia. So, you see participation loans are popular, and SBA is proceeding to carry on that aspect of its business very well.

Time being so important, may I turn now to one change in the bill which I would like to propose, and that is the matter of definition. I wonder how many of us in the Congress of the United States, 531 in both Chambers, would like to carry out the assignment that this bill proposes. There may be a good many people who know how to do it, but I think most of us would confess that we do not know how to define small business. There are so many things in life, you know, that we understand, but if we are asked to define them we may have considerable trouble. Accordingly, may I devote some time now to the definition of small business.

It reminds me of what a friend once said when he was trying to describe something that was very small. He said, "It ain't so big as nothing hardly." A business may start, you know, as a rented peanut wagon on the street. Then the man becomes an owner. Then later he occupies a little cubicle in a store. In good time he owns the building, and later on, like Mr. Penney, he may have chain stores in every State of the Union. It is normal for a thing to be small at the start and grow to be big.

Now, about the definition of small business:

There is one provision in the bill which is bound to cause a great deal of trouble. This provision would require a change in the definition of small business for procurement purposes and require that the changed definition be put into effect within 30 days after the enactment of the bill. Basically the existing definition of small business for procurement purposes is determined by a test as to whether or not a concern has more or less than 500 employees. Such a definition has been in effect for procurement purposes for the past 15 years. Over the years there has been some refinement in it, such as the requirement that the concern be nondominant in the field of operation and that an exception be made if the Small Business Administration determines that despite the fact that the firm may have over 500 employees it still, in effect, is a small business when consideration is given to the specific product which it produces and wishes to sell to the Government. Basically, however, the procurement test is 500 employees.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield to the gentleman.

Mr. MORANO. I have a little firm in Stamford, Conn., which started just the way the gentleman illustrated, as a small business, and has worked up to a point where it now hires over 500 people. The name of the firm is Consolidated Diesel. I have been unable to get a determination from the Small Business Administrator as to whether or not this firm is dominant in the field. I do not think it is. I do not know whether the amendment that the gentleman is talking about would cover a firm such as this.

Mr. TALLE. I will say to the gentleman that what I am attempting to point out is the difficulty that arises when a certain definition is applied to two situations that are unlike. It may serve well for one situation but not for the other. I should like to proceed with my statement, if I may, at this time.

Mr. MORANO. I would like the Administrator to decide this question sometime.

Mr. TALLE. I shall be very glad to cooperate with the gentleman in solving that matter, if I can.

Mr. MORANO. I may need the gentleman's cooperation.

Mr. TALLE. Insofar as I can be helpful, I shall be glad to cooperate with the gentleman.

Over the years SBA has developed a definition of small business for purposes of loan assistance. Under the financial definition a business may be small or large with the number of employees varying all the way from 250 to 1,000 employees. There is where you get into trouble. The procurement definition says 500 employees or less. The financial definition is 250 to 1,000. If you use the financial definition for both, you are in trouble.

The bill provides that unless the SBA comes up with a new definition of small business for procurement purposes within 30 days, then the existing financial definition would also be made applicable for procurement purposes. Should the financial definition be put into effect for procurement purposes, it is sure to cause a lot of trouble and complaints from small-business firms. A small-business concern with 450 employees is now eligible for Government procurement. Under the financial definition there will be cases in which such a firm would no longer remain eligible because under the financial definition a concern making that particular product would be considered big business if it had more than 250 employees. Such firms, made ineligible for procurement purposes by the change in definition, will I am sure be writing to their Congressmen to find out why they have been cut off from procurement under the set-aside program.

Use of the financial definition for procurement purposes will have another effect. Under the financial definition some firms are small-business firms even though they have more than 500 employees but do not exceed 1,000. In other words, use of the financial definition for procurement purposes will make eligible for procurement certain concerns which are now not eligible. This, of course, will intensify competition for the smaller business concerns. Whereas now a small-business concern with 300 employees has to compete only with other concerns with 500 or less employees in connection with procurement awards, in many instances, the small-business concern is going to find that, after the change in the definition, it has to compete with firms with up to 1,000 employees. I

think Members will be receiving letters of complaint from smaller firms so affected.

An attempt to apply the financial definition for procurement purposes overlooks certain basic facts. A definition for financial assistance readily lends itself to industry classifications. The SBA uses 452 such industry classifications. Furthermore, in the process of determination, if financial assistance should be extended to a small-business concern, considerable information is developed on a specific company basis, which enables the SBA, the only Agency involved, to determine if the company is a small-business concern. Currently, the SBA is making about 3,500 business loans a year.

Let us look at the problem of procurement. Approximately 50,000 manufacturers are competing for Government procurement, and there are 14 Government agencies involved with procurement. Procurement, of course, is done on an individual product and commodity basis. While I do not have figures on the number of items involved in Government procurement, yet I do recall that during the war the statement was made that the Department of Defense alone purchased over a million separate products and items. In many cases one small-business firm alone may produce hundreds of different items involved in Government procurement, and it may in fact be selling to the 14 separate procuring agencies.

The point I am making is that the problems involved in financial assistance and in procurement are vastly different. I suspect that the definition problem would be analogous to the differences and difficulties encountered by deciding that a 2-inch wire-mesh container was a satisfactory container for oranges and then attempting to use the same container for dried shell beans. It is obvious the container would be satisfactory for oranges but just would not work for the beans.

Even granted that improvement can be made in the definition of small-business concerns for procurement, I think the provision in the bill requiring that this be established and placed in effect within 30 days is most unreasonable. It just is not possible to place a new definition in effect within that period of time. Any new definition must be promulgated by the SBA. The Department of Defense and other procuring agencies must issue appropriate regulations relating to the definition, and then the Department of Defense and other procuring agencies must implement them through the chain of command down to the contracting officer. For the life of me, I cannot understand why, after 15 years, it is now proposed that a change must be made within 30 day's time.

When the bill is being read for amendment, I propose to offer an amendment changing this 30-day period to 90 days, so that the SBA and the Government procuring agencies may have a reasonable time to develop and put into effect a new procurement definition without completely disrupting the entire Government procurement program.

Mr. Chairman, finally, I should like to say a word about the anomalous situation we are in. We are in favor of small business, all of us. The smallest business I first knew was the farm, the homestead, which my grandfather got from Uncle Sam. The next in order was a crossroads general store that my uncle ran. He sold there everything from baby shoes, calico, tobacco, and candy, to neck yokes, whiffletrees, clevises, binder twine, and buggy whips. That was in addition to the groceries that were sold over the counter in return for eggs that were brought in by farmers. That enterprise has never gotten to be big but it has always been a successful one. Not all small businesses have a desire to be big, but they can be successful anyhow. The reason why businesses have grown from a small size to a large size is that they have been alert to their opportunities. They have managed well. They have made profits. They have accumulated earnings and those earnings have been plowed back into the business. That is the normal, historical development for business in the United States. But what happens now? Within latter years, the tax rate has been so high on business and it has been felt so keenly, especially by small business, that instead of building on its own earnings and growing in the normal American way, small business has to pay a large share of its earnings into the Treasury of the United States. Then the money travels from the Treasury to the Small Business Administration. Thereupon, the businessman who paid his taxes makes an appeal to the SBA for a loan. The normal thing would be that this small-business man would build on his own earnings. But, he cannot do that with the tax rate as it is. So, I submit to my colleagues that the really effective and long-time remedy that we can give to small businesses is to see to it that the earnings they make are in large degree kept by the people who make them. Then they will be able to build and flourish on their own earnings, and there will no longer be need for them to go to Washington, D. C., to borrow money on which freight is paid from out yonder to Washington and from Washington back yonder.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Iowa [Mr. TALLE] has consumed 30 minutes.

Mr. SPENCE. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, the aim of H. R. 7963 is to provide an opportunity for small business to develop and make its maximum contribution to the national economy.

It rewrites the Small Business Act, making various changes in the interest of promoting a more vigorous and efficient program of assistance to small business. The principal changes are, first, to make the Small Business Administration a permanent agency; second, to increase the authorization for loans to small business; third, to provide for a more equitable share of Government procurement for small business; fourth, to reduce the interest rate on direct SBA business loans and on SBA's share of such loans made in participation with private lenders and to eliminate the ceiling on the interest rate on the private lender's share; and fifth, to replace the Loan Policy Board with a National Small Business Advisory Board. In the committee I did not favor changing the Loan Policy Board.

Small business is a symbol of opportunity, enterprise, innovation, and achievement. It is an independent way of life, standing for something quite essential to our freedom. In terms of dollars and people it occupies such a large portion of our economy that this country could not exist as it is today without this healthy, pulsating, and profitable small-business segment. Just how important these 4 million small businesses are to the economy of this country is pointed up by the fact that they are owned by approximately 7 million business men and women. They employ an estimated 30 million persons, including owners, managers, and executives.

The strength and vitality of our economy is based on the fact that new small firms have been started each year and that established small concerns have grown into large business. Such a climate for business enterprise can only be sustained when there is equality of opportunity among firms of different sizes, where it is the hope of every person entering business that they can grow and prosper. We in Congress are trying to keep these incentives alive and to assure that there is equal opportunity for those who are willing to risk their time and money in a business venture. Every Member here knows the importance to the communities in his district of small firms manufacturing in, and servicing these areas. Every Member also knows the invaluable contribution made by small firms to our national economy.

On at least three occasions, the Congress has deemed it necessary, however, to assist small firms by specific legislation. During World War II the Smaller War Plants Corporation was set up to assure small business of more equitable procedures and greater opportunities in Government procurement. Again in 1952 the Small Defense Plants Administration was established to provide assistance to small firms engaged in production for the Korean war. In 1953 Congress established the Small Business Administration as the first peacetime agency devoted exclusively to providing assistance to small business. The procurement, technical, and lending programs of former agencies were continued under this new agency.

The reasons for the establishment of SBA were obvious. Small firms were unable to obtain necessary credit from private sources, or to secure a fair proportion of Government contracts. Small firms had no representation on policy level in the Federal Government nor could they afford to have representatives either in Washington or throughout the country. Finally, these same firms were in need of technical and

management assistance with which to maintain or improve their competitive position. In every sense the Small Business Administration is the advocate and spokesman for small business in the executive branch of our Government.

After getting off to a disappointing start, SBA's business loan program has sharply increased in recent months. Of the total loan approvals, roughly 45 percent—both by number of loans and dollar volume—occurred in the current fiscal year.

Through April 30, 1957, SBA had approved 6,443 business loans, in a total amount of $295 million. SBA's share of these loans—including direct loans and immediate and deferred participations—amounts to $245 million; the balance of the loans are made by private lenders. Of this amount, $191 million had actually been disbursed through April 30, of which SBA's share amounted to $158 million. SBA's disaster loan approvals through April 30, 1957, total $63 million, of which SBA's share amounted to $60 million.

SBA's losses on its lending program through May 13, 1957, amount to $102,377.27. This is the total amount charged off, and involved six loans.

SBA's assistance to small business in obtaining a fair share of Government contracts is perhaps best illustrated by figures on procurements set aside for small business. The joint setaside program is carried out by SBA with the cooperation of Government agencies charged with procurement. SBA's representatives assigned to major Government purchasing offices review proposed purchases, determine the type of facilities needed to produce the items, evaluate the prospects for small-business competition, and advise procurement officials of those which they believe should be earmarked for competition exclusively among small firms. With the agreement of the contracting officer, all or part of the order is then set aside for small business. Through March 25, 1957, a total of 19,123 procurements had thus been set aside, in a total amount of $1,619,593,650.

It is generally agreed, I believe, that nearly everyone who has made any study of the problems of small businesses has found that adequate, sound financing is one of their most pressing problems.

I have known of many instances of small firms in my district—and I am sure all of you know of similar cases—where the management and ownership of a small firm is capable and enterprising, but where the firm is seriously handicapped by this lack of adequate financing. It is therefore unable to take full advantage of the opportunities opening up before it—to create more jobs and to play a more vital role in our expanding economy.

To help meet this financing need, the Congress authorized the Small Business Administration to make business loans under certain conditions. It is important, I think, to understand these conditions.

The law provided that business loans could be made only in those cases where financing was not available on reasonable terms from private sources. It was clearly the intent of Congress that every effort first be made by the concern itself, or the individual as the case may be, to secure private financial assistance. In this effort the SBA could offer its facilities if requested to do so. If the continued efforts of the applicant and the Small Business Administration were unsuccessful the next step is to arrange a bank-participation loan on a deferred basis, if that be possible. Finally, if these efforts failed, the Small Business Administration then had the authority to consider and to arrange an immediate participation or a direct Government loan.

The Small Business Act now authorizes SBA to make business loans in amounts up to $230 million outstanding and disaster loans up to $125 million outstanding. SBA may also take Government contracts, in amounts up to $100 million outstanding, for subcontracting to small-business concerns, but this authority has never been used. H. R. 7963 increases the business-loan authority to $500 million and reduces the prime contract authority to $25 million.

The Small Business Administrator recommended to the committee that the business-loan authority be increased to $450 million. SBA estimates that its loans and commitments outstanding will gradually increase over the next few years until repayments become large enough to stabilize the balance outstanding.

H. R. 7963 raises SBA's business loan authority to $500 million instead of the $450 million recommended by SBA. I believe that this additional authority will provide a reasonable reserve needed to cover contingencies which were not taken into account in the above estimates. For example, the $450 million ceiling proposed by SBA would not accommodate even a 10 percent increase in loan volume over the estimated $151.2 million a year.

The administration has consistently underestimated the needs for SBA loans both business loans and disaster loans. In July 1955 the Banking and Currency Committee reported out a bill to increase both authorizations, but the administration opposed the increases and they failed of enactment. Six months later, SBA had reached the limit of its disaster loan authority and was forced to make loans to flood victims as business loans. These were later converted to disaster loans after Congress acted early in 1956 to raise the limit. Early this year, SBA was approaching the limit of its business loan authority and urgently requested an increase, which the Congress enacted. We have accepted the assurances given by the Small Business Administrator this year that an increase in the disaster loan authority is not needed. I believe, however, that a modest increase in the business loan authority over SBA's recommendation is needed to provide a reasonable reserve, and to avoid another urgent request from SBA for a later increase.

I wish to point out that the $500 million figure does not constitute either an appropriation or obligational authority. It is an overall limit on the amount of business loans which SBA may have outstanding at any one time. In order to obtain funds to make loans within this overall limit, SBA must still obtain appropriations from the Congress, and the loan themselves constitute an income-producing investment for the Government.

H. R. 7963 would also eliminate the expiration provision from the present Small Business Act, thereby making SBA a permanent agency. The Small Business Act, which authorized the establishment of the Small Business Administration, was passed by the Congress in 1953. This original legislation provided that all authority under the act would terminate June 30, 1955. In the latter year, Congress amended and extended the act to July 31, 1957.

Operation and experience under such temporary legislation have revealed a number of limitations which hamper the efficient operation of the Small Business Administration.

There is a tendency to regard SBA programs as temporary expedients. As the expiration date of the Small Business Act approaches some institutions have hesitated to join with the agency in participation loans. This hesitation may be founded in the uncertainty that a bank committed to participation in a long-range program may incur unanticipated expenses arising out of the shift of responsibilities from SBA to a successor.

Government agencies may be reluctant to embark on long-range programs with SBA because they may find themselves burdened with additional responsibilities which they are not prepared to assume if SBA should be terminated.

A short-range temporary agency encounters personnel problems which can be alleviated by longer tenure. The demand for SBA loans has practically doubled within the past year and it is anticipated that this higher level of activity will continue into the future. It has been difficult to obtain a sufficient number of qualified financial specialists to carry forward the agency's financial-assistance program. If one trained employee is lost today, he may be replaced only with extreme difficulty because such employees are not attracted to a Government agency operating under a termination date effective in the near future. For the same reason there is a lack of incentive for longer range training programs to increase the efficiency of the agency.

Experience has indicated that better relations with the business world can be established if it is clear that SBA's small-business program is a continuing one.

It thus appears that establishing the Small Business Administration as a permanent agency will strengthen all of the agency's small-business programs.

H. R. 7963 would require SBA to change its definition of a small-business concern for purposes of Government procurement. SBA now uses two definitions: one for financial assistance and the other for procurement. The procurement definition uses a single standard for all industries; that is, with certain exceptions the classification of a concern as small

or large depends on whether it has fewer than 500 employees. Section 3 of the Small Business Act as rewritten by H. R. 7963 provides that if SBA uses a number of employees as a basis for determining whether or not a concern is a small-business concern, the number of employees which SBA fixes as a limit for small-business concerns shall vary from industry to industry. SBA would thus be required to prescribe a new definition without delay. If the new definition is not put into effect within 30 days, then SBA's present definition for financial-assistance purposes would be put into effect for procurement purposes also.

As a member of the Banking and Currency Committee, I have followed closely the work of the Small Business Administration. I believe that the work of the past 4 years has resulted in a financial-assistance program which is of benefit and most essential to the small-business concerns in our economy. From my own observations, and from the many favorable comments about SBA which I have received from small-business organizations, I know that the agency is also rendering effective service through its other programs of procurement, technical, and managerial assistance.

Actually, I believe that much of the criticism which has been voiced concerning the agency's operations is due fundamentally to a difference in opinion as to what the legislative authority should be. With the limitations which have been placed on personnel and funds and within the authority given the agency by Congress, I am convinced that the Small Business Administration has done a good job its first 4 years and has rendered effective assistance to small business. More can and should be done within each program. I believe that it is a continuous fight to maintain sound and competitive small business in our economy. The most effective step this body can take toward the achievement of that goal is to pass H. R. 7963.

Mr. TALLE. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. McVEY].

Mr. McVEY. Mr. Chairman, H. R. 7963 has been introduced to promote the welfare of small business in this country. There are certain purposes in this bill which should be mentioned. The principal ones are:

First. To make the Small Business Administration a permanent agency.

Second. To increase the authorization for loans to small business.

Third. To assist in the matter of Government procurement.

Fourth. To place a ceiling upon the interest rate that may be charged to borrowers.

Fifth. To replace the Loan Policy Board with a National Small Business Advisory Board.

Everyone recognizes the part that small business has played in the economy of our country. The number of small-business organizations far exceeds the number of large-business concerns. They represent an independent way of life. The freedoms allowed us under the Bill of Rights provide many privileges of importance to the individual, and one of these freedoms permits the individual to initiate and organize his own business.

There are about 4 million small-business concerns in our country today. They are owned by approximately 7 million businessmen and women. They employ approximately 30 million persons. With this in mind, the Committee on Banking and Currency has tried to provide a favorable atmosphere in which small business may function.

Through April 30, 1957, SBA had approved 6,443 business loans, at a total amount of $295 million. The SBA share of these loans amounted to $245 million. The remainder represents participation on the part of the local lending institutions.

It has been a definite aim on the part of SBA to permit small business to obtain a fair share of Government contracts. This is illustrated by figures on procurement set aside for small business. Through March 25, 1957, a total of 19,123 procurements had been set aside for small business, in a total amount of $1,619,593,650.

There are some features of H. R. 7963 which are controversial. This bill sets a ceiling of 5 percent on all Government loans to small business concerns. There are those who feel that the participation of local lenders will be stifled in sections of the country where banks would have to charge more than 5 percent for their participation in these loans. It is a principle of the small business program that borrowers will first attempt to secure funds from local banks before any help can be expected from the Federal Government. The Federal Government steps in only where responsible borrowers are unable to get money from local concerns. There are those who hold the opinion that because of this feature of H. R. 7963, borrowers will not strive as diligently for local loans, since they would rather secure money from the Federal Government at a ceiling interest rate of 5 percent. Our Committee, after a thorough discussion of this matter, decided to place the ceiling at 5 percent. In my own mind, I am doubtful if that is a proper provision in this bill. However, the measure does contain a number of good features, and I shall support the bill.

As stated above, the Small Business Administration, by this bill, is established as a permanent agency. In the past there has been a tendency to regard SBA programs as temporary expedients. Because of approaching expiration dates some institutions have hesitated to join with the agency in participation of loans. Then, too, Government agencies may be reluctant to embark on long-range programs, not knowing when the SBA will be terminated. Because of this and other difficulties, H. R. 7963 establishes the Small Business Administration as a permanent agency.

H. R. 7963 is not entirely satisfactory to me, but I plan to vote for its passage by the House of Representatives, because I feel that the merits of the bill outweigh any weaknesses which may exist.

Mr. TALLE. Mr. Chairman, I yield such time as he may desire to the gentleman from Connecticut [Mr. SEELY-BROWN].

Mr. SEELY-BROWN. Mr. Chairman, I rise in support of H. R. 7963—the Small Business Act of 1957. The main purpose of this legislation is to make sure that the small business community is given the continuing opportunity to grow and to make its needed contribution to the overall national economy. All of us, I am sure, believe that small and independent business is an essential element to the American system of competitive enterprise. By providing a healthy economic climate for small business we are in fact also providing ourselves with the best kinds of safeguards against monopolistic control of our entire economy.

The proposed bill before us makes certain important changes in existing law. I will list them briefly:

First. The Small Business Administration is made a permanent agency.

Second. The authorizations for loans to small business are increased.

Third. A new definition of small business for procurement purposes is established.

Fourth. The interest rate on direct SBA business loans and on SBA's share of such loans made in participation with private lenders is reduced.

Fifth. The Loan Policy Board is replaced by a National Small Business Advisory Board.

Now let me discuss briefly why these important changes are needed.

I am one of those who believes that the establishment of the SBA as a permanent agency will strengthen all of the programs presently being undertaken by the administration. As one who participated in two sets of hearings on this legislation—both as a member of Subcommittee No. 2 of the Small Business Committee and also as a member of the Committee on Banking and Currency—I am well aware of the limitations which have hampered the efficient operation of SBA because it was always operating under temporary legislation. This very naturally has resulted in a tendency to regard SBA programs as temporary expedients; it has made difficult the setting up of participation loans; it has resulted in a reluctance on the part of other Government agencies to embark on long-range programs with SBA because these agencies were fearful that the termination of SBA might add new burdens and responsibilities which they were not prepared to accept. In addition, a short-range temporary agency encounters personal problems of major importance. In the important field of financial specialists it has been particularly difficult to obtain qualified personnel because those whose service is sought hesitate to accept employment with a Government agency whose termination date may become effective in the near future.

I most sincerely believe that much better relations with the business world can be established if it is clear to all concerned that the SBA is permanent and its small-business program is a continuing one.

The question of giving an exact definition to the term "small business" has been a recurring one over the years. No single definition may be reasonably expected to meet all possible requirements. In recognition of the varying situations, I believe that the responsibility of drafting a definition should be placed wholly within the SBA. I am sure that a workable definition has been established by the SBA in its financial assistance program. I believe that the same flexibility and adaptability must now be attained in the consideration of contract awards to small business by the Government.

As indicated earlier in my remarks, the authority for loans to small business is increased. Under present law the SBA is authorized to make business loans in amounts up to $230 million outstanding and disaster loans up to $125 million outstanding. Under the terms of the proposed legislation the business-loan authority is increased to $500 million.

This proposed legislation replaces the Loan Policy Board with a National Small Business Advisory Board. The Loan Policy Board, as presently constituted, consists of the Administrator of SBA as Chairman, the Secretary of the Treasury, and the Secretary of Commerce. It is charged with the establishment of general loan policies with particular reference to the question of public interest involved. Under the new proposal, this Board would be replaced by a National Small Business Advisory Board, consisting of the Administrator as Chairman, the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 nor more than 6 representatives of small business. This new and larger group might be more responsive to some of the very real problems faced by those who make up the small-business community.

The act now provides that SBA's business loans shall bear interest at the rate prevailing locally but not more than 6 percent per annum. In cases where a loan is made in participation with a private bank, the 6-percent ceiling now applies to both SBA's share and the bank's share of the loan. The legislation now before us would reduce the maximum permissible interest rate from 6 to 5 percent and would specify that the area to be considered in determining the prevailing rate shall be the Federal Reserve district where the money loaned is to be used. The 6-percent ceiling would be removed from the bank's share of a participation loan. The present spread between a 5-percent rate and 2⅞-percent cost of borrowed funds is adequate. During the next fiscal year the cost of borrowed funds will go up to 3⅛ and 3¼ percent under the recomputation of the interest-rate formula each year which is provided for in the act.

In conclusion, may I say, Mr. Chairman, I am well aware of the significant role that small business has played in the growing and expanding economy of our country. The members of the small-business community in my district and in every Congressional district stand as a symbol of independence, opportunity, innovation, and achievement.

Mr. TALLE. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Chairman, as a member of the Banking and Currency Committee, I want to congratulate our able chairman, Mr. SPENCE, for the fine leadership which he has demonstrated again in guiding the efforts of our committee during the consideration of this bill to amend the Small Business Act. The committee's consideration has been motivated by one single objective—the realization that legislation should offer genuine assistance to the needs of the several million small-business enterprises of this Nation. The committee has worked objectively and in basic harmony to prepare a bill which draws upon many years of study of the small-business question. In this, we are indebted to many of the members of the Select Committee on Small Business who have appeared before our committee to furnish us with recommendations and guidance based upon their detailed knowledge of the position of small business in our economy and its present needs.

I also want to congratulate the staff of the Banking and Currency Committee, which has produced an excellent report on this bill for the guidance of all of the Members of this body.

I shall not dwell at length upon the need for a vigorous small-business base in our economy. There does not seem to be any general disagreement with the conclusion that the free enterprise system in this Nation requires the preservation of opportunity for small companies to grow and prosper. All of our giant corporations today have been small in their beginnings. Through wise management and fortuitous decisions, these firms have grown into the industrial empires to which Americans may point with pride today. They are the monuments to the basic soundness of the free-enterprise philosophy. They are also great bulwarks in the defensive might of this Nation. Similarly, their efforts provide the basis for the standard of living which the American people enjoy today—a standard never before achieved in the history of mankind.

We are not, therefore, discussing legislation today which is intended to be beneficial to small business by being punitive to the rest of the economic community. What we are saying in this bill is that the Federal Government, using the basic philosophy of free enterprise, should work to create an economic climate in which small firms may thrive. This legislation does not attempt to lessen competition. It does not contain any factors which regiment small business. It does not remove the competitive element which is so necessary in the system of free enterprise. It does not substitute bureaucratic decisions for the decisions of management. It does not subsidize small business.

This legislation extends the Small Business Act of 1953, making certain refinements and changes in that act which we believe will help create a more vigorous small-business community. We are seeking here to strengthen the Federal machinery which has already been provided to serve small business. Here, I want to emphasize that our efforts have been directed toward service and not toward dictation.

The Small Business Act of 1953, enacted on July 30 of that year, created the first independent Government agency to serve and represent small business at the Federal level. It had three major objectives. The first was to provide credit through sound loans only when such loans could not be made through normal commercial channels. The second objective was to obtain for small business a fair share of Government contracts, both in periods of peace and war. The third mission which Congress assigned this agency was the providing of voluntary and competent managerial and technical assistance where and when such assistance was desired by small firms.

The Small Business Act wisely provided that, if credit was available from private sources, loans could not be made by the Small Business Administration. The agency has been administered in a manner which respected the letter of this provision. I believe that this is apparent in the fact that, through April of 1957, 4,483 of its approved loans, amounting to $212,171,000, have been made in participation with private lenders. The agency found direct financial assistance necessary only in the case of 1,954 loans.

The requirements of the Small Business Administration have followed sound business practices in requiring collateral for the loans which it has approved. This is most apparent when we look at the record. Through April of this year, the agency's losses in the lending program have amounted to only $102,377.27, involving six of its loans. This is an excellent average, attesting to the care which has been exercised in the handling of the agency's funds by its Administrator.

The bill before us today reduces the maximum permissible interest rate from 6 percent to 5 percent, depending upon the prevailing rate of the Federal Reserve district in which the money is loaned or used. Insofar as participation loans are concerned, the 6-percent ceiling would be removed from the bank's share. Since one of the chief problems which small businesses encounter today is the matter of raising capital on reasonable terms, these provisions seemed sound to our committee. With respect to efforts made by the present administration to control inflationary pressures, we believe that small firms have borne an unequal share of the present monetary controls. Therefore, we have concluded that this reduction in maximum interest rates would not be detrimental to the necessary efforts to control inflationary pressures.

The present bill also changes the complexion of the Loan Policy Board, which governs the policies of the Small Business Administration under which financial assistance may be rendered. This Board has been composed of the Administrator of the Small Business Administration, the Secretary of the Treasury, and the Secretary of Commerce. It has been subjected to much criticism, which I believe is entirely undeserved. It has been pointed out that

the Small Business Administration cannot be a truly independent agency unless the complexion of this Board is changed. I believe it is perfectly proper that the Small Business Administration function within the limits provided both by this legislation and by the President, who bears ultimate responsibility for its performance. In the sense that the agency's functions involve considerations of primary interest to the Department of Commerce and the Department of the Treasury, it is proper that general policies of any administration as developed by these Cabinet level departments of Government should be represented in the activities of the Small Business Administration. I believe, therefore, that the changes recommended in this bill—that the Loan Policy Board should be extended to include not only the Secretary of Commerce and the Secretary of the Treasury, but also the several representatives of the small-business community—will answer the criticism unfairly leveled at the previous Policy Board and still maintain the necessary coordination which must direct the general policies of the Small Business Administration.

In a time when the Federal Government is purchasing billions of dollars of goods and services for the military services, it is most important that every effort be made to see to it that small business is given a fair opportunity to participate. It is human nature among contracting officers that well-known companies should be given preference in the awarding of Government contracts. This usually means that the performance ability of small producers, particularly in the area of negotiated contracts, is not given the full consideration to which it is entitled. This has been a long-standing problem and was clearly recognized in World War II and the Korean hostilities. The working out of a more precise definition of small business will be helpful. I believe that the reiteration and strengthening of the procurement assistance provisions in this bill will once again impress Federal purchasing officers in all agencies that it is the intent of Congress that small business must be given a full voice in the awarding of Government contracts. Thus, since our tax dollars are composed so largely of revenues from small businesses, these small companies will have a fair opportunity to sell to the Federal Government those items being purchased with the tax dollars generated from the small-business community.

In conclusion, I want to say that I believe the Small Business Administration has performed a genuine service to the Nation's small businesses since its creation in 1953. There have been partisan attacks upon its operation which, in my way of thinking, have been either completely unjustified or unconstructive. I know of no Member of this Chamber who does not support the purposes for which this agency was created. And I see no reason why the facts of the agency's operation should be subjected to politically partisan judgments which would, in their effect, harm the services which the Small Business Administration is rendering the small businesses of our Nation. I am pleased to say that there would appear to be a majority recognition that the small-business question has no place in partisan politics. It should not be a political football.

In view of the record which the Small Business Administration has achieved, I want to urge support of this bill today by all Members of the Congress, and I feel confident that it will be supported enthusiastically by Members on both sides of the aisle. If this is the case, I am confident that the small businesses of this Nation will be the beneficiaries and then we will achieve what our committee has attempted to create—a strong, independent, permanent agency with a specific mission of service to the Nation's small businesses.

Mr. SPENCE. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, I want to take this opportunity to urge support for H. R. 7963, the Small Business Act, as reported out by the House Banking and Currency Committee, of which I am a member.

Although this legislation will do very little to assist in the disastrous plight of small business, it unfortunately seems to represent the full distance that this Congress will go.

At some early date, it is my hope that a full and complete review can be made of the problems of small business while small businesses still remain a part of the American scene. The overpowering capacity of big business to fix suitable pricing arrangements, to borrow money, and to gain preference on the public and private markets, pose a most serious threat to the future existence of small business.

My community has perhaps as many small business enterprises as any district in the country. These small businesses have a very difficult time of it, particularly when it comes to borrowing the necessary funds for expansion and doing business. The current high cost in the use of money is forcing many small-business men to either close their doors or operate on a day-to-day basis. They are not able to participate in long-range planning programs or expansions which require long-term loans. Their only other alternative is to sell out to large businesses and leave the competitive arena. This trend cannot go on without seriously affecting the existence and competitive capacity of small business. Other means of stimulating and protecting small business enterprises must be devised.

The legislation which we are passing today will not provide much fortification to existing small businesses. The cost of using money must be brought down to realistic terms which small business can meet if it is to continue in its proper place in the American plan.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Chairman, I rise in support of H. R. 7963, which would not only greatly improve the operation of the Small Business Administration, but would make that agency permanent. I have introduced legislation which would make the Small Business Administration permanent and, therefore, have a particularly keen interest in that aspect of this bill. This bill also accomplishes other excellent objectives, such as increasing the authorizations for loans to small business, providing for a more equitable share of Government procurement for small business and reducing the interest rate on direct Small Business Administration loans.

The fact that this legislation brings about great improvements in the field of Small Business Administration activities does not minimize the urgency of doing other things for small business which are not in any way covered by this legislation. I have already mentioned a bill which I have introduced which would make the Small Business Administration permanent. This is H. R. 559, and this bill which I have introduced also provides for many needed improvements for small business which are not included in the bill before us today.

Last year the President's Cabinet Committee on Small Business made 14 specific recommendations for assisting small business. On the first day of this session I introduced H. R. 559 to change present statutes to carry out the recommendations of that Cabinet Committee. In addition to carrying out the provision of making the Small Business Administration permanent, other proposals of the Cabinet Committee were embodied in my bill, as follows: Reduce income taxes on business corporations from 30 to 20 percent on incomes up to $25,000; give businesses the right to utilize accelerated depreciation formulas for purchases of used property; give a dividends paid credit up to $25,000 income of corporations with 10 or fewer stockholders; give an option of paying estate taxes over a period of 10 years in cases where the estate consists largely of investments in closely held businesses; simplify wage reporting for social security and withholding tax purposes; enable closer Federal scrutiny of mergers and make procedural changes to facilitate enforcement of antitrust statutes; extend Federal regulation of corporate mergers to banking institutions; increase the maximum amount of an issue of corporate securities which the Securities and Exchange Commission may exempt from registration from $300,000 to $500,000; authorize and direct a Budget Bureau study to eliminate useless and overlapping requests for information from businesses.

It is certainly deeply regretted by me that it is possible that the governmental procedures are so slow that an officially appointed Cabinet committee can make recommendations in 1956 and legislation can be introduced on the first day of this session embodying those recommendations and restricted to those recommendations, and yet here toward the end of this session of Congress we find ourselves without any departmental reports or other constructive progress on such legislation, except for the one item already mentioned—the making permanent of the Small Business Administra-

tion. I sincerely hope that the legislative procedure can be speeded and that action can be taken in the Treasury Department and the Bureau of the Budget on H. R. 559 and that if reports from those agencies are not soon received, the House Ways and Means Committee may take affirmative action on this legislation without waiting further for any such administrative reports.

Mr. SPENCE. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, may I first congratulate the distinguished chairman [Mr. SPENCE] and the members of the committee for having brought this legislation before us today. It is a distinct step forward in meeting the needs of small business. There cannot, however, be any question but that small business needs more help than it is receiving from this legislation. In going over the bill and the report, I believe there are a few things which deserve specific emphasis in order that attention may be called to them in the minds of the small-business community. On page 12 of the report of the committee, it is particularly important that we note the change in the language which has been made in the law so that now the Administrator of the Small Business Administration is specifically instructed that a loan may be granted by the Small Business Administration either of sound value or so secured as to reasonably assure repayment. The word "or" is, of course, the important one. One of the great difficulties of small business has been to secure capital loans and this new instruction to the Administrator will assure that the capital loan will be given more favorable consideration.

Another important factor, of course, to small business has been the cost of money, and it is encouraging to see the maximum amount reduced as far as the Government is concerned from 6 percent to 5 percent. There is one point in the interest-rate discussion in the report and in the language of the bill which I feel sure should be clarified again, perhaps, for the guidance of the Administrator. It has been noted that the 6-percent ceiling would be removed from the bank's share of a participation loan. This would seem justified, inasmuch as the Government may, in my opinion, and evidently in the opinion of the committee, not dictate to private industry how much money it should charge. But in the deferred loans which are made it does seem to me that this deferred loan is in actuality a guaranty by the Government of the financial institution making the loan. I would like to ask a member of the committee if I am correct that it is the policy of the committee that that deferred part of the loan shall be included under the 5-percent limitation on Government loans.

Mr. SPENCE. Yes; the 5-percent ceiling applies to the deferred part of the loan.

Mr. ROOSEVELT. I thank the chairman.

Mr. MULTER. Mr. Chairman, will the gentleman yield to me on that very point?

Mr. ROOSEVELT. I am very happy to yield to the gentleman.

Mr. MULTER. It might be well to point out here with reference to the deferred participation that that is even a better guaranty than you get when the bank participates or a lending institution participates in the FHA program. In that program they cannot call for payment except on default; and when they call for payment on default, they get Government bonds. But in this program, upon the agreement being executed for the deferred participation, in accordance with the terms of that agreement, the bank then calls upon the SBA, not for bonds but for cash. They get the exact amount unpaid at that time in accordance with the deferred participating agreement. When SBA pays the bank at that time, the SBA to that extent becomes the lender.

Mr. ROOSEVELT. I thank my distinguished colleague. I think it is now very clear and I am sure the administrator will so follow the instruction. It is important to point out to small business that the bill again refers to what are known as pool loans. Small business should take advantage of this provision of the act, and there is no question that many of the difficulties in financing necessary credit will be amply alleviated. The committee is to be congratulated in their changing of the language in order to establish beyond any question that this pool arrangement may be made to obtain raw materials, equipment, inventories, or supplies for the use of the concerns in the pool as well as for establishing facilities for such purposes.

Mr. Chairman, there are, I think, a number of other things which we should emphasize. On page 12 of the bill in section 7 (a) we point out and make very clear to the Administrator that these loans are not only short-term loans but specifically spells out that these loans are, and I quote:

> To supply such concerns with working capital to be used in the manufacture of articles, equipment, supplies or materials for war, defense—

And I emphasize again—

> or civilian production.

I think that if the Small Business Administration will construe this section properly many of the long-term working capital difficulties of small business will be overcome.

Again I say I think it is important to know that this can be accomplished over a 10-year period. Ten years is the maximum; but, again, it is my understanding that because it is the maximum it does not mean that the Administrator has to shy away from the maximum. A working capital loan should most certainly receive the maximum period whenever possible.

Mr. Chairman, I would like to discuss for just a moment one other portion of the bill which is found on page 24 in section 9 (c) where the Attorney General "is directed to make, or request the Federal Trade Commission to make for him, surveys for the purpose of determining any factors which may tend to eliminate competition, create or strengthen monopolies, injure small business, or otherwise promote undue concentration of economic power in the course of the administration of this act."

In the subcommittee on which I have the privilege to serve of the House Committee on Small Business we have found over and over again the tremendous difficulty of small business concerns in trying to secure the equal application of the law. Whenever a small business files a complaint either with the Federal Trade Commission or with the Justice Department the problem and the difficulty of getting action in time to be of any use to that small concern is one that practically never gets solved.

Mr. BASS of New Hampshire. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from New Hampshire.

Mr. BASS of New Hampshire. Going back to deferred loans, it is my understanding, and I would like to ask the gentleman from California if it is not his understanding also, that the initial funds are the banks' funds, are they not?

Mr. ROOSEVELT. Yes.

Mr. BASS of New Hampshire. If that is true and if the bank is limited to 5 percent, does not the gentleman think that the deferred loan program will be dried up, because no bank would be willing to lend at 5 percent less the premium to the SBA?

Mr. ROOSEVELT. All I can say in answer to that is that under the 6 percent program it worked very well, and I am sure that if the 5 percent program turned out to be onerous the committee would do something about it. I think we must look at the total overall proposition, as the gentleman from New York so well stated it. In actuality the Government guarantees the bank and I think the terms at 5 percent should be pretty attractive to any lending institution.

Mr. BASS of New Hampshire. Following that through, if the bank has to pay, say a 1 or 1½ percent fee to the SBA, its return would be less than 4 percent. I doubt if any bank would be willing to lend money on that basis.

Mr. ROOSEVELT. I will yield to the gentleman from New York [Mr. MULTER] to answer that specific question.

Mr. MULTER. There is no fee charged to the bank in this program, and that is why this is a much more attractive program than the FHA. Under the FHA program on a 5½ or 6 percent mortgage there is a one-half percent paid. Here there is no premium paid.

Mr. BASS of New Hampshire. I am talking about deferred loans where I understand there is a premium charge by the SBA. I agree with the gentleman that this is otherwise a good bill. But what small businesses in my area are interested in is not so much whether the rate is 5, 5½, or 6 percent, as where and how to get the money. I am fearful that if we limit the interest rate to 5 percent, small concerns will not get the money they need.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SPENCE. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. MULTER. My attention has been directed to the fact I was in error when I said there was no fee charged. There is a graduated fee charged in the deferred participation program. Again let me point out, however, that it is a better program so far as the bank is concerned than is FHA. They get the actual cash, as was pointed out a moment ago. When they call on SBA to take up its part of the deferred participation loans they do not get bonds; they get cash immediately in accordance with the agreement. In other words, if the bank is lending $100,000 and the deferred participation is $25,000, when the bank says, we want our money, the SBA gives them $25,000 in cash. It is an unconditional guaranty.

Mr. ROOSEVELT. I would say to the gentleman from New Hampshire that, in my opinion, he has raised a good point. If the Small Business Administration finds it is not getting the great cooperation which it is getting now on a 6 percent basis, it would be quite proper for the Administrator to report that immediately to the Committee on Banking and Currency and to come in and have us change it as rapidly as possible.

Mr. BASS of New Hampshire. I thank the gentleman.

Mr. ROOSEVELT. Mr. Chairman, I sincerely trust this section 9 (c) will be given very careful consideration by the Department of Justice, the Attorney General and the Federal Trade Commission, in order to try to work out a system of providing quick adjustment for small business concerns in having their complaints properly attended to.

Lastly, Mr. Chairman, may I point out there is not in this bill one of the most important things which I think we need to do for small business because it does not come under the jurisdiction of this committee. That matter is the question of taxes for small business. A way must be found for small business to be able to retain sufficient funds from profit to enable it to expand and to enable it to raise its own working capital. I sincerely hope that the Committee on Ways and Means will move forward so that at the earliest possible moment we may have tax legislation to favor and to help small business.

Mr. Chairman, this is a good bill. I hope it will pass and become law. Particularly is it to be hoped that the Small Business Administration will then move fully to carry out its improved provisions for the assistance of small business.

Mr. TALLE. Mr. Chairman, I yield such time as she may require to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, I am happy to give my support to H. R. 7963—the Small Business Act bill. I am sure we all realize there are certain fields in which opportunities for small business in America must be widened.

My only regret is that this legislation does not include other important provisions recommended by the Cabinet Committee on Small Business last year. I realize, of course, that a tax-relief provision could not be included in a Banking and Currency Committee bill; that field is under the jurisdiction of the Ways and Means Committee. But it is my hope that additional action by the Congress will be forthcoming on this and other recommendations.

In fact, it is my intention to introduce legislation covering these remaining recommendations within the next few days. I realize other bills presently are pending in these fields, but I want to reemphasize through the introduction of such legislation the need for Congress to carry out the entire small-business program.

Meanwhile, I believe we Members of the House should commend the Banking and Currency Committee for its outstanding service to small business in writing this legislation which we now are considering.

The committee's work indicates deserved recognition of the vital role small business has played in our economy throughout our Nation's history.

As the committee noted in its report:

> Small business is a symbol of opportunity, enterprise, innovation, and achievement. It is an independent way of life, standing for something quite essential to our freedom.

Certainly, we should do all that is possible to encourage small-business concerns, to help them grow and expand.

This bill is a forward step in realizing that objective. In this legislation, we make the Small Business Administration a permanent agency; we authorize more loans to small business; we give small business greater assistance in obtaining a greater and fairer share of Government procurement, and we reduce the interest rate on Small Business Administration loans.

Such actions, I am certain, will help small business in important areas. They will help establish and preserve a healthy economic climate for small business. I wholeheartedly urge favorable action on this important bill.

Mr. TALLE. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. HILL].

THE SMALL BUSINESS ADMINISTRATION A PERMANENT INDEPENDENT SPOKESMAN IN GOVERNMENT FOR SMALL BUSINESS

Mr. HILL. Mr. Chairman, it gives me a great deal of satisfaction to speak in behalf of H. R. 7963 which among other things will give a permanent status to the Small Business Administration. This legislation is the culmination of many years of hard work by many of my distinguished colleagues. It is the result of years of study and continuing efforts to assure the small business concerns of our country a truly independent spokesman in our Government. H. R. 7963, in my opinion, should be adopted unanimously by the membership of this House and without amendment.

At this point I desire to compliment the distinguished chairman of the Committee on Banking and Currency, the gentleman from Kentucky [Mr. SPENCE]; the distinguished ranking minority member of that committee, the gentleman from Iowa [Mr. TALLE]; as well as all other members of the Committee on Banking and Currency who, I know from firsthand knowledge, have labored diligently to bring before the House a bill which we all can support.

I also want to congratulate the membership of Subcommittee No. 2 of the House Small Business Committee which has a continuing responsibility in examining the progress and operations of the Small Business Administration. I will have more to say about that subcommittee later, but certainly some of the credit for this bill is due to the distinguished chairman of Subcommittee No. 2, the gentleman from New York [Mr. MULTER], and his colleagues on the subcommittee, the gentleman from Illinois [Mr. YATES], the gentleman from Oklahoma [Mr. STEED], the gentleman from New York [Mr. RIEHLMAN], and the gentleman from Connecticut [Mr. SEELY-BROWN]. It is, I think, fortunate that two members of this subcommittee, the gentleman from New York [Mr. MULTER] and the gentleman from Connecticut [Mr. SEELY-BROWN] are members of the Committee on Banking and Currency. I might also mention that the distinguished chairman of the House Small Business Committee, the gentleman from Texas [Mr. PATMAN] is also a member of the great Committee on Banking and Currency.

It is a major accomplishment to bring before the House a bill about which there is so little controversy. Differences of opinion as to how best to accomplish the most good for our economy and our country are always to be expected. The happy omen here for the small-business sector of our economy is that most, if not all, of the differences of opinion as to methods and procedures have been resolved. This, I think is a testimonial to all those Members of Congress and to those officials of the administration who have worked diligently and sincerely to achieve the best possible results through small-business legislation.

A SMALL-BUSINESS AGENCY IS ESSENTIAL

In the past, when we were engaged in great productive efforts for the defense of our country, small business, while contributing much, encountered serious handicaps. They found it difficult to obtain prime contracts; they were unable to obtain sufficient quantities of scarce materials; they suffered from competition among producers for skilled labor; and they frequently were unable to obtain adequate credit. In each of the last two military conflicts, agencies were established by Congress to help small firms resolve these and other pressing problems. As a matter of fact, the Smaller War Plants Corporation and the Small Defense Plants Administration were established not only to assist small business to produce for the defense effort but actually to prevent the complete abandonment of this important segment of our economy. Small firms were, of course, the hardest hit in the cutback of production for a civilian market; and in the earliest years of both World War II and the Korean war, Government procurement offices took the line of least resistance by awarding prime contracts, providing financial assistance and directing materials orders to the larger companies. These two agencies played a most important role in protecting and assisting the small firm.

In 1953 we found that two wars had seriously affected the competitive structure of our economy. We also found that with a large part of the Federal budget being expended on defense production small firms needed continuing assistance in securing Government contracts. They are still unable to obtain adequate financing, particularly in the form of long-term credit. And because of increased competition in the civilian market, small business also needed assistance in obtaining the latest information on technical and managerial subjects.

In the 83d Congress we recognized the need for an independent Federal agency to help resolve these problems of small business by establishing the Small Business Administration. I am proud of the fact that I was the author of the bill which became the Small Business Act of 1953, establishing the Small Business Administration. Programs were authorized by the Small Business Act so that small firms might receive help in each of the foreign areas.

In the 84th Congress the Small Business Administration was continued for another 2 years but with certain revisions in the basic legislation. The limit on individual loans which could be made to small firms was raised from $150,000 to $250,000; pool loans were authorized whereby groups of small firms could join together to obtain or produce raw materials or supplies. In this instance the $250,000 limit could be multiplied by the number of small concerns which have combined to form the new corporation. The interest rate to be charged on Small Business Administration loans was set at a maximum of 6 percent, while a drought disaster program was authorized whereby small firms whose business had suffered because of the effects of a drought could obtain 3-percent loans. There were also other perfecting amendments.

Many of the changes in the 1955 Small Business Act, recommended by the House Small Business Committee, were accepted by the Committee on Banking and Currency and were unanimously adopted by the Congress as a means of improving the efficiency and the effectiveness of the Small Business Administration.

Again in this 85th Congress certain changes in the Small Business Act of 1953, as amended, have been recommended. Subcommittee No. 2 of the House Small Business Committee has again held detailed and exhausted hearings on the operations of the Small Business Administration. As a result of these studies, 12 of the 13 members of the Select Committee on Small Business joined together to introduce bills identical to H. R. 7474, as introduced by the chairman of the subcommittee, the gentleman from New York [Mr. MULTER]. As you know, the Banking and Currency Committee also held extensive hearings on H. R. 7638, H. R. 6645, H. R. 7474, and many other bills dealing with the Small Business Administration.

Mr. Chairman, I have reviewed in some detail the past history of Small Business Administration legislation for one reason, to point out and emphasize as strongly as I can that H. R. 7963 as reported by the Committee on Banking and Currency is the result of many years of study by these two committees of the House. We who have been so interested in and concerned about the problems of small business believe that this is good legislation. It is also very necessary legislation. Small firms in our economy still face many of the same problems they faced in the early 1940's and in the early 1950's; their difficulties vary only as to degree.

Mr. Chairman, we believe the Small Business Administration has done a good job. We also feel that more needs to be done. The legislative changes recommended in H. R. 7963 should do much to assure that small business receives the greatest possible assistance.

I wish to state most emphatically that those who say that there should be no distinction made between small and large business enterprises or that the problems are the same regardless of size do not know the economic facts of life. This is not class legislation but legislation which is beneficial to our entire economy. If the small, independent businesses are ever permitted to disappear from our competitive society, we will have also lost the foundation of our free and democratic political society. I cannot emphasize this point too strongly.

THE SMALL BUSINESS ADMINISTRATION—A PERMANENT AGENCY

The most important provision in this bill, H. R. 7963, and the most important change in the original act, is that a permanent agency is called for—a permanent, small business agency which will be independent of all other agencies of the executive branch of the Government and responsible only to the President and the Congress.

Mr. Chairman, I have felt most strongly over the past years that only a permanent agency can do the effective work Congress has felt to be so essential to the welfare of our small business concerns. I am most happy that the Banking and Currency Committee is now recommending that this be done, and I am sure that my colleagues will all agree that a permanent agency is necessary. It is important to note that the administration also has asked for a permanent agency, and in our Small Business Committee hearings this recommendation was emphasized by officials of the Small Business Administration, the Departments of Commerce, Treasury, Defense, and Justice and the General Services Administration. Several small business associations, representing small firms locally and across the country, entered a strong plea for a permanent Small Business Administration. There are many good and valid reasons why such an extension is necessary. In my testimony before the House Banking and Currency Committee—if I may repeat it here—I stated that:

> I, personally, do not know of any opposition to the proposal for a permanent agency either within the House of Representatives or within the Senate. Even though the reasons for permanency are all too obvious, I should like to enumerate a few of them for this committee.
>
> First, since World War II, the small firms in our country have found increasing competitive pressures because of rapid growth in all phases of our economy, because of technological change generated by this growth and because of the great benefits derived by the largest business concerns in producing for the defense effort. Of course, the greatest handicap to small business has been our burdensome Federal tax structure. However, as we all are too well aware, small firms have for a great many years encountered difficulty in securing adequate long-term credit, in securing a fair proportion of Government contracts, and in maintaining a strong competitive position through the utilization of the latest information on management and technical matters. While I believe there has been progress made in the solution of many of these problems, there still remains much to be done. The programs authorized by the present Small Business Act are designed to provide assistance in these very areas. Only through a permanent, independent agency, however, can the importance of small business to our economy be given the recognition and attention it deserves.
>
> An independent agency, acting as a spokesman for small business among the various Government departments and agencies, cannot achieve the necessary cooperation when the latter feel that perhaps the entire program might terminate at the end of 2 years. I believe that better long-range cooperative programs will be established if the other agencies of the Federal Government know that the Small Business Administration is on an equal footing and is not in the category of the casual visitor—here today, gone tomorrow.
>
> Similarly, the banks of this country will be more willing to participate with the Small Business Administration on loans to small-business concerns when they know that the lending program is on a permanent basis. It is difficult to retain the necessary interest and cooperation when a program is on a temporary basis.
>
> While the Small Business Administration's financial and procurement personnel are among the best obtainable, morale and personnel recruitment can be greatly improved if the agency is made permanent. As we all know, even the old-line agencies have difficulty competing with private industry for specialists of the caliber needed and desired by the Government.
>
> Finally, I might mention that all the small-business men and small-business organizations with whom I have talked believe that a concerted effort is needed to assure small firms a place in our economy. Not only do they contribute immeasurably to a diversified peacetime economy, but they constitute an integral part of any defense program. If we do not attempt to resolve their difficulties now, these small firms will be lost for any future all-out defense effort.

Mr. Chairman, I should like to comment on various other aspects of this bill where changes have been made to permit more effective assistance to small business. I strongly support such changes. By way of explanation, I might say that earlier in this session I introduced H. R. 6645, the administration's bill, with regard to extension of the Small Business Administration. I was happy to do this. As a result of further and very detailed examination of the legislation and operations of the Small Business Administration, however, I have concluded that

even further improvements may be made through the adoption of H. R. 7963.

NATIONAL SMALL BUSINESS ADVISORY BOARD

First, I should like to refer to the change in the Loan Policy Board. Until now this Board, as provided by law, consisted of the Secretary of the Treasury, the Secretary of Commerce, and the Administrator of the Small Business Administration as Chairman. This Board has done a commendable job, primarily because of the individuals delegated by the two Secretaries, who participated in the Board's deliberations. No one can deny that the loan policy has been flexible. I do believe, however, that this must be strictly an independent agency. In the past, when this has not been the case, small business never received the necessary consideration or assistance. Even now I do not feel that the Small Business Administration is sufficiently removed from Commerce or Treasury, or the Department of Defense, to do the best possible job. Individuals come and go in the Federal Government, but Department policies, particularly with respect to small business, are a long time in changing to met new situations. The Small Business Administration is designed as a spokesman for the small-business concerns of this Nation; it must render services and provide counsel on an independent basis. I think, too, that this agency must remain in close touch with small-business men throughout the country. It seems wise, therefore, to have small-business men and small bankers represented on the Advisory Board. No coordination between agencies in the executive branch of the Government will be lost, since both the Department of the Treasury and the Department of Commerce will also be on this Advisory Board. The Administrator will himself be able to determine what is in the best interest of the Nation and small business, and will, in making this determination, utilize the thinking of this Advisory Board.

INTEREST RATES

H. R. 7963 proposes that the interest rate on the Small Business Administration's share of a loan shall be at 5 percent or the rate prevailing in the appropriate Federal Reserve District, whichever is lower. The change is recommended for several reasons among which are the cost of money to the Small Business Administration; the lending rate of other Federal Government lending institutions; and the fact that small firms not only need such financial assistance but need it at a rate of interest which will assist them in becoming financially sound. I do not feel that this will materially affect the participation aspects of the Small Business Administration program since banks will be allowed to charge their own rate on their portion of the loan. This type of loan on which a bank pays the Small Business Administration a fee for the agency's participation agreement accounts for only 30 percent of the number of business loans made and only 24 percent of the amount of the Small Business Administration share of approved business loans. Finally, I might mention that business concerns must still apply to their bank for a loan, and be turned down, before the Small Business Administration can consider the extension of credit. How, therefore, can it be said that a lower rate of interest would place the Small Business Administration in competition with banks?

DEFINITION OF SMALL BUSINESS

As I mentioned previously, in the 1955 amendments to the Small Business Act of 1953, Congress stated most emphatically that it did not want small business to be defined for procurement purposes as any concern which had 500 or fewer employees. It was the thinking of our committee that what can be considered as small business varies from industry to industry. This is the way it has been defined by the Small Business Administration in its financial assistance program. It was the Small Business Committee's desire that this same philosophy be applied to Government procurement. I believe that if a sincere desire to accomplish this is evidenced by the Government procurement agencies and by the Small Business Administration, a more appropriate definition than that presently used can be developed. H. R. 7963 will help to accomplish this.

THE SMALL BUSINESS ADMINISTRATION SHOULD STUDY THE COMPETITIVE PROBLEMS OF SMALL BUSINESS

I would like to comment on one of the provisions of this bill, namely, section 9 (a), which directs the Small Business Administration to make studies of matters materially affecting the competitive strength of small business and of the effect on small business of Federal laws, programs and regulations. As a result of such studies, the administration is directed to make recommendations to the appropriate Federal agencies or agency for the adjustment of such programs and regulations to the needs of small business. I believe this is one of the most important provisions of H. R. 7963 since, as the spokesman for small business, the Small Business Administration must be responsible for a thorough knowledge of the problems of small business and for advising other Federal agencies of these problems and their possible solution. It is quite evident that up until now the Small Business Administration has not studied sufficiently the tax problems of small business, the credit situation as it affects small concerns throughout the country, the current status of small firms under the various antitrust statutes, the availability of scarce materials and numerous other areas in which small firms are currently experiencing difficulty. A study program of the Small Business Administration under this legislation could contribute immeasurably to the understanding of Congress of such small business problems and to administrative and legislative remedies which are necessary to resolve these problem areas. I sincerely hope that the Small Business Administration will with this authority institute a vigorous and intensive search into the competitive status of small business concerns.

H. R. 7963, as I have emphasized, is a bill which represents many years of experience with small business legislation. This bill is as completely nonpartisan as it is possible to write a bill. It represents the best all-around solution of the many difficult problems which are present in any legislative enactment of the Congress.

Mr. Chairman, I repeat my earlier statement that H. R. 7963 should pass, and I hope all Members of the House will join in making its passage unanimous.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. BREEDING].

Mr. BREEDING. Mr. Chairman, I rise in support of this legislation.

Mr. Chairman and distinguished colleagues, I would like to make a few remarks concerning the bill now under discussion here on the floor amending the Small Business Act.

It is my feeling that this measure will promote a more vigorous and efficient program of assistance to small business.

There are various business organizations in my district who will be interested in the provision increasing the authorization for loans to small business. As you know, there are many depressed areas in my own district brought on through the drought situation. It is my feeling that this legislation would assist them materially. The interest rates on direct SBA business loans under this particular legislation are most attractive, and would encourage more people to participate in this program.

Also, under the measure now under discussion, more people will be encouraged to participate in the disaster-assistance program. Due to the drought conditions, and the storms which we have been experiencing of late, it has been necessary to extend this type of assistance to several organizations within my district. Should this measure be enacted into law, wider coverage would be extended to such areas, and the benefits offered under this program would be much broader in scope.

Mr. SPENCE. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, the Small Business Act of 1953 which was amended in 1955 is due to expire shortly. In view of the imminence of the expiration date of the Small Business Act, Subcommittee No. 2 of the House Small Business Committee, of which I have the honor to be the chairman, conducted extensive hearings on the operations of the Small Business Administration. The members of that subcommittee other than myself are the Honorable SIDNEY R. YATES, of Illinois, the Honorable TOM STEED, of Oklahoma, the Honorable R. WALTER RIEHLMAN, of New York, and the Honorable HORACE SEELY-BROWN, JR., of Connecticut. Their help in writing this bill was invaluable. A vote of thanks is also due the staff members, majority and minority, of that committee and of the Banking and Currency Committee.

At this point, Mr. Chairman, I desire to take a moment to say how happy I am and how proud this Congress should be with the fine spirit of nonpartisan cooperation that has moved all of our colleagues on both the Small Business Committee and the Committee on Banking and Currency in formulating this bill.

H. R. 7474, amending the Small Business Act, was introduced with the unanimous approval of all the members of the subcommittee. The bill was cosponsored by 12 of the 13 members of the House Select Committee on Small Business by their introduction of H. R. 7474 to H. R. 7483, inclusive, H. R. 7543, and H. R. 7563. Subsequent to the introduction of these bills, approved by the members of the House Small Business Committee, hearings were held by the Banking and Currency Committee on H. R. 7474.

Based on the hearings held by the Banking and Currency Committee and additional executive sessions of the Small Business Subcommittee No. 2, a new bill, H. R. 7878, was introduced by me with the unanimous approval of the members of the subcommittee.

The Banking and Currency Committee bill, H. R. 7963, now before the House, was introduced as a clean bill by its distinguished chairman, Mr. SPENCE. It was reported by a vote of 20 to 3. H. R. 7878, introduced by me and endorsed unanimously by the subcommittee of the House Committee on Small Business, although varying slightly from the bill before us now, is for all intents and purposes the same bill.

I would like at this time, Mr. Chairman, to indicate to the House some of the changes in the Small Business Act which this bill provides and also to indicate why these changes were made. Many of them have already been referred to.

First, permanency of the agency: The Small Business Administration was created in 1953 with an expiration date of 2 years. It was then extended in 1955 for an additional 2 years. This bill now makes SBA a permanent agency. The reasons for the overwhelming support of that provision are:

First. The needs and conditions requiring the attention of this agency are not temporary.

Second. Experience has demonstrated that temporary agencies cannot hold experienced personnel. With permanent status the agency will be able to recruit, train and keep better personnel; permanency will increase and improve the efficiency and morale of the personnel of the agency.

Third. Its relationship with the banks will be much better and on a firmer basis. Its position and relationship with other Government agencies with which it must conduct business will be better.

Fourth. In the interest of longtime needs of small business, the Agency should have permanent status. Experience has indicated that there is no other agency or department of the Government that can possibly supply the needed aid, assistance and service which Congressional policy demands for small business.

Not only do most of the members of the committees that consider the bill on the House side urge that the agency be made permanent but now even the Department of Commerce urges that it be a permanent agency, as does the Treasury Department. I think it is safe to say that the Bureau of the Budget has approved that portion of the bill. We have, I think, unanimous approval from the administrative side of the Government for the permanency of this agency.

It was not so long ago, you will remember, that the Department of Commerce urged that this Small Business Administration should be a part of the Department of Commerce.

I have dared to suggest that big business has its Commerce Department, labor has its Labor Department, and small business needs and deserves a Small Business Department. I hope that some day this Small Business Administration will attain Cabinet status.

Second, elimination of the Loan Policy Board: It has always been the Congressional intent, so stated in the law, that the Small Business Administration should be an independent agency in Government free from control of any other agency of the Government. Here, too, the overwhelming sentiment favors accomplishment of this long-time desire.

In view of the continued controversy over the Loan Policy Board, which consists of the Small Business Administrator, as Chairman, and the Secretary of the Treasury and the Secretary of Commerce, or their designees, it should be eliminated.

A National Advisory Board is created by this bill to be composed of the Administrator, as Chairman, and the Secretary of the Treasury and the Secretary of Commerce and not less than 2 nor more than 6 truly representative members of small business.

Policy should be the responsibility of the Administrator. Neither Treasury nor Commerce, singly or jointly, should have the right to make policy for SBA.

I would like to see the size of the Advisory Board left to the discretion of the Administrator. But that is a matter which can be easily corrected as future experience may dictate.

With the Loan Policy Board, as presently set up, controlled by two Cabinet officers, obviously the Administrator is subservient to them. The best proof that the Loan Policy Board does not serve a good purpose, in my opinion, is demonstrated by the fact that at every meeting of the Loan Policy Board the resolution as to policy has always been presented, and those are the only resolutions they consider, by the Administrator, and in every instance it has been unanimously adopted.

If there is such unanimity of thinking on the Board, and if the Administrator's view always prevails, then he does not need the Secretary of the Treasury or the Secretary of Commerce to do more than advise with him. If the opposite is true and their view always prevails, because he submits to their will, then our will, the Congressional will, is being thwarted and the Administrator has given up the independence the law vests in him.

It is extremely important at a time like this when the Treasury Department is advocating a tight-money policy that SBA be divorced from Treasury. Right or wrong, that tight-money policy is diametrically opposed to what we expect the Small Business Administration to do for the small-business man in need of a loan. So if for no other reason than the controversy that occurs because of the tight-money policy we ought to separate the powers and let the Administrator look to those other departments of government for advice but let the responsibility be his as to what should ultimately be done in implementing the Congressional intent.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. I think before the gentleman concludes his statement about the abolition of the Loan Policy Board it would be wise to point out that the new advisory board still will have two members, the Secretary of Commerce and the Secretary of the Treasury, who were on the Loan Policy Board, so that the new advisory board will still have the benefit of their wisdom and counsel in addition to the additional members who will be added.

Mr. MULTER. I thank the gentleman for that contribution. He is absolutely correct. The advisory board as continued in the proposed bill before us consists of the Administrator, the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 nor more than 6 other members of the board who will represent small business. I would like to see the size of the board left to the discretion of the Administrator. The committee feels differently and I am going along with that view. The important thing is that we do continue as members of the advisory board, the Secretary of the Treasury and the Secretary of Commerce.

Third, definition of small business: The definition of small business required rewriting in order to direct the Small Business Administration to properly implement the Congressional intent.

In 1953, in the Small Business Act, Congress laid down the general criteria for defining small business. The language was clear, concise, and without ambiguity. It stated that a small-business concern shall be deemed one which is independently owned and operated and which is not dominant in its field of operation. Congress further stated that the Administrator may use additional criteria in making his determinations such as number of employees and dollar volume of business. We certainly made clear that the old 500 employee definition should be discarded.

In 1955 the act was amended which enabled the Small Business Administration to issue individual certificates to small-business firms and required that such certificates be accepted by all other Government agencies as conclusive on the subject.

It was the desire of Congress to permit the Administrator to correct any inequities which might occur due to the general provisions of any definition promulgated by regulation.

In 1955, based upon hearings held by the various committees of Congress, we indicated to the Administrator that a definition for procurement purposes based upon these criteria was long overdue. The Administrator established an interagency task force, and after approximately 15 months finally recommended a double standard definition, one a so-called definition for procurement purposes and the other a definition for financial assistance.

The Administration's definition for its financial-assistance program set forth size standards establishing a numerical limit as a first guide for small business, industry by industry. It is our information that this definition has been working fairly well.

In the procurement field the old arbitrary 500 employee rule was continued without any change, without any consideration of the criteria established by Congress, subject only to the right of review by SBA in individual cases.

The Small Business Committee also recommended that the agency utilize the financial assistance size standards definition until it established a proper definition for procurement which more nearly effectuated the Congressional intent.

Despite this clear indication of Congressional intent, the Administrator put into effect his proposed definition as a definition of small business for procurement retaining the arbitrary 500 employee rule.

It therefore became obvious that Congress would have to rewrite the definition section in the act in order that the Administrator would follow Congressional intent and establish a definition for procurement purposes as required by the act.

H. R. 7963 grants the Administrator an additional 30 days from the date of enactment of the new act to establish a proper definition, and if by that time a proper definition for procurement purposes is not established by the Administrator then the size standard definition for financial assistance is to be the definition for procurement purposes until a new one is promulgated.

The Administrator has failed to follow Congressional intent. No action has been taken by him to date to discard the 500 employee rule. A proper definition for procurement purposes for small business is long overdue.

When we enacted the Small Business Act of 1953 we thought we were requiring uniform criteria for defining small business for all purposes. Certainly no one in or out of Government has ever suggested any good reason for having different criteria for financial assistance than for procurement.

Nevertheless, we soon found that the Defense Department was adhering to the old 500 employee definition. Because of the ease of operation with such an arbitrary though unfair rule, they resisted making any change.

They even told us that they would cooperate in accomplishing a change except that the law prohibited it. Inquiry soon established that the Defense Department was legally correct in its position.

Accordingly, when we amended the Small Business Act in 1955 we changed the law and repealed the arbitrary and obsolete 500 employee definition. We had a right to believe that that would bring about a change. It did not.

Since 1953, the Defense Department has been telling our committee that it was studying the matter of a new definition. We received the same assurance from the Small Business Administrator.

After the promulgation of the regulation setting up two different definitions, one for procurement purposes, which was the old 500 employee definition, and another for financial assistance, the House Small Business Committee asked every procurement agency to advise why they could not satisfactorily operate under the financial-assistance definition instead of the old one. Not a single Department could state any logical reason.

I am inserting in the RECORD at the end of my remarks the double-standard definition of small business as promulgated by the Administrator of the Small Business Administration on January 1, 1957.

I direct attention specifically to these statistics as disclosed by the financial-assistance definition in that regulation.

There are a total of 451 categories. Sixty-seven of them encompass as small-business firms those employing up to 1,000 persons; 91 up to 500 persons and 293 are categories of industry employing up to 250 persons.

The distinguished gentleman from Iowa [Mr. TALLE], has said the definition for procurement purposes has been in effect now for 15 years, that is the 500 employee definition. It has been in effect for 15 years and for 10 of those 15 years we have been trying to get the procurement agencies of the Government to change that rule. It is arbitrary, capricious, unfair, and unworkable. The best proof of that is found by examination of the definition as promulgated by the Small Business Administration referred to by me a moment ago.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I am happy to yield to the gentleman.

Mr. MORANO. What precisely is the definition as it is contained in the bill; if there is any?

Mr. MULTER. The definition as written in the proposed bill we have before us now continues the language that the business shall be independently owned; it shall not be dominant in the industry; and that in addition in making the definition, the Administrator shall take into account such other relevant criteria as apply including the number of employees and the volume of business—but not limited to that——

Mr. MORANO. Let me cite a specific example. I have in my own district in the city of Stamford, a company known as the Consolidated Diesel Co. It has grown from a small company to one that now employs over 500 people. For the purposes of procurement, it is not considered to be small busine as far as I can determine. Despite the fact that they have several categories of production in their plant—some categories employing 100 to 150 men and other categories employing from 100 to 200 men and so on, so that the aggregate is over 500 employees. He has not been able to get a contract under the small-business-program provision, because he is considered to be, despite the fact that he is not dominant in his field, he is considered to be big business. How will this provision the gentleman is talking about affect him?

Mr. MULTER. I think I understood the gentleman from Connecticut to say that this company manufactured engines; am I right?

Mr. MORANO. Yes; I think they do.

Mr. MULTER. I am glad the gentleman raised the question because it emphasizes the point I am trying to make. In the financial assistance definition as promulgated by the agency for lending purposes, the gentleman's constituent is small business, because in this very financial assistance definition manufacturers of engines can have up to a thousand employees and still be small business; and it is not strictly limited to 1,000, it may be more than a thousand and in some instances 1,100, 1,200, or even more, and still be small business.

Mr. MORANO. How would it apply if they were manufacturing motors, let us say generators? I think the dominant manufacturers in this field are General Electric and Westinghouse. I think it is generators.

Mr. MULTER. For financial assistance purposes I believe that category also permits up to 1,000 employees, so he qualifies as small business for the purposes of getting a loan. But because of the arbitrary 500-employee rule for procurement he cannot get a Government contract. In my opinion, that is the height of absurdity.

The point is we have been trying to get this old 500 rule changed, that stops the gentleman's constituent from participating in small-business procurement set-asides.

The Defense Department refuses to go along with us. Other procurement agencies have said they are ready to do it, if SBA comes up with their definition. In this bill we direct SBA to take this financial assistance definition and use it for procurement purposes until it can come up with a better definition. We give them 30 days in which to do it.

Mr. MORANO. That is another point. This bill requires that determination be made by the Administrator within 30 days after it has been presented to him. Is that right?

Mr. MULTER. No. In specific cases the determination must be made within 10 days. On the question of an overall definition, this bill in effect tells SBA to come up with a new definition for procurement within 30 days or use the financial-assistance definition until such time as the new definition is promulgated.

Another point that must be borne in mind is that we have written into the law and continued in this bill the provision that anyone who feels aggrieved has the right to apply for certification. He comes to SBA and says "I am small business." The Administrator will then have to weigh the facts and circumstances of the case and determine whether he is or is not small business regardless of the number of employees, and the procurement agencies are bound by law to follow the SBA findings.

Mr. MORANO. That is just the kind of determination I have not been able to get from the Small Business Administrator in the case of this constituent of mine.

Mr. MULTER. I will be glad to inquire about that and take it up with the agency with the gentleman.

Mr. MORANO. We have already been there.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SPENCE. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. WRIGHT. I, too, have a constituent in a situation similar to that mentioned by the gentleman from Connecticut, a small oil refinery employing fewer than 500 people. However, by reason of the fact that only last year the stock of this small oil refinery, which certainly is not dominant in its field, was purchased by a company in another line of endeavor entirely. The aggregate total of all employees being greater than the stipulated number seemed to have been the grounds for ruling this particular little refinery out of consideration under procurement.

Under the terms of this bill where any company is engaged in a line of business in which it is not dominant, as in the case of this oil refinery, but where its stock is owned by a company that is engaged in selling milk, and selling ice, altogether unrelated endeavors, inasmuch as its oil activities are not dominant in their field and inasmuch as it does not employ 500 people would it be eligible?

Mr. MULTER. Lack of dominance alone is insufficient. The point we are emphasizing is that the agency should not consider the number of employees alone nor any other criterion alone. If the company and all of its affiliates have more than 500 employees, it may be big business, or, may still be small business. I think the determining factor is not the number of employees but the overall picture, whether the company and its affiliates are independently owned and are they dominant in the industry, plus all the other pertinent and relevant facts and factors in the industry and in the particular firm. This is a situation about which we must be very careful. If General Motors, and I do not name it, in any invidious sense, started to manufacture some item and its production constituted only one-tenth of 1 percent of the production of the particular item in the whole field, and a procurement is set aside for small business in that field, General Motors cannot come in and compete for that item. General Motors is big business whether they are making this little item in competion with small business or not. SBA must take into account the overall picture. SBA should consider the number of employees, but only as one of the many criteria. It is only one of the criteria to be taken into account. It must not be the overriding or controlling one. It should not be the one that will conclude the whole problem. They must look at all the facts and circumstances in the industry and in the particular company and its affiliates, then make a determination.

Mr. WRIGHT. The determination would be made by the Small Business Administration?

Mr. MULTER. Yes, sir.

Mr. WRIGHT. The gentleman is saying then it is the intent of the committee, and it would be the intent of the Congress in the enactment of this legislation, that all matters should be considered, that the number of employees alone should not govern a determination and that the essential question is whether or not this particular concern under consideration is dominant in the industry?

Mr. MULTER. That is right. The gentleman points up the problem exactly. If you adhere to the old numerical definition of 500, and tomorrow I put one more employee on my payroll and I have 501 employees, then I am big business. That is ridiculous. Now, whether it is 501 or 1,001, you must look at the overall picture. That is why we have written the bill in such a way as to give sufficient flexibility so as to eliminate capriciousness or the possibility thereof entering into the final determination.

Mr. WRIGHT. I thank the gentleman.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Georgia.

Mr. BROWN of Georgia. Just because a firm or industry is a small business does not necessarily mean they are entitled to a loan, does it?

Mr. MULTER. No.

Mr. BROWN of Georgia. I think the gentleman should explain that. Some people think if you are little business you are entitled to a loan in any event. There are a lot of other things to be considered before you are entitled to a loan.

Mr. MULTER. The language of the bill is such that not only must they be small business but, in addition to that, the loan must be of sound value or there must be reasonable assurance of repayment. That "or" in the statute, which has been there since we first enacted it, has been interpreted by the agency to mean "and". The Small Business Committee brought forth a bill which said you could not do that. The Committee on Banking and Currency has recommended that we should not change the language which is clear and unambiguous. In order to make our intent clear, we do so in the report by saying that the language means what it says and if there is either sound value for the loan or reasonable assurance of repayment, the loan should be made if it is not available from private sources. I will refer to this problem again in a few moments.

To resume my principal statement with reference to the changes in the bill, I will take up the fourth major change.

Fourth, authorization of funds: The present authorization of the Small Business Administration totals $455 million and is divided in the following manner: $230 million for business loans, $125 million for disaster loans, $100 million for prime contracts.

H. R. 7963 increases the authorization to $650 million: $500 million for business loans, $125 million for disaster loans, $25 million for prime contracts.

The original authorization for the Small Business Administration was insufficient and the administration had to return to Congress twice for increases. It should be borne in mind that the authorization merely sets the maximum which the agency may utilize in any of its programs. The agency is still required to justify any amount it requests and obtain the money from the Congress through the usual appropriation channels.

It is the opinion of the full House Small Business Committee that the present request by the administration is too low and much too conservative. The testimony given by the agency itself and the experience in the present tight-money market has indicated that the number of applications filed and the number of applications approved have increased and probably will keep on increasing. Even though appropriated, the loan authorization when allocated and disbursed is not an expenditure of Government funds.

The loan cannot be made unless it is of sound value or so secured as reasonably to assure repayment. That includes repayment of interest, thus almost guaranteeing the Government against any ultimate loss on the overall program.

Fifth, interest rates: This bill provides for a 5 percent maximum interest rate on business loans and also provides for a split interest rate in participation loans. Experience indicates and our investigations confirm that a split interest rate is required in order to provide for a greater and a more active participation in this program by the banks of the country. The bill provides that the maximum of 5 percent applies only to the Small Business Administration's share of any loan.

The bill also provides for the prevailing rate of interest in the Federal Reserve district where the money loaned is to be used. There is no reason why the Small Business Administration should charge 6 percent interest in areas where private lenders charge a lesser rate.

We urge a maximum interest rate of 5 percent because in the opinion of all of the members of the House Select Committee on Small Business and almost all of the members of the Banking and Currency Committee, the 5 percent interest rate allows for a sufficient differential over the cost to the Government for borrowing its money. That differential is high enough to provide an income which will cover the expenses to the Government for the making of business loans to needy small business concerns and establish a sufficient reserve to cover all possible losses.

The suggestion has been made that a 5-percent interest rate on the Government's share of participating loans and on the Government's direct loans would create competition with private lenders. This is utter nonsense.

The law requires that before SBA can make any direct loan or participate in a bank loan, the borrower must establish that the funds are not available on reasonable terms from private sources. To satisfy this provision of the law, the Administrator very properly requires that the applicant be turned down by at least two private lenders before entertaining the application.

Under those circumstances, there can never be competition between the Government and private lenders, no matter what the interest rate.

Sixth, joint determination program: The bill has added additional language to the section of the bill which provides for the joint determination and joint set-aside programs as follows:

Whenever the administration and the contracting procurement agency fail to agree the matter shall be submitted for determination to the Secretary or the head of the appropriate department or agency by the Administrator.

The purpose of this additional language is to provide for appellate procedure by the heads of the procurement agencies and the Administrator of the Small Business Administration. In those cases where there is disagreement as to any procurement action between the Small Business Administration and the procurement agencies, the matter shall be determined by the heads of the agencies.

Seventh, advisory committees: The Administrator has recommended that he be permitted to appoint to advisory committees persons other than the representatives of small business.

This is directly contrary to the intent of Congress. Instead of approving the Administrator's conduct which is contrary thereto, we disapprove it. We reiterate in the law, in no uncertain terms, that we expect him to appoint persons who are truly representative of small business.

Eighth, other changes: The bill also contains many changes other than those mentioned above which in our opinion will strengthen the law and enable the agency to administer the law in a better fashion. It will also enable the agency to follow more closely the intent of Congress to aid and assist small business and to obtain a fair share of Government procurement for small business.

The existing law provides that small business shall obtain a fair share of purchases and contracts for supplies and services in the Government. The word "supplies" may be interpreted to exclude certain types of property and inasmuch as some question has been raised whether this language is broad enough to cover all types of Government procurement, the language of Section 2 of the act has been rewritten to make absolutely clear that it is the intent of Congress that small business concerns shall obtain a fair proportion of all types of Government contracts. Therefore, the word "property" has been substituted for the word "supplies." It is intended that the word "property" as used in this section is to be interpreted in its broadest sense to include supplies, contracts, maintenance, repair, and construction contracts as well as any other kind of contract let by Government agencies.

The present act authorizes the Administrator to establish branch and regional offices in such places in the United States as he may determine, including the Territory of Alaska, Hawaii, and the Commonwealth of Puerto Rico.

Subcommittee No. 2 of the House Select Committee on Small Business unanimously recommended that the branch offices located in Hawaii, Alaska, and Puerto Rico, should be made regional rather than branch offices.

Since these offices are far removed from the central agency, it was deemed necessary that the offices have similar delegation of authority as regional offices in order that they properly serve small business concerns in those communities.

The present act contains discretionary authority rather than mandatory language. However, the Administrator of the Small Business Administration has assured the House Committee on Small Business and the Banking and Currency Committee that he will fulfill this function through administrative action.

The Administrator has assured the committee that he will increase the authority of the offices located in Hawaii, Alaska, and Puerto Rico with respect to the handling of loans and other matters so that they can adequately and promptly serve legitimate small-business concerns that come to these offices and keep abreast of the expanding workload in those areas.

Experience has shown that in the disaster assistance program of the Small Business Administration, the assistance must come quickly and the victims of the disaster must be given relief and aid as soon as possible.

Therefore, the bill as now before this House has been changed in several respects, to assist the Administrator to provide this emergency help as expeditiously as possible. In the case of drought disaster loans the law now provides that small-business concerns must be located in an area where a drought is occurring. This language is changed by this bill so that a disaster loan may be made to a small-business concern located in an area affected by the drought thereby continuing the eligibility even though the drought area has been officially terminated.

Another provision of the bill which has been added would make it easier to recruit temporary personnel to serve in the disaster area and finally a provision has been included, which would make clear that the Small Business Administration could accept gratuitous services and facilities from public and private agencies and groups.

Experience and testimony before the House Committee on Small Business has established that from time to time in connection with the disaster loan program, local agencies and private business concerns offer to the Small Business Administration on a gratuitous basis, space for temporary offices or other assistance in establishing and carrying out disaster loan programs. It is presently illegal for the agency to utilize such voluntary help.

The bill directs the Small Business Administration to make studies of matters affecting the competitive strength of small business, the effect on small business of Federal laws, programs and regulations and shall make recommendations to the appropriate Federal agency or agencies for the adjustment of such programs and regulations to the needs of small business.

The existing Small Business Act provides for consultation and cooperation by the SBA and other Federal agencies in matters affecting small business in cases where such consultation is directed by the President. This bill provides that the Administrator shall consult and cooperate with other Federal agencies where he determines it to be necessary to protect and preserve small-business interests. An exception to this general rule is provided where such consultation and cooperation would unduly delay action which must be taken to protect the national interests in an emergency.

The existing Small Business Act was designed to help small-business concerns in peacetime as well as for war or defense production. Certain provisions of the act are too restrictive and contain references limiting the authority granted.

The present act, authorized the Small Business Administration to assist business concerns engaged in war, defense, and essential civilian production. Wherever the words "war" or "defense production" appeared in the present act, this bill deleted this language and wherever the word "essential" appeared before the words "civilian production," the word "essential" was deleted.

This in effect will eliminate unnecessary limitations. The provisions of the new bill will be applicable to all small-business concerns without regard to whether they are producing for war, defense or essential civilian purposes. This will broaden the Small Business Administration assistance to small business.

Under the existing act small-business concerns may form a group to establish facilities or to produce or secure raw

material and obtain a loan from the Small Business Administration for that purpose. The loan limit under the act is $250,000. However, in cases of pooled loans the limit is equal to a maximum of $250,000 multiplied by the number of concerns in the pool.

The language of this bill has been clarified to state that pool loans may be used where the pool is formed to obtain raw materials, equipment, inventories, or supplies. The new language will aid the agency in making such worthwhile and important loans.

The bill also grants express authority for the Administrator of the Small Business Administration to consult with representatives of small-business concerns to encourage the formation of corporations which would be eligible for pool loans and conforming language is included to make it clear that the antitrust exemptions will apply only to activities requested by the Administrator as a result of such consultation.

The new bill also provides an amendment to section 24 of the Federal Reserve Act. The present Federal Reserve Act places certain limitations on real-estate loans by national banks. Business loans made in participation with the Small Business Administration are now exempt from these limitations but disaster loans are not. Accordingly, this new amendment of section 3 of the bill would amend section 24 of the Federal Reserve Act in order to exempt disaster loans from the requirements of the section.

Loan criteria: The statute has always required that business loans made pursuant thereto "shall be of such sound value or so secured as reasonably to assure repayment."

The House Small Business Committee was surprised, to say the least, to find that the Administrator was interpreting that language by changing the word "or" to the word "and."

The language of the statute is precisely the same language as had been used in the Reconstruction Finance Corporation Act and in the Smaller Defense Plants Corporation Act.

In neither instance had the language ever been interpreted except in accordance with its plain meaning with the word "or" being plainly interpreted as in the disjunctive, and never as the word "and" in the conjunctive.

There always have been and always will be many instances where an applicant cannot demonstrate that the loan is of such sound value as reasonably to assure repayment, but where he supplies the assurance of repayment by ample guaranties from persons not connected with his business or by supplying collateral furnished independently of his business or by persons who are not in the business, the loan which is not of sound value thereby becomes so secured as reasonably to assure repayment.

The Congress has always intended that such applications should be approved.

In order to be sure that the Congressional intent would be followed and that the Administrator would discontinue his misinterpretation of the plain language of the statute, the Small Business Committee in H. R. 7474, and in the other bills introduced on the subject, changed the language of the act.

The Banking and Currency Committee, however, in reporting its version of the bill, has left the language of the act unchanged in that respect. At the same time, that committee has made it very clear on pages 12 and 13 of its report—No. 555 of June 13, 1957—that the language of the statute means what it says and that the Congress expects the Administrator to interpret it in accordance with the plain intent of Congress. We hope that the Administrator will follow the committee's admonition and discontinue his improper construction of that language.

Mr. Chairman, the bill before the House to amend the Small Business Act if adopted by the House will aid and assist small business. It will continue our cherished system of free competition in our economic system of private enterprise. The provisions and expansion of such free competition is basic not only to our economic well-being, but to the security of this Nation. It is the declared policy of the Congress that the Government should aid, counsel, assist, and protect the interest of small business concerns in order to preserve free competitive enterprise. The passage of this bill will help to implement that policy and help to accomplish that desirable goal. The double standard definition heretofore referred to by me is as follows:

DEFINITION OF "SMALL BUSINESS"

PART 103—SMALL BUSINESS SIZE STANDARDS

SEC. 103.1. Purpose: This regulation establishes criteria and procedures to define and determine which concerns are "small-business concerns" within the meaning of the Small Business Act of 1953, as amended (hereinafter referred to as the "act").

SEC. 103.2. Definition of terms:

(a) "SBA" means the Small Business Administration.

(b) "Annual dollar volume, annual sales, and annual receipts" means the annual dollar volume, annual sales, and annual receipts of a concern and its affiliates during the most recently completed fiscal year.

(c) "Number of employees," except as SBA otherwise determines in a particular industry or part thereof, means the average quarterly employment of the concern in question and its affiliates based on the number of employees reported for the preceding four quarters to the United States Treasury Department under the old-age and survivors insurance program. If a concern has not been in existence for four full quarters, "number of employees" means the average monthly employment of such concern and its affiliates during the period such concern has been in existence.

(d) A concern is "not dominant in its field of operation" when it does not exercise a controlling or major influence in a specific kind of business activity. In determining whether dominance exists, consideration shall be given to all appropriate factors including volume of business, number of employees, financial resources, competitive status or position, ownership or control of materials, processes, patents, and license agreements, sales territory, and business activity.

(e) "Affiliates": Business concerns are affiliates of each other when either directly or indirectly (1) one concern controls or has the power to control the other, or (2) a third party controls or has the power to control both. In determining whether concerns are independently owned and operated or whether affiliation exists, consideration shall be given to all appropriate factors including common ownership, common management, and contractual relationships.

(f) Small-business certificate means a certificate issued by SBA pursuant to the authority contained in sections 203 and 212 of the act certifying that the holder of the certificate is a small-business concern for the purpose of Government procurement and in accordance with the terms of the certificate.

(g) Certificate of competency means a certificate issued by SBA pursuant to the authority contained in section 212 (d) of the act stating that the holder of the certificate is competent as to capacity and credit, to perform a specific Government procurement contract.

SEC. 103.3. Definition of small business for Government procurement:

(a) A small-business concern for the purpose of Government procurement is a concern that (1) is not dominant in its field of operation and, with its affiliates, employs fewer than 500 employees, or (2) is certified as a small-business concern by SBA.

(b) A dealer, distributor, wholesaler, jobber, agent, or other nonmanufacturer, who submits bids or offers in his own name, is deemed to be a small-business concern when (1) he is a small-business concern within the meaning of section 103.3 (a), above, and (2) he is a regular dealer as defined in the Walsh-Healey Public Contracts Act, and (3) in the case of a Government procurement reserved for or involving preferential treatment of small businesses or one involving equal bids, such nonmanufacturer shall, in order to qualify as small business, furnish the product of a small-business manufacturer or producer in the performance of the contract.

(c) Any business concern may apply to the regional or branch office of SBA nearest to such concern's principal place of business for a small-business certificate. If the applicant, together with all its affiliates, is not dominant and is otherwise determined to be a small business in its field of operation, even though it has in excess of 500 employees, a certificate will be issued certifying that the applicant is a small-business concern within the meaning of the act. The holder of such a certificate will then qualify, subject to the terms of the certificate, as a small-business concern for Government procurement purposes. If the applicant is dominant, even though together with all its affiliates it employs fewer than 500 persons the application for a certificate shall be denied.

(d) In the submission of a bid or proposal on a Government procurement, a concern which meets the criteria of section 103.3 (a) or (b) may represent that it is a small business. In the absence of a written protest or previous denial by SBA of small-business status, such concern shall be deemed to be a small business for the purpose of the specific Government procurement involved.

SEC. 103.4. Definition of small business for financial and other assistance: A small-business concern for the purpose of financial and other assistance (except procurement assistance) is a business concern, including its affiliates, which is not dominant in its field of operation and can further qualify under the following criteria:

(a) Manufacturing: Any manufacturing concern is classified:

(1) As small if it employs 250 or fewer employees;

(2) As large if it employs more than 1,000 employees;

(3) Either as small or large, depending on its industry and in accordance with the

employment size standards set forth in schedule A hereof, if it employs more than 250 but not more than 1,000 employees.

(b) Wholesale: Any wholesale concern is small if its annual dollar volume of sales is $5 million or less. Any wholesale concern also engaged in manufacturing is not a "small-business concern" unless it so qualifies under both the manufacturing and wholesaling standards.

(c) Retail: Any retail concern is classified:

(1) As small if its annual sales are $1 million or less;

(2) As small if it is primarily engaged in making retail sales of general merchandise (including department stores and variety stores) or new and used motor vehicles or groceries with fresh meats and its annual sales are $2 million, or less.

(d) Service trades: Any service trades concern is small if its annual receipts are $1 million or less except that any hotel or power laundry is small if its annual receipts are $2 million or less.

(e) Construction: Any concern primarily engaged in construction is small if its average annual receipts are $5 million or less for the preceding 3 years.

(f) Trucking and warehousing: Any trucking and warehousing (local and long distance) concern is small if its annual receipts are $2 million or less.

(g) Taxicab: Any taxicab concern is small if its annual receipts are $1 million or less.

(h) Certificate of competency: A concern which has been issued a certificate of competency is a small-business concern for the purpose of SBA financial assistance.

(i) Other standards: If a concern is engaged in the production of a number of products or the providing of a variety of services which are classified into different industries, the appropriate standard to be used is that which has been established for the industry or activity in which it is primarily engaged. If no standard for an industry or activity has been set out in this regulation, a concern seeking a size determination should apply for a small-business certificate.

SEC. 103.5. Protest of small business status.

(a) A bidder or offerer may, prior to award, question the small business status of the apparently successful bidder or offerer by sending a written protest to the contracting officer and to the SBA regional office for the region in which the apparently successful bidder or offerer has its principal place of business. Such protest shall contain a statement of the basis for the protest and available supporting facts. SBA will promptly notify the contracting officer of the date such protest was received.

(b) The contracting officer in a specific Government procurement may, prior to award, question the small-business status of the apparently successful bidder or offerer by sending a written notice to the SBA regional office for the region in which the bidder or offerer has its principal place of business. Such notice shall contain a statement of the basis for such notice and available supporting facts. SBA will promptly notify the contracting officer of the date such notice was received and will advise the bidder in question that its size status is under review.

(c) The SBA will, within 10 working days after receipt of a protest or notice, investigate and determine the small-business status of the concern and notify the contracting officer and the concern of its decision.

SEC. 103.6. Appeals. Any concern which has been denied small business status by SBA may file an appeal with the regional office which issued the denial. The appeal must be in writing, signed by the applicant, and shall contain the basis therefor together with any new supporting facts. The regional director shall forward the appeal, together with his comments and appropriate files, to the Chairman, Size Standards Committee, Small Business Administration, Washington 25, D. C.

The filing of an appeal shall not extend or in any other way modify the time limit for determinations as set forth in section 103.5 (c) herein.

WENDELL B. BARNES,
Administrator.

Employment size standards pursuant to sec. 103.4 (a) (3)

Census classification code	Industry	Employment size standard [1] (number of employees) 250	500	1,000
	APPAREL AND RELATED PRODUCTS			
2389	Apparel, n. e. c.[2]	250		
2393	Bags, textile	250		
2387	Belts	250		
2331	Blouses and waists	250		
2394	Canvas products	250		
2386	Clothing, sheep-lined and leather	250		
2329	Clothing, men's and boy's, n. e. c.	250		
2369	Coats, children's	250		
2342	Corsets and allied garments	250		
2391	Curtains and draperies	250		
2361	Dresses, children's	250		
2834	Dresses, dozen price	250		
2339	Dresses, unit prices	250		
2396	Embroideries, except schiffli-machine	250		
2397	Embroideries, schiffli-machine	250		
2371	Fur goods	250		
2385	Garments, outer, waterproof	250		
2381	Gloves, dress, fabric and combination	250		
2382	Gloves, work, fabric and combination	250		
2383	Handkerchiefs	250		
2326	Hat and cap materials	250		
2325	Hats and caps, cloth, men's and boys'	250		
2392	Housefurnishings, n. e. c.	250		
2351	Millinery	250		
2323	Neckwear, men's and boys'	250		
2385	Neckwear and scarfs, women's	250		
2369	Outerwear, children's, n. e. c.	250		
2389	Outerwear, women's, n. e. c.	250		
2384	Robes and dressing gowns	250		
2321	Shirts, dress, and nightwear, men's	250		
2328	Shirts, work		500	
2396	Skirts, women's	250		
2312	Suit and coat findings	250		
2311	Suits and coats, men's and boys'	250		
2385	Suits and coats, women's	250		
2353	Suspenders and garters	250		
2399	Textile products, fabricated, n. e. c.	250		
2396	Trimmings and art goods	250		
2327	Trousers, separate	250		
2395	Tucking, pleating and hemstitching	250		
2322	Underwear, men's and boys'	250		
2341	Underwear, women's and children's	250		
	CHEMICALS AND ALLIED PRODUCTS			
2887	Acids, fatty		500	
2812	Alkalies and chlorines			1,000
2889	Animal oils, n. e. c.	250		
2831	Biological products	250		
2832	Botanical products	250		
2865	Carbon black		500	
2899	Chemical products, n. e. c.	250		
2842	Cleaning and polishing preparations	250		
2832	Color pigments, inorganic		500	
2821	Cyclic (coal-tar) crudes		500	
2826	Explosives		500	
2871	Fertilizers		500	
2872	Fertilizers (mixing only)	250		
2823	Fibers, synthetic			1,000
2861	Gases, compressed and liquefied		500	
2894	Glue and gelatin	250		
2886	Grease and tallow	250		
2863	Gum naval stores (steam distilled)	250		
2861	Hardwood distillation		500	
2893	Ink, printing	250		
2819	Inorganic chemicals, n. e. c.		500	
2879	Insecticides and fungicides	250		
2833	Medicinal chemicals			1,000
2851	Oil mills, cottonseed	250		
2852	Oil mills, linseed		500	
2853	Oil mills, soybean		500	
2841	Oil mills, vegetable, n. e. c.	250		
2843	Oils and assistants, sulfonated	250		
2872	Oils, essential	250		
2885	Oils marine animal	250		
2869	Organic chemicals, n. e. c.			1,000
2851	Paints and varnishes	250		
2834	Pharmaceutical preparations		500	
2823	Plastics materials			1,000
2824	Rubber, synthetic			1,000
2808	Salt		500	
2841	Soap and glycerin			1,000
2862	Softwood distillation			1,000
2865	Tanning and dyeing materials, natural	250		
2844	Toilet preparations	250		
2853	Whiting and fillers	250		
	ELECTRICAL MACHINERY			
3621	Appliances, electrical		500	
3692	Batteries, primary (dry and wet)			1,000
3691	Batteries, storage		500	
3612	Carbon and graphite products			1,000
3669	Communication equipment, n. e. c.		500	
3616	Electrical control apparatus		500	
3619	Electrical industrial apparatus, n. e. c.	250		
3699	Electrical products, n. e. c.		500	
3617	Electrical welding apparatus	250		
3641	Engine electrical equipment			1,000
3645	Lamps, electric			1,000
3613	Measuring instruments, electrical		500	
3614	Motors and generators			1,000
3663	Phonograph records			1,000
3661	Radios and related products			1,000
3664	Telephone and telegraph equipment			1,000
3615	Transformers			1,000
3662	Tubes, electronic			1,000

[1] The total number of employees listed for each industry includes all employees of affiliates.

[2] The abbreviation n. e. c. means not elsewhere classified.

Employment size standards pursuant to sec. 103.4 (a) (3)—Continued

Census classification code	Industry	Employment size standard [1] (number of employees) 250	500	1,000
	PRIMARY METAL INDUSTRIES—continued			
3631	Wire and cable, insulated		500	
3611	Wiring devices and supplies		500	
3693	X-ray and therapeutic apparatus		500	
	FABRICATED METAL PRODUCTS			
3491	Barrels, drums and pails, metal		500	
3443	Boiler shop products	250		
3494	Bolts, nuts, washers and rivets		500	
3421	Cutlery		500	
3442	Doors, sash and trim, metal	250		
3465	Enameling and lacquering	250		
3467	Engraving on metal	250		
3424	Files			1,000
3471	Fixtures, lighting	250		
3431	Fixtures and fittings, metal plumbing		500	
3497	Foil, metal	250		
3466	Galvanizing	250		
3429	Hardware, n. e. c.	250		
3469	Heating and cooking apparatus, n. e. c.		500	
3499	Metal products, fabricated, n. e. c.	250		
3481	Nails and spikes	250		
3432	Oil burners	250		
3468	Plating and polishing	250		
3492	Safes and vaults		500	
3425	Saws and saw blades, hand	250		
3495	Screw-machine products	250		
3444	Sheet-metal work	250		
3463	Stampings, metal	250		
3493	Steel springs		500	
3441	Structural and ornamental products	250		
3411	Tin cans and other tinware			1,000
3422	Tools, edge	250		
3423	Tools, hand, n. e. c.	250		
3496	Tubes, collapsible	250		
3461	Vitreous-enameled products	250		
3489	Wirework, n. e. c.	250		
	FOOD AND KINDRED PRODUCTS			
2042	Animal feeds, prepared	250		
2052	Biscuit, crackers and pretzels		500	
2051	Bread and other bakery products	250		
2021	Butter, creamery	250		
2033	Canning and preserving, except fish	250		
2043	Cereal preparations			1,000
2022	Cheese, natural	250		
2073	Chewing gum		500	
2072	Chocolate and cocoa products		500	
2071	Confectionery products	250		
2044	Corn products			1,000
2025	Dairy products, special	250		
2026	Eggs, liquid, frozen and dried	250		
2032	Fish, cured	250		
2095	Flavorings	250		
2041	Flour and meal	250		
2045	Flours, blended and prepared	250		
2099	Food preparations, n. e. c.	250		
2037	Frozen foods	250		
2034	Fruits and vegetables, dehydrated	250		
2097	Ice, manufactured	250		
2024	Ice cream and ices	250		
2091	Leavening compounds		500	
2085	Liquors, distilled, except brandy			1,000
2082	Liquors, malt		500	
2098	Macaroni and spaghetti	250		
2083	Malt	250		
2011	Meat packing, wholesale		500	
2013	Meats, prepared	250		
2023	Milk, concentrated	250		
2083	Oleomargarine		500	
2035	Pickles and sauces	250		
2015	Poultry dressing, wholesale	250		
2044	Rice cleaning and polishing	250		
2031	Seafood, canned	250		
2092	Shortening and cooking oils		500	
2081	Soft drinks, bottled	250		
2063	Sugar, beet			1,000
2061	Sugar, raw cane	250		
2062	Sugar refining, cane			1,000
2096	Vinegar and cider	250		
2084	Wines and brandy	250		
	FURNITURE AND FIXTURES			
2599	Furniture and fixtures, n. e. c.	250		
2514	House furniture, metal except upholstered	250		
2511	House furniture, wood, except upholstered	250		
2519	Household furniture, n. e. c.	250		
2512	Household furniture, upholstered	250		
2515	Mattresses and bedsprings	250		
2522	Office furniture, metal		500	
2521	Office furniture, wood	250		
2541	Partitions and fixtures	250		
2532	Professional furniture	250		
2531	Public building furniture	250		
2513	Reed and rattan furniture	250		
2591	Restaurant furniture	250		
2561	Screens, window and door	250		
2562	Shades, window		500	
2563	Venetian blinds	250		
	INSTRUMENTS AND RELATED PRODUCTS			
3843	Dental equipment and supplies	250		
3821	Measuring instruments, mechanical		500	
3851	Ophthalmic goods	250		
3831	Optical instruments and lenses	250		
3861	Photographic equipment			1,000
3811	Scientific instruments	250		
3841	Surgical and medical instruments	250		
3842	Surgical appliances and supplies	250		
3872	Watchcases	250		
3871	Watches and clocks		500	
	LEATHER AND LEATHER PRODUCTS			
3121	Belting, industrial leather	250		
3131	Footwear cut stock	250		
3141	Footwear, except rubber		500	
3151	Gloves, leather dress	250		
3152	Gloves, leather work	250		
3171	Handbags and purses	250		
3199	Leather goods, n. e. c.	250		
3172	Leather goods, small	250		
3111	Leather tanning and finishing	250		
3161	Luggage	250		
3192	Saddlery, harness, and whips	250		
3142	Slippers, house	250		
	LUMBER AND PRODUCTS, EXCEPT FURNITURE			
2441	Baskets, fruit and vegetable	250		
2443	Boxes, cigar	250		
2444	Boxes, wooden (except cigar boxes)	250		
2445	Cooperage	250		
2424	Cooperage stock mills		500	
2425	Excelsior mills	250		
2493	Frames, mirror and picture	250		
2492	Lasts and related products	250		
2431	Millwork plants	250		
2432	Plywood plants	250		
2442	Rattan and willow ware, n. e. c.	250		
2421	Sawmills and planning mills, general	250		
2422	Veneer mills	250		
2491	Wood preserving	250		
2499	Wood products, n. e. c.	250		
2433	Wood products, prefabricated	250		
	MACHINERY (EXCEPT ELECTRICAL)			
3593	Bearings, ball and roller			1,000
3564	Blowers and fans	250		
3571	Computing and related machines			1,000
3531	Construction and mining machinery		500	
3563	Conveyors	250		
3562	Elevators and escalators	250		
3519	Engines, internal-combustion			1,000
3511	Engines and turbines, steam			1,000
3522	Farm machinery (except tractors)	250		
3551	Food-products machinery	250		
3567	Furnaces and ovens, industrial	250		
3569	General industrial machinery, n. e. c.	250		
3582	Laundry and dry-cleaning machinery	250		
3581	Laundry equipment, domestic			1,000
3599	Machine shops	250		
3542	Metalworking machinery, n. e. c.		500	
3579	Office and store machines, n. e. c.	250		
3532	Oilfield machinery and tools	250		
3554	Paper-industries machinery	250		
3592	Pipe and fittings, fabricated	250		
3566	Power-transmission equipment		500	
3555	Printing-trades machinery		500	
3561	Pumps and compressors		500	
3586	Pumps, measuring and dispensing			1,000
3585	Refrigeration machinery			1,000
3576	Scales and balances	250		
3589	Service and household machines, n. e. c.	250		
3583	Sewing machines			1,000
3559	Special industry machinery, n. e. c.	250		
3568	Stokers, mechanical		500	
3552	Textile machinery	250		
3543	Tools, cutting, jigs, fixtures, etc.	250		
3541	Tools, machine		500	
3521	Tractors			1,000
3585	Trucks and tractors, industrial	250		
3572	Typewriters			1,000
3584	Vacuum cleaners			1,000
3591	Valves and fittings, except plumbers'		500	
3553	Woodworking machinery	250		
	MISCELLANEOUS MANUFACTURES			
3954	Artists' materials	250		
3991	Beauty and barber shop equipment	250		
3981	Brooms and brushes	250		
3953	Buttons	250		
3984	Candles	250		
3955	Carbon paper and inked ribbons	250		
3982	Cork products	250		
3942	Dolls	250		
3985	Fireworks and pyrotechnics	250		
3962	Flowers, artificial	250		

Employment size standards pursuant to sec. 103.4 (a) (5)—Continued

Census classification code	Industry	Employment size standard 1 (number of employees) 250	500	1,000
	MISCELLANEOUS MANUFACTURES—con.			
3992	Furs, dressed and dyed	250		
39.1	Games and toys, n. e. c.	250		
3994	Hair work	250		
3989	Instruments, musical, n. e. c.	250		
3912	Jewelers' findings	250		
3985	Jewelry and instrument cases	250		
3961	Jewelry, costume	250		
3911	Jewelry (precious metal)	250		
3913	Lapidary work	250		
3952	Lead pencils and crayons	250		1,000
3983	Matches		250	
3969	Miscellaneous products, n. e. c.	250		
3998	Models and patterns (except paper)	250		
3988	Morticians' goods	250		
3964	Needles, pins, and fasteners	250		
3932	Organs	250		
3951	Pens and mechanical pencils		500	
3933	Piano and organ parts	250		
3931	Pianos		500	
3996	Pipes, tobacco	250		
3971	Plastics, products, n. e. c.	250		
3987	Shades, lamp	250		
3993	Signs and advertising displays			
3914	Silverware and plated ware		500	
3989	Small arms		500	
3960	Small arms ammunition			1,000
3997	Soda-fountain and bar equipment	250		
3949	Sporting and athletic goods	250		
3953	Stamps, hand and stencils	250		
3965	Umbrellas, parasols and canes	250		
3943	Vehicles, children's	250		
	PAPER AND ALLIED PRODUCTS			
2661	Bags, paper		500	
2671	Boxes, paperboard	250		
2631	Envelopes	250		
2674	Fiber cans, tubes, drums, etc.	250		
2891	Paper and board, die-cut	250		
2612	Paper and board mills		500	
2641	Paper coating and glazing	250		
2999	Paper products, converted, n. e. c.	250		
2394	Pulp goods, pressed and molded		500	
2611	Pulp mills			1,000
2663	Wall paper	250		
	PETROLEUM AND COAL PRODUCTS			
2981	Coke ovens, beehive	250		
2982	Coke ovens, byproduct			1,000
2991	Fuels, briquets and packaged	250		
2992	Lubricants, n. e. c.	250		
2951	Paving mixtures and blocks	250		
2999	Petroleum and coal products, n. e. c.	250		
2911	Petroleum refining			1,000
2952	Roofing felts and coatings		500	
	PRIMARY METAL INDUSTRIES			
3334	Aluminum, primary			1,000
3352	Aluminum rolling and drawing			1,000
3331	Copper, primary			1,000
3351	Copper rolling and drawing			1,000
3313	Electrometallurgical products			1,000
3321	Foundries, gray-iron	250		
3322	Foundries, malleable-iron		500	
3361	Foundries, nonferrous	250		
3323	Foundries, steel		500	
3391	Iron and steel forgings		500	
3332	Lead, primary			1,000
3399	Metal industries, primary, n. e. c.	250		
3339	Nonferrous metals rolling, n. e. c.		500	
3339	Nonferrous, metals, primary n. e. c.		500	
3341	Nonferrous metals, secondary	250		
3393	Pipe, welded and heavy-riveted		500	
3312	Steel works and rolling mills (includes 3311, blast furnaces)			1,000
3392	Wire drawing			1,000
3333	Zinc, primary			1,000
	PRINTING AND PUBLISHING INDUSTRIES			
2782	Blankbook making and paper ruling	250		
2781	Bookbinding	250		
2789	Bookbinding work, miscellaneous	250		
2732	Book printing	250		
2731	Books, publishing and printing	250		
2771	Cards, greeting	250		
2794	Electrotyping and stereotyping	250		
2792	Engraving and plate printing	250		
2761	Lithographing	250		
2783	Loose-leaf binders and devices	250		
2711	Newspapers	250		
2721	Periodicals	250		
2793	Photoengraving	250		
2731	Printing, commercial	250		
2741	Publishing, miscellaneous	250		
2791	Typesetting	250		

Census classification code	Industry	Employment size standard 1 (number of employees) 250	500	1,000
	RUBBER PRODUCTS			
3021	Footwear, rubber			1,000
3099	Rubber industries, n. e. c.		500	
3031	Rubber, reclaimed		500	
3011	Tires and inner tubes			1,000
	STONE, CLAY, AND GLASS PRODUCTS			
3291	Abrasive products	250		
3292	Asbestos products		500	
3251	Brick and hollow tile	250		
3241	Cement, hydraulic		500	
3265	China decorating for the trade	250		
3259	Clay products, structural, n. e. c.	250		
3255	Clay refractories	250		
3271	Concrete products	250		
3221	Containers, glass			1,000
3281	Cut-stone and stone products	250		
3293	Gaskets and asbestos installations		500	
3211	Glass, flat			1,000
3231	Glass, products of purchased	250		
3229	Glassware, pressed and blown, n. e. c.		500	
3294	Graphite, ground or blended	250		
3272	Gypsum products			1,000
3274	Lime	250		
3299	Mineral products, nonmetallic, n. e. c.	250		
3253	Mineral wool		500	
3295	Minerals, ground or treated	250		
3297	Nonclay refractories		500	
3254	Pipe, sewer	250		
3261	Plumbing fixtures, vitreous		500	
3264	Porcelain electrical supplies		500	
3269	Pottery products, n. e. c.	250		
3296	Sand-lime products	250		
3298	Statuary and art goods	250		
3253	Tile, floor and wall		500	
3263	Utensils, earthenware, food		500	
3262	Utensils, vitreous-china, food		500	
	TEXTILE MILL PRODUCTS			
2273	Carpets and rugs, n. e. c.	250		
2271	Carpets, rugs and carpet yarns, wool			1,000
2298	Cordage and twine	250		
2299	Fabric, knit, mills	250		
2211	Fabric, narrow, mills	250		
2295	Fabrics, coated, except rubberized	250		
2261	Fabrics, cotton broad woven			1,000
2231	Fabrics, rayon and related, broad woven		500	
2213	Fabrics, woolen and worsted		500	
2393	Felt goods, n. e. c.	250		
2274	Floor coverings, hard surface			1,000
2253	Glove, knit, mills	250		
2281	Hats and hat bodies, fur felt	250		
2282	Hats and hat bodies, wool felt	250		
2283	Hats, straw	250		
2284	Hatters' fur	250		
2251	Hosiery, full-fashioned, mills	250		
2252	Hosiery, seamless, mills	250		
2297	Jute (except felt) and linen goods		500	
2259	Knitting mills, n. e. c.	250		
2292	Lace goods	250		
2253	Outerwear, knit, mills	250		
2283	Paddings and upholstery filling	250		
2211	Scouring and combing plants	250		
2299	Textile goods, n. e. c.		500	
2231	Textile finishing, except wool	250		
2216	Textile finishing, wool	250		
2296	Textile waste, processed	250		
2253	Thread mills		500	
2254	Underwear, knit, mills		500	
2204	Yarn mills, cotton system		500	
2325	Yarn mills, silk system	250		
2212	Yarn mills, wool, except carpet		500	
2282	Yarn throwing mills	250		
	TOBACCO MANUFACTURES			
2111	Cigarettes			1,000
2121	Cigars		500	
2131	Tobacco, chewing and smoking		500	
2141	Tobacco, stemming and redrying		500	
	TRANSPORTATION EQUIPMENT			
3721	Aircraft			1,000
3722	Aircraft engines			1,000
3729	Aircraft equipment, n. e. c.	250		
3731	Aircraft propellers			1,000
3732	Boat building and repairing	250		
3741	Locomotives and parts			1,000
3751	Motorcycles and bicycles		500	
3717	Motor vehicles and parts			1,000
3742	Railroad and street cars			1,000
3761	Shipbuilding and repairing			1,000
3715	Trailers, automobile	250		
3715	Trailers, truck	250		
3799	Transportation equipment, n. e. c.	250		
3713	Truck and bus bodies	250		

Mr. THOMPSON of New Jersey. Mr. Chairman, I would like to record my support for H. R. 7963 and to say that I hope this House passes it without delay.

On January 10, 1957, I introduced in the House of Representatives a bill, H. R. 2513, having many of the purposes written into the bill we are considering today.

My own bill proposed to make the Small Business Administration a permanent agency, and to change or replace the Loan Policy Board.

I am glad that, after many months of indecisiveness, the President decided that the Small Business Administration should be made a permanent agency also.

The reasons for making the Small Business Administration permanent are many, and these reasons are indisputably valid.

This Federal Agency has proved its effectiveness in many ways during the past 4 years.

If it is made permanent it will be able to attract more competent personnel, banks will more willingly participate in loans to small business, and the procurement activities of the Small Business Administration in behalf of small business can be expanded.

These objectives are worthy objectives, and we can all support them with a clear conscience.

The subcommittee of the Select Committee on Small Business of the House of Representatives recommended elimination of the Loan Policy Board, and also declared the continuation of the Small Business Administration was a necessity.

These recommendations were contained in House Report No. 1045, 84th Congress, 1st session.

As has been explained, the Committee on Banking and Currency held hearings on the Small Business Subcommittee's bill, the administration's bill, and other bills including my own bill on small business, from May 14 to May 22, 1957.

After various witnesses were heard, the gentleman from Kentucky [Mr. SPENCE], introduced on behalf of the Banking and Currency Committee a clean bill which embodies features from many of the bills before the committee, with modifications developed in the course of the hearings.

I am convinced that if H. R. 7963 is enacted into law the Congress will give clear indication thereby to the more than four million small-business men of our country that we are aware of the plight they face when they are confronted with the need for substantial financial assistance, in those cases particularly when such assistance is not available through private banking institutions.

House Report No. 1045 of the Select Committee on Small Business pointed out that section 204 (a) of the act creating the Small Business Administration declares that—"In order to carry out the policies of this title there is hereby created an agency under the name of Small Business Administration • • • and it shall not be affiliated with or be within any other agency or department of the Federal Government."

I am convinced that the bill we are considering today will vastly improve the work of the Small Business Administration, and that many of the so-called bugs that have developed in it from time to time will be eliminated if the present bill is enacted into law.

I would like to say this, the fine bill recommended by the Banking and Currency Committee certainly gives the kind of evidence needed to disprove the arguments advanced by the big-business-dominated United States Chamber of Commerce and some of the present Federal Government officials in the Department of Commerce that bad management is the real reason for most failures of small business.

Mr. Frederick H. Mueller, Assistant Secretary of the United States Department of Commerce, a Federal official who certainly ought to know better, declared some time ago in a press interview that bad management was the real reason for most small-business failures.

In a letter to me under date of April 29, this year, Mr. Mueller pointed out that he represents Secretary Weeks on the Cabinet Committee for Small Business and he reiterated his belief that small-business failures are due to management failure: "I also firmly believe," wrote Mr. Mueller, "that most of those who quit business, voluntarily or involuntarily, do so because of lack of managerial ability in all of its manifestations."

George J. Burger, vice president of the National Federation of Independent Business with a membership of approximately 100,000 small-business men, indignantly wrote to President Eisenhower that "the mounting opinion in the ranks of small business is that the Department of Commerce as a whole does not speak and act in the best interest of small business" and he recommended to the President that officials be appointed to the Federal Department of Commerce who have an understanding of the problems of small business. A poll of its nationwide membership by the National Federation of Independent Business found 83 percent favoring my own H. R. 2513, I am proud to say.

According to a recent report issued by the Office of the Assistant Secretary of Defense for Supply and Logistics 95 percent of all business firms in the Nation received only 16.7 percent of more than $12 billions of defense contracts awarded during the first 8 months of fiscal 1957. This was down from 25.3 percent of defense contracts received by 95 percent of all business in 1954.

In its final report to the 84th Congress the House Small Business Committee made these highly significant findings:

The Government currently pays for almost two-thirds of all research and development going on in our country today.

The Department of Defense contracts about $1.5 billion of research work with private companies, 95 percent of which goes to companies employing more than 500 workers.

During the past 3 years, we were told, research contracts adding up to the staggering sum of $4.7 billion were let and of this vast sum $4.6 billion, or 98.1 percent, has gone to the 500 largest contractors.

These private companies have the privilege, under our national patent policy, to patent and control inventions developed through these vast Federal research and development contracts. During the past 5 years nearly 7,000 inventions have been claimed by private companies, inventions which resulted from these Federal research and development contracts.

This, then, is the reality of the situation which leading Department of Commerce officials are perfectly well aware of when they talk about management failures.

I am very pleased to see that the report of the Banking and Currency Committee, House Report No. 555, on H. R. 7963, has this to say:

> The Small Business Act now provides that small business shall obtain a fair share of purchases and contracts for supplies and services for the Government. Some question has been raised whether this language is broad enough to cover all types of Government procurement. Accordingly, this language is revised in section 2 of the act as rewritten by H. R. 7963 to make absolutely clear that it is the intent of Congress that small-business concerns shall obtain a fair proportion of all types of Government contracts.

Let us hope that the language in H. R. 7963 really takes care of the matter so that a fair proportion of all types of Government contracts will not continue to be, insofar as small business is concerned, just a pious hope and expression.

It has, I think, become commonplace to say that we are living in an age of transition and in a period of mortal peril.

As a matter of fact, such sentiments have been expressed throughout history.

Nevertheless, in two aspects our civilization and our time are unique.

In the first place, we are living in a period of unprecedented technological advancement. We have barely crossed the threshold of the age of atomic energy.

The significance of automation is still unfamiliar to most of us, even when we are aware that it foreshadows tremendous changes in production throughout our economy.

Everywhere the frontiers of knowledge are being pushed back and new discoveries are being made not only by individual inventors and scientists, but even more by organized industrial, governmental, and educational research laboratories, and institutions.

Our age is unique in another way.

This is an era in which the two most powerful nations in the world are in fundamental opposition in their political and economic philosophy, and as a result are engaged in a competitive struggle in many fields, not the least of which is in technology.

This competitive struggle is all the more awesome and crucial in view of the tremendous nuclear forces which each has in its power to unleash.

In this situation, it seems to me, the Nation has two profound responsibilities.

First, it must advance its scientific and industrial research as rapidly as possible.

Second, we must demonstrate to the world that our economic and political system, with its emphasis on individual liberty and responsibility, can advance not only the prosperity of our people but the security of our Nation to such an extent that we will have nothing to fear from whatever schemes and plans a Communist dictatorship in Russia and the satellite countries may devise.

Given these conditions, it seems clear we must make every effort to strengthen our economic and political system in order to defeat these outspoken enemies of our way of life with their cant about the inevitable triumph of their way of life.

Theirs is the wave of the future, they would have us believe, as those other Caesars of our time—Hitler and Mussolini—would have had us believe, a few year ago, about their own then-powerful states.

Russia places her entire emphasis on centralized control of her economy, and this is productive of certain strengths, but it is also productive of many weaknesses.

Our own system has been built up by small-business men, by small farmers, and the working men and women of our country, whether in the factory or in the professions.

Indeed, this has been the basic strength of our country, which has made it the greatest and most productive nation in the world, with a concern for individual liberties and values which has been the inspiration of the entire world for three and a half centuries.

I have been concerned with the trend toward bigness in business and industry which, if it continues, will surely replace our democracy as we have known it with plutocracy.

Yet the concentration of business and power that is taking place and has been accelerated in this decade is not inevitable.

However, unless it is stopped or reversed, we are headed for real trouble with our affairs in the hands of a managerial class.

What will distinguish America from Russia when the control of power is in the hands of a few people?

Indeed, there are some signs that Russia may be moving toward some decentralization of control of power with regionalization being stressed, as the President told the governors at Williamsburg, Va.

There is no such trend observable here.

In fact, President Eisenhower, in his address to the 1957 Governors' Conference, warned that "those who would be and would stay free must stand eternal watch against excessive concentration of power in government." He said:

> Being long accustomed to decentralized authority, we are all too inclined to accept it as a convenient, even ordinary, fact of life, to expect it as our right, and to presume that it will always endure. But in other lands over the centuries, millions, helpless before concentrated power, have been born, have lived and have died in slavery, or have lost their lives and their liberty to despots.
>
> Today, against the dark background of Eastern Europe, we see spotlighted once again the results of extreme and dictatorial concentration of power.

I see no recognition in the President's speech to the governors of the dangers of economic oligarchy which is equally as despotic and tyrannical as government.

As a matter of fact, history shows that there is an inevitable progression from economic oligarchy to government by the wealthy—plutocracy.

Here in our country we have seen the President's Cabinet filled with millionaires drawn from industry, from General Motors, from the M. A. Hanna Co., and so on.

How many of our top Federal officers have been drawn from the ranks of small business?

As a matter of fact, perhaps the distinguished mark of this administration has been the notable absence of bona fide small-business men from it.

The basic assumption, apparently, which is made by this administration is, insofar as I have been able to observe it, that the only good businessman is a big-business man.

As a matter of fact, a lot of the steam behind the demand for a weak Federal Government these days comes from the business oligarchy which wants to be left alone in its pursuit of the dollar and its public-be-damned philosophy.

Mr. TALLE. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Chairman, if I may have the attention of the gentleman from New York [Mr. MULTER] I would like to ask him a question about a situation which has occurred in my State and in my area. I have had any number of businessmen who have applied for loans from the Small Business Administration complain that they could get a loan if they had security and they could get a loan if it was a loan which was certain to be repaid.

I note in this bill on page 13, subsection (1) says:

> No financial assistance shall be extended pursuant to this subsection unless the financial assistance applied for is not otherwise available on reasonable terms.

I note also on page 16, subsection 7 states:

> All loans made under this subsection shall be of such sound value or so secured as reasonably to assure repayment.

Now I ask the gentleman from New York if these two sections are not, for all practical purposes, contradictory in terms. In other words, if you have a loan which is of such a sound value as to be reasonably sure of repayment, or one which is secure, can you not in almost all cases get a loan from some other source and therefore be ineligible to receive a Small Business Administration loan?

Mr. MULTER. No, they are not inconsistent, for this reason. There are many instances where a bank, particularly in a small community, cannot loan as much as $50,000 to any one borrower. In those instances the borrower would be precluded from getting a loan in his own area. There are other instances in many other States where the banking authorities frown on long-term loans. They will not permit a loan to go beyond 2 or 3 years as a maximum on these business loans. You will find many small businesses that will need a loan and cannot possibly repay it in 1, 2, or 3 years. It is in the nature of a capital loan. It is for machinery that will never be able to be paid for within 1 or 2 or 3 years, but can be amortized only out of earnings in a period of 5, 6, or 10 years. They could not qualify as far as the local bank is concerned, to get the loan, but they can qualify under this program.

I will say to the gentleman that we, the committee, believe that the agency has been a little too stringent, too strict, in the way it has revised some of these loans. We tried not to put ourselves in the position of the lending officer. That is a judgment that will have to be exercised by the agency. But within the criteria that we have laid down, the standards set down in the statute, we think the agency has been a little too strict in making some of these loans. That was one of the points I was making as my time ran out. They are going way beyond what we intended. That language in the statute comes out of the old RFC Act.

Mr. RHODES of Arizona. I thank the gentleman from New York.

Mr. Chairman, I am in hopes that the Small Business Administration will be a little less stringent because of the remarks of the gentleman, and the other expressions of the intent of the House made on the floor today. There is a great need for risk capital and for money which can be borrowed for expansion of business.

I want to congratulate the committee on bringing this bill out. I certainly intend to vote for it.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. BROWN].

Mr. BROWN of Missouri. Mr. Chairman, surely there can be little genuine opposition to this Small Business Act. Everybody realizes—certainly the members of the Small Business Committee realize—that this legislation offers no sweeping cures for all the problems that plague the 4 million small-business firms in America. In times of inflation, mergers, automation, and heavy emergency defense outlays, small-business problems are much too complicated and too varied to be solved in one fell swoop by one agency or one act of Congress.

But this act continues two very essential steps in the right direction; and it should be viewed only in that light.

Proud as I am to cosponsor this bill, I regret most sincerely that it is not coupled with companion bills providing more sorely needed assistance to our small businesses.

Many times in committee, I have stressed the fact that loans—even longer term loans—are not the major needs of small business. Small businesses need sources for risk capital even more than they need loans. Money that can be left in the business, not loans to be repaid.

The big companies have ample sources for risk capital. Even in times of tight money, they can and do float new stock issues or long-term debentures as their needs require.

Investors quite naturally want to invest their savings in the biggest, the most highly advertised corporations. The small business, even one with brilliant management and great possibilities, is too small to qualify its stock on the Stock Exchange or to interest the major investment banks. In many cases, the small firm is a family firm, a proprietorship, or a partnership.

Where can they go for risk capital for expansion? Often, the only course for the young, aggressive, hard-working businessman today is to create his own capital by plowing back into the business every possible nickel's worth of profit. More often than not, the young businessman draws less out of his business for living expenses than he could get in salary by working for someone else, because he is constantly pressed for capital in the business. There is always a payment due on equipment, a note at the bank to cover accounts receivable, a mortgage on the delivery truck.

You say, "Hasn't that always been true? Isn't that just a part of being in business?" I say to you it is worse today than ever before in our history, because each new invoice is higher than the one before. Inventory costs keep rising. And, even more important, there is always the big hand of the Federal tax collector.

How much money can a man plow back into his business when Uncle Sam is taking 30, 40, or 52 percent of the firm's net earnings?

This Small Business Act would be a much, much better act if it were coupled with a tax-reform bill to correct the inequities of the tax structure that now make it so difficult for a young businessman to build up a business by plowing back a certain portion of the profits. Tax exemption on a certain portion of earnings would be a real helping hand to small business. This would benefit all 4 million small concerns, whereas this act will provide loans for an estimated 4,000 firms per year.

But, no, the administration opposes tax relief for small business this year. They tell us every day that the Government cannot afford the loss of revenue. But how much revenue would be lost?

Would it surprise you to hear that less than 2 percent of the Federal revenues comes from small businesses?

Four million firms, and the total tax take from them is less than 2 percent.

Why, complete elimination of all taxes on small businesses would cut revenue only $1½ billion. If the tax laws permitted a small business to plow back 30 percent of its earnings without penalty, the loss in revenue to the Government could not be in excess of $500 million; and Congress has certainly cut that much fat from wasteful, negligent agency spending, many times over.

This Small Business Act should have been coupled with a Small Business Tax Relief Act of 1957; and if this Congress and the President are interested in small business, that tax relief must be forthcoming.

Meanwhile, let us take at least the two essential steps provided in this Small Business Act. Let us continue the Small Business Administration so that firms denied loans by regular lending institutions will have some source of working capital. One hundred fifty million dollars a year in new loans is precious little, it is true. But it has often meant, and will continue to mean, salvation for many a beleaguered small-business man.

Let us continue and expand Government assistance to the small-business man in securing Government contracts. It is just good business for the Defense Department and other Government agencies to have a wide choice of competing suppliers. It is good for the Government; and it is good for all business.

This procurement assistance must be even more practical than it has been in the past. I hope to see the day when all businesses of all sizes will feel that they have an even break in competing for Government contracts, where new firms will spring up like mushrooms in agricultural areas, dispersed for security and economy.

This act is the means by which this goal can be acomplished. I honestly feel that the Small Business Administration has learned a lot in the last 2 years. I think it will be a better agency in the future. It must be.

For small business is basically American.

There is no feeling quite like the one of knowing that you can own your own business and do anything you are big enough to do. We must keep open the door of opportunity and this act helps to keep that door ajar. Surely the least we can do is pass it without delay.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Maine [Mr. COFFIN].

Mr. COFFIN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. COFFIN. Mr. Chairman, I would like to convey, if that is possible, my awareness and appreciation of the painstaking, patient, and constructive effort that has been applied to this bill to amend the Small Business Act as reported by the Banking and Currency Committee.

I have followed the long course of public and executive hearings before Mr. MULTER's Subcommittee on Small Business and before the Banking and Currency Committee which is guided by our wise and experienced colleague, Mr. SPENCE. I know of the thought and effort that veteran fighter for the independent businessman, Mr. PATMAN, has invested in this legislation. I have testified before Mr. MULTER's subcommittee and before the Banking and Currency Committee. I have even had the temerity to venture forth and try my wings for the first time in confronting a subcommittee of the Senate. I testified there in favor of two specific changes in the Small Business Act, one of which I am deeply happy to say is incorporated in this bill that is before us.

I am from a State where well over 90 percent of business can be legitimately described as small business. It is essential to us in Maine as it is to thousands of other communities, to our bankers and our businessmen that we in Congress demonstrate the need for the Small Business Administration by giving it a longer lifeline than it has previously been granted. I firmly believe that the SBA should be made a permanent agency. I believe this because I am convinced after long and careful study that its functions are essential to the survival of individual initiative, the encouragement of new enterprise, and the strengthening of existing small businesses. I do not contend that even this amended legislation is perfect. I do not defend the manner in which the Small Business Administration has interpreted and administered all provisions of the existing act. But the agency has proven its usefulness and it must perform functions which no other agency of the Federal Government is now authorized to perform. I hope that the House, whatever imperfections it sees in this legislation and in the Small Business Administration, will nevertheless see fit to make SBA a permanent agency.

I note that the committee in its report shows that it seriously considered establishing regional offices of SBA in Hawaii, Alaska, and Puerto Rico. This was dropped in the interest of economy and on the assurance of the Administrator that the existing branch offices would have increased authority with respect to loans and other matters. I would like to say at this point, Mr. Chairman, that I learned during my campaign for election to this House of the very real need for some kind of SBA office in my area, east of Boston. The cost and difficulties of travel to Boston is a very serious handicap to our businessmen in Maine. I promised that I would urge SBA to branch out into our Northeastern section of New England, and I am more convinced than ever that this expanded service is necessary. I most certainly hope that SBA will provide better field service on a more continuing basis.

As I have said, Mr. Chairman, I am gratified that the substance of my bill, H. R. 5651, has been incorporated in this legislation. The SBA, in an amendment to the present Small Business Act, is directed to make studies of matters affecting the competitive strength of small

business and the effect of Federal laws, programs, and regulations on small business. The results of these studies and of future plans will be reported to Congress. I am sure that this will be invaluable to the SBA and to Congress which will then have the data on which to make decisions on the weaknesses of the program and to determine whether legislation is needed on specific points.

As I have stated previously here in the House and in testimony before committees, I feel that it is both desirable and necessary to clarify SBA's authority to make loans to nonprofit groups which are attempting to attract and establish new industries in their communities. Although there does not appear to be any clear authority in the existing act for such loans, I believe we should all join in commending SBA for making some effort in this direction. These loans have been limited, restricted, and have so far involved less than $800,000. My bill, H. R. 5693, which I had hoped to see incorporated in this legislation, would clarify SBA's authority and remove some of the self-imposed restrictions the agency has placed on the type, size, and conditions of loans to these nonprofit groups. I hope that in the future Congress will give serious consideration to some proposal such as mine.

I am very glad to see that among the committee amendments to the Small Business Act is one which somewhat broadens the disaster-assistance program. The test of eligibility has been changed to include areas affected by drought instead of restricted to those where a drought is occurring. This is a step in the right direction. But I would also advocate, as set forth in my bill H. R. 5650, that SBA be empowered to make loans in cases of economic disaster as well as disaster from flood or fire. Such expanded authority would go a long way toward preventing economic disaster. Under my bill, the President could designate a community as subject to economic dislocation and SBA could immediately make loans to businessmen in that community willing to start a new enterprise to help take up the slack. I hope that the Congress will also consider this proposal in the very near future.

The legislation which we are considering today would reduce the maximum permissible interest rate from 6 to 5 percent. I am in agreement with the committee's conclusion that small-business men who badly need credit should not be compelled to pay more than 5 percent interest to their Government, and I hope that the House will go along with this important amendment.

Although I have suggested that some further amendments are necessary in the Small Business Act, I take great pride in supporting this bill as it stands. It is a carefully considered and carefully written piece of legislation, and I am confident it will win the support it deserves.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Hawaii [Mr. BURNS].

Mr. BURNS of Hawaii. Mr. Chairman, the Banking and Currency Committee fully deserves the wholehearted expressions of sincere appreciation accorded to them by Members of this House from both sides of the aisle. The Small Business Act is of great importance to the future of our country. Its importance cannot be overestimated.

The Committee on Banking and Currency, whose chairman is the renowned and distinguished gentleman from Kentucky [Mr. SPENCE], whose many outstanding contributions to the greatness of America are a matter of record, has reported in H. R. 7963 a bill the need for which is evident. It is a bill which shall be of increasing value in the preservation of the American way of life in the future.

As our Nation has developed its economy and expanded its population, the opportunities for the entrepreneur—like a Henry Ford—decrease almost in ratio to the growth of larger industries. The demands of these larger industries for capital and credit foreclose this source to small business. The need for Government to keep open the avenue from which we obtain those who bring initiative, vision, and courage and develop new ideas, new ways, and new industries, is clearly apparent and vital. The small-business man is the source from which we draw our strength.

I take advantage of this opportunity to express the deep appreciation of the people of Hawaii to the very able and dedicated gentleman from New York, [Mr. MULTER]. Due to his vision and broad interest in the economy of the United States and in every part of the United States, Hawaii has today a Small Business Administration. That Small Business Administration is today giving hope in a most needed area in Hawaii.

Due to the continuing interest and most capable attention of the outstanding chairman of Subcommittee No. 2, Mr. MULTER, who visited Hawaii during the Easter recess with the able and distinguished gentleman from Oklahoma [Mr. STEED], the people of Hawaii have great expectations that in the Small Business Administration, whose branch office in Hawaii has recently been given additional authority, they will find the assistance needed to develop the small business so needed in the Hawaiian economy.

It is my understanding from members of the Committee on Banking and Currency that the Administrator of the Small Business Administration has given the branch manager of the Hawaiian office substantial authority with respect to the handling of loans and other matters so that to all intents and purposes it will operate as a regional office. The designation of a regional office was not insisted on in view of this commitment from the Administrator since administrative expenses would be unduly increased if it were a regional office. I commend the Committee on Banking and Currency and extend our sincere thanks and appreciation for their gracious consideration.

Mr. SPENCE. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. PATMAN].

FOR THE BILL

Mr. PATMAN. Mr. Chairman, regardless of the outcome of any amendment I introduce, I expect to support this bill. I am not in opposition to the bill as such. I do oppose certain provisions of the bill, and I am going to offer amendments which I believe will be helpful in correcting what I believe to be things that should be corrected. No. 1, about it being a permanent agency. That is a long step to take. The Smaller War Plants Corporation was the first agency of this kind. Why was it created in the beginning? It was created because some difficult problems arose with small-business men by reason of the emergency. Big-business people had their representatives in Washington. They could look after their interests before the different agencies, but the small-business man did not have anybody to look after his interests. And on that theory we created the Smaller War Plants Corporation. That was because of procurement problems. That was because of allocations. That was because of price controls and how they affect small business. There were good reasons for the creation of the Smaller War Plants Corporation.

There were good reasons for the succeeding agency, the Small Defense Plant Administration. There is a good reason, on a temporary basis, for the Small Business Administration; there is no question about that. The point is, are we going to say that the problems of small business are chronic problems, that they will always be with us? If we say that, then we are saying that we will always be in an emergency.

It has been the hope of all of us who have supported legislation of this type that the time would arrive when there would be no need for it.

There is a committee in this Congress that is comparable to the Small Business Administration, the Small Business Committee of the House of Representatives. It is not a permanent agency. It is not a permanent committee of this House. No one has ever asked that it be made a permanent committee of this House. Why? Because we consider the problems affecting small business as emergency problems for this period only, or the period of the war, or the period after the war, periods when it is necessary to have more national defense than is normal, which affects our entire economy. Then is when we must look after the problems of small business. But we have never asked that the Committee on Small Business be made a permanent committee. I have hopes one of these days, and it should not be long, when there will be no further need for the Small Business Committee of the House. I have hopes that there will be no further need for the Small Business Administration, and the point that I want to make here is that when I get back home and one of my constituents asked me, "Did you try to increase the Government payroll when you were up there?" I would say, "No, I did not try to increase it."

"Did you not vote to make the Small Business Administration a permanent agency and increase by thousands of employees the number of people on the Federal payroll, creating lifetime jobs?" I do not want to have to say that I did, because from my standpoint, that would look as though I were just grasping for something, an excuse, to put more people on the payroll and to make an agency permanent when it was not necessary. I do not want to be put in that position.

Let us continue this agency for 2 years. Let them come back 2 years from now and if there is still need for it, we can continue it for 2 years more or 4 years more, whatever is necessary. But let us not automatically and arbitrarily blanket in as permanent employees of the United States Government thousands of employees. It is not necessary to do it. One of these days we might not even need them. We hope we will not. We did not need them before we had these emergencies. We did not have them then and the time will come when we will not need them. This question about blanketing in additional employees is a serious question.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. SEELY-BROWN. Two questions. Does the gentleman feel that the problems of small business are not continuing problems? We may not like that, but they are just as much continuing problems as are the problems, if you will, of agriculture; as are the problems of the defense of our country. Do you not think that the problem the small-business man faces is tied in with the problems of all our economy?

Mr. PATMAN. Yes, but we have committees to look after that. You take the Judiciary Committee. It looks after problems that have to do with the antitrust laws, the Clayton Act, the Sherman Act, the Robinson-Patman Act, and all the other laws. The Committee on Interstate and Foreign Commerce is a standing committee that looks after many of the normal problems of small business. The Small Business Committee is only looking after the abnormal problems, problems that arise in an emergency only, something that is temporary and not supposed to be lasting. They are not chronic. If they were chronic, we should always need a Small Business Committee in the House, but they are not chronic.

Mr. SEELY-BROWN. When you tell your constituents that you voted against making the SBA a permanent agency because you did not want to add to the Government payroll, how do you answer them when they ask you, "How does it happen that the Small Business Committee has a staff of over 23 members right now, probably the largest paid staff of any committee in the Congress?"

Mr. PATMAN. That is looking after their problems in an emergency, for only 2 years. It is not a continuing committee There is a limitation, there is a termination. This has no termination. This is from now on out. This is forever. This is putting them on the payroll forever and forever.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Does not the gentleman admit that the function of the Small Business Administration has been more than that of a lending agency, that they contribute from year to year in helping small business to understand their problems, advising them how to run their businesses, and giving them an opportunity to progress from the advice that comes through the governmental agency?

Mr. PATMAN. I do not want to admit I am sending people out from Washington to show these fellows how to run their businesses. I doubt that their rating would be very high in that respect. I just doubt that it would. The Small Business Administration has done a much better job the last year, I know it has. If you will take this bill and look it over, you will find that over 50 percent of it is on procurement. Procurement? What is it related to? It is related to national defense, high Government spending for national defense. Are we always going to have that high spending for national defense and, therefore, are we saying that we will, and that we have to have a Small Business agency to look after procurement? We hope the time will come when we will not have these special problems of procurement.

Mr. WIDNALL. Has not the Small Business Administration done a splendid job in getting the participation of banks in making loans, where they would not previously grant loans?

Mr. PATMAN. Yes; they have procured a lot of business for the banks, and it is possible they could be criticized for it in some instances. The banks could sit down and do nothing, and the SBA could get out and spend Government money on good loans that they would make money on. In some cases, being normal human beings, as we are, they will wait for something like that. They have got a lot of profit from loans made that way, but the taxpayers are paying it. Are you willing to see this a lasting thing? a chronic thing?—that it will always be with us; and that we will never cure it.

Mr. WIDNALL. May I answer the gentleman by saying I like a Government agency that tries to encourage private enterprise and tries to find them a niche in the lending field, where they should properly be.

Mr. PATMAN. Does the gentleman not believe there should be some incentive to do a good job? If you make them a permanent agency, there is no incentive to be looking for something that will be for the benefit of small business. But you make them come back every 2 or 3 years and get a renewal and they will have some incentive. They will bring in some incentives like risk capital. One of the most serious problems affecting small business is its failure to get risk capital. There is no place in the United States where he can get adequate risk capital. Why has not the Small Business Administration recommended something for this Congress to pass? They have not made one recommendation. If you make them permanent, they will not try to bring up a formula or a plan that will be helpful for small business to get risk capital. But, if you just make them come back every 2 years and charge them with the duty of bringing in a plan to afford risk capital to small business, they will be working on it and they will be bringing in something in a year or 2 years from now.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. MULTER. The gentleman said something about blanketing into this agency these employees, if you make it a permanent agency. The fact of the matter is according to the record made before our Committee on Banking and Currency, and I refer to page 270, the Small Business Administration presently has approximately 94 percent of its employees on civil-service status. These are civil-service employees with status, and whether you abandon this agency or make it a permanent agency, you cannot take that civil-service status away from them. The law guarantees their civil-service status to them

Mr. PATMAN. But you can keep them from becoming permanent employees of this agency. They can go to another agency, if they have permanent status. But here you are blanketing them in and you make these employees have a permanent status with this agency, if you make the agency permanent.

Mr. MULTER. How long do you think these employees are going to stay with this agency if it is not made a permanent agency? They are going to go to another agency that is permanent before this agency folds up.

Mr. PATMAN. They do not have any trouble keeping their employees. They have never had any problem on that score, I will say to my friend. That is one problem that they do not have.

Mr. MULTER. Would the gentleman suggest that the Department of Commerce be put on a temporary basis?

Mr. PATMAN. It is not comparable at all.

Mr. MULTER. Will the gentleman concede that the Department of Commerce is helping big business?

Mr. PATMAN. You might just as well say the Committee on the Judiciary should be abolished because the Small Business Committee is not a permanent committee of the House. The two things are not comparable at all.

Mr. MULTER. Will the gentleman concede that the Department of Commerce is taking care of big business?

Mr. PATMAN. They help all business, I guess. That is what they are supposed to do. But, there is some duplication here. There is a lot of duplication here between the Small Business Administration and the Department of Commerce.

Mr. MULTER. But they assure us that there is no duplication.

Mr. PATMAN. Of course, they would say that. You did not expect them to say anything else; did you?

Mr. MULTER. They say that there is no duplication. As a matter of fact, the SBA is the only agency that I know of in the Government that is doing anything for small business.

Mr. PATMAN. I would like for the gentleman to make it a matter of record and take an opposite view on this for the benefit of the legislative history of this matter. I think it is important. In this particular bill the Small Business Administrator would be permanent. He has a permanent job from here on out.

Mr. MULTER. But he is subject to removal by the President.

Mr. PATMAN. Where does it say that he can be removed by the President?

Mr. MULTER. That is what the law says now.

Mr. PATMAN. Where does it say it in the bill?

Mr. MULTER. It does not have to be in this bill. If you, by law, create an office and you do not give tenure, the person holding the office is subject to removal at the will of the President unless there is a contrary statement in the law.

Mr. PATMAN. I am glad the gentleman makes that statement. I hope it will be considered for the legislative history because I certainly do not want any administrator to be made permanent. I am afraid this bill makes him permanent.

Mr. MULTER. This matter has been decided any number of times all the way up to the United States Supreme Court. It has been decided any number of times that if there is no tenure of office, a man is removable at the will of the President.

Mr. PATMAN. I will take the gentleman's word for it. But, I want this agency to come back here 2 years from now and let us look it over. Let us see what they have done and what kind of emergency there is going to be, and to see whether we still have a procurement problem, and to see whether we still have problems regarding allocations of materials, scarce materials and so on. If so, why then we might continue it. But, if we do not, then perhaps it is not necessary to continue it. We are just seeking an opportunity to make an agency a permanent agency here according to what it looks like to me when there is no real need or any genuine demand or necessity for it. This is a temporary agency. I want to help small business as much as anybody, but I do not want to have some agency created here which will say to 4 million small-business men of America, "This is your agency. This is for you. Here is where you get your relief and that is all." That is a very poor excuse. The limit of what may be loaned is $250,000. Is that going to be our appreciation for the small-business man? Is that what we tell him? Do we say to the small-business man, "We will let you have $250,000 for the little men to fight among yourselves, but if you want to borrow a million dollars to go into competition with General Motors or General Electric or some other big concern, in the making of some item we will say no because that is stepping on the toes of the big man and we will not let you do that"? We should not let that be our appreciation of little business and small business. We must go into these problems and go into them frequently and do what is necessary to attempt to help small business. The big people of this country have plenty of ways to get credit. The small-business man does not have a satisfactory way and no way to get risk capital, not one way.

The big concerns in America can go to the banks; they are directors of banks, they have interlocking directorates.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, will the gentleman yield me 5 additional minutes?

Mr. SPENCE. I yield the gentleman 3 additional minutes.

Mr. PATMAN. Why three?

Mr. SPENCE. The concluding speech ought to be for the bill.

Mr. PATMAN. How much time have we remaining, Mr. Chairman?

The CHAIRMAN. The gentleman from Kentucky has 11 minutes remaining.

Mr. SPENCE. I yield the gentleman five additional minutes, but I would state that the concluding speech ought to be for the bill.

Mr. PATMAN. I am for the bill. I am going to vote for the bill, but there are some amendments I intend to offer that I have not had a chance to speak about yet.

I am for the bill; we must pass it, but I do not want it passed as a permanent agency. I want to make it 2 years so that they will have to come back and make a report showing some reason why it should be continued. Then they will do something of real value for the little-business man. Then they can come back and show some good work accomplished for small business.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. SANTANGELO. The objection the gentleman has to the permanency of this agency is that they would not be required to make a report.

Mr. PATMAN. They would make reports from time to time, certainly.

Mr. SANTANGELO. As I read section 9 (a), they are compelled to make reports.

Mr. PATMAN. That is different entirely, I may say to my friend. Such reports would be pointless.

Mr. SANTANGELO. As I understood, the gentleman objected because he thought that if this agency were not made permanent they would have to submit a report.

Mr. PATMAN. They would make reports to the legislative committee that held their life or death in its hands.

Mr. SANTANGELO. What is the objection to permanancy?

Mr. PATMAN. I thought I had explained it thoroughly. I tried to make it very clear that it is not necessary that it be permanent; that we should have them come back here to find out what they were doing for small business, if they were getting risk capital for small business. They have never done that. They need some incentive to get out and work for the small-business man. If we make it permanent and do not give them an incentive, they will not be nearly so effective. They can always make a report. But if they have to prove the work they have done they would have an incentive to really help the little fellow.

The large concerns have plenty of ways to get money. Their top men are directors in large insurance companies; they are directors in banks. The World Bank, if the concern has any part in world trade, can lend them money; big business can get a billion dollars. The Export-Import Bank has millions of dollars available for big business anywhere in the world—Canada, Mexico, anywhere—but not a dollar is available for risk capital here in the United States of America.

International Finance Corpcration has lots of money to make loans, risk loans, anywhere in the world, Canada, Mexico, anywhere except the United States of America, but not here; we do not have any agency.

Are we going to be complacent about the situation and say we are not going to seek opportunities to give little concerns risk capital? We should not do that. We should not be complacent. We should be on the alert, we should be looking forward as to how we can be helpful to the little man.

We do not want the agency made permanent. It should be restricted to 2 years or 4 years.

Mr. Chairman, I yield back the balance of my time.

Mr. TALLE. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. RIEHLMAN].

Mr. RIEHLMAN. Mr. Chairman, I rise in support of this legislation. I would like to commend the Banking and Currency for the splendid work they have done in respect to bringing this bill before the House today.

My one hope is that the House will not be inclined to vote to extend the life of SBA for only 2 years; I hope they will follow the committee recommendation and that we will make it a permanent agency, because I feel it is vital and necessary to the welfare of both business and industry in this Nation of ours.

Many constructive steps have been taken to institute programs designed to place small business on an equal footing with other segments of our economy. Perhaps one of the most important accomplishments in this direction came in passage of the 1953 act which established the Small Business Administration. This agency was required to devote its activities solely to the needs of small business. The Congress, in establishing this peacetime agency for small business decided its authority should be limited to a 2-year period. Again in 1955 after a searching investigation by Subcommittee No. 2 of the House Small Business Committee and an equally objective consideration by the Committee on Banking and Currency of the House, recommendations were adopted to continue the Small Business Administration for an additional 2 years.

As a result of the record of service to small business by the Small Business Administration in the last 4 years and in recognition of the fundamental requirement for the health and welfare of our free competitive system, there has been a spontaneous and almost unanimous desire to establish a permanent small-business agency. The small-business community wants the Small Business Administration to become a permanent agency. The administration has recommended it. The most interested agencies in the executive department of our Government, including the Department of the Treasury, the Department of Defense, the Department of Commerce, the General Services Administration, and the Atomic Energy Commission, have recommended that the Small Business Administration be placed on a permanent basis.

In making this agency permanent the Congress will materially strengthen the two most important programs of the agency, namely, the business loan and the Government procurement programs.

It is my hope that H. R. 7963, as introduced by the distinguished chairman of the Banking and Currency Committee of the House of Representatives, the gentleman from Kentucky [Mr. SPENCE], will be passed without amendment. The Banking and Currency Committee has given careful and thorough consideration to the many bills which were presented for its consideration. H. R. 7963, as reported by the Banking and Currency Committee, is a clean bill which embodies the constructive thinking of many Members of the House and of the administration.

Originally an administration bill was introduced by the author of the Small Business Act of 1953, my distinguished colleague and the ranking minority member of the House Small Business Committee, the gentleman from Colorado [Mr. HILL]. The administration's bill was also introduced by the distinguished ranking minority member of the Committee on Banking and Currency, the gentleman from Iowa [Mr. TALLE].

In connection with this legislation and as a part of its continuing program, Subcommittee No. 2 of the Select Committee on Small Business conducted an exhaustive study and held hearings on the operations and progress of the Small Business Administration during the months of March and April 1957. The subcommittee under the able leadership of its distinguished chairman, the gentleman from New York [Mr. MULTER], agreed unanimously that certain changes should be made in the present act as well as in the administration's proposal in order to further strengthen the activities and the services of the Small Business Administration.

Members of the subcommittee drafted and introduced its own bill in which they were joined by other Members of the House who serve on the Small Business Committee. Twelve members of our Small Business Committee introduced the bill as proposed by Subcommittee No. 2. The Committee on Banking and Currency has accepted several of our recommendations and made other constructive changes which resulted in the bill H. R. 7963.

Personally, I believe the House has before it a fine piece of legislation which has been accomplished through reconciliation of divergent views in the highest tradition of our legislative processes.

May I say at this point a word of commendation for the members of Subcommittee No. 2 of the House Small Business Committee. They are, as I have noted, the gentleman from New York [Mr. MULTER], our capable and diligent chairman; the gentleman from Illinois [Mr. YATES]; the gentleman from Oklahoma [Mr. STEED]; and the gentleman from Connecticut [Mr. SEELY-BROWN]. It affords me a great deal of satisfaction to be associated with and to be a part of the membership of this subcommittee. In all of its deliberations I can say without reservation that the members of Subcommittee No. 2 have worked harmoniously and in a spirit of nonpartisanship and with one common purpose. That is to achieve the fullest opportunity for small business to prosper and to grow in our economy.

I know that the chairman and members of the Committee on Banking and Currency have explained H. R. 7963 in detail. However, I desire to devote a short time to some of the more important proposals and to recount a few of the accomplishments of the Small Business Administration.

H. R. 7963

The report filed by the Committee on Banking and Currency and the testimony received in hearings clearly indicate that Small Business Administration activities have sharply increased. SBA activities are expected to increase in coming years as the small-business community of our Nation becomes more cognizant of the role of the SBA in our Government. The legislation is designed to place the Small Business Administration in the best position possible to meet not only the continuing needs of small business but also the increased demands which most surely will be placed on this agency.

Among the principal changes as outlined in the report of the Committee on Banking and Currency are: to make SBA a permanent agency; to require a new definition of small business for procurement purposes; to reduce the interest rate on SBA's direct business loans and on SBA's share of loans made in participation with private lenders and to allow banks or other participants additional latitude by removing the ceiling on their share of such loans; and to establish a National Small Business Advisory Board in place of the Loan Policy Board.

A PERMANENT SMALL BUSINESS ADMINISTRATION

Probably the most important aspect of the pending legislation is that of permanency. The policy of the Congress with regard to small business cannot be fully carried out unless the Small Business Administration is made a permanent agency. The Small Business Administration cannot perform its greatest usefulness unless the agency is placed on a continuing basis.

Banks have been hesitant to participate in the financial program to the fullest extent because of the temporary nature of the SBA's authority. As the expiration date of the Small Business Act has approached, increasing difficulties have arisen in obtaining agreements for participation loans. Throughout the business world better relations will be established by placing the Small Business Administration on a permanent basis.

Problems within Government are also created because of SBA's temporary status. The effectiveness of the Small Business Administration is lessened in its relations with other departments and agencies. Some agencies are reluctant to embark on long-range programs with the SBA.

In the personnel field, the Small Business Administration continues to encounter difficulties. A lack of incentive exists for longer-range training programs—which would increase efficiency—and qualified specialists are not attracted to the agency under the present law. A vital responsibility of the SBA concerns the Nation's defense program, but complete participation of the Small Business Administration into national defense planning is difficult to attain until permanency is established.

THE "500" RULE FOR CONTRACT AWARDS

The definition of small business for purposes of Government procurement has been for many years a matter of considerable concern to small business. The Small Business Administration presently uses two definitions, one for financial assistance and the other, the so-called "500" rule, for procurement. The procurement definition has been far from satisfactory. The Committee on Banking and Currency, although modifying the Small Business Committee proposal, has brought forth constructive changes which will be valuable in clarifying congressional policy and will enable the Small Business Administration to promptly put this policy into effect.

At present the law provides that a small business concern shall be one which is independently owned and operated and which is not dominant in its field of operation. The Administrator, in making a detailed definition, may use as criteria, among others, number of employees and dollar volume of business.

Amendment to the present law would provide that if Small Business Administration uses number of employees as a basis of determination, the maximum number of employees shall vary from industry to industry to the extent necessary to reflect differing characteristics of such industries. This provision safeguards small business interests to a much greater extent than the interpretation existing under the present act. H. R. 7963 requires the Administrator of Small Business Administration to establish a new definition for procurement and if the new definition is not put into effect within 30 days, Small Business Administration's present definition for financial assistance shall apply for procurement purposes until the promulgation of a new definition.

THE RATE OF INTEREST ON BUSINESS LOANS

Another significant and important revision which would result from adoption of H. R. 7963 is reduction of the maximum interest rate from 6 to 5 percent on direct business loans and on Small Business Administration's share of a business loan made in participation with banks.

In addition, the 6-percent ceiling would be removed from the bank's share of a participation loan.

A point raised in respect to reduction of the interest rate is the possibility that competition between the Small Business Administration and banks would arise. It should be made clear that there can be no competition between the banks and the Small Business Administration because the bank has first opportunity to grant a loan. Application to the Small Business Administration for loans can only be made when financial assistance is not available from other credit sources at reasonable terms.

The Congress did not intend that Small Business Administration activities supplant the normal lending functions of our private financial institutions. The proposed legislation does not alter this in any degree. The Small Business Administration is designed to supplement these functions in those areas where the private institution cannot meet the demand of small firms.

Neither has it been congressional intent that the Small Business Administration was established for the purpose of making a profit for the Government. Providing a necessary service to the small business community is the only justifiable reason for its existence. Reduction of the interest rate to 5 percent will not result in a loss to the Small Business Administration, but by such reduction, small business enterprises in urgent need of credit will be given further beneficial assistance in achieving sound economic status.

In reducing the interest rate, the Congress will bring this program closer in line with other lending programs now carried on by the Federal Government.

NATIONAL SMALL BUSINESS ADVISORY BOARD

The abolishment of the present Loan Policy Board, and replacement by a special advisory board, is another constructive step which will bring the SBA closer to small business in determining loan policy and further assure its status as an independent agency.

The National Small Business Advisory Board will be composed of the SBA Administrator, the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 nor more than 6 other individuals appointed by the Administrator who are familiar with small-business needs and problems and are truly representative of small-business interests.

The Board shall serve only in an advisory capacity and would consult with the SBA in carrying out the purposes of the act. Changes in this section will result in the Small Business Administration determining policy, whereas under present law the Loan Policy Board establishes general policies governing granting and denial of applications for financial assistance.

Revision of this section of the law does not deprive SBA of the services of any agency or department of Government, but clearly places the burden of responsibility in determining policy upon the Small Business Administration as it should be. Services of the Secretaries of Treasury and Commerce are utilized in an advisory capacity, and in addition, individuals who are close to the small-business scene are also invited to aid in this program. I think a distinct weakness is overcome by placing members of the small-business community on such an advisory board. This will be a vital factor in bringing the Small Business Administration closer to the people which it serves.

ACCOMPLISHMENTS OF THE SMALL BUSINESS ADMINISTRATION

Throughout the years small firms have been unable to secure equity capital in the organized security markets. While private financial institutions have apparently supplied most of their demand for short-term credit to fill working capital requirements, these same institutions are unable to advance credit of relatively long maturities. Frequently it has been found that the type of long-term credit desired by small business could not be handled by commercial lending institutions.

Establishment of the Small Business Administration has alleviated some of the difficulties, as I shall indicate in reporting on a few of the activities of the Small Business Administration. However, in discussing legislation which will be more beneficial to small business and more accurately carry out the intent of the Congress, we should not overlook the accomplishments that already have been made by the Small Business Administration.

The Small Business Administration has been diligent in its efforts to provide assistance to small business. Each 6-month period since its establishment the Small Business Administration has shown an increase in the assistance rendered to small business. The latest figures—May 31, 1957—show that there have been 6,820 business loan approvals for a total of $311,494,000.

Moreover, there has been continued effort to expand the financial-assitance program. The loan policy has been changed many times to broaden the base of the business-loan program, and a limited loan participation program has been developed which is meeting with considerable success. This type of loan was designed to assist the small retailer, wholesale distributor, and service establishments. Some 1,737 of these loans have been made, as of May 31, 1957, with the Small Business Administration participating up to $15,000, or 75 percent, of the loan, whichever is the lesser.

Greater authority has been delegated to field personnel in an effort to expedite processing of loans. Regional officers can now approve direct and participation loans up to $20,000; participation loans up to $100,000, where there is a 25-percent participation and where one-half of the bank's share is new money; and, finally, they may approve disaster loans up to $50,000.

Procurement as well as the technical-assistance programs have been increasingly effective each year since the beginning of the Small Business Administration. Much reliance is placed by the Small Business Administration on its set-aside program whereby all or certain portions of particular procurements are set aside for exclusive bidding by small business concerns. There has been an increase in set-asides, from $386,610,589 for fiscal 1955 to $645,376,188 for the first 11 months of fiscal 1957. In all, some $1,707,538,810 in set-asides have been agreed to by the military procurement agencies since August 1953. The Small Business Administration has broadened its set-aside program to include civilian procurement agencies and already some $50.6 million in set-asides have been agreed to by these civilian procurement agencies. I would like to emphasize that this has been accomplished by only 37 procurement specialists, of whom only 16 are full time, covering some 159 procurement offices throughout the country.

I think as we look over the record of accomplishments of the Small Business Administration, we can take justifiable pride in the splendid development and consistent advancement of a program that has been in existence only 4 years. Adoption of the Small Business Act in 1953 was a farsighted step and one of the most important actions taken by the Congress in furthering the progress of this Nation.

I believe it has been clearly indicated that this program is of vital necessity to the welfare of thousands of small businesses which are so essential to our local communities and to our economy as a whole.

Small business is an integral part of our productive capacity—both in peace and in war. Adverse economic pressures of today may only effect small business, but if small business does not achieve stability and is not able to keep pace, tomorrow may find these same adverse economic pressures threatening the well-being of all segments of our free-enterprise system.

H. R. 7963 is sound legislation designed to meet these problems through methods consistent with the principles that have served as guideposts in the growth and progress of our Republic.

Mr. TALLE. Mr. Chairman, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CURTIS of Missouri. Mr. Chairman, for several years I have been much concerned over the position of small business in an economy geared for defense production. The importance of small business participation in defense procurement is obvious when we realize that our Government spent some $43.5 billion on defense items in fiscal 1952 and over $19 billion in fiscal 1956. During this same period the amount of defense contracts to small business fluctuated without apparent pattern but generally between 21 percent and 16 percent.

I had the honor to serve on the House Select Committee on Small Business during the 82d Congress and have since followed closely the efforts, or lack of effort, on the part of the Federal Government to assure small business a fair share of its purchases of goods and services. During the Korean war our committee found procurement offices awarding the lion's share of their contracts to the largest concerns in the country. The prevailing philosophy was that there was little or no time to be concerned about prime contracts for small business and that they should look to subcontracting as a means of contributing to our national defense. No effort was made to assure financial assistance or a supply of materials and components so that even with a contract the smaller business might produce effectively. In addition, administrative procedures on defense contracts virtually precluded a small manufacturer from handling a Government contract, if the incentive to produce for the Government had not already been killed.

Because of the lack of consideration for small concerns evidenced by procurement officials Congress established the Small Defense Plants Administration in 1951 with authority to assist small firms to secure Government contracts, to obtain adequate financing, and to find a solution to their administrative difficulties. I believe that as a result of this legislaiton small business was able to make a significant contribution to the Korean war.

In reviewing the role of small firms of Government procurement in 1953 Congress found that while defense spending had decreased greatly because of the cessation of hostilities, continued assistance was necessary to assure fair and equitable opportunities to the small firms in our economy. Many of the procurement and technical assistance programs of the Small Defense Plants Administration were carried over into the new agency and have proved to be, since the fall of 1953, effective tools to combat the obstacles encountered by small business in its dealings with Government procurement agencies.

The Small Business Administration program in which the most effort has been expended to provide procurement assistance is the so-called joint set-aside program. Under this program, representatives of the Small Business Administration are assigned to the principal purchasing centers of the Government to review or screen with representatives of the purchasing agency, proposed procurements, and to determine which of them can be set aside either in whole or in part for exclusive award to small business. I should emphasize, however, that the law makes this program strictly a cooperative effort. SBA may only suggest which procurements should be set aside. The final decision rests with the contracting officer.

Originally SBA was precluded from screening classified procurements, sole source procurement purchases under $10,000, emergency and research and development procurement. A revision of the original agreement does now, however, permit SBA to screen procurement in all of these areas, to give greater consideration to Government purchases which are suitable to their type of production or supplies.

I might state parenthetically that considerable opposition was encountered in the early days of the agency to its full-fledged effort to assist small business to secure more Government contracts. Through constant pressure and negotiations SBA has been able to extend the scope of this program. Each year finds more and more Government contracts being set aside for small firms. During the past year, the program has been extended beyond the Military Establishments to include civilian procurement agencies such as the General Services Administration, the Veterans' Administration, the Post Office Department and the Departments of Agriculture, Commerce, and Interior.

I should like to discuss very briefly at this point the procedures for set-asides for small business promulgated by the SBA in conjunction with other Government agencies. In the case of total small business set-asides, invitations for bids issued by the purchasing agency contain a notice to the effect that the procurement will be awarded to one or more small-business concerns; bids or proposals under the procurement will be restricted to small-business firms and awards will be made to a small-business firm or firms; and bids or proposals received from firms not classified as small business will be considered as nonresponsive. The advertising and awards are conducted in the same way as prescribed for formal advertising except that the bids and awards are restricted to small-business concerns.

In the case of partial small-business set-asides, the invitations for bid covering the procurement of the unreserved portion shall state that an additional quantity of a stated amount has been set aside for negotiation for small-business firms exclusively, and invitations for bid and requests for proposals for the unreserved portion shall be for not less than an economic production run as shall also be the proportion set aside for small business. After the award of the unreserved portion, procurement of the portion set aside is affected by negotiation. The right to participate in the negotiation for the quantity set aside is conditioned upon the submission of a bid upon the items in the procurement at a unit price within 120 percent of the highest award made on the unreserved portion. Such negotiation proceeds among small-business concerns beginning with the bidder which submitted the lowest responsive bid in connection with the unreserved procurement. When the procurement of the unreserved quantity has resulted in one contract only, or in multiple awards all at the same price, awards for quantities set aside shall be made at the unit price of the unreserved quantities. When the procurement of the unreserved quantities resulting in multiple awards at different unit prices, awards for quantities set aside shall be made at the highest unit price of the unreserved quantities.

Mr. Chairman, this is a good time and a good place to clear up any misconceptions with respect to the joint determination program as provided by the Small Business Act.

Section 214 of existing law provides "to effectuate the purpose of this title, small-business concerns within the meaning of this title shall receive any award or contract or any part thereof as to which it is determined by the administration and the contracting procurement agency (A) to be in the interest of maintaining or mobilizing the Nation's full productive capacity, or (B) to be in the interest of war or national defense programs."

Section 14 of H. R. 7963 utilizes the same language with the exception that "Whenever the administration and the contracting procurement agency fail to agree, the matter shall be submitted for determination to the Secretary of the head of the appropriate department or agency by the Administrator."

One of the misconceptions is that a small-business concern participating in the joint determination program gets some sort of a price advantage. That is not so. All the advantage that a small concern gets is an opportunity to participate in a given procurement. In order to have an opportunity to participate, a small concern must be within 20 percent of the lowest qualified bid for that portion of the total procurement which is open to all bidders, both large and small. For example, if the lowest qualified bid on an item is $100 each, then all of those small-business bidders whose prices range up to and including $120 have an opportunity to negotiate for the set-aside portion of the procurement. In these negotiations any bidder who is within the $120 range must compete with other bidders in that range, but in no event will a contract be awarded at more than the $100 price.

Let us say once again and emphatically that in the procurement program carried on by the Small Business Administration small business does not get one cent more than anybody else for a given procurement. This is the way it should be, and I hope we will never feel it necessary to get into a program of premium payments for one contractor as against another. This type of policy may be justified in moments of extreme peril where price is of no consideration, but certainly in the situation in which we now find ourselves, premium prices are not needed, and certainly are not wanted by the small business sector of our economy which seeks Government procurement awards. What they want is a fair and equal treatment with all of their competitors and nothing else.

Mr. Chairman, the following table illustrates the increase in activity in the SBA joint set-aside program. A great effort has been made by the Agency to obtain set-asides in those areas where small firms have had difficulty in obtaining contracts. Only through a very broad approach can the full potential of small business be realized.

SBA SET-ASIDE PROGRAM

Set-aside agreed to Aug. 1, 1953, through May 25, 1957

Fiscal year	Military		Civilian		Total	
	Number	Amount	Number	Amount	Number	Amount
1957	8,176	$902,848,950	1,925	$42,527,238	10,101	$945,376,188
1956	5,796	480,574,912	277	8,103,520	6,075	497,678,432
1955	3,924	386,640,580			3,924	286,640,580
1954	1,621	228,504,359			1,621	228,504,359
Total	19,519	1,707,568,810	2,202	50,630,758	21,721	1,758,199,568

The Small Business Administration also renders a service to small firms through the issuance of the certificates of competency in those cases in which a contracting officer of the Government has withheld the award of a contract to a small firm by reason of the opinion that the firm lacks the necessary financial and productive capacity to successfully perform the contract. In such an event, the firm may request the Small Business Administration to make a separate and independent survey of the firm's resources as related to the procurement involved. Such technical and financial information concerning the firm as may be available from the purchasing agency is furnished to the Small Business Administration for its consideration. If the Small Business Administration, after making such a survey, is of the opinion that the firm possesses adequate capacity and credit to successfully perform the contract, it will issue its certificate of competency. When this certificate of competency is issued, the contracting officer of the Government is, by law, directed to accept such certification as conclusive and is authorized to award the contract to the holder of such certificate without requiring it to meet any other requirements as to capacity or credit. Normally a period of 10 working days is allowed in which the Small Business Administration may exercise its authority to issue a certificate of competency. Certificates of competency have been issued by SBA in about 50 percent of cases in which requested. Very few holders of certificates of competency have failed to perform their contracts in accordance with the contract terms.

For many small firms, particularly those with limited facilities subcontracting affords the best opportunity to participate in Government procurement. SBA regional offices, which service small firms in their respective areas, are responsible for maintaining an inventory of small-business facilities in their area. The small firms register their industrial facilities with these regional offices where their facilities are classified, and the small firms are notified of subcontracting leads suitable to their type of plant and equipment.

An important service to the small firm is that of bringing to its attention various items for which adequate small-business competition is lacking. To accomplish this, SBA representatives at purchasing offices of the Government notify the SBA regional offices of items for which small-business competition is needed. The regional offices in turn bring these items to the attention of firms which they believe can supply them.

In many types of its contracts the Government inserts a clause requiring the contractor to subcontract to small firms the maximum amount that the contractor finds to be consistent to the efficient performance of the contract. Each contractor receiving a prime contract in excess of $1 million, which offers substantial subcontract possibilities, is urged by the procuring agency of the Government to establish and conduct a defense subcontracting small-business program. This program provides for the designation of the executive of the contractor as its small-business liaison officer who will be the contact man with the procuring agency of the Government and officials of the SBA on matters relating to small-business participation. This program includes the adoption by the contractor of procurement policies designed to assure that small firms will have equitable competitive opportunity to secure defense subcontracts and the placing in its subcontracts of the small-business subcontracting clause appearing in its own prime contract.

Procurement assistance counseling is another function which is performed by Small Business Administration, principally in the regional and branch offices. The staffs of these regional and branch offices are available to small firms for discussion of their problems and for assistance and guidance in solving them. In its counseling program, the Small Business Administration helps small firms to determine which items or services they can supply to the Government and assists them in being placed on appropriate bidders' lists, so that invitations for bids will be sent to them. Assistance is also rendered in obtaining bid sets for any procurement which is suitable for supply by small business. These bid sets are available to small-business firms in the regional and branch offices. Small firms are also counseled on how to sell their services to prime contractors as well as to firms needing components which they can produce.

Mr. Chairman, through legislation, committee hearings, and personal representation to Government procurement agencies, the Congress has attempted over the years to assure small firms an equitable opportunity in their attempts to secure more Government business. The full potential of small business has never been realized. While the procurement agencies themselves have rendered lip service to small-business problems and while various programs have been established within those agencies to assist small business, little has been accomplished. That is why we need an independent small-business agency to act as a watchdog and as an advocate for greater and more effective assistance.

The Small Business Administration is doing everything it can, through its own programs and through advice to other Government agencies to assist small firms in securing more Government contracts. Much more can be done and will have to be done if we wish to maintain the productive capacity of this segment of an economy. With military items becoming increasingly complex an effective subcontracting program must be developed. This program must have some teeth in it. I will not accept the statement that the Federal Government must leave the decisions of subcontracting entirely up to the prime contractor. I believe that the Small Business Administration must continue an all-out attack on the problems encountered by small firms in their dealings with the Government procurement agencies. This attack must encompass the areas of research and development, the availability of advance and progress payments, the use of sole source procurement, the availability of bid sets and specification data, the use of emergency procurement, the preponderance of negotiated procurement and numerous other fields.

Finally, I would like to state that such a program can best be accomplished by making the Small Business Administration a permanent, independent agency. Only in this way will the procurement agencies be made to cooperate to the fullest extent and to realize that Congress insists that solutions be found to the very serious problems confronting the small businesses in our country.

I will agree that when the time comes when we can greatly reduce the Federal Government's participation in the field of procurement of goods and services from our economy the need for a small-business administration may no longer exist. However, in this age of cold warfare where our defense budgets must remain high there does not seem to be any likelihood of a great reduction in the Federal Government's procurement program in the foreseeable future. During this period of great Federal Government activity we must preserve our basic system of private enterprise part of which rests on a proper balance between large and small business. Big business comes from healthy small businesses growing. Destroy the new growth or stunt it and we badly damage the future economy of our society. The SBA protects against this danger.

Those who could prolong the life of the SBA for a 1-year period or even a 5-year period instead of providing for permanent status are being completely unrealistic in their estimates of why the SBA should exist. Indeed, do they think this cold war will end next year or 5 years from now? By limiting the period of existence of the SBA they badly damage the effectiveness of SBA because they eliminate the long-range planning

it must do to perform its job in this era of cold warfare.

Mr. TALLE. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. SHEEHAN].

Mr. SHEEHAN. Mr. Chairman, I rise in support of the pending bill, H. R. 7963. As one of the members of the House Select Committee on Small Business, it is my earnest hope that this bill will be considered and accepted by the House in its present form unless there are some especially good perfecting amendments offered.

I should like to mention the fact that I agree fully with the ranking minority member of the committee, the gentleman from Iowa [Mr. TALLE], when he said that one of the great deterrents to small business is our present tax structure.

Since 1932, in my opinion, the tax laws have at best been a great hindrance to small business generally, and have served to liquidate the small-business man and also to liquidate the middle-class people, for the reason that when salary or earnings through business operations become just enough so that you may be able to grow a little bit, the Government steps in and becomes a partner for more than 50 percent of the profits.

Mr. Chairman, I would like to call the attention of the Members to one of the phases in the bill that I think might be looked into more closely. I refer to the idea of reducing or maintaining the percentage of interest at 5 percent. It should be remembered that the Small Business Administration program, as designed and implemented by the Congress, supplies one of the main sources of funds, and it is the only source in many cases, for certain small businesses looking for term funds or risk capital; that is, capital which the average bank cannot supply to him because it is long-term capital. I would not like to see the small-business man get into the same position that the veterans are in where the Government has fixed the interest at 4½ percent with the result that the banks, the savings and loan associations, and the many lending institutions are not lending money to veterans for housing mortgages because of an unrealistic interest rate. The same may be true if we limit the maximum interest rate to 5 percent for business loans on the Government's share of the loan.

I realize that the Government is making money because it is borrowing this money at about 3 percent and lending it to small business at 5 percent. I do not like to see the Government make money out of small-business firms. On the other hand, I do not like to see our small-business firms hamstrung, with an unworkable program. I also fully realize that many other Government programs, like the Rural Electrification program and many other programs, are able to borrow money at 2, 2½, or 3 percent. That is a different proposition in my mind because the banks have to participate. Here we will have a bank participate in a loan and they charge the customer say 6 percent on 10 percent of the loan and the Government charges 5 percent of the remaining 90 percent of the loan.

Then other problems will arise in this connection. Suppose, for instance, the bank together with the Government made a loan and after 6 months or a year the loan is paid down to 50 percent, the bank would be in position to take over the whole loan because it is seasoned and the company is going ahead satisfactorily. What would happen? Why would the businessman want to get the Government out of the loan? He is able to get it at 5 percent from the Government. If he gave the whole loan to the bank he would have to pay 6 percent. The bank would be very reluctant to take it at 5 percent because they would be able to get 6, 7, or 8 percent on their money from other borrowers. We do not want to put small business in a position where the funds may be shut off because of a nonrealistic Government approach.

I do know that in our Chicago area only approximately 1 out of every 15 loans is a Government direct loan. The other 14 are bank participation loans. That is a far cry from the old days of the RFC when approximately two-thirds of all loans were direct loans and only one-third with the banks. I am not spelling out any brief for the banks, but I firmly believe that on the local level the banker can watch the individuals closer, the bank can watch the company closer, because in a majority of the cases it is handling the checking and savings accounts of the individuals involved and knows from day to day what is happening with the company, whereas the Government here in Washington frequently does not know new developments until it is too late.

The limited loan participation program introduced about 18 months ago has proven a constructive avenue of assistance to such types of business which require a minimum of fixed assets yet deserve term credit. Small retail, wholesale, service establishments fall in this category. But such loans require bank participation of not less than 25 percent of the loan. With two different interest rates, the banks could become very reluctant to participate in this type of loan.

So, I earnestly solicit the attention of the House in taking a second look at this 5 percent Government interest maximum so that we can be realistic and enable the small-business man to continue to work with the local facilities. As I view the needs of small business the rate of interest is secondary to the primary need of capital. I would prefer to pay a little extra interest and get long-term capital needs than to have the Government offer a low rate of interest and find it most difficult to obtain the loan from a local bank.

Mr. TALLE. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I intend to support this bill when it comes to final passage. I believe a lot of very wholesome changes have been made in the act on the recommendation of the committee, particularly in view of the fact that a permanent agency status was created for the Small Business Administration. This is a recommendation of the administration and of the committee. I believe the facts elicited during the committee hearings showed the necessity for recognizing that status, because it will do a better job for the small-business people of this country.

The Small Business Administration has been operated since July 30, 1953. As stated in the committee report:

> It is the first independent Government agency created to serve and represent all small businesses both in peacetime and in periods of national emergency. Its activities are designed to help small business (1) gain access to adequate capital and credit, (2) obtain a fair share of Government procurement; and (3) obtain competent managerial and technical assistance.

Under Wendell Barnes, the Small Business Administrator, the SBA has performed in an eminently successful manner. The record shows that through April 30, 1957, 6,443 business loans totaling $295 million had been approved. In addition, in an outstandingly successful program, $63 million in disaster loans have been approved through the same date.

This has all been accomplished with a loss of only $102,377.27 involving 6 loans.

To me one of the most effective areas in which SBA has operated has been in its assistance to small business in obtaining a fair share of Government contracts. The Small Business Administration has obtained the cooperation of other Government agencies so successfully that through March 25, 1957, a total of 19,123 procurements were set aside in a total amount of $1,619,593,650.

The bill now submitted to the House makes several salutary changes in the existing law. I believe that the creation of a National Small Business Advisory Board replacing the Loan Policy Board is a wholesome revision. The policy responsibility would be in the hands of the Small Business Administrator where it should be and the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 nor more than 6 representatives of small business acting with the Administrator in an advisory capacity. This on top level brings the thoughts and recommendations of representatives of small business into active consideration toward program and policy.

An increase in loan authority means the ability to furnish substantial new financial assistance and will provide sufficient funds to finance the existing program.

Finally, the recommended change reducing the interest rate on the Government's share of a small-business loan to 5 percent is a further encouragement to small-business operation. It is not competitive with the lending institutions because a full opportunity is afforded for a normal loan at prevailing interest rates and there must be two refusals before the Government participation can be obtained.

Mr. TALLE. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, I rise for the purpose of indicating my support of the pending bill, H. R. 7963. The Committee on Banking and Currency is to be commended for bringing such a constructive measure to the floor. The fact that the bill comes from that committee with a unanimous vote is indicative of its importance and soundness. The announced purpose of the bill is to promote a more vigorous and efficient program of assistance to small business. That is such a worthy objective that I am glad to associate myself with it.

There has been quite a bit said here this afternoon about risk capital. Some implied criticism has been levied at the Small Business Administration, because that organization has not come forth with a satisfactory solution of the problem of stimulating risk capital. My own view is that we should not await recommendations from the Small Business Administration on this important subject. We have a responsibility ourselves, and I personally believe a downward revision of our tax structure would bring risk capital out of hiding. Such a result would, in my jdgment, go a long way toward solving the problems of small business.

Recently the Chamber of Commerce of the United States issued a pamphlet which contains a number of examples of authentic occurrences which demonstrate the harmful effect of our high income-tax rates are having on business expansion. It cited the case of a small manufacturer who declined to invest risk capital in the expansion of his business because he was already in a 75 percent personal income-tax bracket and any additional income would have been taxed at about 85 percent. The very small net increase in income which he might have expected from the expansion of his business would have been more than offset by the hazards involved in expansion. The result was that about 50 people in the small city have been denied employment opportunities and the Government has been denied the opportunity of potential revenue.

Another case cited was that of an investor who was approached with the proposal that he finance a young man who had a new idea for a brandnew business. A careful investigation disclosed that the new business, on an investment of $500,000, might reasonably expect substantial earnings. The potential investor was satisfied with the proposition, was sold on the business capacity of the young man with the new idea, and had money to invest. However, he turned the opportunity down because he had his money invested in tax-exempt bonds. He pointed out to the young man that, since he was already in the highest income bracket, he could only keep 9 cents out of each dollar of income he received from the new business. The prospect of netting 9 cents only out of every dollar earned was not a sufficient return to justify even the small risk of failure and loss of the $500,000 of capital which it had been proposed that he should invest. Thus a new business, which would have offered employment to a substantial number of people, and from which the Government might have collected revenue from the business and its employees indefinitely, was not begun because the risk capital was not available under existing conditions.

A number of similar instances are cited in this pamphlet. They all go to show how we are going about killing the goose that lays the golden eggs. Risk capital has always come from individuals, not from banks. Banks cannot risk depositors' funds in hazardous ventures. Nor can any Government agency do so.

Many words have been written and spoken about helping small business but I for one believe that the greatest help that could possibly be given to existing small-business concerns, and in the organization of new businesses, would be to encourage risk capital to come back into the market for private investment. This can only be done by reducing taxes.

I do not advocate deficit financing and recognize that certain steps must be taken before there can be any general revision of tax rates; among them being the necessity of keeping the budget balanced, making periodic payments on the public debt and substantial reductions in Government spending.

Mr. TALLE. Mr. Chairman, I have no further requests for time.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I ask unanimous consent that our colleague, the gentleman from New Jersey [Mr. THOMPSON], may extend his remarks in the RECORD immediately after mine.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. SANTANGELO].

Mr. SANTANGELO. Mr. Chairman, I rise to support this bill. I want to commend the committee for the fine work that it did in connection with small business. In my opinion, the changes contained in the bill are good improvements and steps in the right direction, and I believe that this bill should be passed.

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. EVINS].

RE-CREATING THE SMALL BUSINESS ADMINISTRATION

Mr. EVINS. Mr. Chairman, the distinguished gentleman from Kentucky, the chairman of the Banking and Currency Committee, the distinguished gentleman from Texas [Mr. PATMAN], and other members of the committee have very ably covered the major features of this important legislation which is needed and necessary for the economic welfare of the small businesses of this Nation.

I would like to point out that this bill before the Committee today is a direct result of the recommendations of Subcommittee No. 2 of the House Small Business Committee, the chairman of which subcommittee is the distinguished gentleman from New York [Mr. MULTER]. Extensive hearings on this measure have been conducted by the two committees, the Banking and Currency Committee and the House Small Business Committee, and these recommendations represent the combined efforts of both of these committees.

Mr. Chairman, this great Nation of ours is presently in a period of economic expansion and we are going through and experiencing an era of good times—of prosperous times. Our gross national product has topped $415 billion and is still increasing—our per capita income is at an extremely high level—there is a record number of businesses—and profits are the highest in our Nation's history. Business expenditures for new plant and equipment continue to reach new heights, year after year, with the estimated expenditures for this purpose during 1957 nearing $40 billion.

But during this period of economic progress and good times, we find one disturbing factor—while profits and investments continue to grow and increase, the number of businesses is failing to keep pace with this growth and are diminishing year by year. From this, we must obviously conclude that our economy is gradually being concentrated in the hands of fewer and larger businesses—and that small business, or the little man, is not able to keep pace with our tremendous business growth.

Studies and investigations by the Small Business Committee and other agencies indicate that this country is again moving toward concentration of power in big business and that as a result, the small business concerns of this country are suffering.

This trend toward concentration of big business interest has been promoted and sponsored by a Government sympathetic to big business and with only a passing concern for the plight of the little man.

While big business profits and prospers, as indicated by big business stock prices—failures by small businesses have been increasing. About 11,000 such businesses failed in 1956 and during the first part of this year, this figure has increased by about 7 percent.

As the big business profits continue to increase, greater working capital is gathered—this allows, of course, for greater freedom of expansion and continued progress. This situation does not apply to small business, however. Percentage profits of small business has not kept pace with that of big business and consequently the amount of working capital retained by small business is, in many instances, not adequate.

The Federal Government through the present administration, in an attempt to combat rising prices, has restricted the credit supply of this Nation. I shall not attempt to argue the pros or cons of this issue at this time. However, one obvious result of this so-called tight money policy has been to further squeeze small business and has added seriously and chronically to the perennial problems faced by the small-business man—that of obtaining adequate financing.

When commercial bank credit is tightened, as is the present situation, then the squeeze is placed on about the only source of capital available to small business. As

a practical matter, small firms cannot sell bonds or stocks, issue commercial paper, or even borrow from insurance companies—all sources of capital for the big corporations.

In other words, the equality of opportunity of small business in our present economy is unreal and not a true situation—the restrictions cut too deeply. We will have to conclude in an appraisal of the tight money policy that what is good for General Motors is not good for small business.

When the Small Business Administration was organized in 1953 during the 83d Congress, its purpose was threefold: First, to gain access to adequate capital and credit for small business; second, to obtain a fair share of Government procurement, and third, to obtain competent managerial and technical assistance.

These functions were not new to Government and many of the Small Business Administration's functions had been inherited from other agencies—but this was the first time in this Nation's history that an independent agency was created to serve and represent all small businesses, both in peacetime and in periods of national emergency.

Unfortunately, SBA got off to a relatively poor start, however, as time went on, the agency gradually began to fulfill its purpose and assistance to small business can now be seen in concrete form. For example, through April 30, of this year, SBA approved 6,443 business loans in a total amount of $295 million. In addition, SBA approved disaster loans totaling $63 million and has been instrumental in helping small business participate and obtain a fair share of Government contracts.

So, we can now see that this agency is fulfilling and attempting to fulfill its purpose.

In recommending passage of this legislation, I sincerely concur with the committee that the continued operation of this agency is needed and necessary for the continued progress of the small businesses of this Nation. The economic status of small business has not improved since 1953 when this agency was created—actually, it has worsened. So, the need for this agency today is greater than it was in 1953.

This bill would establish the SBA as a permanent agency dedicated to serve small business. Such enactment would allow SBA considerably more freedom in allocating credit, retaining competent personnel, and integration of small business needs in national defense procurement.

Other sections of the bill would redefine small business, therefore allowing SBA greater and needed latitude in establishing criteria for loans; set up a new loan policy board; reduce the maximum permissible interest rate from 6 to 5 percent—but, these features have already been thoroughly explained in an outstanding manner by members of the committee and I will not try to add to these able presentations.

Taken as a whole, these amendments could perhaps be referred to as bolstering items which will allow the SBA to serve its purpose to a fuller degree and provide greater services to small businesses.

Mr. Chairman, this Nation of ours was built on a foundation of small-business concerns and equality of opportunity. Big business is needed and necessary—it is the goal of every small business. But to continue our present economic progress, it is necessary to have both big business and small business—working together toward greater economic goals. Big business or Government should not create situations or allow situations to exist which work to the detriment of small business, nor, on the other hand, small business and Government should not create situations or allow situations to exist which work to the detriment of big businesses which are operating within the rules of our economy.

Consequently, in this period of our economic progress, the Small Business Administration is needed to serve the needs of small business. Big business is flourishing and needs no further aid—small business is not.

The essence of the American economic system of private enterprise is free competition. Only through full and free competition can free markets, free entry into business, and opportunities for the expression and growth of personal initiative and individual judgment be assured. The preservation and expansion of such competition is basic not only to the economic well-being but to the security of this Nation. Such security and well-being cannot be realized unless the actual and potential capacity of small business is encouraged and developed.

It is the declared policy of the Congress that our Government should aid, counsel, assist and protect, as far as possible, the interests of small-business concerns in order to preserve free competitive enterprise, to insure that a fair proportion of the total purchases and contracts for supplies and services for the Government be placed with small-business enterprises, and to maintain and strengthen the overall economy of the Nation.

This policy, Mr. Chairman, can best be carried out by the passage of this legislation before us as a cosponsor of this bill. I join with my colleagues in urging that this bill be passed, it will promote and foster our small-business concerns and in turn strengthen our national economy and security.

Mr. SPENCE. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That title II of the act of July 30, 1953 (Public Law 163, 83d Cong.), as amended, is hereby withdrawn as a part of that act and is made a separate act to be known as the Small Business Act.

SEC. 2. The Small Business Act is amended to read as follows:

"SEC. 1. This act may be cited as the 'Small Business Act.'

"SEC. 2. (a) The essence of the American economic system of private enterprise is free competition. Only through full and free competition can free markets, free entry into business, and opportunities for the expression and growth of personal initiative and individual judgment be assured. The preservation and expansion of such competition is basic not only to the economic well-being but to the security of this Nation. Such security and well-being cannot be realized unless the actual and potential capacity of small business is encouraged and developed. It is the declared policy of the Congress that the Government should aid, counsel, assist, and protect, insofar as is possible, the interests of small-business concerns in order to preserve free competitive enterprise, to insure that a fair proportion of the total purchases and contracts for property and services for the Government (including but not limited to contracts for maintenance, repair, and construction) be placed with small-business enterprises, and to maintain and strengthen the overall economy of the Nation.

"(b) Further, it is the declared policy of the Congress that the Government should aid and assist victims of floods and other catastrophes.

"SEC. 3. (a) For the purposes of this act, a small-business concern shall be deemed to be one which is independently owned and operated and which is not dominant in its field of operation. In addition to the foregoing criteria the Administrator, in making a detailed definition, may use these criteria, among others: Number of employees and dollar volume of business. Where the number of employees is used as one of the criteria in making such definition for any of the purposes of this act, the maximum number of employees which a small-business concern may have under the definition shall vary from industry to industry to the extent necessary to reflect differing characteristics of such industries and to take proper account of other relevant factors.

"(b) The Administrator shall without delay establish a new definition, in compliance with subsection (a); and if such new definition has not been established and placed in effect for all the purposes of this act within 30 days after the date of the enactment of this subsection, the definition which was in use by the Administrator for financial assistance purposes immediately prior to the date of the enactment of this subsection shall be in effect for all the purposes of this act from the end of such 30-day period until such time as the Administrator establishes and places in effect such new definition. Nothing in this subsection shall affect any small-business certificate issued under this act before the enactment of this subsection, or restrict the authority of the Administrator to issue such certificates under section 8 (b) (6).

"SEC. 4. (a) In order to carry out the policies of this act there is hereby created an agency under the name 'Small Business Administration' (herein referred to as the Administration), which Administration shall be under the general direction and supervision of the President and shall not be affiliated with or be within any other agency or department of the Federal Government. The principal office of the Administration shall be located in the District of Columbia. The Administration may establish such branch and regional offices in other places in the United States as may be determined by the Administrator of the Administration. As used in this act, the term 'United States' includes the several States, the Territories and possessions of the United States, the Commonwealth of Puerto Rico, and the District of Columbia.

"(b) The management of the Administration shall be vested in an Administrator who shall be appointed from civilian life by the President, by and with the advice and consent of the Senate, and who shall be a person of outstanding qualifications known to be familiar and sympathetic with small-business needs and problems. The Administrator shall not engage in any other business, vocation, or employment than that of serving as Administrator. The Administrator is authorized to appoint three Deputy Administrators to assist in the execution of the functions vested in the Administration.

"(c) The Administration is authorized to obtain money from the Treasury of the United States for use in the performance of the powers and duties granted to or imposed upon it by law, not to exceed a total of $650,000,000 outstanding at any one time. For this purpose appropriations not to exceed $650,000,000 are hereby authorized to be made to a revolving fund in the Treasury. Advances shall be made to the Administration from the revolving fund when requested by the Administration. This revolving fund shall be used for the purposes enumerated subsequently in sections 7 (a), 7 (b), and 8 (a). Not to exceed an aggregate of $500,000,000 shall be outstanding at any one time for the purposes enumerated in section 7 (a). Not to exceed an aggregate of $125,000,000 shall be outstanding at any one time for the purposes enumerated in section 7 (b). Not to exceed an aggregate of $25,000,000 shall be outstanding at any one time for the purposes enumerated in section 8 (a). The Administration shall pay into miscellaneous receipts of the Treasury, at the close of each fiscal year, interest on the net amount of the cash disbursements from such advances at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding interest-bearing marketable public debt obligations of the United States of comparable maturities.

"(d) There is hereby established a National Small Business Advisory Board, which shall advise and consult with the Administration in carrying out the purposes of this act. The Board shall consist of the Administrator, as chairman, the Secretary of the Treasury, the Secretary of Commerce, and not less than 2 nor more than 6 other individuals appointed by the Administrator who are familiar with small-business needs and problems and are truly representative of small-business interests. The Secretary of the Treasury and the Secretary of Commerce may each designate an officer from his Department, who has been appointed by the President by and with the advice and consent of the Senate, to act in his stead as a member of the Board.

"SEC. 5. (a) The Administration shall have power to adopt, alter, and use a seal, which shall be judicially noticed. The Administrator is authorized, subject to the civil-service and classification laws, to select, employ, appoint, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary to carry out the provisions of this act; to define their authority and duties; to provide bonds for them in such amounts as the Administrator shall determine; and to pay the costs of qualification of certain of them as notaries public. The Administration, with the consent of any board, commission, independent establishment, or executive department of the Government, may avail itself on a reimbursable or nonreimbursable basis of the use of information, services, facilities (including any field service thereof), officers, and employees thereof, in carrying out the provisions of this act. Subject to the standards and procedures under section 505 of the Classification Act of 1949, as amended, not to exceed 15 positions in the Administration may be placed in grades 16, 17, and 18 of the General Schedule established by that act, and any such positions shall be additional to the number authorized by such section.

"(b) In the performance of, and with respect to, the functions, powers, and duties vested in him by this act the Administrator may—

"(1) Sue and be sued in any court of record of a State having general jurisdiction, or in any United States district court, and jurisdiction is conferred upon such district court to determine such controversies without regard to the amount in controversy; but no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Administrator or his property;

"(2) Under regulations prescribed by him, assign or sell at public or private sale, or otherwise dispose of for cash or credit, in his discretion and upon such terms and conditions and for such consideration as the Administrator shall determine to be reasonable, any evidence of debt, contract, claim, personal property, or security assigned to or held by him in connection with the payment of loans granted under this act, and to collect or compromise all obligations assigned to or held by him and all legal or equitable rights accruing to him in connection with the payment of such loans until such time as such obligations may be referred to the Attorney General for suit or collection;

"(3) Deal with, complete, renovate, improve, modernize, insure, or rent, or sell for cash or credit upon such terms and conditions and for such consideration as the Administrator shall determine to be reasonable, any real property conveyed to or otherwise acquired by him in connection with the payment of loans granted under this act;

"(4) Pursue to final collection, by way of compromise or otherwise, all claims against third parties assigned to the Administrator in connection with loans made by him. This shall include authority to obtain deficiency judgments or otherwise in the case of mortgages assigned to the Administrator. Section 3709 of the Revised Statutes, as amended (41 U. S. C., sec. 5), shall not be construed to apply to any contract of hazard insurance or to any purchase or contract for services or supplies on account of property obtained by the Administrator as a result of loans made under this act if the premium therefor or the amount thereof does not exceed $1,000. The power to convey and to execute in the name of the Administrator deeds of conveyance, deeds of release, assignments and satisfactions of mortgages, and any other written instrument relating to real property or any interest therein acquired by the Administrator pursuant to the povisions of this act may be exercised by the Administrator or by any officer or agent appointed by him without the execution of any express delegation of power or power of attorney. Nothing in this section shall be construed to prevent the Administrator from delegating such power by order or by power of attorney, in his discretion, to any officer or agent he may appoint;

"(5) Acquire, in any lawful manner, any property (real, personal, or mixed, tangible or intangible), whenever deemed necessary or appropriate to the conduct of the activities authorized in sections 7 (a) and 7 (b);

"(6) Make such rules and regulations as he deems necessary to carry out the authority vested in him by or pursuant to this act;

"(7) In addition to any powers, functions, privileges, and immunities otherwise vested in him, take any and all actions, including the procurement of the services of attorneys by contract, determined by him to be necessary or desirable in making, servicing, compromising, modifying, liquidating, or otherwise dealing with or realizing on loans made under the provisions of this Act; but no attorneys' services shall be procured by contract in any office where an attorney or attorneys are or can be economically employed full time to render such services;

"(8) Pay the transportation expenses and per diem in lieu of subsistence expenses, in accordance with the Travel Expense Act of 1949, for travel of any person employed by the Administration to render temporary services not in excess of 6 months in connection with any disaster referred to in section 7 (b) from place of appointment to, and while at, the disaster area and any other temporary posts of duty and return upon completion of the assignment; and

"(9) To accept the services and facilities of Federal, State, and local agencies and groups, both public and private, and utilize such gratuitous services and facilites as may, from time to time, be necessary, to further the objectives of section 7 (b).

"(c) To such extent as he finds necessary to carry out the provisions of this act, the Administrator is authorized to procure the temporary (not in excess of 6 months) services of experts or consultants or organizations thereof, including stenographic reporting services, by contract or appointment, and in such cases such services shall be without regard to the civil-service and classification laws and, except in the case of stenographic reporting services by organizations, without regard to section 3709 of the Revised Statutes, as amended (41 U. S. C., sec. 5). Any individual so employed may be compensated at a rate not in excess of $50 per diem, and, while such individual is away from his home or regular place of business, he may be allowed transportation and not to exceed $15 per diem in lieu of subsistence and other expenses.

"SEC. 6. (a) All moneys of the Administration not otherwise employed may be deposited with the Treasury of the United States subject to check by authority of the Administration. The Federal Reserve banks are authorized and directed to act as depositaries, custodians, and fiscal agents for the Administration in the general performance of its powers conferred by this act. Any banks insured by the Federal Deposit Insurance Corporation, when designated by the Secretary of the Treasury, shall act as custodians and financial agents for the Administration. Each Federal Reserve bank, when designated by the Administrator as fiscal agent for the Administration, shall be entitled to be reimbursed for all expenses incurred as such fiscal agent.

"(b) The Administrator shall contribute to the employees' compensation fund, on the basis of annual billings as determined by the Secretary of Labor, for the benefit payments made from such fund on account of employees engaged in carrying out functions financed by the revolving fund established by section 4 (c) of this act. The annual billings shall also include a statement of the fair portion of the cost of the administration of such fund, which shall be paid by the Administrator into the Treasury as miscellaneous receipts.

"SEC. 7. (a) The Administration is empowered to make loans to enable small-business concerns to finance plant construction, conversion, or expansion, including the acquisition of land; or to finance the acquisition of equipment, facilities, machinery, supplies, or materials; or to supply such concerns with working capital to be used in the manufacture of articles, equipment, supplies, or materials for war, defense, or civilian production or as may be necessary to insure a well-balanced national economy; and such loans may be made or effected either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis. The foregoing powers shall be subject, however, to the following restrictions and limitations:

"(1) No financial assistance shall be extended pursuant to this subsection unless the financial assistance applied for is not otherwise available on reasonable terms.

"(2) No immediate participation may be purchased unless it is shown that a deferred participation is not available; and no loan may be made unless it is shown that a participation is not available.

"(3) In agreements to participate in loans on a deferred basis under this subsection, such participation by the Administration shall not be in excess of 90 percent of the balance of the loan outstanding at the time of disbursement; and

"(4) Except as provided in paragraph (5), (A) no loan under this subsection shall be made if the total amount outstanding and committed (by participation or otherwise) to the borrower from the revolving fund established by this act would exceed $250,000; (B) the rate of interest for the Administration's share of any such loan shall be no more than 5 percent per annum, and shall not be more than the rate prevailing within the Federal Reserve district where the money loaned is to be used if such prevailing rate is lower than 5 percent per annum; and (C) no such loan, including renewals or extensions thereof, may be made for a period or periods exceeding 10 years except that a loan made for the purpose of constructing facilities may have a maturity of 10 years plus such additional period as is estimated may be required to complete such construction.

"(5) In the case of any loan made under this subsection to a corporation formed and capitalized by a group of small-business concerns with resources provided by them for the purpose of obtaining for the use of such concerns raw materials, equipment, inventories, or supplies, or for establishing facilities for such purpose, (A) the limitation of $250,000 prescribed in paragraph (4) shall not apply, but the limit of such loan shall be $250,000 multiplied by the number of separate small businesses which formed and capitalized such corporation; (B) the rate of interest for the administration's share of such loan shall be no less than 3 nor more than 5 percent per annum; and (C) such loan, including renewals and extensions thereof, may not be made for a period or periods exceeding 10 years except that if such loan is made for the purpose of constructing facilities it may have a maturity of 20 years plus such additional time as is required to complete such construction.

"(6) The Administrator is authorized to consult with representatives of small-business concerns with a view to encouraging the formation by such concerns of the corporation referred to in paragraph (5). No act or omission to act, if requested by the Administrator pursuant to this paragraph, and if found and approved by the Administration as contributing to the needs of small business, shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States. A copy of the statement of any such finding and approval intended to be within the coverage of this section, and any modification or withdrawal thereof, shall be furnished to the Attorney General and the Chairman of the Federal Trade Commission when made, and it shall be published in the Federal Register. The authority granted in this paragraph shall be exercised only (A) by the Administrator, (B) upon the condition that the Administrator consult with the Attorney General and with the Chairman of the Federal Trade Commission, and (C) upon the condition that the Administrator obtain the approval of the Attorney General before exercising such authority. Upon withdrawal of any request or finding hereunder or upon withdrawal by the Attorney General of his approval granted under the preceding sentence, the provisions of this paragraph shall not apply to any subsequent act or omission to act by reason of such finding or request.

"(7) All loans made under this subsection shall be of such sound value or so secured as reasonably to assure repayment.

"(b) The Administration also is empowered—

"(1) To make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate because of floods or other catastrophes; and

"(2) To make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to any small-business concern located in an area affected by a drought, if the Administration determines that the small-business concern has suffered a substantial economic injury as a result of such drought and the President has determined under the act entitled 'An act to authorize Federal assistance to States and local governments in major disasters, and for other purposes,' approved September 30, 1950, as amended (42 U. S. C., secs. 1855–1855g), that such drought is a major disaster, or the Secretary of Agriculture has found under the act entitled 'An act to abolish the Regional Agricultural Credit Corporation of Washington, D. C., and transfer its functions to the Secretary of Agriculture, to authorize the Secretary of Agriculture to make disaster loans, and for other purposes,' approved April 6, 1949, as amended (12 U. S. C., secs. 1148a–1—1148a–3), that such drought constitutes a production or economic disaster in such area.

No loan under this subsection, including renewal and extensions thereof, may be made for a period or periods exceeding 20 years. The interest rate on the Administration's share of any loan made under this subsection shall not exceed 3 percent per annum. In agreements to participate in loans on a deferred basis under this subsection, such participation by the Administration shall not be in excess of 90 percent of the balance of the loan outstanding at the time of disbursement.

"(c) The Administration may further extend the maturity of or renew any loan made pursuant to this section, or any loan transferred to the Administration pursuant to Reorganization Plan No. 2 of 1954, for additional periods not to exceed 10 years beyond the period stated therein, if such extension or renewal will aid in the orderly liquidation of such loan.

"SEC. 8. (a) It shall be the duty of the Administration and it is hereby empowered, whenever it determines such action is necessary—

"(1) To enter into contracts with the United States Government and any department, agency, or officer thereof having procurement powers obligating the Administration to furnish articles, equipment, supplies, or materials to the Government. In any case in which the Administration certifies to any officer of the Government having procurement powers that the Administration is competent to perform any specific Government procurement contract to be let by any such officer, such officer shall be authorized in his discretion to let such procurement contract to the Administration upon such terms and conditions as may be agreed upon between the Administration and the procurement officer; and

"(2) To arrange for the performance of such contracts by negotiating or otherwise letting subcontracts to small-business concerns or others for the manufacture, supply, or assembly of such articles, equipment, supplies, or materials, or parts thereof, or servicing or processing in connection therewith, or such management services as may be necessary to enable the Administration to perform such contracts.

"(b) It shall also be the duty of the Administration and it is hereby empowered, whenever it determines such action is necessary—

"(1) To provide technical and managerial aids to small-business concerns, by advising and counseling on matters in connection with Government procurement and on policies, principles, and practices of good management, including but not limited to cost accounting methods of financing, business insurance, accident control, wage incentives, and methods engineering, by cooperating and advising with voluntary business, professional, educational, and other nonprofit organizations, associations, and institutions and with other Federal and State agencies, by maintaining a clearinghouse for information concerning the managing, financing, and operation of small-business enterprises, by disseminating such information, and by such other activities as are deemed appropriate by the Administration;

"(2) To make a complete inventory of all productive facilities of small-business concerns or to arrange for such inventory to be made by any other governmental agency which has the facilities. In making any such inventory, the appropriate agencies in the several States may be requested to furnish an inventory of the productive facilities of small-business concerns in each respective State if such an inventory is available or in prospect;

"(3) To coordinate and to ascertain the means by which the productive capacity of small-business concerns can be most effectively utilized;

"(4) To consult and cooperate with officers of the Government having procurement powers, in order to utilize the potential productive capacity of plants operated by small-business concerns;

"(5) To obtain information as to methods and practices which Government prime contractors utilize in letting subcontracts and to take action to encourage the letting of subcontracts by prime contractors to small-business concerns at prices and on conditions and terms which are fair and equitable;

"(6) To determine within any industry the concerns, firms, persons, corporations, partnerships, cooperatives, or other business enterprises which are to be designated 'small-business concerns' for the purpose of effectuating the provisions of this act. To carry out this purpose the Administrator, when requested to do so, shall issue in response to each such request an appropriate certificate certifying an individual concern as a 'small-business concern' in accordance with the criteria expressed in this act. Any such certificate shall be subject to revocation when the concern covered thereby ceases to be a 'small-business concern'. Offices of the Government having procurement or lending powers, or engaging in the disposal of Federal property or allocating materials or supplies, or promulgating regulations affecting the distribution of materials or supplies, shall accept as conclusive the Administration's determination as to which enterprises are to be designated 'small-business concerns', as authorized and directed under this paragraph;

"(7) To certify to Government procurement officers with respect to the competency, as to capacity and credit, of any small-business concern or group of such concerns to perform a specific Government procurement contract. In any case in which a small-business concern or group of such concerns has been certified by or under the authority of the Administration to be a competent Government contractor with respect to capacity and credit as to a specific Government procurement contract, the officers of the Government having procurement powers are directed to accept such certification as conclusive, and are authorized to let such Government procurement contract to such concern or group of concerns without requiring it to meet any other requirement with respect to capacity and credit;

"(8) To obtain from any Federal department, establishment, or agency engaged in

procurement or in the financing of procurement or production such reports concerning the letting of contracts and subcontracts and the making of loans to business concerns as it may deem pertinent in carrying out its functions under this act;

"(9) To obtain from suppliers of materials information pertaining to the method of filling orders and the bases for allocating their supply, whenever it appears that any small business is unable to obtain materials from its normal sources;

"(10) To make studies and recommendations to the appropriate Federal agencies to insure that a fair proportion of the total purchases and contracts for property and services for the Government be placed with small-business enterprises, to insure that a fair proportion of Government contracts for research and development be placed with small-business concerns, and to insure a fair and equitable share of materials, supplies, and equipment to small-business concerns;

"(11) To consult and cooperate with all Government agencies for the purpose of insuring that small-business concerns shall receive fair and reasonable treatment from such agencies; and

"(12) To establish such small-business advisory boards and committees truly representative of small business as may be necessary to achieve the purposes of this act, in addition to the National Small Business Advisory Board established by section 4 (d).

"(c) The Administration shall from time to time make studies of matters materially affecting the competitive strength of small business and of the effect on small business of Federal laws, programs, and regulations, and shall make recommendations to the appropriate Federal agency or agencies for the adjustment of such programs and regulations to the needs of small business.

"SEC. 9. (a) The Administration shall make a report every 6 months of operations under this act to the President, the President of the Senate, and the Speaker of the House of Representatives. Such report shall include the names of the business concerns to whom contracts are let and for whom financing is arranged by the Administration, together with the amounts involved, and such report shall include such other information and such comments and recommendations as the Administration may deem appropriate.

"(b) The Administration shall make a report to the President, the President of the Senate, and the Speaker of the House of Representatives, to the Senate Select Committee on Small Business, and to the House Select Committee To Conduct a Study and Investigation of the Problems of Small Business, on June 30 and December 31 of each year, showing as accurately as possible for each such period the amount of funds appropriated to it that it has expended in the conduct of each of its principal activities such as lending, procurement, contracting, and providing technical and managerial aids.

"(c) The Attorney General is directed to make, or request the Federal Trade Commission to make for him, surveys for the purpose of determining any factors which may tend to eliminate competition, create or strengthen monopolies, injure small business, or otherwise promote undue concentration of economic power in the course of the administration of this act. The Attorney General shall submit to the Congress and the President, at such times as he deems desirable, reports setting forth the results of such surveys and including such recommendations as he may deem desirable.

"(d) For the purpose of aiding in carrying out the national policy to insure that a fair proportion of the total purchases and contracts for property and services for the Government be placed with small-business enterprises, and to maintain and strengthen the overall economy of the Nation, the Department of Defense shall make a monthly report to the President, the President of the Senate, and the Speaker of the House of Representatives not less than 45 days after the close of the month, showing the amount of funds appropriated to the Department of Defense which have been expended, obligated, or contracted to be spent with small-business concerns and the amount of such funds expended, obligated, or contracted to be spent with firms other than small business in the same fields of operation; and such monthly reports shall show separately the funds expended, obligated, or contracted to be spent for basic and applied scientific research and development.

"(e) The Administration shall retain all correspondence, records of inquiries, memorandums, reports, books, and records, including memorandums as to all investigations conducted by or for the Administration, for a period of at least 1 year from the date of each thereof, and shall at all times keep the same available for inspection and examination by the Senate Select Committee on Small Business and the House Select Committee To Conduct a Study and Investigation of the Problems of Small Business, or their duly authorized representatives.

"(f) To the extent deemed necessary by the Administrator to protect and preserve small-business interests, the Administration shall consult and cooperate with other departments and agencies of the Federal Government in the formulation by the Administration of policies affecting small-business concerns. When requested by the Administrator, each department and agency of the Federal Government shall consult and cooperate with the Administration in the formulation by such department or agency of policies affecting small-business concerns, in order to insure that small-business interests will be recognized, protected, and preserved. This subsection shall not require any department or agency to consult or cooperate with the Administration in any case where the head of such department or agency determines that such consultation or cooperation would unduly delay action which must be taken by such department or agency to protect the national interest in an emergency.

"SEC. 10. (a) The President is authorized to consult with representatives of small-business concerns with a view to encouraging the making by such persons with the approval of the President of voluntary agreements and programs to further the objectives of this act.

"(b) No act or omission to act pursuant to this act which occurs while this act is in effect, if requested by the President pursuant to a voluntary agreement or program approved under subsection (a) of this section and found by the President to be in the public interest as contributing to the national defense, shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States. A copy of each such request intended to be within the coverage of this section, and any modification or withdrawal thereof, shall be furnished to the Attorney General and the Chairman of the Federal Trade Commission when made, and it shall be published in the Federal Register unless publication thereof would, in the opinion of the President, endanger the national security.

"(c) The authority granted in subsection (b) of this section shall be delegated only (1) to an official who shall for the purpose of such delegation be required to be appointed by the President by and with the advice and consent of the Senate, (2) upon the condition that such official consult with the Attorney General and the Chairman of the Federal Trade Commission not less than 10 days before making any request or finding thereunder, and (3) upon the condition that such official obtain the approval of the Attorney General to any request thereunder before making the request.

"(d) Upon withdrawal of any request or finding hereunder, or upon withdrawal by the Attorney General of his approval of the voluntary agreement or program on which the request or finding is based, the provisions of this section shall not apply to any subsequent act, or omission to act, by reason of such finding or request.

"SEC. 11. The President may transfer to the Administration any functions, powers, and duties of any department or agency which relate primarily to small-business problems. In connection with any such transfer, the President may provide for appropriate transfers of records, property, necessary personnel, and unexpended balances of appropriations and other funds available to the department or agency from which the transfer is made.

"SEC. 12. No loan shall be made on equipment, facilities, or services furnished by the Administration under this act to any business enterprise unless the owners, partners, or officers of such business enterprise (1) certify to the Administration the names of any attorneys, agents, or other persons engaged by or on behalf of such business enterprise for the purpose of expediting applications made to the Administration for assistance of any sort, and the fees paid or to be paid to any such persons; (2) execute an agreement binding any such business enterprise for a period of 2 years after any assistance is rendered by the Administration to such business enterprise, to refrain from employing, tendering any office or employment to, or retaining for professional services, any person who, on the date such assistance or any part thereof was rendered, or within 1 year prior thereto, shall have served as an officer, attorney, agent, or employee of the Administration occupying a position or engaging in activities which the Administration shall have determined involve discretion with respect to the granting of assistance under this act; and (3) furnish the names of lending institutions to which such business enterprise has applied for loans together with dates, amounts, terms, and proof of refusal.

"SEC. 13. To the fullest extent the Administration deems practicable, it shall make a fair charge for the use of Government-owned property and make and let contracts on a basis that will result in a recovery of the direct costs incurred by the Administration.

"SEC. 14. To effectuate the purposes of this act, small-business concerns within the meaning of this act shall receive any award or contract or any part thereof as to which it is determined by the Administration and the contracting procurement agency (1) to be in the interest of maintaining or mobilizing the Nation's full productive capacity, or (2) to be in the interest of war or national defense program. Whenever the Administration and the contracting procurement agency fail to agree, the matter shall be submitted for determination to the Secretary or the head of the appropriate department or agency by the Administrator.

"SEC. 15. (a) Whoever makes any statement knowing it to be false, or whoever willfully overvalues any security, for the purpose of obtaining for himself or for any applicant any loan, or extension thereof by renewal, deferment of action, or otherwise, or the acceptance, release, or substitution of security therefor, or for the purpose of influencing in any way the action of the Administration, or for the purpose of obtaining money, property, or anything of value, under this act, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 2 years, or both.

"(b) Whoever, being connected in any capacity with the Administration, (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to it or pledged or otherwise entrusted to it, or (2) with intent to defraud the Administration or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Administration, makes any false entry in any book, report, or statement of or to the Administration, or, without being duly authorized, draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or draft, bill of exchange, mortgage, judgment, or decree thereof, or (3) with intent to defraud participates or shares in or receives directly or indirectly any money, profit, property, or benefit through any transaction, loan, commission, contract, or any other act of the Administration, or (4) gives any unauthorized information concerning any future action or plan of the Administration which might affect the value of securities, or, having such knowledge, invests or speculates, directly or indirectly, in the securities or property of any company or corporation receiving loans or other assistance from the Administration, shall be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both.

"SEC. 16. The Administration shall not duplicate the work or activity of any other department or agency of the Federal Government and nothing contained in this act shall be construed to authorize any such duplication unless such work or activity is expressly provided for in this act.

"SEC. 17. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of this act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

"SEC. 18. There are hereby authorized to be appropriated such sums as may be necessary and appropriate for the carrying out of the provisions and purposes of this act.

"SEC. 19. All laws and parts of laws inconsistent with this act are hereby repealed to the extent of such inconsistency."

SEC. 3. The fourth paragraph of section 24 of the Federal Reserve Act is amended (1) by striking out "or the Small Business Administration" and "or of the Small Business Act of 1953,", and (2) by adding at the end thereof the following new sentence: "Loans in which the Small Business Administration cooperates through agreements to participate on an immediate or deferred basis under the Small Business Act shall not be subject to the restrictions or limitations of this section imposed upon loans secured by real estate."

Mr. SPENCE (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. PATMAN. Mr. Chairman, reserving the right to object, I assume there will be no effort made unduly to shorten the time of the discussion, that there will be a reasonable length of time for the discussion. I do not object, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PATMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: On page 13, line 20, strike out "$250,000" and insert "$1,000,000."

SMALL BUSINESS A RELATIVE TERM

Mr. PATMAN. Mr. Chairman, I did not offer the amendment I really had in mind, to take the limit off entirely because, as the gentleman from Indiana [Mr. HALLECK] suggested in his statement, he did not believe he would want to go that far and I am sure many others feel the same way. I do believe that Members are willing to go up to $1 million for one concern, because the restriction, that it must be a small-business concern, will prevent many applicants from trying to get a loan.

In other words, the definition of small business keeps the number down; and $1 million, I think, is the minimum in some instances that small-business concerns need to operate. We can talk about the definition of small business all we want to, but the term small business is a relative term. It is different in different lines of business. It is different in different lines of manufacturing and production. What is a small business in some big industries is a huge business in many other industries. So, it being a relative term, $1 million is not too much for the maximum, the limit, the ceiling.

I know that a great many small manufacturing concerns visit exhibits where the Department of Defense will have on display on a board different gadgets that can be made by small-business concerns. A small-business man will pick out one, and he will say, "I can make this in my shop." But he discovers that in order to do it he needs a loan of about $1 million to properly equip him for doing the job. If he is able to get the $1 million he may save the Government millions of dollars, because there will be another competitor, another person who is in a position to negotiate a contract with the Department of Defense. The Government and the taxpayers will save a lot of money just because this small-business man can get $1 million. Whereas if he cannot get it, then only the large concerns can compete among themselves; they have plenty of business anyway, and the competition is not as keen, so the Government is not so likely to save money on the bids.

Mr. SPENCE. Is this amendment also subject to the pooling provision?

Mr. PATMAN. Yes; the $250,000.

Mr. SPENCE. I mean the million dollars.

Mr. PATMAN. But the pooling provision has not proven effective. We have had it in effect 2 years, and they found only 2 instances where they were willing to use it.

Mr. SPENCE. Now it is a million dollars?

Mr. PATMAN. Yes.

Mr. SPENCE. Suppose 5 people want to pool it, would they each get $1 million?

Mr. PATMAN. I would be willing for it, although the law does not provide it.

Mr. SPENCE. What does the amendment do?

Mr. PATMAN. It makes it $1 million for the individual or 1 small concern.

Mr. SPENCE. Then they can pool it?

Mr. PATMAN. If they could I would love to do it, but of course it would be up to the Administrator to do it. I will give the chairman an instance where that could be used. You take, in steel scrap, most of our scrap comes from automobiles. They are uniformly and universally dispersed all over America. There is a scrap pile in every county in the United States. In many sections of the United States we should have small semi-integrated electric steel mills. They can be built for two or three million dollars. One at Birmingham has recently been built for $1.5 million. They make the finest and best steel in the world, but they cannot do it for $250,000.

Mr. BROWN of Georgia. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. BROWN of Georgia. If you increase this to $1 million, and the authorization in this bill is only $500 million, that means you can accommodate only 500 people.

Mr. PATMAN. I am not stating this will accommodate the maximum number. This will be up to the Administrator on the question of who is small business and the adequacy of the security. Certainly they will not all get the maximum. There are many instances where small people, if they could get a loan of $1 million, would actually be in competition with some of the biggest concerns in America. I know that is the feeling of every Member of this House, that they want competition in America. That is what built America. But if we deny adequate loans we are denying them an opportunity to compete, and we are denying them an opportunity to save the taxpayers and the Government enormous sums of money. This is not unreasonable, and I hope it is adopted.

Mr. TALLE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Texas.

Mr. Chairman, the bill we are discussing is intended to deal with small business. Certainly if we agree to the amendment proposed by the gentleman from Texas we will be guilty of failing to exercise restraint.

If you will refer to page 9 of the committee report accompanying this bill you will find stated there the average size SBA loan. What is it? $40,000. That is definitely small business. But obviously, if we are to make loans that run into millions, we are not dealing with small business, we are dealing with something else. I hope the amendment is voted down.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield to the gentleman from North Carolina.

Mr. JONAS. The gentleman from Texas said the matter would be within the discretion of the Administrator. Does not the gentleman think that would be giving the Administrator too much discretion? If he can turn down a loan simply because the amount requested is $1 million, would he not be subject to criticism for being arbitrary?

Mr. TALLE. He would be placed in a position that I am confident a great many people would not want. I see no merit in the amendment. It should be voted down.

Mr. MULTER. Mr. Chairman, I move to strike out the last word, and do so in

order to express my opposition to the amendment offered by the gentleman from Texas [Mr. PATMAN]. I dislike very much disagreeing with the distinguished chairman of the Small Business Committee, with whom I served on that committee and on the House Banking and Currency Committee for these many years.

I have in my hand 297 pages of testimony taken before the House Banking and Currency Committee, and another volume of 429 pages of testimony taken before Subcommittee No. 2 of the House Small Business Committee. There is not a word of testimony in either of these hearings in support of the need for a loan in excess of $250,000 for small business.

As a matter of fact, the representatives of two national small-business groups came before our committee and each one was asked whether or not he knew of a single instance of need for a small-business loan of more than $250,000. In each instance the answer was in the negative.

Incidentally, in connection with the scrap-metal hearings which the Small Business Committee conducted—after the close of those 2 hearings, for the first time 1 person indicated that there might be need of a loan of as much as $350,000 to small-business men in that particular industry.

With that exception, I do not know of a single instance of need for a small-business loan in excess of $250,000. Until competent testimony is adduced before appropriate committees of the House showing such need, I think we ought not to raise the limit on these loans.

Mr. Chairman, I urge that the amendment offered by the distinguished gentleman from Texas [Mr. PATMAN] be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. PATMAN].

The amendment was rejected.

Mr. PATMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: Page 17, after line 22, insert the following new subsection:

"(c) The Administration is also empowered to make loans to local organizations to finance the planning of works of improvement under the Watershed Protection and Flood Prevention Act, as amended. Such loans shall bear interest at the average rate, as determined by the Secretary of the Treasury, payable by the Treasury upon its marketable public obligations which are outstanding at the beginning of the fiscal year in which the loan is made and which are neither due nor callable for redemption for 15 years from the date of issue. With respect to any single plan for works of improvement, the amount of any such loan shall not exceed $50,000."

Page 17, line 23, strike out "(c)" and insert "(d)."

Page 5, lines 4 and 6, strike out $650,000,000" and insert "$700,000,000."

Page 5, line 11, insert "7 (c)" after "7 (b)."

Page 5, after the period in line 15, insert the following new sentence: "Not to exceed an aggregate of $50,000,000 shall be outstanding at any one time for the purposes enumerated in section 7 (c)."

Mr. PATMAN (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and be printed in the RECORD at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Mr. Chairman, I shall not insist on this amendment, but I would like to make a brief explanation of it. I did not urge it in the Committee on Banking and Currency because I had other committees which were meeting at the same time which conflicted with the meeting of the Committee on Banking and Currency and I did not have the privilege and opportunity of attending the session as I wanted to. Therefore, I shall not insist on the amendment.

Briefly, the explanation is this. Under Public Law 566 farmers can get together for the purpose of having water and flood protection and for soil conservation. In order to do that they must have money to make the surveys that are necessary. They have no place now where they can go and get a loan like that. This is for the purpose of enabling the Small Business Administration to make that type of loan.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: Page 18, after line 5, insert the following:

"(d) In order to aid in financing projects authorized under Federal, State, or municipal law, the Administration also is empowered to purchase the securities and obligations of, or make loans to, (1) States, municipalities, and other political subdivisions of States, (2) public agencies and instrumentalities of one or more States, municipalities, and political subdivisions of States, and (3) public corporations, boards, and commissions; but such purchases and loans shall be made only to aid in financing specific public projects (including school construction, road construction, and water projects), and shall not be made for the payment of ordinary governmental or nonproject operating expenses. Loans under this subsection which are secured by the securities or obligations of a State or local government shall bear interest at a rate not less than the rate provided for in such securities or obligations; but in no case shall any loan under this subsection bear interest at a rate exceeding 5 percent per annum. No loan under this subsection, including renewals and extensions thereof, may be made for a period or periods exceeding 20 years."

Page 5, lines 4 and 6, strike out "$650,000,000" and insert $1,150,000,000."

Page 5, line 11, insert "7 (d)," after "7 (b),".

Page 5, after the period in line 15, insert the following new sentence: "Not to exceed an aggregate of $500,000,000 shall be outstanding at any one time for the purposes enumerated in section 7 (d)."

Mr. PATMAN (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with and that it be printed in its entirety at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Mr. Chairman, I shall not urge this amendment on the Committee for the reason that I did not have the opportunity to urge it before the committee. However, Mr. Chairman, I do want to point out there is a real need for this kind of amendment. There is no place now where representatives of school districts and road districts and water districts can go to sell their bonds. There should be some revolving fund and some Government agency somewhere set up for the purpose of buying these bonds and for the purpose of protecting the people. The interest rates are getting to be terribly high. They are 4 percent and 5 percent and sometimes 6 percent, and they are tax-exempt bonds. It is terrible. Although I am not going to insist on the amendment at this time, I hope it excites the attention of someone in connection with some bill whereby we will give further consideration to the setting up of a revolving fund that will do that very thing.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

Mr. PATMAN. Mr. Chairman, I have one more amendment and this is one I shall insist upon. It deals with the termination date which I am suggesting be 4 years instead of 2.

Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: On page 31, after line 12, insert the following:

"SEC. 17. (a) This act and all authority conferred by this act shall terminate at the close of June 30, 1961, but the President may continue the Administration for purposes of liquidation for not to exceed 6 months after such termination.

"(b) The termination of this act shall not affect the disbursement of funds under, or the carrying out of, any contract, commitment, or other obligation entered into pursuant to this act prior to the date of such termination, or the taking of any action necessary to preserve or protect the interests of the United States."

And renumber the succeeding sections accordingly.

Mr. PATMAN. Mr. Chairman, I would like to invite the attention of the Members to the fact that this amendment would extend the Small Business Administration for 4 years; that would be 1961, and regardless of who is President at that time—that would be just after the next administration will have taken office—it will leave it up to the next administration to determine whether or not this organization has done a sufficiently good job to justify its continued existence, also whether or not it should be extended for a certain number of years or be made permanent. It would have 4 years.

I urge you to consider voting for this amendment to have the termination date

4 years instead of the agency being made permanent.

Since we have discussed this question a lot I have no desire to detain the Members of the House for further discussion, but I urge you to vote for the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was rejected.

Mr. TALLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TALLE: Page 3, line 13, strike out "30" and insert "90"; and in line 18, strike out "30-day" and insert "90-day."

Mr. TALLE. Mr. Chairman, in my previous statement on the bill I pointed out that it is exceedingly difficult to define "small business." I may say that since 1950, when the Joint Committee on Defense Production was established, I have served on that committee, and in connection with our hearings when the Administrator of Small Business, Dr. Flemming of ODM, and the Secretaries of the various departments of the armed services appeared before us, the discussion frequently turned to the question, "What is small business?" We never did find a simple answer.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. TALLE. Mr. Chairman, I yield to the chairman of the committee.

Mr. SPENCE. Mr. Chairman, it seems to me that 30 days is a sufficient time within which to formulate the definition. I noticed that originally an amendment was suggested that would give them until the first of the year. I am wondering if it would take that much time to formulate one definition, how long it would take the lexicographers to make a dictionary; it might take several centuries.

But in the spirit of compromise and as the gentleman is so anxious that the Administration have a little more time I would agree to 30 days additional, making it 60 days. That will be acceptable as far as I am concerned.

Will the gentleman accept that modification?

Mr. KILBURN. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield.

Mr. KILBURN. I gather that the Congress and its committees have taken 10 years trying to get a definition. The amendment offered by the gentleman from Iowa calls for merely 90 days. I think it is not at all too long a time and that the amendment is a good one.

Mr. TALLE. Mr. Chairman, 90 days sounds like a jail sentence; and, believe me, if I were the Administrator of the Small Business Administration I would feel that I was being sentenced to jail for 90 days, if I were assigned the task of defining "small business" within that period of time. Sixty days, of course, is one-third less than I asked for but, at least, it is better than 30, so I will not be adamant about the matter.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. TALLE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I do not desire to inject myself unnecessarily into this, but may I say that it is one-third less than the gentleman asked and it is 100 percent more than what is in the bill?

Mr. TALLE. I thank the majority leader for his contribution.

Mr. Chairman, I ask unanimous consent that my amendment be revised to read 60 days instead of 90 days.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. TALLE: On page 3, line 13, strike out "30" and insert "60," and in line 18 strike out "30-day" and insert "60-day."

Mr. MULTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am not going to oppose the pending amendment but I do want to take a moment to point out that we have not been so harsh on the agency as it is made to appear from the colloquy that has just taken place on the floor. We say in the bill that SBA shall have 30 days in which to bring forth a new definition. Under the amendment it is 60 days in which to bring forth a new definition. After that 60 days, if they do not bring forth a new definition, we say they shall use the financial assistance definition for procurement until they devise a new one. Nobody has said that that definition for financial assistance will not work for procurement. There is every reason why we should use the same definition for procurement as they are now using for financial assistance. If SBA finds it is not workable, the Administrator can develop a new definition. That is all we ask in this bill.

The question is on the amendment offered by the gentleman from Iowa [Mr. TALLE].

The amendment was agreed to.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I commend the Small Business Administration, especially its office at Boston, which has been very helpful in my district and I commend this committee for presenting this bill.

Mr. Chairman, I ask unanimous consent to speak out of order for 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Chairman, a day or so ago I received a beautiful and most inspiring letter from Mrs. Joe McCarthy. More than anyone, she knew the depth and intensity of purpose possessed by her husband, the late Senator Joseph McCarthy, impelling him to physically exhaust himself fighting to win a victory that must be won if freedom in America, yes, if freedom throughout the world, is to survive.

In placing this in the CONGRESSIONAL RECORD here with my remarks, I do so with the hope that every Member of the Congress will take a few moments to read it and study it through. Particularly, I hope so much the distinguished Chief Justice and Associate Justices of the United States Supreme Court read it and give serious thought to its meaning.

Surely, men of such great intellect and learning in the law as those who constitute the Supreme Court could find within the boundaries of the Constitution of the United States the authority to protect our form of government from treacheries and subversive forces determined to destroy it from within. The Bill of Rights, constituting as it does a part of this noble document, must be preserved, but unless this Nation and its form of government is protected and preserved, the Bill of Rights will cease to have meaning. The rights of the individual are dependent upon the form of government. Individual liberty without freedom is meaningless.

Communism is the enemy of the free way of life. Communism has announced its intention to destroy freedom everywhere. Recognizing no God, communism is determined to destroy the United States of America, the very citadel of freedom. Communism, like cancer, is formed of small cells within the body of national society. As soon as these cells are strong enough they begin to destroy. The very act of forming a Communist cell is a positive step toward destroying our form of government and our freedom. The very act of joining a Communist cell within our national boundaries is an act against the security of liberty of the United States of America specifically stated as one of the purposes for the establishment of the Constitution.

THE RECENT SUPREME COURT DECISION

In all seriousness, with overwhelming concern, we are now facing some very grave steps in view of the recent decision of the Supreme Court of the United States. In all seriousness, I say to you, my colleagues, that if in its wisdom, the Supreme Court cannot find within the Constitution the authority for the protection of American freedom, then it is the duty of the Congress of the United States, representing the people whose Government this is, to write a new amendment to the Constitution in which this authority is plainly spelled out regarding which there can be no disagreement. Subversive planning to overthrow the Government of the United States must be ended by law.

If an American is required to lay down his life for the protection of his country, so must it be required of the law of the land to protect without equivocation or disagreement through the exercise of semantics. If the Supreme Court of the United States cannot find the power to protect this great United States of America, then let us provide that power in clear, precise, and unmistakable language.

Following is the letter of Mrs. Joe McCarthy:

JUNE 12, 1957.

DEAR MRS. ROGERS: I want you to know how much I appreciate your kindness in sending flowers in memory of Joe. Please accept my deep appreciation for your thoughtfulness.

Joe gave his life, as Father Grill said at St. Mary's, "principally because he exhausted himself physically for love of his fellow beings." This is so very true that I, as his wife—having known this for a long, long time—never thought before that anyone else would understand.

When Joe came home to Appleton, the heart and soul of this country was standing along the roadside on the 30-mile drive from Green Bay. It was all of that that made Joe and all of that to which he dedicated his life. It was the reason for his sacrifice of personal comfort, the reason for his courage to withstand being alone at times.

I cannot help but feel, however, that his sacrifice of personal comfort, his aloneness at times—along with that of many unknown and unheralded men—will have been for naught unless we see the purpose of the immense drive that was his. Knowing Joe as I do, I know he would be impatient with the thought that we simply mourn his passing or praise his life. God had purpose in both of these. The battle Joe fought so fearlessly and with such insight is not over. It will only end, as Joe so often said, with victory or death for our civilization.

Joe once said in answer to the question: "What can I do to help?"—Look to your schools, search behind the printed word, give purpose to and demand a contract from the men you send to man the watchtowers in Washington. If every one of Joe's friends took that suggestion to heart, I would then know God's purpose had been done.

May I add an afterthought I know Joe would share. That is, never underestimate your power as a citizen. When Joe walked into his first open clash with the wrecking crew of our Nation, he had in his mind—and this he has written—the "thought of those real people who are the heart and soul and soil of America; thoughts of the young people in my office, toiling night and day * * * thoughts of the many young men, friends of mine, who went to their death in the Pacific for what they thought was a better world—those thoughts convinced me that this fight I had to win."

Perhaps now a few more will stop to think that a man with the intellect and the courage, the drive and the honesty, a man such as Joe—with this love for life—could not have spent all that without reason. Perhaps a few more will search their minds and step with decision to the side of right.

With sincere personal regards.

JEAN.

P. S.—I was deeply touched by your lovely tribute to Joe on the floor of the House.

Mr. Chairman, I hope that the Congress of the United States will act. I fear for the safety of our country if it does not act.

Mr. McGOVERN. Mr. Chairman, no thinking person can brush aside the need for legislation such as we have before us today in H. R. 7963. It exemplifies keen foresight and broad understanding of the problems of small business on the part of the gentleman from Kentucky [Mr. SPENCE] and the members of the House Banking and Currency Committee.

The economic plight of small business, especially in the rural areas is alarming. Failures are rising at an alarming rate. Even considering the Nation as a whole, they increased substantially in 1956 over 1955. Furthermore, statistical surveys of the first quarter of 1957 show that this upward trend is continuing at an alarming rate.

One of the most acute problems the small-business man faces today is a lack of credit. The so-called tight money policy of the administration has greatly aggravated this critical situation by drying up many normal sources of credit.

Where can a merchant turn to when he urgently needs capital for inventory or expansion. Is it not the duty of a responsible Government to assist the businessman in securing operating capital when the community depends upon his services, and when his local banker has given a final "no," to his request for financial aid? I believe it is. And consequently I want to say that I strongly support H. R. 7963 and earnestly hope that it shall receive overwhelming support from this great legislative body, as a demonstration of good faith in the 7 million men and women who own the Nation's small-business establishments and the 30 million whom they employ.

It is difficult to differentiate in importance between the five major points of this measure. But I particularly like the proposal to make the Small Business Administration a permanent agency of Government as well as those provisions to expand the loaning authority of SBA and to decrease the maximum rate of interest on small-business loans to 5 percent.

Small-business men need adequate credit. And they need it at a rate that they can afford to pay.

Mr. CHAMBERLAIN. Mr. Chairman, I wish to express my support of the pending bill. Although H. R. 7963 has several important provisions, I wish to speak principally on the need and desirability of making the Small Business Administration a permanent Government agency.

I attended the committee hearings on this bill with great interest, not only because I had for some time been aware of the work of the Small Business Administration, but also because I believe that we are here dealing with matters that are vital to an important segment of our national economy.

We are told that there are more than 4 million small businesses in the United States, representing more than 90 percent of all business organizations, and employing more than 30 million people.

These figures are, of course, impressive, but they neglect one further consideration. I dare say that every Member could rise and cite a long list of small businesses in his district which play a vital part in the life of the community. Small-business establishments, and the people who own them, give to all of our communities a distinctive character and represent a social as well as economic asset.

Government action specifically in behalf of small business was long overdue when the SBA was created in 1953. Today, 4 years later, the need is still great and promises to continue into the foreseeable future. I believe the most eloquent testimony of this need is contained in the report of the SBA activities which have been gathering momentum at an astonishing rate.

We naturally think first of the lending activities of the Small Business Administration. During the last 6 months of 1956, the SBA received 3,337 loan applications requesting $192,922,357. As the report indicates, through April of this year it has approved 6,443 business loans totaling $295 million. The current rate of applications is approximately double the anticipated rate of 350 per month. Currently 58.5 percent of these loan applications are approved. I believe it is significant that 72 percent of the loans are participation loans which indicate that the SBA financial activities supplement and support private lending rather than replace it.

Perhaps the most dramatic work of the Small Business Administration is carried on under the disaster-loan program. During the last half of 1956, disaster loans were made in 24 States and Puerto Rico, covering such things as floods, flash floods, hurricane, forest fire, wind and hail storms, and cloudburst. No one can measure the benefit in community confidence and morale that resulted from the $63 million in disaster loans made by the SBA.

The fact that out of more than a quarter of a billion dollars the SBA has suffered a loss on exactly 6 loans, totaling $102,377.27, is to my mind highly significant. It signifies, for one thing, that care and good judgment is being exercised in the processing of loans. It indicates further that the SBA financial program is supporting worthwhile expenditures, expenditures that are in fact sound investments. Even if the loss rate were higher we might still endorse the SBA program for the encouragement it provides a handicapped segment of the economy. But this is clear evidence, I believe, that our small-business economy is not only sound but is capable of making good and effective use of SBA facilities.

The extent to which small business can take advantage of its opportunities is illustrated in the procurement program. Up to the present time approximately 1 dollar in 5 spent by the Federal Government for military and nonmilitary procurement has gone to small business. We can hope that this percentage will increase, since it represents no more than 60 percent of the estimated small business potential participation. The $345 million currently set aside for small business, a 79-percent increase over the previous year, is a sign of progress in this year.

The management and production assistance program, like other SBA activities, has been increasing steadily. The importance of this work is perhaps best illustrated when one realizes that a small business faces almost all of the problems of a big business: Taxes, real estate, personnel, inventory management, equipment, accounting procedures, advertising, public relations—every business establishment, no matter how small, has to cope with these problems in some degree. Yet the typical small business does not have a budget to hire specialists to solve these problems on which the success or failure of the undertaking may rest. Therefore, whatever the Small Business Administration can do to educate and assist people in small business will fill a great need. During the last half of 1956 the SBA cosponsored 40 administrative management courses throughout the country. This service should, and I believe will, reach more and more sections of the country.

Mr. Chairman, in discussing measures such as this, we are prone to put major

emphasis on the effects on the people we represent. This is natural, but at the same time we ought not to neglect entirely the commendable work of the officials and employees of the Small Business Administration who have been doing a tremendous job of meeting a mounting demand for their services under far from ideal circumstances.

If we approve of what the SBA has been doing, and if we want it to continue, we should indicate our endorsement by making the SBA a permanent agency. The people who work for the SBA will then know where they stand. Personnel turnover will be reduced. Both the people who work for the SBA and people who work with the SBA—such as officials of private lending institutions—will have confidence in the continuity of the agency.

In conclusion, Mr. Chairman, I believe Mr. Barnes is to be commended on what the Small Business Administration has accomplished during the past year. It is essential that this work be encouraged and continued. The best way we can do this is to vote our approval of the pending bill.

The CHAIRMAN. If there are no further amendments, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore having assumed the chair, Mr. BOGGS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 7963) to amend the Small Business Act of 1953, as amended, pursuant to House Resolution 283, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. TALLE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 393, nays 2, not voting 38, as follows:

[Roll No. 122]

YEAS—393

Abbitt	Baring	Boyle	Carnahan	Heriong	Osmers	Widnall	Wilson, Ind.	Young
Abernethy	Barrett	Bray	Carrigg	Heselton	Ostertag	Wier	Winstead	Younger
Addonizio	Bass, N. H.	Breeding	Cederberg	Hess	Passman	Wigglesworth	Withrow	Zablocki
Albert	Bass, Tenn.	Brooks, La.	Celler	Hill	Patman	Williams, Miss.	Wolverton	Zelenko
Alexander	Bates	Brooks, Tex.	Chamberlain	Hillings	Patterson	Williams, N. Y.	Wright	
Allen, Calif.	Baumhart	Broomfield	Chelf	Hoeven	Pelly	Wilson, Calif.	Yates	
Allen, Ill.	Becker	Brown, Ga.	Chenoweth	Hoffman	Perkins			
Andersen, H. Carl	Beckworth	Brown, Mo.	Chiperfield	Holifield	Pfost		NAYS—2	
Andresen, August H.	Belcher	Brown, Ohio	Christopher	Holland	Philbin		Alger	Poage
Andrews	Bennett, Fla.	Brownson	Chudoff	Holmes	Pilcher		NOT VOTING—38	
Anfuso	Bennett, Mich.	Broyhill	Church	Holt	Pillion			
Arends	Bentley	Budge	Clark	Horan	Poff	Adair	Cooley	Lankford
Ashley	Berry	Burdick	Clevenger	Hosmer	Polk	Anderson, Mont.	McCarthy	Lennon
Ashmore	Betts	Burleson	Coad	Huddleston	Porter	Bailey	Dawson, Ill.	McConnell
Aspinall	Blatnik	Bush	Coffin	Hull	Powell	Baker	Eberharter	Machrowicz
Auchincloss	Boggs	Byrd	Cole	Ikard	Preston	Barden	Grant	Magnuson
Avery	Bolling	Byrne, Ill.	Collier	Jackson	Price	Beamer	Gray	May
Ayres	Bolton	Byrne, Pa.	Cooper	James	Prouty	Bilitch	Hébert	Morrison
Baldwin	Bosch	Byrnes, Wis.	Corbett	Jarman	Rabaut	Boland	Hiestand	Norrell
	Bow	Canfield	Coudert	Jenkins	Radwan	Bonner	Holtzman	Reece, Tenn.
	Boykin	Cannon	Cramer	Jennings	Rains	Bowler	Hyde	Sheppard
			Cretella	Jensen	Ray	Buckley	Kearney	Sisk
			Cunningham, Iowa	Johansen	Reed	Colmer	Kirwan	Taylor
			Cunningham, Nebr.	Johnson	Rees, Kans.		Krueger	Willis
			Curtin	Jonas	Reuss			
			Curtis, Mass.	Jones, Ala.	Rhodes, Ariz.			
			Curtis, Mo.	Jones, Mo.	Rhodes, Pa.			
			Dague	Judd	Riehlman			
			Davis, Ga.	Karsten	Riley			
			Davis, Tenn.	Kean	Rivers			
			Dawson, Utah	Kearns	Roberts			
			Delaney	Keating	Robeson, Va.			
			Dellay	Kee	Robsion, Ky.			
			Dempsey	Keeney	Rodino			
			Dennison	Kelley, Pa.	Rogers, Colo.			
			Denton	Kelly, N. Y.	Rogers, Fla.			
			Derounian	Keogh	Rogers, Mass.			
			Devereux	Kilburn	Rogers, Tex.			
			Dies	Kilday	Rooney			
			Diggs	Kilgore	Roosevelt			
			Dingell	King	Rutherford			
			Dixon	Kitchin	Sadlak			
			Dollinger	Kluczynski	Santangelo			
			Donohue	Knox	St. George			
			Dooley	Knutson	Saylor			
			Dorn, N. Y.	Laird	Saund			
			Dorn, S. C.	Landrum	Schenck			
			Dowdy	Lane	Scherer			
			Doyle	Lanham	Schwengel			
			Durham	LeCompte	Scott, N. C.			
			Dwyer	Lesinski	Scott, Pa.			
			Edmondson	Lipscomb	Scrivner			
			Elliott	Long	Scudder			
			Engle	Loser	Seely-Brown			
			Evins	McCormack	Selden			
			Fallon	McCulloch	Sheehan			
			Farbstein	McDonough	Shelley			
			Fascell	McFall	Shuford			
			Feighan	McGovern	Sieminski			
			Fenton	McGregor	Sikes			
			Fino	McIntire	Siler			
			Fisher	McIntosh	Simpson, Ill.			
			Flood	McMillan	Simpson, Pa.			
			Flynt	McVey	Smith, Calif.			
			Fogarty	Macdonald	Smith, Kans.			
			Forand	Mack, Ill.	Smith, Miss.			
			Ford	Mack, Wash.	Smith, Va.			
			Forrester	Madden	Smith, Wis.			
			Fountain	Mahon	Spence			
			Frazier	Maillard	Springer			
			Frelinghuysen	Marshall	Staggers			
			Friedel	Martin	Stauffer			
			Fulton	Mason	Steed			
			Garmatz	Matthews	Sullivan			
			Gary	Meader	Taber			
			Gathings	Merrow	Talle			
			Gavin	Metcalf	Teague, Calif.			
			George	Michel	Teague, Tex.			
			Gordon	Miller, Calif.	Teller			
			Granahan	Miller, Md.	Tewes			
			Green, Oreg.	Miller, Nebr.	Thomas			
			Green, Pa.	Miller, N. Y.	Thompson, La.			
			Gregory	Mills	Thompson, N. J.			
			Griffin	Minshall	Thompson, Tex.			
			Griffiths	Montoya	Thomson, Wyo.			
			Gross	Moore	Thornberry			
			Gubser	Morano	Tollefson			
			Gwinn	Morgan	Trimble			
			Hagen	Morris	Tuck			
			Hale	Moss	Udall			
			Haley	Moulder	Ullman			
			Halleck	Multer	Utt			
			Harden	Mumma	Vanik			
			Hardy	Murray	Van Pelt			
			Harris	Natcher	Van Zandt			
			Harrison, Nebr.	Neal	Vinson			
			Harrison, Va.	Nicholson	Vorys			
			Harvey	Nimtz	Vursell			
			Haskell	Norblad	Wainwright			
			Hays, Ark.	O'Brien, Ill.	Walter			
			Hays, Ohio	O'Brien, N. Y.	Watts			
			Healey	O'Hara, Ill.	Weaver			
			Hemphill	O'Hara, Minn.	Westland			
			Henderson	O'Konski	Wharton			
				O'Neill	Whitener			
					Whitten			

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. May.
Mr. Buckley with Mr. Taylor.
Mr. Dawson of Illinois with Mr. Kearney.
Mr. Bowler with Mr. Krueger.
Mr. Sisk with Mr. Beamer.
Mr. Morrison with Mr. Baker.
Mr. McCarthy with Mr. Adair.
Mr. Boland with Mr. Reece of Tennessee.
Mr. Anderson of Montana with Mr. McConnell.
Mr. Sheppard with Mr. Hyde.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. ALGER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, I do not consider this a vote for or against small business or small-business men—I, too, want to help the small-business man, if the Federal Government can do so appropriately. By this vote, I wish to stress that the way to help a small-business man is to return to him some of his tax money which can be done by cutting the size and cost of Government, not by making businessmen dependent on Government, and by such reliance on Government, increasing his taxes to pay for the service. As a Congressman, my views can be expressed in only one way, by the votes I cast.

There are other ways to help the small-business man: for example, by faster tax writeoffs which will aid him in getting bank financing, if a good risk. Also, this bill is wrong in stipulating a fixed interest rate which is completely antithetical to a free economy, where interest rates must fluctuate as demand and supply of money fluctuates. A natural followup of the fixed-interest-rate policy is direct Government loans.

Again, my vote is not a protest against the effort and efficiency of officials of the Small Business Administration, but is against the increasing encroachment of Federal Government in our lives, jeopardizing our very freedom and this includes economic freedom.

This bill is a further part of the web to ensnare the people in the bureaucracy of big government. Therefore, I voted against the bill.

PROGRAM FOR THE REMAINDER

Mr. ALBERT. Mr. Speaker, we have [H. CARL ANDERSEN] about meeting on

fit of the findings and conclusions of this

power of the dollar steadily and surely

THE SCHOOL CONSTRUCTION PRO

of credit. The so-called tight money totaling $295 million. The current rate such as this, we are prone to put major

Baldwin Boykin Cannon Henderson O'Neill Whitten against the bill.

PROGRAM FOR THE REMAINDER OF THE WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to announce changes in the program for the remainder of the week.

H. R. 72 will be put over to a later date.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Can we have assurance that that bill will not be called up until a certain date? In other words, there will be many of us absent from here this following week who are in opposition to that particular bill. I personally would appreciate it very much if the leadership would assure us that it would not be called up this following week.

Mr. ALBERT. If the gentleman will bear with me, I think it had been planned to program that bill for Wednesday of next week.

Mr. H. CARL ANDERSEN. The gentleman knows, of course, that Fourth of July comes on Thursday of next week, and many of us, for the first time this session, will be absent, at home.

Mr. ALBERT. The gentleman is aware of that, but I would say also to the gentleman that the leadership will be happy to confer with the chairman of the Committee on Veterans' Affairs on this matter. This bill has been put over at his request, and I would not like to make any further commitment with respect to programing this bill at this time.

Mr. H. CARL ANDERSEN. The gentleman realizes that it is a highly controversial bill, a bill upon which the entire membership should be present because it does, in my opinion, a grave injustice to 110,000 veterans and their families. I wish we could have the gentleman's assurance that there will be no calling up of that bill on the 3d of July, the day before the 4th.

Mr. ALBERT. The gentleman is unable to give that assurance at this time. However, the program for next week has not been announced yet, and the gentleman will take into consideration, advising with the chairman of the committee and with the Speaker, the problem of programing that particular piece of legislation.

Mr. H. CARL ANDERSEN. I thank the gentleman.

The SPEAKER pro tempore. The Chair might state to the gentleman from Minnesota, having profound respect for him, as the Chair has, that a matter of that kind might well be taken up without inquiry being made on the floor. Of course, at a later date if the gentleman is dissatisfied, he can make his expression known, but the leadership has certainly been cooperative in connection with H. R. 72 as fully as possible, particularly those who are in opposition to the bill.

Mr. ALBERT. Mr. Speaker, we have been advised by the gentleman from Rhode Island [Mr FOGARTY], that the conference report on the Labor, Health, Education, and Welfare appropriation bill has been agreed to unanimously, and that conference report will be the first order of business on tomorrow.

We have also three rules which have been reported on bills pertaining to the Senate Office Building. These bills will be put on the program for Thursday. Otherwise the program remains as previously announced. And, of course, additional conference reports may be brought up at any time.

Mr. MARTIN. If the gentleman will yield for a question, Does the gentleman know what is coming up next week?

Mr. ALBERT. The gentleman is not prepared yet to announce the program for next week. The program will be announced in due time.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield further?

Mr. ALBERT. I yield.

Mr. H. CARL ANDERSEN. The gentleman perhaps is not aware that it is our intention on the Subcommittee on Appropriations for the Department of Agriculture to have our conference on Thursday. We hope to agree with the Senate on that day. I think our subcommittee would like to see the conference report brought up on the floor this coming Friday and dispose of it, if we can.

Mr. ALBERT. Mr. Speaker, may I advise the gentleman that both the gentleman who is now addressing him and the Speaker pro tempore, who is the majority leader, are always anxious to program conference reports at the earliest possible moment.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield further, for the information of the House?

Mr. ALBERT. I yield.

Mr. H. CARL ANDERSEN. There is no question but that there is a good chance that we will have some argument on the subject of the soil bank. If that is the case, I believe that we should have the opportunity for full debate on the question. That is why I am hoping that we will not be precluded from meeting on Friday. I understand that some Members believe that we are to adjourn over from Thursday until Monday. I must state that if such a request is made I will have to object to it personally. After all, Sunday is June 30 and in my opinion we should complete the agricultural bill if we can on Friday.

Mr. ALBERT. The gentleman is aware of the rules of the House, that the House may not adjourn except by unanimous consent.

The SPEAKER pro tempore. The present occupant of the chair might say that the first he heard of such a rumor as that referred to by the gentleman from Minnesota [Mr. H. CARL ANDERSEN] is when the gentleman from Minnesota made the observation himself.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman.

Mr. BECKER. In view of the questions of the gentleman from Minnesota [Mr. H. CARL ANDERSEN] about meeting on Friday, may I say that a committee from the Committee on Public Works is making an inspection trip Friday, Saturday, and Sunday, so it will not be convenient for us to be here.

Mr. ALBERT. I would advise the gentleman to take that matter up with the gentleman from Minnesota.

Mr. BECKER. I shall take it up with the leadership on this side.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

LEGISLATION TO CARRY OUT RECOMMENDATIONS OF THE WRIGHT COMMISSION ON GOVERNMENT SECURITY

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I have introduced H. R. 8323, being legislation to carry out a portion of the recommendations of the Commission on Government Security. These recommendations are contained in a document recently released to the public.

The bill I have introduced, first, establishes a Central Security Office to coordinate the administration of Federal personnel, loyalty, and security programs, and, second, prescribes administrative procedures for the hearing and review of cases arising under such programs. The chairman of our committee the gentleman from Tennessee [Mr. MURRAY] has introduced similar legislation.

I call attention to the long and extensive studies which my committee has conducted for more than 10 years, and cite House Report No. 1844, 84th Congress, issued by the Post Office and Civil Service Committee of the House, which states:

> The history of the administration of present laws and regulations relating to loyalty, security, and suitability as concerns the appointment or employment of Federal personnel demonstrates the necessity of a clarification of policy in this respect. Existing practices have resulted in inequities and unfairness to employees or prospective employees.
>
> In practice, a great deal of confusion and misconception has arisen from certain statements and statistical information on the number of employees separated under this procedure and the reasons for separation. No clear distinction has been made as between those separated for disloyalty, those separated for security reasons, and those otherwise found unsuitable for Federal employment. Misunderstanding has been created, in both the public mind and official circles, as to the situation with respect to security-risk separations. In fact, there undoubtedly exists a widespread public misconception that security risks and disloyalty are one and the same thing.
>
> The committee intends to study carefully the report of the recently appointed Commission on Government Security when it is made. The decision as to whether or to what extent further legislative or administrative action is required should, it is believed, be made after the committee has had the benefit of the findings and conclusions of this Commission.

In introducing this legislation, it is my intention to carry out the long-standing recommendations of my committee which generally agree with the majority of the recommendations of the Wright Commission.

The Wright Commission is to be commended for its diligent and searching analysis of a complicated and difficult problem. While there doubtless will be changes desirable in the language of the bill following full and complete hearings, nevertheless, the introduction of the legislation is the first necessary step to a clarification of the present highly unsatisfactory situation.

The bill sets up a Central Security Office to coordinate the Government employees' loyalty program. A three-member board is established under the Security Office to hear appeals on loyalty cases. Statutory authority is provided the Attorney General authorizing him to compile, maintain, and publish a list of subversive organizations and if any question is raised the Attorney General shall call upon the Review Board for its recommendations. A statutory standard is established for loyalty and security determinations. The rights now enjoyed by veterans in the Federal service to have their separations from employment reviewed by the Civil Service Commission under section 14 of the Veterans' Preference Act is extended to nonveterans.

It is my desire to have early hearings before the House Post Office and Civil Service Committee, and to take appropriate action with respect to this legislation in view of the recent Supreme Court decision which invalidates part of the present Government employees' security program.

SMALL BUSINESS ACT

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I compliment the able chairman and committee for their fine work on this bill. This bill will be a real contribution to our strong, generally felt desire to assist and strengthen small business.

There is not necessarily a conflict between small business and big business and I would be the last to want to see one generated by any action, which Congress might take.

Looking at the situation objectively, however, it is my feeling that small business, as we have known it in this country, is not at the present time sharing in its rightful proportion of current prosperity. There is no question but that we are living in a period of unprecedented prosperity, and also in a period of marked inflation, and no official disavowals could successfully refute that fact. In the past few years, we have seen wages and price levels chasing each other up the steep ladder toward dangerous inflation, and we have witnessed the purchasing power of the dollar steadily and surely falling.

This condition is creating difficult problems for the ordinary man and woman and the ordinary American family. It is certainly inciting demands for further wage increases, which are surely justified by current price levels. It is posing problems also for small business, which, in a great many instances and districts in the country, cannot keep pace with rapidly increasing costs of operation.

The tight money policy, so called, is another unstabilizing factor, which without doubt is affecting many small businesses. This is a very complex question, which is currently being studied by Congress and which must be settled if we are to prevent serious effects upon small business, and I appreciate that the solutions to this particular problem are not easy to find. But we are certainly under a great obligation to try to find and apply them. It is not a pleasant prospect for businessmen to face since it entails inability to secure ordinary financing and also very high interest rates, which are an additional burden. While the purpose of these high rates is to check inflation, that end has hardly been accomplished since prices of basic commodities and ordinary necessaries are edging up day by day. The stock and commodity markets reflect this condition.

Taken together these puzzling developments affecting small business are narrowing the area of expansion and checking to a marked and dangerous degree the incentives which are so vital to free enterprise. To these must be added the problems arising out of increased, bureaucratic intrustion into the affairs of the ordinary businessman, and above all the very high tax rates in local communities, in the States and the Federal Government.

I think that this bill strives for a legislative orientation that may well in time prove to eliminate some of these problems. If we can fully reestablish faith and confidence among small business, we will be doing a great service, not only to the individual businessman, but to our economic system as well, because the result will be to reinvigorate and strengthen that system by encouraging and heartening those presently engaged in small business, and by stimulating and expanding the inducements, which cause ambitious persons to establish or extend their own business.

This measure does not involve dangerous Government interference, but merely provides guidance, encouragement, and assistance in those fields in which small business may have a real need for governmental services and help. In view of the importance of small business to our economy, indeed considering its vital and irreplaceable role in our profit system, I think that this measure is not only desirable, but will be of material benefit in promoting the health and vigor of our entire business system. Small business is the key to our economy; it must be preserved and improved.

For these reasons, I propose to favor this bill.

THE SCHOOL-CONSTRUCTION BILL

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, President Eisenhower has made a new appeal for action to help end the long-standing classroom shortage. I recently received a letter from him on this subject which I think should be brought to the attention of the Members of the House.

I am gratified that the President finds that the specific bill, H. R. 1, as amended, approved by the House Education and Labor Committee, adheres to the basic principles which he has stressed as essential to a sound Federal school-construction program.

This bill makes it amply clear that there shall be no Federal control of education. It provides for a temporary, emergency program of Federal aid—and that aid is only to assist in the construction of classrooms. The bill includes provisions—such as State matching requirements and recognition of State and local effort—to encourage still greater State and local contributions to school construction. It provides that Federal funds will go to those communities which are found by the States to have the most acute classroom shortages and the least local resources to meet their needs.

The President's letter also reminds us that school-construction assistance was pledged in the 1956 Republican Party platform. I hope that members of the President's party will respond to his leadership and support H. R. 1 as amended. I also hope that Members of the House from both parties will unite behind this bill and oppose any crippling amendments which may be offered.

The education of millions of children continues to suffer because of half-day school sessions, jam-packed classrooms, and dilapidated facilities. Further delay in meeting this classroom shortage will not only penalize the children concerned but also complicate this and other national education problems.

A copy of the President's letter to me is attached, along with my letter to the President.

THE WHITE HOUSE,
Washington, D. C., June 20, 1957.

The Honorable PETER FRELINGHUYSEN, JR.,
House of Representatives,
Washington, D. C.

DEAR PETER: Thank for your June 7 letter in which you ask my views on H. R. 1, as amended, the school-construction bill recently approved by the House Committee on Education and Labor.

I would not, of course, pass judgment on all the details of this bill while it is still before Congress. As I understand it, however, the bill adheres to principles which I consider basic to sound Federal legislation on this subject. In that connection, I hope that in its further consideration of the matter the Congress will give close attention to that portion of the bill which allocates funds on the basis of need.

As you know, our Republican Party in its 1956 platform pledged its efforts to secure school-construction legislation. Providing

adequate classroom facilities for the young people of our Nation is a tremendous challenge which should be met at once. I earnestly hope, therefore, that legislation will be enacted at this session to provide Federal help in this emergency.

With warm regard,

DWIGHT EISENHOWER.

JUNE 7, 1957.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: As a consistent supporter of the views which you have repeatedly expressed regarding the importance of Federal assistance in the construction of needed classrooms, I should appreciate having your views on the specific bill on this subject—H. R. 1, as amended—which the House is scheduled to consider within a few weeks.

As a member of the House Education and Labor Committee, I am of course well aware of your continued and active interest in enactment of suitable legislation. On many occasions you have emphasized the importance of incorporating certain principles into proposed legislation, to insure that the Federal Government plays an appropriate role in the solution of a serious national problem.

What I should very much like to know now, therefore, is your feeling with respect to the specific recommendations arrived at by the committee. It is my own feeling that the basic principles which you have consistently stressed have been incorporated in this bill, along with certain understandable adjustments in your recommendations.

Trusting that it may be convenient for you to let me have your opinion on this bill, I am,

Very respectfully,

PETER FRELINGHUYSEN, JR.,
Member of Congress.

NATIONAL CHARTER FOR WORLD WAR I VETS

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, it was never intended that we should group all Americans who have experienced honorable military service into one veterans' organization.

As the Civil War differed from the Spanish-American War, and that in turn from World War I, the veterans of those wars have special viewpoints, and interests, and identities that separate one from the other.

Even as the veterans of World War I are distinguished from the veterans of World War II and the veterans of Korea.

Each group speaks for its generation.

Each has the unique memories, and the loyal comradeship, that cannot be shared fully and freely with veterans of other wars.

We cannot conceive of the Korean veterans taking over the United Spanish War Veterans, as the old soldiers of the latter conflict disappear into the mists of history.

No: because neither would feel comfortable about such a strange absorption. It would violate the personality of both groups.

We see this factor at work in those large veterans organizations whose membership is not limited to those who served in one conflict. The trend is for the younger veterans to take charge. This is inevitable, of course, but it means that the veterans of one war do not feel at home with the veterans of another war. They are also separated by the lack of uniformity in veterans' benefits. The new and the old do not mix. They do not speak the same language.

At the present time we do not have an organization to represent, exclusively, the veterans of World War I. Even 39 years after that conflict ended, such an organization would have a larger potential membership than any previous veterans' organization in our history.

There is a void here.

A vacancy that must be tenanted.

This need is providing its own solution.

Spontaneously, across the Nation, veterans of World War I, have organized local barracks, as social centers for their special comradeship; as a means to focus and express their viewpoint in the community; and as the living symbol of their service and their sacrifice to defend and protect American values in a time of worldwide crisis.

These aging veterans, large in number, did not enjoy the honors and the benefits that we accorded to veterans of subsequent wars.

There is nothing new or strange in their determination that this oversight be remedied. We have only to recall the Grand Army of the Republic, and its program to win pensions for the bearded men in blue, who were marked by the scarred memories of Shiloh, Gettysburg, and the Wilderness.

As time goes on, the veterans of World War I will serve a greater purpose in the perpetuation of those courageous traditions that inspire succeeding generations.

On the impressive annual rituals of Memorial Day and Veterans' Day, we need an organization that shall remind us of St. Mihiel, Belleau Wood, the Argonne, and the Battle of the Atlantic; joining with other veterans' organizations to keep alive in us those courageous ideals that have conquered every challenge to freedom, and are needed now, more than ever, to win peace, justice, and liberty, in an age of revolutionary developments.

I come before you to ask official recognition for the Veterans of World War I of the U. S. A., Inc.

To request Congressional approval of a national charter for an organization that is nationwide in scope; whose broad objectives are patriotic, and whose growing membership has given much to make our United States strong, and prosperous, and free.

This honor they have earned.

REGULATION OF UNION WELFARE FUNDS

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, the administration's position on labor welfare and pension funds, as presented to the Congress for legislative action by Secretary of Labor Mitchell, has drawn highly favorable editorial support from newspapers in every section of the Nation. It is now before us as House Resolution 7802 which I introduced on May 28. I believe that the substantial and almost unanimous acclaim given Mr. Mitchell's proposals indicate the course Congress should take to help correct a serious condition in a major facet of our economy. Secretary Mitchell incidentally is scheduled to testify before the House Committee on Education and Labor today.

The approach adopted by Secretary Mitchell in his testimony before the Senate committee has generally been supported by the Nation's press. Swift passage of legislation is being urged by most of the outstanding newspapers in the country.

These editorials are perhaps, a fair indication of current public opinion. Few would deny that corrective legislation is needed to protect these welfare funds. It is estimated that such funds affect 75 million Americans and take in $7 billion annually. Something must be done to protect the rank and file union worker. The administration's bill seems to be the right answer, according to the overwhelming majority of newspapers.

The amendments proposed by Secretary Mitchell would eliminate the Secretary of Labor's discretionary power as to exemptions provided in original bill (S. 1145), introduced by Senator IVES, and would make public disclosure mandatory. They would also give the Secretary authority to investigate and to impose penalties. He would be required to draw up a schedule of the information to be furnished by the funds, certified by audits of public accountants.

This proposed legislation is now in the hands of the House Committee on Education and Labor. I hope it can soon be reported out favorably so that Congress can act without delay to correct a serious situation.

The New York Times says that—

The Ives bill, so amended, should be promptly passed. It would then include the strong features of the Douglas bill and exclude the weaker ones, especially the exemption of smaller funds and SEC administration. Also it would follow sound principles of Federal-State jurisdiction—leaving to the States the power to set up and enforce operating standards and giving to them essential, and nationwide, information of great help in performing that task.

The Minneapolis Tribune, referring to Secretary Mitchell's position as sensible, said it thinks "most Americans will support the Secretary's reasoned position with respect to labor."

Backing the Secretary's request for the inclusion of management-operated funds, the Denver Post states:

If employer-operated welfare plans are to win exemption, a better case for exemption will have to be made than has appeared so far.

The Salt Lake City Tribune says:

There is a crying need for reform. Union welfare funds have become big business in recent years. And it will be to the benefit of all rank-and-file union members and all honest union leaders to have a law protecting them against the depredations of the dishonest and ruthless.

Other comments:

Houston Post:

The shocking charges of wanton dissipation of union funds by labor bosses, heard by the McClellan committee, indicated strongly the need of a law that would permit publicizing such funds and their disposition.

St. Louis Post-Dispatch:

The administration is asking for stiff penalties—fines, prison terms, or both * * *. This is as it should be.

Chicago News:

The only people who could benefit from the proposed supervision (of employee pension funds) are the future beneficiaries of the funds, and the only ones who could be hurt are the thieves and wasters, present and potential.

Asheville, N. C., Times:

There is timeliness and importance in the labor-reform program outlined by Secretary of Labor Mitchell.

Roanoke, Va., Times:

What has been brought to light by the McClellan committee demonstrates a serious weakness of the laws and need of stricter accountability for the protection of union members.

New York Herald Tribune:

Revelations * * * clearly indicate the need for a much closer check on what happens to the contributions which individual union members hope will eventually provide them with * * * pensions.

Sioux City Journal:

With such statutes on the books it would be virtually impossible for a labor-union official to play fast and loose with his members' money.

Sheridan, Wyo., Press:

Such legislation should not be delayed any longer than necessary. It is encouraging to note that it may be passed at the present session.

Des Moines Register:

We think Secretary of Labor James P. Mitchell summed up the need for such legislation very aptly, recently, when he declared that these private union-employee, employer programs are "so important to the economic security of the American people that their operations are a matter of public concern."

Pittsburgh Press:

Secretary of Labor Mitchell has proposed to Congress a stiff law, requiring all such funds, whether the custodians are union officials or management, to file financial reports. The aim of Mr. Mitchell's proposal is simple—to enforce honesty on welfare fund officials to whom honesty, by all measurements of decency, should be second nature.

Philadelphia Inquirer:

The administration through Secretary of Labor Mitchell * * * is to be commended for accepting and acting upon criticisms of weak spots in the original bill * * * to establish Federal control and supervision over labor welfare funds.

Christian Science Monitor: Secretary Mitchell's "revised and toughened bill is designed to safeguard the funds of employee welfare funds."

Anderson, S. C., Independent: Secretary Mitchell's bill gives the law "the teeth needed to plug looting and leaks." Block that metaphor. Nevertheless, the point is clear.

Grand Rapids Press:

Secretary Mitchell is not proposing compulsory revision of union constitutions. He would only require detailed reporting of such funds to the Labor Department and to the public.

Wichita Eagle:

These proposals appear to make sense. Particularly the one making embezzlers subject to Federal fine and jail term.

Mr. Speaker, I include a list of newspapers which carried favorable comment on the passage of such legislation in the RECORD.

The following newspapers were among those throughout the country which printed favorable editorials in support of Mr. Mitchell's recommendations:

Akron Beacon Journal, May 26.
Albany Times-Union, June 4.
Albuquerque Journal, May 20.
Albuquerque Tribune, May 30.
Anderson, S. C., Independent, June 4.
Annapolis Capital, June 8.
Asheville, N. C., Times, May 22.
Ashland, Ky., Independent, May 25, June 3.
Austin American, June 5.
Bay City, Mich., Times, May 23.
Beaver Falls, Pa., News-Tribune, June 6.
Bethlehem, Pa., Globe-Times, June 3.
Biloxi Herald, June 10.
Bloomington, Ill., Pantagraph, June 8.
Boise Statesman, May 17.
Brattleboro Reformer, June 6.
Canton, Ohio, Repository, May 30.
Charlotte News, May 29.
Chicago News, June 6.
Christian Science Monitor, May 31.
Cincinnati Post, May 30.
Clarksville, Tenn., Leaf-Chronicle, June 11.
Cleveland News, May 28.
Colorado Springs Free Press, June 5.
Columbia, S. C., Record, June 7.
Columbus, Ohio, Citizen, May 29.
Decatur, Ill., Herald, June 1.
Denver Post, May 29.
Denver Rocky Mountain News, May 31.
Des Moines Register, June 7.
East Liverpool, Ohio, Review, June 3.
Eau Claire, Wis., Leader, June 7.
El Paso Herald-Post, May 30.
Evansville, Ind., Press, May 29.
Fall River Herald News, June 4.
Fort Worth Press, June 2.
Grand Rapids Press, May 18.
Harrisonburg, Va., News-Record, June 8.
Hartford Courant, June 1 and 5.
Hartford Times, May 28.
Houston Post, May 28.
Houston Press, June 6.
Huntington Herald Dispatch, June 3.
Indianapolis Times, May 30.
Jackson, Miss., Clarion-Ledger, June 2.
Knoxville News-Sentinel, May 29.
Lakeland, Fla., Ledger, June 5.
Latrobe, Pa., Bulletin, June 8.
Lexington, Ky., Herald, June 7.
Louisville Times, May 25 and May 29.
Macon, Ga., Telegraph, June 9.
Marion, Ohio, Star, June 7.
Memphis Press-Scimitar, May 29.
Middletown, Ohio, Journal, June 8.
Minneapolis Tribune, May 21.
Missoula, Mont., Missoulian, May 28.
Monroe, La., World, June 4.
Nashville Banner June 10.
New Castle, Pa., News, June 7.
New London, Conn., Day, May 31.
New York Herald Tribune, June 1.
New York Times, June 5.
Newark News, June 4.
Ogden, Utah, Standard-Examiner, May 31.
Owensboro, Ky., Messenger, May 27.
Parsons, Kans., Sun, May 29.
Paterson N. J., News, June 6.
Petersburg, Va., Progress-Index, June 3.
Philadelphia Bulletin, May 20.
Philadelphia Inquirer, May 28.
Pittsburgh Post-Gazette, May 29.
Pittsburgh Press, May 30.
Portsmouth, Ohio, Times, May 31.
Providence Journal, May 28.
Roanoke, Va., Times, May 21.
Rocky Mount, N. C., Telegram, June 4.
Rome Ga., Tribune, June 5.
St. Cloud, Minn., Times, June 6.
St. Joseph Mo., News-Press, June 5.
St. Louis Post-Dispatch, May 31.
Salt Lake City Deseret News, May 21.
Salt Lake City Tribune, June 3.
San Antonio Light, June 3.
San Bernardino Telegram, June 8.
San Bernardino Sun, June 8.
San Francisco Call-Bulletin, May 31.
Sandusky Register-Star-News, May 28.
Savannah Press, June 3.
Seattle Times, May 21.
Scranton Times, May 27.
Scranton Tribune, June 3.
Sheridan, Wyo., Press, June 10.
Sherman, Tex., Democrat, May 27.
Shreveport Journal June 1.
Sioux City, Iowa, Journal, June 9.
Tacoma, Wash., News Tribune, June 7.
Tallahassee Democrat, May 31.
Terre Haute Star, June 5.
Texarkana, Tex., Gazette, June 11.
Trenton Times, June 6.
Troy, N. Y. Record, June 3.
Tuscaloosa News, June 5.
Twin Falls Times-News, May 20.
Tyler, Tex., Telegraph, June 5.
Washington Post.
Washington, Pa., Observer, May 25, June 8.
Washington Evening Star, May 28.
Waterbury Republican, June 6.
Waterbury American, June 8.
Wichita Eagle, May 29.
Wilkes-Barre Record, June 3.
Williston, N. Dak., Herald, May 31.
Wilmington, N. C., Star, June 4.

RETURN OF CERTAIN FEDERAL FUNCTIONS TO THE STATES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 30 minutes.

Mr. PELLY. Mr. Speaker, it was gratifying to pick up the morning paper

and read that President Eisenhower last night asked the Governors' Conference to join with his administration in a program to return certain Federal functions to the respective States. The President in calling for a reappraisal and reallocation of the Federal-State relationship is seeking to prevent what, in my opinion, may well be a most dangerous trend toward centralized power and the weakening of State and local governments so that they represent little more than a group of field offices for the direction of Federal programs.

It is particularly interesting to me that the President should reemphasize at this time the need for the States to regain their traditional responsibilities, and that he suggests the overhauling of the taxing and fiscal systems to remove barriers to effective government. I note that the President referred to the saving which could be made for the American taxpayer by eliminating "freight charges on money being hauled from the State of Washington and back."

Now Mr. Speaker, the President referred to something every Member of this House knows: we know that approximately 25 percent of the amount of aid to the States goes toward Federal administration and costs on the national level. In other words, if the States collected and spent their own money without their funds passing through the Federal Treasury and having to be appropriated by Congress back to the States, the recipients of the aid as well as the taxpayers would be better off.

I strongly support the proposal of the President, which I shall comment on briefly; but first, let me remind my colleagues that in the various appropriation bills this year we have been asked to expend for State and local aid for various projects and programs an amount in excess of $5.5 billion, or $1 billion over fiscal 1957 which, in turn, was almost three-quarters of a billion dollars over the year before. Most of these funds finance good programs—but the question is not one of merit but rather of the most effective means of carrying out needed programs under our constitutional form of government.

Because of my concern for growing bureaucracy at the national level I introduced House Joint Resolution 326, which called for a joint Senate-House study looking to the possibility of the Federal Government relinquishing to each of the several States the power to levy and collect taxes now levied and collected by the United States to the extent such relinquishment is necessary to permit each such State to assume complete responsibility for the financing and management of certain programs the responsibility for which is now jointly shared by Federal and local government.

Mr. Speaker, I have taken up the subject matter of House Joint Resolution 326 with the governors of the States quite recently and invited their comments. In view of the fact that President Eisenhower is now suggesting a joint committee or task force to explore the return of certain functions to the States, it might be of interest to know what the governors themselves think about this. Accordingly, I will cite from excerpts of letters to me certain of their views in order to shed some further light on this entire subject.

The Governor of Wyoming, Milward L. Simpson, for example, sent me a copy of his message to the 1957 legislature in Wyoming, with one passage marked from which I quote as follows:

> Federal aid actually means that we raise our taxes to send our money to Washington; then raise some more taxes to match the amount we have already sent to Washington in order to get back the amount we originally sent less, of course, an additional 40 percent cost of administering Federal controls.

On the other hand, the chief executive of West Virginia, Gov. Cecil H. Underwood, simply expressed his opinion that a study such as called for in my resolution would be "very worthwhile and helpful to all concerned."

A former Member of Congress, Price Daniel, Governor of Texas, wrote back:

> While a Member of the Senate, I favored such a proposal, and I am glad to know that efforts continue to be made in its behalf.

The replies I received of course expressed different opinions. For example, Gov. Lane Dwinell, of New Hampshire, raised the question as to whether, in practice, the States themselves would raise sufficient taxes on their own initiative to meet public demand. An excerpt from his letter reads as follows:

> In principle, I agree with you that it would be highly desirable through such a policy to restore to the individual States ability to manage and pay for their own projects in such fields as education, welfare, public housing and other major social needs.
>
> In practice, however, I question the ability and willingness of many individual States to raise through taxes on their own initiative the funds which public demand at present indicates we should spend in these fields.
>
> In any case, I strongly approve of the idea of making such a study as your resolution proposes, and I would follow with the greatest interest whatever findings such a study might reveal.

Gov. J. Hugo Aronson, of Montana, says:

> Upon first examination I am in sympathy with your objective of returning tax money to the individual States and allowing them to do certain jobs themselves.

I will quote the entire letter of Gov. Albert B. Chandler, of Kentucky, because he has covered the subject rather broadly.

> COMMONWEALTH OF KENTUCKY,
> EXECUTIVE CHAMBER,
> *Frankfort, June 14, 1957.*
>
> Hon. THOMAS M. PELLY,
> *Congress of the United States,*
> *House of Representatives,*
> *Washington, D. C.*
>
> DEAR CONGRESSMAN PELLY: I appreciate your contacting me relative to your stand on Federal grants-in-aid. I feel that major modifications in our Federal grants-in-aid program require serious consideration prior to legislative changes, and that precipitous action should be avoided.
>
> The end results of the studies of the so-called Manion Commission, 1954–55, suggest the possible futility of attempting to abandon too quickly the Federal grante-in-aid system. A more objective approach is desirable than the preconceptions with which the Manion study group started out to reverse erroneously past trends. Many problems are inherently national problems or have national impacts. In certain areas the Federal grants-in-aid appear to come under the best available devices for providing money and still maintaining a role for State Government. The new interstate highway program falls in this category.
>
> The other aspect of your suggestion, namely that of taxes, has concerned us in Kentucky. Two of our principal products are tobacco and whisky. Excessive Federal excises have left Kentucky State government relatively little room to operate in this area. We hope the present reevaluation of the Federal tax system will prove beneficial to this Commonwealth in that it will allow us a good deal more discretion in the levying of our State taxes.
>
> Perhaps something should be done also about Federal income and death taxes, to provide a broader base for State taxation, but it is difficult to generalize because of technical questions. To say the least, more State income and death taxation goes well with the idea of exploring the return of greater financial viability to the States.
>
> It is important State financial resources be adequate, but the long-range curtailment of Federal grants-in-aid may not be too realistic.
>
> At the same time, extreme care must be exercised not to strike down the States' fiscal resources. There are not only great political and social values in strong State governments, but it is sound economics to preserve the dual system of government in this country so neither absorbs the other. Federal management and control must be held within bounds.
>
> I hope my views may aid the joint House and Senate study, and if I may be of further assistance to you please let me hear from you again.
>
> Be assured of my good wishes.
>
> Sincerely,
>
> ALBERT B. CHANDLER.

The comment of Gov. Edmund S. Muskie, of Maine, has to do with the difficulty of raising money on the local level. He said:

> I think it might be well to point out that States like Maine are not and would not be in a position to tap many revenue sources available to the Federal Government even though the Federal Government should withdraw from them. I suspect that a wholesale withdrawal by the Federal Government from all grants-in-aid programs might, as a consequence, result in a lower level of service if not complete abandonment of many programs in many States. This general observation is, of course, subject to possible qualification with respect to individual programs.

The Governor of California, Goodwin J. Knight, like most of the governors indicated his willingness to cooperate in any study. A portion of Governor Knight's letter reads as follows:

> I believe that grants-in-aid serve a useful purpose by which the Federal Government can carry out certain Federal responsibilities and participate in Federal-State joint responsibilities by using the States and their political subdivisions as a medium therefor, rather than establishing Federal agencies for this purpose.
>
> In the case of Federal aid to the States for highway construction, for example, it appears to be practicable to use the existing machinery of State highway departments to carry out this nationwide program of interstate highway development.
>
> On the other hand, I am mindful of the dangers of possible Federal domination of the States and their political subdivisions as a result of controlling purse strings. I believe that the States would be wise to view critically those proposals which involve possible encroachment on the part of the Federal Government.
>
> I am confident that a study of this subject, to be conducted jointly by the two Houses of Congress, would serve to bring to light much important information which would be of value, not only to the Federal Government, but to the States. I shall be glad to cooperate with such committee on behalf of the State of California, should such a move be undertaken.

LeRoy Collins, Governor of Florida, did not register much enthusiasm. I quote from his letter:

> My own feeling is that there have been very few invasions of States' rights by the Federal Government except where the States have failed to meet their full responsibilities to their people.
>
> While I am concerned about States' rights, I am also concerned about States' responsibilities, and this is the approach we in Florida are taking toward the solution of our problems.

On the other hand, James E. Folsom, the chief executive of the State of Alabama, says:

> There certainly is no sense in the States having to send their money to Washington and turn around and get a small percentage back in way of grants-in-aid.
>
> This is to let you know I fully back your efforts 100 percent and hope you will be successful.

Strong support for this proposal came from Gov. Vernon W. Thomson, of Wisconsin, who said:

> Wisconsin has long subscribed to, and practiced, the principle that government functions are carried out most effectively and efficiently when controlled and financed by units of government closest to the people. Restoration to the States of the means of financing and managing their own programs would eliminate not only the large collection and administrative costs involved in Federal aid, but also the waste resulting from the separation of managerial and financial responsibility.
>
> I strongly support your request for a hearing on this resolution before the House Rules Committee, favorable action on the proposed study, and the development of an effective program to restore both tax bases and operational responsibility to State governments.

Likewise, Gov. Thomas B. Stanley, of Virginia, expressed support of the objective of my proposal. He wrote:

> I am in full accord with the objective of encouraging the Federal Government to relinquish our tax sources which could be more properly and effectively utilized by the State governments in providing needed services. I hope the current demand for reduction in Federal expenditures will be accompanied by other action in the direction you have recommended.

The problem of the States in carrying their share of joint programs was emphasized by Gov. Joseph B. Johnson, of Vermont. Listen to what he said:

> Our State legislature is now in session, and I do not need to inform you that we have similar problems in State government in taking care of State aid to various programs that you do for Federal aid programs. With the changing scene some of these situations are inevitable, but others should not be undertaken.
>
> With regard to highways, certainly State aid to municipalities is necessary and, in like manner, Federal aid for a system of modern interstate highways can be justified. I certainly would agree that, wherever possible, municipalities and States take care of their own problems, but it is difficult to generalize, and every situation should be decided on its merits.
>
> Our old tax structure—local, State, and Federal—has become so complicated that probably something more is needed than just elimination of certain Federal taxes.

The aspect of States where most of the land is federally owned was brought out by Gov. George D. Clyde, of Utah. He said:

> I am thinking particularly of those as public-land States where the Federal Government still owns the majority of the land within the boundaries of the State. In my State, it is 73 percent. Therefore, we have to look with care on relinquishment of grants-in-aid because we are not permitted to benefit from the resources within our boundaries to the fullest degree.
>
> I feel that the study is essential and will no doubt come up with some practical answers. I do not think we should send to Washington any more money than necessary. It is certainly not wise to send it there and get only a portion of it back. In States like mine, we must consider the land ownership before we cut off all participation of the Federal Government in providing for the needed governmental services.

Now, Mr. Speaker, let me just include several letters which I received on this same subject from other governors.

These governors are: Gov. Frank G. Clement, of Tennessee; Gov. Joe Foss, of South Dakota; Gov. William G. Stratton, of Illinois; Gov. Harold W. Handley, of Indiana; Gov. Marvin Griffin, of Georgia; and Gov. James T. Blair, of Missouri.

> TENNESSEE EXECUTIVE OFFICE,
> *Nashville, May 29, 1957.*
>
> Hon. THOMAS M. PELLY,
> *House of Representatives,*
> *Washington, D. C.*
>
> DEAR CONGRESSMAN PELLY: I am appreciative of your letter regarding grants-in-aid. This is certainly one area where not only the Federal Government has gone to considerable length to return money to the States, but also the States are now duplicating this by returning money to local governments—counties and cities. This practice has grown over a number of years and has reached the proportion where to make any substantial change would also require drastic changes in our financial patterns.
>
> Last year this office cooperated with Representative L. H. FOUNTAIN and the Committee on Intergovernmental Relations in a limited study of this matter. We attempted to analyze various of the Federal grants-in-aid programs and to make recommendations based on our experience in Tennessee. We did not attempt to say that Federal grants-in-aid were either good or bad as such, but rather confined our comments to ways and means whereby programs could be made more effective.
>
> I shall be only too happy to cooperate in any way possible, but I believe you will agree that any further comments on my part should await action on the study now in process.
>
> Sincerely yours,
>
> FRANK G. CLEMENT.

> SOUTH DAKOTA EXECUTIVE DEPARTMENT,
> *Pierre, May 20, 1957.*
>
> Hon. THOMAS M. PELLY,
> *House of Representatives,*
> *Washington, D. C.*
>
> DEAR CONGRESSMAN PELLY: Many thanks for your recent letter relative to House Joint Resolution 326, which provides for a study of the possibilities of relinquishing certain tax revenues now collected by the Federal Government to the various States.
>
> As you pointed out in your remarks, it costs approximately one quarter of the amount returned to the States to Federally collect and administer in the grants-in-aid programs. I am convinced the States could administer these programs much more efficiently as well as economically. Your proposed study certainly is worthwhile, and I sincerely hope it is given favorable consideration.
>
> Thanks for writing, and best regards.
>
> Sincerely,
>
> JOE FOSS,
> *Governor.*

> OFFICE OF THE GOVERNOR,
> *Springfield, Ill., May 24, 1957.*
>
> Hon. THOMAS M. PELLY,
> *House of Representatives,*
> *Washington, D. C.*
>
> DEAR CONGRESSMAN PELLY: Thank you for your letter of May 14 enclosing the tearsheet from the CONGRESSIONAL RECORD. I appreciate your writing me on this subject and it is one of vital concern to all of the States. I agree that an improvement along these lines is in order.
>
> Kind regards.
>
> Sincerely,
>
> WILLIAM G. STRATTON,
> *Governor.*

> STATE OF INDIANA,
> EXECUTIVE DEPARTMENT,
> *Indianapolis, May 20, 1957.*
>
> Hon. THOMAS M. PELLY,
> *Member of Congress,*
> *United States House of*
> *Representatives Office Building,*
> *Washington, D. C.*
>
> DEAR MR. CONGRESSMAN: I am obliged to you indeed for your thoughtfulness in sending me the information regarding House Joint Resolution 326. It has long been our contention here in Indiana that many functions now exercised by the Federal Government could be performed far more economically at State and local levels. Moreover, the taxpayer is more satisfied with justifiable taxation when he can see the administration of his money before his very eyes.
>
> We have found more and more potential sources of revenue preempted and completely absorbed by the Federal Government. Yet we have been able here in Indiana to continue to meet our education needs without any genuine need for Federal grants or loans, and the biennial sessions of the Indiana Legislature have repeatedly pronounced Indiana's views on the necessity of maintaining home rule.
>
> Enclosed are copies of resolutions adopted by both houses of the 1957 Indiana Legislature by overwhelming votes. They are proof of the dominant feeling of Hoosiers, for they received support from legislators of both political parties.
>
> Sincerely,
>
> HAROLD W. HANDLEY,
> *Governor.*

> STATE OF GEORGIA,
> EXECUTIVE DEPARTMENT,
> *Atlanta, May 21, 1957.*
>
> Hon. THOMAS M. PELLY,
> *Member of Congress,*
> *House Office Building,*
> *Washington, D. C.*
>
> DEAR CONGRESSMAN PELLY: Thank you for your letter of May 14, 1957, and the enclosed copy of the CONGRESSIONAL RECORD.
>
> I am of the opinion that any measures enacted which will reverse the current trend of concentration of bureaucratic control by the Federal Government will indeed be welcomed in every State in the Union.
>
> I agree with your contention that such measures, if enacted, would bring about

greater economy at a time when our Government is considering the largest budget in our history.

With best wishes, I am,

Sincerely,

MARVIN GRIFFIN,
Governor.

EXECUTIVE OFFICE,
STATE OF MISSOURI,
Jefferson City, May 18, 1957.

The Honorable THOMAS M. PELLY,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN PELLY: Thank you very much for your letter of May 14 and the enclosed tearsheet from the CONGRESSIONAL RECORD.

I agree with your general plan of returning to the States the right to collect taxes. I think one of the gravest mistakes ever made was allowing the Federal Government the right to collect income taxes.

Kindest regards.

Sincerely,

J. T. BLAIR, JR.,
Governor.

The proposal of the President is to set up a joint committee, according to the newspaper, with three responsibilities:

First. To designate functions which States are ready and willing to assume and finance which now are carried by the Federal Government wholly or in part;

Second. To recommend Federal-State revenue adjustments to enable the States to carry these functions; and

Third. To chart the field of respective Federal-State responsibilities and recommend levels of effort needed to assure effective action.

At the moment, Mr. Speaker, I do not know, if such a committee be appointed by the President, if it will complement a study on the part of the Congress or not, but I am inclined to think so, and I intend to ascertain, if possible, the views of President Eisenhower. In the meantime, I have discussed the matter of House action to implement a study of Federal-State relationships with the distinguished chairman of the Rules Committee, the gentleman from Virginia [Mr. SMITH], and he tells me that other Members have indicated to him that they would like to have the Rules Committee schedule a hearing on this subject. I have told him that I have no pride of authorship, nor am I convinced that the provisions of House Joint Resolution 326 are necessarily the proper ones to get effective action. However, I do hope that other Members of the House will give this subject thought and convey their views to the Rules Committee.

This is not a partisan matter. There is a strong feeling on both sides of the aisle that the future way to smaller Federal budgets and Federal fiscal responsibility is by returning to the State level many programs which were taken over at the national level due to emergency situations. I feel strongly that the President's proposal is the road to our future economy and the preservation of democracy; and it is certainly to be hoped that the legislative branch of the Government will cooperate fully with the President's committee, for it has been truly said that the best government is that which is closest to the people.

The President's message to the conference delivered last night at Williamsburg, Va., as I said earlier, should encourage all of us who have been perturbed at the growth of Federal agencies, and Mr. Speaker, I believe that it will take great determination and the fullest cooperation by both political parties in the legislative branch of the Government, as well as assistance and help by the governors of the States with the President's new committee, if this great effort to return key functions to the States is to succeed. I for one believe that such an effort by all concerned is vital to the welfare of our Republic.

Mr. SCRIVNER. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield.

Mr. SCRIVNER. I want to compliment the gentleman for making a very timely statement. I want to point out that today to my desk there came a report from the committee of the other body on the subject of grants-in-aid and it shows that from 1934 to 1956 these grants have totaled over $80 billion—that is, $80,000 million. If the gentleman will yield further, in connection with the comments about the President's speech last night, for which he is to be commended, he said this:

OTHER FUNCTIONS

In designating the functions to be reassured by the States, the committee should also specify when those functions should be assumed—the amounts by which Federal taxes should be reduced—and increases in State revenues needed to support the transferred functions. As the first step, the committee might well concentrate on a single function or program and pair it with a specific Federal tax or tax amount. This effort presupposes that Federal taxes would be cut more than State taxes would be raised to support the transferred functions. The elimination of the Federal overhead—stopping, in other words, the "freight charges" on money being hauled from the States to Washington and back (a bill, I remind you, that is always collected in full) would save the American taxpayer a tidy sum.

Obviously, such an effort requires your own thoughtful consideration.

The President did not mention it by name, but it seems to me he must have been referring at least indirectly to what has been referred to as the Scrivner plan for aid to education where I simply proposed that inasmuch as the Federal Government had been siphoning off the cream of the taxes that the States were not now able to find any more tax resources and that in order to let the States help themselves solve their own problems we could well return to each State and Territory one-quarter of 1 percent of the income tax collected in that State or Territory.

I think that is a simple program designating how much the Federal taxes would be reduced. That would provide around $600 million to be left in the States to take care of their own educational programs.

If the gentleman will yield further, the State of California, as I have worked it out in this H. R. 1, the Pelly bill, California's prorated normal share of the $300 million to be raised by the Federal Government is $22,860,000.

In order to get Uncle Sam's contribution California will have to match Uncle Sam's dollars, and the Pelly bill would propose to give California a little over $15 million. That means that the taxpayers in California with the Federal tax and the State tax they must raise to match the Federal funds would have to raise $38 million to get back $15 million from the Federal Government.

Mr. PELLY. I may say to the gentleman from Kansas that the taxpayers of California, while they might not clearly realize what they are doing will pay $1.05 for every dollar they get back in the way of Federal aid.

Mr. SCRIVNER. If the gentleman will yield, I might point out further that under the plan that I propose $52 million would stay in California. As I understand, California is rapidly dealing with their school problems themselves. I am quite sure the $52 million to be left in the State would be more acceptable than for the State to have to pay $38 million to get $15 million back.

Mr. PELLY. I know as a neighbor of California that the great State of California has recognized its school needs and has bonded itself heavily on the local level and done a very fine job in meeting California's problems under the impact of the additional children that have come from increased population.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield.

Mr. HOSMER. I appreciate the gentleman's active interest in the problems of my State. The gentleman himself deserves a great deal of credit for the large amount of work he must have had to do to collect the statistics and facts he has presented to us. I think it is very valuable, and I sincerely hope it is one of those measures that will help solve this problem.

Perhaps a lot of the difficulty comes about because of disorganization within the States themselves and what their different localities want of the Federal Government. For instance, I have received from 30 to 35 individual requests from heads of bureaus and departments of the State and county government in California asking for various types of Federal aid, even wanting an extension of the school milk program in junior colleges. Then in the matter of the soil bank when they heard that there were three new soil-bank laboratories to be established, they wanted to get one for California. Perhaps it would be a good idea for the governors to get these problems straightened out in their own administrations, see that their administrations are coordinated and correlated in their requests for things that are necessary.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield.

Mr. HALLECK. First of all I want to commend the gentleman from Washington for the splendid work he has done and is doing in this very important field of aid. I think it will be helpful to have before us the communications he has received from the executives, the governors, of the various States.

I think I have been as disturbed as anyone could possibly be at this constant trend toward centralization of government in Washington and all the taxing and spending from Washington as against State and local operations.

Mr. PELLY. I think the gentleman will agree this was due to some extent to emergencies and war conditions, is that not so?

Mr. HALLECK. Much of it has been. I might also make this observation apropos of the letters that the gentleman has received from the various governors. Some of that overcentralization, may I say, has resulted, undoubtedly, because of activities and efforts by people in Washington who want to bring that power here. I think it is also fair to say at the same time that some of it has come on to Washington because in the States and local communities the people there in charge have failed to grasp or to grapple with the problems that were confronting them and too often were content to let the matter go on to Washington.

I would like to make this further observation in respect to our great President and his attitude on this whole problem and on which some comment after his speech of last night was made questioning whether or not he meant it. About 10 years ago it was my great privilege to go to the State of California with the late Senator Robert Taft of Ohio to debate there this whole matter of centralization of authority, taxing, and spending in Washington, as against State and local operation. We were taking the position against our adversaries that we should have decentralization or, certainly at least, a slowing down of this trend constantly before us of things moving to Washington.

Subsequently I went to New York City to the Pennsylvania Society to make a speech and there I found as the guest of honor Gen. Dwight D. Eisenhower, who received a medal from that organization on that night. At that time I made substantially the same speech against this rush of authority in taxing and spending to Washington. I know from my conversation there, as I have found out during the years since that time, that the President meant exactly what he said last night. He feels as I am sure a lot of us feel, that this trend of centralization in Washington has gone too far and that it should be checked.

We must all recognize as times change certain other conditions change. Some things that 25 or 50 years ago might be considered completely local, in the turn of events and conditions they get to the point where some Federal intervention may be necessary. At the same time, I think it is highly important, and I commend the President for the speech he made and the gentleman's reference to it and his work in collecting these letters, for the gentleman is helping point up what is really a very serious situation in the United States.

Mr. PELLY. I thank the gentleman.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from California.

Mr. HIESTAND. Mr. Chairman, I very much appreciate the remarks of the gentleman from Washington, his thoughts and his expression of them. I was greatly interested, of course, and highly delighted at the President's discussion of this very important subject. It so happens that within the hour I have had occasion to address another group on this whole matter of centralization of Federal aid particularly. I am wondering if the very dangerous aspect of it has been adequately stressed, namely, that of its effect and its impact upon inflation. It is my judgment that the greatest problem this Nation faces today, greater than Russian aggression, greater than atomic warfare, is inflation. Federal aid is highly inflationary. It is doubly inflationary in that much of it involves the matching of funds. I have a list which I will not go into of the tremendous increase in State and local budgets in the past few years. I have said we have suddenly become a Federal-aid nation, because from three-fourths of a billion Federal aid in 1946 we have jumped now to 3¼ billion and are asked now to spend 5½ billion while the local governments have increased proportionately, but largely since 1950 they have had to match these funds and the State governments have jumped from a 5 billion total budget in 1942 suddenly to 21 billion in 1946, and local governments accordingly.

The effect on inflation is double.

Mr. PELLY. I would like to say, in connection with the gentleman's interest in curbing inflation that the solution lies in part in getting spending back to the State level.

I have known for a long time the gentleman from Ohio [Mr. BOW], who is present here, has been interested in this matter. We have discussed the problem and I know that he has talked to Members on the other side of the aisle. I would like to yield to him, because I think he has given a lot of thought to this matter.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. PELLY. Gladly.

Mr. BOW. Does the gentleman agree that perhaps a study is necessary because of the possible change in economic conditions within some of the States that were given consideration at the time the grants-in-aid were awarded? Does the gentleman agree to that?

Mr. PELLY. I believe that is correct.

Mr. BOW. This is not so much a direct complaint, but it is a time for resurveying some of these problems to see if they cannot best be handled in the States at this time.

Mr. PELLY. I think that is a very correct statement. I do know that one of the reasons of grants in aid was to try to allocate assistance and relief on the basis of need.

Mr. BOW. And perhaps that that condition now has changed. But I would like to make this one observation to the gentleman for his consideration. The gentleman has made a very fine presentation here and I commend him for it. I note that he says his resolution would create a joint committee to make this study. May I suggest that the gentleman give consideration to a resolution that would create a study within the House, for the House has the fiscal responsibility, the money bills start here, appropriations start here, and it seems to me that we, as Members of the House, could make this study and not become involved in the two bodies considering it.

Mr. PELLY. I thank the gentleman. I will indeed consider this point.

I see the gentleman from Texas [Mr. PATMAN] on his feet, and I would like to yield to him because I have a letter from the Governor of Texas and for that reason I would particularly like his views.

Mr. PATMAN. I thank the gentleman.

During a discussion of this subject the fact should not be overlooked that the local taxes that are imposed are oftentimes the most burdensome taxes for people to pay. I refer to the fact that we have more homeowners now than ever before, and those homeowners do not own their homes; they owe for them. They have paid a small amount down. For local taxes they are required to assess their property as though they owned it. They do not own it. They owe for them, and they have to pay taxes, not necessarily on what they own but on what they owe. And I am sure the gentleman is not overlooking that fact.

Mr PELLY. I would like to say to the gentleman from Texas that I do not propose to have all the answers as to how these functions should be distributed, but I do know that in my own State there is no equal distribution of taxation. I can cite where there are certain assessments on which taxes are based in farming areas where the taxes are very low in comparison to what the city dweller pays on a comparable value, and we have problems in our school districts largely because of the unequal assessments made by localities.

Mr. PATMAN. Mr. Speaker, will the gentleman yield further?

Mr. PELLY. Gladly.

Mr. PATMAN. I do not believe that we should expect exact justice on taxation.

Mr. PELLY. I once referred to haircuts, and I felt that I never got justice when I went to the barbershop with some other gentleman who had more hair than I have.

Mr. PATMAN. The man who weighs 400 pounds pays the same price for transportation as the 100-pound man, and the person who buys a No. 6 shoe pays the same price as the person who wears No. 12's.

Mr. PELLY. I will say to the gentleman I wear No. 12's, so I feel it balances out somewhat when I get a shoeshine.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from New York.

Mr. BECKER. I want to compliment the gentleman for bringing this analysis and suggestion for a commission to study this problem before us. I would like to say that the State of New York has to raise some $74 million to receive a share of $18 million under this $300 million

program for education. So, it is certain we would not do very good in the State of New York under this program, or in any program of Federal grants-in-aid, although we realize we have to pay a share of the Government's expense. The gentleman has brought this subject up at a timely moment. I had this in mind. We will have before us the conference report on the appropriation bill for the Department of Health, Education, and Welfare into which was injected a $50 million appropriation for grants-in-aid for sewer plants. We know that the original presentation for that kind of a program was $500 million, not $50 million. We know that if we get into that program as it is intended with this $50 million start, it is going to jump to $1 billion and $5 billion, if the Federal Government is going to give grants-in-aid for sewer plants all over the country.

Mr. PELLY. Mr. Speaker, I would say to the gentleman from New York [Mr. BECKER] that the history of grants-in-aid is that they are generally rather modest in the beginning, but then they grow.

Mr. BECKER. The gentleman has brought that out in his statement, and the subject is so vital at this time, because we are getting so many of these programs. They may have started out in a small way, but now the Government is giving grants-in-aid by the billions. These programs are a responsibility of the States, and I think the States would be glad to take the responsibility if the Federal Government got out of the tax field somewhat.

Mr. PELLY. The gentleman will agree that the programs themselves are meritorious and it is very difficult sometimes to be in a position of opposing legislation of one kind or another that is worthy legislation. We are talking about getting these programs down to the local level where they would have better administration and where the programs would be more flexible.

Mr. BECKER. I think under the gentleman's suggestion of the appointment of the Commission they would find that many of these programs could be handled by the States. I have always been of the position that if there is any particular State in the country or any particular area that cannot help itself, then, of course, it is time for the Federal Government to come in. But that is not the case in connection with many of these programs.

I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Iowa.

Mr. GROSS. I am intrigued by some of the disclaimers of support for centralization of power in Washington, that I heard this afternoon. I seem to recall that only last week there was a considerable amount of support for the civil-rights bill, which was one of the most drastic invasions of States rights that I have seen in a long, long time.

Mr. PELLY. I did remark a little earlier that these programs were meritorious, but, nevertheless, they should be enforced on the State level. Unfortunately, that has not been the case in some instances.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I want to congratulate the gentleman for his very fine statement and point out that under the Federal aid to education bill, so far as the State of Florida is concerned, as I have said on many occasions, under the bill Florida would pay in $8,845,000 and would get in return $5,944,000. It is clear, therefore, that Florida would receive much less than they would put in and that, of course, is usually the case in these Federal-aid programs.

But, along with the gentleman, I was very encouraged by the statement of the President yesterday before the Governors Conference. Having been a State representative myself and acknowledging and recognizing the approach that is made on many occasions, it appears to me that in most instances or at least in many instances the States themselves are at fault in creating the very vacuum that the President discussed by not acting themselves in these fields on the local level, theirs being, at least, the initial responsibility. So that a vacuum is created into which some agency must step and obviously the only alternative is the Federal Government.

I trust that the Governors Conference will accept the President's recommendation, although there is some question in my mind that it will accept the President's recommendation, and will appoint a committee to consider these areas; not only new areas where the Federal Government might step in in the future, but the question of the return to the States in some of those areas where the Federal Government has injected itself and in which the States could better do the job. I say that the responsibility lies largely with the States for creating these vacuums and for failing to accept the responsibility that justly belongs to the States and which should be discharged by them.

I place the blame in many instances on the State legislatures which are unwilling to accept responsibility of levying additional taxes and the responsibility of raising additional funds to accomplish these objectives, which responsibility belongs to the States. I want to be one to commend the President of the United States for his very courageous stand, particularly before the audience he was addressing, the governors of the States. I trust they will accept his recommendation and do something about this problem.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Ohio.

Mr. BOW. May I point out this one thing: The gentleman from Florida refers to the hesitancy on the part of the State legislatures at times to tax the people to raise taxes in the States. It occurs to me that if we face up to our responsibilities, we will reduce the size of the Federal budget, and reduce some of the Federal spending, so that some of these dollars will stay at home, which will give the State legislators an opportunity to raise money in their States and let the money stay there. I think the large Federal spending is somewhat responsible for their hesitancy to take care of themselves.

Mr. PELLY. I think the gentleman is correct.

May I say in conclusion that I am very hopeful that those Members who are interested in the subject of a Congressional hearing express themselves to the members of the Committee on Rules and study the proper means of getting a hearing through the introduction of a resolution.

I can say to the gentleman from Ohio that I realize he has raised a very important point in suggesting that it be a House rather than a joint Senate-House study. I simply introduced my resolution with the idea of pointing up this whole subject through a hearing before the Committee on Rules. I hope the result will be that we can bring in a proper resolution along the line of the thinking of several Members. I for one will be glad to back a resolution that meets with the favor of those who are interested in this subject, and I know others who have spoken here today are of the same feeling.

Mr. Speaker, I ask unanimous consent that all Members who have spoken on this subject today be permitted to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

SCRIVNER PLAN FOR AID TO EDUCATION

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, during the foregoing discussion with the gentleman from Washington [Mr. PELLY] reference was made to the Scrivner plan for aid to education.

The reasoning giving rise to the plan and the detailed plan is found in House Joint Resolution 159, which follows:

Joint resolution to provide direct aid to States and Territories for educational purposes only

Whereas the Government of the United States, through taxes, is siphoning a great part of the wealth of our Nation out of the several States and Territories into the Federal Treasury; and

Whereas the Government of the United States is collecting taxes from nearly all sources of revenue, including taxes on individual and corporate incomes, admissions, beverages, communications, gifts, luxuries, transportation, and from excises and other taxes, leaving to the States little but real and personal property and consumer sales as sources of tax revenue; and

Whereas at rates approaching confiscation of property, States are still not able to raise revenue sufficient to carry the rising costs of State and local governments, and especially not to meet the demands for needed improvements and higher salaries for the training of our youth; and

Whereas it has been proposed that the Federal Government grant aid to the States for educational purposes; and

Whereas it is neither economical nor efficient to withdraw huge sums out of the States and Territories and redistribute funds under bureaucratic regulation from the Federal Treasury; and

Whereas it is desirable that such aid be accomplished by a simple, easy, direct, and efficient method not hampered with bureaucratic restrictions, directions, or dictation: Therefore be it

Resolved, etc., That 1 percent of all income taxes collected on individual and corporate incomes under Federal statutes shall be deemed to be revenue for the State or Territory within which it is collected, for use, for educational purposes only, without any Federal direction, control, or interference.

SEC. 2. District directors of internal revenue are hereby authorized and directed to transfer to the treasurer, or corresponding official, of the State or Territory within which their respective internal revenue districts are situated, at the end of each quarter, an amount equal to 1 percent of the taxes from individual and corporate incomes collected within such State or Territory during said quarter.

SEC. 3. For purposes of information only, district directors of internal revenue shall report the amounts transferred to State treasurers, or corresponding officials, as authorized in section 2, to the Department of the Treasury, accompanying such report with receipts from the proper State officials verifying the amounts received by said State official.

In that discussion mention was made of the required contributions by a few States under the Kelley bill, H. R. 1.

So that Members of the House may see what their own State must do, the table below is presented.

Aid to education, H. R. 1 as reported, compared with H. R. 2889

State	State's Federal income tax contribution on $300,000,000 (cost of H. R. 1 as reported) (1)	State's tax required to match Federal contribution (2)	Total tax take per State (col. No. 1 plus col. No. 2) (3)	Scrivner plan, 1 percent of Federal income and corporate taxes retained in State (4)
Alabama	$1,629,000	$8,710,000	$10,339,000	$4,281,000
Arizona	895,000	2,121,000	2,817,000	1,745,000
Arkansas	678,000	5,292,000	5,970,000	1,853,000
California	22,560,000	15,798,000	38,358,000	52,558,000
Colorado	2,691,000	2,699,000	5,390,000	7,116,000
Connecticut	5,523,000	2,495,000	8,018,000	11,411,000
Delaware	4,861,000	452,000	4,316,000	7,908,000
Florida	2,501,000	5,944,000	8,845,000	7,992,000
Georgia	3,095,000	9,596,000	12,512,000	6,433,000
Idaho	450,000	1,478,000	1,957,000	1,146,000
Illinois	26,684,000	11,958,000	38,692,000	52,029,000
Indiana	6,891,000	7,371,000	14,262,000	13,496,000
Iowa	2,282,000	5,693,000	7,318,000	5,386,000
Kansas	2,157,000	5,575,000	5,732,000	4,500,000
Kentucky	5,700,000	7,726,000	13,426,000	4,822,000
Louisiana	2,322,000	7,392,000	9,714,000	5,181,000
Maine	732,000	1,859,000	2,601,000	1,663,000
Maryland [1]	14,178,000	13,946,000	22,124,000	13,410,000
Massachusetts	8,157,000	6,797,000	14,954,000	17,703,000
Michigan	26,133,000	11,598,000	37,731,000	53,784,000
Minnesota	4,548,000	6,100,000	10,648,000	9,974,000
Mississippi	600,000	6,693,000	7,293,000	1,588,000
Missouri	7,596,000	6,661,000	14,257,000	15,545,000
Montana	501,000	1,234,000	1,735,000	1,302,000
Nebraska	1,755,000	2,502,000	4,257,000	3,432,000
Nevada	263,000	248,000	511,000	840,000
New Hampshire	$584,000	$896,000	$1,530,000	$1,292,000
New Jersey	6,832,000	6,315,000	15,147,000	18,841,000
New Mexico	456,000	2,122,000	2,578,000	1,157,000
New York	55,247,000	18,198,000	74,445,000	126,126,000
North Carolina	6,613,000	11,541,000	18,154,000	7,558,000
North Dakota	273,000	1,604,000	2,377,000	692,000
Ohio	25,212,000	13,428,000	38,630,000	41,547,000
Oklahoma	2,682,000	4,946,000	7,628,000	5,578,000
Oregon	1,839,000	2,831,000	4,664,000	4,684,000
Pennsylvania	22,336,000	17,611,000	39,947,000	46,278,000
Rhode Island	1,272,000	1,169,000	2,441,000	2,771,000
South Carolina	1,083,000	6,859,000	7,942,000	2,522,000
South Dakota	306,000	1,532,000	1,838,000	751,000
Tennessee	2,187,000	8,527,000	10,714,000	5,181,000
Texas	9,360,000	18,172,000	27,532,000	21,578,000
Utah	1,272,000	1,899,000	3,171,000	1,563,000
Vermont	324,000	832,000	1,156,000	656,000
Virginia	4,617,000	2,758,000	12,375,000	7,387,000
Washington	3,572,000	4,102,000	7,674,000	7,867,000
West Virginia	1,257,000	5,339,000	6,596,000	2,919,000
Wisconsin	5,571,000	6,576,000	12,149,000	11,851,000
Wyoming	243,000	597,000	840,000	527,000
Hawaii	582,000	1,110,000	1,692,000	1,314,000
Total (approximate)	300,000,000	300,000,000	600,000,000	629,000,000

[1] Figures for Maryland include those for the District of Columbia and Puerto Rico.

NOTE.—Income tax includes collections for old-age insurance. Actual benefits would be somewhat less than shown in the Scrivner plan after adjustment for that factor, an average of 7.3 percent.

Col. No. 1: State's proportionate share of tax to finance the Federal program of $300,000,000 based on historical Treasury figures.

Col. No. 2: Amount State must raise to match the grant.

Col. No. 3: Total of Federal and State taxes which must be raised by the taxpayers of each State.

Col. No. 4: Amount each State would retain based on 1 percent of the 1956 personal and corporate income taxes as reported by the Treasury Department.

In the first column as explained, is shown the respective Federal tax share to finance the $300 million annual cost. The second column shows how much must be raised locally to match Federal funds—and, of course, is also the amount to be sent each State.

The third column shows the total tax burden imposed by H. R. 1.

For example, New York's proportionate share of the $300 million is $56,247,000. The Federal contribution to be matched by local taxes is $18,198,000. As a result, in order to get $18 million of Uncle Sam's money, New York taxpayers must raise $74,445,000.

Under the Scrivner plan, $126,126,000 would be retained in New York for educational purposes, school construction, increased pay, or whatever educational need was paramount in New York.

FEDERAL-STATE RESPONSIBILITIES

Mr. SIEMINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SIEMINSKI. Mr. Speaker, I call to the attention of the Members that on page 9026 of the CONGRESSIONAL RECORD there is a very good exposition of the inconsistencies in our tax policies, local, State, and Federal.

Unless we go after the tax structure to cut out the unfair and the antiquated in it, we are going to get immersed in words.

I commend the article to the gentleman from Washington [Mr. PELLY], who has just spoken, and do now give him a copy of it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LANKFORD (at the request of Mr. FALLON), for June 25 and 26, 1957, on account of official business.

Mr. ADAIR (at the request of Mr. HARVEY), due to the illness of his mother.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PELLY for 30 minutes today.

Mrs. ROGERS of Massachusetts for 5 minutes today.

Mr. SHEEHAN for 15 minutes on Thursday next.

Mr. BYRD for 1 hour on Thursday and Friday next.

Mr. ROOSEVELT for 1 hour on Tuesday next.

Mrs. ROGERS of Massachusetts, for 5 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DORN of South Carolina and to include articles.

Mr. BALDWIN and to include extraneous matter.

Mr. MULTER the remarks he will make in the Committee of the Whole today and to include extraneous matter and tabulations.

Mr. PATMAN the remarks he will make in the Committee of the Whole today and to include extraneous matter and tabulations.

Mr. PHILBIN in two instances.

Mr. MCGREGOR the remarks he will make in the Committee of the Whole today and to include certain charts and other material.

Mr. VAN ZANDT in two instances and to include extraneous matter.

Mr. FULTON and to include extraneous matter.

Mr. HALE and to include an editorial.

Mrs. ROGERS of Massachusetts and to include a letter as part of the remarks she made today.

Mr. JONAS, his remarks in Committee of the Whole today and to include a mazagine article.

Mr. PATTERSON in two instances and to include extraneous matter.

Mr. ROGERS of Texas.

Mr. FARBSTEIN (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. GARMATZ (at the request of Mr. ALBERT).

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 606. An act to amend the wheat marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

S. 959. An act to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes; to the Committee on Agriculture.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 29 minutes p. m.) the House adjourned until tomorrow, Wednesday, June 26, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

977. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation entitled "A bill to authorize Commodity Credit Corporation to acquire title to unredeemed loan collateral without obligation to make equity payments"; to the Committee on Agriculture.

978. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting the Report of the President's Committee on Civilian National Honors, and a draft of proposed legislation entitled "A bill to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievements, and for other purposes"; to the Committee on Education and Labor.

979. A letter from the Comptroller General of the United States, transmitting a report on the examination of the United States assistance program for Korea as administered by the International Cooperation Administration of the Department of State, and its predecessor, Foreign Operations Administration, for the fiscal years 1954 through 1956; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'BRIEN of New York: Committee on Interior and Insular Affairs. H. R. 7999. A bill to provide for the admission of the State of Alaska into the Union; without amendment (Rept. No. 624). Referred to the Committee of the Whole House on the State of the Union.

Mrs. GREEN of Oregon: Joint Committee on the Disposition of Executive Papers. House Report No. 625. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mrs. GREEN of Oregon: Joint Committee on the Disposition of Executive Papers. House Report No. 626. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 3358. A bill to supplement the land grant provisions of the Alaska Mental Health Enabling Act; without amendment (Rept. No. 633). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 7864. A bill to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska; without amendment (Rept. No. 634). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 2170. A bill to authorize the Secretary of the Interior to consummate desirable land exchanges; without amendment (Rept. No. 635). Referred to the Committee of the Whole House on the State of the Union.

Mr. FOGARTY: Committee of conference. H. R. 6287. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 636). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HYDE: Committee on the Judiciary. H. R. 1424. A bill for the relief of Sylvia Ottila Tenyi; with amendment (Rept. No. 627). Referred to the Committee of the Whole House.

Mr. CHELF: Committee on the Judiciary. H. R. 1677. A bill for the relief of Gilbert B. Mar; with amendment (Rept. No. 628). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. House Joint Resolution 373. Joint resolution to facilitate the admission into the United States of certain aliens; without amendment (Rept. No. 629). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 368. Joint resolution for the relief of certain aliens; without amendment (Rept. No. 630). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; with amendment (Rept. No. 631). Referred to the Committee of the Whole House.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 1352. An act to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.; without amendment (Rept. No. 632). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BYRD:

H. R. 8357. A bill to revise the basic compensation schedules of the Classification Act of 1949, as amended, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DELLAY:

H. R. 8358. A bill to facilitate the entry into the United States or certain adopted children, and other relatives of United States citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. JONES of Missouri (by request):

H. R. 8359. A bill to amend the Reserve Officer Personnel Act of 1954, as amended, to permit promotions to unit and mobilization position vacancies in the Air National Guard and the Air Force Reserve; to the Committee on Armed Services.

By Mr. McMILLAN:

H. R. 8360. A bill to increase farm income and to expand markets for cotton by enabling cotton to be sold competitively in domestic and foreign markets; to the Committee on Agriculture.

By Mr. SMITH of Virginia:

H. R. 8361. A bill to amend section 2254 of title 28 of the United States Code in reference to applications for writs of habeas corpus by persons in custody pursuant to the judgment of a State court; to the Committee on the Judiciary.

By Mr. TRIMBLE:

H. R. 8362. A bill to make available to farmers, in disaster areas who have been granted loans under any of the loan programs administered by the Secretary of Agriculture, a 1-year suspension of payments of principal and interest on such loans, and for other purposes; to the Committee on Agriculture.

By Mr. WAINWRIGHT:

H. R. 8363. A bill to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievement, and for other purposes; to the Committee on Education and Labor.

By Mr. DAWSON of Illinois (by request):

H. R. 8364. A bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959; to the Committee on Government Operations.

By Mr. FRELINGHUYSEN:

H. R. 8365. A bill to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievement, and for other purposes; to the Committee on Education and Labor.

By Mr. METCALF:

H. R. 8366. A bill to establish beneficial development of the forest resources of Indian lands as a policy of Congress, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SISK:

H. R. 8367. A bill to provide flexibility in the operation of marketing agreement programs; to the Committee on Agriculture.

By Mr. BARING:

H. R. 8368. A bill setting up machinery to lessen the Nation's dependence on foreign sources of lead and zinc in times of emergency and to promote the general economy of the Nation; to the Committee on Interior and Insular Affairs.

By Mr. BURNS of Hawaii:

H. R. 8369. A bill to amend the Internal Revenue Code of 1954 to provide tax treatment with respect to real property held for more than 20 years; to the Committee on Ways and Means.

By Mr. SMITH of Wisconsin:

H. J. Res. 388. Joint resolution proposing an amendment to the Constitution relating to the terms of office of Judges of the Supreme Court of the United States and inferior courts; to the Committee on the Judiciary.

By Mr. FULTON:

H. Con. Res. 203. Concurrent resolution to express the sense of the Congress that the United States urge reconvening of the General Assembly of the United Nations to consider the report of its Special Committee on Hungary; to the Committee on Foreign Affairs.

By Mr. BENTLEY:

H. Res. 293. Resolution creating a select committee to conduct an investigation and study of the employment problem of older workers in the United States; to the Committee on Rules.

By Mr. BURLESON:

H. Res. 294. Resolution expressing the sense of the House of Representatives that action be taken to prevent the exercise of criminal jurisdiction by foreign nations over personnel of the United States Armed Forces stationed within their boundaries; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CUNNINGHAM of Nebraska:

H. R. 8370. A bill for the relief of Peony Park, Inc., and others; to the Committee on the Judiciary.

By Mr. DELLAY:

H. R. 8371. A bill for the relief of Stjepan Krsinich; to the Committee on the Judiciary.

H. R. 8372. A bill for the relief of Sime Bozicevic and Sime Fatovic; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H. R. 8373. A bill for the relief of Aurelio Mitjans Amor (also known as Aurelio Amor Mitjans); to the Committee on the Judiciary.

By Mr. SADLAK:

H. R. 8374. A bill for the relief of Virginia Ray Potts; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H. R. 8375. A bill for the relief of Aron Cotrus; to the Committee on the Judiciary.

By Mr. WAINWRIGHT (by request):

H. R. 8376. A bill for the relief of Michael J. Collins; to the Committee on the Judiciary.

By Mr. WALTER (by request):

H. R. 8377. A bill for the relief of Lee Bik Lan Won; to the Committee on the Judiciary.

By Mr. WRIGHT:

H. R. 8378. A bill for the relief of Benjamin Leach, Diogracias Leach, Rogelio Leach, Maximo Leach, and Jimmy Leach (all the adopted sons of Grady R. Leach, now residing in Okinawa); to the Committee on the Judiciary.

H. R. 8379. A bill for the relief of John Yewon Paik and Chang Jung Chue Paik (husband and wife), and their two minor children; to the Committee on the Judiciary.

By Mr. YATES (by request):

H. R. 8380. A bill for the relief of Hugo Anderson; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

293. Mr. SMITH of Wisconsin presented a resolution adopted by the Blue Star Mothers of America, Inc., at Milwaukee, Wis., on June 18, 1957, strongly opposing and objecting to the decision of our United States Government to allow American GI William S. Girard to be tried in the Japanese civilian courts rather than by an Army court-martial, which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Pastepot Paradise

EXTENSION OF REMARKS
OF
HON. ROBERT HALE
OF MAINE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. HALE. Mr. Speaker, we seem to have a waiting game now in progress in Congress on legislation to control billboards on our Interstate Highway System.

The House Public Works Committee is awaiting action in the other body. I frankly do not know the cause of the delay there. However, I do know that the billboards will not wait on anyone, including the Congress of the United States.

As soon as the concrete for our interstate highways goes down, the billboards will go up. Once up, they will never come down. Therefore, unless legislation is passed this session, the public will have to reconcile itself to the prospect of 41,000 miles of highways fenced in by unsightly outdoor advertising.

I should like to point out that the Public Roads Subcommittee in the other body approved an antibillboard measure on May 24, exactly 1 month ago today. But the Public Works Committee has neither taken nor scheduled any action thereon.

And yet, the bill has been so watered down it certainly would not be 100 percent effective. It merely provides that States agreeing to control outdoor advertising would get an additional three-quarters of 1 percent in Federal highway funds.

Personally, I favor the provisions of my bill, introduced last January, which would withhold funds from those States which failed to ban billboards on the interstate roads. I feel that this would be the only effective method of controlling this menace. However, I would be quite willing to accept a weak measure, rather than none at all.

As it looks now, the outdoor advertising interests will emerge victorious in their battle to prevent passage of any legislation whatsoever. Although these interests are small in number, they can exert a powerful influence. I learned this from experience while working for billboard control 30 years ago in the Maine Legislature.

Congress should be allowed to express its will on this legislation, which I believe has the support of an overwhelming majority of the people. I sincerely hope it will be given that opportunity before it is too late.

I call attention to an editorial appearing in the Washington Post of June 23, which I append to these remarks:

PASTEPOT PARADISE

It is becoming painfully obvious that the billboard lobby may win its battle by default. A moderate bill to limit roadside eyesores on the new 41,000-mile Federal highway system is currently bottled up in the Senate Public Works Committee and may never emerge for a vote. The bill provides that States agreeing to place some controls on billboards would get an additional three-quarters of 1 percent in Federal highway funds; participation would be optional. Clearly the voters have a right to know which Senators approve this sensible bill, and which Senators are indifferent to opening the highways to an endless ribbon of honkey-tonk and huckstersism. If the committee fails to report out a billboard bill, it will be interpreted, rightly or wrongly, as a shameful surrender to a lobby with a vested interest in glutting the roadway with toothpaste and hair oil signs.

Humane Slaughter

EXTENSION OF REMARKS
OF
HON. W. J. BRYAN DORN
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. DORN of South Carolina. Mr. Speaker, it seems to me that there is a good deal of misinformation being bandied about on the subject of humane slaughter. If you will permit me, I should like to convey a few facts on the issue.

As you may know, on March 11 I introduced a bill, H. R. 5820, dealing with slaughter. The bill is designed to promote the development and use of improved methods for the humane handling, transporting, and slaughtering of livestock and poultry in interstate and foreign commerce. It authorizes the Secretary of Agriculture to conduct, assist, and foster research, investigation, and experimentation to develop and encourage the adoption of improved techniques for the humane handling of food animals. The bill authorizes the Secretary to appoint an advisory committee composed of nine members who would make recommendations to him. The Secretary, in turn, would report to the Congress annually commencing January 1, 1959, concerning his activities in connection with the legislation.

The final framing of H. R. 5820 was the result of the experience and work of many experts in the field. In the opinion of growers of livestock, processors of meat, and many people in allied businesses, my bill is considered a practical approach to the solution, if there is one.

I have heard many idealistic, and unworkable, proposals advanced to deal with more humane slaughter.

I can assure you, being a small producer myself, that I am searching eagerly to find the most humane and practical way in which to slaughter animals for the market. My discussions with people in the meat industry indicate they are equally eager, not only for humane reasons, but for economical reasons.

I have personal knowledge that the meatpacking business has been striving for many, many years to develop their slaughtering processes along the lines of more efficiency, because the most efficient method naturally will be the most humane method. I am told that processors are perfectly willing to change their already improved methods if they are shown a good reason why they should be changed. One must keep in mind the fact that wholesale changes in techniques of slaughter would necessitate substantial employment readjustments, new construction, and new machinery. It is possible that hasty, mandatory legislation might even result in more inhumane treatment of animals. I say advisedly that, up to date, all of the methods, no matter how promising, have fallen short of the answer and require more test by trial and error.

I believe that my bill, if passed, most certainly will establish a public policy on more humane slaughter. In addition, it will make it possible for competent experts in the Government, the meat industry, and in the humane societies, to develop their ideas to the fullest. I am confident the result will be a vast improvement in the transportation, handling, and slaughtering of food animals.

Spiritual Power Needed in United States

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. PHILBIN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include therein a recent article from the Clinton Daily Item outlining a speech I made at the closing exercises of a 3-day celebration of the 10th anniversary of the Clinton Polish American veterans post.

The members of this post are to be congratulated for the outstanding success of their celebration, which included the dedication of a beautiful monument and plaque to the memory of their fallen comrade, Joseph J. Matiszewski, a huge, colorful parade that attracted an attendance of more than 10,000 people, and a well-attended impressive banquet and other events:

PAV BANQUET: PHILBIN SAYS SPIRITUAL POWER NEEDED IN UNITED STATES

United States Representative PHILIP J. PHILBIN urged Americans to build their spiritual strength along with their growing military and economic power, Sunday afternoon.

Speaking before 300 persons at the banquet in Polish Hall, which climaxed the 3-day celebration of the 10th anniversary of Clinton's Polish American veterans post, he praised the organization for their unexcelled civic spirit.

The speaker paid tribute to Joseph J. Matiszewski, Clinton's first World War II casualty, for whom the post is named. The square at the intersection of Chestnut, Green, and Nashua Streets was dedicated to his memory Saturday.

Representative PHILBIN said:

PHILBIN'S SPEECH

"The people of Clinton who highly value and appreciate the valor and unselfishness of your loyal war service, as well as your many contributions in peacetime, heartily approve and congratulate you upon your great patriotic service in dedicating a portion of our beloved town to the lasting memory of your gallant comrade and friend who in the very prime of his youth answered the call of his country, and laid down his precious young life in defense of our great free Nation.

"The stirring, patriotic example of this young man's heroic sacrifice exemplifies the real spirit and the true strength of America, because it demonstrates, abundantly and eloquently beyond the power of words, the fierce determination of the American people to preserve our blessed heritage. So long as that spirit animates and gives vitality to the national purpose without regard to race, color, class, or national origin we need have no fears concerning our future security. This young man's noble sacrifice proves that there is a spirit here that rises far above material values, far above life itself, and it is that spirit that will keep our Nation strong, vital, and unconquerable in a dangerous world.

"It is that spirit which generates independence of the mind, strength of character, and fellowship with our loyal countrymen and with humanity that will inspire us to face courageously and dauntlessly the great problems of protecting our freedom in a world torn with strife and insurrection and revolutionary movements.

PEACEFUL WORLD

"It is that spirit which will fortify us all in the imperative task of combating the forces of evil and disruption, and building a greater, more prosperous Nation and a peaceful world.

"And it is that spirit which in the end—pray God it may be soon—will spur us in these critical days to continue our fight for what is right, and what is just, among men and nations, and speed the day of liberation from cruel bondage of the noble Polish Nation and other peoples suffering under the yoke of Communist tyranny. We must assist them in every practicable way.

"Let us not falter in our chosen course. Let us not fear what lies ahead because in every way—militarily, economically, industrially, and financially—the Nation is getting stronger and more powerful day by day. If we will but endeavor to build our spiritual strength, our faith, and our loyalty to basic values alongside of our material progress, we can, in fact, in the atomic age, enter upon the greatest period of human history. The rest is up to us. We cannot—we must not—fail in this great endeavor so meaningful and crucial, not only for ourselves but for all mankind."

Edward L. Lepkowski of Gardner, State commander of the Polish Veterans, was the other guest speaker.

Stanley E. Nosek was toastmaster.

HEAD TABLE

Head table guests included State Representative Stanislaus G. Wondolowski, of Worcester; Selectmen Joseph M. Duffy and Raymond P. Naughton; the Reverend Joseph L. Niedzwiecki, of St. Mary's Church; Police Chief Michael E. Kelly, Deputy State Auditor T. Frank McDonald, Post Commander Stanley Starr, Frank Drinzyk of the post's anniversary celebration committee, Charles J. Wilson, a paraplegic veteran and member of the post.

Lepkowski congratulated the post on being one of the most outstanding in the State.

Our Opportunity To Strengthen Polish Independence

EXTENSION OF REMARKS
OF
HON. EDWARD A. GARMATZ
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. GARMATZ. Mr. Speaker, each year on May 3, we are given an opportunity to speak on the floor on the anniversary of the enactment of the Polish constitution, a constitution patterned after our own, and the first of its kind to be adopted by a European country. In commemorating this anniversary, we cannot do much more than sympathize with the Polish people at the loss of their freedom, and to let them know that they have our strong moral support.

Now, however, we have an opportunity to prove that we are willing and eager to help them. Approval by Congress of the Agricultural Trade Development and Assistance Act will enable our Government to fulfill the agreement recently made to provide $95 million worth of economic assistance. This would include wheat, cotton, soy beans, fats and oils, and mining machinery, some of the greatest needs of Poland at the present time.

But this help does not come to them in the form of a gift. It includes a pledge to lend $30 million at 4½ percent through the Export-Import Bank for purchases in the United States, and $65 million worth of surplus cotton, fats, oils, and wheat through the Commodity Credit Corporation, for Polish zlotys.

There has been some objection to this assistance on the grounds that we are helping a Communist government and thus relieving Russia of her responsibility to her satellites. That is true as far as it goes, but it does not cover the entire situation by any means.

In the hearts of the Polish people the desire and struggle for freedom burns fiercely, and we have seen from the uprisings in Poland since their enslavement by the Russians, and more recently by the Poznan uprising last June and the events last October, that this thirst for freedom has not been quenched.

The uprisings are remarkable because it was the workers who were responsible for the rebellions, thus giving the lie to the Communist statements that the Communist-governed countries are the workers' paradise. Their demands for food, freedom and the withdrawal of the Soviet Army from Poland, show that their subjection to Communist rule is not a voluntary one, and is not being borne meekly and with indifference. Her demands for freedom prove that she does not desire to be a part of the Soviet bloc, but a free and independent nation.

We need have no fear that the people will believe that the economic assistance mentioned above is coming from or through the generosity of Russia. They know only too well that it has been the Communist mismanagement that has made Poland, at one time one of Europe's graneries, unable to feed her own people. They know that representatives of Gomulka's government have been in the United States negotiating for assistance, and they are hoping for cooperation by the United States Government in the form of generous assistance.

In turning to the West for help, instead of to Russia, the Polish people are taking a far greater risk than we are in granting them this assistance. They know they are facing possible Russian reprisals, but they are willing to take this calculated risk. In doing so, they prove that they want to return to the Western family of nations, where they rightfully belong.

I consider it a privilege to vote for this bill and was gratified when it was approved by the House. I sincerely hope that the Senate also will approve it, as I consider this the first opportunity we have had to prove our friendship for the Polish people since their Russian enslavement; and to back up our many expressions of sympathy and moral support with real economic assistance.

Statement of Representative Leonard Farbstein, of New York, Before the House Post Office and Civil Service Committee Relative to H. R. 2474

EXTENSION OF REMARKS
OF
HON. LEONARD FARBSTEIN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. FARBSTEIN. Mr. Speaker, following is the statement which I submitted on June 18, 1957, to the Committee on Post Office and Civil Service in connection with the hearings on salary increases to postal employees.

STATEMENT OF REPRESENTATIVE LEONARD FARBSTEIN, OF NEW YORK, BEFORE THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE RELATIVE TO H. R. 2474

On behalf of the postal clerks, I desire to advise the members of this honorable committee that I feel very strongly about the situation of the postal employees in my district, the 19th Congressional District of New York. I further believe that the postal employees have been underpaid for a number of years and that it is high time that their request for sufficient earnings to decently support their families be recognized.

In New York City the low wages of the postal employees has compelled more than 60 percent of that number to seek outside employment in order to maintain a decent living standard.

Because of the low pay the morale of postal employees is so poor it has become difficult for the postal service to attract qualified employees and retain the skill necessary for the efficient functioning of the service. I know that it has become necessary to hire hundreds of temporary employees in the postal service in New York City. This action has become imperative because of the inability of the service to secure men who are willing to take the examination in order to obtain civil service status. This is undoubtedly due to the low rate of earnings of the regular postal employees.

I therefore submit to this honorable committee that in the interest of the employees and in the interest of better service that the enactment of H. R. 2474 would be very salutary.

Flag Day Celebration Sponsored by Williamsport (Pa.) Lodge, No. 173, Benevolent and Protective Order of Elks, Friday, June 14, 1957

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. VAN ZANDT. Mr. Speaker, over a period of years, Williamsport (Pa.) Lodge, No. 173, BPOE, has been one of the leading Elks lodges in the United States in the observance of Flag Day. Last year Lodge No. 173 was accorded second place in the nationwide contest sponsored by the exalted ruler of the Elks.

This year, in bidding for continued recognition, the observance of Flag Day was outstanding, and it was a high honor for me to be selected to deliver the principal speech on a varied and interesting Flag Day program. The address delivered on the occasion follows:

ADDRESS DELIVERED BY HON. JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, AT THE FLAG DAY CELEBRATION SPONSORED BY WILLIAMSPORT LODGE, NO. 173, BENEVOLENT AND PROTECTIVE ORDER OF ELKS, WILLIAMSPORT, PA., FRIDAY, JUNE 14, 1957

It is an honor to join with my brother Elks of Williamsport Lodge, No. 173, on this memorable occasion in celebrating the 180th anniversary of the birth of Old Glory.

It is appropriate for the Benevolent and Protective Order of Elks to observe the celebration of Flag Day, and thus urge an awakening of the spirit of good old-fashioned Americanism.

It is likewise fitting and proper for the Elks to take leadership in such patriotic exercises, since the Elks is a typical American society, whose members believe in almighty God and loyalty to the Stars and Stripes.

It is of no little significance that you will find on the altar of every Elks lodge the Holy Bible, the antlers of elkdom, and the American flag.

Collectively the Elks signify patriotism, love of country, brotherhood, devotion to God, tolerance, and good will.

Thus we may be proud of our membership in the Benevolent and Protective Order of Elks.

It was June 14, 1777, that the Continental Congress of the United States proclaimed the Stars and Stripes the official flag of the new Nation.

On that day the Congress of the United States gave to the world a banner of liberty, a promise of justice and tolerance for all men who would yield it allegiance.

It has been truly said that the Declaration of Independence is the heart of America, the Constitution its backbone, and the flag the soul of America.

That banner of liberty—the American flag—has waved in greater glory with each succeeding year.

It has been a symbol of hope and promise not only to those who dwell under its protection, but to the downtrodden and oppressed in many lands.

Its meaning has grown dearer, its significance deeper to those who believe in freedom for all men.

What is this freedom about which we speak?

As youngsters in school we saw the word in history textbooks and heard it from our teachers.

The word became familiar to us but the meaning seemed vague.

Later on we read it in Fourth of July editorials and listened to orators talking about it.

Those of our younger generation, however, do not need to seek a definition for freedom.

The anguished cries of millions of enslaved people behind the Iron Curtain are publicized the world over and convey the real meaning of loss of freedom.

Freedom means a lot of things.

It means you can live the way you want to live and believe the things you want to believe as long as you do not interfere with the rights of your neighbor.

It means you can be a Democrat or a Republican or belong to no party at all.

It means you can go to church on Sunday morning or stay in bed.

And if you go to church you can attend any one you choose.

It means you can write a letter to the editor of your newspaper about what you think is wrong with the country, and he can print it without fear of being thrown into jail.

If you want to belong to an organization you are free to join.

You can stand up before people and express your opinions.

Freedom means the opportunity to create your own future, to be president of a multimillion-dollar corporation, or to occupy a humble position in life with equal dignity.

And in either job you can have pride in your work and the dignity of honest labor.

You can go to the college of your choice and study any subjects you like.

You can be a doctor, lawyer, merchant, or farmer.

Or, if you have discovered the secret which eludes the rest of us, you can spend most of your time just doing nothing.

Freedom means that you live in a country that is governed by laws, that you say you are the equal of your fellow man regardless of your religion, political creed, or the color of your skin.

It means you cannot be seized and thrown into jail without trial by jury.

It means that you have a voice in the Government and that you and your fellow citizens control both the laws of the land and the men who administer them.

As freemen we have all these rights and privileges and many more.

Because we have enjoyed them all our lives they seem ordinary; yes, just commonplace things.

But the rights and privileges we take for granted have been denied to the people in many other countries.

Some of them have enjoyed freedom only to have it snatched from their grasp.

Others have never had it.

Our flag symbolizes freedom purchased with blood and sacrifice and envied by oppressed peoples everywhere.

Old Glory is also a symbol of strength, the strength of brave men and self-sacrificing women.

It has been held high with courage on battlefields all over the world.

Many men have died for it.

Many others have lived for it, their whole existence devoted to the preservation of the ideals for which it stands.

What a remarkable thing it is that a piece of brightly colored cloth can mean so much to so many people.

Is there some magic in the pattern or color combination of our flag that has made it so glorious and so enduring?

Frankly it is not the pattern or the color that gives Old Glory its grandeur, for many of us have seen our flag on the battlefields torn by bullets and faded by the sun.

The pattern was distorted and the color was almost gone, but the glory was undimmed.

Our flag is glorious because generations of Americans have endeavored to glorify the principles for which it stands.

When the Continental Congress officially adopted the Stars and Stripes for the United States, our Nation was small and weak.

It could not match the European nations in wealth and power.

Its future appeared uncertain.

The Stars and Stripes was a mere upstart flag among the standards of the mighty.

Behind the American flag, however, was a new ideal; yes, new, but yet as old as the Ten Commandments.

The men who had the courage to raise it, by the side of flags of powerful nations, were inspired by a vision.

They looked into the future and beheld a land where liberty was triumphant and all men walked as equals.

They saw that the newborn America was destined to become the greatest and most powerful in the world, pointing the way toward a better and finer mode of life.

These heroic men, with their inspired vision, gave the American flag its first touch of glory.

That glory was increased in 1787 when the Constitutional Convention gave to the new Nation a Constitution guaranteeing every citizen the right to life, liberty, and the pursuit of happiness.

Our flag thus became more than the symbol of an ideal, a dream, and a vision.

It told the world that here was a people with the courage to live by their ideals. A people who had secured for themselves and their descendants the blessings of freedom.

Before many years had passed, however, the struggling young Nation with its new way of life was put to the acid test.

A civil war threatened its very existence.

How our Nation met that test and came forth triumphant we all know.

Out of the strife and chaos of civil war there emerged a Union even stronger than before, because its strength had been tried and proved.

Old Glory became even more glorious and inspiring.

The years that followed brought still more trials and tribulations to the growing Nation, but from each crisis the United States came forth with its flag flying higher.

And all this time men were working, sacrificing, fighting, and dying to make the Nation great.

Our flag was challenged again in the Spanish-American War.

The call to defend it was answered by thousands of Americans willing to shed their blood to prevent desecration of the emblem they loved.

The gallant dead of the Spanish-American War, and the living veterans of that conflict, gave their touch of glory to our flag.

Thrice more in a generation—in World War I, World War II, and the Korean war—the finest young men of the Nation offered their lives for our flag.

Added to the sacrifice of the men who fought for Old Glory on the world's battlefields was the sacrifice and devotion of those who did what they could on the homefront.

Each of these groups contributed to the glory of the Stars and Stripes.

And so it has been down through the years.

Countless people have had a share in making the American flag what it is today.

Soldiers, statesmen, and plain everyday citizens, even as you and I, have fashioned our flag.

The great and the humble, rich and poor, men and women have had a hand in it.

Therefore, as we observe Flag Day we are paying tribute to the most honored and respected national symbol in the entire world.

It represents to us, and freedom-loving people everywhere, an ideal way of life made possible by the heroic efforts of millions of men to make that ideal a living reality.

Thus on this Flag Day of 1957 we are honoring not a bit of cloth of red, white, and blue, but the spirit of America.

As we salute our national emblem on the 180th anniversary of its birth, it behooves us to ponder and recall that throughout the history of the world mighty nations have risen and fallen.

Many nations at the peak of their power and prestige became careless, indifferent, and corrupt which led to their eventual downfall.

While America occupies an enviable position in the family of nations, to maintain it we should never forget the lessons of history and the fate of once mighty nations.

Therefore, to preserve our country and the American way of life, we must be eternally vigilant.

In short, we owe to our Nation and our flag the same ceaseless devotion and patriotic fervor that our forefathers regarded as their solemn obligations.

Yes; a devotion and patriotic fervor which enabled them to bequeath to us a nation described by Abraham Lincoln as "conceived in liberty and dedicated to the proposition that all men are created equal."

Ladies and gentlemen, it is easy to relax as a nation and be lulled to sleep by the idea that our freedom and peace are always secure.

If we adopt such a listless attitude and frame of mind we may awaken one day to find that while we were sleeping our enemies have been busy.

Yes; busy in carrying out their sinister plans to destroy our form of government.

We may find, to our dismay, that tyranny will have supplanted liberty and that injustice will reign in its place.

Make no mistake about it, our beloved Nation is facing the most critical period in its history during this hydrogen-atomic age.

While we as a nation sincerely pursue the elusive phantom of world peace, we find that the burning desire for tranquillity among the family of nations has, because of the activities of Soviet Russia, become an almost hopeless goal.

Three years ago Adm. Robert B. Carney, then Chief of Naval Operations, confirmed that fact when he frankly stated that America is rapidly approaching the crossroad of a fight to the finish with Russia.

Admiral Carney, without any resort to high-sounding phrases, pointed the finger at Russia and identified her as our relentless foe.

In recalling his stern admonition we must realize that we, as a nation, would be playing into the hands of Soviet Russia if we accept her plans of world disarmament in the mistaken notion that we would be on the road to achieving universal peace.

The truth is that such Kremlin-inspired disarmament plans are a boobytrap designed to destroy our present military advantages by hoping to halt our progress in developing military power capable of defending our national security in this nuclear age.

The Soviet strategy is to have the Russian bear stand on the sidelines and gleefully watch as we as a nation weaken ourselves militarily while the Free World yields mile by mile and nation by nation to Communist plans of world conquest.

Let us never forget that Moscow is calling the signals and piping the tune in freedom's dance of death.

The cold fact is that Russia is a clever enemy and her conquests are fought by her stoogea in furtherance of the Soviet conspiracy for world conquest.

Frankly, we as a nation must face the truth.

We must realize that Russia is the real enemy at our gates.

There is no doubt that the average American and the citizens of the Free World are sick and tired of Russia's traditional role as an enemy of world peace.

We are fed up with her intrigue, her lying, and her insults.

Surely we do not have to be convinced, after present and past experiences, that Russia is still our potent enemy.

We know this to be an undeniable fact and with such knowledge it is inviting national suicide to adopt a lukewarm attitude with respect to our duties and obligations as liberty-loving Americans.

The issue before us as a nation is clear cut. We must at all times maintain a firm attitude in dealing with Russia.

At the same time we must acknowledge the reality of the cold war by continuing to develop nuclear power so massive that the Kremlin will find it impossible to keep pace with its cost.

These weapons of the nuclear age are costly, and while we are paying billions of dollars annually to maintain our Armed Forces, in my opinion it is well worth the price in defending against Soviet treachery our cherished principles of liberty and freedom.

Yes; the price of these nuclear weapons is costly, but the price is insignificant when it preserves the precious legacy of liberty and freedom bequeathed to us by those who died in defense of our flag.

One glance at the red, white, and blue of our national emblem should be enough to stir the blood of every loyal American citizen into a tight-fisted resolve that we are determined to remain freemen forever.

Yes; it is well for us to repeat in 1957 the toast given by the American patriot, Stephen Decatur, 141 years ago when he declared "Our country! In her intercourse with foreign nations may she always be in the right; but our country, right or wrong."

What Stephen Decatur said should be the attitude of all redblooded Americans, and especially those of us who enjoy membership in the Benevolent and Protective Order of Elks.

On this Flag Day of 1957, I can think of no better means of rededicating ourselves to an awakening of the spirit of good old-fashioned Americanism than for us to say in unison: "May our country always be right, but right or wrong, we shall defend forever this Nation and its glorious emblem, the Stars and Stripes of America."

James Edward King

EXTENSION OF REMARKS
OF
HON. WALTER ROGERS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. ROGERS of Texas. Mr. Speaker, it is my sad duty to advise this body of the passing of a great man and my dear friend. It is my firm conviction that the greatness of our country lies in the devotion to service of the community leaders throughout the land. I have always contended there are no finer examples of unselfish public service than can be found in the small communities all over our country, when men develop their fullest capacities in discharge of duty to their neighbors with no thought of reward except their own satisfaction.

Such a man was James Edward (Jim) King, of Memphis, Tex., an eternal servant to everyone with whom he came in contact. His list of accomplishments would fill the page. Suffice it to say that he gave fully of himself in Hall County for 65 years as teacher, sheriff, businessman, and friend. There are countless monuments to his life in almost every facet of the community and area where he lived and served. His presence will be sorely missed, but his influence will be felt and realized in the Texas Panhandle for generations to come.

New Federal Communications Commission Permit for Operation of Television Channel 2 in San Francisco Bay Area

EXTENSION OF REMARKS
OF
HON. JOHN F. BALDWIN, JR.
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. BALDWIN. Mr. Speaker, a decision is now pending before the Federal Communications Commission for the granting of a license for the operation of television channel 2 in the San Francisco Bay area of northern California. It is my strong hope that no applicant will be granted this license or permit unless the applicant proposes to establish its transmission tower in the hills east of Berkeley and Oakland in California. I am summarizing below a letter I have dispatched to the Federal Communications Commission upon this subject. Proper television reception for at least 250,000 people in my Congressional District is involved in this pending decision:

JUNE 21, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D. C.

GENTLEMEN: It is my understanding that a decision is now pending before your Commission for the granting of a license for the operation of television channel 2 in the San Francisco Bay area of northern California. It is my further understanding that this decision pertains to your docket Nos. 11049 and 11050.

I most strongly urge that no applicant be granted this license or permit unless the applicant proposes to establish its transmission tower in the hills east of Berkeley and Oakland. At the present time the four existing stations in the San Francisco Bay area are all located in San Francisco. Approximately 250,000 people in the central portion of Contra Costa County and Solano County in my Congressional district are barred from receiving adequate or proper reception from these stations because of this intervening row of hills immediately east of Berkeley and Oakland.

If the pending license were granted to an applicant who proposed to put his transmission tower in San Francisco or in San Mateo County, this would mean that these 250,000 people would continue to be barred from proper television reception. Since it is my understanding this is the last channel to be authorized in the San Francisco Bay area, they would then be permanently barred from such reception.

I can speak from personal experience because I live in the city of Martinez in central Contra Costa County. This city has such poor reception from the existing four San Francisco television stations that a television cable company has had to come into the area and put a large reception tower on a nearby hill and practically everyone in the community of Martinez has had to pay rather extensive additional cost in order to have their television sets connected by cable to this tower for purposes of adequate reception.

This is a most urgent matter and a matter of great importance to these 250,000 people. I feel that the Federal Communications Commission should give great weight to this problem, and that the license granted for this last channel should be made available only to an applicant which will establish a tower on the hills east of Berkeley and Oakland. Will you please let me know what steps can be taken to give recognition to this problem in the granting of this license?

Sincerely yours,

JOHN F. BALDWIN,
Member of Congress.

A Tribute to Juan Terry Trippe

EXTENSION OF REMARKS
OF
HON. JAMES T. PATTERSON
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. PATTERSON. Mr. Speaker and other distinguished colleagues, I wish to pay tribute to a great pioneer in the field of American aviation.

A pioneer is a man with a dream and a determination to realize that dream. Such a man is Juan Terry Trippe, president of Pan American Airways. Pan American has grown until it now holds rights for its "clipper ships of the air" to encircle the globe in flight. Now the founder and mentor of the company is again pioneering, this time in the realm of jet transport, which seems to offer unlimited horizons for future development of air commerce.

At the age of 26 Juan Trippe founded and managed one of the first going airlines in the United States, a line which is now a division of the American Airlines trunk system. He received the first contract for transporting mail by air issued under the Kelly Act and flew mail from New York to Boston.

With a single plane and a contract to carry mail between Key West and Havana, Juan Trippe launched Pan American Airways, Inc., nearly 30 years ago. The first trip over the 90-mile route on October 10, 1927, was made with a rented plane and later the new 3-motor "giant" Fokker transports were put into service on the run. With this airline, a mail pilot's certificate No. 58, and a firm conviction that air transport was destined to be the mode of the future, he set about the business of creating a worldwide, intercontinental system of air transportation. Today, Pan American serves 80 countries on 6 continents over 65,000 miles of route.

The past 10 years or so have seen improvements in aviation which have resulted in bringing the farthest corners of the earth within 39 hours from any United States port and Pan American has been in the forefront in utilizing the improvements. Impressive as are the accomplishments of the past decades, Pan American is now embarked on a program which will dwarf what has gone before. Juan Trippe has been and continues to be one of the most successful of leaders in civil aviation in translating new scientific advances into practical application. Under his leadership Pan American is entering the jet transport field. The first jetplanes will be put into service next year and will be the forerunners of other jets which, in a few years' time, will be capable of carrying double the loads at double the speed of the present transports. Larger and faster planes to carry more passengers and greater cargo loads is in line with the belief of Mr. Trippe that air transport has the choice of becoming a luxury service for the well-to-do at high prices or a service for the average man. He and his company, Pan American, have chosen the latter course for future development. Better and less expensive air transport brings many advantages in addition to tangible gains from commerce and tourist expenditures. Mr. Trippe's expressed opinion is that the intangible benefits may be the more precious and of lasting benefit to the United States. He has said that "Travel, like education, is no longer a luxury—a cultural, political, and economic necessity if our country is to fulfill its new responsibility of world leadership," and believes that traffic produces international understanding.

Pan American's executive staff is versatile, exceptionally gifted, and strong in depth and so the company is brilliantly managed. But the organization bears the unmistakable stamp of its founder. We salute this modern pioneer and outstanding genius of intercontinental air transport, Juan Terry Trippe.

Speech of the Vice President of the United States, Richard Nixon, Before the United States Junior Chamber of Commerce Convention, Milwaukee, Wis., June 25, 1957

EXTENSION OF REMARKS
OF
HON. JAMES G. FULTON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. FULTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address:

SPEECH OF THE VICE PRESIDENT OF THE UNITED STATES, RICHARD NIXON, BEFORE THE UNITED STATES JUNIOR CHAMBER OF COMMERCE CONVENTION, MILWAUKEE, WIS., JUNE 25, 1957

There is no subject in which young Americans are more interested today than the maintenance of peace in the world. In my

opinion there has been too much pessimistic, defeatist talk in recent months about America's leadership in this field.

We have heard that our diplomacy has been stupid and inept, our foreign-aid program is a wasteful giveaway, our economy is too weak to support the defenses we need, and that the President has failed in his leadership in both international and domestic affairs.

I say that as we consider our failures, we should not lose sight of our successes. Although I admit that I am not an unbiased observer, I think it is time we should remind ourselves that under President Eisenhower's leadership we have had 4 years of peace, 4 years of unprecedented prosperity, and 4 years of honest government.

And I think it is time for us to discuss our responsibilities in the world, not in terms of what we can't do, but in terms of what America should do as a great Nation welcoming the opportunity which is presented to us to make a mighty contribution to the cause of peace and freedom.

We can all agree that American and the free world must maintain military strength sufficient to meet and defeat any aggressor. We do this not because we want war but because we want peace and because history tells us that where a potential aggressor is on the loose, weakness invites attack and strength discourages it.

We can disagree as to what the level of our strength should be. But where the decisions as to the character and quantity of our defense were made after months of study of facts available from all over the world, by a man with the experience and background of the President of the United States, I say that anyone who would make substantial cuts in the defense budget below the amounts recommended is taking a risk with America's security which the American people will not and should not support.

I know there are those who suggest that we can make reductions in our Defense Establishment because of the prospects for disarmament. But while negotiations for disarmament are taking place is the very time when we should not reduce our defenses.

Our primary objective and motivation in such negotiations must not be to reduce a burden of armaments we are unable or unwilling to maintain but to reduce the danger of war which our armed strength is designed to prevent.

The road to war is paved with agreements based solely on mutual trust. That is why we serve the cause of peace when we insist that any disarmament agreement must be accompanied by an inspection system which will enable all the parties concerned to know whether the agreement is being carried out.

We have heard a great deal of criticism in recent weeks of our foreign-aid programs. There are some who would have us believe that these programs amount to nothing more than a great philanthropic giveaway to undeserving and unappreciative foreigners. If this were the case the Congress would not be justified in appropriating a dollar for their continuance.

Let us examine our aid programs solely in terms of one question. Are the interests of the United States being served by them?

Approximately three-fourths of the foreign-aid appropriation is for military assistance. Among the countries which are receiving military assistance are: Korea, Formosa, South Vietnam, Pakistan, and Turkey. All of these countries have common borders with Communist nations. We know from what happened in Korea that if these countries are not strong enough to defend themselves they run the risk of attack. If they are attacked we would inevitably become involved.

The question then is not whether they should have adequate defense forces, but how it can be done most economically and effectively.

On the average it costs five times as much to maintain an American soldier abroad as it does for the fighting men of the Allies we are aiding. By conservative estimates, our expenditure of $2.8 billion in foreign military-aid results directly in at least $15 billion worth of defense for ourselves and the free world. Spending less for military aid abroad would simply mean spending more for defense at homes and more American boys in uniform.

I submit that on the basis of these facts those who would substantially cut or eliminate our military foreign-aid programs are in fact the spendthrifts and not the economizers.

The President has asked for a billion dollars for the purpose of providing economic assistance to nations abroad. This money does not for the most part go to nations allied with the United States militarily. Most of it goes to countries in Africa, the Near East and Asia which are uncommitted or neutral in the struggle.

How then does this help us?

The Communists know that if they can win a substantial part of the 700 million people who live in the uncommitted areas of Asia and Africa they will not have to fight a war in order to achieve world domination. If we allow the Communists to win the uncommitted areas of the world, the balance of power and resources and men will be such that the free world will be strangled into submission by the Communist world.

The billion dollars we are spending for economic assistance to these uncommitted countries, therefore, is an investment in our freedom and independence.

I have visited most of the countries involved. I have seen our economic assistance programs in operation. There has been some waste and inefficiency in their administration. But when we consider the tremendous stakes involved, we can only conclude that the remedy for these difficulties and errors is to try to do a more effective job, and not to give up and let the Soviet Union start taking over the world.

We should never make the mistake, however, of assuming that economic assistance alone is the answer to the problem involved in winning the friendship and allegiance of the peoples of the uncommitted nations.

The people of these countries above all else want and deserve recognition of their dignity as individuals and as nations. In my opinion, the major reason for the opposition to colonialism in Asia and Africa was not economic exploitation or even the denial of independence but the age-old resentments engendered by the notion of white superiority.

We must avoid any American action that seems to imply that we feel we are a superior breed. If we cannot treat the newly independent nations of Asia and Africa, or for that matter any sovereign people, as our moral equals we had better abandon our struggle against communism and be prepared for ultimate conquest. The greatest sin we can be guilty of in the international field is that of arrogance, of false pride, and failure to recognize and respect human dignity.

It has been my privilege during the past few weeks to attend ceremonies commemorating the first landing at Jamestown 350 years ago and the landing of the *Mayflower* at Plymouth 13 years later. It is well today we be reminded of the risks and sacrifices of those who founded this Nation. We need the courage, the vision, and the idealism which characterized the first settlers of this land.

The unprecedented prosperity we enjoy today brings with it a moral challenge that we cannot overlook. It is the challenge to sustain in prosperity the high qualities of character that we perfected in adversity. We know from history that great nations became corrupt, soft, and decadent under the influence of prosperity. We know that the Roman Empire fell, not primarily because of the barbarian attacks from without, but rather because of the apathy and indifference of a prosperous citizenry. Rome fell when its own people lost the will to fight for their native land.

I raise this point because there are some in our Nation today who say that we cannot afford the sacrifices needed to maintain our national security. They oppose foreign-aid programs or even some of our direct costs of defense solely because the budget is too high. They say that we cannot continue to carry the burden imposed by the common effort of free nations to keep alive in the world the spirit of freedom and the recognition of the dignity of man.

Let me make my position clear. We should vigorously oppose any waste or any unnecessary expenditure of Government funds. I respect the integrity of any man who may disagree with any specific program and hold that it does not really contribute to world peace.

But I cannot understand the attitude of those who refuse to examine the arguments, but simply say we cannot afford it. No price is too great to pay for freedom. If we were a poor nation, instead of the most prosperous in the history of the world, I would still say that we can afford every dollar that is truly necessary to protect our liberty and to help bring peace to the world.

We today face a challenge to show the same courage and devotion in fighting for peace as we have always shown in fighting to win a war. We need today the qualities of greatness that were given to us by our forefathers.

I believe that the young Americans so well represented by this great convention can provide that kind of leadership. I ask you to go back to your communities and to help develop the enlightened public opinion which will support—not grudgingly but enthusiastically—American policies which are designed not just to avoid war in our time but to win and keep the peace for all time to come.

I would hope that you could give your support to policies which will keep our defenses strong enough to deter a hot war, to provide for an economic and information program designed not just to maintain the status quo but to win the cold war, and to help build in America the kind of society which will be the full realization of the dream our fathers had when they came to these shores 350 years ago.

The Rifle and Our Defense Program

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. PHILBIN. Mr. Speaker, there are some theorists who hold to the erroneous views, in my opinion, that the rifle as such has been perhaps outmoded by atomic bombs, guided missiles, rockets and other modern innovations in war weapons. I think that no one would question the fact that because of these new weapons any future war would be

decidedly different and would be fought in a different way than previous wars. As I have pointed out many times, modern warfare definitely requires drastically revised, new concepts pertaining, not only to weapons, but to organization, techniques, logistics, and practically every other phase of the military.

We can no longer fight a modern war with personnel trained in close order formation operating under the Maginot line principle. There must be an entirely new approach to military manpower problems, and, as I have stressed so many times, it must, of necessity, be based upon professionalized career forces.

In a word, we must have specialists in many military fields who are mostly career men, well paid, highly trained, and who understand and can master the complexities of new scientific methods, immediately available in key places for instantaneous service in the event of an emergency. We must also have behind them adequate replacements, and civil defense and home guard units.

However, the foot soldier with his rifle will always be needed and, in my judgment, he will be very urgently needed in readily conceivable circumstances, to mop up and occupy whole territories. The foot soldier with his rifle and small weapons, and the great mobility which modern transportation gives him, is truly indispensable, and that is why the Army, the Marine Corps, and to an extent, the Navy and the Air Force must have men trained in the use of rifles and small arms ready to perform the vital work that will be necessary after major attacks have been successfully made to reduce the enemy and occupy territory. Riflemen will also be required for defense, military and civil, and to reestablish and maintain public order.

For this reason the rifle is most essential. It must be up to date, the very latest and most modern in weapons of its kind, that can operate like a machine-gun in an automatic manner, and fire many more rounds of ammunition than older rifles.

In the light of information I have about the present status of our standard rifle, I am prompted to ask whether the Defense Department in its scientific research and development program, and in its rifle procurement program, is doing everything necessary to provide our Armed Forces with the latest, up-to-date types of rifle in sufficient quantities to meet all requirements of this Nation and our allies in the event of war or emergency.

While the Army last month announced adoption of the new T-44 rifle as the future standard rifle for its troops, volume production and issue of the rifle will not begin until 1960, so I have been informed.

It is balance and poise, comprehensiveness and ready effectiveness that I urge for our Armed Forces—ultra-modern weapons, powerful, supersonic aircraft, long- and short-range rockets and missiles—all ready to be put into action at an instant's notice, and, in my opinion, any program that leaves out of consideration full utilization and early implementation of the M-14 rifle is inadequate to a very dangerous degree.

If we do not soon awaken to the fact that we need the modernized rifle in early production in order to have well-rounded military striking force and defense, and arrange to procure and distribute it in sufficient quantities, we may well be soon confronted with the serious, unwelcome conditions already developing of the dispersal of the essential personnel skills for making this weapon.

As a member of the House Armed Services Committee, I am genuinely alarmed about our failure to bring forth, procure and put in the hands of our related armed forces, a really modernized rifle. To me, the delay in the Defense Department in rifle research development and procurement is one of the disturbing features of our present defense setup.

It is, to my mind, a glaring deficiency and could be very costly to us in the event of sudden war.

Since I have pressed the Department on several occasions as vigorously as I could and pointed out the genuine urgency of an adequate modern rifle procurement program, I am very much disappointed that more progress has not been made up to this time.

I am particularly upset by what appears to be the halfhearted efforts and certainly the slow progress of development and test product runs for the new Army rifle. I have urged adequate budgetary provision for research development and production of up-to-date Army rifles. But the fiscal year budget made no provision for this purpose.

The Army used carryover funds from the 1955–56 budget to purchase some 50,000 M–1 rifles that were contracted for last year. If we could get immediate test production runs of the M–14 where the M–1 guns are manufactured, skilled workers would be retained. As it is, the Army does not contemplate production of the new rifle until the fiscal year 1959 budget is approved.

I am informed there is a large number of M–1's in stock but, of course, they are now outmoded by newer models of the M–14 and the Belgian rifle accepted for NATO use. Since the M–14 is generally regarded by practically all military experts to be basic to the national defense and basic to military operations, I simply do not believe we can afford to be so slow and so casual about the conduct of the procurement program for new model Army rifles, and I must again most vigorously urge the Department of Defense and the Army to get together and integrate their plans and viewpoints, eliminate the differences in their consultative proceedings and authorize production test runs on the new rifle at an early date.

I urge with all the sincerity and earnestness that I can possibly command, that the Department move in a forthright, expeditious way to bring this vital program to reality, and get real substantial procurement underway at the earliest possible moment, before what is left of the American rifle manufacturing industry become further demoralized and stripped of most important essential personnel and managerial skills.

In this connection, I desire to compliment and thank Hon. F. H. Higgins, Assistant Secretary of the Army, and his staff for the attention which they are giving to this vital matter.

I hope that the new rifle program will be accelerated and pressed to early implemention.

The 17th Annual Convention Banquet of the Department of Pennsylvania, Catholic War Veterans of the United States, Scranton, Pa., June 22, 1957

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 25, 1957

Mr. VAN ZANDT. Mr. Speaker, the city of Scranton, Pa., played host last week to the Catholic War Veterans of Pennsylvania and the ladies' auxiliary when they observed the 17th annual convention, June 19 to June 22.

The highlight of the convention was the annual banquet, Saturday, June 22, which was attended by church dignitaries as well as representatives of the city of Scranton and various veterans' organizations of the State of Pennsylvania. It was my privilege to address the convention banquet on the subject, Our National Defense in the Nuclear Age.

My address follows:

OUR NATIONAL DEFENSE IN THE ATOMIC AGE

(An address delivered by the Honorable JAMES E. VAN ZANDT, of Pennsylvania, at the 17th annual convention of the Catholic War Veterans, Department of Pennsylvania, on Saturday, June 22, 1957, in the crystal ballroom of the Hotel Casey, Scranton, Pa.)

Right reverend and very reverend monsignori, reverend chaplains, department commander of the Catholic war veterans, madam president of the ladies' auxiliary, Mr. Toastmaster, ladies and gentlemen, it is an honor to be accorded the privilege of participating in the program of the 17th annual convention banquet of the Catholic war veterans and the ladies' auxiliary.

As you know, I have a long record of activity in organized veterandom.

With such a background I feel perfectly at home here tonight because as former comrades in arms we speak the same language.

It is a happy coincidence that, like the Knights of Columbus founded 75 years ago by the Reverend Father Michael J. McGivney of Hartford, Conn.—your organization owes its origin to the wisdom and foresight of a World War I chaplain in the person of the Reverend Father Edward J. Higgins, of Astoria, Long Island, N. Y., who guided its destiny through its infant years.

Father Higgins conceived the two-fold idea of enlisting Catholic war veterans in an organization to promote the best interests of our veteran population and at the same time to bring into being a militant Catholic action group, in opposition to godless communism, whose prime objective is to destroy mankind's faith in Almighty God.

With the personal blessing of His Holiness Pope Pius XI, with whom he conferred in Rome, Father Higgins upon his return found no difficulty in obtaining the united support of bishops and priests in the United States.

With the election and installation of Pope Pius XII in 1939, as successor to Pope Pius XI, the Catholic war veterans have functioned with the approval and blessing of two Roman pontiffs distinguished for their efforts to achieve universal peace, and for their courageous and relentless opposition to the scourge of communism.

It is significant to observe that the password of the Catholic war veterans is "peace," because the name "Pius" stands for peace.

It is recorded that on his deathbed the last words of His Holiness Pope Pius XI echoed the purpose which dominated his reign, "Peace, peace of Jesus."

It is said of his successor, the present supreme pontiff that he, too, selected the name of Pius in honor of the late Pope Pius XI.

Pope Pius XII is so deeply conscious of the need of achieving world peace that in proclaiming the year 1950 as holy year which was observed worldwide by the Catholic church, the supreme pontiff included universal peace as one of the four main intentions of the observance of holy year.

During 1956 I had an opportunity to visit Rome while in Europe as a delegate to the United Nations Conference on Atomic Energy at Geneva.

As members of the Congressional Joint Committee on Atomic Energy, we were accorded the privilege of an audience with His Holiness Pope Pius XII at which time we discussed the development of atomic energy.

During the discussion we were particularly impressed by the 80-year-old spiritual leader of the Roman Catholic population of the world.

His engaging personality, his brilliant mind, his fluency of speech, his analysis of world conditions in this nuclear age, and deep spiritual fervor made an indelible impression on all of us.

I was personally impressed by his intimate knowledge of the United States, disclosed by his ready reference to cities and States, and above all, his humility and simplicity.

At the conclusion of the audience we were unanimous in our opinion that Pope Pius XII is an active and ardent advocate of peace.

Thus you Catholic war veterans in your crusade for peace through prayer have a stanch ally in the Supreme Pontiff of the Catholic Church who, as a worthy representative of the Prince of Peace, is constantly striving to achieve a just and lasting peace among all nations.

The efforts of our Nation to achieve world peace are well known and, as Americans, we can point with pride to our various programs designed to restore tranquillity to a troubled world.

To support our Nation's efforts to fashion a durable peace there exists the necessity of our country's maintaining at all times an adequate national defense.

For that reason I deemed it appropriate on this occasion to select as my subject "Our National Defense In the Atomic Age."

When speaking of natonal defense I share the conviction of the Catholic war veterans that an adequate national defense is vital if we as a nation are to maintain our position and strength in order to preserve the cherished principles of liberty and freedom.

In discussing the subject, our national defense in the atomic age, it is of interest that Congress is currently considering the administration's request for a $38.5 billion defense budget, the largest in 2 years.

These funds are required for the maintenance of our Armed Forces at their present strength and for the development of a wide range of new, powerful weapons.

In examining this request many of us ask ourselves whether or not such enormous expenditures are really necessary for our national security.

We wonder if this huge and expensive defense establishment is becoming an unbearable drain on our national economy.

Some critics contend that it is a waste to continue our national-defense program at its present level now that Stalin is dead.

They further state the present Soviet leadership has no intention of attacking the United States.

In addition, they argue that the Russians have altered their doctrine and strategy and hence are no longer determined to communize the world.

Fellow Americans, let me assure you that this is not true.

Today the Soviet Union and Communist China maintain the largest military force in history.

Excluding the armies of North Korea and Viet Minh, the Russian and Chinese Communist forces number well over 11 million men.

The Russians alone have an army of 2½ million ground troops.

The security of Western Europe is continually threatened by 31 Soviet divisions stationed on satellite territory.

Since World War II the Soviets have reequipped their armed forces with a complete new family of powerful small arms, artillery, armor, and transportation equipment.

They have constructed a fleet of over 450 submarines and are aiding Red China in modernizing the huge Chinese army.

The Communist bloc is also pushing ahead rapidly in the development of guided missiles and in the buildup of their atomic and hydrogen stockpiles.

For example, since the first of this year we have knowledge of a series of atomic-bomb tests by Russia.

The Soviets are training scientific and technical personnel at a rate which will seriously threaten the lead of the West in scientific skill within a few years.

If the Soviets have changed their nature since Stalin's death there are few signs of it.

Witness their sly maneuvering in the Middle East where they are fanning fanatical nationalism through antiwestern propaganda.

Certainly the Communist ideology has not changed since Stalin's death.

The Soviet leaders still preach the incompatibility of the Communist system and Western society.

As a matter of fact, only 2 weeks ago Mr. Khrushchev, in a television program viewed by millions of Americans, predicted in a boastful manner that our grandchildren were certain to become Socialists.

This is the same Mr. Khrushchev who, after having labeled Stalin a murderer and tyrant, recently stated that he was, nonetheless, a great Marxist and fighter of imperialism in the class war.

Khrushchev said quite openly that in this respect the present Kremlin leadership is Stalinist in its attitude.

With this attitude on the part of Soviet leaders, the quest for peace remains increasingly difficult.

No one realizes more than I do the folly of an arms race.

Certainly every effort should be made to reach a sound agreement with the Soviet Union on the reduction of armaments.

But sound agreement involves international control and inspection.

It, therefore, follows that until such an effective system can be established for the entire world we must remain constantly alert in our defense and push ahead with our weapons development.

We cannot afford to take a chance on any weak disarmament plan based solely on the good faith of the Soviets.

A mistake in judgment on this crucial issue could mean our destruction.

Confronted as we are with Soviet hostility and with their refusal to cooperate on a sound disarmament system, it is horrifying to imagine what might happen to us if we do not maintain and develop our defense.

We must remain vigilant.

We must be prepared at all costs to oppose Communist aggression in any form.

Therefore, let us now consider what we need to defend the United States adequately.

We cannot forget the impact of atomic-hydrogen weapons on our defense system.

Surely we have all been made aware of the new scientific age in which we are living.

In this connection the President's plan for the peaceful uses of the atom has provided some indication of the revolution in living which we will experience when the effects of nuclear power are fully felt.

Until now, however, primary emphasis on nuclear research has stressed the destructive aspect of the atom in the weapons field.

The effect of the atom on military strategy has completely altered former concepts of defense and war.

Today we cannot think of an adequate defense system without first taking into full consideration the destructive force of atomic-hydrogen weapons.

I believe that there are two major requirements for a sound defense policy in this atomic age.

First. We must maintain and develop our capacity to retaliate massively against any power that launches a thermonuclear attack on the continental United States.

Second. We must maintain and develop our capacity to fight small or limited wars with the use of either tactical atomic weapons or of conventional arms, as the circumstances may require.

Let me further develop these points.

We are living today under the shadow of atomic and hydrogen bombs.

In testimony before the Senate during its inquiry into air power last year, the Nation's top military experts pointed out that the Soviet Union now has the capability of striking a devastating blow at the United States.

Gen. Nathan Twining, Chief of the Air Force, said in part:

"In looking to the future our plans and programs must be oriented toward countering the Soviet capability.

"As the Soviet war potential increases, particularly in intercontinental striking capability, this becomes even more valid.

"Such a potential will give the Soviet a continuing ability to attempt to deliver at any time of his chosing with or without warning a crucial blow against us.

"Thus, for the foreseeable future we must maintain in constant protected readiness a retaliatory force of sufficient strength to deter an attack or to insure ultimate victory if general war occurs."

Therefore, it is evident the maintenance of atomic-hydrogen power as a deterrent force requires the stockpiling of sufficient quantities of fissionable material and the development of airpower as a means of delivery.

From information released to the public it appears that both the United States and the Soviet Union have reached the position of being able to wage atomic warfare.

Our Strategic Air Command today is the means of delivering our thermonuclear power.

From bases encircling the Soviet Union our Strategic Air Command can strike the Soviet Union within hours after an attack on the West.

To maintain and develop our Strategic Air Command as our first line of defense, we must steadily push research and experimentation in weapons, piloted aircraft, and guided missiles.

Above all, we must keep pace with Soviet advances.

Bases circling the Communist bloc must be maintained.

Because it is upon this first line of defense that our national survival may depend.

The second requirement of a sound national-defense policy is the ability to cope with local aggression in small wars.

We must take into account the possibility that small tactical atomic weapons may be used in a local conflict rather than conventional arms.

This means that our Armed Forces must develop offensive and defensive tactics geared to the use of a variety of small atomic weapons.

At the same time we must also be prepared for local attacks that are confined to nonatomic weapons.

According to the estimates of military experts the Soviet Union will soon possess a capability for atomic destruction equal to that of the United States.

This will establish a nuclear stalemate.

In such a stalemate the United States may find that it will be difficult to initiate the use of tactical atomic weapons if the Communists use only conventional-type weapons.

When the Soviet Union is able to bomb the United States with nuclear weapons, the risk that a local atomic war might spiral into an all-out conflict would be too great.

This means that our Armed Forces must possess a dual capability, namely, (a) the capability to fight with conventional arms, using conventional tactics for some types of conflict; and (b) with atomic weapons, using atomic tactics for other types of combat.

Therefore, it is necessary to maintain our Armed Forces at their present strength and to continue to supply them with conventional equipment.

We must also train them in the use of tactical atomic weapons and supply them with the latest models in our small atomic weapons system.

Now let us turn our attention to our existing Defense Establishment and the problem of its continued development.

Testimony by leading Defense Department authorities has given convincing evidence that we do have a balanced defense system and at a cost which our national economy can support.

During the recent hearings in the House of Representatives on the Department of Defense appropriation bill for 1958, Adm. Arthur W. Radford said in his testimony:

"I feel that we have a Military Eastablishment today which is responsive to almost any situation that can be foreseen and within a reasonable period of time we can take care of anything and we are respected. Our power is respected."

Fellow Americans, as a member of the House Armed Services Committee and the Joint Congressional Committee on Atomic Energy I agree with Admiral Radford, because it is a matter of record that our present retaliatory deterrent force is much more powerful than it was a year ago.

Under plans outlined in the President's 1958 budget this force will be strengthened in both power and effectiveness.

The present number of bomber wings in our Strategic Air Command—11 wings of B–52's with 45 bombers per wing—will be maintained.

Plans have been made to accelerate the fighter program.

Increased stockpiles of more powerful and more diversified nuclear weapons are being made available to the Strategic Air Command at bases all over the world.

Research in the ballistic-missile program now highly accelerated and on atomic-powered aircraft holds great promise for the future capabilities of the Strategic Air Command.

It is our hope to be first in developing the intercontinental ballistic missile, which will enable us to strike the enemy with pilotless craft armed with atomic or hydrogen warheads.

The development of ground-to-air and air-to-air missiles for our continental defense system is also being accelerated.

The Air Force has developed the Falcon and the Navy the deadly Sidewinder, both of which are now in quantity production.

The Air Force is currently concentrating on the Bomarc, a long-range missile of supersonic speed, while the Army will further develop both the Nike and the Talos.

The Armed Forces of the United States have a total strength of over 2,800,000 men and women.

The Army, according to Secretary Wilbur Brucker, represents the most "thoroughly equipped and superbly trained Army," that this Nation has ever put into the field.

These forces together with our strategic reserve are ready to fight at any moment should the need arise.

This readiness on our part constitutes an impressive deterrent against aggression.

In support of our mutual defense alliances and other arrangements, 40 percent of our Army is stationed overseas in 73 countries.

Army missions in 44 nations in Europe, Asia, and Latin America are directly engaged in helping to train more than 200 allied foreign divisions a large part of the free world's military strength.

Considerable progress is being made in matters of organization, research, and development in the Army.

Under plans now being implemented the major combat units of our ground force are being reorganized into the so-called pentomic divisions, which improve the ability of the Army to fight effectively under conditions of atomic warfare without losing the ability to conduct conventional war.

We are also organizing atomic support units which are particularly suitable in providing atomic support for the forces of our allies in combat.

Research and experimentation are progressing in the development of new weapons systems.

As a result we are stockpiling our arsenal with an adequate variety of atomic weapons precisely tailored to our needs which can be used accurately against close or distant targets.

At the same time emphasis is being placed on the continued improvement of conventional weapons needed to accomplish many tasks for which atomic weapons would be wholly unsuitable.

The element of flexibility is similarly being stressed by the Navy.

The most important offensive weapon developed by the Navy is "the mobile airbase" the new carrier *Forrestal*.

In the event of global war this type of ship will serve to defend the continental United States and at the same time project our air striking power into the enemy's territory.

In case of local war it will supplement our land-based airpower where land bases are limited or nonexistent.

The Navy is also pushing its aircraft and missile development program.

Several types of advanced aircraft operating from mobile carrier bases have already been added to the fleet.

Of particular importance is the new Skyhawk, a light attack plane with high-speed and high-altitude performance, capable of carrying atomic weapons.

The development of seabased ballistic missiles will prove to be immeasurably important by adding variety and dispersibility to our deterrent capabilities.

The Navy is making the transition from guns to missiles very rapidly.

The cruisers *Boston* and *Canberra* have been converted and a third, *Galveston*, is being readied.

Under the present program the Navy plans a total of 21 missile ships before the end of 1958.

The Navy is also making the transition to nuclear power as rapidly as possible.

The submarine *Nautilus*, the pioneer ship in this development, has now steamed more than 55,000 miles without a single disabling casualty.

Its reactor has now been refueled after 2 years of service.

The nuclear-powered submarine introduces a new weapon into naval warfare.

It can sink ships; it can serve as a radar picket ship; it can seek out and destroy enemy submarines; and, most important of all, it can serve potentially as a base for the launching of ballistic missiles.

The present program of the Navy and Marine Corps serves to maintain a high state of immediate readiness while instituting some very basic and revolutionary changes in naval weapons systems and strategy.

The readiness of the Navy was strikingly demonstrated during the recent Suez crisis by the rapid deployment of a large part of our fleet and by the evacuation of our nationals from Egypt.

While we review the progress made in building an adequate national defense it is reassuring to learn from further testimony by Adm. Arthur W. Radford, Chairman of the Joint Chiefs of Staff that:

"Up to now Communist nations have not been able to match the superiority of our airplanes, our pilots, our designers, or our industry, nor have they been able to match the extent to which we employ them privately, commercially, or militarily.

"But because of the developments which I have described, I cannot guarantee that this will always be the case."

Despite this deterrent to war we have no alternative but to acknowledge the reality of the cold war we have been waging.

We must recognize that a trigger-happy enemy to the American way of life could in the twinkling of an eye plunge us into a nuclear world conflict.

A conflict that would leave even the victorious nation slightly short of complete destruction.

These weapons of the nuclear age are costly, and while we are paying billions of dollars annually to maintain our Armed Forces, in my opinion, it is well worth the price of defending the American form of government.

While we are reluctant to continue the cold war, preferring to live in peace with all mankind, nevertheless, we have no choice, because we recognize Russia's fixed goal is world domination by means short of an all-out war.

We have no alternative but to acknowledge the reality of the cold war, and to continue to develop nuclear power so massive that the Kremlin will find it impossible to keep pace with its cost.

As I have previously mentioned, these nuclear weapons are costly, yet the price is insignificant in preserving the priceless legacy of liberty and freedom bequeathed to us by those who died in defense of our flag.

They made the supreme sacrifice in the belief that no contribution was too great if it

meant the perpetuation of American institutions and ideals.

If we fail in our mission we defile the memory of every hero who wore the uniform of his country.

We likewise forfeit our right to the precious legacy of patriotism and devotion that we have received from generations of courageous Americans.

Aid to American Small Business and Labor

EXTENSION OF REMARKS
OF
HON. JAMES T. PATTERSON
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1957

Mr. PATTERSON. Mr. Speaker and my other distinguished colleagues, today I introduced a bill to amend the Mutual Security Act which I wish to call to the attention of every Member of this important body. We all know that certain aspects of the mutual-security program are vital in preventing the further spread of international communism, and toward such an end our foreign-aid program serves an entirely worthy purpose.

However, Mr. Speaker, many of our domestic small-business concerns are becoming increasingly alarmed over the fact that millions upon millions of foreign-aid dollars are being spent annually on foreign products that could be purchased from domestic producers. Now during the past decade, Mr. Speaker, we have used foreign-aid dollars to rehabilitate old and even construct new industrial enterprises in foreign countries that today can undersell our domestic industries.

My proposal is that in the interests of labor and industry in this country, overseas procurement for the foreign-aid program will not be allowed until such time as it can be proved conclusively that a demand for a certain type of manufactured commodity cannot be filled in this country. Too often our local suppliers have been bypassed in the interest of foreign producers.

The International Cooperation Administration should be strictly enjoined from placing procurement orders overseas for commodities that can be supplied by our own producers.

My bill provides that the International Cooperation Administration will not be allowed to seek worldwide procurement for commodities in instances where it is established that available plant capacity exists in the United States to produce such commodities. However, my bill does not establish an inflexible rule to "buy American" without regard to other vital factors. If my amendment is adopted, the President will still retain his broad discretionary powers in administering the mutual-security program. Unrestricted Presidential authority is absolutely essential if the foreign-aid program is to achieve its comprehensive purpose in bolstering the economic life of the nations of the free world. We must continue to assist the intended victims of Soviet aggression.

My bill simply prohibits the internationalist clique in the State Department from forgetting American labor and industry when they are doling out billions of dollars of American taxpayers' money in the foreign-aid program. Before the ICA worldwide procurement policy was adopted, the brass mills of the Naugatuck Valley received a fair share of the brass cartridge business. Now it is not even worthwhile to offer a bid in competition against the low-labor cost modern brass mills of West Germany which were built with our foreign-aid dollars. We subsidize our late enemies in order to create unemployment in our home industries. At the very moment that our rubber footwear plants are suffering with a surplus, ICA officials are placing their orders for rubber goods with British manufacturers.

The time has come to call a halt to offshore procurement and reestablish the patriotic and commonsense policy of the buy American program if America is to remain the citadel of economic strength against Soviet penetration.

Since the end of World War II the United States has disbursed approximately $64 billion in gross grants and utilized loans as assistance to foreign countries. This foreign aid is classified broadly as military assistance, defense-support assistance, development assistance, technical cooperation, and other aid funds such as the President's contingency fund.

A very substantial share of the defense expenditures has been given as direct money grants to foreign governments to build up their military potential as well as building factories to produce war material. The results have been very tangible in the building of potential force to resist possible aggression.

Under economic aid, a very large variety of products was shipped overseas from the United States or procured outside the continental United States—in fact, 30 percent of all economic aid was disbursed as a result of offshore procurement. Canada supplied the products for 11 percent of our economic aid, Latin America, 9 percent, and Europe, over 3 percent.

The impact of foreign-aid expenditures in the United States has been felt largely in the high-wage, high-employment manufacturing industries producing machinery, ordnance, motor vehicles, aircraft, and the like. Its effect on employment has been largely in those industries which were fully employed and in many cases were even facing labor-shortage situations, especially in the aircraft industrial centers like Hartford, Conn.

Foreign aid has not, however, provided an important employment prop for those industries undergoing slack employment conditions like the brass mills, metal fabricating, and rubber-footwear plants of the Naugatuck Valley.

In fact, in many areas large-scale foreign-aid expenditures have had very deleterious effect on certain types of industries unable to compete for military or foreign-aid contracts. The effect has been seen mainly in the siphoning off of skilled workers, such as machinists, toolmakers, die sinkers and setters, patternmakers, tinsmiths, coppersmiths, sheet-metal workers, electronics technicians, welders, and flame cutters into other areas with large-scale demands for their services. Once small business has lost these skilled workers to the larger concerns at Hartford and elsewhere, it is practically impossible to get them back.

One effect of foreign aid overseas has been the reconstruction and modernization of industries abroad which compete with similar industries in the United States, especially in the copper and brass products field, electronics, rubber fabricating, watch-clock manufacturing, plumbing and electrical hardware. Mostly the competition falls in the sphere of small business.

It has been estimated that approximately 600,000 workers are employed each year directly and indirectly as a result of the mutual security spending program in the United States. However, the impact on small business has been very slight indeed, except as it acts as subcontractor to some larger concerns.

The point I wish to make is that small business gets such a minute share of foreign-aid business as to be negligible. One has but to study the daily procurement information bulletins issued by the International Cooperation Administration to note that source of supply is mostly worldwide. A small business circular is also issued, but it is very evident that small business does not get an appreciable share of the contracts.

The effect of foreign-aid expenditures may be slight for large concerns, but it has a multiplier effect on small business. The International Cooperation Administration should be strictly enjoined from placing procurement orders with foreign manufacturers for fabricated products that can be supplied here by our smaller concerns.

I have made an intensive study of foreign-aid expenditures beginning with the lend-lease program in 1940 and extending through World War II. The lend-lease program cost the American taxpayers $50 billion. In the postwar era the Marshall plan, aid to Greece and Turkey, and the global mutual security programs amounted to $56.1 billion, plus $3.4 billion United States investment in the World Bank, plus $775 million in surplus farm products, plus a carryover of $9.3 billion last June 30, plus $4.5 billion in new appropriations. This total is more than $74 billion spent or authorized in the postwar era. Calculated on a per capita basis of $864.98, the total foreign-aid expenditures of the United States from 1940 to 1957 have cost the taxpayers of Connecticut's Fifth Congressional District $237,264,014. Foreign aid has cost Litchfield County $85,522,303, Torrington, $4,063,744; Winsted, $7,595,389. In New Haven County, $151,741,711; Ansonia, $16,180,316; Derby, $8,873,830; Naugatuck, $15,098,226; and Waterbury, $90,370,515.

SENATE

WEDNESDAY, JUNE 26, 1957

(Legislative day of Friday, June 21, 1957

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God and father of mankind, whose earthly children cannot drift beyond the circle of Thy love, and with whom there is no distinction of race or habitation, for all are one in Thy sight: Break down, we beseech Thee, the barriers which divide mankind; use us to bridge the unhappy divisions of Thy contending children, that they may work together, with one accord, with each other and with Thee; that all the kingdoms of the world may become the one and radiant kingdom of Thy redeeming love.

As we spend our years as a tale that is told, may it be, to the last page, a record of service well done, of duty faced without flinching, of honor unsullied, and of horizons of sympathy and understanding constantly stretched out, as daily we fare toward journey's end. Then, of Thy great mercy, grant us a safe lodging and a holy rest, and peace at the last; through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Monday, June 24, 1957, was approved, and its reading was dispensed with.

REPORTS OF COMMITTEES SUBMITTED DURING RECESS

Under authority of the order of the Senate of June 24, 1957, the following reports of committees were submitted on June 25, 1957:

By Mr. GREEN, from the Committee on Foreign Relations, without amendment:

S. 603. A bill to require that international agreements other than treaties hereafter entered into by the United States be transmitted to the Senate within 60 days after the execution thereof (Rept. No. 521);

S. 1361. A bill to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River" (Rept. No. 522); and

S. Con. Res. 35. Concurrent resolution favoring further consideration by the General Assembly of the United Nations of the problem of Hungary (Rept. No. 523).

By Mr. GREEN, from the Committee on Foreign Relations, with an amendment:

S. 1174. A bill to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation (Rept. No. 525); and

S. J. Res. 73. Joint resolution to amend Public Law 843, 80th Congress, as amended, providing for membership and participation by the United States in the International Labor Organization and authorizing appropriations therefor (Rept. No. 526).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 807. A bill for the relief of Jackson School Township, Ind. (Rept. No. 520).

CONTINUANCE OF SUBCOMMITTEE ON DISARMAMENT

Mr. GREEN, from the Committee on Foreign Relations, reported the following original resolution (S. Res. 151) to continue the Subcommittee on Disarmament created by Senate Resolution 93, 84th Congress, and submitted a report (No. 524) thereon, which resolution was placed on the calendar:

Resolved, That the subcommittee (as authorized and directed by S. Res. 93 of the 84th Cong., 1st sess., agreed to July 25, 1955; as amended by S. Res. 185, 84th Cong., 2d sess., agreed to February 8, 1956; as amended by S. Res. 286, 84th Cong., 2d sess., agreed to July 13, 1956; and S. Res. 61, 85th Cong., 1st sess., agreed to January 30, 1957) of the Committee on Foreign Relations is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with the jurisdiction of the Committee on Foreign Relations specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the international control and reduction of armaments, as further described in Senate Resolution 93, 84th Congress.

SEC. 2. For the purposes of this resolution the committee, from July 1, 1957, to August 31, 1957, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than August 31, 1957.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

EXECUTIVE REPORTS OF A COMMITTEE SUBMITTED DURING RECESS

Under authority of the order of the Senate of June 24, 1957,

Mr. GREEN, from the Committee on Foreign Relations, on June 25, 1957, submitted the following favorable reports:

Val Peterson, of Nebraska, to be Ambassador Extraordinary and Plenipotentiary to Denmark;

Jacob D. Beam, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary to Poland; and

Executive H, 85th Congress, 1st session, Agreement between the United States and the Republic of Austria regarding certain bonds of Austrian issue denominated in dollars, together with a related protocol, both signed at Washington on November 21, 1956; without reservation (Exec. Rept. No. 4).

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made;

H. R. 6259. An act to amend the act known as the "District of Columbia Revenue Act of 1937," approved August 17, 1937;

H. R. 6517. An act to provide for the retirement of officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and of certain officers and members of the United States Secret Service, and for other purposes;

H. R. 7050. An act to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes;

H. R. 7168. An act to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes;

H. R. 7249. An act to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia;

H. R. 7409. An act to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia;

H. R. 7785. An act to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia;

H. R. 7835. An act to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes;

H. R. 7963. An act to amend the Small Business Act of 1953, as amended;

H. R. 8256. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes; and for other purposes; and

H. J. Res. 379. Joint resolution making supplementary appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred as indicated:

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may

be made; to the Committee on Interior and Insular Affairs.

H. R. 6259. An act to amend the act known as the District of Columbia Revenue Act of 1937, approved August 17, 1937;

H. R. 6517. An act to provide for the retirement of officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and of certain officers and members of the United States Secret Service, and for other purposes;

H. R. 7409. An act to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia;

H. R. 7785. An act to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia; and

H. R. 8256. An act to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes; to the Committee on the District of Columbia.

H. R. 7168. An act to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes; to the Committee on the Judiciary.

H. R. 7963. An act to amend the Small Business Act of 1953, as amended; to the Committee on Banking and Currency.

H. J. Res. 379. Joint resolution making supplementary appropriations for the Post Office Department for the fiscal year 1958, and for other purposes; to the Committee on Appropriations.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. TALMADGE, and by unanimous consent, the Committee on Rules and Administration was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to take action on the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare:

Howard William Habermeyer, of Illinois, to be a member of the Railroad Retirement Board.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

UNITED STATES CIRCUIT JUDGES

The legislative clerk read the nomination of John Minor Wisdom, of Louisiana, to be United States circuit judge for the fifth circuit.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Jean Sala Breitenstein, of Colorado, to be United States circuit judge for the 10th circuit.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The legislative clerk proceeded to read sundry nominations of United States attorneys.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations of United States attorneys will be considered en bloc; and, without objection, they are confirmed.

UNITED STATES MARSHALS

The legislative clerk proceeded to read sundry nominations of United States marshals.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations of United States marshals will be considered en bloc; and, without objection, they are confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Val Peterson, of Nebraska, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Jacob D. Beam, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Poland.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there may be the usual morning hour, during which Senators may introduce bills and transact other routine business, subject to a 3-minute limitation on statements.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED AMENDMENTS TO 1958 BUDGET, LEGISLATIVE BRANCH (S. Doc. No. 49)

A communication from the President of the United States, transmitting amendments to the budget for the fiscal year 1958, involving an increase in the amount of $3,109,560, for the legislative branch (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

AMENDMENT OF AGRICULTURAL ACT OF 1949, RELATING TO UNREDEEMED LOAN COLLATERAL

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to authorize Commodity Credit Corporation to acquire title to unredeemed loan collateral without obligation to make equity payments (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT OF NATIONAL ADVISORY COUNCIL ON INTERNATIONAL MONETARY AND FINANCIAL PROBLEMS

A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, transmitting, pursuant to law, a report on its activities during the period July 1–December 31, 1956 (with an accompanying report); to the Committee on Banking and Currency.

PARTICIPATION BY UNITED STATES IN INTERPARLIAMENTARY UNION

A letter from the Secretary of State, transmitting a draft of proposed legislation to amend the act of June 28, 1935, entitled "An act to authorize participation by the United States in the Interparliamentary Union (with an accompanying paper); to the Committee on Foreign Relations.

AUDIT REPORT ON UNITED STATES ASSISTANCE PROGRAM FOR KOREA

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on United States assistance program for Korea, International Cooperation Administration, Department of State, for the fiscal years 1954–56 (with an accompanying report); to the Committee on Government Operations.

REPORT ON THE "MARYLAND 400" AT THE CORTELYOU HOUSE, BROOKLYN: THE ACTION AND THE BURIAL SITE

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report entitled "The Maryland 400 at the Cortelyou House, Brooklyn: The Action and the Burial Site," dated May 20, 1957 (with an accompanying report); to the Committee on Interior and Insular Affairs.

REPORT OF COMMITTEE ON CIVILIAN NATIONAL HONORS—DRAFT OF PROPOSED LEGISLATION

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, a report of the President's Special Committee on Civilian National Honors, together with a draft of proposed legislation to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievement, and

for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

ESTABLISHMENT OF POSITIONS FOR CERTAIN PERSONNEL IN DEPARTMENT OF COMMERCE

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize the establishment of 88 positions for specially qualified scientific and professional personnel in the Department of Commerce at rates of compensation not to exceed the maximum rate payable under Public Law 313, 80th Congress, as amended, and Public Law 854, 84th Congress (with accompanying papers); to the Committee on Post Office and Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of New Hampshire; to the Committee on Armed Services:

"Resolved by the house of representatives (the senate concurring):

"Resolved, That the General Court of New Hampshire urges the Congress of the United States to provide that the so-called Portsmouth Airbase, located in Newington, N. H., be named and hereafter be known as the Pease Air Force Base, in honor of Harl Pease, Jr., holder of the Congressional Medal of Honor and the Distinguished Flying Cross; be it further

"Resolved, That the secretary of state transmit certified copies of this resolution to the Senators and Representatives of New Hampshire in the Congress, and to the Speaker of the House of Representatives and the President of the Senate of the United States.

"Passed June 19, 1957.

"Attest:

"HARRY E. JACKSON,
"Secretary of State.
"W. DOUGLAS SCAMMON,
"Speaker of the House of Representatives.
"ERALSEY C. FURGUSON,
"President of the Senate."

A resolution of the Legislation of the Virgin Islands; to the Committee on Interior and Insular Affairs:

"Bill 485

"Resolution petitioning the Congress of the United States to grant a recharter to the Virgin Islands Corporation

"Whereas the Virgin Islands Corporation was chartered by the Congress of the United States as an instrumentality by means of which to sustain the basic economy of the capital-starved Virgin Islands; and

"Whereas the establishment of the Virgin Islands Corporation as an industrial venture to provide employment has been the most notable permanent economic foundation of the Virgin Islands over the past two decades; and,

"Whereas the Corporation is the only outlet for approximately 350 small farmers, who supply approximately 45 percent of the sugar cane production of the Island of St. Croix; and,

"Whereas the Corporation presently operates efficiently the electric power systems of the Virgin Islands affording great benefits to the people of the Territory; and,

"Whereas through efficient management and sound policies it is anticipated that the Virgin Islands Corporation will, during this and future years, operate profitably as a self-sustaining financial and commercial venture; and

"Whereas there are pending before both the Senate and the House of Representatives of the Congress of the United States identical bills providing for the grant of a Recharter to the Virgin Islands Corporation: Now, therefore, be it

"Resolved and it is hereby resolved by the Legislature of the Virgin Islands, That said body records its unqualified and full support for the bills which are pending before the Senate and the House of Representatives of the United States of America and hereby petitions that they be passed at the earliest practicable date; and be it further

"Resolved and it is hereby further resolved, That copies of this resolution be sent to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, the Chairman and Members of the Senate and House Committees on Interior and Insular Affairs, the Secretary of the Interior, the Governor of the Virgin Islands, and the President of the Virgin Islands Corporation.

"Thus passed by the Legislature of the Virgin Islands on June 4, 1957.

"Witness our hands and the seal of the Legislature of the Virgin Islands this 4th day of June, A. D., 1957.

"AUBREY A. ANDUZE (DDS),
"President.
"JOHN D. MERWIN (LLB),
"Legislative Secretary."

A resolution adopted by the Intermountain Veterinary Medical Association, at Salt Lake City, Utah, favoring the enactment of legislation to provide for the construction, rebuilding, and maintenance of the international boundary fence between the United States and Mexico; to the Committee on Foreign Relations.

JOINT RESOLUTIONS OF COLORADO LEGISLATURE

Mr. ALLOTT. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD Senate Joint Memorial 8 and Senate Joint Memorial 12 of the State of Colorado, which, for administrative reasons, were not sent to the Vice President of the United States and, therefore, were not printed in the RECORD.

There being no objection, the joint resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Banking and Currency:

"Senate Joint Memorial 12

"Joint resolution memorializing the Congress of the United States to enact legislation providing that military and governmental installations and plants be located in or near small cities and towns rather than in or close to metropolitan areas

"Whereas the Department of Defense, the Atomic Energy Commission, and other Federal agencies, have on many occasions in the past approved, located, or arranged for the location of military and governmental installations and plants in or near the city and county of Denver, and the cities of Pueblo and Colorado Springs, the three largest cities in Colorado, thereby centralizing such installations and plants in the most populous areas of this State; and

"Whereas such an amassment and concentration of military forces and industry in populous areas is contrary to strategic decentralization principles and could result in unnecessary loss of life and wastage of industrial and military resources in the event of atomic attack and adds to existing congestion in these metropolitan areas, taxing their housing, sanitation, and water facilities; and

"Whereas if such military and industrial installations were evenly dispersed throughout the less-populated areas of Colorado and the United States, in or near the small cities and towns, such communities would benefit greatly economically, by way of increased employment and otherwise: Now, therefore, be it

"Resolved by the senate of the 41st general assembly (the house of representatives concurring herein), That the Congress of the United States is hereby memorialized to enact legislation directing the Department of Defense, the Atomic Energy Commission, and all other Federal agencies involved to require that governmental and military installations and plants be located in or near the smaller cities and towns of Colorado and the United States in accordance with strategic decentralization and dispersion principles; and be it further

"Resolved, That copies of this memorial be transmitted to the Members of the Congress of the United States from the State of Colorado, with the request that action be taken in compliance herewith.

"FRANK L. HAYS,
"President of the Senate.
"MILDRED H. CRESSWELL,
"Secretary of the Senate.
"CHARLES R. CONKLIN,
"Speaker of the House of Representatives.
"LEE MATTIES,
"Chief Clerk of the House of Representatives."

To the Committee on Interior and Insular Affairs:

"Senate Joint Memorial 8

"Joint resolution memorializing the Congress of the United States to grant statehood to the Territories of Hawaii and Alaska

"Whereas the people of the Territories of Hawaii and Alaska have shown through the processes of democracy that they wish to join the Union, sharing both the responsibilities and the privileges of being one of the United States of America; and

"Whereas Hawaii and Alaska have served the United States as an extended frontier for the development of peaceful pursuits, as well as wartime bulwarks; and

"Whereas it is in the best interest of our national defense to bring the people and resources of these two outlying Territories under the American flag in full partnership; and

"Whereas the people of Hawaii and Alaska, many of whom migrated there from one of the 48 States, have demonstrated their fundamental belief in peace, democracy, and good citizenship under God: Now, therefore, be it

"Resolved by the Senate of the 41st General Assembly of the State of Colorado (the House of Representatives concurring herein), That we, the members of the General Assembly of the State of Colorado, which was the 38th State to be admitted to the Union after serving her country ably as a Territory for many years, do hereby memorialize the Congress of the United States to enact legislation necessary to admit Hawaii and

Alaska into the Union as sister States; and be it further

"*Resolved*, That copies of this memorial be transmitted to the President of the United States, to each Member in the Congress from Colorado, and to the Governors of the Territories of Hawaii and Alaska.

"FRANK L. HAYS,
"President of the Senate.
"MILDRED H. CRESSWELL,
"Secretary of the Senate.
"CHARLES R. CONKLIN,
"Speaker of the House of Representatives.
"LEE MATTIES,
"Chief Clerk of the House of Representatives."

RESOLUTION COMMEMORATING THE 16TH ANNIVERSARY OF MASS DEPORTATION OF PEOPLE OF BALTIC NATIONS BY RUSSIAN POLICE TO SIBERIA

Mr. HOLLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a resolution adopted June 16, 1957, at a meeting of Americans of Lithuanian, Latvian, and Estonian descent of the city of Miami, Fla., commemorating the 16th anniversary of the mass deportation of the people of the Baltic States by the Russian police to Siberia and other parts of the Soviet Empire, and calling upon the President and the Government of the United States for certain helpful and sympathetic actions.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

LITHUANIAN COUNCIL OF MIAMI,
Miami, Fla., June 16, 1957.

RESOLUTION UNANIMOUSLY ADOPTED AT THE MEETING OF AMERICANS OF LITHUANIAN, LATVIAN, AND ESTONIAN DESCENT OF THE CITY OF MIAMI, CONVOKED TO COMMEMORATE THE SAD ANNIVERSARY OF THE MASS DEPORTATIONS OF THE PEOPLE OF THE BALTIC NATIONS, LITHUANIA, LATVIA, AND ESTONIA, BY THE RUSSIAN POLICE

Whereas Soviet Russia has enslaved Lithuania, Latvia, and Estonia, subjecting their people to brutal terror, oppression and mass deportations to Siberia and other parts of the Soviet empire; and

Whereas the people of Lithuania, Latvia, and Estonia have no freedom and are mercilessly exploited by their Communist rulers; and

Whereas the Government of the United States officially denounced the illegal incorporation of Lithuania, Latvia, and Estonia into the Soviet Union; Now, therefore, be it

Resolved, That this meeting of Americans of Baltic descent of the city of Miami calls upon the President of the United States to do all in his power to help the people of Lithuania, Latvia, and Estonia to regain their freedom and political independence; and toward this end be it

Resolved, That this meeting requests the Government of the United States to support Senate Joint Resolution 87 which provides for a Freedom Authority to keep alive the spirit and hope of freedom from Russian Communist domination in the hearts of the liberty-loving people enslaved behind the Iron Curtain; and finally be it

Resolved, That this meeting requests the Government of the United States to introduce in the United Nations a resolution condemning the Soviet Union for the illegal occupation of Lithuania, Latvia and Estonia and the genocide policy toward these Baltic Nations.

A. D. KAULAKIS,
President.
OSKAR LINDER,
President, Estonian Club.
TEKLA PETERSONE,
Representative, Miami Latvians.

THE INTERNATIONAL ATOMIC ENERGY AGENCY—RESOLUTION OF KANSAS CONFERENCE OF THE METHODIST CHURCH

Mr. CARLSON. Mr. President, I have received a copy of a resolution adopted at the Kansas Annual Conference of the Methodist Church on Thursday, June 6, urging approval of International Atomic Energy Agency.

I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the International Atomic Energy Agency is an international organization for the sharing of information, technical skills, and nuclear materials for peaceful atomic-energy projects; and

Whereas this is the plan first proposed by President Eisenhower in December of 1953; and

Whereas this statute or plan was unanimously approved at an 81-nation conference in 1956; and

Whereas the House of Representatives of the United States has approved it with an overwhelming majority: Therefore be it

Resolved, That the Kansas Annual Conference of the Methodist Church go on record as favoring the adoption and ratification of the statute and that this action be communicated to the Senate immediately.

Adopted by the Kansas Annual Conference in regular business session Thursday, June 6, 1957, Coffeyville, Kans. Presented by Leonard J. Smoot, chairman, Kansas Conference Commission on Christian Social Relations.

DANA DAWSON,
President.
RONALD E. TERRY,
Secretary.

RESOLUTION OF NORTHERN ELECTRIC COOPERATIVE ASSOCIATION, VIRGINIA, MINN.

Mr. HUMPHREY. Mr. President, I have just received a resolution from the Northern Electric Cooperative Association of Virginia, Minn., protesting any increase in interest rates on REA loans.

I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Whereas the 2 percent REA interest rate is under attack as being below the average cost of money to the Treasury; and

Whereas the average cost of money to the Treasury has increased and is continuing to increase as a result of the hard money policy of the present administration; and

Whereas an increase in the interest rate for future loans would cause a hardship for this electric cooperative and many other rural electric power generation, transmission and distribution borrowers of the Rural Electric Administration: Now, therefore, be it

Resolved, That we oppose any increase in interest rates on rural electric loans, and request our Government officials to lower the interest rates on money the Government borrows rather than to increase them on loans it makes; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States as well as Senators and Representatives from this State.

RESERVE FOR BAD DEBTS—LETTER AND RESOLUTION

Mr. NEUBERGER. Mr. President, on June 6 and 7, 1957, the directors and secretary-treasurers of Oregon's eight production credit associations met in annual conference at Portland, Oreg. A subject of great concern at the conference was the reserve for bad debts accounts which are set up by each association. These directors believe there should be changes in the law under which they operate to permit the establishment of bad debt reserves related to the volume of loans outstanding. The situation of the average farmer, who is caught by the cost-price squeeze, has placed many existing loans on a marginal basis. Many apparently worthy farm enterprises have been marked off by the Production Credit Association as unwise for financing.

I ask unanimous consent, Mr. President, to have this letter and resolution printed in the RECORD, where it may be given thoughtful study and examination.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

NORTHWEST LIVESTOCK
PRODUCTION CREDIT ASSOCIATION,
Portland, Oreg., June 13, 1957.

The Honorable RICHARD L. NEUBERGER,
United States Senate, Washington, D. C.

SIR: The directors and secretary-treasurers of the eight production credit associations located in the State of Oregon met June 6 and 7 at their annual summer conference. During this conference which was held in Portland, considerable discussion centered around the reserve for bad debts accounts which are set up by each production credit association to protect it against losses.

The enclosed copy of a resolution was unanimously adopted at this conference and the same resolution was adopted by a conference of both the Idaho and Washington production credit associations. The resolution has been forwarded to the District Farm Credit Board of the 12th farm credit district and the district board has been asked to seek the support of the National Farm Credit Board in obtaining changes in the law to permit the establishment of bad debt reserves related to the volume of loans outstanding as indicated in the resolution.

We were authorized by the group meeting here in Portland to contact you and seek your support on such legislation when it is introduced.

Since production credit associations are restricted to making agricultural loans, they are in a hazardous position due to problems created by the decline in livestock and agricultural prices as mentioned in the resolution and the continuing cost-price squeeze on farmers. Many loans have shown unfavorable trends in the last 3 or 4 years and if our associations are to continue to serve agriculture as they are supposed to, they must be protected by the reserve for which they are asking.

The eight production credit associations in Oregon serve a large part of the farmers and ranchers in the State and they sincerely ask your support on any legislation that may be introduced.

Very truly yours,
J. E. HERBURGER,
Secretary-Treasurer.

(Representing Baker PCA, Baker, Oreg.; Central Oregon PCA, Redmond, Oreg.; Klamath PCA, Klamath Falls, Oreg.; Mid-Columbia PCA, The Dalles, Oreg.; Pendleton PCA, Pendleton, Oreg.; Southern Oregon PCA, Medford, Oreg.; Willamette PCA, Salem, Oreg.)

Whereas the directors of production credit associations in the State of Oregon assembled in conference have discussed at length the matter of setting up adequate bad-debt reserves in the present circumstances of agricultural financing, particularly in the Pacific Northwest, and the problems created by the decline in agricultural prices and the continuing cost-price squeeze on farmers, placing many existing loans in a marginal or partial loss position, and making it appear unwise for PCA's to undertake the financing of many apparently worthy farm enterprises; and

Whereas recent audits of PCA income-tax returns by Federal and State tax agents have indicated an unwillingness on the part of tax administrative officials to make proper provision for bad-debt reserves, and reveal fundamentally inadequate understanding of the status of taxpayer making only agricultural loans and only in limited areas, and tax agents have indicated that bad-debt reserves are really only chargeoffs estimated in advance, and are not to be allowed in amounts adequate to protect the taxpayer lenders, as has been shown already in several cases in this farm credit district, and thus are defeating the basic purpose of the reserve: Now, therefore, be it

Resolved, That the undersigned PCA directors do hereby petition the district farm credit board and the Federal intermediate credit bank of Spokane to lend their support in getting this matter on the agenda of the national meeting of district directors to be held in September, and obtaining changes in the law to permit the establishment of bad-debt reserves related to the volume of loans outstanding, rather than an estimate of imminent losses, up to a minimum of 6 percent of the uninsured outstanding loans at year's end; and be it further

Resolved, That the bad-debt reserves shall be created by setting aside out of the earnings at the end of each tax period an amount not to exceed three-fourths percent of the outstanding loans at the end of that year, or an amount approximating the current year's earnings, whichever is less; and *Provided further*, That bad debts actually charged off by the associations shall be charged against this reserve, and all recoveries or collections made on such chargeoffs shall be credited to the reserve, in accordance with usual accounting procedures.

PERMANENT U. N. FORCE—RESOLUTION

Mr. WILEY. Mr. President, I was pleased today to receive an important communication from Pastor R. H. Conner of the People's Methodist Church of Oregon, in my State. Pastor Conner, as chairman of the Board of Christian Social Relations, conveyed a resolution which was adopted by the West Wisconsin Conference of the Methodist Church, Bishop H. C. Northcott, presiding.

This resolution kindly endorsed legislation which has been cosponsored by my colleagues and myself toward the establishment of a permanent United Nations police force.

The conference likewise addressed itself to the extremely significant problem of the disarmament negotiations which are continuing in London.

It particularly pinpointed the matter of avoiding radioactive fallout.

I present Pastor Conner's letter, and ask unanimous consent that it be printed in the RECORD as a helpful and informative indication of the thinking of a great many spiritual leaders and laymen in my State, not only of the Methodists but of other faiths as well.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PEOPLE'S METHODIST CHURCH,
Oregon, Wis., June 22, 1957.

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SIR: I have been instructed to inform you that the following resolution was adopted by the West Wisconsin Conference of the Methodist Churches, Bishop H. C. Northcott presiding, which met at Riverfalls, Wis., from June 5 to 9.

"That Senator ALEXANDER WILEY and Congressman HENRY REUSS be commended for being sponsors of a congressional resolution asking that (a) a force similar in character to the United Nations emergency force should be made a continuing agency of the United Nations."

The conference also passed the following resolution which I urge you to consider.

"As Christian churchmen we call upon our Government to work for the ending of all atomic bomb tests in all countries. We propose that this be done through the United Nations where such a move could be easily checked by their appropriate scientific group. Also we urge that the United States take the initiative in working toward this end. We take such a stand because of our Christian belief in reverence for life. Certain leading scientists tell us that the continued testing of atomic bombs may result in many persons becoming diseased, deformed, or even dead. Therefore we call for an end of such bomb testing and ask that this resolution be sent to our Wisconsin Congressmen plus the congressional committee now holding hearings on the subject."

Sincerely,
R. H. CONNER,
Chairman of the Board of Christian Social Relations.

RESOLUTION OF COMMENDATION OF LATE SENATOR McCARTHY, OF WISCONSIN

Mr. GOLDWATER. Mr. President, at a recent meeting of the Arizona Federation of Republican Women a resolution was adopted which concerns our late colleague, Senator Joe McCarthy, of Wisconsin. I ask unanimous consent that the resolution be printed in the RECORD at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

ARIZONA FEDERATION OF
REPUBLICAN WOMEN.

Mrs. JEAN MCCARTHY,
Appleton, Wis.

DEAR MRS. MCCARTHY:

Whereas the work of the United States Senator from Wisconsin, unselfishly dedicated to the protection of our Republic from subversive elements and to the preservation of our hard-won freedom and liberty, served ourselves and generations to follow: Therefore be it

Resolved, That the Arizona Federation of Republican Women, in annual convention at Phoenix, May 3–5, 1957, commend and endorse the work of United States Senator Joseph R. McCarthy; and be it further

Resolved, That heartfelt sympathy in her bereavement be extended to Mrs. Jean McCarthy and their young daughter, Tierny Elizabeth.

RESOLUTIONS COMMITTEE,
Mrs. ROBERT L. WADE,
Chairman.
Mrs. FRANK HABERL,
Mrs. C. O. BOYER.

PRESIDENT ACKNOWLEDGES JEWISH WAR VETERANS' SUPPORT OF FOREIGN AID

Mr. JAVITS. Mr. President, I should like to call the attention of my colleagues to the response of the President to the letter and resolution of the Jewish War Veterans of the United States of America endorsing his foreign-aid program. While my colleague, the Senator from Minnesota [Mr. HUMPHREY], has had printed in the RECORD the resolution of the Jewish War Veterans, the President's response has not yet been made a part of the RECORD, and I ask unanimous consent that it may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, May 24, 1957.

Mr. BERNARD WEITZER,
National Legislative Director, Jewish War Veterans of the United States of America, Washington, D. C.

DEAR MR. WEITZER: I deeply appreciate the support you have expressed for the mutual security program. In this recognition of the importance of strengthening the saving shield of freedom, you and your associates in the Jewish War Veterans of the United States of America give voice to America's determination to stand firmly against the menace of international communism.

Enactment of the proposed economic and military programs will contribute effectively both to our immediate security and to the promotion of peace in the world. Thank you for your clear expression of what you regard as being in the national interest.

Sincerely,
DWIGHT D. EISENHOWER.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 1489. A bill to amend title 14, United States Code, entitled "Coast Guard," with respect to warrant officers' rank on retirement, and for other purposes (Rept. No. 528); and

S. 2250. A bill to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes (Rept. No. 529).

By Mr. SMATHERS, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 1461. A bill to amend section 212 (a) of the Interstate Commerce Act, as amended (Rept. No. 531).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 1520. A bill to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes (Rept. No. 530).

By Mr. BYRD, from the Committee on Finance, without amendment:

H. R. 7954. An act relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons; (Rept. No. 532).

By Mr. STENNIS, from the Committee on Appropriations, with amendments:

H. R. 7599. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes; (Rept. No. 533).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made; (Rept. No. 534).

By Mr. HILL, from the Committee on Labor and Public Welfare, without amendment:

S. 1971. A bill to amend sections 4 (a) and 7 (a) of the Vocational Rehabilitation Act; (Rept. No. 537).

By Mr. HILL, from the Committee on Labor and Public Welfare, with an amendment:

S. 518. A bill to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person; (Rept. No. 535); and

S. 519. A bill to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes; (Rept. No. 536).

By Mr. HAYDEN, from the Committee on Appropriations, without amendment:

H. J. Res. 379. Joint resolution making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes; (Rept. No. 538).

INTERIM EXTENSION FOR THE VOLUNTARY HOME MORTGAGE CREDIT PROGRAM

Mr. SPARKMAN. Mr. President, from the Committee on Banking and Currency, I report an original joint resolution to provide an interim extension of the Voluntary Home Mortgage Credit Program, and I submit a report (No. 527) thereon.

The VICE PRESIDENT. The report will be received and the joint resolution will be placed on the calendar.

The joint resolution (S. J. Res. 115) to provide an interim extension of the voluntary home mortgage credit program, reported by Mr. SPARKMAN, from the Committee on Banking and Currency, was received, read twice by its title, and placed on the calendar.

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON of South Carolina, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation two lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon, pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRICKER:

S. 2379. A bill to amend title 18 of the United States Code to prescribe the extent to which Government records may be used in criminal trials for the impeachment of Government witnesses; and

S. 2380. A bill for the relief of Yol K. Jansen (Yol Kwang Kong); to the Committee on the Judiciary.

(See the remarks of Mr. BRICKER when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. NEUBERGER:

S. 2381. A bill to establish reciprocity between members of the Umatilla Indian tribes and other Indian tribes in the matter of succession by will or inheritance to certain types of restricted or trust properties, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2382. A bill for the relief of John Tompkins (K. M. Soo Man); to the Committee on the Judiciary.

By Mr. COTTON (for Mr. BRIDGES) (by request):

S. 2383. A bill to amend section 314 of the Social Security Amendments of 1956 so as to extend from July 1, 1957, to July 1, 1959, the effective date of the provisions of such amendments which require that State public assistance plans under titles I, IV, X, and XIV of the Social Security Act provide certain descriptions of services provided in connection with the programs carried on under such plans; to the Committee on Finance.

(See the remarks of Mr. COTTON when he introduced the above bill, which appear under a separate heading.)

By Mr. SMITH of New Jersey:

S. 2384. A bill to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievement, and for other purposes; and

By Mr. SMITH of New Jersey (for himself and Mr. PURTELL):

S. 2385. A bill to establish a temporary Presidential Commission to study and report on the problems relating to blindness and the needs of blind persons, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. SMITH of New Jersey when he introduced the above bills, which appear under separate headings.)

By Mr. McNAMARA:

S. 2386. A bill for the relief of Michael Lebedeff;

S. 2387. A bill for the relief of Francesco Caputo; and

S. 2388. A bill for the relief of Buick Navidzadeh; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 2389. A bill for the relief of Cherly Kim Thrift (Chung Ja Kim); and

S. 2390. A bill for the relief of Mrs. Eleanor M. Zaubzer Horton; to the Committee on the Judiciary.

By Mr. CLARK:

S. 2391. A bill to authorize the Secretary of the Army to lease to the city of Philadelphia, Pa., certain piers and other facilities of the United States located in such city; to the Committee on Armed Services.

By Mr. KEFAUVER:

S. 2392. A bill for the relief of Toni De Ann Hendrix;

S. 2393. A bill for the relief of Caron Camille Carney and Julia Diane Carney; and

S. 2394. A bill for the relief of R. M. Clark, an individual doing business as Lenoir City-Alcoa Bus Lines; to the Committee on the Judiciary.

By Mr. MURRAY (for himself and Mr. MANSFIELD):

S. 2395. A bill establishing methods of lessening the Nation's dependence on foreign sources of lead and zinc in times of emergency and to promote the general economy of the Nation; to the Committee on Interior and Insular Affairs.

By Mr. KUCHEL (for himself and Mr. KNOWLAND):

S. 2396. A bill to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON (for himself and Mr. WATKINS):

S. 2397. A bill to authorize the partition or sale of inherited interests in allotted Indian lands, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. ANDERSON when he introduced the above bill, which appear under a separate heading.)

By Mr. AIKEN:

S. 2398. A bill for the relief of Antonia Massorotto Telara; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina:

S. 2399. A bill to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 2400. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act, so as to provide that an injured employee shall have the right to select his own physician, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. THURMOND:

S. 2401. A bill to authorize the enforcement of State statutes prohibiting subversive activities, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. THURMOND when he introduced the above bill, which appear under a separate heading.)

By Mr. BUTLER:

S. 2402. A bill to amend the Tariff Act of 1930, as amended, so as to prevent undue relaxation of customs supervision as a safeguard against smuggling and for the protection of the revenue, and for other purposes; to the Committee on Finance.

S. 2403. A bill to authorize the Secretary of Commerce to transfer war-built merchant vessels to American citizens, to encourage construction of new dry-cargo vessels in American shipyards for American-flag operation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BUTLER when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. POTTER:

S. 2404. A bill for the relief of Yvonne Maryre Williams; and

S. 2405. A bill for the relief of Yaeko Asahata; to the Committee on the Judiciary.

By Mr. KERR (for himself, Mr. CHAVEZ, Mr. KUCHEL, Mr. CASE of South Dakota, Mr. JAVITS, and Mr. IVES):

S. 2406. A bill to authorize the construction of certain works of improvement in the Niagara River for power and other purposes; to the Committee on Public Works.

(See the remarks of Mr. KERR when he introduced the above bill, which appear under a separate heading.)

By Mr. NEUBERGER:

S. 2407. A bill to authorize an appropriation to each State of an amount equal to 5 percent of the individual income taxes collected in such State during each fiscal year; to the Committee on Finance.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. J. Res. 115. Joint resolution to provide an interim extension for the Voluntary Home Mortgage Credit Program; placed on the calendar.

(See the remarks of Mr. SPARKMAN when he reported the above joint resolution, which appear under the heading "Reports of Committees.")

USE OF GOVERNMENT RECORDS IN CERTAIN CRIMINAL TRIALS

Mr. BRICKER. Mr. President, I introduce, for appropriate reference, a bill to prescribe the extent to which Government records may be used in criminal trials for the impeachment of Government witnesses.

The bill is introduced as a proposed solution for the confusion and havoc created by the Supreme Court decision of June 3 in the Jencks case. In my judgment, Mr. Justice Clark did not exaggerate when he said in his vigorous dissent that under the rule announced by the Court "intelligence agencies of our Government engaged in law enforcement may as well close up shop."

My bill is modeled on the concurring opinion of Mr. Justice Burton, in which Mr. Justice Harlan joined. It is designed to give defendants the fullest opportunity to impeach the credibility of Government witnesses which is consistent with the public interest in maintaining the confidentiality of files of the FBI and other Government intelligence agencies.

Under the provisions of the bill I have introduced, the defendant will have an absolute right, whenever a Government witness gives material testimony as to his guilt, to the production of any document, record, or report previously made by that witness touching upon the substance of his testimony. If the Government asserts that the document contains matter privileged from disclosure, the bill provides that the trial judge shall: (1) Examine the document; (2) determine whether the document contains relevant matter of value to the defendant for impeaching the Government witness; (3) determine to what extent, if any, the contents of the document should be disclosed to the defendant, having in mind the defendant's need for evidence and the public interest in safeguarding executive files; and (4) make the entire document a part of the record, but sealed for disclosure only to appellate court judges or justices, so that they can remedy any abuse of the trial judge's discretion.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2379) to amend title 18 of the United States Code to prescribe the extent to which Government records may be used in criminal trials for the impeachment of Government witnesses, introduced by Mr. BRICKER, was received, read twice by its title, and referred to the Committee on the Judiciary.

RECIPROCITY BETWEEN MEMBERS OF UMATILLA TRIBES AND OTHER INDIAN TRIBES, RELATING TO SUCCESSION TO CERTAIN TYPES OF PROPERTIES

Mr. NEUBERGER. Mr. President, I introduce, for appropriate reference a bill to correct an injustice in the laws of inheritance governing certain types of Indian trust property on the Umatilla Indian Reservation in the State of Oregon. I shall state briefly the purposes of the bill and why I am introducing it.

Inheritance on the Umatilla Reservation is governed generally by the laws of Oregon, although probate proceedings are handled by the Interior Department—title 25, United States Code, sections 348 and 371–379. Therefore, any heir of a deceased Umatilla Indian or any person named in his will may take his property. Thus, if a deceased Umatilla Indian has children who have been enrolled as members of the Yakima Tribe or of any other tribe, they may, nevertheless, inherit from them, or he may name them as beneficiaries in his will. The situation is not the same, however, on the Yakima Reservation where only members of the Yakima Tribe may inherit or take by will the trust property of deceased members of the Yakima Tribe. If a Yakima Indian dies owning trust property, and it happens that his children have been enrolled on the Umatilla Reservation because his wife is a Umatilla, his children cannot inherit his property, nor can he will it to them.

This inequality arises because of an act of Congress passed in 1946 that can be found in title 25 of the United States Code, section 607. It reads as follows:

After August 9, 1946, only enrolled members of the Yakima Tribes of one-fourth or more blood of such tribes shall take by inheritance or by will any interest in that part of the restricted or trust estate of a deceased member of such tribes which came to the decedent through his membership in such tribes or which consists of any interest in or the rents, issues, or profits from an allotment of land within the Yakima Reservation or within the area ceded by the treaty of June 9, 1855 (12 Stat. 951), except that a surviving spouse of less than one-fourth of the blood of the Yakima Tribes may receive by inheritance or devise the use for life of one-half of the restricted or trust lands of the decedent located within the Yakima Reservation or within the area ceded by the said treaty of June 9, 1855. (August 9, 1946, ch. 933, sec. 7, 60 Stat. 969.)

It is the belief of the Umatillas and it is my own belief that the statute quoted is unfair to members of the Umatilla Tribe. There is considerable intermarriage between the Umatillas and Yakimas, and the result of the quoted statute is to deprive a number of the Umatillas, including children, of what would otherwise have been their inheritance of property located on the Yakima Reservation.

Congress could remove this inequality by repealing title 25, United States Code, section 607, and permitting all Indians, not just Yakimas, to inherit trust property on the Yakima Reservation. It is my understanding that there have been several proposals to this effect by members of the Yakima Tribes. The governing body of the Umatilla Tribes have advised me that they are not asking for a repeal of title 25, United States Code, section 607 because they do not wish to become involved in a dispute before Congress with the Yakimas concerning inheritance laws on the Yakima Reservation. The board of trustees of the Umatillas has unanimously requested that I sponsor the more limited type of bill that I am introducing today which regulates only inheritance on the Umatilla Reservation and which goes no further than to say that so long as any tribe such as the Yakimas will not permit members of the Umatilla Tribe to inherit or take property by will, the members of such a tribe may not inherit or take by will property on the Umatilla Reservation.

I should add that if, in the future, Congress amends title 25, United States Code, section 607, which is the Yakima inheritance law, to permit Umatilla to take property of deceased members of the Yakima Tribe, then, in that event, Yakimas would automatically again be entitled to take property of deceased members of the Umatilla Tribe.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2381) to establish reciprocity between members of the Umatilla Indian Tribes and other Indian tribes in the matter of succession by will or inheritance to certain types of restricted or trust properties, and for other purposes, introduced by Mr. NEUBERGER, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AMENDMENT OF SOCIAL SECURITY AMENDMENTS OF 1956

Mr. COTTON. Mr. President, on behalf of my college, the senior Senator from New Hampshire [Mr. BRIDGES], who, because of illness, is detained from the Senate, I introduce, for appropriate reference, a bill to amend section 314 of the Social Security Amendments of 1956 so as to extend from July 1, 1957, to July 1, 1959, the effective date of the provisions of such amendments which require that State public assistance plans under titles I, IV, X, and XIV of the Social Security Act provides certain descriptions of services provided in connection with the programs carried on under such plans.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2383) to amend section 314 of the Social Security Amendments of 1956 so as to extend from July 1, 1957 to July 1, 1959 the effective date of the provisions of such amendments which require that State public assistance plans under titles I, IV, X, and XIV of the

Social Security Act provide certain descriptions of services provided in connection with the programs carried on under such plans, introduced by Mr. COTTON (for Mr. BRIDGES), by request, was received, read twice by its title, and referred to the Committee on Finance.

PRESIDENTIAL MEDAL FOR CIVILIAN ACHIEVEMENT

Mr. SMITH of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to implement the recommendations of the President's Special Committee on Civilian National Honors. This special committee, which was under the chairmanship of the retiring president of Princeton University, Dr. Harold Dodds, has recommended the establishment of a Presidential Medal for Civilian Achievement.

Various bills for the establishment of some system of civilian awards were before the 84th Congress, including S. 1735, which I introduced for myself and several of my colleagues. When the Congress failed to enact any measure for such awards, President Eisenhower appointed a special committee to review the various proposals and make recommendations as to whether such awards should be established, and if so, what form they should take and how the recipients should be selected.

The committee has recently reported to the President, and it has recommended that a single award be established with the recipients chosen by the President upon the advice of a special nine-man Medal for Civilian Achievement Board.

Mr. President, as there were several bills introduced on this subject during the 84th Congress, and as several Senators joined in cosponsoring S. 1735, which I introduced during that Congress, I ask unanimous consent that the bill be left open for cosponsors until the end of business on Friday.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SMITH of New Jersey. Mr. President, I also ask unanimous consent that the bill be printed in the RECORD, together with a press release from the White House, which summarizes the recommendations of the President's Special Committee on National Honors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and press release will be printed in the RECORD.

The bill (S. 2384) to provide for the conferring of an award to be known as the Presidential Medal for Civilian Achievement, and for other purposes, introduced by Mr. SMITH of New Jersey, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That it is the purpose of the Congress, by providing public recognition for especially meritorious contributions to the public interest in such fields as public affairs, social and spiritual betterment, science, health and medicine, education, letters, arts, law, engineering, agriculture, labor, industry, and related fields, to foster those cultural qualities essential to the development of a high and ethical civilization and conducive to the maintenance of peace and the national well-being of the United States, which are of paramount importance to humanity at all times.

PRESIDENTIAL MEDAL FOR CIVILIAN ACHIEVEMENT

SEC. 2. There is hereby established the Presidential Medal for Civilian Achievement, with accompanying appurtenances and devices, which the President may award to persons recommended to him as provided herein as having distinguished themselves by especially meritorious contributions in fields of civilian activity such as those listed in section 1.

MEDAL FOR CIVILIAN ACHIEVEMENT BOARD

SEC. 3. (a) There is hereby established a Medal for Civilian Achievement Board (hereinafter referred to as the Board) to be composed of nine members to be appointed by the President from among persons of recognized competence in fields such as those listed in section 1. Each member shall hold office for a term of 9 years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of the members first taking office shall expire as follows: 1 shall expire with the close of the first calendar year which begins after the enactment of this act, 1 with the close of the second such calendar year, and 1 with the close of each succeeding calendar year up to and including the close of the ninth such calendar year, as designated by the President at the time of appointment. The President shall from time to time designate a member of the Board to serve as its Chairman.

(b) The members of the Board shall serve without compensation, but shall, when away from their homes or regular places of business in connection with the work of the Board, be paid travel expenses pursuant to the Travel Expense Act of 1949, and per diem in lieu of subsistence as authorized by law (5 U. S. C. 73b-2) for persons in the Government service employed intermittently.

DUTIES OF THE BOARD

SEC. 4. (a) The Board is authorized and directed to recommend to the President as recipients of the Presidential Medal for Civilian Achievement citizens of the United States who shall in the judgment of the Board have made notable contributions (not necessarily in the year any such recommendation is made) in any or all of various fields, including but not limited to, public affairs, social and spiritual betterment, science, health and medicine, education, letters, arts, law, engineering, agriculture, labor, industry, and related fields. In considering its recommendations for awards, the Board shall weigh carefully the relative merit of contributions in the public interest of great potential effect, but not yet widely acclaimed, as well as contributions already well known and appreciated.

(b) The Board is also authorized to make recommendations to the President for the conferring of the Presidential Medal for Civilian Achievement posthumously upon citizens of the United States in belated recognition of outstanding contributions during their lives. Persons so honored posthumously shall include only those deceased during the 3-year period immediately preceding the date of the Board's recommendation.

(c) The Board is also authorized to make recommendations to the President for the conferring of the Presidential Medal for Civilian Achievement upon noncitizens who in the estimation of the Board have conspicuously forwarded the public welfare through contributions of international value or which enhance the welfare of the United States.

(d) All transactions of the Board with respect to the recommendation of recipients for awards shall be confidential.

(e) The Board shall select the design of the Presidential Medal for Civilian Achievement and of accompanying appurtenances and devices, and the design of a parchment testimonial to accompany the medal, and may contract for the designing and making of the medal and the testimonial in such manner as it deems advisable.

ORGANIZATION OF THE BOARD

SEC. 5. (a) The chief administrative officer of the Board shall be a secretary, who shall be appointed by the Chairman with the approval of the Board. The secretary shall perform such duties as may be directed by the Board. The Board is authorized to appoint such technical, clerical, and other employees and to make such expenditures, within the limits of appropriations available therefor, as may be necessary for conducting its business: *Provided*, That the President may make provision for the processing of personnel actions, budgeting, accounting, procurement, and related management functions through the facilities of such other departments or agencies of the executive branch as he may direct.

(b) The principal office of the Board shall be in the District of Columbia. Whenever the Board deems that the convenience of the public or of the parties may be promoted, or delay or expense may be minimized, it may conduct its proceedings at any other place within the United States.

(c) There are authorized to be appropriated such sums as may be necessary to carry out this act.

CONFERRING OF HONORS

SEC. 6 (a) The President personally, or through a representative designated by him, shall confer the Presidential Medal for Civilian Achievement in a suitable ceremony, and shall present to each recipient of the medal an engrossed parchment testimonial recording the conferring of the medal and the accomplishment or contributions for which the award is made. In the case of a posthumous award, the medal and testimonial shall be presented to a representative, to be designated by the Board, of the deceased person so honored.

(b) A recipient of the medal, or a representative designated to receive a posthumous award, shall be paid travel expenses and per diem in lieu of subsistence for travel performed for the purpose of attending the presentation ceremony, in the same manner as provided in section 3 (b) for members of the Board. The Board may also provide, in its discretion, for payment of travel expenses in the same manner for members of the immediate family of any such recipient or of any person to whom a posthumous award is made.

The press release presented by Mr. SMITH of New Jersey is as follows:

THE WHITE HOUSE, June 25, 1957.—The White House today made public a report recommending a Presidential Medal for Civilian Achievement to be awarded in recognition of especially meritorious contributions to the public interest. The report was submitted to the President May 13, 1957, by a Committee on Civilian National Honors, headed by Dr. Harold W. Dodds, retiring president of Princeton University. The Committee, consisting of 14 prominent persons chiefly from private life, was appointed by the President in August 1956 and was asked to study the need for a system of civilian awards and to develop recommendations which could be acted upon during the 85th Congress.

The Director of the Budget, at the request of the President, is transmitting today to the Congress the Committee's report and a draft of proposed legislation.

The Committee made nine major recommendations, as follows:

"1. Legislation should be enacted establishing a medal to be known as the Presidential Medal for Civilian Achievement to be awarded in recognition of especially meritorious contributions to the public interest.

"2. There should be only one degree or level of award, and awards should be confined to a relatively small number of persons who fully meet the criteria to be prescribed in the legislation.

"3. The legislation establishing the medal should make no provision for a society, academy, college or other association of recipients of the award. However, the recipients should be free to form any organization which they might desire.

"4. The function of recommending recipients and the administration of all aspects of the award program should be lodged in a nonpartisan board of nine members appointed by the President for 9-year overlapping terms.

"5. The President should have the discretion to refuse to approve a recommendation made by the Board, but approval by the Board should be prerequisite to the conferring of the medal on any proposed recipient.

"6. Noncitizens who have conspicuously forwarded the public welfare through contributions of international value should be eligible for the medal.

"7. Provisions should be made for posthumous awards within 3 years of the death of the person recommended.

"8. The President should, whenever possible, personally confer the medal at suitable ceremonies.

"9. The travel expenses incurred by a recipient in attending the ceremony at which the medal is conferred should be defrayed by the Government."

The Committee explained its recommendation that a Presidential Medal for Civilian Achievement be authorized in these words:

"The foremost and most fundamental question considered by the Committee was whether or not a Presidential Medal for Distinguished Civilian Achievement was desirable and was consistent with the traditions of the United States.

"Since the founding of the Republic, Congress has from time to time authorized awards to individuals for accomplishments of a nonmilitary character. Since 1905, for example, the President has been authorized to bestow a medal upon any person who heroically saves or attempts to save lives in connection with railroad disasters. Also, under provision of law, the President has been authorized to award the Medal for Merit to civilians distinguishing themselves by especially meritorious conduct in connection with the prosecution of World War II. The heads of certain Federal departments and agencies are also authorized to confer medals for particular types of heroism or outstanding accomplishment.

"Thus there can be no question as to the acceptance by the Congress and the people of the United States of the idea that outstanding achievement should result in public recognition in the form of a suitable medal together with its appurtenances.

"However, no general authority has been provided to date whereby the President, on behalf of the people of the United States, can give suitable recognition to civilians who have made recent contributions toward the advancement of our civilization or the welfare of our country. This deficiency came to the fore in connection with public demands that Dr. Jonas Salk receive recognition for the discovery and development of the polio vaccine. In this case, as in the case of earlier medals conferred on Charles A. Lindberg, Thomas A. Edison, and Francis X. Quinn, special legislation was required to authorize an award.

"It is, therefore, evident that general legislation is needed under which contributions to the public welfare can be systematically recognized under consistent standards. Such recognition would provide a grateful public with the means for showing its appreciation to those persons whose civilian achievements serve to advance our civilization. It would also provide an incentive which would give encouragement to persons making contributions to the public welfare in fields in which direct monetary rewards may be modest and in which there may be little opportunity for popular acclaim.

"Virtually every other country in the world has one or more systems of honors for deserving citizens. It should also be stressed that the Medal for Civilian Achievement recommended by the Committee confers no title of nobility or hereditary status. No conflict, therefore, exists with either the letter or the spirit of the prohibition in our Constitution against the granting of titles of nobility."

In his state of the Union message delivered to the Congress on January 6, 1955, President Eisenhower announced that he would "propose that awards of merit be established whereby we can honor our fellow citizens who make great contributions to the advancement of our civilization and of this country." In 1956, a bill providing a Medal for Distinguished Civilian Achievement passed the House of Representatives, but no action was taken by the Senate.

In addition to Dr. Dodds, the following persons served on the Committee:

Homer L. Brinkley, executive vice president of the National Council of Farmer Cooperatives, Washington, D. C.

Detlov Bronk, president of the Rockefeller Institute.

John Nicholas Brown, president of the Counting House Corp., Providence, R. I.

Arthur H. Compton, distinguished service professor of natural philosophy, Washington University, St. Louis, Mo.

Walter S. Gifford, honorary chairman of the American Telephone & Telegraph Co.

Mrs. Oveta Culp Hobby, president and editor of the Houston Post Publishing Co.

Dr. Ernest M. Hopkins, former president of Dartmouth College.

George Meany, president of the AFL–CIO.

Dr. James L. Morrill, president of the University of Minnesota.

Ralph E. McGill, editor, the Atlanta Constitution.

Whitelaw Reid, chairman of the board, New York Herald Tribune.

Robert G. Sproul, president of the University of California.

Dr. Charles A. Thomas, president of the Monsanto Chemical Co., St. Louis, Mo.

Dr. Leonard Carmichael, Secretary of the Smithsonian Institution, acted as the secretary to the Committee.

PRESIDENTIAL STUDY COMMISSION ON PROBLEMS OF THE BLIND

Mr. SMITH of New Jersey. Mr. President, on behalf of myself, and the Senator from Connecticut [Mr. PURTELL], I introduce, for appropriate reference, a bill to establish a Presidential Study Commission on Problems of the Blind. The Department of Health, Education, and Welfare has recommended the establishment of such a commission in order to further progress in affording our blind citizens the opportunity to achieve full independence and "to participate actively in the economic, social, cultural, and educational life of the Nation."

There are more than 320,000 blind persons in this country at the present time, and as life expectancy increases, the number of blind persons is expected to rise. The proposed Commission would undertake to determine the degree to which these persons are being assisted to lead normal lives through the efforts of various public and voluntary agencies, as well as to study and assess the existing medical knowledge and adequacy of treatment for the prevention of blindness, restoration of sight, and utilization of residual sight.

Mr. President, I ask unanimous consent that the letter of transmittal from Secretary Folsom to the President of the Senate be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
Washington, June 13, 1957.

RICHARD M. NIXON,
President of the Senate,
Washington, D. C.

DEAR MR. PRESIDENT: I am transmitting for your consideration a legislative proposal to establish a temporary Presidential commission to study and report on the problems relating to blindness and the needs of blind persons.

There are upward of 320,000 blind persons in the United States. Moreover, the number of blind persons has increased during the past decade and is expected to increase as the life span of our people is extended. Many of our blind people do not have an opportunity to achieve full independence or to participate actively in the economic, social, cultural, and educational life of the Nation. Consequently, there is need for further study and evaluation of programs and activities relating to the blind to determine what contributions are being made, and, in the light of modern social, technological, and scientific developments, what contributions can be made to the general advancement of blind persons, and thus to the general welfare and economy of the Nation.

The proposed legislation would establish a Presidential Study Commission on Problems of the Blind. The Commission would consist of 21 members appointed from among persons who are widely recognized for their knowledge of, or experience or interest in, problems relating to blindness and the needs of blind persons. The Commission would be selected with a view to securing a broad representation of leaders in medicine, education, social work, psychology, rehabilitation, and related professions, and representatives of public and voluntary organizations or agencies providing service to blind persons, and of industry, labor, and the general public. Not less than three of the members of the Commission would be persons who are themselves blind.

The Commission would make a broad and comprehensive study, analysis, and assessment of existing knowledge, programs, and activities relating to blindness and the needs of blind persons, including such matters as medical advances in the prevention of blindness, restoration of sight, and utilization of residual sight; employment opportunities for blind persons; and current contributions to the economic, social, educational, recreational, cultural, and vocational advancement of the blind made by public and voluntary agencies.

Not later than January 31, 1959, the Commission would submit to the President an interim report and, not later than January 31, 1960, its final report would be made on the results of its studies, together with its recommendation for appropriate action by

public and private agencies at Federal, regional, State, and local levels. The Commission would cease to exist 30 days after submission of its final report.

The enclosed draft includes provision for compensation of members, while on business of the Commission, at not to exceed $50 per day, plus travel expenses and per diem. Appointment, without regard to the civil service or classification laws, of an executive director (at not to exceed $14,000 a year) and other necessary staff would also be authorized. The Commission would be authorized to secure necessary information from other Federal departments and agencies. It is planned that the housekeeping services for the Commission will be provided on a reimbursable basis by the Department of Health, Education, and Welfare.

It is hoped that the study authorized would provide needed stimulation, guidance, and direction in the development of improved methods and increasingly effective programs of services for the blind, and would stimulate greater interest and action among our medical, educational, industrial, and social science research talent in the prevention and reduction of the handicapping effects of blindness. We believe that this study would do much toward creating a national atmosphere for developing positive and realistic attitudes toward the role and acceptance of blind persons in modern society.

The legislation would authorize to be appropriated for the fiscal year ending June 30, 1958, and the 2 succeeding fiscal years such sums, not to exceed an aggregate of $200,000, as the Congress may determine.

We shall appreciate it if you will be good enough to refer the enclosed draft bill to the proper committee for consideration.

The Bureau of the Budget advises that it perceives no objection to the submission of the proposed legislation to the Congress for its consideration.

Sincerely yours,

M. B. FOLSOM,
Secretary.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2385) to establish a temporary Presidential commission to study and report on the problems relating to blindness and the needs of blind persons, and for other purposes, introduced by Mr. SMITH of New Jersey (for himself and Mr. PURTELL), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

PARTITION OR SALE OF INHERITED INTERESTS IN ALLOTTED INDIAN LANDS

Mr. ANDERSON. Mr. President, I introduce for appropriate reference, on behalf of the senior Senator from Utah [Mr. WATKINS] and myself, a bill to authorize the partition or sale of inherited interests in allotted Indian lands, and for other purposes.

I ask unanimous consent, that the bill, together with a memorandum explaining the bill, be printed in the RECORD, because the General Accounting Office has asked for a clarification of the matter. We are presenting the bill and the statement so that Congress may consider the proposal and subsequently take action.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and memorandum will be printed in the RECORD.

The bill (S. 2397) to authorize the partition or sale of inherited interests in allotted Indian lands, and for other purposes, introduced by Mr. ANDERSON (for himself and Mr. WATKINS), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That (a) any owner of an interest in any tract of land in which any undivided interest is now or hereafter held in trust by the United States for an Indian, or is now or hereafter owned by an Indian subject to restrictions against alienation or taxation imposed by the United States, may commence in a State court of competent jurisdiction an action for partition in kind or for the sale of such land in accordance with the laws of the State where such land is situated. For the purpose of any such action the Indian owners shall be regarded as vested with an unrestricted fee simple title to the land, the United States shall not be a necessary party to the proceedings, and any partition or conveyance of the land pursuant to the proceedings shall divest the United States of title to the land, terminate the Federal trust, and terminate all restrictions against alienation or taxation of the land imposed by the United States.

(b) The court costs of any proceedings under subsection (a) of this section shall be borne by the United States, including reasonable attorney fees, under such regulations as may be prescribed by the Secretary of the Interior.

SEC. 2. (a) The Secretary of the Interior is authorized and directed to issue, without application, to any Indian having an interest in trust or restricted lands, an order removing restrictions against alienation, lease, mortgage, or other encumbrance of the Indian's interest in such land if in the judgment of the Secretary such Indian has sufficient ability, knowledge, experience, and judgment to enable him, or her, to manage his, or her, business affairs, including the administration, use, investment, and disposition of any property turned over to such person and the income or proceeds therefrom, with such reasonable degree of prudence and wisdom as will be apt to prevent him, or her, from losing such property or the benefits therefrom. Such order shall be effective 6 months after notice thereof is given to such Indian, unless it is set aside by a State court in accordance with proceedings initiated prior to such time pursuant to subsection (b) of this section. The timely initiation of such proceedings shall stay the effective date of the order until the proceedings are terminated. When the Secretary issues an order pursuant to this subsection, he shall notify the board of county commissioners, or similar county officials, for the county in which the Indian resides.

(b) Upon the issuance of an order by the Secretary of the Interior in accordance with subsection (a) of this section, and before its effective date, the Indian affected or the board of county commissioners, or similar county officials, may apply to a State court of general jurisdiction in the county where the trust or restricted land is located for an order setting aside such order of the Secretary. The court shall set a hearing date not less than 30 days from the date it receives such application, and, under rules adopted by the court, notify the board of county commissioners, or similar county officials, the welfare departments of the State and county governments, the local representative of the Commissioner of Indian Affairs, and any other person the court considers appropriate. At the hearing the court shall examine the Indian and may require the persons who appear before the court to give testimony in the matter of the ability of the Indian to manage his, or her, own affairs. The Secretary of the Interior, and the attorney for the State court, shall be given an opportunity to appear at such hearings and to participate in the examination of the Indian and other witnesses. The evidence taken at the hearing shall be transcribed and filed of record in the case. In determining capability the court shall apply the standard specified in subsection (a) of this section with respect to determinations by the Secretary of the Interior. If the court finds the Indian is capable of managing his, or her, own affairs, it shall deny the application for an order to set aside the order of the Secretary of the Interior. If the court does not find that the Indian is able to manage his, or her, own affairs, it shall set aside the order of the Secretary of the Interior. The court shall furnish to the Secretary and to the applicant one certified copy of any final order issued by it. Any final order of the court shall be subject to appeal by the Indian, by the Secretary of the Interior, or by proper county officials in accordance with the laws of the State involved, except that no appeal bond shall be required in an appeal by the Secretary.

(c) When the order removing restrictions becomes effective, The Secretary of the Interior shall cause to be turned over to the Indian full ownership and control of any money and property that is held in trust for him, or her, or that is held subject to a restriction against alienation imposed by the United States, issuing, in the case of land such title document as may be appropriate: *Provided*, That the Secretary may make such provisions as he deems necessary to insure payment of money loaned to any such Indian by the Federal Government or by an Indian tribe.

SEC. 3. (a) Nothing in this act shall abrogate the interest of any lessee or permittee under any lease, contract, or permit that is outstanding when an order removing restrictions becomes effective.

(b) Nothing in this act shall be regarded as repealing or superseding the act of August 11, 1955 (69 Stat. 666), or the act of June 18, 1956 (70 Stat. 290).

SEC. 4. Any existing exception from taxation that constitutes a vested property interest shall continue in force and effect until it terminates by virtue of its own limitations.

SEC. 5. (a) The provisions of the act of January 24, 1923 (42 Stat. 1174, 1185), and all prior statutes with respect to the collection of fees by the Secretary of the Interior for the determination of heirs and the probate of wills of deceased Indians, and section 2 of the act of December 24, 1942 (56 Stat. 1050, 1051, 25 U. S. C. 375b), are repealed, but the schedules of fees specified therein shall continue in force until modified pursuant to the authority granted by subsection (b) of this section.

(b) The Secretary of the Interior shall collect, in accordance with rules and regulations which he shall prescribe, fees for probating wills, determining heirs, and administering decedents' estates involving trust or restricted Indian property. Such fees shall be designed to cover, in the aggregate, not more than the cost of the work performed, and they shall be deposited in the miscellaneous receipts of the Treasury of the United States.

The memorandum presented by Mr. ANDERSON is as follows:

MEMORANDUM PRESENTED BY SENATOR ANDERSON

On November 26, 1956, the Comptroller General submitted to the Congress an audit report on the subject of the administration of Indian lands by the Bureau of Indian Affairs, Department of the Interior. In his report, the Comptroller makes several recommendations to the Congress with respect to the introduction of legislation to solve problems disclosed by the General Accounting Office investigation.

Specifically, the GAO report alludes to (1) the heirship land problem; (2) the reluctance of competent Indians to voluntarily terminate the trust status of their lands; (3) the enactment of authority which will permit the Secretary to prescribe fees designed to cover the actual cost of work performed in probating estates of deceased Indians.

I am informed that neither the Bureau of Indian Affairs nor the Department of the Interior intends to submit legislation and, therefore, I have had a bill prepared, which is designed to carry out the Comptroller's suggestions.

I recognize that the subject matter dealt with in the bill is controversial; however, the problems which it attempts to solve must be settled in the near future. In my opinion, it would be helpful if legislation could be introduced during this session of the Congress, so that the views of the Interior Department might be obtained at an early date.

The language in sections 1 and 2 of the bill has been taken from bills enacted in the 84th Congress affecting the Tulalip Tribe of Washington and the Five Civilized Tribes of Oklahoma, respectively. I understand these provisions were acceptable to the Indians affected, and that they have worked reasonably well.

If enacted, this legislation will permit any owner of individual interests in trust or restricted allotted land on any reservation, on their own volition, to commence an action in the State courts to partition the land in kind or to sell the land in accordance with the laws of the State. This bill will give to Indian owners of undivided (fractionated heirship) interests in allotted land the same right that other citizens of the State have; that is, the right to ask a court of competent jurisdiction for a segregation of their undivided interests by partition, if practicable, and otherwise by sale. Under the laws of most States, a sale is made by public auction or competitive bid and any owner of an undivided interest will have the opportunity to purchase the interests of the other owners if he wishes to do so.

Section 2 of the bill provides that—

1. The Secretary of the Interior may issue an order removing restrictions, either on application of the Indian or on his own initiative, if in his judgment the Indian is capable of handling his own affairs without assistance from the Federal Government.

2. A review of the Secretary's action in issuing or refusing to issue an order removing restrictions may be obtained in the county court in which the Indian resides. The review may be initiated by the Indian affected or, in the case of an order issued without application therefor, by the board of county commissioners. The county court may affirm the action of the Secretary, or set aside an order issued by the Secretary, or issue an order removing restrictions, as the facts may warrant. Any final order of the county court is subject to appeal in accordance with the probate laws of the State.

3. When an order removing restrictions is issued, the Secretary shall give the Indian full control over his real and personal property that is subject to restriction against alienation imposed by the United States.

Section 3 of the bill provides that—

1. The interest of any lessee or permittee under any lease, contract, or permit that is outstanding when an order removing restrictions becomes effective shall not be abrogated by this act.

Section 4 of the bill provides that—

1. Any existing exception from taxation that constitutes a vested property interest shall continue in force until it terminates by its own limitations.

Section 5 of the bill provides for:

1. The repeal of existing statutes with respect to the collection of fees by the Secretary of the Interior for determining heirs and probating Indian estates, and provides new authority for the Secretary to charge fees in keeping with the actual cost of performing such work.

CENTRAL SECURITY OFFICE TO COORDINATE ADMINISTRATION OF FEDERAL PERSONNEL LOYALTY AND SECURITY PROGRAMS

Mr. JOHNSTON of South Carolina. Mr. President, I introduce, for appropriate reference, a bill to establish a central security office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes, and ask unanimous consent that it be referred to the Committee on Post Office and Civil Service.

During the 84th Congress, the Senate Committee on Post Office and Civil Service submitted to this body a series of reports on its study of the administration of the Federal employees' security program. This study was made by the committee during 1955 and 1956.

Many of the recommendations embodied in those reports have been repeated in the report of the Commission on Government Security recently released by Lloyd Wright, Chairman of the Commission.

It is my earnest hope that these reports will furnish the basis for legislation that will enable the Post Office and Civil Service Committee to complete the job it started some years ago.

The bill I have introduced carries out a portion of the recommendations on Government security made by the Commission on Government Security. The bill, first, establishes a central security office to coordinate the administration of Federal personnel, loyalty, and security programs; and second, prescribes administrative procedures for the hearing and review of cases arising under such programs.

I believe the recommendation establishing a central security office would be the major recommendation of the Wright Commission. I do not feel that this recommendation vests quite enough authority in the central security office.

The bill just introduced would also extend to nonveterans the rights now enjoyed by veterans in the Federal service to have their separations from employment reviewed by the Civil Service Commission.

It is my intention to hold early hearings and to request the committee to take appropriate action with respect to this legislation in view of the recent Supreme Court decision which invalidates part of the present Federal employees' security program.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2399) to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

CONSTRUCTION OF NEW DRY CARGO VESSELS IN AMERICAN SHIPYARDS

Mr. BUTLER. Mr. President, I introduce, for appropriate reference, a bill to authorize the Secretary of Commerce to transfer war-built merchant vessels to American citizens, to encourage construction of new dry cargo vessels in American shipyards for American flag operation, and for other purposes. I ask unanimous consent that a memorandum prepared by me relating to the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the memorandum will be printed in the RECORD.

The bill (S. 2403) to authorize the Secretary of Commerce to transfer war-built merchant vessels to American citizens, to encourage construction of new dry cargo vessels in American shipyards for American flag operation, and for other purposes, introduced by Mr. BUTLER, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The memorandum presented by Mr. BUTLER is as follows:

MEMORANDUM BY SENATOR BUTLER

The purpose of this memorandum is to outline a program for new ship construction which encompasses the following objectives:

1. The construction for account of United States citizens of new type vessels in American shipyards for operation under the American flag pursuant to the Merchant Marine Act of 1936, but without direct Government subsidy for either construction or operation.

2. The purchase by American owners of Government owned war-built vessels in the reserve fleet for operation under American flag in accordance with terms set forth in the Merchant Marine Act of 1946 (expired January 15, 1951). Profits earned from operation of such vessels to be earmarked to recover excess of domestic over foreign construction costs and applied to finance the new ship construction.

The objectives of the plan fall within the scope of our national maritime policy, viz, to foster the development and encourage the maintenance of an American Merchant Marine. New American flag vessels of a highly desirable type would be built. Inactive vessels deteriorating in lay-up would come into operation, or vessels about to be returned to lay-up would remain in operation.

To build vessels in American shipyards substantially more capital must be invested in the shipowning corporations than that needed to build the same ships in foreign shipyards. To compensate for such construction cost differentials, three methods have been employed to encourage new shipbuilding in American yards: (1) direct construction differential subsidies; (2) trade-in to the Government of old tonnage, and (3) approval of transfer to foreign registry of United States flag tonnage.

The plan herein proposed incorporates none of the above forms of either direct or indirect subsidy. The additional capital investment required for domestic construction would be recovered from profits expected to

be earned from operating, under American flag, vessels to be purchased from the reserve fleet.

Last year approximately 100 vessels were broken out of the reserve fleet on a "bareboat" charter arrangement. Many of these vessels will be returned to the Government this summer and early fall, presumably for mothballing in the reserve fleet. It is proposed that the Maritime Administration be authorized to sell a prescribed number of these vessels to American citizens for United States flag operation pursuant to contract commitments assuring construction in American yards of new vessels.

If sufficient profits cannot be made to account for the differential of construction costs in American shipyards, that is a business risk which proponents of this plan are willing to assume.

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN NIAGARA RIVER

Mr. KERR. Mr. President, I introduce for appropriate reference a bill. I ask unanimous consent that any Senator who wishes to become a joint sponsor may be permitted to do so prior to the reporting of the bill by the committee

The VICE PRESIDENT. The bill will be received and appropriately referred and, without objection, the request of the Senator from Oklahoma is granted.

The bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes, introduced by Mr. KERR (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

CONSTRUCTION OF FRYINGPAN-ARKANSAS PROJECT, COLORADO—AMENDMENTS

Mr. KUCHEL. Mr. President, some time this week, perhaps tomorrow, I am told that Senate bill 60, the so-called Fryingpan-Arkansas project, will be brought up by motion for debate in the Senate. I submit two amendments, intended to be proposed by me to that bill, and to which I desire the Senate to give consideration and ask that they be printed.

The VICE PRESIDENT. The amendments will be received, printed, and lie on the table.

Mr. KUCHEL. Mr. President, I ask unanimous consent that there may be printed at this point in my remarks the text of each of the two amendments.

There being no objection, the texts of the amendments were ordered to be printed in the RECORD, as follows:

On page 2, line 16, before the period insert a colon and the following proviso:

"*Provided, however*, That such modifications or additions as may be found necessary and such investigations as may be required in connection therewith shall not extend to or contemplate the so-called Gunnison-Arkansas project, nor shall any of the works together with any modifications or additions provide for the diversion transmountain of more than 69,000 acre-feet of water per annum from the natural basin of the Colorado River, and nothing in this act shall constitute a commitment, real or implied, to the further exportation of water from the Colorado River system."

On page 10, after line 5, insert the following new section 8:

"SEC. 8. In the construction, operation and maintenance of all facilities authorized by Federal law and under the jurisdiction and supervision of the Secretary of the Interior for the utilization of waters of the Colorado River System, including but not limited to all works authorized by this Act, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act, the Treaty with the United Mexican States, and any contract lawfully entered into by the United States under any of said acts, in the storage and release of waters from reservoirs. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise."

Renumber the present section 8 to section 9.

Mr. KUCHEL. Mr. President, printing them in today's RECORD will give the Members of the Senate an opportunity to see exactly what my amendments propose.

RESIDENTIAL CONSTRUCTION FOR VETERANS' HOUSING — AMENDMENTS

Mr. THURMOND (for himself, Mr. HILL, Mr. MURRAY, Mr. NEELY, Mr. KENNEDY, Mr. MCNAMARA, Mr. MORSE, Mr. IVES, Mr. GOLDWATER, Mr. ALLOTT, Mr. COOPER, Mr. PURTELL, and Mr. SMITH of New Jersey) submitted amendments, intended to be proposed by them, jointly, to the bill (H. R. 4602) to encourage new residential construction for veterans' housing in rural areas and small cities and towns by raising the maximum amount in which direct loans may be made from $10,000 to $12,500, to authorize advance financing commitments, to extend the direct loan program for veterans, and for other purposes, which were ordered to lie on the table, and to be printed.

TECHNICAL CHANGES IN FEDERAL EXCISE TAX LAWS—AMENDMENTS

Mr. MARTIN of Iowa submitted amendments, intended to be proposed by him, to the bill (H. R. 7125) to make technical changes in the Federal excise tax laws, and for other purposes, which were referred to the Committee on Finance and ordered to be printed.

DISCLOSURE OF GOVERNMENT FILES—ADDITIONAL COSPONSORS OF BILL

Mr. O'MAHONEY. Mr. President, at the request of the distinguished Senator from West Virginia [Mr. NEELY], and the distinguished Senator from Michigan [Mr. POTTER], I ask unanimous consent that their names may be added as cosponsors of the measure which I introduced on Monday, namely, Senate bill 2377, with respect to the disclosure of Government files.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. JAVITS:

Address delivered by Senator CASE of New Jersey before New York Young Republican Club, Mayflower Hotel, Washington, D. C., June 22, 1957.

By Mr. MUNDT:

Georgetown University Forum on How To Elect the President, held on June 9, 1957.

Letter from William R. Ming, Jr., enclosing a table on ratings of the States and Army educational tests; and excerpts from article entitled "Oregon's Schools Near the Very Top," written by Senator and Mrs. NEUBERGER.

NOTICE OF CONSIDERATION OF TWO NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the nominations of W. Randolph Burgess, of Maryland, to be the United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary, vice George W. Perkins, resigning.

Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ceylon, vice Philip K. Crowe, resigned.

Notice is given that these nominations will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

NOTICE OF POSTPONEMENT OF HEARINGS BY SUBCOMMITTEE ON AGREEMENTS FOR COOPERATION

Mr. PASTORE. Mr. President, on June 19, I announced that the Subcommittee on Agreements for Cooperation of the Joint Committee on Atomic Energy would hold hearings tomorrow, June 27, on the Participation Act for the International Atomic Energy Agency. Because some of the agencies will not be ready, that meeting is being postponed to Tuesday, July 2, at 10 o'clock a. m. My previous invitation to Senators to make any statement they desire before the subcommittee is extended for the July 2 meeting.

STOP, LOOK, AND LISTEN, BEFORE CRITICIZING SUPREME COURT OF THE UNITED STATES

Mr. WILEY. Mr. President, the Nation's press, radio, and television have been filled with comments with regard to the recent series of Supreme Court decisions. Rarely have cases so excited strong comment from so many quarters.

Members of the press have asked me my own reactions to these cases, particularly in my capacity as senior Republican on the Senate Judiciary Committee.

I have responded in this manner:

Before issuing curbstone opinions, let us study the decisions themselves. Let us study the facts and the reasoning in each of the cases, to see how far the decisions actually go.

Two kinds of basic comments have been made, so far.

One type of comment has angrily denounced the Supreme Court, has questioned the motives of individual Court members, and has demanded immediate legislation to reverse the Court decisions, to the extent that is possible.

Mr. President, I say that any such abuse of the Supreme Court, any such premature haste to undo its decisions, is unwarranted. Let us remember that the judicial branch of our Government is a separate, equal, and coordinate branch. Let us remember that the Constitution of the United States envisioned a check-and-balance system. This system, to my way of thinking, is the greatest essential feature of our Republic. It is the feature which prevents us from swinging too far to any extreme, for then the delicate system of checks and balances comes into operation.

I have referred thus far to one type of comment on the Court decisions.

There has been another type of comment—that hailing the Court decisions as great landmarks in the never-ending fight for the protection of civil liberties of all American citizens, even if they be accused of the worst crimes. In these comments, the Court has been commended for reversing a process of erosion of individual rights.

So far as I am concerned, Mr. President, I, too, deeply prize individual liberties. At the same time, I want to study these cases, to determine their effect on the ability of the investigative agencies of the executive branch of the United States Government and the ability of investigative committees of the Congress to do their necessary job.

I am sure the Department of Justice is now studying most carefully the problems raised by this series of the cases. This process of studying the decisions, analyzing their implications, and analyzing the precedents which will come up in future cases, will take a good deal of time.

On Monday last, I agreed with other Senators that the question of the right of witnesses to obtain disclosure of FBI papers relevant to cross-examination of Government witnesses should be clarified; and we introduced a bill to accomplish that purpose. In my judgment, the essential word in the context is the word "relevant" or "pertinent." I do not believe a witness should have, in effect, a Roman holiday in examining all files, based upon confidential information gathered by FBI investigators, regardless of whether such information is relevant.

So I was pleased to join in introducing a bill which will amend chapter 223 of title 18, of the United States Code, and will very carefully set forth this standard of relevance. The bill will provide that the Court, in executive session, or, to use the legal term, in camera, shall decide what statements do actually relate to the subject matter to which the witness has testified. This bill, like any other bills relating to the recent Supreme Court decision, will have to be studied with extreme care; and I am sure that this will be the case before the Senate and House Judiciary Committees.

So I urge what I have urged time and again, namely, that we try to be judicious in our approach; that we not rush to one extreme or the other; that we stop, look, and listen.

Let there be no abuse of the highest tribunal of our land. Let us respect the men who wear the honored robes of the highest judicial office which can be attained in the American system of government. The majority in each of these decisions rendered its verdict, I am sure, in good faith. The fact that any of us may differ with any of the decisions, should not lessen our respect for the sincerity with which the decisions were rendered.

Mr. President——

The VICE PRESIDENT. The Senator from Wisconsin.

THE BRICKER AMENDMENT

Mr. WILEY. Mr. President, the Subcommittee on Constitutional Amendments, of the Judiciary Committee, is always willing to give a day in court to any Senator desiring to be heard on a proposed constitutional amendment. It was in this spirit, I am sure, that the subcommittee yesterday morning heard testimony from the Senator from Ohio [Mr. BRICKER] in support of Senate Joint Resolution 3, the latest version of his constitutional amendment, which I have invariably opposed.

Since I was occupied in an important meeting of the Senate Committee on Foreign Relations yesterday morning, I limited myself to my recent statement, printed in the CONGRESSIONAL RECORD of June 14, in opposition to Senate Joint Resolution 3; and this statement of mine was introduced into the record of the committee hearing on yesterday at the request of the Senator from Missouri [Mr. HENNINGS].

The Senator from Missouri, a member of the Subcommittee on Constitutional Amendments, himself testified in opposition to Senate Joint Resolution 3. His statement is so fine that I think every Member of this body and all interested members of the public should have an opportunity to read it. Therefore, Mr. President, I ask unanimous consent that there be printed at this point immediately following my remarks in the CONGRESSIONAL RECORD the statement on the 1957 version of the Bricker amendment made to the Constitutional Amendments Subcommittee on June 25, 1957, by the Senator from Missouri.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON THE 1957 VERSION OF THE BRICKER AMENDMENT, MADE TO THE CONSTITUTIONAL AMENDMENTS SUBCOMMITTEE, JUNE 25, 1957

I appear this morning as a witness before the Constitutional Amendments Subcommittee rather than as a member of this subcommittee, at the request of the Chairman and as a courtesy to my distinguished colleague, Senator BRICKER, of Ohio.

I want to make abundantly clear at the outset that I do not question in the slightest the patriotism or good inentions of my friend JOHN BRICKER. He is, in my opinion, one of the most high-minded Members of the Senate.

Everyone is entiled to his day in court, although in this case we have, over the years, devoted a multitude of days in court to the multitude of different versions of the Bricker amendment. Today we have before us yet another version of this proposed amendment. This year, Senator BRICKER was a bit tardy in rushing in with his proposal and it is labeled Senate Joint Resolution 3, rather than Senate Joint Resolution 1, as it was for so long in the past.

As I understand it, this is Senate Joint Resolution 3's day in court. In order that both sides of the question might be presented—not only to this subcommittee but also to the public—I agreed to assume my oft repeated role in opposition to amending the constitutional powers of the Federal Government and its President in the conduct of foreign affairs and defense of the Nation.

It is my considered judgment that what we are engaged in here this morning is an exercise in futility; but it is not a new exercise; we have been engaged in it for years.

Yet, lest there be any misunderstanding, let me assure the dwindling number of proponents of this measure that as long as they come back, year after year, with their proposal, there will be those of us who—in subcommittee, in committee, and on the floor of the Senate—will, just as persistently, point out the dangers and the pitfalls inherent in this radical, though innocent sounding, amendment. Let me assure the proponents that they shall not win by default.

My remarks shall be as brief and concise as possible. However, I have prepared a supplementary written statement, which covers in more detail two of the major points I am about to make, i. e., the effect of the recent Supreme Court decision in *Reid* v. *Covert*, and a section-by-section analysis of Senate Joint Resolution 3. I ask the chairman to have this statement printed in the RECORD at the conclusion of my remarks.

THE PROPOSED AMENDMENT IS UNNECESSARY

No case has been made for the need for an amendment of the Constitution. The burden of showing the need or the desirability of any amendment rests squarely upon the proponents. But they have failed to reveal either any need or any useful purpose that would be served.

The grave importance of any amendment to the Constitution and the pitfalls involved in changes were summarized by the Attorney General of the United States, Mr. Herbert Brownell, Jr., when he stated before this subcommittee in May 1955 that "changing the Constitution is a serious undertaking. The checks and balances which it provides are delicate. They are intended to prevent tyranny and dictatorship, but, at the same time, to enable the Federal Government to deal effectively with other nations. Even a slight redistribution of powers could leave us without adequate powers so to function. The success with which our country has dealt with both foreign and domestic problems under the Constitution for more than 160

years should not be disregarded. It should not lightly be traded for an experiment" (hearings, 1955, p. 277).

As I understand the proponents of the constitutional amendment contained in Senate Joint Resolution 3, one of their principal arguments is that under the Constitution as it stands treaty provisions may annul constitutional guaranties such as those contained in the Bill of Rights. The falsity of this contention is amply demonstrated by an unbroken line of Supreme Court cases. More than 100 years ago the Court said in *Doe* v. *Braden:*

"The treaty is therefore a law made by the proper authority, and the courts of justice have no right to annul or disregard any of its provisions, unless they violate the Constitution of the United States."

The proposition that a treaty cannot violate the Constitution was reiterated in *Hauenstein* v. *Lynham* (1880) and *Geofroy* v. *Riggs* (1890).

Many times the proponents of constitutional amendments to curtail the treaty power of the United States and the authority of the President have misrepresented the purport of another Supreme Court case, *Missouri* v. *Holland.* They have cited Justice Holmes' opinion there for the proposition that there are no limits on what a treaty can do in relation to the Constitution. Apparently they have overlooked or preferred not to see the following statements in that opinion:

"We do not mean to imply that there are no qualifications to the treatymaking power. * * *"

"* * * The treaty in question does not contravene any prohibitory words to be found in the Constitution."

Four years later the Court again stated that the treatymaking power of the United States "does not extend 'so far as to authorize what the Constitution forbids.'" *Asakura* v. *Seattle* (265 U. S. 332, 341 (1924)).

SUPREME COURT COULDN'T BE CLEARER

When the Supreme Court handed down its recent decision in *Reid* v. *Covert,* I said to myself, "Now even Senator BRICKER will be convinced that his amendment isn't needed." Apparently, I could not have been more mistaken, because here we are today.

No one has shown how this decision can be construed—even by the wildest stretch of the imagination—as not completely cutting the ground out from under the proposed amendment. I do not see how any constitutional lawyer can read this decision and still be convinced that any amendment is necessary.

Let us look at the words of the Court:

"* * * no agreement with a foreign nation can confer power on the Congress, or on any other branch of government which is free from the restraints of the Constitution.

"Article VI, the supremacy clause of the Constitution declares: 'This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land * * *'

"There is nothing in this language which intimates that treaties and laws enacted pursuant to them do not have to comply with the provisions of the Constitution. Nor is there anything in the debates which accompanied the drafting and ratification of the Constitution which even suggests such a result * * * it would be manifestly contrary to the objectives of those who created the Constitution, as well as those who were responsible for the Bill of Rights—let alone alien to our entire constitutional history and tradition—to construe article VI as permitting the United States to exercise power under an international agreement without observing constitutional prohibitions. In effect, such construction would permit amendment of that document in a manner not sanctioned by article V. The prohibitions of the Constitution were designed to apply to all branches of the National Government and they cannot be nullified by the Executive or by the Executive and the Senate combined.

"There is nothing new or unique about what we say here. This Court has regularly and uniformly recognized the supremacy of the Constitution over a treaty."

The Court then goes on to cite a whole string of previous cases in which it reached the same result—cases going back over a hundred years.

Could the Court be any clearer than it has in this most recent recitation of an old and hallowed proposition? Is there anything, in fact, that the Court could have said to convince those who favor a constitutional amendment just for the sake of a constitutional amendment? It could theoretically be argued that any and every proposition of law enunciated by the Court, no matter how clearly and how often, should be enshrined in the Constitution, since at some future time, some future court, under some unexplained aberration might perhaps conceivably change its mind—maybe. It seems to me that that is what the proponents of amendment of the treaty power are proposing today.

The argument has been made that there is some slight ambiguity in the fact that only four Justices signed the opinion containing the Court's words on the supremacy of the Constitution over treaties. As lawyers, we know this is entirely irrelevant. Two other Justices (Frankfurter and Harlan), in separate opinions, concurred in the result reached by the Court. Two other Justices (Clark and Burton) dissented, but on grounds having nothing to do with the supremacy clause. I wish to stress that there is nothing—not a single word—in either the concurring or dissenting opinions to indicate that these four Justices do not agree entirely with the Court's clear-cut restatement of the supremacy of the Constitution.

I challenge the proponents of the amendment—those few who remain after this devastatingly clear opinion—to point to a single phrase in any of the four opinions that gives the slightest credence to their contention that a constitutional amendment is necessary. In short, in my opinion, they are bluffing. The decision is clearly the other way. If there was ever any need for an amendment based on doubt as to the Court's holdings—and I don't think there ever was—that need has now completely vanished in the light of this opinion.

SENATE JOINT RESOLUTION 3 IS A NEW AND DANGEROUS PROPOSAL

Not only is Senate Joint Resolution 3 unnecessary, it is also a new and very dangerous proposal. Although superficially it may sound similar to previous proposals, it is an entirely new version, the practical results of which are unknown. As we have discovered in past hearings on various versions, the mere addition or subtraction of a single word or phrase might completely change the effect of a whole section. To put it mildly, this is a tricky business, and we must proceed with utmost caution. The Constitution of the United States is not to be tinkered with lightly. We must carefully weigh the meaning and effect of each word.

DANGEROUS LIMITATIONS ON THE TREATY POWER

The effect of the language of the proposed amendment is open to serious question. If, for example, the provisions of section 1 were merely intended to confirm and declare existing law, they would have no legal significance. However, the legislative history of similar provisions in earlier proposals would not support the view that such provisions were intended to be or should be construed by the courts as merely declaratory and confirmatory of existing law. The whole impact of fears expressed and proposals made by proponents of earlier versions of an amendment all point to one conclusion: An intent to limit the power of the United States to make treaties and other international agreements.

In the light of this intent of the proponents, the words "in pursuance of this Constitution" in section 1 might be interpreted by the courts as invalidating all treaty provisions on matters not within the expressly delegated powers of the Congress.

The provisions of section 2 might also be interpreted as placing the same limitation on the power of Congress to implement a treaty, with the result that many important treaty provisions could not be enforced unless implemented by each and every one of the 48 States. Section 2 would encourage the Senate to leave the implementation of treaties partly to the Congress and partly to the States. The crippling effect of dependence upon the States for the enforcement of treaty provisions was a grievous experience under the Articles of Confederation.

Section 2 would apply not only to subsequent treaties but also all international commitments entered into by the United States since the adoption of the Constitution. The inclusion in section 1 of the provision that "this section shall not apply to treaties made prior to the effective date of this Constitution" shows clearly an intent that the section shall be retroactive. Both sections might, accordingly, be construed as preventing enforcement within the United States of many existing treaties and agreements unless and until necessary legislation were enacted by the Congress or by the States or by both.

The provisions of both sections 2 and 3 clearly infringe upon the traditional constitutional powers of the President. Both sections would make the effectiveness of any executive agreement as a law in the United States dependent upon legislation, and section 3 would limit such legislation to the expressly delegated powers of the Congress. Those two sections could prevent the enforcement within the United States of an executive agreement made by the President under his constitutional authority as Commander in Chief. President Eisenhower has clearly stated his position in this connection. He has consistently stated that he will not accept any amendment which would hamper the President in his constitutional authority to conduct the foreign affairs and defense of the Nation.

Some of the proponents have asserted that the treatymaking power is a gap in the protection afforded by the Constitution.

It is submitted that an examination of our entire history, including all that has been presented for and against each of the proposed amendments, fails to show any such gap. On the contrary, any such amendment would certainly create a great gap: It would shoot a hole in the Constitution; a big hole in the very part where authority is now and has been provided for over 160 years to deal effectively with other nations through peaceful negotiations.

Shall this Nation continue to speak with one voice in the conduct of its foreign affairs, as it has done for 160 years under the Constitution, or shall it revert to the impotent and crippling condition it found itself in under the Articles of Confederation? I submit that handing back to the States the authority to decide what treaties can be enforced and otherwise hamstringing our power to negotiate with other nations would be of no benefit to the States as a whole or individually or to the people of the United States who established the Constitution.

These inherent dangers in the proposal are discussed more thoroughly in the written statement which I have submitted for the record.

SUPPLEMENTARY WRITTEN STATEMENT ON THE 1957 VERSION OF THE BRICKER AMENDMENT, TO THE CONSTITUTIONAL AMENDMENTS SUBCOMMITTEE, JUNE 25, 1957

THE RECENT SUPREME COURT DECISION IN "REID V. COVERT" AND "KINSELLA V. KRUEGER"

A contention has been advanced by Senator BRICKER that the Supreme Court cases of *Reid* v. *Covert* and *Kinsella* v. *Krueger* have undermined the fundamental proposition that the Constitution is supreme over treaties, which has been stated and restated so often by the Court. The argument appears to run as follows: (1) Only 4 out of 9 Justices on the Supreme Court stated in these cases that treaties, and laws enacted pursuant to them, must comply with the provisions of the Constitution; (2) the other 5 Justices may hold the opposite view; (3) the insecurity of this situation must be remedied by a constitutional amendment binding on the Supreme Court.

Let us examine in some detail the validity of this chain of reasoning. Mr. Justice Black and three of his colleagues joined in an opinion which contained the following expressions:

"Even though a court-martial does not give an accused trial by jury and other Bill of Rights protections, the Government contends that section (11) of the Uniform Code of Military Justice, insofar as it authorizes the military trial of dependents accompanying the Armed Forces in Great Britain and Japan, can be sustained as legislation which is necessary and proper to carry out the United States obligations under the international agreements made with those countries. The obvious and decisive answer to this, of course, is that no agreement with a foreign nation can confer power on the Congress, or on any other branch of government, which is free from the restraints of the Constitution.

"Article VI, the supremacy clause of the Constitution declares: 'This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land.'

"There is nothing in this language which intimates that treaties and laws enacted pursuant to them do not have to comply with the provisions of the Constitution. Nor is there anything in the debates which accompanied the drafting and ratification of the Constitution which even suggests such a result. These debates as well as the history that surrounds the adoption of the treaty provision in article VI make it clear that the reason treaties were not limited to those made in 'pursuance' of the Constitution was so that agreements made by the United States under the Articles of Confederation, including the important peace treaties which concluded the Revolutionary War, would remain in effect. It would be manifestly contrary to the objectives of those who created the Constitution, as well as those who were responsible for the Bill of Rights—let alone alien to our entire constitutional history and tradition—to construe article VI as permitting the United States to exercise power under an international agreement without observing constitutional prohibitions. In effect, such construction would permit amendment of that document in a manner not sanctioned by article V. The prohibitions of the Constitution were designed to apply to all branches of the National Government and they cannot be nullified by the Executive or by the Executive and the Senate combined.

"There is nothing new or unique about what we say here. This Court has regularly and uniformly recognized the supremacy of the Constitution over a treaty. For example, in *Geofroy* v. *Riggs* (133 U. S. 258, 267), it declared:

"'The treaty power, as expressed in the Constitution is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government or in that of one of the States, or a cession of any portion of the territory of the latter, without its consent.'"

That accounts for four members of the Court and shows them firmly adhering to the view uniformly expressed in Supreme Court cases for over 100 years.

Two additional members of the Court, Mr. Justice Frankfurter and Mr. Justice Harlan, wrote concurring opinions. They agreed with the result reached by the first four justices, and concluded that in capital cases the Constitution requires trial of American citizens to be by a civil court established under article III of the Constitution, with all the guaranties of the Bill of Rights. The existence of an agreement with Great Britain providing for court-martial trial of American service dependents did not lead these two justices to any other view. Indeed their conclusion rested on the paramountcy of the Constitution. Neither justice had a difference of opinion with the first four on this proposition. Mr. Justice Frankfurter explained his stand by saying:

"In making this adjudication, I must emphasize that it is only the trial of civilian dependents in a capital case in time of peace that is in question. The Court has not before it, and therefore I need not intimate any opinion on, situations involving civilians, in the sense of persons not having a military status, other than dependents. Nor do we have before us a case involving a noncapital crime. This narrow delineation of the issue is merely to respect the important restrictions binding on the Court when passing on the constitutionality of an act of Congress. 'In the exercise of that jurisdiction, it is bound by two rules, to which it has rigidly adhered, one, never to anticipate a question of constitutional law in advance of the necessity of deciding it; the other never to formulate a rule of constitutional law broader than is required by the precise facts to which it is to be applied. These rules are safe guides to sound judgment. It is the dictate of wisdom to follow them closely and carefully.' *Steamship Co.* v. *Emigration Commissioners* (113 U. S. 33, 39)."

Mr. Justice Harlan said: "We are confronted here with capital offenses alone; and it seems to me particularly unwise now to decide more than we have to."

We have now accounted for six members of the Court. Mr. Justice Whittaker did not take part in the consideration or decision of the cases. That leaves two dissenting justices. From a reading of their dissenting opinion, it is perfectly evident that Mr. Justice Burton and Mr. Justice Clark did not maintain that a treaty or international agreement overrides the Constitution. It was simply their opinion that the Constitution permits trial by court-martial of American service dependents for offenses alleged to have been committed overseas. This conclusion was independent of reliance on any treaty or agreement. The dissenting opinion stated:

"Before discussing the power of the Congress under article I, section 8, clause 14 of the Constitution it is well to take our bearings. This case does not involve the jurisdiction of a military court-martial sitting within the territorial limits of the United States. Nor is it concerned with the power of the Government to make treaties or the legal relationship between treaties and the Constitution. Nor is it concerned with the power of Congress to provide for the trial of Americans sojourning, touring, or temporarily residing in foreign nations. Essentially, we are to determine only whether the civilian dependent of an American serviceman may constitutionally be tried by an American military court-martial in a foreign country for an offense committed in that country."

What is left of the argument that the Supreme Court 2 weeks ago undermined the familiar proposition that treaties cannot violate the Constitution? Clearly nothing. The argument was without substance, as a reading of the opinions shows.

Section-by-section analysis of Senate Joint Resolution 3

I continue to oppose the Bricker amendment in its 1957 version with the same vigor with which I opposed it in other years. Senate Joint Resolution 3 of this Congress has the same undesirable and dangerous possibilities that existed in the numerous Bricker versions of previous years. Like them it is designed to limit the President's treaty-making power and curtail his constitutional authority in the fields of national defense and foreign affairs. Its meaning is shrouded in uncertainties resulting from ambiguous language, apparent retroactivity, and puzzling shifts in language from previous versions. Even greater uncertainties are raised by Senator BRICKER's own explanation of his proposed amendment which he offered to the Senate on January 7 of this year.

Section 1: "A provision of a treaty or other international agreement not made in pursuance of this Constitution shall have no force or effect. This section shall not apply to treaties made prior to the effective date of this Constitution."

In his statement of January 7, Senator BRICKER tries to explain away this provision as being merely declaratory of what the Supreme Court has said on a number of occasions. He states that the phrase "not made in pursuance of this Constitution" means that "an international agreement must conform to, and not conflict with, the Constitution." He adds that it "would give effect to what the Supreme Court has said by way of dicta, and therefore not authoritatively, in a number of decisions that a provision of a treaty or other international agreement which violates the Constitution, or which undertakes to do what the Constitution forbids, or which is inconsistent with the nature of our Government or the relation between the States and the United States would be invalid." It is a curious thing, however, that Senator BRICKER does not adopt the language of any Supreme Court decision nor the declaratory language that appeared in some previous versions such as the Knowland substitute of 1953. He deliberately picks the phrase "not made in pursuance of this Constitution"—a phrase which has been repeatedly rejected in the past because of its possible meaning when applied to treaties. Secretary Dulles clearly pointed out to the Senate Judiciary Committee in 1955 that "* * * the result of applying the 'pursuant to' clause to treaties might be to invalidate that large part of our existing treaty structure which is applicable to States and to create, for the future, the very situation of importance which the Constitution was designed to end."

Senator BRICKER claims, however, that the wording is employed because it is the language of the present Constitution and has a well-defined and settled meaning. If by this he means that it is to be interpreted in the same way it has been interpreted with regard to statutes, it would clearly contain the which clause of previous versions. It would invoke the same tests as in its application to statutes; namely, that treaties would have to be within the legislative powers expressly delegated to the Federal Government. It would rule out the very important part of the present treaty power which is applicable to the States.

Thus the Senator's own explanation belies his assertion that the provision is merely declaratory of existing Supreme Court dicta. If the proponents of the Bricker amendment had wanted only to declare existing law to the effect that a treaty or agreement cannot violate the Constitution or do what the Constitution forbids, they could long ago have come up with a simple statement to that effect. Instead they have come up with one new text after another, but always with a which clause either stated directly or half-hidden within the ever-changing language.

Moreover, even if the provision were reworded so as to make it merely declaratory of existing law, I would still oppose it. The proponents of the Bricker amendment concede that under a whole series of early Supreme Court opinions it has been firmly established that the treaty power does not authorize what the Constitution forbids. Had there remained any doubt in anyone's mind on that score, it should have been dispelled by the recent decision of the Supreme Court in the Covert and Smith cases where the opinion joined in by four Justices emphatically stated that "no agreement with a foreign nation can confer power on the Congress, or on any other branch of the Government, which is free from the restraints of the Constitution." Certainly no committee hearings or constitutional amendments are needed to establish the proposition that treaties and executive agreements in conflict with the Constitution would be invalid. Mere declaratory words to affirm that proposition are useless and unnecessary. Moreover, in the light of the jumbled legislative record on the proposed amendment there would be no assurance that the section would be given purely declaratory effect. As Attorney General Brownell stated to this subcommittee in the 1955 hearings:

"• • • We cannot disregard the history of the other Bricker amendments. They will always be an integral part of the material before the courts in the construction of this or any other similar amendment, if adopted. Each person who seeks to limit the action of this country in foreign affairs could find in that history something to urge upon the courts in support of a desired limitation. Regardless of any other questions concerning this proposal, one thing is certain. Adoption would induce litigation. Every treaty and executive agreement not only of the future but of the past would be threatened with possible attack in the courts" (hearings, 1955, p. 277).

Section 2: "A treaty or other international agreement shall have legislative effect within the United States as a law thereof only through legislation, except to the extent that the Senate shall provide affirmatively, in its resolution advising and consenting to a treaty, that the treaty shall have legislative effect."

Senator BRICKER has failed to point out any useful purpose that this provision would serve. The Senate already has sweeping power to approve or reject a treaty, to make it subject to reservation or understanding, or subject to the enactment of legislation should it desire that the treaty be non-self-executing.

On its face, the provision seems useless. But when it is coupled with Senator BRICKER's explanation regarding it, it takes on new and dangerous implications. Says Senator BRICKER:

"Under section 2 most treaties would be implemented by Congress, while others might require implementation by State legislation."

Clearly, then, the Senator intends that the term "legislation" as used in section 2 should be interpreted as legislation within the delegated powers of the Congress. Otherwise, how can he arrive at the conclusion that some treaties would require implementation by State legislation? Unless the Senate in each case made use of the exception provided in section 2, the power of Congress to implement the treaty might be limited to its expressly delegated powers in the absence of treaty. Important provisions of our traditional treaties of friendship, commerce, and navigation, our consular conventions, our narcotics treaties, our extradition treaties, our automotive and road traffic treaties, and our wildlife preservation treaties would be left for implementation by the 48 States. That this would have a crippling effect in our dealings with other countries was made tragically clear under the Articles of Confederation. Then the Federal Government was powerless to enforce treaty provisions within the areas of State jurisdiction and soon found itself unable to negotiate effectively with other governments. The whole history of the Bricker amendment, plus Senator BRICKER's own explanation of the current proposal, makes only too clear that the amendment is intended to have just such a devastating effect.

The possible retroactive character of section 2 creates a problem of even graver proportions. Section 2 does not address itself to the future alone. Despite Senator BRICKER's assertion that it is not intended to be retroactive, it refers broadly to treaties and other international agreements of the United States and seems on its face to apply to any treaty or other agreement which may have been made by this Government from the beginning of its history. Since no treaty ever made has been approved by the Senate with an affirmation that it shall have legislative effect, presumably no treaty now in force would have such effect if section 2 were to become part of the Constitution. The chaos that would result is not hard to visualize. The United States would be unable to give effect to its whole network of treaty obligations until it could obtain specific legislation by the Congress and the States. As a Nation we would be forced to violate our solemn treaty pledges.

The term "legislative effect within the United States as a law thereof," as used in section 2, has uncertain meaning when applied to executive agreements. But here again Senator BRICKER's explanation points up the very limiting effect that is intended. He says:

"Section 2 • • • deals with the need for legislation to make treaties or other international agreements effective as domestic law within the United States."

By "effective as domestic law" can be meant "recognizable by courts or administrative bodies" in the United States. In other words, the section is apparently stating that an executive agreement does not have legal effect in the United States unless it is based on legislation. This is a clear curtailment of the President's constitutional authority to give effect within the United States to agreements made with other nations in carrying out his constitutional responsibilities in foreign affairs and national defense. It would shift from the President to the Congress the real responsibility in foreign affairs, and would place upon Congress the burden of considering and acting upon the hundreds of routine agreements that are made each year.

Section 3: "An international agreement other than a treaty shall have legislative effect within the United States as a law thereof only through legislation valid in the absence of such an international agreement."

Having attempted to destroy the self-executing executive agreement by section 2, Senator BRICKER here openly reintroduces the which clause as applied to such agreements. By doing so, he emphasizes the full extent to which he would cut down on the powers of the President. The phrase "valid in the absence of such an international agreement" would clearly prevent enforcement within the various States of executive agreements made by the President in the exercise of his constitutional powers to conduct the foreign affairs and defense of the Nation. No court in the United States could recognize for judicial purposes the effectiveness of an armistice agreement, an agreement for the movement of foreign troops within the United States, or an agreement concerned with recognition of a foreign government, unless and until it has been implemented by Federal legislation or State legislation or both.

I believe that there is no necessity for any such restrictive and crippling amendment with regard to executive agreements. The President's power to enter into executive agreements is itself derived from the Constitution and is already subject to that instrument. The Supreme Court, in *United States v. Curtiss-Wright Export Corporation* (299 U. S. 304 (1936)), referred to "the very delicate, plenary, and exclusive power of the President as the sole organ of the Federal Government in the field of international relations" as "a power which does not require as a basis for its exercise an act of Congress, but which, of course, like every other governmental power, must be exercised in subordination to the applicable provisions of the Constitution."

There are, moreover, existing safeguards against possible abuse of the power to make executive agreements. Not the least of these is the power of Congress to overcome, through legislation, the internal operation of an executive agreement.

Section 4: "On the question of advising and consenting to a treaty, the vote shall be determined by yeas and nays, and the names of the Senators voting for and against shall be entered on the Journal of the Senate."

The Senate has already demonstrated that it can accomplish the effect of this provision by a simple change in Senate rules of procedure. Obviously, a procedural matter of this type has no place in the Constitution.

Conclusions

No Need for an Amendment

Nothing in the history of the treaty power nor of Supreme Court opinions regarding it has revealed the need for a constitutional amendment to affirm the supremacy of the Constitution. On the contrary, the Supreme Court has repeatedly affirmed that the Constitution is paramount to treaties as well as to laws. I attach to this statement a compilation of quotations from opinions of the Supreme Court which makes abundantly clear that a treaty cannot do what the Constitution forbids. Constant assertion by Senator BRICKER of the need for an amendment cannot create that need. The Court's record speaks for itself.

Interpretation in Doubt

Both the particular wording of the present proposal and the existing legislative history of the amendment reveal a clear intention to cut down on the treaty power of the United States and to curtail the authority of the President in the conduct of foreign affairs. It would be foolhardy to expect the Supreme Court in the future to ignore that history and intention. As the Court stated in *Maxwell v. Dow* (176 U. S. 581):

"What individual Senators or Representatives may have urged in debate, in regard to the meaning to be given to a proposed constitutional amendment, or bill, or resolution, does not furnish a firm ground for its proper construction, nor is it important as explanatory of the grounds upon which the members voted in adopting it. (Citing *United States v. Trans-Missouri Freight Associations* (166 U. S. 290); *Dunlap v. United States* (173 U. S. 65.)) In the case of a constitutional amendment it is of less materiality than in that of an ordinary bill or resolution. A constitutional amendment must be agreed to, not only by Senators and Representatives, but it must be ratified by

the legislature or by conventions, in three-fourths of the States before such an amendment can take effect. The safe way is to read its language in connection with the known condition of affairs out of which the occasion for its adoption may have arisen, and then to construe it, if there be therein any doubtful expressions, in a way so far as is reasonably possible, to forward the known purpose or object for which the amendment was adopted."

If the proposed amendment were adopted, the Supreme Court could look to the language of the instrument and to the known object for which it was adopted and reasonably conclude that the amendment did in fact alter the treaty power and deprive the President of existing constitutional powers in foreign affairs.

Dangerous Consequences

I continue to believe that any form of the Bricker amendment yet devised would be a harmful and dangerous alteration in the fundamental law of this Nation. The language presently under consideration has possibilities and pitfalls which could bring irreparable harm to our international prestige and could wrest from the President his historic role as the Nation's leader in its dealings with other countries. I urge that this subcommittee reject this or any other proposal which would throw a constitutional cloud over our treaty relations with other nations and weaken the existing constitutional powers of the President to preserve and defend the Nation.

COMPILATION OF QUOTATIONS FROM OPINIONS OF THE UNITED STATES SUPREME COURT

The treaty power under the Constitution

Doe et al. v. Braden (16 How. 635 (1853)): "The treaty is therefore a law made by the proper authority, and the courts of justice have no right to annul or disregard any of its provisions, unless they violate the Constitution of the United States."

The Cherokee Tobacco (11 Wall. 616 (1870)): "It need hardly be said that a treaty cannot change the Constitution or be held valid if it be in violation of that instrument."

Hauenstein v. Lynham (10 Otto 483 (1880)): "We have no doubt that this treaty is within the treatymaking power conferred by the Constitution. • • • There are doubtless limitations of this power as there are of all others arising under such instruments."

Geofroy v. Riggs (133 U. S. 258 (1890)): "That the treaty power of the United States extends to all proper subjects of negotiation between our Government and the governments of other nations, is clear. • • • The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government or in that of one of the States, or a cession of any portion of the territory of the latter, without its consent."

Missouri v. Holland (252 U. S. 416 (1920)): "We do not mean to imply that there are no qualifications to the treatymaking power. • • • The treaty in question does not contravene any prohibitory words to be found in the Constitution."

Asakura v. City of Seattle (265 U. S. 332 (1924)): "The treatymaking power of the United States is not limited by any express provision of the Constitution, and, though it does not extend 'so far as to authorize what the Constitution forbids' it does extend to all proper subjects of negotiation between our Government and other nations."

Parity of treaties and laws

Head Money Cases (112 U. S. 580 (1884)): "So far as a treaty made by the United States with any foreign nation can become the subject of judicial cognizance in the courts of this country, it is subject to such acts as Congress may pass for its enforcement, modification, or repeal."

Whitney v. Robertson (124 U. S. 190 (1888)): "By the Constitution a treaty is placed on the same footing, and made of like obligation, with an act of legislation. Both are declared by that instrument to be the supreme law of the land, and no superior efficacy is given to either over the other • • • if the two are inconsistent, the one last in date will control the other, provided always the stipulation of the treaty on the subject is self-executing."

Chae Chan Ping v. United States (130 U. S. 581 (1889)). "The treaties were of no greater legal obligation than the act of Congress. By the Constitution, laws made in pursuance thereof and treaties made under the authority of the United States are both declared to be the supreme law of the land, and no paramount authority is given to one over the other. A treaty, it is true, is in its nature a contract between nations and is often merely promissory in its character, requiring legislation to carry its stipulations into effect. Such legislation will be open to future repeal or amendment. If the treaty operates by its own force, and relates to a subject within the power of Congress, it can be deemed in that particular only the equivalent of a legislative act, to be repealed or modified at the pleasure of Congress. In either case the last expression of the sovereign will must control."

United States v. Minnesota (270 U. S. 181 (1926)): "Of course, all treaties and statutes of the United States are based on the Constitution. • • • The decisions of this Court generally have regarded treaties as on much the same plane as acts of Congress, and as usually subject to the general limitations in the Constitution."

Supremacy of the Constitution

Marbury v. Madison (1 Cranch 137 (1803)): "The Constitution is either a superior paramount law, unchangeable by ordinary means, or it is on a level with ordinary legislative acts, and, like other acts, is alterable when the legislature shall please to alter it.

"If the former part of the alternative be true, then a legislative act contrary to the Constitution is not law; if the latter part be true, then written constitutions are absurd attempts, on the part of people, to limit a power in its own nature illimitable."

"Certainly all those who have framed written constitutions contemplate them as forming the fundamental and paramount law of the Nation."

"Those, then, who controvert the principle that the Constitution is to be considered, in court, as a paramount law, are reduced to the necessity of maintaining that courts must close their eyes on the Constitution, and see only the law."

"The judicial power of the United States is extended to all cases arising under the Constitution.

"Could it be the intention of those who gave this power, to say that in using it the Constitution should not be looked into? That a case arising under the Constitution should be decided without examining the instrument under which it arises?

"This is too extravagant to be maintained."

"• • • in declaring what shall be the supreme law of the land, the Constitution itself is first mentioned; and not the laws of the United States generally, but those only which shall be made in pursuance of the Constitution, have that rank.

"Thus the particular phraseology of the Constitution of the United States confirms and strengthens the principle, supposed to be essential to all written constitutions, that a law repugnant to the Constitution is void."

United States v. Curtiss-Wright Export Corporation, et al (299 U. S. 304 (1936)): "• • • we are dealing not alone with an authority vested in the President by an exertion of legislative power, but with such an authority plus the very delicate, plenary, and exclusive power of the President as the sole organ of the Federal Government in the field of international relations—a power which does not require as a basis for its exercise an act of Congress, but which, of course, like every other governmental power, must be exercised in subordination to the applicable provisions of the Constitution."

Mr. BRICKER. Mr. President, following the statement of the Senator from Wisconsin, I ask unanimous consent to have printed in the body of the RECORD the statement which I presented on yesterday to the subcommittee.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR JOHN W. BRICKER ON SENATE JOINT RESOLUTION 3, BEFORE A SUBCOMMITTEE OF THE SENATE JUDICIARY COMMITTEE ON JUNE 25, 1957

Mr. Chairman, I deeply appreciate this opportunity to explain the purpose and effect of my proposed constitutional amendment to safeguard the power to make treaties and other international agreements.

Senate Joint Resolution 3 was introduced in the Senate on January 7, 1957. Arguments for and against the adoption of a treaty-control amendment were exhaustively considered by this committee during hearings in the 82d, 83d, and 84th Congress. Therefore, I shall limit my statement today to the changes in language incorporated in the present text and to several recent cases dealing with the legal effect of treaties and other international agreements.

Section 1 of Senate Joint Resolution 3 provides: "A provision of a treaty or other international agreement not made in pursuance of this Constitution shall have no force or effect. This section shall not apply to treaties made prior to the effective date of this Constitution."

Section 1 of every resolution I have introduced on this subject has contained language to resolve permanently the supremacy of the Constitution over the conflicting provisions of any treaty or executive agreement. At various times, the first section of the amendment has declared that treaties and other international agreements shall not be effective to abridge constitutional rights; or that they shall be of no force or effect if they conflict with the Constitution; or that they shall not become the supreme law of the land unless made in pursuance of the Constitution.

Regardless of the language employed, however, the purpose of the first section has remained the same. It has been designed to give effect to what the Supreme Court has said by way of dicta, and therefore not authoritatively, in a number of decisions that a provision of a treaty or other international agreement which violates the Constitution, or which deals with matters of purely domestic concern, would be invalid. (See *The Cherokee Tobacco*, (11 Wall. 616, 621 (1871)); *Holden v. Joy*, (17 Wall. 211, 243 (1872)); *Geofroy v. Riggs*, (133 U. S. 258, 266 (1890).)

More recent decisions of the Supreme Court point in the direction of an unlimited treaty-making power. (*United States v. Pink* (315 U. S. 203 (1942).) See *Missouri v. Holland* (252 U. S. 416 (1920)); *United States v. Curtiss-Wright Corp.* (299 U. S. 304, 318 (1936).)

However, the most recent pronouncement of the Supreme Court is that "no agreement with a foreign nation can confer power on

the Congress, or on any branch of Government, which is free from the restraints of the Constitution." (*Reid v. Covert* (U. S. Sup. Ct., June 10, 1957).) The Court's opinion in the Covert case was that of only four Justices. What this minority of the Court said about the scope of the treatymaking power was pure dicta.

Section 1 of Senate Joint Resolution 3 would in no way impair the traditional power of the President and the Senate to make treaties on all proper subjects of negotiation between the United States and other nations that is, on all subjects having some proximate relation to matters of legitimate international concern. Section 1 would not tie the President's hands in conducting the foreign affairs of the United States.

At this point, I should like to make it clear that neither section 1 nor section 2 contains a so-called "which clause." Senate Joint Resolution 3 does not alter the firmly established principle that the power to make treaties is vested solely in the National Government to the exclusion of the States. The power of Congress to implement a valid treaty by legislation under the "necessary and proper clause" would remain unimpaired. Of course, an invalid treaty could not bring into being legislative power under the "necessary and proper clause."

In other words, my amendment would not change the result reached in *Missouri v. Holland*, supra. The first section would negate the following dictum in that case: "Acts of Congress are the supreme law of the land only when made in pursuance of the Constitution, while treaties are declared to be so when made under the authority of the United States. It is open to question whether the authority of the United States means more than the formal acts prescribed to make the convention" (p. 433).

It is necessary to negate that dictum to prevent a judicial construction that, although a treaty conflicts with the Constitution, such conflict is neutralized by the supreme law provision of article VI with respect to treaties. The recent Supreme Court decision in *Reid v. Covert* does not, as I shall point out, lessen the need for constitutional protection.

In my judgment, the phrase "not made in pursuance of this Constitution," is preferable to the phrase "which conflicts with this Constitution," which appeared in previous texts. The phrase probably have the same meaning. However, the "in pursuance" language is part of the present Constitution. It has, unlike the word "conflicts," a well-defined constitutional meaning. Had it not been for certain treaties made under the Articles of Confederation, article VI of the Constitution would no doubt have defined as the supreme law of the land: "This Constitution and the laws and treaties of the United States which shall be made in pursuance thereof."

The second sentence of section 1 overcomes the captious objection advanced by the Secretary of State in the 1955 hearings that in pursuance language might invalidate certain treaties made prior to the adoption of the Constitution, notably the Treaty of Peace with Great Britain. That silly argument should not be dignified by constitutional language. However, the second sentence does remove doubts concerning the retroactivity of section 1.

I shall now discuss briefly *Reid v. Covert*, decided by the Supreme Court on June 10, 1957. This case will no doubt be cited by some opponents of Senate Joint Resolution 3 as proof that no treaty-control amendment is necessary.

The facts in the Covert case and the companion case, *Kinsella v. Krueger*, are quite simple. Dorothy Krueger Smith killed her husand in Japan on October 4, 1952. Clarice Covert killed hers at Upper Heyforth, England, on March 10, 1953. Both women were convicted of murder in courts-martial in accordance with the procedure prescribed by Congress in the Uniform Code of Military Justice. Both women were accorded every element of due process practicable under the circumstances and, indeed, every specific safeguard enumerated in the Constitution except trial by jury. The Court set aside the convictions.

In the Covert case, the Court said with reference to the treatymaking power:

"It would be manifestly contrary to the objectives of those who created the Constitution, as well as those who were responsible for the Bills of Rights—let alone alien to our entire constitutional history and tradition—to construe article VI as permitting the United States to exercise power under an international agreement without observing constitutional prohibitions. In effect, such construction would permit amendment of that document in a manner not sanctioned by article V. The prohibitions of the Constitution were designed to apply to all branches of the National Government and they cannot be nullified by the Executive or by the Executive and the Senate combined."

The primary purpose of my amendment has never been better expressed than in the statement of Mr. Justice Black just quoted. What Mr. Justice Black and three of his colleagues have done is to repeat in the most unequivocal language the dicta of 19th century decisions declaring that no treaty can be effective to override the Constitution. They have repudiated suggestions in more recent decisions that the treatymaking power is virtually unlimited. Their remarks cannot be reconciled with the result reached in *United States v. Pink* (315 U. S. 203 (1942)). The Court's observations on treaty law repudiate the argument of some opponents of my amendment that constitutional restraints on the treatymaking power are incompatible with the effective conduct of foreign policy in an atomic age.

However, the Covert case did not concern in any way, shape, or form the power of the Government to make treaties or the legal relationship between treaties and the Constitution. Gratuitous proclamations by the Supreme Court on important issues of constitutional law are usually cited, properly, I think, as evidence of judicial irresponsibility. Nevertheless, I am glad to know that four Justices of the Supreme Court were apparently ready on June 10 to strike down any provision of a treaty or executive agreement which conflicts with any provision of the Constitution.

Now I expected that Mr. Justice Black's politically motivated and wholly gratuitous remarks on treaty law would produce the desired effect on uninformed laymen and prejudiced editorial writers. But I will be amazed if many able lawyers swallow this kind of legal gymnastics.

If Mr. Justice Black and the three Justices who concurred in his opinion manufactured a completely phony issue, if they were simply flaying a legal straw man, I am sure that few good lawyers would contend that the case for the opposition to my amendment has in any way been helped. On the contrary, the need has been clearly demonstrated. Let us, therefore, put Mr. Justice Black's opinion under a legal microscope. Let us examine it with the care normally expected of a member of the legal profession. What do we find?

First, we find Mr. Justice Black citing the executive agreement of July 27, 1942, between the United States and Great Britain as one which permitted the United States military courts to exercise exclusive jurisdiction over offenses committed in Great Britain by American servicemen or their dependents. That is not true. Dependents of American servicemen are not even mentioned in the 1942 agreement with Great Britain for a reason that is immediately obvious to everyone, except apparently Justices of the United States Supreme Court. Wives were not permitted to accompany their soldier-husbands overseas during World War II.

Moreover, in order to manufacture an issue of treaty law, it is necessary for Mr. Justice Black to assume that international agreements conferred jurisdiction on the United States, through its military authorities, to try Mrs. Covert and Mrs. Smith. However, article 2 (11) of the Uniform Code of Military Justice, under which the courts-martial asserted jurisdiction, says that the following persons are subject to the code:

"(11) Subject to the provisions of any treaty or agreement to which the United States is or may be a party or to any accepted rule of international law, all persons serving with, employed by, or accompanying the Armed Forces without the continental limits of the United States."

In other words, if the provisions of a treaty or other international agreement are applicable to the case, article 2 (11) does not come into play.

It would be manifestly foolish to rely on the politically motivated dicta of four Justices of the Supreme Court as adequate protection against the loss of fundamental human rights. When our forefathers insisted that basic freedoms be spelled out in a Bill of Rights, they rejected the counsel of so great a constitutionalist as Alexander Hamilton. Hamilton had warned, as opponents of my amendment do now, that the Constitution should not be amended to ward off contingent dangers.

Section 2 of Senate Joint Resolution 3 reads as follows:

"A treaty or other international agreement shall have legislative effect within the United States as a law thereof only through legislation, except to the extent that the Senate shall provide affirmatively, in its resolution advising and consenting to a treaty, that the treaty shall have legislative effect."

The words, "or other international agreement," are superfluous in view of the language of section 3.

All previous texts of my amendment have required that treaties be implemented by legislation to be effective as domestic law. However, the requirement that all treaties be non-self-executing (as is the case in most other countries) resulted in two objections by opponents of the amendment. The first objection was that it might prove internationally embarrassing if the United States could not give immediate legislative effect to certain treaties to which the United States might become a party. The second objection was that for treaties having a noncontroversial domestic legislative effect separate action by both the Senate and House of Representatives would be waste motion.

Believing that these objections have some merit, I have provided in section 2 that the Senate, if a sufficient case is made, can take positive action to give a treaty immediate legislative effect. Moreover, the "except clause" makes it clear that section 2 is prospective, and not retroactive, in operation.

Opponents of my amendment have argued also that it is not necessary to amend the Constitution to make all treaties non-self-executing. They have said that the Senate can condition its consent to ratification on the enactment of legislation by both Houses of Congress. However, the decision of the United States Court of Appeals for the District of Columbia on June 20, 1957, in *New York State Power Authority v. Federal Power Commission* cripples the power of the Senate to approve a treaty with safeguarding reservations. That case held that the Senate was unable to provide in its resolution consenting to ratification of the Niagara River Treaty of 1950 between the United States and Canada that the treaty should have no domestic effect except in accordance with the provisions of legislation to be enacted by the Congress.

That is, of course, a decision with very ominous implications. It means that the potentially dangerous domestic effects of a treaty cannot be held in abeyance by the Senate pending the adoption of suitable implementing legislation in which the House of Representatives, the Senate, and the President concur, unless the treaty is renegotiated. I ask that this startling decision be printed in the subcommittee's record of hearings.

At one time or another every Senator will feel that he cannot vote for a treaty unless the domestic effects of the treaty are governed by the terms of subsequent legislation approved by both Houses of Congress and by the President. Less than 2 weeks ago I proposed a reservation to the statute of the International Atomic Energy Agency. Thirty-one Senators voted for that reservation. My reservation was identical in substance with the reservation declared invalid in *New York Power Authority v. Federal Power Commission*.

The theory of the United States Court of Appeals for the District of Columbia is that a reservation, to be valid, must in some way alter the rights or obligations of other parties to the treaty; that it must deal with a subject in which other parties to the treaty have some legal interest. Some reservations, of course, fit that description. However, no foreign country has any legitimate interest in how the United States executes its treaty obligations. The United States may perform its treaty obligations under existing legislation, by subsequent legislation, by Executive order, or by judicial decision. Other contracting parties are entitled to insist on performance of treaty obligations by the United States. They have no right to inquire about the method of treaty performance, and they obviously have no interest in the purely domestic effects of ratification. To hold that no reservation is valid unless it is one in which other parties to the treaty have an interest is tantamount to holding that the Senate is unable by reservation to make treaties non-self-executing in their domestic aspects.

Of course, I would not advocate adoption of a constitutional amendment merely to reverse a decision of the Court of Appeals for the District of Columbia. The need to make all treaties, with certain exceptions, non-self-executing is fully supported by testimony before this committee in previous Congresses. However, if the court of appeals holding should be affirmed by the Supreme Court, it will be more imperative than ever before to adopt, with some rephrasing, the language of section 2 of the pending resolution.

Section 3 of Senate Joint Resolution 3 reads as follows:

"An international agreement other than a treaty shall have legislative effect within the United States as a law thereof only through legislation valid in the absence of such an international agreement."

Section 3 incorporates the "which" clause with respect to international agreements other than treaties. Section 2, on the other hand, recognizes that a treaty could bring into being legislative power under the "necessary and proper" clause which the Congress would not possess in the absence of a treaty. However, I do not believe that the President, by entering into an executive agreement, should have authority to bring into being legislative power which would not otherwise exist.

In appearances before this committee Government witnesses have maintained that executive agreements cannot supersede an act of Congress; cannot impinge on powers reserved to the States; cannot be employed as an instrument of domestic legislation; and that their legality is subject to full judicial review. Government lawyers have advanced diametrically opposed arguments before the courts. This would indicate that the executive branch has misled this committee; that it has misled the courts; or that it has inadequately supervised the brief writing of Government attorneys.

Section 3 is based on the simple, but vitally important, proposition that the President should not have power to make one-man law for the people of the United States.

For obvious reasons, section 3 is prospective in operation only.

Section 4 is designed to prevent treaties from being approved by only a handful of Senators present and voting. This provision was approved by the Senate on February 16, 1954, by the overwhelming vote of 72 to 16. Section 4 is prospective only.

FACTS RELATING TO ESTABLISHMENT OF ZIRCONIUM INDUSTRY AT ALBANY, OREG.

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the CONGRESSIONAL RECORD an editorial, from The Greater Oregonian of Albany, of June 14, 1957, entitled, "It Just Died."

This liberal publication is issued each week in Albany, Oreg., and has a splendid reputation for adhering to truth and to facts about controversial issues. The editorial answers a distorted and misleading attack which was directed against me by the daily newspaper of Albany, Oreg. I ask unanimous consent that the full editorial from The Greater Oregonian appear in the body of the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Albany (Oreg.) Greater Oregonian of June 14, 1957]

IT JUST DIED

The Republican Herald reverts back to the olden days when local editors called each other liars and worse. In an editorial a few days ago it accused this newspaper of telling our readers not just a single lie but a double lie.

We didn't tell a lie, we told the truth and we tell the truth every time while the local daily insults the intelligence of the public by calling itself the Democrat Herald which is a lie every day for 365 days a year and for an extra day on leap year. It now is and always has been the Republican Herald.

The Republican Herald rears up on its hind legs and cries "Another lie resurrected" because we said Doug McKay closed the zirconium plant at the local Bureau of Mines plant.

The local daily claims that Douglas McKay did not close the plant, that it "just died." Now for a period of several years the zirconium plant was a very healthy infant and was growing faster than any child in the State of Oregon.

Its growth stopped and died a sudden death when the Department of the Interior, under Secretary Douglas McKay, gave a contract to a firm in New York to make the zirconium that had been made in Albany by Albany and Corvallis workers. The other local publication which insinuates it has a reputation for being truthful says, "Doug didn't close the local plant, it just died aborning." Well, we all know that after it was hit in the head it did die and it was closed like many other plants during these prosperous Republican times because of a lack of business.

We do commend the Albany Republican Herald for admitting that the zirconium plant was started under a Democratic administration. That is a rare case of their telling the truth.

At the dedication of the new zirconium plant here recently Senator NEUBERGER told the audience of his calling the attention of Admiral Strauss to the local Bureau of Mines zirconium plant and of his urging to have the local plant reactivated because of a shortage of zirconium. Now Doug McKay, our former governor, never took that trouble while he was Secretary of Interior. We wonder why. Oregon had been good to McKay, why shouldn't he be good to Oregon? At the election by a landslide vote the people of Oregon decided to keep him in Oregon where they could keep an eye on the do-gooder.

Now the writer of the Albany Republican Herald editorial didn't hear the Neuberger statements at the Wah Chang dedication because he wasn't there.

Senator NEUBERGER is the man who got the zirconium plant opened up again by bringing the availability and the need for it to the attention of Admiral Strauss, head of the Atomic Energy Commission.

The Wah Chang Co. was given a contract to operate the local plant and since then has built two new plants here and is now building a third plant. Albany has gained several hundred families because of the fact that Senator RICHARD NEUBERGER "carried the mail" and in personal conferences showed Admiral Strauss the need to have the Albany plant started up again instead of building a new plant in some other State. NEUBERGER is a Democrat and because of that the Republican Herald says he deserves no thanks and that he first circulated the falsehood that McKay had closed the Albany zirconium plant.

The local daily with the untruthful name has now called both Senator WAYNE MORSE and Senator NEUBERGER liars as well as this paper. It would have you believe, however, that all Republicans like the local daily are always truthful.

Greatest insult to the intelligence of its readers is the statement by the truthful Republican Herald that Senator NEUBERGER "had nothing to do with the reopening of the plant."

Our newspapers from three towns go to our Representatives and Senators in Washington, D. C., each week and one of our editorials has been published in full in the CONGRESSIONAL RECORD. We have been commended many times for our publication's efforts to present a correct report and for adhering to our motto, "Not Afraid To Tell the Truth."

At first we didn't think it was necessary to reply to the Lie Resurrected editorial in the other Albany paper because we thought everyone knew how truthful and unbiased it was and is. When so many of our readers phoned us and wrote how disappointed they were that we didn't, the editor felt a reply was needed.

To sum up, some of the daily paper's statements editorially should be considered as having the same reliability as its name.

We again say that we owe Senator NEUBERGER a big vote of thanks for helping to get the zirconium plant started in Albany again and for helping to get the Wah Chang Co. to come to Oregon and Albany.

Statements made by the Albany daily paper like its name are unreliable at face value.

ADDRESS BY THE PRESIDENT BEFORE CONFERENCE OF STATE GOVERNORS AT WILLIAMSBURG, VA.

Mr. SMITH of New Jersey. Mr. President, last Monday, President Eisenhower delivered an outstanding address before

the conference of State governors at Williamsburg, Va. Devoting himself to the relationship between the National and State governments and the people, the President called for the establishment of a task force charged with three responsibilities:

To designate functions which the States are ready and willing to assume and finance that are now performed or financed wholly or in part by the Federal Government;

To recommend the Federal and State revenue adjustments required to enable the States to assume such functions; and

To identify functions and responsibilities likely to require State or Federal attention in the future and to recommend the level of State effort, or Federal effort, or both, that will be needed to assure effective action.

In his lucid statement, the President clearly pointed out that "like nature, people and their governments are intolerant of vacuums. Every State failure to meet a pressing public need has created the opportunity, developed the excuse, and fed the temptation for the National Government to poach on the States' preserves."

The problem is clearly one which has been fostered by the failure, in many instances, of the State governments to live up to their responsibilities to the people, and by the actions of the people in coming directly to Washington for the solution of their ills. I believe that it is an extremely important suggestion the President has made. I believe that a cooperative study by a task force representing the State governments and the Federal Government could produce significant findings for the readjustment of the Federal-State relationship, for the resurrection of the States' responsibilities, and the fulfillment of these responsibilities for the people.

Mr. President, I ask unanimous consent that the full text of the President's address be printed in the body of the RECORD at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 25, 1957]

WILLIAMSBURG, VA., June 24.—Governor [Thomas B.] Stanley [of Virginia], members of the governors' conference, my fellow citizens, first, my sincere thanks to each member of this distinguished body for your cordial invitation to join you in this spot so significant to every American.

No person devoted to our country who treasures human liberty, who values industry and courage and indomitable will, can but welcome a pilgrimage to this region, the birthplace of our Nation.

Here, in Williamsburg, 3 centuries ago—in nearby Jamestown a half-century earlier—lived men and women who cradled this mighty Republic. Devout in faith, their spirit strong, their deeds heroic, they permanently shaped our destiny. As long as this Republic endures, their wisdom and example will mold and inspire our people.

So in this historic place, as you and I contemplate our respective responsibilities of leadership, it is but fitting that we should soberly re-examine the changing governmental structure of this Nation, here definitely conceived and partially designed so long ago.

Such an examination is timely—even urgent. For I have felt—as surely as you have—that too often we have seen tendencies develop that transgress our most cherished principles of Government, and tend to undermine the structure so painstakingly built by those who preceded us.

Of those principles I refer especially to one drawn form the colonists' bitter struggle against tyranny and from man's tragic experiences throughout the ages.

That principle is this: Those who would be and would stay free must stand eternal watch against excessive concentration of power in Government.

ANCHOR OF FREEDOM

In faithful application of that principle, governmental power in our newborn nation was diffused—counterbalanced, checked, hedged about and restrained—to preclude even the possibility of its abuse. Ever since, that principle and those precautions have been, in our system, the anchor of freedom.

Over the years, due in part to our decentralized system, we have come to recognize that most problems can be approached in many reasonable ways. Our constitutional checks and balances, our 48 State governments, our multiplicity of county and municipal governing bodies, our emphasis upon individual initiative and community responsibility, encourage unlimited experimentation in the solving of America's problems. Through this diversified approach, the effect of errors is restrained, calamitous mistakes are avoided, the general good is more surely determined, and the self-governing genius of our people is perpetually renewed.

Being long accustomed to decentralized authority, we are all too inclined to accept it as a convenient, even ordinary, fact of life, to expect it as our right, and to presume that it will always endure. But in other lands over the centuries, millions, helpless before concentrated power, have been born, have lived and have died in slavery, or have lost their lives and their liberty to despots.

Today, against the dark background of Eastern Europe, we see spotlighted once again the results of extreme and dictatorial concentration of power.

There man's rightful aspirations are cruelly repressed by a despotism more far-reaching than the world has ever before known. There power is free, the people in chains. By no means do I imply that the tragic plight of those once free people bears even faint relationship to the future of this Nation.

But by viewing that uneasy scene briefly, we are forcibly reminded of two great truths. The first of these truths is that a nation cannot be enslaved by diffused power, but only by strong centralized government. The second truth is that in spite of repression and ceaseless indoctrination, the determination of men and women to resist tyrannical control will not die; they will never accept supinely the lot of the enslaved.

In the Soviet machine, political power is exercised through unbridled force. All peoples of all areas where the Kremlin holds sway must instantly obey a Moscow decree, no matter how it violates their traditions, no matter how inapplicable it may be to local concerns.

Yet the Kremlin itself, coming to recognize some of the deficiencies of extreme centralization, has just embarked upon a drastic reorganization of its massive bureaucracy. Soviet rulers have felt compelled to allow some small part of government to gravitate closer to the people.

On the Soviet periphery as well, centralization has revealed its inherent weaknesses. There even the Soviets are learning the age-old truth that those who have known freedom will never willingly live in slavery.

The assertion and maintenance of its independence by Yugoslavia, the unceasing unrest in East Germany, the upsurge of freedom in ruthlessly suppressed Hungary, the increasing liberation of controls in Poland, all bear witness to man's eternal refusal to live enslaved by his fellow creatures or as the pawn of the state.

I am profoundly convinced that one day—inevitably—those nations and those people will again be free. Evolutionary change, generated by pressures from within and without, hopes and yearnings of the oppressed, kept alive by the friendships of the free peoples of the earth, will eventually destroy or disintegrate despotic power, and those downtrodden populations will again walk upright upon the earth. But in the meantime, the cost will be great and sad—measured in privation, in degradation, in human suffering and despair.

Thinking on these things, we, in America, gain renewed determination to hew to the principle of diffusion of power, knowing that only thus will we ourselves forever avoid drifting irretrievably into the grasp of some form of centralized government.

Our governmental system, so carefully checked, so delicately balanced, with power fettered and the people free, has survived longer than any other attempt to conduct group affairs by the authority of the group itself. Yet a distinguished scholar has only recently counseled us that in the measurable future, if present trends continue, the States are sure to degenerate into powerless satellites of the National Government in Washington.

That this forecast does not suffer from lack of supporting evidence all of us know full well. The irony of it is accentuated as we recall that the National Government was itself not the parent, but the creature of the States acting together. Yet today it is often made to appear that the creature, like Frankenstein's monster, is determined to destroy the creators.

INTOLERANT OF VACUUMS

Deliberately, I have said "made to appear." The tendency of bureaucracy to grow in size and power does not bear the whole of the blame. Never, under our constitutional system, could the National Government have siphoned away State authority without the neglect, acquiescence, or unthinking cooperation of the States themselves.

But, like nature, people and their governments are intolerant of vacuums. Every State failure to meet a pressing public need has created the opportunity, developed the excuse and fed the temptation for the National Government to poach on the States' preserves. Year by year, responding to transient popular demands, the Congress has increased Federal functions. Slowly at first, but in recent times more and more rapidly, the pendulum of power has swung from our States to the Central Government.

Four years ago at your Seattle conference I expressed the conviction that unless we preserve the traditional power and responsibilities of State government, with revenues necessary to exercise that power and discharge those responsibilities, then we will not preserve the kind of America we have known; eventually, we will, instead, have another form of government and, therefore, quite another kind of America.

That conviction I hold just as strongly today.

Because of that long-held belief—because many of you, also, believed that the historic Federal-State relationship and its modern deviations needed careful reexamination—in that same year I obtained Congressional authority to establish a Commission on Intergovernmental Relations. With the cooperation of State governors, Members of Congress, and other leading citizens, the Commission completed the first official survey of our Federal system since the adoption of our Constitution 170 years ago. This study brought long-needed perspective and pointed the way to improvements in areas of mutual concern to the States and the Federal Government.

Opposed though I am to needless Federal expansion, since 1953 I have found it necessary to urge Federal action in some areas traditionally reserved to the States. In each instance State inaction, or inadequate action, coupled with undeniable national need, has forced emergency Federal intervention.

ON CLASSROOM SHORTAGES

The education of our youth is a prime example.

Classroom shortages, in some places no less than critical, are largely the product of depression and wars, which, of course, were national and international, not State or local, both in their origins and effects.

These classroom shortages have become potentially so dangerous to the entire Nation and have yielded so slowly to local effort as to compel emergency action. Thus was forced a Federal plan of temporary assistance adjusted to the specific needs of States and communities and designed not to supplant but to supplement their own efforts.

I at once concede that, in Government as with individuals, there is an instinctive inclination to persist in any activity once begun. But if it be the people's will, and I believe it is, I have no doubt at all that we can defeat that inclination in respect to Federal help in school construction, once the emergency need has been satisfied.

Three other basic problems provide simple examples of how filling the vacuum tends to construct State and local responsibility.

They are such problems as slum clearance and urban renewal—problems caused by natural disasters—problems of traffic safety.

As for the first, the lack of energetic State attention to urban needs over the past decade has spawned a host of Federal activities that are more than difficult to curtail. Today, for help on urban problems, committees of mayors are far more likely to journey to Washington than to State capitals.

It always has seemed to me that, in such meetings, Federal and municipal authorities have united in a two-pronged assault upon the State echelon of government, attacking simultaneously both from above and from below.

Yet the needs of our cities are glaringly evident. Unless action is prompt and effective, urban problems will soon almost defy solution. Metropolitan areas have ranged far beyond city boundaries, but in every instance the centers and the peripheries are interdependent for survival and growth.

As citizens in outer areas clamor for adequate services, too often the cities and the counties avoid responsibility or are powerless to act as a result of State-imposed restrictions. Those needs must be—and they will be—met.

The question I raise before you is this: Which level of Government will meet those needs—the city, the county, the State or the Federal Government? Or, if all must merge their efforts for reasons of mutual interest, how shall we confine each—and especially the powerful Federal Government—to its proper role?

Because I am so earnestly hopeful that this task will be assumed by government nearest the people and not by the far-off, reputedly "rich uncle" in Washington, D. C., I enthusiastically commend your council's initiative in facing up to the needs of metropolitan areas.

Next, consider for a moment floods, droughts, hurricanes and tornadoes. Year by year, more and more Federal funds are being requested to meet such disasters which heretofore States, communities, and philanthropic agencies have met themselves.

In recent years I have gained some little appreciation of legislative bodies, so I can understand why a governor is tempted to wire Washington for help instead of asking the legislature to act. Easy it is to send such a wire. But does it not tend to encourage the still greater growth of the distant and impersonal centralized bureaucracy that Jefferson held in such dread.

In varying degrees, in varying circumstances, Federal Government cooperation with States and communities has been, is now, and will continue to be indispensable. But I would urge that the States insistently contend for the fullest possible responsibility for essentially State problems, well knowing that with responsibility there goes, in the long run, authority.

TRAFFIC PROBLEM GROWING

As for traffic safety, this, happily, is still a State and local responsibility. But day by day the American people are paying an increasingly fearful price for the failure of the States to agree on such safety essentials as standards for licensing of drivers and vehicles and basic rules of the road.

The need could scarcely be more acute. Last year's toll of traffic dead soared beyond 40,000 persons. One and a half million citizens were injured. Many were disabled for life. The estimated cost to the country was $4,750,000,000.

We simply cannot let this go on. The cost of inaction is prohibitive. Who is going to fill the vacuum? Someone must, and someone will. Are we willing that, once again, it be Washington, D. C.?

I believe deeply in States rights. I believe that the preservation of our States as vigorous, powerful governmental units is essential to permanent individual freedom and the growth of our national strength. But it is idle to champion States rights without upholding States responsibilities as well.

I believe that an objective reappraisal and reallocation of those responsibilities can lighten the hand of central authority, reinforce our State and local governments, and in the process strengthen all America. I believe we owe it to America to undertake that effort.

The alternatives are simple and clear:

Either—by removing barriers to effective and responsive government, by overhauling taxing and fiscal systems, by better cooperation between all echelons of government, the States can regain and preserve their traditional responsibilities and rights.

Or—by inadequate action, or by failure to act, the States can create new vacuums into which Federal Government will plunge ever more deeply, impelled by popular pressures and transient political expediencies.

A COMMON COURSE

I propose that we choose the first alternative, and I propose that here in this historic spot we dedicate ourselves to making it work.

Not in a speech—nor by a collective resolution, no matter how powerfully worded—can we turn back long-established trends. But we can start searching examinations and together lay out, promptly and clearly, a common course toward the ends we seek. I suggest, therefore, that this conference join with the Federal administration in creating a task force for action—a joint committee charged with these three responsibilities:

1. To designate functions which the States are ready and willing to assume and finance that are now performed or financed wholly or in part by the Federal Government;

2. To recommend the Federal and State revenue adjustments required to enable the States to assume such functions; and

3. To identify functions and responsibilities likely to require State or Federal attention in the future and to recommend the level of State effort, or Federal effort, or both, that will be needed to assure effective action.

In designating the functions to be reassumed by the States, the committee should also specify when those functions should be assumed—the amounts by which Federal taxes should be reduced—and increases in State revenues needed to support the transferred functions.

As the first step, the committee might well concentrate on a single function or program and pair it with a specific Federal tax or tax amount. This effort presupposes that Federal taxes would be cut more than State taxes would be raised to support the transferred functions.

The elimination of the Federal overhead—stopping, in other words, the "freight charges" on money being hauled from the States to Washington and back (a bill, I remind you, that is always collected in full)—would save the American taxpayer a tidy sum.

Obviously, such an effort requires your own thoughtful study as well as Federal analysis. It means re-examining every one of your local and State fiscal policies, including taxation, bonded indebtedness, operating costs and cash reserves to meet natural disasters and other emergencies. It means realistically relating tax rates and assessed valuations to expanded incomes and real property values.

A CHALLENGING TASK

Once the committee acts, I have it in mind that all of us would cooperate in securing the necessary action by the Congress and the various State legislative bodies for the health of our republic and the good of us all.

Regaining lost ground, whether in war or in public affairs, is the most challenging task of all. But because I have seen it done, I know it can be done by men of dedication. This place where we are met today abounds with historic examples of the same kind of dedication.

Not one of us questions the governmental concepts so wisely applied by the framers of our Constitution. I have not the slightest doubt that, by mobilizng our collective leadership, we can revitalize the principle of sharing of responsibility, of separation of authority, of diffusion of powers, in our free Government.

Our objectives are two:

First, we must see that Government remains responsive to the pressing needs of the American people.

Second, we must see that, in meeting those needs, each level of Government performs its proper function—no more, no less.

Thus we will pass on to those who come after us an America free, strong and durable.

And so, America will continue to be a symbol of courage and of hope for the oppressed millions over the world who, victimized by powerful centralized government, aspire with all their heart and soul to join us in freedom.

CENTRALIZED GOVERNMENT

Mr. GOLDWATER. Mr. President, at the governors' conference in Williamsburg this week, President Eisenhower told the assembled governors of our States that the trend toward centralized government is not only continuing, but is accelerating. He said:

Every State failure to meet a pressing public need has created the opportunity, developed the excuse, and fed the temptation for the National Government to poach on the States' preserves.

He said further:

Year by year, responding to transient popular demands, the Congress has increased Federal functions.

President Eisenhower suggested the creation of a Federal-State task force which would develop adjustments in our tax structure, to the end that the States

would keep a greater share of tax revenues. It would determine what functions now being performed by the Federal Government can be taken over by the States, and it would establish responsibility for problems which might arise in the future. I wholeheartedly and enthusiastically support the President in these suggestions, and I should like to have the Senate indulge me for a minute or two so that I may explore one facet of the problem with which we are most acquainted.

Federal grants-in-aid have grown from $1,678,000,000, in 1947, to an estimated $5,272,000,000, in fiscal 1958. The grant-in-aid theory is undoubtedly one of the greatest contributors to our swollen bureaucracy, and we need only to examine how these bureaus grow through such grants to see that there will be no stopping the trend to a Washington-controlled government if many of the programs are not handed to the States. For instance, a program to control water pollution which will cost the taxpayers $2 million this year will cost $3 million next year. A program to assist local library services which will cost $2 million this year will require $3 million next year. Another program, to provide for the drainage of anthracite coal mines, will cost the taxpayers $1 million this year, but next year the cost will rise to $2½ million.

To administer these programs requires additional thousands of employees; and, as these employees pour into the bureaus, the bureaus become little kingdoms of their own, beholden not to the American people, but to the perpetuation of their existence.

The most serious aspect of this growing bigness of the Central Government is the impact on the division of power in the Federal system, which was designed to give us, first, strong States and, through strong States, a strong Central Government, with the States remaining firmly in control. We must consider the statement of the Kestnbaum Commission in 1953, with respect to grants-in-aid, that "The National Government has used the grant-in-aid primarily to achieve more national objectives, not to help States and local governments to finance their activities." If this be true—and there is every reason to suspect that in many cases it is—is it not perfectly obvious that these grants have been used as a political tool to carry out political, social, and economic philosophies which the States might not have developed if left to their own resources?

Have these grants not been, in effect, a political lever, with powerful political forces pushing on one end to elevate a theory or philosophy of government or sociology or economics, for which there was no need and no call from the people who, as always, act as a fulcrum for this lever?

Another question which arises is the increasing cost to the taxpayer. So that my colleagues may better understand this soaring cost, I ask unanimous consent that two tables appearing in the May issue of Nation's Business be printed in the RECORD at this point in my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Two hundred seventeen million dollars in new grants proposed for 1958

PURPOSE AND ESTIMATED EXPENDITURES	
Under proposed legislation:	
(a) Construction of training facilities for medical dental schools	$1,080,000
(b) Construction of mental health facilities in Alaska	325,000
(c) General school construction	185,000,000
(d) Planning education beyond high schools	2,500,000
(e) Other health, education, and welfare programs (juvenile delinquency, teacher training, etc.)	3,250,000
(f) Assistance to areas of substantial and persistent unemployment, Labor Department	622,000
(g) Assistance for State industrial safety programs	2,180,000
(h) Participating projects under the partnership concept conducted by the Corps of Engineers	5,000,000
(i) Area assistance activities, Commerce Department	1,500,000
(j) Civil defense assistance to the States	10,000,000
Total	211,457,000
New appropriations for previously authorized programs:	
(a) Training public welfare personnel	2,500,000
(b) Cooperative research or demonstration projects in social security	1,000,000
(c) Assistance to States for tree planting	2,500,000
Total	6,000,000
Grand total	217,457,000

In addition, there will be new legislation proposing to give the Department of Interior $3.5 million for loans for small reclamation projects.

How grants have grown in 10 years

[Expenditures in millions of dollars]

15 major programs	1948	1958 (proposed)	Percent growth
Agricultural research	7.2	34.2	379
Agricultural extension	26.2	54.5	108
Highways	318.5	[1] 1,624.0	410
Vocational education	26.4	40.9	55
Vocational rehabilitation	21.7	49.3	127
Maternal and child welfare services	21.4	41.5	94
Employment Security Administration	133.6	257.0	92
School lunch	65.1	98.6	51
Donations of surplus agricultural commodities	33.0	323.7	825
Public assistance	718.4	[2] 1,679.4	134
Low-rent public housing	3.3	99.0	2,868
School construction, maintenance and operation in federally affected areas	4.1	213.6	5,086
Hospital construction	1.0	99.8	10,320
Slum clearance and urban renewal	[1] 11.6	50.5	336

[1] Trust fund expenditures.
[2] Expenditures for fiscal 1954.

Mr. GOLDWATER. Mr. President, the major questions which must be answered if America is to retain her concept of a government of States are how our Government is being changed, whether or not the American people want such change, and whether these programs are needed from the Federal level. President Eisenhower has courageously pointed out to the governors of our States their responsibilities in retaining the strengths of our Government, and it is to be hoped that these State leaders, with the assistance of the Congress and the President, will proceed quickly and intelligently to outline to the American people just what the Federal Government should be doing for them and, more important, what it should not be doing; and to decide which of these programs are needed and which of the needed ones can best be done by the States.

Secretary Humphrey has earlier pointed out a fact known to all, if we would only stop and remember it, that all the money which is spent by the Federal Government at Washington comes from the people, and that the freight on bringing that money here and the cost of administering its spending means that the American taxpayer never receives a full dollar's worth from Washington, and that, consequently, the greatest return from the tax dollar can be realized through expenditures at the local level.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point in my remarks a telegram from Ernest G. Swigert, president of the National Association of Manufacturers, sent to President Eisenhower congratulating him on his statement.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

Congratulations on your statesmanlike and farseeing proposal for a Federal-State task force to study and recommend the return of suitable governmental functions and revenue resources to the States. Our system of Government, as you so aptly point out, has as its main objective a free people and fettered power and to preserve this we must prevent the States from becoming mere satellites of the National Government.

We pray and hope that the steady drift of responsibility and power to Washington will be reversed as a result of your proposal. This could well become your monument in history more significant to the future of the American people than any of your other great accomplishments. You can count on all the support and help this association can give you in pursuing this objective.

Respectfully,

ERNEST G. SWIGERT,
President, National Association of Manufacturers.

NORTH PACIFIC SALMON

Mr. JACKSON. Mr. President, the acute and growing problem of protecting, restoring, and expanding our valuable North Pacific salmon resource has been pinpointed in an article my senior colleague, the Senator from Washington [Mr. MAGNUSON], has written for the current issue of Sports Afield magazine.

I have the privilege of working closely with my colleague, and have witnessed the efforts made by, and the accomplishments of, the Senate Interstate and Foreign Commerce Committee, of which my colleague from Washington is the chairman. I ask unanimous consent that the article be printed at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NEW HOPE FOR SALMON FISHERMEN

(By Senator WARREN G. MAGNUSON, of Washington)

(EDITOR'S NOTE.—In his 20 years of public service in both Houses of Congress, Senator MAGNUSON has been a stanch defender of basic conservation principles. Personally an enthusiastic salmon fisherman and duck hunter, he has worked closely with sporting groups to insure the continuation of fish and game in this country. Close observation of work done bringing back salmon in his native State of Washington has been a strong influence in his approach to the restoration of Alaskan salmon runs. The Senator's program should be of immediate concern to sportsmen, since his plans cannot help but benefit both commercial and sporting interests.)

Next to Alaska's statehood, restoration of declining salmon runs in the Territory's 2,000 rivers will be, in my opinion, one of the gravest problems the north country entrusts to the 85th Congress.

Reasons for the decline are well known. They range from man's overfishing, to predators and deficiencies in nature. Extent of the decline is obvious when the Alaskan salmon pack plummets from 5,709,227 cases (the 5-year average 1931–35) to 3,132,213 cases (average) in 1951–55. Since the territorial salmon pack is now only half of that of 20 years ago, the real loss amounts to nearly $50 million annually.

Neither I nor others aware of the situation minimize the reconstruction task needed. If those having practical knowledge of the fisheries are entrusted with the task, there is general agreement that only $1 million to $2 million a year will be all that is necessary to get the long-range reconstruction program underway.

This amount of appropriation from Congress is considered ample to institute a four-point program of stream improvement; lake fertilization; hatchery construction; and the initiation of a realistic enemy-control program.

Actually, no part of this approach is entirely new. Even lake fertilization and stream improvement have been carried out successfully in Germany, Holland, China, Czechoslovakia, Greece, Italy, Indonesia, Thailand, and other countries. But it has not been put to work in Alaska—yet.

As chairman of the Senate Interstate and Foreign Commerce Committee, it will be up to me and my committee to carry the Alaskan fisheries rehabilitation ball in Congress, just as we did in the 84th Congress when the groundwork for the program was prepared through adoption of the National Fisheries Act of 1956. This measure has been termed the first constructive step in our generation to obtain a sound national policy in regard to our fishery resource.

Admittedly, the amount of funds sought to institute the program is an estimate. The actual benefits cannot be evaluated fully until an attempt is made to carry out the work. Alaska is a big territory. Its many lakes are large, its 2,000 rivers and streams more inaccessible than those poisoned to rid them of predators. The streams were restocked with fish nurtured in Washington State when the State game department's fish know-how was put to work rebuilding the once-great steelhead runs and restoring and improving the sportsmen's trout fishing by 1,000 percent.

Perhaps planes will be needed to spray chemical fertilizer components on Alaska's lakes. This is vitally needed to insure the survival of an increased egg hatch and to supplement the food of the red salmon fry. The waters must also be freed of major enemy inroads.

Actually, scientists note that approximately the same commercial fertilizer in common use on the Nation's farms will be ample to furnish the chemicals to rebuild the planktonic food supply in Alaska's lakes.

Experts tell me there is every likelihood that the Washington State story of early-maturing salmon attaining greater size can be developed in the Alaskan rehabilitation program. Such a program must be on a large scale before the actual results can be determined.

The greatest believers in action now, rather than merely further study, are itching to institute the rehabilitation program on Alaska's streams and lakes. Of special importance is Karluk Lake, whose runs accounted for a catch of 3,412,000 red salmon in 1889, 3,985,000 in 1901 and only 91,000 in 1956. Even passage of the White Act by Congress in 1924 seemingly had only temporary benefit for Karluk and other Alaskan streams. The White Act decreed that at least 50 percent salmon escapement be permitted for preservation of stocks. Karluk runs, which had provided a salmon pack of 891,000 red salmon in 1924, produced 1,323,000 salmon in 1925 and 2,386,000 in 1926. The runs have fought a losing battle since that time to produce anything like those figures. Karluk is located on the northwestern corner of Kodiak Island, in the protection of the Alaskan peninsula which juts out toward the Aleutian chain of islands.

Recognizing the importance of Karluk's contribution to Alaska's total fishery resource, experts for 67 years have spasmodically studied the 14½-square-mile lake and the 20-mile-long Karluk River which empties it. One of the most interesting studies of Karluk production—and its potential—was made by Dr. Livingston Stone of the biological staff of the then United States Fish Commission, forerunner of today's United States Fish and Wildlife Service. His report dates from 1889 and says:

"The eggs and young of the red salmon have many enemies, and the percentage of fish naturally developed from eggs must be exceedingly small.

"Every salmon nest has its greedy horde of little fresh-water sculpins, blobs, and bullheads, always in readiness to consume the fresh eggs in quantities out of all proportion to their size • • • also the Dolly Varden trout, only too common on the salmon spawning grounds, which consume large quantities of salmon eggs."

Eggs that survived and hatched faced other predators, according to Dr. Stone.

"I shot some terns and gulls near the south end of Karluk Lake, and upon holding them up by the legs, small salmon dropped out of their mouths. • • • Bears consume large quantities of breeding fish. • • • They may be seen standing at the edge of the stream, where the water is shallow, and occasionally striking salmon with their claws and throwing them on the shore, where they are eaten alive."

Dr. Stone also scored the salmon shark, porpoises, and sea lions which attacked the fish in their ocean feeding grounds in 1889—then as now.

Still puzzling to scientists is the lack of reasonable correlation between the escapement of Karluk red salmon and the return cycles. Even though 50 percent or more escapement of the total runs continues (as provided in the White Act), the returns appear less in proportion to an estimated 20 to 30 percent escapement required to maintain red salmon stocks returning to the Fraser River in British Columbia, Canada, where runs have actually increased in recent years.

Perhaps scientific tests provide the answer. Testing Karluk waters, scientists have found them deficient in the minerals and organic content necessary to produce plankton, the food of young fish. Unless the necessary balance is obtained, increasing the number of fry would only complicate the feeding problem and undoubtedly further delay the departure of the young salmon to the open sea.

Dr. Lauren Donaldson, head of the University of Washington's applied fisheries laboratory, believes his research and results in cooperating with the Washington State Department of Game in rebuilding steelhead runs and providing an adequate trout rehabilitation program indicate that balanced lake fertilization and predator control will increase survival and speed the life cycle of Alaskan red salmon to the extent that they will leave the lakes earlier for the ocean feeding grounds. Dr. Donaldson and members of the United States Fish and Wildlife Service theorize that size, not actual age, determines the time the fish leave the lake for the salt water. If this is true, then Alaska might well expect a return of larger salmon, as well as greater returning numbers.

Ordinarily, nature assists in the fertility of the watersheds in many ways. For example, decaying carcasses of adult salmon, after they have spawned, will provide the minerals and organic supply needed. Other organic substances deposited in the streams help implement the supply. Minerals washed into the waters by land erosion help rebuild deficient waters.

While it is not necessary to build a large number of hatcheries to artificially stock Alaska's lakes and streams, experts say they can play an important part in transplanting salmon from one area to another. They maintain that by freeing lakes of the enemies of salmon, and by the use of the latest incubator equipment, many small lakes can be utilized as hatchery rearing ponds. Supplemental feeding and fertilization of small lakes make possible the production of salmon fry on a scale comparable to that of the large red salmon lakes under natural conditions.

These experts add that the cost of such operations, if properly managed, will be only a fraction of the value of the possible returns to the industry.

Milo Moore, former International Fisheries consultant to the Economic Cooperation Administration with United States Department of State and the United Nations, and now fisheries consultant to my committee, inspected programs of fish culture in Europe and the Far East. He feels that most of the basic research needed in Alaska has been done. Now the big push is to put into effect the knowledge gained from the 67 years of study of Karluk Lake, using the facts made available to us from other nations which have put their fishery resource upon its feet through lake fertilization and predator control.

I can certainly agree with Mr. Moore. The success of a program like this is beyond the comprehension of the average man, and even some of the fisheries management people. Yet, in the poor countries of the world, people have learned to raise great quantities of food fish in ponds by direct feeding, fertilization and predator control.

Selection of personnel will be an important factor. After viewing Dr. Donaldson's results at the University of Washingtons' applied fisheries laboratory, Mr. Moore has recommended him to play a leading role in the rehabilitation program. I personally believe Dr. Donaldson could coordinate the work with the United States Fish and Wildlife Service and Alaska Territorial Department of Fisheries and also industry. I further feel no one agency alone should be assigned the program. All concerned—Territorial, Federal, and industrial—must participate to make the plan successful.

Unless something is done beyond our present and past efforts to conserve the Alaskan salmon industry and arrest the downward trend, only tens of Alaskan red and other

salmon will return to streams now traveled by thousands, where millions swam only a few generations ago.

AGREEMENT FOR COOPERATION WITH GOVERNMENT OF NICARAGUA

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD an agreement for cooperation with the Government of Nicaragua, together with accompanying correspondence. This agreement was signed on June 11 and was received at the Joint Committee on Atomic Energy on June 12. It is a standard research agreement which provides for the lease of up to 6 kilograms of contained U–235 in uranium, enriched up to a maximum of 20 percent U–235.

There being no objection, the agreement, together with accompanying correspondence, was ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 11, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, there is submitted with this letter:

1. An executed Agreement for Cooperation Between the Government of the United States of America and the Government of Nicaragua Concerning Civil Uses of Atomic Energy;

2. A letter dated April 18, 1957, from the Commission to the President recommending approval of the agreement;

3. A letter dated April 23, 1957 from the President to the Commission containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security, approving the agreement, and authorizing its execution.

This agreement, as executed, makes cooperation possible between the United States and Nicaragua on the design, construction, and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture, and industry. Nicaragua, if it desired to do so, would be able to engage United States companies to construct research reactors, and private industries in the United States will be permitted, within the limits of the agreement, to render other assistance to Nicaragua. No restricted data would be communicated under this agreement. The Atomic Energy Commission, however, would lease to Nicaragua up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Nicaragua or while fuel elements are in transit. This expressed limitation will restrict Nicaragua in determining the choice of reactor to be constructed to a research reactor.

You will note that the agreement includes in article V provisions for the sale or transfer of research quantities of materials of interest in connection with defined research projects. The amount of special nuclear material which would be made available to Nicaragua under this agreement would not be important from the military point of view.

Article VIII of the proposed agreement records the obligations undertaken by Nicaragua to safeguard the special nuclear material to be leased by the Commission and article IX contains the guaranties prescribed by section 123 of the Atomic Energy Act.

This agreement expresses the hope and expectation of the two governments that this first stage of cooperation will lead to further development of the peaceful uses of atomic energy in Nicaragua.

The agreement will enter into force when the two governments have exchanged notifications that their respective statutory and constitutional requirements have been fulfilled (article XI).

Sincerely,

LEWIS L. STRAUSS,
Chairman.

(Enclosures: 1. Agreement for Cooperation with the Government of Nicaragua (3 certified copies); 2. Ltr. from Commission to President (3 certified copies); 3. Ltr. from President to Commission (3 certified copies).)

THE WHITE HOUSE,
Augusta, Ga., April 23, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission,
Washington, D. C.

DEAR MR. STRAUSS: Under date of April 18, 1957, you informed me that the Atomic Energy Commission had recommended that I approve the proposed "Agreement for Cooperation Between the Government of the United States of America and the Government of Nicaragua Concerning Civil Uses of Atomic Energy," and authorize its execution. The agreement recites that the Government of Nicaragua desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States and United States industry with respect to this program.

The recommended agreement has been reviewed. It calls for cooperation between the two governments with respect to the design, construction, and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture, and industry. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954. No restricted data would be communicated under the agreement, but the Commission is authorized to lease to the Government of Nicaragua up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235 for use as reactor fuel. In addition, article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U–235, U–233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954 and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States, and (2) approve the proposed agreement for cooperation between the Government of the United States and the Government of Nicaragua enclosed with your letter of April 18, 1957, and (3) authorize the execution of the proposed agreement for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

It is my hope that this agreement represents but the first stage of cooperation in the field of atomic energy between the United States and the Government of Nicaragua, and that it will lead to further discussions and agreements relating to other peaceful uses of atomic energy in Nicaragua.

Sincerely,

DWIGHT D. EISENHOWER.

I certify that this is a true and correct copy.

JOHN K. ROULEAU,
Chief, Western Hemisphere Branch,
Division of International Affairs.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., April 18, 1957

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed agreement entitled "Agreement for Cooperation Between the Government of the United States of America and the Government of Nicaragua Concerning Civil Uses of Atomic Energy," and authorize its execution.

The agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, and is, in the opinion of the Commission, an important and desirable step in advancing the development of the peaceful uses of atomic energy in Nicaragua in accordance with the policy which you have established. The agreement would permit cooperation between the two Governments with respect to the design, construction and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture and industry. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954. No restricted data would be communicated under this agreement, but the Commission is authorized to lease to the Government of Nicaragua up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235 for use as reactor fuel. You will note that article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

The recommended agreement has been reviewed. It calls for cooperation between the two governments with respect to the design, construction, and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture, and industry. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954. No restricted data would be communicated under the agreement, but the Commission is authorized to lease to the Government of Nicaragua up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235 for use as reactor fuel. In addition, article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U–235, U–233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Following your approval and subject to the authorization requested, the agreement will be formally executed by the appropriate authorities of the Government of Nicaragua and the United States and then placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954.

Respectfully,

LEWIS L. STRAUSS,
Chairman.

(Enclosures: Agreement for Cooperation with the Government of Nicaragua.)

I certify this is a true and correct copy.

JOHN K. ROULEAU,
Chief, Western Hemisphere Branch,
Division of International Affairs.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF NICARAGUA CONCERNING CIVIL USES OF ATOMIC ENERGY

Whereas the peaceful uses of atomic energy hold great promise for all mankind; and

Whereas the Government of the United States of America and the Government of Nicaragua desire to cooperate with each other in the development of such peaceful uses of atomic energy; and

Whereas the design and development of several types of research reactors are well advanced; and

Whereas research reactors are useful in the production of research quantities of radioisotopes, in medical therapy and in numerous other research activities and at the same time are a means of affording valuable training and experience in nuclear science and engineering useful in the development of other peaceful uses of atomic energy including civilian nuclear power; and

Whereas the Government of Nicaragua desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States of America and United States industry with respect to this program; and

Whereas the Government of the United States of America, acting through the United States Atomic Energy Commission, desires to assist the Government of Nicaragua in such a program;

The parties agree as follows:

ARTICLE I

For the purposes of this agreement:

(a) "Commission" means the United States Atomic Energy Commission or its duly authorized representatives.

(b) "Equipment and devices" means any instrument or apparatus and includes research reactors, as defined herein, and their component parts.

(c) "Research reactor" means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy, or training in nuclear science and engineering. The term does not cover power reactors, power demonstration reactors, or reactors designed primarily for the production of special nuclear materials.

(d) The terms "restricted data," "atomic weapon," and "special nuclear material" are used in this agreement as defined in the United States Atomic Energy Act of 1954.

ARTICLE II

Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this agreement to the Government of Nicaragua or authorized persons under its jurisdiction if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of restricted data.

ARTICLE III

1. Subject to the provisions of article II, the parties hereto will exchange information in the following fields:

(a) Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

(b) Health and safety problems related to the operation and use of research reactors.

(c) The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

2. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application.

ARTICLE IV

1. The Commission will lease to the Government of Nicaragua uranium enriched in the isotope U–235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of research reactors which the Government of Nicaragua, in consultation with the Commission, decides to construct and as required in the agreed experiments related thereto. Also, the Commission will lease to the Government of Nicaragua uranium enriched in the isotope U–235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of such research reactors as the Government of Nicaragua may, in consultation with the Commission, decide to authorize private individuals or private organizations under its jurisdiction to construct and operate, provided the Government of Nicaragua shall at all times maintain sufficient control of the material and the operation of the reactor to enable the Government of Nicaragua to comply with the provisions of this agreement and the applicable provisions of the lease arrangement.

2. The quantity of uranium enriched in the isotope U–235 transferred by the Commission under this article and in the custody of the Government of Nicaragua shall not at any time be in excess of 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Nicaragua or while fuel elements are in transit, it being the intent of the Commission to make possible the maximum usefulness of the 6 kilograms of said material.

3. When any fuel elements containing U–235 leased by the Commission require replacement, they shall be returned to the Commission and, except as may be agreed, the form and content of the irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission.

4. The lease of uranium enriched in the isotope U–235 under this article shall be at such charges and on such terms and conditions with respect to shipment and delivery as may be mutually agreed and under the conditions stated in articles VIII and IX.

ARTICLE V

Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Government of Nicaragua, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of Nicaragua by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of Nicaragua, by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233.

ARTICLE VI

Subject to the availability of supply and as may be mutually agreed, the Commission will sell or lease, through such means as it deems appropriate, to the Government of Nicaragua or authorized persons under its jurisdiction such reactor materials, other than special nuclear materials, as are not obtainable on the commercial market and which are required in the construction and operation of research reactors in Nicaragua. The sale or lease of these materials shall be on such terms as may be agreed.

ARTICLE VII

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States or Nicaragua may deal directly with private individuals and private organizations in the other country. Accordingly, with respect to the subjects of agreed exchange of information as provided in article III, the Government of the United States will permit persons under its jurisdiction to transfer and export materials, including equipment and devices, to and perform services for the Government of Nicaragua and such persons under its jurisdiction as are authorized by the Government of Nicaragua to receive and possess such materials and utilize such services, subject to: (a) The provisions of article II; (b) Applicable laws, regulations, and license requirements of the Government of the United States and the Government of Nicaragua.

ARTICLE VIII

1. The Government of Nicaragua agrees to maintain such safeguards as are necessary to assure that the special nuclear materials received from the Commission shall be used solely for the purposes agreed in accordance with this agreement and to assure the safekeeping of this material.

2. The Government of Nicaragua agrees to maintain such safeguards as are necessary to assure that all other reactor materials, including equipment and devices, purchased in the United States under this agreement by the Government of Nicaragua or authorized persons under its jurisdiction shall be used solely for the design, construction, and operation of research reactors which the Government of Nicaragua decides to construct and operate and for research in connection therewith, except as may otherwise be agreed.

3. In regard to research reactors constructed pursuant to this agreement, the Government of Nicaragua agrees to maintain records relating to power levels of operation and burnup of reactor fuels and to make annual reports to the Commission on these subjects. If the Commission requests, the Government of Nicaragua will permit Commission representatives to observe from time to time the condition and use of any leased material and to observe the performance of the reactor in which the material is used.

4. Some atomic-energy materials which the Government of Nicaragua may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of Nicaragua, the Government of Nicaragua shall bear all responsibility, insofar as the Government of the United States is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of Nicaragua or to any private individual or private organization under its jurisdiction, the Government of Nicaragua shall indemnify and save harmless the Government of the United States against any and all liability (including third-party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of Nicaragua or to any authorized private individual or private organization under its jurisdiction.

ARTICLE IX

The Government of Nicaragua guarantees that (a) safeguards provided in article VIII shall be maintained; (b) no material, including equipment and devices, transferred to the Government of Nicaragua or authorized persons under its jurisdiction, pursuant to this agreement, by lease, sale, or otherwise will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and

devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of Nicaragua except as the Commission may agree to such transfer to another nation and then only if in the opinion of the Commission such transfer falls within the scope of an agreement for cooperation between the United States and the other nation.

ARTICLE X

It is the hope and expectation of the parties that this initial agreement for cooperation will lead to consideration of further cooperation extending to the design, construction, and operation of power producing reactors. Accordingly, the parties will consult with each other from time to time concerning the feasibility of an additional agreement for cooperation with respect to the production of power from atomic energy in Nicaragua.

ARTICLE XI

1. This agreement shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 5 years.

2. At the expiration of this agreement or of any extension thereof the Government of Nicaragua shall deliver to the United States all fuel elements containing reactor fuels leased by the Commission and any other fuel materials leased by the Commission. Such fuel elements and such fuel materials shall be delivered to the Commission at a site in the United States designated by the Commission at the expense of the Government of Nicaragua and such delivery shall be made under appropriate safeguards against radiation hazards while in transit.

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and Spanish languages, this 11th day of June 1957.

En testimonio de lo cual, las partes contratantes, debidamente autorizadas a tal fin, han convenido en la ejecución de este convenio.

Hecho en Washington, en duplicado, en los idiomas Inglés y Español, el dia once de Junio de 1957.

For the Government of the United States of America:

Por el Gobierno de los Estados Unidos de America:

R. R. RUBOTTOM, Jr.,
LEWIS L. STRAUSS.
Chairman, United States Atomic Energy Commission.

For the Government of Nicaragua:
Por el Gobierno de Nicaragua:
GUILLERMO SEVILLA-SACASA.

AGREEMENT FOR COOPERATION WITH GOVERNMENT OF PORTUGAL

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD an agreement for cooperation with the Government of Portugal, together with accompanying correspondence. This agreement was signed on June 7 and was received at the Joint Committee on Atomic Energy on June 11. It is a standard research agreement which provides for the lease of up to 6 kilograms of contained U-235 in uranium, enriched up to a maximum of 20 percent U-235.

There being no objection, the agreement, together with accompanying correspondence, was ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 11, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, there are submitted with this letter:

1. An amendment, signed in Washington June 7, 1957, to the Agreement for Cooperation between the Government of the United States of America and the Government of Portugal Concerning the Civil Uses of Atomic Energy dated July 21, 1955;

2. A letter dated May 14, 1957 from the chairman of the Atomic Energy Commission to the President recommending approval of the amendment; and

3. A letter dated May 22, 1957 from the President to the chairman of the Atomic Energy Commission approving the amendment, authorizing its execution, and containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security.

Articles I and III of the amendment include new provisions designed to clarify the responsibilities assumed by the parties to the agreement with respect to liability for any causes arising out of the handling or use of information or data, special nuclear material or fuel elements transferred pursuant to the agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233 and plutonium for defined research projects related to the peaceful uses of atomic energy.

The amendment will enter into force when the two Governments have exchanged written notifications that their respective statutory and constitutional requirements have been fulfilled (art. IV).

Sincerely yours,

Chairman.

(Enclosures: 1. Amendment to the Agreement for Cooperation with Portugal (3 certified copies); 2. Letter from Commission to President (3 certified copies); 3. Letter from President to Commission (3 certified copies).)

MAY 14, 1957.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of Portugal Concerning Civil Uses of Atomic Energy," dated July 21, 1955, and authorize its execution.

Articles I and III of the amendment include new provisions designed to clarify responsibilities assumed by the parties to the agreement with respect to liability for any causes arising out of the handling or use of information or data, special nuclear material or fuel elements transferred pursuant to the agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Following your approval and subject to the authorization requested, the proposed amendment will be executed by the appropriate authorities of the Government of Portugal and the United States. In compliance with section 123c of the Atomic Energy Act of 1954, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

LEWIS L. STRAUSS,
Chairman.

(Enclosure: Amendment to agreement for cooperation with Portugal.)

I certify this to be a true and correct copy.

LEONARD B. PHILLIPS,
Division of International Affairs, AEC.

THE WHITE HOUSE.
Washington, May 22, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission, Washington, D. C.

DEAR MR. CHAIRMAN: Under date of May 14, 1957, you informed me that the Atomic Energy Commission recommended that I approve a proposed amendment to the "Agreement for Cooperation Between the Government of the United States of America and the Government of Portugal Concerning Civil Uses of Atomic Energy," dated July 21, 1955, and authorize its execution.

Articles I and III of the amendment include new provisions designed to clarify responsibilities assumed by the parties to the agreement with respect to liability for any causes arising out of the handling or use of information or data, special nuclear material or fuel elements transferred pursuant to the agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954 and upon the recommendation of the Atomic Energy Commission, I hereby (1) Determine that the performance of the proposed amendment to the agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and (2) approve the proposed amendment to the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Portugal enclosed with your letter of May 14, 1957; and (3) authorize the execution of the proposed amendment for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

I certify this to be a true and correct copy.

LEONARD B. PHILLIPS,
Division of International Affairs, AEC.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF PORTUGAL CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of Portugal:

Desiring to amend the Agreement for Cooperation between the Government of the United States of America and the Government of Portugal Concerning Civil Uses of Atomic Energy, signed on July 21, 1955, hereinafter referred to as the "Agreement for Cooperation";

Have agreed as follows:

ARTICLE I

Article I of the Agreement for Cooperation is amended to read as follows:

"A. Subject to the limitations of article V, the parties hereto will exchange information in the following fields:

"1. Design, construction and operation of research reactors and their use as research,

development, and engineering tools and in medical therapy.

"2. Health and safety problems related to the operation and use of research reactors.

"3. The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

"B. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application."

ARTICLE II

The following new article is added directly after article III of the Agreement for Cooperation:

ARTICLE III (A)

"Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Government of Portugal, including source materials, special nuclear materials, by-product materials, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of Portugal by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of Portugal by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U-235, 10 grams of plutonium, and 10 grams of U-233."

ARTICLE III

1. Article VI, paragraph A, of the Agreement for Cooperation is amended by deleting the phrase "uranium enriched in the isotope U-235 leased from the Commission" and substituting in lieu thereof the phrase "special nuclear materials received from the Commission."

2. The following new paragraph is added to article VI of the Agreement for Cooperation:

"D. Some atomic-energy materials which the Government of Portugal may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of Portugal, the Government of Portugal shall bear all responsibility, in so far as the Government of the United States is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of Portugal or to any private individual or private organization under its jurisdiction, the Government of Portugal shall indemnify and save harmless the Government of the United States against any and all liability (including third-party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of Portugal or to any authorized private individual or private organization under its jurisdiction."

ARTICLE IV

This amendment shall enter into force on the date on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such amendment and shall remain in force for the period of the Agreement for Cooperation.

EMENDA AO ACORDO DE COOPERAÇÃO ENTRE O GOVERNO DOS ESTADOS UNIDOS DA AMÉRICA E O GOVERNO DE PORTUGAL SOBRE OS USOS CIVIS DA ENERGIA NUCLEAR

O Governo dos Estados Unidos da América e o Governo de Portugal,

Desejando alterar o Acordo de Cooperação entre o Governo dos Estados Unidos da América e o Governo de Portugal sobre os Usos Civis da Energia Nuclear, assinado em 21 de Julho de 1955, referido neste documento como "Acordo de Cooperação",

Acordaram no seguinte:

ARTIGO I

O Artigo I do Acordo de Cooperação é alterado para se ler como segue:

"A. Tendo em conta as restrições mencionadas no artigo V, deverão as partes contratantes trocar informações sobre as seguintes matérias:

"1. Desenho, construção e operação de reactores experimentais e seu uso como instrumentos de investigação científica de engenharia e de terapêutica.

"2. Problemas de saúde e de segurança relacionados com o funcionamento e uso de reactores experimentais.

"3. Use de isótopos radioactivos em estudos de física e de biologia, terapêutica, agricultura e indústria.

"B. A aplicação ou o uso de dados ou informações, qualquer que seja a sua natureza, inclusive os planos de desenhos e especificações trocados em virtude deste acordo, far-se-á sob a responsabilidade da Parte que os receber e usar, ficando entendido que a outra Parte não garante que tais dados sejam exactos, completos ou adequados para determinado uso ou aplicação."

ARTIGO II

Após o artigo III do Acordo de Cooperação acrescentar-se-á o novo artigo seguinte:

"ARTIGO III (A)

"Materiais de interesse relacionados com projectos definidos de investigação científica que digam respeito a usos civis de energia nuclear, empreendidos pelo Governo Português, inclusive materiais primários, materiais nucleares especiais, produtos secundários, outros radioisótopos e os isótopos estáveis, serão vendidos ou, em outras circunstâncias, serão cedidos para fins de estudo ao Governo de Portugal pela Comissão, nas quantidades e segundo os termos e condições que se acordarem, quando não seja possível obter os referidos materiais pelas vias comerciais ordinárias. Em caso nenhum, porém, a quantidade de materiais nucleares especiais sob a jurisdição do Governo de Portugal, por motivo de transferência que se efectue de acordo com este artigo, poderá ser em qualquer momento superior a 100 gramas de conteúdo U-235, 10 gramas de plutónio e 10 gramas de U-233."

ARTIGO III

1. É alterado o artigo VI, parágrafo A, do Acordo de Cooperação eliminando a frase "urânio enriquecido no isótopo U-235 cedido pela Comissão" e substituindo em seu lugar a frase "materiais nucleares especiais recebidos da Comissão."

2. Ao artigo VI do Acordo de Cooperação acrescentar-se-á o novo parágrafo seguinte:

"D. Alguns materiais geradores de energia nuclear, que o Governo de Portugal possa solicitar que lhe sejam fornecidos pela Comissão, de acordo com este Convénio são prejudiciais às pessoas e à propriedade se não forem manejados e usados cuidadosamente. Depois da entrega desses materiais ao Governo de Portugal, este Governo assumirá toda a responsabilidade, em relação ao Governo dos Estados Unidos, para manejar e usar com segurança esses materiais. Com respeito a quaisquer materiais nucleares especiais ou elementos combustíveis que a Comissão, em virtude deste acordo, possa ceder ao Governo Português ou a qualquer indivíduo ou organização particular sob a sua jurisdição, o Governo de Portugal indemnizará e eximirá o Governo dos Estados Unidos de toda a obrigação e de toda a responsabilidade (inclusive reclamações de terceiros), qualquer que seja o motivo que possa surgir da produção ou fabricação, propriedade, cessão e da retenção e uso de tais materiais nucleares especiais ou elementos combustíveis depois da entrega feita pela Comissão ao Governo de Portugal ou a qualquer pessoa ou organização particular autorizada sob a sua jurisdição."

ARTIGO IV

Esta Emenda entrará em vigor na data em que cada Governo receber do outro Governo notificação por escrito de que cumpriu com todos os requisitos legais e constitucionais para a entrada em vigor da aludida Emenda e permanecerá em vigor pelo período de duração do Acordo de Cooperação.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, in the English and Portuguese languages, this seventh day of June 1957.

Em testemunho do que, as partes contratantes, devidamente autorizadas, assinaram esta Emenda.

Feito em Washington, em duplicado, e nas linguas inglesa e portuguesa, aos sete dias do mes de Junho de 1957.

For the Government of the United States of America:

Pelo Governor dos Estados Unidos da America:

C. BURKE ELBRICK,
Department of State.
LEWIS L. STRAUSS,
Chairman, United States Atomic Energy Commission.

For the Government of Portugal:
Pelo Governo de Portugal:

L. ESTEVES FERNANDES,
Ambassador of Portugal.

I certify that this is a true and correct copy.

LEONARD B. PHILLIPS,
Division of International Affairs, AEC.

INTEREST RATES AND THEIR EFFECT UPON SAVINGS

Mr. BUSH. Mr. President, I have in my hand an editorial from the Wall Street Journal of June 25, entitled, "The Forgotten People." This editorial points out that the forgotten people appear to be those who are the savers and the thrifty ones.

From across the aisle we have heard, in the occasional debate regarding the question of interest rates, quotations from the Wall Street Journal, particularly by the distinguished Senator from Minnesota [Mr. HUMPHREY], as though to indicate that the Wall Street Journal is on his side of the argument. I think this editorial will completely disprove that contention, because it so clearly supports the position taken by Secretary Humphrey before the Committee on Finance and throughout the administration of the past 4 years.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD

I have been closely associated with Colin Stam for 25 years. He is a man of

of his career. "Please," he said, "nothing personal about me. This is a staff opera-

especially income taxes, simpler and more equitable.

dent of the United States for his appointment of Earl Warren as Chief Jus-

out that every investigation "must be related to and in furtherance of a legitimate

nium, enriched up to a maximum of 20 percent U-235.

tugal and the United States. In compliance with section 123c of the Atomic Energy Act

"1. Design, construction and operation of research reactors and their use as research,

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of June 25, 1957]

THE FORGOTTEN PEOPLE

Almost everybody is now familiar with the fact that when the monetary authorities take to the printing press the victims of this generosity are the citizens of modest means who depend on their insurance, their pension funds and their personal savings to safeguard their future.

Almost everyone, that is, except some politicians. If, in President Roosevelt's solicitous phrase, there are any forgotten men, they are the ones who during his administration were beguiled by the dream of "How to retire on $100 a month" and, let us say, entrusted their savings to the bonds his Treasury was then selling in large number. Those people, at any rate, have learned the difference between money and a paper dollar.

Curiously, these are still the forgotten people. Today the villain of many a politician is something called hard money, meaning simply that of late the supply of it has been kept fairly stable while the demand for it has been growing. Result: Those who would borrow must pay a higher price.

To a great many politicians this is just a nefarious plot to enrich somebody called the bankers. It is supposed to be all the fault of the Government's monetary policy—why is it so stingy about printing dollar bills?—and it is supposed to be a terribly wicked thing to do to the little people.

That is one reason why we hope some attention will be paid to the remarks of Secretary Humphrey to the Senate Finance Committee. Among other things, Mr. Humphrey reminds the Senators that not all of their constituents find hard money a hardship.

Most people are savers as well as borrowers; unlike their Government, the generality of Americans still attach some virtue to thrift. Many people have savings in bonds of the Government of the United States. Many have their money in banks, in savings and loan associations, and in insurance annuities. Many are taking a part of today's pay in contributions to pension funds for the future.

As far as these citizens are concerned, the bankers, the insurance companies, and the managers of the pension funds are trustees. But the real trustees are the Government's managers of money, including the Secretary of the Treasury. The bankers, the insurance companies, and the pension managers will pay out dollar bills tomorrow, as scheduled. The value of those future dollars depends on the money managers.

Mr. Humphrey points out, as is true, that these citizens may profit directly from higher interest rates; the brokers of money will pay the citizen more to save his money. But that is only a small part of the point. The real gain is not in the higher interest rate itself, but in the reason for the higher interest rate; namely, the fact that so far the money managers have resisted the temptation to make money cheap by cheapening it.

Governments being what they are, we cannot say how long that resolution will be held. But at least the Senators have learned there is one Government official who remembers their forgotten constituents.

COLIN STAM

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a very excellent article entitled "Meet Mr. Stam: Hill's Tax Expert Is Retiring Kind," written by Robert K. Walsh and published in the Washington Star.

I have been closely associated with Colin Stam for 25 years. He is a man of the finest character and great ability. He has the confidence and respect of all Members of Congress who have come in contact with him, and especially the members of the House Ways and Means Committee and the Senate Finance Committee, who have had an opportunity to observe at close hand his remarkable ability and integrity.

He is working for Congress for a moderate salary, and his capacity is such that he could command a very high salary in the field of tax experts.

I have seen him tested and tried in many difficult situations, but I have never known him to yield one iota in his recommendations to the Senate Finance Committee as to complex questions.

He has always endeavored to protect the interests of the United States Government, but, at the same time, do justice to the taxpayers.

I regard Colin Stam as an invaluable public servant, and, as chairman of the Senate Finance Committee, I want to pay this tribute to him.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MEET MR. STAM—HILL'S TAX EXPERT IS RETIRING KIND

(By Robert K. Walsh)

Colin F. Stam—a name to conjure with at the Capitol and to treat with respect at the Treasury—probably holds official Washington's record for avoiding the public prints.

Mr. Stam, as chief of staff of the Joint Congressional Committee on Internal Revenue Taxation, supplies the factual basis for how much income taxes you will pay. His name is a natural for headline writers, and his bulky form could hardly be overlooked as he sits in deep concentration in a Capitol hearing room or ambles along a corridor. But he successfully practices self-effacement to a degree almost unknown on the Hill.

As Congress' No. 1 technician on tax matters, Mr. Stam has built a solid reputation for exceptional influence in that field. When he speaks, which is seldom and softly, congressional tax writers are inclined to listen.

For example, just a few weeks ago Mr. Stam and his staff issued estimates showing lower expected budget surpluses for the 1957 and 1958 fiscal years than had been predicted earlier. The report had an immediate and pronounced dampening effect on a Democratic drive for enactment of a tax reduction bill at this time. In fact, there are some who say it dealt the death blow to that project.

A 30-YEAR VETERAN

Mr. Stam has been with the joint committee 30 years—just 1 year less than its age. He has been its chief of staff since 1938, and there are many who regard him as the Government's leading tax expert.

If he ever consented to talk about himself (an event Capitol correspondents never expect to report), he undoubtedly could tell of declining far higher paying outside business offers because he prefers the job he has. House members who have worked closely with him through the years say the often abused title "dedicated public servant" seldom is used more accurately and justly than when applied to him.

Certainly he is one of the most silent public servants—at least on personal matters. Mr. Stam is articulate, clear, friendly and patient in explaining intricacies of tax legislation or fiscal reports.

But he pleaded with a reporter not to reprint even the sketchy Who's Who account of his career. "Please," he said, "nothing personal about me. This is a staff operation."

This is not a pose, any more than is his refusal to accept gifts of any kind in the course of his public service. His staff follows suit by declining gifts, even though they may be only cigars or candy.

Years ago an organization sent Mr. Stam an expensive briefcase elaborately initialed C. F. S. It reportedly still reposes in his office, as good as new because it has never been used. Similarly, he seldom if ever attends cocktail parties or social functions which by the furthest stretch of the imagination might seem to put him under professional obligation.

HE LOVES THE WORK

This native of Chestertown, Md., has spent over 35 of his 60 years in the Government. His work is literally his life and he once summed it up simply and directly: "I love it."

He is so bound up in his job that many people closely associated with him for 10 or 20 years confess they know little or nothing else about him.

"I can assure you he knows taxes backward and forward and is the best tax authority in the Government, if not in the whole country," said another congressional authority on taxes, "but he is the only one who can talk about himself. And he won't."

It thus may come as a surprise to many of his associates that this powerfully built man, whose main exertion seems to center on tax tables, once covered a lot of ground on the tennis courts. He still belongs to a yacht club here. He owns a Maryland farm where he usually stays when not at his home in Chevy Chase or at his office.

Notwithstanding his devotion to work, and long hours of labor, he is no desk slave, much less a slave driver. As soon as Congress adjourns every year he heads for his farm. He told a friend tha he no longer remains at his office after adjournment to clean up odds and ends. He found that the odds and ends never ended.

A QUIET INFLUENCE

Mr. Stam often sits in the Senate or House Chamber to assist managers of tax bills. Members say he never attempts to suggest tax policy or impose his views on specific types of revenue raising. But they credit him with profound influence because of his vast background and his grasp of hard facts that sometimes deflate great expectations or rosy political hopes of legislators.

Whether Mr. Stam is a Republican or Democrat is officially unknown at the Capitol, and nobody cares. He entered Government service in 1922 as an attorney in the Internal Revenue Service. He has obtained a bachelor of arts degree from Washington College and a law degree from Georgetown University. In 1927 he became assistant counsel of the joint committee and its staff director in 1938.

Other little known facts about this comparatively little known expert are that he is a bachelor, has written several books and articles on taxation, was an ensign in the United States Naval Reserve, and sees no reason why he should attempt to be the best dressed man in Washington.

The joint committee of 10 members selected from the House Ways and Means Committee and the Senate Finance Committee is essentially a fact-finding and advisory group on taxation. The 1926 statute which created it listed its principal functions as investigating the operation and effects of the Federal system of internal revenue taxes and the administration of those taxes.

The committee has considerable legal latitude for conducting other investigations and studies in respect to such taxes. It also advises appropriate Senate and House committees on possible methods of making taxes,

especially income taxes, simpler and more equitable.

Mr. Stam and the staff, numbering about 25 lawyers, analysts, specialists, researchers, and clerical employees, work frequently not only with the House and Senate committees concerned with taxes, but also with Treasury and Internal Revenue Service officials.

The committee staff's most notable projects in recent years included a special study of postwar taxation, refund provisions on income, estate, and gift taxes, and assistance in the massive 1954 revision of the Internal Revenue Code.

CHAIN REACTION

Its most recent publication—a seemingly routine 3-page pamphlet with the prosaic title "Estimates of Federal Receipts for Fiscal Years 1957 and 1958"—set off a chain reaction in fiscal quarters of Congress and the rest of the Government.

Characteristic of Mr. Stam, this staff statement attempted no policy pronouncements and avoided any appearance of trying to suggest what ought or ought not to be done about cutting taxes.

To what extent Mr. Stam, the staff report, or the joint committee itself persuaded some Democrats to soft-pedal any tax-reduction-bill move can only be surmised. Naturally, Mr. Stam would not talk about that even if he were asked.

Nevertheless, prospects of enactment of an income-tax-relief bill at the 1957 congressional session to take effect next January 1 seem to be growing dimmer. Such a bill has a somewhat better chance of passing at the 1958 session and being made retroactive to January 1 of that year.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, I should like to announce the plans for the leadership as to certain appropriation bills.

The Committee on Appropriations has today reported a supplemental appropriation bill for the Post Office Department, and the legislative appropriation bill.

If there is no objection, we should like to consider the Post Office Department appropriation bill today and the legislative appropriation bill tomorrow.

CHIEF JUSTICE EARL WARREN AND RECENT SUPREME COURT DECISIONS

Mr. NEUBERGER. Mr. President, the United States Supreme Court has been demonstrating a courageous sense of responsibility for the great civil liberties and human rights entrusted to its care by our immortal Constitution.

I believe much of the credit for this enlightened series of Court opinions and rulings belongs to the Chief Justice of the United States, Earl Warren. Coming, as I do, from the State of Oregon, I have a keen awareness of the record of abiding humanitarian accomplishments of this illustrious American, because he was for so many years the Governor of the State which borders Oregon on the south. As chief executive of California, Earl Warren was a source of inspiration to all of us in the Far West who, regardless of political party, believe in good and progressive government. It is for that reason that I disregard partisan differences on the Senate floor today to commend the President of the United States for his appointment of Earl Warren as Chief Justice of our country—a position in which he is leading the Court in reasserting its role as the ultimate protector of the rights of American citizens.

Mr. President, on its editorial page of June 19, 1957, the New York Times declared that the opinion of the Chief Justice in the Watkins case "as a whole stands as another monument to the return of reason on the matter of civil liberties and rights in the United States."

On the same date, the Portland Oregonian commented editorially that "Chief Justice Earl Warren, as leader of the liberals on the Supreme Court, will bear the brunt of the criticism and President Eisenhower, who appointed him, will share it"—referring to criticism of the Court's liberalism in the areas of racial discrimination and political freedom.

Mr. President, I ask unanimous consent that these editorials be printed in the CONGRESSIONAL RECORD, followed by an article in the Christian Science Monitor, also on June 19, by Mr. Joseph C. Harsch, discussing the recent decisions of the Supreme Court. Mr. Harsch adds an ironic footnote to the recent political history of our country when he points out "that the dissenting Justice was once an Attorney General for Harry S. Truman and that the one public figure now accused by name by the Court of having erred on the side of excessive 'security' was Dean Acheson." Finally, I ask unanimous consent to include a column, from today's Washington Post and Times Herald, by Mr. Marquis Childs, entitled "Warren Unaltered by Pomp of Office," which begins with the prophecy that "In the long perspective of history, the most distinguished act of President Eisenhower's administration—or, at any rate, of his first term—may well be the appointment of Earl Warren as Chief Justice of the United States."

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the New York Times of June 19, 1957]

THE WATKINS DECISION

The opinion of Chief Justice Warren in the Watkins case is a major pronouncement of the Supreme Court on the rights of the individual citizen before investigating committees of the Congress.

What the Court has done in this long-awaited decision is to limit the scope of congressional inquiry by requiring Congress to be more precise in defining the authority of its investigative committees than it has always been in the past, and by restricting the power of Congress to subject witnesses to vaguely defined fishing expeditions. Watkins, a labor organizer who fully admitted past cooperation with the Communist Party, was cited for contempt by the House Committee on Un-American Activities for refusing to testify concerning some former associates. The Court has now reversed his conviction on the ground that, in layman's language, the committee was engaged in unwarranted freewheeling, and its questions were not related with nearly sufficient precision and clarity to a specific legislative purpose.

Granting that "the power of Congress to conduct investigations is inherent in the legislative process," the Chief Justice pointed out that every investigation "must be related to and in furtherance of a legitimate task of the Congress" and that "there is no congressional power to expose for the sake of exposure."

Mr. Warren added that it is "unquestionably the duty of a citizen to cooperate with the Congress in its efforts to obtain the facts needed for intelligent legislative action"—an important point that the general tenor of the Watkins decision must not be allowed to obscure. The Court did not state that Watkins should under no circumstances reveal the names of his former associates. It did say that the committee's questioning was done in such a manner and in such a context that Watkins was "not accorded a fair opportunity to determine whether he was within his rights in refusing to answer, and his conviction is necessarily invalid" as a violation of due process.

The Court warned Congress to take "a measure of added care" in authorizing the use of the compulsory process—"a small price to pay if it serves to uphold the principles of limited, constitutional government without obstructing the power of the Congress to inform itself." The Chief Justice's thoughtful and sensitive comments on the far-reaching effects and implications of some of the more notorious congressional investigations deserve wide reading. His opinion as a whole stands as another monument to the return of reason on the matter of civil rights and liberties in the United States.

[From the Portland (Oreg.) Oregonian of June 19, 1957]

FAR-REACHING DECISIONS

The United States Supreme Court in this week's three rulings in cases involving alleged subversion has added to its growing reputation for liberalism, or idealism as opposed to realism.

However one may regard these and other decisions of the present court as wholly justified in upholding civil rights and civil liberties or as showing a softness toward communism, they are bound to embroil the court in controversy. They may make desegregation of schools in the Deep South even more difficult than it promised to be from the beginning.

For leaders of anti-integration movements in the South, in their bitter and often demagogic attacks on the Court's most far-reaching decision, have linked the school desegregation opinion to communism. They have stirred resistance to the decision by charging it is part of a Communist plot. Few fair-minded persons believe that, of course, but this week's and some earlier rulings will be pointed out and many persons may be swayed.

Already some Members of Congress have reacted adversely to the latest rulings, which freed 5 of 14 convicted California Communists and ordered new trials for the others, reversed a contempt of Congress conviction of a labor leader who refused to name former Communist associates, and limited a State's powers to investigate subversion.

Representative HOWARD W. SMITH, Democrat, of Virginia, author of the 1940 act under which the California Communists were originally convicted, expressed a view which almost certainly will be repeated frequently by southerners. "I do not recall any case decided by the present Court that the Communists have lost," he said.

Virginia is not of the Deep South, nor is Arkansas, whose respected Senator JOHN L. MCCLELLAN, chairman of the Senate Investigations Subcommittee, said the country needs "a Supreme Court of lawyers with a reasonable amount of commonsense."

These men and others who commented on the most recent decisions, including some conservative Republicans, were speaking about the subversion cases and not about

school desegregation, but their views will

In the investigating committees of Congress

While he has been generous in attending

Holmes and the decisions of that great conservation and the protection of hu-

by Robert K. Walsh and published in the Washington Star.

But he pleaded with a reporter not to reprint even the sketchy Who's Who account advises appropriate Senate and House committees on possible methods of making taxes,

regard partisan differences on the Senate floor today to commend the Presi-

conduct investigations is inherent in the legislative process," the Chief Justice pointed

about the subversion cases and not about

school desegregation, but their views will pour water on wheels in those States where the two issues are pictured as one.

Chief Justice Earl Warren, as leader of the liberals on the Supreme Court, will bear the brunt of the criticism and President Eisenhower, who appointed him and three other Justices, will share in it. The clash between conservative and liberal groups within the Republican Party, already exposed in the battle of the budget, undoubtedly will be heightened by the Supreme Court's swing to the left.

[From the Christian Science Monitor of June 19, 1957]

DAY OF DECISION

(By Joseph C. Harsch)

WASHINGTON.—There can be no doubt that the decisions taken by the Supreme Court of the United States on June 17 restrict, restrain, and make more difficult any future attempt by the executive and legislative branches of the Government to bend individuals to the will of the state.

The power of the Congressional committee to coerce the individual by a citation for contempt, the use by the FBI of paid informers, the validity of such testimony, the practice of keeping it secret, the arbitrary dismissal of an employee by a department of Government, the attempt to make a man an unwilling witness against his neighbor—all of these practices have been challenged and curbed.

All of these practices have been long employed by the state and in the presumed interests of the state. The war and the subsequent cold war challenged the state. In the process of defending itself against enemies, it asserted rights and evolved practices at the expense of individuals which it considered necessary at the time and which were widely accepted by public opinion as justified in the interests of the welfare of the community and the security of the state.

But they were practices which did encroach on the traditional Western concept of the rights of the individual.

It is not entirely a coincidence that the Supreme Court turned against these practices at the very moment that representatives of the United States and the Soviet Union were getting into very serious negotiations in London looking toward a possible end to the arms race.

The practices which were struck down in part or in whole by the June 17 decisions grew out of the war against Nazi Germany. They were strengthened and their use broadened during the cold war against Stalin's Soviet Union. They grew out of dangers to the state, and they were evolved as answers to those dangers.

The Court almost certainly would not have turned against these practices if the sense of danger to the state were in fact as great today as it was over most of the past two decades.

Consciously or not, deliberately or accidentally, the Court was passing judgment on the degree of continuing danger. Its actions on its great day of decision flow from and can be justified only by an assumption that the danger to the state is less today than it has been for many years.

There is implicit in these decisions a judgment, for example, that communism has lost momentum, that it is no longer winning converts in free societies, that whatever the world-dominating doctrines of communism may be it is no longer capable of achieving such objectives out of its own inner dynamism; in short, that communism has ceased to be such an active menace to the state in the United States that measures at the expense of the individual are necessary to the survival of the state.

The arguments against the decisions arise out of the reverse of the above assumption. In the investigating committees of Congress and in the prosecuting divisions of the Department of Justice there is a general feeling that the Court has taken away weapons which are necessary to the frustration of the Communist conspiracy.

Those who question the decisions do so on the ground that the state is still in danger from internal as well as external communism and that the time has not come yet when it is safe to deprive the state of the weapons it has been using against individuals for the sake of the security of the state.

But there is no doubt in the mind of the Court about this matter. It has set at liberty 5 Communists and ordered a retrial for 9 more. By so doing it has taken the implicit position that such men and the beliefs they hold are not the serious danger to the state which they were presumed to be. The majority of the Court, Associate Justice Tom Clark dissenting, has reached the point of believing that the United States is sufficiently safe from communism to be able to afford the luxury of extending the rights of individuals even to believers in communism.

It is a minor irony that the dissenting justice was once an Attorney General for Harry S. Truman and that the one public figure now accused by name by the Court of having erred on the side of excessive security was Dean Acheson.

Here once more we see evidence of the broad and deep imprint which the Supreme Court is making on these times. It was this Court which said that segregation must cease, and that Du Pont should not control General Motors, and now in great detail rebuilds protective barriers around the individual against what are in many respects the interests of the state.

More than ever here we see the exercise of positive leadership in the shaping of the future form of American society coming from the court rather than from the legislative or executive branches of Government.

[From the Washington Post of June 25, 1957]

WARREN UNALTERED BY POMP OF OFFICE

(By Marquis Childs)

In the long perspective of history, the most distinguishing act of President Eisenhower's administration, or, at any rate, of his first term, may well be the appointment of Earl Warren as Chief Justice of the United States. The influence Warren has wielded on the Supreme Court, on the body of law and on the Nation in less than 4 years merits that conjecture.

The sweep of the opinions which went so far toward restoring the balance of civil rights, together with the school desegregation opinion of 3 years ago, would in itself make the tenure of any Chief Justice memorable, however long that tenure.

But since he was sworn in as the 14th Chief Justice on October 5, 1953, Warren also has been able to bring a large measure of harmony to a court torn by bitter factionalism and unhappy personal discord.

The root of his achievement is in a genius for politics, using the word in its best and truest meaning. This is joined in the Chief Justice with a deep dedication to the fundamental American freedoms embodied in the Bill of Rights.

As the Chief and the eight Associate Justices prepare for the long summer recess, when they have finally decided the Girard case, one thing about Warren is abundantly clear. Three and a half years of Washington and his high office have altered him outwardly little, if at all. He is the same plain, unassuming man who left the governorship of California in the midst of an unprecedented third term when, to his astonishment, Attorney General Brownell flew out to Sacramento to tell him the President wanted him to be Chief Justice.

While he has been generous in attending official occasions, he has stood aside from the fuss and feathers of official Washington. A large, unassuming figure, speaking in a somewhat high-pitched voice, he has a modest, commonsense bearing characteristic of his approach to the problems of the Court as he saw them when he took over.

Shortly Warren and his family will go to California for a rest. But then on July 17 the Chief Justice and Mrs. Warren will go to London for the meeting of the American Bar Association. For Warren, this will be both a pleasure and a duty. Afterward, the Warrens will be leisurely tourists in Europe until the end of August.

His conscience is an important part of Warren's makeup. It explains why he went last summer on a good-will tour of India in the season of extreme heat and monsoon rains.

That same conscience has had a great deal to do with the conviction, slowly developed in the stresses and strains of the postwar era, that Warren has brought to one decision after another. Those decisions should have surprised no one, since he spoke out even after he took his place on the Court about the peril to basic freedoms in the obsessive fear of communism in America.

In November of 1955 he said that the "temptation to imitate totalitarian security methods is a subtle temptation that must be resisted day by day, for it will be with us as long as totalitarianism itself." That is the deep conviction behind Warren's opinion in the Watkins case, in which the right of conscience under the free speech amendment was at issue.

When Warren became Chief, Justices Black and Douglas, appointees out of the New Deal, were usually in dissent. They often castigated the other Justices for their conservatism.

In the years that followed, the Chief Justice has sometimes joined Douglas and Black in dissent. But on the far-reaching civil liberties opinions, the Court was unanimous except for a new dissenter, Justice Clark, a Truman appointee.

When Warren was named to the Court, there were those who deplored the appointment because, they said, he was not a scholar of the law and had no judicial experience. Warren is not a scholar in the sense that Oliver Wendell Holmes and Louis D. Brandeis were scholars. But he has brought commonsense and conviction to a troubled Court and a troubled time.

Mr. MORSE. Mr. President, I have two items which I should like to discuss.

First, I wish to associate myself with my colleague the junior Senator from Oregon [Mr. NEUBERGER] in commending President Eisenhower for the appointment of Chief Justice Earl Warren to the Supreme Court. In fact, I wish to extend my commendations for all the appointments to the Supreme Court by this administration. I think they have been excellent appointments and in the best tradition of appointing exceptionally able men to this great Court.

In my judgment, the opinion of the Chief Justice and his associates in the Watkins case will go down in American history as one of the great landmarks in the protection of the rights of the individual citizen. In my opinion, it was a great decision in regard to human rights and liberty.

I think the Chief Justice is making a record which will cause his decisions to be compared, on the same footing, with those of the great Brandeis, Cardozo, and

Holmes, and the decisions of that great Virginian, Chief Justice John Marshall.

In commenting on my colleague's commendation of the Chief Justice, let me add that we should never forget that it was a great Virginian Chief Justice, John Marshall, in the famous case of Marbury versus Madison, who laid down a great principle which I think protects our system of government perhaps more than any other, if we can place one principle above another. I refer to the principle that under our Constitution the real fortress for the protection of the rights of individuals is to be found in the constitutional power of the Supreme Court to interpret and apply the Constitution.

I was opposed to the Court-packing bill of some years ago. I stand today in the same position of stanchly defending the powers and the constitutional rights of the Supreme Court of the United States. As an American, I am proud to have such a great American as Earl Warren serving as Chief Justice of the United States.

Mr. O'MAHONEY. Mr. President, I have been very much interested in what the Senator from Oregon has said, particularly his reference to the so-called Court-packing bill, which was submitted to the Congress in 1937, as I recall. I was a member of the Judiciary Committee at that time, and I had a part in submitting to the Senate the unfavorable report on the Judiciary Committee in its rejection of the bill.

One of the points which I emphasized at that time was that we should not, by legislation, expand the Court to overcome what might have been and were regarded by some as ultraconservative decisions. I feel that the same principle applies now. We should not condemn the Court hastily and emotionally if the Court hands down what some may regard as too liberal opinions. The Supreme Court must be maintained as a free and independent branch of the Government of the United States, or we shall lose the form of government which the framers handed down to us.

I heartily join with my colleagues in their commendation of the ability, integrity, and impartiality of Chief Justice Warren. He has had long experience in California as a public prosecutor and I am sure he could not easily be misled as to the rights of a defendant in a criminal case.

Mr. MORSE. Mr. President, I am aware of the record of the great Senator from Wyoming in the field of constitutionalism. I believe the position he took with respect to the so-called Court-packing bill was one of the tests of constitutional liberalism. I have always admired his record in this field, as well as in many other fields.

Mr. NEUBERGER. Mr. President, I thank my colleague for his observations on my comments concerning the record of the Chief Justice.

Those of us who live along the Pacific seaboard were prepared for the outstanding record made on the highest bench in the land by Earl Warren, because of his illustrious career as Governor of California, and his activities in such fields as resource development, conservation, and the protection of human liberties and civil rights. The outstanding record he has made as Chief Justice is a complete refutation of the character assassination and the shabby tactics used against him by certain groups in our country when his nomination was before the Senate for confirmation.

Mr. MORSE. Mr. President, I share the sentiments expressed by my colleague. At the time of the appointment I issued a statement highly praising him. I had worked with Earl Warren when he was attorney general of the State of California. I was engaged in some criminal law enforcement commission work. I came to know Earl Warren at that time. I knew him to be a man of great legal brilliance, and also a man of unquestionably fine character. He is a wonderful human being.

Mr. NEUBERGER. And a man of complete integrity.

Mr. MORSE. Indeed.

Mr. CLARK. Mr. President, I wish to associate myself with the remarks of the two distinguished Senators from Oregon with respect to the Chief Justice of the United States, who, with his colleagues, in my judgment have made as great a contribution to American liberty and freedom in the past month as has been made from any source within our Republic since World War II.

Personally, I shall resist to the limit of my ability any effort to change by legislation any of the decisions which have recently been handed down, or to create a situation in which Justices of the Supreme Court would serve for anything less than life terms.

Mr. MORSE. I shall associate myself with the Senator from Pennsylvania in that endeavor.

Mr. JAVITS. Mr. President, I believe that the Supreme Court needs our help at this time. Therefore, I, too, wish to associate myself with the remarks of my colleagues. I feel that the Court has acted upon the basis of deep wisdom and conviction as to what justice and the long-range interests of our country require.

I am planning, before a large veterans' group tomorrow, to analyze how we can very well live with these decisions, and how they contribute to the onward march of American freedom.

Mr. MORSE. I thank the Senator from New York for associating himself with those of us who have spoken today on the subject.

Mr. President——

The VICE PRESIDENT. The Senator from Oregon.

STATEMENT BY SENATOR MORSE IN REPLY TO CHARGES OF VOTE TRADING

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a press release which I have issued in reply to Mr. Alcorn, chairman of the Republican National Committee, and other critics who falsely accuse a group in the Senate of having traded their votes on civil rights for votes on Hells Canyon.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MORSE POINTS TO FLOOR STATEMENTS TO REFUTE ALCORN CHARGES

Senator WAYNE MORSE, Democrat, Oregon, today branded as "vicious and unwarranted falsehood" the charge of Republican National Chairman Meade Alcorn and several Republican Senators that a group of six self-styled liberal Democrats sold out civil rights in the Senate last week to win Southern Democratic support for the Hells Canyon Dam bill.

The Oregon Senator issued the following statement:

"Alcorn and his reactionary senatorial private utility mouthpieces are trying to divert attention from the Eisenhower administration's political immorality, demonstrated by its many betrayals of the public's right to have their heritage in natural resources protected.

"The people of the Nation won a great victory with the Senate vote on Hells Canyon Dam, and the Eisenhower administration doesn't like it. The victory symbolizes the fact that the people are catching up with the giveaway program of this administration.

"Alcorn, along with some other administration spokesmen, have suffered a stinging defeat in a fair fight and they are crying 'foul.' The people hit them squarely on their political nose last Friday and they are whimpering over their political nosebleed.

"They are hoping that the voters will not take the time to read the CONGRESSIONAL RECORD, which belies their falsehoods. The debate over procedure on civil rights last Thursday completely disproves the vote-trading charge. For instance, on page 9803 of the RECORD for Thursday, June 20, 1957, I stated:

"'The other day I said—and I repeat it now—that if the House bill is referred to the Senate Judiciary Committee, and if thereafter it can be shown that the Senate Judiciary Committee has followed dilatory practices or procedures in connection with the handling of the House bill, I myself will move that the committee be discharged from further consideration of the bill. I think that is the course of action the Senate should follow. It is the course of action which I thought most of my liberal colleagues contemplated, and I was quite surprised when that course of action was not followed. • • • It is going to put the liberals in a position where, in my judgment, they will be rightly charged with parliamentary expediency, and I do not think we as liberals ought to resort to parliamentary expediency. As I said the other day, parliamentary expediency is no synonym for liberalism. To the contrary, we liberals, who so frequently are the spokesmen for and representatives of minority groups in America, ought to always lean over backward to see to it that we give our opposition the benefit of fair procedure.'

"My answer to Alcorn and his senatorial spokesmen is that no one has fought harder nor will fight harder for civil rights legislation than I. However, I will not adopt an 'end justifies the means' procedure. My insistence upon fair procedure to guarantee our opposition in the civil rights fight fair play had nothing whatsoever to do with the Hells Canyon Dam issue. Everyone who knows anything about my long record of refusing to compromise procedural rights knows that to be true.

"I am satisfied that this vicious attack by the administration, based upon the false charge of vote trading, will help assure victory for the Hells Canyon Dam bill in the House of Representatives."

COMMUNIST ACTIVITIES IN LATIN

the Protestant Party, the Indonesian

and the invasion of that territory by

The arguments against the decisions arise out of the reverse of the above assumption.

ramento to tell him the President wanted him to be Chief Justice.

be compared, on the same footing, with those of the great Brandeis, Cardozo, and

ernor of California, and his activities in such fields as resource development,

other critics who falsely accuse a group in the Senate of having traded their

House of Representatives."

WASTERS ON THE RUN—THE HELLS CANYON PROJECT

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "Wasters on the Run," published in the St. Louis Post-Dispatch of June 24, 1957.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WASTERS ON THE RUN

One smashing blow after another has been suffered by the opponents of full development of the great natural resource at Hells Canyon in the Pacific Northwest.

First the Idaho Power Co. surrendered the dubiously granted tax concessions for which it had been under fire, in a grandstand play all too obviously meant to influence next day's vote in the Senate.

The Senate was not impressed. It reversed last year's narrow vote in a surprising victory for maximum development. The net effect of Idaho Power's big renunciation scene was to cast doubt on the validity of the whole project along with the tax concession, as Senate Majority Leader LYNDON JOHNSON of Texas said.

The repudiated concession and the Senate vote may well prove the turning point in the Hells Canyon case, as the disclosure of Adolph H. Wenzell's dual role and the decision of the city of Memphis to build its own steam plant, proved the turning point in Dixon-Yates.

Up to then, the Dixon-Yates project had appeared an impregnable barrier to the will of the overwhelming majority of the people of the Tennessee Valley.

In the same way, up to now the Idaho Power Co. and its wasteful projects on the magnificent Columbia River system have thwarted the will of the overwhelming majority of the people of the booming Pacific Northwest.

But when Dixon-Yates started crumbling, it crumbled fast and it crumbled completely, it could not stand up under public knowledge of so many of the facts, though not all the facts have even yet been pried out.

The gift of the Nation's richest remaining waterpower site to a private company for a botched development is an indefensible piece of waste.

It is waste being committed for the sake of an empty doctrinaire contention that development of electric power by a private company even when it is inferior, is preferable to development by the enterprise of all the people acting through their Government, even when it is superior.

The signs are hopeful that the wasters of Hells Canyon are on the run.

A favorable vote on the bill in the House should serve to spur that run into a rout.

Meanwhile, the disclosures of the pertinent facts should go on, for the facts are the wasters worst enemies. Senator KEFAUVER quite rightly intends to find out why the Idaho Power president, T. E. Roach, surrendered the tax concession, apparently of his own accord, and with evidence of extreme haste, only a week after he had told the Kefauver subcommittee indignantly that he would not entertain any idea of the sort.

As elsewhere in this absorbing mystery, there must be more here than meets the eye.

VISIT TO THE SENATE BY INDONESIAN PARLIAMENTARY DELEGATION

The VICE PRESIDENT. The Chair has the privilege of announcing the presence in the Senate Chamber of some very distinguished guests from the Republic of Indonesia.

A group of 12 Indonesian members of Parliament, led by Mr. Sartono, the chairman of Parliament, is currently visiting the United States at the invitation of the United States Government. The group represents a cross section of the political parties, ethnic and religious groups of the Indoneasian archipelago. In addition to meeting our Government leaders the group plans to tour the United States to meet informally with average Americans in everyday walks of life, and to study American institutions at close hand.

I recall the warm welcome which I received on all sides upon the occasion of my visit to Indonesia in 1953, and also my visit to the Indonesian Parliament.

It is a high privilege indeed to introduce Mr. Sartono and his Indonesian colleagues.

[The distinguished visitors rose and were greeted by prolonged applause, Senators rising.]

The VICE PRESIDENT. Without objection, the list of distinguished visitors will be printed in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Mr. Sartono: age, 57; party, Indonesian National Party (PNI), chairman of the Indonesian Parliament.

Mr. Sunito: age, 45; secretary to the Indonesian Parliament.

Dr. H. Ali Akbar: age, 42; party, Masjumi, one of the two major Moslem parties.

Mr. K. H. Mohammed Dachlan: age, 49; party, Islamic Nahdatul Ulama (NU), one of the two major Moslem parties.

Mr. Harsono Tjokroaminoto: age 45; party Indonesian Islamic League Party (PSII).

Mr. Lambert Kape: Party, Catholic Party.

Mr. Lucas Kustario: age, 37; party, Supporters of Indonesian Freedom Association (IPKI).

Mr. Memet Tanumidjaja: age, 42; party, Association of Police Officials of the Republic of Indonesia.

Mr. Christoffel Joseph Mooy: age, 36; party, Indonesian Christian (Protestant) Party.

Mr. Siauw Giok Tjhan: age, 43; party, Consultative Board for Indonesian Citizenship.

Mr. I. Made Sugitha: age, 34; party, Indonesian Socialist Party (PSI).

Dr. Natiar Hulman Lumban Tobing: age, 44; party, Indonesian National Party (PNI).

Mr. GREEN. Mr. President, on this auspicious occasion I feel that I cannot do better than repeat a brief address which I delivered on December 27, 1949, a few days before the Indonesian Republic was established. This is what I said then; and it has a good deal of significance in relation to what is happening now:

We Americans are expecting that on next Tuesday, December 27, a new sister republic will be born. We should be ready to welcome not a tiny little sister but a large, full-grown one—like Minerva. The new nation of Indonesia will stretch east and west, a distance greater than across this United States. It will comprise a population of over 75 million people. Unlike our fortunate country, however, it will comprise a large number of distinct islands large and small—some separated by wide stretches of water and with people speaking different languages and with different local traditions and habits. So the task of maintaining the new Government will be a difficult one. However, on the other hand the natural resources are very great, and the people will have accomplished their long-cherished ambition to be free and are ready to make political sacrifices to make good. In my opinion the outlook for success is favorable.

On my visit there a month ago—

That was in 1949—

as a member of a small subcommittee of the Senate Appropriations Committee, we met the officials of the French Dutch Government there which has ruled these islands for the past 300 years, and met also the native leaders of the revolution to attain independence. The friendly attitude of the Dutch is well expressed by Queen Juliana in her message to the world last evening. A similar attitude was expressed to us by the native leaders. One day a month ago, we flew from Batavia to Djocjakerta to call on Dr. Soekarno, the most prominent leader of the revolution and had a conference with him there, which was to me inspiring and reassuring. A few days ago he was chosen unanimously as the first president of the new nation to take office next Tuesday.

The night before this visit, his Excellency Mr. Lovinck, High Representative of the Crown, had given a dinner in our honor in the Governor General's Palace. It has a dramatic impact to realize that in a couple of days my host and his family and staff will move out of the palace and President Soekarno will move in, to take the place of those who had put him in prison only a year ago. Is not this characteristic of the times in which we live? A country is fortunate when a revolution is accomplished with little or no bloodshed. Both the Indonesians and the Dutch are to be congratulated on the outcome in Indonesia. Public officials elsewhere should take notice—for almost everywhere the masses of the people are restive, and in many places active.

May our country render appropriate help to her new sister republic in her difficult task.

I congratulate the people of Indonesia for the splendid record they have made under the most difficult circumstances.

Mr. WILEY. Senators and members of the Indonesian delegation, as a representative of the Republican Party in the Senate of the United States, I am very happy to greet you and to welcome you to our country. I want you to realize that that is not a mere formal expression of esteem for you. We are engaged in a joint enterprise to keep the peace of the world. Your country, which some 2 or 3 years ago, was far off in the distance, is now only a matter of hours away from us. We are neighbors, so to speak. We are engaged in the greatest joint enterprise the world has ever known, that of keeping and promoting peace.

In order to do that, we must have understanding. I hope before you leave this country everyone of you will feel that here the people are friendly to you, that they want to be helpful and want to understand your ways, as we want you to understand our ways.

It is a great undertaking in which we are jointly engaged. The world would go to pieces if we failed.

I notice from the list of the distinguished membership of your delegation that, as in our country, you have people of different religious beliefs and different political complexions. I may not be able to pronounce the names correctly, but I notice that there are representatives of the Indonesian National Party, the two major Moslem parties, the Indonesian Islamic League Party, the Catholic Party,

the Protestant Party, the Indonesian Freedom Association, the Consultative Board for Indonesian Citizenship, and the Socialist Party.

It is wonderful that you should have learned to work together. That is what all of us must do. There is an old saying in America—it may be a part of your philosophy too—which may be paraphrased in this way: "I may disagree with you in your beliefs, but I will fight to the death for your right to hold your convictions."

So, on behalf of the minority party in the Senate, again I say again, "Welcome."

Mr. SMITH of New Jersey. Mr. President, I came into the Chamber only a minute ago, and heard the distinguished chairman of our Committee on Foreign Relations [Mr. GREEN] express some words of welcome to our distinguished visitors. I also heard my colleague, the Senator from Wisconsin [Mr. WILEY] make a few inspiring remarks.

I had the pleasure, the day before yesterday, of attending a reception at Blair House, at which these gentlemen were present. I had the great privilege and honor of shaking hands with each one of them and of saying a few words to them. I am pleased to be able to say, as a member of the Committee on Foreign Relations and as a Member of the Senate, that I believe that if we are ever to have understanding between nations in these perilous times, it is vitally important that we get to know each other personally.

I found, in my travels in the Far East and in other places of the world that personal acquaintance, personal understanding, and the carrying on of correspondence are most helpful in enabling peoples to get together and to try to solve common problems.

I am proud to say in this respect that I have in my files letters from distinguished leaders in the Far East, in Burma, Indochina, Japan, the Philippines, Korea, and almost every other country.

It has been my privilege to be a member of the Far East Subcommittee of the Committee on Foreign Relations for a number of years. During that time I have visited the Far East on several occasions. I am sorry to say that I have not yet traveled to Indonesia, but I have promised myself the privilege of visiting that country, I hope in the very near future.

I join with my colleagues in extending to you a warm welcome and in expressing the hope that you will enjoy your stay in America, and get to understand and love our people, as we love your people.

The VICE PRESIDENT. In view of the comments of the Senator from Wisconsin, the Chair is glad that he had printed in the proceedings of the Senate today the names and political affiliations of our distinguished guests.

Mr. McNAMARA. Mr. President, I wish to concur in the remarks of my colleagues and to join in the greetings and best wishes which have been extended to our distinguished guests this morning.

COMMUNIST ACTIVITIES IN LATIN AMERICA

Mr. JOHNSTON of South Carolina. Mr. President——

The PRESIDING OFFICER (Mr. COTTON in the chair). The Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, over the last weekend I had an opportunity to read the remarks which the Senator from Wisconsin [Mr. WILEY], delivered in the Senate on June 21 concerning the importance of strengthening Latin-American ties. In large measure he has spoken my mind, and I am in complete agreement with much that he had to say. I commend the Senator from Wisconsin for his forthright thoughts and statements, and I wish to add my acquiescence and my additional views.

My fellow Senators know that as an American and also as a member of the Internal Security Subcommittee, I have long been interested in the far-reaching ramifications of the Communist movement not only in this country but throughout the world. We have all learned to our sorrow that we can no longer close our eyes to communistic activity merely because it does not take place exclusively within our own territorial jurisdiction. This whole system is intricate, cunning, involved, and deadly; and those who would do something constructive to prevent its spread within our own country must do a great deal more than to study and know about the superficial elements of communism which appear on the front pages of the newspapers and are virtually known to everyone.

The problem is much deeper and much more involved than it appears to be on the surface. This well planned, well financed, and well executed movement frequently takes the form of a wolf appearing in sheep's clothing. It is this aspect of the problem which causes most serious concern to us, because it is the innocent sounding organization which is truly the Communist front organization, just as it is the innocent sounding individual who is actually the Communist dupe.

Far and away the most difficult task of the various agencies and committees of this Government in dealing with communistic activities is the task of dealing with its more subtle forms. We in America have recognized this problem and have dealt with it accordingly. For this reason we have, in large measure, eliminated the activity and its consequences from within our own shores.

The same has not been true of world communism, nor has it been true of Americans in their recognition of what is actually communistic activity in the rest of the world. Only a short time ago, when the United States took a firm stand against any further assistance to the Nasser government in Egypt, many Americans approved and virtually cheered this firm stand in world affairs, this show of strength in international relations. But the cheers were short lived, for little did many Americans realize that the Suez crisis, the virtual loss of Egypt in the community of nations, and the invasion of that territory by Britain and France, together with the overhanging specter of world war III, were just around the corner. In a matter of weeks the minds of many of our own citizens changed from one of approval and cheers to one of fear and wondering whether our own action had resulted in an invitation to Communist Russia to occupy and control Egypt, the Suez Canal, and all that section of the world whose whole structure was dependent upon close and stabilized relations with Egypt.

Mr. President, it appears today that we are on the brink of creating new disaster for ourselves in a portion of the world which is more important to us than Egypt and the Suez Canal. Our relationships with the several countries of Latin America have been materially weakened within the past year.

Those who care to know of the forces which are responsible for the deterioration of our relationships need only to study available information to discover that a substantial Communist-dominated force operates from within Costa Rica. They are well financed and well guided, and the result of their operations is felt throughout the Caribbean area.

The strife-torn country of Haiti has virtually gone to its grave as a result of one bloody battle upon another, all created by the same forces.

Our important interests in Panama have been subjected to problems, troubles, and turmoils.

The Panamanian Government has done excellent work in handling the situation so far, and I hope to have more to say concerning the situation there at a later date.

Nicaragua, its President assassinated, is now desperately trying to beat down further insidious attacks from within and without, and up to this moment I see no evidence of assistance from us.

Governmental instability is rampant within Cuba. The forces of the existing government show signs of inability to cope with the communistic forces which threaten it. Cuba, which is an important country of the Caribbean area, only 35 minutes by air from Miami, is practically in the throes of a civil war.

Venezuela where American business has millions and millions of dollars invested, has recently been publicly threatened by a known Communist who not only vows to take over this fine country but also to expropriate all American interests there. I am not talking fantasy. This plan is published in a book which has been circulated throughout the Caribbean area. I fervently hope our State Department has a text of this literary poison.

Some of our own people have encouraged and abetted attacks upon the Dominican Republic and its leader, Generalissimo Trujillo, in the same manner as they lead the movement against Egypt. The Dominican Republic is important to us for many reasons. It is our stanch friend; it is an important base in our guided missile program; it is a stanch foe of communism in the Caribbean. It represents stability and

very distinguished guests from the Republic of Indonesia.

hand the natural resources are very great, and the people will have accomplished their

major Moslem parties, the Indonesian Islamic League Party, the Catholic Party,

our distinguished guests this morning.

of Egypt in the community of nations, Caribbean. It represents stability and

good government in a area torn with turmoil. It is confronted daily with new and false charges from within our midst which it could not possibly answer and refute without having as its disposal all of the media of press and communication within this country.

In the field of foreign affairs in the recent past we have heard much about the need for reappraisal. I suggest and I urge my colleagues to stop and reappraise our policy and our conduct with respect to the friends of America in the Caribbean area. I believe that when you take the time and devote the necessary attention to a proper reappraisal you will become shocked and frightened to learn, and possibly realize for the first time, how close we are to the loss of the Caribbean. It is a chilling thought to think that overnight we could discover that we ourselves have created an Egyptian situation within the Caribbean.

It is my urgent recommendation to my fellow Senators that they urge that our State Department and the other interested agencies of our Government do all within their power to stop this inspired campaign of hatred, distrust, and fear within the Caribbean, and, instead, use the forces at their command for better understanding, better cooperation, and better friends, in order that both they and we shall enjoy all the benefits that come from true friendship.

The security of the United States demands stability in Government in the Caribbean, our closest point of defense. It is alarming that we have not paid more attention to what is taking place in the Caribbean. I have called this matter to the attention of the chairman of the Internal Security Subcommittee, and have suggested that it might be wise for us to look into the activities in the Caribbean that are directly affecting our internal security. Some of the troublemakers in this area are entering the United States directly, and some are even living in our territories and possessions. Until this matter can be thoroughly analyzed, our governmental agencies should do everything possible to keep a friendly relationship existing between our Government and those countries in the Caribbean.

THE NATURE OF COMMUNISM AND THE RECENT DECISIONS OF THE SUPREME COURT

Mr. MUNDT. Mr. President, on yesterday there appeared in the Washington Daily News a most remarkable and significant editorial. It concluded with a pregnant sentence of which O'Henry might well have been proud or of which Ralph Waldo Emerson might well have been envious.

Because of the uusual significance of the editorial and because it deals with a subject which should occupy the attention of the Congress in the near future, in my opinion, I shall read the editorial during the 3 minutes allowed to me at this time.

The title of the editorial is "Whose Rights?"

I now read from the text of the editorial:

It is not the existing law of the land so much as the nature of communism which is brought into question by recent decisions of the Supreme Court.

Mr. President, I read the editorial into the RECORD, in part, because of my hope that it will be read by my colleagues and by the people of the country, and also because of my hope that it will be read by the Justices of the Supreme Court, since in their decisions they are dealing with a conspiracy which threatens the life blood of our country; and not only is it important that they know the law, but it is also important that they know the lawlessness of this conspiracy.

I read further from the editorial:

Orderly society is impossible without some government interference with the activities of citizens. These interferences should be kept at a minimum. But the right of the citizens as a whole to be protected in their enjoyment of "life, liberty, and the pursuit of happiness" is paramount.

Recent decisions have, in effect: Thrown open the confidential files of the FBI; held that the mere promotion of communism is not a crime unless there is overt incitation to force and violence; and restricted the right of Congress to ask about political beliefs and associations, even Communist beliefs and associations.

Mr. President, it worries me that there is such an unawareness on the part of the Court of the realities of the threat of communism.

I continue to read the editorial:

These decisions greatly encumber the intricate task of protecting our common rights by rooting out Communist subversion. They open prison gates for a large number of Communist leaders.

Mr. President, that is a sad fact to have to record in American history; but it is true. There are free today a large number of Communists, hating God, hating freedom, and hating America, who today walk the streets free because the United States Supreme Court has said they should be free.

I read further from the editorial:

Interference with the liberties of individuals habitually has varied with the imminence and extent of danger. The draft—certainly near the ultimate in interference with individual freedom—is a good example.

Fundamental to the point of view which produced these Supreme Court decisions is the refusal—or legal inability—of the Court to consider communism a criminal conspiracy to advance the interests of an unfriendly foreign power—a "clear and present" threat to national security. The decisions dramatize the need for law which plainly defines and outlaws this conspiracy.

Mr. President, I invite the attention of those who believe there is no such law to the first 17 sections of the Communist-control legislation, the so-called Mundt-Nixon bill, which specifically and meticulously defines communism, not only as a clear and present danger, but also as a conspiratorial apparatus, and points out guide lines by which one can determine whether an agency falls within the purview of that definition.

I continue to read the editorial:

It was communism which murdered more than 30,000 of our men in Korea and butchered the Hungarian freedom fighters.

Mr. President, I say to the Justices of the Supreme Court that is the communism to which allegiance is paid and for which work is done by the racketeers recently freed from jail by the decisions of the Supreme Court.

I read further from the editorial:

It is communism which imminently threatens world-destroying atomic war and requires our expenditure of the vast sum of $40 billion a year to prevent it.

Mr. President, one would think that if $40 billion of the taxpayers' money is spent in a year to prevent a war with communism, it would be proper to pass a law preventing Communists in this country from destroying us within, before they bomb or destroy the Capitol or the Supreme Court.

I read further from the editorial:

Anyone who participates in such a crime, if only in a small, stupid way, directly menaces the rights and lives of everyone. An individual has no more right to organize and serve this plot than he has to organize a cell of Murder, Inc.

Mr. President, one wonders what the Supreme Court would have held in a case in which criminals of Murder, Inc., had been convicted of conspiracy. Would the Court have held that those men should be turned free until they had committed a murder—so that after the murder was committed, there would be an overt act? As a layman, I see little difference between holding in that direction and holding that a Communist should be turned free until he is caught in the overt act of destroying the Government. How do we know that the overt act will be so small, so insignificant, or so inconsequential that we shall have time, after the overt act, to apprehend and arrest them and put them into jail, without having the lock to the jail opened by the United States Supreme Court?

I read further from the editorial:

At the very least, anyone who cooperates in the Communist movement lends aid and comfort to our sworn enemy in this cold war. And that is what makes communism different in kind from other unpopular, minority causes which the Bill of Rights is designed to protect from majority or State interference.

It is vital that the policies enforced by these decisions be modified or reversed either through rehearing before the Court itself, by tightening of the laws by Congress, or by constitutional amendment—if that extreme measure is necessary.

Mr. President, in connection with the reference, in the sentence I have just read, to "tightening of the laws by Congress," let me point out to my colleagues that, therefore, we have a responsibility, if the Court fails to act and fails to review. In that case Congress, as a coordinate branch of the Government, has some responsibility.

I read further from the editorial:

First efforts are properly concerned with protection of the FBI files through legislation to be introduced this week.

Mr. President, I salute our colleagues who already have introduced that proposed legislation.

Then the editorial states:

This legislation should get prompt attention.

Mr. President, by "prompt attention," I hope the editorial means the proposed legislation should receive that attention before the adjournment of Congress, this summer. I hope it will have such attention before the Senate becomes involved in a long, cantankerous debate about civil rights in some areas of the country. What I have been discussing involves the civil rights and liberty of every man and woman in America. If the Senate proposes to put first things first, it will consider the civil rights and the protection of all our citizens before we undertake the consideration of the civil rights of a few minority groups, important though they may be.

Then I come to this clincher paragraph, this remarkably significant paragraph with which the editorial is concluded:

It certainly is no defense of civil rights to permit the subversion of the Government which protects them.

I almost think that would be a wonderful legend to have carved over the doorway of the great marble building housing the United States Supreme Court.

Mr. President, I ask unanimous consent that the editorial be printed in full at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHOSE RIGHTS?

It is not the existing law of the land so much as the nature of communism which is brought into question by recent decisions of the Supreme Court.

Orderly society is impossible without some government interference with the activities of citizens. These interferences should be kept at a minimum. But the right of the citizens as a whole to be protected in their enjoyment of "life, liberty, and the pursuit of happiness" is paramount.

Recent decisions have, in effect: thrown open the confidential files of the FBI; held that the mere promotion of communism is not a crime unless there is overt incitation to force and violence; and restricted the right of Congress to ask about political beliefs and associations, even Communist beliefs and associations.

These decisions greatly encumber the intricate task of protecting our common rights by rooting out Communist subversion. They open prison gates for a large number of Communist leaders.

Interference with the liberties of individuals habitually has varied with the imminence and extent of danger. The draft—certainly near the ultimate in interference with individual freedom—is a good example.

Fundamental to the point of view which produced these Supreme Court decisions is the refusal—or legal inability—of the Court to consider communism a criminal conspiracy to advance the interests of an unfriendly foreign power—a clear and present threat to national security. The decisions dramatize the need for law which plainly defines and outlaws this conspiracy.

It was communism which murdered more than 30,000 of our men in Korea and butchered the Hungarian freedom fighters. It is communism which imminently threatens world-destroying atomic war and requires our expenditure of the vast sum of $40 billion a year to prevent it.

Anyone who participates in such a crime, if only in a small, stupid way, directly menaces the rights and lives of everyone. An individual has no more right to organize and serve this plot than he has to organize a cell of Murder, Inc.

At the very least, anyone who cooperates in the Communist movement lends aid and comfort to our sworn enemy in this cold war. And that is what makes communism different in kind from other unpopular, minority causes which the Bill of Rights is designed to protect from majority or state interference.

It is vital that the policies enforced by these decisions be modified or reversed, either through rehearing before the court itself, by tightening of the laws by Congress, or by constitutional amendment—if that extreme measure is necessary.

First efforts are properly concerned with protection of the FBI files through legislation to be introduced this week. This legislation should get prompt attention.

It certainly is no defense of civil rights to permit the subversion of the Government which protects them.

RELATIONSHIPS WITH COMMUNIST CHINA

Mr. JAVITS. Mr. President, the question of our relationship with Communist China is raised periodically, and of late we have evidence that some of our allies are going to be less severe, in their trade restrictions, on the Peiping regime.

Six years ago there were 55 American civilians held captive there. On June 14 the Communist Chinese released 2 Catholic missionaries, but today there are still 6 Americans being held under similar circumstances. Two of these are from my home State of New York. One is the Reverend Joseph P. McCormack, of Ossining, and the other is Hugh Francis Redmond, Jr., of Yonkers. Apparently they are under house arrest in Shanghai.

I have been in touch with the State Department and have been assured that the United States is continuing, through all feasible means, to obtain the release of Reverend McCormack, Mr. Redmond, and the other Americans still held. It is my determination that our Government must continue to work with all its power to secure the release of the 6 Americans.

I have opposed the recognition of Communist China or its admittance to the U. N. One of the great evidences of our good faith to captive peoples under the Communist yoke is our resolute determination to stand firm against ruthlessness and lawlessness in international conduct. The United States cannot allow itself to be other than the moral leader of the free world in this situation. The experiences of American citizens who continue to be held by Communist China confirm my view that Communist China is not yet ready for acceptance in the community of nations.

Mr. President, I ask unanimous consent to place in the RECORD two articles from the New York Times, dated June 14 and June 23, indicating the treatment accorded Reverend McCormack and Mr. Redmond.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

RED CHINESE FREE TWO UNITED STATES PRIESTS—PRISON SENTENCES COMPLETED—SIX OTHER AMERICANS ARE STILL BEING HELD

HONG KONG, June 14.—Communist China released two California Roman Catholic missionaries today upon expiration of their prison sentences. Both Jesuits, they had been held 4 years in jail and under house detention.

The priests are the Reverend Charles J. McCarthy, 45 years old, of San Francisco; and the Reverend John Alexander Houle, 42, of Glendale. Six other Americans still are being held. Three are under house arrest in Shanghai and the others are believed to be imprisoned in the Peiping-Tientsin area.

Six years ago the number of Americans held totaled 55.

Father McCarthy said by telephone from Shanghai that both he and Father Houle were in fair health. He said Father Houle had a back ailment, but was "in much better health than before." Father McCarthy declined to talk about how the Reds had treated them, saying, "We are still in Shanghai and would rather not say too much."

Father McCarthy, speaking in a faltering voice, said: "We are very happy to be free again." He said he wanted to tell friends and relatives "how much we appreciate all their thoughts, all their prayers, and their sacrifices."

TWO OTHER PRIESTS STILL HELD

The priests plan to come to Hong Kong in about 10 days.

The Reverend John P. Wagner, of Pittsburgh; the Reverend Joseph P. McCormack, of Ossining, N. Y.; and Hugh F. Redmond, of Yonkers, N. Y., a businessman, are still under house arrest in Shanghai, father McCarthy said.

The two priests still detained are expected to be the next Americans released, since they have served 4 years of 5-year terms. Redmond is under a life sentence. The charge against all three was the usual one of "counterrevolutionary activities and spying."

The other Americans held are Robert E. McCann, of Altadena, Calif., under a 15-year sentence; John T. Downey, of New Britain, Conn.; and Richard G. Fectau, of Lynn, Mass. The last two are United States Army civilian employees under sentences of life and 20 years, respectively.

Father McCarthy said Father Wagner had been hospitalized with asthma since last September.

TWO FREED PRIESTS RELATE HARDSHIP—MALTREATMENT IN COMMUNISTS JAILS CHARGED BY JESUITS ARRIVING IN HONG KONG

HONG KONG, June 22.—Looking pale and tired, two 42-year-old Roman Catholic priests stepped ashore here tonight after 4 years imprisonment in Chinese Communist jails.

The Reverends John Alexander Houle, of Glendale, Calif., and Charles J. McCarthy, of San Francisco, said they had been imprisoned on false charges.

They asserted that their treatment could not be described as brutality nor torture in the accepted sense of the terms but that they had suffered extreme hardships at the hands of their Communist jailers. Both men were arrested June 15, 1953.

"I was accused of spreading rumors and helping a spy," Father Houle said. He added that he had been half carried and half dragged from a sick bed to a mock trial.

Father Houle explained that his disability, a back ailment resulted from "many months of sitting on a prison floor under difficult circumstances."

Father McCarthy later explained that these circumstances had included being forced to sit on the bare floor for hours without moving in a room with no natural light. An electric light burned night and day. It was extremely cold in winter and hot in summer.

"On the day of my trial I had to have two guards partially carry me," Father Houle said. "I couldn't walk. At one period, I more or less collapsed."

He said the prosecutor had made two speeches to an empty courtroom, and a few hours later he had been sentenced.

The two missionaries arrived from Shanghai on board the British freighter Rednorshire tonight, wearing black clerical garb.

Both men said they had been questioned incessantly before their trials, for periods as long as 5 hours. Father Houle said he did not remember signing any sort of confession, but Father McCarthy said he had. He declined to state its contents.

Both men said their prison life had been miserable but that beatings and other forms of direct physical maltreatment had not been administered.

"They didn't have to," Father McCarthy added.

Daily prison life was a regular form of mistreatment, they said. Both were confined in bare rooms with wooden floors. A slop bucket and sometimes a quilt was the only furniture. Father Houle said he had never been in solitary confinement, usually sharing a room with one or more persons.

"They made use of every possible occurrence of daily jail life to add immeasurable pressure to you to make you receive suggestions," Father Houle said.

The food at the start was plain but palatable, he added. It was "in the garbage category later." He said he had to eat swill from February 19, 1954, until September 19, 1955.

Father McCarthy said he had been tried for ideological sabotage. Asked if he denied charge, he said firmly, "Certainly." He said that while he and Father Houle were in prison they had no outside communications, and mail from friends was denied them.

The two priests said that of the remaining priests held prisoners in Shanghai, the Reverend Joseph P. McCormick, of Ossining, N. Y., was under strain but in good physical condition, and the Reverend John P. Wagner of Pittsburgh was suffering from asthma but was hopeful of his release next year. They said that Hugh F. Redmond, of Yonkers, N. Y., a businessman, was in comparatively good health.

HUNGARIAN REFUGEES

Mr. KEFAUVER. Mr. President, I am certain all Members of the Senate have studied the report of the United Nations committee in connection with what happened in Hungary last fall. It is unfortunate some mechanism was not provided, either by the NATO countries or by the United Nations, which would effectively deal with the problem brought about by the revolt of the freedom-loving Hungarians against their repression by the Soviet Communists; but we can be grateful that at least a report of what happened has now been submitted.

The report, and the general Hungarian problem, are discussed in an outstanding editorial in the New York Times of today, which I ask unanimous consent to have printed in the RECORD, but first I should like to read the first paragraph of the editorial:

Instead of congratulating ourselves, as the administration persists in doing, on the admission of a mere 32,000 Hungarian refugees during the past 6 months, we ought to be searching out new ways to give help and give it generously. One way would be to relieve the increasingly desperate condition of a few thousand Hungarian teen-agers who fled their country last fall and are now stuck in Austrian camps where they are fast losing their future. A few hundred of these "unaccompanied minors" have relatives in the United States who would like to take them in—but who are stopped (just as are relatives of Jewish refugees from Egypt) either by our immigration laws or by the administration's interpretation of them, or both. Fourteen hundred of these Hungarian children are already reported to have gone back or to have disappeared. Will official indifference—on the part not of some remote European bureaucrat but of our own American Government—kill all hope for those who remain?

At least in a small way, that would be doing something to show our appreciation of the spirit of those people. I hope the appropriate committees of Congress may take the problem into consideration and act, instead of talk about it so much.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CONSCIENCE ON HUNGARY

Immediate reconvening of the General Assembly of the United Nations is now in order to consider the scathing report that has just been issued by its special committee of inquiry into Soviet Russia's savage suppression of the Hungarian revolt.

The unanimous finding of the committee, composed of representatives of five independent powers from as many continents, could leave no trace of doubt in anyone's mind that the spontaneous national uprising in Hungary, caused by long-standing grievances, was crushed by a massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs. The brutality of Communist imperialism, as thus once again revealed, is matched only by the cynicism of official Russian and Hungarian attempts to laugh off this measured judgment of the free world. The question now is, as it always has been: what to do about it:

Certainly the least that can be done is for the Assembly to resume its suspended session for the express purpose of taking up this report. The revulsion of the civilized world against Russia's aggression in Hungary must be emphasized and reemphasized; the contempt of every free state for the Kadar regime must be underlined; whatever moral weight the opinion of free peoples may have—and we believe it has, cumulatively, a great deal of weight—must be brought to bear against the degradation of the human spirit that the Russian masters have forced on Hungary.

We hope that Ambassador Lodge, chief of the United States delegation, will urge these points at the meeting today of the 24 countries that originally sponsored the Hungarian investigation. The Senate Foreign Relations Committee yesterday unanimously urged the reconvening of the General Assembly at this time to consider the problem of Hungary; and we trust that the Senate itself will quickly endorse that action. The United States can and should take the leadership, but in this matter the decision does not depend on us alone. There are, however, certain things we could and should do on our own initiative to show our practical sympathy for the Hungarian people.

Instead of congratulating ourselves, as the administration persists in doing, on the admission of a mere 32,000 Hungarian refugees during the past 6 months, we ought to be searching out new ways to give help and give it generously. One way would be to relieve the increasingly desperate condition of a few thousand Hungarian teen-agers who fled their country last fall and are now stuck in Austrian camps where they are fast losing their future. A few hundred of these "unaccompanied minors" have relatives in the United States who would like to take them in—but who are stopped (just as are relatives of Jewish refugees from Egypt) either by our immigration laws or by the administration's interpretation of them, or both. Fourteen hundred of these Hungarian children are already reported to have gone back or to have disappeared. Will official indifference—on the part not of some remote European bureaucrat but of our own American Government—kill all hope for those who remain?

INSTITUTE OF LOGOPEDICS IN WICHITA, KANS.

Mr. CARLSON. Mr. President, located at Wichita, in the State of Kansas, is the Institute of Logopedics, which is recognized as the world's most complete center for the rehabilitation of the speech handicapped.

This institution is under the direction of Dr. Martin F. Palmer, who in 1934 began this work in a very small way, and at the present time is operating in a plant which includes an administration building and 40 cottages, each containing four 2-bedroom apartments, together with an outstanding staff of specialists in the field of speech and language rehabilitation work.

Persons with communicative problems make up the largest single group of handicapped persons in the world. One out of every 20 children born develops a speech handicap.

We are all familiar, through excellent publicizing by all media, with the handicapping conditions caused by polio, cancer, tuberculosis, heart disease, mental illness, and cerebral palsy. Yet, in number, the speech handicapped group ranks equally with, or far above, the victims from these causes. As a matter of fact, there are three times as many persons with a communicative disability than the combined total of victims of polio, tuberculosis, cancer, cerebral palsy, and muscular distrophy.

One might well ask: "Are those with speech difficulties really handicapped?"

Statistics show that a speech handicapped child is an average of one grade behind other students of the same age. In adult life, he will average one-fourth less earning power than his fellow workers with no communication problem. This means that the speech handicapped person takes his place in the commercial world either a year late or with less education, and must be satisfied with a 25-percent reduction in his earning power.

The Institute of Logopedics at Wichita, under the direction of Dr. Martin F. Palmer, is treating large numbers of individual cases at the institute itself, and in addition, has established in the State of Kansas and other areas field-center programs which bring the training facilities out into the various sections of the State under qualified speech therapists.

Dr. Palmer was recently awarded a citation in the form of a plaque by the President's Committee on Employment of the Physically Handicapped. The award reads:

Citation for meritorious service conferred upon the Institute of Logopedics in appreciation for exceptional contributions in advancing the employment of the physically handicapped. The President's Committee on Employment of the Physically Handicapped.

The important work that is being done by Dr. Palmer and his staff for the benefit of a handicapped group is worthy of note by the United States Senate.

THE FLOOD DISASTER IN MINNESOTA

Mr. HUMPHREY. Mr. President, during the past 10 days Minnesota has been subjected to some of the most severe rainstorms in its history. Only yesterday, I returned from the State after a survey of the flooding, which has wiped out crops of thousands upon thousands of Minnesota farm families—particularly in southwestern Minnesota, but also in scattered areas throughout the State.

What at first, the weekend before last, appeared to be a somewhat localized disaster, embracing Lyon County and parts of neighboring counties, has now mushroomed to the extent that there is now general crop damage within an area of more than 8,500 square miles.

Estimates which are still being revised, made nearly a week ago and before flooding and crop damage were reported elsewhere in the State, ran at $5 million damage to crops in the original area of flooding.

Following Gov. Orville L. Freeman's request to the President for Federal assistance, much of southwestern Minnesota has been designated as a major disaster area. Civil defense has now moved into the area, as has the Small Business Administration with its emergency-loan program, and other agencies.

However, despite the widespread damage, the Department of Agriculture has been slow to move effectively. The Farmers Home Administration at this stage has agreed to recommend only four counties of the State for its low-cost 3-percent emergency loan program.

Mr. President, I do not wish to be unkind to the Department of Agriculture, but if representatives of that Department will come to Minnesota, they will find more than four counties at the present time covered by water. I suggest that they get off their high pinnacle and give us some assistance.

I am still awaiting a reply from the Secretary of Agriculture to a letter I sent to him Friday proposing that he use his existing authority to set up a more comprehensive emergency flood relief and rehabilitation program within his own Department patterned on the successful Department of Agriculture task force set up after the 1951 Missouri floods.

Mr. President, in this letter I pointed out that a coordinated program involving the Soil Conservation Service, the Commodity Stabilization Service, the Agricultural Extension Service, and the Farmers Home Administration, could bring the most effective and prompt relief to hard-hit farmers in Oklahoma and Texas and South Dakota, as well as in Minnesota.

I pointed out that for many farmers the limit of debt has just about been reached, and that it is vitally necessary to move into a program of direct Federal grants and technical assistance, as well as low-interest loans.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks my letter addressed to the Secretary of Agriculture dated June 21, 1957.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 21, 1957.

The Honorable EZRA TAFT BENSON,
Secretary of Agriculture, United States Department of Agriculture, Washington, D. C.

DEAR MR. SECRETARY: As you are no doubt aware from our earlier contacts with officials of your Department requesting emergency aid, Minnesota has been hit heavily with devastating floods wiping out crops and causing extensive property damage over a wide area.

It is imperative that all possible assistance be expedited to save hundreds of farm families from complete financial ruin.

From preliminary surveys we have made of the area and from information gathered by the Governor's office in Minnesota, it appears that disaster loans—as urgently as they are needed by some—will not be sufficient as an answer to avert acute hardship and personal tragedy. Many farms of the area are already heavily encumbered with debt as a result of the serious economic depression in our farm regions. With no real improvement in sight for farm prices or income, it is going to be impossible for most of them to assume new debt with any real chance of paying it off. In fact, unless ways can be provided to keep many of these farmers in business the Government faces greater loss on loans it has already extended under the Farmers Home Administration.

For that reason, I want to urgently request your immediate cooperation in calling together a Department of Agriculture task force representing the Commodity Stabilization Service, the Soil Conservation Service, the Farmers Home Administration, and the Agricultural Extension Service for the purpose of working out a coordinated emergency flood relief and rehabilitation program embracing loans, grants, and technical assistance.

Precedent for such action was provided in the effective land rehabilitation program conducted by the Department of Agriculture after the Missouri basin floods of 1951. I suggest you review action taken at that time as the basis for a comprehensive program of emergency assistance utilizing to the utmost your existing agencies, personnel, and appropriations, supplemented by requests for whatever additional funds you may need either from the President's emergency fund or directly from the Congress.

Similar flood problems have caused heavy loss to farmers in Oklahoma, Texas, South Dakota, and other States. Any such program could be helpful in providing emergency action wherever needed and justified.

Unless the Department takes some such immediate emergency action, it is likely that Congress may compel you to divert the soil-bank program to similar purposes. I know it has been your hope that the soil-bank program could be confined to its originally intended purpose of reducing production, rather than for disaster relief such as the drought aid extended last year. In my opinion, the best way to immediately provide a special, separate emergency relief program is one financed either out of the President's emergency fund or by special supplemental appropriation.

Each of the agencies I mentioned can make a valuable contribution to emergency assistance if coordinated direction for an organized program is provided from the Secretary's office, rather than each trying to operate independently. Farmers in stricken counties should only have to turn to one central source for information on whatever assistance is available. They are now confused and uncertain; some are appealing to FHA, some to the county agent, some to soil conservation district personnel. It is time to invoke some emergency instructions designating disaster coordinators linking all these agencies together similar to the wartime mobilization committees in each of our rural counties.

Unless some effective method is provided for making at least partial grants to stricken farmers for the purposes of rehabilitating their land and buildings, similar to the ACP program, I am afraid you have doomed the future of the soil-bank idea. Farmers will not take very kindly to the idea of seeing some farmers forced out of business by forces beyond their control and yet denied cash assistance, while other farmers untouched by the floods get checks for leaving some of their land idle.

As you know, I have shared your desire to keep the soil bank from being just a relief program. I am now convinced, however, that the only way to do that is to provide a specific relief program that accomplishes the same purpose in a more direct way.

I would appreciate this suggestion and request being given your personal consideration at the earliest possible moment. Our Governor has wired the President requesting help under the authority Congress has given the President for just such emergencies. It is now up to the Department of Agriculture to assert some initiative in developing effective ways to provide such help.

Sincerely,

HUBERT H. HUMPHREY.

Mr. HUMPHREY. Mr. President, I am still hopeful that the Secretary of Agriculture will act on this suggestion, and that an immediate program will be put into effect.

Since I wrote this letter, Mr. President, a further effect of these disastrous floods has been revealed—the worst soil erosion of recent times in Minnesota and the upper Midwest. Mr. Alfred D. Stedman, the knowledgeable and incisive farm editor of the St. Paul Pioneer Press, wrote an article this past Sunday in which he clearly demonstrates the need for an immediate and intensive emergency soil conservation program.

Mr. Stedman writes that Minnesota's top soil conservationists agree that "at least 100 million tons of Minnesota's finest remaining earth cover are estimated to have been moved, much of it down the drain."

These are losses almost irrecoverable, Mr. President. They are losses which cannot completely be recouped. But we can still move in to help the farmers on the damaged land to build their fields back into productive use, and to protect the top soil from further erosion. That is what I urge the Secretary of Agriculture to do.

Mr. President, I ask unanimous consent at this point in my remarks to have printed in the RECORD the article by Mr. Alfred D. Stedman which appeared in the June 23, 1957, St. Paul Pioneer

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Mr. Alfred D. Stedman which appeared in the June 23, 1957, St. Paul Pioneer

Press, entitled "Midwest Soil Erosion Exceeds Storm Damage."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MIDWEST SOIL EROSION EXCEEDS STORM DAMAGE

(By Alfred D. Stedman)

The worst soil erosion destruction of recent times in Minnesota and the Nation's midlands was reported by conservationists Saturday as a result of widespread cloudbursts, tornadoes, and floods.

Swollen rivers loaded with silt from a vast network of washouts are sweeping the midland's topsoil to the sea. At least 100 million tons of Minnesota's finest remaining earth cover are estimated to have been moved, much of it down the drain.

The destruction is appalling and irreparable, conservationists declared. The damage extends afar from the Minnesota flood area beyond Fargo on the north and beyond the twin cities on the east. The trail of soil loss reaches into Wisconsin, Iowa, South Dakota, Illinois, Missouri, Nebraska, and Kansas. The rivers of Oklahoma and Texas are running red with the soil fertility of that land.

SOIL LOSS GREATEST

In total lasting loss, the destruction of soil far exceeds many times over all other forms of flood and tornado damage combined conservationists say. Pending real analysis, they only whisper their efforts to measure totals in money. Some say any estimate up to a billion dollars might be subject to challenge as being too low.

But salvaged from this disaster are these two things:

1. The Nation has a shocking lesson as to the urgency of stepping up erosion control and small watershed flood-control programs, and of strengthening the Federal soil bank so as effectively to serve soil conservation; and

2. The starting point for protection is shown to be the farm itself, and the enormous protective value of the soil conservation district's work is proved. There's no way to avert a flood when 8 or 10 inches of rain falls in a day; but the minority of farms that have in operation complete soil district plans of terracing, contour stripping, and grassing of danger spots are coming through with little damage.

SHORT SEASON CROPS

Though ruinous to many individual farmers and creating an acute problem of getting seed of short-season soybeans, sorghums, or other crops suitable for replanting so late, the losses to crops are offset by good growing conditions elsewhere and are dwarfed by the widespread permanent destruction of soil, conservationists said.

This damage is described as worse outside the rather flat country of the main flooded areas on more rolling lands such as those in the Dassel, Darwin, Willmar areas, for instance, and east and south of St. Paul.

This year's soil losses are the worst in any year since he came here in 1934, Herbert A. Flueck, of St. Paul, State conservationist of the United States Soil Conservation Service, said Saturday. Even in the great St. Paul flood of 1952, when rains lashed a thawed-out topsoil, the destruction wasn't as bad. Mr. Flueck based his estimate on personal surveys by himself and associated soil scientists, including Roy E. Bennett, St. Paul, of his staff.

Between rows of freshly cultivated soybeans or corn, many fields are riddled to subsoil. "Some of the slopes," commented Minnesota's top crop reporter, Roy A. Bodin, of St. Paul, "look as if only about one more such a beating would complete their destruction."

LAND DAMAGE HEAVY

Said William A. Benitt, of Hastings, chairman of the Minnesota Soil Conservation Committee: "The news stories rarely make any mention of the damage to the land. But it is this loss that's irreparable. And it is so much greater than the damage to buildings, roads, and bridges. The damage done to farmlands near Lake Elmo in Washington County recently can never be repaired. Fields planted in rows running up and down on slopes were gutted, from plow-furrow depth to several feet."

But from Washington County clear to the southwestern border of Minnesota and beyond, the farms in soil-conservation districts that have complete soil-conservation plans in operation are saving their soil. The terraces and contour strips lead the waters gently around the slopes, averting erosion. The grassed knolls and water runways held well. The alfalfa-bromegrass cover for strips are showing close to zero erosion. The detention dams are doing their job. The new farm-stock water ponds are described as an outstanding success, especially in the Lake Benton area.

NO QUICK PROGRAM

But a deep trouble is that there's no cheap, easy, quick way to get a conservation plan worked out and in operation on each of 150,000 farms in Minnesota or on 4 million or so in the Nation. It takes soil scientists, and, although the SCS now has 45 on-farm trainees in Minnesota alone, there are never enough of these soil technicians to keep anywhere near farmers' demands for plans. It takes public money, and never enough is provided. It takes time for many farmers to convince themselves they must go ahead. Then it takes more time for them, one by one, to get his own farm plan into complete operation.

Now almost 80 percent of Minnesota farmers are within soil-conservation districts. Probably 30,000, or 1 in 5, of our 150,000 farms are enrolled as cooperators. But not one in each dozen farmers has a complete soil-conservation plan in operation on his own farm in this State and many others.

The 1957 soil-erosion disaster bristles with lessons, conservationists say, including several "don'ts": Don't delay getting conservation plans in operation a bit longer than necessary. Southeastern Minnesota, which started setting up soil districts far ahead of the rest of the State, is fighting off erosion damage better. Don't plant soybeans especially, or corn or other row crops, up and down slopes. Farmers of southeastern Minnesota, where soybeans entered the State, learned that long ago about this crop whose roots fluff up the soil and expose the land to water erosion.

CULTIVATE LESS OFTEN

Don't believe any longer that the more cultivating of the soil the better—the methods that rely on chemical weed killing or on tractor-track planting which minimize cultivation look better now. And besides the great lesson of speeding up soil-conservation districts farm plans, farming people have mentioned at least three others:

First, the new Federal soil bank isn't working as it should to conserve soil. Sure, it is fine farm-income insurance for those farmers who now are signed up to get $20 to $40 an acre rental for soil-bank lands that are suddenly cropless or deep under water. But if instead of just annual surplus cutting the long-time (conservation reserve) side of the soil bank were more widely used to keep knolls and potholes in permanent conservation uses, the soil bank would be doing a far better soil-saving job than now. Next, the Government's conservation practice (ASC) payments could put greatly increased money incentives behind the effective types of soil district and soil-bank work. Finally, the small watersheds program of upstream flood control under Public Law 566 (Representative H. CARL ANDERSEN was one of the sponsors) which is just in the blueprint stage for the Hawk Creek-Shakopee Creek-Mud Creek-Chippewa River area that is now hit so hard, should be speeded up. This helps communities that, after the farm itself, are the focal points for attacking soil erosion at its source.

As it is now, in this year of high-frequency tornadoes and floods, the soil is going down the streams to silt up the big dams that will need costly dredging, or else is being swept to the sea.

Mr. HUMPHREY. Mr. President, last evening I received a petition from a large group of farmers in the Swift, Chippewa, and Kandiyohi Counties area of Minnesota, together with a group of businessmen from Benson, Minn., and neighboring towns, who had gathered together to consider what action might alleviate the severe economic conditions following the floods of the past 2 weeks.

These farmers and businessmen, Mr. President, recognizing that their plight is being shared by other farmers and businessmen in other parts of the Nation who have also been hit hard by the severe and unusual 1957 weather, have called and petitioned for direct Federal help in the form of grants, and not loans.

Mr. President, this petition is a document which is well worth study. It states the problem clearly, and it pleads eloquently. I hope that my colleagues and the Secretary of Agriculture will read it, give it the necessary thought, and take action.

Mr. President, I ask unanimous consent that this petition, signed by a number of Minnesota farmers and businessmen, be printed at this point in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

We, the undersigned farmers of the Swift, Chippewa, and Kandiyohi Counties area, in the State of Minnesota, assembled this 22d day of June 1957, in an open and public meeting in the courthouse in the city of Benson, Minn., together with Benson businessmen and businessmen of neighboring towns, for the purpose of discussing the disastrous floods in our area and proposing such action as will alleviate the highly detrimental and long-term results of the economic losses caused by such floods, do propose, resolve, and petition as follows:

"Whereas the above-mentioned area suffered a flood from storms in the year 1952 which was determined by the United States Soil Conservation Service to be one of a 50-year frequency; that is, one of such severity that it will only occur once in every 50 years; and

"Whereas the above-mentioned area suffered another flood in the year 1953 which was also determined to be of a storm of a 50-year frequency by the United States Soil Conservation; and

"Whereas the above-mentioned area has just suffered flooding and inundation in this year of 1957, at the present time, which is more severe and more damaging, than either of the other 2 years mentioned; and

"Whereas thousands of acres have been flooded due to his very abnormal rainfall; and

"Whereas the flooding is due to an act of God, the flooding occurred through no fault of our own and in spite of the preventive action we have taken, in that for the last

5 years, through the small pilot watershed program, we have been constantly preparing ourselves to go into such program in cooperation with the United States Soil Conservation Service and in doing so, have obligated ourselves to many thousands of dollars to pay for such program; and

"Whereas we presently have an unstable farm economy due to tremendous transitions that have been and are now taking place in the field of agriculture: Now, therefore, be it

"*Resolved*, And we respectfully herewith petition for direct help under present existing authority of the United States Government for all farmers who have flooded acres or for participation in an emergency soil-bank program for 1957 for all farmers; that a program of additional credit was extensively and thoroughly discussed with a unanimous decision against such credit as an adequate means of action for the reasons above mentioned, reasons such as 3 years of disastrous flooding and inundations which have forced farmers in this area to use credit beyond the point of safety, the fact that our area has been hard hit by the transitional period in agriculture causing extensive use of credit beyond reasonable limits and the fact that our younger farmers have had little or no opportunity to acquire any kind of financial reserve; that an emergency soil-bank program would be in keeping with the theory and desired results of the soil-bank program in that the catastrophic flooding will prevent tremendous crop production by reason of having taken thousands of acres of land out of production; and

"Lastly we pledge our united support to all flood disaster areas throughout the country inasmuch as this is the type of emergency which should clearly be above politics and is rather on the basis of mankind's help to mankind, as one would aid another member of his family in the face of dire and severe difficulties."

We, the undersigned Benson businessmen and businessmen of neighboring towns, wholeheartedly support this resolution and petition setting forth the disastrous emergency that has come about in our area of western Minnesota due to devastating floods of recent weeks. We are thoroughly familiar with the fringe economy of our farmers which has largely resulted from the transition period in agriculture together with the loss of crops in 1952 and in 1953 due to floods. Knowing full well that the crop loss of 1957 without any direct help to tide them over will result in large numbers of our farm people losing their life savings and liquidating their farming operations and we therefore sincerely solicit your support as our representatives in the Congress of the United States to meet this dire need for help for our farmers and business people in this very critical emergency.

COPY OF SIGNATURES

Alfred I. Johnson, State representative, Swift County, Minn.

George P. Grussing, State representative, Chippewa County.

Richard A. Bodger, executive secretary, Benson Chamber of Commerce.

Russell Hanson, vice president, Swift County Bank; president, Swift County Agriculture Credit Association.

C. R. Logan, president, Benson Chamber of Commerce.

W. D. Shores, chairman, Hayes Township, Swift County; president of Farmers Cooperative Elevator.

Wesley Benham, chairman, Farmers Union Local, Danvers, Minn.

Bruce Anderson, Chippewa Farmers Union Local, Benson, Minn.

Derald Brock, Kerkhoven, Minn., operates 300 acres, 80 acres flooded.

Elgin Johns, Swift County,

John E. Fahl, Swift County, 580 acres, 100 drowned.

Ludvig Pedersen.

C. E. Hughes, 100 acres under water.

Wilton H. Christensen, chairman, Torning Township, Swift County.

Raymond Larson.

Edwin Berens, Swift County, operates 1,400 acres, 300 acres flooded.

Orin Ahrndt, Swift County, operates 320 acres, 75 acres flooded.

Vern Sanders, Swift County, operates 280 acres, 70 acres flooded.

Ralph Moline, Swift County, operates 200 acres, 40 acres flooded.

K. R. Anderson, Swift County, operates 360 acres, 40 acres flooded.

Leslie Larson, Swift County, operates 200 acres, 120 acres flooded.

Orle E. Mills, Swift County, operates 160 acres, 90 acres flooded.

E. W. Nelson, Benson, Minn.

John Wagner, Danvers, Minn.

Maynard Sather, Montevideo, Minn.

Tom McCann, Benson, Minn.

Ervin Janson, Benson, Minn.

Walter Vergin, Benson, Minn.

W. F. McQuaid, DeGraff, Minn.

Orin J. Ellingson, Montevideo, Minn.

Jennie S. Erickson, Benson, Minn.

Henry E. Holstad, Benson, Minn.

Adolph Lundberg, Benson, Minn.

Wilbur Hawkinson, Benson, Minn.

Roy Kerker, Benson, Minn.

Edwin Haugen, Benson, Minn.

Robert Muehlbauer, Danvers, Minn.

Leo Hennessy, Danvers, Minn.

Howard Kelly, DeGraff, Minn.

Roger Norby, Benson, Minn.

Albin Haugen, Benson, Minn.

Arthur Svea, Benson, Minn.

Ray Cameron, Clontarf, Minn.

Marvin Haugen, Benson, Minn.

Clarence W. Johnson, Benson, Minn.

Joseph S. Pothen, Murdock, Minn.

Fred Stiel, Danvers, Minn., 80 acres operated, 20 acres flooded.

W. E. Banister, Danvers, Minn., 240 acres with 45 acres flooded.

Virgil L. Evenson, 200 acres with 40 acres flooded.

LeRoy Kennedy, 200 acres operated with 30 acres flooded.

Edward Stiel, Danvers, Minn., 260 acres operated with 40 acres flooded.

Chas. McMahon, Murdock, Minn.

W. R. Frederickson, Murdock, Minn.

Lloyd Vetter, Montevideo, Minn.

O. J. Hilleren, Benson, Minn.

Joseph B. Lee, DeGraff, Minn.

Roy Nelson, member, board of directors, Benson Chamber of Commerce, owns Benson Livestock Market.

Donnel Frederickson, Murdock, Minn., president, Swift County Farmers Union.

Gerald H. Fahl, Benson, Minn., Route No. 3.

K. D. Anderson, Kerkhoven, Minn.

Ardell E. Nelson, Kerkhoven, Minn., farms 240 acres, 100 acres flooded.

Henry Fenstra, Kerkhoven, Minn.

H. I. Kennedy, Kerkhoven, Minn.

Glen Flynn, DeGraff, Minn., operates 240 acres, flooded 30 acres.

John Fath, DeGraff.

Rudolph C. Anderson, Benson, 500-acre farm, 150 acres lost.

Aldor Anderson, Benson, 500-acre farm, 150 acres under water.

Bert Gravernish, Murdock, farm 320 acres, lost 40 acres.

Fred Vergin, Benson, 300-acre farm, 60 acres under water.

Elmer Dieken, Montevideo, 147-acre farm, 45 acres lost.

Chet Lang, Murdock, grocery store owner.

Gerald Osterbauer, DeGraff, 260-acre farm, 90 acres under water.

Rudy Osterbauer, DeGraff.

Herb Guse, Montevideo, 60 acres under water.

Carl J. Menking, 140 acres under water on 230-acre farm.

D. F. Mitchell, Benson, 95 acres flooded on 320-acre farm.

Joseph B. Ellingson, Benson, 70 acres flooded on 240-acre farm.

Lawrence Hilleren, 75 acres flooded on 111-acre farm.

Henry Vergin, Benson, 70 acres flooded on 240-acre farm.

Wm. Ahrndt, Benson, 30 acres flooded on 120-acre farm.

Ernest Ahrndt, Benson, 80 acres flooded on 280 acres.

William A. Karrigan & Son, 190 acres in 400 acres.

Elmer Cramlet, Benson.

Harvey Harlow.

Alfred P. Olson.

Roy R. Anderson.

Ernest B. Johnson, Montevideo, Minn., route 2.

Floyd Johnson, Benson, Minn., route 3, ASC committeeman.

Arthur Heimdahl, Danvers, Minn.

Lawrence Rois, Benson, Swift County commissioner.

John W. Tatge, Benson, Minn., 240-acre farm, 80 acres lost.

O. G. Cannon, Benson, Minn., 320-acre farm, 70 acres out.

Christ Haugen, Benson, Minn.

Ed. V. Quinn, DeGraff, Minn.

Norman Rittenour, Benson, Minn.

Herbert Norby, Benson, Minn.

Howard Payne, DeGraff, Minn.

Paul Gustafson, Benson.

Wm. P. Kavanagh, DeGraff, Minn., chairman, Swift County DFL.

Russell Hutchins, DeGraff.

Thorvin Johnson, DeGraff.

J. C. Christenson, DeGraff.

Darrel L. Graven, Benson, 280-acre farm, 120 acres lost.

Philip Foley, Murdock, Minn.

Howard W. Peterson, vice chairman, Chippewa River Tributaries and Hawk Creek Watershed Association.

Lloyd Clatanoff, Benson, Minn.

Lawrence E. Anderson, Benson, Minn.

Orville Welling, Montevideo, Minn., route 1.

Lloyd Menking, Montevideo.

R. A. Ranney, Benson.

George R. Arends, Montevideo.

Otto Bishop, Murdock.

Harold Osterbauer, DeGraff.

Lester E. Smith, Benson.

Les Smith, Benson.

Michael Madden, DeGraff.

Geo. Antolick, DeGraff.

L. C. Tatge, Benson.

Ray McConville, DeGraff.

Frank Fernholz, DeGraff.

John Fernholz, DeGraff.

Ray Baune, DeGraff.

John Suter, DeGraff.

Lloyd Elliott, Benson.

C. V. Forsberg, Benson, city assessor.

James O'Leary, Danvers.

Ralph Fragodt, Danvers.

Donald Fragodt, Danvers.

Bertice L. Jacobson, Benson.

Lawrence Curley, DeGraff.

Fred Lletz, Benson.

Otto Rods, Benson.

Harold Jensen, DeGraff, Minn.

Dan Quinn, chairman, welfare board, DeGraff.

Francis Krattenmaker, DeGraff, Minn.

Curtis Thompson, Montevideo.

Harry Wollschlager, Benson.

Luther J. Lee.

Martin G. Thompson.

Mr. Jacobsen.

Mr. HUMPHREY. Mr. President, it has been suggested that soil-bank payments be permitted to those farmers who have suffered losses of their croplands in these recent disasters. I would frankly

rather see commenced an immediate new

of that national prosperity. We are deter-

However, the action proposed by the

The only absolutely safe procedure is by

of the basic developments of our democracy.

CALL TO CONGRESS URGED

rather see commenced an immediate new program—for which the Secretary of Agriculture has full authority, I repeat, and for which funds are available from the President's emergency fund, of the character I have suggested.

Such a program would not have to wait on congressional action, and it would have the advantage of not stirring up the question of the appropriateness of the use of soil-bank funds for flood relief.

But, Mr. President, if an adequate program of relief and rehabilitation is not promptly undertaken, I shall support any feasible program—which Congress can devise—including the diversion of soil-bank funds to bring the help our farmers and rural communities so badly need.

Mr. President——

The PRESIDING OFFICER. The Senator from Minnesota.

THE JUNE 20 WHEAT REFERENDUM

Mr. HUMPHREY. Mr. President, last week on the Senate floor I had occasion to comment on the June 20 wheat referendum. I wish to bring to the attention of the Senate a telegram which I received in this connection from M. W. Thatcher, chairman, National Farmers Union Wheat Referendum Committee, as well as a letter which I wrote to Mr. Thatcher prior to receiving his message. I therefore ask unanimous consent that they may be printed in the RECORD at this point.

There being no objection, the telegram and letter were ordered to be printed in the RECORD, as follows:

JUNE 20, 1957.

Mr. M. W. THATCHER,
Farmers Union Grain Terminal Association, St. Paul, Minn.

DEAR BILL: Congratulations once more on the impressive evidence of GTA's effective leadership as reflected in the overwhelming victory in the wheat referendum. It is a victory for the farmers, and that is the only kind of victory you and GTA have ever fought for. It is a deserved defeat for Secretary Benson, a repudiation of his latest appeal for even lower levels of price supports in the future.

In the face of the fact Secretary Benson carried his appeal directly into Minnesota, the tremendous vote for continuing the highest possible level of supports in Minnesota was unquestionably a vote of repudiation and censure for the Secretary of Agriculture.

Bill, I thought you would like to see the enclosed brief comments from the CONGRESSIONAL RECORD regarding the vote. I know how much you had to do with this victory. Believe me, you can be proud of the continuing fight you have made.

Sincerely,

HUBERT H. HUMPHREY.

ST. PAUL, MINN., *June 21, 1957.*

Hon. HUBERT H. HUMPHREY,
Washington, D. C.:

Thanks to you for joining in the great effort to keep our farm program intact. The big yes vote on June 20 wipes out any doubt that farmers want price protection. Farmers have every right to believe that their vote is a mandate to Congress to enact, and to the administration to carry out, a fair program that permits farmers to share in the national prosperity, and 75 percent of parity does not give the farmers a reasonable share of that national prosperity. We are determined to continue our fight at Washington, where farm prices are made, and in the country, until we get parity of income for farmers.

M. W. THATCHER,
Chairman, National Farmers Union Wheat Referendum Committee, and General Manager Farmers Union Grain Terminal Association.

PRESIDENTIAL SUCCESSION IN EVENT OF DISABILITY OF INCUMBENT

Mr. FULBRIGHT. Mr. President, on June 10 I introduced Senate Joint Resolution 100, a proposed constitutional amendment providing a solution to the problem which would be presented if a President of the United States should ever become unable to discharge the powers and duties of his office.

I was pleased to note that on June 24, former President Truman, in a copyrighted article in the New York Times, also turned his attention to that grave problem.

Former President Truman proposes that when a President is stricken with an illness which raises the question of his ability to carry out the duties of his office, there should be created a committee of seven—composed of the Vice President, the Chief Justice of the United States, the Speaker of the House of Representatives, and the majority and minority leaders of both the House of Representatives and the Senate. This committee would select a medical board which would make findings of fact regarding the President's inability, and present such findings to the committee. The committee would then inform the Congress of the findings of the board if the findings were that the President was truly incapacitated, whereupon the Congress could, by two-thirds vote of its full membership, declare the Vice President to be President. He would then serve the balance of the Presidential term, regardless of whether or not the incapacitated President experienced a full recovery in the meantime.

President Truman's suggestion would require the formation of a committee, which in turn would appoint a board, which would in turn report to the committee, which would in turn report to the Congress, which would in turn take final action. I invite the attention of my colleagues to Senate Joint Resolution 100, which I introduced, and which proposes a constitutional amendment to deal with the problem presented by Presidential disability, by setting forth a constitutional procedure for resolving the problem.

In presenting Senate Joint Resolution 100, I pointed out in a statement I made at the time of introduction that among the many advantages inherent in the proposal was the fact that it did not necessitate creation of a new body of officials, commission, or agency to cope with the problem.

Senate Joint Resolution 100 has the further advantage of simplicity, yet it allows for deliberate reflection upon a grave constitutional change.

However, the action proposed by the resolution which I submitted can be effected in as relatively short a time as circumstance might require. It provides against unilateral action by any single branch of the Government, with final responsibility resting on those of judicial temperament, appointed for life, and insofar as constitutional government can provide, beyond the temptations of political advantage.

I am convinced that it is absolutely vital that the system of checks and balances—America's unique contribution to government—be maintained, and Senate Joint Resolution 100 does not violate this time-honored system. Unfortunately, President Truman's proposal does not conform to any system of checks and balances. It leaves the ultimate decision within the entire province of a single branch of the Government. In addition, it places the primary decision in the hands of nongovernmental officials, since the committee which is proposed is nothing more than a mere conduit from a factfinding body to the legislative branch, which in turn could only rubberstamp the findings, since it is highly unlikely that the legislature would refuse to accept a finding of disability when the factfinders themselves are selected by the representatives of that very legislature.

Senate Joint Resolution 100 provides for the resumption of his office by the President if he recovers from a disability. President Truman's proposal would bar him from the office to which he was elected, even should he again become qualified to hold that office by reason of removal of the disability.

Both Senate Joint Resolution 100 and the proposal advanced by President Truman provide for calling the Congress into special session if it is in recess, or in adjournment, during occurrence of Presidential incapacity.

I am pleased to know that President Truman agrees with my contention that the problem is an urgent one which should be resolved at the earliest opportunity. He agrees that we should not trust to luck to see us through a crisis which might be caused by Presidential disability. As I said on June 10, when I introduced Senate Joint Resolution 100:

> The mere fact that we as a nation have been fortunate thus far, is no reason to tempt providence in so important a matter as the Presidency.

President Truman suggests that appropriate legislation is sufficient. He is of the opinion that an amendment to the Constitution is not necessary to provide a solution to this vexing problem. He did not elaborate on the basis for his belief that legislation, in and by itself, would be constitutional. Many constitutional experts are of the opinion that only by means of a constitutional amendment can a President be declared incapable of performing the duties of his office by reason of physical or mental disability. The Constitution provides for the election, removal by impeachment, and succession in case of death. To allow any doubt as to the constitutionality of legislation in this area is much too hazardous to leave to chance.

The only absolutely safe procedure is by means of constitutional amendment, the constitutionality of which would, of course, be unquestioned.

I again, therefore, recommend for the thoughtful consideration of my colleagues in the Congress the merits of Senate Joint Resolution 100, which meets the problem squarely, with simple directness, and without the slightest trace of partisan politics.

Mr. President, I ask unanimous consent that the article written by Mr. Harry S Truman be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRUMAN URGES A PANEL OF SEVEN ON A PRESIDENT'S DISABILITY

(By Harry S Truman)

There has been an understanding reluctance to deal with the delicate and sensitive problem of what we are to do when any President becomes incapacitated and is unable to perform his duties. Our Founding Fathers did not provide for such an eventuality. During the 168 years of our history under the Constitution there have been only two occasions when the question arose of a President's ability to serve. I refer to James A. Garfield and Woodrow Wilson. We have been fortunate, indeed, that we have not had to face such crises more often.

But the job of the President is getting to be an almost unendurable mental and physical burden, and we ought not to go on trusting to luck to see us through.

We may find that we have waited too long to provide a way of meeting the situation in the event a President becomes incapacitated. There have been suggestions to deal with the matter through legislation. Others have proposed amending the Constitution.

WIDEST STUDY URGED

However we deal with it eventually, this is too vital a matter to be acted on hastily without the widest discussion and study. I have felt that there is always great danger in writing too much into the Constitution. We must have certain flexibility to meet changing conditions. We have already experienced the consequences of hastily amending the Constitution without adequate public discussion, as in the cases of the 18th and 22d amendments (prohibition and limiting any President to two terms).

In response to the many letters I have received on the subject from all parts of the country and the world, I am taking the liberty of suggesting a way to meet this problem.

I would like to make it perfectly clear that it is not my intention to cast reflections on anyone, or to raise any doubts about the health or condition of the President. Along with all of our citizens, I wish him good health and a long life.

But there is a growing concern about our needs to provide against the danger of a lapse in the functioning of the Presidency and the crises that might ensue.

The power of the President of the United States and his influence on the world today have grown so great that his well-being is of paramount interest to people everywhere. It is no longer a matter to be decided by political leaders and constitutional authorities.

FEARS EASILY AROUSED

Even a minor indisposition of the President will set into motion unexpected and often unreasoning fears, such as we have recently witnessed.

The framers of our Constitution drafted a brilliant and inspired document in which they anticipated and provided for nearly all of the basic developments of our democracy. But who could fully foresee the role of the American Presidency in the kind of a world in which we now live—a role which also requires the President to be available in person at any hour to make decisions which he alone can make and which cannot be put off?

As Vice President, I found myself acutely conscious of this problem in a personal way when I met President Roosevelt upon his return from Yalta. Up to that time I regarded the circumstances of an incapacitated President as an academic problem in history, such as was posed by Presidents Garfield and Wilson.

After the first shock of seeing President Roosevelt, I tried to dismiss from my mind the ominous thoughts of a possible breakdown, counting on his ability to bounce back from the strains and stress of office. After Yalta, President Roosevelt continued to carry on with sustained energy and alertness—until suddenly called by death.

From the day I succeeded to the Presidency, I have been thinking about the needs of an act of legislation to provide machinery to meet the emergency of a President's disability.

SURVEY PUT OFF

Shortly after taking office, I considered setting up a commission to study the problem and make recommendations. But in the midst of war and during the period of postwar reconstruction we were preoccupied with more immediate and urgent matters.

I therefore chose instead to recommend to the Congress a change by statute of succession to the Presidency from the Cabinet to the Congress in the event the Nation was without a Vice President. Up to that time the Secretary of State was next in order of succession.

I did not think that a Cabinet officer—who is not elected by the people—should succeed to the Presidency, which is an elective office. The Speaker of the House who is, in fact, the top ranking elected public official, after the President and Vice President, is now, under the new law, next in succession.

This, however, does not meet the problem when a President is unable to perform the duties of his office.

SOLUTION SUGGESTED

I suggest, therefore, that the following proposal may provide us with a workable solution:

1. When a President is stricken with an illness, raising the question of his ability to carry out the duties of his office, there should come into being a committee of 7 composed of representatives of the 3 branches of the Government. This committee should consist of the Vice President, the Chief Justice of the United States, the Speaker of the House, and the majority and minority leaders of both the House of Representatives and the Senate.

This committee would select a board of leading medical authorities drawn from top medical schools of the Nation. This medical board, thus chosen, would then make the necessary examinations, presenting its finding to the committee of seven. Should the findng of the medical board indicate that the President is unable to perform his duties, and that he is, in fact, truly incapacitated and not merely stricken with a transitory illness, then the committee of seven would so inform the Congress.

Congress then would have the right to act, and by a two-thirds vote of the full membership declare the Vice President as President.

The Vice President, designated as President, would thereupon serve out the full term of his predecessor. Should the stricken President, thus relieved, experience during this term a complete recovery, he would not be entitled to repossess the office.

CALL TO CONGRESS URGED

Should the Congress be in adjournment or recess when a President is incapacitated, the Vice President, the Speaker and Chief Justice should call a meeting of the committee of seven. This committee, after receiving the medical findings, would have authority to call Congress into special session for the purpose of declaring the Vice President as President.

THE STUDENT EXCHANGE PROGRAM

Mr. FULBRIGHT. Mr. President, some of my colleagues, but more especially some Members of the other body, about appropriation time ask what evidence we have that the exchange program is accomplishing anything.

I believe it is a fine program, and I have received many items of news and information which confirm this view. However, recently I received a series of three articles from Colombo, Ceylon, which I think are of particular interest.

Mr. President, I ask unanimous consent that these articles be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Colombo (Ceylon) Times of April 11, 1957]

FULBRIGHT MAN SAYS, "PROVE SPY CHARGES OR DON'T MAKE THEM"

Persons in high positions who have made accusations that Fulbright professors and students are acting as spies, saboteurs, and FBI agents should either prove these charges or stop making them.

This was stated to the Times of Ceylon yesterday by Mr. Marshall R. Singer, a 24-year-old Fulbright scholar, who leaves Ceylon next Monday.

He adds that if this irresponsible practice is to be interpreted as the new concept of "eastern hospitality" as practiced by a "peoples' government" then it strikes him that both are sadly lacking by any standards of decent behavior.

Mr. Singer writes:

"During the course of the past year there have appeared in the press over a score of news items and articles accusing American Fulbright professors and students of being spies, saboteurs, FBI agents, and so forth. Aside from these newspaper items there have been similar remarks made in and out of Parliament by supposedly responsible MP's. When one adds to all this the biweekly rumors to similar effect that circulate around the campuses at Peradeniya and Colombo, the picture of the atmosphere under which Fulbrighters have to live, work, and study, begins to be completed.

"SLANDER

"Being a Fulbright student myself, I have tolerated all of this nonsense over the past year without writing one word of protest, basically because I have not considered the charges or the sources of the charges worthy of reply. Now, however, the cumulative effect of all this irresponsible slander has passed beyond the tolerance point. Not one of these charges has ever been substantiated. If the people who made these absurd allegations knew how very ridiculous they make Ceylon look, they might give at least a modicum of thought to the subject before they spoke.

"The University of Ceylon, in cooperation with the Fulbright selection committee (one half of which is composed of some of Ceylon's leading citizens) invites us to Ceylon on the

basis of applications submitted by us indi-

straight from the shoulder winding up with

1958, and for other purposes; agreed to

Mr. PURTELL. Mr. President, I ask

his objection in order that I may make

Mr. PURTELL. I must ask that the

national prosperity, and 75 percent of parity does not give the farmers a reasonable share

allows for deliberate reflection upon a grave constitutional change.

constitutionality of legislation in this area is much too hazardous to leave to chance.

brilliant and inspired document in which they anticipated and provided for nearly all

this term a complete recovery, he would not be entitled to repossess the office.

half of which is composed of some of Ceylon's leading citizens) invites us to Ceylon on the

basis of applications submitted by us individually. Our expenses are paid entirely by the Ceylon Government in lieu of a debt owed to the American Government by Ceylon. Neither the American Government, the State Department, the FBI, nor any other American agency, official or unofficial, has any say whatever in who will be selected by the committee. Thus Ceylon puts itself into the ridiculous position of inviting Americans to Ceylon to teach and study, and then when they get here, accusing them of being spies.

"There's an old American expression that says, 'Either put up, or shut up,' and I think it is applicable here. Either prove these charges made against us and then stop inviting us, or stop accusing us. If anyone could prove just one charge made against just one of us—past or present—out of all the charges and all the Fulbrighters that have ever come here, it would be sufficient. As it is, however, the charges continue, but nothing has ever been substantiated against any one of us.

"If this irresponsible practice is to be interpreted as the new concept of eastern hospitality as practiced by a peoples' government, then it strikes me that both are rather sadly lacking by any standards of decent behavior.

"On an average between 15 and 20 Ceylonese go to the United States each year under these scholarship programs, to teach and study, yet there has never been one allegation made against them by us. Surely, I should think the opportunity for spying in the States, where we really have secrets of a military nature, is somewhat greater than it is in Ceylon. Perhaps it is just that our concept of hospitality in the States differs from the concept prevalent here.

"A halt to this nonsense must be called somewhere. We came to Ceylon in good faith to work and to study—not to be abused and insulted. If irresponsible and sometimes highly placed individuals have forgotten the fundamentals of hospitality and decency it is incumbent upon more responsible Ceylonese to put them in their places. I repeat: Either prove these allegations or stop making them."

[From the Colombo (Ceylon) Times of April 13, 1957]

SPIES IN OUR MIDST?—TELL ME ANOTHER

Of course, it is necessary that we should always be on our guard against espionage on a large scale. Military circles in other countries must be keenly interested in, and even alarmed at, the formidable and secret preparations we are making in Ceylon.

Particularly in consequence of the announcement that following a master mind's discovery that in the context of modern defense strategy an air force is more important than ground and sea forces, the Government has decided to spend Rs. 5 million on the expansion of the RCyAF; also its decision to convert Katunayake into a military airport—so convenient for the conquest of the Maldives.

In fact, for quite some time, some people have been busy conjuring up a spy scare and I believe the possibility of some professor and Fulbright scholars at the university spying on our military secrets, camouflaging their activities has even been gravely discussed in the editorial columns of a daily newspaper.

They've succeeded so well that questions were asked in Parliament and the Minister of Education has even called for a report from the vice chancellor of the university.

Myself, I have been inclined to take these thrilling stories with a large pinch of salt, and I raised a silent cheer when I read on Thursday the interview given to the Times of Ceylon by a Fulbright scholar, Mr. Marshall R. Singer.

The cumulative effect of these stories proved too much for him and he hit out straight from the shoulder winding up with a choice American expression: Either put up or shut up. Which in English apparently means, prove the allegations or don't make them.

Fair enough, don't you agree?

[From the Colombo (Ceylon) Times of April 13, 1957]

THROUGH THE LOOKING GLASS: WHY DO THEY SUSPECT AMERICANS?

Pity the poor American who comes out East. Sooner or later, somebody accuses him of spying for the Federal Bureau of Investigation or the Pentagon.

Professor McFadden, for instance. An expert geographer, he was asked by the university to specialize in map and aerial photography interpretation. The university gave him the money to hire his plane, the finance minister refused to extract import duty on photographic material brought here for the purpose.

And one fine day a politician gets up in public, says he doesn't want to cast aspersions, but whispers he has heard that a Fulbright man has spent a considerable time taking aerial pictures of Ceylon, pictures which were sent to the Defense Department in Washington.

Fortunately the vice chancellor of the university has been able to clear up the mystery about Professor McFadden, but meanwhile another Fulbright man, Mr. Marshal R. Singer, has waxed extremely wroth about these regular allegations about American professors here being spies, saboteurs, FBI agents, and so forth.

"We come to Ceylon in good faith," he declares, "to work and to study—not to be abused and insulted. If irresponsible and sometimes highly placed individuals have forgotten the fundamentals of hospitality and decency, it is incumbent upon more responsible Ceylonese to put them in their place. I repeat: either prove these allegations or stop making them."

Fortunately, I repeat, Sir Nicholas Attygalle has cleared the matter up. He has also put the irresponsible and highly placed accuser in his place.

But why are people, here in Ceylon, so suspicious of Americans? Why do they so readily believe stories about American wolves in academic clothing?

I have a suspicion that it all springs from a general suspicion of American foreign policy in the East and American friendship for peculiar people in Korea, Formosa, South Vietnam, Thailand and, closer home, grave suspicion of American doings in Pakistan. So even American professors come to be associated in the public mind with nuclear war.

A good subject, this suspicion for research by a Fulbright professor of contemporary history.

FULBRIGHT, incidentally, is an American Senator who conceived the excellent and useful scheme which resulted in American war material abroad being sold and the money devoted to the furtherance of education. American material lying here after the war pays for the exchange of students and teachers between Ceylon and America.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House has disagreed to the amendments of the Senate to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. KIRWAN, Mr. NORRELL, Mr. SIKES, Mr. MAGNUSON, Mr. CANNON, Mr. JENSEN, Mr. FENTON, Mr. BUDGE, and Mr. TABER were appointed as managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 2, 8, 17, 18, 22, 27, 30, 37, 39, 44, and 47 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 6, 23, 29, and 46 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 204) expressing the sense of the Congress on the problem of Hungary, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker pro tempore had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1264. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia;

S. 1576. An act to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act;

S. 1586. An act to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia; and

S. 2243. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

THE CALENDAR

Mr. TALMADGE. Mr. President, if there be no further morning business, before the Senate proceeds with the call of the calendar, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TALMADGE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the order previously entered, the Senate will now proceed to the consideration of bills on the calendar to which there is no objection, commencing with Calendar No. 389.

Mr. PURTELL. Mr. President, I ask unanimous consent that the following bills on the calendar be not considered on this call of the calendar, because the calendar committee has not had an opportunity to study the reports:

Calendar No. 529, S. 807, a bill for the relief of Jackson School Township, Ind.

Calendar No. 530, S. 603, a bill to require that international agreement other than treaties hereafter entered into by the United States, be transmitted to the Senate within 60 days after the execution thereof.

Calendar No. 531, S. 1361, a bill to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River."

Calendar No. 532, Senate Concurrent Resolution 35, a concurrent resolution favoring further consideration by the General Assembly of the United Nations of the problem of Hungary.

Calendar No. 533, Senate Resolution 151, a resolution to continue the Subcommittee on Disarmament created by Senate Resolution 93, 84th Congress.

Calendar No. 534, S. 1174, a bill to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Corporation.

The PRESIDING OFFICER. Is there objection?

Mr. CLARK. Mr. President, reserving the right to object—and, for the moment, I am not objecting—I ask the distinguished Senator from Connecticut whether or not Calendar No. 532, Senate Concurrent Resolution 35, favoring further consideration by the General Assembly of the United Nation of the problem of Hungary, and Calendar No. 533, Senate Resolution 15, to continue the Subcommittee on Disarmament created by Senate Resolution 93, 84th Congress, might not be considered today.

Mr. PURTELL. I agree with the Senator that Senate action is desirable. However, I feel that these measures ought not to be acted upon on the call of the calendar, inasmuch as the calendar committee has not had an opportunity to study the reports. I shall offer no objection if these measures are brought up upon motion immediately following the call of the calendar.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut? The Chair hears none, and it is so ordered.

The clerk will state the first measure for consideration.

EFFECTIVE DATES OF INCREASES IN COMPENSATION GRANTED TO WAGE BOARD EMPLOYEES—BILL PASSED OVER

The bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees was announced as first in order.

Mr. PURTELL. Over, by request.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator withhold his objection in order that I may make a statement?

Mr. PURTELL. I withhold my objection until the Senator from South Carolina has had an opportunity to make a statement.

Mr. JOHNSTON of South Carolina. I should like to have the privilege of explaining the bill at this time for the RECORD, so that we may know what the bill proposes to accomplish.

The pay of Federal employees in recognized trades or crafts or in unskilled, semiskilled, or skilled manual-labor occupations is fixed and adjusted from time to time in accordance with prevailing rates in private industry.

There are some 850,000 such employees.

Congress in granting agencies the authority to fix the pay of these employees assumed there would be a close relationship between the pay of employees in industry and those in Government. However, that is not always the case.

Here is why.

Pay increases are granted by industry. At some later date, employees of Government whose pay is supposed to be related to that of employees in industry petition their agency for a wage survey. The agency considers the petition, makes a preliminary examination to determine that increases have been granted by industry, and finally an official survey is ordered.

The data collected in the survey is then analyzed and eventually a new pay scale developed.

This process has on occasion taken up to 6 to 8 months.

The net result is that, although the Government is presumed to be paying its blue collar workers in accordance with prevailing rates in private industry, they are not doing so during this long intervening period.

Public hearings were held by the Senate Post Office and Civil Service Committee on similar legislation last year.

Following the hearings, the committee unanimously reported S. 3465, which was approved unanimously in the Senate July 16, 1956. That bill was identical to S. 25.

S. 25 provides that the effective date of increases shall be not later than the beginning of the first pay period which begins on or after 30 days following the start of the survey. This allows agencies reasonable time in which to conduct adequate surveys.

The committee believes that if agencies plan their work well there will be little, if any, occasion for the payment of retroactive wage increases.

The committee believes that the bill is amply liberal from the standpoint of the time allowed agencies to conduct wage surveys and develop new pay schedules.

It believes further there is no justification for the long delay in making the adjustments which occur under existing law.

I thank the Senator from Connecticut for permitting me to place this statement in the RECORD so that Senators can see the necessity for such proposed legislation.

Mr. PURTELL. I must ask that the bill go over, by request.

Mr. CLARK. Mr. President, will the Senator withhold his objection for the purpose of allowing me to make a brief statement?

Mr. PURTELL. I am very happy to do so.

Mr. CLARK. As chairman of the subcommittee of the Post Office and Civil Service Committee which heard the arguments with respect to Senate bill 25, I wish to associate myself with the very able remarks made by the distinguished Senator from South Carolina [Mr. JOHNSTON] and to say that, in my judgment, this bill, which is a compromise bill, is only an act of simple justice to employees of the Federal Government who are now being unfairly deprived of the opportunity of having their wages promptly adjusted in accordance with prevailing wages. I hope my friend from Connecticut will make it possible for us to bring the bill up on motion and have it passed promptly, as was done last year.

Mr. PURTELL. I wish to repeat that I am asking that the bill go over by request. It is by request that I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (S. 931) to provide for the reorganization of the safety functions of the Federal Government, and for other purposes, was announced as next in order.

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

CONSTRUCTION OF OFFICE BUILDING FOR ATOMIC ENERGY COMMISSION—BILL PASSED OVER

The bill (S. 1918) to amend Public Law 31, 84th Congress, to increase the authorization for appropriations to the Atomic Energy Commission for the construction of a modern office building in or near the District of Columbia to serve as its principal office was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. TALMADGE. Over, by request.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

Mr. ANDERSON subsequently said: Mr. President, with reference to the bill for the construction of a modern office building for the Atomic Energy Commission, I do not question the wisdom of the action which was taken with reference to it today. I believe that a bill running into the millions of dollars should properly be brought before the Senate for action by motion.

The Senator from Georgia [Mr. RUSSELL] and I had made reservations with reference to the bill, because it appeared that the contract was to be let without first securing bids, and therefore the

Senator from Georgia and I raised cer-

tion more than the $36 million authorized. Since our request for an increase in author-

tions from $35 million to $36,710,000, and by extending the period of authorization for

son it was not fulfilled. I therefore ask that his name be added as a cosponsor

APPLICATION OF RESEARCH TO

session I introduced an identical bill,

The cumulative effect of these stories proved too much for him and he hit out

ment of the Interior and related agencies for the fiscal year ending June 30,

which there is no objection, commencing with Calendar No. 389.

Senator from Georgia and I raised certain objections.

Since the objections were made, the Atomic Energy Commission has sent to the chairman of the Joint Committee on Atomic Energy a statement dated June 18, 1957, stating, in view of the objections which were made, the Commission had decided to obtain competitive bids and take various other steps which I think are important.

I should like to ask unanimous consent, therefore, that at the point where consideration of the bill on the call of the calendar was objected to, and the bill was passed over, the letter from the Atomic Energy Commission appear in the RECORD, so that when the bill is taken up on motion the newest facts with reference to this subject may be apparent.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 18, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: We have noted with interest House Report No. 539, to accompany H. R. 6978, and Senate Report No. 413, to accompany S. 1918, both bills having to do with increasing the authorization for construction of the Commission's new headquarters building near Germantown, Md. In connection primarily with the separate views of Senator ANDERSON and Senator RUSSELL as contained in Senate Report No. 413, we feel that the information set forth below is of some importance.

After further consideration of the question, and taking into account views expressed by members of the Joint Committee at the authorization hearings, we have decided definitely to obtain competitive bids for the additional construction work for enlargement of the building.

With respect to comments by Senators ANDERSON and RUSSELL on the per-foot unit cost for the additional construction as shown in the AEC analysis of the proposed legislation, we should like to point out that this unit cost was an estimate for budgeting purposes. It was not based upon any negotiation or discussions with the construction contractor presently on the job. The per-foot estimate is higher than the actual low bid on which we awarded the original headquarters construction contract in May 1956, because: (1) increases in labor and material costs amounting to about 6 percent per year have occurred since opening of the previous bids, and (2) apart from such increases, there is no assurance that we would obtain as favorable a bid relative to existing price structures as we did on the original invitation. I am sure that you will appreciate that it would not be sound budgeting to assume that we would obtain as broad competition and as favorable a bid on the new construction as we did on the original invitation, particularly since the new construction would be for an addition to a building now under construction by a contractor on the job. Since we now intend to take competitive bids for the building addition, the point as to inclusion in the cost estimate of contractor's temporary facilities is relevant only to the extent that it would be a bid factor for the contractor now on the job.

Senator ANDERSON also compared the requested increase in the AEC headquarters construction authorization to the case of the Smithsonian Building which, upon completion of design, is estimated to cost $13 million more than the $36 million authorized. Since our request for an increase in authorization is based upon an increase in personnel requirements that have developed since the building was authorized, we believe the cases may not be comparable. The $3.3 million for the additional wing increases the size of the building by approximately 25 percent to house the additional personnel authorized since the time of the initial authorization of the building.

It is hoped that the within information will help to clarify this matter.

Sincerely yours,

K. E. FIELDS,
General Manager.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 290) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments on page 1, line 7, after the name "Loucacos", to insert "and", and in the same line, after the name "Herzog", to strike out the comma and "Evangelos Demetre Kargiotis, and Hsun Tiao Yang."

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

HOSPITAL CENTER OF THE DISTRICT OF COLUMBIA

The bill (S. 2194) to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. The Chair will state that an identical House bill, H. R. 7835, has just been received from the House.

Without objection, the Chair will lay the House bill before the Senate.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 7835) to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes, which was read twice by title.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the House bill.

The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H. R. 7835) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill S. 2194 is indefinitely postponed.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an explanation of S. 2194, for which the House bill, just passed by the Senate, was substituted.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to amend the act of August 7, 1946, providing for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, by authorizing an increase in the appropriations from $35 million to $36,710,000, and by extending the period of authorization for appropriations to carry out the purposes of the act from the present expiration date of June 30, 1957, to June 30, 1958.

The Washington Hospital Center, located on the grounds of the United States Soldiers' Home in the District of Columbia, is now about completed at a cost of $21,700,000, and will shortly be ready to open, except for lack of sufficient funds to purchase equipment, furniture, and supplies.

In view of the urgency of this situation, the Appropriations Committee recommended the insertion of an item appropriating $1,710,000 in the independent offices appropriation bill, 1958, contingent upon the passage of S. 2194 (or H. R. 7835, the companion bill), and this amount is included in the independent offices appropriation bill which passed the Senate on June 12.

The additional amount of $1,710,000, together with the balance of funds previously authorized but unappropriated in the amount of $290,000 will provide the sum of $2 million. The sum of $1,240,000 is presently on hand and allocated for the purchase of equipment, furniture, and supplies, and this amount, together with the sum of $2 million, will permit a total expenditure for this purpose in the amount of $3,240,000. The unanimous medical testimony developed in the committee hearings was to the effect that it would take this amount properly to equip and furnish the Hospital Center and related facilities. The additional authorization requested will not be more than 10 percent over the estimates fixed under existing law.

BILL AND CONCURRENT RESOLUTION PASSED OVER

The bill (S. 1873) providing permanent certificates for States-Alaska air carriers was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The concurrent resolution (S. Con. Res. 28) to print a compilation of materials relating to the development of the water resources of the Columbia River and its tributaries was announced as next in order.

The PRESIDING OFFICER. Is there objecton to the present consideration of the concurrent resolution?

Mr. PURTELL. Over, by request.

The PRESIDING OFFICER. The concurrent resolution will be passed over.

Mr. MAGNUSON subsequently said: Mr. President, do I understand that Calendar No. 441, S. Con. Res. 28 was passed over?

The PRESIDING OFFICER. It was objected to.

Mr. PURTELL. It was objected to, by request.

ADDITIONAL COSPONSOR OF S. 846

Mr. ANDERSON. Mr. President, when Calendar No. 478, S. 846, for the establishment of a National Outdoor Recreation Resources Review Commission, is called up, there may be objection to its consideration. I therefore ask that when the bill is printed again, the name of the junior Senator from Arizona [Mr. GOLDWATER] be added as a cosponsor of S. 846. The Senator from Arizona made the request previously, but for some reason it was not fulfilled. I therefore ask that his name be added as a cosponsor of S. 846.

The PRESIDING OFFICER. Without objection, it is so ordered.

PUBLICATIONS OF CERTAIN DOCUMENTS

The concurrent resolution (S. Con. Res. 31) favoring the fulfillment of the program recommended by the National Historical Publication Commission for the publications of certain documents was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress of the United States that the fulfillment of the program recommended by the National Historical Publications Commission in its report entitled "A National Program for the Publication of Historical Documents" would be of lasting benefit to the Government and citizens of the United States; and be it further

Resolved, That the Congress of the United States respectfully urges the governors and legislatures of the several States and the State historical commissions and archival agencies, as well as appropriate libraries, historical societies, colleges and universities, business corporations, foundations, civic and other nonprofit organizations, and individuals to cooperate with the National Historical Publications Commission in the fulfillment of the said program.

The PRESIDING OFFICER. Without objection, the preamble is agreed to.

RESOLUTION PASSED TO FOOT OF THE CALENDAR

The resolution (S. Res. 141) extending to January 31, 1958, the authority of the Special Committee To Study the Foreign Aid Program was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. MANSFIELD. Mr. President, I should like to suggest that consideration of the resolution be held up for the time being, because the Senator from Louisiana [Mr. ELLENDER] wishes to make a few comments on it and to ask some questions.

Mr. PURTELL. Does the Senator suggest that the resolution be placed at the foot of the calendar?

Mr. MANSFIELD. I make that request.

The PRESIDING OFFICER. Without objection, the resolution will be placed at the foot of the calendar.

CONVEYANCE OF CERTAIN REAL PROPERTY IN WEST PALM BEACH, FLA.

The bill (H. R. 4945) to provide for the conveyance of certain real property in West Palm Beach, Fla., to the Port of Palm Beach District was announced as next in order.

The PRESIDING OFFICER. Is there objection to present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

APPLICATION OF RESEARCH TO SOLUTION OF FARM PROBLEM

Mr. CAPEHART. Mr. President, today's edition of the Washington Post and Times Herald—and I assume other newspapers throughout the country—contained an advertisement by the McGraw-Hill Publishing Co. revealing information on present and projected expenditures for research by American industry which I consider to be highly significant and of great value to the Congress and to the American people.

The headline on the advertisement reads:

Multibillion Dollar Research Spending Key to United States Industrial Growth.

A subheading reads:

This Year Industry Plans To Spend $7 Billion on Research and Development—Up 20 Percent From 1956. By 1960 It Will Spend $9 Billion—Enough To Create a Major New Industry.

At another point in the advertisement there appears this sentence:

Planned: A $150 billion capital development program during the next 4 years.

Other information in the advertisements includes:

New plants and equipment: American industry plans to invest more in new plants and equipment during the next 4 years than during the 5 years 1952–56.

Modernization: Manufacturing companies report that over half their capital expenditures in the next 4 years will be for updating present production facilities.

New products: Expanded industrial and development research programs will produce more new products in the 1957–60 period than in any other 4-year period in United States economic history.

Sales: By 1960, industry expects sales to be up an average of 26 percent, with half the increase in products that were not on the market in 1956.

For the purposes of my remarks it seems to me that the most important paragraph in the advertisement is this one:

Growth of research and development expenditures: This latest McGraw-Hill survey features the one new factor which, more than any other, is changing the nature of capital investments. In 1955, industry spent $4.8 billion on research and development; in 1956, it totaled $6.1 billion. For 1957, business plans to spend $7.3 billion on research, and estimates expenditures in excess of $9 billion by 1960.

It seems to me, Mr. President, that this advertisement is highly significant for two reasons:

One, it reflects plans for vast industrial expansion in this country—which obviously means more and more jobs—based upon industry's confidence in this administration and our Government. It simply cannot be based on anything else.

Two, it adds further weight to the arguments of those of us who have been saying in the Congress that the time is long overdue when the Government, under Congressional authorization, should get busy and apply the research principle to the solution of the farm problem.

The Senators will recall that I introduced in the 84th Congress a bill to accomplish this purpose and that in this session I introduced an identical bill, S. 724. Many Senators are cosponsors of that bill.

Our position is fortified by the recent report of the Commission on Increased Industrial Use of Agricultural Products which formed the basis of another bill, S. 2306, the principal author of which is the junior Senator from Nebraska [Mr. CURTIS].

Mr. President, our advocacy of a crash program, I am happy to say, has attracted nationwide attention. Such a program has been the subject of a great many articles and editorials—almost all of them enthusiastically supporting the plan—in the leading newspapers and magazines of the Nation.

The latest of these to come to my attention have appeared in the American Legion magazine and in Scripps-Howard newspapers throughout the country. I ask unanimous consent, Mr. President, that these two articles be printed in the RECORD at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

FARMERS CONTEND TOO MANY DOLLARS GOING TOWARD PRODUCTION AIDS

(By Dickson J. Preston)

With markets already glutted, the Government plans to spend $1 billion next year to increase farm output.

At the same time, it will spend only about $18 million—less than four-tenths of 1 percent of its agricultural outlay—to find new uses for farm products.

This topsy-turvy approach is one of many reasons our farm program costs too much.

MAIN JOB

No one denies that a principal job of the Agriculture Department is to help farmers grow more food and fiber at lower cost and to improve its quality. But many farm experts believe we are pouring too much money into production aids when our immediate problem is oversupply.

For 1958, the Agriculture Department budget includes $53 million for research to increase farm productivity and $45 million for disease and pest control. It lists $265 million for the Farmers Home Administration—most of it for loans to help farmers modernize.

Agriculture, Interior, and other Federal agencies plan to spend $636 million on agricultural conservation and development of additional farm resources. Millions of this will go into irrigation projects.

CRASH PROGRAM

And at least six Government bureaus—Farmers Home Administration, Federal Housing Administration, Small Business Administration, banks for cooperatives, the Federal land banks, and the Federal intermediate credit banks—make loans for various phases of farm production.

(By James N. Sites)

If farmers were to shift toward growing chemicals instead of food, Uncle Sam could probably wash his hands of one of the Nation's most perplexing public problems—those huge, costly farm surpluses.

Crop overproduction has become an uncontrollable monster. Born of a technological revolution and the inevitable mismanagement of politics, it has brought towering carryover stocks, wasteful disposal programs, rigid controls over farmers, and gaping holes in taxpayers' pockets.

Attempted cures appear as bad as the disease. But one far less painful, more promising way out is now being pried open in

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procedded to consider the bill. complish this purpose and that in this promising way out is now being pried open in

Washington. It lies in chemurgy, the wedding of chemical and agricultural sciences. Here is why the field is getting new top-level attention:

Washington has dealt with our problem of superabundance—which, ironically, is the envy of the world—largely by restraining the farmers' capacity to produce, on one hand, while supporting market prices on the other. But the farmer, with storied resourcefulness, hurdles acreage restrictions and marketing quotas and continues to pile up huge harvests. Despite net Federal outlays of $5 billion annually for farm programs, the imbalance between supply and demand clings like a burr. Official optimism to the contrary, it appears due to get even worse over the coming decade.

This troubled outlook has finally brought a serious search for alternatives, for ways of taking the curse out of surpluses. Instead of trying to clamp a lid on output, a growing number of officials now ask: Why not concentrate on expanding markets and developing new uses for farm products? Why not try uses for farm products? Why not try to solve the farm problem by releasing rather than curtailing the farmer's capacity to produce? By being positive, not negative?

Chemurgy just might hold the answer. The science aims at converting farm goods into all sorts of industrial and common-use items, from paint, rubber, and motor fuel to soaps and medicines. Crops would go to work as raw materials for industry.

The area's promise can even be stated statistically. For example, the farm economy is geared up to turn out about 5 percent more than present markets will take at acceptable prices. Yet domestic food consumption is virtually at a peak, and foreign outlets are strictly limited. This leaves major hope for expanding markets up to industry, which now consumes roughly 5 percent of agricultural output.

Double that take, chemurgists contend, and you've licked overproduction, increased farmer income, and lifted a heavy burden from the public. Small wonder advocates of this approach are enthusiastic about its possibilities. Senator HOMER CAPEHART, of Indiana, who now has a bill before Congress calling for greatly expanded research, calls it the one nonpolitical, free-enterprise solution to the farm problem.

Some of this enthusiasm rubbed off onto others in Congress last year and resulted in a section being written into the 1956 farm bill calling for a Commission on Increased Industrial Use of Agricultural Products. Its mission: To study the entire field and to recommend legislation this year to expand this unique outlet. President Eisenhower followed through, appointed five members representing farming, education, and business, and set the commission in motion last summer. Named executive director was an editor noted as the "evangelist" of chemurgic processes—Wheeler McMillen, of Philadelphia, vice president of Farm Journal, Inc.

Over the months the Commission sounded out experts throughout the country and compiled a basic inventory of present conversion processes and of research that could lead to others. It filed a preliminary report with Congress in March, will make its final views known this month. Though almost finished, the Commission has thus left an enduring trail into a fabulous technological wonderland.

"We uncovered no magic formula for sweeping away our present surpluses," explains McMillen, "but we think a number of determined attacks over a broad front can make big gains. We also think we can now point the way toward preventing future accumulations."

Actually, the changes modern science can make in crops would make a medieval alchemist writhe with envy. You can start with a basic crop and come up with hundreds of different products, most with only a remote chemical resemblance to the parent. Corn has some 500 different uses; soybeans perhaps 250.

The secret is to think in terms of whether the plant yields starch, proteins, fats, cellulose—and what types. Agricultural products would get the same scientific approach that has paid off so handsomely in the chemical industry. In making the most of utilization research, farming is simply coming of age, fighting back against competitive inroads of synthetics derived from air, water, coal, oil, and other minerals.

Basic research is the great essential, and is the foremost goal of experimenters in the United States Department of Agriculture working under Research Director Byron T. Shaw. Dr. Shaw points out that the starch or carbohydrate molecule has still to be broken down to its basic elements. Once that is done, it can probably be built up anew into almost any desired form—the same miracles performed with it as the oil industry has achieved with its "benzene ring."

A connecting link might even be found between the carbohydrate and hydrocarbon molecules, making these interchangeable. After all, both coal and oil stem from vegetation. The huge petrochemical industry could thereby have a major counterpart in agrochemicals.

Here are some of the grain-conversion processes scientists cite as most promising:

Paper: Out of 2.2 billion pounds of cornstarch consumed a year, 40 percent goes into paper coatings and adhesives. Researchers figure stronger, stickier starches can be developed to supplant some of the wood pulp in paper mixtures. If just 5 percent more cereal starch (from wheat, corn, sorghum grains) were so used, it would eat up 100 million bushels of grain annually.

Plastics: Only 10 percent of materials going into this fast-expanding product come from farm sources. But new types of starch might turn the tide. Also, acids, alcohols, and glucose derivatives could be used as plasticizers—substances which give plastics flexibility and resistance to the elements. Vegetable and animal oils are already a large source of raw materials.

Fabrics and film: Booming markets for nylon, rayon, and other synthetic textiles and for packaging films like cellophane give cereal grains an opening to emulate the competition. A new field corn with high amylose content yields a starch peculiarly adaptable to conversion into such synthetics. Amylose might also be separated out of ordinary starches.

Building: Insulating board and pressed sections for houses and shipping containers offer a large outlet for grain-based adhesives and bonding agents. Puffed wheat, straw, and stalks could even be used as core stock for furniture and doors—pressed together, of course, with starch derivatives.

Alcohol-rubber: Grain can readily be fermented to produce alcohol for use in many industrial processes, as a motor fuel, or as a base for synthetic rubber. But an even more radical rubbermaking method has been uncovered. Fungus is introduced into a grain batch to form a latexlike substance just like natural rubber. This could open up huge new outlets for surpluses.

Highways. Chemurgy might even cash in on the big highway program by providing suitable additives and modifiers for construction materials. These might include rubber for asphalt, detergents to entrain air in concrete, moistureproof coatings for structures, soil stabilizers, and light-reflective surfaces for black-top roads.

Such a list of practical projects, running across a broad spread of American products, could go on all the way through this magazine. For instance, grains could also be used more as:

Detergents for the huge soap market so far largely cornered by petroleum derivatives.

Binders for coal briquets and taconite ore pellets.

Coagulants for settling wastes out of water, sewage, and industrial wastes.

Special starches for oil-well drilling muds and to flush oil out of underground formations.

Dialdehydes for conversion into tanning agents, plastics, alcohols.

Antioxidants for preventing rust and corrosion in metals, formation of sludge in gasoline, discoloring of fruits.

Acids—such as citric, lactic, and gluconic—and enzymes, antibiotics, herbicides, insecticides.

Other farm products are coming in for transformation, too, though most urgent attention is given grains because of their priority rank as surpluses. Vegetable oils from soybeans, linseed, tung, cottonseed, and peanuts have big present and potential uses in paints and paper, as waterproofing materials, lubricants, and detergents, and as polymers for many different uses. Animal fats are adaptable to many of these same uses and are targeted for particular research since they are now a mounting surplus. Fat-based soaps have been hit hard by oil-based detergents, just as leathers have been hurt by plastics.

Farm spokesmen do not blame other industries for their setback as a raw materials source so much as themselves, however. Agriculture has been outresearched by industry. Moreover, utilization research has been a stepchild even in farm circles. The idea itself is as old as civilization and dates from the discoveries that grapes or grain could be fermented into alcohol or that the addition of straw to mud makes better bricks.

Yet research in using crops has lagged far behind that in producing them. The United States Department of Agriculture, which accounts for roughly a third of all farm research, is putting only $12 million into conversion research this year. And for each dollar so spent on using farm goods, eight go toward improving products and production methods. This helps explain why output is far outpacing consumption.

The extent of the farm revolution wrought by mechanization, fertilizers, new plant strains, high-quality feeds, and the like shows up in these figures: In just the past 25 years crop production per acre has jumped a third. Meat obtained per animal is up a fourth. Output per farmer has exactly doubled. Thus can farmers thwart the best laid plans to curtail their output.

The testament to this fact lies in those painful surplus holdings. The United States Government at the start of this year had $12.4 billion tied up in its price-support operations, only part of which is recoverable. Stocks of corn, wheat, cotton, rice, dairy products, and other favorites were valued at $5.9 billion, while loans on other crops that could ultimately be taken over totaled another $2.3 billion. Enough wheat and cotton were on hand to take care of a full year's domestic needs.

Chemurgic strategists can really mount two attacks on the overproduction problem. Besides the direct assault of converting surpluses into industrial products, a flanking maneuver lies in the equally unusual scheme of searching out new plants with characteristics demanded by industry, and in diverting land now growing basic commodities to these other crops.

Potential benefits from finding and farming new crops are large. Some chemurgists even consider this a more promising avenue than attempts to convert basics. For instance, there are some 300,000 different kinds of plants on earth. Yet only 52 are considered principal crops in the United States, while a mere dozen are cultivated on a really big scale.

The experts feel that in this vast vegetable kingdom can be found chemical compounds for almost any conceivable purpose. One

of the projects the United States Department of Agriculture hopes to undertake, Congress willing, is the study and classification of various species and their breakdown into assorted values. Then, when a demand arises, possibilities can be picked out and put into production.

The soybean, after all, was not long ago only a lowly Chinese food, probably brought to the United States by curious ship captains. Finally, its potentials were discovered for margarine, plastics, paints, glue, fire-fighting foam. Farm officials, citing the widespread cultivation of the plant, shudder to think what even greater surpluses of cereal grains we would have today if farmers had not dropped grain in favor of soybeans.

Cotton surpluses present a tough problem of their own. Synthetics have thrown the southern "king" for a loss not only in clothing but also in tires and other products. Basically cellulose, the natural fiber might find some use in papermaking but specialists feel the best solution lies in making cotton more competitive, in lowering its costs, and giving its textiles more desirable properties. Processes are therefore being developed to make fabrics waterproof, weatherproof, wrinkleproof.

New machinery is also lowering production costs, while nonwoven and pressed textiles bypass yarnmaking and weaving expense completely. If the price of either raw cotton or its processing can be chopped sharply enough, it is felt, cotton could regain its share of markets and surpluses would vanish.

This is the point where production and utilization research meet. Industry obviously uses those materials it can get at the least cost. Farm products, in general, have involved more expense than other resources, have thus been slighted. But if the farmer's operating costs can be held down at the same time chemurgy paves the way toward economical conversion processes, a different story may be told in the future. Materials from other sources also appear to be in for stiff price hikes over the long run as supplies decrease.

Farm resources may, in fact, hold the ultimate answer to the grave problem of our dwindling mineral reserves. The world is chewing up its metals and minerals at an alarming, accelerating pace. This has led to deadly political conflict over coveted supplies, expensive exploitation of low-grade deposits, and frantic search for new sources.

Yet there is paradox in this approach. McMillen states this bluntly in these terms:

"It is one of the great mysteries of life that men will wear their feet off up to the angles searching the world for new minerals and new deposits—which, once consumed, are gone forever. At the same time, they ignore the vegetable world where there are possibly unlimited sources of new wealth which can be reproduced abundantly each year. This fabulous world, sustained by sound soil and water management, could provide the raw materials for our millions for all the years to come."

So even if farmers fail to carry their products to industry, businessmen sooner or later will of necessity come to the farmer. We have been scouring the world for the basic elements of production. And all the time the supplies we seek have been lying in our own backyard.

Mr. CAPEHART. Mr. President, the information which I gave to the Senate in the 84th session and which I have placed in the RECORD in this session of the Congress plus the excellent report of the Commission proves conclusively that this program of research and development to discover new industrial uses for farm products is the answer to the farm problem.

It simply has to be the answer.

As I have said before, we should be spending as much Government funds to discover new industrial uses—new markets, if you please—as we have been spending for many years to find ways to increase our agricultural production. If we do that, the time will not be far off when a farmer, instead of accepting Government payments to till less of his land—and instead of the accumulation of billions of dollars in surpluses costing the Government a million dollars a day for storage—we will come into an era in which a farmer can till every acre of his land, produce everything of which he and his land are capable and be assured of a ready market demand for it at profitable prices.

Mr. President, in my opinion, the solution of the farm problem by this means is entirely up to the Congress. We should not wait another minute. We should get busy on it now.

We are at the moment as a Nation enjoying the greatest national income, the greatest national product and the greatest employment in our history. Industry, based upon the McGraw-Hill report, obviously foresees and is planning for an even further expansion. Industry sees research and development as the key factor to such an expansion.

Industry can finance its vast research program. The 6 million farms of America, as I have said before, do not have the facilities to conduct the research and development program required to solve their problems.

It is up to the Congress to do so and the time to do the job is now.

Mr. President, I hope the chairman of the Committee on Agriculture and Forestry will hold hearings on the bill I have introduced, and also on another bill, introduced by the Senator from Nebraska [Mr. CURTIS].

The headline of the advertisement I hold in my hand is: "Multibillion Dollar Research Spending Key to United States Industrial Growth."

The only reason why business continues to go up, up, and up is that it conducts research. It finds new markets and new uses for products; it finds new things to manufacture; it develops new materials.

But the poor farmers—6 million of them—have no one to do research for them. They have nobody to find new uses for their products; they have no one to develop new products; they have no one to find new markets for their products.

But Congress and the administration, with some $8 billion or $9 billion invested in surplus commodities, sit around and do hardly anything. We spend a million dollars a day to store the surpluses. We passed a bill the other day providing $4 billion for agriculture.

The PRESIDING OFFICER. The Chair is compelled to remind the Senator from Indiana that his time has expired.

Mr. CAPEHART. May I have half a minute more?

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Indiana may proceed for 30 seconds.

Mr. CAPEHART. We in Congress have done practically nothing to assist the farmers in the field of research. In the bill for agricultural appropriations, we provided $4 billion for the farm program, but only something like $14 million for so-called research.

I say, let us get busy on the matter. Let us solve the farm problem, and solve it on a permanent basis.

CONVEYANCE OF CERTAIN REAL PROPERTY IN WEST PALM BEACH, FLA.

The Senate resumed the consideration of the bill (H. R. 4945) to provide for the conveyance of certain real property in West Palm Beach, Fla., to the Port of Palm Beach District

Mr. MORSE. Mr. President, reserving the right to object—and I shall not object, because the pending bill does not, in fact, violate the Morse program—I think there should be in the RECORD a statement showing how this bill which does not violate the Morse formula is distinguished from bills which do violate it.

H. R. 4945, if enacted, would authorize the Administrator of General Services to convey to the board of the West Palm Beach District certain real property, including a customhouse and immigration station, together with certain easement rights.

According to the committee report, the Corps of Engineers acquired title to fifty-two one-hundredths acre of land by donation from the Port of West Palm Beach District. In 1950 the Corps of Engineers considered the property to be in excess of its needs.

The Immigration Service was interested in acquiring property in the area for an immigration station and customhouse, however, it was not found suitable. The Immigration Service entered an arrangement whereby the original fifty-two one-hundredths acre was returned to the port of West Palm Beach in exchange for eighty-six one hundredths acre of unimproved property which was more suitable. This exchange took place in 1950 without any cash consideration. The plans of the Immigration Service did not materialize, and in 1956 the property was declared in excess of its needs, as well as the needs of other Federal agencies.

The appraised fair market value is $18,750.

Because the property was given to the Federal Government without consideration by the Palm Beach District for the purpose of a customhouse and immigration station, and plans did not materialize, this bill would not violate the so-called Morse formula, and, therefore, I think it should be passed.

Mr. HOLLAND. Mr. President, I appreciate the fact that the distinguished Senator from Oregon has stated fully and clearly the purpose of the bill and its justification. The facts are exactly as have been stated by him. I hope the bill will be passed.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question

of different products, most with only a re-

far largely cornered by petroleum derivatives.

for almost any conceivable purpose. One

problem.

for 30 seconds.

amendment to be proposed, the question

is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

INCREASE OF PERMISSIVE LIMIT FOR ISSUING SECURITIES

The bill (S. 2299) to amend section 3 (b) of the Securities Act of 1933 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (b) of section 3 of the Securities Act of 1933, as amended, is hereby amended by striking out "$300,000" and inserting in lieu thereof "$500,000."

AMENDMENT OF NORTH PACIFIC FISHERIES ACT OF 1954

The bill (S. 2212) to amend the North Pacific Fisheries Act of 1954 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the North Pacific Fisheries Act of 1954 (68 Stat. 698) is amended as follows:

In section 12 strike out the words "contiguous to the territorial waters of Alaska" and substitute therefor the words "north of the parallel of north latitude of 48 degrees and 30 minutes: *And provided further*, That no such regulations shall apply in the convention area south of the 49th parallel of north latitude with respect to sockeye salmon (Oncorhynchus nerka) or pink salmon (Oncorhynchus gorbuscha)."

DEVELOPMENT AND MODERNIZATION OF THE NATIONAL SYSTEM OF NAVIGATION AND TRAFFIC CONTROL—BILL PASSED OVER

The bill (S. 1856) to provide for the development and modernization of the national sytem of navigation and traffic-control facilities, to serve present and future needs of civil and military aviation, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over.

Mr. MAGNUSON. Mr. President, may I ask whether there was a request that Calendar No. 448, S. 1856, be passed over?

Mr. TALMADGE. The calendar committee did not consider the bill to be calendar business. We thought it would be in order to have the bill taken up on motion immediately after the conclusion of the call of the calendar.

Mr. MAGNUSON. I thank the Senator from Georgia.

The PRESIDING OFFICER. The bill will be passed over.

TERMS OF OFFICE OF MEMBERS OF THE CIVIL AERONAUTICS BOARD

The Senate proceeded to consider the bill (S. 1718) to amend section 201 (a) of the Civil Aeronautics Act of 1938, as amended, relative to the terms of office of members of the Civil Aeronautics Board which had been reported from the Committee on Interstate and Foreign Commerce with amendments on page 1, line 8, after the word "after", to strike out "May 1, 1957," and insert "the effective date of the enactment of this sentence,", and in line 9, after the numerals "31", to strike out "instead of" and insert "following", so as to make the bill read:

Be it enacted, etc., That section 201 (a) of the Civil Aeronautics Act of 1938, as amended (52 Stat. 980; 49 U. S. C. 421), is amended by inserting after the third sentence thereof the following new sentenees: "Notwithstanding the foregoing provisions of this section, the term of office of each member of the Board appointed after the effective date of the enactment of this sentence, shall expire on March 31 following December 31 of the year in which his appointment would otherwise expire. Hereafter each member of the Board shall hold office until his successor is appointed and qualified, but in no event for a period of more than 120 days after the expiration of his term of office."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SISTER CLEMENTINE (ILONA MOLNAR)

The bill (S. 651) for the relief of Sister Clementine (Ilona Molnar) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Sister Clementine (Ilona Molnar) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

STAVROS MANOUSOS

The Senate proceeded to consider the bill (S. 850) for the relief of Stavros Manousos, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to strike out "Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Stavros Manousos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FOTINA (THERESA) WARDINI

The bill (S. 960) for the relief of Fotina (Theresa) Wardini was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Fotina (Theresa) Wardini, shall be held and considered to be the natural-born alien child of Joseph and Mary Antoun Tabit, citizens of the United States.

ADOLFO CAMILLO SCOPONE

The bill (S. 1102) for the relief of Adolfo Camillo Scopone was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Adolfo Camillo Scopone shall be held and considered to be the minor natural-born alien child of Mr. and Mrs. Luigi Scoponi, citizens of the United States.

JAN SZPYTMAN

The Senate proceeded to consider the bill (S. 140) for the relief of Jan Szpytman, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "act", to insert a colon and *"And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Jan Szpytman may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said act: *And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CALOGERO MANISCALCO

The Senate proceeded to consider the bill (S. 957) for the relief of Calogero Maniscalco, which had been reported from the Committee on the Judiciary with amendments on page 1, line 7, after the word "act", to insert a colon and *"Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act."; after line 10, to strike out:

SEC. 2. The exemption provided for in this act shall apply only to the grounds of exclusion of which the Department of State and/or the Department of Justice had knowledge prior to the enactment of this act.

So as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Calogero Maniscalco may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MATILDA HAJOS

The Senate proceeded to consider the bill (S. 1048) for the relief of Matilda Hajos, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "Act", to insert a colon and *"And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Matilda Hajos may be granted a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KATINA APOSTOLOU

The Senate proceeded to consider the bill (S. 1082) for the relief of Katina Apostolou, which had been reported from the Committee on the Judiciary with an amendment in line 7, after the word "United", to strike out "State" and insert "States", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Katina Apostolou, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Lionel C. Saint, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FLORINDA MELLONE GARCIA

The Senate proceeded to consider the bill (S. 1251) for the relief of Florinda Mellone Garcia, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That notwithstanding the provisions of paragraph (12) of section 212 (a) of the Immigration and Nationality Act, Florinda Mellone Garcia may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MYUNG OK SHIN

The Senate proceeded to consider the bill (S. 1253) for the relief of Myung Ok Shin, which had been reported from the Committee on the Judiciary with an amendment in line 6, after the word "natural-born", to insert "alien", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Myung Ok Shin, shall be held and considered to be the natural-born alien child of William and June Boyland, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VUOKKO A. BINGHAM

The Senate proceeded to consider the bill (S. 875) for the relief of Vuokko A. Bingham, which had been reported from the Committee on the Judiciary with amendments on page 1, line 5, after the word "be", to insert "issued a visa and be", and in line 10, after the word "Justice", to strike out "have" and insert "has", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Vuokko A. Bingham may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The bill (S. 1310) for the relief of certain aliens was announced as next in order.

Mr. PURTELL. Mr. President, reserving the right to object, the calendar committee finds that administrative relief is available. While the committee is in complete sympathy with the objectives of the bill, we feel they can be met through administrative relief. I wish to read into the RECORD at this time a letter from the State Department to the Senator from New Mexico [Mr. CHAVEZ] dated June 25, 1957, as follows:

DEPARTMENT OF STATE,
Washington, June 25, 1957.

The Honorable DENNIS CHAVEZ,
United States Senate,
Washington, D. C.

DEAR SENATOR CHAVEZ: I refer to your personal interest in the desire of 10 nuns to emigrate from Spain to Puerto Rico.

An airmail communication has been sent to our Embassy at Madrid today advising the consular officer handling these cases that Spanish first preference quota numbers will be made available during the first quarter of the new fiscal year (July-September) to qualified applicants with petition filing dates prior to January 1, 1957. The cases of the nuns in whom you are interested come within this date. The Embassy was requested to proceed to have the relevant petitions revalidated in order that there would be no delay in the issuance of visas to these nuns when first preference Spanish quota numbers are made available.

The Embassy has been requested to keep the Department informed of all developments in these cases. Upon the receipt of any information from the Embassy regarding these cases, I shall let you know.

Sincerely yours,

ROLLAND WELCH,
Director, Visa Office.

Mr. President, in the light of that letter, and in the light of the knowledge that administrative relief is available, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (H. R. 6191) to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

COLLECTION AND PUBLICATION OF PEANUT STATISTICS

The bill (S. 609) to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes, was announced as next in order.

Mr. TALMADGE. Mr. President, I should like to explain the bill.

It would amend the law relating to the collection of peanut statistics, by repealing a requirement for reports from owners or operators of peanut picking or threshing machines. At the time when this requirement was adopted, picking and threshing machines were widely used in all peanut-producing areas, and were generally owned by individual operators or firms who picked and threshed for a large number of farmers. Today, however, the custom use of these machines is being rapidly displaced by individually owned combines with picker attachments. The reports from pickers and

threshers are, consequently, now practically useless as a basis for estimating total quantities of peanuts picked and threshed; and collection of data from this source would require expenditures out of all proportion to their real value. Estimates of production of all peanuts picked and threshed, published by the Crop Reporting Board, are based on other survey data, and far exceed the total quantities reported by operators of picking and threshing machines.

The enactment of this measure would not affect the present cost of carrying out the purposes of this act, whereas the full and effective enforcement of the picker and thresher provisions would require additional funds.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 639) to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the last sentence of section 1 of the act of June 24, 1936 (chap. 745, 49 Stat. 1898; 7 U. S. C. 951), is amended to read as follows: "All reports shall be submitted monthly in each year except as otherwise prescribed by the Secretary."

SEC. 2. Section 2 of said act, as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 952), is repealed.

SEC. 3. Section 3 of said act as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 953), is renumbered section 2 and is amended to read as follows:

"It shall be the duty of each warehouseman, broker, cleaner, sheller, dealer, growers' cooperative association, crusher, salter, manufacturer of peanut products, and owner other than the original producer of peanuts to furnish reports, complete and correct to the best of his knowledge, on the quantity of peanuts and peanut oil received, processed, shipped, and owned by him or in his possession. Such reports, when and as requested by the Secretary, shall be furnished within the time prescribed and in accordance with forms provided by him for the purpose. Any person required by this act, or the regulations promulgated thereunder, to furnish reports or information, and any officer, agent, or employee thereof who shall refuse to give such reports or information or shall willfully give answers that are false and misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $300 nor more than $1,000, or imprisoned not more than one year, or be subject to both such fine and imprisonment."

SEC. 4. Sections 4, 5, 6, and 7 of said act (49 Stat. 1899; 7 U. S. C. 954–7) are renumbered sections 3, 4, 5, and 6, respectively.

MARKETING QUOTAS AND PRICE SUPPORTS FOR CERTAIN TOBACCOS

The bill (H. R. 7259) relating to marketing quotas and price supports for fire-cured, dark air-cured, and Virginia sun-cured tobacco was announced as next in order.

Mr. PURTELL. Mr. President, reserving the right to object—although I shall not object—may we have an explanation?

Mr. TALMADGE. Mr. President, this bill would make two changes in the marketing quota and price-support law for tobacco.

First, it would make Virginia fire-cured tobacco, type 21, a separate kind of tobacco for marketing quota purposes, but would continue to include it in the same marketing quota referendum with types 22 and 23. The law at present makes types 21, 22, 23, and 24 a single kind of tobacco; but type 24 is no longer produced. Marketing quotas for the 1958 and subsequent crops of Virginia fire-cured tobacco, type 21, would, under the bill, be determined and proclaimed on the basis of its own supply and demand situation; but growers would approve or disapprove the marketing quotas for all fire-cured tobacco as a "kind" of tobacco in a combined referendum. Two-thirds of all growers of fire-cured tobacco voting in a referendum must favor marketing quotas before acreage allotments and price supports on any fire-cured tobacco would be effective.

Second, the bill would limit price support as prescribed for fire-cured, dark air-cured, and Virginia sun-cured tobacco by the act of July 28, 1945, to an amount not in excess of the higher of first, the 1957 level; or, second, 90 percent of parity. Price support for these tobaccos are now fixed at a percentage of the burley loan rate; and the bill would eliminate any further increase in their support levels arising out of increases in the 10-year moving average price of burley tobacco, until such time as 90 percent of the parity price for the particular tobacco exceeds its 1957 support level.

Enactment of this bill would require no additional expenditure; and could, by reason of holding down support prices, result in some saving to the Government.

In addition to explaining what the bill does, I should like to make clear the purpose of the bill. In providing a separate quota for Virginia fire-cured tobacco, its purpose is to prevent the Virginia allotments from being cut excessively because of rising yields and rising supplies of other fire-cured types of tobacco. In placing a ceiling on the price-support level for the types of tobaccos covered by section 2 of the bill, the purpose is to prevent these types of tobaccos from being priced out of the market. When the price of burley tobacco was fixed on the basis of the old parity formula, the relationships prescribed by the act of July 28, 1945, between the support price for burley and the support price for these other types of tobacco were appropriate. However, since tobacco parity prices are now computed on the modernized parity formula, the moving 10-year average price for burley has resulted in increasing the support price for burley tobacco, and this is resulting in increased support prices for the other types of tobacco which do not truly reflect their demand situations.

Mr. PURTELL. I thank the Senator from Georgia.

Mr. COOPER. Mr. President, I join the Senator from Georgia in supporting the bill. It has been carefully drawn to help maintain a sound program for the dark leaf tobaccos, which are grown in Kentucky, Tennessee, and Virginia. It provides for a modification of the existing marketing quota and price support provisions for these tobaccos, which would take into account changing conditions and present needs. H. R. 7259 would change existing law in two respects: First, it would treat Virginia fire-cured tobacco, type 21, as a separate kind of tobacco for marketing-quota purposes, while maintaining as at present a joint referendum for the Virginia and the Kentucky-Tennessee fire-cured tobaccos, types 21, 22, and 23. Second, it would limit price-support levels for fire-cured, dark air-cured, and Virginia sun-cured tobacco to an amount not in excess of the 1957 level or 90 percent of parity, whichever is higher.

Again, as the Senator from Georgia has said, the bill presents an alternative in the case of the price of these tobaccos, which is tied primarily to the support price of burley tobacco.

This bill represents agreement reached by all the parties who are interested in these types of tobacco. It has the approval of the Department of Agriculture, was passed unanimously by the House, and was reported unanimously from the Senate Committee on Agriculture.

I have kept in close touch with Kentucky dark leaf tobacco growers and their associations, with the Kentucky Farm Bureau Federation, with dark tobacco dealers and manufacturers, and with other interested Members of Congress concerning this proposed legislation. I know of no objection raised from any source to this bill. On the contrary, there is general agreement that it is appropriate and timely proposed legislation in the interest of the growers of dark tobacco and the future of the tobacco program.

This is a good bill, and I hope the Senate will pass it.

Mr. President, a few minutes ago the Senator from North Carolina [Mr. SCOTT] came to me and said he was called away because of the death of former Governor Cherry, of North Carolina; and the Senator from North Carolina said he wished it to be noted that this bill has his firm support.

Mr. PURTELL. Mr. President, I desire to thank the distinguished Senator from Kentucky and also the distinguished Senator from Georgia for the explanations they have given.

We have no objection to the passage of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 7259) relating to marketing quotas and price supports for fire-cured, dark air-cured, and Virginia sun-cured tobacco was considered, ordered to a third reading, read the third time, and passed.

WEIGHT OF EVIDENCE TO BE GIVEN OF TESTS OF ALCOHOL IN THE BLOOD

The Senate proceeded to consider the bill (S. 969) to prescribe the weight to be given to evidence of tests of alcohol

in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor, which had been reported from the Committee on the District of Columbia, with amendments, on page 1, line 3, after the word "That", to strike out "if", and insert "(a) if"; on page 2, line 1, after the word "in", to strike out "evidence" and insert "evidence, based upon a chemical test"; at the beginning of line 3, to strike out "(a)" and insert "(1)"; at the beginning of line 10, to strike out "(b)" and insert "(2)"; in line 19, after the word "liquor", to strike out "and" and insert "or"; at the beginning of line 20, to strike out "(c)" and insert "(3)", and on page 3, after line 2, to strike out:

SEC. 2. (a) Chemical tests: Any person who operates a motor vehicle in the District of Columbia shall be deemed to have given his consent to a chemical test of his blood or urine for the purpose of determining the alcoholic content of his blood or urine: *Provided*, That such test is administered at the direction of a police officer, having reasonable grounds to believe such person to have been driving in an intoxicated condition and in accordance with the rules and regulations established by the Commissioners of the District of Columbia or their designated agent. If such person having been placed under arrest and having thereafter been requested to submit to such chemical test refuses to submit to such chemical test the test shall not be given but the Commissioners or their designated agent shall revoke his license or permit to drive and any nonresident operating privilege: *Provided, however*, That the Commissioners or their designated agent shall grant such person an opportunity to be heard but a license, permit, or nonresident operating privilege may, upon the basis of a sworn report of the police officer that he had reasonable grounds to believe such arrested person to have been driving in an intoxicated condition and that said person had refused to submit to such test, be temporarily suspended without notice pending the determination upon any such hearing, which shall be held within 10 days from date of suspension unless an extension of time be requested by such person. If, as a result of such hearing, it be determined such person did not refuse to submit to such a test, his license or permit and any nonresident operating privilege shall forthwith be restored. The provisions of section 13 of the District of Columbia Traffic Act, 1925, as amended (sec. 40–302, D. C. Code), shall be applicable to revocations under this section.

So as to make the bill read:

Be it enacted, etc., That (a) if as a result of the operation of a vehicle, any person is tried in any court of competent jurisdiction within the District of Columbia for operating such vehicle while under the influence of any intoxicating liquor in violation of section 10 (b) of the District of Columbia Traffic Act, 1925, approved March 3, 1925, as amended (D. C. Code, title 40, sec. 609), and in the course of such trial there is received in evidence, based upon a chemical test, competent proof to the effect that at the time of such operation—

(1) defendant's blood contained five one-hundredths of 1 percent or less, by weight, of alcohol, or that defendant's urine contained eight one-hundredths of 1 percent or less, by weight, of alcohol, such proof shall be deemed prima facie proof that defendant at such time was not under the influence of any intoxicating liquor;

(2) defendant's blood contained more than five one-hundredths of 1 percent, but less than fifteen one-hundredths of 1 percent, by weight, of alcohol, or defendant's urine contained more than eight one-hundredths of 1 percent, but less than twenty one-hundredths of 1 percent, by weight, of alcohol, such proof shall constitute relevant evidence, but shall not constitute prima facie proof that defendant was or was not at such time under the influence of any intoxicating liquor; or

(3) defendant's blood contained fifteen one-hundredths of 1 percent or more, by weight of alcohol, or defendant's urine contained twenty one-hundredths of 1 percent or more, by weight, of alcohol, such proof shall constitute prima facie proof that defendant at such time was under the influence of intoxicating liquor.

(b) Upon the request of the person who was tested, the results of such test shall be made available to him.

(c) Only a physician acting at the request of a police officer can withdraw blood for the purpose of determining the alcoholic content therein. This limitation shall not apply to the taking of a urine specimen.

(d) The person tested shall be permitted to have a physician of his own choosing administer a chemical test in addition to the one administered at the direction of the police officer.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISCLOSURE OF CHARACTER OF CHARITABLE SOLICITATIONS IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 3400) to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia, with amendments, on page 4, line 1, after the word "the", to insert "financial"; after line 15, to strike out:

(7) to require by regulation that any individual who, as a registrant or as agent or employee of a registrant, desires to solicit shall obtain a solicitor information card, which card shall contain such information and be produced and authenticated in such manner as may be prescribed by regulation; and.

And, in lieu thereof, to insert:

(7) to prescribe by regulation the form of and the information to be contained in the solicitor information cards required by this act, and to prescribe the manner of reproduction and authentication of such cards; and.

On page 5, line 5, after the word "act", to insert "The Commissioners shall, in publishing the results of any such investigation, have power to publish information concerning the officers and members of the governing board of any organization coming within the purview of this act: *Provided*, That such information shall not include membership and contribution lists of any such organization."; on page 6, after line 3, to strike out:

(b) The provisions of subsection (a) of this section and of sections 6 and 7 shall not apply to any person making solicitations (1) solely for religious purposes or (2) exclusively among the membership of the soliciting agency.

After line 7, to strike out:

(c) Whenever any solicitation has been made or is being made or is to be made for religious purposes, but in such manner as, in the opinion of the Commissioners, is intended to give or may give the impression to persons solicited or to the public that the purpose of such solicitation is, in whole or in part, charitable, then the Commissioners, if in their opinion the public interest will be served thereby, shall investigate such solicitation and give publicity to the findings resulting from such investigation in such manner as they may deem to be in the public interest.

After line 17, to insert:

(b) The provisions of this act shall not apply to any person making solicitations, including solicitations for educational purposes, solely for a church or a religious corporation or a corporation or an unincorporated association under the supervision and control of any such church or religious corporation: *Provided*, That such church, religious corporation, corporation or unincorporated association is an organization which has been granted exemption from taxation under the provisions of section 501 of the Internal Revenue Code of 1954: *Provided further*, That such exemption from the provisions of this act shall be in effect only so long as such church, religious corporation, corporation or unincorporated association shall be exempt from taxation under the provisions of section 501 of the Internal Revenue Code of 1954.

On page 7, after line 7, to insert:

(c) The provisions of subsection (a) of this section and sections 5, 6, 7, and 9 shall not apply to any person making solicitations (1) solely for the American National Red Cross or (2) exclusively among the membership of the soliciting agency.

After line 12, to insert:

(d) The Commissioners may by regulation prescribe the terms and conditions under which solicitations in addition to those enumerated in subsection (b) of this section may be exempted from the provisions of subsection (a) of this section and sections 6 and 7: *Provided*, That no exemption granted under authority of this subsection (d) shall exceed for any calendar year $1,500 in money or property.

On page 8, line 2, after the word "the", to strike out "Commission" and insert "Commissioners"; on page 11, after line 2, to insert:

SEC. 12. (a) No person who is required to obtain a certificate of registration under this act shall, for the purpose of soliciting contributions, use the name of any other person, except that of an officer, director, or trustee of the organization for which contributions are solicited, without the written consent of such other person.

After line 8, to insert:

(b) A person shall be deemed to have used the name of another person for the purpose of soliciting contributions if such latter person's name is listed on any stationery, advertisement, brochure, or correspondence in or by which a contribution is solicited by or on behalf of a charitable organization or his name is listed or referred to in connection with a request for a contribution as one who has contributed to, sponsored, or endorsed the charitable organization or its activities.

After line 17, to insert:

(c) Nothing contained in this section shall prevent the publication of names of contributors without their written consents, in an annual or other periodic report issued

by a charitable organization for the purpose of reporting on its operations and affairs to its membership or for the purpose of reporting contributions to contributors.

In line 24, after "Sec.", to strike out "12" and insert "13. (a)"; on page 12, after line 5, to insert:

(b) Prosecutions for violations of this act, or the regulations made pursuant thereto, shall be conducted in the name of the District of Columbia by the Corporation Counsel or any of his assistants.

After line 9, to insert:

(c) The Corporation Counsel of the District of Columbia or any of his assistants is hereby empowered to maintain an action or actions in the United States District Court for the District of Columbia in the name of the District of Columbia to enjoin any person from soliciting in violation of this act or in violation of any regulation made pursuant to this act.

After line 16, to insert:

SEC. 14. Where any provision of this act refers to an office or agency abolished by Reorganization Plan No. 5 of 1952 (66 Stat. 924), such reference shall be deemed to be the office, agency, or officer now or hereafter exercising the functions of the office or agency so abolished. Nothing contained in this act shall be construed as a limitation on the authority vested in the Commissioners by Reorganization Plan No. 5 of 1952.

At the beginning of line 25, to change the section number from "13" to "15"; on page 13, at the beginning of line 5, to change the section number from "14" to "16"; at the beginning of line 7, to change the section number from "15" to "17", and in the same line, after the word "and", to strike out "14" and insert "16."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ENFORCEMENT OF DUTIES OF SUPPORT IN THE DISTRICT OF COLUMBIA

The bill (S. 2032) to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia was announced as next in order.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 7249) to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia, which was read twice by its title.

The PRESIDING OFFICER. House bill 7249 is identical with Senate bill 2032. Is there objection to the present consideration of the House bill?

There being no objection, the Senate proceeded to the consideration of the bill (H. R. 7249) to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 7249) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2032 is indefinitely postponed.

STOCKPILE OF EXTRA LONG STAPLE COTTON—BILL PASSED OVER

The joint resolution (H. J. Res. 172) relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act, was announced as next in order.

Mr. PURTELL. Mr. President, in the opinion of the calendar committee, this is not proper consent calendar business, and I ask that the bill go over.

Mr. MANSFIELD. Mr. President, will the Senator withhold his objection?

Mr. PURTELL. I withhold my objection.

Mr. MANSFIELD. Is it the contention of the Senator from Connecticut that the joint resolution ought to be called up later, and not discussed on a call of the calendar?

Mr. PURTELL. I have no objection to its being called up, and will not object to doing so, but there is about $10 million involved, and I do not feel it is proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED OVER

The bill (H. R. 4602) to encourage new residential construction for veterans' housing in rural areas by raising the maximum amount in which direct loans may be made, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1459) to amend section 208 (c) of the Interstate Commerce Act, as amended, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

LEASE OF UNASSIGNED LANDS ON THE COLORADO RIVER INDIAN RESERVATION

The bill (S. 2161) to amend the act of August 14, 1955 (69 Stat. 725), was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of August 14, 1955 (69 Stat. 725), is amended by deleting the words "2 years" wherever they appear and by inserting in lieu thereof "4 years."

Mr. GOLDWATER. Mr. President, I ask unanimous consent that a statement I have prepared in connection with the passage of S. 2161 be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GOLDWATER CONCERNING PRESENT AND PROPOSED CONSTRUCTION ON THE COLORADO RIVER INDIAN IRRIGATION PROJECT

The Colorado River Indian irrigation project is located about 100 miles north of Yuma on the Arizona side of the Colorado River. The average project elevation is 325 mean sea level. The climate is arid, averaging only 5 inches of precipitation a year. Temperatures range from 122° maximum to 16° minimum. The ultimate project area consists of approximately 100,000 acres of fertile river bottom lands which are extremely productive when provided with an adequate water supply.

The project was authorized by the act of March 2, 1867 (14 Stat. 514), by an appropriation of $50,000, a portion of which was for the purpose of constructing a canal to irrigate the reservation. Work was started in 1867 on the construction of a canal and a headgate near the present Indian agency. In 1871 the canal was extended some 2 miles up the river to a heading at the site of the present diversion dam. Floods in the Colorado River made it difficult to maintain the canal although it was used from time to time until 1898 when a steam-driven centrifugal pump was installed near the head of the irrigable area and the upper portion of the canal and headworks were abandoned. The original pumping plant was renewed and enlarged in 1929 to provide capacity to irrigate some 6,000 acres.

The pumping plant was considered as a temporary measure pending development of additional land on the reservation. The construction of Headgate Rock diversion dam across the Colorado River was authorized by section 2 of the River and Harbor Act of August 30, 1935 (49 Stat. 1039). The dam, a reinforced concrete structure, appurtenant works and a section of the main canal were completed under contract in 1942 at an estimated cost of approximately $4,580,000. The main canal and distribution system was designed and is being constructed with sufficient capacity to irrigate 100,000 acres each year with a diversion duty of 6 acre-feet per acre.

With the completion of Headgate Rock diversion dam and the first section of main canal, it was possible to discontinue operation of the pumping plant in favor of a gravity system. The main canal and several of the laterals were immediately extended to the south to provide service to the Poston war relocation camps located some 15 miles south of the Indian agency.

In 1946 a large scale program of land preparation was initiated on the project in connection with the program to relocate other Indians of the Colorado River Basin on irrigated reservation farms. Since that time approximately 24,000 acres of new lands have been cleared and subjugated and irrigation facilities have been extended to serve the area. The present project works include the Diversion Dam; 19½ miles of main canal with 13 reinforced concrete structures; 287 miles of laterals including 2,770 concrete control structures; 124 miles of drains; 7 miles of levees; and 5 wells and electric-pumping plants used for both drainage and irrigation. An area of 37,000 acres is now provided with irrigation facilities.

The purchase and sale of power was authorized by the act of June 16, 1940 (54 Stat. 422), the Indian reservation having been given a preferential right to the purchase of power from the generating plant of the Bureau of Reclamation at Parker Dam. All power is purchased from the Parker Dam plant and none is generated on the Colorado River project. The system consists of 70 miles of 34.5 kilovolt transmission line and distribution systems to serve some 425 customers on both the Arizona and California sides of the river on and in the vicinity of the Indian reservation.

Total construction costs as of May 31, 1957, for the irrigation and power facilities are $18,114,000.

In order to subjugate the lands and complete the balance of 65,000 acres of the project, a large amount of construction work remains to be done. This work is estimated to cost a total of $26,489,460 at 1956 price levels.

The details are as follows:

Diversion dam alteration	$4,960
Main canal lining	660,000
Lateral system—230 miles	5,525,000
Drainage	1,619,000
Bridges, farm access	404,000
Flood control	160,500
Road grading and bridges	2,506,000
Land subjugation	12,890,000
Farm ditches	2,700,000
Total	26,489,460

The project area, when fully developed, will provide farms for some 1,250 Indian families. The development of such an area for irrigated farming will accelerate the growth of Parker, Valley Center, and other towns in the area which should provide employment opportunities for both Indians and non-Indians.

REPEAL OF SECTION 1157 OF TITLE 18 OF THE UNITED STATES CODE, AS AMENDED

The bill (H. R. 3836) to repeal section 1157 of title 18 of the United States Code, as amended, was considered, ordered to a third reading, read the third time, and passed.

EDUCATIONAL LEAVE OF EMPLOYEES OF THE BUREAU OF INDIAN AFFAIRS

The bill (H. R. 3837) to amend the act of August 24, 1912, as amended, with reference to educational leave of employees of the Bureau of Indian Affairs was considered, ordered to a third reading, read the third time, and passed.

RECOUPMENT OF FUNDS EXPENDED IN COOPERATION WITH THE SCHOOL BOARD OF KLAMATH COUNTY, OREG.

The bill (S. 1894) to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives, which is an identical bill.

The bill (H. R. 7050) to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes; was read twice by its title.

Mr. NEUBERGER. Mr. President, S. 1894 and H. R. 7050, which has been passed by the House, are identical bills. The purpose of the proposed legislation is to amend the Klamath Termination Act of the 83d Congress with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian schoolchildren.

Under section 24 of the Klamath Termination Act, the obligation of Klamath County would have been repealed following the final termination date. However, the Governor of Oregon has elected for the State to come under section 10 of Public Law 874, 81st Congress, beginning July 1, 1957. Therefore, unless the recoupment obligation is repealed, the county will continue to be subject to the recoupment provisions, but will not be eligible for Johnson-O'Malley contract funds with which to make payments.

The enactment of this legislation will place Klamath County in the same position as other school district whose obligations have been canceled under statutes enacted in the 84th and prior Congresses. The bill is fair and justified, and I ask that the bill be considered.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 7050) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1894 is indefinitely postponed.

TRANSFER OF COYOTE VALLEY INDIAN RANCHERIA

The bill (H. R. 6692) to authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ESTABLISHMENT OF NATIONAL OUTDOOR RECREATION RESOURCES REVIEW COMMISSION

The bill (S. 846) for the establishment of a National Outdoor Recreation Resources Review Commission to study the public lands and other land and water areas of the United States, and for other purposes, was announced as next in order.

Mr. PURTELL. Over, by request.

Mr. ANDERSON. Mr. President, I wonder if my friend from Connecticut will withhold his objection.

Mr. PURTELL. I am very happy to do so.

Mr. ANDERSON. I recognize that it is entirely proper to object to a bill of this nature on the call of the calendar, but I wish to make a brief statement.

Nearly all the wildlife and conservation organizations with which I am acquainted have been working steadily on this matter for some years. The chairman of the Interior and Insular Affairs Committee, the Senator from Montana [Mr. MURRAY], the Senator from Colorado [Mr. CARROLL], the Senator from Oregon [Mr. NEUBERGER], and I, from the Democratic side, have joined in sponsoring the bill, along with the Senator from Utah [Mr. WATKINS], the Senator from Wyoming [Mr. BARRETT], the Senator from California [Mr. KUCHEL], the Senator from Colorado [Mr. ALLOTT], and the Senator from Arizona [Mr. GOLDWATER], from the Republican side. There is nothing political about this measure.

As the number of people who visit our national parks increases, there is involved a very definite problem of properly accommodating them, for example, Yellowstone Park, which belong to all the people of the country, and not merely to rich people. Priorities are needed in order to get inside the park. The number of people visiting the western lands and parks of America is increasing tremendously. It would be the sheerest kind of folly to fail to pass the bill which provides only for a survey to determine what is needed in order to accommodate persons who will visit our parks in increasing numbers.

Mr. PURTELL. Mr. President, I had objected by request. The Senator who objected now tells me that he is withdrawing his objection. I therefore have no objection to the bill.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 846) for the establishment of a National Outdoor Recreation Resources Review Commission to study the public lands and other land and water areas of the United States, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 3, after the word "to", to strike out "preserve and develop for the" and insert "preserve, develop, and assure accessibility to all"; on page 4, line 22, after the word "request", to strike out "each Federal agency" and insert "the Secretary of each Federal Department or head of any independent agency which includes an agency or agencies"; on page 5, line 2, after the word "and", to insert "he shall appoint for"; in line 3, after the word "agency", to strike out "shall appoint,"; in line 21, after the word "all", to insert "agencies and groups whose assistance in accomplishing the purposes of this act will be required in arriving at sound methods and"; on page 7, line 14, after the word "Congress", to insert "and shall cease to exist not later than one year thereafter"; in line 19, after the word "Commission", to insert "on its own initiative or"; on page 8, line 1, after the word "States", to insert "and to transfer necessary funds to Federal agencies"; in line 4, after the word "States", to insert "or Federal agencies", and on page 9, line 2, after the word "expended", to strike out "but not later than June 30, 1960"; so as to make the bill read:

Be it enacted, etc., That in order to preserve, develop, and assure accessibility to all American people of present and future generations such quality and quantity of outdoor recreation resources as will be necessary and desirable for individual enjoyment, and to assure the spiritual, cultural, and physical benefits that such outdoor recreation provides; in order to inventory and evaluate the outdoor recreation resources and opportunities of the Nation, to determine the types and location of such resources and opportunities which will be required by present and future generations; and in order to make comprehensive information and recommendations leading to these goals available to the President, the Congress, and the individual States and Territories, there

is hereby authorized and created a bipartisan Outdoor Recreation Resources Review Commission (hereinafter referred to as the "Commission").

SEC. 2. The Commission shall be composed of seven members as follows:

(a) Three members of the Senate, to be appointed by the President of the Senate;

(b) Three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and

(c) One member, who shall be the chairman of the Commission, to be appointed by the President of the United States from private life.

SEC. 3. The Commission shall make a comprehensive study and investigation of the outdoor recreation resources of the public lands, and other land and water areas of the United States, and shall determine what policies should be followed in order to assure the adequate future supply of outdoor recreation resources to the American people. In conducting such study and investigation, the Commission shall give consideration to the following matters, among others:

(a) The outdoor recreation resources which will be required to meet the needs of the American people in the future;

(b) The location, quantity, and quality of such resources presently available;

(c) The present ownership of such resources;

(d) The additional such resources which will be required to meet future needs;

(e) The location, quantity, and quality of such additional resources which will be available from public lands;

(f) The location, quantity, and quality of such additional resources which should be acquired from private ownership;

(g) The policies which should be followed by the Federal Government, the States, and their political subdivisions in providing such additional resources;

(h) The role of the Federal Government in cooperating with the States and their political subdivisions in providing such additional resources;

(i) The policies which should be followed by the Federal Government in charging fees for the use of such resources;

(j) The policies which should be followed by the Federal Government in disposing of public lands which are valuable for outdoor recreation purposes;

(k) The policies which should be followed by the Federal Government in acquiring lands from private ownership for outdoor recreation purposes;

(l) The policies which should be followed by the Federal Government in exchanging lands which are valuable for outdoor recreation purposes;

(m) The policies which should be followed by the Federal Government in withdrawing lands from other uses for outdoor recreation purposes;

(n) The policies which should be followed by the Federal Government in relinquishing withdrawals of lands for outdoor recreation purposes;

(o) The policies which should be followed by the Federal Government in leasing lands for outdoor recreation purposes;

(p) The policies which should be followed by the Federal Government in granting permits for the use of lands for outdoor recreation purposes;

(q) The policies which should be followed by the Federal Government in granting concessions for the use of lands for outdoor recreation purposes;

(r) The policies which should be followed by the Federal Government in granting rights-of-way for the use of lands for outdoor recreation purposes;

(s) The policies which should be followed by the Federal Government in granting easements for the use of lands for outdoor recreation purposes;

(t) The policies which should be followed by the Federal Government in granting licenses for the use of lands for outdoor recreation purposes;

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is hereby authorized and created a bipartisan Outdoor Recreation Resources Review Commission.

SEC. 2. For the purposes of this act—

(1) "Commission" shall mean the Outdoor Recreation Resources Review Commission;

(2) "Outdoor recreation resources" shall mean the land and water areas and the products of such areas of the United States, its Territories and possessions which provide opportunities for outdoor recreation, including but not limited to such pursuits as hunting, fishing, camping, hiking, skiing, mountain climbing, pack tripping, nature photography, scenic appreciation, boating, canoeing and other water activities, wherever carried out or potentially carried out, including but not limited to such areas as the national forests, the public domain, Indian reservations, wild, wilderness and primitive areas; national parks and monuments; wildlife refuge, habitat, and management areas both Federal and States; scenic areas, the marsh and wetlands, coastal beaches, reservoir and such other land and water areas, irrespective of ownership, which presently provide or may in the future provide outdoor recreation opportunities.

(3) "Outdoor recreation resources" shall not mean nor include recreation facilities, programs, and opportunities usually associated with urban development such as playgrounds, stadiums, gold courses, city parks, and zoos.

SEC. (3) (a) The Commission hereby authorized and created shall consist of 15 members appointed as follows:

(1) Two majority and two minority members of the Senate Committee on Interior and Insular Affairs, to be appointed by the President of the Senate;

(2) Two majority and two minority members of the House Committee on Interior and Insular Affairs to be appointed by the Speaker of the House; and

(3) Seven citizens, known to be informed about and concerned with the preservation and development of outdoor recreation resources and opportunities, and experienced in resource conservation planning for multiple resources uses, who shall be appointed by the President, and one of whom shall be designated as Chairman by the President.

Vacancies occurring on the Commission shall not affect the authority of the remaining members of the Commission to carry out the functions of the Commission, and shall be filled in the same manner as the original positions.

(b) The Commission members shall serve without compensation, except that each member shall be entitled to reimbursement for actual travel and subsistence expense incurred in the services of the Commission and each member appointed by the President shall be entitled to a per diem allowance not to exceed $50 per day when actually engaged in Commission business.

(c) The Commission shall convene as soon as practicable following appointment of its members, to implement the purposes and objectives of this act.

SEC. 4. (a) The Commission is authorized, without regard to the civil-service laws and regulations, to appoint and fix the compensation of an executive secretary and such additional personnel as may be necessary to enable it to carry out its functions, except that any Federal employees subject to the civil-service laws and regulations who may be assigned to the Commission shall retain civil-service status without interruption or loss of status or privilege.

(b) The Commission shall establish headquarters in the District of Columbia and shall make such other arrangements as are necessary to carry out the purposes of this act.

(c) The Commission shall request the secretary of each Federal department or head of any independent agency which includes an agency or agencies with a direct interest and responsibility in any phase of outdoor recreation to appoint, and he shall appoint for each such agency a liaison officer who shall work closely with the Commission and its staff.

SEC. 5. (a) There is hereby established an advisory council which shall consist of the liaison officers appointed under section 4 (c), together with 25 additional members appointed by the Commission who shall be representative of the various major geographical areas and citizen interest groups including the following: State game and fish departments, State park departments, State forestry departments, private organizations working in the field of outdoor recreation resources and opportunities, landowners, State water pollution control agencies, State water development agencies, private forestry interests, commercial fishing interests, commercial outdoor recreation interests, industry, education, labor, public utilities, and municipal governments.

(b) The functions of the advisory council shall be to advise and counsel the Commission in the development of ways, means, and procedures whereby maximum cooperation may be obtained from all agencies and groups whose assistance in accomplishing the purposes of this act will be required in arriving at sound methods and criteria for evaluating outdoor recreation resources data assembled and otherwise to advise and assist the Commission in carrying out the purposes of the act.

(c) Members of the advisory council, except those employed by the Federal Government and assigned to the Commission as liaison officers, shall serve without compensation except that each shall be entitled to reimbursement for actual travel and subsistence expenses incurred in attending meetings of the advisory council called by the Chairman of the Commission, or incurred in carrying out duties assigned by the Chairman of the Commission.

(d) The Chairman of the Commission shall call an initial organization meeting of the advisory council, a meeting of such council each 6 months thereafter, and a final meeting of such council prior to transmitting the final report to the President and the Congress.

SEC. 6. (a) The Commission shall proceed as soon as practicable to set in motion a nationwide inventory and evaluation of outdoor recreation resources and opportunities, directly and through the Federal agencies, the States, and private organizations and groups, utilizing to the fullest extent possible such studies, data, and reports previously prepared or concurrently in process by Federal agencies, States, private organizations, groups, and others.

(b) The Commission shall compile such data and, in the light of the data so compiled and of information available concerning trends in population, leisure, transportation, and other factors, shall determine the amount, kind, quality, and location of such outdoor recreation resources and opportunities as will be required by the year 1976 and the year 2000, and shall recommend what policies should best be adopted and what programs be initiated, at each level of government and by private organizations and other citizen groups and interests, to meet such future requirements.

(c) The Commission shall present not later than December 31, 1959, a report of its review, a compilation of its data, and its recommendations on a State-by-State, region-by-region, and national basis to the President and to the Congress, and shall cease to exist not later than 1 year thereafter. Such report, compilation, and recommendations shall be presented in such form as to make them of maximum value to the States and shall include recommendations as to means whereby the review may effectively be kept current in the future. The Commission, on its own initiative or on request of the President or the Congress, shall prepare interim or progress reports on particular phases of its review.

(d) The Commission is authorized to conduct public hearings and otherwise to secure data and expressions of opinion.

(e) The Commission is authorized to make direct grants to the States, and to transfer necessary funds to Federal agencies, from sums appropriated pursuant to section 8, to carry out such aspects of the review as the Commission may determine can best be carried out by the States, or Federal agencies, under such arrangements and agreements as are determined by the Commission; and may enter into contracts or agreements for studies and surveys with public or private agencies and organizations.

SEC. 7. The Commission, in its inquiries, findings, and recommendations, shall recognize that present and future solutions to problems of outdoor recreation resources and opportunities are responsibilities at all levels of government from local to Federal, and of individuals and private organizations as well. The Commission shall recognize that lands, waters, forest, rangelands, wetlands, wildlife, and such other natural resources that serve economic purposes also serve to varying degrees and for varying uses outdoor recreation purposes, and that sound planning of resource utilization for the full future welfare of the Nation must include coordination and integration of all such multiple uses.

SEC. 8. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this act, which sums shall be available to the Commission until expended.

SEC. 9. This act may be cited as "the Outdoor Recreation Resources Review Act."

Mr. ANDERSON. I may say to the Senator from Connecticut the withdrawal of the objections to the consideration of the bill is as fine a thing as has happened in a long time. I appreciate it, not only for myself, but for other Senators, and the wildlife and conservation organizations who are in favor of the bill.

Mr. KUCHEL. Mr. President, I am delighted that the objecting Senator on this side of the aisle saw fit to withdraw his objection, because I subscribe 100 percent to the analysis of the proposed legislation as made by my friend, the Senator from New Mexico. This is a bill in the interest of the people of the United States, and I shall be delighted to see it pass the Senate unanimously.

Mr. GOLDWATER. Mr. President, I should like to join my colleague from California in thanking the Senator on this side of the aisle who so graciously withdrew his objection to the consideration of this bill. I might say, in support of what the Senator from New Mexico reminded the Senate, that about one-third of the American people will visit the national parks during the present summer. The State of Arizona, by the way, has more parks and monuments than has any other State. More than 1 million people visited the Grand Canyon last year. At night only 400 people can be taken care of. For the others the nearest accommodations are 60 miles to the east and 60 miles to the south. Such a bill is long overdue, and I am indebted to the Senator from New Mexico for allowing me to cosponsor the bill.

Mr. ANDERSON. Mr. President, when the bill was under consideration by the committee, the Senator from Arizona explained how the number of visitors to the Grand Canyon of the Colorado had increased. The Grand Canyon is one of the great treasures of this country, indeed one of the wonders of the world. It would be too bad if any American could not get to it because too many were standing in line.

Mr. GOLDWATER. I thank the Senator, but I remind him it is the Grand Canyon of Arizona and not Colorado.

Mr. ANDERSON. I said "of the Colorado."

Mr. GOLDWATER. But many times many people mistake the location of the beautiful gorge and like to place it in Colorado. Inadvertently, my good friend from California sometimes locates it in his State.

Mr. ANDERSON. I think the name of it is still the Grand Canyon of the Colorado.

Mr. GOLDWATER. Of Arizona.

Mr. KUCHEL. Mr. President, I regret that my friend beside whom I am now standing sees fit to animadvert on the 14 million people whom I am privileged in part to represent and who are delighted to travel in the State of Arizona and to see the Grand Canyon whether it be of the Colorado, or of Arizona or, just possibly, California. The point is that the people of the Nation are delighted that the Senate is now adding its stamp of approval to a piece of proposed legislation which will insure the right of the people of the United States to visit that type of public resource and to enjoy its scenery and beauty, and not have to stand in line for the privilege.

Mr. NEUBERGER. Mr. President, I should like to subscribe to the very able explanation of the bill which was given by the junior Senator from New Mexico [Mr. ANDERSON]. As a cosponsor of this measure I concur in everything the Senator said. It seems to me the great pressure which is going to be on our recreational resources in the years ahead cannot be estimated by us now. As the population increases and technological improvements lead to greater leisure time, we will need more and more national forests, national parks and national monuments where our people can gain inspiration through recreation in the outdoors.

I should like to add that, in addition to the Senators who have sponsored this bill, I believe the Izaak Walton League of America deserves a great deal of credit for being the organization which originally proposed this measure. Members of the Izaak Walton League in my home State, regardless of which political party they belong to, have urged me to support the measure, and have constantly presented documentary facts and statistics to justify such support.

In conclusion, Mr. President, I do wish to emphasize on the floor of the Senate that, as I see it, this very excellent bill in no way conflicts with the measure sponsored by the distinguished Senator from Minnesota [Mr. HUMPHREY] and some others of us to add the protection of the wilderness to the assessment and inventory this bill authorizes of our great outdoor resources.

In passing this bill today, so outstandingly sponsored by the Senator from New Mexico [Mr. ANDERSON], I know some of us look forward to future legislation which will set aside and add protection to our great wilderness realms which are perhaps part of some of the national parks and forests this particular bill will encompass.

Mr. HUMPHREY. Mr. President, I should like to make one brief observation, to commend the authors of this bill, particularly the Senator from New Mexico, for the leadership which has been demonstrated not only in its introduction but also in its passage. I think this bill represents a milestone for the people of America and generations yet unborn. It is a tremendous development that goes along with the tradition of the great conservationist movement of Gifford Pinchot and others of the past.

Mr. NEUBERGER. I am pleased that the Senator mentioned the work of the Senator from New Mexico. There is living in my State one of the great ex-chief foresters of our country, Lyle F. Watts, who is presently in retirement. I cannot tell the Senate on how many occasions he has reported to me that, when CLINTON P. ANDERSON was Secretary of Agriculture, conservation of the resources of this country had one of its finest friends and stalwart champions in the person of CLINTON P. ANDERSON, of New Mexico. Mr. Watts is a devoted admirer of ex-Secretary ANDERSON.

Mr. ANDERSON. Mr. President, I ask unanimous consent that the names of the Senator from Arizona [Mr. GOLDWATER] and the Senator from Oregon [Mr. MORSE] be added as cosponsors to S. 846.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER (Mr. CORTON in the chair). The present occupant of the chair requests unanimous consent that he be allowed to make a brief statement.

The objection to passage of this bill on the calendar call was interposed at the request of the junior Senator from New Hampshire, who finds himself in the chair as the consideration of the bill takes place. My objection was made because of a concern that the bill might be an entering wedge for including so-called recreational benefits in the evaluation of public works projects, as provided in a bill introduced by the distinguished Senator from Oklahoma, which has been reported from the Committee on Public Works. In view of the explanation that has been made on the floor, the junior Senator from New Hampshire is happy to withdraw his objection, and he appreciates the opportunity of being allowed to make this statement, even though in the chair.

Mr. ANDERSON. Those of us who sponsor the bill appreciate the attitude of the Presiding Officer.

CONGRESSIONAL RECOGNITION OF NATIONAL COWBOY HALL OF FAME AND MUSEUM, OKLAHOMA

The concurrent resolution (S. Con. Res. 32) favoring Congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla., was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby recognizes the National Cowboy Hall of Fame and Museum as a memorial to individuals who have made outstanding contributions in the opening and development of the West and as a fitting and valuable institution for the collection and preservation of artifacts and other evidences and data relating to the role the West has played in enriching our American historical heritage.

The preamble was agreed to.

OSAGE TRIBE OF INDIANS, OKLAHOMA

The bill (S. 1417) relating to the affairs of the Osage Tribe of Indians in Oklahoma was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 9 of the act of Congress approved June 28, 1906 (34 Stat. 539), as amended by section 7 of the act of March 2, 1929 (45 Stat. 1478), is hereby amended by striking therefrom the words "January 1, 1959" and substituting therefor the words "January 1, 1984."

BILL PASSED OVER

The bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

ESTABLISHMENT OF MINING AND METALLURGICAL RESEARCH STATION IN MINNESOTA—BILL PASSED OVER

The bill (S. 98) to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota, was announced as next in order.

Mr. PURTELL. Over, Mr. President.

Mr. HUMPHREY. Mr. President, will the Senator withhold his objection?

Mr. PURTELL. I shall be pleased to withhold my objection.

Mr. HUMPHREY. I had hoped there would be no objection to this bill today, since similar bills have passed the Senate five times.

Mr. PURTELL. I believe so.

Mr. HUMPHREY. Each time the proposed legislation runs into a little difficulty in the other House. If the Senator will permit the bill to go to the end of the calendar, so that I may discover who the objector is, perhaps we can reconcile whatever differences there may be.

Mr. PURTELL. I am happy to tell the Senator from Minnesota that the calendar committee on this side of the aisle is objecting to the bill. First, the Department at the present time, we feel, has authority to do what the bill provides, if they wish to. Second, there is involved an expenditure in excess of $1 million. For those reasons the committee objects.

The PRESIDING OFFICER. The bill will be passed over.

MONEYS RECEIVED FROM MINERAL LANDS IN ALASKA

The bill (H. R. 3477) relating to moneys received from mineral lands in Alaska, was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will go over.

CONSTRUCTION OF BRIDGES ACROSS THE POTOMAC RIVER

The Senate proceeded to consider the bill (H. R. 6306) to amend the act entitled "An act authorizing the District of Columbia to construct two 4-lane bridges to replace the existing 14th St. Bridge across the Potomac River, and for other purposes," which had been reported from the Committee on the District of Columbia with an amendment on page 1, line 8, after the word "amended," to strike out "(a) by inserting 'bascule span' immediately after 'four lane'; and (b) by striking '$7,000,000' and inserting in lieu thereof '$17,500,000,'" and insert "by striking '$7,000,000' and inserting in lieu thereof '$16,000,000'."

Mr. WATKINS. Mr. President, may we have an explanation of this bill, and what it proposes to do?

Mr. BIBLE. Mr. President, I am happy to try to explain this bill to the distinguished Senator from Utah.

The purpose of the bill, which was reported unanimously from the Committee on the District of Columbia, is to amend the Act of July 16, 1946, to authorize construction of two 4-lane bridges across the Potomac River to replace the older structure known as the 14th Street bridge, at a cost of not to exceed $7 million. The extremely rapid increase in the cost of heavy construction from the time the estimate was made in 1946 up until the construction of 1 of the 2 bridges resulted in a final cost of the first part of the work amounting to approximately $6.8 million, which substantially was the amount authorized by Congress for both bridges.

Present plans call for the construction of the second of the authorized spans at a cost, together with the cost of constructing the approaches of the new bridge, estimated at $9.2 million.

Mr. WATKINS. Perhaps we can clear the matter up if I ask one or two questions.

Does this bill provide for the abandoning of one of the 14th Street bridges?

Mr. BIBLE. It will provide for the replacement of the southbound 14th Street bridge.

Mr. WATKINS. But the bridge will be located nearby?

Mr. BIBLE. The bridge will be a little upstream from the present location of the southbound bridge.

Mr. WATKINS. It is intended to take the place of that bridge?

Mr. BIBLE. It is intended as a replacement of the present bridge.

Mr. WATKINS. And the location of the bridge will not be moved more than 200 or 300 yards upstream?

Mr. BIBLE. Only a very short distance, because it comes into practically the entrance-way, north and south. It is intended as a replacement because of the obvious condition of disrepair and wear on the present southbound bridge.

Mr. WATKINS. I have no objection, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

IMPLEMENTATION OF TREATY WITH PANAMA—BILL PASSED OVER

The bill (S. 1730) to implement a treaty and agreement with the Republic of Panama, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

JOINT COMMITTEE TO REPRESENT CONGRESS AT 350TH ANNIVERSARY OF FOUNDING OF JAMESTOWN, VA.

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 27) to create a joint committee to represent Congress at the 350th anniversary of the founding of Jamestown, Va., which had been reported from the Committee on the Judiciary with an amendment on page 2, at the beginning of line 1, to strike out "committee, which shall not exceed $, shall be paid from the contingent fund of the Senate on vouchers approved by the chairman" and insert "joint committee shall not exceed the sum of $1,000, one-half of such sum to be paid from the contingent fund of the Senate and one-half of such sum to be paid from the contingent fund of the House of Representatives, on vouchers approved by the chairman.", so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That a joint committee consisting of 4 Senators and 5 Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to represent the Congress of the United States at the ceremonies to be held at Jamestown, Va., on July 30, 1957, in commemoration of the 350th anniversary of the founding of Jamestown, the first permanent English settlement in America. The committee shall select a chairman from among its members.

Resolved further, That the necessary expenses of such joint committee shall not exceed the sum of $1,000, one-half of such sum to be paid from the contingent fund of the Senate and one-half of such sum to be paid from the contingent fund of the House of Representatives, on vouchers approved by the chairman.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

MRS. ANTONIETTA GIORGIO AND OTHERS

The bill (S. 669) for the relief of Mrs. Antonietta Giorgio and her children, Antonio Giorgio and Menotti Giorgio was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Mrs. Antonietta Giorgio, Antonio Giorgio, and Menotti Giorgio shall be considered first preference quota immigrants under the provisions of section 203 (a) (1) (B) of the Immigration and Nationality Act if they are issued immigrant visas and admitted into the United States within 12 months from the date of the enactment of this act.

HERBERT T. KING AND OTHERS

The bill (S. 789) for the relief of Herbert T. King; his wife, Chang Si-Ling King; and his daughter, Chen Hsiao-Ling King, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That for the purposes of the Immigration and Nationality Act, Herbert T. King; his wife, Chang Si-Ling King; and his daughter, Chen Hsiao-Ling King, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

FANNIE ALEXANDER GAST

The bill (S. 811) for the relief of Fannie Alexander Gast was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Fannie Alexander Gast, who lost United States citizenship under the provisions of section 401 (e) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the date of the enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act: *Provided,* That from and after naturalization under this act, the said Fannie Alexander Gast shall have the same citizenship status as that which existed immediately prior to its loss.

MATILDA STRAH

The bill (S. 832) for the relief of Matilda Strah was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Matilda Strah shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

BARBARA L. WEISS

The bill (S. 862) for the relief of Barbara L. Weiss was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Barbara L. Weiss shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

POPPY CATHERINE HAYAKAWA MERRITT

The bill (S. 1053) for the relief of Poppy Catherine Hayakawa Merritt was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, paragraph (5) of subsection (a) and subsection (b) of section 202 of such act shall not apply in the case of Poppy Catherine Hayakawa Merritt.

FRANCOISE BEYRONNEAU

The bill (S. 1097) for the relief of Francoise Beyronneau was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (b) (2) and 203 (a) (2) of the Immigration and Nationality Act, Francoise Beyronneau shall be held and considered to be the parent of Robert Beyronneau, a citizen of the United States.

SUSANNE BURKA

The bill (S. 1309) for the relief of Susanne Burka was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Susanne Burka, the fiance of Roy Weisenfeld, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided,* That the administrative authorities find that the said Susanne Burka is coming to the United States with a bona fide intention of being married to the said Roy Weisenfeld and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Susanne Burka, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above persons shall occur within 3 months after the entry of the said Susanne Burka, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Susanne Burka as of the date of the payment by her of the required visa fee.

VASSILIOS KOSTIKOS

The bill (S. 1363) for the relief of Vassilios Kostikos was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Vassilios Kostikos, shall be held and considered to be the natural-born alien child of Victor Kostikos and Thelma Kostikos, citizens of the United States.

ANGELINE MASTRO MONE (ANGELINA MASTROIANNI)

The bill (S. 1397) for the relief of Angeline Mastro Mone (Angelina Mastroianni) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Angeline Mastro Mone (Angelina Mastroianni), who lost United States citizenship under the provisions of section 401 (e) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the date of the enactment of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, an oath as prescribed by section 337 of such act. From and after naturalization under this act, the said Angeline Mastro Mone (Angelina Mastroianni) shall have the same citizenship status as that which existed immediately prior to its loss.

SALVATORE LA TERRA

The bill (S. 1508) for the relief of Salvatore LaTerra was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Salvatore LaTerra, shall be held and considered to be the natural-born alien child of Mr. and Mrs. John LaTerra, citizens of the United States.

ISAAC LIDJI AND OTHERS

The bill (S. 1519) for the relief of Isaac Lidji, Henry Isaac Lidji, and Sylvio Isaac Gattegno was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Isaac Lidji, Henry Isaac Lidji, and Sylvio Isaac Gattegno shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

YEE SUEY NONG

The bill (S. 1774) for the relief of Yee Suey Nong was considered, ordered to be engrossed for third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of section 101 (a) (27) (B) of the Immigration and Nationality Act, Yee Suey Nong shall be held and considered to be a returning resident alien.

CHARLES DOUGLAS

The bill (S. 1838) for the relief of Charles Douglas was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Charles Douglas, shall be held and considered to be the natural-born alien child of Comdr. Lloyd Benson, a citizen of the United States.

MICHELLE PATRICIA HILL

The bill (S. 1848) for the relief of Michelle Patricia Hill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of section 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Michelle Patricia Hill (Patricia Adachi), shall be held and considered to be the natural-born alien child of Sgt. Carl Leroy Hill and Loretta Hill, citizens of the United States.

VENDELIN KALENDA

The bill (S. 2027) for the relief of Vendelin Kalenda was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of section 316 (a) of the Immigration and Nationality Act, Vendelin Kalenda shall be held and considered to have been resident and physically present in the United States during all periods of service performed by

him, after his lawful admission for permanent residence, as an employee of the Department of State outside the United States.

WIDOW OF COL. CLAUD C. SMITH

The Senate proceeded to consider the bill (S. 20) for the relief of the widow of Col. Claud C. Smith ($6,675), which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "heirs", to insert a colon and "*Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the widow of Col. Claud C. Smith, 7015041, the sum of $6,675. Such sum shall be in full satisfaction of all claims for compensation for a dwelling house which was erected by the said Col. Claud C. Smith in 1934 and 1935 on the Fort Jackson Military Reservation, S. C., and which has been used by the Army since the said Col. Claud C. Smith was forced to vacate the same on March 9, 1942, no compensation having been received for such house by the said Col. Claud C. Smith or his heirs: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. EDWARD J. SMITH AND DAUGHTER

The Senate proceeded to consider the bill (S. 178) for the relief of Mrs. Edward J. Smith and her daughter, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 8, after the word "fees", to strike out "Upon the granting of permament residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Mrs. Edward J. Smith (nee Concetta Chiodo) and her daughter, Roberta Smith, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GIORGIO GIORDANELLA

The Senate proceeded to consider the bill (S. 554) for the relief of Giorgio Giordanella, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Giorgio Giordanella may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MAUD ABRAHAM

The Senate proceeded to consider the bill (S. 823) for the relief of Maud Abraham, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted etc., That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Maud Abraham may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KATHARINA THERESIA BEUVING KEYZER

The Senate proceeded to consider the bill (S. 876) for the relief of Katharina Theresia Beuving Keyzer, which had been reported from the Committee on the Judiciary, with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Katharina Theresia Beuving Keyzer may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SGT. DONALD D. COLEMAN—BILL PASSED OVER

The bill (S. 1007) for the relief of Sgt. Donald D. Coleman was announced as next in order.

Mr. PURTELL. Over, Mr. President.

Mr. KEFAUVER. Mr. President, will the Senator from Connecticut withhold his objection in order to permit me to make a brief statement?

Mr. PURTELL. I am happy to do so.

Mr. KEFAUVER. I should like to have the bill brought up on motion at the conclusion of the call of the calendar. The distinguished Senator from Connecticut has indicated that he would have no objection to such a course. I wonder if it is agreeable to the minority leader.

Mr. KNOWLAND. Mr. President, I have no objection to bringing up the bill on motion following the call of the calendar. I believe it is planned to bring up a number of other measures by motion at that time.

Mr. PURTELL. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The clerk will state the next measure on the calendar.

TEIKO WATANABE HOLDERFIELD

The Senate proceeded to consider the bill (S. 1244) for the relief of Teiko Watanabe Holderfield, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Teiko Watanabe Holderfield may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That if the said Teiko Watanabe Holderfield is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act: *And provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GARTH CECIL BRIDEN

The Senate proceeded to consider the bill (S. 1283) for the relief of Garth Cecil Briden, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Garth Cecil Briden may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIA GRADI

The Senate proceeded to consider the bill (S. 1311) for the relief of Maria Gradi, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Maria Gradi shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REGINALD S. LEVY

The Senate proceeded to consider the bill (S. 1510) for the relief of Reginald S. Levy, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (19) of section 212 (a) of the Immigration and Nationality Act, Reginald S. Levy may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUSAN TSIANG HO

The Senate proceeded to consider the bill (S. 439) for the relief of Susan Tsiang Ho, which had been reported from the Committee on the Judiciary with amendments on page 1, line 6, after the word "be", to insert "issued a visa and be," and in line 10, after the word "States", to insert "Public Health Service, Department of Health, Education, and Welfare,", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Susan Tsiang Ho may, if she is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose: *Provided*, That a suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Susan Tsiang Ho in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act: *Provided further*, That this act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was orderd to be engrossed for a third reading, read the third time, and passed.

PANAGIOTIS TULIOS

The Senate proceeded to consider the bill (S. 1240) for the relief of Panagiotis Tulios, which had been reported from the Committee on the Judiciary with amendments on page 1, line 7, after the word "Act", to strike out the comma and "under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose", and on page 2, line 2, after the word "Act", to insert a colon and "*Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of States or the Department of Justice has knowledge prior to the enactment of this Act.", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (1) of the Immigration and Nationality Act, Panagiotis Tulios, may be issued a visa and admitted to the United States if he is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALEXANDER JOHN PANAGIOTOU

The Senate proceeded to consider the bill (S. 1817) for the relief of Alexander John Panagiotou which had been reported from the Committee on the Judiciary with an amendment, in line 5, after the name "John", to strike out "Panagiotov" and insert "Panagiotou", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Alexander John Panagiotou shall be held and considered to be the natural-born alien child of Nick J. Dennery, a citizen of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of John Panagiotou."

RELIEF OF CERTAIN ALIENS

The joint resolution (H. J. Res. 273) to waive the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act in behalf of certain aliens was considered, ordered to a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 288) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 17, after the name "Francisco", to strike out "Carapia Gaytin" and insert "Carapia-Gaytan."

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 307) for the relief of certain aliens, which had been reported from the Committee on the Judiciary with amendments on page 4, after line 17, to insert:

SEC. 7. For the purposes of the Immigration and Nationality Act, Kerttu Poutiainen Mayblom shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

After line 22, to insert:

SEC. 8. For the purposes of the Immigration and Nationality Act, Paolina Toscano shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 18, 1925, upon payment of the required visa fee.

And, on page 5, after line 2, to insert:

SEC. 9. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the case of John William Forbes Petch and Mrs. Tsuma Ueda. From and after the date of the enactment of this act, the said persons shall not again be subject to deportation by reason of the same facts upon which said deportation proceedings were commenced or any such warrants and orders have issued.

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

FRANK J. AND MAE T. W. BURGER

The bill (H. R. 1752) for the relief of Frank J. and Mae T. W. Burger was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 1754) for the relief of Eleanor French Caldwell was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

CLAIMS OF GEORGE W. EDWARDS, JR., AGAINST THE UNITED STATES

The bill (H. R. 2964) to confer jurisdiction on the United States District Court for the Eastern District of Texas, Jefferson Division, to hear, determine, and render judgment on certain claims of George W. Edwards, Jr., against the United States was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 4342) for the relief of Mrs. Thomas L. Davidson was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

ERNEST HAGLER

The Senate proceeded to consider the bill (H. R. 3558) for the relief of Ernest Hagler, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the figures "$1,079.72", to strike out "for" and insert "or so much thereof as may be necessary for the."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Z. A. HARDEE

The Senate proceeded to consider the bill (H. R. 4159) for the relief of Z. A. Hardee, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding any period of limitations or lapse of time, claims for credit or refund of overpayments of income taxes for the taxable years 1945 through 1948 made by Z. A. Hardee, of Enfield, N. C., may be filed at any time within 1 year after the date of the enactment of this Act. The provisions of sections 322 (b), 3774, and 3775 of the Internal Revenue Code of 1939 shall not apply to the refund or credit of any overpayment of tax for which a claim for credit or refund is filed under the authority of this Act within such 1-year period.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CONVEYANCE OF BUNKER HILL ISLAND TO THE COMMONWEALTH OF KENTUCKY

The Senate proceeded to consider the bill (S. 1823) to authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Ky., to the Commonwealth of Kentucky for public park purposes.

Mr. MORSE. Mr. President, reserving the right to object—and I shall not object—I wish to discuss the bill for a few moments in connection with the so-called Morse formula.

The bill, S. 1823, proposes a transfer of a tract of land containing approximately 390 acres located in the reservoir area of the Wolf Creek Dam on the Cumberland River in Kentucky.

The conveyance, if authorized, would be from the Secretary of the Army to the Commonwealth of Kentucky.

The land in question is worth from $20,000 to $25,000—page 2 of report No. 519—and is desired by the Commonwealth of Kentucky for development of a daytime recreation center on what is known as Bunker Hill Island.

The Federal Government acquired this acreage in connection with the construction of Wolf Creek Dam.

The report indicates that Kentucky has been offered a lease or license for the use of the 390 acres, but because of extensive developments proposed, the State desires to acquire title.

This is truly a close case; and yet I think there is a clear distinction between a case such as this and a case coming within the scope of the so-called Morse formula.

We are dealing here with a Federal dam. When we consider river basin development programs we take into account the recreational value of the projects.

If this particular area were not to be developed by the State for park purposes, for sightseers in connection with the Federal project, then it seems to me it should be developed by the Federal Government. I think this is the kind of cooperation between the State and the Federal Government, in connection with Federal projects, which should be encouraged.

It is to be noted that the Federal Government retains a reversionary interest in the property. If the Commonwealth of Kentucky should not use the property for recreational facilities, it would revert to the Federal Government.

Earlier this afternoon we heard the distinguished Senator from New Mexico [Mr. ANDERSON] discuss a subject which I think is very closely related to this problem. My colleague, [Mr. NEUBERGER] discussed the same subject, namely, the importance of developing the recreational facilities of our country in connection with Federal projects.

As I stated to the Senator from Kentucky [Mr. COOPER], because I feel that this area is intimately connected with the Federal dam which is located in that vicinity, when this particular piece of land is set aside for recreational purposes no violation of the Morse formula is involved, because there is a Federal interest in the area, namely, the interest of all the people who visit the site of the dam in having recreational facilities available to them for camping and other purposes.

The report shows that housing facilities will be made available on the island for those who come to visit the dam. I think this project involves a direct Federal interest, and I am happy to approve the bill.

Mr. COOPER. Mr. President, I hope Senate bill 1823 will pass.

As is stated in the report of the Committee on Public Works, the bill would authorize conveyance to the Commonwealth of Kentucky a portion of Bunker Hill Island in Lake Cumberland, at Burnside, Ky., containing about 390 acres, for public park and recreational purposes.

As the report further points out, the island lies at the junction of the South Fork with the Cumberland River near Burnside, in Pulaski County, Ky. Lake Cumberland was formed by construction of the Wolf Creek Dam 101 miles up the main stream of the Cumberland River, and 48 miles up the South Fork of the Cumberland River. It is one of the largest reservoirs in the Nation and, certainly, east of the Mississippi River. It covers an area of approximately 63,500 acres.

The State of Kentucky, speaking through the director of conservation, the Honorable Lorban Jackson, has reported to the committee that it will commence the development of the island for park and recreational purposes within 3 years and to progressively continue its development.

I may say that I live in Pulaski County near Bunker Hill Island, and I know the area well. I am very glad that the State of Kentucky will undertake its development, and it will receive the support of the people of the area and the State of Kentucky.

My colleague in the Senate [Mr. MORTON] is also interested in the passage of the bill, as is Mr. SILER, the Representative from the 8th Congressional District of Kentucky, in which I live. I want also to thank the able Senator from Oregon [Mr. MORSE] for the speech he has made, supporting this bill.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, subject to section 2, the Secretary of the Army is authorized and directed to convey to the Commonwealth of Kentucky all the right, title, and interest of the United States in and to the following portion of Bunker Hill Island in Lake Cumberland, near Burnside, Ky.:

A tract of land situate in the eighth magisterial district of Pulaski County, Ky., at Burnside, Ky., and more particularly described as follows:

Being all of that part of an island lying entirely above the 765-foot contour line (m. s. l.), said island being known as Bunker Hill Island in the south fork of the Cumberland River embayment of Lake Cumberland, the downstream end of said island being located approximately 2,000 feet, more or less, upstream from the mouth of said river and extends upstream approximately 5,800 feet, more or less, said island contains 390 acres, more or less, and being a part of the same lands, the fee title to which was vested in the United States by reason of the following deeds of record in the office of the county court clerk for Pulaski County, Kentucky, and/or the filing of declaration of takings in civil actions pending in the United States District Court for the Eastern District of Kentucky at London, viz:

Tract No.	Vendor	Date of deed and/or D/T	Deed book	Page	D/T No.	Civil action No.
M-1337	Ella G. Sloan	Jan. 18, 1949	163	489	-------	-------
M-1344	Elmer R. Walden et ux	Jan. 5, 1949	163	192	-------	-------
M-1355	Ethel E. Roesler et vir	June 1, 1949	167	203	-------	-------
M-1368	Mitt Boland et ux	May 2, 1949	166	295	-------	-------
M-1369	Lillie Hollars et vir	Feb. 10, 1949	164	156	-------	-------
M-1372	W. T. Turpin et ux	Mar. 17, 1949	165	147	-------	-------
M-1373	Charles R. Cox et ux	Mar. 21, 1949	-------	-------	1	471
M-1374	John Hollars et ux	Mar. 1, 1949	164	499	-------	-------
M-1375	Cleveland Davis et ux	Mar. 29, 1949	165	227	-------	-------
M-1376	Zelmer Fitzgerald et ux	Jan. 18, 1949	163	374	-------	-------
M-1377	Luther Hutchinson et ux	Dec. 1, 1948	162	261	-------	-------
M-1379	Earl Love et ux	Jan. 12, 1949	163	267	-------	-------
M-1380	Oscar L. Dyer et ux	Jan. 4, 1949	163	141	-------	-------
M-1385	Nancy Massey et vir	Feb. 16, 1949	164	388	-------	-------
M-1387	Mary Trunell et vir	Jan. 24, 1949	-------	-------	1	464
M-1388	Corn Thompson et al	Apr. 8, 1949	-------	-------	1	477
M-1391	Marguerite Sloan	Aug. 3, 1949	-------	-------	2	462

SEC. 2. Title to the property authorized to be conveyed by this act shall revert to the United States, which shall have the right of immediate entry thereon, if the commonwealth of Kentucky—

(1) has not commenced the development of such property for public park purposes within the 3-year period beginning on the date of enactment of this act; or

(2) shall ever cease to use such property for public park purposes.

SEC. 3. The Secretary of the Army is authorized to grant to the commonwealth of Kentucky such rights-of-way for public access and utility lines across any property of the United States as may be necessary to facilitate the development and use of the property conveyed under authority of this act for public park purposes.

EXTENSION OF TIME FOR STUDY OF FOREIGN AID PROGRAM

The PRESIDING OFFICER. The clerk will state by title the resolution which has been previously placed at the foot of the Calendar.

The LEGISLATIVE CLERK. A resolution (S. Res. 141) extending to January 31, 1958 the authority of the special committee to study the foreign-aid program.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to, as follows:

Resolved, That Senate resolution 35, agreed to January 30, 1957, is hereby amended by striking out June 30, 1957, wherever it appears therein, and inserting in lieu thereof, January 31, 1958.

FURTHER CONSIDERATION BY THE UNITED NATIONS OF THE PROBLEM OF HUNGARY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Concurrent Resolution 35.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The legislative clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the United States Congress that the United States Government instruct the United States delegation to the General Assembly of the United Nations to take urgent steps to recommend the reconvening of the General Assembly at this time to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem of Hungary.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. KNOWLAND. Mr. President, the concurrent resolution, which was reported unanimously by the Committee on Foreign Relations yesterday—and a copy of the report of the committee is available on each Senator's desk—deals with the situation in Hungary. It grows out of the appointment of a special committee which was established by 1 of 10 resolutions on the Hungarian situation which the United Nations adopted.

It is very significant that in the consideration of the subject all the nations which were represented on the special committee of the United Nations unanimously joined in its findings.

A meeting is being held today in New York by the original nations which sponsored the U. N. resolution, and at that meeting consideration will be given to the calling of the United Nations General Assembly into special session to consider the report of the committee.

I hope the Senate will adopt the resolution by a unanimous yea-and-nay vote.

I am very pleased to be joined in the submission of the concurrent resolution by the distinguished Senator from Illinois [Mr. DOUGLAS]. In the Committee on Foreign Relations the concurrent resolution had the unanimous support of all Members on both sides of the aisle.

The report which was submitted by the United Nations special committee concludes by stating:

That what took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by long-standing grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under the control of the Union of the Soviet Socialist Republics.

Mr. President, I ask unanimous consent that, as a part of my remarks, excerpts from the report of the Senate Committee on Foreign Relations be printed in the RECORD at this point.

There being no objection, the excerpts from the report (No. 523) were ordered to be printed in the RECORD, as follows:

1. PURPOSE OF THE RESOLUTION

The purpose of the resolution is to express the sense of the Congress that the United States Government should take urgent steps to recommend the reconvening of the United Nations General Assembly now to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem in Hungary.

2. COMMITTEE ACTION

Senate Concurrent Resolution 35 was submitted on June 21, 1957, by Mr. KNOWLAND (for himself and Mr. DOUGLAS) and was referred to the Committee on Foreign Relations. The committee considered the resolution on June 25, 1957, in executive session. The committee had before it a letter to the chairman from the Department of State, dated June 25, 1957, describing steps which the executive branch is taking with respect to the report of the Special Committee on the Problem of Hungary and stating that "The Department of State perceives no objection to the adoption of the concurrent resolution." This letter appears at the end of this report as annex E. The Committee on Foreign Relations voted unanimously to report the resolution to the Senate favorably.

3. UNITED NATIONS ACTION WITH RESPECT TO INTERVENTION BY THE SOVIET UNION IN HUNGARY

The peaceful student demonstration in Budapest on October 23, 1956, started a series of events which shocked the entire world and which have occupied the attention of the organs of the United Nations ever since.

The uprising of the Hungarian people was put down only through massive armed intervention by the Soviet Union. By October 26, 1956, fighting was general throughout Hungary, between the people on the one side and units of the Hungarian secret police and the Soviet forces on the other side.

(a) Security Council consideration

In these circumstances the United States, France, and the United Kingdom, on October 27 submitted "The situation in Hungary" for the agenda of the Security Council and requested an urgent meeting. On October 28 the Security Council put the Hungarian item on its agenda over the vote of the U. S. S. R. and the abstention of Yugoslavia.

On October 29 Israel invaded Egypt and on October 31 France and the United Kingdom intervened in the Egyptian fighting. These events also required United Nations action and of course drew attention away from the crisis in Hungary.

On October 28 a Soviet-Hungarian agreement for the immediate withdrawal of Soviet forces from Budapest was announced and on October 30 Moscow stated Russian readiness to negotiate with Hungary about the stationing of Soviet troops there. By October 31 Soviet units began to leave Budapest.

Although early on November 1 the situation appeared peaceful, the Hungarian Government, then headed by Premier Nagy, learned of the entry of new Soviet units in Hungary and Premier Nagy cabled to the United Nations Secretary General that Hungary was withdrawing from the Warsaw Pact and requesting that the forthcoming General Assembly consider "the question of Hungary's neutrality and the defense of this neutrality by the four great powers.

The Security Council met on November 2 without the Hungarian representative because it was questioned whether the permanent Hungarian delegation in New York still represented Hungary. On November 3, Ambassador Lodge submitted a resolution calling upon the U. S. S. R. to stop intervening in Hungary and to withdraw Soviet forces without delay. On the plea of the Soviet representative that negotiations were in progress in Budapest regarding the presence of Soviet troops in Hungary, the Security Council did not then vote on the United States resolution. During the evening, however, reports of large-scale Soviet military intervention were received and an emergency Security Council meeting convened at 3 a. m. on November 4. At this meeting the United States resolution was vetoed by the Soviet Union.

Ambassador Lodge then presented in the Security Council a resolution calling for an emergency session of the United Nations General Assembly under the "Uniting for peace" procedure "in order to make appropriate recommendations concerning the situation in Hungary." This resolution was approved by a vote of 10 to 1 (U. S. S. R.).

(b) *General Assembly action at its special session*

The General Assembly met at 4 p. m., Sunday, November 4, and the Hungarian item was immediately put on the agenda. The United States submitted a resolution calling for the U. S. S. R. to stop armed attack on the people of Hungary; the Secretary General was requested to investigate and report to the Assembly on the situation, and the resolution called upon Hungary and the U. S. S. R. to admit United Nations observers to Hungary. This resolution was adopted the same day, 50 to 8 (Albania, Byelorussia, Bulgaria, Czechoslovakia, Poland, Rumania, Ukraine, U. S. S. R.), with 15 abstentions (Afghanistan, Burma, Ceylon, Egypt, Finland, India, Indonesia, Iraq, Jordan, Libya, Nepal Saudi Arabia, Syria, Yemen, Yugoslavia). Hungary did not participate, having received no official information or instructions from Budapest.

Due to the occupation of the General Assembly with the Middle East situation, that body was unable to resume consideration of the Hungarian problem until November 8, at which time Italy, Cuba, Ireland, Pakistan, and Peru submitted the so-called five-power resolution, again calling on the U. S. S. R. to withdraw its forces and proposing free elections in Hungary under United Nations auspices. On November 9 the United States introduced a resolution calling upon the U. S. S. R. to cease its actions in violation of United Nations principles and requesting the Secretary General, through the United Nations High Commissioner for Refugees, to set up machinery for helping refugees fleeing Hungary. Austria also introduced a resolution dealing with relief activities. On November 9 these 3 resolutions were adopted over the objection or abstention of the Communist bloc.

On November 10 the emergency session of the General Assembly adopted a United States proposal to place the Hungarian problem on the agenda of the imminent 11th regular session of the United Nations General Assembly.

(c) *U. N. Secretary General's efforts*

Acting under the November 4 resolution, the Secretary General on November 8 addressed an aide memoire to the Hungarian Foreign Minister asking whether Hungary was willing to admit his observers. On November 12 a negative Hungarian reply was received which argued that the situation in Hungary was an internal matter and that any General Assembly resolution was illegal. On November 16 the Secretary General appointed the following individuals to investigate the situation in Hungary: Judge Oscar Gunderson, Norway; Mr. Arthur Lall, India; and Mr. Alberto Lleras, Colombia.

(d) *Action at the 11th session of the General Assembly*

With the publication of reports of repressive Communist measures in Hungary, including mass deportations to the Soviet Union, the Cuban Government introduced a resolution in the General Assembly on November 15 calling upon the Soviet Government to cease forced deportations and asking prompt compliance with previous General Assembly resolutions. The United States supported the Cuban resolution. On November 19 a resolution was submitted by Ceylon, India, and Indonesia which noted statements about deportations and urged Hungary to accede "without prejudice to its sovereignty" to the Secretary General's request to admit observers. The Cuban resolution was adopted on November 21 by 55 votes to 10 (Albania, Bulgaria, Byelorussia, Czechoslovakia, Hungary, Poland, Rumania, Ukraine, U. S. S. R., Yugoslavia) with 14 abstentions (Afghanistan, Egypt, Finland, India, Indonesia, Jordan, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Syria, Tunisia, Yemen). The Indian resolution was also adopted by 57 votes to 8 (Albania, Bulgaria, Byelorussia, Czechoslovakia, Hungary, Rumania, Ukraine, U. S. S. R.), with 14 abstentions (Chile, China, Cuba, Dominican Republic, Egypt, Ethiopia, Jordan, Panama, Paraguay, Poland, Saudi Arabia, Syria, Yemen, Yugoslavia).

(e) *Assistance to refugees from Hungary*

Also on November 21 the General Assembly took up the refugee problem on the basis of a joint resolution submitted by Argentina, Belgium, Denmark, and the United States. This resolution urged governments to contribute to the program of the U. N. High Commissioner for Refugees and to coordinate their aid programs in consultation with him. This resolution was agreed to by 69 votes to 2 (Hungary, Rumania), with 8 abstentions (Albania, Bulgaria, Byelorussia, Czechoslovakia, Poland, Sudan, Ukraine, U. S. S. R.), and Hungarian amendments aimed at causing the return of refugees were rejected.

(f) *Report of the U. N. Secretary General on Hungary*

On November 30 the Secretary General reported to the General Assembly that no information was available concerning compliance with General Assembly resolutions on troop withdrawal and related political matters; that his efforts to send observers into Hungary had been rejected, that the individuals whom he had appointed to investigate the situation had been unable to report for lack of opportunity to observe; and that humanitarian assistance to Hungarians within and outside of Hungary was underway.

(g) *Further General Assembly consideration*

In December 1956 there was general agreement in the General Assembly that one final effort should be made to achieve compliance with earlier Assembly resolutions before moving on to more drastic measures. A 14-power resolution which had been introduced on December 2 set a deadline for compliance. This resolution was adopted on December 3 by 54 votes to 10 (Albania, Bulgaria, Byelorussia, Czechoslovakia, Hungary, Poland, Rumania, Ukraine, U. S. S. R., Yugoslavia), with 14 absentions (Afghanistan, Burma, Ceylon, Egypt, Finland, India, Indonesia, Jordan, Morocco, Saudi Arabia, Sudan, Syria, Tunisia, Yemen).

When the December 3 resolution failed to bring any response from the Soviet Union or Hungary, a 20-power resolution was tabled in the General Assembly which condemned the violation of the charter by the Government of the U. S. S. R. in depriving Hungary of its liberty and independence and the Hungarian people of the exercise of their fundamental rights. On December 10 Ceylon, India, and Indonesia submitted amendments designed to soften somewhat the condemnation of the Soviet Union, but in the final voting on December 12 these amendments were rejected and the resolution was adopted, 55 to 8 (Albania, Bulgaria, Byelorussia, Czechoslovakia, Poland, Rumania, Ukraine, U. S. S. R.), with 13 abstentions (Afghanistan, Cambodia, Egypt, Finland, India, Indonesia, Jordan, Morocco, Saudi Arabia, Sudan, Syria, Yemen, Yugoslavia).

(h) *Special committee of investigation*

On January 5, the Secretary General reported again on his action pursuant to the various Assembly resolutions. He also raised the question whether the General Assembly should not establish a special committee to take over the activities of the three individuals earlier appointed by the Secretary General to investigate the Hungarian situation. A resolution embodying this suggestion was adopted on January 10.

4. REPORT OF THE UNITED NATIONS SPECIAL COMMITTEE ON THE PROBLEM OF HUNGARY

The Special Committee on the Problem of Hungary, composed of the representatives of Australia, Ceylon, Denmark, Tunisia, and Uruguay, was established by resolution 1132 (XI) of the General Assembly of the United Nations on January 10, 1957. This resolution is set out as annex A of the report. The following representatives were appointed by their Governments: Australia: Mr. K. C. O. Shann; Ceylon: Mr. R. S. S. Gunawardene; Denmark: Mr. Alsing Andersen; Tunisia: Mr. Mongi Slim; Uruguay: Prof. Enrique Rodriguez Fabregat. The committee held its first meeting at the United Nations Headquarters in New York on January 17, 1957, and elected Mr. Alsing Andersen as chairman, and Mr. K. C. O. Shann as rapporteur.

The committee heard 111 witnesses: Thirty-five were heard in New York, 21 in Geneva, 16 in Rome, 30 in Vienna, and 9 in London. The first three prominent witnesses were heard in public, but the committee found it more practical to hold closed meetings to hear the other witnesses since most of the refugees feared retaliation against their families and friends in Hungary. The witnesses heard in public were Miss Anna Kethly, Minister of State in the Hungarian Government of Imre Nagy; Maj. Gen. Bela Kiraly, military commander of the city of Budapest and commander in chief of the National Guard during the Hungarian uprising; and Jozsef Kovago, major of Budapest during the years 1945–47 and again during the days from October 31, to November 4, 1956.

The witness were selected by the chairman and the rapporteur of the committee from a larger number who asked to be heard. Most witnesses were skilled and unskilled workers, both Communist and non-Communist, and all religious faiths were represented. None of the witnesses had left Hungary prior to the October 1956 revolution. Most witnesses testified that they had fled Hungary because they feared arrest and deportation. After giving their own statements the witnesses were cross examined by members of the committee. The committee also received and made use of voluminous documentary material from United Nations members, including verbatim reports in English and Hungarian of official Hungarian broadcasts and unofficial broadcasts made during the revolution.

Attempts by the special committee to observe and question witnesses in Hungary and to meet former Premier Nagy were rejected by the Hungarian Government which had been installed by action of the Soviet Union. The United Nations committee regrets not having available to it information which could have been obtained by direct observation in Hungary but the committee believes that its conclusions would not have been modified if the Hungarian Government had been more cooperative. The main conclusion of the report of the Special Committee on the Problem of Hungary, is summarized in the preamble of Senate Concurrent Resolution 35 is:

That what took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by long-standing grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the Union of Soviet Socialist Republics.

The detailed conclusions of the special committee are set forth as annex C of this report. The conclusions of the special committee have added significance because they are concurred in by representatives of Ceylon and Tunisia, nations which have pursued an independent course in foreign affairs and who could not be said to be partial to the views of the United States or of other sponsors of resolutions in the General Assembly condemning the action of the Soviet Union in Hungary.

5. CONSIDERATION OF THE REPORT OF THE SPECIAL COMMITTEE BY THE UNITED NATIONS ASSEMBLY

The Report of the United Nations Special Committee on the Problem of Hungary constitutes an indictment of a creed and system so tyrannical and so clearly imposed by the Soviet Union that the workers of Hungary were constrained to revolt, and also an indictment of the brutal actions of the Soviet Union in crushing that revolt.

The next regular meeting of the General Assembly will not take place until September. That meeting will in due course take up the report on Hungary, but other items are pressing for attention and there may be some delay. The Committee on Foreign Relations, therefore, urges the reconvening of the General Assembly now to consider the report on Hungary.

It is important that world attention be focused again on Hungary. The world needs to be reminded forcefully of the momentous events which took place there in October and November of 1956. Unfortunately the occurrence of the conflict in Egypt at the same time tended to obscure, for most of the world, the facts and lessons to be drawn from the events in Hungary.

The Committee on Foreign Relations does not wish to prejudge any action which the General Assembly may decide to take as a result of its consideration of the report on Hungary but in the opinion of the Committee on Foreign Relations this report represents an unequivocal demand for a prompt and effective response on the part of the General Assembly. This response should be consistent with the determination expressed by the peoples of the United Nations in the charter, "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained."

6. CONCLUSION

The Committee on Foreign Relations urges the Senate to give prompt approval to Senate Concurrent Resolution 35.

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ANNEX E

DEPARTMENT OF STATE,
Washington, June 25, 1957.

Hon. THEODORE FRANCIS GREEN,
Chairman, Foreign Relations Committee, United States Senate.

DEAR SENATOR GREEN: Reference is made to Senate Concurrent Resolution 35 introduced by Senators KNOWLAND and DOUGLAS on June 21, 1957, and to the oral request of the staff of the Committee on Foreign Relations for the comments of the Department of State on the resolution. The concurrent resolution, after preambular paragraphs referring to previous action by the General Assembly of the United Nations on the situation in Hungary and certain findings of the Special Committee on the Problem of Hungary, would express as the sense of the Congress "that the United States Government instruct the United States delegation to the General Assembly of the United Nations to take urgent steps to recommend the reconvening of the General Assembly at this time to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem of Hungary."

The report of the special committee was made public on June 20. The United States Representative to the United Nations, Ambassador Henry Cabot Lodge, immediately announced his intention to call a meeting of representatives of the 24 nations which cosponsored the resolution of January 10 establishing the special committee, and expressed the hope that the meeting would reach decisions "as to the most effective future steps." The Department of State also issued a statement emphasizing that thorough consideration was being given to the committee's report and observing that "obviously the cosponsors of the resolution establishing the committee will wish to consult as soon as possible to determine the most effective way of dealing with the committee's report, and of seeking all practical redress of the wrong that has been committed, in violation of the principles of the United Nations and of the elemental requirements of humanity."

The meeting of the 24 cosponsors has now been set for Wednesday afternoon, June 26.

Meantime consultations are underway with interested governments here and in New York to determine how best to deal with the committee's report. At the Wednesday meeting one of the first subjects considered will be the question whether the best way of advancing the objectives of the United Nations in regard to the situation in Hungary will be to reconvene the General Assembly to consider the committee's report. At this meeting the United States Government, through Ambassador Lodge, will make clear it favors reconvening the General Assembly at an early date to consider the committee's report subject to the development of sufficient support for such action. Of course it is not now possible to predict the outcome of our present consultations or of the meeting on June 26. In any event, however, the report of the special committee will be discussed, either at a reconvened session of the General Assembly, or at its 12th regular session, scheduled to meet in New York, September 17.

In these circumstances, the Department of State perceives no objection to the adoption of the concurrent resolution.

Sincerely yours,

ROBERT C. HILL,
Assistant Secretary of States.
(For the Secretary of State).

Mr. KNOWLAND. The excerpts include a letter from the Assistant Secretary of State indicating that the Department approved of the concurrent resolution.

In order to facilitate matters, I suggest that the House concurrent resolution be laid before the Senate and that all after the resolving clause be stricken, and the text of the Senate concurrent resolution be substituted therefor.

The PRESIDING OFFICER. The Chair lays before the Senate a concurrent resolution coming over from the House of Representatives, which will be read for the information of the Senate.

The legislative clerk read the concurrent resolution (H. Con. Res. 204), as follows:

Whereas the Hungarian freedom revolution broke out October 23, 1956, was catastrophic in nature and subsequent events shocked the conscience of the free peoples of the world; and

Whereas the barbaric action of the Soviet Union in Hungary demonstrates that the Soviet Union is determined to go to any and all lengths to maintain its empire of enslaved peoples by the most brutal forms of armed subjugation and repression; and

Whereas the crisis and foment created by developments in the satellite nations require a continued reevaluation by the United States and the United Nations of strategic policy to meet changing conditions: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States should implement a policy toward the satellites that will fully and effectively utilize the position of leadership of the United States through all proper means.

SEC. 2. It is further the sense of the Congress that the President, through the United States representatives to the United Nations, should request the immediate reconvening of the General Assembly of the United Nations to consider the report of the United Nations Special Committee on the Problem of Hungary and other available information on the brutal action of the Soviet Union in Hungary.

The PRESIDING OFFICER. Is there objection to the present consideration of the House concurrent resolution?

There being no objection the Senate proceeded to consider the concurrent resolution (H. Con. Res. 204).

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. KNOWLAND] to strike out all after the resolving clause and insert the text of the Senate concurrent resolution.

Mr. KNOWLAND. Mr. President, on the adoption of the resolution I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California.

Mr. DOUGLAS. Mr. President, I am glad the Committee on Foreign Relations reported the Senate resolution so speedily and unanimously. The House having already adopted a similar resolution, if the Senate will now join in that action, it will partially make amends for the relative inaction of the United Nations and of our Government at the time of the Hungarian revolution, last fall.

All of us, I am sure, have a feeling of dissatisfaction with the United Nations and with the policy of this Government in that the Russians were permitted to put down the revolt in Hungary against the pro-Russian, Communist-dominated government of Hungary without any effective action being taken either by the United Nations or the United States Government.

Of course, almost simultaneously with the revolution in Hungary came the troubles in the Middle East, and the United Nations and this Government

moved speedily there. After some negotiations it was possible to effect the withdrawal of the British and the French troops from the Suez Canal area. After a further period of negotiations the withdrawal of the Israeli troops from the Sinai Peninsula was also effected.

However, nothing was done in the case of Hungary except the appointment of a study committee.

It is my feeling that the United Nations should have sent observers to Hungary at the time of the revolution, and even though access has been denied, the U. N. should have attempted to land some of its personnel in Budapest to observe what was going on.

All of that, however, is now water over the dam.

The Committee appointed by the United Nations conducted a very careful study. The Hungarian Government, controlled as it is by the Russians, refused to permit the United Nations Committee to enter Hungary, so that the inquiry had to be made outside Hungary, and testimony was taken from refugees.

Nevertheless, the final report is, I believe, accurate and thorough. Now that it has been made I think it should be definitely acted on by the United Nations, and the Assembly of the United Nations should be called into meeting to consider it.

I hope very much that the Senate will adopt the concurrent resolution by an overwhelming vote, so that it may be made clear that the Congress of the United States is opposed to the tyrannical overthrow of the free and non-Communist dominated government of Hungary and that we take every possible step to see that the responsibility is firmly fixed upon Russia for its action of tyranny and suppression and that such sanctions as may be possible may be imposed.

Mr. JAVITS. Mr. President, I congratulate my colleagues on both sides of the aisle who sponsored the concurrent resolution. It expresses not only the conscience of every Member of the Senate, but I think of almost everyone in the United States. I am certain that the vote on the resolution will be unanimous.

I may say to my colleagues that what gives the resolution peculiar significance and gives it the greatest urgency, with respect to the backing of our Government to have a special session of the General Assembly of the United Nations called, is the fact that the report is the report of the small nations, not of the great powers; it is the report of nations some of whom have been identified with the neutralist aspect of world political affairs.

I think that when the representatives of Australia, Ceylon, Uruguay, Tunisia, and Denmark take the position of unquestioned condemnation of what occurred in Hungary, as it is stated in their report, the report is entitled to our wholehearted approval.

I am pleased with the expeditious action with which the resolution has been reported. I thank my colleagues for their outstanding public service in bringing it before the Senate so rapidly. I congratulate also the members and the staff of the Committee on Foreign Relations for having acted so promptly.

Mr. KEFAUVER. I hope that in the public interest, the passage of the concurrent resolution by yea-and-nay vote will be unanimous.

I, too, congratulate the Committee on Foreign Relations for its prompt action upon the resolution.

I have had the opportunity to read most of the report prepared by the five men appointed by the United Nations to investigate what happened during the revolt of the Hungarian people last fall. In reading the description of the event, one is struck by the thought, time and time again, that if only there had been some plan in the United Nations to handle the matter adequately and to know what to do when such a revolt by the people of a country takes place, things might have been different.

Moreover, if the NATO nations had had some unity or some program whereby they could have acted immediately and in concert with the other Free Nations of the world, the cause of freedom in Hungary might have been given a better chance of survival during that precarious time.

I hope the resolution will contribute toward having a full discussion at the special session of the General Assembly. I hope the United States representatives in NATO will likewise consider adopting a new policy, program, and purpose in dealing with a matter of this kind, if and when it should occur in another satellite nation. It is well to develop a program for action before the event, rather than to wait until after it occurs.

Mr. KNOWLAND. Mr. President, I desire to thank the Senators who have expressed themselves on the concurrent resolution. I think it is important not to have a double standard of international morality in the field of foreign affairs, whether in the United Nations or elsewhere. Certainly the crime against Hungary is one which should arouse the conscience of the world.

I commend to all Senators the very able report of the United Nations committee. I suggest that each Senator procure a copy of that report and keep it as a document to which reference can be made time and time again concerning what can happen to a small country under the condition which prevailed last October and November in Hungary, when the freedom of the people of that nation was struck down by outside aggressor forces from the Soviet Union.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. COOPER. I do not believe the Senate could do anything else except to express its condemnation of Russia's action in Hungary. I am certain, also, that we will consider the report of the special committee of the United Nations with the feeling that justice has been done. Those of us who have had an opportunity to serve in the United Nations, know that the smaller countries, who are members of the United Nations, are placed in a difficult position from time to time when questions involving larger and stronger powers are before them, and particularly when it appears that they might be involving themselves in what is called the "cold war." It is worthy of notice in this case that countries forming the committee, representing differnt parts of the world and somewhat different viewpoints of the world situation, have rendered an objective judgment based upon facts. Great appreciation and great credit must be accorded the sense of justice, the objectivity, and courage displayed by these nations. I favor and I shall vote for the resolution, but I desire to make a suggestion. The consequences, and the effectiveness of the report of the committee, including any action which may be taken by the United Nations, may depend upon the belief of other countries, and particularly less powerful countries, that they can take the same kind of independent, objective action in the United Nations, that they have taken in the report, free from the implication of being involved in the cold war between Russia and the United States.

I believe the chances for action in the United Nations will be greater if less powerful nations are not placed in the position where it may appear that they are being used or involved in the cold war. Their report is an example of courage and of dedication to justice. We should approve it, we should ask United States representatives in the U. N. to recommend that the General Assembly consider and act on the report but let us make it clear that we have confidence that the members will consider it on the facts, which are sufficient, and not as some move in the cold war.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. I congratulate the authors of the concurrent resolution for submitting it. As a member of the Committee on Foreign Relations, I was happy to participate in recommending to the Senate that the resolution be speedily adopted.

I have had the opportunity to read the report of the Special Committee of the United Nations. I think anyone who reads it will find that it is one of the most astounding documents of its kind which has been printed, at least in modern times. The United Nations Committee, as has been pointed out, was composed of representatives of smaller nations, 1 or 2 of which perhaps have followed the neutralist line for some time.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. HICKENLOOPER. I yield.

Mr. KNOWLAND. I believe it would be useful to have the names of the Committee members to appear in the RECORD, because they are entitled to commendation for their courage, patience, and outstanding work. The following representatives were appointed by their governments:

Australia: Mr. K. C. O. Shann; Ceylon: Mr. R. S. S. Gunawardene; Denmark: Mr. Alsing Andersen; Tunisia: Mr. Mongi Slim; Uruguay: Prof. Enrique Rodriguez Fabregat. The Committee held its first meeting at the United Nations Headquarters in New York on January 17, 1957, and elected Mr. Alsing Anderson as Chairman and Mr. K. C. O. Shann as rapporteur.

Mr. HICKENLOOPER. I thank the Senator from California for making this worthwhile addition to the RECORD.

As I have said, the report is one of the most outstanding documents of its kind that has been released, at least in modern times. It is astounding from several standpoints.

First, as has been pointed out, it was not the large countries which were attempting to investigate something, concerning which they might have been accused of being special pleaders. Second, the Committee, as evidenced by the report itself, took tremendous pains to gather all the evidence which was available on both sides of the question.

Having done a meticulous job, as appears from the report, and having tried to be, and being, in fact, meticulously fair, even to the point of surprising restraint in the language which was used, when one reads between the lines, the Committee unanimously refuted, rejected, and denounced every single argument advanced by the Iron Curtain countries in their defense of the Hungarian catastrophe.

The refutation begins with the argument of Russia and, as the report shows, the present alleged Government of Hungary, which has no legitimacy, to the effect that the action on the part of the people of Hungary was inspired by the West or from other outside sources. The report refutes that contention completely. It refutes completely the fact that no government or pretended government of Hungary officially, or even under the color of official action, ever asked the Russians to send into Hungary the hordes of Mongolians who were sent in to crush and put down the uprising of the Hungarian people.

I shall not detail it, Mr. President; but the Committee refuted every argument made by the Russian Government and by the pseudo-government of Hungary, and the Committee sustained every argument that those speaking for the Hungarian people themselves had made as to the cause of the uprising and as to the grievances they had against the brutal atrocity of the international organization controlled in the Kremlin.

I think the concurrent resolution is most timely and appropriate.

Mr. KNOWLAND. I thank the Senator from Iowa.

Mr. GREEN. Mr. President——

Mr. KNOWLAND. I yield to the Senator from Rhode Island.

Mr. GREEN. Mr. President, I rise to explain and support Senate Concurrent Resolution 35. This concurrent resolution was submitted on June 21 by the senior Senator from California [Mr. KNOWLAND] for himself and the senior Senator from Illinois [Mr. DOUGLAS].

The purpose of the concurrent resolution is to express the sense of the Congress that the United States Government should take urgent steps to recommend the reconvening of the United Nations General Assembly now, to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem of Hungary.

The Committee on Foreign Relations considered the concurrent resolution on June 25, and it unanimously voted to report the concurrent resolution favorably.

On January 10, 1957, the United Nations General Assembly established the Special Committee to investigate the Hungarian situation. Representatives from Australia, Ceylon, Denmark, Tunisia, and Uruguay constituted the Committee. The main conclusion of the report of this Special Committee is summarized in the preamble of Senate Concurrent Resolution 35, as follows:

> What took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by longstanding grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the Union of Soviet Socialist Republics.

Mr. President, the conclusion of the United Nations Special Committee is particularly significant because it is concurred in by representatives of Ceylon and Tunisia, nations which have pursued an independent course in foreign affairs and who cannot be said to be partial to the views of the United States or of other sponsors in the General Assembly of resolutions condemning the action of the Soviet Union in Hungary.

Mr. President, if the General Assembly can be reconvened now, without waiting until the regular session in the fall, this action will again focus world attention on Hungary. This additional emphasis on the facts of Soviet brutality in Hungary is necessary because the conflict in Egypt, which occurred at the same time as the Hungarian crisis, tended to obscure the situation in Hungary for a great part of the world.

The Committee on Foreign Relations strongly urges the Senate to adopt Senate Concurrent Resolution 35.

Mr. O'MAHONEY. Mr. President——

Mr. KNOWLAND. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, from what has been said, I think it apparent that the concurrent resolution will be speedily and overwhelmingly adopted by the Senate, when it comes to a vote.

I wish to have the RECORD show that I associate myself unreservedly with the position taken by the sponsors of the concurrent resolution and with the position taken by the Foreign Relations Committee in recommending its adoption. It may well be that this will be one of the most historic events of this era.

If, in response to the concurrent resolution, the United Nations calls the General Assembly to act upon the report of the United Nations Special Committee on the Problem of Hungary, it will be a very vigorous forward step in the winning of freedom for all mankind.

Last October, when the uprising of the free people of Hungary had apparently succeeded in bringing about the withdrawal of Soviet troops from that nation, I was encouraged to believe that the redemption of the satellites was at hand. That hope was disappointed because the evacuation of Budapest and the request of the free government of Hungary for United Nations help was not immediately answered. When during a few momentous days in October and November 1956, no action was taken by the United Nations, Soviet Russia launched its vengeful attack to destroy the newly born free nation.

Fortunately the United Nations created this Special Committee to investigate the entire tragic story. The conclusions reached by that Committee are so moving, so revealing of the character of Communist repression and so conclusive of Soviet intentions that I feel we can do no less than by the adoption of this resolution to urge the General Assembly of the United Nations to convene immediately and act upon the unanimous report of its Special Committee. This is the opportunity that is needed to mobilize the hopes and aspirations of free men everywhere. It is the opportunity to prove that the United Nations is an organization that will remain true to the purposes of those who created it, namely to be the instrument of arousing and concentrating the public opinion of free peoples of the world against aggression.

I think the time now has come to remedy the mistakes that were made last fall.

Therefore, Mr. President, I am in complete support of the concurrent resolution.

Mr. KNOWLAND. Mr. President, I wish to say to the distinguished Senator from Wyoming that I am delighted at his excellent statement in this regard, and also at the very firm position he has taken over the years in regard to the treatment of oppressed people in the world.

I desire to call his attention to the fact—although I am sure he is familiar with it—that in the report is to be found a clear documentation of the duplicity of the Soviet Union, both in the United Nations and in Hungary. When first there was introduced in the United Nations a resolution calling for the Soviet forces to get out of Hungary, the Soviet representative in New York asked the United Nations to postpone action on the resolution because, he said, at that very time negotiations to withdraw their forces were going on. That is the documentation of duplicity No. 1.

At the very time, in Budapest, Hungary, the Soviet Army authorities had asked the Minister of Defense of Hungary, through the Government of Hungary—then Premier Nagy—to send a representative to negotiate with them on the details of the withdrawal of the Soviet forces; and while General Maléter, the Defense Minister, was there, negotiating with the Russian commander, in Budapest, with several assistants on each side present, and apparently with progress being made, for they had even agreed on how the forces would be withdrawn, namely, that they would be withdrawn with full military honors, and so forth, at that time the head of the Soviet secret

police arrived from Moscow and entered the room; he did not have his uniform on; he whispered in the ear of the Soviet commanding general, and placed the Hungarian negotiators under arrest—apparently to the astonishment and even to the shock of the Russian Army representatives who were there.

After having asked them to negotiate in good faith, and after having gotten them into a meeting place which was under the control of the Soviet forces, the second great act of duplicity occurred when the Hungarian leaders were arrested.

I thought the Senator from Wyoming would be interested in that documentation, which is fully set forth in the report of the United Nations Committee.

Mr. O'MAHONEY. Mr. President, I am glad the Senator from California has pointed out that particular charge of duplicity on the part of the Soviets. It seems to me this is an opportunity to rally the mind of all humanity in favor of and support of the principles of freedom. It must be done. We cannot fail.

(At this point Mr. KNOWLAND yielded to Mr. THURMOND, who introduced a bill (S. 2401) to authorize the enforcement of State statutes prohibiting subversive activities, and for other purposes. By unanimous consent, Mr. THURMOND's remarks were ordered to be printed in the RECORD following the adoption of H. Con. Res. 204.)

Mr. NEUBERGER. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield to the Senator from Oregon.

Mr. NEUBERGER. I thank the Senator from California for yielding to me.

I wish to express my support of his resolution, and commend him for sponsoring it. We should express the indignation of free men and women over Soviet barbarism and outrages in Hungary.

However, I fear that sometimes we forget the substance of what we are doing while thinking exclusively of the form of what we are doing. The proposal before us is merely a resolution. I am interested in action.

I am disturbed over the fact—and I should like to ask the distinguished Senator from California if he does not share my alarm—that we have not done enough to take into our own country Hungarian refugees who actually have fought on the frontiers against tyranny.

The distinguished Vice President of the United States made a trip to the boundaries of Hungary last December. I recently reviewed the newspaper clippings resulting from that trip. There was a great deal of fanfare and heraldry over all that was to be done by the United States for the victims of oppression and tyranny—for the people who actually fought against Soviet tanks.

The Vice President returned, and I believe there was a great rally at Madison Square Garden. Everything was to be done for the Hungarian refugees.

I have been interested and concerned to note, however, that our vast country has done infinitely less for those refugees, considering our wealth and size, than have many smaller lands.

Let me cite one set of statistics which I think is very germane to this question. The Netherlands, a small country of limited resources, has taken 42 Hungarian refugees for each 100,000 of the population of the Netherlands and has taken 72 refugees for each $100 million of national income of the Netherlands.

By contrast, the United States has taken only 18 refugees from Hungary for each 100,000 population, and only 9 for each $100 million of national income.

My question to the distinguished minority leader is this: Does he not think—and I know that he sincerely opposes this dreadful Soviet tyranny with all his heart and soul—that in addition to adopting this resolution we might well buttress our genuine intentions in this respect with a more ample and successful program of admitting across the borders of the wealthiest country in the world some of these unfortunate refugees who have actually risked their lives and who have been maimed—certainly psychologically, if not physically—fighting against Soviet tyranny within Hungary?

Mr. KNOWLAND. I will say to the distinguished Senator from Oregon that I personally believe that all the nations, including the United States, could do more to help the people who were compelled to leave their country because of the Soviet invasion, and who are now in temporary camps in Austria, Yugoslavia, Germany, and elsewhere. I do not believe the United States can or should solve the problem alone, but I think we should do our full share, and also encourage other nations that are capable of helping to meet the problem to do their share.

Mr. NEUBERGER. The Senator from California is aware of the fact, however, that, considering our wealth and size, we have done substantially less than many other nations have done.

Mr. KNOWLAND. I think that argument could be made. Personally, I would like to see the United States do more, but I have also seen figures which indicate that our country has done a substantial amount, and considerably more than has been done by a number of other nations, which might also do more. I do not wish to quibble on that point. I think the United States should do more. I think other nations should do more.

Mr. NEUBERGER. I thank the Senator. I ask these questions because I think it is pertinent, as we adopt this resolution, which seeks to bring before all the people of the world the shocking Soviet record in Hungary, to reaffirm our intention to do all that is possible for those brave defenders of freedom who have managed to escape from the Soviets.

Mr. KNOWLAND. I thank the Senator.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. As a member of the Committee on Foreign Relations, I am very grateful to have the opportunity to vote for the pending resolution, upon which the Senate will act in a few minutes.

I congratulate the Senator from California and the Senator from Illinois for submitting the resolution so promptly after the amazing report of the Special Committee of the United Nations. I speak feelingly on this subject, because I come from a State in which is located Camp Kilmer, where the first of the Hungarian refugees to come to this country were sent. The influx of refugees had hardly begun before I had the privilege of going to Camp Kilmer and seeing a number of them come in.

I have never seen a greater demonstration of real joy on the faces of any people than I observed on the faces of those who had been able to get away from the persecution to which they had been subjected, and to come to this country of ours, the land of the free.

It has been a source of great gratification to me to be able to participate in the efforts which have been made by the Special Committee and others who have been trying to solve the Hungarian problem. I identify myself unconditionally with my colleagues on the Foreign Relations Committee, and especially with the minority leader [Mr. KNOWLAND] and with the Senator from Illinois [Mr. DOUGLAS], who have joined in presenting the resolution now so that the United Nations may know today that our body is behind it 100 percent.

Mr. KNOWLAND. I thank the Senator from New Jersey.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. As I understand, the yeas and nays have been ordered on the concurrent resolution.

The PRESIDING OFFICER. The Senator is correct. The question is on agreeing to the amendment offered by the Senator from California, striking out the resolving clause of House Concurrent Resolution 204, and substituting therefor the text of Senate Concurrent Resolution 35.

Mr. KNOWLAND. As I understand the parliamentary situation, the Senate had already agreed to the amendment.

The PRESIDING OFFICER. The yeas and nays have been ordered on the House concurrent resolution; however, the question before the Senate is still on the amendment offered by the Senator from California.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to House Concurrent Resolution 204, as amended. On that question the yeas and nays have been ordered.

Mr. KNOWLAND. As I understand, the question is on agreeing to the House concurrent resolution, as amended by

the language of the Senate concurrent resolution.

The PRESIDING OFFICER. The Senator is correct. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Idaho [Mr. CHURCH], the Senator from Texas [Mr. JOHNSON], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from North Carolina [Mr. ERVIN] is absent on official business attending the funeral of the late Governor Cherry of North Carolina.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

I further announce that if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from North Carolina [Mr. ERVIN], the Senator from Texas [Mr. JOHNSON], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maine [Mr. PAYNE], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Vermont [Mr. FLANDERS] is detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

The result was announced—yeas 86, nays 0, as follows:

YEAS—86

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hennings	Neuberger
Beall	Hickenlooper	O'Mahoney
Bennett	Hill	Pastore
Bible	Holland	Potter
Bricker	Hruska	Purtell
Bush	Humphrey	Revercomb
Butler	Ives	Robertson
Byrd	Jackson	Russell
Capehart	Javits	Saltonstall
Carlson	Jenner	Schoeppel
Carroll	Johnston, S. C.	Scott
Case, N. J.	Kefauver	Smathers
Case, S. Dak.	Kennedy	Smith, Maine
Chavez	Kerr	Smith, N. J.
Clark	Knowland	Sparkman
Cooper	Kuchel	Stennis
Cotton	Lausche	Symington
Curtis	Long	Talmadge
Dirksen	Magnuson	Thurmond
Douglas	Malone	Thye
Dworshak	Mansfield	Watkins
Eastland	Martin, Iowa	Wiley
Ellender	Martin, Pa.	Williams
Frear	McClellan	Yarborough
Fulbright	McNamara	Young
Goldwater	Morse	

NOT VOTING—9

Bridges	Flanders	Monroney
Church	Johnson, Tex.	Neely
Ervin	Langer	Payne

So the concurrent resolution (H. Con. Res. 204), as amended, was agreed to, as follows:

Whereas the Special Committee on the Problem of Hungary, established by the General Assembly of the United Nations under its resolution 1132 (XI) adopted at its 636th plenary meeting on January 10, 1957, has now submitted a report (A/3592) of its findings to the General Assembly under terms of the said resolution; and

Whereas it has been established by the said Special Committee: That what took place in Hungary in the latter part of 1956 was a spontaneous national uprising caused by long-standing grievances engendered by the oppressive way of life under Communist rule and by the state of captivity of Hungary under control of the Union of Soviet Socialist Republics; and

Whereas the said Special Committee concludes that a massive armed intervention by one power on the territory of another with the avowed intention of interfering in its internal affairs, must be a matter of international concern; and

Whereas the General Assembly of the United Nations, by its resolution 1119 (XI) adopted at its 668th plenary meeting on March 8, 1957, authorized "the President of the General Assembly, in consultation with the Secretary General and with the member states the representatives of which are serving as the general committee during the session to reconvene the General Assembly as necessary in order to consider further item 66 or 67", item 67 being the problem of Hungary: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the United States Congress that the United States Government instruct the United States delegation to the General Assembly of the United Nations to take urgent steps to recommend the reconvening of the General Assembly at this time to consider further the problem of Hungary in the light of the report of the United Nations Special Committee on the Problem of Hungary.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, the preamble of House Concurrent Resolution 204 will be amended by substituting therefor the preamble of Senate Concurrent Resolution 35.

Without objection, Senate Concurrent Resolution 35 is indefinitely postponed.

THE TYRANNY OF THE JUDICIARY

During the consideration of House Concurrent Resolution 204,

Mr. THURMOND. Mr. President, the tyranny exercised in Hungary is deplorable. I wish to commend the Senator from California for having submitted the concurrent resolution.

While we are thinking of the tyranny in Hungary, I wish to take a few minutes to discuss tyranny in the United States; and when I say that, I mean the tyranny of the judiciary in the United States.

Some time ago a friend wrote to me suggesting that I should introduce a bill making "all legislation by the United States Supreme Court subject to review by the Congress." Perhaps my friend was being facetious at the time he wrote. Since that time the Supreme Court has rendered several additional decisions usurping the legislative power of the Congress and of the States. Each succeeding decision has made my friend's suggestion almost a matter for practical consideration.

Not only has the Court dealt deadly blows to the constitutional principle of States rights and to the lawmaking power of the legislative branch of the Federal Government; the Court has also struck at fundamental authority vested in the executive branch.

The time is long past due for action by the Congress to call a halt to this unconstitutional seizure of power by the third branch of Government.

COURT CONCEIVED AS BEING WEAK

This third branch of the Government, the Supreme Court, was conceived by the framers of the Constitution to be a weaker branch than the legislative and executive branches.

Hamilton, writing in the 78th Federalist paper, said:

The judiciary • • • has no influence over either the sword or the purse; no direction either of the strength or of the wealth of the society; and can take no active resolution whatever. It may truly be said to have neither force nor will, but merely judgment; and must ultimately depend upon the aid of the executive arm even for the efficacy of its judgments.

This simple view of the matter • • • proves incontestably, that the judiciary is beyond comparison the weakest of the three departments of power; that it can never attack with success either of the other two • • • It equally proves • • • the general liberty of the people can never be endangered from that quarter; I mean so long as the judiciary remains truly distinct from both the legislative and the executive.

Those words were by Alexander Hamilton.

This argument by Hamilton was on half of the permanent tenure of members of the judiciary. I doubt very seriously that he would express the same views today if he were here and had read the decisions of the Supreme Court during recent years.

FRAMERS OF CONSTITUTION PROTECTED COURT

In surrounding the Federal judiciary with safeguards to protect it against feared usurpation of authority by the executive and the Congress, the framers of the Constitution intended to provide the people with greater insurance against dangers to their freedom. They did not visualize a Court which, by disregard for the Constitution, would itself exercise power vested by the Constitution in the States, the Congress and the Executive.

Events have proved that this branch of the Government, not subject to the direct will of the people as are the members of the legislative and the executive branches, has violated the very principle sought to be protected by creation of the judiciary.

Hamilton argued for adoption of the Constitution with the provision for permanent tenure of members of the Federal Judiciary because it would be necessary for the judges to acquire knowledge, through "long and laborious study," of the "strict rules and precedents, which serve to define and point out their duty in every particular case which comes before them."

Clearly he, as one of the framers and as an advocate for the Constitution, understood the document to establish principles of law upon which precedents would be established, and that, once established, succeeding judges would be expected to follow the precedents.

Indeed, such a concept of the Constitution as fundamental law in this country is basic to our way of life.

PRECEDENTS REVERSED IN 20 YEARS

Mr. President, since 1937 the Supreme Court has reversed itself in 20 cases. In 20 cases in 20 years the Court has said, "We were wrong, the Congress was right, the Constitution means what the Congress and the people thought it meant."

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the 20 cases in which the Supreme Court has reversed itself.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Case	Year overruled	Subject
Olmstead v. U. S.	1937	Wiretapping.
Helvering v. Davis	1937	Social security.
Steward Machine Co. v. Davis	1937	Social security.
Carter v. Carter Coal Co.	1937	Labor relations.
West Coast Hotel Co. v. Parrish	1937	Minimum wage.
U. S. v. Darby	1941	Fair Labor Standards Act.
Minersville School District v. Gobitis	1940	Flag salute.
Jones v. Opelika	1942	Flag salute.
Betts v. Brady	1942	Right to counsel.
Smith v. Allwright	1944	Primary elections.
Colegrove v. Green	1946	Reapportionment.
Adamson v. California	1947	Self-incrimination.
Wolf v. Colorado	1949	Search and seizure.
Terminiello v. Chicago	1949	Breach of peace.
Barrows v. Jackson	1953	Restrictive covenants.
Brown v. Board of Education	1954	Segregation.
Bolling v. Sharpe	1954	Segregation.
Mallory v. U. S.	1957	Confessions.
Watkins v. U. S.	1957	Congressional investigations.
Yates v. U. S.	1957	Subversive activities.

Mr. THURMOND. Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the 20 cases in which the Supreme Court has reversed itself.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

History has proved the judicial branch

Our Federal Government was estab-

Constitution. They must stand before the

than have many smaller lands.

fornia and the Senator from Illinois for concurrent resolution, as amended by

said resolution; and

in the executive branch.

try is basic to our way of life.

PRECEDENTS REVERSED IN 20 YEARS

Nevertheless, since 1937 the Supreme Court has reversed 34 established precedents by decisions in new cases. During 150 years under the Constitution prior to 1937, only 29 precedents of the Court had been reversed.

All of us have heard many times the comment in 1944 of the late Justice Roberts, dissenting in Smith against Allwright, that Supreme Court decisions appeared to have taken on the attributes of restricted railroad tickets, valid only for the date of their issuance. Recent decisions of the Court fully substantiate the opinion expressed by Justice Roberts.

When President Truman, by what was called inherent power, in 1952 directed the seizure of the steel industry, the Supreme Court was quick to declare that the power sought to be exercised was the lawmaking power, vested in Congress alone. I cannot understand how the Court could so easily recognize the unconstitutional action of the President, who was attempting to usurp the legislative authority, and yet fail to recognize its own acts of usurpation.

In 1921 the Supreme Court decided that certain laws enacted by the Congress could not be applied to the conduct of primary elections in the States, but only 20 years later the Court reversed itself by approving the action of the Justice Department in going into Louisiana to investigate an election.

In my own State, the Federal courts in 1944 opened the Democratic primary to all persons, regardless of political affiliation, by declaring the primary to be in effect the real election in the State. Events of the past few years have proved this entirely wrong, the last several general elections having been necessary to decide a number of political races.

ALL SECTIONS HAVE FELT HAND OF COURT

States in all sections of the country have felt the hand of the Supreme Court in affairs which were clearly matters for State control.

In recent years our great Western States have protested in vain against Federal appropriation of water rights within their boundaries. The decision in the Federal Power Commission against Oregon, on June 6, 1955, aroused the able senior Senator from Wyomi..g to assert that "the time has come for the Congress to reaffirm, restate, and reinforce that long list of Federal laws enacted for the purpose of preserving the integrity of State water law."

On May 17, 1954, the Supreme Court handed down a decision which declared the laws of 17 States and the District of Columbia unconstitutional in permitting segregation of the races in the public schools. Thus, the Court struck down the 1896 decision in the Plessy against Ferguson case and the judicial precedents stemming from that decision. It disregarded specific evidence it had requested and which was presented to it.

We have seen the strife resulting from this decision and subsequent decisions based on this new precedent. The misuse of injunctive power employed by the judge at Clinton, Tenn., is an illustration of what happens when judicial authority is abused. The county attorney, who read and explained the injunction to the students in Clinton, told them "this injunction had no limits; it applies to everyone, everywhere in this county."

Such injunctions greatly widen the field of judicial legislation which has been exercised by the Supreme Court. Every Federal judge thus becomes a legislature unto himself, able to impose injunctions of varying scope and severity and self-endowed with the authority to enforce such edicts.

In addition to the usurpation of power in the school cases, the Supreme Court also has held in recent decisions that States and local communities cannot legally maintain racially segregated public parks or transportation systems.

STATES DENIED JURISDICTION OVER REDS

In Pennsylvania against Nelson, involving an acknowledged Communist, the Supreme Court handed down a decision which denies States the right to enforce laws enacted by their legislatures to deal with subversion or espionage, holding that this field of enforcement has been reserved to the Federal Government. But the author of the Federal law on this subject, Congressman SMITH of Virginia, has declared that no such intent was included in the act which bears his name. The Supreme Court decision in this case invalidated the laws of 42 States.

In the Slochower case in New York, the Court denied States and local agencies the right to discharge persons who invoke the fifth amendment in an authorized inquiry and refuse to answer questions about their connection with communism.

NEW DECISIONS OF FAR-REACHING EFFECT

On June 17—only a week ago—the Supreme Court handed down several new decisions which are bound to have far-reaching effects. I shall mention only two of the cases.

In the Watkins case, the issue was whether a witness before the House Un-American Activities Committee could refuse to answer questions asked during an authorized investigation when the questions did not involve self-incrimination.

The decision—which will greatly hamper investigations to ferret out Communists—stated:

An essential premise in this situation is that the House or Senate shall have instructed the committee members on what they are to do with the power delegated to them. It is the responsibility of the Congress, in the first instance, to insure that compulsory process is used only in furtherance of a legislative purpose. That requires that the instructions to an investigating committee spell out that group's jurisdiction and purpose with sufficient particularity.

Although the Court admitted that it is—

not the function of this Court to prescribe rigid rules for the Congress to follow in drafting resolutions establishing investigating committees.

It went on to declare that:

A person compelled to make this choice (of whether to answer a question or not) is entitled to have knowledge of the subject to which the interrogation is deemed pertinent. That knowledge must be available with the same degree of explicitness and clarity that the due process clause requires in the expression of any element of a criminal offense.

The heart of the matter in the Watkins case is that the Court has provided reluctant, unfriendly, and recalcitrant witnesses with an extra constitutional protection. Should this decision be permitted to stand unchallenged, it will protect criminals and Communists against the investigations necessary to secure information needed to draft legislation for the protection of the public.

What the Court did was to concede it had no authority to establish rules for Congressional investigating committees and then proceed to issue such rules.

COMMUNIST LEADERS FREED

In the Yates case, also decided June 17, the Court freed or ordered a retrial of 14 Communist leaders who had been convicted by a California jury of advocating the violent overthrow of the Government.

Five of the Communists were freed and nine given a retrial on the basis of extremely flimsy reasoning.

First, the Court said the Smith Act, under which the Communists were convicted, does not define what is meant by organize when it uses it with reference to organizing a group which advocates violent overthrow of the Government.

In prosecuting the case, the Government contended that organize means the formation of new cells or new units and that the Communists were engaged in such efforts. But the Court held to a much more narrow view that organize means original creation, such as the creation of the Communist Party in this country which had already taken place before the time of the Communists in this case.

A second question was whether the trial judge properly charged the jury in that he failed to make a clear distinction between advocating violent overthrow of the Government as an abstract principle and the urging or inciting to such action, even at some future time.

On this second question, the Court also agreed with the contentions of the Communists that, in spite of their activities as leaders of the Communist Party, they were not inciting to forcible action at present or in the future for the violent overthrow of the Government.

So again the Supreme Court has expanded its power without benefit of constitutional amendment and without legislation by the Congress authorizing an expansion. In fact these latest decisions of the Court have flouted the constitutional authority of the Congress by trying to set rules for its operation and by failing to accept the clear intent of an act approved by the Congress, about which there was no contention of lack of constitutionality.

MANY OTHER CASES COULD BE CITED

I have made no attempt here to review all of the instances of usurpation of power by the Supreme Court. I have tried to make clear the real and present need for action by the Congress to halt the invasion of the Court into fields reserved by the Constitution to the States, to the Congress, and to the Executive.

History has proved the judicial branch of the Government to be aggressive, instead of weak as visualized by the framers of the Constitution. Perhaps because of not being directly subject to the will of a constituency, as are the President and the Members of the Congress, the judiciary has broken the bounds of its constitutional limitations. The Court has gone power wild. Its decisions are wrecking the confidence of the people in the Federal judiciary.

We cannot continue to ignore this matter of so great importance to the people of this Nation. I would not consider myself true to the oath I took to support and defend the Constitution, if I failed to seek the help of Senators in restoring constitutional limitations over the Federal judiciary.

CONSTITUTION EMPOWERS CONGRESS TO LIMIT COURTS

Authority to limit the power of the Court is vested in the Congress in section 2 of article III of the Constitution After listing specific exceptions, the Constitution provides that—

The Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

Congress must exercise this constitutional authority to curb the Court or soon the Court will dominate and direct the activities of all branches of the Federal and State governments.

I urge that we approve legislation to put the Court under the constitutional limitation which I have cited.

I am sending to the desk for appropriate reference a bill which would reestablish the constitutional authority of the States in two of the fields which the Supreme Court has invaded without constitutional power.

One provision of the bill would restore State authority to enforce their own subversion and sedition laws, not in conflict with Federal statutes. The other provision of the bill would limit the appellate jurisdiction of the Federal courts in cases relating to the public schools.

I have not attempted to provide for all the fields in which the Supreme Court and the other appellate courts should be regulated in their exercise of power granted under the Constitution. The courts need to be further regulated in other fields. I shall welcome amendments from my colleagues to include those fields, too.

DECISIONS DISRUPT VITAL ACTIVITIES

Mr. President, recent decisions of the Supreme Court have disrupted vital governmental activities in all sections of the Nation. These disruptions have seriously affected the Congress, the executive branch, and the States.

The choice we face in this country today is judicial limitation or judicial tyranny.

Judicial limitation will strengthen the ramparts over which patriots have watched through the generations since 1776.

Judicial tyranny will destroy constitutional government just as surely as any other type of tyranny.

Our Federal Government was established as a government of limited powers. Only by constitutional processes can the limitations be removed legally. Any other method of acquiring power is illegal and unconstitutional.

If the Supreme Court can assume power without rebuff, the complete tyranny of the judiciary is close at hand. Then the Federal Government will cease to be Federal and become national in nature, imposing its will upon the States and local governments of this great country.

The Supreme Court must be curbed. If it continues in the direction it is headed, we shall all become the victims of judicial tyranny.

Mr. President, I hope that my bill will be quickly considered by the appropriate committee and approved by the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2401) to authorize the enforcement of State statutes prohibiting subversive activities, and for other purposes, introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. THURMOND. Mr. President, I ask unanimous consent to have a group of newspaper editorials and articles printed at the conclusion of my remarks.

Three of these editorials are from the Charleston News and Courier. They are entitled: "Policy-Makers," "Limits on Rights," and "Legal Confusion Is Certain To Follow When Courts Abandon Precedents."

Another editorial is from the Nashville (Tenn.) Banner and is entitled, "President Awakens to Supreme Court's Threat."

A fifth editorial is from the weekly magazine, the Saturday Evening Post, and is entitled, "The Courts Have No Authority To Amend the Constitution."

Also included are: An article by Ray Tucker entitled "Complaints Against Court Stream Into Washington," which was published in the State, a Columbia, S. C., newspaper, on June 24, 1957, and an article by Constantine Brown entitled "Supreme Court and the Reds," which was published in the Evening Star in Washington on June 24, 1957.

Mr. President, these articles all take up various phases of the subject on which I have just spoken. I wish it were possible for every American to read these articles which penetrate so deeply into the problems which have been created in this country by the decisions of the Supreme Court.

Again I say that while we are taking steps to stop tyranny abroad, I think it is time to begin to take steps to stop tyranny in the United States by the United States Supreme Court.

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the Charleston News and Courier of June 22, 1957]

POLICYMAKERS

The President and the Congress of the United States are policymakers under the Constitution. They must stand before the electorate at intervals. They are accountable to the people.

The Justices of the Supreme Court have designated themselves policymakers. They are appointed for life. They are accountable only to themselves.

The Founding Fathers did not intend the court to make policy. They did not envision a judicial autocracy with life tenure.

Constitutional amendment could give the people a way to push policymakers off the bench.

[From the Charleston News and Courier of June 22, 1957]

LIMITS ON RIGHTS

Supreme Court rulings lately have invaded the rights of both the executive and legislative branches of the United States Government.

The Court said that John Stewart Service, former Foreign Service officer, was wrongfully dismissed as a security risk in 1951. Who is Mr. Service? He is the Far Eastern "expert" who passed confidential documents to Phillip Jaffe, editor of Amerasia magazine in 1945.

The Supreme Court decision gives Mr. Service the green light in his move to be reinstated as an official of the State Department. Apparently, it makes no difference whether the Secretary of State deems a man a security risk. The Supreme Court has decided that it can run the State Department in addition to telling the States how to operate their public schools.

The same day that the High Court undertook to set the State Department's employment policies, it ruled that Congress had no right to ask a witness the names of persons he had known as Communists.

John Thomas Watkins, an organizer for Walter Reuther's United Auto Workers, is the man who the Court said needn't talk.

Watkins has admitted association with the Communist movement in the 1940s. He contends, however, that he broke with the Reds in 1947. When a congressional committee asked him the names of persons he had known as Communists, he refused to tell.

The Court has sought to curb the activities of the executive branch and the Congress. Who will curb the Supreme Court?

[From the Charleston News and Courier of June 23, 1957]

LEGAL CONFUSION IS CERTAIN TO FOLLOW WHEN COURTS ABANDON PRECEDENTS

Respect for the law evaporates when it is made to read one thing today and another the next.

The Supreme Court of the United States has been moving in unexpected and seemingly illogical ways. It has upset social, business, and legal patterns based on prior court decisions handed down over many years.

The eventual effects on the Nation as a whole cannot yet be accurately forecast. The effects on the lives of southerners, both black and white, already have been profound.

A lucid discussion of the Supreme Court's trend toward ignoring precedent and tradition appeared recently in the Wall Street Journal.

It was written by William H. Fitzpatrick, a New Orleans editor and Pulitzer prize winner before he became associate editor of the Journal.

"The Supreme Court," wrote Mr. Fitzpatrick, "whatever else it may have done, has created great legal problems by upsetting the established order—order in some cases established by a Supreme Court which had previously ruled on the same issue in a different way.

"Among the legal principles that traditionally guided the courts in the interest

ington correspondents, reports the President has told close friends that he has "never

Constitution. There can be no doubt, however, that the Court has no right to change

Veteran Congressional leaders charge that it has struck down the only weapon which

[From the Washington Evening Star of June 24, 1957]

This decision, if allowed to stand, will destroy the ability of Congressional committees

authority is abused. The county attorney,

with the same degree of explicitness and

to the Congress, and to the Executive.

tional government just as surely as any other type of tyranny.

The President and the Congress of the United States are policymakers under the

ously ruled on the same issue in a different way.

"Among the legal principles that traditionally guided the courts in the interest of continuity and the established order are two of the first importance.

"One principle is that the courts give great weight to the way a statute is interpreted by the men who administer it.

"The other principle is one lawyers and judges know as 'stare decisis.' That Latin phrase is the short form of 'stare decisis et non quieta novere.' Its meaning is 'to stand by decisions and not disturb settled matters,' and its application to orderly government is obvious.

"It represents, broadly speaking, the great difference between the order that follows precedent and the chaos that follows whim.

"Most lawyers will agree that the most controversial decision of the 20th century was the 1954 school segregation case. They also agree that to reach the decision that nullified the guide of 'separate but equal' facilities established by an earlier Supreme Court, the present Supreme Court filed stare decisis in the bottom drawer.

"The record shows that the Supreme Court based its decision more on sociological tracts than on references to prior law and looked right through stare decisis as though it weren't even there."

Mr. Fitzpatrick is repeating what white southerners have been saying ever since black Monday.

A few months ago, many publications (not the Wall Street Journal) that mold big city public opinion would have answered "so what?"

Nonsoutherners, even Time magazine, are beginning to find out that abandonment of stare decisis means something to them as well as to the South. The Supreme Court has applied sociological reasoning to a whole string of decisions with ramifications far outside the South.

In dealing with professional football, the Du Pont Corp., convicted Communists, and civilians accompanying the Armed Forces abroad, the court has shaped the law to suit the case.

It has not measured the facts of the case against the law.

"Liberal" newspapers which did not mourn stare decisis when only the South was hurt by its abandonment are complaining now that the Supreme Court is doing them wrong.

The Philadelphia Evening Bulletin, an integrationist liberal paper, made this sour comment when the Court reversed a year-old ruling and freed two women accused of murdering their military husbands:

"Respect for the Court will not be increased by evidence that the highest law of the land is not necessarily valid for a full 12 months."

Other representatives of the liberal press are losing patience with the Court, too. Their change of tune may have come too late to halt revolutionary rulings that will continue to spread confusion in courtrooms, legislative halls and counting rooms.

It looks suspiciously as though the Court has been encouraged by the applause it won for its school decision. The justices seem inclined to go on ignoring the lawbooks and doing what seems to them to be the popular thing at the moment.

[From the Nashville (Tenn.) Banner of June 23, 1957]

PRESIDENT AWAKENS TO SUPREME COURT'S THREAT

According to a consistently reliable and highly respected reporter, President Eisenhower has waked up to the fact that the Supreme Court is playing hob with the morale of the American people and their respect for the Federal Courts.

Ruth Montgomery of the International News Service, one of the Nation's top Washington correspondents, reports the President has told close friends that he has "never been as mad in my life" as he is at the recent Supreme Court decision opening secret FBI files to accused subversives and other defendants.

It is the conviction of this newspaper that the Presidential anger should have exploded a long time ago.

Friends said they had "never seen Ike so worked up over anything."

This newspaper regrets that the President didn't "get worked up" before he appointed 3 of the 7 Justices, including Chief Justice Earl Warren, who concurred in the shattering decision of last Monday.

Apparently the Chief Executive of the United States is now aware that the Supreme Court, for whose membership he is so far responsible in part, is—

Invading the legislative domain of the Congress, beyond the intent of that independent branch of the Government.

Wrecking the confidence of the people in the Federal Courts.

Destroying recognized constitutional processes.

Undermining the national security by killing the effectiveness of the investigative powers of the world's greatest police agency, the Federal Bureau of Investigation.

And frustrating that greater segment of the American Bar whose integrity is unquestioned and whose leaders repeatedly have sounded the warning which Mr. Eisenhower seems at long last to have heard.

What is he going to do about it? He is quoted as saying that the recent decision opening secret files of the FBI made a "shambles" of law enforcement and gave Moscow the greatest break it has had in years.

If that be so, then let him proceed immediately with his reported plan to have the Justice Department seek new legislation to nullify the Court's ruling and ask the Justices themselves to reargue the question when they reconvene this fall.

The Banner entertains little or no hope for the latter, but the Members of Congress should not allow that ruling to stand. They have the legislative power at hand. It should be exercised immediately to correct not only this abominable decision, but to make certain that the Supreme Court is removed from the legislative field which it has so arrogantly usurped.

Thank God, it is from the South that the ever-growing chorus of warnings has come against the creeping tyranny of the high tribunal.

Southerners may be grateful too that it was a southerner, Justice Tom Clark, of Texas, who spoke out firmly and bravely in a dissenting opinion on the majority's disastrous rule. The Banner has never been an extravagant admirer of Mr. Justice Tom Clark, but it commends his forthright position as eminently sound.

The Congress of the United States should stop its fruitless bickering and jockeying today and redefine the function of the Supreme Court gone wild with powers it was never meant to have under the United States Constitution.

Every Representative, every Senator should pledge his utmost energies and talent to welding a legislative ring of steel about the sacred areas of State and individual liberties subject to ruthless invasion by a headstrong band of zealous men.

[From the Saturday Evening Post of June 8, 1957]

THE COURTS HAVE NO AUTHORITY TO AMEND THE CONSTITUTION

(By Hamilton Long)

Few subjects are surrounded by more confusion than the function of the United States Supreme Court in interpreting the Constitution. There can be no doubt, however, that the Court has no right to change this basic law or to violate the intent of those who initially adopted it or of those who later amended it. Only the people can change the Constitution, by amendment.

For the Supreme Court to try to bypass this process, by interpreting the Constitution contrary to that original intent, is to usurp power never given it.

The Court's first duty is to protect the people's liberties. This includes restricting the Federal Government to the limited powers granted it by the people in the Constitution. As the then Gov. Franklin D. Roosevelt, of New York, truly stated in his States rights speech on March 2, 1930, these powers do not include authority over many "vital problems of government, such as the conduct of public utilities, of banks, of insurance, of business, of agriculture, of education, of social welfare, and of a dozen other important features. In these, Washington must not be encouraged to interfere." However, in his 1936 annual message, as President, Roosevelt boasted of newly expanded Federal powers which he said, in the wrong hands, "would provide shackles for the liberties of the people."

Although the Constitution has not been amended to increase Federal powers since 1920, the Supreme Court in 1937 abandoned its policy of respecting the original intent of the Constitution—as amended—in defining them. It began to change its earlier definitions of that intent, in order to sanction the Federal Government's exercise of vastly increased powers without amendment of the Constitution. The Federal Government now exercises power in all the fields which F. D. R. in 1930 said it should not invade. Many of these increases might have been made eventually, but the proper method to make them is provided in the Constitution and should have been followed. For the Court to attempt to make them by interpretation is government by usurpation, the opposite of constitutionally limited government.

How to restore constitutionally limited government is a major question, especially at a time when concern for the proper limitation of Federal power seems all but nonexistent. This generation, like those which preceded it, is the custodian of the liberties of the people and the restraints on Government power which alone can protect them. When we permit judges to interpret these guaranties so as to make them ineffective, we help sabotage our own and posterity's liberties.

(EDITOR'S NOTE.—Mr. Long is a member of the New York Bar and a student of constitutional history.)

[From the Columbia (S. C.) State of June 24, 1957]

NATIONAL WHIRLIGIG—COMPLAINTS AGAINST COURT STREAM INTO WASHINGTON

(By Ray Tucker)

WASHINGTON, June 23.—The Supreme Court's recent disregard of established precedents and constitutional standards has created confusion and turmoil throughout the Nation's legal, judicial and law enforcement systems, according to complaints reaching the Department of Justice and Capitol Hill in tremendous volume.

The high tribunal has upset corporation lawyers, jurists, police chiefs, Congressmen and big-league baseball stars with seemingly inconsistent rulings on many major issues. No New Deal body has caused such social and economic disturbances as the group presided over by Chief Justice Earl Warren, the California liberal appointed by President Eisenhower.

Veteran Congressional leaders charge that it has struck down the only weapon which Congress possesses for exercising restraint over the executive and judiciary. In ruling that Congressional investigations must be confined to ascertaining the need for new legislation, it has left the legislators helpless to check arbitrary and inefficient bureaucrats, and to spotlight dishonesty within the Government.

Worthwhile Congressional inquiries: Although begun as fishing expeditions, many Congressional inquiries have had an extremely beneficial effect, without leading to new laws. This observation applies to the famous Teapot Dome and Harry Daugherty exposés, which disclosed widespread corruption in the Harding Cabinet. It took months of senatorial digging into nonlegislative fields before the trail led to the Secretary of the Interior and the Attorney General.

The senatorial House study of America's aviation backwardness, where Billy Mitchell was the star witness, was not inspired by any need or demand for legislation. It was undertaken to show that earthbound generals and battleship admirals were deliberately stunting and neglecting the airplane as a weapon in war.

Congress' watchdog authority: Under the Supreme Court ruling in favor of fifth amendment Communists and fellow-travelers, it is extremely doubtful whether these two healthy and necessary exposés of executive crime and negligence could have been conducted.

Unless remedied, the Supreme Court ruling has stripped Congress of its authority to act as a watchdog for the public interest when it is in danger of being betrayed by other branches of the Government.

"Flippancy" in high tribunal rulings: Numerous lawyers also contend that the high tribunal has shown a spirit of what they call "flippancy" in several important rulings.

In freeing convicted Communists on technicalities, it may have endangered national security. In applying the Antitrust Act to "vertical" corporations for the first time, as in the Du Pont-General Motors case, it has caused grave concern and misgiving throughout the Nation's corporate structure.

In forcing the FBI and every other police agency to open their files to defendants in criminal actions, the Supreme Court has helped to cripple enforcement and delay prosecution.

Football versus baseball: But the charge of "flippancy" is leveled most seriously against its seemingly contradictory handling of the school segregation and the baseball antitrust questions.

When the Court held that professional football was a business and not a sport, and subject to Federal regulations, it noted that an earlier decision had given organized baseball immunity from antitrust jurisdiction. But it added that, if there was any "error of discrimination" in these inconsistent findings, it could and should be corrected by Congress. It invited Congress to express its intent and viewpoint.

Upset of Nation's educational system: However, in the far more vital matter of school segregation, it did not show a similar consideration for judicial precedent or the attitude of Congress. In a 2-hour session, it wiped out an historic ruling and upset the Nation's social and educational system. It carried this revolutionary philosophy even further in the Girard college decision.

Naturally, many constitutional experts ask: Why should the Supreme Court be more solicitous of 400 baseball players and team owners than of the Nation's millions of school children and parents and educators?

[From the Washington Evening Star of June 24, 1957]

SUPREME COURT AND THE REDS—RECENT DECISIONS IN CONSPIRACY CASES DRAW STRONG CRITICISM AGAINST JUSTICES

(By Constantine Brown)

A drive has been started in Congress for new legislation to offset the damage done by the recent decisions of the Supreme Court in connection with the Communist conspiracy which works underground in this country.

In the opinion of a number of members of the Senate and House committees responsible for unearthing these Communist activities, the Red conspiracy continues as effectively as it did after 1933 when the United States became the last great power to recognize the USSR.

The Senators and Representatives who became irked at the Supreme Court decisions maintain the Judges must live in an ivory tower not to recognize that the American Communists' and fellow travelers' aim is the destruction of the Constitution.

Since the integrity of the high Court must remain above suspicion, the legislators are determined to introduce new laws to close existent legalistic loopholes which permit attorneys for subversives to exculpate their clients.

Laying aside all the technicalities about which lawyers quibble, our legislators say it would be difficult to maintain that a free society should not be allowed to protect itself from a conspiracy which seeks its destruction.

Our social order has a right to provide for its perpetuation. Yet, in recent days, the Supreme Court has issued decisions which have the force and effect of tying the hands of the FBI and of Congress in their attempts to expose Communist infiltration and subversion in our Government.

In the last year, it is pointed out, the Court has issued 10 rulings which have given aid and comfort to the Communist cause; have seriously curtailed the effectiveness of the FBI and Justice Department; and have caused exultation at the headquarters of the Communist Party where it was announced that henceforth the thinned ranks will be swollen again.

Led by Chief Justice Warren and Associate Justices Douglas and Black, the Court has dragged in every technical rationalism to reverse decisions of lower courts in Communist or contempt cases.

In one of the most recent decisions—the Jencks case—the conviction of the labor leader for falsehood in signing a non-Communist affidavit was set aside because he had not been given access to FBI reports.

Communists and fellow travelers have been trying for years to destroy the effectiveness of the FBI. They have tried every trick and subterfuge to deal a fatal blow to our top investigating agency by forcing it to reveal its secret information sources. Now they appear to have succeeded.

In an article in the American Legion Magazine of March 1954, J. Edgar Hoover, director of the FBI, highlighted the confidential nature of the FBI files, saying that a citizen who reports information "• • • can be certain that his assistance is appreciated and that his identity will be kept confidential if he so desires."

It seems strange to many Americans that our Supreme Court desires to violate that confidence.

The latest mental effluvium from the Supreme Court reversed the conviction of another labor leader, John T. Watkins, for contempt of Congress on the ground that the inquiries of the House Un-American Activities Committee infringed on Watkins' constitutional rights.

This decision, if allowed to stand, will destroy the ability of Congressional committees to expose the tangled web of Communist subversion in our Nation. It will prevent Congressional committees from exercising the power of subpena and contempt citations as a means of focusing public attention on specific situations.

Naturally all American citizens desire to preserve the constitutional guaranties of our people. These are not matters to be taken lightly. Nevertheless, it is preposterous to ignore the social responsibilities that accompany citizenship and to maintain that we should be so free that each citizen shall have the right to conspire to destroy our Government with impunity.

In the words of Justice Tom C. Clark, former Attorney General of the United States, who has dissented from most of these opinions, this type of reasoning is "picayunish," "immaterial," and "mischievous."

There is a growing body of public opinion advocating that it is high time for the Supreme Court to cease curbing Congress and the Justice Department and to return to the principles of law and abandon the philosophy of "social action" which seems to be the primary motivating factor.

DEVELOPMENT AND MODERNIZATION OF THE NATIONAL SYSTEM OF NAVIGATION AND TRAFFIC CONTROL

The Senate resumed the consideration of the bill (S. 1856) to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes.

CONTINUATION OF SUBCOMMITTEE ON DISARMAMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar 533, Senate Resolution 151.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 151) to continue the Subcommittee on Disarmament created by Senate Resolution 93, 84th Congress.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, the resolution calls for a 2-month extension and the continuation of the $8,000 or $9,000 which is left in the fund already appropriated to the subcommittee. Unless the resolution is adopted, the subcommittee will go out of existence on June 30, which is the coming Sunday. The 2-month extension has been approved by the unanimous report of the Committee on Foreign Relations.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 151) was agreed to, as follows:

Resolved, That the subcommittee (as authorized and directed by S. Res. 93, of the

84th Cong., 1st sess., agreed to July

designee, in the ownership and operation of

basic planning and design changes

economic problems in the future, but we

$10 million which will make the total

The PRESIDING OFFICER. Is there

84th Cong., 1st sess., agreed to July 25, 1955; as amended by S. Res. 185, 84th Cong., 2d sess., agreed to February 8, 1956; as amended by S. Res. 286, 84th Cong., 2d sess., agreed to July 13, 1956, and S. Res. 61, 85th Cong., 1st sess., agreed to January 30, 1957) of the Committee on Foreign Relations is authorized under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with the jurisdiction of the Committee on Foreign Relations specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the international control and reduction of armaments, as further described in Senate Resolution 93, 84th Congress.

SEC. 2. For the purposes of this resolution the committee, from July 1, 1957, to August 31, 1957, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than August 31, 1957.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ST. LAWRENCE SEAWAY CORPORATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 534, S. 1174.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1174) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Corporation.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations with an amendment to strike out all after the enacting clause and insert:

That the act of May 13, 1954 (chapter 201, 68 Stat. 92, 33 U. S. C. 981, and the following), is amended as follows:

(1) Section 4 (a) (8) is amended by striking out the word "and" at the end thereof.

(2) Section 4 (a) (9) is amended by striking out the period at the end thereof and inserting a semicolon.

(3) Section 4 is amended by adding the following after clause (9):

"(10) may provide services and facilities necessary in the maintenance and operation of the seaway, including but not limited to providing, at reasonable prices, services to vessels using the seaway and to visitors to the seaway, but not to include overnight housing accommodations for visitors;

"(11) may participate with the St. Lawrence Seaway Authority of Canada, or its designee, in the ownership and operation of a toll bridge company: *Provided*, That the United States portion of the revenue from the tolls charged to the users of any toll bridge operated under this section shall be applied solely to the cost of the bridge and approaches, including maintenance and operation, amortization of principal and interest, as established by the Secretary of the Treasury; and

"(12) shall be credited with amounts received from any of the activities authorized by clauses (10) and (11).

"(b) Amounts credited under subsection (a) (12) are available to pay any obligation or expense of the Corporation under this act, except as specifically provided in subsection (a) (11)."

(4) Section 5 is amended by striking out the first sentence and inserting the following sentences in place thereof: "To finance its activities, the Corporation may issue revenue bonds payable from corporate revenue to the Secretary of the Treasury. The total face value of all bonds so issued shall not be greater than $140 million. Not more than 50 percent of the bonds may be issued during any one year. The interest payments on such bonds may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest after June 30, 1960. Deferred interest may not be charged against the debt limitation of $140 million."

(5) Section 10 is amended by designating the section as subsection (a) and adding a new subsection as follows:

"(b) The Corporation, after the effective date of this amendment, shall submit special reports to the Committee on Public Works of the House of Representatives and the Committee on Foreign Relations of the Senate whenever there is proposed a new feature, design, or phase of the seaway project, not heretofore included in estimates, or whenever there is proposed an abandonment of any feature, design, or phase, heretofore included in estimates, involving an estimated value exceeding $1 million, and such special reports shall include justification for the modifications."

Mr. MANSFIELD. Mr. President, I yield to the Senator from Wisconsin, the father of the St. Lawrence seaway.

Mr. WILEY. Mr. President, I thank the Senator from Montana for his kind statement.

It is a pleasure for me to rise once more to urge the Senate to pass legislation for the St. Lawrence seaway project. In the 3 years since Congress passed the Wiley-Dondero Act, authorizing this great undertaking, significant progress has been made, not only in the construction of the physical works involved, but also in the spread of public understanding of the benefits which will accrue to the entire country from the seaway.

In those 3 years, Mr. President, the construction has been pushed ahead in a very satisfactory manner and is now about 40 percent complete. During the course of the work, however, three things have happened which make it necessary for Congress to give its attention to the seaway.

The first of these things is a gradual increase in the price of everything that goes into the seaway. We are all familiar with the increase in the general price level in the United States, and this means that the seaway will cost $19,255,000 more than it would have cost if prices had remained stable.

Second, more detailed engineering studies have resulted in a number of basic planning and design changes which will mean that the seaway which is finally built will be a better seaway than was originally planned. These changes also, however, mean a net increase in cost of $10,234,000.

Finally, it has been necessary to add certain construction items which were not originally contemplated, and it has been found possible to delete certain construction items which were in the original plans. The construction items added result in increased costs of $36,696,000, and the items deleted result in decreased costs of $21,259,000.

The net result of higher prices and changed plans is that Congress is now called upon to increase the authority of the St. Lawrence Seaway Development Corporation to borrow from the Treasury from a total of $105 million, which was authorized in the Wiley-Dondero Act, to a new total of $140 million. At the same time, we are called upon to approve the deferral of interest charges during construction. Let me emphasize that interest is not to be forgiven, so-called; it is only to be deferred during construction and perhaps during the first few years of operation—in other words, during the period when the Seaway Corporation has little or no revenue with which to meet its obligations. The interest which is deferred during this time will accumulate, and after June 30, 1960, the Corporation is required to pay interest on the deferred interest.

It is urgent that this bill be approved promptly. We are now in the height of the construction season. The Seaway Corporation has committed $101 million of the $105 million which it is now authorized to borrow. Unless its borrowing authority is increased, the construction work will be forced to a halt, valuable time will be lost on it, and the investment which has already been made will be jeopardized.

The seaway is now scheduled to be opened for navigation for the season of 1959, beginning in April. I urge the Senate to pass S. 1174 so that this target date can be met.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HUMPHREY subsequently said: Mr. President, the Senate earlier today passed Calendar No. 534, Senate bill 1174, a bill to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Corporation.

I am very much pleased also to know that both Houses of Congress have now acted today on this important measure and have increased the authorization to provide whatever is needed to build the St. Lawrence Seaway. The passage of bills by both the Senate and the House will provide the necessary funds to continue with this very valuable construction program. It is fair to say, however, that we will have to face some economic problems in the future, but we will face them as they arise.

As an enthusiastic and consistent supporter of the construction of the St. Lawrence Seaway over a period of many years, I must admit that I have been both dismayed and disconcerted by the increased cost of this project over the estimates of 4 years ago, and by the unfavorable impact this may well have on the level of tolls which will undoubtedly have to be charged for the use of this new waterway.

The estimated construction cost of the United States share of this project, as approved by the Congress 3 years ago was, in round numbers, $88 million. Adding some $7 million for interest during construction, the total cost came to approximately $95 million. A provision of $10 million was made in the bill to provide the St. Lawrence Seaway Development Corporation with working capital so that the total amount authorized in the act was $105 million.

At that time the total cost of the project, to both the United States and Canada, at December 1952 prices, was estimated to be $288 million. To operate, maintain, pay interest and amortize the investment over a period of 50 years was estimated to require $14.6 million annually.

On August 18, 1954, through an exchange of notes between the two Governments, the United States agency, the St. Lawrence Seaway Development Corporation, agreed to defer the building of the lock and 3 miles of canal at Point Rockaway, the western terminus of the International Rapids section of the project, and agreed to the building of this lock and canal by Canada, on the opposite side of the St. Lawrence River, at Iroquois, Ontario. The effect of this was to decrease the estimated cost of the United States share by approximately $21 million, thus reducing our estimated construction cost to $67 million. This automatically increased Canada's cost by $21 million but the annual carrying charges of $14.6 million remained the same.

Mr. President, according to the annual report of the St. Lawrence Seaway Development Corporation, as of December 31, 1956, however, we find the construction cost of the United States share has increased to $133 million. Some $19 million of this increase is attributed to increases in construction costs between 1952 and 1957; another $10 million is for planning and design changes; and the remaining $36 million is for additional construction items.

I can readily comprehend the increase of $19 million due to increases in construction costs as all of us know our country is going through a period of spiraling cost inflation. As I am not an engineer, I am not in a position to pass judgment on the necessity for the additional $10 million for planning and design changes nor the extra $36 million for additional construction items. What I do know and understand is that these additions have increased the cost of the United States share 99.3 percent, without taking into consideration interest during construction of another $10 million which will make the total cost to the United States $143 million.

At the same time we find that the estimated construction cost to Canada had increased from $196 million to $284.6 million, or 45 percent, without taking into consideration interest during construction. With interest at 4½ percent this will amount to some $32 million and make the cost of the Canadian share $316 million.

From the foregoing it will be seen that the total cost of this project, to both countries, is estimated to be, as of December 31, 1956, approximately $460 million, an increase of 60 percent. This must be compared with $288 million, at December 1952 prices, which was the estimate at the time it was approved by the Congress.

On the basis of this present estimate of total cost the annual charge to operate, maintain, pay interest, and amortize the investment over a 50-year period will be some $28 million, an increase of 90 percent in annual carrying charges.

It would seem apparent that this increased carrying charge is bound to have an unfavorable effect on the tolls which are to be charged for the use of this waterway. They may very well constitute a threat to the much needed low cost water transportation rates to the Middle West. The increased tolls, necessary to amortize this greatly increased investment in the 50 years provided by the law, may increase transportation rates via this route to such an extent as to make alternate rail, or rail and water routes, more attractive, thus attracting the traffic and reducing the potential traffic volume for the seaway.

Despite this unfavorable turn of events I want to make it clear that I am still an ardent believer in the seaway and its long term favorable effect upon, and benefits to, the Middle West. On the other hand, I feel I have the moral obligation to alert my constituents, and the Congress, to the radical change this increase in costs has made in the economics of this project as against those which prevailed at the time Congress approved it 3 years ago, so that they may be forewarned that, undoubtedly, in the not too distant future, it will be necessary to amend Public Law 358, 83d Congress, to make provision to adjust the law to the new conditions confronting the project due to the increased cost.

I am pleased that both the House and the Senate have acted today on the increased money authorization. This should provide the necessary funds to complete the United States part of the project. We shall confront the economic problems in the future as they arise.

SGT. DONALD D. COLEMAN

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 511, S. 1007.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1007) for the relief of Sgt. Donald D. Coleman.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sgt. Donald D. Coleman (SN-NG 25259543) and Martha S. Coleman, his wife, the sum of $15,000, in full satisfaction of their claim against the United States for compensation for the loss of their 6-month-old daughter, DeLayne Duke Coleman, who died in Munich, Germany, on March 31, 1955, after failure by military medical personnel, because of inadequate medical treatment facilities and/or error in judgment, to admit the said child to a hospital, to provide her with ambulance service, or to otherwise provide her with proper medical services or attention, although the said child's mother made every effort to secure medical attention for her, the father of the said child, the said Sgt. Donald D. Coleman, being away on field maneuvers at the time of the said child's death: *Provided*, That no part of the amount appropriated in this act in excess of $500 shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. KEFAUVER. Mr. President, the bill would pay the amount of $15,000 to the parents of a 6-month-old baby who died in Munich, Germany, where the father, an Army private, had been assigned—and where the mother and 2 children were assigned dependents' housing quarters—after the failure to admit the child to the Army hospital, to provide ambulance service, or otherwise to provide proper medical service or admission to the hospital, although the child's mother made continued efforts over 4 days, until the death of the child, to secure such help.

The Department of the Army has supplied a very thorough report on the matter, which is printed in full in the committee report, and has informed the committee that it would have no objection to the proposed legislation if the award does not exceed $17,000. The committee has recommended $15,000.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSTRUCTION OF OFFICE BUILDING FOR ATOMIC ENERGY COMMISSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 420, S. 1918.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1918) to amend Public Law 31, 84th Congress, to increase the authorization for appropriations to the Atomic Energy Commission for the construction of a modern office building in or near the District of Columbia to serve as its principal office.

The PRESIDING OFFICER. The question is on agreeing to the request of the Senator from Montana.

There being no objection, the Senate proceeded to consider the bill.

Mr. ANDERSON. Mr. President, I support S. 1918. This bill would increase the authorization of the Atomic Energy Commission for its new office building at Germantown from $10 million to $13.3 million. The building is nearing completion and is expected to be ready for occupancy in November.

The original authorization was made in 1955. In the 2-year period since then the new responsibilities of the Commission have required an increase in the number of employees of the Commission from a then planned 1,400 to a now expected 1,758. The new employees are primarily in the international and civilian reactor branches of the Commission.

In order to accommodate the new employees, and to provide adequate room for all, the Commission seeks to add a new wing to its office building, adding 116,000 square feet to the present building of 400,000 square feet.

At first the gentleman from Georgia [Mr. RUSSELL] and I opposed this bill because it did not provide for competitive bids for the additional construction. By the letter of June 18, which I have already put into the RECORD, the Commission has said it will put the new contract out on a competitive bid. I am now completely satisfied.

I believe that the passage of the bill now may save the Commission considerable sums. It will be cheaper to add the new wing now, while the building is still under construction, than later on.

Mr. RUSSELL. Mr. President, will the Senator from New Mexico yield to me?

Mr. ANDERSON. I yield.

Mr. RUSSELL. The distinguished Senator from New Mexico called this matter to my attention, and I was very happy to join him in protesting a negotiated contract on a matter which was so easily susceptible of the time-honored and well-tried practice of competitive bids. I wish to congratulate the Senator from New Mexico on the service he has rendered, in the light of the eventual outcome.

Mr. ANDERSON. I thank the Senator from Georgia.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1918) was ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That Public Law 31, 84th Congress, 1st session, is hereby amended by striking the figure "$10,000,000" and inserting in lieu thereof the figure "$13,300,000."

DISTRIBUTION OF FEDERAL FUNDS FOR MEDICAL AND OTHER REMEDIAL CARE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 481, House bill 7238.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7238) to amend the public-assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with an amendment to strike out all after the enacting clause and insert:

That section 305 of the Social Security Amendments of 1956 (P. L. 880, 84th Cong.) is amended to read as follows:

"EFFECTIVE DATE

"SEC. 305. (a) Except as provided in subsection (b), the amendments made by this part shall become effective July 1, 1957.

"(b) The amendments made by any section of this part shall not apply to any State (as defined in section 1101 of the Social Security Act for purposes of title I thereof) for any fiscal year for which there is in effect an election by it not to have the amendments made by such section apply to it. Any such election shall be in effect for a fiscal year only if notice of the election has been filed with the Secretary of Health, Education, and Welfare at some time prior to May 16 of the preceding fiscal year, except that any such election shall be in effect for the fiscal year beginning July 1, 1957, if notice of the election is filed with the Secretary prior to August 1, 1957. An election by a State under this subsection shall continue in effect until the close of any fiscal year designated in a notice of termination of such election which is filed with the Secretary of Health, Education, and Welfare prior to May 16 of such year. Elections hereunder shall be made, and notices thereof and notices of termination shall be filed, on such form or forms and in such manner as the Secretary of Health, Education, and Welfare may prescribe."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. MANSFIELD. Mr. President, I yield to the Senator from Oklahoma.

Mr. KERR. Mr. President, to the committee amendment, I send to the desk an amendment, which is submitted on behalf of the senior Senator from Alabama [Mr. SPARKMAN]. I ask that the amendment to the amendment be stated.

The PRESIDING OFFICER. The amendment to the committee amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to add the following new section:

SEC. 7. The first sentence of subsection (p) of section 218 of the Social Security Act is amended by inserting "Alabama" immediately before "Florida."

Mr. KERR. Mr. President, this amendment to the committee amendment is for the purpose of making available to the State of Alabama a privilege which has been made available to any State which has requested it, namely, that certain groups of local employees of subdivisions of government shall have the right of referendum to elect to come under the social-security program.

Mr. CARLSON. Mr. President, the senior Senator from Illinois [Mr. DOUGLAS] and I have submitted minority views on this bill.

Mr. KERR. Do they go to this amendment to the committee amendment?

Mr. CARLSON. No.

Mr. KERR. Does the Senator from Kansas object to this amendment to the committee amendment?

Mr. CARLSON. I do not, but I think there should be a quorum call. I notice that the Senator from Illinois is not present. Certainly I would not wish to have the bill passed without being discussed, and I know the Senator from Illinois wishes to discuss it.

Mr. KERR. I wish to speak for 10 or 15 minutes in giving an explanation of the bill, as soon as the amendment to the committee amendment is acted on.

Mr. CARLSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CARLSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment submitted by the Senator from Oklahoma, on behalf of the Senator from Alabama, to the committee amendment.

The amendment to the amendment was agreed to.

Mr. KERR. Mr. President, the Committee on Finance has given a great deal of consideration to H. R. 7238, the pending business, a bill concerned with Federal participation in costs of medical care for public-assistance recipients. The problem which the bill seeks to remedy is a complicated one, and a number of possible solutions have been advanced.

Since 1950, the Federal Government has permitted States to make public-assistance payments in two ways and to receive Federal matching. The first of these ways is by making an unrestricted money payment to an individual, to meet his needs. The second has been to pay doctors, hospitals, or other suppliers of medical or remedial care for services rendered to the recipient. Up to this time the Federal participation has been based on a formula under which the total amounts of assistance, whether in the form of a payment to the individual or in the form of a payment for medical

care for him, have been considered together. There has been no Federal participation in the amount by which either of these payments or their total exceeded a maximum—presently $60, for most recipients—in any month.

Last year the Congress provided, effective July 1, 1957, a different basis for Federal participation in medical-care payments. Recognizing that medical care, unlike food or shelter, frequently came in large nonrecurring amounts, the matching of medical care was placed on an average basis, and was separated from the matching of money payments to public-assistance recipients. The new formula for matching medical-care payments was that Federal funds should be one-half, up to an average of $6 per adult recipient and $3 per child recipient. Under this plan, most States may expect to receive more in Federal funds in their medical-care payments after July 1, 1957, when the new provisions are effective, than they have received up to this time. This is not true for all States, however. Information presented to the committee indicates that 3 States may expect to receive less than the total of Federal funds for these medical-care payments than they have been receiving; and 3 additional States, while getting more in total, will receive less for 1 or more of their individual public-assistance programs. This problem was recognized when House Resolution No. 7725 was considered by the Senate last year, and an amendment to correct it was adopted by the Senate. However, the amendment was not adopted in conference, and did not become law.

Last year, the Congress also increased the maximums on money payments for public-assistance recipients in which the United States will share. For the aged, disabled, and blind the maximum was increased from $55 to $60, and maximum Federal payment was increased from $35 to $39. Similar changes were made in the program for aid to dependent children. Under these changes, all the States are receiving more Federal funds than they formerly did. Under the medical-care payments, most States can expect to receive additional Federal funds.

H. R. 7238, as passed by the House of Representatives, would in effect, permit States to receive Federal funds on the same basis on which they have received them in the past, and, in addition, to receive Federal funds under the separate matching provisions for medical-care payments that were established last year. The estimated cost of this proposal is over $26 million. It would be of immediate benefit to 12 or 14 States, most of which will receive some additional funds anyway, for their medical care payments and would be of no benefit to the rest of the States in the country at this time. H. R. 7238, as amended by the Finance Committee, would assure that no State would need to lose money under any one of its public assistance programs since it might elect, annually or less frequently, to receive matching funds either under the existing provision or under the provision scheduled to become effective on July 1. The total of estimated losses under the individual programs is $8.6 million annually, which is, in turn, the estimated cost of this proposal. Since each of the States that expects to lose money under one or more programs would be protected against that loss, and since each of these States expects to receive additional funds under at least one program, each State should in total get not only as much but somewhat more under this bill than it has been receiving up to this time.

The cost of the bill as reported by the Finance Committee is approximately $18 million a year less than the cost of the House-passed bill. The Congress has provided additional Federal funds to all States within the past 12 months under the money payment formula, and with the bill as passed by the committee all States that make direct payments for medical care of public assistance recipients can expect to receive some additional funds under at least one of their programs, without the loss of funds under any program. The additional expenditure of $18 million in behalf of a minority of the States is over and above any actual financial losses they might expect to incur, and does not therefore appear to be warranted.

As I have indicated to Senators, the committee has considered this proposed legislation and its effect on States carefully. I believe that the solution that has been reached is an equitable one which avoids any unintended results of last year's legislation, and at the same time safeguards against unwarranted and unintended additional funds to some States.

I would urge support of the bill as reported by the Finance Committee, and in doing so I repeat that while the law which was enacted last year provided additional Federal funds, and while its administration will make more additional Federal funds available to most States, it is possible that a few States would suffer somewhat in what they would receive if they left the basis under which they now receive funds for these programs and adopted or accepted the formula or program as provided in the bill passed last year.

The bill now before the Senate, H. R. 7238, provides the optional privilege to any State either to continue to receive payments on the basis of which it has been receiving payments under existing law or, upon its election, to receive payments on the basis of the law which was passed last year, and which will become effective on July 1 of this year. So if the bill as reported by the committee is passed, no State will lose a penny, as compared with what it now receives. At any time the State cared to do so, it could elect to go under the provisions of the bill which Congress passed last year, and which will become effective next July 1, which is only a few days away.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. CARLSON. The Senator from Oklahoma has stated that no State would lose money based on the present law, which, of course, means the law in force at the present time. Let me use my State as an example. The Department of Health, Education, and Welfare report dated June 12, 1957, shows the State of Kansas as receiving $418,000. Under Public Law 880, which goes into effect July 1, Kansas will receive $1,625,000. Under the administration proposal, which is what we are considering now, the State of Kansas would receive $1,625,000. But under H. R. 7238, Kansas would certainly suffer a loss, in my opinion.

Mr. KERR. According to the statement of the Senator from Kansas, his State is now receiving a little over $400,000. Is that correct?

Mr. CARLSON. Yes.

Mr. KERR. Under the law passed last year, the State of Kansas will receive $1,800,000. Is that correct?

Mr. CARLSON. $1,625,000.

Mr. KERR. Is that not an increase?

Mr. CARLSON. Certainly it is an increase, but——

Mr. KERR. Under the bill as reported to the Senate by the Finance Committee, the State of Kansas has the option either to continue receiving money on the basis of existing law or on the basis of the provisions of the law passed by Congress last year, which the Senator has now acknowledged will give his State four times as much as it now receives.

Mr. CARLSON. That is correct.

Mr. KERR. Is that a loss?

Mr. CARLSON. No; but there is a loss as compared to the bill as passed by the House, H. R. 7238—in fact, a loss of $500,000.

Mr. KERR. I made it quite clear that the bill as passed by the House will benefit a few States over and above what they receive as payments under existing law or would receive under the law passed by Congress last year; but I want to say to the distinguished Senator that I know of no basis for his finding fault with an option which would either leave his State as it was, with $400,000 a year, or, under the law passed last year, that would give it four times that much; and certainly I can find no justification for any Senator taking the position that he wants his State to receive both the added benefit made available last year and the additional benefit as provided by the House, which will benefit only a half dozen States.

Mr. CARLSON. The Senator is in error with respect to the number of States that will benefit. It will benefit 15 States immediately. I notice the Senator said in his statement that it will not do so at this time. In the future, it will benefit most of the States, and Kansas, under the proposal, if the House bill is not adopted, will lose $500,000.

Mr. KERR. The Senator is entirely mistaken. The State of Kansas will fail to get an additional amount——

Mr. CARLSON. Of $500,000.

Mr. KERR. Of $500,000, which is not a loss on the basis of anything the State of Kansas has yet received or which the existing law will allow to it.

Mr. CARLSON. No; it is on the basis that the Kansas Legislature, in January of this year, in biennial session, assuming that Kansas was going to get a certain amount, voted to match that amount.

Mr. KERR. The State legislature made quite an assumption if it assumed the State of Kansas was going to get a benefit under a bill which had not been introduced.

Mr. CARLSON. The bill which became Public Law 880 was passed, and there were amendments.

Mr. KERR. Is the Senator suggesting that the State legislature could not interpret the law?

Mr. CARLSON. I am not so sure the members could, in view of what I understand to be orders which have come from the Department of Health, Education, and Welfare within the last 10 days. The facts are the legislature and the State board of social welfare analyzed the present law and voted sums to care for the program to be effective July 1, 1957.

Mr. KERR. The law was enacted last year. Is the Senator now telling the Senate he wants the Senate to pass a bill which would give to a State the amount the legislature had voted on the mistaken conception of the law which it imagined would be enacted? Is that the position the Senator takes?

Mr. CARLSON. No. The Senator from Kansas states that we have a very responsible legislature in the State of Kansas.

Mr. KERR. The Senator has stated that the State legislature passed a law on that assumption.

Mr. CARLSON. Yes, it did. Payments under social-security provisions have to be anticipated in advance. The legislature had to anticipate it was going to get the money before it did so.

Mr. KERR. The legislature had the law before it.

Mr. CARLSON. Yes. Based on recommendations of the Department of Health, it was expected that the amount of money the State of Kansas would receive would be $2,250,000. That was based on the House bill.

Mr. KERR. The House bill had not been introduced when the State legislature assumed it would get benefits under that bill.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KERR. I yield.

Mr. MANSFIELD. If this measure is passed, is it not true that the measure will go to conference and the differences will be reconciled there?

Mr. KERR. The Senator is entirely right.

Mr. DOUGLAS. Mr. President, as the Senator from Kansas [Mr. CARLSON] implied, the report of the majority was not agreed to by three members of the committee, the Senator from Kansas [Mr. CARLSON], the Senator from Louisiana [Mr. LONG], and the Senator from Illinois [Mr. DOUGLAS]. We believed that the House bill should be passed by the Senate.

It is interesting to note that it was language almost identical with the House bill which was passed by the Senate as an amendment to the social-security bill last year. At that time the House apparently did not fully understand the Senate bill, so the Congress passed what became Public Law 880 without the Senate amendment. This year, after the House understood the principle which the Senate advanced last year, the House adopted it, but when the bill came over to the Senate, the Senate had forgotten the principle which it had so eloquently advocated last year.

All that we in the minority are urging is that we stand on the principle of the Senate, which the Senate adopted last year and which the House has adopted this year.

This subject can be made very confusing, and of course it is complicated. It arises from the fact that payments for medical services are made in two ways; by cash to the recipient, who then is expected to pay the doctor, the hospital, the nursing home, and so on; or paid to what is termed the vendor, namely, to the doctor directly, to the hospital, to the druggist, or to the nursing home.

The confusion arises from the difficulty of combining these two separate systems, with payments of cash to the recipient, namely, the aged person, the dependent children, those acting for the dependent children, the blind and the disabled, in addition to payments to the vendor directly.

The situation is this: Under the present law, as it applies up to the first of July, the States may use their discretion and pay out the sums for medical care either in cash or to the so-called vendors, under the traditional $60 program of aid to the blind, the old age and survivors program, aid to the disabled, and aid to dependent children. They can do one or the other or both.

Last year we passed Public Law 880, which is to go into effect on the 1st of July, 1957, and we added to the old system, which permitted payments under the traditional programs of up to $60 per month for the aged, the blind, the disabled, and dependent children a new system, which is called the $6 and $3 provision. Under this new system the Federal Government matches one-half of the $6 paid in vendor payments for the adults and one-half of the $3 paid in vendor payments for children.

In other words, a new system—the $6 and $3 system—was added to the traditional $60 program. Under the new $6 and $3 program payments were to be made to the vendor, not in cash to the recipient, but it was also provided that medical payments under the traditional $60 program, which hitherto could have been either in vendor payments or in cash, was to continue, but payments could be made only in cash. So unless the law is amended we will have a dual system. The $6 and $3 system will be on the vendor basis, and the $60 conventional grant will be on a cash basis. Many medical services for the same dependent will be paid under both systems, with great difficulty in coordinating them.

In order to meet this situation the House passed a bill which differed from Public Law 880, which will go into effect on July 1, in only one respect. It allowed States the freedom choice to make either cash or vendor payments under the traditional $60 program. In other words, the vendor payments will continue to be paid under the $6 and $3 program; and under the so-called conventional $60 program, under the House bill, payments for medical services can be made either in cash or vendor payments. The payments do not have to be in cash, as would be required if there were no amendment.

It is this program which we think is the best of all three. Under the Senate amendment the States have the choice of making either cash or vendor payments under the traditional $60 program only if they give up any Federal aid under the $6 and $3 program. Therefore, in practice they will be forced to make a choice of either staying under the present law, which provides for vendor or cash payments under the $60 program but meanwhile foregoing the $6 and $3 program, or coming under the new law, with cash payments only for the $60 program and vendor payments only for the so-called $6 and $3 program.

Under the Senate bill the States will be compelled to make the choice of one or the other alternatives which I have just explained whereas under the House bill, which we favor, they can use either the cash or the vendor system for the $60 payments and the vendor system for the so-called $6 and $3 payments.

We favor the House proposal for several reasons. In the first place, it gives freedom of choice to the States. It gives them the freedom of choice to either use the cash or the vendor system under the traditional $60 program, whereas this would not be possible under the Senate bill if they were to receive the $6 and $3 payments.

Mr. KERR. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. KERR. What was the statement the Senator made?

Mr. DOUGLAS. I said that under the House bill, which we favor, the States can use either the cash or the vendor system under the traditional $60 a month payment, and simply use the vendor system for the new $6 and $3 payments.

Mr. KERR. Did I understand the Senator to say under the bill as it is now before the Senate that a State does not have the option of the vendor-payment system?

Mr. DOUGLAS. No. I said if they undertook the vendor system of payments under the $60 program——

Mr. KERR. The Senator is now referring to the existing law?

Mr. DOUGLAS. Yes. What I am trying to say is this: The States under the Senate bill will be given the choice of two alternatives. First, if they stay under the present law they can pay the traditional $60 grants either in vendor payments or in cash, but they will not receive the $6 and $3 payments.

Mr. KERR. I believe the Senator is mistaken about that. I think they have the option to carry it out.

Mr. DOUGLAS. I think they will give up the $6 and $3 program under the first alternative.

Mr. KERR. I submit to the Senator they could give it up, but I am sure he is not serious in saying they could not continue to operate on either the vendor-payment system or the cash-payment system, or both, under Public Law 880.

Mr. DOUGLAS. But if they do that they will have to give up the $6 and $3 program, which gives Federal aid.

Mr. KERR. I am talking about the $6 and $3 payments.

Mr. DOUGLAS. If they accept the $6 and $3, under the traditional $60 program they can pay cash only.

They cannot use the vendor system under the traditional $60 payment.

Mr. KERR. I submit the Senator is mistaken.

Mr. DOUGLAS. I think I am correct.

Mr. KERR. They have the option to get the money either under existing law, or under Public Law 880; and when they get the money they can give it to the recipient in cash, or they can operate under the vendor-payment system; or, to the extent they get the money, they can do both, or operate under either alternative.

Mr. DOUGLAS. I think the Senator is mistaken.

Mr. KERR. That was the evidence before the committee.

Mr. DOUGLAS. It is a complicated question; but I say very respectfully that I think the Senator has misunderstood the issue, for under the Senate amendment, if they make vendor payments under the $60 program they must forego the new $6 and $3 program to which they are otherwise entitled. In order to qualify for the $6 and $3 program they must make payments in cash under the traditional $60 program and thereby lose their freedom of choice.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. COTTON. I am informed by the commissioner of public welfare of my own State that under the Senate bill we would be deprived of certain privileges which we would have under the House bill. We find it to be convenient and effective to operate under the so-called vendor system, which gives maximum medical service and care to the recipient. Under the Senate committee amendment, retaining the vendor system would cause us to sacrifice certain benefits. I commend the Senator for his amendment, and I wish to have the RECORD show that I associate myself with him, and will support his amendment.

Mr. DOUGLAS. I thank the Senator from New Hampshire. It is our belief that some 15 States would distinctly suffer under the Senate committee proposal.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CARLSON. I believe that the way to judge how a program will work is to get it out into the counties and States in which it is to operate.

This is the way the program would work in a county in Kansas: If we have a choice of two programs, and there is a maximum payment of $60, under the present law the county board of social welfare pays a doctor to take care of 10, 15, or 20 people in a nursing home. Under the new proposal, if it is adopted, and if there is to be a choice, a few extra payments will be made to the individual, and the doctor will have to collect $3, $5, or $7 for medical care. The result will be great confusion, and I do not believe such a program would be practical in its operation.

Mr. DOUGLAS. I agree with the Senator from Kansas. I have been trying to point out the same thing in general principle, but I think he has given a very good illustration. If the States choose to operate under the new law, and receive the $6 and $3 payments for vendor payments, they then can make medical payments only in cash under the $60 system. In that event, there will be a dual system, as the Senator from Kansas has pointed out. The doctors and the nursing homes will be paid in part directly. For the remainder, they will be compelled to go to the recipients and dependents and collect from them. So there would be a dual system, which would be extremely complicated.

If the States remain under the present law, they will be penalized by not receiving Federal aid for the $6 and $3 vendor payments, which they have every right to get, and which, as the Senator from Kansas pointed out, a great many legislatures believed would be going into effect.

Our records show that some 15 States would suffer, either under Public Law 880, unless it is amended, or under the Senate proposal. To the best of our knowledge, those States are Connecticut, Illinois, Indiana, Kansas, Massachusetts, Minnesota, New Hampshire, New York, North Dakota, New Mexico, Ohio, Oregon, Rhode Island, Washington, and Wisconsin.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the distinguished Senator from Kansas.

Mr. SCHOEPPEL. Let me say to the distinguished Senator from Illinois that I am very much impressed by what he has had to say, and by what has been said by my distinguished colleague from Kansas [Mr. CARLSON]. It seems to me, as was pointed out by my colleague from Kansas, and as the Senator from Illinois has said, that the proposed program would not only lend itself to a loss in dollars and cents, but would add considerable confusion. I think the point made by my colleague from Kansas, and concurred in by the Senator from Illinois, is very well taken, namely, that added confusion would develop.

I commend the Senator from Illinois and my colleague from Kansas for pointing out these features. Let me say to the Senator from Illinois that I hope his amendment will prevail. I shall support it.

Mr. DOUGLAS. I believe that the result, if we should adopt the Senate committee proposal, has been well summarized by the junior Senator from Louisiana [Mr. LONG]. Under the Senate proposal, much more money would be spent on administrative costs, half of which would be borne by the Federal Government, and less money would be spent on medical payments, so that the old, the disabled, the children, and the blind would receive less medical attention, but there would be more administrative overhead. The Federal Government is obligated to pay one-half of this administrative overhead.

In my State of Illinois, the public welfare authorities say that the added administrative costs under the Senate proposal would amount to $870,000 a year, and that the State would be required to employ 180 additional staff personnel. That is what would happen in the State of Illinois alone.

Undoubtedly the administrative costs would go up by many millions, and medical expenditures would go down.

I believe that House bill 7238 is superior, and I hope we may defeat the Senate committee amendment and substitute the text of the House bill.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. HUMPHREY. I regret that I was compelled to be absent from the Chamber for a few moments during the early part of the Senator's discussion. I wish to associate myself with the views which the Senator from Illinois has expressed. I joined with him as cosponsor of a bill which was very similar to the one passed by the House. I cannot help but feel that that measure is desirable, and would be a much more suitable piece of legislation to reach the objectives which are sought.

Is it the Senator's hope that in conference some of the differences between the two bills may be ironed out, in the direction of the House version?

Mr. DOUGLAS. I hope so very much. I think the simplest thing for us to do would be to adopt the language of the House bill, so that the bill would not need to go to conference. However, if we adopt the Senate committee amendment, I hope the Senate conferees will not be unyielding.

Mr. HUMPHREY. It was the hope of the Senator from Illinois, as expressed in his minority views, as well as in the bill which we cosponsored, that we could give the States freedom of choice as to how medical payments should be made.

Mr. DOUGLAS. That is correct. Also it was our intention that that be done within the traditional $60 system, and also allow the States to retain the Federal grants of half of $6 and $3 for vendor payments as they are entitled to do under the law going into effect on July 1, 1957.

Mr. HUMPHREY. That is what the House bill provides for.

Mr. DOUGLAS. That is correct.

Mr. HUMPHREY. Therefore the program outlined in the House bill would meet every requirement which the Senator from Illinois has set out in his minority views.

Mr. DOUGLAS. That is correct. The humorous part of the situation is that

last year the House apparently did not understand us, and it rejected our proposal. When it finally understood what we were doing last year, we had forgotten what we were doing last year, and had thrown it overboard.

Mr. HUMPHREY. I was about to ask the Senator if it is not true that, had the House bill of this year been passed last year, there would have been little or no difficulty between the Senate and House?

Mr. DOUGLAS. That is correct.

Mr. HUMPHREY. Now the tables are turned. The Senate has marched up the hill and marched down again. The House has finally reached the top of the hill and is standing on high ground, while we are still at the bottom.

Mr. DOUGLAS. The Senator is correct.

Mr. HUMPHREY. I thank the Senator for his fine work in committee on this subject. I sincerely regret that the provisions of the Douglas-Humphrey bill were not accepted. The people of the State of Minnesota, from the social welfare department on down, both in governmental agencies and in private activities, support the views expressed by the Senator from Illinois. I placed certain comments on this subject in the RECORD some time ago, and I shall not burden the RECORD by repeating them here.

I feel that our people know what they want. I think the State should have the option, so long as it is within the basic provisions of Federal law, to operate under either system, and not be required to follow the inflexible rule laid down in the Senate committee amendment.

Mr. DOUGLAS. I thank the Senator from Minnesota.

A further point is that a number of States have been planning expanded programs, beginning on the first of July, on the assumption that they could take advantage of the new $6 and $3 program, as well as the traditional $60 program.

Some of the legislatures have already adjourned. The total number of States, to the best of our knowledge, includes Pennsylvania, New Jersey, Louisiana, Iowa, Nevada, Vermont, Oklahoma, and Michigan. I believe that in most of those States the legislatures have adjourned, and they have proceeded on the assumption that they would get not only the $6 and the $3 payments for vendors, but also use either cash or the vendor payments.

Mr. HUMPHREY obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MANSFIELD. Mr. President, I feel that I am in somewhat of a quandary, because these bills are being brought up on the assumption that not too much time will be consumed in disposing of them. There are other Senators who have been waiting all afternoon to urge the passage of bills in which they are interested, and the Senator from Oregon has been waiting all afternoon to make a 10-minute speech. If there is no possibility of an agreement being reached on the pending measure, I suggest that it go over until tomorrow or some other day, so as to give other Senators an opportunity to present their matters.

Mr. HUMPHREY. The only reason I decided to address myself for a few minutes to this measure, with which I am very much concerned because of my interest in the bill which was introduced in the Senate, was to give the Senator from Oklahoma and the Senator from Illinois a little time to confer. It may be possible to work out a solution.

Mr. THYE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. THYE. I have just returned to the floor. I understand that the discussion now relates to H. R. 7238.

Mr. MANSFIELD. The Senator is correct.

Mr. THYE. When the calendar call was concluded, I made inquiry of the acting majority leader, the Senator from Montana [Mr. MANSFIELD] if he had any intention of taking up H. R. 7238 this afternoon. The Senator informed me that he did not intend to take up the bill until tomorrow. I returned to the committee hearing, where I shortly thereafter received word that the bill was being discussed on the floor.

It was my intention to support the position taken by the Senator from Illinois [Mr. DOUGLAS], who had filed explanatory minority views, and I was in support of H. R. 7238 as passed by the House. The Committee on Finance of the Senate proceeded to amend the bill, however. That is the reason the Senator from Illinois [Mr. DOUGLAS] filed his minority views.

I wish to have my convictions stated in the RECORD, because the bill as recommended by the Committee on Finance would do great injustice to the program as it would affect Minnesota. Minnesota is not alone in that respect. It would adversely affect a number of other States, among them Illinois, Indiana, Kansas, Massachusetts, Michigan, Minnesota, New Hampshire, New York, North Dakota, Oregon, Rhode Island, and Washington. These States have been participating in the program. If the bill as reported by the Senate Committee on Finance should be enacted, the work these States are doing would be retarded and the recipients would suffer great loss.

Mr. MANSFIELD. Mr. President, I wish to say that what the Senator has stated about the agreement he had with the acting majority leader is correct. The acting majority leader did believe that the bill would not be brought up until tomorrow. I did not realize, when it was passed over on the call of the calendar, that an agreement had been made to bring it up later in the day.

I want the distinguished Senator from Minnesota to know that since it was decided to call it up I asked that word be immediately conveyed to the Senator in committee that the bill would be considered. I wish the RECORD to show that what the Senator from Minnesota has stated is absolutely correct.

Mr. THYE. I thank the Senator for sending word to me in committee. Such did come to me in committee that the bill was under discussion. For that reason I immediately returned to the floor, because there is a great deal of interest in the proposed legislation in my State. I have received not only telegrams and letters, but also telephone calls from my State. In fact, I had a call this afternoon from St. Paul, urging me to support the House bill rather than the bill reported by the committee. I again thank the Senator from Montana.

Mr. HUMPHREY. I wish to say to my colleague that I was joining with the Senator from Illinois [Mr. DOUGLAS] in very much the same sentiments expressed by my colleague. I have received a number of telegrams also. My legislative assistant advises me that more than 60 telegrams and almost a similar number of letters from the State of Minnesota have come to my office, protesting the action of the Senate committee and urging approval of the bill sponsored by the Senator from Illinois and myself and other Senators, and supporting the House version.

Mr. President, this is a very complicated piece of legislation. It is very difficult for those who have not concentrated their attention upon it to understand it from a brief discussion. Therefore I hope that in the discussion which the Senator from Illinois has contributed to this debate, he has referred to most of the material he has submitted in his minority views.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. DOUGLAS. I should like to take this opportunity to ask unanimous consent that the minority views of the Senator from Kansas and myself and the supplemental views of the Senator from Louisiana be printed at this point in the RECORD.

There being no objection, the minority and supplemental views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS

We, the undersigned, dissent from the action of the Senate Finance Committee and support, instead, the language of H. R. 7238 as passed by the House. The central issue is whether States will be allowed to continue the freedom of choice they now have as to how they shall make medical payments.

I. EXPLANATION

1. The present law

Under the present law States may claim up to the maximum Federal ceiling per person for the four traditional public assistance programs, i. e., aid to the blind, the old-age and survivors program, aid to the disabled, and aid to dependent children. This is known as the $60 program.

At the present time, medical payments under these programs may be paid directly to the recipient of the service in cash or directly to the vendor of the service, i. e., doctors, hospitals, druggists, nursing homes, etc. States have a choice and may make either "cash" or "vendor" payments.

2. The new law

On July 1 the full provisions of Public Law 880, passed by the Congress last year, go into effect. Under the new law, the traditional or $60 program is continued. In addition, a new program of "vendor" medical payments begins. This new program is called the "$6 and $3" program. The Federal Government will match one-half of $6 paid in "vendor" payments for adults and one-half of $3 paid in "vendor" payments for children.

Under the traditional $60 program, medical payments can continue, but they must be made in "cash." This means that any State with present vendor medical payments in excess of $6 must have 2 programs (1) "cash" payments under the $60 program and "vendor" payments under the $6 and $3 program. There are some 15 such States and they include Connecticut, Illinois, Indiana, Kansas, Massachusetts, Minnesota, New Hampshire, New York, North Dakota, New Mexico, Ohio, Oregon, Rhode Island, Washington, and Wisconsin. A number of other States, such as Colorado and California, because their average cash payments exceed $60, will be forced to go to the vendor method.

A number of other States are planning expanded programs beginning July 1 on the assumption that they could take advantage of the new $6–$3 program as well as the traditional $60 program. These States, some of whose legislatures have already adjourned, include Pennsylvania, New Jersey, Louisiana, Iowa, Nevada, Vermont, Oklahoma, and Michigan.

3. The House-passed bill

The House-passed bill differs from Public Law 880 in only one major respect. It allows States the freedom of choice to make either "cash" or "vendor" payments under the traditional $60 program—which is presently the law—and, in addition, to qualify for the new $6–$3 program. Under Public Law 880, States may qualify for the new $6–$3 program only if they make "cash" payments under the traditional $60 program.

4. The Senate amendments

Under the Senate amendments States may have the choice of either "cash" or "vendor" payments under the traditional $60 program only if they forego the new $6–$3 program.

As a practical matter, all but 1 to 3 States—because of the Federal matching funds involved—will make cash payments under the $60 program and thereby qualify for the new $6–$3 program, even though they might prefer to make vendor payments under the $60 program as they are now doing or as they might like to do in order to avoid two systems of payments.

II. ARGUMENT

There are three principal arguments in favor of the language of the bill as passed by the House. These are (1) the right of States to freedom of choice and the avoidance of dual systems, (2) the superiority of the vendor payments system, and (3) the little or no additional cost to the Federal Government of the House-passed bill as opposed to the Senate amendment.

1. Freedom of choice

For many years, prior to 1950, States were allowed to make only "cash" payments under the traditional programs. In 1950, they succeeded in gaining the right to select their own system of payment, either "cash" or "vendor" as they saw fit. In 1956 this choice was taken away. Some States prefer one method and some the other. They should be allowed to keep this choice. If this choice is not retained, and in order for States to qualify for full Federal matching under the 1956 law, they will have to set up two separate systems—cash and vendor—with the additional administrative costs involved. In Illinois, for example, it is estimated that the administrative cost of a cash system would amount to an additional $870,000 on an annual basis, for which the Federal Government would pay 50 percent or $435,000 per year. Further, it would require 180 additional staff personnel in that State alone.

Those States with a "cash" system will have to set up a new "vendor" system to qualify for the $6–$3 program. Those States with a "vendor" system under which average payments exceed $6, must shift to a "cash" system if they are to qualify for Federal matching funds in excess of $6.

It would appear, then, that two separate issues are involved; i. e., freedom of choice and the avoidance of a dual system.

2. The superiority of the "vendor" system

The States with the most comprehensive medical programs have, in almost every case, selected the "vendor" payment method under the traditional $60 program. These are the States which must shift to "cash" payments under the new law or will shift to "cash" under the Senate amendment in order to retain the funds for which they can now qualify. The "vendor" payment system has proven the better system for several reasons. Among them are:

(a) Administrative costs are lower and administrative procedures are simpler.

(b) It insures that the vendor receives payment.

(c) It avoids confusion among recipients of medical care and insures that they receive that care. This would not always be the case if the recipient were given cash to purchase the service for himself. This is particularly true of the very aged, the senile, or those who lack knowledge of the detailed purposes for which their total monthly public-assistance funds are given.

(d) Services tend to be less expensive where the vendor is insured of payment. Doctors, for example, tend to charge less for office calls for those they know are on public assistance and for whom payment is assured through the State public-aid commission than for those whom they do not know are on public assistance and from whom payment is not assured.

(e) If States shift to the cash system, they will have few records of the particular diseases and ailments for which payments are made. At the present time States with vendor payments know these facts from the bills which are presented directly to them. This allows proper coordination with rehabilitation agencies for the physically handicapped and contributes specific knowledge of the diseases of those on public assistance which is helpful in medical research in geriatrics, in the field of the physically handicapped, and in preventive medicine.

The Department of Health, Education, and Welfare, in commenting on S. 1209, a bill substantially the same as the House language of H. R. 7238, made this point very well in their letter to the chairman of the Finance Committee:

"The type of changes described (shifting to the cash system), however, are in many instances not desirable. Suppliers of medical care and services would much prefer to receive payment directly rather than to rely on receiving payment from the recipient out of the money given to him for his unrestricted use. Also the fact that medical costs are frequently large, nonrecurring costs make direct payment appropriate. Undue emphasis on attempting to provide certain medical needs through giving money directly to the recipient would undoubtedly lead to both confusion and dissatisfaction in the affected States where medical expenditures are already substantial."

We concur in that statement and for that reason, primarily, support the House language as opposed to the Senate amendments.

3. Cost

The Department of Health, Education, and Welfare assigned a "maximum" cost of $26 million to the House-passed bill as opposed to $8.6 million to the Senate amendment. In other words, the cost of the House bill is placed at $18 million above the Senate amendment. We believe that these "maximum" cost figures are excessive.

In the first place, we have been informed by the Department that the additional administrative expenses for which the Federal Government would be obligated if the Senate amendment goes into effect on July 1 have not been taken into account. This is a cost attributable to the Senate amendment and which is not attributable to the House language and, by itself, reduces the differential between the estimated costs of the two bills.

In the second place, the States, by going on the "cash" system on July 1, if they are forced to do so, may actually qualify for the amounts they may qualify for under the House language of H. R. 7238. This is made clear from the Department of Health, Education, and Welfare's letter to the chairman of the Senate Finance Committee commenting on S. 1209. After giving maximum cost figures for the various proposals, that letter stated:

"It should be noted, however, that States are free to meet more of the medical needs of the recipients through money payments made directly to the recipients and to correspondingly reduce the payments for medical care made directly to doctors, hospitals, nursing homes, druggists, etc. Insofar as this occurs, and the States affected have indicated that such modifications will be utilized to the greatest possible degree, both the net additional cost attributable to S. 1209 and the cost of the suggested option (the Senate amendment) will be reduced."

In the Senate hearings, it was admitted by representatives of the Department that the costs of H. R. 7238 as passed by the House and the Senate amendment were theoretically the same. As State public-aid commissioners are obligated to secure the maximum Federal funds, the practical as well as the theoretical costs would be substantially the same.

In other words, the only substantive issue between the bill as passed by the House and the bill as reported by the Senate Finance Committee is whether the States may have a choice of the method of medical payments under the traditional $60 program or whether they shall be required by Federal statute to make those payments in cash.

III. CONCLUSION

We believe that the House language is much to be preferred over the Senate amendment. We believe this because:

(1) States should continue to have freedom of choice as to how medical payments shall be made under the traditional $60 program.

(2) As a matter of public policy the promotion of vendor payments is much to be preferred over cash payments. The Senate amendment makes cash payments mandatory if States are to qualify for the new $6 and $3 program which they have every right to qualify for under the 1956 social-security amendments.

(3) By making a transition to the cash system, States can, in fact, qualify for Federal grants substantially equal to those for which they could qualify under the Senate amendment. Therefore, the cost of the House bill as opposed to the Senate amendment is insignificant. In fact, when it is understood that the Federal Government is obligated to match, on a 50–50 basis, the additional administrative costs occasioned by shifting to the cash system, it is entirely possible that the Senate substitute is actually more costly than the House language.

Finally, we should like to make an additional point. This is a very complex matter.

In 1956, the Senate bill which eventually became Public Law 880 included an amendment substantially the same as the House language of H. R. 7238. Because of the complexity of this problem, the amendment was not fully understood by the House conferees and was therefore lost in conference.

This year, the House Ways and Means Committee passed H. R. 7238 substantially like the Senate amendment of last year which was lost in conference. Now it is the Senate committee which has failed to accept that bill and which has substituted a language which is far less acceptable than the language in its own bill of last year. Of course, the Senate committee has every right to change its mind, but the circumstances remain as they were 1 year ago and, in our opinion, the Senate amendment of last year and the language of the House passed bill this year, are preferable to the action which the committee has now taken.

PAUL H. DOUGLAS.
FRANK CARLSON.

SUPPLEMENTAL VIEWS

Substantially I agree with the position in the minority report. In my judgment, however, the cost to the Federal Government of the House bill would be somewhat higher than shown in the estimates in the minority report. However, the House version will make it possible for States to plan a more adequate program of medical services to be made available to the needy aged, the disabled, the blind, and dependent children. As the number of aged persons increases and the average age of persons of old-age-assistance rolls increases, the health aspect of the problem will become increasingly important.

Because of the admittedly superior administration of funds to be made possible, and the improved medical care which States will be able to plan for and to provide for their needy, the slight monetary saving involved in the Senate Finance Committee bill is too costly when compared with what it would deny to the needy in terms of better care and to the program itself in better administration.

The issue is very simple. The small amount of additional Federal funds under the House bill would help to pay for additional medical services and save money on administrative costs. Under the Senate Finance Committee version, less money would be spent on medical assistance and relatively more money spent on the administration of the smaller program.

RUSSELL B. LONG.

Mr. HUMPHREY. I am very happy that the Senator from Illinois made that request, because I wanted to make sure that the material involved in the minority views and the supplemental views was made available in the RECORD.

If we pursue the course recommended by the committee, it will throw into a complete tailspin a number of State programs, and it will cause disorderliness, instead of uniformity in many States with respect to their social welfare programs.

I hope that as we proceed with the consideration of the bill an option will be given to States, so that the programs which have been worked out and have been tried out and tested and the patterns which have been established by these programs in the respective States may be continued, instead of putting them into a sort of legislative straitjacket.

Those are my views on the bill. The purpose and the objective are good, but I do not approve of the methodology.

YOUNG REPUBLICANS NATIONAL FEDERATION CONVENTION PLATFORM—FOREIGN TRADE—JUNE 20–22, 1957

Mr. MALONE. Mr. President, the National Convention of the Young Republicans National Federation, representing the 48 States of the Union, was held in Washington on June 20–22, 1957.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a resolution relating to foreign aid, which is a part of the platform of the Young Republicans National Federation for 1957 and 1958.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

IMMEDIATE REVIEW OF TARIFF LEGISLATION

We know that behind the shield of our collective defense arrangement, there must be growth and development or that shield will be a paper one. We support the administration in its advocacy of trade policies which promote the interchange of goods to mutual advantage. Under no condition, however, should such an interchange of goods be to the detriment of our American industrial, mining, processing and developing segments of the economy, ending with a resultant loss in operation and income to both employer and employee. Furthermore, we call for an immediate review of tariff legislation to bring relief to hard-hit American industries.

CONGRESS TO RETAIN CONTROL

We believe effective control over foreign trade and the trade agreements program should be retained in the Congress.

YOUNG PEOPLE HOPE OF THE NATION

Mr. President, it is the personal opinion of the senior Senator of Nevada that the young people working through their respective political parties are the hope of the Nation in returning to constitutional government. Government by law and not by man or a bureaucracy.

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the names and titles of the new officials elected at the Young Republican National Federation meeting, together with the 11 regions by State and Territories.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

YOUNG REPUBLICAN OFFICERS FOR 1957–58

John Ashbrook, chairman, Johnstown, Ohio.

Jerrie Kent, cochairman, Johnson, Tenn.

Fred L. Dixon, treasurer, Washington, D. C.

Roseann Biwer, secretary, Waukesha, Wis.

Sally Liston, assistant secretary, Phoenix, Ariz.

Homer Jackson, auditor, Birmingham, Ala.

YOUNG REPUBLICAN NATIONAL FEDERATION REGIONS BY STATE AND TERRITORIES

Region I: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.

Region II: New York, New Jersey, Pennsylvania, Delaware.

Region III: Virginia, Kentucky, District of Columbia, Maryland, West Virginia.

Region IV: South Carolina, Georgia, Florida, Tennessee, Puerto Rico.

Region V: Ohio, Indiana, Illinois, Michigan.

Region VI: Alabama, Louisiana, Mississippi, Arkansas, Texas, Canal Zone.

Region VII: Missouri, Nebraska, Kansas, Iowa, Oklahoma.

Region VIII: North Dakota, South Dakota, Minnesota, Wisconsin.

Region IX: Alaska, Oregon, Washington, Idaho, Montana.

Region X: California, Nevada, Arizona, Hawaii.

Region XI: Utah, New Mexico, Wyoming.

GEORGE WASHINGTON AND THE CONSTITUTION, FROM HIS FAREWELL ADDRESS

If in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for through this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed.

THE 10 WESTERN STATE REPUBLICAN REGIONAL CONFERENCE—FOREIGN TRADE

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a resolution relating to foreign trade, passed on May 4, 1957, by the 10 Western State Republican Regional Conference at Salt Lake City, Utah. The conference includes the States of Arizona, California, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

FOREIGN TRADE AND THE NATIONAL ECONOMY

Whereas 34 foreign, competitive nations are sitting in Geneva, Switzerland, regulating our foreign trade through multilateral trade agreements under the auspices of the General Agreements on Tariffs and Trade; and

Whereas, this distribution of our foreign trade between such foreign competitive nations is being carried on under the 1934 Trade Agreements Act, as extended (so-called reciprocal trade); and

Whereas, under this act more than $30 billion of American capital has been invested in such foreign low-wage standard of living nations to compete in American markets with American labor and investors in the textile, livestock, mining, crockery, glass, precision instrument machine tool, chemical and electrochemical, and several hundred other fields: Therefore be it

Resolved, That the 10 State Republican Regional Conference, including the States of Arizona, California, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming urge the Congress to resume its constitutional responsibility of regulating foreign trade and the national economy through the adjustment of the duties, imposts and excises (art. I, sec. 8) through its agent, the Tariff Commission, and allow the 1934 Trade Agreements Act to expire in June 1958.

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of my remarks as made in the Senate on May 15, 1957, concerning foreign trade.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Mr. President, the 73d Congress passed the Trade Agreements Act in 1934 for 3 years as an emergency measure—it has continually been extended always as an emergency—and now expires in June of 1958.

Under the virtually free trade regulated at Geneva authorized by the 1934 Trade

Agreements Act, the cheap labor of the world is directly competing with American workingmen and investors.

THE SALT LAKE CITY CONFERENCE, 10 WESTERN STATES

Mr. President, at that conference there were several committees. One committee was the Republican Goals' Objectives Committee, of the National Republican Party. This is one of the several regional conferences held or to be held in the United States by the chairman of the National Republican Party Committee to determine the feeling of the people of the respective regions.

The chairman of this particular committee was the former Senator E. D. Crippa, of Wyoming. The vice chairman was Mrs. Bertha Welloff, of Montana. The members were Albert K. Mitchell, New Mexico; James P. Gossett, Idaho; Emery Graunke, Nevada; William C. Sanford, Nevada; Kenneth B. Bentson, Arizona; Mrs. George B. Jex, Washington State; Mrs. Collis P. Moore, Oregon; Mrs. Emery C. Johnson, Arizona; Mrs. Kathryn K. Meloney, Wyoming; Mrs. Jane Zimmerman, California; Mrs. Ora J. Lewis, Utah; Mrs. Helen Sullivan, Montana; Thomas Brewer, California; E. Stanley Goodell, Oregon; Hersh Gay, Jr., New Mexico; Mrs. Gertrude Chamberlain, Wyoming.

Mr. TALMADGE. Mr. President, will the Senator from Nevada yield?

Mr. MALONE. I am happy to yield to my distinguished colleague from Georgia.

Mr. TALMADGE. I wish to compliment my friend, the distinguished Senator from Nevada, for his comments on the subject he is discussing. If I may, I should like to ask one or two pertinent questions?

First, is there any difference between the so-called trade agreement and the so-called GATT agreement?

Mr. MALONE. The Trade Agreements Act of 1934 not only transferred to the President the constitutional responsibility of the Congress, under article I, section 8, of the Constitution, to regulate foreign trade and the national economy but gave the President in that act full authority to transfer that constitutional responsibility of Congress to any area on earth, under the auspices of any organization which he might cause to be organized.

That was so testified by the Secretary of State, Mr. Dulles, before the Senate Committee on Finance, when the 3-year extension of that act was granted in 1955.

Therefore, the so-called GATT, the General Agreement on Tariffs and Trade, was organized directly under the authority granted by the 1934 Trade Agreements Act passed by Congress.

The 1934 Trade Agreements Act authorized the President to spearhead the General Agreements on Tariffs and Trade—GATT.

THIRTY-FOUR FOREIGN COMPETITORS REGULATE OUR FOREIGN TRADE

Mr. TALMADGE. Is that the international trade agreement in which some 30 countries participate?

Mr. MALONE. That is the result of the transfer of the constitutional responsibility of Congress to regulate foreign trade to Geneva in 1947.

The 1934 Trade Agreements Act authorized the transfer to any area that the President might choose. In 1947 he did cause to be organized the General Agreement on Tariffs and Trade—GATT—and located it in Geneva. From that time on the foreign nations—and at this time the 34 foreign nations involved, since we are the 35th member, and each nation has 1 vote—are in complete control of our foreign trade and national economy.

Mr. TALMADGE. Am I correctly informed that that organization gives the United States of America one thirty-fourth of the power to regulate our tariffs?

Mr. MALONE. One thirty-fifth. We have 1 vote out of 35.

Mr. TALMADGE. One thirty-fifth.

I should like to read to the distinguished Senator a provision of the Constitution of the United States and ask him if his interpretation of it is the same as mine. I read from article I, section 8 of the Constitution of the United States:

"The Congress shall have power • • • to regulate commerce with foreign nations, and among the several States, and with the Indian tribes."

Does the Senator from Nevada understand that to mean what it says and to say what it means?

Mr. MALONE. The Senator from Nevada understands it to mean—and has argued on the floor of the Senate for 11 years—that the Constitution of the United States, article I, section 8, which has just been read, in part, by the distinguished Senator from Georgia explicity and completely places the responsibility for the regulation of foreign trade and the national economy in the Congress of the United States, when it says that Congress shall regulate foreign commerce and shall have the power to lay and collect duties, imposts, and excises, which we refer to as tariffs.

WORKINGMEN'S JOBS—INVESTORS' MONEY

Mr. TALMADGE. The Senator from Nevada is extremely well informed on trade matters. The largest industry in my State is the textile industry. The average hourly wage in the textile industry there is from $1.35 to $1.50. In Japan the average hourly wage is from 13 cents to 15 cents, or only one-tenth of what it is in my State.

Does the Senator from Nevada think that our textile mills can continue to operate without some tariff protection from such cheap imports?

Mr. MALONE. I would say to the distinguished Senator from Georgia that it is absolutely impossible; and it was so intended, in the opinion of the Senator from Nevada, by the people behind the framing of the act. In other words, the people who were behind the 1934 Trade Agrements Act in the first place were of the Harry Dexter White and Alger Hiss group, who first formulated the legislation.

Not only are the wages in Japan much lower, but American investments have moved in and installed the best possible textile machinery. Part of the $30 billion of foreign investment of American capital has gone into Japan, for the installation of the latest textile-making machinery. Therefore, since no one would say that a Japanese could not perform as much labor as an American, they are on an equal basis except for wages. That is the only difference except the low water transportation cost from Japan to here.

As a matter of fact, the present Secretary of State was working under Mr. Acheson, who was then Secretary of State, and made the treaty with Japan; that is to say, he set it up. It was adopted by this body, over my protest.

The senior Senator from Nevada made a speech on the floor against it at the time, and pointed out just exactly what the distinguished Senator from Georgia is saying now; that there is no possible way to compete on an even basis with a nation paying such wages.

JAPANESE FREE TRADE

Mr. President, I ask unanimous consent to have included in the RECORD as a part of my remarks an excerpt from my September 11, 1951, debate on the Japanese Treaty.

There being no objection, it is so ordered.

We now have free trade with Japan. They are sending their sewing machines, Christmas cards, precision instruments, and 101 other things, which under normal conditions would disarrange our American economy through eliminating American workingmen's jobs and wiping out American investments. However, by continued emergencies, bringing in constantly increasing taxes and new money from the sale of bonds to the American people, we are able to keep our economy going. Eventually we must protect our own higher standard of living from that of the 7 to 15 cents per hour Japanese labor.

And, I might add, Mr. President, textiles constitute one of their greatest exports.

Mr. TALMADGE. I thank the distinguished Senator. His answers to my inquiries have been very helpful.

I understand that by the Constitution of the United States power over foreign trade is vested in the Congress. I, for one, do not propose to abdicate it.

Mr. MALONE. All Congress has to do is to sit still in 1958—not extend the 1934 Trade Agreements Act beyond June 30, 1958, and the constitutional responsibility of regulating foreign trade and the national economy automatically reverts to the Tariff Commission, an agent of Congress. I would say to the Senator from Georgia that George Washington, our first President, had a few pertinent remarks to make on that subject—in his farewell address he said:

"If in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."

I thank the distinguished Senator from Georgia for his pertinent questions.

NEVADA REPUBLICAN STATE CENTRAL COMMITTEE SOUND MONEY PROTECTING AMERICAN JOBS AND INVESTMENTS, STATES RIGHTS

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of a resolution passed by the Republican State Central Committee for the State of Nevada at Fallon, Nev., on December 15, 1956.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

The Republican Party of the State of Nevada strongly advocates the return to constitutional government by adopting the following principles which have been the basic tenets of the Republican Party since its inception more than 100 years ago.

We believe the Republican Party must advocate a free market for gold, with removal of all restrictions upon its purchase, sale, and ownership, and a return to the traditional hard-money standard using gold and silver certificates redeemable in the respective metals.

We believe the Republican Party must urge the Congress of the United States to resume its constitutional responsibility of regulating foreign commerce through the adjustment of duties, imports, and excises, through its agent, the Tariff Commission, and allow the so-called Reciprocal Trade Act, which transferred such responsibility to the President, to expire in 1958.

We believe the Republican Party should urge Congress to respect the rights of the individual States in all those matters which have been historically matters of State concern.

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of my remarks in the Senate on February 27, 1957, on the subject of foreign trade.

I do not approve of the methodology.

sippi, Arkansas, Texas, Canal Zone.

at Geneva authorized by the 1934 Trade

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

FIRST STATE TO TAKE A STAND IN 24 LONG YEARS

Mr. President, my State of Nevada is the first sovereign State of the 48 to reaffirm the principles of Washington, Jefferson, and Lincoln in 24 long years.

Since 1933, inflation has been encouraged, so that Congress can appropriate any amount of money for any purpose at any time, including billions of dollars to European and Asiatic countries, and can have the money printed without regard to its ultimate value.

Under free trade and the policy of sending billions of dollars to Europe and Asia; more than $30 billion of American capital has gone abroad to operate plants with cheap labor and to ship the products to the United States to compete with our own labor and investments.

IT IS INTERNATIONAL SOCIALISM AT ITS WORST

It is time that we again reverted to sound principles of government that we won through the Revolutionary War and preserved for nearly a century and a half.

In 1934 Congress passed the 1934 Trade Agreements Act (so-called reciprocal trade) transferring to the President the constitutional responsibility of Congress as provided in article I, section 8, to regulate our foreign trade and national economy. That act included full authority for the President to transfer that responsibility to Geneva, Switzerland, under the auspices of any organization that he might spearhead.

That act, as extended, will expire in June 1958.

In the meantime the State Department is pounding at the door with the Office of Trade Cooperation, which is before us now; and if approved by Congress, the 1934 Trade Agreements Act may no longer be needed.

FOREIGN TRADE AND NATIONAL ECONOMY

Mr. MALONE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD remarks which I made in the Senate on May 15, 1957, concerning the subject of foreign trade and the action taken by my State of Nevada and the 10 Western States.

There being no objection the remarks were ordered to be printed in the RECORD, as follows:

MUST WORK THROUGH MAJOR POLITICAL PARTIES

Mr. MALONE. I will say at this point to my distinguished colleague from Georgia [Mr. TALMADGE] that it is my opinion, after 11 years in the Senate, and a good many years watching the 1934 free-trade theory progressively tearing down and destroying the small-business man and the wage earners of America, and moving us over on a war economy, that I believe each of us must work through his own major political party.

That is the reason we are working through the Republican Party, as Republicans who believe in constitutional government, and who believe that 34 competitive foreign nations sitting in Geneva should not control and regulate our foreign trade and our national economy.

Mr. President, I believe that members of the Democratic Party who believe, as we do, that we should return to constitutional government, must work through their own party, and help to reestablish the constitutional principle as enunciated at Salt Lake City by the representatives of the 10 Western States.

That firm stand for the principles of Washington, Jefferson, and Lincoln, by the Republican State Central Committee of my State of Nevada was immediately supported by most of the State newspapers, including Republican and Democrat alike.

When the Congress does not extend the 1934 Trade Agreements Act (so-called Reciprocal Trade Act) expiring in June of 1958—the regulation of our foreign trade and national economy reverts to the Congress under Article I, Section 8, of the Constitution. The Tariff Commission, an agent of Congress, under existing law through adjusting the flexible duty or tariff to continually represent the difference in the effective wages and cost of doing business here and in the chief competing nation on each product.

NEVADA STATE LEGISLATURE

Mr. President, the Legislature of my State of Nevada also passed strong resolutions against the extension of the 1934 Trade Agreements Act—so-called Reciprocal Trade Act—when it expires in June 1958. I ask unanimous consent to have the Senate joint resolution of that body printed in the RECORD at this point as a part of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

"Senate Joint Resolution 14

"Joint resolution memorializing the Congress of the United States to resume its responsibility of regulating foreign commerce, and to allow the 1934 Trade Agreements Act to expire in June 1958

"Whereas the promotion of world trade should be on the basis of fair and reasonable competition and must be done within the principle long maintained that foreign products of underpaid foreign labor shall not be admitted to the country on terms which endanger the American workingmen's jobs or American investments; and

"Whereas article I, section 8, of the Constitution of the United States, provides that the Congress shall have the power to lay and collect taxes, duties, imposts, and excises, and shall regulate foreign commerce; and

"Whereas the Congress transferred the constitutional responsibility to regulate foreign trade to the executive branch through the 1934 Trade Agreements Act, as extended to June 1958, with authority to transfer such responsibility to Geneva under the general agreements on tariffs and trade; Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of Nevada (jointly)*, That the United States Congress is hereby urged to resume its constitutional responsibility of regulating foreign commerce and the national economy, through the adjustment of duties, imports, and excises, through its agents, the Tariff Commission, and allow the 1934 Trade Agreements Act, which transferred such responsibility to the President, to expire in June 1958; and be it further

"*Resolved*, That the secretary of state of the State of Nevada shall transmit copies of this resolution to each member of the Nevada Congressional delegation."

CALIFORNIA STATE LEGISLATURE—RESOLUTION

Mr. MALONE. The State of California passed a similar resolution asking that the 1934 Trade Agreements Act be not renewed when it expires.

I ask unanimous consent that the resolution be printed at this point in the RECORD as an extension of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

"Following is a joint resolution of the Legislature of the State of California, 1958 session:

"'Joint resolution concerning the restoration to Congress of the fixing of tariffs

"'Whereas it is essential to the protection of the American standard of living and the American way of life that products of foreign countries be admitted to this country only on a basis which will not endanger the living standards of the American working man and the American farmer and will not threatenserious economic injury to any domestic industry; and

"'Whereas promotion of world trade by the Government of the United States should adhere to this principle so that the economic status of the American people may be maintained and not reduced to that in the depressed areas of the world where work is performed behind the sweatshops curtain; and

"'Whereas while recent imports of live cattle and frozen and canned beef from Mexico, Canada, New Zealand, and other areas have dramatically highlighted the problem with respect to one industry, yet it is a problem affecting all of the branches of agriculture, industry, and commercial production; and

"'Whereas the Congress of the United States abandoned its traditional function of fixing tariffs on foreign commerce entering the United States under the Trade Agreements Act of 1934 to the executive department of the Government, which has carried out policies inconsistent with the welfare of American agriculture, industry, and commerce: Now, therefore, be it

"'*Resolved by the Senate and Assembly of the State of California (jointly)*, That the Legislature of the State of California most respectfully memorializes the Congress of the United States to return to its traditional method of fixing tariffs based on principles of protection of American agriculture, industry, and commerce, and the standard of living for all American citizens created thereby; and be it further

"'*Resolved*, That until Congress so acts, the executive department of the Government exercises its powers of fixing tariffs only in accordance with the traditional principles of American policy as set forth in this resolution; and be it further

"'*Resolved*, That the secretary of the senate send copies of this resolution to the President of the United States, the Secretary of State, the Secretary of Commerce, the Secretary of Agriculture, the Chairman of the United States Tariff Commission, the President of the United States Senate, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States'."

MR. ACHESON AND MR. THORPE—THE THREE-PART LONG-RANGE PLAN

Mr. MALONE. Mr. President, as a further warning to the Members of Congress who still may have faith that each offering of legislation along the line of free trade—billions to Europe and Asia—and a continual disintegration of the money system through 24 years of inflation, the pronounced long-range three-part foreign policy by the Assistant Secretary of State, William H. Thorpe, outlined before the House Ways and Means Committee in 1950 should be interesting:

"1. The European recovery program (Marshall plan or ECA) extends immediate assistance on a short-term basis to put the European countries back on their feet.

"2. The trade agreements (act) program is an integral part of our overall program for world economic recovery.

"3. The International Trade Organization, upon which Congress will soon be asked to take favorable action, provides a long-term mechanism—each part of this program is important. Each contributes to an effective and consistent whole."

It will be remembered that the Congress turned down the International Trade Organization in 1951.

Now we have been offered the Office of Trade Cooperation, which is exactly the same as the International Trade Organization.

That proposal is now before congressional committees. It is before the Senate Finance Committee, of which I am a member.

DOLLAR DIPLOMACY WITH A VENGEANCE

The former Secretary of State, Dean Acheson, said:

"It is hardly possible any longer to draw a sharp dividing line between the economic affairs and political affairs.

"Each complements and supplements the other. They must be combined in a single unified and rounded policy."

DOLLAR DIPLOMACY

That was and is the reasoning of the State Department—to tie the regulation of our foreign trade to the regulation of our foreign policy, which the Constitution of the United States so pointedly separated.

The senior Senator from Nevada would call it "dollar diplomacy" with a vengeance.

We are buying treaties through the division of our markets with the nations of the world and with billions of dollars of our taxpayers' money through gifts to such foreign nations.

The pressure to combine the regulation of our foreign trade and national economy with the fixing of foreign policy all under the executive branch of our Government, contrary to the specific provisions of the Constitution in article 1, section 8, is so flagrant that it is beyond belief that a Congress of the United States should continue to extend the life of such an act.

FEW MEMBERS OF CONGRESS UNDERSTOOD THE PLAN

Certainly few Members of Congress understood, in 1934—when they voted for the Trade Agreements Act—that they were not only transferring their constitutional responsibility to regulate foreign trade and the national economy to the executive branch of the Government, but included in that act was complete authority to transfer that responsibility to 34 competitive nations at Geneva, Switzerland.

TRANSFERRED TO GENEVA IN 1947

Following the 1934 Trade Agreements Act in 1947, the President of the United States did make the transfer and the Secretary of State, Mr. Dulles, has testified that such authority was and is included in the 1934 Trade Agreements Act, as extended to June 30, 1958. The transfer was made under the General Agreements on Tariffs and Trade—GATT.

The Secretary of State has testified that the 1934 Trade Agreements Act included all the authority necessary to transfer the regulation of the foreign trade and the national economy of the United States to the 34 foreign nations whose representatives are sitting at Geneva as a part of the General Agreement on Tariffs and Trade.

THE 34 FOREIGN COMPETITIVE NATIONS REGULATING OUR FOREIGN TRADE

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. MALONE. I am happy to yield to the distinguished Senator from Pennsylvania.

Mr. MARTIN of Pennsylvania. Does the distinguished Senator have a list of the 34 countries which he can insert in the RECORD?

Mr. MALONE. The following foreign competitive nations sit in judgment on our foreign trade in Geneva—dividing our markets among themselves through multilateral trade treaties—under the General Agreement on Tariffs and Trade—GATT—through the authority granted them under the 1934 Trade Agreements Act.

THIRTY-FOUR FOREIGN COMPETITIVE NATIONS

Australia, Austria, Belgium, Brazil, Burma, Canada, Ceylon, Chile, Cuba, Czechoslovakia, Denmark, Dominican Republic, Finland, France, Federal Republic of Germany, Greece, Haiti, India, Indonesia, Italy, Japan, Luxembourg, The Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Peru, Rhodesia and Nysaland, Sweden, Turkey, Union of South Africa, United Kingdom, and Uruguay.

Mr. MARTIN of Pennsylvania. These items are all educational, and I think the American people should know the names of those countries.

Mr. MALONE. I think the people should know them; and I think Members of Congress should know them, and I further believe that the Members of Congress should understand that they have transferred their constitutional responsibility to regulate our foreign trade and national economy to the 34 competitive foreign nations at Geneva. I have worked over the problem for 11 years in the Senate.

UTTERLY UNBELIEVABLE—TRANSFER REGULATION TO GENEVA

It is utterly unbelievable, however, that the Members of Congress understood the full implications of their action when they voted on May 4, 1955, to extend that act for 3 years to June 1958.

They most certainly did not know that through the creation of another innocuous looking piece of international machinery now before Congress under the "come on" title of Office of Trade Cooperation—OTC—that once created, through its own manipulation the administration of the general agreements on tariffs and trade could be transferred to the United Nations, and operated on the principle of equal distribution of the production and consumption throughout all of the nations of the world.

ONE AT A TIME—EACH INNOCUOUS BY ITSELF

Mr. President, those things come along one at a time, each of them looking innocuous by itself.

There was a great President who had something to say on this subject. I shall quote him directly. He gave us the key to how we could recognize an overall plan coming along one part at a time.

It was Abraham Lincoln who said:

"We cannot absolutely know that all these exact adaptations are the result of preconcert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places and by different workmen, and when we see these timbers joined together, and see they exactly make the frame of a house or a mill, all the tenons and mortises exactly adapted to their respective places, and not a piece too many or too few, not omitting even scaffolding—or, if a single piece be lacking, we see the place in the frame exactly fitted and prepared yet to bring such piece in—in such a case, we find it impossible not to believe that all worked upon a common plan or draft drawn up before the first blow was struck."

THE FIRST LEGISLATIVE MOVE—THE 1934 TRADE AGREEMENTS ACT

When the 1934 Trade Agreements Act was passed, in an economic frenzy by a subservient Congress, it looked innocuous enough. It was said, "Let the President try to do this job for a while in the interest of economic recovery." Nobody seemed to know or care what might happen, and nobody seemed to know that hidden in that act was the authority for the President to transfer the constitutional responsibility of Congress to regulate the foreign trade and national economy to 34 competitive foreign countries. He could transfer the whole thing to Peking or Moscow tomorrow if he so desired. There may be 50 nations eventually that will be involved if they are accepted into that group. It will be remembered that Japan was only recently accepted into that restricted group. That laid the foundation for the destruction of the textile, crockery, and precision instruments businesses in this Nation. These nations sit around a table at Geneva, Switzerland, a city that most people who are not in the trade must check to determine exactly where it is located in the world, and they regulate our foreign trade and national economy. Through a continual lowering of duties or tariffs by the authority granted them by Congress through the 1934 Trade Agreements Act, those nations can make or break any production business anywhere in the United States of America for their own benefit.

They do break them, Mr. President. There is no comparison between the living standards, as the distinguished Senator from Georgia outlined between Georgia and Japan, for example, when there is practically free trade in textiles, which is destroying the textile industry in the United States.

UNITED NATIONS RESOLUTION

I have in my hand a resolution passed by the United Nations on February 20, 1957. That resolution should be warning enough to Members of Congress to read the whole script this time, beginning with 1934, instead of just passing the immediately proposed legislation which provides just another step in stifling the economic development of this Nation.

The proposed legislation of OTC merely follows the pattern already laid down, and is in line with the pattern referred to by Abraham Lincoln when he spoke about timbers, all exactly fitting, and not one too few or one too many. There must be a plan, Mr. President.

The United Nations is headed toward the regulation of our foreign trade and national economy through progressive legislation—on the basis of equal production and consumption in every nation in the world based on population. When they reach that control then that is what will happen.

Mr. President, I ask unanimous consent to have the entire United Nations resolution printed in the RECORD at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD as follows:

"1. Urges the governments of member states to continue their efforts to reduce existing barriers to international trade in a mutually satisfactory manner for the purpose of expanding such trade at the fastest feasible rate and, in particular:

"(a) To continue to work toward this objective through the international organizations which are working successfully for the expansion of world trade, and to continue to avail themselves of services offered in the field of trade by these organizations;

"(b) To reduce or remove restrictions and/or discrimination with regard to trade and payments as soon as their balance-of-payments and reserve positions permit, having due regard to the special problems arising from the economic development needs of the less developed countries;

"(c) To conduct their trade policies with due regard to their possible harmful effects on the economies of other countries, especially countries which are dependent on exports of relatively few commodities;

"(d) To follow internal economic, monetary, and fiscal policies which promote high levels of production, employment, and investment, keeping in mind the relationship between such internal policies and the possibilities of expanding world trade;

"2. Endorses Economic and Social Council Resolution 614 (XXII) of August 9, 1956, and requests the Council to continue to give particular attention to developments in the field of international trade;

"3. Looks forward with interest to the establishment of the Organization for Trade Cooperation and urges states members of the United Nations and members of the specialized agencies to act with a view to approving the agreement establishing the Organization for Trade Cooperation.

Source: United Nations press release, GA 1450, February 20, 1957."

by most of the State newspapers, including Republican and Democrat alike.

on a basis which will not endanger the living standards of the American working man

committees. It is before the Senate Finance Committee, of which I am a member.

Mr. MALONE. Mr. President, the resolution, in part, provides as follows:

"1. Urges the governments of member states to continue their efforts to reduce existing barriers to international trade in a mutually satisfactory manner for the purpose of expanding such trade at the fastest feasible rate and, in particular"—

I digress to say that no other nation needs a tariff or a duty to equalize wages. Our wage standard of living is the highest in the world.

"(a) To continue to work toward this objective through the international organizations which are working successfully for the expansion of world trade"—

They make these agreements without the people of the United States knowing anything about them. They are secretive. Congress is not allowed to know anything about it, until they are signed, sealed, and delivered. Then it is too late to object, since the agreement is already in effect for a definite period under the 1934 Trade Agreements Act—so-called Reciprocal Trade Act—as extended by Congress for 24 long years; and through that act they have transferred their authority to 34 foreign competitive nations.

The resolution continues:

"and to continue to avail themselves of services offered in the field of trade by these organizations.

"(b) To reduce or remove restrictions and/or discrimination with regard to trade and payments as soon as their balance of payments and reserve positions permit, having due regard to the special problems arising from the economic development needs of the less developed countries"—

As long as these nations can say they are still not as well off as we are, they do not have to meet these restrictions. They can sign a trade agreement which lowers duties and tariffs, and then install import permits and exchange permits, and every kind of restriction, including the manipulation of the valuation of their money in terms of the dollar.

THE DOLLAR-SHORTAGE CATCH PHRASE

That is where the dollar-shortage catchword was coined. They fix a price on their money in terms of the American dollar higher than the market price, and nobody will buy it at the fictitious price except a misguided American Congress who makes up the difference.

When they speak about barriers, what do they mean? They mean barriers to their trade. In the case of textiles, the difference in the wage standard of living between the people in the United States and the people in Japan, represented by a duty or tariff is the barrier about which they are complaining.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. MALONE. I am glad to yield to the Senator from Wyoming.

Mr. BARRETT. At the outset let me commend my distinguished friend from Nevada for his splendid statement this afternoon. I should like to make an observation. My State of Wyoming is the second largest producer of wool in the country. As a result of that situation we are intensely interested in the matter of tariffs. I have been concerned for some time because of the competition from offshore wool, particularly from Australia and from many other countries, including South Africa, as well as from woolen fabrics coming in from nearly every country on earth.

I may say to the Senator from Nevada that there was a time when our textile plants in this country were far superior to the plants anywhere else in the world, but since World War II we have furnished funds to foreign countries, with the result that practically every country on earth now has just as efficient plants with which to process wool and to make up fabrics as we have in this country.

I may say to my colleague that we in Wyoming are very much appreciative of the Wool Act. At the same time, we find that the competition from the imports of woolen fabrics is devastating, so far as the producers of wool in the United States are concerned. My information is that 184 wool-textile plants in the United States were closed in the period from 1947 to 1954. As a result, the employment in the textile mills of America has dropped 51 percent. There have been losses incidental thereto, such as in the manufacturing of machinery for those plants, and in other ways, as well. It is very difficult to determine the exact effect of the closing of these woolen mills.

As the distinguished Senator from Nevada has pointed out, it is extremely difficult for American manufacturers of wool products to compete with wool-manufacturing plants in Japan, when the Japanese manufacturers have machinery which is just as up to date as that which is used in this country. Also, the Japanese manufacturers employ skilled mechanics, but their payrolls are approximate 10 or 11 percent of what they are in this country. Because of that competition, it is impossible for American wool manufacturers to meet the prices of products coming from Japan, and also from a good many European countries, such as England, France, Italy, and some of the countries behind the Iron Curtain.

I have been considerably disturbed recently because of actions which are being taken by two different agencies of our Government. First, the Secretary of Commerce has sent a mission to Japan. That mission, as I have been told, has been urging the manufacturers in Japan to produce quality goods to compete with the products of the textile mills in the United States. The fact of the matter is that the competition from the low-paid, high-class labor in Japan will hurt America the most. We may end by having all the quality woolen mills in this country closing down if the Japanese manufacturers are permitted to export to the United States quality fabrics in unlimited quantities.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield so that I may make an observation?

Mr. BARRETT. With the consent of the Senator from Nevada, I shall be delighted to yield for that purpose.

Mr. MARTIN of Pennsylvania. We have heard much during this session of Congress about aiding small business in the United States. Many persons say that small business is the strength of our economy. The manufacturers of the textile goods mentioned by the distinguished Senator from Wyoming are generally small-business men, who employ a small number of very skilled workers. The foreign competition in woolen fabrics is damaging to concerns of that kind.

In my own State of Pennsylvania, an enormous amount of woolen goods used to be manufactured. Most of these factories are now closed, and there is no other kind of work suitable for workmen skilled in that field. They cannot go to work in a steel mill or a wire mill, and they cannot work in the mines.

So a great many of what we call small-business concerns in the United States are being destroyed because the Government is not taking into consideration the protection those industries need in order to enable them to compete with the importations now entering the United States.

Mr. BARRETT. I thank the distinguished Senator from Pennsylvania for that observation. The quantity of Japanese woolen fabrics imported into the United States has increased from 178,000 yards in 1951 to more than 6 million yards in 1956. I do not know the proportion of the increase, but I should suppose it is away up in the thousands.

We in the West are vitally interested in this matter, because the only market we have for the wool shorn from the sheep of Wyoming and the other Western States is the domestic mills of America. If the mills continue to close at the rate at which they have been closing in the past 10 years, we will not have any market for our wool after it has been produced.

Another item to which I wish to call the attention of my colleague from Nevada and my colleague from Pennsylvania is the proposal which is being made at present to make a change in the so-called Geneva wool fabric reservation. Under that reservation, it is provided that when the annual volume of imports exceeds by 5 percent the annual average of United States production of wool fabrics, the ad valorem duty may be increased from 25 to 45 percent. A hearing was held on that matter last fall, at which that provision was reaffirmed, and the administration took the position that it should stand on that basis.

I now understand that the State Department officials and other persons are proposing that the percentage be increased from 5 to 7 percent, so that additional imports may come into the United States before there will be any obligation to consider, at least, if not to impose, a higher ad valorem rate on the imported fabrics. That is very disturbing to me. I am very hopeful that the administration will see fit to maintain the agreements which were entered into under the Geneva fabric reservation, and will hold the figure to 5 percent. That is, if the importations exceed by 5 percent the annual average imports of previous years, then it will be necessary to give us some protection by increasing the duty, on the ad valorem basis, from 25 to 45 percent.

I appreciate the opportunity to make these observations and to tell the distinguished Senator from Nevada that I think he is rendering a very useful service in bringing these matters to the attention of the Senate. I hope the Committee on Finance will take a good, long look at proposals with respect to OTC and GATT before they bring them out on the floor.

HOPE OTC-GATT OR 1934 TRADE AGREEMENTS ACT NEVER REACHES FLOOR

Mr. MALONE. I join with the distinguished Senator from Wyoming, but I further hope that OTC and GATT will never get to the floor this year—and that the proposal to extend the 1934 Trade Agreements Act will never reach the floor next year. Would the distinguished Senator from Wyoming join with me in that hope?

Mr. BARRETT. I certainly would join with my colleague in that hope.

Mr. MALONE. I may say to the distinguished Senator from Wyoming that one of the things that has been done in the 24 years by our State Department, is to build an intricate mechanism for the regulation of foreign trade through the General Agreement on Tariffs and Trade and through the multilateral agreements, in various ways, so that it is almost impossible for anyone to understand what is happening.

All of this under the 1934 Trade Agreements Act which is the parent legislation for the international Socialist idea of division of wealth through division of our markets.

I point out to my distinguished friend from Wyoming that a sheep unit—a ewe and a lamb—can be produced in Australia for about 20 percent of what it can be produced for in the United States. Therefore, the only solution to the problem—and the same is true of 5,000 other products—is to return to the Constitution of the United

States in the regulation of our foreign trade and national economy, which provides that Congress shall regulate foreign trade and the national economy, and shall through the Tariff Commission, an agent of Congress, set duties, imposts, and excises for that purpose—methods to determine the difference in cost between an article produced in the United States and a like article produced in a foreign country, and to recommend that that amount shall be the duty. That will make up the difference in the wage standard of living; it will make up the difference in the cost of doing business in the United States and in the chief competing country, such as Australia.

I point out that we pay more in the United States for industrial insurance and social security than the competitive nations pay in wages.

Mr. President, I wish to call attention to paragraph 3 of the resolution adopted by the United Nations:

"The United Nations look forward with interest to the establishment of the Organization for Trade Cooperation, and urge the state-members of the United Nations and members of specialized agencies to act with a view to approving the agreement establishing the Organization for Trade Cooperation."

Mr. President, that is a tipoff that they expect to supervise, through the action of the same organization, if it is created, an organization, under the United Nations, which will control the trade of all the nations of the world.

CONGRESS SURRENDERED ECONOMIC INDEPENDENCE

Mr. President, in 1934—23 years ago, and 158 years following the Declaration of Independence—a subservient Congress surrendered the social and economic independence that Washington's Continental Army had left bloody tracks in the snow to gain. That surrender took place through passage of the 1934 Trade Agreements Act, named "Reciprocal Trade" by the economic one-worlders of the day. This act marked the betrayal and complete abandonment of the American workingmen and investors into direct competition with the sweatshop labor of old Europe and Asia. The Constitution pointedly separated the regulation of our foreign trade and national economy from the fixing of our foreign policy. The first was delegated to the legislative branch, and the second to the executive branch of our Government.

The 1934 Trade Agreements Act tied together the two jobs. As a result, both came under the executive branch for the first time since the adoption of our Constitution in 1789. Our economic independence of old Europe—declared in 1776, and guaranteed by the Constitution in 1789, under which we developed the highest standard of living in the whole world—lasted just a little more than a century and a half.

Twelve years ago, in 1947—171 years following the Declaration of Independence—the President of the United States transferred that constitutional responsibility of Congress to regulate our foreign trade and national economy, under article 1, section 8, of the Constitution, to Geneva, Switzerland, under the organization known as GATT, the General Agreement on Tariffs and Trade, which he caused to be organized under his claimed authority of the same 1934 Trade Agreements Act.

BETRAYED INTO THE POWER OF OLD EUROPE

Since that betrayal into the power of old Europe and Asia, 35 nations, of which we are one—each with 1 vote—have quietly proceeded to divide the American markets among themselves, through multilateral trade agreements, under the pretext of preserving the peace. It is utterly unbelievable that the Congress could have been coerced into transferring its constitutional responsibility to maintain the economic integrity of this Nation into the grasping hands of old Europe, but it is even more amazing that the 84th Congress in 1955 extended the act for 3 years. It now expires in June of 1958.

This Nation is now being blackmailed through continued threats of retaliation if we even attempt to regain our economic independence, guaranteed by the Constitution of the United States.

THE PROPOSED ITO, 1950—OTC 1956

The Congress refused to approve the International Trade Organization (ITO) in 1950, and it refused to approve the Organization for Trade Cooperation (OTC) in 1956; but the original authorization in the 1934 Trade Agreements Act was extended to 1958.

RETURN TO CONSTITUTION AND BILL OF RIGHTS

Mr. President, let us return to the Constitution and the Bill of Rights, the greatest man-made document in 5,000 years of recorded history, just as the 10 Western States, assembled at Salt Lake City on May 4, asked the Congress to do; and just as my own State, through its legislature and in editorials published in both Democratic and Republican newspapers, has requested.

Let us return to article 1, section 8 of the Constitution, which places directly upon the Congress, the legislative branch of our Government, the responsibility of regulating our foreign commerce and our national economy. If the Congress shall not extend the 1934 Trade Agreements Act in 1958, thereby reverting to the Constitution, as the resolution sets out, then the Tariff Commission, an agent of Congress, would be guided by the section 336 of the 1930 Tariff Act on principle which says:

"If the Commission finds it shown by the investigation that the duties expressly fixed by statute do not equalize the difference in the cost of production of the domestic article and the like or similar foreign article when produced in the principal competing country, the Commission shall specify in its report such increases or decreases in rates of duty expressly fixed by statute (including any necessary change in classification) as it finds shown by the investigation to be necessary to equalize."

NOT HIGH OR LOW DUTY—BUT FLEXIBLE

Mr. President, it will be noted that the principle of fair and reasonable competition is laid down in existing law—not a high or low duty or tariff but the flexible duty continually adjusted by the Tariff Commission to represent the difference in the effective wages here and in the chief competing country on each product—the duty would be lowered as their living standard improved—and when they approached our standard then free trade would be almost automatic and immediate.

It is time for the Congress—not the President of the United States, not 34 foreign competitive nations assembled at Geneva—to adjust the duties and tariffs, in the regulation of the foreign trade and the national economy of the United States just as the 10 Western States have requested—and just as the distinguished Senators, Mr. TALMADGE of Georgia and Mr. BARRETT of Wyoming have requested.

Mr. President, I yield the floor.

PEOPLE OF THE NATION STARTING TO THINK

Mr. MALONE. Mr. President, the people of the Nation are starting to think and to analyze the actions of Congress.

The Senator from Nevada has just inserted resolutions by the Young Republican National Federation—the ten Western States Republican Regional Conference—and by the Nevada Republican executive committee, on foreign trade and the national economy.

All have demanded that Congress regain its constitutional responsibility in the regulation of our foreign trade and national economy.

Mr. President, it is high time that Congress woke up and again asserted its responsibility in the three-branch Government created by the Constitution of the United States.

DISTRIBUTION OF FEDERAL FUNDS FOR MEDICAL AND OTHER REMEDIAL CARE

The Senate resumed the consideration of the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care.

Mr. THYE. Mr. President, if I may have the attention of the acting majority leader and the acting minority leader, may I ask if it is the intention to have further discussion of H. R. 7238 during this legislative day? The companion Senate bill is S. 1209. The minority views were filed in opposition to S. 1209. Is it the intention of the leadership to have further discussion of the bill today, if time permits?

Mr. MANSFIELD. It was the intention of the leadership to complete action on the bill this evening. I think there may be a better understanding now between the proponents and the opponents of the bill as a result of the debate which has taken place. We all recognize, of course, that there are differences between the House bill and the Senate bill. Very likely those differences could be ironed out or settled in some manner in conference.

Mr. THYE. In conference? In other words, does the Senator hope to have the Senate bill passed, and then to go to conference, and to have the differences between the House bill and the Senate bill resolved in conference?

Mr. MANSFIELD. That is what I am assuming. But it would be up to the Members of the Senate to decide whether or not the bill reported by the Committee on Finance was acceptable. If it was, I am quite sure that if there were discrepancies between the House bill and the Senate bill, a reasonable compromise could be reached which would be fairly satisfactory.

Mr. THYE. It is my hope, and certainly it will be my endeavor, to amend the Senate bill on the floor, if possible, in order to improve the bill, because at present it discriminates against Minnesota. As the bill reads at present, there would be a considerable loss to Minnesota, and to 14 other States, as well. That was my reason for making the inquiry.

I shall remain on the floor, if it is intended to resume consideration of the bill after the Senator from Oregon has completed his statement.

Mr. MANSFIELD. In view of the extended debate which has taken place on the measure, which is all to the good, and the fact that other Senators who have been waiting all afternoon have said they are willing to let their bills go over until tomorrow, if there is to be further debate on this particular measure at this time of day, I am prepared to make a unanimous consent request at the proper time that the bill be returned to the Calendar. I have withheld such a request in the hope that an agreement could be reached.

Mr. NEUBERGER obtained the floor.

Mr. DOUGLAS. Mr. President, the Senator from Oregon [Mr. NEUBERGER], who has the floor, has kindly consented to yield to me.

I think some fundamental points could be settled by having a voice vote on the committee amendment. I do not think that would take long. I shall not make any further statement. I shall vote against the committee amendment, in the hope that it will be rejected and that the House bill can be substituted for the Senate bill.

Mr. CARLSON. Mr. President, will the Senator from Oregon yield?

Mr. NEUBERGER. I yield.

Mr. CARLSON. As one Senator who signed the minority views, I had hoped that we could dispose of the bill this evening. I should like to have 5 or 7 minutes to make a record so far as the proposal affects Kansas particularly, and the Nation as a whole. Then I shall be prepared to vote. I shall certainly not ask for a yea-and-nay vote this evening. I hope there can be a voice vote.

Mr. KERR. Mr. President, how long does the Senator from Oregon believe his remarks will take?

Mr. NEUBERGER. Ten or fifteen minutes. Fifteen minutes at the outside.

Mr. KERR. Mr. President, I hope we may vote on the pending business, if there is no objection.

Mr. MANSFIELD. That will be perfectly acceptable, if that can be done.

Mr. JAVITS. Mr. President, I should like to state that the people of New York who have communicated with me regarding this matter—and there have been many—take the same position that the Senator from Illinois [Mr. DOUGLAS] and the Senator from Kansas [Mr. CARLSON] take. I wish to state that for the RECORD.

Mr. CARLSON. Mr. President, this is the first time during my service on the Senate Finance Committee that I have found it necessary to oppose the views of the majority of the committee.

I have associated myself with the Senator from Illinois [Mr. DOUGLAS] in the minority views on H. R. 7238. It is my firm conviction that unless H. R. 7238 is passed by the Congress, a number of States will be forced to curtail some of their medical-care programs, and the failure of its approval would further impose upon those States the need for adopting cumbersome and costly procedures with respect to program administration. Kansas is one of those States.

H. R. 7238 was designed to cure and eliminate some of the defects apparent in the medical-care program amendments to the Social Security Act included in Public Law 880 of the 84th Congress.

These 1956 amendments were presented to the States, and I believe to the Congress, as making available additional funds for the purchase of necessary medical care in public assistance programs.

It seems to me that the principal faults of the medical care amendments in Public Law 880 lie, first, in the fact that included with them is a return to the unrestricted money provision contained in the original Social Security Act; and, second, what I believe to be a narrow and restrictive implementation that the Department of Health, Education, and Welfare is giving to the new law.

Should Congress approve H. R. 7238, it would remedy both of these faults. I believe this is what the Secretary of the Department of Health, Education, and Welfare implied in his report to the chairman of the House Ways and Means Committee in May 1957. The Secretary stated:

> It should be noted, however, that States are free to meet more of the medical needs of recipients through money payments made directly to the recipients and to correspondingly reduce the payments for medical care made directly to doctors, hospitals, nursing homes, druggists, etc.

This same flexibility is assumed in the report of the chairman of the House Ways and Means Committee on H. R. 7238, and is further confirmed in the debate on the floor of the House when the bill was passed.

I think it should be mentioned, Mr. President, that the bill passed the House of Representatives on June 3, 1957, under a suspension of the rules, which requires two-thirds vote of the House.

Even if the broadest possible implementation of the 1956 amendments is made and the States are permitted to provide for medical needs either through the cash grants, through the new medical care program, or through a combination of the two, a most undesirable and uneconomical situation remains.

Operations under a program so implemented would necessarily include many examples of payment to the same vendor for the same service from two different sources, a part of the cost being provided to the public assistance recipient in his cash grant, and in turn paid by him to the vendor, and the balance paid directly to the vendor by the State agency from medical care funds.

This type of split payment would inevitably be unacceptable to many suppliers of medical services and would definitely serve to weaken program relationships with them.

Another very real consideration is the fact that the useless split payment device would materially increase State programs' clerical and accounting expenditures. Inasmuch as the State programs' administrative expenditures are shared equally by the States and the Federal Agency, and inasmuch as program administrative expenditures are currently a concern of the Congress, it is clearly to the advantage of all concerned to avoid increasing them at this time.

On the basis of present caseloads and present costs of program medical care, Kansas public assistance programs could expect to receive approximately $1,750,000 per year in Federal participation in the new medical care program. The Kansas programs have been, since October 1, 1956, receiving approximately $500,000 a year of Federal fund participation in the costs of medical care. As the new amendments are being interpreted by Department of Health, Education, and Welfare regional offices, Kansas could qualify for the $1,750,000 annual figure, but would lose the $500,000 now being received.

Under the broadest possible implementation and interpretation of Public Law 880, Kansas would receive the $1,750,000, and an undetermined portion, perhaps almost all of the $500,000, could, however, earn and qualify this last portion only at a very considerable increase in administrative expense and by means of constant imposition on the suppliers of medical service.

At the hearing before the Senate Finance Committee, it was stated by representatives of the Department of Health, Education, and Welfare that under the present law Kansas was receiving $500,000, that under the provisions of Public Law 880 Kansas would receive $1,750,000, and that under the proposal as approved by the Department of Health, Education, and Welfare and contained in the committee bill, Kansas would receive $1,750,000.

Under H. R. 7238, the Department estimated that Kansas could receive $2,250,000, or $500,000 more than either Public Law 880 or the alternate proposal by the Senate Finance Committee provided.

This means that States, including Kansas, now earning substantial sums of Federal participation, and potentially eligible for larger sums under the new program, would be forced to elect the new program.

It is my opinion that under neither Public Law 880 nor the alternate proposal would Kansas and other States receive the funds that were implied by the $6 and $3 formula in the 1956 amendments.

The Kansas Budget Division and the Kansas Legislature, in appropriating Kansas public assistance funds for the 1957–58 fiscal year, accepted the 1956 amendments at their face value. Both assumed that there would be additional Federal funds available to the extent of $3 per case per month for old-age assistance, aid to the blind, and aid to the disabled, and a correspondingly smaller amount per eligible individual in the aid to dependent children category.

State of Kansas funds were appropriated on this assumption. If the funds available under the new program are not in addition to the $500,000 per annum currently being earned, substantial reductions in Kansas public-assistance payments will be indicated in the fiscal year. Similar situations exist in other States. The passage of H. R. 7238 would eliminate these problems.

H. R. 7238 would guarantee to the States the right to take advantage of the funds which the Congress intended to make available to all the States in such a way as not to impose upon the States administratively costly and undesirable changes in their medical programs or accounting procedures, and would also insure that no States would incur any financial loss with respect to their public-assistance medical-care program.

It is my contention that the House bill would give Kansas an additional $500,000. I base that statement on the studies I have made. The Kansas Legislature, which met recently, enacted legislation to provide funds to take care of this additional sum of money. It occurs to me that Kansas is one State that will suffer enormously unless the House bill is passed.

I consider H. R. 7238 a sound approach to the problem that arose under the 1956 formula, and I hope the Senate will pass it.

Mr. KERR. Mr. President, I can understand the concern of some of the Senators from a few of the States that stand to be in a little less favorable position if the committee amendment before the Senate is sustained. In that regard, however, I wish to say that the bill came to the floor by a vote of 12 to 3 on the part of the members of the committee.

The bill as it comes to the floor was recommended by the Department of Health, Education, and Welfare in its testimony before the committee. Therefore, we ask that the position of the committee be sustained.

Mr. MANSFIELD. Mr. President, I dislike doing this, but I feel I should suggest the absence of a quorum, because the Senator from Minnesota is on his way to the Chamber. With that understanding, I will suggest the absence of a quorum, and will withdraw it as soon as the Senator from Minnesota arrives.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THYE. Mr. President, H. R. 7238, as passed by the House would allow the State of Minnesota to receive a traditional Federal matching-fund payment under the $60 program even though a part of the $60 payment were to be paid directly to the medical vendors instead of the recipient. That is most important, Mr. President, to the State of Minnesota and to the many other States which are in a similar situation. It is for that reason I hope the provision of the House bill will be retained.

I support the bill introduced by the Senator from Illinois [Mr. DOUGLAS], and agree with the minority views filed by him and other Senators.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Do I correctly understand that the question now before the Senate is the amendment of the Committee on Finance to the House bill?

The PRESIDING OFFICER. As amended.

Mr. DOUGLAS. As amended. And do I correctly understand that if a Senator favors the House bill he should vote "no," while if he favors the Senate amendment he should vote "aye."

The PRESIDING OFFICER. The Senator is correct.

Mr. MALONE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MALONE. If the amendment of the committee is adopted, inasmuch as it is different from the provisions of the House bill, then the bill will go to a conference between the two Houses, will it not, to determine whether the amendment shall stay in the bill?

The PRESIDING OFFICER. The bill will go back to the House, for action by the House, because the Senate is amending the measure completely.

Mr. MALONE. If the House accepts the amendment, there will be no conference, but if the House does not accept the amendment, then it will be necessary to go to conference?

The PRESIDING OFFICER. Either way, the bill will go back to the House.

Mr. MALONE. It will go back to the House, but if the House accepts the amendment, then the bill will go to the President.

The PRESIDING OFFICER. The Senator is correct.

Mr. MALONE. If the House does not accept the amendment, it will be necessary to send the bill to a conference committee of the two Houses, will it not?

The PRESIDING OFFICER. The Senator is correct.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act to give the States an option with respect to the basis for claiming Federal participation in vendor medical care payments for recipients of public assistance."

TAX REBATES IN ORDER TO MAKE STATE GOVERNMENT MORE EFFECTIVE AND EFFICIENT

Mr. NEUBERGER. Mr. President, once again, President Eisenhower has delivered to a governors' conference a speech proposing that many functions now performed by the Federal Government be left to the States.

This is only the latest expression of the desire to abandon Federal responsibilities, which has always been an unquestioned article of political faith with President Eisenhower, as with other leaders of the Republican Party. It is the kind of declaration which the President apparently feels he must repeat every so often as a matter of doctrine, and never subject to critical reexamination, regardless of the record of his own administration and his experience with the studies of the two previous commissions he charged with the task of reducing Federal functions.

It is characteristic of President Eisenhower to utter collections of high-sounding generalities which have little precise meaning or content, when analyzed. In his speech to the governors' conference, the President did not specify a single existing Federal program which should be turned over to State responsibility, although he did refer critically to Federal assistance in natural disasters and urban renewal. He merely asks for yet another commission to study what existing Federal responsibilities might be abandoned to the States.

The President's speech was specific in only one very telling respect. He said:

> This effort presupposes that Federal taxes would be cut more than State taxes would be raised to support the transferred functions.

Tax reduction, not concern for the structure of our Federal system, is the driving impetus behind these repeated attacks on Federal responsibilities. True, they are always accompanied by exhortations to the States themselves to assume the functions to be abandoned by the Federal Government. But let us have no illusions about which is the major premise and which is the minor: Reduction of Federal functions, not increases in State power and State budgets, is the controlling objective. When they get down to cases, it is always Federal programs in the fields of human welfare and social needs—such as old-age assistance, aid to dependent children, health programs, school lunches, funds for hospital construction and for schools in federally affected areas, public housing—which would be slated to be abandoned to State action, and rarely those which hold great financial importance for business, industry, and agriculture. It was the Eisenhower administration which sent to the Congress the greatest Federal highway-financing program in history; and I have not heard anything about turning, say, airport construction over entirely to the States.

Mr. President, having come to the Senate from the Oregon State legislature, I, myself, have long and often spoken of the necessity for our States to organize their tools of government and their fiscal resources more effectively to accomplish their essential functions. I quite agree that, if the States are to assume major programs of social responsibility which are badly needed, they must have revenues with which to do so. I therefore introduce today a proposal which will test whether the President really wants the States to be able to develop individually new programs to meet important governmental responsibilities, or whether he

merely wants these responsibilities abandoned by the Federal Government.

My proposal is to turn over to the government of each State, with no strings attached, a flat percentage of the Federal income taxes collected within that State. My bill calls for a return of 5 percent of Federal income-tax collections within each State to the State treasury; but another percentage could be chosen. Let me explain this proposal.

INDIVIDUAL STATES FEAR TAX COMPETITION

Mr. President, in speaking to the assembled governors, President Eisenhower drew the customary distinction between action by the Federal Government, on the one hand, and by the States, on the other. In this easy oversimplification lurks the fatal flaw of all pleas for turning over to State action essential and costly functions.

The States are not an entity to be placed in juxtaposition to the Federal Government. They are 48 different entities. They are in no way responsible for one another's acts. The States, looked at collectively, in distinction to the United States Government, cannot assume responsibilities for social programs, to relieve the Federal Government of that responsibility. Each individual State may or may not do so. And even should all of them agree on identical goals, the fiscal resources and capacity of the several States often make it impossible for them to carry out uniformly and successfully, functions which may be important to the whole Nation.

These are the two reasons why the Federal Government has increasingly taken the lead in initiating such programs of national importance, in establishing national standards for them, and in financing them either directly or through matching fund grants to the States. This has been necessary in order to provide some uniformity of social services to all Americans, and to equalize the burden among the different States with their very unequal wealth. President Eisenhower has himself recognized this principle in his version of the Federal School Construction bill, which would be weighted heavily in favor of the poorer States. If it was not for Federal programs and for Federal matching funds for State-administered programs, the many Western and Southern States which lack significant concentrations of industrial wealth would merely be cut loose from the national revenue-collecting system. The Federal Government alone has the power to tax for the national benefit the great manufacturing empires which are located in only about 10 or 12 wealthy States, and to which the people in the remaining States pay tribute in every manufactured article we buy or use.

Mr. CLARK. Mr. President, will the Senator from Oregon yield to me?

Mr. NEUBERGER. I am glad to yield for a question.

Mr. CLARK. Does the Senator from Oregon agree that, as between those 10 or 12 industrial States, there is such competition for the large manufacturing concerns that not one of them dares impose the taxes necessary to put through these programs, for fear of losing those manufacturing concerns to its neighboring States?

Mr. NEUBERGER. The Senator from Pennsylvania must be occult, because I was about to discuss that very point.

Mr. CLARK. I wonder whether, in reading the President's speech, the Senator from Oregon was struck by the suggestion that there be a task force to investigate three of these matters of Federal and State jurisdiction, in connection with which the hope is to return to the States, functions now carried out by the Federal Government; and I wonder whether the Senator from Oregon felt a little nostalgic and reminiscent, in that connection, as regards the directive given a few years ago to the Kestnbaum committee?

Mr. NEUBERGER. It seems to me that the President could save the effort and the money required for the task force, if he would only open the drawer at the White House and read the very able and thorough report made by the committee under Mr. Kestnbaum, which I believe Mr. Eisenhower originated.

Mr. CLARK. From the President's speech, I think one can only reach the conclusion that the President had not read that report.

Mr. NEUBERGER. I would hesitate to think that the President had not read it; but I believe it can be said—to judge by his speech—that he was not thoroughly familiar with it.

Mr. CLARK. I thank the Senator from Oregon for yielding to me.

Mr. NEUBERGER. I thank the Senator from Pennsylvania for his statement.

But, Mr. President, if equalization of burdens among the States justifies many Federal expenditures and matching-fund programs, it is not the whole story. Assumption of new programs and enlarged responsibilities is inhibited within our State governments, not only by the familiar opposition against new expenditures generally, but also by the argument that such expenditures, and the corresponding tax burdens, place a State at a competitive disadvantage, as compared with its neighbors or other States, so far as attracting industry, business, and venture capital is concerned.

In other words, when President Eisenhower proposes an abandonment of Federal responsibilities to the States, he closes his eyes to two facts: First, that the alternative to putting through the Congress a program of national significance is, not to put it through some mythical substitute called "the States," but to put it through 48 separate State legislatures, each of which is far more vulnerable to the pressures of the special economic interests within that State than is the national Congress; second, that within any one State, each proposed increase in the budget for new or improved programs of social progress is certain to be met with the scare cry that business and industry are being driven to other States which subordinate such programs to fiscal conservatism and economy.

Rightly or wrongly, this fear among the States of the competitive impact of State tax policies is being used throughout our country to impede and defeat the assumption by State governments of responsibility which the President urges upon them. In the legislative sessions held this spring, State taxes and finances were topic A. Massachusetts, Michigan, Minnesota, Pennsylvania were among the States in which State sales taxes and other sources of steeply increasing revenue needs were hotly debated. The impact of State tax policies on interstate economic competition is widely used as an argument for regressive taxation, and against matching taxes to the ability to pay.

GOP FIGHTS PROGRESSIVE TAXATION IN OREGON

In my own State of Oregon, the President's own Republican Party has consistently employed this argument in an effort to substitute a sales tax for the State's heavy reliance on a progressive income tax, patterned after the Federal income tax.

Oregon's State tax structure is among the most progressive in the Nation. Oregon families still pay no sales tax on the food they eat, the clothes they wear, the books they read, or their children's toys. But because Oregon has no sales tax, the progressive State income tax which raises half our revenue has become a noticeable and irksome burden. We are constantly reminded by Oregon business interests and their Republican spokesmen that Washington State has no individual or corporation income tax, collecting over 80 cents of every revenue dollar in the form of sales tax; that California raises less than one-fifth of its State revenue from income taxes and two-thirds by sales tax, and of similar comparisons with other States.

It is this roadblock to effective State action to which my proposal is addressed. That roadblock will not be removed by President Eisenhower's suggestion that Federal taxes be reduced so that States may pick up the major part of the revenue. One would have to be naive indeed about the ways of Government to believe that this would be a way to induce 48 State governments uniformly to carry out social programs which are to be abandoned by the Federal Government along with its tax revenues. The same groups who always applaud loudest any move to give up or reduce a Federal program, also fight hardest against State appropriations and taxes for carrying out the same program by State action. For example, the President must be aware of the vigorous fight the United States Chamber of Commerce has waged against his school-construction bill. Yet, has he ever heard of a similar fight by the chamber of commerce to have our State legislatures increase State taxes for school construction?

Mr. President, to place in true perspective the burden of State and local taxes on the people of the several States, I ask unanimous consent to place in the RECORD at this point a chart prepared for me by the Library of Congress. The chart illustrates by 5 columns the relationship between the relative wealth of the people of the individual States and the tax burden collected for the maintenance of their State and local governments: (1) per-capita income by States, (2) per-capita State taxes, however, collected, (3) per-capita local taxes, (4) total State and local taxes, per capita, and (5) percentage of personal income taken to support State and local government. Unfortunately, the latest figures available for local taxation were those for 1953, so the chart is based on that year; but the conclusions to be drawn from it no doubt remain applicable today.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Percentage of per capita personal income devoted to payment of State and local taxes in 1953, by State

State	Per capita personal income	Per capita State tax revenue	Per capita local tax revenue	Per capita State and local tax revenue	State and local tax revenue as a percent of personal income	State	Per capita personal income	Per capita State tax revenue	Per capita local tax revenue	Per capita State and local tax revenue	State and local tax revenue as a percent of personal income
Alabama	$1,081	$32.10	$23.17	$55.27	7.0	Nevada	$2,357	$93.36	$102.92	$196.28	8.3
Arizona	1,610	86.78	53.64	140.42	8.7	New Hampshire	1,576	50.12	103.91	154.03	9.8
Arkansas	968	54.63	21.50	76.13	7.7	New Jersey	2,224	37.04	105.82	142.86	6.4
California	2,196	100.22	90.83	191.05	*8.7	New Mexico	1,394	97.06	25.98	123.04	8.8
Colorado	1,745	77.87	76.90	154.77	8.9	New York	2,150	73.78	114.29	188.07	8.7
Connecticut	2,418	65.77	76.52	142.29	5.9	North Carolina	1,165	68.86	26.36	95.22	8.2
Delaware	2,482	75.66	29.42	105.08	4.2	North Dakota	1,225	74.12	69.14	143.26	11.7
Florida	1,556	81.45	60.82	142.27	9.1	Ohio	2,032	60.14	59.16	119.30	5.9
Georgia	1,246	62.04	33.99	96.03	7.7	Oklahoma	1,459	86.61	37.98	124.59	8.5
Idaho	1,487	64.76	69.44	133.20	9.0	Oregon	1,811	81.42	69.72	151.14	8.3
Illinois	2,185	57.69	78.98	136.67	6.3	Pennsylvania	1,892	55.76	57.19	112.95	6.0
Indiana	1,920	69.23	62.78	132.01	6.9	Rhode Island	1,993	68.75	37.88	106.63	5.6
Iowa	1,546	64.03	82.13	146.16	9.5	South Carolina	1,132	74.87	26.42	101.29	8.9
Kansas	1,641	68.55	75.69	144.24	8.8	South Dakota	1,331	54.31	83.49	137.80	10.4
Kentucky	1,224	47.29	32.25	79.54	6.5	Tennessee	1,219	56.94	31.25	88.19	7.2
Louisiana	1,296	101.96	32.46	134.44	10.4	Texas	1,550	54.64	50.31	104.95	6.8
Maine	1,455	64.14	67.18	131.32	9.0	Utah	1,528	67.58	60.83	128.41	8.4
Maryland	1,966	65.51	56.50	122.01	6.1	Vermont	1,441	74.24	63.39	137.63	9.6
Massachusetts	1,963	67.10	99.14	166.24	8.5	Virginia	1,481	53.93	36.21	90.14	6.1
Michigan	2,120	86.83	62.89	149.52	7.1	Washington	1,971	107.67	49.02	156.69	7.9
Minnesota	1,646	75.34	77.42	152.76	9.3	West Virginia	1,278	63.53	25.31	88.84	7.0
Mississippi	874	51.74	29.15	80.89	9.3	Wisconsin	1,770	71.46	83.83	155.29	8.8
Missouri	1,721	51.09	52.26	103.35	6.0	Wyoming	1,861	89.13	65.48	154.61	8.3
Montana	1,786	63.29	75.99	139.28	7.8						
Nebraska	1,578	44.22	75.94	120.16	7.6	Total or average	1,788	68.11	66.12	134.23	7.5

Sources: U. S. Department of Commerce, Bureau of the Census. State and Local Government Revenue in 1953, Series G-SS, No. 37, Oct. 27, 1954; State Government Finances in 1953, p. 9. U. S. Department of Commerce, Office of Business Economics. Personal Income by States Since 1929, pp. 142-143.

Mr. NEUBERGER. Mr. President, there are many different needs, peculiar to each of the 48 States, and many possible programs of State action in the public interest, which the individual State governments would undertake if they had the revenue.

As a former State senator in Oregon, I am thoroughly familiar with the urgent and growing needs for effective State programs; and I believe in State action to meet these needs, if State government can get the revenues. But State governments are under tremendous pressures not to go after those necessary revenues, or to seek them only by the most regressive and indirect forms of taxation, lest the State suffer adverse economic effects from a "flight of capital." I believe this spectre of interstate competition is largely illusory, but the illusion will persist.

The solution is not to abandon Federal revenues along with Federal responsibilities—as the President proposes—although that prospect is probably the chief attraction for those who will enthusiastically back his plan in the name of saving our Federal system of government. Rather, I submit, the solution is to give State government a new source of revenue which will be uniform among all the States, and which each may use for any governmental responsibility of its own choice, free from any Federal standards or supervision whatsoever. Such a source of revenue would be a given percentage, such as 5 percent, of the Federal income tax collected within the State itself—probably as progressive and as fairly and effectively collected a tax as we have in America. Each State could thus enjoy the benefit of progressive taxation to the extent of this percentage of the Federal income tax collected from its citizens—without any apprehension, at least to the extent of that sum, that some other, economically competitive neighbor State might attract wealth by means of regressive taxation and skimpy social-service budgets.

Mr. President, if President Eisenhower will endorse this proposal for additional revenues for State governments, then we may believe that his speech to the Governors' Conference was not concerned with Federal budget cutting first, and with effective State programs last.

CANADA USES NATIONAL TAX REBATES TO HELP PROVINCIAL GOVERNMENTS

There is in existence today good precedent which the President, and the Congress, can study in considering my bill. Other countries with federal forms of government confront the same conditions which we do, such as the absorption of revenue by growing national needs and the wide disparity among the fiscal resources left to local government. Thus, Canada since World War II has had a system of tax rebates from the National Government to the governments of the several provinces. Known as tax-rental agreements, the Canadian system offers these tax rebates to individual Provinces, in return for their giving up to the National Government certain sources of taxation. Australia, another federal state, has met the problem similarly.

These systems are different from my proposal, which is simpler. It involves no shift of wealth among the States. I propose no limitation whatever on the freedom of action of the individual States. Each may maintain whatever tax structures it desires. It may use the additional revenue for any public purpose its legislature may wish. My purpose is exclusively to strengthen, not to impair, the role of the States in meeting the needs of modern governments. But the Canadian tax-rebate system might well be studied as a precedent for what can be done with tax transfers to solve the fiscal problems of modern governments of divided sovereignty.

I wish to stress that my proposal does not imply the abandonment or reduction of any functions now carried out or supported by Federal funds. My plan would serve no useful purpose if it were misunderstood as a substitute for, rather than as an addition to, our present programs. Those programs should be maintained. What my proposed tax rebates would accomplish would not be to turn the clock back on Federal assistance, but to make it possible to slow down the rush toward further Federal aid for particular State and municipal functions beyond the capacity of present State revenue sources. Providing the States with this revenue will not solve all the shortcomings of our several State governments; but I believe, as President Eisenhower does, that it is the sine qua non of their revived effectiveness in our modern age.

Mr. President, I have spoken at length on this subject because the revival of vitality and responsibility in our State governments has long been of great interest to me. President Eisenhower's address to the governors' conference, I am convinced, approached the problem from the wrong end when it stressed the abandonment of Federal functions and of Federal taxes. This approach always marks those whose interest lies in less social responsibility rather than more—be it at the Federal level or in the States.

The alternative approach of helping the States financially to take responsible action of their own choice, free from the inhibiting fear of fiscal competition, is one which I first discussed at a conference on State government held at the University of California in Berkeley on October 27, 1955. I have given it much thought and study since, as my own State—which believes in good social services—has been squeezed between an economic slowdown and increasing costs of government, both largely caused by this administration's tight-money fiscal policies. In concluding my remarks, therefore, I ask unanimous consent that the following materials be included in the RECORD: Excerpts from my remarks at the University of California on October 27, 1955; the text of my bill; a memorandum by Mr. Raymond E. Menning, senior specialist in taxation of the Library of Congress, concerning the constitutionality of my proposal; and an article in the May 17, 1957, issue of U. S. News & World Report entitled "How Much Do Taxes Count in Locating Plants?"

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and other material will be printed in the RECORD.

The bill (S. 2407) to authorize an appropriation to each State of an amount equal to five percent of the individual income taxes collected in such State during each fiscal year, introduced by Mr. NEUBERGER, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year beginning July 1, 1958, and for each fiscal year thereafter, to each State an amount equal to five percent of the individual income taxes (computed as provided in this act) collected within such State during the preceding fiscal year.

SEC. 2. (a) The Secretary of the Treasury shall, on or before October 1, 1958, and on or before October 1 of each succeeding year, pay to each State the amount authorized to be appropriated to such State pursuant to the first section of this act.

(b) Payments to the States under subsection (a) shall be made on the basis of amounts of individual income taxes collected in the various internal revenue districts. The principal revenue officer for each internal revenue district shall report to the Secretary, in such manner and at such times as the Secretary shall prescribe, such information as the Secretary finds necessary to enable him to make payments under subsection (a).

SEC. 3. For purposes of this act, the amount of individual income taxes collected within a State during any fiscal year is an amount equal to—

(a) the total amount of individual income taxes collected in the internal revenue district or districts in such State during such fiscal year, less

(b) the total amount of credits, refunds, and abatements allowed or paid in such internal revenue district or districts with respect to overpayments of individual income taxes during such fiscal year.

SEC. 4. For purposes of this act—

(a) The term "individual income taxes" means—

(1) the tax on the income of individuals imposed by chapter 1 of the Internal Revenue Code of 1954;

(2) the tax on the income of nonresident alien individuals and certain partnerships imposed by chapter 3 of such Code; and

(3) the tax on the wages of individuals imposed by chapter 24 of such Code.

(b) The term "State" means the various States, the Territories of the United States, and the District of Columbia.

The material presented by Mr. NEUBERGER is as follows:

SUMMARY OF REMARKS OF SENATOR RICHARD L. NEUBERGER, OF OREGON, ON "20TH CENTURY LEGISLATURES FOR 12TH CENTURY PROBLEMS" AT THE CONFERENCE ON STREAMLINING STATE LEGISLATURES, UNIVERSITY OF CALIFORNIA CAMPUS, BERKELEY, CALIF., OCTOBER 27, 1955

STRENGTHENING STATE SOURCES OF REVENUE

In a way, money is the proverbial root of all evil in State government. I have already mentioned that not enough money is spent on executive and legislative salaries and on the research and clerical machinery of the legislature. But in a far more substantive way, the lack of financial resources as compared with those of the Federal Government is at the bottom of the present low standing of State government. The fact has become widely recognized that the dangerous debility of the States in our modern Federal system reflects the fiscal strains created by the heavy revenue demands of necessary national expenditures.

In part, this condition merely reinforces the ever-present resistance to increased State taxes. In addition, in using their powers to reach their still substantial remaining sources of revenues, the individual States often are inhibited by the necessity—real or not—of competing with their neighbors in offering attractive conditions to the investment of capital and the expansion of business within their borders.

Thus, for example, Oregon, nestled among States which rely upon substantial sales taxes for a major portion of their annual revenue, is one of the tiny fraction of States which has so far eschewed this regressive form of taxation. Oregon, instead, has one of the heaviest progressive State income taxes in the Nation. Standing by itself, Oregon's tax structure is unquestionably more desirable than that of the great majority of States. In the actual geographical context, however, our relatively progressive tax system gives rise to continual apprehension about the effect it is having on the economic expansion of the State and, thus, indirectly on the burden of the average taxpayer himself.

There is no doubt that it can lead to some unusual results. Wealthy men who play our important role in Oregon business or industry can avoid paying our State income tax on their earnings and profits by maintaining their offices in downtown Portland but living and voting across the Columbia River in the State of Washington. Needless to say, they can avoid almost all of Washington's sales tax by buying their groceries, their clothes, their jewelry, even their refrigerators and washing machines, tax free in Portland. I might add that this comfortable arrangement does not prevent some of these financial leaders from playing very important roles in shaping the government and politics of our State.

Diversity in tax laws, as in other laws, is of course, of the essence of federalism, and I know no easy solution to the interstate competition in tax laws that so restricts the effective functioning of State government. One possible approach is suggested by the experience of Canada with the Dominion-provincial tax agreements.

In 1942, as a war-time measure, the Federal Government of Canada took over for itself certain sources of taxation previously shared by the provinces in return for entering into agreements with the individual provinces to recompense them at least equally for the sums they might have themselves collected. Because of the greater efficiency of Federal tax administration, it was possible for the Federal Government to offer the provinces a little more than they might have obtained by their own collections.

Since the war, this system has been extended for two 5-year terms, the second of which will run out in 1956. At the present time, all provinces except Quebec are parties to "tax rental agreements," and conferences are now being held to consider their future.

Experience has shown that about 8 percent of total Dominion tax collections are turned over to the provinces under the tax rental agreements, which furnish the provinces with fractions ranging from one-fifth (Alberta) to one-half (Prince Edward Island, Manitoba) of their total revenues. The average is 25 percent.

I do not suggest the adoption of the specific Canadian system of tax rental agreements in the United States. For one thing, I think it is both unnecessary and contrary to the desired objective of strengthening State governments to require the States to give up any of their own taxing powers. A simpler, more direct proposal might be to have the Federal Government turn over to each State, without any strings attached, a flat percentage—say 10 percent—of the Federal income taxes collected within that State. Such a plan would give each State a basic source of income reflecting its own economic strength, free from any apprehension of competitive disadvantage vis-a-vis neighboring States. It would not be subject, as the Canadian system is, to criticism as a hidden form of redistributing national wealth among the States. Unlike grants in aid, it would leave State government, whether progressive or reactionary, absolutely free to experiment in the performance of State functions.

I do not know whether this particular approach is the right one, or whether it might be politically feasible. I am told that the Canadian tax rental agreements have won widespread approval and are likely to be renewed for the future. And I do believe that no study of State government is complete that does not come to grips with this central problem of permitting State government to raise the revenues that are the indispensable tool of providing community services without fearing the loss of the State's business and industrial future to less progressive neighbors.

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D. C. January 2, 1957.

To: Hon. RICHARD L. NEUBERGER.
From: Raymond E. Manning, senior specialist in taxation.
Subject: Sharing of Federal income tax with States.

This is in response to questions 1 and 5 of your memorandum of November 20, re sharing of Federal income-tax collections with the States.

1. Constitutionality of sharing arrangement: Question 1 asked for a statement on the constitutionality of a statute turning over Federal tax revenues to State governments without any limitation on the purposes for which the money may be used and without any Federal control over its spending. The quick answer is that no basis is believed to exist for a successful challenge of any such statute. This position would seem to be doubly sure if: (1) All collections from the income tax continues to be paid into the general fund; and (2) a separate statute makes provision for a periodic payment to each State, the payment to be measured by Federal income-tax collections therein.

PERTINENT CONSTITUTIONAL PROVISIONS

There is no pertinent provision in the Constitution which precisely lays down the scope of, or limitations on, the power of Congress to appropriate funds. However, any examination of the appropriating power requires consideration of article 1, section 8, clause 1, and article 1, section 9, clause 7.

The first of these empowers Congress "* * * to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States * * *." The second provides that "No money shall be drawn from the Treasury, but in consequence of appropriations made by law * * *."

The possible application of the first is developed later; the application of the second can have no pertinency here so long as the money paid to the States is made pursuant to an appropriation enacted by Congress.

STATUTORY PRECEDENTS

Over the years, Congress has by numerous statutes appropriated sums of money to be distributed among the States to be used by them for purposes specified in the enacting statute. None of these statutes has ever been successfully challenged. In fact, the Supreme Court has held that neither an individual nor a State had a sufficient interest to challenge the constitutionality of such a statute, *Forthingham* v. *Mellon*, and *Massachusetts* v. *Mellon* (262 U. S. 447 (1923)).

In addition to this type of statute Congress has for several years directed that funds equal to revenues from certain taxes shall be made available to the States for designated purposes; e. g., proceeds of excise tax on firearms, shells, and cartridges to be used for wildlife restoration (U. S. C., title 16, sec. 669–669j), and excise tax on fishing rods, creels, etc., for fish restoration and management projects (U. S. C., title 16, sec. 777–777k). And during 1956, the Congress directed the creation of a trust fund of amounts equivalent to collections of gasoline and certain other taxes on motor vehicles, the proceeds to be used for Federal highway aid (act of June 29, 1956, Public 627, sec. 209).

A limited search, however, has developed, no instance of a Federal appropriation for distribution among the States for any purpose the States may determine. Perhaps the most analogous instance was the distribution in 1836 and 1837 of the surplus in the United States Treasury. The authorizing statute, act of June 23, 1836, did not in so many words actually appropriate the money to the States, but in effect this was the result. The act in its own words provided for the deposit of the surplus with the States in proportion to representation in Congress, and contained a provision for its repayment to the Treasury on demand, but the result was the same as an outright gift. Apparently no court case was instituted to challenge the statute.

Note may also be taken of certain Federal taxes collected in United States possessions and paid into the treasuries of those possessions. For example, receipts from the processing tax on coconut oil produced in American Samoa and Guam (and also in the Philippines prior to 1946) are paid into the respective treasuries (I. R. C., sec. 7654). After operating revenues are deducted, the revenues from United States custom duties, taxes, and fees collected in Puerto Rico and the Virgin Islands are transferred to the treasuries of those possessions (e. g., I. R. C., sec. 7651–7652); U. S. C., title 48, sec. 734, 740, 1401c). Additional provisions relate to taxes on certain drugs (I. R. C., sec. 4735, 4762).

PERTINENT COURT DECISIONS

It may be said at the outset that no act of Congress appropriating funds to the States has ever been held unconstitutional. However, the Supreme Court in the Butler case passing upon the Agricultural Adjustment Act of 1933, made several pertinent observations. The act, it will be remembered, authorized the Secretary of Agriculture to enter into adjustment agreements with farmers for the reduction of acreage of certain basic agricultural commodities, and imposed so-called processing taxes the proceeds of which were made available for the payment to farmers of benefits under the agreements.

The Court held the act unconstitutional on the ground (among others) that it was not a valid exercise of the Federal spending power under the general welfare clause since the act, although providing for agreements voluntary in form, was an attempt to coerce through economic pressure, and, even if not coercive, was at best a scheme for purchasing with Federal funds submission to Federal regulation of a subject reserved to the States. *U. S.* v. *Butler* (297 U. S. 1). The decision then pointed out—and it is this that is particularly relevant—the power of Congress to authorize expenditures impliedly conferred by the general welfare clause, is not limited by the direct grants of legislative power found in other clauses of the Constitution, but is limited in that Congress is required to act merely in furtherance of general or national purpose as distinguished from particular or local purpose.

The limiting words of the Supreme Court in the *Butler* case are about as strict as may reasonably be expected from the present or a future Supreme Court. In fact, there are those who consider that that decision has in effect been largely overruled, or at least reduced to narrow proportions, e. g. *Steward Machine Co.* v. *Davis* (301 U. S. 538 (1937)) sustaining the tax on employers to provide unemployment benefits.

One also finds such broad language as that rendered in a Federal district court decision declaring that the purpose of Congressional appropriations, and the terms and conditions under which they are made, is a matter solely in the hands of Congress, and it is the explicit duty of the executive branch to comply therewith, and any attempt by the judicial branch to interfere therewith would be a plain invasion of the constitutional power of Congress. *Spaulding* v. *Douglas Aircraft Co.* (60 F. Supp. 985, affirmed 154 F. 2d 419).

As applied to the tax on coconut oil coming from the Philippines, question was raised concerning the validity of the tax. The Supreme Court in upholding the tax, *Cincinnati Soap Co.* v. *United States* (301 U. S. 308 (1937)), said:

"It [the tax] is said to be bad because it is earmarked and devoted from its inception to a specific purpose. But if the tax, qua tax, be good, as we hold it is, and the purpose specified be one which would sustain a subsequent and separate appropriation made out of the general funds of the Treasury, neither is made invalid by being bound to the other in the same act of legislation. The only concern which we have in that aspect of the matter is to determine whether the purpose specified is one for which Congress can make an appropriation without violating the fundamental law. If Congress, for reasons deemed by it to be satisfactory, chose to adopt the quantum of receipts from this particular tax as the measure of the appropriation, we perceive no valid basis for challenging its power to do so."

CONCLUSION

In the light of the various decisions and long established Federal practice, the only way that a statute such as that contemplated is likely to be held unconstitutional would be to find that such an appropriation did not provide for the "general welfare." To requote the language of the *Cincinnati Soap* case, "The only concern which we have * * * is to determine whether the purpose specified is one for which Congress can make an appropriation without violating the fundamental law." Further, implicit in continuance of our Federal form of Government is continuance of strong and financially sound States. It can be argued with considerable force that the Federal Government—because of its "usurpation" of available revenue sources—has virtually closed the door to any successful major levy on these same sources by the States. It seems logical therefore to suppose that the Federal Government could so adjust its own rates that the States could share in the collections of the income or any other Federal tax. It would be extremely difficult to show that any such sharing violated our "fundamental law" or was contrary to the "general welfare" when its very purpose is the preservation of the Union which the Constitution established.

Finally, it may be noted that although numerous persons and organizations have proposed the sharing of revenues from certain taxes with the States, none of the proposals examined has considered the existence of any constitutional problem. Similarly, opponents of such sharing have based their opposition on other than constitutional grounds.

5. Payments by Federal Governments to States similar to payments under Canadian tax-rental agreements: There are numerous instances of Federal grants to States, but the most significant comparison with the Canadian system is to be found in Australia. There the Commonwealth, since 1942, has been the sole income-tax levying authority. Prior to that time, each State and the Commonwealth imposed its own income tax. It had been suggested in 1940 that the States, as a war emergency measure, should vacate the income-tax field in favor of the Commonwealth, but no action resulted. In 1942, the Commonwealth offered to make annual reimbursements to the States if they would cease to levy their own income tax, but the offer was rejected. The Commonwealth, notwithstanding State objection, enacted the necessary legislation effectively eliminating the States from the income tax and providing substitute reimbursements. The High Court of Australia upheld the act as constitutional. The original legislation was due to expire on June 30, 1946, but the Commonwealth announced its intention to continue it. However, as a result of conferences between Commonwealth and State representatives, a new formula of reimbursements—based largely on population factors—was written into the legislation. In addition, each year since 1949–50, special financial assistance grants have been made by the Commonwealth to supplement the tax reimbursements. The total budget estimates for tax reimbursements for fiscal 1957 amount to £153.6 million ($342.5 million), while other payments amount to £88.2 million ($196.7 million); the total is thus £241.8 million ($539.2 million).

The Australian system has been described as "less successful" than that in Canada, and has given rise to "most unfortunate" political consequences. In 1952, the Commonwealth actually indicated that it favored the restoration of the taxing powers to the States, but a conference to work out plans resulted in a deadlock.

[From the U. S. News & World Report of May 17, 1957]

HOW MUCH DO TAXES COUNT IN LOCATING PLANTS?

Do low State and local taxes really attract new industrial plants? Do high taxes repel industry?

Many business executives insist that taxes play a big part in their decisions to locate plants in one place or another.

Now a new study—by a group of businessmen and college faculty members—throws some light on this issue.

The tough problem of raising State and local tax revenues without scaring off new industries that can help pay the tax bills is getting attention these days in cities, counties, and State capitals all across the country.

Most States and their local governments are hard up for the money to meet insistent demands for more and better schools and roads, improved sewer and water facilities, better mental hospitals, and the like.

American industry, at the same time, is branching out, expanding, building more new plants than ever before in history. There's plenty of new taxpaying industry for almost any State or locality to acquire if the right combination of lures is offered.

Lighter taxes are being seized upon as one device for creating a more attractive climate for business. Officials—and economists—are not at all sure how big a part taxes play in the selection of industrial sites. Yet governors, mayors, and county boards have been naming tax-study commissions by the dozens and instructing them to come up with surefire formulas for tax programs that will raise revenue without repelling new businesses.

In North Carolina, a State tax commission recommended sweeping changes in the State's tax structure to make corporation levies "competitive" with those of other States seeking new industries.

Minnesota's Governor, accepting a similar commission's recommendations for 60 tax changes, endorsed the group's statement that "it is our unanimous conviction that the program as a whole will give Minnesota a vastly improved tax system," and provide "a better tax environment for business in Minnesota."

In Massachusetts, the Governor calls attention to that State's financial crisis, while the Federal Reserve Bank of Boston suggests that taxes on industry are too high in that State and nominates the sales tax for any new revenue-raising program there.

In Michigan, new proposals for stiffer taxes on corporations have involved Gov. G. Mennen Williams in public controversy with the auto industry—a key industry in Michigan's economy. A General Motors official reminds the Governor that many of GM's new plants already have been built in other States.

While all this goes on, the country's expanding suburban communities are deep in study of ways to attract the industry needed to balance their local economies. Some, particularly in the South, are offering industry special inducements in the form of specific tax exemptions.

One of the fastest-growing suburbs—Fairfax County, Va., just outside Washington, D. C.—has reversed a decision to adopt a business-license tax. The telling argument was that the tax might handicap small firms getting a start in the county.

The big issue involves the question of how important high or low taxes really are in influencing the selection of new industrial sites. The question has been raised in all, or most, of the campaigns to attract industry with tax favors.

The president of General Motors, Harlow H. Curtice, indicates that taxes play a major role in decisions as to where that particular corporation builds its new plants.

"The present level of business taxation in Michigan," Mr. Curtice is quoted in the Detroit "Free Press" as saying, "has already led us to locate plants in other States, where the taxes per General Motors job are less than one half of the present taxes per job in Michigan . . . This also will be taken into consideration in the placement of additional plants."

Governor Williams takes the other view. Big business, he says, has been threatening to move out ever since a corporation tax first was proposed in Michigan in 1949. "There is no indication of grass in our streets," he notes, "and there won't be."

A new survey of this issue, "Taxes and Plant Location in Michigan," has just been completed by the Michigan Executive Study Group, made up of business executives and faculty members of the University of Michigan.

What this group concludes is that "taxation as a factor in industrial location is rarely of primary importance." Taxes, in other words, need to be taken into account and usually are, "but rarely will this factor alone be the deciding issue in a location decision."

The Michigan group bases its findings on its own survey of industrial development in Michigan, and on a study of dozens of other surveys of the tax issue made in other States and communities around the country.

State taxes, in particular, the group finds, are relatively unimportant in plant location decisions. In fact, the report states, "it is particularly clear that at the State level no clear relationship between tax burdens and industrial growth can be shown."

Michigan, it's admitted, "must be classed as a high-tax State by most standards." Also, it is agreed, "Michigan today is growing industrially at a rate less than that for the Nation as a whole and less than the rate for some of its competitors in the east-north-central region."

However, the main reasons for the slower growth in Michigan, the group finds, are not in the field of taxation.

Local taxes, the group finds, may be more significant than tax burdens at the State level in influencing the location of industry. While the major nontax factors are more likely to determine the State or region in which a plant will be built, the local tax situation may play a fairly important role in a company's decision on where to locate within a State.

"Nearby communities more or less equal in other cost respects," notes the report, "may differ enough in tax rates and assessment practices to make one appear more favorable than the other would be."

Even in this case, the group finds, industry may be inclined to pay too much attention to apparent differences in tax burdens.

Tax differences themselves may be illusory. It's difficult, the group finds, to measure tax burdens precisely, particularly for property taxes. Assessment practices, for example, vary from community to community and can confuse comparisons.

Even where local taxes really are relatively low, the Michigan group warns, this does not always mean low costs for business. The company that selects low-tax community A may find that it must, at its own expense, provide itself with community services that are offered publicly in higher tax community B.

Future taxes, rather than present burdens, are found to be more important to industry than some business executives realize.

"The likelihood that taxes will remain stationary is slight," says the Michigan study group, but "the task of forecasting what future taxes will be depends on so many variables that it is at best an uncertain undertaking."

This factor is given importance in the movement of industry out of big-city confines into surrounding suburban areas. Shifts from Detroit into its suburbs, the group finds, are being blamed on high taxes in the city, as well as on the need of industry for more space.

Vanishing differentials: Trouble with these efforts to escape high taxes, says the Michigan report, is "that tax differentials available to industry by locating outside the boundaries of high-tax communities tend to disappear rather quickly." It seems that industrial expansion in an outlying community may be followed by population growth that results in demands for all kinds of improved and costly community services.

The report cites the case of "suburban communities near Detroit, where the recent influx of population and the high birth rate will impose tremendous burdens on the school system and on other public services."

Taken in perspective, the group says in summary, "the consideration of tax burdens appears to be most fruitful for the manufacturing corporation after the choice of locations has been narrowed to a few communities, in order to determine 1 or 2 sites at which costs of operation can be kept at a minimum."

Mr. NEUBERGER. Mr. President, in conclusion, I should like to say that I appreciate the privilege of having addressed the Senate on this important subject at the time the Senate was presided over by the former distinguished Governor of the State of Ohio [Mr. LAUSCHE], one of the great States of the Union, because his presence here, as well as the presence of other governors who now serve in the Senate, is a symbol of the interlocking relationship between the States and the Federal Government, and this relationship must be solved financially and with respect to the particular sovereignty of the realm of government involved.

Mr. President, I yield the floor.

PROPOSED AMERICAN MEAT INSTITUTE AMENDMENTS TO S. 1356

Mr. WATKINS. Mr. President, last Friday the Subcommittee on Antitrust and Monopoly ordered S. 1356 reported to the full Judiciary Committee. This bill would amend the Packers and Stockyards Act of 1921 and the Federal Trade Commission Act so as to return to the FTC, where it was before 1921, jurisdiction over unfair trade practices in the meatpacking industry. Violations complained of are under title II of that act.

Among the reasons which caused the Senator from Wyoming [Mr. O'MAHONEY] and me to introduce this bill to return such authority to the FTC, is a need to prevent food chains and other firms from: First, buying an interest in a meatpacking plant; and/or, second, acquiring facilities to merely process carcass animals for retail sale, and thereby escape the jurisdiction of the FTC as to its trade practices.

On April 4, 1957, I invited the Senate's attention to the fact that Food Fair Stores, Inc., had petitioned the FTC to dismiss a complaint filed against it for an alleged unfair trade practice under section 5 of the FTC Act on the grounds that it was a packer within the meaning of that term as defined by the Packers and Stockyards Act of 1921. On April 18, 1957, I invited the Senate's attention to the fact that on that same day a FTC hearing examiner had ruled in favor of upholding this Food Fair petition, since, in his opinion, this firm was a packer and thus subject to the Packers and Stockyards Act.

That act defines a packer as—

Any person engaged in the business (a) of buying livestock in commerce for purposes of slaughter, or (b) of manufacturing or preparing meats or meat food products for sale or shipment in commerce, or (c) of manufacturing or preparing livestock products for sale or shipment in commerce, or (d) of marketing meats, meat food products, livestock products, dairy products, poultry, poultry products, or eggs, in commerce; but no person engaged in such business of manufacturing or preparing livestock products or in such marketing business shall be considered a packer unless—

(1) Such person is also engaged in any business referred to in clause (a) or (b) of this section, or unless;

(2) Such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, by himself or through his agents, servants, or employees, any interest in any business referred to in clause (a) or (b) of this section, or unless;

(3) Any interest in such business of manufacturing or preparing livestock products, or in such marketing business is owned or controlled directly or indirectly, through stock ownership or control or otherwise, by himself or through his agents, servants, or employees, by any person engaged in any business referred to in clause (a) or (b) of this section, or unless

(4) Any person or persons jointly or severally, directly, or indirectly through stock ownership or control or otherwise, by themselves or through their agents, servants, or employees, own or control in the aggregate 20 percent or more of the voting power or control in such business of manufacturing or preparing livestock products, or in such marketing business and also 20 percent or more of such power or control in any business referred to in clause (a) or (b) of this section. (August 15, 1921, ch. 64, sec. 201, 42 Stat., p. 160.)

Section 406 (b) excludes a firm so defined from FTC jurisdiction by providing that—

On or after the enactment of this act, and so long as it remains in effect, the Federal Trade Commission shall have no power or jurisdiction so far as relating to any matter which by this act is made subject to the jurisdiction of the Secretary, except in cases in which, before the enactment of this act, complaint has been served under section 5 of the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, * * *" (Aug. 15, 1921, ch. 64, sec. 406, 42 Stat. 169; 7 U. S. C. 227).

The basis of Food Fair's petition was that since it owned a meat-packing plant, its entire operations—retail grocery business, which amounted to $475 million in 1956, and its packing plant which, by comparison, did $25 million worth of business—were exempt from FTC supervision. This was urged in spite of the fact that its alleged violation of section 5 of the FTC Act was in connection with the grocery-store operations rather than its meatpacking operations. If the FTC upholds this ruling of the hearing examiner, as I said on that and other occasions, we can expect to see further reliance upon this broad legal definition of a packer by firms who seek to escape prevention of unfair trade practices by the FTC.

In support of this contention, I should like to point out that on June 18, 1957, the Giant Food Shopping Center, Inc., a corporation which operates a chain of 36 supermarkets here in the District of Columbia, Virginia, and Maryland, petitioned the FTC to dismiss a complaint issued under section 5 of the FTC Act against it by the FTC on November 21, 1955. A supplemental complaint was filed May 14, 1957, alleging that it had engaged in additional unfair trade practices prohibited also by section 5 of the FTC Act.

Mr. President, Giant Food Shopping Center does not even own a packing plant, as does Food Fair Stores, or even have a 20-percent interest in one. All it owns are facilities to prepare retail cuts of meat from carcasses of steers, calves, lambs, and so forth, purchased from bona fide packers for sale in its 36 stores. This is pointed out by its petition, which states in part:

At the time of delivery, these carcasses are not in the form in which they are merchantable to the public at retail in respondent's stores. Hence, the respondent, to make them marketable, must prepare them by trimming, fabricating, cutting, slicing, grinding, mixing, and otherwise manufacturing and/or preparing meat and/or meat food products from these carcasses or portions thereof. Having done this, respondent, in its stores, prices the meat and meat food products thus manufactured and/or prepared, packages them, places them on sale, and sells them to the consuming public (p. 3).

The background of this action by Giant Food Shopping Center clearly indicates, Mr. President, that in taking this action this food chain was motivated by the hearing examiner's ruling in the Food Fair case. A letter to Mr. Robert R. Rolnick, attorney for the Giant Food Shopping Center, from Mr. Edward L. Thompson, Acting District Supervisor, Packers and Stockyards Branch, Livestock Division, USDA, makes these facts plain: On June 17, 1957, the day before this corporation filed its motion with the FTC, Giant Food Shopping Center delivered to the Packers and Stockyards Branch an executed copy of the report form the USDA requires of all packers. That very day the District Packers and Stockyards Branch office reviewed that report and under that date informed the Giant Food Shopping Center by letter that, because it was "engaged in the business of manufacturing and/or preparing meat or meat food products for sale or shipment in the District of Columbia," it was a packer subject to the jurisdiction of the Packers and Stockyards Act.

On the next day, June 18, 1957, the motion to dismiss the complaint was filed with the FTC. Referring to the Food Fair case the petition states:

In the most recent of these matters, Food Fair Stores, Inc., supra, the hearing examiner in his initial decision, relying on *Armour & Company*, supra, and *United Corporation* v. *FTC* (110 F. 2d 473 (C. A. 4, 1940)), dismissed the complaint against Food Fair in which the Commission had alleged violations which were virtually identical to those alleged against this respondent. Especially interesting is the hearing commissioner's specific finding with respect to the latter:

"Express findings on this motion then are:

"1. Respondent comes within the definition of 'packer' as set out in title 7, United States Code, section 191, not only as to its Elizabeth, N. J., plant but as an entity."

The stampede seems to be on. It is not too far fetched to expect that every restaurant chain in America could escape FTC jurisdiction over its trade practices by this route. Likewise, it appears that any corporation which buys carcass animals and retails the meat through cafeterias or restaurants to its employees, or the public, could qualify as a "packer" under the present law.

Why have Food Fair Stores, Inc., and now the Giant Food Shopping Center sought to cloak themselves with immunity from FTC jurisdiction by such legal maneuvers? The only answer can be that since S. 1356 was introduced on February 25, 1957, as a bipartisan attempt by Senator O'MAHONEY and myself to correct this situation, these firms have learned that the virtual nonenforcement of the packer provision of the Packers and Stockyards Act of 1921 by the USDA is preferable to the effective regulation of the FTC. What facts are available to support this statement? Namely, these:

First. The USDA has never issued a cease and desist order involving preferences, restraints, price fixing, and discriminations against a packer, as defined by the Packers and Stockyards Act, which related to the wholesaling or retailing of nonmeat food products or nonfood products. Is it any wonder then that food chains which sell hundreds of food and nonfood products in their supermarkets prefer USDA to FTC jurisdiction?

Second. The USDA has not issued a cease and desist order involving similar unfair trade practices against a packer which relates to the wholesaling or retailing of a meat product in the last 18 years.

Passage of S. 1356 will remedy this situation by giving to the FTC authority to prevent unfair trade practices in the wholesaling and retailing of meat, nonmeat food and nonfood products. This was the situation before passage of the Packers and Stockyards Act of 1921.

However, proposals made to the subcommittee by the American Meat Institute, lobbyist for the big national packers who oppose S. 1356, and the USDA, would give to the FTC jurisdiction only over the wholesaling and retailing activities of a firm not principally engaged in meatpacking or processing.

On the other hand, the great majority of the groups which testified before the Antitrust and Monopoly Subcommittee or filed statements with the subcommittee urged the Senate to give the FTC such authority over the wholesaling and retailing activities of all firms. Why? Because the firms these spokesmen represent must compete with the packers in the wholesaling and retailing of meat, of nonmeat food products, and of nonfood products. Yet, as they pointed out to the subcommittee, while they are subject to the effective enforcement of the Federal Trade Commission Act, as were the Big Five packers before 1921, these packers and others as well as are subject to the Packers and Stockyards Act under title II of which the USDA has not issued a cease-and-desist order involving the wholesaling and retailing of meat in the last 18 years. Under this same authority also, the USDA has never issued a cease

and desist order against a packer in the wholesaling or retailing of a nonmeat food or nonfood product. The AMI and the USDA proposals thus would continue the present system of two sets of trade practice rules: one for the big packers which is not effectively enforced by the USDA, and one set for their competitors which is effectively enforced by the FTC.

These witnesses and the firms they represent are concerned in light of this situation, because 3 of the biggest packers, represented by the AMI, were 1920 consent-decree signers who recently have petitioned the courts to set aside those portions of that order which would permit these packers to process and sell 140 food and nonfood products, own and operate retail meat markets, sell fresh milk and cream, and operate distribution facilities for handling these products in direct competition with wholesale and retail foodstores.

Should this petition be granted, these firms fear, and rightly so, the ramifications continued USDA noninterest in the enforcement of the unfair trade practices of title II would have upon their businesses, since to all intent and purpose these 3 of the biggest 10 packers would be free, as other packers now are, to expand into every segment of the food industry, and nonfood industries as well.

But whether the consent decree modification is granted or not, the activities of these packers outside the area prohibited by the consent decree are so extensive that their competitors—food firms, nonfood firms, and small packers—are likely to be hurt unless the big national packers are required to operate under the same set of trade practice rules under which they must operate. In this respect, it should be noted that in 1950, 1 or more of the 4 largest packers shipped 21 classes of food products in interstate commerce and 58 classes of nonfood products. Non-meat food products comprised 6.6 percent of their total shipments. Nonfood products, exclusive of byproducts of their meat operations, constituted 6.7 percent of their total shipments in interstate commerce, and nonfood byproducts shipped accounted for an additional 4.9 percent. Thus, 18.2 percent of their total shipments comprised nonmeat food and nonfood products.

Yet, these packer-owned operations now are not subject to the FTC, but their competitors are subject to the jurisdiction of that effective agency. Nor under the AMI and USDA proposals would these big packers be subject to the FTC. The present situation without doubt gives, and these proposals would continue to give in the future, an unfair competitive advantage to packer-owned enterprises. Under these circumstances who, as a competitor of Swift & Co., would not be concerned about this situation when in 1955 that firm, for example, produced 4 percent of the Nation's butter; 8 percent of the cheese; 9 percent of the margarine; 19 percent of the salad and cooking oil; and 15 percent of the shortening?

Why, these witnesses ask, and rightly so in my opinion, should the trade practices of a firm like Wilson Sporting Goods, selling nonfood products, be under USDA while its competitors like Spaulding, as it would under the USDA and AMI proposal, continue to be subject to the FTC? Why they ask, should Swift and Armour in the wholesaling of non-meat food products such as cheese, canned milk, eggs, soups, and so forth, be under the USDA and their competitors like Campbell Soup Co. and Safeway Stores continue to be under the FTC, as the USDA and the AMI propose?

In closing, Mr. President, let me say that I agree with Mr. E. M. Norton, the spokesman for the National Milk Products before the Senate Subcommittee, who on that occasion said:

> The only conclusion we are able to draw—is that the Packers and Stockyards Act has effectively shielded the packers from regulation under the Federal Trade Commission Act and that * * * the unfair trade practices of the packers have not been subject to adequate control under title II of the Packers and Stockyards Act.

Enactment of S. 1356 as reported by the Subcommittee on Antitrust and Monopoly to the Judiciary Committee in a large measure will remedy this situation.

SUPPLEMENTAL APPROPRIATIONS FOR THE POST OFFICE DEPARTMENT FOR THE FISCAL YEAR 1958

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House Joint Resolution 379.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 379) making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 379).

Mr. HAYDEN. Mr. President, the joint resolution provides for an appropriation of $133 million, which is $16 million under the budget estimate. The Senate Committee on Appropriations reported the joint resolution to the Senate without amendment. So if the joint resolution is passed this evening, it can go to the President and be signed.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. KUCHEL. First of all, I wish to invite the attention of Senators to a statement in the Senate committee report which reads as follows:

> The committee feels that one of the major contributions to rural life in this country was the establishment of free delivery mail service to our farmers. Therefore, in providing supplemental funds for the operation of the Department, the committee desires to see a continuation of the present daily rural route service.

The Senator from California agrees, and I am sure the Senate agrees. I congratulate the chairman of the committee for the inclusion of that language in the report. However, I wish to read something which was somewhat distressing to some of us. I read a few sentences from the report of the House committee on the same subject.

The committee—

That is, the House committee—

> cannot too strongly emphasize that with the modern trend to a 5-day workweek the Department should re-examine city delivery service and effect such reductions in Saturday service as are in keeping with the pattern of business, industry, and suburbia generally. With a stated maximum savings of $70 million possible were it necessary to order complete cessation of Saturday service, proper exercise of administrative discretion should result in savings of lesser, but still consequential amounts.

I should like to ask the very able chairman of the Senate Appropriations Committee, the distinguished senior Senator from Arizona, if in his opinion the moneys made available to the Post Office Department by the joint resolution are sufficient to permit Saturday mail service during the next fiscal year.

Mr. HAYDEN. I think there is no doubt about it. I believe that if we accept the figure allowed by the House, the Department can get along with it.

Mr. KUCHEL. I thank the Senator very much. Some people in the country, and some Members of the Senate, have been somewhat apprehensive that action by Congress would indicate the necessity or advisability of curtailing the service of the Post Office Department on Saturdays. The American people do not want service discontinued on Saturdays.

I completely disagree with the wording in the House committee report, because in my judgment that is not a proper place to attempt to economize in the Department.

I merely wished to make a very brief record with respect to the important problem of Saturday mail deliveries. I thank the able Senator from Arizona for his statement that the Post Office Department can conduct its business on Saturdays next year as it has done in the past, with the money made available by the joint resolution.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to associate myself with what the Senator from California has said. I commend the Committee on Appropriations of the Senate for its report, eliminating certain items in the House bill.

In particular, I note that the subcommittee makes no recommendation regarding the zoning of second- and third-class bulk mail. The House report suggested that $5 million annually would be saved if such zoning were required. During the House debate on Monday certain Members recommended that the Postmaster General issue such a zoning regulation.

From the very limited information at present available to the Senate Post Office and Civil Service Committee, I do not believe it is possible to determine whether such a zoning regulation is desirable.

It has been contended that such a regulation is not workable; that the Department will be forced to establish a special division to enforce the regulation.

Senators should remember that postal zones are constantly changing. Our committee learned about a year ago that the postmaster at San Francisco had abandoned the zoning system as impractical. Mailers would find it impossible to keep abreast of shifting zone numbers. Postmasters themselves would be unable to determine whether the mailing material submitted to them complied with the zoning regulation.

While the Postmaster General undoubtedly has discussed this suggestion with both the Senate and House Appropriations Committees, he has not submitted the zoning proposal to the Senate Post Office and Civil Service Committee is best equipped to judge the merits or failings of mandatory zoning.

I wish to assure my colleagues that the Senate Post Office and Civil Service Committee will move promptly to ascertain the advantages or disadvantages of a zoning requirement for second- and third-class mail. I am sure the Department will cooperate fully with our group to the end that savings can be achieved without causing hardship to individual mailers and the Department itself.

Again I wish to commend the committee and also the Senator from Arizona for his reply to the Senator from California in regard to the Saturday mail delivery.

Mr. DOUGLAS. Mr. President, I should like the privilege of asking a series of questions of the distinguished chairman of the Committee on Appropriations, in order to develop what is actually happening in connection with the appropriations for the Post Office Department.

First, am I correct in understanding that the House reduced the requested budget of the Post Office Department by $58 million?

Mr. HAYDEN. Originally; yes.

Mr. DOUGLAS. And that the report of the Committee on Appropriations of the Senate, Report No. 297 of this year, continued that reduction?

Mr. HAYDEN. It did.

Mr. DOUGLAS. Was any of that cut restored on the floor of the Senate?

Mr. HAYDEN. No.

Mr. DOUGLAS. So that when the original bill was passed by the Senate, a cut of $58 million was in effect.

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. Am I correct in understanding that almost immediately the Postmaster General came forward with a request for a supplemental appropriation for $149½ million?

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. So that he wanted to get back his $58 million that had been cut, plus $91½ million, in addition?

Mr. HAYDEN. That is correct.

Mr. DOUGLAS. Is it true that the Postmaster General threatened that if the money was not given to him, Saturday deliveries would cease and various vital services would be eliminated?

Mr. HAYDEN. No; I do not believe he put it in the nature of a threat. He said he might be compelled to take such action.

Mr. DOUGLAS. That is using polite language, is it not? That was what would happen if he were not granted the increase. Is that not correct?

Mr. HAYDEN. Anyway, that statement was made.

Mr. DOUGLAS. So that now we are about to give him $133 million more; therefore, instead of giving him $58 million less, he winds up with $75 million more than he originally asked for. Is that correct?

Mr. HAYDEN. Last year the Senate Committee on Appropriations went over the budget estimate very carefully and decided that a certain amount of money was necessary in order to carry on the functions of the Post Office Department. The House would not agree. We had 3 or 4 conferences, and finally arrived at a place where we split the difference. However, we told the House of Representatives at that time that Congress was not appropriating enough money properly to carry on the functions of the Post Office Department for a year. It turned out that what we said was true. In addition to that, there has been a 4-percent increase in the volume of mail.

Mr. DOUGLAS. Is it not also true that the Postmaster General overspent his sums for the first quarter of the fiscal year, namely, for July, August, and September, and also for the very crucial month of October, and then did not have much money left, and had to ask for a supplemental appropriation?

Mr. HAYDEN. I believe the Senator will find that there was no quarter overspending. The money was divided as required by law over the stated periods of time. However, the volume of business increased very heavily, and increased the deficit in the second and third quarters.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DIRKSEN. If there is any feeling that there was any threat on the part of the Postmaster General, I may say that it was at the specific instance of the Appropriations Committee of the House of Representatives that the Postmaster General should indicate to the committee what he would have to do if he did not get supplemental funds. It was no threat on his part. It was simply a matter of providing the facts and the data which had been requested of him, and which he promptly supplied. He then presented the same data to the Senate subcommittee of the Committee on Appropriations. That is the matter that is before us.

The chairman of the committee is eminently right, because the figures indicate a tremendous increase in the mail volume; and it is either a case of curtailing the mail service or having sufficient money with which to administer the growing volume of mail.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. DOUGLAS. It is inconceivable to me that a Government bureau which spends over $3 billion a year cannot effect economies. For example, the Postmaster General has not modernized the delivery of mail, particularly in the sorting of the mail at the great central post offices or great central junctions, where the railway mail is distributed to the different sections of the country. He has not mechanized the delivery of mail, although the machinery for that purpose is available.

For years now the senior Senator from Illinois has been urging that the city letter carriers be put on wheels, on motor bicycles, so that the load may be taken off the carriers' backs. That would at once speed up the delivery and would make it possible for the carriers to serve more households.

There are a whole series of economies which a businesslike Postmaster General could put into effect, but which the present Postmaster refuses to have anything to do with.

The Senator from Arizona may not call it a threat, because he is a very polite man. However, when the Postmaster General is urged to effect some economies, his answer is not an improvement in the service, but a reduction in the service, feeling that the heat will be turned on by the patrons of the Post Office and that Senators and Representatives will be forced to make a restoration of the appropriations. Is that correct?

Mr. HAYDEN. I may say that in the regular appropriation bill we provided a considerable additional amount of money for modernizing post offices and putting in carrier systems in some of the larger cities. The suggestion made by the distinguished Senator from Illinois with respect to putting letter carriers on wheels is being adopted.

Mr. DOUGLAS. Very slowly and very imperfectly.

Mr. HAYDEN. It turns out that they have a very convenient little three-wheeled vehicle which enables the letter carriers to carry twice the load they carried before, and also, in addition to making city mail delivery, to make parcel post deliveries.

Mr. DOUGLAS. The Senator from Illinois has been urging it for 7 years.

Mr. HAYDEN. That is what is happening.

Mr. DOUGLAS. I always thought the Postmaster General was an expert on transportation, inasmuch as he had a large General Motors automobile dealership. It is extraordinary to me that it has taken all these years to get him to adopt the three-wheeled motor bike idea. He is approaching it only in a very diluted form, I may say.

Mr. HAYDEN. It is a very convenient little vehicle. It is manufactured in Omaha, Nebr. It is not a General Motors product.

Mr. DOUGLAS. I am glad to hear that. What I am trying to point out is this. I believe the Postmaster General is trying to bludgeon Congress and the country into giving him the money, and has refused to adopt operating efficiencies and economies, which could reduce expenses. Furthermore, he has refused to deal with the railroads, to whom larger sums are being paid for carrying

so in my opinion, should the trade practices of the railroads be investigated?

Why, these witnesses ask, and rightly

a continuation of the present daily rural route service.

believe it is possible to determine whether such a zoning regulation is desirable.

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spends over $3 billion a year cannot

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the mail than would be justified on any competitive basis, with the figures loaded on car capacity for the peak days of the week instead of the actual amount for the week, and then the 2 peak weeks are used to determine the mandatory amount of space ordered and paid for for the next month. In addition, the Government is charged more by the railroads for parcel post than the railroads charge the American Express, for example, which is contrary to law. Therefore the Postmaster General deserves to be held in the light of close public scrutiny. His tactics have not been befitting a good public servant.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. CARLSON. I wish to commend the chairman of the committee for seeking action on this supplemental bill. The Senator from Illinois has made a good point, that we do not spend enough money for research and for improving the facilitites of the Post Office Department and modernizing its equipment. Congress determines how the money shall be spent. I frankly believe that several million dollars could be spent to advantage not only in improving service in the Department, but also in bringing about great savings.

I noted that the bill provides for an expenditure of $2 million for research. Several million dollars more might be spent for research, as is done by private industry, and I believe the Government would receive outstanding returns.

Mr. HAYDEN. Last year $2,900,000 was provided for research. We have provided in the annual appropriation bill $4,871,000. So the amount of money provided for this purpose has been doubled, and we should get results.

Mr. DOUGLAS. The term "research" has, of course, great compelling power these days. Everybody is for research. We are asked to make appropriations for research. But I say the slogan of this administration seems to be, "Millions for research, but not one cent for action."

Mr. CARLSON. There is much manual work in the Post Office Department. Research must be done to provide the machinery necessary to modernize the post offices in order to expedite the handling of the mail. I am confident that the $4 million will pay big dividends.

The PRESIDING OFFICER. If there be no amendment to be proposed the question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 379) was ordered to a third reading, read the third time, and passed.

Mr. DOUGLAS. Mr. President, I ask that, for the purpose of the RECORD, I be shown as voting against the joint resolution.

CONSTRUCTION OF BRIDGE ACROSS PIGEON RIVER, MINN.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 531, S. 1361.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1361) to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. CARLSON. Mr. President, the minority leader is absent at this time, but I notice, according to his calendar, that the bill has his approval. Therefore, I shall not object to its present consideration.

Mr. MANSFIELD. No funds are involved in the bill. The bill is merely an extension or a reenactment of an act and provides more time for the completion of the project.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act approved May 29, 1945, authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a free highway bridge and approaches thereto across the Pigeon River so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation below High Falls on said Pigeon River, is hereby revived and reenacted. This act shall be null and void unless the actual construction of the bridge herein referred to is commenced within 4 years and completed within 6 years from the date of enactment of this act.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1958

Mr. SPARKMAN. Mr. President, within a few days, the Senate will take up the appropriation bill to provide funds for the Department of Defense during the 1958 fiscal year. The tremendous sum of money involved in this departmental request—some $36 billion—and the vitally important uses to which these funds will be put in terms of our national security, make this measure one which will demand our most careful consideration.

There are divergent opinions with respect to the amount of money requested by the Department of Defense to conduct its operations during fiscal year 1958. Many Members of the Congress feel that the Department has overstated its requirements and that substantial reductions can be made without limiting the objectives of the Department of Defense or impairing the efficiency of its operations. These views are consistent with the laudable desire to promote economy in the various Federal establishments and to achieve savings in the largest peacetime budget which any administration has presented to the Congress in the history of our country.

Another point of view about the Department of Defense appropriation request has been expressed by Secretary of Defense Charles E. Wilson. "I don't see why we should cut the defense budget at all," Mr. Wilson has stated. To do so, in his opinion, would, in his words, "amount to gambling unwisely with the security of the Nation."

It is not my intention today, Mr. President, to discuss the appropriation bill for the Department of Defense in terms of whether the Department's request for funds should be approved as submitted or reduced.

It is my desire, however, to bring to the notice of the Senate certain administrative practices of the Department of Defense in the field of procurement which, in my opinion, do not reflect with credit on the Department's management of the public money which is entrusted to it for the purchase of goods and services essential to our national security.

When we consider the high concentration of business management talent which is possessed by many key officials now serving in top positions in the Department of Defense, we have every reason to expect that these officials, these shrewd and successful businessmen, will bring to bear upon the expenditure of public funds that same careful and economical handling of money used for purchasing supplies which they exercise with their corporate funds in the world of private business.

I regret to say, Mr. President, that in many areas of military procurement these reasonable expectations are not fulfilled.

I shall offer evidence to demonstrate that the Department of Defense conducts a large portion of its purchasing activities with a reckless disregard for the very rudiments of sound purchasing methods. These purchasing practices, which I shall explain in some detail, result in a wanton waste of the taxpayers' dollars. These practices would be intolerable in the world of business for the simple reason that no business could be conducted at a profit which consistently and as a matter of method paid outrageously inflated prices for its raw materials, its supplies, and its equipment. Yet the payment of premium prices, over and above a reasonable market price, is a common custom of the Department of Defense.

To be specific, Mr. President, I am referring to the stubborn refusal of the Department of Defense, in many important areas of procurement, to get a dollar's worth of product for every dollar spent by taking advantage of the lower prices it would have to pay if small-business concerns were encouraged to bid competitively on products which they are unquestionably qualified to produce.

When I mention products which small companies are capable of producing, it stands to reason that I do not have in mind jet bombers, tanks, submarines, aircraft carriers, or any of the thousands

of items which are known as heavy military hardware.

What I have in mind is a long list of common-use items, counterparts of which either are currently being produced by small companies or for which small companies have the facilities and technical knowledge to make but which, for obscure reasons, the Department of Defense insists on buying from single sources of supply. These so-called sole sources of supply in the great majority of instances are large companies, among the largest of our industrial system.

On June 11, I wrote to the Honorable E. Perkins McGuire, Assistant Secretary of Defense for Supply and Logistics, on this baffling subject. I enclosed with my letter a list of 567 procurement actions in the current fiscal year which had a value of approximately $115 million. Mr. President, I ask unanimous consent to have this list inserted in the RECORD at this point in my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Department of the Army

Purchase order	Installation	Item	Estimated value
G57-3321 and 3322	OTAC	Carrier assembly rear axle	$27,840
G57-317	OTAC	Cap assembly	19,246
G57-2276	OTAC	Pump, hydraulic hoist	42,016
G57-2838	OTAC	Rod torque with pins, rear axle trunion lower assembly.	35,605
G57-3829	OTAC	Kit, repair fuel pump	24,606
G57-2565 and 2566	OTAC	Kit, repair	24,043
G57-895	OTAC	Carburetor float assembly with governor.	37,314
G57-3249 and 3250	OTAC	Differential assembly	14,029
G57-2652 and 2653	OTAC	Cap, distributor	62,032
G57-3106 and 2119	OTAC	Winch assembly	18,190
G57-1568 and 1569	OTAC	Transmitter, indicator assembly (electric).	15,376
G57-3169	OTAC	Unit, sending, high temperature, warning.	11,556
G57-3665	OTAC	Kit repair, master carburetor	85,412
G57-656	OTAC	Muffler assembly	62,539
G57-3148	OTAC	Muffler, engine exhaust lift, assembly.	22,680
G57-652	OTAC	Radiator, engine assembly	36,084
G57-506 and 507	OTAC	Cylinder, wheel lift and right assembly.	24,496
G57-1850, 2699, 736	OTAC	Cylinder assembly, hydraulic brake master.	43,858
G57-2763	OTAC	Flywheel engine assembly	18,817
G57-2047	OTAC	Ring, set, engine piston oversize.	48,204
G57-732, 1213, 3084, 519, 948	OTAC	Body and fender parts	36,649
G57-1201	OTAC	Transfer, assembly, complete	38,896
G57-1495	OTAC	Cushion, seat cushion (driver's seat).	24,043
G57-3345	OTAC	Motor assembly windshield wiper.	12,607
G57-321	OTAC	Panel, hood assembly	17,108
R1-57-4	OTAC	Solenoid	10,732
G57-987	OTAC	Windshield assembly	18,387
G57-2988	OTAC	Generator assembly	11,583
G57-2677	OTAC	Transfer assembly	18,904
G57-1392 and 9708	OTAC	Carburetor assembly	91,969
G57-2698	OTAC	Rod, connecting assembly	10,735
G57-2494	OTAC	Igniter assembly	34,629
G57-2404 and 4567	OTAC	Light assembly, head, service	17,184
G57-3243	OTAC	Thermal flasher, assembly	16,350
G57-1292	OTAC	Cover, transmission top, assembly.	14,219
G57-3692	OTAC	Filter, element	13,049
G57-3245	OTAC	Motor, direct current, 24-volt, hot-water heater.	33,811
G57-3391	OTAC	Kit, heater, powerplant	11,180
G57-2927	OTAC	Thermostat, heater-control assembly.	15,496
G57-3659 and 3660	OTAC	Kit, repair	15,983
G57-3816 and 3817	OTAC	Cable, assembly, generator to regulator.	74,188
G57-3823	OTAC	Plug, steering drag, link	10,090
G57-3782	OTAC	Kit, heater, gun crew	56,700
G57-452	OTAC	Shaft, propeller	41,425
G57-4235	OTAC	Gage assembly, oil pressure	27,454
G57-892	OTAC	Power pack, high voltage	14,705
G57-2917	OTAC	Horn assembly, air with plugs	20,347
G57-4210 and 4211	OTAC	Pulley, generator	12,008
G57-4795	OTAC	Sleeve, oil delivery, transmission front clutch drum.	11,859
G57-2987	OTAC	Tank fuel, assembly	14,502
G57-3321 and 3322	OTAC	Shaft, propeller transfer case to forward rear axle assembly.	91,113
G57-4235 and 1685	OTAC	Gasket set, engine overhaul	24,602
G57-3314 and 3315	OTAC	Case assembly, transfer with flange.	138,950
G57-1287	OTAC	Axle assembly, trunion	20,532
G57-1219	OTAC	Rack assembly	34,633
G57-3755 and 3756	OTAC	Motor assembly, windshield wiper.	55,603
G57-5184	OTAC	Shaft, propeller, rear with universal joints assembly.	17,121
G57-1239	OTAC	Harness wiring	11,000
G57-6306	OTAC	Governor assembly	15,264
G57-5471 and 5243	OTAC	Winch assembly rear right hand.	52,662
G57-5480	OTAC	Governor, engine overspeed, with pulley assembly.	22,712
G57-4115	OTAC	Disk, clutch driven	19,641
G57-494	OTAC	Connector, receptacle	18,000
G57-5747	OTAC	Shaft assembly propeller transfer case to front axle assembly.	18,485
G57-1855	OTAC	Joint assembly	29,880
G57-2291	OTAC	Shaft assembly	21,377
G57-3314	OTAC	Ring set (piston .020 undersize).	$23,588
G57-5665	OTAC	Gage, air pressure assembly	28,373
G57-3308	OTAC	Manifold assembly, exhaust with heat control valve.	10,283
G57-1302	OTAC	Pipe, flexible engine exhaust assembly.	22,174
G57-3658	OTAC	Carburetor, float assembly, with governor.	268,411
G57-5791	OTAC	Tank, fuel	23,140
G57-6056	OTAC	Cap	21,882
G57-4863	OTAC	Absorber, shock, rear assembly.	16,083
G57-1211	OTAC	Head, cylinder	32,619
G57-5357 and 5358	OTAC	Pump, oil transmission, front assembly.	59,243
G57-4671	OTAC	Radiator assembly	42,360
G57-965	OTAC	...do	20,080
G57-4844	OTAC	Tank, fuel assembly	11,088
G57-1540	OTAC	Cushion assembly, drivers and passengers seat.	25,545
G57-6309	OTAC	Filter, oil, differential	10,247
(G57-2703	OTAC	Harness, assembly	21,582
G57-6345	OTAC	Distributor, with coil assembly.	58,529
G57-6184	OTAC	Shackle front and rear towing assembly.	14,411
G57-4907	OTAC	Distributor assembly	72,457
G57-6116	OTAC	Kit, repair, fuel pump	14,666
(G57-4239 and 4240	OTAC	Gasket set	40,559
G57-5586 and 5724	OTAC	Muffler assembly, oval type	28,028
G57-6307	OTAC	Rod, torque with standard assembly.	30,783
G57-6231	OTAC	Radiator assembly	14,029
G57-6270	OTAC	Fender assembly	10,290
G57-5813	OTAC	Valve bypass, exhaust	18,079
G57-6041	OTAC	Carburetor with float assembly.	58,495
G57-4182 and 4183	OTAC	Radiator assembly	56,762
G57-6136	OTAC	Shaft assembly, propeller, transfer case to pillow block assembly.	48,293
G57-5119 and 5120	OTAC	Band assembly, 2d speed Servo assembly.	37,599
G57-5790	OTAC	Shaft assembly	12,447
G57-4067	OTAC	Starter assembly	122,598
G57-4202	OTAC	Plate assembly	32,536
G57-5543	OTAC	Generator, with pulley assembly.	11,089
G57-2655	OTAC	Kit	58,500
G57-5676	OTAC	Voltmeter, gage with clamps assembly.	70,804
G57-6706	OTAC	Kit, modification, winch clutch.	16,815
G57-6019	OTAC	Rheostat, trailer current	16,200
G57-6703	OTAC	Lurk assembly, drag steering	45,304
G57-6594 and 056	OTAC	Muffler assembly	128,959
G57-6751	OTAC	Transfer assembly, with flange	826,324
G57-6539	OTAC	Pump, with flange oil transmission.	71,766
G57-6089 and 6383	OTAC	Ring set, piston, oversize	22,281
G57-6441	OTAC	Bow, body cover	32,605
G57-6575	OTAC	Starter, engine assembly	11,612
G57-6306	OTAC	Motor assembly, windshield wiper assembly.	88,563
G57-4554	OTAC	Kit, repair fuel pump	35,295
G57-6429	OTAC	Cap, fuel filler assembly	53,500
G57-5482	OTAC	Regulator assembly, engine generator.	76,854
G57-5700	OTAC	Tank assembly	11,625
G57-803 and 3163	OTAC	Lining set brake shoe	58,824
G57-7018	OTAC	Pump assembly	11,980
G57-7049	OTAC	Seal assembly, oil hub bearing	15,828
G57-7008	OTAC	Magneto, auxiliary, engine assembly.	64,106
G57-7282	OTAC	Absorber, shock front, assembly (Monroe).	24,768
G57-6821	OTAC	Carburetor, float assembly with governor.	48,439
G57-2306	OTAC	Coupler, quick disconnect	18,544
G57-6914	OTAC	Kit, repair water pump	23,112
G57-6097	OTAC	Rotocap assembly	44,089
G57-6010	OTAC	Control, hand throttle assembly.	17,734
G57-6738 and 7177	OTAC	Radiator assembly	43,428
G57-6542	OTAC	Kit, modification	20,405
G57-443	OTAC	Head assembly, fixed fire extinguisher cylinder.	13,381
G57-1993 and 1992	OTAC	Distributor ignition assembly (includes coil governor spinner).	104,634

Department of the Army—Continued

Purchase order	Installation	Item	Estimated value
G57-238	OTAC	Cover assembly, transmission Torus assembly.	$20,231
G57-2104	OTAC	Regulator, engine generator	29,125
G57-6026 and 7408	OTAC	Shock absorber assembly	15,256
G57-7227	OTAC	Filter, fuel assembly (in tank)	11,640
G57-7615	OTAC	Cushion, passenger seat assembly.	26,094
G57-7473	OTAC	Muffler, exhaust assembly	20,473
G57-7093	OTAC	Pump assembly, water with pulley assembly.	16,751
G57-7531	OTAC	Glass assembly	11,666
G57-8071	OTAC	Box assembly, override control	15,543
G57-8404	OTAC	Pump, bilge assembly, rear	104,801
G57-7892	OTAC	Top, canvas assembly	12,470
G57-7203	OTAC	Distributor assembly	84,508
G57-7513	OTAC	Harness assembly, chassis wiring.	24,921
G57-8053	OTAC	Pump, water assembly	10,725
G57-5285	OTAC	Chamber, air-brake cylinder	14,861
G57-8224	OTAC	Switch, dimmer headlight	14,046
G57-8072	OTAC	Rod assembly, torque rear axle.	17,956
G57-8221	OTAC	Cable U fitting assembly	11,574
G57-7452	OTAC	Windshield assembly	100,433
G57-7852	OTAC	Windshield assembly, with glass.	62,188
G57-7259	OTAC	Kit, modification	20,160
G57-6848	OTAC	Armature, generator assembly	31,301
G57-7355	OTAC	Tank, fuel	32,436
G57-7352	OTAC	Capacitor	11,664
G57-8005	OTAC	Shaft propeller, assembly	131,067
G57-7751	OTAC	Pump assembly	74,844
G57-7202	OTAC	Kit, repair fuel pump	37,996
G57-7742 and 7984	OTAC	Carrier assembly, spare wheel	12,065
G57-7157	OTAC	Windshield	214,526
G57-7543	OTAC	Control	23,514
G57-7062	OTAC	Muffler assembly	82,605
G57-7523	OTAC	Kit, repair fuel pump	23,795
G57-9092	OTAC	Cover top assembly, with rear window.	$49,024
G57-8503	OTAC	Cable, choke control assembly	15,824
G57-8137	OTAC	Cap assembly, left fuel tank vent.	20,246
G57-8323	OTAC	Voltmeter, gage with clamp	156,231
G57-8128	OTAC	Tank fuel assembly	13,283
G57-8302	OTAC	Breaker, circuit, current, assembly, reverse.	42,042
G57-7199 and 8033	OTAC	Carburetor assembly	180,571
G57-8482	OTAC	Shackle, front and rear	32,468
G57-8034	OTAC	Kit, repair fuel pump	14,470
G57-7927	OTAC	Panel, hood	24,177
G57-8124	OTAC	Divider assembly	60,400
G57-8309	OTAC	Cable No. 1 spark plug assembly.	13,106
G57-8086	OTAC	Kit, repair carburetor	14,080
G57-7965 and 7964	OTAC	Control, remote, L. H. and R. H.	15,645
G57-7924	OTAC	Seat	19,286
G57-5718	OTAC	Housing, front axle propeller, shaft.	19,120
G57-8463	OTAC	Valve assembly, hydraulic control.	23,657
G57-8181	OTAC	Manifold assembly	10,155
G57-8205	OTAC	Control, hand throttle	20,109
G57-7975	OTAC	Seal set	53,199
G57-8501	OTAC	Starter, engine assembly	13,298
G57-8728	OTAC	Panel assembly, seat back	26,998
G58-3021	OTAC	Power takeoff, assembly	20,691
G58-027	OTAC	Support, seat back lift foot	11,242
G57-8762	OTAC	Harness, assembly, wiring front cab.	20,344
G57-7804	OTAC	Windshield assembly, w/glass	102,314
SA-448-57	OTAC	Winch	58,410
G57-2040	OTAC	Shoe, brake w/mining assembly.	21,055

Department of the Navy

Purchase order	Installation	Item	Estimated value
155/M001/57	GSSO	Elbows	$11,512.00
155/M048/57	GSSO	Fastener, grommet, curtain, stainless steel.	19,398.00
155/143019/57	GSSO	Bowl: water closet	14,301.00
155/148081/57	GSSO	Valve, angle steel	27,268.20
155/103196/57	GSSO	Trap, steam; trap, moisture	9,347.00
155/134502/57	GSSO	Welding equipment: torch outfit, oxhydrogen, cutting.	10,153.00
P. H. 103-57 (Sked 70023-57).	Y&D	Pump, rotary gear type, 25 gallons per minute at 85 pounds per square inch Worthington model 8GAM or equal.	13,400.00
P. H. 102-57 (Sked 70021-57).	Y&D	Pump, rotary, gear type, 435 gallons per minute at 215 pounds per square inch Worthington model 6GRM or equal.	13,400.00
383/29081-5782 G4/3/57	ASO	Packing	13,940.00
383/29250-14-E&I/57	ASO	Lens	12,079.35
383/29263/25953/6/7	ASO	Tester: cable	23,370.00
383/2150-511 X 4/1/55	ASO	Maintenance parts	$23,063.40
9501-38/57	ASO	1, Resistor; 2, transformer	14,400.00
383/2150-431 X 7/1/55	ASO	Maintenance parts and assemblies, used on seat assembly.	98,822.85
383/29060-132F2/1/57	ASO	Attenuator	11,934.00
383/29043-10 X 4/1/57	ASO	Resistor: Hydraulic	10,914.00
383/2150-37 E 1/1/55	ASO	Cable; transformer; resistor	29,370.00
383/29067-1653/3/57	ASO	Stand assembly, electronic test system.	421,803.31
383/29161-3457G4/1/57	ASO	Grit; capsule emulsior	17,676.00
383/2150-285-P3/1/53	ASO	Detector	12,345.00
383/29081-1649-G2/1/57	ASO	Cable, sleeve, terminal	11,500.00
383/2149-1088 E 6/1/55	ASO	Voltmeter	23,336.00
383/29263-14/3/4/1/57	ASO	Stand: Tool, steel, portable	13,831.55
383/2125-66A63/53	ASO	Armament parts	64,318.21
383/2150-112741/1/57	ASO	Fitting and valve, for various aircraft.	16,549.95
383/2140-1878E6/1/53	ASO	Splice—butt connector	55,116.40
383/2140-E1/1/53	ASO	Motor 36CT	11,423.00
383/2120-118-X6/1/53	ASO	Amplifier: Slaving compass	111,650.00
383/29081-1207G1/1/57	ASO	Plug	11,575.00
383/29081-3436G15/1/57	ASO	Rod: Welding	10,268.00

Department of the Air Force

Purchase order	Installation	Item	Estimated value
620007	Dayton AFD	Variable resistor	$18,000.00
621120	do	Reactor-saturable filter choke, etc.	16,875.00
628079	do	Item 1, plate set; item 2, relay assy; item 4, spring-helphl; item 5, maint. parts kit; item 6, maint. parts kit; item 7, maint. parts kit; item 8, dyna motor.	20,002.00
634081	do	Various type thermal relays—8 items.	18,087.00
613092 (17C)	do	Simulator microphone	11,088.17
714475 (16R)	do	Switch inertia SPST 230, 10 amperes direct current, etc.	122,000.00
628077	do	Item 1, spacer-alum-Bendix; item 2, spring retainer-Bendix; item 3, housing flex Bendix; item 4, spline clutch Bendix; item 5, prive band switch Bendix; item 6, armature; item 7, Spring and lead assembly; item 8, board terminal Bendix.	12,302.50
613052	Dayton AFD	Item 1, transformer-RCA; item 2, transformer-RCA; item 3, transformer-RCA; item 4, transformer-RCA; item 5, transformer-RCA.	$20,424.00
612742	do	Circuit breaker, air arc quenching, SPST-28V-30 amperes, direct current 2.189 meters long ¼ inch, diameters 3½2 inches HO/A Spencer Thermostat Division (L. B.)-D-6753-1-30.	11,440.00
618082	do	Switch-push-all to Velmite Co. part No.	17,376.30
62118	do	Transformer, United Transformer Co. part No. D-4724.	20,587.50
618084	do	Switch, radio, Thomas Products part No. 18B22CA.	18,190.00
621085	do	Transformers-power filament type, Western Electric, part No. 176264 and KS9864.	20,084.80

Department of the Air Force—Continued

Purchase order	Installation	Item	Estimated value
634083	Dayton AFD	No. 1 Relay, thermal, Cook Electric; No. 2 Relay, thermal, Cook Electric.	$11,475.00
613422	do	Ammeter, portable, direct current serial No. 7CAC-016290.	17,858.10
688096	do	Wattmeter, serial No. 7CAC-979564-5.	95,089.50
613425	do	Attenuator, bridged T type	13,400.00
613501	do	Transformers, various types	10,697.98
613981 17-C	do	Ammeter, portable, direct current serial No. 7CAC-020615.	19,892.00
713631 17-C	do	Detector leak	11,103.48
613304	do	Modification kit, T. O., No. 33D5-12-20-501.	13,260.30
628237	do	Calibrator, microsyn precision	15,000.00
613506 16P	do	Coils	14,530.00
628252 17C	do	Calibrator, range radar time	71,197.00
628980 16-A	do	Dynamotor, serial No. 1600-3377 0768.	33,250.00
613044 17-C	do	Tester-intergrated, electric control, J-47-17, jet engine	30,000.00
648539 16-R	do	Switch-box-knife, serial No. 3360-072-150-330, Square D pln, 46352.	25,746.30
685001 16-R	do	Switch-press, serial No. 3360-072635700.	13,439.25
713953 16-O	do	Radio interference filters and suppressers.	14,332.25
699002 17-C	do	Spectrum analyzer, serial No. 7CAC-041075.	18,784.90
685886 16-R	do	Switch, pressure, serial No. 3360-072835640.	37,403.12
685883 16-R	do	Switch, pressure, serial No. 3360-072836160.	15,930.50
702795 16-T	do	Relay; relay armature pileup; armature.	19,563.50
612977 16-R	do	Switches, various types	79,543.50
682071 16-T	do	Relays, Solenoid, time delay, and thermal.	18,952.50
685872 16-T	do	Relay, serial No. 3380-552120-9735.	38,085.00
648284 16-T	do	Relay, serial No. 3380-555680-6375; radio receptor, part No. 3120-2.	25,270.00
620981 16-Q	do	Resistor, serial No. 3350-855000-5521; Technology institute part No. 5-8-8147.	34,350.00
613164 17-C	do	Spectrometer, 7 CAD-NL 113, model C-20, Bausch-Lomb.	12,000.00
685999 16-R	do	Switch, thermostatic, serial No. 3360-073043656.	33,400.00
648560 16-R	do	Switch, inertia, serial No. 3360-072400330.	16,245.00
654490 08-E	do	Connector plug, serial No. 8850-28-7040	12,862.00
699083 17-C	do	Tester, 7CAC-807225	39,222.00
612978 16-R	do	Switch, pressure, 4 sizes	35,159.50
618945 16-R	do	Switch, pressure	15,307.00
685267 16-K	do	Tuning units, P/O RT 11A/APH-12.	19,500.00
713981 16-Q	do	Capacitor, serial No. 3330-310655722.	11,169.00
654480 08-E	do	Connector plugs, 2 items	23,971.00
628041 16-A	do	Tuner, ARC/27, serial No. 1660-014615000.	16,500.00
620547 16-P	do	Transformer, RT-101/APS-31	46,608.00
685870 16-T	do	Relay, armature contact, serial No. 3380-552120-8935.	17,355.00
621136 (16-P)	do	Transformer, power, Transformer Engineering Co., part No. TE-5081.	17,550.00
620536 16-P	do	Transformer, pulse interstage type, part No. 2Z4627-M.	46,410.00
628067 16-A	do	Miscellaneous electrical parts: Brushes, caps.	11,529.00
627864 16-A	do	Cover, serial No. 1600-203277-850.	21,038.00
685038 16-R	do	Switch, thermostatic, serial No. 3360-073043892.	18,730.00
612881 17-C	do	Machine, dynetric balancing	61,682.25
720805 16-R	do	Switch rotary pam	24,378.00
685366 16-O	do	Capacitor, serial No. 3330-057253214.	11,050.00
620132 16-Q	do	Resistor, serial No. 3350-905000-2411.	15,500.00
648547 16-T	do	Relay, armature, 2 types	18,215.00
720879 16-T	do	Relay, armature, 2 types	22,352.00
685733 16-O	do	Suppressor, electric noise capacitor.	18,060.00
685952 16-A	do	Brush, electrical	21,375.00
720010 16-T	do	Relay, armature, 5-ampere, 28-volt, direct current.	11,925.00
720844 16-T	do	Relay, 2 sizes	10,650.00
699857 16-A	do	Motor, alternating current, wound rotor induction.	15,000.00
628482 17-C	do	Tester-Autosyn Servod test and calibration.	20,651.85
613220 17-C	do	Tester, cabin pressure	13,584.00
720588 16-R	do	Switches, 8 sizes	13,205.00
648548 16-T	do	Relay armature, 3 types	10,234.00
700804 16-A	do	U/O-C-626/ARC-27 miscellaneous parts.	45,840.00
720889 16-T	do	Relay, S/N-3380-511125-1995, 3380-511180-6775.	10,202.50
680446 16-A	Dayton AFD	Inverter vibrator, serial No. 1600-347525820.	$24,750.00
628715 16-A	do	Cover, glass insulator	25,200.00
706954 16-A	do	Cable, assembly	29,130.00
685984 16-T	do	Relay, armature	17,759.50
648508 16-T	do	do	10,000.00
626999 16-A	do	Rt. 173/ARC-33 parts	10,160.00
741299 16-A	do	Cable, assembly	17,447.50
689445 16-A	do	Rt-178/ARC-27 parts	25,990.00
694450 16-A	do	Armature, dynamotor	24,700.00
685135 16-T	do	Relay, serial No. 3380-541125-9215.	14,850.00
706902 16-A	do	Motor DC series, 27-volt, 500 milliampere.	36,000.00
741236 16-A	do	Gear, spur	29,090.00
720757 08-G	do	Fuse, cartridge, serial No. 8870-148000-375.	13,352.00
750265 08-G	do	Fuse, cartridge, serial No. 8870-148000-525.	14,800.00
628804 16-H	do	C-626/ARC-27 miscellaneous parts.	13,665.50
649723 16-S	do	Rectifier, serial Nos. 3370-655000-8215, 3370-684000-3123.	18,413.00
612672 16-R	do	Cover, electrical switch, rubber.	13,070.50
726742 16-R	do	Circuit breaker, part No. 31E000-3-7.	16,975.00
613981 17-C	do	Ammeter, portable DC	19,892.00
612832 17-C	do	Inspection unit, penetrant fluorescent, stationery	32,370.00
726601 16-R	do	Switch, pressure, serial No. 3360-072837396.	26,400.00
685939 16K1	do	Coupling unit, serial No. 1660-287715101.	15,513.60
709277 16-R	do	Switch, Thermos, 3360-073 945656.	35,400.00
619778 16-K-1	do	Analytical overhaul of semi-automatic equipment.	105,000.00
648831 16-T	do	C 1153 MRN, 8 spare parts	10,117.50
699054 17-C	do	Generator, signal, 7 CAC-363903-28.	306,900.00
565429 17-C	do	7 CAD-NL portable hardness tester.	35,092.22
726980 16-T	do	Relay, S/N-5945-234-6370	46,000.00
628454 17-C	do	Kits, retrofit modification for the addition of physical and electrical separation of the type MC-1 test bench.	188,500.00
628355 17-C	do	Voltmeter, portable, Weston model 455.	16,503.60
628354 17-C	do	Voltmeter, portable, General Electric P/N 881726 model CF-1.	10,360.00
628324 17-C	do	Ammeter, portable, Weston model No. 622.	21,352.80
621003 16-P	do	Coil, tube, Western Electric D 179630.	45,822.00
628051 16-S	do	Crystal unit rectifying	46,200.00
613142 17-C	do	Ammeter, portable, MKO-MA.	28,687.50
726749 16-R	do	Switch, thermostatic	13,600.00
752515 16-R	do	Key switch-board	15,150.00
726873 16-T	do	Relay armature, S/N-5945-249-5845.	35,000.00
714088 16-S	do	Rectifier, S/N-3370-680000-1935.	12,440.00
55464 16-A	do	Control directional fenders and spares.	456,450.00
649045 17-C	do	Oscellascope, Dumont type 304 A.	16,704.44
648600 17-C	do	Resistors, 2 sizes	13,722.40
726743 16-R	do	Switch, electromatic, Western Electric and Eclipse Pioneer P/N's.	15,907.50
702742 16-Q	do	Resistor, S/N 3350-849100-5321.	22,137.50
75679 16-T	do	Relay, armature, GE-P/N CR 2791B109C-2.	16,896.08
670964 16-K-1	do	Radio receiver transmitter, BC-788F.	571,577.51
752578 16-R	do	Switch pressure SPDT, Lear P/N-RB 8212-2, Lockheed P/N-644528.	11,900.00
752682 16-T	do	Relay, armature, Leach relay P/N-9031-5511.	15,300.00
726329 16-R	do	Switch-pressure	48,450.00
565479	do	Optical proving rings	89,625.00
628431 17-C	do	Bridge, capacitance general radio P/N 4type No. 716 CM.	11,480.00
752653 16-T	do	Relay, solenoid leach relay P/N-1227-2011.	10,375.00
726988 16-R	do	Circuit breaker, spenser thermostat P/N D6753-1.	16,000.00
752559 16-R	do	Switch-thermos Fenwal P/N	78,000.00
613171 17-C	do	Box decade capacitance general radio type 219.	11,020.00
726334 16-R	do	Switch-pressure-3 sizes meletron P/N's given.	58,825.00
726333 16-R	do	Switch, pressure lear P/N-M/g/C.	12,800.00
751073 16-A	do	Dynamotor-voltage convertor bendix type No. DA-85B.	63,480.00
628426 17-C	do	Calibrator-microsyn Sperry-1600114.	36,000.00

Department of the Air Force—Continued

Purchase order	Installation	Item	Estimated value
726368 16-R	Dayton AFB	Switch, pressure-meletron P/N-4101-21BLU.	$17,000.00
732562 16-R	do	Switch, thermostatic, Aeresearch Manufacturing Co. P/N-12280-4.	66,800.00
476419 17-C	do	Meter, sound level, General Radio P/N-1551A.	22,542.00
626935 16-A	do	Receiver transmitter 618S-1A	1,022,434.00
MD-7-16K-60007	do	Switch-Radio frequency transmission.	65,751.60
613383 17-C	do	Radio test set with antenna, Federal Radio and Television model NUS-3156, Hoffman Radio, model HLI-110.	72,000.00
613382 16-C	do	Radio test set, Federal Radio and Television model NUS-3262, Hoffman Radio-Model HLI-105.	36,000.00
MD-7-16R-20013	do	Switch, pressure, both items to Hydra Electronics (LB) P/N.	37,440.00
MD-7-17C-90003	do	Stroboscope, S/N-7CAD-774950 General Radio type 631-HL.	18,000.00
MD-7-160-40154	do	Capacitor, both items are to large manufacturing P/N.	10,197.50
MD-7-16-R-21111	do	Switch-thermostatic Fenwal P/N-17302-17-490.	72,000.00
MD-7-16P-40411	do	Coil-tube deflection Western Electric P/N-D176699.	15,070.00
648586 16-T	do	Relay-armature nonpeele-up, for Sperry bombing navigational computer type A-1 C. P. Clare No. J-RP3048-C6-Sperry-744325.	13,600.00
676084 17-C	do	Voltmeter, portable direct current Westinghouse, style 1732886.	28,393.75
689447 16-A	do	Gear, spur steel, Fairchild Cam B-424-AA/7ARN-6.	24,920.00
741089 16-K	do	Modification kit, and relays all to Collins Radio P/N's.	286,221.00
MD-7-5935-30334 08E	do	Connector, receptacle, 5935-589-8270.	37,200.00
MD-7-16A-70033	do	Brush, electrical; brush holder Bendix divg. numbers.	12,875.00
MD-7-16-T-22613	do	Relay armature nonpele up type Leach relay, Cutler-Hammer, P/N Nos.	19,873.24
MD-7-5945-23514 16-T	do	Relay-Solenoid Nonpeele-up type Westinghouse Electric, Philco Radio P/N's.	33,330.00
706533 16-R	do	Switch, pressure 3305-07-2834573	21,819.50
MD-7-17C-90056	do	Miscellaneous parts for range calibrator, all items to Sperry P/N's.	24,977.50
MD-7-17C-80761	do	Voltmeter-portable Westinghouse style No. 1732886, type PX-44.	36,875.00
MD-7-16T-23862	do	Relay assembly 5945-238-3203, Price Electric, P/N.	13,485.00
628261 17-C	do	Generator, signal 7 CAC-365916-16.	74,146.00
640045	do	Oscilloscope, 7 CAC-611138, Dumont type 304A.	16,704.44
MD-7-16A-70107	do	Brushes, caps, electrical products, John Oster, P/N's.	13,605.00
MD-7-16T-23685	do	Relay armature 5945-321-0773.	10,380.00
648530	do	Miscellaneous parts for AS-82A/APS42A, all items to manufacturer's P/N's.	14,317.00
MD-7-17C-80874	do	Radio test set with antenna, Federal Radio & Television Co., model NUS-3156, antenna 3157, Hoffman Radio, model HYL-110.	402,000.00
MD-7-17C-80873	do	Radio test set, Federal Radio & Television, model NUS-3292, Hoffman radio HYX-105.	42,000.00
MD-7-17C-80355	do	Test panel flight controller; Lear Part No.-LT-3088.	16,754.10
MD-7-17C-80013	do	Adapter-V/G-933 U 1AW-exhibit-2433A.	18,500.00
MD-7-5925-2202016-R	do	Circuit breaker-5925-307-4459.	14,154.00
MD-7-16A-70205	do	Miscellaneous parts for-18S-4 radio set; all parts to Collins Radio Part No.	11,350.00
MD-16P-50309	do	Retrofit modification kit	47,960.00
628811 16-A	do	Antenna, vertical receiving, model VRA-1.	13,292.00
648671 17-C	do	Tester-capacitor type: fuel quantity gage tank unit.	41,040.00
618342 17-C	do	Modification kit-ECP-No. M1C-1000 DE.	32,805.00
MD-7-16A-70220	do	Miscellaneous parts for An/ARn-6, radio set; all parts to manufacturer's part Nos.	33,126.00
MD-7-16A-70192	do	Miscellaneous parts for AM/ARC-39, radio set, allied control part Nos.-large business.	14,850.00
MD-7-17C-80365	do	Test set, radar-AN/UPM-42 Sperry part No. 601481.	79,200.00
MD-7-16P-40834	Dayton AFB	Transformer, 3340-005100340 manufacturer's part number, only.	$15,137.50
MD-7-17P-40849	do	Transformer, 3340-26949079	15,042.00
MD-7-16A-70139	do	Miscellaneous parts for AN/ARC-27, Collins Radio, part numbers.	40,356.00
MD-7-16K1-60019	do	Type AN/APX-6-radar parts, bezel assembly; calibration charts; control receiver; covers.	13,998.00
MD-7-16P-40089	do	Transformer, power filament input.	12,920.00
683323 16-K	do	Modification kit, AN/APS-42 1AW RCA-ECP VD-LA10-4.	18,930.00
619789 16-A	do	"Analytical overhaul," AN/ARR-39A systems.	75,000.00
619257 16-A	do	"Analytical overhaul" AN/ARW-55, AN/ARW-86, AN/ARW-65 and KY-139/ARW systems.	50,000.00
613115 17-C	do	Test set, AN/USM-14	18,768.00
621141 16-P	do	Transformer, power	19,920.20
688186	do	Amplifier, video, AM/924/APS-54.	230,100.00
685295 16-K-1	do	AN/APS-42, miscellaneous parts.	70,678.13
685290 16-K-1	do	Clutch, magnetic, AN/APS-42.	26,201.84
613120 17-C	do	Test set AN/GPM-19	40,000.00
506838 16-K-1	do	AN/APR-9, AN/APA-74 modification; video and audio mixer; time signal generator.	1,152,471.00
MD-7-16A-70109	do	Miscellaneous parts for AN/ARC-34 radio set.	55,054.36
13851 16-N	do	Knobs-APP1-AN/APS 42 radar set; all to RCA part No.	12,300.00
606735 19A	Shelby AFD	Compressor-MA-1A	505,003.05
604666 19A	do	Heater, engine and shelter, gasoline burning, 400,000 British thermal units per hour output.	536,865.51
MH-7-19A-705	do	Jack, band Hgd. 5-ton type B-5.	16,067.50
MH-7-21A-364	do	Cloth, coated nylon-buna A coated.	10,000.00
634545 19-A	do	Helmet, flying, type MA-1	57,450.00
MH-7-19A-106	do	Gas turbine compressor-GTC-85-20.	1,273,600.00
MH-7-04B-628-711-717-720-808.	do	Gaskets-vibration mounts-hose assembly.	26,699.00
MH-7-04B-679/715/716/728857-9 items.	do	Hose assemblies; all to manufacturer's part Nos.	15,379.75
MH-7-04B-689-718-727-751-820-819.	do	Hose assemblies; all items to manufacturer's part Nos.	61,651.75
MH-7-04B-54-105-126-612-647-661-687.	do	Miscellaneous extrusion, rubber-packing "O" Rmp; all to Boeing part Nos.	11,425.40
MH-7-04B-47	do	Rubber boot-coupling flexible; Goodyear part Nos.	16,799.96
MH-04B-709-918-942	do	Hose airduct, sleeve silicone, hose, all to Arrowhead P/N's.	13,407.60
718128 19-A	do	Dock, aircraft servicing-type MH-3A.	182,737.50
MH-7-04B-679	do	Hose assemblies, 5 sizes, Aeroquip P/N's.	13,374.15
MH-7-04B-100-124	do	Bellows, special shaped sections Glenn L. Martin P/N's.	12,572.00
MH-7-04B-818	do	Hose assembly, all to Aeroquip P/N.	23,025.00
MH-7-19G-241	do	Adapter kits, for jet engines, all to Air Logistics P/N's.	1,447,691.00
MH-7-04B-660	do	Hose assembly, Stratoflex P/N's.	19,824.00
607242 04B	do	Rubber, special shaped sections, Consolidated Vultee-P/N's.	
601996 19A	do	Tow-bar, aircraft, Boeing Aircraft P/N-F52111-500.	247,750.16
661774 04B	do	Hose assembly, 3 sizes, Aeroquip P/N on each.	11,989.25
607243 04B	do	Rubber, special shaped sections.	13,489.60
607171 04B	do	Packing O ring, Hamilton Standard P/N 79411.	12,337.50
661518 04B	do	Hose, aircraft, U. S. Rubber P/N-K-7760 and K-7161.	58,530.00
661510 04B	do	Hose assembly, Aeroquip P/N-601000-4870 and A950259-10-60.	187,492.00
661548	do	Hose assembly, Aeroquip P/N-304007-12-0344.	131,323.00
661788 04B	do	Hose assembly, 2 sizes	21,759.80
548970	do	Services for repair, overhaul, and/or modification of approximately 315 MA-1 compressors.	850,000.00
704480 19-E	do	Miscellaneous parts for heater	30,568.52
704483 19-E	do	Air filter parts	88,175.25
661909 19-A	do	Adapters, aircraft	122,906.84

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Purchase order	Installation	Item	Estimated value
10406	Rome AFD	½-horsepower motors	$15,300.00
682472	do	Radar indicator	45,000.00
785012	do	Nood CPN-18 radar	12,646.40
682128	do	Radar parts	38,607.12
682661	do	Model MW transmitter	68,580.00
785973	do	Blower for FGC-5	21,917.70
785032	do	CPS-6B radar parts	70,540.34
785015	do	CPN-18 radar parts	13,842.77
785018	do	CPS-6B radar parts	33,319.95
682085	do	MRN-10 radio components	31,270.31
744104	do	MSQ1 radar parts	12,074.00
785085	do	MSQ1 radar parts and components.	27,092.33
LP2016	do	Radio models	21,390.00
744093	do	MCK-4 terminal station	415,000.00
785073	do	CPS-5 radar parts	23,237.88
612020	do	CAA type W-1 traffic light Gpec. CAA5680.	117,380.00
741151	do	MSQ-1 radar parts	12,074.43
785209	do	Model GPA-23 radar	541,996.00
785071	do	Model radar amplifier	13,170.00
682041	do	CPS-1 radar components	47,506.15
13004	do	UHF antenna multicoupler, Collins model 156R4.	83,160.00
744090	do	1737/GR control monitor	33,150.00
74099	do	Install Bendix radio	24,490.00
681739	do	Model FPN-16 radar	22,925.00
744229	do	Amplifier modulator group ORA-24.	432,000.00
681735	do	Model CPN 18 radar	20,736.04
744195	do	CPS-6B radar components	40,935.35
616775	do	Amplifier modulator group ORA-24.	48,000.00
681720	do	CPN-2A radar components	12,040.25
5013	do	Model, Philco manufactured radar equipment.	10,063.60
618299	do	Cavd assemblies, W. E. Co. P and Nos.	127,721.39
682158	do	PST-1 transmitting set	160,574.00
682191	do	Signal generators	164,324.00
682191	do	Signal generators	164,324.00
LP2049	do	Magnetrons	56,000.00
10027	do	Provisioning parts for FPS-3 radar.	64,478.94
R57-882E-73301	do	Remote line amplifier	65,480.00
LP-153	do	Mark I disca radar set	22,500.00
10009	do	Model FPN-16 radar (remote line).	69,020.00
682039	do	Model CPN-4 radar	14,066.00
10008	do	Landing control set, MPN-HD.	2,928,000.00
20020	do	Antenna AS-870, rubber coated.	120,000.00
14006 and 15007	do	Model T-217/GK radio	70,035.00
786425	do	Monitor R-282/FRN-12, power supply PP-470/FRN-12.	41,414.00
20032	do	MCK-4 microwave system	32,000.00
19085	do	Model MPS-7 radar	17,179.00
10048	do	CPN-4 radar model	591,850.61
16044 and 16086	do	Model to MPS-7 radar ECP	103,361.20
16101	do	2 OPN radar model	214,241.05
LP447	do	Connector and receptacle	60,504.11
786475 items 1, 2, 3	do	Cord assembly, Western Electric part No.	64,210.00
618300	do	Cord assembly, Western Electric part No. 31*14A.	182,533.00
670906 03-J	WPAFB	Starters, pneumatic, aircraft engine, type MB-8.	480,000.00
604389 05-F	WPAFB	AN/A8W-10 automatic flight control systems plus spares.	3,066,500.00
604312 03-J	WPAFB	Type MB-6 pneumatic aircraft engine starters.	2,060,205.00
604310 03-J	WPAFB	Starters, combustion, aircraft engine, type MA-2.	809,872.00
604307 03-J	WPAFB	Starters, combustion, aircraft engine, type MA-9 plus component spare parts.	4,255,040.00
604309 03-J	WPAFB	Starters, combustion, aircraft engine, type MA-11.	892,880.00
627768 (16-A)	WPAFB	Kit consisting of various parts. 8 items.	13,233.50
717850 (10)	WPAFB	Charger assembly type C1, electric auto 20 millimeter; charger assembly type C2, electric auto 20 millimeter.	233,454.14
736049 10-D	WPAFB	Projector-16-millimeter motion picture sound, combination optical and magnetic with recording.	26,123.00
563081 05-G	WPAFB	Transmitter: amplifier, power units, indicator for F-86-H aircraft.	157,061.00
603581 05-D	WPAFB	Transmitter, pressure, oil type MH-4.	31,503.00
660821	WPAFB	Transparency kits	32,748.00
670926, -1, -2 (16-A)	WPAFB	Recorder, sound: control, recorder; magazine, recorder; mounting.	11,378.00
715432 (03C)	WPAFB	Actuator assembly	13,468.34
604465 (03-C)	WPAFB	Motor generator, rotary 5-volt direct current type MD-3.	60,174.45
R57-1-50G6/R,F/12/57NSEASO.	WPAFB	Camera: motion picture, 35-millimeter type A-7.	44,454.80
729081	WPAFB	Motor-generator	23,068.24
639703 -3C3	WPAFB	Actuator, electric Mich. Lineas 1,610 pounds rated.	37,229.34
715487 02C1	WPAFB	Motor generator	$50,474.45
715453 03C	WPAFB	Motors; actuators	46,015.68
7-16K1-3060 16K	WPAFB	Antenna At-720/A; Anno 81-670.	69,900.00
PE 631507 03C	WPAFB	Generators 30 kilovolt ampere, 3 phase 120/208 volts Aerno-42-315; panels, control, alternating current generator; Aerno-42-746; regulators voltage, alternating current generator, MAG-AMP type Aerno-42-301.	126,555.00
SA-639064 and 729494-03C	WPAFB	1 generator, alternating current, permanent magnet type, 400-cycle, 80-watt, 162-volt line to 115-volt line to neutral 3 PN.85 PP3430 RPM, 2 generator engine driven, 300 amperes.	153,698.0
694470, 729469 03C	WPAFB	Motor-generators, 400 cycle, 1/3-phase.	1,232,974.00
694418 03C	WPAFB	Generators, aircraft, direct current type MA-1.	59,376.00
715460 03C	WPAFB	Actuators, various	101,753.02
715493 03C1	WPAFB	Starter	18,820.00
PE 631814 03C	WPAFB	Generator, alternating current engine driven type MB-2, controls, generator automatic, regulator, voltage alternating current magnetic amplifier.	885,773.26
729492 03C	WPAFB	Generators, alternating current, 115-volt, 8 kilovolt amperes, type C-3 for support of B45 aircraft.	723,126.00
631819 03C	WPAFB	Starter, generator, type MC-1 plus spare parts and data.	857,800.00
685325, 685369, 708902 16K-1	WPAFB	Components of AN/APN-66 radar system.	31,187,431.00
OC-706584 and 730928	WPAFB	Installation kits	855,976.00
MO-10B-705 and 709	WPAFB	Viewers AR-10 (2)	32,724.00
PE 694406 SA 729491 and 729497 03.	WPAFB	Generator, alternating current 60 kilovolt-amperes; generator, alternating current, 40 kilovolt-amperes type MH3, panel-control protective alternating current electrical system.	468,340.00
PE-7-4271 16K-1	WPAFB	Components of radar set AN/APN-69.	516,537.00
PE 672090 03A	WPAFB	Timer de-icer (AERNO 39-102 ATRC installation F855).	21,737.00
SA-7-03C1-1202 03C	WPAFB	Generator, alternating current, 60 kilovolt-amperes, 3-phase type MB-4.	397,704.00
MIPR-R57-2296-133 10	WPAFB	Navy radar recording cameras with spare parts and revision data.	76,336.00
R57-2271-106-NO 10	WPAFB	Camera, aircraft reconnaissance, 70-millimeter Navy type CAX-3.	45,000.00
PE-7-16A-4305	WPAFB	Radio receivers AN/ARR-47	70,000.00
MIPR-R-55-776-3 670880 16K-1	WPAFB	AN/ADN-70 radio receiver and components.	915,324.00
R57-565-732NOBS 10-D.	WPAFB	Bell & Howell model 302-C combination optical 7 magnetic 16-millimeter projectors.	13,575.00
PE-7-16P-4520 16P	WPAFB	Transformer	53,046.00
SA-639679 03C	WPAFB	Generator, direct current, 30 volts, type MA-3.	114,427.00
PE-7-03C-4468 03C	WPAFB	Generators, alternating current direct current, type MA1.	55,000.00
704621 11A	WPAFB	Yaw Roll gyro carroble	80,389.00
PE-7-16A-4159 and 670944.	WPAFB	Components of AN/ARN-31 equipment.	542,910.00
PE-7-10A-4199 10A	WPAFB	AN/AJW(XH-2) photographic control overlap computer sets.	93,730.00
735929 (OB)	WPAFB	Shotter Al phax No. 3	13,020.30
565086 10-A	WPAFB	Type KA-4 reconnaissance camera.	140,510.00
670796 16K-1	WPAFB	Variable attenuators for use with AN/APN-69 radio-receiver.	50,000.00
736047 10-D	WPAFB	Camera-motion picture 16 millimeter Bell and Howell model No. 700.	12,551.00
M1PR-R56-8709-TSMV.	WPAFB	Indicator electrical tachometer.	47,336.00
635722 03I	WPAFB	Transmission and governor assemblies.	85,200.00
do	WPAFB		266,200.00
694423 03-C	WPAFB	Frequency and loan controller	10,400.00
736045 (10D)	WPAFB	Printer-continuous type floor model.	95,915.40
568489, 568400 50-J	WPAFB	Type A-1A liquid oxygen and nitrogen generating plant, semitrailer mounted, plus spares.	6,971,383.00
730234, 708067 05-C	WPAFB	Components of the MA-1 flight director system.	2,207,270.00
735905 10-B	WPAFB	Light, photographic copying type B-6 plus spares.	33,062.00
735842 10-B	WPAFB	1. Apron canvas appl B-13 dryer; 2. Drums assembly.	18,321.00

Department of the Air Force—Continued

Purchase order	Installation	Item	Estimated value
732812 03-C	WPAFB	Amplifier-signal part No. 9478-1078.	$18,530.00
628748 16-A	WPAFB	Components of the AM-774A/ Arc-21 amplifier-radio frequency set.	6,695,223.00
715411,715419 03C1	WPAFB	Actuator, electro-mechanical, rotary.	65,703.00
635723 03-C	WPAFB	Frequency and load controllers.	16,900.00
639633 03-C	WPAFB	Actuator, electro-mechanical liner.	141,621.00
694359 03C	WPAFB	Direct current generator systems including control panels.	725,548.00
623119 50-A	WPAFB	Truck flat bed multipurpose, 8-ton, 8 and 8, type MM-1.	7,601,250.00
709092 11A	WPAFB	Light and time recording set, type AN/ASH-4.	1,612,070.00
708089 05-G	WPAFB	Transmitter, position, 28 volt, direct current, type AN5787.1.	34,611.00
670948 16K-1	WPAFB	Components of radar set AN/APN-66.	4,816,185.00
694424 03-C	WPAFB	Generator, AC, 40 kilovolt amperes.	31,610.00

Mr. SPARKMAN. Mr. President, although these 567 current procurement actions call for the purchase of a wide variety of items, they have 2 elements in common. First, contracts for these noncommercial items either have been, or shall be, awarded by negotiation, and with a complete absence of competition, to single source suppliers.

Secondly, there are no specifications, drawings, or engineering data available on these items by which any prospective bidder, whether small or large, might figure costs and submit a bid. In other words, approximately $115 million will be spent by the Department of Defense to buy these products in a series of private deals with favored big-business suppliers.

If any purchaser should deliberately set out to eliminate competition and the lower prices which competition insures, the best device which a purchaser could use for this dubious purpose would be the failure to provide specifications and drawings for the product being bought. This is a foolproof system for killing off unwanted competitive bids.

In this connection, I call attention to section 3 (c) of the Armed Services Procurement Act of 1947, as amended, which clearly states:

> All bids or invitations for bids shall contain in their specifications all the necessary language and material required and shall be so descriptive both in its language and attachments thereto in order to permit full and free competition. Any bid or invitation to bid which shall not carry the necessary descriptive language and attachments thereto, or if such attachments are not available or accessible to all competent, reliable bidders, such bid or invitation to bid shall be invalid and any award or awards made to any bidder in such case should be invalidated and rejected.

In view of that clear statutory language, I have grave doubts about the legality of the purchases of the Army, Navy, and Air Force of the 567 products under discussion. Typical of these items are engine flywheel assemblies, brake shoe linings, exhaust muffler assemblies, winches, welding equipment, water closet bowls, resistors and transformers, switches of various types, and generators.

I am also informed that the General Accounting Office shares my doubts on the legality of single-source procurements for items such as these and awaits with interest Mr. McGuire's explanation of why the contracts for these items have, in some cases, and shall in other cases, be handed without benefit of competition and on the proverbial silver platter to companies hand-picked by the Department of Defense.

It is also difficult for me to understand, Mr. President, how anyone can fail to be aware of the tremendous savings which accrue from the price competition small business is capable of offering. Time and again it has been demonstrated to me, as chairman of the Small Business Committee, that the Army, Navy, and the Air Force could save millions of dollars a year by the simple expedient of throwing their procurements open to bids from small- and medium-sized companies.

As the examples I am about to cite amply illustrate, almost every time the monopoly of a large company on military purchases is broken by the advent of small firms on the bidders list, the price the Government has to pay goes down.

Motor analyzers, for example, are common equipment in automobile repair shops. By means of these analyzers, the repairman can quickly determine what is wrong with an internal combusion engine. In October of 1950, the Air Force initially purchased 60 motor analyzers from the Sun Electric Co. at a price of $905.90 per unit. The Sun model was thereupon standardized and listed in the Air Force stock catalog.

I am informed, Mr. President, that there are about eight companies which manufacture motor analyzers. I am also informed that there are at least 100 companies which could produce analyzers to the satisfaction of the Air Force if specifications and drawings were available to them.

It appears, however, that the Air Force wanted only the Sun Electric Co.'s equipment and took steps to see to it that it was not practicable for other manufacturers of analyzers to submit bids on this equipment. Again, this was accomplished by not providing specifications and drawings upon which other concerns could calculate their costs and submit quotations.

The result of this artificial monopoly achieved at the insistence of the Air Force was that in May of 1951, when the Air Force wanted 74 more of Sun's analyzers, the free-from-competition price went up from $905.90 to $922.63.

In 1952, the Small Business Committee held hearings on the purchase of motor analyzers by the Air Force and attempted to persuade the procurement officials of the Air Force that a little competition would be a good thing for the taxpayers. I must admit that the committee failed. However, in 1953, the Heyer Products Co., of Belleville, N. J., a small producer of specialized electrical equipment, apparently got tired of being denied an opportunity to bid on this item and, without benefit of specifications, shooting in the dark, so to speak, submitted a bid on an Air Force requirement calling for 315 analyzers. The small company was not the low bidder, but faced with its first competition, Sun Electric dropped its price per unit from the previous $922.63 to $767 per unit, an overnight decrease of almost 17 percent.

But that is not all, Mr. President. The final chapter of this unwholesome story has recently been written. Six years after the initial noncompetitive purchase of motor analyzers, the Air Force still refused to develop specifications and on April 20, 1956, had, with brazen contempt both for the will of Congress and the pocketbooks of our Nation's taxpayers, advertised for bids on 432 analyzers—still on the same old Sun Electric or equal basis.

Again, the Small Business Committee felt compelled to step into this unsavory situation. Consequently, the procurement was canceled and finally, on May 10, 1957, specifications describing the analyzers were at last made available. This time four companies submitted quotations. Over the aggressive opposition of the Air Force the element of competition had entered the motor analyzer field. Although the bid of Sun Electric was the lowest received by the Air Force, it is interesting to note the price quoted by this company once small-business competition became a factor. The price offered by Sun Electric on the 432 analyzers was $680 per unit.

Let us pause a moment to see just what had taken place. Industry sources in this field estimate that the various costs of doing business climbed from 20 to 25 percent between 1950 and the spring of 1957. Yet we find that in 1957 the Air Force had to pay 25 percent less for the equipment than in 1950. What more eloquent testimony could we possibly find for the power of small-business competition.

It will be edifying to carry our arithmetic one step further. Assuming, as we have every reason to, that if competition had remained absent from the procurement of these analyzers, and the former sole source had kept its price, even in the face of greatly mounting costs, to its original 1950 figure of $905.90 per unit, the total cost of the 881 analyzers bought by the Air Force from 1950 to 1957 would have cost the Government $200,373 more than has been paid. Without any question whatever, small-business competition on this one relatively insignificant item has saved the taxpayers of this Nation more than $200,000.

This is not a new problem to the members of the Small Business Committee, Mr. President. The committee has long been gravely disturbed over the widespread practice of the Army, Navy, and Air Force of buying huge quantities of supplies from sole sources on a brand name or equal basis. In Senate Report No. 2070, 82d Congress, 2d session, the committee stated:

> This procedure works a definite hardship on competent small concerns desiring to participate in such procurements. The manufacturer of the item named has a distinct advantage in that for all practical purposes his product is the specification and he need not be concerned with the rigid requirements regarding specifications. In addition, he knows his costs in most instances, while the computation of these costs in many cases represents a sizable expense to a competing bidder. The device becomes unduly harsh on small concerns when they are not afforded easy access to specifications or models of the specified item.

There is no end to the amount of money which small companies could save the Department of Defense if the purchasing personnel of the military services would ever wake up to this obvious fact. From 1950 until the spring of 1957, the Navy has used only 1 source of supply for 30-foot, 8-inch lifeboats. This sole source was the Welin Davit and Boat Division of the Continental Copper & Steel Industries, Inc., a company which in 1956 had 2,500 employees and net sales of more than $73 million.

Small-boat builders had been precluded, for all practical purposes, from bidding on these lifeboats because of a requirement that instead of merely submitting drawings with their bids, they had to go to the expense of constructing a sample boat and then of putting it through costly testing procedures. No small-boat builders felt they could incur this out-of-pocket expense without some assurance that they would obtain a contract.

At the suggestion of the Small Business Committee, the Navy finally decided that it would accept drawings in lieu of sample boats. Thereupon, as the result of an invitation to bid on 50 lifeboats issued by the Navy on March 29, 1957, a small-boat building company located at Point Pleasant, N. J., underbid the Welin Davit and Boat Division of Continental Copper and Steel Industries by $369 per boat. This represented a total savings to the Government on this procurement of $18,450.

It may be said that $18,450 is a small sum. Multiply this figure, however, by hundreds and indeed by thousands, Mr. President, and it may quickly be seen how many millions of dollars a year small companies might save the Department of Defense if the many artificial impediments that prevent them from bidding on military contracts were removed.

I should like to cite one final and dramatically clear example of the ability of small concerns to save the Government large sums of money. The Navy Aviation Supply Office in Philadelphia is charged with buying certain batteries for naval aircraft which I shall identify simply as Type A and Type B. Until 1948, there were but three sources of supply bidding on these batteries, the Gould-National Battery Co. with 1956 net sales of $67 million, the Electric Storage Batteries Co. with 1956 net sales of $94 million, and the Electric Auto-Lite Co. with 1956 sales of $231 million.

According to an abstract of bids supplied me by the Navy Department, in December of 1948 the Navy Aviation Supply Office in Philadelphia advertised for 590 of type A batteries at f. o. b. plant prices. The bid of Gould-National was $79 per unit. Electric Storage Batteries Co. offered their Exide battery at $77.45 per unit, and Auto-Lite submitted no bid.

What made this particular procurement different from the purchases of these batteries in former years was the introduction of a new small-business source of supply for these batteries. This was the Gill Manufacturing Co., of Redlands, Calif., a small concern employing about 100 workers. When the bids were opened it was found that Gill Manufacturing Co. had bid $51.37 per unit.

It is important to note exactly what happened then as the direct consequence of a very small-business concern competing with the giants of the battery industry. Overnight the price of this type A battery dropped 33.6 percent, from the $77.45 per unit which was the second low-bid price offered by Exide to the $51.37 quoted by Gill Manufacturing. Gill, of course, was awarded this contract with a savings to the Government of $15,595 on just this one purchase. It is also enlightening to notice what effect this small supplier had on the subsequent prices quoted by Gould-National, the Electric Auto-Lite Co., and the Electric Storage Batteries Co. when these giant concerns next submitted bids on this battery 2 years later, in 1950. Gould's price had dropped from the previous $79 to $56.65, Exide dropped from $77.45 to $61, and Electric Auto-Lite came in at $49.70. Again Gill Manufacturing Co. was the low bidder at $48.74, and again the Government was saved money by a small business.

When Gill bid in 1950 on 17,700 units of type B battery, its price was 15 percent below that of the next lowest bidders, Gould and Exide, with a savings to the Navy on this single procurement of $114,342.

To bring up to date this example of the effectiveness of small business in reducing the cost of Government purchasing, it is only necessary to observe the price paid by the Navy for type A battery the last time bids were requested for this equipment. On April 2, 1956, Exide was low bidder with an f. o. b. plant price of $44.86. Despite the increase in most of the costs of doing business between 1948 and 1956, Exide's quoted price between these two periods had been reduced by $32.59 per unit or by 42 percent.

When we contemplate the savings of such staggering proportions which are brought about merely by competition from very small-business concerns, Mr. President, it leads to the conclusion that the contracting officers of the Department of Defense have been grossly negligent and remiss in their duty when they have accepted and paid for, without challenge, the gouging prices which many of our largest corporations have extorted in the past and undoubtedly are extorting today for products on which small companies are denied an opportunity to bid.

What the Department of Defense needs is more competition, not less competition, from small business. Yet we find that the small-business share of military procurement is constantly shrinking. During the first 8 months of the current fiscal year, small firms received only 16.7 percent of the $12,775,000,000 spent for goods and services by the military establishments. This is a substantial decrease from the 19.6 percent small business obtained in fiscal year 1956, the 21.5 percent it secured in fiscal year 1955, and the 25.3 percent of the defense contracts it received in fiscal year 1954. At the present rate of decrease, we may expect that small firms will be frozen out of the Defense Department's procurement program within a few years.

I do not know why such a condition should exist. The Department of Defense maintains an elaborate small-business procurement program and has an ample small-business staff to make these programs function. Yet, the facts strongly suggest that the Department's small-business program is a failure. The figures show it to be a failure. Perhaps it may be necessary for the department to revise and modernize its whole approach to the small-business problem and bring in some new blood, topside as well as in the ranks, to breathe some life into its small-business programs.

I, for one, Mr. President, am unwilling to accept as final the showing thus far made by the Army, Navy, and Air Force in their efforts to help small firms obtain a fair and just share of defense procurements. I indicated this in May when, with the support of 26 Senators as cosponsors, I introduced Senate Resolution 138, which stated:

> Resolved, that it is the sense of the Senate • • • that if reasonable progress is to be achieved toward the ultimate goal of obtaining for • • • small business • • • a fair share of the purchases and prime contracts made or entered into by the military services, small-business concerns should receive not less than 25 percentum of the procurement dollars expended each year by the Department of Defense.

This 25 percent was not suggested as a mandatory minimum, but rather as a reasonable goal well within the Department's capabilities to achieve.

The Secretary of Defense has spoken recently about the necessity for a stretchout of procurement and a "gradual reduction" in military personnel if spending is to be held down. It is possible that recourse to such expedients may become necessary. I am certain, however, that Mr. Wilson will

not have to stretch nearly as far nor reduce nearly as low as he now fears if he will but heed the often-expressed intent of the Congress that small business receive a fair share of military prime contracts.

True economy, like charity, should begin at home.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I wish to announce for the information of the Senate the program for tomorrow.

As I announced previously, the Committee on Appropriations today reported the legislative appropriation bill. I ask unanimous consent that it be in order to consider that bill tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Also to come before the Senate tomorrow will be the conference report on the Labor, Health, Education, and Welfare appropriation bill, upon which the House acted today.

It is also the intention of the leadership to schedule for consideration Calendar 331, S. 60, the Fryingpan-Arkansas bill, and Calendar 470, House Joint Resolution 172, relating to the stockpiling of extra-long-staple cotton.

Calendar 448, S. 1856, is the unfinished business.

I should like to make Calendar 470, House Joint Resolution 172, the long-staple-cotton bill, the pending business.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SPARKMAN. The committee of conference which is considering the housing bill spent the entire afternoon working on that measure. We are hopeful that our work will be completed tomorrow morning. In the event it should be completed, might it be possible to have that conference report called up tomorrow afternoon?

Mr. MANSFIELD. Yes, indeed.

Mr. SPARKMAN. In that connection, a Senate joint resolution has been introduced to continue the voluntary home mortgage program for 30 days. That program will expire on June 30. However, if it is possible to have the housing conference report agreed to, it will not be necessary to act on the Senate joint resolution. If it should not be possible to act on the housing bill conference report, I should think it would be necessary to pass the joint resolution, in order that the voluntary agency, which operates through various insurance companies, but also under the authorization of Federal machinery, may continue to operate.

Mr. MANSFIELD. The joint resolution will be listed, in case it is necessary to take emergency action. The leadership will do everything to cooperate with the Senator from Alabama in case the conference report comes to the Senate.

The Senate may also consider Calendar 488, S. 1730, to implement a treaty with the Republic of Panama.

H. R. 4748, a bill reported today from the Committee on Interior and Insular Affairs, which also has some time urgency; and

Senate Joint Resolution 115, which was reported today from the Committee on Banking and Currency, and which was just discussed by the Senator from Alabama, providing for the interim extension of the voluntary home mortgage credit program.

Calendar No. 448, S. 1856, to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, is the unfinished business.

Calendar No. 472, S. 1459, to amend section 208 (c) of the Interstate Commerce Act, as amended, may also be considered.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 26, 1957, he presented to the President of the United States the following enrolled bills:

S. 1264. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia;

S. 1576. An act to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act;

S. 1586. An act to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia; and

S. 2243. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, under the order just entered, I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 59 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Thursday, June 27, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 26 (legislative day, June 21), 1957:

DIPLOMATIC AND FOREIGN SERVICE

Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ceylon.

NORTH ATLANTIC TREATY ORGANIZATION

W. Randolph Burgess, of Maryland, to be the United States permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary, vice George W. Perkins.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 26 (legislative day, June 24) 1957:

DIPLOMATIC AND FOREIGN SERVICE

Val Peterson, of Nebraska, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

Jacob D. Beam, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Poland.

UNITED STATES CIRCUIT JUDGES

John Minor Wisdom, of Louisiana, to be United States circuit judge, for the fifth circuit.

Jean Sala Breitenstein, of Colorado, to be United States circuit judge, for the 10th circuit.

UNITED STATES ATTORNEYS

Leonard G. Hagner, of Delaware, to be United States attorney for the district of Delaware for a term of 4 years.

Wendell A. Miles, of Michigan, to be United States attorney for the western district of Michigan for a term of 4 years.

George E. MacKinnon, of Minnesota, to be United States attorney for the district of Minnesota for a term of 4 years.

Edward L. Scheufler, of Missouri, to be United States attorney for the western district of Missouri for a term of 4 years.

UNITED STATES MARSHALS

Richard Beal Kidd, of Arkansas, to be United States marshal for the eastern district of Arkansas for a term of 4 years.

William W. Kipp, Sr., of Illinois, to be United States marshal for the northern district of Illinois for a term of 4 years.

C. Enard Erickson, of Minnesota, to be United States marshal for the district of Minnesota for a term of 4 years.

Omar L. Schnatmeier, of Missouri, to be United States marshal for the eastern district of Missouri for a term of 4 years.

Howard Call, of Utah, to be United States marshal for the district of Utah for a term of 4 years.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 26, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Most merciful and gracious God, Thou alone art able to supply our many direful needs and to satisfy our deepest longings.

There is no one else who understands us so perfectly and none to whom we may unburden ourselves so freely and completely.

Inspire us with a clear and commanding vision of Thy kingdom of blessedness as we labor for the peace and happiness of all mankind.

May we daily speak a word of kindness and sympathy, of encouragement and good cheer and extend a hand of helpfulness to Thy needy children.

Help us to bring in that glorious time when every need shall be supplied and all shall know Thee from the least to the greatest.

In Christ's name we offer our petition. Amen.

The Journal of the proceedings of yesterday was read and approved.

APPROPRIATIONS FOR INDEPENDENT EXECUTIVE BUREAUS, BOARDS, COMMISSIONS, ETC., 1958

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

APPROPRIATIONS FOR DEPARTMENT OF INTERIOR AND RELATED AGENCIES, 1958

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. KIRWAN, NORRELL, SIEMINSKI, MAGNUSON, CANNON, JENSEN, FENTON, BUDGE, and TABER.

SPECIAL AND SELECT COMMITTEES

Mr. BURLESON. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 295) authorizing salaries and expenses of special and select committees, fiscal year 1957, to be paid from the item "Miscellaneous items," contingent fund of the House, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That to the extent necessary authorized salaries and expenses of special and select committees, fiscal year 1957, may be paid from the item "Miscellaneous items," contingent fund of the House.

The resolution was agreed to.

A motion to reconsider was laid on the table.

OUR LATIN AMERICAN POLICY

Mr. PORTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, 2 of my colleagues and 1 Member of the other body have expressed themselves publicly in criticism of the change I have been proposing in our Latin American policy.

My thesis is simple: The American people love democracy and hate dictatorships; therefore our State Department should so proclaim, and frame its policies accordingly.

Specifically, all economic and military aid to Latin American dictatorships should cease; our official relationships with dictatorships should be courteous but cool; our official relationships with democracies should be friendly, hospitable, and helpful. These ideas are not new.

My constituent, Gerry Murphy, never would have been murdered in the Dominican Republic by Generalissimo Trujillo's order had not Trujillo, with some reason, assumed he could count on our Government's accepting his transparently false explanation of Gerry's death, an explanation which, however, the United States has strongly rejected. Now Trujillo refuses to reply to notes from our Government asking that his lieutenant, Arturo Espaillat, recently Dominican Consul General in New York City, divest himself of diplomatic immunity and return to the United States for questioning and possible trial in connection with the Murphy-Galindez case.

Hemispheric solidarity, based on alleged friendship with dictators like Trujillo is illusory and, in the eyes of Latin America, hypocritical and cynical. Lincoln, who is their hero, too, would not have pretended to believe such "allies" respectable or useful.

Judging by my mail, both from this country and Latin America, by my visitors and by the enthusiasm of my reception on recent visits to Puerto Rico and Costa Rica, the people of Latin America are eager to recognize the United States as their moral leader and warm friend in their quest for government which recognizes the dignity of a human being.

HUNGARY AND THE UNITED NATIONS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Concurrent Resolution 204, which is at the Speaker's desk.

The Clerk read the resolution, as follows:

Whereas the Hungarian freedom revolution broke out October 23, 1956, was catastrophic in nature and subsequent events shocked the conscience of the free peoples of the world; and

Whereas the barbaric action of the Soviet Union in Hungary demonstrates that the Soviet Union is determined to go to any and all lengths to maintain its empire of enslaved peoples by the most brutal forms of armed subjugation and repression; and

Whereas the crisis and foment created by developments in the satellite nations require a continued reevaluation by the United States and the United Nations of strategic policy to meet changing conditions; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States should implement a policy toward the satellites that will fully and effectively utilize the position of leadership of the United States through all proper means.

SEC. 2. It is further the sense of the Congress that the President, through the United States representatives to the United Nations, should request the immediate reconvening of the General Assembly of the United Nations to consider the report of the United Nations Special Committee on the Problems of Hungary and other available information on the brutal action of the Soviet Union in Hungary.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. JUDD. Mr. Speaker, reserving the right to object, and of course I shall not object, for I am heartily in favor of this resolution. But I think perhaps we ought to have a little discussion of it, because one of the real values of this resolution is to declare to the whole world and to the members of the United Nations General Committee meeting in New York today, the continued revulsion of American public opinion against the barbarous acts of the Soviet Union in Hungary, and the urgent desire of the American Congress and people that the United Nations take prompt steps to deal with the situation.

The United Nations Special Committee set up by the General Assembly to study the problem of Hungary now comes in with a unanimous report which is a scathing indictement of Communist duplicity, hypocrisy and aggression.

First, it knocks down every one of the Soviet claims such as the charge that the revolution in Hungary was not a spontaneous national uprising of the Hungarian people against Communist tyranny, but something engineered by American counterrevolutionaries, warmongering Wall Street, and so forth.

Second, it demonstrates that the action of the Soviet Union was naked aggression depriving the Hungarian people of their independence and freedom, in flagrant violation of the U. N. Charter.

Third, the committee report also makes clear that the present regime set up by the Soviets in Hungary under Kadar is completely without the support of the people of that country.

Now, with the United Nations steering committee meeting today in New York to decide what to do about this report of its own investigating committee, it was felt by leaders of both the Senate and the House——

Mrs. KELLY of New York. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. If the gentleman from Minnesota will yield to the gentlewoman from New York I think probably a harmonious solution will be suggested.

Mr. JUDD. Yes, in a moment. Mr. Speaker, the real value of the resolution will come from making clear to the world the convictions of the Congress and the people we represent. They want the United Nations now to reconvene the General Assembly to consider and act upon the report of its investigating committee, not just file it away.

As the New York Herald Tribune said today:

The report of the special investigation committee stands as a monument to the heroism of Hungary. It must not be turned

In an effort to implement at least in

STATEMENT OF MR. GEORGE MEANY, PRESIDENT,

a part of the association's annual pa-

into an monument to the futility of the United Nations.

And now I am glad to yield.

Mrs. KELLY of New York. This resolution was adopted unanimously by the Committee on Foreign Affairs. The urgency of the matter is very great.

Permission to call up the resolution was granted on the understanding there would be no debate. So I am going to ask my colleague from Minnesota if he will agree to a consent request that all Members may extend their remarks in the RECORD on this subject.

The SPEAKER pro tempore. May the Chair suggest to the gentlewoman that she withdraw her request and submit another request that it may be in order for the Chair to recognize her or some member of her committee to call up this concurrent resolution.

The Chair thinks probably some discussion would be very helpful. The Chair suggests that the gentlewoman withdraw her request and ask unanimous consent that it be in order during the day for the Chair to recognize the gentlewoman from New York to call up this resolution.

Mr. JUDD. Mr. Speaker, I hope we may pass it right now.

Mrs. KELLY of New York. Mr. Speaker, would it be possible to pass it at this time without discussion, if the gentleman from Minnesota will withdraw his reservation of objection?

Mr. JUDD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the House concurrent resolution?

There was no objection.

The SPEAKER pro tempore. The question is on the concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mrs. KELLY of New York. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have permission to extend their remarks on the concurrent resolution just agreed to at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. KELLY of New York. Mr. Speaker, the measure which is before us, House Concurrent Resolution 204, certainly deserves the unanimous approval of this House. As chairman of the Subcommittee on Europe of the House Foreign Affairs Committee and as chairman of the Special Study Mission to Europe on Policy Toward the Satellite Nations, I want to state that the action we are about to take today the study mission urged as far back as May 15 when we filed our written report with the Foreign Affairs Committee. My purpose in pointing this out is to indicate that the legislative branch of our Government and its committees are acutely aware of the major problems which face our Nation. The importance of thorough committee study and report of recommended courses of action is highlighted by the sequence of events which have transpired.

In implementation of our report submitted to the House on June 4—House Report 531—three of my colleagues on the study mission, the gentleman from Alabama [Mr. SELDEN], the gentleman from Maine [Mr. COFFIN], the gentleman from Michigan [Mr. BENTLEY] and I filed identical concurrent resolutions—House Concurrent Resolution 189, House Concurrent Resolution 190, House Concurrent Resolution 191, and House Concurrent Resolution 192—on June 17 expressing the sense of the Congress on the need for an affirmative policy toward the Soviet satellites. Because of the pressure of time and the urgency for voicing today the sense of the Congress with respect to the necessity for reconvening immediately the General Assembly to consider the report of the United Nations on Hungary, as well as our study mission report, one of the matters dealt with in the identical concurrent resolutions I have referred to, my colleagues on the study mission and I have agreed to this measure which is now before us. I want to point out that it is a compromise of those resolutions. I commend my colleague, the gentleman from Alabama [Mr. SELDEN], for the initiative he took in drafting this compromise resolution which is the measure now under consideration, House Concurrent Resolution 204. I feel that House Concurrent Resolution 204 is at least a beginning. More action, however, is called for, along the lines suggested in our report. The United States, the great and powerful leader of the Free World, if it wishes to continue as the Free World leader, will have to use its ingenuity a moral force and power to be prepared in the future through the use of all proper means not only within the United Nations, but outside as well.

Mr. Speaker, one of my colleagues on the study mission, the gentleman from Michigan, [Mr. BENTLEY], is not here today because of a death in his family. He has for a long time worked tirelessly and devotedly for the cause of freedom in Hungary. I know personally the many long hours he has spent on this subject which is so close to his heart. Having served in Hungary as a United States Foreign Service Officer before coming to Congress, he is intimately aware of the situation in that area. I know that if he were here today he would join fully and wholeheartedly in expressing with us our feeling for the people of Hungary and the need for positive action.

Mr. Speaker, I urge the unanimous adoption of this resolution as the first step on behalf of freedom for the millions of enslaved peoples behind the Iron Curtain.

Mr. SELDEN. Mr. Speaker, I rise in support of House Concurrent Resolution 204.

During the Easter recess a special study mission of the House Committee on Foreign Affairs, composed of members of the European subcommittee, visited four European countries. I had the privilege of serving as a member of that mission which was under the able chairmanship of the distinguished gentlewoman from New York, Representative EDNA KELLY. Other members of the study mission included the gentleman from Maine, Representative COFFIN, the gentleman from Pennsylvania, Representative FULTON, and the gentleman from Michigan, Representative BENTLEY.

Upon its return to the United States, the study mission issued a report which the majority of our group believed contained not only constructive criticism of our foreign policy but recommendations of merit as well. A substantial portion of this report, published on June 4, 1957, as House Report 531, dealt with the so-called satellite nations of Eastern Europe.

In an editorial dated May 17, 1957, the New York Daily News said:

IF OTHER SLAVES REVOLT

A House Foreign Affairs subcommittee headed by Representative EDNA KELLY, Democrat, of New York, came out yesterday with what seems to us a highly constructive report on how the United States should prepare for future explosions in the Red slave empire.

When the Hungarians rebelled last October, the group says, we lost a golden opportunity, so let's get ready now to do better next time o' times.

Suppose East Germany blows, or Czechoslovakia, or Poland, or any other Russian satellite, and the Kremlin shows signs of planning another Hungary-style slaughter. The Kelly subcommittee urges that we make plans now to break off diplomatic relations with Russia at once, and subject it to other kinds of social isolation.

The group also urges that we put the arm on the United Nations to set up, right away, permanent observer teams which can move immediately to or near the scene of any satellite rebellion and report what takes place.

By these and kindred means, we can hope to head off Soviet supersavagery to some extent, and to speed the eventual crackup of the Red empire. A do-nothing policy will get us nowhere.

This proposed change in our cold-war strategy looks good. How about serious study of the Kelly report, in both Congress and the White House?

The May 31, 1957, issue of the Cincinnati Enquirer stated in an editorial:

THE NEXT TIME

A House Foreign Affairs subcommittee, headed by Representative EDNA KELLY (Democrat, New York), came forth the other day with some sensible advice to the administration and especially the Department of State, the Central Intelligence Agency and the United States Information Agency. Proceeding from the undeniable fact that the October revolution in Hungary caught our Government flatfooted, the committee suggested that plans be drawn now against the day when another satellite or the peoples of Soviet Russia itself shall blow up in the Kremlin's face.

The committee proposes that we examine all our diplomatic, economic and propagandistic weapons with a view to their prompt use if, as and when Moscow again launches its MVD tank corps against a scarcely armed population demanding freedom.

There is much that can be done by the United States and the United Nations short of war. For one thing we could isolate Moscow by pointedly recalling our ambassador. We can invoke treaties violated by the Reds. The committee is right: We should not give the impression next time of sitting on our hands out of timidity and lack of forethought.

In an effort to implement at least in part the recommendations made by the majority of the members of the European study mission, the gentleman from Maine [Mr. COFFIN], the gentleman from Michigan [Mr. BENTLEY], and I joined on June 17, 1957, with our distinguished colleague from New York [Mrs. KELLY], in introducing identical concurrent resolutions. These resolutions called for an affirmative policy toward the satellite nations as well as the full and effective utilization by our Nation of its position of leadership, both within and without the United Nations. The resolutions also urged the immediate reconvening of the General Assembly of the United Nations to consider the report of the United Nations Special Committee on Hungary and other available information relative to the satellite nations.

Since the introduction of these resolutions, the United Nations Committee on Hungary has published its report condemning the actions of the Soviet Union. Realizing the importance of urging immediate consideration of this report by the United Nations, the members of the European study mission who introduced identical resolutions have agreed to the resolution now under consideration. Although the full force and vigor of our original resolutions has been watered down in some respects, House Concurrent Resolution 204 retains the substance of these measures.

The report of the United Nations Committee, along with other available information on Hungary, such as our special study mission report, should prove useful in exposing before the bar of world public opinion the ruthlessness and the fanatic imperialistic designs of the Soviet Union.

This resolution, Mr. Speaker, merits the unanimous support of this body, and I urge its immediate adoption.

Mr. ZABLOCKI. Mr. Speaker, I am very happy that the Committee on Foreign Affairs has unanimously voted to report House Concurrent Resolution 204, to express the sense of the Congress that our Government, through our delegate to the United Nations, should press for the reconvening of the General Assembly to promptly consider the report of its special committee on Hungary.

Further, I want to commend the leadership for making it possible for this resolution to be so promptly considered by this House. This gives each and every Member an opportunity to express himself on this vital subject. I am confident that these expressions will be unanimous in supporting the sense of the resolution.

The heroic uprising staged by the people of Hungary, and their tremendous sacrifice for the cause of freedom, demand that the report on the Soviet atrocities be considered immediately by the United Nations.

As part of my remarks, I want to include a statement issued on this subject on June 24 by AFL–CIO President George Meany. Mr. Meany should be commended for his prompt and forthright statement.

STATEMENT OF MR. GEORGE MEANY, PRESIDENT, AFL–CIO

American labor commends the United Nations Special Committee for its comprehensive and courageous report on the Soviet Government's brutal crushing of the revolt of the Hungarian people for national independence and human freedom. This report will serve the cause of human decency and enhance the prestige of the U. N. among the peoples striving for peaceful and honorable relations among the nations of the world.

The authority and effectiveness of the United Nations as an instrument of world peace demand that the U. N. should not limit itself to the mere issuance of findings. Timely and appropriate action must follow promptly.

The gravity of the Special Committee's indictment of Soviet aggression and Communist terror against the Hungarian people necessitate the immediate reconvening of the 11th Session of the United Nations General Assembly to act on this report.

There is no reason to oppose the reconvening of the General Assembly on the ground that this might cause the Soviet rulers to break up the present disarmament negotiations. If the Kremlin is negotiating in good faith, it will not engage in such disruption merely because the U. N. meets its responsibility as the world organization for peace and human rights.

On the other hand, if the Kremlin insists that the U. N. must shun its responsibility and the world must pay such a price for even a very limited disarmament accord, then any agreement reached, under such circumstances, would not be worth the paper on which it is written.

Any international agreement reached under threats or political duress would be worthless.

Sincere efforts toward genuine disarmament will be encouraged and aided by the United Nations demonstrating its readiness to promote just and harmonious international relations. The cause of world peace urgently demands timely and effective action by the United Nations on the findings of its Special Committee on Hungary.

ANNOUNCEMENT

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to dress the House for 1 minute.

The SPEAKER. It there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, when rollcall No. 122 occurred yesterday, I was downtown in conference with officials of the Department of Agriculture on matters affecting my district. This was the rollcall vote on the so-called Small Business Act which I have always favored, and if I had been present I would have voted in favor of that act.

ARMED FORCES MANAGEMENT ASSOCIATION

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the getnleman from Michigan?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, recently I was privileged to attend a meeting of the Armed Forces Management Association held here in Washington as a part of the association's annual national conference.

This organization, with which I had not previously been acquainted, is made up of men and women from the management and personnel fields of the armed services who have associated themselves on a completely voluntary basis for the purpose of discussing and promoting improved management policies and procedures in both the uniformed and civilian components of the Armed Forces.

I take this opportunity to commend the thousands of members of the Armed Forces Management Association for the interest in and dedication to the national welfare reflected in this volunteer activity, above and beyond the call of routine duty.

At the same time, I earnestly urge the top leadership of our Armed Forces, both civilian and military, to give substantially larger encouragement, cooperation, and support to the activities of this organization and its membership throughout the Nation.

Certainly, the activities of the association, as reflected by its recent conference agenda indicates that it has a great deal to contribute toward more economical and efficient utilization of our defense billions, and of our civilian and uniformed personnel in the Defense Establishment, and to the solution of problems created by shortages of engineers and scientists.

I bespeak the interest and support for this association and its activities of the Members of Congress and particularly those on the Committee on Armed Services and the Defense Appropriations Subcommittee.

SUBCOMMITTEE ON IRRIGATION AND RECLAMATION

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Irrigation and Reclamation of the House Committee on Interior and Insular Affairs may be permitted to sit during general debate Monday afternoon July 1.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

CALL OF THE HOUSE

Mr. BOGGS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

Mr. COOPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 123]

Adair	Colmer	Holifield
Bailey	Cooley	Holtzman
Beamer	Dawson, Ill.	Horan
Bentley	Dies	Kearney
Bowler	Diggs	McConnell
Buckley	Engle	McGregor
Celler	Grant	Montoya
Coffin	Gray	Powell

Saylor Springer Zelenko
Scott, Pa. Taylor
Shelley Wilson, Calif.

The SPEAKER pro tempore. On this rollcall, 403 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE LATE BELLE S. MICHENER

Mr. MEADER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, I take this time to announce to the House the death of Belle S. Michener, wife of Earl C. Michener, who served the Second Congressional District of Michigan with distinction for three decades. He was my predecessor in this body.

Mrs. Michener was taken on Monday of this week and the funeral will be held in Adrian, Mich., this afternoon.

I am sure that all of my colleagues who served with Earl Michener join me in extending to him and his family our very deepest sympathy in this hour of their bereavement.

Mr. REED. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from New York.

Mr. REED. Mr. Speaker, I had the pleasure of serving with Earl Michener during all of the time he was a Member of this body. We were very close friends of Representative and Mrs. Michener.

Mrs. Michener was a wonderful woman and very popular here in Washington. She was very helpful to Earl Michener.

I extend the deepest sympathies of Mrs. Reed and me to Mr. Michener and their daughters in this time of their bereavement.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from New York.

Mr. KEATING. Mr. Speaker, I served with Earl Michener while he was a Member of this body. Mr. Michener was extremely helpful to me when I first came to Congress, he being chairman of the Committee on the Judiciary in the 80th Congress.

I regret deeply to hear of the death of his beloved wife and join my colleagues in extending sympathy to him and his family.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from California.

Mr. McDONOUGH. Mr. Speaker, I, too, join with the gentleman from Michigan in expressing our sincere sympathy and condolence to Earl Michener at the loss of his beloved wife. I served in the Congress with Earl Michener when I first came here and I found him to be very helpful and very capable. The Congress lost one of its outstanding Members when Mr. Michener left.

I extend my sympathies to Mr. Michener and his daughters.

ANNOUNCEMENT

Mr. SISK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request from the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, I take this time to state that I was very much in favor of the bill considered yesterday concerning small business. I was on the floor during the major part of the debate but was called away for a short time and did not return in time to answer to my name when the rollcall was had. Had I been present my vote would have been cast in support of the Small Business Act because I certainly am interested and concerned with that matter.

THE NEED FOR GREATER TRAFFIC SAFETY

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection to the request of the getnleman from Alabama?

There was no objection.

Mr. ROBERTS. Mr. Speaker, Monday night the President, in addressing the Conference of Governors in Williamsburg, Va., turned the spotlight on a problem of constantly increasing magnitude—that of highway safety.

As chairman of the Special Subcommittee on Traffic Safety, created out of the concern of every Member of this House for the national health and welfare of all our citizens, I have been gratified to read in the news the interest shown by many of the Governors, as well as the President, regarding the tragic toll of lives and destruction of property now being wasted upon the Nation's highways. My deepest hope is that concerted action will follow up the thoughts and concern over highway safety, now being expressed in Williamsburg.

Mr. Speaker, in his speech, the President stated:

> The American people are paying an increasingly fearful price for the failure of the States to agree on such safety essentials as standards for licensing of drivers and vehicles and basic rules of the road.

I would like to point out that the Special Subcommittee on Traffic Safety in the interim report which it filed on January 3, 1957, just 6 months after it had been established, urged the States to adopt uniform traffic laws; the subcommittee further urged that driver examining and licensing procedures be strengthened; and that vehicles be properly inspected. The Subcommittee on Traffic Safety recommended that more aggressive action be taken by local communities and counties as well as States. The subcommittee urged that there be organized citizen support for balanced and well-organized safety programs of responsible public officials. Certainly, it is not possible to have safety on our highways if we do not have citizens who want safety.

Mr. Speaker, I am pleased that the President has seconded those recommendations which have been made by the Special Subcommittee on Traffic Safety. I sincerely hope that every public official will continue the effort to alert the public to the horrendous national waste being strewn upon our highways. The public must arm against this vicious enemy which is now taking over 40,000 lives, and leaving 100,000 permanently and totally disabled, and over 2 million casualties in its wake each year. We must all work for victory in order to conquer this tremendous national health problem, already of epidemic proportions.

TAX CO-OPS

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, in the Baldwin Citizen under date of June 20, 1957, there appeared an editorial entitled "Tax Co-ops," which I recommend to the attention of my colleagues.

> TAX CO-OPS
>
> Across the Nation awhile ago, 794 weekly editors took pen in hand to answer a series of 22 questions on vital issues propounded by the American Press which published the results in a recent issue of the magazine together with a letter commending the survey to the attention of Mr. Congressman for an overall picture of grassroots sentiment.
>
> "There is no doubt among most Congressmen," said the letter, "that the country editor does reflect grassroots sentiment. Without his help, it is often difficult to know what the rural half of America is thinking."
>
> The returns showed the editors pretty evenly divided on whether the post office should pay its way, whether military service under the draft should be shortened from 2 years to 18 months. They strongly favored increasing income-tax exemptions and reducing foreign aid, opposed Federal aid to schools.
>
> But the one question of the 22 on which the editors were most solidly in agreement asked whether cooperative corporations and savings and loan associations (should) be subject to Federal income taxation in the same manner as other business corporations.
>
> Of the 794 editors from every section of the country, Northeast, South, South Central, West, 86 percent replied "Yes," 12 percent answered "No" and only 2 percent ducked the question.
>
> This resounding verdict from the opinion leaders in all parts of rural America should be reassuring to those Congressmen who have shied away from this issue with the mistaken idea that country people are solidly behind the co-ops. They may now be assured that unfairness and discrimination are repugnant to Americans whether they happen to live in the city or the country. And these lawmakers may now, without fear of disfavor or reprisal, allow their consciences to guide them in taking legislative steps to end the iniquitous and socialistic tax evasion that is permitting the co-ops and savings and loan associations to grow fat and sassy at the expense of their taxpaying competitors.

AWARD OF THE ECCLESIASTICAL ORDER OF ST. GREGORY THE GREAT, WITH THE RANK OF KNIGHT COMMANDER WITH STAR

Mr. PRICE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8383) to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of St. Gregory the Great, with the rank of Knight Commander with Star.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. KEOGH). Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Honorable JOHN W. MCCORMACK, Representative from the State of Massachusetts, and the Honorable JOHN J. ROONEY, Representative from the State of New York, are authorized to accept the award of the Ecclesiastical Order of St. Gregory the Great, with the rank of Knight Commander with Star, together with any decorations and documents evidencing such award. The Department of State is authorized to deliver to the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY any such decorations and documents evidencing such award.

SEC. 2. Notwithstanding section 2 of the act of January 31, 1881 (ch. 32, 21 Stat. 604; 5 U. S. C. 114), or any other provision of law to the contrary, the named recipients may wear and display the aforementioned decoration after acceptance thereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AWARD OF THE PHILIPPINE LEGION OF HONOR IN THE DEGREE OF COMMANDER

Mr. PRICE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8384) to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. KEOGH). Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Honorable JOHN W. MCCORMACK, Representative from the State of Massachusetts, and the Honorable JOSEPH W. MARTIN, JR., Representative from the State of Massachusetts, are authorized to accept the award of the Philippine Legion of Honor in the degree of Commander, together with any decorations and documents evidencing such award. The Department of State is authorized to deliver to the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., any such decorations and documents evidencing such award.

SEC. 2. Notwithstanding section 2 of the act of January 31, 1881 (ch. 32, 21 Stat. 604; 5 U. S. C. 114), or any other provision of law to the contrary, the named recipients may wear and display the aforementioned decoration after acceptance thereof.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL FOR THE FISCAL YEAR 1958

Mr. FOGARTY. Mr. Speaker, I call up the conference report on the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. MCCORMACK). Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

> CONFERENCE REPORT (H. REPT. NO. 636)
>
> The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:
>
> That the Senate recede from its amendments numbered 33, 42, 43, and 45.
>
> That the House recede from its disagreement to the amendments of the Senate numbered 11, 12, 13, 14, 15, 16, 20, 21, 24, 28, 33, 40 and 41, and agree to the same.
>
> Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ", of which not more than $180,000 shall be for international labor affairs"; and the Senate agree to the same.
>
> Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,121,000"; and the Senate agree to the same.
>
> Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ", together with not to exceed $200,000 to be derived from the highway trust fund created by section 209 of the Highway Revenue Act of 1956"; and the Senate agree to the same.
>
> Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,958,000"; and the Senate agree to the same.
>
> Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$259,814,000"; and the Senate agree to the same.
>
> Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,250,000"; and the Senate agree to the same.
>
> Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,200,000"; and the Senate agree to the same.
>
> Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$50,000"; and the Senate agree to the same.
>
> Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "purchase of not to exceed fifty passenger motor vehicles for replacement only;"; and the Senate agree to the same.
>
> Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$40,100,000"; and the Senate agree to the same.
>
> Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$56,402,000"; and the Senate agree to the same.
>
> Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$39,217,000"; and the Senate agree to the same.
>
> Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$35,936,000"; and the Senate agree to the same.
>
> Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$20,385,000"; and the Senate agree to the same.
>
> Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$21,387,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 6, 8, 17, 18, 22, 23, 27, 29, 30, 37, 39, 44, 46, and 47.

JOHN E. FOGARTY,
HENDERSON LANHAM,
WINFIELD K. DENTON,
CLARENCE CANNON,
JOHN TABER,
MELVIN R. LAIRD,
Managers on the Part of the House.

LISTER HILL,
DENNIS CHAVEZ,
RICHARD B. RUSSELL,
WARREN G. MAGNUSON,
JOHN STENNIS,
JOHN O. PASTORE,
EDWARD J. THYE,
MARGARET CHASE SMITH,
HENRY C. DWORSHAK,
CHARLES POTTER,
IRVING M. IVES,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6287) making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF LABOR

Office of the Secretary

Amendment No. 1—Salaries and expenses: Inserts limitation of $180,000 on the amount which may be used for international labor affairs, instead of the limitation of $170,000 proposed by the House and stricken by the Senate.

Amendment No. 2—Salaries and expenses: Reported in disagreement.

Office of the Solicitor

Amendment No. 3—Salaries and expenses: Appropriates $2,121,000 instead of $2,021,000 as proposed by the House and $2,191,000 as proposed by the Senate.

Amendment No. 4—Salaries and expenses: Appropriates $200,000 to be derived from the Highway Trust Fund created by section 209 of the Highway Revenue Act of 1956, instead of $365,000 as proposed by the House and stricken by the Senate.

Bureau of Employment Security

Amendment No. 5—Salaries and expenses: Appropriates $5,958,000 instead $5,558,000 as proposed by the House and $6,000,000 as proposed by the Senate.

Amendment No. 6—Salaries and expenses: Reported in disagreement.

Amendment No. 7—Grants to States for Unemployment Compensation and Employment Service Administration: Appropriates $259,814,000 instead of $249,814,000 as proposed by the House and $260,000,000 as proposed by the Senate.

Amendment No. 8—Grants to States for Unemployment Compensation and Employment Service Administration: Reported in disagreement.

Amendment No. 9—Salaries and expenses, Mexican farm labor program: Appropriates $2,250,000 instead of $2,236,200 as proposed by the House and $2,500,000 as proposed by the Senate.

Bureau of Labor Statistics

Amendment No. 10—Salaries and expenses: Appropriates $7,200,000 instead of $7,124,000 as proposed by the House and $7,225,000 as proposed by the Senate.

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

Amendment No. 11—Salaries and expenses: Authorizes the purchase of not to exceed 89 passenger motor vehicles of which 51 shall be for replacement only as proposed by the Senate.

Amendment No. 12—Salaries and expenses, certification, inspection, and other services: Authorizes not to exceed 4 passenger motor vehicles for replacement only, as proposed by the Senate.

Office of Education

Amendments Nos. 13, 14, 15, and 16—Promotion and further development of vocational education: Appropriate $33,750,081 as proposed by the Senate instead of $33,442,081 as proposed by the House and insert language proposed by the Senate to provide that $80,000 of the increase of the Senate shall apply to vocational education in Guam and $228,000 of the increase shall be applied to vocational education in the fishery trades.

Amendment No. 17—Promotion and further development of vocational education: Reported in disagreement.

Amendment No. 18—Grants for library services: Reported in disagreement.

Amendment No. 19—President's Committee on Education Beyond the High School: Appropriates $50,000 instead of $200,000 as proposed by the Senate.

Public Health Service

Amendment No. 20—Assistance to States, General: Appropriates $22,592,000 as proposed by the Senate instead of $19,592,000 as proposed by the House.

Amendment No. 21—Communicable diseases: Appropriates $6,250,000 as proposed by the Senate instead of $6,200,000 as proposed by the House.

Amendment No. 22—Grants for waste treatment works construction: Reported in disagreement.

Amendment No. 23—Surveys and planning for hospital construction: Reported in disagreement.

Amendment No. 24—Hospitals and medical care: Inserts language proposed by the Senate to provide that $1,186,000 of the funds appropriated may be used only for payments for medical care of dependents and retired personnel under the Dependents' Medical Care Act.

Amendment No. 25—Indian health activities: Authorizes the purchase of not to exceed 50 passenger motor vehicles for replacement only instead of 75 passenger motor vehicles of which 50 would be for replacement only as proposed by the Senate.

Amendment No. 26—Indian health activities: Appropriates $40,100,000 instead of $40 million as proposed by the House and $42,500,000 as proposed by the Senate. The increase of $100,000 over the amount proposed by the House is for an increased enrollment of 50 Indian students in practical nursing.

Amendment No. 27—National Institutes of Health, general research and services: Reported in disagreement.

Amendment No. 28—National Institutes of Health, general research and services: Authorizes the purchase of not to exceed 8 passenger motor vehicles for replacement only as proposed by the Senate.

Amendment No. 29—National Institutes of Health management fund: Reported in disagreement.

Amendment No. 30—National Cancer Institute: Reported in disagreement.

Amendment No. 31—National Cancer Institute: Appropriates $56,402,200 instead of $46,902,000 as proposed by the House and $58,543,000 as proposed by the Senate.

Amendment No. 32—Mental health activities; appropriates $39,217,000 instead of $35,217,000 as proposed by the House and $39,421,000 as proposed by the Senate.

Amendment No. 33—Mental health activities: Strikes language proposed by the Senate to make available in 1958 not to exceed $4,573,000 of the unobligated balance of the fiscal year 1957 appropriation granted under this head.

Amendment No. 34—National Heart Institute: Appropriates $35,936,000 instead of $33,436,000 as proposed by the House and $38,784,000 as proposed by the Senate.

Amendment No. 35—Arthritis and metabolic disease activities: Appropriates $20,385,000 instead of $17,885,000 as proposed by the House and $23,548,000 as proposed by the Senate.

Amendment No. 36—Neurology and blindness activities: Appropriates $21,387,000 instead of $18,887,000 as proposed by the House and $24,058,000 as proposed by the Senate.

Amendment No. 37—Retired pay of commissioned officers: Reported in disagreement.

St. Elizabeths Hospital

Amendment No. 38—Salaries and expenses: Appropriates $3,085,800 as proposed by the Senate instead of $3,000,000 as proposed by the House.

Social Security Administration

Amendment No. 39—Construction, Bureau of Old-Age and Survivors Insurance: Reported in disagreement.

Amendment No. 40—Grants to States for public assistance: Strikes language of the House limiting the use of funds for administrative expenses of State and local agencies as proposed by the Senate. The majority of the managers on the part of the House are still convinced that some action should be taken to curb the ever-increasing costs of administering this program. The House Committee on Appropriations in its report No. 24 of the 85th Congress, 1st session, stated as follows: "The committee has been disturbed at the large increases that occur every year in the cost of administration. In 1950, these costs were $57,281,000 and they have increased substantially every year since. They are estimated to be $101,000,000 during the current fiscal year (1957) if no special restrictions are imposed. This would be an increase of 75 percent since 1950, while the caseload under the public assistance programs has increased less than 3 percent." The managers on the part of the House receded from disagreement to the amendment of the Senate only after being assured by the Commissioner of Social Security that a very thorough study will be made of this problem and appropriate action will be taken to assure that no more funds will be expended than are necessary for the efficient administration of the public assistance programs. The House Committee on Appropriations will expect a full report on this matter in time for hearings on the 1959 budget request.

Office of the Secretary

Amendment No. 41.—Salaries and expenses, Office of the General Counsel: Appropriates $449,000 as proposed by the Senate instead of $425,000 as proposed by the House. Inasmuch as these funds are to be derived by transfer from the Federal Old-Age and Survivors Insurance Trust Fund, it will be expected that they be applied solely for legal work in connection with operations under that fund.

General provisions

Amendment No. 42.—Inserts language proposed by the House to limit payments for indirect expenses in connection with research projects to 15 percent of the direct costs which was stricken by the Senate.

Amendment No. 43.—Reinstates section number revised by the Senate.

Amendment No. 44.—Reported in disagreement.

Amendment No. 45.—Reinstates section number revised by the Senate.

Amendment No. 46.—Reported in disagreement.

TITLE VI—FEDERAL MEDIATION AND CONCILIATION SERVICE

Amendment No. 47.—Salaries and expenses: Reported in disagreement.

JOHN E. FOGARTY,
HENDERSON LANHAM,
WINFIELD K. DENTON,
CLARENCE CANNON,
JOHN TABER,
MELVIN R. LAIRD,
Managers on the Part of the House.

Mr. FOGARTY. Mr. Speaker, it has been brought to my attention that the gentleman from Louisiana [Mr. BOGGS] is opposed to the conference report. Therefore, I yield 5 minutes at this time to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I regret exceedingly to have to oppose the distinguished chairman of this subcommittee and to oppose this conference report. But at the proper time I shall offer a motion to recommit with instructions to the managers on the part of the House to agree to Senate Amendment No. 4. I do this, Mr. Speaker, in order to preserve the sanctity of the highway trust fund created by the Highway Act of 1956.

Those of us who were present during the debate when this measure was first before the House will recall that this provision was passed over without any debate thereon. Later when it was brought to my attention that $365,000 was appropriated out of the highway trust fund for certain functions of administration of the Department of Labor, I asked unanimous consent to go back to the item, but the gentleman from Rhode Island objected. Thereupon the measure went to the other body and the other body eliminated the item.

Mr. Speaker, I should like to take just a moment to read the language of the committee report on this appropriation as reported by the other body:

> The committee recommends an increase of $170,000, the amount necessary to finance the mandatory increases.

That is for the Solicitor's Office of the Department of Labor.

> The committee recommends the deletion of the proviso to make available $365,000 by transfer from the highway trust fund for the administrative expenses of the Solicitor in making wage determinations in accordance with the Davis-Bacon Act as provided in the Federal Aid Highway Act of 1956.
>
> It is the sense of the committee that the legislative history and intent in the enactment of the Highway Revenue Act of 1956 did not contemplate the use of the highway trust fund for this purpose.

I think anyone who will take the trouble to read the legislative history of this act both before the Committee on Public Works and the Committee on Ways and Means will agree totally and completely with this statement.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. JONES of Alabama. I should like to concur in what the gentleman from Louisiana is stating as far as the Committee on Public Works is concerned, because that committee never entertained the notion that there would be a severance of the activities of the Department of Labor, the payment for that activity to be accounted for through the trust fund.

Mr. BOGGS. I thank the gentleman.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I certainly yield to my distinguished chairman.

Mr. COOPER. Mr. Speaker, I concur fully with the statement made by the distinguished gentleman from Louisiana. The gentleman from Louisiana served as chairman of the subcommittee of the Committee on Ways and Means on the Highway Revenue Act and was the author of that act. The Committee on Ways and Means reported that act and the House passed it. The gentleman is entirely correct that the intent and purpose of the Congress was to preserve the highway trust fund for the building of highways and not deplete that fund by provisions of this type. The fact is, when the time comes to build the highways sufficient funds will not be there for that purpose and we will be called upon again to provide more revenue for the building of the highways. The gentleman from Louisiana is exactly correct in the position he is taking and I fully support him.

Mr. BOGGS. I thank the gentleman.

Mr. REED. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New York, the distinguished ranking minority member of the Committee on Ways and Means.

Mr. REED. I have been very much interested in the Highway Revenue Act. As the gentleman knows, I offered the amendment to put the tax on the trucks in order to build up the highways of this country. The gentleman is absolutely right that we want the integrity of this trust fund preserved for the building of the roads. If we begin to use these funds for other purposes, we will destroy the fund and will not have the highways the country needs. I congratulate the gentleman on the position he has taken.

Mr. BOGGS. I thank the gentleman.

Mr. KEAN. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New Jerscy.

Mr. KEAN. As one who is in favor of the Davis-Bacon Act, I am in full accord with what the gentleman says, that this should not be taken out of the highway fund.

Mr. BOGGS. I thank the gentleman, and I want to make that point very clear. This is not an attack on the Davis-Bacon Act. I supported the Davis-Bacon Act, too. Actually, it weakens the act to ask for funds in this manner. That act has been on the books since 1931, over 25 years. The idea that all of a sudden we must turn to the highway trust fund to finance those provisions of the law is utterly ridiculous, as we pointed out in the debate initially on this proposal. If the Labor Department can come in and demand these funds, the Defense Department can come in, the Treasury Department can come in, and innumerable other agencies of the Government can come in who would have more claim to this money than the Labor Department.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the distinguished minority leader.

Mr. HALLECK. If the gentleman's motion, if he makes the motion, prevails, then is there any money at all anywhere in the bill for the performance of this function?

Mr. BOGGS. Yes; there is. I am glad the gentleman asked that question.

Mr. HALLECK. My information is to the contrary.

Mr. BOGGS. No. If I may explain, the Senate provided $170,000. The Senate further said the current rate of expenditure is such, though, as to raise serious doubt as to the amount necessary, and the Department is directed to submit a supplemental estimate for consideration by Congress prior to July 1, 1957. That is the language of the conference report. I trust the Members will support the highway trust fund. There is no question that funds are available and further funds will be made available for the Davis-Bacon provisions.

Mr. Speaker, I made it most clear that I support Davis-Bacon. That is not the issue here. The issue is the necessity of keeping these funds for highway construction and not diverting them contrary to law.

Mr. FOGARTY. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I do not know whether you want to support the Davis-Bacon Act or not. But, for my part, regardless of how I might have felt when it was adopted, it was adopted and it is the law of the land. That is the issue here: Are we going to provide the money to support the Bacon-Davis Act? This is the situation. I have the highway statute in my hand and I am going to read some of it to you. It is as follows:

> Expenditures from the trust fund, Federal-aid highway program: Amounts in the trust fund shall be available as provided by appropriation acts for making expenditures after June 30, 1956, and before July 1, 1972, to meet those obligations of the United States heretofore or hereafter incurred under the Federal Aid Road Act approved July 11, 1916, as amended and supplemented, which are attributable to Federal-aid highways including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations.

Section 102 of that law shows that it is an amendment and supplement of the act of July 11, 1916. Section 115 of the law provides that the Davis-Bacon Act shall be applicable to the roads that are constructed. Frankly, I am going to meet my responsibility and I am going to vote for the money to operate it. There is no question but that under section 209 of the act which I have read to you that any provision of the act of July

11, 1916, or act supplemental or amendatory thereof, shall be paid or can be paid out of the trust fund. The House committee followed the rule that was set up in section 209 of the act. They have provided $365,000 to be derived from the act because that was the information which was presented to us. When it went to the other body, it was demonstrated that their requirements would be $239,000. We agreed in the conference to put that thing back and meet our responsibilities and draw $200,000 out of the highway trust fund. There is absolutely no question but what the way the act reads that we have the authority to do it and we are right in carrying it out. If we are not going to meet our responsibilities and if we want to run out on what the Congress has decided that is another question, but I am not going to be a party to that way of doing business.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. BOGGS. If the gentleman will refer to the report of the other body——

Mr. TABER. Oh, I heard the gentleman read from the Senate report, but the law says something entirely different. If the gentleman would read the law, he would realize that. Shall I read it again to him?

Mr. BOGGS. Will the gentleman yield further?

Mr. TABER. Shall I read it again to him?

Mr. BOGGS. Will the gentleman yield further?

Mr. TABER. Let me read it once more.

Mr. BOGGS. Read it as many times as you want. The law, in my opinion, is quite clear in that these funds are only available for highway purposes——

Mr. TABER. This is the picture. The law says one thing and the gentleman wants us to do something different. I believe in going along with the law. The law says, and I will read it once more:

> Amounts in the trust fund shall be available as provided by appropriation acts for making expenditures after June 30, 1956, and before July 1, 1972, to meet those obligations of the United States heretofore or hereafter incurred under the Federal Aid Road Act approved July 11, 1916, as amended and supplemented, which are attributable to Federal-aid highways.

Those things are attributable to Federal aid to highways. We would not have to do this activity on the part of the Labor Department otherwise.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FOGARTY. Mr. Speaker, the gentleman from New York has given an excellent analysis of the pertinent portions of the Federal-Aid Highway Act, so I do not intend to spend any time on the technical phases of that legislation.

A year ago, the Bureau of the Budget sent a request to the Senate, and they approved it, for a supplemental appropriation out of the highway trust fund to carry on this work that was written specifically into the act. That supplemental appropriation was voted by the House and signed by the President of the United States.

Last year they used $160,000 out of the highway trust fund for this purpose. This year the Bureau of the Budget and the President again sent to Congress a request for $365,000 out of the highway trust fund to carry on this work that the Solicitor's Office in the Department of Labor is required by the Highway Act to carry out. That amount was recommended by the House committee. It was approved by the House.

The question was raised by the gentleman from Louisiana after that part of the bill had been read and it was too late to offer any amendment. It then went over to the other body. The other body did strike out that amount from the highway trust fund on the basis of a decision that was rendered to them by their legal counsel.

We went to conference yesterday on the basis of a ruling by the Comptroller General of the United States, on the basis of a ruling by the Solicitor of the Department of Labor and on the basis of a ruling by the Bureau of the Budget——

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. The gentleman has had half the time on this question, so I am sorry but I decline to yield.

On two occasions they have sent to the Congress requests that they considered to be a part of the administration of the Highway Act and should be taken from the highway funds. We do not come from yesterday's conference asking you to appropriate the full $365,000. We compromised with the Senate to the extent that the conference report carries only $200,000 to carry on this work for the next fiscal year. Use of these funds for this purpose has been approved by the Bureau of the Budget, by the President of the United States, the Solicitor of the Department of Labor, and by the Comptroller General.

As to the question that was asked by the gentleman from Indiana, are there any funds in the appropriation bill, if this were not allowed, to enforce the provisions of the Bacon-Davis Act as it applies to Federal-aid highways? The answer is "No." If this is turned down and you do not allow this $200,000 there is not one dime that can be used for the enforcement of the Bacon-Davis provisions of the Highway Act, because this $200,000 can be expended for that purpose only and for no other purposes and there were no other funds requested or included in the bill for that purpose. So there is no way that the Department of Labor or any other department of the Government can enforce them if this $200,000 is disallowed.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Rhode Island yield to the gentleman from Louisiana?

Mr. FOGARTY. I do not yield, Mr. Speaker. I think we were very generous in giving the gentleman practically all the time he wanted when he made his own statement.

Mr. BOGGS. I thank the gentleman for his generosity.

Mr. FOGARTY. Mr. Speaker, this is something to which we have given serious consideration. It has been agreed to by the Senate conferees, and the House conferees are in unanimous agreement on this conference report. We ask your support in its adoption. We have before us now a bill that calls for practically $3 billion for the health, welfare, and education of the people of this country. I hope that the House will not adopt the motion that will be offered by the gentleman from Louisiana sending this conference report back to the conference committee.

Mr. SPRINGER. Mr. Speaker, I support this conference report.

The Davis-Bacon Act last year was made applicable to the Federal Highway Act of 1956. The Davis-Bacon Act has been in effect for more than 30 years. It was authored by a Republican in the House, Mr. Bacon of New York, and by a Republican in the Senate, Senator Davis of Pennsylvania. The law was signed by a Republican President.

The Davis-Bacon Act makes the prevailing wage in a particular area applicable to the entire area. It has greatly stabilized wages on Federal projects and has made it impossible for chiselers to undercut legitimate contractors by undercutting and downgrading wages alone.

The Davis-Bacon Act has worked exceptionally well since its inception and for that reason was included in the Federal Highway Act of 1956.

For that reason the conference report between the House and the Senate on H. R. 6287 has included sufficient money for the enforcement of the Davis-Bacon Act in the Federal Highway Act of 1956. I am supporting the conference act, and I shall vote against the motion to recommit the bill to the conference between the House and the Senate.

Mr. FOGARTY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

Mr. HIESTAND. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. HIESTAND. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. HIESTAND moves to recommit the conference report on the bill, H. R. 6287, to the committee of conference.

Mr. FOGARTY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to recommit.

Mr. BOGGS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

Mr. BOGGS. Mr. Speaker, I demand a division.

The question was taken; and on a division (demanded by Mr. BOGGS) there were—ayes 36, noes 116.

Mr. BOGGS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 73, nays, 321, not voting 39, as follows:

[Roll No. 124]

YEAS—73

Abbitt	Haley	Robeson, Va.
Abernethy	Hardy	Rogers, Fla.
Alexander	Harris	Rogers, Tex.
Ashmore	Harrison, Va.	Rutherford
Barden	Hébert	Scott, N. C.
Beckworth	Hemphill	Shuford
Boggs	Hiestand	Simpson, Pa.
Bonner	Jennings	Smith, Kans.
Boykin	Johansen	Smith, Miss.
Burleson	Jonas	Smith, Va.
Cooley	Jones, Ala.	Smith, Wis.
Cooper	Kilgore	Steed
Davis, Ga.	Kitchin	Teague, Tex.
Dorn, S. C.	Landrum	Thompson, La.
Dowdy	Lennon	Thompson, Tex.
Durham	Long	Thomson, Wyo.
Fallon	Loser	Trimble
Fisher	McMillan	Tuck
Flynt	Mills	Whitener
Forand	Murray	Whitten
Fountain	Passman	Williams, Miss.
Frazier	Poage	Willis
Gary	Reed	Winstead
Gathings	Riley	
Gregory	Rivers	

NAYS—321

Addonizio	Carrigg	George
Albert	Cederberg	Gordon
Alger	Chamberlain	Granahan
Allen, Calif.	Chelf	Gray
Allen, Ill.	Chenoweth	Green, Oreg.
Andersen, H. Carl	Chiperfield	Green, Pa.
Anderson, Mont.	Christopher	Griffin
Andresen, August H.	Chudoff	Griffiths
Andrews	Church	Gross
Anfuso	Clark	Gubser
Arends	Clevenger	Gwinn
Ashley	Cole	Hagen
Aspinall	Collier	Halleck
Auchincloss	Corbett	Harden
Avery	Coudert	Harrison, Nebr.
Ayres	Cramer	Harvey
Baker	Cretella	Haskell
Baldwin	Cunningham, Iowa	Hays, Ohio
Baring	Cunningham, Nebr.	Healey
Barrett	Curtin	Henderson
Bass, N. H.	Curtis, Mass.	Herlong
Bass, Tenn.	Curtis, Mo.	Heselton
Bates	Dague	Hess
Baumhart	Davis, Tenn.	Hill
Becker	Dawson, Utah	Hillings
Belcher	Delaney	Hoeven
Bennett, Fla.	Delay	Hoffman
Bennett, Mich.	Dempsey	Holifield
Berry	Dennison	Holland
Betts	Denton	Holmes
Blatnik	Derounian	Holt
Blitch	Devereux	Hoosier
Boland	Dies	Huddleston
Bolling	Dingell	Hull
Bolton	Dixon	Hyde
Bosch	Dollinger	Ikard
Bow	Donohue	Jackson
Boyle	Dooley	James
Bray	Dorn, N. Y.	Jarman
Breeding	Doyle	Jenkins
Brooks, La.	Dwyer	Johnson
Brooks, Tex.	Eberharter	Jones, Mo.
Broomfield	Edmondson	Judd
Brown, Ga.	Elliott	Karsten
Brown, Mo.	Farbstein	Kean
Brown, Ohio	Fascell	Kearns
Brownson	Feighan	Keating
Broyhill	Fenton	Kee
Budge	Fino	Keeney
Burdick	Flood	Kelley, Pa.
Bush	Fogarty	Kelly, N. Y.
Byrd	Ford	Kilburn
Byrne, Ill.	Forrester	Kilday
Byrne, Pa.	Frelinghuysen	King
Canfield	Friedel	Kirwan
Cannon	Garmatz	Klucznski
Carnahan	Gavin	Knox
Casey	Gentry	Knutson
Celler	George	Kowalski
Chatham	Gordon	Kreuger
Christopher	Granahan	Laird
Chudoff	Gray	Lane
Church	Green, Oreg.	Lanham
Clark	Green, Pa.	LeCompte
Clevenger	Griffin	Lesinski
Coad	Griffiths	Lipscomb
Cole	Gross	McCarthy
Collier	Gubser	McCormack
Corbett	Gwinn	McCulloch
Coudert	Hagen	McDonough
Cramer	Halleck	McFall
Cretella	Harden	McGovern
Cunningham, Iowa	Harrison, Nebr.	McGregor
Cunningham, Nebr.	Harvey	McIntosh
Curtin	Haskell	McVey
Curtis, Mass.	Hays, Ohio	Macdonald
Curtis, Mo.	Healey	Machrowicz
Dague	Henderson	Mack, Ill.
Davis, Tenn.	Herlong	Mack, Wash.
Dawson, Utah	Heselton	Madden
Delaney	Hess	Magnuson
Delay	Hill	Mahon
Dempsey	Hillings	Mailliard
Dennison	Hoeven	Marshall
Denton	Hoffman	Martin
Derounian	Holifield	Mason
Devereux	Holland	Matthews
Dies	Holmes	May
Dingell	Holt	Meader
Dixon	Hoosier	Merrow
Dollinger	Huddleston	Metcalf
Donohue	Hull	Michel
Dooley	Hyde	Miller, Calif.
Dorn, N. Y.	Ikard	Miller, Md.
Doyle	Jackson	Miller, Nebr.
Dwyer	James	Miller, N. Y.
Eberharter	Jarman	Minshall
Edmondson	Jenkins	Moore
Elliott	Johnson	Morano
Farbstein	Jones, Mo.	Morgan
Fascell	Judd	Morris
Feighan	Karsten	Moss
Fenton	Kean	Moulder
Fino	Kearns	Mumma
Flood	Keating	Natcher
Fogarty	Kee	Neal
Ford	Keeney	Nicholson
Forrester	Kelley, Pa.	Nimtz
Frelinghuysen	Kelly, N. Y.	Norblad
Friedel	Kilburn	Norrell
Garmatz	Kilday	
Gavin	King	
Gentry	Kirwan	
George	Klucznski	
Gordon	Knox	
Granahan	Knutson	
Gray	Kowalski	
Green, Oreg.	Kreuger	
Green, Pa.	Laird	
Griffin	Lane	
Griffiths	Lanham	
Gross	LeCompte	
Gubser	Lesinski	
Gwinn	Lipscomb	
Hagen	McCarthy	
Halleck	McCormack	
Harden	McCulloch	
Harrison, Nebr.	McDonough	
Harvey	McFall	
Haskell	McGovern	
Hays, Ohio	McGregor	
Healey	McIntosh	
Henderson	McVey	
Herlong	Macdonald	
Heselton	Machrowicz	
Hess	Mack, Ill.	
Hill	Mack, Wash.	
Hillings	Madden	
Hoeven	Magnuson	
Hoffman	Mahon	
Holifield	Mailliard	
Holland	Marshall	
Holmes	Martin	
Holt	Mason	
Hoosier	Matthews	
Huddleston	May	
Hull	Meader	
Hyde	Merrow	
Ikard	Metcalf	
Jackson	Michel	
James	Miller, Calif.	
Jarman	Miller, Md.	
Jenkins	Miller, Nebr.	
Johnson	Miller, N. Y.	
Jones, Mo.	Minshall	
Judd	Moore	
Karsten	Morano	
Kean	Morgan	
Kearns	Morris	
Keating	Moss	
Kee	Moulder	
Keeney	Mumma	
Kelley, Pa.	Natcher	
Kelly, N. Y.	Neal	
Kilburn	Nicholson	
Kilday	Nimtz	
King	Norblad	
Kirwan	Norrell	
Klucznski		
Knox		
Knutson		
Kowalski		
Kreuger		
Laird		
Lane		
Lanham		
LeCompte		
Lesinski		
Lipscomb		
McCarthy		
McCormack		
McCulloch		
McDonough		
McFall		
McGovern		
McGregor		
McIntosh		
McVey		
Macdonald		
Machrowicz		
Mack, Ill.		
Mack, Wash.		
Madden		
Magnuson		
Mahon		
Mailliard		
Marshall		
Martin		
Mason		
Matthews		
May		
Meader		
Merrow		
Metcalf		
Michel		
Miller, Calif.		
Miller, Md.		
Miller, Nebr.		
Miller, N. Y.		
Minshall		
Moore		
Morano		
Morgan		
Morris		
Moss		
Moulder		
Mumma		
Natcher		
Neal		
Nicholson		
Nimtz		
Norblad		
Norrell		
O'Brien, Ill.	Selden	
O'Hara, Ill.	Sheehan	
O'Hara, Minn.	Sieminski	
O'Konski	Sikes	
O'Neill	Siler	
Osmers	Simpson, Ill.	
Ostertag	Sisk	
Patman	Smith, Calif.	
Patterson	Spence	
Pelly	Springer	
Perkins	Staggers	
Pfost	Stauffer	
Philbin	Sullivan	
Pilcher	Taber	
Pillion	Talle	
Poff	Teague, Calif.	
Polk	Teller	
Porter	Tewes	
Powell	Thomas	
Preston	Thompson, N. J.	
Price	Thornberry	
Prouty	Tollefson	
Rabaut	Udall	
Radwan	Ullman	
Rains	Vanik	
Ray	Van Pelt	
Reece, Tenn.	Van Zandt	
Rees, Kans.	Vinson	
Reuss	Vorys	
Rhodes, Ariz.	Vursell	
Rhodes, Pa.	Wainwright	
Riehlman	Walter	
Roberts	Watts	
Robison, Ky.	Weaver	
Rodino	Westland	
Rogers, Colo.	Wharton	
Rogers, Mass.	Widnall	
Rooney	Wier	
Roosevelt	Wigglesworth	
Sadlak	Williams, N. Y.	
Santangelo	Wilson, Ind.	
St. George	Withrow	
Saund	Wolverton	
Schenck	Wright	
Scherer	Yates	
Schwengel	Young	
Scrivner	Younger	
Scudder	Zablocki	
Seely-Brown		

NOT VOTING—39

Adair	Evins	McIntire
Bailey	Fulton	Montoya
Beamer	Grant	Morrison
Bentley	Hale	Multer
Bowler	Hays, Ark.	O'Brien, N. Y.
Buckley	Holtzman	Saylor
Byrnes, Wis.	Horan	Scott, Pa.
Celler	Jensen	Shelley
Coffin	Kearney	Sheppard
Colmer	Keogh	Taylor
Dawson, Ill.	Lankford	Utt
Diggs	Latham	Wilson, Calif.
Engle	McConnell	Zelenko

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Holtzman with Mr. Beamer.
Mr. Keogh with Mr. Adair.
Mr. Buckley with Mr. Horan.
Mr. Sheppard with Mr. Taylor.
Mr. Lankford with Mr. Saylor.
Mr. Multer with Mr. Scott of Pennsylvania.
Mr. Morrison with Mr. Byrnes of Wisconsin.
Mr. Engle with Mr. Bentley.
Mr. Dawson of Illinois with Mr. Kearney.
Mr. Colmer with Mr. Jensen.
Mr. Zelenko with Mr. Wilson of California.
Mr. O'Brien of New York with Mr. Utt.
Mr. Celler with Mr. McIntire.
Mr. Hays of Arkansas with Mr. Latham.
Mr. Bailey with Mr. McConnell.
Mr. Shelley with Mr. Fulton.
Mr. Coffin with Mr. Hale.

Messrs. ANDERSON of Montana, JONES of Missouri, and BAKER changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to consider en bloc those amendments which are in technical disagreement and on which the House managers will offer a motion to recede and concur as follows: Nos. 2, 8, 17, 18, 22, 27, 30, 37, 39, 44, and 47.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate amendments.

The Clerk read as follows:

Senate amendment No. 2: On page 2, line 13, insert "*Provided*, That the limitation of $154,490 for international labor affairs appearing in the Department of Labor Appropriation Act, 1957 (70 Stat. 423) is increased to $159,490."

Senate amendment No. 8: On page 6, line 7, insert "of which $10,000,000 shall be available only to the extent necessary to meet increased costs of administration resulting from changes in a State law or increases in the numbers of claims filed and claims paid or increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic grant (or the allocation for the District of Columbia) was based, which increased costs of administration cannot be provided for by normal budgetary adjustments."

Senate amendment No. 17: On page 17, line 9, after the words "fiscal year" insert a colon and the following: "*Provided further*, That the amount of allotment which States and Territories are not prepared to use may be reapportioned among other States and Territories applying therefor for use in the programs for which the funds were originally apportioned."

Senate amendment No. 18: On page 17, line 20, after "$5,000,000" insert a colon and the following: "*Provided*, That the amount of any State's allotment from this appropriation which such State certifies will remain unpaid to it on June 30, 1959, may be reallotted by the Commissioner among other States applying therefor in proportion to their rural population, and deemed part of such allotments, except that no State's allotment shall be so increased as to exceed the allotment which would be made to it were this appropriation equal to the maximum authorized under such act."

Senate amendment No. 22: Page 24, line 20, strike out lines 20 to 23, inclusive, and insert in lieu thereof the following: "Grants for waste treatment works construction: For payments under section 6 of the Water Pollution Control Act, as amended (70 Stat. 502), $45,000,000 which together with the amount appropriated under this head in the Second Supplemental Appropriation Act, 1957 (70 Stat. 769), shall be applied to payment on account of allotments made for the current and preceding fiscal years pursuant to said act, such sums to remain available only until June 30, 1959: *Provided*, That allotments under such section 6 for the current fiscal year shall be made on the basis of $50,000,000."

Senate amendment No. 27: On page 28, line 12, after the word "projects" insert "and training grants."

Senate amendment No. 30: On page 30, line 2, after the semicolon strike out the balance of the line and lines 3 and 4 ending with the word "program" and insert the following: "and to contract on a cost or other basis for supplies and services by negotiation, without regard to

section 3709 of the Revised Statutes, in connection with the chemotherapy program, including indemnification of contractors to the extent and subject to the limitations provided in title 10, United States Code, section 2354, except that approval and certification required thereby shall be by the Surgeon General."

Senate amendment No. 37: On page 32, line 22, insert "Retired pay of commissioned officers: For retired pay of commissioned officers, as authorized by law, and payments under the Uniformed Services Contingency Option Act of 1953, such amount as may be required during the current fiscal year."

Senate amendment No. 39: On page 33, line 22, insert "Construction, Bureau of Old-Age and Survivors Insurance: For an additional amount for 'Construction, Bureau of Old-Age and Survivors Insurance' for construction of an office building and appurtenant facilities, including acquisition of land, $5,710,000, to be derived from the Federal Old-Age and Survivors Insurance Trust Fund which, together with sums heretofore appropriated for these purposes, shall establish a limitation of cost of $31,080,000: *Provided*, That the established limit of cost may be exceeded or shall be reduced by an amount equal to the percentage increase or decrease, if any, in construction costs generally dating from October 1, 1956, as determined by the Administrator, General Services Administration, and the amount to be derived from the aforesaid trust fund shall be increased or decreased accordingly: *Provided further*, That the immediately preceding proviso shall be effective only if a contract for construction is executed on or before December 1, 1957."

Senate amendment No. 44: On page 40, line 9, after "1959" insert a colon and the following: "*Provided*, That existing obligational authority to the Department of Health, Education, and Welfare for preparation of plans and specifications for the construction of the general office and the dental research buildings of the National Institutes of Health, and the National Library of Medicine building of the Public Health Service, shall remain available until June 30, 1958."

Senate amendment No. 47: On page 44, line 11, after the word "diem;" insert "Government listed telephones in private residences and private apartments for official use in cities where mediators are officially stationed, but no Federal mediation and conciliation service office is maintained."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendments.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendments of the Senate numbered 2, 8, 17, 18, 22, 27, 30, 37, 39, 44 and 47, and concur therein.

The SPEAKER pro tempore. The question is on the motion.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6: Page 5, line 9, insert: "of which $5,874,400 shall be derived by transfer from the Federal unemployment account in the unemployment trust fund, and."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 6, and concur therein with an amendment, as follows: In lieu of the sum of "$5,874,400", named in said amendment, insert "$5,832,400."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: Page 26, line 1, insert: "Surveys and planning for hospital construction: The funds appropriated under this head in the Supplemental Appropriation Act, 1955 (68 Stat. 810) shall remain available for expenditure until June 30, 1959."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 23, and concur therein with an amendment, as follows: In lieu of "June 30, 1959", named in said amendment, insert: "June 30, 1958."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 29: Page 28, line 21, insert "National Institutes of Health Management Fund: For the purpose of facilitating the economical and efficient conduct of operations in the National Institutes of Health which are financed by two or more appropriations where the costs of operation are not readily susceptible of distribution as charges to such appropriations, there is hereby established the National Institutes of Health Management Fund. Such amounts as the Director of the National Institutes of Health may determine to represent a reasonable distribution of estimated costs among the various appropriations involved may be advanced each year to this fund and shall be available for expenditure for such costs under such regulations as may be prescribed by said Director, including not to exceed $2,500 each fiscal year for entertainment of visiting scientists when specifically approved by said Director, and for the operation of facilities for the sale of meals to employees and others at rates to be determined by said Director to be sufficient to cover the cost of such operation and the proceeds thereof shall be deposited to the credit of this fund: *Provided*, That funds advanced to this fund shall be available only in the fiscal year in which they are advanced: *Provided further*, That final adjustments of advances in accordance with actual costs shall be effected wherever practicable with the appropriations from which such funds are advanced."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 29, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"National Institutes of Health Management Fund: For the purpose of facilitating the economical and efficient conduct of operations in the National Institutes of Health which are financed by two or more appropriations where the costs of operation are not readily susceptible of distribution as charges to such appropriations, there is hereby established the National Institutes of Health Management Fund. Such amounts as the Director of the National Institutes of Health may determine to represent a reasonable distribution of estimated costs among the various appropriations involved may be advanced each year to this fund and shall be available for expenditure for such costs under such regulations as may be prescribed by said Director, including the operation of facilities for the sale of meals to employees and others at rates to be determined by said Director to be sufficient to cover the cost of such operation and the proceeds thereof shall be deposited to the credit of this fund: *Provided*, That funds advanced to this fund shall be available only in the fiscal year in which they are advanced: *Provided further*, That final adjustments of advances in accordance with actual costs shall be effected wherever practicable with the appropriations from which such funds are advanced."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 46: Page 40, line 25, insert:

"SEC. 210. To the extent and under the conditions provided by regulations of the Secretary, officers (including commissioned officers of the Public Health Service) and employees of the Department of Health, Education, and Welfare may hereafter, in connection with their attendance at meetings or in performing advisory services concerned with the functions or activities of the Department, be permitted to accept payment, in cash or in kind, from non-Federal agencies, organizations, and individuals, for travel and subsistence expenses, to be retained by them to cover the cost thereof or deposited to the credit of the appropriation from which the cost thereof is paid, as may be provided in such regulations."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 46, and concur therein with an amendment, as follows: In lieu of "SEC. 210", named in said amendment, insert "SEC. 211."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in today's debate; and also ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD or during debate on the motion to recommit.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CUNNINGHAM of Nebraska. Mr. Speaker, I am opposed to amendment 17 because I believe this reapportionment provision is a vicious tool for the forces who would spend and spend and perpetuate themselves on the Federal payroll. Furthermore, I do not believe it is right to use the taxes paid by one State for the personal benefit of another State and that certainly is the case involved here. Under this amendment, if my State does not use all of its Federal handout, this Federal money would then

be reapportioned and given to some other State which already had received its share and wants more. This practice penalizes those States who are already doing a good job and do not want or need Federal help.

If we are to ever halt this practice of more and more Federal handout from Washington we should start by striking this reapportionment provision, and that is why I strongly oppose amendment 17.

Amendment 17 puts this reapportionment provision back into the bill after it was stricken out on a point of order when the bill first came up.

Mr. FOGARTY. Mr. Speaker, since the time for general debate on the conference report was taken up with discussion of the motion to recommit, I take this opportunity to set forth the high points of the action taken by the conferees on the Senate amendments to the Labor-Health, Education, and Welfare appropriation bill for 1958. The original budget estimates totaled $2,981,277,581. As the bill passed the House, it carried a total of $2,846,831,581, a reduction of $134,446,000 from the amount requested. The Senate increased the bill to $2,885,290,781, or an increase of $38,459,200 over the amount approved by the House. The amounts agreed upon in conference total $2,871,182,781, or $24,351,200 over the amount approved by the House, $14,108,000 less than the amount approved by the Senate, and $110,094,800 less than the amount requested in the President's budget, I think it is important to an understanding of the conferees' action to note that of the increase of $24,351,200 by which the conference agreement is over the House bill, $21 million is for increased activities of the National Institutes of Health. The total net increase other than that for the National Institutes of Health is $4,351,200 over the House bill, or an increase of just about one-tenths of 1 percent.

When this bill was considered by the House, 13 amendments involving reductions in funds were adopted. Following are the 13 items to which amendments were adopted in the House, with figures setting forth the amounts reported to the House by the Committee on Appropriations, the reduced amounts passed by the House, the amounts passed by the Senate, and the conference agreement:

Item	House committee	House	Senate	Conference
DEPARTMENT OF LABOR				
Office of the Secretary	$1,510,000	$1,480,000	$1,480,000	$1,480,000
Office of the Solicitor	2,225,000	2,021,000	2,191,000	2,121,000
Salaries and expenses, Bureau of Labor Standards	1,031,300	983,000	983,000	983,000
Salaries and expenses, Bureau of Employment Security	6,000,000	5,558,000	6,000,000	5,956,000
Unemployment compensation for Federal employees	26,500,000	25,000,000	25,000,000	25,000,000
Mexican farm-labor program	2,500,000	2,236,200	2,500,000	2,250,000
Grants to States:				
Base appropriation	250,000,000	249,814,000	250,000,000	249,814,000
Contingency fund	12,000,000		10,000,000	10,000,000
Bureau of Labor Statistics	7,470,000	7,124,000	7,225,000	7,200,000
Wage and Hour Division	10,888,000	10,000,000	10,600,000	10,600,000
HEW				
President's Committee on education beyond the high school	200,000		200,000	50,000
Bureau of Public Assistance	2,000,000	1,900,000	2,900,000	1,900,000
NLRB				
Salaries and expenses	9,450,000	9,384,800	9,384,800	9,384,800

It will be remembered, in connection with the appropriation for grants to States under the Department of Labor, that the contingency fund language was stricken from the bill on a point of order. Subsequently, the amount of funds which the stricken language had referred to was taken from the bill by amendment.

The Senate restored the contingency fund language with a slight revision and included $10 million in lieu of the $12 million that had originally been carried in the bill as reported by the House Committee on Appropriations. The conferees agreed to the language and thus it was almost automatic that they also agreed to the additional funds. With this one exception, no Senate increase to an item which was amended by the House was agreed to completely, and it will be noted from the figures in this table that the major part of the reductions voted by the House have been held in the final bill as brought back by the Managers on the part of the House.

As I pointed out earlier in my remarks, most of the difference between the Senate bill and the House bill was in the appropriations for medical research and related activities at the National Institutes of Health. The House had allowed the full budget estimate for each of the Institutes. The Senate increased the appropriations for 5 of the Institutes by a total of $36,600,000. After very careful consideration and full discussion of these increases by the conferees of the House and the Senate, a compromise of $21 million was agreed to. While there were widely divergent opinions expressed as to the proper amount, I think it is significant that ever member of the conference signed the report without reservation and I also think it is significant that we arrived at unanimous agreement as to the guidemarks which should be established in the use of the $21 million increase. I will set forth the breakdown of the $21 million which we will expect to be used as guidemarks by the Institutes in the expenditure of these additional funds.

For the National Cancer Institute, the Senate had increased the House bill by $11,641,000. The conferees agreed on an increase of $9,500,000, of which $6,400,000 would be for contract work in the chemotherapy program, $2,500,000 would be for research grants, $250,000 would be for fellowships and training, and $350,000 for direct research with germ-free animals.

For the National Institute of Mental Health, the Senate increase amounted to $8,777,000, and the conferees agreed to an increase of $4 million which is broken down as follows: $1,500,000 for research grants; $2 million for fellowships and training; and $500,000 for direct operations with primary emphasis on the research planned to be done at St. Elizabeths Hospital.

For the National Heart Institute, the Senate increased the House bill by $5,348,000. The conferees agreed upon an increase of $2,500,000 of which $1 million would be for their center on aging, most of which is to be used in connection with the Baltimore study, $1 million for fellowships and training, and $500,000 for direct operations.

The Senate increased the appropriations for the National Institute of Arthritis and Metapolic Diseases by $5,663,000 and the conferees agreed upon an increase of $2,500,000. This increase is aimed to give the Institute an additional $1,500,000 for research grants including $500,000 to start a research program in gastroenterology, $650,000 for fellowships and training, and $350,000 for direct operations.

The appropriation for the National Institute of Neurology and Blindness was increased by the Senate by $5,171,000. The conferees agreed upon an increase of $2,500,000, of which $1 million would be for research grants, including $500,000 for additional work in connection with the collaborative program in diseases and disorders that arise in the perinatal period, and $500,000 additional for research on hearing; $1,250,000 for fellowships and training; and $250,000 for direct operations.

While there were other Senate amendments, I believe that I have covered the most important items which were subject to action by the conferees, however, I would like to mention one more just for the purpose of emphasis. The House conferees in agreeing to concur in the amendment of the Senate Numbered 39 did so without reservation. The Senate report makes quite clear what is intended by this amendment, if it is not clear by itself. I trust that the officials of the executive branch concerned with this matter will give full consideration to both the House and Senate reports on this bill and to the unanimous action of the conferees on this amendment and be guided thereby in making their decision on whether or not to proceed expeditiously with the construction of the OASI building in Baltimore.

Mr. Speaker, I believe that, in view of all the circumstances, the Managers on the part of the House have brought back a very good bill.

MINORITY VIEWS ON H. R. 4520

Mr. HARRIS. Mr. Speaker, on Monday I filed a report on the bill H. R. 4520 and at that time asked unanimous consent that any Member of the minority have until midnight Wednesday, tonight, to file a report to accompany this

bill. I now ask unanimous consent that

of the Whole House on the State of the

ments thereto to final passage without inter-

are made involving new or discarded features of the seaway amounting to

By unanimous consent, the first read-

negotiate agreements on tolls and ship

from its disagreement to the amendment of the Senate numbered 6, and concur

hereby established the National Institutes of Health Management Fund. Such amounts

State does not use all of its Federal handout, this Federal money would then

the Senate bill and the House bill was in the appropriations for medical re-

000 would be for contract work in the chemotherapy program, $2,500,000 would

ity have until midnight Wednesday, tonight, to file a report to accompany this

bill. I now ask unanimous consent that the authority for the minority to file a report on the bill may be extended until midnight tomorrow night.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ADMINISTRATIVE EXPENSES ACT OF 1946

Mr. BOLLING, from the Committee on Rules (on behalf of Mr. THORNBERRY), reported the following privileged resolution (H. Res. 296, Rept. No. 640), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7390) to amend the Administrative Expenses Act of 1946, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

ATOMIC ENERGY ACT OF 1954

Mr. BOLLING, from the Committee on Rules (on behalf of Mr. MADDEN), reported the following privileged resolution (H. Res. 297, Rept. No. 641), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7383) to amend the Atomic Energy Act of 1954, as amended, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking House minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

FURNITURE AND FURNISHINGS FOR ADDITIONAL SENATE OFFICE BUILDING

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 298, Rept. No. 642), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1428) to authorize furniture and furnishings for the additional office building for the United States Senate. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

ENLARGEMENT AND REMODELING, UNITED STATES SENATE OFFICE BUILDING

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 299, Rept. No. 643), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1429) authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

INCREASING LIMIT OF COST, CONSTRUCTION AND EQUIPMENT, ADDITIONAL UNITED STATES SENATE OFFICE BUILDING

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 300, Rept. No. 644), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1430) increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CLARIFYING THE GENERAL POWERS, INCREASING THE BORROWING AUTHORITY, AND AUTHORIZING THE DEFERMENT OF INTEREST PAYMENTS ON BORROWINGS OF THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 284 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowing of the St. Lawrence Seaway Development Corporation. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield one-half hour to the gentleman from Ohio [Mr. BROWN], and pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 284 provides for an open rule and 2 hours of general debate on H. R. 5728. This bill amends the act of May 13, 1954, which created the St. Lawrence Seaway Development Corporation.

The bill clarifies and amends the corporate powers provided in the original act to provide for services and facilities necessary for the seaway, and services at reasonable prices to users and visitors. It also provides for the participation in a toll-bridge corporation and further provides that the payments received for facilities and services will be credited to the Corporation and these amounts are made available to the Corporation to pay any obligation or expense.

H. R. 5728 also amends section 5 of the original act by increasing the borrowing power of the Corporation from $105 million to $140 million. The amount of bonds which may be issued during any one year is raised from 40 percent of the total borrowing power to 50 percent. Upon the approval of the Secretary of the Treasury the interest on the bonds may be deferred during construction and paid from revenues and not charged to the borrowing authority of the Corporation.

In order to obtain closer coordination between preliminary estimates and ultimate construction costs the Corporation is required to submit special reports to the House and Senate whenever changes

are made involving new or discarded features of the seaway amounting to more than $1 million in cost.

As the Members of the House know, the Corporation is a self-liquidating corporation and none of the construction and operating costs are chargeable to appropriation funds; thus it is intended that all cost will be recovered from users of the seaway and the borrowed money will be repaid, with interest, to the Treasury from toll revenues.

The proposals contained in the bill are part of the Department of Defense legislative program for 1957, and have the approval of the Secretary of the Treasury and the Bureau of the Budget.

I urge the adoption of House Resolution 284 so the House may proceed to the consideration of this legislation.

Mr. BROWN of Ohio. Mr. Speaker, the gentleman from Missouri [Mr. BOLLING] has explained in detail the purposes of this resolution, which makes in order the consideration of bill H. R. 5728, with two hours of general debate, a bill which would permit the St. Lawrence Seaway Development Corporation to increase by some $35 million its borrowing capacity, and make other changes in the present law. The measure has the support of the Bureau of the Budget, the Department of Defense, and the administration generally.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. BYRNES of Wisconsin. I want to compliment the Committee on Public Works for reporting out this bill, and also the Committee on Rules and the leadership for scheduling it for early action. This bill certainly has my wholehearted support.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Can the gentleman tell me if Canada is getting a like amount that is authorized in this bill?

Mr. BROWN of Ohio. My understanding, from the testimony given before the Committee on Rules, is that Canada is increasing, by a larger percentage, the amount it is putting in, than the United States.

The resolution was reported unanimously by the Committee on Rules.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowing, of the St. Lawrence Seaway Development Corporation.

The resolution was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 5728, with Mr. RABAUT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BLATNIK. Mr. Chairman, I yield myself such time as I may desire, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

PURPOSE OF THE BILL

Mr. BLATNIK. Mr. Chairman, the purpose of H. R. 5728 as amended by the Public Works Committee is to amend the act of May 13, 1954, creating the St. Lawrence Seaway Development Corporation—Public Law 358, 83d Congress. H. R. 5729, introduced by the gentleman from Michigan [Mr. BROOMFIELD], is an identical bill. H. R. 5728, as amended, would—

First. Clarify and modify the general corporate powers of the St. Lawrence Seaway Development Corporation to include the provision of services and facilities necessary for the operation and maintenance of the seaway; authorize the Corporation to participate with the St. Lawrence Seaway Authority of Canada in the ownership and operation of a toll-bridge company; and use funds received from facilities and services to meet expenses of the Corporation.

Second. Increase the borrowing authority of the Corporation from $105 million to $140 million, with the latter figure being the maximum value of bonds issued to the Secretary of the Treasury.

Third. Specify that deferred interest is not chargeable to the debt limitation of $140 million.

SUMMARY OF EXISTING LAW

The St. Lawrence Seaway Development Corporation was created by the act of May 13, 1954 (68 Stat. 92), to provide for construction jointly by the United States and Canada of a 27-foot seaway between Lake Erie and Montreal. It is a wholly owned Government corporation and is subject to the direction and supervision of the President, or the head of such agency as he may designate. This responsibility was assigned to the Secretary of Defense on June 9, 1954, who delegated supervisory responsibility to the Secretary of the Army.

The Corporation operates under the management of an Administrator, a Deputy Administrator, and an Advisory Board, consisting of five members, all of whom are appointed by the President by and with the advice and consent of the Senate.

Specifically, the Corporation is authorized, first, to consummate certain arrangements with the St. Lawrence Seaway Authority of Canada relative to construction of the seaway between Lake Erie and Montreal; second, to construct, maintain, and operate the United States seaway facilities; third, to finance the United States share of the seaway costs on a self-liquidating basis by the issuance of revenue bonds to the United States Treasury; fourth, to establish with the Canadian Authority mutually satisfactory arrangements for the coordinated control and operation of the seaway; fifth, to establish tolls and to negotiate agreements on tolls and ship measurements with the Canadian Authority; and, sixth, to coordinate its activities with those connected with the related power development.

SUMMARY OF H. R. 5728

As reported, H. R. 5728 would amend the corporate powers by adding to section 4 three clauses, 10 through 12, inclusive, and another subsection "(b)." These additional clauses provide for services and facilities necessary for the seaway, services at reasonable prices to users and visitors, participation in a toll-bridge company, and crediting to the Corporation the payment received for facilities and services. The new subsection (b) makes the amounts credited for facilities and services available to the Corporation to pay any obligation or expense.

In addition to the amendments to section 4, H. R. 5728, as reported, would also amend section 5 by increasing the borrowing power of the Corporation from $105 million to $140 million, by raising the amount of bonds which may be issued during any one year from 40 percent of the total borrowing power to 50 percent, and by deferring interest upon approval of the Secretary of the Treasury.

Section 10 of the bill as it was introduced is amended by requiring special reports to be submitted to the House and Senate whenever changes are made involving new or discarded features amounting to more than $1 million in cost.

BACKGROUND

Mr. Chairman, before proceeding with a further explanation and justification for the bill, may I sketch briefly some of the physical and legislative background?

Construction is proceeding around the clock on the St. Lawrence Seaway, Lake Erie to Montreal. Physically it is now 40 percent completed. The seaway is scheduled to be ready for shipping in April 1959. Our phase of the project at Massena, N. Y., is due to go into initial operation July 1 of next year.

This joint United States-Canadian activity is a notable example of two neighborly nations developing their boundary waters for their mutual benefit from both an economic and national security standpoint.

This seaway construction, together with the great power development in the Massena-Cornwall area, by the New York State Power Authority and the Ontario Hydroelectric Power Commission, ranks as one of the greatest public works projects of history. Some $70 million of construction equipment is on the job. Aside from the project's fascination to engineers, it is of basic importance in its broad economic implications to our midwest area and in its value to our national defense posture.

By a vote of 241 to 158 on May 6, 1954, this body passed S. 2150, the so-called Wiley-Dondero bill, which authorized our participation in the seaway project with Canada. The measure was signed by the President on May 13, 1954, and became Public Law 358, 83d Congress.

This legislation was unique particu-

between the two Governments subse-

TABLE 1.—*Planning and design changes—*

TABLE 2.—*Added construction items—Con-*

figure, and the overall development

the House resolve itself into the Committee

considered as ordered on the bill and amend-

the House and Senate whenever changes

This legislation was unique particularly in that it stipulated that our share of the seaway enterprise is to be made self-liquidating within 50 years by tolls on shipping rather than being supported by general taxation. In contrast, use of our numerous coastal harbors and entrance channels, together with our great inland waterway system, has traditionally been toll free.

Canada, in its corresponding legislation of December 1951, incorporated provision for imposing tolls on an optional but not mandatory basis. However, there is every indication that Canada will impose tolls to the same degree that we contemplate, namely, to recover the investment with interest within 50 years, together with recovering charges for operation and maintenance for all of the new locks and navigation facilities below Lake Ontario.

The seaway is a modernization project as distinguished from a purely new waterway development. In the St. Lawrence above Montreal the limiting channel depth will be increased from 14 to 27 feet; 7 locks are being built to supplant 18 existing outmoded ones; in the Welland Canal the channel is being deepened from 25 to 27 feet; and a number of ancillary features are involved including bridge construction and utility changes.

Below Montreal a 35-foot channel prevails to the sea. Within each of the Great Lakes natural deep water abounds. The Great Lakes connecting channels above Lake Erie are now being deepened by the United States from the present general depth of 25 feet to 27 feet under separate legislation, at an estimated cost of $136 million. When this connecting channels work is completed in 1962, a 1,300-mile waterway with a minimum channel depth of 27 feet will be available from Chicago and Duluth to Montreal, which is some 1,000 miles from the open sea.

Our seaway work is being pursued through the St. Lawrence Seaway Development Corporation which is utilizing the engineering services of the Corps of Engineers, United States Army, as its design and construction agent. Essentially all construction is by contract after open, competitive bidding. Canada's share is being performed by the St. Lawrence Seaway Authority of Canada.

Our phase of this activity is located in the international section of the St. Lawrence River, namely in the 114 miles immediately below Lake Ontario, which are boundary waters. Below this reach for over a thousand miles the St. Lawrence lies entirely in Canada.

Our share of the current seaway program includes construction of a 10-mile lateral canal at Massena, N. Y., with two locks, together with channel improvements above and below. Canada is building 5 new locks; 4 below Massena, and 1 above, together with extensive channel and other related facilities.

I should point out here, Mr. Chairman, that this 2 to 5 division of locks is in contrast to the 3 United States locks and 4 Canadian locks contemplated when Public Law 358 was adopted. This change came about through negotiations between the two Governments subsequent to the passage of the original act.

INCREASE IN BORROWING AUTHORITY

The major provision of H. R. 5728 is the increase in borrowing authority from $105 million to $140 million. The committee dwelt at some length on this matter during the hearings and questioned the witnesses in detail.

While the increase in borrowing authority is only 33 percent, the actual increase in construction cost, using comparable estimates covering the same items, is practically 100 percent. This is shown by the following figures presented by the Seaway Corporation and found on page 4 of the committee report:

Estimates as presented to the Committee on Public Works in June 1953 (based on December 1952 price levels), exclusive of interest charges and the provision for working capital	$88,074,000
Less: Point Rockway cost on which construction has been deferred	21,259,000
Total	66,815,000
Additions to costs: Price escalation to July 1, 1957	19,255,000
Basic planning and design changes	10,234,000
Construction items added	36,896,000
Total	66,185,000
New construction cost estimate	133,000,000

It may be seen, therefore, that the basic construction cost has risen from $66,815,000 in 1953 to $133 million in 1957, an increase of $66,185,000 or almost 100 percent. This increase is made up of 3 items: price escalation, $19,255,000—28.8 percent of total increase; planning and design changes, $10,234,000—15.3 percent; and added construction items $36,696,000—54.9 percent.

The committee was concerned by this high-cost increase since December 1952, the date of preparation of the preauthorization estimate.

It was recognized that all types of construction, both public and private, are subject to the inflationary spiral. In this case, in common with other heavy construction, the impact has been an increase of about 22.8 percent when related to the current project without "Additional items" added.

The planning and design changes, totaling $10,234,000 are itemized in table 1 of this statement, following, and account for a 15.3-percent increase over the applicable preauthorization estimate. This table will be found on page 5 of the committee report. In large measure they include up-to-date design treatment of the project as authorized.

TABLE 1.—*Planning and design changes*

Removal of additional rock shoals in the Thousand Islands section due to recent detailed hydrographic surveys and modified design criteria, together with additional quantities of excavation at originally contemplated shoal areas	$6,663,000
Substitution of vertical lift gate for Long Sault guard gate	−5,250,000
Elimination of double set of lock miter gates	−4,952,000
Improved design of lock sills	606,000
Lengthening lock concrete guide walls for better ship accommodation and safety	1,337,000
Change in design of guide walls to meet foundation conditions revealed by actual excavation and detailed borings	$1,470,000
Additional Long Sault canal excavation to provide project channel depth at controlling water surface profile determined by detailed engineering analysis	2,041,000
Protection of concrete lock walls with wall armor, to prevent damage and abrasion from passing ships, together with timber fenders on guide walls	793,000
Substitution of highway tunnel under upper end of Eisenhower lock for swing bridge crossing, for better accommodation of highway traffic	1,003,000
Redesign of lock walls	1,123,000
Deletion of originally planned administrative facilities	−304,000
Changes in lands and damage costs including purchase of abandoned New York Central RR. trackage, bridge and adjoining property interests	2,725,000
High level bridge resulting from New York Central RR. abandonment and need for increased bridge headroom for seaway traffic including temporary access roads and ferry crossing	5,115,000
Elimination of previously contemplated plan for New York Central RR. and highway relocation (1952 plan, before necessary planning and design changes to original plan)	−4,747,000
Design changes covering such features as changes in utility lines to locks, widening of channel at Croil Island, and minor changes in project service roads	1,157,000
Miscellaneous other design changes to original plan	1,354,000
Total planning and design changes	10,234,000

Of most concern is the category of construction items added, totaling $36,696,000 as itemized in table 2, following. This table will be found on page 6 of the committee report:

TABLE 2.—*Added construction items*

Lands and damages: Lands and easements required for channel enlargement below south channel bridge. No work was originally contemplated here	$66,000
Long Sault canal and locks:	
Permanent project roads	664,000
Mooring dolphins	913,000
Public-use facilities	188,000
Maintenance buildings at each lock	116,000
Land rehabilitation	1,012,000
Gate lifter, spare gate and storage barge, including radio and intercommunication facilities	3,259,000
Mooring basin for gate lifter and related plant	1,074,000
Total, Long Sault canal and locks	7,226,000

The foregoing added items provide for betterments for improved accommodation and safety of navigation, highway traffic, and visiting public. Land rehabilitation measures are now contemplated to dress spoil banks, etc., in order to be more compatible with practice on adjacent power project (State park) lands. Isolation of area requires emergency repair facilities to assure uninterrupted seaway traffic and adequate project maintenance; elimination of double lock miter gates also adds to need for these facilities.

Cornwall Island section:	
Dredging in the south channel at Cornwall Island	$11,970,000
Training dikes	3,859,000
Total Cornwall Island section	15,829,000

Dredging in south channel at Cornwall Island arises from ambiguity in basic authorizing instruments concerning "power" and "seaway" responsibility. Training dikes were found necessary by hydraulic model studies to reduce adverse velocities and cross currents opposite Plooeys Gut.

General purpose facilities:	
Navigational aids	3,228,000
Administration building	840,000
Maintenance shops	511,000
Marine base adjacent to such shops	1,977,000
Toll collection facilities	215,000
Customs facilities	54,000
Floating plant, including tug, barges, derrick boat, channel survey and sweeping craft	3,363,000
Maintenance equipment	360,000
Total general-purpose facilities	10,548,000

TABLE 2.—*Added construction items*—Con.

Navigation aids included now because of Bureau of the Budget request and General Accounting Office decision for recovering of all such costs by navigation tolls; administration building now provided to house a separate Seaway Corporation staff; toll collection facilities; repair shops, marine base, floating plant, and related equipment necessary for self-contained operation and maintenance of this project which is in an isolated area	
Seaway Corporation: Administration, field supervision and inspection, and mobilization, operation and maintenance during construction	3,600,000
Total added items (December 1956 prices)	36,696,000

I would like to point out that these added or new construction items represent an increase of 54.9 percent or one-half of the overall increase. Admittedly there were omissions in the original estimate. However, a calm look at the features involved here will demonstrate the reason for what might hastily be called "omissions." A quick rundown shows this:

First. In preparing the original estimate the Corps of Engineers presumed that the Coast Guard would in accord with normal practice finance the United States navigation aids. Now it turns out that the Coast Guard will have charge over these aids but that their costs will be borne by the Seaway Corporation pursuant to a ruling by the Budget Bureau.

Second. Various equipment items including a floating derrick (gate lifter) were not included originally on the concept that such services could be arranged locally when needed from private sources. More detailed study recently has indicated that the importance and remoteness of these lock installations calls for such equipment to be immediately available at the site.

Third. In its original estimate the Corps of Engineers did not include funds that the Seaway Corporation created by Public Law 358 would need for supervision, administration and operation mobilization.

Fourth. Most significantly, the Seaway Corporation is having to assume major dredging costs at Cornwall Island that were originally considered to be a power project responsibility. This accounts for about one-half of the $36,960,000 increase. Because of an ambiguity in the instruments authorizing the power development this cost division was arrived at after long discussions between the 2 Governments, the 2 seaway and the 2 power agencies, which has the net effect of shifting considerable dredging cost from the power to the seaway project.

I am convinced that there was absolutely no intention by the engineers in preparing the original estimate to mislead the Congress by filing a low estimate just to get the "camel's head under the tent." Rather, I am convinced that the cost over-run in this case involves some oversights by the engineers, some inadequate basic data, price rises, and some changed circumstances over which they had no control. In fact if we would take the combined estimates for both the seaway and power projects presented to the House in 1954 and increase them now by 23 percent, the price level change, we would come up with a billion dollar figure, and the overall development is being built for that sum.

Furthermore, since the Seaway is a self-liquidating enterprise we should consider both United States and Canadian costs. Here are the pertinent figures showing a less severe overall increase.

Direct construction costs

	Preauthorization estimate	Present estimate
United States	$88,074,000	$133,000,000
Canada	174,950,000	284,000,000
Total	263,025,000	[1] 417,000,000

[1] 58.7 percent increase.

Annual costs for financing operation and maintenance

Preauthorization estimate	$14,600,000
Present estimate (by SLSDC)	$26,000,000
Increase (percent)	78

Before commenting on the pay-out prospects of the seaway I shall discuss the other items involved in this bill.

DEFERMENT OF INTEREST

The original and current overall estimates for our seaway program are:

Item	Original	Current
Direct construction	$88,074,000	$133,000,000
Interest during construction	7,927,000	(1)
Corporation working capital	8,999,000	7,000,000
Total	105,000,000	140,000,000

[1] Deferred.

There has been some difference of opinion as to the intention of Public Law 358, 83d Congress, with respect to the deferment of interest. The law does not specifically cover this point. The Treasury Department has interpreted the law and the legislative history leading up to the law to permit the deferment of interest during construction. The Office of the Comptroller General has interpreted that interest should be paid during construction or charged to the Corporation's borrowing authority.

This bill makes it clear that interest during construction may be deferred and paid from subsequent revenues, and not charged to the borrowing authority of the Corporation. This clarification will place the financing of this portion of the interest charges to the seaway on the same basis as other Federal self-liquidating projects. Interest during construction will be accrued as a cost, but payment will be deferred but compounded until construction is completed.

CLARIFICATION OF CORPORATE POWERS

Section 4 of Public Law 358 enumerates the functions and powers of the Corporation, but it is not specific as to what ancillary or auxiliary activities the Corporation may perform.

Certain services may have to be rendered to vessels by the Corporation, such as wharfage, tug and salvage service, for which the Corporation should be permitted to make a reasonable and equitable charge. The Corporation may have occasion to enter into agreements for the operation of concessions to serve the public or rent space or property in connection with the operation of the seaway. Since the costs of acquiring all of the facilities and equipment for the Corporation are financed from the Corporation's funds, it appears appropriate that any revenue from the use of such facilities should accrue to the benefit of the Corporation for payment of its expenses and obligations.

The existing highway-railroad bridge between Rooseveltown, N. Y., and Cornwall, Ontario, must be removed and the bridge relocated in order to permit passage over the seaway. The abandonment of the railroad system between the United States and Canada has relieved the seaway entities of the obligation to relocate the railroad system. The seaway entities, however, are obligated to continue the highway across the St. Lawrence River. Since a part of the payment to the railroad company was for the rights and obligations to operate a highway toll bridge system, it appears appropriate that the revenues from the highway tolls should be used by the seaway entities for their operating expenses or as payment of their debt services in connection with the toll bridge. The committee has amended H. R. 5728 to insure that the United States portion of highway bridge tolls shall be used for highway bridge costs and not diverted to seaway costs.

The Canadian law creating the St. Lawrence Seaway Authority of Canada has been amended to provide that the Seaway Authority of Canada may participate with the St. Lawrence Seaway Development Corporation in the operation of the relocated highway toll bridge. The proposed amendment to the Corporation's law will place the Seaway Corporation on an equal basis with its counterpart, the St. Lawrence Seaway Authority of Canada. Under this arrangement the Seaway Corporation will be able to participate with the Seaway Authority of Canada in the management of the international highway toll bridge.

CONCLUSION

After due consideration of the matter, Mr. Chairman, the committee by a wide margin favorably reported out H. R. 5728 now before the Chamber to:

First. Increase the borrowing authority of the Seaway Corporation from $105 million to $140 million. The United States must complete its seaway job and its commitment to Canada. Failure to do so would be unthinkable.

Second. Grant the Corporation the additional powers contained in the bill subject to the restrictions spelled out therein and to the requirements that special reports be filed hereafter with the Congress whenever there are any project feature additions or deletions involving a cost change of $1 million or more individually.

Third. To defer interest on the Corporation's borrowings from the Treasury until the project is completed and revenue is received from tolls.

In closing I wish to refer to the pay-out prospects of the seaway.

It is indicated that the annual costs that will have to be met will aggregate $26 million as estimated by the Seaway Corporation, or $28 million as estimated

by a committee representing the potential users. These users have expressed the concern that the total United States-Canadian charges will necessitate toll rates too high to allow maximum use of the project and yet pay off the cost in 50 years. It also appears that the eastern railroads consider that the seaway will not be competitive with them if these toll demands are met.

On the other hand, the Administrator of the Seaway Corporation has expressed the conviction that the seaway will generate heavy commerce in a relatively short time and that this commerce will move with toll rates that will pay out the project in 50 years. He based his testimony on traffic and toll studies currently under way by the Seaway Corporation but not yet finalized or published, and on corresponding studies by the Canadian counterpart entity.

Mr. Chairman, only time will tell the future seaway traffic pattern and toll revenue. Early years may be deficit years. A study, however, of the Panama Canal, Suez Canal, and other great waterways points to the seaway becoming a heavy traffic artery; firstly, in bulk mineral movements between Canada and the United States; secondly, in export grain; and thirdly, in overseas general cargo traffic. Shipping circles are buzzing now in their plans to get into this Great Lakes trade. Sailings between Great Lakes and overseas points even under the present bottleneck conditions in the upper St. Lawrence River are increasing by leaps and bounds.

At Milwaukee, for example, 16 regular lines even now are serving the port with 225 ocean sailings chalked up for 1956. Cargoes have moved directly from Milwaukee to 98 overseas ports on 4 continents since 1946. In 1956 Cleveland was visited by 319 foreign-flag vessels and this year over 400 are expected. Chicago had over 300 sailings last year. Other major ports are having similar experience.

Foreign lines now active include Fjell-Orange Line; Swedish Chicago Line; Swedish American Line; French Line; Hapag-Lloyd Line; Cunard Line; Canadian Pacific Line; Niagara Line; Ellerman-Fabre Line; and Manchester Lines.

These firms have definite expansion plans under way. The Fjell-Orange Line has announced plans to build at Amsterdam 2 de luxe passenger-cargo type ships of 9,000 deadweight tons for service between the Great Lakes, Rotterdam, and English Channel ports, commencing in 1959. These ships will carry about 7,000 cargo tons at 25-foot draft, and 100 passengers. With their speed of 18 knots, these 453-foot ships will cross the Atlantic to Montreal in 7 days and reach Chicago in 11 days.

The French Line is ordering two new vessels, the *Chicago* and *Cleveland*. Each will be 450 feet long and of 7,500 deadweight tons. Swedish Chicago Line is asking for bids on 5 large cargo ships for 1959. Belgian Line has ordered several 8,000-ton vessels.

Our own Maritime Commission has announced as an essential trade route for the United States merchant marine, route 32, between the Great Lakes and northern European ports via the St. Lawrence, and just recently, route 33, to the Gulf of Mexico and Caribbean points.

The possibilities of the seaway have not been lost to American companies. Applications for customary subsidies have been submitted by the Grace Line, Isbrandtsen Co., United States Lines, T. J. McCarthy Steamship Co., and Einar H. Crown. All are seeking to charter small Government vessels to establish operations before the new seaway permits employment of larger vessels.

Grace Line and Moore-McCormack have each just announced opening of offices in the principal Great Lakes ports to solicit traffic. An official of the United States Lines recently stated:

> From the many conversations I have had with freight shippers, transportation executives and forwarding agents in Europe, I can say that the majority of them are looking forward with enthusiasm to the eventual opening of the seaway and more active utilization of the Great Lakes ports.

Isbrandtsen's executive vice president is quoted in a recent Wall Street Journal article as saying:

> There is an enormous traffic potential.

The president of Grace Line explains:

> Our intention is to serve the trade with the small ships until 1959. Then, we will transfer C-2's (larger vessels) into the trade. By 1962 or 1963 we expect to have tailor-made ships.

These vessels will cost about five or six million dollars each.

The June 22, 1957, issue of Traffic World carries an article:

> Great Lakes and St. Lawrence River port officials are planning improved terminal facilities to enable them to participate in the 50-million ton annual traffic flow anticipated for the St. Lawrence Seaway.

Port circles from Montreal to Chicago and Duluth are pushing forward on terminal expansion in varying degrees.

Iron ore from the Labrador-Quebec field to Great Lakes ports constitutes the main block of prospective seaway traffic. Virtually all of our steel-producing companies are actively pursuing plans now for tapping this new mining source to continue the funneling of this basic mineral into our ever-increasing steel furnaces. These iron ore movements will probably be handled largely by Great Lakes type ships. They can handle over 20,000 tons, in ships some 700 feet long and 74 feet in beam.

Industrial plant expansion is widespread. At Massena, N. Y., alone General Motors and Reynolds are spending over $100 million.

One can go on at great length in tracing facets of this great unfolding economic drama.

History alone will record its yearly verdict. Let us pass the bill, complete the seaway, and face the future with righteous optimism and a willingness to meet and overcome whatever problems arise.

Mr. McGREGOR. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, I concur in the statement made by my colleague, the gentleman from Minnesota [Mr. BLATNIK], relative to H. R. 5728. It is one of those problems where we find ourselves in a somewhat embarrassing position. This Congress a little over a year ago authorized an expenditure of approximately $100 million for the construction of the St. Lawrence Seaway, a subject which has been before the Congress for many, many years.

Back about 5 years ago we were told it was going to cost about a billion dollars as far as the United States was concerned, and then bills were introduced by our former colleague, the distinguished gentleman from Michigan, that brought the project somewhat in line with costs that some figured it should be. I might say in all sincerity there are a great number of Members in this Congress who might sit back and say "I told you so," because in reading the RECORD and refreshing our memory we find that many Members said that it could not be constructed at the price set forth in the authorization; that it was somewhat like buying a Victrola of old; that the first cost of the Victrola did not mean much but what was going to cost and continue to cost was the records which were to be played on that Victrola.

So, shortly over a year after original authorization we find ourselves faced with the Corporation coming before this Congress and asking for $35 or $40 million more money. I disagree somewhat with the previous speaker that it was only a 35 percent increase. I think you will find it is a little in excess of 100 percent increase, because when you go to checking, you will find certain figures were set forth in the plans and certain items of construction.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Minnesota.

Mr. BLATNIK. I thought I emphasized that point—that while the overall increase indicated about 33⅓ percent, the actual increase in construction was approximately 100 percent. I tried to make that clear, and the gentleman is correct in pointing out that difference.

Mr. McGREGOR. I certainly appreciate that statement, because the gentleman's record will show that he has always tried to be fair and honest.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Kansas.

Mr. AVERY. It was not my privilege to be a Member of the House when this project was authorized, and I am not quite sure I understand what the gentleman is saying. Is the gentleman saying that in the authorization there were a certain number of alternates on a selective basis and apparently the operating authority has selected the minimum requirement? Is that essentially what the gentleman is saying?

Mr. McGREGOR. I might say that the selecting authorities did not follow what they told us they were going to follow, because there was no alternative, as a road contractor would say, for instance, as between A and B or whether you could use concrete instead of vitrified pipe. There was no alternates in the previous authorization. But we do note when we are examining what they are going to do from now on that they had a cost constructon deferred, which means that they are not going to construct that item to the extent of $21,259,000, which would bring the total down to $66,815,000. Now they are asking for $133,500,000, which is approximately, as my friend from Minnesota says a 100-percent increase.

Mr. AVERY. Mr. Chairman, does the gentleman recall when this project was authorized whether it was set up on a cost-benefit ratio basis, as the conventional public-works projects are?

Mr. McGREGOR. In an approximate way, yes. We tried to figure out whether or not the tolls collected would be sufficient to liquidate the cost over a period of 50 years.

Mr. AVERY. Does the gentleman recall about what that cost-benefit ratio was?

Mr. McGREGOR. I am sorry; I do not. I do not know whether the gentleman from Minnesota [Mr. BLATNIK] does or not, and I should like to yield to him to answer the question, if he will.

Mr. BLATNIK. As I recall, the cost-benefit ratio was most favorable. I think it was approximately 4 to 1.

Mr. McGREGOR. Does that answer the gentleman's question?

Mr. AVERY. It might lead to my next question. If it was a favorable cost-benefit ratio, does the gentleman feel, with this 100 percent increase, if that increase could have been foreseen at the time originally, would the project have had such a favorable cost-benefit ratio?

Mr. McGREGOR. The gentleman from Ohio wants to be perfectly honest. I would say in all sincerity that there would be a question in my mind, if all of the costs of this project were added up and we knew what was going to happen and what the costs would be about 3 years from now—if we knew the total cost when we started this project it would be questionable in my mind whether the benefits would equal the cost. And that is one of the things I am worried about.

Mr. AVERY. Then I suppose it would follow logically that the membership of the House could conclude that this whole endeavor might become a continuing obligation on the Public Treasury, that the tolls may never be enough, really, to carry the interest and to repay the principal?

Mr. McGREGOR. I think the gentleman is correct in his assumption. I think our committee took that into consideration. I might call the gentleman's attention to the bill, page 3, lines 12 and 13, which says:

> The total fact value of all bonds so issued shall not be greater than $140 million.

I might say that the bill as written after being amended by our committee says, and I repeat, "The total face value of all bonds so issued shall not be greater than $140 million." We changed from original draft because, as the gentleman can readily see when the bill read "such bonds that are outstanding at any one time may not be greater than $140 million" they might pay off a few bonds, and then issue some more bonds. So we have set the total up to $140 million, which we hope answers the question of the gentleman from Kansas.

Mr. AVERY. I thank the gentleman from Ohio for yielding to me.

Mr. McGREGOR. That is a point that we have discussed. I want to say that in my humble judgment this Congress will be asked more than once to increase this authorization. And it will be done in a number of ways. We find in our appropriation bills on rivers and harbors that Harbor A in State B is given $10 million or $15 million. For what purpose? To take care of the additional traffic they think the St. Lawrence Seaway will bring. I have often wondered whether or not the St. Lawrence Seaway is going to be the competition that some felt it would be in the first place. I do not think it will be very competitive as long as we hold to 50-year bond issues, because under the existing law, the bonds are paid off by the tolls collected, and the bonds must be paid off within 50 years. I think when we finish this project the costs are going to be so high that the tolls will be so exorbitant, the question will be whether or not anyone will be able to afford to ship on the St. Lawrence Seaway. My friend from Maryland has ably said a number of times—and I refer to the chairman of one of our subcommittees [Mr. FALLON]—that he has taken the position that we may be called upon to subsidize this project because of high tolls to pay high costs of construction. I think we should consider this when we are discussing this bill.

It is to be regretted that a committee of Congress seemingly cannot get authentic information relative to construction costs. I might call to your attention one item that was seemingly left out of this entire program when it was presented to us for the first authorization. That was for basic planning and design, an item of $10,234,000.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Ohio.

Mr. McCULLOCH. Does the gentleman think that item was intentionally left out of the estimates, or was it left out by the ineptness of those who were preparing it?

Mr. McGREGOR. That is a little difficult to answer, but it was left out, and there were other items left out. Some of us wonder, if these items had been put in, whether or not the benefits to costs would be in the proper ratio that this Congress would accept. Either advertently or inadvertently the items were left out and costs were down. Now the items are in—costs are up—and we are asked to increase the authorization.

I am going to be perfectly honest and say that those individuals who left those items out and so submitted really a false report to the Congress should be fired regardless of whether they are corporals or generals. We do not have the time to check these various items, and we must take the word of someone—and it is to be regretted that someone is not giving the Congress the true facts.

Mr. McCULLOCH. I am very glad to hear my able colleague from Ohio make those comments. A moment ago, just after my inquiry of the gentleman from Ohio, the remark was made to me that whether it was for one reason or the other, it was wholly inexcusable. I think in this major and important project we should have estimates in accordance with the best accepted business practices in America. We should not excuse such negligence or intentional default in the future.

Mr. McGREGOR. I thank my friend from Ohio. I think he has spoken the word of every member of our Committee on Public Works and I expect of nearly every Member of Congress. We want to be honest with the people who pay the taxes. There is no such thing as free money. Every one of these projects has to be paid for. If we authorize them and then find out that certain items have been left out, the taxpayers have to make up the difference.

I believe we have some protection in this bill, thanks to the capable chairman and the members of the Committee on Public Works, because we have put in a ceiling of $140 million. Before they exceed that amount of bonds they must come back and ask for authority again. I repeat, just as sure as I am standing here, they are going to come back and ask for more, because in my opinion this will not complete the project and I think they are going to ask for an extension of time on the bonds in order that those bonds may be retired.

We are in a position I hate to see this Congress in. We have some obligations with our good friends to the north. We have started these projects. You may criticize the Committee on Public Works if you so desire because we did not know all these things when we first asked for authorization, but I think you will recognize that we do not have the time or the experience to go into every detail of a construction proposal.

I hope every Member of the Congress, whatever committee you may be on, will assist us in trying to arrive at some kind of formula where we can demand of those who are submitting figures to us to be sure that those figures are accurate so that we can be honest when we present the project to Congress for consideration.

Mr. GEORGE. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Kansas, a fine member of the committee.

Mr. GEORGE. It it not true that this project was sold to the Members of Congress on the basis that it was a self-liquidating program?

Mr. McGREGOR. I think that is the only reason in the world the project was ever accepted.

Mr. GEORGE. The way the bill was drawn up, is not the Secretary of the Treasury forced to buy the obligations of the Authority?

Mr. McGREGOR. That is correct.

Mr. GEORGE. They do not have to sell them on the open market, where they would have to justify their earning capacity in order to sell their bonds.

Mr. McGREGOR. They do not.

Mr. GEORGE. I thank the gentleman.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Ohio.

Mr. VORYS. As I remember it, part of the proposal was that if the United States did not go ahead with this that

Canada might go it alone. Am I correct

Mr. McGREGOR. The gentleman is

were intended in the original legislation,

also in the stratosphere. I think it is $11,970,000 for the south

route 32, between the Great Lakes and northern European ports via the St. Law-

somewhat embarrassing position. This Congress a little over a year ago au-

had a cost constructon deferred, which means that they are not going to con-

from Ohio for yielding to me.

other, it was wholly inexcusable. I think

States did not go ahead with this that

Canada might go it alone. Am I correct line of this legislation?

Mr. McGREGOR. The gentleman is correct.

Mr. VORYS. Does Canada bear an equal cost in contribution along the line of this legislation?

Mr. McGREGOR. We are told that they not only bear an increase, but a greater increase than we are bearing although I only have the authority of the witness to make that statement.

Mr. BALDWIN. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from California.

Mr. BALDWIN. The testimony of Mr. Castle, the seaway administrator, says the cost to the Canadian Government has gone up 62½ percent. The testimony of Mr. Danielian, another witness, said that the cost to the Canadian Government originally was, when estimated, $174,950,000 but then they had the addition of the Iroquis lock canal which cost them an additional $21,259,000 and now their estimates have gone up to a total of $284,675,000 which in accordance with his estimate is a 46 percent increase. So this has been shared on both sides.

Mr. VORYS. Then I wonder if the gentleman could tell us, if some member of the committee could tell us whether there had been representations that were far too low made to the Canadian Government as well as to the Congress.

Mr. McGREGOR. I would not care to commit myself relative to that, but some of us have questioned a lot of the evidence submitted as to just how anxious the Canadian Government was to start this program. If I may go on for just a moment, I think the committee did a very fine job on page 3, in which the Corporation after the effective date of this amendment shall submit a special report to the Congress, whenever there is proposed a new feature, design, or phase of the seaway project not included heretofore in the estimates and reaching a cost as set forth in the bill.

Mr. Chairman, I think that is a protective amendment. We find ourselves here today being forced to authorize an expenditure that seemingly already has been agreed to and seemingly a change of specifications which already has been agreed to. So I think that particular clause will help to protect the situation. Again I say, although we may not like this procedure, it has been authorized by the Congress of the United States, and in my humble opinion the only thing we can do and the only thing I think we should do is to authorize this request for additional funds.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to my colleague from Ohio, a member of the committee.

Mr. SCHERER. Is it not a fact that the criticisms of the committee were not directed so much to the increase in the construction costs or unforeseen difficulties in the construction, but were directed to the fact that there were many items in the construction program which were left out and which should have been foreseen by competent engineers?

Mr. McGREGOR. The gentleman is entirely correct. The committee recognizes, of course, that the costs of construction have increased since the estimates were made or since it was authorized by this Congress, and that such increases have been between 15 percent and 20 percent. We recognize that, but the thing that we criticize, as the gentleman from Ohio [Mr. SCHERER], member of the committee, has said is that those who are in authority intentionally or unintentionally left out some items which were not considered in first authorization and which they did not submit to the committee, one of them being an item of $10 million for engineering. Of course, all of us recognize that we have engineering costs. There were some items left out. We do not like it. But now we know those costs are there and we have to pay for them.

Mr. VORYS. Mr. Chairman, will the gentleman yield.

Mr. McGREGOR. I yield.

Mr. VORYS. I find in the calculations in the committee report that the additions are stated and then deductions, deferred and revised items $31,185,000. Does that mean that there are deferred items that are going to be built later on and which must be financed at some later time by the Congress?

Mr. McGREGOR. No; that does not mean deferred items; rather, it means items on which plans and specifications have been changed to such extent that they no longer want those items placed in the category of deferred items.

Mr. VORYS. Ordinarily "deferred" means merely postponed, rather than canceled, and I wondered if that was the case in this instance.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield.

Mr. SCHERER. Deferred items refers to a lock, or two locks that are being built by Canada which originally were to be built by the United States and which were included in the original estimates.

Mr. McGREGOR. But they will never be paid for by the United States, so instead of using the phrase "transferred" they should be treated as canceled items.

Mr. VORYS. I thoroughly agree with the gentleman on that.

Mr. McGREGOR. I yield to the chairman of one of our subcommittees, the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. I would call the gentleman's attention to section 5 and invite his comments as to how that section will be managed by the Corporation in making its report to the Public Works Committee of the House and to the Foreign Relations Committee of the Senate.

First I would like to have the gentleman's thought with regard to reports on increased costs being made to the respective committee in multiples of $1 million expended by the Corporation.

Mr. McGREGOR. Only unless they go into a foreign field, something that is not prescribed in the bill; in other words if they get into a contract with the Canadian Government similar to the new bridge and the new highway which never were intended in the original legislation, if they attempt to go as far afield as that then I think they should report to this Congress and get further authorization.

Mr. JONES of Alabama. What if the implementation is of a modern nature? Would the gentleman expect the Corporation to make a report under this section?

Mr. McGREGOR. You know, my Scotch ancestry makes me feel that a million dollars is not something of a minor nature. These reports are required when the amount involved is a million dollars or more.

Mr. JONES of Alabama. I am not talking about the amount involved, I will say to my friend from Ohio; I am talking about the matter of the change in design proposal. I wonder how far this would hold the Corporation liable to make a report to the Congress.

Mr. McGREGOR. May I say that the language reads:

> Whenever there is proposed an abandonment of any feature, design, or phase, heretofore included in estimates, involving an estimated value exceeding $1 million—

They report to the Congress.

Mr. JONES of Alabama. Yes; I understand. Now, of course, if the Corporation makes a change in its plans and specifications in the prosecution of the project how would the Committee on Public Works or the Foreign Relations Committee of the Senate know of that change and the differences in the proposal they submit to these committees?

Mr. McGREGOR. Then they should submit that proposal to the committee and explain that they are going far afield from what is incorporated in our hearings and what was included in the authorization.

Mr. JONES of Alabama. Is the gentleman from Ohio satisfied after having heard all the testimony before the committee that he has any reasonable assurances that this plan will be prosecuted by the Corporation in keeping with the proposal for these reports?

Mr. McGREGOR. The only thing I can go on is the record, and the record so far has been very, very bad, because no one seemingly kept to the figures or anywhere near the figures authorized. But the Seaway Corporation is now under a very capable Chairman, Mr. Castle, and I think we will be able to keep in close touch with the actions of the Corporation.

Mr. JONES of Alabama. I realize the administrative difficulties that would be imposed upon the Chairman of the Corporation in trying to keep Congress apprised and informed of what it intends to do in the prosecution of this tremendous undertaking, the like of which we have never seen before, and, as far as this language is concerned I don't know that we have any counterpart or any precendent for this sort of procedure.

Mr. McGREGOR. I am sure I agree with the distinguished gentleman, a member of the committee, that this is really in the stratosphere as far as operation is concerned, but I think the gentleman will agree with me in this assertion that our taxes and our debt are

also in the stratosphere. I think it is our obligation, and I am sure the gentleman will agree with me, to put every governing power that we can on the expenditure of this money. When we do that we can go back home and say to our people we have sincerely and honestly endeavored to look after your affairs.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Florida.

Mr. CRAMER. I may say to my distinguished colleague from Alabama with regard to this particular provision that I believe it is rather obvious the objective of the committee in including it is to make certain that the next time, if it should ever occur, that additional costs are needed and an additional authorization is needed as a result of those additional costs, the Congress will have an opportunity to be advised in advance of what their planning is and that negotiations cannot be held with the State of New York, as was the case in this matter, when millions and millions of additional dollar costs result to the Corporation without the Congress being advised. That is all this does. It requires that when a new design or phase of the project would result in an excess of a million dollars involving those new phases not included in this bill and the estimate in this bill, they should advise the Congress as to what the plan is, why it is necessary, and give the Public Works Committee an opportunity to be forewarned to learn whether or not an additional authorization is going to have to be requested in the future and whether they are going to live within it.

Mr. McGREGOR. I agree with the gentleman from Florida and I am sure his explanation is clear. I repeat, the only reason we have that provision in there is that it might help us keep away from the situation in which we now find ourselves. Someone decided to build a bridge and some highway, which was not in the original authorization. Now we find ourselves with an agreement that was made, so we are paying for it. All this clause does is to say if it exceeds a million dollars, they come back and ask for an authorization.

Mr. CRAMER. The responsibility of Congress is to see that this is a self-liquidating project. You make certain that the taxpayers do not have to pay for it. That is the reason the Congress should have some policing authority and that is why this provision is in it, is that correct?

Mr. McGREGOR. That is correct.

Mr. SCUDDER. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from California.

Mr. SCUDDER. On page 38 there is a provision that entered into the project. When the St. Lawrence Seaway was authorized by our committee we felt that the power proposals of the Power Authority of the State of New York and Ontario, Canada, were to take care of all of the power facilities and the appurtenances thereto. However, the St. Lawrence Seaway Development Corporation did enter into an agreement, and I think entirely unforeseen, in which they paid $11,970,000, for the south channel at Cornwall Island. That is something that certainly our committee was not informed of as an extra because we felt when the two projects were separated, one the power project and the other the seaway, that the power project would pay for this cost and any interference there would be to the development of the seaway. The $11 million, almost $12 million, was an agreement they reached in which the seaway paid for that extra dredging at that point.

Mr. McGREGOR. May I ask the gentleman from California, who really is an expert in that field whether in his opinion there would have been a lot of discussion before our committee would have agreed to that proposition?

Mr. SCUDDER. Yes, and I do not think the House was cognizant of it when it passed this bill. I am sure our committee was not.

Mr. McGREGOR. I thank the gentleman. I want to take this opportunity of saying that the minority side appreciates the courtesies and fairness shown by the majority chairman, who has given us every opportunity to be heard.

Mr. BLATNIK. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. FALLON].

Mr. FALLON. Mr. Chairman, I am not going to oppose this legislation as I did the last time it was on the floor. But, it seems to me, if you will read the debates at the time this legislation was brought before the House, you will find that the opponents of this legislation were more accurate than the proponents as to the cost.

At the time that seaway was authorized, the cost estimates for constructing the 27-foot navigation channels, for which tolls were to be collected to put it on a self-supporting basis, were stated to be approximately $300 million; that the full cost would be $300 million, $100 million paid for by the United States and $200 million paid for by Canada. And, in order to give a leeway on the interest and other items during the construction, the United States established a Seaway Development Corporation with authorization to borrow $105 million from the Treasury Department.

Now Congress is being asked, long before the seaway is actually completed, to raise this authorization to $140 million. After examining the papers submitted in support of this increase, it appears that the cost for which the United States is responsible was very badly underestimated.

Three items of the original $105 million have been deferred or revised. One was a payment of nearly $8 million for interest during construction, which has been indefinitely postponed with the concurrence of the Treasury Department. Another was the Point Rockaway Canal and lock, which has been deferred or canceled in favor of a parallel canal on the Canadian side. Subtracting these items from the basic estimates of 1952, it comes to less than $70 million. Now, $140 million is needed, which is an increase of 100 percent. Of the approximately $66 million extra funds now requested, $19 million represents price increases, while $37 million are for items not included in the original plan. Adding them together with the $8 million of deferred interest gives you the exact amount, which is something over a 100-percent increase.

While there are no official costs above the estimates on the Canadian side, they are probably much higher. It seems certain that the seaway project from Montreal to the Lakes is going to cost at least twice its original estimate.

It should be remembered that the deepening of the seaway to 27 feet has brought demands on the public Treasury for corresponding deepening of the Great Lakes connecting channels, and shortly Congress will be faced with further proposals to deepen Great Lakes harbors at Federal expense. There is no telling what the ultimate cost will be for this aspect of the seaway from which there is no toll recovery on this particular item. Some $115 million has already been authorized for lake channels, and there will be no toll recovery on those items. However, if all the proposals made at public hearings which the Army engineers have been holding on Great Lakes harbors are brought into the Public Works Committee of the United States, we will be urged to lay out approximately the same amount of money that it cost to build the seaway, and on that $140 million there is no recovery from tolls.

The portion of the seaway from Montreal to the Great Lakes was authorized under a specific condition that it be made self-liquidating by tolls. Mr. Castle, the administrator of the Seaway Development Corporation, summed it up in a speech before the Toledo Chamber of Commerce on March 9, 1955, as follows:

> We are granted the authority to borrow as much as $105 million from the Treasury Department for construction purposes, and repay that sum from toll revenues to be collected after completion of the St. Lawrence project. Consequently, this program is not deficit spending or public aid. Our estimates are such as to assure fairly conservatively that we can retire the moneys which we will spend in this work within a 50-year period and possibly much less time, including interest accruing during the construction period.

Now it is being suggested by some of the proponents of the seaway, who confidently affirmed its self-liquidating features a few years ago, that something must be done to change the enabling act to furnish the money at less than the cost paid by the Treasury Department, postpone the amortization beyond the 50-year period, or otherwise subsidize the project. There is now some talk of making it a hundred years. Anything that has to be amortized in a hundred years by the Federal Government is certainly a subsidy.

Dr. N. R. Danielian, who was one of the sponsors of this project, appeared before our committee a number of times. As a matter of fact, I think he was engaged by some interests to further the success of this project. He is now president of the Great Lakes-St. Lawrence Association, and chairman of the Users Committee on St. Lawrence Tolls. This is what Mr. Danielian had to say about tolls:

> The annual costs of operation and interest will run about $28,330,000 against the original figure of $14,600,000.

And he requests Congressional help in keeping down tolls so that the shippers will not use transportation that is competitive with the seaway.

It was pointed out at our last hearings on this legislation that nobody testified before our committee opposing this increased cost of the seaway. I take it from what Dr. Danielian said that he is afraid that if you charge tolls at a rate that would amortize this project in 50 years, it would not be competitive with already-established carriers and the harbors along the Atlantic Ocean and the Gulf of Mexico. That might be the reason why these people were not in. The people who own and operate these private carriers, financed by private capital, were not in, perhaps, because they realized that the seaway had ceased to be a competitor under the cost of construction.

Mr. Chairman, as I said before, I do not see that there is anything we can do in this case today except to extend or authorize the extension of this amount of money. Although I am opposed to it I think the House should extend it because it is an economic problem. Unless the seaway is constructed there will be no return for the $66 million we have already in it and the sooner it is constructed the sooner we will start to get some return at least to our taxpayers who have built it.

Mr. McGREGOR. Mr. Chairman, I yield 5 minutes to the gentleman from Florida, a member of the committee [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, this bill is before us for the very obvious reason that there is a need of an additional $35 million authorization for the St. Lawrence Seaway project.

I am for the project and for this increased authorization because it would be foolish indeed and very poor economy to stop the project which would be the result of not authorizing the additional amount needed after many millions have already been spent. As a matter of fact I firmly believe this to be one of the greatest public works navigation projects in America and I believe its beneficial effects will be felt throughout America for decades to come.

The matters that concerned the committee when the facts were presented to us were, first, the fact that it seems there were many items contained in their requested new authorization that had not been initially presented to the committee when it was first authorized that should have been presented and should have been foreseen at the time of the initial authorization.

The second problem was that there were changes that possibly could not have been foreseen initally that have been made subsequently. Our committee has at no time nor has the United States Congress had an opportunity to review these changes as time passed since the initial authorization in order to determine whether they were reasonable, whether they were feasible, or whether they were within the intent and purpose of the initial authorization on the part of Congress. Those were the matters that principally concerned, I believe, the members of our committee.

Of course it is the responsibility of Congress to make certain at all times that this project is self-liquidating. Otherwise obviously it is going to be a burden on the American taxpayers, which it was never intended to be. I am sure those who voted for the initial bill would agree to that. It has been my objective to fully explore this and to make certain it remains self-liquidating.

There are just a few words of caution I should like to leave with regard to these aspects. I should like to say at the outset that it appears to me the committee has done a very substantial and creditable job in attempting to make certain that should it at any time in the future be necessary to come in for additional authorizations, and of course we were assured that it would not, this Congress would have been put on notice during the period following the passage of this bill and hopefully to forestall the need for any subsequent request for increased authorization as to what these changes were, what these feature design or phase changes in this project might be, so that we would have an opportunity to review them and have them discussed with us by the Seaway Commission. That is the reason for the provision which was discussed by our distinguished ranking minority member of the committee, the gentleman from Ohio, as appears on page 3 of the bill, line 21, which is section 5, which I had the privilege of offering as an amendment to this bill. I quote the section:

(5) Section 10 is amended by designating the section as subsection (a) and adding a new subsection as follows:

"(b) The Corporation, after the effective date of this amendment, shall submit special reports to the Committee on Public Works of the House of Representatives and the Committee on Foreign Relations of the Senate whenever there is proposed a new feature, design, or phase of the seaway project, not heretofore included in estimates, or whenever there is proposed an abandonment of any feature, design, or phase, heretofore included in estimates, involving an estimated value exceeding $1 million, and such special reports shall include justification for the modifications."

I do not believe it is in any way too restrictive on the part of the Commission because all it does is to require them to come in and indicate to the Congress or the Public Works Committee as to what those changes are and the justification for them, and give us an opportunity to question them about them in those instances where they are new and where they exceed a million dollars.

I should like to leave a word of caution with you as to the overall project and the accomplishment of the purposes of the initial bill.

The Wiley-Dondero bill, which is now Public Law 358, providing for United States participation in the St. Lawrence Seaway, had three primary purposes when it was enacted:

One, through the cooperative construction of the project to achieve partial control over the St. Lawrence River traffic through the construction of three locks and 11 miles of canal on United States territory. This was a national defense consideration urged by the Joint Chiefs of Staff at the time.

The second objective was to create the St. Lawrence Seaway Development Corporation as a means of controlling costs and finances.

The third was to act for the United States interest in the determination of tolls to the end that they would be reasonable to the American users and to the end that the project would be self-liquidating.

Those are the three objectives to be served.

Aside from these three objectives, it would seem there would have been little point in enacting Public Law 358, since it was understood that Canada was all ready to build the whole project itself. Therefore, the effectiveness of the present administration of the Seaway Corporation must be evaluated on the basis of its achievement within the realm of these three primary objectives which gave rise to this bill in the first place.

Let us review that. As I say, the only reason I am doing this is possibly as a word of caution in the future to this Commission as it operates and to the Government of the United States as it continues negotiations. On the first point, if Canada should complete the all-Canadian seaway at an early time, the whole investment of $150 million now being considered would, to some extent, be in jeopardy. As a caution, I would suggest that Canada has been allowed to make considerable progress in the construction of an all-Canadian seaway by repeated concessions. Some of the concessions were, first, they took over one of the locks authorized by Public Law 358, at Point Rockaway, which is now being built on the Canadian side at Iroquois Point. Second, Canada was allowed to dredge the North Cornwall Island Channel to 27 feet as another link in the all-Canadian seaway. Third, Canada has provided for a bypass canal and the opening of a seaway lock on the north of the power dam which may easily be converted to a lock in the future. All that Canada needs to complete the all-Canadian seaway is to do some more dredging at the bypass canal and the completion of two locks, a job which may cost some $50 million. These concessions have been made.

Thus, unless we can forestall by hard bargaining the completion of the all-Canadian seaway, the full investment on our side will be in jeopardy.

The first objective unless we negotiate shrewdly in the future, would not be achieved, I just point that out as a cautionary matter.

On the matter of the Corporation finances, that has been discussed here at length. I will not go into it in detail. The original estimates for the 3 locks covering 11 miles were $88,074,000, deducting for Point Rockaway lock $21,259,000, leaves the original estimate at $66,815,000. Adding the 22 percent cost escalation, which we cannot deny, to July 1957, the initial cost would have been $81,286,375. Now they are asking for $133 million, or an additional $51,781,625 as increased costs for changes and additions to this project.

I am glad to see the provision in section 8 in the bill as to the future changes. If this is done in the future by the commission, they will have to come to the Congress and advise the Congress concerning it.

Now under the third objective, the establishment of reasonable tolls, it should be observed that the Corporation has made little progress with Canada in almost 3 years on any controverted phase of the toll issue. That is the third objective—to get reasonable tolls for American users which should make it a self-liquidating project.

With regard to the accounting systems and the establishment of general tolls and the measurement of ships and the methods of division of toll revenues, no agreement has been reached with Canada. With the increased cost of 100 percent on the United States side for the remaining two locks that the United States is building, it seems there is even less motivation on the part of Canada to agree to any of these projects. With the insistence of the United States officials that the users will pay for all of these increased costs, the effort to establish reasonable tolls either unilaterally or in joint agreement with Canada becomes a more difficult problem. Thus, the third purpose of this bill is becoming more troublesome to accomplish.

I call these three factors which, in my opinion, were the motivating force behind this legislation in the first instance, to the attention of the commission as well as the United States Government and hope they will take cognizance of it in the future in attempting to carry out the objectives of this legislation with this additional authorization. And it is essential that the United States should shore up its position in negotiations with Canada in order to accomplish these objectives, as I see it. My purpose in taking the time of the committee at this time is to point out what I believe are some of the shortcomings in the operation of this Commission in carrying out the truly intended purpose of the Congress so far as the United States is concerned. I trust in the future that these objectives will be recognized and that they will be accomplished.

The CHAIRMAN. The time of the gentleman from Florida [Mr. CRAMER] has expired.

Mr. BLATNIK. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to the chairman of our subcommittee. I would like to say that we are all appreciative of the very fine job he does as chairman.

Mr. BLATNIK. I appreciate that coming from a very active and keen member of the committee. I am not trying to depreciate any of the statements made by the gentleman, but if I may say so quite candidly, I think it was somewhat overstressed when the gentleman states that little progress was made on the matter of tolls. There have been several conferences on this extremely difficult problem which requires a great deal of study and great deal of concentration. The administrator of the St. Lawrence Seaway Corporation has announced that he will hold hearings with the users on our side and the Canadians will do likewise. In the letter from Mr. Brucker, Secretary of the Army, which is on page 10 and 11 of our own committee report, he says:

Careful studies by the St. Lawrence Seaway Development Corporation and the St. Lawrence Seaway Authority of Canada have established that the additional capital expenditures which the proposed legislation will authorize can be entirely recouped from seaway tolls and charges for ancillary services.

I would like the RECORD to show that we have very responsible men, very able men, men of great competence working on this tremendously difficult problem. I will be candid and say that there are some of these charges heaped on the Corporation which we do not like. On many of them they had no choice. I mentioned the $3 million item of navigation which no rivers and harbors or inland waterway project is compelled to include in the construction costs of the project and many of these other facilities.

Mr. CRAMER. Let me say that I, at no time, wanted to give the impression that no negotiations were underway or that the people involved are not competent. But, it was my opinion that that there has been insufficient progress in coming to conclusions with regard to some of the basic items to be included in the tolls. That seems to be the problem in these negotiations. They are not progressing as rapidly as they should. I agree with the chairman, and I would be the last to say they are not being diligent in carrying on the negotiations, but they have not been diligent in getting the results I think they should have gotten. They have not been sufficiently effective and the results are not what they should have been.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. AVERY. I wonder if the gentleman from Florida could tell the Committee what the cost of money is to the St. Lawrence Seaway Development Corporation?

Mr. CRAMER. The total cost of the project——

Mr. AVERY. No, I am sorry, I mean how much interest are they paying on the money?

Mr. BALDWIN. If the gentleman will yield, the cost will be the going rate at which the Treasury borrows money adjusted from month to month.

Mr. AVERY. Would the gentleman from Florida or the gentleman from Ohio have any idea what that current rate would be as charged up to the Government?

Mr. BALDWIN. I do not have any evidence in the record showing specifically the interest rate as of now, but there is testimony in the record that shows the interest rate will be determined by the Treasury from month to month.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. McGREGOR. I agree with the statement of the gentleman from California. I think it is the consensus of the members of the committee that the interest rate is approximately 3½ or 3¼ percent.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the chairman of the subcommittee.

Mr. BLATNIK. Interest on its bonds has ranged from 2⅜ to 3⅜. The larger portion of the bonds have been issued at about 3¼ percent, or more, and the interest rate during the month of March, 1957, just passed, has been established at 3¼ percent.

Mr. AVERY. Mr. Chairman, will the gentleman yield further?

Mr. CRAMER. I yield.

Mr. AVERY. To make my point a little more clear, let us take the case of the railroads. I have before me a recent issue of the Wall Street Journal, and I notice where the Chicago & Eastern Railroad Co. has just finished negotiating the sale of a new line of securities costing 5.108 percent interest. The St. Lawrence Seaway Corporation is getting money for slightly in excess of 3 percent; in other words, it is getting a Government subsidy. It is the case of giving a Government subsidy to a common carrier that the railroads do not get. That would be a fair analogy.

Mr. CRAMER. The Government is lending them money at the going rate that the Government has to pay when it gets funds on these new issues.

Mr. AVERY. But does not the gentleman agree with me that what it costs private companies to sell bonds on the open market is a good measure of the cost of money?

Mr. CRAMER. The analogy does not hold in this case for this is an operation in which the Federal Government stands behind the operation. I think the gentleman knows that in this instance the cost will be substantially lower than it would be on private issues.

Mr. AVERY. I recognize that, but I think the gentleman will agree with me that this amounts to a subsidy to a competitive common carrier.

Mr. CRAMER. It has been the recognized responsibility of Congress to appropriate funds for navigation projects but here we have a project in aid of navigation that will repay the costs to the Government and that is self-liquidating. As a matter of fact I think we are fortunate to have such a project instead of the Government having to pay 100 percent. This is a reimbursable project and for that reason I do not think the analogy is a good one. The Government has consistently followed the policy of initially financing such reimbursable projects, and we know this project is on a pay-as-you-go basis.

I now yield to the gentleman from Alabama.

Mr. JONES of Alabama. I was just going to make the same observation as did the gentleman from Florida. If the interest rate is to be considered a subsidy, surely the subsidy would not be

any greater to the St. Lawrence Seaway than the great grants of land that were made to the western railroads. We have been quite generous with the railroads as well as the waterways of this country.

Mr. CRAMER. As I see it, I may say to the gentleman, this is a method whereby Congress could facilitate the accomplishment of this needed project at little cost to the taxpayer as compared to other navigation projects where the Government pays 100 percent of the costs attributable to navigation. The only cost here is the possible increased interest rates on money borrowed by the United States which is insignificant in terms of the overall benefit of the project that results.

Mr. McGREGOR. Mr. Chairman, I yield 3 minutes to the gentleman from Kansas [Mr. GEORGE].

Mr. GEORGE. Mr. Chairman, I think we in the House are more or less missing the point in debating this bill today, because, as I remember, over the years we were sold on this program on the basis that it was self-liquidating. We should resolve in our own mind whether these changes are going to force us into a program where we will have a Government subsidy involved.

I call your attention to page 41 of the committee hearings where a very able gentleman testified before our committee, Dr. N. R. Danielian, who is president of the Great Lakes St. Lawrence Association and chairman of the Users Committee on St. Lawrence Seaway Tolls. Dr. Danielian introduced a statement before our committee in which he was advocating, of course, that we complete this project because his people wanted to use this great seaway. In his association about 80 percent of the users of the seaway are members.

In his statement he said:

> We support such additional authorization of financing as is necessary to carry out the authorized purposes of the Wiley-Dondero bill, with the reservation, however, that there is now grounds for considerable doubt in the minds of the committee members that all of the additional costs already incurred, and proposed, by the United States Corporation, as well as the Canadian Authority, can be recaptured in tolls.
>
> This conclusion was arrived at after months of intensive study and thorough deliberations. It is motivated by two considerations; one, ethical and moral, in our relations with the Congress, and the other economic.
>
> We are in favor of seeing this job through and we favor the authorization of such additional money as may be necessary to complete the authorized project, but we want to make it clear to the Congress, and the public, that in our opinion it is not going to be easy to achieve the complete repayment of principal, interest, operating and maintenance expenses within the 50-year period, in the light of these rising costs. We would like the authorization to be approved by Congress with realistic appreciation of all the problems involved. The economic issue is that due to the existence of the many competing routes available into and out of the Middle West, it may not be possible to charge toll rates high enough and, at the same time, retain a volume of traffic, which will bring in revenues annually, beginning in 1959, in an amount variously estimated at from $23 million to $28 million a year.
>
> We fear that any attempt to set rates which are high enough, as a theoretical matter, to secure the needed revenues, will curtail the traffic and thus defeat its purpose.

Mr. Chairman, I think the statement of the president of the Users Committee on St. Lawrence Seaway Tolls pretty well answers the problem as to whether this is going to be a self-liquidating project. The bonds issued by this authority are held by the Treasury of the United States.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. KLUCZYNSKI. Mr. Chairman, I sit around here day after day and I have listened to a great many figures quoted by various gentlemen. The figures are always used to help the gentleman who is proffering them.

A couple of months ago a fellow came to my place of business and he said: "You are down there in Congress?" I said, "Yes." He said, "You must be a pretty smart follow. What is the population of Buffalo, N. Y.?" I said, "The population of Buffalo is about 626,000." One of my men looked in the book and said, "That is right."

Then this fellow said, "How many Poles live in Buffalo?" I said, "The Polish people in Buffalo number about 346,218." My good man Friday looked in the book and said, "The Congressman is right."

The fellow then said, "By golly, that is our fellow. That is the man we sent to Washington. He knows figures."

He said, "Now, you are so smart, what was Babe Ruth's batting average on June 29, 1928?" I reflected a minute and I said, "That was a doubleheader. 322."

"That is right" he said. "How many home runs did he hit?" I said, "32 up to that date." "By golly," he said, "that fellow is really smart." So, when we sit around here talking about these figures, somebody will say, "By golly, that fellow really knows what he is talking about."

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. KLUCZYNSKI. I yield to the gentleman from Illinois.

Mr. BYRNE of Illinois. Who is first in the American League?

Mr. KLUCZYNSKI. The White Sox. I thank the gentleman. I am glad he asked me that question.

Mr. FALLON. Mr. Chairman, will the gentleman yield?

Mr. KLUCZYNSKI. I yield to the gentleman from Maryland.

Mr. FALLON. How did the White Sox make out in their last stay in Baltimore?

Mr. KLUCZYNSKI. I do not remember very well.

But, Mr. Chairman, I am very happy and proud to be a member of this great committee, the House Committee on Public Works. We are neither a Democratic committee nor a Republican committee. We are just a good American committee trying to do some good for the people of America.

Now, this afternoon we have this very important legislation known as the St. Lawrence Seaway before us. As the gentleman from Ohio [Mr. McGREGOR], the ranking Republican member, stated, a lot of the opponents will say, "I told you so; I told you so." Yes, and I can say the same thing. I can say, "I told you so," because when this legislation was before us in committee I knew that the request for $105 million was far, far too low. However, I knew that the St. Lawrence Seaway would be a great thing for this country, and I did not care whether the request was for $105 million or $200 million; I was for the St. Lawrence Seaway. And, I knew it would not only help the Mid-West, but I knew that it would help the economy of our country. And, I hope that with this additional request for $35 million this afternoon, they will be able to complete the job, and I further hope that the St. Lawrence Seaway Development Corporation will not come before us in the next session and ask for more funds to complete the job.

Mr. Chairman, as a businessman, I am against any further misrepresentations or requests that come to us in the way of low figures on new projects and then come in before future Congresses and ask for more money. We, as committee members, should check more closely, whether it is the Corps of Army Engineers, whether it is the General Services Administration, the Post Office Department, or any other agency that makes the request and see to it that they come in with the right figures.

Mr. Chairman, the chairman of the subcommittee, my very good friend, the gentleman from Minnesota [Mr. BLATNIK], and my very good friend, the gentleman from Ohio [Mr. McGREGOR], have worked hard on this committee. They have been very patient. We have had a lot of testimony at our hearings, and these gentlemen were fair with everybody. As I said before, this is one great committee, and it reminds me of a happy family.

Mr. Chairman, there is only one thing for us to do, and that is to pass this legislation. You know, we cannot stop work on the St. Lawrence Seaway, and I urge the passage of H. R. 5728.

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. KLUCZYNSKI. I will be happy to yield to my friend from Illinois.

Mr. BYRNE of Illinois. My colleague from Chicago has in mind, I am sure, that after this Seaway Act was passed, a healthy activity was generated on the Great Lakes at the various ports; is that not correct?

Mr. KLUCZYNSKI. Right.

Mr. BYRNE of Illinois. And if the gentleman will bear with me further, in anticipation of what this project was going to be when completed, the city of Chicago has spent some $24 million on the Chicago-Cal-Sag; is that not true?

Mr. KLUCZYNSKI. Yes.

Mr. BYRNE of Illinois. And there is healthy activity going on in the way of competition at such ports as Milwaukee, Detroit, and Toledo and they, realizing the soundness of this project, have already spent vast sums of money, millions of dollars, and they are advocating and are preparing to spend additional sums of money because they realize it will be a great thing for the Midwest and a great thing for the United States of America.

Mr. KLUCZYNSKI. That is right.

Mr. BYRNE of Illinois. Does not my colleague agree?

Mr. KLUCZYNSKI. I surely do, and I expect that we will have an influx of about 500,000 people in and around Chicago, because when the Cal-Sag Canal is completed in the next year or 18 months—they are widening it from 60 feet to 225 feet—you and I will be able to hear the ocean liners whistles coming down that great canal into the Great Lakes.

Mr. BYRNE of Illinois. And then when Chicago wins that pennant we will all go down to the Syrena and eat.

Mr. KLUCZYNSKI. You are all invited to come to the restaurant and eat all you want, and pay the cashier.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I think it has been made clear, and I should like to stress it again, that this is a project that is well underway and, from a practical standpoint, we have no alternative except to take the steps necessary to make possible its completion. It should be made clear that the problem of additional cost is not a problem exclusive to the United States. The Canadian Government has had the same, the identical experience. I should like to read 2 paragraphs from the testimony of Dr. Danielian at page 45 of the hearings on the matter of the Canadian cost of the project:

> The project that Canada assumed originally was estimated to cost $174,950,000, but, with the addition of the Iroquois lock and canal, another $21,259,000 was added by Canada, making a total of $196,209,000 as the original estimated cost of the project they are now constructing.
>
> The Canadian Seaway Authority now estimates the cost of completing its part of the project, including Iroquois lock, at $284,675,000, or an increase of 46 percent. I think the record should stand corrected on that. I think yesterday a 26 percent figure was used. The actual increase of the work they are doing is 46 percent.

I think that point should be made clear, that the problem of increased cost is a problem that has been run into by both countries and is not solely a problem of the United States.

Mr. BLATNIK. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman.

Mr. BLATNIK. The gentleman is absolutely correct. If I may point out, the total cost, including the power phase and navigation were taken as one, if they were combined—and the project originally was proposed as a comprehensive navigation and power project, the increase would be only 23 percent, which reflects quite accurately the price level change in the past 3 or 4 years.

Mr. BALDWIN. I thank the gentleman. Now, a second thing. This committee which has brought this bill to the floor has stressed very clearly throughout the hearings to the members of the St. Lawrence Seaway Development Corporation that as far as we are concerned we expect the St. Lawrence Seaway Development Corporation to take the necessary steps to make this project self-supporting. In that connection I would like to read from page 76 of the hearings as follows: I asked a question of Mr. Castle, the Administrator:

> I would like to ask one question in that connection, Mr. Castle.
>
> Has the Seaway Corporation, in the light of these increases, made any further studies to verify whether in your opinion you are going to have any problem in collecting the additional tolls required in order to be able to be solvent in the light of these additional costs?
>
> Mr. CASTLE. We have progressed in our studies, which have not been announced, between the Canadian committee and our own committee, to the point where we feel today that by a system of deferment of principal payments until we can develop adequate total tonnage volume, we can continue to make this a self-liquidating project.
>
> Mr. JONES. Will the gentleman yield for a question, Mr. Baldwin?
>
> Mr. BALDWIN. Yes; I yield.
>
> Mr. JONES. Mr. Castle, did not the Secretary of the Army this year transmit a letter to the Congress informing the Congress that there had been a recapitulation of the toll estimates, and there would be sufficient income from tolls to retire the increased obligations brought about by the increased cost of construction?
>
> Mr. CASTLE. That is right. It will still be a self-liquidating and self-sustaining corporation, and we think that the toll rate will be satisfactory to the users.

I should like to stress at this point that the committee has made it very clear throughout the hearings to the St. Lawrence Seaway Development Corporation that as far as we are concerned we expect the corporation to take the action necessary to set tolls that will make this a self-liquidating project.

In conclusion, Mr. Chairman, I should like to express my appreciation to the chairman of the subcommittee [Mr. BLATNIK] for the very fine manner in which he conducted the hearings and the fairness with which he has handled this problem all the way through.

I should also like to pay tribute to the gentleman from Michigan [Mr. BROOMFIELD] who was a new member on our committee this year, his first term in Congress, and introduced a bill comparable to the one introduced by Mr. BLATNIK for this project. Mr. BROOMFIELD took the place of Mr. Dondero, an original coauthor of the St. Lawrence Seaway bill. He has handled this project admirably, represented his constituents and their interests very effectively, and is a great credit to his district for a first-term Member of Congress. He has demonstrated great interest and diligence in helping to get this project approved, and in bringing this bill to the floor today.

Mr. McGREGOR. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. BROOMFIELD], a member of the committee, but may I take this opportunity to say that I concur in the statement just made by the gentleman from California [Mr. BALDWIN]. Mr. BROOMFIELD has had a difficult task in filling the shoes of Mr. Dondero, but he has done an excellent job and we appreciate very much his work with our committee.

Mr. BROOMFIELD. Mr. Chairman, on a 68-mile front, an army of 16,000 men has pitted its energies against a common foe. Its artillery is some 3,000 pieces of heavy equipment valued at more than $75 million. Its barracks are 53 trailer camps ringing the field of conflict.

Its common enemy is the workings of a law which Congress hasn't been able to repeal. That is the law of gravity.

Essentially, the St. Lawrence Seaway project is man's attempt to refute this natural law. Its purpose is to lift giant ships some 550 feet from the level of the Atlantic Ocean to the more stratospheric heights of the Great Lakes.

When it is completed, it will create an eighth sea—a broad avenue for commerce from the heartlands of the Midwest to the ports of the world. Although completion is still 2 years away, its effects are already being felt on distant shores.

An example is in the Netherlands, where 2 cargo-passenger ships are already being constructed to take advantage of the new route to America's midsection. Each of these 2 ships, displacing 9,000 tons, will be capable of carrying 100 passengers plus large amounts of cargo. They will operate from Rotterdam and English Channel ports to Montreal and Chicago.

By 1960, the present 16 lines operating between Europe and Great Lakes are expected to swell to 30, including many of the world's leading shipping organizations, according to a New York Times article on May 11 of this year.

Wherever suitable port facilities are available, cities along the St. Lawrence and Great Lakes route are expecting great increases in commerce. New industries and businesses are expected to take advantage of the new, cheap means of transportation to create new jobs and to raise the standard of living.

The struggle to build the seaway is not an easy one. Mother Nature has introduced some extremely imposing weapons into the fray. They include rock almost as hard as diamonds which defies blasting and which chews up the blades of heavy equipment at a fantastic rate. There are the more than ordinary rigors of northern winters, with the attendant punishment on both men and equipment.

In addition to nature's unceasing fight, man himself has used his own doubts and lack of vision to thwart a victory.

If it had not been for our neighbor to the north, Canada, which threatened to build the seaway by itself, we in the House probably would still be arguing its merits.

I am sure that most of you gentlemen are well acquainted with these arguments. There have been the wails of the "what's the use" group who oppose anything new just because it is new. There have been charges that the St. Lawrence Seaway would wreck our eastern seaports, spreading havoc and financial chaos. There have been the cries of anguish from the railroads, who claim that their stockholders would have to stop their coupon-clipping because of the threat of some competition for a change.

There have been parliamentary attempts of all shapes and sizes to bottle up the seaway project. These arguments ended once and for all in the spring and summer of 1954, when Congress finally approved United States participation in this project. That battle was won.

The conflict of man against nature is not in doubt in this venture. The St. Lawrence Seaway Development Corporation is confident that the job will be completed on schedule. This schedule calls for the first generation of hydroelectric power in September 1958; 14-foot navigation in 1958 and the opening of a 27-foot navigation channel in time for the 1959 navigation season.

But the conflict of man versus the dollar bill is a question which has to be settled, and by this Congress. The three factors of rising costs, new design features and necessary additions to the project are going to mean that the United States share of the seaway will total $140 million—a $35 million increase over estimates made in 1954. Cost rises in the marine construction field account for $19,300,000 of the price increase alone.

The United States is not the only partner to feel the effects of the battle against the dollar. Canada's costs have risen from an estimated $200 million in 1954 to $285 million at present.

President Eisenhower, in his budget message, asked that the borrowing power of the Seaway Corporation be increased by the necessary $35 million to meet these increased costs. The extra money is not going to mean any more money out of the pocket of the average taxpayer.

The amortization of the seaway project will be paid out of tolls charged to ships using the new route, and will be self-liquidating.

Hearings on the question have been held by both the House Committee on Public Works and the Senate Committee on Foreign Relations. Both groups have asked for the increased borrowing power.

I would like to take this opportunity to say a word about one of the members of the general staff in this battle to build the seaway. He is your former colleague and my true friend, the Honorable George A. Dondero. His untiring efforts on the floor of this House for some 20 years were largely responsible for our being so close to victory. His ceaseless probing and quizzing of every possible aspect of this great undertaking surely played a large part in the eventual start of construction.

It is my great pleasure and honor to serve as his successor, and to do what I can to see that this battle is fought to a triumphant conclusion in the Public Works Committee and on the floor of the House.

On behalf of Mr. Dondero and myself, I urge my distinguished colleagues to support the legislation for extra borrowing power for the seaway so all of us may reap its benefits at the earliest possible hour.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. ALBERT], the majority whip.

Mr. ALBERT. Mr. Chairman, I take this time to concur in the tribute paid to the chairman of this subcommittee, the distinguished gentleman from Minnesota [Mr. BLATNIK]. Those of us who came here in the 80th Congress with our able colleague are all proud of the great record he has made. Some of the most important bills that have passed this House in recent years, including the bill now under consideration, bear his name. He has earned a nationwide reputation for the leadership he has shown in the field of pollution control. He is, all Members know, one of the finest Members of this House. I commend him for the outstanding work he has done and for the leadership he has shown on the great Committee on Public Works.

Mr. BLATNIK. I thank the gentleman from Oklahoma.

Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, I concur in what has been said regarding the outstanding work of the gentleman from Minnesota [Mr. BLATNIK] not only this year but in the last session, toward successfully bringing the St. Lawrence Seaway legislation to the floor of the House.

Of course, we cannot forget the great work our former colleague, who retired from Congress last session, Mr. George Dondero, of Michigan, did to pioneer this highly essential legislation for the development of the St. Lawrence River.

I represent the great industrial Calumet region of Indiana, the First Congressional District. Probably there is more heavy industry concentrated in my district than in any Congressional district in the United States. Three major steel mills and the major oil companies are represented there either by their home offices or by refining and distribution plants. We also have three or four hundred large and small industries. Of course, everybody in our area is very much in favor of the development of the St. Lawrence Seaway project. This development along with the Calumet-Sag Canal connecting Lake Michigan with the Mississippi River will give us water transportation to the Atlantic Ocean and Gulf of Mexico. When this bill, H. R. 5728, was before the Committee on Rules last week, it passed out of the committee unanimously. I do hope that this legislation, expanding the financial aspect of this project, is passed by the House today. It is progressive and farseeing legislation which will contribute much to the development of this great country of ours.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may desire to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Chairman, I certainly concur in what has been said about the distinguished chairman of this subcommittee, Hon. JOHN A. BLATNIK, of Minnesota. I supported the St. Lawrence Seaway project when it was before the House in 1954, and certainly I shall support the St. Lawrence proposal today. I think it is a very worthy project and a great investment for the American taxpayers. Although the proposal was not very popular originally among many of my fellow Louisianians, I am very happy to know that my position has been fully justified in this matter.

Mr. DOOLEY. Mr. Chairman, I rise to associate myself with the commendatory remarks addressed to our fine subcommittee chairman, JOHN BLATNIK.

The St. Lawrence Seaway project under discussion is a vast enterprise which will prove of invaluable benefit to the economic well-being of the entire country. It will link the central area of our great country with the Atlantic Ocean by means of a ship canal that will be able to accommodate vessels of tremendous tonnage and large depth. Looking forward over a span of 20 or 30 years, one can visualize the extraordinary value of such an artery to the economy and well-being of the United States. In the light of its promise of benefits, all opposition takes on the semblance of provincialism. What the seaway will take in commerce from a number of harbors will more than be compensated for by what it does for the entire country.

There is another consideration as to why this bill, H. R. 5728, should be passed by this House. The Army has recommended it on the basis of its strategic value. Should there be occasion when other routes of heavy transport were made impractical or temporarily disrupted, the seaway would prove of inestimable aid to the commerce and traffic of our States.

I strongly recommend passage of H. R. 5728.

Mr. BLATNIK. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Chairman, I should like to join with the others in commending not only the chairman of the subcommittee, the gentleman from Minnesota [Mr. BLATNIK], but all members of the Committee on Public Works. We have witnessed here this afternoon a fine spirit of cooperation on both sides of the aisle on this very significant and important measure. Since we have heard from a member of the Committee on Rules and members of the Committee on Public Works, I think it appropriate to add a word from a member of the Committee on Appropriations that heard the request for the initial funds for the operation and maintenance of the Great Lakes-St. Lawrence Seaway project. At that time I recall it was pointed out that 32 power units were to be built on the great St. Lawrence Seaway in connection with this project—16 on the American side and 16 on the Canadian side. In response to a question as to how many power units were presently installed on the St. Lawrence River we were told that there were 5—5 hydroelectric power units—2 on the American side owned by private industry and 3 on the Canadian side owned by the Canadian Government. So there are 5 power units there at the present time and 32 more to be built. I recall also that there was submitted an editorial to the committee from that great midwestern newspaper, the Chicago Tribune, which opposes many public-power projects. This editorial pointed out that this is a great project. They said that in 10 years this development would make Chicago the greatest city in the world.

The Chicago Tribune applauded this project. That editorial was placed in the CONGRESSIONAL RECORD by your humble servant. I supported the St. Lawrence Seaway at that time, and certainly I shall support this measure which is needed to further this great project today because I think it is a project which benefits the entire Nation. I, for one, believe that one should not take too provincial an attitude on measures of this sort. Again I want to commend the committee for their action in this regard.

Mr. BLATNIK. Mr. Chairman, I thank the gentleman from Tennessee.

Mr. Chairman, I ask unanimous consent that all Members may have 5 legislative days in which to insert their remarks in the RECORD on the pending bill.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BAUMHART. Mr. Chairman, I am grateful for this opportunity to express my support for H. R. 5728, increasing the borrowing authority of the St. Lawrence Seaway Corporation and deferring the Corporation's interest payments.

We all have misgivings over the wide difference between preliminary cost estimates and actual contracting experience, but, as the committee report indicates:

> The Congress has little choice but to authorize an increase in the borrowing limit • • • since the United States has proceeded so far with the construction of the seaway project.

It is to be hoped that closer coordination between the Corporation and the Congress will be achieved through the special reports required, under the terms of the committee amendment, when additions to or certain other modifications of the seaway project plan are under consideration.

Prudence also demands that Congress follow further seaway development closely to see if the Administrator of the Corporation is fully justified in his confidence—according to the committee report—"that the increase in costs necessary to liquidate the project would not affect the toll rates to such an extent as to prevent the maximum use of the seaway."

The members of the House Committee on Public Works deserve commendation for the way in which they have faced up to this seaway costs problem and have come forward with remedial legislation.

I fervently hope that the House Committee on Merchant Marine and Fisheries—of which I am a member—will soon take a parallel, realistic course by authorizing certain investigations of the impact the seaway is likely to have on the Great Lakes shipping and shipbuilding industries.

In this connection, I would like to include at this point in my remarks the text of a letter which I addressed on March 7, 1957, to our esteemed chairman, the Honorable HERBERT C. BONNER, urging such investigations and suggesting a few of the subject "areas" which appear to deserve priority attention:

> DEAR CHAIRMAN BONNER: In 2 years or less, America's "fourth seacoast" will be open, as the St. Lawrence Seaway project is completed.
>
> I believe it would be both prudent and constructive for our House Committee on Merchant Marine and Fisheries to begin very soon certain investigations of the impact the seaway is likely to have on the Great Lakes shipping and shipbuilding industries.
>
> The ramifications of seaway development are many, and for that reason I believe that we cannot begin too soon to prepare for the challenges we will surely encounter in 2 years or less. I am sure you will agree with me that it would be a disservice to the Nation if we were to wait for specific problems to descend upon us, and then to legislate hastily in an emergency atmosphere.
>
> I am pleased to see that you have already evidenced concern over St. Lawrence Seaway problems. I refer specifically to paragraph 7 of your memorandum of February 28 to the Committee on House Administration, listing a number of prospective inquiries which our committee feels should be conducted during the 85th Congress.
>
> I would like to suggest that consideration be given to committee investigations in the following subject areas:
>
> 1. Increase in proportion of lake tonnage carried in foreign bottoms between 1936 and present.
>
> 2. Utilization of Great Lakes shipyards by Government agencies, i. e., Maritime and Navy, pursuant to Public Law 85, 84th Congress.
>
> 3. Construction of a prototype vessel (Clipper class) developed by Maritime and authorized by Public Law 942, 84th Congress; and the desirability of construction of such a vessel in a Great Lakes yard.
>
> 4. Utilization of the lakes for storage of laid-up fleets in the future.
>
> 5. The opening of the St. Lawrence Seaway and the expected effect of foreign competition both for the intralake trade and the overseas foreign trade; and the legal steps that should be taken to protect American-flag interests.
>
> This list is by no means complete, I am sure, but serves at least as a point from which we can start. Perhaps your own long and wide experience in merchant marine and shipbuilding matters, suggests a number of additional problems and challenges which we might expect to encounter with the opening of the seaway. Many of our committee colleagues, too, may also be able to add to this list of suggested studies. Therefore, I hope that this broad subject can soon be taken up at one of our subcommittee or full committee sessions.
>
> In the meantime, I am taking the liberty of sending a copy of this letter to our committee colleagues and to other persons and organizations known to have special knowledge of, or interest in, the Great Lakes shipping and shipbuilding industries.
>
> I believe that the comments and suggestions of these individuals and groups will serve to focus our committee thinking on the subject and thereby enable us to conduct an overall study leading to legislation that is in the best interests of our Great Lakes shipping and shipbuilding industries.
>
> But even more, it will lead to legislation that will permit the United States to realize the full potential of the St. Lawrence seaway and the Great Lakes. Surely we could serve no greater purpose than to study ways of aiding our national economy and bulwarking our own defenses, as well as those of the Free World.
>
> Sincerely yours,
>
> A. D. BAUMHART, JR.,
> *Member of Congress.*

I have received many enthusiastic endorsements of such a study from colleagues, as well as from individuals and groups vitally interested in the seaway and its likely bearing on the health and growth of our American shipping and shipbuilding industries.

Congress has had little choice but to enact H. R. 5728 to meet unforeseen contingencies which have seen actual seaway construction figures skyrocket to nearly double original cost estimates. Surely we cannot afford to delay much longer in our preparation for other seaway challenges apart from construction factors.

The stakes are too high for us—in both economic and defense terms—to allow ourselves to be complacent about problems which will inescapably descend on us in the near future, with the opening of America's fourth seacoast.

Mr. McGREGOR. Mr. Chairman, I yield such time as he may desire to the gentleman from California, a member of the committee [Mr. SCUDDER].

Mr. SCUDDER. I, too, want to congratulate the chairman of the subcommittee, the gentleman from Minnesota [Mr. BLATNIK], for the fine work that he did in the hearings on this bill. I wish also to compliment the members of the subcommittee for their diligence in attending the hearings and their ability to report this bill to you.

We had a difficult problem to resolve, but I believe it was done with the most sympathetic attitude to a realistic situation that had to be resolved.

The hearings before the Public Works Committee of the House have taken place over the past 8 years. At first the recommendations of the Truman administration in presenting bills to our committee were based on the Federal Government constructing the power facilities and the St. Lawrence Seaway as a combined project. The committee nor Congress could get together on this principle of big Government in the power industry.

The policy of the Eisenhower administration was to assist areas on projects in which they themselves were not financially able to accomplish. This philosophy separated the power project from the seaway navigation program. Shortly after President Eisenhower took office the New York Power Authority was granted the right to construct the power facilities on the St. Lawrence River. In the same Congress a bill was introduced to construct the St. Lawrence Seaway. This program met with little objection, and the seaway is under construction.

However, many of us were disappointed when we were called upon to hold hearings this year and found that the amount of money which we were led to believe would construct the seaway was entirely insufficient and that the construction costs of the proposed seaway would have to be increased by approximately 100 percent. Another matter in which I was personally disappointed was that I felt that there would be no responsibility of the general taxpayers of the United States to participate in any way in the cost of the power project or any expense resulting from such construction. However, the testimony which we heard was to the effect that the St. Lawrence Seaway Development Corporation had negotiated with the power authority

for certain work caused by such power construction at a figure of some $12 million. This, I feel, is one expense that should have been negotiated at a far less amount. However, under the law creating the Corporation it was within their province to make such negotiations.

The results of these hearings caused me to feel that before the seaway can economically operate under competitive tolls that the Federal Government may yet have to subsidize to a certain extent the St. Lawrence Seaway Development Corporation. However, a project of this magnitude could not be stopped and, even though many of us were disillusioned in our hopes of the feasibility of the project as originally authorized, there is nothing that we can do except to support their request and appropriate the money to complete this project. Therefore, I supported in committee and shall support the enactment of this legislation.

Mr. McGREGOR. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. DENNISON].

Mr. DENNISON. Mr. Chairman, I rise in support of H. R. 5728. This legislation is necessary to carry out the purposes of the St. Lawrence Seaway Development Corporation and to complete the seaway at an early date.

While I don't like to spend more money than was originally contemplated and while I regret the need for this legislation it is imperative that we meet these unforeseen obstacles with dispatch and with the determination to see an early completion of the seaway so that this Nation of ours, which is now providing the capital outlay, can soon derive the full economic benefit from this new monument to the skill, ingenuity and progress of mankind.

The debate on this bill has centered and will center on the reasons for the need for more money. We must however, bear in mind that the bill also clarifies the powers of the corporation, and provides for deferment of interest payments so that the cost of the seaway might be paid from revenue when it is completed. We can thus carry out the intent of Congress that the project finally will be self-liquidating.

I am hopeful that the passage of this bill will be the end of requests for additional funds to complete the seaway. Fiscal responsibility belongs not only to Congress but to those agencies and departments of the Government who are charged with spending the taxpayers' money. Congress has an obligation to enforce such fiscal responsibility and I propose to do everything in my power to see that spending in all departments of the Government and in Government corporations is kept within reasonable bounds and is not abused.

The seaway will be a great boon to the economy of this country provided it does not become so expensive as to become a Government subsidy. From the debate today it appears that we may be on the threshold of creating a Government subsidy. I do not want to see that happen for I am perhaps as aware as anyone in this House of the tremendous benefit the seaway will bring to millions of Americans if it can be self-sustaining.

As an example of what is already happening in anticipation of its completion, I call the Members' attention to my own 11th Congressional District in Ohio.

This district is bounded on the north by over 40 miles of frontage on Lake Erie with three busy ports, Conneaut, Ashtabula, and Fairport. It is perhaps the most dynamic area in the entire country from the standpoint of industrial and economic development. Not only have large sums of money been spent by private enterprise to locate industries and business in this area, but we have every reasonable assurance that this trend will continue at an accelerated rate. The commercial activities in the harbors of Fairport, Conneaut and Ashtabula contribute greatly to the economic health of the area and greatly facilitate the distribution of raw materials to and products from the heavy steel industries to the south of the Lakes.

A recent survey which I have just received illustrates the tremendous growth of the 11th Ohio District. Lake County in which is located Fairport Harbor, shows a 62.3 percent increase in population over the past 7 years. Ashtabula County, wherein Ashtabula and Conneaut Harbors are situated, had a population increase of 22.3 percent in the 7-year period covered by the survey. In the 10 years previous to the period covered by the survey Ashtabula's population increased by only 14.5 percent. A third county, Geauga County, adjacent to Lake County, has had a population increase of 38.3 percent.

This increase is the direct result of industrial expansion and development along the lake ports. Predictions of growth in the immediate future coinciding with the completion of the seaway indicate continued growth of the area at an even greater rate than over the past 7 years.

There is no doubt that Ohio's remarkable growth, as well as that of the 11th District, is closely identified with the development of the seaway. Ohio is a leading producer of steel, construction equipment, and all kinds of electrical and nonelectrical machinery. In the last several years Ohio has ranked second among the States in the dollar amount of capital expenditures for new plants and equipment. Expansion in Ohio's steel industry alone has increased capacity one-sixth, over the past 4 years. Ohio ranks second only to Pennsylvania in steel capacity and it is predicted we will soon rank first in steel consumption. In the next 3 years the steel industry plans a 15-million ton expansion.

We now know, as a matter of fact, that at least three large automotive plants are either in the process of construction in northeastern Ohio, or shall be soon, and that most of their employees will live in that area which now comprises the 11th Congressional District of Ohio. Better methods of distribution and communication engendered by the promise of the seaway's completion have contributed to the location of these great factories in Ohio.

I submit, Mr. Chairman, that this dynamic growth in my district is testimony to the great value and benefit which the seaway will have for America. I urge the immediate passage of this bill.

Mr. McGREGOR. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. GRIFFIN].

Mr. GRIFFIN. Mr. Chairman, as the representative of 11 western Michigan counties, 7 of which border on Lake Michigan, I wish to express my wholehearted support of H. R. 5728, a bill to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the St. Lawrence Seaway Development Corporation. The bill is similar to H. R. 5729, introduced by my colleague from Michigan, the Honorable WILLIAM S. BROOMFIELD.

That it is to the advantage of the United States to participate with Canada in the development of the St. Lawrence Seaway, was decided by the Congress in 1954. Since that time, problems in financing and construction have necessitated changes in original planning. Legislation to implement these needed changes is embodied in H. R. 5728. The bill has the support of the Bureau of the Budget, the Treasury Department, and the Department of the Army.

I believe it is important to bear in mind, in studying this bill, that the St. Lawrence Seaway, as planned, is a self-liquidating project; none of its construction and operating costs are chargeable to appropriated funds. As planned, all costs are to be ultimately recovered from users of the seaway, and all borrowings are to be repaid, with interest, to the Department of the Treasury from toll revenues.

The St. Lawrence Seaway Development Corporation was created to provide for joint construction by the United States and Canada of a 27-foot seaway between Lake Erie and Montreal. It is a wholly owned Government corporation, and, as such, is subject to direction and supervision of the President, or to the head of such agency as he may designate. This responsibility has been assigned to the Secretary of the Army.

The corporation's general powers, outlined in the act of May 13, 1954, need amendment. H. R. 5728 would provide such necessary amendment through addition of clauses providing for services and facilities necessary to the seaway, services at reasonable prices to users and visitors, participation in a toll bridge company and crediting to the corporation payment received for facilities and services.

Cost of construction of the St. Lawrence Seaway on both the Canadian and American sides of the boundary has increased considerably in the 4-year period since estimates were submitted to the Congress. Revision of the cost estimate has been necessary because of price escalation, necessary changes in planning and design, and some added construction items.

To compensate for this increase, H. R. 5728 would raise borrowing power of the St. Lawrence Seaway Corporation from $105 million to $140 million, and by deferring interest—upon approval of the Secretary of the Treasury.

Since Public Law 358, passed by the 83d Congress, does not cover specifically

the plan for deferment of interest, difference of opinion on this point has developed. The Treasury Department interprets the law to mean that deferment of interest shall be permitted during construction. The office of Comptroller General has interpreted the law to mean that interest should be paid during construction or charged to the corporation's borrowing authority.

H. R. 5728 would make it clear that interest during construction may be deferred and paid from revenues, and not charged to the borrowing authority of the corporation.

Since the United States is committed to development of the St. Lawrence Seaway, and since original estimates of costs are insufficient by present-day standards, the Congress has no logical alternative today other than to authorize an increase in the borrowing limit for the St. Lawrence Seaway Development Corporation and to adopt the other corrective and clarifying provisions outlined in H. R. 5728.

Mr. BLATNIK. Mr. Chairman, I have no further requests for time.

Mr. McGREGOR. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the act of May 13, 1954 (ch. 201, 68 Stat. 92, 33 U. S. C. 981, and the following), is amended as follows:

(1) Section 4 (a) (8) is amended by striking out the word "and" at the end thereof.

(2) Section 4 (a) (9) is amended by striking out the period at the end thereof and inserting a semicolon.

(3) Section 4 is amended by adding the following after clause (9):

"(10) may establish (by construction or acquisition), maintain, and operate (by contract, concession, or otherwise) facilities and appurtenances desirable in the operation and maintenance of the seaway;

"(11) may provide services desirable in the maintenance and operation of the seaway, including but not limited to providing, at reasonable prices, services to vessels using the seaway and to visitors to the seaway;

"(12) may participate with the St. Lawrence Seaway Authority of Canada, or its designee, in the ownership and operation of a toll bridge company; and

"(13) shall credit to the Corporation amounts received from any of the activities authorized by clauses (10), (11), and (12).

"(b) Amounts credited under subsection (a) (13) are available to pay any obligation or expense of the Corporation under this act."

(4) Section 5 is amended by striking out the first two sentences and inserting the following sentences in place thereof: "To finance its activities, the Corporation may issue revenue bonds payable from corporate revenue to the Secretary of the Treasury. The total face value of such bonds that are outstanding at any one time may not be greater than $140 million. Not more than 10 percent of the bonds may be issued during the first year after the effective date of this act, and not more than 50 percent may be issued during any year thereafter. If the Secretary of the Treasury approves, the interest on such bonds may be deferred. Deferred interest may not be charged against the debt limitation of $140 million."

Mr. BLATNIK (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill may be considered as read, be printed in the RECORD, and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments:

Page 2, strike lines 3 through 6, inclusive.

Page 2, line 7, strike "(11)" and insert "(10)"; strike the word "desirable" and insert in lieu the words "and facilities necessary".

Page 2, line 10, strike the semicolon and insert in lieu a comma and add immediately thereafter the words "but not to include overnight housing accommodations for visitors."

Page 2, line 11, strike "(12)" and insert "(11)."

Page 2, line 13, strike the semicolon and insert in lieu a colon and the following words: "*Provided*, That the United States' portion of the revenue from the tolls charged to the users of any toll bridge operated under this section shall be applied solely to the cost of the bridge and approaches, including maintenance and operation, amortization of principal and interest, as established by the Secretary of the Treasury."

Page 2, line 14, strike "(13)" and insert "(12)"; strike the words "credit to the Corporation" and insert in lieu the words "be credited with".

Page 2, strike line 16 and insert in lieu "(10) and (11)."

Page 2, line 17, strike "(13)" and insert "(12)".

Page 2, line 19, strike the period and the quotation mark and insert in lieu a comma and the following words: "except as specifically provided in subsection (a) (11)."

Page 2, line 24, strike the word "such" and insert in lieu "all."

Page 2, line 25, strike the words "that are outstanding at any one time may" and insert in lieu "so issued shall."

Page 3, line 1, strike the word "ten" and insert in lieu "fifty."

Page 3, line 2, strike the words "the first" and insert in lieu "any one"; strike the words "after the" and insert a period after the word "year."

Page 3, lines 3 and 4, strike all of line 3 and the remainder of the sentence in line 4 ending with the word "thereafter."

The committee amendments were agreed to.

The Clerk read as follows:

Committee amendment.

Page 3, after line 7, add the following paragraph:

"(5) Section 10 is amended by designating the section as subsection (a) and adding a new subsection as follows:

"'(b) The Corporation, after the effective date of this amendment, shall submit special reports to the Committee on Public Works of the House of Representatives and the Committee on Foreign Relations of the Senate whenever there is proposed a new feature, design, or phase of the seaway project, not heretofore included in estimates, or whenever there is proposed an abandonment of any feature, design, or phase, heretofore included in estimates, involving an estimated value exceeding $1 million, and such special reports shall include justification for the modifications.'"

Mr. BLATNIK. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. BLATNIK: Page 3, line 24, after "reports", strike out "to the Committee on Public Works of the House of Representatives and the Committee on Foreign Relations of the Senate" and insert "to the Congress."

Mr. BLATNIK. Mr. Chairman, it was suggested when we appeared before the Rules Committee that to keep in conformity with previous legislation rather than to have the language which we have in the bill before us providing that these reports be referred to a committee of the House and a specific committee of the Senate we should strike the reference to the specific committees and say that these reports shall be made to the Congress.

Mr. McGREGOR. Mr. Chairman, may I say on behalf of the minority side that we are in complete accord with the amendment suggested by the chairman of the subcommittee to the committee amendment.

The CHAIRMAN. The question is on the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MCCORMACK] having resumed the chair, Mr. RABAUT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the St. Lawrence Seaway Development Corp., pursuant to House Resolution 284, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON THE DISTRICT OF COLUMBIA TO CONDUCT INVESTIGATIONS AND STUDIES

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 251 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on the District of Columbia, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study of the following:

(1) the operation, administration, and enforcement of the District of Columbia Public Works Act of 1954;

(2) the operation, administration, and enforcement of the District of Columbia Revenue Act of 1956; and

(3) the organization, management, operation, and administration of the Department of Public Health of the District of Columbia (including but not limited to the District of Columbia General Hospital).

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, exclusive of any Territory, commonwealth, or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

With the following committee amendments:

Page 1, line 3, strike out "and directed."

Page 2, line 5, strike out "is in session."

Page 2, line 10, change the semicolon to a period and strike out the remainder of line 10, lines 11 and 12, down to and including the word "House" on line 13.

The committee amendments were agreed to.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may require.

Mr. Speaker, this is the usual investigatory resolution. It comes from the Committee on the District of Columbia. I know of no opposition to the resolution. The reading of it by the Clerk specifically explains the scope and purpose of the resolution.

Mr. ALLEN of Illinois. Mr. Speaker, it is my understanding that there is no objection to this resolution by any member of the Committee on the District of Columbia. It came to the Committee on Rules unanimously, and we heard everyone who desired to speak on the resolution. And, after giving it thorough consideration, I do not know, under those circumstances, why anyone should oppose the resolution. They discussed it in the Committee for the District of Columbia for a considerable length of time, for months.

Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I should like to ask someone whether this resolution provides for the creation of another commission?

Mr. McMILLAN. If the gentleman will yield to me, no, sir. This investigation will be handled by the regular Committee on the District of Columbia. We are not contemplating asking for any money.

Mr. GROSS. The resolution says:

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States.

Where do you propose to go outside of the District of Columbia?

Mr. McMILLAN. We have no intention of sitting anywhere except in the District of Columbia. This is the regular form of an investigative resolution.

Mr. GROSS. Is this going to cost any money? What is the story with respect to financing the investigation?

Mr. McMILLAN. No, sir. I just stated to the gentleman that we expect the regular District Committee to make the investigation under this resolution.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. MILLER of Nebraska. I might say to the gentleman that this is the regular form for investigating committees and has been for many, many years. I have been on the Committee on the Distirct of Columbia for 14 years. We have not had any investigation and I think there was some question whether we should have any of the Public Works Act, the Hospital Administration, and other problems in the District of Columbia. We have had 1 or 2 on school problems, but I think it is the responsibility of Congress to look into how the District of Columbia is being run under the laws for the District that Congress has passed. I think the chairman of our committee is quite right in asking that an investigative committee be set up composed of members of the committee to look into not only the problems of the taxicab industry, but Public Health problems, and problems arising under some of the regulations of the District which perhaps are not being carried out as they should be. I think a careful look into these problems would be a healthy thing.

Mr. GROSS. I am not opposed to the Committee on the District of Columbia investigating conditions and problems in the District, not at all, I just want to be sure that we are not setting up a new commission or approving the spending of general tax funds in behalf of the District of Columbia, without knowing something about it.

Mr. MILLER of Nebraska. This investigation will be conducted by a subcommittee on which perhaps nobody cares to serve. It does not help anyone at home to serve on the District of Columbia Committee.

Mr. RABAUT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. RABAUT. It is very true that this is a very difficult committee on which to serve. But it is just as difficult to serve on the Subcommittee on Appropriations for the District of Columbia because, no matter what one says or does for the District, he is criticized for it. I wanted to bring up this point, whether there is going to be any duplication of what we have already done. We just finished in the Appropriations Committee an elaborate investigation of the District of Columbia General Hospital. Now it seems we are going to have another investigation of the hospital. That seems to me like a duplication involving expenditures.

I have the greatest respect for the chairman of the District Commitee, the gentleman from South Carolina [Mr. McMILLAN] and his committee and the committee of which I am chairman have always gotten along very well. I am not offering any interference. But I want to be certain that no money is going to be spent on a new investigation of the same type of the one that has just been completed at tremendous expense. I refer now to paragraph (3) of the resolution.

Mr. McMILLAN. Mr. Speaker, I will say to the gentleman that he may rest assured that nothing will be done unless it is needed.

Mr. RABAUT. Unless it is needed?

Mr. McMILLAN. Unless we find that there is some trouble that should be looked into.

Mr. RABAUT. Here is the point I am trying to make. Whenever an investigation takes place, especially in regard to these big public health centers, recreation centers, or welfare centers, some heads fall, and everybody has friends. We cannot expect to have investigations of people, and I do not think that is attempted here, and I do not mean that, but it can easily happen that certain people in certain places want these things reinvestigated because to their minds something wrong has been done. After all, somebody has to head up all these things; who is to run the hospital, and all that. I think we ought to be very cautious about a lot of expenditure of money a second time. That is the one point I am trying to make.

Mr. McMILLAN. We have no intention of trying to spend a lot of money anywhere.

Mr. RABAUT. I was going to ask that this section be stricken from the bill, but on the assurance of my friend the gentleman from South Carolina [Mr. McMILLAN], I am not going to ask it.

Mr. DAVIS of Georgia. Mr. Speaker, if the gentleman will yield, I should like to ask the gentleman from South Carolina, the chairman of the Committee on the District of Columbia, if these three items that are mentioned here in this resolution are not items that are very important in the operation of the governmental affairs of the District of Columbia.

Mr. McMILLAN. The gentleman is correct. These relate to bills our committee has enacted recently. We should like to know if they are working successfully or being carried out as our committe directed.

Mr. DAVIS of Georgia. Is not the Committee on the District of Columbia the only committee in the House that has general jurisdiction over these matters, and is it not the proper committee to have supervision over and the general overseeing of these matters?

Mr. McMILLAN. That is the opinion I have been laboring under in the past 20 years I have been in Congress.

Mr. DAVIS of Georgia. As I understand it from the wording of this resolution, it does not involve any appropriation.

Mr. McMILLAN. I am not contemplating asking for any appropriation.

Mr. TRIMBLE. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Speaker, my time on the Committee of the District of Columbia has taught me there is nothing that can take place in the District of Columbia that the District Committee now has not authority to oversee. The District has about 10 subcommittees covering various phases of the District operation. I happen to sit on the subcommittee headed by my good friend, the gentleman from Texas [Mr. TEAGUE]. Apparently we did not have any authority to make an investigation of the operation of the taxicab industry here, which we are now doing, trying to clear up some of the charges that are made against the operation of the taxicab industry. So I do not think there is any operation of the District that the District Committee does not have the right to go into. Nobody gave us any authority to go into the streetcar problem here a couple of years ago. I think that as to any problem that arises in the District we have a subcommittee that has the authority to call in any of the officials of the District or others; is that not true?

Mr. TRIMBLE. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SLICK CAMPAIGNING A LA GOP

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, some of us were fascinated to read newspaper accounts of a recent meeting of the Young Republicans to receive what were called "victory tips" from their senior colleagues. We were particularly fascinated to discover that the little matter of political issues was barely mentioned—or mentioned not at all—when the Young Republicans were getting advice on techniques from their elders. The emphasis was wholly on techniques.

I have no doubt that the proper art of handshaking plays an enormous part in an onward-and-upward political career.

It was recommended to the Young Republicans, I observe, that they should learn how to "out-publicize" us Democrats. The gentleman from Arizona [Mr. RHODES], we are informed by the press, feels that the gift of a toy balloon to a child is probably the "most effective gimmick" an aspiring candidate can use.

One gentleman from Illinois found it useful to take along on handshaking tours his "good-looking daughter"—at least this is what the press reported that the gentleman from Indiana [Mr. NIMTZ] stated.

And the gentleman from Delaware [Mr. HASKELL] advised that the really important thing was a "fast" handshake, and then to "move along" so that the opportunity for political "arguments" was avoided. Never let it be said that a Republican officeholder would welcome an "argument" on the issues.

Mr. Speaker, I noticed in the papers the next day that the Young Republicans—the bearers of youth and the hope of the future from the GOP viewpoint—went on record as overwhelmingly opposed to everything involved in what our revered President Eisenhower describes as "modern republicanism."

They were against the proposal for Federal aid to the schools. They had no enthusiasm for Mr. Eisenhower's foreign aid program. If they "like Ike," they nevertheless seemed to be saying in their resolutions that they really "like Edgar."

Let us face it, Mr. Speaker. When a political party cannot give honest and fullhearted support to its own President, it has no choice when discussing election problems but to concentrate on techniques rather than issues.

Thus we read of the "fast handshake" skill—a skill which, one supposes, must be acquired by experience.

We read of the concentration of effort on "outpublicizing" one's opponents.

Never is a word uttered about what the leaders of the party believe the Young Republicans should stand for. The emphasis is on gimmicks, and the "best" gimmicks, at that.

The Vice President graced the occasion with some counsel on gimmicks, and he is undoubtedly an expert. But one wonders, from the outside, whether the President himself would have been booed if he had dared appear himself and tell the Young Republicans that on the issue of Federal aid to education their heads were unscrewed.

SCRIVNER PLAN TO AID EDUCATION

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a news article.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, although not mentioned by name, President Eisenhower, in his remarks to the governors' conference, adopted the principles of the Scrivner plan for aid to education.

More than 10 years ago, and to each Congress since, I have proposed a simple, direct education aid program. Because Uncle Sam has been siphoning off the wealth from the States, leaving them very few sources of increased tax income, it was only natural for the States and communities to come to Washington with hands outstretched for so-called Federal aid, which is really a myth. It is just one group of taxpayers paying the bill for others.

The Scrivner plan, in substance, provides that Uncle Sam return to, or leave in, each State 1 percent of the income taxes collected therein to be used for educational purposes only, remittances to be made each quarter. Just that simple. No new Federal employees; no Federal bureaucracy dictating to States or communities; no Federal control.

President Eisenhower said:

I suggest, therefore, that this conference join with the Federal administration in creating a task force for action—a joint committee charged with these three responsibilities:

1. To designate functions which the States are ready and willing to assume and finance that are now performed or financed wholly or in part by the Federal Government.

2. To recommend the Federal and State revenue adjustments required to enable the States to assume such functions.

3. To identify functions and responsibilities likely to require State or Federal attention in the future and to recommend the level of State effort, or Federal effort, or both, that will be needed to assure effective action.

A FIRST STEP

In designating the functions to be reassumed by the States, the committee should also specify when those functions should be assumed—the amounts by which Federal taxes should be reduced—and increases in State revenues needed to support the transferred functions. As the first step, the committee might concentrate on a single function or program and pair it with a specific Federal tax or tax amount. This effort presupposes that Federal taxes would be cut more than State taxes would be raised to support the transferred functions. The elimination of the Federal overhead—stopping, in other words the "freight charges" on money being hauled from the States to Washington and back (a bill, I remind you, that is always collected in full)—would save the American taxpayer a tidy sum.

This is substantially what my plan proposes—except my plan does it now, and does not call for any commission or study. It singles out one specific function and pairs it with a specific Federal tax reduction. I am quite sure, having available funds, every State will accept its responsibilities in the field of education.

The reasons for the approach taken by the Scrivner plan and the language suggested are set out fully in House Joint Resolution 159, which was printed in the RECORD yesterday on pages 10254–10255.

However, simple as the Scrivner plan is, perhaps it can be made simpler yet.

Therefore, as two alternative proposals, I have today introduced two additional bills: One reads:

A bill to reduce personal and corporate income taxes by 1 percent

Be it enacted, etc., That in lieu of all legislative proposals providing for Federal aid to education, including school construction, the tax rate on personal and corporate incomes is hereby reduced 1 percent.

The other provides:

A bill to provide direct aid to States and Territories for educational purposes only

Be it enacted, etc., That in lieu of all legislative proposals providing for Federal aid to education, including school construction, 1 percent of all Federal income tax, collected in each State and Territory, shall be covered quarterly into the treasury of each State and Territory, to be expended only for aid to education, including school construction,

in accordance with the budget of each State or Territory.

This latter is almost a paraphrase of the provisions of the Guam Organic Act, which leaves in, or returns to, Guam 100 percent of the Federal income tax for any purpose the Guamanian government desires.

Once again, if 100 percent of the tax money can be given to Guam, why cannot 1 percent be returned to, or retained in, each State or Territory?

AGREEMENT ON TARIFFS AND TRADE

Mr. EVINS. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. LANHAM] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the getntleman from Tennessee?

There was no objection.

Mr. LANHAM. Mr. Speaker, on June 24, in a 1-minute speech which I made on the floor of the House, I stated that I was including a statement by Mr. O. R. Strackbein made before the Committee for Reciprocity Information but in some manner the statement was not included with my remarks. I am including it today.

STATEMENT OF O. R. STRACKBEIN, CHAIRMAN, THE NATIONWIDE COMMITTEE OF INDUSTRY, AGRICULTURE, AND LABOR ON IMPORT-EXPORT POLICY BEFORE THE COMMITTEE FOR RECIPROCITY INFORMATION, RELATING TO ARTICLE XXVIII OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE, JUNE 18, 1957

Under article XXVIII of the General Agreement on Tariffs and Trade as originally adopted any member of GATT was authorized after January 1, 1951 to modify or withdraw any duty reduction or similar concessions that it had negotiated in a trade agreement, subject only to the condition that such withdrawal be negotiated with and agreed to by the country with which the agreement was originally made.

By later agreement the 1951 date was postponed successively until the present expiration date of December 31, 1957 was adopted. The present hearings are for the purpose, among other things of determining whether a further postponement of the effective date of article XXVIII is to be agreed to.

Under the present arrangement, whereby the effectiveness of article XXVIII is held in abeyance, concessions may be withdrawn, with some exceptions, only through the escape-clause procedure. Should article XXVIII be allowed to go into effect, concessions could be withdrawn for any reason. It would be necessary only to try to reach an agreement with the country with which the concession was negotiated in the first instance. In other words, article XXVIII is much broader than the escape clause. No showing of injury has to be made. No hearings need be held. It would be enough that any member country wished to withdraw certain specified concessions.

Thus article XXVIII at least recognizes the principle of autonomy in tariff adjustments. The position of the United States, however, has steadfastly called for postponement of the effective date. In fact, unless I am mistaken, the official position is one of advocating an indefinite postponement of the effective date. Such a provision was indeed adopted in 1955 by the ninth session of GATT. To date, however, the necessary two-thirds of the GATT members have not ratified the automatic postponement agreed to in the ninth session. That explains the need for the present hearings.

The State Department here has the opportunity of restoring tariff autonomy to the United States to a much greater degree than is open to us under the moratorium or abeyance supported by the Department.

It seems rather odd that the United States, a country that is probably the foremost proponent and supporter of self-determination and autonomy in the world, a country that has shaken what is probably the most powerful alliance in history by its insistence on autonomy—it is strange, to say the least, that this same country should seek so feverishly and busily to throw away the right of self-determination and the rights of autonomy as centered in our own Congress in the field of tariffs and trade.

If self-determination and autonomy are precious to the peoples who have not enjoyed them why should they not be equally precious to those who earned them many generations ago? Why should we surrender unnecessarily and for dubious philosophical reasons that which we so ardently recommend to those who do not have it? If autonomy and self-determination mean so little to us why press these conditions upon other peoples? If they do mean something, if indeed they are highly treasured, why should our State Department be so anxious to throw them overboard?

I ask these questions in the full knowledge that the State Department has already reached such a position of irresponsiveness that it is useless to expect a reply. The Department is so insulated against the expressions of opposition in matters of tariffs and trade that even an appearance such as I am right now making before the committee for reciprocity information is an exercise in utter futility.

Without in any way reflecting upon any member of this committee I will say that there is not the remotest shadow of a doubt that the State Department's position will not in any way be affected by these hearings. They are as useless as hearings in any totalitarian country on the map. I challenge the State Department to contradict this statement.

The facts are clear enough.

The State Department has no authority to bind the United States in any agreement against changes in tariff rates. The making of such changes or not making them is a function of Congress, and the State Department cannot properly barter away this Congressional authority, nor impair it or abridge it. Congress itself cannot validly authorize the State Department to do so.

If the State Department held the powers of self-determination and autonomy of the people of the United States in proper regard it would know instinctively that the Department should not undertake to blockade the Congress with the forces of international commitments. Yet that is exactly what has been done through the postponement of the effective date of article XXVIII. It has indeed gone further than that, but article XXVIII is the subject of these hearings and that is enough.

What is the present state of affairs so far as the binding of Congress is concerned? With some minor exceptions, under the provisions of the General Agreement on Tariffs and Trade, Congress is not free unilaterally on behalf of the United States:

1. To put a tariff on an item bound on the free list under GATT.

2. To increase a tariff on any dutiable item the rate on which has been bound at the existing level.

3. To raise a rate that was reduced in a trade agreement negotiated under the GATT system (i. e., in any of the Geneva, Annecy, or Torquay multilateral conferences).

4. To impose an import quota on any industrial product (as distinguished from agricultural items) unless this country should fall into balance of payment difficulties or be classified as an underdeveloped country or should seek to conserve an exhaustible natural resource by also reducing domestic production or consumption of the article.

5. To impose an import quota on any agricultural or fisheries product that is not subject to a governmental program designed to restrict domestic production or marketing of the same product or to remove a temporary surplus.

6. To impose an excise tax on an imported product unless there is an equal or higher tax on the like domestic product.

Should article XXVIII go into effect these bindings, or most of them, would be subject to unbinding at the pleasure of the United States.

It is true that we would have to give back to the country with which we negotiated a particular tariff reduction whatever such country gave us in return, if anything, or its equivalent.

Now the State Department denies that Congress is no longer free to do as it will with respect to the listing made above. The Department says that Congress is free to legislate as it sees fit. Presumably this means that even though the State Department agrees on behalf of the United States to postpone the effective date of article XXVIII the Congress could raise duties or impose import quotas on any products whatsoever.

Let us see where this reasoning leaves us. Possibly the other members of GATT would be considerably interested in the State Department's political philosophy; for it appears that either the State Department is winking at Congress when it makes an international agreement or at the foreign countries, or possibly both, and playing both ends against the middle.

In the first case the Department would be dealing unfairly with the foreign countries. It would offer them commitments that it knew not to be real commitments since Congress could upset them item by item at will. In the second case it would be executing an end run around Congress. It would be saying to Congress that the commitments are only make-believe, to be set aside at the pleasure of Congress, never mind the signature of the delegate of the United States to a piece of paper; but while thus reassuring Congress the Department would in fact regard the commitments as firm and in taking that position would be dealing in good faith with other countries but falsely with Congress.

In answer to this charge of State Department duplicity it is sometimes said that other countries are aware that the State Department cannot bind Congress by means of an executive agreement. If that is the case, why does the Department then bother with the postponement of the effective date of article XXVIII? That article merely provides for something that is already in being; namely, freedom to withdraw concessions unilaterally, if it is true that an executive agreement is not binding upon Congress.

Also, it must be clear then that article XXVIII itself was superfluous and could be justified only as an affirmation of a right already in existence.

On what grounds then has the State Department agreed to the successive postponement of the effective date of the article? What is to be gained by postponing an article of agreement if such article merely affirms an existing right? There is then nothing to be postponed. The affirmation neither adds to or detracts from what already exists.

The very fact that the State Department, acting on behalf of the President, agreed to article XXVIII in the first place and has repeatedly supported the moratorium on its effectiveness, indicates that it does indeed regard article XXVIII as having real substance; in other words, as actually abridging or binding the signatory countries, including, of course, the United States, and therefore also Congress.

Only in that light could the present hearings in any way be justified. They would otherwise be worse than trivial and below the dignity of a devil dance.

We can hardly avoid the conclusion that the State Department does regard article XXVIII as substantive in nature and its postponement as necessary if the tariff-autonomy of this country is to be held in abeyance. This leads to the further conclusion that the Department does not take Congress as seriously as it does the sidetracking of article XXVIII; and also that in its position of duplicity the Department is more faithful to the other countries of GATT than to Congress. It means in effect that the Department looks upon Congress as a body to be humored and cajoled while pulling the wool over its eyes.

What these hearings come down to then is a mere staging of proceedings for effect, as might be done in a totalitarian country, pursuant to which the State Department will carry forward undeviatingly its conscious objective and firm policy of maneuvering Congress out of the exercise of its authority to regulate our foreign commerce. In this way it will persist in destroying the autonomy of the American people in a field of great importance while preaching autonomy and self-determination to all other peoples of the world.

TAX REDUCTION NOW

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, the House has already effected huge reductions in the various money bills, which have been considered and passed up to this time. It is estimated that more than $4 billion has been cut by the House from the total national budget as submitted by the President. The so-called foreign-aid money bill is still to be considered, and the reasonable prospect is that this bill will be materially reduced from original budget estimates.

Under these circumstances, it would appear that unless unexpected restoration is made by the other body, the overall reduction made by the Congress as finally totaled will prove to be over $4½ billion. If this eventuates as we have some reason to believe at the present time that it will, I am of the opinion that the Congress should initiate and pass a tax-relief bill before the close of the session. Assuming that the above total reductions will be made in the budget, there would be sufficient savings shown on the record to warrant a payment on the national debt and a fairly sizable tax reduction for the American people.

I appreciate that there are those, who for political reasons, or because they feel tax reduction will be inflationary, or believe that all savings should be applied to debt reduction, would not favor this proposal. However, I believe that none of these arguments are tenable considering the heavy burden of taxation, which the American people are carrying and the need for relief of breadwinners, wage earners, workers, farmers, professional groups, individual businessmen, and corporations, in fact, practically every segment of the economy and body politic.

I do not believe in playing politics with this crucial issue, nor do I think that money in the hands of our taxpayers would be any more inflationary than money in the hands of the Government which would be spent or used to expand existing credit. While I favor debt reduction and, of course, a balanced budget, I think that on all the facts we have before us concerning the budget, we would be well warranted in passing a sound, solid, substantial tax reduction bill now as speedily as such a measure could go through the parliamentary process.

I hope that the leadership and the House Ways and Means Committee will move along these lines as soon as possible.

THE WATKINS CASE: WHAT ARE WE GOING TO DO ABOUT IT?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 20 minutes.

Mr. REUSS. Mr. Speaker, like most of us, I have read and reread the Supreme Court's recent decision in Watkins against United States. I will not pretend that I fully understand the decision, much less its every complication. But what is clear is that a majority of the Supreme Court feels that Congress, in order to avoid conflict with the first and fifth amendments, must use added care in authorizing and exercising its power to investigate and to punish for contempt. As the Court said—page 34:

A measure of added care on the part of the House and the Senate in authorizing the use of compulsory process and by their committees in exercising that power would suffice to make Congressional action constitutionally valid.

The Supreme Court from the beginning has told Congress what are its constitutional powers, and how far it can carry these powers without running afoul of the Bill of Rights. There is only one thing to do with the mandate of the Supreme Court, and that is to obey it. I was not in sympathy with those who, confronted 20 years ago with Court decisions in the field of social legislation which they thought unwise, sought to pack the Court. Neither am I in sympathy with those who, disliking the Court's action today, seek to get around it.

Accordingly, I have asked the American Law Division of the Legislative Reference Service of the Library of Congress to prepare for me a study of what steps need to be taken by Congress to comply with the Watkins case. The study, which I find most valuable, follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
June 24, 1957.

To: Hon. HENRY S. REUSS.
From: American Law Division.
Subject: How can the legal obstacles to the conduct of investigations by Congressional committee imposed by the Watkins case (*Watkins* v. *U. S.* (1957) 353 U. S.) be surmounted?

To avoid, on ground of its irrelevance to any constitutionally tenable legislative purpose, the nullification of a Congressional committee's endeavor to conduct an investigation of any line of activity, it is submitted that adoption of one or more of the following reforms would suffice to meet the requirements of constitutional exactitude set forth by the Supreme Court in the above entitled case.

1. The authorizing resolution setting forth the jurisdiction of each committee to conduct inquiries should be reexamined with a view of deleting therefrom, insofar as amendments can achieve this result, those elements of vagueness and abtrusiveness which presently detract from the value of such resolutions as standards of guidance and as delineations of the outer limits of a committee's power.

To advance such a recommendation is far easier than to effectuate it, however; and, for reasons hereinafter expressed, it is not believed that a more precise restatement of authorizing resolutions is an indispensable precaution against invalidation for irrelevance of the pursuit by a committee of any given inquiry. To achieve greater specificity in drafting authorizing resolutions may prove costly in that these resolutions, to the extent that they are made more precise, may effect a substantial curtailment of the jurisdiction now available for exercise by the several committees. In short, in a cumulative sense, a substantial measure of the authority now possessed by the committees may be dispelled in the course of this endeavor to restate the resolutions with greater precision. Another potential hazard is the possible jeopardizing of the relations of the committees, conceivably through overlapping of jurisdiction rather than retention of the clearer differentiation as to jurisdiction such as presently seems to be attained under the resolutions in their existing form.

Inasmuch as limitations of time and space preclude an examination, much less a redrafting of the resolutions which constitute the "charter" of each committee endowed with investigation powers, only one sample of the type of amendment which might prove fruitful is offered. The following is a presentation of the authorizing resolution of the Committee on Un-American Activities of the House of Representatives, with possible insertions set off in black brackets and italic:

"The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States [*with a view to determining the need for constitutionally valid legislation, as well as the extent to which such legislation should and can be enacted to combat the same*], (ii) the diffusion within the United States of subversive and un-American propaganda [*With a view to determining whether it*] • • • is instigated from foreign countries or [*from*] • • • a domestic origin and [*also whether it*] attacks • • • the form of government as guaranteed by our Constitution, [*subject to the further restraint that investigations of the topics set forth in* (i) *and* (ii) *shall not be conducted*

in such manner as is calculated to elicit information not relevant to any matters on which the Congress is not constitutionally competent to legislate]; and (iii) [*omit as superfluous*] all other questions in relation thereto that would aid Congress in any necessary remedial legislation" (60 Stat. 828, sec. 12 (b, q); *Manual and Rules of the House of Representatives*, H. Doc. No. 474; 84th Cong., 2d sess., pp. 353–354).

Even if added to the authorizing resolution, these or kindred expressions will perform no miracles. Stating little more than truisms, these restrictive phrases will not offer to the Member who is unacquainted with constitutional law anything in the way of a precise direction in which to proceed or an accurate caution against errors of procedure. Nevertheless, without diminishing the legitimate scope of the committee's jurisdiction or producing any of the other disadvantages heretofore enumerated, the injection of such phrases into the authorizing resolution should produce one beneficial result; namely, to impress upon the Members serving on committees the existence of constitutional restraints observance of which cannot be safely evaded.

2. Add a concluding section to each authorizing resolution empowering and directing the committee as a whole or by subcommittee to adopt as a temporary amendment to said resolution a proviso setting forth explicitly in detail the exact nature and objective of the investigation about to be undertaken, its relation to the general jurisdiction vested in said committee by its authorizing resolution, and the outer limits of the inquiry as imposed by applicable restraints in the Constitution.

Of all the methods which have come to mind, it is believed that the instant one is superior. Whereas the abstruseness and vagueness of a general authorizing resolution can be remedied only with difficulty, and not without risk of a substantial loss, the suggested procedure would not necessitate any alteration of the authorizing resolution, and yet would provide all the protection against unlawful proceedings that any verbal admonition can accomplish. If it can be contended that severe condemnation in the Watkins case (pp. 21–25) of the authorizing resolution of the House Committee on Un-American Activities leaves no alternative but to embark upon a wholesale revision of such resolutions, it may be argued, contra, that the import of the Court's ruling in the Watkins case does not support such a conclusion (pp. 28–33). Had corrective action at any stage of the proceeding of that committee prior to, and during, interrogation been attempted, it is believed that the Court would have been disposed to rule that the overall procedure, loyally observed, would have satisfied all the constitutional requirements. The principal reason for the condemnation of the Committee's authorizing resolution was that its patent deficiencies had not been cured at any stage of the investigation undertaken pursuant thereto.

3. In lieu of either of the above proposals, election might be made to precede each investigation undertaken by a committee by adoption of a concurrent resolution of the parent body, the House or the Senate, specifically tailored to the purposes of each investigation and therefore best calculated to attain maximum specificity. Such a procedure, which is essentially similar to that observed in establishing select committees charged with the investigatory function, is not without its disadvantages, however. It could unduly delay investigations contemplated by a standing committee. Should the parent body, either the House or the Senate, then be engaged in protracted debate or in the processing through to adoption of urgently needed legislation, grave danger would arise that passage of such enabling resolution might not be secured prior to adjournment; and in that event lengthy postponement of meritorious investigations might result.

In conclusion it should be noted that mere clarification of the standards under which a committee conducts its investigation, will not of itself, avoid exposure of the committee to adverse judicial decisions. To be effective, rules must not only be formulated with clarity; they must also be observed.

The first two suggestions of the Library of Congress study—that the authorizing resolution for the Committee on Un-American Activities be tied more closely to a legislative purpose, and that committee or subcommittee action delimit the scope of each particular investigation—offer what seems to me a sensible approach toward the problem of getting right with the Supreme Court, and at the same time maintaining Congress historic power to investigate. I commend the suggestions to the members of the House Committees on Un-American Activities, on Rules, on the Judiciary, and to all other members.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. HOFFMAN (at the request of Mr. ARENDS), for 10 days beginning June 28, on account of official business.

Mr. SAYLOR (at the request of Mr. MARTIN), for June 26 and 27, on account of official business.

Mr. WHITENER, for June 27, 1957, in order that he may attend the funeral of the late R. Gregg Cherry, former governor of North Carolina.

Mr. BENTLEY (at the request of Mr. LAIRD), for today, on account of a death in the family.

Mr. LENNON, for June 27, 1957, on account of the funeral of R. Gregg Cherry, former governor of North Carolina.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders hertofore entered, was granted to:

Mr. REUSS for 20 minutes today, to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. REECE of Tennessee and to include extraneous matter.

Mr. BUDGE and to include extraneous matter.

Mr. DOLLINGER and to include extraneous matter.

Mr. MCGREGOR to revise and extend his remarks made in Committee and to include charts.

Mr. ALGER in two instances and to include extraneous matter.

Mr. DINGELL (at the request of Mr. CHUDOFF) and to include extraneous matter.

Mr. POWELL (at the request of Mr. CHUDOFF) in two instances and to include extraneous matter.

SENATE ENROLLED BILLS SIGNED

The SPEAKER pro tempore announced his signature to enrolled bills of the Senate of the following titles:

S. 1264. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia;

S. 1576. An act to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act;

S. 1586. An act to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia; and

S. 2243. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 25, 1957, present to the President, for his approval, a bill of the House of the following title:

H. R. 6500. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

ADJOURNMENT

Mr. CHUDOFF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 3 minutes p. m.), the House adjourned until tomorrow, Thursday, June 27, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

980. A letter from the Acting Secretary of Agriculture, transmitting a report on the State agricultural experiment stations for the fiscal year ended June 30, 1956, pursuant to the Department of Agriculture Appropriation Act, 1956, approved May 23, 1955, and the Hatch Act approved August 11, 1955 (69 Stat. 671); to the Committee on Agriculture.

981. A letter from the Chairman, National Advisory Council on International Monetary and Financial Problems, transmitting a report of the activities of the National Advisory Council on International Monetary and Financial Problems for the period July 1 to December 31, 1956, pursuant to section 4 (b) (5) of the Bretton Woods Agreements Act (H. Doc. No. 200); to the Committee on Foreign Affairs and ordered to be printed.

982. A letter from the Secretary of State, transmitting a draft of proposed legislation entitled "A bill to amend the act of June 28, 1935, entitled, 'An act to authorize participation by the United States in the Interparliamentary Union' "; to the Committee on Foreign Affairs.

983. A letter from the Acting Archivist of the United States, transmitting a report on lists or schedules covering records proposed for disposal by certain Government agencies, pursuant to the act approved July 6, 1945 (59 Stat. 434); to the Committee on House Administration.

984. A letter from the Assistant Secretary of the Interior, transmitting a report to the Congress entitled "The Maryland 400 at the Cortelyou House, Brooklyn: The Action and the Burial Site," pursuant to the act of August 3, 1955 (69 Stat. 445); to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURLESON: Committee on House Administration. House Resolution 295. Resolution authorizing salaries and expenses of special and select committees, fiscal year 1957, to be paid from the item "Miscellaneous items" contingent fund of the House; without amendment (Rept. No. 637). Ordered to be printed.

Mr. VINSON: Committee on Armed Services. H. R. 8240. A bill to authorize certain construction at military installations, and for other purposes; with amendment (Rept. No. 638). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 4115. A bill to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes; without amendment (Rept. No. 639). Referred to the Committee of the Whole House on the State of the Union.

Mr. THORNBERRY: Committee on Rules. House Resolution 296. Resolution for consideration of H. R. 7390, a bill to amend the Administrative Expenses Act of 1946, and for other purposes; without amendment (Rept. No. 640). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 297. Resolution for consideration of H. R. 7383, a bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; without amendment (Rept. No. 641). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 298. Resolution for the consideration of S. 1428, an act to authorize furniture and furnishings for the additional office building for the United States Senate; without amendment (Rept. No. 642). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 299. Resolution for consideration of S. 1429, an act authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate; without amendment (Rept. No. 643). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 300. Resolution for the consideration of S. 1430, an act increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate; without amendment (Rept. No. 644). Referred to the House Calendar.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 3071. A bill to authorize the Secretary of the Interior to enter into and to execute amendatory contract with the Northport Irrigation District, Nebraska; with amendment (Rept. No. 645). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 6764. A bill to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes; with amendment (Rept. No. 646). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Joint Economic Committee. Report on fiscal policy implications of the economic outlook and budget developments, pursuant to section 5 (a) of Public Law 304 (79th Cong.); without amendment (Rept. No. 647). Ordered to be printed.

Mr. THOMAS: Committee of conference. H. R. 6070. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 648). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 8381. A bill to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes; to the Committee on Ways and Means.

By Mr. BOYKIN:

H. R. 8382. A bill to amend the Shipping Act, 1916, to provide for licensing independent foreign freight forwarders, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. AUGUST H. ANDRESEN:

H. R. 8385. A bill to provide that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn.; to the Committee of Agriculture.

By Mr. BARING:

H. R. 8386. A bill to lessen the Nation's dependence on foreign sources of supply for tungsten in times of emergency; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H. R. 8387. A bill to amend the Administrative Procedure Act, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAMER:

H. R. 8388. A bill to amend chapter 223 of title 18, United States Code, by adding a new section 3500; to the Committee on the Judiciary.

By Mr. DEVEREUX:

H. R. 8389. A bill to amend title II of the Social Security Act to include Maryland among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mr. HARRIS:

H. R. 8390. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety; to the Committee on Interstate and Foreign Commerce.

By Mr. HASKELL:

H. R. 8391. A bill to amend the Internal Revenue Code of 1954 to allow a dependency exemption deduction for foster children and certain other persons supported by a taxpayer even though they do not live with such taxpayer for the entire taxable year; to the Committee on Ways and Means.

By Mr. HESS:

H. R. 8392. A bill to promote the national defense by including two representatives of the Department of the Army as members of the National Advisory Committee for Aeronautics and by authorizing specifically certain functions necessary to the effective prosecution of aeronautical research; to the Committee on Armed Services.

By Mr. JACKSON:

H. R. 8393. A bill to amend chapter 223 of title 18, United States Code, by adding a new section 3500; to the Committee on the Judiciary.

By Mr. JUDD:

H. R. 8394. A bill to authorize the sale of certain vessels to Pakistan for use in the coastwise trade of Pakistan; to the Committee on Merchant Marine and Fisheries.

By Mr. McGOVERN:

H. R. 8395. A bill to provide for national scholarships for college and university undergraduate study; to the Committee on Education and Labor.

By Mr. SCRIVNER:

H. R. 8396. A bill to provide Federal aid to education by reduction of income taxes; to the Committee on Ways and Means.

H. R. 8397. A bill to provide direct aid to States and Territories for educational purposes only; to the Committee on Ways and Means.

By Mrs. KELLY of New York:

H. Con. Res. 204. Concurrent resolution expressing the sense of the Congress on the problem of Hungary; to the Committee on Foreign Affairs.

By Mr. FLOOD:

H. Con. Res. 205. Concurrent resolution that it is the sense of the Congress that the United States will not surrender its jurisdiction or control over the Canal Zone or the Panama Canal; to the Committee on Merchant Marine and Fisheries.

By Mrs. KELLY of New York:

H. Con. Res. 206. Concurrent resolution expressing the sense of the Congress concerning the admission of not to exceed 5,000 Hungarian student refugees; to the Committee on the Judiciary.

By Mr. COFFIN:

H. Con. Res. 207. Concurrent resolution expressing the sense of the Congress concerning the admission of not to exceed 5,000 Hungarian student refugees; to the Committee on the Judiciary.

By Mr. BENTLEY:

H. Con. Res. 208. Concurrent resolution expressing the sense of the Congress concerning the admission of not to exceed 5,000 Hungarian student refugees; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H. Con. Res. 209. Concurrent resolution expressing the sense of the Congress with respect to the revision of the administrative agreement under the Security Treaty between the United States and Japan regarding the status of their forces; to the Committee on Foreign Affairs.

H. Con. Res. 210. Concurrent resolution expressing the sense of the Congress with respect to the revision of the agreement between the parties of the North Atlantic Treaty regarding the status of their forces to the Committee on Foreign Affairs.

By Mr. BENTLEY:

H. Res. 301. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 293; to the Committee on House Administration.

By Mr. BOW:

H. Res. 302. Resolution creating a select committee to conduct investigation and study of all Federal grants-in-aid; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: A memorial of the Legislature of the State of Texas memorializing the President and the Congress of the United States to repeal the excise taxes now levied unjustly on the transportation of goods and passengers by common carriers; to the Committee on Ways and Means.

Also, memorial of the Legislature of the Virgin Islands memorializing the President and the Congress of the United States to grant a recharter to the Virgin Islands Corporation; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PRICE:

H. R. 8383. A bill to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of St. Gregory the Great, with the rank of Knight Commander with Star.

H. R. 8384. A bill to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines.

By Mr. ANFUSO:

H. R. 8398. A bill for the relief of Mrs. Rachel Mordos and her minor daughter, Toula Mordos; to the Committee on the Judiciary.

H. R. 8399. A bill for the relief of Adolf Salamon and his wife, Sara Weinberger Salamon; to the Committee on the Judiciary.

By Mr. BUSH:

H. R. 8400. A bill for the relief of Eiko Y. Croman; to the Committee on the Judiciary.

By Mr. DINGELL:

H. R. 8401. A bill for the relief of Mrs. Vartouhi Yemenijian; to the Committee on the Judiciary.

By Mr. JUDD:

H. R. 8402. A bill for the relief of Evangelos G. Vrachorites; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H. R. 8403. A bill for the relief of Mrs. Carolyn J. Conroy; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H. R. 8404. A bill for the relief of Alessandro Sasso; to the Committee on the Judiciary.

By Mr. SCHERER:

H. R. 8405. A bill for the relief of Dr. Clemente Gusi Austria, to the Committee on the Judiciary.

By Mr. SCRIVNER:

H. R. 8406. A bill for the relief of Orval L. Landis; to the Committee on the Judiciary.

By Mr. STAUFFER:

H. R. 8407. A bill for the relief of Mrs. Margaret N. Meister; to the Committee on the Judiciary.

By Mr. STEED:

H. R. 8408. A bill for the relief of Stephan H. and Hermine M. Pechdimaldji; to the Committee on the Judiciary.

By Mr. UTT:

H. R. 8409. A bill for the relief of Carlos Vasquez Perez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

294. By Mr. BEAMER: Petition of Mrs. David Stakelbeck, of Kokomo, Ind., and 123 citizens of Indiana protesting the advertising of alcoholic beverages in interstate commerce and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

295. By Mr. CANFIELD: Resolution adopted by the governing body of the city of Clifton, N. J., requesting that the Jenkins-Keogh bills, H. R. 9 and H. R. 10, be reported favorably from the House Committee on Ways and Means; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Washington Report by Congressman Bruce Alger, of Texas

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1957

Mr. ALGER. Mr. Speaker, it is obvious to me that our form of government is successful to the degree that citizens participate and are well informed concerning the issues of the day. My weekly newsletter of June 22 is here included for those who are interested in reading one Congressman's report to his constituents:

WASHINGTON REPORT
(By Congressman BRUCE ALGER, Fifth District, Texas)

JUNE 22, 1957.—The House civil-rights bill conclusion was tense, dramatic, and disappointing. The bill passed 286 to 126 (almost same vote as last year, few changed their views despite long debate—see last two newsletters). The jury-trial amendment was beaten 251 to 158, a bitter disappointment and cause for alarm to many Members. In my last of three floor speeches, I summarized it this way—"After long debate no one has yet defined 'civil rights.' Are we jeopardizing, through new Federal jurisdiction, the rights outlined in the first 10 constitutional amendments? Unless and until we define just what the civil rights are that we seek to protect, other than the right to vote, which is perfectly clear to us, there should at least be the right of trial by jury." These brief final remarks I've sent to each Senator (and already have received 22 replies) in the hope that the bill can be improved in Senate debate, or better still, defeated. In cart-before-horse fashion we have seriously threatened the very freedom of all citizens, including those the bill seeks to protect, it seems to me. This fact will be learned to the consternation and surprise of many, I predict, if it becomes law.

The third supplemental appropriation bill, 1957 (title self-explanatory as to how budget cuts later can be reinstated) brought back to us two very controversial issues, flood insurance and tungsten stockpiling. Flood insurance (May 11 newsletter) was defeated again 218 to 186, too close a margin. Once again it was considered the "political" thing to do by many to prove they were against floods by voting on this fantastically expensive new Government program. Apparently 186 are still unmoved by nationwide pleas for economy and "cut the budget", as well as by the specific facts showing the impracticality of such a program. Again we see the camel trying to poke his nose under the tent. Tungsten purchase for defense stockpiling debate produced these startling facts: (1) tungsten purchase authorized by Congress has resulted in Government paying $63 per ton while market price was $43 (ultimate loss of $138 million); (2) a 7-year wartime supply on hand, or 26 years at normal rate; (3) surplus tungsten beyond long-term strategic need equals 192-year supply for jet engines manufacture. Shouldn't Congressmen protest? We did, so no more money in this bill for tungsten.

Agricultural Trade Development and Assistance Act of 1954 extension of Public Law 480 was the week's real shocker to me. And I ended up as one of only seven who voted against it. The bill purports to dispose of our agricultural surpluses through sales and gifts. The obvious need to get rid of our surpluses is the underlying logic. As to sales (now up $4 billion), 87 agreements with 30 countries has resulted in disposal of $3 billion of food for foreign currency, which money United States spends in these countries for military bases, strategic materials, economic assistance, gifts and loans, military housing, residences for agricultural attaché, school aid, libraries, community centers, books and periodicals, formation and promotion of 4-H agricultural clubs for better rural living. Then the gift food goes for refugee relief, for flood relief and needy persons, etc., etc. "Uncle Sugar"? In sales, we don't get dollars; we give food and when we get the foreign currency, we spend it within each country. Isn't this foreign aid? Of course, but we don't call it that. It's called an emergency program (going into its fourth year) to develop new markets. Does it? Even the Agriculture Committee states only 1.6 percent of the products and funds went to this purpose, the reason for the law in the first place.

In the outright gift phase ($300 million more, total $800 million) 1,287 million pounds of food were given away overseas and 789 million pounds in the United States. At this point, I took the floor to protest the entire bill, to point out that many others than the needy in 39 States get food now from Uncle Sam, that local agencies solicit people to get theirs. Is it Uncle Sam's responsibility to feed, clothe, and house us? How does this differ from socialism? It doesn't. Unions on strike are distribution centers—must taxpayers support strikers? Sure, we must dispose of our surpluses, and we must and can help the needy. An attempt to add cotton to the giveaways was narrowly defeated, with most southern conservatives for it. Are we helpless to solve our problems or are we just spineless and political? If we feed people, will they vote for us? Only seven of us voted against this monstrosity. Where now are the States righters? (The anti-civil-rights orators). Again, who's for economy?

The Prime Minister of Japan spoke to us in the House Chamber Thursday. His moving and friendly speech (through a translator), sprinkled with beliefs in democracy, made me remember that only 12 years ago this month we bombed Osaka, Kobe and Tokyo. I could never then have anticipated my future work, nor that Germany and Japan, our enemies, would be prospering beyond other nations.

Increase Pay of Postal Employees

EXTENSION OF REMARKS
OF
HON. ISIDORE DOLLINGER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1957

Mr. DOLLINGER. Mr. Speaker, the following is my statement to the House Post Office and Civil Service Committee on June 18, 1957, urging that increases in salaries of postal employees be granted:

STATEMENT OF REPRESENTATIVE ISIDORE DOLLINGER, OF NEW YORK, TO THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE, JUNE 18, 1957

Mr. Chairman and members of the Committee on Post Office and Civil Service, it is a disgrace that we have allowed the present situation regarding postal workers' pay to continue as long as it has. Our grossly underpaid postal workers have endured real hardships; they cannot meet ever-increasing living costs. Postal salaries are far below those being paid in private industry; present salary grades in the postal field schedule do not provide an adequate level of living.

I am told that in the New York City post office, low wages have compelled more than 60 percent of the postal employees to seek outside employment in order to meet the high cost of living. What kind of career service is this which requires a man to work 12 or 14 hours a day—8 hours in his post office job and 4 or more hours in the other job? What kind of life can such an employee have? His existence is actually all work; he has no time or energy or inclination for recreation, family life, or hobbies or any of the things that makes life pleasant and worth living and which should be everyone's reward at the end of a normal working day.

The turnover rate in our post offices is increasing rapidly and it has already reached alarming proportions in the New York post office. The post office is finding it increasingly difficult to retain their experienced workers and eligibility rosters are becoming smaller and smaller, because of the low wage scale, and the resultant lack of interest in the postal service as a career.

The administration's attitude in opposing postal pay increases is unrealistic and unwise. Inasmuch as the Federal Government has been unable to control substantial wage and price increases which affected prices which Government employees must pay for living necessities it is now the duty of Congress to adjust the pay of postal employees so they can have at least a decent existence.

The morale of our faithful postal employees has reached a low point; what to them appeared to be a good career has become a most unrewarding job. Unless our postal workers are paid adequate salaries, enabling them to enjoy a reasonably good standard of living, the efficiency of our postal system will be seriously undermined. We owe it to this fine and important group of workers to give them adequate pay for the duties they perform.

I urge the Committee on Post Office and Civil Service to take favorable action providing for adequate pay increases for our postal workers without further delay.

Address by Hon. Clifford P. Case, of New Jersey, Before New York Young Republican Club

EXTENSION OF REMARKS
OF
HON. JACOB K. JAVITS
OF NEW YORK
IN THE SENATE OF THE UNITED STATES
Wednesday, June 26, 1957

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the address delivered by my colleague, the Senator from New Jersey [Mr. CASE], before the New York Young Republican Club, at the Mayflower Hotel, Washington, D. C., on June 22, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY SENATOR CASE OF NEW JERSEY PREPARED FOR DELIVERY AT BREAKFAST MEETING, NEW YORK YOUNG REPUBLICAN CLUB, MAYFLOWER HOTEL, WASHINGTON, D. C.

I am glad to report that things have been going well on Capitol Hill. The President's legislative program is really starting to roll. So much so that I am confident this Congress will enact a meaningful civil-rights bill—the first since the Civil War era. We can see the end of the road, even though the struggle for the right-to-vote bill will be long. Although the Senate heard the threat of two filibusters from the southern side, the parliamentary success of this week is encouraging. I now believe we can get the 64 votes necessary to shut off the filibusters.

This was not the only achievement on the President's legislative list. The victories disprove the wishful thinking of some political theorists that the President's leadership has declined to the point where his legislative program is doomed. Let me cite the President's box score for the past week.

On Tuesday the House beat off all attempts to water down the administration's civil-rights bill, and by a vote of 286 to 126 finally passed the bill virtually intact. Of these 286 affirmative votes, 168 were Republican, while only 19 Republicans voted in the negative. By contrast, the Democratic split was 118 in favor to 107 against the bill.

Thursday night, as you all know, we won the important first round in our effort to get consideration of a right-to-vote measure. By a vote of 45 to 39, the Senate voted, in effect, to place the House bill on the Senate Calendar, bypassing the Judiciary Committee, which has bottled up the Senate's own version of this important bill for more than 5 months. Thirty-four Republican Senators, joined by 11 Democrats, voted to overrule a point of order against sending the bill to the calendar. Only five Republican Senators voted to send the bill to the Judiciary Committee.

Within the past week the Senate also approved the mutual security authorization bill, with 31 Republicans and 26 Democrats voting for the measure. On Tuesday the Senate ratified United States participation in the International Atomic Energy Agency—the realization of a bold and courageous proposal to harness the atom for peace made by President Eisenhower in his appearance before the United Nations in 1953. Thirty-two Republicans and 35 Democrats supported the President on this issue.

These votes speak for themselves. Support for President Eisenhower's program has been growing steadily since he made his two nationwide radio and television addresses to the American people, the first explaining his budget recommendations in general, and the second, his mutual-security program specifically. The effect of these talks was substantial. The strong bipartisan support for the mutual security authorization bill demonstrated that the erosion of the President's program had been stopped.

The fight is far from over. The mutual security and defense appropriation bills must be passed without crippling cuts. And as I indicated earlier, referral of the civil-rights bill to the calendar is only the beginning of the struggle on that issue. Only the virtually solid support of Republicans in the Senate can assure passage of this vital legislation. The votes in the House and Senate this week show that the Democrats are hopelessly split on civil rights. Incidentally, I think we will hear less and less about a Republican split from our friends across the aisle as the civil-rights bill is debated in the Senate. They will have enough fences of their own to mend.

I think there is a conclusion to be drawn from these recent legislative events. It is that we must put aside all talk about splits in the Republican Party. There is too much of the President's program still at stake to engage in any further divisiveness. The splendid showing of Congressional Republicans in the past week was highly encouraging. But we still have a big job before us, if we are to enact the legislative program that President Eisenhower has recommended—a program that the American people have clearly demonstrated they will support.

Jordan Celebrates 29th Anniversary of Independence

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL, JR.
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1957

Mr. POWELL. Mr. Speaker, when I returned from the Asian-African conference at Bandung, I announced that I would address from the floor of the House of Representatives each one of the participating nations on friendly terms with the United States on the occasion of a national holiday. May 25, 1957, marks the 29th anniversary of the independence of Jordan. In observance of that event, I wish to send greetings to the people of Jordan, His Majesty, King Hussein and the Honorable Mahmoud A. Rousan, Chargé d'Affairs ad interim, of Jordan.

Our keen concern for the preservation of the independence of other nations arises naturally from our own traditions of freedom and independence and from a deep awareness of the consequences to other nations, to the Free World, and to ourselves of the loss of true sovereignty by any nation. King Hussein is to be commended for his forthright stand against antidemocratic elements in his country. The influence of the mob has been successfully challenged in Jordan. King Hussein's vigor has set an example to other Arab governments which prefer to settle policy by means other than submission to subversively agitated mobs.

In his plea for national unity, King Hussein aimed his words at those dreaming of dismemberment of his country:

I am hostile to those who portray things wrongly to you and those inspired from outside their own country and those disloyal to their country. I am also hostile to those who try to drive a wedge between me and you. • • • We meant it when we said we would resist anyone trying to belittle our sovereignty and our security.

Jordan is more independent today than in a very long time past. King Hussein is methodically cleaning up those people who would have returned the country to the status of a dependency.

To read the decrees King Hussein has promulgated as part of his fight in Jordan does not warm the heart of a believer in democracy except as they

may be the necessary and we hope temporary means of averting a worse dictatorship. A stable state must be built essentially on public consent.

Democracy, since it must rest on literacy, education, and tolerant political traditions, is a plant of slow growth. The stability which King Hussein has preserved in Jordan must justify itself by works. The example of a victory over economic difficulties there would have great effect elsewhere in the Middle East. Such a victory will require substantial aid and wise friendship from the United States.

Let us hope that these problems plus the Israeli problem can be solved for the good of all men of good will.

Ratings of the 48 States in Army Educational Tests

EXTENSION OF REMARKS
OF
HON. RICHARD L. NEUBERGER
OF OREGON
IN THE SENATE OF THE UNITED STATES
Wednesday, June 26, 1957

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a letter dated June 24, 1957, from Mr. William R. Ming, Jr., national chairman of the American Veterans' Committee, which was addressed to all Members of the Senate and the House. Mr. Ming's letter includes the statistics released by the Surgeon General of the Army concerning the educational test given to all inductees for military service during the Korean emergency.

In addition to the national interest afforded by this table, which includes the period from 1950 through 1953, I am particularly proud of the rating made by my own State of Oregon. Members of the Senate will note that Oregon rates second among all the States of the Nation in the percentage of its inductees passing the Army educational test.

Ninety-seven percent of all Oregon inductees passed the test. Only Minnesota was higher, with 97.4 percent. All other 46 States were lower.

This achievement by the sons of Oregon parents, who were educated in Oregon schools, provides some measure of the generous and unselfish degree to which the taxpayers of our State have made sacrifices in supporting and maintaining an outstanding school system. It also is a tribute to the caliber of Oregon teachers and school administrators.

This achievement is made particularly notable because Oregon, in recent years, has been suffering an economic slump which has made it even more difficult and trying for its people to pay high State and local taxes which contribute to the maintenance of education.

Mr. President, I ask unanimous consent to include in the CONGRESSIONAL RECORD the letter and statistics presented by the American Veterans Committee, along with an excerpt from the July 1 weekly news column, prepared by Mrs. Neuberger and myself, which discusses this particular question. As a former schoolteacher in the Oregon school system, Mrs. Neuberger especially shares by pride in the record of our State.

There being no objection, the letter, table, and excerpts from the article were ordered to be printed in the RECORD, as follows:

AMERICAN VETERANS COMMITTEE,
Washington, D. C., June 24, 1957.

To the Members of the 85th Congress:

In the last emergency this Nation faced, at the time of Korea, figures compiled by the Office of the Surgeon General, Department of the Army, revealed that the percentage of rejection of inductees and enlistees for failure to pass the education test was highest in the Southern States of the Nation.

The attached table, based on the figures released by the Surgeon General, illustrate this fact. Parity on the attached chart is based on the national average wihch was 84.6.

The inductees and enlistees from Northern and Western States established a much better record as shown in the attached table.

In a special study done by the Selective Service System, Special Monograph No. 10, volume 1, "Special Groups," 1953, page 166, it was stated:

"The high rate of rejection of selectees, both white and Negro, for educational deficiency and failure to meet minimum intelligence standards calls attention to a problem which affects the Nation in time of peace as well as war. In peacetime, it prevents the effective participation of large numbers of citizens at a productive level. In war, it is even more impossible for these same individuals to make their full contribution to both production and security.

"This leads to the conclusion that the inability of large numbers of citizens to meet minimum standards of education or intelligence has broad significance. The failure of one State to be able to make its proportionate share of manpower available for national defense causes other States to assume a disproportionate share of the responsibility.

"The question as to whether or not one community, county, or State provides adequate educational opportunities is a matter of concern for all of the citizens in all of the States. Communities, counties, and States with high educational standards are compelled to absorb the manpower procurement deficiencies of States with poor educational programs. In the final analysis, the former actually pay in lives for the education deficiencies of the latter. The safety of the Nation depends in a large measure upon citizens in every State and section having a reasonable minimum of education."

It is obvious from these facts that the problem of the educational deficiency in Southern States is a national rather than a local problem since in this particular instance it affects the people of all of the States.

The States that the chart shows lagging behind the rest of the Nation are in nearly every instance the very States in which segregated schools exist. Certainly, this would justify the conclusion that "segregated State educational systems do not produce results equal to the nonsegregated public educational systems."

The American Veterans Committee urges that Congress give consideration to these facts as it continues its consideration of the Federal aid to school-construction program and the proposals that this Federal aid should not be provided to those schools which continue to practice segregation.

Our Nation should not be in the position of facing in any future emergency a condition in which patriotic young men and women of the South cannot share equally with their fellow Americans from other sections the burdens of our defense because of an inadequate educational system in their section of the country.

Sincerely yours,
WILLIAM R. MING, Jr.,
National Chairman.

States ranked in order of rejection for failure of education test July 1950–December 1953

State	Percent rejected [1]	Percent passed	Percent passed on parity basis
Minnesota	2.6	97.4	115
Oregon	3.0	97.0	115
Iowa	3.1	96.9	115
Nebraska	3.6	96.4	114
Idaho	3.8	96.2	114
Utah	3.9	96.1	114
Washington	3.9	96.1	114
South Dakota	4.3	95.7	113
Montana	4.5	95.5	113
Wisconsin	4.9	95.1	112
Rhode Island	5.1	94.9	112
Kansas	5.3	94.7	112
Massachusetts	5.5	94.5	112
Wyoming	5.5	94.5	112
New Hampshire	6.2	93.8	111
North Dakota	6.2	93.8	111
Indiana	6.4	93.6	111
Colorado	7.2	92.8	110
Illinois	7.7	92.3	109
Michigan	7.8	92.2	109
Pennsylvania	7.8	92.2	109
Vermont	8.2	91.8	109
California	8.7	92.3	108
Connecticut	8.7	91.3	108
Nevada	8.9	91.1	108
New Jersey	9.9	90.9	107
Ohio	9.2	90.8	107
Missouri	10.9	89.1	105
New York	10.9	89.1	105
Maine	11.3	88.7	105
District of Columbia	12.4	87.6	104
Maryland	12.7	87.3	103
Oklahoma	14.0	86.0	102
Delaware	16.2	83.8	99
West Virginia	16.5	83.5	99
Arizona	16.6	83.4	99
Texas	19.1	80.9	96
New Mexico	19.9	80.1	95
Kentucky	24.4	75.6	89
Florida	25.4	74.6	88
Tennessee	29.9	70.1	83
North Carolina	30.1	69.9	83
Virginia	31.9	68.1	80
Georgia	37.9	63.0	74
Arkansas	38.2	61.8	73
Alabama	39.7	60.3	71
Louisiana	40.4	59.6	70
Mississippi	41.7	58.3	69
South Carolina	46.8	53.2	63
National average	15.4	84.6	100

[1] Medical Statistics of the U. S. Army, Annual report of the Surgeon General for calendar year 1953, Office of the Surgeon General, Department of the Army, Washington, D. C., 1955, p. 329.

[From Washington Calling for July 1, 1957]

OREGON'S SCHOOLS NEAR THE VERY TOP

(By Richard and Maurine Neuberger)

Everyone associated with education in Oregon—teachers, administrators, students, parents—have a right to be gloriously proud over a report which has just reached my desk.

Oregon ranks second among all the States of the Nation in the percentage of its inductees passing the Army educational test, according to an announcement just released by the Surgeon-General. This was for the period from 1950 through 1953.

Ninety-seven percent of Oregon lads passed the test. Only Minnesota was higher with 97.4 percent. All other 46 States were lower. Iowa, Nebraska, Idaho, Utah, and Washington ranked next in order. (Hurrah for our western teachers and pupils.)

At the very bottom, incidentally, were three Southern States: South Carolina, Mississippi, and Louisiana. Only 53 percent of South Carolina inductees made the educational grade.

Oregon's achievement affords some measure of the generous sacrifice made by our taxpayers—at a time of great economic adversity for the State—to give adequate support to a sound and adequate school system.

Everybody Can Help Lick Inflation

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1957

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the remarks of Hon. CRAIG HOSMER, Everybody Can Help Lick Inflation. We are becoming more aware not only of the danger but the need for understanding inflation, what causes it, and how it can be corrected. In this the Government figures prominently and Congressmen should responsibly shoulder the job of studying and combating this terrible menace to our form of society. In this spirit I commend this article to my colleagues:

[From National Republic of July 1957]

EVERYBODY CAN HELP LICK INFLATION

(By Hon. CRAIG HOSMER, United States Representative from California)

Perhaps the most important fact that Americans of our time have need to understand is that the causes of inflation must be removed or the burdens will become heavier and heavier until the breaking point is reached. To remove the present causes of inflation involves sacrifices which our people cannot be expected to make unless they realize fully the consequences of not making them.

Who is responsible for inflation? Who is hurt by it? Who must work to stop it? The answer to each of these questions is: Everybody.

We will get out of our inflation difficulty only as each of us comprehends the nature of the problem and the means of attacking it. We must get out of it if we are to avoid disaster.

The aged living in retirement, teachers, Government workers and others on relatively fixed incomes, have long felt the squeeze of prices spiraling beyond incomes. But that is only one of countless tragic burdens of inflation. Others are just now appearing to millions of Americans who formerly regarded "creeping inflation" as no more than an election year catch phrase, without real meaning in their own lives.

Let us start by tracing inflation developments from the years of World War II, when most of the Nation's productive capacity was devoted to making the weapons of victory. Civilian goods were scarce; rigid controls stopped people from bidding up prices. A high proportion of earnings went into savings simply because they had no place else to go.

Postwar removal of controls freed our economic system to return to its historic function of supplying civilian demands, and people began using their savings as well as current income to satisfy pent up desires for consumer goods.

New homes, new cars, new furniture became the rule rather in the American way of life. Power brakes, the second bathroom, hi-fi, and innumerable other refinements were added to old products. Television sets, television dinners, automatic dishwashers and a host of other completely new products were developed. For all these things the American people had a tremendous appetite. This vast new production has meant a constantly rising standard of living for the Nation.

At the same time the people's tastes became richer in the things they wanted from all levels of government. Welfare programs were expanded, thousands of miles of highways turned into freeways, and other new programs undertaken by the score because the people wanted them. Government expansion has been based on quantity as well as quality, for our rapidly growing population has multiplied the needs for schools, police protection, and all other services of government, old and new.

Taken all together, these evergrowing private and public demands for goods and services have aggregated more than could be produced. Since World War II the remarkable growth in our productive capacity each year, except for agriculture has been fairly consistently outpaced by an even more remarkable growth in demand.

With goods and services thus constantly in short supply, buyers and employers were willing to pay higher prices and wages until enough of each were priced out of the market to restore the balance between supply and demand. Had the process stopped there competition among purchasers, which drives prices up, would have shifted to competition among sellers which, if it does not drive prices down, at least keeps them stable. We would have had a little inflation, but not the tremendous amount we have experienced.

The price spiral did not stop because individuals and business alike used not only accumulated savings and current earnings to bid up prices, but another seemingly limitless resource—their future earnings, available by borrowing and repayable in easy installments. Government's vast powers to borrow against future revenues further swelled this inflationary force.

The result today is that not only has the bidding-up process operated to cheapen the value of money, but the very free availability of future dollars (credit) has had a further depressing effect on the value of current dollars.

Another complicating factor has been the steady pressure by workers and business to increase prices they receive as producers, to compensate for the steady increases they face as consumers. This is part of the endless circle known to economists as spiraling inflation.

Spiraling or not, that part of the increased money wages of a bricklayer, for example, resulting from this process and not from increased productivity is inflation. The same is true for that part of the increased price of the home he helped build which does not represent an actual increase in its intrinsic value. Dollars which buy less work or less goods are worth less.

It takes $4.65 today to buy what $4 did 10 years ago. During 1956 wages in California rose by an average of 6.7 percent; but two-thirds of the increase was canceled by rising prices. Only one-third went into increased purchasing power; two-thirds was "taxed away" by inflation. To the person whose wages did not rise, or who lives on a fixed income, the year meant a net loss in purchasing power.

For every family budget, an income of $116 a month is required for every $100 in the 1947 budget, to maintain the same living standard.

It is obvious that inflation will continue to impose this tremendous tax as long as our productive capacity for goods and services cannot fully meet our unrestricted demands. After all, 100 percent of supply is all there is and when the grand total of all the demands add up to 110 percent, prices are bound to rise until supply and demand are brought into equilibrium. This balance must be brought about speedily before inflationary pressures wreck our economy and bring disaster to all. It means doing something to expand our productive capacity faster and also doing something to put the brakes on demand while accomplishing it.

That sounds simple, but doing it in our complex economy is not so simple.

Expanding productivity depends largely on new and improved plants, machinery, and other instruments of production. The price tag on these for corporations alone is estimated at $60 billion a year. Probably an almost equal amount is needed by unincorporated businesses. The money can come only from reinvested earnings and new investments by individuals of their savings. At the present time neither source is proving adequate to finance as rapid an expansion of productive capacity as needed to remove inflationary pressures. Business has attempted to meet the deficiency by overborrowing, but capacity in that regard is coming to an end. An unpleasant side effect of such borrowing has been to help to drive interest rates up because so many additional borrowers were in the market clamoring for money.

The basic reason our economy has not been getting the amount of investment money it needs for expansion is taxes. High corporate income taxes have siphoned away large amounts of earnings that otherwise would be reinvested. High individual income taxes, which have caused many a TV quiz contestant to stop short of the top prize, because the tax bite makes the risk foolish, also discourage investors from risking their money for a disproportionately small return after taxes.

Although circumstances vary from industry to industry, the overall result is that only about $3.5 billion annually is being invested in new corporate stock issues, whereas capital from this source totaling $6 billion a year is required to finance the necessary anti-inflationary expansion of corporate productive capacity. The investment picture for unincorporated businesses is no less gloomy.

A reshaping of our tax policies is needed to provide both the means and the incentives for an accelerated investment in building up the Nation's productive capacity. Only in this way can we boost supply up near the demands we make, and only in this way can we create the vast number of new jobs needed to employ our rapidly expanding population.

Such tax changes are not a matter of lowering taxes on "big business and the rich" while "the poor" get no relief. Saying so is good demagoguery, but poor economics. Tax revision is a commonsense matter of doing what is needed in a free enterprise economy to eliminate the burdens of inflation and the threat of unemployment, both of which are far more disastrous to "the poor" than to any other economic category.

On the side of putting brakes on demand while supply is catching up, there are also serious complications.

It is not enough to say that government should cut its spending. Government in American democracy is but an instrumentality by which the collective will of the people is expressed. Government can cut spending only in response to a common decision of the citizenry that its highest welfare lies in foregoing desirable but not essential expenses of government until the inflation problem is licked.

Present dim prospects for this Spartan decision exemplify the vital need for a more realistic public understanding of the consequences of not making it. A wholesale constriction of Government spending is involved and even the most ardent advocates of public economy usually want it accomplished by sacrificing somebody else's pet programs. Probably little short of a reasoned fear of inflation—so almost a point of terror—can generate an effective public demand for even temporary Government frugality.

A similar public awareness of the economics of our situation is needed if Ameri-

The end product of that system is enjoyment by today's Americans of the highest

the development of the resources of the country in order to attain a better

stration that when people are contented and happy, communism makes but

certainly have no personal objections to him. However, I feel strongly that Mr. Kuyken-

"Page 245 to 255 of the transcript:

"Mr. MACDONALD. Sir, this morning there

mittee, along with an excerpt from the July 1 weekly news column, prepared by

aid should not be provided to those schools which continue to practice segregation.

South Carolina inductees made the educational grade.

were added to old products. Television sets, television dinners, automatic dishwashers and a host of other completely new products

prices are bound to rise until supply and demand are brought into equilibrium. This balance must be brought about speedily be-

generate an effective public demand for even temporary Government frugality.

A similar public awareness of the economics of our situation is needed if Americans as individuals are voluntarily to forgo satisfaction of personal demands for desirable but not essential consumer items during the period needed for productive capacity to be brought up into balance. The prospects for developments in this regard before it is too late also are somewhat on the dim side.

For that reason other inducements to individuals to forgo some of their demands for a while have either been brought, or allowed to come, into play.

Recent increases in interest rates by savings banks is an example. By making savings more attractive, bankers induce more people to put their money in the bank instead of spending for current wants. In this way some existing wealth is being taken out of the market place. The pressure on prices is lessened.

The rise in interest rates to borrowers is having a similar effect by taking some future dollars out of today's market places. As money becomes more expensive, some potential borrowers are priced out and others decide to forgo satisfaction of their wants until borrowing becomes less costly.

Unfortunately high interest rates are a shotgun approach to the problem of reducing demands on the economy. They often eliminate those for whom loans will accomplish the highest social purposes. The GI homeownership loan (a loan for an unquestionably desirable purpose) serves as an example.

The Government does not lend the money. It merely guarantees a private lender that his loan at not more than 4½ percent interest to a veteran home buyer will be repaid. In prior years that was about the going interest rate, so the guaranty feature made lending to home-buying veterans very attractive. As a result, nearly $40 billion of credit was channeled to GI housing.

However, today's going interest rates are up to at least 5½ percent. That rate is much more attractive than 4½ percent, even with a Government guaranty, so mortgage money for GI home loans has all but dried up. At the same time, others whose reason for borrowing is perhaps much less worthy get loans because they can afford to pay the added interest cost.

The result may help curb inflation, but it creates hardships by failing to direct the flow of available credit toward homeownership, financing schools, and attaining many other highly desirable objectives. Some say the answer lies in simply granting direct Government loans for socially desirable purposes. They ignore or fail to understand that creation of new and additional credit in this manner would seriously augment inflationary forces and soon drive prices of everything, including money, upward.

In any but the most extraordinary and limited cases Congress should forthwith reject proposals which involve pumping new sums of credit into the economy. If hardships are to be relieved and social objectives attained, the answer primarily lies in directing the flow of existing credit toward them, not in creating new amounts of credit to swell the inflationary stream.

But even this requires extreme caution. Legislation directing the interplay of economic forces toward accomplishment of social objectives, regardless of desirability, is always risky.

Our vital objective is permanently to remove inflationary forces from our economy. To do it we must increase productivity to the level of demand and, until that is done, artificially lower the level of demand. Any actions we take to alleviate hardship occasioned during the process must neither feed inflationary forces, impede rapid expansion of productive capacity, nor interfere excessively with the workings of our capitalistic, free-enterprise economic system.

The end product of that system is enjoyment by today's Americans of the highest standard of living, the most abundant general welfare, the most jobs and the highest wages of any people of any nation in any period of history. Our experience has shown that a certain amount of governmental regulation of the system—antitrust laws, minimum wages and the like—is needed to prevent abuses of the freedom inherent in it.

The experience of other countries, notably France and Great Britain, has shown that excessive governmental interference aimed at social objectives ends in economic chaos. These countries even experience difficulty in agreeing on the social objectives toward which to direct their impaired economies.

Victory in the battle against inflation, just as in battles against hostile nations, requires a willingness to sacrifice.

The people's understanding of these things is needed to guide their own individual courses. And, since political courage is sometimes as much a matter of public understanding as it is strength of personal character, the people's understanding is also needed to spur their public officials to take politically unpopular actions prerequisite to defeating inflationary forces and to resist alluring ones with an opposite effect.

Thailand Celebrates 25th Anniversary of National Day, June 24th

EXTENSION OF REMARKS
OF
HON. ADAM C. POWELL, JR.
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1957

Mr. POWELL. Mr. Speaker, when I returned from the Bandung Conference at Indonesia, I announced that I would address the House of Representatives on the occasion of the national holiday of each one of the participating nations on friendly terms with the United States. I wish to send greetings to the people of Thailand, His Majesty King Phumiphon Adundet, and His Excellency Pote Sarasin, Ambassador of Thailand, on the occasion of the celebration of the 25th anniversary of National Day, June 24, 1957.

Thailand enjoys the proud distinction of being the only nation in Southeast Asia, and one of the few on the continent of Asia, which has been independent throughout its history. Although from the beginning of her history Thailand had been governed by a progressive monarchy, the people threw off the yoke of absolutism on June 24, 1932, and proclaimed a constitutional monarchy with the hopes that the new government might better meet the needs of the times. Thailand enjoys all the principal features of democratic government including elections, a constitution, and a legislative body. In general, democracy is the established practice in Thailand's political institutions.

In this world so often beset by turmoils, Thailand has had the good fortune of being governed by farsighted, wise, and firm statesmen. She has thus known an era of unprecedented development, without disregard to her internal and external security. The leaders of the nation have as their primary aim the development of the resources of the country in order to attain a better standard of living for the benefit of all its people.

About 85 percent of the gainfully employed Thais are engaged in agriculture. Agricultural products carn over 60 percent of the national revenue. Farsighted governmental policies are providing research stations and the facilities to experiment with mechanization of rice production. Thailand's chief crop and mainstay, as well as the development of large irrigation projects to increase the yield per acre and the overall harvest. Although much remains to be done, notable progress has been made in industry and transportation. The Government's medical and health officials many of whom have been trained in American medical schools, recognize the great need for health improvement and the shortage of adequately trained medical personnel. United Nations antimalaria teams are cooperating with the Thai health officials. Success has also been achieved in the antiyaw campaign, launched through joint UNICEF and WHO action. Hospitals and clinics are being established and health education is being carried on throughout the land. Mobile health units travel both on land and water for the welfare of rural communities. The importance of education has been greatly stressed in the country. Keenly aware of the fact that a great number of the people are illiterate, the Thai Government has arranged for assistance by educational specialists through UNESCO and the United States Government.

The Thai people along with the rest of the free world know that a free and prosperous people is communism's most formidable foe. Every well-founded and happy home is a fortress against tyranny, while poverty and wretchedness are its breeding ground.

It is Thai policy to maintain friendly relations with other nations. In amplification of this policy she has taken her place with the free nations in United Nations sessions, and has benefited greatly from membership. Thailand was the first nation which responded to the appeal of the United Nations and sent troops, naval and air forces to fight side by side with other free nations in Korea, and actively participates in the councils of the United Nations.

The United States enjoys a historical friendship with Thailand. The United States is well represented in Thailand, where Americans are held in high regard. The Thais have welcomed American assistance in improving its economic well-being and keeping its political freedom. As examples of the projects which had added much to United States prestige are the highway construction, education and health programs.

Southeast Asia is undergoing a period of phenomenally rapid change. Much has been achieved. The free world can count itself fortunate that that incident and upheavals in the area, serious though some have been, have been markedly fewer and less widespread than the Communist agitators had hoped to achieve. Thailand in particular has given us an impressive demonstration that when people are contented and happy, communism makes but little progress.

Thailand's strategic position, its tradition as a free nation in southeast Asia, and its opposition to communism, give the country an important place in international affairs. It is an example and inspiration to other countries in the region who are engaged in the conflict with totalitarian aggression. As a bulwark against communism, the influence of the Thai may be beyond measure.

Again I salute Thailand and pray for continued mutual loyalty and respect between our countries and a continued strong purpose toward our peaceful aims.

Statement of Congressman Torbert H. Macdonald, a Representative of the Eighth Congressional District of Massachusetts

EXTENSION OF REMARKS
OF
HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1957

Mr. DINGELL. Mr. Speaker, on Wednesday, June 19, the Honorable TORBERT H. MACDONALD, Representative from the Eighth Congressional District of Massachusetts, appeared and testified against the confirmation of Chairman Jerome K. Kuykendall, of the Federal Power Commission, to a new 5-year term.

Mr. MACDONALD has been one of the most vigorous and outstanding opponents of the natural-gas bill in the House Interstate and Foreign Commerce Committee of which we are both members. I believe that his remarks in connection with the confirmation of Chairman Kuykendall are of the utmost importance to the American people, and for that reason, I have asked permission to insert them in the CONGRESSIONAL RECORD at this time.

I hope all will read the remarks of Mr. MACDONALD and that others will come to realize as I have that the Honorable TORBERT H. MACDONALD has been serving well his constituents and the consuming public of his country by his vigorous and forceful opposition to a bill which would cost the consuming public of this country some $950 million a year:

STATEMENT OF CONGRESSMAN TORBERT H. MACDONALD, A REPRESENTATIVE OF THE EIGHTH CONGRESSIONAL DISTRICT OF MASSACHUSETTS

Mr. MACDONALD. Mr. Chairman, I am TORBERT H. MACDONALD, Representative from the Eighth Congressional District of Massachusetts. I am very grateful to you and the other members of this committee for the opportunity to appear and present my views on the important matter that is now pending before this honorable committee.

I am appearing here this morning on the matter of the reappointment of Chairman Jerome K. Kuykendall to a new 5-year term on the Federal Power Commission. I would like at this pont to preface my remarks by stating that as far as I know Chairman Kuykendall is a fine gentleman personally. I certainly have no personal objections to him. However, I feel strongly that Mr. Kuykendall has not always carried out the main duty of his high office, namely to protect the public interest. The basis for my opinion is predicated solely on testimony given before the House Interatate and Foreign Commerce Committee, of which I am a member, on the natural gas legislation now pending before that committee.

The members of this committee are well aware that the House Commerce Committee has recently concluded the public hearings on H. R. 6790, the natural gas bill, which seeks to free producers from effective Federal regulation. Yesterday, in fact, we began executive consideration of legislation and will be continuing same during this week, at least.

Mr. Chairman, I am not here to argue or expound on the merits or demerits of the gas legislation that is now pending before the House Commerce Committee. Rather I think that this committee should have brought before it the part Chairman Kuykendall played in formulating this gas legislation.

I am sure that every member of this committee will agree with me that when Chairman Kuykendall took office as a member of the Federal Power Commission he took oath to enforce and follow the laws of the United States, especially those governing his own agency which was set up to protect the American consumer from the unfair practices of large gas producers. As we all know, abuses by certain large companies led to the passage of the Natural Gas Act in 1938.

I soon discovered, after questioning Chairman Kuykendall during the gas hearings on May 9, 1957, that he had not carried out the principles of that oath, but that he had called secret meetings with the three segments of the natural-gas industry, namely, Randall LeBeouf, Jr., of LeBeouf, Lamb & Leiby of New York City, representing the gas distributing segment; William Tarver, of Southern Natural Gas, Birmingham, Ala., representing the transmission segment; and David Searls, counsel for Texas Natural Gas Producers, representing the gas producing segment of the industry. The admitted purpose of the secret meeting was to draft a bill acceptable to all segments of the Natural Gas Industry. This meeting, as you may know, was held on the instruction of the White House. There is no question that the vetoed corpse of the first Harris gas bill was still warm when Mr. Kuykendall instituted this gas legislation. That he did so at the request of the White House is not a mitigating circumstance in my opinion. He was appointed to serve the public, not the White House. I feel that the actual testimony taken before the House Interstate and Foreign Commerce Committee should be included in these hearings lest I be accused of prejudice. I now insert the actual questions and answers as appear in the reporters' transcript of the hearings.

The following is taken verbatim from the official record of our committee hearings:

"TESTIMONY OF JEROME K. KUYKENDALL, CHAIRMAN, FEDERAL POWER COMMISSION, BEFORE THE HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE ON MAY 9, 1957, TO AMEND THE NATURAL GAS ACT

"Page 184 and 185 of the transcript:

"Mr. MACDONALD. Would the gentleman yield for one clarifying short question?

"Mr. O'HARA. All right; I will yield.

"Mr. MACDONALD. Do I understand that you say you were not consulted at all about this bill, or merely about the drafting of the bill?

"Commissioner KUYKENDALL. I was not consulted at all about this by anyone that I can recall.

"Mr. MACDONALD. Thank you, Mr. O'HARA.

"Mr. O'HARA. Does that clarify it?

"Mr. MACDONALD. Yes, sir.

"Page 245 to 255 of the transcript:

"Mr. MACDONALD. Sir, this morning there was some conversation about what part you had played in the formulation of H. R. 6790, which was introduced by Mr. O'HARA and Mr. HARRIS. Would you care to comment on your part, your role, in the formulation of this bill?

"Commissioner KUYKENDALL. Well, I commented this morning, and I will repeat it: I had no part in the formulation of this bill or any other bill.

"Mr. MACDONALD. If I were to say to you, sir, that it is common knowledge—or strike 'knowledge'—it is commonly reported, shall we say, that prior to the election, prior to the past Congressional and presidential elections, that you made it known to various segments of the industry that you wished they would get together to present to you a bill of this type so that you could make a report to the Director of the Bureau of the Budget, would I be saying something that was not correct?

"Commissioner KUYKENDALL. Yes; you would.

"Mr. MACDONALD. Then you categorically deny that you ever let any segment of the industry know that you were interested in their plans for the formulation of a new so-called gas bill?

"Commissioner KUYKENDALL. What happened was this, Mr. MACDONALD: That while Congress was still in session last year, and after the Harris-Fulbright bill had been vetoed, Jerry Morgan at the White House contacted me and asked me if I, without saying anything to anybody, could prepare a draft of a bill which I thought would fulfill the requirements that the President had stated in his veto message. So I told him I would try to do that. I went to work on it all by myself, and I soon ran into many problems. So I talked to Mr. Morgan, explaining that I could not do it myself, and the only way I could think to get it done quickly would be to confer with some of the people who had opposed the bill. I said I would like to talk with Mr. Randall LeBoeuf, who had been the spokesman of the distributing companies that opposed the bill.

"Mr. MACDONALD. What is his official title?

"Commissioner KUYKENDALL. He is a lawyer in New York City. I think he is in the room here right now.

"I talked with Mr. LeBoeuf, and he was willing to lend any assistance he could. He, however, agreed that we probably should get some representative of the producers and some representative of the pipelines.

"So I selected two other lawyers. I asked Mr. Searles, who has been a spokesman here for the producing industry on the previous bill, and I selected a Mr. Tarver, who used to be an attorney some years ago, long before I was with the Federal Power Commission, on the Federal Power Commission staff, but who is very knowledgeable about the Natural Gas Act and is now employed by one of the pipeline companies.

"Those gentlemen agreed that they would try to put together what they thought would be a good bill, and they did some work on it.

"In the meantime——

"Mr. MACDONALD. Did you see this bill while they were working on it?

Commissioner KUYKENDALL. I don't think this bill was in existence.

"Mr. MACDONALD. You said they were working on a bill, not H. R. 6790, but a bill, and I am asking you if you saw that bill?

"Commissioner KUYKENDALL. I saw several drafts of things they had drawn. None of them, so far as I know, ever saw the light of day.

"Then, as you will recall, last year, the President vetoed the farm bill, and other things clogged up the Congressional calendar, and it became quite clear to me that

there would be no possibility of the administration sponsoring a gas bill, and I inquired of Mr. Morgan, and he later checked with me, and said that it was definitely out of the realm of possibility for this year.

"So I told these other three men I have mentioned that there was no chance of any bill coming up that year.

"In the meantime, I learned, and I have forgotten now from just whom, that Mr. Heyke——

"Mr. MACDONALD. Who is he?

"Commissioner KUYKENDALL. Mr. Heyke is president of the Brooklyn Union Gas Co., had instigated some conferences, not among lawyers, but among executives of the industry.

"Mr. MACDONALD. Each segment of the industry?

"Commissioner KUYKENDALL. Yes.

"And then later, Mr. Heyke came to me and said he had heard rumors about some lawyers drawing a gas bill, and he had started these conferences, he hoped they would be fruitful, and he requested that I defer to him and not have sort of a competing group going. And so I acquiesced to that.

"Mr. MACDONALD. What time of the year was this conversation had?

"Commissioner KUYKENDALL. Oh, I don't know, perhaps around the time Congress adjourned, I am not sure.

"Mr. MACDONALD. August?

"Commissioner KUYKENDALL. And so I stepped out of the picture at that time, never called these three lawyers together again that I had talked with; but was aware of the fact, and was advised from time to time by Mr. Heyke, or some of the other parties, that he had gotten together, and generally of what they were trying to do.

"And Mr. Harris mentioned that he had gotten ahold of a statement of principles. Well, I believe I received a copy of that.

"Mr. MACDONALD. A statement of principles from whom?

"Commissioner KUYKENDALL. I don't remember whether I got it from Mr. Heyke or one of the others, from other segments of the industry, with whom he was conferring. But I took no part in that at all, but let them go their way with it.

"Mr. MACDONALD. And you say that is the last you had to do with those segments of the industry concerning a gas bill?

"Commissioner KUYKENDALL. Yes, except, as I said before, they reported to me now and then as a matter of courtesy. I remember one time they reported that they were just about at the end of their rope. They didn't think they could ever agree on anything.

Mr. MACDONALD. What time of year was this?

"Commissioner KUYKENDALL. I don't recall. I didn't keep any record of it.

"Mr. MACDONALD. Was it during October and November preceding the election?

"Commissioner KUYKENDALL. I don't recall whether it was preceding or after that election.

"Mr. MACDONALD. And that is all the connection you have had with this bill?

"Commissioner KUYKENDALL. That is all; yes.

"Mr. MACDONALD. Well, sir, as I understand it, the bill under which you administer the act, the act which you administer, was put in for the protection of the consuming public of the United States, was it not?

"Commissioner KUYKENDALL. Yes.

"Mr. MACDONALD. And that, as such, your primary if not sole duty is to the consumers of the United States; is that not correct?

"Commissioner KUYKENDALL. Well, to the public interest, which embraces all segments of the country.

"Mr. MACDONALD. Well, after elections are over, the public interest reverts to the people, the public interest is the consumers, because there are roughly 29 million consumers, and the number is going up all the time, as I understand it.

"Would you not say that your primary duty is to protect the people who use this gas, rather than those who produce it?

"Commissioner KUYKENDALL. Yes; and that is what I am endeavoring to do.

"Mr. MACDONALD. I would like to ask you this question: If, during the formulation of this bill which is now H. R. 6790, you did not call on any consumer group to find out how they felt about this matter, and relied solely on only the three segments of the industry that had to gain from any such bill?

"Commissioner KUYKENDALL. Well, that is a loaded question.

"Mr. MACDONALD. It is not a loaded question.

"Commissioner KUYKENDALL. I don't know what the distributors had to gain.

"Mr. O'HARA. Let him answer that.

"Mr. HESELTON. I think he has a right to ask it.

"The CHAIRMAN. The gentleman may proceed in order.

"Mr. MACDONALD. I would like to say this, sir: Any question that may seem adverse to you is not necessarily loaded, and I, as an impartial member of this committee, somewhat resent being told I am asking loaded questions when actually I am merely asking you why you did not consult with the people from whom the job that you occupy was created to protect the very people that you did not—at least as you yet have said—ever consult. And I am just asking you why.

"Now, that is not a loaded question.

"Commissioner KUYKENDALL. In the first place, I know of no sufficient consumer groups to go to; and I wasn't going to groups. I went to three individuals, and I admonished those individuals that there should be no publicity about this, and there should be absolute secrecy, because I did not want any rumors started that there might be another gas bill during the last session of Congress.

"Furthermore, the pipeline group, and particularly the distributing group, were antagonistic to the producers, and were in, and had the same position on the matter as did the consumer, alleged consumer groups, that opposed the bill last time.

"That is why I went to Mr. LeBoeuf, who had been the spokesman, the chief spokesman, for the opposition to the previous bill.

"Mr. MACDONALD. I would just like to say that I think, under the circumstances, you acted wisely by acting in secret for the purposes you had in mind. But I repeat my question, for I have not had an answer to it yet. You have gone on about what you did, but you have said that you did not consult with any groups of consumers, and I know that you do know of groups of consumers, because they appeared here 2 years ago when you were in the room and you listened to their testimony in opposition to the House bill.

"Commissioner KUYKENDALL. No; I did not consult with any consumer groups. I was consulting with lawyers.

"Mr. MACDONALD. Did you consult with any lawyers from a consumer group, of the mayors' association, for one, the mayors of 200 cities of the United States?

"Commissioner KUYKENDALL. No; I did not. I only consulted with these people I have mentioned.

"Mr. MACDONALD. Since the mayors of 200 large cities of the United States comprise, at least in theory, representation for millions of people, and millions of people who would be affected by this bill, I cannot quite understand why you did not, and I am asking for an explanation why you did not.

"Commissioner KUYKENDALL. This bill poses a question where the producers are one interest, and not only the consumers but the distributing companies and the pipeline companies were another interest.

"Many pipeline companies were not friendly to the bill last time.

"I got 3 extremely able men from those 3 segments of the industry, and I believe that among those the consumer interests were adequately represented.

"Mr. MACDONALD. Now, sir, I want to yield to my colleague, but I want to ask because I think this comes to the nub of it: You consulted with those three groups because you wanted a gas bill, that is not correct?

"Commissioner KUYKENDALL. Not groups; three individuals.

"Mr. MACDONALD. With 3 representatives of 3 segments of this industry. You, by virtue of consulting with them, were consulting with the industry, is that not correct, for the viewpoint of the segments which they represented?

"Commissioner KUYKENDALL. Yes; I chose one from each segment.

"Page 269 and 270 of the transcript:

"Mr. MACDONALD. Sir, to go back to what we were originally talking about, your connection with the formulation of this bill, I do not know whether you are aware of this or not, but on April 15, 1957, there appeared in the Oil and Gas Journal an article which included the following paragraph, referring to the gas bill:

"'Early hearing planned. The bill is based upon policies worked out by FPC Chairman Jerome K. Kuykendall in meetings with industry groups which he was asked to hold after the gas bill was vetoed by Eisenhower last year.'

"Do you say that that statement is not an accurate statement?

"Commissioner KUYKENDALL. Yes, I say it is not accurate. And I say that what I told you a little while ago is the truth.

"Mr. MACDONALD. All right, sir."

You will note that Mr. Kuykendall made several denials before he finally admitted that he had indeed originated a gas bill. The role, and sole role of the Federal Power Commission is to protect the public against the proven depredations of the gas industry.

The shocking thing in my mind is that Chairman Kuykendall never consulted a single consumer group the entire time this legislation was under consideration. If he was vitally interested in the consumers, he certainly was in a position to consult with any one of the 200 mayors of our large cities of the United States, who as you know, represent millions of people and whose association had so vigorously opposed the first Harris bill. I could never get a satisfactory explanation from him as to why the consumers were left out when his sworn job is to protect the public consumers against the manipulation of the natural gas industry. It is apparent to me, from the evidence, that Chairman Kuykendall has not been protecting the interest of the consumer. In fact, from his testimony, I am convinced that he collaborated with the natural gas interests, to the exclusion of consumers, in drafting a gas bill to ease Federal price controls on gas producers.

In order that the members of this committee may have a complete picture I would like to have made a part of the hearing record as well for the consideration of this committee, a number of questions I asked Mr. Randall J. LeBoeuf, Jr., who testified on behalf of Consolidated Edison Company of New York on May 20, 1957, and his answers to these questions. Likewise, I would like to have the questions I asked Mr. John E. Heyke, Jr., president, Brooklyn Union Gas Co. on June 4, 1957, and his answers, made a part of the hearing record. Their testimony reaffirms my position.

I am sure that if the members of this committee will study the questions I asked Chairman Kuykendall and the answers that he gave, together with the testimony of Mr. Heyke and Mr. LeBoeuf you will agree with me that Chairman Kuykendall failed in his primary duty to protect the people who use natural gas and favored those who produce it. The fact that distributors were involved is of very little consequence, for as we all know, the distributors merely pass along any increased cost to the consumer. Even more importantly the fact that all segments of this industry are closely intertwined is a fact beyond dispute. For example, Mr. Heyke, of Brooklyn Union Gas Co. and president of the Council of Local Gas Companies, in testimony before our committee stated: "Gas distributing companies are little more than sales agents for producers and pipelines."

Another illustration of the closeness of the three segments of the industry is shown by the fact that one of the principal witnesses for the pipelines in this natural gas bill hearing is leaving his position this month as head of a pipeline transmission company to become president of the large distributing company that services Chicago, Ill.

The record of the testimony before our committee is replete with testimony that Mr. Kuykendall consulted not only with his secret group representing the three segments of the industry, but also a second group in which everybody but the public was represented. Mr. Randall LeBoeuf, of LeBoeuf, Lamb, and Lieby of New York, who have clients in all phases of the gas and oil industry, worked hard and long as a member of both secret and nonsecret industry groups in drafting the bill now known as the Harris-O'Hara bill. The main point in both groups' bill and which is presently contained in the Harris-O'Hara bill, is the prohibition against the Federal Power Commission looking at the producers cost of production. This prohibition against looking at costs will cost the consumers of natural gas literally billions of dollars. It is the quid pro quo for which the producers are willing to file reports to the Federal Power Commission, whereas under the first Harris bill they would not even have to report. This prohibition is contained in the draft of legislation put forth by the secret group of industry representatives called together by Commissioner Kuykendall in principal No. 11, subparagraph (5). I am making this draft, which was furnished me by Mr. LeBoeuf at my request, a part of the record.

What this cost prohibition will mean to the consumer I think is clearly illustrated by a concrete example in the Denver, Colo., area. In this factual case if the Colorado Interstate Gas Co. was given a rate increase, based on the regular cost method now in effect, the increase would amount to $1,698,198, or a 26-percent increase, which of course is paid by the consumer. The same case based on a cost-prohibition basis which would be followed under the Harris-O'Hara bill would amount to $7,543,335, or an increase of 114 percent to the Public Service Co. of Denver, which in turn passes it on the consumer. This difference of 88 percent would be an annual increase of over $6 million.

With this illustration I think it unnecessary to go forward with other similarities in the two groups' bills which are to be found, but I have put them in the record for your perusal.

Both Mr. Heyke and Mr. LeBoeuf frankly admitted consulting with each other in April of 1956 about the drafting of a gas bill. (See p. 1614 of House hearings) while Mr. Heyke and Mr. Kuykendall consulted on the gas bill in May of 1956. The final draft of the bill was not finished until October of 1956. There is no dispute between anyone that this final draft is completely encompassed in the bill which is now H. R. 6790, and known as the Harris-O'Hara bill.

It is shocking to me, and I feel it will be to the committee to observe the role played in the originating of this gas bill by a chairman of a commission which has the duty to regulate the segments of the gas industry, to sit down in secret with the industry to draft a bill that would be satisfactory to that industry.

His duty is to protect the consuming public, not to draft legislation that will be satisfactory to the industry he is regulating. I think that the lack of judgment alone, shown by such an action would act as a disqualifying yardstick for reappointment to his high position. If, on the other hand, he was only being a messenger boy for an administration who was then engaged in a presidential and Congressional election, I feel that this too is a disqualifying yardstick, for the public has a right to look to protection far beyond that afforded by a messenger boy.

If there are other and perhaps more complicated reasons to be deduced from the factual evidence submitted here today, I can only point out that in no place in the record can I find any evidence that the present Chairman has fought for the protection of the consuming public in this matter.

Georgetown University Forum on How To Elect the President

EXTENSION OF REMARKS

OF

HON. KARL E. MUNDT

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 26, 1957

Mr. MUNDT. Mr. President, proposed legislation on the subject of the election of the President of the United States is before the Congress again. In that connection, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of a radio forum on that subject. The Georgetown University forum on "How To Elect the President" was held on June 9, 1957, and I was privileged to participate in it.

There being no objection, the forum was ordered to be printed in the RECORD, as follows:

THE GEORGETOWN UNIVERSITY FORUM—HOW TO ELECT THE PRESIDENT?

(Participants: Hon. Karl E. Mundt, Republican Senator from South Dakota; Mr. J. Harvie Williams, trustee, American Good Government Society and Director, Alexander Hamilton Bicentennial Commission; Dr. Howard Penniman, Department of Government, Georgetown University. Moderator: Mr. Matthew Warren.)

Mr. WARREN. "How to Elect the President?" is the topic for the 551st consecutive broadcast of the Georgetown University Radio Forum, another in a series of educational and informative programs from Washington. The Georgetown Forum was founded in 1946.

This is Matthew Warren speaking by transcription from the Raymond Reiss Studio, on the campus of Georgetown University, historic Jesuit seat of learning in the Nation's Capital.

Today's discussion will be, "How to Elect the President?". The participants are Hon. Karl E. Mundt, Republican, Senator from South Dakota; Mr. J. Harvie Williams, trustee, American Good Government Society and Director, Alexander Hamilton Bicentennial Commission; Dr. Howard Penniman, Department of Government, Georgetown University.

Transcripts of today's broadcast are available. Send ten cents to cover the cost of printing and mailing, with your name and address to Georgetown University Forum, Washington 7, D. C. Please mention also the subject matter of the transcript desired.

Both major political parties have come out for a reshaping of the present method of electing the President. Legislation has been proposed in Congress. What are the pros and cons? Today, we of the Georgetown University Forum bring you a discussion by a panel composed of an interested and most competent Senator, a Professor of Government, a keen student of practical politics.

Now to our discussion. Mr. Williams, would you explain our present system of electing a President; how it got started?

Mr. WILLIAMS. The President is elected by 531 Presidential electors, who correspond numerically to a Joint Session of the Congress. They are in turn elected by the people in the several States. The electoral college, or the so-called electoral college system is necessary in a constitution of separated powers. Otherwise, without the cardinal principle of separation, the legislative branch would elect the chief executive as is the case under all parliamentary systems. But the separation of powers is cardinal in our system, so the founding fathers established an electoral system whereby each state was represented in electing the President the same way it was represented in the Congress of the United States.

Mr. WARREN. As I understand it, this evolved rather than having taken shape from the Constitution itself?

Mr. WILLIAMS. It evolved in this way. Of course, in the Senate each State is equally represented as a coequal society of two Senators. That is the Federal principle of representation. In the House, the Representatives are according to the population of the State and vary all the way from Delaware's 1 to New York's 43. So if Delaware has 2 Senators, 3 electoral votes, New York with 2 Senators, has 45 electoral votes. The majority party in each State, as the party system began developing in the early 19th century, the majority party through the action of the State legislature allocated itself the full electoral weight in electing the President. So that by 1836, the presidential electors were elected by slates, 1 vote, for example, in each State was cast for the whole slate of electors, whether it be 3 or 25, whatever it was. At the same time, the voters still elected their representatives in districts. That was the beginning of the imbalance in the form of constituency of the executive branch and the legislative branch of Government.

Mr. WARREN. Senator MUNDT, I believe in January you introduced a resolution to amend the electoral system. First, would you tell me, is it necessary for Congress to make this change or to change the Constitution in any way?

Senator MUNDT. Yes, this requires a constitutional amendment. My resolution, Senate Joint Resolution 4 provides for that kind of constitutional amendment, which in turn, has to be referred back to the State legislatures.

Mr. WARREN. Would you tell me about the amendment itself?

Senator MUNDT. Yes. The amendment proposes to restore the original concept of the electoral college, whereby they were originally elected by Congressional districts.

As Mr. Williams has pointed out, practical politics being what it is, as we evolved from a young country, one State found out it could have more influence in the electoral college if it cast its electoral vote as a unit, in a bloc. And because it decided to do that, other States through their legislative action to keep their position of authority and power in electing a college, went to the same system. This constitutional amendment simply says this, in layman's language: That since each State has a number of electors to which it is entitled by its number of Senators and number of Congressmen, that instead of electing them in a bloc so that they vote in a unit, that we will elect them precisely in the same manner that we elect in each State the Senators and the Congressmen. In other words, take any typical State. Take Kansas or South Dakota. There in a presidential election under our reform amendment, the members would vote, the people would vote for 2 electors-at-large, representing the 2 Senators. Then within each Congressional district they would vote for 1 Congressional presidential elector. So that they would have electors to the electoral college chosen precisely by the same constituency in the same election and in the same manner as they vote for their Senators and Congressmen. Thus, you would give both the minority point of view and the majority point of view in each State the representation. I know that in certain States like the States of the deep South, where they are trying to develop a two-party system, in the States of New England, where they are trying to strengthen the minority parties to have a workable two-party system, this gives vitality and validity to the two-party system of America and to actually having representative votes cast for the President of the United States.

Mr. WARREN. Senator, I am not certain I understand why this would give better representation to the two-party system.

Senator MUNDT. I can point it out this way: Almost all States of the Union, with very few exceptions, in certain Southern States at the moment and certain States in New England at the moment, you could say certainly as far as 40 or 42 States of the Union are concerned right now, there are Congressional districts which are contestable, which are marginal, which sometimes go one way and sometimes go another in every State of the Union. Every State has districts of that kind. Those districts frequently occur in a State where you can predict in advance that the State vote is going to be either Republican or Democratic. If you select your electors by Congressional districts, then you would have a split vote at the electoral college. Perhaps Kansas, for example, might have X number of votes cast for a Republican President in the electoral college and X number of votes for a Democratic candidate. I think New York State is the best illustration of that because of its size and magnitude and its importance. It has 45 electoral votes in the electoral college. As elections are now based, all 45 of the votes must go either Republican or Democratic. So that the winner-take-all theory gives the winner not only the votes that he gets but he adds to his votes the votes of the loser. So that 45 electoral votes, a tremendous bloc go for the winner under the present system.

Let's look at it under the so-called Mundt-Coudert amendment. Under that system you would have as many of the votes of New York as are chosen by Republicans in Republican districts go for the Republican candidate for President and as many of the votes of New York as selected by Democrats and votes that go Democratic by Democratic districts. And historically you would find that the spread would never be over about 8 or 10. That there might be, let us say, instead of 45 votes all going one way, you might have 18 votes going one way and the other 27 votes going for another candidate. So you would get direct representation and each district gets to have its vote counted in the electoral college in conformity with the way that the people wanted them to be counted when they voted.

Mr. WARREN. Would this tend, Dr. Penniman, to eliminate the possibility of a President being elected by an electoral vote and yet lose the popular vote?

Dr. PENNIMAN. This has seldom happened, Mr. Warren, at any time in our history. It is true that a President twice in the last 40 years has—50 years—had less than the popular majority. But as a matter of actual fact, it has only been 1 time in the last 70 years that you have had a President who had less than a plurality at least of the popular vote who was elected President under our existing system. It would still be conceivable, though somewhat less likely, that the same thing could happen under the proposed amendment which Senator MUNDT has put up, that is to say, since it isn't exclusively by districts, and you do have the senatorial votes in there, it would be conceivable if there were three parties, say, contesting an election that you could get a man with more popular vote getting the nomination in the electoral college. I think this is unlikely but it is at least conceivable. As I understand the amendment, there would even be a situation where you could not get a majority of the electoral vote, in which case it, and here again I believe there is a change in your proposal, Senator, that instead of going into the House of Representatives where it now goes under the present arrangement, if no candidate has a majority of the electoral college vote, it would go into a joint House-Senate arrangement.

Senator MUNDT. That is correct, with each member of the joint session casting one vote. In other words, this is all built on the idea that instead of having what we now have, which is a presidential constituency and a Congressional constituency voting in America, sometimes in conflict with each other, and frankly having a President of one party and a Congress of another, you would have the same constituency voting for both the Presidency and the Congress in the same election at the same time. And thereby tend to eliminate these incongruous situations which frequently results in stalemated government or a failure of the popular vote to prevail.

Mr. WARREN. Campaign tactics could change conceivably?

Senator MUNDT. They would change entirely, because now a candidate for President desiring to be elected has to figure out what kind of appeals to make, what kind of a platform to present, what kind of campaigning to undertake to appeal actually in 8 great States of the Union which have 12 tremendous large cities. A candidate, either a Democrat or a Republican, who can direct his appeals successfully to win the votes of those people in those crowded cities, the 12 big cities in the 8 tremendous States is almost certain to win. As a consequence, you find that whenever the Democrats have a national convention or the Republicans have a national political convention, they ask themselves at convention: Who can carry the votes of the 12 big cities in the 8 large States? They don't really consider seriously candidates for President in any of the other areas. So, going back almost until the memory of man runneth not to the contrary, you will find that in recent American history, since the urban development has taken place, that both political parties select as candidates for President people from the large populous areas. You go back and ask yourself, the home town or the home State of our recent Presidents, with the sole exception of Harry Truman, who ascended to the Presidency through the Vice-Presidency, these have been people coming from California, or from Massachusetts, or from New York, or from Illinois, or from the big States, because they know those are the States they have to win. This would change all that. We would have 435 electoral districts, each equally important, each casting the same strength in the electoral college. Each voter would, in turn, have what he should have in America, in my opinion, equal voting strength. We now have a situation wherein in New York, for example, every man who votes exerts 45 pounds of presidential pressure in the electoral college, because his vote puts in motion 45 voices in the electoral college, and an equally intelligent and able and patriotic and competent voter in the State of Delaware, when he votes for President, puts into motion only 3 voices. He exerts only 3 pounds of presidential pressure because he has 2 Senators and 1 Congressman, whereas in New York State they have 2 Senators and 43 Congressmen. There is something basically wrong in a constitution dedicated to the concept that men are created equal, that States like New York and Delaware should have such a disparity that a voter in New York State has 15 times as much importance as an individual as a voter has in Delaware. You can relate that to every State in the Union. Unless you live in New York State today, you are a second-class American when it comes to voting for President. We would make all voters first-class Americans by giving them 435 elector districts, each with equal power, equal authority, and as to the campaign tactics, that would mean both parties, both candidates for President would have to appeal nationwide issues to people across the country because each would vote with equal strength.

Mr. WARREN. Evaluating Senator MUNDT's proposed amendment, Dr. Penniman, what questions come to your mind?

Dr. PENNIMAN. There are a number of questions that have been raised by various Members of Congress in debating it a year or so ago. The present proposal which the Senator has is a modification of that, and I think to some extent has taken care of it. One of the problems raised, Senator, was that problem of gerrymandering, that is, the suggestion was made that since the rural areas have a greater voice in State legislatures sometimes than their numbers might suggest, at least in one house of it, that your proposal would make it possible for greater imbalance and greater representation of the rural areas, smaller towns, smaller cities, than at present exists.

Senator MUNDT. You are exactly right, Doctor. That was one of the criticisms raised when we had this bill up for a vote in the Senate a year ago. Where, incidentally, it received a majority of the Senate vote but not the two-thirds' majority required for a constitutional amendment. So we have reintroduced it, modified, changed it to eliminate some of those criticisms with regard to gerrymandering, for example.

The new amendment provides that the elector district for president shall be of compact, contiguous territory, and have approximately equal population. So that you have a constitutional mandate to the legislatures to conform to that provision. But talking about gerrymandering, may I suggest that no system of gerrymandering could conceivably be devised which could be as unjust and as unfair and as unequal as the present one where, for example, you have gerrymandered a situation so that a single citizen voting in the State of New York has 15 times as much power, as much influence, as much importance, as a voter in the State

of Delaware, or in the State of New Mexico, or Arizona, or South Dakota. There it is about 10 or 12 times. It is overly powerful from the standpoint of New York's influence against any other State in the Union. Even the next 2 larger States, Pennsylvania and California, have only 31 electoral votes. So they, in turn, have been gerrymandered out by the present system as against New York State.

Mr. WARREN. Mr. Williams, would you tell us about this gerrymandering and what it is, how it came about?

Mr. WILLIAMS. The word "gerrymandering" is a manufactured word that describes the situation where the elective majority in a State caused representative districts in favor of the majority party by torturing geography and picking areas so that the majority party in the legislature can elect and reelect a representative from that district. It began in Massachusetts under a governor named Gerry; during his administration, Congressional districts were drawn long and snakelike, and described as a salamander because they resembled the salamander, which is a reptile. So the term "gerrymander" began then, and it comes on down to date.

Dr. PENNIMAN. Senator, there are a couple of other proposals that have been made, one of which has little chance of any serious consideration, which would be a popular election of the President on a national basis. The second one would divide the State votes on the same basis as the electoral college, but at the same time, abolish the electoral college. It is argued, I believe, that if you had a statewide vote, divided proportionately, that you would force in the South, for example, or in any of the one-party States, North or South, you would force both of the parties to work a lot harder at their own business of getting out voters than you do under the present system where Mississippi is sure Democrat and Vermont is sure Republican.

Senator MUNDT. That is, of course, correct. The present amendment that we are discussing aims in that direction. Now the reason we prefer that to these other suggestions which you have mentioned, the popular vote, would, of course, erase all State lines, would sound the death knell to States rights and would tend to vitiate the concept we have in the United States Senate that each State is entitled to equal representation in the Congress. That could never be adopted by the State legislatures of States, most of which are smaller States than a State as large as New York. The proportionate representation theory has something to recommend it, except for this: It injects into the American electoral system the concept of proportionate representation which has practically destroyed free democracy and representative government in Europe. Because it tends to fragmentise the parties, fragmentize your electorate up into ten or a dozen different parties when you start counting fractional measures. We wouldn't want to bring that system which has failed in Europe, in my opinion, over to the Western Hemisphere.

May I point out there are at least 6 specific advantages, I think, of the so-called Mundt-Coudert amendment, this Senate Joint Resolution No. 4. In the first place, our system more nearly reflects the will of the people, because the vote of the people in 435 electoral districts would have equal authority and equal power. In the second place, it would be an added incentive to individuals to vote in the presidential election. There is something wrong with the system when it attracts only about 55 percent of the electors to the polls. The reason they don't go in many areas is they recognize that either their vote won't be counted or it counts so small that if you live in a State of less than 2 million people population as against New York State, you think it is a rather futile thing in order to vote. The third advantage is that it would broaden interest nationally in obtaining the best people possible as candidates for President and Vice President on both the Democratic and Republican tickets. At the present time it is still true that any American boy or any American girl can hope to be President. You have to modify it. They can hope to be President if they live in New York, Massachusetts, Pennsylvania, California, Illinois, Ohio, Michigan, or New Jersey. Otherwise, it is a futile hope because you have to select candidates from big States to even have a chance. Of course, under the present system no good Democrat from the South would even get the Democratic nomination for President because they have been ruled out by the mass of influence of voters in the large States.

The fourth advantage is it would give the President and the Congress the same constituency, voting at the same time and the same place and the same district. The fifth is that it would restore the electoral concept of the Founding Fathers in writing into our Constitution the district system that they used and which was used successfully until practical politicians seeking for political advantage swung over into using the bloc system or the unit system. The sixth is it would equalize the individual voting power of each citizen, regardless of his home State. It would give us first-class American voters in every State of the Union. There are many other advantages, but those, it seems to me, are overwhelming and prevailing and justify the attention of intelligent Americans all over this country to taking this needed step to reform the process by which we elect the President and the Vice President of the United States.

Mr. WILLIAMS. It seems to me your proposal would appeal to the States where you do not have a large city of the sort like New York, or Chicago, or Los Angeles, and so on. But I wonder what are the chances of its actually being passed by the Senate and the House and later ratified, since you do quite frankly seek to reduce the power of some 12 major cities.

Senator MUNDT. I am glad you asked that question because what you actually reduce is not the power of those States. They keep the same electoral vote they have. They count them up differently and divide them differently. All you do is reduce the power of the pressure groups in the big cities. Actually, we had some votes in the Senate when we voted before from these eight States because the rural votes, the votes outside of the great metropolitan areas, are interested in having their influence enhanced. In this way they, in turn, from their Congressional districts can be heard and their votes can be counted. When you get to the House of Representatives or the State legislature, I am sure the people representing the outlying districts from the large metropolitan areas will be as enthusiastic for this kind of corrective as are the people even in the smaller States.

Dr. PENNIMAN. There is one other point, I think, that ought to be pointed out here, and that is that the Federal system of government, our Federal Union of States is altogether different from anything that had happened before or since. Personally, I regard it as the greatest development in statecraft, that our great contribution to statecraft is our Federal system. And our political house, the presidential house and the congressional house, are altogether different. They should certainly be based upon the same plan of architecture, although they live in separate houses.

Senator MUNDT. I agree our Federal system is tremendously important. I have often said that in my opinion the 10th amendment is the most important single amendment to the Constitution. It protects our Federal system by giving the rights of States the importance that they have. It is the crowning arc. The one big differentiation between our system of democracy and the way it operates in any other area of the world is because we do have that 10th amendment, because we do have this Federal Union of Commonwealths or separate States, and it destroys the tendency to have overly powerful centralized government that we see looming up in every other country of the world and which even in our own country is a constant peril, but we do have the protection of the 10th amendment.

Dr. PENNIMAN. Senator, it would seem to me from what you have just said, and I haven't checked votes—are the votes supporting this coming from all the other States except the big ones, and even in the big States, are they coming from the non-city votes, so to speak?

Senator MUNDT. In the House of Representatives, that is true. But, I am happy to report, even in the Senate, where your Senator represents the rural areas and the big areas, we have votes from Pennsylvania, from Illinois, from Ohio, from Michigan, from New Jersey, people who recognize in those States, too, the people who do not live in the big flesh pots of humanity, are also Americans, also have a right to be heard, their votes should also be counted, and we should not yield only to pressure groups operating in certain selected 12 big, gigantic American cities.

Mr. WARREN. Thank you very much, gentlemen. I am sorry, but our time is up for further discussion of "How To Elect the President." Our thanks to the Hon. Karl E. Mundt, Republican, Senator from South Dakota; Mr. J. Harvie Williams, trustee, American Good Government Society and director, Alexander Hamilton Bicentennial Commission; Dr. Howard Penniman, Department of Government, Georgetown University.

You have attended the weekly discussion program, the Georgetown Radio Forum, broadcast of which was transcribed in the Raymond Reiss Studio on the campus of historic Georgetown University in Washington, D. C.

Next week you will hear discussed "Foreign Aid, the People Speak." Our panel at that time will consist of the Honorable EDITH GREEN, Democrat, Oregon; the Honorable PETER FRELINGHUYSEN, JR., Republican, New Jersey; the Honorable RAY J. MADDEN, Democrat, Indiana.

We welcome your comments and suggestions. Address the station to which you are listening.

Comparison of Proposed Hells Canyon Dam With Three-Dam Project Licensed by Federal Power Commission

EXTENSION OF REMARKS
OF
HON. HAMER H. BUDGE
OF IDAHO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1957

Mr. BUDGE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following comparison of proposed Hells Canyon Dam with the three-dam project licensed by the Federal Power Commission.

Comparison of proposed Hells Canyon Dam with 3-dam project licensed by FPC

[All figures in this tabulation are from Government sources and records]

	FPC 3-dam licensed project	Proposed Government dam at Hells Canyon
1. Power output, dependable capacity (see note on item 1).	767,000 kilowatts (FPC finding No. 32; staff exhibit 375).	785,000 kilowatts (FPC staff exhibit 367).
2. Average annual energy production (see note on item 2).	5,720,000,000 kilowatt-hours (BPA power study, June 15, 1956).	5,185,000,000 kilowatt-hours (BPA memorandum, Aug. 11, 1955, Committee Print 1–A, S. 1333, p. 16).
3. Cost of project (see note on item 3)	FPC estimate $175,766,000 Company and contractor's estimate 133,000,000 Transmission lines 21,000,000 Total cost 154,000,000	USBR, estimated; letter of Secretary of Interior, July 1, 1957 (House hearings on S. 555, p. 215) $343,000,000 Transmission lines 129,500,000 Total cost 472,500,000
4. Power cost, at market (see note on item 4)	3.15 mills, before taxes (FPC staff exhibit 372); 4.5 to 5 mills, including taxes paid.	3.79 to 4.4 mills (no taxes paid); testimony of USBR witness, S. 555 hearings, p. 89; Army and USBR reports on Hells Canyon estimate power costs at 4 to 4.4 mills.
5. Benefit-to-cost ratios (see note on item 5)	2.5-to-1 (examiner's finding 151)	1.85-to-1 (examiner's finding 150).
6. Availability of power to entire region	Yes; required by FPC license	Yes.
7. Active storage space	1,000,000 acre-feet	3,880,000 acre-feet.
8. Effective storage for flood control	do	2,300,000 acre-feet.
9. Annual flood-control benefits (see note on items 9–11)	$1,000,000	$2,300,000.
10. Navigation benefits	$106,000	$186,000.
11. Recreation benefits	Larger dam might attract more tourists, but "insofar as hunting and fishing are concerned, the 3-dam plan would probably be superior" (FPC decision, p. 11).	
12. Taxes payable (per year)	Federal (per year) $5,790,000 State (per year) 3,960,000 Total (per year) 9,750,000 (House hearings on S. 555, p. 276.)	Federal: None. State: None.
13. Power revenues to aid reclamation	Yes; if Congress so provides	Yes; if Congress so provides.
14. Development of phosphate fertilizer	No difference. Transmission cost alone for Federal power, 400 miles to phosphate beds, would be 2 mills per kilowatt-hour (testimony of BPA chief engineer, House hearings on Interior Department appropriations for 1955, p. 1211).	
15. Development of electro-process industry	No difference, with cost and losses for transmission to areas where labor and transportation are available for industry location.	
16. Best plan of comprehensive river development	Yes. FPC found (decision, p. 19) that the 3-dam plan is "best adapted to a comprehensive plan of development."	No. FPC recommended (decision, p. 19) that the United States should not undertake the development of Hells Canyon.

NOTES

Item 1. Power output: Government dam proponents compare power output figures of 924,000 kilowatts for the Hells Canyon Dam, as against 505,000 kilowatts for the 3 dams licensed by FPC, derived from the report of the FPC hearing examiner. The report itself shows, however, that these figures are not comparable: The 505,000 figure for the 3 dams is "at site" power production only (the comparable output from the high dam is 513,000 kilowatts); the 924,000 figure for the high dam is at site power, plus power assumed to be produced at 8 plants farther downstream, 5 of which are not in existence. To build these 5 additional plants would cost the Government another $873,000,000 (Public Works Appropriation for 1958, hearings, pp. 129, 144). Even this added cost would not change the dependable capacity comparison as, if these 5 plants were constructed, FPC staff exhibit 367 shows that the dependable capacity would be: High dam, 800,000 kilowatts; 3-dam licensed project, 783,000 kilowatts.

Item 2. Average annual energy production: When the high dam reservoir is low, the turbines could not operate efficiently, and Hells Canyon would produce less power than the 3 dams. At the 1952 hearings on H. R. 5743, p. 300, the Power Manager of BPA testified that in low water years, generation at the high dam would have to be cut down to only 66,000 kilowatts for 3 months of the year. (See also note to items 7–9, below.)

Item 3. Cost of project: The above estimates do not include other costs included in the pending bills to authorize Hells Canyon. Total costs authorized by these bills would amount to over half a billion dollars. The Secretary of the Interior reports (letter of July 1, 1957, House hearings on S. 555, transcript, p. 215) that the construction authorized by the Hells Canyon bills would require appropriations averaging more than $87,000,000 per year for the next 6 years.

Item 4. Power cost: A power-cost comparison, appearing in a tabulation prepared by high-dam proponents, of 2.7 mills for the high dam, as against 6.69 mills for the 3 dams, is based not only upon the incomparable "power output" figures in note 1, but also upon an assumed construction cost for the 3 dams of $191,000,000 (see item 3 in above tabulation), and upon assumed operating costs "370 percent higher" than the actual costs of the Idaho Power Co. The examiner made this clear in his report (pp. 17, 19).

Item 5. Benefit-to-cost ratio: The FPC findings (Nos. 33–35) show a benefit-to-cost ratio for the 3 dams of 1.3 to 1 on power output alone, without giving credit for the flood control and navigation benefits (over $1,100,000 annually) resulting from the licensed project. The ratios shown for the high dam include these benefits. Thus the actual benefit-to-cost ratios are even more in favor of the 3-dam project than indicated in item 5, in the tabulation, above. FPC Staff Exhibit 372 showed that the additional power from the high dam would cost (annually) $8,199,000, and would have a market value of only $5,221,000—i. e., a benefit-to-cost ratio of only 0.64 to 1—and would therefore be economically unfeasible.

Items 7–9. Comparative storage capacity: The 3,880,000 acre-feet of storage space behind the big dam cannot be filled except in about 4 years out of 20; the 1,000,000 acre-feet of storage in the FPC licensed project can be filled every year (hearings on H. R. 5, chart, transcript, p. 237). The FPC found (decision, p. 9) that the 1,000,000 acre-feet of storage in the 3-dam licensed project is consistent with the Army's flood-control plans.

Items 9–11. Flood control, navigation, and recreation: The FPC found (decision, p. 11) that "the public purposes such as flood control, navigation, and recreation could be effectuated to about the same extent under either plan of development."

Address by Secretary of Agriculture Ezra Taft Benson

EXTENSION OF REMARKS
OF
HON. B. CARROLL REECE
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 26, 1957

Mr. REECE of Tennessee. Mr. Speaker, in all my experience in public life, I have seen no one more honestly, fearlessly, or effectively meet his responsibilities as a public official than Ezra Taft Benson, the Secretary of Agriculture, and I think everyone who has opportunity of meeting him and hearing him explain his deep interest in agricultural problems and his proposals for resolving them in the interest of the farmers and the country cannot help but be deeply and favorably impressed.

On June 19, 1957, he addressed the Tennessee Farmers Convention at the University of Tennessee, Knoxville, Tenn., at which he was introduced by President Brehm, who himself has shown a great interest in agriculture as well as all other phases of education.

Mr. Benson's speech is one that I feel should be made more widely available, not only to the Members of Congress but to others, and for this reason I am taking opportunity to place it in the RECORD.

Mr. Benson has met challenging problems in a challenging way, representative of his training and religious background.

The address follows:

ADDRESS BY SECRETARY OF AGRICULTURE EZRA TAFT BENSON BEFORE THE TENNESSEE FARMERS' CONVENTION, UNIVERSITY OF TENNESSEE, KNOXVILLE, TENN., JUNE 19, 1957

This is a distinct honor, a high privilege, and a challenging responsibility. One of the real pleasures of my office is to meet first hand with farm groups like this one.

There is something about a farm audience, whether in Tennessee or Illinois or Idaho, that makes me feel at home. Farm people have a special way of looking at things. They know better than any other group that "as a man sows, so shall he also reap." They know the meaning of hard work. They feel the satisfaction that comes from producing our most important single commodity—food. Working as they do with growing things, they understand life and they feel close to God.

These things come to me through my own rural and religious background. I treasure them as a part of my heritage and I am lifted up when I recognize them in other people.

It is refreshing to get away from Washington and meet face to face the people I serve. A public official must do this if he is going to keep his perspective.

I have been told that this is the 84th annual session of the Tennessee Farmers' Convention and that yours is the oldest meeting of its kind serving farm people in the South. That would trace your beginning back to 1873.

What tremendous changes have occurred during the lifetime of this organization.

When this organization was founded, the farm people of Tennessee were bravely reconstructing an agriculture which had been shattered by a long period of war and upheaval. They were reaching out to learn more about scientific farming, then just beginning to be born.

The census shows that there were 64,000 work oxen on Tennessee farms in 1870. Muscle, human and animal, was the farm powerplant. Plant and animal diseases ran their course uncontrolled. "Blight" was the common epitaph for crop failure, as were "colic" and "pip" for the loss of farm animals.

When this Convention was founded, 84 years ago, soil conservation was little practiced. Farmers plowed up and down hills and the topsoil washed down into the valleys after every rain. There were no county agents, no 4–H clubs, no home economics clubs, no vocational training.

Farm life was hard. Many lives were shortened by typhoid, diphtheria, and other diseases which ran their courses unchecked. There was no electricity and there were almost no paved roads. When the Tennessee Farmers' Convention began, the average farm boy or girl in this State received only a few years of schooling.

Those were what we sometimes call "the good old days." They may have been good in some respects. But they were not good enough.

Since 1873 agriculture in this State and Nation has been literally transformed. There have been more changes in agriculture during these 84 years than in all the previous years since Bible times. And you helped bring these changes about.

Tractors and trucks are rapidly replacing horses and mules as a source of power. In 1920 Tennessee had 2,000 tractors; by 1955 there were 90,000.

Farms are more diversified today than they were in years past. Livestock farming has come forward rapidly in recent years. In 1924, the dairy enterprise brought in only 4 percent of your farm income; now it brings in 14 percent, which is more than the income from tobacco. Thirty years ago cattle brought in only 6 percent of your income; now they bring 15. Cotton, which has long been the top income producer among your farm enterprises, continues to lead but by a slender margin.

Farms have grown larger and fewer as mechanization has made it possible for a man to take care of more acres. Since 1935 the number of farms in Tennessee has declined 26 percent. By 1950 only one-third of Tennessee's population lived on farms, compared with about three-fourths when your organization was founded.

As Tennessee has become more industrialized, part-time farming has become an increasingly important part of the rural economy. Nearly half the Tennessee farmers supplement their incomes with off-farm employment. Taken together, part-time and residential farms constitute about 40 percent of all Tennessee farms.

Today's farmers are doing a better job than their fathers or grandfathers ever dreamed of doing. They are conserving their soil, rotating their crops, applying fertilizer, controlling plant and animal diseases. They are growing twice as much cotton and tobacco per acre as they grew 25 years ago. They are keeping better livestock, and more of it.

The whole level of rural living has been lifted. Ninety-three percent of Tennessee's farm homes are electrified. Rural boys and girls in Tennessee now average more years of better schooling. Life expectancy in the State has increased from about 40 to 70 years.

All this has been accomplished because men and women like yourselves caught a vision of what could be done. For thousands of years farm people had borne with resignation the problems laid upon them by the vagaries of nature. Then came the revolutionary idea that science and technology could help solve these problems. Science was put to work and the progress has been astounding.

Yet we must not be complacent.

Agricultural progress has been tremendous, yes. Many of our farm people have done well. But there are whole areas that have been by-passed in the march of progress. There are areas where the people farm and live much as they did 84 years ago.

There are a million and a quarter farm families in the United States, about one-fourth of the total, with cash incomes from all sources of less than $1,000 a year. Though farm people total only 13 percent of the population, they make up 30 percent of the group with seriously low incomes.

There are concentrated areas of generally low rural income in the Southeast, in the Southern Appalachians, in the Cutover Area of the Great Lake States, in the Northwest and in scattered Intermountain areas of the West. In fact, rural people with low incomes are found in almost every agricultural county and in almost every community.

This is a human problem, not just an agricultural problem. When incomes are low and opportunity is restricted, inertia sets in. Participation diminishes in community, religious and civic affairs. People with seriously low incomes do not share fully in our economic or social progress. Nor do they contribute fully to the Nation's production of goods and services.

Farm legislation since the 1930's has been much concerned with programs of price-support and acreage allotments. Such programs lack meaning to farm people who have little to sell. Price support means little to a farmer with only a fraction of an acre of tobacco or only a few acres of cotton. If he got 200 percent of parity he would not have enough for the kind of living we should have in America.

If we had spent half as much money and effort during the past 25 years to develop agriculture's human resources as we have spent supporting the prices of farm products, both the farmers and the non-farmers would be better off.

Research and education have been used effectively by those who have already greatly improved their economic position. I recognize the merit of what has been done for our farmers on the larger, mechanized units. But we must not overlook the needs of those rural people on the bottom rungs of the economic ladder.

In the race we must all run, each man should have a fair place at the starting line. We should not all expect to breast the tape at the same instant. I believe in equality of opportunity. This is economic democracy. I do not believe in equal rewards for unequal contributions. This is pure socialism.

Why has the technological revolution bypassed so many rural people?

Many of them lack the opportunities which others of us have enjoyed.

Many of them are on small unproductive farms.

Many of them have not had adequate education.

Many of them have lived so long with restricted opportunity that they have become resigned and apathetic. One's natural desire to improve his lot can become dulled by repeated disappointment.

There is one explanation which I reject: That people in the low-income areas are chronic ne'er-do-wells and that efforts to help them will be unavailing. Everything I have learned about human nature as a county agent, as a church worker, and as a public official, tells me that these people will respond to enlightened programs based largely on self-help.

You people in Tennessee know that they will respond. President C. E. Brehm and Dean J. H. McLeod, whom you have just honored, have given constructive leadership in helping rural people in low-income areas. Tennessee experience, particularly with community development, was an important guidepost in planning the rural-development program. This is a new undertaking, especially designed to meet the needs of rural people in areas of low income.

This program is now 2 years old, and I want to tell you about it.

The purpose of the program is to open wider the doors of opportunity to those rural people with the lowest incomes. The intent is to help them meet the objectives to which they themselves aspire. It is a voluntary, grassroots program. A major concern is for the young people who are in the best position to take advantage of new opportunities.

For those rural people who have the desire and the ability to develop an efficient farm unit, there are supervised credit, adapted research, adult education, and technical assistance aimed at their special needs.

For those who choose nonfarm employment there are vocational training in the trades and industry, job information, and programs of industrial development.

For all people in the area there are programs to improve education and health, programs of community development and better living.

The program is decentralized. For every dollar and every decision supplied at the Federal level, many dollars and many decisions are made at the State and local levels. On the committees which guide the program in the counties there are many more private citizens than government workers.

The program has been launched on a pilot or demonstration basis. That is, pilot counties are named and experience gained thereby is used in other counties. This is the experiment-demonstration approach which has long been used successfully in the cause of agricultural betterment.

The program is a cooperative one. Not only the Department of Agriculture but other departments of government—both State and Federal—are participating. The farm organizations, the service clubs, the churches, and business groups, all work together with government. The program is headed by the Under Secretary of Agriculture, True D. Morse. Just 2 weeks ago Mr. Morse was here at Knoxville to speak at a rural development workshop.

Tennessee was one of the first States to name pilot counties—one of the leaders in this work. For more than a year the program has been going forward in Hardin, Grainger, and Macon Counties. More recently two more counties that wanted to get started were added—Houston and Marion.

All five of the Tennessee pilot counties have broadly representative rural development committees composed of leaders from both farm and nonfarm segments of the county's economic and social life.

Nationwide, there are 49 counties and 8 areas participating in the rural development program with the Federal Government on a demonstration basis. These counties and areas are in 24 States.

Already we have accumulated enough experience to point up several significant facts.

1. We have found that good research and extension programs, coupled with supervised credit and technical assistance, can help an enterprising farmer get ahead. If a man has the desire and the management potential, he can be helped to lift himself to a higher income bracket and a better level of living. He can do this even though his capital resources are limited. It is being done every day. There are many people in this audience who have done it.

2. We have found that nonfarm employment offers a good opportunity to increase income in many areas. Income from nonfarm sources is today the largest single source of earnings for farm people. Last year it totaled more than $6 billion, equal to one-third of our total net income of the farm population from all sources. The next largest source of income was from the sale of cattle, which brought in a little over $5 billion.

We have worked hard to develop the income opportunities presented by producing and selling cotton, tobacco, wheat, and cattle. But here is an income earner, larger than any of these, which we have taken for granted, or to a degree, even resisted.

Here, in eastern Tennessee, you have beautiful lakes, hills, and mountains—a wonder-

ful setting for recreation and residential development. Here are good income opportunities for local people.

A dollar will buy just as much health, just as much education, just as much good living if it is earned in off-farm employment as if it is earned growing crops or livestock.

3. We have found that rural people often do not have to leave the farms in order to take off-farm jobs. With better roads and with the growing industrialization of rural areas, many farm people can take part-time or full-time jobs and continue to live where they want to live, which is in the country.

I share the concern expressed by so many, that too great a shift to industrial centers and urban life could cause us to lose some of the stability, strength, and character that we had as a nation of farmers. But this need not occur. We can add to the incomes of rural people by dispersing industry and bringing more jobs within their reach. It often is easier to develop industry where the people are than it is to move the people 1,000 miles to where industry happens to be located.

A heavy investment is required to bring a young man or a young woman to a productive age. According to research at the University of Tennessee an average of from $5,000 to $8,000 is spent to bring rural young people to 21 years of age. This is in addition to the cost of public programs such as education.

If your young people leave the country or leave the State in order to find the opportunities they feel entitled to, they take this investment with them. This is a huge subsidy to industrial areas of the North. If you can develop local opportunities for your young people, you can keep your investment, and your young men and women, near home. That's where they would like to be. But they will not stay near home unlesa there are good opportunities.

4. We have found that the betterment of low-income areas must be a long-range job. At best it is a slow process. We must not expect quick success. Problems which have been 100 years or more in the making cannot be solved overnight. There will be setbacks and disappointments. But economic development of rural areas is already underway.

President Eisenhower said: "We must open wider the doors of opportunity to our * * * farm families with extremely low incomes."

When I recommended the launching of the rural-development program, I said: "The problem is more basic than low incomes expressed in dollars * * * it embodies human values—the lives and welfare of people and of families. * * *"

We are much concerned, and rightly so, with foreign economic aid, technical assistance, and point 4. Point 4, let us remind ourselves, can be effective at home as well as abroad.

I have emphasized the need for a program to lift the level of living for those rural people on the lowest rungs of the economic ladder. But I wish to say also that we need changes in legislation which primarily affects the farmers who produce the bulk of our farm products.

The old basic farm legislation enacted in 1933 sought to control production with acreage allotments in order to achieve a high level of price support.

In the light of 25 years' experience, we must conclude that acreage allotments and marketing quotas have not controlled production as intended. Farmers have selected their best land, fertilized heavily, and adopted all the improved practices they could. I do not blame farmers for doing this; it is perfectly natural. But it does not result in controlling production.

The acreage-control price-support program has cut acreage, taken decisions out of farmers' hands, priced our crops out of the market, reduced income from the basic crops, piled up farm surplus stockpiles, and increased costs.

In a letter to Senator ELLENDER, chairman of the Senate Committee on Agriculture, I made three points:

1. Controls are not effective in reducing overall agricultural production, despite the severe restrictions they impose on farmers' freedom to produce and market.

2. Agricultural products are likely to continue to be abundant. Under such conditions they cannot be successfully priced as if they were scarce.

3. The present legal formulas governing acreage allotments and price supports are proving obsolete.

Farmers are being subjected to the forces generated by the technological revolution. They are adjusting from wartime to peacetime demands. Their markets are burdened by surpluses which result at least in part from past wartime programs. Obviously, farmers must be protected from the harsh price effects which would result from their exposed economic position, their weak bargaining power and their abundant production. This is a proper function of government. But our efforts should help our farmers rather than hinder them.

We are in the midst of great scientific changes. Agriculture is able to produce abundantly, and appears amply capable of meeting our needs for food, feed and fiber as far into the future as we can see with confidence. No production controls acceptable to American farmers appear capable of choking off this abundant flow.

Since we cannot legislate scarcity, nor would we want to do so. We must learn how to live with abundance.

If any product is abundant, it cannot long be priced as if it were scarce.

If farm products are abundant, the need and the challenge is to build markets so that this abundance can be used. We cannot build markets by pricing ourselves out of them.

It is possible to show that in any given year, with a given volume of production, a higher price means more farm income. But if, over a period of years, the high price drives the commodity into Government hands and drives the trade to other sources of supply, then the high price means reduced farm income. This is what has happened: A quarter century ago, before the program of restricted production, the basic commodities brought in 26 percent of our farm income. Last year this share was reduced to 23 percent.

The agricultural budget submitted for the coming fiscal year totals in the neighborhood of $5 billion. During the recent debate on the corn bill it was pointed out on the floor of the House that this is the equivalent of nearly half the net income of our farm people. This is equivalent to more than $1,000 for every farm in the United States. Part of this $5 billion, of course, is in the form of loans which will be repaid, permanent improvements in the agricultural plant, and other activities which should not be considered as expended for the primary purpose of supporting farm prices and farm income.

Commodity loans to a few individual farming units under the price-support program have exceeded a million dollars, highlighting the fact that most of the dollars are going to those at the upper end of the income scale.

Few would object seriously to heavy costs if these costs were temporary and if the program were moving toward a solution. Instead, however, with formulas in governing legislation, costs seem likely to continue high with little progress toward a permanent solution.

I have recommended to the Senate and House Committees on Agriculture that farmers be given more freedom to make their own decisions with respect to the acreage they wish to plant. I have recommended that the old formula in the basic law be eliminated, that is, the formula which would boost price support levels and pile up another surplus as soon as our present surplus is moved. I have recommended that there be wider latitude in the establishing of price-support levels.

I commend this whole matter for your most serious consideration. See that you get the facts. In a representative government, the ultimate decisions lie in your hands. I trust those decisions if they are based on the facts.

I have been talking about changes that have occurred and other changes that should take place. But in this changing world there are some things that do not change.

Truth does not change.

The principles of freedom, on which this country was founded, do not change.

You cannot help a man permanently by doing for him something that he could and should do himself. This basic fact does not change.

The old virtues—honesty, thrift, reverence, and responsibility—these do not change.

The things that make a people great, that make a Nation great, these are the same today as when this organization was founded. And they will be the same in the years to come, when a new generation picks up the task where we leave it.

There is a firm foundation of principle which governs the affairs of men. We must be careful what things we endeavor to change. We must change what we cannot accept. We must accept what we cannot change. May God give us the judgment to distinguish wisely between these two.

SENATE

THURSDAY, JUNE 27, 1957

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou God of our salvation, without the light of Thy presence our feet would slip as we face the terror and tragedy of these tumultuous days. Amid all the fear-haunted uncertainties of testing times, we come bowing our heads and our hearts at this altar of Thy grace, where we would be still and know that Thou art God.

We pray that this day our tongues may be kept from evil and our lips from speaking guile. Between now and the eventide may no careless word of ours smite or shadow the sensitive spirit of another by our side. Endue us with wisdom to rightly discern the signs of the times.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Wednesday, June 26, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills in which it requested the concurrence of the Senate:

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the St. Lawrence Seaway Development Corporation;

H. R. 8383. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of St. Gregory the Great, with rank of Knight Commander with Star; and

H. R. 8384. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines.

ABSENCE OF SENATOR ERVIN AND SENATOR SCOTT TO ATTEND THE FUNERAL OF FORMER GOVERNOR CHERRY, OF NORTH CAROLINA

Mr. TALMADGE. Mr. President, I should like to announce to the Senate that North Carolina's two Senators, Mr. ERVIN and Mr. SCOTT, are absent from the proceedings of today because of the fact they are attending the funeral of the Honorable R. Gregg Cherry, of Gastonia, N. C.

Former Governor Cherry died on Tuesday, after a long illness.

I had the pleasure of knowing Governor Cherry, and of serving my State as Governor at the same time when he was Governor of North Carolina. I knew him to be not only a fine gentleman but also the highest type public servant and statesman.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following subcommittees were authorized to meet today during the session of the Senate:

The Internal Security Subcommittee of the Committee on the Judiciary.

The Public Lands Subcommittee of the Committee on Interior and Insular Affairs.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour, for the introduction of bills and transaction of other routine business. In that connection, I ask unanimous consent that statements be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to take action on the nomination on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

The following favorable reports of nominations were submitted:

By Mr. SALTONSTALL, from the Committee on Armed Services:

Richard E. Horner, of California, to be an Assistant Secretary of the Air Force.

By Mr. CASE of South Dakota, from the Committee on Armed Services:

Leo Arthur Hoegh, of Iowa, to be Federal Civil Defense Administrator, vice Val Peterson, resigned.

Mr. SYMINGTON. Mr. President, from the Committee on Armed Services I report favorably the nominations of Maj. Gen. Robert Milchrist Cannon to be a lieutenant general in connection with his assignment as deputy commander in chief, United States Army, Pacific; of Rear Adm. Robert B. Pirie to be a vice admiral in connection with his assignment as commander of the 2d Fleet; of Vice Adm. Cato D. Glover and of Rear Adm. James H. Thach to be placed on the retired list with the rank of vice admiral; of Prof. Gerald Alford Counts for appointment as dean of the Academic Board of the United States Military Academy; and of Lt. Gen. Blackshear Morrison Bryan for appointment as senior Army member of the Military Staff Committee of the United Nations. I also report for permanent appointment in the Army the nominations of 12 brigadier generals as well as the nominations of 6 brigadier generals and 1 major general for temporary appointment and the nomination of 1 lieutenant general to be placed on the retired list. I ask that these nominations be placed on the Executive Calendar.

The PRESIDENT pro tempore. The nominations will be placed on the Executive Calendar.

The nominations placed on the Executive Calendar are as follows:

Maj. Gen. Robert Milchrist Cannon, United States Army, to be assigned to a position of importance and responsibility designated by the President, in the rank of lieutenant general;

Rear Adm. Robert B. Pirie, United States Navy, for commands and other duties determined by the President, in the rank of vice admiral;

Vice Adm. Cato D. Glover, Jr., and Rear Adm. James H. Thach, Jr., United States Navy, to be placed on the retired list with the rank of vice admiral;

Prof. Gerald Alford Counts, United States Military Academy, for appointment as dean of the Academic Board of the United States Military Academy;

Lt. Gen. Blackshear Morrison Bryan, Army of the United States, for appointment as senior United States Army member of the Military Staff Committee of the United Nations; and

Maj. Gen. Louis Theilmann Heath, Army of the United States, and sundry other officers, for temporary appointment in the Regular Army of the United States.

Mr. SYMINGTON. Mr. President, in addition to the above, I report favorably a group of 5,064 promotions in the Regular Air Force not above the grade of lieutenant colonel and 723 nominations in the Marine Corps not above the rank of colonel.

In order to save the expense of printing on the Executive Calendar I ask unanimous consent that they be ordered to lie on the Vice President's desk for the information of any Senator.

The PRESIDENT pro tempore. The nominations will lie on the desk, as requested by the Senator from Missouri.

If there be no further reports of committees, the nomination on the calendar will be stated.

RAILROAD RETIREMENT BOARD

The Chief Clerk read the nomination of Howard William Habermeyer, of Illinois, to be a member of the Railroad Retirement Board for the term of 5 years from August 29, 1957.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

The PRESIDENT pro tempore. Routine morning business is now in order.

THE T'AI-PEI RIOTS

The PRESIDENT pro tempore. The Chair, without objection, lays before the Senate a letter from the Counselor of the Chinese Embassy, transmitting an English translation of a communication from 58 overseas Chinese organizations in Macao on the recent riots in T'ai-pei, which, with the accompanying translation, was referred to the Committee on Foreign Relations.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON STATE AGRICULTURAL EXPERIMENT STATIONS

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a report on the State agricultural experiment stations, for the fiscal year ended June 30, 1956 (with an accompanying report); to the Committee on Agriculture and Forestry.

times, we come bowing our heads and name. Amen.

taries.

Executive Calendar.

senior United States Army member of the Committee on Agriculture and Forestry.

INTERCHANGE OF JURISDICTION OF MILITARY AND NATIONAL FOREST LANDS

A letter from the Secretary of the Army and Assistant Secretary of Agriculture, reporting, pursuant to law, the intention of the Department of the Army and the Department of Agriculture to interchange jurisdiction of military and national forest lands (with an accompanying paper); to the Committee on Agriculture and Forestry.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Nathan Snider, also known as Nathan Gelb or Kuschneider, from a report relating to aliens whose deportation has been suspended, transmitted to the Senate on January 16, 1956 (with accompanying papers); to the Committee on the Judiciary.

COST ASCERTAINMENT REPORT OF POST OFFICE DEPARTMENT

A letter from the Postmaster General, transmitting, pursuant to law, the Cost Ascertainment Report of the Post Office Department, for the fiscal year 1956 (with an accompanying report); to the Committee on Post Office and Civil Service.

RESOLUTION OF 49TH ANNUAL GOVERNORS' CONFERENCE

Mr. SYMINGTON. Mr. President, at the governors' conference at Williamsburg, Va., a resolution was adopted recommending the Cordiner Committee report. I ask unanimous consent that the resolution may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION RELATIVE TO CHANGING THE METHOD OF COMPUTING THE BASIC PAY FOR MEMBERS OF THE ARMED FORCES

Whereas there is now pending before the Congress of the United States legislation, including S. 2014 and H. R. 7574, which would change the method of computing the basic pay for members of the Armed Forces in accordance with the recommendations of a special Committee headed by Ralph J. Cordiner, president of General Electric Co.; and

Whereas the Military Establishment is desperately in need of a means for attracting and retaining persons with scientific, professional, combat leadership, and management skills necessary to maintain a deterrent power for peace during these times of advancing technology and threat of aggression; and

Whereas the Armed Forces do not presently have the means to compete for trained personnel urgently needed for the defense of this country, and a significant factor in their inability to do so is the inadequacy of the present compensation practices now in use; and

Whereas the proposed changes in the military pay structure are based on merit rather than longevity, will bring military pay more in line with the pay standards of industry and will offer greater reenlistment incentive for highly trained personnel; and

Whereas the program of the Cordiner Committee, while making possible at least a 15-percent improvement in the combat capability of the United States Armed Forces, would result in savings and gains up to $5 billion a year by 1962 or sooner in the cost of national defense: Now, therefore, be it

Resolved, That this 49th annual governors' conference respectfully memorialize the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces along the lines proposed in S. 2014 and H. R. 7574; and be it further

Resolved, That the secretary of the governors' conference is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, and the Speaker of the House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 2261. A bill to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public buildings projects, and for other purposes (Rept. No. 540).

By Mr. SMATHERS, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1383. A bill to amend section 410 of the Interstate Commerce Act, as amended, to require freight forwarders to obtain certificates of public convenience and necessity (Rept. No. 542).

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN NIAGARA RIVER

Mr. CHAVEZ. Mr. President, from the Committee on Public Works, I report favorably, without amendment, the bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes, together with minority views, and I submit a report (No. 539) thereon. I ask unanimous consent that the views of the minority may be printed as a part of the report.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed as requested by the Senator from New Mexico.

EXTENSION OF AUTHORITY FOR ENLISTMENT OF ALIENS IN REGULAR ARMY

Mr. SALTONSTALL. Mr. President, from the Committee on Armed Services, I report an original bill to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes, and I submit a report (No. 541) thereon. I ask unanimous consent that the bill be placed on the calendar.

The PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar.

The bill (S. 2420) to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes, reported by Mr. SALTONSTALL, from the Committee on Armed Services, was received, read twice by its title, and placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THYE (for himself and Mr. WILEY):

S. 2408. A bill to authorize a special milk program, a veterans and Armed Forces dairy-products program, and an accelerated brucellosis eradication program; to the Committee on Agriculture and Forestry.

By Mr. NEUBERGER:

S. 2409. A bill to establish a Federal Recreation Service in the Department of Health, Education and Welfare, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

S. 2410. A bill to facilitate the entry into the United States of certain immigrants; to authorize the adjustment of status of certain aliens in the United States; to provide for the issuance of special nonquota immigrant visas to certain refugees; and for other purposes; to the Committee on the Judiciary.

S. 2411. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. KENNEDY when he introduced the above bills, which appear under separate headings.)

By Mr. JOHNSTON of South Carolina:

S. 2412. A bill to authorize the making of interest-bearing loans from the Civil Service Retirement and Disability Fund for the purpose of financing the construction, acquisition, and modernization of post office facilities; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bill, which appears under a separate heading.)

By Mr. MUNDT (for himself and Mr. CASE of South Dakota):

S. 2413. A bill to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district; to the Committee on the Judiciary.

By Mr. COTTON (for himself and Mr. STENNIS):

S. 2414. A bill to establish a Central Security Office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedure for the hearing and review of cases arising under such programs, and for other purposes; to the Committee on Post Office and Civil Service.

S. 2415. A bill to prescribe a standard of loyalty to the United States Government for military personnel, to prescribe procedure for the determination of the loyalty of such personnel, and for other purposes; to the Committee on Armed Services.

S. 2416. A bill to amend the Immigration and Nationality Act to provide more effectively for immigration and passport security, and for other purposes; and

S. 2417. A bill to amend title 18, United States Code, to prohibit the unauthorized disclosure of certain information critically affecting national defense; to the Committee on the Judiciary.

By Mr. COTTON:

S. 2418. A bill to authorize certain investigative officers of the United States, with the approval of the Attorney General, to intercept and disclose under stated conditions wire and radio communications in the detection and prosecution of offenses against the security of the United States, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. COTTON when he introduced the above bills, which appear under a separate heading.)

By Mr. BIBLE (for himself and Mr. BEALL):

S. 2419. A bill to amend the District of Columbia Unemployment Compensation Act, and for other purposes; to the Committee on the District of Columbia.

By Mr. SALTONSTALL:

S. 2420. A bill to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes; placed on the calendar.

(See the remarks of Mr. SALTONSTALL when he reported the above bill, which appear under the heading "Reports of Committees.")

By Mr. CURTIS:

S. 2421. A bill to provide for the conveyance of the interest of the United States in and to fissionable materials in a tract of land in the county of Buffalo, city of Kearney, Nebr.; to the Committee on Government Operations.

By Mr. HUMPHREY:

S. J. Res. 116. Joint resolution to authorize the sale of a certain number of merchant type vessels to the Government of the Republic of the Philippines or to citizens of the Philippines; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. HUMPHREY when he introduced the above joint resolution, which appear under a separate heading.)

FEDERAL RECREATION SERVICE IN DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. NEUBERGER. Mr. President, I introduce, for appropriate reference, a bill to establish a Federal Recreation Service in the Department of Health, Education, and Welfare, and request that the text of the bill be printed in the RECORD at the conclusion of my remarks.

The purpose behind the bill is not new. A similar bill was introduced in 1946 and reported favorably by the Senate Committee on Education and Labor, and comparable bills have been submitted in succeeding Congresses. Last year I introduced S. 4065. Because of the many communications I received in support of S. 4065, I have decided to place this proposal before the Senate again. A companion bill is being introduced in the House of Representatives today by Representative FRANK THOMPSON, of New Jersey.

No thoughtful person can be indifferent toward the need for adequate community recreation. The American people have more leisure time today than ever before. In 1900, the average American worker spent 60 hours a week at his job; today this figure has dropped to 40 hours, and further reductions in "time on the job" will be achieved as technological advances occur.

Because of increased leisure, and a resulting demand for recreational activities, over 3,000 cities and towns throughout the United States have instituted recreation programs for their citizens, ranging from summertime sessions for children directed on a part-time basis by a schoolteacher, to programs in larger municipalities employing several hundred trained recreation leaders and providing indoor and outdoor facilities for games and sports, arts and crafts, and cultural projects.

Mr. President, recreation contributes to the general well-being of society, not only because it promotes physical and mental health but also because it can materially help curb crime and delinquency, encourage good citizenship, and enhance family and community relationships.

For these reasons many communities are willing and anxious to initiate effective recreation planning. The service for which my bill provides would enable these communities to obtain readily from a centralized agency information concerning utilization of community resources, statutory and legislative requirements and limitations, financing, organization procedures, employment standards, and the host of other details which are involved in creating a recreation program. In addition, this bill would assist communities with established programs by providing further technical data for improvement of existing activities in this field.

The cost of the program would be small, for the purposes of this bill can easily be carried out within the existing framework of the HEW organization; yet the benefits which would be derived from creation of a Federal Recreation Service are enormous, both to other Federal agencies concerned with the welfare of American citizens, and to the many public and private agencies striving to improve recreation activities.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2409) to establish a Federal Recreation Service in the Department of Health, Education, and Welfare, and for other purposes, introduced by Mr. NEUBERGER, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby created in the Department of Health, Education, and Welfare, a service to be called the Federal Recreation Service (hereinafter referred to as the "Service"), the Director of which shall be appointed by the Secretary of the Department: (1) The Service shall provide upon request technical and advisory service concerning all community recreation problems; (2) shall provide information to public agencies and nonprofit private agencies which will assist such agencies in determining and in meeting the expanding needs of the public for wholesome public recreational services; (3) shall cooperate with other Federal agencies and with the States in planning for recreational services for the people of the United States; (4) shall conduct research with respect to public recreational services; (5) and shall enter into agreements and contracts with Federal and State agencies and educational and research institutions for such services as, in the judgment of the Secretary, will promote the purposes of this act.

SEC. 2. The Secretary of the Department of Health, Education, and Welfare shall establish a National Advisory Board on Recreation Services which shall consist of the Secretary of the Department, or his representative, who shall be Chairman of the Board, and such other members as the Secretary finds necessary, to be appointed by him without regard to the civil-service laws. The appointed members shall be selected from leaders of national standing in the fields of public recreation and in related fields and shall be broadly representative of the recreation interests of the Nation. Those members of the Board who are not officers or employees of the United States, while attending conferences or meetings of the Board, or while otherwise serving at the request of the Secretary of the Department in carrying out the purposes of this act, shall be entitled, while serving away from their places of residence, to actual and necessary traveling expenses and not more than $50 per day for subsistence expenses. The Board shall advise, consult with, and make recommendations to the Secretary of the Department of Health, Education, and Welfare on matters relating to the administration of this act.

SEC. 3. The Service shall not duplicate any functions performed by any other agency administering recreational facilities and services; and nothing contained in this act shall limit or impair the authority or responsibility of any other department or agency of the Federal Government under any other act. In carrying out the purposes of this act, the Secretary of the Department of Health, Education, and Welfare shall cooperate with and receive the cooperation of other Federal departments and agencies which perform functions in the field of recreation services.

SEC. 4. As used in this act, the term "State" includes the several States, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Virgin Islands, Guam, and the Trust Territory of the Pacific Islands.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

PROTECTION OF RIGHTS OF THE BLIND TO SELF-EXPRESSION THROUGH CERTAIN ORGANIZATIONS

Mr. KENNEDY. Mr. President, I introduce, for reference to the appropriate committee, a bill to protect the right of blind persons to self-expression through organizations of the blind. I wish to make a statement in connection with the introduction of this bill and ask unanimous consent that the bill be printed in the body of the RECORD as a part of my remarks.

Organizations of blind persons exist today in many cities and communities throughout the country. Some of these organizations are community groups, some are alumni groups, some are trade and professional groups, some are associations of vending-stand operators, some are organizations of workshop employees. In most of our States today, organizations of the blind within the State have formed one or more statewide organizations. Forty-three of these statewide organizations of the blind are now federated into a single nationwide organization, the National Federation of the Blind.

Organizations of this kind have been formed by the blind to advance their own welfare and common interests. These organizations provide to our blind citizens the opportunity for collective self-expression. Through these organizations, these citizens are able to formulate democratically and voice effectively their views on the programs that our National Government and our State governments are financing for their aid and rehabilitation. It is important that these views be expressed freely and without interference. It is important

that these views be heard and considered by persons charged with responsibility for determining and carrying out our programs for the blind.

In some communities this freedom that each of our blind citizens should have to join, or not to join, organizations of the blind has been prejudiced by a few professional workers in programs for the blind who have allowed their personal views to be expressed in official action for or against particular organizations of the blind. Administrators and workers in welfare programs for the blind possess unusual power to control the lives and influence the conduct of their clients. It is important that our blind citizens be protected against any exercise of this kind of influence or authority to interfere with their freedom of self-expression through organizations of the blind.

The bill I am introducing would do two things. First, it would direct that, to the fullest extent practicable, the Secretary of the Department of Health, Education, and Welfare shall consult and advise with representatives of organizations of the blind in his formulation and administration of programs for the blind and shall take such steps as may be appropriate to encourage State agencies to do likewise in their formulation and administration of the programs for the blind to which Federal funds are contributed.

Second, the bill would require that no Federal officer or employee concerned with the administration of programs for the blind shall exert the influence of his office against the right of blind persons to join organizations of the blind; and would require that the Secretary of the Department of Health, Education, and Welfare shall adopt regulations, and condition grants to State and other programs for the blind on terms, so that officers and employees in those programs to which Federal funds are contributed will refrain from exerting the influence of their office against organizations of the blind.

The bill would leave the enforcement of these policies to the Secretary of the Department of Health, Education, and Welfare and to the States.

It is my hope that the problems dealt with in this bill will be made the subject of hearings before the appropriate committee as early as possible and that effective legislation may be enacted without delay.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2411) to protect the right of the blind to self-expression through organizations of the blind, introduced by Mr. KENNEDY, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That in the formulation, administration, and execution of programs for the aid and rehabilitation of the blind, the Secretary of Health, Education, and Welfare shall to the fullest extent practicable consult and advise with authorized representatives of organizations of the blind; and shall in developing and recommending policies and procedures to State agencies take such steps as may be appropriate to encourage such agencies to consult with authorized representatives of organizations of the blind in the formulation, administration, and execution of any State program for the aid and rehabilitation of the blind to which Federal funds are contributed.

SEC. 2. No officer or employee of any Federal, State, or other agency concerned with the administration of any program for the aid or rehabilitation of the blind to which Federal funds have been contributed shall exert the influence of his office or position against the right of the blind to join organizations of the blind. The Secretary of Health, Education, and Welfare shall adopt such regulations and shall condition Federal grants to State or other programs for the blind on such terms as will prevent the exertion of any such influence against self-expression of the blind through organizations of the blind.

AUTHORIZATION FOR MAKING INTEREST-BEARING LOANS FROM CIVIL SERVICE RETIREMENT AND DISABILITY FUND

Mr. JOHNSTON of South Carolina. Mr. President, I introduce a bill to authorize the making of interest-bearing loans from the civil service retirement and disability fund, for the purpose of financing the construction, acquisition, and modernization of post office facilities. I ask unanimous consent that the bill be appropriately referred.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2412) to authorize the making of interest-bearing loans from the civil service retirement and disability fund for the purpose of financing the construction, acquisition, and modernization of post office facilities, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. JOHNSTON of South Carolina. Mr. President, the bill if enacted will improve the financial position of the Federal employees' retirement and disability fund by more than $20 million each year. At the same time it will enable the Post Office Department to accomplish its construction and improvement program with an additional saving of at least $20 million each year.

I predict that, on the completion of the program proposed by this measure, the expense of operating our postal establishment will be cut by at least one-half a billion dollars.

Mr. President, there seems to be unanimity on one important phase of the postal problem: The physical facilities of the postal service are "archaic and antediluvian," to use the phrase of Deputy Postmaster General Stans.

Aside from the substandard conditions, our loyal postal workers must endure, such as poor lighting, insufficient space, poorly designed buildings, inferior ventilation, and so on, our outmoded postal plant slows down mail deliveries to a snail's pace while adding millions to the costs.

If we are to provide the best postal service in the world for the American people, we must come to grips with the overriding need for modern postal facilities. While industry is constantly moving ahead in the 20th century to provide the most efficient buildings and equipment to accommodate the needs of the modern world, the Post Office has virtually stood still.

The plan I offer in this proposed legislation will increase the interest payments to the Federal employee retirement and disability fund while, at the same time, decreasing the cost to the Post Office Department of amortization under the Lease-Purchase Act.

Retirement funds presently earn interest at the rate of 2⅞ percent. The Post Office Department now has authority to enter into 4 percent contracts under the Lease-Purchase Act.

The legislation proposed by me would permit retirement funds to be used at an interest rate of 3½ percent, thus effecting a saving of one-half percent to the Post Office Department and increasing the interest rate to the retirement fund by five-eighths percent.

I am informed that one of the major reasons why the Lease-Purchase Act has not proved effective is that private builders are not interested in entering into 4-percent contracts.

The proposed legislation offers the first real opportunity to modernize and streamline our postal establishment. I am confident that when such a program has been completed, over one-half a billion dollar saving can be effected in postal operations.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. PASTORE. As I understand the bill, it would do away with the lease-purchase program, which is compelling the Government now to pay 4 percent over the period of amortization, namely, 25 years, and which does not seem to be sufficiently attractive to accomplish its objective. On the other hand, under the bill introduced by the Senator from South Carolina, the Government itself would finance the post office by borrowing from the retirement fund, which, by the buying of bonds, would collect more interest than it is now getting.

Mr. JOHNSTON of South Carolina. The statement of the Senator from Rhode Island is entirely correct. Hearings have not been held on the bill, but I have investigated the matter and ascertained that several of the States are now doing something along this line with respect to retirement funds.

Mr. PASTORE. Was it not the Senator's understanding at the time the Lease-Purchase Act was enacted that the Government would be in a position, rather than having to put money up all at one time, of having a private contractor do so, and leasing the building back?

Mr. JOHNSTON of South Carolina. That is true.

Mr. PASTORE. The Government now has to pay 4 percent, whereas under the bill the interest rate would be 3½ percent, and the Government would profit to that extent. Is that correct?

Mr. JOHNSTON of South Carolina. That is correct.

SALE OF MERCHANT-TYPE VESSELS TO GOVERNMENT OF THE PHILIPPINES

Mr. HUMPHREY. Mr. President, I introduce for appropriate reference a joint resolution to authorize the sale of a certain number of merchant-type vessels to the Government of the Republic of the Philippines or to citizens of the Philippines. There are measures similar to this joint resolution pending now before the Committee on Interstate and Foreign Commerce. I myself introduced, on February 25, 1957, a similar joint resolution relating to the Government of India.

I call the attention of the Senate in particular to the measure I am now introducing, because the Republic of the Philippines is one of our dearest friends, and, of course, the success of the Government of the Philippines is of very vital interest to the Free World.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 116) to authorize the sale of a certain number of merchant-type vessels to the Government of the Republic of the Philippines or to citizens of the Philippines, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF PUBLIC BUILDINGS PURCHASE CONTRACT ACT OF 1954—AMENDMENT

Mr. CAPEHART submitted an amendment, intended to be proposed by him, to the bill (S. 2261) to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new building projects, and for other purposes, which was referred to the Committee on Public Works and ordered to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KENNEDY:

Statement prepared by him regarding seventh annual National Catholic Youth Week.

NOTICE OF HEARING ON PROPOSED LEGISLATION RELATING TO STANDARD OF LIVING OF AMERICAN INDIANS

Mr. NEUBERGER. Mr. President, I wish to announce that on Monday, July 1, at 10 a. m., in room 224, Senate Office Building, the Subcommittee on Indian Affairs will hold a hearing on Senate Concurrent Resolution 3, introduced by Senator MURRAY, and S. 809, introduced by Senator LANGER, for himself and a number of other Senators.

During the month of May hearings were held on both of these measures, at which time representatives of Indian organizations, as well as a large number of Indians representing tribes throughout the United States, appeared and testified. At the hearing that will take place next Monday, the Under Secretary of the Interior, Mr. Hatfield Chilson, and representatives of the Bureau of Indian Affairs will appear and give the committee the views of the Department on these proposals.

In view of the great interest which has been demonstrated by Indians as well as non-Indians in these proposals to provide a point 4 program for Indians, I want to give as much notice as possible so that those who may wish to attend the hearings will be apprised of our schedule.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Dallas A. Gardner, Jr., of South Carolina, to be United States marshal for the eastern district of South Carolina for a term of 4 years, vice Alfred L. Plowden, Jr., term expired.

Charles P. Moriarty, of Washington, to be United States attorney for the western district of Washington for a term of 4 years—reappointment.

Thomas J. Lunney, of New York, to be United States marshal for the southern district of New York for a term of 4 years—reappointment.

George Harrold Carswell, of Florida, to be United States attorney for the northern district of Florida for a term of 4 years—reappointment.

On behalf of the Committee on the Judiciary notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Friday, July 5, 1957, any representations or objections they may wish to present concerning the above nominations with a further statement whether it is their intention to appear at any hearings which may be scheduled.

ADDRESS BY THE VICE PRESIDENT AT THE "MAYFLOWER II" CELEBRATION

Mr. SMITH of New Jersey. Mr. President, on Saturday, June 22, Vice President NIXON delivered a stirring address at Plymouth, Mass., as a part of the observance of the *Mayflower II* celebration. His remarks are very pertinent now, when we are about to consider the Defense Department and mutual security appropriations bills.

The Vice President emphatically warned against a letdown in our defense and mutual-security efforts at this time, as a result of beguiling Communist talk. Our criteria in this regard, he stated, should be "the simple, yet profound test offered by President Eisenhower: deeds, not words."

He also cautioned against slipping into a foreign policy "based on the negative attitudes produced by weariness, frustration, and the unwillingness to sacrifice when the national welfare demands sacrifice." I thoroughly endorse his statement that "defeatism, fear, timidity and discouragement are not the qualities of a great people."

I wish to reiterate a phrase from his address to which I hope the Senate will give its thoughtful consideration, and which I trust will remain in the forefront of our thoughts when we consider these bills: "No price is too great to pay for freedom."

Mr. President, let us not delude or deceive ourselves. We are engaged in a battle for peace and freedom. To win, there will be demanded of us the same faith and determination which our ancestors displayed so splendidly.

Mr. President, I ask unanimous consent that the Vice President's speech be printed in the RECORD at the conclusion of my remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF THE VICE PRESIDENT OF THE UNITED STATES AT THE "MAYFLOWER II" CELEBRATION, PLYMOUTH, MASS., SATURDAY, JUNE 22, 1957

The landing of the *Mayflower* at Plymouth on December 21, 1620, was much more than an historical event. It was a symbol that expresses the courage and greatness of those who founded on this continent a nation dedicated to the cause of freedom.

I suppose that many of us, at one time or other, have reflected upon the feelings of these early settlers. They left the land of their fathers. They embarked upon a long and dangerous voyage. They came to a land that offered opportunity, but also a land of unknown risk, of fear, of uncertainty. It took faith and courage to a heroic degree to embark upon this adventure. From these great qualities combined with the equal heroism of other settlers and immigrants, the spirit of American was born.

The courage of the first settlers was duplicated in the courage of the Armies of the Revolution. Against incredible obstacles, under the unflagging leadership of George Washington, we won our freedom and independence. A new republic was born. A great experiment in democracy began its electrifying course.

The courage of the settlers and the fighters for independence persisted in their children and in the new immigrants who came to our shores. Slowly our Nation pushed on its westward march, across rugged mountains and fertile valleys and plains, across the Mississippi and up the Missouri, through deserts and mountain divides, to the serene waters of the Pacific—one nation, one people, resourceful and free.

We are united under a constitution that even today is considered a model and an example throughout the world. We pioneered in religious freedom at a time when religious wars were devastating older nations. We moved further and further in the direction of universal suffrage, while others kept the concept of an aristocracy and a ruling class. We not only had full freedom and equality under law as our ideal, but we produced a nation of men and women who claimed this equality as a personal right.

Our ideals were not achieved without a struggle. We had to face a civil war to free the slaves. It is still a struggle today to remove from our land the stigma of racial prejudice and discrimination.

We faced a difficult task in making economic opportunity real and meaningful for all Americans. But today, with few exceptions, the American worker and farmer has security, comfort, and even luxury as the reward of his labors.

This is the America that we know and love. This is the America which attracted millions from older lands, seeking and finding a land of opportunity. Out of hardship and adversity were born our strongest and most noble qualities. We have known suffering, and pain, and sacrifice, but we emerged from our years of trial a stronger and better people.

Today it is well to recall the qualities that the Pilgrim Fathers bequeathed to their descendants. They gave us courage, faith, idealism, generosity, and strength. We are going to need these qualities in the years ahead.

In the world today we are confronted with a massive challenge to all that Americans hold dear. We have fought tyranny. But today one-third of the world's population is in the grip of the worst tyranny ever known to man. Despots of the past were generally content to enslave the bodies of men and plunder their wealth. But the despotism of today enslaves soul as well as body. Communism, so long as it remains communism, is the implacable enemy of every ideal cherished throughout our history.

We can hope that the Communist world will change. We would be foolish not to use every opportunity to bring about this change in a peaceful manner. If they will accept sound proposals on disarmament, we will be glad to make firm and binding agreements that will lead toward peace. If they will remove the Iron Curtain, we will be happy indeed to engage in a peaceful competition of ideas. We have no hesitation in offering our way of life, imperfect as it may be at times, in comparison with theirs.

But we would be foolish to substitute the hope for the deed, the word for the act. We should approach the Soviet Union, and related Communist states, with two points of view controlling our actions.

On the one hand, we must always be willing to seek any real and worthwhile improvement in our relations with the Communist world. The cold war is not our creation. We do not wish to continue it any longer than national security demands.

On the other hand, we cannot ignore the lessons of the last 18 years. The mood of the Kremlin has changed often during that period. We have seen smiles before and we have seen frowns before. In the light of this experience, we would be foolish to scrap our defenses and foreign policy simply because Khrushchev, or Mao Tse-tung, or Chou En-lai have been making speeches. We can still use the simple, yet profound, test offered by President Eisenhower: deeds, not words.

In carrying out our program of waging peace, we cannot expect complete certainty and agreement at every step. In the Congress and in the administration, there will be some who will place their emphasis upon bold experimentation. Others may be more cautious and concerned with the past record of Communist actions. These views will be discussed and debated. Out of this we believe will come a policy that will best promote world peace and safeguard the security of our Nation.

I am sure that our people will unite behind a policy made in this fashion, even though some might prefer a different emphasis on matters of detail. But there is one way of making foreign policy which is thoroughly wrong and which could weaken our Nation to the peril point. I refer to a policy, or lack of policy, based on the negative attitudes produced by weariness, frustration, and the unwillingness to sacrifice when the national welfare demands sacrifice.

Defeatism, fear, timidity, and discouragement are not the qualities of a great people. They certainly were not the qualities of the Pilgrim Fathers.

We Americans assert, and rightly assert, that our living standards are the highest in the world. They are high in comparison with those of the most advanced industrial nations anywhere. They are high in comparison with our own levels of 10, 20, or 30 years ago.

This prosperity can mean so much in the way of human welfare. It can mean opportunities for better education, the highest quality of medical care, the bringing of cultural gains even to the remotest parts of our land, and finally the leisure to enjoy not only material benefits, but also the blessings of family life and companionship.

But our prosperity also brings with it a moral challenge that we cannot overlook. It is the challenge to sustain in prosperity the high qualities of character that we perfected in adversity. We know from history that great nations became corrupt, soft, and decadent under the influence of prosperity. We know that the ancient empire of Rome fell, not primarily because of the barbarian attacks from without, but rather because of the apathy and indifference of a prosperous citizenry. Rome fell when its own people lost the will to fight for their native land.

I raise this point because there are some in our Nation today who say that we cannot afford the sacrifices needed to maintain our national security. They oppose foreign aid programs or even some of our direct costs of defense because the budget is too high. They say that we cannot continue to carry the burden imposed by the common effort of free nations to keep alive in the world the spirit of freedom and the recognition of the dignity of man.

Let me make my position clear. We should vigorously oppose any waste or any unnecessary expenditure of Government funds. I respect the integrity of any man who may disagree with any specific program and hold that it does not really contribute to world peace. It is our democratic right and duty to debate the details of our foreign policy and programs.

But I cannot understand the attitude of those who refuse to examine the arguments, but simply say we cannot afford it. No price is too great to pay for freedom. If we were a poor nation, instead of the most prosperous in the history of the world, I would still say that we can afford every dollar that is truly necessary to protect our liberty and to help bring peace to the world.

We are making sacrifices today. Our tax burden is far heavier than any of us would like it to be. But how do our sacrifices compare with those of the Pilgrim Fathers? Are we giving as much as the cold and hungry soldiers at Valley Forge gave? Is the sacrifice of a portion of our income comparable to the sacrifice asked of our soldiers in World War II or in Korea?

The American people have always met the test of heroism when their freedom was at stake. We have been brave in battle and resolute in maintaining our ideals against the enemy who would destroy us.

Today we face a different type of battle, but one that is no less crucial. We do not have the excitement of war to challenge us. We do not have problems at home to quicken our energies. We are not fighting a depression or mounting a crusade against dishonesty in Government. Rather we face a cold, prolonged, and difficult struggle against a resourceful foe.

Today the emphasis may be in the diplomatic sphere. Tomorrow the emphasis may be a war of ideas or an effort to prevent the use of economic weapons to wean uncommitted nations to the Communist cause. A struggle of this nature is rarely dramatic. It is often frustrating. Results cannot always be measured. There may be failures as well as successes. Often it will demand great effort just to keep the situation unchanged.

It takes a special type of heroism to mount sustained effort when there are no dramatic results. Often it takes courage to be patient. It is sometimes easier to ask for impulsive action, when the wiser course is one of moderation and patient negotiation. It is easy to criticize, but it is a fearful responsibility to decide a course of conduct when a mistake might unleash an atomic war.

We today face a challenge to show the same courage and devotion in fighting for peace as we have always shown in fighting to win a war. We need today the qualities of greatness that were given to us by our forefathers. Here in this historic site, we can all renew our dedication to the cause of freedom and to the democratic ideals that the Pilgrims brought to these shores. Their faith and idealism has inspired us in the past. Let us keep faith with them by living up to their standards of greatness. Let us be Americans in the true historic sense of the term—a people of courage, determined to be free, and willing to place upon the altar of freedom our fortunes, our lives, and our sacred honor.

THE PRESIDENT'S SPEECH TO THE CONFERENCE OF GOVERNORS

Mr. SMITH of New Jersey. Mr. President, President Eisenhower's speech to the conference of governors which proposed the establishment of a Federal-State task force to appraise the allocation of functions between the National and the State Governments has received considerable support from the Nation's press.

I am also happy to note that prior to adjourning, the conference of governors appointed a committee, under Governor Stratton, of Illinois, to work with a task force on this question.

As I stated yesterday, I believe such a task force could prove to be of significant value to the country. I ask unanimous consent that an editorial entitled "Less Government From Washington," from yesterday's New York Herald Tribune, and an editorial entitled "Relying on Washington," from yesterday's New York Times, be printed at this point in the body of the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of June 26, 1957]

LESS GOVERNMENT FROM WASHINGTON

What President Eisenhower told the governors' conference in Williamsburg is simple and indisputable. He thinks a lot of money could be saved if the Federal Government returned some of its functions and taxing powers to the States and thus encouraged less dependence on the supposedly "rich uncle" in Washington, D. C. Even more important, this would be a reinforcement of States rights and individual liberties at a time when more and more power is being centered in one place.

Now it is plain that any broad-beamed change is going to pose practical difficulties. The established order is always hard to change. Once Congress and the Federal taxers have seized upon any particular area, they are not likely to let go with alacrity. Furthermore, when people have become accustomed to look to Washington for solutions, they get the idea that services performed from afar are somehow less costly.

But, as Mr. Eisenhower points out, there are "'freight charges' on money being hauled from the States to Washington and back." And if this "Federal overhead" could be eliminated by acceptance of greater responsibilities in the 48 capitals, it "woud save the American taxpayer a tidy sum." This, however, would call for searching fiscal reexamination on every local scene, and certainly no State would be willing to paddle its own boat without compensatory relinquishments in Washington. Even so, those States which receive more than they pay out might not be so keen about more States rights if it meant increased costs at home.

Yet the President has stated the alternatives clearly. Either the States must be made more effective and responsible or there will be "new vacuums into which the Federal Government will plunge ever more deeply, impelled by popular pressures and transient political expediencies."

To resolve this dilemma, Mr. Eisenhower urges that the governors join with the administration in organizing a task-force committee which would search out specific areas for action. He recommends, for instance, that the committee buckle down "on a single function or program and pair it with a specific Federal tax or tax amount." Then the people can see the savings in cutting out Washington "freight charges."

This seems to us a good beginning, one which recognizes that a big overall plan will have a hard time gaining acceptance. But once a start is made, with action as well as words, the case for less centralized authority and lower taxes is bound to prove itself. It is a big job, yet one that is necessary to keep the United States strong.

[From the New York Times of June 26, 1957]

RELYING ON WASHINGTON

President Eisenhower in his address to the State governors at Williamsburg dealt thoughtfully and forcefully with one of the major political trends of our time, the temptation to transfer the problems of States and cities to Washington for solution.

"Every State failure to meet a pressing public need has created the opportunity, developed the excuse and fed the temptation for the National Government to poach on States' preserves," the President said. "Year by year, responding to transient popular demands, the Congress has increased Federal functions. So, slowly at first, but in recent times more and more rapidly, the pendulum of power has swung from our States toward central government." A siphoning away of State authority has occurred, and only by the neglect, acquiescence and unthinking cooperation of the States themselves.

Yet how difficult it is, as the President said, to "turn back long-established trends," that is, the temptation to rely on the "rich uncle" in Washington. None of us is guiltless of inconsistency in this matter, of calling for Federal aid for this good cause or that, while paying lip service to the principle that the President now espouses so warmly and so sincerely, of dealing with local problems through the level of government that is closest to the people.

The issue is not a recent one. More than 8 years ago the then General Eisenhower was telling the United States conference of mayors in Washington that there was a temptation to "pass things unnecessarily to the Federal Government because thereby they (local officials) escape the necessity of levying locally unpopular taxes which may be hard to explain to the voters." President Truman brought the news that State and city officials would meet soon with the Secretary of the Treasury to "bring some order out of the tangle" in taxation and financial relations.

But the problem has to this point resisted solution and, indeed, grown worse. Cities try to pass their financial difficulties up to the State capitol. States and cities try to make Washington their tax collection agency. Everybody wants to let George do it, wishfully assuming that government at a distance has a printing press to make money, that there is pockbook magic far away, ignoring the fact that tax money comes only from the people, that some of it is always lost in paying the freight for the round trip to get blessed Federal aid.

This is human nature, and only by the sternest self-discipline exerted from the bottom right up to Washington can the tide be turned. The President himself is an example of how we are all caught up in our inconsistencies. In early April he was saying "I am very heartily in favor of the urban renewal program." But in his speech at Williamsburg he mentioned urban renewal and slum clearance as one of several fields that were proper subjects for examination by the Federal-State task force he wisely proposed to study reallocation of functions and revenues.

We will not begin unless we begin. The strength of democracy lies in the people's participation in government. The people who know local problems, State problems best are those who live closest to them. The tax dollar sent to city hall is watched by the taxpayer with a vigilance never possible for the dollar forwarded to Washington.

So the question is not whether the programs are desirable for which Federal aid or State aid is invited. A case can be made for most of them, and we have shared in the making of some of it. The real question is whether we shall try now to recapture the spirit of local self-reliance, of home rule that avoids centralization of power. Let no one underestimate the difficulty of this task, to be achieved only by the States and the cities doing for themselves what they somewhat indolently yearn to have somebody else do for them.

FISCAL POLICY IMPLICATIONS OF THE ECONOMIC OUTLOOK AND BUDGET DEVELOPMENTS

Mr. GOLDWATER. Mr. President, on June 26, 1957, the Subcommittee on Fiscal Policy of the Joint Economic Committee released a committee print of their Report on Fiscal Policy Implications of the Economic Outlook and Budget Developments.

As a member of the Joint Economic Committee, as well as a member of the Subcommittee on Fiscal Policy, I have a deep interest in the substance of the report. I am in full agreement with much of the material contained in the report, but I feel that the report does not face completely some of the fiscal problems confronting the economy. For that reason, I have prepared comments on the report of the Subcommittee on Fiscal Policy, and I ask unanimous consent that these comments be printed in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GOLDWATER

The report of the Subcommittee on Fiscal Policy does not come to specific grips with the pressing need for major change in existing tax policy. Rather, it is concerned primarily with the short-range outlook, principally in the coming fiscal year, which is treated without regard to fundamental causes and effects. In its preoccupation with short-run economic and budget considerations, it does not attempt to meet the problem of reshaping the tax structure as a prime means to steadier economic growth without constant inflation.

I believe, and so recommended to the subcommittee, that its findings should have met this fundamental problem head on. It would be a severe blow to the Nation's prospects for stable and sustained economic growth if the subcommittee's report serves to postpone the day when the tax-initiating committee, the House Committee on Ways and Means, will conduct a full airing of the impact of present tax rates on the accumulation of savings, the beginning and growth of business, and the improvement of job opportunities and living standards. Taxpayers should have ample opportunity to present evidence of the harmful effect of high taxes as well as their recommendations for needed rate changes.

These tax problems come into focus with a reading of the transcript of the hearings, or even the summary of the panel discussions prepared by the subcommittee staff.

Many of the panelists called for an early start on overall reform of the income-tax rate structure. The subcommittee was told that there is a shortage of savings, and especially of venture capital, caused by excessive rates of income tax.

I am convinced that the high tax rates are actually a major source of inflation. They are a limiting factor on personal and business savings, and thus result in excessive pressure on the banking system for capital which should have come from current income.

The report of the subcommittee clearly indicates the basic problem. It states: "The basic problem is an inadequate level of savings out of current income." However, the report does not relate the high tax rates to the savings problem. Hence, use of the subcommittee's report as a policy guide might well serve to perpetuate this inflationary condition.

The point is that we should get started on reducing the high tax rates so as to relieve this source of inflation, rather than use inflationary pressures as an argument against meeting this problem.

I agree with the view, expressed in the report, that increased Federal spending also has contributed to current inflationary pressures and that more must be done to bring Federal spending under better control.

I disagree, however, that a start on tax-rate reductions must await reductions in Federal spending, or a budget surplus, of between three to five billion dollars. Unless encumbered for tax reduction, we may expect the Federal Government to continue its propensity to cover increased revenue with increased spending. In the 2 years ending this June 30, Federal budget revenues (adjusted to eliminate highway user taxes from the base) have increased in the order of $11 billion.

It is time to give serious consideration to use of the taxing power to control excessive spending. This does not suggest that I am in favor of reducing taxes at the expense of a balanced budget. However, I am convinced that the earlier tax rates are reduced the greater will be the restraint exercised on Federal spending by those in charge of planning subsequent budgets.

Having pressed in on the Government's propensity to use available revenue for spending, such tax reductions would do much to assure accomplishment of further reductions in both spending and taxes in the future.

To put off a beginning step toward overhaul of the rate structure until a large surplus is available would be an exercise in futility, simply postponing the time when a moderate tax-rate structure could make its contribution to minimizing inflationary pressures, and thus promoting a stable, healthy, and expanding economy.

The subcommittee's report recognizes the significance of revenue growth, if made available for tax reduction. It recognizes the need for reducing and controlling expenditures. It recognizes the basic inflationary problem of inadequate savings.

However, it fails to recognize the tax source of inadequate savings, and to recommend an early start on planned rate reduction. It is difficult for me to reconcile this failing with the purposes of the inquiry conducted by the subcommittee.

The final finding in the report seems to imply that a start on rate reduction must await overhaul of the already massive body of tax law. This is both unrealistic and unfair. It is unrealistic because there are no developments in the tax-writing committees which indicate any intention to repeal or substantially modify the so-called special provisions, which have been openly arrived at and which have any substantial revenue significance. It is unfair because to the extent that the special provisions provide relief for some segments of the taxpaying public, and not others, there is the greater reason for the earliest possible action to bring the high rates of tax down to more moderate levels.

Mr. BUSH. Mr. President, the distinguished junior Senator from Arizona [Mr. GOLDWATER] has made some remarks concerning a report, just published, of the Subcommittee on Fiscal Policy of the Joint Economic Committee, Congress of the United States. I have a copy of that report in my hand. It is an excellent report and—in many respects, a very thorough justification of the monetary and credit policies which have been pursued by the Federal Reserve Board in recent years, and supported by the Secretary of the Treasury.

I have spoken to the distinguished Senator from Arizona and have asked him if he would approve my request that excerpts from the report be printed in the RECORD following the remarks which he made pertaining to the report.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Is there objection to the unanimous-consent request?

There being no objection, excerpts from the report were ordered to be printed in the RECORD, as follows:

ECONOMIC OUTLOOK AND BUDGET DEVELOPMENTS

Discussion with 33 non-Government experts and with the Director of the Bureau of the Budget, the Secretary of the Treasury, and the Chairman of the Board of Governors of the Federal Reserve System focused on: (1) the current economic situation and prospects for the remainder of 1957 and for 1958; (2) the effect of current Congressional and administrative efforts to reduce spending on the prospective budget surplus in fiscal 1958 and on levels of economic activity in 1957–58; (3) types of fiscal action consistent with economic stability and growth if spending reductions are achieved; and (4) the timing of fiscal action in relation to budgetary and economic developments. These discussions were directed toward the broad outlines of fiscal action which would best contribute to the setting within which our enterprise economy can proceed on a steady and noninflationary course of economic growth. Responsible fiscal policy calls for revenues adequate to finance Government activities, including debt management, in a manner which will contribute to economic stability and growth.

FINDINGS OF THE SUBCOMMITTEE ON FISCAL POLICY

Inflation is a grave economic problem facing the American economy today. Failure to deal with it forthrightly will result in increasing hardships for millions of Americans. It will impose the cost of economic instability on future generations by making achievement of steady economic progress increasingly difficult.

The rapid expansion of Federal Government spending in recent years, coming on top of sharp increases in consumption and investment in the private sectors of the economy, has contributed significantly to current inflationary pressures. Present fiscal and monetary restraints, such as the extension of tax rates otherwise scheduled for reduction, the application of modest surpluses to debt retirement, and general controls for restricting increases in the supply of credit, have not been fully effective in curbing pressures for widespread price increases.

Public policies must face up squarely to the problem of inflation. Restraining inflation never has been and never will be an easy job. It requires making hard decisions in public policies to contend with problems which may become increasingly complex. The current difficulties in management of the Federal debt offer an impressive example. Demands for immediate and substantial tax reduction and for more freely available credit are others. Steady economic growth and stable prices, however, will not be achieved unless we are guided by appraisal of the findings of objective and dispassionate inquiries.

The subcommittee's findings are:

1. The economic outlook for the remainder of 1957 and early 1958 suggests continued increases in output and income. Although somewhat less buoyant than in 1956, total demand shows sufficient strength in widespread sectors of economic activity to point to continuing upward pressures on prices. Modest, e. g., $1 billion to $2 billion, reductions in Federal spending, with corresponding increases in the budget surplus in fiscal 1958, would not significantly affect these prospects.

At the same time, a number of soft spots in the economy emphasize the need for continuing alertness to possible changes in overall levels of the economic activity which may require revisions in current public policies.[1] A downturn in economic activity would call for easing restraints. If relaxation of present general credit controls should prove inadequate to prevent a continuing decline in employment and output, general tax reduction should be provided.

2. Barring an economic downturn, which seems unlikely at this time, tax reductions or easing monetary restraints in fiscal year 1958 should be based on realization of substantial, e. g., $3 billion to $5 billion, reductions in Federal expenditures during the year, if renewed acceleration of widespread price increases is to be avoided. The achievement in fiscal 1958 of such reductions in actual Federal spending below the January 1957 estimates would call for tax reductions effective with respect to a part of fiscal 1958, certainly not later than the beginning of fiscal 1959. Present prospects indicate a somewhat smaller surplus in fiscal 1958 than the $1.8 billion estimated in the President's January 1957 budget message. Rising prices, particularly for defense goods and services, appear to be largely responsible for the downward adjustment in the estimated surplus.

Under present conditions of high levels of employment and output, any modest surplus in the Federal budget should be applied to debt reduction. In addition to facilitating public debt management, this use of a budget surplus will reduce the demands imposed on monetary policy as a means of restraining inflationary pressures.

3. In order to justify tax reduction under conditions of steady economic growth, more remains to be done by the Congress and the administration with respect to actual Federal spending in fiscal 1958 than has been accomplished to date. Actions so far undertaken by the Congress and the administration with respect to the President's 1958 budget proposals hold little promise for reduction in actual Federal spending in fiscal 1958. In several cases, these actions represent revisions of the estimated costs of specific programs presented in the President's January 1957 budget message. In other cases, appropriations have been cut without changing existing program obligations of the Federal Government, so that supplemental or deficiency appropriations will subsequently be necessary. Moreover, reductions in appropriations for fiscal 1958 may, in a number of cases, have little effect on actual expenditures during the year because of the carryover from fiscal 1957 of existing but unused obligational authority. In their efforts to reduce Federal spending, the Congress and the administration should recognize that decreases in budget estimates do not necessarily result in decreases in actual Government outlays.

4. Several Federal spending programs appear to contain built-in expansion features. Federal Government commitments for old-age assistance, social-security benefits, and highway expenditures are but a few examples of Federal programs which will increase under present law provisions. Refunding maturing issues of the public debt may be expected to result in increases in interest costs, so long as the present tight-money conditions persist. In addition, cost and price increases tend to result in increasing levels of Federal spending, even when no change in real terms is made in existing programs. Merely continuing present programs, therefore, may well result in rising levels of Federal spending over the next several years.

5. Substantial reductions in Federal spending in fiscal 1958 and subsequent years will require downward revision of existing programs as well as foregoing new expenditures. Rising prices and costs, particularly in defense spending, suggest that such revisions may well be necessary even to hold fiscal 1958 expenditures to the level estimated in the President's budget message of January 1957.

6. Many important considerations, other than those of maintaining stability in the general price level and a high rate of economic growth, enter into decisions about the kind and magnitude of Federal spending programs. It should be recognized, however, that under present economic conditions, widespread demands for tax reductions cannot be met without inflationary consequences unless Government spending is prevented from rising as rapidly as revenues. The Congress and the administration, therefore, should increase their efforts to find means for reducing the scope of present Federal spending programs. These efforts will have to go beyond elimination of waste and inefficiency. Close review of the substance of present programs, prospects for their future expansion or contraction, and their contributions to the Nation's economic progress compared with private uses of the resources they demand will be necessary to effect major reductions in Federal expenditures.

More than 60 percent of estimated budget expenditures for fiscal 1958, as proposed in the President's January 1957 budget message, is for major national security programs, including expenditures abroad. The Joint Economic Committee repeatedly has pointed out that our economy can support such heavy defense programs while increasing productive capacity and living standards in the private sectors of the economy. Nevertheless, national security expenditures require the use of large amounts of resources which might add significantly to the rate of economic growth. A prime objective of the Congress and the administration, therefore should be to achieve the highest possible level of military competence at the least possible cost in terms of resources used.

Reductions in Federal spending should be carefully determined to avoid weakening our national security preparations and those Federal Government activities which contribute most to developing the material and human resources essential for economic growth. On the other hand, there need be little concern about possible adverse effects on the level of total economic activity resulting from imposing effective restraints on expansion of Federal expenditures. Appropriate tax and credit policy changes can provide adequate increases in private demand to afford employment for additions to the labor force and to plant and equipment, and also for any resources released through decreased Federal spending. Indeed, since continuation of the postwar average rate of growth in gross national product may be expected to produce about $3 billion annually in additional revenue, preventing further growth in Federal spending will permit substantial tax reductions contributing to a growing level of private demand.

7. Present inflationary pressures frequently are attributed to the so-called cost-price push, as distinct from the traditional inflation resulting from excessive demand. Whether or not this distinction is valid, it is evident that general price increases can occur without increasing unemployment only if demand is adequate to support the higher price level. The basic problem is an inadequate level of savings out of current income. An ever-increasing volume of real savings is needed to meet the economy's requirements for replacement of plant and equipment under inflated prices and for growth based upon full exploitation of rapid technological advances. Fiscal and monetary policies should be directed toward encouraging a higher level of voluntary real savings under the present conditions of inflationary pressure.

Since these objectives have not been fully accomplished, public policies to cope with increases in the price level must take the form of general fiscal and monetary restraints on the expansion of total spending. It is recognized that the burden of such restraints may not be evenly distributed throughout the economy. The burden of inflation, however, is far more inequitably distributed. The alternative to general fiscal and credit controls is some form of direct Government control over wage and price determination. The use of this type of control would produce results as bad, if not worse, than the inflation against which it would be directed, and should be avoided.

8. The long-run growth conditions of our dynamic economy call for constant attention to revision of the Federal revenue structure. Structural changes which broaden the tax base and improve the fairness of our tax laws would permit substantial reductions in tax rates while maintaining necessary revenues and would contribute to steady economic growth. Such revision is a continuing responsibility of the administration and of the tax committees of the Congress. The timing of such revisions must give due consideration to the Government's revenue requirements and to economic conditions. Ill-timed structural changes may defeat their long-run objectives by promoting economic instability.

[1] Senator O'MAHONEY wishes to add:

"Notable soft spots are present in the areas of agriculture and small business. Huge Government appropriations to take agricultural surpluses out of the market, instead of a constructive legislative solution that would make agriculture a self-supporting segment of the economy, and the rising rate of bankruptcy in the field of small business, are warning signals that cannot safely be ignored. In these two areas taxpayers who ought to be contributing to the tax receipts of the Government are not earning incomes upon which taxes can be paid."

THE CORDINER COMMITTEE REPORT

Mr. GOLDWATER. Mr. President, earlier this year there was submitted to the Department of Defense a comprehensive survey since known as the Cordiner report. The Cordiner report is receiving more and more attention across this Nation as people come to realize that the shocking rate of turnover in our armed services, and particularly in the Air Force, can be detrimental to our defense efforts. Let me quote directly from the Cordiner report a paragraph that recognizes, as the people of America recognize, that a defensive effort or an offensive effort both depend upon personnel:

This Committee is firmly convinced that human beings are the most important component of all modern weapon systems. The maximum possible capability in the personnel associated with operating these weapon systems is essential; otherwise, regardless of how expensive or advanced, the systems are not effective. If the Armed Forces are manned with personnel of minimum or marginal capability, they cannot achieve operational effectiveness in proportion to the technical capacity built into materiel. Realization of the full potential of the billions of dollars' worth of ships, planes, tanks, and guns provided by the taxpayer is dependent upon fully qualified personnel to operate them.

In connection with this subject the governors conference, just concluded at Williamsburg, passed a resolution suggesting the adoption of the Cordiner report as embodied in Senate bill 2014. I ask unanimous consent that the language of the resolution and a report of its adoption in an article from the New York Herald Tribune this morning be printed at this point in my remarks.

There being no objection, the resolution and article were ordered to be printed in the RECORD, as follows:

RESOLUTION RELATIVE TO CHANGING THE METHOD OF COMPUTING THE BASIC PAY FOR MEMBERS OF THE ARMED FORCES

Whereas there is now pending before the Congress of the United States legislation, including S. 2014 and H. R. 7574, which would change the method of computing the basic pay for members of the Armed Forces in accordance with the recommendations of a special Committee headed by Ralph J. Cordiner, president of General Electric Co.; and

Whereas the Military Establishment is desperately in need of a means for attracting and retaining persons with scientific, professional, combat leadership, and management skills necessary to maintain a deterrent power for peace during these times of advancing technology and threat of aggression; and

Whereas the Armed Forces do not presently have the means to compete for trained personnel urgently needed for the defense of this country, and a significant factor in their inability to do so is the inadequacy of the present compensation practices now in use; and

Whereas the proposed changes in the military pay structure are based on merit rather than longevity, will bring military pay more in line with the pay standards of industry and will offer greater reenlistment incentive for highly trained personnel; and

Whereas the program of the Cordiner Committee, while making possible at least a 15-percent improvement in the combat capability of the United States Armed Forces, would result in savings and gains up to $5 billion a year by 1962 or sooner in the cost of national defense: Now, therefore, be it

Resolved, That this 49th annual governors conference respectfully memorialize the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces along the lines proposed in S. 2014 and H. R. 7574; and be it further

Resolved, That the secretary of the governors conference is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, and the Speaker of the House of Representatives.

[From the New York Herald Tribune of June 27, 1957]

GOVERNORS FOR SERVICE WAGE RISES—ASK CONGRESS TO UPHOLD CORDINER

(By Earl Mazo)

WILLIAMSBURG, VA., June 26.—The Nation's governors unanimously urged Congress today to revise Armed Forces pay scales in accordance with the recommendations of the Cordiner report.

The governors thus added their voices to those pressing for adoption of the revised pay plan in the face of an apparent coolness on the part of the administration.

The Cordiner report urged pay increases for "valuable" young officers and highly skilled service personnel who might otherwise be lost to private industry—thus lowering combat capability and increasing training costs.

GOVERNORS' STATEMENT

In urging Congressional action on service pay at the close of their 49th annual conference here, the governors stated:

"Whereas the Military Establishment is desperately in need of a means for attracting and retaining persons with scientific, professional, combat leadership and management skills necessary to maintain a deterrent power; and

"Whereas, the Armed Forces do not presently have the means to compete for trained personnel urgently needed for the defense of this country, and a significant factor in their inability to do so is the inadequacy of the present compensation practices now in use; and

"Whereas, the proposed changes in the military pay structures are based on merit rather than longevity, will bring military pay more in line with the pay standards of industry and will offer greater reenlistment incentive for highly trained personnel: Now, therefore, be it

"*Resolved*, That the 49th annual meetings of the governors conference urge the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces, along the lines proposed by the Cordiner Committee."

FOSS PUTS IN RESOLUTION

The Defense Advisory Committee on Professional and Technical Compensation, headed by Ralph J. Cordiner, president of the General Electric Co., submitted its report in May. Since then, advocates of the report have felt the administration was attempting to sidetrack it, at least for the coming fiscal year.

These advocates were not encouraged by President Eisenhower's comment last week that, while he warmly indorsed the idea of pay increases for skilled young officers and technicians, he opposed using the Cordiner report "as an excuse for a general overall pay raise to include all the generals and everybody else in the Army, Navy, and Air Force." They pointed out that the report did not call for across-the-board pay increases.

The Cordiner resolution was introduced at the conference by Gov. Joe J. Foss, Republican, of South Dakota, World War II Marine ace and winner of the Medal of Honor. Governor Foss offered the resolution on Monday, without notice to any other governor, and then went before the conference resolutions committee, headed by Gov. Luther Hodges, Democrat, of North Carolina, to push it through.

SECOND PHASE NOT CITED

It was noted that the governors' resolution took note only of the pay-increase phase of the Cordiner report. The report also recommended a manpower management plan to administer the pay program and give greater flexibility to the distribution of skills among the services.

It has been estimated that adoption of the Cordiner recommendations would mean a 15-percent improvement in combat capability of the Armed Forces; savings and gains in the cost of national defense up to $5 billion by 1962 or sooner, and a reduction in training accidents and in the number of military personnel needed to produce a given level of national security.

THE SUPREME IMPORTANCE OF INTERNATIONAL LAW

PRAISE OF AMERICAN BAR ASSOCIATION

Mr. WILEY. Mr. President, I compliment the American Bar Association on the enlightened program for this year's convention. The American Bar Association is to meet, not only in New York City, but also abroad, in London, England.

Since the time required to cross the Atlantic Ocean has shrunk to 9 hours, when traveling by airplane, it is well for lawyers from the western and eastern shores of that former sea barrier to visit together as much as possible.

The New York session of the convention will begin July 14, with many committee meetings being held there in the preceding week. Then the convention will recess, to reconvene in London, England.

UNITED NATIONS

The first session of the New York convention of the American Bar Association will meet in special convocation in the United Nations Building on Sunday, July 14, 1957. It is most appropriate that this recognition be given to the international organization which inspires the most hope for a peaceful future.

Essential to the strength of the United Nations is the sanctity of treaty obligations. We must not allow our power to live up to our international word to be undermined by technical and untried amendments to the Constitution.

In order that none may overlook this important gathering, I ask unanimous consent that the calendar of the American Bar Association New York meeting be printed in the RECORD at this point in my remarks.

There being no objection, the calendar was ordered to be printed in the RECORD, as follows:

AMERICAN BAR ASSOCIATION MEETING, NEW YORK CITY, JULY 15–16, 1957

SPECIAL CONVOCATION

Sunday, July 14

United Nations Building: 2:30 to 5 p. m., guided tour of the Assembly building.

General Assembly Hall, United Nations Building: 3:30 to 4:30 p. m.

Welcome: Andrew W. Cordier, Executive Assistant to the Secretary General.

Response: David F. Maxwell, president of the American Bar Association, who will then preside over the rest of the meeting.

Remarks: Constantin A. Stavropoulos, Director, Legal Department of the United Nations; His Excellency the Honorable Leslie K. Munro, K. C. M. G., Ambassador from New Zealand; the Honorable James J. Wadsworth, Deputy Representative to the United Nations.

The Delegates Lounge, United Nations Building: 4:30 to 5:30 p. m., reception tendered by the American delegation to the United Nations to President and Mrs. Maxwell and members of the American Bar Association.

THE ASSEMBLY

First session, Monday, July 15, 10 a. m., grand ballroom, the Waldorf-Astoria

The president presiding.

Call to order.

Invocation: His Eminence Francis Cardinal Spellman, archbishop of New York.

Addresses of welcome: Hon. Jacob K. Javits, United States Senator from New York. Hon. Robert F. Wagner, Jr., mayor of the city of New York.

Response: John D. Randall, Cedar Rapids, Iowa.

Introduction of distinguished guests.

Nomination and election of Assembly delegates to fill vacancies.

Nomination of 5 Assembly delegates for 3-year terms.

Presentation of award to American Bar Association by the American Heritage Foundation.

Annual address of the president: The Legal Profession in the Public Eye.

Presentation of awards of merit to bar associations.

Presentation of awards of merit to cities showing greatest improvement in traffic courts.

Presentation of resolutions.

Sixteenth annual meeting of the American Bar Association Endowment, Carl B. Rix, president, Milwaukee, Wis.

Second session annual dinner honoring the judiciary

The annual dinner of the American Bar Association jointly with the section of judicial administration, Monday, July 15, 7:30 p. m., grand ballroom, the Waldorf-Astoria, Hon. David F. Maxwell, president of the American Bar Association and Hon. Elwyn Thomas, justice, Supreme Court of Florida, jointly presiding.

Invocation: The Right Reverend James P. De Wolfe, presiding bishop of the Episcopal diocese of Long Island.

Presentation of American Bar Association medal.

Addresses by His Excellency Sir Harold Caccia, K. C. M. G., British Ambassador to the United States; Hon. Christian A. Herter, Under Secretary of State, formerly Governor of Massachusetts.

Third session, Tuesday, July 16, 10 a. m., grand ballroom, the Waldorf-Astoria, the president presiding

Invocation: The Reverend Dr. Julius Mark, senior rabbi, Temple Emanu-El.

Presentation of Ross bequest award for 1957.

Address by Hon. E. C. Leslie, Q. C., president of the Canadian Bar Association, "Happy Pilgrimage."

Report of committee on resolutions: LeDoux R. Provosty, chairman, Alexandria, La.

CALENDAR, HOUSE OF DELEGATES, SEET ROOM, THE WALDORF-ASTORIA

Sessions convene promptly at 2 p. m. Monday, July 15, upon the adjournment of the assembly on Tuesday morning, July 16, and at 2 p. m. that afternoon, and will recess at 5 p. m. The house will reconvene in London, holding morning sessions beginning at 10 a. m. on Thursday, July 25, Friday, July 26, and Tuesday, July 30, in the Lancaster room, the Savoy.

The chairman of the house of delegates, presiding.

Rollcall.

Report by the committee on credentials and admissions, Glenn M. Coulter, chairman, Detroit, Mich.

Approval of the record.

Approval of the calendar as orders of the day.

Statement by the chairmen of the house of delegates, Charles S. Rhyne, Washington, D. C.

Offering of resolutions for reference to the committee on draft.

Report by the president of the American Bar Association, David F. Maxwell, Philadelphia, Pa.

Election of officers of the association and members of the board of governors, as prescribed by the constitution, article VIII, section 1, and article IX, section 3.

Report of the board of elections, Walter V. Schaefer, chairman, Chicago, Ill.

Nomination of member of committee on scope and correlation of work, as prescribed by article X, section 7 (y), of the bylaws.

Report of the treasurer, Harold H. Bredell, Indianapolis, Ind.

Report of the budget committee, Thomas M. Burgess, chairman, Colorado Springs, Colo.

Report of the editor-in-chief of the Journal, Tappan Gregory, Chicago, Ill.

Presentation of any matters which any State or local bar association or any affiliated organization of the legal profession wishes to bring before the house.

Reports of committees and sections.

OPPORTUNITY FOR INTERNATIONAL UNDERSTANDING

Mr. WILEY. Mr. President, thousands of outstanding leaders of the American bar will reconvene in their convention in London on Thursday, July 25. They will meet in historic Westminster Hall. They will be welcomed there by the leaders of the British bar. They will be the guests of the General Council of the Bar of England and of the Law Society of England.

During the meetings scheduled for London there will be many excellent opportunities for some good, old-fashioned talk. In order that all may be aware of these important meetings, I ask unanimous consent that there be printed at this point in the RECORD the calendar of the London meeting of the American Bar Association assembly, house of delegates, and of the joint committee of English and United States lawyers.

There being no objection, the calendar was ordered to be printed in the RECORD, as follows:

AMERICAN BAR ASSOCIATION CONVENTION, LONDON, ENGLAND, JULY 24–30, 1957

THE ASSEMBLY

Fourth session[1] Wednesday, July 24, 11 a. m., Westminster Hall

Introduction: The Right Honorable Sir Reginald Manningham-Buller, Q. C., M. P., H. M. Attorney General; the Honorable Ian David Yeaman, the president of the Law Society.

Address of welcome: The Right Honorable Viscount Kilmuir, G. C. V. O., Q. C., M. P., the Lord High Chancellor of Great Britain.

Responses: The Honorable Earl Warren, Chief Justice of the United States; the Honorable Herbert Brownell, Jr., Attorney General of the United States; the Honorable David F. Maxwell, president of the American Bar Association.

Fifth session, Friday, July 26, 2:30 p. m., Royal Festival Hall

The Honorable David F. Maxwell, the president of the American Bar Association, presiding.

Introduction of the Prime Minister by the Honorable John Hay Whitney, the United States Ambassador to Great Britain.

Address: The Prime Minister, the right Honorable Harold Macmillan, M. P.

Sixth session, Sunday, July 28, 4 p. m., ceremony at Runnymede, Egham, in the county of Surrey, commemorating Magna Carta

The Honorable David F. Maxwell, the president of the American Bar Association, presiding.

Invocation.

Addresses: E. Smythe Gambrell, immediate past president of the American Bar Association; the master of the rolls, the Right Honorable Lord Evershed; Charles S. Rhyne, chairman of the house of delegates of the American Bar Association; the Right Honorable Sir Hartley Shawcross, Q. C., M. P., chairman, the General Council of the Bar of England and Wales.

Unveiling of Monument by the president of the American Bar Association.

Seventh session, Tuesday, July 30, 10 a. m., Lancaster Room, Savoy Hotel, (Victoria embankment entrance) (immediately following adjournment of the final session of the house of delegates)

The president presiding.

THE HOUSE OF DELEGATES OF THE AMERICAN BAR ASSOCIATION, LANCASTER ROOM, SAVOY HOTEL

Sessions convene promptly at 10 a. m. Thursday, July 25, Friday, July 26, and Tuesday, July 30.

The House will consider those reports which have been scheduled for submission in London and any other matters of unfinished business. Items on the calendar will be considered in the order in which they appear unless otherwise ordered by the House. The full calendar of the house of delegates is printed at pages 5–10.

The attention of committee and section chairmen is called to paragraph 5 of rule VII of the rules of procedure, which provide that "Reports • • • that are printed in the advance program • • • or otherwise • • • shal not be read orally • • • but shall be stated to the House in substance only."

The cooperation of all persons presenting reports in adhering to the order of business stated in the calendar is earnestly solicited, in order that those persons and the members of the House may rely upon the schedule as announced.

JOINT COMMITTEE SESSIONS

Thursday, July 25; Niblett Hall, Inner Temple, King's Bench Walk

10 a. m.: Joint committee session, English and United States lawyers.

(Chairman to be announced.)

"Probate Law—Estate Planning and Taxes."

English speakers: A. G. N. Cross, Q. C., member of the bar, London; Sir Dingwall Bateson, C. B. E., M. C., solicitor, formerly president of the Law Society, London.

American speakers: A. James Casner, professor of law, Harvard University Law School, Cambridge, Mass.; Harry B. Sutter, formerly special attorney, Office of Solicitor of Internal Revenue, Chicago, Ill.

Thursday, July 25, Old Hall, Lincoln's Inn

10 a. m.: Joint committee session, English and United States lawyers.

(Chairman to be announced.)

"Publicity Attendant Upon Trials."

English speakers: B. J. M. MacKenna, Q. C., member of the bar, London; John Elliott, solicitor, member of the council and chairman of the public relations committee of the Law Society, London.

American speakers: Elisha Hanson, member of the American Bar Association's committee on public relations and general counsel for the American Newspaper Publishers Association, Washington, D. C.; Richard P. Tinkham, chairman, American Bar Association's committee on public relations, and formerly a member of the board of governors, Hammond, Ind.

Friday, July 26, Niblett Hall, Inner Temple, King's Bench Walk

10 a. m.: Joint committee session, English and United States lawyers, Philip Mechem, president, Association of American Law Schools, Philadelphia, Pa., moderator.

"Negligence: A Compartive Review of the Effect of Contributory Negligence in England and the United States."

English speakers: Montague L. Berryman, Q. C., member of the bar, London; Sir William Charles Crocker, M. C., solicitor, formerly president of the Law Society, London.

American speakers: Lewis F. Powell, Jr., Richmond, Va.; William L. Prosser, dean of the School of Law, University of California, Berkeley, Calif.

Friday, July 26, Old Hall, Lincoln's Inn

10 a. m.: Joint committee session, English and United States lawyers, Hon. Laurance M. Hyde, judge, Supreme Court of Missouri, Jefferson City, Mo., moderator.

"Use of the Jury in England and the United States."

English speakers: The Honorable Mr. Justice (Sir Patrick Arthur) Devlin, the Queen's Bench Division, the High Court of Justice.

American speakers: Joseph A. Ball, president of the State bar of California, Los Angeles, Calif.; Hon. David W. Peck, presiding justice, Supreme Court Appellate Division, First Department, New York, N. Y.

INTERCHANGE OF VIEWS

Mr. WILEY. Mr. President, during these London sessions and the related committee meetings, there will be unique opportunities for interchange of ideas between the distinguished American lawyers and their outstanding British brethren.

The common law governing both England and the United States creates a close tie between all these lawyers, who have learned the value of individual freedom and private enterprise. They treasure the principles won with difficulty over the centuries. The British lawyers and the American lawyers will both gain from free exchange of ideas, whether critical or complimentary.

INTERNATIONAL LAW

The American Bar Association's section on international and comparative law will also have special meetings in London, as well as in New York. Because of their importance, I ask unanimous consent that the schedule of these section meetings be printed at this point in my remarks.

There being no objection, the schedule of meetings was ordered to be printed in the RECORD, as follows:

INTERNATIONAL AND COMPARATIVE LAW—VICTOR C. FOLSOM, CHAIRMAN, NEW YORK, N. Y.

Friday, July 12, Jansen suite (salon), the Waldorf-Astoria

8 a. m.: Joint breakfast with American Foreign Law Association; John N. Hazard, New York, N. Y., second vice chairman, section of international and comparative law, presiding; Albert M. Herrmann, New York, N. Y., secretary, American Foreign Law Association, cochairman.

Speakers: Martin Domke, New York, N. Y., formerly case editor of the American Journal of Comparative Law, Foreign Law in American Courts: A Case Discussion; Harry LeRoy Jones, Washington, D. C., Office of Alien Property, Department of Justice, Pitfalls in Opening of the New York Interpleader Compact to Foreign Adherents.

Friday, July 12, assembly suite (4J and 4K), the Waldorf-Astoria

10 a. m.: Meeting of council and committee chairmen.

Friday, July 12, west foyer, the Waldorf-Astoria

2 p. m.: General session.

INTERNATIONAL AND COMPARATIVE LAW, VICTOR C. FOLSOM, CHAIRMAN, NEW YORK, N. Y.

Thursday, July 25, Senate House, University of London, Malet Street, Russell Square

9:30 a. m.: Joint meeting with Institute of Advanced Legal Studies, University of London, Victor C. Folsom and Sir David Hughes Parry, University of London, jointly presiding.

"Extraterritorial Application of Antitrust Laws," Arthur H. Dean, New York, N. Y.; Otto Kahn-Freund, LL. M., doctor of jurisprudence, professor of law, University of London.

"Criminal Jurisdiction in the NATO Status of Forces Agreements," G. I. A. D. Draper, LL. M., lecturer, faculty of laws, Kings College, University of London, lately assistant director of Army legal staff, War Office; Richard R. Baxter, LL. M., assistant professor of law, Harvard University Law School, formerly attorney in the office of the Secretary of Defense of the United States.

(A buffet luncheon for members attending the morning session will be tendered by the Institute of Advanced Legal Studies.)

Thursday, July 25, River Room, Savoy Hotel

5:30 to 7:30 p. m.: Reception by the section of international and comparative law, jointly with the Inter-American Bar Association and the International Bar Association.

TREATIES AND INTERNATIONAL AGREEMENTS

Mr. WILEY. Mr. President, the international law section of the American Bar Association has consistently opposed every form of the so-called Bricker amendment which would, if adopted, so amend the Constitution as unreasonably to restrict the traditional authority of the President of the United States to conduct our foreign affairs.

The recent decision of the United States Supreme Court in the case of Reid against Covert, in the opinion of most, finally disposed of the issue of the Bricker amendment, by proving again that it is unnecessary. The opinion was handed down on June 10, 1957, only several weeks ago.

However, we find that the Senate Subcommittee on Constitutional Amendments was again urged to spend additional time in considering the 1957 version of the Bricker amendment; and

[1] Mass will be celebrated in Westminster Cathedral at 9:45 a. m., and special Choral Matins sung in Westminster Abbey at 10 a. m., on Wednesday, July 24, preceding the Assembly session.

a hearing on that amendment was held last Monday, June 24.

But the issue, if ever there was a real one, was laid at rest by the words of the United States Supreme Court in that case, that "no agreement with a foreign nation can confer power on the Congress, or on any other branch of Government which is free from the restraints of the Constitution."

BENEFIT FROM EXPERIENCE IN INTERNATIONAL LEGAL BUSINESS

It is my hope that all members of the American Bar Association, while they are in London, or while traveling afterwards throughout the European continent, will take advantage of the great opportunity to ask their brother lawyers abroad, whose law practice frequently crosses national boundaries, for the benefit of their experience concerning the power of the several nations to negotiate treaties.

I am sure that from this interchange of free and frank opinion there will come light. And I believe it will convince many of our legal practitioners, including those who never have had occasion to work in the field of international law, of the value of the constitutional treaty power which the President of the United States now possesses.

REPORT ON THE 1957 BRICKER AMENDMENT

One of the great bar associations in the United States which often cooperates with the American Bar Association and its section on international law is the Association of the Bar of the city of New York.

In my studies of the treaty power, I have found its reports careful and lawyerlike. So I have noted with interest that association's recent report entitled, "Report on the 1957 Bricker Amendment." I ask unanimous consent that the report be printed at this point in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK REPORT ON THE 1957 BRICKER AMENDMENT

I. INTRODUCTION

The major emphasis in President Eisenhower's second inaugural address was on the impossibility of isolation. As stated by the President, this country, especially, cannot "live to itself alone":

"The economic need of all nations—in mutual dependence—makes isolation an impossibility, not even America's prosperity could long survive if other nations did not prosper. No nation can longer be a fortress, lone and strong and safe. And any people, seeking such shelter for themselves, can now build only their own prison." [1]

Nonetheless, a "Bricker" amendment to the Constitution has been proposed for the sixth successive year. Each of the proposals submitted to the Senate by Senator BRICKER has had as its primary purpose the restriction, in one way or another, of the power of the Federal Government and of the power of the President in the conduct of foreign affairs.[2] The newest Bricker version [3] reads as follows:

"SECTION 1. A provision of a treaty or other international agreement not made in pursuance of this Constitution shall have no force or effect. This section shall not apply to treaties made prior to the effective date of this Constitution.

"SEC. 2. A treaty or other international agreement shall have legislative effect within the United States as a law thereof only through legislation, except to the extent that the Senate shall provide affirmatively, in its resolution advising and consenting to a treaty, that the treaty shall have legislative effect.

"SEC. 3. An international agreement other than a treaty shall have legislative effect within the United States as a law thereof only through legislation valid in the absence of such an international agreement.

"SEC. 4. On the question of advising and consenting to a treaty, the vote shall be determined by yeas and nays, and the names of the Senators voting for and against shall be entered on the Journal of the Senate." [4]

The Bricker proposals, predicated as they are on the concept of an America which can afford to treat with other nations or not, at its pleasure, are as unrealistic as the Articles of Confederation to which they bear such strong resemblance. Authority in matters of foreign affairs must be centralized in the Federal Government; and the President's existing power to act firmly, decisively, and without delay in times of international crisis must not be restricted.

We recognize and reaffirm the vital importance of the supremacy of our Constitution over treaties and other international agreements. This is, and always has been, the law.

We maintain that the constitutional supremacy of the Federal Government, under Presidential leadership, on matters of foreign affairs is also vital; and that the constitutional delineation of powers and jurisdiction in such matters has served so well that there should be no amendment to the Constitution, in this regard, in the absence of a proven need. Although the burden has been on the proponents of the Bricker amendments to establish the need for the changes which they have advocated during the past 5 years, no such need has been shown.

We shall analyze the latest Bricker proposal and show that, after all these years, its proponents have not abandoned their basic objective. The time has come to write finis on the Bricker amendment.

II. THE VARIOUS BRICKER AMENDMENT PROPOSALS

Attached as appendix A to this report is a tabular comparison of the six principal Bricker proposals which have been submitted to the Senate. The history of the various proposals designed to limit the making of treaties and executive agreements which have been introduced since Senator BRICKER offered his original version in 1952 is set forth chronologically in appendix B to this report.

On January 25, 1954, President Eisenhower in connection with a debate in the Senate which began on January 20, 1954, wrote a letter [5] to Senator KNOWLAND in which he said:

"I am unalterably opposed to the Bricker amendment as reported by the Senate Judiciary Committee. It would so restrict the conduct of foreign affairs that our country could not negotiate the agreements necessary for the handling of our business with the rest of the world. Such an amendment would make it impossible for us to deal effectively with friendly nations for our mutual defense and common interests.

"These matters are fundamental. We cannot hope to achieve and maintain peace if we shackle the Federal Government so that it is no longer sovereign in foreign affairs. The President must not be deprived of his historic position as the spokesman for the Nation in its relations with other countries

* * * * * *

"I fully subscribe to the proposition that no treaty or international agreement can contravene the Constitution. I am aware of the feeling of many of our citizens that a treaty may override the Constitution. So that there can be no question on this point, I will gladly support an appropriate amendment that will make this clear for all times.

"Sincerely,

"DWIGHT D. EISENHOWER."

For 5 years these various Bricker proposals and their substitutes have been the subject of 3 rounds of extended Senate subcommittee hearings and, in 1954, of debate on the floor of the Senate, and of nationwide discussion. After each version of the Bricker proposals has been analyzed and criticized, the proponents have come up with a different set of words. Even if they were to abandon all effort to do more than restate the existing law of constitutional supremacy over treaties and other international agreements, there would still be opposition on the sound basis that the Constitution should not be amended lightly and without real purpose. It is clear by now, however, that those who have for so long sought to limit the power of the Federal Government and the President in the field of foreign affairs would not be satisfied with any such restatement of existing law.

The issue is clear—shall the Constitution be amended to curtail the existing power to make treaties and executive agreements? Especially in this precarious atomic age, we believe the answer must be "No."

Before analyzing Senator BRICKER'S sixth and latest proposal (S. J. Res. 3), we shall again review briefly the applicable law.

III. PROVISIONS OF THE CONSTITUTION IN THE TREATY FIELD

The Constitution provides that the President shall have power by and with the advice and consent of the Senate to make treaties, provided two-thirds of the Senators present concur.[6] Since, under our Constitution, treaties operate as laws, it was considered desirable to have the making of treaties participated in by at least part of the legislative branch.[7]

The Constitution thus vests the entire power to make treaties in the Federal Government and expressly forbids it to the States by providing that no State shall enter into any treaty, alliance, or confederation;[8] and that no State shall, without the consent of Congress, enter into any agreement or compact with a foreign power.[9] However, this power extends only to those fields which are properly the subject of negotiation with a foreign country.[10] While treaties may include provisions that deal with matters not generally considered within the scope of powers delegated to Congress (such as mutual rights of inheritance, reciprocal privileges of doing business and engaging in professions, wildlife protection, rights of consular officers in the settlement of decedents' estates, and recognition of debts),[11] they may do so only to the extent that they are properly within the realm of international relations.[12]

The Constitution further provides that the Constitution, and the laws made in pursuance thereof, and all treaties made under the authority of the United States, shall be the supreme law of the land, and that the judges in every State shall be bound thereby notwithstanding anything to the contrary in any State constitution or law.[13] It is this provision which makes the Constitution and the laws and treaties of the Federal Government supreme over the constitutions and laws of the States. Those wise men who drafted the Constitution knew, from their experience under the Articles of Confederation, that it was essential to a nation's success, if not indeed to its existence, to confer upon the Federal Government exclusive treaty power, which would be plenary in scope and binding on the States.[14]

The Constitution further provides that the judicial power of the United States shall extend to all cases arising under the Constitution, the laws of the United States, and treaties made under the authority of the United States.[15] Power in the Federal courts to enforce treaties was deemed advisable to insure their uniform observance throughout the States.

The Constitution enumerates specific powers delegated to Congress and then provides that Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and also all other powers, such as the treaty power, vested by the Constitution in the Government of the United States or in any department or officer thereof.[16] This provision empowers Congress to make laws to carry out the treaty power delegated by the Constitution to the President and the Senate.[17]

[1] New York Times, Jan. 22, 1957, p. 17.

[2] We have made five previous reports opposing the Bricker proposals. Our first report set forth the reasons for opposition to the proposals made in this field (as well as to the particular language of S. J. Res. 130, 82d Cong.) and was approved at the annual meeting of the association on May 13, 1952. Our second report, concerned primarily with S. J. Res. 1 as originally introduced on January 7, 1953, by Senator BRICKER, was printed in the record of the association for April 1953. Our third report dealt with the amended version of S. J. Res. 1 as reported out June 15, 1953, by a majority of the Senate Judiciary Committee and also discussed the substitute introduced for declaratory purposes by Senator KNOWLAND on July 22, 1953; it was printed in the record of the association for December 1953. Our fourth report was addressed to S. J. Res. 1 as introduced on January 6, 1955, by Senator BRICKER; it was printed in the record of the association for March 1955. Our fifth report analyzed the substitute for Senator BRICKER'S S. J. Res. 1 which was reported out March 5, 1956, by a majority of the Senate Judiciary Committee.

[3] S. J. Res. 3, introduced by Senator BRICKER on January 7, 1957.

[4] It is to be noted that unlike the earlier versions there is no section in S. J. Res. 3 specifically limiting the time within which the amendment must be ratified by the States to become operative.

[5] New York Times, January 26, 1954, p. 13

[6] U. S. Constitution, art. II, sec. 2, par. 2, clause 1.

[7] Hamilton, the Federalist, No. 75.

[8] U. S. Constitution, art. I, sec. 10, par. 1.

[9] U. S. Constitution, art. I, sec. 10, par. 3.

[10] See IV A (ii) (a), infra, p. 7.

[11] See *Ware* v. *Hylton* 3, Dall. 199 (1796)); *Asakura* v. *Seattle* (265 U. S. 332 (1924)); *Missouri* v. *Holland* (252 U. S. 416 (1920)); *Hauenstein* v. *Lynham* (100 U. S. 483 (1880)).

[12] See discussion IV A (ii), infra, p. 7.

[13] U. S. Constitution, art. VI, par. 2.

[14] 1 Farrand, The Records of the Federal Convention, pp. 47, 54, 61.

[15] U. S. Constitution, art. III, sec. 2, par. 1, clause 1.

[16] U. S. Constitution, art. I, sec. 8, par. 18.

[17] It was under this authorization that Congress passed the law which the Supreme Court upheld in *Missouri* v. *Holland* (252 U. S. 416 (1920)).

IV. PRESENT LIMITATIONS ON THE TREATY POWER AND THE POWER TO MAKE OTHER INTERNATIONAL AGREEMENTS

The power of the President to enter into treaties and other international agreements is subject to efficient and adequate restraints. These include the following:

A. Limitations on treaties

(i) The requirement of two-thirds senatorial consent: This restraint is effective and well known. About 11 percent of the treaties submitted since 1789 failed to secure Senate approval and an additional 18 percent were approved subject to reservations.[18]

(ii) The Constitution itself: (a) Treaties may deal only with international matters.

In the long years of the Bricker debate, it has too often been overlooked that basic to the whole subject is the requirement that a treaty must deal with matters "properly the subject of negotiation with a foreign country." *Geofroy* v. *Riggs* (1890),[19] *Asakura* v. *City of Seattle* (1924).[20] This point is involved in the curent litigation with respect to the validity of the reservation to the treaty concerning the Niagara River.[21] The validity of that reservation, or possibly of the entire treaty, will depend upon whether the reservation dealt with a matter which is properly the subject of negotiation with a foreign county.

(b) A treaty provision may not violate the Constitution.

In *Doe* v. *Braden*,[22] the Court said:

"The treaty is therefore a law made by the proper authority, and the courts of justice have no right to annul or disregard any of its provisions, unless they violate the Constitution of the United States."

Such other notable cases as *New Orleans* v. *United States* (1836),[23] *The Cherokee Tobacco* case (1871),[24] *Hauenstein* v. *Lynham* (1880),[25] and *Geofroy* v. *Riggs* (1890),[26] have indicated, throughout our history, that a treaty may not enlarge or amend the Constitution.

In writing for the Supreme Court in *Missouri* v. *Holland*,[27] Mr. Justice Holmes was careful to avoid any implication that there were no provisions of the Constitution which could affect treaties, stating: "We do not mean to imply that there are no qualifications to the treatymaking power * * *.

"* * * The treaty in question does not contravene any prohibitory words to be found in the Constitution," and in 1924 the Supreme Court said again that the treatymaking power does not extend "so far as to authorize what the Constitution forbids." *Asakura* v. *City of Seattle*.[28]

(iii) A Subsequent Statute: A subsequent act of Congress will prevail over a treaty in its operation as internal law.[29] Moreover, it is lawful, and often the practice, to provide in a treaty that it is not self-executing and will require an act of Congress.

(iv) Practical Restraints: As additional checks on the treaty power, Congress has the power of the purse, of investigation, and of confirmation of presidential appointments.[30]

B. Limitations on executive agreements

(i) Congressional participation: International agreements other than treaties (executive agreements in this report), not clearly pertaining to the President's discharge of his exclusive constitutional powers, are generally entered into and given effect pursuant to legislative direction or authority or require legislation for implementation in their operation. We shall call these statutory executive agreements.

Executive agreements made or operating in the absence of Congressional participation generally involve exclusive Presidential authority, such as command of the Armed Forces or diplomatic powers.[31]

(ii) The Constitution itself. Constitutional limitations applicable to treaties also apply to executive agreements; [32] they may deal only with international matters and they may not violate the Constitution. Additionally, since, unlike the treaty power, there is no express executive agreement power in the Constitution, an executive agreement must necessarily rest on some other Federal power, Congressional or executive.

(iii) Prior or subsequent statute: An act of Congress will override a conflicting executive agreement provided it does not represent an invasion of exclusive executive powers (military or diplomatic). This is so whether the statute is passed before or after the date of the agreement.[33]

(iv) Practical restraints: The Congressional powers of appropriation, investigation and confirmation of Presidential appointments are at least as effective checks on executive agreements as on treaties.

As to both treaties and executive agreements, there is the further very real restraint of the ballot box.

V. ANALYSIS OF SENATE JOINT RESOLUTION 3 (85: 1)

Section 1

Section 1 reads as follows:

"A provision of a treaty or other international agreement not made in pursuance of

[18] Hearings before a subcommittee of the Committee on the Judiciary on S. J. Res. 1 and S. J. Res. 43, 83d Cong., 1st sess. (1953), hereinafter referred to as 1953 hearings, p. 836.

[19] 133 U. S. 258, 267.

[20] 265 U. S. 332, 341.

[21] The reservation reads as follows: "The United States on its part expressly reserves the right to provide by act of Congress for redevelopment, for the public use and benefit, of the United States share of the Niagara River made available by the provisions of the treaty, and no project for redevelopment of the United States share of such waters shall be undertaken until it is specifically authorized by act of Congress." (1 United States Treaties and Other International Agreements 694, 699 (1950)).

[22] 16 How. 635, 657 (1853).

[23] 10 Pet. 662, 735.

[24] 11 Wall. 616, 620–621.

[25] 100 U. S. 483, 490.

[26] 133 U. S. 258, 267.

[27] 252 U. S. 416, 433 (1920).

[28] 265 U. S. 332, 341 (1924).

[29] *Chae Chan Ping* v. *United States* (130 U. S. 581 (1889)); *Whitney* v. *Robertson* (124 U. S. 190 (1888)); *Head Money Cases* (112 U. S. 580 (1884)); *The Cherokee Tobacco* (11 Wall. 616 (1871)). The international obligation, of course, continues, and the other contracting nation may press a claim for damages through diplomatic or international judicial channels.

[30] See *United States* v. *Lovett* (328 U. S. 303 (1946)).

[31] 1953 Hearings, pp. 853–861.

[32] *Seery* v. *United States* (127 F. Supp. 601, 606 (Ct. Cls. 1955)), "* * * we think that there can be no doubt that an executive agreement, not being a transaction which is even mentioned in the Constitution, cannot impair constitutional rights." In *United States* v. *Pink* (315 U. S. 203, 228 (1942)), the Court carefully considered whether favoring United States citizens by giving effect to the Litvinov assignment to the disadvantage of foreign creditors violated the fifth amendment and decided that it did not.

[33] In *United States* v. *Guy W. Capps, Inc.* (204 F. 2d 655 (4th Cir. 1953)), the fourth circuit held that an act of Congress limited the permissible scope of an executive agreement; the Supreme Court affirmed on certiorari, but decided the case on a question of fact without comment upon the constitutional question (348 U. S. 296 (1955)).

this Constitution shall have no force or effect. This section shall not apply to treaties

ment would impose on the Senate the necessity of passing on such a vast number of rela-

effective way of making a constitutional issue an emotional one. One of the functions

quarters of the State legislatures meet only

treaties,[42] certain types of international

We believe section 3 to be ambiguous and

this Constitution shall have no force or effect. This section shall not apply to treaties made prior to the effective date of this Constitution."

1. Until 1956 a restatement of the proposition that no treaty or international agreement can contravene the Constitution was objectionable principally because it represented an unnecessary restatement of existing law and a possible cause of ambiguity. On March 27, 1956, the Senate Judiciary Committee proposed a substitute to Senate Joint Resolution 1 (84:1) which appeared on its face to consist solely of such a restatement of existing law. However, accompanying this proposal was the 10,000 word report [34] which made it evident that the amendment was designed to write into the Constitution new limitations on the treatymaking power Based on this experience, it becomes even more evident that it is unwise to add unnecessary language to the Constitution, and that, especially in the case of the Bricker amendment, any proposal, however, harmless it may appear on the surface, must be studied with extreme care.

2. Clear as the proposed section 1 may appear on the surface, it is full of areas of ambiguity, such as:

(a) It requires that a treaty, to be valid, must be made "in pursuance of this Constitution." Senator BRICKER, in his statement accompanying Senate Joint Resolution 3, states that this language is employed because "it is the language of the present Constitution and has a well-defined and settled meaning." [35] It should be noted that, in the present Constitution, the words "in pursuance thereof" (of the Constitution) are the modifying words used with reference to laws of the United States, that is, to Congressional legislation, and impose a limitation on Congress to legislate only with respect to matters delegated to it. If, as Senator BRICKER states, the meaning of the words "in pursuance of the Constitution," as they appear in Senate Joint Resolution 3, is intended to be the same as in the present Constitution, it might follow that the same limitations would apply to treaties as apply to the power of Congress to legislate. Section 1, under Senator BRICKER's interpretation, might thus embody the so-called which clause [36] which has many times been rejected. The statement accompanying Senate Joint Resolution 3 declares that a treaty would be invalid if it "is inconsistent with the nature of our Government or the relations between the States and the United States." Such a criterion is at least ambiguous and may be in effect a back-door effort at reintroduction of the "which" clause.

(b) Although, as seen above, the Constitution clearly prescribes the treatymaking procedure, it does not prescribe how other international agreements are to be made. Under the proposed section 1, is an executive agreement made "in pursuance of this Constitution" if it does not follow the treaty procedure? The language might be construed to require an executive agreement to follow the treaty procedure. Such a requirement would impose on the Senate the necessity of passing on such a vast number of relatively unimportant international agreements now handled by the executive branch as to interfere drastically with the performance of more substantial duties by the Senate and preclude proper consideration of the agreements themselves. Furthermore, certain executive agreements are not only in the power of the Executive, but they are the sole responsibility of that branch. That responsibility, in the area of nonstatutory executive agreements, should not, in the nature of our division of power, be diluted by a procedure which places some of it on the legislative branch.

(c) On the other hand, the fact that section 1 applies alike to treaties and "other international agreements" might suggest that, so long as an executive agreement did not violate any substantive provision of the Constitution, it must be given domestic "force and effect" regardless of a prior statute. This interpretation, of course, would give greater authority to such agreements than at present—a result certainly not intended.

3. Section 1 is retroactive to 1789 "the effective date of this Constitution." This could place in doubt the validity of many treaties and executive agreements entered into since 1789. If it is intended to outlaw specific treaties or other international agreements, they should be specified. If there are none such, the sentence is not only unnecessary, but would probably be the cause of extensive litigation which would impair our international relations and cast doubt upon the internal effects of prior treaties and executive agreements.

4. In Senator BRICKER's statement accompanying Senate Joint Resolution 3, he said that the effect of section 1 would be to render invalid a treaty if it undertook to impair freedom of speech, press or religion or if it undertook to take private property without due process of law and just compensation. He said that similarly a treaty would be open to challenge if it dealt with a subject having no legitimate relation to matters of international concern or foreign affairs and dealt with matters of purely domestic concern. As shown above,[37] it is clear under the present Constitution, and the Supreme Court has so stated on numerous occasions, that any such treaty would be invalid at the present time without the proposed amendment.

5. Senator BRICKER said that section 1 is necessary in order to negate a dictum of Mr. Justice Holmes in *Missouri* v. *Holland* (252 U. S. 416 (1920)) which has been construed for the past 5 years by the proponents of the Bricker amendment as casting doubt on whether the Constitution is supreme over treaties. As noted in section IV of this report,[38] Mr. Justice Holmes himself, in the same opinion, made it perfectly clear that it was the Court's view that the Constitution is supreme and that the treaty power is not unqualified by constitutional limitations.

6. This section 1, like all its predecessors, has been used broadly throughout the country to raise a false issue. When a person not thoroughly familiar with the Constitution hears that an amendment is proposed stating that treaties and other international agreements must be made pursuant to the Constitution, he naturally infers that at the present time such treaties and agreements can and do override the Constitution. Furthermore, he assumes that the opponents of the Bricker amendment are in favor of the supremacy of treaties and executive agreements over the Constitution—a completely false assumption. It has been an effective way of making a constitutional issue an emotional one. One of the functions of section 1, in all its many forms, seems to be to run interference for the more specific changes in our constitutional system prescribed in the other sections of the Bricker amendment.

Section 2

Section 2 reads as follows:

"A treaty or other international agreement shall have legislative effect within the United States as a law thereof only through legislation, except to the extent that the Senate shall provide affirmatively in its resolution advising and consenting to a treaty, that the treaty shall have legislative effect."

This latest proposed amendment to the treatymaking powers in the Constitution bears a strong resemblance to a previous amendment offered by Senator BRICKER on February 4, 1954, which reads as follows:

"A treaty or other international agreement shall become effective as internal law in the United States only through legislation by the Congress unless in advising and consenting to a treaty the Senate, by a vote of two-thirds of the Senators present and voting, shall provide that such treaty may become effective as internal law without legislation by the Congress."

After much debate this proposal received only 42 votes with 50 opposed.

The substance of the current section 2 is subject to all the basic objections which have made such an amendment unsound from the beginning.

This most recent proposal substitutes the phrase "legislative effect within the United States as a law thereof" for the earlier language "effective as internal law in the United States." Each of the proposals requires in substance that the Senate must vote on the question of whether or not the treaty involved is to have any effect as internal law.

The latest proposal also omits the words "by the Congress" in describing what legislation would be required to create domestic law, leaving open the confusing possibility that either Congress or State legislatures or both might have to act, as indeed it has been suggested by Senator BRICKER in his explanation of the provisions to the Senate:

"Under section 2 most treaties would be implemented by Congress while others might require implementation by State legislation." [39]

The effect of this amendment is thus to create the possibility that, by interpretation of what is at best ambiguous language, the same results will be achieved as the proponents earlier sought through the devices of the "which" clause and the non-self-executing clause. This amendment expressly retains the non-self-executing clause with respect to treaties and executive agreements. That it may also contain the "which" clause is suggested by the omission of the words "by the Congress" appearing in the 1954 version quoted above and by the fact that Senator BRICKER in the above-quoted explanation to the Senate in effect so indicated.

Aside from the oft-discussed fundamental objections to any amendment that incorporates a "which" clause or a non-self-executing clause,[40] the proposed section 2 would be wholly impracticable in operation. For one thing, where implementing legislation is required, State legislatures might take so long to act as to prove internationally embarrassing, particularly since over three-

[34] This report was analyzed at pp. 19–26 of our 1956 report, described in footnote 2.

[35] CONGRESSIONAL RECORD, January 7, 1957, p. 275.

[36] The so-called which clause provided that a treaty should become effective as internal law only through legislation "which would be valid in absence of treaty." This "which" clause would restrict the power of Congress to make a treaty effective as internal law to the areas in which Congress could legislate in the absence of a treaty. As to matters falling outside those areas, treaties would be effective as internal law only to the extent that the States passed the necessary State laws.

[37] See IV A (ii) (a), supra, p. 7.

[38] See supra, p. 8.

[39] CONGRESSIONAL RECORD, January 7, 1957, p. 275.

[40] See our report printed in the record of the association for March 1955, at pp. 122 and 131.

quarters of the State legislatures meet only once every 2 years. But beyond that, it might well result that the internal effectiveness of a treaty would vary from State to State. Thus the States' legislation under the treaty might not be uniform, or some State legislatures might refuse to act at all and thus outlaw the treaty in their States and possibly even cast doubt on its international effectiveness.

Senator BRICKER has suggested that this type of objection is overcome by his provision that the Senate, in consenting to a treaty, can provide that it shall have immediate legislative effect; but this provision is only a change in procedure since the Senate already has the power to declare affirmatively that a treaty shall not be self-executing. If this proposed change of procedure is the only reason for section 2, it is clearly not sufficient reason to amend the Constitution. On the other hand if more than a change in procedure is affected, this section might be interpreted as giving the Senate broad powers to validate any treaty whether or not it dealt with matters of international concern.

Senate Joint Resolution 3 creates further complications in that both sections 2 and 3 include provisions as to the domestic legislative effect of executive agreements. Such overlapping provisions in any legislation, particularly in an amendment to the Constitution, are basically objectionable and raise serious questions as to the meaning and effect of each of the sections and their relation to each other in respect of executive agreements. Our comments on the provisions for executive agreements in the proposed amendment are set forth below in our discussion of section 3.

Section 3

Section 3 reads as follows:

"An international agreement other than a treaty shall have legislative effect within the United States as a law thereof only through legislation valid in the absence of such an international agreement."

Section 3 purports to be a new departure in Senator BRICKER's approach to limiting the President's power to enter into international agreements. His earlier versions of the amendment, in requiring implementation of international agreements by domestic legislation which would be valid in the absence of such agreements, have drawn no distinction between treaties and other international agreements. That is, the "which" clause would heretofore have prevented any international agreement, whether treaty or otherwise, from having internal effect without the enactment of a statute falling within the ordinary legislative jurisdiction of either Congress or the several State legislatures. Now for the first time Senator BRICKER seems to disclaim any intention of so restricting the Federal legislative power when exercised pursuant to a treaty, and in section 3 avowedly limits the application of the "which" clause to international agreements other than treaties—i. e., so-called executive agreements.

As noted above in the discussion of section 2,[41] there is room for serious doubt as to whether even the treaty power would be freed from the "which" clause limitation (as Senator BRICKER asserts). Even assuming however, that the Senator's latest version would have no more than the effect he claims, it would distinguish between treaties and executive agreements, so as to confine the internal effectiveness of the latter by express constitutional limitation.

While there is no definite means of predetermining what subject matters of international agreement are appropriate for executive agreements as distinguished from treaties,[42] certain types of international agreements are customarily (although not always) embodied in executive agreements—e. g., the status of diplomatic personnel, passport visa fees, the admission of civil aircraft, customs matters, international claims, postal matters, and, more recently, military and technical assistance. From this historical record it may generally be concluded that, in practice, executive agreements rather than treaties have been utilized in four typical cases: (1) Where the executive branch is merely carrying out in detail the will of Congress previously expressed; [43] (2) where the subject matter is of relatively minor importance; [44] (3) where an emergency requires immediate action; [45] or (4) where the President is exercising his exclusive military or diplomatic power.[46]

It is undisputed, of course, that an executive agreement with a foreign power, entered into pursuant to the President's express constitutional powers, establishes without prior or further action by Congress rights and duties as between the United States and such foreign power, for breach of which the United States is fully answerable under the rules of international law. The thrust of section 3 is aimed at the effect within the United States of an executive agreement, binding on its face between the United States and the other party to such agreement.

It is well settled that a subsequent act of Congress can nullify the domestic force of a previous treaty; [47] and a fortiori, an executive agreement, is also subject to the same method of congressional control, provided it does not represent an invasion of exclusive executive powers.[48] Hence, the President could not in effect enact domestic legislation contrary to the will of Congress in any area within the Federal legislative jurisdiction.

Executive agreements may also deal with subjects either exclusively within the Federal executive power or within the State legislative power. As to the first type, examples are agreements clearly within the power of the President as Commander in Chief or as the diplomatic head of our Nation. The effectiveness of even these agreements, however, frequently requires a congressional appropriation, and that fact gives Congress a measure of control. As to the second type of agreement mentioned above, the extent to which an executive agreement not authorized or implemented by Congress can now override State law has not been conclusively determined.[49] There is, however, no support for the proposition that all executive agreements would have such effect. We believe that a Presidential executive agreement relating to a subject matter which is not properly the subject of agreement with another nation would be held ineffective, and that, to the extent any Presidential executive agreement had an essentially legislative purpose in respect of the internal affairs of the United States, it would be invalid even though ostensibly dealing with such a subject.

We believe section 3 to be ambiguous and also, where its effects may be discerned, unnecessary and unwise. For these reasons we oppose it.

Like sections 1 and 2 of Senate Joint Resolution 3, the language of section 3 raises more questions than it purports to settle. As noted above, the incorporation of the which clause contemplates that some executive agreements would require action by State legislatures in order to have legislative effect within the United States as a law thereof. Does this give State legislatures the power to enact Federal laws? Would such law be effective only in States whose legislatures had acted, or would it not be effective anywhere until all 48 State legislatures had acted? In areas of concurrent Federal and State jurisdiction, how will it be determined whether Congress or the State legislatures must enact the requisite implementing legislation, and in such areas may the States act if Congress fails or refuses to do so? Furthermore, the meaning of "legislative effect within the United States" is far from clear. Does the phrase mean that an executive agreement without prior legislation cannot be made effective within the United States even with respect to its international aspect except by subsequent legislation?

Even more serious than the foregoing ambiguities are the crippling effects section 3 would have upon the conduct of America's foreign relations, both on a day-to-day basis and during periods of crisis calling for swift action. By denying self-executing effect to executive agreements and also restricting the fields in which such agreements could be enacted, section 3 would at the very least place the United States in the untenable position of offering to enter into executive agreements without the assurance that such agreements would be enforceable within the United States. This would weaken the value of our commitments to other nations, and would fundamentally undermine our bargaining position in international negotiations. Such a result could be avoided, if at all, by the President's obtaining prior legislative authorization for every executive agreement. Congress, when in session, would be requested to consider each year approximately 200 technical, detailed agreements in addition to the burden of its present legislative duties, with which it is hardly able to keep pace even now. Were section 3 to be adopted, Congress might not unreasonably be expected to remain in continuous session lest there develop a paralysis in the conduct of our day-to-day foreign relations. Where implementing power is confined to the States and Congress thus cannot act, it seems clear, especially in view of the shortness and infrequency of State legislative sessions referred to above, that prior legislative authorization could seldom be obtained.

In the case of statutory executive agreements,[50] constituting the great majority of executive agreements, section 3 would seem to require that such an agreement, even though made pursuant to an act of Congress, must nevertheless be submitted again to Congress after its execution in order to give it internal effect.

Although the long history of executive agreements has clearly demonstrated their absolute necessity in handling the details of foreign affairs and in emergencies, section 3 would extinguish the historical advantages of the executive agreement over the treaty by requiring, in effect, approval of both Houses of Congress, rather than merely the Senate, whenever the executive agreement method is used and there is the

[41] Supra, p. 13.

[42] Sutherland, Restricting the Treaty Power, 65 Harv. L. Rev. (1305, 1324 (1952)).

[43] Cf. Loan to United Kingdom for Development of Certain Port Facilities in Kenya and Tanganyika (1953) (5 UST 143 (1954)), under Mutual Security Act of 1951.

[44] Cf. Exchange of Official Publications With Burma (1948) (62 Stat. 1892) (1948)).

[45] Cf. Surrender by Japan (1945) (59 Stat. 1734 (1945)).

[46] Cf. Agreement with Canada with respect to flights of military aircraft (1945) (62 Stat. 3943 (1948)).

[47] See note 29, supra, p. 8.

[48] See IV B (iii), supra, p. 9.

[49] Cf. *U. S.* v. *Pink* (315 U. S. 203 (1942)).

[50] See IV B (i), supra, p. 8.

slightest question of its having internal effect. Since what constitutes internal effect is uncertain, the executive agreement would almost inevitably fall into disuse by the United States, thereby limiting our agreements with foreign powers to those embodied in formal treaties.

The "which" clause, already discredited when sought to be applied to treaties, is no less to be rejected in its application to executive agreements. It is settled that a treaty, after ratification by the Senate, has internal effect if its subject matter is "properly the subject of negotiation with a foreign country."[51] Under proposed section 3, however, an executive agreement approved and implemented by legislation adopted by both Houses of Congress would, under the whimsiless "which" clause, have internal effect, unless given State approval, only to the extent that its subject matter is within the legislative jurisdiction that Congress would have in the absence of international agreement. Hence the disabling effect of requiring bicameral approval would be aggravated by restricting the area in which such approval could be given.

In a country such as ours, emergency military and diplomatic powers that may be exercised firmly and quickly vis-a-vis other nations must rest somewhere. To the rest of the world we must, especially at such times, speak with one voice. The appropriate repository is the Executive. Public opinion, a vigilant press, Congress, and the judiciary are all strong safeguards against the possibility of a President abusing his power to make nonstatutory executive agreements.

Section 4

Section 4 reads as follows:

"On the question of advising and consenting to a treaty, the vote shall be determined by yeas and nays, and the names of the Senators voting for and against shall be entered on the Journal of the Senate."

This section is designed to prevent voting on a treaty by only a handful of Senators where no challenge has been made to the quorum before a vote is taken. Even though a treaty cannot now reach the Senate floor without at least first being published and reported out by the Committee on Foreign Relations and it is thus unlikely that any important or controversial treaty could be slipped through the Senate, the provision would seem to be an improvement in the Senate rules. The Senate in practice now operates under just such a procedure.

We would favor the adoption of section 4 as a Senate rule only. Standing rule XII states that on a vote by yeas and nays, "No motion to suspend this rule shall be in order, nor shall the presiding officer entertain any request to suspend it by unanimous consent."[52]

We do not believe that a change in Senate procedure, which can be easily and quickly effected by Senate rule, is the proper subject for a constitutional amendment.

VI. CONCLUSION

The proposed amendment would afford no advantage to justify its adoption. On the contrary, the ambiguities it would create would occupy constitutional lawyers for years to come, with the possibility that those ambiguities would be resolved to curtail our Nation's position in international negotiations. The serious possibility exists that a result would be achieved by the amendment that even its proponents are now unwilling to acknowledge as their purpose. The period of uncertainty during which the questions raised by the amendment were being resolved would be one in which our statesmen and diplomats would be hampered by doubts as to their own authority to speak and act, and other nations would question the effectiveness of our national commitments. The supremacy of the Federal Government in foreign affairs must not be clouded by ambiguous clauses which raise more questions than they resolve.

The careful distribution and balance of powers in the conduct of our foreign affairs under the present Constitution have served successfully for 168 years. The proposals embodied in the 1957 Bricker amendment would radically alter the constitutional scheme by increasing the power of Congress at the expense of the President and by increasing the power of the States at the expense of the Federal Government.

In these days of repeated international tensions we think that it would be unwise to alter and curtail the power of either the President or the Federal Government in the conduct of our foreign affairs. We therefore oppose the amendment.

Respectfully submitted.

Committee on Federal Legislation: Arthur L. Newman, Chairman; Alan J. B. Aronsohn, Stuart K. Barnes, Henry Cohen, Paul J. Chase, Richard E. Erway, Alan R. Finberg, Fred N. Fishman, Daniel H. Greenberg, Richard W. Hogue, Jr., Mark F. Hughes, Joseph S. Iseman, Norton I. Katz, David M. Levitan, Charles E. McGuinness, Eugene H. Nickerson, Richard W. Palmer, Arthur E. Pettit, Jacob J. Rosenblum, Leon Silverman.

Committee on International Law: John V. Duncan, Chairman; Amory H. Bradford, Edmund Burke, Jr., Thorold J. Deyrup, Francis X. Downey, Richard N. Gardner, Ernest A. Gross, Ethan Allen Hitchcock, Cyril C. Means, Jr., Seymour B. Quel, Stephen M. Schwebel, Hayden N. Smith, John R. Stevenson, Lyman M. Tondel, Jr., Edward Everett Watts, Jr.

MAY 1, 1957.

[51] See notes 19 and 20, supra, p. 7.

[52] U. S. Senate Manual, S. Doc. No. 19, 85th Cong., 1st sess. 18 (1957).

APPENDIX A

Texts of the 6 principal Bricker proposals which have been submitted to the U. S. Senate (1953–57)

BRICKER (1953) S. J. Res. 1 (83d Cong.) (as reported by Senate Judiciary Committee, June 15, 1953)	George (Jan. 27, 1954)	Ferguson-KNOWLAND (Jan. 27, Feb. 2, 1954)	BRICKER (1955) S. J. Res. 1 (84th Cong.) (introduced Jan. 6, 1955)	BRICKER (1956) S. J. Res. 1 (84th Cong.) (as reported by Senate Judiciary Committee, Mar. 27, 1956)	BRICKER (1957) S. J. Res. 3 (85th Cong.) (introduced, Jan. 7, 1957)
1. A provision of a treaty which conflicts with this Constitution shall not be of any force or effect.	1. A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect.	1. (Same as George.)	1. A provision of a treaty or other international agreement which conflicts with this Constitution, or which is not made in pursuance thereof, shall not be the supreme law of the land nor be of any force or effect.	1. A provision of a treaty or other international agreement which conflicts with any provision of this Constitution shall not be of any force or effect.	1. A provision of a treaty or other international agreement not made in pursuance of this Constitution shall have no force or effect. This section shall not apply to treaties made prior to the effective date of this Constitution.
2. A treaty shall become effective as internal law in the United States only through legislation which would be valid in absence of treaty.	2. An international agreement other than a treaty shall become effective as internal law in the United States only by an act of the Congress.	2. Clause 2 of article VI of the Constitution of the United States is hereby amended by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this clause, no treaty made after the establishment of this Constitution shall be the supreme law of the land unless made in pursuance of this Constitution."	2. A treaty or other international agreement shall become effective as internal law in the United States only through legislation valid in the absence of international agreement.	2. (Same as sec. 3 of FERGUSON-KNOWLAND.)	2. A treaty or other international agreement shall have legislative effect within the United States as a law thereof only through legislation, except to the extent that the Senate shall provide affirmatively, in its resolution advising and consenting to a treaty, that the treaty shall have legislative effect.
3. Congress shall have power to regulate all executive and other agreements with any foreign power or international organization. All such agreements shall be subject to the limitations imposed on treaties by this article.		3. On the question of advising and consenting to the ratification of a treaty the vote shall be determined by yeas and nays, and the names of the persons voting for and against shall be entered on the Journal of the Senate.	3. (Same as sec. 3 of FERGUSON-KNOWLAND.)		3. An international agreement other than a treaty shall have legislative effect within the United States as a law thereof only through legislation valid in the absence of such an international agreement.
					4. On the question of advising and consenting to a treaty, the vote shall be determined by yeas and nays, and the names of the Senators voting for and against shall be entered on the Journal of the Senate.

APPENDIX B

THE HISTORY OF THE VARIOUS TREATYMAKING-LIMITATION PROPOSALS WHICH HAVE BEEN INTRODUCED SINCE SENATOR BRICKER INTRODUCED HIS ORIGINAL VERSION IN 1952

1. February 7, 1952. Senate Joint Resolution 130 (82:2), introduced by Senator BRICKER. Hearings on Senate Joint Resolution 130 were held on 5 separate days in May and June of 1952, before a subcommittee of the Senate Judiciary Committee. The printed transcript comprises 540 pages.

2. January 7, 1953. Senate Joint Resolution 1 (83:1), introduced by Senator BRICKER.

3. February 16, 1953. Senate Joint Resolution 43 (83:1), introduced by Senator WATKINS.

On 14 days in February, March, and April of 1953, hearings were held before a subcommittee of the Senate Judiciary Committee (83:1) on Senate Joint Resolution 1 and Senate Joint Resolution 43. The printed record of these hearings comprises 1,267 pages.

4. June 15, 1953. Revised version of Senate Joint Resolution 1 was favorably reported by a 9 to 5 vote of the Committee on the Judiciary.

5. July 22, 1953. Substitute amendment to Senate Joint Resolution 1 introduced by Senator KNOWLAND.

Early in the 2d session of the 83d Congress several votes were taken. The debate began on January 20, 1954. On January 25, President Eisenhower wrote a letter to Senator KNOWLAND, an extract from which appears on page 3 of this report.

6. January 27, 1954. Amendment in the nature of a substitute offered by Senator George during debate.

7. January 29, 1954. Proposal made by Senator MCCARRAN during debate.

8. February 2, 1954. Perfecting amendment offered by Senator Ferguson during debate.

9. February 2, 1954. Proposal oy Senator CASE, South Dakota, made during debate, to substitute a new section 3 for section 3 of the Ferguson amendment.

10. February 4, 1954. Additional amendment to the Judiciary Committee text offered by Senator BRICKER, which was the same as the Ferguson proposal except for an added section which read as follows:

"A treaty or other international agreement shall become effective as internal law in the United States only through legislation by the Congress unless in advising and consenting to a treaty the Senate, by a vote of two-thirds of the Senators present and voting, shall provide that such treaty may become effective as internal law without legislation by the Congress."

On February 15, 1954, the first section of the Ferguson proposal was adopted by a vote of 62 to 20. This read:

"A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect."

On February 16, the third section of the Senator Ferguson's proposal was approved by a vote of 72 to 16. This provided:

"On the question of advising and consenting to the ratification of a treaty, the vote shall be determined by yeas and nays, and the names of the persons voting for or against shall be entered in the Journal of the Senate."

The next day, February 17, by a vote of 44 to 43, the second section of Senator Ferguson's proposal was voted and section 2 of the Senate Judiciary Committee text, containing the which clause, as well as sections 3 and 4 thereof, were eliminated, thus completing the substitution of the Ferguson proposal for the Judiciary Committee's language and eliminating not only the which clause, but also the non-self-executing clause. The second section of Senator Ferguson's proposal provided that clause 2 of article VI of the Constitution (the supremacy clause) be amended by the addition of the following: "Notwithstanding the foregoing provisions of this clause, no treaty made after the establishment of this Constitution shall be the supreme law of the land unless made in pursuance of this Constitution."

On February 25, 1954, the Senate rejected Senator BRICKER's additional amendment quoted above by vote of 50 to 42.

On February 26, 1954, the Senate voted 61 to 30 to substitute Senator George's substitute amendment for the Senate Judiciary Commitee text. The which clause was thereby eliminated for all purposes. Thereupon on final passage, the George substitute failed, by a vote of 60 to 31, to obtain the necessary two-thirds vote.

11. August 5, 1954. Senate Joint Resolution 181 (83:2), introduced by Senator BRICKER.

12. January 6, 1955. Senate Joint Resolution 1 (84:1), introduced by Senator BRICKER. Hearings were held during 8 days in April and May on Senate Joint Resolution 1 before a subcommittee of the Senate Judiciary Committe. These are bound in a volume of 1,016 printed pages.

13. March 27, 1956. Wholly new revised version of Senate Joint Resolution 1 (84:1) was proposed by the Committee on the Judiciary.

14. January 7, 1957. Senate Joint Resolution 3 (85:1), introduced by Senator BRICKER. This is the joint resolution now up for consideration, the text of which is set forth on page 2 of this report.

Mr. WILEY. Mr. President, there have been various and sundry so-called Bricker amendment proposals. They have varied in language. However, their purpose is always the same.

OUR CONSTITUTION NEEDS NO AMENDMENT OF THIS NATURE

Over the years, our Constitution has served us well in international affairs. We should not change it, particularly at this difficult time in our international relations, when the President needs all the support possible.

So many general statements about the treaty power are made here and there, that I commend to all of my colleagues a close examination of the arguments, which I have found very useful, as set forth in the report of the Association of the Bar of the City of New York.

NEW YORK BAR ASSOCIATION VIEWS

As is well known, this association is composed of many outstanding lawyers whose daily practice involves the solution of complicated business problems spanning the oceans.

American private initiative, in expanding from our own shores, to help make available to the Western world the undeveloped resources of important countries, finds many legal complexities. It turns to American lawyers for help. Many of these lawyers are in the great metropolis of New York City, and are members of this particular bar association. It is, therefore, of particular interest that the Association of the Bar of the City of New York gives its opinion in opposition to the 1957 Bricker amendment.

INABILITY OF NAVY TO RETAIN TRAINED OFFICERS

Mr. SYMINGTON. Mr. President, an extraordinarily interesting article, Retirements in Navy—An Analysis of the Service's Inability To Retain Some of Its Trained Officers, written by Mr. Hanson W. Baldwin, experienced and well-known military writer and analyst, appeared recently in the New York Times.

Mr. Baldwin, himself a graduate of the United States Naval Academy, dwells on reasons for the retirement from the Navy of Capt. Chester W. Nimitz, Jr., son of the famous fleet admiral, and Capt. Richard H. O'Kane, one of the most highly decorated officers in World War II and a holder of the Congressional Medal of Honor.

Captain Nimitz was not available for comment as to his retirement, but the article states the following with respect to the reasons Captain O'Kane has decided to give up his brilliant military career:

Captain O'Kane conceded he was going into deficit financing to send his two children through college, but other reasons for retirement appeared to be paramount. Now on duty in the Office of the Chief of Naval Operations in the Navy Department in Washington, he said he had had 10 changes of station since the war and too little time in each job to do more than give him a feeling of uselessness and futility.

DISAGREED WITH POLICIES

He said, too, he remembered his oath of loyalty to the United States and he put that above loyalty to a single service. He obeyed orders, he said, but he had been called on frequently to support naval policies with which he did not agree.

He had to take the Navy's position, he said, when he believed there should be just 1 fighting service instead of 4.

"What I have accomplished in 1 year," he declared, "could be done in 1 month."

All citizens interested in maximum return for their tax dollar should read this article with care, because as our defenses become ever more technical, in the interest of our security it is vital that we do whatever necessary to hold skilled people, especially men of the character and battle experience of these two officers.

The record of each man proves both would have been eventual candidates for highest office in our military organization.

More and more the American people realize that the new nuclear weapons have made obsolete the present structure and current functioning of the Department of Defense. But this administration has not, and apparently does not, intend to do anything about this costly and dangerous situation, which is not only costing the taxpayers tens of billions of dollars, but is also endangering our national security.

Mr. President, I ask unanimous consent that the entire article of Mr. Baldwin be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 20, 1957]

RETIREMENTS IN NAVY—AN ANALYSIS OF THE SERVICE'S INABILITY TO RETAIN SOME OF ITS TRAINED OFFICERS

(By Hanson W. Baldwin)

A Medal of Honor winner, Capt. Richard H. O'Kane, and Capt. Chester W. Nimitz, Jr.,

son of the fleet admiral, are among 89 junior captains of the Navy who applied for retirement in the fiscal year 1957, which ends June 30.

The Bureau of Naval Personnel said recently that it was not concerned about these figures and that the figure of eighty-nine represented only a slight increase over the 73 captains who voluntarily retired in the 1956 fiscal year. But many other naval officers and some of the senior officials of the Navy have expressed considerable perturbation. Twenty-three of the 89 officers are specially trained in engineering and these represent a high proportion of officers of this category. Thirty-four are staff officers, thirty-two from the unrestricted line. These latter are the officers qualified for command or any regular line duties.

Many have exceptional records and much professional schooling. A few of them failed for selection to admiral.

The Bureau said that three preponderant reasons were given for requesting retirement—a privilege to which a naval officer is entitled after 20 years' service in accordance with certain conditions laid down by Congress and the Secretary of the Navy. Five years in the grade of captain is one of the requirements, but Captain O'Kane and perhaps others who have requested retirement have served less than 5 years as captains.

NAVAL PAY CRITICIZED

The first reason given in official retirement applications was inadequacy of naval pay to support a family—particularly when children are of college age. This reason is underscored by the recent Cordiner report, which urged a revision of service pay and considerably higher pay scales for merit and for those promoted to senior ranks. The report has been largely tabled—at least for this session of Congress—by the administration, and this action has aroused some bitterness in the service.

Pay also figured in the second reason given for requesting retirement. Some of the captains simply felt the pay was inadequate—as compared to private industry—to compensate for their responsibilities.

The third reason offered was hardship of a physical nature—a reason that meets one of the requirements for retirement. An officer's wife, for instance, might have asthma and be required to live permanently in a particular area, and thus would be unable to accompany her husband when he changed stations.

The official reasons given for requesting voluntary retirement were not, however, in all cases the major reasons—as was evidenced by a talk with Captain O'Kane, a noted submarine commander.

Captain O'Kane, 46 years old, graduated from the Naval Academy in 1934, won the Medal of Honor and 3 Navy Crosses in the war, and has attended the Naval War College and the Armed Forces Staff College. He and many others among the 89 are, among Navy's most promising young captains, who in time could look forward confidently to promotion to admiral. They are the kind of men the Navy would most like to keep.

Captain O'Kane conceded he was going into deficit financing to send his two children through college, but other reasons for retirement appeared to be paramount. Now on duty in the Office of Chief of Naval Operations in the Navy Department in Washington, he said he had had 10 changes of station since the war and too little time in each job to do more than give him a feeling of uselessness and futility.

DISAGREED WITH POLICIES

He said, too, he remembered his oath of loyalty to the United States and he put that above loyalty to a single service. He obeyed orders, he said, but he had been called on frequently to support naval policies with which he did not agree.

He had to take the Navy's position, he said, when he believed there should be just 1 fighting service instead of 4.

"What I have accomplished in 1 year," he declared, "could be done in 1 month."

Captain Nimitz, son of the famous commander of the Pacific fleet during World War II, graduated from the Naval Academy in the class of 1936. He holds the Navy Cross and has an outstanding record. He now is in command of the *Orion*, a submarine tender, which is at Guantanamo Bay, Cuba, at the present time. Captain Nimitz could not be reached for comment about his retirement.

These applications for retirement, which have shaken some of the officers in the Navy who know about them, illustrate the compound nature of the problem of naval—and service—morale. Pay is a factor, an important factor, but it is by no means the major factor. Unnecessarily frequent changes of duty, too narrow an interpretation of service loyalty, and, above all, the absence of a sense of a job worth doing and well done have too often stultified the most energetic and the most ambitious. The Navy's personnel policies require very thorough study.

EXPENDITURES AND CAMPAIGN CONTRIBUTIONS

Mr. SCHOEPPEL. Mr. President, when I addressed the Senate on March 29 with reference to the report by the Subcommittee on Privileges and Elections of the Committee on Rules and Administration, on expenditures and campaign contributions in the 1956 general elections, I believed that it might be necessary for Congress to revise the Labor-Management Relations Act of 1947.

I have prepared a statement relating to the statement I made on March 29 with reference to the recent decision of the Supreme Court of Georgia. I ask unanimous consent that the statement I have prepared be printed in the body of the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SCHOEPPEL

When I addressed the Senate on March 29 with reference to the report on expenditures and campaign contributions in the 1956 general elections by the Subcommittee on Privileges and Elections of the Committee on Rules and Administration, I believed that it might be necessary for us to revise the Labor-Management Relations Act of 1947. I was concerned that under some union-shop agreements union members were forced to contribute to political funds for the support of candidates and positions contrary to their own political beliefs.

I said:

"The Labor Management Relations Act of 1947 provides that a union which is certified as a bargaining agent for a majority of the employees in any establishment shall represent all the employees in collective bargaining negotiations and in handling of all grievances with the employer. The Congress provided that union-shop agreements not prohibited by State or Territoral law could be executed by unions and employers. This seems reasonable as the unions claim they want all members of the bargaining unit to contribute toward the benefits all the employees receive from the activities of the union working as their agent.

"The Congress certainly did not propose authorizing compulsory membership in a political party. Under many of our present agreements, such as those which prevail in the steel and automobile industries, this is exactly what we have done.

"I believe that any group has the right of free political expression under the first amendment if it only includes members who are free to leave the group at any time without loss of their livelihood. I would never curb that right. However, unions who have executed union shop agreements, and hence have captive members, are not in this position."

I further said:

"Mr. President, I believe we must amend the Labor Management Relations Act so that every union will have the choice of whether it wishes to operate as a political party or as a trade union. If it chooses to act as a political party it will enjoy the immunities of the first amendment, but lose the right to negotiate union shop agreements. If it wishes to confine itself to acting as a bargaining agent for its members and not as a political party, it should be permitted to ask for union shop agreements similar to those now in effect. I know we cannot continue our present course of fostering compulsory membership in political parties. This was the technique used by Mussolini and Hitler. It is fascism and not Americanism."

If the United States Supreme Court sustains a decision by the Supreme Court of Georgia that was rendered on June 10, 1957, in the case of *Looper, et al.* v. *Georgia Southern & Florida Railway Co., et al.*, it will probably not be necessary for the Congress to take any further action. A unanimous decision of the Supreme Court of Georgia completely supports the views I expressed earlier this year. While the Supreme Court of Georgia upheld the right of railroad unions to negotiate union shop agreements in accordance with decisions by the United States Supreme Court, it said that where a union engaged in political activity, employees could not be forced to join the union in order to hold their jobs.

I have a few excerpts from the decision in this case which are fundamental and of great importance. I shall read them:

"While we must follow the holding of the Supreme Court that closed shop employment contracts under section 2, eleventh, of the Railway Labor Act, are valid, yet since that court has not held that an employee can by such contract be required as an alternative to losing his job to join a union which will use contributions he makes to it to promote ideological and political issues and candidates he opposes, we hold that the petition of these employees seeking to enjoin the enforcement of the employment contract and decree it void because of such uses of their contributions alleges a cause of action and it was error to dismiss the same."

"By amendment petitioners further allege that the initiation fees, periodic dues, and assessments which they would be required to pay under the closed shop agreement will be used in substantial part for purposes not germane to collective bargaining but to support ideological and political doctrines and candidates which they are not willing to support and can not lawfully be forced to support, thus violating their constitutionally guaranteed rights of freedom of association, thought, liberty, and property; and the contract and section 2, eleventh, of the Railway Labor Act (45 U. S. C. A. section 152, eleventh), to the extent that it authorizes such union shop agreement, are violative of the first, fifth, and ninth amendments of the Constitution of the United States.

"After consideration of a written motion to dismiss brought by counsel for the labor union defendants which states that petitioners fail to state a claim against any defendants upon which relief can be granted, citing decisions of the Federal Supreme Court in support thereof; the lower court sustained the motion, dissolved a temporary injunction previously granted, and dismissed the action as to all defendants. The exception here is to this final judgment.

"We go now to the single point raised which the Supreme Court has, we believe, clearly indicated is still open for decision. The petition of these nonunion employees alleges that they have been notified in accordance with the law and the contract of employment that unless they become members of a union within 60 days their employment will be terminated. It is alleged that the union dues and other payments they will be required to make to the union will be used to support ideological and political doctrines and candidates which they are unwilling to support and in which they do not believe, and that this will violate the first, fifth, and ninth amendments of the Constitution. While *Railway Emp. Dept.* v. *Hanson* (351 U. S. 225), supra, upheld the validity of a closed shop contract executed under paragraph 2, 11th, that opinion clearly indicates that that Court would not approve a requirement that one join the union if his contributions thereto were used as this petition alleges. It is there said, 'Judgment is reserved as to the validity or enforceability of a union or closed shop agreement if other conditions of union membership be imposed or if the exaction of dues, initiation fees, or assessments is used as a cover for enforcing ideological conformity or other action in contravention of the first or the fifth amendments.' We must render judgment now upon this precise question. We do not believe one can constitutionally be compelled to contribute money to support ideas, politics, and candidates which he opposes. We believe his right to immunity from such exactions is superior to any claim the union can make upon him.

"Accordingly, the trial court erred in dismissing the amended petition which alleges that such uses will be made of dues and other money which as a member of the union petitioners would be required to contribute to the union."

This unanimous decision by the Georgia Supreme Court supports the position which I advanced last March. It should contribute to our efforts to provide more realistic election laws.

THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

Mr. BEALL. Mr. President, during my entire service in the House of Representatives, and in the Senate, I have continued, voluntarily to serve as a member of the District of Columbia Committee. I regard such service as a most important duty, both because of the proximity of the District to my home State of Maryland, and because it is the seat of the National Government.

Mr. President, on July 24 Mr. Walter L. Fowler, of the District of Columbia government, delivered an address at the University of Maryland entitled "The Government of the District of Columbia." It has been interesting reading to me as the ranking minority member of the District of Columbia Committee. I commend it to other Senators as a historical analysis of the District government, and, considering its importance, I ask unanimous consent that it be printed in the body of the RECORD at this point in my remarks.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

(By Walter L. Fowler)

The District of Columbia was established solely for the purpose of becoming the "temporary and permanent seat of the Government of the United States" (act of July 16, 1790).

This act and other acts to further the purpose were passed pursuant to the provisions contained in the eighth section of the first article of the Constitution of the United States, reading as follows:

"To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding 10 miles square) as may by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States."

The right to exercise exclusive authority at the seat of government was conferred upon Congress to enable it to provide for the convenience and the protection of the agencies of government in a manner compatible with the needs and dignity of the Nation.

Among the considerations which led to the investiture of Congress with such absolute jurisdiction were the facts that in June 1783, the Continental Congress removed from Philadelphia in consequence of a hostile demonstration which was made toward it by a body of soldiers of the Revolutionary Army, impatient at the long neglect to pay them for their services, and the admission of the authorities of that city and of the State of Pennsylvania that they were unable to protect it from the threatened intimidation.

The Congress of the Revolution first met at Philadelphia, Monday, September 5, 1774, and continued to hold its sessions there until Wednesday, December 12, 1776, when in consequence of the approach of the British Army, it adjourned to Baltimore where it met on Friday the 20th and continued until Tuesday, February 27, 1777, when it adjourned to meet at Philadelphia on the 4th of March.

On Sunday, September 14, 1777, it was—

"Resolved, That if Congress shall be obliged to remove from Philadelphia, Lancaster be the place where they shall meet."

It continued to meet in Philadelphia until the 18th of September and then because of news received from Colonel Hamilton, one of General Washington's aides, departed to meet in Lancaster, Pa., where on the same day they adjourned to meet in Yorktown, Pa., where it assembled on the 30th day of September and continued to meet until the 27th day of June 1778. Having received a letter from General Washington that the enemy had evacuated Philadelphia they adjourned to meet in that city once again.

A few years later on the 21st of June 1783, it was resolved by Congress "That the President and Supreme Executive Council of Pennsylvania be informed that the authority of the United States having been this day grossly insulted by the disorderly and menacing appearance of a body of armed soldiers about the place within which Congress was assembled and the peace of this city being endangered by the mutinous disposition of the said troops now in the barracks, it is, in the opinion of Congress, necessary that effectual measures be immediately taken for supporting the public authority, etc."

On the 30th of June they assembled at Princeton, N. J.

Now follows months of debate on motions relating to a site for the temporary or permanent seat of Government.

On November 1, 1784, they met in Trenton.

Here the debate continued and they adjourned to meet at New York on the 11th of January.

Proceedings under the Constitution commenced at New York on Wednesday the 4th of March 1789. The issue was thereafter resolved in July of 1790.

A location for the seat of the Federal Government was decided upon as a result of: The determination of both the Continental Congress and the Congress of the United States not to be harassed by the failure of State governments to afford facilities and protection.

The original District of Columbia was 10 miles square, lying on both sides of the Potomac River at the head of navigation.

The date of the transfer of the seat of Government to the District of Columbia was fixed by the act of July 16, 1790, as follows:

"And be it enacted, That on the said first Monday in December, in the year 1800, the seat of Government of the United States shall, by virtue of this act, be transferred to the District and place aforesaid;" the place referred to being the District selected for the Federal City.

The date of the first meeting of the Congress in the District was fixed by an act passed May 13, 1800, for the third Monday in November 1800. The meeting was in the north wing of the Capitol, then the only completed part of the building.

President John Adams arrived in Georgetown June 3, 1800, and lived in Union Tavern until November when he moved into the White House.

The Supreme Court held its first session here on February 2, 1802.

The first organic act for the District of Columbia government was passed in 1801.

In 1800 when Congress met here for the first time the Members found two important municipalities operating.

Georgetown had been laid out in 1752. Its population was 2,993.

Alexandria was founded in 1749. Its population was 4,971.

The remainder of the land was forest and meadows with a few scattered clearings.

Under the first organic act of 1801—the city of Washington was established with a mayor appointed by the President and a 12 member city council elected by the people. The charter was amended in 1812 to provide for a board of aldermen and for the election of mayor by joint vote of the board of aldermen and common council.

In 1820 a Reorganization Act provided that the mayor be elected by the people serving for 2 years.

This form of government continued until 1871.

By an act of Congress of February 21, 1871, the entire District of Columbia was created a municipal corporation and the charters of Washington and Georgetown and the laws relating to the government of the county of Washington were repealed. This act provided a territorial form of government for the District, which government consisted of a governor, a board of public works, a board of health, and a legislative assembly. The legislative assembly consisted of an 11 member council and a 22 member house of delegates. The board of public works consisted of the governor as president of the board, and four persons, one of whom had to be a civil engineer. The governor, members of the council, and the members of the board of public works were appointed by the President of the United States. The members of the house of delegates were elected by the people. The voters of the District were also permitted to elect a delegate to the House of Representatives of the United States, who, like delegates from the territories, had a right to speak but not to vote. The District sent a delegate to the House of Representatives from 1871 to 1875. This form of government lasted 3 years.

The act of Congress of June 20, 1874, provided that the District should be governed by three commissioners, appointed by the President. This was known as the temporary form of government and lasted until July 1, 1878, when the present form of government became effective.

Congress, by an act approved June 11, 1878, created the present form of government of the District of Columbia. The District was created a municipal corporation with the right to sue and be sued. This act provides for the appointment of 3 Commissioners who must be citizens of the United

States. Two commissioners are selected by the President from persons residing in the District of Columbia for a period of 3 years preceding their appointment and who, during that period, claimed residence nowhere else. The third Commissioner is required to be an officer of the Engineer Corps of the United States Army who is detailed by the President and known as the Engineer Commissioner. The appointments of the civilian Commissioners are for a period of 3 years, or until their successors are appointed and confirmed by the Senate. However, there is no legal obstacle to reappointment at the end of 3 years. The detail of the Engineer Commissioner is at the pleasure of the President, and is usually for 4 years. One of the 3 Commissioners is chosen president of the Board of Commissioners at their first meeting, and annually, and whenever a vacancy occurs. A vice president is also chosen.

The right to vote in the District of Columbia for President of the United States and other national offices, which was extant at the time the territory embraced in the District was ceded to the Congress, was exercised by the qualified voters in the District in the presidential election of November 1800. It remained in force until the first Monday in December 1800, when as announced in an opinion by Justice William Cranch of the Supreme Court of the District of Columbia, the exclusive jurisdiction of the Congress over the District took effect.

Although the citizens of the District of Columbia ceased to vote for national officers after the first Monday in December 1800, they were substantially vested with the right of suffrage in municipal matters. Local suffrage continued until June 20, 1874, when it was abolished, and since that date there has been no suffrage in the District of Columbia.

The District of Columbia is unique in that it is the only political subdivision in the United States in which all of the powers of government are vested in the United States. In this one unit are combined all the powers and functions of government which elsewhere are divided among the States, the State, the county, and municipality. It is also unique in that it is the only community in the continental United States in which its citizens do not enjoy the right of national representation.

Consider the people of the town of Alexandria. Their condition eventually became sufficiently intolerable so as to incite action and 105 years ago they voted on the question of retrocession. By virtue of their vote, President Polk by proclamation, dated September 7, 1846, gave notice that the portion of the land derived from the State of Virginia was receded to that State.

The action of the Congress and the President was based upon petition of the people of the town of Alexandria set forth in House of Representatives Report No. 325 of the first session of the 29th Congress, dated February 25, 1846.

The committee of the town of Alexandria in their memorial in part said:

"Beg leave to submit some of the considerations which impel them greatly to desire to return to the State of Virginia, from which, in an evil hour, they were separated. We maintain that all government (politically considered) but self-government is bad and that without some radical change, time, instead of making a bad government better, will make it worse; that whatever power is exercised independently of the will of the people, expressed individually or through their representatives, is a despotism.

"When we remind the committee that we are a disfranchised people, deprived of all those political rights and privileges so dear to an American citizen, and the possession of which is so well calculated to elevate and dignify the human character; that the exclusive jurisdiction which Congress possesses over us, however wisely and moderately exercised, is a despotism, we are almost inclined to say nothing more, as we cannot doubt but that our feelings, under such circumstances, will meet with the ready sympathy of every Member of Congress.

"Regardless of the evils we should be willing to continue in this state of vassalage, and sacrifice ourselves for the good of our country, could we perceive any substantial benefit resulting therefrom to the rest of the Union. * * * How is it with the citizens of Alexandria? When they go abroad, or their sons are sent to the various literary institutions in the States, from a sense of their degraded political condition they are induced to pass themselves as citizens of Virginia. * * * The laws of Virginia, as they existed on the 27th of February 1801, are still in force with us. We are yet governed by antiquated English statutes, repealed even there half a century ago. * * * We are deprived of the elective franchise, a privilege so dear and sacred that we would present its deprivation in the strongest light before your honorable body. Side by side with the trial by jury and the writ of habeas corpus may be placed the rights of the ballot box."

In 1846 Congress had but little interest in the county of Alexandria. Congressman Hunter in his report to the District Committee stated that the experience of 40 years or more demonstrated that the cession of the county of Alexandria and the town of Alexandria was unnecessary. He also reported, "Within the portion of the district on the north side of the Potomac River is much more than space enough for all the public buildings and grounds ever likely to be necessary for the seat of government. Beyond this quantity every addition of territory to be embraced within the exclusive legislation of Congress is not only unnecessary, but makes a useless diversion of its time and attention from the great objects of general legislation to the discharge of the duties of petty local legislation, for which it is unfitted. In the district itself this union of the counties of Washington and Alexandria has been the source of much mischief."

The north portion of the Potomac was growing and its future well assured. The new residents retained their voting privileges in the States from which they came. The system so disappointing to the people of Alexandria continued to operate until 1874 when all rights of suffrage were abolished. The people were whipped down because they never had anything but the shell of political freedom from the time that Congress assumed its power granted by the Constitution of exclusive legislation in the district occupied as a seat of government. Different systems of government had failed; charges of financial irregularities, investigation upon investigation, the great debt piled up by the Territorial government and a fleeing governor made the setting right for the complete bondage imposed in 1874 and continued to date.

When political darkness settled upon the District of Columbia, the total population did not exceed 150,000—approximately two-thirds white and one-third colored.

Twelve years before 1874 African slavery was abolished in the District of Columbia by an act of Congress approved April 16, 1862, which provided among other things "that all persons held to service or labor within the District of Columbia by reason of African descent are hereby discharged and freed of and from all claim to such service or labor; and from and after the passage of this act neither slavery nor involuntary servitude, except for crime, whereof the party shall be duly convicted, shall hereafter exist in said District."

The citizens of the District of Columbia ceased to vote for the President of the United States and other national officers after the first Monday in December 1800 and in municipal matters after June 20, 1874. A complete state of vassalage has, therefore, existed for 82 years and involuntary servitude exists at the seat of government.

I cannot conceive that we of this generation are less patriotic than the former residents of the District on the Virginia side of the Potomac and we could well adopt their language in the year of 1956, "Regardless of the evils we should be willing to continue in this state of vassalage, and sacrifice ourselves for the good of our country, could we perceive any substantial benefit resulting therefrom to the rest of the Union."

Some of us are more interested in the welfare of the Union than we are in ourselves. We know that on the first Monday of December 1800 the District of Columbia became vested in the Congress and Government of the United States according to the impressive words of the act of cession in full and absolute right and exclusive jurisdiction as well of soil as of persons residing or to reside therein.

We agreed with Madison's comments on section 8 of article 1 of the Constitution: "The indispensable necessity of complete authority at the seat of government carries its own evidence with it. It is a power exercised by every legislature of the Union, I might say of the world, by virtue of its general supremacy. Without it not only the public authority might be insulted and its proceedings be interrupted with impunity, but a dependence of the members of the General Government on the State comprehending the seat of government, for protection in the exercise of their duty, might bring on the national councils an imputation of awe or influence, equally dishonorable to the Government and dissatisfactory to the other members of the confederacy."

We agree with Justice Taft who said in (75 Fed. 742):

"It was meet that so powerful a sovereignty should have a local habitation of a character of which it might absolutely control and the Government of which it should not share with the States in whose territory it exercised but a limited sovereignty, supreme, it is true, in cases where it could be exercised at all, but much restricted in its field of operation. The object of the grant of exclusive legislation over the district was, therefore, national in the highest sense, and the city organized under the grant became the city, not of a State, not of a district, but of a nation."

We agree with Justice Sutherland when in 1933, in the case of *William Hitt* v. *The United States*, he said:

"The District is not an 'ephemeral' subdivision of the 'outlying dominion of the United States' but the Capital—the very heart of the Union itself, to be maintained as the permanent-abiding place of all its supreme departments and within which the immense powers of the General Government were to be exercised for the great and expanding population of 48 States, and for a future immeasurable beyond the prophetic vision of those who designed and created it."

Yes. We agree with these broad concepts—Washington the Heart of the Nation, Washington the Capital of the Nation, Washington the city of the Nation. If we have to suffer political bondage for this broad concept, then let us suffer.

Let others speak of our growth, our power, our influence, our wealth, our great contributions to general welfare, our war sacrifices and our great financial contributions. I speak for the dignity of man, for rights of American citizenship so well calculated to elevate and dignify the human character. All about me are men and women, residents of the District of Columbia, who maintain their political rights and privileges in the States from which they came. My office and all the offices of Government are filled with men and women who are free to cast

their ballots, but I, a native, and many like me are in a degraded political condition—we must remain in bondage or move from the place of our birth. There just isn't any sense to it.

When will this blot on American democracy be removed? When will Congress pass the resolution to submit to the States a constitutional amendment giving the people of the District of Columbia representative seats in the Senate and the House and a right to vote in the election of the President and Vice President, thereby releasing us from bondage too long suffered?

Let those who say they sincerely believe in the principles of a democracy look with satisfaction, if they can, upon our unfortunate political status.

While they speak of money and our obedience to national laws, let them refer to the fact that we have no part in making the laws and no voice in the councils which determine war or peace. Our function is merely to obey.

I express the hope that they might also touch upon the fact that from March 1, 1940, to July 31, 1946, 66,000 men and 2,361 women served in the Army; 29,376 men and 837 women served in the Navy; and 4,146 men and 328 women served in the Marine Corps. They might also refer to the fact that during this same period of time, 3,740 gave their lives for their country. They might also picture the heads bowed in shame when the absentee ballots were passed around on foreign fields to buddies who enjoyed full rights of American citizenship. Let other speak of these things—I merely refer to the dignity of man.

I know of no man more profoundly interested in District affairs than the distinguished gentleman from Maryland, Senator J. GLENN BEALL. He has introduced a joint resolution proposing an amendment to the Constitution to provide that the people of the District of Columbia shall be entitled to vote in presidential elections. Similar action has been taken on the House side by the very capable and distinguished Representative from Maryland, Congressman DEWITT S. HYDE. Here then is a project for you—political freedom for District natives.

OPENING OF FEDERALLY CONTROLLED LAND TO MINING CLAIMS

Mr. NEUBERGER. Mr. President, during the 84th Congress, legislation was enacted for the ostensible purpose of fostering mineral exploration and mining in some 7 million acres of public land, previously closed because of power site withdrawals. A bill (S. 1004) has been introduced in the present session to extend the 1955 act to include reclamation reservoir site withdrawals. This would add some 8 million acres more to the federally controlled land which would be opened to mining claims.

The original purpose of the act, Public Law 359, evidently had considerable merit. But, on the basis of information gathered by Mr. Sam B. Armstrong, national correspondent of the St. Louis Post-Dispatch, and printed in that newspaper recently, considerable doubt exists as to whether the administration of the act has been entirely in the public interest.

According to the articles, it has been possible for one individual to accumulate mining claims covering more than 28,000 acres of the public domain. Such concentration of control of mineral resources of public lands in the hands of a single person does not contribute to mineral development, in my opinion. This situation indicates a need for limiting the size and number of claims held by a single individual, or groups of individuals and companies. The act was aimed at stimulating mining activity, but there is nothing to indicate that acquisition of claims covering vast areas of the public domain, through the filing of multiple claim notices, has done anything more than foster speculation. I do not think that public land should become a pawn for the exclusive financial benefit of speculators.

The lands which have been opened to mining through the 1955 act include vast timbered areas and watersheds administered by the Forest Service and the Bureau of Land Management. Much of this land was withdrawn originally from public entry so as to protect it from possible commercial encroachment. This was done in recognition of the fact that the forested slopes have unique values, aside from whatever minerals might lie below the surface, and required special protection. Forests on much of the withdrawn land, and the streams and rivers which drain it, serve important functions as wildlife habitat and as spawning areas for migratory fish. Indeed, Mr. President, officials of the Fish and Wildlife Service have expressed some concern over the effects of some of the mining claims which recently have been filed under the 1955 act. Some of the claims filed in the State of Idaho are in the vicinity of Bear Valley Creek, one of the main tributaries of the middle fork of the Salmon River. It is feared that dredging operations in this area will prove detrimental to the salmon and steelhead which spawn in the area. As Mr. Armstrong points out in his thorough-going investigation of the subject, one group of Idaho claimants has gained control of 6,597 acres in this district. The Salmon is our country's greatest watershed for propagation of spring Chinook salmon.

Mr. President, the articles written by Mr. Armstrong raise serious questions as to the wisdom of the policy which has opened vast stretches of the public domain to mining. I hope that it will be possible for an appropriate subcommittee of the Senate Interior and Insular Affairs Committee to further study the implications of the 1955 act and its effects on important natural resource values. I ask unanimous consent to have printed in the RECORD Mr. Armstrong's well-documented articles which appeared in the St. Louis Post-Dispatch on June 16, 1957, and June 18, 1957.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch of June 16, 1957]

PROMOTERS, POLITICIANS GRAB UTAH URANIUM SITES ON PUBLIC LAND—EXTENSION OF LAW QUIETLY PASSED IN 1955 NOW IS SOUGHT—BILL BEFORE SENATE COMMITTEE WOULD OPEN MILLIONS OF ACRES TO EXPLOITATION—GETS LITTLE NOTICE

(By Sam B. Armstrong)

WASHINGTON, June 15.—A bill opening millions of acres of the public domain to mining exploration and promotion by speculators, awaiting action by the Senate Interior and Insular Affairs Committee, would extend provisions of Public Law 359, quietly enacted in 1955, under which promoters and lawyer politicians were able to grab choice claims in the Utah uranium area.

Few besides the swivelchair prospectors knew about Public Law 359 when it was approved August 11, 1955, and it appears that Senate bill 1004, now in committee, has attracted equally slight attention.

Public Law 359 opened to mining 7,200,000 acres of public land, most of which had been withdrawn more than 45 years ago during the Theodore Roosevelt administration and reserved for possible future use as power sites.

EIGHT MILLION FOUR HUNDRED AND SEVENTY-SIX THOUSAND ONE HUNDRED AND EIGHT MORE ACRES

Senate bill 1004 would add to this total 8,476,108 acres of public land that, as of last December 31, had been withdrawn or reserved for reclamation reservoir sites.

Inquiry by the Post-Dispatch disclosed that one young lawyer-politician had pounced on 28,240 acres or 20 percent of the total of 139,851 acres in claims filed in Utah up to last December 1.

Another young Salt Lake City lawyer, a distant relative of Gov. George Dewey Clyde who recently appointed him to the Utah State Land Board, with his law partner and other associates filed claims on about 10,000 acres in Utah and 200 acres in Arizona.

In Idaho, claims covering 6,597 acres had been filed and one group, with some slight variations in its membership as to some claims, held 5,797 acres or 87 percent. This group, which included a locally active politician and former office holder, is active in its support of Senate bill 1004.

In contrast to the Idaho claim filers, who long have been active in the mining field, most of the Utah acreage covered by claims is tied up by speculators. The result has been that bona fide prospectors, hailed by the Atomic Energy Commission as the mainstay of its uranium-procurement program, have been excluded from these first-choice sites.

HANDSOME AEC BONUSES

In urging the enactment of Public Law 359, the Atomic Energy Commission, which is still offering handsome discovery bonuses and guaranteeing the price of ore, had said:

"The domestic uranium-procurement program of the Atomic Energy Commission depends to a great extent on the discovery and development of private individuals operating under the mining laws. As the proposed act would open up new areas for private development of uranium deposits, we believe it would be in aid of our program of acquiring valuable uranium."

No lode claim may exceed 1,500 by 600 feet, or about 20 acres. No placer claim may exceed 20 acres, but an association of as many as eight persons may act jointly to locate a placer claim as large as 160 acres.

There is, however, under present archaic mining laws, no limit on the number of claims that an individual may locate.

Bills similar to Public Law 359 had passed the House at three previous sessions of Congress only to fall of passage in the Senate.

In the 84th Congress, Chairman CLAIR ENGLE (Democrat, of California), of the House Interior and Insular Affairs Committee, again introduced the measure, explaining that "large deposits of uranium are believed to exist in several areas set aside for power sites," and referred to the AEC approval. He pointed out that, under the bill, the Government retained its right to use the land for power sites and that the miner developed any claim at his own financial hazard, having no recourse if the land later were taken for power use.

BACKED BY FPC CHAIRMAN

Enactment was recommended in a letter to the committee from Chairman Jerome K.

Kuykendall, of the Federal Power Commission. True D. Morse, Under Secretary of Agriculture, wrote the committee that about 3,500,000 acres of national forests were in power withdrawal areas but that his department had no objection to the bill.

The Interior Department, which includes the Bureau of Land Management, had opposed the bill in the previous administration, but it wrote the Senate committee in 1955 that encouragement of mineral development in public-land areas was needed since the discovery of new sources of mineral wealth on the public domain is urgent to the national economy. It recommended enactment of the bill if amended to tighten up regulation of placer-claim operations.

The bill was accordingly amended over the objection of Chairman ENGLE who took the position that it was inappropriate to attempt to regulate placer mining in that bill. He accepted the amendments which authorized the Interior Department to call hearings to determine whether hydraulic mining would interfere with other uses of the land, including possible future use as a power site, and to require the operator of a placer mine to put up a bond to insure restoration of the surface if this were found desirable.

Public Law 359 provided that the locator of a placer claim must wait 60 days after filing before beginning operation of the claim. This was to give the Interior Department time to determine whether a hearing should be held or a bond for surface restoration should be required. No notice of such hearings has been served on the holders of the Idaho claims. Likewise, no such action has been taken under Public Law 359 with reference to placer claims in Utah, where lode claims predominate.

BENSON FOR AMENDMENTS

As to Senate bill 1004, Secretary of Agriculture Ezra Taft Benson wrote the Interior Committee late last month that his department has no objection to the enactment of S. 1004, but suggested minor clarifying amendments.

He pointed out that about 1,500,000 acres of national forest land had been withdrawn for reclamation reservoir sites by the Secretary of the Interior and expressed the opinion that "it would appear to be primarily the responsibility of that department to determine whether the provisions of S. 1004 would be consistent with the development and administration of reclamation reservoir sites."

Continuing his analysis of the pending bill, Benson observed that, since one section would affect prospective licensees of the Federal Power Commission, "it would appear to be primarily the responsibility of the Federal Power Commission to express an opinion on the merits of this provision."

Chairman Kuykendall of the Federal Power Commission likewise passed the buck to the Interior Department.

"Since this bill relates primarily to water resources activities for which this agency is not directly responsible" he wrote the Senate Interior Committee, "the Commission believes it would be inappropriate to express an opinion with respect to the merits of the proposed legislation."

AMUSING FOOTNOTE

Kuykendall did include a footnote which is amusing in the light of the results of the Post-Dispatch investigation of the operation of Public Law 359 in Utah.

"The experience of the Commission in the administration of the 1955 act, insofar as lands withdrawn or reserved for power purposes are concerned," the footnote said, "indicates that all public interests are being adequately protected under the provisions of that act consistent with more efficient administration of those lands."

The Interior Department has not filed a report on S. 1004 with the Senate Interior Committee.

The bill was introduced last February 1 by Senator HENRY C. DWORSHAK (Republican, Idaho). Senator FRANK A. BARRETT (Republican, Wyoming), joined as a sponsor.

William H. Langroise of Boise, Idaho, a former assistant district attorney for Idaho, whose law office was given as the address for members of the group which filed most of the Idaho claims under Public Law 359, said that he had not taken part in drafting S. 1004, but that his clients actively supported it.

OTHER STRATEGIC MINERALS

Passage of the bill would enable them to greatly expand the 5,797 acres in claims they now hold and some of the land withdrawn for reclamation reservoir use is nearby. While it may be possible to recover some small amounts of uranium from their operations, the principal mineral value lies in monazite, columbium, and titanium which are of strategic importance.

Bear Valley, in Valley County, Idaho, where most of the claims in that State are filed, is said to have what possibly may be the largest deposits of columbium and tantalum in the United States.

Langroise's clients which he represented in the filing of their claims included Robert L. Wilson, chairman of the Democratic County Committee of Valley County, who has served at various times as sheriff, treasurer and assessor. Langroise is a Republican.

This group also is opposing efforts of the Interior Department's Fish and Wild Life Service to take over reclamation withdrawals along the upper Salmon River which are regarded by conservationists as important spawning grounds. A hearing has been set for September 19 and 20 at Boise. Cancellation of these reclamation withdrawals by administrative order has been proposed.

[From the St. Louis Post-Dispatch of June 18, 1957]

YOUNG ATTORNEY MOST ACTIVE IN GRABBING UTAH URANIUM SITES—ROD P. DIXON FILED FOR 28,240 ACRES IN 2 MONTHS—BONA FIDE PROSPECTORS FOUND CHOICE AREAS TAKEN

(By Sam B. Armstrong)

SALT LAKE CITY, June 17.—When Congress opened to mining exploration and development 7,200,000 acres of the public domain that had been reserved for power sites, the most active among the lawyer-politicians and promoters who moved into the bustling Utah uranium area was a 33-year-old attorney.

Five years out of law school, Rod P. Dixon lost no time in filing claims under Public Law 359 which was approved August 11, 1955. Within 2 months he had filed in the office of the Bureau of Land Management here notice of location on 1,424 lode claims of 20 acres each, or a total of 28,240 acres. This represented 20 percent of the 169,276 acres on which claims had been filed in Utah under the new law up to last December 1.

And when bona fide prospectors moved into southeastern Utah with their Geiger counters after belatedly hearing of the law which had been quietly passed, they found that the swivel-chair prospectors had staked claims to much of the most likely parts of the 816,472 newly opened acres in the State.

AEC PLEAS HEEDED

Public Law 359 had been passed by the Eighty-fourth Congress after defeat in three previous sessions, largely on the plea of the Atomic Energy Commission that national safety and public welfare demanded increased uranium production and discovery of reserves. It said this depended upon the work of individual prospectors.

But the early birds acted in the hope that someone else would make a discovery on or near their claims or that a mining company would buy their interests or accept them for stock in the corporation which would carry on exploration and development.

Dixon, recalling the days when any claim—just any claim—would sell for $200, freely discussed his ventures. He said he did no lobbying and took no part in promoting passage of Public Law 359.

After Army service as a quartermaster corps second lieutenant, Dixon was graduated in 1947 with a business degree from the University of Utah where he was a member of honor societies in his junior and senior years. He then attended George Washington University in Washington where his wife taught school and he obtained his law degree in 1950.

SET UP OWN OFFICE

Returning to Salt Lake City, he entered the office of Senior & Senior, public land specialists, but after 2 years established his own office and became increasingly active in politics.

He said he was not related to Congressman HENRY ALDOUS DIXON of the First District, which includes the Utah uranium area, but that he was campaign manager for Utah's other Congressman, WILLIAM A. DAWSON of the Second District in 1952. He served as county organization chairman for the Young Republicans and was secretary of the Second Congressional District Republican Committee.

When Charles Steen struck it rich in 1952, Mitchell Melich, the only lawyer in Moab, Utah, which became the center of the uranium boom, found full-time employment with the new millionaire. This left Moab, which had reported a population of 1,274 in 1950, without a lawyer at a time when newly arrived prospectors were clamoring for an attorney to draft location notices for their claims and other documents. Dixon moved to Moab.

CROWD WAITING

"When we drove into town behind a truck carrying our office furniture," Dixon recalled, "there was a crowd waiting in the streets. They had heard a lawyer was coming and each wanted to be the first to have his legal work done. They pitched right in and carried the furniture off the truck and into the office. The first fee for drafting some papers was $50 and in the first year the office handled 600 cases."

Dixon did well in Moab. He was elected county attorney. And he began to develop his ideas about making money from the uranium boom without packing a Geiger counter over the barren desolate wastes.

In 1955 Dixon moved back to Salt Lake City and reopened his office there.

A friend in Blanding, Utah, Dixon related, agreed to stake out 400 claims in released power-site withdrawal areas for him for $4,000. The land, he explained, was in Utah near the Colorado River north of the Glen Canyon Dam site in northern Arizona. It is known as the Nokai Dome area.

NO LIMIT TO NUMBER

Lode claims such as these are restricted to a dimension of 1,500 by 600 feet, or a little more than 20 acres each, but there is no limit to the number of claims one person can file. Each claim must be marked by corner posts or monuments of stone, with another in the center, where a record of the name of the locator, the date of the claim, and its name and a description of its location must be deposited. This record usually is left in a tobacco can or a bottle. Within 60 days a notice of location must be filed in the office of the Federal Bureau of Land Management for the State in which the claim is situated.

Dixon's claims rapidly increased in number. He said he spent about $35,000 drilling, but that "formations were thicker than they should be" and uranium was not found in concentrations which would make it profitable after construction of necessary roads for transportation to a mill. He described his locations as being "farther from a paved road than any other point in the country."

STILL EXPECTS PROFITS

"I could have made $100,000 by selling outright at one time," Dixon recalled, "and once I had my claims optioned to some California people for $250,000."

The uranium boom slackened somewhat last year, but Dixon still expects his holdings to pay off.

The Glen Canyon Dam, he pointed out, would back water of the Colorado River up to the confluence of the Green River more than 100 miles, thus providing a means of cheap transportation.

"All of my claims are high," he said. "We didn't get any low stuff; it's all above the high-water level of the lake that will be formed. With conveyors carrying the ore to boats, it would be a cheap haul to mill. Uranium deposits that are not commercially profitable now will become so when the dam is completed, about 1964."

Although mining regulations require that no lode claim shall be located until after the discovery of a vein or lode, Dixon contends that court decisions have held that a claim may be filed before discovery, but that the man who made a discovery on a given claim would have a better right to it.

"A discovery on one claim in a thousand would make the other 999 more valuable," he said.

As a practical matter, if a prospector saw he was on a claim that had been staked he probably would prefer to invest his time and energies elsewhere rather than to risk loss of part of any find by lawsuit or settlement.

CAN'T MEET REQUIREMENT

Reminded that the mining laws also required $100 worth of labor or improvements on each claim during each assessment year, the first of which begins on the July 1 following location of the claim, Dixon, remarking that he had filed a total of 4,500 claims, including those under Public Law 359, explained somewhat scornfully:

"Of course I can't do $450,000 worth of assessment work each year. That's what's due next July 1. But that doesn't mean that I lose the claims. Someone else has to come in and refile on a claim and then it's a matter for the courts to decide.

"I'm not worried about that a bit. In the first place, those claims are located by metes and bounds in a country that hasn't been surveyed and no one else could find them. It's the long range picture I'm interested in."

Records at the Bureau of Land Management here show that only one claimant among those who filed under Public Law 359 has recorded statements that assessment work for the first year has been done. Last February 11, the Ohio Uranium & Mining Co., which did not locate its claim until November 30, 1955, filed its proof of labor on 6 tracts which was not due until next July 1.

Others who went after claims on formerly reserved powersite lands included Edward W. Clyde, Salt Lake City lawyer and a relative of Gov. George D. Clyde. Governor Clyde recently appointed the attorney to membership on the Utah State Land Board which is responsible for selection, disposition and administration of State lands and also invests and manages funds received from disposition of State lands.

Edward Clyde and associates, including his law partner, Elliot L. Pratt, filed 499 claims for a total of 9,974 acres in Kane County which adjoins San Juan County. They also have 220 acres in adjacent Coconino County, Ariz.

Another group of early birds was George Patee, C. L. Anderson, and Vito Minagliatta of Moab, who filed on 2,249 acres of placer mining claims. Their claims are being contested under the general mining laws by the Bureau of Land Management at Salt Lake City.

It is contended that while claimed as a mineral source, the property does not contain gold or other minerals in paying quantities and that the real purpose is to profit from byproduct gravel which has a ready market for construction work near Moab. Dixon is counsel for the group.

The address of Dixon's law office is given as that of Ralph Wilderson who filed on 700 acres and Payne Uranium Corp., which has claims on 5,180 acres.

COLORADO PROMOTER'S ACTION

Within 10 days after Public Law 359 became effective, William Hurley, Grand Junction, Colo., promoter, had located 302 lode claims covering 6,040 acres in San Juan County, Utah.

The identity of many who have filed claims is guarded by their use of a post office box for an address.

R. W. Werner filed on 292 claims for 5,840 acres in Kane County, Utah. The Bureau of Land Management at Salt Lake City, noting it had no address of any kind for Werner, wrote Walter Wood of Cortez, Colo., whose name and address appeared as notary when Werner signed the notices of location. Wood replied that Werner's address was post office Box 1005, St. Louis, Mo.

Although no important discoveries have been reported yet on the land opened by Public Law 350, critics say that is another argument against permitting unlimited filing of claims and the indifferent enforcement of mining laws, permitting speculators to profit at the expense of bona fide prospectors and the national safety and welfare.

SENATE BILL PENDING

As has been told, Senate bill 1004, which would open to mining an additional 8,476,108 acres of public land now withdrawn for reclamation reservoir sites, now is pending in the Senate Interior and Insular Affairs Committee at Washington.

Uranium prospecting is not like searching for oil where producing sands can be pretty well mapped out. It differs from gold, where the direction and thickness of a vein can be figured with some degree of accuracy. Uranium requires painstaking exploration for it and usually is found in pockets or pods, like raisins in a loaf of bread. Atlas Corp., which paid Vernon Pick $9 million for his claims in 1954, expecting to take out $50 million worth of ore, found that it had petered out after it had recovered something more than $2 million.

A foot of earth can insulate uranium ore from the magic of the Geiger counter and a hole may go to 900 feet before uranium in paying concentrations is found. Drilling costs $3 to $4 a foot depending upon terrain, formations, and depth required. Some surface ore has been found and good commercial deposits have been located within 50 feet of the surface.

ORDER OF BUSINESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may have the privilege to speak for not more than 7 minutes on a matter I have before me.

The PRESIDING OFFICER. Is there objection? Hearing none——

Mr. SPARKMAN. Mr. President, reserving the right to object, and, of course, I do not intend to object, I wish to inform the Senator that I have an appointment I must keep. I wonder if the Senator would be willing to allow me to make an insertion in the RECORD first?

Mr. HUMPHREY. I saw some rather excited activity on the other side of the aisle. There may be an objection from my good friend, the minority leader, but I hope not for long.

Mr. KNOWLAND. Mr. President, I certainly would not want to object, because it is a reasonable request, but I see a number of other Senators who desire to make insertions in the RECORD.

Mr. HUMPHREY. I shall wait for a few minutes.

THE SENATE DISARMAMENT SUBCOMMITTEE

Mr. SPARKMAN. Mr. President, the current June issue of the Bulletin of Atomic Scientists contains an article by Mr. Jerome H. Spingarn on the work of the Senate Disarmament Subcommittee. The article is entitled "The Humphrey Subcommittee: Was It Worth While?"

Mr. Spingarn has provided his readers with an excellent survey of the subcommittee's work. I ask unanimous consent that the text of his article be printed at this point in the RECORD and appropriately referred.

There being no objection, the article was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

THE HUMPHREY SUBCOMMITTEE: WAS IT WORTH WHILE?

(By Jerome H. Spingarn)[1]

The Subcommittee on Disarmament of the Senate Foreign Relations Committee, chaired by Senator HUBERT HUMPHREY, Democrat, of Minnesota, has had an important impact upon Government decisions for two reasons: It has performed a "watchdog" function which resulted in a considerably more serious approach to arms control within the executive branch than might otherwise have been the case, and it has implanted an understanding and knowledge of the subject among a small group of Senators who serve on the three Senate committees concerned with the problem.

I

Disarmament has been a lofty and abstract sentiment which produced some extremely popular oratory for Chief Executives. But Presidential addresses on the subject were subjected to very little critical analysis in the press and to none at all in the Congress, and were never taken seriously by foreign-policy experts and informed commentators. Peace groups and church organizations applauded them warmly, and there the matter stood.

What the Humphrey subcommittee accomplished, in the 2 years since it was created, was to snatch the subject down from the clouds, and to bring the Congress, the press, and the public, face to face with the technological environment that surrounds the problem of arms reduction and arms control in the year 1957.

In addition, the very existence of Congressional surveillance frequently serves to produce more energetic executive action. It has a potential power to expose, to embarrass, to goad, and sometimes to reward, to assist, and to run interference. It is hard to speculate on how great an effect of this sort was exercised by the Humphrey subcommittee. While Senator HUMPHREY is often hard-hitting and frequently partisan, the record indicates that he approached this subject with humility, nonpartisanship, and a determination not to break the "crockery." He was determined from the outset to issue all committee reports unanimously, and opined that disarmament had not begun to reach the

[1] Jerome H. Springarn is visiting professor at Fairleigh Dickinson University, Washington lawyer, and a frequent contributor to national magazines.

point where it could form the subject of partisan senatorial debate.

But, according to close observers, the very acquisition of this new jurisdiction by Senator HUMPHREY was always a source of considerable irritation to Presidential Assistant Harold Stassen. This was a tragedy, because in the opinion of those closest to him, Stassen approached his job with zeal and intelligence, and could undoubtedly have accomplished more if he had better working relationships in the Congress, or if he had availed himself of HUMPHREY's willingness to assist him. Nevertheless, the committee did serve to generate new executive approaches and to inspire action on the part of the Stassen office.

While it is hard to ascribe a cause-and-effect relationship, it is generally understood that the sentiment recurrently expressed at hearings by subcommittee members, in favor of a limited testing zone for aerial inspection, had a great deal to do with Governor Stassen's interest in the creation of such a zone, an idea which is far from dead even though it has received rebuffs from other departments of Government.

Recently, in an article in the New Republic, Senator HUMPHREY called attention to the fact that the U. N. Disarmament Subcommittee had, since its inception several years ago, conducted its discussions on a catch-as-catch-can basis, without a formal agenda, and suggested that an agenda might serve to aid negotiations in the future. Shortly thereafter, when the meetings opened in March 1957, a seven-point agenda was adopted by the subcommittee at the instance of Governor Stassen. Observers agreed that this was a valuable improvement in procedures.

The interest of Adlai Stevenson in a ban on nuclear tests has been traced to the testimony before the subcommittee by Atomic Energy Commissioner Thomas E. Murray. Stevenson's first speech on the subject was made very shortly after Murray's testimony, and followed Murray's reasoning closely.

In spite of the rather blank response which Stevenson's ideas drew from the electorate, his position has made a considerable impression on several Democrats in Congress. HUMPHREY asked about radiation hazards at several hearings, and provided a forum for a good deal of discussion of the problem. Indeed, the Joint Committee on Atomic Energy is now exploring the problem in considerable detail, largely as a result of HUMPHREY's initiative, which included a public letter suggesting the urgency of a thorough investigation.

Senator HUMPHREY also repeatedly asked why it would not be just as effective to set up an inspection system simultaneously with arms cuts, and helped the administration to realize that the insistence upon setting up a full-blown inspection mechanism in working order before the beginning of any type of arms cuts, was becoming a King Charles' head.

HUMPHREY's persistence in asking about political settlements strengthened Stassen's hand in demanding authority to discuss certain political matters in Disarmament Commission meetings. Unfortunately, this was never granted, but the necessity for it is becoming increasingly recognized. The testimony of George Kennan made it clear that any broad-scale disarmament program was in itself a political settlement and, also, that some of the most feasible immediate approaches were very much involved with political matters.

• • • • •

II

In many ways, the outstanding testimony before the subcommittee was given by Secretary of State Dulles. Dulles obviously came to the hearing without briefing himself too closely on the current position of his Department. He had, however, in the years before becoming Secretary of State, given considerable thought to the problem of long-range peace plans and disarmament, and permitted himself to relax and think out loud. The young men from the State Department who accompanied him listened with open mouths, and a large number of transcripts were ordered immediately afterward by the Department for internal circulation, because he composed policy as he went along. The hearing was a very cordial one, and it was interesting to note that the Senators of the opposition party respected his honesty and did not attempt to take advantage of his candor.

In effect, Secretary Dulles made clear that any arms agreement would sooner or later have to include Communist China. Mr. Dulles also made it clear that political settlements must go hand in hand with arms reductions. With reference to Germany, for example, he said that a settlement "would not be practical without at least a partial settlement of the armament problem, notably in relation to Europe."

Mr. Dulles also, in response to questions from Senator HICKENLOOPER, indicated that the sound approach to disarmament should eventually involve the building up of a United Nations force which would be superior to any possible aggressor force. An ideal arrangement, he said, would be to have in some such body as the United Nations, a dependable force which would be greater than the force of any single member state; in other words, to extend to the society of nations the principle which is, broadly speaking, applied to maintain peace and order within a national society. However, he pointed out that involved certain supernational aspects and also the question of renouncing the veto power and, therefore, regarded it as not a goal which can be practically attainable within any foreseeable period. For the immediate future, therefore, he pointed out that it is necessary to have collective forces which, when brought together, would be superior to the forces of an aggressor. The candor and imagination which the Secretary displayed at that hearing has not, in the intervening 16 months, however, produced appreciable change in the Department's positions.

In selecting highlights from the testimony of other witnesses for this necessarily brief report, emphasis will be placed upon those who made the strongest impression upon the committee members, as revealed by their public or private remarks on subsequent occasions.

Some of the impact of Commissioner Thomas E. Murray's testimony has already been alluded to. A tally of newspaper reports of committee hearings indicated that Murray's testimony received wider press attention than that of any other witness. In subsequent hearings, a large number of witnesses associated themselves with his suggestions that policies be adapted to set our nuclear weapons program "on a basis more in conformity with the realities of present-day international life."

Murray's argument can be summarized as follows: Wars in the future will be nuclear wars. This does not mean that they need be all-out nuclear wars. All-out nuclear war is no more acceptable than murder or suicide. It would be fatal to permit ourselves to drift into the habit of thinking about nuclear war only in all-out terms. A limited nuclear war is a possibility that our consciences can face and accept. In the different kinds of limited war that might confront us, certain types of nuclear weapons have a genuine military usefulness. It would therefore be wrong on our part to deprive ourselves of these weapons. Our stockpile should include only weapons that are useful in war. Moreover, it should include only weapons that we can legitimately use. It is time we stopped to take a hard look at this concept of "deterrence" and at the complementary concept, more recently added, the "balance of terror," which is too easily upset. It is at the mercy of miscalculation. Such a balance may even put a premium on moral cynicism. Rational armament therefore should include the making and stockpiling only of such weapons as are demonstrably useful for the purpose of actual warfare.

Murray suggested that an upper limit be set on the size of thermonuclear bombs to be placed in our stockpile, on the basis of moral principles and military usefulness. Tests of multimegaton thermonuclear weapons should be stopped, since the weapons we now have in hand are large enough. But tens of thousands of very small weapons are needed. Flexible strength requires the fuller development of the capability for limited military use of nuclear weapons for limited military objectives, according to the Commissioner.

The deeply religious tone of Commissioner Murray's testimony, and his emphasis on moral points won for it considerable attention among citizens' groups concerned with world peace.

Another witness whose testimony had considerable influence on the committee was Warren Weaver, vice president of the Rockefeller Foundation and chairman of the Committee on the Genetic Effects of Atomic Radiation of the National Academy of Sciences. Weaver's testimony challenged the complacency with which the report of the academy has been interpreted by the administration. While he carefully eschewed sensationalism or alarmism, and did not quarrel with the precise language of the report, he made it abundantly clear that the net effect of continued explosions would necessarily be disadvantageous to the genetic structure of the human race. Probably the serious interest of subcommittee members in proposals to end tests was greatly heightened by the Weaver testimony.

John C. Eliot, a former Director of the Office of Munitions Control of the Department of State, discussed techniques of munitions control developed under the Neutrality Act as possible guideposts in general armaments control. Although he conceded that the development of guided missiles and thermonuclear weapons has made the problem of control and reduction of armaments more difficult, he said that the Government need not content itself with atomic stalemate. On the basis of his experience, he suggested that it would be fruitful to continue the search on political, military, and scientific fronts for some formula for eliminating or controlling weapons. He felt that our proposals for disarmament, while sound and sincere, were insufficiently broad to excite the imaginations of peoples and thereby to pressure the Soviets into a workable disarmament agreement with adequate inspection. He urged a U. N. study on the effect of arms traffic to disturbed areas of the world. His testimony elicited sympathetic comment from Senator Humphrey and helped bring the inspection problem into focus.

The testimony of Dr. Albert G. Hill, vice president of the Institute for Defense Analysis and director of Research Weapons Systems Evaluation Group, was important because of his close association with the development of an early warning system for the United States Government. Dr. Hill pointed out that aerial inspection alone would be insufficient as a warning against surprise attack. He felt that any effective inspection must consist of both aerial and ground components. However, he commented that any inspection arrangement with the Soviet Union would probably be to our advantage today. Further, he stated that the mere agreement upon such a system would improve possibilities for the beginning of phased disarmament.

The committee members gave considerable thought to the testimony by one of their colleagues, Senator RALPH FLANDERS of Vermont. Senator FLANDERS has long been a passionate advocate of disarmament. In 1953, he was coauthor of a disarmament resolution which was unanimously passed by the Senate. He appeared before the subcommittee accompanied by a Reserve Air Force officer with considerable credentials in both arms and arms control, Col. Richard S. Leghorn, now of the Eastman Kodak Co. Flanders and Leghorn pointed out that we have already passed the point of no return on many types of arms inspection and control. They warned that we were approaching one of the most serious of these points with the forthcoming development of the intercontinental ballistic missile. They urged that the United States immediately propose an agreement with the Soviet Union which would effectively prevent the perfection of these missiles. This could be done, they said, by agreeing not to test the missiles. They stated that the missiles developed in the laboratory and on the drawing board would not be useful in warfare without the developmental improvements which would result from actual test firings. While there would be no way to detect laboratory work, it would be possible to detect test firings through properly emplaced radar posts.

The Flanders-Leghorn proposal was discussed by the subcommittee in the course of appearances of many other witnesses. Many of them, including Dr. Albert Hill, agreed that radar could be effective in detecting these tests. However, one important political question, raised by Senator SYMINGTON, remained unanswered: The question of how the nations of western Europe, already threatened by lesser range missiles, would take to the urgent insistence of the United States that work be stopped on the one weapon which might effectively reach the United States.

Benjamin V. Cohen, who served for many years as United States representative on the United Nations Disarmament Commission, pointed out that: "Drastic and general disarmament presents less difficulty in respect to policing and inspection than limited and partial disarmament • • • drastic and general disarmament coupled with the transfer of a reserve of armaments to U. N. authorities would further impair the decisive importance of any secreted armaments which might escape detection. • • • Law enforcement in the international field, like law enforcement in the domestic field, depends not on a vast accumulation of arms in the possession of the peace officers, but on a rigid limitation of arms in the possession of organized groups not responsible or responsive to the peace officer."

Cohen supported the State Department position that one of the chief sanctions in any disarmament treaty should be the right to withdraw from a disarmament agreement. Such a right, Cohen thought, might encourage progress which would otherwise be impossible.

While advocating a complete and comprehensive plan, Cohen also supported immediate proposals for partial disarmament. He said there are two areas in which proposals could be made which would contribute significantly toward progress in disarmament. The first area covers measures which would tend to arrest or slow down the armaments race without materially affecting the present balance of power, and the breach of which measures would be self-detectable. The second area is the combining of political settlement and disarmament for reasons about which international conflict and tension center.

Specifically, Cohen urged certain immediate steps: (1) The reporting of all or defined nuclear tests and of all or defined ballistic missile tests to the extent necessary to insure minimum safety and health; (2) the banning of nuclear tests with defined widespread radioactive effects and of tests of long-range ballistic missiles; (3) the control of future production of fissionable materials; (4) aerial inspection and exchange of blueprints of military installations; (5) ground inspection control posts at designated points; (6) the establishment of a world network of radar and other monitoring devices.

Many other witnesses made notable impressions. At Cambridge, Mass., a group of university scholars presented fascinating discussions of major problems. This tour de force, which was arranged by Associate Dean David Cavers, of the Harvard Law School, was, in some respects, the outstanding Congressional hearing of the year, and the chairman alluded to it frequently in later months. An idea presented in the hearing by Duncan MacDonald, dean of the graduate school of Boston University, received particularly close attention: that the effectiveness of inspection measures be tested by aerial inspection conducted between friendly powers.

David Inglis, of the Argonne National Laboratory, made a particularly strong impression on some members of the committee when he stressed the need for a vastly increased budget for a Government agency working on peace problems. Considerable emphasis was also placed by several witnesses upon the need for preparation for the economic reconversion which would be necessitated by serious efforts in the direction of arms cuts.

III

As this is written, the Humphrey subcommittee has not finished its work. Two major questions remain unanswered:

What will it say in its final report? One speculates that it will not be controversial in character because of a generally understood determination on the part of the chairman that the report be unanimously adopted. This means, in effect, that the report will be the least common denominator of the opinions of the committee members. This is not necessarily to be regretted—it would be difficult for the committee to take original and creative positions on matters which involve so many complex and technical factors. But one also suspects that if the committee members fail to agree on some basic assumptions, such as the urgency of disarmament and the inadequacy of mutual deterrents as a permanent safeguard to security, there will be majority and minority reports.

Will there be a permanent unit working in this field? Scholars and commentators who take the disarmament problem seriously feel that the subcommittee has accomplished a great deal, and hope to see its life extended. If this is impossible, they would like to see a special committee established to continue its work.

The major contribution of the subcommittee is that it has taken disarmament down from the pie-in-the-sky category and made it a matter of current legislative business. It has made newspapers, magazines, radio, and TV commentators, legislators and bureaucrats, take seriously the problem of control and reduction of armaments. It has forced some consideration of long-range policy upon a capital which is enormously preoccupied with this morning's crisis and tonight's deadline. Such interest and concern in arms control is vital if intelligent and successful policies are to be evolved.

It would be tragic if this effort is not permitted to continue, either through an extension of the life of the subcommittee or through the creation of a new special committee which could take up where the Humphrey subcommittee leaves off.

EXTENSION OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, which was to strike out all after the enacting clause and insert:

That the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended as follows:

(1) Sections 109 and 204 of such act are amended by striking out "1957" and substituting in lieu thereof "1958."

(2) Section 103 (b) of such act is amended by striking out "$3,000,000,000" and inserting in lieu thereof "$4,000,000,000."

(3) In the first proviso contained in section 104, after the words "subsection (f)" and before the word "and" insert: "and for financing international educational exchange activities under subsection (h) and for financing the translation, publication, and distribution of books and periodicals under subsection (l)."

(4) Section 203 of such act is amended by striking out "$500,000,000" and inserting in lieu thereof "$800,000,000."

(5) Section 104 (e) of such act is amended by striking out the semicolon at the end thereof and adding a comma and the following: "for which purposes not more than 25 percent of the currencies received pursuant to each such agreement shall be available through and under the procedures established by the Export-Import Bank for loans mutually agreeable to said bank and the country with which the agreement is made to United States business firms and branches, subsidiaries, or affiliates of such firms for business development and trade expansion in such countries and for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products: *Provided, however*, That no such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States. Foreign currencies may be accepted in repayment of such loans."

(6) Within 60 days after any agreement is entered into for the use of any foreign currencies, a full report thereon shall be made to the Senate and the House of Representatives of the United States and to the Committees on Agriculture and Appropriations thereof.

(7) Section 210 of the Agricultural Act of 1956, Public Law 540, 84th Congress (70 Stat. 202), is amended (1) by inserting after the word "State" the words "and local penal and," and (2) by striking out "for minors."

Mr. ELLENDER. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. EASTLAND, Mr. HUMPHREY, Mr. AIKEN, Mr. YOUNG, Mr. THYE, and Mr. HICKENLOOPER conferees on the part of the Senate.

Mr. ELLENDER. Mr. President, I now move that H. R. 6974 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, H. R. 6974 is indefinitely postponed.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS — CONFERENCE REPORT

Mr. HILL. Mr. President, I submit a report of the committee of conference

on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6287) making appropriations for the Departments of Labor and Health, Education, and Welfare, for the fiscal year ending June 30, 1958, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of June 25, 1957, pp. 10375–10377, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HILL. Mr. President, this bill, H. R. 6287, making appropriations for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, as it passed the Senate was for a total of $2,885,290,781, an increase of $38,459,200 over the House allowance, but $96,636,800 under the budget estimates.

The conference agreement as it has been agreed to in the House signed by all Senate Conferees provides for the appropriation of $2,871,182,781, a reduction of $14,108,800 from the Senate allowance, an increase of $24,350,400 over the House allowance, but $110,745,800 under the budget estimates and $13,676,200 under the 1957 appropriations.

I will make brief comment with respect to several of the amendments of particular interest to Senators.

The Senate position with respect to the availability of funds for the Federal portion of State and local administrative expenses of the public assistance programs was accepted and the funds will be available without limitation for this purpose.

The Senate approved $15 million for grants to States for public health activities of our local public health units, an increase of $3 million, in the item "Assistance to States, general" and the conferees accepted the Senate proposal.

The Senate had approved increases of $32,027,000 for the National Institutes of Health for medical research in the killing and crippling diseases. The committee of conference finally agreed upon a figure $21 million over the House. It should be stated that the conferees on the part of the Senate sought approval of a higher sum but our colleagues from the other body were adamant in opposition to anything additional.

The conferees were in general agreement with the allocation of the increases in the several accounts as follows:

For the National Cancer Institute, $9,500,000 over the House allowance, of which $6,400,000 is for contracts in the cancer chemotherapy program; $2,500,000 is for research grants; $250,000 is for training and fellowships, and $350,000 is for direct operations with particular emphasis on the work with germ-free animals. This provides a total appropriation of $56,402,000 for the National Cancer Institute.

For mental health activities, $4 million over the House allowance, of which $1,500,000 shall be used for research grants; $2 million for research training and fellowships; and $500,000 for direct operations particularly in the direct research at St. Elizabeths Hospital. This provides a total appropriation for "mental health activities" of $39,217,000.

For the National Heart Institute, $2,500,000 over the House allowance of which $1 million is for the extension of the program in aging, including a project underway in Baltimore; $1 million for research training and fellowships; and $500,000 for direct operations. This provides a total appropriation of $35,936,000 for the National Heart Institute.

For arthritis and metabolic disease activities, $2,500,000 over the House allowance, of which $1,500,000 is for research grants, including $500,000 for expanded work in gastroenterology with particular emphasis on peptic ulcer, ulcerative colitis, hepatitis, and ileitis; $650,000 for research training and fellowships; and $350,000 for direct operations. This provides a total appropriation of $20,385,000 for "Arthritis and metabolic disease activities."

For neurology and blindness activities, $2,500,000 over the House allowance, of which $1 million is for research grants including $500,000 for research in hearing disorders and $500,000 for expansion of the collaborative studies in perinatal diseases; $1,250,000 is for training and fellowships; and $250,000 is for direct operations. This provides a total appropriation of $21,387,000 for "Neurology and blindness activities."

The bill carries altogether a total of $211,183,000 in appropriations for medical research.

There is one item in the Department of Labor with respect to which the Senate conferees were unable to maintain the Senate's position—that of the transfer of funds from the highway trust fund for the administrative expenses of the Solicitor in making wage determinations on road construction projects in the Interstate System in accordance with the Davis-Bacon Act as provided in section 115 of the Federal-Aid Highway Act of 1956.

The House had provided $365,000 for this purpose to be derived by transfer from the trust fund—as is presently provided for the current year in the amount of $300,000—and the Senate had stricken out the transfer provision and had directed the Department to submit a supplemental estimate for appropriated funds not later than July 1, 1957.

The managers on the part of the House were insistent that these expenses were attributable to the Federal-aid highways and chargeable to the trust fund notwithstanding the position of the Senate that the Highway Revenue Act of 1956 did not authorize the use of the fund for such expenses. The Senate conferees were finally forced to yield and to agree to the provision of $200,000, rather than $365,000 as provided by the House, to be derived by transfer from the highway trust fund.

There was opposition to this amendment in the House yesterday when the conference report was being considered. A motion was made to recommit the bill to conference because of opposition to the amendment, but the motion was rejected by a vote of 73 to 321.

Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a table showing the results of the conference between the two Houses.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	Appropriation 1957	Budget estimate 1958	House allowance	Senate allowance	Conference agreement
DEPARTMENT OF LABOR					
Office of the Secretary:					
Salaries and expenses	$1,775,000	$1,610,000	$1,480,000	$1,480,000	$1,480,000
Revolving fund		150,000			
Office of the Solicitor	2,021,000	2,253,000	2,021,000	2,191,000	2,121,000
Transfer from highway trust fund	[300,000]	[365,000]	[365,000]	None	[200,000]
Bureau of Labor Standards	911,500	1,167,000	985,000	985,000	985,000
Bureau of Veterans' Reemployment Rights	783,000	542,000	542,000	542,000	542,000
Bureau of Apprenticeship	3,360,000	3,940,000	3,600,000	3,600,000	3,600,000
Bureau of Employment Security:					
Salaries and expenses	5,558,000	6,355,000	5,258,000	725,000	725,000
Transfer from unemployment trust fund				[5,874,490]	[5,832,480]
Grants to States	240,000,000	270,000,000	240,514,000	260,000,000	250,814,000
Unemployment compensation for veterans	70,000,000	42,000,000	36,800,000	36,800,000	36,800,000
Unemployment compensation for Federal employees	25,000,000	32,000,000	25,000,000	25,000,000	25,000,000
Mexican farm labor program	2,125,000	2,083,000	2,216,200	2,500,000	2,290,000
Bureau of Employees' Compensation:					
Salaries and expenses	2,347,000	2,838,000	2,838,000	2,838,000	2,838,000
Employees' compensation fund	[50,000,000]	Indefinite	Indefinite	Indefinite	Indefinite
Bureau of Labor Statistics:					
Salaries and expenses	6,975,000	7,708,000	7,124,000	7,225,000	7,200,000
Printing and binding	407,000	462,000	462,000	462,000	462,000
Women's Bureau	2,988,000	10,898,000	10,600,000	10,600,000	10,600,000
Wage and Hour Division					
Total, Department of Labor	380,785,500	384,678,000	349,000,200	354,348,000	352,817,000

	Appropriation 1957	Budget estimate 1958	House allowance	Senate allowance	Conference agreement
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE					
American Printing House for the Blind	$230,000	$328,000	$328,000	$328,000	$328,000
Food and Drug Administration:					
Salaries and expenses	6,779,000	9,300,000	9,300,000	9,300,000	9,300,000
Certification and inspection services	[1,200,000]	[1,254,500]	[1,254,500]	[1,254,500]	[1,254,500]
Freedmen's Hospital	2,801,400	3,032,000	3,000,000	3,000,000	3,000,000
Gallaudet College:					
Salaries and expenses	615,000	730,000	730,000	730,000	730,000
Construction	2,547,000	1,690,000	1,690,000	1,690,000	1,690,000
Howard University:					
Salaries and expenses	3,300,000	4,000,000	3,800,000	3,800,000	3,800,000
Plans and specifications		150,000	150,000	150,000	150,000
Construction of buildings	100,000	262,000	262,000	262,000	262,000
Construction of buildings, liquidation of contract authority	286,200				
Office of Education:					
Promotion and further development of vocational education	31,442,081	33,750,081	33,442,081	33,750,081	33,750,081
Further endowment of colleges of agriculture and mechanic arts	2,501,500	2,501,500	2,501,500	2,501,500	2,501,500
Grants for library services	2,050,000	5,000,000	5,000,000	5,000,000	5,000,000
Payments to school districts	113,050,000	127,000,000	127,000,000	127,000,000	127,000,000
School construction	108,500,000	41,800,000	41,700,000	41,700,000	41,700,000
Salaries and expenses	5,270,000	7,500,000	7,000,000	7,000,000	7,000,000
President's Committee on Education Beyond the High School	150,000	300,000		200,000	50,000
Grants for State committees on education beyond the high school		650,000	N. C.	None	
Office of Vocational Rehabilitation:					
Grants to States and other agencies	39,500,000	45,100,000	45,100,000	45,100,000	45,100,000
Training and traineeships	2,950,000	4,400,000	4,400,000	4,400,000	4,400,000
Salaries and expenses	1,160,000	1,445,000	1,330,000	1,330,000	1,330,000
Public Health Service:					
Assistance to States, general	17,591,000	24,609,000	19,592,000	22,592,000	22,592,000
Grants and special studies, Alaska	1,170,000	2,165,000	2,165,000	2,165,000	2,165,000
Venereal diseases	4,195,000	4,415,000	4,415,000	4,415,000	4,415,000
Tuberculosis	6,660,000	7,000,000	7,000,000	7,000,000	7,000,000
Communicable diseases	5,750,000	6,260,000	6,200,000	6,250,000	6,250,000
Sanitary engineering activities	9,000,000	13,063,000	12,640,000	12,640,000	12,640,000
Grants for waste treatment works construction	50,000,000	50,000,000	50,000,000	45,000,000	45,000,000
Grants for hospital construction	125,000,000	121,200,000	121,200,000	121,200,000	121,200,000
Salaries and expenses, hospital construction services	1,381,000	1,450,000	1,450,000	1,450,000	1,450,000
Hospitals and medical care	40,195,000	44,399,000	44,399,000	44,399,000	44,399,000
Foreign quarantine service	3,315,000	4,026,000	3,876,000	3,876,000	3,876,000
Indian health activities	38,775,000	43,990,000	40,000,000	42,500,000	40,100,000
Construction of Indian health facilities	8,762,000	5,800,000	3,096,000	3,096,000	3,096,000
National Institutes of Health:					
General research and services	12,122,000	14,026,000	14,026,000	14,026,000	14,026,000
National Cancer Institute	48,432,000	46,902,000	46,902,000	56,543,000	56,402,000
Mental health activities	35,197,000	35,217,000	35,217,000	39,421,000	39,217,000
National Heart Institute	33,396,000	33,436,000	33,436,000	38,784,000	35,936,000
Dental health activities	6,026,000	6,430,000	6,430,000	6,430,000	6,430,000
Arthritis and metabolic disease activities	15,885,000	17,885,000	17,885,000	23,548,000	20,385,000
Allergy and infectious disease activities	13,299,000	17,400,000	17,400,000	17,400,000	17,400,000
Neurology and blindness activities	18,650,000	18,887,000	18,887,000	24,038,000	21,387,000
Grants for construction of research facilities	30,000,000	30,000,000	30,000,000	30,000,000	30,000,000
Construction of animal quarters	1,371,000				
Construction of general office building	300,000				
Gorgas Memorial Laboratory	147,000				
Retired pay of commissioned officers	1,450,000	1,570,000	None	Indefinite	Indefinite
Construction of surgical facilities	1,630,000				
Construction of dental research building	200,000				
National Library of Medicine (operating expenses)	[1,314,767]	1,450,000	1,450,000	1,450,000	1,450,000
Construction of Library facilities	350,000				
Salaries and expenses	3,892,000	5,150,000	5,100,000	5,100,000	5,100,000
Totals, Public Health Service	534,141,000	556,730,000	542,766,000	575,343,000	561,916,000
St. Elizabeths Hospital:					
Salaries and expenses	2,870,000	3,265,000	3,000,000	3,065,800	3,065,800
Major repairs and preservation of buildings and grounds	270,000	55,000	55,000	55,000	55,000
Construction	7,404,000	180,000	180,000	180,000	180,000
Social Security Administration:					
Bureau of Old-Age and Survivors Insurance:					
Salaries and expenses	[121,500,000]	[131,000,000]	[130,000,000]	[130,000,000]	[130,000,000]
Construction		2,500,000	None	[5,710,000]	[5,710,000]
Grants to States for training of public welfare personnel				None	None
Bureau of Public Assistance:					
Grants to States	1,575,000,000	1,679,400,000	1,600,000,000	1,600,000,000	1,600,000,000
Salaries and expenses	1,748,000	2,216,000	1,900,000	1,900,000	1,900,000
Children's Bureau:					
Salaries and expenses	1,822,000	2,154,000	2,000,000	2,000,000	2,000,000
Grants to States for maternal and child welfare	39,361,000	41,500,000	41,500,000	41,500,000	41,500,000
Cooperative research or demonstration projects in social security		2,000,000	None	None	None
Office of the Commissioner	212,000	315,000	300,000	300,000	300,000
Transfer from OASI trust fund	[160,000]	[244,000]	[240,000]	[240,000]	[240,000]
Office of the Secretary	1,588,000	2,015,000	1,800,000	1,800,000	1,800,000
Transfer from OASI trust fund	[225,000]	[282,000]	[266,000]	[260,000]	[260,000]
Office of Field Administration	1,985,000	2,355,000	2,300,000	2,300,000	2,300,000
Transfer from OASI trust fund	[158,000]	[708,000]	[700,000]	[700,000]	[700,000]
Office of the General Counsel	426,000	559,000	500,000	500,000	500,000
Transfer from OASI and Food and Drug	[419,100]	[477,000]	[450,000]	[474,000]	[474,000]
Surplus property utilization	450,000	502,000	502,000	502,000	502,000
Total, Department of Health, Education, and Welfare	2,490,509,181	2,582,764,581	2,483,536,581	2,518,707,381	2,503,130,381
RELATED AGENCIES					
National Labor Relations Board	8,951,500	9,575,000	9,384,800	9,384,800	9,384,800
National Mediation Board:					
Salaries and expenses	475,500	520,000	520,000	520,000	520,000
Arbitration and emergency boards	250,000	250,000	250,000	250,000	250,000
National Railroad Adjustment Board	486,500	525,000	525,000	525,000	525,000
Railroad Retirement Board: Salaries and expenses	[7,600,000]	[8,150,000]	[8,150,000]	[8,150,000]	[8,150,000]
Federal Mediation and Conciliation Service:					
Salaries and expenses	3,295,000	3,610,000	3,550,000	3,550,000	3,550,000
Boards of inquiry	10,000				
Interstate Commission on the Potomac River Basin	5,000	5,000	5,000	5,000	5,000
Soldiers' Home	[6,643,000]	[4,750,000]	[4,750,000]	[4,750,000]	[4,750,000]
Grand total	2,884,858,181	2,981,927,581	2,846,831,581	2,885,290,781	2,871,182,781

Mr. HILL. Mr. President, I move that the Senate agree to the report of the committee of conference.

The motion was agreed to.

Mr. HILL. Mr. President, I ask unanimous consent that the Senate conferees be permitted to meet with the House conferees during the session of the Senate today.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. Mr. President, reserving the right to object, I should like to ask the distinguished majority leader what the program is for the remainder of the day.

Mr. JOHNSON of Texas. Mr. President, I am glad to advise the Senator from California that the program for the remainder of the day is to call up the Health, Education, and Welfare appropriation bill, and I think it ought to be the attitude of

partment of Labor for administrative

I listened to the senior Senator from

tive by the Comptroller General in an opinion

Total, Department of Labor	[illegible]	[illegible]	10,600,000	10,600,000	10,600,000
	380,785,500	384,678,000	349,000,200	354,349,600	353,817,600

Mr. HILL. Mr. President, I move that the Senate agree to the conference report.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 6287, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
UNITED STATES,
June 26, 1957.

Resolved, that the House recede from its disagreement to the amendments of the Senate numbered 2, 8, 17, 18, 22, 27, 30, 37, 39, 44, and 47 to the bill (H. R. 6287) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes," and concur therein,

That the House recede from its disagreement to the amendment of the Senate numbered 6, and concur therein with an amendment, as follows: In lieu of the sum "$5,874,400" named in said amendment, insert "$5,832,400."

That the House recede from its disagreement to the amendment of the Senate numbered 23, and concur therein with an amendment, as follows: In lieu of "June 30, 1959" named in said amendment, insert "June 30, 1958."

That the House recede from its disagreement to the amendment of the Senate numbered 29, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"National Institutes of Health Management Fund: For the purpose of facilitating the economical and efficient conduct of operations in the National Institutes of Health which are financed by two or more appropriations where the costs of operation are not readily susceptible of distribution as charges to such appropriations, there is hereby established the National Institutes of Health Management Fund. Such amounts as the Director of the National Institutes of Health may determine to represent a reasonable distribution of estimated costs among the various appropriations involved may be advanced each year to this fund and shall be available for expenditure for such costs under such regulations as may be prescribed by said Director, including the operation of facilities for the sale of meals to employees and others at rates to be determined by said Director to be sufficient to cover the cost of such operation, and the proceeds thereof shall be deposited to the credit of this fund: *Provided*, That funds advanced to this fund shall be available only in the fiscal year in which they are advanced: *Provided further*, That final adjustments of advances in accordance with actual costs shall be effected wherever practicable with the appropriations from which such funds are advanced."

That the House recede from its disagreement to the amendment of the Senate numbered 46, and concur therein with an amendment, as follows: In lieu of "SEC. 210." named in said amendment insert "SEC. 211."

Mr. HILL. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 6, 23, 29, and 46.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

Mr. POTTER subsequently said: Mr. President, I regret that when the conference report on the Department of Health, Education, and Welfare appropriation bill was before the Senate I was engaged in another meeting and was not present to discuss one item in the conference report.

When the appropriation bill was before the Senate, the Senate Appropriations Subcommittee struck from the House bill a proviso which allowed the Solicitor's Office of the Labor Department to use funds from the highway trust fund, amounting to $365,000, to carry out the Davis-Bacon provisions of the Highway Construction Act.

Mr. President, the Senate subcommittee of the Appropriations Committee which handled this bill on the part of the Senate received an opinion from the Senate legislative council stating that the use of funds from the highway trust fund for that purpose was not authorized by the basic act. Therefore, the Senate deleted that provision from the bill and requested the Department of Labor to come before the Congress with a supplemental request for funds to carry out the provisions of the Davis-Bacon Act as applied to the Highway Construction Act. We found, however, in conference, that the House managers were adamant, and therefore the Senate had to yield its position.

There is no way in a conference report to raise a point of order, either in the House or in the Senate, against using funds from the Highway Trust Fund to carry out the provisions of the Bacon-Davis Act. However, I think it well for every Member of the Senate to realize that this action of using funds from the Highway Trust Fund is not authorized by the basic act. It would be setting a precedent for having any Government agency that has anything to do with the interstate highway program dip its fingers into the trust fund. We would have a fund with no funds and little trust, if that should happen. It makes no more sense to have the Labor Department take $365,000 out of the trust fund, because it is charged with the responsibility of carrying out the provisions of the Davis-Bacon Act, than it does for the Treasury Department to say, "We need funds from the Highway Trust Fund because we collect the taxes."

To me it is an important question for the Congress. I know it was the intention, when the basic act was adopted, to make sure the trust fund remained intact and would be used for only one purpose—building our Interstate Highway System.

As I stated before, we have had an opinion from the legislative counsel that the action which has been taken is not authorized by the basic law.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. POTTER. I yield.

Mr. CARLSON. I wish to commend the Senator from Michigan for the statement he just made on the use of the trust fund for highway building purposes outside the construction of highways. In the State of Kansas we have a constitutional prohibition against using any funds collected for highway purposes by gasoline or other taxes for any work except highway construction, and I think it ought to be the attitude of Congress, and it certainly is my personal attitude, that the use of the funds be only for highway construction.

I hope the time will never come when this Congress or any future Congress will permit a violation of the use of the trust fund and to divert it, when I believe it was the intention that it be used only for highway construction.

Mr. POTTER. I am sure the Senator will agree with me it was the intention of the committee and the Congress, when the basic highway legislation was enacted last year for the construction of the Interstate Highway System, that the funds would be used for the building of highways. If we allow agencies of government to dip their fingers into the trust fund, we destroy not only the fund but the trust we should have in it.

Mr. CARLSON. Mr. President, will the Senator yield further?

Mr. POTTER. Yes.

Mr. CARLSON. I wish to state, additionally, that the Senate Finance Committee, under the direction of the Senator from Virginia [Mr. BYRD] and the members of the committee handling questions relating to the fund, wrote into the bill a provision that highways should not be constructed at a more rapid speed than the funds warranted. That was done to protect the people of the United States from being obligated for indebtedness of any other type. If it should develop that highway funds were to be used by various agencies of the Federal Government for their purposes, we soon might find funds being used only for other agencies and not for highways.

Mr. POTTER. And not for highways; the Senator is correct.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. POTTER. I should like to conclude my remarks. It will take only a few minutes.

Mr. KUCHEL. Very well. I should like to make a comment relative to what the Senator is saying.

Mr. POTTER. We are in the position, Mr. President, that we have a conference report, and a point of order cannot be raised in the Senate or the House about this action taken in conference, because the House managers were adamant. Therefore, in amendment 4 of the conference report it is stated that $200,000 will be taken from the highway trust fund to enforce the provisions of the Bacon-Davis Act.

Mr. President, I wish to make it clear that I was one of those in the Senate who supported the Bacon-Davis provision to the act. I think it represents good legislation.

The committee specifically asked the Department of Labor to come forward with a supplemental request relative to the cost which would be involved in carrying out the provisions of the Bacon-Davis Act relating to the interstate highway construction program.

But, in considering the conference report and what is happening now in relation to the $200,000, which people are being taxed to obtain, so that it can be put into a trust fund to build highways, this sum of money is going to the Department of Labor for admistrative costs.

Another thing I fear is that the Department of Labor has other responsibilities in carrying out the Bacon-Davis provisions of other acts, and a trust fund always looks like a nice green apple for them to grab hold of as a means of securing funds, I am afraid, not only to carry out the Bacon-Davis provisions in the highway legislation but to carry out the Bacon-Davis provisions in other legislation which carries such an amendment.

Mr. CARLSON. Mr. President, will the Senator yield further?

Mr. POTTER. I am delighted to yield again to the Senator from Kansas.

Mr. CARLSON. I share the views of the Senator from Michigan in regard to securing from other regularly authorized funds the funds for the administration of the Bacon-Davis provisions of the act dealing with the Interstate Highway System. I will be glad to support that. However, I am violently opposed to any movement to take them from the interstate highway trust fund.

Mr. POTTER. The Senator is correct. People fail to realize how this trust fund is obtained. It is obtained by taxing people, causing them to pay increases in gas and other taxes, to build up a fund for the purpose of building our Interstate Highway System. I am fearful that once this practice has been adopted, of dipping into the trust fund, we may find the Department of the Treasury will have just as much right to come forward and say, "We need a half million dollars of the trust fund because we collect the taxes." Some other agency may say, "We have something to do with the highway program, and we need a half million dollars." The next thing we will find is that we will end up with no funds.

I think it is unnecessary, but in order to make clear the position for the future, particularly with reference to appropriations for next year—that we will not be tampering with the trust fund—I am introducing proposed legislation which will make it amply clear that it is the intent of the Congress, which I am sure is contained in the basic act now on the books, that none of these funds shall be used for other agencies to carry out responsibilities which they may have in connection with the Interstate Highway System.

Mr. KUCHEL subsequently said: Mr. President, a few years ago I was engaged in a lawsuit which involved the interpretation of a statute passed by the Legislature of California. I remember that opposing counsel in endeavoring to construe the legislation, addressed the court and said, most respectfully, that he did not know the intention with which the legislature passed the bill; that he did not believe opposing counsel knew the intention with which the legislature passed the bill; and that he did not believe the court knew the intention of the legislation.

I suppose that the legislative purposes of Congress in enacting legislation are not always entirely free from that type of indirect criticism.

I listened to the senior Senator from Michigan [Mr. POTTER] object to the manner in which Congress this year—and the Senate acted only an hour ago—gave its stamp of approval to granting $200,000 to be utilized by the Labor Department in enforcing the provisions of the so-called Davis-Bacon Act.

I recognize there is a great deal of merit in the position the senior Senator from Michigan takes, and perhaps Congress ought to give consideration to sequestering trust funds for one single purpose, such as the building of highways. So far, it has not been done. I want to make a certain opinion a part of the RECORD, so that Senators may see the interpretation given by the Comptroller General of the United States to that particular problem in the Federal highway legislation.

When some of us were interested in having the Senate recognize the need for the prevailing wage theory in connection with the multi-billion-dollar highway projects, the senior Senator from Michigan and his colleague, the junior Senator from Michigan, along with those who joined them on the floor of the Senate, were finally successful in having the prevailing wage legislation adopted.

I merely wish to make the point that the Comptroller General unequivocally determined that Congress had the right to do what the Senate finally did an hour ago.

I ask unanimous consent that the opinion of the Comptroller General be printed in the RECORD at this point.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

AVAILABILITY OF HIGHWAY TRUST FUND FOR USE IN DETERMINING PREVAILING WAGE RATES UNDER SECTION 115 OF THE FEDERAL-AID HIGHWAY ACT

The following question has been raised in connection with the Department of Labor appropriation bill for the fiscal year 1958:

"Does section 209 (f) (1) of the Highway Revenue Act authorize the use of funds from the highway trust fund for administrative expenses of the Department under section 115 of the Federal-Aid Highway Act?"[1]

This question was answered in the affirmative by the 84th Congress—the same Congress that enacted the Federal-Aid Highway Act of 1956 and the Highway Revenue Act of 1956.[2] It was also answered in the affirmative by the Comptroller General in an opinion issued on April 16, 1957 (decision B-131367).

In the light of contemporaneous approval by Congress and subsequent approval by the Comptroller General, the question would now appear settled both by precedent and by authoritative opinion. However, the purpose of this memorandum is to set forth information in addition to that referred to by the Comptroller General which will give further insight into the distinctive legislative history attendant upon the passage of these acts.[3]

1. LEGISLATIVE HISTORY

A. General: While this memorandum does not purport to trace the full legislative history of the acts, it should be noted that there were no hearings or committee reports in the Senate regarding the inclusion of the Labor Department's functions in section 115 of the Federal-Aid Highway Act. As a result, the Senate Appropriations Committee was the only forum in the Senate where those groups that opposed the Department of Labor's participation in the highway-construction program could voice their opposition.

During the Congressional debate on the Federal-Aid Highway Act and the Highway Revenue Act in 1956, various proposals were offered to take from the Secretary of Labor the wage predetermination function and divert this activity to the States and to Federal agencies other than the Department of Labor. These efforts to curtail the responsibilities of the Labor Department and place the major part of the wage predetermination functions elsewhere were continued throughout the hearings on the supplemental appropriation bills.[4]

B. Appropriation Committee hearings: As Senator KUCHEL stated at the hearings on the second supplemental appropriation bill:[5]

"Here is a situation, Mr. Chairman, where, in the closing weeks of the Congress, the highway legislation was adopted, and suddenly we find the need for some assistance to the Secretary of Labor in carrying out this highly important part of the new statute."[6]

The question of the availability of the trust fund for the purpose in question was expressly before the Appropriation Committee.[7]

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[1] Sec. 209 (f) (1) of the Highway Revenue Act provides that amounts in the fund shall be available, as provided by appropriations acts, for making expenditures to meet those obligations incurred under the Federal-Aid Road Act "which are attributable to Federal-aid highways (including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations)."

[2] After the passage of the Federal-Aid Highway Act and the Highway Revenue Act, in the same session of Congress, the Second Supplemental Appropriation Act, 1957, was enacted. This act appropriated for salaries and expenses of the Office of the Solicitor, Department of Labor, "$300,000, to be derived from the highway trust fund created by sec. 209 of the Highway Revenue Act of 1956." The committee report on the bill stated that this amount was "for necessary salaries and expenses in carrying out the additional duties placed on the Secretary of Labor as a result of the application of the Davis-Bacon Act to highway projects on the Interstate System as provided in sec. 115 of the Federal-Aid Highway Act of 1956" (S. Rept. 2770).

[3] A copy of the Comptroller General's Opinion is attached.

[4] One proposal offered to the Senate Appropriations Committee would have required the Secretary of Labor to "accept and approve" the minimum wage recommendations of State highway departments "unless he finds evidence of fraud, willful misrepresentation, or lack of good faith on the part of a State in carrying out the intent of said act" (hearings, pp. 282–283).

The committee summarily rejected this proposal and inserted a statement in its report on the second supplemental appropriation bill, 1957, making it clear that the function of predetermining wage rates under sec. 115 was to be performed exclusively by the Secretary of Labor and no part of his function was to be delegated to other agencies (S. Rept. 2770, p. 11).

[5] During the hearings on the first supplemental appropriation bill, the committee considered, but made no appropriation to the Labor Department for Davis-Bacon functions, under the Highway Act.

[6] Hearings on second supplemental appropriation bill, 1957, p. 275.

[7] In his letter of July 16, 1956, to the chairman of the committee, Secretary Mitchell pointed out that the Department's supplemental request "contemplates funds to be made available from the highway trust fund created by the Highway Revenue Act of

ference report on the Department of

any work except highway construction,

this sum of money is going to the De-

Senator KUCHEL, after his statement quoted above, went on to say:

"I noticed that apparently this committee could act in either of two ways. It could either make a general fund appropriation available to the Secretary, or it could provide for utilization by the Secretary of Labor of moneys in the highway-trust fund."

During these same hearings, Senator HOLLAND, a member of the Appropriations Committee, agreed that the funds for the Secretary of Labor could come from the highway trust fund. He stated:

"I regret that it comes out of the highway-trust fund, but that is what the law provides. That means it cuts down the mileage that is available out of the road-trust fund. * * * Since the act so provides, that is where it will have to come, I suppose."

The hearing before the full Appropriations Committee of the Senate where these statements were made was a hearing at which the Bureau of Public Roads of the Department of Commerce was requesting necessary appropriations from the highway-trust fund (hearings, second supplemental appropriabill, 1957, pp. 263 et seq.). The estimates submitted included $13,300,000 for administrative expenses of that Bureau (hearings, p. 266). It was in the course of this hearing on expenditures from the highway trust fund that Senator KUCHEL and Senator GORE appeared on behalf of an appropriation to the Department of Labor for the wage determination functions under the Highway Act, and Chairman HAYDEN and Senator CHAVEZ requested the testimony of Department of Labor representatives who were present. In this context, it appears significant that none of the Senators who were present (some of whom were also members of the Committee on Public Works which had considered the Highway Act) raised any question as to the availability of moneys in the trust fund for the appropriation to the Department of Labor for Highway Act functions. The only statements referring to the use of trust-fund moneys were those quoted above, in which the Senators indicated their understanding that the law made the fund available for this purpose.

The suggestion, therefore, that there is no legislative history dealing with the question of whether appropriations could be made to the Department of Labor from the Highway Trust Fund conveniently ignores the hearings before the Senate Appropriations Committee. The committee, which was the proper forum in which the question could be raised, carefully considered it and then approved an appropriation to the Department of Labor from the Trust Fund. Subsequently, the committee's action was approved by the entire Congress.

2. OPERATING COST OF THE WAGE PREDETERMINATION PROGRAM AS A LEGITIMATE CHARGE TO THE TRUST FUND

It was contemplated that the operating cost of the wage predetermination program would be paid from revenues derived from the Highway Revenue Act. This was so obvious from the language of the act and from the legislative history that there was no need to spell it out in so many words. At page 37 of the Senate report[8] and page 70 of the House report[9] on the Highway Revenue bill it is stated that expenditures "as appropriated by Congress" may be made from the Trust Fund "to meet those obligations of the United States" incurred under the Federal-Aid Highway Act "which are attributable to Federal-aid highways." The reports further noted that "the expenditures referred to are those which normally have been paid out of the appropriation entitled 'Federal Aid Highways, Bureau of Public Road, Department of Commerce'."

The operating cost of the wage predetermination functions under the Davis-Bacon Act had not previously been considered a normal expenditure of federally assisted highway construction programs because the Davis-Bacon Act did not apply to these earlier programs. However, it is important to observe that, by its own terms, the Highway Act requires a consultative relationship between the Secretary of Labor and the State highway departments in the determination of the prevailing wage rates and insertion of the rates in the State's bid and contract documents. These requirements, together with the requirement that the wage rates determined shall be those prevailing in the immediate locality of the highway project, are specified in the Highway Act, as distinguished from Davis-Bacon Act.

These functions prescribed in the Highway Act are interwoven with the other functions involved in the preparation of bid and contract documents and specifications for each project on the Interstate System. They are an integral part of, and directly related to, the awarding of particular highway contracts under the act's provisions. It is clear, therefore, that the cost of predetermining wage rates under section 115 of the act is an expenditure attributable to Federal-aid highways within the meaning of the express language in section 209 (f) (1) of the act and in the committee reports. As Senator GORE stated during the Senate Appropriations Committee hearings: "I do not see how the Department of Commerce could approve an interstate highway project under the law" unless the wage determination provisions in section 115 become operative.

It should also be noted that under the Federal-Aid Highway Act prior to the 1956 act, regulations of the Bureau of Public Roads provided for certain minimum wages to be determined by the States on Federal-aid projects. The preparation and enforcement of these regulations were part of the administrative expenses of the Bureau of Public Roads, and presumably the expenses of the States in determining the wages and placing them in the contracts were chargeable to the costs of the projects for purposes of reimbursement under the act. If the proponents of State, as opposed to Federal, determination of prevailing wages under the 1956 act had prevailed, the cost of this work attributable to each project would, it is assumed, have been payable out of the highway trust fund in the same proportion as other costs of the projects. Similarly, if the former functions of the Bureau of Public Roads with respect to prescribing minimum wages had been expanded along the lines of the functions presently assigned by section 115 of the act to the Secretary of Labor, the expense of performing the same functions would have been part of the administrative expenses of the Bureau and, therefore, clearly payable out of the highway trust fund. The nature of the functions and the closeness of their relationship to the actual awarding of contracts by the States for projects on the Interstate System is not different because the Highway Act prescribes that they shall be performed by the Secretary of Labor. The fact that this function under the Highway Act is performed by the Secretary of Labor, rather than by the States or the Bureau of Public Roads in no way alters or lessens the propriety of charging the cost of its operation to the highway trust fund as an expenditure attributable to Federal-aid highways.

There is no rule of statutory construction which supports the interpretation of the word "including" (in section 209 (f) (1) of the Highway Revenue Act)[10] as meaning exclusive or all-embracing. On the contrary, as the Comptroller General pointed out in his opinion of April 16, 1957, "The parenthetical statement 'including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations' merely emphasizes the Congressional intent that the funds shall be used to defray the administrative expenses incurred by the Bureau of Public Roads in carrying out the Federal-aid highway program." There is nothing in the act which can be construed "as precluding the Congress from utilizing the fund for other or more extended purposes if it chooses to do so."[11]

3. CONCLUSION

A conclusion that Congress did not intend to, or cannot now, use the trust fund for the purpose in question might be justified if the legislative history had been contrary to the history discussed in this memorandum, and if Congress had, in 1956, denied the use of the trust fund for this purpose. However, the actual situation is exactly the opposite and it can only be concluded, therefore, that Congress, in enacting the Highway Revenue Act of 1956, intended that the trust fund could be used in 1956 and in subsequent years for the purpose of making wage predeterminations under section 115 of the Federal-Aid Highway Act.

Belated efforts to prove that what Congress did in 1956 was improper, after the same Congress that enacted the highway legislation considered the matter and determined otherwise,[12] impute to Congress, at the least, a striking inconsistency, if not a willful and incredible disregard of the very provisions it had placed in the law to govern its action. Of equally serious import, these efforts to impugn the propriety of the prior Congressional action raise questions with respect to the validity of existing programs and existing expenditures under the Highway Act.

There has been no contention by a Member of Congress or, to our knowledge, by any person outside of Congress that these existing programs and expenditures are invalid.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, April 15, 1957.

The honorable the SECRETARY OF LABOR.

DEAR MR. SECRETARY: By letter dated April 3, 1957, with enclosures, the Acting Secretary of Labor requested our advice whether section 209 (f) (1) of the Highway Revenue Act of 1956 (70 Stat. 399) authorizes the use of funds from the highway trust fund for administrative expenses of the Department of Labor in making wage determinations provided for in section 115 of the Federal-Aid Highway Act of 1956 (70 Stat. 385).

In section 115 of the Federal-Aid Highway Act of 1956, the Congress extended the requirements of the Davis-Bacon Act of August 30, 1935, as amended (40 U. S. C. 276a) to highway projects of the National System of Interstate Highways. The Congress further provided therein that the Secretary of Labor shall make predeterminations of prevailing wage rates, which "shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project."

Section 209 of the Highway Revenue Act of 1956 established a highway trust fund on the books of the Government, and in subsection (f) (1) thereof defined the scope of its expenditure availability as follows:

"(1) Federal-aid highway program: Amounts in the trust fund shall be available, as provided by appropriation acts, for making expenditures after June 30, 1956, and before July 1, 1972, to meet those obligations of the United States heretofore or hereafter incurred under the Federal-Aid Road Act approved July 11, 1916, as amended and supplemented, which are attributable to Federal-aid highways (including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations)."

In his letter the Acting Secretary of Labor expresses the view to the effect that expenses in connection with making the wage determinations constitute obligations that are "attributable to Federal-aid highways" and, therefore, properly payable from the highway trust fund. The same conclusion was stated in an accompanying memorandum of law of the Solicitor of your Department.

The quoted section 209 (f) (1)—by its plain terms—makes amounts established in the highway trust fund available, as provided by appropriation acts, for expenditure after June 30, 1956, and before July 1, 1972, to cover those obligations which are attributable to Federal-aid highways. The parenthetical statement "including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations" merely emphasizes the Congressional intent that the fund is to be used to defray the administrative expenses incurred by the Bureau of Public Roads in carrying out the Federal-aid highway program.

In reporting out H. R. 10660 which became the Highway Revenue Act of 1956, it was stated in House Report No. 2022 (p. 70), and in Senate Report No. 2054 (p. 37) with reference to said section 209 (f) (1) that "The expenditures referred to are those which normally have been paid out of the appropriation entitled 'Federal-Aid Highways, Bureau of Public Roads, Department of Commerce.'" While this explanation of the character of expenditures properly chargeable to the fund may have been intended to operate as a restriction on its authorized uses, such explanation may not be construed as precluding the Congress from utilizing the fund for other or more extended purposes if it chooses to do so. And it must be recognized that the latest expression of the Congress is controlling. (See 19 Comp. Gen. 961.)

If your inquiry is directed to the question of whether a proposed appropriation from the highway trust fund to the Department of Labor to carry out its Davis-Bacon Act functions is so authorized by the enabling legislation as not to be subject to a point of order under the rules of the respective Houses of the Congress, this, of course, is a matter not within our province to decide, but rather for determination by those Houses in conducting their proceedings.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

ASSUMPTION OF LEGISLATIVE AUTHORITY BY SUPREME COURT

Mr. JOHNSTON of South Carolina. Mr. President, I note with extreme interest the wave of criticism of the Supreme Court by Senators and Representatives from the North, the Midwest, and the Far West, who have complained in recent days of the high tribunal's assumption of legislative authority.

I congratulate them on their alertness to this danger and I wish to assure these Senators and Representatives that the South welcomes them in their newly found position in this matter. But for the record, I should like to point out that the South has been conscious of this assumption of legislative powers by the Supreme Court ever since May 1954, when the High Court's attacks broke through the bounds of the Constitution and made a major invasion into the powers of Congress.

Mr. President, I am most thankful that these Senators and Members of the House of Representatives have joined the South in an awakening to this invasion by the Supreme Court, and urge that we stick together in this common fight to protect representative government.

IMPLEMENTATION OF RECOMMENDATIONS OF COMMISSION ON GOVERNMENT SECURITY

Mr. COTTON. Mr. President, I am sure that Members of the Senate are aware the Commission on Government Security, which was created by act of Congress, has concluded its year and a half of deliberation, and made a report which has been the subject of some interest and some comment in the last few days.

The members of the Commission from the Senate of the United States are the distinguished junior Senator from Mississippi [Mr. STENNIS] and the junior Senator from New Hampshire.

At this time I desire to introduce, for appropriate reference, five bills, which embody the legislative recommendations of the Commission on Government Security.

Mr. President, the first bill I introduce is entitled, "To establish a central security office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedures for the hearing and review of cases arising under such programs, and for other purposes."

I desire, Mr. President, to introduce that bill for appropriate reference for myself and on behalf of my colleague on the Commission, the distinguished Senator from Mississippi [Mr. STENNIS].

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2414) to establish a central security office to coordinate the administration of Federal personnel loyalty and security programs, to prescribe administrative procedures for the hearing and review of cases arising under such programs, and for other purposes, introduced by Mr. COTTON (for himself and Mr. STENNIS), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. COTTON. Mr. President, the second bill I desire to introduce is a bill to prescribe a standard of loyalty to the United States Government for military personnel, to prescribe procedures for the determination of the loyalty of such personnel, and for other purposes.

I desire to introduce this bill for appropriate reference, for myself and for the distinguished Senator from Mississippi [Mr. STENNIS].

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2415) to prescribe a standard of loyalty to the United States Government for military personnel, to prescribe procedures for the determination of the loyalty of such personnel, and for other purposes, introduced by Mr. COTTON, for himself and Mr. STENNIS, was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. COTTON. Mr. President, the third bill I desire to introduce is a bill to amend the Immigration and Nationality Act to provide more effectively for immigration and passport security, and for other purposes. I desire to introduce this bill for appropriate reference, for myself and for the Senator from Mississippi [Mr. STENNIS].

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2416) to amend the Immigration and Nationality Act to provide more effectively for immigration and passport security, and for other purposes, introduced by Mr. COTTON, for himself and Mr. STENNIS, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. COTTON. Mr. President, the fourth bill I desire to introduce is a bill to amend title 18, United States Code, to prohibit unauthorized disclosure of certain information critically affecting national defense. I desire to introduce this bill, for appropriate reference, for myself and the Senator from Mississippi [Mr. STENNIS].

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2417) to amend title 18, United States Code, to prohibit unauthorized disclosure of certain information critically affecting national defense, introduced by Mr. COTTON, for himself and Mr. STENNIS, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. COTTON. Mr. President, the fifth bill I desire to introduce apparently is a highly controversial measure, which

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[8] As previously noted, section 209 (f) (1) authorizes expenditures from the trust fund, as provided by appropriations acts, "which are attributable to Federal-aid highways (including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations)."

[9] To the same effect, see *Federal Land Bank of St. Paul* v. *Bismarck Lumber Co.* (314 U. S. 95, 100), where the Supreme Court noted that "We recently had occasion, under other circumstances, to point out that the term 'including' is not one of all-embracing definition, but connotes simply an illustrative application of the general principle. *Phelps Dodge Corp.* v. *Labor Board* (313 U. S. 177, 189); see also *Helvering* v. *Morgan's, Inc.* (293 U. S. 121, 125)."

[10] In construing a statute, the courts have recognized, on numerous occasions, that great weight should be accorded to the interpretation given to the statute by the enacting Congress. "The words of a statute must be taken in the sense in which they were understood at the time when the statute was enacted and the statute must be construed as it was intended to be understood when it was passed." (50 Am. Jur., Statutes, sec. 236, citing *United States* v. *Stewart* (311 U. S. 60); *Platt* v. *Union P. R. Co.* (99 U. S. 48)).

1956." The letter further stated that "if the Congress should consider it more appropriate we would have no objection to an appropriation from general revenues." (Senate hearings on second supplemental appropriation bill, 1957, p. 284.)

[8] Report of the Senate Committee on Finance (S. Rept. 2054).

[9] Report of the House Committee on Public Works (H. Rept. 2022).

is commonly referred to as the "wiretapping recommendation" of the Commission. My distinguished colleague, the Senator from Mississippi [Mr. STENNIS], does not desire, as I understand, to be associated with the introduction of this bill. It is my desire, however, to have bills before the Senate which encompass all the legislative recommendations of the Commission, and I personally favor this bill. Therefore, for myself only, I introduce, for appropriate reference, a bill to authorize certain investigative officers of the United States, with the approval of the Attorney General, to intercept and disclose, under stated conditions, wire and radio communications in the detection and prosecution of offenses against the security of the United States, and for other purposes.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2418) to authorize certain investigative officers of the United States, with the approval of the Attorney General, to intercept and disclose under stated conditions wire and radio communications in the detection and prosecution of offenses against the security of the United States, and for other purposes, introduced by Mr. COTTON, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. STENNIS. Mr. President——

Mr. COTTON. Mr. President, let me add one word, and then I shall gladly yield to my colleague from Mississippi.

The recommendations of the Commission have been the subject of a good deal of comment and controversy. Much of the comment and controversy, I think, have been rather premature, and not based on a complete and full consideration of the Commission report. But whether that be so or not, I believe that much of the concern that has been expressed deals only with a few of the comparatively minor recommendations of the Commission. I am sure that we are not all in accord with respect to every item in the detailed 800-page report, but I should like to take this opportunity, as these bills are introduced, to invite the attention of the Senate and of the country to the fact that the central recommendation of this program is the creation of a Central Security Office, with trained personnel, for the purpose of coordinating and making more uniform the practices and procedures of our Government in respect to security, and also to assure appropriate and effective rights to all individuals affected by the program.

The second very important point to be remembered is that the report of the Commission separates the loyalty cases from the suitability cases. It puts an end to the business of security risks which has led to so much confusion and so much question in relation to Federal employees.

Later I hope to discuss the other recommendations in greater detail. Other Senators will also wish to discuss them.

I now gladly yield to my colleague on the Commission, the Senator from Mississippi [Mr. STENNIS].

Mr. STENNIS. Mr. President, I appreciate the courtesy of the Senator from New Hampshire in yielding to me for a very brief statement.

The report of the Commission on Government Security, on which I had the honor to serve as a member, has recently been completed and made available. This report contains recommendations distilled from the 18 months' study conducted by the Commission of our security program in all its aspects.

Included in this report is draft legislation prepared to express in legislative language the recommendations resulting from the Commission's study and deliberations. This work was approached in a bipartisan manner, and I feel that the complete security program offered by the Commission as a substitute for the existing program will result in many improvements which are fair, just, and humane.

I would recommend the reading of this report and a careful study of the overall plan, set forth in detail in the Commission's recommendations. I think that comments on the proposed changes in the security program are to be encouraged, as is constructive criticism, after the work of the Commission is judged as a whole.

The Commission in submitting this report has concluded its task, but legislative implementation of the result of the Commission's work has just begun. I hope that by reference to the appropriate legislative committees, study of these individual bills in the proper background of the whole program can be undertaken at an early date.

It is with pride and deep satisfaction that I join in sponsoring these measures which, I believe, considered as a program, and perfected by the legislative process, will greatly strengthen our national security and will restore fundamental and traditional rights to the 8 million Americans directly affected by our security program.

Let me add, in confirmation of what the Senator from New Hampshire has said, that one of the major and outstanding provisions of the plan is the separation of the loyalty cases from the suitability cases. Following that course of consideration all the way through, we think the entire program will be strengthened.

One of the bills, which I did not join in sponsoring, contains a provision with reference to wire tapping which I had not concluded to support. The use of evidence obtained by wire tapping is certainly not an essential part of the plan, but is incidental to its enforcement.

Mr. COTTON. Mr. President, because of the importance of this subject, I ask unanimous consent to continue for another 5 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. MANSFIELD. Mr. President, I feel constrained to object. Objection was made by the minority leader to a similar request by the Senator from Minnesota [Mr. HUMPHREY].

Mr. HUMPHREY. Mr. President, I think the Senator from New Hampshire wishes to have me participate in this discussion.

Mr. MANSFIELD. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and the Senator from New Hampshire may proceed.

Mr. HUMPHREY addressed the Chair.

Mr. COTTON. Mr. President, before yielding to the Senator from Minnesota I wish to invite the attention of Senators to the fact that the distinguished Senator from Mississippi [Mr. STENNIS] was the Vice Chairman of the Commission. I appreciate his courtesy to me in connection with the introduction of the subject today. It might more logically have been his privilege to do so. It was a pleasure and a privilege to serve with him on the Commission, which had very able representatives upon it.

The distinguished Senator from Minnesota [Mr. HUMPHREY] and the Senator from Mississippi [Mr. STENNIS] are the Senators who originally introduced the joint resolution proposing the creation of a commission for the purpose of unifying and codifying our loyalty-security program. The Senator from Minnesota was the chairman of the subcommittee of the Committee on Government Operations which held hearings and laid the foundation for the Commission. The Senator from Minnesota did not have the time himself to serve upon the Commission, but he deserves much of the credit for the inauguration of the whole plan. I therefore take great pleasure, as I am sure the Senator from Mississippi does also, in yielding to him at this time. When he concludes his statement, I shall relinquish the floor. I again thank the Senator for his contribution.

Mr. HUMPHREY. I thank the Senator from New Hampshire for his kind and generous remarks. At this point, I wish to express my personal congratulations to the Senator from Mississippi [Mr. STENNIS] and the Senator from New Hampshire [Mr. COTTON] for their diligence and their fine work on the Government Security Commission.

I shall have more to say about it in my brief statement, but I feel that every Member of Congress owes a deep debt of gratitude, as does every American, to these two distinguished Senators.

Mr. President, in January 1955 in the 84th Congress the distinguished junior Senator from Mississippi [Mr. STENNIS] and I introduced Senate Joint Resolution 21 to establish a Commission on Government Security. I was convinced then that we needed a strong and effective security system to protect us against the perils of Communist conspiracy, but I was dismayed by the many indications that our then existing security structure was irrationally founded, ineffective in protecting the national security, and abusive of fundamental freedoms.

It was my feeling then that we all had much to learn about the security mechanism before we could improve it. It had been thrown together in precipitous haste, on a piecemeal basis, to meet imminent perils, so rapidly and at random, that it defied human comprehension, let alone analysis.

I was convinced that the security problem should be lifted out of the arena

of politics, laid bare to public scrutiny, and dissected by men and women of stature and objectivity. Perhaps they could separate fact from fancy, reality from myth, and reason from shibboleth. In this manner the problem might be brought under rational and constructive control.

Subsequently, in the 84th Congress I had the honor of presiding at hearings on the joint resolution before the Subcommittee on Reorganization of the Senate Committee on Government Operations. One purpose was to bring out into the open as much information as possible about all facets of the security program, and to ascertain whether a Commission on Government Security should be created. The need for a major study of security was demonstrated beyond any possible doubt in these hearings. A pattern of conflicting, anomalous, and confused testimony by Government officials indicated a pattern of equally great irrationality and confusion within the overall security mechanism. As a consequence, Senate Joint Resolution 21 was unanimously passed by both Houses and was approved by the President, despite some initial opposition on the part of the Eisenhower administration.

Mr. President, the Commission was finally organized late in 1955, and has studied the security mechanism for more than a year. Its report has now been published, and I am deeply gratified that it fulfills my expectations.

Mr. President, I again say that we owe a debt of gratitude to the two Senators, the Senator from Mississippi [Mr. STENNIS], and the Senator from New Hampshire [Mr. COTTON], for their very fine contributions.

Although I have not had an opportunity to study the text of the report fully, it is clear that the Commission has made a tremendous contribution to democracy and liberty in the United States in its analysis of the methods for balancing our traditional libertarian principles against our requirements for maintaining national security. The analysis and spirit of the report are admirable and of great importance.

The Commission's report demolishes once and for all the sloganeering which has precluded a rational approach to the security problem. It points the way to achieving our security goals without the callous abuse of human rights which has characterized the security programs of the past several years. Quite apart from its specific recommendations, the Commission's discussion of the principles of effective security constitutes an invaluable contribution to the science and knowledge of the subject.

Undoubtedly there will be considerable debate in the Senate over the specific recommendations made by the Commission. That is the privilege and right which Senators have. However, I think it should be noted that for the first time the security problems of the United States have been studied without fanfare and without politics and without any partisanship whatever; instead, they were studied by men and women who sought to do the best job they could possibly do within the confines of the time which was available to them.

I have an initially mixed reaction to the recommendations of the Commission. Some seem to me to be good, some bad, some questionable. I am not sure that we should institutionalize the personnel-security programs to the extent of establishing the proposed Central Security Office. The proposed new criminal penalties against disclosure of secret information by newsmen seem to be superfluous in view of current statutory provisions.

I might add at this point that that provision adds fuel to an already very hot flame of criticism which centers around the so-called security regulations relating to public information.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. COTTON. I note that the Senator refers to disclosure of information by newsmen.

Mr. HUMPHREY. Yes.

Mr. COTTON. Which would imply that the report and the recommendation concerned itself only with newsmen. To the contrary, it was not confined to newsmen. The recommendation extended to all those outside the Government. I am not defending that recommendation at this time, and I am not at all sure that it is entirely correct. We shall go into it fully, of course, but it should be made crystal clear that at the present time penalties for the disclosure of secret information can only be applied against those employed by the Government. The recommendation extended such control over those outside the Government.

I would not want the impression to be left that it was directed at newsmen. That is not correct.

Mr. HUMPHREY. I accept the thoughts of the Senator from New Hampshire; but I must confess that there was obviously some emphasis placed in the public mind on the news media in connection with the matter of restraint of information, particularly if the information had been classified as either confidential or secret or top secret. I believe a reevaluation is required of what we mean by confidential information or classified information.

Mr. COTTON. I agree with the Senator. I should like to add a further thought, if the Senator will be kind enough to yield for that purpose. In the first place I believe the impression about this recommendation, which caused great concern among journalists and other newspaper people—and justifiably so, I may say—came fully as much from the comments of some of the members of the commission and other sources as it did from the report itself.

In the second place, as I understood, it was the purpose of the Commission to restrict and to narrow down the categories of secret material, to get rid of the practice of classifying every document anyone wants to classify, and to avoid that kind of ridiculous situation, under which there is placed under classification a great deal of information which is known to the public. The Commission actually recommended abolishing the present "confidential" classification and, as a corollary, proposed additional protections for secret or top secret information, disclosure of which could cause grave or serious damage to the Nation.

The recommended action by the Commission could affect, for instance, a Member of the Senate or a Member of the House who disclosed secret information off the floor and outside his committee as much as it would any other individual who came into possession of secret information and then disclosed it, rather than just someone connected with the press. I think in fairness to the press and the Commission that fact should be made clear.

Mr. HUMPHREY. Mr. President, I have almost finished my statement.

The proposal that the present security programs should be split into separate loyalty and suitability programs has considerable merit. It was a matter which was discussed at length in the hearings at the time we passed the resolution setting up the Commission.

It seems to me, however, that the serious difficulties we have had in the present security program under Executive Order 10450 are not completely attributable to merger of the loyalty and suitability tests. Instead they are to a large extent a consequence of the administration's calculated use of the security mechanism as an instrument of partisan politics rather than as a means for maintaining national security. A security program similar to that under Executive Order 10450 has been conducted by the Atomic Energy Commission since 1947, and from all available information, it appears to be a model program from the standpoint of both security and fairness.

I regret that the report chose to deal with the various elements of the overall security mechanism as isolated phenomena rather than as integral parts of an integrated mechanism. Even if all of the Commission's recommendations were adopted we would still have many separate clearance programs instead of a single program; we would still have at least two classification systems; we would still have three separate espionage laws with varying coverages.

These are simply my personal observations and are, obviously, subject to more detailed analysis.

On the other hand, Mr. President, there is no question that the Commission's recommendations include three important changes in the Federal employees' security program—changes which I have long recommended, and which have been long overdue. These changes include the granting of hearings in all cases where loyalty is a factor in deciding upon applications, the granting of confrontation and cross-examination rights in many new instances, and assuring the right to subpena witnesses for testimony at loyalty hearings. All friends of civil liberties will welcome these proposals for greater fairness and individual protection.

Mr. President, I shall wish to discuss the Commission's report in greater detail after I have had an opportunity to study it more carefully, which I surely shall do. These are my initial reactions. I commend the Commission for the work

it has done in the overall study, and I particularly commend my colleagues for the part they have played in this work.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. STENNIS. The Senator from Minnesota mentioned several matters directed more toward the press making disclosures of defense information. I wish to assure him, the Senate, and the press, too, that those provisions in the report were not directed primarily at the press, but represent an attempt to eliminate a great many of the documents and papers which are classified in one way or another, and to reduce the categories to two—secret and top secret. By reclassifying overclassified material, this would open a great new field of public information to the press or to anyone else who wished to be informed. But connected with that limitation, with the recommendation restricting the arbitrary power to classify, there was a recommendation that the penalty be extended to those who knowingly disclosed material of a secret or top secret nature, information of a vital character, which affected the national defense.

Mr. HUMPHREY. That is a fine forward accompiishment. It is one of the objectives we had in mind earlier, namely, to reclassify the so-called classified information. When there is something which is secret or top secret, then there will be the undoubted right to impose penalties for divulging the material.

Mr. STENNIS. That was the basis of the recommendation.

I commend the Senator from Minnesota for his primary authorship—and he was the primary author of the original bill—and for his presentation of it to the Senate committee and to the Senate. The measure passed finally by a unanimous vote, which represented the bipartisan approach that was taken then under his leadership.

As to members of the Commission, I have never served with or been associated with a finer group of persons, some of whom were appointed by the Vice President, some by the President, and some by the Speaker of the House.

I am certain that, as the Commission gathered around the table month after month, if they originally knew who appointed whom, they forgot all about it because they are all Americans from all areas of the Nation.

I especially commend the Senator from New Hampshire [Mr. COTTON] for his excellent work in connection with the original bill, and for his work upon the Commission, where he served as a very valuable member.

The chairmanship of the Commission was in the hands of that able lawyer, Mr. Lloyd Wright, of California, who gave to his position a great deal of time and effort. He is a dedicated man of outstanding ability and high conviction, as are the other members of the fine Commission on which we had the honor to serve. The staff, also, consisted of many outstanding leaders of the highest caliber and they discharged their duties with devotion and competence. They well deserved the trust and confidence placed in them by the Commission.

Mr. HUMPHREY. Mr. President, will the Senator permit me to associate myself with his timely and appropriate remarks concerning the chairman of the committee? Mr. Wright was kind enough, during the deliberations of the Commission, to call upon me on several occasions, because he knew of my interest in the matters under consideration.

Whether one agrees with each observation of the Chairman or any other member of the Commission is incidental. The important consideration is the dedication to the work and the sense of public service which is so manifest in the report and in the activities of the Chairman, the Vice Chairman, and the members of the staff. The Commission had the assistance of an excellent staff, which worked very diligently and loyally.

ORDER OF BUSINESS

Mr. DOUGLAS obtained the floor.

Mr. CAPEHART. Mr. President, will the Senator from Illinois yield? Will the Senator permit me to make an insertion in the RECORD?

Mr. DOUGLAS. Mr. President, as I understand, I was recognized.

Mr. CAPEHART. Is the Senator going to make a speech?

Mr. DOUGLAS. No; I was about to make an insertion in the RECORD. But I shall defer to the Senator from Indiana.

Mr. CAPEHART. No, no.

Mr. DOUGLAS. I shall wait.

Mr. KENNEDY. Mr. President, has the Senator from Illinois yielded the floor?

Mr. DOUGLAS. I have temporarily retired in favor of the Senator from Indiana.

Mr. CAPEHART subsequently said: Mr. President, I regret that the able Senator from Illinois seemed to take exception to my request that he yield. I have been waiting since quarter past 12. As is well known, the Republican conference is meeting at luncheon today at 12:30, and I have been waiting to go there.

Mr. DOUGLAS. Mr. President, I note the comments of the Senator from Indiana, and I think the following statement should be made:

I have been in the Chamber since 12 o'clock today, I believe, waiting to be recognized. I was very glad to allow my colleagues to precede me. I have always felt that the rules of politeness mean that we should not attempt to precede our colleagues; and we should not ask them to yield, in order that we may have insertions made in the RECORD.

It so happened that the insertion I wished to make in the CONGRESSIONAL RECORD was very brief. I had thought that since I was recognized by the Presiding Officer, unless there was some vital business that another Senator wished to bring to the attention of the Senate, on the whole it would be the course of politeness for other Senators to wait until the Senator who had the floor had finished. But since the Senator from Indiana was quite insistent that he be recognized, although my insertion was brief, I certainly did not wish to contest the matter with him, and I wished to submit myself to his desires.

Mr. CAPEHART. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. No, Mr. President; I will not yield again.

Mr. CAPEHART. I think the Senator from Illinois owes it to me——

Mr. DOUGLAS. Mr. President, let me ask who has the floor.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The Senator from Illinois has the floor.

Mr. DOUGLAS. Mr. President, if Senators are to get along with each other in this Chamber—and all of us wish to do so—certainly it is much better for us to permit our colleagues to finish their statements, before we ask them to yield, in order to place statements of our own in the RECORD. If we attempt to proceed, we are simply saying, "My business is far more important than yours, and you should defer to me."

I am perfectly willing to put myself at the bottom of the totem pole in connection with this matter, and to wait until the end of the morning hour, which is what I try to do. But I still do not believe that the business the Senator from Indiana wished to introduce into the RECORD was so crushingly important that his insertion had to have priority over mine, which would have taken approximately 30 seconds. However, all that has passed.

Mr. CAPEHART. Mr. President, I wish to say that I was sincere in believing that the able Senator from Illinois was going to make a speech, because he had papers before him. Otherwise, I would not have asked him to yield to me. As I have said, I had been in the Chamber since quarter past 12, and I had to attend the weekly Republican conference and luncheon, beginning at 12:30.

I assure the able Senator from Illinois that if I had known he was not going to make a speech, I would not have asked him to yield to me, because I only wished to make an insertion in the RECORD.

If I offended the able Senator from Illinois, I wish to apologize to him, because the farthest thing from my mind was to do anything except request that he accommodate me regarding a brief insertion, just as I would be glad to accommodate him under like circumstances.

So I apologize to the able Senator from Illinois. I would not have asked him to yield to me if I had not thought he was going to make a speech.

Mr. DOUGLAS. Of course I accept the apology of the Senator from Indiana, Mr. President. I am sure his intention was as he has stated. Perhaps this somewhat unhappy incident may serve a good purpose if it establishes a ground rule that Senators should not interrupt each other unless they obtain the consent of the Senator who has the floor.

PRESIDENT EISENHOWER'S PRESS CONFERENCE OF JUNE 26, 1957

Mr. CAPEHART. Mr. President, last night I listened to excerpts from President Eisenhower's press conference of yesterday. I was very much impressed with his comments on price control and

on the recent decisions of the Supreme Court. Therefore, I ask unanimous consent that excerpts from the President's press conference of yesterday, as published in today's issue of the New York Times, be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the excerpts from the press conference were ordered to be printed in the RECORD, as follows:

TRANSCRIPT OF THE PRESIDENT'S NEWS CONFERENCE ON FOREIGN AND DOMESTIC AFFAIRS

President EISENHOWER. Good morning, please sit down. I have no announcements.

ROBERT E. CLARK, of International News Service. Mr. President, there have been reports that withdrawal of our combat troops from Japan is the first step in a program to reduce our manpower commitments in other parts of the world.

Are we planning to reduce our military strength in any other countries?

Answer. Well, only in this way: There are no—first of all, there are no definite plans for reductions anywhere else but, as you know, for many months the military services have been working on redesigning of military organization to take advantage of the increased power of weapons and to streamline, so far as individuals are concerned.

Now, as that takes place, there should be, I would think, some saving in numbers, but when it comes to taking out of units, specifically NATO [North Atlantic Treaty Organizations] there is no plans whatsoever of that nature.

CHALMERS M. ROBERTS, of the Washington Post and Times Herald. It has been printed in London, sir, that in order to get the British to agree to your proposal for cessation of tests and an end to production of nuclear material for weapons, that you have promised Prime Minister [Harold D.] Macmillan that you would ask the Congress to change the law so that this country could turn over nuclear weapons themselves to the British. Is that correct?

Answer. Well, of course, there is a great deal of speculation everywhere about these things.

PLANS DO NOT EXIST

Now, as far as any definite plans of the kind you were describing, those don't exist. In other words, I haven't drawn up any recommendations to make to the Congress at this moment.

This whole business of disarmament has to proceed along in steps, and sometimes very tiny steps, until you can see what the next one must be; I don't know exactly what the next one will be.

WILLIAM H. LAWRENCE, of the New York Times. Mr. President, quite naturally, there does seem to be a hesitancy on the part of the Government to an unequivocal yes or no on this business of immediate suspension of nuclear testing. The issue, of course, is not wholly black or white, but would you give us your thinking as to the conditions and reservations which you regard as indispensable to such an agreement.

Answer. Mr. Lawrence, this is one of the most complicated subjects that the Government has to deal with.

Now, first of all, let me make this clear: We have proposed—I mean, have made an offer of a cessation of tests as an integral part of what we call a general first step toward disarmament.

This would include, among other things, the agreement to cease building arms out of a new production; it would be coupled with limited sky inspectional plans, and possibly some beginning in general reduction of armaments, and, of course, the necessary inspectional system to make certain that the whole scheme was being carried out faithfully on both sides—and by that offer we stand.

GIVES OTHER SIDE

But, I should like to give you just a little bit of the other side of the picture. I have been visited by people that certainly, by reputation and common knowledge, are among the most eminent scientists in this field, among them Dr. (Ernest O.) Lawrence and Dr. (Edward) Teller.

Now, they—what they are working on is this: the production of clean bombs. They tell me that already they are producing bombs that have 96 percent less fallout than was the case in our original ones, or what we call dirty bombs; but, they go beyond this. They say, "give us 4 or 5 years to test each step of our development and we will produce an absolutely clean bomb." So that the weapon becomes completely military in its application.

If you use it on the battlefield, you will have an effect only so far as its blast and heat waves reach, and there will be no fallout to injure any civilian or anyone, any innocent bystanders that are off X miles, the necessary distance to get out of the area of heat and blast.

Moreover, they go on to say this: If you are going to get the full value out of the atomic science in peaceful development, that is, let us assume that there are no more bombs made or used, and you want to make certain that you are getting the best out of this new science for the peaceful uses of mankind, these tests must go on so you realize that when you are making these agreements to stop, that you are not doing something that may not have an adverse effect, finally, on what we hope to get out of this; but for the moment, it would appear that the psychological factors and the fears of the world are such that we should go right ahead with the plan, with the offers that we have made and we have no intention of pulling back for them for a minute.

NOT BLACK AND WHITE

But, it does show, as you so aptly say, the question is not black and white, it is one where judgment must be exercised.

PETER J. JUMPA, of the Baltimore Sun. Sir, your Security Commission, after a very long and exhaustive study, made some rather far-reaching recommendations to overhaul, in some parts our security system.

We have been told, sir, that you in general approve of these recommendations.

Are there any specific proposals that were made that you disapprove?

Answer. "Well, now there I can't say it that specifically. What happened was: as those studies have been going on from time to time I have heard parts of the conclusions that they were reaching. The book was given to me and I had a chance to glance through it very hastily.

I could see what the careful approach was, and I knew that there would be many parts in it that should result in some revisions of our security system to its betterment, not only in increasing the security of the United States but in insuring complete justice to the individuals that were affected.

The only point that I happened to run into that made me raise my eyebrows, and question its wisdom, was the transferal of the visa privilege from the State Department to [the] Justice [Department]. I don't think I would agree with that."

Mrs. MAY CRAIG, of the Portland Press Herald. Mr. President, our first atomic bomb was dropped on a city. When you speak of battlefields in a nuclear age, what do you mean?

CONFINED TO TARGET

Answer. Well, I think you have a question that I can't answer, and no one else can, Mrs. Craig; but I do say this, at least with the talking about a clean bomb—you are not setting up force that can roam over the countryside and hit something outside of the target at which you are definitely aiming.

For example, we bombed Germany terribly in the war. We would send 1,500, 1,600, even 2,000 bombers on a raid and we bombed cities. Why? Because there's where their manufactures were, and of course many people were killed who not only had no part in starting the war, were perfectly innocent, some of them, of course, tragically, children.

But all I am saying is that you can attack and confine the effects to the target you decide you must hit. That's all I was saying.

FRANCIS M. STEPHENSON of the New York Daily News.—Mr. President, is there any possibility that Russia may learn how to make these clean bombs, and do we have any assurance they would use them on us? [Laughter.] Answer.—You know, I don't know of any better question, because I asked it myself. This is, I would say this: I would hope that they would learn how to use clean bombs and would use them for the simple reason that then at least we make them specific weapons instead of weapons of general and uncontrolled destruction.

Later, James C. Hagerty, White House press secretary asked that this portion of the transcript be revised as follows:

("I would hope that they [the Russians] would learn how to use clean bombs, and if they ever used atomic bombs, would use clean ones—for the simple reason that then at least the bombs used would be specific weapons instead of weapons of general and uncontrolled destruction.")

LLOYD M. SCHWARTZ of Fairchild Publications.—The Bureau of Labor Statistics reported yesterday that prices had risen for the ninth consecutive month to an all-time high, and for 14 of the last 15 months, and there are warnings in Congress about inflation threatening the economy.

Are you still confident that appeals to labor and industry for moderation on prices and wages will succeed, or are we approaching the point where some more drastic restraints might be necessary?

WOULD SHUN CONTROLS

Answer. Well, of course I believe that if you have to resort in time of peace, to strict governmental control of prices, of wages, services and things, then we are abandoning the system that has made us great and by which we have lived and in which we believe.

So that, your suggestion, when you say "something more drastic," I assume you mean by governmental authority taking over all of these functions that are now entrusted to the interactions of economic forces in our country.

Now, we watch all of the developments in the economy very closely. As you know, first of all, I have this Council of Economic Advisers, but on top of that, the Federal Reserve Board watches every movement, they cooperate closely with the Treasury, which does the same; and there are others, including the Secretary of Commerce and his group—and labor.

The only point I make is this: Government, no matter what its policies, cannot, of itself, make certain of the soundness of the dollar, that is, the stability of the purchasing power of the dollar in this country. There must be statesmanlike action, both by business and by labor. Frankly, I believe that boards of directors of business, of business organizations, should take under the most serious consideration any thought of a price rise and should approve it only when they can see that it is absolutely necessary in order to continue to get the kind of money they need for the expansion demanded in this country.

FRANK VAN DER LINDEN of the Richmond Times Dispatch. Mr. President——

Answer (continuing), and at the same they have taken certain years to be repre-

or something of that kind, I don't want to

less prices are kept down—when the

at the time the visa is issued: *Provided*,

Answer (continuing). and at the same time labor should demand wage, wage increases that conform roughly to the increase in productivity of the individual, and the only exception I think they ought to make to that, when there are demonstrable injustices existing in particular areas.

If we don't do this, I tell you, if you go to specific governmental controls, rigidly applied in time of peace, then you are beginning to help make come true a prediction we heard a few weeks ago from a man who certainly is no friend of ours, and I am not going to be a party to it.

ATTACKS ON COURT CITED

EDWARD P. MORGAN, of the American Broadcasting Co. Mr. President, under our system, as is well known, the judiciary cannot defend itself as the legislative and executive branches can and do. Right now the Supreme Court, prominently including some justices appointed by you, are under heavy attack for a series of decisions they have made defending the rights of individual citizens under the Constitution.

In view of the fact that the Court is unable to answer back, so to speak, do you think there is a danger of these attacks being intemperate and, in your own philosophy of government, what is the position of importance occupied by an independent judiciary?

Answer. Well, of course, our system of government, in my opinion, could not exist without an independent judiciary; I answer that question first.

Next, you say they are completely without means of defending themselves. They write their decisions, as I understand it, in such a way that they hope at least that even a layman like myself can understand them.

They lay out their reasoning, the processes of logic that they followed, and the conclusions they reached, and if some of their number disagree with the majority then they, in turn, write out their opinions in full, and in some of our law that I have heard lawyers talk about, some of these dissenting opinions have, in the long run, had greater effect than the majority opinion at the moment.

So, I don't agree with you that they don't have any means of defending themselves, because they lay out the whole works.

SEES JUSTICES RESPECTED

Now, you say they are under heavy attack. I still believe that the United States respects the Supreme Court and looks to it as one of the great stabilizing influences in this country to keep us from going from one extreme to the other; and possibly in their latest series of decisions there are some that each of us has very great trouble understanding.

But, even so, I think we should not forget this: The Supreme Court is just as essential to our system of government as is the President or as is the Congress, and we should respect its duties and its responsibilities.

JOHN R. GIBSON, of the Wall Street Journal. Mr. President, on the inflation question, sir, could you give us your appraisal of just how serious the threat of inflation is now?

Answer. Well, you have had the beginnings of a type of inflation because, after having been successful over a period of almost 4 years in keeping the cost of living from rising more than 1 percent or 2, I've forgotten exactly, within the past year, we now have it going up more rapidly and that becomes alarming because the curve bends upward.

Now, part of that, of course, is due to the deliberate policy to bring to the farmer his own proper share of national income. We say proper share, and I am not exactly sure what that means but, as you know, they have taken certain years to be representative of justice in this matter, and have tried to approach that through all sorts of laws.

We are still, the whole country is still, experimenting with laws in that question.

But, that has accounted for a very considerable amount of this increase in cost.

UNITED STATES SPENDING A FACTOR

The other comes about through increase, increases in governmental spending, some of it absolutely vitally necessary, the defense, and things we do abroad, to keep the peace, to develop better situations, some of it is that, and some of it is undoubtedly what we call the wage-price spiral.

Now, it is very difficult to find what is absolutely the just thing in those cases. I have had in to see me representatives of both sides, not together, at different times. One side gives you a list of statistics and shows you what this means. For example, the manufacturer who is putting $500 million into a factory to make new jobs and greater prosperity in this country will show you that his writeoff of taxes, extending over 25 years, will finally be in dollars that are much cheaper than he had to put in to build the thing, because the dollar tends to inch up on him all the time.

Therefore, he thinks he should have a faster writeoff, or he should have his writeoff on the basis of what it is going to cost him to replace these facilities rather than what the original cost is.

The other side comes in and shows you all the privileges exercised by the boards of directors and how much wages, what stipends they get, and so on, and it is very difficult, at least for me to find out where justice lays on this point.

I do say that unless there is statesmanship exercised both by business and by labor, as well as sound, sane policies pursued by Government according to the advice of the best economists we can get in this country, then there is real danger of inflation.

I think—the fellow right here with the gray coat.

JOHN M. HIGHTOWER of the Associated Press. Mr. President, when you talk about the development of a clean bomb, or the possible use of a dirty one, what assumptions do you make with respect to the possibilities of avoiding war in the future?

SEES NO VICTOR IN WAR

Answer. Well, I have told you this time and time again—I repeat it almost in my sleep: There will be no such thing as a victorious side in any global war of the future. I believe that any time we begin to think of war as an inescapable event of some future time, that we have become completely pessimistic on the future of humanity, at least in the Northern Hemisphere, as we have known it, and it is really a tragedy that the human imagination and mind won't encompass.

So what we have to do is keep that force and that power that keeps the war from happening, and when I say "making clean bombs," and all these things, I'm interested in what this science is going to be someday for the building of a civilization instead of tearing it down.

ROD MACLEISH of Westinghouse Broadcasting Co. Sir, are there any indications coming out of the London conference that you can see that the Russians are relaxing their stand against inspection, the kind of stand that has made it impossible for any real agreement on disarmament—anything within the last week, sir?

Answer. Well, there have been some indications, they have talked, and as you well know, that the acceptability of certain kinds of inspection, and the only think we can do is patiently, with our allies, to explore and to see whether this inspectional system in any direction is sufficiently sound and good that we can, in that area at least, make some agreement.

CIVIL RIGHTS ISSUE

MR. VAN DER LINDEN. Mr. President, several of the southern Governors who heard your speech at Williamsburg Monday night agreed with you in your States rights appeal, but they said they sought to see some contradiction between that and your civil rights bill which gives new powers to the Attorney General and sets up another Federal commission; and they wondered if there was any chance of the States taking over that, or whether there would be any modification of the civil rights program.

Answer. Well, as I have expressed myself time and again, I think the civil rights program is eminently reasonable and moderate. You people well know I believe in moderate government. I don't believe you can change the hearts of men with laws or decisions, or anything else, or put them in jail or any other of these terrible things.

I think there is here a great educational problem that involves a moral value and human values. At the same time, when the Supreme Court finds, 9 to 0, that such-and-such is the law of the land, and they issue an order—now, they are the Supreme Court, not of Massachusetts or Mississippi, but of the United States, and the Executive automatically acquires certain responsibilities.

EXPLAINS COMMISSION

Now, to find out what those responsibilities are for—I mean, exactly what they are and what might be done about them, was the reason I advocated the Commission, to have somebody in Federal Government who had nothing else to do, I advocated the Assistant Secretary in the Office of the Attorney General. To make sure that we could proceed on civil rather than criminal channels I put that into the recommendation; and finally, the one that has caused so much struggle is merely that the Federal judge, as his custom, could commit a man for—for contempt of court if his orders were not obeyed.

Now, to my mind, this is a very moderate decent thing, and is designed to bring about better understanding and not to persecute anybody.

SPENCER DAVIS, of the Associated Press. The North Korean Communists, Mr. President, have been calling now for a meeting with the allied powers to discuss the unification, to discuss the withdrawal of foreign troops and the unification of Korea.

Would you say, sir, how we feel about that, and whether you consider the conditions exist which would make this a fruitful conference?

Answer. Well, you would have to find out exactly what the proposals are. To talk in the generalities in which they were speaking is—is not, in itself, a proposal.

Now, they can call a meeting of the council, that is provided in the armistice order, and we will find out more as to exactly what they mean; and then, of course, we will have to find out what our allies think about it.

MARVIN L. ARROWSMITH, of the Associated Press, Mr. President, you spoke of one recommendation in the security report as having raised your eyebrows. I just wondered how you feel about the recommendation that Congress make it a crime for private citizens, including newsmen, to disclose secret Government information?

HAD NOT READ SECTION

Answer. I saw that only in the papers, Mr. Arrowsmith. I haven't read that part of the report, or the argument leading up to it.

I do regard this exposure, deliberate exposure of a governmental secret that is not an administrative secret, but involves the security of our country most seriously; and there was I think during the war an act, I think they called it the Official Secrets Act or something of that kind, I don't want to be quoted on this because I served so much of my time in Britain it might have been there I heard of it, but in one of these places, this act was very severe during the war. But, I do think that any man who knowingly reveals a secret that affects the security of our country is doing something for which he ought to be ashamed, even if there are no laws to that effect.

The PRESIDENT. That gentleman.

ROWLAND EVANS, JR., of the New York Herald Tribune. Sir, recent voting indicates that your program has made substantial gains among the Republicans. I think the civil-rights skirmish, the foreign-aid bill, the atomic treaty. I wondered, Sir, if you attribute these gains to your own personal campaign with Congressmen? You have had meetings in the White House, Sir, you have written a number of letters and made a number of phone calls. Do you think that that is a major factor in these apparent gains, and do you plan to continue that kind of a personal intimate campaign with your party on the hill?

SEES RISE IN INTEREST

Answer. Well, of course, there has been more public interest in them lately, but I have always done this, I assure you. I have always tried to keep in close contact with the Members of Congress. It happens that now I am repeating a thing that I did in the first year, to have everybody in. I just want to say this: so far as I am concerned, and I am sure this applies to every associate I have, we try to devise programs we believe will work best for the benefit of the United States, so our programs are not, I mean our programs of information, are not propaganda programs, we are not trying to get something to reelect me, you know that can't be done.

So, what we are trying to do is to educate people and my only hope is that they are learning that these programs are pretty good and are sticking with them, and that is very comforting.

DAYTON MOORE of the United Press. Mr. President, first may I apologize for interrupting your remark last week on your vacation plan.

Answer. I was delighted. [Laughter.]

Question. When you paused, I thought you had finished, would you finish it now, sir?

Answer. I forgot where I was. [Laughter.]

Question. You were at "as a matter of fact." [Laughter.]

Answer. You will have to admit I hadn't committed myself.

Actually, the facts are these: I have no definite plans at this time, although quite naturally if I found the place that had the necessary facilities, I would like to go away somewhere to the northward, or at least a little higher than this for whatever time I could get away.

Now, you must remember, I have to have an airfield so the staff and I can communicate easily. We have to have signal communications set up. There have to be places to house the secret service and the staff, and a few newspaper people.

It is not an easy thing to find all of these, and since, for a number of reasons, I don't want to go back to Denver this year, it has been quite hard to find one. So, I haven't any plans at all.

Mr. MOORE. Thank, you Mr. President.

Mr. CAPEHART. Mr. President, again I wish to say that one of the largest problems facing the Nation is inflation. Of course, the President stated that he hopes private industry and labor and all others will use restraint in connection with raising prices. I hope so, too. But, Mr. President, I think the time may well come—unless restraint is used and unless prices are kept down—when the Government may have to take some action. I hope the time will never come when that is required; but the Congress will have to take action, rather than permit runaway inflation.

EMERGENCY IMMIGRATION PROBLEMS

Mr. PASTORE. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Rhode Island.

Mr. PASTORE. Mr. President, I yield to the Senator from Massachusetts [Mr. KENNEDY].

Mr. CAPEHART. Mr. President, will the Senator from Massachusetts yield, that I may place an article in the RECORD?

Mr. PASTORE. I have the floor.

Mr. KENNEDY. Mr. President, on behalf of myself, the Senator from Rhode Island [Mr. PASTORE], and the Senator from Ohio [Mr. LAUSCHE], I introduce, for appropriate reference, a bill relating to certain immigration matters. I ask unanimous consent that the bill, together with a section-by-section analysis, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 2410) to facilitate the entry into the United States of certain immigrants; to authorize the adjustment of status of certain aliens in the United States; to provide for the issuance of special nonquota immigrant visas to certain refugees, and for other purposes, introduced by Mr. KENNEDY—for himself and other Senators—was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That (a) for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the eligible child as defined in subsection (b) of this section, shall be held and considered to be the natural-born alien child of a citizen of the United States if the Attorney General finds that such child (1) has been lawfully adopted abroad by such United States citizen and spouse; or (2) assurances, satisfactory to the Attorney General, have been given by such United States citizen and spouse that if such child is admitted into the United States they will adopt him in the United States and will care for him properly and that the preadoption requirements, if any, of the State of such child's proposed residence have been met.

(b) When used in this section the term "eligible child" shall mean an alien (1) who is an orphan because of the death or disappearance of both parents, or because of abandonment or desertion by, or separation or loss from, both parents, or who has only one parent due to the death or disappearance of, abandonment or desertion by, or separation or loss from the other parent and the remaining parent is incapable of providing care for such orphan and has in writing irrevocably released him for emigration and adoption; (2) who is ineligible for admission into the United States solely because that portion of the quota to which he would otherwise be chargeable is oversubscribed by applicants registered on the consular waiting list at the time his visa application is made; and (3) who is under 14 years of age at the time the visa is issued: *Provided*, That no natural parent of any minor eligible child who shall be admitted into the United States pursuant to this section shall thereafter, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act: *Provided further*, That not more than two nonquota immigrant visas may be issued to minor eligible children adopted or to be adopted by any one United States citizen and spouse, unless necessary to prevent the separation of brothers or sisters.

(c) Any visa which has been or shall be issued to an eligible child under this section or under any other immigration law to a child lawfully adopted by a United States citizen and spouse while such citizen is serving abroad in the United States Armed Forces, or is employed abroad by the United States Government, or is temporarily abroad on business, shall be valid until such time, for a period not to exceed 3 years, as the adoptive citizen parent returns to the United States in due course of his service, employment, or business.

(d) No visa shall be issued under this section after June 30, 1959.

(e) Any adopted child described in section 323 of the Immigration and Nationality Act (1) one of whose adoptive parents is (A) a citizen of the United States, (B) in the service of the Armed Forces of the United States, or in the employment of the Government of the United States, or of an American institution of research recognized as such by the Attorney General, or of an American firm or corporation engaged in whole or in part in the development of foreign trade and commerce of the United States, or a subsidiary thereof, or of a public international organization in which the United States participates by treaty or statute, and (C) regularly stationed abroad in such service or employment, and (2) who is in the United States at the time of naturalization, and (3) whose citizen adoptive parent declares before the naturalization court in good faith an intention to have such child take up residence within the United States immediately upon the termination of such service or employment abroad of such citizen adoptive parent, may be naturalized upon compliance with all the requirements of the naturalization laws except that no prior residence or specified period of physical presence within the United States or within the jurisdiction of the naturalization court or proof thereof shall be required, and paragraph (3) of section 323 (a) of the Immigration and Nationality Act shall not be applicable.

(f) The Attorney General may, pursuant to such terms and conditions as he may by regulations prescribe, adjust the status to that of an alien lawfully admitted for permanent residence, as of the date of his arrival in the United States, in the case of an alien who was paroled into the United States under section 212 (d) (5) of the Immigration and Nationality Act if such alien at the time of his arrival in the United States was an eligible orphan as defined in section 5 of the Refugee Relief Act of 1953, as amended, and was, or thereafter has been, adopted by a United States citizen and spouse in a court of proper jurisdiction.

(g) The Attorney General is authorized and directed to establish such regulations and to prescribe such forms of bond, and other papers, issue such instruction, and perform such other acts as he deems necessary for carrying out his authority under the provisions of this section.

SEC. 2. In the administration of titles I and II of the Immigration and Nationality Act, the Attorney General is authorized and directed, pursuant to such terms and conditions as he may by regulations prescribe, to provide that, for all purposes under such titles, (a) the term "stepchild" shall include

a stepchild whether or not born out of wedlock, and (b) the term "child" shall include an illegitimate child, by, through whom, or on whose behalf a status, privilege, or benefit is sought by virtue of the relationship of the child to its natural mother.

SEC. 3. In the administration of the Immigration and Nationality Act, the Attorney General is authorized, pursuant to such terms and conditions as he may by regulations prescribe, to adjust the status to that of an alien lawfully admitted for permanent residence in the case of (a) an alien, physically present within the United States on May 1, 1957, who is the beneficiary of an approved visa petition for immigrant status under section 203 (a) (1) (A) of the Immigration and Nationality Act filed on his behalf prior to the date of the enactment of this act, and (b) his spouse and children physically present within the United States on May 1, 1957. Upon the payment of the required visa fee and the adjustment of status under this section, the Attorney General shall record the alien's lawful admission for permanent residence as of the date of the order adjusting status. Nothing contained in this section shall be held to repeal, amend, or modify any of the provisions of the act of June 4, 1956 (70 Stat. 241), nor shall any person acquiring exchange visitor's status subsequent to the enactment of that act, and who has not received a waiver pursuant thereto, be eligible for adjustment of status under this section. Pursuant to such terms and conditions, and in accordance with such procedure as he may by regulations prescribe, the Attorney General is authorized to grant nonquota status, and if otherwise admissible under the provisions of the Immigration and Nationality Act, a nonquota immigrant visa shall be issued to the spouse and child of any alien specified in clause (a) whose status has been adjusted under this section: *Provided*, That the marriage by virtue of which such relationship exists occurred prior to May 1, 1957: *Provided further*, That this section shall be applicable only to aliens admissible to the United States except for the fact that an immigrant visa is not promptly available for issuance to them because the quota of the quota area to which they are chargeable is oversubscribed.

SEC. 4. (a) The provisions of the Immigration and Nationality Act relating to the deportation of aliens within the United States on the ground that they were excludable at the time of entry as (1) aliens who have sought to procure, or have procured visas or other documentation, or entry into the United States by fraud or misrepresentation or (2) as aliens who were not of the nationality specified in their visas, shall not apply to an alien otherwise admissible at the time of entry who (A) is the spouse, parent, or child of a United States citizen or of an alien lawfully admitted for permanent residence, or (B) was admitted to the United States between December 22, 1945, and November 1, 1954, both dates inclusive, and misrepresented his nationality, place of birth, identity, or residence in applying for a visa: *Provided*, That such alien described in clause (B) shall establish to the satisfaction of the Attorney General that the misrepresentation was predicated upon the alien's fear of persecution because of race, religion, or political opinion if repatriated to his former home or residence, and was not committed for the purpose of evading the quota restrictions of the immigration laws or an investigation of the alien at the place of his former home or residence or elsewhere.

(b) After the effective date of this act, any alien who is the spouse, parent, or child of a United States citizen or of an alien lawfully admitted for permanent residence and who is excludable because (1) he seeks, has sought to procure, or has procured, a visa or other documentation, or entry into the United States, by fraud or misrepresentation, or (2) he admits the commission of perjury in connection therewith, shall hereafter be granted a visa and admitted to the United States, if otherwise admissible, if the Attorney General in his discretion has consented to the alien's applying or reapplying for a visa and for admission to the United States.

SEC. 5. (a) Nothwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act as far as they relate to aliens afflicted with tuberculosis, an alien who is the spouse, parent, child, or minor unmarried adopted child, of a United States citizen or of an alien lawfully admitted for permanent residence who is accompanying or following to join such United States citizen or such alien, may be issued a visa and admitted to the United States for permanent residence if otherwise admissible under the provisions of that act, under such conditions and controls, including the giving of a bond, as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, may deem necessary to impose.

(b) The Attorney General shall promptly make a detailed report to the Congress in any case in which the provisions of this section are applied.

(c) This section shall expire on June 30, 1959.

SEC. 6. Any alien eligible for a quota immigrant status under the provisions of section 203 (a) or (3) of the Immigration and Nationality Act on the basis of a petition approved by the Attorney General prior to March 1, 1957, shall be held to be a nonquota immigrant and, if otherwise admissible under the provisions of that act shall be issued a nonquota immigrant visa: *Provided*, That, upon his application for an immigrant visa, and for admission to the United States, the alien is found to have retained his relationship to the petitioner as established in the approved petition.

SEC. 7. (a) Notwithstanding the provisions of section 20 of the Refugee Relief Act of 1953, as amended (67 Stat. 400; 68 Stat. 1044), special nonquota immigrant visas allotted for issuance to aliens specified in paragraphs (1), (9), (10), and (11) of section 4 (a) of such act, which remained unissued on January 1, 1957, may be issued by consular officers as defined in section 101 (a) (9) of the Immigration and Nationality Act to aliens who are refugee escapees (as defined in subsection (b)): *Provided*, That such alien is found to be eligible to be issued an immigrant visa and to be admitted to the United States under the provisions of the Immigration and Nationality Act: *Provided further*, That all special nonquota immigrant visas authorized to be issued under this section shall be issued in accordance with the provisions of section 221 of the Immigration and Nationality Act: *Provided further*, That a quota number is not available to such alien at the time of his application for a visa.

(b) (1) For purposes of subsection (a), the term "refugee escapee" means any alien who, because of persecution or fear of persecution on account of race, religion, or political opinion has fled or shall flee (A) from any Communist, Communist-dominated, or Communist-occupied area, or (B) from any country within the general area of the Middle East, and who cannot return to such area, or to such country, on account of race, religion, or political opinion.

(2) For purposes of paragraph (1), the term "general area of the Middle East" means the area between and including Libya on the west, Turkey on the north, Pakistan on the east, and Saudi Arabia and Ethiopia on the south.

(c) Nothing in this section shall be held to extend the Refugee Relief Act of 1953, as amended (66 Stat. 174; 68 Stat. 1044), and nothing in this section shall be held to authorize the issuance of special nonquota immigrant visas in excess of the number provided in section 3 of that act.

SEC. 8. On and after July 1, 1957, the quotas proclaimed under the Immigration and Nationality Act shall not be subject to the quota deduction provisions of the act of June 25, 1948, as amended (62 Stat. 1009; 64 Stat. 219; 65 Stat. 96) or section 201 (e) (2) of the Immigration and Nationality Act (66 Stat. 176), the act of June 30, 1950 (64 Stat. 306), the act of April 9, 1952 (66 Stat. 50), or any other act of Congress enacted prior to the date of the enactment of this act.

SEC. 9. (a) In the administration of section 212 (a) (9) of the Immigration and Nationality Act an alien shall not be ineligible to receive a visa and excludable from admission into the United States (1) solely by reason of a single conviction of an offense or offenses which, if committed in the United States would be a misdemeanor or misdemeanors, each punishable by imprisonment not to exceed 1 year, and for which the fine or aggregate fines actually imposed did not exceed $500, or for which the sentence or aggregate sentences to confinement actually imposed did not exceed 6 months, or both; or (2) solely by reason of the admission of the commission of an offense or offenses or the commission of acts constituting the essential elements of an offense or offenses which, if committed in the United States, would be a misdemeanor or misdemeanors punishable by imprisonment not to exceed 1 year: *Provided further*, That the determination whether an offense committed outside the United States would, if committed in the United States, be classified as a misdemeanor punishable by imprisonment not to exceed 1 year shall be based not on the applicable foreign law but on the provisions of the United States Code, and whenever such code fails to define a crime comparable to the one committed, on the provisions of the Criminal Code of the District of Columbia.

(b) After the effective date of this act, any alien who is the spouse, parent, or child of a United States citizen or of an alien lawfully admitted for permanent residence and who is excludable from the United States under paragraph (9) of section 212 (a) of the Immigration and Nationality Act, shall be issued a visa and admitted to the United States, if otherwise admissible under the provisions of that act, (1) if it shall be established to the satisfaction of the Attorney General that (A) the alien's exclusion would result in extreme hardship to the United States citizen or lawfully resident spouse, parent, or child of such alien, and (B) the admission to the United States of such alien would not be contrary to the national welfare, safety, or security of the United States; and (2) if the Attorney General in his discretion, and pursuant to such terms, conditions, and procedures as he may by regulations prescribe, has consented to the alien's applying or reapplying for a visa and for admission to the United States.

SEC. 10. Section 4 of the act of September 3, 1954 (68 Stat. 1145), is hereby repealed.

SEC. 11. (a) In the administration of the Immigration and Nationality Act, any alien who is or has been paroled into the United States by the Attorney General under the authority of paragraph (5) of subsection (d) of section 212 of the Immigration and Nationality Act and has not otherwise acquired permanent residence status in the United States may apply to the Attorney General for adjustment of his status to that of an alien lawfully admitted for permanent residence.

(b) If it shall appear to the satisfaction of the Attorney General that the alien has remained in the United States for at least 2 years, is a person of good moral character, and that such action would not be contrary to the national welfare, safety, or security of the United States, the Attorney General, in his discretion, may record the alien's lawful admission for permanent residence as of the date of the order of the Attorney General approving the application for adjustment of status is made.

(c) A complete and detailed statement of the facts and pertinent provisions of law in the case shall be reported to the Congress with the reasons for such adjustment of status. Such reports shall be submitted on the first and 15th day of each calendar month in which Congress is in session. If, during the session of the Congress at which a case is reported, or prior to the close of the session of Congress next following the session at which a case is reported, either the Senate or the House of Representatives passes a resolution stating in substance that it does not favor the adjustment of status of such alien, the Attorney General shall thereupon require the departure of such alien in the manner provided by law. If neither the Senate nor the House of Representatives passes such a resolution within the time above specified, the Secretary of State shall, if the alien was classifiable as a quota immigrant at the time of his entry, reduce by one the quota of the quota area to which the alien is chargeable under section 202 of the Immigration and Nationality Act for the fiscal year then current or the next following year in which a quota is available. No quota shall be so reduced by more than 50 percent in any fiscal year.

SEC. 12. The Secretary of State and the Attorney General are hereby authorized, in their discretion and on a basis of reciprocity, pursuant to such regulations as they may severally prescribe, to waive the requirement of fingerprinting specified in sections 221 (b) and 262 of the Immigration and Nationality Act, respectively, in the case of my nonimmigrant alien.

SEC. 13. In the administration of the Immigration and Nationality Act, quota immigrant visas shall be made available for issuance under section 203 (a) (1) (B) of such act to any qualified quota immigrant who—

(a) is the spouse or child of an immigrant who has been issued a quota immigrant visa under section 203 (a) (1) (A) of such act and has been lawfully admitted to the United States for permanent residence, and

(b) is following to join his spouse or parent.

SEC. 14. (a) Any alien admitted to the United States as a nonimmigrant under the provisions of either section 101 (a) (15) (A) or 101 (a) (15) (G) of the Immigration and Nationality Act, who has failed to maintain a status under either of those provisions, and who has not been required to depart from the United States under the authority of section 241 (e) of such act, may apply to the Attorney General for adjustment of his status to that of an alien lawfully admitted for permanent residence.

(b) If it shall appear to the satisfaction of the Attorney General that the alien is a person of good moral character, and that such action would not be contrary to the national welfare, safety, or security, the Attorney General, in his discretion, may record the alien's lawful admission for permanent residence as of the date of the order of the Attorney General approving the application for adjustment of status is made.

(c) A complete and detailed statement of the facts and pertinent provisions of law in the case shall be reported to the Congress with the reasons for such adjustment of status. Such reports shall be submitted on the first and 15th day of each calendar month in which Congress is in session. If, during the session of the Congress at which a case is reported, or prior to the close of the session of Congress next following the session at which a case is reported, either the Senate or the House of Representatives passes a resolution stating in substance that it does not favor the adjustment of status of such alien, the Attorney General shall thereupon require the departure of such alien in the manner provided by law. If neither the Senate nor the House of Representatives passes such a resolution within the time above specified, the Secretary of State shall, if the alien was classifiable as a quota immigrant at the time of his entry, reduce by one the quota of the quota area to which the alien is chargeable under section 202 of the Immigration and Nationality Act for the fiscal year then current or the next following year in which a quota is available. No quota shall be so reduced by more than 50 percent in any fiscal year.

SEC. 15. (a) Notwithstanding any provisions of the Immigration and Nationality Act, the total of all quota numbers established under section 201 of that act which remain unused at the end of each fiscal year shall be available for use in the manner prescribed by this section.

(b) Except as provided in subsection (d), the quota numbers made available for use under subsection (a) shall be distributed among the several quota areas in the same proportion which the quota for each quota area bears to the annual quota of all quota areas combined. No quota numbers made available under subsection (a) shall be distributed to quota areas which, under the proclamation of the President of the United States issued on July 1, 1952, have been allocated an annual quota in excess of 7,000 quota numbers.

(c) The Secretary of State shall, at the end of each fiscal year, determine the amount of quota numbers available under subsection (a) for distribution under subsection (b) of this section for each quota area. The Secretary of State shall proclaim the number thereof on or before October 1 following the end of each fiscal year. The quota numbers so determined and proclaimed by the Secretary of State shall be available for use in accordance with all the provisions of the Immigration and Nationality Act relative to the eligibility for and the issuance of immigrant visas during the ensuing 12-month period, beginning October 1, and ending September 30, of the year immediately following.

(d) The quota numbers made available under subsection (a) shall be available for issuance, during the period beginning October 1, 1957, and ending September 30, 1958, and the period beginning October 1, 1958, and ending September 30, 1959, to—

(1) any alien who applied for, and was qualified for, admission to the United States under the Refugee Relief Act of 1953, as amended, and with respect to whom the assurances required under section 7 (a) of such act were submitted to, and verified by, the Administrator of the Bureau of Security and Consular Affairs, Department of State, and whose application had begun to be processed prior to December 31, 1956;

(2) the spouse of any alien referred to in paragraph (1) of this subsection; and

(3) any unmarried child (including a stepchild and a child adopted before the date of the enactment of this act) of an alien referred to in paragraph (1) of this subsection, if such child is under 21 years of age on the date of the enactment of this act, or was under 21 years of age at the time the assurances referred to in such paragraph (1) were submitted to, and verified by, the Administrator. The total number of quota numbers available for issuance under this subsection for the period ending September 30, 1958, and for the period ending September 30, 1959, shall not exceed the total number of quota numbers which would otherwise be distributed under subsection (b) to all quota areas for each such period. October 1, 1957, and on or before October 1, 1958, estimate the amount of quota numbers which will be issued under this subsection during the periods ending September 30, 1958, and September 30, 1959, respectively, and shall reduce the amount of quota numbers which would otherwise be distributed to each quota area under subsection (b) for use during such periods in the same proportion as the amount of quota numbers which he estimates will be issued under this subsection during such periods bears to the combined quota numbers which would otherwise be distributed under subsection (b) to all quota areas for use during such periods. Quota numbers made available for use under this subsection shall, except as otherwise provided in this subsection, be available for use in accordance with all the provisions of the Immigration and Nationality Act relative to the eligibility for and the issuance of immigrant visas.

SEC. 16. Except as otherwise specifically provided in this act, the definitions contained in sections 101 (a) and (b) of the Immigration and Nationality Act shall be applicable in the administration of this act.

The section-by-section analysis presented by Mr. KENNEDY is as follows:

MEMORANDUM TO ACCOMPANY PROPOSED BILL RELATING TO IMMIGRATION

SECTION 1. ADOPTED CHILDREN

Subsections (a) and (b) of the first section (which is the same as the first section of H. R. 8123, introduced by Congressman WALTER) confer a nonquota immigrant status on certain orphans adopted abroad, or brought to this country for adoption, by United States citizens. Such orphans must be under 14 years of age and must be eligible for admission under the immigration laws, except for lack of a quota number.

Subsection (c) provides that, if the adoptive parents are in the service or employment of the Government abroad, or are abroad on business, visas issued under this section shall be valid until the adoptive parents return to the United States (but not more than 3 years).

Subsection (d) provides that no visa shall be issued under this section after June 30, 1959.

Subsection (e) waives the requirements of residence and physical presence in the United States for naturalization in the case of an adopted child, one of whose adoptive citizen parents is stationed abroad in the service or employment of the Government, of certain American institutions or firms, or of certain international organizations.

Subsection (f) authorizes the Attorney General to adjust the status to that of an alien lawfully admitted for permanent residence of certain children who qualified as eligible orphans under the Refugee Relief Act of 1953, were paroled into the United States under section 212 (d) (5) of the Immigration and Nationality Act, and have been adopted by United States citizens.

SECTION 2. ILLEGITIMATE CHILDREN

Section 2 (which is the same as sec. 2 of H. R. 8123) provides that, for purposes of titles I and II of the Immigration and Nationality Act, the term "stepchild" includes a stepchild born out of wedlock, and the term "child" includes, with respect to the child's mother, an illegitimate child.

SECTION 3. CERTAIN SKILLED ALIENS

Section 3 (which is the same as sec. 3 of H. R. 8123) authorizes the Attorney General to adjust the status to that of an alien lawfully admitted for permanent residence of any alien who was present in the United States on May 1, 1957, and for whom a petition for quota immigrant status under section 203 (a) (1) (A) of the Immigration and Nationality Act (aliens whose services are urgently needed in the United States) had been approved. Similar authority is granted with respect to the spouse and children of any such alien who were in the United States on May 1, 1957, and a nonquota immigrant status is authorized for the spouse and children of any such alien who were not in the United States on such date.

SECTION 4. ALIENS DEPORTABLE OR EXCLUDABLE BECAUSE OF MISREPRESENTATION

SECTION 16. DEFINITIONS

has sought to procure, or has procured, a

to extend the Refugee Relief Act of 1953, as

2 years, is a person of good moral character,

SECTION 4. ALIENS DEPORTABLE OR EXCLUDABLE BECAUSE OF MISREPRESENTATION

Section 4 (which is the same as sec. 4 of H. R. 8123) waives, as a ground of deportation, the procurement of a visa by fraud or misrepresentation (including misrepresentation of nationality), in the case of any alien who is the spouse, parent, or child of a citizen or of an alien lawfully admitted for permanent residence. A similar waiver is provided in the case of any other alien who entered the United States between December 22, 1945, and November 1, 1954, but only if he misrepresented his nationality, birthplace, identity, or residence because of fear of persecution if he were repatriated to his former home or residence, and not to evade the quota restrictions or a personal investigation.

Subsection (b) of such section provides that an alien who is the spouse, parent, or child of a citizen or of an alien lawfully admitted for permanent residence shall not, after the date of enactment of the section, be subject to exclusion on the grounds of procurement of a visa by fraud or misrepresentation, or on the grounds of perjury in connection therewith, if the Attorney General has consented to the alien's applying or reapplying for a visa and for admission to the United States.

SECTION 5. ALIENS EXCLUDABLE BECAUSE OF TUBERCULOSIS

Subsection (a) of section 5 (which is the same as sec. 5 of H. R. 8123) waives the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, as far as they relate to aliens afflicted with tuberculosis, in the case of an alien who is the spouse, parent, child, or minor unmarried adopted child of a United States citizen, or of an alien lawfully admitted for permanent residence, and who is accompanying or following to join such United States citizen or alien.

Subsection (b) of such section provides that the Attorney General shall report to the Congress, in any case in which paragraph (6) of section 212 (a) is waived pursuant to such section.

Subsection (c) of such section provides for the expiration of such section on June 30, 1959.

SECTION 6. GRANTING NONQUOTA STATUS TO CERTAIN ALIENS

Section 6 (which is the same as section 6 of H. R. 8123) provides that any alien eligible for a quota immigrant status under paragraphs (2) or (3) of section 203 (a) of the Immigration and Nationality Act (parents of citizens and the spouses and children of aliens lawfully admitted for permanent residence) on the basis of a petition approved by the Attorney General prior to March 1, 1957 shall be issued a nonquota immigrant visa if he is otherwise admissible under such act, and is found to have retained his relationship to the petitioner, as established in the approved petition, at the time he makes application for an immigrant visa and admission to the United States.

SECTION 7. ISSUANCE OF CERTAIN SPECIAL NONQUOTA IMMIGRANT VISAS AUTHORIZED UNDER THE REFUGEE RELIEF ACT OF 1953

Subsection (a) of section 7 provides for issuance to certain refugee-escapees of the special nonquota immigrant visas authorized to be issued under paragraphs (1), (9), (10), and (11) of section 4 (a) of the Refugee Relief Act of 1953, but which remained unissued on January 1, 1957.

Subsection (b) of such section defines refugee-escapee, for purposes of subsection (a), as any alien who, because of persecution or fear of persecution on account of race, religion, or political opinion has fled or shall flee from any Communist, Communist-dominated or Communist-occupied area, or from any country within the general area of the Middle East, and who cannot return to such area, or to such country, on account of race, religion, or political opinion.

Subsection (c) of such section provides that such section shall not be held to extend the Refugee Relief Act of 1953, or to authorize the issuance of special nonquota immigrant visas in excess of the number provided in section 3 of such act.

SECTION 8. TERMINATION OF CERTAIN QUOTA-MORTGAGING REQUIREMENTS

Section 8 (which is similar to section 8 of H. R. 8123) provides that the quota deductions required under the provisions of the Displaced Persons Act of 1948, the act of June 30, 1950 (64 Stat. 306), the act of April 9, 1952 (66 Stat. 50), section 201 (e) (2) of the Immigration and Nationality Act, or any other act of Congress enacted prior to the date of the enactment of this act are terminated effective July 1, 1957.

SECTION 9. ALIENS EXCLUDABLE BECAUSE OF CONVICTION OF CRIMINAL OFFENSES

Subsection (a) of section 9 (which is the same as section 9 of H. R. 8123) waives the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act in the case of an alien (1) who has a single conviction of an offense or offenses which, if committed in the United States would be classified as a misdemeanor or misdemeanors, each punishable by imprisonment not to exceed 1 year, if the fine or aggregate fines actually imposed for such conviction did not exceed $500, or for which the sentence or aggregate sentences to confinement actually imposed for such conviction did not exceed 6 months, or both, or (2) who has admitted to the commission of an offense or offenses, or the commission of acts constituting the essential elements of an offense or offenses which, if committed in the United States, would be a misdemeanor or misdemeanors punishable by imprisonment not to exceed 1 year.

Subsection (b) of such section waives the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act in the case of any alien who is the spouse, parent, or child of a United States citizen, or of an alien lawfully admitted for permanent residence, if the Attorney General believes that such alien's exclusion would result in etxreme hardship to the United States citizen, or lawfully resident spouse, parent, or child of such alien and that such alien's admission would not be contrary to the national welfare, safety, or security of the United States.

SECTION 10. REPEAL OF SECTION 4 OF THE ACT OF SEPTEMBER 3, 1954

Section 10 (which is the same as section 10 of H. R. 8123) repeals section 4 of the act of September 3, 1954, which authorized the admission to the United States of an alien otherwise admissible but for the fact that such alien had been convicted of a misdemeanor, or had admitted to the commission of a misdemeanor. This provision would be superseded by section 9 of the proposed amendment.

SECTION 11. ALIENS PAROLED INTO UNITED STATES

Section 11 (which is substantially the same as section 12 of S. 2222, introduced by Senator KENNEDY) authorizes aliens who are, or have been, paroled into the United States under section 212 (d) (5) of the Immigration and Nationality Act to apply for adjustment of status to that of an alien lawfully admitted for permanent residence.

If the Attorney General approves the application of an alien, he is required to submit a report thereon to the Congress. If either House then passes a resolution disapproving the adjustment of status of such alien, he will be required to depart from the United States in the manner provided by law. If neither House passes a resolution of disapproval, the alien will be regarded as having been lawfully admitted for permanent residence as of the date of his last entry into the United States.

SECTION 12. FINGERPRINTING

Section 12 (which is the same as section 6 of S. 129, introduced by Senator DIRKSEN) authorizes the Secretary of State and the Attorney General to waive, in the case of a nonimmigrant, the fingerprinting requirements contained in sections 221 (b) and 262 of the Immigration and Nationality Act.

SECTION 13. SPOUSE AND CHILDREN OF SPECIALLY SKILLED ALIENS

Section 13 (which is substantially the same as section 11 of S. 129) extends a quota immigrant status under section 203 (a) (1) (B) of the Immigration and Nationality Act to any alien who is following to join his spouse or parent who has been accorded a quota immigrant status under section 203 (a) (1) (A) (aliens whose services are urgently needed in the United States) and has been lawfully admitted to the United States for permanent residence.

SECTION 14. REPRESENTATIVES OF FOREIGN GOVERNMENTS—POLITICAL ASYLUM

Section 14 (which is substantially the same as section 13 of S. 129) authorizes an alien who (1) entered the United States as a representative, officer, or employee of a foreign government (including a representative to an international organization), or as a member of the household of such a representative, officer, or employee; (2) failed to maintain his status; and (3) has not been required to depart from the United States, to apply for adjustment of his status to that of an alien lawfully admitted for permanent residence.

If the Attorney General approves an application for adjustment of status, he is required to submit a report thereon to the Congress. If either House then passes a resolution disapproving the adjustment of status of such alien, he will be required to depart from the United States in the manner provided by law. If neither House passes a resolution of disapproval, the alien will be regarded as having been lawfully admitted for permanent residence as of the date of his last entry into the United States.

SECTION 15. UNUSED QUOTA NUMBERS

Section 15 (which is similar to section 5 of S. 129) authorizes the use of a portion of the unused quota numbers which remain unused at the end of each fiscal year. In general, each quota area (excluding quota areas having an annual quota in excess of 7,000) will receive that portion of the unused quota numbers which bears the same ratio to the total number of unused quota numbers as such quota area's annual quota bears to the total number of annual quota numbers. The Secretary of State is required to determine and announce, on or before October 1 following the close of each fiscal year, the number of unused quota numbers distributed to each quota area. Such quota numbers will be available for use for a period of 1 year (until the succeeding September 30), subject to the provisions of the Immigration and Nationality Act relating to eligibility for and issuance of immigrant visas.

During the first 2 years in which this section is in operation, quota numbers made available by such section will be available for issuance, on a preferential basis, to aliens who applied for, and were qualified for, admission under the Refugee Relief Act of 1953, with respect to whom the necessary assurances required by that act had been made, and whose applications were being processed when the time for issuing visas under that act expired. The quota numbers which would otherwise be distributed to each quota area as explained in the preceding paragraph will be proportionately reduced during these 2 years.

SECTION 16. DEFINITIONS

Section 16 (which is the same as section 11 of H. R. 8123) provides that the definitions contained in sections 101 (a) and (b) of the Immigration and Nationality Act shall apply to terms used in the proposed amendment.

Mr. KENNEDY. Mr. President, on June 5, 1957, I introduced a bill, S. 2222, which addressed itself to what I feel are emergency immigration problems which require the attention of the Congress during the present session. One of the prime purposes of S. 2222 was to bring about the reunion of families and enable the United States to assume a fair share of the responsibility to resettle refugees and escapees from Communist-dominated countries. There have been other bills introduced before and since which approach certain other aspects of our current immigration policy. Most notable among these was H. R. 8123, introduced by the distinguished Representative from Pennsylvania, Mr. WALTER. H. R. 8123 contained many provisions similar to those in S. 2222, but it went further in making technical and other improvements to alleviate hardship under the act.

After carefully examining Mr. WALTER's bill and conferring with many of our colleagues, especially the distinguished majority leader [Mr. JOHNSON], we concluded that a combination of bills embracing the best features of all of them was the best solution. The bill which we are introducing represents that combination.

I wish to reiterate to my colleagues in the Senate that this bill has been carefully drafted after thoughtful consideration and discussion by many Members in both Houses of Congress. The distinguished Representative from Pennsylvania, Mr. WALTER, has assured me that the major provisions of the bill are in accord with his thinking on the subject and that it has his strong support.

This bill is a strong bill, and one which no Member of this body need feel any hesitancy in supporting. It is a carefully worked out, yet simple, measure which would afford immediate relief to pressing problems and provides a better utilization of now unused quotas in the future.

Since a full analysis will be available, I shall just briefly state that this bill would reunite families, provide for better utilization of currently available quotas which go unused each year, remove the mortgages on existing quotas which have been imposed by past acts of Congress. Further, the bill would admit orphans adopted by United States citizens, forgive certain misrepresentations which are grounds for deportation of aliens already here, admit members of families who suffer from tuberculosis under careful safeguards so as to protect the health of our own citizens, provide a limited number of visas for refugees who constitute serious moral, economic, and political problems.

This is not an exhaustive list of the provisions of the bill and I trust that every Senator will study the bill carefully. I am confident that, with the strong support this bill already has and because of the intrinsic merit of the bill, it can and should receive favorable consideration during the present session.

Mr. PASTORE. Mr. President, I am happy to add my sponsorship to the bill introduced by the Senator from Massachusetts [Mr. KENNEDY]. The bill does not represent the maximum of our desires, but it is an important step forward in the interests of mercy and justice in a disturbed world.

We will continue to press forward, but having in mind at all times the best interests of America.

No one can ever say he has done the last final act in an immigration policy because no one knows the events of tomorrow or the crisis of the day after.

What this measure seeks to do is to alleviate some of the family tragedies that arise through the very earnestness of these United States in meeting emergencies. It would unite separated families and give consideration to orphans who have the promise of loving homes in America. It would help a small number who find themselves homeless and stateless in the cataclysm of their former world. It would apply American standards to cases that call for equity and justice. It would not open the gates to a greater number of immigrants than these United States have calculated they can absorb.

The measure is not omniscient, but it is important in these difficult times. It is a gesture of friendship when the United States emphasizes its desire to be friends with a peace-seeking world.

It is my fervent hope that the Senate Judiciary Committee will give this measure immediate attention, and will take favorable action on it.

Mr. HUMPHREY. Mr. President, I wish to commend the Senator from Massachusetts [Mr. KENNEDY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Ohio [Mr. LAUSCHE] on the introduction of this very important measure. I have just asked the distinguished Senator from Massachusetts whether he will permit me to join him in the sponsorship of the bill, in view of my interest in immigration measures. He has kindly acceded to that request. I am delighted to be able to associate myself with the sponsorship of the bill. Its provisions are much needed. It is our hope that action on the bill will be expedited. Enactment of the bill will mean a forward step in the field of immigration legislation.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, has morning business been concluded?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Is there further morning business?

Mr. HUMPHREY. Mr. President, I understand the Senator from Arizona had a measure which he wanted to have considered. I do not want to interfere with that procedure but I should like to have the floor following the statement of the Senator from Arizona and action on the measure he wishes to have considered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that that privilege may be accorded the Senator from Minnesota.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I take it morning business is concluded.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The Chair is informed that the pending business will not come automatically before the Senate until 2 o'clock, although it can be taken up by motion or by unanimous consent before that hour.

STOCKPILE OF EXTRA LONG STAPLE COTTON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 470, House Joint Resolution 172, which would automatically become the pending business at 2 o'clock, be made the pending business at this time, 1:17 o'clock p. m.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request? If not, the Chair lays before the Senate the pending business.

The Senate resumed the consideration of the joint resolution (H. J. Res. 172) relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act.

Mr. GOLDWATER. Mr. President, this joint resolution which has come from the House is similar to one my senior colleague from Arizona [Mr. HAYDEN] and I introduced in the Senate this year. We have yielded to the House version. All the bill does is allow 50,000 bales of surplus cotton held in stockpile by the Office of Defense Mobilization to be released to the market. At the present time there is a scarcity of long staple cotton. The mills are crying for it. We should like this done so the price of cotton will not go so high as to injure planters of long staple cotton in the West.

There was a question as to whether such cotton would be counted as a part of the carryover immediately after the enactment of House Joint Resolution 172 while still owned by the Federal Government, or whether it would count only after being sold into the private trade by the disposal agency of the Government.

Mr. President, I ask unanimous consent that a letter I addressed to the Honorable Ezra T. Benson, Secretary of Agriculture, and his reply on the question be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JUNE 19, 1957.

The Honorable EZRA T. BENSON,
Secretary of Agriculture,
Department of Agriculture,
Washington, D. C.

MY DEAR MR. SECRETARY: The Senate Committee on Agriculture and Forestry reported favorably without amendment, House Joint Resolution 172, which provides for the release of 50,000 bales of United States-grown extra-long-staple cotton from the strategic

and critical materials stockpile. I introduced for myself and on behalf of Senator HAYDEN, a companion measure, Senate Joint Resolution 63. Accordingly, I am very much interested in this matter.

The question has arisen as to whether such cotton would be counted as a part of the carryover immediately after the enactment of House Joint Resolution 172, while still owned by the Federal Government, or whether it would count only after being sold into the private trade by the disposing agency of the Government. The committee report contains the following paragraph with respect to this question:

"Section 301 (d) of the Agricultural Adjustment Act of 1938 provides as follows:

"'(d) In making any determination under this act or under the Agricultural Act of 1949 with respect to the carryover of any agricultural commodity, the Secretary shall exclude from such determination the stocks of any commodity acquired pursuant to, or under the authority of, the Strategic and Critical Materials Stock Piling Act (60 Stat. 596) (7 U. S. C. 1301 (d))'."

So long as this cotton remains in the stockpile it is clear that it would not be counted as a part of the carryover, even though it were available for sale under section 3 of the Stock Piling Act. However, some question has arisen as to whether the provision of the joint resolution that the cotton be withdrawn and transferred to the Commodity Credit Corporation would remove this cotton from the provision of section 301 (d). There is no such intention. The cotton would remain subject to section 301 (d), whether held by one agency of the Government or another and will not be counted as part of the carryover so long as it is held by the Commodity Credit Corporation.

I would appreciate your advising me whether the Department will classify the 50,000 bales of long-staple cotton in accordance with the above-quoted paragraph of the committee report assuming that there is no legislative history developed to the contrary during consideration of House Joint Resolution 172 by the Senate.

This is a matter of great importance to the producers of extra-long-staple cotton in Arizona as well as the other producing States. I would appreciate an immediate answer, as I would like to have your reply when the measure is considered by the Senate.

Sincerely,

BARRY GOLDWATER.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., June 24, 1957.

Hon. BARRY GOLDWATER,
United States Senate.

DEAR SENATOR GOLDWATER: This is in reply to your letter of June 19, 1957, informing us that the Senate Committee on Agriculture and Forestry reported favorably without amendment House Joint Resolution 172 which provides for the release of 50,000 bales of United States grown extra-long-staple cotton from the strategic and critical materials stockpile.

We note in consideration of this resolution the question arose as to whether such cotton would be counted as a part of the carryover immediately after the enactment of House Joint Resolution 172 while still owned by the Federal Government or whether it will count only after being sold into private trade by the disposing agency of the Government. We further note a paragraph was inserted in the committee report in order to make clear that the cotton should not be counted in the carryover until it was disposed of by the Government. With the wording quoted in your letter in the committee report and if there is no legislative history developed to the contrary in consideration of the resolution, it would be clear that it was the intention of the Congress that the cotton in question should only be considered in the carryover after it has been sold by the disposing agency of the Government and the statute would be so construed by this Department.

Sincerely yours,

MARVIN L. MCLAIN,
Assistant Secretary.

Mr. HAYDEN. Mr. President, the Senator from Mississippi [Mr. EASTLAND], who reported the bill to the Senate, requested me to make a statement for him in his absence. I am glad to do so.

House Joint Resolution 172 provides for the transfer to, and sale by, Commodity Credit Corporation of 50,000 bales of extra-long-staple cotton now in the stockpile established pursuant to the Strategic and Critical Materials Stockpiling act. The Office of Defense Mobilization recently concluded that present inventories of long-staple cotton should be sold; but the Stockpiling Act requires 6 months' notice prior to sale. The effect of the resolution will therefore be to waive the 6 months' notice with regard to 50,000 bales. There is a current shortage of this type of cotton, and in order to protect producers, processors, and consumers, and minimize the United States' loss, the cotton should be made available now, while the shortage exists, rather than after the new crop becomes available in October.

The Department of Agriculture advised on April 9 that the cotton in the stockpile was acquired at prices averaging about $1.05 a pound, and could then be sold at about 63 cents a pound, for a loss of about $10,500,000. Since then the price has weakened somewhat, so that prompt passage of the resolution is needed to avert further loss. Passage of the resolution will therefore result in no increase in expenditures, but will reduce expenditures for storage charges and avert further loss.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 172) was ordered to a third reading, read the third time, and passed.

RISING INTEREST RATES

Mr. HUMPHREY. Mr. President, although I know how painful it is to my Republican colleagues to have anyone bring up the subject of rising interest rates and the fiscal dilemma of the Treasury, I feel bound in good conscience to keep the record up to date.

Each Monday the Wall Street Journal reports the Dow-Jones municipal yield index. This past Monday it reported that quotations on municipal bonds dropped again—for the fifth straight week, I might add—to 3.46 percent. This is a 22-year low. I ask unanimous consent, Mr. President, that this report of June 17 in the Wall Street Journal appear in the RECORD at this point of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TAX-EXEMPTS: PRICE DROP LAST WEEK CARRIED MUNICIPALS TO NEW 22-YEAR LOWS

"Quotations on tax-exempt municipal bonds slipped to their lowest levels in nearly 22 years last week, as dealers marked down older items in their inventory to bring them in line with new issues coming into the market.

The Dow-Jones municipal yield index, which moves inversely to prices, now reads 3.46 percent, up from 3.42 percent last Monday. It was the fifth consecutive week marked by price deterioration for tax-exempt securities. The last time municipal bond yields were as high as at present was in October 1935, when the index of 20-year issues read 3.50 percent.

As has been the case previously, last week's markdowns in municipal bond quotations were accompanied by declining prices for United States Government securities. The two longest United States Treasury issues reached their lowest prices on record.

But the municipal bond scene was not devoid of its encouraging aspects, traders said. New issues went well at retail and dealers were able to point to other factors indicating the tax-exempts market is working toward an improved technical position. Notable among these is the further reduction in the shelf supply and the continued limited volume of new issues scheduled for early sale.

As reported by the Blue List, the advertised supply of tax-exempt securities undistributed with dealers stands at $208,368,000. That is down from $227,921,500 last Monday, and from $275,920,000 3 weeks ago. New municipal offerings in sight for the next 30 days amount to a moderate $175,088,887, according to the Daily Bond Buyer.

Retail successes chalked up in the more active market included Ohio's $32 million of road bonds, and Cowlitz County, Wash., $20.3 million of electric system revenue obligations—the week's two largest issues. Both offerings sold out quickly, a fact cited by some dealers as evidence there is "money around to buy tax-exempt bonds at prevailing price levels."

This week's limited $69,607,308 tax-exempt bond offering schedule is topped by State of Vermont's $9,300,000 various purpose issue on Thursday.

Mr. HUMPHREY. Mr. President, on Tuesday of this week the Treasury announced that 91-day bills which were offered June 13 jumped to a rate of 3.404 percent, the highest level since the "bank holiday" in 1933. I ask unanimous consent that this story from the Wall Street Journal of June 18 appear at this point in my remarks in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TREASURY BILL RATE RISES TO 3.404 PERCENT, HIGHEST SINCE 1933 BANK HOLIDAY

WASHINGTON.—The Treasury's short-term borrowing costs jumped to 3.404 percent—the highest level since the "bank holiday" period of 1933.

At the time of the bank moratorium, the Treasury paid more than 4 percent to borrow short-term money. The highest rate since then had been the 3.374 percent paid 2 weeks ago.

Last week the 91-day Treasury bill rate dipped to 3.256 percent. But this week the rate turned up again to a new 24-year high. Last year in mid-June the Treasury sold short-term bills at 2.430 percent.

The Treasury's interest cost on 91-day bills is considered a key indicator of short-term money market conditions. A rising rate indicates the cost of short-term money is becoming more expensive. The Senate Finance Committee, headed by Senator BYRD, Democrat, of Virginia, today begins an investigation into the administration's so-called tight money policies that some Democrats claim have caused high interest rates.

At its current level, the Treasury bill rate now tops the 3-percent discount rate charged by the Federal Reserve System on loans to member banks by a substantial margin.

The Reserve Board is known to be considering another boost in the system's discount rate. Chairman Martin recently described inflationary forces in the economy as still "formidable." Also, the Board's latest report on business conditions in May noted interest rates had risen "substantially."

However, the Treasury is expected to be in the market soon to borrow funds to meet its cash needs for July, when tax receipts are seasonally low. This would tend to dissuade the Reserve Board from raising its discount rate since the Board prefers not to upset the market while the Treasury is financing.

On the issue, accepted bids ranged from a high of 99.160 (3.323 percent), to a low of 99.138 (3.418 percent), and an average price of 99.139 (3.404 percent). Of the amount bid for at the low price, 65 percent was accepted, the Treasury said.

Applications for the issue aggregated $2,444,049,000. The Treasury accepted $1,600,299,000, including $373,999,000 offered on a noncompetitive basis and accepted in full at the average price.

These bills are dated June 20, and mature September 19, 1957.

Mr. HUMPHREY. Each day seems to bring new reports of soaring interest rates. This past Wednesday, it was announced that Southern Bell Telephone & Telegraph Co. had to pay 4.91 percent for the $70 million it raised on 29-year debentures. This is the costliest rate this company has had to pay since October 18, 1929, when it sold $32 million of 5-percent bonds at 5.32 percent. I ask unanimous consent that an article spelling out the details on this transaction from the June 19 issue of the Wall Street Journal be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOUTHERN BELL $70 MILLION ISSUE SOLD AT 4.91-PERCENT RATE—BORROWING COST ON 29-YEAR DEBENTURES IS HIGHEST FOR THE UTILITY SINCE 1929—BIG RETAIL DEMAND REPORTED

NEW YORK.—Southern Bell Telephone & Telegraph Co. will pay 4.91 percent annually for the $70 million it raised on 29-year debentures.

That marks the borrowing as the costliest for Southern Bell since October 18, 1929, when it sold $32 million of 5-percent bonds at 5.32 percent.

It also ranks as the most expensive debt financing by any Bell System unit since January 13, 1930, when parent A. T. & T. itself floated $150 million of 5-percent debentures at a cost of 5.22 percent.

Yesterday's lofty rate came about notwithstanding the fact that Southern Bell agreed to make the 29-year securities noncallable for the first 5 years.

Halsey, Stuart & Co., Inc., and associates won the big issue with a bid of 101.33 for a 5-percent coupon.

Following compliance with Securities and Exchange Commission requirements, the group is putting the debentures out for general distribution at 102.32, to yield 4.85 percent to maturity on June 1, 1986.

An unmistably big retail demand for the securities at this price was building up, ahead of today's formal public offering.

A closely competing bid of 101.20 for the debentures as 5's came from a Morgan Stanley & Co. group.

Yesterday's 4.91 percent net interest cost compares with 3.95 percent Southern Bell is paying for the $60 million it raised last October 8 on 27-year debenture 4's.

Southern Bell will use the proceeds from the new issue, President Ben S. Gilmer said, "to provide telephone facilities to meet the continuing strong demand for telephone service in the South."

Mr. HUMPHREY. Mr. President, in a recent issue of the Washington Post and Times Herald there appeared two very interesting items concerning the present but soon departing Secretary of the Treasury George Humphrey. One story reports on the stock holdings of Secretary Humphrey as of January, 1953; according to the computation that has been made these stock holdings were then worth more than $7 million. Based on yesterday's closing prices, these same stocks are now worth approximately $12 million. That is not a bad record for only four years. Imagine that, Mr. President. An increase of almost $5 million in the value of the Secretary's 1953 stock holdings. After paying the capital gains tax his profits would amount to roughly $3.75 million. The Secretary's stock has increased in value by 71 percent and after taxes he would have a gain of around 50 percent.

However, as the Secretary pointed out to the Finance Committee on Tuesday, this glorious Republican prosperity has benefited us all. For example, the Secretary noted that workers' take home pay has risen about $10 a week, a little more than 15 percent. The workers get $10 a week and the Secretary realizes a net gain of almost $20,000 a week. I repeat, Mr. President, $20,000 a week.

I ask unanimous consent that this story on the Secretary's stock earnings in the June 20 issue of the Washington Post and Times Herald be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LIST OF STOCK HOLDINGS SUBMITTED BY HUMPHREY

Secretary of the Treasury George M. Humphrey yesterday submitted to the Senate Finance Committee a list of his stock holdings at the time he entered the Cabinet. A computation showed the holdings were worth more than $7 million in January 1953.

Based on yesterday's closing prices, the quoted value of the holdings would be approximately $12 million.

Chairman HARRY F. BYRD, Democrat, of Virginia, made the list public at once. He said Humphrey offered the information "gladly and cheerfully." It was placed in the hearing record of the Committee's inquiry into the Nation's financial condition.

VALUE NOT GIVEN

Humphrey gave the number of shares of various corporations he owned as of Jan. 12, 1953, but not the value of the stocks. Based on the closing prices of all but one of the issues at the time, the total amounted to $7,093,906. Humphrey said he had sold his holdings in the National City Bank of Cleveland. There was no announcement as to whether he still holds the remaining securities.

Senator ALBERT GORE, Democrat, of Tennessee, had raised the point that the list of holdings, first given to the Committee in 1953 but not made public then, was missing from the files.

BYRD yesterday conceded this was correct but said Humphrey had offered to supply the list anew.

GORE had said previously he would question Humphrey about his holdings now to show how his financial status has changed during his stay in Washington. However, the Tennessee Senator's turn for questions is not expected to come for several days.

HOLDINGS ON JANUARY 12, 1953

Following is a list of Humphrey's holdings on January 12, 1953, and the values at that time as closely as could be computed:

Pittsburgh Consolidation Coal Co., 20,000 shares of common, at $56.75 a share—$1,135,000.

National Steel Corp., 13,200 shares of capital stock, at $50 a share—$760,000.

Republic Steel Corp., 120 shares of common, at $45.75 a share—$5,490.

The above totals are based on closing prices of the issues on the New York Stock Exchange on Monday, January 12, 1953.

The following are based on the bid and asked prices of over-the-counter stocks on Friday, January 2, 1953:

Canada & Dominion Sugar Co., Ltd., 100 shares of capital stock, $16.62 bid, $17.12 asked—$1,662.

The M. A. Hanna Co., 44,550 shares of Class A common, $76 bid $78 asked—$3,385,800.

The M. A. Hanna Co., 23,000 shares of Class B common stock, $78 bid, $80 asked—$1,794,000.

The National City Bank of Cleveland, 278 shares of common, $43 bid, $44 asked—$11,954.

The list also included Hanna Coal & Ore Corp., 12,471.2 shares of common stock. It was not immediately possible to determine the value of these holdings, as the stock is not traded on the exchanges.

Mr. HUMPHREY. Mr. President, another item I wish to mention today is a letter to the editor in the Washington Post and Times Herald. It is titled "Mr. Humphrey's Legacy: A Critical Appraisal" and is written by Seymour Harris, chairman of the department of economics of Harvard University. Perhaps I should state that the "Mr. Humphrey" referred to is Secretary George Humphrey and not the junior Senator from Minnesota. I ask unanimous consent that this letter to the editor be printed in the RECORD at this point in my remarks.

There being no objection, the letter to the editor was ordered to be printed in the RECORD, as follows:

MR. HUMPHREY'S LEGACY: A CRITICAL APPRAISAL

The press almost universally has greeted Secretary Humphrey's announced departure from public life with encomium. Indeed, the Secretary has many virtues: he is smart, shrewd, persuasive, aggressive, hard working, and determined. (Even when in disagreement, one senses a powerful intellect in presenting the wrong position.) Above all, one knows where he stands. I wish I could join the chorus of praise that is traditionally showered upon a departing official.

But the above virtues are not enough to make a great Secretary of the Treasury. Future historians will not be misled by the paeans of praise. The originality and skill of Alexander Hamilton in dealing with our monetary and debt problems, the theoretical

insight and genius for finance and administration revealed by Albert Gallatin, the unusual capacity shown by John Sherman in the resumption of payments after the Civil War, and the flexibility, and ability to use staff, of Morgenthau—these are missing in Mr. Humphrey.

In 1954, when he was called before the joint committee to assess once more the foolish and clumsy dear-money policy of 1953, he would only say and say again and again that if he had to do it over again, he would do it in every detail as in 1953. He would not change a single move, he told the Joint Committee on the Economic Report. In contrast, Chairman Martin of the Federal Reserve Board freely admitted mistakes had been made. This is an example of the Secretary's rigidity.

His inflexibility and unwillingness to learn is suggested by his asserting time and again that taxes should be cut at the top of the boom just when virtually every economist would hold taxes should be increased. He, like ex-President Hoover, had failed to learn that fiscal policy should be tailored to fluctuations in the private economy. (One can be a conservative and yet absorb the A B C's of modern economics, as Congressman MILLS so eloquently showed recently.)

When, in 1954, a tax cut was the appropriate action, Secretary Humphrey supported such a policy, but it is clear now, not because he had absorbed or shown the slightest interest in the advances of modern economics but rather because tax cutting was part of the administration's platform. Throughout his 5 years in office, he has adhered to economics of a bygone age which takes little account of the relation of spending to economic prosperity.

His ignorance of the elements of modern economics is also attested by the furor he raised over the 1958 budget. Had he not concentrated on the dollars involved but on the budget in relation to the size of the economy, or the rising national income even as public expenditures rose, he would have known that there was no danger in the current budget. In fact, the weight of the budget had been greatly reduced in the last 5 or even 10 years.

The danger, in fact, lay elsewhere. It lay in the attempts of a powerful personality to impose his outmoded views on the Government. In the giant budgetary cut of 1954, which weakened our military and international position, the Secretary was not satisfied to be merely a Secretary of the Treasury.

He had to take over defense, even as today his interference in the spending on health, education, and social security has endangered the programs of the Department of Health, Education, and Welfare and numerous other programs, such as foreign aid, depressed areas, slum clearance, flood insurance, and, of course, defense. At least Secretary Folsom, the able head of HEW and former Under Secretary of the Treasury, has lost the Treasury touch, a good thing for the country.

Perhaps Secretary Humphrey's greatest blunders result from his determination to take over the budgetary prerogatives which are not traditionally his. This country has a budgetary system under which the Director of the Budget, reporting to the President, squeezes the water out of the budget. But not content to assume the responsibility for proposing tax measures, Secretary Humphrey tried (and to some extent succeeded) to take over the Budget Bureau as well. It is common knowledge in Washington that acting over the head of the Director of the Budget he pressured departments to cut their budgets.

His final outcry which has so embarrassed the President, despite the President's announcement of identity of views; reflected his intense frustration, his determination to impose his views on economic policy, and his violation of the principles of the American system. Never before had the Secretary of the Treasury repudiated the budget of his President and asked Congress to make it over.

In 5 years, despite his persuasiveness and determination, the Secretary has failed to achieve any of his fundamental objectives.

Federal expenditures are way above those of any peacetime year.

The rate of interest has gone sharply upward.

In the last year inflation has exceeded that of any peacetime year in the last 25 years and averaged several times that of the nonwar years (exclusive of immediate postwar years) under the Democrats.

In no area are the failures more evident than in the management of the national debt. The redistribution and the lengthening of maturities were "musts" for the Treasury. Yet, despite the meteoric rise of rates, not since the latter part of the 19th century has the Government security market been in such bad shape as at present. It requires some genius to accomplish this, not when debt is rising as in World War II or in the 1930's, but when debt is falling.

We have every hope that the able new Secretary will not follow in the footsteps of the departing Secretary. Not the $72 billion budget, but the lack of comprehension of modern economics such as shown by Secretary Humphrey might conceivably bring a hair-curling depression.

SEYMOUR E. HARRIS.

CAMBRIDGE, MASS.

(NOTE.—Professor Harris is chairman of the department of economics at Harvard University.)

Mr. HUMPHREY. Mr. President, Monday morning's Wall Street Journal reports that interest rates continue to soar. The Dow-Jones municipal index today stands at 3.48 percent. This compares with 3.46 percent last week. It is the sixth straight week in which municipal bonds have dropped in price and it represents the highest interest yield since October 11, 1935.

Last week long-term Treasury bonds hit new lows. At Friday's closing prices, the victory loans yield 3.69 percent, the 3¼s pay 3.70 percent and the 3s give up 3.66 percent. The 1½s of April 1, 1962, closed Friday priced to yield about 4 percent which is reported to be probably the highest return on any Government bond since the 1933 bank holiday.

I also invite the Senate's attention to a very interesting article in Monday's Wall Street Journal on the difficulties of businessmen due to tight money. This article reports that bankers expect interest rates to go even higher in months to come. Permit me to read the concluding two paragraphs:

Whatever the impact of high interest rates on business, one thing is sure: Tight money feeds on itself. As businessmen begin to fret about the availability and cost of credit, they rush to line up loans—sometimes months in advance of actual need.

"Even on the same interest rate, credit tends to get tighter on its own • • • tends to accumulate more pressure," says David M. Kennedy, president of Continental Illinois National Bank & Trust Co., of Chicago. "We're seeing no letup in the demand for borrowings."

I ask unanimous consent, Mr. President, that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIGHTER MONEY—MORE FIRMS POSTPONE, KILL EXPANSION PLANS AS INTEREST COSTS SOAR—ONE DELAYS BOND SALE, CALLS MARKET "DISORGANIZED"; NEW RATE HIKES FORECAST—UNCLE SAM IS SQUEEZED, TOO

Tight money is twisting the plans of a growing number of American businessmen.

Some are postponing or canceling carefully laid expansion plans. Many are keeping a closer eye on inventories so as to limit costly borrowing. Others are reshaping financing plans in the hope of minimizing higher interest costs.

Those are the major facts turned up by a Wall Street Journal survey of businessmen and bankers in 13 major cities around the United States, as both bank-borrowing and bond-financing costs continue to mount. Other findings:

Bankers generally look for interest rates to go higher still.

High interest rates—and the scarcity of loanable funds—chiefly deter "marginal" projects; many companies are pushing ahead with expansion plans, convinced that the resulting profits will more than offset the higher cost of money.

WIDE RANGE OF BUSINESSES

Reports of stymied expansion plans come from a wide range of businesses, however.

"The recent rise in interest rates killed a $1 million expansion program we had planned," says Gilbert Schnitzer, president of Industrial Air Products Co., Portland, Oreg., supplier of oxygen for industrial and medical uses. "We had intended to open plants in other Northwest cities, but we simply can't afford to pay current bank rates."

"We're not bidding on some jobs we'd like to bid on, because if we got them we would have to have new facilities," says an official of a southern California aircraft company. "We think we'd have to pay too much for the money to finance the new facilities."

And the senior credit officer of a major Chicago bank reports, "Several of our customers have reduced or postponed expansion plans because of high interest rates. They hope to borrow later when rates are more favorable." A number of these companies, he says, were utilities; one was a railroad.

There's no question that interest rates are high by any recent standards, no matter where a businessman may turn. The banks' rate for their biggest borrowers with the best credit ratings—the "prime" rate—is 4 percent, the highest it has been since 1933. And that's only part of the story. As money has tightened, more and more borrowers have found that, in the banks' eyes, they no longer qualify for the minimum rate. Banks also have become more insistent that borrowers keep close to 20 percent of any money they borrow on deposit with the banks—a step that increases the actual cost of the loans.

A PRIME RATE BOOST?

More bad news for businessmen: Many bankers maintain that an increase in the prime rate itself is overdue. Any such increase sooner or later would affect all borrowers, since all bank rates are scaled upward from the prime rate.

When a businessman turns to the bond market for long-term loans to finance expansion programs the picture, if anything, is even more bleak. The yields on top-grade corporate bonds outstanding, as measured by Moody's Investors Service, have averaged 3.7 percent so far this year. As shown by the chart, that's higher than the annual average for any year since 1934. And the average is sure to go higher, since the yields on new bond issues for several weeks have been running well above 3.7 percent.

Only last week, Southern Bell Telephone Co. had to pay 4.91 percent when it sold $70 million of 29-year debentures. That's the highest rate paid by any Bell System unit since 1930.

Michigan Consolidated Gas Co. last week paid 6.145 percent to borrow $30 million on 25-year first mortgage bonds. That's in sharp contrast to the 3.39 percent rate the Michigan utility paid on a $30 million 25-year bond issue less than 2 years ago—in November 1955.

Kerr-McGee Oil Industries, Inc., this week will offer $20 million of debentures. To make its securities more attractive in the current bond market, Kerr-McGee has coupled to each $1,000 debenture a warrant entitling the purchaser to buy 5 shares of the company's common stock at $90 a share during the period from April 1, 1958, to June 1, 1964.

The rise of bond market interest costs has been so swift that some companies have simply thrown up their hands. Associates Investment Co. last Tuesday postponed a $20 million debenture issue. The reason, according to E. Douglas Campbell, treasurer: "The disorganized condition of the market."

Higher income rates, of course, are pinching governments as well as businesses. The Treasury last week had to pay 3.404 percent to raise $1.6 billion on its regular offering of 91-day bills—the highest rate it had paid on such securities in 24 years. State and local governments, also, are being forced to pay higher and higher interest rates to raise funds for schools, highways, and other facilities. The Dow-Jones municipal bond yield index last week rose to 3.48 percent, the highest level since October 1935.

Tighter money is helping to defeat one of the prime aims of the Eisenhower administration—to stretch out the average maturity of the Federal debt. One purpose of the proposed stretchout was to cut down the size of the Government's future debt refunding chore. In addition, by offering longer-term securities, the administration hoped to place more of the debt in the hands of nonbank investors. Banks prefer short-term securities; such purchases set the stage for further inflation.

At the end of 1952, just before Ike took office, the average maturity of the Federal debt was 46 months. By mid-1955, the average had reached 55 months. But as money tightened, the Treasury decided it could not sell additional longer-term securities at any interest rate that it cared to pay. So it has relied more and more on short-term issues. Result: The average maturity, as shown by the chart, had dropped 43 months by the end of last month.

The current interest rate upsurge, with only minor interruptions, dates from early 1955. As business began to pull out of the inventory recession of late 1953 and 1954, demand for credit grew—for rebuilding depleted inventories and building new facilities. The Federal Reserve System, which during the recession period had supplied the banks with all the funds they needed and more, began to limit the funds the banks had available to lend. Interest rates rose steadily.

In late 1956, the Federal Reserve hesitated, somewhat uncertain as to the business future. But as business plowed ahead with record expansion programs (spending on new plant and equipment this year is forecast at $37.4 billion, an increase of 6 percent over the 1956 high), the Reserve System took heart and again grabbed the credit reins tightly.

BORROWED RESERVES

Just how strapped the banks are for funds showed up last week in the weekly statement issued by the Reserve System. The banks are required to keep on deposit with the Reserve System funds equal to a specified percentage of the deposits on their own books; for the major New York City banks, for example, this percentage is 20 percent. To meet these requirements, the banks this past week had to borrow from the Reserve System a daily average of $1.1 billion.

When money began to tighten early in 1955, many businessmen decided to finance expansion programs "temporarily"—sometimes for several years—with bank loans. When money became more plentiful and interest rates eased, they expected to raise long-term funds in the bond market.

Despite the fact that more than 2 years has passed with no drop in interest rates, some companies persist on that course.

"There has been considerably more borrowing from banks lately by companies that do not want to commit themselves on long-term loans," reports E. E. Adams, president of San Francisco's Bank of California.

Under its normal financing pattern, Pittsburgh's Equitable Gas Co. this year would have sold debentures to provide the funds needed for a new $8.7 million petrochemical plant in Kentucky. But because of high interest rates, says C. J. Mulholland, vice president and treasurer, the company early last month arranged instead for an 11-month bank loan.

SHUN LONG COMMITMENTS

But a growing number of banks are turning away borrowers who want to arrange new loans for expansion purposes or to renew old ones. Several factors underlie this trend. For one thing, with the prospect of still higher interest rates, banks aren't eager to commit their funds for long periods at current interest rates.

"The money market still is uncertain," says John Hay, president of the Michigan Bank in Detroit. "Rates might go even higher, and we don't want to get locked in."

Another factor is that the Reserve System for some time has been gently pressuring the banks to avoid even temporary loans for capital purposes. The System argues, with considerable conviction, that such loans feed inflation. And with the demand for bank credit still outrunning the supply, more and more banks are finding it desirable to go along with the Reserve System.

Bankers, trying tactfully to shove customers into the bond market, emphasize that businessmen may have to wait a long time for rates to come down. Wentworth P. Johnson, a senior vice president of Fidelity-Philadelphia Trust Co., goes farther than most in that direction.

DROP IN 1961?

"Once interest rates begin rising," says Mr. Johnson, "they rise for a period of about 15 years before falling off again." He figures the most recent low point was 1946 (the downturn of 1953–54, he figures, was not sharp enough to interrupt the overall uptrend). He concludes: It seems likely that rates should begin to drop by 1961, according to all historical data available.

Borrowers pushed out of banks have been largely responsible for the bond market squeeze. The squeeze has done more than send interest rates soaring. Many bond dealers have found it impossible to sell their securities without marking down prices—an action that in some cases has meant losses for the dealers.

To protect themselves to some extent, dealers are insisting that new bond issues be made more attractive—both with higher interest rates and in other ways. An example of the latter: When interest rates are high, some companies sell bonds, fully expecting to refinance later when interest rates decline. Dealers now, however, are stipulating in some cases that new bonds cannot be called in and refunded for at least 5 years.

Unlike expansion loans, bankers find there's no strong upward pressure under inventory loans. Businessmen generally have been trying to hold their stocks in check. The high cost of money is only one reason for this. Most products and materials now are plentiful, so businessmen find it unnecessary to stockpile. But interest rates still are influencing a number of inventory planners.

FOWLER PLANS CUT

We plan to cut inventories 15 percent in the next 6 months to reduce operating costs, says Paul Fowler, president of Fowler Manufacturing Co., Portland, Oreg., manufacturer of water heaters. We use a great deal of steel, and if we can cut down the size of our orders and order at more frequent intervals, we won't have to obtain so many of these expensive loans.

Aluminum Company of America, while it says it is not directly affected by tight money, believes many of its customers are cutting inventories because of high interest rates.

Many companies concede they're concerned by tight money—but not enough to alter any plans or programs.

"High money rates won't affect our major expansion plans," says Laurence F. Whittemore, president of Brown Co., Berlin, N. H., paper and pulp maker. "Marginal projects wouldn't be started, but we have none in that category now."

Other companies unworried by tight money include those who finance operations largely by retaining earnings. "We generate enough cash within the company to take care of all our needs," says an official of a big Chicago-based manufacturing concern.

RATE INCREASES ASKED

A number of public utilities, while worried by higher interest costs, expect to offset them through higher charges for their services; a number of rate-increase requests already are pending before State regulatory agencies.

Many businessmen are philosophical about tight money. With the present top corporate tax rate of 52 percent, Uncle Sam pays about half of the higher interest costs, figures W. A. Parish, president of Houston Lighting & Power Co. Interest costs are deductible from income when a corporation figures its taxes.

Whatever the impact of high interest rates on business, one thing is sure: Tight money feeds on itself. As businessmen begin to fret about the availability and cost of credit, they rush to line up loans—sometimes months in advance of actual need.

"Even on the same interest rate, credit tends to get tighter on its own • • • tends to accumulate more pressure," says David M. Kennedy, president of Continental Illinois National Bank & Trust Company of Chicago. "We're seeing no letup in the demand for borrowings."

Mr. HUMPHREY. Mr. President, I invite the attention of Senators to an article which appeared in one of the newspapers in Minnesota, the Minneapolis Star of Friday, June 21, 1957, entitled "FHA and GI Loan Rates Not Realistic, Says Builder."

John C. Austin, the national president of MBA, speaking to the Twin City Mortgage Bankers Association, said that increasingly tight money and frozen interest rates on Government mortgages are "making GI loans a thing of the past, and FHA loans much less attractive."

Mr. President, I ask unanimous consent that the article may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FHA AND GI LOAN RATES NOT REALISTIC, SAYS BUILDER

The homebuilding industry is paying economic penance for a series of boom years, according to John C. Austin.

Speaking to the Twin City Mortgage Bankers Association (MBA, Austin, who is national president of MBA, said increasingly tight money and frozen interest rates on Government mortgages are "making GI loans a thing of the past and FHA loans much less attractive."

He pointed out that the cost of money had reached new heights in the past few weeks, with some corporate issues reaching almost 6 percent.

"Under these circumstances, frozen FHA and GI rates are just not realistic," Austin said.

"Currently, FHA loans draw interest at 5 percent, GI loans at 4½ percent. The rates should be made flexible to fluctuate with the economy," Austin said.

In 1955, he pointed out, Government financing accounted for over half of home mortgages. Today the figure is close to 25 percent.

Austin, president of T. J. Bettis Co., Houston, Tex., remained cautiously optimistic about the future of the homebuilding industry.

"Conventional, non-Government financing has stayed near peak levels," he said.

"I still think we'll have over 900,000 new housing starts this year," despite tight money, predicted Austin. Earlier in the year, economists were estimating new starts in excess of 1 million.

Housing may rebound in 1958, he added.

"There are some signs that new corporate financing will level off," he said. As capital spending declines, more funds will become available for mortgages.

Mr. HUMPHREY. Finally, I may say, Mr. President, there can be no denial that we are seeing the highest interest rates in a quarter of a century, and most disturbing of all is the fact that interest rates continue to soar, with no evidence that this increase is going to come to a halt.

I might add, Mr. President, that the voluntary type of action President Eisenhower asked for the other day in his press conference is nothing more than a reiteration of what he previously mentioned in the state of the Union address at the beginning of the year. I think my colleagues will recall that the President then suggested that the leaders of industry and labor should try to hold down inflation and should try to hold down prices and wages.

Mr. President, these pleas, which are made about once every 6 months, are not going to do the job. It is nothing short of incredible that, on the one hand, the leading officers of the Federal Government, and the President himself, can say again and again to the American people that inflation is a great danger to the Nation's economy, and then, on the other hand, proceed forthwith to do nothing about it except to utter unctuous, pious statements which indicate something ought to be done but no willingness to make a decision to get something done.

On June 26, for example, it was announced that the Pudget Sound Power & Light Co. sold $20 million of first mortgage bonds at an annual interest cost of 6.13 percent. According to the report in the Wall Street Journal, this is probably the most expensive financing of any electric utility in more than a quarter of a century.

I ask unanimous consent, Mr. President, that this article in the June 26 issue of the Wall Street Journal be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PUGET POWER LIEN BRINGS 6.13 PERCENT NET INTEREST COST—BANKERS SAY FINANCING IS PROBABLY MOST EXPENSIVE BY UTILITY IN 25 YEARS—MORTGAGE ISSUE CALLABLE

NEW YORK.—Puget Sound Power & Light Co. accepted a bid of 101.559 for its $20 million of first mortgage bonds at 6¼s.

The resulting 6.13 percent annual cost, investment bankers said, marked the borrowing as probably the most expensive by any electric utility in more than a quarter of a century.

Two other utilities have sold bonds with 6¼ percent coupons in recent weeks, but these were obligations of gas concerns—Michigan Wisconsin Pipe Line Co. and Michigan Consolidated Gas Co.

Underwriters led by Halsey, Stuart & Co., Inc., and Lehman Brothers placed the successful bid for yesterday's offering by Puget Sound Power & Light. Following compliance with Securities and Exchange Commission requirements, the group is putting the bonds out for general distribution at 103.459, to yield 6 percent to maturity in 1987.

The issue was said to be attracting preliminary interest from an unusually wide variety of buyers, presumably because of its exceptionally high yield.

The bonds, which are rated Baa and BBB ("Good Grade"), respectively, by two investment rating services and single A ("Upper Medium Grade") by a third, drew two other bids.

Merrill Lynch, Pierce, Fenner & Beane bid 101.319 for a 6¼ percent coupon and Stone & Webster Securities Corp., First Boston Corp. and Smith, Barney & Co., jointly bid 101.519 for 6¼s.

Puget Sound sought to reduce the issue's cost by making the bonds noncallable for a period of years. The Federal Power Commission turned down its request to include this "fringe benefit" for investors.

The new 6¼s will be callable at 110½ for the first three years and thereafter at prices ranging down to par.

Mr. HUMPHREY. I wish to point out, Mr. President, that prosperity is generally not equated with or identified by high interest rates. High interest rates generally mean that there is something wrong. High interest rates generally mean that there is a risk involved which is over and beyond what is a normal business venture or investment. Mr. President, on the one hand we continue to hear about the dangers of inflation, and, on the other hand, the Government does nothing about it except to discuss it—to discuss it politely and quietly.

Secondly, we hear about prosperity at the very time, Mr. President, that the Government's refinancing of debt is becoming more difficult and burdensome than at any time in recent years.

I invite attention to the announcement that New York City's major banks expect their earnings to jump an average of 12 percent for the first 6 months of 1957 over the 1956 first half figures. Indeed, the large commercial and investment banks are having a field day at the expense of the American people and the American economy.

This is reported in the June 27 issue of the Wall Street Journal. Commenting on increasing earnings one bank stock expert is reported as saying:

With the huge volume of loans outstanding and firm and rising interest rates, a material increase is a mathematical certainty.

In other words, the situation is going to get worse. Interest rates are going to go up.

By the way, one of the major factors in inflation today is the increased cost of money. This administration talks about curbing inflation, yet permits policies to be designed, developed, and forwarded which add fuel to the inflationary fires. I submit that of all the items in recent months which have gone up, the increase in the cost of the use of money has been the greatest. The rent of money or the cost of the use of money is as much a part of business cost and the consumer's price cost as any other factor in the entire economic system.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BIG NEW YORK BANKS' FIRST HALF EARNINGS EXPECTED TO RISE 12 PERCENT—RISE IN LOANS OUTSTANDING, HIGHEST RATES SINCE EARLY THIRTIES, CITED BY ANALYSTS

NEW YORK.—Earnings of New York City's major banks are expected to jump an average 12 percent for the first 6 months of 1957 over the 1956 first half figures, according to bank analysts.

"With the huge volume of loans outstanding and firm and rising interest rates, a material increase is a mathematical certainty," said one bank stock expert.

Commercial, industrial, and agricultural loans to business by New York banks amounted to $12,081,000,000 in the week ended June 19. That was more than $1.9 billion over the like figure a year ago.

Though loan volume has been increasing at a slower rate this year—up $610 million since the beginning of the year, compared with a rise of $1,003 million in the like period a year ago—average loans outstanding all this year have been well above those of a year ago.

Couple this with the fact that new loans have been granted at the highest interest rates since the early 1930's, say the bank analysts, and you have a definitely higher return expected to be reflected in earnings. The prime rate—the rate banks charge to their biggest and best borrowers—has been at 4 percent all year, compared to an average 3½ percent last year. The rate was raised to 4 percent from 3¾ percent by banks across the Nation last August, following an earlier one-fourth of 1 percent percentage point rise in April 1956.

This overall analysis of the New York City bank picture was given by First National City Bank of New York Chairman Howard C. Sheperd.

Also expected to do better than last year, though not as well as New York City banks, are banks outside the financial capital. Much of the major business borrowing from banks is done in New York by businesses all across the country, and the return on the New York banks' money is more closely tied to the prime rate than that of banks outside the financial capital.

Mr. HUMPHREY. Finally, I am hopeful that the Senate Committee on Finance, in probing into the monetary and fiscal policies of this administration, will tabulate the tremendous drain upon the resources of this country which the fiscal policies which have recently been pursued have worked. Today the Nation is suffering from a heavy load of increased "rent of money" over and beyond what is necessary for a prosperous economy such as the one we are now supposed to be enjoying.

INTERIM EXTENSION FOR THE VOLUNTARY HOME MORTGAGE CREDIT PROGRAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 536, Senate Joint Resolution 115.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A joint resolution (S. J. Res. 115) to provide an interim extension for the Voluntary Home Mortgage Credit Program.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. SPARKMAN. Mr. President, I should like to make a brief explanation of the joint resolution. It provides only for the simple continuance of an existing program. It is made necessary by reason of the fact that the program expires on June 30. It had been hoped that we would complete the housing conference and agree to the conference report today, which report includes provision for the continuance of the program for a year or more. However, it has become apparent that we shall not be able to complete action on the housing conference in the Senate and House today, even if we should be able to get it back to the Senate in time to take action today.

Therefore, the joint resolution is necessary in order that this program may be kept alive. It is a voluntary program, participated in by the insurance companies, mortgage companies, and investment companies throughout the United States, for the purpose of assisting in financing home mortgages. However, Federal legislation is necessary in order that the operation may continue to be conducted as it has been conducted. The purpose is to extend the life of the program for 45 days, during which time we can perfect legislation covering a longer period.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That section 610 (a) of the Housing Act of 1954 is amended by striking out "June 30, 1957" and inserting in lieu thereof "August 15, 1957."

LEGISLATIVE APPROPRIATIONS, 1958

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 542, House bill 7599, the legislative appropriation bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 7599) making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. STENNIS. Mr. President, for the information of the Senate I have a brief statement which I shall read, and then I shall be glad to try to answer questions.

Mr. President, the legislative branch appropriation bill which is now before the Senate provides appropriations for the Senate, the House of Representatives, the Architect of the Capitol, Botanic Garden, Library of Congress, and the Government Printing Office.

In accord with custom, the committee has made no changes in the part of the bill dealing with the House of Representatives. The House bill, following a practice adopted many years ago, contained no items relating purely to the Senate. The Senate Committee has recommended a total appropriation for the Senate for the fiscal year 1958 of $22,271,890 which amount is $90,725 under the appropriations for the current fiscal year and a reduction of $1,104,125 in the amount of the budget estimates. The principal reduction under the budget estimate is an item of $970,000 for "Agency Contributions." This item was designed to cover the Government's share of the contributions to the Civil Service Retirement Fund, and to the Insurance Fund. Formerly, the Government's share of the contributions to the Civil Service Retirement Fund were appropriated directly to the Civil Service Commission. Under a law passed last year, it was required that each individual appropriation include the amount for the employees paid from that appropriation. In denying this request entirely, the Committee has included language in the bill which will authorize these amounts to be absorbed from the appropriations of "Salaries of Officers and Employees of the Senate."

In other words, the obligation under the law enacted last year is met. The requirement of the law is really mandatory. In this particular case the figure involved is $970,000. The obligation is met, not by an additional appropriation, but by provision for the use of what has proved, on the average each year, to be a balance remaining from the sums appropriated for salaries of officers and employees of the Senate. That fund accumulates largely by reason of the fact that not all Senators find it necessary to use all the funds allotted to their office for staff employment. We feel that we are on the side of safety and very conservative estimates in allowing the $970,000 to be absorbed in that manner.

Another reduction made by the committee is in the amount for inquiries and investigations, of the Senate. The budget estimate is in the amount of $2,800,000 and the committee has reduced this sum to $2,650,000 or a reduction of $150,000 under the estimates and a reduction of $170,000 under the comparable appropriation for the current fiscal year. The committee is hopeful that this sum will be sufficient and that all of the committees will cooperate and effect economies in their operations.

There is a reduction in the appropriation of slightly more than 5 percent. We did not attempt to reduce the appropriation for any particular committee or subcommittee. However, with this special plea for reducing expenses wherever possible, it is hoped that the sum appropriated in this bill will prove to be sufficient to take care of all the obligations of the committees and subcommittees which are conducting investigations.

Under the item "Architect of the Capitol," it was necessary to provide employees, supplies and materials, and maintenance equipment for the new Senate Office Building for the period from January 1, 1958, until June 30, 1958. An increase of $258,800 was requested for the new building and the committee has reduced this amount to $217,600, a reduction of $41,200 which the committee has directed be effected in the sum requested for additional employees.

Some of the items were for the supplies which I have mentioned, and for that purpose $17,600 was allowed, and $200,000 for employees.

For the new Senate Office Building, the committee has recommended an appropriation of $2,846,000 to provide for the construction of a subway and subway transportation system between the Senate Office Buildings and the Capitol Building and for pedestrian tunnels between the new building and the existing Senate Office Building.

For the Botanic Garden, for the Library of Congress, and for the Government Printing Office the committee made no changes in the House bill.

A number of requests were submitted to the committee for increases and adjustments of salaries of employees in the Senate. By and large, most of these requests were denied. The committee, insofar as possible, is making reductions in all appropriations for the Government this year, and it did not feel it should recommend increases for the Senate.

A very few requests, which seemed to the committee to be exceptionally meritorious, have been recommended. For the information of the Senate I shall quote those now from the report, so that they will be in the RECORD.

With reference to the reporting of the Senate proceedings, after the fullest consideration it was thought proper and necessary that the salaries of some of our Official Reporters be changed. The increase of $18,575 allowed will enable

the Official Reporters to pay agency contributions and to fix the salaries of the Official Reporters of Debates at $14,800 per annum each.

The committee recommended an appropriation of $187,385 for the Legislative Counsel of the Senate, and has written language in the bill fixing the salary of the Legislative Counsel of the Senate at $17,500 gross, and the salaries of 3 employees to be designated as senior counsel at $15,500 gross per annum each.

That was done only after the most complete investigation and consideration of the exceptionally fine work these men have been doing and their very fine capacity.

Certain minor increases were allowed to the cabinetmakers. The office of the cabinetmaker was allowed 3 small increases with reference to 3 of the cabinetmakers; and there was also a slight increase allowed in the service department, with reference to the typewriter repair section. The latter increase was allowed with reference to the manager of the service department, whose duties have been greatly increasing in the past few years. The increase was considered, along with some other increases made last year, but the question of the increase was deferred, not with the promise that it would be made this year, but with the feeling that it should be made. The committee this year made provision for it.

Let me say one additional word with reference to the 5-percent reduction for the committees. The sum for the Appropriations Committee itself is carried in separate funds, but we applied that 5-percent reduction to that fund and that committee expense account, the same as the others.

Neither the chairman of the subcommittee nor the chairman of the full committee request a conference with the House on the bill, because the only changes recommended by the committee relate to the Senate.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill as thus amended be considered as original text for the purpose of amendments, and that no points of order be waived.

Mr. DOUGLAS. Mr. President, before I object to the suggested proceedings—and I am not certain that I shall object—I hope the Senator from Mississippi will permit me to ask him some questions, primarily about the equipment for the Senate Office Building.

Mr. STENNIS. Certainly.

Mr. DOUGLAS. I wish to preface my questions by saying that I believe every Member of the Senate has the highest feeling of esteem and confidence for the distinguished Senator from Mississippi. I have never met a fairer man in my life. I have never met a man who has greater devotion to the public interest. The Senator from Mississippi and I happen to differ on some matters which will shortly be before the Senate, but I wish to assure him, before I begin my questioning, that I express not only my own opinion, but what I think is the opinion of every other Senator when I say that we have not only the utmost confidence in him but great affection for him as well.

Mr. STENNIS. I thank the Senator very much.

Mr. DOUGLAS. That is said very sincerely, and is not a matter of senatorial courtesy.

I wish to raise these questions about the equipment for the new Senate Office Building. I am referring to the hearings at pages 6 and 7.

There has been appropriated to date for the building $20,600,000.

Mr. STENNIS. The Senator's figures are correct.

Mr. DOUGLAS. Of this amount $20,161,446 have been obligated.

Mr. STENNIS. The Senator's figures are correct.

Mr. DOUGLAS. Leaving approximately $439,000 appropriated but not obligated.

Mr. STENNIS. That is correct.

Mr. DOUGLAS. The committee, as I understand, is recommending an added appropriation of $2,846,000, making available a grand total for the second Senate Office Building of $23,446,000.

Mr. STENNIS. Yes; the Senator's figures are correct. The item which is added in the pending bill for construction cost is really for a transportation facility which must go with the building, and which had been considered all the time, as the Senator from Illinois understands, as more or less a separate item, even though it was necessary.

Mr. DOUGLAS. I notice on page 6 of the hearings, in the next to the last paragraph from the bottom, the statement that of the $20,161,000 which have been obligated, the sum of $17,929,160 has been for the construction and equipment of the superstructure.

Mr. STENNIS. Yes; that does not include office equipment.

Mr. DOUGLAS. That is the question I wanted to ask. Does the equipment include office furniture?

Mr. STENNIS. No; it does not. It does not touch that item at all.

Mr. DOUGLAS. What does it include? What does the term "equipment" include?

Mr. STENNIS. Let me call the Senator's attention to the fact that he mentioned this subject this morning, and I have dug into the record on that point. So I have before me a copy of the bill S. 1428, which was passed by the Senate on March 27, 1957. It provides for a special authorization for the actual furniture; namely, desks, chairs, typewriters, and so forth.

Mr. DOUGLAS. Can the Senator inform the Senate how much that additional authorization seeks to provide?

Mr. STENNIS. That bill has not reached the Committee on Appropriations. It is what we would call an open-end bill. It went to the House, and it is expected to be passed by that body with certain authorizations for the House included, and then later the budget estimates and the actual figures will be submitted to the Committee on Appropriations.

Mr. DOUGLAS. So that no figure has been filled in for furniture?

Mr. STENNIS. That is correct. No budget estimates have been submitted, and no consideration has been given to that item in the hearings on the pending bill or on any bill in any way.

Mr. DOUGLAS. Have any contracts for desks and chairs and typewriters and wastepaper baskets and carpets, and so forth, been let?

Mr. STENNIS. So far as the Committee on Appropriations has been advised, no; not any. No authorization bill having been passed as yet, I assume that really nothing could have been done in any way, legally, along that line.

Mr. DOUGLAS. The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Illinois called attention to the importance of this subject a few days ago in the debate on another appropriation bill. I am sure the Senator from Mississippi agrees with me that we should exercise the closest scrutiny on the contracts which may be and will be let for the item of furniture.

Mr. STENNIS. I certainly agree with the Senator from Illinois. I think it is very timely of him to bring this matter before the Senate so that there may be understanding about it.

Mr. DOUGLAS. We had a very unhappy experience in my State of Illinois, when the taxpayers awakened to the fact that desks had been ordered at a cost of $1,000, wastepaper baskets at a cost of $99, draperies running into many thousands of dollars, and carpets into the thousands of dollars.

I am certain we do not want anything like that to happen in connection with the new office building. I feel greatly reassured that the Senator from Mississippi has this subject in mind. I take it that what he has said is a statement that he intends to scrutinize these items very closely.

Mr. STENNIS. Oh, yes. There can be no money spent until the appropriation request is received and the money appropriated. The request will be considered. After hearings have been held and a scrutiny has been made by the committee, as the Senator has suggested, a recommendation will be made to the Senate.

Mr. DOUGLAS. The Senator is conscious of the fact that not only must we as a body be above reproach; we must also seem to be above reproach.

Mr. STENNIS. That is a time worn and well tested formula, upon which I am certain we all agree.

The Senator referred to page 6 of the hearings, under the title "Construction and Equipment, Additional Senate Office Building." That certainly does not include the kind of equipment to which the Senator has referred.

I suppose the word "equipment" in that instance refers to the lighting fixtures, the rest room facilities, and items of that kind, which go into the building itself.

Mr. DOUGLAS. Would the Senator from Mississippi be so kind as to yield to me for two other questions?

Mr. STENNIS. Certainly.

Mr. DOUGLAS. If the Senator will turn to page 5 of the hearings, he will find there that in making the salary estimates for the personnel for the new

Senate Office Building the term "Base salary rate" is used.

Mr. STENNIS. Yes.

Mr. DOUGLAS. Of course, the base salary rate differs from, and in the lower grades is appreciably less than, the actual salary rate.

Mr. STENNIS. That is correct. I am advised by the clerk of the committee on that point that the employees to whom the Senator refers are not under the same classification as are the employees of the Senate staff.

Mr. DOUGLAS. Oh, are these employees paid the actual salary rates?

Mr. STENNIS. They get paid for overtime. Beginning with the items on page 5 which are designated as "GS-9" and "GS-7," fixed salaries are paid.

Mr. DOUGLAS. The figures represent the actual amounts of money received by the employees?

Mr. STENNIS. "WB-04" and "WB-03" are salaries fixed by the wage board, as it is called, which resets the salaries from time to time.

Mr. DOUGLAS. Are these the actual amounts received, or are they the base rates, which are then translated into actual rates by the conversion table which is used for Senate employees? That is what I am trying to ascertain.

Mr. STENNIS. The item at the top of the page is an illustration. A GS-9 employee is different from a Senate employee. The $5,440 represents the total pay which that employee will receive.

Mr. DOUGLAS. The total pay?

Mr. STENNIS. That is correct.

Mr. DOUGLAS. Is that true of all the employees whose positions are shown in the table on page 5? Does that mean that the base salary rate is the actual salary rate?

Mr. STENNIS. The positions listed "WB" are those controlled by the wage board. If overtime is involved, those employees receive pay for the overtime. The wage board makes changes in the amounts from time to time.

Mr. DOUGLAS. I understand. But as of the present ruling of the wage board, these are the actual salary payments to the employees, excluding overtime?

Mr. STENNIS. Yes; that is the way I understand it. I think that is correct. It is the same as for the employees in the present Senate Office Building.

Mr. DOUGLAS. But is it not also true that the senatorial staff—I am not quite certain about the employees of the committees—are carried at base salary rates, which do not represent the actual salary rates?

Mr. STENNIS. That is correct. An additional amount is figured in. The Senator from Mississippi does not understand exactly how that is done, but there is a certain formula, under which when the base pay is set, it is definitely known what the gross amount will be.

Mr. DOUGLAS. Each one of us has in his office one or more conversion sheets which we use to translate the base rate into the actual rate.

Mr. STENNIS. Yes.

Mr. DOUGLAS. This is the point I want to make. In the figures on salaries which are given out, what is given out is the base rates, not the actual rates. Therefore, we have a type of double bookkeeping in which the actual payments are minimized.

Mr. STENNIS. When the appropriations are made, the appropriation bill must carry the full amount.

Mr. DOUGLAS. I understand. But when the public inquires, they are given the base rate, and they do not have the conversion sheet. Therefore, the public does not know what the base rate amounts to in actual pay. Is not that true?

Mr. STENNIS. The Senator from Mississippi has no knowledge of any instance where less than the full information has been given out; but there are scales which contain the base pay column and the actual gross receipts column.

Mr. DOUGLAS. I should have brought my conversion table to the Senate floor. It is well known that the differences are appreciable, particularly in the lower salary groups. What the Senator from Illinois suggests is this: Should we not get away from the double system of bookeeping and publish what the real salaries are? I am frank to say I do not think the employees in our offices or on the committees are overpaid. I do not think they are. I believe that, on the whole, they work very much harder than do the employees in the Government departments downtown. Certainly they put in much more overtime.

We have a fine staff of employees, but we are put in the embarrassing position of publishing figures which do not represent the actual amounts paid. I am perfectly willing to defend the amounts which are paid, but I do not think we should have to go through a kind of hocus-pocus which, in effect, conceals from the public what we are doing, because when we do that, we lay ourselves open to suspicion that things are not on the up and up.

I wonder if my good friend from Mississippi, in the preparation of the budget next year, would not give some attention to that point, so that next year we may perhaps have the actual salary scale.

Mr. STENNIS. I certainly agree with the Senator from Illinois that no information except the correct information should be given out, and that any list of salaries should show the gross amount paid. But really, in the Appropriations Committee, we ask, How much money will be required to do so and so? Then we decide whether or not we want a certain number of things done, and we figure how much it will cost.

Mr. DOUGLAS. I wish to make it clear that no lies are told. The base rates are stated. But the average person believes the base rate is the actual rate, and simple books are not kept at present which will disclose to the public the complete truth. No lies are told, but the complete truth is not told.

Mr. STENNIS. I think the hearings before the committee make a complete disclosure of what was done and what was proposed. The figures show what was appropriated. I am not too familiar with the civil-service schedule. I thank the Senator from Illinois very much, however, for his very fine comments.

Mr. DOUGLAS. Does not the civil-service schedule differ from the senatorial schedule?

Mr. STENNIS. Perhaps it does.

Mr. DOUGLAS. There is one further question I should like to ask. I hope the Senator from Mississippi will not think I am a crank on this subject.

Mr. STENNIS. Certainly not. The Senator may ask any questions he wishes.

Mr. DOUGLAS. I notice $85,000 is to be appropriated for the Senate restaurant for the coming year. Is that correct?

Mr. STENNIS. Yes, that is correct.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MANSFIELD. I wish to report that at least in part as a result of the remarks heretofore made by the Senator from Illinois and other Senators, the subcommittee which considered the restaurant met several weeks ago and inaugurated some increases in the price schedule, in the amount of about $30,000, concerning which the Senator from Georgia [Mr. TALMADGE], the chairman of the subcommittee, made a report to the Senate.

Mr. DOUGLAS. I appreciate that. I am happy to pay more than a token for my bean soup and the other articles of my diet so that the subsidy which is being paid by the American taxpayer can be diminished.

I do not want to strain at this point excessively and be regarded as a bluestocking or a purist. I had hoped that the increase would have removed the necessity for the taxpayers' subsidy. But apparently the subsidy is to be $85,000 in the coming year, even though the prices have been increased.

Mr. STENNIS. We carried that item forward in the appropriation bill, based on the estimates under the system which has been in vogue. Of course, if that amount is not required under the contract formula, it will not be paid out.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1856) to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate resume the consideration of the legislative branch appropriation bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate resumed the consideration of the bill (H. R. 7599) making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. STENNIS. Mr. President, as I was saying, we allowed the estimated amount which probably would fall due

under the existing contract. Any improvements of the contract will certainly be welcomed by the Appropriations Committee and by each individual member of the committee, and I hope something can be done about this matter.

As for the argument about how much it means to the Senate, rather than to individual Senators, to have the Senate restaurant available, that is a broad subject. If the Senator from Illinois will excuse me, I prefer not to go into that so much now, although I appreciate the sincerity of the interest of the Senator from Illinois in it.

Mr. DOUGLAS. It is not my desire to labor the point. From the reply of the Senator from Mississippi, I take it that he joins me in hoping that the increase in prices will decrease the subsidy which the taxpayers have to pay.

Mr. STENNIS. I certainly do; and I was surprised at these figures when I first came to the Senate. But, frankly, after having been here a while, and after I came to realize the service the restaurant renders to the Senate as an institution and the great time that is saved by having an open restaurant available whenever the Senate needs it, especially for the evening meal, and when, after having served on the Committee on Rules and Administration, I came to realize more fully the problems in that connection and to understand that the restaurant is worth a great deal to the Senate as a legislative body, and should be continued as a timesaver, so that it is not necessary for the Senate to take a recess in order that Senators may obtain meals. Of course, the point as to where the line should be drawn can be debated ad infinitum.

Mr. DOUGLAS. I know that from now on this matter will be primarily in charge of the Committee on Rules and Administration and its subcommittee which deals with the Senate restaurant. But I hope this debate will be read by the members of the subcommittee and that they will realize that merely because $85,000 has been appropriated they do not have a mandate to spend it.

Mr. STENNIS. Certainly that was the intent of the Appropriations Committee—not to recommend that it be spent, but merely to have it available should the contract require it.

Mr. DOUGLAS. I should like to comment that I hope we can greatly reduce this subsidy; and following this statement I should like to be excused so that I may go share the benefits of the Senate restaurant. [Laughter.]

Mr. STENNIS. I thank the Senator from Illinois for his inquiry.

Mr. SALTONSTALL. Mr. President, will the Senator from Mississippi yield to me?

Mr. STENNIS. I yield.

Mr. SALTONSTALL. I have just entered the Chamber. I wish to add that I sat with the distinguished Senator from Mississippi [Mr. STENNIS] through most of the hearings and through all the executive meetings. I think the bill he has reported is one with which we can be satisfied, and one which fulfills our needs. I merely wish to commend him for his thoughtful consideration of these matters and for the time he has spent on them.

As regards the Senate restaurant, it was discussed quite at length in the committee. We realized that in the time available to us, there was very little we could do; but all of us felt there was something which perhaps should be done when there was an opportunity for the appropriate committee to look into the matter further.

Again, I wish to commend the Senator from Mississippi for his work in connection with the subcommittee's study and the reporting of the bill.

Mr. STENNIS. I thank the Senator from Massachusetts for his very valuable aid, especially for his representation of his side of the aisle in connection with the great multitude of matters involved in connection with the bill. He devoted a great deal of time to the consideration of the bill, even though he has other very pressing duties, and rendered very fine service, as did the other members of the subcommittee who found it possible to attend the hearings.

Mr. LAUSCHE. Mr. President, will the Senator from Mississippi yield to me?

The PRESIDING OFFICER (Mr. MORTON in the chair). Does the Senator from Mississippi yield to the Senator from Ohio?

Mr. STENNIS. I yield.

Mr. LAUSCHE. Is the able Senator from Mississippi able to state what amounts of money remain unexpended, in the aggregate, from the appropriation for the management of Senators' offices?

Mr. STENNIS. Yes.

Mr. LAUSCHE. I ask the question because I have been told that the appropriations are liberal, and that it is anticipated that each Senator will practice economy, if he does not use the full appropriation, and that in that event an unexpended balance will remain in the Treasury.

Mr. STENNIS. The Senator from Ohio is correct. This year, of the sums which could have been spent, and for which appropriations were available for employees in Senators' offices, there was, or will be, close to $2 million, as of June 30, 1957, remaining in the Treasury, unexpended.

Mr. LAUSCHE. Two million dollars?

Mr. STENNIS. Yes; in round numbers, $2 million.

Mr. LAUSCHE. I asked the question especially because my office received an allowance of approximately $7,000 for long-distance telephone calls. I state, frankly, that I could not spend that much money for long-distance telephone calls if I deliberately undertook to do it without regard for commonsense. I have not been a Member of the Senate long enough to know exactly what the net result is. But if appropriations of the same type are made with reference to other expenditures, it is my judgment that a program of that type contributes to extravagance, rather than to prudence.

Two million dollars for 96 Senators would be more than $20,000 for each Senator. Are those figures available for examination?

Mr. STENNIS. Yes.

Mr. LAUSCHE. I do not care to see them today.

Mr. STENNIS. Yes: they are available to the Senator from Ohio; and they can be supplied. I do not know whether they are in the RECORD, but they can be supplied.

In response to the Senator's comment about the telephone bills, let me say that I do not know when those schedules were established. Although I dislike to make a personal reference, yet it is natural for me to know more about my own experience than that of other Senators. I know that when I first came to the Senate, I had to pay out of my personal funds for some of the long-distance telephone calls which were strictly official. The allowance simply was not sufficient. That condition continued for 2, 3, or 4 years, at least. I think the longer a Senator serves, and the more committees he is on, the more telephone calls he receives at his office and the more telephone calls he has to make, or the more telephone calls the members of his staff have to make.

In the case of the Senator's State of Ohio, the allowance is partly based on the population of the State. But as time passes, the number of telephone calls a Senator is required to make usually increases. Doubtless the estimates took all those matters into consideration.

Mr. LAUSCHE. I should like to ask a further question. I do not know whether the Senator from Mississippi is a member of the committee which ultimately will determine what shall be done about furniture, equipment, draperies, and wastepaper baskets. Has a decision yet been reached about what will be done with the furniture now used in the offices of Senators? I ask that question because of the discussion which was had the other day with the Senator from New Mexico [Mr. CHAVEZ].

Mr. STENNIS. We have had absolutely nothing on that subject matter before the Appropriations Committee. As the Senator from Ohio knows, there is pending an authorization to remodel the present Senate Office Building; and it is the assumption that the size of the suites will be increased, but that the same furniture will continue to be used. That is my assumption, and that is all I have heard.

Mr. LAUSCHE. The new furniture, to be purchased, will be for the new Office Building; is that correct?

Mr. STENNIS. Yes; so far as I know.

Mr. LAUSCHE. The Senator from New Mexico [Mr. CHAVEZ], who is obviously in charge of the subcommittee, made some statement indicating that he is concerned about it, and that Senators ought to now give consideration to what they believe should be done.

Mr. STENNIS. Yes.

Mr. LAUSCHE. I think, in this period of inflation, which is generally admitted by everyone, we ought to abstain from buying things which are not indispensably necessary. There will come a more propitious time to buy, and we ought to wait until that time arrives, rather than feed fat into the fire of inflation.

Mr. STENNIS. I think the Senator has made a very fine suggestion. I hope his suggestion will be followed. So far as the Senator from Mississippi is concerned, he has not as yet made up his mind to move from his old suite.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi that the committee amendments be agreed to en bloc? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are as follows:

At the top of page 2, to insert "Senate."

On page 2, after line 1, to insert "Salaries of Senators, mileage of the President of the Senate and of Senators, expense allowance of the majority and minority leaders of the Senate, and salary and expense allowance of the Vice President."

On page 2, after line 6, to insert:

"For compensation of Senators, $2,328,245."

On page 2, after line 7, to insert:

"For mileage of the President of the Senate and of Senators, $51,000."

On page 2, after line 9, to insert:

"For expense allowance of the majority leader and the minority leader of the Senate, $2,000 each, in all $4,000."

On page 2, after line 11, to insert:

"For the compensation of the Vice President of the United States, $37,695."

On page 2, after line 13, to insert:

"For expense allowance of the Vice President, $10,000."

On page 2, after line 14, to insert:

"SALARIES, OFFICERS AND EMPLOYEES

"For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows:

"OFFICE OF THE VICE PRESIDENT

"For clerical assistance to the Vice President, at rates of compensation to be fixed by him in basic multiples of $5 per month, $101,925."

At the top of page 3, to insert:

"CHAPLAIN

"Chaplain of the Senate, $5,000."

On page 3, after line 2, to insert:

"OFFICE OF THE SECRETARY

"For office of the Secretary, $572,915."

On page 3, after line 4, to insert:

"COMMITTEE EMPLOYEES

"For professional and clerical assistance to standing committees, and the Select Committee on Small Business, $2,030,650."

On page 3, after line 8, to insert:

"CONFERENCE COMMITTEE

"For clerical assistance to the conference of the majority, at rates of compensation to be fixed by the chairman of said committee, $40,000."

On page 3, after line 12, to insert:

"For clerical assistance to the conference of the minority, at rates of compensation to be fixed by the chairman of said committee, $40,000."

On page 3, after line 15, to insert:

"ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

"For administrative and clerical assistants and messenger service for Senators, $9,640,000."

On page 3, after line 19, to insert:

"OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

"For office of Sergeant at Arms and Doorkeeper, $1,760,940: *Provided*, That effective July 1, 1957, the basic annual compensation of the following positions shall be: Editor and printer, $4,020 in lieu of $3,000; three cabinetmakers at $2,700 each in lieu of $2,640 each; finisher, $2,700 in lieu of $2,640; upholsterer, $2,700 in lieu of $2,640; superintendent, service department, $6,060 in lieu of $4,800; foreman, repairman, $2,820 in lieu of $2,760; repairman, $2,640 in lieu of $2,580; repairman, $2,520 in lieu of $2,460."

On page 4, after line 6, to insert:

"OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

"For the offices of the secretary for the majority and the secretary for the minority, $94,950."

On page 4, after line 10, to insert:

"OFFICES OF THE MAJORITY AND MINORITY WHIPS

"For two clerical assistants, one for the majority whip and one for the minority whip, at not to exceed $5,580 basic per annum each, $20,045."

On page 4, after line 14, to insert:

"CONTINGENT EXPENSES OF THE SENATE

"Legislative reorganization: For salaries and expenses, legislative reorganization, $106,500."

On page 4, after line 17, to insert:

"Senate policy committees: For salaries and expenses of the majority policy committee and the minority policy committee, $111,825 for each such committee; in all, $223,650."

On page 4, after line 21, to insert:

"Joint Economic Committee: For salaries and expenses of the Joint Economic Committee, $143,360."

On page 4, after line 23, to insert:

"Joint Committee on Atomic Energy: For salaries and expenses of the Joint Committee on Atomic Energy, $233,520; and for expenses of compiling and preparing year end joint committee reports, $865, said sum, or any part thereof, may be paid as additional compensation to any employee of the United States; in all, $234,385."

On page 5, after line 4, to insert:

"Joint Committee on Printing: For salaries and expenses of the Joint Committee on Printing, $62,635; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; and for compiling, preparing, and indexing material for the biographical directory, $2,605, said sum, or any part thereof, in the discretion of the chairman or vice chairman of the Joint Committee on Printing, may be paid as additional compensation to any employee of the United States; in all, $66,840."

On page 5, after line 13, to insert:

"Committee on Rules and Administration: For reimbursement to General Services Administration for space furnished the United States Senate, $30,810; and for expenses of compiling, preparing, and indexing material for the Senate Manual, $2,180, said sum, or any part thereof, in the discretion of the chairman of the Committee on Rules and Administration, may be paid as additional compensation to any employee of the United States; in all, $32,990."

On page 5, after line 21, to insert:

"Vice President's automobile: For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, $7,600."

On page 5, after line 24, to insert:

"Automobile for the President pro tempore: For purchase, exchange, driving, maintenance, and operation of an automobile for the President pro tempore of the Senate, $7,100."

On page 6, after line 2, to insert:

"Automobiles for majority and minority leaders: For purchase, exchange, driving, maintenance, and operation of 2 automobiles, 1 for the majority leader of the Senate, and 1 for the minority leader of the Senate, $14,200."

On page 6, after line 6, to insert:

"Reporting Senate proceedings: For reporting the debates and proceedings of the Senate, payable in equal monthly installments, $188,825."

On page 6, after line 9, to insert:

"Furniture: For services and materials in cleaning and repairing furniture, and for the purchase of furniture, $31,190: *Provided*, That the furniture purchased is not available from other agencies of the Government."

On page 6, after line 13, to insert:

"Inquiries and investigations: For expenses of inquiries and investigations ordered by the Senate or conducted pursuant to section 134 (a) of Public Law 601, 79th Congress, including $380,000 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution No. 193, agreed to October 14, 1943, $2,650,000."

On page 6, after line 20, to insert:

"Folding documents: For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding $1.61 per hour per person, $29,000."

On page 6, after line 23, to insert:

"Senate restaurants: For repairs, improvements, equipment and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended under the supervision of the Committee on Rules and Administration, United States Senate, $85,000."

On page 7, after line 4, to insert:

"Motor vehicles: For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $16,560."

On page 7, after line 8, to insert:

"Miscellaneous items: For miscellaneous items, exclusive of labor, $1,455,000."

On page 7, after line 10, to insert:

"Postage stamps: For Office of the Secretary, $650; Office of the Sergeant at Arms, $725; Offices of the secretaries of the majority and the minority, $100; and for airmail and special-delivery stamps for Senators and the President of the Senate, as authorized by law, $38,800, in all, $40,275."

On page 7, after line 16, to insert:

"Stationery (revolving fund): For stationery for Senators and the President of the Senate, $174,600; and for stationery for committees and officers of the Senate, $12,900; in all, $187,500, to remain available until expended."

On page 7, after line 20, to insert:

"Communications: For an amount of communications which may be expended interchangeably for payment, in accordance with such limitations and restrictions as may be prescribed by the Committee on Rules and Administration, of charges on official telegrams and long-distance telephone calls made by or on behalf of Senators or the President of the Senate, such telephone calls to be in addition to those authorized by the provisions of the Legislative Branch Appropriation Act, 1947 (60 Stat. 392; 2 U. S. C. 46c, 46d, 46e), as amended, and the First Deficiency Appropriation Act, 1949 (63 Stat. 77; 2 U. S. C. 46d–1), $14,550."

On page 8, after line 6, to insert:

"ADMINISTRATIVE PROVISIONS

"Salaries or wages paid out of the items under 'Contingent Expenses of the Senate' shall hereafter be computed at basic rates, plus increased and additional compensation, as authorized and provided by law."

Under the heading "Office of the Legislative Counsel", on page 17, at the beginning of line 19, to strike out "$357,000" and insert "$361,385"; in the same line, after the word "which", to strike out "$183,000" and insert "$187,385", and in line 21, after the word "House", to insert a colon and "*Provided*, That effective July 1, 1957, the

gross compensation of the Legislative Counsel of the Senate shall be $17,500; and no more than three employees in the Office of the Legislative Counsel of the Senate may be designated as senior counsel, whose compensation shall be $15,500 gross per annum each."

On page 18, after line 2, to insert:

"JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

"For an amount to enable the Joint Committee on Reduction of Nonessential Federal expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, $22,500, to be disbursed by the Secretary of the Senate."

Under the heading "Architect of the Capitol—Office of the Architect of the Capitol", on page 20, after line 2, to insert:

"Hereafter the purchase of supplies and equipment and the procurement of services for all branches under the Architect of the Capitol may be made in the open market without compliance with section 3709 of the Revised Statutes of the United States, as amended, in the manner common among businessmen, when the aggregate amount of the purchase or the service does not exceed $1,000 in any instance."

Under the subhead "Capitol Buildings and Grounds", on page 21, line 7, after the word "Capitol", to strike out "$897,100" and insert "$901,800."

On page 21, line 15, after the figures "$307,000", to insert a colon and "*Provided*, That not to exceed $56,000 of the amount made available under this head for the fiscal year 1957 for construction of a combined sanitary-storm water sewer extending from the additional Senate Office Building to the existing sewer crossing Constitution Avenue just west of New Jersey Avenue NW. is hereby continued available until June 30, 1958."

On page 21, after line 22, to insert: "Subway transportation, Capitol and Senate Office Buildings: For maintenance, repairs, and rebuilding of the subway transportation system connecting the Senate Office Building with the Capitol, including personal and other services, $4,500."

On page 22, after line 2, to insert: "Senate Office Buildings: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel and for personal and other services; including 8 female attendants in charge of ladies' retiring rooms at $1,800 each, for the care and operation of the Senate Office Buildings; uniforms or allowances therefor as authorized by the act of September 1, 1954, as amended (5 U. S. C. 2131); to be expended under the control and supervision of the Architect of the Capitol; in all, $1,320,400: *Provided*, That not to exceed $87,000 of the amount made available under the head 'Senate Office Building' in the Legislative Branch Appropriation Act, 1957, shall continue available until expended."

On page 22, after line 17, to insert:

"ADDITIONAL OFFICE BUILDING FOR THE UNITED STATES SENATE

"Construction and equipment of additional Senate Office Building: To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to continue to provide for the construction and equipment of a fireproof office building for the use of the United States Senate, in accordance with the provisions of the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029), $2,846,000: *Provided*, That no part of the funds herein appropriated shall be obligated or expended for construction of the rear center wing of said building, from the ground floor up, provided for under the building plans heretofore approved by such Commission: *Provided further*, That the amount of $20,600,000 fixed by the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029) as the limit of cost for construction and equipment of an additional office building for the United States Senate is hereby increased by $2,846,000."

Under the heading "General Provisions", on page 31, after line 10, to insert a new section, as follows:

"SEC. 105. The appropriations, authorizations, and authority with respect thereto in this act shall be available from July 1, 1957, unless otherwise provided, for the purposes provided in such appropriations, authorizations, and authority. All obligations incurred during the period between June 30, 1957, and the date of enactment of this act in anticipation of such appropriations, authorizations, and authority are hereby ratified and confirmed if in accordance with the terms hereof."

On page 31, line 20, to change the section number from "105" to "106."

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (H. R. 7599) was passed.

Mr. STENNIS. Mr. President, I should especially like to thank the staff of the Appropriations Committee, and especially Mr. Everard Smith, for his very timely, effective, and helpful work on the bill.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 1, 12, 21, and 22 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 14, 27, and 41, to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 204) entitled "Concurrent resolution expressing the sense of the Congress on the problem of Hungary"; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mrs. KELLY, Mr. HAYS of Ohio, Mr. SELDEN, Mr. FULTON, and Mr. BENTLEY were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 3373. An act to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes; and

H. R. 6523. An act to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H. R. 1752. An act for the relief of Frank J. and Mae T. W. Burger;

H. R. 2904. An act to confer jurisdiction on the United States District Court for the Eastern District of Texas, Jefferson division, to hear, determine, and render judgment on certain claims of George W. Edwards, Jr., against the United States;

H. R. 3477. An act relating to moneys received from mineral lands in Alaska;

H. R. 3836. An act to repeal section 1157 of title 18 of the United States Code, as amended;

H. R. 3837. An act to amend the act of August 24, 1912, as amended, with reference to educational leave to employees of the Bureau of Indian Affairs;

H. R. 4945. An act to provide for the conveyance of certain real property in West Palm Beach, Fla., to the Port of Palm Beach District;

H. R. 6692. An act to authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes;

H. R. 7050. An act to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes;

H. R. 7249. An act to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia;

H. R. 7835. An act to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes; and

H. J. Res. 379. Joint resolution making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

DEVELOPMENT AND MODERNIZATION OF THE NATIONAL SYSTEM OF AVIATION NAVIGATION AND TRAFFIC CONTROL

Mr. POTTER obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. POTTER. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar No. 448, S. 1856, be made the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair lays the bill before the Senate.

The Senate resumed the consideration of the bill (S. 1856) to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes.

AWARD OF PHILIPPINE LEGION OF HONOR TO HON. JOHN W. McCORMACK AND HON. JOSEPH W. MARTIN, JR.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of H. R. 8384.

The PRESIDING OFFICER (Mr. HOLLAND in the chair) laid before the Senate the bill (H. R. 8384) to authorize the Honorable JOHN W. McCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of commander, tendered by the Republic of the Philippines, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (H. R. 8384) to authorize the Honorable JOHN W. McCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of commander, tendered by the Republic of the Philippines.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 8384) was ordered to a third reading, read the third time, and passed.

AWARD OF THE ECCLESIASTICAL ORDER OF SAINT GREGORY THE GREAT TO HON. JOHN W. McCORMACK AND HON. JOHN J. ROONEY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. R. 8383.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 8383) to authorize the Honorable JOHN W. McCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of Saint Gregory the Great, with the rank of knight commander with star, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (H. R. 8383) to authorize the Honorable JOHN W. McCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of Saint Gregory the Great, with the rank of knight commander with star.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 8383) was ordered to a third reading, read the third time, and passed.

PARTICIPATION BY UNITED STATES IN INTERNATIONAL LABOR ORGANIZATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar 535, Senate Joint Resolution 73.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the joint resolution (S. J. Res. 73) to amend Public Law 843, 80th Congress, as amended, providing for membership and participation by the United States in the International Labor Organization and authorizing appropriations therefor, which had been reported from the Committee on Foreign Relations with an amendment in line 9, after the word "figure", to strike out "$3,000,000" and insert "$2,000,000", so as to make the joint resolution read:

Resolved, etc., That the following law of the United States is hereby amended in the following particulars:

Public Law, 842, 80th Congress, as amended by section 1 (e) of Public Law 806, 81st Congress, is hereby further amended by striking out the figure "$1,750,000" in subsection (a) of section 2 thereof and inserting in lieu thereof the figure "$2,000,000."

Mr. MANSFIELD. Mr. President, I desire to make an explanation to the Senate.

I have discussed this joint resolution with the minority leader and also with the Senator from Louisiana [Mr. ELLENDER]. I informed him that while the original request on the part of the administration was for $3 million, the Committee on Foreign Relations unanimously reduced the amount to $2 million, which will make up the deficit in this year's contribution on the part of our Government to the ILO and the anticipated deficit for next year. We have squeezed it just about as closely as we can.

The Senator from Louisiana wished to have me inform the Senate that it was a satisfactory resolution, so far as he was concerned, and I am taking this occasion to do so.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution (S. J. Res. 73) was ordered to be engrossed for a third reading, read the third time, and passed.

EXEMPTION OF FURLOUGH TRAVEL BY SERVICE PERSONNEL FROM TAX ON TRANSPORTATION OF PERSONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 541, H. R. 7954 relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (H. R. 7954) relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. MANSFIELD. Mr. President, I am informed that this bill is very important because it applies to servicemen, and that it should be passed immediately in order to give them the benefit of relief from the tax on transportation of persons which may well accrue on the 4th of July holiday for the men in uniform. I urge that the bill be passed.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Kansas.

Mr. CARLSON. This bill was reported by the Senate Committee on Finance yesterday, and because of its urgency a petition was circulated that it be reported. I sincerely hope that the Senate will give it immediate consideration, because it is necessary that the bill be approved before July 1, in order to make present benefits available.

The PRESIDING OFFICER. If there be no amendments to be proposed, the question is on the third reading of the bill.

The bill (H. R. 7954) was ordered to a third reading, read the third time, and passed.

THE FRYINGPAN-ARKANSAS PROJECT, COLORADO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 331, S. 60, the Fryingpan-Arkansas project bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 60) to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado, which had been reported from the Committee on Interior and Insular Affairs, with amendments.

EFFECT ON DOMESTIC ECONOMY AND NATIONAL DEFENSE OF OIL IMPORTATIONS

Mr. CARLSON. Mr. President, I wish to commend President Eisenhower for appointing a six-member Cabinet Committee to study the oil import situation and its effect on our domestic economy and threatened effect on our national defense.

The situation is critical and is worsening day by day. I cannot urge too strongly an early report by the Cabinet Committee.

I note by press reports that the governors of 32 States attending the Governors' Conference at Williamsburg, Va., signed a telegram urging the President to take action and curtail imports under the provisions of the Reciprocal Trade Agreements Act. These governors, who are so familiar with the problems of their respective States, acted, I am certain, on the basis of knowledge they had received from the regulatory bodies and agencies of their own States.

Based on information which I am receiving from Kansas and other States, I firmly believe that the situation has reached the crisis stage. Last week Texas, the largest oil-producing State in the Nation, was forced to curtail production to an unprecedented 13 producing days a month.

The Corporation Commission of Kansas will meet tomrorow, and I have no doubt it will be forced to further reduce production in our own State. A total new daily production of 10,000 barrels is available in Kansas wells, for which no market whatsoever is provided.

It is imperative that we obtain early executive action in the curtailment of oil imports. I firmly believe that this problem can and will be handled under existing law and authority given the President. The situation is so critical that should executive action not be effective, I feel that legislative action will have to be taken.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CARLSON. I yield.

Mr. O'MAHONEY. I am happy. I will say to the Senator from Kansas, that I entered the Chamber just as he was making his statement with respect to the gravity of the problem of oil importations.

I think it should be pointed out, in addition to what he has said, that the Office of Defense Mobilization has twice announced that the national security is threatened by the continued increase in the flood of imports of crude oil and residual fuels.

Moreover, it should be pointed out that the Government of the United States and all the public land States, as well as those States which are contiguous to the offshore Continental Shelf, are concerned over this problem and its early and proper solution.

At the present time the Department of the Interior has under its jurisdiction about 85 million acres of land, some of it on the public domain, some of it consisting of Indian lands, and some of it acquired lands, upon which there are oil and gas wells. The latest report I saw indicated that the number of oil and gas wells on these areas was more than 120,000.

Under the Oil Leasing Act of 1920 the Government collects royalties upon the oil and gas developed from these lands. Such royalties are divided into three parts. Ten percent of the total goes to the United States Treasury Department for the administration of the act. Fifty-two and a half percent goes to the Reclamation Bureau to help pay the cost of reclamation projects of one kind or another that are approved by the Congress. The remaining 37½ percent goes to the States in which the oil is produced.

These royalties are used in the States for the support of schools and for the maintenance of roads. Every schoolteacher in the public land States, every school pupil, and every taxpayer who pays taxes to support the schools is concerned with protecting the domestic oil industry from being flooded by the imports of oil.

Much more important, even, than that is the fact that during World War II, 115 United States-flag tankers endeavoring to bring crude oil from South America to the refineries on our Atlantic coast were sunk by Hitler's submarines. The submarines of the Soviet Union today are more numerous and more effective, by far, than Hitler's fleet ever was. Indeed, there is reason to believe that the Soviet submarine fleet is greater than the submarine fleet of the United States.

I think it should be clear that if it was almost impossible, or very difficult, to import oil into the United States during World War II, it would be 10 times more difficult to import oil across the Mediterranean Sea and the broad expanse of the Atlantic Ocean if we should become involved in a third world war.

All of the Military Establishment of the United States, including the missile program, the rocket program, the aid program, the naval program, and the operation of the Army, depend upon oil. Admiral Lattu, purchasing agent for the Defense Department, testified recently before a Congressional committee that the cost to the United States Government during the fiscal year 1958 will be more than $84 million for the purchase of oil products. So it is clear that we are dealing with a massive problem, one of substantial importance to the national defense, as well as to the domestic economy of the oil-producing States. We must not be made dependent upon imported oil for the defense of the United States.

The President, in his letter to Mr. Gray, head of the Office of Defense Mobilization, has recognized that the national security is threatened by these imports of oil; and I trust there will be no delay in finding and applying a solution.

I do not believe it is at all possible to settle this question by a voluntary agreement among the important oil companies. If those companies are to make an agreement, they will have to have some sort of immunity from the antitrust laws. So I hope and pray that the President's Cabinet Committee will speedily report a definite program for the Government which will lay down the law in this field. Otherwise, I agree with the Senator from Kansas that there will be legislation by the Congress.

Mr. CARLSON. Mr. President, I commend the Senator from Wyoming for the statement he has just made. He has been most diligent in this field. It was my good fortune, in company with the Senator from Wyoming and the Senator from Illinois [Mr. DIRKSEN], to visit the President personally and discuss this situation. I think the Senator will agree with me that the President seemed to have a very good grasp of the situation. He realizes the urgency of the problem. That is one reason why today I stress the fact that the situation represents a real crisis. We have reached the point where it not only affects the domestic economy, but, as the Senator from Wyoming has so well stated, it is threatening to impair the national defense, so early action must be forthcoming.

I appreciate the statement of the Senator from Wyoming.

Mr. YARBOROUGH. Mr. President, I should like to express my approval of the remarks of the Senator from Kansas and the Senator from Wyoming with reference to the flood of imported oil.

I join with the Senator from Kansas in stating that unless we have executive action in the immediate future, legislative action will be the only solution to this problem, which involves impairment of the prosperity of a great section of the United States. As the two distinguished Senators have so ably pointed out, our national defense is also being imperiled.

The word we have received from Texas is that the flood of foreign oil has engulfed our section of the country, with the result that the independent drillers, the entrepreneurs, the men who really make the oil business competitive, are being liquidated so rapidly that, unless something is done immediately, the independents will be out of business. Then there will be no longer any necessity of referring to the independent oil men. Their production has been cut down to the point where a well may not run for more than 3 days of of 30 days, with a production of only 20 barrels a day, whereas, if the well were permitted to run open, it could produce 1,000 barrels a day.

The pipelines are full, the tanks are full, and all the storage facilities are full of Arabian oil, which has come into the United States tax-free.

I should like to ask the distinguished Senator from Kansas whether the conditions which are prevalent in Texas are also prevalent in Kansas; whether the independent operators in the State of Kansas are being placed in the same condition in which the independent operators in Texas find themselves, and whether the flood of foreign oil is being used as an instrument for wiping out the production of the independent oil producer, and is, in effect, doing away with the small man in the oil business?

That is what is happening in Texas. That is what is happening in areas with which we are conversant. It is an evil force that is operating in our national economy. We have a great deal of say about the small-business man; that he should be encouraged and aided as a vital factor in our body politic and in the economy of our country. It is certainly necessary that that be so, in order to keep ours a truly competitive economy under our free-enterprise system.

Therefore, I should like to ask the Senator from Kansas whether these bad results that come from this great flood of foreign oil apply equally to Kansas as to Texas.

Mr. CARLSON. I wish to state to the Senator from Texas that the same results are being felt in Kansas, although in lesser degree. The problem is the same, even though Texas has a much greater oil production than Kansas. Kansas, of course, is fifth among the States from the standpoint of oil production. Our tanks are full and our pipelines are full. As I said earlier, a man who brings in a new well has a very hard time getting permission from the corporation commission to pump even one barrel of oil. That is the situation that results from the oil imports. I thank the Senator from Texas for emphasizing to the Senate the importance of this matter.

THE SUPREME COURT DECISION IN THE MALLORY CASE

Mr. THURMOND. Mr. President, the Supreme Court—which has recently handed down decisions to give greater protection to Communists and criminals—has now issued an edict which will give greater protection to such heinous criminals as rapists and murderers.

I refer to the decision in the Mallory case.

Although the Court was so concerned about the undefined rights of a confessed rapist that it overturned his conviction, the Court was so little concerned about the suffering of an innocent victim that it was willing for the rapist to go free.

I say the "undefined rights" of the rapist because neither the Federal Rules of Criminal Procedure nor the Court has provided a definition of whether "unnecessary delay" in the arraignment of a prisoner involves any specific length of time.

However, the important point as to the rights of the rapist is that no evidence was presented to show that he had been deprived of any constitutional right. On the contrary, the sequence of events as recited by the district attorney, clearly shows that the rights of the prisoner were adequately protected after his arrest. The questioning to which he was subjected by the police was reasonable, and the fact that he was given food during the period he was under questioning demonstrates the consideration extended to him by the police.

As I stated yesterday, "the choice we face in this country today is judicial limitation or judicial tyranny." Congress must take action to limit the power of the Court.

I regret that the Supreme Court shows more concern for the rights of Communists and criminals, including rapists and murderers, than it does for the protection of innocent American citizens.

I regret, also, that Congress has wasted so much time over a so-called civil rights bill when the very lives of innocent women in our Capital City are being endangered by decisions such as that in the Mallory case.

Some persons have hailed the decision as one which will prevent police abuses. Any police abuse this decision prevents will be replaced many times over by criminals abusing the laws of the States and Nation under the umbrella of the Supreme Court decision.

Assistant United States Attorney General Warren Olney, Chief of the Justice Department's Criminal Division, issued a statement declaring that the Court's decision "clearly demonstrates that a great many very serious crimes will go unpunished."

Had there been a specific abuse involved here which would have changed the facts of the case, the Court might have had reason to hand down the opinion it did. The facts showed no abuse of the rights of the prisoner.

I am greatly concerned about the effect of this decision on the policemen of Washington and the policemen of the entire Nation. Daily they risk their lives to protect the lives and property of our citizens. They deserve the support and encouragement of every public official, including the Supreme Court, in the performance of their duties.

Mr. President, I hope the special subcommittee of the Senate Judiciary Committee which is studying improvements in the Federal Code will, at the earliest possible moment, introduce legislation to curb the Supreme Court in its reckless exercise of power in such cases.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks two articles which were published in the Washington Evening Star of yesterday, June 26, 1957. One is the text of a statement issued by the United States Attorney for the District of Columbia. The other is entitled "Freeing of Mallory Called Big Loophole for Criminals—Olney Predicts Gangsters Will Dodge Punishment."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star of June 26, 1957]

UNITED STATES ATTORNEY REVIEWS MALLORY CASE EVIDENCE

Following is the text of a statement on the Mallory case presented to district court today by United States Attorney Oliver Gasch:

"After a review of the Government's evidence in the Mallory case and after having studied the impact of the Supreme Court's decision on that evidence, I have concluded to dismiss the rape charge pending against the defendant. A brief review of the evidence may be of assistance in understanding my reasons for this decision.

"On April 7, 1954, having completed her day's work at a department store and having returned home for dinner with her husband, the victim, about 20 minutes to 6 o'clock in the evening, went to the basement of her apartment house to utilize the washing machine provided there for tenants. Being unable to attach the hose, she sought assistance from the janitor. The defendant appeared from the janitor's quarters and gave the assistance requested. Thereafter he left and she busied herself with her tasks. After a brief interval, a colored man appeared from the basement level with his face partly hidden by a handkerchief, choked her, and dragged her into the furnace room where he raped her.

DRAGS SELF UPSTAIRS

"In a disheveled and hysterical state she dragged herself upstairs where she told her husband and some of the neighbors. The matter was reported to the police who immediately started their investigation. Since the victim had reported that her assailant could not have come down a rickety flight of wooden stairs without attracting her attention, the police concentrated their efforts on determining who in addition to the defendant could have been in and about the janitor's quarters.

"The police spoke to the janitor and his two sons, not having any information at that time as to the identity of the defendant. During the course of the investigation admissions from the janitor's sons indicated that the defendant was the one who had helped the victim with the washing machine. He had left the premises. Intensive search located him about 2:30 the following afternoon, April 8, 1954. At first he denied any connection with the crime. He and the two nephews who were also in custody agreed to take a polygraph test. Some delay was encountered locating the operator of the polygraph machine. The test started about 8 o'clock, at the conclusion of which defendant confessed. About 10 p. m., after this had been done, police sought to get in touch with the United States Commissioner. Being unable to do so, they continued the detention of the defendant until the following morning when he was arraigned.

"CONFERS WITH OFFICIALS

"Today, I have reviewed the Government's evidence with Assistant United States Attorney Arthur J. McLaughlin, who tried the case for the Government. I have conferred with the Chief of Police, Robert V. Murray, with the Acting Chief of Detectives—Inspector Aubrey M. Tolson, Chief of the Sex Squad—Lt. John L. Sullivan, and the arresting officer—Detective Sylvan Yuter. I have made an inspection of the premises.

"I have also conferred with the victim and her husband. I am impressed by the injury, both physical and psychological, to which the unfortunate victim of this heinous offense has been subjected. To subject this innocent victim to the ordeal of testifying again about these distressing circumstances would be unfair to her and her husband unless there is a reasonable prospect of obtaining a conviction under the Government's evidence. In the state which we now find it as a result of the Supreme Court's decision, there is serious doubt in my mind as to whether the Government has a case.

"Accordingly, and with considerable reluctance, I have come to the conclusion that I should move this court to dismiss the indictment against the defendant Mallory."

[From the Washington Evening Star of June 23, 1957]

FREEING OF MALLORY CALLED BIG LOOPHOLE FOR CRIMINALS—OLNEY PREDICTS GANGSTERS WILL DODGE PUNISHMENT

Assistant Attorney General Warren Olney said today that the dismissal of the rape case against Andrew J. Mallory because of a Supreme Court decision "clearly demonstrates that a great many very serious crimes will go unpunished."

The chief of the Justice Department's criminal division said these cases would go unpunished "not because the truth cannot be ascertained but because of the procedures that have to be followed to develop the facts."

Mr. Olney was talking about the police practice of questioning suspects between their arrest and their arraignment. Under the Supreme Court decision, confessions growing out of headquarters questioning for that purpose is barred from the trial of a case.

"WON'T LISTEN TO TRUTH"

Mr. Olney said the court is supposed to have its judgments rest on the best truth it can get "but the court will not listen to the truth for reasons that have nothing to do with the guilt or innocence of the defendant."

Mr. Olney said it is hard to guess the impact of the decision as its meaning reaches

all the Federal courts but he predicted it will be extreme.

"This opinion," he said, "says in so many words that police can't question a suspect after his arrest. The place where the impact of this decision will be greatest is in the gangster crimes. It is the real hardened professional criminals who will take advantage of this. The housewife who shoots her husband usually confesses to the first person who comes along. This decision won't affect her.

"But when dealing with criminal groups, police will be unable to question the hirelings who are caught first about the higher-ups they want to reach."

FORESEES NEW LAW

Mr. Olney said he could see no alternative but to seek a law spelling out exactly what law enforcement officers can and cannot do in arrest and arraignment proceedings.

The way for such a law is already being paved on Capitol Hill. The Senate Judiciary Subcommittee charged with improving criminal justice in the Federal courts is known to have been studying arrest and arraignment procedures for months. Under the chairmanship of Senator O'MAHONEY, Democrat, of Wyoming, the subcommittee is expected to hold hearings this fall on preliminary drafts of a number of proposed changes in Federal rules and laws.

The Star called United States attorney Paul Williams in New York to find out how the decision affected him.

"We have not followed the practice that seems to be outlined here by the Supreme Court," he replied. "In many instances, in New York, a person is arrested in the evening and not arraigned until the next day and in the course of the night, he has given a confession. So far, these confessions have been admitted."

THORNY ISSUE HERE

Actually, because of decisions of the Court of Appeals here, the question of how long a person can be detained before he is arraigned has been more of a bugaboo here than elsewhere. Several confessions have been thrown out and a new trial ordered because the court felt there had been "unnecessary delay" between arrest and arraignment.

Even before the Mallory decision, the District's Council on Law Enforcement had launched a study to determine whether a new law should be sought. Now, the chairman of the council, George L. Hart, Jr., says this is no longer a local problem as it was in the past when the Court of Appeals here had gone further than any other circuit.

He said he was writing today to the criminal law section of the American Bar Association requesting that group to study the impact of the decision.

HIT UNNECESSARY DELAY

The Supreme Court based its decision on its interpretation of Rule 5 (a) of the Federal Rules of Criminal Procedure. This rule requires that the arrested person must be brought "without unnecessary delay" before the nearest available committing magistrate.

Twice in its decision, the Court referred to the will of Congress, which approved the rules. At one point, referring to an earlier opinion, the decision said:

"In order adequately to enforce the Congressional requirement of prompt arraignment, it was deemed necessary to render inadmissible incriminating statements elicited from defendants during a period of unlawful detention."

At another point, the decision said:

"The requirement of rule 5 (a) is part of the procedure devised by Congress for safeguarding individual rights without hampering effective and intelligent law enforcement."

On the basis of these two statements in the decision, United States Attorney Oliver Gasch said he believed the Supreme Court had given the Government an opportunity of submitting the problem to Congress.

"The Supreme Court," he said, "has clearly recognized the responsibility of Congress to lay down the rule. Therefore, Congress should make an examination to determine if effective and intelligent law enforcement is being hampered.

"Congress should write a law to safeguard the rights of the individual and make possible effective law enforcement in the public interest."

In questioning proponents of the Supreme Court decision as well as prosecutors and police, the Star found general agreement that the Mallory decision forbids police questioning much beyond booking procedures.

The decision did note that "circumstances may justify a brief delay between arrest and arraignment, as for instance, where the story volunteered by the accused is susceptible of quick verification through third parties."

The next sentence of the decision, however, warned that "the delay must not be of a nature to give opportunity for the extraction of a confession."

FREE QUESTIONING PERMITTED

A proponent of the decision analyzed it this way:

"Police can question people if they want to be questioned as long as they are free agents. A suspect can be brought to headquarters and questioned as long as he is free to walk out at any time. But as soon as he is under arrest, it is 'unreasonable delay' in arraigning him if police use any time to make a case against him.

"It is now illegal to grill an arrested person for 2 or 3 hours. That is questioning during illegal detention and the confession would be thrown out.

"If a prisoner confesses immediately after his arrest, it wouldn't kill the confession if he were not immediately arraigned. If he immediately confesses to one crime and then goes out to reenact other crimes, the first confession would be allowed but the others would not.

"Police can still make cases but they will simply have to use different procedures."

NEXT STEP IS PUZZLE

Both Mr. Gasch and Police Chief Robert V. Murray acknowledged that different procedures will have to be used but they were at a loss as to what procedures can be followed that will succeed in clearing the innocent and convicting the guilty.

Chief Murray said that 90 percent of the success or failure of a case rests on questioning at police headquarters. He predicted if this decision is not changed by law, "our record of closed cases will be only 10 percent of what it is now."

Mr. Gasch said that at least 25 percent of the sex cases depend on confessions because there are seldom eye witnesses or fingerprints. In yoke robberies particularly, he said, confessions are needed because the victim is usually attacked from behind and can't make an identification.

Chief Murray cited the rape-murder of an 8-year-old northeast girl where 30 detectives have been at work rounding up possible suspects. Over 1,000 people have been questioned in the crime.

"What good will it do to bring in a good suspect, question him and get a confession if this decision stands?" he asked. "This decision says he must be arraigned immediately and not questioned after we arrest him."

PROCEDURE EXPLAINED

Chief Murray explained past procedure in this way:

"If we have a suspect, we bring him to headquarters. If we have any evidence pointing to his guilt, he is booked for investigation. Then he is questioned about the case. Any alibi he may offer is run out and very often that alone clears him of any guilt.

"If he was on the scene or had been seen with the victim, we ask him about that. We may have him take a lie detector test, if he consents. The lie detector has exonerated more men than it ever implicated.

"Very often, we can't complete the case before the man is brought in. In many heinous crimes, it would be a physical impossibility to complete the case under 6 to 8 hours.

"Alibis must be checked. The prisoner must be confronted with his victim. There are blood and chemical tests, fingerprint checks, lineups, ballistics tests. All this takes time which we now will not have.

"No one confronted with a serious crime is going to admit it unless he feels there is some evidence or circumstances pointing to his guilt. Very few come right in and admit the crime. They have to be shown the evidence linking them to the crime either through witnesses who must be brought in or through such physical evidence as matching fingerprints or chemical analysis."

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H. R. 6287. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 7259. An act relating to marketing quotas and price supports for fire-cured, dark air-cured, and Virginia sun-cured tobacco; and

H. J. Res. 273. Joint resolution to waive the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, in behalf of certain aliens.

COMPENSATION FOR EMPLOYEES OF THE UNITED STATES SUFFERING INJURIES FROM WAR-RISK HAZARDS

Mr. HILL. Mr. President, I ask unanimous consent that the Chair lay before the Senate H. R. 6523, to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person. I ask for the immediate consideration of the bill, which has just been passed by the House.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 6523) to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person, which was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. HILL. Mr. President, the House bill is identical with Senate bill 518, which was unanimously reported yesterday by the Senate Committee on Labor and Public Welfare.

The bill simply extends for 1 year from next Monday, July 1, to July 1, 1958, the provisions of the present act providing compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H. R. 6523) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 518 is indefinitely postponed.

INJURY, DISABILITY, AND DEATH RESULTING FROM WAR-RISK HAZARDS

Mr. HILL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. R. 3373, which has just been passed by the House and has come over to the Senate.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 3373) to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes, which was read twice by title.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill.

There being no objection, the Senate proceeded to consider the bill.

Mr. HILL. Mr. President, for the information of the Senate, let me say that the bill is identical with Senate bill 519, which was unanimously reported yesterday by the Senate Committee on Labor and Public Welfare.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H. R. 3373) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 519 is indefinitely postponed.

Mr. HILL. Mr. President, I ask unanimous consent that a statement I have prepared explaining the two bills just passed be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR HILL

H. R. 6523 and H. R. 3373 are companion bills to S. 518 and S. 519, which have been reported unanimously by the Committee on Labor and Public Welfare.

H. R. 6523 is a bill to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person.

H. R. 3373 is a bill to amend the Act of December 2, 1942, and the Act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes.

These bills as introduced would have made significant changes in existing temporary legislation. The Committee on Labor and Public Welfare felt that the significant changes should receive further study and therefore substituted an amendment which merely results in extending the legislation for 1 year. Public Law 784 of the 77th Congress, as amended, which would be extended by H. R. 3373, provides compensation for injury, death or capture of certain persons employed outside the country by the United States, directly or by contractors of the United States, when the injury is caused by a war-risk hazard. The types of military and enemy action constituting war-risk hazards are specified in detail in section 201 (42 U. S. Code 1711) of the act. The significance of this legislation is that such employees who are victimized by a war-risk hazard are eligible for compensation even though at the time of their injury they were not actually engaged in the course of their employment. Also, if such employees are captured by enemy forces, these laws provide compensation payments to dependents during enemy detention.

Section 5 (b) of Public Law 161 of the 79th Congress, as amended, which would be extended for 1 year by H. R. 6523, applies to employees of the United States whose employment requires that they work and temporarily live great distances from their permanent residences. It extends the benefits of the Federal Employees' Compensation Act to such employees if they are captured by the enemy and are injured or killed while under enemy detention, whether or not at the time of capture they were engaged in the course of employment.

Both bills are supported by the Department of Defense and by the administration.

It is necessary to pass H. R. 3373 and H. R. 6523 today because the statutes will lapse on July 1, 1957, and will create a situation in which these employees will not have the protection of the laws to which I have just referred.

THE OHIO VALLEY—THE RUHR OF THE UNITED STATES OF AMERICA

Mr. MORTON. Mr. President, the omnibus flood-control appropriation bill has passed the House of Representatives and will soon be before the Senate.

The great Ohio Valley, often described as the Ruhr of America, is considered, and rightly so, a part of Kentucky along most of its extent. However, its navigational development is of the utmost significance to the entire surrounding area, as well as to our Nation as a whole.

I should like to bring to the attention of my colleagues some pertinent facts about the Ohio Valley which I am sure will be of help in the consideration of S. 497.

"The beautiful Ohio" was said to have been discovered by La Salle in 1669. For many years after the visit of the French explorers, only a few French and English traders and fur trappers lived in the Ohio Valley. However, during and immediately after the Revolutionary War, people started to settle in this fertile area, many carried there by the Ohio River.

The river became the best friend to these early settlers, bringing them goods from the larger towns along the river. The keelboat was the first boat on the inland waters of America designed to be used for commerce, and it played an important role in the economic development of the region.

A great deal of romance and color, as well as important historical decisions, are connected with the Ohio River. Steamboat races, "floating palaces", showboats filled the river with glitter and excitement. The age of the steamboat brought forth such decisions as that pronounced by Chief Justice John Marshall that navigable rivers, lakes, and streams should not be controlled by any of the States, but by the United States as a whole.

In the 1800's the river was lively with trade. Many fortunes were made from trade that extended down the Ohio River and on to New Orleans. Others made a good living by operating floating grocery stores, or "bumboats," which peddled to the villagers and farmers along the Ohio and smaller rivers. These traveling storekeepers eased the life of the river settlements, supplying them with necessities and bringing them news from the outside world.

The ports along the Ohio grew with the river trade. They grew from log cabin villages to brisk little towns. Kentucky and Ohio farmers came into town from the outlying farmlands with great wagons creaking with the heavy corn, wheat, beef, flax, wool, hides, furs, ginseng, and tobacco. Hogs by the hundreds were slaughtered. Cincinnati was called Porkopolis by the easterners—some of the produce being used there, but most of it shipped south to New Orleans. There, a great part of it was put on oceangoing vessels bound for American cities along the Atlantic and to countries on the other side of the ocean.

As steamboats became more numerous, goods could be transported more quickly and cheaply up and down the rivers. More and more families came to live in the valley. Demands for the farm products increased, and canals were dug to permit the inland farmer to bring his hogs and farm products to market.

THE NAVIGATIONAL DEVELOPMENT OF THE RIVER

With the coming of the railroads, commerce dwindled on the Ohio River. Because of the long delays and hazards on the river, the train was found to be faster and safer. The steamboat could not compete with the railroad train unless the river was improved.

Around 1827 the Federal Government had begun to clear the river of stumps, sunken trees, and debris that snagged ships and clogged the channel. But sand bars, ice, and low water could still tie up shipping. In 1896 Congress authorized a survey of the Ohio down to Marietta, to learn if locks and dams could be built to advantage, but it was not until 1908 that the survey was reported favorably.

In the meantime, around 1907, towboats began a revival of freight traffic on the river. During the year the towboat *Sprague* moved 60 barges, filled with 70,000 tons of coal, from Louisville to

New Orleans. This new phase of river commerce promised a return to the good old days of shipping. In 1910, Congress passed a Rivers and Harbors Act authorizing the construction of dams from Pittsburgh to Cairo to maintain a water level of at least 9 feet. The project was finally completed in 1929, with facilities consisting of 46 movable, wicket dams and 4 fixed dams, each with a lock 600 feet by 110 feet. Cost of the project was approximately $150 million.

Resulting from this work by the Corps of Engineers was a channel about 300 feet in width with a minimum 9-foot depth maintained throughout the 981-mile length of the river. This system of locks and dams was justified on a traffic expectancy of 13 million tons a year. However, today there is five times that amount of traffic, and because of this tremendous tonnage a great number of problems crop up every day.

Many of the existing structures have outlived their useful life, are of obsolete design, and are grossly unsuited to the needs of the equipment operating on the river. Of the 46 locks and dams on the main stream of the Ohio, only 2 are less than 25 years of age; 21 range from 25 to 35 years; and 23 are from 35 to 50 years old. Because these structures are inadequate, and in some cases deteriorating, the maintenance costs are high, and there is always the danger of a breakdown. Lock No. 7, age 43, is currently imperiled by a landslide, and if blockage should result, the upper valley would suffer a serious setback. When lock No. 15 on the upper Monongahela River, an important tributary of the Ohio River, collapsed after 50 years of service, the river was closed to navigation at that point for more than a month, which imposed serious losses and scheduling delays on the industrial shippers dependent on river movement of coal, steel, and other commodities.

The long delays at the locks is another deterrent to shipping on the Ohio. Tows often arrive at the locks in batches, and the wait is prolonged by the necessity of splitting some tows in half, since about 40 percent of them are 1,200 feet and the locks only 600 feet. Delay of 6 to 8 hours at Louisville's lock No. 41, busiest on the river, are not uncommon.

A 20-year plan for the orderly redevelopment of the Ohio River navigational facilities has been advanced by the Corps of Engineers. This plan would replace or enlarge the current locks and dams, and would reduce their number from 46 to 21. Construction was initiated during fiscal year 1955 on the New Cumberland locks and dam to replace locks and dams 7, 8, and 9; and Greenup locks and dam to replace locks and dams 27, 28, 29, and 30. Construction was initiated in fiscal year 1956 on Markland locks and dam to replace locks and dams 35, 36, 37, 38, and 39. Funds were made available for fiscal year 1957 for initiation of planning work on New Richmond locks and dam to replace locks and dams 31, 32, 33, and 34 and for initiation of reconstruction of lock and dam 41.

In the fiscal year 1958 program, funds are proposed to continue construction on the New Cumberland locks and dam, the Greenup locks and dam, the Markland locks and dam, and lock and dam 41; to continue planning work on the New Richmond locks and dam; and to initiate planning on Pike Island locks and dam, which will replace locks 10 and 11. It is my hope that this Congress will provide funds to actually start construction on the New Richmond locks during fiscal 1958. Work on three other projects, Maxwell locks and dam, dam No. 8, and the Hildebrand lock and dam on the Monongahela River are equally important. These projects are of utmost necessity to prevent a serious traffic congestion problem in the industrial Ohio River Basin.

DOLLAR INVESTMENT IN THE AREA

The urgency of modernizing the navigational facilities on the Ohio River is due to the great industrial boom that the Ohio Valley is now experiencing. Since 1950, estimates have run from $7.5 to $10 billion as an investment figure in new and expanded industrial and atomic plants along the main stream of the Ohio River and its navigable tributaries. To call it America's Ruhr is almost an understatement.

A large proportion of this amount has been due to expenditures of the Atomic Energy Commission. A direct investment of $1.7 billion was made in 3 plants—the uranium-processing plant at Fernald, Ohio; and the gaseous-diffusion plants at Paducah, Ky., and Portsmouth, Ohio. Four new powerplants supply the diffusion facilities at Joppa, Ill.; Paducah, Ky.; Madison, Ind.; and Cheshire, Ohio. Almost 70 percent of this investment of over three-quarters of a billion dollars was borne by private companies. Shippingport, the first nuclear powerplant, is a joint AEC-private investment. The region is called by some Atom Valley.

Of the private development, $1.4 billion has been spent by expansion of existing powerplants and the building of new ones. These are not connected with AEC facilities. Twenty-five power stations, now delivering 9,250,000 kilowatts, line the river; and since all burn coal, their existence has helped revitalize the coal industry.

Steel is the next largest category, accounting for nearly $900 million. This includes the upriver expansion of National, at Weirton; of Wheeling Steel from Steubenville south; Jones & Laughlin, at Aliquippa; the downriver $75 million Armco plant, at Ashland, Ky.; and the $90 million expansion of Detroit Steel, at Portsmouth, Ohio. This is nearly three times as much steel as is produced in the celebrated Ruhr Valley.

Next in line are the chemicals, which come to one-third of a billion. The Ohio now surpasses the Rhine, Europe's "chemical river," in chemical-plant investment. More than 70 such plants have been built or major additions have been added since 1950. These plants use a great variety of raw materials, including petroleum, natural gas, brines, sulfur, and coal. They produce innumerable products, including fertilizers, synthetic fibers, silicones, aniline, intermediates, and plastics of all kinds.

Other important investments include the $216 million Appliance Park of General Electric, which consolidated all of its appliance manufacturing operations at Louisville; the $200 million aluminum plant of Kaiser, at Ravenswood, W. Va.; and Union Carbide's new $125 million electrometallurgical plant, at Marietta.

Small- and medium-sized plants make up the rest of the industrial expansion figures, with about $1.8 billion invested in them. These include distilleries, barge terminals, classification yards, even a factory for making diapers out of paper, vinyl plastic, and others.

THE DEVELOPMENT OF TONNAGE ON THE RIVER

There are many factors which account for the tremendous rebirth of industry in the Ohio Valley; but most of them, either directly or indirectly, come back to the waterway itself. The almost unlimited coal supplies, which can be barged on the river, contribute the strongest reason for industry's moving into the valley. Other important factors are the vast and growing concentration of electrical energy; an adequate supply of process and condenser water; chemical brines; efficient rail service; a sufficient supply of labor, much of which comes from rural communities; and a central market location.

The tonnage on the Ohio River has more than doubled every 10-year period. For example, in 1925 there were 826 million ton-miles, which by 1935 had increased to 2,254 million. The 1945 figure of 6,065 million again more than doubled in 1955, with a figure of 14,901 million ton-miles. The 1955 figure was an increase of about 30 percent over that of 1954; so the trend is rising at a higher rate over the recent years, and the 1965 figure is expected to come close to doubling that of 1955.

Coal and coke have always accounted for a large proportion of the traffic, rising from 504 million ton-miles in 1925 to 4,543 million ton-miles in 1955. Petroleum increased from 306 million ton-miles in 1935 to 5,248 million in 1955, most of it being bound upriver from the gulf. Iron and steel accounted for 3,270 million ton-miles in 1955, jumping from 626 million in 1935. Chemicals, newcomers in the freight hauled on the Ohio, traveled 813 million ton-miles; and sulfur, 278 million, in 1955.

The rates for river barge traffic are less than those for rail or truckhaul. Many of the big valley powerplants would prefer to barge their coal, both because their enormous fuel demands create an ideal cargo for tow-load deliveries—20,000 or more tons per tow—and because of a savings of roughly $1 per ton over rail charges. And though their traffic is highly intermittent, even automobile companies have taken to the river, sometimes trucking their cars to Ohio River ports for transshipment. Forty thousand new Fords were shipped out of Louisville by barge in 1955, and nearly 160,000 cars left Evansville and Cincinnati. However, because of the delays mentioned before, and the necessity of combining barge-truck or barge-train, the financial benefits are not always so much greater by barge.

FULL DEVELOPMENT OF WATER RESOURCES

Aside from the problems connected with navigation, the Ohio Valley has had other difficulties to solve in connection with the Ohio River and its tributaries. The Ohio River has a history of destructive floods, the most damaging occurring in 1884, 1913, and 1937. In 1937, the river rose so high that thousands of people were driven from their homes all along the Ohio. Cincinnati, Louisville, and Paducah were especially hard hit, with several hundred lives lost, and more than 800,000 homeless.

That year, and in subsequent years, Congress enacted flood-control legislation for the Ohio River Basin. The comprehensive plan now consists of some 81 reservoirs, supplemented by levees, flood walls, and drainage structures. The yearly construction program under this authorized basin plan is based on the overall priority and need for individual projects. However, despite substantial progress under the plan in providing flood-control works, extensive flood damages still occur.

With the tremendous development in the Ohio Valley, we cannot afford to allow any part of this investment in atomic and industrial plants to be damaged by floods. This source of danger should be converted into an asset, which will be possible through the reservoir system in the main stem, as well as in the tributaries, to conserve and store the flood waters for productive use. Reservoir storage can reduce flood damage, and at the same time can provide low flow regulation, produce navigational benefits, assist in pollution abatement, provide recreational opportunities, increase domestic and industrial water supply, and, in many instances, produce hydroelectric power.

It is pertinent to refer in passing to the great achievements made in pollution abatement due to the initiative and hard work of the people in the Ohio Valley. With the increase of population and the industrial wastes, there is still a big job ahead; and the cleanup campaign of the Ohio Valley Water Sanitation Commission is one of staggering size and complexity. However, they may be proud of the progress they have made thus far; and the reservoirs under construction and proposed by the Corps of Engineers should help in the abatement of pollution.

PROPOSED PROGRAM FOR FISCAL YEAR 1958

The 1958 program for flood control—rivers and harbors, approved by President Eisenhower, contains 25 projects for the Ohio River Basin, on which major work is under way or to be initiated. Nine of these projects relate to navigation improvement. For the fiscal year 1958, the sum of $39,075,000 is requested for these projects, which are estimated to cost $413,170,000. After 1958, some $330,711,000 will be needed to complete these 9 projects.

Thirteen projects, having a total estimated cost of $278,236,000 are for flood control. Only $23,818,000 are requested for fiscal year 1958. Approximately $227,098,000 will be needed in subsequent years to complete this group.

There are three multiple-purpose projects estimated to cost $244,900,000. For fiscal year 1958, $7,079,000 are requested, leaving about $161,683,000 for completion.

The need for these 25 projects, for which planning and construction funds are requested, has been clearly stated and justified by the Corps of Engineers. The costs are believed accurate. I have not, however, endeavored to relate the current program to the total estimated or ultimate cost of water resources development for the basin. Such a figure for the Ohio Basin, as for the Nation as a whole, is continually modified as the country expands. However, in my opinion, the funds proposed in the 1958 program represent the minimum amount needed to provide the most economical rate of expenditure for projects that we can now be assured are both individually and collectively essential to the continued growth of the Ohio Basin and the Nation.

In looking over this great concentration of essential industry in the Ohio Valley, the necessity for protecting and developing it comes clearly to mind. America's Ruhr cannot further expand without the full development of the water resources; without safe and speedy navigational facilities. The valley cannot safely spread out its cities, towns, and manufacturing plants if the fear of damaging floods is present. Since industry and atomic-energy development has chosen the Ohio Valley as its site to expand and to build new factories, the future of the entire Nation will be affected by the success of this investment. The best way of assuring success is to continue to develop this great natural resource—the Ohio River.

Mr. President, I yield the floor.

CONSTRUCTION OF FRYINGPAN-ARKANSAS PROJECT

The Senate resumed the consideration of the bill (S. 60) to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado.

Mr. MURRAY. Mr. President, it is an honor for me to make an opening statement in support of S. 60, to authorize the Fryingpan-Arkansas project in the State of Colorado.

This is a highly worthwhile project, which has been reported favorably three times from the Committee on Interior and Insular Affairs. Twice the Senate passed the bill to authorize this project.

The first time was on July 10, 1954, under the leadership of two of our former colleagues, to whom I desire to pay tribute as being among the Senate's "greats." They are Edwin C. Johnson and Eugene D. Millikin, both of whom retired voluntarily after years of able service in the Senate. Gene Millikin was a tower of strength in the Interior and Insular Affairs Committee, where his sound judgment was recognized on both sides of the committee table. Senator Johnson likewise was recognized by all Members of this body as a man of sound judgment in all matters pertaining to western development programs.

Again, in the 84th Congress, on July 12, 1956, the Senate passed a bill, S. 300, to authorize the Fryingpan-Arkansas project, under the leadership of former Senator Millikin.

Now, for the third time, our committee presents the Fryingpan-Arkansas project to the Senate for authorization. The bill was guided through the committee by our present able colleagues from Colorado, JOHN CARROLL, and GORDON ALLOTT.

Mr. President, this is a multiple-purpose conservation project in the fullest sense of the word. It will provide supplemental water for irrigated lands that are confronted by shortages of irrigation water supplies. It will also produce power to assist irrigators in paying the costs. In addition, municipalities in the area will receive greatly needed supplemental water supplies. Flood control and protection for fish and wildlife are also provided.

In the Committee on Interior and Insular Affairs, the Fryingpan-Arkansas project is regarded as a development that reflects careful planning, cooperation of local and State interests, and a means of providing the highest use of water and land resources.

I shall leave to other Senators a discussion of the details of the project as proposed in S. 60.

Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER (Mr. THURMOND in the chair). Is there objection to the unanimous-consent request?

Mr. KUCHEL. Mr. President, reserving the right to object, and I shall not object, I should like to be advised by the Chair if I am correct in believing that I may have the opportunity to offer amendments to the bill subsequent to the agreement en bloc of the amendments which were reported by the committee.

The PRESIDING OFFICER (Mr. KEFAUVER in the chair). The answer to the inquiry of the Senator from California is that he is correct, except that where any amendment might touch a portion of a committee amendment, then the amendment would not be in order.

Mr. KUCHEL. I am not persuaded that there would be any such touching, but I wonder if we might obviate the possibility by unanimous consent that my amendments might be offered even if they would touch any of the committee amendments.

Mr. MURRAY. I make that request, Mr. President.

The PRESIDING OFFICER. As the Chair understands, it is requested that in the event the committee amendments be agreed to en bloc, they be considered as original text for the purpose of further amendment. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

On page 2, line 11, after the word "in" to strike out "Senate Document No. 106, 82d" and insert "House Document No. 187,

83d"; on page 3, line 9, after the word "blocks", to insert a colon and *"Provided*, That contracts for construction costs allocated to commercial power and municipal, domestic, and industrial water shall provide for repayment within 50 years after completion of construction"; on page 4, line 6, after the word "in", to strike out "Senate Document No. 106, 82d" and insert "House Document No. 187, 83d"; on page 5, at the beginning of line 14, to strike out "20–23 of Senate Document No. 106, 82d" and insert "36–39 of House Document No. 187, 83d"; and, on page 7, line 7, after the word "interest", to insert a colon and *"Provided*, That all lands within the exterior boundaries of a national forest acquired for recreational or other project purposes which are not determined by the Secretary of the Interior to be needed for actual use in connection with the reclamation works shall become national-forest lands: *Provided further*, That the Secretary of the Interior shall make his determination hereunder within 5 years after approval of this act or, in the case of individual tracts of land, within 5 years after their acquisition by the United States: *And provided further*, That the authority contained in this section shall not be exercised by the Secretary of the Interior with respect to national-forest lands without the concurrence of the Secretary of Agriculture"; so as to make the bill read:

"Be it enacted, etc., That, for the purpose of supplying water for irrigation, municipal, domestic, and industrial uses, generating and transmitting hydroelectric power and energy, controlling floods, providing for the preservation and propagation of fish and wildlife and preserving and improving recreational opportunities, and for other useful and beneficial purposes, the Secretary of the Interior, acting pursuant to the Federal reclamation laws, act of June 17, 1902 (32 Stat., 388), and acts amendatory thereof or supplementary thereto, as far as those laws are not inconsistent with the provisions of this act, and subject to the apportionments of the use of water fixed in the Colorado River compact and the upper Colorado River Basin compact and to the terms of the Boulder Canyon Project Act, and to the terms of the United States-Mexico Water Treaty of 1944 (treaty series 994), is hereby authorized to construct, operate, and maintain the Fryingpan-Arkansas project, Colorado, in substantial accordance with the engineering plans therefor set forth in House Document No. 187, 83d Congress, 2d session, but with such modifications of, omissions from, or additions to the works therein described as the Secretary may, from time to time, find necessary or proper for accomplishing the objectives of the project.

"SEC. 2. (a) Contracts to repay that portion of the cost of the Fryingpan-Arkansas project which is allocated to irrigation and assigned to be repaid by irrigation water users (exclusive of such portion of said cost as may be derived from temporary water-supply contracts or from other sources) shall be entered into pursuant to subsection (d), section 9, of the Reclamation Project Act of 1939 (53 Stat. 1187) and may provide that the general repayment obligation shall be spread in annual installments, which may be varied as to any required annual payment in the light of economic factors affecting the ability of the contracting organization to pay and of water supply and water requirement conditions, but in number and amounts satisfactory to the Secretary, over a period of not more than 60 years, which period shall be inclusive of any permissible development period, for any project contract unit or for any irrigation block, if the project contract unit be divided into 2 or more irrigation blocks: *Provided*, That contracts for construction costs allocated to commercial power and municipal, domestic, and industrial water shall provide for repayment within 50 years after completion of construction.

"(b) Notwithstanding any provision of law to the contrary, net revenues derived from the sale of commercial power and from the furnishing of water for municipal, domestic, and industrial use shall first be applied to the amortization, with interest, of those portions of the actual cost of construction of the project which are allocated, respectively, to commercial power and to municipal, domestic, and industrial water supply and shall thereafter be applied to amortization of that portion of said actual cost which is allocated to irrigation but which is beyond the ability of the irrigation water users to return during the period hereinbefore specified. The interest rate on the unamortized balance of the commercial power and the municipal, domestic, and industrial water-supply allocations shall be equal to the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its long-term loans outstanding on the date of this act.

"(c) No part of the specific municipal water-supply systems described in House Document No. 187, 83d Congress, shall be construed by the Secretary in the absence of evidence satisfactory to him that it would be infeasible for the communities involved to construct such works themselves, singly or jointly. In the event it is determined that such facilities are to be constructed by the Secretary, a contract providing, among other things, for payment of the actual cost thereof with interest and repayment period as hereinbefore provided, and as rapidly as is consistent with the contracting parties' ability to pay, and for assumption by the contracting party or parties of the care, operation, maintenance, and replacement of the works shall be a condition precedent thereto.

"(d) In conformity with the provisions of subsections (a), (b), and (c) of this section, the Secretary, prior to the delivery of project water supplies, shall have entered into a contract, or contracts, with 'organizations' as defined in paragraph 2 (g) of the Reclamation Project Act of 1939 (53 Stat. 1187) which have the capacity to levy assessments upon all taxable real property located within their boundaries to assist in making repayments.

"(e) No contract for a supplemental water supply for irrigation under this act shall contain any restrictions respecting the right to receive such supply based upon ownership of irrigable lands, nor shall the excess land provisions of the Federal reclamation laws be applicable to lands served by the Fryingpan-Arkansas project which now have an irrigation supply from sources other than a Federal reclamation project.

"SEC. 3. The Fryingpan-Arkansas project shall be operated under the direction of the Secretary of the Interior in accordance with the operating principles set forth on pages 36–39 of House Document No. 187, 83d Congress. The Secretary may appoint the two representatives of the United States to the Commission referred to in paragraph 17 of said principles and may adopt modification thereof upon the recommendation of the Commission: *Provided*, That such recommendations are made and adopted by said Commission in conformity to the provisions of paragraph 17 of said operating principles.

"SEC. 4. Any and all benefits and rights of western Colorado water users in and to water stored in the Green Mountain Reservoir, Colorado-Big Thompson project, as described, set forth and defined in Senate Document No. 80, 75th Congress, 1st session, shall not be impaired, prejudiced, abrogated, nullified, or diminished in any manner whatever by reason of the authorization, construction, operation, and maintenance of the Fryingpan-Arkansas project authorized by this act.

"SEC. 5. Any provision of law to the contrary notwithstanding, the project herein authorized shall be operated in such a manner that those in eastern Colorado using project water imported from the Colorado River Basin for domestic purposes shall have preference over those claiming or using the water for any other purpose.

"SEC. 6. The Secretary is authorized to plan, construct, operate, and maintain public recreational facilities on lands withdrawn or acquired for the development of the Fryingpan-Arkansas project, to conserve the scenery, the natural, historic, and archeologic objects, and the wildlife on said lands, and to provide for public use and enjoyment of the same and of the water areas created by these projects by such means as are consistent with the primary purposes of said project and to mitigate losses of and improve conditions for the propagation of fish and wildlife in connection with the development of the Fryingpan-Arkansas project. The Secretary is authorized to acquire lands and to withdraw public lands from entry or other disposition under the public land laws for the construction, operation, and maintenance of recreational facilities in connection with the said project, and to dispose of them to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance, upon such terms and conditions as will best promote their development and operation in the public interest: *Provided*, That all lands within the exterior boundaries of a national forest acquired for recreational or other project purposes which are not determined by the Secretary of the Interior to be needed for actual use in connection with the reclamation works shall become national forest lands: *Provided further*, That the Secretary of the Interior shall make his determination hereunder within 5 years after approval of this act or, in the case of individual tracts of land, within 5 years after their acquisition by the United States: *And provided further*, That the authority contained in this section shall not be exercised by the Secretary of the Interior with respect to national forest lands without the concurrence of the Secretary of Agriculture. The costs, including the operation and maintenance costs of all said undertakings shall be nonreimbursable and nonreturnable under the reclamation laws, and funds appropriated for carrying out the authorization contained in section 1 of this act shall, without prejudice to the availability of other appropriated moneys for the same purpose, also be available for carrying out the investigations and programs authorized in this section.

"SEC. 7. (a) The use of water diverted from the Colorado River to the Arkansas River Basin through works constructed under authority of this act shall be subject to and controlled by the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, and the Mexican Water Treaty (Treaty Series 994), as hereinbefore provided, and shall be included within and shall in no way increase the total quantity of water to the use of which the State of Colorado is entitled and limited under said compacts, statute, and treaty, and every contract entered into under this act for the storage, use, and delivery of such water shall so recite.

"(b) All works constructed under authority of this act, and all officers, employees, permittees, licensees, and contractees of the United States and of the State of Colorado acting pursuant thereto, and all users and appropriators of water of the Colorado River system diverted or delivered through the works constructed under authority of this act and any enlargements or additions thereto shall observe and be subject to said compacts, statute, and treaty, as hereinbefore provided, in the diversion, delivery, and use of water of the Colorado system, and such condition and covenant shall attach as a matter of law whether or not set out or referred to in the instrument evidencing such permit, license, or contract and shall be deemed to be for the benefit of and be available to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming and the users of water therein or thereunder by way of suit, defense, or otherwise in any litigation respecting the waters of the Colorado River system.

"(c) None of the waters of the Colorado River system shall be exported from the natural basin of that system by means of works constructed under authority of this act, or extensions and enlargement of such works, to the Arkansas River Basin for consumptive use outside of the State of Colorado, and no such waters shall be made available for consumptive use in any State not a party to the Colorado River Compact by exchange or substitution or, as far as the same is controllable through the operation of works herein or hereafter authorized, by use of return flow; nor shall the obligations of the State of Colorado under the provisions of the Arkansas River Compact (63 Stat. 145) be altered by any operations of the Fryingpan-Arkansas project.

"(d) No right or claim of right to the use of the waters of the Colorado River system shall be aided or prejudiced by this act, and the Congress does not, by its enactment, construe or interpret any provision of the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, or the Mexican Water treaty or subject the United States to, or approve or disapprove any interpretation of, said compacts, statute, or treaty, anything in this act to the contrary notwithstanding.

"SEC. 8. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act."

Mr. MURRAY. Mr. President, I yield to my distinguished colleague from Colorado.

The PRESIDING OFFICER. Does the Senator from Montana wish to submit a unanimous-consent request?

Mr. MURRAY. I yield the floor.

Mr. ALLOTT. Mr. President, this is the same Fryingpan-Arkansas project which has been twice previously approved by a unanimous vote of the Senate. S. 60 differs only in a few minor technical respects from S. 300, a bill introduced in the 84th Congress by our great former colleague Eugene Millikin and myself and passed by this body last year. This same project was approved during the 83d Congress by passage of a bill introduced by Senator Millikin and another of Colorado's great Senators, Edwin C. Johnson. I shall, therefore, not take a great deal of the time of the Senate today explaining a project the merits of which have already been so clearly recognized by this Senate. The economic necessity of the Fryingpan to this area remains unaltered.

In order that this matter be thoroughly documented, I desire to refer to previous items in the RECORD covering this project:

Speech by Senator Millikin, CONGRESSIONAL RECORD, volume 102, part 9, page 12473.

Speech by Senator ANDERSON, CONGRESSIONAL RECORD, volume 102, part 9, page 12478.

Speech by Senator WATKINS, CONGRESSIONAL RECORD, volume 102, part 9, page 12479.

Speech by Senator ALLOTT, CONGRESSIONAL RECORD, volume 102, part 9, page 12479.

Speech by Senator KUCHEL, CONGRESSIONAL RECORD, volume 102, part 9, page 12483.

Speech by Senator SMITH of New Jersey, CONGRESSIONAL RECORD, volume 102, part 9, page 12483.

Speech by Senator KNOWLAND, CONGRESSIONAL RECORD, volume 102, part 9, page 12483.

Speech by Senator BARRETT, CONGRESSIONAL RECORD, volume 102, part 9, page 12484.

Speech by Senator WILEY, CONGRESSIONAL RECORD, volume 102, part 9, page 12484.

Speech by Senator NEUBERGER, CONGRESSIONAL RECORD, volume 102, part 9, page 12484.

The Fryingpan continues to have the unanimous support of all of Colorado's Representatives to Congress and officials of the State of Colorado, including the present Governor, the Honorable Stephen L. R. McNichols, and his two predecessors, the Colorado Water Conservation Board, which is the official agency of the State of Colorado formulating policy on water and water conservation, and all other State officials, insofar as they have made public their views.

The Fryingpan-Arkansas project has been open to public scrutiny for a long time, and has received very extensive consideration by the executive branch of the Government under two administrations, by the States which are concerned with it, and by the committees of the Congress. On record in support of the project are the Department of Interior, the Corps of Engineers, the Bureau of the Budget, and most of the States of the Colorado River Basin.

The President of the United States has for the past several years strongly recommended the enactment of such legislation.

This much needed project has also been endorsed by the National Rural Electric Cooperative Association and the National Reclamation Association. The people of the Arkansas Basin in Colorado, several hundred thousand strong, have worked long, hard, and diligently for the fulfillment of this great advance.

The Fryingpan-Arkansas is a truly multipurpose reclamation project. Its plans have been under preparation for several years, and have been considered by the people of Colorado for over 40 years. It is described in detail in Report No. 325 of this Congress, and is shown by maps which are on the desks of all Senators, but I shall describe it briefly.

The project is designed to secure a supplemental water supply through a joint venture of industries, municipalities, canal companies, irrigation districts, and other legitimate water users in the Arkansas River Valley of Colorado. Existing water rights are pooled, without loss of priority or identity, to permit greater diversions from the headwater tributaries of the Colorado River system and to hold these flows in storage high in the mountains where evaporation losses are small. Thus, years of large runoff will balance with dry years, and a uniform supply will result.

Diversions to the Arkansas Valley from the western slope of the Rockies have been in operation for many years by irrigation districts and canal companies. We propose to increase the importation of the Colorado River Basin waters to the Arkansas, and in that operation put the whole import of public and private water holdings to work by means of hydraulic installations en route.

Powerplant revenues will involve nearly $2 million annually.

By means of a large reservoir on the Arkansas River above Pueblo, the power discharges, together with natural flows during the months when there is no irrigation from the Arkansas River, will be regulated again for the use of industry, cities, and towns, and, of greater importance, for the supplemental irrigation of lands in established farms which will receive this supplemental supply for 323,000 acres.

No new lands are placed in irrigation. I stress that point, as there has been some misunderstanding from time to time that new land might be brought under cultivation. The irrigation water of the Fryingpan is for supplemental purposes exclusively.

In the Arkansas Valley there are about a score of major irrigation diversions which have been operating for many years. Some of them have old priorities and have fairly consistent water supplies. Others do not. Some have storage facilities. Some do not. All have agreed to pool their rights permitting storage in Pueblo Reservoir so that the whole valley may benefit.

The diversion water, which is essential to the feasibility of the project, will be collected on the western side of the Continental Divide from the snow-melt runoff by a system of conduits totaling 50 miles in length.

These will deliver water to the western portal of the tunnel which will pass beneath the Continental Divide, discharging into the Arkansas River. The tunnel will be about 6 miles in length. A short distance below the outlet of the tunnel, these waters, as well as the Arkansas River, will be regulated by an enlargement of the existing Sugarloaf Reservoir owned by the Colorado Fuel and Iron Co. The Sugarloaf Reservoir has a capacity of 17,000 feet, which will be enlarged to 117,000 feet. This will enable the waters passing through it to be regulated into a canal going in a southerly direction to the proposed Elbert powerplant, which will operate under a head of 500 feet.

The discharge from the Elbert powerplant will be directed into the enlarged Twin Lakes Reservoir which will be increased from its present capacity of 56,000 acre feet to 260,000 acre-feet. This will serve to regulate further the flow of the river. The regulated flow

available from the Twin Lakes Reservoir will be conveyed by a closed conduit to a power plant immediately above the Otero Reservoir, operating under a head of 300 feet.

This water would then be discharged from the Otero Reservoir, situated on Clear Creek, above its junction with the Arkansas River, into a canal which would carry the water about 6 miles to the proposed Wapaco powerplant, operating under a head of 500 feet. After passing through the powerplant, the water will be conveyed about 20 miles to the proposed Princeton powerplant, to operate under a head of 300 feet.

From the tailrace of the Princeton powerplant the water will be conveyed 4 miles to the Pancho powerplant, under a head of 270 feet, and from there 3 miles to the terminal powerplant of the mountain system near Salida, to operate under a head of 400 feet.

The total length of the power conduit canal is about 60 miles, and the total fall is 2,250 feet. The generating capacity proposed for these plants is about 93 million kilowatts.

The discharge at the tailrace of the Salida powerplant is at an elevation of 7,300 feet. Below Salida the imported waterflows from the Colorado River drainage, commonly called the western slope, will move downstream to be further regulated and controlled at the Pueblo Reservoir 7 miles west of that city. The capacity of this reservoir will be 400,000 acre-feet, located 4,902 feet above sea level. This reservoir is designed to regulate for irrigation and municipal users the combined waters of the Arkansas River plus the importations.

It will provide 94,000 acre-feet to be used jointly for conservation purposes, for sediment retention, and 93,000 acre-feet for flood control. An 11,000 kilowatt powerplant is planned at Pueblo Dam.

All of these units will provide extensive recreation benefits.

A supplemental reservoir is provided by S. 60, near Aspen, Colo., on the Roaring Fork, a tributary of the Colorado River. This structure, financed entirely by the beneficiaries on the eastern slope of the Rocky Mountain Divide, would regulate and protect the flows of the Roaring Fork for the benefit of the downstream users on the western slope.

S. 60 incorporates by reference a number of operating principles with respect to Aspen Reservoir, as well as the balance of the project. These relate to the preservation and propagation of fish and other phases of the project's operation for the benefit of the western slope and have been agreed to by all interested parties.

Mr. President, I cannot stress too strongly the necessity of the Fryingpan. The flood control aspects alone are vitally important.

Following a severe and very damaging flood in 1921, the people of the Arkansas Valley, in the vicinity of Pueblo, invested many millions of dollars in flood protection works. The bonds issued to finance this project will be paid off this year.

The Fryingpan-Arkansas project will greatly supplement this present protection which was built by the people of the Arkansas Valley.

If the southeastern part of Colorado is to grow economically, the improved water supply is essential. The cost of this project has been carefully studied by both Federal and private engineers and clearly allows repayment within 54 years. Since the earlier studies on this project, construction costs have increased by some $2,700,000, but this does not impair the attractive economic analysis and repayment plan as outlined in Senate Document 106, 82d Congress, and House Document 187, 83d Congress. In the hearings before the Interior Committee this year, it was made clear that the further study has produced an even better planned project with more accurate cost figures.

The following tabulation presents a comparison of the economic feasibility of the repayment plan set out in those documents:

Comparison of feasibility and repayment outlines

	H. Doc. 187 (83d Cong.)	Current estimates
Estimated construction costs	$172,898,000	$159,287,000
Tentative allocation of costs:		
Irrigation (reimbursable)	75,128,000	67,069,000
Municipal water:		
Basic project costs (reimbursable)	11,154,000	9,692,000
Delivery system (reimbursable)	21,500,000	13,291,000
Power (reimbursable)	41,945,000	49,853,000
Flood control (nonreimbursable)	20,341,000	17,227,000
Fish and wildlife (nonreimbursable)	2,830,000	2,155,000
Total reimbursable	149,727,000	139,905,000
Total nonreimbursable	23,171,000	19,382,000
Estimated annual net revenues:		
Irrigation	622,000	[1] 969,700
Power	[1] 1,504,400	[1] 1,875,200
Municipal water:		
Water sales	433,000	328,700
Delivery system	641,200	484,400
Estimated repayment periods:	*Years*	*Years*
Irrigation investment	69	[2] 54
Municipal water investment	63	[2] 48
Power investment	52	[2] 44

[1] Average-year revenues.
[2] The mill rate per firm kilowatt-hour is 5.5 in H. Doc. 187 and 6.5 in the current estimates.
[3] After construction is completed and revenues have been brought up to normal. Power net revenues after the power allocation is repaid with interest, will be applied to assist in retiring the irrigation investment.

Details of annual net revenues—function and source of revenues

Irrigation and district:	
Project water (51,200 acre-feet, at $5.40)	$276,500
Twin Lakes service (12,500 acre-feet, at $3)	37,500
Regulation of winter water (74,000 acre-feet at $2.25)	166,500
District tax (average over repayment period)[1]	477,200
Subtotal	957,700
Less operation, maintenance, and replacement	—88,000
Net irrigation revenues (rounded)	869,700

Details of annual net revenues—function and source of revenues—Continued

Power:	
370,000,000 kilowatt-hours, at 6.5 mills	$2,405,000
97,200,000 kilowatt-hours, at 3.5 mills	340,200
Subtotal	2,745,200
Less operation, maintenance, and replacement	—870,000
Net power revenues (rounded)	1,875,200
Municipal and industrial water supply:	
Municipal supplies (20,500 acre-feet, at $5.40)	110,700
Storage of C. P. and I. water (4,000 acre-feet, at $2)	8,000
Portion of district tax[1] (applied to repayment of municipal water supply)	223,000
Subtotal	341,700
Less operation, maintenance, and replacement	—13,000
Net municipal water revenues (for supply)	328,700
Municipal and industrial water delivery system:	
Delivery of water to Colorado Springs (10,000 acre-feet, at $29.40)	293,900
Delivery of water to valley towns (7,500 acre-feet, at $53.20)	391,500
Subtotal	685,400
Less operation, maintenance, and replacement	—201,000
Net municipal water revenue (for delivery system)	484,400
Total average annual net project revenue	3,558,000

[1] The district tax would be realized from ad valorem tax of 1 mill levied by the conservancy district on taxable property within the district boundaries. The 1956 assessed value of property within the contemplated project was $395 million. It has been estimated that the average annual increase in assessed valuation would equal 2 percent of the 1956 valuation. An average of $40,000 per year has been allowed for district expense.

The benefit-cost ratio, previously determined by the Bureau of Reclamation to be 1.48 to 1, is now estimated to be 1.47 to 1.

The bill gives full protection to the Federal investment. Power and municipal water costs are to be returned with interest at the rate at which the Federal Government borrows. Money collected for interest will go into the Treasury. When the interest-bearing costs are repaid, net revenues from power and profits from the delivery of municipal water supplies will be applied to repayment of irrigation costs not paid by farmers. The project's irrigation repayment by water users is highly favorable. Water users and conservancy district revenues can return about 50 million of the total of 68 million, this being 74 percent of the irrigation cost allocation.

Total repayment is 87.8 percent of costs.

It should be noted that 1½ percent of the cost is allocated to fish and wildlife

benefits. This is necessary for the preservation of these resources in the western slope streams.

The area affected is largely federally owned. The States, of course, own the waters of the stream, but have provided legal means for appropriating them for beneficial uses. Under State laws, water users may dry up streams, and that is the specific reason for making provisions for a nonreimbursable allocation, that is, not to be borne by the water users, for this recreational feature that is available to all.

The State of Colorado and the others of the upper Colorado River Basin have approved this project, as I have noted previously. I am sure that Members of the Senate are familiar with the Colorado River interstate compacts. I can assure Senators that S. 60 in no way violates any of the interstate agreements. It is plainly stated in the bill that the project must be operated in compliance with these compacts.

In closing, Mr. President, I want to reiterate that this is a practical multipurpose reclamation project which is needed to help develop our part of the country. People of this area find it quite beyond their resources at this time to construct this. There is no private company which will undertake this project nor private money available for its construction. The cost is commensurate with the size of the project.

The amount of water proposed to be diverted, 69,000 feet, cannot conceivably affect the rights of other States in the Colorado River Basin. It is only 2 percent of the amount allocated to Colorado under the upper Colorado River compact.

This is a self-contained project that does not commit this Congress nor anyone to an enlargement of this project. It is, and is intended to be, a completely self-contained unit, and self-liquidating under the provisions of S. 60. The doctrine of prior appropriation, which is the basis of the water rights laws of Colorado and of all Western States, recognizes transbasin diversions and gives no preference to inbasin use. There is no question that the water to be diverted is completely within the amount of water allocated to the State of Colorado by the various compacts with the other States. For these reasons, Mr. President, I respectfully urge passage of S. 60.

Before I yield, I want to again compliment my distinguished predecessors, Senator Johnson and Senator Millikin, for their great work in the development of this project and the measures authorizing it. I want also to note that the diligence and cooperation of my distinguished colleague, the junior Senator from Colorado [Mr. CARROLL] has been invaluable. Enough cannot be said for the work of the people in the Arkansas Valley themselves, without whose efforts this project could never have been developed. A list of those who have given the most of their time and talents would have to include Charles J. Beise, counsel for the Water Development Association of Southeastern Colorado; Charles Boustead, president of the association; Harold Christy, director of the association; Damian Ducy, past president of the association; Frank Hoag, Jr., publisher of the Pueblo Star Journal and Chieftain; Ivan Crawford, director of the Colorado Water Conservation Board; Wayne Bennett, of the Twin Lakes Water Users Association; and Ted Ryan, manager of the Rocky Ford Chamber of Commerce.

I am pleased to have had the privilege of working with these dedicated people, and earnestly urge all of my friends in the Senate to assist us in bringing to fruition the dreams of the people of the Arkansas Valley in Colorado. Without the Fryingpan, the otherwise assured progress of southeastern Colorado is stymied. With it, the economic future of this part of our country is unbounded.

Mr. CARROLL. Mr. President, I rise in support of the pending bill, Senate bill 60, and I desire to express my appreciation at the outset for the very excellent statement of the chairman of the committee, the distinguished Senator from Montana [Mr. MURRAY] and for the help of all the members of the Committee on Interior and Insular Affairs, who have given so much time and attention to this important piece of legislation. They are to be commended for the splendid work they have done.

I also desire to associate myself with the very clear and concise presentation by the distinguished senior Senator from Colorado [Mr. ALLOTT]. He has covered this matter very thoroughly from every standpoint—the importance of this project to the State of Colorado, the importance of the project to the Nation, and, above all, the fact that there is not adequate private capital in Colorado to finance what I conceive to be a project which, by its very nature, was one of the reasons, in 1902, why the then President, Theodore Roosevelt, helped father the Reclamation Act, to help the people of the West on projects such as this.

Mr. President, this is a joint venture on the part of farmers, municipalities and industry in an area that needs a great water and power development, an area that has been planning this project for more than 10 years. As a matter of fact, the people of the Arkansas Valley have been planning projects of this nature for more than 40 years. There is a long history back of this project, and it has been well set forth by the distinguished senior Senator from Colorado. Furthermore there is a long and fruitful history of reclamation projects of this type in the West.

I call to the attention of my colleagues the benefits, the accomplishments, the profits to the people of the United States of water and power reclamation projects in my part of the country.

Reclamation has constructed or rebuilt facilities to furnish a full or supplemental irrigation water supply for 7.1 millions acres of irrigable land. This translates into 125,000 family-size farms and an additional 125,000 suburban units.

Crop production in 1953 from 69 reclamation projects or major divisions was valued at $785.9 million and the cumulative value of crops produced from 1906 to 1953 totals almost $10 billion.

Net power revenues in fiscal year 1954 from 29 powerplants now in operation, after deductions for annual operation, maintenance, and replacements, totaled $33.9 million, and the total of all net power revenues returned to the Federal Treasury through June 30, 1953, amounted to about $225.9 million. Net power revenues during the next 50 years from 1953 at the level of fiscal year 1954 could return an additional $1,692.5 million to the Treasury.

Irrigation and municipal water repayment contracts will return $691 million, of which $108.9 million had been paid to June 30, 1953. While making construction account payments, the water users have paid operation and maintenance charges as they have become due. This will continue. Additional returns will accrue through water sales-type contracts.

Potential returns to the United States Treasury from irrigation and municipal water users during the contract repayment period, plus the net power revenues from the presently operating facilities at the fiscal year 1954 level for the next 50 years will aggregate $2.6 billion, of which $334.8 million had been paid in on June 30, 1953. Powerplants under construction will, when completed, add materially to these potential returns.

Federal tax revenues since 1916 from reclamation areas which may be attributed to Federal reclamation developments now stand at more than $3 billion. This sum alone exceeds by 25 percent the total cost of all Bureau-constructed projects to date.

Income to nonfarm urban areas in the environs of reclamation projects in 1953 amounted to about $786 million, and aggregates almost $10 billion.

Western population has increased at a much greater rate during the last decade than has the population of the Eastern States. For example, the population of the 17 Western States increased 25.8 percent between 1940 and 1950, while the 31 Eastern States gained only 11.5 percent.

Per capita retail trade in the Western States exceeds that of the Eastern States.

With reclamation-project development, business activity as reflected by railway freight shipments increases from east to west and from west to east.

This resource development expenditure over a period of more than 50 years is less than 4 percent of a single year's budget.

One of the great reclamation projects of the West is the Colorado-Big Thompson project. It is a transmountain water diversion project not unlike the project before us for consideration today.

The Colorado-Big Thompson project is located in the northeast quarter of the State of Colorado and transfers water from the Colorado River to the hungry farmlands of South Platte River Valley.

It is a dramatic project and one worth studying here for a moment as an example of what can be done by people with a bold vision.

Here is how the Colorado-Big Thompson was described by Mr. Don F. Martin in the February 1955 issue of Reclamation Era. He was writing about the

severe drought of 1954 in the Great Plains States:

Hundreds of thousands of acres of one of Colorado's most important agricultural areas lay sweltering under the constant sun. The towering Rockies loomed dry and snowless over the sunbaked prairies below. Streams normally fed by the mountains' melting snowpack dwindled to trickles.

The Colorado-Big Thompson project, dramatic transmountain water diversion project, 60 years a hope and a dream, and more than 16 years in the building, was ready to deliver water to the bone-dry farms in the huge Northern Colorado Water Conservancy District extending from the foothills of the Rockies eastward through the South Platte River Basin to the Colorado-Nebraska State line.

In this drought-wracked area, the Colorado-Big Thompson project poured 300,352 acre-feet of water—water which had been stored in project reservoirs, transplanted beneath the Continental Divide through a 13-mile-long tunnel three-quarters of a mile below the crest of the Rockies, and finally distributed to the lands through a system of canals interconnected with the privately developed and privately operated irrigation systems spider-webbing northern Colorado.

The Northern Colorado Water Conservancy District, served under the Colorado-Big Thompson project, comprises an area half as large as the entire State of Delaware—615,000 acres of cultivated land.

The natural water supply was overappropriated. Shortages of irrigation water supplies frequently limited crop production to a serious degree. The more farsighted residents of the area looked westward toward the mountains and believed they saw in that direction the answer to their water problems: Just across the Continental Divide on Colorado's western slope water was plentiful, actually in surplus.

The Alva B. Adams Tunnel was driven under the Divide to bring the water from west to east. And then a series of hydroelectric generating plants were constructed to use the more than 3,000 feet of natural head between the east portal of the tunnel and the farmlands below.

These plants pour out the energy needed by farms, cities, industries, and other users in a wide section of Colorado. (Also in neighboring Kansas, Nebraska, and Wyoming.) Revenues from sale of this energy are paying a major portion of the $159.8 million the project will cost when finally completed a year or two hence.

Today the income taxes to the Federal Government arising out of the area served by the Colorado-Big Thompson project are over $40 million annually.

Projects of this type are profitable not only to the West but to the entire Nation. They are sound investments. Colorado-Big Thompson has been a sound investment.

The favorable economic effects of the high-stable level of farming activity in northern Colorado are felt by the eastern, midwestern and far western manufacturers of the farm machinery and equipment, fertilizers, foods, automobiles, clothing, furniture, appliances, and other commodities purchased and used by the farmers throughout the northern Colorado conservancy district and by their urban neighbors.

The drought of 1954 in northern Colorado not only might have spelled disaster for the immediate area and its people, but it also could have touched adversely upon the well-being of persons in many walks of life throughout the entire State of Colorado and in far-distant sections of the Nation.

The Colorado-Big Thompson is now a proven success, nearing completion. Was its 1955 dollar cost thrice what was estimated in 1935? So were costs of the eastern writer's shoes. So, also, were rivers and harbors Federal internal improvement costs in the East increased in 20 years.

The Fryingpan-Arkansas will be no less beneficial than Colorado-Big Thompson. It will not only restore and bolster the economic health of the Arkansas Valley; it will be of economic benefit to the whole region, the whole Nation.

The Fryingpan-Arkansas is, in short, a sound business investment for this country and will reap the American taxpayers a handsome and substantial return.

I would like to take a moment to talk about what the Fryingpan-Arkansas project consists of.

The project contemplates, first, diversion through the project works from the Roaring Fork River Basin in western Colorado to the Arkansas River Basin in eastern Colorado of approximately 69,000 acre-feet of water per annum; second, diversion through the existing works of the Twin Lakes Co. of about 15,000 acre-feet per annum over and above what that company now diverts; third, storage on the eastern slope for the waters thus imported and, in addition, for eastern slope floodwaters and winter flows averaging 50,000 and 93,000 acre-feet per annum, respectively.

This water will make possible the furnishing of supplemental irrigation water for 322,000 acres of irrigated land not having an adequate water supply and will supply expanding needs for municipal, domestic, and industrial water in the upper Arkansas Basin.

The project will prevent a large part of the flood damages which, under present conditions, occur between Pueblo and John Martin Reservoir.

In accomplishing these primary purposes of the project, works will be provided for the generation of an average of 505 million kilowatt-hours of hydroelectric power annually.

An important feature of the project is the 28,000 acre-foot Aspen Reservoir on the western slope. This reservoir, the cost of which is included in the cost of the project, will serve to assure present and potential western slope water users that the proposed diversion of water to the eastern slope will not deprive them of water, rights to the use of which for domestic, irrigation, and manufacturing purposes—including power generation in the case of existing rights—now exist or are hereafter acquired pursuant to the laws of the State of Colorado.

The area affected by the proposed project is an area containing outstanding fish and wildlife resources. The principles of operation approved by the Colorado Water Conservation Board, mentioned previously in this letter, will safeguard the highly important sports fishery on the western slope by providing for certain specified minimum flows in the Roaring Fork and Fryingpan Rivers.

In calling for the passage of this Fryingpan-Arkansas bill we are pursuing a tradition as old as the West.

Eighty-five years ago, in 1872, Judge Moses Hallett, declared the doctrine we are following here today.

In phrasing his decision Judge Hallett cited the ancient writings of the psalmist in the Holy Bible who said:

> My soul thirsteth for thee, in a dry and thirsty land, where no water is.

And Judge Hallett went on to render this momentous decision which became the basic doctrine of western reclamation:

> In a dry and thirsty land it is necessary to divert the waters of streams from their natural channels in order to obtain the fruits of the soil, and this necessity is so universal and imperious that it claims recognition of the law.

This fundamental water decision gave effect to the physical necessities of this new land, arising from its arid climate.

It was a forerunner to fine cities and prosperous farm communities in a land where an early explorer, Zebulon Pike, declared could never be made fit for habitation.

There is also a legislative history back of this Fryingpan-Arkansas bill. This proposed legislation has passed the Senate twice. Twice it has failed in the House of Representatives, not because it ever came to a vote on its merits, but because of difficulty encountered in the Rules Committee. We think that in this Congress there is ample time to pass this bill, and perhaps this time there is greater understanding. I am confident that this time there will be better understanding, when this bill goes before the other body for consideration on its merits. I am confident that they will recognize the benefits which will accrue from it to the Nation and to our State. I am confident that the bill will eventually become law.

As I pay my respects to my colleagues on the floor today, I have been asked by the Senator from New Mexico [Mr. ANDERSON] to express his opinion about this bill. The Senator from New Mexico was the chairman of the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs, and he asked me to repeat to Members present and to the Presiding Officer, what he said a year ago:

> If this was a good bill in the previous Congress, it is a better bill now, because since the passage of the Fryingpan-Arkansas project there has been located at Colorado Springs a great military installation involving the training of aviators—

The future air officers of our Nation.

This bill if enacted into law, will provide water for the great Air Academy of the Nation, and it will provide water for Colorado Springs, for Pueblo, and for cities all along the Arkansas Valley.

Moreover, Mr. President, this project will be a real joint venture, because the Federal loan will be repaid from revenues from power, municipal water, and irrigation. Eventually every nickel of this loan made to the people of Colorado will be repaid into the United States Treasury.

I am reminded, Mr. President, of the fact that 20 years ago this body approved the Colorado-Big Thompson project, about which I spoke a few moments ago. There was some dispute in our own State about that project, and some dispute in the Congress. But today there is no dispute about the financial value of Colorado-Big Thompson. The Colorado-Big Thompson project last year made payments into the United States Treasury of $3.7 million from power alone. Since its completion Colorado-Big Thompson has paid the Treasury $17,735,731. The same principles of repayment apply to the Fryingpan-Arkansas project.

I say to my colleagues, they need have no qualms about this proposed legislation. This project will be good for the Nation. It will increase in years to come the tax revenue from expanding industry, from farmlands enriched by the supplemental water, from the REA's, from farmers, and from cities because of the increased use of power. All will receive great benefits and will in turn bring benefits to the United States Treasury and the people of the United States.

Mr. President, before I yield the floor, I believe the Senator from Texas desired to have me yield to him.

INDEPENDENT OFFICES APPROPRIATIONS—CONFERENCE REPORT

Mr. MAGNUSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of June 27, 1957, pp. 10499–10501, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MAGNUSON. Mr. President, I shall not take up the time of the Senate to explain in detail the various items, but I shall place in the RECORD a statement dealing with the items separately.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 6070, which was read, as follows:

> IN THE HOUSE OF REPRESENTATIVES, U. S.,
> *June 27, 1957.*
>
> *Resolved*, That the House recede from its disagreement to the amendments of the Senate numbered 1, 12, 24, 22 to the bill (H R. 6070) entitled "An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes," and concur therein;
>
> That the House recede from its disagreement to the amendment of the Senate numbered 14, and concur therein with an amendment, as follows: In lieu of the sum of "$1,710,000" named in said amendment, insert "$1,500,000"; and in lieu of the sum of "$23,410,000" named in said amendment, insert "$23,200,000."
>
> That the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert:
>
> "Not to exceed 2 percent of any appropriation made available to the General Services Administration for the current fiscal year by this Act may be transferred to any other such appropriation, but no such appropriation shall be thereby increased more than 2 percent: *Provided*, That such transfers shall apply only to operating expenses, and shall not exceed in the aggregate the amount of $2,000,000."
>
> That the House recede from its disagreement to the amendment of the Senate numbered 41, and concur therein with an amendment, as follows:
>
> In lieu of the matter proposed by said amendment, insert: "for the making of special investigations and reports (not to exceed $500,000)"; and
>
> That the House insist upon its disagreement to the amendments of the Senate numbered 3 and 13.

Mr. MAGNUSON. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 14, 27, and 41.

The motion was agreed to.

Mr. MAGNUSON. I move that the Senate recede from its amendments Nos. 3 and 13.

The motion was agreed to.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD a comparative statement on the independent offices appropriation bill for fiscal year 1958.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMPARATIVE STATEMENT ON INDEPENDENT OFFICES APPROPRIATION BILL, 1958 (H. R. 6070)

Title I—Independent offices

Item	Appropriations, 1957	Budget estimates, 1958	House bill	Senate bill	Conference action
CIVIL SERVICE COMMISSION					
Salaries and expenses	$17,407,500	$20,000,000	$18,300,000	$18,300,000	$18,300,000
Investigations of United States citizens for employment by international organizations	487,500	507,000	491,800	491,800	491,800
Annuities, Panama Canal construction employees and Lighthouse Service widows	2,024,000	2,417,000	2,300,000	2,417,000	2,390,000
Payment to the civil-service retirement and disability fund	525,000,000				
Administrative expenses, Federal employees life insurance fund	(117,500)	(233,000)	(125,800)	(309,500)	(133,800)
Total, Civil Service Commission	544,919,000	22,924,000	21,091,800	21,208,800	21,151,800
FEDERAL CIVIL DEFENSE ADMINISTRATION					
Operations	15,560,000	25,000,000	17,000,000	17,000,000	17,000,000
Federal contributions	17,000,000	17,000,000	17,000,000	17,000,000	17,000,000
Emergency supplies and equipment	47,000,000	75,000,000	3,300,000	3,300,000	3,300,000
Surveys, plans, and research	10,000,000	6,700,000	2,000,000	2,000,000	2,000,000
Salaries and expenses, civil defense functions of Federal agencies	4,000,000	6,300,000	0	0	0
Total, Federal Civil Defense Administration	93,560,000	130,000,000	39,300,000	39,300,000	39,300,000
FUNDS APPROPRIATED TO THE PRESIDENT					
Disaster relief	6,000,000	10,000,000	10,000,000	10,000,000	10,000,000
FEDERAL COMMUNICATIONS COMMISSION					
Salaries and expenses	7,828,000	8,950,000	8,300,000	8,300,000	8,300,000
FEDERAL POWER COMMISSION					
Salaries and expenses	5,225,000	5,900,000	5,530,000	5,530,000	5,530,000
FEDERAL TRADE COMMISSION					
Salaries and expenses	5,550,000	6,250,000	5,950,000	5,950,000	5,950,000
GENERAL ACCOUNTING OFFICE					
Salaries and expenses	34,000,000	37,800,000	36,050,000	36,050,000	36,050,000

Title I—Independent offices—Continued

Item	Appropriations, 1957	Budget estimates, 1958	House bill	Senate bill	Conference action
GENERAL SERVICES ADMINISTRATION					
Operating expenses, Public Building Service	$131,050,000	$142,000,000	$127,464,000	$133,214,000	$130,339,000
Repair and improvement, federally owned buildings	42,600,550	85,500,000	65,000,000	65,000,000	65,000,000
Sites and expenses, purchase contract and public buildings projects	5,000,000	20,000,000	20,000,000	20,000,000	20,000,000
Payments, public buildings purchase contracts	237,000	2,000,000	1,331,100	1,331,100	1,331,100
Construction, public buildings		2,500,000	2,125,000	2,145,000	2,125,000
Acquisition of land, District of Columbia	250,000	1,675,000	0	0	0
Hospital facilities in the District of Columbia	5,300,000			1,710,000	1,500,000
Operating expenses, Federal Supply Service	[1] 2,884,400	[2] 4,350,000	[3] 3,360,000	[3] 3,360,000	[3] 3,360,000
Expenses, supply distribution	15,070,000	20,000,000	17,765,000	17,765,000	17,765,000
General supply fund	18,000,000	25,000,000	12,500,000	12,500,000	12,500,000
Operating expenses, National Archives and Records Service	6,893,650	7,000,000	7,254,500	7,263,000	7,263,000
Operating expenses, Transportation and Public Utilities Service	1,251,100	1,700,000	1,330,000	1,700,000	1,515,000
Strategic and critical materials		150,000,000	0		
Abaca fiber program (administrative expenses)	(100,000)	(94,500)	(47,000)	(47,000)	(47,000)
Salaries and expenses, Office of Administrator	395,000	264,000	240,000	260,000	240,000
Administrative operations fund (limitation)	(9,540,575)	(11,809,000)	(10,459,000)	(10,859,000)	(10,659,000)
U. S. Post Office and Courthouse, Nome, Alaska	200,000				
Acquisition of tin	8,000,000				
Total, General Services Administration	237,131,700	442,629,000	256,389,600	266,248,100	262,958,100
HOUSING AND HOME FINANCE AGENCY					
Office of the Administrator:					
Salaries and expenses	6,225,000	7,925,000	6,930,000	6,930,000	6,930,000
Housing studies		[4] 1,170,000	0	120,000	0
Housing studies (liquidation of contract authorization)		[5] 800,000		0	0
Defense mobilization functions		175,000	0	0	0
Urban planning grants	1,500,000	1,500,000	1,275,000	1,275,000	1,275,000
Reserve of planned public works (payment to revolving fund)	7,500,000	6,000,000	5,000,000	5,000,000	5,000,000
Capital grants for slum clearance and urban renewal	40,000,000				
Administrative expenses, Federal Flood Indemnity Administration	500,000				
Total, Office of the Administrator	55,725,000	16,570,000	13,205,000	13,325,000	13,205,000
Public Housing Administration:					
Administrative expenses	10,700,000	13,300,000	11,440,000	11,440,000	11,440,000
Annual contributions	93,000,000	99,000,000	95,000,000	95,000,000	95,000,000
Total, Public Housing Administration	103,700,000	112,300,000	106,440,000	106,440,000	106,440,000
Total, Housing and Home Finance Agency	159,425,000	128,870,000	119,645,000	119,765,000	119,645,000
INTERSTATE COMMERCE COMMISSION					
Salaries and expenses	14,879,696	17,300,000	16,500,000	17,000,000	16,750,000
NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS					
Salaries and expenses	[6] 62,676,500	76,800,000	70,000,000	71,000,000	71,000,000
Construction and equipment	14,000,000	41,484,000	35,000,000	35,000,000	35,000,000
Total, National Advisory Committee for Aeronautics	76,676,500	118,284,000	105,000,000	106,000,000	106,000,000
NATIONAL CAPITAL HOUSING AUTHORITY					
Maintenance and operation of properties	38,000	42,000	40,000	38,000	38,000
NATIONAL SCIENCE FOUNDATION					
Salaries and expenses	40,000,000	65,000,000	40,000,000	40,000,000	40,000,000
NATIONAL SECURITY TRAINING COMMISSION					
Salaries and expenses	50,000	75,000	0	0	0
RENEGOTIATION BOARD					
Salaries and expenses	3,675,000	3,400,000	3,000,000	3,000,000	3,000,000
SECURITIES AND EXCHANGE COMMISSION					
Salaries and expenses	5,749,000	7,178,000	6,700,000	6,700,000	6,700,000
SELECTIVE SERVICE SYSTEM					
Salaries and expenses	29,050,000	30,000,000	27,000,000	27,000,000	27,000,000
VETERANS' ADMINISTRATION					
General operating expenses	163,327,130	165,442,000	161,374,000	161,374,000	161,374,000
Medical administration and miscellaneous operating expenses	20,773,800	22,057,000	20,773,800	22,763,400	21,763,400
Inpatient care	[4] 662,900,000	[4] 702,000,000	[4] 702,000,000	[4] 702,000,000	[4] 702,000,000
Outpatient care	82,538,000	79,000,000	79,000,000	79,000,000	79,000,000
Maintenance and operation of supply depots	1,628,000	1,940,000	1,790,000	1,790,000	1,790,000
Compensation and pensions	2,907,000,000	2,990,000,000	2,840,500,000	2,826,250,000	2,826,250,000
Readjustment benefits	775,000,000	829,460,000	787,987,000	784,047,000	784,047,000
Military and naval insurance	5,000,000	4,500,000	4,275,000	4,275,000	4,275,000
National service life insurance	23,200,000	8,000,000	7,600,000	7,600,000	7,600,000
Servicemen's indemnities	26,750,000	31,450,000	29,877,500	29,877,500	29,877,500
Grants to the Republic of the Philippines	2,000,000	1,750,000	1,500,000	1,500,000	1,500,000
Hospital and domiciliary facilities	51,635,000	50,000,000	42,500,000	42,500,000	42,500,000
Major alterations, improvements, and repairs	4,533,000	2,254,000	2,028,000	2,028,000	2,028,000
Service-disabled veterans insurance fund	1,000,000	1,500,000	1,500,000	1,500,000	1,500,000
Total, Veterans' Administration	4,727,084,930	4,889,363,000	4,682,705,300	4,666,504,900	4,666,504,900
Total, title I	5,990,841,826	5,924,165,000	5,385,201,700	5,378,594,800	5,373,377,800

[1] And $1,935,600 from proceeds of surplus property disposal.
[2] And $1,960,000 from proceeds of surplus property disposal.
[3] And $1,500,000 from proceeds of surplus property disposal.
[4] And not to exceed $1,500,000 of unobligated funds continued available.
[5] And in addition $7,216,900 from reimbursements.
[6] And in addition $6,656,000 from reimbursements.
[7] Supplemental estimate in H. Doc. 115 disallowed by House on third supplemental, 1957, and deferred by Senate committee to regular 1958 bill.

Title II—Corporations, administrative expenses

[Limitations on amounts of corporate funds to be expended]

Corporation or agency	Authorizations, 1957	Budget estimates, 1958	House bill	Senate bill	Conference action
Federal Home Loan Bank Board	$1,036,700	$1,300,000	$1,200,000	$1,300,000	$1,250,000
Federal Savings and Loan Insurance Corporation	590,000	700,000	650,000	700,000	675,000
Housing and Home Finance Agency:					
College housing loans	1,100,000	1,700,000	1,327,000	1,427,000	1,377,000
Public facility loans	368,000	490,000	400,000	400,000	400,000
Revolving fund (liquidating programs)	2,165,600	1,940,000	970,000	1,940,000	1,100,000
Federal National Mortgage Association	4,625,000	5,250,000	4,750,000	4,750,000	4,750,000
Federal Housing Administration	6,900,000	7,400,000	7,260,000	7,260,000	7,260,000
Public Housing Administration	[1] 12,675,000	[1] 15,030,000	[1] 12,305,000	[1] 13,170,000	[1] 12,420,000
Total, administrative expenses	16,190,700	18,780,000	16,557,000	17,777,000	16,812,000

[1] Includes funds available by appropriation in title I, and by transfer from the revolving fund (liquidating programs) and is not included in totals to avoid duplication.

Mr. MAGNUSON. I wish to make just a brief statement. The bill as it comes out of conference is $550,288,000 under the budget estimate for all the independent offices involved. With reference to the amendments from which the Senate receded, one was an amendment which was placed in the bill on the floor of the Senate. It provides money to take over nine additional civil-service employees' insurance companies. The House would not agree to the amendment. A vote was had on the floor of the House, and the amendment was defeated by a yea-and-nay vote of 115 to 88.

The other amendment involved a small amount of planning money for a customhouse in North Dakota. It amounted to approximately $20,000. The House also voted on that amendment and rejected it. There is no other position for the Senate to take but to recede.

CONSERVATION OF TOPSOIL AND WATER

Mr. YARBOROUGH. Mr. President, I recently received from the Soil Conservation Service a report of high importance to all regions of this Nation which are plagued, as my home State of Texas is, by alternate periods of drought and floods.

This report of a study of moisture penetration of the soil during the heavy spring rains in Texas, showed that crop and pastureland where good soil-conservation practices were being carried out readily absorbed and retained the precious water.

The report pointed out also that the reverse of this fact was true and that poorly cared for land shed rain into creeks and rivers, adding to their runoff load and to flood damage.

The Soil Conservation Service examinations indicated that on protected land, regardless of soil slope or type and where sufficient rain fell, moisture generally penetrated to the root zone.

On the other hand, bare or unprotected land was seldom wet, the examinations showed, to a depth of more than 24 inches on rangeland or 48 inches on crop land except where flooding or impoundment of water had taken place.

Rangeland which received more than 12 inches of rain showed average moisture penetration of 46 inches where good conservation practices had been in operation, but only an average 19 inches where the land was poorly taken care of.

Cropland with a good cover crop showed an average penetration of 70 inches, but only an average 44 inches where there was no cover crop.

The major conclusion to be reached from the soil-conservation study was this: That at the end of the wettest spring in Texas in 15 years, surface condition of the soil, soil-conservation practices or the lack of them, made the difference between retention and loss of precious moisture.

One of the largest and most influential newspapers in my State, the Dallas (Tex.) Morning News, took editorial notice of this study on June 25. I ask unanimous consent that this editorial be printed in the RECORD at the conclusion of these remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HUSBANDING OUR SOIL

No one likely will take exception to Senator RALPH YARBOROUGH'S recent statement on the importance of conserving topsoil and water. He rightly pointed out that recent heavy rains do not lessen the need for conservation measures to lessen the devastating effects of future droughts.

The Senator noted that only 10 percent of the rain falling on Texas land last spring was captured and used. The rest flowed down into the Gulf of Mexico. But the water penetrated 46 inches on well-cared-for rangeland, compared with only 19 inches on neglected land. The recent rains should cause no one to let up in efforts to hold back more of the water where it is needed for crops and grass.

CONSTRUCTION OF FRYINGPAN-ARKANSAS PROJECT

The Senate resumed the consideration of the bill (S. 60) to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado.

Mr. WATKINS. Mr. President, I wish to express myself as firmly in support of the legislation proposed by my colleagues from Utah's neighboring State of Colorado.

Inasmuch as this measure has been before the Congress for many years, I shall not take time to go into detail on a supplemental review of its technical aspects provided by the bill's sponsors. The members of the Committee on Interior and Insular Affairs have thoroughly reviewed this proposal and have approved it several times. It is a sound project and one that is vitally needed by the people of a semiarid section of the great State of Colorado.

This is one reclamation project that should not meet with any substantial objection from our good friends in the Midwest and the East. Its water supply will not bring in any new agricultural acreage. Instead it will provide supplemental water for farms which now have an insufficient supply to meet their needs in dry years. This additional water supply will convert such farms into stable, agricultural units, instead of leaving them subject to further economic loss and potential ruin when their present inadequate water supplies do not stretch out far enough.

In addition, as Senators have been told, the water produced will supplement a number of expanding municipalities in the Arkansas River Valley, including that vital defense community of Colorado Springs, and the important interior steel-producing community of Pueblo, Colo. These communities cannot tap a nearby river source, as do the communities of the humid East. They are forced to work cooperatively and bring water from great distances, at heavy expense. However, they pay for the costs of this municipal water, with interest.

A century ago, President Abraham Lincoln gave a very sound estimate of the type of activities worthy of Federal sponsorship. He stated:

The legitimate object of Government is to do for a community whatever they need to have done but cannot do at all, or cannot so well do, for themselves in their separate and individual capacities. But in all that people can individually do as well for themselves, Government ought not to interfere.

This was good Government policy 100 years ago. It is bedrock sound today. The Fryingpan-Arkansas project adequately meets the terms of this basic requirement for Federal participation.

There is no private business in Colorado or elsewhere that could undertake such a complex project as this, involving a long-term future water supply for hundreds of farmers and several municipalities. Furthermore, the project is of such size that it is beyond the financial capacity of the local and State government.

Moreover, it is a sound project economically. Roughly 84 percent of the

capital costs of this project will be reimbursed by the water and power users in the area. In addition, the project beneficiaries will assume all costs of project operation and maintenance. Few water resource projects approved by Congress today can meet such high standards of cost-sharing and local participation.

The nonreimbursable portion of the capital costs will return to the area and to the Nation specific benefits in flood control, fish and wildlife preservation, and public recreation that will extend far beyond the 50-year repayment period.

This project was proposed back in 1948. I urge my colleagues to act favorably on this project and save the area involved any further economic and social losses from unjustified delay.

Mr. SMITH of New Jersey. Mr. President, I rise in support of the Fryingpan-Arkansas project. This project is particularly close to me, because for some time I was a resident of Colorado, and I am familiar with the water problems there. I am particularly familiar with the Colorado Springs area, where the project will be of special benefit, because I made my home there for several years. The population in that area within the past few years has expanded enormously. I visited there last summer, and I realize what this project will mean to that whole area.

I have another very special and personal reason for supporting the bill. This project has been near and dear to our beloved former colleague, Senator Eugene Millikin, who fought year after year for its adoption. Because of his illness, he is no longer with us. However, I know that every Member of the Senate bears a warm feeling toward Gene Millikin, and appreciates the wonderful fight he made for the people of his area while he was a Member of the Senate.

Mr. President, I feel that I am in a sense an honorary citizen of Colorado because of the years I spent there and my close relations with the Senators from Colorado, especially with my good friend, Senator ALLOTT. Therefore, I am more than happy to urge that the Senate pass the bill this year by the same vote that the Senate accorded to it last year after many discussions and many hearings and a full examination of every aspect of the project. Last year the vote was unanimous, and I hope this year it will be unanimous also.

The project will be of immense benefit to the people of Colorado. It will be virtually self-liquidating, as is shown by the RECORD. In tribute to our esteemed and loved former colleague, Gene Millikin, and also because of the merits of the bill itself, I urge that all Senators support this obviously worthwhile and meritorious project.

Mr. NEUBERGER. Mr. President, I hope to ask a few questions of the senior Senator from Colorado, if he will yield.

Mr. ALLOTT. I shall be happy to yield.

Mr. NEUBERGER. By way of prefacing my questions, I should like to say that I supported the Fryingpan project in the Committee on Interior and Insular Affairs and on the floor of the Senate last year. I supported it again in committee this year. Unless something intervenes in the immediate future to change my mind, it is my intention to support it on the floor again this year.

However, I should like to ask a number of questions of the senior Senator from Colorado, because these are questions which loom very large in the minds and hearts of the people whom I have the honor to represent in part in the Senate.

The Fryingpan-Arkansas project would have an installed capacity of 123,900 kilowatts and would generate about 470 million kilowatt-hours of salable energy. This Hells Canyon Dam would have an installed capacity at site of 800,000 kilowatts and would generate 5,852,000,000 kilowatt-hours of electricity.

The Fryingpan project would cost approximately $160 million. The Hells Canyon Dam project would cost approximately $358 million. The Hells Canyon project would produce over 10 times as much power as Fryingpan, yet would cost only a little more than twice as much.

The senior Senator from Colorado and most of his colleagues from the Rocky Mountain States on the other side of the aisle have opposed the Hells Canyon project, but ask us to support the Fryingpan project.

Before I put my question I should like to make it clear that the junior Senator from Colorado, by contrast, has not taken such an inconsistent position. The junior Senator from Colorado supports the Hells Canyon project. Of course, he also cosponsors the Fryingpan project.

Does the senior Senator from Colorado think it is in the interest of economy for the Federal Government to invest funds in a project that has less than one-tenth the output of Hells Canyon but costs about half as much? That is my question.

Mr. ALLOTT. I am very happy to answer the question of the junior Senator from Oregon. In answering the question I should like to say that his question is a compounded one, in a way, and to be asked to answer it is like being asked to answer the question, "Are you still beating your wife?"

However, I do not think these projects are on a comparable basis at all. The reason is that Hells Canyon is located on the border line between Oregon and Idaho, and the Fryingpan project is located in Colorado.

To go a step further, it is conceivable that electricity could be generated at any of the Hells Canyon points, either at the high or low dams, at a cost which would be considerably less than that at which it could be generated in Colorado.

However, again, there is a distance of approximately 1,500 miles between the 2 points, and it is a fact that there is a strong demand for all the electricity which Fryingpan can produce at the price which will be charged in Colorado.

I do not know whether it would be salable in the Senator's area, but in my State, where the Fryingpan would be located, there is a market for every bit of electricity which can be produced.

Mr. NEUBERGER. Does the senior Senator from Colorado think that there is not a market for the power that could be produced at the high Hells Canyon Dam, particularly in the Pacific Northwest area?

Mr. ALLOTT. I am not qualified to answer that question, but let me say, in all fairness and honesty, that I have said privately to the junior Senator from Oregon, and I now say it publicly, that as long ago as 2 years it was my intention to try to judge these 2 projects upon the basis of their individual merits. I submit, in all fairness, that nothing can be accomplished by trying to compare the merits of the Hells Canyon high dam, which has been espoused so very capably and effectively by the Senator from Oregon, with the merits of the Fryingpan project. I am sure the Senator will agree with me that the only purpose that would be served by such a discussion would be to review all the arguments for and against Hells Canyon.

Whether the Senator from Oregon and I agree on the merits of one project, each project should be appraised upon the basis of its own merits. Any attempt to reconcile them or to rehash the arguments of one against the other cannot possibly serve any useful purpose at this time.

Mr. NEUBERGER. I am willing to agree that nothing is served by comparing one project with the other. However, I want the RECORD to show, as the RECORD already demonstrates, that the senior Senator from Colorado has, in effect, measured one against the other. He opposed our project, and he supports his own project. So he himself has made that qualitative judgment in the halls of Congress, here in the Senate Chamber.

Mr. ALLOTT. There is no question about what I did. In the vote I cast a year ago, I opposed the high Hells Canyon Dam. I did so again this year. There is no question about that. The only thing to which I am trying to call the Senator's attention is that no useful purpose will be accomplished here by reviewing all the various arguments for or against the high Hells Canyon Dam which has recently been approved by the Senate. I did vote as the Senator says I did; yes.

Mr. NEUBERGER. There is only one point I wish to make to the senior Senator from Colorado, and to me it is one of the real ironies of the 2½ years I have served in this Chamber, a period which I believe is paralleled by the 2½ years which the senior Senator from Colorado has served so ably in the Senate. I help to represent a region which has one of the great river systems of the entire world, the Columbia River system. That river carries to the sea 180 million acre-feet of water, which cries out for development.

The senior Senator from Colorado comes from an area which has not been so favored. His area is drained by the Colorado River system, that carries to the sea 17 million acre-feet of water.

We on this side of the aisle who represent the States of the Pacific Northwest believe, together with the Senator from Colorado, that the limited water supply in his region needs to be stored, needs to be developed, needs to be conserved. We have gone along with the Senator from Colorado on all the projects he and his colleagues have proposed, including the upper Colorado project and the Fryingpan-Arkansas project.

I do not think we Senators from the Pacific Northwest have opposed any great project which affects the region from which the Senator from Colorado comes, with the sole exception that the junior Senator from Oregon happened to be against the Echo Park undertaking, which was one isolated phase of the upper Colorado project. I was opposed to the Echo Park project because of the national park controvery which arose there and with which the Senator from Colorado is familiar.

However, by way of contrast, the Senators from the Pacific Northwest have not had one single new project authorized in the past 5 years in the vast Columbia River basin, which has 180 million acre-feet of water flowing largely unchecked to the sea. The members of the minority party in the Senate, the Republican Party, the Senators on the other side of the aisle, have been against our projects. That is the point on which I think the RECORD should be made clear.

The people of my region, in my State, whom I help to represent, are fully aware of the fact that the senior Senator from Oregon [Mr. MORSE], the senior Senator from Washington [Mr. MAGNUSON], the junior Senator from Washington [Mr. JACKSON], the senior Senator from Montana [Mr. MURRAY], who is the able chairman of the Committee on Public Works, and the junior Senator from Montana [Mr. MANSFIELD]—and a part of the Columbia River system is in Montana—give our support to the projects affecting the Colorado region, having 17 million acre-feet of water.

Across the aisle, though, the Senators from the Rocky Mountain region oppose projects for the Columbia River Basin, which has 180 million acre-feet of water. As a result, after the 5 years in which this administration has been in power, there has not been a single new project authorized in the Columbia River Basin. That is a fact which I think certainly should be placed in the RECORD, because we feel very keenly about it.

Mr. ALLOTT. Am I to understand that the Senator from Oregon is propounding a question?

Mr. NEUBERGER. No. The Senator from Colorado said he did not think there was any point in rehashing the relative merits of the two projects.

Mr. ALLOTT. I should be happy to do so sometime, either privately or on the floor, if the Senator from Oregon wishes to do so.

I accord to the junior Senator from Oregon the same respect which I expect to be accorded to me. When I vote, I consider a particular piece of legislation. I have to look at, among other things, certain principles in which I believe. A long discussion of those principles would not avail anything here at this time.

In like manner, the Senator from Oregon has to consider certain facts. He must reconcile those facts with the principles. The situation amounts simply to that.

I think the Senator from Oregon has stated the situation as he sees it. I voted as I saw the situation.

The Senator from Oregon can believe that when I so voted, I looked at my own conscience, and I looked at the facts. I think we heard enough about the facts over the years to have a pretty good idea of what they were.

I should like to say one more thing to the Senator from Oregon about this matter. The Fryingpan project is in a peculiar situation in many respects. One is that while there may be supplemental water which might go to Colorado Springs, and that might be said to be due to the military development in that area, nevertheless, the great bulk of the water is needed for a strictly normal growth in the population of the valley.

I have lived in that area all my life. I have known, from the practice of law, the water problems of that area for some 27 or 28 years. So the region is different in that respect.

It is also different in this respect: No one I have ever heard of, no private source of capital, no private company is capable, or willing to develop this particular project. I point that out simply because we have no way in which to develop this project, even in part, except to go to the Federal Government and to ask for assistance in financing it.

Mr. NEUBERGER. I recognize the truth of what the Senator says. That is the reason why I have supported the Fryingpan-Arkansas project, and why I am continuing to support it.

The only point I seek to make is that when the Senator from Colorado says there is no private organization or no private company which will undertake to construct the Fryingpan project, he likewise is speaking the truth. That is the meat of the coconut.

What I dislike to see take place in the Western States is to have the various projects put in a box, like apples, and to allow the private utilities to pick over them and to grab the choice sites, which happen to be in the Pacific Northwest, because of all the water which the Creator put there, and then to have the private utilities say, "We will take these select apples, but leave, for Uncle Sam to develop, the apples which are not so good." We in the Pacific Northwest do not understand that kind of situation.

I know the Senator from Colorado spoke the truth when he said he voted sincerely on both projects. Of course he voted sincerely; I never questioned that.

I hope the Senator from Colorado understands our situation, which is that after 5 years of this administration's having been in office, we have not had one new project recommended—considering the great need we have for flood control, reclamation, navigation, and power development.

I hope the Senator from Colorado thinks we have been fair, because on this side of the aisle we have consistently supported the upper Colorado project and the Fryingpan-Arkansas project, despite all the brickbats and denunciations which have been hurled from across the aisle at our projects. I think we have done as much as any people could do. We are trying to be reasonable, tolerant, and fair.

Mr. ALLOTT. The answers to some of these points could only be made by debating and redebating some of the questions, which I think could serve no useful purpose now. I am very happy to have the views of the Senator from Oregon. I shall be happy to discuss them further with him, either privately or on the floor.

Mr. NEUBERGER. I thank the Senator from Colorado.

Mr. President, I believe the junior Senator from Colorado wishes me to yield to him. I shall be happy to do so, if that is his continued wish.

Mr. CARROLL. I thank the distinguished Senator from Oregon.

Mr. President, I have been very much interested in the colloquy. I think it has been very helful. I believe the Senator from Oregon has placed his finger on the water problems of the west.

Those who live in the Northwest have more water than they know what to do with, and of course they are trying to develop that great area. Personally, I wish to help. I am familiar with Grand Coulee, Bonneville, McNary, and the great report on the Columbia River basin by the Corps of Army Engineers. That is a program to develop the economic life of the Northwest. Ours is a program to preserve our physical life.

The program of the Northwest is for power development. Our program is for water conservation, upon which depends our economic growth and—more important—the very livelihood of our people.

I understand the comparisons the distinguished Senator from Oregon has in mind. I think the colloquy has been of value, and I hope we can perhaps resolve these matters in the future. But I sincerely trust—and I crave the indulgence of the Senator from Oregon—that nothing will happen to delay the Fryingpan project again. I would not want such a thing to occur. The bill has passed the Senate twice, but it has never been presented upon it merits in the House of Representatives.

Mr. NEUBERGER. I thank the Senator from Colorado.

Let me say that the projects in the Northwest are also for the purpose of flood control and irrigation and navigation, in addition to power.

Mr. CARROLL. Yes, of course.

Mr. NEUBERGER. I wish to state to the Senator from Colorado that we appreciate the backing and the wholehearted support he has given to our projects in the Northwest, where there is an abundance of water. We likewise give to him our support of his projects in Colorado, where there is a shortage of water and where the limited supply of water must be distributed as wisely and as prudently as possible.

I wish to assure the distinguished junior Senator from Colorado that the junior Senator from Oregon intends to support the Fryingpan-Arkansas project this year, as he did on a previous occasion in the Senate; and we thank the junior Senator from Colorado for his fairness to our projects in the Northwest.

Mr. CARROLL. I thank the Senator from Oregon.

Mr. KUCHEL. Mr. President, I call up my amendment identified as "6-26-57-D," and ask that it be stated.

The PRESIDING OFFICER (Mr. MORTON in the chair). The amendment will be stated.

The LEGISLATIVE CLERK. On page 10, after line 5, it is proposed to insert the following new section 8:

SEC. 8. In the construction, operation, and maintenance of all facilities authorized by Federal law and under the jurisdiction and supervision of the Secretary of the Interior for the utilization of waters of the Colorado River system, including but not limited to all works authorized by this act, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act, the Treaty with the United Mexican States, and any contract lawfully entered into by the United States under any of said acts, in the storage and release of waters from reservoirs. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise.

And it is proposed to renumber the present section 8 to section 9.

Mr. KUCHEL. Mr. President, during the debate it has been stated repeatedly that on prior occasions the Senate has passed substantially similar proposed legislation, only to see the House of Representatives on each occasion refuse to give its approval to the Fryingpan-Arkansas bill.

I submit the amendment as a means of obviating one of the objections which I am sure will arise again in the House of Representatives; and, to that extent, such an objection would stultify and eliminate any chances this measure may have of being passed by the Congress and going to the President, to receive his approval.

There is ample precedent for this proposed legislation. I wish to recall that when the great upper Colorado River storage project bill was under consideration in the Senate, the bill contained a provision almost verbatim the same as the amendment I now have before the Senate.

The pending bill provides that the law of the river shall apply, including the compacts which have been entered into between the various States through which the great Colorado River passes. That is all well and good, so far as it goes. But, Mr. President, suppose there is a dispute about what the law of the river is. Who will determine who is right and who is wrong in any such dispute?

In the case of the Colorado River storage legislation which is now the law, the answer is the Supreme Court, across the street. If any State is aggrieved, if any State believes the law of the river is being violated, the Colorado River legislation gives such State a right to file a lawsuit in the United States Supreme Court, and to make the Government of the United States a party to the suit; and then, in the fashion in which this Government has conducted its business for more than 170 years, the Court will decide that dispute.

What will happen under the pending bill, if an honest dispute arises, Mr. President? There will be no way to resolve such a controversy. So, Mr. President, when the bill says the law of the river shall apply, I submit that does not mean anything. I submit that in order to make the law of the river apply, a right to sue and to obtain a judgment should be granted. That is all my amendment does. It merely provides that in the event the Secretary of the Interior fails to comply with all the involved law and compacts which have been laid down, any State in the basin may take the Government of the United States into court.

I do not see either of my colleagues from the State of Texas in the Chamber at this time. A moment ago I saw the distinguished junior Senator from Texas [Mr. YARBOROUGH] in the Chamber. I wish to say that Texas felt aggrieved over a compact it had with the State of New Mexico; it was in the field of water. Texas filed a lawsuit, in the United States Supreme Court, against New Mexico. The Government of the United States came before the Supreme Court and said, "Texas cannot sue." The Supreme Court agreed. So, much as the people of Texas believed their rights under an interstate compact were being violated, there was no forum before which they could offer their contentions.

Thus, Mr. President, I submit in complete good faith a simple provision, in almost the precise language of the amendment the Senate adopted when the upper Colorado River bill was before the Senate. To that extent, I ask in simple justice that the Senate provide in the pending bill the same right to enforce the law of the river which the Senate previously gave to the States in the bill affecting the upper Colorado River.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [Mr. KUCHEL].

Mr. ALLOTT. Mr. President, I believe a few words should be said in connection with the pending amendment.

First of all, Mr. President, the water to be transported by this project, is less than 2 percent of the water allotted to Colorado under the upper Colorado River compact.

Second, the amendment would mean that even if a minor disturbance occurred with the allotment of that 2 percent, all the States in the Colorado River Basin could be thrown into a lawsuit in the Federal court.

Third, the committee considered the amendment in toto at the time of the hearing, and rejected it, with only one vote in favor of it, that being the vote of the Senator from California.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

Mr. CARROLL. Mr. President, I think one comment ought to be added to what has been said by the senior Senator from Colorado. In the argument of the distinguished Senator from California he draws a comparison with the upper Colorado storage project. That was an interstate water project. We are talking here about Colorado water. True, it arises under the Colorado River compact, but this is Colorado water, and, in the words of former Senator Millikin, who discussed this matter on July 12, 1956:

> The States own the waters of their streams and they have provided legal means for appropriating them for beneficial uses.

That is the problem, and we discussed it in committee. I do not for one moment impugn the motives of the Senator from California, but I say this is the sort of amendment that could cause great confusion. We do not know, but there might be litigation in other States, and we in Colorado might be drawn into it. Having been drawn into it in Colorado, we could lose the forward progress made under this program. That is one of the reasons why the committee voted, with the exception of the Senator from California, to reject the amendment.

I submit there is merit to the arguments of the distinguished Senator from California, but we in the committee felt that, rather than create any confusion at this time, the amendment should not be adopted. Colorado has no desire to be drawn into any litigation, and there is much litigation between California, Arizona, and other Colorado River States. We in Colorado recognize that there are other States—we call them down-river States—which may attempt to interfere with Colorado's water rights. But this is a Colorado project. The people of Colorado are going to commit themselves, their wealth, and their collateral security to the repayment of the project. All Colorado wants is to use the water to which it is rightfully entitled.

I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado.

Mr. MCNAMARA. Mr. President, I should like to ask a few questions of the proponents of the bill. I do not care which one cares to answer the questions.

Mr. ALLOTT. We will both stand, so either one may be available.

Mr. MCNAMARA. Is it true that this project is what is commonly referred to as a high-cost power project, meaning 6 or 7 cents a kilowatt-hour?

Mr. ALLOTT. The Senator probably means 6 to 7 mills a kilowatt-hour.

Mr. MCNAMARA. Yes.

Mr. ALLOTT. The sale price would be a little more than 6 mills, which is,

of course, more than the price at some of the lower cost dams on the large rivers.

Mr. MCNAMARA. Does the Senator have the estimated cost of a kilowatt-hour at Hells Canyon?

Mr. ALLOTT. I understand that is 5½ mills.

Mr. MCNAMARA. Do the private power companies object to the passage of the bill?

Mr. ALLOTT. The private power companies do not object. Perhaps I should elaborate on that statement. As a matter of fact, included in the bill is an authorization for the construction of lines so that the preferential customers will be protected, and so that preference cannot be destroyed because they are not in a position to compete. There is also in the record, I may say for the benefit of the Senator from Michigan, a statement by the Southern Colorado Power Co., as well as the Public Service Company of Colorado, both of which are private companies, that they will take any excess loads not taken by preferential customers.

Mr. CARROLL. Mr. President, will the Senator yield at this point?

Mr. MCNAMARA. I shall be glad to yield, but I have only two more questions. I should like to preface the questions with a statement. Incidentally, I have information that during the debate on the Hells Canyon bill the Senate was told the cost per kilowatt-hour would be 2.5 mills. That is quite at variance with the answer I received in answer to my question. Perhaps the correct answer is somewhere between the two figures.

Mr. MANSFIELD. Mr. President, if the Senator will yield, the 2½- to 3-mill price is the wholesale Bonneville power rate.

Mr. CARROLL. I may say, if the Senator will yield, this is not a low-cost power program. And it is also true that the private utilities in Colorado support the program. But industry, farmers, and the REA's in Colorado also all support the program. However, it is not what is called a low-cost power program.

As the distinguished senior Senator from Colorado said, the cost of power from the project will be about 6½ mills.

The real point I should like to make to the distinguished Senator from Michigan is that this is primarily a water diversion and water conservation project. Under the preference clause, the REA's will be treated in accordance with existing law. This project is different from Hells Canyon. There is no public power involved in the extent it is at Hells Canyon. As the distinguished senior Senator from Colorado has said, there is, under the operating principles of this bill, about $4 million provided for the building of transmission lines. We need that provision in the bill so the Bureau of Reclamation, when it proceeds to obtain repayment contracts, will be in the position of being able to bargain with the private utilities who will wheel the power. If we are not in that position, the private utilities will have an advantage. As they always do, not only in Colorado, but everywhere, the private utilities might take advantage of a hard bargaining opportunity. However, we have protected ourselves. We have provided $4 million so we can say to the Bureau of Reclamation, "We want you to tie the Fryingpan-Arkansas powerplants into the Colorado-Big Thompson grid, and tie into the REA's for the protection of farmers and municipalities."

Mr. MCNAMARA. I am concerned with the so-called yardstick principle of public power development, which has been helpful in keeping down the price to the consumer, even in the private power monopoly areas, as the Senator well knows. My chief concern with public power projects is that they provide a yardstick which is helpful to the ultimate consumer. Would this project not be a public power project to which private power companies could point as an example of why we should not have the United States Government develop waterpower, because of the comparatively higher cost, when the cost of generating power by a steam plant is considered? Is it not in the long run going to injure the principle of the Government's developing public power projects, and will it not defeat the yardstick principle?

Mr. CARROLL. Mr. President, if the Senator will yield, that, in my opinion, is not true with reference to the Fryingpan-Arkansas project. There is another project, which the Senate passed upon 20 years ago, called the Colorado-Big Thompson——

Mr. MCNAMARA. The Senator has stated that is not true. Will he explain why it is not true, because the explanation is what I need, not merely the statement.

Mr. CARROLL. I was trying to illustrate what happened to the Colorado-Big Thompson project, which was a giant western reclamation project. After diversion of water under a 13-mile tunnel from the west to the east slope, Colorado-Big Thompson power is being sold at about 6 mills.

Colorado really is not a public-power State in the sense that the States of the Northwest are. Only about 20 percent of our power is public power; that is, power which goes to or is generated by municipalities and REA's.

Mr. MCNAMARA. I recognize that fact.

Mr. CARROLL. Even some of the power which goes to the REA's is wheeled by the private utilities. So neither the Colorado-Big Thompson project nor the Fryingpan-Arkansas project would meet the standards the Senator indicates for what he calls a "yardstick." All we can do is operate within the framework of our own economy. It would not be helpful in this case to establish a yardstick.

Mr. MCNAMARA. I believe that explains it very well from the viewpoint of the Senator from Colorado, but from my viewpoint that is not a good answer for the State of Michigan.

Mr. ALLOTT. Mr. President, will the Senator yield? Perhaps I can clear up the matter.

Mr. MCNAMARA. I should like to get back to a yardstick.

Mr. CARROLL. Because of my political conviction and philosophy I have always supported the TVA, which is in another area and provides low-cost power. I have always supported and I shall continue to support the great projects in the Northwest, because that is a great surplus-water area where there is an abundant natural waterfall capable of producing low-cost power, that is, a "yardstick," such as the Senator suggests.

There will be another bill on the floor of the Senate soon concerning development of Niagara power. That project will not meet the yardstick concept either. Each of these power projects, in my opinion, have to be considered with regard to the area in which they are located. That is why I was trying to be very frank with my friend, the Senator from Michigan, by stating this Fryingpan project will not provide low-cost power. In Colorado we must think in terms of how we can sell the power and what revenue we will receive, in order to pay back the project loan to the Government of the United States. In terms of our own needs and our repayment capacity this project is a good investment.

Mr. MCNAMARA. I wish to assure my distinguished colleague, the junior Senator from Colorado, that I would like to agree with him. The fact that the Senator from Colorado tells me now there is going to be another bill for high-cost power presented does not help me in my thinking and my desire to agree with the Senator. I am seeking reasons for supporting the project.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MCNAMARA. I am glad to yield to the senior Senator from Colorado.

Mr. ALLOTT. I am not sure the Senator from Michigan meant to say exactly what he did, when he said that the cost of this power would be above the cost of steam power.

Mr. MCNAMARA. The average cost of steam power.

Mr. ALLOTT. That statement would not be true as applied to the area we are considering.

Mr. MCNAMARA. Perhaps not, in this particular area.

Mr. ALLOTT. Electricity produced from the Fryingpan-Arkansas project would be about 2 mills cheaper than electricity produced by private sources.

Mr. MCNAMARA. I am sure the senior Senator from Colorado misunderstood my statement. I was talking about the average cost of steam power. I realize that the cost varies greatly.

Mr. ALLOTT. The Senator is correct.

Mr. MCNAMARA. With respect to location.

Mr. ALLOTT. This is a different area, and I thought the matter should be brought into focus. I thank the Senator very much.

Mr. MCNAMARA. The Senator has almost convinced me that I should vote for the project.

Mr. KUCHEL. Mr. President, I merely wish to refute a statement that has been made by way of opposition to my amendment.

Mr. President, to the extent that waters of the Colorado River were utilized in the Fryingpan-Arkansas project, to

that extent the law of the river—that is to say, the compact of the Colorado River Basin States—would apply. To that extent I urge the necessity for adopting the amendment which I have offered, to protect the rights of any State in case there is a dispute as to the enforcement of the compact.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from California [Mr. KUCHEL].

The amendment was rejected.

Mr. KUCHEL. Mr. President, I call up my amendment numbered "6–26–57–C."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 16, before the period it is proposed to insert a colon and the following: "*Provided, however,* That such modifications or additions as may be found necessary and such investigations as may be required in connection therewith shall not extend to or contemplate the so-called Gunnison-Arkansas project, nor shall any of the works together with any modifications or additions provide for the diversion transmountain of more than 69,000 acre-feet of water per annum from the natural basin of the Colorado River, and nothing in this act shall constitute a commitment, real or implied, to the further exportation of water from the Colorado River system."

Mr. KUCHEL. Mr. President, I confess to a slight feeling of loneliness. I shall not detain the Senate overlong.

I wish to repeat that I offer these amendments because I believe they would obviate the fate which similar legislation has suffered on two previous occasions.

The proposed amendment can be described as a disclaimer. For those who might be touched by the fact, I should like to have the RECORD indicate that this administration favors this type of amendment, if that means anything.

The Bureau of Reclamation has recommended that—

> Suitable language be included in the authorizing document clearly stating that authorization or appropriation of funds for the project or for the continued investigations stated above shall not in any way constitute a commitment, real or implied, to further importations. (See S. Doc. No. 106, p. 27; H. Doc. No. 187, p. 42.)

This is not the Senator from California making a recommendation. This is not an interested party to the debate in the United States Senate making a recommendation. This is the Government of the United States, through the executive branch, and particularly through the Bureau of Reclamation of the Department of the Interior, which is making the recommendation. So I say it is not made in jest. It is made because on the two previous occasions when similar proposed legislation was being debated in the Congress of the United States, some persons were fearful that the proposed legislation would provide the opening wedge for a great transmountain diversion which might catapult into chaos the otherwise orderly procedure which all the States of the Colorado River Basin hope may be obtained, and may continue to be obtained, under the law of the river.

I wish to read one further paragraph from the report of the Bureau of Reclamation:

> The potential Gunnison-Arkansas project is a major unit in the comprehensive plan of development of the water resources of the upper Arkansas River Basin which is being investigated by the Bureau of Reclamation. The project is adaptable to construction by successive cumulative stages. The initial development is planned as a completely independent multiple-purpose unit that could be the first stage of a much larger project. The comprehensive project would require exportation of a relatively large amount of Colorado River water eastward through the Continental Divide to the Arkansas Valley of Colorado. The full potential uses of water in western Colorado have not been completely determined; therefore, only the amount of water assuredly beyond the requirements for development on the western slope is proposed for diversions at this time. (S. Doc. 106, pp. 3, 4; H. Doc. 187, pp. 19, 20.)

I point again to the fact that the Bureau of Reclamation has recommended a disclaimer in this statute. Years ago a historic debate took place on the floor of the Senate, in which California was interested. One of the late great Senators from my State, Hiram Johnson, stood on this floor, and finally was able to have the Boulder Canyon Dam project adopted by the Senate. It was approved by the House, and that bill became the law of the land.

That project has done wonders for the people of California. We are grateful to the Congress of the United States and the Government of the United States for their generosity in helping us to solve our problems.

But before the Boulder Canyon Dam project became a reality the people of California were required, through appropriate State legislation, to disclaim any rights to waters above a certain level, in connection with the compact which the State was required to enter into. So I say that what is sauce for the goose should be sauce for the gander.

If, as has been iterated and reiterated in the debate and in the hearings before the committee, all that is asked by the two distinguished Senators from Colorado is the authority to have the Government build the Fryingpan-Arkansas project, the Senate ought to do what the Bureau of Reclamation has recommended be done, namely, to disclaim, in the proposed legislation, any other intent.

Mr. President, I ask unanimous consent that the minority views which I prepared in connection with the committee report be printed in the RECORD at this point as a part of my remarks.

There being no objection, the minority views were ordered to be printed in the RECORD, as follows:

MINORITY VIEWS OF SENATOR THOMAS H. KUCHEL, OF CALIFORNIA, ON S. 60, THE FRYINGPAN-ARKANSAS PROJECT

I am prompted to file this minority report because of the refusal of the committee to accept two amendments of mine, which would, far from scuttling it, I believe, aid its enactment into law.

Twice before the Senate has approved similar legislation. Twice before it has died in the House of Representatives. In my view, the principal reason for this fate has been the exclusion of amendments of similar purport. The stated objective of S. 60 is not repugnant to the right of the lower basin. Used, however, in the future, as a start for large additional transmountain diversions of Colorado River water, it would be. One amendment merely disclaims any such future intention. What is wrong with that? There is ample precedent for it, as I shall indicate. The other amendment simply affords the judicial process against the Secretary of the Interior if an affected State feels aggrieved at his hands in the operation of the proposed project. What is wrong with that? There is ample precedent for that, as I shall also indicate.

1. The first amendment reads as follows:

"*Provided, however,* That such modifications or additions as may be found necessary and such investigations as may be required in connection therewith shall not extend to or contemplate the so-called Gunnison-Arkansas project, nor shall any of the works together with any modifications or additions provide for the diversion transmountain of more than 69,000 acre-feet of water per annum from the natural basin of the Colorado River, and nothing in this act shall constitute a commitment, real or implied, to the further exportation of water from the Colorado River system."

The reasons for the proposed amendment are several:

(a) The Bureau of Reclamation itself and the Secretary of the Interior, in adopting the Bureau report, recommended it:

"N. Suitable language be included in the authorizing document clearly stating that authorization or appropriation of funds for the project or for the continued investigations stated above shall not in any way constitute a commitment, real or implied, to further importations. (See S. Doc. No. 106, p. 27; H. Doc. No 187, p. 42.)"

(b) This project is the "initial development," Roaring Fork diversion of the Gunnison-Arkansas project, described by the Bureau of Reclamation as follows:

"4. The potential Gunnison-Arkansas project is a major unit in the comprehensive plan of development of the water resources of the upper Arkansas River Basin which is being investigated by the Bureau of Reclamation. The project is adaptable to construction by successive cumulative stages. The initial development is planned as a completely independent multiple-purpose unit that could be the first stage of a much larger project. The comprehensive project would require exportation of a relatively large amount of Colorado River water eastward through the Continental Divide to the Arkansas Valley of Colorado. The full potential uses of water in western Colorado have not been completely determined; therefore, only the amount of water assuredly beyond the requirements for development on the western slope is proposed for diversions at this time." (S. Doc. 106, pp. 3, 4; H. Doc. 187, pp. 19, 20.)

The "relatively large amount" of Colorado River water to be taken out of the natural basin of that river under the full Gunnison project would be on the order of 900,000 acre-feet per annum. (See H. Doc. No. 419, 80th Cong., 1st sess. (1947), at 132–133.) The language of S. 60 should be unmistakable, so that there will be no doubt whatsoever, that this project will not back us into diversions of such magnitude.

(c) Although the name of this proposal has been changed to the Fryingpan-Arkansas project, the project itself is identical with the "initial development," Gunnison-Arkansas project. The change of name required no change whatsoever in the project planning report of the Bureau of Reclamation. The Bureau changed the name upon a request of Colorado, based on the following language:

"It is recommended that this project shall hereafter be referred to as the Fryingpan-Arkansas project. Approval of this provision by eastern Colorado representatives shall not be implied as an abandonment of their expressed intention to obtain approval of a project from the Gunnison River nor shall approval of this provision by western Colorado representatives be construed as any consent on their part to the authorization of a project for the exportation of water from the Gunnison River to eastern Colorado." (See H. Doc. 187, p. 160.)

Thus the full Gunnison project remains very much alive, at least in some people's minds. Many statements have been made that the works called for under S. 60 will not and physically cannot become the Gunnison project. If so, there should be no objection to disclaiming such an intention in S. 60 itself.

(d) Section 1 of S. 60 as reported authorizes the project in substantial accordance with Bureau plans as set forth in Congressional documents "but with such modifications of, omissions from, or additions to the works therein described as the Secretary may, from time to time, find necessary or proper for accomplishing the objectives of the project." Too frequently have "modest" proposals become something else under such elastic language. The disclaimer I propose would eliminate this type of argument against it.

(e) The argument has been made that my amendment would stifle the project as the project will not be operated on a 69,000 acre-foot diversion annually but may divert as little as 35,000 acre-feet in 1 year and as much as 124,000 acre-feet in another, averaging, however, 69,000 acre-feet each year. The proponents of the project have been invited to change my amendment as they wish, so as to state an average, or to express the low and high range anticipated, averaging 69,000 acre-feet, or any formula they choose which will reflect the Bureau's considered opinion that the project is dependent upon an average annual diversion of 69,000 acre-feet, and no more. They have refused.

(f) There is precedent for this disclaimer in the Colorado River Basin. The best known precedent is the California Limitation Act, required of California under section 4 (a) of the Boulder Canyon Project Act of 1928. Although this dealt with the overall entitlement of the State rather than water for one specific project, the principle is the same. California is limited to 4,400,000 acre-feet per annum of the waters the use of which is apportioned by article III (a) of the Colorado River compact, plus not to exceed one-half of the excess or surplus waters unapportioned by the compact. This limitation was required of California, in addition to the Colorado River compact, before the upper States would give approval to the Boulder Canyon Project Act.

Further legislative precedent may be found in the act of July 30, 1947, "to relocate the boundaries and reduce the area of the Gila Federal reclamation project." This act authorizes the Yuma Mesa and Wellton-Mohawk divisions of the Gila project in Arizona, the former to consist of approximately 40,000 acres, the latter 75,000 acres, each such area however qualified as follows: "or such number of acres as can be adequately irrigated by the beneficial consumptive use of no more than 300,000 acre-feet of water per annum diverted from the Colorado River." Neither the original authorization of this project in 1933 nor the bills introduced in the 79th Congress, and which, as amended, became the act of July 30, 1947 (S. 483, H. R. 5434), put any ceiling on the quantity of water which might be utilized. The 300,000 acre-foot ceilings for both divisions of the project were written into the law when it became obvious, as it may well be argued here, that substantially more water could be used by the project but that there was equally substantial question as to availability of water to satisfy the potential project area together with other uses now contemplated.

There is ample precedent for a disclaimer of any commitment to further transmountain diversions and for a ceiling on the water to be used for a particular project in statutes affecting the Colorado River.

2. The second amendment reads as follows:

"(e) In the construction, operation, and maintenance of all facilities authorized by Federal law and under the jurisdiction and supervision of the Secretary of the Interior for the utilization of waters of the Colorado River system, including but not limited to all works authorized by this act, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River compact, the upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Colorado River Storage Project Act, the treaty with the United Mexican States, and any contract lawfully entered into by the United States under any of said acts, in the storage and release of waters from reservoirs, and to comply with the laws of the States in which such waters are used relating to the control, appropriation, use, and distribution of water in those States, respectively. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise."

Some objections were voiced in committee to the language of this proposed amendment. The single sole purpose of the amendment and my sponsorship of it was to provide a Federal means by which an aggrieved State might compel the Secretary of the Interior to follow the "law of the river" in the administration of this project.

This amendment derives mainly from sections 7 and 14 of the Colorado River Storage Project Act. Section 7 of that act provides that in operating hydroelectric powerplants authorized under the act the Secretary "shall not affect or interfere with the operation of the provisions of the Colorado River compact, the upper Colorado River Basin compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, and any contract lawfully entered into under said compacts and acts. Subject to the provisions of the Colorado River compact, neither the impounding nor the use of water for the generation of power and energy at the plants of the Colorado River storage project shall preclude or impair the appropriation of water for domestic or agricultural purposes pursuant to applicable State law." And section 14 provides:

"In the operation and maintenance of all facilities, authorized by Federal law and under the jurisdiction and supervision of the Secretary of the Interior in the basin of the Colorado River, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River compact, the upper Colorado River Basin compact, the Boulder Canyon Project Act, and the treaty with the United Mexican States, in the storage and release of water from reservoirs in the Colorado River Basin. In the event of the failure of the Secretary of the Interior to so comply, any State of the Colorado River Basin may maintain an action in the Supreme Court of the United States to enforce the provisions of this section, and consent is given to the joinder of the United States as a party in such suit or suits, as a defendant or otherwise."

The proposed amendment would require compliance by the Interior Department with the laws of the respective States in which the waters are used relating to control, appropriation, use, and distribution of water released from reservoirs, failing which the Government could be taken to the Supreme Court. Many separate Federal statutes, from the act of July 26, 1866, to the act of July 2, 1956, have recognized State law as governing water rights. But, as I say, my basic desire is the enforcibility of "the law of the river."

The thrust of this amendment is that if the Secretary of the Interior does not abide by the "law of the river," the Government may be joined in the Supreme Court. Without the presence of the Government there can be no litigation on the Colorado River. The Supreme Court decided that 20 years ago. Protestations already in S. 60, that the project shall be subject to the "law of the river," without subjecting the United States to suit, are meaningless. Just a few months ago the Supreme Court dismissed a complaint by Texas against New Mexico to enforce the Rio Grande compact. The United States told the Court that it was indispensable by reason of Federal interests in the stream, and declined to join. The Court had no alternative but to dismiss Texas, leaving the State with no remedy. About a week ago the Senate received a resolution from the Texas Legislature asking Congress to enact legislation consenting to the joinder of the Government in any suit or controversy involving the Rio Grande compact. (See CONGRESSIONAL RECORD, p. 6064, April 29, 1957.) Sovereign States compacting with one another should not be remitted to such a procedure in order to be enabled to test in court an alleged violation of their own solemn agreement.

Under this amendment the Secretary would be required to abide by the laws of the State in which water was to be used—that is, those laws relating to control and use of water. As far as the Fryingpan project is concerned, the proponents say only users in Colorado are involved. Accordingly only Colorado law would have to be honored. Numerous Federal statutes over the years have stipulated that the water laws of the States should be adhered to. This would confirm this principle as to the Fryingpan project, as well as to other projects within the Colorado River Basin.

CONCLUSION

It is my judgment that two amendments related to disclaimer and litigation would strengthen the chances of the bill becoming law, without damaging it in any fashion. The disclaimer amendment is justified; the Bureau of Reclamation itself has recommended it. The proponents insist the project will not extend beyond average diversions of 69,000 acre-feet per annum. The language of section 1 now permits additions to the works proposed, without qualification. There is ample precedent in several statutes affecting the Colorado River.

As to the litigation amendment, it is idle to subject a project to the "law of the river," as the present language of section 7 of S. 60 does, without giving consent to join the

United States in a lawsuit which might become necessary to test whether there was compliance with that body of law. The bill gives a right without a remedy. My amendment would cure this deficiency.

THOMAS H. KUCHEL.

Mr. ALLOTT. Mr. President, I do not propose to reply at length to the very able arguments of the distinguished Senator from California.

On page 2 of the bill reference is made to House Document No. 187, of the 83d Congress, which strictly limits this project to the Fryingpan-Arkansas project.

As has been brought out in all the hearings, it would be physically impossible to extend this project, under this authorization, to any of the tributaries of the Gunnison River.

The second argument against the proposal of the Senator from California is that the limitation contained in the amendment would not permit the proper operation of the project, because in some years more than 69,000 acre-feet of water will be diverted, and in other years fewer will be diverted. This proposal would limit the diversion to an annual amount of 69,000 acre-feet. It was never contemplated that the project would be operated in that manner.

Third, I should like to refer to the report of the Senate committee in the 83d Congress, in which is recited the history of the proposal. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the statement in the report under the heading of "History of Present Proposal." It shows, in several different ways that no such project is contemplated, and that it could not be constructed or accomplished under the legislation which is proposed. Therefore we ask that the amendment be defeated.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

HISTORY OF PRESENT PROPOSAL

A preliminary draft of a planning report which covered the presently proposed works of the Fryingpan-Arkansas project was made public on September 1, 1948, by the Bureau of Reclamaton's regional director at Denver, Colo. The project there proposed was referred to as the initial development or first phase of a Gunnison-Arkansas project, but its physical plan was substantially the same as that for the present Fryingpan-Arkansas project. The development was understood to be completely self-contained.

After thorough review, the Colorado State Water Conservation Board recommended in February 1951 that the proposed undertaking be renamed the Fryingpan-Arkansas project. This recommendation was made in order to avoid even a semblance of an endorsement on the part of certain interests in Colorado of an ultimately larger development which other interests contemplated. The understanding is clearly expressed in the following paragraphs from Senate Document 106, 82d Congress:

Page 33:

"It is recommended that this project shall hereafter be referred to as the Fryingpan-Arkansas project. Approval of this provision by eastern Colorado representatives shall not be implied as an abandonment of their expressed intention to obtain approval of a project from the Gunnison River, nor shall approval of this provision by western Colorado representatives be construed as any consent on their part to the authorization of a project for the exportation of water from the Gunnison River to eastern Colorado."

Page 34:

"Colorado's approval of the plans set out in the report and of the authorization of the project is conditioned upon compliance with the operating principles set forth in the report (see par. 74, pp. 27 to 33, both inclusive) and also full recognition and compliance with those portions of the policy and review committee's report, as revised and approved by the Colorado Water Conservation Board, which are omitted from the report and which are hereinabove set out; except that, as to the name of the project, it is recommended and urged that in an appropriate manner the project should hereafter be known and referred to as the 'Fryingpan-Arkansas project.' It is noted from the letter of the Commissioner of Reclamation to the Secretary of the Interior, contained in the report, that it is stated:

"'* * * This development is designed as a self-contained unit, and its construction would not imply a commitment for developing future water supplies in the Gunnison River Basin for diversion to the Arkansas River Basin.'

"Colorado approves this statement, but such a statement lends weight to the reason for changing the name of the project as herein recommended. Diversion from the Fryingpan River to the Arkansas River has no relation to the Gunnison River. It is not proposed under this 'self-contained' project to divert water to the Arkansas Basin from the Gunnison River. The identification of the project on the cover of the report and used throughout the report—'Initial development, Gunnison-Arkansas project, Roaring Fork diversion, Colorado'—is a misnomer and misleading, and in the future may, in some manner, lead to unwarranted implications. In addition to the recommended change in the project identification, Colorado requests that the project be authorized as the 'Fryingpan-Arkansas project.'"

Mr. CARROLL. Mr. President, this is another amendment which was presented in committee and given full consideration, as the distinguished senior Senator from Colorado has said. For all the reasons assigned by him, I hope the amendment will be rejected.

The Gunnison River is in a different drainage area, and could not possibly be included within the Fryingpan-Arkansas project. This is one of the principal reasons why the amendment should not be agreed to. Furthermore, it is my information from the Bureau of Reclamation that if the limitations in this amendment were to be adopted by this body and the other body and incorporated into law, it would render the project infeasible. I hope the amendment will be rejected.

Mr. KUCHEL. Mr. President, let me say, in a single sentence, that if the Gunnison-Arkansas project is not at all complicated in the passage of this bill, the simplest way to say so is to agree to the amendment which I have offered, so that it will be there for all to see.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California [Mr. KUCHEL].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 60) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purpose of supplying water for irrigation, municipal, domestic, and industrial uses, generating and transmitting hydroelectric power and energy, controlling floods, providing for the preservation and propagation of fish and wildlife and preserving and improving recreational opportunities, and for other useful and beneficial purposes, the Secretary of the Interior, acting pursuant to the Federal reclamation laws, Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto, as far as those laws are not inconsistent with the provisions of this Act, and subject to the apportionments of the use of water fixed in the Colorado River Compact and the Upper Colorado River Basin Compact and to the terms of the Boulder Canyon Project Act, and to the terms of the United States-Mexico Water Treaty of 1944 (Treaty Series 994), is hereby authorized to construct, operate, and maintain the Fryingpan-Arkansas project, Colorado, in substantial accordance with the engineering plans therefor set forth in House Document No. 187, 83d Congress, 2d session, but with such modifications of, omissions from, or additions to the works therein described as the Secretary may, from time to time, find necessary or proper for accomplishing the objectives of the project.

SEC. 2. (a) Contracts to repay that portion of the cost of the Fryingpan-Arkansas project which is allocated to irrigation and assigned to be repaid by irrigation water users (exclusive of such portion of said cost as may be derived from temporary water supply contracts or from other sources) shall be entered into pursuant to subsection (d), section 9, of the Reclamation Project Act of 1939 (53 Stat. 1187) and may provide that the general repayment obligation shall be spread in annual installments, which may be varied as to any required annual payment in the light of economic factors affecting the ability of the contracting organization to pay and of water supply and water requirement conditions, but in number and amounts satisfactory to the Secretary, over a period of not more than 60 years, which period shall be inclusive of any permissible development period, for any project contract unit or for any irrigation block, if the project contract unit be divided into 2 or more irrigation blocks: *Provided*, That contracts for construction costs allocated to commercial power and municipal, domestic, and industrial water shall provide for repayment within 50 years after completion of construction.

(b) Notwithstanding any provision of law to the contrary, net revenues derived from the sale of commercial power and from the furnishing of water for municipal, domestic, and industrial use shall first be applied to the amortization, with interest, of those portions of the actual cost of construction of the project which are allocated, respectively, to commercial power and to municipal, domestic, and industrial water supply and shall thereafter be applied to amortization of that portion of said actual cost which is allocated to irrigation but which is beyond the ability of the irrigation water users to return during the period hereinbefore specified. The interest rate on the unamortized balance of the commercial power and the municipal, domestic, and industrial water-supply allocations shall be equal to the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its long-term loans outstanding on the date of this act.

(c) No part of the specific municipal water-supply systems described in House Document Numbered 187, 83d Congress, shall be construed by the Secretary in the absence of evidence satisfactory to him that it would be infeasible for the communities involved to construct such works themselves, singly or jointly. In the event it is determined that such facilities are to be constructed by the Secretary, a contract providing, among other things, for payment of the actual cost thereof with interest and repayment period as hereinbefore provided, and as rapidly as is consistent with the contracting parties' ability to pay, and for assumption by the contracting party or parties of the care, operation, maintenance, and replacement of the works shall be a condition precedent thereto.

(d) In conformity with the provisions of subsections (a), (b), and (c) of this section, the Secretary, prior to the delivery of project water supplies, shall have entered into a contract, or contracts, with "organizations" as defined in paragraph 2 (g) of the Reclamation Project Act of 1939 (53 Stat. 1187) which have the capacity to levy assessments upon all taxable real property located within their boundaries to assist in making repayments.

(e) No contract for a supplemental water supply for irrigation under this act shall contain any restrictions respecting the right to receive such supply based upon ownership of irrigable lands, nor shall the excess land provisions of the Federal reclamation laws be applicable to lands served by the Fryingpan-Arkansas project which now have an irrigation supply from sources other than a Federal reclamation project.

SEC. 3. The Fryingpan-Arkansas project shall be operated under the direction of the Secretary of the Interior in accordance with the operating principles set forth on pages 36-39 of House Document Numbered 187, 83d Congress. The Secretary may appoint the two representatives of the United States to the Commission referred to in paragraph 17 of said principles and may adopt modification thereof upon the recommendation of the Commission: *Provided*, That such recommendations are made and adopted by said Commission in conformity to the provisions of paragraph 17 of said operating principles.

SEC. 4. Any and all benefits and rights of western Colorado water users in and to water stored in the Green Mountain Reservoir, Colorado-Big Thompson project, as described, set forth and defined in Senate Document Numbered 80, 75th Congress, first session shall not be impaired, prejudiced, abrogated, nullified, or diminished in any manner whatever by reason of the authorization, construction, operation, and maintenance of the Fryingpan-Arkansas project authorized by this act.

SEC. 5. Any provision of law to the contrary notwithstanding, the project herein authorized shall be operated in such a manner that those in eastern Colorado using project water imported from the Colorado River Basin for domestic purposes shall have preference over those claiming or using the water for any other purpose.

SEC. 6. The Secretary is authorized to plan, construct, operate, and maintain public recreational facilities on lands withdrawn or acquired for the development of the Fryingpan-Arkansas project, to conserve the scenery, the natural, historic, and archeologic objects, and the wildlife on said lands, and to provide for public use and enjoyment of the same and of the water areas created by these projects by such means as are consistent with the primary purposes of said project and to mitigate losses of and improve conditions for the propagation of fish and wildlife in connection with the development of the Fryingpan-Arkansas project. The Secretary is authorized to acquire lands and to withdraw public lands from entry or other disposition under the public land laws for the construction, operation, and maintenance of recreational facilities in connection with the said project, and to dispose of them to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance, upon such terms and conditions as will best promote their development and operation in the public interest: *Provided*, That all lands within the exterior boundaries of a national forest acquired for recreational or other project purposes which are not determined by the Secretary of the Interior to be needed for actual use in connection with the reclamation works shall become national forest lands: *Provided further*, That the Secretary of the Interior shall make his determination hereunder within 5 years after approval of this act or, in the case of individual tracts of land, within 5 years after their acquisition by the United States: *And provided further*, That the authority contained in this section shall not be exercised by the Secretary of the Interior with respect to national forest lands without the concurrence of the Secretary of Agriculture. The costs, including the operation and maintenance costs of all said undertakings shall be nonreimbursable and nonreturnable under the reclamation laws, and funds appropriated for carrying out the authorization contained in section 1 of this act shall, without prejudice to the availability of other appropriated moneys for the same purpose, also be available for carrying out the investigations and programs authorized in this section.

SEC. 7. (a) The use of water diverted from the Colorado River to the Arkansas River Basin through works constructed under authority of this act shall be subject to and controlled by the Colorado River compact, the upper Colorado River Basin compact, the Boulder Canyon Project Act, and the Mexican Water Treaty (Treaty Series 994), as hereinbefore provided, and shall be included within and shall in no way increase the total quantity of water to the use of which the State of Colorado is entitled and limited under said compacts, statute, and treaty, and every contract entered into under this act for the storage, use, and delivery of such water shall so recite.

(b) All works constructed under authority of this Act, and all officers, employees, permittees, licensees, and contractees of the United States and of the State of Colorado acting pursuant thereto, and all users and appropriators of water of the Colorado River system diverted or delivered through the works constructed under authority of this Act and any enlargements or additions thereto shall observe and be subject to said compacts, statute, and treaty, as hereinbefore provided, in the diversion, delivery, and use of water of the Colorado system, and such condition and covenant shall attach as a matter of law whether or not set out or referred to in the instrument evidencing such permit, license, or contract and shall be deemed to be for the benefit of and be available to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming and the users of water therein or thereunder by way of suit, defense, or otherwise in any litigation respecting the waters of the Colorado River system.

(c) None of the waters of the Colorado River system shall be exported from the natural basin of that system by means of works constructed under authority of this Act, or extensions and enlargement of such works, to the Arkansas River Basin for consumptive use outside of the State of Colorado, and no such waters shall be made available for consumptive use in any State not a party to the Colorado River Compact by exchange or substitution or, as far as the same is controllable through the operation of works herein or hereafter authorized, by use of return flow; nor shall the obligations of the State of Colorado under the provisions of the Arkansas River Compact (63 Stat. 145) be altered by any operations of the Fryingpan-Arkansas project.

(d) No right or claim of right to the use of the waters of the Colorado River system shall be aided or prejudiced by this Act, and the Congress does not, by its enactment, construe or interpret any provision of the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, or the Mexican Water Treaty or subject the United States to, or approve or disapprove any interpretation of, said compacts, statute, or treaty, anything in this act to the contrary notwithstanding.

SEC. 8. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

ASSESSMENT WORK ON UNPATENTED MINING CLAIMS

Mr. MANSFIELD. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 543, House bill 4748.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 4748) to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims, subject to that act may be made.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. CASE of South Dakota. Mr. President, the pending bill passed the House, and it must be passed today by the Senate because the present act expires on June 30. It is recommended by the Atomic Energy Commission and by the Secretary of the Interior, and I know of no objection to it.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent to have a brief statement on the purposes of the bill printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CASE OF SOUTH DAKOTA

The pending bill extends to July 1, 1958, the time for completing assessment work on certain mining claims in uraniferous lignite located under the act of August 11, 1955. It is a companion bill to S. 1345, which I introduced February 25, 1957.

At hearings on the bill conducted by the House Committee on Interior and Insular Affairs, representatives of the Department of the Interior and the Atomic Energy Commission testified in behalf of the bill. A formal report by the Atomic Energy Commission submitted May 31, 1957, says:

"The Atomic Energy Commission is presently performing studies and is engaged in pilot-plant work at Grand Junction, Colo., to develop an economic process for the recovery of uranium from the lignites. Extensive investigations are also being conducted by private organizations for the same purpose. Significant results of the AEC work and of the private investigations are not expected until after July 1, 1957.

"Consequently, many of the miners and prospectors holding uraniferous lignite claims validated or staked pursuant to the act of August 11, 1955, are uncertain as to whether there is, or will be, a market for their ore. They have no assurance that additional expenditures in development of their mining properties are warranted.

"In view of the foregoing situation, the proposed legislation appears to be desirable and equitable.

"In the absence of such relief, mining claims located as a result of considerable effort might be lost through failure to make expenditures for assessment work prior to July 1, 1957. Apparently the holders of these claims are in many cases not in a position to make such expenditures on the gamble that a market may develop for the uraniferous lignites. The claims held by these parties might have substantial value within a few months after July 1, 1957, as a result of the construction of a private processing mill.

"Unless H. R. 4748 becomes law, if an economic process for recovering uranium from lignite is developed, third parties, including the companies making the decision to build a mill or mills would be in a good position to relocate the abandoned claims and thus with little or no expense benefit from the original locator's efforts."

It should be noted that the bill does not waive assessment work; it merely extends the time in which it may be performed so as to permit claim holders to learn the results of the research now underway at Grand Junction.

DEVELOPMENT AND MODERNIZATION OF THE NATIONAL SYSTEM OF AVIATION NAVIGATION AND TRAFFIC CONTROL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is S. 1856.

The Senate resumed the consideration of the bill (S. 1856) to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes.

Mr. SMATHERS. Mr. President, the bill before the Senate results from a recommendation made by Gen. Edward P. Curtis, who had been appointed by the President of the United States to make recommendations as to what could be done to improve the air traffic control system in the United States.

I shall not take the time of the Senate to establish the fact that some improvement is needed, and needed immediately, if we are not shortly to see a tragic accident occur as our airplanes, under great difficulty, try to avoid each other under present high speed conditions over our major airports.

The recommendation made by General Curtis was that there be established an airways modernization board, whose chairman would be appointed by the President, with the Secretary of Defense and Secretary of Commerce also serving as members.

The only changes which were made by the Committee on Interstate and Foreign Commerce were, first, that the chairman be appointed by the President of the United States with the advice and consent of the Senate; second, that the board, once it is functioning, shall cooperate with the CAB as well as with the Federal Communications Commission, and make no recommendation as to anything that should be done unless it has first received the approval of these other two governmental agencies. The board is also required to make recommendations concerning the creation of a new Federal airways agency.

The bill has the approval of all the departments of Government and it was unanimously recommended by the committee. I know that the able senior Senator from Ohio has some comments to make on the bill at this time, and I shall yield so that he may do so.

Mr. BRICKER. I thank the distinguished Senator from Florida for yielding to me at this time. I am engaged in conference on the housing bill, and I appreciate the opportunity of speaking on the pending bill at this time.

Mr. President, the Senate Committee on Interstate and Foreign Commerce has favorably reported S. 1856, legislation to establish an Airways Modernization Board to develop and modernize the national system of navigation and traffic control to be utilized by and to serve our military and civilian aviation needs.

The legislation was reported with a few minor clarifying amendments. Basically, it is in the form in which it was presented to the committee by Gen. Edward P. Curtis, who has made an exhaustive study of the aviation needs of our Nation while serving as Special Assistant to the President for aviation facilities planning. General Curtis has made a great contribution to our country and to aviation planning by his keen analysis and his forward approach to the complex problems aviation faces in this area. Without an adequate program to meet these needs, we would soon find that full use of our facilities and our airways would be almost impossible. The seriousness of the problem is accented by the realization that the "jet age" of commercial transport will soon be upon us.

In my opinion enactment of this legislation is urgently needed. Creation of the Airways Modernization Board is but the first step of a comprehensive plan conceived and recommended by the President's Special Assistant, General Curtis. This legislation will be a keystone in our approach to a solution of the complex problems which we find confront us in our attempts to promote safe flying for all our pilots—private, commercial, and military.

We must have the most reliable and best system of air navigation which can be developed. Almost all of the Members of the Senate are aware of the TACAN controversy and its attendant high cost to the taxpayers of the country. That situation arose partly because of the failure to properly coordinate activities in the research area concerned with devices for safe air navigation. I believe such a problem would not have confronted us if our governmental organizations had a central agency charged with responsibility for planning in this field. Previously we have had many committees within the executive branch which have been charged with responsibility for a certain part or segment of aviation facility planning. There has existed overlapping of functions, petty jealousy and individual agency interest and almost utter confusion. Creation of the Airways Modernization Board will establish a single agency which will overcome the many difficulties which have confronted us in this important field. The report of our committee and the Curtis report have presented the facts, which in my opinion, make it abundantly clear that a new approach must be made to solving our air navigation and traffic control needs if we are to make progress to achieve a greater, safer use of our aviation facilities and our airways. I urge my colleagues to vote in favor of S. 1856.

I do not believe there is anything more important to the safety of the individual citizen than enactment of the pending bill, so that there may be prepared immediately a well formulated and constructive program whereby all branches of aviation will be coordinated.

I again thank the Senator from Florida for permitting me to speak at this time.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. SMATHERS. I shall be happy to yield to the Senator from Kansas; but first I should like to thank the able Senator from Ohio for his statement on the importance of the proposal we have under consideration this afternoon, and to thank him also for his always vigorous interest in the subject of aviation. His endorsement of the bill before the Senate gives it great weight and authority. I thank him for the statement he has made.

Mr. BRICKER. I thank the Senator from Florida.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. SMATHERS. I now yield to the Senator from Kansas, who is a member of the committee.

Mr. SCHOEPPEL. Mr. President, I wish to associate myself with the statements which have been made by the distinguished Senator from Florida [Mr. SMATHERS] and the distinguished Senator from Ohio [Mr. BRICKER] with reference to the importance of the bill which is being considered today. It will do much and contribute much, in a worthwhile manner, to the future of aviation in our country. The Committee on Interstate and Foreign Commerce, in handling the bill and in expediting its consideration has rendered great service not only to the Nation but to the future safety of aviation itself.

As I said before, I wish to associate myself with the statements which have been made, and to commend the Senators for vigorously pursuing the subject and bringing it to the attention of the Senate. I hope the Senate will pass the bill in the form in which it has been reported.

Mr. BRICKER. Mr. President, will the Senator yield once more?

Mr. SMATHERS. I am glad to yield.

Mr. BRICKER. I would be remiss if I did not join the distinguished Senator from Kansas [Mr. SCHOEPPEL] in commending the chairman of the subcommittee and the membership of the committee for the diligence which they have shown in dealing with the measure before us and for the careful attention they have given to the preparation of the bill.

Mr. SMATHERS. I am very grateful to the senior Senator from Ohio and the senior Senator from Kansas for their remarks. I may say that the able junior Senator from Oklahoma [Mr. MONRONEY] was chairman of the subcommittee which heard the original testimony with reference to the bill.

It is unfortunate that at the moment he is unable to be on the floor, urging the passage of the bill; but, in absentia, he urges its passage. He favors the bill with the amendments which the committee adopted.

I think the importance of the bill can be understood when we remember that in 1946 only 6 billion passenger-miles were flown. Today, 11 years later, some 20 billion passenger-miles are being flown.

The testimony before the committee was that around the major airports today, at any given time, the radar is able to pick up some 220 planes, both military and civilian craft, flying in various directions and going at various speeds. The near misses which are now being encountered by some of the planes are enough to startle and frighten us all.

The bill is an important one. I am certain the Senate will give it its full endorsement.

The PRESIDING OFFICER. Does the Senator from Florida request that the committee amendments be considered en bloc?

Mr. SMATHERS. Mr. President, I ask that the amendments of the committee be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments will be considered and agreed to en bloc.

The committee amendments agreed to en bloc are as follows:

On page 2, line 3, after the word "the", to strike out "President" and insert "President, by and with the advice and consent of the Senate,"; in line 14, after the word "devices", to insert "as well as define the performance characteristics thereof"; in line 23, after the word "whether", to strike out "any need is properly"; in the same line, after the word "matter", to insert "is"; and in the same line, after the word "primary", to insert "concern to the"; in line 24, after the word "military", to strike out "concern"; on page 3, line 4, after the word "of", to insert "or possible conflict with"; in line 15, after the word "extent", to strike out "appropriate" and insert "necessary"; in line 7, after the word "properly", to strike out "considered" and insert "considered and future potential conflicts with the common system are eliminated"; after line 8, to insert:

"(c) The Board, before selecting any system, procedure, facility, or device, is directed to effect coordination with the Civil Aeronautics Board and the Federal Communications Commission in order to assure that full consideration is given to all of the statutory responsibilities of the Civil Aeronautics Board and the Federal Communications Commission."

At the beginning of line 16, to strike out "(c)" and insert "(d)"; on page 5, line 22, after the word "With", to insert "the"; and in the same line, after the word "President", to strike out "uniformed personnel of the Department of" and insert "members of"; in line 23, after the word "Army", to strike out "the Department of"; in line 24, after the word "Navy", to strike out "and the Department of"; on page 6, line 1, after the word "Force", to insert "or the Marine Corps", and on page 8, after line 8, to insert:

"INDEPENDENT AVIATION AUTHORITY

"SEC. 7. It is the sense of the Congress that on or before January 15, 1959, a program of reorganization establishing an independent aviation authority, following the objectives and conclusions of the Curtis report of May 14, 1957, entitled "Aviation Facilities Planning", be submitted to the Congress."

So as to make the bill read:

"Be it enacted, etc., That this act may be cited as the Airways Modernization Act of 1957.

"AIRWAYS MODERNIZATION BOARD

"SEC. 2. (a) There is hereby established the Airways Modernization Board, hereinafter referred to as the 'Board'. The Board shall consist of three members: A Chairman of the Board, hereinafter referred to as the 'Chairman,' who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate of $20,500 per annum, the Secretary of Defense, and the Secretary of Commerce. Either of the said Secretaries may designate an officer of his Department to act in his stead as a member of the Board with respect to any matter or matters. All actions of the Board except those relating to transfers of functions as provided in section 4 of this act shall be by affirmative vote of a majority of its members.

"(b) The Board shall develop, modify, test, and evaluate systems, procedures, facilities, and devices, as well as define the performance characteristics thereof, to meet the needs for safe and efficient navigation and traffic control of all civil and military aviation except for those needs of military agencies which are peculiar to air warfare and primarily of military concern, and select such systems, procedures, facilities, and devices as will best serve such needs and will promote maximum coordination of air traffic control and air defense systems. When there is any substantial question as to whether a matter is of primary concern to the military, the Board is authorized and directed to determine whether it or the appropriate military agency shall have responsibility. Technical information concerning any research and development projects of the military agencies which have potential application to the needs of, or possible conflict with, the common sysem shall be furnished to the Board to the maximum extent necessary to insure that common system application potential is properly considered and future potential conflicts with the common system are eliminated.

"(c) The Board, before selecting any system, procedure, facility, or device, is directed to effect coordination with the Civil Aeronautics Board and the Federal Communications Commission in order to assure that full consideration is given to all of the statutory responsibilities of the Civil Aeronautics Board and the Federal Communications Commission.

"(d) The Board is also authorized—

"(1) subject to the civil-service and classification laws, to select, employ, appoint, and fix the compensation of such officers, employees, attorneys, and agents as shall be necessary to carry out the provisions of this act, and to define their authority and duties;

"(2) to appoint such advisory committees as shall be appropriate for the purposes of consultation and advice to the Board in performance of its functions hereunder and to obtain services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55 (a)), at rates not to exceed $100 per diem for individuals. Members of such committees shall be entitled to travel expenses and per diem authorized by the act of August 2, 1946 (5 U. S. C. 73 b-2), for all persons employed intermittently as consultants or experts receiving compensation on a per diem basis;

"(3) to enter into contracts without regard to section 3648 of the Revised Statutes, as amended (31 U. S. C. 529);

"(4) to use with their consent the available services, equipment, personnel, and facilities of other agencies and instrumentalities of the Federal Government on a reimbursable basis when appropriate, and on a similar basis to cooperate with other agencies and instrumentalities in the use of services, equipment, and facilities of the Board;

"(5) to place in grades 16, 17, and 18 of the General Schedule established by the Classification Act of 1949, as amended, not to exceed 20 positions. Any such position shall be additional to the number authorized by section 505 of that act and shall be subject to the standards and procedures of such section;

"(6) to establish and fix the compensation for not to exceed five positions of officers and employees of the Board of a scientific or professional nature without regard to the Classification Act of 1949, as amended, each such position being established to effectuate those research, development, and related activities of the Board which require the services of specially qualified scientific or professional personnel. The rates of basic compensation for positions established pursuant to this subsection shall not exceed the maximum rate payable under Public Law 313, 80th Congress, as amended, and Public Law 854, 84th Congress, and shall be subject to the approval of the Civil Service Commission. Positions created pursuant to this subsection shall be included in the classified civil service of the United States, but appointment to such positions shall be made without competitive examination upon approval of the proposed appointee's qualifications by the Civil Service Commission or such officers or agents as it may designate for this purpose; and

"(7) to construct, improve, or renovate laboratories and other test facilities and to purchase or otherwise acquire real property required therefor.

"(d) With the approval of the President, members of the Army, the Navy, the Air Force, or the Marine Corps, may be detailed by the appropriate Secretary, pursuant to cooperative agreements with the Board, for services in performance of functions under this act to the same extent to which they might lawfully have been assigned to such service in the Department of Defense.

"DUTIES OF THE CHAIRMAN

"SEC. 3. (a) Except as provided in subsection (b) hereof, and in the selection of systems, procedures, facilities, and devices, the Board shall assign to the Chairman responsibility for carrying out activities of the Board. Included among the responsibilities of the Chairman shall be (1) the appointment and supervision of personnel employed under the Board, (2) the distribution of business among such personnel and among administrative units of the Board, and (3) the use and expenditure of funds.

"(b) (1) In carrying out any of his functions under the provisions of this section, the Chairman shall be governed by general policies of the Board.

"(2) The appointment by the Chairman of the heads of major administrative units under the Board shall be subject to the approval of the Board.

"(c) The Chairman may from time to time make such provisions as he shall deem appropriate authorizing the performance by

any officer, employee, or administrative unit under his jurisdiction of any function of the Chairman assigned to him by this section.

"TRANSFER OF RELATED FUNCTIONS

"SEC. 4. The Board, upon unanimous decision and with approval of the President, may transfer to itself any functions (including powers, duties, activities, facilities, and parts of functions) of the Departments of Defense or Commerce or of any officer or organizational entity thereof which relate primarily to selecting, developing, testing, or evaluating systems, procedures, facilities, or devices for safe and efficient air navigation and air traffic control. In connection with any such transfer, the President may provide for appropriate transfers of records, property, necessary civilian personnel, and unexpended balances of appropriations, allocations, and other funds available or to be made available of the officers, department, or other agency from which the transfer is made.

"TERMINATION

"SEC. 5. This act and all authority conferred thereunder shall terminate at the close of June 30, 1960, but the President may continue the Board for purposes of liquidation for not to exceed 6 months after such termination. Concurrently with the said termination all functions transferred under section all functions transferred under section wise hereafter provided by or pursuant to law, revert to their status as it existed prior to such transfer The President shall provide for the disposition to be made of the records, property, employees, and funds of the Board, consonant with law, at or after the time of termination of the Board.

"APPROPRIATION

"SEC. 6. There are hereby authorized to be appropriated, without fiscal year limitation, such sums as may be necessary and appropriate for the carrying out of the provisions and purposes of this act.

"INDEPENDENT AVIATION AUTHORITY

"SEC. 7. It is the sense of the Congress that on or before January 15, 1959, a program of reorganization establishing an independent aviation authority, following the objectives and conclusions of the Curtis report of May 14, 1957, entitled 'Aviation Facilities Planning', be submitted to the Congress."

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE C. McCONNAUGHEY, CHAIRMAN OF THE FEDERAL COMMUNICATIONS COMMISSION

Mr. BRICKER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point two letters, one from the President of the United States to the Chairman of the Federal Communications Commission, and the other, a letter from the Chairman to the President.

Mr. George C. McConnaughey, the Chairman of the Federal Communications Commission, comes from my State. He served as Chairman of the Ohio Public Utility Commission while I was Governor. He did an excellent job there, and in my judgment he has done a most excellent job as Chairman of the Federal Communications Commission, during a very trying period in the history of the Commission. The problems are intense, and the values of the stations are very great; and the import to the public is of great importance, and will grow more important as the years go by.

I wish to add my word of commendation for the fine service he has rendered and to extend to him my best wishes as he resumes the private practice of law in my home city of Columbus, Ohio.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

The White House today made public the following exchange of correspondence between the President and the Honorable George C. McConnaughey, Chairman of the Federal Communications Commission:

"DEAR MR. CHAIRMAN: I have your letter advising me of your plan to retire from Government service upon the completion of your present term as a member of the Federal Communications Commission.

"While I fully understand and appreciate the reasons for your decision, it is, of course, with regret that I learn of it. Both as Chairman of the Renegotiation Board and as Chairman of the Federal Communications Commission, you have rendered able and distinguished service to the Nation and to this administration. I trust that it has given you a great deal of personal satisfaction to carry on in these important posts of duty and that the knowledge of your contribution in each of these fields will continue to be a source of pride for you.

"In thanking you for all that you have done, I want also to convey to you my very best wishes for your success and happiness in the years ahead.

"Sincerely,

"DWIGHT D. EISENHOWER."

"DEAR MR. PRESIDENT: My term as a member of the Federal Communications Commission ends June 30, 1957. Due to personal considerations I feel I must retire from Government service upon that date.

"It has indeed been a privilege to serve in your administration as Chairman of the Renegotiation Board and the Federal Communications Commission. To have been permitted to serve in these positions under the leadership of the most able President of the United States during my lifetime has been a most delightful experience and I shall always cherish the memories of this service.

"If Mr. President, I can ever be of any service to you, I hope you will command me.

"Respectfully yours,

"GEORGE C. MCCONNAUGHEY."

AMENDMENT OF INTERSTATE COMMERCE ACT, AS AMENDED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of calendar 472, S. 1459.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1459) to amend section 208 (c) of the Interstate Commerce Act, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. SMATHERS. Mr. President, I do not believe any amendments will be offered to the bill. The bill was unanimously reported by the Committee on Interstate and Foreign Commerce.

In essence, it provides that in the future any applicant for a charter to operate a truck or bus service must apply to the Interstate Commerce Commission for such a charter. The present law provides that anyone who is authorized to operate a bus or truck service in and around a municipality has the right to lease or charter his vehicles.

It has been found that many such operators today are not genuinely engaged in the transportation business; that is, they are not seeking to provide transportation within a municipality or an urban area. All they are seeking to do is to get a permit which, in its origin, would permit them to run a bus or truck service, when in truth they do not want to run such a service, but only want to conduct a charter service.

Mr. MCNAMARA. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MCNAMARA. The Senator said the bill applies only to motor vehicle transportation operators who will go into business in the future.

Mr. SMATHERS. That is correct.

Mr. MCNAMARA. Is there any showing of a need for this type of legislation at present?

Mr. SMATHERS. Yes; the committee heard from a large number of owners of small buslines who operate, in most cases, in municipalities. They testified in favor of the bill on the ground that their buslines were being operated on a very slim margin of profit, and that the only way in which they could actually get into or stay in the black was by chartering their buses, a privilege which is automatically granted to them now.

But they found that other people, in order to skim the cream off the business of the bus operators, so to speak, would make application to operate buses, when in actuality they had no intent of conducting bus operations, but merely wanted certification so that subsequently they could lease their vehicles for charter, thereby taking away the business of the regularly established operators of bus service.

Mr. MCNAMARA. I read from the report as follows:

It should be emphasized that the intent of the proposed amendment is to require in the future that applicants for common carrier authority to transport passengers by motor vehicle in interstate commerce be required to show a need for the service of transporting special or charter parties, instead of obtaining such right upon showing only a need for transportation over a specified route as a common carrier.

Mr. SMATHERS. That is correct.

Mr. MCNAMARA. I do not get the distinction.

Mr. SMATHERS. That distinction is this: As the law is at present, a motor vehicle transport operator can file an application to provide bus service in a rapidly growing area. Perhaps a bus line is already in existence. When the applicant gets a certificate from the Interstate Commerce Commission today, the certificate carries with it automatically the right also to engage in a charter service.

The purpose of the bill is to provide that in the future such applicants will have to return to the Interstate Commerce Commission if they wish to engage in a charter service, and to get additional certificate for such service.

Mr. MCNAMARA. What is not clear to me is what will be accomplished by the proposed legislation. The bill will not cure the ills which now exist, because obviously it will not affect any of the companies now in business. They could still continue the malpractice which the Senator from Florida points out exists at present.

Mr. SMATHERS. Yes.

Mr. MCNAMARA. Nothing will be cured by the bill. All the bill does is to restrict those who might in the future wish to enter the business.

Mr. SMATHERS. That is exactly correct. I would not want to use the word "malpractice"; but, so far as the bill is concerned, it does not affect any conditions which now exist. It merely provides for additional licensing in the future.

In the future, any person or group of persons who seek to provide transportation by bus, for example, must not only get a certificate from the ICC, but also, if they seek to use their buses for charter purposes, must prove to the Interstate Commerce Commission that there is a necessity for such service, in order to get the additional permit.

Mr. MCNAMARA. I can understand the Senator's objection to the word "malpractice," but that was my interpretation of the condition which the Senator said existed, namely, that, through subterfuge, permits were obtained from the ICC, and then the operators engaged in a business which was far afield from that for which the permit was issued. If the Senator objects to that word, I can understand his position; but to me, such an activity is malpractice.

Mr. SMATHERS. It is evident that the Senator from Michigan understands the problem completely.

Mr. MCNAMARA. I still think there is no great showing of the need for the proposed legislation. I raised the point because I question whether the Federal Government should enter an area of regulating business unless there is a clear need for correction by the Federal Government in interstate commerce. I understand that the bill applies only to interstate commerce.

Mr. SMATHERS. That is correct. The bill is an Interstate Commerce Commission bill. It was introduced by the Senator from Washington [Mr. MAGNUSON] at the request of the Commission.

I may say to the able Senator from Michigan, however, that a very thorough showing was made on the part of bus operators, especially the municipally owned bus lines, that it was necessary for them to have some protection if they were to continue to survive.

As the able Senator from Michigan fully appreciates, most of the transportation companies today are operating with only a slight margin of profit. Many of them are dropping out of the field completely because of the unwarranted competition which is skimming off the cream of their business. We do not think that such a condition is desirable, and the Interstate Commerce Commission does not think it is desirable, because transportation service must be provided to enable people to go back and forth between their homes and their work.

Mr. MCNAMARA. My own city of Detroit has a municipally operated transportation system. I can understand the problem of the people engaged in the transportation business. The same is true of the privately operated transportation system in the District of Columbia. But generally they will not be affected by this measure, because it applies only to interstate travel.

Mr. SMATHERS. In this particular instance, if we consider, for example, the situation in the vicinity of the city of Washington, I think the Senator from Michigan will agree that travel from Virginia or Maryland to the District of Columbia of itself places a bus company under the jurisdiction of this particular measure, because interstate travel is involved. It is true that the bill will not cure the evil with respect to municipally owned buslines in cities, when the buslines do not cross State lines. But, on the other hand, there are cases where service is provided by bus companies which travel 200 or 300 miles—for instance, perhaps from Michigan to the upper peninsula and into Minnesota, thus constituting interstate commerce; and therefore the companies come to the Interstate Commerce Commission and seeking its direction.

We provide for the existing companies what are called "grandfather" rights; but by this measure we require that all those who seek to operate in that way in the future must demonstrate that there is a need not only for the service they seek to supply, but also for the charter service which goes with it.

Mr. MCNAMARA. I understand the Senator's point; but I repeat that it is quite a minor one, so far as municipally operated systems are concerned.

In the case of a Michigan company whose operations cross into the upper peninsula, the problem is a very minor one; and I do not think legislation is needed in that connection.

The operations between the District of Columbia and Maryland and Virginia are exceptional, and of course the problem arises to a much greater degree in that case.

I should like to ask a further question: Did representatives of the railroad companies testify regarding the bill? Were the railroad companies concerned in any way?

Mr. SMATHERS. They did not come forward, nor did they make any representation whatsoever with respect to the bill.

Mr. MCNAMARA. I thank the Senator from Florida for the information.

Mr. SMATHERS. I thank the Senator from Michigan.

Mr. President, I must disagree with the Senator from Michigan to this extent: Of course all legislative matters, particularly in this technical field, apply in many instances to only a few concerns. But to the particular concerns involved, this matter is of enormous concern.

In this case, those who operate across a State line cannot obtain a remedy except by means of action by the Congress. Therefore, although this matter may not be of concern to a great many persons, as compared with the total population of the Nation, nevertheless, a large number of persons or companies are concerned; and in the case of the individual companies which are concerned, the Congress is the only place where they can obtain relief.

Mr. MCNAMARA. I respond only by saying that if the proposed legislation applied to the existing companies, I think the argument would be sound. However, the purpose of the bill is only to prevent the evils in the future.

Mr. SMATHERS. The Senator from Michigan is absolutely correct. However, we cannot take away the rights which previously have been given these companies. The Senator from Michigan is absolutely correct in saying that the bill does not cure the particular evil complained of; it merely provides that in the future it will not be aggravated.

Mr. MCNAMARA. I thank the Senator from Florida.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1459) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (c) of section 208 of the Interstate Commerce Act, as amended (49 U. S. C. 308 (c)), is amended to read as follows:

"(c) Any common carrier by motor vehicle transporting passengers under a certificate issued under this part on or before June 1, 1957, may transport in interstate or foreign commerce to any place special or chartered parties under such rules and regulations as the Commission shall have prescribed."

TRANSMISSION OF INTERNATIONAL AGREEMENTS TO THE UNITED STATES SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 530, Senate bill 603.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 603) to require that international agreements other than treaties hereafter entered into by the United States, be transmitted to the Senate within 60 days after the execution thereof.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. KNOWLAND. Mr. President, this is a bill which I introduced in the Senate on January 14. The bill was unanimously reported from the Committee on Foreign Relations. In the committee report, which is available to all Senators, it is pointed out that the bill has received the support of the Department of State. Several years ago, when the bill was first introduced, a period of 30 days

was provided for. The State Department thought that too short a time. In the pending bill, the provision is for 60 days. The bill requires that the Secretary of State shall transmit to the Senate or to the Committee on Foreign Relations all such international agreements.

After the bill was reported by the committee, the members of the Joint Committee on Atomic Energy called my attention to the fact that the bill might need an additional section in order to make clear that the act was not meant to apply to the agreements for cooperation, entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended, which are now required to be filed with the Joint Committee on Atomic Energy. Obviously, the bill was not meant to cover them, because they are already being filed with the Senate, under that law.

So the Senator from Iowa [Mr. HICKENLOOPER] and other Senators suggested the adoption of an amendment which is entirely acceptable to me. I submit the amendment, send it to the desk, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

SEC. 3. This act shall not apply to any agreement for cooperation entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California.

The amendment was agreed to.

Mr. KNOWLAND. Mr. President, the bill itself is short, and I should like to read it into the RECORD at this time. As now amended, the bill reads as follows:

Be it enacted, etc., That title 1, United States Code, is amended by inserting therein, immediately after section 112a, a new section as follows:

"SEC. 112b. United States international agreements; transmission to Senate

"The Secretary of State shall transmit to the Senate the text of any international agreement other than a treaty to which the United States is a party as soon as practicable after such agreement has entered into force with respect to the United States but in no event later than 60 days thereafter: *Provided*, That any such agreement the immediate public disclosure of which would, in the opinion of the President of the United States, be prejudicial to the national security of the United States shall not be transmitted to the Senate as in this section provided; but shall be transmitted to the Committee on Foreign Relations under an appropriate injunction of secrecy to be removed only upon due notice from the President."

SEC. 2. The analysis of chapter 2 of title 1, United States Code, is amended by inserting, immediately after item 112a, the following:

"112b. United States international agreements; transmission to Senate."

SEC. 3. This act shall not apply to any agreement for cooperation entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 603) was ordered to be engrossed for a third reading, read the third time, and passed.

EXPRESSING THE SENSE OF THE CONGRESS ON THE PROBLEM OF HUNGARY

The PRESIDING OFFICER (Mr. MORTON in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the concurrent resolution (H. Con. Res. 204) expressing the sense of the Congress on the problem of Hungary.

Mr. KNOWLAND. Mr. President, I move that the Senate insist upon its amendment, agree to the conference requested by the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. GREEN, Mr. FULBRIGHT, and Mr. KNOWLAND the conferees on the part of the Senate.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 486, Senate bill 944. My purpose is to have the bill made the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on the District of Columbia with an amendment.

AUTHORIZATION FOR SIGNING OF ENROLLED BILLS DURING THE ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Vice President or the President pro tempore be authorized, during the adjournment following today's session, to sign enrolled bills and joint resolutions duly passed by the two Houses.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT TO MONDAY AT 11 A. M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 11 a. m. on Monday, July 1.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER DISPENSING WITH CALL OF THE CALENDAR ON MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on Monday, the call of the calendar, under the rule, be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, I should like to announce the schedule for Monday.

It is expected that the Defense Department appropriation bill will be reported tomorrow, and that Senate consideration will commence on Monday. In addition, the Senate should have conference reports on the Interior and Agriculture appropriation bills, as well as a continuing resolution, which I am informed the House will send the Senate on Monday.

The Senate will also take action on: First, Calendar No. 486, S. 944, amending the act of August 30, 1954, which authorized the construction of bridges over the Potomac River. This is the unfinished business of the Senate.

Second. Calendar No. 488, S. 1730, a bill to implement a treaty with the Republic of Panama.

It is hoped that on Monday, announcement can be made concerning the plans for other important measures now on the Senate Calendar or which will be on the Senate Calendar at an early date.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 1428. An act to authorize furniture and furnishings for the additional office building for the United States Senate;

S. 1429. An act authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate;

S. 1430. An act increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate; and

S. J. Res. 115. Joint resolution to provide an interim extension for the Voluntary Home Mortgage Credit Program.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 3400) to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia; and for other purposes.

ADJOURNMENT TO 11 A. M. MONDAY NEXT

Mr. MANSFIELD. Under the order entered a few moments ago, I move that the Senate stand in adjournment until 11 o'clock a. m. on Monday, July 1.

The motion was agreed to; and (at 5 o'clock and 11 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, to Monday, July 1, 1957, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 27, 1957:

IN THE ARMY

The following-named persons for reappointment to the active list of the Regular Army of the United States, in the grade specified, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be colonel

Dwinell, John S., O41467.

To be lieutenant colonel

Farnum, Charles W., O42743.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, section 3294, as amended by Public Law 497, 84th Congress; title 10, United States Code, section 3291, as amended by Public Law 294, 84th Congress; title 10, United States Code, section 3311; title 10, United States Code, section 3292, and Public Law 737, 84th Congress:

To be major

Gardner, Henry S., MC, AO3041946.
Hogan, Henry W., MC, O4022367.
Stealey, Robert L., MC, O977278.
Tucker, Francis de S. Jr., DC, O1725839.

To be captain

Anderson, Martin F., DC.
Boyer, Carl W., Jr., MC, O4046944.
Burson, Paul E., MC, O4056364.
Butler, Donald E., MC, O1321150.
Creveling, Robert L., MC, O4051112.
Fehl, Merle I., DC, O4069952.
Floyd, Charles H., MC, O4056187.
Gillespie, Harold R., MC, O4043777.
Goldblatt, Harry, MC, O4067893.
Griggs, Kendrick L., MC, O4068001.
Hattori, Takashi, MC.
Hudson, Thomas L., MC, O4025059.
Khouri, Eli, Jr., MC.
Loe, Hardy D., Jr., MC, O4056200.
Luekens, Claude A., Jr., MC, O2273728.
Ostrander, Clinton P., Jr., DC, O1892484.
Singer, Lawrence R., MC, O4069897.
Siezak, Roy M., MC, O4050978.
Stebler, Michael E., MC.
Usrey, David C., MC, O1941879.
Vitner, Saul, MC, O4043430.
Watts, William H., JAGC, O2272010.

To be first lieutenant

Barr, Virginia M., AMSC, J100145.
Bradley, William B., MC, O4056217.
Burlack, Marion F., ANC, N900455.
Corso, William A., DC.
Costello, Barbara R., ANC, N804158.
Dorison, Ezra E., MC.
Foy, Robert E., Jr., MC.
Galaszewski, Stanley M., MC.
Green, Philip S., MC.
Hemenway, Mary, AMSC, M2903.
Johnson, Merrill C., MC.
Jones, Lee Roy G., MC, O2105036.
List, Virginia E., AMSC, M2929.
Llorens, Alfred S., MC.
Lofton, Juliet P., ANC, N805152.
Magruder, Levin F., Jr., MC.
Morgan, Richard A., Jr., MC, O2282852.
Olien, Carl J., Jr., JAGC, O4057868.
Penner, Robert, MC.
Pifer, Charles L., MC.
Robacker, Janet A., ANC, N804750.
Sallomi, Samuel J., MC, O4077961.
Schreiber, Otto J., MC, O2284100.
Shaffer, Ronald P., DC.
Shinaberger, James H., MC, O2283099.
Thomas, Romulus B., MC.
Walker, Jack B., DC.
White, John J., MSC, O4017048.
Wilkes, John D., MC.
Williams, Homer E., MC.

To be second lieutenant

Carpenter, Lois E., WAC, L1010880.
Dee, Jean P., WAC, L1010899.
Geissinger, Amy D., ANC, N805698.
Martin, Julia M., ANC, N901522.
Steelman, Lois M., WAC, L1020655.

The following-named officer for appointment, by transfer from the Department of the Air Force to the Army Medical Specialist Corps, Regular Army of the United States, in the grade specified:

To be captain

Rader, Marjorie A., 21199W.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified, under the provisions of Public Law 737, 84th Congress:

To be first lieutenant

Hornback, Richard G., O994816.

To be second lieutenant

Behrens, Helmer H., W2206103.
Chaney, Bobby J., O4063768.
Harrell, Wilford R., Jr., O4010892.
Kurgvel, Jaan.
Miller, Clemith J., Jr., O4031494.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of Public Law 737, 84th Congress:

Bastron, Frederick C. Moore, James O.
Gannon, Richard B. Stone, Winifred O.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade of second lieutenant, under the provisions of Public Law 737, 84th Congress:

Ackerman, William J.
Adams, Eural E. E., Jr.
Aimi, Alfred C.
Amaral, David J.
Arnold, Brice D.
Bailey, Dwayne S.
Baker, George T.
Barron, Bennie G.
Bizzell, Word G.
Boley, Clyde J.
Boyd, Eugene T., Sr.
Briley, Sidney E., Jr.
Brockway, Frank N., Jr.
Brown, Fred M.
Butler, Robert W., O4070814.
Calvert, George H.
Chapman, Thomas R.
Clark, Donald R.
Clarke, Edward F.
Clem, John M., IV
Cole, Jerry N.
Conley, James A.
Contos, Spiro J.
Coop, Harold L., Jr.
Cordell, Terry D.
Corey, Robert J.
Currie, Joe L.
Damrill, Ronald E.
DeGraw, Andrew E., Jr.
Dennison, Gary V.
Dillon, Oliver W.
Doherty, Theodore L., Jr.
Erickson, DeWayne D., O4062437.
Eskra, Michael J., Jr.
Fassl, Laverne F., O4085639.
Fick, Rudolph M., Jr.
Fiske, John R.
Fitzgerald, Donald G.
Flick, William R.
Fogle, William L.
Fry, James R.
Furlong, William J., III
Gallahorn, James T., III
Gardner, Eli
Garrison, Numan H.
Gasper, John M., Jr.
Gill, Howard J.
Gill, Joseph T., Jr.
Gray, Ernest D.
Griffin, George F.
Hill, James L. E.
Hogrefe, Jay S.
Holloway, Jack E.
Holman, Willard W., Jr.
Horrigan, George R.
Hoyt, Philip M.
Jefferies, Ansell, Jr., O4070926.
Johnson, Clifton R.
Jones, Carl W., Jr.
Kensler, Jesse W.
Kibitz, George D.
Kilpatrick, Thomas M.
King, Edwin C.
Kleinhofs, John
Landess, Robert C.
Larsen, Roger G.
Laurson, Toivo
Lawson, Sylvan L.
Lee, Larry E.
Ligon, Claude M.
Locklar, Jimmy L.
Lowe, Nicholas C.
Ludlum, Henry B., Jr.
Mangrum, Oren D.
Martenet, Ronald D., Jr.
Massey, John P.
McManus, James T.
McNerney, Charles D., II
Meeks, Norman L.
Mermagen, William H.
Mernaugh, Paul F.
Miler, Edward H.
Miller, Thomas W.
Miner, William R.
Moore, James W.
Murphy, Malcolm J.
Najera, Pete M.
Nale, Billy E.
Nash, Tom P., Jr.
Neuroth, John B.
Nielsen, Norman C.
Nix, Crispus C.
Oaks, Clarence B., Jr.
Oden, Lesley E.
O'Neil, Joseph P.
Panneton, Alfred G. Jr.
Penick, Billy R.
Plonk, Donald C.
Poteat, James D.
Proffit, Ray B.
Rahn, William E.
Reese, Cleland P.
Reuter, Edwin F.
Revels, James W.
Riddle, Walker M., Jr.
Ross, Paul M.
Rutherford, Frank E.
Ryan, Gerald E. P.
Sarver, Richard E.
Schwendinger, Charles J.
Sherwood, Dan L.
Stiff, Frederick F.
Strubl, Jacob F.
Sugg, Phillip S.
Summers, Frank B.
Swann, Roscoe A., Jr.
Sweitzer, William J.
Tear, Harry R., Jr.
Temple, William F.
Terrana, Vincent
Thomas, Edward J. F.
Tynes, Theodore R., Jr.
Upham, Laurence B.
Veselka, Herman J.
Ward, William A.
Waters, Carroll M.
Whelan, Donald J.
Williams, Jerry R.
Williamson, Kenneth C.
Wood, Nelson V.
Zirkle, Michael N.

NATIONAL GUARD BUREAU

Maj. Gen. Edgar Carl Erickson, O171317, a Reserve commissioned officer of the Army, member of the National Guard of the United States, to be Chief of the National Guard Bureau, for a period of 4 years to date from June 23, 1957, under the provisions of title 10, United States Code, section 3015.

CONFIRMATION

Executive nomination confirmed by the Senate June 27, 1957:

RAILROAD RETIREMENT BOARD

Howard William Habermeyer, of Illinois, to be a member of the Railroad Retirement Board, for the term of 5 years from August 29, 1957.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 27, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art our refuge and strength and our help in times of trouble, we are again coming unto Thee in the sacred attitude of prayer, compelled by our necessities and constrained by Thy love.

Thou knowest that we are greatly concerned and disturbed about the present condition and future welfare of our Republic and the problem of its defense and security.

Grant that all our citizens may be inspired with an indomitable courage and determination to save our beloved country from those corrupting influences and evil forces which are seeking to undermine and destroy our national life.

May our chosen representatives daily give testimony that they have a lofty sense of duty and responsibility and are earnestly striving to achieve blessedness for all mankind.

To Thy name we ascribe all the praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Burleson, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 1752. An act for the relief of Frank J. and Mae T. W. Burger;

H. R. 2964. An act to confer jurisdiction on the United States District Court for the Eastern District of Texas, Jefferson Division, to hear, determine, and render judgment on certain claims of George W. Edwards, Jr., against the United States;

H. R. 3477. An act relating to moneys received from mineral lands in Alaska;

H. R. 3836. An act to repeal section 1157 of title 18 of the United States Code, as amended;

H. R. 3837. An act to amend the act of August 24, 1912, as amended, with reference to educational leave to employees of the Bureau of Indian Affairs;

H. R. 4945. An act to provide for the conveyance of certain real property in West Palm Beach, Fla., to the Port of Palm Beach District;

H. R. 6692. An act to authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes;

H. R. 7050. An act to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes;

H. R. 7249. An act to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia;

H. R. 7259. An act relating to marketing quotas and price support for fire-cured, dark air-cured, and Virginia sun-cured tobacco;

H. R. 7835. An act to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes;

H. J. Res. 273. Joint resolution to waive the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, in behalf of certain aliens; and

H. J. Res. 379. Joint resolution making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills, joint resolutions, and a concurrent resolution of the House of the following titles:

H. R. 3400. An act to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia; and for other purposes;

H. R. 3558. An act for the relief of Ernest Hagler;

H. R. 4159. An act for the relief of Z. A. Hardee;

H. R. 6306. An act to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing Fourteenth Street or Highway Bridge across the Potomac River, and for other purposes";

H. R. 7238. An act to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care;

H. J. Res. 288. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 290. Joint resolution for the relief of certain aliens;

H. J. Res. 307. Joint resolution for the relief of certain aliens; and

H. Con. Res. 204. Concurrent resolution expressing the sense of the Congress on the problem of Hungary.

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 20. An act for the relief of the widow of Col. Claud C. Smith;

S. 140. An act for the relief of Jan Szpytman;

S. 178. An act for the relief of Mrs. Edgar J. Smith (nee Concetta Chiodo) and her daughter, Roberta Smith;

S. 439. An act for the relief of Susan Tsiang Ho;

S. 554. An act for the relief of Giorgio Giordanella;

S. 609. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes;

S. 651. An act for the relief of Sister Clementine (Ilona Molnar);

S. 669. An act for the relief of Mrs. Antonietta Giorgio and her children, Antonio Giorgio and Menotti Giorgio;

S. 789. An act for the relief of Herbert T. King; his wife, Chang Si-Ling King; and his daughter, Chen Hsiao-Ling King;

S. 811. An act for the relief of Fannie Alexander Gast;

S. 823. An act for the relief of Maud Abraham;

S. 832. An act for the relief of Matilda Strah;

S. 846. An act for the establishment of a National Outdoor Recreation Resources Review Commission to study the outdoor recreation resources of the public lands and other land and water areas of the United States, and for other purposes;

S. 850. An act for the relief of Stavros Manousos;

S. 862. An act for the relief of Barbara L. Weiss;

S. 875. An act for the relief of Vuokko A. Bingham;

S. 876. An act for the relief of Katharina Theresia Beuving Keyzer;

S. 957. An act for the relief of Calogero Maniscalco;

S. 960. An act for the relief of Fotina (Theresa) Wardini;

S. 969. An act to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor;

S. 1007. An act for the relief of Sgt. Donald D. Coleman;

S. 1048. An act for the relief of Matilda Hajos;

S. 1053. An act for the relief of Poppy Catherine Hayakawa Merritt;

S. 1092. An act for the relief of Katina Apostoleu;

S. 1097. An act for the relief of Francoise Beyronneau;

S. 1102. An act for the relief of Adolfo Camilio Scopone;

S. 1174. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation;

S. 1240. An act for the relief of Panagiotis Tullos;

S. 1244. An act for the relief of Teiko Watanabe Holderfield;

S. 1251. An act for the relief of Florinda Mellone Garcia;

S. 1253. An act for the relief of Myung Ok Shin;

S. 1283. An act for the relief of Garth Cecil Briden;

S. 1309. An act for the relief of Susanne Burka;

S. 1311. An act for the relief of Maria Gradi;

S. 1361. An act to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River";

S. 1369. An act for the relief of Vassilios Kostikos;

S. 1397. An act for the relief of Angelina Mastro Mone (Angeline Mastrolinni);

S. 1417. An act relating to the affairs of the Osage tribe of Indians in Oklahoma;

S. 1508. An act for the relief of Salvatore LaTerra;

S. 1510. An act for the relief of Reginald S. Levy;

S. 1519. An act for the relief of Isaac Lidji, Henry Isaac Lidji, and Sylvio Isaac Gattegno;

S. 1718. An act to amend section 201 (a) of the Civil Aeronautics Act of 1938, as amended, relative to the terms of office of members of the Civil Aeronautics Board;

S. 1774. An act for the relief of Yee Suey Nong;

S. 1817. An act for the relief of John Panagiotou;

S. 1823. An act to authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Ky., to the Commonwealth of Kentucky for public park purposes;

S. 1838. An act for the relief of Charles Douglas;

S. 1848. An act for the relief of Michelle Patricia Hill (Patricia Adachi);

S. 1918. An act to amend Public Law 31, 84th Congress, 1st session, to increase the authorization for appropriation to the Atomic Energy Commission for the construction of a modern office building in or near the District of Columbia to serve as its principal office;

S. 2027. An act for the relief of Vendelin Kalenda;

S. 2161. An act to amend the act of August 14, 1955 (69 Stat. 725);

S. 2212. An act to amend the North Pacific Fisheries Act of 1954;

S. 2299. An act to amend section 3 (b) of the Securities Act of 1933;

S. Con. Res. 27. Concurrent resolution to create a joint committee to represent Congress at the 350th anniversary of the founding of Jamestown, Va.;

S. Con. Res. 31. Concurrent resolution favoring the fulfillment of the program recommended by the National Historical Publications Commission for the publication of certain documents; and

S. Con. Res. 32. Concurrent resolution favoring Congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.

The message also announced that the Vice President had appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON as members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 57–14.

HUNGARY AND THE UNITED NATIONS

Mrs. KELLY of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the resolution (H. Con. Res. 204) expressing the sense of Congress on the problem of Hungary, with a Senate amendment, disagree to the Senate amendment and ask for a conference.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Mrs. KELLY of New York, and Messrs. HAYS of Ohio, SELDEN, FULTON, and BENTLEY.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1958

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a report on the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. KIRWAN. Mr. Speaker, on behalf of the gentleman from Mississippi [Mr. WHITTEN], I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes.

Mr. HARRISON of Virginia. Mr. Speaker, reserving the right to object, is that the Agriculture appropriation bill?

Mr. KIRWAN. Yes.

Mr. HARRISON of Virginia. Will the gentleman withdraw that request?

Mr. KIRWAN. Mr. Speaker, I withdraw the request.

COMMITTEE SESSION DURING GENERAL DEBATE

Mr. CARNAHAN. Mr. Speaker, I ask unanimous consent that the Foreign Affairs Committee may be permitted to sit during general debate this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LEAVE OF ABSENCE

Mr. DEROUNIAN. Mr. Speaker, I ask unanimous consent that I may have leave of absence for tomorrow on account of official business in my district.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CALL OF THE HOUSE

Mr. CANFIELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 125]

Adair	Diggs	Powell
Allen, Ill.	Fogarty	Reece, Tenn.
Bailey	Grant	Reed
Barrett	Green, Pa.	Saylor
Beamer	Gwinn	Taylor
Bentley	Holtzman	Teague, Tex.
Bowler	Landrum	Thomson, Wyo.
Buckley	Lennon	Vursell
Cannon	McConnell	Whitener
Celler	Machrowicz	Whitten
Christopher	Miller, N. Y.	Wilson, Calif.
Colmer	O'Konski	Zelenko
Coudert	Pelly	
Dawson, Ill.	Porter	

The SPEAKER pro tempore. On this rollcall 388 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HOUSING ACT OF 1957

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1958

Mr. THOMAS. Mr. Speaker, I call up the conference report on the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 648)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6070) making appropriations for the sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 23, 28, 29, 31, 32, 43, 48, 51, 52 and 61.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 11, 18, 19, 24, 36, 37, 38, 39, 40, 44, 45, 54, 59, and 60, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,360,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$750,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$222,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$130,339,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$260,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$170,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$117,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$48,400"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,515,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,530,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$153,300"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree

to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,750,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "purchase of not to exceed sixty-two passenger motor vehicles for replacement only"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,135,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$16,750,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$402,500"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$175,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$350"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$219,250"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "purchase of one passenger motor vehicle for replacement only at not to exceed $4,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "purchase of one passenger motor vehicle for replacement only at not to exceed $5,000"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,046,000"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$21,763,400"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,344,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert "purchase of fifty passenger motor vehicles for replacement only"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,250,000"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$675,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,377,000"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,100,000"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment and in lieu of the sum named therein insert "$600,000"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$12,420,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 3, 12, 13, 14, 21, 22, 27, and 41.

ALBERT THOMAS,
SIDNEY R. YATES,
JOE L. EVINS,
EDWARD P. BOLAND,
CLARENCE CANNON,
C. W. VURSELL,
HAROLD C. OSTERTAG,
CHARLES R. JONAS,
JOHN TABER,
Managers on the Part of the House.

WARREN G. MAGNUSON,
LISTER HILL,
ALLEN J. ELLENDER,
A. WILLIS ROBERTSON,
EVERETT MCKINLEY DIRKSEN,
LEVERETT H. SALTONSTALL,
KARL MUNDT,
CHARLES POTTER,
MILTON R. YOUNG,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—INDEPENDENT OFFICES

Civil Service Commission

Amendment No. 1—Investigations of United States citizens for employment by international organizations: Reported in disagreement.

Amendment No. 2—Annuities, Panama Canal construction employees and Lighthouse Service widows: Appropriates $2,360,000 instead of $2,300,000 as proposed by the House and $2,417,000 as proposed by the Senate.

Amendment No. 3—Administrative expenses, employees' life insurance fund: Reported in disagreement.

Federal Civil Defense Administration

Amendment No. 4—Operations: Authorizes $750,000 for expenses of travel instead of $598,000 as proposed by the House and $600,000 as proposed by the Senate.

Federal Power Commission

Amendment No. 5—Salaries and expenses: Provides that not to exceed $335,000 shall be available for investigations relating to Federal river development projects as proposed by the Senate instead of $325,000 as proposed by the House.

Federal Trade Commission

Amendment No. 6—Salaries and expenses: Authorizes $251,250 for expenses of travel as proposed by the Senate instead of $237,000 as proposed by the House.

General Accounting Office

Amendment No. 7—Salaries and expenses: Authorizes $1,600,000 for expenses of travel as proposed by the Senate instead of $1,500,000 as proposed by the House.

General Services Administration

Amendments Nos. 8 and 9—Operating expenses, Public Buildings Service: Authorize $222,000 for expenses of travel instead of $205,300 as proposed by the House and $238,650 as proposed by the Senate; and appropriate $130,339,000 instead of $127,464,000 as proposed by the House and $133,214,000 as proposed by the Senate. The conferees are in agreement that of the increase provided above the House allowance $1,000,000 is for the rental, operation, and protection of leased space.

Amendment No. 10—Repair and improvement, federally owned buildings: Authorizes $260,000 for expenses of travel instead of $250,000 as proposed by the House and $270,000 as proposed by the Senate.

Amendment No. 11—Sites and expenses, purchase contract and public buildings projects: Inserts language as proposed by the Senate prohibiting use of funds during fiscal year 1958 in connection with Federal office building Numbered 7 on square 167 in the District of Columbia.

Amendment No. 12—Payments, public buildings purchase contracts: Reported in disagreement.

Amendment No. 13—Construction, public buildings: Reported in disagreement.

Amendment No. 14—Hospital facilities in the District of Columbia: Reported in disagreement.

Amendment No. 15—Operating expenses, Federal Supply Service: Authorizes $170,000 for expenses of travel instead of $120,000 as proposed by the House and $192,500 as proposed by the Senate.

Amendment No. 16—Expenses, supply distribution: Authorizes $117,000 for expenses of travel instead of $110,000 as proposed by the House and $123,900 as proposed by the Senate.

Amendments Nos. 17 and 18—Operating expenses, National Archives and Records Service: Authorize $48,400 for expenses of travel instead of $44,750 as proposed by the House and $52,000 as proposed by the Senate; and appropriate $7,263,000 as proposed by the Senate instead of $7,254,500 as proposed by the House.

Amendments Nos. 19 and 20—Operating expenses, Transportation and Public Utilities Service: Authorize $27,500 for expenses of travel as proposed by the Senate instead of $25,000 as proposed by the House; and appropriate $1,515,000 instead of $1,330,000 as proposed by the House and $1,700,000 as proposed by the Senate.

Amendments Nos. 21 and 22—Strategic and critical materials: Reported in disagreement.

Amendments Nos. 23 and 24—Strategic and critical materials: Delete language proposed by the Senate to establish a mica buying station at Santa Fe, New Mexico; and delete language as proposed by the Senate relating to the availability of funds.

Amendments Nos. 25 and 26—Administrative operations fund: Authorize $10,530,000 instead of $10,230,000 as proposed by the House and $10,830,000 as proposed by the Senate; and authorize $153,300 for expenses of travel instead of $137,700 as proposed by the House and $168,900 as proposed by the Senate.

Amendment No. 27: Reported in disagreement.

Amendment No. 28: Deletes language proposed by the Senate creating 10 additional grade GS-16 positions at the field level. The conferees are in agreement that such positions are necessary and urges the Post Office and Civil Service Committees to accomplish the objectives of the Senate language as soon as possible.

Housing and Home Finance Agency

Office of the Administrator

Amendments Nos. 29 and 30—Salaries and expenses: Delete language proposed by the Senate providing that the salary of a general counsel shall hereafter be at grade GS-18 and the agreement of the conferees on Amendment No. 28 is equally applicable to this situation; and authorize $1,750,000 for nonadministrative expenses in connection with site inspection and audit of slum clearance and urban renewal, college housing, and public facility loan projects instead of $1,500,000 as proposed by the House and $2,000,000 as proposed by the Senate.

Amendment No. 31—Administrative expenses, housing studies: Deletes item inserted by the Senate for administrative expenses in connection with housing studies.

Interstate Commerce Commission

Amendments Nos. 32 through 40—Salaries and expenses: Authorize $200 for purchase of newspapers as proposed by the House instead of $500 as proposed by the Senate; authorize the purchase of 62 passenger motor vehicles for replacement only instead of 80 including 62 for replacement as proposed by the Senate, and delete language proposed by the Senate authorizing purchase of uniforms or allowances therefor; authorize $1,135,000 for expenses of travel instead of $1,085,000 as proposed by the House and $1,185,000 as proposed by the Senate; appropriate $16,750,000 instead of $16,500,000 as proposed by the House and $17,000,000 as proposed by the Senate; authorize $1,363,500 for railroad safety activities as proposed by the Senate instead of $1,350,000 as proposed by the House; authorize $956,600 for locomotive inspection activities as proposed by the Senate instead of $950,000 as proposed by the House; authorize $225,000 for defense mobilization functions as proposed by the Senate.

National Advisory Committee for Aeronautics

Amendment No. 41: Reported in disagreement.

Amendment No. 42: Authorizes $402,500 for expenses of travel instead of $380,000 as proposed by the House and $425,000 as proposed by the Senate.

Amendment No. 43: Deletes language proposed by the Senate authorizing the purchase of motor vehicles.

Amendment No. 44: Appropriates $71 million for salaries and expenses, as proposed by the Senate instead of $70 million as proposed by the House.

National Capital Housing Authority

Amendment No. 45: Appropriates $38,000 for maintenance and operation of properties, as proposed by the Senate, instead of $40,000 as proposed by the House.

National Science Foundation

Amendment No. 46: Authorizes $175,000 for expenses of travel instead of $150,000 as proposed by the House and $200,000 as proposed by the Senate.

Amendment No. 47: Authorizes $350 for the purchase of newspapers and periodicals instead of $300 as proposed by the House and $400 as proposed by the Senate.

Amendment No. 48: Restores House language relating to high school science and mathematics teachers.

Securities and Exchange Commission

Amendment No. 49: Authorizes $219,250 for expenses of travel instead of $197,500 as proposed by the House and $241,000 as proposed by the Senate.

Selective Service System

Amendment No. 50: Provides for the purchase of one passenger motor vehicle instead of forty-four as proposed by the Senate.

Amendment No. 51: Deletes Senate proposal to reappropriate $35,000.

Amendment No. 52: Restores House language relating to registration, classification, and induction activities of local boards.

Veterans' Administration

Amendment No. 53: Provides for the purchase of one passenger motor vehicle instead of six as proposed by the Senate.

Amendment No. 54: Authorizes $17,500,000 for the loan guaranty program as proposed by the Senate instead of $18,500,000 as proposed by the House.

Amendment No. 55: Authorizes not to exceed $1,046,000 for expenses of travel instead of $992,200 as proposed by the House and $1,100,000 as proposed by the Senate.

Amendment No. 56: Appropriates $21,763,400 for medical administration and miscellaneous operating expenses instead of $20,773,800 as proposed by the House and $22,763,400 as proposed by the Senate.

Amendment No. 57: Authorizes $10,344,000 for medical research instead of $10,000,000 as proposed by the House and $11,344,000 as proposed by the Senate.

Amendment No. 58: Authorizes the purchase of fifty passenger motor vehicles instead of one hundred as proposed by the Senate.

Amendment No. 59: Appropriates $2,826,250,000 for compensation and pensions as proposed by the Senate instead of $2,840,500,000 as proposed by the House.

Amendment No. 60: Appropriates $784,047,000 for readjustment benefits as proposed by the Senate instead of $787,987,000 as proposed by the House.

Independent offices—General provisions

Amendment No. 61: Deletes Senate proposal relative to annual inventory reports on real property.

TITLE II—CORPORATIONS

Federal Home Loan Bank Board

Amendment No. 62: Authorizes $1,250,000 for administrative expenses of the Board instead of $1,200,000 as proposed by the House and $1,300,000 as proposed by the Senate.

Amendment No. 63: Authorizes $675,000 for administrative expenses of the Federal Savings and Loan Insurance Corporation instead of $650,000 as proposed by the House and $700,000 as proposed by the Senate.

Housing and Home Finance Agency

Amendment No. 64: Authorizes $1,377,000 for administrative expenses, Office of the Administrator, college housing loans, instead of $1,327,000 as proposed by the House and $1,427,000 as proposed by the Senate.

Amendments Nos. 65 and 66: Authorizes $1,100,000 for administrative expenses, Office of the Administrator, revolving fund (liquidating programs), instead of $970,000 as proposed by the House and $1,940,000 as proposed by the Senate; and restore House language amended to provide $600,000 for nonadministrative expenses instead of $500,000 as proposed by the House.

Amendment No. 67: Authorizes $12,420,000 for administrative expenses, Public Housing Administration, instead of $12,305,000 as proposed by the House and $13,170,000 as proposed by the Senate.

ALBERT THOMAS,
SIDNEY R. YATES,
JOE L. EVINS,
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C. W. VURSELL,
HAROLD C. OSTERTAG,
CHARLES R. JONAS,
JOHN TABER,
Managers on the Part of the House.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 3, line 22, insert "*Provided further*, That nothing in sections 281 or 283 of title 18, United States Code, or in section 190 of the Revised Statutes (5 U. S. C. 99) shall be deemed to apply to any person because of appointment for part-time or intermittent service as a member of the International Organizations Employees Loyalty Board in the Civil Service Commission as established by Executive Order 10422, dated January 9, 1953, as amended."

Mr. THOMAS. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 1, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3. On page 4, line 1, strike out "$123,800" and insert "$309,500,"

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. THOMAS moves that the House insist upon its disagreement to the amendment of the Senate numbered 3.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Massachusetts.

Mr. MARTIN. As I understand it, this amendment deals with certain employees' life insurance companies or associations. The Government has taken over 15 and this amendment would permit the Government to take over the other 9. Why is there any distinction between the 15 that the Government did take over and the 9 we refused to take over?

Mr. THOMAS. Mr. Speaker, may I say to the gentleman from Massachusetts that there have been a lot of misstatements made about this and there has been much pressure placed upon the

membership about it and, therefore, I think a statement is in order at this time.

In the first place there are about 149,000 members involved. The House some 18 months ago refused to put up money for taking over these companies. We figured that the Government was giving about 2,156,000 Federal employees the best life insurance deal on the market. The Government was paying one-third of the cost. Everybody was satisfied and happy. They thought it was right and fair.

We went to the other side and as usual, in those days at least, they put additional funds in the bill, and in conference the amount was compromised. The Civil Service Commission knew that the House had refused to approve their request to put the Government in this losing insurance business, and that is what it is, the taking over of private concerns. The Civil Service Commission did what was in violation of the House instructions. That is the truth of the matter.

Mr. MARTIN. That is not the question I asked. You did it for 15, why do you not do it for the other 9? Should not there be equal justice?

Mr. THOMAS. If the Civil Service Commission made a mistake, let us not turn around and compound it and lose another $60 million. If you turn this down the legislative committee will right that matter. This is a rank discrimination if you favor the Senate amendment.

Mr. MARTIN. It is discrimination as I see it if we deny the legislation for the nine remaining associations.

Mr. THOMAS. I respectfully disagree with the gentleman. You will be giving 150,000 Federal employees 2 subsidized Government policies when the other 2 million Government employees only get 1.

Mr. MARTIN. Why did you discriminate in the first place and bail out 15 associations?

Mr. THOMAS. The Civil Service Commission did that and I think it ought to be corrected. The first step toward correcting it is to deny them these funds.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Virginia.

Mr. GARY. Is it not true that these 150,000 Government employees paid for this insurance just exactly as did those in the other 15 companies. You had, as I understand it, 24 of these companies that provided group insurance for Government employees before the Government established its group-insurance plan for its employees. The Government has taken over all 15 of them. All 24 are on exactly the same basis. Having taken over 15 of the companies, it will be rank discrimination not to take over the other 9, whose members will lose everything they put into these companies.

Mr. THOMAS. Oh, now, wait a minute. That is some more propaganda that the life insurance delegates have been putting out. I think my friend from Virginia has been buttonholed by them and it has taken effect on him. The Government is not hurting anybody here. The Government did not ever tell any of these associations to go into business or to get out of business.

Mr. MARTIN. Does not the law passed by Congress direct the taking over of all the 24 associations?

Mr. THOMAS. No. These associations are just like any other insurance companies. If they get out and hustle business, they are going to make money. To be perfectly frank about it if you will excuse a personal reference, I am a member in one of these associations, and the one I belong to, without any virtue on my part, refused to sell to the Government. Why? Because they are making money. In the last 3 or 4 years they have increased my benefits 50 percent without increasing the premium one dime. It is just the weak ones that want to unload on the Government. The Civil Service Commission knows that these weak ones have been looking for an out to unload on the Government for 5 years, and this is their opportunity. If you want to give away $65 million or $70 million, this is a good opportunity to do it.

Mr. GARY. Mr. Speaker, will the gentleman yield further?

Mr. THOMAS. I yield.

Mr. GARY. If the Government had no obligation, then why did the Government take over the 15?

Mr. THOMAS. For the simple reason the Civil Service Commission did it against the advice of the House. Now, if you want to compound it and give away another $60 million, that is a different matter.

Mr. GARY. Against the advice of the House in what respect?

Mr. THOMAS. They did not have the funds.

Mr. MARTIN. Your own report in the supplemental appropriation table says that the cost would be $22 million.

Mr. GARY. On all of them.

Mr. THOMAS. The Civil Service Commission says that the cost to take over the associations will be $33 million. My guess is that before you get through it will be nearer $60 million, and on top of that you are going to spend $150,000 every year sending out policies, having stenographers credit the premium payments and so on. So, I am surprised at my distinguished friend from Massachusetts. He is a free enterprise man, and I admire him for it. Here he wants to put the Government into a losing life insurance business.

Mr. MARTIN. I repeat I believe in treating all fairly and on the same basis. That is all I am contending for.

Mr. THOMAS. How are you going to treat the 2 million Government employees who have only one policy? Are you going to give them 2 policies? If you treat them alike, you will have to do that, you know.

Mr. BROYHILL. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Virginia.

Mr. BROYHILL. Well, the gentleman knows that the current Federal Employees Life Insurance Company does not take care of the Federal employees when they retire except on a small percentage on their original amount.

Mr. THOMAS. We do not write the policies, and nobody is going to vary the terms of the policies. That is a matter that is set by the policy itself.

Mr. BROYHILL. The Federal Life Insurance Company is driving these small companies out of business.

Mr. THOMAS. Just a moment. The gentleman is making a speech that he cannot back up. If these people want to get out and hustle up business, they would be doing more business than they could say grace over. The gentleman from Virginia does not give up because money is tight. He is still doing business, and these people will be doing business, too, but these weak ones want to unload on the Government, and certainly the gentleman is bound to know that.

CALL OF THE HOUSE

Mr. H. CARL ANDERSEN. Mr. Speaker, this is a very interesting discussion. I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] A quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 126]

Alexander	Coudert	Montoya
Allen, Ill.	Dawson, Ill.	O'Hara, Minn.
Aspinall	Diggs	O'Konski
Bailey	Durham	Porter
Baker	Fogarty	Powell
Barrett	Grant	Reece, Tenn.
Beamer	Green, Pa.	Reed
Bowler	Gubser	Robsion, Ky.
Breeding	Gwinn	Saylor
Buckley	Holtzman	Taylor
Celler	Landrum	Whitener
Chiperfield	Lennon	Wigglesworth
Christopher	McConnell	Wilson, Calif.
Colmer	Machrowicz	Zelenko
Cooley	Miller, N. Y.	

The SPEAKER. On this rollcall 380 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

INDEPENDENT OFFICES APPROPRIATION BILL, 1958

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. TABER. Mr. Speaker, I am wondering what the gentleman from Texas would say if a group of Government employees got together and organized a grocery store and it went sour, would the gentleman feel we ought to come in and bail them out?

Mr. THOMAS. I certainly would not and I think that is on all fours with the situation here.

Mr. TABER. That is what I thought. For that reason I am inclined to feel that we should go along with the gentleman. I wonder how it would be if they went in the gasoline business, should we bail them out?

Mr. THOMAS. No. And you will not have to bail them out now. I may say to the gentleman from New York, if the managers of these companies will go out and work and sell insurance like everybody else does, they may continue. The policy of the average Government employee is less than six or seven thousand and they are buying insurance on the outside.

Mr. Speaker, this question has been well debated and I therefore move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

Mr. H. CARL ANDERSEN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. H. CARL ANDERSEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and nineteen Members are present, a quorum.

The question is on the motion offered by the gentleman from Texas [Mr. THOMAS].

The question was taken, and the Chair being in doubt, the House divided and there were—ayes 115, noes 88.

So the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: Page 10, line 22, after the figure insert: "*Provided*, That the Administrator of General Services may enter into contracts during the fiscal year 1958 for which the aggregate of annual payments for amortization of principal and interest thereon shall not exceed the unused portion of the $12,000,000 limitation applicable prior to July 1, 1957, under the Independent Offices Appropriation Act, 1957 (70 Stat. 343)."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Mr. Speaker, we, on the agricultural appropriation subcommittee, are faced with a serious problem before us here this afternoon, and I am endeavoring to secure a solution of that problem. In all probability, if permission is granted, we will be able to file a conference report tonight. Now, it seems to me that any move designed to prevent us from filing such a report can do nothing but harm, because Sunday is the final day in this present fiscal year. I am making this statement, Mr. Speaker, to request that the gentleman from Mississippi [Mr. WHITTEN], or the gentleman from Missouri [Mr. CANNON], ask for permission to file a conference report on this particular bill by midnight tonight. I see no present evidence on their part to do so, and I shall have to from time to time make observations here this afternoon, Mr. Speaker, until we do get that right. I feel it is very important.

The SPEAKER. The request was made this morning, but it was withdrawn at somebody's request.

Mr. H. CARL ANDERSEN. Mr. Speaker, might I say in response to that that we were in conference at the time and I understand the gentleman from Virginia [Mr. HARRISON], asked to have it set aside. He did not officially object, but all I want done is that the proper person in connection with my committee or the full committee ask for this permission to file a report, and if the gentleman from Virginia or any other Member decides in his own conscience that he wants to take on the responsibility to object, why, that, of course, is his business.

The SPEAKER. The Chair does not see either of the gentlemen suggested by the gentleman from Minnesota on the floor.

Mr. H. CARL ANDERSEN. The gentleman from Mississippi is present, Mr. Speaker.

The SPEAKER. If the gentleman from Mississippi desires to make the request, the Chair will certainly entertain it.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. I am sorry. I did not hear the comments of the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. It was simply to the effect as to the need for filing a conference report tonight, and I hope you will make that request.

Mr. WHITTEN. The request was made earlier by the gentleman from Ohio [Mr. KIRWAN] while we were attending a conference, and I now renew the request. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a report on H. R. 7441, which request was made earlier today.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

Mr. HARRISON of Virginia. Mr. Speaker, reserving the right to object, have the conferees agreed?

Mr. WHITTEN. We have not.

Mr. HARRISON of Virginia. Do I understand, then, if the report is filed tonight, the bill will be brought to the House tomorrow? Would that be the program?

Mr. WHITTEN. Personally, I would confer with the chairman of the Committee on Appropriations and the House leadership prior to asking for that.

Mr. HARRISON of Virginia. Mr. Speaker, does not the gentleman think that the membership of the House should have some opportunity to examine the report, in the event it is filed, or in the event there is an agreement, before they are called upon to vote on it?

Mr. WHITTEN. I merely asked permission to file the report by tonight.

Mr. HARRISON of Virginia. If the gentleman insists on his request, I am constrained to object.

The SPEAKER. Objection is heard.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

The SPEAKER. The gentleman from Virginia has objected.

Mr. H. CARL ANDERSEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. H. CARL ANDERSEN. Is it within my right at this time to offer a motion?

The SPEAKER. The Chair cannot recognize the gentleman for that purpose.

The question is on the motion of the gentleman from Texas [Mr. THOMAS].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 13, page 11, line 5, strike out "$2,125,000" and insert "$2,145,000."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 13, and concur therein with an amendment, as follows: In lieu of the sums stricken and inserted by said amendment, insert the following: "$2,145,000, of which not to exceed $20,000 shall be available for the planning of a border station at Dunseith, N. Dak., at a total cost of not to exceed $300,000."

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman from Texas yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. ROONEY. I thank the gentleman from Texas, my distinguished friend and highly capable chairman of this subcommittee.

Mr. Speaker, I shall first ask a division of the question. I am then going to ask the House to defeat the pending motion to recede with regard to amendment in disagreement No. 13, and later to accept a motion which I shall make to insist on disagreement with the other body.

The SPEAKER. There may not be two motions pending at the same time. The gentleman will have to divide that question, too.

Mr. ROONEY. I do not offer the motion to insist at this time. I said I intended to offer it if the motion of the gentleman from Texas to recede is not agreed to.

Earlier this year 2 subcommittees of the House and Senate Committees on Appropriations were presented with a program for the construction of 16 border stations along the Canadian border for the customs service of the Department of the Treasury and the Immigration and Naturalization Service of the Department of Justice. At that time there was included in the list of 16 proposed stations 1 for Dunseith, N. Dak., at a cost of $30,000, to be appropriated via the Treasury Department-Post Office appropriation bill, and $30,000 to be appropriated via the Department of Justice appropriation bill, a total cost of $60,000.

The unanimous action of both subcommittees, the subcommittee on the Treasury-Post Office bill, headed by

Messrs. GARY and CANFIELD, and the subcommittee on the State-Justice bill, headed by Mr. COUDERT and myself, postponed the program for a year. This action was concurred in by the House and concurred in by the other body. As a matter of fact, neither Department appealed to the other body. We now find the Dunseith station in the instant bill, the independent offices appropriation bill, at a cost, not of $60,000, but up to $300,000.

The following is the information which was submitted to the State-Justice Subcommittee on Appropriations earlier this year:

The overall estimate has been developed on the basis of average conditions, as follows:

Station building: 1,400 square feet at $15	$21,000
Canopy: 960 square feet at $5	4,800
Utility lines	2,500
Approaches and driveways	2,700
Total for station without living quarters	31,000
Cottage and garage, each unit	14,500

The entire program recommended for the fiscal year 1958 is summarized hereunder:

Location	Annual admissions	Cost of station	Cottages No.	Cottages Amount	Total cost	I. and N. cost
1. Dunseith, N. Dak.	79,000	$31,000	2	$29,000	$60,000	$30,000
2. Connecticut Lakes, N. H.	18,000	31,000	2	29,000	60,000	30,000
3. Rosean, Minn.	31,000	31,000	2	29,000	60,000	30,000
4. Pinecreek, Minn.	38,000	31,000	2	29,000	60,000	30,000
5. Sarles, N. Dak.	12,000	31,000	2	29,000	60,000	30,000
6. Hannah, N. Dak.	20,000	31,000	2	29,000	60,000	30,000
7. Turner, Mont.	13,000	31,000	2	29,000	60,000	30,000
8. Del Bonita, Mont.	7,000	31,000	1	14,500	45,500	22,750
9. Andrade, Calif.	170,000	31,000	2	29,000	60,000	30,000
10. Lukeville, Ariz.	146,000	[1] 2,000	4	58,000	60,000	30,000
11. Lancaster, Minn.	20,000	31,000	2	29,000	60,000	30,000
12. Opheim, Mont.	12,000	$31,000	2	$29,000	$60,000	$30,000
13. Antler, N. Dak.	15,000	31,000	2	29,000	60,000	30,000
14. Maida, N. Dak.	17,000	31,000	2	29,000	60,000	30,000
15. Morgan, Mont.	19,000	31,000	----	[3] 4,500	35,500	17,750
16. Porthill, Idaho	95,000	[1] 10,000	2	29,000	39,000	19,500
Total	----	446,000	----	454,000	900,000	450,000

[1] Additional power installation required.
[2] Renovation of existing cottages.
[3] Alteration and improvement of existing station.

DUNSEITH, N. DAK.

There are no available Government-owned quarters for housing the inspection facilities of this Service or the Customs Service at Dunseith, N. Dak. No adequate privately owned building is available for rental. The present inspection office is located at a rented tourist cabin, a distance of 14 miles from the border. There are a number of roads leading from the main highway going east and west which can be used by the public without requiring them to pass the inspection point. The building where the inspectional office is located is in a very poor state of repair and is not the type of structure that a person would expect for a Government office. Within the last 5 years the number of persons admitted annually has increased from 26,000 to 79,000. The port is open 24 hours daily in summer and from 8 a. m. to midnight in winter. Two immigration officers and one customs officer are regularly assigned. A tract of land 800 feet by 150 feet is owned by the Government at the border. It is proposed to construct a station for the joint use of the Immigration and Customs Services and two cottages for personnel in residence at the border.

Mr. THOMAS. Mr. Speaker, in order to same time, if my distinguished friend from New York will allow me to interrupt briefly, perhaps I can bring this matter to a head very quickly. This subcommittee is in the position of being an innocent bystander. We have put a provision in here for building five border stations that were presented to this subcommittee in the regular order. The cost of these ranged from $300,000 to $400,000 each: 2 in Texas, 1 in California, 1 in New York, and 1 in Maine. This item was approved by the House, and went over to the Senate, and lo and behold, we found they put in one similar in character and kind in North Dakota. Canada has built one right across the border to cost $400,000, and the committee report as prepared by the Senate stated that the United States should build one on the North Dakota side for $300,000. Since the committee did not have any evidence on it, we took the word of the other body. We did put a limitation in there, however, that they could not spend more than $300,000. Since there were five already in the bill, not objected to by the House, I repeat, we are again in the position of being an innocent bystander, and as far as I am concerned the House has the facts and the House can vote its sentiments in the matter.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from North Carolina.

Mr. JONAS. May I ask our chairman if it is not true that the facts disclose that our own station is 13 miles away from the border, and there is some apparent need for a station?

Mr. THOMAS. There was nothing too much out of line about it.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Tennessee.

Mr. EVINS. It is also true that the General Services Administration comes under the Independent Offices Appropriation Committee, and all of these stations are to be built by the General Services Administration?

Mr. THOMAS. That is correct.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. TABER. Mr. Speaker, this thing came up before the Treasury-Post Office Subcommittee and the estimate was submitted by the representatives of the Customs Service. This is what it says: "Dunseith, N. Dak., customhouse, $30,000, total cost, $60,000." This item is in the bill for $300,000, or five times as much as the cost estimated by the Department.

Frankly, if I had known that yesterday when I was over at the conference, or if the gentleman from Texas had known that, I am sure there would not have been anything in here for more than what the departmental estimates were. There have been other projects that are not involved. Therefore, it would seem to me that the situation ought to be corrected and the limit of cost that the Department set up be approved rather than some figure of $300,000, or five times that amount. If that were to be done, we would have to have an amendment offered that would provide for that limitation.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Illinois.

Mr. YATES. Is the $20,000 figure to which the gentleman referred for planning or for construction?

Mr. TABER. No; there is $20,000 for planning. How they get $20,000 for planning a $60,000 building is a little beyond me.

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. ROONEY. The distinguished gentleman from New York [Mr. TABER] has explained the situation a good deal betier than I can. I have here the sheets of justifications with regard to this station, presented to the State-Justice Subcommittee on Appropriations. This sheet clearly says that the total cost for Dunseith, N. Dak., shall be $60,000, of which $30,000 would be appropriated to the Treasury Department and $30,000 to the Department of Justice, Immigration and Naturalization Service.

Mr. Speaker, I suggest that the House should vote down the pending motion.

Mr. THOMAS. May I say that perhaps this matter can be cured right quick by voting down the previous question.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield.

Mr. HALLECK. I am not familiar with the technical arrangement here and I am not qualified to speak about that. However, it just so happens on numerous occasions on going up to Canada I have had occasion to go through this Dunseith place. The Canadians have a magnificent building there.

Mr. THOMAS. It cost $400,000.

Mr. HALLECK. Of course that is no reason perhaps for us to have anything comparable to that, but I must say that the gentleman from North Dakota and I have discussed this many times. That little ramshackle place on our side is really not good enough for the carrying on of the duties of the people who are there. So I do not know whether it ought to be $60,000 or $30,000. It does seem to me, of course, that $20,000 for planning of a $60,000 building is somewhat out of joint. But certainly from my own personal observation something should be done with our station there at Dunseith. If that could be worked out in a reasonable fashion it would seem to me that it would only be doing justice in this situation.

Mr. GARY. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield.

Mr. GARY. Mr. Speaker, the situation is that there are 16 stations along the American borders where new buildings are needed. The Bureau of Customs requested an appropriation for those 16 stations for this next year. The stations are used for two purposes. They are used for customs and they are also used for immigration purposes. Therefore, they asked that the cost of the buildings be divided between the Treasury Department and the Department of Justice. Consequently, the same list was submitted both to the Subcommittee on Treasury and Post Office Appropriations of the Committee on Appropriations and to the Subcommittee on Appropriations for the Department of Justice. Neither subcommittee is against this building program. All of these stations ought to be built as rapidly as we can build them. But in view of the demand for economy at this time and in an effort to cut down the budget as much as possible and not to do any building at this time which is not absolutely necessary, both subcommittees cut all 16 of these stations out of the report. If this action is adopted by the House now, you would be putting 1 of these 16 stations back in. I submit to the Members of the House that the program ought to be considered as a whole and not with respect to just one station.

Mr. THOMAS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is will the House recede from its disagreement to the Senate amendment No. 13?

The motion was rejected.

Mr. ROONEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY moves that the House insist on its disagreement to the amendment of the Senate numbered 13.

Mr. THOMAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. Mr. Speaker, does not the motion come too late?

The SPEAKER. The motion is in order at this time.

The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 14 on page 11, line 7, insert "Hospital facilities in the District of Columbia: For an additional amount for expenses necessary in carrying out the provisions of the act of August 7, 1946 (60 Stat. 896), as amended, authorizing the establishment of a hospital center in the District of Columbia, including grants to private agencies for hospital facilities in said District, $1,710,000, to remain available until expended: *Provided*, That the limitation on the total amount for completion of the hospital center is increased from $21,700,000 to $23,410,000: *Provided further*, That this paragraph shall become effective only upon approval of the increased authorization proposed in S. 2194 and/or H. R. 7835, 85th Congress."

Mr. THOMAS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 14, and concur therein with an amendment, as follows: In lieu of the sum of "$1,710,000" named in said amendment, insert "$1,500,000"; and in lieu of the sum of "$23,410,000" named in said amendment, insert "$23,200,000".

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 21: Page 13, line 5, insert "Funds available for."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 22: Page 13, line 8, strike out "including" and insert "during the current fiscal year shall be available for".

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 27: Page 17, line 3, insert "Not to exceed 5 percent of any appropriation made available to the General Services Administration for the current fiscal year by this act may be transferred to any other such appropriation, but no such appropriation shall be thereby increased more than 5 percent: *Provided*, That such transfers shall apply only to operating expenses, and shall not exceed in the aggregate the amount of $5 million."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following: "Not to exceed 2 percent of any appropriation made available to the General Services Administration for the current fiscal year by this act may be transferred to any other such appropriation, but no such appropriation shall be thereby increased more than 2 percent: *Provided*, That such transfers shall apply only to operating expenses, and shall not exceed in the aggregate the amount of $2 million."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 41: Page 20, line 19, insert "for the making of special investigations and reports and".

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 41, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert "for the making of special investigations and reports (not to exceed $500,000) and".

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

WAR HAZARDS COMPENSATION ACT

Mr. FRAZIER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3373) to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc.—

TITLE I—AMENDMENTS TO THE WAR HAZARDS COMPENSATION ACT

SEC. 101. (a) Clause (2) of section 101 (a) of the act of December 2, 1942 (ch. 668, 56 Stat. 1028), as amended, is amended to read as follows:

"(2) to any person engaged by the United States under a contract for his personal services outside the continental United States or in Alaska or the Canal Zone; or".

(b) Clause (3) of section 101 (a) of that act is amended to read as follows:

"(3) to any person employed outside the continental United States or in Alaska or the Canal Zone as a civilian employee paid from nonappropriated funds administered by the Army and Air Force Exchange Service, Army and Air Force Motion Picture Service, Navy Ship's Store Ashore, Navy exchanges, Marine Corps exchanges, officers' and noncommissioned officers' open messes, enlisted men's clubs, service clubs, special service activities, or any other instrumentality of the United States under the jurisdiction of the Department of Defense and conducted for the mental, physical, and moral improvement of personnel of the Department of Defense and their dependents; or".

(c) Section 101 (a) of that act is amended by adding the following new clause:

"(4) to any person employed outside the continental United States or in Alaska or the Canal Zone by the American National Red Cross;".

SEC. 102. Section 102 (a) of the act of December 2, 1942 (ch. 668, 56 Stat. 1031), as amended, is amended by striking the last proviso. This amendment shall not affect benefits adjudicated thereunder prior to the enactment of this act.

SEC. 103. (a) Section 201 (b) of the act of December 2, 1942 (ch. 668, 56 Stat. 1033),

as amended, is amended by changing that part of the section which precedes the numbered clauses to read as follows:

"(b) The term 'war-risk hazard' means any hazard arising during a war in which the United States is engaged; during an armed conflict in which the United States is engaged, whether or not war has been declared; or during a war or armed conflict between military forces of any origin, occurring within any country in which a person covered by this act is serving; from—".

(b) Clause (3) of 201 (b) of that act is amended to read as follows:

"(3) the discharge or explosion of munitions intended for use in connection with a war or armed conflict with a hostile force or person as defined herein (except with respect to employees of a manufacturer, processor, or transporter of munitions during the manufacture, processing, or transporting thereof, or while stored on the premises of the manufacturer, processor, or transporter); or".

(c) Section 201 (c) of that act is amended to read as follows:

"(c) The term 'hostile force or person' means any nation, any subject of a foreign nation, or any other person serving a foreign nation (1) engaged in a war against the United States or any of its allies, (2) engaged in armed conflict, whether or not war has been declared, against the United States or any of its allies, or (3) engaged in a war or armed conflict between military forces of any origin in any country in which a person covered by this act is serving."

(d) Section 201 (d) of that act is amended to read as follows:

"(d) The term 'allies' means any nation with which the United States is engaged in a common military effort or with which the United States has entered into a common defensive military alliance."

(e) Section 201 (e) of that act is amended to read as follows:

"(e) The term 'war activities' includes activities directly relating to military operations."

(f) Section 201 (f) of that act is repealed.

SEC. 104. Sections 101 (b), 104 (a), 201 (b), and 206 of the act of December 2, 1942 (ch. 668, 56 Stat. 1028), as amended, are amended by striking out the words "enemy" and "the enemy" wherever they appear and inserting the words "a hostile force or person" in place thereof.

SEC. 105. Title II of the act of December 2, 1942 (ch. 668, 56 Stat. 1033), as amended, is further amended by adding the following new section at the end thereof:

"SEC. 208. Titles I and II of this act may be cited as the 'War Hazards Compensation Act'."

TITLE II—AMENDMENTS TO THE DEFENSE BASE ACT

SEC. 201. (a) Section 1 (a) of the act of August 16, 1941 (ch. 357, 55 Stat. 622), as amended, is amended by inserting the following new clause between clause (4) and the last 5 lines:

"(5) by the American National Red Cross outside the continental United States or in Alaska or the Canal Zone;".

(b) Section 1 (b) of that act is amended to read as follows:

"(b) As used in this section—

"(1) the term 'public work' means any fixed improvement or any project, whether or not fixed, involving construction, alteration, removal, or repair for the public use of the United States or its allies, including but not limited to projects or operations under service contracts and projects in connection with the national defense or with war activities, dredging, harbor improvements, dams, roadways, and housing, as well as preparatory and ancillary work in connection therewith at the site or on the project;

"(2) the term 'allies' means any nation with which the United States is engaged in a common military effort or with which the United States has entered into a common defensive military alliance;

"(3) the term 'war activities' includes activities directly relating to military operations."

(c) Section (1) (e) of that act is amended by striking the last sentence and by substituting the following two sentences: "Upon the recommendation of the head of any department or other agency of the United Staates, the Secretary of Labor, in the exercise of his discretion, may waive the application of this section with respect to any contract, subcontract, or subordinate contract, work location under such contracts, or classification of employees. Upon recommendation of the head of the American National Red Cross, the Secretary of Labor may waive the application of this section to any employee or class of employees of the American National Red Cross, or to any place of employment of such an employee or class of employees."

SEC. 202. The act of August 16, 1941 (ch. 357, 55 Stat. 622), as amended, is amended by adding the following new section:

"SEC. 5. This act may be cited as the 'Defense Base Act'."

TITLE III—MISCELLANEOUS

SEC. 301. Sections 2, 3, and 4 of the act of June 30, 1953 (67 Stat. 134), are repealed and section 101 (c) of the act of December 2, 1942 (ch. 668, 56 Stat. 1030), is reenacted.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the enacting clause and insert in lieu thereof the following: "That section 201 of the act of December 2, 1942 (ch. 668, 56 Stat. 1033), as amended, is further amended by deleting the words 'July 1, 1957' and inserting in lieu thereof 'July 1, 1958'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL EMPLOYEES' COMPENSATION ACT

Mr. FRAZIER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6523) to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the Federal Employees' Compensation Act (39 Stat. 742), as amended, is amended to read as follows:

"That (a) the United States shall pay compensation as hereinafter specified for the disability or death of an employee resulting from personal injury sustained while in the performance of his duty, but no compensation shall be paid if the injury or death is caused by willful misconduct of the employee or by the employee's intention to bring about the injury or death of himself or of another, or if intoxication of the injured employee is the proximate cause of the injury or death.

"(b) In any case where an employee within the coverage of this act or any extension thereof, who is employed outside the continental United States or in Alaska or in the Canal Zone, suffers disability or death from a war-risk hazard, or suffers disability or death during or as a result of capture, detention or other restraint by a hostile force or person, his disability or death shall in the administration of this act be deemed to have resulted from personal injury sustained while in the performance of his duty, whether or not the employee was engaged in the course of employment when the disability, or disability resulting in death, occurred or when he was taken by the hostile force or person. This subsection shall not apply to any person (1) whose residence is at or in the vicinity of the place of his employment, and (2) who was not living there solely by virtue of the exigencies of his employment, unless the person was injured or was taken while he was engaged in the course of his employment. Nothing contained in this subsection shall affect the payment of compensation under entitlement of this act derived otherwise than by reason of this subsection."

SEC. 2. Section 40 of the Employee's Compensation Act, as amended, is further amended by adding, after subsection (i) the following five new subsections:

"(j) The term 'war-risk hazard' means any hazard arising during a war in which the United States is engaged; during an armed conflict in which the United States is engaged, whether or not war has been declared; or during a war or armed conflict between military forces of any origin, occurring within any county in which a person covered by this act is serving; from—

"(1) the discharge of any missile (including liquids and gas) or the use of any weapon, explosive, or other noxious thing by a hostile force or person or in combating an attack or an imagined attack by a hostile force or person; or

"(2) action of a hostile force or person, including rebellion or insurrection against the United States or any of its allies; or

"(3) the discharge or explosion of munitions intended for use in connection with a war or armed conflict with a hostile force the United States or any of its allies; or

"(4) the collision of vessels in convoy or the operation of vessels or aircraft without running lights or without other customary peacetime aids to navigation; or

"(5) the operation of vessels or aircraft in a zone of hostilities or engaged in war activities.

"(k) the term 'hostile force or person' means any nation, any subject of a foreign nation, or any other person serving a foreign nation (1) engaged in a war against the United States or any of its allies, (2) engaged in armed conflict, whether or not war has been declared, against the United States or any of its allies, or (3) engaged in a war or armed conflict between military forces of any origin in any country in which a person covered by this act is serving.

"(l) the term 'allies' means any nation with which the United States is engaged in a common military effort or with which the United States has entered into a common defensive military alliance.

"(m) the term 'war activities' includes activities directly relating to military operations."

SEC. 3. Section 5 (b) of the act of July 28, 1945 (ch. 328, 59 Stat. 505), as amended (5 U. S. C. 801), is repealed.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the enacting clause and insert in lieu thereof the following: "That section 5 (b) of the act of July 28, 1945 (ch. 328, 59 Stat. 505), as amended, is further amended by deleting the words 'July 1, 1957' and inserting in lieu thereof 'July 1, 1958'."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ADDITIONAL SENATE OFFICE BUILDING

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 300 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1430) increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I desire at this time to call the attention of the Members of the House to the fact that the Honorable George C. McConnaughey, of Ohio, who has been serving the Government of the United States for the past several years as Chairman of the Federal Communications Commission, has sent to the President a letter in which he is advising the President that he does not seek reappointment to that position and expects to retire on June 30, 1957, at the end of his present term.

Mr. McConnaughey is one of the outstanding citizens of Ohio and served our State for many years as a member of and later as chairman of the Public Utilities Commission of Ohio. He has had a distinguished career in both State and Federal service. At one time he was in charge of renegotiation of contracts for the Federal Government as well as occupying the position he now holds as Chairman of the Federal Communications Commission.

It is to be regretted that he has seen fit to leave the public service and those of us from Ohio who know him well want to commend him for what he has done as a representative in the Federal Government.

Mr. Speaker, I include as a part of my remarks the following correspondence between Mr. McConnaughey and the President of the United States:

DEAR MR. CHAIRMAN: I have your letter advising me of your plan to retire from Government service upon the completion of your present term as a member of the Federal Communications Commission.

While I fully understand and appreciate the reasons for your decision, it is, of course, with regret that I learn of it. Both as Chairman of the Renegotiation Board and as Chairman of the Federal Communications Commission, you have rendered able and distinguished service to the Nation and to this administration. I trust that it has given you a great deal of personal satisfaction to carry on in these important posts of duty and that the knowledge of your contribution in each of these fields will continue to be a source of pride for you.

In thanking you for all that you have done, I want also to convey to you my very best wishes for your success and happiness in the years ahead.

Sincerely,

DWIGHT D. EISENHOWER.

DEAR MR. PRESIDENT: My term as a member of the Federal Communications Commission ends June 30, 1957. Due to personal considerations I feel I must retire from Government service upon that date.

It has indeed been a privilege to serve in your administration as Chairman of the Renegotiation Board and the Federal Communications Commission. To have been permitted to serve in these positions under the leadership of the most able President of the United States during my lifetime has been a most delightful experience and I shall always cherish the memories of this service.

If, Mr. President, I can ever be of any service to you, I hope you will command me.

Respectfully yours,

GEORGE C. MCCONNAUGHEY.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that my colleagues from Ohio may have permission to extend their remarks at this point in the RECORD on Mr. McConnaughey's leaving the Federal Government.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include two letters.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS. Mr. Speaker, I want to join my colleague from Ohio [Mr. BROWN] in paying tribute to the distinguished public service of my constituent, Hon. George C. McConnaughey, of Ohio, upon his retirement as Chairman of the Federal Communications Commission.

A level-headed, able, thoughtful lawyer, a man of unswerving integrity, he has served as a member and as chairman of the Public Utilities Commission of Ohio, and was in charge of renegotiation of contracts for the Federal Government before coming to the Federal Communications Commission. He has served his State and Nation with distinction, and deserves the gratitude of our country.

He, his wife, and his five sons are my longtime personal friends. My congratulations and best wishes go to him and to them, on his long service and his honored retirement.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

GENERAL LEAVE TO EXTEND REMARKS

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have permission to revise and extend their remarks in the RECORD on the conference report just adopted.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AUTHORIZING FURNITURE AND FURNISHINGS FOR ADDITIONAL SENATE OFFICE BUILDING

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 298 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1428) to authorize furniture and furnishings for the additional office building for the United States Senate. After general debate, which shall be confined to the bill and continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I have no requests for time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

AUTHORIZING ENLARGEMENT AND REMODELING SENATORS' SUITES

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 299 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1429) authorizing the enlargement and remodeling of Senators' suites and structural,

mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I have no requests for time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

ADDITIONAL SENATE OFFICE BUILDING

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1430) increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, S. 1430, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JONES of Alabama. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, this bill makes an increase in the authorization for the construction of the Senate Office Building which was originally passed in the Second Deficiency Appropriation Act of 1948. The original authorization was for $20,600,000. This bill increases the authorization by $2,846,000, making a total authorization of $23,446,000.

Now, there has been expended or placed under contract all of the authorized amounts, and in order to complete the building for occupancy in January 1958, it will be necessary for this authorization to be made. The committee has gone into the matter thoroughly, and the bill simply provides for the building requirements in order to complete the project that was commenced in 1949.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Iowa.

Mr. GROSS. This bill provides for an increase of 2 million plus.

Mr. JONES of Alabama. $2,846,000.

Mr. GROSS. Nearly $3 million. And, it provides for construction and equipment; is that correct?

Mr. JONES of Alabama. Well, the equipment that it refers to is the electrical equipment and appurtenances, such as elevators and the other necessary incidentals that go with a structure such as this. Historically the building commissions of the Senate and the House have always treated the normal equipment such as furniture and other articles necessary to properly house the Members as being separate items.

Mr. GROSS. Well, that is the question I wanted to ask the gentleman, since the word "equipment" is used. And, there is a bill following, I understand to provide furniture, rugs, and other things.

Mr. JONES of Alabama. I will say to the gentleman that the reports on the two bills make that distinction, that the word "equipment" is not to be used synonymously with the word "furniture."

Mr. GROSS. May we assume that this is the last construction appropriation to be asked for completion of the new Senate Office Building?

Mr. JONES of Alabama. As far as I know, I will say to the gentleman, this amount will be sufficient to complete the project. It is almost completed now, and this increased item is necessary to take care of the subway system from the Capitol Building to connect the new and the old Senate Office Building. It was occasioned by the authorization of the House of its new building. The main reason for the change in the plans was that brought about by the authorization of the new House Office Building and also the need for some increased costs that were not foreseen back in 1948.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. JONES of Alabama. Yes.

Mr. GROSS. Does the gentleman know whether or not any of this money will be used to complete the roof, or is it completed?

Mr. JONES of Alabama. I do not know.

Mr. GROSS. I just want to say to the gentleman if the roof was not completed, I would be glad to vote against this, because then we might save quite a bit of money in fixing the building up, and so forth. I want the gentleman to understand that I opposed this appropriation when it originally came before the House and I am still opposed to more buildings of this type on Capitol Hill at this time.

Mr. McGREGOR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to concur in the statement of our subcommittee chairman, the gentleman from Alabama [Mr. JONES]. I fear that my good friend, Mr. JONES, is somewhat in an embarrassing position. I feel certain that he does not like this legislation any more than the gentleman from Ohio.

We are discussing S. 1430, which authorizes a new Senate Building. I would respectfully refer Members to the minority report which is found on pages 6 and 7 and signed by the minority members of the Committee on Public Works, with one exception:

MINORITY VIEWS

We, the undersigned, opposed committee approval of S. 1430 because no authorization had been previously approved for the appropriation of funds for construction of a new Senate Office Building by the legislative committees having jurisdiction under the provisions of the Legislative Reorganization Act.

The Rules of the House provide that the Committee on Public Works shall have jurisdiction of "measures relating to the Capitol Building and the Senate and House Office Buildings." On April 10, 1947, S. 723, to authorize the Senate Office Building Commission to prepare preliminary plans and estimates of cost for an additional office building for the use of the United States Senate, was referred to the Committee on Public Works of the House of Representatives pursuant to the Rules of the House. The committee subsequently reported S. 723 and it ultimately became Public Law 169, 80th Congress, and this constitutes the only authorization for the new Senate Office Building considered by the Committee on Public Works of the House of Representatives. Public Law 169, 80th Congress, authorized $25,000 for preliminary plans and estimates of cost for a new Senate Office Building; it will be noted that it carried no authorization for the appropriation of funds for construction. To date, $20,600,000 has been appropriated for the building, and S. 1430 properly seeks the authorization necessary to support an additional appropriation of $2,846,000 in order to complete the building. The undersigned wish to point out that a bill similar to S. 1430 for authorization of appropriation should have preceded the item in the Second Deficiency Appropriation Act of 1948.

Since the Committee on Public Works of the House, in considering the basic authorization for the new Senate Office Building, saw fit to limit its authorization to preliminary plans and estimates of cost, it is clear that the Committee on Public Works of the House desired detailed information regarding plans and estimates of cost before entering upon legislative authorization for the construction of the building.

This statement does not presume to relate to procedure in the Senate of the United States; it is confined to procedure in the House of Representatives. The procedure followed in the House with respect to authorizing legislation for the new Senate and House Office Buildings is not in conformity with House rules.

J. HARRY MCGREGOR.
RUSSELL V. MACK.
HUBERT B. SCUDDER.
MYRON V. GEORGE.
FRANK J. BECKER.
GORDON H. SCHERER.
GARDNER R. WITHROW.
WILLIAM C. CRAMER.
JOHN P. BALDWIN, JR.
FRED SCHWENGEL.
EMMET F. BYRNE.
EDWIN B. DOOLEY.
WILLIAM S. BROOMFIELD.
S. WALTER STAUFFER.

Mr. Chairman, in this minority report we call attention to the fact that this legislation, authorizing the construction of this building, did not follow the usual procedure and what we contend are the Rules of the House in order to get authority for this construction.

Some years ago, about 1948, the Committee on Public Works authorized an expenditure of $25,000 in order to make plans and surveys for this project. I might add that in the Committee on Public Works for some time there has been legislation asking for authorizations for new construction, for buildings to house the legislative Members.

Lo and behold, a few weeks ago, the Committee on Public Works had presented to it a bill asking an increase in the authorization of $20,600,000 by an addition thereto of $2,846,000. The minority side raised the question with the Architect of the Capitol, "Why are you coming to the authorizing committee today and asking for an increase when you did not come to the proper committee for authorization of the original amount?" It was brought out that about 61 percent of the project is completed. May I quote from the testimony:

Mr. MCGREGOR. Now you are asking for an additional authorization?

Mr. STEWART. That is correct.

Mr. MCGREGOR. Did you get the original authorization for that particular building from a legislative committee of the Congress?

Mr. STEWART. It came from the Appropriations Committee, sir.

Mr. MCGREGOR. That is right. If you got it from the Appropriations Committee, why are you coming to the legislative committee for additional money? Why do you not go back to the same fellows who started this project?

Mr. STEWART. I must plead with you. I can tell you how and what happened. I cannot tell you why, in my position.

That is the position we of the Public Works Committee found ourselves in.

We recognize that this building is 61 percent complete. As to the authorization, I think under any interpretation of the rules it would be very questionable whether it was properly authorized, but I respectfully say to you the building is 61 percent completed. They are asking for an increase of $3 million. I am not sure that this will be enough to complete it. So I think the Appropriations Committee and those who did authorize this in the first place find it getting a little bit too warm for them, so they come to the proper legislative committee to get an authorization. I am leaving it to you to decide whether or not you want to vote for it. I respectfully refer you again to the minority views that set forth that this authorization was never properly made by a legislative committee.

Mr. MUMMA. Mr. Chairman, will the gentleman yield?

Mr. MCGREGOR. I yield to the gentleman from Pennsylvania.

Mr. MUMMA. In the first line of the title of the bill are the words "Increasing the limit of cost fixed for construction equipment." Should that not be "construction and equipment"?

Mr. MCGREGOR. I think that is a technicality. In the hearings it was brought out that that particular equipment was a part of the construction because they referred to electrical appliances and elevators. I might say you notice it did not say "furniture," and we will bring that up later and I think will discuss it a little more in detail for the furnishings of that building.

Mr. MUMMA. In the report they say "construction and equipment." The gentleman is in the construction business. They could buy a steam shovel under that authorization, could they not?

Mr. MCGREGOR. I think that is true. They could buy whatever they want. But one thing about it, they will have to come back and get some more money from us. If the gentleman will read the hearings, he will find that we are trying to hold it down. However, the gentleman's interpretation is correct, it is "construction and equipment." That "equipment" covers a host of sins.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. MCGREGOR. I yield.

Mr. JONES of Alabama. May I assure the gentleman from Pennsylvania that if the Senate committee does acquire that steam shovel he is talking about, we will have an opportunity to vote on it in the appropriation bill.

Mr. MCGREGOR. I pay my respects to the gentleman from Alabama. He has certainly been fair in this legislation. Again I say it has been a very difficult task.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the amount of $20,600,000 fixed by the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029), as the limit of cost for construction and equipment of an additional office building for the United States Senate is hereby increased by $2,846,000.

The CHAIRMAN. If there are no amendments, under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 1430) increasing the limit of cost fixed for construction equipment of an additional office building for the United States Senate, pursuant to House Resolution 300, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

FURNISHINGS FOR ADDITIONAL SENATE OFFICE BUILDING

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1428) to authorize furniture and furnishings for the additional office building for the United States Senate.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1428, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JONES of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is the second bill of a series to complete the Senate Office Building and to provide that the Architect of the Capitol under the direction of the Senate Office Building Commission can proceed to acquire the furniture necessary to furnish the new office building which is expected to be completed in January of 1958. This amends the act of April 28, 1904, which originally established the Office Building Commission.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield.

Mr. GROSS. I thought the gentleman just said that the appropriation we provided in the last bill which we just passed would complete the building.

Mr. JONES of Alabama. That is right.

Mr. GROSS. Then this bill is strictly for furniture and furnishings?

Mr. JONES of Alabama. That is right.

Mr. GROSS. How much do they want for that?

Mr. JONES of Alabama. There is no way to predetermine that because the articles have not been selected. This gives the authorization to the Senate Office Building Commission to direct the Architect of the Capitol to make such selections as will be necessary to supply the furniture and other articles needed to complete the building.

Mr. GROSS. Do we do that ordinarily with other agencies and departments of government?

Mr. JONES of Alabama. So far as I know, since the original act of 1904 was passed, that has been the procedure.

I would like to call the attention of the Committee to the fact that the resolution was passed in 1947 authorizing the expenditure of $15,000 for the Senate Office Building Commission to make a study of its housing needs. As a result of the report of that Commission, authorization was included in the second deficiency appropriation bill of 1948. So the House and the Senate have had plenty of opportunity to review this problem. There has not been any disagreement as to the conduct of the Commission or as to its authority or its purpose. So far as I know, Mr. Chairman, there has always existed a comity between the two bodies. Therefore, we have always agreed to the activities carried on by the Senate Building Commission and they have likewise reciprocated in carrying out the wishes of the House with respect to its own housing needs.

Mr. GROSS. There can always come a day when good things come to an end.

Mr. JONES of Alabama. Yes.

Mr. GROSS. Despite all the comity that we hear about, I should like to know and I am going to continue to ask the question as to what this is going to cost the taxpayers of the country. It seems to me we ought to have some estimate and some idea of how much this furnishing of the Senate Office Building is going to cost the people of this country. The Members of the other body are not going to pay for it; the taxpayers are going to pay for it, and I want to know.

Mr. JONES of Alabama. I wish I had the facts and information that I could tell the gentleman from Iowa. However, the resolution is not drafted in such way that I think they would be readily ascertainable to indicate how

much the cost would be. I think there is a general agreement that the Senate Office Building is rather unique and it is going to require some considerable study by this Commission to make a selection of the various furnishings that go into the building.

I will say to my good friend from Iowa that he will have ample time in which to lodge his complaint for the selection of any article he finds objectionable when the appropriation items come before us in pursuance of this authorization.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield to me?

Mr. JONES of Alabama. I yield to the gentleman.

Mr. SMITH of Virginia. These three bills came before the Rules Committee and the same question was raised there that has just been raised by the gentleman from Iowa.

It is embarrassing to say anything about a bill that comes over here for the accommodation of the other body, but it seems to me that some things ought to be said at some time at whatever cost.

I objected there, and I object here to this provision:

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services—

And so forth. That strikes me as a very, very bad way for the Congress to legislate, because it is an open-end proposition; there is no estimate as to anything. The Architect of the Capitol appeared before the Rules Committee but could give us no estimate of what this would cost.

The same thing is true of the other bill which will follow this which deals with the remodeling of the old Senate Office Building. Nobody has the faintest idea what that is going to cost.

The gentleman from Alabama said this matter has been under consideration for 7 or 8 years. It seems to me that in that time somebody, somewhere, somehow, ought to have been able to make some estimates and at least take Congress into their confidence as to how much money they expect to spend for these purposes.

I think it is bad legislation, but I do not know what you can do about it.

Mr. McGREGOR. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, this is another one of a series of bills, and this one, in my opinion, is especially bad.

I concur in the statement made by the gentleman from Alabama and in the statement made by the chairman of the Committee on Rules, Congressman SMITH of Virginia, that this is a blank check authorization.

I will agree that the record shows that we have in years gone by established somewhat of a precedent that each House should take care of its own needs, but I join with the gentleman from Virginia in stating that possibly the time has come when we should call a halt to some of the things being done.

I would again like to call your attention to the minority report on this particular bill. It is found on page 4. It is signed by all the members of the minority side of the Committee on Public Works with one exception. I read the following:

We opposed this blank check authorization because we have no idea how much is to be spent. The only witness, the Architect of the Capitol, advised the committee he was not in a position to provide this information at this time. The Committee on Public Works of the House is without adequate information as to the coverage of this legislation and certainly we have no information upon which to base a reasonably accurate estimate of cost. We firmly believe that certainly the time has arrived when the policy of blank check authorizations should be stopped so that we may give the taxpayers some relief. How can we expect to balance our budget and bring relief to the taxpayers when we continue a policy of unlimited authorization?

Mr. Chairman, this is the bill that you have read a lot about in the papers. One of the items that was carried in the newspaper was in reference to a door costing $8,000. I raised a question relative to this and asked the Architect of the Capitol, who was a witness before the committee: "Is $8,000 correct for the price of the door, Mr. Stewart?"

Mr. Stewart said, "It is correct, that is right."

Then the question was raised, "Was competitive bidding asked for?"

He said, "We had no competitive bids. We just awarded the contract."

Then a question was brought up relative to some of the furnishings. Certain newspapers said that the price of the chairs was from $400 to $800 each. Then the report also was that some had vibrating appliances attached. The question was asked of the Architect and he said it had been the policy to allow each Member of the other body to choose the furniture for his office.

I take no exception to that, although to me it seems a rather ridiculous idea. I am sure that the Members of the other body are expendable the same as are the Members of this body. Maybe when a new Member of the other body comes in he might not like the vibrating chair his predecessor had and, such being the case, we might again have to pay another $800 in order that the new Member of the other body may have the right vibration in the right spot.

Mr. BROWNSON. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Indiana.

Mr. BROWNSON. I want to congratulate the gentleman on his statement in opposition to this blank-check authorization. We in the Congress have, this year, adopted an economy position. It is encouraging to see the frankness of the minority views expressed here because unless we in the Congress take an economy position on our own activities here on the Hill, the executive departments will have every reason to neither justify nor curtail their activities.

I would like to ask the gentleman, Is it proposed to ask for a recorded vote on this subject or on a motion to recommit so that the membership will have an opportunity to let their constituents know where they stand on this matter?

Mr. McGREGOR. The distinguished gentleman from Indiana has been here for a number of terms, he is always alert, he knows the rules of the House. If the question is raised and the proper number of Members stand, it would be mandatory on the part of the Speaker to have the roll called. That will be dependent entirely on the membership.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. I am sorry to note the feelings that have developed over consideration of this bill. I want to call the attention of the membership to the fact that this is not originally a Democratic piece of legislation. It came out of the 80th Congress and was under the leadership of Mr. Taft at the time this resolution was included in the second deficiency appropriation bill. There has not been any disagreement either in a Democratic Congress or a Republican Congress since that time as to whether or not we were going to complete this building. Now, it is going to be ready for occupancy in January, and we are going to have to buy some furniture. You certainly do not want a $23 million building standing idle so that the Senate of the United States cannot occupy it. So, it seems to me that these exaggerated propositions of somebody being in a rocking chair or something like that should not betray our ability to look at those things on their merits. I hope we will not be led astray into thinking that we will just have a few rocking chairs for a few Senators.

Mr. McGREGOR. May I reply to my distinguished chairman? I assure him that this is not a partisan measure. There will probably be just as many Senators of one party using those chairs as Senators of another party, and I am not debating that. And, maybe it did originate back years ago, but we did not have the national debt years ago that we have had in the last few years. I am not going to insist on a roll call and insist on certain things being done, but I think the time has arrived where this Congress and the membership thereof should know exactly what is going on relative to some of these authorizations. My dear friend said something about some radical views or something. I will refer him to the hearings in which the Architect himself said that there were no specifications for any of this furniture; there was to be no competitive bidding; it would be at the pleasure of each of the Members of the other body. I say that this is not a partisan measure, but I think it is an issue between the membership of the House and possibly the other body so that we can let all the people know whether or not we favor one hundred and some million dollars additional for new offices and furniture when we seemingly cannot get enough money to take care of some of the other needs of the people. That is the only reason I am trying to give the facts to the people.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Ohio.

Mr. SCHERER. Was not the chief objection of the minority not so much as to the furnishings and the type of equipment but the fact that this authorization bill contains no limitation whatsoever on expenditures?

Mr. McGREGOR. That is correct, and that was ably pointed out by the chairman of the Committee on Rules, a member of the other party, Congressman SMITH of Virginia and I believe he feels just as bad about it, and I feel in my own heart that the distinguished gentleman from Alabama does, too.

Let me read one section of this bill:

There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act.

That is a broad statement; a blank check. We must all recognize, of course, that the other body has a building under construction, and certainly they need equipment.

Mr. GEORGE. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Kansas.

Mr. GEORGE. Was not the main objection by our committee due to the fact that we have been bypassed more or less in the past on some of these authorizations, and we have not been able to make a progress study so that we can justify our stand, and are we not now in that position today when we are asked to make an open-end authorization for the Senate?

Mr. McGREGOR. I think that is correct; and if I may continue on that subject, I think we are in a situation here with this furniture and these furnishings where we may have to go along with them, because someone I think was just a little negligent and did not take care of this before the project was started. But there is another bill coming up shortly along this same line, to remodel the existing Senate Office Building. There are no plans and specifications or any amounts stated in that bill. Certainly we have no reason for saying that we cannot insist in that bill on having plans and specifications drawn and contracts let under competitive bidding.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman.

Mr. GROSS. I thank the gentleman. I simply want to make the record clear that I am not opposed to furnishing this building. What I am opposed to, as the gentleman from Ohio [Mr. McGREGOR] has so well stated, is writing a blank check for perhaps colored television sets, and the Lord knows what. That is what I am opposed to, the writing of a blank check to spend as much as you want to.

Mr. McGREGOR. I thank the gentleman for his contribution.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield.

Mr. REES of Kansas. Was there any suggestion given as to what amount would be involved in this proposal; was there any estimate?

Mr. McGREGOR. No; I tried to include in my remarks the testimony of the Architect. He did not know what it might cost. He did not know the unit price, because the membership of the other body had not made a selection of the type of desk they wanted, or the type of chair they wanted, and so forth.

Mr. REES of Kansas. So the Architect himself does not know how much it is going to cost and cannot even furnish an estimate?

Mr. McGREGOR. That is correct. So he told our committee and told, I am sure, the Committee on Rules.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield for a question?

Mr. McGREGOR. I yield to the gentleman.

Mr. JONES of Alabama. Is not the bill we are presently considering in the same form, under the same procedure that is used in every authorization for furniture for the House and Senate Office Buildings and has been continuously since 1904?

Mr. McGREGOR. I do not know, because I have not looked it up. But if my good friend from Alabama says it is I take his word. But I will say that if such is the case, it is time to change the procedure.

Mr. JONES of Alabama. The point is we are using the same procedure and the same method we always have used.

Mr. McGREGOR. If the gentleman wishes to make that statement, that is acceptable to me. But I repeat, that started years ago when taking care of one's own house meant perhaps only $1,000 or so but, if I remember correctly the Architect's statement before the Committee on Rules, he said the cost would possibly be over $100 million.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman.

Mr. PELLY. If I were to go buy the furniture that is in my office in the Old House Office Building, that must have been purchased under that same appropriation of 1904; that is, the couch and the overstuffed chair; but I must say that I like it very much and I think in that day they did a good job.

Mr. McGREGOR. I think this discussion is going to do some good. I think we are in a position where we have to recognize that we are operating under peculiar circumstances. But I am definitely of the opinion that the colloquy that has taken place in our committee and on the floor will make somebody think a couple of times before he starts such a procedure again.

Mr. BROWNSON. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Indiana.

Mr. BROWNSON. The distinguished gentleman will admit that in all of the prerogatives exercised by Members of the House, for example, the purchase of electrical equipment for our offices, our operating stationery allowances, and so forth, there is always a ceiling on the amount that may be spent by each Member. This furniture is to be purchased by the Senate under this authorization, with no ceiling on the amount, as this bill provides. I, too, want to agree that the new Senate building must be furnished, furnished quickly and furnished adequately—but if this expenditure is made, is it not natural to assume, under the somewhat secret system followed in the other body, that the taxpayers will never have any knowledge of which Senator spent $5,000 to furnish his office and which Senator spent $10,000?

Mr. McGREGOR. That probably is true, but this is a part of the program of furnishing the building.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman.

Mr. SCHERER. May I ask the question as to whether there was any evidence whatsoever before our committee as to the total cost of furnishing the Senate Building?

Mr. McGREGOR. No.

Mr. SCHERER. Is it not a fact that the Architect said he could not give us such a figure?

Mr. McGREGOR. That is right.

Mr. SCHERER. Is not that the reason the minority oppose this legislation?

Mr. McGREGOR. That is right, because the man who is in charge of making the purchase advised our committee that he could not give any figures as to costs.

Mr. SCHERER. That was the reason he said they recommended open-end legislation without any limitation whatsoever on the total expenditure.

Mr. McGREGOR. That is correct.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield.

Mr. BYRNES of Wisconsin. It seems to me that most if not all of the criticisms that have been directed against the bill and some of the procedures here are justified, but may I ask the gentleman, what would he suggest the House do at this time under these circumstances? Do we pass it, recommit it to the committee, or what should we do under these circumstances?

Mr. McGREGOR. I am of the opinion this bill should be sent to the committee for estimates; but, if we cannot, certainly this colloquy will be of assistance in future programs and will help hold expenses down, because it is started and it will be finished. Possibly it can be amended to put a ceiling on the cost. I think by this procedure we are bringing out today we will serve warning we will not go along always in blank check procedures. As I mentioned a minute ago, when we come up with the other bill that is asking for another blank check for the remodeling of the present Senate Office Building, I think then we can insist that

we have plenty of time to develop the plans and specifications, and costs can be determined before we give a blank check.

Mr. SCHERER. Does not the gentleman think the proper action of the House should be, considering what has been said here, that this bill should be recommitted to the committee, and then after the committee obtains evidence from the Architect as to the approximate total cost it put that figure in this bill limiting it to that amount?

Mr. KLUCZYNSKI. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Illinois.

Mr. KLUCZYNSKI. What committee would the gentleman like to have that sent to?

Mr. McGREGOR. Our committee or the committee designated by the Speaker.

Mr. KLUCZYNSKI. We, the Committee on Public Works, did not start this legislation. It originated in the Appropriations Committee.

Mr. McGREGOR. That is right.

Mr. KLUCZYNSKI. This is not a House measure. These are Senate bills.

The gentleman from Ohio quoted some figures of $8,000 for a door. What kind of door is it? Is it a revolving door of stainless steel, worth $12,000 or $14,000?

Mr. McGREGOR. I am sure the gentleman was at the committee hearing when the Architect testified, and he said it was to cost $8,000.

Mr. KLUCZYNSKI. But what kind of door is it, a revolving door, of stainless steel? There was a meeting of an association in my district last week that agreed to pay $12,000 for a door. We are going to pay $8,000. The gentleman knows the Architect will take bids on that. If it is a bad bill, I think we should have a rollcall on this and see where we all stand. I am not for this bill. I am sure the chairman of the committee is not anxious to handle the legislation. I am vice chairman of the Subcommittee on Public Buildings and Grounds. I am not for this bill. I think it is a bad bill, and we should not pass it.

Mr. McGREGOR. The gentleman is questioning the figure of $8,000. I will refer him to page 13 of the hearings, in which we bring up the subject of chairs costing $900. The Architect said, "I am afraid that that is a little too high." Then he was asked if it was $200 or $300. "Possibly a little more; I don't know the exact price, but I can find out for you, and I can put it in the record." He has not put it in the record.

Mr. KLUCZYNSKI. Yes; but it is not in the record. The bids are not out on those chairs yet. I do not think they will spend $400 or $500 for chairs.

Mr. McGREGOR. I might say to my friend all we have to go by is in these hearings and no definite prices are established.

Mr. KLUCZYNSKI. What the Architect has said.

Mr. McGREGOR. No, not at all. The gentleman from Illinois was at the hearing.

Mr. KLUCZYNSKI. I was at the hearing.

Mr. McGREGOR. I will give the gentleman the report and he can read it for himself.

Mr. KLUCZYNSKI. But the Architect told us the bids are not out yet.

Mr. McGREGOR. He said he was not going to take competitive bids. I can read it to the gentleman. He can pay a thousand dollars for a chair if he wants to.

Mr. KLUCZYNSKI. Well, I will ask for a roll call on it.

Mr. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Wisconsin.

Mr. JOHNSON. I wonder if the gentleman intends to offer an amendment limiting the authorization.

Mr. McGREGOR. I certainly am in accord with offering a limited authorization. We honestly feel that it is unfair to ask this body to sign a blank check and let the other body spend whatever amount they want and certainly there is nothing wrong in asking a limit be placed. We have limits placed on the equipment in our offices. I am not the Architect of the Capitol. I do not write to the various furniture companies and ask them about these chairs. If the gentleman is in that business, I wish he would offer an amendment. Would the gentleman offer an amendment?

Mr. JOHNSON. I notice that the minority group are opposed to the bill, and I wonder if you intended to amend it in the Committee?

Mr. McGREGOR. Please read the minority report. We are opposing it on one principle and that is because it is a blank-check authorization. Would the gentleman favor a blank-check authorization?

Mr. JOHNSON. No, I would not.

Mr. McGREGOR. I am very happy to hear that, and I am sure he is honest and sincere in his desires to do that which is right.

Mr. JOHNSON. I wish the gentleman would offer an amendment limiting the authorization.

Mr. McGREGOR. I have no idea what the limit might be. If it were within a certain range, we might be able to do that. But until I get that information I would not want to offer a limiting amendment because frankly we have no information whatsoever on what the costs might be. The Architect of the Capitol, the only witness, could not give us the information.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. McGREGOR. I yield.

Mr. RABAUT. The gentleman has been in this body a long time and he knows there is a great respect between the Houses for each other. This is a piece of business that concerns only the other body. It is a new building and must be furnished. That brings this matter before our body. We never interfere with the Senate because of the very reason that we must have amity between the two Houses. This would be a poor place for success in legislation if we were at odds with the body that we do business with all the time. I recall very well when we did this Chamber over. We were in the old Chamber of course at that time and talking about the changes that were to take place here. There were such expressions as, "Would it not be glorious, all lit up with neon lights?" Well, we found out that we had more architects in the Congress of the United States at that time than we realized—and those who were not architects were engineers. We cannot be suspecting everybody who works here on the Hill and who has a certain position assigned to him. That is the situation that we have before us. Somebody, whoever he is, is to look after the purchase of this furniture, or a committee is going to be assigned to that task. Are we to be suspicious of everything that they are going to do? They could probably have brought this bill in here with a ceiling on it that it would not be more than a certain amount. I do not know why they did not do that. But I am not going to be suspicious of them. This is an outstanding building. It will be the top building on the Hill that people will come to visit next to the Capitol. We know that our own buildings are being estimated as to cost. Some people think that we should not have them. But people who have been studying this problem realize that we must have them. I am willing to go along with the suggestions that are made for the furnishing of the Senate building. I think there is much talk here—we are saying, "I am against this but I am going to vote for the bill." This bill will not be defeated here today, and everybody knows it will not be defeated. It is one of those things where somebody thinks, "I am going to stir this matter up." I do not think this is the right thing to do, to stir it up.

Mr. McGREGOR. May I answer my distinguished colleague?

Mr. RABAUT. The gentleman is going to ask me an embarrassing question, so I am going to sit down.

Mr. McGREGOR. No, I was not going to do that.

Now you can see why we all love our distinguished friend, the gentleman from Michigan, so much. I am not suspicious of anyone, but the people who pay the taxes have a right to know how their money is being spent. Just in order to clear the record up, the gentleman raised the question about this Chamber and the furnishings here. The gentleman from Ohio was a member of that Commission that remodeled this Chamber. Plans were drawn—with the consent of this body—then estimates were received and an authorization including dollars and cents was submitted to the Congress and they were accepted and we had a limitation on cost of planning and construction from the very start. When we ran out of money we came back to the Congress and asked for another authorization and an additional appropriation. We did not come to the Congress or send the bill to the other body with a blank-check provision. We told them how much it was going to cost. We found ourselves in the position that we could not complete the project at the stated authorization, so we came back and asked for more money. We at no time asked for blank-check authorization as set forth in this bill. Why can't the same procedure be followed in this legislation?

The CHAIRMAN. The gentleman from Ohio has consumed 25 minutes.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

Mr. McGREGOR. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Architect of the Capitol, under the direction of the Senate Office Building Commission, created by the Sundry Civil Appropriation Act of April 28, 1904 (33 Stat. 481), as amended, is hereby authorized and directed to provide furniture and furnishings for the additional office building for the United States Senate, authorized to be constructed and equipped by the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029).

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act. Any appropriations made available under authority of this act may be expended without regard to section 3709 of the Revised Statutes of the United States, as amended, and section 1316 of the Supplemental Appropriation Act, 1954 (67 Stat. 439).

Mr. JONES of Alabama (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill may be considered as read, that it be printed in the RECORD, and be open to amendment at any point.

The CHAIRMAN. Are there amendments? [After a pause.] There being no amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore having resumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1428) to authorize furniture and furnishings for the additional office building for the United States Senate, pursuant to House Resolution 298, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. SCHERER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SCHERER. I am.

The SPEAKER pro tempore. The gentleman qualifies. The Clerk will report the motion.

The Clerk read as follows:

Mr. SCHERER moves to recommit the bill S. 1428 to the House Committee on Public Works with instructions to the committee to report the bill back to the House with specific cost figures having been inserted covering the authorizations as provided in the title of the bill.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken and on a division (demanded by Mr. GROSS) there were—ayes 36, noes 87.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present. The Sergeant at Arms will notify absent Members, the Doorkeeper will close the doors, and the Clerk will call the roll.

The question was taken; and there were—yeas 135, nays 232, not voting 66, as follows:

[Roll No. 127]

YEAS—135

Abbitt	George	Nimtz
Alger	Griffin	Norblad
Andersen, H. Carl	Gross	O'Hara, Minn.
Ashmore	Haley	Ostertag
Avery	Harden	Pelly
Ayres	Harrison, Nebr.	Pillion
Baldwin	Harrison, Va.	Poff
Bass, N H.	Harvey	Ray
Baumhart	Henderson	Rees, Kans.
Bennett, Mich.	Heselton	Rhodes, Ariz.
Bentley	Hiestand	Riehlman
Berry	Hill	St. George
Betts	Hoeven	Schenck
Bolton	Hoffman	Scherer
Bosch	Holt	Schwengel
Bray	Horan	Scott, Pa.
Broomfield	Hosmer	Scrivner
Brownson	Hyde	Scudder
Budge	Jennings	Seely-Brown
Byrne, Ill.	Jensen	Siler
Carrigg	Johansen	Simpson, Ill.
Cederberg	Johnson	Smith, Calif.
Chamberlain	Jonas	Smith, Va.
Chiperfield	Kean	Smith, Wis.
Church	Keating	Springer
Collier	Keeney	Stauffer
Corbett	Kilburn	Taber
Cramer	Knox	Talle
Cretella	Laird	Teague, Calif
Cunningham, Nebr.	LeCompte	Tewes
Curtin	Lipscomb	Thomson, Wyo.
Curtis, Mo.	McCulloch	Tollefson
Dague	McDonough	Tuck
Davis, Ga.	McGregor	Utt
Dawson, Utah	McIntosh	Vorys
Dennison	McVey	Vursell
Devereux	Macdonald	Weaver
Dies	Mack, Wash.	Wharton
Dooley	Mason	Widnall
Dorn, S. C.	Matthews	Williams, Miss.
Dowdy	Michel	Wilson, Ind.
Dwyer	Miller, Nebr.	Winstead
Flynt	Minshall	Withrow
Frelinghuysen	Moore	Wolverton
	Mumma	Younger
	Neal	

NAYS—232

Abernethy	Brown, Ga.	Doyle
Addonizio	Brown, Mo.	Eberharter
Albert	Brown, Ohio	Edmondson
Alexander	Broyhill	Elliott
Allen, Calif.	Burdick	Engle
Anderson, Mont.	Burleson	Evins
Andrews	Bush	Fallon
Ashley	Byrd	Farbstein
Aspinall	Byrne, Pa.	Fascell
Auchincloss	Byrnes, Wis.	Feighan
Baker	Cannon	Fenton
Barden	Carnahan	Fisher
Baring	Chelf	Flood
Barrett	Chenoweth	Forand
Bass, Tenn.	Chudoff	Ford
Bates	Clark	Forrester
Beckworth	Clevenger	Fountain
Belcher	Coad	Frazier
Bennett, Fla.	Coffin	Friedel
Blatnik	Cooley	Fulton
Blitch	Cooper	Garmatz
Boggs	Cunningham, Iowa	Gary
Boland	Curtis, Mass.	Gathings
Bolling	Davis, Tenn.	Gavin
Bonner	Delaney	Gordon
Bow	Dempsey	Granahan
Boykin	Denton	Gray
Boyle	Dingell	Green, Oreg.
Breeding	Dixon	Gregory
Brooks, La.	Dollinger	Griffiths
Brooks, Tex.	Dorn, N. Y.	Gubser
		Hagen
Hale	Magnuson	Rogers, Colo.
Hardy	Mahon	Rogers, Fla.
Harris	Mailliard	Rogers, Mass.
Haskell	Marshall	Rogers, Tex.
Hays, Ark.	Martin	Rooney
Hays, Ohio	May	Roosevelt
Healey	Merrow	Rutherford
Hemphill	Metcalf	Sadlak
Hess	Miller, Calif.	Santangelo
Hillings	Miller, Md.	Saund
Holland	Mills	Scott, N. C.
Holmes	Morgan	Selden
Huddleston	Morris	Sheehan
Hull	Morrison	Sheppard
Ikard	Moss	Shuford
Jackson	Moulder	Sieminski
Jarman	Multer	Sikes
Jenkins	Murray	Sisk
Jones, Ala.	Natcher	Smith, Kans.
Jones, Mo.	Nicholson	Smith, Miss.
Judd	Norrell	Spence
Karsten	O'Brien, Ill.	Staggers
Kearney	O'Hara, Ill.	Steed
Kearns	O'Neill	Sullivan
Kee	Osmers	Teller
Kelley, Pa.	Passman	Thomas
Kelly, N. Y.	Patman	Thompson, Tex.
Keogh	Patterson	Thornberry
Kilday	Perkins	Trimble
Kilgore	Pilcher	Udall
King	Poage	Ullman
Kitchin	Polk	Vanik
Kluczynski	Preston	Van Pelt
Lane	Price	Van Zandt
Lanham	Prouty	Vinson
Lankford	Rabaut	Walter
Lesinski	Radwan	Watts
Long	Rains	Whitten
McCarthy	Reuss	Wier
McCormack	Rhodes, Pa.	Wigglesworth
McFall	Riley	Williams, N. Y.
McGovern	Rivers	Willis
McIntire	Roberts	Wright
McMillan	Robeson, Va.	Yates
Mack, Ill.	Robsion, Ky.	Young
Madden	Rodino	Zablocki

NOT VOTING—66

Adair	Fino	Morano
Allen, Ill.	Fogarty	O'Brien, N. Y.
Andresen, August H.	Grant	O'Konski
Anfuso	Green, Pa.	Plost
Arends	Gwinn	Philbin
Bailey	Halleck	Porter
Beamer	Hébert	Powell
Becker	Herlong	Reece, Tenn.
Bowler	Holifield	Reed
Buckley	Holtzman	Saylor
Canfield	James	Shelley
Celler	Kirwan	Simpson, Pa.
Christopher	Knutson	Taylor
Cole	Krueger	Teague, Tex.
Colmer	Landrum	Thompson, La.
Coudert	Latham	Thompson, N. J.
Dawson, Ill.	Lennon	Wainwright
Delisay	Loser	Westland
Derounian	McConnell	Whitener
Diggs	Machrowicz	Wilson, Calif.
Donohue	Meader	Zelenko
Durham	Miller, N. Y.	
	Montoya	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Arends.
Mr. Holtzman with Mr. Halleck.
Mr. Shelley with Mr. Allen of Illinois.
Mr. Porter with Mr. Simpson of Pennsylvania.
Mr. Landrum with Mr. Taylor.
Mr. Zelenko with Mr. Gwinn.
Mr. Dawson of Illinois with Mr. Fino.
Mr. Buckley with Mr. Coudert.
Mr. Thompson of New Jersey with Mr. Canfield.
Mr. Herlong with Mr. Latham.
Mr. Bailey with Mr. Reece of Tennessee.
Mr. Kirwan with Mr. Saylor.
Mr. Thompson of Louisiana with Mr. James.
Mrs. Knutson with Mr. Westland.
Mr. Machrowicz with Mr. Adair.
Mr. O'Brien of New York with Mr. August H. Andresen.
Mr. Fogarty with Mr. Beamer.
Mr. Colmer with Mr. Krueger.
Mr. Celler with Mr. Wainwright.
Mr. Philbin with Mr. Reed of New York.
Mr. Donohue with Mr. Miller of New York.

Mr. Green of Pennsylvania with Mr. Cole.
Mr. Powell with Mr. Dellay.
Mr. Holifield with Mr. Derounian.
Mr. Montoya with Mr. O'Konski.
Mr. Teague of Texas with Mr. McConnell.
Mrs. Pfost with Mr. Meader.
Mr. Bowler with Mr. Morano.
Mr. Durham with Mr. Becker.
Mr. Grant with Mr. Wilson of California.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 172. Joint resolution relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7599. An act making appropriations for the Legislative Branch for the fiscal year ending June 30, 1958, and for other purposes.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 115. Joint resolution to provide an interim extension for the Voluntary Home Mortgage Credit Program.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1314) entitled "An act to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, request a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. JOHNSTON of South Carolina, Mr. HOLLAND, Mr. EASTLAND, Mr. HUMPHREY, Mr. AIKEN, Mr. YOUNG, Mr. THYE, and Mr. HICKENLOOPER to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6287) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes."

The message further announced that the Senate agrees to the amendments of the House to Senate amendments Nos. 6, 23, 29, and 46 to the above-entitled bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6070) entitled "An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to Senate amendments No. 14, 27, and 41.

The message further announced that the Senate recedes from its amendments Nos. 3 and 13 to the above-entitled bill.

SENATE OFFICE BUILDING IMPROVEMENTS

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1429), authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, S. 1429, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The Chair recognizes the gentleman from Alabama, Mr. JONES.

Mr. JONES of Alabama. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, this is the third in the series of bills relating to the housing situation of the Senate. The first bill we passed authorized an increase in appropriations for the completion of the Senate Office Building that is now under construction; the second authorized the Senate to acquire furniture and articles necessary to equip the building; the pending bill, the third, authorizes the same Commission, the Senate Office Building Commission, to enlarge and remodel the Senate suites and make other structural and mechanical changes and improvements in the present Senate Office Building.

The plans have not been drawn and there have not been any plans made as to how this is to be carried out. This bill simply places the Commission in authority whereby they can carry out the objectives set forth in the bill.

Mr. McGREGOR. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. MACK], a member of the committee.

Mr. MACK of Washington. Mr. Chairman, 15 Republican members of the House Committee on Public Works have signed a report that opposes the 3 Senate Office Building bills which are before the House of Representatives today.

One of these bills would authorize spending $2,800,000 in additional funds to complete the Senate Office Building that is now under construction and on which more than $20 million already has been expended. We oppose these additional funds for the new buildings because the $20 million already spent was not voted in accordance with the usual practices of the House of Representatives. It never was referred to the House Committee on Public Works. Our committee was bypassed when the first $20 million to start this building was voted.

The second of the bills proposes to grant the Senate authority to furnish the new multimillion-dollar office building it is now building. The thing about this proposal to which we Republicans, who have signed the report against this bill, object is that it places no limit on what may be spent by the Senate to furnish this building. This bill is a blank check, an open-end authorization that permits the Senate to spend any sum it pleases on furniture. When other agencies of the Government—even the President—want money for any purpose limits are placed on what can be spent. There is no limitation in this bill as to what the Senate may spend for furniture. The Senate and House should abide by the same rules it imposes, and rightfully so, on all other agencies of Government.

The third bill, the one I now am discussing, authorizes the Senate to remodel its present office building. We object to this proposal because no limit is placed on what the Senate may spend on this remodeling job. We should not issue blank checks to anyone to spend taxpayers' money.

In 1947 the House passed a resolution through its Public Works Committee, while authorizing the expenditure of $25,000 to look into the feasibility and the desirability of securing additional quarters and remodeling the office facilities. That $25,000 has been increased by Congress without further consideration by the Public Works Committee of a building that will cost $72 million.

In short, the committee authorized a $25,000 survey to ascertain if enlarged quarters were needed and we wind up with $72 million being spent for a new House Office Building.

In the bill that is now before us we are proposing to give the Senate Office Building Commission the authority to go ahead and expend unlimited sums of money for the remodeling of its present building. We are giving them a blank check. In no case should the Senate give a blank check. In the case of the White House at the present time the President desires additional quarters. It will be necessary for him to send his representatives to both the House and the Senate Public Works Committee to prove the building is needed. Limits will be placed on how much will be spent. No department is given a blank check by Congress. This being so Congress should not vote itself blank checks for its projects.

The bill before us now is particularly objectionable because it gives to the Senate a blank check to spend money without any limit in the remodeling of its present structure. That kind of a blank check should not, in my opinion, be given to any executive official or to any legislative branch of the Government.

There is no emergency for having the Senate Office Building remodeled at this time. This bill ought to be sent back to the Senate and the Senate ought to provide some limitation upon the amount of money they propose or want to spend in the remodeling of this building.

If the President wanted to remodel the White House, if the Secretary of Commerce wanted to make repairs to a building, if the Secretary of Defense wanted to buy a new ship or a new plane, the appropriate committees of Congress would ask, How much money do you expect to expend? If we pass this bill we say to the Senate, you can spend all the money you wish without limitation. This issuing of blank checks to anybody, it seems to me, is an unsound and unwise policy for the Congress of the United States. That is the reason that 15 of the minority members of the House Public Works Committee signed the report in opposition to the pending bill.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. The gentleman described this bill as being a blank check operation. I would like to point out to the gentleman that none of the plans have been drawn. This merely authorizes them to obtain architects and to have designs made in order that they can determine the price. Of course, they will have to make proper accounting to the Appropriations Committee and every member of this committee will have an opportunity to scrutinize each item in it.

Let me say to the gentleman that this is the normal procedure that we have historically followed. The gentleman says we are issuing a blank check. A blank-check operation is not going to occur as the gentleman fears and as he has expressed his apprehensions, due to the fact that the Architect of the Capitol will make a proper accounting of the cost.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. McGREGOR. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. MACK of Washington. Mr. Chairman, I may say to the chairman of our committee that if the President of the United States asked for remodeling of the White House, there certainly would be questions asked of his representatives as to how much money was going to be spent on that repair job.

Mr. JONES of Alabama. Does the gentleman recall how we authorized renovation of the White House? Let me say to the gentleman it is difficult to ascertain in connection with these very unique buildings, including the Capitol, what the cost will be. When we authorized the renovation of this structure back in the 81st Congress, we did not set a dollar limitation there because we said it was a unique undertaking. The gentleman from Ohio who served on that Commission well remembers the authorization contained in Public Law 71 of the 81st Congress. When we authorized the building of the House Office Building, when we authorized the Senate Office Building commencing in 1904 and the old House Office Building in 1906, every one of these authorizations followed the same procedure. I would like to remind my good friend from Washington of the fact that the Architect of the Capitol is an appointee of the House and Senate, therefore he is answerable to this body and must make a thorough and complete accounting for all the activities carried on by the Senate Office Building Commission and the House Office Building Commission, which is composed of the gentleman from New Jersey [Mr. AUCHINCLOSS], our Speaker, and the gentleman from Georgia [Mr. VINSON].

Mr. MACK of Washington. Let me reply. The 80th Republican Congress provided $25,000 for looking into the feasibility and the desirability of a new House Office Building. On the floor of the House that was amended to provide for $2 million to start construction of such a building. Plans for this new House Office Building were never discussed on the House floor. Those plans were never reviewed. I doubt whether any Members of the House outside of the members of the Commission knew that it was intended to spend $72 million on the construction of a new House Office Building. I think if the Members of the House had known that the intention of the Architect was to spend $72 million in constructing a new House Office Building, that the House would have disapproved that proposal.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. It does seem that this is an open-end appropriation bill, because section 2 says:

> There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act.

It is an unlimited right to spend the taxpayers' money.

Mr. MACK of Washington. I agree with the gentleman from Nebraska.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. The gentleman is a member of the committee, I understand, that considered this legislation.

Mr. MACK of Washington. That is correct.

Mr. WILLIAMS of Mississippi. Can the gentleman tell me whether or not the committee received information which would inform the committee as to whether the contracts for the work under these bills will be on a negotiated basis or whether they will be on the basis of competitive bidding, or just how will they be let?

Mr. MACK of Washington. I do not know about the proposed repairs to the building. I do know as to the furniture. The furniture will not be purchased by competitive bidding. It will be bought by selection of the Senate committee, I think that is a proper procedure. It will be a very fine structure, and when they furnish it, they ought to furnish it in keeping with the building.

Mr. WILLIAMS of Mississippi. I was referring to the method of bidding.

Mr. McGREGOR. Mr. Chairman, I yield myself such time as I may desire.

Mr. Chairman, the gentleman from Alabama mentioned the renovation of this Chamber. A proper resolution was presented for the drawing of plans for this Chamber. The plans were drawn, and then estimates were submitted to this House for confirmation, and then we were authorized an exact amount of dollars that could be used for construction. The same applied to the White House. A commission was appointed to study and submit plans, and they came back to the House and asked for money for construction. The same way with the Supreme Court Building; the same way with the Federal court building. We have always followed the process of allowing money for plans and specifications and then coming back to the Congress and getting an authorization for construction—we never have used the procedure of blank checks—why do it now?

I agree with the gentleman from Nebraska when he read section 2 on page 2 and called it a blank check:

> There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act.

This Mr. Chairman is an outright blank check, unlimited amount, and may I call to your attention, and I quote from the bill—"including expenditures for personal and other services as may be necessary"—that clause allows them to spend what they want and the sky is the limit, if they so desire, is that the proper way to operate this construction program—I say it is not. We have no objection to the other body having a new building. This bill is for remodeling the old Senate Office Building. Why can we not know how much it will cost—there should be no secret. But certainly in this case, this is not an emergency. They have plenty of time to draw their plans and to submit to this body an estimate of cost, and then your people and my people will know what we are doing for ourselves. It is their money we are spending.

Mr. Chairman, I yield such time as he may desire to the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. BUDGE. Mr. Chairman, the people who are doing everything within

their power to stop the private development at Hells Canyon should fully realize the responsibility which they will bear if they are successful. The Pacific Northwest States of Oregon, Washington and Idaho are facing an immediate and critical shortage of electric power. All of them, but particularly eastern Oregon and southern Idaho, will need substantial amounts of additional power in 1958 and increasingly greater amounts each year thereafter.

If the private development is brought to a halt, then it will be the responsibility of those who have stopped it to secure immediate appropriations from the Federal Government to the tune of $100 millions per year for each of the next 5 years in order to build the Federal dam at Hells Canyon and its transmission lines in order that the area can receive electric power by 1964.

Congress has never before appropriated as much as $100 million for one project in any one year. This year, for example, it is appropriating only $25 million to start the entire upper Colorado River project. Only once since 1940—17 years ago—has Congress appropriated over $50 million for a single project at any one session. That was $63.5 million for construction of The Dalles. And only twice in the same period of time has it provided as much as $60 million for area projects—as distinguished from single projects. This was for the Central Valley and Columbia Basin projects.

If the sponsors of the Federal dam at Hells Canyon are not successful in getting appropriations of $100 million per year and should they receive appropriations of only $25 million per year, no power would be produced from the project until 1978—more than 20 years hence. It should be remembered that the private development will be producing power in 1958.

I hope that these people who insist upon Federal development or nothing fully realize the responsibility which will be theirs in attempting to come up with this $500 million. Also, they should make it patently clear to the people in the area that the Hells Canyon bill now before the Congress does not appropriate 5 cents, and that the passage of this bill does not mean that construction can start. There is no chance of receiving the first installment of $100 million until at least 1958, and construction can commence only after sufficient money is appropriated.

Even if the Federal-Government-or-nothing advocates do produce to the tune of $100 million per year, the area will suffer far more than mere inconvenience until the Federal power is brought on the line, which cannot possibly be before 1964 at the most optimistic earliest.

Delay in private development, which is the only means available for providing power to meet the immediate and expanding shortage, would not only mean a halt in progress for the area but economic chaos and retrogression from which it might not recover for decades.

The proponents of the Federal project must not leave the area in the position of forcing abandonment of one development unless they can be absolutely certain that they can get the money to build their own project.

Mr. McGREGOR. Mr. Chairman, I yield 5 minutes to the gentleman from California, a member of our committee [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I felt constrained to vote against this measure in committee and feel constrained to do so here on the floor. As I said with respect to the 2 bills that preceded this 1 today, S. 1430 and S. 1428, it seems to me that although we recognize the fact that there is a historic background of traditional relationship to the other body, we also have certain obligations to our constituents. I do not believe that we can simply go back to our constituents and say that because of certain historic traditional relationships between the two bodies we never took the time to look into the cost of certain bills authorizing expenditures.

This bill is a bill to authorize a large expenditure or a small expenditure. We have no evidence from the hearings how much will be authorized. It seems to me, in order to be fair to our constituents, that we should say to the other body, "Would you please give us a maximum estimate of cost so that we may have something to go by before we pass this bill?" For that reason, Mr. Chairman, I cannot and will not vote for this bill in its present form.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Chairman, I would like to say to the gentleman from California that I concur emphatically and completely in the statement he has just made.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman.

Mr. PELLY. There was some talk of remodeling our Old House Office Building during the period when we were constructing the new one. Were any estimates submitted of the cost of that, or was any authorization applied for to the gentleman's committee?

Mr. BALDWIN. As far as the House Office Building is concerned, we have had no bill before the Committee on Public Works with regard to it. We had a bill many years ago authorizing a survey, but there has been no bill since that came to the House Committee on Public Works.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Florida.

Mr. CRAMER. I assume there was some justification for passing the two bills that preceded this. But does the gentleman not think that there is far less justification for approving this bill because there is plenty of time, plenty of opportunity for the other body to determine what the cost of this remodeling will be and to give the House an estimate without prejudicing the work of that body in remodeling the old building? There is no unusual exigency involved in this instance, is there?

Mr. BALDWIN. The gentleman has made a very accurate statement.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Georgia.

Mr. FORRESTER. Mr. Chairman, I will say that I voted for the bill that preceded this on the theory that the two Senate Office Buildings were an actuality, whether they were desired or not. But as I understand this is a matter of first impression; is that correct?

Mr. BALDWIN. Would the gentleman please restate that question?

Mr. FORRESTER. This is a matter of first impression with us. In other words, we are starting from scratch on the question whether or not we are going to authorize this work at this time?

Mr. BALDWIN. The gentleman is correct.

Mr. FORRESTER. That being true, I want to say to the gentleman that I expect to vote against this bill because I think at the present time we can operate as we have been operating, particularly with the new building. I do not think this is the time to undertake this extra expense.

Mr. CRAMER. Mr. Chairman, would the gentleman yield to me again?

Mr. BALDWIN. I yield to the gentleman.

Mr. CRAMER. Does the gentleman not think that the proper procedure would be to recommit the bill to the committee with instructions that a cost estimate should be provided the committee, and then the committee may report out a bill, so that we will know what we are voting for?

Mr. BALDWIN. I think that would be true.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I made a brief statement on the last bill and I merely want to put myself on record in the same way on this one.

All of these bills were up before the Rules Committee for a rule, all three of them. The first bill we passed this afternoon was an authorization for an increased amount to complete the Senate Office Building. That was all right. It had the dollar amount in there that was needed. This bill is an open-end authorization with no limitation whatsoever, no guidepost, no instructions, but just saying that the Architect of the Capitol can spend such money as he finds necessary to remodel the Senate Office Building, without saying how it is to be remodeled and whether there are any plans.

In my humble judgment and with all due deference to everybody concerned, I do not think there is any sense in that kind of procedure. We have plenty of time to have plans made. They have to make plans, they have to get estimates, and they have plenty of time to have the plans and the estimates made and come back here with a dollar figure on what this thing is going to cost.

I just think it is an abdication of our duty to appropriate money, and that we just ought not to do it. I feel impelled to say this, although I regret very much to differ with what the other body wants to do. I know it is not considered just exactly the polite thing to do. Nevertheless, there is a principle involved here of simply abdicating completely and leaving it to somebody else without any limitations whatsoever, and that is the breadth of this language here. I just do not think we ought to do it. We have been going along with the Senate's saying it is all right for us to do whatever we want to do for our housekeeping, and the House's saying it is all right for the Senate to do whatever they want to do. But do you know what that policy has gotten us into? We tried in the hearing before the Rules Committee to find out what all these new buildings up here were going to cost, and the best that the Architect of the Capitol could say was that we were being obligated on all these new buildings we are building up here and the land and buildings we are buying and all the furniture we are putting into them to somewhere between $300 and $400 million, at a time when we are telling our constituents how strong we are for economy.

I do not think we ought to do this thing. I do not think we are discommoding anybody, I do not think we are being discourteous to anybody, I do not think we are insulting anybody if we simply say, "Will you please tell us what these things are going to cost," and let us put it in the bill so we will know what we are doing.

Mr. JONES of Alabama. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, in reply to the statement made by the distinguished gentleman from Ohio [Mr. McGREGOR] about the authorizations heretofore made, I call his attention to the fact that Public Law 71, Eighty-first Congress, First Deficiency Appropriation Act, 1949, approved May 24, 1949, provided the requested supplemental appropriation of $2,274,500 for the House roof and Chamber improvements and the authority to enter into cost-plus-a-fixed-fee contract for the House improvements, and vested the special House Roof and Chamber Committee with the authority to fix the limit of cost for the House project; also ratified any obligations incurred prior to May 24, 1949, under authority of Public Law 62, 81st Congress.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Ohio.

Mr. McGREGOR. I am very happy the gentleman has brought out that point. That concurs exactly with what we have been saying. There is a limit. Therefore, it is in the law. In what you are asking us to do this afternoon there is no limit.

Mr. JONES of Alabama. There is no limit in the authorization because the Commission was given a task the same as is contained in this bill, and the same as contained in the White House renovation bill and similar acts. At no time since this Senate Office Building construction has been authorized has there been any question about the general authority for the Senate Commission to go about their task of furnishing the new building and to take into account the reequipment and the rehabilitation of the old building. We have passed two bills here, so now let us go ahead and complete the job while we are at it.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield.

Mr. BYRNES of Wisconsin. I think there is a little difference between this bill and the other two bills. The other two projects are underway and are practically completed. We know that they have to be furnished right away, and everything else has to be done. There you have a time element which is pretty significant. That is the reason I supported the gentleman as far as approving those bills is concerned. But here I think you have an entirely different situation.

I would like to ask the gentleman this: Is there present authority for the Architect of the Capitol to prepare plans and get estimates and do the preliminary detail work as for as the renovation and remodeling of the present building is concerned?

Mr. JONES of Alabama. That is the very purpose of this bill, to authorize the Commission and the Architect to go about the business of drawing up plans and specifications for the proper renovation of the building.

Mr. BYRNES of Wisconsin. Then would the gentleman have any objection, for instance, to striking out lines 6, 7, and 8 on page 1, which authorizes them and directs them to enlarge and remodel the office suits and to make structural, mechanical, and other changes and improvements. That is a matter of actual construction. That is not a matter of authorizing them to prepare plans.

Mr. JONES of Alabama. I would object to that because I think we would ultimately face the problem anyway, and I think the present members of the Senate Office Building Commission, who are Senator CHAVEZ, Chairman; Senator GREEN, Senator SPARKMAN, Senator LYNDON JOHNSON, Senator KERR, Senator BRIDGES, Senator MALONE, Senator PURTELL, and Senator MUNDT are going to do their job well. They are the members of the Senate Office Building Commission. They will do this job and do it just as frugally and just as economically as they possibly can, and at the same time uphold the dignity that the Senate Office Building should have. I cannot understand why this gets to be such a serious problem at this time when this job has been going on for years. The President in his budget has always included the item requested by the other body every year. The Senate Office Building, as the gentleman knows, was discontinued during the Korean War; that is, the construction of it was discontinued. Then we started back on it again in 1955 when we expended $6 million, and then we spent $8½ million in 1956 and $5¼ million in 1957. So if we are in the situation that we can afford to build the Senate Office Building and equip it, then we certainly should go about the job of completing it and renovating the old building, and I hope the committee will be sustained in its action.

Mr. McGREGOR. Mr. Chairman, I yield such time as he may require to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I rise to say that while I mean no disrespect for the Senate, I am not in support of S. 1429 to authorize the enlargement and remodeling of the existing Senate Office Building.

Earlier this afternon I voted against S. 1428, an act to authorize the purchase of furniture for the new Senate Office Building.

Now, Mr. Chairman, it has been a historic custom I realize for the House of Representatives to accept measures authorizing and appropriating funds for the other legislative body, just as its Members by practice have not questioned our spending. But my objective here is based on the point that the procedure in the past has been to show costs and set a limit on the amount which could be expended. But that is not the case here. Therefore, in order to register disapproval of a procedure of not specifying the figure which could be spent, I voted for recommittal of S. 1428. Senators must have furniture, but I have listened to talk here today of chairs costing from $400 to $600; and testimony from the committee hearing shows there is no limit on an amount any one Senator can spend, nor is there a purchasing agent to call for competitive bids.

As to the bill before us to enlarge and remodel the existing Senate Office Building, likewise, there are no plans or specifications. Section 2 of the bill includes expenditures for personal and other services. This is a blank check and I do not know what for.

I voted against the New House Office Building; so opposition from me is not inconsistent. However, let me say my vote against the House Office Building was an economy vote—I felt we could get by perfectly well without a new building to cost nearly $100 million. My vote, when the time comes today, will be on a different principle. I do not wish to tell Senators not to spend. Rather I object here to an open-end authority with no stated limit to the amount.

Perhaps the debate and action on this measure will serve toward establishing a new policy or relationship between the House and Senate. I hope so. I would not generate a feeling of rancor or lack of cooperation. Instead, an agreement could be made that in future there will be no open-end authorizations.

Frankly, extravagance, at this time, by the legislative branch of the Federal Government to me is poor taste and poor politics, too. I want my people at home to know that I do not favor a double standard—economy for the taxpayers; extravagance for their elected representatives.

I stand for economy for both and that is the way I have been voting and I expect to continue on that course until a tax reduction is in order.

So, as I say, I do not support this legislation and shall vote accordingly.

Mr. McGREGOR. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. WILSON].

Mr. WILSON of Indiana. Mr. Chairman, 2 years ago—May 13, 1955, to be exact—the District of Columbia, with

financial aid of the taxpayers all over the United States, completed construction of a $677,400 elementary school building at East Capitol and 55th Streets NE. The property, including a well equipped playground, covers an entire block.

Known as the Marion P. Shadd school, it has 26 classrooms, auditoriums, cafeterias and all modern facilities. There are 32 teachers in addition to clerical and maintenance workers. Students total about 1,300, ranging from kindergarten through the 6th grade. It is an all-colored school in an all-colored community of modern, spacious apartments and homes.

This is one of the finest school plants in Washington or anywhere else. It is architectural and cultural landmark, an institution of which the residents of that Negro community should be very proud.

However, this beautiful edifice is being destroyed—literally ripped to bits by vandals and hoodlums—while people of the neighborhood stand by in apparent disinterest. The Marion P. Shadd school is rapidly becoming a landmark of shame to the very people it is intended to serve.

I inspected this school a few days ago, Mr. Chairman. I found hundreds of window panes broken. Mud and filth have been hurled against the building. Empty beer cans are scattered about the premises, piles of filth lie in the doorways, outdoor electrical equipment and entrance lights broken and destroyed. Three or four windows at the cafeteria end of the building have been boarded up by the school authorities because vandals break window glass as fast as it is replaced. Obscene words and crude drawings cover portions of the neat little frame annex used for kindergarten pupils.

This has been going on since the school was opened, I was informed by the distressed principal, Mrs. Lillian S. Glascoe, who has been a teacher in the District of Columbia school for 34 years. The cost of replacing broken windows and repairing other damage to the building already has run into thousands of dollars, she told me. She says she has vainly sought cooperation of adults in the area.

I am bringing this matter to the attention of this Chamber, Mr. Chairman, because Washington, as the seat of government, is a congressional responsibility. Perhaps some of my colleagues may have suggestions as to how this shameful situation might be corrected.

My own background as a teacher and a school administrator convinces me that this is a shocking example of the lack of adult interest in the schools established for their children. The Negro people who live in this area are allowing their magnificent institution to be turned into a landmark of shame to them.

If we look more penetratingly into the problems of juvenile delinquency, we can see that parental delinquency and disinterest are prime factors.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

Mr. McGREGOR. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further request for time the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Architect of the Capitol, under the direction of the Senate Office Building Commission, created by the Sundry Civil Appropriation Act of April 28, 1904 (33 Stat. 481), as amended, is authorized and directed to enlarge and remodel Senators' suites and to make structural, mechanical, and other changes and improvements in the existing Senate Office Building to provide improved accommodations for the United States Senate, in accordance with plans to be prepared by or under direction of the Architect of the Capitol and to be submitted to and approved by the Senate Office Building Commission.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act.

Mr. JONES of Alabama (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill may be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to ask the distinguished Chairman of the Committee, the gentleman from Alabama [Mr. JONES], what is meant by this language on page 2, line 10:

Expenditures for personal and other services.

What are "expenditures for personal services"?

Mr. JONES of Alabama. I will say to the gentleman that it is going to be necessary to employ architects to submit plans to the Commission. This would authorize the Commission to make expenditures to acquire expert advice with respect to the structural design of the building.

I will say further to the gentleman that this follows the same language generally employed in such authorizations.

Mr. GROSS. If I remember correctly most of the bills that provide for the employment of architects specify architects, they do not say "personal services."

Mr. JONES of Alabama. Let me call the gentleman's attention to page 3 of the report, the second paragraph. That will inform the gentleman what is meant by that language.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Ohio.

Mr. SCHERER. May I ask the gentleman from Alabama a question? Would he agree to a substitute to be offered by the gentleman from Florida [Mr. CRAMER] which would provide for the very basic thing he says he wants done, namely to authorize the preparation of plans and specifications, and eliminate from this bill the authorization to proceed with the actual remodeling?

Mr. JONES of Alabama. I think I answered that question which was propounded by the gentleman from Wisconsin [Mr. BYRNES]. In my answer to him I said I thought it was necessary for us to go ahead and to pass this bill because the architect plans to have the Senate start moving into the new building in January of next year. It is going to take some time to set up the plans and the proposals to renovate the existing Senate Office Building. For that reason I cannot agree to the delay and I do not think we should employ those dilatory tactics.

Mr. SCHERER. It is not a matter of being dilatory. This is giving us an opportunity to determine the cost.

Mr. GROSS. Mr. Chairman, I have read the language on page 3 of the report. I wonder if the gentleman from Alabama, chairman of the committee, would agree to an amendment to strike out the language providing expenditures for personal services and substitute "Architectural services"? Will the gentleman agree to that?

Mr. JONES of Alabama. I may say to the gentleman that he should not indulge in any fears on that point. I do not think the personal service part of it is going to develop into anything that will mean they are paying for something they will not get.

Mr. GROSS. I submit to the House that not only in the matter of expenditures for remodeling the present Senate Office Building but also in the matter of personal services and other provisions in the bill, this is a blank check, a complete blank check.

Mr. JONES of Alabama. It is more rigid than language we have written into previous bills which provided that the Commission shall have authority to make any and all expenditures in carrying out the act. I think this language on a comparative basis with the existing legislation on the subject is rather restrictive.

Mr. GROSS. I will say to the gentleman, as I said before, and I want to reemphasize it, this is a complete and outrageous blank check spending bill. I am opposed to it and I want the RECORD to show that I am unqualifiedly opposed.

Mr. Chairman, I have opposed and continue to oppose the spending of some $9½ million to remodel each of the House Office Buildings to provide each House Member with a three-room suite. It is my understanding that this bill would provide each Senator with at least a 5-room suite of offices. I have no need for a 3-room office and I can think of no good reason why a Member of the other body should need a minimum of 5 rooms.

This is no time to saddle upon the taxpayers such a bill of expense, and if wanting some facts and figures regarding costs is disturbing to the Members of the other body then it is time that there be a disturbance.

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. CRAMER: On page 1, line 3, insert "That the Architect of the Capitol, under the direction of the Senate Office Building Commission, created by the Sundry Civil Appropriation Act of April 28, 1904 (33 Stat. 481), as amended, is authorized and directed to prepare plans to enlarge and remodel Senators' suites and to make structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate.

"SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act, and the Architect of the Capitol, under the direction of the Senate Office Building Commission, is authorized to enter into contracts and to make such other expenditures, including expenditures for personal and other services, as may be necessary to carry out the purposes of this act."

Mr. CRAMER. Mr. Chairman, I recognize that there has been considerable controversy that has arisen concerning this particular project. Personally I feel that unless some compromise is reached there is the possibility that this bill may be recommitted to the Committee on Public Works.

The purpose of offering this substitute is to provide a method whereby the Senate can go ahead with the preparation through its Architect and engineers of the plans and specifications for renovation of the existing building, thereby not hampering in anyway the work they can do during the present and near future period of time. It will also facilitate the presentation to the Public Works Committee in the future of facts and figures upon which an authorization for the actual construction at a maximum cost figure can take place for the remodeling. Of course, the objective of the committee, so far as the minority members are concerned, who signed the minority report, is that there should be some limit on the amount of money authorized to be spent for this purpose. This amendment will not hamper, as I see it, the other body from going ahead with the work that needs to be done in the way of architectural planning, and it will also provide facts and circumstances that will be presented upon which a reasonable limitation can be placed sometime in the future through an authorization bill coming out of the Public Works Committee. Now, that is what it does. The amendment is rather simple, and I feel that it is a fair compromise in this admittedly difficult problem.

I am fully cognizant of the comity that of necessity exists between the House and the other body, and this amendment is offered in a constructive sense in order to guarantee that the project will not be in any way stalled or hampered.

Mr. RAYBURN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, for many, many years the Senate of the United States, or the other body, as some people call it, and this body have been working in perfect harmony as far as their specific business functions were concerned. It has worked fine. There has never been a time in my experience in this House when the House of Representatives voted something for itself that the Senate has ever changed one word in it. Now, the other day we made a large appropriation. We did not specify exactly what it was all going to be used for in the legislative appropriation bill. The Senate accepted every word of our language; accepted the amount that we put in the bill, and I just want to call your attention to the fact that if we are going to have a real working legislature in the Congress of the United States, these two bodies must cooperate with each other; that they must know that the Senate of the United States knows more about what they need and what they want than we do, and that we know more about what we need and must have than they do. They have never changed any of the laws that we have passed with reference to buildings on this side of the Capitol, and I do not think we should change any of theirs if we want this comity to keep existing, and it must exist, if we are to have an effective legislature in Washington.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Florida [Mr. CRAMER].

The question was taken; and on a division (demanded by Mr. CRAMER) there were—ayes 47, noes 83.

So the substitute was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1429) authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate, had directed him to report the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on third reading.

The bill was ordered to be read a third time and was read the third time.

Mr. CRAMER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CRAMER. I am.

The SPEAKER. The gentleman qualifies.

The Clerk read as follows:

Mr. CRAMER moves to recommit the bill, S. 1429, to the House Committee on Public Works, with instructions that the committee report the bill back to the House with specific figures as to the cost of the projects set forth in the title of said bill.

The SPEAKER. The question is on the motion to recommit.

Mr. CRAMER. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 148, nays 216, not voing 69, as follows:

[Roll No. 128]

YEAS—148

Abbitt	Baumhart	Blitch
Andrews	Bennett, Fla.	Bolton
Ashmore	Bennett, Mich.	Bosch
Avery	Bentley	Bray
Baldwin	Berry	Broomfield
Bass, N. H.	Betts	Brownson
Budge	Henderson	Ostertag
Burdick	Heselton	Pelly
Byrne, Ill.	Hiestand	Pillion
Byrnes, Wis.	Hoeven	Poff
Cederberg	Hoffman	Ray
Chamberlain	Holmes	Rees, Kans.
Chiperfield	Holt	Rhodes, Ariz.
Church	Horan	Riehlman
Cole	Jennings	Sadlak
Collier	Jensen	St. George
Corbett	Johansen	Schenck
Cramer	Johnson	Scherer
Cretella	Jonas	Schwengel
Cunningham, Iowa	Judd	Scott, Pa.
Cunningham, Nebr.	Kean	Scrivner
Curtis, Mass.	Keating	Scudder
Curtis, Mo.	Keeney	Seely-Brown
Dague	Kilburn	Siler
Davis, Ga.	Kitchin	Simpson, Ill.
Dawson, Utah	Knox	Smith, Calif.
Dennison	Krueger	Smith, Va.
Devereux	Laird	Smith, Wis.
Dies	LeCompte	Springer
Dixon	Lipscomb	Stauffer
Dooley	McCulloch	Taber
Dorn, S. C.	McDonough	Talle
Dowdy	McGregor	Teague, Calif.
Dwyer	McIntire	Tewes
Flynt	McIntosh	Thomson, Wyo.
Ford	McMillan	Tollefson
Forrester	McVey	Tuck
Fountain	Mack, Wash.	Utt
Gary	Mason	Vorys
George	Matthews	Vursell
Griffin	May	Weaver
Gross	Michel	Whitten
Haley	Miller, Nebr.	Widnall
Harden	Minshall	Wigglesworth
Harrison, Nebr.	Moore	Williams, Miss.
Harrison, Va.	Mumma	Williams, N. Y.
Harvey	Murray	Wilson, Ind.
Hemphill	Nimtz	Winstead
	Norblad	Withrow
	O'Hara, Minn.	Younger

NAYS—216

Abernathy	Engle	Lankford
Addonizio	Evins	Lesinski
Albert	Fallon	Long
Alexander	Farbstein	McCormack
Allen, Calif.	Fascell	McFall
Andersen, H. Carl	Feighan	McGovern
Anderson, Mont.	Fenton	Macdonald
Ashley	Fisher	Mack, Ill.
Aspinall	Flood	Madden
Auchincloss	Forand	Magnuson
Ayres	Frazier	Mahon
Baker	Frelinghuysen	Mailliard
Baring	Friedel	Marshall
Bass, Tenn.	Fulton	Martin
Beckworth	Garmatz	Meader
Belcher	Gathings	Merrow
Blatnik	Gavin	Metcalf
Boggs	Gordon	Miller, Calif.
Boland	Granahan	Miller, Md.
Boiling	Gray	Mills
Bonner	Green, Oreg.	Montoya
Bow	Gregory	Morgan
Boykin	Griffiths	Morris
Boyle	Gubser	Morrison
Brooks, La.	Hagen	Moss
Brooks, Tex.	Hale	Moulder
Brown, Ga.	Hardy	Multer
Brown, Mo.	Harris	Natcher
Brown, Ohio	Haskell	Neal
Broyhill	Hays, Ark.	Nicholson
Burleson	Hays, Ohio	Norrell
Bush	Healey	O'Brien, Ill.
Byrd	Hébert	O'Hara, Ill.
Byrne, Pa.	Hess	O'Neill
Cannon	Hillings	Passman
Carnahan	Holifield	Patman
Carrigg	Holland	Patterson
Chelf	Hosmer	Perkins
Chenoweth	Huddleston	Pfost
Chudoff	Hull	Pilcher
Clark	Hyde	Poage
Clevenger	Ikard	Polk
Coad	Jackson	Preston
Coffin	Jarman	Price
Cooley	Jenkins	Prouty
Cooper	Jones, Ala.	Rabaut
Curtin	Karsten	Radwan
Davis, Tenn.	Kearns	Rains
Delaney	Kee	Reuss
Dempsey	Kelley, Pa.	Rhodes, Pa.
Denton	Kelly, N. Y.	Riley
Dingell	Keogh	Roberts
Dollinger	Kilday	Robeson, Va.
Dorn, N. Y.	Kilgore	Robison, Ky.
Doyle	King	Rodino
Durham	Kirwan	Rogers, Colo.
Edmondson	Klucznynski	Rogers, Fla.
Elliott	Lane	Rogers, Mass.
	Lanham	Rogers, Tex.

Rooney	Smith, Kans.	Vanik
Roosevelt	Smith, Miss.	Van Pelt
Rutherford	Spence	Van Zandt
Santangelo	Staggers	Vinson
Saund	Steed	Watts
Scott, N. C.	Sullivan	Wier
Selden	Teller	Willis
Sheehan	Thomas	Wolverton
Shuford	Thompson, La.	Wright
Sieminski	Thompson, Tex.	Yates
Sikes	Thornberry	Young
Simpson, Pa.	Trimble	Zablocki
Sisk	Udall	

NOT VOTING—69

Adair	Diggs	O'Brien, N.Y.
Alger	Donohue	O'Konski
Allen, Ill.	Eberharter	Philbin
Andresen, August H.	Fino	Porter
Anfuso	Fogarty	Powell
Arends	Grant	Reece, Tenn.
Bailey	Green, Pa.	Reed
Barden	Gwinn	Rivers
Barrett	Halleck	Saylor
Bates	Herlong	Shelley
Beamer	Holtzman	Sheppard
Becker	James	Taylor
Bowler	Jones, Mo.	Teague, Tex.
Breeding	Kearney	Thompson, N. J.
Buckley	Knutson	Ullman
Canfield	Landrum	Wainwright
Celler	Latham	Walter
Christopher	Lennon	Westland
Colmer	Loser	Wharton
Coudert	McCarthy	Whitener
Dawson, Ill.	McConnell	Wilson, Calif.
Dellay	Machrowicz	Zelenko
Derounian	Miller, N. Y.	
	Morano	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Walter with Mr. Halleck.
Mr. Holtzman with Mr. Arends.
Mr. Porter with Mr. Gwinn.
Mr. Landrum with Mr. Taylor.
Mr. Zelenko with Mr. Saylor.
Mr. Dawson of Illinois with Mr. Dellay.
Mr. Buckley with Mr. Canfield.
Mr. Sheppard with Mr. Fino.
Mr. Herlong with Mr. Adair.
Mr. Bailey with Mr. Kearney.
Mr. Machrowicz with Mr. Bates.
Mr. O'Brien of New York with Mr. Wainwright.
Mr. Colmer with Mr. Becker.
Mr. Celler with Mr. Beamer.
Mr. Philbin with Mr. Westland.
Mr. Donohue with Mr. Coudert.
Mr. Green of Pennsylvania with Mr. Latham.
Mr. Powell with Mr. Miller of New York.
Mr. Grant with Mr. Allen of Illinois.
Mr. McCarthy with Mr. Wilson of California.
Mr. Eberharter with Mr. Derounian.
Mr. Fogarty with Mr. Morano.
Mr. Thompson of New Jersey with Mr. James.
Mr. Shelley with Mr. Wharton.
Mr. Rivers with Mr. August H. Andresen.
Mr. Barrett with Mr. Alger.
Mr. Bowler with Mr. McConnell.
Mrs. Knutson with Mr. Reed of New York.
Mr. Loser with Mr. Reece of Tennessee.
Mr. Breeding with Mr. O'Konski.

Messrs. BOYKIN, HASKELL, BONNER, and ASHLEY changed their vote from "yea" to "nay."

Mr. CURTIS of Massachusetts changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

ADMITTING HUNGARIAN ESCAPEES INTO THE UNITED STATES

Mr. CRETELLA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CRETELLA. Mr. Speaker, within our shores we have 33,000 people without a country. It is true they reside in our United States. They work on our farms and in our factories and live just about like the average American citizen.

These 33,000 persons are those young and old who have escaped Communist Hungary after the revolts there last fall. Over 130,000 escaped over the border into Austria. Most of them now live in other free countries.

We have partially lived up to the expectations of our humane conscience by the admission of these Hungarian escapees into the United States on a parole basis. The emergency Hungarian refugee operation, as initiated by our Immigration and Naturalization Service, with able assistance from the Department of State and the consular services, was marvelously successful, as far as it went.

The program probably would not have been a reality if it were not for the countless religious and charitable nonprofit organizations which set up machinery in Austria and the center at Camp Kilmer, N. J., to assist in sponsorship, transportation and countless other problems.

We have acted with deliberate haste in rescuing these brave persons who fled their beloved nation at risk of life and limb rather than live in their once free country now under the yoke of Communist tyranny and cruelty.

Section 212 (a) (5) of the Immigration and Nationality Act provides that the Attorney General may, in his discretion, parole into the United States temporarily under such conditions as he prescribes for emergency reasons, or reasons in the public interest, any alien making application for admission. This is the provision by which the 33,000 Hungarians were admitted.

However, the section goes on further to state that when the purposes of such parole have been met, the alien shall forthwith be returned to the custody from which he was paroled, Hungary, in this case, and dealt with in the same manner as any ordinary applicant for admission to the United States.

Now, Mr. Speaker, in view of the circumstances facing those Hungarians admitted, this provision of law is unrealistic, impractical and, in fact, has no meaning. It is also unfair and inconsistent with our initial endeavors to provide asylum for these escapees from the Iron Curtain.

No one can say with any degree of certainty what is in store for the Hungarian Nation. Whether there will be more revolts leading to Communist evacuation, whether such revolts will only tend to strengthen Moscow's hold on the area, or whether the Communists will suddenly decide to bequeath independence, we do not really know.

Our Government certainly will not revoke parole privileges to any Hungarian citizen wishing to remain here. The point is, under the existing law, the status of permanent residence cannot be conferred upon these people. They remain here indefinitely in an atmosphere of uncertainty, confusion, and lukewarm acceptance into our society.

Early this session of Congress, President Eisenhower urged special legislation to grant these persons and others, who flee from totalitarian governments, the status of permanent residence. This would enable them to apply for United States citizenship, which no doubt many would do. Some may elect to return to Hungary when it is once again free, but regardless, each alien should be given the freedom of choice.

Since February 6, 1957, my bill H. R. 4505, has been pending in the Immigration subcommittee of the House Judiciary Committee. There are probably many other similar bills. Mine would simply admit for permanent residence aliens who flee, or who have fled the persecution and tyranny of any totalitarian government.

It also includes relief for Korean orphans, adopted children and others here on parole basis, and there is a reasonable limitation of the number who can be admitted under the bill, namely, no more than the average number of aliens who, in the past 8 years, have entered by special acts of Congress.

It is intolerable that Congress has to this date ignored the plea of the President on the need for this legislation, and equally as appalling is our failure to see that this, or similar legislation, would give a semblance of permanency, order, and happiness to the lives of the 33,000 Hungarians involved.

In the minds of many persons throughout the world, it might very well appear that the United States felt it had to uphold her position as the leader of the free world by admitting a portion of the 130,000 Hungarians, who escaped over into Austria, but that our actions were more automatic, in attempts to protect our position, rather than genuine and heartwarming.

This is the kind of poison from which the Communist propaganda creature feeds, and the result could be a lessening of our prestige as the forerunner of anticommunism.

An editorial appeared on June 26 in the Washington Post and Times Herald on the subject I discuss and I should like to include it at this point.

REFUGEES IN LIMBO

Refugees from last autumn's revolt in Hungary continue to enter the United States under the parole provision of the immigration laws. There are now some 33,000 of them here, settled in jobs or in university work and seeking to put together a new life. But because Congress has refused to move on the package of immigration law changes recommended by President Eisenhower, the Hungarian parolees live in a sort of political limbo, uncertain whether they really have a future here or anywhere.

They may not apply for citizenship and thus are foreclosed from some job opportunities. They are uncertain whether to sink their roots too deeply in anything, such as homeownership, careers, and educational programs. Thus their potential contributions to American life are limited, and their personal lives are blighted. No doubt many greatly prefer this situation to life under communism, but it is not the best that America can offer, and it is a poor reward for their valiant defiance of the Russian suppression.

If it is too late in this session for action on the many revisions that are needed in the basic immigration statutes, it is not too late to authorize paroled refugees to seek citizenship. This is a step that cannot be indefinitely postponed by Congress without great harm to America's reputation and to many deserving would-be Americans.

Up to now our efforts in behalf of Hungary and her refugees have been well directed but pitifully insufficient. Why, for example, did we close down the emergency program when, as pointed out in the New York Times on Wednesday, there are still thousands of Hungarian teen-agers still stuck in Austrian camps?

Hundreds of these persons have seen no hope and returned to Hungary. Will official indifference—not on the part of some remote European bureaucrat but of our own American Goverment—kill all hopes for those who remain, asks the Times?

To my understanding, there was never a numerical limitation imposed on the Hungarians admitted under this program, and I will be very curious indeed about the explanation I intend to get from the Immigration and Naturalization Service as to why the program has, for all intents and purposes, been terminated.

I do not think the United States is in a position to pat itself on the back for maximum effort in relieving the plight of escaped Hungarians, because, in plain words, we have not done as much as we should or could.

It is encouraging to note, however, that Congress has expressed its official sentiment on the Communist treachery in Hungary by passing a resolution affirming the United Nations 24 Free World nations report on the revolt and urging a special session. According to the latest information, it was agreed the report will be brought up in a special session early in September, much to the dismay of Russia and her satellite servants.

This represents a tremendous victory by the Free World over suppression and murder by the Communists. It should be followed up by a forceful and imaginative program of our own by which our genuine concern is expressed and positive action taken for the people remaining in Hungary, those in Austria wishing desperately to seek a home in the United States, and those who are already here but as yet are unable to exercise the privilege of gaining permanent residence and future citizenship.

PERSONAL EXPLANATION

Mr. JONES of Missouri. Mr. Speaker, I was not in the Chamber when my name was reached on the rollcall which has just been completed, although I was here during a part of the debate and also before the rollcall was completed. However, I cannot qualify to be recorded. If I had the opportunity to vote I would have voted "no." During practically all of this day I have been in attendance at a meeting of the Committee on Agriculture, hearing witnesses testifying on various bills affecting cotton. On one quorum call, and on the other rollcall today I left the committee in time to be present when my name was called. When the bells rang on this last rollcall, I misjudged the time necessary to get to the Chamber before the Clerk reached my name. The only reason I make this explanation is to indicate that I was not absent and have been engaged in official work in the interest of my constituents during the entire day.

POINT OF ORDER

Mr. CANNON. Mr. Speaker, if the Speaker will permit a parliamentary inquiry, there have been an increasing number of announcements in the last few weeks by Members on how they would have voted if present when the roll was called. May I ask the Speaker, as to the practice?

The SPEAKER. The gentleman from Missouri raised that question with the Chair the other day and stated that it was unparliamentary for a Member who could not qualify to announce later on that had he been here he would have voted yea or nay. Now, the Chair does not know of any way that we could keep a Member from asking unanimous consent to proceed for a minute or an hour and announce before a bill was brought up how he was going to vote if he was present or how he would have voted when the matter came up. So the Chair cannot see any reason for not allowing Members to express themselves how they would have voted or how they are going to vote. If there is any rule of the House that that violates, the Chair does not know anything about it.

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. In response to the Speaker's inquiry, may I quote from section 3151 of the Precedents of the House.

3151. It is not in order after a record vote on which he failed to vote for a Member to announce how he would have voted if present.

On February 6, 1915, Mr. John E. Raker, of California, rising in his place, said:

Mr. Speaker, I want to ask unanimous consent to make a statement for a minute. I was here yesterday afternoon, but on account of sickness in my family I was called out and could not get back in time to vote on the motion to recommit the naval appropriation bill. I returned, but too late to have my vote recorded. If I had been here, I would have voted against the motion to recommit.

Mr. James R. Mann of Illinois made the point of order that the statement was wholly improper.

The Speaker sustained the point of order and said:

The statement is out of order.

As a matter of fact, Speaker RAYBURN, in the first session of the 73d Congress, in passing on a similar point of order, read the first section of rule XV, including:

After the roll has been once called, the Clerk shall call in their alphabetical order the names of those not voting; and thereafter the Speaker shall not entertain a request to record a vote.

The rule is founded on sound policy. Such announcements may be cited in contrast with others who failed to vote, as an inference of less interest in the proceedings and less attention to the question at issue.

If one Member makes the announcement, critics may make it the occasion of inquiry as to why other absent Members did not announce a position on the vote.

The pair clerks pair all members who do not vote. Subsequent announcement of how a Member would have voted if present automatically places the Member, with whom he is paired, on the other side of the question.

Such practice renders Members less responsive to inconvenient rollcalls, when their position can later be announced at a more convenient time.

No Speaker has ever held such announcements in order.

PERSONAL EXPLANATION

Mr. ALGER. Mr. Speaker, I was detained when the vote was taken. Had I been here, I would have voted "yea."

Mr. FULTON. Mr. Speaker, I was called from the floor yesterday afternoon to a meeting. Had I been here on rollcall No. 124, I would have voted "nay."

VOLUNTARY HOME MORTGAGE CREDIT PROGRAM

Mr. MULTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. J. Res. 115) to provide an interim extension for the voluntary home mortgage credit program.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That section 610 (a) of the Housing Act of 1954 is amended by striking out "June 30, 1957" and inserting in lieu thereof "August 15, 1957."

The joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DISCLOSURE OF CHARITABLE, BENEVOLENT, PATRIOTIC, OR OTHER SOLICITATIONS IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3400) to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, line 1, after "the" insert "financial."

Page 4, strike out lines 16 to 21, inclusive, and insert:

(7) to prescribe by regulation the form of and the information to be contained in the solicitor information cards required by this act, and to prescribe the manner of reproduction and authentication of such cards; and

Page 4, line 24, after "act", insert "The Commissioners shall, in publishing the results of any such investigation, have power to publish information concerning the officers and members of the governing board of any organization coming within the purview of this act: *Provided*, That such information shall not include membership and contribution lists of any such organization."

Page 5, strike out all after line 15 over to and including line 5 on page 6 and insert:

"(b) The provisions of this act shall not apply to any person making solicitations, including solicitations for educational purposes, solely for a church or a religious corporation or a corporation or an unincorporated association under the supervision and control of any such church or religious corporation: *Provided*, That such church, religious corporation, corporation or unincorporated association is an organization which has been granted exemption from taxation under the provisions of section 501 of the Internal Revenue Code of 1954: *Provided further*, That such exemption from the provisions of this act shall be in effect only so long as such church, religious corporation, corporation or unincorporated association shall be exempt from taxation under the provisions of section 501 of the Internal Revenue Code of 1954.

"(c) The provisions of subsection (a) of this section and sections 5, 6, 7, and 9 shall not apply to any person making solicitations (1) solely for the American National Red Cross or (2) exclusively among the membership of the soliciting agency.

"(d) The Commissioners may by regulation prescribe the terms and conditions under which solicitations in addition to those enumerated in subsection (b) of this section may be exempted from the provisions of subsection (a) of this section and sections 6 and 7: *Provided*, That no exemption granted under authority of this subsection (d) shall exceed for any calendar year $1,500 in money or property."

Page 6, line 12, strike out "Commission" and insert "Commissioners."

Page 9, after line 12, insert:

"SEC. 12. (a) No person who is required to obtain a certificate of registration under this act shall, for the purpose of soliciting contributions, use the name of any other person, except that of an officer, director, or trustee of the organization for which contributions are solicited, without the written consent of such other person.

"(b) A person shall be deemed to have used the name of another person for the purpose of soliciting contributions if such latter person's name is listed on any stationery, advertisement, brochure, or correspondence in or by which a contribution is solicited by or on behalf of a charitable organization or his name is listed or referred to in connection with a request for a contribution as one who has contributed to, sponsored, or endorsed the charitable organization or its activities.

"(c) Nothing contained in this section shall prevent the publication of names of contributors without their written consents, in an annual or other periodic report issued by a charitable organization for the purpose of reporting on its operations and affairs to its membership or for the purpose of reporting contributions to contributors."

Page 9, line 13, strike out "12" and insert "13 (a)."

Page 9, after line 19, insert:

"(b) Prosecutions for violations of this act, or the regulations made pursuant thereto, shall be conducted in the name of the District of Columbia by the Corporation Counsel or any of his assistants.

"(c) The Corporation Counsel of the District of Columbia or any of his assistants is hereby empowered to maintain an action or actions in the United States District Court for the District of Columbia in the name of the District of Columbia to enjoin any person from soliciting in violation of this act or in violation of any regulation made pursuant to this act."

Page 9, after line 19, insert:

"SEC. 14. Where any provision of this act refers to an office or agency abolished by Reorganization Plan No. 5 of 1952 (66 Stat. 824), such reference shall be deemed to be the office, agency, or officer now or hereafter exercising the functions of the office or agency so abolished. Nothing contained in this act shall be construed as a limitation on the authority vested in the Commissioners by Reorganization Plan No. 5 of 1952."

Page 9, line 20, strike out "13" and insert "15."

Page 9, line 25, strike out "14" and insert "16."

Page 10, line 2, strike out "15" and insert "17."

Page 10, line 2, strike out "14" and insert "16."

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

JURISDICTION OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. ANDERSON of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. ANDERSON of Montana. Mr. Speaker, there is little doubt that the charter of the House Un-American Activities Committee will have to be modernized in order to operate efficiently within the limits imposed by the recent Supreme Court decisions. I regard this as a purely legal procedures problem which can be simply and clearly resolved so I am today introducing a House resolution to amend the rules of the House. The changes which I propose will enable the committee to perform its functions within the framework established by the Court decisions and keep its charter up to date by submitting an authorizing resolution to each new Congress. If my resolution is accepted by the House, I expect that the committee would submit a resolution that it feels will enable it to carry its work forward effectively.

The Supreme Court ruling requires vagueness in the committee authorization to investigate be cleared up. The difficulty is that if the resolution is made definite and specific it will not be sufficiently broad and general to cover the changing situations which develop over the years. It seems to me that the only practicable solution is to come in with a resolution at each new Congress which will meet the requirements that may exist at that particular time. That is what the proposed change in the rules provides.

The decision in the current Watkins Supreme Court case does not in any way strip Congress of its power to investigate. It does require the House, when it delegates investigative power to a committee, to define quite accurately the area of investigation. It also requires the committee to act within the boundary of that area. It seems to me that the delegation of authority can best be made timely and appropriate if it is brought up to date by each new Congress.

I am a westerner, and in the early days in Montana the big cattle spreads staked out their claims to ranges. If an outfit staked out, let us say, Willow Creek and the rangeland within grazing distance of it, he was in business, and his claim was generally respected. If on the other hand he laid claim to 20,000 square miles or to all the grass between the Rockies and the Little Snowies, and from Cascade to Canada then his claim was so big, so broad, so general that he would end up with a firm claim on nothing. The Un-American Activitites Committee, by staking out the whole countryside has much less in hand than if they staked out a clear claim to a legitimate area of investigation related to its legislative responsibility, and appropriate to the time and circumstances of the investigation. Under my resolution every 2 years the committee would stake out whatever claim it felt was necessary to do the job then facing it.

Congresssional investigations have proven themselves capable of fine accomplishments. The investigation of Teapot Dome by a senatorial committee headed by the late Senator Thomas J. Walsh of my State of Montana, President Truman's investigation of wartime profiteering, Senator McClellan's exposure of Dave Beck's activities and the need for corrective legislation, Senator Kefauver's investigations of crime and of Dixon-Yates, and accelerated depreciation in nondefense industries all served a valuable legislative purpose. Each was set up by resolution tailored and designed to accomplish its particular job.

The Supreme Court has repeatedly held that the power to investigate is a limited power, subject to the same limitations which the Constitution imposes on the power to legislate, of which it is an adjunct. To quote from the majority opinion in the Watkins case:

> An essential premise in this situation is that the House or Senate shall have instructed the committee members on what they are to do with the power delegated to them. It is the responsibility of the Congress, in the first instance, to insure that compulsory process is used only in furtherance of a legislative purpose. That requires that the instructions to an investigating committee spell out that group's jurisdiction and purpose with sufficient particularity. Those instructions are embodied in the authorizing resolution. That document is the committee's charter.

And further in the decision:

> Combining the language of the resolution with the construction it has been given, it is evident that the preliminary control of the committee exercised by the House of Representatives is slight or nonexistent. No one could reasonably deduce from the charter the kind of investigation that the committee was directed to make.

In the opinion of the Court:

> Protected freedoms should not be placed in danger in the absence of a clear determination by the House or the Senate that a particular inquiry is justified by a specific legislative need.

But, says the Court:

> An excessively broad charter, like that of the House Un-American Activities Committee, places the courts in an untenable position if they are to strike a balance between the public need for a particular interrogation and the right of citizens to carry on their affairs free from unnecessary governmental interference. It is impossible in such a situation to ascertain whether any legislative purpose justifies the disclosures sought and, if so, the importance of that information to the Congress in furtherance of its legislative function. The reason no court can make this critical judgment is that the House of Representatives itself has never made it.

And the opinion summarizes:

> Plainly these committees are restricted to the missions delegated to them, i. e., to acquire certain data to be used by the House or the Senate in coping with a problem that falls within its legislative sphere. No witness can be compelled to make disclosures on matters outside that area. This is a jurisdictional concept of pertinency drawn from the nature of a Congressional committee's source of authority.

The Court recognizes the importance of Congressional investigations, saying:

> We are mindful of the complexities of modern government and the ample scope that must be left to the Congress as the sole constitutional depository of legislative power. Equally mindful are we of the indispensable function, in the exercise of that power, of Congressional investigations. The conclusions we have reached in this case will not prevent the Congress, through its committees, from obtaining any information it needs for the proper fulfillment of its role in our scheme of Government. The legislature is free to determine the kinds of data that should be collected.

Essentially, then, the Court reversed the Watkins conviction because the present rule under which the committee operates is so vague that witnesses called before it have no means of determining whether the questions put to them have any relevancy to a legitimate legislative purpose. In order to carry out adequately the indispensable function of Congressional investigations the resolution under which the Un-American Activities Committee would operate must be more explicit than its present rule. The only satisfactory way to have an adequate and up-to-date charter for this committee through the changing years is to bring in a resolution of authorization at each new Congress, as contemplated under my proposed resolution.

SECOND ANNUAL UNITED STATES WORLD TRADE FAIR—GREATEST MARKET PLACE IN WESTERN HEMISPHERE

Mr. TELLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TELLER. Mr. Speaker, I have today with pride introduced a joint resolution authorizing the President of the United States to invite the States of the Union and foreign nations to participate in the Second Annual United States World Trade Fair, to be held at the New York City Coliseum from May 7 to 17, 1958.

It is with great satisfaction and pleasure that I offer this resolution. I am honored to play whatever part I can to further the aims and objectives of the United States World Trade Fair because of its immeasurable value in creating better international understanding, economic advancement, and good will.

Last spring 43 nations participated officially in the First Annual United States World Trade Fair. Its 3,000 displays included products and raw materials from 60 countries.

The Fair attracted over 700,000 visitors, including approximately 125,000 buyers from all parts of the world. It is estimated that over $1 billion in business, as well as invaluable contacts will result directly from the Fair.

These, indeed, are the statistics of success. They proved that the United States World Trade Fair is the only established, large-scale international exposition in the Americas. They demonstrate that the Fair is, in fact, the greatest market place in the Western Hemisphere for the efficient and effective exhibition, promotion, and volume sale of foreign products and services to buyers and the public.

Perhaps the most important reason why the United States World Trade Fair will be even more successful in May of 1958 is that it is a completely recognized, tested, and proven economic tool—a truly potent machine—for paving the highway to world peace and prosperity through world trade.

We have long since come to recognize the fact that world trade is not an economic condition which can exist in a partial vacuum; not something that is only good for the other nations as a premise for their purchasing exports from the United States. World trade is an economic common denominator among all nations. The sale of foreign goods and commodities to this country provides the purchasing power necessary for building good customers for American-made products.

The people of the United States, as well as citizens of other nations throughout the world, realize that the well-being of all of us depends upon the ability of each to produce products, goods, and services which others need, want and will buy.

The United States World Trade Fair is a practical demonstration of this economic interrelationship of nations, through the facility it provides for the exchange of goods and services. It is a truly American answer to the need for improving political and economic conditions throughout the world, a means whereby the people of other nations can stabilize their domestic economies and raise their living standards with the pride, self-respect, and personal satisfaction of achievements derived from their own productivity and ingenuity.

The inherent values of world trade are woven into the fabric of our American tradition. As a colony, whose rights to free trade were throttled by the mother-country, we fought for and won our independence.

We created a new nation based on the economic idea of free enterprise, a man's right to take a chance, his right to sell his goods and services openly in the open market place without any interference and undue restrictions. As our Nation grew and expanded, new laws were added to the statute books to prevent monopolistic practices, to prohibit restrictions of trade in our own country.

In the course of our own growth and prosperity, through the devastating paths of two world wars to the new era of jet propulsion and atomic energy, we have seen the nations of the world drawn closer together. Today we find ourselves giving more thought, and more time, to the practicalities of an integrated international economy. We know that we must.

Just as once we accepted the fact that no man is an island to himself, we now accept the fact that no nation, however mighty or meek, can endure as an isolated entity.

A faltering economy in any nation is a sociological and political virus. It is a threat to the health and well-being of other nations. It has proven itself, time and time again, to be the germ of wars.

The United States, today, stands out as the leading nation in the struggle for world peace and prosperity. We have placed great premiums on accomplishing these aims over the last decade. We have directed our economic resources to restoring devastated lands. We have sought to strengthen nations by continuing investment, by providing materiel for protection, by military alliances. But economic and military aid are, at best, the pump-primers for world peace and prosperity. To generate lasting international harmony we must continue to foster and build a healthy world trade condition, in the best interests of all nations as well as ourselves.

That is why I urge that we join together, here and with our neighbors throughout the world, in a mutual determination, through such efforts as the

United States World Trade Fair, to accelerate a continuing, morally forceful, and responsible program of international trade.

As partners, neighbors, and freemen, we can achieve our common goals—peace, prosperity, and freedom on earth.

PROGRAM TO DECREASE THE SHORTAGE OF SCIENTISTS, ENGINEERS, AND TECHNICIANS

Mr. LANE. Mr. Speaker, I ask unanimouse consnt to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, June, the traditional graduation month, turns our attention toward education and the shortage of scientists, engineers, and top-level technicians.

National security and national progress require an ever-increasing number of people trained in the scientific disciplines.

It is idle to compare the enrollment in high-school science courses in 1900 with the enrollment today. The courses in 1900 were rudimentary; even science itself was elemental compared with the body of knowledge that has been discovered and verified since then.

The disturbing fact is the present and acute shortage of scientifically trained manpower; a shortage that fails to meet the needs of our expanding, industrialized society.

I propose a two-point program to alleviate this shortage:

One. To amend the immigration law by establishing a special annual quota to permit 25,000 qualified scientists and engineers from Communist or satellite countries to enter the United States each year. They would be refugees or escapees who would be carefully screened, both as to their competence, and their opposition to communism. In this manner, we would attract a number of "ready-made" scientists to meet our own needs, and at the same time we would be draining skilled personnel from the Communist countries, thereby weakening their capacity for aggression.

Two. Beyond our immediate needs, and to promote our own self-sufficiency in this respect, I offer a separate bill to provide tuition loans for needy and qualified high-school graduates who want to continue their education in the scientific fields. A revolving fund to finance such loans, would accomplish our purpose, and on a self-sustaining basis. The actual cost would be a small appropriation for administrative expenses. While it is true that many businesses, and institutions of higher learning, as well as many social and fraternal organizations, and private individuals, are providing scholarships; and a modest start has been made in financing tuition loans by traditional banking methods; these forms of assistance are unable to cope with the demand.

By the two approaches I suggest, we will be able to reduce the shortage of scientifically trained manpower today and eliminate that shortage tomorrow.

The Science Teacher of April 1957 relays the following information. We are told that, in the United States today, we need 50,000 more scientists, 100,000 more engineers, X thousand more technicians, and X thousand more qualified science teachers.

The National Science Teachers Association, in covering all the problems involved in high school science teaching, brings out many facts. And among certain questions that need to be answered I mention these two:

First. Why do 50 percent of the high-school graduates of superior ability fail to go to college?

Second. Why do many high-school graduates with special scientific interests reveal little or no interest in college science courses?

The answer may be found in one of the association's proposals, namely:

> The offering of more scholarships, awards, and recognition for students who show special capacity or outstanding achievement in scientific and other intellectual efforts.

It is clear however, that voluntary benevolence, is not sufficient to meet the need.

How many thousands of bright, young, scientific minds, never realize their own potentialities, and are lost to the Nation that needs them, because help was not available to them in time? How many of this June's graduating class will be unable to further their education, because the means are not present to give their minds the opportunity they deserve?

In a sense, we have established a precedent for this bill. After World War II, and the Korean war, the Federal Government helped millions of veterans to secure an education they could not otherwise afford.

The education allowance for each qualifying veteran not only included tuition, but expenses for subsistence, fees, supplies, books, and equipment. These allowances were outright payments, and not loans.

This was a subsidized educational program by outright grants.

The plan I propose would apply to all needy and qualified students, who take up scientific studies beyond the high-school level. And it would be confined to loans for tuition exclusively. In this manner, we would also be helping to build up our educational plant.

Under my bill, high-school graduates and students in the colleges and universities who meet the qualifications as established by the United States Office of Education in consultation with scientists, engineers, and the officials of our technical schools, would be eligible for tuition loans. These loans would be advanced by private lenders, and would be guaranteed by the Government.

Repayment would be scheduled over a reasonable period after graduation and/or subsequent employment.

The purpose of this bill is to insure maximum scientific educational opportunities for needy, qualified students, who are being priced out of a higher education. I want to emphasize that this is a tuition loan program that would more than pay for itself in solving the problem of the scientific-manpower shortage. It would help to develop the brainpower that is needed even more than horsepower to insure our security and our progress in a changing world.

EXPLANATION OF FAILURE TO ANSWER ROLLCALL NO. 124 ON THE ADOPTION OF THE CONFERENCE REPORT, H. R. 6287, APPROPRIATION BILL FOR THE DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, during the course of the debate on the conference report on H. R. 6287, making appropriations for fiscal year 1958 for the Departments of Labor, Health, Education, and Welfare, I was called to the Senate side of the Capitol on important legislative business. While there, rollcall No. 124 was directed on a motion made to recommit that conference report to the Committee of Conference. The adoption of the motion would have had the effect of delaying beyond the commencement of the new fiscal year, the appropriations for those departments and might have been interpreted as a vote to eliminate from the appropriations bill funds for the Department of Labor to enforce the provisions of the Davis-Bacon Act as it applies to Federal aid to highways.

I returned to the House floor from the Senate side too late to answer my name and therefore could not qualify to be recorded on that rollcall.

If present during the rollcall I would have voted "no."

PROGRAM FOR THE BALANCE OF THE WEEK AND FOR NEXT WEEK

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, I ask for this time in order to inquire of the majority leader what the program is for tomorrow.

Mr. McCORMACK. I am very happy to respond to the question. The only thing that might be called up tomorrow is the conference report on the Department of Interior appropriation bill. They have until midnight to file a report and that may be brought up. I understand that the conference report on the Department of Agriculture appropriation bill will not be brought up. I shall announce on tomorrow the program for next week. Of course, I like to take Members into my confidence as much as I can and in order to give them a bird's-eye view of the program for next week I will say that there will be no business from Wednesday on. On Monday we take up the Consent Calendar and certain insurance features in connection with an atomic energy bill. There will be several suspensions which I shall announce tomorrow. Suspensions are screened by the leadership on both sides.

I do not know of any controversial legislation that might be up on Tuesday or Wednesday if we dispose of the atomic energy bill on Monday.

Mr. MARTIN. Mr. Speaker, I might say to the gentleman that the conference report on the legislative appropriation bill may well come in tomorrow. I understand there is no controversy over that.

Mr. McCORMACK. I mentioned the Interior Department appropriation bill. The gentleman refreshes my memory on the legislative appropriation bill, but usually that is adjusted so quickly, I overlooked it for the moment.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentlewoman.

Mrs. ROGERS of Massachusetts. My understanding is that the bill H. R. 72 will not be brought up next week; is that correct?

Mr. McCORMACK. It will not be brought up next week.

Mrs. ROGERS of Massachusetts. I am very deeply troubled about it.

Mr. McCORMACK. The lady need not be troubled about it next week.

Mrs. ROGERS of Massachusetts. I mean for the future.

ASSUMPTION OF LEGISLATIVE FUNCTIONS BY SUPREME COURT

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. JACKSON] is recognized for 60 minutes.

Mr. JACKSON. Mr. Speaker, the Supreme Court of the United States is slowly putting the Congress of the United States out of business.

In restricting the investigative committees of the House and Senate in the exercise of the obligations laid upon them by their respective bodies, the Court is assuming functions which are clearly legislative. From a position coequal with the executive and the judicial, the legislative branch is losing ground and will, unless remedial steps are taken by the Congress, find itself completely subordinated to the other two branches of Government.

There are two reasons why I am reluctant to criticize the Court or its decisions. The first and the most important of these goes to the respect which should be accorded the high tribunal by every citizen familiar with the Constitution and with the glorious tradition of the Supreme Court in our national history. In the second place, I am not a lawyer and cannot, with authority, go to the legal points involved in recent decisions. Therefore, I shall confine myself to the apparent effects of the Court's actions.

Any citizen of the United States is privileged, by virtue of his citizenship, to criticize constructively whomsoever he will, always provided that his criticisms are contained within the framework of common decency and restraint. This course I presume to follow in what I shall have to say during my remarks today. I shall not engage in personalities, but confine myself to a discussion of general philosophical trends evidenced by the majority of the members of the Supreme Court during recent months, weeks, and days. As the members of the Court have the duty laid upon them to study and to pass upon matters of legal concern to the Nation and its people, so I consider it to be a solemn duty for me to speak my mind as a representative of the people whenever I sense that a threat to the Nation stems from the actions of either the executive or the judicial branches. While those learned in the law may attack the logic of my position, none can gainsay the sincerity with which my remarks are put on the RECORD.

While there have been decisions of the Court over the years with which I found myself in disagreement, I think that few of them lent aid, comfort, and assistance to our national enemies, nor enhanced a threat to the security of our people. In my opinion, several recent ones do, and it is with these that I propose today to deal. First, however, it is necessary to place the controversy in its proper context, historically, and to refresh the memories of some by a brief recital of circumstances which have led us into the present area of controversy and bitter dissension.

There have been different definitions of international communism, but, in essence, all have agreed, including those of the Supreme Court, upon several fundamental facts and premises. Today only the Communists themselves deny the substantial and proved arguments that:

First. Communism is an international conspiracy designed to insure the conquest, by force and violence if necessary, of governments and of men who oppose its tenets, precepts, and philosophy.

Second. The most effective instruments of Soviet conquest are deceit, intransigence, and political infiltration of governments and national institutions marked as targets for destruction.

Third. The proletariat revolution is best furthered in any country by the recruitment into the international Communist movement of nationals of countries which are targets of Soviet design.

Fourth. The agents of the international Communist movement forswear allegiance to their own governments on affiliation with the Communist apparatus, and become dedicated advocates of Communist aggression.

Fifth. Espionage, sabotage, and violence are standard operating procedures for Communist agents in all countries, and must be guarded against at all times where such agents are engaged in activities on behalf of the Soviet Union.

Sixth. The Communist apparatus at all levels operates in secrecy; that it bears no relationship to a political organization; that its adherents in all lands recognize and obey instructions and directives originating abroad and transmitted through a rigid and monolithic chain of command, the top echelon of which is located in the Soviet Union.

Since 1848, communism has been on the march worldwide. The progenitors of the faith, for such it is, laid down the guidelines for world conquest in the Communist manifesto, and the doctrines enunciated in the manifesto have served as a rallying point for millions during the past century. In the hands of Lenin, Stalin, and more recently, Khrushchev, Communist philosophy has remained ever constant to the original precepts of the founders of the movement, although the exigencies of time and changing circumstances have required a reevaluation of tactics and techniques on many occasions. In our own time we have witnessed detours and the tangential deviations of Communist policy, the most recent of which saw the downgrading of Stalin and his subsequent recanonization. But for all of what might appear aimless meanderings of Communist parties throughout the world, the thread of the manifesto has remained the taut guideline to which the Marxists have always returned when the immediate roadblock was cleared, or the need for diplomatic delay dissipated. The manifesto remains today the Koran, the Talmud, and the Bible of the Communists, refined and extended as its provisions and injunctions have been by the prophets who followed Marx and Engels.

The greatest single problem created in free lands by world communism has been the threat posed in any country by the recruitment into the Communist apparatus of nationals of those countries selected by the Reds for political, economic, or social attack. Historically, language difficulties, color, distinguishing racial characteristics, and other unmistakable traits, have rendered security against espionage, sabotage, and propaganda relatively simple. But, the Communist success in recruiting its agents from the streets, the universities, the laboratories, and the government services of the country selected as a victim, superimposed upon the old problems of counterespionage new and vexatious considerations. The theft of military and diplomatic secrets under the Communist plan of conquest, is preceded by the theft of minds, and a voluntary renunciation of previous allegiances, a process later to become known as "brainwashing." Having conquered a man's love of God, country, and his own national institutions, it was no task at all for Communist functionaries to convince a new recruit that his greater duty to mankind lay in treason to, and renunciation of, all of his previous moral, ethical, and patriotic values. Thus, every Communist, having pledged a new and terrible allegiance, became a willing agent dedicated to the destruction of his own homeland, so long as it remained free and outside the orbit of Communist domination. Even the death of thousands of free men on the battlefields of Korea and in the streets of Budapest was as nothing compared to the new crusade upon which the Communist found himself embarked. Law became a mockery, and justice, unless it be the fearful and immediate "justice" meted out to nonconformists by the Soviet secret police and "people's courts," became a thing to

be rebuked and scorned by every comrade. How ironic that American justice has spread its cloak around the chortling advocates of world disorder, insurrection, brutality, and conspiracy. How many supreme court justices of how many conquered lands, today lie in the earth with bullet holes in their skulls because they proffered justice to those who know neither justice nor mercy.

Differentiate, if you can, Mr. Speaker, between the Communists in their tanks on the streets of Budapest, and the Communists in the United States of America. The only significant difference is represented by the armor plate and the machine guns possessed by those who slaughtered unarmed men and women who dared rise up in revolt against their oppressors. If there is any difference between the brutal Communists in the Poznan and East German riots and those in Los Angeles who hailed the Supreme Court decision of June 17 as "our greatest victory," it is purely a geographic difference. There is certainly no philosophical distinction. The decisions of the High Court foreclosing Congressional inquiry and opening security case files of the Federal Bureau of Investigation, whatever their legal merits, represent a victory greater than any achieved by the Soviet on any battlefield since the conclusion of World War II. What bitter mirth and what stunned unbelief the decisions must have occasioned in the concentration camps, cellars, sewers, the attics and the secret places where victims and the intended victims of Soviet "justice" plot their very survival under the guns of Red occupying forces.

I have a deep and lasting regard for the provisions of the American Constitution. It has been said, and I agree, that it must have been in some measure divinely inspired. I would protect every one of its amendments, including the battered provisions of the fifth, but I deplore what appears to be a continuing tendency to permit its living phrases to be distorted and twisted to meet the immediate needs of those whose dedicated and avowed purpose it is to destroy it and replace it with the constitution of the Soviet Union. For example, it is not the proper use of the fifth amendment to which millions of Americans object, but the premeditated and obscene distortion of its provisions. This misuse has served to bring the amendment into national disrepute and drape it with the regard and affection generally accorded a municipal ordinance regulating the keeping of goats within the city limits.

As of this moment the decisions of the Supreme Court have nullified and vitiated the attempts of the Congress to inquire into matters related to the national security of the United States and the safety of our people against the greatest aggression since that of Adolph Hitler. While tying the hands of the Congress, the Court has made it impossible for the Federal Bureau of Investigation to do the job expected of this Government agency by the Congress and the people. The Court has preempted the police powers of the sovereign States in the area of subversive activities and labor disputes, although the Congress has never implied that this power should be exercised solely by the Federal Government. I do not know what fine points of law are involved, but I do contend that the present course of action is lending aid, comfort, and assistance to an enemy—an enemy with whom we are presently engaged in a struggle to the death. The Communists freed by the Supreme Court in the Los Angeles case and others, are now back in their secret meetings, plotting the destruction of the American system—gloating over their new-found liberty, and waving with unrestrained glee, their renewed licenses to drive through other men's liberty while drunk.

I recognize, Mr. Speaker, that two wrongs do not make a right, and that we should not, as a nation, emulate the conscionable injustices perpetrated by the Soviet on its own citizens in the name of national concern or national emotion. However, in the Los Angeles case, five defendants were acquitted by the Supreme Court, an act without precedent in the history of the Court, according to Justice Clark. These defendants, in the best American tradition, had been tried by a jury of their peers and had been adjudged guilty of conspiring to teach and advocate the violent overthrow of the Government of the United States. Justice Clark said, and for what a layman's opinion is worth, I agree, "This Court should not acquit anyone here. In its long history I find no case in which an acquittal has been ordered by the Court solely on the facts. It is somewhat late to start in now usurping the functions of the jury, especially where new trials are to be held covering the same charges." These words may not make sense to the distinguished jurists who comprised the majority in the case in question, but they make considerable sense to many Americans, including, I might add, many eminent jurists with considerable trial experience.

The House Committee on Un-American Activities was not only hamstrung, and its capacity to act effectively in the future destroyed, but it was chastised by the Court for some of its past activities. It might be well at this point to discuss with the House some of the problems confronting any committee of the House and Senate engaged in investigations which enter the area of subversive activities. Several days ago I pointed out here on the floor that service on the House committee is no sinecure and that the only reward is the personal sense of an unpleasant duty accomplished to the best of one's ability. Perhaps it is that we who serve on such a committee come to realize better than others the true nature of communism. At times it is our grim privilege to peer behind the mask of gentle persuasion adopted by American Communists, to witness the fury and the hatred which is the true expression of Communist philosophy. For behind the papier-mache facade of the Communist structure, here and abroad, is violence, terrorism and the lash, and no protestations of judicial injury by those summoned by the committees can blot out the true picture of communism in action, nor stifle the moans of its victims.

It is unfortunate that the Congress has not moved to outlaw the Communist conspiracy and place the same penalty upon membership in it as that provided for other and less well-organized treason. The myth of genteel political activity by the Communists has been so completely demolished in court trials and hearings before Government agencies that no thoughtful person of any political persuasion today believes it. Conspiracy to burn down a house for the insurance is a criminal offense, but conspiracy to destroy a constitutional government by force and violence remains in the same legal category as running through a red light. So long as the Communist is privileged to thumb his nose at the Congress and the courts, and so long as his precocity is to be sanctioned by the Supreme Court, there is nothing to be done until such time as he is caught with a torch in hand. At that time he can probably get off with a suspended sentence on the plea that it was dark and he did not want to run into the powder magazine on his way home. Farfetched? Yes; I suppose that it is to Americans, apathetic and bewildered as they are by controversy and turmoil. For bewildered they are, and they have company here in the Congress, including myself, and the recent decisions of the Supreme Court have done nothing to dissipate the fog.

Who were the five Communist functionaries acquitted by the Supreme Court in the Los Angeles case? To most readers of the newspapers they are only names. To some Americans they may have been well-meaning humanitarians who drifted innocently into the Communist conspiracy. But to those who have followed the course of Communist Party activities on the west coast, these individuals are of the hard core of the conspiracy—the men and women who make it go—not simple folk who didn't know what they were doing at all, and who simply made a mistake. I hesitate to take the space necessary in the CONGRESSIONAL RECORD to detail their activities on behalf of the conspiracy and its related organizations, but I feel that it is essential to give their complete dossiers in order that Members of Congress may better understand the extent to which these "guiltless" souls have, individually and collectively, furthered the ends of the Soviet design in this country. Each and all of them are agents of the Communist apparatus. Each of them is a part of, and a party to, the Soviet plan to destroy the institutions of free men and to subordinate the world to Communist domination. These are functionaries of the new order which measures its justice by the length of a bayonet. The records follow, and I include at this point in the RECORD, the documentation referred to:

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, UNITED STATES HOUSE OF REPRESENTATIVES

Date: June 21, 1957.

For: Hon. DONALD L. JACKSON.

Subject: Philip M. Connelly.

The symbols inserted in parentheses after the name of any organization or publication listed herein indicate the name of each Federal authority which has cited or designated that organization or publication, and the year in which each agency's first citation, or listing, of the subject appeared. Capital letters denote agency names, as follows: A—Attorney General of the United States; C—Committee on Un-American Activities; I—Internal Security Subcommittee of the Senate Judiciary Committee; J—Senate Judiciary Committee; and S—Subversive Activities Control Board. (For more complete information on citations, see this committee's Guide to Subversive Organizations and Publications.)

A number of witnesses have testified concerning Philip M. Connelly before the Committee on Un-American Activities. On March 29, 1944, the committee released a report (H. Rept. No. 1311) in which a chapter is devoted to Mr. Connelly. Attached is a reproduction of excerpts from that report (pp. 98, 99, 130, and 131), containing references to testimony given prior to 1944 concerning Mr. Connelly.

In an appearance before the committee on October 24, 1947, Mr. Oliver Carlson said:

"So far as the Los Angeles picture is concerned, I should say the greatest strength in the labor movement lies within the CIO. Mr. Philip Connelly, the secretary of the CIO Council, has I think, at least to my satisfaction, been proved to be a Communist, and works with them and has for years" (Communist Infiltration of the Motion Picture Industry, p. 250).

Mr. Roy M. Brewer made the following statement to the committee on October 28, 1947:

"And I want to say here that the official CIO movement in Los Angeles, as well as in the State of California, is recognized by all experts in the field of labor as being completely under the domination of the Communist Party. It is led by a man by the name of Phil Connolly (sic) who is generally recognized as being a Communist" (ibid., p. 349; see also testimony given by Mr. Brewer on May 17 and 18, 1951, Communist Infiltration of Hollywood Motion-Picture Industry, pp. 479 and 503).

Mr. Charles W. Judson testified before this committee on January 26, 1952, and stated that he had been a member of newspaper unit 140 of the Communist Party. He was asked to identify fellow members of that unit, and Phil Connelly was one of those he named. Mr. Judson said; "He was extremely active in the newspaper guild and I attended numerous meetings with him" (Communist Activities Among Professional Groups in the Los Angeles Area, pt. 1, p. 2639).

Mrs. Alice K. Bennett, formerly the wife of Mr. Judson, testified before the committee on May 22, 1952. She stated that she had been a member of the Communist Party, assigned first to a unit of social workers. While married to Mr. Judson, she was transferred to the newspaper unit, and she identified Philip Connelly as one of the members of that group (Communist Activities Among Professional Groups in the Los Angeles Area, pt. 2, p. 3563).

On July 8, 1952, Miss Urcel Daniel appeared as a witness before the committee. She stated that she had been a member of a newspaper unit in the Communist Party, and she identified Philip Connelly as one of the members of the group (ibid., p. 3581).

Mr. Stephen A. Wereb appeared before the committee on July 1, 1955. He testified that he had belonged to the Communist Party in connection with his work as an undercover agent for the Federal Bureau of Investigation. He told of a meeting held in 1945, which was attended only by functionaries of the Communist Party, who were required to present an official pass. Those lacking a pass had to be identified by the credentials committee, and Mr. Wereb stated that he had been fortunate enough to be elected to that committee. He named Philip Connelly as one of the functionaries who attended the meeting. He testified further concerning Mr. Connelly, as follows:

Mr. WEREB. In the fall—rather, the early part of the winter of 1946 • • • we were given instruction by the chairmen of our groups to attend a meeting held at the Templar Hall • • • a man walked in whom I knew to be a Communist for a long time, Carl Brant • • •. He now was addressing this meeting. He said, "Comrades, there has been by the Superior Court in the county of Los Angeles an order issued limiting the pickets • • • and we are going to break that order."

• • • • • •

The following morning I was on the picket line with the manpower we mobilized. The police department had a hundred or more policemen out there in the morning, and at 7 o'clock the parade started. In spite of the police, loudspeaker warnings, the parade started down Lawscn Avenue going west; I would say 1,500 people. This was led by two people. They spearheaded this. One was Philip Connelly • • • and this man Carl Brant. They came at the head of this and defied the police . . . and they were going to have violence, and they did have violence.

Mr. DOYLE. In other words, here were two known Communists leading a group of American workingmen and women, most of whom probably had no idea that the Communist Party was leading them down the road.

Mr. WEREB. That is correct.

• • • • • •

Mr. TAVENNER. The Philip Connelly you referred to as being one of the two leaders of this group, do you recall whether or not he served a jail sentence on the charge of inciting a riot?

Mr. WEREB. Yes, he did. (Investigation of Communist Activities in the Los Angeles, Calif., Area—pt. 4, pp. 1812, 1819–1822).

Philip M. Connelly was arrested in 1951 and indicted in 1952, charged with conspiring to overthrow the Government by force and violence (see Daily Worker, July 31, 1951, p. 3; Daily People's World, Aug. 1, 1951, p. 8; Transcript of proceedings, July 18, 1952, Los Angeles, Calif., *United States of America, Plaintiff* v. *William Schneiderman, et al., Defendants*, p. 12,593). On August 5, 1952, Mr. Connelly and 13 other defendants, including the State chairman of the Communist Party, were convicted of violation of the Smith Act, in the court of Federal Judge William C. Mathes, Los Angeles (Daily People's World, Aug. 6, 1952, pp. 1 and 8). The 14 received maximum sentences of 5 years in prison and $10,000 fine. The Ninth United States Circuit Court of Appeals upheld the conviction. A petition for reconsideration was filed, but the Court of Appeals refused to reconsider its decision (Daily People's World, June 16, 1955, p. 8). The cases were taken to the United States Supreme Court, and it was reported on June 17, 1957, that the Supreme Court had that day "ordered the freeing of 5 California Communist Party leaders and new trials for 9 others who were convicted of teaching and advocating violent overthrow of the Government" (Washington Evening Star, June 17, 1957, pp. A1 and 6). Philip M. Connelly was named as one of those for whom acquittals had been ordered on the basis of insufficient evidence. Thermo-Fax reproductions of the Evening Star article and an article from the Washington Post and Times-Herald of June 18, 1957 (p. A21) accompany this report.

Mr. Connelly was the subject of an article by Jack Young which appeared in the magazine section of the Daily People's World, August 17, 1951. A reproduction of the article is attached hereto.

During the trial of Harry Bridges in California, in 1950, Mr. Lewis Michener testified concerning a Communist meeting which he attended in San Francisco, in 1940. He stated that Philip Connelly also attended the meeting (Daily People's World, Jan. 12, 1950, p. 10). It is noted that in 1941 Mr. Jay Edward Bolling testified before the Special Committee on Un-American Activities that Mrs. Lew Michener had told him "Slim" Connelly was a Communist (see printed hearings, vol. 14, p. 8589; also report No. 1311, attached hereto).

An advertisement in the Daily People's World of October 26, 1950, page 4, announced a rally to be held under auspices of the election campaign committee, Communist Party of Los Angeles, on October 29, in Embassy Auditorium. Philip "Slim" Connelly was named as one of the speakers.

The Sunday Worker of January 25, 1942 (sec. 2, p. 4), named Mr. Connelly as one of the CIO leaders who were affiliated with the Citizens' Committee to Free Earl Browder (A–1942; C–1944). Earl Browder, then general secretary of the Communist Party, was in prison serving a sentence involving fraudulent passports. An advertisement in behalf of Mr. Browder appeared in the Washington Post of March 12, 1942, and Mr. Connelly was listed as a signer.

The Daily People's World of February 3, 1948, page 2, announced the arrest of "Claudia Jones, Negro official of the Communist Party • • • charged by the FBI and immigration authorities with being an alien who desires forcible overthrow of the Government. • • • Signing a statement that Miss Jones' arrest was a 'most unfortunate and dangerous action' and urging that the charges against her be dismissed were Philip M. Connelly, secretary Los Angeles CIO Council (and others)."

Philip M. Connelly, Los Angeles editor of the Daily People's World, was named as one of the "prominent guests at the speaker's table" at a dinner protesting the trial of 12 Communist leaders, in an article which appeared in the Daily People's World of September 6, 1949, page 3. The article stated that the dinner audience of 500 "contributed $25 each to the Foley Square defense."

The following appeared in the Daily Worker, July 2, 1956, page 8:

"LOS ANGELES.—Over 350 people attended the party at the Robertson Rendezvous in Los Angeles last Saturday to honor Dalton Trumbo and to celebrate and introduce his pamphlet 'The Devil in the Book'. This is the 50-page tract concerning the Smith Act in general with special emphasis on the California trial.

"One by one the author called up Smith Act defendants • • • Slim Connelly."

It was reported in the Daily People's World of July 31, 1956, page 6, that Philip M. Connelly had chaired a meeting held under auspices of that newspaper, "to greet Steve Nelson, western Pennsylvania Communist party chairman and a Smith Act defendant," on July 29.

The Daily People's World of February 19, 1952, page 3, reported that Mr. Connelly had been a speaker at a mass meeting of trade unionists to plan a fight on the Smith Act. An advertisement in the issue of October 5, 1955, page 7, announced that he would speak on the Smith Act case at a forum on October 9.

As reported in the foregoing, Mr. Connelly has served as Los Angeles editor of the Daily People's World, which is the official organ of the Communist Party on the west coast. Our files also contain references to numerous articles contributed by him to that newspaper during the period of 1949–1954, and to the Daily Worker in 1949, 1953, and 1954.

An advertisement in the Daily People's World of November 17, 1949, page 3, announced that Mr. Connelly would be a featured guest at a banquet under the auspices of the California Labor School (A–1948; I–1956).

A letterhead, dated August 24, 1939, of the Harry Bridges Defense Committee (C–1944) named Mr. Connelly as a member of the southern division, California sponsoring committee. It is noted that Mr. Connelly, as a representative of the CIO, was associated with Harry Bridges in a libel suit against William Randolph Hearst and his publishing houses, as reported in the Daily People's World, January 9, 1942, page 1.

The Daily Worker of December 19, 1940, page 5, named Mr. Connelly as a signer of an appeal sponsored by the National Federation for Constitutional Liberties (C–1942; A–1942), on behalf of Sam Darcy, a Communist.

An advertisement in the Daily People's World of May 2, 1947, page 8, named Mr. Connelly as a sponsor of the Los Angeles Chapter of the Civil Rights Congress (C–1947; A–1947; I–1956). The following sources name him as a speaker for the organization: a handbill, "Keyes Freed To Kill Again"; Daily People's World, February 24, 1948, page 3; March 29, 1948, page 3; July 19, 1948, page 3.

New Masses (C–1939; A–1942) for August 6, 1940, page 22, named Mr. Connelly as a speaker for a mass meeting of the American Peace Crusade (C–1939).

Mr. Connelly was a member of the National Council of the American Peace Mobilization (C–1942; A–1942; I–1956), according to a pamphlet, "What Is APM?", page 11, the Daily Worker, September 3, 1940, page 4, and November 9, 1940, page 5.

A letterhead of the Committee To Defend America by Keeping Out of War (C–1944), dated August 10, 1940, named Mr. Connelly as a sponsor. A leaflet entitled "Committee To Defend America by Keeping Out of War" (p. 2) named him as a sponsor of the Emergency Peace Mobilization (A–1942; C–1944).

The Daily People's World of December 18, 1951, page 3, reported that Mr. Connelly was a speaker at a party given by the California Emergency Defense Committee (A–1953) for Communist leaders who had been released from jail after arrest under the Smith Act.

Letterheads dated 1946, 1947, and 1948 list Mr. Connelly as a sponsor of the Committee for a Democratic Far Eastern Policy (A–1949; J–1952; I–1956).

An advertisement in the Daily People's World of June 23, 1948, page 5, urged that "the imprisonment of the executive board of the Joint Anti-Fascist Refugee Committee" (C–1944; A–1947; I–1956) be stopped, and announced a protest meeting to be held on June 28, under auspices of the Spanish Refugee Appeal (C–1946; I–1956). Mr. Connelly was named as chairman of the meeting.

An article entitled "Smith Act Stirs Rank and File" appeared in March of Labor (C–1954), March 1952, page 18. It was accompanied by a photograph of Mr. Connelly, and he was referred to as one of the "victims" of the Smith Act.

It was reported in the Daily Worker of January 21, 1952, page 8, that Mr. Connelly was a speaker at a meeting on January 17, under auspices of the National Committee for Freedom of the Press (A–1953).

The Daily People's World, October 3, 1946, page 2, announced that in his capacity as secretary of the Los Angeles CIO Council Mr. Connelly had sent a letter to all affiliated locals, urging them to send two delegates to the National Conference on American Policy in China and the Far East (A–1949).

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, UNITED STATES HOUSE OF REPRESENTATIVES

Date: June 20, 1957.
For: Hon. DONALD L. JACKSON.
Subject: Frank Spector.

The public records, files, and publications of this Committee contain the following information concerning the subject individual. This report should not be construed as representing the results of an investigation by or by findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow-traveler unless otherwise indicated.

The symbols, inserted in parentheses after the name of any organization or publication below, indicate the name of each Federal authority which has cited, or designated, that organization or publication and the year in which each agency's first citation, or listing, of the subject appeared. Capital letters denote agency names, as follows: A—Attorney General of the United States; C—Committee on Un-American Activities; I—Internal Security Subcommittee of the Senate Judiciary Committee; J—Senate Judiciary Committee; and S—Subversive Activities Control Board. (For more complete information on citations, see this committee's Guide to Subversive Organizations and Publications.)

Following is an excerpt from the testimony of Harper L. Knowles, chairman of the radical research committee of the American Legion, Department of California, at a public hearing of the Special Committee on Un-American Activities, October 24, 1938:

"Mr. KNOWLES. On December 8, 1936, a mass meeting was held in San Francisco Auditorium * * * Those seated on the platform with Harry Bridges were * * *: Frank Spector, party organizer for the Communist Party" (p. 1789).

Mr. Knowles then read excerpts from articles in the Western Worker "Communist Party newspaper" (1937) entitled "Preconvention discussion of the Lessons of the Maritime Strike by Frank Spector":

"The Communists in the maritime union, both before and during the strike," Spector wrote, "participated in every phase of the struggle, whether on the picket lines, in the various committees for organizing relief, publicity, finances, picketing, and in the leading strike committees, * * *

"One of the major factors in the success of the strike was the correct policy of the Communists * * * in laying the basis before last September 30 for joint action in all maritime unions."

"The role and influence of the party reflected especially in the recruiting of over 300 new members to the party from the strikers' ranks. The party organization as a whole reacted well to its tasks during the strike" (pp. 1791, 1792). (Investigation of Un-American Propaganda Activities in the United States, vol. 3, 1938 hearings).

The following excerpts are from a sworn affidavit of Arthur James Kent, Los Angeles, Calif., November 2, 1938:

"Mr. KENT. In the years 1932, 1933, 1934, 1935, 1936 and until September 1937, I was a member of the Communist Party; and in the years 1936 and 1937 I was a membership director for the Communist Party at San Francisco and in charge of political activity of the party.

* * * * *

"The Communist Party had a political strategy committee * * * and the members of that committee were * * * Frank Spector.

* * * * *

"I was also in 1936 and 1937, fraction secretary of the Conference for Progressive Political Action, the fraction being all Communist Party members in Sacramento, San Francisco, Los Angeles, or elsewhere, or who were leaders in political action. As such secretary I was instructed by the leaders of the Communist Party—Schneiderman, Spector, or Gannett—what legislative bills were to be pushed and by whom." (Investigation of Un-American Propaganda Activities in the United States, Special Committee Hearings, 1938, vol. 3, pp. 2083 and 2084.)

Mrs. Maida B. McLaughlin, witness before the Special Committee on Un-American Activities on August 20, 1940 (Executive hearings, made public), made the following references to Frank Spector:

"Mr. STEDMAN. And in your position on the county finance committee of the Communist Party did you collect funds from other members of the Federal writers' project for the Communist Party?

"Mrs. MCLAUGHLIN. The members of the party on the project? Yes.

* * * * *

"Mr. STEDMAN. Who did you turn this money over to that you collected from the Government workers?

"Mrs. MCLAUGHLIN. * * * and Frank Spector. They were both always there.

"Mr. STEDMAN. Frank Spector is an official of the Communist Party here in San Francisco?

"Mrs. MCLAUGHLIN. Yes, sir.

"Mr. STEDMAN. Is it your understanding that Frank Spector has already been ordered deported from the United States?

"Mrs. MCLAUGHLIN. Yes, sir.

"Mr. STEDMAN. And he is still operating here in San Francisco and throughout California as a paid organizer for the Communist Party?

"Mrs. MCLAUGHLIN. He is." (Investigation of Un-American Propaganda Activities in the United States, pp. 1491 and 1492.)

Following are excerpts from the testimony of Roy M. Brewer at a public hearing of the Committee on Un-American Activities on May 18, 1951:

"Mr. BREWER. There is an individual in Mr. Sorrell's organization, Frank Spector, who testified before the California committee that he had been a Communist since 1919, had never denied it.

"Mr. TAVENNER. Where is he now?

"Mr. BREWER. As far as I know he is in Los Angeles. He was in this union during the entire period, but he was expelled later on, I think." (Communist Infiltration of Hollywood Motion-Picture Industry—pt. 2, p. 527.)

On January 24, 1952, A. Marburg Yerkes, former member of the Communist Party, was a witness at a public hearing of the Committee on Un-American Activities and made the following reference to Frank Spector:

"Mr. YERKES. I went to a meeting, a Communist Party meeting, which was held in Los Angeles in the summer of 1948, at a place called the Park Manor. * * * There was endless speechmaking and milling about.

"Mr. TAVENNER. Do you recall the names of any of the speakers?

"Mr. YERKES. I do remember a few people. Dorothy ——— was there and a chap whom I have never met, but whom I have seen, and identified as Frank Specter (sic)." (Communist Activities Among Professional Groups in the Los Angeles Area—pt. 1, pp. 2560 and 2561.)

Mrs. Anita Bell Schneider, who joined the Communist Party as an undercover agent for the Federal Bureau of Investigation had this to say about Frank Spector when she testified before the Committee on Un-American Activities on June 27, 1955:

"Mr. MOULDER. Did you have any contact with any of the Communist Party leaders in the Los Angeles area while you were working in the San Diego area?

"Mrs. SCHNEIDER. I had contact with some of them.

* * * * *

"I met Frank Spector. Frank Spector I knew as a Communist Party member.

"Mr. MOULDER. Did you know him here among the Los Angeles cells?

"Mrs. SCHNEIDER. No. I met him when he came to San Diego to speak for the Civil Rights Congress." (Investigation of Communist Activities in the Los Angeles, Calif., Area—pt. 1, p. 1517.)

Stephen A. Wereb, who worked within the Communist Party for the Federal Bureau of Investigation from October 1943 until January 1948, was a witness before the Committee on Un-American Activities on July 1, 1955. Among those he said he knew to be members

of the Communist Party was Frank Spector whom he referred to as "an oldtimer; made the papers a lot of times." (Investigation of Communist Activities in the Los Angeles, Calif., Area, pt. 4, p. 1817.)

Following is an excerpt from the testimony of William Don Waddilove, Communist Party member in 1947 and 1948, who appeared as a witness before the Committee on Un-American Activities on April 16, 1956:

"Mr. TAVENNER. Can you recall at this time the names of any of the Communist Party functionaries who attended the meetings of your group?

"Mr. WADDILOVE. The only one I could possibly recall would be Frank Spector. That is the only one I was aware of." (Investigation of Communist Activities in the Los Angeles, Calif., Area, pt. 7, p. 3663.)

Frank Spector was shown as a member of the Secretariat of the Los Angeles Subdistrict, Communist Party of United States on a document issued by the Los Angeles Subdistrict, August 15, 1929, which was reprinted as exhibit No. 10–A, with the testimony of Capt. William F. Hynes of the Los Angeles police department in hearings of the Special Committee to Investigate Communist Activities in the United States, House of Representatives, part 5, volume No. 4, October 9, 1930, pages 631–632.

The Daily Worker of January 9, 1937, named Frank Spector as a county organizer of the Communist Party in San Francisco in a page 1 story; and, the same paper on June 23, 1937 (p. 1), listed him as a representative of the Communist Party in California. The Young Communist League yearbook issued by the California YCL in 1937 (p. 39), showed Frank Spector among those who sent greetings; and the booklet, "For Security, Democracy, Jobs, Peace" (page 3), revealed that Frank Spector, secretary of the San Francisco county committee, sent a telegram of greetings to the third annual convention of the Los Angeles, Calif., Communist Party held on April 29, 30, and May 1, 1938.

According to the proceedings of the California convention of the Communist Party, May 14 and 15, 1938, pages 2, 3, 5, and 8, Frank Spector was a member of the presiding committee on elections; was elected chairman of the nominations committee at the second session; extended remarks at the same session; gave a pledge in the Anita Whitney party building drive at the third session; and made the report of the nominations committee at the fourth session.

The Daily Worker of May 30, 1938, page 8, reported that Frank Spector of San Francisco was a member of the peace commission of the 10th national convention of the Communist Party held in New York and that he suggested regional conferences on the Spain embargo issue.

Frank Spector was county secretary of the Communist Party in San Francisco, according to Equal Justice, February 1939, page 4, was named as a member of the Communist Party in Los Angeles by the Daily People's World, May 5, 1948, page 3, and was shown as chairman, southern division, Communist Party, Los Angeles, in the Daily People's World, September 8, 1949, page 3.

The Daily Worker of January 8, 1930, page 1, reported that Frank Spector, one of the workers arrested in the San Bernardino demonstration at the city hall in December, was convicted in court in San Bernardino and sentenced to 125 days in jail. The paper said: "The sentence is part of the intimidation campaign against militant workers here, but it will not halt future demonstrations by militant workers, according to the Communist Party." On the same page, another article stated that Frank Spector, district organizer of the International Labor Defense (A–1942; C–1939) in southern California "today telegraphed the national office of the ILD that workers arrested in the strike of Mexican and Filipino plantation laborers have already been released through the efforts of the ILD."

As reported in the Daily Worker, March 19, 1930, page 2, Frank Spector, secretary of International Labor Defense in Los Angeles was being held for inciting to riot and was being defended by the ILD; and, according to an article datelined Los Angeles, April 30, in the Daily Worker of May 1, 1930, page 1, "Frank Spector, district organizer, International Labor Defense, was arrested in court today on a criminal syndicalist charge for his activity among the workers of the Imperial Valley while he was attending a hearing on deportation charges against him. No bail has as yet been set."

The Daily Worker, February 7, 1933, page 4, contained an article by Frank Spector entitled, "The Daily Worker in the San Quentin Prison," and noted that: "Frank Spector was 1 of the 8 Imperial Valley prisoners sentenced in 1930 to from 3 to 42 years for organizing the agricultural slaves of Imperial Valley, Calif. Mass protests forced Spector's release after he had served a year. He is now assistant national secretary of the International Labor Defense." The New Masses (A–1942; C–1939) of April 8, 1941, page 15, contained an article, "Hero in Stripes," written by Frank Spector about J. B. McNamara, a fellow prison mate in 1930.

The Daily Worker of June 10, 1936, page 3, reported that the (New York) State executive committee of International Labor Defense announced that the week of June 15 would be set aside as Brazil week and that Frank Spector, State secretary of ILD said: "All working class organizations, particularly trade unions, should support this campaign against the fascist terror in Brazil."

The ILD publication, Equal Justice, for February 1939, page 4, showed that Frank Spector was arrested in San Francisco on October 2, 1938, for anti-Nazi demonstration.

It was reported in the Daily People's World, December 7, 1950, page 2, that Five Los Angeles residents, including Frank Spector, veteran of many historic labor battles in California and widely known Communist, were informed today that, under the McCarran Act, they are expected to deport themselves" and that failure to do so will subject them to criminal prosecution.

The daily People's World for June 13, 1951, page 1, showed Frank Spector, Communist Party leader, as facing deportation, and in the July 10, 1951, issue, pages 3 and 6 showed him as being out on bail and as speaking at a reception held by the Los Angeles Committee for Protection of Foreign Born (C–1956) in his honor on July 8 at Parkview Manor. According to the same paper, July 11, 1951, page 3, the case was continued until July 19 when the defense motion will be argued and that "Spector continued at liberty on $15,000 bail raised by the Los Angeles civil rights bail fund." The Los Angeles Committee for Protection of Foreign Born was defending Spector in his deportation fight, according to the Lamp, December 1951–January 1952, page 1, and he was listed in the organization's booklet containing the program and greetings for its conference on February 7, 1953 (p. 17) as one of the "80 deportees of the Los Angeles committee * * *" who sent greetings. The proceedings of this conference, February 7, 1953, page 4, showed Frank Spector as being elected to the resolutions committee for the conference, and he was still listed as one of the "victims of deportation" in the souvenir journal issued by the Los Angeles Committee for Protection of Foreign Born for its fourth annual conference in Los Angeles, February 28, 1954, page 4.

On November 19, 1953, page 6, the Daily Worker contained an article datelined, "Los Angeles, November 8," which noted that, after a final Immigration Department order, the Frank Spector trial had been set by Judge William Mathes to begin February 15, and added:

"Spector, who came to the United States as a youth, has been active ever since in trade union and progressive struggles, first in New York, then around Chicago, and since the 1920's in Los Angeles.

"He was first ordered deported in 1930. But the Government took no steps to carry out the order until after passage of the 1950 McCarran law.

"He was indicted on 4 counts, but Judge Mathes dismissed 2 of them as faulty. The Government carried the Mathes dismissal to the United States Supreme Court and won reinstatement of the counts.

"Meanwhile, Spector's lawyers, headed by Attorney John Porter, of foreign born legal panel, challenged validity of the 1930 deportation order.

"This challenge is now pending an appeal before the ninth circut court at San Francisco. Should there be a circuit court ruling, the February 15 trial date in the McCarran case may be postponed, Judge Mathes indicated."

Elizabeth Gurley Flynn, in her column in the Daily Worker, July 15, 1949, page 8, wrote about the pamphlet, It's You They're After, published by the Civil Rights Congress (A–1947; C–1947; I–1956) of Los Angeles. She described this as the "story of the Los Angeles witch hunt," and revealed that Frank Spector was among the "21 people which have been sentenced for contempt for refusing to answer these questions to a grand jury." The questions to which she referred concerned the officers and organization of the Los Angeles Communist Party.

References to the arrest of Frank Spector under the Smith Act on charges of conspiring to overthrow the Government by force and violence and subsequent developments of the case appear, as follows, in the separate sources indicated:

The Daily Worker of September 3, 1951, page 3, noted that Frank Spector, of Los Angeles, was arrested under the Smith Act, as did the Daily People's World, September 4, 1951, page 1. He was released on bail, set at $5,000 by the circuit court of appeals in California, according to the Daily People's World, December 19, 1951, page 1, and the Daily Worker, December 19, 1951, page 1; and, in celebration of this, he, Frank Carlson and Ben Dobbs were superhonor guests at the Christmas-Chunukah party of the Civil Rights Congress (A–1947; C–1947; I–1956) at Park View Manor (Daily People's World, Dec. 20, 1951, p. 6).

The transcript of proceedings of the United States District Court, Southern District of California, July 18, 1952, Los Angeles, Calif., *United States of America, plaintiff* v. *William Schneiderman et al., defendants*, pages 12 and 593, showed Frank Efraim Spector as 1 of 14 defendants charged in an indictment with conspiring to overthrow the Government by force and violence. He was convicted of violation of the Smith Act in Los Angeles on August 5, 1952 (Daily People's World, Aug. 6, 1952, p. 1, and the Worker, Aug. 10, 1952, p. 3); appeals were filed in his behalf on June 14, 1953, in San Francisco (Daily People's World, June 16, 1953, p. 3); and, the case was shown as being on appeal to the court of appeals in a Justice Department letter dated September 8, 1954. The Daily People's World reported on June 16, 1955 (p. 8) that the Ninth United States Circuit Court of Appeals had refused to reconsider its earlier decision upholding conviction under the Smith Act and that Frank Spector was free on bond. The same paper showed in its August 21, 1956, issue, page 3, that the case of the California Smith Act defendants, Frank Spector among them, would be reviewed by the Supreme Court on October 8, 1956. It was reported on June 17, 1957, in the Evening Star, pages A–1 and 6 (and in the Washington Post and Times

Herald, June 18, 1957, p. A-21) that Frank Efraim Spector, Communist Party organizer of Los Angeles, was 1 of the 5 California Communists freed by the Supreme Court in a 4 to 3 majority opinion on June 17. (Thermofax copies of these 2 clippings are being enclosed for use in connection with this report and the 4 others requested.)

In 1954, the Daily People's World reported that Frank Spector would be leader of classes on the "history of civil-rights struggles in the United States" at a school to be held by the Civil Rights Congress (A-1947; C-1947; I-1956) in Los Angeles beginning in October (issue of September 8, 1954, p. 7), and would lead the opening session of the school on November 6 at CRC headquarters, room 709, 326 West Third Street, Los Angeles (issue of November 1, 1954, p. 6).

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, UNITED STATES HOUSE OF REPRESENTATIVES

Date: June 20, 1957.
For: Hon. DONALD L. JACKSON.
Subject: Mrs. Rose Chernin Kusnitz.

The public records, files, and publications of this committee contain the following information concerning the subject individual. This report should not be construed as representing the results of an investigation by or findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow-traveler unless otherwise indicated.

The symbols, inserted in parentheses after the name of any organization or publication below, indicate the name of each Federal authority which has cited or designated that organization or publication and the year in which each agency's first citation or listing of the subject appeared. Capital letters denote agency names, as follows: A—Attorney General of the United States; C—Committee on Un-American Activities; I—Internal Security Subcommittee of the Senate Judiciary Committee; J—Senate Judiciary Committee; and, S—Subversive Activities Control Board. (For more complete information on citations, see this committee's Guide to Subversive Organizations and Publications.)

On July 16, 1940, in testimony before a subcommittee of the Special Committee on Un-American Activities, Mr. John L. Leech, former member of the State committee of the Communist Party of California, referred to Rose Chernin, as follows:

"Mr. STEDMAN. Do you recall the approximate date when he joined the party?

"Mr. LEECH. It was some time prior to the Criminal Syndicalism Congress held in California in the early part of 1936. He took an active part in the preparation and organization of that congress, but I didn't personally bring him into the Communist Party, and I would just have to state the date as being in the very early part of 1936.

"Mr. STEDMAN. Have you ever met in strictly Communist Party meetings with Mr.——?

"Mr. LEECH. Yes; in connection with the Criminal Syndicalism Congress which I have just mentioned. Rose Chernin, secretary of International Labor Defense in Los Angeles, district 14, called the fraction to intensify the practical work for this congress preparatory to its being held; and, as the county organizer of the party in Los Angeles, my responsibility was to meet with this fraction, and in this meeting of the party, which excluded all others than Communists, Mr. —— took a part." (Executive hearings, later released, vol. 2, March-July 1940, p. 930.)

Miss Rena Vale of Los Angeles, Calif., on July 22, 1940, identified Rose Chernin as a Communist Party functionary, as shown in the following excerpt from her testimony before a subcommittee of the Special Committee on Un-American Activities:

"Mr. STEDMAN. Before you joined the party did you do some work for the International Labor Defense?

"Miss VALE. Yes, sir.

"Mr. STEDMAN. Recite the details concerning that work, Miss Vale.

"Miss VALE. Well, there were two instances in which I did work for the International Labor Defense. The first was at the time the Young Communist League organizer, Angelo Herndon, a Negro, had just been released from a Georgia prison and came to the coast, and I did publicity work for his tour under the instructions of Rose Chernin.

"Mr. STEDMAN. Did Miss Chernin tell you that all officials of the International Labor Defense were Communist Party members?

"Miss VALE. Yes, sir; she did.

"Mr. STEDMAN. What did she tell you?

"Miss VALE. She told me the party had organized, and did control the International Labor Defense.

"Mr. STEDMAN. Is she a well known Communist Party member in the State of California?

"Miss VALE. Yes, sir; although she isn't in the State of California now.

"Mr. STEDMAN. Where is she?

"Miss VALE. The last I heard of her she was in New York.

"Mr. Stedman. At the time you knew her was she a functionary in the party?

"Miss VALE. Yes, sir; she said she was." (Executive hearings, later released, vol. 3, July and August, 1940, pp. 1211-1212.)

The following references to Rose Cherin are taken from public testimony before the Committee on Un-American Activities by Mrs. Anita Bell Schneider and Mr. Stephen A. Wereb, on June 27, 1955, and July 1, 1955, respectively:

"Mr. MOULDER. Did you have any contact with any of the Communist Party leadera in the Los Angeles area while you were working in the San Diego area?

"Mrs. SCHNEIDER. I had contact with some of them. I met in closed Communist Party meetings.

• • • • •

"Mrs. SCHNEIDER. I met Rose Chernin," (Investigation of Communist Activities in the Los Angeles, Calif., Area, part 1, June 27, and 28, 1955, page 1517.)

"Mr. TAVENNER. Will you proceed now with giving of the names of the functionaries of the Communist Party who attended the meeting regarding the Duclos letter?

"Mr. WEREB. We had • • • Rose Chernin, convicted in the Smith Act.

• • • • •

"Mr. WEREB. There are more names I have but these are names of those people who were at the southern section of the California Communist Party." (Investigation of Communist Activities in the Los Angeles, Calif. area, pt. 4, July 1 and 2, 1955, pp. 1822-23.)

The annual report of the Committee on Un-American Activities for the year 1956, page 5, made reference to Rose Chernin Kusnitz in connection with the hearings on Communist political subversion, as follows:

"The evidence during these hearings disclosed the control exercised over these organizations by the Communist Party. In California, there was created the Los Angeles Committee for Protection of Foreign Born. Its executive secretary is Rose Chernin Kusnitz, who was convicted under the Smith Act. When she appeared before the committee on December 8, 1956, she was still executive secretary of the Los Angeles Committee for Protection of Foreign Born, and received her total income through this organization, even though more than 2 years had elapsed since her conviction for advocating the overthrow of the United States Government by force and violence."

Rose Chernin Kusnitz was the subject of a full-page article by Philip M. Connelly in the Daily People's World, January 18, 1952, page 8, magazine section. In this biographical sketch, she was reported to have been active in the unemployed council (C-1939) in New York City about 1928 and in the workers alliance (A-1942; C-1929) in Los Angeles in 1932, and then to have gone to Russia when her husband, Paul, an engineer, signed a 3-year contract for work on the Moscow subway system. She was further reported as working in a publishing house in Moscow, and after a year and a half, returned to California because of her daughter's illness. In California, the article stated that she helped lead a fight against the State criminal syndicalism law, but, when her husband returned from Russia, she joined him in New York where she was active in the American Labor Party (C-1944). In 1946, after the daughter's death, according to this article, she and her husband returned to Los Angeles, and Rose Chernin returned to full-time work in the civil rights congress (A-1947; C-1947; I-1956) but "was drafted from CRC to take charge of the Los Angeles Committee for the Protection of Foreign Born (C-1956)." (A Thermo-fax copy of this article is attached.).

The Daily Worker of August 27, 1926, page 4, listed one Rose Chernin of New York City as a winner of a contest for selling subscriptions to the Daily Worker (C-1939).

Rose Chernin was shown as a Communist Party section organizer for the upper eighth A. D., New York City, by the Daily Worker, November 17, 1942, page 5.

The Daily People's World, August 31, 1950, page 10, named Mrs. Rose Chernin as membership drive director for the civil rights congress (A-1947; C-1947; I-1956); and, according to the same paper, October 24, 1950, page 12, Rose Chernin of the civil rights congress was a member of a delegation protesting the McCarran law.

The Daily Worker of June 17, 1951, page 8, listed Rose Chernin among the members of an All Nations Salute honoring Ferdinand Smith and others which was held by the American Committee for Protection of Foreign Born (A-1948; C-1942; I-1956) in Chicago, June 9 and 10.

Rose Chernin Kusnitz was listed in an advertisement in the Daily People's World of December 26, 1951, page 3, as one of those who would participate in a celebration to be held by the Jewish People's Fraternal Order (A-1950) on December 29 at North Star Auditorium, Los Angeles.

The Daily People's World of December 18, 1951, page 3, reported Mrs. Rose Chernin to be among the guests of honor at a party and dance given by the California Emergency Defense Committee (A-1953) in Los Angeles on their release from jail after arrest under the Smith Act; and the same paper, on March 4, 1952, page 3, showed Rose Chernin Kuznitz as honor guest at the organization's International Women's Day celebration to be held on March 8 at Forum Starlite Roof, Los Angeles.

Mrs. Rose Chernin was shown as a member of the Los Angeles Committee for Protection of Foreign Born (C-1956) in the Daily People's World, March 5, 1951, page 3, and as the executive director, or executive secretary, of the organization in the following sources: Daily People's World, July 10, 1951, page 3, and July 16, 1951, page 3; a booklet, "Greet the New Year with the Los Angeles Committee • • • December 31, 1951, • • •," page 2; proceedings of the organization's conference, February 7, 1953, page 13, where she was shown as being reelected executive director; a paid advertisement of the Los Angeles Committee • • • in Community News Service, April 23, 1953, page 8; official letterheads of the organization, date April 27, 1953, April 30, 1953, May 7, 1953, and May 13, 1953; the Daily People's World, March 3, 1954, page 6 and a press release of March 4, 1954, which show her as reelected as executive director at the fourth annual conference held February 27 and 28, 1954; letterheads of June 29, 1954 and February 9, 1955; the Daily People's World, March 22, 1955, page 3, reporting her unanimous reelection as executive director; and, a letterhead, May 28, 1957.

Identified as executive secretary, or executive director, Mrs. Rose Chernin has been shown in the various sources, indicated below in each case, as taking part in activities of the Los Angeles Committee for Protection of Foreign Born, as follows: Speaker at a meeting (Daily People's World, March 6, 1951, p. 10); speaker at a reception for "The Terminal Island Four" in Los Angeles on May 6, 1951 (Daily People's World, May 10, 1951, page 9) (The Terminal Island Four were listed in a circular, "Urgent," issued by the Los Angeles Committee • • • in March 1952, as being Miriam Stevenson, David Hyun, Harry Carlisle, and Frank Carlson, "foreign-born Americans denied bail in deportation proceedings."); speaker at a reception to welcome Frank Spector on July 8 at Parkview Manor (Daily People's World, July 10, 1951, page 3); as protesting the jailing of Mrs. Charlotte Galallan by the Immigration Department (Daily People's World, July 16, 1951, page 3); as urging support of a dinner on September 16 to honor the attorneys and research workers of the Los Angeles Committee • • • (Daily People's World, August 30, 1951, page 6); speaker at a victory rally on December 21 at Park Manor, Los Angeles to celebrate her release from jail (Daily People's World, December 17, 1951, page 6); speaker at a testimonial dinner to be held in honor of Abner Green of the American Committee for Protection of Foreign Born at Park Manor in Los Angeles on March 9 (Daily People's World, March 4, 1952, page 3); as co-signer of the organization's appeal for aid in its fight to preserve the right to bail, and to halt the deportation drive (mimeographed appeal concerning the Supreme Court decision of March 10, 1952, in the case of the Terminal Island Four); speaker at meeting at Parkview Manor auditorium, Los Angeles (Daily People's World, October 21, 1952, page 6); as welcoming the delegates and observers and as being the keynote speaker at the Southern California Conference to Defend the Rights of Foreign Born Americans, at Park Manor, Los Angeles, Calif., February 7, 1953 (booklet containing the program and greetings, February 7, 1953, pages 2 and 3, and Daily People's World, February 10, 1953, pages 2 and 6); speaker at informal dinner arranged in honor of Stanley Nowak at the Festival of Nationalities in Los Angeles in June 1953 (mimeographed press release of the Los Angeles Committee • • •, June 1, 1953); as extending greetings to those attending the Festival of Nationalities, June 7, 1953 (mimeographed program); speaker at meeting on July 6 at Park Manor to support David Hyun and Mrs. Miriam Stevenson who must surrender July 6 in deportation proceedings (Daily People's World, July 6, 1953, page 3); speaker at the Los Angeles Committee's annual banquet honoring their panel of defense attorneys on November 11 in Los Angeles (Daily People's World, November 12, 1953, page 6); as scheduled to speak and bring greetings at the group's Fourth Annual Conference at Park Manor, Los Angeles, February 27-28, 1954 (Souvenir Journal and the Summary of Proceedings); speaker at the Festival of Nationalities, June 6 at the Croatian picnic grounds, Los Angeles (Daily People's World, June 8, 1954, page 3); and, as scheduled to speak at a dinner-dance to be given by the Los Angeles Committee for Protection of Foreign Born on October 29 at Park Manor in Los Angeles (Daily People's World, October 25, 1955, p. 6, advertisement).

The Daily People's World, July 27, 1951, page 8 and the Times Herald of Washington, D. C., same date, page 5, reported that Rose Chernin, executive secretary of the Los Angeles Committee for Protection of Foreign Born had been arrested under the Smith Act for conspiracy and was being held for $75,000 bail. According to the Daily People's World and the Washington Post, both of August 1, 1951, pages 8 and 9, respectively, Rose Chernin was indicted under the Smith Act and bail was fixed at $75,000. Her photograph appeared in this connection in the Daily Worker of August 19, 1951, page 3. On December 10, 1951, the Daily People's World reported, page 1, that Mrs. Rose Chernin had been freed from county jail in Los Angeles on $5,000 bail.

The transcript of proceedings of the United States District Court, southern district of California, July 18, 1952, Los Angeles, Calif., *United States of America, plaintiff, v. William Schneiderman et al., defendants*, pages 12 and 593, showed Rose Chernin Kusnitz as 1 of 14 defendants charged in an indictment with conspiring to overthrow the Government by force and violence. Mrs. Rose Chernin Kusnitz was reported as being convicted on August 5 in Los Angeles and as being sentenced on August 7, 1952 to 5 years imprisonment and a $10,000 fine (see: Daily People's World, Aug. 6, 1952, p. 1; Washington Post, Aug. 6, 1952, p. 1; Washington Times Herald, Aug. 6, 1952, p. 1; Washington Post, Aug. 8, 1952, p. 10; Times Herald, Aug. 8, 1952; Evening Star, Aug. 8, 1952; New York Times, Aug. 8, 1952, pp. 1 and 5; and the Worker, Aug. 10, 1952, p. 3, with photo).

Appeals were filed on behalf of Mrs. Rose Chernin Kusnitz on June 14, 1953, in San Francisco, according to the Daily People's World, June 16, 1953, page 3; and her name was listed in a Justice Department letter of September 8, 1954 among the defendants in Smith Act case V, shown then as on appeal to the court of appeals. The Daily People's World reported on June 16, 1955, page 8, that the Ninth United States Circuit Court of Appeals had refused to reconsider its earlier decision in the California Smith Act case and that Rose Chernin Kusnitz, one of the defendants, was free on bond.

It was announced in the Daily People's World of August 21, 1956, page 3, that the case of Rose Chernin Kusnitz, California Smith Act defendant, would be reviewed by the Supreme Court in October 1956; and, as reported in the Washington Post and Times Herald, June 18, 1957, page A-21, and the Evening Star, June 17, 1957, pages A-1 and 6, Rose Chernin Kusnitz was 1 of 5 California Communists freed by the Supreme Court in a 4-3 majority opinion on June 17, 1957. (A Thermo-fax copy of each of the 2 latter clippings is being enclosed for use with this report and the 4 others requested.)

On October 23, 1952, the Washington (D. C.) Times Herald reported, page 9, that the Attorney General had directed that denaturalization and deportation proceedings be instituted against Rose Chernin of Los Angeles at once; and, the Daily People's World of May 4, 1953, page 6, reported that the Justice Department was seeking to denaturalize Mrs. Rose Chernin, director of the Los Angeles Committee for Protection of Foreign Born, and that she had 60 days in which to file answer to the charges. Reference was made to Rose Chernin's case in the souvenir journal, fourth annual conference, Los Angeles Committee for Protection of Foreign Born, February 28, 1954, page 9, in an article captioned, "Victims of Denaturalization." It was noted in the Daily People's World of June 11, 1956, page 2, that the denaturalization trial of Rose Chernin Kuznitz would begin on June 12. However, an INS article datelined, Los Angeles, August 28, in the Washington Post and Times Herald, August 29, 1956, page 17, reported:

"Rose Chernin Kusnitz • • • has won her fight to retain her American citizenship.

"United States Judge Harry C. Westover ruled yesterday that she keep the citizenship she acquired by naturalization in 1929. He attacked the Government's case as 'based primarily upon the philosophy of guilt by association.'

"Judge Westover explained:

• • • • • •

"'Such philosophy has never been recognized as a principle of law.'

"He held that no evidence was produced to sustain charges that Mrs. Kuanits was 'an officer of the Communist Party since 1927,' and that evidence was insufficient regarding possible 'statements, speeches, or acts of violence prior' to naturalization.

"The Government had contended she made false statements regarding her loyalty when she swore allegiance 27 years ago."

The Daily Worker of December 13, 1956, page 7, commented that the United States attorney's office had announced it was dropping all plans to appeal a ruling by a Federal judge that there was no evidence to justify revocation of Rose Chernin's naturalization.

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, UNITED STATES HOUSE OF REPRESENTATIVES

Date: June 21, 1957.
For: Hon. DONALD L. JACKSON.
Subject: Henry Steinberg.

The public records, files, and publications of this committee contain the following information concerning the subject individual. This report should not be construed as representing the results of an investigation by or findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow traveler unless otherwise indicated.

The symbols, inserted in parentheses after the name of any organization or publication below, indicate the name of each Federal authority which has cited, or designated, that organization or publication and the year in which each agency's first citation, or listing, of the subject appeared. Capital leters denote agency names, as follows: A—Attorney General of the United States; C—Committee on Un-American Activities; I—Internal Security Subcommittee of the Senate Judiciary Committee; J—Senate Judiciary Committee; and, S—Subversive Activities Control Board. (For more complete information on citations, see this committee's Guide to Subversive Organizations and Publications.

The Daily People's World of November 12, 1948 (p. 5), contained a photograph of Henry Steinberg, who served in the Army on Okinawa and then served as chairman of the Communist Party in the 19th Congressional District, Los Angeles. The photograph showed him being served with a subpena to appear before the grand jury as he was leaving the county jail cell where he spent 9 days for refuaing to answer questions he considered beyond the province of the grand jury. The Daily Worker of April 11, 1949 (p. 2), reported that Henry Steinberg was Communist Party candidate for the Board of Education Office No. 4 in Los Angeles. The Daily People's World of April 7, 1950 (p. 9), identified Henry Steinberg, Communist Party candidate for assessor in the June 6 primary in Los Angeles, as 37 years old, born in St. Louis, Mo., but a resident of Los Angeles since about 1935. The news article stated further that he was Communist Party county legislative director, one of "the Los Angeles 21" who refused to stoolpigeon for the Federal grand jury a year and a half ago, and Communist Party candidate for the board of education in 1949 whose grand total of 35,000 votes was the highest ever received [sic] by a Communist candidate for citywide office locally.

The Daily People's World of April 27, 1950 (p. 10), reported that Henry Steinberg was Communist Party candidate for tax assessor in Los Angeles. Reference to this was found also in the Daily People's World of April 28,

1960 (p. 6). The Daily People's World of January 30, 1951 (pp. 2 and 3) reported that Henry Steinberg, Communist Party county legislative director was candidate for the Board of Education in Los Angeles. He was named as county legislative director of the Communist Party in Los Angeles as shown by the Daily People's World of March 1, 1951 (p. 3). According to the Daily People's World of March 30, 1951 (p. 7), Henry Steinberg, legislative director of the Los Angeles Communist Party, was endorsed as candidate for the board of education on the Communist Party ticket. He was defeated in the campaign for city councilman according to the Daily People's World of April 5, 1951 (p. 3). The Daily Worker of April 10, 1951 (p. 4), reported that Henry Steinberg, legislative director of the Communist Party in Los Angeles, was candidate for the Los Angeles school board. He polled 39,707 votes but was defeated. The Daily Worker of July 31, 1951 (p. 3), reported that Henry Steinberg, Communist Party leader, was jailed under the Smith Act for conspiracy and held for $75,000 bail. This same information was found in the Daily Worker of August 19, 1951 (p. 3). Henry Steinberg, Los Angeles, participated in a meeting in behalf of the Communist cases according to the Daily People's World of September 6, 1949 (p. 3). He was one of a group of war veterans who protested against President Eisenhower's proposal to deprive Communists convicted under the Smith Act of their citizenship according to the Daily People's World of January 18, 1954 (p. 2).

Walter S. Steele testified in public hearings of this committee on July 21, 1947 (p. 13), that Henry Steinberg was on a list of officers of the Communist Party as Communist Party candidate for councilman, Ninth District, Los Angeles County.

The following quotation is from the testimony of Stephen A. Wereb who testified in public hearings of this committee on July 1, 1955:

"Mr. TAVENNER. Mr. Wereb • • • will you proceed now with giving of the names of the functionaries of the Communist Party who attended the meeting regarding the Duclos letter?

"Mr. WEREB. Henry Steinberg, convicted in the Smith Act. ("p. 1822.")

The Daily Worker of October 2, 1948 (p. 2) reported that Henry Steinberg was sentenced to jail for civil contempt of court in Los Angeles. He was photographed with other defendants in the Daily People's World of November 5, 1948 (p. 1). The April 24, 1950, issue of the Daily People's World (p. 12) reported that the United States circuit court of appeals ruled in his favor. He was indicted under the Smith Act by a Federal grand jury in Los Angeles, July 31, according to the Daily People's World of August 1, 1951 (p. 8). The Daily People's World of December 11, 1951 (p. 1), reported that Henry Steinberg, arrested under the Smith Act, was freed on bail after 4 months in jail. Henry Steinberg was 1 of 14 defendants charged in an indictment with conspiring to overthrow the Government by force and violence in the southern district of California. United States district court, as shown by the transcript of the proceedings, July 18, 1952, Los Angeles, Calif., *United States of America, plaintiff* v. *William Schneiderman et al., defendants*. Henry Steinberg was convicted of violation of the Smith Act in Los Angeles on August 5, according to the Daily People's World of August 6, 1952 (p. 1). He was given the maximum penalty of 5 years in prison and $10,000 fine for conspiring to teach and advocate the overthrow of the Government by force and violence, as reported in the New York Times, August 8, 1952 (pp. 1 and 5), the Washington Post, August 8, 1952 (p. 10), the Times Herald, August 8, 1952, and the Evening Star, August 8, 1952. The Worker of August 10, 1952 (p. 3), reported that Henry Steinberg was 1 of 14 convicted in Los Angeles, Calif., of violation of the Smith Act. Appeals were filed in his behalf on June 14 in San Francisco according to the Daily People's World of June 16, 1953 (p. 3).

A Justice Department letter, dated September 8, 1954, with a list of Smith Act cases involving the Communist Party leaders, listed Henry Steinberg, a defendant in the Smith Act case V. *United States* v. *Schneiderman, et al.*, February 1, 1952, to August 5, 1952, Los Angeles, Calif; convicted; on appeal to the Court of Appeals. The Daily People's World of June 16, 1955 (p. 8), reported that the Ninth United States Circuit Court of Appeals had refused to reconsider its earlier decision upholding Henry Steinberg's conviction under the Smith Act. At the time Mr. Steinberg was free on bond. The Daily People's World of August 21, 1956 (p. 3), announced that Henry Steinberg's case would be reviewed by the Supreme Court on October 8, 1956. The Evening Star of June 17, 1957 (pp. A-1 and 6), and the Washington Post and Times Herald of June 18, 1957 (p. A-21), reported that Henry Steinberg, legislative director of the Communist Party in Los Angeles County, was 1 of 5 California Communists freed by the Supreme Court in a 4-to-3 majority opinion of June 17. All were convicted in 1952 under the Smith Act. The basis for the Court's decision was given in the article.

Henry Steinberg was the subject of an article by Philip M. Connelly from the Los Angeles County jail (Daily People's World, November 9, 1951, pp. M3 and 7).[1]

He was scheduled as a speaker for a meeting on the Smith Act to be held April 3 in Los Angeles (Daily People's World, April 2, 1952, p. 3). The Daily People's World of June 6, 1952 (p. 3), reported that he was to participate in an anti-Smith Act motorcade and rally.

Henry Steinberg was a speaker at a Communist Party May Day celebration in San Pedro, according to the Daily People's World of May 4, 1950 (p. 2).

His photograph and biography are found in the pamplet, It's You They're After (p. 15).

The Daily People's World of September 15, 1950 (p. 5),[1] contained Henry Steinberg's statement on why he refused to register as a Communist Party member. An article, Why I Refused to Register, by Henry Steinberg, is found in the September 24, 1950, issue of the Worker (p. 3).

INFORMATION FROM THE FILES OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES, UNITED STATES HOUSE OF REPRESENTATIVES

Date: June 20, 1957.
For: Hon. DONALD L. JACKSON.
Subject: Al Richmond.

The public records, files and publications of this committee contain the following information concerning the subject individual. This report should not be construed as representing the results of an investigation by or findings of this committee. It should be noted that the individual is not necessarily a Communist, a Communist sympathizer, or a fellow traveler unless otherwise indicated.

The symbols, inserted in parentheses after the name of any organization or publication below, indicate the name of each Federal authority which has cited, or designated, that organization or publication and the year in which each agency's first citation, or listing, of the subject appeared. Capital letters denote agency names, as follows: A—Attorney General of the United States; C—Committee on Un-American Activities; I—Internal Security Subcommittee of the Senate Judiciary Committee; J—Senate Judiciary Committee; and S—Subversive Activities Control Board. (For more complete information on citations, see this committee's Guide to Subversive Organizations and Publications.)

Charles David Blodgett testified in public hearings of the Committee on Un-American Activities on December 3, 1953. The following quotations are from his testimony.

"Mr. TAVENNER. Will you tell the committee, please, who constituted the staff of the Daily People's World during the period you were employed by it?

"Mr. BLODGETT. Mr. Al Richmond, of course, was the executive editor of the Daily People's World.

"Mr. TAVENNER. Let me interrupt you a moment. In identifying those employed by the Daily People's World, will you state whether or not you knew them to be members of the Communist Party, and if you name those that you did not know to be members of the Communist Party, will you also so state that fact? In other words, give us all the information you can about those who were members of that staff and the extent of their participation, if any existed, in Communist Party activities.

"Mr. BLODGETT. To the best of my knowledge, all members of the editorial department of Daily People's World and the business office were members of the Communist Party. That was a prerequisite for employment."

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"Mr. BLODGETT. I can further substantiate that by the fact that we did hold regular meetings of the staff, both editorial and business, which were conducted as Community Party educational meetings, and members of the State executive board of the party were often in attendance [sic], giving the staff the line, strategy, and tactics of the party to be applied by the party • • • " (p. 3267).

Stanley B. Hancock testified in executive hearings of the Committee on Un-American Activities, March 1, 1954. These hearings were later made public. References to Al Richmond in Mr. Hancock's testimony follow:

"Mr. TAVENNER. In your association with the Newspaper Guild in San Francisco did you learn to know any of its members as members of the Communist Party?

"Mr. HANCOCK. Only my fellow employees from the People's World.

"Mr. TAVENNER. Who were they?

"Mr. HANCOCK. Al Richmond.

"Mr. TAVENNER. Was the Daily People's World in San Francisco an official organ of the Communist Party?

"Mr. HANCOCK. No, sir; not so designated in contrast to its predecessor, the Western Worker, which carried on its masthead the title 'Official organ of the Communist Party.' The Daily People's World ostensibly was the product of leftwingers. In actuality it was completely controlled and dominated by the Communist Party, but it never stated these facts in its columns.

"Mr. TAVENNER. On what do you base the statement that this paper was dominated and controlled by the Communist Party?

"Mr. HANCOCK. The many meetings I attended with the State committee of the party at which details of the circulation problems and financial problems of the People's World were reported on, and the solution was discussed. Certainly all the key people on the paper were party members, including the editor, city editor.

"Mr. TAVENNER. What was his name?

"Mr. HANCOCK. Al Richmond was the city editor" (pp. 4584–4585).

Stephen A. Wereb testified in public hearings of this committee on July 1, 1955. The following reference to Al Richmond is from that testimony.

"Mr. WEREB. One of the functions I would like to call your attention to was in the month of June, I believe, 1945. I was given credentials by the club chairman, John Houston. This was printed by the Los Angeles County Communist Board, and it was signed. With these credentials I attended what was known as the southwest section, southern section of the State of California Convention of the Communist Party. That was held in the Danish Hall around 24th or 25th Street, a few doors east of Vermont Avenue. This was approximately the month of June in 1945.

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"Mr. TAVENNER. Did you record the names of the persons present that you could identify?

"Mr. WEREB. I did.

"Mr. TAVENNER. As members of the Communist Party?

"Mr. WEREB. I did, sir. Did you wish to hear them now?

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"Mr. TAVENNER. Very well. I would like for to proceed (sic).

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"Mr. WEREB. Al Richmond, R-i-c-h-m-o-n-d. He is a Smith Act conviction from the Peoples World" (pp. 1812, 1814, 1817).

Walter S. Steele testified in public hearings of the Special Committee on Un-American Activities, August 16, 1938. During the course of his testimony Mr. Steele read a list of Leading State Officials of Communist Party, U. S. A. • • • Al Richmond was shown on this list as propaganda director in California. (See p. 314 of the hearings.)

The Daily Worker of February 13, 1957 (pp. 1 and 2), and the New York Times of February 13, 1957 (pp. 1 and 20), reported that Al Richmond, San Francisco, Calif., was elected to the national committee of the Communist Party, U. S. A., at the closing session of the 16th national convention held February 9–12, New York City. Al Richmond, California, wrote an article entitled "Strike Struggles and Some Key Conclusions" which was printed in the 1951 issue of "Our Party," Pre-Convention Discussion Bulletin, No. 5, issued by the Communist Party, U. S. A. The Daily Worker of August 29, 1936 (p. 3) contained an article entitled "2 Communists to Speak at Labor Press Outing" in which it was reported that Al Richmond, Washington correspondent for the Daily Worker, was to speak at a Labor Press outing arranged by the Communist Party in Washington, D. C. According to the Daily People's World of January 18, 1954 (p. 2), Al Richmond was one of a group of war veterans who protested against President Eisenhower's proposal to deprive Communists convicted under the Smith Act of their citizenship. He was identified in this instance as T/Sgt., Medical Dept. ETO, from San Francisco.

According to the Daily Worker of July 27, 1951 (p. 1), Al Richmond, executive editor of the Daily People's World, was arrested under the Smith Act for conspiracy, with bail set at $75,000. The same information is found in the Daily People's World of that date in which he was described as a "working class" leader. Al Richmond was indicted under the Smith Act by a Federal grand jury in Los Angeles, July 31, as shown by the Daily People's World of August 1, 1951 (p. 8), and the Washington Post of August 1, 1951 (p. 9). He was freed on bail after 4 months in jail (Daily People's World, December 11, 1951, p. 1). The transcript of proceedings, July 18, 1952, Los Angeles, Calif., United States of America, Plaintiff vs. William Schneiderman et al., Defendants, listed Al Richmond, 1 of 14 defendents, charged in an indictment with conspiring to overthrow th· Government by force and violence, in the Southern District of California, United States District Court.

The Daily People's World of August 6, 1952 (p. 1) reported that Al Richmond was convicted of violation of the Smith Act in Los Angeles on August 5. He was given the maximum penalty of 5 years in prison and $10,000 fine for conspiring to teach and advocate the overthrow of the Government by force and violence according to the New York Times of August 8, 1952 (pp. 1 and 5). The Daily Worker of November 9, 1952 (p. 8) reported that the United States Government moved to have Al Richmond's citizenship revoked. The Daily Worker of May 13, 1953 (p. 2), reported that Al Richmond, Daily People's World editor convicted under the Smith Act, obtained his citizenship in 1943 at San Antonio, Tex., while in the United States Army. The article stated further that he won postponement of the Government's suit to cancel his citizenship until his appeal of a Smith Act conviction was adjudged. Appeals were filed in his behalf on June 14 in San Francisco according to the Daily People's World of June 16, 1953 (p. 3). A Justice Department letter, September 8, 1954, with a list of Smith Act cases involving Communist Party leaders listed Al Richmond as a defendant in the Smith Act Case V, *United States* v. *Schneiderman et al.*, February 1, 1952, to August 5, 1952, Los Angeles, Calif.; convicted, on appeal to Court of Appeals. The Washington Evening Star of June 17, 1957 (pp. A–1 and 6) and the Washington Post and Times Herald of June 18, 1957 (p. A–21), reported that Al Richmond was 1 of 5 California Communists freed by the Supreme Court in a 4-3 majority opinion on June 17.

Al Richmond, editor-in-chief, Daily People's World, was shown as a member of the faculty or lecturer at the California Labor School (A–1948; I–1956) in the spring 1947 catalog of the school (p. 47), the testimony of Walter S. Steele in public hearings of this committee, July 21, 1947 (p. 54), and in the yearbook and catalog of the school for 1948 (pp. 16, 38). He was chairman of the forum on labor developments in Australia, Panama and South Africa at the California Labor School (Daily People's World, July 7, 1948, p. 1). The Daily People's World of April 2, 1951 (p. 8) reported that Mr. Richmond would speak at a discussion series held by the school. The Daily People's World of May 8, 1951 (p. 8) announced that Al Richmond would speak at the California Labor School on problems of Mexican-Americans on May 9. He was announced as a member of a panel discussion at the school on September 18 (Daily People's World, September 18, 1952, p. 7); at a forum on November 26 (Daily People's World, November 21, 1952, p. 2); as a speaker on "the truth behind the current charges of Soviet antisemitism" in San Francisco, February 18 (Daily People's World, February 11, 1953, p. 7); and as a lecturer in a series on Economic Problems of Capitalism and Socialism, beginning February 25, 1953 (Daily People's World, February 19, 1953, p. 7).

The Daily People's World of March 20, 1953 (p. 3) reported that Al Richmond was to conduct a class on "Economic Problems of Capitalism and Socialism" in a series of the California Labor School beginning April 1 in Oakland. It was announced in the Daily People's World of April 27, 1953 (p. 7), that Al Richmond would be a guest speaker at the California Labor School at a lecture course on United States Imperialism—As It Affects Us at Home and Colonial Peoples Abroad, beginning April 28. The Daily People's World of September 15, 1953 (p. 7) reported that Al Richmond was to lecture on China trade in a regular lecture series entitled "Our Changing World Today" at the California Labor School. The Daily People's World of November 13, 1953 (p. 6) and November 24, 1953 (p. 2) reported that Al Richmond would support the 11th annual Christmas market to be held December 11–13 in San Francisco, to benefit the California Labor School.

The circular, Winter Term 1954, January 18–March 26, named Al Richmond as instructor of a session at the California Labor School on California Masters of Literature. The Daily People's World of April 26, 1954 (p. 7), announced that Al Richmond would speak at the California Labor School on Puerto Rico—United States Colony, in a series of lectures. The Daily People's World of May 14, 1954 (p. 3), announced that Al Richmond would deliver the last in a series of lectures on the History of the Negro People in the United States on May 17. The Daily People's World of July 8, 1954 (p. 7), announced that Al Richmond was scheduled to lecture on the history and problems of the Negro people at the California Labor School during the summer lecture discussion series beginning July 28.

Al Richmond was guest of honor at a meeting of the Civil Rights Congress (A–1947; C–1947; I–1956) held December 14 welcoming home working class leaders arrested under the Smith Act according to the Daily Worker of December 19, 1951 (p. 3). It was announced in the Daily People's World of January 17, 1952 (p. 3), that Al Richmond was to be guest of honor at a meeting of the Civil Rights Congress to be held January 25, San Francisco.

Al Richmond was shown as executive editor of the Daily People's World (C–1941) in the following sources: Daily People's World, August 8, 1947, page 2; January 6, 1948, page 5; March 4, 1947, page 2; May 20, 1948, page 3 and April 6 1953, page 3. Al Richmond was shown as a member of the editorial board of the Daily People's World in the January 27, 1938, issue of the Daily Worker (p. 1), and as editor in the October 2, 1947 (p. 3), October 6, 1952 (p. 6) and October 5, 1953 (p. 6) issues of the Daily People's World. In testimony in public hearings of this committee on July 21, 1947, Walter S. Steele named Al Richmond as executive editor of the Daily People's World (p. 34), and a staff writer for the paper (p. 43).

Articles written by Al Richmond are found in the following issues of the Daily People's World: December 14, 1942, page 1; August 15, 1947, page 1; August 5, 1948, page 1; October 7, 1948, page 2; January 20, 1950, page 1, section 2; June 9, 1950, page 1, section 2; January 19, 1951, page 3, section 2; February 23, 1951, page 1, section 2; March 26, 1951, page 5; April 5, 1951, page 1; April 20, 1951, section 2, page 1; May 11, 1951, page 8M; December 21, 1951, page M4; December 28, 1951, page M1; January 11, 1952, page M3; February 15, 1952, page M4; March 7, 1952, page M4; June 20, 1952, page 6; December 5, 1952, page 6M; July 3, 1953, page 4M; December 31, 1953, page 5M; July 2, 1954, page 1M; December 10, 1954, page M5; and February 4, 1955, page M1.

Al Richmond spoke at gatherings of the Daily People's World as shown by the following issues of the publication: Daily People's World, April 14, 1952, page 8; July 7, 1952, page 2; July 9, 1952, page 1; December 26, 1952, page 3; February 16, 1953, page 7; March 9, 1953, page 8; March 12, 1953, page 2; January 21, 1954, page 2; May 7, 1954, page 2; and June 22, 1956, page 3.

The Daily People's World of January 7, 1953 (p. 3), reported that Al Richmond would participate in the Daily People's World 15th anniversary celebration on January 9 in San Francisco. The January 13, 1953, issue of the newspaper (p. 8) reported that he did participate in the celebration. He signed an open letter urging full support to the newspaper's drive for new readers (Daily People's World, March 18, 1953, p. 8). It was announced in the Daily People's World of May 26, 1953 (p. 2), that Al Richmond would participate in a welcome home celebration for Nat Yanish, freed on bail in deportation proceedings to be held May 29 in San Francisco. Al Richmond, staff member of the Daily People's World, pledged a day's pay to its annual fund drive according to the June 19, 1953, issue of the newspaper. Al Richmond was the subject of an article by

[1] Thermo-fax copies attached.

Adam Lapin in the August 10, 1951, issue of the Daily People's World (sec. 2, p. 1).

Al Richmond was Washington correspondent for the Daily Worker (C–1939) according to the August 29, 1936, issue of the publication (p. 3). He was California correspondent according to the January 4, 1939, issue (p. 1). Walter S. Steele testified in public hearings of this committee on August 16, 1938. In the course of his testimony Mr. Steele identified Al Richmond as a columnist for the Daily Worker (p. 321).

Al Richmond contributed articles to the following issues of the Daily Worker: May 16, 1935, page 5; November 2, 1935, page 5; May 24, 1936, page 3; June 25, 1936, page 1; July 18, 1936, page 1; August 15, 1936, page 1; January 27, 1938, page 1; March 1, 1942, section 2, page 4; April 13, 1952, page M8; May 10, 1953, page 3; April 26, 1954, page 4; and February 19, 1956, page 9.

Articles written by Al Richmond are found in the following issues of New Masses (A–1942; C–1939): October 4, 1938, page 13; November 22, 1938, page 8; January 17, 1939, page 15; and May 21, 1940, page 9. He contributed to the September 1952 issue of Masses and Mainstream (C–1949).

Al Richmond spoke in behalf of the Communist cases as shown by the Daily People's World of October 24, 1949 (p. 3). He spoke at a mass meeting for the California Smith Act defendants according to the Daily People's World of January 24, 1952 (p. 3)

Al Richmond, editorial staff, Western Worker, sent greetings to the Young Communist League (A–1948; C–1940) as shown by the California Young Communist League Yearbook, 1937 (p. 45).

Nine other Los Angeles Communists, convicted of Smith Act violations at the same time as the 5, were granted a new trial. Their records are very much like those of the 5 foregoing and no purpose could be served by taking additional space in the record to detail their many activities for and on behalf of the Red conspiracy. Suffice it to say that these Communists and their Communist attorneys are now at liberty to resume a normal life of revolutionary plotting—a course but temporarily slowed, if at all, by their convictions.

Nothing in recent years has given greater impetus or encouragement to the resurgence of the American Communist apparatus than have recent decisions of the Supreme Court. Joyous disbelief must have greeted the news of the acquittal of the five, as well as the intelligence of new trials for the other Smith Act defendants in the Los Angeles case. Following as it did the earlier action of the Court in requiring the FBI to open its files in court actions against subversives. Monday, June 17, 1957, might well be added to the Communist calendar as a "Red letter" day to be celebrated throughout the enslaved world.

Nor is the Congress itself blameless in the matter. The duty of the Congress is to write the laws; that of the Supreme Court to interpret them. For many months Members of the Congress, and a sizable section of the Nation's press, have voiced criticism of some of the recent interpretations and decisions of the Court. Yet the Congress has not taken action to this time to clarify its intent nor to rewrite the law in certain instances where it was clearly evident that the interpretation put upon an act by the Court was not that intended by the Congress in passing the legislation. Pending bills deal with this aspect of the matter, and the respective Committees on the Judiciary should act before the public demand forces recognition of a worsening situation and a growing protest.

Mr. Speaker, I have just received from a great American jurist, former president of the American Bar Association, Mr. Lloyd Wright, the following telegram:

Although I speak for myself alone, I am sure that many members of the legal profession and thoughtful citizens throughout the country are gravely concerned by the trend evident in recent decisions of the Court. In the structures of American Government we have entrusted the ultimate power to the judiciary in the faith that ours may be a government of laws and not of men. Only through the disciplines and processes of law can the Nation and its traditional libertiea be held secure, and only if these disciplines and processes are respected can the Court abide by its solemn duties.

Certain well-known decisions fail to respect these limits of the judicial function. The boundaries of the concrete case have been transcended, in disregard of the Court's own rules, and in an apparent campaign of ideological preachment. Personal views of individual judges have supplanted precedent, the cornerstone of Anglo-American jurisprudence. Rightful prerogatives of the political branches of the Federal Government have sometimes been usurped, and the rights of the American people to control their local affairs through State governments have been ignored.

The final solution is not chastisement of the transient occupants of the bench or curtailment of essential judicial powers. The Court as an institution must be preserved. It can be restored to its proper station by limiting the honor of its office to seasoned trial judges or men who have in other pursuits proved their qualification. Every citizen shares the responsibility forthrightly to assure that those chosen for the Bench are fit to discharge its solemn obligations.

The following is another telegram I received from Mr. Louis C. Wyman:

SUN VALLEY, IDAHO, *June 26, 1957.*

HON. DONALD L. JACKSON,
Members of Congress
House Office Building,
Washington, D. C.:

Copy of my address of June 24 airmailed special to you this morning as requested. The National Association of Attorneys General one hour ago passed the following resolution 31 to 11 calling for cooperation with Federal agencies in preparation of legislation designed to regain as much ground for national and State security as is possible from the recent decisions of the Supreme Court:

"Be it resolved by the 51st annual meeting of the National Association of Attorneys General at Sun Valley, Idaho, June 26, 1957, That the president of this association is authorized to appoint a committee on internal security, such committee to be instructed to confer immediately with interested Federal agencies and other national groups, including the American Bar Association, with a view to preparation of legislation for introduction at the current session of Congress designed to reaffirm and reactivate Federal and State internal security controls, and be it further

"Resolved, That the committee shall present its recommendations to the executive committee of this association, and with the approval and authority of the executive committee, the committee on internal security is authorized to appear before the Congress in support of its recommendations."

Needless to say, this matter is of literally urgent importance. I sincerely hope Congress will not let these decisions go by without acting to cure as much as possible by legislation and by proposal of adequate constitutional amendments. If the first amendment is to be applied as it has by the Court in the *Watkins* v. *United States* to security cases the limitation will apply with even greater force to Congressional investigations in fields in which no justification for limitation of freedom of speech has yet been pronounced. Not only will the Federal Bureau of Investigation and Department of Justice be severely handicapped by it; it is almost certain that Congressional and State legislative fact-finding investigations cannot function at all when opposed by hostile witnesses in the future under these decisions.

Best wishes.

LOUIS C. WYMAN, *President.*

The House Committee on Un-American Activities and the Senate Subcommittee on Internal Security have been rendered as innocuous as two kittens in a cage full of rabid dogs, and if the intent of the decisions was to destroy the utility of these committees, that goal has been achieved. It might be added that the Court has accomplished what all of the Communists, the fellow travelers, and apologists have been unable to do since the gentleman from Texas [Mr. DIES] was first named chairman of the Select Committee on Un-American Activities many years ago. If the Congress does not intend to rectify the present situation by appropriate legislation to protect its own committees, it should then abolish them by appropriate resolutions, and leave the field of battle completely in control of those who would destroy not only the authority of the two committees in question, but the inherent power of the Congress to investigate in any area it deems proper and necessary. Furthermore, if the powers delegated to the States by the Constitution are to be preserved against the further and alarming encroachments of Federal sovereignty, the Congress should meet the present challenge and emphatically.

Although the impact of recent decisions has been felt principally in the area of Communist investigation, no member of any committee of the Congress can today afford the luxury of complacency. The Court has demonstrated its ability to so restrict and nullify the effective activity of a Congressional committee that no committee of the Congress, nor any member of any committee, can assume that his particular area of Congressional activity is beyond the reach of the Court.

The present Court is demonstrating a libertarian view that is, in the opinion of many, tortured and strained. In an effort to demonstrate something that escapes the understanding of the average layman, the Court is returning scot-free to the bosom of the conspiracy, known Communists who may be expected to resume immediately their former positions as functionaries of the Communist apparatus. Whether the safety of the American people and their right to be secure against treason in their midst, is more important than possible injury to a few known and proven Communists, is a question fraught with concern at the present time. No one

questions the right nor the duty of the Court to scrutinize closely the acts of the Congress and the decisions of subordinate courts. Any concerned citizen, however, has the right and the clear duty to protest decisions which appear to constitute infringements of authority constitutionally delegated to the legislative branch, and outright acquittals of Communist defendants determined guilty of subversion by legally constituted juries.

During last week a subcommittee of the House Committee on Un-American Activities held hearings in San Francisco, Calif., inquiring into matters clearly within the purview of the charge laid upon the committee by the House of Representatives in Public Law 601. During the hearings the most recent decisions of the Supreme Court were handed down, and it is my understanding that the arrogance and intransigence of unfriendly witnesses appearing in response to subpenas issued by the subcommittee, exceeded anything before witnessed in the history of the committee. In this connection it should be pointed out to the membership of the House that for several years past it has been the policy of the House Committee on Un-American Activities not to subpena before it any person not previously identified, under oath, as a past or present member of the Communist conspiracy. It is my understanding that all who were subpenaed to appear before the subcommittee in San Francisco had been so identified. It is clear that the heart and soul of any conspiracy are those individuals who comprise its secret councils, and participate in its secret operations. It is impossible to disclose the machinations of a conspiracy, whatever its nature, without bringing before proper authorities those individuals who constitute the conspiratorial core. Without the authority to subpena witnesses and to direct to those witnesses questions relating to sworn information in the possession of the committee, there is removed from the hands of the Congress of the United States the only effective instrument it possesses for the initiation and recommendation of remedial legislation. During the many years in which the House Committee on Un-American Activities has served as the instrument of the House for the investigation of subversive propaganda activities, a considerable number of legislative recommendations have been made by the committee to the legislative committees of this body. The charge is frequently made, and evidently the Supreme Court believes that the primary purpose of the committee is exposure of the role played by witnesses, and not the implementation of its findings by appropriate recommendations for remedial legislation. The most effective answer to this charge is to insert into the RECORD a documented list of committee recommendations for legislative action by the Congress, together with a list of substantive legislative actions taken by the Congress and by the executive branch on the recommendations submitted by the committee. To that end, Mr. Speaker, I insert in the RECORD at this point a list of such recommendations and actions:

PART I

1947

Citizenship of Federal employees

Committee recommendation: The enactment of legislation requiring that all employees and officials of our Federal Government be American citizens (January 3, 1941).

Action: Although no such legislation has been enacted, the apropriation acts carry citizenship requirements, of which the following is an example:

"General Government Matters Appropriation Act, 1958 (Public Law 85–48, sec. 202). Unless otherwise specified and during the current fiscal year, no part of any appropriation contained in this or any other act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in continental United States unless such person (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of enactment of this act who, being eligible for citizenship, had filed a declaration of intention to become a citizen of the United States prior to such date; (3) is a person who owes allegiance to the United States; or (4) is an alien from the Baltic countries lawfully admitted to the United States for permanent residence: *Provided,* That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his status have been complied with: *Provided further,* That any person making a false affidavit shall be guilty of a felony and, upon conviction, shall be fined not more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further,* That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further,* That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies."

Deportation and exclusion of alien subversives

Committee recommendation: That legislation be enacted requiring that all alien Communists and other subversive aliens be promptly deported and that the Immigration Service maintain a stringent screening process to restrain the present influx of aliens into the United States and to determine whether their political background is inimical to the best interests of the United States (January 2, 1947).

Action: I. Section 22 "Sec. 4" of the Internal Security Act of 1950 (64 Stat. 1008) as repealed (66 Stat. 279, sec. 403 (a) (16)) and superseded by section 241 (a) (6) of the McCarran-Walter Immigration Act of June 27, 1952 (66 Stat. 205), provides for deportation of aliens affiliated with the Communist Party and other subversive aliens.

II. Section 22 of the Internal Security Act of 1950 (64 Stat. 1006) as repealed (66 Stat. 279, sec. 403 (a) (16)) and superseded by section 212 (a) (28) of the McCarran-Walter Immigration Act of June 27, 1952 (66 Stat. 184), provides for the exclusion of aliens with political backgrounds which are inimical to the welfare of the United States.

III. Chapter 4 of the McCarran-Walter Immigration Act of June 27, 1952 (66 Stat. 195–204), provides for a stringent screening process.

Restriction of tax-exemption privileges of Communist educational and charitable organizations

Committee recommendation: Legislation should be enacted to restrict the benefits of certain tax-exemption privileges now extended to a number of Communist fronts posing as educational, charitable, and relief organizations (January 2, 1947).

Action: Section 11 (b) of the Internal Security Act of 1950 (64 Stat. 997) denies income-tax exemptions under section 502 of the Internal Revenue Code, to Communist organizations required to register under section 7 of the Internal Security Act.

Secret membership in organizations

Committee recommendation: Legislation designed to prohibit membership in any organization using the United States mails or subject to Federal laws, by persons using an alias or assumed name. Such legislation should also include a provision which would clearly ban concealed or secret memberships in any such organizations (January 2, 1947).

Action: Section 8 of the Internal Security Act of 1950 (64 Stat. 995) provides for registration with the Attorney General of individuals who are members of Communist-action organizations, and seeking or holding employment in a defense facility.

1948

RECOMMENDATIONS CONTAINED IN ANNUAL REPORT OF COMMITTEE, 80TH CONGRESS, 2D SESSION

Mundt-Nixon bill

Committee recommendation: Legislation modeled substantially after the so-called Mundt-Nixon bill (December 31, 1948).

Action: The provisions of the Mundt-Nixon bill (H. R. 5852, 80th Cong.) have been incorporated in the Internal Security Act of 1950 in the following sections, given in the order in which a similar provision appeared in the Mundt-Nixon bill: Sections 7–10 (64 Stat. 993–996), section 5 (64 Stat. 992), section 6 (64 Stat. 993), sections 12–13 (64 Stat. 997–1001), section 14 (64 Stat. 1001), section 11 (64 Stat. 996–997).

Deportation of aliens upon conviction of crimes against United States

Committee recommendation: That the espionage laws of the United States be substantially strengthened with special attention to means for returning aliens to other countries upon conviction for crimes against the United States (December 31, 1948).

Action: Section 241 (a) (17) of the McCarran-Walter Immigration Act of June 27, 1952 (66 Stat. 207), substantially strengthens the laws concerning deportation of aliens on conviction for crimes against the United States by listing specific acts, the violation of which shall be grounds for deportation. Among these acts are: The Espionage Act of 1917 (40 Stat. 217) as amended (40 Stat. 553), the espionage provisions of the Criminal Code (18 U. S. C. 791, 792, 793, 794, 2388, 3241), the sabotage provisions of the Criminal Code (18 U. S. C. 2151–2156), the Selective Service Act of 1948 (61 Stat. 604), the Universal Military Training and Service Act (65 Stat. 75), and several others.

Study of immigration laws

Committee recommendation: That our immigration laws and passport visa regulations be carefully studied to determine what changes are necessary to prevent disloyal elements from entering this country and remaining here (December 31, 1948).

Action: Section 401 (a) of the McCarran-Walter Immigration Act of June 27, 1952 (66 Stat. 274), provides for the Joint Committee on Immigration and Nationality Policy, which is to conduct a continuing study of the administration of the act and

its effect on the national security, etc., of the United States. The Secretary of State and the Attorney General are required to submit all regulations, etc., requested by the committee pertaining to administration of the act, and the Secretary of State shall consult with the committee from time to time.

1949

RECOMMENDATIONS CONTAINED IN ANNUAL REPORT OF COMMITTEE, 81ST CONGRESS, 1ST SESSION

Statute of limitations in espionage cases

Committee recommendation: That the statute of limitations in espionage cases be amended (March 15, 1950).

Action: Sections 4 (c) and 19 of the Internal Security Act (64 Stat. 992, 1005) provide for a 10-year statute of limitations for a violation of certain provisions of law concerning espionage, other than violations constituting a capital offense. This replaces the 3-year statute of limitations (18 U. S. C. 3282) which would otherwise prevail.

Legal definition of treason

Committee recommendation: That legal definition of treason and the penalties attached thereto be broadened to cover a period like the present cold war.

Action: There are 2 bills now pending (H. J. Res. 1 and H. J. Res. 53) which provide for a constitutional amendment, broadening the definition of treason so as to include adherence to any group which advocates the overthrow of the Government by force or violence.

Employment of subversives in defense plants—safeguards

Committee recommendation: Adoption of H. R. 3903 (81st Cong.) providing for safeguards against employment of subversive individuals in defense plants (March 15, 1950).

Action: Section 5 of the Internal Security Act of 1950 (64 Stat. 992) provides that members of a Communist-action organization shall not hold employment in a defense facility, and that members of a Communist-front organization must disclose such membership when seeking or holding employment in a defense facility.

Detention of undeportable alien Communists

Committee recommendation: H. R. 10 (81st Cong.), providing for the supervision and detention of undeportable aliens, should be enacted into law in order to deal with thousands of alien Communists refused acceptance by the country of their birth (March 15, 1950).

Action: Section 23 "Sec. 20 (b)" of the Internal Security Act of 1950 (64 Stat. 1011) and the act of June 18, 1952 (66 Stat. 138, c. 442), as (both) repealed and superseded by section 242 (c)–(h) of the McCarran-Walter Immigration Act (66 Stat. 210–212) provides for detention and supervision of such aliens.

1950

Technical surveillance

Committee recommendation: That Congress authorize the use of technical evidence secured during the course of investigations involving espionage, treason, or other crimes involving the security of the United States, to intercept and use as evidence in any criminal proceeding information obtained as the result of technical surveillance (January 2, 1951).

Action: There are 2 bills now pending (H. R. 269, 1010) which would authorize the admission into evidence of information intercepted in national security investigations in any criminal proceeding, in any court established by Congress in criminal cases involving interference with national security or defense by treason, sabotage, espionage, etc., if such information is obtained after the issuance of an ex parte order by a Federal judge, authorizing the interception.

Amendment of Taft-Hartley Act—non-Communist affidavits

Committee recommendation: Amendment of Taft-Hartley Act to make impossible a situation where a union official formally resigns from the Communist Party and then signs a non-Communist affidavit (January 2, 1951).

Action: The Communist Control Act of 1954 (68 Stat. 777, sec. 6) has made it lawful for a member of a Communist organization to hold office in any labor union (50 U. S. C. 784 (1) (E)); the act of July 26, 1955 (69 Stat. 375, c381), in amending section 13A (e) (1) of the Subversive Activities Control Act, now provides that a labor union which has an officer who has been affiliated with a Communist organization for the past 3 years, shall be considered a "Coramunist-infiltrated organizati n" and shall be ineligible to act as representative of any employees.

1951

Single espionage statute for peace and war

Committee recommendation: A single, comprehensive espionage statute applicable both to peacetime and wartime, carrying a capital-punishment sentence (February 17, 1952).

Action: The act of September 3, 1954 (68 Stat. 1219 sec. 201) amended section 794 of the criminal code so that gathering or delivering defense information to aid a foreign government now carries a penalty of "death or imprisonment for any term of years, or for life" in peacetime as well as in wartime (18 U. S. C. 794).

Immunity for Congressional witnesses

Committee recommendation: Legislation to effect a greater latitude in granting immunity from prosecution to witnesses appearing before Congressional, executive, or judicial hearings (February 17, 1951).

Action: The act of August 20, 1954 (68 Stat. 745 sec. 1) provides that a witness in any Congressional investigation involving interference with or endangering of the national security or defense, by specific crimes involving subversive activity, may be granted immunity against self-incrimination (if he has claimed such privilege) and thereby be compelled to testify and produce evidence. The act requires, prior to the immunity grant, an order of a United States District Court compelling the testimony or the production of evidence. No testimony so compelled shall be used in any subsequent criminal proceeding against the witness in any court. But no immunity shall exist against perjury or contempt committed while testifying or producing evidence under compulsion (18 U. S. C. 3486).

1952

RECOMMENDATIONS CONTAINED IN ANNUAL REPORT OF COMMITTEE, 82D CONGRESS, 2D SESSION

Emergency powers of executive branch in present period

Committee recommendation: In matters dealing with internal security, that emergency powers of the executive branch of the Government be placed on a wartime basis in periods such as now exist (December 28, 1952).

Action: Act of June 30, 1953 (67 Stat. 133 ch. 175), extend until 6 months after the termination of the national emergency declared by the President on December 16, 1950, certain wartime provisions relating to sabotage of war materials, espionage, and subversive activities affecting the Armed Forces.

1953

B. ON RECOMMENDATIONS MADE IN ANNUAL REPORT OF FEBRUARY 6, 1954

Foreign agents—Registration

Committee recommendation: Reexamination of the Foreign Agents Registration Act of 1938 to determine its effectiveness in controlling and exposing subversive activities (February 6, 1954).

Action: This was done, with the resulting enactment of the act of August 1, 1956 (70 Stat. 899 c849) which provides for the registration of every person who has knowledge of or who has received training in foreign espionage systems (50 U. S. C. 851).

Communist infiltration of labor unions

Committee recommendation: The study of the anti-Communist oath provision of the Taft-Hartley Act with a view to strengthening that provision to prevent Communist infiltration of labor unions (February 6, 1954).

Action: The act of July 26, 1955 (69 Stat. 375 c381) amends section 13A (e) (1) of the Subversive Activities Control Act so that the management of an organization may be considered Communist-infiltrated if one of its officers has been a member of a Communist organization within the past 3 (previously 2) years (50 U. S. C. 792a).

Membership clause of the Smith Act

Committee recommendation: The Smith Act be amended to "provide that proof of membership in the Communist Party shall constitute prima facie evidence of violation of the Smith Act."

Action: Although no legislation has been enacted to so amend the Smith Act, section 4 of the Communist Control Act of 1954 (68 Stat. 775) provides that whoever knowingly and wilfully becomes or remains a member of the Communist Party shall be subject to all the provisions and penalties of the Internal Security Act of 1950.

The court has convicted Claude Lightfoot for violating "the membership clause of the Smith Act," on the theory that he continued to be a member of the Communist Party, knowing what the party stood for. *United States* v. *Lightfoot* (January 12, 1956, CA 7, 24 L. W. 2319).

1954

Recommendations made in 1954 either (a) were also made in previous years and are reported above or (b) are recommendations on which no legislative action has been taken.

1955

Streamlining contempt of Congress procedures

Committee recommendations: H. R. 780, 84th Congress, be enacted by the Senate. This bill provides that a committee may refer a defiant witness directly to the courts, where, if the court finds the witness to have been in contempt of Congress, and the witness so continues, the witness may be adjudged in contempt of court, itself.

Action: H. R. 259, now pending in the 85th Congress is a similar measure.

Registration of persons trained in espionage

Committee recommendation: All persons with a knowledge or training in espionage, counterespionage, or sabotage tactics of a foreign government be required to register.

Action: Act of August 1, 1956 (70 Stat. 900, ch. 849) so provided (50 U. S. C. secs. 851–857).

1956

E. ON RECOMMENDATIONS MADE IN ANNUAL REPORT FOR 1956

Perjury statute

Committee recommendation: Presently the Government must prove perjury by the testimony of 2 witnesses or 1 witness and corroborative evidence. Legislation is needed (bills were introduced in both Houses, 84th Congress) requiring that the Government need prove only that the statements of the witness are contradictory—provided that they are willful, concern material matters, and are made within 3 years of each other.

Action: H. R. 282, now pending, extends the United States criminal law relating to perjury to the willful giving of contradictory statements under oath.

Passports: Use by members of the Communist Party

Committee recommendation: Secretary of State should have his discretionary power in the matter of the issuance of passports reinforced by positive legislative declaration: statutory recognition should be given the presently existing regulations governing passport matters.

Action: H. R. 5612, now pending, would prohibit the issuance of passports to persons under Communist discipline under the Communist Control Act.

Penalties—Increase

Committee recommendation: More realistic penalties for such crimes as those involving seditious conspiracy, advocating overthrow of the Government, and conspiracy to advocate overthrow of the Government.

Title 18, United States Code, section 2384 should be amended to provide penalties up to $20,000 and 10 years; title 18, United States Code, section 2385 should be amended likewise:

Action: The act of July 24, 1956 (70 Stat. 623 c678) increased the penalty for seditious conspiracy, and for willfully advocating the overthrow of government by force, to a fine of $20,000, or imprisonment for not more than 20 years, or both (18 U. S. C. 2384, 2385).

Social Security—Fraud

Committee recommendation: Legislation making it a crime for any member of the Communist Party to acquire a social security card under a false name. Recommends a 10 year statute of limitations for such a crime.

Action: The Social Security Act has been amended by act of August 1, 1956, to provide that service in the employ of a Communist or Communist-infiltrated organization shall not count toward social security coverage (42 U. S. C. 410 (a) (17)).

The Social Security Act provides a penalty for fraud in connection with any false representation concerning the requirements of the act (42 U. S. C. 1307 (a)).

Summary suspension of Federal employees

Committee recommendation: Legislation to overrule the Supreme Court in *Cole* v. *Young* (351 U. S. 536) where it held that "national security" as used in the National Security Act (August 26, 1950) referred only to employees "directly concerned with the protection of the Nation from internal subversion or foreign aggression. * * *" The legislation recommended would state that all employees of any Government department or agency were engaged in "national security."

Action: H. R. 981, now pending, would authorize the summary dismissal of Federal employees in the interest of national security in the absolute discretion of the head of the department or agency. All employees of any department or agency are deemed to be employed in an activity of the Government involving national security.

PART II

INDEPENDENT COMMISSION ON FEDERAL LOYALTY

Committee recommendations: That Congress create an independent commission with authority to investigate and to order the discharge of any employee or official of the Federal Government whose loyalty to the United States is found to be in doubt (January 2, 1947).

Action: Although no legislation was enacted, several steps in that direction have been made under Executive Order 10450 (18 F. R. 2489), issued on April 27, 1953, which establishes a security program for the Federal departments and agencies. Sections 1 and 6 of this order provide for summary suspension by agency heads, of employees considered to be poor security risks, followed by termination of their employment if found to be advisable in the interest of national security upon the results of proper investigation. Section 9 of this order provides for a central clearance by means of a security-investigation index to be maintained in the Civil Service Commission, covering all persons as to whom security investigations have been conducted by any agency, and to contain all identifying information which the heads of agencies shall immediately furnish to the Civil Service Commission.

SUBVERSIVE MATTERS DIVISION IN THE DEPARTMENT OF JUSTICE

Committee recommendation: That the Department of Justice be required by law to establish within the Department a special division devoted to the prosecution of subversive elements now operating in the United States (January 2, 1947).

Action: On July 9, 1954, the Attorney General established the Internal Security Division in the Department of Justice (Order No. 51–54) (19 F. R. 4429).

SECOND-CLASS MAILING PRIVILEGES OF FOREIGN EMBASSIES

Committee recommendation: That the House request, by proper resolution, a report from the Postmaster General of the United States, setting forth the number of embassies or foreign agencies now enjoying second-class mailing privileges and also specifically identifying such agencies where the respective foreign governments do not accord to our embassies, ministers, and other United States officials equal mailing privileges in those countries, and that proper legislation be enacted by Congress limiting the use of second-class mailing privileges to such embassies and agencies of those foreign governments which extend reciprocal privileges to the United States Government (January 2, 1947).

Action: No legislation, but reciprocity is being enforced by the State Department. An illustration appears in Department of State Press Release No. 680, issued December 31, 1953, containing the text of a note delivered to the Rumanian Legation, in which the Secretary of State notified the Legation to cease the publication in the United States of the Rumanian News and other similar pamphlets published at the expense of the Rumanian Government. This step was taken because the Rumanian Government had on December 29, 1953, banned the distribution in Rumania of a publication issued by our Legation in Bucharest entitled "News From America."

ACTIVITIES OF COMMUNIST COUNTRY EMBASSIES

Committee recommendation: That activities of embassies of Communist-dominated countries be limited to proper safeguards sternly enforced (March 15, 1950).

Action: This now being enforced by the State Department and restrictions on diplomatic personnel are generally a matter of reciprocity with the various foreign countries. On March 10, 1952, the State Department issued a press release (No. 181) which contains the text of a note from the Secretary of State to the Ambassador of the U. S. S. R., restricting the travel of Soviet officials in the United States to a 25-mile radius from their base office, without prior permission from the State Department. This action was retaliatory for restrictions placed upon travel of American diplomatic and consular officials in the Soviet Union.

RESTRICTIONS ON TRAVEL BY SOVIET AND SATELLITE DIPLOMATS

Committee recommendation: That reciprocal restrictions be enforced by this country on the travel of Soviet and satellite diplomats (February 17, 1952).

Action: Such restrictions are now being enforced by the State Department, an example being the note of March 10, 1952, from the Secretary of State to the Soviet Ambassador, restricting the travel of Soviet officials in the United States to a 25-mile radius from their base office, without prior permission from the State Department. This was in retaliation for similar restrictions placed upon the travel of American diplomatic and consular officials in the Soviet Union.

CANCELLATION OF PASSPORT OF PERSON UNDER SUBPENA

Committee recommendation: Legislation to provide for the cancellation of the passport in the possession of any United States citizen in a foreign country for whom a subpena has been outstanding for 6 months (February 17, 1952).

Action: Although no such legislation has been introduced, a step in that direction may have been taken by the issuance by the Secretary of State (on January 10, 1956), of Department Regulation 108.276, which amends section 51.136 of the passport regulations, to provide that passport facilities, except for direct and immediate return to the United States, will be refused to a person when it appears to the satisfaction of the Secretary that the person's activities abroad would: (a) violate the laws of the United States; (b) be prejudicial to the orderly conduct of foreign relations; or (c) otherwise prejudicial to the interests of the United States (21 F. R. 336).

REVOCATION OF COMMISSION IN ARMED FORCES

Committee recommendation: That in any instance where a person holding a commission in the armed services chooses to refuse to answer questions concerning his present or past membership in the Communist Party, such commission shall be immediately revoked (February 17, 1952).

Action: No legislative action, but the Army Department has issued AR 604–10 (15 May 1957), Criterion No. 6, section 13, which includes a provision that the refusal of military personnel to testify before a duly authorized body regarding subversive activities, may result in a discharge other than honorable.

If the American people are aware of the nature and of the ultimate goals of the Soviet Union, it is the contention of many that the knowledge acquired has stemmed from the conscientious pursuit of their assigned duties by the Members of the House and Senate who have undertaken the onerous duty of service upon one or another of the committees investigating subversive propaganda activities. Again, I repeat, Mr. Speaker, that recent decisions in the Supreme Court have rendered the committees' effectiveness null and void, and that unless the Senate and the House move, by legislation, to restore authority to their committees and spell out the authority intended to be exercised, these instruments might as well be abolished by appropriate resolution.

Now to the question, Mr. Speaker, of public information mediums and the role they should play in bringing the story of the American Congress at work to the American people. It has long been accepted as desirable and proper that newspaper, periodical, and radio representatives should enjoy every facility here on Capitol Hill, necessary to the important work of the gathering and dissemination of news originating in the Capitol. However, new problems, unique

in the history of the Congress, have been created in recent years, following the development of television and its rapid acceptance by the American people as a news medium. Many resolutions have been introduced in recent years which would have written into the rules of the House of Representatives either a prohibition upon the use of television in the House and in committee hearings, or, conversely, a rule which would have made possible the broadcasting of committee hearings by television, radio, or moving pictures, subject to the decision of a committee chairman, or upon a vote of a majority of the members of the committee. The original ban on television, radio, and moving pictures in a hearing room was issued by our distinguished Speaker, Mr. RAYBURN, in 1952, when a subcommittee of the House Committee on Un-American Activities was conducting a series of hearings in Detroit, Mich. At that time the committee subpenaed as witnesses, a number of officials of the Ford local union, all of whom had been identified in previous testimony, under oath, as past or present members of the Communist Party. In the midst of those hearings, an order was issued by the Speaker, prohibiting the further televising or broadcasting of the testimony. Since that time the question of television, moving pictures, and radio broadcasts from committee hearing rooms has been the center of a continuing controversy; one which was pointed up dramatically during the recent hearings of a subcommittee of the House Committee on Un-American Activities in San Francisco.

It is my contention, Mr. Speaker, that television and other visual mediums are here to stay, and that their wide acceptance by the American people indicates that they, too, believe all to have become coequal partners. Today millions depend upon their newspapers, their radios, and their television sets for information on events transpiring throughout the world, and in giving coverage to news events, each medium supplements the other. Nor should the reluctance of a witness to face a camera of any kind influence in any way the decision of the Congress, which should be made upon this important subject in the immediate future. No defendant, and very few witnesses, appearing in response to an official court order or subpena, desire to have their countenances seen by their fellow citizens. In almost every issue of every newspaper there appears a picture of a defendant, a witness, or one subject to some form of inquiry, attempting to shield his face from the probing eye of the press camera. Yet, no protest is made that photographing a reluctant individual under those circumstances infringes upon his constitutional rights. To the contrary, such photographs have become a part of our contemporary journalistic scene. In another body, the recent hearings into practices in some trade unions were televised throughout the Nation and served to bring to the American people—our employers if you please—the shocking story of what may transpire where secrecy instead of publicity is the order of the day. It should not be forgotten, Mr. Speaker, that we who represent the people of the United States in the Halls of Congress are here as their agents and upon the public business. The people have a complete and absolute right to know what goes on, and under what circumstances. Those whom we represent are footing the bill for the activities of the Congress, and for any and all of its committees and subcommittees. Hearings before the committees of the Congress are in no manner trials, in spite of what the Communists and their sympathizers, and the critics of Congressional investigations, claim. They are hearings, based in all instances upon what the committee considers to be factual information and evidence upon which it proceeds. If a witness does not choose to answer the question propounded to him by committee members or counsel, he has the unquestioned right to avail himself of whatever protection he desires.

Certainly, Mr. Speaker, his declination to speak openly and frankly is news, as evidenced by the recent hearings in another body a few days ago. The question, then, resolves itself into one involving an interpretation of what constitutes news media and to what extent one news medium shall be militated against, and which shall be shown preferential treatment. It is my contention that all facilities and media, properly accredited, which serve the function of giving news service to the American people, must be considered by this Congress on an equal basis. All of them have certain advantages in relation to the other, and all have certain disadvantages by the same yardstick. But, Mr. Speaker, to rule that it is quite all right to photograph a reluctant witness with a speed graphic, but that it is improper to record visually his testimony or his arrogance when questioned by a committee of the Congress, is to draw a tenuous line of distinction and to assume a position which the very force of moving events is certain to destroy. Piling sand against the tide is no answer to the question here involved. The argument has been advanced against television, moving pictures and radio, that the presence of facilities required for the operation of the media create a situation in a hearing room where the witness under interrogation is unable to coordinate his thoughts, and is thus placed at a disadvantage in presenting his case. Having been a member of a committee which has, on many occasions, utilized every means of information to bring the facts of a hearing to the public, I can say, sir, that in no instance of which I have any knowledge, has the presence of television done anything more than to increase the arrogance of unfriendly witnesses, amplify their snarling contempt of the Congress, and in general offer them what they believe to be an excellent vehicle for further exploitation of the individual and collective Communist propaganda effort.

I should feel remiss in my duty as a member of the House Committee on Un-American Activities if I did not, during the course of these remarks, pay personal tribute to the gentleman from Pennsylvania [Mr. WALTER], chairman of the House committee. It has been my privilege to serve under several committee chairmen, Democrat and Republican, during my service on this committee, and all were men of dedication and determination. The gentleman from Pennsylvania is not only an able chairman and a constitutional lawyer of great ability, but one whose tenure has been marked by fairness and equity. It has been his constant aim, as it has been that of the other members of this important committee of the House, to keep partisanship out of our committee labors. We who serve on the committee recognize that nothing would be more detrimental nor devastating to our work than to permit considerations of a partisan nature to interfere with the conduct of our hearings. In our determination not to permit our ranks to be split, we have proceeded to the execution of our duties in harmony and with a common purpose. Under the rules of procedure adopted several years ago by the House committee, witnesses appearing before the committee are given every consideration consistent with their own conduct. What the Committee on Un-American Activities requires is a clear-cut statement from the Supreme Court as to where the committee has erred and what inproper assumption of power it has exercised. Although the Court has devoted a considerable number of words to its recent decisions, the words do nothing to spell out in clear terms what the Court considers the proper course of action for investigative committees to follow. The decisions are worded in a negative fashion, constituting a new series of prohibitions upon the committees, but they fail to delineate a constitutional pattern which might be accepted by the Congress in delegating required responsibility to its several committees.

But the Congress is not without constitutional authority to proceed on its own responsibility to correct the present situation and bring some element of order out of increasing turmoil. Legislation already introduced and now pending in the cognizant committees of the House will serve the purpose of plugging one of the loopholes. It may be found necessary to amend the Constitution to meet some of the other situations brought about by recent decisions of the Court. The Congress can either take the decisions lying down, and be steamrolled into compliance, or it can exercise its prerogatives as a coequal branch of Government and bring forth the necessary legislative devices to curb the expanding authority of the judicial branch. We are in a constitutional crisis, and the determination which is finally made relative to the question of jurisdictions, may well decide the future form and substance of the American Republic. A national concern is being expressed today regarding decisions of the Court, and the people whom we have the honor to represent are demanding that the Congress take whatever steps are necessary to preserve the traditional balance of power. To fail to meet the present challenge will mean that we have failed individually and collectively in our sworn duty to preserve and defend the Constitution. I have no quarrel with any man who accomplishes his duty as he sees it, but I do reserve the right to take whatever actions are within my power to counteract and offset the possible catastrophic results which may follow on another's decision, no matter how sincere his intent might have been. Mr. Speaker, this is the situation in which the Congress finds itself today. Granted that the Supreme Court has acted according to the sincere beliefs of all of its members, the fact remains that the Justices are men, and that men are not infallible. Courts have reversed their own decisions, and are quite likely to do so again in the future. In the meanwhile we cannot delegate nor escape our own responsibilities; responsibilities which have been laid upon us by the American people to inquire, to investigate and to legislate upon the findings which are made as a result of such inquiry, investigation and findings. A Congress unable to investigate is a Congress unable to legislate, and whatever agency, judicial or otherwise, limits the power of the Congress to inquire or investigate, also limits the power and the capacity of that same Congress to discharge adequately the responsibilities placed upon it by the people.

Mr. Speaker, it is unfortunate that the present hour finds a dispute of this kind developing, but the dispute is a fact and there is nothing to indicate that the Supreme Court intends to follow a course of action in the future different in any way from the course which has been followed for the past several years. Legislation is the only recourse, and it is to be hoped that the Congress will move promptly to the reestablishment of its powers and authority in the triumvirate of government.

Before going further I ask the membership to reflect upon, and to read this statement in the light of the following words of George Washington taken from his Farewell Address:

If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed.

Mr. Speaker, pertinent to my discussion today is an article in the U. S. News & World Report of June 28, 1957, I include at this point in the RECORD the article in question, "Here's How the Supreme Court is Stirring Things Up." I also include the following the U. S. News & World Report article, several editorials, and articles on the same subject.

[From the U. S. News & World Report of June 28, 1957]

HERE'S HOW THE SUPREME COURT IS STIRRING THINGS UP

The Supreme Court of the United States, asserting power in a way seldom before attempted in its long history, is playing a major part in the growing turmoil in Washington.

On this Court of 9 Justices are 4 appointed by President Eisenhower. Earl Warren, former Republican Governor of California, as Chief Justice, appears to be the driving force of a Court majority that is breaking down traditions in widening fields of law.

It is now clear that the Court set its course back in 1954 with the decision that ordered an end to separate public schools for whites and Negroes. This reversed a Court doctrine of more than 50 years' standing. Since that time, in a growing range of important decisions, a Court majority has limited the power of States in many fields, limited the power of Congress, asserted strongly the rights of individuals, added strength and breadth to the antitrust laws.

On June 17, 1957, after 3 years of pioneering, the Court had a field day. At one sitting, the Justices did these things:

Upheld the right of anyone to preach the overthrow of Government, so long as the preaching is limited to "abstract principle" and does not openly advocate specific action to overthrow Government.

Limited the power of committees of Congress to make investigations and to require witnesses to testify.

Limited the power of States to require witnesses to testify in investigations authorized by State legislatures.

Restricted the power of officials to discharge Government employees.

NEW PATHS

The June 17 decisions capped a term of the Court that saw the Justices carve new paths in many fields of law. As a result of decisions earlier in the term:

Reports to the Federal Bureau of Investigation and other Government agencies must be turned over to defendants in criminal trials, if persons who made the reports are called as witnesses.

Relatives of men stationed overseas cannot be tried in military courts.

Past Communist connections, or suspected connections, are not sufficient cause for States to refuse to admit attorneys to the bar.

Antitrust laws apply to firms that bought stock in firms that were their customers, as well as in ones that were their competitors.

NEW CONTROVERSIES

Each of these decisions has resulted in growing controversy and complaints that the Supreme Court, under Chief Justice Warren, is exceeding its powers by treading on the authority of the executive departments, the rights of States and the powers of Congress.

The Justice Department, for example, is concerned about the effects of the decision to open FBI files. In that decision, the Court held that Clinton E. Jencks, a labor leader convicted in a lower court of filing a false non-Communist affidavit, was entitled to a new trial because his request to examine the reports of two Government witnesses was denied.

Federal trial courts already have interpreted this decision in different ways. A judge in New York held that the files need not be supplied until the witnesses are called. But in Washington, D. C., Judge Burnita S. Matthews ruled that James R. Hoffa, an official of the Teamsters Union on trial for bribery, was entitled to a look at the documents before the trial began.

Elsewhere, some courts are applying this decision narrowly while others are ordering the records thrown wide open. In one case, the Government allowed a charge to be dismissed rather than produce its files. Assistant Attorney General Warren Olney III, head of the Criminal Division of the Justice Department, says it will take several more Supreme Court decisions and perhaps years of litigation before the full meaning of the Jencks ruling becomes clear.

ON COMMUNISM, CONFUSION

The same confusion follows the ruling in the case that involved Communist preachings. That decision resulted in the freeing of five west coast Communists and a new trial for nine others. In this case, Associate Justice John M. Harlan held for the majority that the word organize in the Smith Act meant to establish, rather than continued organizing. From that point, the Court held that the 5 members could not be prosecuted because the Communist Party of the United States was reorganized in 1945 and the 5 were not indicted until 1951, after the deadline under the 3-year statute of limitations.

As for the nine other party members, the Court held that they should get a new trial because at the original trial, the judge issued a defective instruction to the jury. This instruction failed "to distinguish between advocacy of forcible overthrow as an abstract doctrine and advocacy of action to that end."

This decision is being criticized among attorneys and in Congress as "legal hairsplitting." Nevertheless, Justice Department attorneys are debating whether another trial is worth the effort. These same attorneys are puzzled about the effects of this decision and the Jencks decision on internal-security cases now pending. Nineteen are now being appealed, and all involve either the production of documents or the new, narrow interpretation of the Smith Act.

FOR CONGRESS, A SETBACK

The powers of Congress received a jolt from the Court in the decision that held John T. Watkins, a union organizer, was within his constitutional rights when he refused to tell a subcommittee of the House Committee on Un-American Activities about past associates in connection with Communist activities. Here the Court held that the subcommittee failed to establish that the questions were pertinent to any legislative purpose.

In the Watkins case, the Court told Congress, in effect, that, if its committees want to get replies from witnesses the committee's legislative purpose must be defined by Congress itself, and the witness must be told why the questions are pertinent. Chief Justice Warren said in his opinion that "there is no Congressional power to expose for the sake of exposure."

This decision, besides freeing Mr. Watkins from a conviction for contempt of Congress, had a quick reaction from the Senate Internal Security Subcommittee. Senator ROMAN L. HRUSKA, Republican, of Nebraska, granted a delay in a subcommittee hearing on alleged Communist infiltration into the New York communications industry when the attorney for three witnesses called attention to the Watkins case.

The decision also is expected to affect convictions of others who refused to answer questions before Congressional committees. One of these cases involves Arthur Miller, a playwright, who, like Mr. Watkins, testified about his associations with Communists but refused to name his associates.

The Court struck down State powers of investigation in a case similar to the Watkins case. This involved the refusal of Paul M. Sweezy, an author and lecturer, to answer questions put by the attorney general of New Hampshire, who was conducting an investigation for the New Hampshire Legislature. Mr. Sweezy denied any Communist connections, but refused to answer questions about the content of a lecture he had given at the University of New Hampshire and about his activities in the Progressive Party.

In this case, the Court held that Mr. Sweezy was within his rights. It freed him from a contempt conviction imposed by a New Hampshire court and upheld by the New Hampshire Supreme Court. The issue involved questions of "academic freedom." The United States Supreme Court decided that the clause in the 14th amendment that protects a citizen from being denied life, liberty, or property, without "due process of law," protected Mr. Sweezy.

LESS POWER TO FIRE

In still another case, the Court narrowed the authority of Government officials to discharge Federal employees. This case involved John S. Service, onetime State Department employee who was discharged by Dean Acheson, then Secretary of State. Mr. Service had been repeatedly charged and repeatedly cleared as a security risk from 1945 to 1951, when Mr. Acheson discharged him after a negative finding by a loyalty review board.

The Service decision is patterned after another decision involving the late Dr. John P. Peters, who lost his Government post after a loyalty review board reversed a finding of a lower board. The Court held in that case that the review board had no authority to consider cases after previous clearance by other agencies. The Court also has decided that only Federal employees in "sensitive" jobs can be dismissed abruptly, without ordinary civil-service procedures, on suspicion of disloyalty.

NEW PATTERN

Actually, in all of these cases the Court appears to be following a pattern that has taken shape since the installation of Earl Warren as Chief Justice. That pattern tends to restrict government powers, State or Federal, over individuals. It favors Federal authority over State authority whenever there seems to be a conflict, and it tends to strengthen Government regulations of business activity. This broad trend of decisions now is prompting close study in Congress, inside the administration and among attorneys everywhere.

The Justice Department is reexamining the cases it has on file to see if they square with Supreme Court decisions on producing documents and on the Smith Act. These cases involve everything from charges of selling narcotics to Communist subversion and to actions under the antitrust laws.

Attorneys for corporations are giving close study to the decision holding that the Du Pont Co. violated the antitrust laws by a 23 percent ownership of General Motors Corp. These attorneys are wondering what effect this decision may have on the investments their corporate clients have made in other companies. Attorneys for people charged with criminal offenses are looking into new tactics that they may use for the defense of their clients.

Finally, Congress is being forced by the Court decision in the Watkins case to look at its own rules and to consider again proposals to try to restrain the power of the courts. Some Members of Congress have criticized openly the actions of the Court. Others are saying privately that new rules on investigations may have to be adopted if Congress is to avoid an avalanche of appeals to the courts.

Meanwhile, the Justices on the Court give no sign of changing the bold course they have adopted since 1954.

[From the Santa Monica Evening Outlook of June 21, 1957]

HIGH COURT MAKES TREASON SAFE

The Supreme Court's decision freeing five southern California Communist Party leaders, including "Slim" Connelly, Los Angeles editor of the People's World, and ordering new trials for 9 others, including Mrs. Dorothy Healey Connelly, one-time chairman of the Los Angeles County Communist Party, has completely thwarted the effectiveness of Congressional investigations under the Smith Act.

Likewise, the Court's doctrine of particularization, aimed at Congressional committeemen's questioning of witnesses, will cripple further investigations into labor-union rackets, Government scandals, or any other public evil brought to Congressional attention. Justice Clark, a former Attorney General, in his dissent, put it correctly in saying that "the majority of the Court has substituted the judiciary as the grand inquisitor and supervisor of Congressional investigations. It has never been so."

In its sweeping decision, the High Court majority of Chief Justice Warren and Justices Douglas, Frankfurter, Black, and Brennan, has opened the way to Communists, traitors, disloyal citizens, and crooks of all kinds in business and labor to refuse to answer questions which the witness himself arbitrarily decides are not pertinent to a legislative purpose. It means that every time a Senator or Representative asks a question during an investigation the witness must be given a clear explanation of what the legislative purpose is; and this might even have to be confirmed by a resolution adopted in each case by Senate or House. Following this, it may have to be passed on by the Supreme Court before it becomes really valid. It may easily be seen that congressional investigations are killed by the latest Supreme Court edict.

Had such a cumbersome procedure been in effect during the Harding administration it would have prevented any exposure of the Teapot Dome scandals. Had it been in effect in 1950 Alger Hiss could have avoided answering questions asked him by the House Committee on Un-American Activities, headed then by RICHARD M. NIXON. This committee's charter of authority now is torn to shreds by the Supreme Court.

Congressional power to investigate has been curtailed drastically on the ground that Congress has to particularize in every case and specify in its resolutions exactly why it wants certain questions asked. Again, quoting Justice Clark, this "is unnecessary and unworkable. The resulting restraint imposed on the committee system appears to cripple the system beyond workability. This is because the Supreme Court has now set itself up as knowing more about what Congress needs to know to legislate than Congress itself thinks it does."

In another decision the same day State legislatures were told that they, too, cannot investigate and require witnesses to answer their questions except where it can be proved that the State has an overriding interest in a subversive individual which outweighs his right to silence; and this, in turn, might have to be reviewed in each instance by the Supreme Court of the United States.

For the most part, the majority of the presently constituted Supreme Court displays a curious indifference to the actual operations of Communist subversion in this country, perpetrated by people of the Connelly type. To these Justices, apparently, there is no Communist menace, no such thing as infiltration by Communist stooges. If a man admits he has worked with the Communists and then refuses to tell who they were, this is interpreted by the present high Court as a "right to silence" derived from the first amendment which, now added to the fifth amendment, makes it safe to wage treason within our country.

The conspirators in the Kremlin naturally will be joyous, for all they need to do now is to send word to their Communist Party leaders in the United States to adapt themselves to the new ruling of the Supreme Court.

The high Court's latest decisions will please the so-called liberal element which has long crusaded against congressional investigation of Communist activities, but it will cause just consternation among most sober-minded Americans and great puzzlement about our Supreme Court as at present constituted.

[From the Los Angeles Times]

SAVING GRACE OF COMMONSENSE

(By Kyle Palmer)

Whether the United States Supreme Court mostly needs a group of lawyers equipped with commonsense, as one United States Senator has suggested, or is carrying out the law strictly according to constitutional requirements are questions most of us are now pondering.

As one of the three branches of Government constituted to protect our constitutional freedoms—of speech, the press, religious conviction—the Court is our last resort.

Hence, the current nationwide dissatisfaction caused by the Court's rulings on lower court convictions of Communists in California must be regarded as occasion for considerable restraint in our several reactions.

President Eisenhower, neatly sidestepping any indication of his personal opinions, stated the case more or less for all of us when he told his press conference: "Like all laymen in the law, I have my fixed convictions about these things and I suppose they are, on one side or the other, very strong."

Whether you are on one side or the other in this matter you must concede that doubts have been raised, that some feel the Court has tightened the bolts on our conceptions of human rights and others are persuaded that it has opened still wider the gaps through which our dedicated enemies may enter to destroy us.

Obviously either the citizenry as a whole is unacquainted with some of the basic factors in the American system or our High Court judges have reduced the law to an overrefinement of semantics.

In due course the wisdom of the Court's decision, or the reverse thereof, will appear. But the immediate impact on the country's thinking is already making itself evident.

Jubilant Communists believe they have a new dispensation for organizing and expanding; many of their sympathizers feel encouraged to move, and on the other side, anti-Communist elements are aroused and determined to effect measures making impossible any fresh or additional advances of the Red conspiracy in this country.

The best that can be said for the members of the Supreme Court responsible for the Court's ruling is that they acted with scrupulous and courageous regard for our constitutional guaranties and the worst, perhaps, that in seeking with great fidelity to protect the inherent rights of all citizens the Court may have inadvertently added to the perplexities and burdens of those responsible for discovering, exposing and absorbing subversive undertakings.

The ordinary citizen is not called upon to receive without critical analysis the action of any official of Government, be he a member of the legislative, the executive or the judicial branch, but neither is an ordinary citizen endowed with any right to take law into his own hands or to disobey a law merely because he disagrees with its import.

Communism knows no law other than that of the dictatorship under which it exists; our system guarantees to a Communist as to any other the full protection of a constitution itself safeguarded against the whims and passions of men.

Perhaps most of us will agree that those who drafted the Federal Constitution did not anticipate or in any sound degree provide against a conspiracy such as communism in America represents.

With the experience of all history to guide them the framers of the Constitution sought to protect the individual citizen alike from the tyranny of the despot and the rage of the mob.

Yet here in the last half of the 20th century, 170 years after the Constitution was approved, we are faced with this bewildering, baffling and menacing problem of a Communist conspiracy.

No training or skill of legal minds is essential to a general understanding of what the Constitution commands and intends with respect to treason or to the right of

Congress to enact laws for the protection and security of the Nation.

And, further, in the first amendment of the Constitution the Congress is specifically prohibited from approval of any law abridging the right of free speech or of the press, or the right of peaceable assembly.

Acting by authority conferred upon it the Congress in 1940 adopted the Smith Act under which Communists have been tried and convicted. The act makes it a criminal offense to advocate or teach the violent overthrow of the Government.

The late Chief Justice Vinson, who wrote a majority ruling opinion in effect that the Constitution was not devised to prevent the Government from protecting itself against violent destruction, held that the right of free speech is not absolute, but must be considered subordinate to preservation of Government unless the people, by their votes, wish to change their system by peaceful means.

From that point the ordinary citizen must rest content while the courts, the lawyers, and the philosophers—as also the sophists—argue the questions.

On the basis of the commonsense mentioned by the Senator most of us will continue to recognize the Communist movement in this country for what it is—a poisonous, alien, ruthless, and sinister scheme to destroy our institutions, our liberties, and our way of life.

The so-call dedicated Communist, the man or woman who counts not the cost nor considers the price in duplicity, betrayal or deception, is a being which few in America can understand. And almost equally beyond our comprehension is the man or woman who can be seduced by the subversive Red doctrines.

Nevertheless, both of the breeds exist here, each working to a common end.

Obviously, either our laws are misguided, and are inadequate to subdue such endeavors, or the interpretations placed on the laws by the Supreme Court are wrong.

Instead of railing at the court, instead of feeling that this or that particular judge has failed to give proper weight to the laws and their intent, Congress should set about to plug the holes and mend the fences. Congress has the right to act and, within the limits of its constitutional power, can assist the courts in a clearer definition of what constitutes peril to the Nation and what steps to take to eliminate the dangers.

Communism received no clearance in the court's latest action on the legal status of a few individual Reds, but the peace of mind of the people has been shaken.

In such circumstances we should feel no inspiration to resort to impulsive, ill-considered action. We face a deadly enemy, and only by cold, logical, inexorable efforts to defeat him can we be secure.

Certainly we should not permit the enemy to use our free institutions and regulated authority as a means for our own dissolution. Commonsense is a force not essential alone to the courts and the judges.

[From the Los Angeles Times of June 26, 1957]

THE SUPREME COURT IN WATKINS CASE

(By Walter Lippmann)

In the Watkins case the Supreme Court, with Chief Justice Warren delivering the opinion of the majority, has tried to set down certain limits on the rights and powers of Congressional investigating committees.

We must, I think, describe the opinion in this tentative way. For the limitations are stated in general terms, and no one can know how they will in the future apply specifically in concrete cases.

In practice, the application will depend on how much each particular committee is willing to accept, how much it is determined to stretch the limitations, and whether the court will be disposed to construe the limitations strictly or loosely.

However, we have in the Watkins decision a powerful assertion of a principle which will influence the conduct of committees, the attitude of witnesses, the actions of the court, and the general posture of public opinion. The principle is that a witness, who believes that his constitutional rights are being abused, may appeal to the courts for protection.

Those who are opposed to the decision must say that they do not think that a witness should be able to appeal from a Congressional committee to the courts. This is, in substance, what Mr. Justice Clark, the lone dissenter seems to think—that for the courts to intervene is usurpation of power, and that, as a matter of fact, it is not in the public interest that the judiciary should "supervise" Congressional investigations.

Mr. Justice Clark, who regards the decision as "mischievous," comes very near to saying that Congressional committees are a law unto themselves.

"Perhaps," he says, "the rules of conduct placed upon the committees by the House admit of individual abuse and unfairness. But that is none of our—that is, the Court's affair. So long as the object of the legislative inquiry is legitimate and the questions proposed are pertinent thereto, it is not for the Court to interfere with the committee's system of inquiry."

This is a masterpiece of confusion. For it begs the question before the Court. In the Watkins case was there individual abuse and unfairness because a particular phase of the inquiry was not legitimate or because the questions put to Watkins were not pertinent? It is not entirely clear what Justice Clark really thinks. But apparently it is that the Court must assume that what a committee does is legitimate and that the questions it puts are pertinent, and that if they produce "individual abuse and unfairness," it is none of the Court's affair.

On the broad constitutional issue, Justice Clark holds that it is a "trespass upon the fundamental American principle of separation of powers" for the courts to concern themselves with individual abuse and unfairness. But is it truly an American principle that the separation of powers is absolute, so absolute that a committee of Congress cannot be called to account for the lawfulness on what it does?

Surely, the American principle is that Congress is not a sovereign body, accountable only to itself, but that it is under the law of the Constitution—of the Constitution as interpreted by the courts and as it may be amended by the people.

The ultimate issue raised by the Watkins case is not constitutional. It is, if we are quite candid, whether in order to combat the Communist movement, which would, if it could, destroy the American Government and the American social order, it is necessary to encourage or to permit congressional committees to proceed outside the Constitution.

Can the Constitution be defended only by extraconstitutional means, or can it be defended within its own terms? It has been on the grounds that there was a desperate emergency that many sober and conservative men have supported or connived at McCarthyism.

The Watkins decision is addressed to this particular kind of extraconstitutional investigation, of which the object is to outlaw, by exposure and pitiless publicity all behavior which might assist, might favor, might tolerate the spread of Communist propaganda.

These investigations are not addressed primarily to illegal acts, to espionage and subversion. They are addressed to activities which are not, strictly speaking, against the law and could not be prosecuted in a court.

There being no legal way to suppress such activities as propaganda, infiltration and fellow-traveling, Congress, with the support of public opinion, has created committees which are designed, among other things, to suppress by intimidation what cannot be suppressed by due process of law.

The Supreme Court has waited a long time—some 10 years—before it has intervened in what is unconstitutional process, resorted to on the grounds that fire must be fought with fire, that the end, which is to stop the spread of communism justifies any means.

I do not think the long patience of the Court shows that the Eisenhower court is more liberal than the Roosevelt-Truman court but rather that the times have changed. The emergency—if there was one which could not be met by lawful means—is over, and the presumption is now that investigating committees must work within the limits of the Constitution.

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include various articles, telegrams and other pertinent matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHERER. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from Ohio.

Mr. SCHERER. Mr. Speaker, just 10 days ago when the latest controversial decisions of the Supreme Court were handed down, the Un-American Activities Committee was commencing hearings in San Francisco. Although the press in California asked me to comment on those decisions, I hesitated to say anything at that time because I was so shocked and stunned that I felt my observations might be too intemperate.

Since then I have reviewed a series of decisions by the Supreme Court over the last 2 years. As I come to realize the full impact of these decisions on the security of this Nation, I become more alarmed about the direction in which we are heading. Legal principles, investigatory and judicial procedures which I learned in law school and which have been followed during 25 years of practice at the bar have been shattered.

When the most significant of these decisions were handed down by the Court on June 17, a former chairman of the Communist Party in California rejoicingly exclaimed that it was "the greatest victory the Communist Party in America has ever received." She said:

It will mark a rejuvenation of the party in America. We have lost some members in the last few years, but now we are on our way.

The committee saw and felt that rejuvenation at the San Francisco hearings. During the last few years, the Communist hangers-on at such hearings had diminished. Enthusiasm had been dampened. The witnesses exhibited less confidence in the rightness of the Communist cause. All this was changed last Monday. The Communists filled the large hearing room and overflowed into the corridors. Their snide and vituperative remarks to committee members as they passed through the halls and on the elevators were again in evidence. The

witnesses and the lawyers were jubilant as well as arrogant. The delaying tactics, the evasiveness, and the long Communist propaganda speeches returned.

As we grappled during the hearings with the strangling directives of the Court, we came to the conclusion that Justice Tom Clark, in his dissenting opinion, was right when he said that the investigating committees and the Federal Bureau of Investigation "may as well close up shop" and go home. Yes; it was a great day for the Kremlin but an ominous one for the people of the United States.

I predict that, unless these decisions can be nullified by action of the Congress, there will be a resurgence of Communist activity in the United States that will not only make your hair curl but your stomach turn.

Lenin, Stalin, and other top Communists have always predicted that the United States would be destroyed from within, as have been most of the countries that have been taken behind the Iron Curtain since 1933. Their predictions have a far better chance of becoming a reality as a result of these decisions.

Not too many years ago the agents of the Kremlin succeeded in infiltrating the various agencies of the Government of the United States and the various institutions of American life. Our most vital secrets, including those of the atom bomb, found their way to the Kremlin. The new method of warfare, namely, the internal subversion of the free countries of the world, made phenomenal headway.

Most of the 800 million people of the Free World who have been taken behind the Iron Curtain since 1933 got there not by outward aggression but through the internal subversion of their countries by those who owed their loyalty to the Kremlin. One traitor within is more dangerous to our safety and security than 10,000 enemy troops poised on the other side of the Iron Curtain.

Although the Federal Bureau of Investigation did its job well throughout the years and reported its findings faithfully, it was not until the investigating committees of the Congress moved in and brought to light this insidious subversion that we finally began to clean out this fifth column in America.

Patiently and carefully the Congress passed law after law recommended by the investigating committees to enable this Nation to deal effectively with this new menace from within, this new method of warfare.

In one fell swoop these decisions of the Supreme Court have all but destroyed the most powerful weapons that the Federal Bureau of Investigation and Congressional investigating committees have in their fight against the internal subversion of this country.

The Court has usurped the powers of the Congress. It has rewritten and nullified laws to fit its own social, political, and economic philosophies. It has destroyed basic and fundamental States rights. It has invaded and taken over prerogatives of the executive branch. It has supplanted the jury and trial judge when expediency demands. It has handcuffed the police and FBI in criminal cases, as pointed out by Justice Tom Clark in his dissenting opinion.

Perhaps I can illustrate by example how one of these decisions, namely, the one in the Watkins case, affects the committee's fight against subversion. Following the public hearings in California, the committee on last Saturday held an executive session for the purpose of obtaining evidence in the commencement of an investigation into a new and unexplored field of Communist subversive activity in the United States. The hearings were held in executive session because it was imperative that for the time being at least the objectives of our investigation be kept highly secret and that no notice be given to the Communists as to the fact that the committee had even any knowledge of these particular operations.

It was apparent that, if they had such knowledge, the whole investigation might fail completely. As an example, some witnesses and documents would conveniently disappear; witnesses would be alerted and their testimony changed or slanted. Of course, if Communist agents were aware of the fact that we had knowledge of the activity, it might be discontinued or go underground.

Now let us see what happened. When the witness appeared, his lawyer, armed with the decision in the Watkins case, demanded, before he would let his client even answer as to his occupation, that we outline in detail the nature and object of our investigation and then explain fully how each question we asked his client was pertinent to the subject and object of the investigation.

Obviously, we had no alternative except to dismiss the witness and forgo the investigation. Certainly it was better to do this than to tell the Kremlin what we knew.

The Department of Justice and the Federal Bureau of Investigation are similarly handcuffed by the decision freeing the five California Communists convicted for advocating the overthrow of this Government by force and violence. By these decisions the FBI must either bare its secret files to the enemies of this country or forgo the prosecution of these traitors. Do you wonder why I say June 17 was a Roman holiday for the Kremlin but an ominous day for the United States?

The tragedy of the Watkins decision is that the conclusion reached by the Court is based on a false premise. The Court assumes that the Un-American Activities Committee is investigating communism as an economic and political philosophy and that the Communist Party in the United States is a political party as we know political parties in this country. On the basis of this false assumption, the Court comes to an apparently logical but novel conclusion.

However, every school boy should know by this time that the Communist Party is not a political party but a conspiratorial apparatus—a fifth-column arm of the Soviet Union with whom we are at war even though it may not be a shooting war. In fact, the Congress of the United States has by law so stated.

Perhaps the Court has never read the secret oath an individual takes when he joins the Russian conspiracy—the Communist Party. This oath reads:

> I pledge myself to rally the masses to defend the Soviet Union, a land of victorious socialism. I pledge myself at all times to remain a vigilant and firm defender of the Leninist line of the party, the only line that insures the triumph of Soviet power in the United States.

Mr. KEATING. Mr. Speaker, will the gentleman yield to me?

Mr. JACKSON. I should be happy to yield to the gentleman from New York.

Mr. KEATING. Mr. Speaker, I want to compliment the gentleman from California on the very fine presentation he has made of one of the most important problems of our day.

I share the gentleman's concern as to the effect which these recent Supreme Court decisions may ultimately have upon our ability to wage war upon communism in this country.

There is no question that the Communist conspiracy still presents a serious threat to our security. We must be prepared to fight it with every weapon at our command.

Investigation and legislation by Congress are two of our most powerful weapons in this struggle. To put them aside or to allow them to be rendered impotent by our failure to act in the face of recent decisions would be to court disaster.

Yet, much as we may question the wisdom of these recent decisions of the Supreme Court, I think we are both in agreement with President Eisenhower who said just yesterday that, despite our doubts, it is vital that we maintain the independence of our judiciary.

I support the gentleman wholeheartedly in his assertion that the only positive, constructive course for Congress to take in the face of these decisions is to legislate wisely. These recent Court pronouncements make it incumbent upon Congress to reappraise its whole system of investigation, legislation and law enforcement in this area, which is so vital to our national security.

In that connection, I have recently introduced a bill to deal with this so-called Jencks decision which has been promptly referred by the chairman of our committee to the subcommittee of which the gentleman from Louisiana [Mr. WILLIS] is chairman. At this point permit me to commend our distinguished colleague from Louisiana who has so promptly called a hearing this very day on this important subject.

This bill is designed to stem the possible abuses likely to flow from this decision in the Jencks case, where it was held that in certain instances FBI files would have to be made available to the defense in these cases involving subversive activities. Under the provisions of this bill the defendant would be given the protection required by the Court's decision, but at the same time the Government would be protected against the necessity of having to open its files completely to unauthorized persons. Discretion would be placed in the Court to determine what statements in the file were relevant and it would allow the defense

access only to these statements. I think no one can argue that such a procedure is not completely fair and reasonable. It has the unqualified approval of the Department of Justice.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that, with the leave of other Members who have special orders, the gentleman from California may proceed for an additional 5 minutes.

The SPEAKER pro tempore (Mr. ROOSEVELT). The Chair would like to point out that there are three other special orders, for the gentleman from Illinois [Mr. SHEEHAN], the gentleman from West Virginia [Mr. BYRD], and the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I shall not object to the gentleman's proceeding for an additional time, and shall vacate my special order for today and postpone it until tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. May I also point out that, in keeping with the gentleman's very persuasive argument that now is the time for Congress to act to reestablish its powers and authority, I have prepared for presentation to the full Committee on the Judiciary, at its next meeting, a resolution for the establishment of a special subcommittee to study and appraise our laws and Congress' power to investigate in the light of these Court decisions. I earnestly believe that such a study should be instituted at once so that Congress may be given an opportunity to act upon sound legislative proposals at the earliest possible date. I sincerely hope and am quite confident that the chairman of our committee and its other members will support me in this endeavor.

Mr. Speaker, there is no doubt that many of us have been deeply disturbed by these recent Supreme Court decisions which seem to have clamped unduly tight and unworkable controls on the investigative powers of Congress and on the legislative means by which Congress has endeavored to combat the internal threat of the Communist conspiracy.

The proper way to respond to these decisions is not by attacks on the membership or authority of the Court. The proper response is by studying in mature and measured manner the problems raised by any decision of the Court, and then, if necessary, by proposing legislation to offset any serious effects which might arise out of these decisions.

This is the philosophy which has guided me in introducing legislation Monday to cope with the effect of the decision in the Jencks case. This is the philosophy which has guided me also in drafting the resolution to which I have referred.

It is my own personal feeling that careful study can lead to the framing of rules, procedures, and legislation which will enable the Congress to reassert its vital investigative powers without in any way abridging the constitutional rights of our citizens.

And I believe we can and must formulate legislation which will effectively combat subversives, within the framework of the Constitution, and which will effectively and legally carry out what we all know to be the will of the loyal and law-abiding people of this country.

I am grateful to the gentleman for yielding to me to make these remarks.

Mr. JACKSON. I thank the distinguished gentleman from New York for a very helpful contribution to the general discussion today and also the discussion with my colleague on the committee the gentleman from Ohio.

I should also like to express my thanks to the gentleman from West Virginia, the gentleman from Illinois, and the gentlewoman from Massachusetts for their kindness in permitting us to continue for a few extra moments.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mrs. ROGERS of Massachusetts. I commend the gentleman from California and the other Members who have spoken. I heartily agree with what they have said. I touched on this matter very briefly the other day and I am thoroughly in accord with the very fine presentation you have all made.

Mr. DOYLE. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. DOYLE. I wish to compliment the gentleman on what he has given us today. The Supreme Court cases have worried me, especially the Watkins case. I have been working rather diligently ever since it came to my attention to make a suggestion to the Congress and especially with reference to that case, and I expect to file that suggestion in the next day or two, not because it may be the ultimate but merely as a suggestion to begin considering the problems of the Committee on Un-American Activities and especially the result of the Watkins decision.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. TEAGUE of California. I should like to compliment the distinguished gentleman from California on his splendid statement and to tell him that I concur completely in what he has said to us and I wish to associate myself with his remarks.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. JENSEN. I wish to compliment the gentleman from California on the fine presentation he has made to the House on this very important matter. I wish also to compliment the gentleman from Ohio and others who have spoken. I, too, have been greatly concerned about this matter and I know the people of the country are greatly concerned. I have been hearing from the people I have the honor to represent here in the Halls of Congress. They tell me it is difficult for them to understand how such a decision could have been reached by that great Court, the Supreme Court of the United States. I sincerely hope and pray that the Congress will soon take such action to clarify and solve these problems which are a source of great concern to every thinking American so that this great Nation of ours may continue to be free.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. JUDD. I want to associate myself with the gentleman's remarks today. It is incredible that the United States should get into a position where we cannot defend ourselves against the greatest enemy that civilization has ever known. I commend the gentleman for his leadership in this matter.

The SPEAKER pro tempore (Mr. ROOSEVELT). The time of the gentleman has expired.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight tonight to file reports on the following bills: S. 1141, S. 806, H. R. 6182, H. R. 8005, and H. R. 8364.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

"DO NOTHING" DEMOCRAT CONGRESS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. SHEEHAN] is recognized for 30 minutes.

Mr. SHEEHAN. Mr. Speaker, to date, the 1st session of the 85th Congress has earned for itself the dubious honor of being the champion "do nothing" Congress. The only other Congress in recent years to have been given such a title, and undeservedly so by President Truman, was the Republican-controlled 80th Congress, whose good record was besmirched by the failure of the Republican presidential candidate, Thomas Dewey, to defend and support the record of budget cutting and tax saving, which that Congress so effectively accomplished.

Since it was the Democrat President and the Democrat candidates for Congress who labeled the Republican 80th Congress a "do nothing" Congress, we should compare the accomplishments of both the 80th and 85th Congresses to factually determine which rightfully deserves this odious title.

In 1947 and 1948, the Republican controlled 80th Congress cut taxes by $5 billion a year, of which 71 percent of this tax reduction went to people earning less than $5,000 per year. The national debt was paid off to the extent of $7 billion—the first real reduction in 17 years. A surplus of $8.5 billion was left in the Treasury in 1948. This same Republican-controlled Congress forced the Democrat administration to set up a loyalty review program and brought about the spectacular expose of Communists in the Government, of which Alger Hiss was one. The passing of the Taft-Hartley

Act was another immeasurable aid to the working man in the way of keeping his unions and their officials within reasonable control. The Republican 80th Congress also accomplished the following: Unified armed services, launched European recovery program, voted Greek-Turkish, Chinese aid, created Hoover Commission, forced Government loyalty check, enacted labor's bill of rights, raised Government employees' pay, made farm price supports permanent, liberalized veterans' benefits, limited new Presidents to 2 terms, doubled housing construction, pushed income and jobs to record highs.

Now the 85th Congress is controlled by the same Democrat leadership which led the 84th Congress to be labeled a "disappointment;" even by the very organization which stomped up and down the country to elect a Democrat controlled Congress, namely, the American Federation of Labor, whose executive council, in August of 1956, classified the 84th Congress as a "disappointment."

Up to the present time, the only action taken by the 85th Democrat controlled Congress, has been on appropriation bills and matters of a routine nature in which there is little or no controversy. About the only piece of legislation, which could be termed as major legislation, was embodied in the Middle East doctrine, which Congress passed in its early session. During my 7 years in the House of Representatives, I have never witnessed such a leaderless and aimless attitude in the Congress.

Of course, we realize that politics is always rearing its ugly head, and that present Democrat inaction might be a program of planned confusion. Firstly, there is a notable and marked division of principles and opinions within the Democrat Party in the Congress; and secondly, the Democrats are definitely playing for continued control of Congress in 1958, as well as the winning of the Presidency in 1960.

Evidence of the Democrat Party division in Congress is most apparent in the great split in the principles of the southern conservatives and the northern liberals. This is so self-evident that little time need be spent in proving the point. In January, a group of liberal Democrats proposed a program in the House of Representatives, and it is most noteworthy that the acknowledged leaders of the House were made conspicuous by their absence. Eighty out of 233 Democrat Members joined in this proposal, which turned out to be a program of nothing but taxing, spending, giving, and bringing on a more powerful centralized government. This may be summed up as a continuation and extension of the New Deal and the Fair Deal, with a new raw deal for the middle class in America. According to press reports, this new liberal bloc is going to let Speaker SAM RAYBURN alone for the moment. The groundwork and tactics of this offshoot of the Democrat Party have been set forth, most brazenly, by its organizer, who is quoted as follows:

But we will not be especially active this session. Next session, however, we expect to use discharge petitions, committee votes, and other legislative aids to make our positions very clear to the whole country.

In other words, these Congressmen are saying, in effect, let the country go to the dogs this year and we will put all of our efforts into reelecting a Democrat-controlled Congress next year.

Up to the present time, only 2 of 15 major legislative proposals have received final action, and even that stanch supporting organization of the Democrat Party, namely, the Americans for Democratic Action, stated that the Democrat Congress, to date, had "accomplished nothing during the first half of this session in the way of completed legislation of general application. But of even more concern, they have done little to lay the groundwork for action during the remainder of this session."

As a Republican, I regret very much that President Eisenhower listened to the political amateurs in his palace guard, who reputedly sold him a bill of goods to the effect that it would make no difference to his legislative program as to which party controlled the Congress. He has now learned too late that the Democrats play politics for keeps and that they go along with his program only when such programs are acceptable to Democrat philosophy and principles. The record of accomplishments of the Republican-controlled 83d Congress proves that even if a President does not receive 100 percent cooperation from his own party, he can still get the vast majority of his program through Congress.

The Democrat Party, in their 1952 and 1956 platforms, pledged all things to all people. A civil-rights program, revision of the immigration laws, improvement of the Refugee Relief Act, repeal of the Taft-Hartley Act, extension of minimum wage coverage, occupational safety programs, statehood of Alaska and Hawaii, and postal pay increases constitute only a partial list of the many platform promises which have not been carried out during the last 3 years of the Democrat-controlled Congress.

In reviewing the platform of the Democrat Party, since they took over control of Congress in January of 1955, and comparing their campaign promises with their performance thus far, it is quite obvious that a "do nothing" spirit prevails. It is also obvious that it is their intent to let the citizens of America live on empty promises in the hope of recapturing the Presidency in 1960.

LATVIA: A SELECTED BIBLIOGRAPHY WITH A BRIEF HISTORICAL SURVEY

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. ADDONIZIO] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ADDONIZIO. Mr. Speaker, as a matter of service to the Congress of the United States, and a duty I feel I owe to the American people in the contest that now engulfs mankind, I want to call attention to a work of special merit and wide importance. This work is a brilliant compendium of information and analysis by Selma A. Ozols, of the Library of Congress, on Latvia. The title is "Latvia: A Selected Bibliography With a Brief Historical Survey." It is a superbly organized and lucid history of this tragic Baltic country told with a reverence for scholarship and accuracy that never loses its common and appealing touch even for those who find works of scholarship uninviting from the standpoint of interest and entertainment. Moreover, it includes a comprehensive bibliography which testifies to the research and effort that went into this work and provides the student, researcher and scholar of the future with an indispensable tool for studying the ramifying culture of this fabulously absorbing Baltic state.

When I say fabulously absorbing I hasten to add that it is Latvia's struggle for freedom and her undefeated spirit under the heel of the Soviet Union that renders her story, as told in this chronicle, so dramatic and so appealing to the people of America, and more especially to the people of all the Baltic countries now settled in the United States. Moreover the book fills a gap in the history of our own country for it reveals, sympathetically of course, but without exaggeration and with abundant and precise documentation, the role that Americans of Latvian descent and the early Latvian immigrants to this country have played and are now playing in American progress and good citizenship. The book rightly makes a point of the fact that as of the 1940 census, I quote:

Latvians are not mentioned in the report of crime surveys.

It is estimated that there are now altogether about 140,000 Latvians, including their descendants, in this country. This I learn from the author of this work. I should like to add on my own that what makes this country a bulwark of freedom and the last great hope of all mankind for a free society, is just the sort of human material represented by these 140,000 Latvians.

As a matter of fact as significant as any individual piece of evidence can be on the worthwhileness of these people is the author of this book herself.

Mrs. Ozols, who was born in Latvia, is a graduate of the School of Law and Political Economics, University of Riga, and also studied law at Heidelberg University, Germany. She was engaged in legal work with her husband, Jacob Rudolf Ozols, who was a member of the Bar Association in Riga, Latvia and a special legal consultant with the Latvian Government. Mrs. Ozols was one of the Latvians persecuted during World War II by the Communists and Nazis and was confined to a prison camp for forced labor. In 1949 Mrs. Ozols came to America under the Displaced Persons Act, and in 1954 she became an American citizen. After arriving in this country she attended the following schools at night: Americanization School, George Washington University, and from 1952 to 1957 the Catholic University of America. Since February 1950 Mrs. Ozols has been employed by the Library of Congress.

This survey for all its warmth and appeal constricts itself to a sometimes severe objectivity. It is at once a labor of love and a work of austere scholarship. It is succinct rather than monumental and it is peculiarly useful because the orderly and organized mind that created it fashioned it so that it may serve as a ready reference volume. I may add that the book has already had wide approval from savants and experts in the field. It has been accepted by the Faculty of the Graduate School of Arts and Sciences of the Catholic University of America in partial fulfillment of the requirements for the degree of Master of Sciences in Library Science, a degree that Mrs. Ozols now holds.

It is, Mr. Speaker, an outstanding work in its field and I hope that this Congress and the people of America will recognize its usefulness and derive from what Mrs. Ozols has done a full measure of value.

SPECIAL ORDER VACATED

The SPEAKER pro tempore. Under the previous order of the House the gentleman from West Virginia [Mr. BYRD] is recognized for 60 minutes.

Mr. BYRD. Mr. Speaker, I have a special order to address the House for 60 minutes tomorrow, at which time I shall speak on the subject of trade with Communist China.

I ask unanimous consent to vacate the special order granted me for today.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to:

Mr. O'BRIEN of New York (at the request of Mr. DELANEY) for an indefinite period, on account of illness in family.

Mr. DAVIS of Tennessee (at the request of Mr. BECKWORTH) for Friday, June 28, on account of important business.

Mr. LONG (at the request of Mr. MCCORMACK), indefinitely, on account of official matters.

Mr. BECKER (at the request of Mr. MARTIN) for Friday, June 28 on account of official business.

Mr. TEAGUE of Texas (at the request of Mr. KILDAY) from June 27 through July 2, on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ROGERS of Massachusetts for 5 minutes today.

Mr. COLE for 30 minutes on Monday next.

Mrs. ROGERS of Massachusetts for 5 minutes on tomorrow.

Mr. HOLIFIELD for 30 minutes tomorrow, to revise and extend the remarks he will make then to include related matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MCGREGOR the remarks he will make in the Committee of the Whole today and to include certain charts and extraneous matter.

Mr. HOSMER in two instances and to include extraneous matter.

Mr. OSTERTAG to include extraneous matter.

Mr. ROONEY (at the request of Mr. MCCORMACK) to revise and extend the remarks he made today during the consideration of the conference reports and the amendments on the bill H. R. 6070 and to include extraneous matter therein.

SENATE BILLS AND CONCURRENT RESOLUTIONS REFERRED

Bills and concurrent resolutions of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 20. An act for the relief of the widow of Col. Claud C. Smith; to the Committee on the Judiciary.

S. 140. An act for the relief of Jan Szpytman; to the Committee on the Judiciary.

S. 178. An act for the relief of Mrs. Edward J. Smith (nee Concetta Chiodo) and her daughter, Roberta Smith; to the Committee on the Judiciary.

S. 439. An act for the relief of Susan Tsiang Ho; to the Committee on the Judiciary.

S. 554. An act for the relief of Giorgio Giordanella; to the Committee on the Judiciary.

S. 651. An act for the relief of Sister Clementine (Ilona Molnar); to the Committee on the Judiciary.

S. 669. An act for the relief of Mrs. Antonietta Giorgio and her children, Antonio Giorgio and Menotti Giorgio; to the Committee on the Judiciary.

S. 789. An act for the relief of Herbert T. King; his wife, Chang Si-Ling King; and his daughter, Chen Hsiao-Ling King; to the Committee on the Judiciary.

S. 811. An act for the relief of Fannie Alexander Gast; to the Committee on the Judiciary.

S. 823. An act for the relief of Maud Abraham; to the Committee on the Judiciary.

S. 832. An act for the relief of Matilda Strah; to the Committee on the Judiciary.

S. 846. An act for the establishment of a National Outdoor Recreation Resources Review Commission to study the outdoor recreation resources of the public lands and other land and water areas of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 850. An act for the relief of Stavros Manousos; to the Committee on the Judiciary.

S. 862. An act for the relief of Barbara L. Weiss; to the Committee on the Judiciary.

S. 875. An act for the relief of Vuokko A. Bingham; to the Committee on the Judiciary.

S. 876. An act for the relief of Katharina Theresia Beuving Keyzer; to the Committee on the Judiciary.

S. 957. An act for the relief of Calogero Maniscalco; to the Committee on the Judiciary.

S. 960. An act for the relief of Fotina (Theresa) Wardini; to the Committee on the Judiciary.

S. 969. An act to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor; to the Committee on the District of Columbia.

S. 1007. An act for the relief of Sgt. Donald D. Coleman; to the Committee on the Judiciary.

S. 1048. An act for the relief of Matilda Hajos; to the Committee on the Judiciary.

S. 1053. An act for the relief of Poppy Catherine Hayakawa Merritt; to the Committee on the Judiciary.

S. 1082. An act for the relief of Katina Apostolou; to the Committee on the Judiciary.

S. 1097. An act for the relief of Francoise Beyronneau; to the Committee on the Judiciary.

S. 1102. An act for the relief of Adolfo Camilio Scopone; to the Committee on the Judiciary.

S. 1240. An act for the relief of Panagiotis Tulios; to the Committee on the Judiciary.

S. 1244. An act for the relief of Teiko Watanabe Holderfield; to the Committee on the Judiciary.

S. 1251. An act for the relief of Florinda Mellone Garcia; to the Committee on the Judiciary.

S. 1253. An act for the relief of Myung Ok Shin; to the Committee on the Judiciary.

S. 1283. An act for the relief of Garth Cecil Briden; to the Committee on the Judiciary.

S. 1309. An act for the relief of Susanne Burka; to the Committee on the Judiciary.

S. 1311. An act for the relief of Maria Gradi; to the Committee on the Judiciary.

S. 1361. An act to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River; to the Committee on Public Works.

S. 1363. An act for the relief of Vassilios Kostikos; to the Committee on the Judiciary.

S. 1397. An act for the relief of Angeline Mastro Mone (Angelina Mastroianni); to the Committee on the Judiciary.

S. 1417. An act relating to the affairs of the Osage Tribe of Indians in Oklahoma; to the Committee on Interior and Insular Affairs.

S. 1508. An act for the relief of Salvatore LaTerra; to the Committee on the Judiciary.

S. 1510. An act for the relief of Reginald S. Levy; to the Committee on the Judiciary.

S. 1519. An act for the relief of Isaac Lidji, Henry Isaac Lidji, and Sylvio Isaac Gattegno; to the Committee on the Judiciary.

S. 1718. An act to amend section 201 (a) of the Civil Aeronautics Act of 1938, as amended, relative to the terms of office of members of the Civil Aeronautics Board; to the Committee on Interstate and Foreign Commerce.

S. 1774. An act for the relief of Yee Suey Nong; to the Committee on the Judiciary.

S. 1817. An act for the relief of John Panagiotou; to the Committee on the Judiciary.

S. 1823. An act to authorize the conveyance of Bunker Hill Island in Lake Cumberland near Burnside, Ky., to the Commonwealth of Kentucky for public park purposes; to the Committee on Public Works.

S. 1838. An act for the relief of Charles Douglas; to the Committee on the Judiciary.

S. 1848. An act for the relief of Michelle Patricia Hill (Patricia Adachi); to the Committee on the Judiciary.

S. 2027. An act for the relief of Vendelin Kalenda; to the Committee on the Judiciary.

S. 2161. An act to amend the act of August 14, 1955 (69 Stat. 725); to the Committee on Interior and Insular Affairs.

S. 2212. An act to amend the North Pacific Fisheries Act of 1954; to the Committee on Merchant Marine and Fisheries.

S. 2299. An act to amend section 3 (b) of the Securities Act of 1933; to the Committee on Interstate and Foreign Commerce.

S. Con. Res. 27. Concurrent resolution to create a joint committee to represent Congress at the 350th anniversary of the founding of Jamestown, Va.; to the Committee on Rules.

S. Con. Res. 31. Concurrent resolution favoring the fulfillment of the program recommended by the National Historical Publications Commission for the publication of certain documents; to the Committee on House Administration.

S. Con. Res. 32. Concurrent resolution favoring Congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled, bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1752. An act for the relief of Frank J. and Mae T. W. Burger;

H. R. 2964. An act to confer jurisdiction on the United States District Court for the Eastern District of Texas, Jefferson division, to hear, determine, and render judgment on certain claims of George W. Edwards, Jr., against the United States;

H. R. 3477. An act relating to moneys received from mineral lands in Alaska;

H. R. 3836. An act to repeal section 1157 of title 18 of the United States Code, as amended;

H. R. 3837. An act to amend the act of August 24, 1912, as amended, with reference to educational leave to employees of the Bureau of Indian Affairs;

H. R. 4945. An act to provide for the conveyance of certain real property in West Palm Beach, Fla., to the port of Palm Beach district;

H. R. 6287. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 6602. An act to authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes;

H. R. 7050. An act to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes;

H. R. 7249. An act to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia;

H. R. 7259. An act relating to marketing quotas and price supports for fire-cured, dark air-cured, and Virginia sun-cured tobacco;

H. R. 7835. An act to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes;

H. J. Res. 273. Joint resolution to waive the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, in behalf of certain aliens; and

H. J. Res. 379. Joint resolution making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

HOUSING ACT OF 1957

Mr. SPENCE submitted a conference report and statement on the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, and for other purposes.

ADJOURNMENT

Mr. BYRD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to. Accordingly (at 5 o'clock and 33 minutes p. m.) the House adjourned until tomorrow, Friday, June 28, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

935. A letter from the Acting Secretary of Agriculture, transmitting a progress report on the orderly liquidation of stocks of agricultural commodities held by the Commodity Credit Corporation, reflecting estimated activity under the various disposal programs, programs of disposition, and estimated remaining inventory as of June 30, 1958, pursuant to section 201 (b) of the Agricultural Act of 1956; to the Committee on Agriculture.

936. A letter from the Secretary of the Army and the Assistant Secretary of Agriculture, relative to submitting notice of the intention of the Department of the Army and the Department of Agriculture to interchange jurisdiction of military and national forest lands, pursuant to Public Law 804, 84th Congress; to the Committee on Agriculture.

937. A letter from the Secretary of Defense, relative to 29 reports covering 57 violations of section 3679, Revised Statutes and Department of Defense Directive 7200.1 entitled, "Administrative Control of Appropriations Within the Department of Defense," pursuant to section 3679 (1) (2), Revised Statutes; to the Committee on Appropriations.

938. A letter from the Secretary, Reconstruction Finance Corporation, transmitting a copy of notice of dissolution of U. S. Commercial Company as of the close of business June 20, 1957; to the Committee on Banking and Currency.

939. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to authorize the establishment of 88 positions for specially qualified scientific and professional personnel in the Department of Commerce at rates of compensation not to exceed the maximum rate payable under Public Law 313, 80th Congress, as amended, and Public Law 854, 84th Congress"; to the Committee on Post Office and Civil Service.

990. A letter from the Postmaster General, transmitting the cost ascertainment report for the fiscal year 1956; to the Committee on Post Office, and Civil Service.

991. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, relative to the case of Nathan Snider, also known as Nathan Gelb or Kuschneider, A-8957254, involving suspension of deportation, and requesting that it be withdrawn and returned to the jurisdiction of this Service; to the Committee on the Judiciary.

992. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 7, 1957, submitting a report, together with accompanying papers and illustrations, on a letter report on Lake Taneycomo, Mo., authorized by the River and Harbor Act approved July 24, 1946; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. H. R. 6570. A bill to amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, and for other purposes; with amendment (Rept. No. 649). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary. House Joint Resolution 253. Joint resolution to establish a commission to commemorate the 100th anniversary of the Civil War, and for other purposes; with amendment (Rept. No. 650). Referred to the Committee of the Whole House on the State of the Union.

Mr. KIRWAN: Committee of conference. H. R. 5189. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 653). Ordered to be printed.

Mr. DAWSON of Illinois: Committee on Government Operations. S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from insurrectos during 1899–1903; without amendment (Rept. No. 655). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 8005. A bill to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook and State of Illinois; with amendment (Rept. No. 656). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 8364. A bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959; with amendment (Rept. No. 657). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee of conference. H. R. 6659. A bill to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes (Rept. No. 659). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 1826. A bill to authorize the sale of certain lands of the United States in Wyoming to Bud E. Burnaugh; without amendment (Rept. No. 651). Referred to the Committee of the Whole House.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 1259. A bill to clear the title to certain Indian land; without amendment (Rept. No. 652). Referred to the Committee of the Whole House.

Mr. DAWSON of Illinois: Committee on Government Operations. S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.; without amendment (Rept. No. 654). Referred to the Committee of the Whole House.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 6182. A bill to provide for the conveyance of certain real property of the United States to the former owners thereof; with amendment (Rept. No. 658). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENTLEY:

H. R. 8410. A bill to provide that an individual who is not eligible upon reaching retirement age for old-age insurance benefits under title II of the Social Security Act may obtain a refund of the social-security taxes which he has paid; to the Committee on Ways and Means.

By Mr. BROOKS of Louisiana:

H. R. 8411. A bill to amend section 1033 (f) of the Internal Revenue Code of 1954 with respect to the tax treatment of livestock sold on account of flood; to the Committee on Ways and Means.

By Mr. DELLAY:

H. R. 8412. A bill to amend section 207 of the Legislative Reorganization Act of 1946, to provide that the Boards for the Correction of Military or Naval Records shall give consideration to satisfactory evidence relating to good character and conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, and for other purposes; to the Committee on Armed Services.

By Mr. FRELINGHUYSEN:

H. R. 8413. A bill to amend the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

By Mr. HOSMER:

H. R. 8414. A bill to amend chapter 223 of title 18 relating to demands for production of statements and reports of witnesses; to the Committee on the Judiciary.

By Mr. JARMAN:

H. R. 8415. A bill to provide for increased participation in the acreage reserve program by producers of basic commodities in major disaster areas; to the Committee on Agriculture.

By Mr. LOSER:

H. R. 8416. A bill to amend title 28 of the United States Code to prohibit the introduction into evidence in criminal proceedings of confidential information from the files of the Federal Bureau of Investigation; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H. R. 8417. A bill to extend the benefits of the act of May 29, 1944, entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal," to certain additional civilian officers and employees; to the Committee on Merchant Marine and Fisheries.

By Mr. MATTHEWS:

H. R. 8418. A bill to provide flexibility in the operation of marketing agreement programs; to the Committee on Agriculture.

By Mr. NIMTZ:

H. R. 8419. A bill to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States; to the Committee on the Judiciary.

H. R. 8420. A bill to authorize the National Inventors Council to make awards for inventive contributions relating to the national defense; to the Committee on the Judiciary.

H. R. 8421. A bill to change the method of computing basic pay for members of the uniformed services, to provide term retention contracts for Reserve officers, and for other purposes; to the Committee on Armed Services.

By Mr. PELLY:

H. R. 8422. A bill to legalize maritime and building trades hiring halls; to the Committee on Education and Labor.

By Mr. POFF:

H. R. 8423. A bill to amend chapter 223 of title 18 relating to demands for production of statements and reports of witnesses; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H. R. 8424. A bill to include certain service performed for Members of Congress as annuitable service under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

By Mr. ROONEY:

H. R. 8425. A bill to amend part B of title IV of the Veterans' Benefits Act of 1957 to grant a pension of $100 per month to all veterans of World War I who are 60 years of age or older; to the Committee on Veterans' Affairs.

By Mr. SANTANGELO:

H. R. 8426. A bill to facilitate the entry into the United States of certain adopted children, and other relatives of United States citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. WAINWRIGHT:

H. R. 8427. A bill to establish a temporary Presidential commission to study and report on the problems relating to blindness and the needs of blind persons, and for other purposes; to the Committee on Education and Labor.

By Mr. WEAVER:

H. R. 8428. A bill to provide for the increased use of agricultural products for industrial purposes; to the Committee on Agriculture.

By Mr. WRIGHT:

H. R. 8429. A bill to amend the Vocational Rehabilitation Act; to the Committee on Education and Labor.

By Mr. OSMERS:

H. R. 8430. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer certain additional credits, exclusions, exemptions, and deductions for income-tax purposes, which may hereafter be referred to as the citizens' hardship tax relief bill; to the Committee on Ways and Means.

By Mr. PATTERSON:

H. J. Res. 389. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. TELLER:

H. J. Res. 390. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the Second Annual United States World Trade Fair to be held in New York City, N. Y., from May 7 to May 17, 1958; to the Committee on Foreign Affairs.

By Mr. ANDERSON of Montana:

H. Res. 303. Resolution to amend the Rules of the House with respect to the jurisdiction of the Committee on Un-American Activities; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to enact legislation restricting the importation of plywood; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAUMHART:

H. R. 8431. A bill for the relief of Florencio Mejia; to the Committee on the Judiciary.

By Mr. HAYS of Arkansas:

H. R. 8432. A bill for the relief of Ted Lamb and Associates; to the Committee on the Judiciary.

By Mr. KILGORE:

H. R. 8433. A bill for the relief of Capt. Laurence D. Talbot (retired); to the Committee on the Judiciary.

By Mr. LeCOMPTE:

H. R. 8434. A bill for the relief of Choy Ahoh Yang; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H. R. 8435. A bill for the relief of Aurelio and Vicencio Restauro; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 8436. A bill for the relief of Concetta Cancelliere Martorana; to the Committee on the Judiciary.

By Mr. VAN ZANDT:

H. R. 8437. A bill to amend the act of August 3, 1956, to authorize certain personnel of the Armed Forces to accept and wear decorations conferred by the Philippine Government; to the Committee on Armed Services.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

296. By Mr. CRETELLA: Petition of the Connecticut State Medical Society on results of membership referendum on compulsory social security for physicians; to the Committee on Ways and Means.

297. By the SPEAKER: Petition of the secretary, Headquarters of the General Eldership of the Churches of God in North America, Inc., Harrisburg, Pa., petitioning consideration of their resolution with reference to going on record as opposing the continued exploding and testing of nuclear weapons by the United States and other powers, and to expedite a basis of international agreement by which all powers may terminate the testing of nuclear weapons; to the Committee on Foreign Affairs.

298. Also, petition of the Counselor, Chinese Embassy, Washington, D. C., relative to transmitting an English translation of a communication from 58 overseas Chinese organizations in Macoa addressed to the United States Congress on the T'ai-pei riots which occurred on May 24; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

There Was No Surrender of Jurisdiction Over American Troops Overseas in World War I

EXTENSION OF REMARKS
OF
HON. HAROLD C. OSTERTAG
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 27, 1957

Mr. OSTERTAG. Mr. Speaker, at this time when there is so much dismay over the surrender of American servicemen to foreign courts for trial on criminal charges, it is instructive to recall how matters of this kind were handled in World War I. I asked the Library of Congress to look into this matter for me, to determine whether there was, as late as World War I, any precedent for the surrender of jurisdiction over our Armed Forces, as is now possible under the status of forces treaties and agreements. I find that no such arrangements were thought to be necessary, and none were made. The United States maintained jurisdiction over its troops stationed in England and France during the First World War, even though they could be arrested by civil or military police of the host country for criminal offenses committed while they were off duty. Formal arrangements provided that after arrest, they would be returned to American military jurisdiction for trial under the Constitution and laws of the United States.

This, in my judgment, was a sound arrangement, and the only arrangement which can insure that the United States Constitution and the Bill of Rights follow the men in our uniformed services wherever they may be assigned to duty.

Under leave to extend my remarks, Mr. Speaker, I include in the RECORD, the memorandum on this point prepared for me by Mr. Arthur H. Darken, of the Foreign Affairs Division, Legislative Reference Service of the Library of Congress.

THE LIBRARY OF CONGRESS,
Washington, D. C., June 14, 1957.

To: Hon. Harold C. Ostertag.
From: Foreign Affairs Division.
Subject: Criminal jurisdiction of United States Armed Forces in allied countries during World War I.
(Attention: Miss Savell.)

Upon arrival of the United States forces in France in World War I, both the American and French authorities took the view that under the general principles of international law members of the American Expeditionary Forces were answerable only to American tribunals for all offenses they might commit in France. It was later formally agreed between the two Governments that each should possess exclusive criminal jurisdiction over its land and sea forces whether in the territory of either nation or on the high seas.

A similar arrangement prevailed in the United Kingdom, which issued an order in council stating that: "The naval and military authorities and courts of an ally may exercise in relation to the members of any naval or military force of that ally who may, for the time, be in the United Kingdom, all such powers as are conferred on them by the law of that ally."

Arrangements were made in both France and the United Kingdom, however, for the local police or military authorities to arrest American soldiers absent from their commands or committing offenses against the civil population. In each instance the American soldiers so arrested were to be turned over to the United States military authorities for trial and punishment.

In June 1917 the commander in chief of the AEF recommended the passage of legislation that would enable him to organize a claims service in the force for the investigation and payment of such damages against the civil population as might be caused by United States soldiers in France. This law was enacted in April 1918 and put into effect. Some of the most frequent sources of claims for damages were automobile accidents, collisions between commercial vessels of France and England and those chartered by the United States, and incidents involved in billeting American troops in requisitioned French quarters.[1]

ARTHUR H. DARKEN.

Long Beach State College Tour

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 27, 1957

Mr. HOSMER. Mr. Speaker, visiting us here today is a group of elementary and high school teachers, as well as a few future teachers, from southern California who are on a 10,000-mile tour of the United States as part of their study for credits at the Long Beach State College, Long Beach, Calif.

One aim of this tour, which is called a field trip in United States history and government, is to acquaint our California teachers with the most important historical places in our country so that they may go back to the classrooms and make the teaching of history more interesting and more meaningful.

It is also the aim of the Long Beach State College through this tour to acquaint our California teachers with the work that goes on in our American political institutions. They go behind the scenes of our Federal, State, and city governments and meet with important government officials in order to learn from these officials about the organization and functions of their respective departments.

This course of study was approved by the Long Beach State College in 1953, and by the Department of Education, State of California, the same year. Each year since 1953, under the guidance of Dr. J. Wesley Bratton, dean of the summer session, and the direction of Mr. Ross A. Sciarrotta, instructor and tour director, a group has visited Washington, and I have had the pleasure of arranging their visit here, which includes briefings by heads of departments and by foreign diplomats, as well as visits to House and Senate committee hearings and sessions of the House and Senate. Because their tour is a study tour—one for which they earn six college credits that may be applied toward higher degrees—may account for the warm reception and fine cooperation they receive from the top Government officials who take time off from their busy days to explain the operations of their agencies and departments.

In addition to Mr. Sciarrotta, the instructor and tour director, the following are in the group visiting us today: Mr. John Feder, Miss Tina Heller, Miss Della H. Sprauer, Mr. Frank M. Takahashi, Mr. and Mrs. Ervin H. Miller, Miss Kathy Crowther, Mr. Dennis Brown, Miss Peggy Ratcliff, and Miss Kathy Doba from Long Beach; Miss Violet E. Good and Miss Helen Roudebrush from Bellflower; Mrs. B. F. McNamee, Altadena; Mr. G. W. Mercereau from Los Angeles; and Mr. Verne W. Cowan from Visalia, Calif.

[1] The main source of information in the preparation of this memorandum was United States Army in the World War, 1917–19, prepared by the Historical Division of the Department of the Army, 1948, vol. 15, pp. 363ff.

Seventh Annual National Catholic Youth Week

EXTENSION OF REMARKS
OF
HON. JOHN F. KENNEDY
OF MASSACHUSETTS
IN THE SENATE OF THE UNITED STATES
Thursday, June 27, 1957

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD a statement on the observance of the seventh annual Youth Week sponsored by the National Council of Catholic Youth, which will be celebrated from October 27 through November 3.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SEVENTH ANNUAL NATIONAL CATHOLIC YOUTH WEEK

There is much of encouragement and promise in the theme of this year's National Catholic Youth Week—"Healthier, Holier, Happier." The week, whose seventh annual observance will be celebrated from October 27 through November 3, is dedicated to the 7 million young people who comprise the Catholic youth organizations of the country. Rt. Rev. Msgr. Joseph E. Schieder, director of the Catholic youth in the United States, has arranged the event sponsored by the National Council of Catholic Youth.

President Eisenhower and former Presidents Truman and Hoover, along with other State officials, and governors and mayors all over the country, have proclaimed the observance in special messages prepared for the week.

Youth week is the display window for the talents and achievements of the Catholic youth of America. It includes participation by hundreds of schools, colleges, and universities, and many local and national youth groups, in addition to millions of working youth. The week's calendar of activities is geared also to participation by youth in military installations overseas. Programed events include religious exercises, radio-TV shows, award dinners, athletic contests, parades, and social affairs.

The theme of the week embodies the elements essential to the formation of the complete human being—healthier in mind and body, holier in spirit, and happier as a natural consequence of these two conditions. The youth organizations who set this as their goal in working with young people today are to be commended for their splendid contribution to the welfare of our Nation. Youth week serves as a reminder of the zealous efforts on the part of youth leaders all over the country to provide better citizens for the future of America.

Vice President Richard M. Nixon's Speech Before 42d Annual Kiwanis International Convention

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 27, 1957

Mr. HOSMER. Mr. Speaker, it is my pleasure to present the text of Vice President NIXON's speech today before the 42d annual Kiwanis International Convention in Atlantic City:

I know that there is no subject of greater interest to Kiwanians than that of international relations and the policies which are designed to bring lasting peace to the world. I would like to discuss that subject on the basis of my personal observations of our policies in action over the past 4½ years.

I believe there has been too much pessimistic, defeatist talk about America's policies in the past few months.

It is time for us to discuss our responsibilities in the world, not in terms of what we cannot do, but in terms of what America should do as a great nation welcoming the opportunity which is presented to us to make a mighty contribution to the cause of peace and freedom in the world. I suggest that we examine American policies in that spirit today.

DEFENSE BUDGET

We begin with a policy on which there is probably very little disagreement—the necessity for the United States and the Free World to maintain military strength sufficient to meet and defeat any aggressor. We do this not because we want war but because we want peace and because history tells us that where a potential aggressor is on the loose weakness invites attack and strength discourages it.

We can disagree as to what the level of that strength should be. But where the decisions as to the character and quantity of our defense were made after months of study of facts available from all over the world by a man with the experience and background of the President of the United States, I say that anyone who would make substantial cuts in that budget below the amounts recommended is taking a risk with America's security which the American people will not and should not support.

DISARMAMENT

There may be those who believe that we can make reductions in our Defense Establishment because of the prospects for disarmament. But while negotiations for disarmament are taking place is the very time we should not reduce our defenses.

Our primary objective and motivation in such negotiations must not be to reduce our burden of armaments but to reduce the danger of war.

The Free World's military strength is the major deterrent to war today. If we reduce our strength and the Communists do not make a corresponding reduction in theirs, the risk of war will be correspondingly increased. A bad disarmament agreement, therefore, would be worse than none at all.

The road to war is paved with agreements based solely on mutual trust. That is why we serve the cause of peace when we insist that we will not make an agreement to reduce our own armed strength unless an inspection system is put into effect which will make certain that all the parties to the agreement are carrying out their commitments under it in good faith.

Let me turn now to some of the more controversial aspects of our foreign and defense policies. We have heard a great deal of criticism in recent weeks of our foreign-aid programs.

I suggest we examine those programs solely in terms of one question: Are the interests of the United States being served by them?

MILITARY-AID PROGRAM

Approximately three-fourths of the foreign-aid appropriation is for military assistance. Among the countries which are receiving military assistance are Korea, Formosa, South Vietnam, Pakistan, and Turkey.

All of these countries have common borders with Communist countries. The question is not whether they should have adequate defense forces, but how it should be done. On the average it costs 5 times as much to maintain an American abroad as it does for the fighting men of the allies we are aiding. By conservative estimates, our expenditure of $2.8 billion in foreign military aid results directly in at least $15 billion worth of defense for ourselves and the Free World. Spending less for military aid abroad would simply mean spending more for defense at home and more American boys in uniform. I submit that on the basis of these facts those who would cut our military foreign aid programs are in fact the spendthrifts and not the economizers.

WINNING THE COLD WAR

Let us turn now to another phase of our program for peace. We can readily see how maintaining the military strength of the Free World at adequate levels reduces the danger of war. But if we rely on nothing more than military strength we can only hope to have an uneasy truce with the whole world armed to the teeth for years to come.

What can we do not just to prevent a hot war but to win the cold war and thereby help to create the conditions on which a lasting peace can be built?

In finding the answer to this question let us begin by examining the breakdown of people in the world. The world's population today is roughly divided into thirds: one-third Free World, one-third Communist, and one-third uncommitted or neutral. If the Communists can win a substantial part of the uncommitted areas of Africa and Asia to their side, the balance of power in the world which deters war today would shift inevitably in favor of the Communists and the risk of war would consequently increase.

But an even greater danger would be that by controlling the resources of Asia and Africa they would be able to force the Free World to surrender without waging war.

The other side of the picture is that if the uncommitted world rejects communism and turns toward the Free World, the danger of both war and surrender will be substantially reduced.

What policies can we adopt which will help to accomplish this objective? This brings us to the basic question—what do the people of the uncommitted nations want?

ECONOMIC AID PROGRAM

They want economic progress so that they can raise their deplorably low living standards. They would prefer to gain that progress and keep their freedom and independence at the same time. But if there is no other answer they will turn to the Communist world for help. And those who accept economic help from the Communists run the risk of eventual Communist domination.

That is why we are appropriating $1 billion a year to help nations in this category. Our purpose is not to buy friends but to help them develop the economic and political strength and independence which is the antithesis of Communist domination.

In the final analysis of our own independence and peace are involved just as much as that of the nations we are aiding.

As important as economic progress is, we would make a fatal error if we assumed that this was the complete answer to the problem of the uncommitted nations.

The people of these countries above all else want and deserve recognition of their dignity as individuals and as nations. We must never forget that they are as sovereign as we are. They are as jealous of their rights and their independence as we are.

And we want it that way. We do not want satellites browbeaten by American armed might or by our economic strength. We want allies, friends, and partners. Let us talk less about our world leadership and more about our partnership with other free nations. And may we always treat the people of other lands with the dignity and respect they deserve.

We have discussed our military program to deter a hot war and our economic aid program to win the cold war. What can we do in addition which will help create the understanding and good will which is essential if we are to have real peace?

A BREAKTHROUGH FOR PEACE

What we need is a breakthrough for peace. We must contain communism without war. But we must go further and try to set in motion changes in the Communist empire which will enable us to have real peace, not just an armed truce.

This will not be easy. There are no trick gimmicks that will change men's hearts. There are no miracle drugs which will impede the drive for power or restrain the cruelty and insolence of those who live by naked force.

If the Soviet Union would agree to a regular exchange of radio and television broadcasts, as proposed by Secretary Dulles and Senator JOHNSON, real progress could be made in reducing misunderstanding and prejudice.

But exchange of broadcasts may not be the most effective answer to the basic problem. People everywhere have been bombarded with so much propaganda that they are skeptical of it. There is a tendency to be suspicious of any information which emanates from government sources.

EXCHANGE PROGRAM

We should put at least equal emphasis on another program which too often is treated as a stepchild by both the executive department and the Congress in allocating funds in the information field. I refer to our cultural and persons exchange program. A recent example of the effectiveness of the cultural exchange phase of this program is the sensation created by our exhibit at the Poznan Trade Fair in Poland. This exhibit has

probably created more interest in and understanding of the American economic system than 10 years of radio broadcasts.

Under the exchange of persons phase of this program editors, professors, labor leaders, clergymen, public officials, and various technical experts come here for periods of up to a year. They spend most of their time visiting Americans who share their profession or occupation. They are helped in planning their program, but they are not given propaganda tours or indoctrination. They see our country as it is—its good points and its weaknesses. When they return home they have had a firsthand experience of what democracy and freedom of opportunity mean in practice.

Radio and TV broadcasts are more spectacular but the exchange program in the long run is more lasting in its effect. What an American says to a citizen of another country about America is not as effective as when a citizen of that country who has visited America says the same thing.

These programs are so effective and so essential in creating better understanding that we should sharply increase our emphasis on them. At the present time only 12,000 leaders a year from all parts of the world are able to visit the United States under the Government exchange program. I believe we should set as our goal bringing at least 25,000 leaders a year from foreign countries to the United States.

EAST-WEST EXCHANGE

It is particularly important that we show greater initiative in attempting to increase on a large scale the exchange of persons program with the Soviet Union and its European satellites. We should accept the risks in such a program in the hope that we will be striking directly at the roadblock of hatred and prejudice which bars the road to peace. It is true that the Kremlin's leaders can be expected to do their best to send only case-hardened, tested Communist Party members to the United States under these programs. But the larger the number who come, the less effective the Communist screening process can be.

In undertaking such an expanded program we should not expect a miracle overnight. Attitudes which have been drilled into people for years do not change in a day. But only in this way can the seeds of understanding be planted which may eventually blossom into the good will the world so desperately needs.

SOVIETS BLOCK EXCHANGE

The major question, of course, is will the Soviet leaders meet us halfway in expanding the exchange of persons program? Mr. Khrushchev in recent days has tried to create the impression that it is the United States which is blocking a broader exchange of information and persons.

Never in history has a national leader indulged in more hypocritical double-talk. He is using the old Communist tactic of accusing us of the very practices of which his government is guilty.

We made it clear at the Geneva Conference and on a number of occasions since then that we want to increase the exchange of information and persons between the Soviet Union and the United States. Mr. Khrushchev now says that they want to do the same thing. It is time for him to back up his words with deeds.

Here are six areas in which by changing Soviet policy he can prove his good faith and contribute to the cause of understanding and peace:

He can stop jamming Free World broadcasts to the Soviet Union. We do not interfere with Soviet broadcasts in any respect. Our broadcasts to the Soviet Union are jammed by the Communists night an dday.

He can allow foreign periodicals to be freely sold and distributed in the Soviet Union. Communist periodicals are allowed to enter this country and can be purchased by anyone who wishes. On the other hand, the Russian people cannot purchase American newspapers or magazines except in those rare instances where their government permits it.

He can quit censoring news stories filed by foreign correspondents in the Soviet Union. Russian correspondents are invited to our press conferences and their copy is not censored in any way. The exact opposite is true in the USSR where every word a correspondent sends out to the Free World must be approved by a Soviet government official.

He can remove the restrictions which the Soviet government has placed upon travel within the Soviet Union. The United States has time after time requested just such a relaxation of restrictions. Mr. Khrushchev has said that he would be prepared to do away with these restrictions by mutual agreement. Up to this point, the Soviet action, in contrast to agreeable words over TV, has been negative.

He can allow not just a few Government officials whom the leaders feel can risk exposure to our freedoms but Soviet citizens of all ranks and walks of life to come to the United States under the exchange program.

He can accept the offer of the Secretary of State to exchange on a regular basis radio and television programs. The concepts of communism are read and understood by many in this country and have been rejected by our own free will. We challenge the Soviet Union to permit similar free and wide circulation within its borders of the concepts of freedom and democracy.

Acceptance by Mr. Khrushchev of any one of these proposals would be an evidence of Soviet good faith in their expressed desire to reduce tensions and to create better understanding between the Communist world and the Free World. His continued refusal to take action will place the responsibility on the Soviet leaders and the Soviet leaders alone for blocking the road to peace.

May I conclude by expressing an optimistic conviction as to the future? You have all heard a great deal of talk with regard to the anti-American sentiment which exists in various parts of the world. The impression is sometimes created that our policies abroad have left a hot-bed of hate all over the world. There is no question but that tensions have been created which are inevitable when people of different backgrounds must live and work together. But anyone who concludes that because of a few incidents anti-Americanism is the rule rather than the exception in other countries is dead wrong.

I can testify from personal experience on this score on the basis of visits to 40 countries in the past 4 years. In my opinion, there is a great well of friendship for the people of the United States among the people of other lands. All we have to do is to go halfway in treating them as equals, in respecting their traditions, and in proceeding always on the basic assumption that there are no second-class people or second-class nations in the world today. Nothing can contribute more to the cause of peace than for us to act and think in those terms in our dealings with other peoples.

I believe that if we can show the same courage and devotion in fighting for peace that we have always shown in fighting to win wars, we have the best opportunity in history to realize in our time man's dream of peace and freedom for the people of the world.

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 28, 1957

The House met at 12 o'clock noon.

Rev. Luther Mauney, D. D., pastor, Resurrection Lutheran Church, Arlington, Va., offered the following prayer:

Almighty God, who hast set our lives within two worlds, so that we are at once the creatures of time and of eternity, grant us the double vision to see the nature of our life in both realms. As the sons of God, make us to know Thy glory and Thy will, and to magnify Thee. As the children of men, may we come to love Thy word, that we may be led to do justly, to love mercy, and to walk humbly with our God.

Blessed Lord, help us to see our way in life—our duties, our responsibilities, our paths of service—in the light of Him who lived in Galilee. As He was a seeker for the truth, may we be too. As He steadfastly stood for the right, without equivocation or compromise, help us also thus to act. Wherein He sought human and spiritual values beyond all else, lead us to organize our purposes to attain these ends.

Strengthen us, O God, by Thy gifts that we may meet the challenge which comes from this our day and generation. Be it breadth of vision that is needed, or strength of purpose; if the times call for courage, or for cleverness, or compassion—whatever the need, may Thy holy spirit make us equal to the requirement that we may be lifted above the infirmities of the flesh and made worthy administrators in Thy governance of mankind.

Make our Nation great in her acceptance of Thy way of truth, and in her service for all men. Bestow Thy grace upon all who are in positions of leadership, that they may serve not as to men but as unto Thee. And establish peace and happiness, truth and justice, true religion and piety among us throughout all generations, through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 3373. An act to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes;

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made;

H. R. 6523. An act to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person;

H. R. 7954. An act relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons;

H. R. 8333. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of St. Gregory the Great, with the rank of Knight Commander with Star; and

H. R. 8384. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 60. An act to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado.

S. 603. An act to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 60 days after the execution thereof;

S. 1459. An act to amend section 208 (c) of the Interstate Commerce Act, as amended;

S. 1856. An act to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes; and

S. J. Res. 73. Joint resolution to amend Public Law 843, 80th Congress, as amended, providing for membership and participation by the United States in the International Labor Organization and authorizing appropriations therefor.

The message also announced that the Senate insists upon its amendment to the concurrent resolution (H. Con. Res. 204) entitled "Concurrent resolution expressing the sense of the Congress on the problem of Hungary," and agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GREEN, Mr. FULBRIGHT, and Mr. KNOWLAND to be the conferees on the part of the Senate.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 1314, to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, with the House amendment thereto, insist upon the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. COOLEY, POAGE, GATHINGS, AUGUST H. ANDRESEN, and HILL.

COMMITTEE ON ARMED SERVICES

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Investigations of the Armed Services Committee may be allowed to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

PUBLIC ASSISTANCE PROVISIONS OF THE SOCIAL SECURITY ACT

Mr. COOPER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? The Chair hears none and appoints the following conferees: Messrs. COOPER, MILLS, GREGORY, REED, and JENKINS.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

VETERANS' HOSPITALS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, an article was sent to me from Massachusetts by Fulton Lewis in which he said that the Members of New England and Arkansas have lost interest in the Hot Springs hospital. I assure you that insofar as Massachusetts is concerned, that is not so. We also need the Waltham hospital. The Army needs hospitals desperately. There is a great shortage of beds everywhere in the State, and we are fighting just as hard to have the Senate put something in the bill for Waltham as ever before, and I am sure that is the case with Arkansas.

PROGRAM FOR NEXT WEEK

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts.

There was no objection.

Mr. MARTIN. Mr. Speaker, I take this time to inquire of the majority leader as to the program for next week.

Mr. McCORMACK. Monday is Consent Calendar Day. There will be five suspensions:

H. R. 6182, conveyance of certain real property to former owners thereof;

H. R. 8055, conveyance of United States interest in and to fissionable materials, in Cook County, Ill.;

S. 1141, records donated to the Philippines;

S. 806, quitclaim land, Vincennes University, Indiana; and

H. R. 8195, to facilitate the payment of Government checks.

There will be a continuing resolution in relation to temporary appropriations, and then H. R. 7383, to amend the Atomic Energy Act regarding indemnity and liability.

On Tuesday the Private Calendar will be called. The rest of Tuesday and Wednesday is undetermined.

Conference reports can be brought up at any time.

In accordance with the announcement I made yesterday, there will be no legislative business on Thursday, Friday, or Saturday. On Wednesday we will adjourn to Friday and then from Friday to Monday of next week. The reason for going over from Wednesday to Friday is to enable the employees of the House restaurant to have their Fourth of July off the same as others.

Mr. MARTIN. I thank the gentleman.

THE LAW OF THE LAND

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina.

There was no objection.

Mr. RIVERS. Mr. Speaker, there are a lot of people who say that whatever the Supreme Court says is the law of the land and point with great pride to the school integration cases. One of those people who say that a Supreme Court decision is the law of the land is Herbert Brownell. But when the Jencks case came out and the Court directed him to turn over the FBI files to the Communists, Brownell came running up to the Judiciary Committee to change the law. Up to this time he has not turned over the files to the Communists. I say that Brownell may be in contempt of the Supreme Court for not obeying the law of the land enunciated by this Supreme Court. He is eating out of one spoon and expects us to eat out of another. He is in contempt of the same Court which holds us in the South contemptuous. Brownell honors the political decisions of this Court or those which

at the moment are either on the side of popular feeling.

Mr. Speaker, I insert an editorial from the Charleston News and Courier of June 27, 1957, on this subject titled "The Law of the Land."

LAW OF THE LAND

Supreme Court decisions, we constantly hear from integrationists, are the law of the land. Attorney General Brownell is not satisfied, however, with the law of the land in the Jencks case. The effect of the Supreme Court's decision in favor of an alleged Communist is to open up FBI files to defendants on fishing expeditions. The Department of Justice has appealed to Congress to pass laws to protect these Government secrets.

The News and Courier approves of this effort. It cannot resist noting the turnabout by the Attorney General when a decision doesn't suit him. Southerners are appealing the school segregation decision to the court of public opinion, the court of last resort in any country.

AUTHORITY TO RECEIVE MESSAGES AND SIGN ENROLLED BILLS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE APPROPRIATION BILL, FISCAL YEAR 1958

Mr. NORRELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7599) making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, after line 6, insert:

"SENATE

"Salaries of Senators, mileage of the President of the Senate and of Senators, expense allowance of the majority and minority leaders of the Senate, and salary and expense allowance of the Vice President."

Page 1, after line 6, insert "For compensation of Senators, $2,328,245."

Page 1, after line 6, insert "For mileage of the President of the Senate and of Senators, $51,000."

Page 1, after line 6, insert "For expense allowance of the majority leader and of the minority leader of the Senate, $2,000 each, in all $4,000."

Page 1, after line 6, insert "For the compensation of the Vice President of the United States, $37,695."

Page 1, after line 6, insert "For expense allowance of the Vice President, $10,000."

Page 1, after line 6, insert:

"SALARIES, OFFICERS AND EMPLOYEES

"For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows."

Page 1, after line 6, insert:

"OFFICE OF THE VICE PRESIDENT

"For clerical assistance to the Vice President, at rates of compensation to be fixed by him in basic multiples of $5 per month, $101,925."

Page 1, after line 6, insert:

"CHAPLAIN

"Chaplain of the Senate, $5,000."

Page 1, after line 6, insert:

"OFFICE OF THE SECRETARY

"For office of the Secretary, $572,915."

Page 1, after line 6, insert:

"COMMITTEE EMPLOYEES

"For professional and clerical assistance to standing committees, and the Select Committee on Small Business, $2,030,650."

Page 1, after line 6, insert "Conference committees."

Page 1, after line 6, insert "For clerical assistance to the conference of the majority, at rates of compensation to be fixed by the chairman of said committee, $40,000."

Page 1, after line 6, insert "For clerical assistance to the conference of the minority, at rates of compensation to be fixed by the chairman of said committee, $40,000."

Page 1, after line 6, insert:

"ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

"For administrative and clerical assistants and messenger service for Senators, $9,640,000."

Page 1, after line 6, insert:

"OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

"For Office of Sergeant at Arms and Doorkeeper, $1,760,940: *Provided*, That effective July 1, 1957, the basic annual compensation of the following positions shall be: Editor and printer, $4,020, in lieu of $3,000; 3 cabinetmakers at $2,700 each in lieu of $2,640 each; finisher, $2,700 in lieu of $2,640; upholsterer, $2,700 in lieu of $2,640; superintendent, service department, $6,060 in lieu of $4,800; foreman, repairman, $2,820 in lieu of $2,760; repairman, $2,640 in lieu of $2,580; repairman, $2,520 in lieu of $2,460."

Page 1, after line 6, insert:

"OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

"For the offices of the Secretary for the Majority and the Secretary for the Minority, $94,950."

Page 1, after line 6, insert:

"OFFICE OF THE MAJORITY AND MINORITY WHIPS

"For 2 clerical assistants, 1 for the majority whip and 1 for the minority whip, at not to exceed $5,580 basic per annum each, $20,045."

Page 1, after line 6, insert "Contingent expenses of the Senate."

Page 1, after line 6, insert "Legislative reorganization: For salaries and expenses, legislative reorganization, $106,500."

Page 1, after line 6, insert "Senate policy committees: For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, $111,825 for each such committee; in all, $223,650."

Page 1, after line 6, insert "Joint Economic Committee: For salaries and expenses of the Joint Economic Committee, $143,360."

Page 1, after line 6, insert "Joint Committee on Atomic Energy: For salaries and expenses of the Joint Committee on Atomic Energy, $233,520; and for expenses of compiling and preparing year end Joint Committee reports, $865, said sum, or any part thereof, may be paid as additional compensation to any employee of the United States; in all, $234,385."

Page 1, after line 6, insert "Joint Committee on Printing: For salaries and expenses of the Joint Committee on Printing, $62,635; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; and for compiling, preparing, and indexing material for the biographical directory, $2,605, said sum, or any part thereof, in the discretion of the chairman or vice chairman of the Joint Committee on Printing, may be paid as additional compensation to any employee of the United States; in all, $66,840."

Page 1, after line 6, insert "Committee on Rules and Administration: For reimbursement to General Services Administration for space furnished the United States Senate, $30,810; and for expenses of compiling, preparing, and indexing material for the Senate Manual, $2,180, said sum, or any part thereof, in the discretion of the chairman of the Committee on Rules and Administration, may be paid as additional compensation to any employee of the United States; in all, $32,990."

Page 1, after line 6, insert "Vice President's automobile: For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, $7,600."

Page 1, after line 6, insert "Automobile for the President pro tempore: For purchase, exchange, driving, maintenance, and operation of an automobile for the President pro tempore of the Senate, $7,100."

Page 1, after line 6, insert "Automobiles for majority and minority leaders: For purchase, exchange, driving, maintenance, and operation of 2 automobiles, 1 for the majority leader of the Senate, and 1 for the minority leader of the Senate, $14,200."

Page 1, after line 6, insert "Reporting Senate proceedings: For reporting the debates and proceedings of the Senate, payable in equal monthly installments, $188,825."

Page 1, after line 6, insert "Furniture: For services and materials in cleaning and repairing furniture, and for the purchase of furniture, $31,190: *Provided*, That the furniture purchased is not available from other agencies of the Government."

Page 1, after line 6, insert "Inquiries and investigations: For expenses of inquiries and investigations ordered by the Senate or conducted pursuant to section 134 (a) of Public Law 601, Seventy-ninth Congress, including $380,000 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, $2,650,000."

Page 1, after line 6, insert "Folding documents: For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding $1.61 per hour per person, $29,000."

Page 1, after line 6, insert "Senate restaurants: For repairs, improvements, equipment and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended under the supervision of the Committee on Rules and Administration, United States Senate, $85,000."

Page 1, after line 6, insert "Motor vehicles: For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $16,560."

Page 1, after line 6, insert "Miscellaneous items: For miscellaneous items, exclusive of labor, $1,455,000."

Page 1, after line 6, insert "Postage stamps: For Office of the Secretary, $650; Office of the Sergeant at Arms, $725; Offices of the Secretaries of the Majority and the Minority, $100; and for airmail and special-delivery stamps for Senators and the President of the Senate, as authorized by law, $38,000, in all, $40,275."

Page 1, after line 6, insert "Stationery (Revolving Fund): For stationery for Senators and the President of the Senate, $174,600; and for stationery for committees and officers of the Senate, $12,900; in all, $187,500, to remain available until expended."

Page 1, after line 6, insert "Communications: For an amount for communications which may be expended interchangeably for payment, in accordance with such limitations and restrictions as may be prescribed by the Committee on Rules and Administration, of charges on official telegrams and long-distance telephone calls made by or on behalf of Senators or the President of the Senate, such telephone calls to be in addition to those authorized by the provisions of the Legislative Branch Appropriation Act, 1947 (60 Stat. 392; 2 U. S. C. 46c, 46d, 46e), as amended, and the First Deficiency Appropriation Act, 1949 (63 Stat. 77; 2 U. S. C. 46d–1), $14,550."

Page 1, after line 6, insert:

"ADMINISTRATIVE PROVISIONS

"Salaries or wages paid out of the items under "Contingent Expenses of the Senate" shall hereafter be computed at basic rates, plus increased and additional compensation, as authorized and provided by law."

Page 11, line 5, strike out "$357,000" and insert "$361,385."

Page 11, line 5, strike out "$183,000" and insert "$187,385."

Page 11, line 7, after "House" insert "*Provided*, That effective July 1, 1957, the gross compensation of the Legislative Counsel of the Senate shall be $17,500; and no more than three employees in the office of the Legislative Counsel of the Senate may be designated as Senior Counsel, whose compensation shall be $15,500 gross per annum each."

Page 11, after line 7, insert:

"JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

"For an amount to enable the Joint Committee on Reduction of Nonessential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, $22,500, to be disbursed by the Secretary of the Senate."

Page 13, after line 2, insert "Hereafter the purchase of supplies and equipment and the procurement of services for all branches under the Architect of the Capitol may be made in the open market without compliance with section 3709 of the Revised Statutes of the United States, as amended, in the manner common among businessmen, when the aggregate amount of the purchase or the service does not exceed $1,000 in any instance."

Page 14, line 2, strike out "$897,100" and insert "$901,800."

Page 14, line 10, after "$307,000" insert "*Provided*, That not to exceed $56,000 of the amount made available under this head for the fiscal year 1957 for construction of a combined sanitary-storm water sewer extending from the additional Senate Office Building to the existing sewer crossing Constitution Avenue just west of New Jersey Avenue NW., is hereby continued available until June 30, 1958."

Page 14, after line 10, insert "Subway transportation, Capitol and Senate Office Buildings: For maintenance, repairs, and rebuilding of the subway transportation system connecting the Senate Office Building with the Capitol, including personal and other services, $4,500."

Page 14, after line 10, insert "Senate Office Buildings: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel and for personal and other services; including eight female attendants in charge of ladies' retiring rooms at $1,800 each, for the care and operation of the Senate Office Buildings; uniforms or allowances therefor as authorized by the act of September 1, 1954, as amended (5 U. S. C. 2131); to be expended under the control and supervision of the Architect of the Capitol; in all, $1,320,400: *Provided*, That not to exceed $87,000 of the amount made available under the head 'Senate Office Building' in the Legislative Branch Appropriation Act, 1957, shall continue available until expended."

Page 14, after line 10, insert:

"ADDITIONAL OFFICE BUILDING FOR THE UNITED STATES SENATE

"Construction and equipment of additional Senate Office Building: To enable the Architect of the Capitol, under the direction of the Senate Office Building Commission, to continue to provide for the construction and equipment of a fire-proof office building for the use of the United States Senate, in accordance with the provisions of the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029), $2,846,000: *Provided*, That no part of the funds herein appropriated shall be obligated or expended for construction of the rear center wing of said building, from the ground floor up, provided for under the building plans heretofore approved by such Commission: *Provided further*, That the amount of $20,600,000 fixed by the Second Deficiency Appropriation Act, 1948 (62 Stat. 1029) as the limit of cost for construction and equipment of an additional office building for the United States Senate is hereby increased by $2,846,000."

Page 22, after line 8, insert:

"SEC. 105. The appropriations, authorizations, and authority with respect thereto in this act shall be available from July 1, 1957, unless otherwise provided, for the purposes provided in such appropriations, authorizations, and authority. All obligations incurred during the period between June 30, 1957, and the date of the enactment of this act in anticipation of such appropriations, authorizations, and authority are hereby ratified and confirmed if in accordance with the terms hereof."

Page 22, line 9, strike out "105" and insert "106."

Mr. HORAN (during the reading of the Senate amendments). Mr. Speaker, our subcommittee is in complete agreement on these Senate amendments. I ask unanimous consent that further reading of the Senate amendments be dispensed with and that they be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. NORRELL. Mr. Speaker, the bill as passed by the Senate is the same as passed by the House except for addition of items pertaining to the Senate or those joint items customarily carried in the Senate section. Following custom, the House leaves to the Senate the matter of determining its housekeeping items. The Senate has added $26,474,375 to the bill. They made no changes in the Library items or the Government Printing Office, or in any of the items under the Architect of the Capitol except insofar as was necessary to take care of Senate items.

The bill totals $104,844,660, as compared to estimates of $108,271,443 a reduction of $3,426,783. It is $14,205,138 below appropriations for 1957. The following table summarizes the situation.

Group	Appropriations, 1957	Budget estimates, 1958	House bill, 1958	Amount recommended by Senate committee	Increase (+) or decrease (−), Senate bill compared with—		
					Appropriations, 1957	Budget estimates, 1958	House bill
Senate	$22,362,615	$23,376,015	----------	$22,271,890	−$90,725	−$1,104,125	+$22,271,890
House of Representatives	35,990,740	38,680,385	$37,827,705	37,827,705	+1,866,965	−852,680	----------
Joint offices and items	2,600,635	2,612,380	2,611,180	2,638,065	+37,430	+25,685	+26,885
Architect of the Capitol	35,044,200	17,791,500	12,833,400	17,009,000	−18,035,200	−782,500	+4,175,600
Botanic Garden	253,600	862,500	275,500	275,500	+21,900	−587,000	----------
Library of Congress	10,637,608	11,766,763	11,647,500	11,647,500	+1,009,892	−119,263	----------
Government Printing Office	12,190,400	13,181,900	13,175,000	13,175,000	+984,600	−6,900	----------
Total	119,049,798	108,271,443	78,370,285	104,844,660	−14,205,138	−3,426,783	+.474,375

The SPEAKER. The question is on the Senate amendments.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 1958

Mr. KIRWAN. Mr. Speaker, I call up the conference report on the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 653)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 12, 13, 20, 21, 27, 28, 29, 38, and 43.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 5, 7, 10, 11, 14, 16, 17, 19, 22, 23, 24, 25, 26, 31, 34, 35, 36, 37, 40, 41, and 42, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter proposed in said amendment insert:

"ACQUISITION OF STRATEGIC MINERALS

"For necessary expenses in carrying out the provisions of the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956 (70 Stat. 579), including services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), $6,700,000: *Provided*, That none of the funds appropriated in this paragraph shall be available for purchases authorized in section 2a of said act."

And the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,450,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$18,835,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,600,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$75"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$175,000"; and the Senate agree to the same.

The committee of conference reports in disagreement amendments numbered 2, 8, 30 and 39.

MICHAEL J. KIRWAN,
W. F. NORRELL,
ALFRED D. SIEMINSKI,
DON MAGNUSON,
CLARENCE CANNON,
BEN F. JENSEN,
IVOR D. FENTON,
HAMER H. BUDGE,
JOHN TABER,
Managers on the Part of the House.

CARL HAYDEN,
DENNIS CHAVEZ,
WARREN MAGNUSON,
KARL E. MUNDT,
MILTON R. YOUNG,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

Office of Saline Water

Amendment No. 1: Appropriates $725,000 as proposed by the Senate instead of $1,159,000 as proposed by the House. Of the amount provided, not to exceed $125,000 shall be available for administrative expenses.

Office of the Solicitor

Amendment No. 2: Reported in disagreement.

Office of Minerals Mobilization

Amendment No. 3: Appropriates $263,000 as proposed by the Senate instead of $313,000 as proposed by the House.

Acquisition of strategic minerals

Amendment No. 4: Appropriates $6,700,000 as proposed by the Senate to continue the fluorspar and asbestos programs, and deletes language proposed by the Senate to continue funds available to December 31, 1958, and language prohibiting availability of appropriation for expenses after materials are transferred to the strategic or supplemental stockpile. Funds are available for this purpose under other appropriations. The managers on the part of the House are in agreement that additional research on tungsten is justified and an increase for this purpose has been provided in the appropriation to the Bureau of Mines. The managers on the part of the House are in further agreement, in light of the present Government inventory of tungsten, which represents an excessive surplus to the long-term strategic stockpile objective, that future Government purchases will not be warranted until such time as they can be fully justified as an essential defense requirement.

Bureau of Land Management

Amendment No. 5: Appropriates $5,480,000 for construction as proposed by the Senate instead of $6,500,000 as proposed by the House.

Amendment No. 6: Permits purchase of 31 passenger motor vehicles instead of 41 as proposed by the Senate.

Bureau of Indian Affairs

Amendment No. 7: Appropriates $59,460,000 for education and welfare services as proposed by the Senate instead of $59,560,000 as proposed by the House.

Amendment No. 8: Reported in disagreement.

Amendment No. 9: Appropriates $3,450,000 for general administrative expenses instead of $3,400,000 as proposed by the House and $3,500,000 as proposed by the Senate. The conferees are in agreement that the increase provided for 1958 be used to employ only Indian personnel.

Amendment No. 10: Permits purchase of 300 passenger motor vehicles for replacement only as proposed by the Senate instead of 270 as proposed by the House.

Amendment No. 11: Appropriates $2,920,000 as proposed by the Senate instead of $3,000,000 as proposed by the House.

Geological Survey

Amendment No. 12: Appropriates $36,000,000 as proposed by the House instead of $37,500,000 as proposed by the Senate. The reduction made in the budget estimates is to be allocated by the Geological Survey.

Amendment No. 13: Permits purchase of 125 passenger motor vehicles as proposed by the House instead of 145 as proposed by the Senate.

Amendment No. 14: Deletes language as proposed by the Senate.

Bureau of Mines

Amendment No. 15: Appropriates $18,835,000 for conservation and development of mineral resources instead of $18,910,000 as proposed by the Senate and $18,700,000 as proposed by the House. Of the amount provided, not to exceed $135,000 shall be available to maintain the standby oil-shale facility at Rifle, Colorado. Only custodial employees are to be retained at the facility under the funds made available.

The managers on the part of the House direct that all the buildings, structures, and equipment used in connection with the Oil Shale Demonstration Plant of the Bureau of Mines at Rifle, Colorado, shall be disposed of during fiscal year 1958, under the established procedures of the Federal Property and Administrative Services Act of 1949, as amended, by further utilization within the Government after removal from the site, or by sale or lease as surplus property on or off site.

Amendment No. 16: Appropriates $1,095,000 for general administrative expenses as proposed by the Senate instead of $1,135,00 as proposed by the House.

National Park Service

Amendment No. 17: Appropriates $14,150,000 for management and protection as proposed by the Senate instead of $13,750,000 as proposed by the House. Within the amount provided, the following items have been allowed: Field training facility, $45,000; Historic American Buildings Survey, $139,365; Historic Sites Survey, $92,930; and archeological investigations $334,900 including $15,000 to locate the first Arkansas post.

Amendment No. 18: Appropriates $11,600,000 for maintenance and rehabilitation of physical facilities instead of $11,763,000 as proposed by the Senate and $11,500,000 as proposed by the House.

Amendment No. 19: Appropriates $17,400,000 for construction as proposed by the Senate instead of $20 million as proposed by the House. The conferees are in agreement with the language in the Senate Report with respect to plans for Mount Rainier. Within the amount provided $500,000 is to be made available for construction and development of the Independence National Historical Park, Philadelphia, Penna.

Amendment No. 20: Deletes language proposed by the Senate.

Amendment No. 21: Authorizes purchase of 117 passenger motor vehicles as proposed by the House instead of 124 as proposed by the Senate.

Fish and Wildlife Service

Bureau of Sport Fisheries and Wildlife

Amendment No. 22: Appropriates $5,677,000 for construction as proposed by the Senate instead of $5,332,000 as proposed by the House. The conferees are in agreement that the De Soto-Bertrand Bend Wildlife Refuge and Recreation Area shall be established and have approved $200,000 to initiate acquisition of the land. The conferees further agree that all of the land within the loop shall be purchased but that only the minimum amount of land outside the loop necessary to provide a satisfactory wildlife refuge shall be acquired. The Fish and Wildlife Service shall confer with the land owners whose lands surround the loop and develop a mutually satisfactory land acquisition plan.

Amendment No. 23: Inserts language and appropriates $166,190 for general administrative expenses as proposed by the Senate. While the recommendations of the conferees are based on providing for administrative services of the Bureau of Sport Fisheries and Wildlife and the Bureau of Commercial Fisheries under the Office of the Commissioner of Fish and Wildlife, it is the view of the conferees that it would be desirable and in keeping with the intent of the act, if such services were provided under the office of the director of the respective bureau. The Secretary has the authority under Reorganization Plan No. 3 of 1950 (64 Stat. 1262) to transfer the functions and funds involved in order to provide for separate administrative services.

The conferees agree that the Department should have latitude in determining, within the funds provided in the bill for administrative expenses, the manner in which administrative services are to be provided in Washington, D. C., and the regional offices. However, as the budget estimate was submitted primarily on a basis of providing such services on a consolidated basis, it is directed, before separate administrative staffs are established under the Bureau of Sport Fisheries and Wildlife and the Bureau of Commercial Fisheries, that the plan be submitted to the Budget Bureau for detailed review and certification that it is in accordance with current management principles and criteria and that the plan can be fully implemented in an effective and efficient manner within the funds available. The conferees wish to make it abundantly clear that they do not intend to approve any additional funds for this purpose regardless of the type of administrative organization finally approved and placed into effect.

Bureau of Commercial Fisheries

Amendment No. 24: Appropriates $5,781,000 for management and investigations of resources as proposed by the Senate instead of $6,000,000 as proposed by the House.

Amendment No. 25: Inserts language and appropriates $117,510 for general administrative expenses as proposed by the Senate. The statement of the managers on Amendment Numbered 23 is applicable to this item.

Office of Commissioner of Fish and Wildlife

Amendment No. 26: Inserts language and appropriates $913,200 for salaries and expenses as proposed by the Senate. The statement of the managers on Amendment Numbered 23 is applicable to this item.

Administrative provisions

Amendment No. 27: Authorizes purchase of 114 passenger motor vehicles as proposed by the House instead of 124 as proposed by the Senate.

Amendment No. 28: Strikes out language proposed by the Senate authorizing transfers between appropriations.

Office of Territories

Administration of Territories

Amendment No. 29: Appropriates $1,965,000 as proposed by the House instead of $1,940,000 as proposed by the Senate.

Trust Territory of the Pacific Islands

Amendment No. 30: Reported in disagreement.

Alaska port of entry facilities

Amendment No. 31: Deletes language proposed by the House.

General provisions, Department of the Interior

Amendment No. 32: Authorizes $75 per diem for individuals instead of $50 as proposed by the House and $100 as proposed by the Senate.

Amendment No. 33: Authorizes use of $175,000 for per diem payments instead of $125,000 as proposed by the House and $200,000 as proposed by the Senate.

DEPARTMENT OF AGRICULTURE

Forest Service

Forest Protection and Utilization

Amendments Nos. 34 and 35: Appropriate $68,750,000 for forest land management as proposed by the Senate instead of $69,000,000 as proposed by the House and of this amount provide $5,000,000 for fighting and preventing forest fires as proposed by the Senate instead of $5,250,000 as proposed by the House.

Amendment No. 36: Appropriates $11,835,000 for forest research as proposed by the Senate instead of $11,325,000 as proposed by the House.

Assistance for States for tree planting

Amendment No. 37: Inserts language and appropriates $500,000 as proposed by the Senate.

General provisions, Forest Service

Amendment No. 38: Authorizes purchase of 157 passenger motor vehicles as proposed by the House instead of 168 as proposed by the Senate.

BOSTON NATIONAL HISTORIC SITES COMMISSION

Amendment No. 39: Reported in disagreement.

NATIONAL CAPITAL PLANNING COMMISSION

Amendments Nos. 40 and 41: Appropriate for land acquisition $1,393,000 as proposed by the Senate instead of $4,793,000 as proposed by the House and provide that of this amount $75,000 as proposed by the Senate instead of $3,475,000 as proposed by the House shall be available for the purposes of section 1 (a) of the act of May 29, 1930.

In disallowing funds for the George Washington Memorial Parkway in Fairfax, Virginia, from the proposed Cabin John Bridge to Great Falls, $1,500,000, and Prince Georges County, Maryland, from the District line to Fort Washington, $1,900,000, the conferees are in agreement that the need for the extension of the parkway into these areas should be reviewed currently by the appropriate legislative committees.

The conferees further agree that the funds provided for land acquisition for the District of Columbia park, the parkway, and playground system are not to be expended for the following pending further review: Buchanan Recreation Center, Cleveland Park Recreation Center, Northeast Playground, and the neighborhood park, vicinity of New Hampshire Avenue and Park Road NW.

Amendment No. 42: Provides that of the amount appropriated for land acquisition $69,000 as proposed by the Senate instead of $125,000 as proposed by the House shall be available for expenses of the Commission.

SMITHSONIAN INSTITUTION

Amendment No. 43: Restores House language and appropriates $800,000 for additions to the Natural History Building as proposed by the House.

MICHAEL J. KIRWAN,
W. F. NORRELL,
ALFRED D. SIEMINSKI,
DON MAGNUSON,
CLARENCE CANNON,
BEN F. JENSEN,
IVOR D. FENTON,
HAMER H. BUDGE,
JOHN TABER,
Managers on the Part of the House.

Mr. KIRWAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: Page 3, line 1, insert the following: "*Provided further*, That not to exceed $18,500 of the unobligated balance remaining on June 30, 1957, of the appropriation granted under this head in the Department of the Interior and Related Agencies Appropriation Act, 1957, shall remain available during the current fiscal year for printing the Handbook of Indian Federal Law."

Mr. KIRWAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: Page 8, line 5, insert the following: "*Provided*, That, notwithstanding the provisions of section 4 (a) of the Civil Service Retirement Act of July 31, 1956 (70 Stat. 747), not to exceed $80,000 of this appropriation shall be available for payment of the Federal matching contribution to the retirement fund for Federal employees paid from tribal funds."

Mr. KIRWAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: Page 37, line 11, insert the following:

"BOSTON NATIONAL HISTORIC SITES COMMISSION

"The appropriation granted under this heading in the Supplemental Appropriations Act of 1956 shall remain available until June 30, 1958."

Mr. KIRWAN. Mr. Speaker, I move that the House recede and concur in the Senate amendment; and pending that, I yield 5 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I think it should be announced that the conferees are in full agreement on this bill. The budget has been reduced by a round figure of $59 million or a little over 12 percent. This is a good bill. It takes care of those things that should be taken care of and without wasting money. So I hope the conference report will be approved.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Iowa.

Mr. GROSS. On page 6 of the conference report I notice that $913,200 is to be appropriated for salaries and expenses for the Office of the Commissioner of Fish and Wildlife. Am I to understand that the appropriation this year will be in that amount for this reorganized setup in the Federal Fish and Wildlife Service?

Mr. JENSEN. If the gentleman will read the language on page 5 of the report in connection with amendment No. 23 he will get the answer.

Mr. GROSS. I am still asking the question whether this means we are appropriating in this bill $913,000 for salaries and expenses for the reorganized setup.

Mr. JENSEN. Yes; because we are setting up a commercial fishery branch of the Service and also having the sports fishery branch. They are two separate and distinct businesses, so to speak. I can assure the gentleman that the personnel are going to be held down to a minimum.

Mr. GROSS. This is the reorganization that was approved by the House last year. At that time we were told it would involve the employment of only some 5 or 10 additional personnel and the cost would be very little. Now we find out it is going to cost, if I understand this situation correctly, a very substantial amount. I simply want to point out to the House how it is possible to get into a sizable expenditure on a reorganization that is supposed to provide economy as well as greater efficiency.

Mr. JENSEN. I may say to the gentleman, it was first estimated that this new office under the Fish and Wildlife Service was to cost $1,757,000 for fiscal year 1958; the committee cut that figure about in half.

Mr. GROSS. Yes; but I would say to the gentleman it is still costing much more than we were told it would cost when the bill came in from the legislative committee to provide for the reorganization.

Mr. JENSEN. I hope the gentleman is not trying to make his colleague from Iowa look like a spendthrift.

Mr. GROSS. No; not at all.

Mr. JENSEN. Because the gentleman knows and everyone in the House knows that I certainly would not approve of such a thing. My record proves that, and I have a conservative record.

Mr. GROSS. My remarks, of course, are not directed to the gentleman from Iowa. I am well aware of his record for economy in this House. I simply want to point out to the House that we were told last year there would be no particular increase in the personnel nor in the expenditures if this reorganization was made. Now, we find out differently. I do want to commend the gentleman from Iowa [Mr. JENSEN] and the chairman of the Appropriations Subcommittee [Mr. KIRWAN] for holding down this particular appropriation.

Mr. TOLLEFSON. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. TOLLEFSON. Could the gentleman inform us whether the total cost of the two new bureaus is greater than or equal to, or less than the amount that we provided for those functions last year?

Mr. JENSEN. They are slightly higher.

Mr. TOLLEFSON. Is it slightly greater? As I read the Interior Department appropriation bill on the House side and on the Senate side, I came to the conclusion, adding the figures together, that for this year for both of these bureaus we appropriated less than was appropriated for both these functions last year.

Mr. JENSEN. The overall appropriation for the Department of the Interior is, as I said before, $59 million in round figures below the budget estimate or a reduction of a little over 12 percent.

Mr. KIRWAN. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, I thank my good friend and colleague, the gentleman from Ohio [Mr. KIRWAN] for giving me the time to state just exactly what this conference report does to the oil-shale facility at Rifle, Colo., over which there has been a great deal of discussion during the last several years. As I understand the language, it makes the facility which is located on the naval oil shale reserve surplus to any governmental uses of the Departments of Interior and Navy and turns it over to the General Services Administration to dispose of in accordance with present law. That, to me, means that it will be disposed of and carried away from its present site. I would like to ask the chairman of the subcommittee, the gentleman from Ohio [Mr. KIRWAN] if this language does not, in effect, mean that the property, the oil-shale reserve facility now located on the oil-shale reserve, will be dismantled within the next year and will be disposed of.

Mr. KIRWAN. We are making every effort to do that—to dismantle it and dispose of it in the next year.

Mr. ASPINALL. And that is regardless of any desire on the part of the Navy to have the property left on their oil shale reserve lands; is that correct?

Mr. KIRWAN. If the Navy had notified the Department of the Interior, or if they had notified this committee that they wanted that done, we would be happy to do it, if they picked up the tab for the 34 employees. But, there has been no effort made by the Navy to do that.

Mr. ASPINALL. Will the gentleman answer this question then? Is this language written in accordance with the wishes of the Department of the Interior?

Mr. KIRWAN. It was prepared at our request and in accordance with our committee's wishes.

Mr. ASPINALL. This language was written at your request?

Mr. KIRWAN. The language is at our request.

Mr. ASPINALL. Is it in agreement with Interior's wishes?

Mr. KIRWAN. I would not say it is in agreement. But, every time they appeared before our committee, they never made a good justification for continuing the program.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. VINSON. As a matter of fact, has not the Interior Department requested that this property be turned over to the Navy Department? And is it not a fact that it is under the custody and control of the Navy Department today?

Mr. ASPINALL. That is my understanding. My understanding is that this property by executive order was turned over to the Navy Department and that the Navy is in control of it at the present time and will continue in control of it until this Congress says otherwise or until there are Executive orders to the contrary.

Mr. KIRWAN. Was there not a provision in the conference report on the 1957 Defense Department appropriation bill last year that told them to get rid of it? And they got rid of it by passing it back to the Interior Department and our committee.

Mr. ASPINALL. Is it the gentleman's understanding that the Defense Department asked to be relieved of their responsibility?

Mr. KIRWAN. The conference report last year told them to get rid of it, and the Department of the Navy passed it back to us. If the Navy wants it I am sure the committee will be glad to give it to the Navy, or to the Army, either, if the gentleman from Georgia wants them to have it.

Mr. ASPINALL. Under this language it is impossible to do that.

Mr. VINSON. Under this language you will have to dispose of everything, the machinery, automobiles, trucks, buildings, must all be sold.

Mr. KIRWAN. Yes, and from the way they testified as to the lack of upkeep and the state of the property something should be done about it. Think what would have happened if men had been in there when the roof collapsed. There were acres of unsupported excavated area. You cannot expect the thing not to collapse if you do not support the roof. I have worked in mines several years and know what I am talking about.

Mr. VINSON. If the gentleman from Colorado will yield, here is the history of the project: Some years ago the Navy authorized the Bureau of Mines to install and operate experimental oil-shale facilities at Rifle, Colo. A considerable sum of money was spent. A retort was built. Later the Bureau of Mines of the Department of the Interior concluded that it did not want to carry on any further experimental work, feeling that this should be done by private companies.

Later a retort was built by an oil company owning some shale lands adjacent thereto. Their retort is entirely different from that built by the Bureau of Mines. Last year the committee refused to appropriate money either for operation or maintenance. The Bureau of Mines, therefore, through the Interior Department said to transfer this property back to the Navy Department, and on June 26 last year it was transferred.

What you are doing now is to force the Government to sell all of the property.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. JENSEN. Here is the point. The gentleman is right to this extent, but he does not tell the whole story.

Mr. VINSON. I was going to but the gentleman would not let me finish.

Mr. JENSEN. Let me help you finish.

Mr. VINSON. I thank the gentleman very much.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. KIRWAN. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. JENSEN. The Subcommittee on Interior Appropriations was informed that the Navy wanted to own this property; so in our bill this year we dropped the amount which had been requested by the Bureau of the Budget for this facility.

We expected that the Appropriations Committee for the Navy would pick up and appropriate the money for this project, but they did not do it. How, therefore, can anyone expect our Subcommittee on Interior Appropriations to do other than we did?

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. VINSON. The gentleman has gone too far. He is forcing this property to be sold. The custodial cost was cared for out of the Naval Petroleum Reserve program. The only complaint I find is that you are forcing the Government to abandon that property.

Mr. JENSEN. I must say to the gentleman that the Navy, apparently, does not want this property.

Mr. VINSON. The gentleman is in error. The Navy is very anxious to let everything stand in status quo.

Mr. JENSEN. They made a very poor case before the Appropriations Committee.

Mr. VINSON. I would not say that.

Mr. KIRWAN. Why did not the Navy submit its budget on this, then?

Mr. ASPINALL. Mr. Speaker, I would like to use a little of my time. May I say that there is a jurisdictional question involved at the present time. The Bureau of the Budget recognizes the former position of the Department of the Interior. The Department of Defense has been unable to come up with a recommendation for funds because the Bureau of the Budget neglected or refused to recognize their right to the physical control of the plant. But it is my understanding that over in the other body the representatives of the Navy have asked for funds to take care of custodial and maintenance care. The House language in this report permits only custodial care; it does not permit any maintenance care whatever. The machinery and other articles involved that should be maintained will deteriorate very, very rapidly if there is not some maintenance care provided. The House language strikes out any possibility of maintenance.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Georgia.

Mr. VINSON. It is not so much a question of maintenance; it is a question of forcing the Government now by this language to dispose of the property.

Mr. ASPINALL. The gentleman is correct, and not only dispose of the property but dispose of it so that it has to be removed from Navy jurisdiction.

Mr. FENTON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Pennsylvania.

Mr. FENTON. Perhaps I can throw some light on this. Originally this was a naval reserve affair. Of course, it was handed to the Bureau of Mines to do some research work in the way of converting shale to oil, which is the function of the Bureau of Mines.

Mr. ASPINALL. The shale values belonged to the Navy and they have from the beginning but the oil-shale plant has belonged to the Bureau of Mines in the Department of the Interior.

Mr. FENTON. That is correct. Research has been developed to such a point that it is now feasible to develop oil out of shale at a pretty low cost. It has been the thought of some of the authorities in the Bureau of Mines that the research value as far as developing oil out of shale is concerned had proceeded far enough and that the Bureau of Mines should get out of it.

Mr. ASPINALL. Permit me to make one further statement. We have not yet reached the feasibility point. Not only that, but this language would close this facility forever before there was any possibility of reaching that point.

Mr. FENTON. There is some difference of opinion on that among the researchers themselves. One group seems to think they are far in advance of the Bureau of Mines at this time. Another group from the Bureau of Mines itself claims they are 10 years ahead of what they were doing at Rifle.

Mr. ASPINALL. Would the gentleman from Pennsylvania answer this question: Is it his understanding that the Department of the Interior joins in this language which House managers have seen fit to put in the report?

Mr. FENTON. I do not know what the Bureau of Mines or the Department of the Interior think about it now, but it is the consensus of opinion of our committee that if the Navy wants the Rifle project it ought to at least pick up the tab for it. There are $135,000 in this bill to take care of the place for fiscal 1958.

The SPEAKER. The time of the gentleman from Colorado has expired.

Mr. KIRWAN. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Speaker, the gentleman has just stated that if the Navy wants this it ought to pick up the tab. I agree with the gentleman. But what you are doing is not giving the Navy an opportunity to pick up the tab. You are disposing of the property.

Now, that is the only complaint that we are making here.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Iowa.

Mr. JENSEN. Three years ago the President's Advisory Committee on Petroleum recommended that this project be stopped. I cannot understand how the gentleman could expect the committee to do other than what we did after the Naval Affairs Committee refused to pick up the tab.

Mr. VINSON. Well, I want to say that I find no complaint for not making appropriations if the facts did not in the judgment of the committee warrant it. The only complaint I am making is with reference to forcing a disposal of the property.

Mr. Speaker, let me in somewhat chronological order acquaint the House with this whole situation. When I read the conference report this morning, I promptly dictated these few remarks, and I think it will place the issue clearly before the House.

The Navy has three oil shale reserves. Nos. 1 and 3 are located in Colorado. No. 2 is located in Utah.

Naval oil shale reserve No. 1 was set aside by President Wilson by Executive order on December 6, 1916. It includes an area of 41,353 acres of land.

Naval oil shale reserve No. 3 was established by Executive order on September 27, 1924. It includes approximately 22,600 acres of land which borders reserve No. 1 on the east, south, and west.

On August 12, 1944, the Department of the Navy authorized the Bureau of Mines of the Department of Interior to utilize the lands in furtherance of the synthetic liquid fuels program. For 10 years they Bureau of Mines carried on an extensive research and development program to establish methods and costs for producing oil and refined products from oil shale, and considerable progress was made in all phases of the program.

The Department of Interior request for funds for continuation of the work during fiscal year 1957 was denied and, on June 14, 1956, the Secretary of the Interior requested the Department of the Navy to assume custody of the facilities constructed by the Bureau of Mines on naval oil shale reserves Nos. 1 and 3.

At the request of the Department of the Navy, the House Armed Services Committee considered the transfer proposal and approved it on June 20, 1956. Since that time the experimental facility has not been in operation. It has been maintained out of funds made available from the annual appropriation for naval petroleum reserves. These funds were used to pay custodial employees furnished by the Bureau of Mines.

In the conference report, amendment No. 15 states that—

> The managers on the part of the House direct that all the buildings, structures, and equipment used in connection with the oil shale demonstration plant of the Bureau of Mines at Rifle, Colo., shall be disposed of during fiscal year 1958, under the established procedures of the Federal Property and Administrative Services Act of 1949, as amended, by further utilization within the Government after removal from the site, or by sale or lease as surplus property on or off the site.

The obvious intent of this language is to insure that no agency of the Government shall continue with the experiments in connection with the extraction of oil from oil shale.

Members should clearly understand the effect of this language before approving the conference report. It has been the continuing position of the Committee on Armed Services that these experiments should continue until we have found the solution to the economic extraction of shale oil from the vast shale deposits which are now under Government control. That continues to be my position.

The adoption of the language in the conference reports simply means that the House is making a policy decision to take the Government completely out of this important undertaking. And this occurs at a time when the process shows great promise of producing the answers which we have been seeking.

Therefore, I hope that this language will not be agreed to, because, in my

judgment, the committee went far beyond what the facts and circumstances warranted.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

HOUSING ACT OF 1957

Mr. SPENCE. Mr. Speaker, I call up the conference report on the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 659)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Housing Act of 1957'.

"TITLE I—FHA INSURANCE PROGRAMS

"Lower downpayments for sales housing

"SEC. 101. (a) Section 203 (b) (2) of the National Housing Act is amended to read as follows:

"'(2) Involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $30,000 in the case of property upon which there is located a dwelling designed principally (whether or not it may be intended to be rented temporarily for school purposes) for a one- or two-family residence; or $27,500 in the case of a three-family residence; or $35,000 in the case of a four-family residence; and not to exceed an amount equal to the sum of (i) 97 per centum (but, in any case where the dwelling is not approved for mortgage insurance prior to the beginning of construction, unless the construction of the dwelling was completed more than one year prior to the application for mortgage insurance, 90 per centum) of $10,000 of the appraised value of the property, as of the date the mortgage is accepted for insurance, (ii) 85 per centum of such value in excess of $10,000 but not in excess of $16,000, and (iii) 70 per centum of such value in excess of $16,000.'.

"(b) Section 203 (b) of such Act is further amended by adding the following paragraphs at the end thereof:

"'(8) In the case of a mortgagor who is not the occupant of the property, have a principal obligation not in excess of an amount equal to 85 per centum of the amount computed under the provisions of paragraph (2) of this subsection.

"'(9) Be executed by a mortgagor who shall have paid on account of the property at least 3 per centum, or such larger amount as the Commissioner may determine, of the Commissioner's estimate of the cost of acquisition in cash or its equivalent: *Provided*, That with respect to a mortgage executed by a mortgagor who is sixty years of age or older as of the date the mortgage is endorsed for insurance or with respect to a mortgage meeting the requirements of subsection (i) of this section, the mortgagor's payment required by this subsection may be paid by a corporation or person other than the mortgagor under such terms and conditions as the Commissioner may prescribe.'.

"(c) Section 203 (i) of such Act is amended to read as follows:

"'(i) The Commissioner is authorized to insure under this section any mortgage meeting the requirements of subsection (b) of this section, except as modified by this subsection, which involves a principal obligation not in excess of $8,000 and not in excess of 97 per centum of the appraised value of a property located in an area where the Commissioner finds it is not practicable to obtain conformity with many of the requirements essential to the insurance of mortgages on housing in built-up urban areas, upon which there is located a dwelling designed principally for a single-family residence, and which is approved for mortgage insurance prior to the beginning of construction: *Provided*, That if the mortgagor is not the occupant of the property at the time of insurance, the principal obligation of the mortgage shall not exceed 85 per centum of the appraised value of the property: *Provided further*, That the Commissioner finds that the property with respect to which the mortgage is executed is an acceptable risk, giving consideration to the need for providing adequate housing for families of low and moderate income particularly in suburban and outlying areas or small communities: *Provided further*, That under the foregoing provisions of this subsection the Commissioner is authorized to insure any mortgage issued with respect to the construction of a farm home on a plot of land five or more acres in size adjacent to a public highway, the total amount of insurance outstanding at any one time under this proviso not to exceed $100,000,000.'.

"SEC. 102. (a) Section 220 (d) (3) of the National Housing Act is amended by striking out all appearing before clause (B) and inserting in lieu thereof the following:

"'(3) The mortgage shall—

"'(A) (i) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $20,000 in the case of property upon which there is located a dwelling designed principally for a one- or two-family residence; or $27,500 in the case of a three-family residence; or $35,000 in the case of a four-family residence; or in the case of a dwelling designed principally for residential use for more than four families (but not exceeding such additional number of family units as the Commissioner may prescribe) $35,000 plus not to exceed $7,000 for each additional family unit in excess of four located on such property; and not to exceed an amount equal to the sum of (1) 97 per centum (but, in any case where the dwelling is not approved for mortgage insurance prior to the beginning of construction, unless the construction of the dwelling was completed more than one year prior to the application for mortgage insurance, 90 per centum) of $10,000 of the Commissioner's estimate of replacement cost of the property, as of the date the mortgage is accepted for insurance, (2) 85 per centum of such replacement cost in excess of $10,000 but not in excess of $16,000, (3) 70 per centum of such replacement cost in excess of $16,000: *Provided*, That in the case of properties other than new construction, the foregoing limitations upon the amount of the mortgage shall be based upon appraised value rather than upon the Commissioner's estimate of the replacement cost;

"'(ii) in the case of a mortgagor who is not the occupant of the property, have a principal obligation not in excess of an amount equal to 85 per centum of the amount computed under the provisions of clause (i); or'.

"(b) Section 220 (d) (3) of such Act is further amended by striking out the phrase 'not to exceed' the first four places it appears in clause (B) and inserting in lieu thereof the phrase 'not exceed'.

"SEC. 103. Section 222 (b) of the National Housing Act is amended to read as follows:

"'(b) To be eligible for insurance under this section a mortgage shall—

"'(1) meet the requirements of section 203 (b) except as such requirements are modified by this section;

"'(2) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Commissioner shall approve) in an amount not to exceed $17,100;

"'(3) have a principal obligation in an amount not in excess of 95 per centum of the appraised value of the property or such higher amount as may be derived by applying the maximum ratio of loan to value prescribed in section 203 (b) (2); and

"'(4) be executed by a mortgagor who at the time of application for insurance is certified as a "serviceman" and who at the time of insurance is the owner of the property and either occupies the property or certifies that his failure to do so is the result of his military assignment, or, in the case of the United States Coast Guard, other assignment.'

"SEC. 104. The Federal Housing Commissioner, in establishing maximum loan-to-value ratios for mortgages insured by him under the National Housing Act, as amended by sections 101, 102, and 103 of this Act, shall determine that such ratios are in the public interest after taking into consideration (1) the effect of such ratios on the national economy and on conditions in the building industry, and (2) the availability or unavailability of residential mortgage credit assisted under the Servicemen's Readjustment Act of 1944, as amended.

"OTHER PROVISIONS RELATING TO FHA INSURANCE PROGRAMS

"SEC. 105. Section 2 of the National Housing Act is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

"'(g) Any payment for loss made after December 31, 1957, to an approved financial institution under this section shall be final and incontestable after two years from the date the claim was certified for payment by the Commissioner, in the absence of fraud or misrepresentation on the part of such institution, unless a demand for repurchase of the obligation shall have been made on behalf of the United States prior to the expiration of such two-year period.'

"SEC. 107. Section 203 (d) of the National Housing Act is repealed.

"SEC. 107. Section 204 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"'(k) Notwithstanding any other provision of this section or of section 604 or 904, with respect to any debentures issued pursuant to this section or section 604 or 904, the Commissioner may (1) include in such debentures reasonable payments made by the mortgagee, with the approval of the Commissioner, for the purpose of protecting, operating, or preserving the property, and taxes imposed upon any deed or other instrument by which the property was acquired by the mortgagee and transferred or conveyed to the Commissioner, and (2) terminate the mortgagee's obligation to pay mortgage insurance premiums upon receipt of an application for debentures filed by the mortgagee.'.

"SEC. 108. (a) The second sentence of section 204 (d) of the National Housing Act is amended by striking out 'determined by the Commissioner, with the approval of the Secretary of the Treasury, at the time the mortgage was offered for insurance, but not to exceed 3 per centum per annum" and by inserting in lieu thereof 'established by the Commissioner pursuant to section 224'.

"(b) The second sentence of section 207 (l) of such Act is amended by striking out 'determined by the Commissioner, with the approval of the Secretary of the Treasury, at the time the mortgage was insured, but not to exceed 3 per centum per annum' and by inserting in lieu thereof 'established by the Commissioner pursuant to section 224,'.

"(c) The second sentence of section 803 (f) of such Act is amended by striking out 'determined by the Commissioner with the approval of the Secretary of the Treasury, at the time the mortgage was accepted for insurance, but not to exceed 3 per centum per annum' and by inserting in lieu thereof 'established by the Commissioner pursuant to section 224'.

"SEC. 109. Section 207 (c) (3) of the National Housing Act is amended by striking out 'limitations per room' and inserting in lieu thereof 'limitations', and by inserting immediately after '$1,000 per room' the following: 'without regard to the number of rooms being less than four, or four or more,'.

"SEC. 110. The unnumbered paragraph immediately following paragraph (3) of section 207 (c) of the National Housing Act is amended (1) by striking out '$8,100 per family unit' and inserting in lieu thereof '$8,100 per family unit (or $8,400 per family unit in the case of projects to consist of elevator-type structures)', and (2) by inserting before the period at the end thereof a comma and the following: 'and may permit single elderly persons to use and occupy such units'.

"SEC. 111. Section 207 (q) of the National Housing Act is repealed.

"SEC. 112. Sections 213 (e), 220 (f) (1), 221 (g) (1), and 222 (e) of the National Housing Act are each amended by striking out 'and (h) of section 204' and inserting in lieu thereof '(h), and (j) of section 204'.

"SEC. 113. Section 219 of the National Housing Act is amended by striking out 'or the Section 220 Housing Insurance Fund' and inserting in lieu thereof 'the Section 220 Housing Insurance Fund, the Section 221 Housing Insurance Fund, or the Servicemen's Mortgage Insurance Fund'."

"SEC. 114. Section 223 (a) of the National Housing Act is amended—

"(1) by striking out 'or 213' each place it appears (except in the second proviso in paragraph (7)) and inserting in lieu thereof '213, or 222';

"(2) by inserting after 'prescribed by' in paragraph (4) the following: 'this Act or'; and

"(3) by striking out the second proviso in paragraph (7) and inserting in lieu thereof the following: ': *Provided further*, That a mortgage of the character described in paragraphs (1) through (6) of this subsection shall have a maturity, a principal obligation, and an interest rate not in excess of the maximums applicable to loans insured under section 203, 207, 213, or 222, as the case may be, except that in no case may the principal obligation of a mortgage referred to in paragraph (5) of this subsection exceed 90 per centum of the appraised value of the mortgaged property'.

"SEC. 115. Section 226 of the National Housing Act is amended by adding at the end thereof the following new sentence: 'Notwithstanding the first sentence of this section, the Commissioner is authorized to require, in connection with any mortgage where the mortgage amount is computed on the basis of the Commissioner's estimate of the replacement cost of the property, that a written statement setting forth such estimate be furnished under this section in lieu of a written statement setting forth the amount of the appraised value of the property.'.

"TITLE II—FEDERAL NATIONAL MORTGAGE ASSOCIATION

"Secondary market operations

"SEC. 201. The first sentence of section 303 (b) of the National Housing Act is amended to read as follows: 'The Association shall accumulate funds for its capital surplus account from private sources by requiring each mortgage seller to make payments of nonrefundable capital contributions, equal to not more than 2 per centum nor less than 1 per centum of the unpaid principal amounts of mortgages purchased or to be purchased by the Association from such seller under section 304, as determined from time to time by the Association, taking into consideration conditions in the mortgage market and the general economy.'

"SEC. 202. (a) The second sentence of section 303 (d) of the National Housing Act is amended by striking out '$50,000,000' and inserting in lieu thereof '$115,000,000'.

"(b) The second sentence of section 303 (e) of such Act is amended by striking out '$50,000,000' and inserting in lieu thereof '$115,000,000'.

"SEC. 203. Section 304 (c) of the National Housing Act is amended by striking out '$1,350,000,000' and inserting in lieu thereof '$2,250,000,000'.

"SPECIAL ASSISTANCE FUNCTIONS

"SEC. 204. (a) The second sentence of section 305 (b) of the National Housing Act is amended to read as follows: 'Notwithstanding any other provision of this section, the price to be paid by the Association for mortgages purchased in its operations under this section, until the close of August 7, 1958, shall be not less than the unpaid principal amount thereof at the time of purchase, with adjustments for interest and any comparable items.'.

"(b) Section 305 (b) of such Act is further amended by striking out the third sentence and inserting in lieu thereof the following: 'The Association shall impose charges or fees for its services under this section, in an amount not to exceed 1½ per centum of the unpaid principal amount of any mortgage for its commitment and its purchase of such mortgage, with the objective that all costs and expenses of its operations under this section should be within its income derived from such operations and that such operations should be fully self-supporting. Not more than one-half of the charges or fees imposed under the preceding sentence with respect to any mortgage shall be collected at the time of the issuance of the commitment with respect to such mortgage, and the balance of such charge or fee shall be collected at the time of the purchase of the mortgage.'.

"SEC. 205. Section 305 (c) of the National Housing Act is amended to read as follows:

"'(c) The total amount of purchases and commitments authorized by the President pursuant to subsection (a) of this section shall not exceed $450,000,000 outstanding at any one time.'.

"SEC. 206. Section 305 (e) of the National Housing Act is amended to read as follows:

"'(e) Notwithstanding any other provision of this Act, the Association is authorized to enter into advance commitment contracts and purchase transactions which do not exceed $200,000,000 outstanding at any one time, if such commitments or transactions relate to mortgages with respect to which the Federal Housing Commissioner shall have issued pursuant to section 213 either a commitment to insure or a statement of eligibility; but such commitments in any one State shall not exceed $20,000,000 outstanding at any one time: *Provided*, That (1) of the total amount of advance commitment contracts and purchase transactions authorized by this subsection, the amount of $50,000,000 shall be available solely for commitments or purchases of mortgages where the management or sales-type cooperative involved is certified by the Federal Housing Commissioner as a consumer cooperative, and (2) of the commitments in any one State, not more than $15,000,000 shall be outstanding at any one time for mortgages with respect to cooperative projects which are not of the type described in clause (1) of this proviso.'

"SEC. 207. Section 305 (f) of the National Housing Act is amended by striking out '$200,000,000' and inserting in lieu thereof '$450,000,000', and by inserting before the period a colon and the following: *'Provided further*, That not less than 7.5 per centum of the amount authorized in the preceding proviso shall be available for such purchases and commitments with respect to mortgages insured under section 809'.

"TITLE III—SLUM CLEARANCE AND URBAN RENEWAL

"SEC. 301. Section 103 (b) of the Housing Act of 1949 is amended by striking out '$500,000,000, which limit shall be increased by further amounts of $200,000,000 on July 1 in each of the years 1955 and 1956, respectively', and inserting in lieu thereof '$900,000,000, which limit shall be increased by $350,000,000 on the date of enactment of the Housing Act of 1957'.

"SEC. 302. The Housing Act of 1949 is further amended by—

"(1) striking out the second sentence of section 103 (a) and inserting in lieu thereof the following: 'The aggregate of such capital grants with respect to all the projects of a local public agency on which contracts for capital grants have been made under this title, exclusive of projects referred to in the proviso hereto, shall not exceed two-thirds of the aggregate of the net project costs of such nonexcluded projects: *Provided*, That the aggregate of such capital grants may exceed two-thirds but not three-fourths of the aggregate net project costs of those projects which the Administrator, at the request of a local public agency, may approve on such a three-fourths capital grant basis. A capital grant with respect to any individual project shall not exceed the difference between the net project cost and the local grants-in-aid actually made with respect to the project.';

"(2) inserting before the period at the end of section 104 the following: 'on the two-thirds basis, or in excess of one-fourth of the aggregate net project costs of all projects of the local public agency on which contracts for capital grants have been made on the three-fourths basis';

"(3) inserting before the first semicolon in section 110 (d) the words 'to defray expenditures within the purview of section 110 (e) (1) hereof';

"(4) inserting before the period at the end of the first sentence of section 110 (e) a colon and the following: *'Provided*, That with respect to a project for which a contract for capital grant has been executed on a three-fourths basis pursuant to the proviso in the second sentence of section 103 (a), gross project cost shall include, in lieu of the amount specified in clause (1), the amount of the expenditures by the local public agency with respect to the following undertakings and activities necessary to carry out such project;

"'(i) acquisition of land (but only to the extent of the consideration paid to the owner and not title, appraisal, negotiating, legal, or any other expenditures of the local public agency incidental to aquiring land),

disposition of land, demolition and removal of buildings and improvements, and site preparation and improvements, all as provided in paragraphs (1), (2), (3), (4), and (6) of section 110 (c); and

"'(11) the payment of carrying charges related to the undertakings in clause (1), exclusive of taxes and payments in lieu of taxes, but not beyond the point where such a project is completed;

but not the cost of any other undertakings and activities (including, but without being limited to, the cost of surveys and plans, legal services of any kind, and all administrative and overhead expenses of the local public agency) with respect to such project'; and

"(5) inserting within the parentheses in the second sentence of section 110 (e) after the words 'or is hereafter executed' the following: ', other than a project on which a contract for capital grant is made on a three-fourths basis pursuant to the proviso in the second sentence of section 103 (a)'.

"SEC. 303. Section 106 (e) of the Housing Act of 1949 is amended by striking out '10 per centum' and inserting in lieu thereof '12½ per centum'.

"SEC. 304. Paragraph (2) of section 106 (f) of the Housing Act of 1949 is amended by striking out the second sentence and inserting in lieu thereof the following: 'Such payments shall be made subject to such rules and regulations as may be prescribed by the Administrator, and shall not exceed $100 in the case of an individual or family, or $2,500 in the case of a business concern. Such rules and regulations may include provisions authorizing payment to individuals and families of fixed amounts (not to exceed $100 in any case) in lieu of their respective reasonable and necessary moving expenses.'.

"SEC. 305. Section 110 (b) of the Housing Act of 1949 is amended to read as follows:

"'(b) "Urban renewal plan" means a plan, as it exists from time to time, for an urban renewal project, which plan (1) shall conform to the general plan of the locality as a whole and to the workable program referred to in section 101 hereof, and shall be consistent with definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements; and (2) shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, and building requirements.'.

"SEC. 306. Section 110 (d) of the Housing Act of 1949 is amended by inserting in the second proviso of the first sentence after the words 'under this section 110 (d)' the following: 'with respect to any project covered by a Federal-aid contract under this title'.

"SEC. 307. Section 2 (5) of the United States Housing Act of 1937 is amended by adding the following at the end thereof: 'In cases where the public housing agency is also the local public agency for the purposes of title I of the Housing Act of 1949 an administration building included in a low-rent housing project to provide central administrative office facilities may also include sufficient facilities for the administration of its functions as such local public agency, and in such case, the Authority shall require that an economic rent shall be charged for the facilities in such building which are used for the administration of its functions as such local public agency and shall be paid from funds derived from sources other than the low-rent housing projects of such public housing agency.'.

"TITLE IV—PUBLIC HOUSING

"Low rent housing

"SEC. 401. (a) In order to enable low-rent housing to serve more effectively the needs of large families of low income, the United States Housing Act of 1937 is amended by striking out the second and third sentences of paragraph (1) of section 2, and inserting in lieu thereof the following: 'The dwellings in low-rent housing as defined in this act shall be available solely for families whose net annual income at the time of admission, less an exemption of (a) $100 for each adult dependent member of the family having no income and for each minor (other than the head of the family and his spouse), and (b) not to exceed $600 of the income of each member of the family other than the principal wage earner, does not exceed five times the annual rental (including the value at cost to them of water, electricity, gas, other heating and cooking fuels, and other utilities) of the dwellings to be furnished such families. For the sole purpose of determining eligibility for continued occupancy, a public housing agency may allow, from the net annual income of any family, an exemption (a) for each minor member of the family (other than the head of the family and his spouse) of either $100 or all or any part of the income of such minor, and (b) of $100 for each adult dependent member of the family having no income, and (c) not to exceed $600 of the income of any other member of the family other than the principal wage earner.'.

"(b) Section 15 (5) of the United States Housing Act of 1937 is amended by striking out '$1,750' and inserting in lieu thereof '$2,000', and by striking out '$2,250'.

"(c) Section 15 (5) of the United States Housing Act of 1937 is amended by adding at the end thereof a new sentence as follows: 'Every contract made pursuant to this Act for loans, annual contributions, or capital grants, with respect to a project for which the preparation of plans, drawings, and specifications has not been started or contracted for prior to the date of enactment of the Housing Act of 1957, shall require that such plans, drawings, and specifications follow the principle of modular measure in every case deemed feasible by the public housing agency, in order that the housing may be built by conventional construction, on-site fabrication, factory pre-cutting, factory fabrication, or any combination of these construction methods.'.

"Disposition of war housing projects

"SEC. 402. (a) Notwithstanding the provisions of section 614 of the Act entitled 'An Act to expedite the provision of housing in connection with national defense, and for other purposes', approved October 14, 1940, as amended (42 U. S. C. 1521, and the following), the Housing and Home Finance Administrator is authorized to sell and convey war housing project CONN-6029 to the housing authority of the town of Wethersfield, Connecticut, pursuant to the provisions of section 810 of the Housing Act of 1954, as amended, until midnight of December 1, 1957.

"(b) Notwithstanding any other provision of law, the Housing and Home Finance Administrator is authorized and directed to sell and convey to the Housing Authority of the city of Las Vegas, Nevada, for a total price of $452,200, all of the right, title, and interest of the United States in and to the housing project known as Kelso-Turner (NEV-26021) located in the city of Las Vegas, Nevada. Five per centum of the purchase price shall be paid at the time of closing and the balance of the purchase price shall be secured by a mortgage and shall be paid in equal annual installments within twenty years from the date of sale with the right of prepayment of all or any part thereof. The unpaid balances shall bear interest at the rate of 4½ per centum per annum. The Administrator may impose such other terms and conditions as he may deem necessary or desirable. The Administrator shall make no payments in lieu of taxes with respect to the project authorized to be conveyed hereunder for any tax year or portion thereof subsequent to the date of sale. Any sale pursuant to this authorization shall be made within three months after the date of enactment of this Act.

"(c) (1) Notwithstanding the provisions of sections 607 and 614 of the Act entitled 'An Act to expedite the provision of housing in connection with national defense, and for other purposes', approved October 14, 1940, as amended (42 U. S. C. 1521, and the following), or any other law, the Housing and Home Finance Administrator shall convey to the State of Louisiana all right, title, and interest of the United States in and to the projects identified as LA-16011 and LA-16012, constructed under the provisions of said Act on real property constituting a part of the grounds of the Central Louisiana Hospital for the Insane leased from the State of Louisiana. Such conveyance shall be made in consideration of the payment of $300,000 by the State of Louisiana in three equal annual installments.

"(2) Payments in lieu of taxes, pursuant to section 306 of such Act of October 14, 1940, shall be made only for the pro rata period of the tax year preceding the date of delivery of possession of such projects to the State of Louisiana.

"(3) The provisions of this subsection shall be effective only if the first installment is paid within sixty days after the date of enactment of this Act.

"(d) Notwithstanding any other provision of law, the Housing and Home Finance Administrator is authorized and directed to sell and convey to the city of Layton, Utah, for a total purchase price of $580,000, all of the right, title, and interest of the United States in and to the housing project known as Verdeland Park (UTAH-42015) located in the city of Layton, Utah. The purchase price shall be secured by a mortgage which need not be a general obligation of the city, and shall be paid in equal annual installments within ten years from the date of sale with the right of prepayment of all or any part thereof. No down-payment shall be required, and the unpaid balances shall bear interest at the rate of 4½ per centum per annum. The Administrator may impose such other terms and conditions as he may deem necessary or desirable. The Administrator shall make no payments in lieu of taxes with respect to the project authorized to be conveyed hereunder for any tax year or portion thereof subsequent to the date of sale. The provisions of this subsection shall be effective only if the conveyance is made within ninety days after the date of the approval of this Act.

"TITLE V—MILITARY HOUSING

"SEC. 501. Section 803 (a) of the National Housing Act is amended by striking out 'June 30, 1958' and inserting in lieu thereof 'June 30, 1959'.

"SEC. 502. Section 803 (b) (3) (B) of the National Housing Act is amended by inserting before the semicolon at the end thereof a colon and the following: *'Provided further*, That should the financing of housing to be constructed pursuant to a single invitation for bids be accomplished by two or more mortgages, the principal obligation of any single mortgage may exceed an average of $16,500 per family unit if the sum of the principal obligations of all mortgages for such housing does not exceed an average of $16,500 per family unit.'

"SEC. 503. Section 410 of the Housing Amendments of 1955 is amended to read as follows:

"'SEC. 410. In the construction of housing under the authority of this title and title VIII of the National Housing Act, as amended, the maximum limitations on net floor area for each unit shall be the same as the net floor area limitations prescribed by law (at the time plans and specifications for such construction are begun) for public quarters built with appropriated funds under military construction authority.'

"SEC. 504. Section 404 (a) of the Housing Amendments of 1955 is amended by striking out 'an appropriate allowance for physical depreciation' and inserting in lieu thereof 'an appropriate allowance representing the estimated cost of repairs and replacements necessary to restore the property to sound physical condition'.

"TITLE VI—MISCELLANEOUS

"College housing

"SEC. 601. (a) Section 401 (d) of the Housing Act of 1950 is amended by striking out '$750,000,000' and inserting in lieu thereof '$925,000,000', and by inserting before the period at the end thereof a colon and the following: *'Provided further*, That the amount outstanding for hospitals, referred to in clause (3) of section 404 (b) of this title, shall not exceed $25,000,000'.

"(b) Section 404 (b) of such Act is amended to read as follows:

"'(b) "Educational institution" means (1) any educational institution offering at least a two-year program acceptable for full credit toward a baccalaureate degree, including any public educational institution, or any private educational institution no part of the net earnings of which inures to the benefit of any private shareholder or individual, (2) any hospital operating a school of nursing beyond the level of high school approved by the appropriate State authority, or any hospital approved for internships by recognized authority, if such hospital is either a public hospital or a private hospital, no part of the net earnings of which inures to the benefit of any private shareholder or individual, (3) any corporation (no part of the net earnings of which inures to the benefit of any private shareholder or individual) (A) established by any institution included in clause (1) of this subsection for the sole purpose of providing housing or other educational facilities for students or students and faculty of such institution without regard to their membership in or affiliation with any social, fraternal, or honorary society or organization, and (B) upon dissolution of which all title to any property purchased or built from the proceeds of any loan secured under this title will pass to such institution, and (4) any agency, public authority, or other instrumentality of any State established for the purpose of providing or financing housing or other educational facilities for students or faculty of any public educational institution included in clause (1) of this subsection, but nothing herein contained shall require an institution included in clause (1) of this subsection to obtain loans through any instrumentality included in this clause of this subsection.'.

"Voluntary home mortgage credit program

"SEC. 602. Section 610 (a) of the Housing Act of 1954 is amended to read as follows:

"'(a) This title and all authority conferred hereunder shall terminate at the close of July 31, 1959.'

"Farm housing research

"SEC. 603. (a) The Housing and Home Finance Administrator is authorized and directed to undertake and carry out a program, in the manner provided in subsection (b), for the study of farm housing in the United States. Such program shall be designed to assist in the improvement of farm housing conditions in the United States by developing data and information on—

"(1) the adequacy of existing farm housing;

"(2) the nature and extent of current and prospective needs for farm housing, including the needs for financing and improved design, utility, and comfort, and the methods by which such needs might best be satisfied;

"(3) the problems faced by farmers in purchasing, constructing, improving, altering, repairing, and replacing farm dwellings;

"(4) the interrelation of farm housing problems and the problems of housing in urban and suburban areas; and

"(5) any other matters bearing upon the provision of adequate housing for the farm population of the United States.

"(b) The research, study, and analysis required to carry out the program described in subsection (a) shall be conducted by land-grant colleges established pursuant to the Act of July 2, 1862 (7 U. S. C., secs. 301-308), and such research, study, and analysis shall be financed with grants made to such colleges by the Housing and Home Finance Administrator on such terms, conditions, and standards as may be specified in regulations prescribed by him.

"(c) The authority of the Housing and Home Finance Administrator to make grants under subsection (b) shall expire June 30, 1959; and the total amount of such grants shall not exceed $300,000 during either of the fiscal years ending June 30, 1958, and June 30, 1959.

"(d) There are authorized to be appropriated such sums as may be necessary to carry out this section.

"Exchange of data

"SEC. 604. The Housing and Home Finance Administrator shall exchange data relating to housing and urban planning and development with other nations where such exchange is deemed by him to be beneficial to the programs of the Housing and Home Finance Agency.

"Discount control

"SEC. 605. The Federal Housing Commissioner shall fix reasonable limits on the charges, fees, and discounts imposed upon the builder, seller, or purchaser in connection with the financing of the construction or sale of any housing covered by a mortgage insured under the National Housing Act, whether or not such charges, fees, and discounts are imposed in connection with the financing under such mortgage. The Administrator of Veterans' Affairs shall fix reasonable limits on the charges, fees, and discounts imposed upon the builder, seller, or purchaser in connection with the financing of the construction or sale of any housing which is built or purchased with a home loan insured or guaranteed under the Servicemen's Readjustment Act of 1944, whether or not such charges, fees, and discounts are imposed in connection with such home loan. Such limits may vary in accordance with the terms of the mortgage involved, the geographical area in which the housing is located, and such other pertinent factors as the Commissioner or the Administrator deems advisable. As a condition of eligibility for such guaranty or insurance, the lender shall certify that no charge, fee, or discount has been imposed by it in excess of the limits fixed pursuant to this section.

"Urban planning grants

"SEC. 606. The second sentence of section 701 of the Housing Act of 1954 is amended by striking out 'and (3) to State planning agencies, to be used for the provision of planning assistance to the cities, other municipalities, and counties referred to in clause (2) hereof' and by inserting in lieu thereof the following: '(3) to official governmental planning agencies for areas threatened with rapid urbanization as a result of the establishment or rapid and substantial expansion of a Federal installation; and (4) to State planning agencies, to be used for the provision of planning assistance to the cities, other municipalities, and counties referred to in clause (2) hereof and to the areas referred to in clause (3) hereof'."

And the Senate agree to the same.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
ALBERT RAINS,
HENRY O. TALLE,
C. E. KILBURN,
GORDON L. MCDONOUGH,
Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
PAUL H. DOUGLAS,
A. S. (MIKE) MONRONEY,
By J. J. S.
JOSEPH S. CLARK,
HOMER E. CAPEHART,
WALLACE F. BENNETT,
P. BUSH,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the House bill and the substitute agreed to in conference.

TITLE I—FHA INSURANCE PROGRAMS

Low-Cost Housing in Outlying and Rural Areas

The House bill contained a provision reducing the minimum required downpayment under FHA's section 203 (1) program of low-cost housing in outlying and rural areas from 5 to 4 percent, and increasing the maximum loan from the present $6,650 to $6,750. The Senate amendment decreased the minimum downpayment to 3 percent and increased the maximum loan to $8,000. The conference substitute follows the Senate language.

The House bill eliminated an existing provision for insurance on farm housing loans on 5 or more acres adjacent to a public highway. The Senate amendment retained this provision and the conference substitute follows the language of the Senate amendment. The conference substitute also includes language making it clear that where the mortgagor is the builder the reduced mortgage ceiling (85 percent of appraised value) will continue to apply.

Servicemen's Housing

The House bill contained a provision decreasing the minimum required downpayment under FHA's section 222 servicemen's mortgage insurance program from 5 percent to 3 percent, and increasing the maximum loan amount from $17,100 to $17,300. The Senate amendment included a provision retaining the present maximum loan amount of $17,100 and retaining the present 5 percent minimum downpayment, except where the

minimum downpayment would be less than 5 percent under the amended downpayment schedule applicable to sales housing under FHA's section 203 (b). The conference substitute conforms to the language of the Senate amendment.

Discretionary Authority With Respect to Lower Downpayments

The Senate amendment contained a provision requiring the FHA Commissioner, in establishing the lower downpayments provided in the bill, to determine that such action is in the public interest, taking into account (1) the national economy and conditions in the building industry, and (2) the availability or lack of financing for VA-guaranteed loans under the GI bill. No comparable provision was contained in the House bill. The conference substitute retains this provision of the Senate amendment.

Incontestability of Claim Under FHA's Title I Program

The House bill contained a section providing that effective January 1, 1958, any payments for loss made to the lender under the title I home-improvement program shall be final and incontestable after two years from the date the claim was certified for payment by the Commissioner, in the absence of fraud or misrepresentation. A similar provision contained in the Senate amendment differed only in that it contained an exception clause which would not make insurance claims final or incontestable if a demand for repurchase of the obligation has been made in behalf of the United States prior to the expiration of the two-year period. The conference substitute conforms to the language of the Senate amendment.

Repeal of Obsolete Provision

The Senate amendment contained a provision, not in the House bill, repealing section 203 (d) of the National Housing Act, an obsolete provision pertaining to insurance of mortgages on farm properties. The conference substitute follows the language of the Senate amendment.

High Cost Allowance for Section 207

The Senate amendment contained a provision, not in the House bill, authorizing the high cost area allowance ($1,000 per room) to be applicable without regard to the number of rooms in the unit in FHA's regular section 207 rental housing program. The conference substitute conforms to the Senate amendment.

Financing of Government-Owned Housing

The Senate amendment contained a provision, not in the House bill, amending section 223 of the National Housing Act, which permits the insurance of mortgages under certain specified sections of that act without regard to the minimum property requirements of FHA, so as to include section 222 (servicemen's mortgage insurance) among the specified sections (presently sections 203, 207, and 213). All such housing is presently owned by the Federal Government, a State or municipality, or an agency, instrumentality, or political subdivision of either. Section 114 of the conference substitute conforms to the Senate amendment.

Statement of Replacement Cost

The Senate amendment contained a provision, not in the House bill, amending section 226 of the National Housing Act to authorize FHA to furnish the home buyer with its estimate of replacement cost, where a mortgage is based on replacement cost, in lieu of the statement of appraised value now required. Section 115 of the conference substitute follows the language of the Senate amendment.

Proposed Broadened FHA 221 Program

The Senate amendment contained a provision under which the FHA section 221 mortgage insurance program would have been considerably broadened and liberalized. The House bill did not include such a provision and none is included in the conference substitute. In view of the difficulty the committee of conference experienced in connection with this provision, members of the House committee agreed its Housing Subcommittee should give further study to the housing needs of all income groups next year.

TITLE II—FEDERAL NATIONAL MORTGAGE ASSOCIATION

I. Secondary market operations

Increased Mortgage Purchase Authority

The House bill contained a provision increasing the capitalization of FNMA's regular secondary market operations by $125 million. Under the 10-to-1 ratio FNMA's borrowing authority would be increased by $1.25 billion, bringing its total mortgage purchase authority to approximately $2.85 billion. The provision in the Senate amendment would increase FNMA's capitalization by $50 million, thereby increasing FNMA's borrowing authority by $500 million and increasing its total mortgage purchase authority to approximately $2.1 billion. The conference substitute provides for an increase in capital stock of $65 million in the aggregate, which FNMA may issue from time to time.

Under the 10-to-1 ratio, FNMA's borrowing authority is increased by $650 million, bringing its total mortgage purchase authority to approximately $2.25 billion.

Treasury "Backstop"

The provision in the House bill increased to $2.85 billion (now $1.35 billion) the maximum amount of FNMA's secondary market operation obligations which the Secretary of the Treasury can acquire, to make the Treasury "backstop" approximately equivalent to FNMA's total borrowing authority. The comparable provision in the Senate amendment increased the maximum amount of FNMA's secondary market obligations which the Secretary of the Treasury can acquire to $1.7 billion. The conference substitute retains the principle of the House bill by providing a Treasury "backstop" of $2.25 billion.

II. Special assistance functions

Purchase Price for Special Assistance Mortgages

The House bill contained a provision requiring FNMA on a permanent basis to purchase special assistance mortgages at not less than par. The Senate amendment would have continued for one additional year the present requirement that all FNMA purchases of special assistance mortgages be made at a price not less than 99.

The conference substitute conforms to the House bill except that the par purchase requirement would apply for one year beyond the present expiration date of the purchase price provision (August 7, 1957).

Limitation on Fees and Charges

The Senate amendment contained a provision limiting FNMA's fees and charges on special assistance mortgages to a maximum of 1 percent, no more than one-half at the time of commitment and the balance at the time of delivery. The House bill contained no comparable provision. The conference substitute follows the language of the Senate amendment except that a maximum of 1¼ percent is provided.

Cooperative Housing

The Senate amendment contained a provision, not in the House bill, increasing from $100 million to $200 million the special assistance revolving fund for the purchase by FNMA of FHA-insured section 213 cooperative mortgages. The provision would have reserved $100 million of the increased authorization for consumer-sponsored cooperatives. The Senate amendment also increased the $10 million per State limitation correspondingly to $20 million, of which $10 million would have been reserved for consumer-sponsored cooperatives.

The conferees agreed to the $100 million increase with an amendment making it clear that $50 million of the authorization will be reserved for consumer cooperatives (the substitute amended "consumer-sponsored cooperatives" to read "consumer cooperatives"). $5 million of the authorization for each State will be reserved for consumer cooperatives.

It is the understanding of the conferees that the essential distinction between a builder cooperative and a consumer cooperative is that in the consumer type the organizing force and the managerial direction is in the hands of the cooperators.

Military Housing Revolving Fund

The House bill included a provision increasing from $200 million to $500 million the amount of the special revolving fund under FNMA's special assistance program available to support Title VIII military housing mortgages. The comparable provision in the Senate amendment would have increased the revolving fund from $200 to $400 million. The conference substitute provides for an increase of $250 million.

The Senate amendment contained a provision (not in the House bill) for the earmarking of up to 7.5 percent of the fund for mortgages insured under section 809 to provide sales housing for essential civilians at military research and development centers. The conference substitute follows the language of the Senate amendment.

FNMA Tax Formula

The House bill contained a provision changing the formula for computing the amount which FNMA must pay to the Secretary of the Treasury, as the equivalent of Federal income taxes, with respect to its secondary market operations. It provided for the deduction from FNMA's gross income, in addition to all expenses and other deductions which would be authorized by law if FNMA were not exempt from such taxes, of any amounts paid by FNMA to the Secretary of the Treasury as a return on his investment in FNMA's securities. No comparable provision was contained in the Senate amendment and none is contained in the substitute.

TITLE III—SLUM CLEARANCE AND URBAN RENEWAL

Increased Capital Grant Authorization

The House bill contained a provision increasing the present $900 million capital grant authorization by an additional $250 million on July 1, 1957. The Senate amendment provided for an increase of $500 million, $250 million in each of the years 1957 and 1958. Section 301 of the conference substitute increases the capital grant authorization by $350 million.

Alternative Formula for Slum Clearance Grants

The Senate amendment contained a provision, not in the House bill, establishing a new alternative method for determining the amount of Federal grants that may be paid under the slum clearance and urbans-renewal program, using three-fourths of a reduced net profit cost instead of two-thirds of present net project cost.

The new method would permit grant payments, in the case of projects approved by HHFA at the request of the local public agency, of not more than three-fourths of "net" project cost on the basis of a revised definition of "gross" project cost. The revised definition would restrict "the expenditures by the local public agency for any or all of the undertakings necessary to carry out the project, including carrying charges" by excluding expenditures of the local public agency for administration, overhead, taxes (or payments in lieu thereof), and legal, survey, and planning services. The present statutory definition of "net" project cost is not changed; however, where the new formula is used the revised definition of "gross" project cost would result in a different "net" project cost from that which would result in an identical project where "net" project cost is calculated under the current formula. This provision is included as section 302 of the substitute.

Per State Limitation on Slum Clearance Assistance

The Senate amendment contained a provision, not in the House bill, increasing the maximum amount of expenditure, permitted for loans or grants under the slum clearance and urban renewal program in any one State from 10 to 15 percent of the total funds authorized for the program. The conference substitute provides that the maximum per State cannot exceed 12½ percent of the total funds authorized.

Relocation Payments

The House bill included a provision authorizing relocation payments to individuals and families of fixed amounts in lieu of their actual moving expenses. In no case could such payments exceed the present statutory maximum ($100). The Senate amendment contained a similar provision, except it would have also increased the maximum relocation payments to business concerns from $2,000 to $3,000. The conference substitute conforms to the Senate amendment, except that a maximum of $2,500 is provided for business relocation payments.

Restriction of Public Housing to Relocation Families

The House bill contained a provision which would amend the Housing Act of 1949 to prohibit new contracts for low-rent public housing except with respect to projects certified by the local governing body as needed for the relocation of families displaced as a result of Federal, State, or local governmental action in the community and not in excess of the total number of such units which the Housing Administrator determines to be needed for the relocation of families to be displaced as a result of such action. No comparable provision was included in the Senate amendment and none is contained in the conference substitute.

Conformance of Urban Renewal Plans to Program Objectives

The Senate amendment contained an amendment removing the requirement that an urban-renewal plan must contain an indication of the relationship of the plan to local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements; but inserts a specific requirement that the plan be consistent with such objectives. This provision is included as Section 305 of the conference substitute.

Office Space for Urban Renewal Functions

The Senate amendment contained a provision permitting a local public housing agency which is also the local public agency for purposes of the slum clearance and urban renewal program to provide space in the public housing administration buildings, at an economic rent paid out of non-public-housing funds, for the performance of urban renewal functions. No comparable provision was contained in the House bill. The conference substitute follows the Senate language.

TITLE IV—PUBLIC HOUSING

Amended Income Exemption

The Senate amendment contained a provision which would increase income exemptions for admission to and continued occupancy of public housing. No comparable provision was contained in the House bill. The conference substitute conforms to the Senate amendment.

For families seeking admission to public housing, the existing exemption of $100 for minors would be continued, and additional exemptions of $100 for each adult dependent with no license, and up to $600 of the income of each member of the family other than the principal wage earner (including minors), would be provided. For families desiring to continue occupying public housing, the existing exemptions for minors would be continued, and additional exemptions would be provided of $100 for each adult dependent member of the family having no income, and up to $600 of the income of any other adult member of the family other than the principal wage earner.

Increase in Per-Room Cost Limit

The Senate amendment contained a provision, not in the House bill, raising the per-room cost limits from $1,750 to $2,000 for regular units, and from $2,250 to $2,500 for elderly person units.

The conference substitute conforms to the Senate amendment.

Modular Measure Requirement in Public Housing

The Senate amendment contained a provision, not in the House bill, requiring public housing plans and specifications to follow the principle of modular measure in every case deemed feasible. The conference substitute conforms to the Senate amendment.

Disposal of War Housing

The Senate amendment contained four provisions, not in the House bill, which provide for the disposition of certain war housing projects in Connecticut, Nevada, Louisiana, and Utah. These four provisions are included as section 402 of the conference substitute.

TITLE V—MILITARY HOUSING

Purchase of Wherry Housing

The House bill contained a provision eliminating the "allowance for physical depreciation" as one of the factors used in determining the purchase price of Wherry Act housing acquired under the 1955 Housing Amendments, and substituting an "appropriate allowance representing the estimated cost of repairs and replacements immediately necessary to restore the property to sound physical condition." No similar provision was included in the Senate amendment. The conference substitute retains the language of the House bill, except that the word "immediately" is omitted from the phrase last quoted above.

This word was included in the House bill to indicate that in determining whether a deduction should be made for needed maintenance items, only those items which are past due should be considered. For example, if a project normally needs painting every two years, a deduction shall be made if two years have elapsed since it was last painted, but not if only one year has elapsed. While the conferees agreed to this principle, they felt that the word "immediately" might have broader implications, and accordingly deleted it in order to make sure that all costs of repairs and replacements needed to put the project in first class condition will be included.

Specifications for Military Housing

It has come to the attention of the conferees that products of some manufacturers are being excluded from consideration by architects and contracting officers of the Armed Services when preparing plans, specifications, and the contracts to carry out the military housing program.

While the conferees agree completely that the use of inferior materials or improper use of good materials should not be tolerated, we believe also that the military can get more value per dollar of expenditure by encouraging free and competitive bidding among all suppliers and manufacturers whose products meet the required standards.

The conferees believe that the problem of inclusion or exclusion of products and materials could be resolved in part if the Armed Services would include in the specifications for military housing, all of the Federal specification numbers which relate to given categories or quality of materials or products used in the construction of such housing. This, however, would not in itself be a complete answer to the problem, for it is well known that Federal specifications neglect many categories of products entirely or leave out some products which are as good or better and which by being included in the competition, along with those products covered by Federal specifications would reduce costs to the Government. In addition, qualification for the Federal specification list is a long, time-consuming process which in some instances may require as long as three years for approval. We believe this latter point could be corrected by the Armed Services through the establishment of an approved products/materials list to be incorporated in all title VIII military housing specifications. This would have the effect of making all products on such list acceptable by all Government architects or contracting officers engaged in the military housing program and thus a part of all military housing specifications, and would do much to eliminate the criticism now being directed against the present contracting procedures used in this program. Manufacturers of products not covered by Federal specifications could be required to make full presentation and demonstrate to the satisfaction of the Armed Services that their products or materials are equal to or better than those called for by Federal specifications before such products or materials could be placed on the approved list.

The conferees, therefore, request the Secretary of Defense or his designee to include in all specifications for military housing to be constructed under the title VIII program all of the Federal specification numbers which relate to given categories or quality of materials or products used in such construction. It is also requested that the Secretary of Defense or his designee establish at an early date an approved products/materials list which shall be incorporated by reference in all title VIII military housing specifications. The approved products/materials list should, of course, be open at all times for further additions or deletions as determined desirable by the Secretary.

TITLE VI—MISCELLANEOUS

College housing

Interest Rate Formula

The House bill contained a provision changing the interest rate on college housing loans made pursuant to applications filed after May 10, 1957.

No comparable provision was included in the Senate amendment and none is contained in the conference substitute.

Fund Authorization and Eligibility

The House bill contained a provision increasing the college housing loan authorization by $150 million (from the present $750 million to $900 million). The provision in the Senate amendment increased the college housing loan authorization to $925 million, which would include $25 million for loans to nonprofit hospitals to provide housing for student nurses and interns. In addition to extending eligibility under the college housing loan program to nonprofit hospitals for housing student nurses and interns, the Senate amendment would have extended eligibility to nonprofit divinity schools for housing and related facilities for divinity students, and to State agencies established to finance housing and related facilities for public educational institutions.

The conference substitute follows the Senate amendment with respect to the increase in loan authorization. Extension of eligibility under the conference substitute is confined to nonprofit hospitals which operate schools of nursing or are approved for internship, and to State agencies established to finance housing and related facilities for public educational institutions.

Farm housing research

The House bill contained a provision for a 2-year program of farm housing research, authorizing $600,000 ($300,000 in each of the fiscal years ending June 30, 1958, and June 30, 1959) for grants under such program. The comparable provision in the Senate amendment provided that the total amount of such grants shall not exceed $200,000 during the fiscal years ending June 30, 1958, and June 30, 1959.

The conference substitute follows the language of the House bill. The conferees also wish to express their understanding that in awarding research and study grants to loan-grant colleges, the Housing and Home Finance Administrator will award the grants to those colleges best equipped to conduct the research. The conferees further intend that the research grants will not be confined to any one area but rather will utilize the research facilities of one or more land-grant colleges in each of the major regional sections of the United States.

Exchange of Data

The Senate amendment contained a provision, not in the House bill, directing the Housing and Home Finance Administrator to exchange data relating to housing and urban planning and development with other nations, where he deems such an exchange beneficial to the programs of the Housing and Home Finance Agency. The conference substitute follows the language of the Senate amendment.

Mortgage credit study

The House bill contained a provision directing the Housing and Home Finance Agency to make a study of the mortgage credit needs of the residential-building industry and to report its findings and recommendations to the President and the Congress by April 30, 1958. The Senate amendment contained no comparable provision and none is contained in the conference substitute.

Discount control

The House bill contained a provision directing the Housing and Home Finance Administrator, upon completion of the mortgage credit study referred to above, to fix reasonable limits (to vary in accordance with certain stated factors) on the charges, fees, and discounts imposed in connection with financing (including conventional construction financing) under FHA-insured mortgages, and to require a lender's certification of compliance with such limits as a condition of eligibility for insurance.

The provision in the Senate amendment directed the Federal Housing Commissioner (with respect to FHA-insured mortgages) and the Administrator of Veterans' Affairs (with respect to VA-guaranteed or insured loans) to issue such regulations, applicable uniformly to all classes of mortgagees, as they deem desirable to limit the charges and fees imposed in connection with financing (including conventional construction financing) under such mortgages or loans, and to require a mortgagee's certification of compliance with such regulations before any such insurance or guaranty is granted.

The conference substitute follows the language of the House bill but applies discount controls to VA-guaranteed as well as FHA-insured mortgages, and deletes the credit study requirement. Thus the conference substitute directs both agencies to stipulate reasonable ceilings on charges, fees, and discounts, taking into account geographic factors and other factors affecting the type and quality of the mortgage security.

Urban planning grants

The Senate amendment contained a provision which was not included in the House bill under which the HHFA could make urban planning grants to official governmental planning agencies for areas threatened with rapid urbanization by the establishment or expansion of Federal installations. The conference substitute retains this provision of the Senate amendment.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
ALBERT RAINS,
HENRY O. TALLE,
C. E. KILBURN,
GORDON L. MCDONOUGH,
Managers on the Part of the House.

Mr. SPENCE (during the reading of the statement). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with and that it be printed in full in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPENCE. Mr. Speaker, I yield such time as he may desire to the gentleman from North Carolina [Mr. SHUFORD].

Mr. SHUFORD. Mr. Speaker, I refer to section 605 of H. R. 6659, as recommended by the conferees. Section 605 directs the Administrator of Veterans' Affairs to fix reasonable limits on the charges, fee, and discounts imposed upon the builder, seller, or purchaser in connection with the financing, construction, or sale of any housing which is built or purchased with a home loan insured or guaranteed under the Servicemen's Readjustment Act of 1944.

The House Banking and Currency Committee included a similar provision in H. R. 6659 when the bill was reported by the committee. There were several other provisions reported by the House Banking and Currency Committee which also affected the veterans' housing program, which is under the jurisdiction of the House Veterans' Affairs Committee. On April 9, 1957, the Committee on Veterans' Affairs adopted the following resolution:

That the Veterans' Affairs Committee instruct the staff to draft amendments for possible presentation to the Rules Committee and on the floor of the House which would strike from H. R. 6659 any reference to veterans' housing or use of the veterans' NSLI funds as a secondary market for veterans.

This position was reaffirmed by the Committee on Veterans' Affairs in a meeting on May 7, 1957.

Pursuant to the resolution of the committee, the chairman objected to the inclusion of provisions in H. R. 6659 affecting the veterans' housing program. This viewpoint prevailed in the House and H. R. 6659, as passed by the House, deleted those sections of the bill affecting the veterans' housing program, including the reference to discount controls by the Administrator of Veterans' Affairs, which has now been restored by the conferees.

The record should reflect that the jurisdiction of the House Committee on Veterans' Affairs is being invaded, in our opinion, and that those responsible for this recommendation should assume responsibility for any adverse effects which it may create in the veterans' housing program.

With concurrence of the chairman of the Veterans' Affairs Committee, the Honorable OLIN E. TEAGUE, I am placing in the RECORD a copy of a letter which the chairman directed to the conferees on H. R. 6659, urging adoption of the House version on discount controls so that the Veterans' Administration home-loan program will not be affected by the discount-control provision.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, D. C., June 21, 1957.

DEAR COLLEAGUE: H. R. 6659, as reported by the House Committee on Banking and Currency, contained a section directing the Administrator of Veterans' Affairs to fix reasonable limits on discounts paid in connection with Veterans' Administration guaranteed loans.

The subject of discount controls on Veterans' Administration guaranteed loans was considered at length by the Committee on Veterans' Affairs as part of extensive hearings relating to the veterans' housing program. The Committee on Veterans' Affairs, after considering the discount issue, declined to eliminate or attempt to control discounts in connection with Veterans' Administration guaranteed loans. The experience gained several years ago when such an attempt was made undoubtedly guided the committee in its decision. After 6 weeks of attempting to eliminate discounts several years ago, the regulations promulgated by the Veterans' Administration for the purpose were removed by an act of Congress, since they proved unsuccessful.

The House Committee on Veterans' Affairs, by formal resolution, objected to the inclusion of provisions in a bill reported by the House Banking and Currency Committee which would alter the Veterans' Administration guaranteed home-loan program, which operates under the jurisdiction of the House Committee on Veterans' Affairs. As a result of the committee's opposition, the provision relating to discount control on Veterans' Administration guaranteed loans was removed on the floor of the House. The Senate Committee on Banking and Currency concurred in this action and reported H. R. 6659 without the discount-control provision for Veterans' Administration guaranteed loans. The provision was reinstated by amendment on the floor of the Senate. The result is that the House and Senate passed versions of H. R. 6659 differ on the point of control of discounts on Veterans' Administration loans, the Senate passed version of the bill containing the provision and the House version omitting it.

The House Committee on Veterans' Affairs continues its opposition to inclusion of provisions in a general housing bill which regulate the Veterans' Administration housing program and there is ample evidence to indicate that if such a provision is enacted into law, a substantial decline in Veterans' Administration guaranteed loans will occur immediately.

Experience in the Veterans' Administration home loan program for the first 4 months of 1957 and projections by the Veterans' Administration indicate that about 300,000 home loans will be made to veterans during 1957. The discount practice has been prevalent in the program for several years, and even during the periods when mortgage money was readily available the discount procedure seemed necessary to equalize the differences in the money market between various geographical areas of the United States.

The language adopted by the Senate does not appear to outlaw discounts. It appears to condone and control them. If such a provision is enacted into law, the result will be that the stamp of Government approval is placed on the practice and ceiling set on discounts by the Federal Housing Administration and Veterans' Administration will tend to become maximums if they are sufficiently high to attract mortgage capital. If they are unrealistically low, they will simply exclude such capital from the market. Either result is undesirable.

The Committee on Veterans' Affairs is aware of the arguments that are advanced to the effect that the veteran ultimately pays the discount, and members of the committee undoubtedly share the desire to obtain ample mortgage financing funds without such a practice. The fact remains, however, that there is a difference in the money market in various areas of the United States and that there is no way to require a lender to loan money unless the interest yield is attractive. It is realized that some of the discount paid by the builder may be passed on to the veteran if the builder can devise a way to do so; however, it does not follow that if it were possible to eliminate discounts the veteran would necessarily profit by the full amount of the discount eliminated, since there is no assurance whatever that the builder would sell the house to the veteran cheaper, simply because he was required to pay no discount. A more probable result would be an enlarged profit to the builder, with very little difference in the price to the veteran.

In consideration of the circumstances outlined above, it is hoped that the Senate will recede from its amendment regarding control of discounts on Veterans' Administration loans and accept the House version on this point.

Very truly yours,

OLIN E. TEAGUE,
Chairman.

Mr. SPENCE. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just agreed to.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RAINS. Mr. Speaker, I think that in the conference report we have brought a good housing bill back to the House. It is of course by no means perfect, but I believe that it represents a fair compromise. In my judgment it is a good workable housing bill which will provide much-needed relief to the housing industry and to many worthwhile housing programs, and I think that the House can give it wholehearted support.

I would like to discuss the most significant changes embodied in the conference report.

TITLE I—FHA INSURANCE PROGRAMS

LOWER DOWNPAYMENTS FOR SALES HOUSING

One of the most significant items in the conference report is the substantial liberalization of the downpayment terms in the FHA program. The lower downpayments we have provided should bring home ownership within the reach of hundreds and thousands of additional families. I am pleased to report that the House version on the downpayment schedule prevailed in the conference. The House version lowered downpayments substantially but in my judgment was not quite as extreme as the Senate version. Under the conference report downpayments on FHA loans which are now 5 percent of the first $9,000 of value and 25 percent of the excess, will be reduced to 3 percent of the first $10,000 of value, 15 percent of the value between $10,000 and $16,000, and 30 percent of the excess value.

The conference report also liberalizes the downpayment terms for servicemen's housing under FHA section 222 program. It also reduces downpayments and increases the permissible loan amount for section 203 (i) housing, which is low-cost housing in outlying and rural areas.

HIGH-COST ALLOWANCE FOR SECTION 207

The conference report adopted a Senate amendment, which by permitting a high-cost area allowance for FHA's section 207 rental housing projects without regard to the average room count, should help production of much-needed rental housing at moderate rentals in many of our urban centers.

PROPOSED BROADENED FHA 221 PROGRAM

Mr. Speaker, the conference committee probably spent more time on one provision in the Senate bill than on all other items in the conference. This was the provision in the Senate bill which would have amended section 221 of the National Housing Act to extend eligibility for 221 insurance, now reserved for people displaced by urban renewal, to the elderly, people of moderate income, and other groups. I should like to pay particular tribute to the valiant fight waged for this program by my colleague, Senator SPARKMAN.

I do not wish the Members of the House to interpret the failure of the House conferees to agree to this section to be interpreted as personal opposition to it upon my part. I believe that the time is long overdue for us to devote more effort to finding a solution to the acute housing needs of both the elderly and those families in moderate-income brackets. I have long felt that these groups were largely neglected by our national housing programs. As long ago as 1949 I introduced a bill aimed at taking care of the housing needs of the middle-income groups. In the last Congress I introduced a measure to authorize direct loans for 50 years at 3½ percent to nonprofit institutions so that they might provide housing for the elderly.

It is my intention as chairman of the Subcommittee on Housing to hold hearings next year aimed at finding a solution to the pressing housing needs of the elderly and moderate-income groups. I want to assure the House that this will be done.

TITLE II—FEDERAL NATIONAL MORTGAGE ASSOCIATION

I. SECONDARY MARKET OPERATIONS

The compromise bill provides substantial funds so that FNMA can continue its mortgage purchase support program of FHA and GI loans. It provides that FNMA's borrowing authority will be increased by $650 million. This is substantially less than the $1.25 billion increase provided for in the House bill, but is higher than the Senate version which would have provided an increase of only $500 million. The increase will bring FNMA's total borrowing authority to approximately $2.25 billion.

Under the conference report the Treasury "backstop," that is, the ability of FNMA to borrow from the Treasury is increased to make it approximately equivalent to FNMA's total borrowing authority.

II. SPECIAL ASSISTANCE FUNCTIONS

PURCHASE PRICE FOR SPECIAL ASSISTANCE MORTGAGES

The conference report assures much-needed Government support for the various special assistance programs aided by the Federal National Mortgage Association. The conference report requires FNMA to pay par for such mortgages for a period of 1 additional year.

COOPERATIVE HOUSING

The conference report increases the present revolving fund which supports FHA section 213 cooperative housing mortgages from $100 million to $200 million. It also reserves $50 million of the total authorization for consumer cooperatives.

MILITARY HOUSING REVOLVING FUND

On funds for military housing loans the conference report splits the difference between the House and Senate version and provides for an increase of $250 million in the special FNMA revolving fund used to assure the availability of financing for title VIII military housing projects, so vital to our national defense. The conference report also assures that a modest portion of the total authorization will be used to support section 809 mortgages which provide sales housing for essential civilians on military research and development centers.

TITLE III—SLUM CLEARANCE AND URBAN RENEWAL

INCREASED CAPITAL GRANT AUTHORIZATION

Mr. Speaker, you will recall that the House bill would have provided an additional $250 million for slum clearance grants for 1 year. The Senate amendment called for a $500 million increase, $250 million in each of the years 1957 and 1958.

The conference substitute provides for an increase of $350 million for 1 year, $100 million more than the House bill provided, but $150 million below the amount the Senate asked for a 2-year period.

ALTERNATIVE FORMULA FOR SLUM CLEARANCE GRANTS

The conference report provides a new alternative method for determining the amount of Federal grants. While this new formula involves a higher ratio of Federal grants, that is three-fourths instead of two-thirds under the present formula, it is our understanding no real increase in the amount of Federal contribution is involved. The new formula merely provides a method whereby some cities can avoid a lot of red tape and lengthy procedural steps.

RELOCATION PAYMENTS

Under present law businesses which are displaced by slum clearance operations can be reimbursed for moving costs up to $2,000. The Senate amendment would have increased this to $3,000, but the conference report increases it only to $2,500.

TITLE IV—PUBLIC HOUSING

AMENDED INCOME EXEMPTION

The Senate bill had a series of amendments on low-rent public housing. The conference rejected several of these but the conference report does contain three new significant amendments affecting low-rent public housing.

The first would increase the income exemption somewhat for admission to and continued occupancy of public housing. For families seeking admission to public housing, the existing exemption of $100 for minors would be continued, and additional exemptions of $100 for each adult dependent with no income, and up to $600 of the income of each member of the family other than the principal wage earner—including minors—would be provided. For families desiring to continue occupying public housing, the existing exemptions for minors would be continued and additional exemptions would be provided of $100 for each adult dependent member of the family having no income, and up to $600 of the income of any other adult member of the family other than the principal wage earner.

The second would increase the per-room cost limits on public housing from $1,750 to $2,000 for regular units and from $2,250 to $2,500 for elderly persons units. The third amendment would require plans and specifications to follow the principle of modular measure where feasible.

TITLE V—MILITARY HOUSING

WHERRY ACQUISITION PROGRAM

Mr. Speaker, the conferees accepted the provision contained in the House bill which clarifies the law relating to the purchase price formula used under the acquisition program of Wherry projects with one slight amendment. By adopting this minor amendment there was no intention whatever to change the House position on this subject, and it is intended that the provisions contained in House Report 313 relating to the Wherry acquisition program be followed by the Department of Defense and the three services. This discussion may be found on pages 17, 18, and 19 of the House report.

TITLE VI—MISCELLANEOUS

COLLEGE HOUSING

The conference report retains the interest rate formula for college housing loans in present law.

The compromise bill increases the amount of funds for college housing loans by $150 million to $925 million, of which $25 million would be reserved for a new type of eligible loan, namely, loans to nonprofit hospitals for housing student nurses and interns.

FARM HOUSING RESEARCH

I am delighted to report that at long last we are providing an effective program for farm housing research. The conference report follows the House bill and provides a 2-year program of farm housing research authorizing $600,000—$300,000 in each of the next 2 fiscal years. The money will be used for grants by the Housing and Home Finance Administrator to land-grant colleges to undertake intensive research programs to see what can be done to reduce the cost of farm housing and to improve the quality of housing on our farms. I am proud to have been the sponsor of this program and I am most hopeful that it will help improve the housing standards of our agricultural population.

DISCOUNT CONTROL

Both the House and Senate versions contained provisions attempting to cope with the problem of excessive discounts which in my judgment have approached scandalous proportions. The conference substitute considered this problem most carefully and I think that the conference report provides a workable compromise. Discount control will be applicable both to GI and FHA loans. Frankly, it would be unworkable to attempt to control discounts on one and not the other. Both the VA and FHA are directed to issue regulations, not to rule out discounts because we found that to be unworkable, but rather to fix reasonable limits on the discounts which lenders may charge. It directs both agencies in setting such reasonable limits to take into account geographic differentials in the supply of mortgage credit, and also differentials with respect to the quality and type of loan security. I think the conference has rendered a useful service in coming up with this workable compromise and I am most hopeful that we have seen the end of unconscionable discounts, which in the last analysis are paid through the nose by the home buyer.

Mr. Speaker, I urge the immediate adoption of the conference report so that we can get this much-needed legislation to the President's desk for signature as soon as possible.

Mr. TALLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. TALLE. Mr. Speaker, the Housing Act of 1957 as embodied in the conference report to accompany H. R. 6659 is good legislation. It represents the culmination of a tremendous lot of work, study, and inquiry on the part of the Subcommittee on Housing, of which the gentleman from Alabama [Mr. RAINS] is chairman; by the Banking and Currency Committees of the Congress; and, finally, by the conferees of the two Chambers who were assigned the task of ironing out the differences in the House and Senate versions.

This was not an easy task to perform. There were 29 items in the Senate bill which were foreign to the House bill. There were 7 items in the House bill which were foreign to the Senate bill. Finally, there were 16 items in the two bills which dealt with similar subjects but differed as to details.

The gentleman from Kentucky [Mr. SPENCE], chairman of the House Committee on Banking and Currency, deserves commendation for his leadership. The House conferees working with him made every effort to discharge their responsibilities by seeking diligently to get approval of provisions that represented the will of the House of Representatives. It is my best judgment, Mr. Speaker, that the enactment of this legislation will prove to be beneficial to the American people.

Mr. KILBURN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KILBURN. Mr. Speaker, I think the managers on the part of the House did an excellent job in maintaining the position of the House on nearly all parts of the Housing bill.

Under the leadership of our chairman, the gentleman from Kentucky [Mr. SPENCE], and the ranking member, thq gentleman from Iowa [Mr. TALLE], and the chairman of the Housing Subcommittee, the gentleman from Alabama [Mr. RAINS], our side of the conference functioned as a team and, I think, did well.

I would especially like to commend the gentleman from Alabama [Mr. RAINS] all through this housing legislation. He was always absolutely fair and considerate toward the views of the minority members. There was no partisanship, and during the conference he was extremely competent in maintaining our position. It was a pleasure to work with him.

COMPULSORY INSPECTION OF POULTRY AND POULTRY PRODUCTS

Mr. SMITH of Virginia, from the Committee on Rules (on behalf of Mr. TRIMBLE), reported the following privileged resolution (H. Res. 304, Rept. No. 663), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. After general debate which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

THREE HUNDRED AND FIFTIETH ANNIVERSARY OF THE FOUNDING OF JAMESTOWN, VA.

Mr. SMITH of Virginia. Mr. Speaker, I call up a privileged resolution (S. Con. Res. 27) to create a joint committee to represent Congress at the 350th anniversary of the founding of Jamestown, Va., which was reported by the Committee on Rules this morning. I believe there is no objection to it, so I ask unanimous consent that it be considered at the present time.

The Clerk read the title of the concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. GROSS. Reserving the right to object, Mr. Speaker, is there any cost attached to this concurrent resolution?

Mr. SMITH of Virginia. Not to exceed $1,000.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That a joint committee consisting of 4 Senators and 5 Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to represent the Congress of the United States at the ceremonies to be held at Jamestown, Va., on July 30, 1957, in commemoration of the 350th anniversary of the founding of Jamestown, the first permanent English settlement in America. The committee shall select a chairman from among its members.

Resolved further, That the necessary expenses of such joint committee shall not exceed the sum of $1,000, one-half of such sum to be paid from the contingent fund of the Senate and one-half of such sum to be paid from the contingent fund of the House of Representatives, on vouchers approved by the chairman.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. O'HARA of Minnesota. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit during the session of the House today.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

REPORT ON FAR EAST FORCES

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OSMERS. Mr. Speaker, in these days of frequent disturbing reports from many parts of the world, I am pleased to be able to give the House some good news from Korea and Okinawa. The Right Reverend Harry S. Kennedy, D. D., bishop of Honolulu, and representative of the Armed Forces Commission of the Protestant Episcopal Church in the United States of America, has returned to Hawaii after 2 months of visiting his far-flung diocese, which includes the Hawaiian Islands, Wake, Midway, Guam, the American Samoas, Taiwan—Formosa—and Okinawa. Bishop Kennedy also visited military chaplains and personnel in Japan and Korea. Before his return to Hawaii, Bishop Kennedy, in conference with Military Chaplain Matthew Imrie, stated that excellent relations exist between the South Korean people and the American forces and between the people of Okinawa and our troops on that island. According to the bishop, morale is high, discipline is excellent, and for this Gen. Lyman L. Lemnitzer, the Far East commander, and Gen. I. D. White, the Eighth Army commander, should receive the highest commendation. Our military chaplains in the area are also rendering outstanding service to our troops. The full report of Bishop Kennedy follows:

REPORT OF BISHOP KENNEDY TO GEN. I. D. WHITE

KOREA

My first visit to the Eighth Army in Korea was back in 1951. I recall vividly the devastation of Seoul, which had been fought over four times, and the desperate conditions under which our men were fighting.

With the exception of 1956, I have made yearly visitations to Korea and each succeeding visit impresses me with the tremendous achievements of Koreans and Americans alike.

Seoul has arisen out of fire and ashes like the fabled Phoenix, thanks to the prodigious feats of UNKRA, AFKA, the Eighth Army, and the Korean people themselves. Economic and technological aid have restored much of the economy. Although the scars of war are still noticeable, the tremendous gains in new buildings and reconstruction are more evident.

The American soldier has been of inestimable assistance in bolstering the material well-being and morale of our Korean allies. Trained from childhood in the American way of helping one's neighbor, literally tens of thousands of soldiers have given lavishly of their money and labor in providing relief for the sick, the hungry, and the shelterless, orphaned children, the aged, and the thousands mutilated by war. The generosity and kindness of our soldiers, their eager and voluntary response to human needs, has earned an undying, affectionate regard in the hearts and minds of the Korean people all the way from their courageous President to the farmer at work in his rice paddy.

My visits to chaplains and servicemen afforded me opportunities to observe facilities and living conditions and to share many conversations and confidences.

Certainly, I was thrilled with the morale of our men. Frankly, the situation in Korea tests the heart, the mind, and body of a soldier. The terrain and weather call for rugged manhood. The separation from family for a 16-month tour calls for disciplined and understanding manhood. The nearness of the potential aggressor, the knowledge of the threat of international imperialistic communism to all freedom-loving peoples, challenges one's manhood. Korea is a vital frontier in the crusade for freedom. The Eighth Army commanding general, Gen. I. D. White, has done a magnificent job in teaching his men the importance of the Eighth Army's mission.

Factors other than knowledge of the mission contribute to high morale. General White has almost miraculously changed the living conditions of his men from semi-combat standards to semipermanent standards. For example: Our soldiers no longer live in tents, quonset-type or barracks buildings have taken their place; Coleman lanterns and candles have given way to electricity; hot and cold running water is the rule rather than the exception; superior athletic, recreational, and educational programs and facilities are now in operation; 77 chapels, varying in size, but all benefiting from a chapel beautification project, serve the thousands of troops.

I would be remiss were I not to mention the high performance of Eighth Army chaplains and the wholehearted support they receive from the command. Evidences such as attractive chapels, the large number of men attending services, and the completeness of pastoral programs supported the command's enthusiastic endorsement of the chaplains' contributions to the success of the Eighth Army's mission.

Inasmuch as questions are raised concerning morals as well as morale, I will mention the subject. The ethical standards of Christianity and Judaism are basic to the ideology of the American way of life and are cherished by our men in uniform as they are cherished by their neighbors and families back home. It is true that the Ten Commandments are violated abroad as well as at home. The whole process of growing to maturity involves embracing the truth that obedience to law, moral and physical, is required for freedom and powerful performance. General White is emphatic in his contention that the tough, competent fighting man is first of all a disciplined man, physically, mentally, and morally. Incidentally, there is less tolerance of delinquency in the Eighth Army than there is in the average civilian community where competing interests so often compromise moral standards.

The testing, or temptations, of men away from home (be it college, a strange city, or overseas) are more demanding than when the individual is supported by the physical presence of family and friends. Living in the bosom of his family, a man has constant help in personal decisions. Living away from his family, the individual must depend more on his own metal. The clergy serving in the Army, the officers discharging their responsibilities as "father of their men," the family-church-school, background of the individual, and the letters from home contribute assistance and guidance in personal decisions. In general, the conduct of our men in Korea is as good as their conduct at home. If one looks for disappointments, one can find them. However, if one relates the delinquency incidents to the wonderful accomplishments of our men as soldiers and ambassadors of good will, the result makes one very proud indeed. Our youths are our greatest asset. We do not have to sell them short. The indices of morals and morale reflect the high standards of our American homes. As long as leaders of the caliber of General Lemnitzer and General White command our troops, we Americans can be confident that the moral standards of our culture and the obligations of American citizenship will be cherished and nourished.

OKINAWA

My first visit to Okinawa was in the summer of 1945, when I was the guest of General Stilwell. I have seen the island in ashes and the people hungry, homeless, and practically naked.

My visit this year was my eighth visit to Okinawa, so I have witnessed the results of

the rehabilitation program carried on by the United States Forces. My personal feeling, after conferring with natives, is that they are grateful for all that has been done for them. They are no longer second-class citizens. Any agitation for reversion comes from a small group of malcontents.

If every American could see what I have experienced over the years, they would indeed be proud of our program. New schools, highways, housing, improved fishing and agriculture, medical aid and employment have given the Okinawan a higher standard of living.

I feel that if a plebiscite were held, the Okinawans would not vote for reversion to Japan, but would wish to continue as they are. A few political agitators are very vocal, but they do not carry the weight of the people behind them.

MURPHY GENERAL HOSPITAL, WALTHAM, MASS.

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to ask the Members of the House if they do not feel that the Budget puts us and also the Appropriations Committees and the different departments in a very embarrassing position. It seems to me they put the departments in the position of lying. Often the departments are very eager to have an appropriation go into a bill, but they are not allowed to request it because the Budget says "No," so they have to say they do not want it, when they do. I think it makes perjurers of them and is very bad for the country and very bad for the legislators. I wonder if the House would like to join me in seeing if that cannot be remedied in some way.

As an instance, recently we had up for consideration an appropriation for the Murphy General Hospital at Waltham, Mass. It is still in the bill, which has gone over to the Senate. The Surgeon General's Office, I believe, did not dare say they needed and wanted that hospital, because the Budget said "No."

Toward the end of the time before the bill came up for discussion, I called up the Surgeon General's Office and they told me they were allowed to make no comment, that it must go through the Secretary's Office. Now we need that hospital very much at Waltham. There is a shortage of beds everywhere. If you send the patients to the Chelsea Naval Hospital, the Navy wrote me it would mean that the naval hospital would have to open another building and they would have to have more nurses and doctors and scientists and specialists. All that, of course, would mean greatly added expense. The hospital at Devens is considered inadequate. You need a new hospital there—and it has been authorized. So that is not a suitable place to send these men. As for the civilian hospitals, you cannot send the men there either because there is a great shortage of beds, nurses, and doctors—as a result of which, they have had to close entire floors in certain hospitals. There is a shortage of beds in the Veterans' Administration hospitals. A relative of mine was put out of a hospital recently after a very serious operation because they needed his bed. Mr. Speaker, I hope that the other body will reconsider a decision which I think the subcommittee has agreed to, which would take out the authorization for the Murphy General Hospital at Waltham, Mass. I would like to point out the fact that some 2 years ago the Cushing General Hospital was turned over to the State, to the Commonwealth of Massachusetts. Our Governor Herter, of Massachusetts, said that he wanted to use it for another hospital. So, finally, they turned it over to the State. It was filled with veterans and many paraplegics were there. It was ideally suited to their special needs, and to this minute that hospital has never been used by the State. I hope very much the Members of the House will urge the members of the Senate Committee on Appropriations in the other body to allow, so far as they can, the continuance of the Murphy General Hospital. A number of years ago, just before World War II, the hospital was closed under somewhat similar circumstances. Then came the sneak attack at Pearl Harbor. Within a few months, they had to reopen Murphy General Hospital at great expense and great distress to the very sick patients who had been moved, and it was not ready for the new patients. It was a great expense to close it and it was a great expense to reopen it. There was no economy in that, I assure you, Mr. Speaker.

Mr. McCORMACK. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I am very glad to yield to the gentleman. I know how the gentleman feels about this matter.

Mr. McCORMACK. I am thoroughly in accord with the statements made by the gentlewoman from Massachusetts [Mrs. ROGERS]. We all remember that the House Committee on Appropriations had a proviso in the bill, as reported out by the committee, which would keep the Murphy General Hospital open as well as the Army hospital at Hot Springs, Ark. Of course, there was also carried in the bill the necessary money to keep both hospitals open during the next fiscal year. A point of order was made against that proviso on the ground that it was legislation on an appropriation bill and, of course, the point of order was sustained. If that point of order had not been made, I am satisfied that the House would have kept the language in the bill. The Member who made the point of order exercised his right under the rules of the House, although I disagree with his judgment in so doing. If in addition to making the point of order, he had then tried to reduce the amount of the appropriation for both hospitals, he would have carried the thing through. But, he did not do that. Therefore, the bill, as it passed the House, carries the appropriations in it to keep both hospitals open without the express language, however, which has been heretofore carried in the bill to keep them open. I hope the other body will put that language back in the bill so as to keep both hospitals open. As I understand, the bill is likely to come up in the other body either today or Monday and I hope such action will be taken by the other body so as to keep both hospitals open. The money is appropriated to keep both of them open and the language should be restored which would permit the hospitals to remain open. I hope the other body will restore the language and order the Department of Defense to keep both hospitals open, in which event I am satisfied that the membership of the House would concur in such an amendment.

Mrs. ROGERS of Massachusetts. I understand that the money is still in the bill for both hospitals.

Mr. McCORMACK. That is exactly correct.

Mrs. ROGERS of Massachusetts. I do not know whether any of the other Members have known of cases where men have been moved in an ambulance to another hospital on the closing of that hospital and on the way to the other hospital those men have died. It has been very, very unfortunate, but it has happened. I maintain there is such a thing as an economy in saving lives and in keeping our soldiers and their families well, in body and in mind; to do that we need hospitals.

I have followed a good many cases of sick and disabled service people in the past many years and there is very great danger if they are not cured. I am glad the House left the money in the appropriation bill and I am very sure the Surgeon General's Office is glad to have it in even though they are under wraps and cannot talk freely.

Mr. McCORMACK. Are they under wraps?

Mrs. ROGERS of Massachusetts. Yes; because I twice asked them to give me information as to whether they wanted it or not, and they said they could not give it, that it would have to come from the Office of the Secretary of Defense. This did not come originally from the Surgeon General's Office, but from the overall medical committee I believe under Under Secretary Wilson.

Mr. McCORMACK. In other words, they cannot even talk to Members of Congress.

Mrs. ROGERS of Massachusetts. The gentleman knows that is true; it has happened in other instances. That is why I feel this budget is making dishonest people and perjurers out of people working in the Government. We are not going to have honest government this way. I am not speaking of any particular party; it applies to both parties.

Mr. McCORMACK. That is, the gentlewoman means they are prohibited from talking now.

Mrs. ROGERS of Massachusetts. Yes.

Mr. McCORMACK. I have no recollection that they were prohibited from talking when the Democrats were in.

Mrs. ROGERS of Massachusetts. It has happened at times; they were.

Mr. McCORMACK. No.

Mrs. ROGERS of Massachusetts. Yes, they were. I am sorry to disagree with the gentleman. I remember very well when the hospital was closed; at the time I referred to, President Truman was in office.

Mr. McCORMACK. I do not recollect it.

Mrs. ROGERS of Massachusetts. I take issue with the gentleman on that. It has happened in both parties; it is not confined to one party. The unfortunate thing about it is that often cuts in appropriations are not known about by the Presidents—they do nothing regarding it. I wish the House could rise up and ask that we have honest reports from the different departments of the Government.

Mr. McCORMACK. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. McCORMACK. Regardless of our views on that, we are in agreement on the need for this hospital.

Mrs. ROGERS of Massachusetts. Yes, and I think every Member of the House wants our service men and women and our veterans taken care of. I wish the Members could visit the streets of the cities and towns in Massachusetts. Everywhere I hear the same thing. Literally hundreds have asked, nay, begged to have Murphy General kept open. There would be no economy in money or human life and suffering to close it. It comes with poor grace from the Department of Defense when they want our support for their huge defense budget to take away services for our service people. I have always supported the national defense.

RADIATION HAZARDS IN WAR AND PEACE

The SPEAKER. Under the previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 30 minutes.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, last month the distinguished Chairman of the Joint Committee on Atomic Energy, the gentleman from North Carolina [Mr. DURHAM], appointed a special subcommittee to gather the known scientific facts on nuclear radiation and its hazards. I was given the honor and privilege of presiding over the special Subcommittee on Radiation.

Hearings were conducted in a completely fair and objective manner. Policy and partisan issues were excluded. Our subcommittee sought only the cold, scientific facts. We called together outstanding scientists and specialists in the nuclear field. Sessions were held for 8 days beginning May 27. Approximately 40 hours were spent by members of the Joint Committee on Atomic Energy in hearing these witnesses. A list of the witnesses was announced before the hearings in my remarks on the floor of the House on May 22, 1957.

I wish to commend the committee members from both Chambers and from both parties who have sat so patiently and who have worked so hard in preparing themselves to conduct these hearings. It is a tribute to the members that they do not run from the language of the scientist, but listen and understand and help to convey the meaning of that language to the layman.

For my part, I will say that I have enjoyed the friendly cooperation of Members of both sides of the aisle. Republicans as well as Democrats have made some very kind remarks to me about the chairmanship of these hearings.

Recognizing that a Congressional hearing places some limits on the time that can be devoted to one matter, I am satisfied that through these hearings we will have assembled the most authoritative and up-to-date information on nuclear radiation available in the United States, and for that matter, in most of the world.

Of necessity the basic source of information in the nuclear field is the Atomic Energy Commission. That agency was established by law more than 10 years ago to develop the military and peacetime applications of atomic energy. The Congressional mandate has carried with it during that decade the huge sum of $15 billion of the taxpayers' funds which Congress has voted for the Atomic Energy Commission.

The production plants, laboratories, and university research programs supported by these public funds have been the basic training grounds of our nuclear scientists and technicians. Of the 36 expert witnesses, 6 came directly from the Commission, and 25 were employed directly or as consultants to Commission contractors.

This should dispel at once the notion, if anyone has it, that the hearings were onesided or rigged against the Atomic Energy Commission. The testimony was aimed at no particular individual or agency. It was aimed only in the straight direction of fact and truth.

The Atomic Energy Commission had full opportunity to present testimony. The agency was notified months in advance about the hearings. Dr. Willard F. Libby, an outstanding scientist in his own right and a distinguished member of the Commission, testified. He complimented the subcommittee for its public service and its endeavor to sort out the thorny facts in the brier patch of controversy and confusion which has snarled up the radiation issue.

In the course of these remarks, I shall have some critical statements to make about the Atomic Energy Commission. I bear no personal grudge against the members of the Commission nor its hard-working and dedicated employees and contractors. My purpose is to bring to public attention certain matters of vital concern for which the Commission bears responsibility. I shall also commend the Commission for the honorable and efficient discharge of many of its important duties and responsibilities.

To make myself clearly understood, let me say again that the subcommittee hearings were not a forum for discussion of public policies. They were, rather, a scientific seminar to lay a basic groundwork of knowledge for discussion by the public and for policy decisions by the responsible agencies of Government.

I choose this forum, the floor of the House of Representatives, to draw out some of the important policy implications of our hearings. Here I speak on my responsibility and on the basis of my own judgment. Here I put aside the role of impartial chairman and become an advocate for the views I hold and the conclusions I draw from the Congressional inquiry.

In due course the Joint Committee on Atomic Energy will present to the Congress a report on the hearings. I do not presume to anticipate any findings in the report nor to define its contents. But I feel I owe it to my own conscience, to my colleagues, to my constituents, and to the community of interested and concerned persons who have followed these hearings, many of whom have written to me, to speak now—and speak frankly—on a subject which concerns the health and the happiness and the future of mankind.

RADIOACTIVITY A NEW GLOBAL HAZARD

First of all, let us consider the setting. Our world is radioactive. Man himself is radioactive. The air we breathe, the water we drink and the food we eat contain minute bits of radioactivity. Scientists have known these facts for some 60 years.

This radioactive material is part of our natural environment. It is, so to speak, one of the facts of life on this globe. We live with it, and there is nothing much we can do about it. Except for the scientists who continually probe the secrets of the universe, most people know little and care less about natural radioactivity.

But today, a new and most fundamental problem confronts the world. This is the problem of evaluation and control of the new hazard of man-made radioactivity. These unnatural radioactive substances can be unleashed in enormous quantities to contaminate the world, to bring death and suffering to its inhabitants and serious harm to future generations.

I stress the fact that this is a new hazard. One might say the peril was born when scientists split the uranium atom almost 20 years ago, or when atomic bombs were developed and exploded over Japanese cities in World War II. True, the atomic bomb generated large quantities of radioactive debris, but the amounts were not sufficient to become a global hazard; neither were the amounts from relatively few nuclear powerplants which utilize uranium as a fuel.

The genius of man in the arts of mass destruction has produced a new bomb, sometimes called the superbomb. This new bomb differs from the atomic bomb in two respects: First, it can produce hundreds and even thousands of times more radioactive material; and, second, its explosion hurls this debris so high into the air that it is dispersed to the four corners of the world. I mean that in quite a literal sense.

The United States has a farflung system for sampling air and soil and rainwater for their radioactive content. We have measured bomb particles from Russian and American test explosions wherever we have looked—in the frozen

wastes of the north, in the Wisconsin dairylands, in the citrus groves of California and Florida, in the Corn Belt of the Midwest. Yes, the radioactive debris even has been identified in the antarctic snows. No place where men dwell escapes the fallout from nuclear bomb explosions. Man is changing his environment in a radically new manner.

THE 1954 EXPLOSION

Let me illustrate this in a specific way. On March 1, 1954, the United States exploded the most powerful nuclear weapon in its testing program up to that time. This was the explosion, as many of you know, which contaminated 7,000 square miles of surrounding territory. In fact, today, some uninhabited parts of the Marshall Islands, 100 miles from the test site, are still so radioactive that they are above the permissible level for normal land use.

This smoldering radioactivity in the Marshall Islands is due to the split atoms of uranium which stick to the trees, vegetation, and the soil. This residual radioactivity is a grim forewarning of what could happen to an entire continent if attacked with such dirty nuclear weapons. This Nation, or any nation, if ravaged by nuclear assault, would remain for years a semiwasteland of danger in which people could not move freely about without exposing themselves to harmful radioactivity.

Not all the split atoms of uranium fell out on the Marshall Islands area. Some were tossed high into the heavens, riding the mushroom cloud which pushed its head into the gloom of the stratosphere.

This seething cloud, as it reached the upper air, soon became strewn out into tiny invisible fragments. High altitude winds buffeted and blew them around the world as they descended from the stratosphere.

This was really quite fortunate, for most of the split atoms were trapped in a kind of isolation ward. They continued to emit powerful radioactive rays, but these hurt no one since they were rapidly absorbed in the upper air and never penetrated down to sea level.

If all of the split atoms remained suspended indefinitely in the stratosphere, an unlimited number of big bomb tests could be conducted safely so far as global contamination is concerned. But what goes up unfortunately must come down. As a result, we have the phenomenon of global fallout.

The great bulk of the split atoms of uranium which fall out here and there on the globe burn themselves out by the time they reach the earth's surface. These burned-out fragments are of no consequence to anyone. They are the dead ashes of atomic fires.

Not all atom fragments burn out so quickly. What concerns us are the live ashes of atomic fires. An exploding nuclear bomb breaks matter into possibly 200 distinct species of atomic fragments from about 3 dozen chemical elements. One of these elements is strontium 90.

Chemically, strontium is very much like calcium, the chalky white substance that is familiar to everyone. Strontium 90 is radioactive strontium, the particular species of strontium that is formed when uranium atoms are blown apart.

The radioactivity of strontium 90 is dissipated by 50 percent every 28 years. Physicists say that it is "long lived." Therein lies part of the danger, for if this radioactive material enters the human body and stays in it, the hazard to humans obviously is a long-term hazard.

I shall say more about the nature of strontium 90 in a moment. I note at this point that the Atomic Energy Commission has been studying the strontium fallout problem rather intensively for almost 4 years. Project Sunshine was set up for this purpose, and soil samples were gathered from all over the world. To date the Atomic Energy Commission has spent $8.3 million on this project in 1956 and 1957.

I believe it is to the credit of the United States that the AEC has sponsored such extensive research in strontium fallout. Dr. Libby, scientist-member of the Atomic Energy Commission, deserves special commendation for his interest in, and support of, this project.

Expert scientists who testified before the subcommittee of the Joint Committee on Atomic Energy which investigated the scientific aspects of fallout have reached considerable agreement on many problems involving strontium fallout.

ASPECTS OF THE FALLOUT PROBLEM

May I say, first, that this agreement lies in the area of the physical sciences—in nuclear physics, earth science, meteorology, physics, and chemistry. Strontium 90 is included in the three phases of the worldwide fallout problem which I divide up as follows:

First, Physical aspects of global fallout: This involves production of bomb debris, injection into the atmosphere, stratospheric transport, leakage from the upper air and deposition on the earth's surface.

Second, Contamination of food and uptake by man: This involves the absorption of radioactive particles by plants and animals, entry into man's food supply, and uptake and retention by human beings.

Third, Evaluation of the biological effects: This involves present and future concentrations of strontium in man, the maximum permissible concentration, variations from the average concentration, and probable biological effects of low-level radiation.

These three categories are scientific and technical. They point quickly, however, to problems which are not scientific or technical. Whether this Nation should add more bomb debris to the atmosphere requires an evaluation of risk which goes beyond the competence of the scientist or even of the Government official. In a democracy it goes down to the level of the individual. It is something which must be debated fully once the basic scientific and technical data allow such debate to be informed. I believe that our subcommittee hearings when printed will enable the public to at least see the dimensions of the risk.

PHYSICAL ASPECTS OF STRONTIUM FALLOUT

To return to the physical aspects of fallout, may I say briefly that we know that once bomb debris is injected into the stratosphere, the strontium 90 particles circulate around the world many times before coming down. We do not know exactly how long this circulation goes on before the strontium comes down, but it appears that it takes about 5 years for half of the strontium to descend from the upper air. Once it does, it is quickly swept down to earth with rain, snow, or fog.

This means that wherever precipitation occurs—which is where man gathers to seek his food supply—strontium fallout occurs. The most recent data supplied to my subcommittee by the United States Weather Bureau experts show that the fallout around the globe is not uniform. More fallout occurs in the north temperature zone than in the Southern Hemisphere.

This is one of the most important facts developed in the hearings. Heretofore the Atomic Energy Commission dealt in global averages which seemed to minimize the danger. These statistical averages afford no comfort to the populations exposed to the heavier incidence of fallout.

As a Californian, I might remark at this time that I read a magazine article the other day which inferred that California citrus fruit is being dusted with more strontium than that in other States. I checked the strontium measurements in the United States and I find that Florida has a higher strontium fallout than California.

CONTAMINATION OF FOOD

Strontium is finding its way into many channels of man's food supply. The Japanese have measured the strontium 90 content of their rice. We keep a constant check on the strontium 90 level of our milk. This substance gains entry into plant and animal life because it acts as a chemical companion to calcium. If the plant needs calcium it also takes up strontium. Studies made by the Department of Agriculture are still underway but they show that most plants take up strontium blindly and do not discriminate against it.

Once locked in plants, the strontium is on its way into the food supply. Dairy cattle, grazing in Wisconsin, or in the New York milk shed, for example, take in the strontium that happens to be in the grass or feed. Fortunately, only a fraction of this strontium finds its way into the cow's milk. Due to the cow's physiological mechanism, much of the strontium is blocked out of the milk. This built-in roadblock against strontium is most fortunate for our children since they derive so much of their needed calcium from dairy products. It reduces but does not eliminate the uptake of strontium 90.

THE HUMAN INTAKE

Just as the cow manages to block out much of the strontium in its feed, so do humans discriminate against strontium. In other words, when strontium enters the human system, it is not received as though it were a twin brother of calcium. It gets treated as though it were a more distant relative. Some of the strontium is blocked out and does not remain in

humans. Again, this is very fortunate, for otherwise people today would contain considerably more strontium 90 than they actually do.

What happens to the strontium 90 once it gets inside people? It behaves like calcium and is absorbed in living bone. We know this on the basis of experimental measurements of bones taken from humans and from corpses. Every person on this planet now probably contains a measurable amount of strontium 90 in his or her skeleton. Prior to the advent of atomic energy no such contaminant existed. Thus strontium 90 is a brandnew additive to our internal environment.

Since not all the strontium from bomb tests to date has fallen out, and since not all that which has fallen has found its way into the human food supply, we have only a fraction of the amount of strontium which we will have at some time in the future. And we must constantly keep in mind the fact that more bombs are being tested with each passing day.

The world has witnessed almost 120 bomb tests so far. That is almost one for every month since World War II. And a single bomb test today can be the equal of a thousand Hiroshima-class bombs.

It is against this background that we must view the problem of evaluating the radiation risk from strontium in humans. This brings us to the third phase of the problem as I have outlined it.

EVALUATING THE BIOLOGICAL EFFECTS

My subcommittee heard a great deal of testimony from eminent scientists on the probable biological damage to be expected from various amounts of internally deposited radioactive substances. But after listening to many experts disagree on this subject, I arrived at the conclusion that we need much more scientific knowledge before we can really be sure of the ultimate effects of a certain amount of radiostrontium—another word for strontium 90.

As a layman, I was somewhat shocked to find out how much the experts admitted they did not know about the long-term effects of radiation. In fact, when I thought over how little is known for sure, I wondered how some officials of the Government could be so positive that bomb tests were so safe.

The seeming optimism and complacency of Government officials is by no means shared by our citizens, judging by the mail I receive. A citizen of California, for example, who wants the United States to take the lead in renouncing further bomb tests writes these wise words:

> Scientists simply do not know enough to say what is safe, what is permissible. This area of research is so new, tomorrow they may make discoveries that will confound all they know today. It may then be too late.

The majority of the scientists who have competence through laboratory experiments, human case histories, and intensive study of radiation phenomena agree that the specific rise in earth radiation caused by bomb testing to date is no more than one-tenth of the natural radiation. They agree that, barring accidents to a limited number of people such as the Japanese fishermen or the Marshalese Islanders, this amount does not or has not produced any bone or flesh—somatic—damage.

On the other hand, the majority of the geneticists agree that this one-tenth increase in environment radiation may cause an increase in gene mutations of 10 percent over those caused by natural radiation. Here we enter the realm of assumption because we do not know the number of mutations which are caused by natural radiation, nor can we separate mutations caused by other factors from those caused by natural radiation.

Laboratory experiments with various radiation doses are being conducted on fruitflies, mice, dogs, and monkeys. It is, of course, not practical to experiment on human beings, and the human life span is too long to furnish us the knowledge we need now on genetic or hereditary effects. We can only try to extrapolate the effects of radiation on insects and short-life-span mammals, and consider these effects as they would apply to human beings.

The element of error in this extrapolation is admitted by all scientists. It is also admitted that the degree of error cannot be accurately estimated. All agree, however, that any radiation causes mutations of the genes and substantial radiation can kill the germ cells of life or cause abnormalities which are transmitted to future generations. Of course, there are millions of genes in each human being, and the probability of adverse genetic effect upon the specific sperm which fertilizes a particular ovum must be calculated in relation to the number of mutated genes as compared to the number of normal genes.

"WORRY LIMITS" ARE NEEDED

What we really need are some standards against which we can measure whether or not a given amount of strontium will be harmful. We need some worry limits—amounts of strontium 90 which, if exceeded, would cause profound worry about the eventual consequences of the radiation effects. Then we need to use some sort of yardstick to relate how close we are to the worry limit.

Experts differ on what the worry limit should be, but it was interesting to note that they do not disagree too much. Dr. Shields Warren, former director of biology and medicine for the AEC, testified that he "would be reluctant to see the average strontium 90 content of bones, particularly in children, go much above 10 times the present level." Other witnesses seemed to agree with this worry limit.

We must realize that the strontium 90 content of children's bones will increase when more strontium falls out and finds its way into the food supply. This means that we are considerably less than 10 times away from the safe limit. We may be only 3 or 5 times from the worry limit.

It seems to me that this is what worries the scientists in this country and in other lands. The Atomic Energy Commission has continually given out assurances that we had nothing to worry about and yet we find, using testimony from their own experts, that there is reason to worry.

HOW MUCH BOMB TESTING?

Let me put it another way. After hearing a number of experts discuss radioactive fallout, my subcommittee convened these experts in a roundtable discussion. We soon found that these experts agreed, within limits, upon the amount of bomb testing which one could do safely in a given year. They agreed that somewhere between 2 and 10 megatons of split atoms could be injected into the stratosphere each year without undue biological risk on a global basis.

Allow me to explain what this means It means that the total explosiveness from uranium bombs should not exceed 2 to 10 million tons of TNT equivalent per year. I speak of fission yield only.

The March 1, 1954, bomb referred to earlier approximated the 10 megaton upper limit just mentioned. It is possible to fabricate a single bomb with five times this explosiveness.

This means that unless some element of control is introduced into the testing of nuclear weapons, it is possible for a single bomb test to overshoot the worry limit.

It is true that new types of bombs have been developed which are not all dirty. But it is equally true that no all-clean bomb has been developed. Every nuclear weapon exploded adds a measurable amount of radioactivity to the earth's atmosphere.

American scientists are hopeful that through further experiments atomic-hydrogen bombs can be developed which will release just a small percentage of dirty radioactivity. While this seems possible and from a standpoint of testing such development would decrease the amount of global radioactivity in future testing, we must ask ourselves this question, Are the Soviets interested in decreasing radioactivity of their bombs either for testing or use in a future war? So it appears to me that a one nation development of cleaner bombs does not remove the compulsion to prevent nuclear war nor does it answer the problem of increasing the radiation hazard by multination testing.

WHAT IS AEC SAFETY STANDARD?

Scientific judgment that the amount of radioactive material injected into the stratosphere should not exceed 10 megatons a year—the upper limit in a range of values offered by different scientists—was another important point developed in our hearings. Significantly, this information came from lower echelon scientists connected with the Atomic Energy Commission. The question arises, what value is the Commission using in its official safety standard?

The Congress and the public have not been told this important information. I recall that Secretary of State Dulles announced a month or two ago that the United States bomb tests would involve only a small fraction of what was considered a dangerous level, but what fraction? And what was the harmful level? These facts were not revealed.

Suppose the safe annual limit is 10 megatons. It may be more or it may be less—I do not know—but the scientists

set a ceiling of 10. Why should the official Government agency charged with full responsibility in the atomic-energy field keep the American people in the dark? If we could bring out the facts in our Congressional hearings, certainly the facts are not classified. At the very least the Atomic Energy Commission could demonstrate its awareness of the hazard and the need for safety by telling the public more plainly how much effort is going into the measurement and evaluation of atmospheric contamination.

It has been my experience that a Congressional investigation is often the only way to make the Atomic Energy Commission come out into the open. We literally squeeze the information out of the Agency. Except for the Congressional hearings, the AEC would withhold some important information that the public should have. Then, too, when the Commission releases information on its own initiative, it comes in forbidding technical form or in driblets through speeches of Commission members or other high-ranking personnel. Even skillful newspaper reporters, not to mention the layman on the outside, have difficulty piecing together the information or understanding its significance.

I believe that our hearings will be a substantial help in bringing out a great deal of obscure information in plain language which a lay reader can understand.

PARTY LINE WITHIN AEC

The Atomic Energy Commission approach to the hazards from bomb-test fallout seems to add up to a party line—"play it down." As custodian of official information, the AEC has an urgent responsibility to communicate these facts to the public. Yet time after time there has been a long delay in issuance of the facts, and oftentimes the facts have to be dragged out of the Agency by the Congress. Certainly it took a Congressional investigation of fallout to enable some of the Commission's own experts to break through the party line.

More than 6 years ago the Atomic Energy Commission published a study on atomic-weapon effects. New weapon developments and new data made necessary a revision of that study. Publication of the revised study has been delayed a full year. I have some reason to believe that when it comes out shortly, the revised publication, effects of nuclear weapons, will be still out of date in several matters. In some areas the coverage of known and unclassified information is incomplete.

Tardy release of information is bad enough in itself. But there is something worse. That is the selective use and release of information to favor a political position. The Atomic Energy Commission is supposed to be an independent agency. By direction of the Congress it commands vast resources and decides what the public shall know and what shall be withheld from the public. This is a great burden of responsibility. The Chairman of the Atomic Energy Commission, by virtue of his dual role as Atomic Energy Adviser to the President and head of an independent agency, has at times blurred and confused two separate roles. The prestige and resources of the Atomic Energy Commission have been lent to the fulfillment of partisan purposes in at least two instances—the Dixon-Yates involvement and the 1956 presidential campaign.

Whether detection of large bomb tests is feasible or not could make an enormous difference in possible international control arrangements. But the Atomic Energy Commission does not deign to enlighten the public and its scientists are muzzled.

Do the members recall that during the last political campaign it was argued that bomb testing was essential to missile development? Dr. Libby reiterated this position in substance in a paper presented to my subcommittee. But Secretary of Defense Wilson recently took a contrary position. What is the public to believe?

NEW LOOK AT STRONTIUM HAZARD

The administration line on the strontium hazard would almost persuade one that, like dishwashing with a certain detergent, it is almost nice. The study project on the fallout incidence of this bone-seeking cancer-producing substance is called Project Sunshine, truly a cheerful name for such a deadly agent, as if it were a tranquilizer. But the people of the world do not look upon a global poison as a tonic. Although the present quantity may be small, they are concerned with any increase.

The official optimism is based in part upon a report of the National Academy of Sciences. The data from this report are now more than 18 months old. The report ought to be revised, but Dr. Shields Warren, chairman of the pathology committee of the National Academy, stated before my subcommittee that no new report will be made in the near future.

It is well to recall that Dr. Warren Weaver, of the Rockefeller Foundation, testified before the Senate Disarmament Subcommittee earlier this year: "The British group, on the whole, did a more detailed piece of research on the strontium 90 than we did."

I would like to state that the British came up with a less optimistic report on strontium 90 than we did last year—June 1956. I suggest that our National Academy of Sciences reexamine the strontium 90 problem and put at least as much effort on the job as the British did. The new look should include some new scientific faces, too, so that the public can be assured that the AEC scientists do not dominate it. The public, rightly or wrongly, would have more confidence in a report with a wider base of personnel.

WHO EVALUATES THE RISK?

Certain crucial questions emerge from the developments I have discussed.

Who evaluates the risk? We know that there are risks associated with continued nuclear testing. These must be balanced against the risks involved if we stop further tests. The Atomic Energy Commission plays a key role in this delicate and difficult balancing of competing dangers.

I see here a conflict of interests. Is it prudent to ask the same agency to both develop bombs and evaluate the risks of fallout? Would one ask General Motors to evaluate the feasibility of limiting the number of motor cars to be produced each year? The AEC is charged with the responsibility of weapon development and they are doing a good job in this field, but an adverse judgment on their part on bomb testing could conflict with their primary mission.

What advice does the President get from scientists? How can we be sure that the President is getting the best scientific evaluation of the problem? Mr. Eisenhower says that he bases his judgment upon the national academy study. But this academy report is complex and technical. Who interprets it for the President? This is a subject of such great importance that the President should seek opposing viewpoints in order that he may exercise independence of judgment.

Have any eminent scientists discussed the strontium 90 problem with the President? I have no information to lead me to believe the President really understands this particular hazard.

Although directed by the Atomic Energy Act of 1954 to keep the Joint Committee on Atomic Energy "fully informed," the Chairman of the Atomic Energy Commission has failed, in my opinion, to fulfill this legal mandate. As special Presidential adviser to the President on atomic energy matters, Mr. Strauss is in a most favored and influential position. My question is simply this: Has the President been "fully informed?" Have the views of eminent scientists, who hold contrary views on strontium 90 to those of Mr. Strauss, been brought to the President's attention?

What is the value of future tests? How can we judge the value of future tests when—on one day—Dr. Libby of the Atomic Energy Commission tells us it would be disastrous to stop them—and on the next—Secretary of Defense Wilson contradicts Dr. Libby by saying that test cessation would not affect the intercontinental ballistic missile.

FALLOUT NOW A WORLD ISSUE

Whether we like it or not, whether the Atomic Energy Commission knows it or not, fallout has now become a great and crucial problem of our times. I would like to read just a few fragments from the torrent of mail which has poured into my office following the recent investigation of the Joint Committee on Atomic Energy.

A citizen of California writes:

In the name of survival of humanity, I urge you to work to stop H-bomb tests. The danger is great, and I want my children to live.

A citizen of New Jersey writes:

Inasmuch as existing weapons are already more than adequate to annihilate the civilized world, it seems silly to me to test bigger and better weapons when such tests cause great harm not connected with active warfare. The costs of such tests are better applied to peaceful uses of the atom.

I might also point out that if the United States is the first to stop such unnecessary testing, the force of our moral position in the world will be vastly increased. Such moral pressure would be sufficient, I think, to compel the Russians and British to stop also. Our prestige will certainly tumble if Russia stops first.

A Pennsylvania mother writes:

I want to add my expression of concern for continued nuclear bomb testings. I hope your committee will agree that all United States tests should be halted now, in view of the uncertainty of many qualified physicians and scientists regarding the damage fallout has upon us, not to mention future generations of unborn Americans. Why should we want in any way to endanger our own futures or those of our descendants? It appears we have enough weapons, nuclear and otherwise, to blow the world to pieces now. Why do we need to test even more destructive weapons? Can't we Americans spend our money for more constructive things and make sure we are all healthy and able to face the future with hope?

Another California citizen writes:

I want to register with you my concern about the bomb tests. I urge that we stop the testing of nuclear bombs now. This to be followed by world abolition of nuclear weapons and general disarmament. Let us act now, not wait until possibly millions of human beings have been killed or hopelessly injured.

Even if the dangers from nuclear radiation may have been overstated by some scientists, other scientists who think the danger small admit they do not know for sure. So is it not better to stop the tests now rather than to risk crippling and killing ourselves and future generations?

We are now dealing with a global health problem. We must take steps to face up to this new problem and we must educate the public to the many factfinding prospects on radiation. The world should know that the AEC is sponsoring more than 50 important research programs in this field of radiation alone. We should get the facts out in plain language as fast as they are discovered. We should publish official AEC bulletins often and disseminate them widely for public information. The Soviets are outmaneuvering us in this radiation field and are misleading millions of uninformed or misinformed people. We are failing to use our information and thereby losing leadership by default.

Obviously, some control and limitation of weapons testing is now mandatory. I would not for one moment suggest that the United States stop testing without some form of international agreement to insure that all other nations would also desist. Any deviation from this basic principle of multilateral agreement to stop testing, based on a foolproof system of inspection and detection would, in my opnion, jeopardize our national security.

In the summer of 1955 we had an atoms-for-peace meeting in Geneva. I urge that an equally important conference of international scientists be convened for the evaluation of the radiation risks attending nuclear detonations and the peacetime applications of nuclear power. Bomb testing is not the only radiation hazard.

We stand on the threshold of an era of nuclear power. This new power source, if it is to play any significant role in filling the energy needs of the world, will unleash amounts of radioactivity even more staggering than those involved in nuclear weaponry. It makes no difference whether the split uranium atom is born inside a bomb or in a nuclear power reactor. If it is uncontrolled and enters man's environment, it forms the same ultimate hazard.

That is why I urge that the nations of the world get together and allow their most expert scientists to discuss these hazards freely and openly. We have urgent need for a set of standards for radiation risks which take account of the global nature of fallout and the awesome proportions of a future nuclear power industry. Just as the scientists sat around the table at our subcommittee hearings to thresh out problems and establish facts, so we need a world roundtable of scientists to assess this common danger to mankind.

May I say in conclusion that I believe the Congressional action in airing the facts about fallout did a valuable service to the world in that it demonstrated that we were not afraid to discuss these things in the open. To my mind we raised our stock in the world because we brought these facts out into the open and held the hearings so that everyone could see what was going on. I noted that the reporters at these hearings represented many countries. And I have seen a press roundup which indicates that the eyes of the world were focused on our hearings.

Most important of all, our subcommittee's hearings have brought together the comprehensive views of the most representative group of scientists yet assembled for testimony on this important and controversial subject. These scientists were chosen because of their specialized knowledge in the field of radiation and its effects on man.

Thoughtful, concerned, and interested people will find in these hearings scientific testimony upon which they can base intelligent opinions.

THOMAS E. MURRAY

Mr. HOLIFIELD. Mr. Speaker, 2 days ago the chairman of the Joint Committee on Atomic Energy, the gentleman from North Carolina [Mr. DURHAM], announced the appointment as consultant to our joint committee of Thomas E. Murray, who for the past 7 years has been an Atomic Energy Commissioner. As most of the Members know, Mr. Murray has served in the capacity of Atomic Energy Commissioner for 7 years. In my humble opinion, Mr. Murray has been one of the greatest Commissioners ever appointed to that Commission. The President did not see fit to reappoint Mr. Murray to the Commission, notwithstanding the fact that 10 members of the 18 members of the Joint Committee thought it would be in the public interest and in the national interest to have this man continue his dedicated service to the Nation in that capacity. This, of course, was the President's privilege and right. Under the Atomic Energy Act of 1954 he may appoint whoever he pleases by and with the consent of the Senate.

Many of us thought there should continue to be a voice on that 5-man Commission which would be an independent voice, which would bring forth a different point of view when justified, than the point of view of the Chairman of the Atomic Energy Commission, Mr. Strauss. Mr. Strauss is a very able man, he has a very strong character, he has very strong views, he has been able, it seems, to dominate the Commission to the point where Mr. Strauss' views have obtained on the Commission, the only exception being Mr. Murray.

We felt in the original instance in 1946, and the House expressed its will again in 1954 when the original act was revised, that the 5-man type of Commission was the desirable type of administrative authority for this tremendously important program of the Government, a program which is costing us in round figures over $2 billion a year. We thought that the bringing to bear upon the tremendous and complicated problems which they have considered, the minds of five men having different backgrounds, different environments, different training, different points of view. Then finally there could be the settling of the five different points of view into one administrative policy. This was the way this Commission with its great responsibilities dealing as it does in the realm of secrecy and in broad, wide administrative powers not given to any other administrative agency of the Government should work. We thought there would be safety in the number of five which would not obtain if one man were appointed administrator or if one man dominated a five-man Commission. It was because of this fact that we thought there should be an independent voice on the Commission.

The President has appointed 2 men to fill 2 vacancies on the Commission, 1 caused by the retirement of Mr. Murray. I do not at this time comment on these men or their ability or their characters. I do not know them personally. I have reason to believe from what I have heard that they are competent men, they are men of high character, and I hope they are men of independent judgment, men who will go on that Commission and exercise their independent judgment in connection with the great problems that must come before this Commission. Having said that about these two men, I pass on to a consideration of the retiring Commissioner, Mr. Thomas E. Murray.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. YATES. I want to join with what the gentleman says in his praise of Commissioner Murray, without commenting upon the new appointees to the Atomic Energy Commission. I assume both new appointees are qualified persons. But does not the gentleman agree with me it is extremely unfortunate that the President saw fit to scrap the education, the knowledge, the tremendous experience, the fine ability, that Commissioner Murray has demonstrated over the years of his tenure in office with the Atomic Energy Commission? Does not the gentleman believe that the important work

being done by the Commission will suffer as a result of the fact that Mr. Murray was not reappointed?

Mr. HOLIFIELD. I certainly agree with the gentleman from Illinois, and I would like to go even much further than that. I would say this, that regardless of the ability of the incoming appointed Commissioners, we are sacrificing by not reappointing Mr. Murray to a certain extent the 7 years of experience and the 7 years of dedicated service to the Nation. We are sacrificing the services of a man who is not interested in monetary compensation but is only interested in what is good for the Nation. And, I would just like to point out at this time some of the tremendous programs, which, I say, the former Commissioner, Mr. Murray, was responsible for.

Along in the early days of this program we thought that uranium was one of those very scarce substances. From all the evidence we had we did not believe that there were very many supplies of this material in the world and very many places where you could get uranium. The Belgian Congo was one that we knew had a great store of this material. The Bear Lake region in Canada was another, and a few other minor places in the world. But, we felt that it was necessary for the security of the Free World that there be an increased production of what we call raw uranium. So, Mr. Murray was the Commissioner who came forward and advocated an increased raw material program giving incentives to exploration and development which has developed a quantity of uranium here in the United States in the regions of Colorado, Utah, and New Mexico, which is equal to the great Shinkolobwe deposits in the Belgian Congo. And, there have been other places throughout the world where new supplies of uranium have been discovered until now we have uranium in great quantities.

Another great program which Mr. Murray advocated was a vigorous testing program of weapons. I tell no secret when I say that the Joint Committee on Atomic Energy pushed the weapons program on the Department of Defense. They did not come to us asking for atomic weapons. They were perfectly willing to go ahead with their bows and arrows, their cavalry, their Springfield rifles, their old type machineguns, their surface carriers. They were perfectly willing to go ahead in the tradition of the last 100 years. But we pushed the weapons program onto the Department of Defense, and Mr. Murray was the man who said:

> We have got to have a vigorous testing program in Nevada and another one for large weapons out in the South Pacific if we are going to find out what we have got in the way of these new types of weapons.

Mr. YATES. Mr. Speaker, will the gentleman yield on that point?

Mr. HOLIFIELD. Yes.

Mr. YATES. I was glad to see the statement attributed to Mr. Murray in the paper yesterday that Mr. Murray does not necessarily wish to continue the testing of the hydrogen bomb, but he thinks the testing should continue with respect to the smaller nuclear weapons.

Mr. HOLIFIELD. That is another very grave issue and a very important issue which I would like to go into at some length on the floor at some other time. But, for the sake of clarity, Mr. Murray has taken the position that we should do everything in our power to perfect an international agreement to stop testing the megaton weapons. But he has been a very strong advocate of testing the smaller weapons and he continues to take that position.

Now I want to go to the next program which he advocated. Mr. Murray is a free-enterprise man. He comes from a long line of New England private enterprisers in the field of public utility machinery manufacturing. I understand that he has over 200 private patents in that field. But he took the position that the Government should initiate and carry through a vigorous program of atomic power reactors, and he took that position on the basis that we are faced with a situation of international competition; that unless we did it, the Soviet Union or, and this would be better for the Free World, Great Britain would beat us to the point of producing economic electrical atomic reactors. So he said that the only way we should proceed in this technology, and meet international competitive conditions is for the Government to proceed with a vigorous program of development and then make the techniques available to all of the manufacturers of utility machinery in the United States, to all of the public and private power people. He is strictly a private power man, but he recognized that unless we had the Government go ahead and spend the millions that are necessary that it would be impossible for private industry to spend such funds in the period in which it has to be spent, because of international competition. He pointed out that we would lose our place in the race, possibly to the Soviets.

This program has not been waged by the Government; and, notwithstanding the fact that the 1954 act was passed which allowed private industry to come in and do this job, they have not done this job up to the middle of 1957. And I see no real chance for them to do the job that needs to be done in the next 10 years.

Mr. JENKINS. Mr. Speaker, will the gentleman yield to me?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. JENKINS. I just want to say this. I have the honor and privilege of serving on the committee with the distinguished gentleman from California. I want this House to know that the gentleman from California is tremendously well qualified to speak on anything that pertains to atomic energy. I can remember the day, when, as members of the Committee on Atomic Energy we were not allowed to say very much. But the gentleman from California has studied the subject, he knows what he is talking about, and I am glad to say a good word for him and he knows that I am telling the truth.

Mr. HOLIFIELD. Mr. Speaker, I deeply appreciate those remarks of my colleague, the gentleman from Ohio.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. On this point, yes.

Mr. EVINS. I have listened with interest to the remarks of the gentleman. And since he was speaking of the Atomic Energy Commission favoring private enterprise, I wanted to ask the gentleman if there is not a section in the Atomic Energy Act which says that there shall be no subsidies. No subsidies is emphasized in the basic law. I think there is one exception—except for research purposes. Has not the Atomic Energy Commission taken that exception and made it the general rule rather than following the intent of the law, which says that there shall be no subsidies? In fact, they are so pro-private enterprise that millions and millions of dollars have been given to the private utilities in subsidies, when the basic law says that there shall be no subsidies.

Would the gentleman comment upon that, please.

Mr. HOLIFIELD. The gentleman does not want to get away from the main line of his remarks at this time.

Mr. EVINS. The gentleman was speaking about private enterprise.

Mr. HOLIFIELD. I will say there is a no-subsidy provision written into the 1954 act. There is an exception in that no-subsidy provision which provides that the Government may finance under sections 31, 104, and 41 of the act research and development programs. The Atomic Energy Commission has started research under sections 31 and 41 and section 104, a combination of those sections, those provisions, and it is pursuing its program. I agree with the gentleman that I think too much stress has been put upon those particular sections. I also agree that by putting stress upon those particular sections it has operated in such a way that the program has lagged. If they had gone ahead and done the job which Mr. Murray and many of us on the committee thought ought to have been done, we would be further along the line of technology in this very important field.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. TEAGUE of California. Getting back for a moment to Mr. Murray, whom I do not know, I take it that the gentleman from California [Mr. HOLIFIELD] considers him to be one of the most learned men in the field of atomic energy?

Mr. HOLIFIELD. I do.

Mr. TEAGUE of California. I also understand he has indicated he does not favor the abolition of bomb tests, as qualified by the gentleman's statement.

Mr. HOLIFIELD. That is true.

Mr. TEAGUE of California. Is there some difference of opinion between Mr. Murray and Adlai Stevenson in reference to this question?

Mr. HOLIFIELD. I would have to have the remarks of Adlai Stevenson before me to pass judgment on that. I hesitate to express my opinion for fear that I might not accurately portray the two positions. However, as I remember, the former candidate for the Presidency on the Democratic ticket, Adlai Stevenson, advocated a cessation of the big bomb tests. It is also my understanding that he did not advocate it on a unilateral basis. Clarifications of his statement which he subsequently made on request of certain members of the press indicate to me that his position was very much the position of Mr. Murray. Also, I may say that it is a position which seems to be in order of adoption by President Eisenhower at this time. As I understand the President's recent remarks, the President did indicate that he was very much interested in stopping the large bomb testing provided adequate inspection and detection methods could be promulgated on an international multilateral basis. This is my position and this is the position, as far as I know, of a great many members of the Joint Committee on Atomic Energy.

Mr. TEAGUE of California. I thank the gentleman. It seems to me there was no inconsistency between the position of the President and Mr. Murray. I was not sure about Mr. Stevenson. That is why I asked the question.

Mr. HOLIFIELD. I would say from reading the press reports that I am not quite sure what the President's position is. I have not read the transcript of the President's actual words, so I will not take the responsibility at this time for knowing definitely what the President's position is.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. YATES. But we do know the President was opposed to the suggestion that Mr. Stevenson made during the course of the campaign.

Mr. HOLIFIELD. Yes. We must remember that we were in a political campaign at that time. Mr. Stevenson made a suggestion which apparently had a great heart appeal to the American people. At that time the Republican candidates for President and Vice President denounced his position. Other people were not so temperate in their denunciation of his position. They went to extremes and attributed to him statements which he did not make.

But I do not want to get into that subject at this time. Let me just finish my list of great accomplishments of Commissioner Murray.

He pointed out the radiation hazards of megaton bomb testing. He has pointed that out in articles in Life magazine and articles in the press and speeches at different universities. I want the Members of the House who are interested in this subject to read the speech which I have put into the RECORD at this point today on radiation hazards in war and peace. Remember that most of the remarks here refer to bomb testing, not to nuclear war but to bomb testing. I think you will find that I have made a fair appraisal of the scientific testimony which was given before our committee. Without at this time telling you what my position is on that particular point, I ask you to read the speech, and you will find the rounded reasoning which the scientists gave and upon which I based my interpretation of their testimony. But the point I wish to make now is that Mr. Murray has been a great humanitarian, Christian man who has come forward and pointed out the dangers of increased large bomb testing and the dangers of nuclear warfare, and that was his fifth great contribution, in my opinion, to the thinking of the American people.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. YATES. I want to point out to the gentleman that he is exactly right in pointing out Mr. Murray's humanitarian qualities. Mr. Murray had much vision and much sympathy. I remember very well a speech that Mr. Murray made in which he proposed, after the State Department had messed up the negotiations with Japan, following the big bomb test in the Pacific when the Japanese ship, the *Lucky Dragon*, was caught in the fallout and some of the Japanese fishermen were injured as a result of that test, Mr. Murray then proposed in response to the cries in Japan about the destruction wrought by the United States atomic explosion:

> Why do not we find some way of going to Japan with a message of peace, providing atomic reactors for Japan which will create atomic energy for peaceful purposes?

That is the sort of man of vision that Mr. Murray is.

Mr. HOLIFIELD. The gentleman has spoken correctly. In my opinion the whole Japanese problem of radiation of the fishermen on the *Lucky Dragon* has been mishandled. I have been informed recently that none of our Government representatives in the State Department or the Atomic Energy Commission tried to contact the injured Japanese and express the official regrets because of the incident.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. McCORMACK. Mr. Speaker, Thomas E. Murray is one of the best versed men in the field of nuclear activity not only in the United States but throughout the world. He is a dedicated man, a man who has given of himself untiringly, who has dedicated his great capacity for service not only to the people of our country but to mankind. The failure to reappoint Mr. Murray to the Joint Committee on Atomic Energy is evidence of a reckless disregard of the best interests of the United States of America. President Eisenhower must assume complete responsibility for that failure to reappoint Commissioner Murray. The failure to reappoint Commissioner Murray clearly shows that this administration does not want men with independent minds in the Federal service, but that the administration instead wants "yes" men; men who will subject themselves to mental dictatorship. But, President Eisenhower and Admiral Strauss failed to reckon with one thing and that is that there were other ways to keep Commissioner Murray in the field to which he has dedicated himself—there is more than one way to keep Commissioner Murray in the public service. President Eisenhower and Admiral Strauss thought that they had got rid of Commissioner Murray, but they now realize that they have not got rid of him and that he is going to continue to serve the people of America in the same field, but in another position. I congratulate the Joint Committee on Atomic Energy for their leadership and their foresight in appointing Commissioner Murray to be the consultant for that committee. As a result of that action, the people of America—the people of the world will continue to reap the benefits of the great capacity of this man. They will continue to obtain the benefits of his independent mind. Among other things I call attention to my friend, the gentleman from California, that Mr. Murray showed his great statesmanship when he appeared before an appropriate committee of the other body in connection with the ratification of the treaty relating to the international atomic energy agency. He appeared without consultation with other members. In fact, the other members I understand consulted with each other as to what they would say when they appeared before the committee. Is that correct?

Mr. HOLIFIELD. That is correct.

Mr. McCORMACK. But Mr. Murray was not asked by them to sit with them in order to have an exchange of views of the complete commission. Despite that, Mr. Murray appeared upon invitation by the Senate committee and strongly urged the ratification of that treaty.

Up to that time it was doubtful whether the treaty would be ratified, at least without reservations. From the time that Commissioner Murray appeared before the committee matters changed; that was the turning point. A favorable recommendation came out of the committee shortly thereafter and the treaty has since been overwhelmingly ratified by the United States Senate.

So Commissioner Murray is going to continue in the service of the public and he is going to continue from an angle that I think will enable him to act with greater independence. As a matter of fact, in the light of what has taken place, in a sense, I am glad he was not reappointed, because if they had reappointed him they would have been able to handicap him to some extent. Now he can operate in conjunction with the Joint Committee on Atomic Energy in complete independence and with complete respect.

In closing may I say that while I know of Mr. Floberg, I do not know him personally. Everything I have heard about him has been very favorable. Whether he is qualified for this board or not is a question I cannot pass upon. I assume his qualifications will be thoroughly inquired into by the appropriate Senate committee.

Whether he is going to be a man of independence, I assume, will be thoroughly probed by the members of the Senate committee.

And the same in relation to John Graham. But I do know John Graham; I know that he is a man of independence, a man of great capacity, a man who has strong convictions. I can confidently express my opinion that John Graham would not be a yes-man for anyone. I am glad to make that observation in relation to John Graham, whom I have known for many years, particularly when he was Assistant Secretary of the Treasury, in which position he performed outstanding service for our people.

Again I congratulate the gentleman from California, the gentleman from North Carolina [Mr. DURHAM], chairman of the Joint Committee, and all the other members of the Joint Committee on Atomic Energy for voting to appoint Tom Murray as consultant.

Mr. HOLIFIELD. I thank the gentleman for his contribution.

In closing, let me say that I believe that the action which the chairman of the Joint Committee [Mr. DURHAM] took in retaining the services of Mr. Murray as consultant will give to our committee access, at any time we need it, to the wide broad background of knowledge which Mr. Murray has accumulated over the 7 years of his service. I am sure we will consult him frequently on matters of atomic policy, as to goals and objectives which are necessary to develop the peacetime atom, and to protect us from the hazards of nuclear energy when it is used in a weapons capacity.

I thank the gentleman very much.

FURNITURE AND FURNISHINGS FOR THE ADDITIONAL SENATE OFFICE BUILDING

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Speaker, in this morning's Washington Post and Times Herald there appeared an article on the front page giving an account of the votes taken yesterday concerning three bills to provide for the construction and furnishing of the new Senate Office Building and the renovation of the present Senate Office Building. The headline of the article stated that the House had voted to give the Members of the Senate chairs valued at $800 apiece. This is not true. The measure voted upon by the House approved no specific furniture but merely was an authorization to the Architect of the Capitol under the direction of the Senate Office Building Commission to provide the necessary furniture for the new building. This is the identical procedure which was followed in connection with the present Senate Office Building and both of the present House Office Buildings.

I think it is important, Mr. Speaker, that the Members of the House and the public actually know what the authorization included. I present, therefore, the following statement giving an account furnished me by the Architect of the Capitol. It shows just what is involved and what the intention of the Commission and the Architect is with respect to the procurement of furniture and other articles needed to be placed in the new building.

The act of June 25, 1948, authorizing the construction and equipment of an additional office building for the United States Senate, does not authorize the purchase of furniture and furnishings for the new building. It has been the prevailing practice with respect to buildings erected on Capitol Hill to provide for furniture and furnishings by separate legislation.

S. 1428 authorizes and directs the Architect of the Capitol, under the direction of the Senate Office Building Commission, to provide furniture and furnishings for the additional Senate Office Building.

This bill was passed by the Senate, March 12, 1957, and by the House, June 27, 1957.

At a meeting of March 20, 1957, the Senate Office Building Commission requested the Architect of the Capitol to arrange with reputable furniture companies for displays in the rotunda of the present Senate Office Building of sample furniture for the new building. The Architect requested several reputable companies to display furniture in a specified good-quality range in the following categories:

Senators' suites and other offices: Executive-type desk, executive-type chair, guest chair, secretarial desk, secretarial chair.

For committee rooms: Conference table, Senators' chairs on rostrum, spectators' and witnesses' chairs.

The request did not include furnishing of any vibrating chairs or other specialized equipment.

The displays of the various companies were held over a period of several weeks in the rotunda of the Senate Office Building and during this period of time, the members of the Senate Office Building Commission, other Senators and their staffs and the Architect of the Capitol had an opportunity to see such furniture and to examine it thoroughly.

The Architect was then requested to ask each company involved to submit its brochures containing specifications, cuts, prices, and other information on the furniture they wished to have considered. This data is now being assembled and will be submitted to the Senate Office Building Commission at its next meeting.

Although S. 1428, authorizing the furnishing of the building, provides that the furniture may be obtained without formal competitive bidding, this law does not preclude the taking of competitive bids and no decision has been made by the Senate Office Building Commission as to whether the furniture will be purchased, in whole or in part, through negotiations, under open or limited competitive bid procedures, or otherwise.

Now that S. 1428 has been passed by the House of Representatives, the Senate Office Building Commission, upon its approval as a public law, will be vested with the necessary authority to decide upon a definite procedure, including a determination of costs, for furnishing the building. Before making any final decision on this matter, the Commission will thoroughly consider the question of cost, design, quality, and need for the various items of furniture involved. Any recommendations of the Senate Office Building Commission will then be submitted to the Senate Committee on Appropriations and justified before that committee in requesting funds for the purchase of furniture and furnishings required. Any funds approved by that committee will then be subject to approval by the Senate and the House.

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a statement.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

TRADING WITH RED CHINA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. BYRD] is recognized for 60 minutes.

Mr. BYRD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and also that any other Member of the House who wishes to do so may have permission to extend their remarks in the RECORD on the subject to be discussed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BYRD. Mr. Speaker, Charles Dickens, in his great novel, A Tale of Two Cities, used a paragraph which is most appropriate for the day in which we live. The opening paragraph of this most fascinating story reads as follows:

> It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of light, it was the season of darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way—in short, the period was so far like the present period, that some of its noisiest authorities insisted on its being received, for good or for evil, in the superlative degree of comparison only.

Mr. Speaker, I think that I have never seen a time in which peoples and countries have been more confused, more at a loss to know in which direction we are going, than the present day. It is as though Hamlet's words, "The time is out of joint," were meant for this age rather than for the age in which the Bard of Avon penned them.

At a moment when talk of agreement on arms limitation seems to be proceeding hopefully in London, the United States and allied governments have announced that they are equipping with modern weapons the United Nations forces in Korea. Our leaders speak of disarmament on the one hand and rearmament on the other. Many of our

scientists say that there is little danger from fallout. Others have contributed to a growing hysteria saying that the terrible consequences of fallout will be visited not only upon ourselves but upon a physically and mentally defunct and deformed posterity. One day we are told that we are closer to peace than ever before; the next day we hear that new and greater perils lie in wait.

We witness a discomfiting scene within the governmental arenas in which 2 of the 3 coordinating branches of our Government are traveling in two diametrically opposite directions, the Congress of the United States attempting to do everything within its power to reveal the subversive elements within our midst, to disarm them and destroy them, while on the other hand, the highest Court of the land strikes the shackles from these same disloyal and dangerous men and organizations, giving them a green light virtually to go where they please, do what they please, with complete freedom to undermine the Government which gives them protection and destroy the Nation within whose shores they enjoy the advantages and opportunities which are only to be enjoyed under a system of democratic processes and democratic institutions.

A few weeks ago no sane political leader would have advanced the thought that we should trade with Red China, but in more recent days there are those in high places who have suggested that we take a new look at the entire subject of trade with Red China, and so, Mr. Speaker, it seems indeed that we are going in all directions at one and the same time with no one able to say where we are going or what our objective really is.

The Communist strategy of once more offering peaceful coexistence and unlimited trade possibilities to the peace-hungry and trade-hungry West has succeeded in obscuring the logical thinking of many responsible political leaders in this country. There are some, for instance, in both parties in the other body who have recently expressed themselves as believing that there should be a complete resurvey of our policies toward Communist China insofar as trade is concerned. These same individuals remain adamant on the matter of our not extending diplomatic recognition to the Chinese Communist regime, as if trade could be carried on without diplomatic implementation sooner or later. There is no possibility of trade without some sort of recognition on our part. Who will protect American citizens who must go abroad to look after their interests, especially when they deal with a Communist regime where all business transactions, such as exports and imports, are handled exclusively by the Government? The claim that we could do business with the Chinese Communists and at the same time refuse to recognize them diplomatically is a mere pipe dream. There was a time when the Reds were held responsible for the slaughter of some 40,000 American GI's in the aggression against South Korea, triggered only 7 years ago by the men in Kremlin and Peiping. Nothing has changed except the attitude of some of our own legislators and political leaders. They gloss over the fact that the Red Chinese regime stands indicted as an aggressor by the United Nations resolution of 1951. They gloss over the fact that this is the same regime which tortured and murdered thousands of American fighting men. Do the American people forget so easily as do the handful of politico-opportunists who would surrender principles for headlines?

Communist China is now in the throes of a serious internal crisis created by floods, famine, and an inefficient and unproductive economic system. It is a crisis which cannot be solved even by mass executions. The men in Peiping need outside support to maintain themselves in power. Russia cannot support them and feed the tens of millions of undernourished and starving Chinese. Nothing, of course, would contribute more to the strength and prestige of the Communist regime at a time when it may be about to lose its grip than for us to let down the bars of trade to accommodate the views of some of our allies and to accommodate the thirst for an additional small measure of trade by those who measure everything in this life in terms of gold and silver and material economic gains.

Mr. Speaker, I am not a minister. I am neither capable nor worthy of being one, but I believe the Psalmist knew what he was talking about when he said, "Be still, and know that I am God." And so, I often retire to the quietness of my room when I am overwhelmed with frustration and discouragement, as I am now, and I might say parenthetically, that I seem to have the company of the whole world, except possibly for the Communists themselves, at this moment, and I search the Scriptures for guidance and for passages that will give me renewed strength. I think sometimes that if we would just leave ourselves out of the picture and take God's word and God's advice we would solve most of the problems that confront us, and we would find the peace that passeth all understanding.

I was reading the Book of St. Luke this morning and I came to a very interesting selection of passages which seem most appropriate for my subject today. If the House will permit me to read from this greatest of all books, I should like to take the time to call your attention to chapter 4, the first through the eighth verses:

> And Jesus being full of the Holy Ghost returned from Jordan, and was led by the spirit into the wilderness,
>
> Being forty days tempted of the devil. And in those days he did eat nothing: and when they were ended, he afterward hungered.
>
> And the devil said unto Him, If thou be the Son of God, command this stone that it be made bread.
>
> And Jesus answered him, saying, It is written, That man shall not live by bread alone, but by every word of God.
>
> And the devil, taking Him up into an high mountain, shewed unto him all the kingdoms of the world in a moment of time.
>
> And the devil said unto Him, All this power will I give thee, and the glory of them: for that is delivered unto me; and to whomsoever I will I give it.
>
> If thou therefore wilt worship me, all shall be thine.
>
> And Jesus answered and said unto him, Get thee behind me, Satan; for it is written, Thou shalt worship the Lord thy God, and Him only shalt thou serve.

Now, Mr. Speaker, it might be well for those who think only of the mere pittance that might be gained from trading with and embracing our mortal enemy, to be reminded of the words of the Master, "Man shall not live by bread alone, but by every word of God." Would that our leaders might also arm themselves with the Scriptures when they are confronted with the blandishments, the false promises, and the temptations offered by the Communists in their drive for trade, respectability, and ultimate world domination. Would that our leaders could find the courage to say, "Get thee behind me, Satan."

Mr. Speaker, 7 years have passed now since the Communists fastened their control over China. At that time we recognized the tragedy, but we did not wholly foresee the viciousness of the regime. As history has unfolded, the Communist dictatorship has laid bare a record of violence, aggression, hatred, intrigue, and genocide. The record is stained not only with the blood of more than 20 million Chinese who resisted domination but with the blood of untold thousands who died at the hands of Communist China in Korea.

My purpose is to consider, as dispassionately as may be possible, the implications of engaging in trade with Red China. The implications are far more extensive than any question of trade for the sake of trade. The real question at issue is whether the Free World is to continue to survive in freedom or to forfeit that freedom by expediency. The issue is whether international relations of the future are to be governed by moral principles or by Communist terrorism.

Until recently the United States has taken the leadership in containing Communist aggression and in applying economic and moral sanctions. The breakdown of that leadership has been gradual and subtle but nonetheless real. Communist strategists, feeling the pressure of our military, economic, and psychological containment, devised the coexistence theme.

Following upon the breakdown of resistance among our allies the United States is now responding to coexistence. We are falling prey to Communist lines and, in so doing, are not only endangering our own future security—we are also abandoning the moral principles upon which our leadership has been based. We are on the verge of undoing all that has been done to erect a system of Free World defenses. This is a serious charge and may I make the position clear that the charge is not directed specifically at the administration. It is directed as well at the growing sentiment among the members of both great parties, both in the House of Representatives and in the Senate—a sentiment that we should relax our leadership and accept coexistence. The summit conference in Geneva was symptomatic of the trend. The summit conference, strongly supported by segments within the Congress and particularly within the Senate, did irreparable damage to United States moral leadership. The summit conference was

immediately followed by a relaxation in controls on strategic trade with the Communist bloc. We gave de facto recognition to Communist China by engaging in long and fruitless diplomatic negotiations in Geneva. We failed to oppose the admission of Outer Mongolia into the United Nations—we were weak-kneed, while Chiang Kai-shek exercised the moral leadership which the United States has for sometime been in the process of abandoning.

There is little need to elaborate further on the evidence of the trend toward coexistence—of the breakdown in moral leadership. It is evident in the administration, in the statements of indivdual Members of Congress, in the press and in public apathy. The developing pressure for trade with Communist China is but one further step into the quicksands of appeasement. We have now arrived at a crucial point of decision. Either the United States must reassert those principles essential to decency and freedom or we travel down the "buddy-buddy" road to our own destruction.

In making that decision may we refresh our memories. While we vacillate and capitulate and toy with coexistence, the Communists never deviate from their avowed course of world domination.

The Handbook of Marxism sets forth the Communist objective in the section on the program of the Communist International. It says:

> Thus, the dictatorship of the world proletariat is an essential and vital condition precedent to the transformation of the world capitalist economy into Socialist economy. This world dictatorship can be established only when the victory of socialism has been achieved • • • uniting the whole of mankind under the hegemony of the international proletariat organized as a state.

Lenin outlined the modus operandi for this objective of world domination. He said:

> First we will take Eastern Europe, then the masses of Asia. Then we will surround America, the last citadel of capitalism. We shall not have to attack. She will fall into our lap like an overripe fruit.

Quoting Lenin, Stalin has said:

> Lenin never regarded the Republic of the Soviets as an end in itself. To him it was always a link needed to strengthen the chain of the revolutionary movement in the countries of the East and the West, a link needed to facilitate the victory of the working people of the whole world over capitalism.

And Stalin supported the view:

> For the victory of the revolution in one country, in the present case Russia • • • is the beginning of and the groundwork for the world revolution.

And with the death of Stalin, Malenkov—notwithstanding his professions for a new order of coexistence—revealed his faith in Soviet destiny.

> We know firmly that the victory of democracy and socialism throughout the world is inevitable—

He said.

I do not wish to labor the point, but it is clear that irrespective of changes in strategy, irrespective of current rulers, the key objective of world domination has remained constant. The Soviet presiding officer over the U. N. Security Council in 1949, Dimitry Manuilsky, had bluntly stated the objective in 1931:

> War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist.

There may be some who have locked upon the globetrotting of Bulganin and Khrushchev as the innocent pranks of a pair of clowns. That may well have been the lulling effect intended. Many of our allies have been unable to reconcile the humorous gulle of the Soviet leaders with our past policy toward Communist world domination. But only 3 weeks ago Khrushchev, in his television broadcast to the American people, removed the peace mantle long enough to reveal his faith in the day when every American child would be a Communist. The current theme, on the schedule to make every American child a Communist, is the drive for trade with Red China.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the distinguished gentleman from Minnesota.

Mr. JUDD. It is good for our country that my friend and colleague from West Virginia has taken this occasion to discuss this very important subject of why we should not trade with Red China. I agree with him wholeheartedly, except I think he may be a little too pessimistic with respect to our own country. It is true that some very articulate voices are urging us to go down the primrose path of succumbing to Communist blandishments, as we have done a few times in the past to our own disaster; but actually it is only a few voices in our country and still fewer voices in the two bodies of Congress that have suggested we ought to reconsider our present policy, and enter into trade or other relationships with an outlaw government, as if it were a law-abiding member of the family of nations.

It is, indeed, like the situation described in what the gentleman read from Holy Scripture. Jesus would have been happy to make an arrangement with the Devil if the latter had been willing to make an agreement that was honorable and that could be depended upon, that is, if the Devil had been willing to cease being the Devil. But when He found the Devil was interested only in tricking Him, then our Lord refused to be tricked. He talked with the Devil, certainly—but He did not give in to him. He then broke off negotiations because the Devil was not sincere—in fact, being the Devil, could not be sincere. It is the same with Communists.

So I feel that our greatest danger is not the power or skill of the Communists with their devious maneuvers, attractive and deceptive as their protestations are; the greatest danger is that not enough Americans will speak out as the gentleman from West Virginia is doing. The great majority of the Members of this Congress, and of the newspapers, and of the columnists, and of our people are dead set against any deal which would build up the enemy of our country and at the expense of our allies. The danger is that many will not make their views heard loudly and frequently enough. If more will speak out and make their opposition known, as the gentleman is doing today, so that complacency or indifference or preoccupation with other matters do not divert our attention from the essential nature and the consequent danger of the Communist regime in China, then I am not alarmed about what the outcome will be.

Since the gentleman started his address today, there has come into my hands this release, officially made at 1:30 p. m., just 20 minutes ago, of the speech given this morning in San Francisco, actually being given at this very hour, by Secretary of State Dulles on this same subject. I would like permission to put it in the RECORD following the gentleman's address, because I think it is the best restatement of the nature of the Chinese Communist threat to all free peoples, and the best restatement of America's position and the reasons therefor, that I have seen.

We are always ready to examine changing situations, but we refuse to abandon principles in order to get something that might look like a settlement but would only be a truce or a trap which would lead to disaster.

And talking about this matter of trading with Red China, I find these sentences in what the Secretary is saying just now:

> But the experience of those who now recognize and deal with the Chinese Communist regime convinces us that, under present conditions, neither recognition, trade, nor cultural relations, nor all three, would favorably influence the evolution of affairs in China. The probable result, internally, would be the opposite of what we hoped for.
>
> Internationally the Chinese Communist regime does not conform to the practices of civilized nations; does not live up to its international obligations; has not been peaceful in the past, and gives no evidence of being peaceful in the future. Its foreign policies are hostile to us and our Asian allies. Under these circumstances, it would be folly for us to establish relations with the Chinese Communists which would enhance their ability to hurt us and our friends.

Upstairs in the Committee on Foreign Affairs, we are laboring these days to try to get ready a bill in which hundreds of millions of dollars will be authorized to help to do what? To help to strengthen the countries of Asia against whom? Only one enemy. Against Communist China. We ought to have our heads examined for sanity if, on one hand we appropriate hundreds of millions of dollars to strengthen free countries against Communist China, and then turn around and trade with the Red Chinese helping solve their problems for them and building the Communists up against the very countries we are arming and aiding against the Communists. I have a higher estimate of the American people and of our Government, both the executive and the legislative branches, than to believe we will make such a mistake as the gentleman is warning us against, once the facts are made clear. It is our duty on every occasion to keep before us the essential, the inescapable, and the unresolvable conflict between communism anywhere and the kind of decent society we want and must have if we are to live.

Mr. BYRD. I want to express my gratitude to my colleague and my friend, the gentleman from Minnesota, with whom I serve on the great Committee on Foreign Affairs. I share with him his great confidence in the sanity of the American people. The only thing I fear is that a few of the little foxes might come in and spoil the vine. It is for this reason that I have today taken this opportunity to voice my fears and my strong objections to any idea of relaxing our opposition to trade with Red China.

I thank the gentleman for his contribution.

I will be glad to yield to my colleague from California.

Mr. JACKSON. Mr. Speaker, I dislike to break in on the gentleman's thought at this time because I am very much interested in the scholarly presentation of this important subject which he is making. I do want, however, to subscribe to what the gentleman is saying and the premises that he is making. I think that he renders a great service not only to his colleagues here in the Congress but also to the American people generally in taking the leadership in keeping this important matter in front of the American people.

The great danger is that there are so many things going on, there is so much conflict, so much turmoil and controversy it might be very easy for this important matter to be shunted aside. I think, as the gentleman said, there is evidence that the people are saying now: "Well, perhaps these Chinese Reds are not what they have been pictured to be; perhaps they are not the brutal beasts they have been represented to be."

But that is not possible for those of us who served in the Pacific and saw American men with hands wired behind their backs and bullet holes in their heads.

The gentleman is rendering a constructive service and an important service in keeping this matter before the American people.

Mr. BYRD. I thank the gentleman.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I would like to associate myself with what the gentleman has been saying. I rise, however, not only to commend him for his words, but, if the gentleman will permit me, to commend him in particular for what he stands for in the House and on the House Foreign Affairs Committee.

It has been my privilege to see the gentleman in friendly action in many foreign lands. Never has he failed to give an indisputable example of straight thinking, of clear presentation, of honest and Christian living. He has demonstrated to the people with whom he spoke the kind of purpose that is truly American.

I have been proud to be associated with him at the time when he was a member of the subcommittee on the Far East and the Pacific. Never does he lose his sense of perspective or his spirit.

I am sure that what he is saying to us today needs to be said over and over and over—to a country which always believes the best even of its enemies, which is apt to indulge often in a bit of wishful thinking and which sometimes needs to be reminded that the ultimate end has always to be kept in mind.

I thank the gentleman for yielding.

Mr. BYRD. I wish to express my gratitude to the gentlewoman from Illinois. May I say that in working with her on the same great committee on which we have both served, she has been a great inspiration to me.

If I may be permitted to digress for just a minute, it would be for the purpose of reciting a little poem which adequately portrays the thoughts that are in my heart as I speak of the gentle lady from Illinois:

> The roses red upon my neighbor's vine
> Are owned by him, but they are also mine.
> His was the cost and his the labor too,
> But mine, as well as his, the joy, their loveliness to view.
>
> They bloom for me and are for me as fair
> As for the man who gives them all his care;
> Thus I am rich because a good man grew
> A rose-clad vine for all his neighbors' view.
>
> I know from this that others plant for me
> That what they own my joy may also be;
> So why be selfish when so much that's fine
> Is grown for me upon my neighbor's vine.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Iowa.

Mr. GROSS. Let me adopt the words used by the gentleman from Minnesota [Mr. JUDD] in saying that we ought to have our heads examined if we continue to give foreign aid to some of our so-called friends to build up their productive capacity, who then turn around and announce blandly that they are going to trade in strategic and all other kinds of materials with Red China. It just does not make sense to me that we continue to give them help out of the Treasury of the United States and out of the pockets of the taxpayers of the United States, and then they trade with Red China. I am opposed to trading with Red China. I want to commend the gentleman for the statement he has made.

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Louisiana.

Mr. BROOKS of Louisiana. Mr. Speaker, I am very happy that the gentleman informed me of the special order he had for this afternoon and that I might be permitted the opportunity of sitting here to listen to the scholarly address just made by the gentleman. I have profound respect for the gentleman's interest in our country and his patriotism for our country. I share his views so ably expressed in reference to trading with Red China.

It seems to me it is a rather strange situation that is presented here today. I might say parenthetically that I do not have the privilege of serving with the gentleman from West Virginia on the Committee on Foreign Affairs of the House of Representatives. My service has been on the Committee on the Armed Services of the House of Representatives. But it is a strange situation that presents itself today, that there are men in this Nation contemplating trading with Red China, a nation that exhibited such extreme hostility to our people a few years ago. Now, there are some of our people, and I am glad to say they are in the small minority, contemplating the possibility of making material wealth out of trading with these people who have shown no penitence on their part for their wrongdoing in Korea. At this very moment we are having to strengthen our defenses over there in Korea, we are having to send over there modern equipment, modern supplies, jetplanes of the first line, and we are having to do that because of the violation by Red China of its agreement with the people of the United States that there would be no change in the status of the defenses they set up in northern China.

So by our actions, we are charging them, and properly so, with having violated their word and written agreement not to build up their defenses in northern China and at the same time we are contemplating doing business with that nation and those people who treat their word and their obligation so lightly as to violate their agreements with impunity. I thank the gentleman.

Mr. BYRD. I am grateful for the fine contribution that has been made to this discussion by my true friend, the gentleman from Louisiana.

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. BYRD. Mr. Speaker, I yield to the gentleman from Wisconsin, a distinguished and great American.

Mr. ZABLOCKI. Mr. Speaker, I want to commend the gentleman from West Virginia [Mr. BYRD] for his forthright remarks on the subject of our trade with Red China.

I am strongly of the opinion that we should not, that we must not, remove our restrictions on trade with Red China.

At present, there is one category of goods which cannot be exported to Red China. This is the totally forbidden category. In addition, there is the second category which contains articles that may be exported within specified limits. Finally, we have the so-called watch list, where the shipments are reported whereby no limitations exist unless the volume of shipments requires further action.

This differentiation has been respected by a number of our allies who have normally traded with the China mainland. It is in the nature of a restriction vital to the best interests of the Free World.

Needless to say, there is a complete prohibition on the export of strategic goods to Red China. Even the second list, however, contains some items which

can be potentially strategic. Our restrictions on these exports must be maintained.

We cannot allow our trade with Red China to strengthen the Communist regime on the mainland, or to provide it with the sinews of war. Red China is aggressive, and it inspires to dominate the Far East. Let us not sell them anything which they could use to advance their plans.

Mr. Speaker, I do not favor any relaxation of our barriers to trade with Red China. Let them stand as they are. They were erected in the interest of our Nation, and of the Free World. They have been serving their purpose, and they will continue to do so as long as they will be needed.

Mr. BYRD. Mr. Speaker, before examining in detail the implications of trade with Red China, may I point to the one great lesson we should have learned in dealing with Communist domination. All of our experience—and I believe every Member of the House of Representatives will confirm this—all of our experience to date has proved that the Communists exploit areas of weakness and are restrained only by the application of physical or economic or moral pressure. There is an urge "to return to normalcy." It would be an ideal world if the same type of normalcy could apply in our relations with the Communists as applies within the family of free nations. But normal negotiations of controversies, normal travel, normal exchange of information, normal cultural exchanges, and normal trade are all daydreams so long as the nightmare of fanatical Communist domination threatens the peace of the world. Tempting as normalcy might be, it is visionary—it is diametrically opposed to the reality of Communist objectives and to our very survival as a free nation.

The record is clear. As a result of our profession of friendliness and our attempt to have normal relations with the masters of the Kremlin during and immediately following World War II the Soviet Union expanded into Estonia, Latvia, Lithuania, Poland, Czechoslovakia, Bulgaria, Hungary, East Germany, Austria, Manchuria, and North Korea. Soviet troops planted in northern Iran at the end of the war refused to budge until it became evident that the United States would apply force to eject them. We witnessed the speed with which militant communism moved into areas of economic weakness in Europe at the war's end. While we were disarming, and long before the light that is now the NATO structure had dawned, Communist expansionism threatened Turkey, Greece, Italy, and France. Assuming we were weak in Korea they struck. Recognizing weakness in southeast Asia they struck in Indochina. In each instance they expanded into a power vacuum and were only restrained or repulsed through force—military force, economic force, and moral force.

While they may be minor academic distinctions between Russian and Chinese communism there is no distinction in the objectives of Communist world domination. From the date the Chinese Communists exploited economic prostration to gain control of China, Red China has been coiled for militant expansion. Tibet has fallen. They defied the efforts of the United Nations to unify Korea. They brazenly aided the Vietminh in Indochina. They remain poised to strike at Formosa. They have organized a puppet government for an autonomous Thai state comprising Thailand, Laos, and northern Burma, in anticipation of a broader strike at southeast Asia. India is compelled to deploy its forces to Assam to forestall the threat to Nepal and Bhutan. The military threats are augmented by a strategy of peaceful coexistence, the glad hand of Chou En-lai, good-will tours, subsidized exports of consumer goods, and free education for overseas Chinese in the universities of mainland China. To date it is abundantly clear—in Asia as in Europe—that militant communism has been halted and will continue to be halted only by combined military, economic, and psychological pressure.

Yet, misguided voices are beginning to waver. It is as dangerous to talk of trade with Red China as it would be to suggest the withdrawal of our military forces from Korea and Formosa, the scrapping of our mutual-defense treaties with Korea, Japan, the Philippines, and Formosa—or the dismantling of the SEATO defense structure. This first step, the establishment of trade with Red China, would trigger a chain of events leading to the complete breakdown of anti-Communist defenses. It is not difficult to forecast the sequence: trade followed by fraternization leading to recognition followed by admission to the United Nations accompanied by the betrayal of Formosa. The process would be accompanied by a gradual weakening of Free World security structures while we strengthened the power of the Communist bloc to engage in further aggression. To trade with Red China is to light the fuse that can only culminate in our own destruction.

Apart from our continued existence as a free nation, can we retain our leadership or our self-respect if we condone all that is repugnant to our sense of decency? Is there not a responsibility of moral sanctions to be applied by civilized peoples against regimes that treat human lives with contempt? Should we reward mass murder with trade? Can we in clear conscience aid and abet the denial of basic freedoms through the recognition of such regimes? Should we respond to international outlawry by opening the doors of the United Nations to such regimes? I am of the belief that the United States has a heritage to uphold—that our responsibility would be stained before history should we reward tyranny with generosity or genocide with trade.

By their own admission, the Mao Tse-tung regime has liquidated more than 20 million Chinese so-called enemies of the state—more accurately, defenders of freedom. Unperturbed by this blood on their hands, China's rulers hold the responsibility for yet untold casualties in Korea.

It is difficult for us to visualize the massive impact of reeducation at the point of a pistol; the so-called brain washing; the diabolical internal police system under which friends cannot trust friends and children betray their own parents; the mock public trials followed by public executions; the mass shock treatment to enforce conformance; the mass mobilization of slave labor; the denial of freedom of silence as well as freedom of speech; the trampling upon religious institutions; the confiscation of private property; in short, the submergence of 600 million Chinese to the iron rule of the police state. These horrible crimes against humanity have been inflicted upon the Chinese people—but what of Red China's treatment of Americans?

We know of the traditional friendship that existed between the American people and those of China. The bonds were strong. Upon coming into power at the end of 1949 the Communists, from the very first, set out systematically to destroy the existing reservoir of good will. Borrowing from the Soviet Union they portrayed the United States as the archenemy of the Chinese people. The "hate America" campaign was a calculated instrument of Mao's policy. Mammoth signboards, wall posters, the press, the radio, the party cadres all screamed venomous lies designed to arouse hatred for the United States. The brainwashing apparatus, all the propaganda organs of the state, hammered on the theme "hate America." United States citizens in China, missionaries, educators, businessmen became the victims of Mao Tse-tung's mad determination to appear superior to the United States. The reports of Americans who finally escaped from this ordeal are a sordid record of shameless indignity. It is more than a record of isolated imprisonment and torture of individual American citizens. It must be looked upon as the calculated policy of the Communist regime, directed not against these unfortunate individual American citizens but against the entire people of the United States. These crimes are of such magnitude that they cannot be considered as subject to settlement by compensation or the exchange of notes. They are dictated by Communist state policy and can only be dealt with by total United States policy toward the Communist regime. I do not propose to recite the horrors of the Korean war. There is scarcely an American family that has not felt tragedy directly or indirectly, as the result of Communist China's defiance of the United Nations. But even accepting that all warfare has its horrors, can we condone the violations of accepted international law; the torture and murder of American prisoners of war; the refusal to return captured prisoners of war in accordance with international law and the armistice agreement; the dastardly, calculated move to blemish the honor of the United States by fabricating false charges of germ warfare? I am of the belief that we would compromise our integrity and abandon our moral leadership should we now respond to China's

bullying by engaging in trade and its sequel.

There are two principal reasons why the Communist bloc would like to establish trade with the United States:

First, it would commence the chain reaction of events that would end in the collapse of the Western alliance and the shift of some Asian countries from the Free World to communism. Perhaps those who advocate trade do not fully realize the motivations of many newly independent Asian States. They are proud peoples. Their outlook toward free institutions is the same as our own. At the same time they still harbor resentments growing out of the days when they were colonies. These states are striving to attain real independence, real recognition, real equality—to atone for the indignity they have suffered in the past. They are determined to rise from their poverty to attain economic parity with the West. In order to achieve this end in a short time there is a strong tendency among some Asians to adopt the methods of communism. The conflicting attractions then make for a certain amount of vacillation and wavering. This situation is not helped by a geographic position in which Communist China and the Soviet Union are poised on their borders. The relationship of this delicate balance to our trade with Communist China is simply this. These countries can afford to oppose communism only so long as the United States maintains an opposition so firm and so steadfast that they can be assured that communism is not the wave of the future. The moment we relax our firm opposition they have no alternative but to aline themselves with Peking. Moreover, as soon as this hole has been made in the dike there will be no recourse for the 12 million overseas Chinese in southeast Asia but to shift their loyalty to the Peking Government. Once the girders of the entire defense structure have been removed there can be no halting the avalanche of Communist expansion. This, Communist China well recognizes. For this reason Communist China is most interested in removing our trade embargo.

The second reason is China's need for trade to industrialize her economy and to expand her military power. To date, China has been dependent upon the Soviet Union and the satellites to provide the foundations of heavy industry. It would be reckless to ignore the fact that progress is being made. Of 694 major industrial construction projects in progress during the first 5-year plan, the 156 key projects have been provided by the Soviet Union. At the present time it is reliably estimated that there are upward of 50,000 Soviet technicians in China.

Although the greatest industrial expansion has taken place in Manchuria, China is developing two completely new industrial areas, one in Inner Mongolia and the other in the Wuhan area of central China. To give a rough idea of the extent of the development, by 1955 a total of 136 major enterprises classified as industrial capital construction had been completed. These included a heavy steel rolling mill, a seamless steel tubing mill, a sheet steel mill, 4 new automatic blast furnaces, 8 batteries of coke ovens, an ore-dressing plant and a sintering plant at Anshan. Although not yet completed, progress is being made on 80 plants that will form the foundation of the machine building industry. A switch gear factory and a pneumatic tool factory have been completed in Shenyang. A large cutting tool works and an electrical equipment plant have been completed in Harbin. Thirty-nine new modern textile mills have been placed in operation during the past 5 years. A new railway has been completed linking China and the Soviet Union through Outer Mongolia. Another line, linking the two countries through Sinkiang is near completion. Progress is reliably reported on machine-tool plants, tractor plants, motorcar works, shipyards, hydroelectric plants and other basic industrial developments. My purpose is not to burden the House with a recital of Communist China's economic achievements. It is rather to dispel any possible notion we may have that China cannot possibly become a serious threat.

Recognizing that progress is already being made in China it would seem to be irrational for us to hurry the date when China's industrial power can be used against us. As it now stands, China's development to a great extent retards further development in the Soviet Union. There is strong evidence that China's demands create an economic strain upon the Soviet Union. For example, Members will recall the fabulous offer made by Russia to build India a steel mill last year. It is a matter of record that the Russians first offered India an old steel mill that had previously been rejected by China. The Soviet Union finally had to import a steel mill from Czechoslovakia to provide India. Recognizing this internal economic stringency, China would be most happy, we may be sure, to secure ten or a hundred steel mills from the United States, Britain, West Germany, or Japan. But by what logic should the Free World accelerate its own destruction by ten or a hundredfold.

It is not difficult to understand how China would benefit by importing machine tools, turbines, and generators. We have the precedent of United States exports of scrap iron, aviation gasoline, petroleum, and other sinews of industrialization that brought Japan to Pearl Harbor. It is difficult to visualize, however, what China might export to maintain a trade balance. Trade is a two-way street. The United States, Britain, Japan, and other Free World countries, thirsting for markets, have much that would be of value to China but what precisely does China have that would be of value to the Free World? China's principal exports are hog bristles, tung oil, litchi nuts, grass mats, tea, a little silk, and soya sauce. Unlisted on the international records of trade items is Communist China's foremost export, the illicit trade in narcotics. Communist China has built up the illusion of a vast untapped market of 600 million consumers. But how does this square with the economic facts? Communist China is now squeezing its population to the hilt to extract the capital needed for industrial development. China itself is not developing consumer goods industries and could hardly be expected to divert its scarce foreign exchange to import consumer goods. The idea of 600 million consumers is a myth and illusion. The real market exists only for heavy producer goods essential to industrial development. Such trade would be state trading and in no sense trading with Chinese private enterprise.

Since the existing embargo on trade with China has applied only to exports to China and not to imports from China, the volume of China's exports to non-Communist countries may be taken as a fairly reliable indication of China's capacity to earn foreign exchange. According to the Department of Commerce, China's exports in 1956 amounted to about $627 million. As an indication of how vast this market is, as reflected in capacity to acquire purchasing power or foreign exchange, China's exports outside the Communist bloc in 1956 were almost exactly one-quarter those of tiny Belgium and Luxembourg. In fact, China's exports were less than those of Finland and only slightly higher than Mexico's exports. But there are some wishful thinkers among our allies who contend that China's capacity to buy, or, in other words, her capacity to export, will increase as our shipments increase; that through some mysterious defiance of the laws of economics, by shipping locomotives, hydroelectric plants, steel mills, lathes, and electronic equipment to China this will increase the world-wide demand for bean curd, hog bristles and soya sauce. My personal view is that the world demand for soya sauce has now reached the saturation point.

The pinch on China's capacity to expand is also reflected in her sterling balance position. The reported current trade surplus of about £90 million sterling is deceiving since a large portion of this amount is required for shipping, insurance, and brokerage charges. In addition, trade within the Communist bloc is in the sterling area. While the extent to which China is deficit in her trade with the Soviet Union and other satellites is not known, in the case of Poland, alone, China's deficit for last year amounts to about £10 million. China is by no means in possession of the large sterling reserves attributed by some British businessmen. China's dollar position may be presumed on the face of it to be even more deplorable.

Looking at the prospects for trade from another position, at the very peak of our trade with China, during the period 1936–38, exports to China amounted to only 1.5 percent of total United States exports. During the same period it represented less than 1 percent of Britain's total exports. This adds up to the inescapable conclusions:

First, that with China's limited capacity to buy, any increase in trade would be exclusively in heavy equipment needed to develop China's industry and warmaking capacity.

Secondly, there would be no increase in imports of consumer goods. Third,

there would be no overall increase in the total volume of trade. The difference would be that China would use the scarce foreign exchange to purchase only those items that are now classified as strategic. We saw what happened in August 1954 at the time the United States and our allies made a drastic revision, removing many strategic items from the embargo lists. The effect of that revision was not the rapid increase in trade expected by our allies. It was rather a shift in the pattern of imports by the Communist bloc from less strategic to more strategic items. These lead to the fourth conclusion, that little benefit results to the Free World in the form of increased trade. The benefit is exclusively to the Communist bloc. That benefit is in expanding industrial plants and war-making capacity aimed at our own destruction.

Is it possible to mitigate these conclusions by contending that no one is proposing a complete relaxation in controls but only the removal of the differential to place China trade on the same basis as trade with the Soviet Union. One has only to look at the list of items now freed by Britain for export to China to conclude that the differential should be reversed. Instead of relaxing controls on China trade, our interest would be better served by placing trade with the entire Communist bloc on the same basis as the present China embargo. Britain has announced that it will now ship the following export items to China: Machine tools, electric motors and generators, rubber working machinery, motor vehicles and tractors, railway locomotives and rolling stock, internal combustion engines, iron and steel, aluminum and copper products, lead and zinc, scientific instruments, raw rubber and tires, chemicals, and other industrial items.

Britain, with others, has contended that there is little logic in placing these items on the China embargo list so long as we sell them to Russia, from where they are reexported to China. Britain is right; there is little sanity or logic in a differential, but the conclusion dictated by our own survival is that the China embargo should be extended to the Soviet Union and the satellites rather than the reverse.

It is a tragic repetition of the old fallacy that two wrongs make a right. The sequel, I suppose, will shortly be that the wrong of permitting the Soviet Union to use the United Nations as a springboard to world domination might be righted by granting representation to Communist China in the United Nations. Beyond that is the false reasoning that the wrong of our strengthening the sinews of war in the Soviet Union can be righted by industrializing Communist China.

Those who are now urging trade with Communist China, should they succeed, tomorrow will be in the vanguard of those favoring the admission of Red China into the general agreement on tariffs and trade. If we industrialize China to the point that it has a capacity to produce consumer goods and with the other hand we open the door to GATT, the United States, Britain, and other manufacturing nations might as well foreclose their foreign markets. It is not likely that those countries who respect and afford legal protection to the rights of labor can compete with the cutthroat prices possible with 600 million people producing under conditions of slave labor.

There is no reason to assume that Red China would abide by international trade agreements better than it has abided by its other agreements. The United Nations has declared the Korean armistice agreement no longer to be binding for the very reason that Communist China persistently has violated its terms. While we have maiptained our forces and armament at the prescribed level, Communist China has continued to build up her striking power. In September 1955 Communist China, in a solemn agreement with the United States, pledged to return all Americans illegally imprisoned in China. This is the middle of 1957 and the American citizens are still interned. Not only is it evidence of China's view on the sanctity of agreements but now Red China has reverted to blackmail, using the release of the American citizens as the quid pro quo for the establishment of trade. It is a fallacy to assume that Red China would abide by any international agreement, trade agreement, or otherwise. No Communist country has ever held an international agreement to be sacred. When agreements cease to serve the purpose of world domination all Communist countries treat them as scraps of paper.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Ohio.

Mr. FEIGHAN. Mr. Speaker, I congratulate the very distinguished gentleman from West Virginia on his very thoughtful, objective, and clear analysis of the dangers facing the United States and the Free World. Trading with the Red Chinese will open the gates wide for the infiltration of subversives, espionage agents, Communist propaganda, and the movement of tons of opium and evil drug habit-forming narcotics which are peculiar to the mainland. It was my good fortune in 1955 to have a long conference with General Kim of South Korea, who was head of the Counterintelligence Corps of the Army of the Republic of Korea.

General Kim was a dedicated man who knew the Chinese Communists from bitter experience. He made a very careful study of the manner in which the Red Chinese used illegal trade as a means for infiltrating the espionage agents, propaganda, and habit-forming drugs such as opium. The study made by General Kim leaves no doubt that if the countries of free Asia and the Free World generally engage in trade with Red China, they will be opening themselves to all these abuses.

I have here in my hand a briefing book presented to me by General Kim during my visit to Korea. It contains among other things a map showing how the Communists used illegal trade routes to undermine free countries such as the Republic of Korea. It also contains pictures of raw opium and other drugs confiscated from persons who were using these illegal trade routes.

Another thing that impressed me was that the Communist underground which is constantly at work in all free countries depends upon trade between Communist countries and the free countries in order to secure funds to pay the expenses of the underground movement. It is also a well established fact that the Communists used currencies earned by foreign trade to carry on their propaganda activities in the countries foolish enough to carry on commercial trade with such Communist countries.

It has been said by persons who have studied the situation in the Far East for a lifetime that trade between the free countries and Communist China is the first step toward getting the Red Chinese admitted to the U. N. It is also a step toward getting the United States to extend diplomatic recognition to Red China. Both steps should be vigorously opposed.

It is foolish to believe that we can enter into trade with Red China without paying an expensive price—and that is a price which no American should ever pay. If England or any other country which owes a heavy debt to the United States engages in trade with Red China, we should require from that country an annual payment equal to the amount of the profit from the trade that country does with Red China. If we were to put such a requirement into the Mutual Security Act or some other appropriate legislation, we would soon break up any thought these countries have of trade with Red China. This is a fair proposal and should be given serious thought by Congress if efforts persist in forcing countries of the Free World into trade with Red China.

Again I wish to congratulate the gentleman for a very fine and scholarly presentation.

Mr. BYRD. I thank the gentleman.

Mr. PERKINS. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Kentucky.

Mr. PERKINS. I certainly want to congratulate the distinguished gentleman from West Virginia for a remarkable speech here in the Halls of the House of Representatives today and I want to associate myself with the views expressed by the gentleman. The gentleman from West Virginia is one of the outstanding scholars and one of the most sincere and conscientious workers in this body, and I am certainly delighted to hear him present such a masterful and timely address to the Members of this House today. In so doing, he is performing a great service to the entire Nation and its people. I am confident that the position he has taken in regard to Red China is the right position morally. I am glad to take my stand with him, because nothing that is morally wrong can ever be politically right.

Mr. BYRD. I thank the gentleman for his kind words.

Now, Mr. Speaker, may we examine point by point the arguments that are being advanced by those who advocate trade with Red China.

First, it is contended by some that if we trade with Red China and otherwise get our foot in the door we will be able to bring about a split between Russia and China. Conceding that there may be some superficial differences between China and Russia, they are, nevertheless, linked with a common ideology. They both view Communist world domination as the immutable objective. They both view the capitalist world, and particularly the United States, as a mortal enemy. They share a common aspersion for democracy and individual freedom. They not only have a common boundary, but since 1950 the two countries have been linked by rail and highway connections. Trade within the Communist bloc has expanded. There has been a vast exchange of persons, ideas, and technical information. There has been a concerted effort to expand cultural relations. Russian is a required language in many Chinese universities. Soviet technicians are swarming over China, as well as Soviet political cadres. There is no evidence that this is to the disliking of either. In fact, it is hard to visualize how either of these two Communist giants could be induced to lessen the total Communist strength through voluntarily splitting from its partner in crime. Those who contend that there is a possibility of a split usually point to acts of Chinese independence, such as the refusal of Chou En-lai to reside in the same house with the Soviet delegation at the Geneva Conference of 1954. Or they point to such evidence as Chou En-lai's independence at the Afro-Asian Conference at Bandung.

At the time the two countries liquidated their agreements on their four joint-stock companies and Russia agreed to relinquish the control over Port Arthur to China, some analysts jumped to the conclusion that a significant cleavage had occurred—that we should jump in and drive a wedge to split China from Russia. The true interpretation, as subsequent events have shown, is that China is not a satellite—it is a full-fledged partner in crime. That it is a full-grown partner, however, in no way weakens the Communist alliance, nor does it offer any prospect for a cleavage.

Another reason advanced for trade with China likewise is a foot-in-the-door proposition. They contend that our policy is negative—that if we only follow a positive policy, in time we will be able to mold the Chinese into our own likeness. As a corollary, while we are molding the Chinese Communists we would also be winning Asian friends and influencing Asian peoples, since all Asia wants us to be friendly with Communist China.

As for molding China to our likeness, did we mold them in Korea? Have they been putty in our hands during the Johnson-Wang negotiations in Geneva? Have they assimilated decency through association to the point of halting their "hate America" propaganda? Have we talked them into releasing the imprisoned Americans? Have they learned yet from their contacts with free peoples the meaning of abiding by agreements? It is a well-known fact that throughout the centuries China has been invaded, only to have the invaders assimilated by the Chinese.

If we ever got our foot in the door there is little question as to who would end up molding whom. And as for all Asia hoping that we establish friendly relations with Red China, members will recall how the Asian countries themselves turned the Bandung Conference into a condemnation of communism as a greater evil than colonialism. We must recognize that the countries of Asia are now primarily oriented toward Western concepts of independence and freedom. We must draw a perceptive line between what they really want and their occasional demonstrations of friendship toward the two Communist giants ready to descend upon them. We would betray the Asian leaders and the Asian people by giving them no recourse but to turn to communism.

Then there is the opportunist argument, the contention that now Britain, France, Italy, Belgium, Norway, and West Germany have relaxed their embargoes—therefore in order to maintain solidarity among our allies we should follow suit.

The reason for developing an alliance in the first place is to maintain the relative strength of the Free World against the Communist bloc. If all of our allies set out together to strengthen the Communist bloc through trade, it is difficult to see what value would remain in the maintenance of the Free World alliance. There is little need for an alliance for the purpose of strengthening our enemies. Since the end of World War II we have expended our resources in foreign aid to strengthen our allies. It is not logical that we should now counter this by measures to strengthen our enemies.

Mr. JUDD. Mr. Speaker, will the gentleman yield to me again at this point?

Mr. BYRD. I yield to the gentleman.

Mr. JUDD. On the argument to which the gentleman has referred—when he was discussing the folly and shortsightedness of some of our allies—namely, that because some of them have expanded their trade with Red China, therefore we should do the same, would not the gentleman agree that the key thing in the Far East is not what England does tradewise, or what France does; it is what the United States does that counts? Those countries in Asia have dealt with our European allies through a century or more. They expect them to operate on the basis of shopkeeping, of opportunism, and of expediency. They know that England traded with the Kaiser and with Hitler and lost about half of her Empire in the wars that followed. They know that out of such trade she earned a few millions, and lost billions and ultimately lost her position of power in the world.

The key thing in Asia, I think the gentleman will agree, is not what England or any other Western country, or even Japan, does there; it is what the United States does. Because it is the United States which has power today in the Pacific, and not any other country. And no matter what these other countries do, if the United States is firm and stands by her friends, stands by her commitments, so that the other nations know that they can count on us not to let them down, then there will be no great pressure among them to deal with Communist China as there would be immediately, if the United States were to take such a fatal step as to follow England's example.

If we were to take that step, then what in the world could Japan do, or the Philippines, or Thailand, or Burma, or any other country there, except prepare to give in to the Chinese Communists?

We regret the shortsighted policy of certain allies and I believe they will lose more in America by this policy of expediency than they will gain in China. Perhaps some of them think they can have both China and the United States. They may find that they cannot have close comradeship and trade with our enemies and still have the same sort of support and comradeship with the United States that they have had in the past.

But regardless of that mistake on their part which we believe will gravely injure their own interests in the long run, the decisive thing is what the United States does. That is what the people of Asia will be watching. They will be reading with satisfaction the gentleman's remarks of today as evidence of the solid determination on the part of the American people and their representatives in Congress to stick to moral principle, to our commitments to them, and to commonsense.

Never yet has a country made any real gains by dealing with its enemy. Never yet have we made lasting gains by building up or strengthening the Communists anywhere, and we do not propose to do any such thing now.

Mr. BYRD. I agree with the gentleman that the kind of leadership needed so urgently in the world today is that leadership which is based on moral principles. If the United States is not ready, willing, and determined today to stand by strong moral and spiritual principles, it just simply does not deserve to be accorded the position of leadership.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Iowa.

Mr. GROSS. Therefore, according to the gentleman from Minnesota, if the British and French want to be immoral, it is incumbent upon us to continue to provide money by which they can carry out their immorality in this case by increasing or providing for their production so they can trade with Red China. I see no validity whatever in the argument that we have to support these subsidies by contributions out of the pockets of the taxpayers of this country.

Mr. JUDD. I do not think the gentleman will find any such argument in what I said. I said I think our allies in Europe will find they have lost support in the United States by dealing with our enemies. I think they have made a mistake. Further, there are no substantial amounts for England or France in our foreign-aid program at the present time.

Mr. GROSS. Whether they have such support or not, we can find out when the Committee on Foreign Affairs passes out the usual dole in the form of millions of dollars to the foreigners. I will be convinced when I see how much the gentleman's committee cut it and what the House does when it is presented with the question of passing the bill. That will be the proof of the pudding.

Mr. JUDD. The gentleman will find there is very, very little aid for Britain and France this year.

Mr. GROSS. Directly, perhaps, but indirectly there will be plenty of it. Of course, we spent billions on them in the years gone by to build up their productive capacity beyond the prewar level, so that they are now in position to build rubber plants, not only in China but in Red Russia itself.

Mr. BYRD. Mr. Speaker, there is another specious sort of argument advanced for trade with China. That is, we should not allow 600 million people to suffer even though we disagree with the form of government which holds them in bondage: This is another way of saying: We do not like to see 600 million Chinese suffer, therefore we will make it possible for their wicked rulers also to extend their control over 170 million Americans. If the Chinese people are ever to free themselves of this dictatorship, it will not result from our trade to strengthen the very dictatorship that holds them in their misery.

There are also those who advance the view that the establishment of trade relations between the United States and China would be the essential first step toward a general settlement of problems in Asia. For example, it is supposed that if only trade relations are commenced it would bring about the reunification of Korea, a solution to the Formosan question, and the Chinese threat against southeast Asia would evaporate. What is more likely, is that this prestige gain would usher the Chinese Communists into the United Nations, result in a shift in the present neutrals toward the Communist bloc, and ultimately shatter the solidarity of the Western alliance. Instead of solving the problems of Korea and Formosa it would only make the Chinese Communists more bellicose.

There then is the love and friendship cult—contending that if we only unleash an avalanche of love for the Chinese Communists all the problems will resolve themselves. The Communists themselves only talk about coexistence but the love cult would go beyond this. At home we do not apply this principle to murderers. In the international community there can be no decency nor order unless the violator feels the weight of sanctions. During World War II we approached this love Communists principle at the time the U. S. S. R. was one of the great allies and we poured our treasure into the Soviet coffer. Can any Member contend that the love offensive changed the inherent mal temper of the Russian Bear?

These reasons all are of a mollycoddling nature. They all boil down to a meandering proposal that if a copperhead bites you the thing to do is to feed it milk; that if you know someone is intent upon murdering your children, you give him a gun. The tragedy is that we are not dealing with isolated individual vipers or murderers but with Communist nations intent upon destroying the free world. To appease international outlawry we propose to arm the outlaw. To appease our allies we bring ourselves to the verge of bartering away the loyalty we owe to the Chiang Kai-shek Government. For the lure of the false profits of trade, we come to the verge of sacrificing our future as a free nation. I suggest that the time is now opportune for the House of Representatives to place itself on record in firm opposition to any form of trade with Red China.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from Ohio.

Mr. BOW. I should like to compliment the gentleman from West Virginia on this very fine address he is making to the House today. I hope the Members who are inadvertently absent on committee assignments will have the opportunity to read what the gentleman has had to say here, because it is so important not only for the Members of the House but for the world to understand the position of the Congress of the United States on the question of dealing and trading with Red China, or the possibility of any recognition of Red China by the United States. I feel that sometimes because of the irresponsible statements made by some at times that our friends and allies in the Far East who are weaker than we are could well wonder whether we are beginning to go forward toward a recognition of Red China and whether we are going to start dealing with them and so strengthen Red China to the point where they may be engulfed by Red China so that those nations which are friends of ours would be lost. I compliment the gentleman for his fine address. I think the gentleman will be strengthened and reassured in his position and will be as pleased as I have been to read today the very strong statement on this question made by Secretary of State Dulles in San Francisco.

It seems to me that anyone who reads what the gentleman is saying today and who reads what the Secretary is saying in San Francisco today will have all his doubts resolved as to our position on this very important matter, and that any doubts will be eliminated and he will know that we will not trade with Red China nor will we recognize Red China. I should like to further compliment the gentleman for the tone of his address here today. The gentleman has not been emotional nor has he called upon prejudices. Rather he has given a fine factual statement and interwoven in that statement is that principle upon which this Nation has been founded, a deep sense of religious belief, the belief in the guidance of the Almighty in these matters. The gentleman is to be complimented for that because, I believe, the world understands that we do follow the principles upon which the gentleman has spoken. Those atheistic countries of the world who would destroy all of the things that we stand for will find that here is actually a nation that stands for peace and the welfare of all people. That is the thing that we strive for. We do not desire to have a bit of land from anyone. I heard the distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK], make an excellent statement on that not long ago when he said that this Nation does not try to take anything away from anyone and that we do not want anybody's land and that all we want in this land is peace not only for ourselves but for all other peoples. That is our position.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield to my esteemed majority leader.

Mr. McCORMACK. The gentleman has quoted me correctly. He will also remember that I said that no country in the world need to have any fear of the United States impairing or invading or destroying their sovereignty.

Mr. BOW. The gentleman is correct. It was an excellent statement by the majority leader to let the world know the position of the United States and the position of this Congress.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield.

Mr. VORYS. I, too, want to commend the gentleman on this thoughtful and devastating analysis that he has made of the arguments that we hear as to the recognition of Red China and flinching in any way from the resolute stand that we have taken through the years. As the gentleman knows, we are working in our committee now to make it possible for these free neighbors in Korea and Formosa and Vietnam to resist the constantly threatened open aggression of Red China. In the case of Formosa, the heaviest bombardment in a long period of time has taken place in the last few days. How anyone in the Free World can think that it is possible for us to consider these lawless, bloodthirsty people as law-abiding neighbors in the world community is more than I can understand. I just do not see how they could have such thoughts. The gentleman has made a vast and important contribution in straightening out the thinking of such people here and all over the world.

Mr. BYRD. I thank the gentleman.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I yield.

Mr. FEIGHAN. It seems patently clear from what the gentleman has so ably expressed that if the United States were to engage in trade with Red China, we should immediately give up any idea of maintaining a bloc of free nations in Asia dedicated to the prevention of further Communist aggression. If the United States ever opens trade with Red China, every country in Asia will immediately follow suit. These countries of Asia would then be subjected to internal subversion, propaganda, and sabotage which always follows in the wake of trade with any Communist nation. It would not be long before a strong anti-American campaign would be spread throughout all of Asia which would then be followed by a campaign for neutralism, and finally Communist takeover of the entire area.

Mr. BYRD. I do not think there can be any doubt about the gentleman's assertion. I think that if we relax our opposition the entire Free World will gravitate more and more toward Communist China.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. BYRD. I shall do so with pleasure.

Mr. JUDD. I want to take advantage of a special opportunity to point out the other half of the coin of standing resolutely against any change of policy that would give aid and comfort to our avowed enemies. We recognize that all that such opposition does, in a sense, is hold back the forces of aggression and enslavement and buy time, during which there is opportunity to put into effect the kind of ideas and principles, moral principles that we believe will work. We gain time to demonstrate the better alternative.

It is an interesting coincidence that we happen to have with us, as guests in the gallery today, several scores of individuals from the very countries of Asia that we are discussing. They have come from their homes in Asia and the Middle East to attend a conference in Lake Mackinac of the Moral Rearmament Group. They are seeking and finding a better alternative than communism—the positive, constructive, contagious, compelling motivation of Christian discipleship that inspires men to work as hard for the truth, for healing and reconciliation and justice and lasting peace, as the Communists do for their lies, for division and hatred and cruelty.

Mr. GROSS. Mr. Speaker, a point of order.

The SPEAKER pro tempore (Mr. WATTS). The gentleman will state it.

Mr. GROSS. Mr. Speaker, I make the point of order that it is against the rules of the House to call attention to any guests in the gallery.

The SPEAKER pro tempore. The point of order is well taken.

Mr. BYRD. Mr. Speaker, some years ago I read a story by Tolstoi entitled "What Shall It Profit?" I would like in closing my remarks to relate that story. Tolstoi told the story of a young man who had land hunger and who added land to land and farm to farm, but could never get enough. The young man's father died and left his huge estate, but the young man was still not satisfied, and he would lie awake at night planning and scheming as to how he might increase his possessions. One day there appeared in his presence a stranger upon whose countenance were authority and power. The stranger promised the young man all of the land that he could cover in a day for a thousand rubles. He said that the young man could start in any direction and go as far and as fast as he would, and that if he were back by sunset he could have all of the land that he had encompassed. So the young man took off his hat and coat and placed the money upon the ground and, without saying a word to his wife and children, he started out at sunrise to get, at last, enough land. He started leisurely enough, but after a while he hurried a little and then he went faster still. His original plan was to cover a plot of ground 6 miles square, but after he had walked the first 6 miles he paused and he looked to the right and to the left. He thought that it was the finest land that he had ever seen, and he decided to walk 3 more miles, and then he walked 3 more miles. Then he walked 3 more miles, until he had covered a distance of 15 miles before he turned upon the second side. He completed the second side, a total distance of 30 miles, just as the sun crossed the meridian. He came upon an old man drinking water from a spring, but in his hunger for land he brushed the old man's cup aside and pressed on. All through the long afternoon he constantly accelerated his pace, fearful that he had undertaken too much and might lose it all in the end. When he was within a few miles of the goal, it seemed that he would be completely overcome with exhaustion, but, being a young and ambitious man, he summoned the last ounce of his strength and he put forth one final and tremendous effort to reach the starting point before the sun should set. As the afternoon shadows lengthened and the hours wore on, the path became less level and his feet were bruised upon the stones. When he was within a few yards of the goal, he no longer could stand upon his feet, but he made his way painfully, crawling inch by inch upon the ground. He no longer could see to the left or to the right. Every muscle was aching and every nerve seemed to be breaking. Looking ahead, he saw standing at the grave of his father the stranger with a cruel, cynical smile upon his face. The man reached the starting point just as the sun went down, but he had overtaxed his strength, and he fell dead upon the spot. The servants dug a grave for him, and the stranger said to the servants, "I promised him all of the land that he could cover. You see how much it is: 6 feet long and 3 feet wide." And with that, the stranger, who was called Death, vanished, and as he did so he said, "I have kept my pledge."

Tolstoy told the story of many a life. Not the life of the very rich necessarily, but he told the story of every life in which the love of material things and the greed for gain shrivels the soul and leaves the life a miserable failure at last.

Mr. Speaker, the young man in Tolstoy's story thought only of material gain. Those who today urge that we trade with Red China perhaps are thinking of material and political gain. But, Mr. Speaker, we cannot forsake moral principles for political and economic gains. To do this, we can only find, when it is all too late, that we have concentrated on things ephemeral and that we have let the real and eternal things slip through our grasp. Let us not then, for the sake of a few dollars in trade, surrender our principles as a great nation and as a great people. For, as the Prince of Peace said so well, "Man shall not live by bread alone, but by every word of God."

Mr. JUDD. Mr. Speaker, I wish at this point to insert the address made today by Secretary of State Dulles in San Francisco, to which I referred in my earlier remarks. The complete statement is as follows:

OUR POLICIES TOWARD COMMUNISM IN CHINA

(Address by the Honorable John Foster Dulles, Secretary of State, Before the International Convention of Lions International, San Francisco, Calif., June 28, 1957)

It is appropriate that in this great city of San Francisco, which faces the Far East, we should consider our policies toward communism in China.

I. THE SITUATION TODAY

On the China mainland 600 million people are ruled by the Chinese Communist Party. That party came to power by violence and, so far, has lived by violence.

It retains power not by will of the Chinese people, but by massive, forcible repression. It fought the United Nations in Korea; it supported the Communist war in Indochina; it took Tibet by force. It fomented the Communist Huk rebellion in the Philippines and the Communists' insurrection in Malaya. It does not disguise its expansionist ambitions. It is bitterly hateful of the United States, which it considers a principal obstacle in the way of its path of conquest.

In the face of this condition the United States has supported, morally and materially, the free nations of the western Pacific and Southeast Asia. Our security treaties make clear that the violation of these nations by international communism would be considered as endangering our own peace and safety, and that we would act accordingly.

Together we constitute a goodly company and a stout bulwark against aggression.

As regard China, we have abstained from any act to encourage the Communist regime, morally, politically, or materially. Thus:

We have not extended diplomatic recognition to the Chinese Communist regime;

We have opposed its seating in the United Nations;

We have not traded with Communist China, or sanctioned cultural interchanges with it.

These have been, and are, our policies. Like all our policies, they are under periodic review.

II. THE PRECEDENT OF RUSSIA

As we review our China policy, we naturally and properly recall our recognition policy as regard Communist Russia.

The Bolsheviks seized power from Kerensky in 1917. Nevertheless, we continued for 16 years to treat the Kerensky representatives in exile as the lawful government of Russia. By 1933, it seemed that the Communist regime might be considered as a peaceful member of society. For more than a decade it had committed no act of armed aggression. It had accepted the independence of Estonia, Latvia, and Lithuania, and of Poland. It was not demonstrably maltreating American citizens. It promised to cease subversive activities in the United States, to respect American rights in Russia, and to settle Russia's public and private debts to the United States.

Also, by 1933, we desired to encourage the Soviet regime to resist Japanese aggressive policies in the Far East. The Republic of China, inspired by this same notion, had recognized the Soviet Government in December 1932, and we shortly followed suit.

We need not question that act of recognition under the circumstances which then prevailed. Recognition seemed indicated by most tests, and we did not read the future.

However, it can, I think, be said with confidence that recognition would not have been accorded to the Soviet Union even in 1933 had there been clear warning that the Soviet

promises given in that connection were totally unreliable, that aggressive war would soon become an instrumentality of Soviet policy, and that it would be neutral toward Japanese aggression in Asia.

In the case of Communist China, we are forewarned. The regime fails to pass even those tests which, after 16 years, the Soviet regime seemed to pass.

1. Soviet Russia, in 1933, had had a decade of peaceful and nonaggressive relations with neighboring states; Communist China's past record is one of armed aggression.

2. The Soviet regime seemed to want peace for the future. In the case of Communist China the situation is quite the reverse. Mr. Chou En-lai, at the time of the Bandung Conference, said that "the Chinese people do not want to have war with the United States and are willing to settle international disputes by peaceful means." But when the United States took him up, and sought explicit reciprocal renunciations of force, his Ambassador, after presenting various evasive formulas, finally stated frankly that his regime contemplated using armed force to take Taiwan (Formosa) unless they could get it in some other way.

3. The Soviet Union in 1933 was not flagrantly violating its international engagements. The Chinese Communist regime is violating the 1953 Korean armistice and the 1954 Indochina armistice.

4. There was reason to hope that the Soviet regime would treat our nationals with respect. The Chinese Communist regime violates the persons of our citizens in defiance of the elementary code of international decency and breaches its 1955 pledge to release them.

5. It seemed, in 1933, that the Soviet regime and the United States had parallel interests in resisting Japanese aggression in the Far East. Today, the political purposes of Communist China clash everywhere with our own.

III. THE CONSEQUENCES OF RECOGNITION

United States diplomatic recognition of Communist China would have the following consequences:

1. The many mainland Chinese, who by Mao Tse-tung's own recent admission seek to change the nature of their government, would be immensely discouraged.

2. The millions of overseas Chinese would feel that they had no Free China to which to look. Today, increasing numbers of these overseas Chinese go to Free China to study. Six years ago there were less than 100 Chinese students from Southeast Asia and Hong Kong studying in Taiwan. Now there are nearly 5,000.

The number of Chinese students from overseas communities coming to free China has increased year by year; the number going to Communist China has declined, and hundreds of disillusioned students have made their way out of mainland China in the past 2 years.

If the United States recognized the Chinese Communist regime, many of the millions of overseas Chinese in free Asian countries would, reluctantly, turn to acceptance of the guiding direction of the Communist regime. This would be a tragedy for them; and it would imperil friendly governments already menaced by Chinese Communist subversion.

3. The Republic of China would feel crushed by its friend. That government was our ally in the Second World War and for long bore alone the main burden of the Far Eastern war. It had many tempting opportunities to compromise with the Japanese on terms which would have been gravely detrimental to the United States. It never did so. We condemn the Soviets for having dishonored their 20-year treaty pledge of 1945 to support the Chinese National Government as the central government of China. We are honor-bound to give our ally, to whom we are pledged by a mutual-defense treaty, a full measure of loyalty.

4. The free Asian governments of the Pacific and Southeast Asia would be gravely perplexed. They are close to the vast Chinese land mass. Geographically and, to some extent, politically, they are separated as among themselves. The spirit and resolution of the United States provides an important unifying and fortifying influence. If we seemed to waver and to compromise with Chinese communism, that would, in turn, weaken free Asia resistance to Chinese communism and assist international communism to score a great success in its program to encircle us.

IV. CHINA AND THE UNITED NATIONS

United States recognition of Communist China would make it probable that the Communist regime would obtain the seat of China in the United Nations. That would not be in the interest either of the United States or of the United Nations.

The United Nations is not a reformatory for bad governments. It is supposedly an association of those who are already peace loving, and who are able and willing to carry out the charter obligations. The basic obligation is to renounce the international use of force, except in defense against armed attack.

The Chinese Communist regime has a record of successive armed aggressions, including war against the United Nations itself, a war not yet politically settled but discontinued by an armistice. The regime asserts not only its right, but its purpose, to use force if need be to bring Taiwan under its rule.

The Republic of China is entitled to a permanent seat and "veto power" in the Security Council. Should a regime which in 7 years has promoted 5 foreign or civil wars—Korea, Indochina, Tibet, the Philippines, and Malaya; which itself has fought the United Nations and has been found by it to be an aggressor; which defies the United Nations decision to reunify Korea, and which openly proclaims its continuing purpose to use force—should that regime be given a permanent seat, with veto power, in the body which under the Charter has "primary responsibility for the maintaining of international peace and security"?

Communist Russia, with veto power, already seriously limits the ability of the United Nations to serve its intended purposes. Were Communist China also to become a permanent, veto-wielding member of the Security Council, that would, I fear, implant in the United Nations the seeds of its own destruction.

V. TRADE AND CULTURAL RELATIONS WITH COMMUNIST CHINA

Let me turn now to the matter of trade and cultural relations, which could exist, to a limited degree, without recognition.

Normal peacetime trade with China, from which the American and Chinese peoples would benefit, could be in the common interest. But it seems that that kind of trade is not to be had in any appreciable volume.

Trade with Communist China is not a free trade. It does not provide one country with what its people want, but cannot well produce for themselves, in exchange for what other people want but cannot well produce for themselves. Trade with Communist China is wholly controlled by an official apparatus and its limited amounts of foreign exchange are used to develop as rapidly as possible a formidable military establishment and a heavy industry to support it. The primary desire of that regime is for machine tools, electronic equipment, and, in general, what will help it produce tanks, trucks, planes, ammunition, and other military items.

Whatever others may do, surely the United States, which has heavy security commitments in the China area, ought not build up the military power of its potential enemy.

We also doubt the value of cultural exchanges, which the Chinese Communist are eager to develop. They want this relationship with the United States primarily because, once that example were given, it would be difficult for China's close neighbors not to follow it. These free nations, already exposed to intense Communist subversive activities, could not have the cultural exchanges that the Communists want without adding greatly to their danger.

VI. THE DE FACTO ACRUMENT

These are the considerations which argue for a continuance of our present policies. What are the arguments on the other side?

There are some who say that we should accord diplomatic recognition to the Communist regime because it has now been in power so long that it has won the right to that.

That is not sound international law. Diplomatic recognition is always a privilege, never a right.

Of course, the United States recognizes that the Chinese Communist regime exists. We well know that it exists, for it has fought in Korea. Also, we admit of dealing with the Chinese Communists in particular cases where that may serve our interests. We have dealt with it in relation to the Korean and Indochina Armistices. For nearly 2 years we have been, and still are, dealing with it in an effort to free our citizens and to obtain reciprocal renunciations of force.

But diplomatic recognition gives the recognized regime valuable rights and privileges and, in the world of today, recognition by the United States gives the recipient much-added prestige and influence at home and abroad.

Of course, diplomatic recognition is not to be withheld capriciously. In this matter, as others, the United States seeks to act in accordance with principles which contribute to a world society of order under law.

A test often applied is the ability of a regime actually to govern. But that is by no means a controlling factor. Nations often maintain diplomatic relations with governments in exile. And they frequently deny recognition to those in actual power.

Other customary tests are whether, as Thomas Jefferson put it, the recognized government reflects "the will of the nation, substantially declared"; whether the government conforms to the code of civilized nations, lives peacefully and honors its international obligations.

Always, however, recognition is admitted to be an instrument of national policy, to serve enlightened self-interest.

One thing is established beyond a doubt. There is nothing automatic about recognition. It is nothing compelled by the mere lapse of time.

VII. THE INEVITABILITY ARGUMENT

Another argument is that diplomatic recognition is inevitable, so why not now?

First of all, let me say emphatically that the United States need never succumb to the argument of inevitability. We feel that we, with our friends, can fashion our own destiny. We do not accept the mastery of Communist forces.

And let me go on to say that Communist-type despotisms are not so immutable as they sometimes appear. Time and circumstances work also upon them.

There is often an optical illusion which results from the fact that police states, suppressing differences, give an external appearance of hard permanency; whereas the democracies with their opposition parties and often speaking through different and discordant voices, seem the unstable, pliable members of the world society.

The reality is, of course, that a governmental system which tolerates diversity has a long-life expectancy. And a system which seeks to impose conformity is always in danger. That results from the basic nature of human beings. Of all the arguments advanced for recognition of Communist China, the least cogent is the argument of inevitability.

VIII. CHINA VERSUS RUSSIA

There are some who suggest that if we assist the Chinese Communists to wax strong, then they will eventually break with Soviet Russia and that that is our best hope for the future.

There are no doubt basic power rivalries between Russia and China in Asia. On the other hand, the Russian and Chinese Communist Parties are bound together by close ideological ties.

Perhaps, if the ambitions of the Chinese Communists are inflated by successes, they might eventually clash with Soviet Russia.

Perhaps, too, if the Axis Powers had won the Second World War, they would have fallen out among themselves.

But no one suggested that we should tolerate and even assist an Axis victory because in the end they would quarrel over the booty—of which we would be part.

IX. CONCLUSION

We seek to appraise our China policies with an open mind and without emotion, except for a certain indignation at the prolonged abuse of American citizens in China. We have no feeling whatsoever that change is to be avoided merely in the interest of consistency or because change would imply past error.

We always take into account the possibility of influencing the Communist regime to better ways if we had diplomatic relations with it, or if, without that, we had commercial and cultural contacts with it. But the experience of those who now recognize and deal with the Chinese Communist regime convinces us that, under present conditions, neither recognition, trade, nor cultural relations, nor all three, would favorably influence the evolution of affairs in China. The probable result, internally, would be the opposite of what we hope for.

Internationally the Chinese Communist regime does not conform to the practices of civilized nations; does not live up to its international obligations; has not been peaceful in the past, and gives no evidence of being peaceful in the future. Its foreign policies are hostile to us and our Asian allies. Under these circumstances, it would be folly for us to establish relations with the Chinese Communists which would enhance their ability to hurt us and our friends.

You may ask, "What of the future?" Are our policies merely negative? Do we see any prospect of resuming the many friendly ties which, for many generations, the American people have had with the Chinese people, and which we want to have again?

Do we see any chance that the potentially great Chinese nation, with its rich and ancient culture and wisdom, will again be able to play a constructive part in the councils of the nations?

We confidently answer these questions in the affirmative. Our confidence is based on certain fundamental beliefs. One is a belief in the future of human freedom. We know that the materialistic rule of international communism will never permanently serve the aspirations with which human beings are endowed by their Creator.

Within the Soviet Union the rulers have had to disavow Stalin's brand of communism.

Within the satellites, even 12 years of indoctrination do not persuade the people that the Soviet system satisfies either their national or their individual desires.

Communism is equally repugnant to the Chinese people. We read the recent brave words uttered within Red China by the university lecturer: "To overthrow you cannot be called unpatriotic, because you Communists no longer serve the people."

The Chinese people are, above all, individualists. We can confidently base our policies on the assumption that international communism's rule of strict conformity is, in China as elsewhere, a passing and not a perpetual phase. We owe it to ourselves, our allies, and the Chinese people to do all that we can to contribute to that passing.

If we believed that this passing would be promoted by trade and cultural relations, then we would have such relations.

If we believed that this passing would be promoted by our having diplomatic relations with the present regime, then we would have such relations.

If we believed that this passing would be promoted by some participation of the present regime in the activities of the United Nations, then we would not oppose that.

We should be, and we are, constantly testing our policies, to be as certain as we can be that, in the light of conditions as they from time to time are, our policies shall serve the great purposes to which our Nation has been dedicated since its foundation—the cause of peace, justice, and human liberty.

Our policies are readily adjustable to meet the requirements of changing conditions. But there are occasions when others, and not we, should provide the change. Nothing could be more dangerous than for the United States to operate on the theory that if hostile and evil forces do not quickly or readily change, then it is we who must change to meet them.

The United States exerts an immense influence in the world today, not only because it is powerful, but because we stand for peace, for national independence and personal liberty. Many free nations seek to coordinate their foreign policies with ours. Such coordination is indeed indispensable if the free world is to have the cohesion needed to make it safe. But United States policies will never serve as rallying points for free peoples if the impression is created that our policies are subject to change to meet Communist wishes for no reason other than that communism does not want to change. If communism is stubborn for the wrong, let us be steadfast for the right.

The capacity to change is an indispensable capacity. Equally indispensable is the capacity to hold fast that which is good. Given those qualities, we can hopefully look forward to the day when those in Asia who are yet free can confidently remain free, and when the people of China and the people of America can resume their long history of cooperative friendship.

TRADING WITH RED CHINA

Mr. JUDD. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD. Mr. Speaker, I merely want to add a few further comments on the remarks of the gentleman from West Virginia. In summary, he has pointed out that all of the supposed benefits, both commercial and political, of trade with Red China are nonexistent, or at least very nebulous.

Communist China has a very limited amount of foreign exchange with which to buy imports. She is already using every bit she has to buy commodities from countries like England, that, to some extent, are nonstrategic. When our allies take down the barrier to trade in strategic commodities, then Communist China uses what exchange she has to buy materials she can use to make weapons—electronics and essential minerals, machine tools, and things of that sort. Naturally she can buy fewer of the things she now buys and that her people might use directly—food, clothing, and so on. Thus England cannot have substantially more trade or larger profits. She will just sell larger quantities of the things that will make Red China stronger militarily for the day when China decides to take Hong Kong.

So the commercial gains are nonexistent, or at least insignificant.

The political gains from establishing such relations are equally dubious. The gentleman has pointed out that the political results of trade, recognition, admission of Red China into the United Nations would, in fact, be losses, not gains.

These are some of the certain losses:

First, our allies, the free Chinese, on Formosa, would have no choice but to surrender.

Second, the so-called offshore Chinese, the 12 million Chinese in southeast Asia—occupying key positions of power and influence in Singapore, Rangoon, Manila, Jakarta, Bangkok, and Saigon—would have no place to turn to for guidance and support, except Communist China. That would put powerful fifth columns into the hands of the Peiping regime and certainly lead to very rapid subversion of the strategic countries of Southeast Asia.

Third, if we were now to start trading with the Communist regime which almost daily declares itself our enemy, it would tell all our true friends in Asia that they cannot count on the United States to be steadfast. They would then know, what they have long feared, namely, that trade is so important to us that whenever even an enemy offers us trade, we are willing to sell out our friends in order to get that trade.

What would that do to the whole system of collective security we have been building at such cost and effort? It would destroy it within a very few years. For why should any small country stand by us, if we do not stand by it? And why should any other country resist Red China if the United States accepts it and trades with it?

Fourth, it would tell our allies in Europe and elsewhere that the United States cannot be counted upon to stand up for them either, if it is not a dependable ally in Asia.

And fifth, worst of all, perhaps, it would tell 900 million people behind the Iron Curtain that we are abandoning them to Communist enslavement, that we are more interested in making a deal with the oppressors than in standing steadfastly with the oppressed.

The gentleman from West Virginia has pointed out so well that the United States cannot and will not take such a step. It would be not only immoral; it would be stupid. For it would bring no significant

commercial gains; it would bring political losses of disastrous proportions.

May I urge that those either in our own country or abroad, friend or enemy, who think the United States will weaken on this matter of patient, firm, strong resistance to Communist tyranny, read and study the gentleman's remarks. They will see how wrong it would be and how foolish it would be. We do not intend to be that wrong or that foolish.

DIRTY—DIRTIER—DIRTIEST

Mr. COFFIN. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, those of us who are concerned about the effects of radioactive fallout on this and future generations are equally concerned with attempts by those in high administrative posts to brainwash the minds of the American people with pat and misleading phrases.

One such phrase is the word "clean" as applied to A-bombs and H-bombs.

Many scientists have testified that in reality there is no such thing as a "clean" bomb. Those who have slipped that word into the lexicon of daily usage are doing a disservice to the American people. There is only a dirty bomb, a dirtier bomb, and a dirtiest bomb.

I was, therefore, pleased to read the editorial on Wednesday, June 26, 1957, in the Oregonian entitled "'Clean' Bomb No Comfort," which reaffirmed the dangers of continued nuclear testing. I ask unanimous consent that this editorial be reprinted in the CONGRESSIONAL RECORD at the conclusion of my remarks.

"CLEAN" BOMB NO COMFORT

While the development of clean nuclear weapons undoubtedly is a gerat technical achievement, from a practical standpoint their availability does not mean a war fought with A-bombs or H-bombs will be less horrible.

A dirty bomb is one which scatters, when it explodes, unburned fragments of radioactive material which can be carried along by air currents and dropped, with lethal effect, in a long path stretching downwind from ground zero. This secondary menace is eliminated almost entirely in the new type bombs explained to President Eisenhower this week by a team of atomic scientists working with the Atomic Energy Commission.

However, even a clean bomb can be made dirty simply by exploding it close to the earth, where it will suck up into its fireball pulverized debris that has been made radioactive and deadly. The gray ash which fell on the decks of the Japanese fishing vessel *Fortunate Dragon* after the first United States H-bomb test in the Pacific, giving radiation burns to the crew, came from a coral island obliterated by the blast. One of the new clean weapons would produce the same effect if detonated under the same circumstances. So the Russians, or the British, or ourselves, could and probably would fight dirty with clean bombs if it appeared strategically advantageous to do so.

It seems likely the scientists' visit was inspired by AEC Chairman Lewis Strauss, who strongly favors the continued testing of nuclear weapons and wishes to quiet some of the fears of those who oppose the test program. It is significant, however, that no mention was made of strontium 90 in the discussion of the new nuclear weapons. This stuff, one of the more abundant radioactive products of nuclear fission, has a combination of qualities which make it a serious problem.

For one, strontium 90 is so light it is carried high into the stratosphere, where it spreads all around the earth and is deposited gradually over a period of years. For another, it has a half-life of 25 years and thus remains active a long time. Third, it is known to cause bone tumors in experimental animals and is thought likely to have the same effect in humans. And fourth, since it is chemically similar to calcium and is taken up and concentrated by bone tissue which has an affinity for calcium, strontium 90 finds its way into children's bodies through milk produced by cows feeding in contaminated pastures.

Even the cleanest A-bomb thus needs more scrubbing if strontium 90 has not been licked, and the announcement from Washington is silent on this point. Those who are working toward an international moratorium on tests of new nuclear weapons, and toward their eventual abolition from world arsenals, still have a powerful argument.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PROUTY (at the request of Mr. MARTIN), indefinitely, on account of illness in his family.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 60. An act to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

S. 803. An act to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 60 days after the execution thereof; to the Committee on Foreign Affairs.

S. 1459. An act to amend section 208 (c) of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

S. 1856. An act to provide for the development and modernization of the natural system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 73. Joint resolution to amend Public Law 843, 80th Congress, as amended, providing for membership and participation by the United States in the International Labor Organization and authorizing appropriations therefor; to the Committee on Foreign Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3373. An act to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes;

H. R. 3400. An act to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia; and for other purposes;

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made;

H. R. 6070. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 6523. An act to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person;

H. R. 7954. An act relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons;

H. R. 8383. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of Saint Gregory the Great, with the rank of Knight Commander with Star;

H. R. 8384. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines; and

H. J. Res. 172. Joint resolution relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1428. An act to authorize furniture and furnishings for the additional office building for the United States Senate;

S. 1429. An act authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate;

S. 1430. An act increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate; and

S. J. Res. 115. Joint resolution to provide an interim extension for the voluntary home mortgage credit program.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 1752. An act for the relief of Frank J. and Mae T. W. Burger;

H. R. 2964. An act to confer jurisdiction on the United States District Court for the Eastern District of Texas, Jefferson Division, to hear, determine, and render judgment on certain claims of George W. Edwards, Jr., against the United States;

H. R. 3373. An act to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes;

H. R. 3400. An act to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia; and for other purposes;

H. R. 3477. An act relating to moneys received from mineral lands in Alaska;

H. R. 3836. An act to repeal section 1157 of title 18 of the United States Code, as amended;

H. R. 3837. An act to amend the act of August 24, 1912, as amended, with reference to educational leave to employees of the Bureau of Indian Affairs;

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made;

H. R. 4945. An act to provide for the conveyance of certain real property in West Palm Beach, Fla., to the port of Palm Beach district;

H. R. 6070. An act making appropriations for sundry independent bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 6287. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 6523. An act to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person;

H. R. 6692. An act to authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes;

H. R. 7050. An act to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes;

H. R. 7249. An act to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia;

H. R. 7259. An act relating to marketing quotas and price supports for fire-cured, dark air-cured, and Virginia sun-cured tobacco;

H. R. 7835. An act to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes;

H. R. 7954. An act relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons;

H. R. 8383. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of St. Gregory the Great, with the rank of Knight Commander with Star;

H. R. 8384. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines;

H. J. Res. 172. An act relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act;

H. J. Res. 273. An act to waive the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, in behalf of certain aliens; and

H. J. Res. 379. An act making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FEIGHAN for 15 minutes on July 1.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. REUSS and to include extraneous matter.

Mr. MILLER of Nebraska and to include a speech.

Mr. BAUMHART (at the request of Mr. MARTIN).

Mr. COLLIER (at the request of Mr. MARTIN).

Mr. BERRY and to include extraneous matter.

Mr. BOW and to include related matter.

Mr. DORN of South Carolina and include a platform.

Mr. SHELLEY (at the request of Mr. MCCORMACK) and include related matter.

Mr. MCCORMACK (at the request of Mr. COFFIN) and to include extraneous matter.

Mr. HARRIS (at the request of Mr. COFFIN) and to include a letter.

ADJOURNMENT

Mr. COFFIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 38 minutes p. m.), under its previous order, the House adjourned until Monday, July 1, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

993. A letter from the Attorney General, transmitting the report of the Attorney General on the administration of the Foreign Agents Registration Act covering the calendar year 1956, pursuant to the Foreign Agents Registration Act; to the Committee on the Judiciary.

994. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes,' approved July 5, 1946, with respect to proceedings in the Patent Office"; to the Committee on the Judiciary.

995. A letter from the Deputy Postmaster General, transmitting a draft of proposed legislation entitled "A bill to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes"; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 993. A bill to provide for the conveyance of certain land by the United States to the Cape Flattery School District in the State of Washington; with amendment (Rept. No. 660). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 6521. A bill to repeal section 3 of the act of June 30, 1945 (59 Stat. 265); with amendment (Rept. No. 661). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 6940. A bill, to authorize the Secretary of the Interior to reimburse owners of lands acquired under the Federal reclamation laws for their moving expenses, and for other purposes; with amendment (Rept. No. 662). Referred to the Committee of the Whole House on the State of the Union.

Mr. TRIMBLE: Committee on Rules. House Resolution 304. Resolution for the consideration of H. R. 6814, a bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products without amendment (Rept. No. 663). Referred to the House Calendar.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 2147. A bill to provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes; with amendment (Rept. No. 664). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER:

H. R. 8438. A bill to amend section 1733 of title 28, United States Code; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 8439. A bill to cancel certain bonds posted pursuant to the Immigration Act of 1924, as amended, or the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H. R. 8440. A bill to amend title II of the Social Security Act to include the Delaware River Port Authority, a corporate instrumentality of the States of Pennsylvania and New Jersey, with the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under agreement, for only those employees of the Delaware River Port Authority who desire such coverage; to the Committee on Ways and Means.

By Mr. MOORE:

H. R. 8441. A bill to amend the act entitled "An act to provide for the registration and

protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, with respect to proceedings in the Patent Office; to the Committee on the Judiciary.

By Mr. McCARTHY:

H. R. 8442. A bill to amend paragraph 1774 of the Tariff Act of 1930 with respect to the importation of certain articles for religious purposes; to the Committee on Ways and Means.

By Mr. REUSS:

H. Con. Res. 211. Concurrent resolution sustaining the principle of religious freedom in treaties between the United States and other nations; to the Committee on Foreign Affairs.

By Mr. TRIMBLE:

H. Res. 304. Resolution providing for the consideration of H. R. 6814, a bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H. R. 8443. A bill for the relief of Mrs. Josephine Biel; to the Committee on the Judiciary.

By Mr. HILL:

H. R. 8444. A bill for the relief of Lloyd Lucero; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. R. 8445. A bill for the relief of Ludwig and Isabel Model; to the Committee on the Judiciary.

By Mr. MADDEN:

H. R. 8446. A bill for the relief of Cornel A. Lengyel-Leahu; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 8447. A bill for the relief of Israel Wernik; to the Committee on the Judiciary.

By Mr. POAGE:

H. R. 8448. A bill for the relief of Willie C. Williams; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 8449. A bill for the relief of John Ake Bertil Nordstedt; to the Committee on the Judiciary.

By Mr. SAYLOR:

H. R. 8450. A bill for the relief of Waltraud Scheiffele Kocsis; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H. R. 8451. A bill for the relief of Peggy and Erika Schuh; to the Committee on the Judiciary.

By Mr. WITHROW:

H. R. 8452. A bill for the relief of Emmanuel Kim Kosmitis; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H. R. 8453. A bill for the relief of Mrs. Anka Maric; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Chairman McConnaughey Leaves Federal Government Service

EXTENSION OF REMARKS
OF
HON. OREN HARRIS
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. HARRIS. Mr. Speaker, Mr. George C. McConnaughey, Chairman of the Federal Communications Commission, is leaving Federal Government service on June 30, 1957. As chairman of the Committee on Interstate and Foreign Commerce I have had many occasions to deal with the Federal Communications Commission and its Chairman. I have always found him courteous and cooperative and although in some instances we may have disagreed with regard to specific issues, there always has been an atmosphere of mutual respect. I have addressed the following letter to Chairman McConnaughey which I would like to insert in the RECORD:

JUNE 28, 1957.

Hon. GEORGE C. MCCONNAUGHEY,
Chairman, Federal Communications Commission, Washington, D. C.

DEAR CHAIRMAN MCCONNAUGHEY: I do not want to let the day of your retirement from Federal Government service pass without extending to you my best wishes for the future and expressing my appreciation for the courteous manner in which you have always dealt with the Committee on Interstate and Foreign Commerce whenever the Commission was called upon for information.

In public life, individuals who have dealings with each other must not necessarily agree with each other's point of view, and on occasions we have openly and frankly disagreed. However, at all times I have respected you for the sincerity with which you have presented your position, and I have always found you willing to listen to the arguments advanced by those who were inclined to disagree with your views.

There are few places in the Federal public service where the problems confronting an agency of Government are more urgent and more controversial than in the case of the Federal Communications Commission. Under your chairmanship, the Commission has striven to bring about solutions of several communications problems of great importance to the public, and you can leave the Commission feeling confident that you have given your best to bring about fair and equitable solutions of these problems.

Sincerely yours,

OREN HARRIS,
Member of Congress, Chairman.

The High Hells Canyon Dam Project

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. COLLIER. Mr. Speaker, under leave to extend my remarks in the RECORD, I would like to discuss briefly S. 555, the high Hells Canyon Dam project, which last week was passed by the other body and which the House Committee on Interior and Insular Affairs will be asked to vote on shortly.

The bald fact is that high Hells Canyon Dam will cost the American taxpayers $500 million. The dam has the sole admitted purpose of supplying cheap Federal power to individuals and industries of the Pacific Northwest, which may be an admirable purpose if you live in that pleasant area.

I represent the people of the 10th District of Illinois and I have to ask myself: What benefit do we get from high Hells Canyon Dam? The only answer is: Absolutely none at all.

Then I must ask myself, What does high Hells Canyon cost the people of Illinois? We in Illinois paid last year 8.1 percent of all Federal income taxes. In other words, we would pay 8.1 percent of the cost of Hells Canyon, or, roughly, $39 million. That is $39 million going out for which we get nothing in return.

Mr. Speaker, when I return to my home in Illinois and face my constituents who have paid the electric light bills of the people of the Pacific Northwest, how am I to answer their questions?

I would like to suggest, too, to the Members from such States as New York, which would pay 17.1 percent of Hells Canyon's cost, and Pennsylvania which would pay 7.5 percent of the cost of this proposed project that they ask themselves the same questions before they vote in favor of this half-billion-dollar raid on the Federal Treasury.

Young Republicans

EXTENSION OF REMARKS
OF
HON. W. J. BRYAN DORN
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. DORN of South Carolina. Mr. Speaker, as far as news is concerned, we seem to be under a military censorship today. For a while, there was much hullabaloo and publicity about the Nation's Young Republicans holding a convention in Washington, D. C. The general theme song was that these Young Republicans would be 100 percent for modern republicanism. According to the "whoop-it-up" boys, we got the impression that these Young Republicans would be as far from the philosophy of the old guard Republicans as east is from west.

But lo and behold, these Young Republicans seem to have ideas of their own. Undoubtedly, they came into town from the grassroots where the people are not as yet completely brainwashed. I have been unable to learn from the press, which is apparently feeling the effects of this military censorship, what was actually adopted by the Young Republicans. However, a good Republican friend of mine, a patriotic American, furnished me with some of the resolutions adopted and which were not reported to the people of the country.

Following are some of the resolutions adopted by the Young Republicans last week at their convention here in Washington:

1. Pass a Federal right-to-work law.
2. Congress should not pass Federal aid to education.
3. That Sergeant Girard not be turned over to the Japanese courts.
4. No military aid to Tito in Yugoslavia.
5. A stronger Taft-Hartley law.
6. No aid of any sort to any Communist nation.

Farm Price Supports

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. BERRY. Mr. Speaker, throughout this session of Congress I have listened to the Democrats lay the lash to Mr. Benson for not establishing support levels on various crops at 90 percent of parity. They contend that since he has the authority to establish the support price at that level, that he is obligated to do so.

During the past week I have listened to a number from that side of the aisle demand Mr. Benson's resignation, stating that the wheat referendum demonstrated a complete denunciation by the wheat farmers of America of Mr. Benson and his policies.

It is interesting to note that even in South Dakota, which according to the unofficial returns of the wheat referendum, gave the second largest percentage endorsement in the Nation, less than 30 percent of the eligible wheat farmers participated in the referendum.

According to unofficial returns 13,589 votes were cast out of an estimated 44,500 eligible. In 1957, 19,084 voted out of the same estimated eligible. In 1956, 20,243 voted out of an eligible list of 44,000. In 1955, 14,486 voted out of 44,000, and in 1954, 23,486 voted out of 44,000 eligible.

Nationally, the unofficial returns show that only 172,166 persons voted in the 1957 referendum, as compared with 447,757 in 1954. One is prone to wonder why many eligible wheat farmers neglected to vote in the 1957 referendum. Possibly it is because a majority are not satisfied with any of these programs, and feel that the wheat-production industry would be much better off with a program geared to the betterment of the wheat industry, rather than an overall support program.

Personally, I believe that what wheat farmers want and what wheat farmers need is a program for milling wheat. Instead of the vote being a denunciation of Benson, it may have been a lack of interest in the choice the wheat farmer had to make, as demonstrated by the fact that only a little more than one-third of those voting in 1954 voted in 1957.

Let me point out, Mr. Speaker, that the Democrats are in complete control of every committee in both the House and the Senate. Let me point out that the leadership is completely in the control of the Democratic Party, and they can pass any bill in this Congress they wish to pass. The Secretary of Agriculture is only an arm of the administrative branch of Government, and administers the laws passed by the Congress. If the Democratic Party really wants a program of farm supports at 90 percent of parity, they can pass a law providing supports at that level, and the Secretary of Agriculture has no alternative except to put that law into effect.

The Secretary of Agriculture is actually an agent of the Congress. Mr. Speaker, I demand that this Congress patch together its bankrupt farm leadership, assume the responsibility that is theirs, and pass legislation which does what they claim they want instead of rocking restfully in the shade of the Department of Agriculture, screaming "resignation" at the Secretary.

Retirement Annuity Increases

EXTENSION OF REMARKS
OF
HON. JOHN F. SHELLEY
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. SHELLEY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the statement which I presented to the Post subcommittee of the Committee on Post Office and Civil Service today. The subcommittee is considering legislation to provide a much needed increase in annuities for civil-service employees who retired before October 1, 1956. Among the bills which they are considering is my bill, H. R. 4701. I sincerely hope that the committee will act without delay to approve such a measure so that the many retired employees of the Government and their families who are now undergoing severe hardship will receive badly needed help.

The statement follows:

STATEMENT BY HON. JOHN F. SHELLEY SUPPORTING INCREASED ANNUITIES FOR CIVIL SERVICE EMPLOYEES RETIRED PRIOR TO OCTOBER 1, 1956

Madam Chairman and members of the subcommittee, although in the interest of saving time in consideration of this much needed legislation I have not asked to appear before your subcommittee personally, I do appreciate the opportunity of submitting this statement in support of my bill, H. R. 4701, and of other measures to provide an increase in the annuities of civil-service retirees and their survivors.

It is unfortunate that when Public Law 854 was enacted last year, including Civil Service Retirement Act amendments, the annuity increases were limited to those who retired after October 1, 1956. Because of that limitation a great many people living on fixed civil-service retirement incomes were forced to continue a hand-to-mouth existence, and their situation has gone from bad to worse as the cost of living has continued its steady rise month by month. The token increase granted to them in 1955 did not even begin to absorb the living cost rise prior to that time and, as we all know, there has been no downward turn in the Consumer Price Index since. On the contrary it continues to inch upward, in spite of the administration's rosy statements from time to time about a leveling off with predictions of a downward trend.

I call attention to the fact that Public Law 854 of the 84th Congress contained a provision in section 405 stating it to be the policy of Congress that whenever general adjustments were made in the salaries of Government employees corresponding adjustments should be made in the annuities of retired employees. I submit that this does not mean that we should wait a year or two thereafter but that the increases in civil-service annuities should be made concurrently. Your committee has now begun consideration of employee pay increase legislation and it is apparent that, despite the opposition of the Eisenhower administration, this session of Congress will pass pay raise bills, thus calling the President's hand. Certainly, in line with the policy voiced in the 84th Congress, we should present to him at the same time a measure calling for a generous increase in retirement annuities.

I have in my files a large sheaf of letters from retired Government employees in my district telling me of the hard time they are having in trying to get along on their small annuities. I know that these are not exaggerations as I have come face to face with many of my constituents who are in similar situations, and it is a matter of commonsense that even a man living alone cannot live on $100 or $150 or even $200 a month which is the case with many of them, whereas those with a wife and other dependents to support have no chance at all unless they can find some other source of income. A man who has passed retirement age has little opportunity to find any sort of a job to supplement his annuity in this day and age. Many of them are simply not capable because of age or physical infirmities of holding down a money-making job of any kind. Others, willing and able to work, just can't get a job because of the age taboo which has grown up around us. Under these circumstances we have no choice but to act to bring the level of annuity incomes up to a point where outright suffering can be avoided. A schedule of increases such as provided in H. R. 4 and my bill, H. R. 4701, is a minimum approach to a just solution of the problem.

The fundamental purpose of the civil-service retirement system is to insure that people who have given a lifetime of work to the Government and to the people of the United States will not be thrown on the streets or to the mercy of public assistance agencies or charities when their productive years have ended. There was a time when the annuities provided by the system were sufficient to permit a retired employee with maximum service to live in relative comfort, assuming that he had been provident enough to purchase a home during his working years. That time is long since past. Very few retired employees who were in the lower pay grades during their Government careers have the means to subsist now, when subsistence on their debased annuity income alone is not possible. Only this relative few whose family responsibilities were lighter or who found other means of supplementing their capital while still in the prime of life are free from want of one kind or another now. For the great majority the decreasing value of their annuity as the cost of living has increased means that they are faced with privation or with dependence on their children. This situation is certainly contrary to the intent of the retirement program, and is a cruel contrast to the promise of a protected old age held out by Congress in inducing participation in the program. The only way in which we can return to the basic principle and promise held out in establishing the system is to pass timely

legislation to maintain the real income provided by annuities at a level consistent with the cost of living. The time to do that is now. Every day in which we delay is an additional day of hardship for civil service annuitants and their dependents and causes them to fall deeper and deeper into the hole of debt. Even those who may have some independent means are faced with the necessity for drawing on their meager savings until they are wiped out. We cannot in good conscience leave these people faced with such harsh alternatives.

The Civil Service Commission informs me that as of June 30, 1956, the latest date for which they have compiled figures, the average monthly annuity paid to beneficiaries of the retirement system was $133 per month. That average has increased somewhat as a result of Public Law 854, but the increase did not apply to the beneficiaries of the legislation we are now considering and only serves to make the position of those who retired before October 1 of last year relatively less favorable. At the same time the monthly benefit for survivors of deceased employees averaged only $50. Remembering that these are only average figures and that countless thousands are receiving less than that amount, it is completely clear that a very substantial increase is necessary to afford the absolute minimum needed to eke out a living for those in the less than average class.

It is for this reason that my bill and other similar bills set up a schedule calling for greater percentage increases for those whose annuities are less than $1,500 per year. However, on mature consideration it occurs to me that the schedule of increases set up in the Morrison bill and my bill might work an injustice on the groups whose annuities are now just above $1,500, in that others in the same retirement date class with annuities of slightly less than $1,500 might be jumped above them in total annuity by virtue of the 25 percent to 30 percent increase provided for the lower-income groups. Therefore, I propose that if the schedule in the Morrison bill is used as a basis for any increase granted, the flat 10-percent increase for annuities above $1,500 in the several retirement-date groups be revised to grant either the maximum increase granted for those with less than $1,500 annuity or 10 percent, whichever is greater. Thus, those with annuities of over $1,500 who retired between October 1, 1955, and October 1, 1956, would receive either $375 (25 percent of $1,500) or 10 percent of their total annuity, whichever is greater. Similarly, those who retired between August 20, 1920, and October 1, 1951, would receive an increase of either $450 (30 percent of $1,500) or 10 percent, whichever is greater. There would be similar minimum increases of 26, 27, 28, and 29 percent of $1,500 for those in the intervening retirement-date groups whose present annuity is in excess of $1,500. This proposed revision would prevent an inequitable adjustment of annuities just above or below $1,500 through which annuitants receiving lesser benefits now might wind up with a greater annuity than others now receiving a slightly higher payment.

I am prepared to support on the floor of the House any bill which emerges from your committee which provides for an adequate schedule of increases for civil-service annuitants and their survivors, provided that it does full justice to the urgent need. I know, for example, that there is a great deal of support for the Davis bill which calls for a different schedule of increases and does not specify the source of funds to be used in paying such increases. To me the imperative thing is that action be taken quickly, that the committee satisfy itself that the increases provided are reasonable and just and that the fiscal obligations are such as to assure payment on a sound basis.

Allocation of Nickel

EXTENSION OF REMARKS
OF
HON. JOHN W. McCORMACK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. McCORMACK. Mr. Speaker, under leave to revise and extend my remarks, I am inserting in the RECORD a letter dated April 30, 1957, from Mr. C. T. Murphy, vice president, McLouth Steel Corp., Detroit, Mich., and an exchange of letters with Secretary Weeks.

Mr. Murphy's letter points out the hardship suffered by certain steelmakers who require nickel for their operations. It is their contention that nickel is allocated to them on the basis of an old formula which does not take into consideration current requirements.

As a result, some companies have been forced to pay high prices for contained nickel from scrap or to buy from the gray market which has thrived through the leakages in the allocation system. The allocation system is based upon an understanding or arrangement between the Department of Commerce, with ODM's blessing, and the International Nickel Co.—see CONGRESSIONAL RECORD of June 26, 1957.

While the responsible executive agencies do not wish to exercise controls for one reason or another, they approve allocation controls by the world's greatest producer of nickel, a Canadian concern. It is strange to me that the vice president of the McLouth Steel Corp., Detroit, Mich., should need to say:

International Nickel Co. did grant us a very small portion of our requirements and permitted us to start making nickel alloy steels.

I am pleased to relate, however, that the Secretary of Commerce is agreeable to the idea of arranging a meeting with a representative group of stainless steel manufacturers for the purpose of giving consideration to their problems and recommendations. The insertions follow:

McLOUTH STEEL CORP.,
Detroit, Mich., April 30, 1957.

Mr. JOHN M. CURLEY,
President, Eastern Stainless Corp., Baltimore, Md.

DEAR MR. CURLEY: We have read with interest the remarks of the Honorable JOHN W. McCORMACK, of Massachusetts, in the House of Representatives on Thursday, April 18, 1957, together with your letter to him dated March 20, 1957, with reference to the nickel situation.

We, too, have wondered at the wisdom of withholding the excess quantity of Nicaro sinter from the market because of the fact that steelmakers can use it and platers cannot, and as a consequence releasing it to the steelmakers would create an imbalance according to the formula now in effect. It has seemed completely unreasonable to us that this material, produced by the Nickel Processing Co. of National Lead Co., must be withheld from American steelmakers who so badly need it. The material in question should be put on the open market at the discretion of National Lead Co. and sold to the companies who need and can use the material, and who would agree to continue to use it after the balance of supply and demand has been attained.

We also agree with you that the formula now in use in allocating nickel is antiquated and should be revised. This formula has worked severe hardship on our company because during the years 1946 to 1954 we purchased rerolling slabs from a local concern who in turn built up a considerable record for purchases of prime nickel with International Nickel Co. over these years. It was our foresight, ingenuity, and salesmanship which built up the market, but unfortunately did not provide us with any history as users of prime nickel. Consequently, when our facilities for producing our own nickel alloy steels were put into operation in 1954, we had no record of purchases of nickel and, therefore, no allocation. International Nickel Co. did grant us a very small portion of our requirements and permitted us to start making nickel alloy steels, but we have had to buy large quantities of high-priced nickel alloys and scrap to keep going, and as a result have suffered considerable loss because of the out-of-date formula used for the distribution of nickel.

During the period when we were paying $1.75 to $2 per pound for contained nickel in scrap, Nicaro was accumulating large quantities of nickel sinter which they would have been happy to sell at the market price but which we could not buy because of the allocation formula in effect. We fail to see the wisdom or justice in this situation.

We agree with you wholeheartedly that a good way to effect economy in our Government would be to discontinue adding to our already heavy Government expenditures for stockpile purposes. The public would be terribly shocked to know that the amounts of money which we have tied up in stockpile items today just about equals the alarmingly high budget for the next fiscal year which was recently presented to Congress.

We will be pleased to lend our support to a movement to revise the outdated formula now in use for the allocation of nickel and to release for civilian use the large quantities of Nicaro sinter now being accumulated in stock.

Very truly yours,

C. T. MURPHY,
Vice President.

JUNE 26, 1957.

The Honorable SINCLAIR WEEKS,
Secretary of Commerce, Washington, D. C.

DEAR MR. SECRETARY: It is my understanding that certain stainless-steel manufacturers contend that the base for the allocation of nickel has not been brought up to date since 1951 to provide for changed operation conditions within the industry. It is also contended that the industry task force on nickel has not convened since September 1953, despite the radically changed conditions which necessitate revision of the distribution formulas.

Would it be convenient for you or your staff to meet with this or a representative group and give consideration to their problems and recommendations?

Sincerely yours,

JOHN W. McCORMACK.

THE SECRETARY OF COMMERCE,
Washington, June 27, 1957.

The Honorable JOHN W. McCORMACK,
House of Representatives, Washington, D. C.

DEAR MR. McCORMACK: This will acknowledge and thank you for your communication of June 26, 1957 concerning the contention of certain stainless-steel manufacturers that the nickel-distribution system is outmoded.

I have requested Mr. H. B. McCoy, Administrator of the Business and Defense Services Administration, to look into the matter and to arrange a meeting with a representative group of such stainless-steel manufacturers if this appears to be desirable. I shall be pleased to sit in on any such meeting as may be arranged.

As of possible assistance to Mr. McCoy in arranging for full and adequate representation it would be appreciated if you would suggest the names of companies whom you may wish to have represented.

I shall pass on to you any details concerning the time and place of the meeting.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

Unrealistic Taxes Stifle Small Business Research

EXTENSION OF REMARKS
OF
HON. A. D. BAUMHART, JR.
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. BAUMHART. Mr. Speaker, the Congress has long recognized the importance of preserving small business in our economy by enacting antitrust laws, by earmarking certain Government contracts for small firms, and by providing financial assistance to firms unable to secure funds from conventional loan sources at reasonable interest rates.

In voting this week to extend the life of the Small Business Administration and its helpful programs (H. R. 7963), we again demonstrated our concern for the small-business man and our willingness to provide assistance to him.

This is all to our credit, but there is no mistaking the fact that the Congress has failed to come to grips with basic impediments and burdens which our tax laws have thrust upon defenseless small businesses. As now constituted, our corporate and personal income tax laws combine to strike the small-business man twice and prevent him from realizing the growth potential of his business.

All too often, therefore, our small businesses remain stunted and undernourished, eking out a marginal existence. They become easy prey for even the slightest drop in the level of business. Our national economy is surely the loser when ingenuity, skill, and ambition are thwarted by unrealistic tax policies.

Remedial action is urgently overdue. Such relief would be provided by my bill, H. R. 6184, and by other bills introduced by my distinguished Republican colleagues who serve on the House Select Committee To Conduct a Study and Investigation of the Problems of Small Business. These bills incorporate recommendations of the President's Cabinet Committee on Small Business, along with proposals made by leading tax experts.

Research—the constant striving for improved products and wider distribution—is the nourishing lifeblood of business, large or small. There is no status quo in business; one must grow or die. But our present tax laws conspire to keep the small-business man from pursuing vital research and thereby tend to make him increasingly reliant on artificial aids and stimuli from the Federal Government.

In this connection I would like to insert in the RECORD excerpts from a study entitled "Research for the Small Business" appearing in the Corporate Director, volume VI, No. 16, May 1957, published by the American Institute of Management. This material derives in large part from Research and Development in the Corporation, the fifth volume in a series analyzing the 10 functional categories of management appraisal developed by the institute.

"Small business," as used in the AIM material, refers in manufacturing to a company whose annual sales volume is under $5 million, whose net worth is under $1 million, and whose earnings are under $100,000. In retail and service trades, a business is considered small if its sales are under $1 million.

By "research" the study means management efforts to develop new products, processes, or equipment; to improve existing products, processes, or equipment, its own or those of competitors; to develop new uses or new markets for its products; to lower the costs of production and maintenance; to salvage materials.

The excerpts follow:

Despite all the evidence of its value, small business generally ignores research. Only about 10 percent of this country's small manufacturers have their own research facilities; only about 20 percent support real research in any way at all.

The chief executives of many small companies believe that research, because of its cost, is a function of big business. The widely publicized, elaborate research facilities of the large corporations confirm this impression for them. They see other deterrents too. Research returns are slow—it may be a decade before a research idea begins to pay for itself. The idea may never pay off. As one small-business head puts it, "Big business can bury a mistake. In a small company, one mistake may bury the business."

But despite these arguments, it can be shown that research should be a continuing function of the very business process itself. Research is essential for growth in any competitive field. And the small competitor is in no way excluded from research; in fact, in several ways it has advantages over the large corporation. The small firm has a flexibility lost in bigness. It can capitalize quickly on a development for a limited market, while its large competitor must consider his national market and large scale production process. And, research can be less costly than many businessmen believe.

HOW MUCH WILL IT COST?

In concrete terms, how much must management spend to support a formal research department? Naturally, this figure cannot be fixed rigidly, but these points can serve as guides:

About 50 to 60 percent of an annual research allotment is spent for salaries.

The average salary of a research scientist today is between $8,000 and $9,000, and each scientist must be supported by one other employee (laboratory worker, technician, librarian, stenographer, etc.) whose salary is about half that of the researcher's.

It costs at least $10,000 to equip each scientist to carry out his work—although in specialized fields this figure can be much higher. Added to that figure would be the initial investment in a research building or facility.

A research team of, say, 5 scientists and 5 other personnel would therefore need a budget of about $100,000 to $140,000 per year, plus the initial cost of building and a minimum of $50,000 for equipment. A company can spend less, of course—down to the cost of supporting a single researcher. But the practical minimum is not much below a budgeted $120,000 a year. One research consultant advises: "If a company can't spend at least $100,000 a year for 5 years, it can't afford its own research department."

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WHY COMPANIES GO OUTSIDE

Many excellently managed companies use outside research organizations to obtain the services of specialized personnel and equipment not in the company's research department and not likely to be needed there regularly or permanently. Some companies use outside research to assure research objectivity and a fresh research attitude. Or they may want to avoid imbalance in their research department—too many projects in one field of science. In any event, these corporations have various valid reasons for using outside research facilities. Many of the best managed companies have used them regularly and profitably for decades.

Smaller companies can gain these and other advantages from outside research. They can avoid prohibitive investment in equipment, gain the services of personnel they could not attract on any permanent basis, and let their research expenditures expand or contract as profits permit.

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The cost of outside research is, naturally, important to the small company considering it. Consistent with their nonprofit status, most of the research institutes try to conduct all programs at the lowest possible cost. Like company research, though, costs can vary greatly. They can mount quickly if expensive special equipment is needed or if extensive travel is required. However, the cost of an average project can be estimated roughly. A project that requires full-time work by two men—a professional scientist or engineer and a laboratory technician—will cost about $2,000 to $2,500 per month. At some foundations, projects can be set up on a fractional basis—employing the part-time services of one scientist, if the work can be effectively prosecuted in this way.

ANOTHER VIEW OF COSTS

The projects actually in progress at one of the large research institutes provide another view of research costs. Southwest Research Institute gives these figures on the costs of sponsored research there:

"About one-sixth of our projects amount to less than $1,000 in total cost. About one-third range from $1,000 to $5,000. Another one-third cost $5,000–$7,500, and the remaining sixth go all the way up to one project, for example, which amounts to over $500,000 per year."

Obviously not even the very small corporation is excluded from research if projects can be pursued for only a few thousand dollars. There is probably no excuse for any company, regardless of its ability to maintain its own research department, to fail to avail itself of some research effort through the superbly conducted independent research facilities which exist primarily to meet its needs.

Nontechnical research too can be pursued the same way. Several of the major research foundations—Stanford Research Institute is probably preeminent in this—do extensive economic research for business.

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ELEVEN RESEARCH PROJECTS

A medium-sized firm in the chemical equipment business placed 11 projects with 1 research foundation during the past 5 years.

Their cost, progress, and variety are related here by the research foundation:

Project 1: Investigate the possibility of developing a new chemical equipment device. Had it been done? Would it be possible? How could it best be developed? The answer: The possibilities looked good. The device was new; it might be commercially practical. The foundation's report outlined an approach for developing the device.

Project 2: Review and analyze possible new products. This continuing project is still in existence; the foundation periodically reports its review.

Project 3: Develop a new method of solving the gum problem in gas absorption units. Result: A patentable invention which has already proved profitable.

These 3 projects each cost from $2,000 to $5,000.

Project 4: Make a pilot plant study of an absorption-type gas drier. Cost: $6,000. Result: An improved process netting the company a pretax profit of $150,000 per year.

Project 5: Investigate a possible new device. Result: Negative, project abandoned. Cost: $1,800 (of an allotted $5,000).

Project 6: Analyze the possibilities in a new device for the oil industry. Result: The device was possible, but uneconomical and certainly not feasible commercially. Cost: $2,500.

Project 7: Develop a new type of industrial gas refrigeration process. Results: A successful invention, carried through the pilot plant stage and proved to be commercially practical. Patent application made. Cost: $35,000. Since this product has not yet been marketed, the profit from this research cannot be determined.

Project 8: Analyze the low-temperature limits of a chemical process. Results: Successful. Cost: $1,500.

Project 9: Develop the chemical equipment device first investigated by the foundation (project 1). Results: Successful. Patent application has been made. Profit potential is estimated to be over $260,000 per year.

Project 10: Develop a gas-desulfurizer for use by a large customer of the sponsoring company. Results: Successful, but the development was designed specifically for the single customer. Cost: $5,000, underwritten by the sponsor.

Project 11: Evaluate an invention on which the company had obtained an option. Results: A report advising against buying the device. Cost: $3,200.

The AIM study should be required reading for every small-business man. It makes a strong case for research and points out many ways that the small business can embark on a research program within its own organization or through outside research facilities.

It has been my own experience, however, that many—if not most—small-business men fully recognize that research is indispensable and are earmarking every possible dollar for this vital business function. The rub lies in the fact that—after taxes—there just are not enough dollars available to small-business men, no matter how research-minded they may be.

As the AIM study points out, "research can be less costly than many businessmen believe." But when increased cost of labor and materials trims profits; when these profits are in turn trimmed to the bone by taxes, and when the small-business man himself is forced to pay taxes on his own paltry share of these profits—it is obvious that the best-laid plans for research must all too often be deferred, if not scrapped. Little wonder, then, that a small-business man finds himself on a treadmill—unable to plow back earnings, incapable of attracting fresh investment capital, thwarted in his efforts to achieve the full potential of his product or his market.

As I see it, a revamping of our tax laws as they affect the small-business man can do more than anything else at this time to emancipate him from his treadmill. Praiseworthy as our other efforts may be to help him, they are attacking his symptoms rather than the source of his malady.

H. R. 6184 has been devised to provide for growth, expansion, and modernization for small and independent business enterprises engaged in trade or commerce.

It would amend the Internal Revenue Code to provide an election for filing income tax returns for small and independent businesses engaged in trade or commerce whether or not such businesses operate as individuals, partnerships or corporations, and to provide a normal tax rate of 20 percent for taxable years after March 31, 1957, and to increase the surtax exemption.

In addition, the bill would allow credits for losses incurred through investment or loans, and authorize a growth, expansion and modernization exemption on net taxable earnings.

Rapid amortization of property utilized for the production of profit would be granted to small and independent businesses engaged in trade or commerce. Small business could also claim an exemption for good-will in the determination of the value of an estate.

By enacting such a realistic, far-reaching tax program I am confident that we can launch a significant breakthrough in the small-business segment of our economy, without penalizing or discriminating against other groups. If we believe in the philosophy that it is better to help someone help himself than it is to put him on the dole, we should pay more than lipservice to it by giving the small-business man the tax incentive and break he both needs and deserves.

An Anniversary in the Cause of Freedom: Jan Hus' Death, July 6, 1415

EXTENSION OF REMARKS
OF
HON. HENRY S. REUSS
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. REUSS. Mr. Speaker, we are approaching a day which is important in the hearts of all Americans of Czech descent: the anniversary of the death of the great Czech patriot, Jan Hus. Burned at the stake on July 6, 1415, Hus was a true martyr in the cause of human liberty.

We recall Jan Hus these many centuries later because his struggle for freedom of expression reminds poignantly that the Czech people lie again today under the yoke of an alien despotism. From the heroes of the past, we can derive renewed confidence in the ultimate destiny of the Czechs to be free once more. I for one believe that the United States Government must seize the initiative and propose a settlement based on the disarmament and liberation of middle Europe.

America is fortunate to have the strength of its citizens of Czech ancestry in building our own sinews of democracy. That is why it is appropriate to pause in the Halls of the United States Congress and take note of the anniversary of Jan Hus' death. Because it is an anniversary in the cause of freedom, it has deep and lasting meaning to all of us.

Electric Power for an Expanding Economy

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. MILLER of Nebraska. Mr. Speaker, it is a pleasure to insert in the CONGRESSIONAL RECORD a speech made by the Secretary of Interior, the Honorable Fred A. Seaton. I have known Mr. Seaton, a fellow Nebraskan, for many years. He has established an enviable record for good, sound, honest thinking. His article entitled "Electric Power for an Expanding Economy" is thought provoking. It should make us all realize we are living in an explosive economy that is ever expanding and we should realize it is not possible for the Federal Government to supply all of the electric energy needed by this expanding economy. I think one of the greatest steps forward in our electric energy field is that taken by the REA's who are on a sound, businesslike management program. They borrow the money. They pay interest and return the borrowed money, with interest, to the Federal Treasury. When I first came to Congress, Nebraska farms were about 45 percent electrified. Today it is close to 98 percent. It is one thing that has brought the convenience and comfort to farm life that they hardly dared dream of a few years ago. I commend the reading of the Secretary's article to my colleagues:

ELECTRIC POWER FOR AN EXPANDING ECONOMY
(By Secretary of the Interior Fred A. Seaton)

Our population is growing at a rapid rate; there will be 221 million Americans or more by 1975. Our economy is expanding, having passed the $412 billion mark in 1956 and now moving toward $500 billion a year.

Our electric power needs are, therefore, also growing.

Under such circumstances there are two dangers. The first is that we shall not produce enough power to meet our country's needs in the next 10 or 20 years. The second is that the Federal Government will gain more control over our electric-power facilities than is necessary or desirable.

These facts and these dangers underlie the administration's power policy.

Consider the first danger first: The Federal Power Commission estimates that by 1965 we shall need 96 million more kilowatts of generating capacity than we have now. At present rates each kilowatt costs $464. Our economy will, therefore, have to spend—for generation, transmission, and distribution facilities—$44,544,000,000 in less than a decade. By 1975 the comparable amount will be $96,048,000,000.

Only about 8¼ percent of the new capacity needed by 1965 can come from hydroelectric plants, the type which the Federal Government has traditionally built or helped to build. Fifteen percent, at the outside, may come from atomic-energy plants. The rest, 77 percent, will have to come from steam plants, burning fossil fuels—coal, oil, natural gas. Except in the TVA region, the Government traditionally has not built steam plants. And the Congress has never spent for power development at the rate which would be necessary to meet the power needs which I have just outlined.

Faced with these facts, you have two alternatives. You can urge that the Government reverse its policies, enter the steam-plant business on a large scale, and allot a bigger slice of the Federal tax dollar than ever before to power development. Or you can uphold the principle, the teamwork principle, that the Federal Government should build some power facilities, the State governments some, local governments some, and private utilities some.

If you take the first alternative, you will have to wait a long while (possibly even a dangerously long time) for the Congress to start spending for power as you want it to. In the meantime—and these are crucial years—our population will continue to grow. Our power needs will expand. The possibility of shortages of electricity will be a constant threat.

If you take the second alternative, you can have a reasonable expectation of new projects started today and new power put on the line at approximately the same rate as that of the growth in demand.

Actually, most Americans believe in the teamwork concept. Except for the zealots, most people neither want to abolish the private utilities and the State and municipal PUD's nor to remove the Federal Government from the power field. We believe that each of these organizations has its proper place and its share of work to do in producing and marketing power. Only through the teamwork of all can the country be assured of adequate power development. And we believe that through teamwork the country can simultaneously avoid the second danger I mentioned at the outset: an excess of Federal control. For teamwork assures us of many sources of capital and decision making—not just one—in the electric power field.

Teamwork has, in fact, been responsible for much of our progress so far.

This Nation's standard of living has never been equaled elsewhere in the world. But our accomplishment owes much to the reliability, economy, and adequacy of our country's electric service. Scientific and technological developments have led to the manufacture of reliable and efficient generation, transmission, distribution, and utilization equipment. Twenty-five years ago 1 pound of coal produced 0.67 kilowatt-hour. Today the same pound of coal produces 1.06 kilowatt-hours. Twenty-five years ago small local utilities served limited geographical areas. Today transmission interconnections and pooled operations have improved the reliability of service and contributed to the economic loading of systems. New designs and the use of improved protective equipment have made distribution systems more reliable. Twenty-five years ago the average retail monthly cost of electric energy for 100 kilowatt-hours was about $4.75. In 1956 the cost was $3.88.

The relatively stable cost of electric service during the past quarter century—during an economic depression, two wars, and a postwar period—could not have been maintained except for the initiative and resourcefulness of men in management, the ingenuity of scientists and engineers, and the competent decisions of State and Federal regulatory agencies. These people have all rendered outstanding public service. Their accomplishment is reflected in the Federal Power Commission statistics for the past quarter century, which show that installed generation capacity of the utility industry increased from 34,386,739 kilowatts in 1932 to 120,435,249 kilowatts in 1957. It is difficult to overestimate what this energy source has meant to the Nation's increasing prosperity.

But we don't have to look to the past for all our evidence. Today in the Pacific Northwest teamwork is again helping an entire region's economic development.

Before President Eisenhower took office, a former Secretary of the Interior said:

"The power supply outlook in the Pacific Northwest for the next several years will remain critical. Power requirements continue to exceed supply and the addition of defense industry loads with associated increases in civilian power requirements will further tax the existing generating and transmission facilities. Even with strict adherence to present recommended schedules for installation of new generating plants it is expected that the Pacific Northwest will be in a power shortage situation until 1957."

A power shortage was indeed imminent in this area during the latter part of 1952 and early 1953. Electric power use was curtailed. I am sure the people directly affected—especially in industries which were required to slow production and cut their payrolls—will remember the incident. This power shortage and other threatened brownouts occurred even though the contribution of the Federal Government was substantial.

Under the former administration's policy of preempting power sites for exclusive Federal development, State and municipal organizations and private companies could only plead each year for more and more Federal spending. Local initiative was stifled. Each year more serious power shortages were predicted. Business began to look elsewhere.

But today under the policy of planned teamwork much progress has been made to correct this state of affairs. Water resource development is proceeding at an ever-increasing rate. Local organizations are getting the opportunity to plan, finance, construct, and operate their projects.

The municipal plants of Tacoma, Seattle, and Eugene have facilities under construction to provide 604,000 kilowatts of energy. In Washington the Grant County, Chelan County, Douglas County, and Klickitat public utility districts have currently under construction and in planning 3,456,000 kilowatts—more than the total Federal kilowatt contribution in the past 10 years.

These organizations, it might be observed, are not private interests. They are public-power entities. Moreover, their projects are under strict regulation by the Federal Power Commission, which under the law is responsible for making certain that no hydroelectric project on a river subject to Federal jurisdiction will impair the fullest possible development of the resources of the entire basin.

But teamwork doesn't involve just local or regional or private groups. The Federal Government has much to do.

Federal action has, for example, brought immense industrial and agricultural and human benefits to the areas of the Central Valley of California, the Tennessee Valley, the Missouri Valley, and the Columbia River Basin. The administration is well aware of the importance and necessity of wise Federal programs in the water resources field. Last year, for example, the President supported and signed into law the great upper Colorado River storage project—the largest irrigation measure ever authorized by the Congress in a single piece of legislation. Under this project tremendous reservoirs will be built. The water supply of the upper Colorado Basin—a supply used in Wyoming, Utah, Colorado, Arizona, New Mexico, and other States—will be stabilized. Within 25 years irrigation water will be brought to more than 360,000 acres of land. A million kilowatts of hydroelectric power will be made available.

These changes will mean that a vast underdeveloped area, rich in natural resources, will be able to take care of the needs of an increased population for more homes, more schools, more businesses, and more productive farms.

The Fryingpan-Arkansas project is another means to the same end. Such administration measures help illustrate what the President meant when he said at McNary Dam in 1954: "The issue is not * * * public power versus unregulated private power. The issue posed to us is Federal monopoly of power as against public or regulated power, freely chosen in each instance by the citizens of each area, with the Federal Government coming in as a cooperating partner where this seems necessary or desirable."

Like the upper Colorado project and the TVA, McNary Dam itself is an example of the type of undertaking that, because of its sheer size, can be accomplished only by the Federal Government. The Hoover Dam is another. Grand Coulee is another. The administration looks with favor on such projects which, in Lincoln's words, need to be undertaken but which cannot be successfully undertaken by individuals or non-Federal organizations.

In accordance with this policy, in fiscal year 1956 the Bureau of Reclamation added $160 million to its $2.6 billion investment in western projects for power and other purposes. It added hydroelectric generating capacity in multipurpose dams in the amount of 120,000 kilowatts. With the Corps of Engineers, the Bureau now has underway 299 projects, for flood control, navigation, irrigation, water supply, and power. The Bureau, the corps, and other divisions of Government will continue to do their full and proper share as members of the team.

As the figure just mentioned indicates, of course, the development of hydroelectric power is only one of the results of the best kind of river basin project. The administration believes in multiple-purpose undertakings—projects which bring forth not just one benefit, but a variety, in irrigation development, power generation, fish and wildlife conservation, improvement of navigation. Theodore Roosevelt in 1908 forcefully set down this general principle:

"* * * every waterway should be made to serve the people as largely and in as many different ways as possible. It is poor business to develop a river for navigation in such a way as to prevent its use for power, when by a little foresight it could be made to serve both purposes. We cannot afford needlessly to sacrifice power to irrigation, or irrigation to domestic water supply, when by taking thought we may have all three. Every stream should be used to the utmost. No stream can be so used unless such use is planned for in advance. When such plans are made we shall find that, instead of interfering, one use can often be made to assist another. Each river system from its headwaters in the forest to its mouth on the coast, is a single unit and should be treated as such. Navigation of the lower reaches of a stream cannot be fully developed without the control of floods and low waters by storage and drainage. Navigable channels are directly concerned with the protection of source waters and with soil erosion, which takes the materials for bars and shoals from the richest

portions of our farms. The uses of a stream for domestic and municipal water supply, for power, and in many cases for irrigation, must also be taken into full account."

The Eisenhower administration believes in basin development for multiple purposes through teamwork. As the President said only a few months ago, in his state of the Union message:

"The whole matter of making the best use of each drop of water from the moment it reaches the soil until it reaches the ocean for such purposes as irrigation, flood control, power production, and domestic and industrial uses, clearly demands the closest kind of cooperation and partnership between municipalities, States, and the Federal Government."

Following such a principle we can make certain that the Federal Government will not take on functions which properly belong to States and localities. And we can make certain also that in the years immediately before us our country will have the electricity it needs for its people, every day becoming more numerous, and their economy, every year moving to higher and higher plateaus.

Teamwork is the keynote in the article prepared for Public Utilities Fortnightly—beginning on page 798—by the Honorable Fred A. Seaton, Secretary of the Interior. Secretary Seaton is a native of the District of Columbia, but he spent most of his life in Nebraska and Kansas. He attended Kansas State College, from which he received an honorary doctor of laws degree in 1955. His primary interest before becoming a member of the Eisenhower administration was in the publishing and radio business in Nebraska, Kansas, South Dakota, Wyoming, and Colorado. He calls Hastings, Nebr., his home, where he publishes the Hastings Daily Tribune. In 1951 he was appointed to the United States Senate to fill the vacancy left by the passing of Nebraska's Senator Kenneth S. Wherry. He also served as Assistant Secretary of Defense, 1953, and administrative assistant to the President, 1955. He was appointed the 36th Secretary of Interior on May 28, 1956.

Two Ohio Citizens Recognized as National Leaders in Fight To Control Tuberculosis

EXTENSION OF REMARKS
OF
HON. FRANK T. BOW
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Friday, June 28, 1957

Mr. BOW. Mr. Speaker, an unusual honor has come to Stark County in the recognition of two of our citizens as national leaders in the fight to control tuberculosis.

Dr. William M. Morgan, of Alliance, is serving as president of the National Tuberculosis Association, and Mr. L. L. Taylor, of Canton, is president-elect of the National Conference of Tuberculosis Workers.

Each man in his own field, one voluntary and the other as a professional worker, has reached the highest office to which he might aspire in this work.

As one who has observed their sincere devotion and unceasing labors over the years, I can testify the recognition is well deserved.

Dr. Morgan, a professor at Mount Union College, has served the tuberculosis association in county, State, and national offices for 20 years.

Mr. Taylor has been in this work since 1944, and he is the third county executive ever to be elected to top national office.

Both have contributed greatly to eliminate tuberculosis as a threat to public health in our county, State, and Nation. They have brought honor to Stark County and the State of Ohio.

SENATE

MONDAY, JULY 1, 1957

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father, God, from all the traditions which separate us from one another and write our names in different camps of thought, conviction, and interpretation, we pause at another week's beginning for the upward look which makes us one in glad communion with Thee, as we lift up our eyes to the hills of faith out on the far horizons of our cluttered, anxious, and noisy days. Teach us so to live and so to toil and so to play our part in this age on ages telling that with clear consciences we may face the gaze of our contemporaries and the judgment of posterity as we fail not man nor Thee. We ask it in the Redeemer's blessed name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Thursday, June 27, 1957, was approved, and its reading was dispensed with.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED DURING ADJOURNMENT

Under authority of the order of the Senate of June 27, 1957,

The VICE PRESIDENT signed, on June 28, 1957, the following enrolled bills and joint resolutions, which had previously been signed by the Speaker of the House of Representatives:

S. 1428. An act to authorize furniture and furnishings for the additional office building for the United States Senate;

S. 1429. An act authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate;

S. 1430. An act increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate;

H. R. 3373. An act to amend the act of December 2, 1942, and the act of August 16, 1941, relating to injury, disability, and death resulting from war-risk hazards and from employment, suffered by employees of contractors of the United States, and for other purposes;

H. R. 3400. An act to provide full and fair disclosure of the character of charitable, benevolent, patriotic, or other solicitations in the District of Columbia; and for other purposes;

H. R. 4748. An act to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made;

H. R. 6070. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30 1958, and for other purposes;

H. R. 6523. An act to amend the Federal Employees' Compensation Act to provide compensation for employees of the United States suffering injuries from war-risk hazards or during detention by a hostile force or person;

H. R. 7954. An act relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons;

H. R. 8383. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOHN J. ROONEY, Members of the House of Representatives, to accept and wear the award of the Ecclesiastical Order of St. Gregory the Great, with the rank of Knight Commander With Star;

H. R. 8384. An act to authorize the Honorable JOHN W. MCCORMACK and the Honorable JOSEPH W. MARTIN, JR., Members of the House of Representatives, to accept and wear the award of the Philippine Legion of Honor in the degree of Commander, tendered by the Republic of the Philippines;

S. J. 115. Joint resolution to provide an interim extension for the voluntary home mortgage credit program; and

H. J. Res. 172. Joint resolution relating to the stockpile of extra long staple cotton under the Strategic and Critical Materials Stockpiling Act.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of May 22, 1957,

The following report of a committee was submitted on June 28, 1957:

By Mr. CHAVEZ, from the Committee on Appropriations, with amendments:

H. R. 7665. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 543).

NOTICES OF MOTIONS TO SUSPEND THE RULE SUBMITTED DURING ADJOURNMENT — AMENDMENTS TO DEFENSE DEPARTMENT APPROPRIATION BILL

Under authority of the order of the Senate of May 22, 1957,

Mr. CHAVEZ, on June 29, 1957, submitted the following notices in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H. R. 7665 making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, the following amendment, namely: On page 8, on line 4, after the amount, insert: "*Provided*, That during the fiscal year 1958 the maintenance, operation, and availability of the Army-Navy Hospital at Hot Springs National Park, Ark., to meet requirements of the military and naval forces shall be continued."

Mr. CHAVEZ also submitted an amendment intended to be proposed by him to House bill 7665, making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H. R. 7665 making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, the following amendment, namely: On page 12, on line 22, after the word "Fund" insert: "*Provided*, That no part of this or any other appropriation shall be used to pay any officer, while on active duty as Governor of the Naval Home, any amount in excess of the maximum pay and allowances of a rear admiral, upper half."

Mr. CHAVEZ also submitted an amendment, intended to be proposed by him to House bill 7665, making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. CHAVEZ, on July 1, 1957, submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H. R. 7665 making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, the following amendment, namely: On page 8, on line 8, insert the following: "*Provided further*, That $700,000 of the funds available to the Department of the Army shall be used for the continued operation of the Turtle Mountain Ordnance Plant at Rolla, N. Dak., during the fiscal year ending June 30, 1958."

Mr. CHAVEZ also submitted an amendment, intended to be proposed by him to House bill 7665, making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on June 28, 1957, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 1428. An act to authorize furniture and furnishings for the additional office building for the United States Senate;

S. 1429. An act authorizing the enlargement and remodeling of Senators' suites and structural, mechanical, and other changes and improvements in the existing Senate Office Building, to provide improved accommodations for the United States Senate;

S. 1430. An act increasing the limit of cost fixed for construction and equipment of an additional office building for the United States Senate; and

S. J. Res. 115. Joint resolution to provide an interim extension for the voluntary home mortgage credit program.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On June 27, 1957:

S. 407. An act for the relief of Julian D. Dycaico;

S. 1034. An act to authorize and direct the Secretary of Agriculture to convey to the University of Missouri, for agricultural purposes, certain real property in Callaway County, Mo.;

S. 1179. An act for the relief of Harold George Jackson;

S. 1206. An act for the relief of Antonine Velleman; and

S. 1319. An act to renounce any right, title, and interest which the United States may have in certain lands in Montana.

On June 29, 1957:

S. 601. An act relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, and for other purposes; and

S. J. Res. 115. Joint resolution to provide an interim extension for the voluntary home mortgage credit program.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House insisted upon its amendment to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954 and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOLEY, Mr. POAGE, Mr. GATHINGS, Mr. ANDRESEN, and Mr. HILL were appointed manager on the part of the House at the conference.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 27) to create a joint committee to represent Congress at the 350th anniversary of the founding of Jamestown, Va.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, and that the House receded from its disagreement to the amendments of the Senate numbered 2, 8, 30, and 39, to the bill, and concurred therein.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. COOPER, Mr. MILLS, Mr. GREGORY, Mr. REED of New York, and Mr. JENKINS were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7599) making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following committees and subcommittee were authorized to meet during the session of the Senate today:

The Committee on the Judiciary, until 12 o'clock noon during today's session of the Senate.

The Committee on Rules and Administration.

The Subcommittee on Fiscal Affairs of the Committee on the District of Columbia.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour, for the introduction of bills and the transaction of other routine business. In that connection, I ask unanimous consent that statements be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to act on the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of

the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. BYRD, from the Committee on Finance:

Robert Bernerd Anderson, of New York, to be Secretary of the Treasury;

Albert Cole, of Massachusetts, to be Comptroller of Customs, with headquarters at Boston, Mass.; and

Albina R. Cernak, of Cleveland, Ohio, to be collector of customs in customs collection district No. 41, with headquarters at Cleveland, Ohio.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

DEPARTMENT OF THE AIR FORCE

The Chief Clerk read the nomination of Richard E. Horner, of California, to be an Assistant Secretary of the Air Force.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

FEDERAL CIVIL DEFENSE ADMINISTRATION

The Chief Clerk read the nomination of Leo Arthur Hoegh, of Iowa, to be Federal Civil Defense Administrator.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

MILITARY STAFF COMMITTEE OF THE UNITED NATIONS

The Chief Clerk read the nomination of Lt. Gen. Blackshear Morrison Bryan, O15004, Army of the United States, for appointment as senior United States Army member of the Military Staff Committee of the United Nations, under the provisions of title 10, United States Code, section 711.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

IN THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the Army be considered en bloc.

The VICE PRESIDENT. Without objection, the Army nominations will be considered en bloc; and, without objection, they are confirmed.

IN THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations in the Navy be considered en bloc.

The VICE PRESIDENT. Without objection, the Navy nominations will be considered en bloc; and, without objection, they are confirmed.

AIR FORCE AND MARINE CORPS NOMINATIONS REPORTED FAVORABLY AND PLACED ON THE VICE PRESIDENT'S DESK

The Chief Clerk proceeded to read sundry nominations in the Air Force and in the Marine Corps, reported favorably and placed on the Vice President's desk.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATION, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED PROVISION PERTAINING TO DEPARTMENT OF THE AIR FORCE (S. DOC. NO. 50)

A communication from the President of the United States, transmitting a proposed provision pertaining to an appropriation for the fiscal year 1958 for the Department of the Air Force, in the form of an amendment to the budget for the said fiscal year (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

REPORT ON PROGRAM FOR EXPANSION OF MARKETS FOR SURPLUS AGRICULTURAL COMMODITIES

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a report on the program for the expansion of markets for surplus agricultural commodities through marketing and utilization research and improvement of marketing facilities (with an accompanying report); to the Committee on Agriculture and Forestry.

PROGRESS REPORT ON LIQUIDATION OF STOCKS OF AGRICULTURAL COMMODITIES HELD BY COMMODITY CREDIT CORPORATION

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, a progress report on the orderly liquidation of stocks of agricultural commodities held by the Commodity Credit Corporation, dated June 20, 1957 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORTS OF OVEROBLIGATIONS OF APPROPRIATIONS

A letter from the Secretary of Defense, transmitting, pursuant to law, reports of the Departments of the Army, Navy, and Air Force, covering overobligations of certain appropriations (with accompanying papers); to the Committee on Appropriations.

REPORT ON COMPETITION IN THE SYNTHETIC RUBBER INDUSTRY

A letter from the Attorney General, transmitting, pursuant to law, his report on competition in the synthetic rubber industry, dated July 1, 1957 (with an accompanying report); to the Committeee on Banking and Currency.

REPORT ON MILITARY PRIME CONTRACTS WITH BUSINESS FIRMS IN THE UNITED STATES FOR EXPERIMENTAL, DEVELOPMENTAL, AND RESEARCH WORK

A letter from the Assistant Secretary of Defense, Supply and Logistics, transmitting, pursuant to law, a report on military prime contracts with business firms in the United States for experimental, developmental, and research work (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON THE STRATEGIC TRADE CONTROL SYSTEM, 1948–56

A letter from the Deputy Director for Mutual Defense Assistance Control, International Cooperation Administration, Washington, D. C., transmitting, pursuant to law, a report on the Strategic Trade Control System, 1948–56 (with an accompanying report); to the Committee on Foreign Relations.

REPORT OF PACIFIC MARINE FISHERIES COMMISSION

A letter from the Chairman, Pacific Marine Fisheries Commission, Portland, Oreg., transmitting, pursuant to law, a report of that Commission, for the year 1956 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938, RELATING TO IMPOSITION OF CIVIL PENALTIES IN CERTAIN CASES

A letter from the Chairman, Civil Aeronautics Board, Washington, D. C., transmitting a draft of proposed legislation to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions (with accompanying papers) to the Committee on Interstate and Foreign Commerce.

REPORT OF ADMINISTRATION OF FOREIGN AGENTS REGISTRATION ACT OF 1938

A letter from the Attorney General, transmitting, pursuant to law, his report on the administration of Foreign Agents Registration Act of 1938, as amended, for the calendar year 1956 (with an accompanying report); to the Committee on the Judiciary.

AMENDMENT OF ACT RELATING TO REGISTRATION AND PROTECTION OF CERTAIN TRADEMARKS

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946, with respect to proceedings in the Patent Office (with an accompanying paper); to the Committee on the Judiciary.

TERMINATION DATE FOR USE OF OFFICIAL FRANKS BY FORMER MEMBERS OF CONGRESS

A letter from the Deputy Postmaster General, transmitting a draft of proposed legislation to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes (with an accompanying paper); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the State of Pennsylvania; to the Committee on Banking and Currency:

"Pennsylvania has had to face serious economic and unemployment problems for decades; and Pennsylvania's unemployment rate has consistently run higher than other States and the Nation for many years, all of which problems derive from the fact that the State's unemployment has always been very heavily concentrated in certain distressed areas of the State; and as a consequence, Pennsylvania has continuously had far more than its share of areas of substantial labor surplus, or so-called depressed areas; and

"Pennsylvania currently has 11 areas classified as areas of substantial labor surplus on the official area classification list of the United States Department of Labor, 4 of which are major metropolitan areas which are regularly included in the classification system and 7 are smaller areas which are classified because they have substantial labor surpluses, and all have been continuously classified as surplus areas for 2 years or longer; and

"In the United States as a whole, only 19 major areas are currently listed as areas of substantial labor surplus, so that the 4 major areas in Pennsylvania alone account for more than one-fifth of the total in the entire country and the 7 smaller areas of substantial labor surplus represent one-eighth of the United States total of that type; and

"The basic cause of Pennsylvania's unemployment problem arises out of the fact that the State and its depressed areas have a heavy preponderance of basic national industries in which severe and sustained long-term employment declines have been occurring due to the toll of progress and technological advancements of which anthracite and bituminous coal mining, railroad transportation, railroad equipment manufacturing, textile manufacturing, and metals manufacturing are notable examples; and

"The persisting heavy volume of unemployment has contributed very substantially to the large volume of unemployment compensation activity in Pennsylvania, as represented by over 56 million claims filed and over $990 million—almost $1 billion—in benefits paid during the years 1950 to 1956, inclusive; and

"Public assistance costs in Pennsylvania have been swollen as a result of the continuing high levels of unemployment in the years 1950–56, inclusive to over $732 million in direct payments to people in need; and

"Although extensive efforts have been undertaken by the State government and by local communities to increase employment in the depressed areas, the gains have not been sufficient to stem the rising tide of unemployment flowing from continued job losses in problem industries and from the continued normal growth of local labor forces; and

"In order to reduce unemployment to 3 percent of the labor force in these 11 surplus areas in Pennsylvania 56,941 additional jobs are needed, requiring a total estimated capital investment of $427,095,000, approximately 25 percent of which, or $106,774,000, would be required for factory buildings alone; and

"Assuming that 10 percent of this total, or $11 million, is raisable from community subscriptions for equity capital and 50 percent of this total, or $53 million, is raisable from private banks, insurance companies, and other sources of private investment capital as first mortgages, a balance of 40 percent or $43 million, in second mortgage revolving capital funds would be necessary from State and Federal Government sources; and

"The job to be done is manifestly enormous, and it is obvious that the problem of chronic unemployment with its vast waste of manpower and severe drains on the economy of a State as large and important as Pennsylvania should be a matter of grave concern to the Nation and to the Congress, as well as the State itself and the communities directly involved, and since various aspects of the problem transcend State boundaries and are sectional and even national in scope, and therefore are not susceptible to State and local remedies: Therefore be it

"*Resolved*, That the Senate of the General Assembly of Pennsylvania, in behalf of the people of Pennsylvania, hereby memorialize the Congress of the United States to enact Senate bill No. 964, known as the area redevelopment bill; and be it further

"*Resolved*, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Secretary of Labor and Industry, the Secretary of Commerce, the Speaker of the House of Representatives, the Chairman of the Committee on Banking and Currency of the Senate, and to each Senator and Representative from Pennsylvania in the Congress of the United States.

"I certify that the foregoing is a true and correct copy of a resolution introduced by Senators William J. Lane, Joseph M. Barr, Albert R. Pechan, and Rowland B. Mahany and adopted by the Senate of Pennsylvania the 23d day of May 1957.

"A. H. LETZLER,
"Secretary, Senate of Pennsylvania."

A resolution of the Senate of the Territory of Hawaii; to the Committee on Interior and Insular Affairs:

"Senate Resolution 6

"Whereas section 80 of the Hawaiian Organic Act now provides, in part, that 'The Governor shall nominate and, by and with the advice and consent of the Senate of the Territory of Hawaii, appoint' certain stated officers of the Territory of Hawaii; and

"Whereas it is also provided by section 80 of the Hawaiian Organic Act that the Governor 'may make such appointments when the Senate is not in session by granting commissions, which shall, unless such appointments are confirmed, expire at the end of the next session of the Senate'; and

"Whereas by reason of the fact that the Governor, by refusing to submit interim appointments made by him to the Senate, can thwart the apparent intent and spirit of the Hawaiian Organic Act, either by reappointing a person who has been given an interim appointment (in which case the Governor has circumvented the provision of the said Organic Act requiring that the appointment of persons to certain public office be confirmed by the Senate) or, by refusing to reappoint such a person (in which case the Governor has unilaterally terminated the service of such person contrary to the specific provisions of the Hawaiian Organic Act which require the approval of the Senate to any such removal); and

"Whereas the delegates to the constitutional convention of 1950 were aware of the possibility of such action by a Governor and included in the proposed constitution for Hawaii provisions which would disqualify any interim appointee whose appointment was not confirmed by the Senate from receiving another interim appointment to the same office, and which would similarly disqualify any person nominated for office and whose nomination failed to receive the consent of the Senate from receiving an interim appointment thereafter to such office: Now, therefore, be it

"*Resolved by the Senate of the 29th Legislature of the Territory of Hawaii, in special session assembled*, That the Congress of the United States be and it is hereby respectfully requested to amend the Hawaiian Organic Act by adding a new paragraph to section 80 thereof, to read as follows:

"'No person who has been appointed to any office requiring the confirmation of the Senate, whose appointment fails of confirmation by the Senate, shall be eligible for another interim appointment to such office and no person who has been nominated for any such office whose nomination has not received the consent of the Senate shall be eligible to an interim appointment thereafter to such office'; and be it further

"*Resolved*, That certified copies of this resolution be forwarded to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to the Secretary of the Interior, and to the Delegate to the Congress from Hawaii."

The petition of Elliott B. Roberts, of Westmoreland Hills, Md., praying for the enactment of House bill 7431, to construct and equip a geophysical institute in the Territory of Hawaii; to the Committee on Appropriations.

The petition of Vincent J. Schaefer, of Missoula, Mont., praying for the enactment of House bill 7431, to construct and equip a geophysical institute in the Territory of Hawaii; to the Committee on Appropriations.

Resolutions adopted by the Verendrye Electric Cooperative, Inc., Velva, N. C., relating to dishonest power company advertising, and so forth; to the Committee on Interstate and Foreign Commerce.

The petition of Cornelia Dabney Tucker, of Charleston, S. C., relating to the qualifications for United States Supreme Court Justices (with an accompanying paper); to the Committee on the Judiciary.

A resolution adopted by the Veterans of Foreign Wars of the United States, Department of Ohio, relating to a trial by jury of Army Sp3c. William S. Girard; to the Committee on the Judiciary.

A resolution adopted by the Board of Supervisors, County of Maui, Territory of Hawii, favoring the enactment of legislation to permit the entry into the United States as nonquota immigrants, the wives and minor children of the nationals of the Republic of the Philippines; to the Committee on the Judiciary.

A resolution adopted by the Los Angeles, Calif., Postal Organizations Council favoring the enactment of legislation to provide increased compensation for postal employees; to the Committee on Post Office and Civil Service.

Resolutions adopted at the 66th annual convention of the South Dakota Stock Growers Association, at Pierre, S. Dak., relating to land appraisals, and so forth; to the Committee on Public Works.

A resolution adopted by the General Eldership of the Churches of God in North America, Inc., Harrisburg, Pa., protesting against the continued exploding and testing of nuclear weapons; to the Joint Committee on Atomic Energy.

JOINT RESOLUTIONS OF WISCONSIN STATE LEGISLATURE

Mr. WILEY. Mr. President, I have received today two important joint resolutions from the State Legislature of Wisconsin, as forwarded to me by

Lawrence R. Larsen, chief clerk of the State senate.

The first resolution bears upon a bill to which I have previously referred on the Senate floor—H. R. 64 dealing with payments of pensions to veterans who are domiciled in a State veterans' home.

The joint resolution points out an unfortunate result which would accrue in the event H. R. 64 is not amended in the public interest.

The second joint resolution bears upon that great organization which is at this very moment hard at work in disaster relief in Louisiana and elsewhere in our Nation.

Today's newspapers are still full of the inspiring story of Red Cross services in Louisiana, Missouri, and elsewhere to relieve the tragic victims of hurricane Audrey.

As repeatedly pointed out by President Eisenhower and General Gruenther, it is essential that the Red Cross disaster relief fund be replenished.

It is, of course, essential that the public give fullest support to the Red Cross, and that it have at all times the highest degree of confidence in this noble organization.

I present the two joint resolutions, and ask unanimous consent that they be printed in the RECORD.

There being no objection, the joint resolutions were received, appropriately referred, and, under the rule, ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

"Senate Joint Resolution 56

"Joint resolution memorializing the Congress of the United States relating to the payment of pensions to veterans which are domiciled in a State veterans home

"Whereas the Veterans' Affairs Committee of the House of Representatives of the United States Congress in considering H. R. 64; and

"Whereas section 1 (c) of this bill provides that the Veterans' Administration shall withhold all pensions due a veteran in excess of $30 while he is being furnished domiciliary care in a State home; and

"Whereas this provision would eliminate the possibility of a veteran member of the home contributing to the State for his maintenance; and

"Whereas the State of Wisconsin is presently collecting approximately $190,000 per year from members of the home in Wisconsin for their maintenance; and

"Whereas it was the Federal aid which created the incentive for the States to construct and operate veterans homes, thereby removing some of the burden from the Federal Government: Now, therefore, be it

"Resolved by the senate (the assembly concurring), That the legislature request that section 1 (c) of H. R. 64 be stricken from the bill; and be it further

"Resolved, That this resolution be spread on the journal and that a copy hereof, properly authenticated, be sent to the Secretary of the United States Senate, the Chief Clerk of the House of Representatives, each member of the Veterans' Affairs Committee of the House of Representatives, and each member of the Wisconsin delegation in Congress.

"W. P. KNOWLES,
"President of the Senate.
"LAWRENCE R. LARSEN,
"Chief Clerk of the Senate.
"ROBERT G. MAROTZ,
"Speaker of the Assembly.
"ARTHUR L. MAY,
"Chief Clerk of the Assembly."

To the Committee on Foreign Relations:

"Senate Joint Resolution 104

"Joint resolution relating to maintaining public confidence in the efficient and economical administration of the American Red Cross

"Whereas General Gruenther, president of the National Red Cross, states that the organization is in serious financial trouble, having exhausted its disaster reserve fund and is at the present time running about 17 percent short of its 1957 fund drive goal of $95 million; and

"Whereas it is almost universally agreed that a private charity with the Christian and humanitarian motives and objectives of the present-day local, national, and international Red Cross is essential and worthy; and

"Whereas, the cost of administration of the national organization and its 3,700 chapters runs about 10 percent despite the gratuitous services rendered by a huge volunteer force which donates hundreds of millions of man-hours of service annually; and

"Whereas said volunteer gratuitous workers who give blood or solicit funds in all fairness deserve the unqualified spontaneous support of the general public which will be forthcoming and available only if the public mind rests in the firm belief or conviction that the administration of said private charity is efficient and economical: Now, therefore, be it

"Resolved by the senate (the assembly concurring), That the Wisconsin Legislature does hereby memorialize the National Congress, which charters the Red Cross, to authorize and conduct factfinding public hearings on Red Cross administration, hoping thereby to restore or establish full public confidence in this great humanitarian institution; and be it further

"Resolved, That properly certified copies of this resolution be forwarded to President Eisenhower, General Gruenther, and to each Wisconsin Member of Congress.

"ROBERT G. MAROTZ,
"Speaker of the Assembly.
"ARTHUR L. MAY,
"Chief Clerk of the Assembly,
"W. P. KNOWLES,
"President of the Senate.
"LAWRENCE R. LARSEN,
"Chief Clerk of the Senate."

RESOLUTION OF WISCONSIN STATE PUBLIC SERVICE COMMISSION

Mr. WILEY. Mr. President, I present a resolution dealing with H. R. 7672, now pending before the House Interstate Commerce Committee, relating to State jurisdiction over intrastate rates.

This resolution was forwarded to me by Edward T. Kaveny, of Madison, secretary of the public service commission of my State. This commission has a long and very honorable record, I may say, of effective regulation of rates in the public interest. Its views are always worthy of close attention, therefore.

I ask unanimous consent that the resolution be printed in the RECORD, and be thereafter referred to the Committee on Interstate and Foreign Commerce.

There being no objection, the resolution was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Bill H. R. 7672 was introduced by Congressman FLYNT on May 21, 1957. This bill would amend section 13 (4) of the Interstate Commerce Act. This amendment to section 13 (4) of the Interstate Commerce Act, if enacted into law, would strengthen the jurisdiction of the individual States over intrastate rates within the respective States. It is our opinion that any amendment to the Interstate Commerce Act which would strengthen the jurisdiction of the individual States over intrastate freight rates is in the public interest: Therefore be it

Resolved, That the Public Service Commission of Wisconsin endorse the provisions of bill H. R. 7672; it is further

Resolved, That a copy of this resolution be forwarded to each member from Wisconsin in the Congress of the United States.

EDWARD T. KAVENY,
Secretary, Public Service Commission of Wisconsin.

RESOLUTION OF MINNESOTA SONS OF UNION VETERANS OF THE CIVIL WAR

Mr. HUMPHREY. Mr. President, I have just received a resolution adopted by the Minnesota Sons of Union Veterans of the Civil War. This resolution protests further aircraft flights over public or patriotic gatherings. This has become a compelling issue in Minnesota since the tragic Memorial Day jetplane crash at Sunset Memorial Park in Minneapolis.

I ask unanimous consent that the resolution be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

DEPARTMENT OF MINNESOTA,
SONS OF UNION VETERANS,
OF THE CIVIL WAR.

Whereas the sad, serious accident incurred by jetplanes while doing a ceremonial maneuver on Memorial Day, May 30, 1957, above the cemetery called Sunset Memorial Park, causing one death and serious property damage; and

Whereas this order and many other patriotic groups have for years protested the practice of military or other planes flying over places where services for the dead were being held, and also Flag Day services at the Minnesota Soldiers Home, at times completely destroying the effectiveness of our programs; and

Whereas, this practice has been protested, even to authorities in Washington, D. C., with no avail: Now, therefore, be it

Resolved, That the 73d annual encampment of the Department of Minnesota, Sons of Union Veterans of the Civil War, assembled in Minneapolis, Minn., June 1 and 2, 1957, to go on record as appealing to Gov. Orville L. Freeman, Mayors Eric G. Hoyer and Joseph E. Dillon, United States Senators Edward J. Thye and Hubert H. Humphrey to take steps to see that such flying is never again permitted over crowds, beaches, or any public or patriotic gatherings in time of peace; and be it further

Resolved, That copies of this resolution be sent to the Governor of Minnesota, the mayors o. Minneapolis and St. Paul, the two United States Senators, the commander in chief of the Sons of Union Veterans of the Civil War, and to the press.

Adopted June 1, 1957.

THEODORE FROOD I.,
Department Commander.
ST. PAUL, MINN.
Attest:

DEWEY B. MEAD,
Department Secretary.
MINNEAPOLIS, MINN.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 562. A bill for the relief of Hideko Takiguchi Pulaski (Rept. No. 544);

S. 1335. A bill for the relief of Sandra Ann Scott (Rept. No. 545);

S. 2413. A bill to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district (Rept. No. 567);

H. J. Res. 316. Joint resolution for the relief of certain aliens (Rept. No. 563); and

H. J. Res. 322. Joint resolution for the relief of certain aliens (Rept. No. 564).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S 294. A bill for the relief of Mrs. Marion Huggins (Rept. No. 546);

S. 591. A bill for the relief of Seol Bong Ryu (Rept. No. 547);

S. 1268. A bill for the relief of Don Q. Gee (Rept. No. 548);

S. 1321. A bill for the relief of Junko Matsuoka Eckrich (Rept. No. 549);

S. 1353. A bill for the relief of Ayako Yoshida (Rept. No. 550);

S. 1452. A bill for the relief of Francesca Maria Arria (Rept. No. 551);

S. 1496. A bill for the relief of Nicoleta P. Pantelakis (Rept. No. 552);

S. 1502. A bill for the relief of Erika Otto (Rept. No. 553);

S. 1528. A bill for the relief of Arthur Green (Rept. No. 554);

S. 1641. A bill for the relief of Yong Ja Lee (Mina Kuhrt) (Rept. No. 555);

S. 1783. A bill for the relief of Randolph Stephan Walker (Rept. No. 556); and

H. R. 2070. An act for the relief of Mrs. Rhea Silvers (Rept. No. 566).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 1071. A bill for the relief of David Mark Sterling and Judith Kobudeh Sterling (Rept. No. 557);

S. 1276. A bill for the relief of Emilio Valle Duarte (Rept. No. 558);

S. 1472. A bill for the relief of Triantafilia Antul (Rept. No. 559);

S. 1478. A bill for the relief of Klara Fritzsche (Rept. No. 560);

S. 1509. A bill for the relief of Fumiko Bigelow (Rept. No. 561);

S. 1570. A bill for the relief of Julia Fodor (Rept. No. 562); and

H. J. Res. 324. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 565).

By Mr. O'MAHONEY, from the Committee on the Judiciary, with amendments:

S. 2377. A bill to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses (Rept. No. 569).

By Mr. SMATHERS, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1386. A bill to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power or train brakes (Rept. No. 568).

TEMPORARY APPROPRIATIONS FOR FISCAL YEAR 1958

Mr. HAYDEN, from the Committee on Appropriations, to which was referred the joint resolution (H. J. Res. 391) making temporary appropriations for the fiscal year 1958, and for other purposes, reported it favorably, without amendment, and it was read the third time and passed.

(See the remarks of Mr. HAYDEN when he reported the above joint resolution, which appear under a separate heading.)

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of New Jersey:

S. 2422. A bill for the relief of Ester Piccini; to the Committee on the Judiciary.

By Mr. MANSFIELD (for Mr. JOHNSON of Texas):

S. 2423. A bill for the relief of Tomoko Vela; to the Committee on the Judiciary.

By Mr. THYE:

S. 2424. A bill to provide that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn.; to the Committee on Agriculture and Forestry.

By Mr. GREEN:

S. 2425. A bill for the relief of Eugene O. Jalbert; to the Committee on the Judiciary.

By Mr. ELLENDER (by request):

S. 2426. A bill to authorize Commodity Credit Corporation to acquire title to unredeemed loan collateral without obligation to make equity payments; to the Committee on Agriculture and Forestry.

By Mr. CAPEHART:

S. 2427. A bill to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government; to the Committee on Banking and Currency.

(See the remarks of Mr. CAPEHART when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON:

S. 2428. A bill to amend the act known as the "District of Columbia Revenue Act of 1937", approved August 17, 1937; to the Committee on the District of Columbia.

S. 2429. A bill for the relief of Ma Chuck Moon and Ma Chuck Woon; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 2430. A bill for the relief of Carlos Olmos Chang and his wife, Maria Luisa Chin de Chang; to the Committee on the Judiciary.

By Mr. KUCHEL (for himself, Mr. KNOWLAND, Mr. MORSE, and Mr. NEUBERGER):

S. 2431. A bill granting the consent of Congress to the Klamath River Basin Compact between the States of California and Oregon, and for related purposes; to the Committee on Interior and Insular Affairs.

By Mr. BUTLER:

S. 2432. A bill to require that any person taken into custody as a suspect in the commission of a crime in the District of Columbia shall be arraigned within 12 hours from the time at which he is taken into custody; to the Committee on the District of Columbia.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2433. A bill to provide for the construction of minimum basic recreation facilities in the Owyhee Reservoir Area, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. HENNINGS:

S. 2434. A bill to amend the act entitled "An act to provide books for the adult blind"; and

S. 2435. A bill to organize and microfilm the papers of Presidents of the United States in the collections of the Library of Congress; to the Committee on Rules and Administration.

(See the remarks of Mr. HENNINGS when he introduced the above bills, which appear under a separate heading.)

CONSISTENCY IN FEDERAL LOAN PROGRAMS

Mr. CAPEHART. Mr. President, I introduce, for appropriate reference, a bill to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government. I ask unanimous consent that a statement, prepared by me, with reference to the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2427) to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government, introduced by Mr. CAPEHART, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The statement presented by Mr. CAPEHART is as follows:

STATEMENT BY SENATOR CAPEHART

This bill establishes two major policies applicable to all loan programs of the Federal Government. It requires each lending agency to pay interest to any future borrowing from the Treasury at a rate fixed by the Secretary of the Treasury, taking into consideration the current market rates of interest on Treasury obligations with maturities comparable to those of the loans made by the lending agency. It further requires each lending agency to charge interest on any future loans equal to at least the rate fixed by the Secretary of the Treasury, together with additional amounts sufficient to defray administrative expenses and probable losses to the extent that such additional charges are consistent with the purpose of the loan program. It will have no effect whatsoever on interest rates charged on outstanding loans or on interest rates paid to the Treasury on the funds necessary to finance these loans.

This legislation is necessary to modify the fixed statutory maximum interest rates on several lending programs established when interest costs were much lower than they are today. This bill will provide the flexibility needed to permit the interest rates charged to reflect both the current costs of each lending program and the objectives it serves.

One of the basic purposes of the legislation is to assure that, insofar as consistent with the purposes of the lending programs, all of the costs involved shall be paid by the borrower who benefits from the loan. At present hidden subsidies exist in several programs. Removal or reduction of these subsidies will increase interest receipts of these programs and thus reduce their budgetary requirements. In addition, any increase in interest rates charged will encourage substitution of private financing and thus reduce Government expenditures. The most immediate effect on the budget will be from reduced disbursements on future loans. In later years, however, as more adequate interest is paid on a larger share of the outstanding loans, the major budget saving will accrue from this source.

By requiring all lending agencies to cover at least the interest cost incurred by the Government, the proposed legislation will reduce Government competition with private lenders, wherever private lenders provide comparable loans on reasonable terms. When private financial institutions are not able to make the type of loans required, moreover, it is only reasonable that the borrower should pay for the full cost of the credit he receives to the maximum extent possible, rather than to place an unnecessary burden on the taxpayer.

RECREATION FACILITIES AT OWYHEE LAKE, OREG.

Mr. NEUBERGER. Mr. President, on behalf of myself, and my colleague, the senior Senator from Oregon [Mr. MORSE], I introduce, for appropriate reference, a bill to provide for construction of minimum basic recreation facilities in the Owyhee Reservoir area, in Malheur County, Oreg.

When Owyhee Dam was constructed, in the late 1920's, to bring water to a fertile, but arid, section of eastern Oregon, recreation features of the project were given only minor consideration. The location of the reservoir in western plateau country is in the midst of an area of unique scenic quality. But, perhaps, the most important collateral effect of impounding water behind Owyhee Dam has been the creation of a lake which abounds with fish. Knowledgeable anglers say that the Owyhee Reservoir provides some of the best bass fishing in the West.

However, the opportunities for enjoyment of the fishing and the scenic grandeur of the area are minimized by the lack of roads and other facilities. To those of anything less than pioneering instinct, the Owyhee Reservoir is virtually isolated.

It is time that Congress take steps to help remedy the lack of facilities needed to develop the full potential of the Owyhee Reservoir's recreational features. The State of Oregon, through its park department, has evidenced interest in cooperating with the Federal Government to develop the Owyhee Reservoir area. In the absence of a broad, general program for recreational use of Federal reservoir areas, I urge early action on this bill, so that the full benefits of Owyhee Reservoir can be enjoyed by the people of the Pacific Northwest.

I ask unanimous consent that the bill be printed at this point in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2433) to provide for the construction of minimum basic recreation facilities in the Owyhee Reservoir area, Oregon, and for other purposes, introduced by Mr. NEUBERGER (for himself and Mr. MORSE), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to investigate, plan, and construct minimum basic recreation facilities on lands of the Owyhee Reservoir project, Oregon (including access roads and facilities for the safety, health, and protection of the visiting public), and to provide for public use and enjoyment of such facilities, and the water areas created by this project, by such means as are consistent with the primary purpose of the project, at a cost not to exceed $495,000, as soon as the State of Oregon, or a political subdivision thereof, enters into agreement with the Secretary of the Interior to administer, operate, and maintain the recreation features of the reservoir area for a period of not less than 20 years.

SEC. 2. The Secretary of the Interior may issue such regulations as may be necessary to carry out the purposes of this act.

PROPOSED LEGISLATION PERTAINING TO THE NEEDS OF THE LIBRARY OF CONGRESS

Mr. HENNINGS. Mr. President, I introduce, for appropriate reference, two bills that are concerned with Library of Congress needs. Similar bills have already been introduced in the House, and I hope that by bringing them to the attention of the Senate, I can facilitate their passage. The first of these bills will increase and continue the authorization for funds to provide books for the adult blind. The Library of Congress has long maintained a cooperative program in which reading material and machines are provided by the Federal Government to local, State, and private agencies for distribution to individual blind readers. For lack of funds, the Division of the Blind can now only give inadequate service. I request that a statement of facts, showing in detail why more funds are needed, be printed in the RECORD.

The second bill makes an authorization for the Librarian of Congress to index and microfilm the papers of Presidents of our country. In this way, we will always have access to these unique, historic, and priceless documents. Our former President, Harry S. Truman, made a most eloquent statement on behalf of this bill on June 21, 1957, when he appeared before a House committee studying similar legislation. I am honored to include his remarks, and I commend them to my colleagues' attention. His statement expresses in the clearest possible way the real need for such an authorization. I am convinced, of course, that by passing this bill Congress will have provided an inestimable gift to the American people. I request that President Truman's remarks be printed in the RECORD.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the statements will be printed in the RECORD.

The bills, introduced by Mr. HENNINGS, were received, read twice by their titles, and referred to the Committee on Rules and Administration, as follows:

S. 2434. A bill to amend the act entitled "An act to provide books for the adult blind."

The statement of facts, accompanying Senate bill 2434 presented by Mr. HENNINGS, is as follows:

STATEMENT OF FACTS IN SUPPORT OF PROPOSED AMENDMENTS TO SECTION 135A, TITLE 2, UNITED STATES CODE, AUTHORIZING APPROPRIATIONS TO THE LIBRARY OF CONGRESS FOR A PROGRAM OF LIBRARY SERVICE TO THE BLIND

With appropriations provided under present statutory authority, the Library of Congress through its Division for the Blind is responsible for administering a national program to provide reading materials for the blind of the United States, its Territories, insular possessions and the District of Columbia. It provides books in raised characters (braille and moon type) and recorded books (talking books) together with machines to play the latter. The books are made available to 28 regional libraries which assume responsibility for service to the individual blind readers, and the machines to 55 State agencies which assign them to qualified blind readers. Thus this is a cooperative program in which the Federal Government provides the reading materials (including machines) for the blind and the local, State, or private agencies assume responsibility for the distribution of books and machines to the individual blind readers.

In 1931 at the time of the inception of the program of books for the adult blind there were 11,450 blind readers. By 1946 when $500,000 was appropriated and the appropriation authorization of $1,125,000 was granted by Congress, the total number of blind readers had grown to 30,088 or by 163 percent. At the present time, the program is serving approximately 60,000 blind readers, a 100 percent increase over 1946. In 1952 the program was broadened to include children by an amendment striking the word "adult" from the first sentence of the first section. The program has demanded the expenditure of $1 million from fiscal years 1948 through 1956 with the exception of 1949 when only $979,400 was appropriated. The requirements for increased service made it necessary to request $1,067,481 in fiscal year 1957 and the full $1,125,000 is being requested for fiscal 1958, an amount which is $267,000 below the program requirements. (See table I.)

The steady increase in readers, approximately 3,000 new registrations a year, makes it necessary to provide additional reproducers for talking books, repair existing reproducers, furnish additional copies of talking books (editions increased from 1,172 to 1,913 copies since 1953), rerecord popular old titles (currently approximately one-third of record expenditures), and provide more books in braille, particularly hand-copied books to meet special needs. In order to stay within the $1,125,000 authorization we can add annually less than 200 talking-books titles to the collections. This is in contrast to 251 talking book titles acquired in 1953. In further contrast, 10,000 ink-print titles are available to the sighted readers annually through American libraries from the yearly output of publishing houses in this country alone. In addition, in fiscal 1957 we shall be unable to meet the estimated demand for machines by about 4,000 units. (See table III.)

Due to the increase in demand in recent years for more copies of talking books to satisfy the growing clientele of readers which has required issuance of larger editions of each title, the cost of talking books per title has correspondingly increased from $2,782.65 to $3,088.09 or 11 percent. In 1948 for the purchase of 150 or more copies of a talking-book title the price per record was $1.04; in 1956 the price per record was $1.41 for the same number of copies. The price increase for braille books has been even more substantial. A sample of 8 titles produced in 1948 shows an average cost of $1.06 for each volume produced. A similar sample for 1956 shows a cost of $7.40 for each volume produced.

The increasing size of the program requires a greater degree of administration and coordination of the regional library service, liaison with the manufacturers of reproducers, suppliers of records, and printers of braille- and moon-type books. For lack of funds the staff of the Division for the Blind can now give only inadequate service in this regard.

TABLE I.—*Requirements for fiscal 1958 for an estimated 63,500 readers*

12,000 reproducers	$375,000
200 new talking book titles, including transportation	656,677
150 new braille titles, including transportation	108,725
Salaries for a staff of 26	129,831
Repair of 5,500 reproducers	33,250
Research and development to improve reading materials	35,000
Publications (including Braille Book Review, Talking Book Topics, and catalog card printing)	27,800
Braille transcribing	5,500
Travel to supervise manufacture and to coordinate and instruct regional staff	10,000
Miscellaneous (including purchase of needles and other replacement items in machines, postage, telephone and telegraph, supplies, printing, etc.)	10,300
Total needs	1,392,083
Present authorization	1,125,000
Total	267,083

TABLE II

Fiscal year	Number of readers	Number of talking book titles	Number of records	Number of braille titles	Number of braille volumes
1946	30,088	129	232,616	138	20,384
1947	34,884	44	102,080	126	12,620
1948	33,045	145	210,196	225	20,086
1949	35,692	150	273,164	230	20,180
1950	40,768	162	324,161	116	8,168
1951	43,494	99	253,137	98	8,282
1952	46,353	190	443,350	161	13,027
1953	47,774	251	450,425	128	10,208
1954	52,357	216	326,669	132	8,925
1955	54,932	200	344,863	141	8,949
1956	[1] 57,700	143	312,890	116	8,750

[1] Estimated.

TABLE III

Fiscal year	Machines on hand	Number manufactured	Number retired	Net number available machines	Number talking book readers
1946	23,500	550	4,800	19,250	18,607
1947	19,250	2,550	4,800	17,000	23,343
1948	17,000	8,500	4,800	20,700	21,596
1949	20,700	12,000	4,589	28,111	25,643
1950	28,111	15,000	4,800	38,311	30,691
1951	38,311	7,500	3,664	42,147	33,642
1952	42,147	0	2,018	40,129	37,278
1953	40,129	0	1,155	38,974	38,090
1954	38,974	3,500	837	41,637	42,470
1955	41,637	4,300	1,653	44,284	44,273
1956	44,284	9,999	[1] 11,712	42,571	47,000
1957	42,571	7,000	[2] 3,000	[3] 46,571	[3] 50,500
1958	[3] 46,571	8,100	[2] 5,000	[2] 49,671	[3] 53,300

[1] All remaining models excepting model R machines manufactured prior to 1949 (comprising approximately 10,000 model S machines and machines of the 30,000 series) were retired at the conclusion of 1956 distribution because of obsolescence in addition to scrapping of 1,712 later models.
[2] Estimated.
[3] Including all remaining model R machines manufactured in 1948.

TABLE IV

Fiscal year	Appropriation	Number of readers	Number braille titles	Number talking book titles	Number of records	Number of machines manufactured	Machines repaired	Total cost
1947	$800,000	34,884	126	44	102,080	2,550	----------	$391,031
1948	1,000,000	33,045	225	145	210,196	8,500	4,250	770,848
1949	979,400	35,692	221	150	273,164	12,000	6,000	812,354
1950	1,000,000	40,768	116	162	324,161	15,000	2,692	970,045
1951	1,000,000	43,494	98	99	253,137	7,500	3,663	636,869
1952	1,000,000	46,353	161	190	443,350	----------	6,447	849,339
1953	1,000,000	47,774	128	251	450,425	----------	8,526	875,460
1954	1,000,000	52,357	132	216	326,669	3,500	9,271	789,979
1955	1,000,000	54,932	141	200	344,863	4,300	9,213	821,534
1956	1,000,000	[1] 57,700	116	143	312,890	10,000	4,076	850,608
1957	1,067,481	[1] 60,500	[1] 129	[1] 158	[2] 365,812	7,000	[2] 2,000	[1] 870,175
1958	1,125,000	[1] 63,300	[1] 129	[1] 164	[1] 383,760	[1] 8,100	[1] 5,500	[1] 914,449

[1] Estimated.
[2] Recording of 1 title, Old Testament (Bible), 33,938 records.
[3] Estimated, based on number of units repaired to present date.

S. 2435. A bill to organize and microfilm the papers of Presidents of the United States in the collections of the Library of Congress.

The statement of former President Truman presented by Mr. HENNINGS is as follows:

STATEMENT OF FORMER PRESIDENT HARRY S. TRUMAN BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON HOUSE ADMINISTRATION OF THE UNITED STATES HOUSE OF REPRESENTATIVES IN SUPPORT OF H. R. 7813, JUNE 21, 1957

Representative JONES, and members of the committee, I am appearing here in support of H. R. 7813, a bill introduced by my old friend JOHN MCCORMACK.

The adoption of this measure will help to preserve and to make available for study the records of 1 of the 3 great branches of our Government, the Presidency.

The Presidency is a unique American institution. No other country's constitution has an office like it, because it is a combination of the functions and duties of the head of state with those of the head of the Government. Added significance has been given to it by our system of popular elections, which changed the original scheme of the Constitution and made the President the only officer of government chosen by the whole people.

Unfortunately, the actions of the Presidency are not as fully recorded as those of other branches of the Government. The decisions of the Congress are publicly debated, and the reasons for its actions can usually be found in the CONGRESSIONAL RECORD or in the printed hearings or reports of its committees. The courts, under our common law tradition, are required to set down in writing the reasons for their decisions. For the study of the legislative or judicial branches of the Government there exist, therefore, published records in abundance. But no such official record exists for the decisions and actions of the President. We can learn what a President did (although in many fields of activity there is no official record even of his acts), but we often have no public records, official or otherwise, for the reasons behind his decisions.

Of course, the operations of the Presidency are so complex, and include such delicate functions as the conduct of foreign affairs and domestic political strategy, that it would be difficult, and often unwise, as well as impractical, to publish the reasons for all Presidential decisions at the time they were made. There is all the more reason, therefore, for preserving the historical records of the conduct of the Presidency for study and examination after the passage of time has made such study possible and after the necessity for keeping some of them confidential has ended.

The historical records on which such study can be based are to be found in the correspondence and the papers of the Presidents.

These papers, as a constitutional matter, have been traditionally considered to be the private property of each individual President. He has always taken them with him on leaving office, and until recent years he and his heirs have had little help from the Government in preserving them. As a result many have been dispersed, lost, or destroyed.

Beginning around 1900, the Library of Congress embarked on a campaign to collect and preserve the papers of past Presidents. To the retiring President, or his heirs, the Library offered a place of safekeeping for the papers. Efforts were also made to find the papers of earlier Presidents and to attract them to the Library for preservation.

As a result, the Library of Congress now has in its Manuscript Division papers from the hands or from the files of 23 Presidents of the United States. In some few instances these papers are fragmentary, or of small importance, or do not include papers of the period of the Presidency. In most instances, however, the papers in the possession of the Library of Congress are substantially complete files covering the years during which their author occupied the Presidency, as well as other aspects of his career.

The Librarian of Congress, who is here, can give you all the details about these papers.

The collections of the Library of Congress are bound or boxed in typical manuscript cases and arranged on shelves in the Manuscript Division of the Library of Congress annex. With a few exceptions they have not been cataloged or indexed. This does not mean they have been negligently treated, as manuscripts go. Indeed, they are probably more accessible than the manuscripts of other historical personages. But this is not good enough for the only surviving records of the third coequal branch of our constitutional form of government.

In the case of some of the earlier Presidents, biographers or researchers using their papers are confronted with the task of making their own catalogs or indexes before they can make adequate use of the files. The problem is worse in the case of later Presidents, because their files are so much more voluminous, running, in the case of President Wilson, to 280,000 pieces, and, in the case of President Taft, to even more.

No blame attaches to the Library of Congress for this lack of cataloging and cross-referencing. To arrange and index the papers properly is a considerable task requiring the work of skilled specialists over a substantial period of time, and substantial funds.

There is another great drawback to the easy use of the Presidential papers. To study them, scholars must leave their homes or universities and come to Washington. The expense and inconvenience have undoubtedly discouraged the use of this great wealth of historical records.

Perhaps the greatest disadvantage of the present situation is the vulnerability of these papers to destruction. Here, in a sense, we have put all of our Presidential historical treasures in one basket. The dangers of atomic war make us conscious today of how reckless this is. But it is not only atomic attack that might deprive us of these records. Any disaster in the Library of Congress annex, such as a fire, or the destructive act of some crank or lunatic might have the same effect.

The bill before you remedies all these difficulties and dangers.

It provides authorization for funds to put these papers in good order and index them. As a result, researchers will be able to use them with greater ease and without waste of time.

It provides authorization for microfilming all the papers. The microfilm prints can then be purchased by institutions of learning throughout the land, as complete sets, or in part. Students wishing just part of these files can order them and obtain them for their own use. Or they can go to their nearby universities or record centers and study the microfilms there. I hope that our National Archives and records system can obtain complete sets and keep them in their archival depositories at various places around the country. I very much want to see a set at the Truman Library in Independence, which will soon belong to the Government, and I shall work to see that a set is obtained for that depository.

Finally, by dispersing copies of these precious records throughout the country, their contents will be preserved against the danger of enemy attack or other destruction for posterity.

In these ways the bill before you safeguards some of our most valuable national records and opens the possibility of a more widespread and intensive study of the functions and the importance of the American Presidency.

It goes without saying that the Presidential papers that are not in the Library of Congress should also be indexed and microfilmed. This is being done with respect to the Roosevelt papers at Hyde Park, as the Archivist, Dr. Wayne Grover, can explain to you, and the same process will be applied to my papers in due course after they too have come under the care of the National Archives.

The papers of modern Presidents are so voluminous that they should come under the protection of the National Archives in special depositories. The Library of Congress collections would be swamped by the papers of any recent President. For example, the papers of the 23 Presidents now in the possession of the Library of Congress total some 2,700,000 pieces, whereas my files—the files of 1 President today—are estimated to contain approximately 3,500,000 pieces.

I believe that the Congress has made ample provision for the safekeeping of the papers of modern Presidents in the Presidential libraries amendments to the Federal Property and Administrative Services Act which were introduced by JOHN MCCORMACK and adopted in 1955, and under which the Truman Library building and my papers and mementos will pass to the Federal Government next month.

It now remains for the Congress to take the necessary steps to safeguard and make available to the public the papers of earlier Presidents now in the Government's keeping. This aim is achieved by the bill here under consideration.

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN NIAGARA RIVER—AMENDMENT

Mr. MARTIN of Pennsylvania submitted an amendment, intended to be proposed by him, to the bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes, which was ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. WILEY:

Statement by him relating to the visit to Washington, D. C., of Asian delegates from the Moral Rearmament Assembly of Nations at Mackinac Island, Mich.

By Mr. HENNINGS:

Article entitled "Presidential Succession," written by Senator GREEN and published in the Dickinson Law Review.

By Mr. TALMADGE:

Statement by John J. Wicker, Jr., in connection with hearings on proposed changes in the Senate cloture rule, with introduction of Mr. Wicker by Senator ROBERTSON.

NOTICE OF HEARINGS ON THE NORTH AMERICAN REGIONAL BROADCASTING AGREEMENT AND THE BROADCASTING AGREEMENT WITH MEXICO

Mr. FULBRIGHT. Mr. President, as chairman of the subcomittee of the Committee on Foreign Relations to consider the North American Regional Broadcasting Agreement—NARBA—and the agreement with Mexico relating to broadcasting, I wish to announce that there will be a public hearing on Wednesday, July 10, 1957, on these two treaties.

The North American Regional Broadcasting Agreement—Executive A, 82d Congress, 1st session—was transmitted to the Senate on February 5, 1951. Public hearings were held on the agreement in 1953 but no further action was taken.

The agreement with Mexico—Executive G., 85th Cong., 1st sess.—was transmitted to the Senate on March 12, 1957.

This announcement is to advise the interested parties to get in touch with the Committee on Foreign Relations if they wish to testify on July 10.

The members of the subcommittee besides myself are Senators MANSFIELD, MORSE, KNOWLAND, and AIKEN.

NOTICE OF HEARINGS ON NOMINATIONS OF CLIFFORD O'SULLIVAN, TO BE UNITED STATES DISTRICT JUDGE, EASTERN DISTRICT OF MICHIGAN, AND JOSEPH C. ZAVATT, TO BE UNITED STATES DISTRICT JUDGE, EASTERN DISTRICT OF NEW YORK

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearings have been scheduled for Wednesday, July 10, 1957, beginning at 10 a. m., in room 424, Senate Office Building, upon the nominations of—

Clifford O'Sullivan, of Michigan, to be United States district judge for the eastern district of Michigan, vice Arthur A. Koscinski, retired.

Joseph C. Zavatt, of New York, to be United States district judge for the eastern district of New York, vice Clarence G. Galston, retired.

At the indicated time and place all persons interested in the above nominations may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Indiana [Mr. JENNER], and myself, as chairman.

RELATIONS WITH COMMUNIST CHINA—ADDRESS BY SECRETARY OF STATE AT SAN FRANCISCO, CALIF.

Mr. KNOWLAND. Mr. President, on last Friday at San Francisco, the Secretary of State, John Foster Dulles, delivered an outstanding address relative to our policy in relation to Communist China. I ask unanimous consent that the text of the Secretary's address be printed at this point in the body of the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

OUR POLICIES TOWARD COMMUNISM IN CHINA

(Address by the Honorable John Foster Dulles, Secretary of State, before the International Convention of Lions International, Civic Auditorium, San Francisco, Calif., Friday, June 28, 1957)

It is appropriate that in this great city of San Francisco, which faces the Far East, we should consider our policies toward communism in China.

I. THE SITUATION TODAY

On the China mainland 600 million people are ruled by the Chinese Communist Party. That party came to power by violence and, so far, has lived by violence.

It retains power not by will of the Chinese people, but by massive, forcible repression. It fought the United Nations in Korea. It supported the Communist war in Indochina; it took Tibet by force. It fomented the Communist Huk rebellion in the Philippines and the Communists' insurrection in Malaya. It does not disguise its expansionist ambitions. It is bitterly hateful of the United States, which it considers a principal obstacle in the way of its path of conquest.

In the face of this condition the United States has supported, morally and materially, the free nations of the Western Pacific and Southeast Asia. Our security treaties make clear that the violation of these nations by international communism would be considered as endangering our own peace and safety, and that we would act accordingly.

Together we constitute a goodly company and a stout bulwark against aggression.

As regards China, we have abstained from any act to encourage the Communist regime, morally, politically, or materially. Thus:

We have not extended diplomatic recognition to the Chinese Communist regime;

We have opposed its seating in the United Nations;

We have not traded with Communist China, or sanctioned cultural interchanges with it.

These have been, and are, our policies. Like all our policies, they are under periodic review.

II. THE PRECEDENT OF RUSSIA

As we review our China policy, we naturally and properly recall our recognition policy as regards Communist Russia.

The Bolsheviks seized power from Kerensky in 1917. Nevertheless, we continued for 16 years to treat the Kerensky representatives in exile as the lawful government of Russia. By 1933, it seemed that the Communist regime might be considered as a peaceful member of society. For more than a decade it had committed no act of armed aggression. It had accepted the independence of Estonia, Latvia, and Lithuania, and of Poland. It was not demonstably maltreating American citizens. It promised to cease subversive activities in the United States, to respect American rights in Russia, and to settle Russia's public and private debts to the United States.

Also, by 1933, we desired to encourage the Soviet regime to resist Japanese aggressive policies in the Far East. The Republic of China, inspired by this same notion, had recognized the Soviet Government in December 1932 and we shortly followed suit.

We need not question that act of recognition under the circumstances which then prevailed. Recognition seemed indicated by most tests and we did not read the future.

However, it can, I think, be said with confidence that recognition would not have been accorded to the Soviet Union even in 1933 had there been clear warning that the Soviet promises given in that connection were totally unreliable, that aggressive war would soon become an instrumentality of Soviet policy, and that it would be neutral toward Japanese aggression in Asia.

In the case of Communist China, we are forewarned. That regime fails to pass even those tests which, after 16 years, the Soviet regime seemed to pass.

(1) Soviet Russia, in 1933, had had a decade of peaceful and nonaggressive relations with neighboring states; Communist China's past record is one of armed aggression.

(2) The Soviet regime seemed to want peace for the future. In the case of Communist China the situation is quite the reverse. Mr. Chou En-lai, at the time of the Bandung Conference, said that "the Chinese people do not want to have war with the United States and are willing to settle international disputes by peaceful means." But when the United States took him up, and sought explicit reciprocal renunciations of force, his Ambassador, after presenting various evasive formulas, finally stated frankly that his regime contemplated using armed force to take Taiwan (Formosa) unless they could get it in some other way.

(3) The Soviet Union in 1933 was not flagrantly violating its international engagements. The Chinese Communist regime is violating the 1953 Korean armistice and the 1954 Indochina armistice.

(4) There was reason to hope that the Soviet regime would treat our nationals with respect. The Chinese Communist regime violates the persons of our citizens in defiance of the elementary code of international decency and breaches its 1955 pledge to release them.

(5) It seemed, in 1933, that the Soviet regime and the United States had parallel interests in resisting Japanese aggression in the Far East. Today the political purposes of Communist China clash everywhere with our own.

III. THE CONSEQUENCES OF RECOGNITION

United States diplomatic recognition of Communist China would have the following consequences:

(1) The many mainland Chinese, who by Mao Tse-tung's own recent admission seek to change the nature of their government, would be immensely discouraged.

(2) The millions of overseas Chinese would feel that they had no free China to which to look. Today increasing numbers of these overseas Chinese go to free China to study. Six years ago there were less than 100 Chinese students from southeast Asia and Hong Kong studying in Taiwan. Now there are nearly 5,000.

The number of Chinese students from overseas communities coming to free China has increased year by year; the number going to Communist China has declined, and hundreds of disillusioned students have made their way out of mainland China in the past 2 years.

If the United States recognized the Chinese Communist regime, many of the millions of overseas Chinese in free Asian countries would reluctantly turn to acceptance of the guiding direction of the Communist regime. This would be a tragedy for them; and it would imperil friendly governments already menaced by Chinese Communist subversion.

(3) The Republic of China would feel crushed by its friend. That Government was our ally in the Second World War and for long bore alone the main burden of the Far Eastern war. It had many tempting opportunities to compromise with the Japanese on terms which would have been gravely detrimental to the United States. It never did so. We condemn the Soviets for having dishonored their 20-year treaty pledge of 1945 to support the Chinese National Government as the Central Government of China. We are honorbound to give our ally, to whom we are pledged by a mutual-defense treaty, a full measure of loyalty.

(4) The free Asian governments of the Pacific and southeast Asia would be gravely perplexed. They are close to the vast Chinese land mass. Geographically and, to some extent politically, they are separated as among themselves. The spirit and resolution of the United States provides an important unifying and fortifying influence. If we seemed to waver and to compromise with Chinese communism, that would in turn weaken free Asia resistance to Chinese communism and assist international communism to score a great success in its program to encircle us.

IV. CHINA AND THE UNITED NATIONS

United States recognition of Communist China would make it probable that the Communist regime would obtain the seat of China in the United Nations. That would not be in the interest either of the United States or of the United Nations.

The United Nations is not a reformatory for bad governments. It is supposedly an association of those who are already peaceloving, and who are able and willing to carry out the charter obligations. The basic obligation is to renounce the international use of force, except in defense against armed attack.

The Chinese Communist regime has a record of successive armed aggressions, including war against the United Nations itself, a war not yet politically settled but discontinued by an armistice. The regime asserts not only its right, but its purpose, to use force if need be to bring Taiwan under its rule.

The Republic of China is entitled to a permanent seat and veto power in the Security Council. Should a regime which in 7 years has promoted five foreign or civil wars—Korea, Indochina, Tibet, the Philippines, and Malaya; which itself has fought the United Nations, and has been found by it to be an aggressor; which defies the United Nations decision to reunify Korea, and which openly proclaims its continuing purpose to use force—should that regime be given a permanent seat, with veto power, in the body which, under the charter, has primary responsibility for the maintaining of international peace and security?

Communist Russia, with veto power, already seriously limits the ability of the United Nations to serve its intended purposes. Were Communist China also to become a permanent, veto-wielding member of the Security Council, that would, I fear, implant in the United Nations the seeds of its own destruction.

V. TRADE AND CULTURAL RELATIONS WITH COMMUNIST CHINA

Let me turn now to the matter of trade and cultural relations, which could exist, to a limited degree, without recognition.

Normal peacetime trade with China, from which the American and Chinese peoples would benefit, could be in the common interest. But it seems that that kind of trade is not to be had in any appreciable volume.

Trade with Communist China is not a free trade. It does not provide one country with what its people want, but cannot well produce for themselves, in exchange for what other people want but cannot well produce for themselves. Trade with Communist China is wholly controlled by an official apparatus and its limited amounts of foreign exchange are used to develop as rapidly as possible a formidable military establishment and a heavy industry to support it. The primary desire of that regime is for machine tools, electronic equipment, and, in general, what will help it produce tanks, trucks, planes, ammunition, and other military items.

Whatever others may do, surely the United States, which has heavy security commitments in the China area, ought not build up the military power of its potential enemy.

We also doubt the value of cultural exchanges, which the Chinese Communists are eager to develop. They want this relationship with the United States primarily because, once that example was given, it would be difficult for China's close neighbors not to follow it. These free nations, already exposed to intense Communist subversive activities, could not have the cultural exchanges that the Communists want without adding greatly to their danger.

VI. THE DE FACTO ARGUMENT

These are the considerations which argue for a continuance of our present policies. What are the arguments on the other side?

There are some who say that we should accord diplomatic recognition to the Communist regime because it has now been in power so long that it has won the right to that.

That is not sound international law. Diplomatic recognition is always a privilege, never a right.

Of course, the United States recognizes that the Chinese Communist regime exists. We well know that it exists, for it has fought in Korea. Also, we admit of dealing with the Chinese Communists in particular cases where that may serve our interests. We have dealt with it in relation to the Korean and Indochina armistices. For nearly 2 years we have been, and still are, dealing with it in an effort to free our citizens and to obtain reciprocal renunciations of force.

But diplomatic recognition gives the recognized regime valuable rights and privileges, in the world of today, recognition by the United States gives the recipient much added prestige and influence at home and abroad.

Of course, diplomatic recognition is not to be withheld capriciously. In this matter, as others, the United States seeks to act in accordance with principles which contribute to a world society of order under law.

A test often applied is the ability of a regime actually to govern. But that is by no means a controlling factor. Nations often maintain diplomatic relations with governments in exile. And they frequently deny recognition to those in actual power.

Other customary tests are whether, as Thomas Jefferson put it, the recognized government reflects the will of the nation substantially declared; whether the government conforms to the code of civilized nations, lives peacefully, and honors its international obligations.

Always, however, recognition is admitted to be an instrument of national policy, to serve enlightened self-interest.

One thing is established beyond a doubt. There is nothing automatic about recognition. It is nothing compelled by the mere lapse of time.

VII. THE "INEVITABILITY" ARGUMENT

Another argument is that diplomatic recognition is inevitable, so why not now?

First of all, let me say emphatically that the United States need never succumb to the argument of "inevitability." We feel that we, with our friends, can fashion our own destiny. We do not accept the mastery of Communist forces.

And let me go on to say that Communist-type despotisms are not so immutable as they sometimes appear. Time and circumstances work also upon them.

There is often an optical illusion which results from the fact that police states, suppressing differences, give an external appearance of hard permanency; whereas the democracies with their opposition parties and often speaking through different and discordant voices, seem the unstable, pliable members of the world society.

The reality is, of course, that a governmental system which tolerates diversity has a long life expectancy. And a system which seeks to impose conformity is always in danger. That results from the basic nature of human beings. Of all the arguments advanced for recognition of Communist China, the least cogent is the argument of "inevitability."

VIII. CHINA VERSUS RUSSIA

There are some who suggest that if we assist the Chinese Communists to wax strong, then they will eventually break with Soviet Russia and that that is our best hope for the future.

There are, no doubt, basic power rivalries between Russia and China in Asia. On the other hand, the Russian and Chinese Communist Parties are bound together by close ideological ties.

Perhaps, if the ambitions of the Chinese Communists are inflated by success, they might eventually clash with Soviet Russia.

Perhaps, too, if the Axis Powers had won the Second World War, they would have fallen out among themselves.

But no one suggested that we should tolerate and even assist an Axis victory because in the end they would quarrel over the booty—of which we would be part.

IX. CONCLUSION

We seek to appraise our China policies with an open mind and without emotion, except for a certain indignation at the prolonged abuse of American citizens in China. We have no feeling whatsoever that change is to be avoided merely in the interest of consistency or because change would imply past error.

We always take into account the possibility of influencing the Communist regime to better ways if we had diplomatic relations with it, or if, without that, we had commercial and cultural contacts with it. But the experience of those who now recognize and deal with the Chinese Communist regime convinces us that, under present conditions, neither recognition, trade, nor cultural relations, nor all three, would favorably influence the evolution of affairs in China. The probable result, internally, would be the opposite of what we hope for.

Internationally the Chinese Communist regime does not conform to the practices of civilized nations; does not live up to its international obligations; has not been peaceful in the past, and gives no evidence of being peaceful in the future. Its foreign policies are hostile to us and our Asian allies. Under these circumstances, it would be folly for us to establish relations with the Chinese Communists which would enhance their ability to hurt us and our friends.

You may ask, "What of the future?" Are our policies merely negative? Do we see any prospect of resuming the many friendly ties which, for many generations, the American people have had with the Chinese people, and which we want to have again?

Do we see any chance that the potentially great Chinese nation, with its rich and ancient culture and wisdom, will again be able to play a constructive part in the councils of the nations?

We confidently answer these questions in the affirmative. Our confidence is based on certain fundamental beliefs. One is a belief in the future of human freedom. We know that the materialistic rule of international communism will never permanently serve the aspirations with which human beings are endowed by their Creator.

Within the Soviet Union the rulers have had to disavow Stalin's brand of communism.

Within the satellites, even 12 years of indoctrination do not persuade the people that the Soviet system satisfies either their national or their individual desires.

Communism is equally repugnant to the Chinese people. We read the recent brave words uttered within Red China by the university lecturer: "To overthrow you cannot be called unpatriotic, because you Communists no longer serve the people."

The Chinese people are, above all, individualists. We can confidently base our policies on the assumption that international communism's rule of strict conformity is, in China as elsewhere, a passing and not a perpetual phase. We owe it to ourselves, our allies, and the Chinese people to do all that we can to contribute to that passing.

If we believed that this passing would be promoted by trade and cultural relations, then we would have such relations.

If we believed that this passing would be promoted by our having diplomatic relations with the present regime, then we would have such relations.

If we believed that this passing would be promoted by some participation of the present regime in the activities of the United Nations, then we would not oppose that.

We should be, and we are, constantly testing our policies, to be as certain as we can be that, in the light of conditions as they from time to time are, our policies shall serve the great purposes to which our Nation has been dedicated since its foundation—the cause of peace, justice, and human liberty.

Our policies are readily adjustable to meet the requirements of changing conditions. But there are occasions when others, and not we, should provide the change. Nothing could be more dangerous than for the United States to operate on the theory that if hostile and evil forces do not quickly or readily change, then it is we who must change to meet them.

The United States exerts an immense influence in the world today, not only because it is powerful, but because we stand for peace, for national independence, and personal liberty. Many free nations seek to coordinate their foreign policies with ours. Such coordination is indeed indispensable if the Free World is to have the cohesion needed to make it safe. But United States policies will never serve as rallying points for free peoples if the impression is created that our policies are subject to change to meet Communist wishes for no reason other than that Communism does not want to change. If communism is stubborn for the wrong, let us be steadfast for the right.

The capacity to change is an indispensable capacity. Equally indispensable is the capacity to hold fast that which is good. Given those qualities, we can hopefully look forward to the day when those in Asia who are yet free can confidently remain free, and when the people of China and the people of America can resume their long history of cooperative friendship.

Mr. SMITH of New Jersey. Mr. President, I desire to join with the minority leader, the senior Senator from California [Mr. KNOWLAND], in supporting wholeheartedly the very able speech that the Secretary of State made before the International Convention of Lions International in San Francisco on June 28. This is the address that the minority leader has had printed in the RECORD.

In light of the many rumors that organized steps are being taken to admit Red China to the United Nations, and also to bring about the recognition of Communist China by the United States, it seems to me that this clarifying speech by the Secretary of State is of first importance.

I was particularly impressed by the brief statement in part I, which is as follows:

As regards China, we have abstained from any act to encourage the Communist regime, morally, politically, or materially. Thus:

We have not extended diplomatic recognition to the Chinese Communist regime;

We have opposed its seating in the United Nations;

We have not traded with Communist China, or sanctioned cultural interchanges with it.

These have been, and are, our policies. Like all our policies, they are under periodic review.

The Secretary in part IV of his address relating to the admission of Communist China to the United Nations dramatically raises the question of why Communist China should be admitted to the United Nations at this time:

Should a regime which in 7 years has promoted 5 foreign or civil wars—Korea, Indochina, Tibet, the Philippines, and Malaya; which itself has fought the United Nations and has been found by it to be an aggressor; which defies the United Nations' decision to reunify Korea, and which openly proclaims its continuing purpose to use force—should that regime be given a permanent seat, with veto power, in the body which under the Charter has "primary responsibility for the maintaining of international peace and security"?

In part IX in the general conclusion of the address, the Secretary states the reasons why we cannot recognize the Chinese Communist regime now, and I quote the following:

Internationally the Chinese Communist regime does not conform to the practices of civilized nations; does not live up to its international obligations; has not been peaceful in the past, and gives no evidence of being peaceful in the future. Its foreign policies are hostile to us and our Asian allies. Under these circumstances, it would be folly for us to establish relations with the Chinese Communists which would enhance their ability to hurt us and our friends.

Finally, the Secretary, in conclusion, made this challenging statement:

If communism is stubborn for the wrong, let us be steadfast for the right.

And, at the end of his speech, the Secretary stated:

The capacity to change is an indispensable capacity. Equally indispensable is the capacity to hold fast that which is good. Given those qualities, we can hopefully look forward to the day when those in Asia who are yet free can confidently remain free, and when the people of China and the people of American can resume their long history of cooperative friendship.

Mr. President, it is my hope that every Member of the Senate in considering this important issue will read carefully the well chosen words of the Secretary of State.

Mr. HUMPHREY subsequently said, Mr. President, I was astonished over the weekend to read the speech which the Secretary of State delivered at the Lions International convention at San Francisco. In it, Secretary Dulles referred to Communist control of the China mainland as a "passing and not a perpetual phase." He is quoted as saying: "We can confidently base our policies on the assumption that international communism's rule of strict conformity is, in China as elsewhere, a passing and not a perpetual phase."

Mr. President, we have heard from the Secretary of State before on this issue of the withering away of the Communist state. Last Friday the Secretary was speaking of Communist China. Two years ago, in June 1955, the Secretary was referring to the Soviet Union when he said that the Soviet economy was on the point of collapse. At that time the New York Times of July 8, 1955, commented: "He gave no factual elaborations to support the statement." I am afraid, Mr. President, that the Secretary's optimistic reference last Friday to Communist rule in China as a passing phase falls into this same category. The facts to support the statement are missing.

In yesterday's Washington Post and Times Herald there was an editorial entitled "Mr. Dulles on China." That editorial stresses the importance of developing an American approach which is alert to our own permanent interests. We should review and change static policies when they are no longer productive ones.

I ask unanimous consent that the text of the editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. DULLES ON CHINA

Secretary Dulles told his audience in San Francisco that the United States' policy toward Communist China is "under periodic review," but the remainder of his speech gave little evidence of it. Indeed, the Secretary followed up this bow to flexibility in foreign policy by a stout defense of the unchanging policy to which he has kept the country committed for more than 4 years. There is much logic in his indictment of the Red Chinese regime, which continues to violate its international engagements and to hold American citizens as prisoners "in defiance of the elementary code of international decency" and in violation of its 1955 pledge to release them. It does not follow, however, that American interests are best served by a static policy which inflicts disadvantages on this country as well as on mainland China.

The most persuasive part of the Secretary's speech was that directed against recognition of the Peking regime at this time and against the substitution of Communist China for Nationalist China in the United Nations Security Council. He was least convincing when he talked about maintenance of the present ban against all trade and cultural relations with the Chinese mainland. "Normal peacetime trade with China, from which the American and Chinese peoples would benefit," he asserted, "could be in the common interest." But he went on to say that trade with China at present would not amount to much without the shipment of strategic goods.

Of course, the United States cannot in the present context of world affairs, permit the shipment to China of equipment that would add to her warmaking potential. But this should not preclude the allowance of limited trade of the type that American firms carry on with Russia. There would be less hostility to Mr. Dulles' China policy if he were willing to make minor concessions that might encourage Peking to soften its belligerent and arbitrary attitude.

Mr. Dulles continues to oppose cultural relations with Communist China at a moment when his Department is actively seeking such exchanges with the Soviet Union. The reason he gives is that an American example of cultural contacts would expose China's close neighbors to more intense subversive efforts. But surely the State Department could allow American journalists to report the news in China without weakening the defenses of any country to the pressures of the Communists. Indeed, more information about what is happening in Red China might well be a safeguard against subversive forces.

There can be no quarrel with Mr. Dulles' statement that "the capacity to hold fast to that which is good" is as indispensable as the capacity to change. But many will quarrel with his tendency to classify all that he has done in the past as good so as to avoid facing the need for an evolution of policy when a stalemate has been reached. He did, to be sure, voice hope that an emergence of freedom in China will make possible the resumption of friendly relations at some time in the future. What we should like to be sure of is that the United States will take advantage of every opportunity to encourage that kind of evolution.

TRAINING FOREIGN POLICE OFFICERS—A FINE EXAMPLE OF THE TECHNICAL ASSISTANCE FUND

Mr. WILEY. Mr. President, within the near future, the Senate will be taking up the 1958 Mutual Security Appropriation bill.

It is my earnest hope that the basic sums to which we have already agreed in the mutual security authorization bill will be approved in the appropriation bill which will be coming before us.

In the course of the debate on the fund bill, we will be covering literally hundreds—yes, thousands—of appropriation items under military, economic, and technical assistance.

It is my purpose at the present time to invite attention to one particular item under this bill. This example illustrates, I believe, the sound use to which our funds are being put.

I refer to the expert training and know-how furnished under ICA contract with the International Association of Chiefs of Police.

This splendid nonprofit group, with interests and membership in some 47 countries, provides a vital link in strengthening the internal security of nations throughout the world.

We have learned, during the postwar decade, how Communist subversion invariably aims at what is called in some countries the Department of Interior, in other countries the national police force, or some other term.

When a coalition government is formed, as, for example, in Czechoslovakia, before the Communist takeover, invariably the Communists aim to get control of the police ministry.

Where they cannot get control of the police, the Communists aim to foment street riots and disturbances, so as to promote chaos within a country and a breakdown of authority.

I ask unanimous consent that a statement which describes how the United States is wisely seeking to counter this Communist tactic be printed at this point in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

THE IACP AND OUR NATIONAL INTEREST

Just what does this type of project mean in terms of our mutual security aims? How does the International Association of Chiefs of Police serve our national interest? It could mean a great deal.

The national police force of any nation is a strategic instrument. Civil police can serve to fortify or subvert the internal security of a country. It can serve to protect the people from within against hostile elements, or it can be misused by alien sources as a means of force and repression against the people.

It is obvious, then, that police and law enforcement agencies may be key powers in government. It would be to our self-interest to foster high police standards and practices in other nations based upon sound national principles. Wouldn't it be better to introduce Iranian or Lebanese police officers to American law-enforcement skills, than find them "taken in" by Soviet imperialist offers of so-called democratic technical training?

Of course, we in this country do not have a national police force, as such. Our great FBI is an investigative agency of the Department of Justice; it is not a prosecuting force.

But other nations do have national or quasi-national police forces and they must protect those forces from Communist termiting.

MAJOR AREAS REPRESENTED

This is just what the International Association of Chiefs of Police is trying to accomplish—to introduce the highest American standards and safeguards. Let's take a look at some of the police officials already programed by the IACP, spotlighting their origin. We will see that they represent serious "hot-spot areas" all over the world—areas where the police unit could wield a constructive or destructive force.

The IACP has hosted:

Fifteen officials from Afghanistan—a prime target of Communist subversion and infiltration.

Seventy-two officials from Indonesia—a land of 3,000 islands, rich in minerals, but revolution-torn and underdeveloped. This is another perfect prey for Communist exploitation.

Twenty-five officials from Iran and Iraq—both strategic landmarks in the Mid-East, and friendly to western-sponsored collective security.

Nine officials from Lebanon—a tiny Mid-East quarter, trying to "stay with" the West.

Fourteen officials from the Philippines—a stanch member of SEATON and the Gibraltar of southeast Asia.

Ten officials from Guatemala—once Communist-threatened, and still trying to hold its own against alien Red forces.

Sixteen officials from Korea—an ally which must remain on guard internally, and externally in the wake of a Communist military buildup in the north.

These are but a few of the crucial nations participating in the IACP program, plus other countries in continuous contact with the IACP training division.

THE IACP OPERATION

How does the IACP program with the Government operate, and how are these foreign participants chosen?

The Training Division of the International Association of Chiefs of Police, located here in Washington, provides constant consultation services to the International Cooperation Administration. When the visiting officers arrive in the United States, they are initially processed by the Government agency and then turned over to the training division for programing. All of the programs are carefully supervised, and the participants receive counseling and advice as they pursue their studies.

The studies undertaken consist of supervised observations and on-the-job training in Federal, State, and municipal police agencies; regular courses in police schools; specialized courses in private organizations and universities; and extended academic studies in universities.

The visitors are nominated by their respective governments for training in the United States, in accord with their aims to improve civilian police service. They do not receive personal grants or scholarships. Each of these officials is selected for the purpose of gaining the specific knowledge and skill needed by his country.

The length of the training program averages about 6 months. The ranks of the foreign officials range from lower executive levels to top-grade positions. Naturally they all undergo a careful screening process prior to acceptance in the program.

UNIQUE ADVANTAGES OF THE IACP

As a private professional organization, the International Association of Chiefs of Police has unique advantage in handling this particular type of exchange project.

Since January of 1955, a total of 268 police officers from 41 different countries have been programed by the IACP, for both the International Cooperation Administration and International Educational Exchange Service.

In placing these officials, the IACP has utilized without cost to the Government the facilities and cooperation of 87 municipal police departments, 24 State police organizations, 4 county police organizations, 12 Federal law-enforcement agencies, 22 penal institutions, 9 fire departments, 10 other Government agencies, 24 non-Government agencies.

The association, thus, has ready access to the facilities and professional know-how of law-enforcement agencies throughout the country.

OTHER "NUGGET" BYPRODUCTS OF THE IACP EXCHANGE

We see other positive values of this type of technical assistance administered under private auspices.

Most of the visiting police representatives have become full members of the IACP. Thus, they have an opportunity to follow up their experiences with direct association contacts.

The participants also acquire new technical skills and information in an atmosphere of freedom. They can see at first hand how their learned techniques are applied in a society based on respect for individual rights and personal property.

Moreover, in a 6–10 month training period, law enforcement officials have time to gather grassroots impressions about our way of life. And there have been many instances of lasting friendships between the visitors and their American colleagues. Such impressions and "professional rapport" are invaluable. They not only encourage constructive "law enforcement thinking" in other nations, but these factors make for better understanding among the future heads of national internal security systems.

WISCONSIN PARTICIPATION IN "HOSTING" POLICE OFFICIALS

I am happy to note the participation of several Wisconsin agencies in the IACP training program. The municipal police departments of Madison and Milwaukee, as well as our State crime laboratory have already played hosts to some of these visitors.

For the future, I think other Wisconsin groups will be interested in "getting into the swing" once they too, realize the opportunity.

Our Wisconsin Chiefs of Police Association and Fire Chiefs Association; the State traffic safety board; our correctional and penal agencies; other local police and fire departments—there are innumerable possibilities of additional active Wisconsin support for this project.

I have recently pointed to Wisconsin's leadership in developing a sounder correctional system. Our State has taken the lead in centralizing responsibility for prisons, probation, and allied services. The "Wisconsin Experience" in this field might be beneficial to correctional programs in other nations.

FUTURE NEEDS OF THE IACP

Naturally the real effectiveness of the IACP project will be determined only by the actual use of acquired information and skills in the home countries. Yet, there is already every evidence that the officials have benefited by their contacts and study. Likewise, our own local agencies cooperating in the program have gained from the exchange of information.

The association has long maintained an excellent record of achievement in the improvement of police service in the United States. And it is doing a grand job in its expanding services to our Government. The support given to the international program within IACP ranks is outstanding, demonstrating genuine patriotic interest.

Right now, this program operates essentially through Government contracting, namely the ICA. It can maintain itself on an annual budget of around $65,000.

The IACP is endeavoring to develop its own facilities in order that it can continue to provide required services directly to United States Government agencies. At the same time, additional support from private sources would add tremendously to the effectiveness of the program in several ways.

Foundation support would help to alleviate direct costs out of public funds. Many detailed procedures and normal governmental red tape would be reduced, which now tend to unnecessarily complicate the handling of foreign technicians. The professional standards of law enforcement might be more effectively aided, through private support.

Thus, exploration of the possibilities of more "outside backing" of IACP goals should be pursued. This, of course, would presume coordination with the Government agencies concerned.

CONCLUSION

From the above, there is no question but that the IACP is a worthy support in our multifaceted mutual security effort. It warrants our full backing and continued assistance. Hats off to this outstanding professional group.

STUDY DEMONSTRATING THAT FEDERAL AID TO SCHOOLS DOES NOT MEAN FEDERAL DOMINANCE OR CONTROL OF EDUCATION

Mr. NEUBERGER. Mr. President, one of the most convincing presentations in favor of Federal aid to schools is a study just conducted by Teachers College at Columbia University, in New York City. This study has demonstrated that Federal aid to schools in no measure means Federal dominance or control of education.

Over 3,000 school districts in the Nation now qualify for Government financial assistance because their school enrollment has been enlarged by various Federal activities, such as military posts, defense production plants, Federal dam projects, and so forth.

Teachers College sponsored a study of 500 of these 3,000 school districts, to determine whether payment of Federal funds resulted in Federal domination. According to Dr. Benjamine Fine, education editor of the New York Times—

The study found that only a tiny minority of the districts complained of any Federal control over their educational programs, even though they received substantial Government support.

The study by Teachers College concludes that—

Federal control over school personnel, the curriculum and instructional programs had not accompanied the distribution of funds.

Because the study by the staff of Teachers College is so thorough a refutation of the old charge that the Federal Government cannot assist our school-construction needs financially without controlling the operation of schools, I ask unanimous consent that the entire article by Dr. Fine, from the New York Times of Sunday, June 30, 1957, be printed in the body of the RECORD. It is impressive support of those of us who are backing the program for Federal aid to education.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 30, 1957]

FEDERAL AID FOR SCHOOLS HAS NOT RESULTED IN FEDERAL CONTROL IN CASES STUDIED

(By Benjamin Fine)

Federal aid to education received support last week from several sources. President Eisenhower again endorsed it in a letter to Republican Representative PETER FRELINGHUYSEN JR., of New Jersey. And 75 business leaders from across the country signed a statement calling for passage of the measure.

In spite of such indications of support and the steady pressure for Federal aid on the part of organizations like the National Education Association, the aid bill remains bottled up and its prospects are not good.

Because much of the opposition to the bill hinges on the charge that it would mean Federal domination of local school affairs, a study made public by Teachers College, Columbia University, was very timely. The study indicated that Federal aid does not necessarily mean Federal interference.

The study was of some of the 3,000 school districts that now receive Government funds under Public Law 874 because they have swollen enrollments caused by Federal activities in their areas, such as defense plants or military bases.

The estimated amount of Federal aid given these districts in the 1955–56 school year was $90 million.

Under the guidance of the department of educational administration of Teachers College, Dr. Robert I. Sperber studied 500 of the 3,000 school districts. The study found that only a tiny minority of the districts complained of any Federal control over their educational programs, even though they received substantial Government support.

"Federal control over school personnel, the curriculum, and instructional programs had not accompanied the distribution of funds," the study concludes.

RESULTS OF THE STUDY

The specific conclusions that the study reached are:

(1) No Federal control had resulted from field examinations of school districts by regional representatives of the Division of School Assistance in Federally Affected Areas, a unit of the Office of Education.

(2) Discretionary control powers granted to the United States Commissioner of Education by the law had not led to Federal control.

(3) The vast majority of school officials spent very little time in handling matters pertaining to Federal aid.

(4) Most school officials felt that citizens were more willing to support their local school programs as a result of receiving Federal aid.

What are the implications of this study? Dr. Sperber contends that Federal control is not likely to occur when Federal-support legislation is carefully conceived and when the Federal officials who administer the program "are sensitive to the dangers of Federal control over personnel, curriculum, and instructional programs."

The question arises as to whether the lack of control noted under the emergency measure would carry over under the administration bill now in Congress? From all evidence available, the same standards would be observed. As the study points out: The greatest single weapon against Federal control is the feeling of the American people against it. A sensitivity to control and interference has been built up over the century and a half of American history.

ANNOUNCEMENT OF CONSIDERATION ON TOMORROW OF AGREEMENT BETWEEN UNITED STATES AND AUSTRIA REGARDING CERTAIN AUSTRIAN BONDS

Mr. MANSFIELD. Mr. President, I desire to announce, with the concurrence of the minority leader, that tomorrow the Senate will take up Executive H—85th Congress, 1st session—the agreement between the United States and the Republic of Austria regarding certain bonds of Austrian issue.

Mr. KNOWLAND. In that connection, I understand that, pursuant to the usual arrangement, a yea-and-nay vote will be taken on the question of ratification of the agreement.

Mr. MANSFIELD. That is correct.

AMENDMENT OF PUBLIC ASSISTANCE PROVISIONS OF SOCIAL SECURITY ACT, RELATING TO DISTRIBUTION OF CERTAIN FUNDS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MANSFIELD. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BYRD, Mr. KERR, Mr. FREAR, Mr. MARTIN of Pennsylvania, and Mr. WILLIAMS conferees on the part of the Senate.

INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of June 28, 1957, pp. 10553–10555, CONGRESSIONAL RECORD.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. KNOWLAND. I understand the conference report was signed by all conferees, on both sides of the aisle, on the part of the Senate. Is that correct?

Mr. HAYDEN. That is true.

Mr. President, as this bill passed the Senate it provided for appropriations totaling $457,152,600 for the activities and programs of the Department of the Interior, exclusive of the power agencies; the Forest Service; and the various related agencies. The conferees agreed on appropriations totaling $456,189,600 for these agencies; that is, there was a reduction by the conferees of $963,000.

If there are any questions, I shall be glad to answer them.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. CURTIS. I should like to inquire what was done in conference in the case of amendment No. 22, relating to a wildlife refuge and recreation area near the De Soto-Bertrand cutoff on the Missouhi River.

Mr. HAYDEN. Perhaps I had better read a paragraph contained in the conference report and make a statement with regard to it:

Amendment No. 22: Appropriates $5,677,000 for construction as proposed by the Senate instead of $5,332,000 as proposed by the House. The conferees are in agreement that the De Soto-Bertrand Bend Wildlife Refuge and Recreation Area shall be established and have approved $200,000 to initiate acquisition of the land. The conferees further agree that all of the land within the loop shall be purchased but that only the minimum amount of land outside the loop necessary to provide a satisfactory wildlife refuge shall be acquired. The Fish and Wildlife Service shall confer with the landowners whose lands surround the loop and develop a mutually satisfactory land-acquisition plan.

There were complaints from the citizens of Iowa and Nebraska that the proposal of the Fish and Wildlife Service required too much land.

I should like to invite attention further to the fact that the controversy which has arisen in this matter not as to the refuge, but as to the size of the refuge. The Fish and Wildlife Service has stated that a refuge in this area is needed, and would become a part of the general network of refuges to the protection of migratory waterfowl.

In order to become a part of the refuge system, this proposed refuge will have to be approved by the Migratory Bird Conservation Commission. This is in accord with the provisons of the Migratory Bird Conservation Act of 1929, as amended. This act specifically provides:

And no purchase or rental shall be made of any area until it has been duly approved for purchase or rental by said Commission.

This provision applies to the proposed De Soto-Bertrand Bend refuge, and it will be this Commission that determines the size of the refuge.

So while Congress can authorize the establishment of the refuge, the Commission must take final action to establish it.

Mr. CURTIS. In other words, suppose the Commission turned it down.

How much money would be appropriated?

Mr. HAYDEN. None.

Mr. CURTIS. How much would be available to expend?

Mr. HAYDEN. There would be nothing available until the Commission approved it.

Mr. CURTIS. Not even the $200,000?

Mr. HAYDEN. No; not even that amount.

Mr. CURTIS. From what source would the money come for this refuge if the Commission approved it?

Mr. HAYDEN. The money would come from two sources—direct appropriations and "Duck-Stamp" funds.

Mr. CURTIS. I read from a sentence in the report:

> The Fish and Wildlife Service shall confer with the landowners whose lands surround the loop and develop a mutually satisfactory land-acquisition plan.

That provision probably would prevent all the land from being taken from Nebraska and none from Iowa; is that correct?

Mr. HAYDEN. Not necessarily. It makes a difference whether a large or a small area is taken in either State. If the Fish and Wildlife Service could negotiate for a reasonable area, one not containing too much acreage and the Commission stated it was enough land, it could be made a refuge. If the Commission stated there should be a much larger area and the Fish and Wildlife Service said that much land could not be taken, there would still be trouble in establishing the refuge.

Mr. CURTIS. I thank the Senator, and I particularly thank him for that part of his statement in which he stated that no money will be available unless the Commission on Migratory Birds approves the refuge. I hope the Commission will look into it very carefully.

I should like to ask the Senator if there is an element of construction in the area that is not contained in the bill.

Mr. HAYDEN. Yes.

Mr. CURTIS. Under the Army engineers plan?

Mr. HAYDEN. Yes.

Mr. CURTIS. That is covered in a different measure; is it not?

Mr. HAYDEN. The Army engineers say it is feasible to cut the bend in the river. It will save their stabilizing many miles of the river. If the bend were eliminated by this cutoff, the necessity for stabilizing the river banks would be eliminated. It is advantageous to do that. The engineers like to cut out bends where they can on the Missouri River, so it will speed the flow of water. If the bend is eliminated, the question then arises what will be done with respect to wildlife on the land at present within the bend.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. AIKEN. Can the Senator advise us what the conferees did with respect to the amendment offered by the Senator from Maine [Mrs. SMITH] which proposed $500,000 for carrying out provisions of the Soil Bank Act?

Mr. HAYDEN. The House agreed to the amendment.

Mr. AIKEN. I am very glad the conferees took the action they did in that respect.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. ALLOTT. I should like to propound this questoin in behalf of the junior Senator from Colorado [Mr. CARROLL] and myself. On page 4 of the report, under the heading "Bureau of Mines," the middle paragraph reads as follows:

> The managers on the part of the House direct that all the buildings, structures, and equipment used in connection with the oil-shale demonstration plant of the Bureau of Mines at Rifle, Colo., shall be disposed of during fiscal year 1958, under the established procedures of the Federal Property and Administrative Services Act of 1949, as amended by further utilization within the Government after removal from the site, or by sale or lease as surplus property on or off site.

I emphasize the statement that the managers on the part of the House direct that all the buildings shall be disposed of. I should like to ask whether the managers on the part of the Senate agreed to any such provision.

Mr. HAYDEN. We did not. I want to make it clear that the statement referred to is the statement of the managers on the part of the House and in no way reflects the views of the Senate conferees.

It is my personal view, which I think is shared by all the Senate conferees, that the disposition of these facilities was not a matter before the conference committee. The only question before the conference committee was the amount to be appropriated for the maintenance and protection of these facilities.

I understand that there is pending proposed legislation dealing with the future use of this installation. Therefore, it is a matter for the appropriate legislative committees and the Congress.

Mr. ALLOTT. There is one further question I should like to ask the chairman of the committee. We desire that the RECORD may be abundantly clear. Since the managers on the part of the House have directed this and the managers on the part of the Senate did not agree to it; therefore, what is the legislative effect of this direction?

Mr. HAYDEN. It may be persuasive upon those interested in the matter either to do nothing or to do something. Anyway, the two Houses have not agreed. The recommendation made does not carry the force of law or the force of a united conference report.

Mr. ALLOTT. As a result of this directive of the managers on the part of the House then, the property could not be disposed of?

Mr. HAYDEN. Not necessarily. As I have stated, I understand there is pending in the legislative committees proposed legislation to take care of the matter. I have felt all along that the House had the wrong idea about the situation at Rifle, but the House conferees were adamant. They made up their minds that what they proposed was the way to do it, and they wanted to say so. We could not prevent them from doing that.

Mr. ALLOTT. I appreciate very much the chairman's kind attention to this matter, because he is one of those who have realized what valuable asset this installation is to the United States and how important it is that it be developed.

I thank the chairman for his attention to this matter.

Mr. HAYDEN. I thank the Senator.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Colorado.

Mr. CARROLL. I wish to thank the distinguished Senator from Arizona, the chairman of this very important committee, for giving what seems to be a minor matter his full attention. It is very important that we have the record clearly made this morning. As I understand the state of the record this morning, while there may be a legislative expression of opinion of Members on the part of the House, it is not to be construed a legislative direction to the Bureau of Mines to dismantle, dispose of, or lease this plant.

Mr. HAYDEN. It is an expression of opinion on the part of the House conferees. It does not carry the weight of law.

Mr. CARROLL. I thank the distinguished Senator from Arizona. This will give us some months to explore the question of what may be done with that very important plant; whether we will maintain it, whether we will dispose of it by lease, or whether the Navy will take it again.

During the House consideration of this matter a considerable colloquy occurred between some very fine friends of mine, Representative KIRWAN and Representative JENSEN. I know they have strong convictions. However, both the Senator from Georgia and the distinguished Representative from the fourth District of Colorado Congressman ASPINALL also have strong feelings about this matter. It is my hope that all of us working together can save this experimental plant in the public interest.

Mr. HAYDEN. I hope that can be done, in a legislative way.

Mr. CARROLL. I do not see the Senator on the floor of the Senate at this time, but I know the father of the Synthetic Fuels Act, the able Senator from Wyoming [Mr. O'MAHONEY], also shares the convictions and legal opinions of the distinguished senior Senator from Arizona on this point.

Mr. HAYDEN. I obtained my education on the subject primarily from the Senator from Wyoming [Mr. O'MAHONEY].

Mr. CARROLL. I thank the Senator.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. May I ask the chairman of the committee, did the House position on the planning money for the Smithsonian Institution prevail?

Mr. HAYDEN. It did.

Mr. SALTONSTALL. Mr. President, as one Member who is a regent of the Smithsonian Institution I am very much interested in this subject and believe it to be worthwhile. I wish to thank the Senate conferees for their cooperation.

Mr. HAYDEN. We found the House conferees very much of the same mind as the Senator.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. SMITH of New Jersey. I was going to say that I deeply appreciate the action of the Senate conferees to on this item. It was quite important to the Smithsonian Institution.

Mr. HAYDEN. I thank the Senator.

The PRESIDING OFFICER (Mr. MORTON in the chair). The question is on agreeing to the conference report.

The report was agreed to.

Mr. HAYDEN. Mr. President, I ask unanimous consent to have printed in the RECORD a tabulation setting forth the appropriations for 1957, the budget estimates for 1958; and the action on these estimatees for the various appropriations in the bill.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Department of the Interior and Related Agencies Appropriation Act, 1958 (H. R. 5189), comparative statement of appropriations for 1957, and budget estimates for 1958 and action on the estimates

Agency and item	Appropriations, 1957	Budget estimates, 1958	Recommended in House bill for 1958	Committee recommendation	Senate allowance	Conference allowance
TITLE I—DEPARTMENT OF THE INTERIOR						
DEPARTMENTAL OFFICES						
Office of Saline Water	$550,000	$1,159,000	$1,159,000	$725,000	$725,000	$725,000
Office of Oil and Gas	513,800	585,000	585,000	585,000	585,000	585,000
Office of the Solicitor	2,835,000	2,923,000	2,900,000	2,900,000	2,908,000	2,900,000
Office of Minerals Mobilization	300,000	313,000	313,000	263,000	263,000	263,000
Acquisition of domestic minerals	21,000,000	40,000,000		6,700,000	6,700,000	6,700,000
Total, departmental offices	25,198,800	44,980,000	4,957,000	11,173,000	11,173,000	11,173,000
BUREAU OF LAND MANAGEMENT						
Management of lands and resources	18,369,300	22,220,000	22,000,000	22,000,000	22,000,000	22,000,000
Construction	4,600,000	6,500,000	6,500,000	5,480,000	5,480,000	5,480,000
Range improvements [1]	(390,871)	(620,000)	(620,000)	(620,000)	(620,000)	(620,000)
Total, Bureau of Land Management	22,969,300	28,720,000	28,500,000	27,480,000	27,480,000	27,480,000
BUREAU OF INDIAN AFFAIRS						
Education and welfare services	50,720,000	59,560,000	59,560,000	59,460,000	59,460,000	59,460,000
Resources management	[2] 16,450,000	17,200,000	17,200,000	17,200,000	17,200,000	17,200,000
Construction	5,240,000	21,225,000	17,000,000	17,000,000	17,000,000	17,000,000
Road construction and maintenance (liquidation of contract authorization)	11,500,000	12,000,000	12,000,000	12,000,000	12,000,000	12,000,000
General administrative expenses	3,190,000	3,564,000	3,400,000	3,500,000	3,500,000	3,450,000
Payment to Menominee Tribe of Indians		500,000	300,000	300,000	300,000	300,000
Distribution of funds of the Creek Indians	200,000					
Payment to Pine Ridge Sioux Tribe of Indians	437,500					
Total, Bureau of Indian Affairs, exclusive of tribal funds	87,737,500	114,049,000	109,460,000	109,460,000	109,460,000	109,410,000
Tribal funds (not included in totals of this tabulation)	(3,000,000)	(3,000,000)	(3,000,000)	(2,920,000)	(2,920,000)	(2,920,000)
GEOLOGICAL SURVEY						
Survey, investigations, and research	31,602,000	38,775,000	36,000,000	37,500,000	37,500,000	36,000,000
BUREAU OF MINES						
Conservation and development of mineral resources	15,862,750	19,575,000	18,700,000	18,910,000	18,910,000	18,835,000
Health and safety	5,304,300	5,900,000	5,900,000	5,900,000	5,900,000	5,900,000
Construction		23,000	23,000	23,000	23,000	23,000
General administrative expenses	1,030,000	1,135,000	1,135,000	1,095,000	1,095,000	1,095,000
Total, Bureau of Mines	22,197,060	26,633,000	25,758,000	25,928,000	25,928,000	25,853,000
NATIONAL PARK SERVICE						
Management and protection	11,562,000	14,523,000	13,750,000	14,150,000	14,150,000	14,150,000
Maintenance and rehabilitation of physical facilities	10,158,000	11,763,000	11,500,000	11,763,000	11,763,000	11,600,000
Construction	15,250,000	20,000,000	20,000,000	17,000,000	17,400,000	17,400,000
Construction (liquidation of contract authorization)	29,800,000	31,000,000	31,000,000	31,000,000	31,000,000	31,000,000
General administrative expenses	1,250,000	1,365,000	1,330,000	1,330,000	1,330,000	1,330,000
Total, National Park Service	68,020,000	78,651,000	77,580,000	75,243,000	75,643,000	75,480,000
FISH AND WILDLIFE SERVICE						
Bureau of Sport Fisheries and Wildlife:						
Management and investigations of resources	10,217,340	11,500,000	12,000,000	12,000,000	12,000,000	12,000,000
Construction	2,601,000	5,332,000	5,332,000	5,677,000	5,677,000	5,677,000
General administrative expenses	200,300	220,200		166,190	166,190	166,190
Subtotal, Bureau of Sport Fisheries and Wildlife	13,018,640	17,052,200	17,332,000	17,843,190	17,843,190	17,843,190
Bureau of Commercial Fisheries:						
Management and investigations of resources	4,671,200	5,985,000	6,000,000	5,781,000	5,781,000	5,781,000
Construction	930,000	700,000	700,000	700,000	700,000	700,000
Fisheries loan fund	10,000,000					
General administrative expenses	89,200	220,200		117,510	117,510	117,510
Administration of Pribilof Islands [1]	(2,855,706)	(1,821,000)	(1,821,000)	(1,821,000)	(1,821,000)	(1,821,000)
Subtotal, Bureau of Commercial Fisheries	15,690,400	6,905,200	6,700,000	6,598,510	6,598,510	6,598,510
Office of the Commissioner of Fish and Wildlife:						
Management and investigation of resources	619,260	911,000				
Salaries and expenses	533,800	1,285,600		913,200	913,200	913,200
Subtotal, Office of the Commissioner	1,153,060	2,196,600		913,200	913,200	913,200
Total, Fish and Wildlife Service	29,862,100	26,154,000	24,032,000	25,354,900	25,354,900	25,354,900
OFFICE OF TERRITORIES						
Administration of Territories	2,803,000	1,940,000	1,965,000	1,940,000	1,940,000	1,965,000
Trust Territory of the Pacific Islands	4,800,000	4,260,000	4,800,000	4,800,000	4,800,000	4,800,000
Alaska public works	4,966,000	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000

[1] Indefinite appropriation of receipts. Not included in the totals of this tabulation.

[2] And in addition $283,000 to be derived by transfer from other appropriations pending in the Third Supplemental Appropriation Act, 1957 (H. R. 7221).

Department of the Interior and Related Agencies Appropriation Act, 1958 (H. R. 5189), comparative statement of appropriations for 1957, and budget estimates for 1958 and action on the estimates—Continued

Agency and item	Appropriations, 1957	Budget estimates, 1958	Recommended in House bill for 1958	Committee recommendation	Senate allowance	Conference allowance
TITLE I—DEPARTMENT OF THE INTERIOR—continued						
OFFICE OF TERRITORIES—continued						
Alaskan port of entry facilities		$30,000	$30,000	None	None	None
Construction of roads, Alaska	$7,800,000	(3)				
Operation and maintenance of roads, Alaska	3,625,000	(3)				
Total, Office of Territories	23,956,000	12,930,000	12,795,000	$12,740,000	$12,740,000	$12,765,000
OFFICE OF THE SECRETARY						
Salaries and expenses	2,222,000	2,508,000	2,500,000	2,500,000	2,500,000	2,500,000
Total, Department of the Interior	313,804,750	373,460,000	321,582,000	327,378,000	327,778,000	326,015,000
TITLE II—RELATED AGENCIES						
Commission of Fine Arts	31,000	35,000	35,000	35,000	35,000	35,000
Federal Coal Mine Safety Board of Review	70,000	70,000	70,000	70,000	70,000	70,000
Forest Service, Department of Agriculture:						
Forest protection and utilization:						
Forest land management	[1] 59,615,750	72,730,000	69,000,000	68,750,000	68,750,000	68,750,000
Forest research	10,153,000	11,325,000	11,325,000	11,835,000	11,835,000	11,835,000
State and private forestry cooperation	12,190,000	13,245,000	13,245,000	13,245,000	13,245,000	13,245,000
Subtotal	81,960,750	97,300,000	93,570,000	93,830,000	93,830,000	93,830,000
Forest roads and trails	24,000,000	24,336,000	24,336,000	24,336,000	24,336,000	24,336,000
Assistance to States for tree planting		4,000,000		None	500,000	500,000
Acquisition of lands for national forests:						
Cache National Forest	50,000	50,000	50,000	50,000	50,000	50,000
Superior National Forest	500,000	500,000	500,000	500,000	500,000	500,000
Special acts [4]	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)
Cooperative range improvements (special account)	[5] (700,000)	(700,000)	(700,000)	(700,000)	(700,000)	(700,000)
Total, Forest Service	106,510,750	126,186,000	118,456,000	118,716,000	119,216,000	119,216,000
Indian Claims Commission	[6] 132,300	177,700	177,700	177,700	177,700	177,700
Jamestown-Williamsburg-Yorktown Celebration Commission	115,000	88,000	88,000	88,000	88,000	88,000
National Capital Planning Commission:						
Salaries and expenses	200,000	250,000	225,000	225,000	225,000	225,000
Land acquisition	1,250,000	5,646,000	4,793,000	1,393,000	1,393,000	1,393,000
Salaries and expenses, Washington regional mass transportation survey	200,000					
Total, National Capital Planning Commission	1,650,000	5,896,000	5,018,000	1,618,000	1,618,000	1,618,000
Smithsonian Institution:						
Salaries and expenses, Smithsonian Institution	4,425,000	6,100,000	6,000,000	6,000,000	6,000,000	6,000,000
Additions to the Natural History Building		800,000	800,000	None	None	800,000
Salaries and expenses, National Gallery of Art	[7] 1,535,000	1,645,000	1,645,000	1,645,000	1,645,000	1,645,000
Museum of History and Technology	33,712,000					
Total, Smithsonian Institution	39,672,000	8,545,000	8,445,000	7,645,000	7,645,000	8,445,000
National Monument Commission		25,000				
Alexander Hamilton Bicentennial Commission	55,000	15,000				
District of Columbia Auditorium Commission	150,000					
Franklin Delano Roosevelt Memorial Commission	10,000					
Theodore Roosevelt Centennial Commission	163,400					
Woodrow Wilson Centennial Celebration Commission	48,500					
Booker T. Washington Centennial Commission	225,000					
Total, related agencies	148,832,950	141,037,700	132,289,700	128,349,700	128,849,700	129,649,700
TITLE III—VIRGIN ISLANDS CORPORATION						
Contributions	425,000	692,000	524,000	524,000	524,000	524,000
Administrative expenses [8]	(160,000)	(160,000)	(160,000)	(160,000)	(160,000)	(160,000)
Revolving fund	125,000					
Total, Virgin Islands Corporation	550,000	692,000	524,000	524,000	524,000	524,000
Grand total, titles I, II, and III	463,187,700	515,189,700	454,395,700	456,252,600	457,152,600	456,189,600

[1] Account transferred to the Bureau of Public Roads, Department of Commerce.
[2] Includes $5,000,000 in the Second Urgent Deficiency Appropriation Act, 1957, and, in addition, $2,300,000 to be derived by transfer from other appropriations.
[3] Appropriation of receipts. Not included in the totals of this tabulation.
[4] Includes $7,700 pending in the Third Supplemental Appropriation Act, 1957 (H. R. 7221).
[5] Includes $30,000 pending in the Third Supplemental Appropriation Act, 1957 (H. R. 7221).
[6] Limitation on the use of corporate funds. Not included in the totals of this tabulation.

DEPARTMENT OF INTERIOR APPROPRIATION BILL

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 5189, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
June 28, 1957.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 2, 8, 30, and 39 to the bill (H. R. 5189) entitled "An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes", and concur therein.

The PRESIDING OFFICER. The Chair would like to state that no action is required by the Senate. To keep the RECORD straight, it should be pointed out that the House has receded from its disagreement to the four amendments of the Senate. The action the Senate has taken on the conference report is the final action.

GRADUATION DAY ADDRESS BY SECRETARY WILSON AT NATIONAL WAR COLLEGE

Mr. SMITH of New Jersey. Mr. President, on June 11th at the graduation exercises of the National War College, the Secretary of Defense, the Honorable Charles E. Wilson, made an outstanding address on some of the problems facing the Department of Defense, and the relation of those problems to the National War College.

Included in the address was a discussion of the question of the unification of the Armed Forces.

In light of the importance of this statement, I ask unanimous consent to have it published in full in the body of the RECORD in connection with my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF DEFENSE CHARLES E. WILSON, GRADUATION EXERCISES, NATIONAL WAR COLLEGE, WASHINGTON, D. C., JUNE 11, 1957

Admiral Wooldridge and Graduates of the National War College:

I appreciate this opportunity to make a few short remarks on this your last day as students at the National War College. It affords me an opportunity to speak on a subject to which I have given much thought and study during more than 4 years and which I am sure is of interest to all of us, as well as to many outside of the Department of Defense.

Your college and the Office of the Secretary of Defense were established in response to the same need—the increasing impact of military decisions on the economic, political, and social life of our Nation, and the recognition of the necessity for unification in certain policy and command areas to effectively and efficiently carry out our mission both in peace and war.

Therefore, our organizations have similar objectives—the National War College to study the problems and improve the understanding of all services in regard to the need for coordination and the necessary unification in regard to policies and commands—the Office of the Secretary of Defense to further the establishment of integrated policies and procedures for the Military Departments and the development of effective strategic direction for the Armed Forces and their operation under unified control.

We are associates in the largest organization in the Free World—there are over 4 million of us, military and civilian. Our assigned mission—the security of the United States—gives us many common interests, an important one being the best type of organization of the Department of Defense.

This is the subject I would like to discuss briefly today. It is a subject in which many people are properly interested. The need for an effective organization is clear. Quite a few people with or without experience underestimate the basic requirements of an effective organization. It is really a problem which defies simple solutions. It is importantly influenced by our type of Government.

There appears to be general agreement among those that are interested in the matter that some kind of unification of the Armed Forces is essential for our military as well as our economic security. Past experience as well as current developments make this conclusion self-evident. Not only do the military services increasingly supplement each other's striking power, but the demands that they must make upon our industrial and economic capacity—even in peacetime—are such that uncontrolled competition would be ruinous to our country.

The differences of opinion that arise do not, therefore, deal with the need for unification but center on the form of unification. It is something like the difference between strategy and tactics. I have been privileged to have an extended experience with large organizations—first in industry and now for more than 4 years in the Department of Defense and the Federal Government.

Bigness in industry as well as in Government requires decentralization—the delegation of duties, authority and responsibility. It also requires a staff and line type of organization, basically very similar to the military organizations with which you men are so familiar, especially in the field. The larger the organization, the less top officials can concern themselves with details. If they were to try to follow such a course, operations would soon stop or decisions would be made in ignorance of the real problems.

Every battalion commander has his staff; every division commander has his staff; every corps commander has his staff; every unified commander has his staff. The difference between planning and responsibility for action is understood. A great effort is made to solve the problems and measure up to the responsibilities at each successive step in the organization.

Many people do not know that we have a National War College, where men from all the services study the important matter of organization and how we go about effectively cooperating with each other and coordinating our activities. In a certain sense, future unified commanders have their basic training right here at the War College. Many people also do not understand how the Department of Defense is organized, where civilians as well as officers from all the services work together in an effective staff and line type of organization.

Essential to the effective management of a large organization is the establishment of clear channels of information that will enable those charged with making major decisions to be fully informed on the problems involved and on the alternative courses available. This channel of information must really be a two-way street—carrying information from the top down in the organization and from the people who are real close to the problems back up to the top. Massive, autocratic organizations, not tolerating differences of opinion make impossible this free flow of information.

There is always talk about the differences of opinion among us in the defense establishment. In my experience, a healthy difference of opinion among people who have a common objective is a sound thing. In fact, it would be surprising if, in view of the tremendous problems with which we are confronted, there were no disagreements.

The problems created by the current international situation and by our rapidly advancing technology require the thorough consideration of all possible points of view and alternative courses of action. Any other course might be fatal to the security of our country and would be contrary to the traditions to which we adhere.

Historically, we Americans do not believe in dictators or in people who sit in ivory towers and try to tell everybody what to do. You cannot force people, especially in our country, to come into agreement when there is no agreement. Fortunately under our form of government nobody attempts such a thing very often.

Our Government is a government of checks and balances. The President cannot do certain things without checking with the Congress. Within the executive branch, policies are coordinated with all the departments concerned, and decisions are reached after all have had their say. We follow the same procedure within the Department of Defense.

The final decisions will not always completely satisfy everybody concerned. In an organization composed of people working for a common purpose, these decisions are accepted in the knowledge that they were reached after full consideration of all points of view and a realization that the decisions can be reconsidered at any time if new facts are discovered which bear upon the problems.

The current organization of the Department of Defense has been established not only to promulgate unified policies but also to facilitate this type of administration. I believe that it represents the most effective and most efficient way to run a large organization in a free country. The alternative would be the overconcentration of power and authority in the hands of 1 or 2 men. This would risk a form of dictatorship in which we do not believe.

Our type of organization does provide for full direction, authority, control, and responsibility at the top, but this power is not used to cover up mistakes and make the organization suffer with the wrong decisions. It is used to avoid what at times I have referred to as the concentration of stupidity. In policymaking, the arbitrary use of authority usually indicates a weak case. When a man wants absolute authority it is fairly safe to assume that he does not want anyone to be able to check up on him when he does the wrong thing. He wants to have his own way—right or wrong. The kind of unified organization with increased power at the top that some people are advocating in the name of efficiency would make possible mistakes and abuses that would more than offset any potential gains in effectiveness. Furthermore, I am certain that if such a type of organization were tried it would shortly be found unacceptable to the Congress and the American people.

A large and improving organization is necessarily a compromise between an assumed theoretically perfect one, the traditions and experiences of the past, and the capabilities of the men who will fill the important assignments in it. Each of these factors is important and must be fully appraised and taken into account.

The Department of Defense is such an organization and is consistent with the intent of the National Security Act as approved by the Congress. At the same time it is an effective instrument to further the unification of the Armed Forces needed for the security of our country. It provides for realistic progress in our mission of providing for the security of the Nation at minimum cost.

I would like to clearly go on record with all of you that I believe the present organization of the Department of Defense is sound, incorporating as it does the separate military services and military departments in an organization which is responsive to the President, the Congress, and the American people. I would caution those who recommend radical changes to advocate them only after the most careful thought and when experience has proved that they are necessary.

There have been changes in strategy and tactics as well as in the organization of the military departments during the first 10 years of unification. There will be further evolutionary changes in the years to come principally brought about by new weapons and a changing international situation. I see no need for any revolutionary change at this time or in the foreseeable future. The current organizational pattern and the administrative procedures of the Department of Defense are flexible but they insure that changes will not be made according to some ivory-tower theory or solely from the point of view of the narrow specialist. Any changes that are made will be the result of the best judgment of all the people concerned.

In our conference room at the Pentagon we have a motto hanging on the wall which says: "Reasonable, intelligent men with a common objective in the presence of the facts do not have too much trouble coming into agreement."

Looking at this motto in the negative, there are several ways that you can discount yourself with your associates. You can be unreasonable, you can be unintelligent, you can lack a common objective, or you can refuse to accept obvious facts. Taking any of these positions you will be an obstructionist and accomplish very little, but if you recognize these essentials of cooperation and coordination you will do your part and if

your associates do the same you will have little trouble coming into agreement about even the most important matters.

I recommend this motto to you who as graduates of the National War College will be involved in the development of high-level policies and the exercise of joint and combined command and staff functions. You will find that your problems will not be caused by any lack of authority but will center on getting the facts and obtaining the willing cooperation of others to get the right thing done.

Predictions are dangerous in this rapidly changing age of ours, but I feel confident in predicting that those of you who understand these essentials of cooperation will go far in your profession.

The requirements for leadership throughout the Department of Defense, as well as elsewhere in our country, are at an all-time high. Not only are the ordinarily accepted requirements of leadership necessary—honesty, courage, integrity, understanding of people—but in this scientific and industrial age, increasing technical competence in many areas is also required.

We were proud of you when you were selected as students for the course here at the National War College. We look forward with confidence to your accomplishments in the future.

PROTECTION OF GOVERNMENT FILES

Mr. POTTER. Mr. President, I ask unanimous consent to speak for 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator may proceed.

Mr. POTTER. Mr. President, on June 3 the Supreme Court of the United States handed down a decision in the case of Clinton E. Jencks which has given rise to genuine fear among those who value the individual's right to privacy and our Government's right to protect its secret documents.

Briefly, the Jencks decree requires the Government, in criminal cases, to produce its files for the scrutiny of the accused and for admission in evidence. I view this decision with considerable disquiet.

We all know, Mr. President, that the vast files of the Federal Bureau of Investigation and other intelligence arms of the Government contain masses of raw material, much of it unscreened and much of it totally irrelevant in assessing the motives or behavior of an individual in question. Unsubstantiated accusations find their way into these files as easily as factual statements. Hearsay evidence, often of an extremely confidential nature, is included.

The current issue of United States Law Week, dated June 25, states that the Jencks case requires the Government to "accept obligations of disclosure once its witnesses are called to the stand." It is my understanding that the lower courts have some leeway in enforcing the Jencks decree, but there is no question that the courts and the people are entitled to definite clarification of the Supreme Court's decision.

Therefore, I was proud to join the other day in cosponsoring Senate bill 2377, designed to safeguard the secret files of the United States. I commend the Judiciary Subcommittee, which now has that bill, for acting promptly.

The distinguished Members of this body will be interested, I am sure, to hear the views of the Honorable J. Edgar Hoover, Director of the Federal Bureau of Investigation, on the necessity for maintaining its files inviolate. I quote:

I have always maintained the view that if we were to fully discharge the serious responsibilities imposed upon us, the confidential character of our files must be inviolate.

A cardinal principle of success for any agency having a responsibility for investigations is its ability to secure information. To do that, it must be able to maintain confidences. Any person furnishing information must have the security of knowing that when he furnishes information on a confidential basis, he will not at a later date find that confidence broken. When that occurs, the ability of the investigative agency to discharge its responsibilities in the future is materially lessened.

The public record clearly proves that the FBI because it does maintain confidences has been able to develop valuable sources of information which have a direct bearing on the internal security of the Nation. Some witnesses have risked their lives as undercover employees of the FBI.

The question of opening the files of the FBI involves a grave matter of principle. These files contain complaints, allegations, facts, and statements of all persons interviewed. Depending upon the purpose of the investigation, particularly in security cases, they contain not only background data on the individual but details of his private life which bear upon the investigation. In these files also are the identities of our confidential sources of information and full details of investigative techniques. In short, they consist of a running account of all that transpires.

The contents of these files were never intended to be disclosed and, unless we drastically change and circumscribe our procedures, they should not be disclosed.

If spread upon the record, criminals, foreign agents, subversives, and others would be forewarned and would seek methods to carry out their activities by avoiding detection and thus defeat the very purpose for which the FBI was created. Each exception undermines this principle, establishes a precedent, and would inevitably result in a complete collapse of a traditional policy which has proven its soundness.

A disclosure of FBI reports would reveal the identity of confidential sources of information and, if it did not place the lives of such persons in actual jeopardy, it would certainly ruin their future value and effectiveness. The disclosure of FBI reports would make otherwise patriotic citizens reluctant to furnish information.

In the conduct of official investigations, information of a highly restricted nature having a direct bearing upon national security often finds its way into the files which, if disclosed, would be of considerable value to a foreign power. Increasingly, we have observed efforts of a foreign power to seek intimate personal details concerning many of our leaders in Government and industry. They should not be aided by having these details made public for their use and advantage, thereby crippling the important work of the FBI.

So far, I have directed my remarks against a disclosure of FBI files on security grounds. There are other compelling reasons why the files of the FBI should remain inviolate. For the want of a more apt comparison, our files can be compared to the notes of a newspaper reporter before he has culled the printable material from the unprintable. The files do not consist of proven information alone. The files must be viewed as a whole. One report may allege crimes of a most despicable type, and the truth or falsity of these charges may not emerge until several reports are studied, further investigation made, and the wheat separated from the chaff.

The FBI has the obligation, within the scope of Federal law, not only to protect the rights, lives, and property of our citizens, but also to protect the confidential relationship of the citizen when he patriotically serves his Government by providing information essential to our security.

In other words, Mr. President, exposing secret Government files would make a mockery of our pledge to persons who had furnished information in confidence.

Therefore, unless we legislate to clarify the Supreme Court's decision, there will be far-reaching and adverse effects upon Federal intelligence and the law enforcement agencies in maintaining the vitally necessary confidential nature of their reports, files, and documents. The confidential status of their informants would be undermined.

S. 2377 has distinguished sponsorship on both sides of the aisle. It would protect the Government's files from subpena with the following exception: After a witness called by the United States had testified in direct examination, the defense could call for Government reports of the witness. The judge would be permitted to study such files and determine their relevancy.

The court shall excise from such reports—

The bill states—

• • • any portions which the court has determined do not relate to the subject matter as to which the witness has testified.

As I see it, the Court's decision poses the following dangers:

It threatens the whole structure and operation of the FBI and intelligence operations.

It makes life 100 percent easier for traitors and subversives.

It jeopardizes the confidential status of patriotic citizens who have furnished information to our Government.

It turns Government records into a free peepshow for alien powers.

Mr. President, it is our duty to clarify the Supreme Court's decree at once through proper legislation. Unless we do so, there will be immediate and adverse effects on the efforts of the FBI and other law enforcement agencies in their vital task of maintaining the confidential nature of reports, files, and documents. Even worse, the confidential status of their informants would be undermined.

Justice Clark, in his dissenting opinion in the Jencks case, summed it up as follows:

Unless the Congress changes the rule announced by the Court today, those intelligence agencies of our Government engaged in law enforcement may as well close up shop, for the Court has opened their files to the criminal, and thus afforded him a Roman holiday for rummaging through confidential information, as well as national secrets.

PAY RAISES FOR FEDERAL EMPLOYEES

Mr. CARROLL. Mr. President, now and then we receive a letter from the grassroots, which gives us the type of vital information we need in formulating and enacting legislation. I received such a letter today from a constituent in Colorado Springs.

He is a young man, 32 years old, who works for the Federal Government. He describes in his letter the difficulty he is experiencing in meeting his everyday expenses with the Federal salary he receives. In his letter he itemized his expenses for electricity, gas, water, automobile insurance, milk, groceries, life insurance, medicine, clothing, and payments on a house. When he has concluded itemizing his expenses, he finds himself $26.58 in the red.

My constituent suggests that if he is to continue in Government service, and make the service a career, Congress should pay him a living wage, a wage that will permit him to support his family in a decent manner and to begin saving for the proper education of his children. At the same time, he states that if he is to continue to support his family under present economic conditions, he may have to reinforce his income with a second job.

Here is a graphic example of what is happening at the grassroots to Government employees, firemen, policemen, schoolteachers, persons living in retirement and the aged and others living on fixed incomes. Inflation at the grass roots, in my opinion, is not being given serious enough consideration by the administration. I am very happy to note, however, that the Senator from Tennessee [Mr. KEFAUVER], and the antitrust subcommittee of the Committee on the Judiciary, will conduct an investigation into the recent price increases announced by the U. S. Steel Corp. Recently an investigation was made of the major oil companies in the Nation with respect to their oil and gas price increases.

There is a difference of opinion among the top economists of our country, but it seems to me that no one can deny that the giant corporations of this Nation are not in a competitive market. They are administering their prices in a way which feeds fuel to the ravaging fires of inflation.

I ask unanimous consent to have the entire letter of my Colorado Springs constituent printed in the RECORD, at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 26, 1957.

Senator JOHN A. CARROLL,
Senate Office Building,
Washington, D. C.

DEAR MR. CONGRESSMAN: I am writing to relay to you information which I feel may be of help to you in doing what you feel is necessary and in the best interest of the Government with regard to a proposed pay raise for Federal employees.

I am married and have 3 children, ages 3, 6, and 8 years old. I am 32 years old, my wife is 29. I work in the Purchasing and Contracting Division at Fort Carson, as a supervising purchasing agent, GS-7. My take-home pay every 2 weeks is $154.11. We are trying to buy a home near Colorado Springs and I submit below my monthly living expenditures including house payment.

Electricity	$9.17
Gas and water	9.34
Gasoline bill	20.00
Liability insurance (required by Government (automobile))	10.00
Telephone bill	4.89
Milk	16.70
Life insurance premium ($5,000)	10.60
Firestone stores (new tires for car)	14.00
Colorado Springs Medical Center	10.00
Fort Carson Federal Credit Union	25.00
Exchange National Bank	18.10
Sears, Roebuck & Co. (clothing and miscellaneous)	15.00
House payment	102.00
Groceries	70.00
Total expenses	334.80
Total income	308.22
Deficit	26.58

As you can readily determine I am obliged to obtain employment elsewhere to supplement my income at Fort Carson in order to balance a budget.

I have been buying an $18.75 bond since shortly after being employed at Fort Carson every 6 weeks. This bond is cashed to pay a quarterly Blue Cross, Blue Shield payment which incidentally is not shown above.

It is the desire of my wife and myself to send our three children to college, however if I remain in the employ of the Federal Government I can foresee a slim chance for my children to have an education.

Is it the desire of our Government that men like myself forfeit the years of civil service (6½ years in my case, plus approximately 2 years military service) in order to make a decent living? Would it not be in the best interest of the Government to provide adequate wages so that trained employees could be retained?

The above information is respectfully submitted to provide a guide for action you may have at your command.

DEFENSE DEPARTMENT APPROPRIATION, 1958

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 551, H. R. 7665.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. CHAVEZ obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield to me so that I may suggest the absence of a quorum?

Mr. CHAVEZ. I yield for that purpose.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Murray
Allott	Green	Neuberger
Barrett	Hayden	O'Mahoney
Beall	Hennings	Pastore
Bennett	Hickenlooper	Payne
Bible	Hill	Potter
Bricker	Holland	Purtell
Bush	Hruska	Revercomb
Butler	Humphrey	Robertson
Capehart	Jackson	Russell
Carlson	Javits	Saltonstall
Carroll	Johnston, S. C.	Schoeppel
Case, S. Dak.	Kefauver	Smathers
Chavez	Kennedy	Smith, Maine
Clark	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Mansfield	Thye
Eastland	Martin, Iowa	Watkins
Ellender	Martin, Pa.	Wiley
Ervin	McClellan	Williams
Flanders	McNamara	Yarborough
Frear	Morse	Young
Fulbright	Morton	
Goldwater	Mundt	

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Virginia [Mr. BYRD], the Senator from Idaho [Mr. CHURCH], the Senator from Texas [Mr. JOHNSON], the Senator from West Virginia [Mr. NEELY], and the Senator from North Carolina [Mr. SCOTT] are absent on official business.

I also announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from New Jersey [Mr. CASE] and the Senator from Indiana [Mr. JENNER] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The PRESIDING OFFICER. A quorum is present.

Mr. MANSFIELD. Mr. President, will the Senator from New Mexico yield?

Mr. CHAVEZ. Mr. President, it is not my purpose to yield for more than 1 minute to any Senator. If more than 1 minute is required, I shall object.

ENLISTMENT OF ALIENS IN THE REGULAR ARMY

Mr. MANSFIELD. Mr. President, on the basis of the statement the Senator from New Mexico has just made, will he yield to me?

Mr. CHAVEZ. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 549, Senate bill 2420.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2420) to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana for the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 2420) to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes.

Mr. SALTONSTALL. Mr. President, this measure extends the so-called Lodge Act to permit aliens to be enlisted in the United States Army, under certain circumstances, for another period of 2 years. This arrangement has worked successfully. The Army has requested its continuance, and the Committee on Armed Services unanimously voted that it be continued for another 2 years.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2420) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act of June 30, 1950, as amended (69 Stat. 297), is further amended by striking out the words "until June 30, 1957," and inserting in place thereof the words "before July 1, 1959."

SEC. 2. Section 3253 (c), title 10, United States Code, does not apply to enlistments made under the Act of June 30, 1950, as amended (69 Stat. 297), on and after the date of enactment of this Act and before July 1, 1959.

SEC. 3. Enlistments made under the Act of June 30, 1950, as amended (69 Stat. 297), after June 30, 1955, and before the date of enactment of this Act are considered to have been made under a suspension of (1) that portion of section 2 of the Act of August 1, 1893 (28 Stat. 216), as amended, which read: "In time of peace no person who is not a citizen of the United States or who has not made legal declaration of his intention to become a citizen of the United States, shall be enlisted for the first enlistment in the Army," or (2) section 3253 (c) of title 10, United States Code, as the case may be.

PARTICIPATION BY THE UNITED STATES IN THE INTERNATIONAL LABOR ORGANIZATION

Mr. ELLENDER. Mr. President, will the Senator from New Mexico yield for a moment to me?

Mr. CHAVEZ. I yield.

Mr. ELLENDER. Mr. President, I notice that on last Thursday, the Senate passed Senate Joint Resolution 73, to amend Public Law 843, 80th Congress, as amended, providing for membership and participation by the United States in the International Labor Organization and authorizing appropriations therefor. That is correct, is it not?

Mr. MANSFIELD. That is correct.

Mr. ELLENDER. The statement made on Thursday by the Senator from Montana indicates that the matter was discussed with me. I wish to ask the Senator from Montana whether it is a fact that the amount of the contribution by the United States is not in excess of 25 percent of the entire budget of the International Labor Organization.

Mr. MANSFIELD. Let me say that was the unanimous opinion and intent of the Foreign Relations Committee when it reported the $2 million authorization for the International Labor Organization; and it is in accord with what the Senator from Louisiana has consistently stood for, insofar as this particular agency is concerned.

Mr. ELLENDER. The Senator from Montana will remember that last year the Senate took up this matter, and the Senate refused to increase the amount to more than 25 percent.

Mr. MANSFIELD. I can assure the Senator from Louisiana that 25 percent is the full extent of the United States contribution.

Mr. ELLENDER. I thank the Senator from Montana.

INCREASE OF BORROWING AUTHORITY, ETC., OF THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The PRESIDING OFFICER laid before the Senate the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the St. Lawrence Seaway Development Corporation, which was read twice by its title.

Mr. WILEY. I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to the consideration of the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the St. Lawrence Seaway Development Corporation.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. WILEY. Mr. President, I offer the amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. In paragraph (4), on page 3, in line 1, it is proposed to strike out "two sentences" and insert "sentence."

In line 8 and 9, it is proposed to strike out:

If the Secretary of the Treasury approves, the interest on such bonds may be deferred.

And to insert:

The interest payments on such bonds may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest after June 30, 1960.

Mr. WILEY. Mr. President, I may say that, with one minor exception, these two amendments will make the House bill identical to the bill the Senate passed last week. The one minor exception is that whereas the Senate bill required reports to the House Public Works and the Senate Foreign Relations Committees, the House bill requires reports to Congress.

This matter has been discussed with interested Senators on both sides of the aisle, and also with Members of the House; and, so far as I know, this procedure is entirely agreeable to all concerned.

Mr. KNOWLAND. Mr. President, will the Senator from Wisconsin yield to me?

Mr. WILEY. I yield.

Mr. KNOWLAND. The matter was taken up with both the majority and the minority leadership; and my understanding of the amendments is that they put the House bill into conformity with the bill reported by the Senate Foreign Relations Committee and passed by the Senate, with the one exception that the Senate bill requires that the reports be made to the committees mentioned, whereas the House bill requires that the reports be made to the Congress. Personally, I feel that is entirely acceptable.

The PRESIDING OFFICER. The amendments will be stated.

The LEGISLATIVE CLERK. In paragraph (4), on page 3, in line 1, it is proposed to strike out "two sentences" and insert "sentence."

In lines 8 and 9, it is proposed to strike out:

If the Secretary of the Treasury approves, the interest on such bonds may be deferred.

And to insert:

The interest payments on such bonds may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest after June 30, 1960.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. WILEY. I yield.

Mr. AIKEN. Does the proposal provide for raising the interest rates on the seaway bonds?

Mr. WILEY. It does not increase the rates.

Mr. AIKEN. It provides for compounding the interest?

Mr. WILEY. After 1960.

Mr. AIKEN. Not before 1960?

Mr. WILEY. That is right, if the Treasury so decides.

Mr. AIKEN. Is there discretion in the hands of the Secretary of the Treasury not to compound the interest?

Mr. WILEY. Before 1960.

Mr. AIKEN. Does the Senator mean that the Secretary of the Treasury can decide to compound the interest before 1960?

Mr. WILEY. No.

Mr. AIKEN. That is what I wanted to make clear.

The PRESIDING OFFICER. The question is on agreeing to the amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 391) making temporary appropriations for the fiscal year 1958, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 7599) making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes, and it was signed by the Vice President.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 391) making temporary appropriations for the fiscal year 1958, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

DEFENSE DEPARTMENT APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. CHAVEZ. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill as thus amended be considered as original text for the purpose of further amendment, and that any point of order against a committee amendment be reserved.

The PRESIDING OFFICER. Is there objection?

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. YOUNG. I should like to ask that one exception be made to that order, namely, that the provision on page 8, commencing with line 8, through line 11, be excepted from the agreement, so that the amendment may be deleted from the bill.

That amendment, which was sponsored by me, is no longer necessary. It would require that the Department of the Army use $700,000 of its funds to keep open and operating the Turtle Mountain Ordnance Plant at Rolla, N. Dak. That is the only jewel plant in the United States.

Mr. CHAVEZ. Is the Senator referring to page 8, beginning on line 8?

Mr. YOUNG. Yes. I refer to page 8, beginning on line 8, to the end of the paragraph on line 11. It refers to the Turtle Mountain Ordnance Plant, which is a jewel plant.

The reason for my request is that the General Services Administration, the Office of Defense Mobilization, the Department of the Army, and the Bulova Watch Co. reached an agreement this morning whereby they will operate that plant for another year under a much better arrangement than existed in the past. So this language is unnecessary.

Later, I shall ask that the language in the report, on page 4, referring to this item, also be deleted.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from New Mexico as modified by the request of the Senator from North Dakota? Without objection, it is so ordered.

Without objection, the committee amendment referred to by the Senator from North Dakota [Mr. YOUNG] is rejected.

The committee amendment rejected was on page 8 beginning in line 8, to insert the following:

Provided further, That $700,000 of the funds available to the Department of the Army shall be used for the continued operation of the Turtle Mountain Ordnance Plant at Rolla, N. Dak., during the fiscal year ending June 30, 1958.

The committee amendments agreed to en bloc are as follows:

Under the heading "Title III—Department of the Army—Military Personnel", on page 5, line 17, after the word "circumstances", to strike out "$3,113,000,000" and insert "$3,123,000,000."

Under the subhead "Operation and Maintenance", on page 6 line 3, after the word "Government", to strike out "$3,145,200,000" and insert "$3,291,356,000."

On page 8, line 4, after the amendment just above stated, to insert a colon and "*Provided*, That during the fiscal year 1958 the maintenance, operation, and availability of the Army-Navy Hospital at Hot Springs National Park, Ark., to meet requirements of the military and naval forces shall be continued."

Under the subhead "Reserve Personnel", on page 8, line 21, after the word "day", to strike out "$197,000,000" and insert "$217,000,000."

Under the subhead "Army National Guard", on page 10, line 2, after the word "aircraft", to strike out "$320,000,000" and insert "$360,000,000."

Under the subhead "Research and Development", on page 10, line 12, after the word "law", to strike out $392,000,000" and insert "$400,000,000."

Under the subhead "National Board for the Promotion of Rifle Practice, Army", on page 10, line 22, after the word "Board", to strike out "$225,000" and insert "$300,000."

Under the subhead "Alaska Communication System", on page 11, line 5, after the word "vehicles", to strike out "$5,000,000" and insert "$5,500,000."

On page 11, after line 12, to strike out:

"PROCUREMENT AND PRODUCTION, ARMY

"For expenses necessary for the procurement, manufacture, and modification of armament, ammunition, equipment, vehicles, vessels, and aircraft for the Army and the Reserve Officers' Training Corps; purchase of passenger motor vehicles for replacement only (including 13 and 15 at not to exceed $3,000 and $2,400 each); expenses which in the discretion of the Secretary of the Army are necessary in providing facilities for production of equipment and supplies for national defense purposes, including construction, and the furnishing of Government owned facilities and equipment at privately owned plants; and ammunition for military salutes at institutions to which issue of weapons for salutes is authorized; $67 million, to remain available until expended."

Under the heading "Title IV—Department of the Navy—Military Personnel, Navy", on page 12, line 17, after the word "cadet", to strike out "$2,295,000,000" and insert "$2,307,000,000."

On page 12, line 22, after the word "Fund", to insert a colon and "*Provided*, That no part of this or any other appropriation shall be used to pay any officer, while on active duty as Governor of the Naval Home, any amount in excess of the maximum pay and allowances of a rear admiral, upper half."

Under the subhead "Navy Personnel, General Expenses", on page 14, line 3, after the word "salaries", to strike out "$87,000,000" and insert "$88,000,000."

Under the subhead "Military Personnel, Marine Corps", on page 14, line 12, after the word "training", to strike out "$630,000,000" and insert "$634,600,000."

Under the subhead "Reserve Personnel, Marine Corps", on page 14, line 19, after the word "duty", to strike out "$23,200,000" and insert "$23,500,000."

On page 14, after line 20, to strike out:

"MARINE CORPS PROCUREMENT

"For expenses necessary for the procurement, manufacture, and modification of armament, ammunition, military equipment and vehicles for the Marine Corps, including purchase of not to exceed 276 passenger motor vehicles, of which 107 shall be for replacement only (including 3 at not to exceed $2,400 each); $20,000,000, to remain available until expended."

Under the subhead "Marine Corps Troops and Facilities", on page 15, line 18, after the word "salaries", to strike out "$178,000,000" and insert "$182,500,000."

Under the subhead "Aircraft and Related Procurement", on page 16, line 6, after the word "appropriation", to strike out "$1,182,000,000" and insert "$1,912,000,000."

Under the subhead "Aircraft and Facilities", on page 16, line 16, after the word salaries", to strike out "$853,500,000" and insert "$868,500,000."

Under the subhead "Shipbuilding and Conversion", on page 17, line 11, after the word "appropriation", to strike out "$1,534,000,000" and insert "$1,609,000,000."

Under the subhead "Ships and Facilities", on page 17, line 24, after the word "salaries", to strike out "$820,000,000" and insert "$823,000,000."

Under the subhead "Procurement of Ordnance and Ammunition", on page 18, line 19, after the word "plants", to strike out "$176,000,000" and insert "$211,000,000."

Under the subhead "Ordnance and Facilities", on page 19, line 6, after the word "salaries", to strike out "$164,000,000" and insert "$166,000,000."

Under the subhead "Medical Care", on page 19, line 15, after the word "salaries", to strike out "$85,200,000" and insert "$86,700,000."

Under the subhead "Civil Engineering", on page 20, line 2, after the word "salaries", to strike out "$134,630,000" and insert "$136,630,000."

Under the subhead "Research and Development", on page 20, line 7, after the word "law", to strike out "$495,000,000" and insert "$505,000,000."

Under the subhead "Service-Wide Supply and Finance", on page 20, line 21, after the word "salaries", to strike out "$300,000,000" and insert "$306,000,000."

Under the subhead "Service-Wide Operations", on page 21, line 11, after the word "salaries", to strike out "$107,000,000" and insert "$108,000,000."

Under the heading "Title V—Department of the Air Force—Aircraft and Related Procurement", on page 22, line 8, after the word "things", to strike out "$5,864,000,000" and insert "$6,126,000,000."

Under the subhead "Procurement Other Than Aircraft", on page 22, line 16, after the word "each", to strike out "$1,146,500,000" and insert "$1,246,500,000."

Under the subhead "Research and Development", on page 23, line 1, after the word "law", to strike out "$649,000,000" and insert "$661,000,000."

Under the subhead "Operation and Maintenance", on page 25, line 1, after the word "Government", to strike out "$4,062,120,000" and insert "$4,193,993,000."

Under the subhead "Military Personnel", on page 26, line 16, after the word "enlistment", to strike out "$3,801,600,000" and insert "$3,836,600,000."

Under the subhead "Reserve Personnel", on page 26, line 25, to strike out "$55,000,000" and insert "$57,000,000."

Mr. CHAVEZ. Mr. President, as chairman of the Senate Appropriations Subcommittee which considered H. R. 7665, the Defense Department appropriation bill for 1958, I wish to give a brief explanation of the measure before the Senate.

ACTION ON BILL

As reported by the committee, the bill contains a total of $34,534,229,000.

This amount is an increase over the House figure by $971,504,000.

It is a reduction under the budget estimates of $1,593,771,000.

And it is a reduction under last year's appropriation of $164,294,000.

It provides a little more than $16 million for the Office of the Secretary of Defense; about $682 million for interservice activities; about $7.4 billion for the Department of the Army; about $10 billion for the Department of the Navy; and a bit under $16.4 billion for the Department of the Air Force.

The majority of the committee believes that these funds are necessary to provide for the security of our country.

I should like now to describe the situation which faced the Senate committee when it came time to act on the bill.

The House had made cuts amounting to approximately $2,565 million. Of the House reductions $590 million was the result of transfers which—while it was sound fiscal policy to reduce unused balances—had no effect on the military personnel appropriations from which the appropriations were taken. A little over $129 million was reduced on the assumption that if foreign credits were not forthcoming for support of our troops abroad, the Department might make additional requests in the future. The Department accepted total reductions of about $1,345 million without appeal.

But the Department requested restoration of the remaining $1,220 million. It was up to the committee to decide what should be done. We were not lacking in information. Our hearings had taken a full month, nearly every morning and afternoon. We compiled a record of almost 1,600 pages, which Senators have before them. We heard from 131 principal witnesses, some of whom were recalled by the committee in its efforts to arrive at the right decision. We made an exhaustive inquiry.

At this point I wish to thank those Members who assisted in the preparation of this bill.

I may say that the chairman of the subcommittee received complete cooperation from the members of the subcommittee, no matter from which side of the aisle.

COMMITTEE RECOMMENDATIONS

So the committee has made its recommendations of a total of $971,504,000 over the figure of the House bill. Of that total, about $158 million will go to the Army, $253 million to the Navy, and $561 million to the Air Force. Major increases are made in the fields of operations and in the procurement of aircraft, missiles, and ships.

The committee also included in the bill an additional $100 million for the Organized Reserve and National Guard, since it was testified that the added funds were needed to handle the influx of 6-month trainees in the 1957 and 1958 programs. If funds are not provided, the strength of these branches of the armed services will be cut.

Two major reductions were made. One is a reduction of $583 million in Army procurement and production. Of this amount $516 million had been suggested for deletion by the President in his letter to the Speaker of the House on April 18, 1957, and has been acted upon by the House. The remaining $67 million of the reduction is recommended by the Senate committee. It should have no harmful effect on the Army's 1958 buying program, inasmuch as under the Secretary of Defense's memorandum of May 22, 1957, the Army reduced its planned obligation in this account by $74 million, thus making this sum available in 1958 and subsequent years. Another reduction of the same type was made in Marine Corps procurement. The House reduced the budget estimate from $100 million to $20 million and the Senate committee reduced it further to zero.

Mr. President, I shall not attempt to discuss at this time all the many individual amendments to H. R. 7665 recommended by the committee. The details are included in the committee's report. I simply wish to state that in the judgment of the committee the funds provided in the bill now before the Senate are the amounts required to assure the level and type of military strength needed for our national security.

Our committee was not unanimous in support of all the committee recommendations. There are those who believe, in all sincerity, that the bill can be reduced without detriment to our national security. They acted with the same high purpose as did the House of Representatives. I do not quarrel with them, for I am in sympathy with their basic objectives—to provide a strong modern defense machine at a minimum cost.

But the majority—the vast majority—of the committee believed that the added funds were essential to the security of our Nation. We are well aware of the fiscal and economic problems the country is now facing. We wish to economize. But it has always been the policy of the Congress, and more specifically the Senate Appropriations Committee, to put the security of the United States ahead of all other considerations. We know that the people of this country will never refuse to pay the cost of essential national defense so long as they are convinced the expenditures are necessary.

We know, too, that the Communist military might is continuing to grow, regardless of what other difficulties they may be having—growing particularly in the types of military power which constitutes the real threat to international security. We can find no firm evidence that the nature and extent of the military threat to the United States and its allies has abated to any perceptible degree since we voted to add a billion dollars to the defense bill last year.

INCREASED COSTS

Recognizing, as we did, the fiscal and economic problems of the Government, we also could not ignore the increasing costs of national defense. While it is true that price and wage increases have taken their toll of the defense dollar, the real pressure on defense costs comes from the tremendous increases in the costs of new weapons—their development, production, and operation and maintenance.

I shall invite the attention of Senators to some items.

The B–29, the heavy bomber at the end of World War II, cost $600,000 apiece. The B–36 cost about $4 million and the B–52, with which they are now being replaced, cost twice as much as the B–36 and in addition requires very expensive jet tankers for refueling.

The Army's Nike-Ajax, which costs three times as much per battalion as the conventional antiaircraft guns they are replacing, will soon in turn be replaced by the Nike-Hercules, costing several times more.

A World War II submarine cost about $5 million to build. The submarine financed in the bill under consideration cost more than 10 times as much—in other words, about $50 million.

The ballistic missile programs, which have attracted so much attention, are extremely costly. It is estimated that the cost of their development to the stage of even initial operating capability may be several times the cost of developing the first atomic bomb.

DEFENSE OFFICIALS OPINIONS

The committee asked the top officials of the Department of Defense their opinion regarding the sufficiency of funds contained in the bill. I wish all Senators could have been present to hear them.

Secretary Wilson testified:

We hope that your committee will see fit to restore most of the amounts of the proposed cuts in these areas, because they represent adjustments downward in our defense program of considerable magnitude and seriousness. If permitted to stand, I believe that reductions of the magnitude proposed would amount to gambling unwisely with the security of the Nation.

Secretary Brucker of the Army stated:

I am very much disturbed with the budget reductions proposed in the House bill, especially in view of the retrenchments we have already made in order to get along in fiscal year 1958 with less financing than we had in fiscal year 1957. We are proud of the Army record and we want to move forward. I feel the reductions indicated will have a severe impact on many of our activities.

Assistant Secretary Roderick of the Army said:

Reductions of the type recommended by the House would cut into the bone and muscle of the Army and reduce its ability to execute its combat mission.

Secretary Gates of the Navy stated:

The budget presented to Congress by the President of the United States for the Department of the Navy was tailored to meet our minimum requirements—only a drastic change in world affairs can permit major readjustments in our naval program, and this budget which supports it.

Secretary Douglas of the Air Force said:

In my judgment our budget for fiscal year 1958 requests a minimum of funds to carry out our fiscal year 1958 Air Force program. Although it is an austere budget, it will provide, with careful management, for combinations of delivery systems which will comprise the greatest air striking power the Air Force has ever had. It will give the Air Force the capability to perform its mission if called upon in any emergency.

MILITARY EXPERTS ASK RESTORATION

Now let us turn to the top military leaders of our country, who are supposed to advise our country as to our needs in this area. What did they say? We asked them to speak candidly to us, the representatives of the people they have sworn to defend. We represent the people. The military officials are supposed to defend those whom we represent.

Listen to just three sentences of Admiral Radford's presentation, he being the Chairman of the Joint Chiefs of Staff:

We believe it to be a sound budget and a necessary one if we are to have the type of defense for this country which will insure the security of our people and institutions. I merely wish to emphasize for the record that our 1958 budget program is as well balanced as the best military planning and thinking could devise. Large cuts in the budget would not only disturb that balance but, in the opinion of the Joint Chiefs of Staff, would risk the security of the Nation and the Free World.

General Taylor, Chief of Staff of the Army, stated:

I assure the committee, as Chief of Staff, that the Army needs every dollar of the President's 1958 budget if it is to be able to field and fight the Army forces which are essential to our security.

Admiral Burke, Chief of Naval Operations, gave his measured opinion:

Our budget has been subjected to a most thorough and painstaking analysis over an extended period of time. * * * It cannot be reduced without serious effect upon well-considered programs essential to our national security.

General Twining, Chief of Staff of the Air Force, who will soon become Chief of the Joint Chiefs of Staff, warned the committee in these words:

The Air Force request which is being presented to you has actually been pared below what I considered minimum essential a few months ago. I have said before there is an element of risk in every defense budget. I will speak even more plainly. The Air Force budget, as presented to you today, has already been reduced to a point which lies in what I consider to be a dangerous area. * * * The President's budget for 1958 for the Air Force as it was submitted to the Congress was designed to support a minimum program, and the financing proposed was marginal. * * * I cannot emphasize too strongly the necessity for appropriation of the total new obligating authority requested for the Air Force in the President's budget. Substantial reductions in those amounts mean a new and reduced Air Force program, which can only be measured in terms of disproportionately increased risk to our national security in the budget year, as well as in future years.

These are but brief excerpts from the studied opinions of the men, civilian and military, who lead the defense effort of our country.

RECORD OF APPROPRIATIONS COMMITTEE

The record of the Senate Appropriations Committee during the present session speaks for itself in its desire to economize. It has spearheaded the drive for economy in Government by making a 5.5-percent reduction in total funding acted upon to date. There may be those present today who might wish that this bill could be cut further. I wish that it might also. But I will not vote, and the committee would not vote, to do so as long as we believe such a course would weaken our defenses.

WASTE DECRIED

We all recognize that in an operation as vast and multipurposed as our Defense Department there is some waste. I call the attention of the Senate to that section of the committee report which deals with that subject, directing the Department to redouble its efforts in ferreting out all waste and duplication and urging that it create an economy-conscious military and civilian organization which will extract a dollar's worth of defense for each dollar expended. The Department has made progress, I believe, in this respect. I believe that more can be made.

NEED FOR STRONG DEFENSE

However, I cannot subscribe to the thinking which would argue for reductions which, as our military experts testified, might well jeopardize our defense posture. I hope that the planes, the ships, the tanks, and the missiles which are provided for in this bill will never have a wartime use. But until we can be assured that the threat of aggression is over, we must provide the arms and equipment for the men who may be called upon to repel the aggressor at 4 o'clock some awful morning.

In the past few weeks there has been heartening talk about disarmament, but until such action is a surety, we must not relax our vigilance for a moment. International tensions have not lessened appreciably in the past year. I need only cite the situation in the Middle East, the unrest in Poland, the rape of Hungary, the perfidy of the Reds in their North Korean buildup to prove this.

And if the history of the past 10 years is any criterion, we may well be faced with localized warfare in widely scattered parts of the globe at any time. I need not remind the Senate that these local bonfires might flare overnight into a general conflagration. I think it safe to assume that only the deterrent strength of our forces have kept these outbreaks in check. The committee believes that the funds made available will continue to provide a minimum force to maintain that deterrent.

Some years ago the then Chairman of the Joint Chiefs of Staff was asked by a member of the Senate Appropriations Committee whether the funds provided in the defense bill then pending were sufficient for the needs of the Department. I shall always remember his reply. He said, in effect, "If we don't have a war, then the funds in this bill are too much. If we do have a war, then they are far too little."

I wish to emphasize that statement. I feel, and the committee feels, that if we do not have a war the bill recommended by the committee will be sufficient. If, all of a sudden, we do have a war, it will be far too little.

With this thought, I ask for favorable action on the committee's recommendations to the bill before us. I know it is in good hands.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD in connection with my remarks summary tabulations of our military forces, military personnel strength, and a short narrative description of our forces this budget will support.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Summary of military forces

	June 30, 1956 (actual)	June 30, 1957 (estimated)	June 30, 1958 (planned)
Department of the Army:			
Divisions	18	18	17
Regiments and RCT's	10	9	9
Antiaircraft battalions	133	122	126
Army missile commands	0	2	6
Department of the Navy: Active ships, total	973	976	983
Major combat	404	412	422
Other active	569	564	561
Marine divisions	3	3	3
Marine air wings	3	3	3
Department of the Air Force: Wings total	131	137	128
Strategic	51	50	45
Air defense	32	32	32
Tactical	48	55	51

The Army will begin and end the year with 1 million men, the Navy with 675,000, and the Marine Corps with 200,000. The Air Force will begin the year with about 921,000 and end it with 925,000.

Military personnel strength

	June 30, 1956 (actual)	June 30, 1957 (estimated)	June 30, 1958 (planned)
Department of Defense, total	2,805,550	2,795,700	2,800,000
Army	1,024,887	1,000,000	1,000,000
Navy	669,925	675,000	675,000
Marine Corps	200,780	200,000	200,000
Air Force	909,958	920,700	925,000

DESCRIPTION OF FORCES CONTAINED IN THE DEFENSE DEPARTMENT BILL

Under the bill as reported by the Senate committee, the Army will support 17 divisions, 9 regiments and regimental combat teams, 126 antiaircraft battalions, and 6 Army missile commands. This is a reduction of 1 division below the number the Army now has but is an increase of 4 antiaircraft battalions and 4 Army missile commands. These missile commands are similar to the Southern European Task Force, SETAF, which backs up the NATO forces in Italy with its nuclear weapons. Secretary of the Army Brucker reports that by the end of fiscal year 1958 approximately 70 percent of the active Army antiaircraft battalions assigned to the defense of the continental

United States will be equipped with the NIKE ground-to-air missile. Soon many of these units will be augmented with the new NIKE Hercules, which has considerably greater range and can carry an atomic warhead. In addition, the Army is now engaged in a major reorganization of its principle combat units. The purpose of this reorganization is to improve the capability of the Army to fight effectively under conditions of atomic warfare.

For the Navy this bill will provide a total of 933 active ships, including 422 combatant vessels, slightly higher than the number now in operation. During fiscal year 1958, 23 new ships will join the fleet, including the *Ranger* which is the third Forrestal-type carrier, 5 destroyers, 2 nuclear, and 2 guided missile submarines, and 13 other ships. In addition, 10 other converted ships will join the fleet, including the attack carrier *Midway*, a guided-missile cruiser capable of firing the long-range Talos missile, and a number of other vessels.

The Marine Corps will continue to maintain 3 divisions and 3 air wings in a high state of combat readiness. The Navy, including the Marine Corps, will continue to operate something less than 10,000 aircraft, including such new jet aircraft as the A-3-D, A-4-D, and F-8-U.

The bill will provide for the Air Force a total of 128 wings by the end of fiscal year 1958, compared with a 1957 goal of 137 wings. The reduction reflects an increase in the Army's guided missile capacity for close support of its ground forces and the phasing out of strategic fighter wings no longer required. In addition, B-36 strategic bomber wings will be replaced with B-52 wings of 45 aircraft each, supported by jet fuel tankers, virtual completion of the conversion of fighter-bomber and fighter-day units to Century series aircraft, strengthening of aid defense forces with Century series intercepter aircraft and missiles. Also, there will be continued construction and operation of the air-warning network as well as continued research and development of missiles, advanced aircraft, electronic warning and control systems, and other electronic devices.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. Mr. President, I wish merely to say that I sat in committee with the chairman of the Subcommittee on Armed Services, the Senator from New Mexico [Mr. CHAVEZ], and I know how faithfully he attended the committee meetings and the care with which he worked on the bill which is now before the Senate. I wish to commend him and to support him in his advocacy of what the committee has done.

Mr. CHAVEZ. In response to the statement of the Senator from Massachusetts, I, like any other chairman of a subcommittee, took my work seriously. However, I would not have been able to do as well as I did without the cooperation of not only the members of the subcommittee on both sides of the aisle, but of the full committee itself.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. FLANDERS. I also wish to say a word of commendation. Anyone who has not been through the work connected with a military appropriation bill—and I must say that I was not completely faithful in attendance on the hearings—cannot have any idea of the difficulty of deciding what is right and what is wrong; what is enough and what is not enough. I am satisfied that the work which the chairman of the subcommittee and the other members of the subcommittee, as well as the members of the full committee, did, resulted in bringing before the Senate the best appropriation bill for the defense of the country I can conceive of as being possible to come from a committee.

Mr. CHAVEZ. I wish to assure my good friend from Vermont that I appreciate his kind words, and I am most thankful for them.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. DOUGLAS. I, too, wish to express my confidence in the energy and devotion of the distinguished chairman of the subcommittee. A little later I shall seek recognition in my own right to discuss the bill. Before I do so I should like to have the privilege of asking the distinguished chairman 2 or 3 very simple questions.

Mr. CHAVEZ. I shall try to answer the questions.

Mr. DOUGLAS. The first question I should like to ask is this: There are well-informed rumors to the effect that the Secretary of Defense intends to impose expenditure limits upon the various services regardless of the sums which Congress may appropriate. If that should be so, and such limits should be imposed, I should like to ask whether such limits, administratively imposed, can supersede statutory requirements previously made by Congress and signed by the President.

Mr. CHAVEZ. Of course, we hear of rumors of many kinds. I hope the rumors to which the Senator has referred are unfounded.

Mr. DOUGLAS. If such expenditure limits should be imposed, could such administrative action supersede a law prescribing certain strengths?

Mr. CHAVEZ. I should not think so. I am looking at it from the point of the law itself. Of course I know that administrators do a great many things the law does not intend.

Mr. DOUGLAS. Would such action, in the judgment of the Senator from New Mexico be contrary to law?

Mr. CHAVEZ. There is only one reason for the bill now before the Senate. We have the authority of law to appropriate money for national defense purposes. With that in mind we have recommended certain appropriations. We have not recommended all the Department asked for. We have not recommended what the Department wanted restored. We have recommended what the committee, after trials and tribulations, after listening to a great deal of testimony, thought would meet the requirements of our national defense.

Mr. DOUGLAS. There is a very important point connected with my question, as the Senator from New Mexico is well aware. In 1952 Congress passed, and the President signed, a law fixing the statutory minimum strength of the Marine Corps, to include three divisions. There are various elements in the armed services which would like to see the strength of the Marine Corps reduced below three divisions.

What I am asking is this: Could the Secretary of Defense impose any limits which would reduce the strength of the Marine Corps to less than three divisions?

Mr. CHAVEZ. So far as the pending bill is concerned, it provides for three divisions.

Mr. DOUGLAS. Is it the Senator's understanding that the Secretary of Defense must hold to those minimum strengths?

Mr. CHAVEZ. I think that is what he should do. Whether he will or not, I do not know.

Mr. DOUGLAS. There is a very important legal question involved. A law was passed by Congress fixing the minimum strength of the Marine Corps at three divisions, and it was intended that those should not be a skeleton division, but real divisions.

Mr. CHAVEZ. We are providing in the bill for that kind of divisions.

Mr. DOUGLAS. There are rumors that the Secretary of Defense intends to impose expenditure limits regardless of the sums appropriated once the bill has been enacted. If funds are provided which would give the Marine Corps three full divisions, would such rumored action by the Secretary of Defense not be a violation of law, and contrary to the judgment which the Committee on Appropriations exercised in approving and reporting the bill?

Mr. CHAVEZ. I believe it would be in violation of the law. There is ample law which provides for the three Marine Corps divisions. However, we see the law misinterpreted every day in the week. So I do not know what the Secretary of Defense will do.

Mr. DOUGLAS. I am simply trying to establish a parliamentary record which will make it impossible for the Secretary of Defense to deny the solemn will of the Congress.

Mr. CHAVEZ. I do not know about the rumors; but so far as the bill is concerned, I know it provides for three divisions of marines, as the Senator from Illinois has indicated. I hope his information is only rumor.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SYMINGTON. The Assistant Secretary of Defense, the comptroller, made a statement which strongly verifies the prediction of the distinguished senior Senator from Illinois. This is what the comptroller said in his prepared statement before the Senate subcommittee of which the distinguished senior Senator from New Mexico is the chairman:

> We have been informed that considering the anticipated revenues of the Government, and the statutory debt limit, expenditures for the Department of Defense must not substantially exceed the budget estimate of $38 billion during the coming year. The current monthly rate of expenditure, however, is now running considerably above the annual rate of $38 billion. In order to clarify the fiscal position of the Department of Defense, each military department has been directed by the Secretary of Defense to submit a detailed plan to him later in this month for meeting its fiscal year 1958 expenditure objectives, taking into account outstanding obligations, as well as the plans for rate and volume of new obligation.
>
> Secretary Wilson has asked that you be informed that steps are being taken which should bring defense expenditures into line with the President's budget submission for fiscal year 1958.

I quote this statement only to show that, regardless of whether the distinguished Senator from Illinois is correct in his understanding of what will happen to the marines, the Assistant Secretary of Defense shows that the Department of Defense intends to tailor its military appropriations, obligations, and expenditures to the fiscal problem rather than to the defense requirements.

Mr. CHAVEZ. Mr. President, I am most happy that the Senator from Illinois has made his inquiry, because I hope a record can be made this afternoon in connection with the passage of the bill which will indicate to the Department of Defense, whether it be to Mr. McNeil, the budget officer, or Mr. Wilson, the Secretary of Defense, that it is our intention that provision be made for three marine divisions.

Mr. DOUGLAS. I thank the Senator from New Mexico for that assurance. I hope the officials of the Department of Defense will not only read the parliamentary record which we are establishing but also will follow it.

I may say that I am not opposed to the Department of Defense placing a limit on expenditures and cutting down on the excess waste in the Department, excess waste which I shall shortly demonstrate in my main speech on the floor. I think there are great economies which could be made with determination and with good business management, which thus far has been lacking.

Mr. CHAVEZ. I feel the same as does the Senator from Illinois.

Mr. DOUGLAS. But I think we should not cut into the muscle of the defense of this country; and the tendency has been, unfortunately, for the military officials and the officials of the Department of Defense to sacrifice muscle for fat.

Mr. CHAVEZ. I know what the Department did several years ago. Congress provided $40 million for the Marine divisions, but the money was never used for the purpose for which it was intended it should be used. That is one of the reasons why I hope we will make the record so crystal clear that the Department will know what we are talking about.

Mr. SMATHERS. Mr. President, will the Senator from Illinois permit me to ask a question of the able chairman before he leaves the point about the economy standard?

Mr. DOUGLAS. Yes; certainly.

Mr. SMATHERS. Does the chairman know of any statutory authority or constitutional authority which would give to the Secretary of Defense the right to reduce the size of the Marine Corps below the minimum standard which was set for it by Congress?

Mr. CHAVEZ. I know of no such authority whatsoever. I have been dealing with the departments of government for many years, and I am not surprised at anything they do administratively.

Mr. SMATHERS. But does the Senator know of any legal authority?

Mr. CHAVEZ. Legally, they have no right whatsoever to reduce the size of the Marine Corps.

Mr. SMATHERS. Legally, then, it would be a violation of the law for the Secretary of Defense to reduce the Marine Corps below the minimum standard set by Congress?

Mr. CHAVEZ. I believe it would be just as much a violation of the law as if I ran my car through a red light.

Mr. DOUGLAS. Would the Senator say whether there is any possibility of imposing upon the Secretary of Defense a penalty similar to that which would be imposed upon us if we ran through a red light?

Mr. CHAVEZ. I do not know of any authority, but there should be some.

Mr. DOUGLAS. What would the Senator from New Mexico suggest as a means of keeping the Department of Defense in conformity with the will of Congress?

Mr. CHAVEZ. I am not talking only about the Department of Defense; I am speaking of all departments. I know of only one thing which they understand; that is the amount of money Congress appropriates.

Mr. DOUGLAS. Is the Senator referring to a reduction in the appropriation?

Mr. CHAVEZ. That is correct.

Mr. DOUGLAS. Does not the Senator from New Mexico think he has furnished an excellent argument for cutting the defense budget?

Mr. CHAVEZ. No, I have not. We should give them what they need, but should not give them more than they need.

Mr. DOUGLAS. I shall continue this topic later.

Now, I should like to take up another point. The committee took virtually 1,600 pages of testimony; did it not?

Mr. CHAVEZ. That is correct.

Mr. DOUGLAS. Is it not true that virtually the only witnesses who appeared in behalf of the taxpayers and in behalf of reductions were Mr. Perry M. Shoemaker and Mr. John B. Olverson, representing the Chamber of Commerce of the United States?

Mr. CHAVEZ. There might have been several others, but I recall those two witnesses.

Mr. DOUGLAS. Their testimony runs from page 1467 to page 1513. That is only 46 pages out of 1,600. So only 4 percent of the testimony was in behalf of the taxpayers.

Mr. CHAVEZ. I have been a member of the Committee on Appropriations for many years. I have always noted, generally speaking, the only witnesses who appear are those who want the money.

Mr. DOUGLAS. That is correct.

Mr. CHAVEZ. It is seldom that anyone appears to represent John Q. Public, and to state to the committee that although the information submitted to it might be correct, nevertheless, for certain reasons the money should not be granted. I wish more persons like Mr. Shoemaker and Mr. Olverson would appear before the Committee on Appropriations and other committees. Generally, the departments have things their own way. They have smart boys to represent them, and they almost make one cry.

Mr. DOUGLAS. I am very glad the Senator from New Mexico is saying this. The record shows that only 4 percent of the testimony came from representatives of the taxpayers and they pointed out that economies could be made. Ninety-six percent of the testimony came from officials of the Department of Defense and officers of the armed services. Those in the latter category were all anxious to increase the appropriation above the House figure.

Mr. CHAVEZ. But they were not entirely successful.

Mr. DOUGLAS. They got a billion dollars increase.

Mr. CHAVEZ. Not quite.

Mr. DOUGLAS. Well, lacking only $29 million. I would say they got a billion dollars.

Mr. CHAVEZ. Let us get the record straight. They wanted $1,220,000,000. They did not get that. They got less than a billion.

Mr. DOUGLAS. They got $971 million.

Mr. CHAVEZ. That is correct.

Mr. DOUGLAS. As I shall point out later, I think $87 million of the so-called reductions in the stock funds are purely bookkeeping transactions; so, in effect, the Department got about $1,058,000,000, and the cut from the original budget amounted to only $200 million. I should say the Department of Defense did very well, and that in bringing the Senator from New Mexico almost to tears, they melted him.

Mr. CHAVEZ. No, they did not, in any instance.

Mr. DOUGLAS. I am grateful to the Senator from New Mexico for the characteristic frankness and candor with which he has pointed out the tremendous pressure to which the Committee on Appropriations is subjected by Government officials. It is almost more than flesh and blood can stand to resist those pressures.

Mr. CHAVEZ. But it happened in this instance that the subcommittee and the full committee resisted the pressures.

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

Mr. SMATHERS. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed with the consideration of the Department of Defense appropriation bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senate resumed the consideration of the bill (H. R. 7665) making

appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. In further answer to the question asked by the Senator from Illinois [Mr. DOUGLAS], which the Senator from New Mexico has been so ably answering, I may say that I heard practically all the testimony of Mr. Shoemaker. Some of the suggestions he made were worthy of study. But as in the case of everyone else who is on the outside of a great deal of classified information, I believe that some of the cuts Mr. Shoemaker proposed were utterly impractical; and after listening to some of the classified testimony, one could only reach the conclusion that some of the suggestions the witnesses made for reductions would, if followed, jeopardize our security to a great degree.

When reference is made to the interest of the taxpayers—and the Senator from New Mexico has made such reference—we should remember that the first interest of the taxpayers of the Nation is security, which is what the committee tried to provide.

Mr. CHAVEZ. Not only that, but let me also say to the Senator from Illinois that aside from 2 days, the committee did not hold any classified sessions; all the others were open sessions. Although it is true that only 2, 3, or 4 witnesses who represented the taxpayers appeared, yet all the taxpayers of the United States were informed of what was going on; the hearings were open; and the press—even the Chicago Tribune—was represented, and was publishing stories.

Mr. DOUGLAS. Mr. President, the Senator from New Mexico is well aware that it is very difficult—in fact, almost impossible—for a private citizen to accumulate sufficient information and to have sufficient knowledge of the operations of the Military Establishment, which is spending $38 billion a year, to be able to appear before the committee and give competent testimony. Mr. Shoemaker was able to do so only because he had been chairman of a task force established under the Hoover Commission, and had worked on that task force, particularly in the field of military transportation, and also because he was backed up by the resources of the United States Chamber of Commerce. It may seem somewhat incongruous for me to find myself in agreement with the United States Chamber of Commerce, because I think its attitude on most public questions differs appreciably from mine. But in this instance I wish to congratulate the United States Chamber of Commerce for the magnificent work it did.

Is it not a fact that although some of Mr. Shoemaker's studies may have contained some error—and I myself questioned two or three of them—nevertheless he not only proposed that the amounts voted by the House of Representatives be sustained, but he also proposed a further cut of approximately three-fourths of a billion dollars?

Mr. CHAVEZ. Yes; that is what he testified to.

Mr. DOUGLAS. And his testimony was very detailed, was it not?

Mr. CHAVEZ. It was detailed, but it was not correct.

Mr. DOUGLAS. However, it was not capricious testimony, was it?

Mr. CHAVEZ. No; it was meant in the best of faith.

Mr. DOUGLAS. And he was well informed, was he not?

Mr. CHAVEZ. Yes, he was well informed.

Mr. DOUGLAS. Nevertheless, he was the only witness who appeared on behalf of the taxpayers; and there were approximately 1,550 pages of testimony from Secretaries, Under Secretaries, Deputy Under Secretaries, Assistant Secretaries, Deputy Assistant Secretaries, 5-star generals, 4-star generals, 3-star generals, and 2-star generals, so that the whole weight and force of the Military Establishment was thrown behind the demand, "Give us the full amount."

Mr. SYMINGTON. Will the Senator from New Mexico yield for a question: What point is the Senator from Illinois trying to make?

Mr. DOUGLAS. My point is that the testimony the committee takes is necessarily weighted heavily in favor of increases in the appropriations; and possible economies in any large amount are not called to the attention of the Appropriations Committee.

Mr. SYMINGTON. Mr. President, will the Senator from New Mexico yield to me?

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Does the Senator from New Mexico yield to the Senator from Missouri?

Mr. CHAVEZ. Certainly.

Mr. SYMINGTON. Is it not true that the Defense budget presented by President Eisenhower was cut $2,630,000,000 by the House of Representatives?

Mr. CHAVEZ. In fact, a little more than that.

Mr. SYMINGTON. Is it not true that the President agreed to accept $1,410,000,000 of those cuts, but stated that if any further reductions were made, that would be against the security of the United States?

Mr. CHAVEZ. Yes; that is true.

Mr. SYMINGTON. Is it not also true that in April 1957 the President spoke to the American people on the television, and stated that the restoration of $1,220,000,000 was essential to the future security of the country?

Mr. CHAVEZ. I have read about that, but I would not want to pass judgment on what the President said.

Mr. SYMINGTON. I tell the Senator from New Mexico that I heard the President make the statement on the television, and it was so recorded in the press.

Is it not also true that the subcommittee, of which the distinguished Senator from New Mexico is chairman, refused to vote to provide the full $1,220,000,000 which the President said is essential for the security of the United States, but the subcommittee did vote to restore $971,504,000?

Mr. CHAVEZ. That is correct.

This is the picture, so far as the figures are concerned—and I shall speak in round numbers: The House of Representatives made cuts of approximately $2,500,000,000. The administration would not agree to that total amount; it would agree to cuts in the amount of only approximately $1,300,000,000.

Mr. SYMINGTON. That was the position of the administration, was it not?

Mr. CHAVEZ. Yes.

The committee did not even go that far, but voted for less than $1 billion. The committee also had in mind that it, too, wished to make cuts, but the foremost thing in the mind of the committee was the national security.

Mr. SYMINGTON. I should like to ask one other question of the distinguished chairman of the subcommittee: Did the committee refuse to hear from any person who requested to be heard?

Mr. CHAVEZ. Not one. Not only that, but the press had all these stories daily. I did not receive from home or elsewhere one letter complaining about the budget or about anything else in connection with this bill.

Mr. SYMINGTON. I am sure, based on his comments, that the distinguished Senator from Illinois would like to see the budget increased in order to take care of the statutory obligations for the Marines; and I am also sure that his service with the Marines is not the primary reason for his position, but that he would also like to see the statutory obligations incident to the Army and the Navy also observed. However, is it not true that what the Senator from Illinois is getting at is that, whereas the witnesses on behalf of the administration who appeared before the committees requested large restorations of appropriations, at the same time the committee learned—and now the people have found out about it—that the administration was heavily cutting the military services in obligational authority and also in expenditures both of which are at least as important as appropriations?

Mr. CHAVEZ. I agree entirely with the last part of the statement made by my colleague, the Senator from Missouri. But as to the first part—regarding what the Senator from Illinois has in mind—let me say I never comment on the motives of my colleagues.

Mr. SYMINGTON. Later, I shall speak briefly on the bill, Mr. President; but at this time I should like to associate myself with those of my colleagues who have congratulated the distinguished senior Senator from New Mexico [Mr. CHAVEZ] for the magnificent way he handled the defense appropriations hearings, in which I had the honor for the first time to take part.

Mr. CHAVEZ. I thank the Senator from Missouri.

Mr. SMATHERS. Mr. President, will the Senator from New Mexico yield to me, so that I may ask a question?

The PRESIDING OFFICER (Mr. THURMOND in the chair). Does the Senator from New Mexico yield to the Senator from Florida?

Mr. CHAVEZ. I yield.

Mr. SMATHERS. What appeared to me to be a little inconsistency in the President's television presentation, to

which reference has been made and his action was that, as I recall, he said he had to have $1,200,000,000 restored; but I read in the newspapers in the past few days that the President himself agreed voluntarily to reduce by $256 million the request made of the Congress for these military appropriations?

Mr. DOUGLAS. That was for military public works.

Mr. SYMINGTON. Mr. President, will the Senator from New Mexico yield, so that I may answer the Senator from Florida?

Mr. CHAVEZ. I yield.

Mr. SYMINGTON. After the committee decided to increase the appropriations by approximately $960 million supporting to a considerable extent the President's request, in the afternoon the President voluntarily sent to the Congress a decision to cut the military construction funds by approximately $256 million. I understand the President did this without the concurrence of the Department of Defense, but at the suggestion of the Bureau of the Budget.

Mr. SMATHERS. Was the $256 million which the President said he would gladly give up—in the case of the appropriations for military public works—a part of the $1,200,000,000 which he first said he needed?

Mr. SYMINGTON. No; it was not. But so long as the distinguished Senator from Florida has brought up the matter, let me say that the most extraordinary aspect of it to me is that at the same time when the President was requesting the American people to urge Congress to restore $638 million for the Air Force, $390 million for the Navy, and $134 million for the Army, the subcommittee of which the distinguished Senator from New Mexico [Mr. CHAVEZ] is chairman found that Secretary Wilson had issued a secret directive which, according to the formal, printed statement by the Secretary of the Air Force, would result in decreasing the Air Force program for fiscal year 1958 by approximately $4,200,000,000.

The immediate effect of that directive has, through liberal interpretation and the granting of exceptions, been substantially lessened. However, it showed, in my opinion, great insincerity with respect to what was really needed, and it also showed once again that our entire Defense Establishment is being tailored to the day-to-day fiscal demands of the Treasury Department and the Bureau of the Budget.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. DOUGLAS. The statement has been made that the House cut the President's budget by approximately $2,500 million. Is it not a fact that of that cut $1,300 million was a paper cut, and the President so labeled it, namely, the House merely altered the funds appropriated for the multiplicity of stock funds which have surpluses now and they have simply required the stock funds to draw upon their unexpended balances, rather than have Congress directly appropriate the added amounts?

Mr. CHAVEZ. I will say to the Senator from Illinois that in part that directive was limited only to the obligating authority.

Mr. DOUGLAS. Did not the President imply that of the cut of $2,500 million, $1,300 million was a phony cut and not a real cut?

Mr. CHAVEZ. I do not know what he said.

Mr. DOUGLAS. The record will show that. Therefore, the real cut made by the House approximated only $1,200 million, of which $971 million has been restored, and, in my judgment, $87 million more, because there are $87 million in paper economies shown by the committee by deducting amounts from the stock funds. So, in reality, I think the committee has increased the House appropriation by $1 billion and approximately $58 million, making the cut something less than $200 million, which is one-half of 1 percent of the budget originally submitted.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. I should simply like to say that when the Senator from Illinois uses the word "phony" he is not accurate. The cuts the President requested—at least the great bulk of them—related to two matters. One related to the Army and Marine procurement, which was placed in the estimate when the original budget was submitted. Then it was found that such procurement probably would not be necessary during the fiscal year 1958. That amount was dropped at the President's request. The other $599 million was money from the Army stock fund and from the industrial fund, in which reductions could be effected. I heartily approve of that, and I know the Senator from New Mexico has been urging for a number of years that it be done, because the balances, or surpluses, in those funds have increased in volume to such an extent that the capital—and it is capital—could be taken away from the funds, and be used.

Mr. DOUGLAS. I submit the Senator from Massachusetts has borne out completely what the Senator from Illinois has been saying, namely, that apparently the reduction in appropriations of $1.3 billion would not result in the decrease of one dollar in the expenditures of the Department of Defense, but would merely reduce the amounts appropriated for the stock funds and require the Department of Defense to draw down the existing idle cash balances in those stock funds. Is not that true?

Mr. CHAVEZ. That is the interpretation of the Senator from Illinois.

Mr. DOUGLAS. But is it not true? Did not the President label these cuts of $1.3 billion, in the statement from the White House, as being paper cuts? I do not think he used the term "phony cuts," but he used the term "paper" cut. The term "phony" is my term. It was not meant in any derogatory sense, but it was an apparent cut which the public thought it was getting in reduction of expenditures, but in reality it is not a cut at all.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. I think the Senator is perhaps confused about something which puzzles us at times, and something which it is very difficult for me, as a member of the committee, to understand and keep in mind. There are two budgets. There is an expenditure budget, on which taxes are based, and there is the new obligatory authority, which is the responsibility of Congress. When Congress appropriates money, there is involved new obligatory authority which may last for 2 or 3 or 4 years. Probably not over one-quarter of the funds we appropriate—or perhaps I should say one-half, to be conservative—will be spent in the fiscal year 1958. They go into the expenditure budget. We are cutting down, at the President's request and at our own request, the new obligatory authority, which amounts to a reduction in expenditures in future years.

Mr. DOUGLAS. We are drawing down the surpluses of money in the stock funds, of which there are 250.

Mr. SALTONSTALL. We are drawing down some of those funds. At the same time, we are cutting down some of the new obligatory authority.

Mr. DOUGLAS. There is idle cash in those funds.

Mr. SALTONSTALL. I am talking about procurement.

Mr. DOUGLAS. The stock funds had idle cash surpluses.

Mr. SALTONSTALL. They had more than enough capital to do business.

Mr. DOUGLAS. That was in the form of cash.

Mr. SALTONSTALL. We did not appropriate funds, but took away a certain amount of the funds which could be used by drawing down the capital and using that money instead of appropriating new money.

Mr. DOUGLAS. I think everything the Senator from Massachusetts has said has again borne out the statement by the Senator from Illinois that of the $2,500,000,000 cuts made by the House, only $1,200,000,000 would have resulted at any time in decreased expenditures, and $1,300,000,000 simply drew upon idle cash balances in the multiplicity of stock funds.

Mr. SALTONSTALL. I cannot agree with the Senator from Illinois.

Mr. CHAVEZ. I cannot, either, because if we had not done what we did, we would have had to appropriate new money.

Mr. DOUGLAS. And increase the idle cash balances still further.

Mr. CHAVEZ. Perhaps so. Nevertheless, it is a fact.

Mr. DOUGLAS. I agree that it is not so bad as it would be if the idle cash balances were increased still further, but it certainly cannot result in decreases in expenditures, either now or hereafter.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes.

Mr. SALTONSTALL. It cuts down the amount of money which would be available to the Department of the Army and the Department of the Navy and which would be used in building up inventories.

Mr. DOUGLAS. I shall talk about inventories when I get the floor in my own right.

Mr. SALTONSTALL. The Senator is bringing it up. That is why I mention it.

Mr. DOUGLAS. I may say we have $134 billion in inventories. Even excluding real estate, we have $111 billion in inventories.

Mr. President, I should like now to strike a minor note on a subject which perhaps will also interest the Senator from Massachusetts [Mr. SALTONSTALL].

I have heard a great deal of discussion about the Murphy General Hospital at Waltham, Mass., and the hospital at Hot Springs, Ark., for paralytics.

I should like to ask this question: In the increased appropriations which the Senate committee recommends in the bill, are funds now recommended for the continuation of the Murphy General Hospital at Waltham and the other hospital at Hot Springs, Ark., the name of which I forget?

Mr. CHAVEZ. No. The hospital at Waltham is now being used by another department of the Government. It is getting no funds whatsoever.

Mr. DOUGLAS. The Murphy General Hospital will not be continued?

Mr. CHAVEZ. Not as such. It will be continued as Government property, used by another Government department.

Mr. DOUGLAS. But not as a hospital?

Mr. CHAVEZ. Not as a hospital.

Mr. DOUGLAS. What about the Hot Springs hospital?

Mr. CHAVEZ. The hospital at Hot Springs is in the area of the Senator from Arkansas [Mr. MCCLELLAN]. He is a member of the Appropriations Committee. I think he will be able to tell the Senator from Illinois about that.

Mr. McCLELLAN. What would the distinguished Senator like to know about it?

Mr. DOUGLAS. I should like to know whether the hospital at Hot Springs is to be continued.

Mr. McCLELLAN. It is, if I have my way about it.

Mr. DOUGLAS. Is it provided for in the bill?

Mr. McCLELLAN. Yes.

Mr. DOUGLAS. The item is in the bill. That is all I wished to establish.

Mr. McCLELLAN. Is there anything else the Senator desires to ask about it, now?

Mr. DOUGLAS. No, that is all. I wish to thank the Senator.

Mr. McCLELLAN. I thank the Senator.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. DOUGLAS. Mr. President, I do not know whether the Senator from New Mexico has yielded the floor.

Mr. CHAVEZ. If the Senator from Illinois wishes to begin his remarks now, I shall be glad to yield.

Mr. DOUGLAS. I do not wish to shut the Senator off.

Mr. CHAVEZ. No. I am ready to vote.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. CARROLL. Before we proceed with the debate on the bill I should like to ask some questions, if I may.

Mr. CHAVEZ. Certainly.

Mr. CARROLL. On page 2 of the committee report I observe, under the heading "Appropriations, 1957," a total of $34,698,523,000.

Mr. CHAVEZ. The Senator is correct.

Mr. CARROLL. A look at the fourth column discloses that the amount recommended by the Senate committee is $34,534,229,000.

Mr. CHAVEZ. That is correct.

Mr. CARROLL. According to footnotes 1 and 2 $400 million plus $190 million are evidently derived by transfer from the funds listed. Do they total $590 million?

Mr. CHAVEZ. Yes.

Mr. CARROLL. The addition of that amount to the $34,534,229,000 will give a total of approximately $35,125,000,000, will it not?

Mr. CHAVEZ. The Senator is talking about adding to the $34.5 billion the amount covered by notation No. 2?

Mr. CARROLL. Notations 1 and 2.

Mr. CHAVEZ. Both 1 and 2, the $590 million?

Mr. CARROLL. $590 million. So that I will have this fixed in my own mind, the $34,534,229,000——

Mr. CHAVEZ. That is new money.

Mr. CARROLL. That is new money, the amount recommended to be appropriated.

Mr. CHAVEZ. That is correct.

Mr. CARROLL. The $590 million is the additional amount to be expended?

Mr. CHAVEZ. That is correct. The Department already has that.

Mr. CARROLL. This is the reason, Mr. President, I put the question: Actually when we have finished all this, we find we are being asked to appropriate for fiscal year 1958 as much as we appropriated for fiscal year 1957, if not more.

Mr. CHAVEZ. No; that is not quite correct. We are recommending an appropriation of $34,534,229,000, as shown in column 4.

Mr. CARROLL. Yes.

Mr. CHAVEZ. That is what is provided in the bill. The $590 million, which the Senator speaks of now, is money the Department already has on hand, which can be obligated if it is so desired. It has already been appropriated.

Mr. CARROLL. Yes.

Mr. CHAVEZ. If the Department needs it for the program, it has it in hand. It is not an appropriation item this time.

Mr. CARROLL. Let me put the question in a different form. The total money in the appropriation bill, plus the funds transferred, will give the Department more money to meet defense needs than they had in the appropriations for 1957.

Mr. CHAVEZ. Except for transfers.

What I should like to have the Senator from Colorado differentiate is this: The only actual money we are in the process of appropriating now is the $34 billion plus.

Mr. CARROLL. I understand.

Mr. CHAVEZ. The Department of Defense has unobligated funds which run into billions of dollars.

Mr. CARROLL. I understand.

Mr. CHAVEZ. Which they can obligate if they need the money for the program. If they do not need it, they do not have to spend it at all.

Mr. CARROLL. I wish to say to my friend—and he is my friend—the distinguished Senator from New Mexico [Mr. CHAVEZ], that one of the reasons why I have put this series of questions——

Mr. CHAVEZ. I am glad the Senator has made the inquiries.

Mr. CARROLL. One of my reasons is that 10 years ago, when I was a Member of the other body, I voted to unify the military forces. I find though, that a great deal of unification is still needed. A very distinguished former colleague of mine in the House of Representatives, Representative MAHON, of Texas, has issued some public statements lately regarding the situation, which I have not yet had an opportunity to thoroughly study. But he has a very important position on the Appropriations Committee of the other body, and his opinions on the matter of unification should be given serious attention.

Mr. CHAVEZ. That is correct.

Mr. CARROLL. There is a growing feeling in the United States that there is too much waste in the Military Establishment, and that there is overlapping and duplication.

I make this statement in no criticism of the committee at all, but somewhere along the line somebody must bring the separate branches of the Military Establishment together. I note that the Defense Department will have as much money to spend this fiscal year as it had during last fiscal year, and the last was as great as the one before or greater. The question is, when are we going to nail things down and shake out the Military Establishment, with its huge expenditures of billions of dollars?

Mr. CHAVEZ. I think the Senator is correct in his ideas, but we have here for consideration a recommendation for the appropriation of $34,534,229,000, which is a lot of money. If we keep on developing new weapons, as well as other items of military equipment, this amount of money will be small compared to what I estimate it may be 5 or 10 years from now.

Mr. CARROLL. Of course, Mr. President, the distinguished Senator from New Mexico also realizes it is true that unless we curb inflation, these tremendous military costs will continue to pyramid.

I make the point that as I look at the requested appropriation of $34,534,229,000 and compare it with the appropriation of a year ago—I make no reference to a transfer of funds—when the appropriation was $34,698,523,000, the difference is only about $160 million, which is very small compared to the overall, total expenditure.

I know that the chairman of the subcommittee is interested in economy. Somewhere along the line some group has to make an intensive study of the cost of the Military Establishment, because it has been said, and I believe with some merit, that each of the services wants to win the war alone.

Mr. CHAVEZ. That is correct.

Mr. CARROLL. Somehow, possibly in the Congress, through a joint committee, or through a special committee, we will have to knock together the heads of the branches of the Military Establishment. This $35 billion expenditure is interfering with many worthwhile programs in this country which need development in the interest of the people.

Mr. CHAVEZ. I think the Senator's remarks are correct, that we ought to try to assist the Department where it is possible, and we should impress upon the Defense Department as strongly as we can the need for a proper program. Indeed, even in the report we have before us now we have called attention to the facts of duplication and waste, and so forth.

Mr. CARROLL. I thank the distinguished Senator from New Mexico for yielding to me and giving me an opportunity to ask these questions. I know that he has worked hard. I know that this is a gigantic task for any small subcommittee. If more money or a larger staff is needed to investigate this question, the facilities should be provided, in order that notice may be served upon the administration that excessive expenditures must be curtailed and waste eliminated.

Mr. CHAVEZ. I thank the Senator.

Mr. DOUGLAS. Mr. President, I wish to set forth a proposal which would result in a decrease in expenditures and at the same time an increase in military security. I am proposing a course of action which will at the appropriate time be supported by amendments to the defense appropriation bill, which would save half a billion dollars for the taxpayers and at the same time create two additional combat divisions of a nonnuclear nature. This can be done by holding to the House appropriations and defeating the billion dollar increase proposed by the Senate Appropriations Committee, and then devoting half of the savings which are thus made to equipping two additional combat divisions. The men for these divisions would be drawn from those squeezed out of the existing divisions because of their being equipped with nuclear weapons and from the excessive numbers of men now being used for supply, administrative and personnel functions. The size of Army divisions is being reduced to approximately 14,000 men.

In short, I am proposing that we transform some of the fat in the armed services into muscle and that we turn military waste into greater military security and that, at the same time, we give the taxpayers a break.

This can be done, as I shall show in my speech. But before I do so, I should like to summarize the present budget situation in the matters of defense. The administration originally proposed a total United States defense budget, excluding mutual security, of approximately $40 billion; $36 billion of this was for the current direct appropriation for the Department of Defense, $2 billion was specifically earmarked for public works, and $2 billion for atomic energy.

The House cut the appropriation for the Defense budget by $2.5 billion, or to $33.5 billion. But, as has been pointed out, no less than $1.3 billion of this represented paper cuts by manipulating the bookkeeping figures for the various stock funds. This meant that the real cut made by the House was really only $1.2 billion, so far as actual expenditures are concerned, either now or in the future. The Senate Appropriations Committee now proposes to restore approximately $1 billion of this. If we adopt their recommendations, the cut will therefore be only $200 million or only about one-half of 1 percent of the proposed budget.

There are about 20 million Americans who have served for longer or shorter periods of time in the Armed Forces of the United States. I think every one of these men knows that far greater economies than these could be effected without the slightest damage to our security.

Again and again the distinguished and able chairman of the subcommittee on appropriations dealing with defense matters has said that these appropriations were necessary for national security. Of course we want national security; but, as I say, the knowledge of these 20 million men, based upon firsthand experience in the service, would cause them to say almost unanimously, I think, that we could make several hundred million dollars of cuts without affecting national security in the slightest.

I believe also that nearly all of these 20 million would want to have some of these savings used actually to increase the combat effectiveness of our forces. That, I repeat, is what my proposal would do. It would save money and increase strength where it is needed. It would shift some of the weight of the Armed Forces from their paunch to the muscle of their arms and legs.

THE OBSTACLES WE FACE

I think I know what I am in for when I make this proposal. The gentlest and yet perhaps most effective argument against it will be to ask why should I put my judgment against that of the Appropriations Committee, the Defense Department, and the President? "Do not these gentlemen," it will be asked, "know infinitely more about this situation than you? Why should we substitute your judgment for theirs?"

This objection would be crushing were it not for two facts. The first is that I am primarily basing this appeal not upon my own knowledge and facts acquired only at first hand, but primarily and overwhelmingly upon careful and detailed investigations by competent and careful bodies. I am basing these proposals in the main on a series of excellent inquiries made by committees of the House, notably those by Representatives HARDY, BONNER, HÉBERT—in the report just issued—and Representative MCCORMACK; also upon the studies and reports of the Hoover Commission, and of the United States Chamber of Commerce, and upon numerous other investigations as well. The evidence I present will, therefore, be overwhelmingly documented and will, I believe, be incontrovertible.

But what about the opposition of the Defense Department to these cuts which has been so controlling with both the President and the committee? Here, may I say in all politeness what every one of us knows to be the prize understatement of the year, namely, that a zest for economy has never been one of the conspicuous virtues of the military? The military do have great virtues—courage, loyalty, discipline, truthtelling. But thrift is not one of them. In wartime, it has to be thrown aside. In peacetime, it is not honored. So, the military have a built-in bias against economizing, and this goes so far that frequently they will sacrifice military muscle in order to maintain or increase administrative fat.

This is another reason why we should use our own judgment on the military budget and not be content with hand-me-down judgments from inevitably biased and ex parte sources.

This brings us to the second grave risk which any fighter for economy and a strong national defense must face. This is the charge that will be leveled against him—that he is endangering national security. Sometimes this charge will be made by leading members of the Military Establishment, sometimes by unthinking Members of Congress, and sometimes by private suppliers who are doing very well on Government contracts and who do not want to have their profits reduced.

But whatever the source or the motive, these are the cruelest wounds which any battler for economy must suffer. But a public servant must not be frightened off either by physical danger or by calumny, if his cause is just.

In this case, let there be no talk that this proposal is stabbing our troops in the back or weakening the security of our Nation. What I am proposing is, instead, to increase our combat forces and our ready military effectiveness. Let those who may be tempted to raise the cry of national security against these proposals instead ask themselves whether it is not they who are reducing our national security in order to protect unneeded paper-pushers, overweight chairborne generals, useless plush and luxury, and a multitude of free riders.

We are in for a terrible struggle, and we should strip for action. And if the struggle does not take place, let one of the reasons be that we are ready for it.

When a military detachment is ordered to start upon a long march, its members are very careful not to overload their packs, and not to carry with them unneeded articles. When we are ordered to take a long march we strip our packs to the bone, in order that the burden may not be too heavy. We are in for a long and desperate struggle with Soviet Russia, and we should not enter that struggle, or continue in it, weighted down, as I shall show, by a multitude of wastes, hundreds of millions in excess payments, and various forms of excess baggage which impede and slow down our military effectiveness and our progress.

SOURCES OF WASTE WHICH CAN BE REDUCED—EXCESSIVE INVENTORIES AND SUPPLIES

Now, Mr. President, I want to turn to the question of excessive inventories and supplies. In 1956, the House Committee on Government Operations issued an inventory report on the amount of real and personal property which the United States Government possessed. I hold a copy of the report in my hand. It is a committee print, issued as of June 30, 1956, and it embraces 215 pages.

I wish to cite facts and figures from that report, as well as from the official figures from the 1958 budget which will show that the Department of Defense has billions upon billions of dollars, indeed, I might say, tens of billions of dollars, in supplies and inventories scattered throughout the world, which in amount appear to be enough to run the Defense Establishment for more than an entire year if no money at all were appropriated by the Congress for the purchase of supplies and stocks.

Let us look at these figures.

1. WORLDWIDE DISTRIBUTION OF INVENTORIES, DEPARTMENT OF DEFENSE, JUNE 30, 1956, ONLY A YEAR AGO

Mr. President, on page 55 of that House report there is a table giving the worldwide distribution of inventories of the Department of Defense as of June 30, 1956. That table shows that the Department of Defense, on that date, had $134 billion in inventories. Of this amount, $22 billion was in real property, leaving $111.1 billion in personal property in that inventory.

I ask unanimous consent that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Worldwide distribution of inventories, Department of Defense, as of June 30, 1956

[Millions of dollars]

Military department and type of property	Total	Continental United States	Territories and possessions	Foreign countries and afloat	In transit
DOD total	134,682	106,529	4,991	22,136	1,436
Real property	[1] 22,918	19,348	2,470	2,100	
Personal property	[2] 111,764	[3] 87,281	[3] 2,521	19,936	1,436
Army total	35,411	28,955	1,158	4,981	317
Real property	7,950	6,879	585	486	
Personal property	27,461	22,076	573	4,495	317
Navy (including Marine Corps) total	53,907	40,455	2,035	11,104	313
Real property	7,887	6,530	1,066	291	
Personal property	46,020	[3] 33,925	969	[4] 10,843	313
Air Force total	44,764	36,119	1,798	6,041	806
Real property	7,081	4,939	789	1,453	
Personal property	37,683	31,280	1,009	4,588	806

[1] Excludes real property under the jurisdiction of the Civil Works Division, Office, Chief of Engineers, Department of the Army, in the amounts of: Worldwide, $3,306 million; continental United States, $3,091 million; and Territories and possessions, $7 million. Also excludes certain original costs of dredging and other work of improving channels and harbors carried in the accounts of the Civil Works Division, Office, Chief of Engineers, Department of the Army.
[2] Excludes personal property under the jurisdiction of the Civil Works Division, Office, Chief of Engineers, Department of the Army, in the amounts of: Worldwide, $185.2 million; continental United States, $185 million; and Territories and possessions, $0.2 million. Includes $2 million personal property of the Office of the Secretary of Defense.
[3] Includes reserve fleet.
[4] Includes supplies afloat and active fleet.

Mr. DOUGLAS. Mr. President, $111 billion is a fantastic amount of money. I have been informed by the Treasury Department that a 2-inch high pile of $10 bills would include 500 such bills, or $5,000.

I have in my hand a $10 bill which I have just borrowed from my legislative assistant. It would take 500 of these $10 bills to make a pile 2 inches high. A pile of $10 bills 1 foot in height would amount to $30,000. The Washington Monument is 555 feet in height. Therefore, a billion dollars in $10 bills would amount to approximately 60 piles of $10 bills as high as the Washington Monument. One hundred and eleven billion dollars in $10 bills, if piled in separate piles, each as high as the Washington Monument, would create over 6,660 piles of $10 bills as high as the monument.

Mr. GORE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. GORE. How much would that be in Confederate money?

Mr. DOUGLAS. I am told that Confederate money has only sentimental value.

Mr. GORE. The Senator is in error; certain original issues are increasing in value.

Mr. DOUGLAS. Are they? The Senator from Tennessee is an expert on the Confederacy. I have no personal feelings about the Civil War. Can the Senator tell me what a dollar of Confederate money is worth today?

Mr. GORE. I am unable to tell the Senator. These are perhaps going up about as fast as Government bonds are going down.

Mr. DOUGLAS. Probably $111 billion in Confederate money would cover the Mall as high as the Washington Monument, 555 feet, from Capitol Hill to the Lincoln Memorial. That is only a curbstone opinion, of course.

That, Mr. President, is the kind of figures we are dealing with.

Of the $111 billion in personal property which the Defense Department had scattered throughout the world on June 30, 1956, the Army had $27.4 billion, the Navy and Marine Corps had $46 billion, and the Air Force $37.6 billion.

If one turns to page 68 of that report, there is a table on the "Supply System Inventories of the Department of Defense as of June 30, 1956." The total amount of the inventories in the supply system was $50.974 billions, or approximately $51 billion. This was divided as follows:

	Billion
Army	$19.5
Navy	15.2
Marine Corps	1.9
Air Force	13.9

Mr. President, I ask unanimous consent that table 7 of the report, published on page 68, be printed in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Supply system inventories, Department of Defense, as of June 30, 1956

[Millions of dollars]

	Total	Stock fund inventories	Appropriated fund inventories
Department of Defense	50,974	9,772	41,203
Army	19,505	7,114	12,741
Navy	[1] 15,297	1,478	[1] 13,819
Marine Corps	1,884	406	1,478
Air Force	13,978	774	13,204

[1] Includes $774 million aircraft spare engines and $174 million of shipboard supplies not included in Navy supply system inventory data.

Mr. DOUGLAS. Again, Mr. President, these are fantastic amounts which are in the supply system, so-called, and which are distinguishable from the total amount of inventory, much of which is outside the supply system and which is being used by the forces in the field.

Again, it appears that there is enough money in these inventories, alone, to run the defense forces for a year or more.

This table also shows the breakdown in the inventories between those inventories from appropriated funds and those inventories which are in the so-called stock funds. The amounts in the stock funds are of great importance, and of the total amounts each service had in inventories, they had in their stock funds the following amounts:

	Million
Army	$7,114
Navy	1,478
Marine Corps	406
Air Force	774

Mr. President, on pages 71, 73, 75, 77, 78, 79, and 82 of the report, there are a series of tables of the supply system inventories for each service, including stock funds, and additional table of the stock fund inventories for each service. I ask unanimous consent that these tables may be included in the RECORD at this point.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Supply-system inventories (including stock funds), Department of the Army, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks						
			Total	Peacetime operating	Mobilization Reserve [1]	Economic retention	Contingency retention	Claimant	Disposable excess [2]	Unserviceable
Army, total	19,855,333	[3] 385,459	19,469,874	3,865,864	5,617,349	3,167,140	[4] 962,046	1,631,937	2,432,867	1,792,671
Chemical Corps	373,433	669	372,764	20,865	39,612	51,963	9,049	217,069	22,346	11,860
Engineer Corps	1,317,760	18,220	1,299,540	153,875	250,238	513,827	5,470	32,121	231,152	112,857
Medical Corps	191,246	8,454	182,792	32,146	114,984	26,708	165	170	7,362	1,257
Ordnance Corps, total	13,292,041	197,046	13,094,995	2,668,056	3,593,307	1,652,438	913,911	1,142,785	1,653,848	1,470,650
Weapons	1,257,722	----------	1,257,722	259,224	236,334	167,643	118,765	53,504	80,330	341,922
Vehicles	1,805,101	----------	1,805,101	813,503	232,819	37,229	10,387	7,877	200,299	502,987
Ammunition, guided missiles, rockets and related equipment	6,612,098	----------	6,612,098	960,764	2,990,282	359,255	781,314	1,079,648	168,008	372,767
Spare parts, tools, equipment, and supplies	3,420,074	----------	3,420,074	734,565	133,572	1,088,311	3,445	1,756	1,205,151	252,974
Undistributed	197,046	197,046	----------	----------	----------	----------	----------	----------	----------	----------
Quartermaster Corps, total	2,510,019	78,207	2,431,812	493,611	1,028,864	572,622	3,709	145,128	130,410	57,468
Clothing and equipage	1,803,824	----------	1,803,824	265,354	867,565	422,476	2,431	114,881	95,656	35,461
General supplies	312,057	----------	312,057	86,328	33,751	135,201	1,228	2,985	32,929	19,635
Petroleum and allied equipment	121,441	----------	121,441	23,566	57,900	9,744	49	26,856	[5] 1,694	1,632
Subsistence	194,490	----------	194,490	118,363	69,648	5,201	1	406	131	740
Undistributed	78,207	78,207	----------	----------	----------	----------	----------	----------	----------	----------
Signal Corps	1,406,414	62,267	1,344,147	318,887	413,857	303,171	12,229	93,391	86,518	116,094
Transportation Corps	490,493	20,596	469,897	177,897	176,487	46,411	17,513	1,273	27,831	22,485
Defense Supply Service	527	----------	527	527	----------	----------	----------	----------	----------	----------
Surplus property (not reported above)	273,400	----------	----------	----------	----------	----------	----------	----------	273,400	----------

[1] Stocks held against that portion of the mobilization reserve materiel requirement for which procurement is authorized.
[2] Stocks excess to 1 command but not necessarily excess to the Army supply system.
[3] Consists of $317,472,000 in transit and $67,987,000 at contractors.
[4] Includes $4,880,000 special retention stocks in CONUS stations.

Stock fund inventories, Department of the Army, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks [1]	Distributed stocks						
			Total	Peacetime operating	Mobilization reserve	Economic retention	Contingency retention	Excess and surplus	Unserviceable
Army stock fund, total	7,114,463	264,411	6,850,052	1,440,250	1,474,125	2,139,837	13,391	1,490,622	291,827
Chemical Corps	55,169	1,466	53,703	2,485	10,364	22,241	8,841	8,891	881
Engineer Corps	723,603	23,744	699,859	78,726	109,919	334,660	----------	160,031	16,521
Medical-dental	188,732	8,124	180,608	37,868	103,692	33,691	----------	3,593	1,764
Ordnance Corps	3,356,762	124,984	3,231,778	624,653	132,719	[2] 1,095,205	----------	1,163,398	215,803
Quartermaster Corps	2,133,520	75,806	2,057,714	518,045	959,230	469,184	279	71,492	39,484
Clothing and equipage	1,720,163	52,354	1,667,809	353,054	853,722	383,412	279	47,864	29,478
Subsistence (retail)	102,366	14,927	87,439	52,744	31,697	2,864	----------	134	----------
General supplies	216,210	5,980	210,220	80,390	18,472	80,466	----------	22,469	8,423
Petroleum, oil, and lubricants	94,791	2,545	92,246	31,857	55,339	2,442	----------	1,025	1,583
Quartermaster subsistence, single manager	105,161	2,904	102,257	64,156	37,360	----------	----------	----------	741
Signal Corps	481,111	27,014	454,097	95,212	102,867	[3] 175,476	4,121	61,146	15,275
Transportation Corps	69,900	369	69,531	18,598	17,974	9,380	150	22,071	1,358
Defense supply service	505	----------	505	505	----------	----------	----------	----------	----------

[1] Consists of $33,404,000 stocks at contractors, $3,981,000 stocks temporarily in use, $18,043,000 stocks of other adjustments, and $208,983,000 stocks in transit.
[2] Excludes $9,189,000 of Air Force equity.
[3] Excludes $42,922,000 of Air Force equity.

NOTE.—The figures in this table are subject to possible minor adjustment when current reviews are completed.

Supply system inventories (including stock funds), Department of the Navy, exclusive of Marine Corps, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks					
			Total	Peacetime operating	Mobilization reserve	Economic retention	Contingency retention	Disposable excess
Navy, total	[1] 14,349,122	335,893	14,013,229	4,026,283	5,983,971	1,885,210	361,034	1,756,731
Major ordnance equipment and explosives	5,893,797	----------	5,893,797	1,579,720	3,500,282	747,147	----------	66,648
Ordnance repair parts	1,278,676	----------	1,278,676	29,771	729,094	455,597	13,885	50,329
Major aeronautical equipment	213,757	----------	213,757	71,558	81,850	15,474	6,437	38,438
Aeronautical and photographic material	2,117,478	----------	2,117,478	983,857	440,939	112,506	60,629	519,547
Major shipboard machinery, equipment, and components	846,311	----------	846,311	306,728	193,102	11,123	226,093	109,265
Major electronic equipment	559,058	----------	559,058	243,400	131,000	----------	51,250	133,408
Special shipboard electric fittings and fixtures	33,506	----------	33,506	5,327	10,179	8,657	----------	9,343
Ships-repair parts	448,273	----------	448,273	48,069	157,930	191,274	----------	51,000
Submarine repair parts	42,292	----------	42,292	8,268	15,160	4,961	2,192	11,711
Electronics	320,578	----------	320,578	73,091	51,905	68,547	548	126,487
Major construction, and civil engineering equipment	240,864	----------	240,864	11,671	219,093	----------	----------	10,100
Vehicular equipment parts	78,263	----------	78,263	6,458	45,320	20,158	----------	6,327
Training aids and educational books	1,745	----------	1,745	836	----------	----------	----------	909
Special training devices and replacement parts	14,822	----------	14,822	14,833	----------	----------	----------	----------

[1] Excludes "Shipboard supplies," $173,585,712, and "Aircraft spare engines," $773,972,000.

Supply system inventories (including stock funds), Department of the Navy, exclusive of Marine Corps, as of June 30, 1956—Continued

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks					
			Total	Peacetime operating	Mobilization reserve	Economic retention	Contingency retention	Disposable excess
Navy, total—Continued								
Scrap salvage and excess	329,398		329,398					329,398
Government-furnished material	324,474		324,474	324,474				
Material-handling equipment, clearances, and other	8,348		8,348	2,486	5,862			
General stores	581,090		581,090	86,188	119,682	161,036		214,694
Special clothing and textiles	283,378		283,378	36,394	139,360	75,140		32,484
Ships' stores and commissary store stock	22,146		22,043					103
Medical, dental, blood plasma, and related items	125,364		41,764	53,440	13,590			16,570
Fuels and related items	157,614		54,979	102,735				
Provisions	50,196		41,018	9,098				
Forms and publications	328		328					
Ships' construction material account	14,295		14,295					
Shipbuilding and conversion stores account	18,908		18,908					
In transit	307,000	307,000						
Manufacturing work in process	364	364						
Stores paid for not taken up	28,630	28,630						

Stock fund inventories, Department of the Navy, exclusive of Marine Corps, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks				
			Total	Peacetime operating	Mobilization reserve	Economic retention	Disposable excess
Navy stock fund, total	1,478,289	[1] 55,982	1,422,306	306,597	447,826	284,798	384,085
General stores	555,690	22,373	533,266	80,281	107,632	140,307	205,046
Vehicular equipment repair parts	36,993	1,137	35,763	5,631	8,354	17,433	4,345
Special ship electric fittings	34,129	715	33,414	5,309	10,109	8,657	9,339
Ship store and commissary store stock	21,567	−579	22,146	22,043			103
Medical and dental	97,261	2,027	95,234	11,634	53,440	13,590	16,570
Blood plasma	26,677	−454	30,131	30,131			
Subsistence stores	72,240	2,174	50,116	41,018	9,098		
Fuel, lubricants and POL drums	143,073	−14,530	157,634	54,879	102,735		
Ship repair parts	9,235	361	8,874	902	2,736	4,236	1,000
Common electronic items	130,330	3,911	126,419	19,437	36,482	[2] 28,505	41,995
Scrap, salvage and excess	48,509	186	48,323				48,323
In transit from procurement	28,620	28,620					
Special clothing and textiles	161,156	−81	161,217	11,277	62,570	50,820	36,550
Resale clothing	126,958	8,043	118,915	21,881	54,670	21,250	20,814
Forms and publications	331	3	328	328			
Other	2,871	2,023	846	846			

[1] Includes $28,620,000 stock in transit from procurement, $27,083,000 inventories in transit and $279,000 manufacturing work in progress.

[2] Includes $191,000 contingency retention stocks.

Supply system inventories (including stock funds), Marine Corps, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks			Category	Total stocks	Undistributed stocks	Distributed stocks		
			Total	Operating	Excess, surplus, and salvage				Total	Operating	Excess, surplus, and salvage
Marine Corps, total	1,843,854	[1] 12,288	1,831,566	1,756,355	75,211	Marine Corps, total—con.					
Electronics	189,702		189,702	161,702	28,000	Maintenance and utility items	31,074		31,074	28,788	2,288
Engineer	96,258		96,258	86,420	9,838	Subsistence	2,688		2,687	2,687	1
General property	142,205		142,205	129,086	13,179	Fuel supply	488		488	484	4
Motor transport	130,534		130,534	121,164	9,370	Stocks paid for not taken up	6,818	6,818			
Organizational clothing	42,675		42,675	29,030	7,645	In transit	5,470	5,470			
Individual clothing	57,915		57,915	56,882	1,033	Excess, surplus, salvage and scrap (not reported above)	205		205		205
Ordnance	1,137,762		1,137,762	1,130,114	7,648						

[1] Includes $6,095,000 of stocks in hands of contractors.

Stock fund inventories, Marine Corps, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks				
			Total	Peacetime operating	Economic retention [1]	Mobilization reserve	Excess and surplus
Marine Corps stock fund, total	406,078	12,429	393,649	33,384	133,464	100,535	126,266
Electronics	3,314		3,314	295	1,129	735	1,153
Engineer	34,409		30,409	2,391	7,463	4,456	19,899
General property	109,629		108,629	11,240	35,940	26,226	26,153
Motor transport	37,554		37,554	1,876	7,684	9,492	18,502
Organizational clothing	23,845		23,845	1,550	2,092	18,814	1,389
Individual clothing	57,905		57,905	10,098	11,394	32,670	3,753
Ordnance	123,918		123,918	2,572	67,762	8,070	45,514
Subsistence	2,688		2,688	2,685			3
Fuel supply	487		487	484			
Stocks paid for not taken up	6,959	6,959					
In transit	5,470	5,470					

[1] Includes contingency retention stocks, $1,000 of electronics and $2,450,000 of motor transport.

Supply system inventories (including stock fund), Department of the Air Force, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks [1]	Undistributed stocks	Distributed stocks					
			Total	Operating and retention		Reserve	Other claimants	Disposable excess
				Serviceable	Reparable			
Air Force, total	13,978,130	1,874,843	12,103,287	7,729,943	3,380,023	737,164	112,161	143,996
Airframe spares	1,368,185		1,368,185	987,354	305,056	18,099	53,964	3,745
Engines and engine spare parts	3,143,698		3,143,698	1,776,166	1,311,517	18,771	14,012	23,232
Aircraft instruments, assemblies, and components	2,597,932		2,597,932	1,586,145	866,078	113,803	15,686	16,220
Electronics and communications equipment spares and supplies	1,016,815		1,016,815	694,320	170,737	126,886	2,247	22,625
Vehicles and spare parts, marine equipment and construction machinery	634,154		634,154	352,955	119,014	167,658	508	14,019
Tools, hand and specialized	77,321		77,321	62,681	1,607	2,221	1,288	9,524
Shop machinery and laboratory equipment	207,969		207,969	127,228	66,629	15,019	766	8,327
Fuels and fuel-handling equipment and parts	47,280		47,280	40,417	3,308	3,139	25	366
Ammunition	267,474		267,474	206,040	8,574	50,303		557
Armament and photographic equipment and supplies	1,071,877		1,071,877	642,288	362,730	58,157	83	8,619
Trainers and training aids	73,294		73,294	50,509	14,351	654	7,505	275
Food service, heating and air-conditioning equipment and parts	53,523		53,523	40,111	7,165	4,638	344	1,265
Musical instruments, athletic equipment and accessories	3,743		3,743	2,135	291	115		1,202
Clothing, survival equipment and parachutes	216,256		216,256	170,333	27,330	12,054	4,879	1,660
Furniture, office and printing equipment	45,251		45,251	28,404	9,398	5,521	8	1,730
Miscellaneous hardware and general purpose supplies	471,649		471,649	391,058	29,214	34,164	3,135	14,078
Flying field, hangar, and night-lighting equipment	90,017		90,017	57,806	8,797	22,706	109	799
Hazard-detecting equipment	7,664		7,664	5,095	2,303	203	2	61
Stocks in local purchase stores	37,812		37,812	37,804	7	1		
Technical services	513,309		513,309	402,339		44,150	54,656	7,538	4,626
Stock fund [2]	604,478	604,478						
All other	622,803	464,739	158,064	86,755	31,781	28,429	62	11,037
In transit stocks	805,626	805,626						

[1] Excludes Air Force inventory held by Army, $1,476,000,000.

[2] Excludes $169,760,000 distributed in preceding categories but included in the stock fund inventory total of $774,238,000 of table 15.

Stock fund inventories, Department of the Air Force, as of June 30, 1956

[Thousands of dollars]

Category	Total stocks	Undistributed stocks [1]	Distributed stocks				
			Total	Operating stocks	Mobilization reserve	Economic retention	Excess surplus and salvage
Air Force stock fund, total	774,238	27,450	746,788	254,867	198,317	272,688	21,42
Aviation fuels division	254,236	12,887	241,349	114,262	127,087		
Clothing division	210,021	3,511	206,510	39,097	8,048	146,813	12,552
Medical-dental division	86,141	3,353	82,788	21,561	54,928	3,387	2,912
General supplies	169,760	4,105	165,655	33,020	4,215	122,456	5,962
Commissary	53,978	3,594	50,384	46,345	4,039		
Air Force Academy	102		102	102			

[1] Includes $19,967,000 in transit stocks and $7,483,000 stocks in hands of contractors.

Mr. DOUGLAS. Mr. President, there are several points to be made about these tables. First, one will note how they are broken down. The total amount of stocks is given. These in turn are broken down into the amounts needed for peacetime operating, for a mobilization reserve, for economic retention, for contingency retention, for "claimant," for disposable excess, and unserviceable stocks. These stocks are listed, substantially, in the priority of their importance. Thus, if one looks at the table of total supply-system inventories for the Army, one finds that there were inventories equal to $19.4 billion on June 30, 1956.

Of this amount, some $3.8 billion was in the peacetime operating inventory.

This is the amount which is needed, by Army standards, to run the Army if we have no war. So if there were no Communist threat, and if it could be guaranteed that we would not have to fight a war at some future date, these are the amounts of stock which the Army believes it should have on hand to run the Army in a peacetime year such as now.

In addition, to prepare for the contingency of war, the Army has an additional inventory called the mobilization-reserve inventory which are stocks held against that portion of the mobilization-reserve material requirement for which procurement is authorized. In the case of the Army as of June 30, 1956, this amounted to an additional $5.6 billion.

It could be said that these two inventories, taken together, are the inventories which are needed to support our forces today, plus a reserve if we had to mobilize tomorrow morning. The 2 together amount to $9.4 billion of the total inventory of $19.4 billion which the Army had on June 30, 1956, indicating that $10 billion, or half the total, lay outside the war necessities.

In addition, however, the Army has an inventory which amounted to $3.1 billion, and which is labeled "economic retention." Apparently, these inventories are made up of items which the Army considers more economic to keep and store than it is to sell or to get rid of as surpluses. So, in effect, this inventory is outside the military "muscle" which was needed either to support a peacetime Army in that year or which would be needed if mobilization occured.

There is yet another inventory called "contingency retention." This amounted to $962 million as of June 30, 1956. This, of course, has less priority, even, than the "economic reserve," and is an additional surplus of equipment and inventories above and beyond that needed either to support our forces or to support them in case of mobilization.

In addition to these, there are three more inventories—called "claimant" inventories, the "disposable excess," and the "unserviceable." These amounted to $1.6 billion, $2.4 billion, and $1.79 billion, respectively, as of June 30, 1956.

Thus, Mr. President, it can be seen that the Army, itself—which is only one of the services—had billions of dollars in inventories as of June 30, 1956, which were over and above the amounts needed to support the Army in that fiscal year or which might have been needed if it had been necessary to fight a war on any day in that year.

These, Mr. President, are the billions of dollars in "fat"—not muscle—which the Army had in its inventories, and which in substantially the same amounts the Army still has in its inventories. Therefore, Mr. President, Congress could

cut many hundreds of millions and even billions of dollars from the Defense Department appropriation without affecting either our peacetime Army or the equipment needed to go on an all-out mobilization base.

2. STOCK FUNDS

Mr. President, let us turn now to the stock funds. I have already placed in the RECORD the amount of these stock funds on June 30, 1956. I now ask unanimous consent that tables of the stock fund inventories for December 31, 1956 for the Army, the Navy, and the Air Force, be printed in the RECORD at this point

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Stock fund inventories as of Dec. 31, 1956

DEPARTMENT OF THE ARMY

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks						Fiscal year 1957 estimated sales	Fiscal year 1957 estimated procurement [1]
			Total	Peacetime operating	Mobilization reserve	Economic retention	Contingency retention	Disposable excess		
Army stock fund, total	$7,314,785	$206,544	$7,108,241	$1,937,747	$1,461,719	$2,032,825	$4,652	$1,671,298	$2,407,100	$2,196,650
Chemical	53,109		53,109	14,992	8,500	9,578	35	20,004	6,000	2,500
Engineers	710,374		710,374	110,956	108,892	309,875	1,334	179,317	94,000	80,000
Medical	172,623		172,623	28,702	115,268	20,985	159	7,419	34,000	25,000
Ordnance	3,302,549		3,302,549	1,056,825	142,925	1,137,130	893	964,786	400,000	279,000
Quartermaster, total	2,025,851		2,025,851	575,581	1,005,895	376,830	1,542	66,003	1,862,000	1,713,000
Subsistence	85,202		85,202	53,106	29,600	2,496			504,000	504,000
Subsistence single manager	113,078		113,078	88,128	24,816			134	700,000	705,000
Petroleum, oil, and lubricants	91,086		91,086	24,464	58,026	6,541	44	2,011	155,000	151,000
General supplies	345,120		345,120	150,580	97,096	67,776	324	29,354	104,000	63,000
Clothing and equipage	147,301		147,301	67,557	31,713	17,322	1,174	29,535	185,000	175,000
Clothing and textile single manager	1,244,064		1,244,064	191,746	761,654	282,695		4,969	214,000	115,000
Signal	501,626		501,626	131,224	67,434	182,514	689	139,765	110,000	90,000
Transportation	64,957		64,957	18,792	12,805	15,923		17,437	10,000	5,000
Defense Supply Service	585		585	585					2,100	2,150
Stocks in hands of contractors (GFM)	46,178	46,178								
Stocks in transit	217,178	217,178								
Inventory adjustments	(56,812)	(56,812)								
Surplus and foreign excess held by property disposal officers	276,567		276,567					276,567		

[1] Includes transportation, repair, and other costs.

DEPARTMENT OF THE NAVY—EXCLUSIVE OF MARINE CORPS

Navy stock fund, total	$2,261,289	$96,903	$2,164,386	$404,976	$664,225	$580,819	$2,916	$511,450	$1,130,000	$1,065,000
Special shipboard electrical fittings	34,125		34,125	6,661	10,246	7,825		9,393	9,000	7,000
Special clothing and textiles	156,946		156,946	3,049	70,192	48,308		35,397	15,000	5,000
Photographic material	8,529		8,529	2,837	2,349	2,099	353	891	5,000	4,500
General stores	531,181		531,181	84,381	106,900	138,300		201,600	200,000	164,000
Ship repair parts	534,988		534,988	52,606	192,187	239,105		51,090	65,000	45,000
Forms and publications	10,441		10,441	2,099	219	6,623		1,500	5,000	5,000
Medical and dental material	95,384		95,384	14,238	46,306	34,840			12,000	9,500
Blood plasma and related items	33,657		33,657	33,657					1,250	1,000
Provisions	41,204		41,204	30,849	10,355				210,000	210,000
Electronics	285,591		285,591	65,550	52,675	66,537	548	100,281	42,500	40,500
Submarine repair parts	40,033		40,033	8,612	15,000	4,391	2,015	10,015	7,000	7,000
Ships store and commissary store stock	24,135		24,135	24,135					135,000	135,000
Resale clothing	102,761		102,761	17,147	49,887	18,119		17,608	50,000	51,500
Fuels and related items	149,352		149,352	47,276	102,076				330,000	335,000
Vehicular equipment parts	41,545		41,545	11,493	5,833	14,672		9,547	13,000	10,000
Other (includes MHE, process shops, and clearance)	296		296	296					12,250	5,000
Single manager medical material									18,000	30,000
Scrap, salvage, and excess	74,218		74,218					74,218		
Manufacturing work in process	343	343								
Stocks in transit, total	96,000	96,000								
From procurement	44,539	44,539								
Between storage locations	52,121	52,121								

DEPARTMENT OF THE AIR FORCE

[Thousands of dollars]

Category	Total stocks	Undistributed stocks	Distributed stocks					Fiscal year 1957 estimated sales	Fiscal year 1957 estimated procurement
			Total	Peacetime operating	Mobilization reserve	Economic retention	Disposable excess		
Air Force stock fund, total	$800,331	$34,775	$765,556	$214,895	$243,079	$283,462	$22,120	$1,178,000	$1,152,000
Aviation Fuels Division	272,334	4,366	267,968	82,793	185,175			669,750	700,000
Clothing Division	200,837	5,333	195,504	35,437	7,169	142,859	10,039	54,000	40,000
Medical-Dental Division	81,387	3,167	78,220	19,309	45,850	4,335	8,726	23,250	13,000
General supplies	184,010	21,909	162,101	20,070	2,408	136,298	3,335	97,430	65,200
Commissary	61,710		61,710	57,233	4,477			333,000	333,000
Air Force Academy	53		53	53				570	800
In transit stock		32,416							
Stocks in the hands of contractors		2,359							

Mr. DOUGLAS. Mr. President, it will be seen from these tables that the Army had $7.1 billion in its stock-fund inventories, the Navy a little more than $2.1 billion, and the Air Force $765 million, on December 31, 1956.

Mr. President, I have further figures which are taken from the fiscal year 1958 budget which show the estimated stock-fund inventories as of June 30, 1958, for the Army, the Navy, the Marine Corps, and the Air Force, and I ask unanimous consent that these be placed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Army stock fund

Activities	Obligations, 1958, estimated	Sales, 1958, estimated	Inventory at June 30, 1958, estimated
Army clothing and equipage	$180,000,000	$180,000,000	$203,708,754
Army subsistence	505,000,000	505,000,000	132,284,992
Chemical supplies	2,500,000	6,000,000	41,925,265
Engineer supplies	2,100,000	2,000,000	630,247
General quartermaster supplies	90,000,000	90,000,000	670,402,757
Medical-dental supplies	228,000,000	255,000,000	407,167,689
Ordnance tank-automotive supplies	21,000,000	21,000,000	27,429,823
Other ordnance supplies	150,000,000	320,000,000	1,773,312,733
Signal supplies	95,000,000	100,000,000	1,370,935,177
Transportation supplies	95,000,000	105,000,000	458,284,796
Single-manager clothing and textiles	6,000,000	10,000,000	58,631,000
Single-manager subsistence	240,000,000	350,000,000	1,727,817,000
	700,000,000	700,000,000	124,896,000
Total	2,294,600,000	2,704,100,000	6,997,423,213

See p. 562, 1958 Budget.

Navy stock fund

Activities	Obligations, 1958, estimated	Sales, 1958, estimated	Inventory at June 30, 1958, estimated
Special shipboard electrical fittings and fixtures	$8,800,000	$9,000,000	$20,699,471
Special clothing and textiles			
Photographic material			
General stores	5,800,000	5,000,000	6,686,000
Ships repair parts	195,600,000	200,000,000	305,729,311
Forms and publications	73,000,000	75,000,000	237,244,617
Medical and dental material	4,000,000	5,000,000	5,101,127
Blood plasma and related items	9,000,000	9,500,000	5,231,200
Provisions			
Electronics	215,000,000	210,000,000	45,330,669
Submarine repair parts	49,000,000	45,000,000	181,769,561
Ships' store and commissary store stocks	10,300,000	6,500,000	28,600,000
Resale clothing and accessories	130,000,000	135,000,000	26,114,521
Fuels and related items	80,000,000	80,000,000	22,133,419
Vehicular equipment parts	332,000,000	330,000,000	166,545,341
Other (special clearances, excess material transferred for disposal, Government-furnished material, refunds)	14,800,000	13,000,000	27,426,791
Single-manager medical material	1,000,000	12,000,000	280,500,000
	82,000,000	65,000,000	286,600,000
Total	1,191,000,000	1,180,000,000	1,776,255,082
Sales-manager blood and related items: Operating stocks			30,386,745

See pp. 571–572, 1958 Budget.

Marine Corps stock fund

Activities	Obligations, 1958, estimated	Sales, 1958, estimated	Inventory at June 30, 1958, estimated
Electronics parts	$6,700,000	$8,000,000	$45,378,562
Engineer property, material and parts	4,100,000	5,000,000	33,308,693
General property	10,000,000	17,000,000	86,186,789
Individual clothing	13,000,000	15,000,000	16,838,145
Motor transport equipment and parts	4,200,000	5,000,000	33,196,560
Organizational clothing	5,000,000	5,000,000	10,051,773
Ordnance equipment and parts	3,000,000	10,000,000	196,262,879
Subsistence	39,000,000	39,000,000	1,772,710
Fuels	6,000,000	6,000,000	700,559
Total	93,000,000	110,000,000	393,689,681

See p. 565, Budget 1958.

Air Force stock fund

Activities	Obligations, 1958, estimated	Sales, 1958, estimated	Inventory at June 30, 1958, estimated
Clothing	$76,350,000	$76,000,000	$22,379,130
Medical-dental supplies	22,000,000	21,000,000	19,419,700
Aviation fuels	700,000,000	700,000,000	284,486,465
Subsistence, commissaries	350,008,000	360,000,000	81,573,453
Air Force Academy cadet store	600,000	500,000	208,404
General supplies	610,000,000	574,500,000	246,619,518
Total	1,760,000,000	1,726,000,000	624,691,670

Mr. DOUGLAS. Mr. President, I wish to discuss the significance of these stock funds.

The "stock funds" are essentially corporations which hold title under a charter to these supplies. For example, on June 30, 1958, the Army stock funds will total $6.99 billion, virtually $7 billion. These have been built up from appropriations which the Congress has made available to the Department of Defense over the past years.

Mr. President, on the tables I have submitted from the 1958 budget, it will be seen that the managers of the stock funds for the Army expect to sell to the various departments and groups in the Army approximately $2.7 billion of these supplies. Thus, it will be seen that in the Army stock funds there is two and a half times the amount of inventories which the stock funds expect to sell or use in fiscal 1958.

Mr. President, there is also the fact that before some bureau of the Army can draw down these stock funds, it must come to Congress and ask for an appropriation of money to buy the goods and supplies from the stock funds. Therefore, when we appropriate money to the various departments of the Army for equipment and materials and supplies, and so forth, we are, in part, appropriating money for them to buy from these stock funds—or corporations—materials and supplies for which the Congress has already appropriated money, and which have been purchased with appropriated funds. Therefore, with respect to the amounts in the stock funds, the Congress is really appropriating twice for these supplies and inventories. This, of course, leads to slow turnover and slow utilization of the supplies. What should be done is that these stocks should be drawn down to reasonable inventories—surely they should turn over once a year instead of once in two and a half years, as now appears to be the case in the Army—and they should be drawn down and used without any further appropriation—or a double appropriation—from the Congress.

Mr. GORE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. GORE. Did the Senator from Tennessee correctly understand the Senator from Illinois to say that, in effect, Congress had appropriated twice for some of these items?

Mr. SALTONSTALL. Mr. President, will the Senator from Tennessee be willing to speak a little louder?

Mr. GORE. I will restate my question. Did the Senator from Tennessee correctly understand the Senator from Illinois to say that, in effect, Congress had appropriated twice for some of the items in the stockpiles?

Mr. DOUGLAS. I think that is the practical effect of the process. Congress appropriated first to build up the stockpiles; then we are asked to appropriate additional funds so that the amounts can be taken out of the stockpiles and given to the services.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. SALTONSTALL. From my understanding of the testimony, I cannot agree with that statement. I may say, in explanation, that the amount for those stockpiles has been built up over the years. Nothing has been included for the stockpiles this year, so far as I know, because the amount has been kept up to a level which is high enough, so instead of providing more money for them, we took some out.

To my knowledge, as a member of the Committee on Appropriations, those stockpiles were started 8 or 10 years ago.

Mr. DOUGLAS. Appropriations were originally made for them.

Mr. SALTONSTALL. Appropriations were originally made for them; there is no question about that. But, to the best of my knowledge, no money has been put into those funds this year.

Mr. DOUGLAS. The budget for the coming year—I will cite page 562 of the big budget, the Gray budget, shows that the inventory of the Army stock fund is estimated to be, as of the 30th of next June, approximately $6.997 billion. Sales to the services will be $2.7 billion. Obligations for 1958, $2.3 billion.

In other words, Congress must appropriate $2.3 billion to the stock fund in order to get $2.7 billion out for the services. That is where $400 million of the alleged savings come from. We are drawing down the cash balance by $400 million in order to make it possible to withdraw $2.7 billion. Thus the $2.3 billion is a second appropriation for these stocks.

I am choosing the Army simply as an example. Similar stock funds exist for all the services—a multiplicity of stock funds. Standing behind these funds are the enormous reserves of supplies which I have mentioned, and which fall outside the stock funds completely.

Here, again, Mr. President, is a way by which billions could be saved without affecting the muscle or ability of our Armed Forces to fight a war.

Further, it will be seen from these figures for fiscal year 1958—and this is the point I have covered—that whereas the stock funds for the Army expect to sell $2.7 billions of the inventories to other Army departments, the 1958 obligations are estimated at only $2.29 billion or $410 million less than the sales. The stock funds, therefore, will have $400 million in cash on their books in excess of the amount of new obligations. This is the method by which the services pile up money and create the tremendous backlog for which I have already given figures.

The same is true for the Navy and the Air Force as can be seen from the tables I have placed in the RECORD.

Further, from time to time, these balances, in small part, are turned back. That has happened this year. When that has been done, the Department of Defense has claimed that it has made great savings—when in fact it has done little more than to turn back a very small proportion of the great excessive backlog. This is no real savings but a bookkeeping savings, and is the type of bookkeeping savings which is included in the present appropriation bill. I am referring specifically to the $1.3 billion of the House cut which the President did not ask to have restored, and which was called a bookkeeping, rather than an actual savings.

Finally, Mr. President, I have before me a document which the Department of Defense puts out each month, called Department of Defense Excess Personal Property. This particular document is for May of this year. In it are included those items which any one agency of the Department of Defense has said were excessive for its own needs. This is a listing of the items called Disposal Excess on the supply-system inventories which I have already placed in the RECORD.

For May of this year, the document has 264 pages. On each page are listed 100 general items. Mr. President, at this time I shall read some of them; and let me say that there is no statement about the quantity: Holder, tool, cutting; holder, tool, planer and shaper; holder, brush; piston, made of steel; plastic sheet—and so on, a bewildering list. For each of these, there may be one or a thousand units which a bureau has stated it has in excess quantities. Thus, there are included for this one month 264 pages, of 100 categories each, or a total of 26,400 categories; and in most of these categories there are more than one, and often thousands of individual units. These are the excess, to be disposed of. If these particular items are not needed by some other department, they eventually become surplus, and then are sold by the Government.

This gives us some small idea of how much overhead and fat and waste there are in the Military Establishment—items which could be cut back or used more efficiently without affecting in one iota our ability to fight a war.

Moreover, in all this we should note that if we cut down on all this tremendous excess of supplies, we shall need far fewer warehouses and storage facilities and fewer quartermasters. Savings on supplies will, therefore, produce further savings in the case of personnel and maintenance.

It is foolish to believe that the Congress and the military must act like a bunch of pack rats in order to have the United States be a great military power. Instead, our military forces are muscle-bound in building up an excess quantity of goods which probably cannot be used in a future war—which may be short in duration; and large quantities of the goods have to be sold at giveaway prices; but still we keep piling up further supplies.

Mr. President, I submit that we should trim down, and should not imitate the pack rat, in connection with our military procurement.

WASTES IN CONTRACTING AND PROCUREMENT—NEGOTIATED CONTRACTS

1. THE HÉBERT COMMITTEE REPORT

One of the worst abuses in contracting and procurement by the armed services is in the so-called negotiated contracts. Simply stated, this means that instead of calling for open and competitive bidding, the Defense Department negotiates with one, and sometimes more,

firms for certain supplies. The abuses have been so widespread that only yesterday the Subcommittee for Special Investigations of the House Committee on Armed Services—the Hébert committee—issued a scathing report on this practice.

Mr. President, I hold in my hand both the report and the hearings before the Hébert committee; and in that connection I ask unanimous consent that an editorial published today in the Washington Post be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PROCUREMENT IN CAMERA

The report of the House Armed Services Investigating Subcommittee on Defense Department procurement practices is a highly serious indictment. It reveals that a startling 92 percent of the Nation's defense buying is being handled by negotiated contracts rather than through advertised, competitive bidding. Moreover, the dubious legal authority relied upon for this extensive practice and the often slipshod and secretive manner in which it is carried out raise serious questions whether the possible advantages in negotiated buying are not more than offset by the losses inevitable in such unbusinesslike procedures.

The Navy and Air Force seem to be by far the worst offenders. Despite explicit earlier promises to Congress that they would not continue to use emergency Korean war authority for negotiated buying except in certain limited circumstances, in the first 9 months of last year 35 percent of Navy dollars and 54 percent of Air Force dollars were spent under this authority. Only the Army seemed to make a real effort to revert to normal procedures, limiting its emergency negotiated buying to 9.4 percent.

Astonishingly the Navy admitted to the House subcommittee that some negotiations are even conducted by telephone and that "it is not the practice of the Bureau of Ships to negotiate with all bidders because this could convert procurement into auction." Chairman F. Edward Hébert is quite right in asking, "How better can you get a lower price than at auction or bargaining?" What compounds the evil is the frequent refusal of the armed services to make public the bids submitted after contracts are awarded competitively and to shroud negotiations in secrecy.

The subcommittee very properly concludes that until a public accounting is made of the contracting procedures and practices within the several military departments, we shall not have a return to the traditional American system of public purchasing; we shall not have competition; we shall be constantly beset with charges of favoritism; we shall hear charges of wrongdoing, and of loose and inconsistent purchasing; we shall not have competition among businessmen of an order of magnitude which will, by the proven American system of free enterprise in a competitive market, reduce the costs of products.

There must, of course, be a considerable amount of negotiated procurement—but not to the extent of 92 percent. Defense officials defend the practice as the best way to achieve good performance, adherence to specifications and prompt buying. Their protestations would carry more weight if they would keep faith with Congress on the way in which negotiated buying is to be used—and more particularly if they would remove the cloak of secrecy from their proceedings.

It is not necessary that a procurement officer be crooked for the public to take a beating on a negotiated contract. He need only be inexperienced, tired or cynical. The cure for these common failings is to put him and all his dealings in a goldfish bowl so that competitors may better squeeze the excess out of their prices for the taxpayer's benefit.

Mr. DOUGLAS. I may say, Mr. President, that I believe that the Senate does not pay sufficient attention to the extremely competent, careful, and detailed studies which are made by the other body, and which could be of enormous help to the Senate in the making of cuts in appropriations.

Mr. President, the committee originally had issued a report on December 14, 1955, concerning the abuses of the Armed Services Procurement Act during the 30-month period from January 1, 1953, through June 30, 1955. They found that in that period 93.55 percent—and I think Senators should realize the importance of this—of the dollar value of all procurement was by negotiation. It was done under the Presidential proclamation of a national emergency by President Truman on December 16, 1950. It should be recalled that all Korean hostilities ended on July 27, 1953. President Truman's proclamation had the effect at the time of suspending the provisions of the Procurement Act of 1947, which required competitive bidding.

Nevertheless, the House Armed Services Committee found, in December 1955, that for 2½ years after the termination of the Korean war 93 percent of the dollar value of all procurement was not by contract, but by negotiation, although the reason for the removal for most of these contracts from competitive bidding and their transfer to negotiation had disappeared because the hostilities had terminated and the national emergency in fact no longer existed, although President Eisenhower had not revoked the previous emergency decree of President Truman.

As a result of that report and the abuses brought out then, the Department of Defense agreed that, as of January 1, 1956, negotiated contracts would be limited to very special and particular areas where, on paper at least, it would appear there was some real and genuine justification for negotiated contracts.

I wish to read the solemn promise made to the House Committee on Armed Services, and which is repeated on page 671 of the report of the Hébert committee. This is what the Deputy Assistant Secretary of Defense for Supply and Logistics testified in part:

> We have no intention either of perpetuating the use of the authority beyond the time when it is no longer justified or of utilizing negotiation at any given time on a broader basis that the circumstances require.

The House Committee on Armed Services thought this was a firm promise, but they later determined to check and see whether this promise had actually been fulfilled.

Now the committee has reported again. It has found that in the period from January 1, 1956, just a few days before the Deputy Assistant Secretary made his promise, through September 30, 1956, which was the latest date for which the Department of Defense provided figures, approximately 92 percent of the value of the contracts awarded and a little over 92 percent of the number of contracts involved in that 9-month period were negotiated. This is the period following the promise of the Defense Department substantially to do away with negotiation except in very limited areas.

After the solemn promise had been given by the Department of Defense virtually to do away with negotiated contracts, the Department only reduced them from 93 to 92 percent, or decreased them by only 1 percent during this period, despite the fact that the Korean war had been over for more than 3 years and the occasion for any national emergency had long since been removed.

Mr. President, I ask unanimous consent that table A, which appears at page 640 of that House report, be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER. (Mr. CLARK in the chair). Is there objection to the request of the Senator from Illinois?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE A.—*Comparison: Procurement by negotiation versus advertised competitive bidding during period Jan. 1 1956, through Sept. 30, 1956, by dollar value and number of contracts under Armed Services Procurement Act of 1947—by value*

[Value in thousands of dollars]

	Total	Negotiated	Advertised	Negotiated	Advertised
				Percent	*Percent*
Army	2,647,590	2,203,466	444,124	83.23	16.77
Navy	4,145,529	3,768,280	377,249	90.90	9.10
Air Force	7,034,713	6,744,359	290,354	95.87	4.13
Total	13,827,832	12,716,085	1,111,727	91.96	8.04

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. Between the date of January 10, 1956, when the Deputy Assistant Secretary of Defense for Supply and Logistics testified that there was no intention of continuing the use of this authority, and the present date, was any statement ever made to show why the practice was not discontinued?

Mr. DOUGLAS. I know of none. I may say the Secretary made the statement on January 10, 1956, just a few days after the beginning of the period which had been studied.

Mr. LAUSCHE. Yes.

Mr. DOUGLAS. In any event, the Department had time to carry out the

promise, though there was no indication that it carried out the promise in the slightest.

Mr. LAUSCHE. And there has been no change in circumstances which would warrant an abandonment of the statement made in late 1955 or early 1956?

Mr. DOUGLAS. I know of none.

Mr. LAUSCHE. Does the Senator from Illinois know whether in the State of Illinois there is a similar right to enter into contracts without competitive bidding under emergency situations?

Mr. DOUGLAS. There may be, but I think it is a very bad practice.

Mr. LAUSCHE. I agree with the Senator from Illinois. I am quite certain if any such procedure as that had happened in the State of Ohio while I was the governor, there would have been a hue and cry all up and down the State from citizens demanding to know why the normal law was not complied with and why bidders were not asked to submit competitively their figures, with the contracts being awarded to the lowest and best bidder.

Mr. DOUGLAS. The Senator from Ohio, who had a distinguished record as governor of his great State for 10 years, was conspicuous in insisting upon competitive bidding in the State of Ohio, and upon receiving 100 cents worth of value for every dollar he paid out.

Mr. LAUSCHE. I thank the Senator very much.

Mr. DOUGLAS. I wish to commend the Senator for his record, and to say that we should have some of those qualities in the Department of Defense. They have 33 secretaries, under secretaries, deputy under secretaries, assistant secretaries and deputy assistant secretaries, yet apparently they have not been able to effect a change or improvement in this one simple thing.

Mr. LAUSCHE. Is the Senator able to state what is the aggregate sum of money involved for the last year with relation to contracts which were let by negotiation and not after competitive bidding?

Mr. DOUGLAS. Table A, which I am having printed in the RECORD, shows total contracts awarded in a 9-month period, in 1956, not for a full year, and they amounted to $13,828 million. I am giving that figure to the nearest million dollars.

The advertised and competitive bids amounted to only $1,112 million, and the negotiated contracts were in the amount of $12,716 million. Therefore, 92 percent of the $13.8 billion of contracts were negotiated rather than let through competitive bidding.

Mr. LAUSCHE. If the Senator will yield further, I will venture to state that, although I have not analyzed the laws of the different States, the strong probability is that in each of the 48 States of the Nation there is a law which predominantly requires competitive bidding, and permits the letting of contracts under negotiation only in emergencies and in abnormal circumstances.

Mr. DOUGLAS. I think that is true.

Mr. LAUSCHE. I thank the Senator very much.

Mr. DOUGLAS. The Department of Defense is taking advantage of the emergency proclamation issued by President Truman at the time of the Korean war, which has not been revoked by President Eisenhower, but I submit that the circumstances which properly led to the original issuance of that Executive order have long since disappeared. The shooting in Korea stopped 4 years ago, yet 3 years after it had stopped the Department of Defense was still making its purchases, in 92 percent of the cases, by negotiated contracts rather than by competitive contracts.

Mr. LAUSCHE. I think the query would be well in order: When will the emergency come to an end? When will we resume making purchases on what is supposed to be a normal-times basis?

Mr. DOUGLAS. If the job were being properly done that time should be tomorrow.

I have asked unanimous consent that table A, which appears on page 640 of the House report, be printed in the RECORD.

This table shows, as my colloquy with the able Senator from Ohio has emphasized, that of contracts of a total value of $13,827,832,000, contracts having a value of $12,716,085,000 were awarded by negotiation, or, as we have repeatedly emphasized, 92 percent.

Broken down by services, this table shows that 83.23 percent of the value of Army contracts was negotiated, while contracts involving only 16.77 percent of value were let by competitive bidding.

Let me say that the Army made the best record of the three services in this respect or rather the least bad record. The Army submitted one-sixth of the dollar value of its contracts to competitive bidding, which was the least bad record of the three services.

(At this point Mr. DOUGLAS yielded to Mr. SPARKMAN to submit the conference report on the Housing Act of 1957, which report was considered and agreed to.)

Mr. DOUGLAS. Mr. President, when the consideration of the conference report on the housing bill was interjected into the proceedings, I was pointing out that in the 9 months from January 1 to September 30, 92 percent of the dollar value of the contracts of the Department of Defense had been negotiated rather than subjected to competitive bidding.

In the case of the Army, which was not so bad as the other branches of the Armed Forces, 83 percent of the dollar value of the contracts had been negotiated, and about 17 percent let by competitive bidding. This is the best record. Only one-sixth of the dollar volume of the Army contracts was, however, let by competitive bidding.

The Navy negotiated 90.9 percent of the value of its contracts, and therefore let only 9.1 percent by competitive bidding.

The Air Force was the worst offender. It negotiated 95.87 percent of the value of its contracts, or approximately 96 percent, and received competitive bids for only 4.13 percent of the total value of the contracts. Mr. President, that is a shocking situation, and it is particularly bad in view of the promise which had been made to the House Committee on Armed Services.

Let me repeat the words of the Committee on this practice. The committee notes that—

Secrecy of negotiations is the spawning ground for suspicion and fraud (p. 643).

Secrecy is the negation of a public trust openly administered. It is the substitution of personal responsibility for law: the substitution of the individual for a "government of laws and not of men" (p. 643).

The committee also points out:

Negotiation is much too complicated to be so widespread within the Departments when even the voluminous instructions and guidelines cannot keep pace with the needs for guidance (p. 663).

Negotiation is an open invitation to trouble (p. 663).

The committee notes that—

The Deputy Director of Procurement for the Air Force calls negotiation an art, where meaning may be "conveyed by the blinking of an eye or the shading of a statement." That is not the way to transact the public business (p. 663).

I submit that the Hébert committee was correct when it said that this was not the correct way in which to transact the public business. The committee sums up the situation in these words:

We condemn excessive use of negotiation. We condemn it as a breeding place for suspicion and fraud. We condemn it as a shield for mischief. We accept it only when no other course is possible in order to make certain that which was theretofore uncertain (p. 663).

The committee hearings went into great detail and elicited overwhelming factual support to show the abuses of negotiated contracts.

Only a few of these examples are summarized in the committee's report. One of them had to do with a contract for the protection and maintenance of the Melvindale, Mich., forge tank plant. I think it would be obvious to begin with that contracts for police and maintenance forces should not be negotiated. I ask unanimous consent that that example, which appears on page 643 of the Hébert report, be included in the RECORD at this point.

There being no objection, the example was ordered to be printed in the RECORD, as follows:

NEGOTIATIONS BY DEPARTMENT OF THE ARMY, DA-2-018-ORD-15016, DETROIT ORDNANCE DISTRICT

This contract was to provide for the protection and maintenance of the Melvindale (Mich.) forge tank plant.

Proposals to negotiate were solicited under section 2304 (a) (10), "services for which it is impracticable to secure competition by formal advertising."

A contract was awarded to General Riggers, Inc., at $86,750. Dearborn Machinery Movers Co. bid $85,910.

Dearborn's bid was first revised downward, taking into account the value to it of the storage space. It later revised upward to $85,910 upon being apprised that the facility was to be disposed of and the use and availability of storage space might be restricted because of that.

Dearborn stated that major repairs should be assumed by the Government. It mentioned no amount. Detroit Ordnance estimated that this repair might cost $69,000. The repair item was held to be a qualification of the bid. Dearborn was not consulted as to the sum estimated for such an item by the Government.

General Riggers had made no similar statement. It did, however, in its final bid, include a schedule for use of storage space. Machinery, at the time in the plant, was subsequently to be removed in progressive stages. Dearborn had a similar provision in its bid.

Detroit Ordnance District awarded the contract to General Riggers because of the alleged qualifying condition concerning building repair but without any discussions.

No attempt was made to elicit from Learborn any clarification of this repair item. No questions were asked of Dearborn concerning its estimate of the costs of repairs. No attempt was made to solicit a better proposal for rental of the storage space.

Serious doubt exists as to whether section 2304 (a) (10) could have been used in lieu of sealed bidding.

This same housekeeping operation had been undertaken before. Its limits and requirements could have been well-enough defined so that a statement of requirement could have been drawn, and sealed competitive bids solicited.

This appears to be another example of unnecessary resort to the use of an exception permitting negotiation.

Mr. DOUGLAS. Mr. President, the committee gave another example of a negotiated contract which was let under the provisions of a section of the law which provides negotiation when the "details of the supplies or services being procured should not be publicly disclosed."

In this instance the Navy contracted for eight guided missile destroyers. But the Navy, in fact, widely publicized the contracts and many of the details of the contracts.

Further, the Navy, in its correspondence to the committee about them, stated that the "negotiations were conducted by telephone and in conference with Bureau personnel."

The Navy further stated:

Negotiations were conducted only with the four lowest bidders. It is not the practice of the Bureau of Ships to negotiate with all bidders because this would convert the procurement into an auction. Although lower prices might be obtained as a result of auctioneering, such practice lengthens the procurement process, creates distrust among bidders, and may result in acceptance of contract prices at less than cost, causing eventual nondelivery and financial difficulties to the successful bidders.

Well, Mr. President, that is a rather feeble excuse for not negotiating with all the bidders. It raises cries of favoritism, which often appear to be true, and certainly negates, by inference, the value of the competitive system under which we live and operate.

I ask unanimous consent that this example from the Hébert report, pages 644 to 648, be included in the RECORD at this point.

There being no objection, the example was ordered to be printed in the RECORD, as follows:

"NEGOTIATIONS" AS PRACTICED IN THE DEPARTMENT OF THE NAVY

A. This subcommittee and the full committee have questioned whether Navy Procurement Directive 3-002.1, which purports to give its negotiator the authority to determine whether a response to proposals had been adequate and whether the prices received are reasonable and low, and then without any discussion whatsoever to have no "further (?) negotiations," but instead make an award on the proposal which meets his standards.

The subcommittee is advised that Navy Department experience indicated that 5 percent of the number of contracts and 2 percent of the dollar value of contracts in each fiscal year have been awarded by this process.

On January 5, 1956, in case No. B-125770, the Comptroller General requested the opinion of the Department of Defense as to whether that procedure was "sufficient to secure the Government "the best possible agreement" as apparently contemplated by the Congress, and the "full and free competition" provided for by the applicable provision of the Armed Services Procurement Regulations."

The Assistant Secretary of Defense for Supply and Logistics under date of February 16, 1956, endorsed the procedure and proposed to make it applicable throughout the Department of Defense.

The reason given was that "we must find a way to cause the potential contractor to provide his best quotation. We believe that this can best be accomplished if he is not assured that there will be further individual bargaining. If so assured, he will, without question, present his quotation in such a way as to include contingency allowance for negotiation purposes."

On December 5, 1956, this subcommittee, with the approval of the chairman of the Armed Services Committee, denounced the directive as unlawful and deceptive, and a distortion of the negotiating authority.

True to plan, the Department of Defense made the procedure applicable by an amendment to the Armed Services Procurement Regulations on February 1, 1957, section 3-805 (a).

B. Another view of the Department of the Navy's "negotiations" as practiced is demonstrated in the so-called negotiated purchase of eight guided missile destroyers, the award of the contracts relating to which was publicized in a Navy press release.

The subcommittee has exchanged correspondence with the Navy Department on the procedures employed and the results effected in these so-called negotiations. The correspondence is as follows:

SATURDAY, MARCH 30, 1957.

Memorandum for: Rear Adm. E. C. Stephan, Department of Navy, Legislative Liaison, room 4D-834, the Pentagon, Washington, D. C.

Published reports indicate that 4 contracts totaling $146,101,743 for the construction of 8 guided missile destroyers have been awarded as follows:

New York Shipbuilding Corp., 3; Bath Iron Corp., 2; Defoe Shipbuilding Co., 2; Todd Shipyards, Inc., Seattle, 1.

Press releases indicate that 11 firms submitted bids, and that the contracts were awarded as a result of competitive negotiations.

In its current study of negotiated proposals, the subcommittee would appreciate receiving as early as practicable, since this matter is now concluded, an abstract of proposals indicating: (1) initial proposals, and (2) final negotiated proposals and a brief description of the method by which these negotiations were conducted as well as a statement of the applicable section of the Armed Services Procurement Act, now title 10, section 2304, United States Code.

By direction of the chairman:

JOHN J. COURTNEY,
Special Counsel.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D. C., April 15, 1957.
In reply refer to OLL:INV:ACJ:gms 6-845.

Mr. JOHN J. COURTNEY,
Special Counsel, Subcommittee for Special Investigations, Committee on Armed Services, House of Representatives, Washington, D. C.

MY DEAR MR. COURTNEY: In your memorandum of March 30, 1957, you requested an abstract of proposals and other data pertaining to the recent award by the Navy's Bureau of Ships of 4 contracts for the construction of 8 guided missile destroyers (DDG) in the Navy's fiscal year 1957 shipbuilding program. You indicated that this information was required by the subcommittee for use in its current study of negotiated proposals.

This procurement was negotiated under the authority of section 2304 (a) (12) of title 10, United States Code, which permits the use of negotiation procedures when details of the supplies or services being procured should not be publicly disclosed. These missile destroyers are of new design and will incorporate armament and equipment classified for security reasons. Proposals were solicited on a countrywide, competitive basis from qualified firms. Eleven proposals were received in response to 15 invitations. Details of the four lowest proposals initially received resulting in contract awards are set forth in the enclosed abstract.

A summary of the final negotiated prices with the four contractors, plus the delivery schedules and vendors for turbines, gears, and boilers is set forth below:

New York Shipbuilding: 3 vessels, at $16,374,500 per vessel; total, $49,123,500.

Delivery schedule: 39, 43, and 47 months after award.

Manufacturer of components: Westinghouse Electric turbines, Westinghouse Electric gears, Foster Wheeler boilers.

Defoe Shipbuilding: 2 vessels, at $17,222,621.50 per vessel; total, $34,445,243.

Delivery schedule: 39 and 43 months after award.

Manufacturer of components: GE turbines, GE gears, and Foster Wheeler boilers.

Bath Iron Works: 2 vessels, at $17,234,550 per vessel; total $34,445,243.

Delivery schedule: 36 and 40 months after award.

Manufacturer of components: GE turbines, GE gears, and Babcock & Wilcox boilers.

Todd (Seattle): 1 vessel, at $18,487,400 per vessel; total $18,487,400.

Delivery schedule: 40 months after award.

Manufacturer of components: GE turbines, GE gears, and Foster Wheeler boilers.

These contracts were awarded to the four shipyards submitting the lowest competitive proposals. All of these yards are well-known, highly qualified shipbuilders and are included in the Navy's industrial mobilization planning program. Through the use of negotiation procedures, the Bureau of Ships:

(a) Provided for a high degree of interchangeability of major components and decreased the quantity of stock components and spare parts required.

(b) Obtained price reductions from 3 of the 4 bidders concerned.

(c) Obtained strategic dispersal of construction.

(d) Provided a broad base for competitive award of guided missile destroyers in future programs and for mass production in the event of mobilization.

(e) Obtained earlier completion of the missile destroyers for which the Navy has pressing operational requirements.

(f) Permitted a Puget Sound shipyard to build up skills and facilities necessary to discharge mobilization responsibilities for destroyer construction, thereby promoting

the maintenance of a shipbuilding capability on the west coast essential for national defense as required by statute (10 U. S. C. 7302).

(g) Encouraged the acquisition of experience and know-how in combatant ship construction in the Great Lakes area by awarding a contract to a Michigan shipbuilder, delivery to be accomplished via the new St. Lawrence seaway.

The invitations solicited proposals on the basis of 1, 2, 3, and 4 vessels and asked all bidders to indicate expected vendors for main propulsion turbines, main propulsion reduction gears, boilers and generators, with vendor's price for each, and to quote alternately on the basis of 3 different vendors supplying such components. The Bureau reserved the right to award on the basis of any combination of manufacturers of these components. This clause was inserted to insure maximum interchangeability of components and to reduce the quantity of spare parts required. The invitations also asked each bidder to quote as a follow yard with plans to be furnished at cost of reproduction. The Bureau had previously obtained a proposal for preparation of working plans from Gibbs & Cox, New York City, a leading design firm in the preparation of plans for destroyers and other combatant ships.

Following analysis of the proposals received, the Bureau, with the approval of the Secretary of the Navy, decided that the best interests of the Government would be served by making awards to 4 contractors on a 3, 2, 2, 1 vessel basis. It was considered that this distribution would prevent overloading of any one yard and permit earlier delivery dates, would result in strategic dispersal, and, finally, would permit awards at the lowest practicable cost to the Government. It was further decided to award construction of 3 ships to the New York Shipbuilding Corp., the lowest bidder, which is also building a *Forrestal*-class carrier and other ships; to the Defoe Shipbuilding Co., which has previously not constructed any ships larger than escort vessels, nor more than 2 of these at any one time; 2 to Bath Iron Works; and 1 to Todd Shipyards, Seattle. Bath Iron Works, a yard specializing in destroyer construction for the Navy, agreed to assume the role of lead yard and to enter into a contract with Gibbs & Cox for the preparation and furnishing of working plans. A cost reimbursable portion was included in the contract with Bath in an estimated amount of $9,576,500, including fee, for this plan work.

Todd Shipyards, Seattle, Wash., has been engaged in recent years in Navy conversion and repair work. In wartime this shipyard is scheduled to operate nearby Navy reserve facilities for construction of DDG-type, as well as other types of Navy ships. Thus, the award to Todd was not only justified on a price basis, but would also permit the build-up of facilities and a nucleus of trained personnel for its expected mobilization assignments.

Government-furnished material to be supplied each contractor amounts to approximately $1,553,000 per vessel, exclusive of certain ordnance equipment. The cost of any facilities required for construction of these ships is to be borne by the contractors.

In your letter you requested a brief description of the method by which negotiations were conducted. These were conducted by telephone and in conference with Bureau personnel. Items which were the subject of negotiation with all of the successful bidders included terms and conditions of the contract involving limitations of liability for correction of defects arising during the guaranty period, reserves to be withheld until final settlement, and approval of subcontract and purchase order clauses as to sources for turbines, gears, and boilers. These are normally subjects for negotiation in procurements of large combatant ships.

Negotiations were conducted only with the four lowest bidders. It is not the practice of the Bureau of Ships to negotiate with all bidders because this would convert the procurement into an auction. Although lower prices might be obtained as a result of auctioneering, such practice lengthens the procurement process, creates distrust among bidders, and may result in acceptance of contract prices at less than cost, causing eventual nondelivery and financial difficulties to the successful bidders. The Bureau negotiates downward price adjustments only to the extent that the prices quoted appear higher than a fair and reasonable price.

Through negotiation with all 4 bidders, the Bureau was able to obtain agreement, at the same or lower prices, for installation of the same manufacture of turbines and gears in 5 ships. The remaining ships will have identical components of different manufacture. Likewise, standardization for boilers was obtained for all except two ships. These negotiated arrangements will permit greater interchangeability of components, and will reduce stocking requirements for spare parts, thus resulting in lower maintenance costs.

During negotiations, Bath reduced its quoted prices on all quantities of vessels by a substantial sum on the basis that Gibbs & Cox would prepare plans for Bath under a subcontract, in lieu of Bath obtaining plans from the Bureau. The subcontract to which Bath agreed would cover the same scope, estimated cost, and percentage of fee previously agreed upon by Gibbs & Cox with the Government. This arrangement has mutual advantages to both parties. It gives Bath control of plans, assures Bath of getting the required plans on time, affords greater assurance to both parties of timely delivery of vessels, and relieves the Government of liability for any late delivery of Government-furnished plans which past experience has indicated can be costly. Following examination of Bath's price analysis, negotiations were conducted which resulted in elimination of certain items, and reductions in man-hours, labor dollars, overhead, and profit.

As a result of negotiations, the Bureau obtained a total price reduction of $1,321,500 from Bath, $125,604 from Todd, and $452,523 from the New York Shipbuilding Corp.

The foregoing information was submitted in business confidence by the contractors concerned, and it is requested that it not be publicly disclosed.

I trust that this fully answers your inquiry. If additional information is desired, do not hesitate to call upon me.

Sincerely yours,

E. C. STEPHAN,
Rear Admiral, United States Navy,
Chief of Legislative Liaison.

WEDNESDAY, MAY 15, 1957.

Re your file, OLL:INV:ACJ:gms 6-845
Rear Adm. E. C. STEPHAN,
Chief, Legislative Liaison,
Department of the Navy,
Washington, D. C.

DEAR ADMIRAL: On April 15, 1957, you responded to the subcommittee's memorandum request made by our special counsel under my direction, amplifying information contained in a Navy press release appearing in the Wall Street Journal announcing the award of 4 contracts for destroyers in the aggregate sum of $146 million.

The information contained in your letter is responsive to the subcommittee's questionnaire. Your response was read into the record at an executive session of the subcommittee on Monday, May 13, 1957.

The subcommittee is of the opinion that none of the matters referred to in your letter are, in fact, business confidences which may not be made public. If any commitments were made to secrete the information contained in the letter responding to the subcommittee's questionnaire, the subcommittee desires to know by whom they were made, on what authority, and to whom they were made.

Will you please give this matter your immediate attention and let me have your response before the next executive meeting of the subcommittee which will be on Friday afternoon, May 17.

Sincerely yours,

F. EDWARD HÉBERT,
Chairman.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D. C., May 17, 1957.

In reply refer to OLL:INV:HCL:gms 6-845.
Hon. F. EDWARD HÉBERT,
Chairman, Subcommittee for Special Investigations,
Committee on Armed Services,
Old House Office Building,
Washington, D. C.

MY DEAR MR. CHAIRMAN: In your letter of May 15, 1957, you asked what commitments, if any, had been made to not publicize information on a recent procurement on guided missile destroyers (DDG) contained in our letter to you of April 15, 1957. No specific commitments have been made. But quotations submitted by competing shipyards on negotiated procurements are informal proposals submitted with the distinct understanding that they will be kept in confidence and subject to withdrawal at any time.

Although the information is unclassified, it is requested that the abstract of quotations enclosed with our letter of April 15 and the last paragraph of page 4 and the first paragraph of page 5 of the letter not be published. It is believed that disclosure of these details of negotiations and procurements of this type would not be in the public interest.

Unlike bids received in advertised procurements, these quotations do not represent formal offers which, upon acceptance, become binding contracts, but rather proposals to serve as a basis for negotiations. Such proposals may or may not represent the final contract prices agreed upon. To make public disclosure of such quotations, therefore, either during the negotiation process or after award, would prejudice the Navy in its efforts to negotiate the most advantageous prices to the Government.

A further consideration is that quotations from the competing firms are frequently contingent upon acceptance by the Government of changes in the specifications, special contract clauses, or other conditions, and hence are not comparable. Thus, disclosure would present a distorted pricing picture which would confuse the public and would not benefit either the Government or the contractor.

To assist the subcommittee in its consideration of negotiated procurements, details of negotiations with the successful bidders on the destroyer procurement, which resulted in price reductions and in more advantageous contract terms to the Government, were described in our letter of April 15, 1957. Public disclosure of such information would reveal details of the negotiation process and business practices of the various bidders which the Navy has always, in the interest of maintaining satisfactory relations with its contractors, endeavored to preserve in confidence. Disclosure would handicap the Navy in future negotiations with these same shipyards. In this connection, it should be mentioned that invitations will soon be issued for quotations on guided-missile destroyers in the Navy's fiscal 1958 shipbuilding program. Disclosure of details of past negotiations would impair the Navy's bargaining position in obtaining the best possible contract terms, and might create distrust among bidders toward each other and toward the Government.

For these reasons, the request to withhold the information specified in the second paragraph above is believed in this case amply justified in the public interest. There is no objection to publication of the remainder of the letter of April 15.

With kindest regards,

Sincerely yours,

E. C. STEPHAN,
Rear Admiral, United States Navy,
Chief of Legislative Liaison.

Mr. DOUGLAS. Mr. President, let me turn to yet another example from the Hébert report. This has to do with procurement of air conditioner units for aircraft.

The Hébert committee report sums up the results of this example as follows:

On the purchase of air-conditioning units, the Air Force holds that negotiation means to invite the discussion of technical proposals. Then, among 5 bidders, to disclose the fact that they were not low to 2 bidders; to allow the other 2 to guess from discussions on specific items in their proposals that they were not low on these items; and as to the fifth bidder (original low price bidder) to condemn him because he did not ask a specific question as to whether he was still low, and was disqualified (p. 684).

There is a very grave question, Mr. President, why this item was ever negotiated in the first place. The Hébert report points out, on page 687, that it was negotiated under a section of the law which was used by the Air Force because it claimed "it did not have sufficient specifications upon which to purchase the product."

Yet, Mr. President, at the same time one of the bidders was seeking sealed bids for the same article. In the words of the committee:

While the Air Force was invoking section 2304-(a) (10) for the purchase of MA-3 air conditioners, its prime contractor, Convair division of General Dynamics Corp., no stranger to the world of manufacturing, was soliciting competitive sealed bids for the same article from the same list of manufacturers to whom the Air Force circulated its requests.

Thus, Mr. President, not only were there numerous abuses when the contracts were negotiated, but there is a very grave question why they should have been negotiated in the first place. If General Dynamics could have these identical articles submitted to open, competitive bidding, why should not the Navy do so?

Mr. President, I ask unanimous consent to have printed at this point in the RECORD this further example from the Hébert committee's report.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

NEGOTIATION IN DEPARTMENT OF AIR FORCE, RFQ 33-602-56-3114, PROCUREMENT OF MA-3 AIR-CONDITIONER UNITS FOR AIRCRAFT

This procurement was undertaken under section 2304 (a) (10) upon the representation that it was impracticable to advertise for sealed competitive bids because of lack of specifications for the product sought.

A number of firms were solicited to submit technical proposals and prices. In November 1956, discussions were had concerning these technical proposals. As a result, five firms were found by the Air Force to be qualified to produce. That is to say, the method by which these manufacturers proposed to assemble and the components which they proposed to use had, by engineering evaluation, been found to be likely to produce the temperatures and other requirements sought in these articles, if completed in accordance with the proposal plan.

Our hearing was concerned with the pricing technique employed.

At the time these five firms submitted their technical proposals, each had submitted prices for unit and total procurement.

The issue, therefore, resolved itself into whether or not these five firms were negotiated in the usual and accepted meaning of that word; and, whether each received fair and equitable treatment for competitive price revision by negotiation.

One firm (Keco) testified that on November 15, 1956, at the completion of its technical discussions, its representatives requested advice as to whether those discussions were to be considered as price negotiations. The firm's representatives testified that they were told that the answer to that question was "No." There seems to be some difference as to what was actually said.

Nevertheless, this firm believed that it was the low bidder at that time. (It was in fact the low bidder by something over $400,000.) Its representatives then posed a hypothetical question as to whether "a firm which was low but which as a result of negotiations conducted with other bidders might cease to be low, would be so advised and given an opportunity to revise its price."

This hypothetical question, it is admitted, was answered "Yes." This firm then claims that, acting on such assurance, it did not revise its price until later events, which we will point out.

Another firm, Acme Precision Products, submitted its technical proposal and was qualified. It met with Air Force representatives at about the same time as Keco. Representatives of the firm testified that they did not ask whether they were low bidder. But their negotiators concluded from the mention of certain specific items of cost that the firm was not low. It then revised its price.

Representatives of the firm testified that no suggestion was made to them by the Air Force concerning a downward price revision. Their subsequent action was based on what they inferred from the discussions.

Another firm, Airtemp division of Chrysler Corp., testified that it was not suggested that its prices be revised; but in discussions relating to the type of motor which Chrysler had proposed to install, Air Force representatives suggested that a substitution of a less expensive motor could be used; and that automatically reduced material costs, and, obviously, reduced the total bid submitted. The company at that time received no suggestions about price revision or that it was not the low bidder. But, because of the change in components, Chrysler subsequently submitted a revised and lower price.

A third firm, American Electronics, testified that, after its discussions on proposals, it requested information as to whether it was the low bidder and was advised that it was not; whereupon, a new and revised price was submitted.

Recony Corp., the bidder subsequently given the award, testified that it requested information as to whether it was low and was advised that it was not, and that it then subsequently revised its price.

These latter four firms testified that their proposals and downward price revisions were made voluntarily in the circumstances recited.

Early in December 1956, the contracting officer sent a telegram to these five bidders stating that no unsolicited bids would be received after 4:30 p. m., December 10, 1956. Between the date of their discussions and December 10, four firms submitted revised proposals.

The fifth firm, Keco, claims it did not submit a revised price proposal because it believed it was the low bidder and when it ceased to be the low bidder, it would be advised and given an opportunity to revise its prices.

Then this occurred: Airtemp division of Chrysler which had submitted a revised price before December 10, included a sum for delivery of these air conditioners from its plant in Dayton to Shelby Air Force Depot. None of the other bidders bid that way.

Air Force representatives on December 12, 1956, requested a revision of Chrysler's price which would exclude the amount charged for transportation. By telegram, Chrysler reduced its bid to take out this item.

Nothing further happened until late in December 1956, when Keco stated that its suspicions were aroused; and that it then sought information as to whether it was still the low bidder.

There were discussions between its representatives and the Air Force over a period of a week. It is not necessary to repeat the detail of each of them. But on January 4, 1957, Keco proposed by telephone to the Assistant Director of Air Force Procurement at Wright-Patterson Field a revision of $100 per unit.

The testimony is that the Assistant Director of Procurement did not give an immediate answer to this proposal; but, instead, apparently examined the other bid prices and telephoned Keco's representatives and stated that even a $100 reduction per unit would not make Keco the low bidder.

On Monday, January 7, 1957, Keco submitted by telegram a further revision of $300 per unit. This new proposal, in fact, did make it the low bidder.

This offer was rejected by telegram on January 11, 1957, upon the grounds that the award was approved prior to its receipt.

Regulations of the Air Force provide that revised proposals may be considered at any time prior to award. It subsequently was admitted by the Air Force that the notice of award was not placed in line for delivery to the awardee until January 10, 1956.

The Assistant Director of Procurement could not advise the subcommittee what the words "before award" meant, nor when, in these circumstances, award had been made.

The validity of this whole procedure is open to serious questions.

Were any of these firms entitled to be advised any time they ceased to be the low bidder in the course of the negotiations? As to this, there is a dispute, as will later be pointed out.

Nevertheless, two bidders were told they were not low; that the firm which was in fact the low bidder on the first proposal was advised, hypothetically, that it would be told when it ceased to be low bidder; and two other bidders merely guessed that a price revision was in order.

That is neither responsible, nor fair, nor uniform practice in negotiations in the considered opinion of the subcommittee. It is this type of thing which raises questions of suspicion, influence, and wrongdoing.

We note that the Air Force answer to the proposed revision of January 7, 1957, was not made upon the grounds that the revision did not occur before December 10, 1956 (the cutoff date specified in the telegram) but upon the grounds that the award had been approved before its receipt.

We note, also, that the cutoff date was waived for Chrysler Airtemp which had included a charge for transportation. On December 12, 1956, 2 days after the cutoff, Chrysler revised its price to exclude the transportation charge. That deduction

came almost to the point of making Chrysler the low bidder. Yet no other bidder was advised or informed or in any way solicited nor was the cutoff date extended, excepting for this one firm.

The Deputy Air Force procurement officer who received the proposal on January 4, 1957, from one bidder, later explained his conduct by stating that he was just being courteous to this bidder.

There is no question of courtesy in public matters. There is only a question of right and duty involved, and nothing more.

Mr. DOUGLAS. Mr. President, at this time, I wish to turn to yet another example of the abuses of the negotiated contract. This was a contract by the Air Force for 1,421 power-transfer switches. It is an example of waste in the neighborhood of $1 million. It is a situation where the "fifth" highest bidder received the contract. Although the invitation to the contract merely stated that "the preliminary drawings should be submitted in sufficient detail to indicate that the bidder had an understanding of the requirements of the manufacture of this article," the low bidder was excluded because his proposal lacked "satisfactory information." The Hébert committee report states that—

> At no time was he asked to supply any additional detail or to amplify detail which he had supplied.

Thus, in the words of the committee:

> For want of discussion a potential saving of a million dollars was thrown away (p. 51).

Mr. President, I ask unanimous consent that this example from the Hébert committee report be included in the RECORD at this point.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

AIR FORCE INVITATION NO. 30–635–56–4603, ROME AIR FORCE BASE, N. Y.

This was an invitation to submit technical proposals and prices for the manufacture of 1,421 power transfer switches. The invitation was extended to 39 firms on February 1, 1957.

When the technical proposals and prices were received, the prices ranged from $1,366,000 to $4,926,000.

The 4 lowest proposals were rejected because allegedly 1 was not in sufficient detail, and the other 3 because detail was unsatisfactory. A contract was awarded to the fifth higher bidder at $2,300,000.

Our inquiry disclosed that the reason for excluding the lowest bidder, who was nearly $1 million lower than the firm to whom award was made, was that this bidder's technical proposal lacked satisfactory information. At no time was he asked to supply any additional detail or to amplify detail which he had supplied.

The process was this: A contracting officer of limited experience received technical proposals and evaluated the financial data. He requested further data from several bidders, including the low bidder. There is some testimony that this contract specialist was of the opinion that the lowest bidder was entitled to the given award.

However, the evaluation of the technical proposals was transferred to a so-called engineering evaluating group. That group proceeded to exclude the four lowest bidders and stated their reasons to the contract specialist.

The invitation had stated merely that the preliminary drawings should be submitted in sufficient detail to indicate that the bidder had an understanding of the requirements for the manufacture of this article.

As has been pointed out, the detail submitted by three other rejected bidders indicated that they did not have an understanding of the proposal. But the lowest bidder's situation was different. What he indicated was sufficient detail. But no questions were asked for any additional detail. No negotiations were requested of this bidder.

The so-called contract specialist did nothing about it. He asked no further questions although he had asked questions with respect to other data which required elaboration.

Why, with a million-dollar saving staring him in the face, he and his superiors who reviewed the situation were not moved to ask a simple question, we cannot understand. Yet that is exactly what happened.

There had been set up a "Chinese wall" between the engineering group and this contract specialist. Neither could know what the other knew.

This is presented to us as a case which negotiation was required. But no discussions were had. For want of discussion, a potential saving of a million dollars was thrown away.

Mr. DOUGLAS. Mr. President, these examples are only a few of the hundreds of similar cases. They show the numerous abuses in the negotiated contract. They show one of the reasons why there is gross waste in the procurement activities of the Department of Defense.

They show why "secrecy of negotiations is the spawning ground for suspicion and fraud."

They show why "secrecy is the negation of a public trust openly administered."

They show why "negotiation is an open invitation to trouble."

They show why the "blinking of an eye or the shading of a statement," in the words of the Hébert committee, "is not the way to transact the public business."

Mr. President, these abuses have been going on for a great length of time. I have pointed out that ever since the Korean war, and in the 3 years that followed, approximately 93 percent of the contracts were being negotiated, rather than submitted to competitive bidding, despite the promises of the Secretary of Defense and the Under Secretary of the Navy.

Mr. NEUBERGER. Mr. President, at this point will the Senator from Illinois yield to me?

Mr. DOUGLAS. I yield.

Mr. NEUBERGER. First, I should like to endorse the very able speech the distinguished Senator from Illinois is making. Even with my limited knowledge of this subject, it seems to me that if any substantial savings are ever to be made in the Federal budget, they must be achieved in the extravagance and the very heavy spending for armaments, munitions, and defense, because that is where most of the spending occurs.

Mr. DOUGLAS. Let me say to my good friend, the Senator from Oregon, that I would prefer to say that the savings should be made out of the waste in the Defense Department.

Mr. NEUBERGER. That is implicit and implied in what I have said to the Senator from Illinois.

I should like to ask the Senator from Illinois about a further aspect of the very disturbing revelations he is making today to the Senate, to see whether he agrees with me. We are still in a period in which the young men of the country are being drafted for military service. They are being taken away from their normal lives; their educational careers are being disrupted; in a considerable number of instances they are taken from their parents, and in other instances they are taken from their wives and children. I know that when I was growing up, we were told by the leaders of veterans' organizations and by various other spokesmen of organizations in the country that, if ever there was another war or national emergency, there would be equality of sacrifice; capital, as well as men, would be drafted; there would be no more defense millionaires; money would not be made out of human blood. This is what we were then promised.

But today, in view of the negotiated contracts and the extravagant profiteering the Senator from Illinois has mentioned, is not the United States further from equality of sacrifice than perhaps ever before in its history, because even the limitations, such as the extensive renegotiation of contracts and the excess-profits taxes which existed during World War II, have been abolished. So at present the ceiling is off, so far as profiteering on armaments, tanks, uniforms, military aircraft, and so forth is concerned. As a result, not only is there a financial aspect to the point the Senator from Illinois is so properly and effectively making, but there is a moral and ethical aspect, as well. Is not that true?

Mr. DOUGLAS. I quite agree; and nothing distresses the morale of a country more than to require great sacrifices by its young men at the same time that great profits are allowed to be made.

Mr. NEUBERGER. Mr. President, I am struck by the contrast, for example, that the administration has abolished all the educational provisions of the GI bill of rights, which to some slight degree, at least, tended to equalize the sacrifice, and in that way some effort was made to compensate young men for the sacrifice they had made. Thus it was that the Government assisted them in going to college and otherwise in furthering their educational careers.

However, at the same time when that equalizing feature for our GI's has been abolished, larger profits than ever before are permitted to be made in the case of armaments and munitions. Again I emphasize that this moral aspect of the matter should concern the American people. Why does capital get more preferential treatment than boys?

Mr. DOUGLAS. I quite agree.

Mr. NEUBERGER. Mr. President, I desire to thank the Senator from Illinois for the contribution he is making.

Mr. DOUGLAS. I thank the Senator from Oregon for his very proper comments. I think he has rendered a public service.

Mr. President, this situation is shocking. It could shake to its foundations public confidence in the Department of Defense.

But, Mr. President, the Hébert report of June 30, 1957, is not the first such report. It is just one of many warnings which have come. On the question of the inadequacy of plant inspection reports and the capabilities to carry out the contract of the final contractor under negotiated contracts, abuses have been going on for years. The Hébert committee lists some of these, from the 82d Congress through to the present time.

Instead of things getting better, the situation is now worse. On page 680 of its report, the Hébert committee states:

> The low point has been reached in this hearing.

Mr. President, I ask unanimous consent to have inserted at this point in the RECORD, the summaries of the Hébert committee of various actions of this and previous committees on the subject of the ability of contractors to carry out the contracts, and the failure of the Defense Department to make this determination before the contract was let.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

INADEQUATE PLANT INSPECTION REPORT AND FACILITY CAPABILITY REPORT

Since the 82d Congress the predecessor subcommittees of this subcommittee have repeatedly called attention to inadequate performance in this regard.

The following are inquiries in the 82d, 83d, and 84th Congresses involving facility capability or preaward surveys:

82D CONGRESS

1. Elvair Corp. We reported:

"The story unfolded in testimony, documents, and investigation of this company is fantastic. It places a severe strain on the patience and the credulity of the committee. It reveals a serious defect in our procurement system, a lack of interest and failure of duty on the part of procurement officers to rise to the full obligation of their offices and assignments in the interest of the United States. It shows how these promoters and the banker allies, who were more interested in a 'lead-pipe cinch' profit than anything else, can cause the established manufacturers of the country to be passed over, notwithstanding the assurances of the procurement officers that all that has to be done is for them to 'keep in communication with the nearest ordnance district.'

"The committee recommends a thorough overhauling of the procurement investigating staffs so that alert, capable, and interested personnel qualified in their duties are answered fully and completely, including the passing along of helpful information to other inquiring district offices. Too much responsibility is vested, in preparation and circulation of notices of Government needs, on persons having limited capacity and knowledge in the field of procurement, with the result that promoters of the type managing Elvair can gain a foothold."

2. Consolidated Industries, Inc., Memphis, Tenn. We reported:

"The subcommittee recommends that the services take immediate steps to improve and correct procurement regulations to assure competent preaward inspections; and that immediate steps be taken to educate inspectors upon the need of a full and adequate inquiry when making their examinations. Forms and regulations which leave them hidebound, if in fact that is the case, should be scrapped in favor of a realistic and competent approach."

3. Fashion Sport Shoe Co., Inc.

"Concerning a manufacturer of slippers for the armed services, the subcommittee found that this contractor has delivered 297,684 pair of slippers to the Government, all below Federal specification standards, and held contracts for an additional 393,024 pair. While our investigation dealt primarily with inspection methods by the Government and unscrupulous devices for a manufacturer to evade inspection, this manufacturer had been awarded many contracts when the company was in receivership."

4. Investigation of contract administration, Detroit Ordnance District. We found:

"During the 1-year test period from July 1, 1950, through June 30, 1951, there were 8,800 contracts administered by this ordnance district. On July 1, 1950, 2,474 were incomplete; of this number, 889 were delinquent."

EIGHTY-THIRD CONGRESS

1. Smoke generators (Air-A-Plane Corp., Norfolk, Va.). We reported:

"If this matter had not been brought to the subcommittee's attention, this bidder would have been eliminated and no one but the preaward surveyors would have known what had happened. Trick questions, half-truths, omissions, and distortions concealing incompetency would have deceived the contracting officer who had to rely upon them; and it would have cost the Government 15 percent more for this procurement.

"The House Armed Services Committee has for a long while been interested in having competent preaward surveys. Our many reports since the passage of the Armed Services Procurement Act are ample evidence of our interest and concern that preaward surveys be made to eliminate incompetents from the bidding process; but, on the other hand, that no bidder be disqualified by unfair or devious means.

"We recommend that the Chemical Corps institute more adequate training and investigate more carefully the competency of is preaward surveyors."

2. As a result of an executive inquiry of the subcommittee involving the awarding of contracts for the fabrication of clothing, the Army Quartermaster Corps was able to cancel out an irresponsible manufacturer.

EIGHTY-FIFTH CONGRESS

The low point has been reached in this hearing. The subcommittee examined into the facility capability report of the successful contractor on Air Force procurement No. 33–602–56–3114.

The testimony of the personnel involved in that operation engaged the attention of this subcommittee on Monday, April 1, 1957. Questions and answers appear in subcommittee proceedings No. 2, pages 451 to 496, inclusive. It would be a waste of time and money to repeat the testimony. It is enough to say that it is a disgusting and dismal performance of a public responsibility.

The multitudinous interoffice reports were not only untrue of the successful contractor, but could very well have resulted in it having been disqualified without its knowledge, on the basis of the financial data submitted.

They were untrue because they were distorted. They were useless because they did not contain any information of value or counsel the contracting officer who was compelled under the regulations to rely upon them.

Six men spent an unknown number of days on this latter operation. Their financial data was incorrect and misleading, admittedly. The production capabilities were incompletely reported; and the information relayed to the contracting officer was worthless.

As far back as August 7, 1951, in commenting upon preaward inspections, our predecessor subcommittee stated:

"In the many cases which the subcommittee has examined of incompetent preaward inspection, the stock excuses have been either (1) that the regulations did not require the inspector to make the inquiry which would have ascertained the facts bearing upon the contractor's qualifications; or (2) that question wasn't on the form; or (3) 'I wasn't instructed to ask for that.'"

The subcommittee stated:

"It is high time that someone in authority took a look at the regulations and abolish them as a sanctuary for failures; and it is also time that some departmental procedures be worked out to educate inspectors on the questions that ought to be asked in a preaward inspection."

Six years later, we repeat that admonition. We suggest that the recommendations of this subcommittee be brought directly to the attention of the Secretaries of the military departments.

This subcommittee will say that in the 6 years it has been in almost continuous operation, it has yet to find a competent, satisfactory, and informative preaward survey made by competent, experienced, and Government employees.

With eyes to see, the inspector should report what he sees. With ears to hear, he ought to ask the questions that are necessary to properly evaluate and formulate opinion, not only for himself but to be able to transmit information to those finally responsible for making decisions on awards. That is particularly needed in view of the heavy responsibility vested on contracting officers under section 3–801.2 of the Armed Services Procurement Regulations.

Mr. DOUGLAS. Finally, Mr. President, I ask unanimous consent to include in the RECORD at this point, the summary and conclusions of the Hébert committee, which I believe every Member of the Congress should read.

There being no objection, the excerpts from the report were ordered to be printed in the RECORD, as follows:

SUMMARY AND CONCLUSIONS

I

During the full committee hearings of January 1956 upon a prior report of this subcommittee, the record of moneys spent by the Defense Department by virtue of the Korean national emergency proclamation of December 16, 1950, stood at 94.19 percent of all Defense Department moneys. The chairman of the full committee, in revealing this figure, stated that he was startled at the extent to which this type of purchasing was being used.

At that hearing, the Department of Defense announced the issuance on October 28, 1955, effective January 1, 1956, of Armed Services Procurement Regulation No. 3–201.2 (b), the purpose of which was to limit purchases within the Department of Defense military activities to the 16 numbered exceptions in the act with all the qualifications relating to each, and it agreed to limit the use of the national emergency exception in section 2304 (a) (1) to four cases.

1. Small business set-asides.
2. Labor surplus set-asides.
3. Purchase of nonperishable subsistence.
4. Waiving the requirement for secretarial approval of contracts for research and development less than $100,000.

We have been unable to get the record of the Department for more than the first 6 months of 1956. It shows only fifty-three one-thousandths of 1 percent of the dollar value of all contracts let in that 6-month period where contracts involving small business set-asides and labor surplus set-asides, a total 884 contracts by number. That accounts for the first two reservations.

On the purchase of nonperishable subsistence, only sixty-two one-hundredths of 1 percent of the Defense Department dollars were expended for this type of purchase. It accounted for 2,558 contracts by number.

And for the waiver of secretarial approval in research and development contracts, only

2.91 percent of Defense Department dollars were involved in this type of purchase. There were 3,305 contracts entered. These figures were furnished us by the Department of Defense.

The record of the other purchasing done is this:

The secretarial directive states that from January 1, 1956, under Armed Services Procurement Regulation 3-201.2 (b), the four reservations we have just mentioned above will be the only areas in which the Korean national emergency proclamation will be used as legal authority for contracting. We now have the record furnished us as of May 15, 1957, from the Department of Defense, as to what actually happened.

In 9 months of 1956, notwithstanding the Armed Services Procurement Regulation 3-201.2 (b), 38.94 percent of Department of Defense dollars amounting to $5,312,515,000 was contracted for, using as the legal basis the Korean national emergency proclamation of December 16, 1950. That was 84,410 contracts. This action was taken after the information given to the committee in January 1956.

The Department of the Army, however, did reduce its use of this exception to 9.44 percent of the dollar value of its purchases; and the Department of the Army is the one which purchases, almost exclusively, the nonperishable subsistence items (No. 3) for the services. The total dollar value of its contracts amounted to $241,956,000.

A look at the Navy and Air Force actions is revealing. In the same period, the Navy Department spent 35.53 percent of its dollars or $1,403,877,000, relying upon the authority of the Korean national emergency proclamation. The Department of the Air Force, in the same period, spent 54.13 percent of its dollars or a total of $3,650,639,000, relying upon the Korean national emergency proclamation.

Considering Armed Services Procurement Regulation 3-201.2 (b), how can it be said that the Department has kept faith with the Congress or faith with its own written directives?

The use of other exceptions of the act is worthy of note on the basis of the figures supplied us.

In the course of this inquiry, we examined into the use of section 2304 (a) (10) where it was said to be impracticable to obtain competition. Thirteen and sixty-two one-hundredths percent of Defense dollars or a total of $1,858,546,000 represented by 54,445 contracts were expended by the use of this exception. All of the cases we have detailed in this report relied upon that exception for its legal authority. We do not need to repeat or comment further upon that subject.

But another interesting figure has been developed in the breakdown of figures submitted on May 15, 1957. In the same 9-month period, $2,999,220,000 in money or 21.98 percent of Department of Defense dollars in that period was contracted for in 866 contracts because it was said to them that these 866 contracts were for specialized or technical supplies which required substantial initial investment or extended periods of preparation to manufacture. That is the record.

We call attention to the power delegated to Congress by the Constitution in section 8 of article I: "to make rules for the Government and regulation of the land and naval forces;"

Yet, today, there is in fact no law specifically dealing with the method of purchasing by the military departments as intended by the Congress when it passed the Armed Services Procurement Act of 1947. By reason of one of these sections upon the declaration of a national emergency by the President, the act is effectively suspended and contracting may legally be done now without reference to most of the provisions of the act.

The substitute now is the Armed Services Procurement Regulation 3-201.2 (b) to which reference has been made.

We think Congress has the duty of restoring law to the Department of Defense procurements. Regulations are clearly and demonstrably not enough, even if they were observed.

The cry that section 2304 (a) (1) should not be changed because of the need of additional standby power in the event of an emergency has served to abuse the confidence of the Congress and flout the law. There are ample provisions for emergency contained in the First War Powers Act, if indeed the public exigency provision, subsection a-2 of the Armed Services Procurement Act, is not adequate for that purpose.

The first war power provision for emergency purchasing does not expire until 1957, and a bill pends before the Congress to extend it to 1959. It has been continually extended since passage. But there is a great deal of difference between the negotiation required under the First War Powers Act and the negotiation which is done under section 2304 (a) (1).

II

We have stated some of the information developed in specific studies within the three service departments; and we have commented upon the testimony of the Department of Defense as the policymaking agent for the military services upon its interpretation of ASPA and regulations. From that, a number of conclusions follow:

We are, at the present time, no nearer to a definition of what "negotiation" means than that there are four different views; one, in the Department of Defense; another in the Department of Navy; another in the Department of Army; and a fourth in the Department of Air Force. Among these four there are as many interpretations of the word as there are people administering the law and regulations.

Department of the Air Force

On the purchase of air-conditioning units, the Air Force holds that negotiation means to invite the discussion of technical proposals. Then, among 5 bidders, to disclose the fact that they were not low to 2 bidders; to allow the other 2 to "guess" from discussions on specific items in their proposals that they were not low on these items; and as to the fifth bidder (original low price bidder) to condemn him because he did not ask a specific question as to whether he was still low, and was disqualified.

The Chairman of the Armed Services Procurement Regulations Committee of the Department of Defense holds that it would be unlawful to disclose the fact that a bidder was not low or to otherwise indicate to him information with respect to prices.

The Deputy Director of Procurement for the Air Force says that the bidder was negligent for not having asked the question which he says would have been answered, if asked.

The contracting officer in response to a hypothetical question, admitted that an original bidder who ceased to be low during negotiations would be told his position on the bidding list had changed as a result of negotiation.

Who is to be believed?

A second case: Negotiation meant that when an engineering evaluation returned the bid documents for lack of sufficient information (although the bid was over $1 million low) no question suggested itself as to what information was needed to properly evaluate and equate the proposal. Thus a low bid of over $1 million was calmly rejected without any question being asked—or any dicussion held.

The Deputy Chief of Procurement of the Air Materiel Center was unable to state at what point an award had been made under negotiated procedure. A new plateau (some place between negotiation and award) was invented which stated that an award had "been manually approved" after which no proposals were to be received.

The regulations state that, in the best interests of the Government, proposals may be received at any time "prior to award." What fixes that point of determination in the Department of Air Force, we have been unable to learn.

But, apparently, that subject has got some attention lately: on May 3, 1957, we received revision No. 64, adding a new section to departmental instructions, which reads:

"3-154 Award. Award will be made with reasonable promptness by written notice to that contractor whose proposal will be most advantageous to the Government, price, and other factors considered. Award will be effected by mailing or delivering to the contractor a properly executed award or preliminary notice of award (as defined in step 19 of AFPI 53-513.5 and 53-513.13)."

That is a simple statement of the law concerning offer and acceptance.

Department of the Army

One case investigated is relatively uncomplicated. Although all of the procedures involved in sealed competitive bidding were employed, nevertheless, the procurement was "negotiated." In the course of that procedure, a prospective competitor was eliminated by "sandbag." His proposal was evaluated as involving an expenditure of money by the Government. He was not consulted as to fact or amount.

The addition of this secret amount resulted in making his bid too high and, therefore, unacceptable.

No discussions were had although the bid documents called for "negotiation." The Department of Army admitted that all of the procedures employed were those of competitive bidding. Why, then, would a bidder be deceived by an invitation to bid?

Department of the Navy

Two cases of the Department of Navy are cited. Navy Procurement Directive 3-002.1 has been adopted within the Armed Services Procurement Regulations as section 3-805.

This negotiation business is "heady stuff." As soon as this Navy regulation came to attention of the Department of Defense as an escape from surveillance in the ordinary processes of bidding, it was adopted by the Department of Defense.

Case No. 2 for the Navy involves even a more exaggerated and complicated use of the negotiating process.

Exception No. 12 of the Armed Services Procurement Act permits negotiation for property or services which "should not be publicly disclosed because of their character, ingredients, or components; * * *."

The Department of the Navy purchased nine destroyers in 1957, using as authority section 2304 (a) (12) of the statute.

A number of bidders were eliminated; and we are told that the three lowest bidders were negotiated with "by telephone and conference."

The total reductions in price by reason of negotiation were an infinitesimal amount. Was this a secret procurement? The announcement of the award was made by a printed press release of the Department of the Navy. The total sum of the contract and the name of the successful contractor were given to the public in the same press release by the Navy.

No suggestion was made that either prices or contracts or the subject of the contracts were secret. We feel the public will be interested to know what was accomplished in the negotiations, if they may be so termed.

Department of Defense

The Department of Defense says that to negotiate means to discuss. Yet while we

were being assured by the Chairman of the Armed Services Procurement Regulations Committee that the word had a simple meaning whose purposes are understandable to all, nonetheless, another form of procurement was to be adopted, to wit: The Navy practice of awarding to the favorite contractor when it is suited to the Department of Navy, section 3-805, APR.

Why are we constantly belabored with the suggestion that negotiation is the most satisfactory way of contracting?

The answer has been very simply stated and restated by the Comptroller General. The most recent of his decisions is that once authority is given to negotiate, "the sky is the limit" for practice, procedures, and prices.

"When authority to negotiate a contract applies and is used * * * the terms and conditions upon which bids are requested and the selection of a contractor are matters for determination by the administrative office concerned, * * * in the exercise of its best judgment as to the interests of the Government. In such a negotiated procurement, the rules of formally advertised competitive bidding are not for application, and the negotiating authority legally may take into consideration not only price but all factors deemed essential to the accomplishment of the procurement (B-130216, April 4, 1957)."

We think negotiation has a use. Congress wrote 16 specific exceptions in which negotiation was to be used. All of them involved differences which might arise in procurement.

We think that a new section must be added to the act. We will define what negotiation requires so that all departments and the public may know what is to be expected when negotiations are invited and permitted under the act. That is our recommendation No. 2.

When this has been accomplished, we will have a statutory definition of this word which will be the same as the dictionary definition so that whether it be read in the judicial, legislative, or executive branches, or by the public, it will have the same meaning.

III

Subsection 2304 (a) (10): In the so-called negotiated cases which we have examined we find what seems to be a widespread abuse and misuse of section 2304 (a) (10). The legislative history of this section and the reason assigned for its inclusion in the Armed Services Procurement Act does not seem to bear any resemblance to the practices which have grown up in its use. In this report, we have commented upon the Senate report on the act. It was in the Senate that this subsection was added. The information which we have developed indicates to us, at least, that the exception as it is now being used was not in the minds of the Congress at the time the subsection was adopted; and we believe it would not have been endorsed by the Comptroller General, if we read correctly his comment upon the bill.

As we have pointed out in this report, this section has been used latterly since January 1, 1956, as a substitute for the number of cases in which it is said that specifications for the product required or the service needed are not adequate. Being specific—for example, in the Department of the Air Force procurement of MA-3 air conditioners—this section was used because the Air Force claimed it did not have sufficient specifications upon which to purchase the product.

If any commentary is needed upon the looseness of such a procedure, it would be this: While the Air Force was invoking section 2304 (a) (10) for the purchase of MA-3 air conditioners, its prime contractor, Convair division of General Dynamics Corp., no stranger to the world of manufacturing, was soliciting competitive sealed bids for the same article from the same list of manufacturers to whom the Air Force circulated its requests. It seems to require little more comment than that with respect to that particular procurement.

Turning to the Department of the Army in the case reported on specifically in this instance: Everything that was done with respect to the letting of this contract followed the procedures employed in sealed competitive bidding. Why, then, was a certification made that it was impracticable to obtain competition? Certainly not because there was any fixed price by reason of law or regulation, and certainly not because there was only a single source available.

This section seems to have developed into a catchall, to which resort will be had immediately the opportunities afforded by section 2304 (a) (1) are removed. In our opinion, it would be futile to amend one without the other being amended. Our observation is that the section is being grossly abused as a cover and a shield, and that it must be restricted to the purposes for which it was originally intended: cases where competition is nonexistent or where prices are fixed by law or regulation.

Subsection 2304 (a) (14): Subsection (a) (14) authorizes negotiated purchasing of technical or specialized supplies requiring substantial initial investment or extended period of preparation for manufacture. The statistics furnished us show these purchases amounted to $2,999,220,000 in the 9 months of 1956. That was 21.98 percent of the total purchases of the Department of Defense. It accounts for only 2.99 percent of Army dollars. But it accounts for 34.04 percent of Navy dollars and 22.80 percent of Air Force dollars. It accounts for a total of 866 contracts; 302 in the Department of the Army, 297 in the Department of the Navy, and 267 in the Department of the Air Force.

The public should know who the contractors are and what these technical supplies are which require an extended period of preparation to produce.

There is no secrecy involved or invoked under this subsection. Subsection 12 takes care of matters that are secret. We feel that it is unconscionable to allow 866 contracts involving nearly $3 billion, to be suppressed on any pretext.

IV

This subcommittee is of the opinion that until a public accounting is made of the contracting procedures and practices within the several military departments, we shall not have a return to the traditional American system of public purchasing; we shall not have competition; we shall be constantly beset with charges of favoritism; we shall hear charges of wrongdoing, and of loose and inconsistent purchasing; we shall not have competition among businessmen of an order of magnitude which will, by the proven American system of free enterprise in a competitive market, reduce the costs of products.

So long as the cloak of secrecy is thrown around Government procedures, trouble will haunt its precincts. We feel, that as a matter of fact, Congress was too generous in the exceptions which were written into the act of 1947. In stating our recommendations at this time on needed changes in the act we have not increased the number of recommendations because it may be said that the act itself has not been proved. We pointed out it has been in operation a little over 2½ years, in fact. It has been simulated by Armed Services Procurement Regulation 3-002.1 (b) since January 1, 1956. What we see in that period is not at all satisfactory as must be clearly evident from the material and the comments in this report.

We are in full agreement that negotiated procurement must be brought out into the open. If government is "everybody's business," as we so frequently hear, and if "an informed public is the best bulwark of democracy," then this $38 billion bill each year for the Defense Establishment ought to be itemized for the information and benefit of all the people who are paying it.

If negotiations are so important to the executive department and it does such a good job, price and other factors considered, why shouldn't the story be told?

One of the means usually employed by bidders in competitive fields is to examine the estimates made by competitors whom they know in verification of their own prices and products. To deny them information is to deny them a source which may aid in reducing prices. That has worked in the construction industry and is the uniform practice in it. It deserves the same test in the field of products and services.

The public business is a public trust. It is the right of the public to know how its officers conduct the affairs entrusted to them. If, as the Assistant Secretaries for Materiel of the three services indicated in appearance in January 1956, they are doing such a notable job, certainly it would be in the interest of the people who are annually paying the bill to be informed how successful they have been.

Therefore, we have concluded that one of the principal means of restoring public bidding to the conditions and the surroundings in which we feel it must be conducted, respecting always the secrecy of the weapons, the great bulk of Government purchases which are known to some in industry could with equal profit be known to the public We, therefore, propose that the public business and the public trust be favored by regular reporting in Defense Department procurement, with the exception of the subsection 12 of 2304 (a), and, for obvious reasons, subsections 3, 4, 8, 9, and 16.

That would leave the publication applicable to subsections 1, 2, 5, 6, 7, 10, 11, 13, 14, 15 and 17.

Then the public will know how the responsibilities of contracting officers, as defined in the regulations, have been carried out. Prospective suppliers will know the field of purchasing better. The public will know how the "guidelines" for contracting officers are being followed and how this "art" of negotiation, where meaning may be "conveyed by the blinking of an eye or the shading of a statement" is being discharged. It will be a support and aid to the conscientious contracting officer who can place his trust in the public knowledge that he is acting forthrightly in behalf of his Government. It will stimulate competition among American producers and suppliers because by knowing what products are bought and at what prices, the inevitable result will be competition by those eager and able to get into the field.

We shall anticipate an objection which will immediately be raised to the procedure and requirement set out in subsection a, b, and c of our Recommendation No. 4.

It may be asserted that the assembly of this information would place a great burden upon the departments. To any suggestion of this sort we respectfully refer to the following provisions of the ASPR. Since the data is required to be assembled, it can as well be made public.

"ARMED SERVICES PROCUREMENT REGULATIONS

"3-308 Retention of copies of determinations and findings, and of other records: Executed originals of all determinations and findings, and copies of all supporting documents, shall be preserved in the cognizant procuring activity or in the Department concerned for 6 years following the date of each respective determination. Complete records with respect to all negotiated contracts shall be preserved in the cognizant procuring activity or the Department concerned for a period of 6 years following final payment on each such respective contract.

"3-810 Exchange of information: In appropriate cases it is desirable to exchange and coordinate specialized information re-

garding a contractor between military departments, bureaus, technical services and other procuring activities since it will provide uniformity of treatment of major issues and it may aid in the resolution of particularly difficult or controversial issues.

"3-811 Record of price negotiations: At the conclusion of each negotiation of an initial or a revised price, the contracting officer shall promptly prepare or cause to be prepared a memorandum, setting forth the principal elements of the price negotiation, for inclusion in the contract file and for the use of any reviewing authorities. The memorandum shall be in sufficient detail to reflect the most significant considerations controlling establishment of the initial or revised price."

V

In the course of this report, we have had occasion to comment upon the variety of regulations, instructions, and directives issued for the guidance of contracting officers. The Department of Defense, we feel, was charged with introducing harmony and consistency into the national-defense system. Without laboring the point, it is our belief that the Secretary of Defense must, by law, be directed to undertake the establishment of uniform regulations dealing with the whole subject of procurement, and eliminate the confusing, overlapping, and unnecessary departmental directives, instructions, and regulations in so many fields.

VI

In the course of this report, we have commented upon the inadequacy and almost total failure of the Department of Defense in plant inspection reports and plant facilities. For 6 years we have pleaded for improvement.

Shortly following this report a complete survey of the qualifications, capacities, and duties of contracting officers will be issued by this subcommittee.

This is at once a conclusion and a warning that the time has come, from all of the evidence before us, not only in these hearings, but for 6 years last past, that the performance of plant inspection and facility capability reporting needs substantial improvement.

The foregoing conclusions do not by any means encompass the entire range of subjects which suggest themselves to the subcommittee as a result of the studies, the statistical data, staff information, and testimony which we have had. They are, however, a minimum which must be incorporated into law if there is to be a return to a regular, orderly, and competitive purchasing system. For these reasons, we make the following six recommendations:

RECOMMENDATIONS

From what has been discussed in our report and the conclusions we have expressed, these are our recommendations to the full committee:

1. That section 2304 (a) (1) of chapter 137, United States Code, title 10, be amended by striking therefrom the last four words, "or by the President." As amended, the section would read:

"(1) it is determined that such action is necessary in the public interest during a national emergency declared by Congress."

2. Strike all of subsection 2 of section 2302 and substitute in lieu thereof the following:

"'Negotiation' means any purchase of property or service where discussions between all bidders and the Government concerning the subject matter of the purchase or the price to be paid therefor are necessary to resolve uncertainties relating to the purchase: *Provided, however,* That nothing in this section shall prohibit the solicitation of sealed bid price proposals after such negotiations in like manner as formal advertised bidding, provided for in section 2304 and 2305."

3. Strike all of subsection (10) of section 2304 (a) and substitute in lieu thereof the following:

"(10) The purchase or contract is for property or service for which no competition exists, or where the prices for such products or services are fixed by law or regulation."

4. Add a new section as follows:

"(a) Whenever award shall be made of a contract for products or services which has been negotiated in accordance with subsections 1, 2, 5, 6, 7, 10, 11, 13, 14, 15, or 17 of section 2304 (a), the agency head shall immediately cause to be posted and publish the bid proposals of all bidders competing in said negotiations in like manner and to the same extent as though the award was made on formal advertised competitive bids as provided for in sections 2304 and 2305.

"(b) *Provided, however,* That if an award is made on any basis other than the lowest price, there shall be published simultaneously with announcement of the award a statement of the reason for the choice made or of the evaluation of the proposal selected, as the case may be.

"(c) All of the information referred to in (a) and (b) of this paragraph shall be available to the public on inquiry and shall be posted at the place of letting where the public may have access for a reasonable period of time."

5. Add a new section as follows:

"The Secretary of Defense is hereby authorized and directed forthwith to issue armed services procurement regulations consistent with the provisions of this act, which said regulations shall be uniform throughout the military departments. When any act is required to be performed under the regulations, the time for performing the same shall be specified with particularity."

6. The subcommittee recommends that that the Department of Defense immediately overhaul within the military dapartments the organization and personnel responsible for the preaward survey of facilities and firms considered for military contractors.

We have repeatedly called for such an undertaking since the 82d Congress, and conditions today seem, if anything, to us, a little worse with each new examination than they did in 1951.

Approved unanimously by the subcommittee, June 15, 1957; ordered printed and published.

F. EDWARD HÉBERT,
Chairman, Subcommittee for Special Investigations.

Approved June 15, 1957.

CARL VINSON,
Chairman, Armed Services Committee.

ABUSES WHICH HAVE COME TO MY PERSONAL ATTENTION

Mr. DOUGLAS. Mr. President, the abuses of the negotiated contract, as outlined in the hearings and the report of the Hébert committee, are only a beginning. There is probably not a single Member of Congress who has not had such abuses drawn to his personal attention in the course of his official duties over the last few years. In my own office, I have had numerous such cases. In the last week a very glaring example came to my attention, and I wish to use it here.

HEAVY TRACTORS

In my own State there are numerous manufacturers of heavy, earth-moving tractors. One of my constituents telegraphed to me last month concerning a Department of Defense contract—specifically, an Army contract—for such tractors.

It appears that in buying some 409 units of such tractors—and the Army soon will buy more—the Army negotiated a contract, without official sealed bids—with a particular company which I shall call X. The price for these tractors was established at $19,821; and as 409 tractors were immediately involved, this was a contract which in total amount was valued at $8,106,789. Mr. President, this contract was let, without bids, to a single contractor.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LAUSCHE. To make certain that the RECORD is clear, the price quoted by the Senator dealt with individual tractors, did it not?

Mr. DOUGLAS. That is correct. They were unit prices.

Mr. LAUSCHE. So a multiplication of that price by the number of tractors would give the total amount, would it not?

Mr. DOUGLAS. The Senator from Ohio is correct. I may say that the figures I have given for the RECORD are slightly different from those I have originally included in my speech because, as a result of a telephone conversation with the Department of the Army, the figures I have quoted are based on information correct up to the last hour. They are slightly lower than the figures I had originally, but not much.

I repeat that the contract was let to a single contractor without bids.

A competitive firm, Y, drew this contract to my attention. Personally, I had no interest in the contract and I had no particular interest in seeing that one rather than another firm receive this contract, for such tractors are manufactured by several firms in my own State.

Mr. President, I may say that Illinois is the center of the earth-moving machinery of the world.

So, I had neither a personal interest nor a State interest in seeing that one or another person or firm received the contract. I was interested only because I had grave doubts as to the price at which the contract was given and also as to why a contract for such tractors, which do not even come within the terms of the very lax authority the Defense Department has to negotiate contracts rather than to submit them to public bidding.

As a result of my inquiries and protest, the Army reopened this contract and called for an additional supplier. Although I am not satisfied about the ground on which this firm was barred from bidding again. As it happened the firm, Y, which originally drew this abuse to my attention did not receive the new contract, but a third firm, Z, was the other new bidder and received the contract, although firm Y's offer was thrown out on the ground that its bids did not meet the specifications. I personally retain my doubts as to whether this was an adequate reason or whether it was the true reason. The firm may have been disciplined because it had the courage to protest.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LAUSCHE. Is it not a fact that the development which the Senator has just described is very likely to be always the result of this type of letting bids?

Mr. DOUGLAS. That is correct.

Mr. LAUSCHE. That is, when bids are obtained under competitive bidding, the specifications must be of a clarity sufficient to enable the bidder to submit his price, or, if the specifications are not adequately clear, the bidders are called in, so that they are all equally informed on what they are expected to sell?

Mr. DOUGLAS. That is correct.

Mr. LAUSCHE. In other words, instead of having a rule of law, we have a rule of whims of different procurement agencies?

Mr. DOUGLAS. That is correct. That is the present practice.

The new contract—where the Army sought a second supplier—was for $16,827.60 per unit for 327 of the tractors and for $17,831 per unit for the remaining 82 tractors. For the total of 409 tractors, this meant a savings to the Department of the Army—as a result of my intervention and the offer of the new supplier—of $1,142,021.80, which is the difference between 409 tractors at $19,821 each, or $8,106,789, and 327 tractors at $16,827.60 each, and 82 tractors at $17,831 each, or a total of $6,964,467.20.

In other words, Mr. President, by putting the Army on the spot, we saved the taxpayers $1,142,000 this week; but this was only one case out of an enormous number of cases.

That, Mr. President, which was a result of my personal intervention with the Department of the Army to allow for a second supplier instead of merely "negotiating" the contract with a single supplier was a savings to the taxpayers of $1,142,000. It will result in further savings for it is my understanding that the Department of the Army plans to buy even more than the 409 tractors they have now contracted for.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. DOUGLAS. I will yield to the Senator from South Carolina for a question.

Mr. JOHNSTON of South Carolina. It seems as if the specifications sent to potential bidders are stated in such generalities as to make it almost impossible to submit bids. Is that correct?

Mr. DOUGLAS. I have had that same suspicion myself—that the specifications are commonly so loosely drawn that the offer of a low bidder can be thrown out on the ground that he has not met the specifications. That permits the procurement officers to give the contract to a higher bidder.

Mr. JOHNSTON of South Carolina. Has the Senator had any occasion to look into the question of the leasing of automobiles by the military services?

Mr. DOUGLAS. No; I have not. I would welcome any evidence the Senator from South Carolina can introduce on that matter.

Mr. JOHNSTON of South Carolina. Has the Senator had occasion to ascertain how many automobiles the Defense Department owns?

Mr. DOUGLAS. I am not informed on that matter. Can the Senator from South Carolina tell us?

Mr. JOHNSTON of South Carolina. I should like to put into the RECORD at this point the letter I wrote to the Secretary of Defense on May 9, asking specific questions as to the number of nonmilitary-type vehicles and limousines used by the Army, Navy, Marine Corps, Air Force, and other branches of the military, or by quasi-military establishments or organizations.

Mr. DOUGLAS. The Senator is now talking about noncombatant pieces of transportation?

Mr. JOHNSTON of South Carolina. I am referrifg to noncombatant civilian type. I should like to have that letter placed in the RECORD. It was written on May 9.

The PRESIDING OFFICER. Does the Senator from South Carolina desire unanimous consent to have the letter printed in the RECORD?

Mr. JOHNSTON of South Carolinia. I do.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 9, 1957.

Hon. CHARLES E. WILSON,
Secretary of Defense, The Department of Defense, Washington, D. C.

DEAR MR. WILSON: I shall appreciate your advising me as soon as possible the following information regarding nonmilitary-type vehicular transportation facilities used by the United States military forces:

1. How many nonmilitary-type vehicles are usd by the (a) Army, (b) Navy, (c) Marine Corps, (d) Air Force, (e) other branches of the military, or by quasi-military establishments or organizations.

2. Identify these vehicles stating whether they are (1) 2-door sedans, (2) 4-door sedans, (3) station wagons, (4) other similar natured vehicles.

3. Please give the trade name (Chevrolet, Ford, Cadillac, etc.) and year model of vehicle.

4. How many men in each branch of the service are being used as drivers or chauffeurs for these vehicles and how many personnel, military and/or civilians, are used in maintaining the car pools, etc., where these vehicles are located, and how control over use of vehicles is maintained. Also, please state what conditions in each branch of the service justify chauffeur treatment (to and from residence and office or between offices, etc.) for officers in aforementioned vehicles, with particular emphasis placed upon the Washington area.

5. Please identify the area where these vehicles are located or stationed; i. e., Washington area, New York area, Southeastern United States, Far East, Japan, Middle East, France, Germany, Korea, Formosa, etc.

6. Please state cost of these vehicles, explaining whether they are purchased (bids, contracts, etc.), leased or rented, and how much said leases or rentals cost, and how these bids, contracts, leases or rentals are awarded.

I shall appreciate receiving this information as quickly as possible since I intend using it to help determine certain national budgetary problems we are now considering in the Senate.

With best wishes, I am,
Sincerely yours,
OLIN D. JOHNSTON.

Mr. JOHNSTON of South Carolina. Then I received a letter from Mr. Carlton R. Adams, dated May 14, which reads as follows:

DEAR MR. CHAIRMAN: This will acknowledge your letter of May 9, to Secretary Wilson, in which you request certain information concerning nonmilitary-type vehicular transportation facilities used by the United States military forces.

Your letter has been referred to the Assistant Secretary of Defense (Comptroller) with the request that he furnish you with the desired information direct.

Please advise if I can be of any further assistance in this matter.

Sincerely yours.

Mr. DOUGLAS. That passes the buck to another stage.

Mr. JOHNSTON of South Carolina. I have always found that was so. I have been advised by the Pentagon that if the Defense Department were to answer my letter it would cost an estimated $40,000 to assemble the information. This shows how ridiculous military nonessential spending has become and how loosely it must be controlled.

Mr. DOUGLAS. Do I understand correctly that it would take the Department $40,000 to make up a list of the nonmilitary automobiles the Department owns?

Mr. JOHNSTON of South Carolina. That is right.

Mr. DOUGLAS There must be quite a list of them.

Mr. JOHNSTON of South Carolina. There must be. It also shows that the Department did not have the information available when it was making up its request for an appropriation.

I also have a sheet the Department finally sent me, giving a partial list. I shall ask that the sheet be placed in the RECORD, which shows a total of 53,086 vehicles listed as being owned directly by the Defense Department.

Mr. DOUGLAS. Nonmilitary motor vehicles?

Mr. JOHNSTON of South Carolina. Nonmilitary motor vehicles.

Mr. DOUGLAS. They would be automobiles, station wagons——

Mr. JOHNSTON of South Carolina. Yes, all types of automobiles. I should like to call the Senator's attention to this fact, too: In looking into the question, this is only a list of what the Department owns outright. The Department also gives to each corps area the right to lease automobiles and pay so much a month for them. They also keep them in repair, and at the end of the year they permit them to go back to whoever is leasing them, at which time another automobile is leased. So, on it goes. Every installation in the United States, as I understand, has that right. The military has not been able to furnish me this information yet. I do not know how many automobiles are owned under that lease arrangement.

I notice here a figure for light sedans of 30,217.

Mr. DOUGLAS. They would be ordinary 5-seat automobiles.

Mr. JOHNSTON of South Carolina. They would be 4-door automobiles.

Mr. DOUGLAS. Four-door automobiles which would probably be 5- or 6-seaters.

Mr. JOHNSTON of South Carolina. Of course, they own buses, also station wagons and other kinds of vehicles. They own 193 buses which will carry from 12 to 16 passengers.

Mr. DOUGLAS. Those are nonmilitary?

Mr. JOHNSTON of South Carolina. They are nonmilitary.

Mr. DOUGLAS. How many Cadillacs do they own?

Mr. JOHNSTON of South Carolina. They would come under the head of heavy sedans. It is hard to figure out exactly what they do have. We have a partial list of them. I think the best thing to do is to put the list in the RECORD, so that Senators may see what the Department sent to me.

Mr. President, I ask unanimous consent that the worldwide inventory of selected nonmilitary vehicles as of June 30, 1956, be printed in the RECORD at this point.

There being no objection, the inventory was ordered to be printed in the RECORD, as follows:

Department of Defense worldwide inventory—Selected nonmilitary vehicles as of June 30, 1956

	Total	Office of the Secretary of Defense	Department of the Army	Department of the Navy	Marine Corps	Department of the Air Force
Sedan, light [1]	30,217	4	20,676	4,474	545	4,518
Sedan, medium [1]	1,252	17	658	90	8	479
Sedan, heavy [1]	26	3	7	14	1	1
Station wagon [1]	2,382	1	640	94	133	1,662
Carryall [1]	7,892	0	2,471	2,573	0	2,848
Bus, 12 to 16 passenger	193	0	159	61	0	0
Bus, 27 to 33 passenger	4,751	0	1,989	75	0	2,737
Bus, 37 to 44 passenger	3,409	0	3,271	1,433	149	556
Bus, other	844	0	711	0	0	133
Total	53,086	25	30,502	8,817	836	12,906

[1] The following makes of vehicles are reflected in the attached inventory:
Light sedans—Ford, Plymouth, Chevrolet.
Medium sedans—Buick, Pontiac, Mercury.
Heavy sedans—Cadillac, Packard, Chrysler.
Station wagons—Chevrolet, Dodge, Willys, Pontiac, Ford, Plymouth, Mercury, IHC.
Carryalls—Ford, Chevrolet, IHC, Willys, Jeep.
Buses—IHC, GMC, Dodge, Ford, Twin Coach, Mack, Reo, Southern Coach, National Coach, ACF-Brill, Fitzjohn Coach, Yellow Coach, Chevrolet, White.

As of June 30, 1956

	Sedans				Station wagons				Buses			
	Army	Navy	Marine Corps	Air Force	Army	Navy	Marine Corps	Air Force	Army	Navy	Marine Corps	Air Force
Alabama	356	19	1	120	11	1	1	34	75	4	0	64
Arizona	96	2	0	19	4	0	0	7	60	1	0	28
Arkansas	98	5	1	20	1	0	0	11	19	6	0	10
California	980	834	226	310	44	6	45	118	250	271	65	168
Colorado	115	18	0	73	10	0	0	16	43	1	0	40
Connecticut	11	25	0	17	0	0	1	4	1	4	0	0
Delaware	25	1	0	9	2	0	0	15	13	0	0	14
Florida	92	129	4	65	1	0	1	41	3	65	0	140
Georgia	635	26	21	82	27	1	8	37	265	4	8	39
Idaho	11	4	0	6	0	2	0	11	3	1	0	12
Illinois	345	160	1	71	13	3	5	50	61	26	0	69
Indiana	149	27	0	28	7	2	0	16	17	19	0	3
Iowa	71	11	0	17	0	1	0	21	2	0	0	5
Kansas	130	9	1	23	10	0	0	11	58	2	0	25
Kentucky	220	20	3	27	9	6	0	15	85	0	0	3
Louisiana	116	61	1	42	2	1	2	25	36	7	0	39
Maine	12	15	2	20	0	2	1	6	2	2	0	27
Maryland	469	138	1	39	45	0	1	14	102	52	0	26
Massachusetts	240	89	36	73	13	2	5	17	44	24	0	37
Michigan	188	17	1	51	12	1	0	34	17	1	0	23
Minnesota	105	14	0	40	2	2	0	62	4	2	0	14
Mississippi	84	10	0	27	2	0	0	12	3	0	0	42
Missouri	268	37	0	62	0	3	0	47	77	1	0	13
Montana	19	11	0	13	19	1	0	12	2	0	0	10
Nebraska	146	26	1	45	1	3	0	35	14	7	0	23
Nevada	13	8	0	12	0	0	0	1	2	14	0	33
New Hampshire	8	18	1	12	0	0	0	13	1	6	0	4
New Jersey	190	41	2	44	12	6	1	10	141	27	0	20
New Mexico	105	13	1	42	15	0	0	23	43	5	0	49
New York	729	188	5	134	40	10	7	50	164	30	8	73
North Carolina	130	52	60	31	6	0	18	21	37	19	40	4
North Dakota	51	5	2	0	0	0	0	6	2	0	0	0
Ohio	172	50	3	120	1	2	2	44	32	3	0	57
Oklahoma	122	11	0	111	0	0	0	42	51	21	0	36
Oregon	72	25	1	3	2	1	0	8	14	3	0	0
Pennsylvania	261	189	2	108	13	0	3	17	70	52	0	16
Rhode Island	9	19	1	8	0	0	0	2	1	36	0	0
South Carolina	183	85	4	41	7	1	6	33	35	20	12	31
South Dakota	50	0	0	10	15	0	0	15	7	0	0	17
Tennessee	183	38	3	38	4	1	0	30	5	14	0	18
Texas	513	105	8	210	15	7	1	110	113	15	6	210
Utah	108	23	0	35	10	0	0	24	36	9	0	13
Vermont	7	0	0	4	0	0	0	1	1	0	0	6
Virginia	307	357	30	59	29	9	25	19	199	152	19	23
Washington	345	211	2	49	16	2	0	50	127	48	0	62
West Virginia	68	11	3	19	2	0	0	2	2	1	0	0
Wisconsin	118	2	0	25	3	0	0	28	24	0	0	7
Wyoming	12	0	0	6	0	0	0	8	1	0	0	18
District of Columbia	180	92	36	548	53	1	2	11	16	27	5	38
Total, continental United States	8,827	3,310	462	2,992	488	72	135	1,249	2,380	1,002	149	1,608
Alaska	78	35	1	71	44	0	0	7	33	34	0	51
Hawaii	116	192	0	17	1	0	0	0	69	85	0	24
Panama Canal Zone	61	57	0	22	0	0	0	0	81	9	0	7
Puerto Rico	76	32	0	30	0	4	0	5	32	14	0	17
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0	0
All others	0	0	0	0	0	0	0	0	0	0	0	0
Total United States Territories and possessions	331	316	1	130	45	4	0	12	215	142	0	99
All foreign countries	3,765	695	0	1,559	6	10	0	384	1,466	290	0	1,288
Total administrative use	12,923	4,231	463	4,681	539	86	135	1,625	3,995	1,434	149	2,995
Total tactical use	8,155	66	67	0	99	0	0	0	1,211	15	0	0
In storage	263	281	24	317	2	8	0	37	844	123	0	431
Total	21,341	4,578	554	4,998	640	94	135	1,662	6,050	1,572	149	3,426

NOTE.—The Office of the Secretary of Defense had 24 sedans and 1 stationwagon, all of which were in administrative use in the District of Columbia.

The geographical location of the carryalls, by State, is not required in the Department of Defense motor vehicle reporting system. Such vehicles are combined with sedan delivery trucks when reported by location and for cost reporting purposes.

Analysis of the reports as of June 30, 1956, shows the following worldwide inventory distribution and use of the carryalls:

	Total	Administrative use	Tactical use	In storage
Army	2,471	1,709	760	2
Navy	2,573	2,305	173	95
Marine Corps	0	0	0	0
Air Force	2,818	2,671	0	147

Department of the Army—Age distribution, selected nonmilitary vehicles,[1] as of June 30, 1956

	Grand total	Sedans			Station wagon	Carryall	Buses		
		Light	Medium	Heavy			12 to 16 passengers	29 to 33 passengers	37 to 44 passengers
Total	13,702	8,130	296	6	535	1,524	1	1,126	2,084
In use	12,935	8,099	296	6	533	1,523	1	883	1,594
In storage	767	31	0	0	2	1	0	243	490
1956 models	439	366	0	0	11	61	1	0	0
In use	439	366	0	0	11	61	1	0	0
In storage	0	0	0	0	0	0	0	0	0
1955 models	280	228	0	0	4	48	0	0	0
In use	280	228	0	0	4	48	0	0	0
In storage	0	0	0	0	0	0	0	0	0
1954 models	232	165	0	0	10	56	0	1	0
In use	232	165	0	0	10	56	0	1	0
In storage	0	0	0	0	0	0	0	0	0
1953 models	225	181	0	0	24	19	0	0	1
In use	225	181	0	0	24	19	0	0	1
In storage	0	0	0	0	0	0	0	0	0
1952 models	403	91	15	0	32	32	0	23	210
In use	402	91	15	0	32	32	0	23	209
In storage	0	0	0	0	0	0	0	0	0
1951 models	10,242	5,878	103	0	419	930	0	1,074	1,838
In use	9,499	5,847	103	0	417	929	0	833	1,370
In storage	743	31	0	0	2	1	0	241	468
1950 models	1,107	637	35	3	15	365	0	19	33
In use	1,086	637	35	3	15	365	0	19	12
In storage	21	0	0	0	0	0	0	0	21
1949 models	731	582	119	0	19	11	0	0	0
In use	731	582	119	0	19	11	0	0	0
In storage	0	0	0	0	0	0	0	0	0
1948 models	25	0	14	0	1	1	0	8	1
In use	23	0	14	0	1	1	0	6	1
In storage	2	0	0	0	0	0	0	2	0
1947 models	6	0	6	0	0	0	0	0	0
In use	6	0	6	0	0	0	0	0	0
In storage	0	0	0	0	0	0	0	0	0
1946 and earlier models	12	2	4	3	0	1	0	1	1
In use	12	2	4	3	0	1	0	1	1
In storage	0	0	0	0	0	0	0	0	0

[1] Includes only those vehicles in administrative use and in storage in the continental United States and its Territories and possessions. Excludes vehicles of these same types which are in tactical units (in lieu of more expensive military design vehicles) in these same areas.

Excludes also National Guard Bureau for which no age data were reported as of June 30, 1956. The inventory of these NGB vehicles (all in administrative use) in the continental United States and its Territories and possessions was as follows:

Sedan, light	704
Sedan, medium	53
Carryall	187
Bus, 27–33 passenger	1
Bus, 37–44 passenger	111
Bus, other	5

The Office of the Secretary of Defense had 24 sedans and 1 station wagon—all in administrative use. The age of these vehicles was as follows:

	Sedans			Station wagons
	Light	Medium	Heavy	
1952	4	0	0	0
1951	0	7	1	0
1950	0	8	1	1
1949	0	2	0	0
1948	0	0	1	0
Total	4	17	3	1

Department of the Navy—Age distribution, selected nonmilitary vehicles,[1] as of June 30, 1956

	Grand total	Sedans			Station wagon	Carryall	Buses		
		Light	Medium	Heavy			12 to 16 passengers	29 to 33 passengers	37 to 44 passengers
Total	6,865	3,554	67	9	76	2,015	53	42	1,049
In use	6,854	3,550	67	9	76	2,008	53	42	1,049
In storage	11	4	0	0	0	7	1	0	0
1956 models	0	0	0	0	0	0	0	0	0
In use	0	0	0	0	0	0	0	0	0
In storage	0	0	0	0	0	0	0	0	0
1955 models	181	150	0	0	4	3	0	0	24
In use	177	146	0	0	4	3	0	0	24
In storage	4	4	0	0	0	0	0	0	0
1954 models	63	1	0	0	48	7	0	0	7
In use	56	1	0	0	48	0	0	0	7
In storage	7	0	0	0	0	7	0	0	0
1953 models	1,255	852	0	0	0	390	1	0	12
In use	1,255	852	0	0	0	390	1	0	12
In storage	0	0	0	0	0	0	0	0	0
1952 models	1,709	811	1	2	3	616	41	0	292
In use	1,709	811	1	2	3	616	41	0	292
In storage	0	0	0	0	0	0	0	0	0
1951 models	1,770	497	23	0	5	772	3	5	465
In use	1,770	497	23	0	5	772	3	5	465
In storage	0	0	0	0	0	0	0	0	0
1950 models	940	708	14	2	1	80	8	12	55
In use	940	708	14	2	1	80	8	12	55
In storage	0	0	0	0	0	0	0	0	0
1949 models	637	455	23	1	9	134	0	14	1
In use	637	455	23	1	9	134	0	14	1
In storage	0	0	0	0	0	0	0	0	0
1948 models	7	5	0	1	0	1	0	0	0
In use	7	5	0	1	0	1	0	0	0
In storage	0	0	0	0	0	0	0	0	0
1947 models	6	0	3	0	1	1	0	1	0
In use	6	0	3	0	1	1	0	1	0
In storage	0	0	0	0	0	0	0	0	0
1946 and earlier models	240	15	3	3	5	11	0	10	193
In use	240	15	3	3	5	11	0	10	193
In storage	0	0	0	0	0	0	0	0	0

[1] Includes only those vehicles in administrative use and in storage in the continental United States and its Territories and possessions. Excludes vehicles of these same types which are in tactical units (in lieu of more expensive military design vehicles) in these same areas.

U. S. Marine Corps—Age distribution, selected nonmilitary vehicles,[1] as of June 30, 1956

	Grand total	Sedans			Station wagon	Bus, 37 to 44 passengers
		Light	Medium	Heavy		
Total	771	480	6	1	135	149
In use	747	456	6	1	135	149
In storage	24	24	0	0	0	0
1956 models	255	255	0	0	0	0
In use	233	233	0	0	0	0
In storage	22	22	0	0	0	0
1955 models	53	42	0	0	0	11
In use	53	42	0	0	0	11
In storage	0	0	0	0	0	0
1954 models	0	0	0	0	0	0
In use	0	0	0	0	0	0
In storage	0	0	0	0	0	0
1953 models	45	22	0	0	0	23
In use	43	20	0	0	0	23
In storage	2	2	0	0	0	0
1952 models	167	120	0	0	0	47
In use	167	120	0	0	0	47
In storage	0	0	0	0	0	0
1951 models	147	41	0	0	97	9
In use	147	41	0	0	97	9
In storage	0	0	0	0	0	0
1950 models	31	0	6	1	19	5
In use	31	0	6	1	19	5
In storage	0	0	0	0	0	0
1949 models	32	0	0	0	13	19
In use	32	0	0	0	13	19
In storage	0	0	0	0	0	0
1948 models	0	0	0	0	0	0
In use	0	0	0	0	0	0
In storage	0	0	0	0	0	0
1947 models	6	0	0	0	4	2
In use	6	0	0	0	4	2
In storage	0	0	0	0	0	0
1946 and earlier models	35	0	0	0	2	33
In use	35	0	0	0	2	33
In storage	0	0	0	0	0	0

[1] Includes only those vehicles in administrative use and in storage in the continental United States and its Territories and possessions. Excludes vehicles of these same types which are in tactical units (in lieu of more expensive military design vehicles) in these same areas.

Department of the Air Force—Age distribution, selected nonmilitary vehicles,[1] as of June 30, 1956

	Grand total	Sedans		Station wagon	Carryall	Buses	
		Light	Medium			29 to 33 passengers	37 to 44 passengers
Total	8,627	2,835	339	1,272	2,375	1,445	361
In use	8,346	2,785	337	1,261	2,256	1,388	319
In storage	281	50	2	11	119	57	42
1956 models	19	0	0	0	0	0	19
In use	0	0	0	0	0	0	0
In storage	19	0	0	0	0	0	19
1955 models	1,823	343	0	1,267	5	208	0
In use	1,809	340	0	1,256	5	208	0
In storage	14	3	0	11	0	0	0
1954 models	26	1	0	0	2	0	23
In use	14	1	0	0	1	0	12
In storage	12	0	0	0	1	0	11
1953 models	15	1	0	0	10	1	3
In use	14	1	0	0	9	1	3
In storage	1	0	0	0	1	0	0
1952 models	708	1	0	0	545	134	28
In use	681	1	0	0	522	131	27
In storage	27	0	0	0	23	3	1
1951 models	3,980	1,582	200	1	1,017	999	179
In use	3,964	1,567	200	1	965	961	170
In storage	105	15	0	0	52	38	0
1950 models	1,375	530	126	1	568	87	63
In use	1,332	522	124	1	548	79	59
In storage	43	8	2	0	20	8	4
1949 models	601	371	0	3	224	2	1
In use	559	349	0	3	204	2	1
In storage	42	22	0	0	20	0	0
1948 models	19	1	13	0	0	0	5
In use	18	0	13	0	0	0	5
In storage	1	1	0	0	0	0	0
1947 models	22	2	0	0	1	8	11
In use	5	1	0	0	0	0	4
In storage	17	1	0	0	1	8	7
1946 and earlier models	50	3	0	0	3	6	38
In use	49	3	0	0	2	6	38
In storage	1	0	0	0	1	0	0

[1] Includes only those vehicles in administrative use and in storage in the continental United States and its territories and possessions.

Mr. JOHNSTON of South Carolina. I see in one place 26 Cadillacs are listed.

Mr. DOUGLAS. That is merely in one place.

Mr. JOHNSTON of South Carolina. Yes.

Mr. President, I wish to agree with what has already been said, but I think it is well to say it again. We will never get very much of a tax reduction in the United States unless something is done to check up on and eliminate waste in the military field.

Mr. DOUGLAS. I wish to thank the Senator from South Carolina. I am sure he joins with me in not wishing to cut in the slightest into the military muscle. What the Senator from Illinois is proposing is that we build up the muscle at the expense of the fat, and save a half billion dollars, at the least, for the taxpayers, in addition.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the Senator from Michigan.

Mr. McNAMARA. Mr. President, I have listened to this colloquy with considerable interest. I am certain, as the Senator indicates, that a great many automobiles are being used by the military forces.

Mr. DOUGLAS. That was the statement of the Senator from South Carolina [Mr. JOHNSTON].

Mr. McNAMARA. The Senator is not suggesting, is he, that they should use trains or airplanes to go from place to place?

Mr. DOUGLAS. I am going to come to the question of airplanes later.

Mr. McNAMARA. There is no transportation which is cheaper than that provided by the automobile.

Mr. DOUGLAS. I shall come to the question of airplane service a little later.

Mr. McNAMARA. I do not think the Senator has made a very good case.

Mr. DOUGLAS. As to automobiles?

Mr. McNAMARA. The Senator would not wish to have the services stop using automobiles for transportation, would he?

Mr. DOUGLAS. No.

Mr. McNAMARA. There is a great need for them.

Mr. DOUGLAS. I know the Senator comes from Detroit and is very anxious to build up the automobile business in Detroit. I am not suggesting that automobiles be eliminated, but I agree with the implied comment of the Senator from South Carolina that some automobiles could be eliminated and that cheaper varieties could be used instead of the more expensive ones. The services could use Fords for Lincolns, and Chevrolets for Cadillacs.

Mr. McNAMARA. Mr. President, will the Senator yield further?

Mr. DOUGLAS. I yield.

Mr. McNAMARA. The Senator has made his statement, but I do not think he has submitted any proof.

Mr. DOUGLAS. I may say, the question as to automobiles was introduced by my good friend, the Senator from South Carolina, who is abundantly able to take care of himself.

Mr. McNAMARA. Then I accept the apology.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. LONG. Did I correctly understand the Senator to refer to 50,000 automobiles? That list must be far from complete. That would be only 1 automobile for every 70 persons in the service, and I know the services must have more than that.

Mr. DOUGLAS. These are nonmilitary automobiles.

Mr. LONG. Even for nonmilitary vehicles, 50,000 of them represent only 1 for 70 people. I suspect that the services have more than 50,000 automobiles.

Mr. DOUGLAS. It would be about 1 for 55.

Mr. JOHNSTON of South Carolina. I wish to have it plainly understood that I do not have the full list. The Department said it would cost $40,000 to compile the full list. This is merely the first little list. I certainly do not object to the military using automobiles. It is the excessive number they have, the unnecessarily fancy types they have, and the abusive uses to which they put them that I object.

Mr. DOUGLAS. The list the Senator is presenting is merely the first installment.

Mr. President, if merely in the course of my own duties, as 1 of 96 Senators and 1 of 531 Members of Congress, such examples as I have cited come to my attention, and if by my own personal demand that more than one firm be allowed to submit bids, a savings of over $1 million can result, surely there must be thousands of other examples where the absence of open bidding or negotiating with only one firm resulted in higher prices to the Defense Department and to the taxpayer.

Again I wish to emphasize that 93 percent of the number of contracts, and 92 percent of the dollar value of the contracts, were negotiated. If open bidding had been demanded, the savings, in my judgment, would have run into hundreds of millions of dollars.

How can this waste through negotiated contracts be said to be necessary for national security? How does this help the American Army, Navy, Marine Corps, and Air Force defend us against aggression?

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield to the Senator from Louisiana.

Mr. LONG. Is the Senator's amendment calculated to reach this particular problem?

Mr. DOUGLAS. The Senator from Illinois has proposed an amendment which will hold to the House figure,

which is somewhat less than a billion dollars below the Senate figure, and then divide the savings of a billion dollars into two parts, half to go to the taxpayers and half to provide for the equipment of two additional nonnuclear combat divisions for the Armed Forces.

Mr. LONG. The problem which confronts some of us when we try to bring about economy in the military is that usually, when we seek to reach a measure of economy, the items we want cut the least will be the ones reduced. For example, I noticed that the House committee inquired of the Air Force how they could make a 10 percent reduction in the Air Force budget, and the Air Force replied if that were done they would reduce operations by 50 percent. Based upon that calculation, I suppose that means a 20-percent reduction in the Air Force budget would cause the Air Force not to operate at all, and that they would go out of business.

Mr. DOUGLAS. That is the device which all bureaucrats, military as well as civilian, use to club Congress and the taxpayers into line. "If you cut us by any amount," they say, "we will cut out the most essential services rather than eliminate the least essential services." In this way they hold a club over our heads and try to take over the entire policymaking functions of the United States.

Mr. LONG. Of course the Senator realizes why that happens in some cases. Oftentimes the person in the service realizes that if he cuts down on the officers' club he may never get it back, but if he cuts down something essential on the base, Congress may well give that back to him the next year. Therefore, he will end up with both.

Mr. DOUGLAS. That is a sad commentary upon the public tactics of our leading officials. It is with pain and sorrow that I have to say the point which the Senator from Louisiana makes is very well taken.

Mr. LONG. Mr. President, will the Senator yield further?

Mr. DOUGLAS. I yield.

Mr. LONG. The Senator has made some effort to reduce some of the spending from time to time. When the service has been called upon to reply as to how the economy would be brought about, in the event it became necessary, has the Senator not found that the reply always is that the most essential possible items would have to be eliminated.

Mr. DOUGLAS. Almost invariably.

Mr. LAUSCHE. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I am glad to yield.

Mr. LAUSCHE. I suggest that we ought not forget that the presentation made by the Senator from Illinois really deals with two phases of government; first, with the installation of economy in the procurement program, and, second, with the very vital subject of compelling advertisement for competitive bidding in the letting of contracts, as distinguished from negotiation.

Mr. DOUGLAS. And I mean real competitive bidding, not fake competitive bidding, in which vague specifications are sent out, so that the low bidder can always be disqualified, or bidding under which new tricks are introduced at the last minute to throw out the low bidder.

Mr. LAUSCHE. It may be interesting to the Senator from Illinois to know that I have been receiving, on an average of one every week, complaints from Ohio bidders who were disqualified, even though their bids were low. They were unable to obtain any explanation as to why their bids were rejected.

Mr. DOUGLAS. Another such case was brought to my attention before I came to the floor today. In this case, I hasten to add, the Defense Department was not involved. It involved another department. This practice is a great evil running all through the Government. This administration has either not checked it, or has actually abetted it.

Mr. LAUSCHE. I would wish to be a bit more lenient. I believe that this practice is merely another example of the inability of government, when it once gets into a rut, to extricate itself from the rut. Seemingly nothing has the power to achieve that end.

Mr. DOUGLAS. Let me say to my good friend that there is a great deal in what he says. However, the administration has brought in secretaries, under secretaries, deputy under secretaries, assistant secretaries, and deputy assistant secretaries, from the business world. Supposedly they represent the best brains in the business world. They were to give us a business administration, and do things in a systematic fashion. Now we find, with the war emergency over, that things are probably worse than they ever were before.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CARROLL. Recently a case of this kind came to the attention of my office. As the Senator from Illinois is aware, an Air Force Academy is being built at Colorado Springs.

Mr. DOUGLAS. I have heard about it. I think it should have been in Illinois, but now that it is in Colorado Springs, that is all right.

Mr. CARROLL. The contracts for the Air Force Academy are awarded to general or prime contractors, who sublet certain portions of the work. The case to which I refer seems to involve a minor matter. It involves the question of whether there should be one master key in that great academy.

Mr. DOUGLAS. For all the doors?

Mr. CARROLL. Yes. It was proposed to have a single key. However, it so happened that the prime contractor had subcontracted the work for 4 or 5 months, and a number of small-business men were interested in the contract. Then it was decided, after negotiation, that there should be a master key, with a master lock to be obtained from one of the giant corporations.

Mr. DOUGLAS. And all the small contractors were thrown out.

Mr. CARROLL. Yes. Then the case came to our attention. We called in the military officials, and with the cooperation of the Small Business Administration's investigators, and by the application of constant pressure, enlightenment finally came to the military, and it threw out the specifications and went back to a competitive-bidding proposal.

Mr. DOUGLAS. I congratulate the Senator from Colorado. He has, as usual, done a great job. However, it is necessary for us to spend a large portion of our time watching details, and correcting only a small fraction of the mistakes and wastes which occur.

Mr. CARROLL. I congratulate the Senator from Illinois, because it seems to me that the facts sustain the very point which he is making so ably, namely, that there should be bidding by competent persons in an honest program.

Mr. DOUGLAS. Under definite specifications.

Mr. CARROLL. Such a system would be to the interest of the small-business people and in the interest of the taxpayers.

Mr. DOUGLAS. Certainly.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield for a question.

Mr. JOHNSTON of South Carolina. I should like to inform the Senator from Illinois that during the past week I have received complaints in my office from a place which he knows well, namely, Parris Island.

Mr. DOUGLAS. I spent the most trying period of my life at Parris Island and yet I am very fond of the area of the State in which it is situated.

Mr. JOHNSTON of South Carolina. At Parris Island they do not always accept the low bid. A great many complaints have come to me from that source. I receive complaints almost daily about what is taking place at Parris Island.

Mr. DOUGLAS. In general, the Marine Corps has a much better record than the other services in this respect. However, even the Marine Corps may slip at times.

Mr. JOHNSTON of South Carolina. One of the complaints which came to my attention involved the tailor shop. I can bring forth the record to show what took place in that particular situation.

Mr. DOUGLAS. I should like to have the Senator from South Carolina place the facts in the RECORD. I am not interested in protecting any particular service.

Mr. JOHNSTON of South Carolina. I know the Senator is not. I was not insinuating that he was. I know he is trying to show to the Senate what is taking place, and where the waste is occurring. The Senator wishes to eliminate the waste if possible, regardless of where it occurs.

Mr. DOUGLAS. In a letter to me concerning the tractor contracts the Army has stated that since early 1956—

> The Department of the Army policy has been modified to require a minimum of two suppliers, in most cases, where standardization is to be accomplished by negotiation under the cited statute.
>
> In keeping with the revised policy, the authority to negotiate this item has been rescinded until such time that an additional supplier has been selected and approved, based upon procurement by formal advertising.

So, Mr. President, the Department of the Army has made a minor concession.

They admit that since 1956 they have, as a policy, required two bidders for such contracts. Of course, in this case, they required only one.

Then, instead of opening up the contract to everyone, they merely are asking for a second bidder.

I doubt very much, Mr. President, that they have the authority under the law even to invoke this particular section for the purpose of purchasing these heavy tractors. Surely, they are civilian goods manufactured by a variety of firms—two in my own State that I know of—where standardization is already an accomplished fact.

I believe this is a gross abuse of the authority which they have. Further, I believe that they should not even have such authority and that they should have open competitive bidding even when the conditions actually qualify under section 2304 (a) (13).

I suggest that the President immediately withdraw the Presidential order issued in December 1950, exempting certain of these contracts on the ground that there is a national emergency. The national emergency, so far as open war is concerned, is over.

If savings of over $1 million can be made by having a second bidder, how much greater savings could we gain if all interested parties were allowed to bid, if those bids were competitive instead of negotiated, and if they were out in the open where the sunlight of public knowledge could penetrate the present secret negotiations.

The Secretary of Defense, his Under Secretaries and Assistant Secretaries and their Deputies, the Secretaries of the three Departments, their Under Secretaries, Assistant Secretaries and their Deputies—all 33 of them—seem to be either unwilling or unable to prevent these abuses from occurring.

WASTE IN OTHER CONTRACTS

I now wish to turn to another source of waste, namely, waste in connection with other contracts.

The Department of Commerce publishes a daily synopsis of United States Government proposed procurement, sales and contract awards. We know that 91.96 percent of the Defense Department contracts are negotiated contracts, and that only 8.04 percent are let under conditions of competitive bidding. These latter contracts are announced, bids sought and awards made by way of this Department of Commerce publication. Bids which are sought and contract awards which are made for the Army, the Navy, and the Air Force are listed in detail in this bulletin.

It should be noted that the contracts for the Armed Forces which are listed here are all procurements of $10,000 or more.

Mr. President, I have been receiving these daily sheets from the Department of Commerce. They are, of course, voluminous and with great detail. However, I have gone through them for the month of May 1957, and I believe that I can show, by merely reading off many of them, that the Army, Navy, and Air Force are letting contracts for numerous items in great amounts which are unnecessary and that many other items listed here could be postponed or deferred.

I have before me a number of cards on which entries with regard to some of these contracts have been made. Bear in mind that these contracts are all for more than $10,000; and the statistics are for only one month. Let me read one which appeared on May 20. The first item has to do with a billboard poster "Go Places Faster."

That is where the money goes. It goes places faster.

Here is another one: "Landscaping, turfing, irrigation system, and practice putting green, consisting of planting trees, shrubs, and vines on 6 acres, sodding 8.5 acres with St. Augustine grass, sprigging 4 acres with Bermuda grass, seeding buffalograss on 6 acres, and so forth, at Galveston, Tex."

How does that help the war effort? How does that help to defeat Communists? In my days of military service such work was done either by recruits or by prisoners.

Now, I regret to say, I have some items from my own Marine Corps. I shall put these into the RECORD also:

Household furniture, wood, bedstead, double and single; dresser and mirror; dressing table and mirror; chest of drawers and night table, $65,199.

Household furniture, wood, desk; end table; coffee table; console table; dining table; buffet; and china cabinet, $59,433.

Porch furniture, wrought iron, settee, armchair, and coffee table, three items, $44,240.

The Marine Corps did not make its reputation on buffet tables.

Also for the Marine Corps:

Furniture, living-room, wood upholstered, davenports and armchairs, $39,046.

The following item is for the Army:

Modification of shower room and lavatory in Castle Williams Building 55, Fort Jay.

Installation of evaporative coolers for mezzanine floor, Mather Air Force Base, Calif.

Modification to mezzanine for office in Building 632, Fort Belvoir, Va.

Construction of golf locker building, Andrews Air Force Base.

Construction of officers' open mess and bathhouse, Fort Hood, Tex.

Commissioned officers' mess (open) and swimming pool, Naval Air Station, Cecil Field, Fla., $526,000.

Is it necessary to spend over a half million dollars for an officers' mess and swimming pool? Could they not be built for less? How does this increase security?

Construction of officers' open mess, with swimming pool and bathhouse, Fort Eustis, Va.

Repairs to swimming pool at Fort Stewart, Ga.

Improvements and repairs to swimming pools and bathhouse, Fort Riley, Kans.

Rehabilitation of enlisted men's swimming pool at north area, Fort Myer, Arlington, Va.

Construction of bathhouse for dependents' swimming pool, consisting of a concrete masonry building requiring earth work, concrete, iron and steelwork, carpentry and joinery, plumbing, electrical, outside services, and related work, Marine Corps Base, Twentynine Palms, Calif.

Installation of filtration plant, airmen's swimming pool, Mather Air Force Base, Calif.

Modification of shower rooms in airmen's dormitory buildings, Tyndall Air Force Base, Fla.

Construction of building and pool, bathhouse, 42 by 90 feet, with Atch filter room, 17 by 32 feet. Swimming pool 63 by 82 feet, England Air Force Base, La.

I have made a hasty calculation, and I find that last pool is about one-eighth of an acre. More men could use the swimming pool if they used it in shifts. In former days it used to be said that England won its victories on the playing fields of Eton. I doubt that any victory over Communists will be won in an eighth of an acre swimming pool or on a golf course.

Alterations to shops toilets, Raritan Arsenal, N. J.

Thirty power lawnmowers, walking type, Chicago.

All of us who have served in the military service know that the work of cutting lawns used to be done either by recruits or by those who were in the brig. There are probably as many disciplinary cases now as there were then, because of the lack of the stimulus of war times.

Then there are these further examples of contracts for $10,000 or more.

Furnish and install ceramic tile wainscot for dormitories, Myrtle Beach, Air Force Base, S. C.

Grass mowing job. Post Purchasing and Contracting Office, Training Center Field, Artillery, Fort Chaffee, Ark.

I am sure that is a great contribution to national defense.

Installation of 6-lane bowling alley in Building 600 at Arlington Hall Station, Arlington, Va.

How does that contribute to national security? Is bowling a necessity to be paid for by the taxpayers?

Lawn watering system, Fort Sam Houston National Cemetery, Galveston, Tex.

"Ash receiver, tobacco." I suppose that means ashtrays, $12,072.

I had some fun a few years ago about the 11,000 dozen oyster forks that the Navy felt were necessary to have for the successful conduct of the war effort by the nautical forces of the United States. That was a wasteful expenditure. What earthly use can there be for all these ashtrays?

I continue to read from the lists:

Carpet, velvet, uncut pile (wool) Columbus General Depot, Columbus, Ohio.

Paine Air Force Base, Wash. Modification of six existing rooms in building No. 702. These rooms are to be made into three VIP quarters, each consisting of a living room and bedroom with separate latrines. All partitions to be covered with ½-inch plasterboard with cedar paneling. Latrines will be ceramic tile floor with tile 5 feet up on walls. Floors of rooms will be asphalt tile over existing fir flooring. Light fixtures will be replaced with fluorescent indirect lighting. Area to be modified is 1,692 square feet.

Apparently they are expecting some high brass to visit out there. What contribution to national defense and national security does all this make?

"Periodical subscriptions (30,240 subscriptions)," Shelby Air Force Depot, Wilkins Air Force Base, Shelby, Ohio. The subscriptions are to be placed with

the American News, subscription agency division, 131 Varick Street, New York 13, N. Y.

Here are some magnificent enterprises out on the Pacific coast:

Athletic courts, Fairchild defense area, Washington. Work involves construction of an athletic court at five locations. Each court will be 120 by 60 feet in size, consisting of 624 square yards of asphaltic concrete paving and 173 yards of portland cement concrete paving; a chain-link backstop fence, 10 feet high at each end; 2 basketball backboards and baskets mounted on pipe framework; painted lines on the court to delineate areas for different games. Work also will include required stripping, grubbing, excavation, filling, grading, base course, and drainage ditches at each site.

Athletic courts, Seattle defense area, Washington. Work involves construction of an athletic court at 12 locations. Each court will be 120 feet by 60 feet in size, consisting of 624 square yards of asphaltic concrete paving—

It goes on to set out the requirements that I have already listed.

The Commandant of the Marine Corps asks for pocket billiard tables, in accordance with an attached purchase order.

Shuffleboards, 9 by 22 feet, in accordance with purchase description.

Mr. President, shuffleboard is a game which is played in St. Petersburg, Fla., in the wintertime when the septuagenarians and the octogenarians go forth in the sunshine to have a little amusement. This is an expenditure for military shuffleboards.

Do the oldtimers in the Armed Forces have to have shuffleboard as a military necessity?

Here is another one. This is at Fort George Meade, Md.:

Alterations and improvements to golf pro shop.

So not only do they have a golf course there, but they have a professional out there to teach them how to play golf; and, of course, he has to have a shop. So there must be alterations and improvements to the shop of the golf professional. Mind you, Mr. President, this item would not be here unless it amounted to more than $10,000.

It would be interesting to know who the golf professional is, what his salary is, whether he is military personnel, what rank he holds, and what other military duties he performs.

Here is one which is really for the books. At Fort Bragg, N. C.:

Diaper laundry service.

I knew we were taking soldiers young, but I did not know we had to buy diapers for them. I suppose, however, this refers to the dependents of the soldiers. But I submit that they ought to provide for their own diaper laundry service. I am in favor of security from the beginning to the end. I am in favor of greater security from birth to the grave; and, as someone has said, "from the womb to the tomb."

But I do not believe the United States Government should provide diaper service for the dependents of the members of the Armed Forces. Yet in this instance the Army was advertising for bids. Probably they would secure a lower price under bids than under negotiated contracts. But why should they do this at all.

Here is another peculiar item:

Rehabilitation of golf course greens at Eglin Air Force Base, Fla.

The present greens are apparently not good enough. The work could not be done by the personnel; it had to be done by letting a contract.

The next one is:

Installation of ceramic tile in shower rooms of three permanent barracks, Fort Monmouth, N. J.

Ceramic tile is not needed. Shower rooms with good, concrete bases are adequate in the military service and out of it.

The next one is:

Replacement of metal cornices with wood cornices at Fort Hancock, Highlands, N. J.

Mr. President, there are many more such items. I could spend all afternoon and all evening reading them. I intended to ask that they all be printed in the RECORD; however, I do not know whether the CONGRESSIONAL RECORD could stand the expense. But I have hundreds of these cases. I shall select a few.

Air conditioner, Gadsden Air Force Depot, Gadsden Air Force Station, Gadsden, Ala.

That one may not be so bad; it gets hot down in Alabama.

Here is one for the installation of an air conditioner at Governors Island, N. Y. Governors Island is the little island opposite the Battery, which we see when we fly into New York Harbor. Governors Island is fanned by cool breezes on all sides. It is one of the coolest places in New York. Yet the Army wants an air conditioner there.

Here is another instance of air conditioning—this one even worse. Up in Portsmouth, N. H., close to the Maine border, where the cool breezes of the Atlantic and the cold waters of that ocean beat in, the Navy also wants to install air conditioners. It will cost $45,467 to do so.

The Army wants to construct a clothing sales store near Little Rock, Ark., where, of course, there are numerous civilian stores. The area will be 6,500 square feet. It is proposed to install a concrete foundation and a fire sprinkler system. That is to be at Fort Chaffee, Ark. The cost is to be $40,939.

Let us take, for example, the State of my good friend, the distinguished junior Senator from Colorado [Mr. CARROLL]. The Senator from Colorado is a great battler for economy and for the rights of the people. At Fort Carson, Colo., the Army wants to replace unit heaters in 8 chapels and replace the unit heaters with radiators in 4 chapels.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CARROLL. My attention was diverted momentarily. Will the Senator be so kind as to repeat that item?

Mr. DOUGLAS. At Fort Carson, Colo., the Army wants to replace unit heaters in 8 chapels and to replace unit heaters with radiators in 4 chapels.

Mr. CARROLL. In chapels?

Mr. DOUGLAS. Yes. The chapels already have heaters, but the chapels are not heated well enough, so it is necessary, so they decide, to install artificial heaters.

Mr. CARROLL. If the installation or replacement of unit heaters will bring the personnel at Fort Carson closer to the Lord, it may be worth the expense.

Mr. DOUGLAS. Well, will it do so?

This one is interesting:

Rehabilitation of mess hall and galley, Naval Radio Station, Cheltenham, Md., $111,446.

That is quite a sum. The next item is:

Replacement of steps and platforms on buildings in the cantonment area of Camp Drum, Watertown, N. Y., $62,750.

This item is interesting, because there is a note which states that Camp Drum is inactive. Nevertheless, the steps and platforms on the buildings in the cantonment area are to be replaced. There may be an error in this item; I do not know.

The next is:

Replacement of wooden steps and loading platforms for kitchen entrance on mess hall buildings at Fort Hood, Tex., $29,701.

Can they not make the old loading platforms do? If so, can they not be fixed up for less than $29,701?

The next one is:

Replacement of wood frame window screens with aluminum screens.

This must be for more than $10,000, otherwise it would not be listed.

Here is another:

Remove wood ventilators and install metal ventilators on warehouses.

This is to be at the purchasing division, Sharpe General Depot, United States Army, Lathrop, Calif.

Next I find an item:

Replace existing gasoline pumps with submerged dispensing pumps, Fort Carson, Colo.

Why must the gasoline pumps go underground? The Secret Service and the counterintelligence might go underground; but why do gasoline pumps at Fort Carson have to go underground?

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CARROLL. I make no defense of the underground movement except by referring back to the heating units. I am sure that the Senator from Illinois understands that Camp Carson is at the base of or close by the great Pikes Peak mountain. I think there is some reasonableness about providing a heating unit in a chapel there.

Mr. DOUGLAS. That may be.

Mr. CARROLL. It would be necessary when the men attended religious services.

Mr. DOUGLAS. Why do gasoline pumps have to be put underground? Is it cold there?

Mr. CARROLL. No, I would not use the climatic conditions there as a reason. I really do not know the answer. That is one of the things which ought to be examined.

Mr. DOUGLAS. Of course, the chapels already have heating units. The item

to which I referred was merely to replace them.

Mr. CARROLL. I assume they may be defective. But I congratulate the Senator from Illinois for exposing these matters. These are things that ought to be looked into.

Mr. DOUGLAS. I have information about hundreds of these cases. I think I should say, in all honesty, that on the average they are not quite so spectacular as the ones which I have given. But there are enough of these cases to indicate that many of the purchases are unnecessary, and that in a large percentage of the cases the work could be deferred. That is all I am trying to show.

Mr. CARROLL. That is exactly the point I wanted to make in congratulating the Senator for presenting these matters. If we knew about them and can examine into them, and the military authorities, in turn, know that we are examining into them, perhaps more economy will be brought about.

Mr. DOUGLAS. I do not think any more economy will voluntarily be employed by the Defense Department. The same thing has gone on for years and years and years; yet the armed services blithely disregard the statements of Senators, Representatives, and others and the injunctions we officially issue.

Mr. President, I wish to turn now to a discussion of the waste caused by an excessive number of military installations.

WASTE CAUSED BY AN EXCESSIVE NUMBER OF MILITARY INSTALLATIONS

Just as the Government wasted money prior to World War I, in maintaining an excessive number of military posts inherited from the successive Indian wars and unneeded naval bases, so is it doing today. In a similar fashion we had to build up a large number of installations in World War II to handle the 16 million men who were in the armed services. But when peace came, we retained many more of these than were needed, and these still continue absorbing personnel which could be used to better advantage elsewhere, and which are costing large sums of money to maintain.

When Budget Director Brundage testified before the Joint Economic Subcommittee this spring, and spoke of possible economies in the Defense Department, I asked when, in his judgment, safe cuts could be made. He replied that this could be done by closing unneeded Army posts, supply depots, warehouses, Navy installations, unneeded air installations, and so forth.

I asked him to give me a list of the installations which in his judgment should be closed, and he promised to get them for me. Sometime later, he evidently obtained such a list from the Defense Department; and then he wrote to me, enclosing the list in a covering letter. But I wish to call attention to the circumstances under which I received the letter and its enclosure. The Defense Department has stamped its list "Confidential," and he stamped his covering letter to me "Secret." Thus, I was prevented by their action from using the material in the debate on the Defense Department appropriation bill.

Mr. President, I have made it a practice never to handle a piece of classified material. I will not listen to anyone tell me anything that is classified. I will not hold in my hand a piece of classified material. But the list was sent to me through the mails, and I had to do something with it. I immediately put it in a combination filing case-safe which I have in my office, and there I locked up the material. I did not give it a thorough examination, and I hold it there temporarily.

But I then dispatched a telegram to Mr. Brundage; and I should like to read the telegram, for at least it is not classified, and I can read it here. The telegram is dated June 24, and reads as follows:

A-10 OFFICIAL

JUNE 24, 1957.

Mr. PERCIVAL BRUNDAGE,
Director, Bureau of the Budget,
Washington, D. C.:

Thank you for your letter of June 21 in which you conformed with your promise before the Joint Economic Committee in sending me a list of the Defense installations which are currently being considered by the Department of Defense for inactivation, disestablishment or reduction of status. I am deeply disturbed however that they have been marked "Secret" and hence are only for my personal use and cannot be used by the Senate in considering the Defense budget. In this way the administration has sealed off from the legislative branch of the Government information which is essential to wise economy. Then I suppose the Congress will be criticized for not making the cuts which the administration declares to be desirable. I am putting your list in my safe so that it will not be seen by others but I must ask you to get in touch with the Defense Department and ask them to remove the classification so that it may be used to enable Congress to take wise action. If this is not done I think you will agree that it is highly proper for me to report the sealing off of this information from Congress to Congressman Moss' committee without of course revealing any of the details involved.

Very frankly, Mr. President, I do not know very much about the details, because I put the material into a safe before I could read it thoroughly.

I read further from the telegram:

This is a very grave problem but the present practice, I think, strikes at the very heart of wise government. I hope that you will reconsider the matter and make this material available for public use and for consideration by the Senate.

PAUL H. DOUGLAS,
United States Senator.

That telegram did not produce results. So, three days later—on June 27—I sent a second telegram, as follows:

A-10 OFFICIAL

JUNE 27, 1957.

Mr. PERCIVAL BRUNDAGE,
Director, Bureau of Budget,
Washington, D. C.:

Please refer to my telegram of June 24. Feel in all fairness that I should report to you that it is my intention to bring up on the floor of the Senate tomorrow the way in which information on the closing down of military installations was sealed off from legislative knowledge by giving it a "Secret" classification. I hope that you will in no sense consider this a threat but I feel it is only honorable to report my intention to you. I hope you and the Defense Department will declassify this material so that it can be used to save the taxpayers money instead of protecting waste as is now the case.

PAUL H. DOUGLAS,
United States Senator.

That telegram got results; Mr. Brundage called me very courteously, and made a full report, saying he had done his best in connection with the matter—which I believe—and saying that the Army wished to make some qualifications to the material it sent me, and wished to report a list of installations which it planned to close during the next 6 months.

Mr. Dechert, the General Counsel of the Department of Defense, came to see me; and he assured me that they would do their best to furnish me with this material. This morning, I received a list which stated that the savings of expenditures which will accrue as a result of these cases were "given full consideration in our budget request for the fiscal year 1958 appropriation bill."

The military have become so expert in the use of language that I am unable—in view of the fact that I received the material only a few hours ago—to tell whether the statement that it will be "given full consideration" means that the appropriations have been cut correspondingly or not; but I submit the list for the RECORD, for such use as may possibly be attached to it; and I ask unanimous consent that the list be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE NAVY INSTALLATIONS AND ACTIVITIES THAT WILL BE CLOSED BETWEEN JULY 1 AND DECEMBER 31, 1957

ACTIVITY

(a) Disestablish:

1. Navy Purchasing Office, San Francisco, Calif.
2. Navy Regional Accounts Office, Charleston, S. C.
3. Navy Regional Accounts Office, Seattle, Wash.
4. Navy Regional Accounts Office, New Orleans, La.
5. Navy Medical and Dental Supply Depot, NSC, Oakland, Calif.
6. Electrical Fittings Inventory Control Division, Portsmouth, NSY.
7. Naval Supply Depot, Spokane, Wash.
8. Naval Supply Activities Command, New York.
9. Naval Base and Command Headquarters, Mare Island, Calif.
10. Naval Port Control Office, New York.
11. Naval Direction Finder Station, Dupont, S. C.
12. Naval Air Reserve Facility, Birmingham, Ala.
13. Naval Air Facility, Elizabeth City, N. C.
14. Assistant Inspector Naval Materiel, Huntington, W. Va.
15. Assistant Inspector Naval Materiel, Providence, R. I.
16. Assistant Inspector Naval Materiel, Worcester, Mass.
17. Eliminate recruiting substations in order to reduce recruiting personnel by 100.
18. Deputy commanders and staffs, Pacific and Atlantic RESFLTS.
19. Public Works Transportation Center, 14th ND.
20. District Public Works Office, 15th ND.

21. Superintendent Shipbuilding, Baltimore, Md.
22. Industrial Manager, Ninth Naval District, Chicago Headquarters.
23. Assistant Industrial Manager, Jacksonville, Fla.
24. Assistant Industrial Manager, Astoria, Oreg.
25. Assistant Industrial Manager, San Diego, Calif.
26. Inspector Machinery, Lynn, Mass.
27. Inspector Machinery, Essington, Pa.
28. Inspector Machinery, Cleveland, Ohio.
29. Shipbuilding liaison officers, France and Italy.
30. Daggett Annex, Marine Corps Supply Center, Barstow, Calif.
31. Lippencott Building, Marine Corps Supply Activity, Philadelphia, Pa.
32. U. S. Marine Corps Recruiting Station, Honolulu, T. H.
33. Mobile Ship Repair Unit No. 1, Third Naval District.

(b) Inactivate:
1. Naval Ammunition Depot, New Orleans, La.
2. Naval Station, Coco Solo, C. Z.
3. U. S. Naval Hospital, Corona, Calif.
4. U. S. Naval Hospital, Mare Island, Calif.
5. Naval Station Command and Headquarters, Seattle, Wash.

(c) Maintenance and partial maintenance:
1. Naval Supply Depot, Scotia, N. Y.
2. Naval Aviation Supply Depot, Philadelphia, Pa.
3. Naval Ammunition Depot, Hastings, Nebr.
4. Naval Ordnance Plant, Pocatello, Idaho.

(d) Reduced operations:
1. Naval Ammunition Depot, McAlester, Okla.
2. Naval Supply Depot, Clearfield, Utah.
3. Naval Station, Kwajalein, M. I.
4. Naval Air Reserve training by approximately 200 naval personnel.
5. Naval air training by approximately 1,430 naval personnel.
6. Fleet activities, Sasebo.
7. Five Naval Reserve training centers (redesignated "facilities").
8. Bureau of Naval Personnel Training Activities by approximately 2,900 naval personnel.
9. Naval shipyards by approximately 2,100 civilian personnel.
10. BUSHIPS Laboratories by approximately 25 civilian personnel.
11. Navy shipbuilding scheduling activity, Philadelphia, by approximately 90 civilian personnel.
12. MAAG's and missions by 12 percent personnel reduction overall.
13. SUBCOMNELM/HQ-Support Activities, Naples.
14. MSTS Atlantic, Pacific, eastern Atlantic, and Mediterranean and western Pacific by approximately 40 naval and 170 civilian.
15. Naval Air Station, Twakuni, Japan.
16. Marine Corps Cold Weather Training Center, Bridgeport, Calif.
17. Marine barracks, NAD, Hastings, Nebr.
18. Marine barracks, NAD, McAlester, Okla.

DEPARTMENT OF THE AIR FORCE BASES TO BE CLOSED BETWEEN JULY 1 AND DECEMBER 31, 1957

Marana Air Base, Ariz.
Stallings Air Base, N. C.
Mobile storage station, Alabama.
Vancouver vehicle storate site, Washington.
Rochester Air Force station (A. C. and W.) site, Minnesota.

DEPARTMENT OF THE ARMY INSTALLATIONS AND ACTIVITIES THAT WILL BE CLOSED BETWEEN JULY 1 AND DECEMBER 31, 1957

Prisoner of War Information Center, Fort Holabird, Md.
Seattle Army Terminal, Wash.
Sixth Army Br. Lab., Fort Lewis, Wash.
Instrument Repair Shop, Columbus General Depot, Ohio.
Oakland Army Term, partial disposal, California.
Prince Bridge Test Site, W. Va.
Phosphate Development Works, Wilson Dam, Ala.

Mr. DOUGLAS. Mr. President, there are other military installations which could be deactivated, with great savings in personnel and great savings in money, to the general benefit of all. In my judgment, there is no earthly reason why the Department should have classified that material. I think it was of no use to the enemy. It might have been of some use to Congress. But we have been prevented from using it; and only under the threat that I was going to go to the Moss committee, did we force any of it whatsoever into the open.

In the case of such installations, I think both the Congress and the public themselves are partially to blame in this matter, because whenever the military does move to deactivate a military establishment, a cry arises from the citizens and from the chamber of commerce of the community affected, and they argue that that should not be done. They ask us to get busy and stop it. So I think the public as a whole, as well as the Congress, must bear a considerable share of the responsibility. But the point is that when some of us were at least trying to obtain the information, so that Congress could do a better job, the full information was sealed off and shut away from Congress by the action of the Department of Defense.

THE WASTE IN MATS AND ADMINISTRATIVE AIRCRAFT

Mr. President, there is one other source of waste about which I wish to speak, namely, the waste in the use of MATS—the Military Air Transport Service—and the so-called Administrative Aircraft.

The average civilian does not fully realize the great cost of the Military Air Transport Service, familiarly known as MATS, and of the excessively wide use of administrative aircraft.

A very thorough study of these services was made by the task force on transportation, of the Second Hoover Commission, headed by Mr. Perry M. Shoemaker, president of the Delaware, Lackawanna, & Western Railroad.

I hold in my hand a copy of the report of the task force; it gives every indication of being a most carefully prepared, thorough, and accurate study. This group found that MATS costs the taxpayers $481,400,000 in fiscal 1954 (Report on Transportation, p. 51), and employed no less than 103,000 persons. By the fiscal year 1955, the cost had risen to $560 million. Today, it is probably higher. About one-tenth of the Air Force seems to be employed in these activities. The task-force committee estimated that in the fiscal year 1954, a total of 2,176,000 passengers were flown by MATS, of whom over five-sixths were domestic passengers (Ibid., p. 51), and that the total passenger miles flown in that year was probably not far from 1,500,000,000. The estimate for the last 6 months of this were 748,900,000 passenger miles (Ibid., p. 52).

The task-force committee noted the fact that the large proportion of the domestic routes of MATS, and a considerable percentage of the foreign routes, duplicated those of the commercial air carriers. The task force also went on to point out that if a considerable proportion of the passengers and mail now carried on MATS and other aircraft—and many other aircraft are involved in this matter—were transferred to commercial lines, both certified and independent—and I wish to say that, in my judgment, both the certified and the independent airlines should be used—to help absorb their surplus capacity, great savings would be effected. In the first place, fewer aircraft would be needed, less gasoline would be used, and unneeded personnel could be released for other duties.

Mr. SALTONSTALL. Mr. President, will the Senator from Illinois yield to me?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Does the Senator from Illinois yield to the Senator from Massachusetts?

Mr. DOUGLAS. I yield.

Mr. SALTONSTALL. I wish to call the attention of the Senator from Illinois to pages 13 and 14 of the report, particularly to the paragraph a little past the middle of page 14, reading as follows:

> The committee desires that a report be made by the first of January 1958 which would indicate the progress made by the Department of Defense in implementing this directive.

That is right along the line of the statement the Senator from Illinois has made.

Mr. DOUGLAS. I am glad the Senator from Massachusetts has confirmed my statement that there has been great waste in the program. But, in my judgment, there are great roadblocks which will prevent performance by the Department of Defense in connection with this matter, because the matter has been called, year after year, to the attention of the Department of Defense and to the attention of other agencies, but no action has been taken.

When we remember that they have also paid no attention to the O'Mahoney amendment of 1952—and I hope that will be discussed fully; it provided for common management under civilian direction of common-use items for the services—and when they have paid no attention to their promise to eliminate negotiated contracts, the Senator from Massachusetts will forgive me if I say that we cannot be content with mere promises and reports. As the Senator from New Mexico remarked, there is no stimulus such as a cut in the appropriation to induce virtuous behavior.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CARROLL. Will the Senator explain a little more fully the O'Mahoney amendment of 1952?

Mr. DOUGLAS. The O'Mahoney amendment grew out of an amendment proposed by me to make it mandatory to provide for common purchase and storage of the so-called common-use

items; namely, food, clothing, and other items which all the four services needed. This seemed a little too stringent a proposal; but the Senator from Wyoming proposed an amendment, which was adopted, declaring it to be the sense of the Congress that this should be done. But nothing was done about it, and the Senator from Wyoming, the Senator from Illinois, and I believe the Senator from New Mexico [Mr. CHAVEZ], joined in proposing an amendment this year to make it mandatory that such a proposal be put into effect. That would save probably hundreds of millions of dollars. I do not propose a complete unification of the supply services. I believe in a reasonable degree of competition between the services. I believe that the one who controls completely the supplies will reach out and control the service, and I do not want to see a single general staff. But certainly the common-use items should be under a single management, which should be under civilian control, to remove the possibility that one service will control any other service by doling out such supplies.

Mr. CARROLL. I thank the Senator. I understand an amendment to that effect is about to be offered. In 1952, it was declared to be the sense of Congress, but the amendment would make it mandatory. I thank the Senator.

Mr. DOUGLAS. I hope many more Senators will support it, because it is fundamental.

We should also realize that there are no less than 573 administrative aircraft at the service of various commanding officers and units. The Hoover Commission estimates that no less than two-thirds of all passengers carried by all forms of military aircraft are "hitchhikers," and while a large percentage of these trips are legitimate, a considerable percentage are undoubtedly unnecessary and would not be carried out unless transportation were close at hand at Government expense.

That many of these administrative aircraft are plush jobs can be seen by the photograph which I shall show, which Representative FLOOD obtained, but which as you will see was first stamped "secret" by the Air Force to prevent its being used by him.

What is "secret" in the photograph of this military aircraft? It is an ordinary commercial plane. The only reason why it was stamped "secret" was that the Air Force wanted to cover up what was being used. It has been said that while a doctor can bury his mistakes, the military can classify them.

Representative FLOOD succeeded in getting the photograph declassified. Therefore, I am permitted to show it. Otherwise I would not be permitted to do so.

As is obvious, this is a quite luxurious plane. When I traveled to Europe by air I went on tourist planes with at least 5 seats to a row, and, as I remember, 6 seats to a row. This is a four-seat-to-a-row plane.

A reduction in the size of MATS and in the number of administrative aircraft would save very large sums of money. The chamber of commerce has estimated that the cost to the Government of a DC–4 is about $445 per hour, or $95 and 22 percent more than the charges by a commercial airline. For a DC–6, the cost is $145 per hour more than the charges of the commercial lines. Here is a place where the Air Force can make economies without reducing its effectiveness in the slightest.

After going over this material I wrote this line in my statement: "Probably at least $100 million could be saved this year." Then I looked up the testimony by Mr. Shoemaker, and I found that his estimate was $99 plus million.

Congress this year, as in the past, has recognized the waste in MATS and in administrative aircraft and has issued a caution to the Air Force to economize and cut down. I refer to page 14 of the committee's report. But since its previous cautions have had no effect, since the promises made a year and a half ago to the HÉBERT committee on doing away with negotiated contracts have been broken, since the O'Mahoney amendment of 1952 has been flouted, I submit we cannot depend on any more promises. Congress should instead make cuts and force economies. The record of the 33 secretaries, under secretaries, deputy under secretaries, assistant secretaries, and deputy assistant secretaries has been so poor in effecting economies that we should not be content with professions of intended reform any longer.

I come to my conclusion, namely, how to turn waste and fat into military muscle.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield for a question or an insertion in the RECORD.

Mr. MORSE. I have a question.

Mr. DOUGLAS. I shall be glad to yield for a question.

Mr. MORSE. I regret I have found myself in disagreement with the Senator from Illinois recently——

Mr. DOUGLAS. The Senator from Oregon and I have gone on our separate ways in the past 2 weeks, but I hope the Senator from Oregon will return to the fold and that all will be well in the ranks.

Mr. MORSE. I will not say more in the Senator's time about which fold is the right fold, but I am with the Senator on the matter of the defense budget.

I wonder if the Senator from Illinois would like to make an estimate, since he has been speaking about the Air Force budget, as to how much he thinks it cost the taxpayers for the recent fly-over in honor of General Twining last Saturday.

Mr. DOUGLAS. I do not know. I was distressed when the departure of the previous Secretary of the Air Force, Mr. Talbott, was accompanied by the biggest air review in the history of the United States.

I wish to congratulate the Senator from Oregon for making the fight against Mr. Talbott when his name was up for confirmation. I knew of the 1917–18 record of Mr. Talbott, which was a bad record, but he did the things for which he was criticized when he was a young man, and I thought he was under the influence of his father, so I felt that since the episode had occurred 30 years before we should close the books, forgive the fellow, and let him have another chance. The Senator from Oregon had better judgment than I in that matter, and he voted against Mr. Talbott's confirmation. I wish to congratulate the Senator for that. It has turned out that he was right, since Mr. Talbott abused his office and used his position to gain favor and profit for the consulting firm in which he had a financial interest. Then, instead of being drummed out of office as he should have been, this administration staged the biggest air review in history in his honor. I think it was a shameful performance and a shameful waste of funds.

General Twining, I think, is a very honorable man and a very competent airman. I wish to make it clear that I think he deserves well at the hands of the United States of America. But we do not make men great by spending large sums of money in their honor. Men are made great by what they do and by their records. They do not have to live in marble palaces. They do not have to have hundreds of thousands of dollars spent upon them. Their work should be regarded as their achievement.

Mr. MORSE. I wish to say to the Senator from Illinois that I agree with his observations, and in asking the questions I am asking him now I cast no reflection upon General Twining. In fact, the general is a fellow Oregonian, and we are proud of him. I think he has made a great record. But whether he is an Oregonian or comes from any other State, in my judgment, does not justify the waste of the taxpayers' money, as I think it was wasted last Saturday in the so-called air show.

Mr. DOUGLAS. I agree.

Mr. MORSE. I wish to ask the Senator from Illinois if he is aware of the fact that the Defense Establishment brought out of mothballs some very old World War I planes which they had to get in shape for the exhibition last Saturday. Is the Senator aware of that?

Mr. DOUGLAS. No, I was not aware of that. I would say that was not only expensive, but if this was so, it also risked the lives of the aviators. I only pray they were not the DeHavilland Four's, which Mr. Talbott made in 1917–1918, nearly all of which went up in flames when the aviators climbed into them and tried to fly them.

Mr. CHAVEZ. Mr. President, I wonder if the Senator would be kind enough to yield to me so that I may tell about the mothballed planes.

Mr. MORSE. I would be delighted to have any information the very able chairman of the Appropriations Subcommittee can give us.

I wonder if the Senator from Illinois is aware of the fact that at the exhibition last Saturday——

Mr. DOUGLAS. I wonder if the Senator from New Mexico should not be given the opportunity to make the explanation.

Mr. MORSE. I thought the Senator meant he would do so after I had finished. However, I am delighted to yield now.

Mr. CHAVEZ. In the so-called exhibition on behalf of General Twining, there were the B–47's, B–52's, B–57's, F–100's,

F–86's, F–108's, C–130's, and the KC–135's. There was also a Jenny and a Spad.

I may say to the Senator from Oregon that outside of the Jenny and the Spad, every one of the planes I have mentioned, which were in the exhibition, was a regularly assigned training plane. The Jenny and the Spad were not in mothballs, but are kept for occasions such as this, whether the occasion is correct or incorrect.

Mr. DOUGLAS. Is the Jenny a 1917 plane?

Mr. CHAVEZ. 1917.

Mr. DOUGLAS. The Jenny is a 1917 plane.

Mr. CHAVEZ. It is an oldtimer, anyway.

Mr. DOUGLAS. A plane that is 40 years old.

Mr. CHAVEZ. I thought I should give that information.

Mr. DOUGLAS. What is a Spad?

Mr. CHAVEZ. A Spad is an oldtimer, also.

Mr. DOUGLAS. Is that a 1917 plane?

Mr. CHAVEZ. I cannot tell the Senator how old it is, but it is old.

Mr. DOUGLAS. It is old.

Mr. MORSE. I wish to thank the Senator from New Mexico. As the Senator is aware, I spoke to him about this matter earlier this afternoon and told him I would appreciate it if he could find out the cost of that exhibition.

If the Senator from Illinois will permit, can the Senator from New Mexico tell us what the cost of that exhibition was?

Mr. CHAVEZ. I think I can give the figures. It started at Andrews Air Force Base. The Air Force had a little party there for General Twining, which I think he deserved. In this day and age I do not think it was too expensive. The cost was approximately $4,300 at Andrews.

Mr. MORSE. Does the Senator mean the cost of flying the planes?

Mr. CHAVEZ. No. The cost of flying the planes was more than that. This was when they gave him the reception at Andrews Air Force Base. The best information I can get from the Air Force is that the reception cost $4,300.

The cost of flying the planes in the exhibition was $400,000 in gasoline and fuel. But I do not wish to have the Senator from Oregon become excited about those figures, because the personnel were all in training and they happened to use the planes for this particular occasion.

Mr. MORSE. Were some of these heavy bombers brought to this area from great distances across the country?

Mr. CHAVEZ. I do not know. I know the designations of the particular planes. I can identify them as B–47's, B–52's, and so on, but where they were brought from I do not know.

Mr. MORSE. I am seeking information. I believe in double checking. My information is that the planes came from great distances. My information is that although they are serviceable planes, what we call training planes, nevertheless this is not the kind of project that is ordinarily conducted in order to train men for the military service. This was not what one would call a so-called war game training performance, but it was a straight out and out exhibition performance, which could be described as an air parade, which is quite a different thing.

We have various military parades, but one would not say that military parades, such as those down Pennsylvania Avenue, are very helpful in the training of personnel for war maneuvers. I understand that what was really had last Saturday was an air parade.

Mr. CHAVEZ. The only thing I can say to the Senator is that I can agree with him in part, but where the planes came from I cannot tell the Senator.

Mr. MORSE. I wish to thank the Senator from Illinois. I only want to say that I am very much interested in the Defense Establishment and any work it can perform to strengthen the security of my country.

Mr. DOUGLAS. That is precisely what the Senator from Illinois is about to propose.

Mr. MORSE. That is the thesis of the Senator's speech, and I join him in it.

For example, I think we should have more adequate hospital facilities for some of our veterans. But when we try to make a fight in our States for adequate hospitalization, to avoid causing veterans to travel long distances in order to obtain hospitalization, what are we told? We are told, "We do not have the money." But apparently we have $400,000 for an air parade.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. SALTONSTALL. I should like to supplement what my distinguished friend from New Mexico [Mr. CHAVEZ] has said.

The planes referred to came from California, Maine, and other places. They came as an organization, to demonstrate the effectiveness of the drilling and training required to put on an exhibition of that character on time. Every plane came in on time with the exception of one, which was 1 minute late. It had come from a great distance. General Twining is a distinguished general. He was given an opportunity, before assuming the position of Chairman of the Joint Chiefs of Staff, to see, to a certain degree, what our planes were capable of doing, the type of planes we have now, and the type of personnel we have. All types of people from various countries were invited to see that drill. It went far beyond an exhibition for General Twining.

I do not care to say more at this time.

Mr. CHAVEZ. The fact that it was General Twining who was the guest of honor was only incidental. The purpose of the demonstration was to show, on that occasion, the performance that is possible.

Mr. SALTONSTALL. The Senator has said in two sentences what I have been trying to say, and has given an accurate description of the purpose of the exhibition.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. MORSE. Let me say in reply to the Senator from Massachusetts that I think he is dead wrong as to the value of that exhibition for any real training purpose. I think a much more effective monument to the service of General Twining could have been built for him by way, let us say, of dedicating a needed veterans' hospital in honor of General Twining, rather than to waste $400,000 of the taxpayers' money for that kind of aircraft tinsel show.

HOW TO TURN WASTE AND FAT INTO MILITARY MUSCLE

Mr. DOUGLAS. I now come to the most important part of what I have to say, namely, the way in which we can increase our military strength in readiness by turning some of our military fat into much-needed military muscle.

In these last 4 years, our Government has followed 2 contradictory policies. It has increased our military commitments until they now stretch virtually around the entire globe with the exception of India and Burma, while at the same time, it has greatly decreased the military strength which we need to help check probing operations and limited wars started by the Communist bloc.

On the one hand, consider our increased commitments, not only the NATO powers plus Greece and Turkey, inherited from the Truman administration, but now Korea and Japan, Southeast Asia and SEATO, the Eisenhower doctrine, the military underwriting of the Baghdad Pact, and the situation in the Middle East.

All this would seem to call for increased military strength rather than for less, if such guaranties are to be effective and meaningful. This need would also seem to be intensified by the recent decision of Great Britain to cut its armed forces almost in half, and to give up its military strong points which formerly held their empire together.

But instead of increasing our military strength, we have reduced it. If my information is correct, we have disbanded three Army divisions, cut the personnel of others, and reduced some to the status of training units which are at the farthest removed from being combat ready.

To add to all this, we are pulling back units from Japan and the Pacific, while the Secretary of Defense proudly boasts that still further cuts will be carried out in the near future. This is in advance of any firm disarmament agreement with the Soviet Union or any built-in inspection or enforcement procedures.

To me and to many others, this seems a reckless dissipation of national strength in the face of increased commitments. We make pacts promising to protect people everywhere from aggression and in the same breath, we throw away the instruments by which alone we can make these pledges good. To the diplomacy of interventionism, we increasingly wed the military policy of isolationism.

I know the two replies which the defenders of our policy will make. The first is that because of the atomic and hydrogen bombs, the Strategic Air Command, and the 5,000- and 1,500-mile guided missiles which we can make, and, it is said, will shortly make, are so terrible that the threat of massive retaliation will be such that the enemy will not dare to commit aggression.

I grant that this factor will probably make a direct attack on Western Europe unlikely for some time to come. It may well deter Soviet Russia from a sudden air or missile attack upon us, since they will know that crushing reprisals will then be launched against them and that they will, therefore, have achieved only mutual destruction.

But what the Communists are instead most likely to attempt will be a series of localized, limited, and probing operations such as they tried and we checked in Greece, Turkey, and Korea but in which they were partially successful in Indochina. Such a drive can be camouflaged behind other peoples and through nationalist movements and street mobs. Consider Southeast Asia, for example. While South Vietnam is steady at the moment, Laos and Cambodia are certainly highly unstable. A fairly strong Communist push here would have a good chance of successfully taking over these two states. If this happened, South Vietnam would inevitably fall into Communist hands. Siam is certainly not stable, nor is Burma, the latter being one of the neutralist powers.

Nor are things much better in the Middle East. We are temporarily out of a bad situation in Jordan, and we now have Saudi Arabia on our side. But Syria and Egypt are drifting ever closer to Soviet Russia, while we have not heard the last of the Palestinian Arabs and the street mobs in Jordan. If violence starts here, or in Persia, or Iraq, or in Pakistan, and Russia and Russia's allies make probing attacks, what will we do? Let us remember that the British are not now a military force in this area and that we and our other allies will be alone.

If we use the big bomb, we will inevitably expand a local and limited war into an earth-shattering and world-destroying war of mutual annihilation. Faced with such a probability, we will certainly be reluctant to use the big bombs. This reluctance will be intensified by the fact that the use of the big bombs against the black, brown, and yellow peoples of the world will inevitably cause almost the entire billion and a half of these folks to go over to the other side and that if anything is left after the mutual destruction is over, Asia, the Middle East, and Africa will be on the other side.

The Russians have undoubtedly thought out all these factors and, therefore, I believe we may expect probing and limited attacks with Russia and China hiding behind local fronts as they did in Korea and Vietnam.

What is needed in these circumstances is a sufficient force in readiness, well equipped and trained, which can be rushed to crucial points which the Communists are either attacking or threatening to attack. The usefulness of such forces was well demonstrated last spring when the landing force of marines was sent to Beirut, Lebanon, at a time when it looked as though the anti-Western mobs would take over the neighboring country of Jordan.

It is the great merit of such military units that they can confine the use of force and violence to the areas where aggression is taking place and to the persons directly involved. By using conventional weapons, they can concentrate on their immediate objective without indiscriminately spreading death and destruction over the civilian population or upon those who are on the sidelines. The use of such forces is the best way to prevent a local and limited war from being expanded into a race-destroying major conflict. These forces are indeed like a surgeon's knife. They will cut out the diseased tissue from the body with the least possible damage to the surrounding parts.

And yet it is precisely this portion of our Armed Forces which is being slighted by the overwhelming emphasis being placed on so-called major deterrents namely, atomic and hydrogen bombs, the Strategic Air Command bombs, ballistic missiles, and so forth.

I submit that we need more of such well-trained forces in readiness—both army and marine—rather than less, and that these can be obtained without cost to the taxpayer—and indeed with savings to him—by cutting down on present wastes of men and money by the several branches of the Military Establishment.

There will be two objections to this conclusion. The first is that this need for such American forces can be avoided by building up the local armies, as we have done in Korea and Formosa, and plan to do in Japan.

I am, of course, in favor of building up the military strength of our allies, and I have demonstrated by my continuing support of the mutual security program. But this is not enough in itself. Slight shifts in the public opinion within these countries, or in court politics and personalities, may cause a shift in loyalties, and turn forces from allies into neutrals or opponents. Furthermore, new countries and untried local troops often lack self-confidence and are reluctant to stand up against monolithic police states such as Russia and China with their well-disciplined armies.

The people and the troops of the local states will, therefore, be vitalized, reinforced and aided if they know that behind and alongside of them are competent American forces. But if they know that these troops are far away and are being more and more reduced, it will be small wonder if they lose heart and decide that too heavy a share of the burden is being thrown upon them. That is likely to be the final result if we persist in our present policy.

But, it is asked, will not the use of tactical nuclear weapons avoid the necessity for more combat forces in readiness? If we equip our regiments and divisions with mortar and artillery shells which have nuclear warheads, can we not, it is asked, get along better with fewer men? I favor equipping most of our divisions with such weapons.

From the well-informed criticism of Atomic Energy Commissioner Murray, this process has—up to now—not gone very far. We, therefore, should not rely upon it before it comes into being.

Moreover—and I hope this will be considered very carefully—such a limited initial use of atomic and nuclear weapons to those forces which are immediately in opposition to ours is at best extremely dangerous at all times and in all places and would, in my judgment, be almost fatal in the areas between Casablanca and Hawaii. Even if employed on the European land mass against white troops, the use of even atomic hand grenades would tempt the other side to reply with atomic mortar fire, and for us to rejoin with atomic artillery. With atomic war ranging on a tactical scale, it would be almost inevitable for it to expand to the strategic level and not only the twilight but the full darkness of the gods would be upon us.

Just as the atomic bomb is now used to trigger off the hydrogen bomb, so would the tactical use of atomic and nuclear weapons tend to trigger off their strategic use against rear bases and the civilian populations of the countries opposed to us. Our military strategists should, therefore, realize that there are inevitable chain reactions in the fields of battle and of men's minds which should make us very reluctant to use atomic and nuclear weapons, unless an initial attack is committed against us.

But the reasons against their use in the very regions where the Communists are most likely to conduct their probing operations, namely, the presently neutral and uncommitted third of the world, are, to my mind, at least, overwhelming.

For while it is no more morally wrong to kill a uniformed opposing soldier in battle by atomic or nuclear weapons than it is by conventional bullets, grenades, and shells, for white troops to use such weapons against yellow, brown, or black men would almost inevitably touch off a race war and throw all these peoples into the Communist ranks.

We are already being heavily criticized for using the atomic bomb against the Japanese but not against the Germans, and the Communists are making unjustified headway with this propaganda among the so-called colored peoples of the world. It is, of course, unjustified because the atomic bomb had not been perfected before Germany surrendered, and it was not available and was not successfully tested until the Alamogordo explosion of July 1945.

Furthermore, President Truman's heart-rending decision to drop the bomb on Hiroshima was only made after military intelligence had informed him that the alternative was a military landing on Japan which would cost us 250,000 lives and the Japanese several times that number. This estimate may well have been wrong, as Admiral Zacharias has constantly maintained, but the President acted on the best information which was available to him and with a view to reducing the loss of life rather than increasing it.

But while all this is true, the colored peoples of the world are acutely conscious that the bomb was dropped upon yellow men. They are inclined to believe that it will be so used in the future;

and if and when it is, I predict a chain reaction of anger, race hatred, and revenge is likely to sweep over Asia, Africa, and the Near East, and possibly even to reach the Caribbean and our own country.

I submit, therefore, that to meet the Communist probing attacks—which are probably coming in the next decade—that we need both to have combat troops in readiness for a quick and effective action in the area where trouble is likely to occur, but these should use conventional and nonatomic and nonnuclear weapons.

Since the funds to equip these two additional divisions can be obtained by reducing the waste in the armed services, the only question which remains is whether the $500 million provided in the amendment will be adequate and whether the division between the Army and the Marine Corps is fair. Here it should be remembered that the personnel for these divisions will be drawn from excess members already employed in supply, personnel, and administrative functions, and from those squeezed out from the combat divisions by the use of the new weapons.

The new tables of organization of the Army provide for a total strength of 13,748 men, which is appreciably less than the number provided in the former tables of organization. Therefore if the 17 divisions are reduced in size in accordance with the new tables of organization, and if men can be squeezed out of the supply and administrative functions, as they most certainly can be, there will be an ample number of men left with which to set up the two combat divisions. There will probably be an excess and if the Defense Department had only the will to do so, they could set up four or more additional divisions. We need them and we should have them but I am most conservative in the reasons I am proposing.

There will, therefore, be no extra costs for pay or uniforms. Furthermore, the needed supplies can largely be drawn from the excess stocks which now bulge from the myriad supply depots which are scattered about the land. Since the total of operation and maintenance appropriations for the 17 Army divisions is set at $3.3 billion, or at an average yearly rate of slightly less than $200 million per division, it will be seen that an allowance of $250 million for each of the proposed divisions is most generous. For, as I have already mentioned, most of the supplies can be drawn from the huge existing stockpiles.

The fairest way of dealing with the inevitable rivalry between the Army and the Marine Corps over their relative shares in this expansion of combat forces, would be to allot them in proportion to their present combat strength. At a rough guess, this would probably mean that about five-sixths of the increase would go to the Army.

I hope that I have demonstrated the need and the way at once to reduce waste in our Military Establishment, greatly increase combat effectiveness in the places and areas most needed, and at the same time save half a billion dollars for the taxpayers.

Are not the only arguments against such a course the children of inertia and luxury and an undue concern for vested interests both in and out of the services?

I yield the floor, Mr. President.

Mr. DOUGLAS subsequently said: Mr. President, I ask unanimous consent that the statement I am about to make be placed at the conclusion of my main remarks on the Department of Defense appropriation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I send to the desk two amendments which have the same purpose, and ask that they be printed following the remarks which I am now about to make.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Depending upon the parliamentary situation when they are offered, the two amendments will each provide that the House figure as submitted to the Senate be approved, and that one-half of the Senate increase be given for the equipping and added expenses connected with the establishing of two additional combat divisions to be provided the Army and Marine Corps in proportion to their present strength, or roughly a little more than five-sixths going to the Army and a little less than one-sixth going to the Marine Corps.

One amendment is drawn on the assumption that the increases voted by the committee will be voted by the Senate; and therefore, this amendment is longer than the other one.

The other amendment is drawn on the alternative assumption that the figures voted by the House of Representatives will be voted by the Senate, and therefore the amendment provides for an increase of $500 million over the amount voted by the House of Representatives.

But I repeat that the purpose and effect of the two amendments is the same, namely, to increase by a total of $500 million the appropriations voted by the House of Representatives, and to earmark these sums for two additional combat divisions, but to provide that the total will be approximately $500 million less than the amounts provided by the Senate committee's version of the bill.

Mr. President, I send the amendments to the desk, and ask that they be printed and be made available for the debate tomorrow.

The PRESIDING OFFICER. The amendments will be received and will be printed.

Mr. CARROLL. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. I am glad to yield.

Mr. CARROLL. The Senator from Illinois has had a very long day, and I hesitate to detain him.

Mr. DOUGLAS. That is quite all right; I am glad to have the Senator from Colorado ask me questions.

Mr. CARROLL. The presentation the Senator from Illinois has made has been very helpful to me, at least, in connection with making up my mind about this very important bill.

I have no desire to tax the patience or stamina of the distinguished Senator from Illinois, but I should like to ask a question which may be helpful, particularly in that it may be read by Senators before passing on the amendments tomorrow. I observe that one of the amendments of the Senator from Illinois is for the purpose of restoring some of the cuts voted by the House of Representatives, as I understand.

Mr. DOUGLAS. That is correct; the purpose is to divide into two approximately equal parts the $1 billion increase voted by the Senate committee for the ordinary budgets of the various services. One part would be a decrease in the total appropriations carried in the bill as reported by the Senate committee; the other part would be earmarked for the financing of two combat divisions for use in the areas where limited war is likely to break out. I would like the amendments printed both in the RECORD and for distribution tomorrow when the bill will be acted upon.

Mr. CARROLL. On page 18 of the report, under the heading "Procurement and production," I notice that the bill as reported by the Senate committee calls for appropriations $583 million less than the amount of the budget estimates for 1958. Furthermore, in this case, the Senate committee has recommended a greater cut than that voted by the House of Representatives. However, I am wondering in what categories or for what appropriation items the Senate committee has voted increases.

Mr. DOUGLAS. That can be ascertained by reading the bill and the report. For example, in the case of the Department of the Army, for operation and maintenance the Senate committee recommends an increase of approximately $146 million.

Mr. CARROLL. With reference to the $146 million, would the amendment of the Senator from Illinois make a reduction back to the amount voted by the House of Representatives? That is what I have in mind.

Mr. DOUGLAS. That is correct.

In the case of Reserve personnel, the Senate committee voted to increase by $20 million the amount voted by the House of Representatives.

In the case of the Army National Guard, the Senate committee voted an increase in the amount of $40 million over the amount voted by the House of Representatives.

In the case of the funds for research and development, the Senate committee has voted for an increase in the amount of $8 million over the amount voted by the House of Representatives.

In the case of the National Board for the Promotion of Rifle Practice, the Senate committee has voted for an increase in the amount of $75,000 over the amount voted by the House of Representatives.

In the case of the Alaska Communication System, the Senate committee has voted for an increase in the amount of $500,000 over the amount voted by the House of Representatives.

Then the Senate committee has voted for a "paper" cut in the case of the appropriation for procurement and production. However, as I explained earlier this afternoon, the cut is not a real one, because it merely diminishes the cash balances for the Army stock funds.

Mr. CARROLL. So the real increase comes in the item for operation and maintenance, for which the Senate committee has voted an increase in the amount of $146 million; is that correct?

Mr. DOUGLAS. Yes, but that is where some of the greatest waste has occurred.

Mr. CARROLL. Will that amount be broken down?

Mr. DOUGLAS. The Senate committee has not furnished us with a breakdown, but merely has furnished us with its version of the bill and with its report on the bill.

Mr. CARROLL. I thank the Senator from Illinois.

Mr. DOUGLAS. Continuing, let me say that for the Department of the Navy, the Senate committee has voted for an increase of $12 million in the amount voted by the House of Representatives for military personnel of the Navy; and the Senate committee has voted for an increase of $1 million in the amount voted by the House of Representatives for Navy personnel, general expenses; and the Senate committee has voted for an increase of $4,600,000 in the amount voted by the House of Representatives for military personnel of the Marine Corps; and an increase of $300,000 in the amount voted by the House of Representatives for Reserve personnel, Marine Corps; and an increase of $4,500,000 in the amount voted by the House of Representatives for Marine Corps troops and facilities; and an increase of $100 million in the amount voted by the House of Representatives for naval aircraft and related procurement; and an increase of $15 million in the amount voted by the House of Representatives for naval aircraft and facilities; and an increase of $75 million in the amount voted by the House of Representatives for shipbuilding and conversion; and an increase of $3 million in the amount voted by the House of Representatives for ships and facilities; and an increase of $35 million in the amount voted by the House of Representatives for procurement of ordnance and ammunition; and an increase of $1,500,000 for medical care; $2 million for Navy civil engineering; $10 million for research and development; $6 million for servicewide supply and finance; and $1 million for servicewide operations, over the amounts voted by the House of Representatives; and the Senate committee has recommended other items of increase along the way; and it has voted for a large increase—in the amount of $280 million—above the amount voted by the House of Representatives for the Department of the Air Force, aircraft and related procurement; and the Senate committee has voted for an increase of $100 million above the amount voted by the House of Representatives for procurement other than aircraft, for the Air Force; and an increase of $12 million over the amount voted by the House of Representatives for research and development; and an increase of $131,873,000 over the amount voted by the House of Representatives for operation and maintenance of the Air Force; and an increase of $35 million over the amount voted by the House of Representatives for military personnel of the Air Force; and an increase of $2 million over the amount voted by the House of Representatives for Reserve personnel of the Air Force.

Those figures show the items for which the Senate committee has voted increases, and they indicate where the economies proposed by me, on the one hand, and, on the other hand, the increases in strength, would be distributed.

Mr. CARROLL. In other words, as I read the figures, the Senate committee has voted increases in the amount of $971,504,000 over the amounts voted by the House of Representatives.

Mr. DOUGLAS. That is the overall increase; but cuts of $87 million were made in the appropriations for the stock funds, thus still further decreasing the idle capital reserves in the case of stock parts. I would say in no sense are they decreased in bona fide operations; there will merely be a utilization of money already available. So, in effect, I think the increases in appropriations which have been voted by the Senate committee amount to well over $1,050,000,000; and that therefore the real economies, as compared with the budget estimates, will amount to only approximately $200 million.

Mr. CARROLL. But the difference, then, between the amounts voted by the House of Representatives and the amounts voted by the Senate committee is what?

Mr. DOUGLAS. It is admittedly $971,504,000; but I think that figure should be increased by $87 million of claimed economies. So I think the real difference is $1,058,504,000.

Mr. CARROLL. $1,058,504,000?

Mr. DOUGLAS. Yes.

Mr. CARROLL. I thank the Senator from Illinois.

Mr. DOUGLAS. I thank the Senator from Colorado, because he has brought out a very important point.

Mr. President, I yield the floor.

EXHIBIT 1

Intended to be proposed by Mr. DOUGLAS to the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, viz:

On page 8, between lines 11 and 12, insert the following:

"COMBAT UNITS

"For expenses incident to the arming, equipping, and supporting of combat units of the Army utilizing non-nuclear firepower; $425,000,000."

On page 14, between lines 13 and 14, insert the following:

"COMBAT UNITS, MARINE CORPS

"For expenses incident to the arming, equipping, and supporting of combat units of the Marine Corps utilizing non-nuclear firepower; $75,000,000."

On page 5, line 17, strike out "$3,123,000,000" and insert in lieu thereof "$3,113,000,000".

On page 8, line 4, strike out "$3,291,356,000" and insert in lieu thereof "$3,145,200,000".

On page 8, line 21, strike out "$217,000,000" and insert in lieu thereof "$197,000,000".

On page 10, line 2, strike out "$360,000,000" and insert in lieu thereof "$320,000,000".

On page 10, line 12, strike out "$400,000,000" and insert in lieu thereof "$392,000,000".

On page 10, lines 22 and 23, strike out "$300,000" and insert in lieu thereof "$225,000".

On page 11, line 6, strike out "$5,500,000" and insert in lieu thereof "$5,000,000".

On page 12, lines 17 and 18, strike out "$2,307,000,000" and insert in lieu thereof "$2,295,000,000".

On page 14, line 3, strike out "$88,000,000" and insert in lieu thereof "$87,000,000".

On page 14, lines 12 and 13, strike out "$634,600,000" and insert in lieu thereof "$630,000,000".

On page 14, lines 19 and 20, strike out "$23,500,000" and insert in lieu thereof "$23,200,000".

On page 15, line 18, strike out "$182,500,000" and insert in lieu thereof "$178,000,000".

On page 16, line 6, strike out "$1,912,000,000" and insert in lieu thereof "$1,812,000,000".

On page 16, line 16, strike out "$868,500,000" and insert in lieu thereof "$853,500,000".

On page 17, line 12, strike out "$1,609,000,000" and insert in lieu thereof "$1,534,000,000".

On page 18, line 1, strike out "$823,000,000" and insert in lieu thereof "$820,000,000".

On page 18, line 20, strike out "$211,000,000" and insert in lieu thereof "$176,000,000".

On page 19, line 6, strike out "$166,000,000" and insert in lieu thereof "$164,000,000".

On page 19, line 15, strike out "$86,700,000" and insert in lieu thereof "$85,200,000".

On page 20, line 2, strike out "$136,630,000" and insert in lieu thereof "$134,630,000".

On page 20, line 7, strike out "$505,000,000" and insert in lieu thereof "$495,000,000".

On page 20, line 21, strike out "$306,000,000" and insert in lieu thereof "$300,000,000".

On page 21, line 12, strike out "$108,000,000" and insert in lieu thereof "$107,000,000".

On page 22, line 8, strike out "$6,126,000,000" and insert in lieu thereof "$5,864,000,000".

On page 22, line 16, strike out "$1,246,500,000" and insert in lieu thereof "$1,146,500,000".

On page 23, line 1, strike out "$661,000,000" and insert in lieu thereof "$649,000,000".

On page 25, line 2, strike out "$4,193,993,000" and insert in lieu thereof "$4,062,120,000".

On page 26, line 16, strike out "$3,836,600,000" and insert in lieu thereof "$3,801,600,000".

On page 26, line 25, strike out "$57,000,000" and insert in lieu thereof "$55,000,000".

On pages 8, between lines 11 and 12, insert the following:

"COMBAT UNITS

"For expenses incident to the arming, equipping, and supporting of combat units of the Army utilizing non-nuclear firepower $425,000,000."

On page 14, between lines 13 and 14, insert the following:

"COMBAT UNITS, MARINE CORPS

For expenses incident to the arming, equipping, and supporting of combat units of the Marine Corps utilizing non-nuclear firepower; $75,000,000."

TEMPORARY APPROPRIATIONS, 1958

During the delivery of Mr. DOUGLAS' speech,

Mr. MANSFIELD. Mr. President, will the Senator from Illinois yield to me?

Mr. DOUGLAS. Certainly.

Mr. MANSFIELD. Mr. President, with the understanding that what is about to occur will appear at the end of the remarks of the Senator from Illinois, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senator from Arizona [Mr. HAYDEN] be recognized, for the

purpose of reporting a continuing joint resolution.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered; and the Senator from Arizona may proceed.

Mr. HAYDEN. Mr. President, from the Committee on Appropriations, I report, without amendment, House Joint Resolution 391, making temporary appropriations for the fiscal year 1958, and for other purposes; and I ask unanimous consent for the immediate consideration of the joint resolution.

Mr. SALTONSTALL. Mr. President, reserving the right to object—although I shall not object—let me say that I understand the joint resolution simply continues the appropriations for the Defense Department and other agencies such as the Department of Agriculture, Public Works, the Atomic Energy Commission, and the appropriations under the mutual security programs, the 1958 appropriations for which have not yet been made.

Mr. HAYDEN. Yes. As stated in the report of the House Committee on Appropriations, the resolution is of the usual type, in order to make provision for continuing in operation the functions of government for which annual appropriations for 1958 have not yet been enacted; and the joint resolution will continue them to the 31st of July only.

This joint resolution covers the following appropriation acts for the fiscal year 1958:

Department of Agriculture and Farm Credit Administration Appropriation Act; Department of Defense Appropriation Act; Public Works Appropriation Act; and also funds for the Housing and Home Finance Agency, Office of the Administrator, salaries and expenses; Export-Import Bank of Washington; Tennessee Valley Authority, direct appropriation activities; Atomic Energy Commission; administration, Ryukyu Islands; Small Business Administration; and mutual security programs.

The PRESIDING OFFICER. The joint resolution will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 391) making temporary appropriations for the fiscal year 1958, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona.

Mr. HOLLAND. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. HOLLAND. In the continuation of appropriations to cover the first month of the new fiscal year—in other words, the month beginning today—what rate is provided for?

Mr. HAYDEN. One-twelfth of the amount appropriated during the past fiscal year.

Mr. HOLLAND. Then am I correct in understanding that in the case of the agencies for which the Congress has voted for rather material cuts in appropriations, the effect of the cuts will be reduced, in that the appropriations will be continued at the same rate as for 1957, for at least one-twelfth of the new year?

Mr. HAYDEN. The joint resolution contains a provision covering that point. I read from paragraph (3) on page 2 of the joint resolution:

(3) Whenever the amount which would be made available or the authority which would be granted under an act listed in this subsection as passed by the House is different from that which would be made available or granted under such act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

Mr. HOLLAND. The rates there referred to are those on the basis of bills now pending, as passed by the House of Representatives and the Senate?

Mr. HAYDEN. Yes.

Mr. HOLLAND. I thank the distinguished Senator from Arizona.

Mr. SALTONSTALL. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. To elucidate further the point made by the Senator from Florida, I should like to ask the Senator from Arizona this question: His answer referred to the bills now pending; but there are several measures, such as those for mutual security and for the Atomic Energy Commission, for which no bill has been passed by either House.

Mr. HAYDEN. In those instances, the one-twelfth of the current rate would apply or the rate provided in the budget estimate, whichever is lower; or, if no budget estimate had been sumitted prior to June 30, 1957, at the current rate or in the amount or at the rate specified in the resolution.

Mr. HOLLAND. Mr. President, will the Senator from Arizona yield further to me?

Mr. HAYDEN. I yield.

Mr. HOLLAND. In other words, as to the agencies for which either the House or the Senate, or both, have passed appropriation bills for the fiscal year 1958, the rate stated by the Senator from Arizona will apply; in other words, the smaller or lesser amount as voted by either House shall be the measure against which one-twelfth shall be figured?

Mr. HAYDEN. That is correct.

Mr. HOLLAND. In the case of bills not yet passed or not yet considered by either House, such as the foreign aid bill and such as the military construction bill, the figure against which the one-twelfth shall be levied is the appropriation for fiscal 1957?

Mr. HAYDEN. In that event it will be the budget estimate or last year's rate, whichever is the lesser, or if no budget estimate had been submitted prior to June 30, 1957, at the current rate or in the amount or at the rate specified in the resolution.

Mr. HOLLAND. The budget estimate for this year, fiscal 1958?

Mr. HAYDEN. Yes.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. LAUSCHE. What will be the situation in the event the bill as finally passed provides for less than the budget estimate or less than the amount appropriated for 1957?

Mr. HAYDEN. There would be a possibility of some extra expense being incurred in the next 30 days, but it could not amount to very much and it would be charged against their regular appropriation when enacted.

Mr. LAUSCHE. I assume the administrative agency will recognize the fact that the amount of money allocated will be less than either the budget estimate or the amount granted for 1957.

Mr. HAYDEN. This is a situation that has happened in years past, and I have not heard any great complaint about it.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. HOLLAND. I thoroughly agree with the statement of the Senator from Arizona that there has not been much complaint in the past, but I do not recall any time, at least in the immediate past, when there has been such a continued effort to effect reductions such as we have seen in this Congress.

Mr. HAYDEN. If money were expended in the month of July at a rate greater than would be appropriated as the bill finally became law, the amount in excess would be taken off the amount allowed for the remainder of the year.

Mr. HOLLAND. Is that provision in the resolution?

Mr. HAYDEN. That is the provision in the law.

Mr. HOLLAND. Is that provision in the resolution as reported today, and which is now under consideration? If it is, it seems to me it answers completely our anxiety. As the Senator knows, we have not had the opportunity to see the joint resolution.

Mr. HAYDEN. I read section 103 of the House joint resolution:

SEC. 103. Appropriations and funds made available and authority granted pursuant to this act may be used without regard to the time limitations set forth in subsection (d) (2) of section 3679, Revised Statutes, and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

I think that covers the eventuality.

Mr. HOLLAND. I thank the Senator.

The PRESIDING OFFICER. Is there objection to temporarily laying aside the pending business and proceeding to the consideration of House Joint Resolution 391?

There being no objection, the Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The joint resolution is open to amendment.

If there be no amendment to be offered, the question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 391) was ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I wish to thank the Senator from Illinois for his unfailing courtesy in allowing us to take action on this very important joint resolution at this time.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HOUSING ACT OF 1957—CONFERENCE REPORT

During the delivery of Mr. DOUGLAS' speech,

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. DOUGLAS. I will yield with the understanding that any comments which the Senator may make, or any business which he wishes to transact, will appear in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. CLARK in the chair.) Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of June 28, 1957, pp. 10558–10564, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SPARKMAN. Mr. President, earlier in the year—in March and April—the Housing Subcommittee held hearings over a period of 11 days on some 20 bills referred to the subcommittee. Following completion of the subcommittee's deliberations, the House bill, H. R. 6659, was referred to the Banking and Currency Committee. When the Banking and Currency Committee had completed work on its bill, the House bill was taken up and amended by striking everything after the enacting clause and inserting the language of the Senate bill.

We have just completed three spirited conference sessions with the House Conferees, and have reached agreement.

Mr. President, I shall be very brief in making a few remarks about the conference report. It has already been agreed to by the House of Representatives, and the Senators who may have read the CONGRESSIONAL RECORD of Thursday last had the opportunity to see the statement on the part of the managers of the House. The House agreed to the conference report on Friday.

I ask unanimous consent to have printed in the RECORD a statement I have prepared showing the features of the report as agreed to by the conferees.

There being no objection the statement was ordered to be printed in the RECORD, as follows:

TITLE I—FHA INSURANCE PROGRAMS

Lower downpayments for sales housing

Of major interest to most Members of the Senate is the provision affecting the minimum downpayments which will be permitted if this conference report is adopted. Both House and Senate bills contained a new downpayment schedule for FHA's sales housing program. The House proposal would reduce downpayments to 3 percent of the first $10,000, 15 percent of the next $6,000, and 30 percent of the excess. The Senate downpayment schedule would reduce downpayments to 3 percent of the first $10,000, 10 percent of the next $6,000, and 30 percent of the excess. These schedules are compared with the present schedule, which is 5 percent of the first $9,000 and 25 percent of the excess. The Senate conferees receded on this point and agreed to accept the House language.

The following chart indicates the differences between the House and Senate bills and the present downpayment schedule.

Minimum downpayments required for 1-to-2-family owner-occupant properties with FHA-insured loans.

Appraised value	Current FHA statute (5 percent of 1st $9,000 of appraised value; plus 25 percent of excess)		Conference report (3 percent of 1st $10,000 value, plus 15 percent of next $6,000 plus 30 percent of excess)	
	Amount	Percent	Amount	Percent
$5,000	$250	5.0	$150	3.0
$6,000	300	5.0	180	3.0
$7,000	350	5.0	210	3.0
$8,000	400	5.0	240	3.0
$9,000	450	5.0	270	3.0
$10,000	700	7.0	300	3.0
$11,000	950	8.6	450	4.1
$12,000	1,200	10.0	600	5.0
$13,000	1,450	11.2	750	5.8
$14,000	1,700	12.1	900	6.4
$15,000	1,950	13.0	1,050	7.0
$16,000	2,200	13.8	1,200	7.5
$17,000	2,450	14.4	1,500	8.8
$18,000	2,700	15.0	1,800	10.0
$19,000	2,950	15.5	2,100	11.1
$20,000	3,200	16.0	2,400	12.0
$21,000	3,450	16.4	2,700	12.9
$22,000	3,700	16.8	3,000	13.6
$23,000	3,950	17.2	3,300	14.3
$24,000	4,200	17.5	[1] 4,000	16.7
$25,000	[1] 5,000	20.0	[1] 5,000	20.0

[1] Reflects maximum insurable mortgage of $20,000.

Both House and Senate amended the FHA section 203 (1) program for low-cost housing in outlying and rural areas. The Senate amendment, the more liberal of the two, decreased the minimum downpayment to 3 percent and increased the maximum loan to $8,000. This amendment was adopted by the conferees. In line with the action taken to reduce the FHA downpayment schedule for sales housing, both bills contained language which would also reduce the downpayment schedules for FHA section 222 servicemen's mortgage insurance program so as to bring this program into conformity with other FHA sales housing programs. On this item, the Senate amendment prevailed. This amendment includes a provision retaining the present maximum loan amount of $17,000 and retaining the present 5 percent minimum downpayment, except where the minimum downpayment would be less than 5 percent under the amended downpayment schedule applicable to sales housing under FHA's section 203 (b).

The Senate amendment, following a recommendation of the administration, provided that the FHA Commissioner prior to authorizing the lower dawnpayments as mentioned above shall determine that they are in the public interest, taking into account (1) the national economy and conditions in the building industry, and (2) the availability of GI loans. The House had no comparable provision and the Senate amendment prevailed.

The House bill provided that, effective January 1, 1958, claims paid to a lender under the FHA title I home improvement loan program would be final and incontestable after 2 years from the date the claim was certified for payment by the FHA in the absence of fraud or misrepresentation. A similar provision was contained in the Senate amendment with an additional safeguard to the effect that if a demand for repurchase of the obligation has been made by the United States prior to the expiration of the 2-year period, the claim payment would not be final or incontestable. On this item, the House receded and the Senate language is contained in the bill.

Another Senate amendment authorizes the FHA Commissioner to add an additional $1,000 per room under the FHA section 207 rental housing program in high-cost areas without regard to the number of rooms per unit. At present, this high-cost area allowance may be made only if the unit has four or more rooms. The House having no comparable item receded and accepted the Senate language.

The House also receded and agreed to a Senate amendment not contained in the House bill affecting the insurance of mortgages on housing owned by the Federal Government or a State or municipality and being sold to private citizens. At the present, the FHA may insure these mortgages under the terms of sections 203, 207, and 213. This Senate language would also permit insurance under section 222 with respect to sale of these government-owned properties.

Another provision contained in the Senate amendment but not in the House bill would authorize FHA to furnish the home buyer with an estimate of replacement cost where the mortgage is based on replacement cost in lieu of the statement of appraised value as now required. The House receded and the Senate language is contained in the bill as approved by the conferees.

As most Members of the Senate know, the Senate amendment contained an expanded section 221 program, which would have provided a more liberal FHA mortgage insurance program for moderate-income families, minority families, elderly persons, and others in addition to the displaced families presently covered by section 221. This much-needed program was adopted by the Senate committee, passed by the Senate, but opposed by the administration. The House bill had no such feature and after a most strenuous attempt on the part of the Senate conferees, the House prevailed and the language was deleted from the bill. I note with interest, however, a paragraph in the statement made by the House conferees to the effect that Members of the House committee have reached an agreement that its Housing Subcommittee should give further study to the housing needs of all income groups next year. This statement is intended to imply that consideration will be given to some such program as section 221 during the next session of Congress.

The Senate during floor debate added an amendment to the bill as reported by the committee which would give discretionary authority to the FHA Commissioner to establish maximum sales prices as a condition of eligibility for FHA insurance on homes insured under section 203 (b) (sales housing). The House had no comparable provision and the Senate receded so that this particular amendment is not contained in the bill now before the Senate.

TITLE II—FEDERAL NATIONAL MORTGAGE ASSOCIATION

Secondary market operations

The Senate amendments contained a provision proposed by Senator BEALL and added on the floor which would have authorized FNMA to purchase Government-insured or guaranteed mortgages above the present FNMA limit of $15,000 if those mortgages originated in areas declared by the Federal Housing Commissioner to be high-cost areas. The House conferees objected to this amendment and the Senate receded. It is not contained in the bill.

The Senate also receded on another provision relating to the amount of FNMA stock which a mortgage seller must purchase under FNMA's secondary market operations. Under present law, FNMA can increase without limit the amount of stock to be purchased by a mortgage seller. The only restriction contained in the present law is that the stock purchase cannot be less than 1 percent of the outstanding mortgage amount. The stock purchase requirement at present is established by regulation at 2 percent. The House amendment would set a maximum stock purchase requirement of 2 percent and retain the minimum at 1 percent. The Senate receded on this provision and the language as described above is contained in the bill.

The House bill contained a provision increasing the capitalization of FNMA's secondary market operations by $125 million. Inasmuch as FNMA's borrowing authority is based on a 10-to-1 ratio of its capital and surplus, this amount would increase FNMA's borrowing authority by $1.25 billion, bringing its total mortgage purchase authority to approximately $2.85 billion. The similar provision in the Senate amendment would have incensed FNMA's capitalization by only $50 million, thereby increasing FNMA's borrowing authority by $500 million, and making FNMA's total mortgage purchase authority approximately $2.1 billion. The conference adopted a substitute which provides for an increase in capital stock of $65 million in the aggregate. Under the 10-to-1 ratio, FNMA's borrowing authority is thereby increased by $650 million, bringing its total mortgage purchase authority to approximately $2.25 billion.

Another compromise was achieved with respect to the provision contained in both House and Senate bills limiting the maximum amount of FNMA's secondary market obligations which the Secretary of the Treasury may acquire. This authority, now limited to $1.35 billion, would have been increased to $2.85 billion by the House bill, and to $1.7 billion by the Senate amendment. The compromise agreed upon by the conferees will limit this Treasury "backstop" authority to $2.25 billion.

Special assistance functions

The House bill would have required FNMA to purchase special assistance mortgages at par without a time limitation. The Senate amendment would have continued for 1 additional year the present requirement that FNMA purchase special assistance mortgages at not less than 99 percent of par. The compromise agreed to by the conferees authorizes purchase at par from the date of enactment until August 7, 1958.

The Senate amendment limited the fees and charges which FNMA may assess on special assistance mortgages to a maximum of 1 percent—to be paid one-half at the time of commitment and the balance at the time of delivery. The House bill had no comparable provision. The conference substitute provides that FNMA must fix a limit on the fees and charges permitted, but increases the maximum to 1½ percent. No more than one-half of the total fees may be charged at the time of commitment and the balance at the time of delivery.

The Senate amendment contained a provision extending the benefits of any increase in purchase price or the reduction of fees and charges on special assistance mortgages on which commitments had been entered into after March 31, 1957. House conferees would not accept this provision and the Senate receded. It was deleted from the bill.

The House bill had no provision authorizing additional FNMA funds for purchase of special assistance mortgages insured under section 213 of the National Housing Act (cooperative housing mortgages). The Senate provision on this subject authorized an additional $100 million, increasing the total authorization to $200 million for purchases by FNMA of these mortgages. Of the total authorization, $50 million is made available solely for commitments of purchases of mortgages where the cooperative is certified by the FHA as a consumer cooperative. Commitments in any one State shall not exceed $20 million, and within the State limit commitments shall not exceed $15 million outstanding at any one time for mortgages which are not certified as consumer sponsored, leaving a minimum of $5 million within each State for mortgages which are certified as consumer sponsored.

In addition to increasing and allocating moneys made available under this section, the conferees agreed to delete from the statute the words "consumer sponsored" and insert in lieu thereof "consumer cooperative." This amendment is made necessary by reason of the fact that very few, if any, cooperatives are actually consumer sponsored. For example, a group such as a labor union or, as in one case, a group of United Nations employees may band together to produce housing for their personal use. The individual cooperatives having no skill in the formation of a cooperative or the preparation of FHA applications, etc., may utilize experts who do have such knowledge. In this event, while the group may be a consumer cooperative, in that the members themselves will eventually own and occupy the dwelling units constructed as a result of their efforts, they may not, under certain circumstances, be classified as a "consumer-sponsored cooperative." The amendment as advocated by the Senate conferees and agreed to by the conference committee should eliminate the possibility of difficulty over the meaning of these terms.

The House bill provided an increase from $200 million to $500 million in the amount of FNMA's special assistance funds available to purchase mortgages insured under FHA's title VIII military housing program. The comparable provision in the Senate amendment would have increased this revolving fund from $200 million to $400 million. The substitute as agreed to by the conferees provides for an increase of $250 million or an increase from the present total of $200 million to a total of $450 million. Seven and five-tenths percent of this total or $33.75 million is reserved for the purchase of mortgages insured under FHA section 809 (housing for essential civilian workers at research or development centers). Inasmuch as about $10 million has already been utilized for the purchase or commitments to purchase section 809 mortgages, there will be a total of approximately $23.75 million available for additional purchases of FHA section 809 mortgages.

The Senate amendment contained a provision which would have authorized FNMA to make construction loans where these loans are FHA-insured and where FNMA has issued a commitment for permanent financing. These construction loans would have applied only to FHA-insured mortgages on rental property, cooperative property, and military housing projects. (Fees and charges for this new FNMA service would have been limited to 1 percent.) The House had no comparable provision and would not agree to the Senate language. The Senate receded and this provision is not contained in the bill as agreed to by the conferees.

The House bill contained a provision which would have changed the formula for computing the amount which FNMA must pay to the Secretary of the Treasury in lieu of Federal income taxes on profits made in its secondary market operations. The Senate refused to accept this amendment, the House receded, and the amendment is not contained in this bill.

TITLE III—SLUM CLEARANCE AND URBAN RENEWAL

Both House and Senate bills contained provisions increasing the present $900 million capital grant authorization. The House would have added an additional $250 million on July 1, 1957, and the Senate an additional $250 million in each of the years 1957 and 1958. The compromise agreed to by the conference committee increases the additional authorization to $350 million, but limits it to 1 year only.

The Senate provided an alternate formula as recommended by the administration for computing the amount of Federal grants that may be paid to communities to defray the cost of a slum clearance and urban renewal program. Under the new formula, the Federal share would be three-quarters of a reduced new project cost, instead of two-thirds of the present net project cost. This amendment is designed to eliminate some of the redtape and difficulties which local communities have had in initiating urban renewal projects and should result in no additional financial burden for the Federal Government. A community is entitled to utilize either the old formula or the new formula as it wishes. On this item, the House receded and the amendment was agreed to by the conferees.

The Senate amendment also contained a provision not in the House bill increasing the maximum amount of capital grants which may be made to any one State under the slum clearance and urban renewal program from 10 to 15 percent. The conference substitute provides that the maximum per State cannot exceed 12½ percent of the total funds authorized.

Both House and Senate bills contained a provision authorizing relocation payments to individuals and families of fixed amounts in lieu of actual moving expenses. In no case may such payments exceed the present statutory maximum of $100. The Senate amendment in addition increased maximum relocation payments to business concerns from $2,000 to $3,000. The conference substitute reduced this amount to $2,500.

The Senate eliminated the requirement that an urban renewal plan must contain an indication of the relationship of the plan to local objectives respecting land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements; but inserted a requirement that the plan be consistent with such objectives. The House conferees receded on this point and the provision is contained in the conference bill.

The Senate authorized a local public housing agency which is also the local public agency for slum clearance and urban renewal to provide space in public housing administration buildings at an economic rent for the performance of urban renewal functions. No comparable provision was contained in the House bill. The conference substitute follows the Senate language.

The Senate amendment authorized an additional exemption to the predominantly residential test now applicable to slum clearance and urban renewal projects. Under this provision, capital grants for nonresidential development, including the development of blighted residential areas (presently authorized under existing law) and redevelopment of commercial and industrial areas (newly authorized by this amendment) would be limited to 7.5 percent of the total grant authorization. Following objections of the House conferees to this amendment, the Senate receded and the amendment is not included in the conference bill.

TITLE IV—PUBLIC HOUSING

Low rent housing

The Senate took to the conference this year five provisions relating to low-rent housing which were designed to improve the program. The House brought one provision which would have restricted the program. The Senate conferees persuaded the House to recede on its restrictive provision and to adopt 3 out of the 5 provisions in the Senate amendment. I believe that these three new provisions in the public housing program will materially strengthen it.

First, the Senate amendment contained a provision which would increase income exemptions for admission to, and continued occupancy of low-rent housing. These increases are essential to bring the income tests for public housing up to date and in line with the current housing needs of low-income families.

Second, the conference adopted a provision, not in the House bill, raising the per room cost limits from $1,750 to $2,000 for regular units, and from $2,250 to $2,500 for elderly persons units.

Third, a provision was adopted requiring public housing plans and specifications to follow the principle of modular measure in every case deemed feasible. The principle of modular measure is steadily gaining wide acceptance in the construction field. Last year, the Housing Act provided for the application of this principle to military housing, and it is a step in the right direction to apply it to public housing construction.

The two Senate provisions which were not adopted by the conference were: One which would have permitted overincome tenants to remain in public housing if adequate housing were not available in the locality, and the other would have eliminated the workable program requirement from existing law.

Finally, the Senate persuaded the House to recede on a severely restrictive provision in its bill which would have limited public housing to projects needed solely for relocation purposes.

Disposal of war housing

The House adopted four Senate provisions which would dispose of war housing projects located in Connecticut, Nevada, Louisiana, and Utah.

TITLE V—MILITARY HOUSING

The conference report extends the military housing program for an additional year from June 30, 1958 until June 30, 1959. This item was identical in both the House bill and the Senate amendment.

Two major issues were in conference. A Senate provision would have permitted the principal obligation of a title VIII mortgage to exceed the replacement cost of the property, so long as the bid of the eligible bidder was in a reasonable relationship to such cost. The Senate receded on this item.

It also receded on a House provision which modified the statutory formula for negotiating a purchase price of Wherry Act housing. The provision in existing law which sets forth an allowance for physical depreciation as one of the factors in negotiating the price is eliminated and in its place there would be an "appropriate allowance representing the estimated cost of repairs and replacements necessary to restore the property to sound physical condition.

TITLE VI—MISCELLANEOUS

College housing

The House bill contained a provision increasing the interest rate on college housing loans. No comparable provision was included in the Senate amendment. The House receded to the Senate on this item, leaving unchanged the present formula for computing the college housing interest rate.

An additional $175 million was added to the college housing loan authorization, raising the ceiling from the present $750 million to $900 million. Of the increased authorization, $25 million is earmarked for loans to hospitals to provide housing for student nurses or interns, which constitutes a new category made eligible for this program by this year's bill. In addition, State hospital dormatory authorities were made eligible to borrow from the college loan fund.

A provision in the Senate amendment to the bill extending the program to divinity schools was eliminated.

Farm housing research

Both the House bill and the Senate amendment contained a provision for a 2-year program of farm housing research. The research would be done by land-grant colleges and would aim to develop new methods and designs toward the end of stimulating the construction of farm housing, which is woefully inadequate.

The conference adopted the House provision which authorizes $300,000 a year for each of the fiscal years 1958 and 1959 to support the program.

Exchange of data

The conference followed the language of the Senate amendment which authorizes the HHFA Administrator to exchange data relating to housing and urban planning and development with other nations where he regards such an exchange beneficial to his programs.

Voluntary home mortgage credit program

Both the House bill and the Senate amendment provided for the extension of the voluntary home mortgage credit program. The Senate amendment would have extended the program for 3 years, the House bill for 2 years and 1 month, until July 31, 1959. The conference adopted the House language.

Discount control

Both versions of the bill contained a provision authorizing control of discounts on FHA and VA mortgages. This is a problem which has received a great deal of attention this year, but which is most difficult to solve. The conference adopted the best features of both versions and drafted a substitute, which generally follows the language of the House bill, but applies discount controls to VA-guaranteed as well as FHA-insured mortgages, and deletes the requirement in the House bill for a mortgage credit study to precede the implementation of the statute.

The conference substitute directs both the FHA and VA to stipulate reasonable ceilings on charges, fees, and discounts, taking into account geographic factors and other factors affecting the type and quality of the mortgage security. It also requires a lender's certification of compliance as a condition of eligibility for FHA insurance or VA guaranty.

I believe that the conference substitute is a workable provision, and if administered diligently by the housing agencies, will go a long way toward eliminating discount abuses.

Urban planning grants

The conference report adopted the provision in the Senate amendment under which the HHFA could make urban planning grants to official governmental planning agencies to areas threatened with rapid urbanization by the establishment or expansion of Federal installations.

Mr. SPARKMAN. Mr. President, it may have been noted that the total amount in the House provision was far higher than that in the Senate version. The conferees agreed on a total figure about halfway between the Senate and House versions.

Because of the considerable interest in cost of the housing bill, I have prepared a table on new obligational authority proposed by the Senate bill, the House bill, and the bill as approved in conference. I ask unanimous consent that the table be printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

New obligational authority, Housing Act of 1957

(In millions)

	Senate	House	Conference
FEDERAL NATIONAL MORTGAGE ASSOCIATION			
Secondary market operations:			
Increase in preferred stock	$50	$125	$65
Increase in Treasury lending authority	350	1,500	900
Special assistance:			
Presidential authority	150	150	150
Cooperative housing (sec. 213)	100	------	100
Military housing (title VIII)	200	300	250
Moderate income and elderly (sec. 221)	75	------	------
Urban renewal grant fund	250	250	350
College housing loan fund	175	150	175
Farm housing research	(1)	(1)	(1)
Total	1,350	2,475	1,990

[1] Less than $1 million.

Mr. SPARKMAN. Of course, as is usual in conferences, not all the things the Senate wanted were obtained in the final result. I am sure that the conferees from the House would make a similar statement. The conference report represents a compromise between the two bodies.

As a matter of fact, there were some items in the bill as it passed the Senate in which I was very greatly interested, but which I was unable to get through the conference. I have in mind particularly the effort which was made by many of us—and approved by the Senate—to provide some kind of housing relief for the lower or moderate income people. Notwithstanding the insistence and the steadfastness of a majority of the conferees from the Senate, we were unable to have that amendment agreed to, merely because the House had not considered any such legislation, and the House conferees thought it was asking too much to ask them to take it back to the House and have the House agree to it, in the absence of some study of the subject.

The managers on the part of the House included in their report mention of this item, with the assurance that the subject would be studied, looking toward some kind of legislation to help the lower income people in next year's housing bill. I hope we shall keep our attention turned in that direction. I have already asked the staff to pay particular attention to some kind of program which

would permit this great segment of the people of this country to enjoy an equitable opportunity to own a decent home, in decent surroundings, in which to house their families and rear their children, in order that they may have some opportunity to share in the great overall housing program.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. SPARKMAN. I am delighted to yield to the distinguished Senator from Indiana.

Mr. CAPEHART. I congratulate the able Senator from Alabama, chairman of the Subcommittee on Housing of the Banking and Currency Committee. I think he has done a fine job, and that, everything considered, the bill as it comes from conference is a good bill. I think the conference report should be agreed to.

Mr. SPARKMAN. I appreciate the remarks of the Senator from Indiana. I, too, think it is a good bill. That does not mean that it represents everything I would like to have in it, or everything anyone else would like to have in it. However, I think it is a good bill. I express my appreciation to the Senator from Indiana and to every other member of the subcommittee. They worked hard and did an excellent job in formulating the measure, managing it on the floor of the Senate, and handling it in conference.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. SALTONSTALL. I understand that the conference report is signed by all but one member of the Senate conferees, but that he is ill.

Mr. SPARKMAN. My understanding is that every member of the Senate conferees signed it. I am now told that the Senator from Ohio [Mr. BRICKER] did not sign.

Mr. SALTONSTALL. It is my understanding that he does not wish to be heard on the conference report.

Mr. SPARKMAN. He said nothing about holding it up.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. REVERCOMB. Was any change made with respect to downpayments?

Mr. SPARKMAN. There was very little difference between the House and the Senate on that item. The Senate provided for 3 percent on the first $10,000; 10 percent up to the next $6,000; and 30 percent beyond. The House provided percentages of 3, 15, and 30. That was the only difference; and the conferees accepted the House language.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SPARKMAN. I am very glad to yield to the distinguished Senator from Pennsylvania.

Mr. CLARK. I should like briefly to state for the RECORD that, as a member of the conference committee, I signed the report, with grave hesitation and a good deal of regret. In my judgment, this is not a very good housing bill. It is better than no bill at all; and because it is better than no bill at all, I felt compelled to sign the conference report.

In my judgment, the glaring defect in this housing bill is the same glaring defect which has existed in all housing bills passed by the Congress ever since 1952. It does not provide housing for the people who really need housing, but it provides housing for those who, in all likelihood, could get it anyway.

The public-housing provisions of existing law are, in my judgment, completely inadequate. Two of the five amendments to the public housing law which would at least to some extent have improved the situation with respect to public housing were eliminated in conference.

The bill makes no provision whatever, as the distinguished Senator from Alabama has said, for housing for moderate income individuals. I wish the Senator from Alabama had been in Philadelphia over the weekend. The Philadelphia Inquirer, our leading daily newspaper, carried an account on the front page pointing out that 1,000 families had been ejected from public-housing units in the city of Philadelphia during the past few years, because their income had reached the point where they could no longer remain there. In almost all instances they went back to the slums from which they had come, because there was no moderate income housing for them to move into.

Mr. SPARKMAN. I think the Senator has mentioned a matter which should be mentioned, and which I tried repeatedly, during the consideration of the bill in the Senate and in the conference, as the Senator well knows, to point out.

When we establish a public-housing program under our present system, we virtually tie certain people to those public-housing units. We do not encourage them to try to build up their incomes so as to make them ineligible to continue in the housing. There is a reason for that. There is no adequate housing for them to move into.

The Senator may recall that I told the conferees about being in my own hometown during the Easter vacation, and seeing some section 221 housing. I was told that it was the first in that area, and probably the first in the United States to be completed.

First I saw a house out of which a family had moved, in a slum area, where the houses were all being demolished, under an urban renewal project. This one house had been left standing because it typified the houses in that area. The director of the Housing Authority said to me, "I want to show you where this family lived in the slums, and then I want to take you over and show you the section 211 house into which it has moved."

The contrast is simply unbelievable. It is almost inconceivable. I saw the head of the family which had moved into the new home. It was an inspiring thing to see the pride in that man because he had been able to make the transfer from a slum area, where, by the way, he had owned his own home. It was not a case of rental. However, he had done the best he could. He and his family moved into a section 221 house, a house which he never could have provided under his own steam. If it had not been for some such program as this, he would not have been able to move into it.

The remarkable thing to me was a statement the housing director made. He said, "The people in the nearby public housing project, seeing this type of house, which a person of limited means can afford, are doing everything they can to build up their income to the point where they will not be eligible to live there any longer, in order that they may have an opportunity to obtain this kind of house."

There is a catch in the law, however. Under the law as it now stands, they do not have an opportunity to obtain that kind of housing, because that kind of housing was provided only for persons who are dislocated by reason of governmental action. All we were trying to do by section 116 was to extend the operation of section 221 so that the type of persons I have described might have some opportunity to buy a decent home, in decent surroundings, and call it his own.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SPARKMAN I yield.

Mr. CLARK. The Senate should know of the valiant fight made by the distinguished Senator from Alabama in support of moderate-income housing. What now seems like a long time ago indeed, when the subcommittee, headed by the Senator from Alabama, was considering moderate-income housing, and when he tried to get a broad gage moderate-income housing provision written into the bill, we lost by a close vote.

The Senator from Alabama then sponsored a somewhat more modest request, and we were able to put it through, with the assistance of the Senator from Illinois and other Senators. We carried it to the full committee. My recollection is that it was cut down. We brought it to the Senate floor, and it was cut down again. We took it to conference, and it was wiped out.

During that entire time the Senator from Alabama fought like a tiger for this necessary addition to our housing legislation. I am delighted to hear him say today that the fight is not over, and that next year we will fight again.

Mr. President, had it not been for the $350 million appropriated for urban renewal and slum clearance, I would not have signed the conference report. In my judgment a housing bill should be a bill for the benefit of all the people, not merely for the benefit of the people in the upper income bracket and the home builders.

I will say to my distinguished friend from Alabama that I have nothing against the home building industry or the builders themselves. Long may they prosper. They ought to have their situation improved, because our country needs 2 million new homes, and fewer than 1 million homes are being provided at the present time.

I thank the Senator from Alabama for yielding to me.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. SPARKMAN. I shall be glad to yield in a moment. First I wish to express my appreciation for the remarks of the Senator from Pennsylvania. I share with him the disappointment over the bill not being a better bill. However, there is one thing I learned a long time ago, and that is that legislation must be a compromise, because it must represent a meeting of minds, not only a meeting of minds of Senators, but also a meeting of minds between Senators and Members of the House of Representatives.

Furthermore, I have seen measure after measure which was worked on year after year, eventually become law. Therefore, I try not to be impatient. With one exception I believe I have signed every conference report on housing legislation. I have seen a steady improvement in such legislation. At least I like to think that we have been steadily improving the situation. What we must do is to constantly try to improve it.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CAPEHART. Mr. President, only a moment ago I praised the Senator from Alabama and other Senators for what they did in connection with the measure now before the Senate. It is a good bill. However I must say one thing in connection with it, because the able Senator from Alabama referred to the fact that a housing bill should cover everyone.

We do have a housing bill that covers everyone. The trouble does not lie with the housing bill. The section to which he refers, which was eliminated in conference, had to do with the number of years in which a purchaser had to pay for his home.

Otherwise there was nothing different about that particular section and other sections. I am in sympathy with everything the Senator from Alabama has said and what he has been trying to do. However, the trouble is that the selling price of even the cheapest house today, when divided into monthly payments over a period of 25, or 30, or 40 years, makes the monthly payments around $75 to $100 a month. That is on the cheapest house. We had testimony before our committee that the cheapest house costs 11 or 12 thousand dollars. There may be a few that can be built to sell for $9 thousand.

Therefore, if we consider the downpayment of even the cheapest house, with a modest interest rate of 4 percent or 5 percent, and divide the total into equal monthly payments over a 40-year period, the payments run to about $75 or $100 a month. Therein lies the trouble. It is not the proposed legislation before us. Neither does the bill have any effect on the desire of Senators to help people with low income get a new house. All of us want people in the low-income groups to be able to buy new homes.

However, to do so, it will be necessary, first, to solve the problem of finding a way to build a house to sell for $5,000, and at the same time give everyone a little profit, including the builder and the real estate man, and everyone else concerned. That is the problem which must first be solved. It cannot be solved unless the taxpayers are asked to subsidize such construction to the extent of perhaps 3 or 4 or 5 thousand dollars on every house. We are working on it, of course. As Senators know we wrote into the committee report the statement that we wanted to continue to work on the subject, and we will continue to work on it. However, the problem is one of cost.

There is nothing wrong with the conference bill. If someone can construct a $5,000 house, on which FHA will guarantee the mortgage under present terms for 25 years, at 4½ or 5 percent interest, the moderate income people will be able to buy a low-priced house. Until that problem is solved, I do not know how such people will be able to get new homes. The average man we have in mind in that connection has the ability to pay around $40 or $50 a month. That is the kind of man who would buy that type of house.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CLARK. I suppose it is only a woman who always wants to get the last word. I shall not try to have the last word, but I wish to say that the Senator from Indiana and the Senator from Alabama and I have been engaged in this argument ever since the early part of this year. I do not believe we will ever settle it on the floor of the Senate or elsewhere. I should like the RECORD to show, however, my profound respect for the point of view of the Senator from Indiana and my profound disagreement with both his mathematics and his philosophy.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ELLENDER. The Senator from Alabama will remember that in the early part of the year my colleague and I talked to him about housing at various Army camps.

Mr. SPARKMAN. One in particular was badly in need, and that was Fort Polk.

Mr. ELLENDER. Yes. That prompted us to introduce a bill. I understand that provision has been made for FNMA loans——

Mr. SPARKMAN. Purchases.

Mr. ELLENDER. Purchases; yes, to the extent of a quarter of a billion dollars. Is that correct?

Mr. SPARKMAN. An increase of $250 million to permit FNMA to purchase mortgages on military housing.

Mr. ELLENDER. That of course, I presume, would apply to places at which a request was made for such sums.

Mr. SPARKMAN. That is true. I recall quite well the situation at Fort Polk. Not only was there need for housing, but the commitment had already been made. A letter of intent had been issued.

Mr. ELLENDER. The Senator will recall that the money assigned to Camp Polk was used somewhere else. That was the reason for our introducing a bill on that subject.

Mr. SPARKMAN. Yes. The Senator is correct. There are adequate funds in the bill to meet that situation. There is enough money to take care of it during the coming year.

Mr. ELLENDER. I thank the Senator.

Mr. SPARKMAN. Mr. President, I shall bring this discussion to a close; but I should like to say to the Senator from Indiana that of course there can be no disputing his statement about the increase in the cost of housing. We all acknowledge that. However, the purpose of the program we were trying to establish was to try to put the incentive, the emphasis, on housing, trending toward lower cost rather than toward higher cost.

There are many places throughout the ccuntry—and this is something a great many people might not believe—where housing can be built for $8,000. There are many other places where housing can be built for $9,000 or $10,000. A person having a $4,000 income can afford a $10,000 house. But unless it is possible to have that type of housing built, unless it is possible to offer some kind of incentive to the builders to build that type of housing, and to FNMA to buy that type of mortgage on the market, such housing simply cannot be built.

It is fairly easy to have high-cost housing built, housing in the price range from $15,000 to $30,000 or $35,000. For that type housing, in the higher brackets, the conventional money market is available, and that is where most of that type of housing is handled. For housing in the range from $15,000 to $25,000, FHA insurance can be procured.

But no one seems to care about the lower priced housing, the only type of housing which the person having a low income can afford. When I say "low income," I am really speaking of an income which only a few years ago would have been considered a pretty high income. But a person who earns from $4,000 to $6,000 today finds it difficult to buy housing.

Mr. President, we must not rest until we can find some way, if we intend to continue the Federal housing program, to give assistance in the housing field; some way to make it possible for the people in the lower income bracket, those who earn from $4,000 to $6,000 a year, to enjoy an equitable opportunity to have a decent home, in decent surroundings, something which we stated in 1949 was the right of every American family to look forward to.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks a summary of the Housing Act of 1957. I believe Senators will find it helpful in analyzing the bill.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

HOUSING ACT OF 1957—SECTION-BY-SECTION ANALYSIS

TITLE I—FHA INSURANCE PROGRAMS

Lower downpayments for sales housing

Sections 101 and 102: Decreases minimum downpayment under FHA's section 203 sales-housing program, and under FHA's section 220 urban-renewal housing program, to 3 percent of first $10,000, 15 percent of next $6,000, and 30 percent of excess. Also increases the maximum loan under section 203 (i) to $8,000.

Section 103: Retains present 5-percent minimum downpayment except where the downpayment under section 203 (b) (as amended by the bill) would be lower. Retains present maximum loan amount.

Section 104: In establishing the lower downpayments provided in the bill the FHA Commissioner shall determine they are in the public interest, taking into account (1) the national economy and conditions in the building industry, and (2) the availability of GI loans.

Other provisions relating to FHA insurance programs

Section 105: Amends title I (home improvement) law to establish a 2-year statute of limitations on FHA claims.

Section 106: Repeals section 203 (d) of the National Housing Act, an obsolete provision pertaining to insurance of mortgages on farm properties.

Section 107: Amends section 204 of the National Housing Act to authorize the FHA to permit certain mortgage expenditures on foreclosed property, and to terminate payment of insurance premiums when application for insurance claim debentures is filed.

Section 108: Amends sections 204 (d), 207 (f), and 803 (f) in order to delegate obsolete provisions fixing maximum interest rates on FHA debentures.

Section 109: Permits the high-cost area allowance ($1,000 per room) to be applicable without regard to the number of rooms in the unit in FHA's section 207 rental housing program.

Section 110: Increases from $8,100 to $8,400 maximum mortgage amount per family unit for FHA section 207 elevator structures for elderly. Adds a special provision to make clear that single persons as well as families are eligible for occupancy.

Section 111: Repeals section 207 (q), an obsolete FHA cooperative housing provision.

Section 112: Applies provision waiving insurance premium to FHA sections 213, 220, 221, and 222 mortgages.

Section 113: Includes FHA sections 221 and 222 mortgage funds in the FHA section 219 provisions permitting transfer of insurance funds.

Section 114: Amends section 223 of the National Housing Act to include section 222 (Servicemen's Mortgage Insurance) among the specified sections (presently secs. 203, 207, and 213).

Section 115: Amends section 226 of the National Housing Act to authorize FHA to furnish the home buyer with its estimate of replacement cost, where a mortgage is based on replacement cost, in lieu of the statement of appraised value now required.

TITLE II—FEDERAL NATIONAL MORTGAGE ASSOCIATION

Secondary market operations

Section 201: Amends section 303 (b) of the National Housing Act relating to the amount of FNMA stock which a seller must purchase under FNMA's regular secondary market operations. Under present law FNMA can increase without limiting the amount of the required stock purchase; the only restriction is that it cannot be less than 1 percent of the outstanding mortgage amount. By regulation the requirement is currently 2 percent. The amendment made by this subsection would establish the maximum stock purchase requirement at 2 percent and retain the minimum at 1 percent.

Section 202 (a) and (b): Increases capitalization by $65 million, thereby increasing FNMA's borrowing authority by $650 million.

Section 203: Increases to $2.25 billion (now $1.35 billion) the maximum amount of FNMA's secondary market operation obligations which the Secretary of the Treasury can acquire.

Special assistance function

Section 204: Amends section 305 (b) of the National Housing Act to require that FNMA purchase special assistance mortgages at par until August 7, 1958. In addition, FNMA's fees and charges on special assistance mortgages would be limited to a maximum of 1½ percent.

Section 205: Amends section 305 (c) of the National Housing Act to increase from $200 million to $450 million the amount of purchases and commitments of special assistance mortgages subject to the discretion of the President, and to delete the presidential authority to use $100 million for the purchase of participation loans.

Section 206: Increases from $100 million to $200 million the special assistance revolving fund for the purchase of FHA section 213 cooperative housing mortgages. Would reserve $50 million for consumer-cooperatives. The present limitation of $10 million on outstanding commitments per State would be increased correspondingly to $20 million of which $5 million is reserved for consumer-cooperatives.

Section 207: Increases the title VIII (military housing) revolving fund from $200 million to $450 million and earmarks up to 7.5 percent of the fund for mortgages insured under section 809, which relates to sales housing for essential civilians at military research and development centers.

TITLE III—SLUM CLEARANCE AND URBAN RENEWAL

Section 301: Increases the present $900 million capital grant contract authorization by $350 million.

Section 302: Amends the Housing Act of 1949 to establish an alternate formula for computing Federal capital grants. Three-quarters of a reduced net project cost instead of two-thirds of present net project cost.) City can elect which formula to use.

Section 303: Amends section 106 (e) of the Housing Act of 1949 to increase from 10 percent to 12½ percent the proportion of urban renewal capital grant authorization that can be allocated to one State.

Section 304: Amends section 106 (f) of the Housing Act of 1949 to permit the Urban Renewal Administrator to establish maximum payments for moving expenses up to $100 without requiring proof of the actual costs of such expenses by individuals and families. Increases the maximum relocation payments to business concerns from $2,000 to $2,500.

Section 305: Amends section 110 (b) of the Housing Act of 1949 to permit a local community to indicate in a submission separate from the urban renewal plan, the relationship between the urban renewal plan and overall local planning objectives. As now worded, this provision requires this relationship to be indicated in the urban renewal plan.

Section 306: Amends section 110 (d) of the Housing Act of 1949 to extend to slum clearance projects under the 1949 act, the provision now applicable to urban renewal projects under the 1954 act, whereby the estimated costs of facilities offered as noncash grants-in-aid shall be deemed actual costs, if the construction of these facilities is not complete (and actual costs not known) at the time of final disposition of land in the project area.

Section 307: Amends section 2 (5) of the United States Housing Act of 1937 to permit a local public housing agency to furnish administrative facilities to the local urban renewal agency, at economic rent, in localities where the same agency administers both programs.

TITLE IV—PUBLIC HOUSING

Low rent housing

Section 401 (a): Increases income exemptions for admission to and continued occupancy of public housing. For families seeking admission to public housing, the exemption would be $100 for each adult or minor dependent with no income, and up to $600 of the income of each member of the family other than the principal wage earner. For families desiring to continue occupying public housing, the exemption would be either $100 or all or any part of the annual income for each minor of the family, $100 for each adult dependent member of the family having no income, and up to $600 of the income of any other member of the family other than the principal wage earner. (The present exemptions are: For admission, $100 for each minor member of the family; for continued occupancy, $100 or all or any part of the annual income of each such minor.)

Section 401 (b): Raises the per-room cost limits from $1,750 to $2,000 for regular units, and from $2,250 to $2,500 for elderly persons units.

Section 401 (c): Requires public housing plans and specifications to follow the principle of modular measure in every case deemed feasible.

Disposition of war housing projects

Section 402 (a): Extends until December 1, 1957, the time in which war housing project CONN-6029 may be sold to the Housing Authority of Wethersfield, Conn.

Section 402 (b): Authorizes and directs the HHFA, within 3 months, to sell and convey housing project NEV-26021 to the Housing Authority of Las Vegas, Nev., for the price of $452,200. A downpayment of 5 percent would be required at closing and the balance (secured by mortgage) would be paid over a 20-year period at an interest rate of 4½ percent.

Section 402 (c): Directs HHFA to convey to the State of Louisiana war housing projects LA-16011 and LA-16012, for the price of $300,000 payable in 3 equal annual installments, provided the first such installment is paid within 60 days after enactment of this provision.

Section 402 (d): Authorizes and directs HHFA to sell war housing project UTAH-42015, known as Verdeland Park, to the city of Layton, Utah, for the price of $580,000 (without any downpayment) under a mortgage payable over a 10-year period at 4½ percent interest, provided conveyance is made within 90 days.

TITLE V—MILITARY HOUSING

Section 501: Amends section 803 (a) of the National Housing Act to extend the military housing program for 1 year, from June 30, 1958, until June 30, 1959.

Section 502: Makes the statutory maximum average of $16,500 per family unit for title VIII housing applicable to each project rather than each mortgage.

Section 503: Technical amendment eliminating the reference in existing law to specifically named statutes dealing with net floor area limitations, and providing instead that such limitations for title VIII housing shall be the same as those generally prescribed (at the time plans and specifications are begun) for appropriated fund housing.

Section 504: Eliminates "allowance for physical depreciation" as one of the factors used in determining the purchase price of Wherry Act housing acquired under the 1956 Housing Act, as amended, and substitutes "appropriate allowance representing the estimated cost of repairs and replacements necessary to restore the property to sound physical condition."

TITLE VI—MISCELLANEOUS

College housing

Section 601 (a): Increases the college housing loan authorization to $925 million, which would include $25 million for loans to hospitals for housing student nurses or interns.

Section 601 (b): Amends section 404 (b) of the Housing Act of 1950 to permit HHFA to make college housing loans to (1) hospitals for dormitories for student nurses or interns, and (2) State authorities established to construct dormitory facilities for schools within a State university system.

Voluntary Home Mortgage Credit Program

Section 602: Extends the Voluntary Home Mortgage Credit Program until July 31, 1959.

Farm housing research

Section 603: Provides for a 2-year program of farm housing research, and authorizes $300,000 in each of the fiscal years 1958 and 1959 for grants.

Exchange of data

Section 604: Directs HHFA Administrator to exchange with other nations data relating to housing and urban planning and development, where he deems such an exchange beneficial to the programs of the HHFA.

Discount control

Section 605: Requires the FHA Commissioner and the VA Administrator to issue regulations relating to the control of discounts on Government-supported mortgages.

Urban planning grants

Section 606: Authorizes HHFA to make urban planning grants to official governmental planning agencies for areas threatened with rapid urbanization by the establishment or expansion of Federal installations.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 45. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.;

S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.;

S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation;

S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended;

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from insurrectos during 1899–1903;

S. 1396. An act to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing, equipment, or other permanent improvement of public buildings at the capital of said State;

S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, and other permanent improvements of public buildings at the capital; and

S. 1606. An act to amend the Sockeye Salmon Fishery Act of 1947.

The message also announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con Res. 22. Concurrent resolution to print for the use of the Senate Committee on the Judiciary additional copies of the "Internal Security Annual Report for 1956;"

S. Con. Res. 26. Concurrent resolution to print additional copies of the report entitled "The International Petroleum Cartel;" and

S. Con. Res. 30. Concurrent resolution to print a compilation of studies and reports on the foreign aid program.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 5189) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes, and it was signed by the President pro tempore.

DEFENSE DEPARTMENT APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

Mr. MORSE. Mr. President, will the Senator withhold that suggestion for the moment?

Mr. MANSFIELD. I withhold it.

Mr. MORSE. Mr. President, I should like to ask a few questions of the distinguished Senator from New Mexico [Mr. CHAVEZ], the chairman of the subcommittee.

The Senator will recall that several weeks ago I wrote to him about progress toward a single military purchasing catalog, as called for in Public Law 436 of the 82d Congress. The Senator will recall that I was the Senate sponsor of the single catalog law. I sent to the Senator from New Mexico documents prepared by Colonel Kelley—a Reserve officer who has followed this subject for several years—to be used during the hearings, and I know the Senator from New Mexico made use of those documents. I shall ask permission later that the documents be incorporated in the RECORD as a part of my remarks.

The American Legion, supported by the United States Chamber of Commerce, has been contending for some time that Public Law 436 has been flagrantly ignored, and that if it were followed by the Defense Establishment, billions of dollars could be saved in military purchasing. I wondered if the chairman could advise the Senate what the status is, first, with respect to the action of the Department of Defense on the complaints by the American Legion and the United States Chamber of Commerce, and others, who allege, at least, that there is great waste in military purchasing.

Second, I should like to have the Senator's advice as to whether or not he believes the situation which I think needs to be corrected should be handled through a channel other than the Committee on Appropriations, because it involves, perhaps, legislative problems and, if so, should be referred to the Committee on Armed Services.

Mr. CHAVEZ. We considered within the committee an amendment proposed by the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Illinois [Mr. DOUGLAS], and myself to create positions for civilian agents who would do the purchasing for the Department, especially the purchasing of standard goods, common-use items. The committee decided it would be better to enact legislation covering the matter and, therefore, it would be well to introduce a bill to carry out the idea. But nothing was done, so far as the amendment to which I have referred was concerned.

If the Senator will turn to page 744 of the hearing, his letter begins at the bottom of that page. Following his letter the record of the hearings contain comments by the Army, on page 745, as follows:

ARMY COMMENT ON LETTER FROM SENATOR MORSE

Progress in the Federal catalog program has been reviewed and reported annually by the Military Operations Subcommittee of the Committee on Government Operations, House of Representatives. The latest review was made January 30–31, 1957. On February 4, 1954, this subcommittee conducted a hearing on allegations, similar to those made in the letter inserted in the RECORD by Senator ELLENDER, and report of the hearing was published by the Committee on Government Operations.

In other words, notwithstanding the letter of my good friend from Oregon, the catalog still is not completed.

Mr. MORSE. I thank the Senator from New Mexico. Certainly he has made the legislative record for this debate. I serve notice on the Military Establishment today, from the floor of the Senate, that this is not a dead issue.

I am accustomed to the brushoff that we get from the Defense Establishment to the effect that another review report has been filed. At least, they ought to save the paper.

Mr. CHAVEZ. Including the nine sheets of copies.

Mr. MORSE. They ought to save the paper. They ought to go to work and save for the taxpayers of the Nation the millions of dollars which could be saved if the procedure of the law were followed, namely, to establish a single purchasing catalog system forthwith. We have waited since 1952 for this kind of saving by the Defense Establishment.

Mr. CHAVEZ. There is no particular reason why, as to standard brands of usable products, the Army should have a purchasing agent, the Navy a purchasing agent, the Air Corps a purchasing agent, and the Marine Corps a purchasing agent. I agree with the Senator from Oregon.

Mr. MORSE. It is inexcusable waste. I do not know of anybody who has

greater familiarity with it than has the present occupant of the White House. In my judgment, he has a responsibility, which I do not think he has been carrying out, to bring to an end this kind of waste. I would have him tell his military colleagues at the Pentagon Building to start following the law which is on the books and to bring about for the taxpayers this saving which is long overdue. The military officials in the Pentagon Building are guilty of inexcusable waste in regard to their purchasing practices.

I agree that the Committee on Appropriations can do no more than to raise the question, but I intend to continue my endeavor to bring about this economy. So I want the Pentagon officials to know that, so far as the senior Senator from Oregon is concerned, this is not a dead issue; I do not intend to let it sleep. I intend to keep it an aroused issue, because the American people are entitled to have the law carried out to its letter.

Mr. CHAVEZ. I agree 100 percent with the Senator from Oregon. I agree with him when he says that the condition is wasteful. Thirty-four billion dollars is a lot of money. It is as much as the cost of all the other departments of the Government.

Knowing Government operations, as I think I do to a certain extent, there must be considerable waste. One thing that the Committee on Appropriations can do is to try to hold back appropriations, which is the only thing the Department of Defense—or any other Department, for that matter—understands. In many instances, I have almost come to the conclusion that the only way to save money is by not making an appropriation. But we have a terrific responsibility in the matter of national security.

I assure the Senator from Oregon that in this instance, on both sides of the aisle, a real effort was made to give the Department of Defense what was actually needed, without jeopardizing the national security. But we did not give them any money to go pheasant hunting in South Dakota.

Mr. MORSE. I thank the Senator from New Mexico.

Mr. President, in order to save time I shall read only one telegram and then ask unanimous consent to have certain other material on this matter be printed in the RECORD.

Public Law 436 is the direct result of a very able study which was made by the Grants Pass Post, No. 28, of the American Legion some years ago. They first called the waste in the military establishment to my attention by a resolution which they passed. We proceeded, then, to make an investigation. I had the assistance, I may say, of some very able leaders in the veterans' organizations, including the American Legion. I was then a member of the Committee on Armed Services. The committee held extensive hearings and the RECORD shows that the bill I offered was enthusiastically passed by the Senate. If it were enforced, it could result in the savings of millions of dollars of the taxpayers' money. This is the telegram I received from the commander of the American Legion post at Grants Pass, Oreg., under date of April 5, 1957. He really deserves the credit for the passage of the law in the first place:

You might bring to the attention of the President and the Congress that if the single catalog authorized in Public Law 436 in 1952 had been used there could have been reductions in the Federal budget of $5 billion without hurting any essential program. This law was the result of a resolution initiated by the Grants Pass Post of the American Legion in 1950.

ARTHUR VAN WALK,
Commander, Grants Pass Post, No. 28, the American Legion.

Mr. President, I ask unanimous consent to have printed at this point in my remarks excerpts from other correspondence I have received dealing with this subject matter. I give the Senate assurance that I will include all the material on this particular matter, excluding only the material which does not deal with it, and personal comments which deal with subject matter other than this particular problem.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

ST. THOMAS, V. I.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: • • • You may recall me as the Assistant to the Secretary of Defense who wrote the original Public Law 436 and the American Legion catalog bill that you introduced in the Senate. I came to the Virgin Islands a year ago as Comptroller of the Virgin Islands Corporation, an agency of the Department of Interior, but have since resigned from the Government.

My interest in military cataloging and the interest of those who have fought for so many years for a single catalog is still undiminished. I have kept in close touch with the current situation and it is clear that the present administration is not only failing to carry out the intent and provisions of Public Law 436, but is destroying all the work that was done during and after the war. The trouble is that since Jack Anderson left the House, there has been no one in either Chamber who has had the time or the interest to keep in touch with the program.

Such a program involving savings, according to official estimates, of over 4 billions of dollars annually might be of interest to you. Should you care to undertake the following up of this program, you would have behind you all of the American people, every veterans' organization, including the American Legion and Reserve Officers Association. As you may recall, I am the military cataloging consultant for both of these organizations and Gen. STROM THURMOND, newly elected Senator from South Carolina, is the president of ROA and is on the American Legion committee having jurisdiction of the military cataloging program.

Most of the progress that has been made in military cataloging and supply, including the passage of Public Law 436, can be traced to your own State of Oregon. I was asked to write a catalog resolution in 1950 for the Grants Pass (Oreg.) Chapter of the American Legion; this resolution eventually was approved by the department of Oregon and by the national convention of the American Legion. When I wrote the original draft of the bill for Public Law 436, I followed the Grants Pass resolution. Thus, in fighting for a program so important to the American people, you are more specifically fighting for an Oregon program.

You did such a wonderful job on Public Law 436 that I hope you will renew your interest. I shall be only too glad to help you.

Sincerely yours,
W. A. KELLEY,
Colonel, Signal Corps Reserve.

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., December 4, 1956.

Hon. WAYNE MORSE,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: During the 82d Congress we appealed to you for help in getting legislation placed on the statute books covering what is known as the one-catalog supply system in the Pentagon.

You were good enough to introduce, at our request, S. 3023. This bill was somewhat similar to H. R. 7045, which became Public Law 436 of the 82d Congress, same having been approved by the President on July 1, 1952.

While indications are that the authorities in the Pentagon have made some progress, it has not been anything near like what it should be.

I am taking the liberty of enclosing a copy of Resolution 283 adopted at our 1956 national convention urging the adoption of the single supply catalog system.

If, in your good judgment, you feel there is enough law on this problem now on the statute books, I would thank you to advise me accordingly. It may well be that the problem is well covered by law but not being administered as effectively as it should be to carry out the spirit of Public Law 436 of the 82d Congress.

In the event you feel, after such investigation, if any, as you may care to make on the subject, there is need for additional legislation, we would be very happy to have you introduce same.

I know that you are very much interested in this problem, and if this law were properly administered it could save the Government millions and millions of dollars.

I would be very happy to receive any comments or suggestions you may have to offer in connection with this matter.

With kindest personal regards, and many thanks for your always fine cooperation, I am,

Sincerely yours,
MILES D. KENNEDY,
Director.

RESOLUTION 283, ADOPTED AT 1956 NATIONAL CONVENTION OF THE AMERICAN LEGION HELD IN LOS ANGELES, CALIF., SEPTEMBER 3-6, 1956

Committee: National security.
Subject: Urge adoption of a single supply catalog system.

Whereas the requirements of an adequate single supply catalog system for our Armed Forces have not been attained as previously called for by the American Legion: Now, therefore, be it

Resolved, by the American Legion in national convention assembled in Los Angeles, Calif., September 3-6, 1956, That it reaffirm our 1950 resolution which became Resolution 610 as adopted by the 1950 national convention at Los Angeles, and since reaffirmed at each succeeding national convention and we call for additional legislation as may or shall be necessary and appropriate to accomplish the purpose of this resolution.

APRIL 10, 1957.

ARTHUR VAN WALK,
Commander, Grants Pass Post, No. 28, American Legion, Grants Pass, Oreg.:

Reur wire I have written Chairman CHAVEZ of Defense Subcommittee of Senate Appropriations Committee, asking that progress of

Defense Department toward establishing single catalog be explored during hearings on Defense budget. Appreciate your vigilant interest, and will continue to depend upon your help in achieving this reform.

Regards,
WAYNE MORSE.

APRIL 11, 1957.

JOHN A. TURNER,
Grants Pass, Oreg.:

Reur wire have contacted Senate Appropriations Subcommittee on Defense appropriations regarding single military catalog. Will also direct Kelley report to its attention. Appreciate your help in effort to accomplish this reform.

Regards,
WAYNE MORSE.

GRANTS PASS, OREG., *April 9, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

You can obtain from the office of national commander, American Legion, copy of report on Federal catalog program made to the President by White House Consultant, Col. W. A. Kelley dated July 20, 1956. Copies were made available to national convention of Legion last September. This report proves present program is a deliberate fraud.

JOHN A. TURNER.

THE AMERICAN LEGION,
NATIONAL SECURITY COMMISSION,
INDIANAPOLIS, IND., *April 23, 1957.*

Hon. WAYNE L. MORSE,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR WAYNE: Miles Kennedy, director of the national legislative division of the American Legion, has sent me a copy of his letter to you of April 10 together with a copy of your letter to Senator CHAVEZ, relative to the single supply catalog for the armed services.

Also, I have your wire to Arthur Van Walk, commander of Grants Pass Post, No. 28, which initiated that program in the Legion. This is to advise you that attention will be given this matter at the sessions of the National Security Commission to be held in Washington, April 25-27, and noting that you are not leaving the Capital during this week, I will endeavor to establish contact with you either this week or Monday or Tuesday of next week. Your continued interest in this matter could be extremely valuable to consummation of the program.

I wish to compliment you upon the very clear presentation in your letter of April 8 to Senator CHAVEZ. In line with this letter, Grants Pass Post, No. 28, last night adopted another resolution on the subject, two copies of which are enclosed herewith.

Very truly yours,
NIEL R. ALLEN.

THE AMERICAN LEGION,
GRANTS PASS POST, No. 28.

"Whereas reduction of the Federal budget presently is a major concern of Congress; and

"Whereas the directive of Public Law 436 of the 82d Congress, that the Defense Department develop a single catalog for procurement by all the services is not being complied with; and

"Whereas it is estimated by responsible sources, and was a finding of the first Hoover Commission that the Federal budget could be reduced by a figure ranging up to $5 billion without damaging any essential program, if the single supply catalog were in use:

"Now, therefore, Grants Pass Post, No. 28, of the American Legion, reiterates its call for a single supply catalog for the armed services as set forth in its original resolution on the subject which became Resolution 610 of the 1950 National Convention of the American Legion and which annually has been renewed as American Legion policy, and which could be made effective under Public Law 436 of the 82d Congress; and it is further

"*Resolved*, That the Subcommittee on Defense Department Appropriations, of the Senate Appropriations Committee, is respectfully petitioned to investigate whether proper progress is being made to that end by the Defense Department and to set up a means of exercising congressional oversight of the Department's efforts to carry out the intent of the law."

The foregoing resolution was adopted at a regular meeting of Grants Pass Post, No. 28, this 22d day of April 1957.

ARTHUR M. VAN WALK,
Commander.

Attest:
JACK VINCENT,
Adjutant.

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., April 10, 1957.

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MORSE: Permit me to thank you sincerely for your thoughtfulness in sending me a copy of your letter of April 8, 1957, to Senator CHAVEZ, as chairman of the Subcommittee on Defense Department Appropriations, relative to the one catalog program in the Department of Defense.

We are grateful to you for your continuing interest in a single military catalog. I again want to thank you for having sponsored the bill which became Public Law 436 of the 82d Congress. I have continued to remind our people of your splendid help on that occasion when we picked up the problem after the Hoover Committee had started it and then let the matter drop.

We feel that if this law were properly administered, a great amount of money could be saved as the result thereof.

With kindest personal regards, I am
Sincerely yours,
MILES D. KENNEDY,
Director.

Resolution adopted April 27, 1957, by national security commission and recommended for adoption by national executive committee of the American Legion, meeting May 1-2 at Indianapolis:

"Whereas reduction of the Federal budget presently is a major concern of Congress; and

"Whereas the directive of Public Law 436 of the 82d Congress that the Defense Department develop a single catalog for all the services has not been compiled with; and

"Whereas it is estimated by responsible sources that the Federal budget could be reduced by a figure ranging up to $5 billion without damaging any essential program, if the single supply catalog were in use.

"Now, therefore, the American Legion reiterates its call for the single supply catalog for the armed services called for by Public Law 436 of the 82d Congress approved July 1, 1952; and it is further

"*Resolved*, That the Congress is respectfully petitioned to investigate whether proper progress is being made to that end by the Defense Department and to set up appropriate means such as a 'watch dog committee' to exercise a direct and continuing oversight of the Department's efforts to carry out the intent of the law."

UNITED STATES SENATE,
COMMITTEE ON PUBLIC WORKS,
April 15, 1957.

Hon. WAYNE MORSE,
United States Senate,
Washington, D. C.

DEAR SENATOR MORSE: Thank you for your letter of April 8 relative to the directive of Public Law 436 of the 82d Congress which provides that the Defense Department develop one catalog for procurement by all the services, which you say is not being complied with.

I am forwarding your letter with a copy of this reply to Mr. Francis Hewitt, of the Appropriations Committee, who works with me on the military appropriation bill, requesting that he call it to my attention when the hearings commence.

With regards, I am,
Sincerely,
DENNIS CHAVEZ,
United States Senate.

APRIL 8, 1957.

Hon. DENNIS CHAVEZ,
Chairman, Subcommittee on Defense Department Appropriations, Senate Appropriations, Committee, United States Senate, Washington, D. C.

DEAR SENATOR: It has been indicated to me recently that the directive of Public Law 436 of the 82d Congress that the Defense Department develop one catalog for procurement by all the services is not being complied with. The Grants Pass Legion Post sent me the attached telegram, expressing the view that the Federal budget could be reduced by $5 billion this year without damaging any essential program, if the single military catalog were in use.

It has been a long-standing recommendation of the American Legion that a single catalog system be adopted by the Defense Department. Initiated by the Grants Pass Legion Post in 1950, the proposal was then endorsed by the Oregon department and by the American Legion's national convention. A single military catalog was also a major recommendation of the first Hoover Commission.

I sponsored the necessary legislation in the Senate to effectuate this reform, and companion legislation was sponsored in the House of Representatives by former Congressman Jack Anderson of California. It became Public Law 436 of the 82d Congress, a copy of which is attached.

Your subcommittee will soon be reviewing the budget request for the Defense Department, and I believe that the extent of adherence to a single catalog by the Department, and its progress in establishing it, is a subject that might be looked into. A substantial saving in the operation of the Department could protect the military outlays essential to our defense from unwarranted cuts, and could also protect expenditures in the public interest in other departments and agencies. I think your subcommittee will also agree that having enacted Public Law 436 upon the recommendation of the Hoover Commission for the purpose of saving the taxpayers' money, as well as for advancing the efficiency of the Defense Department, Congress is obliged to exercise oversight of the Department's efforts to carry out the intent of the law.

I would hope that this aspect of the operation of the Defense Department and of its budget might be explored fully by your subcommittee in the course of its forthcoming hearings.

With kindest regards.
Sincerely,
WAYNE MORSE.

MAY 15, 1957.

The Honorable DENNIS CHAVEZ,
Chairman, Subcommittee on Defense Department Appropriations, Senate Appropriations Committee, United States Senate, Washington, D. C.

DEAR SENATOR: In connection with our earlier correspondence about the single military catalog, I am sending you separately two reports prepared by Col. W. A. Kelley on the degree of compliance with Public Law 436 of the 82d Congress. This material

will be useful to Mr. Hewitt of the subcommittee staff and to subcommittee members in considering defense appropriations.

With kindest regards.

Sincerely,

WAYNE MORSE.

SENATOR MORSE REPORTS TO OREGON, APRIL 1957

One of the most important savings that can and should be made is in military purchasing by the Defense Department. The first Hoover Commission strongly recommended a single catalog to be used by all the military services for procurement of military supplies and equipment. The American Legion Post of Grants Pass, Oreg., urged that it be adopted, and the State and national conventions of the American Legion later endorsed the proposal. And the Grants Pass Post deserves great credit for this proposal for economy in the military.

• • • • •

In 1952, I sponsored legislation in the Senate directing the Defense Department to develop a single catalog system, and it became law in the 82d Congress. The testimony offered in support of my bill showed that adoption of the single catalog would probably result in savings of over $4 billion a year.

Recently it has appeared that the Defense Department has not progressed as rapidly as it should toward putting this directive into effect. Frankly it has been dragging its heels, and I have asked the Senate Appropriations subcommittee on defense expenditures to explore this aspect of the Department's request for funds.

Mr. MORSE. Mr. President, I think the Senate has an obligation in the year immediately ahead to ascertain what has happened to Public Law 436, so far as its administration by the Pentagon officials is concerned. I announce today that at an early date I shall take up this matter with the chairman of the Committee on Armed Services.

Mr. MANSFIELD. Mr. President, I should like to address a question to the Senator from New Mexico. Am I to understand that on the basis of the moneys appropriated to the Marine Corps for the next fiscal year, the Marine Corps will be able to maintain its statutory floor of three combat-sized divisions and three air wings?

Mr. CHAVEZ. The Marines themselves testified to that effect.

Mr. MANSFIELD. And it was the intend of the Appropriations Committee and, by that token, the intent of the Senate and the Congress, that the moneys appropriated shall be sufficient to maintain the statutory floor of the Marine Corps, namely, 3 combat-size divisions and 3 combat air wings.

Mr. CHAVEZ. Let me say to the Senator from Montana that not only was that the intention, but the Marine Corps is one branch of the Defense Department which had the sympathy of the committee as a whole. The committee voted for the Marine Corps appropriations in the amount of the budget estimate. The Marine Corps was the only one for which the committee voted appropriations in the amount of the full budget estimate.

Mr. MANSFIELD. Mr. President, I appreciate the statement of the Senator from New Mexico, because I have in mind the law which has set the floor for the Marine Corps at 3 combat-size divisions and 3 combat air wings.

Mr. CHAVEZ. I am very glad the Senator from Montana has called that matter to my attention, because it was my hope that by means of the debate had this afternoon, the Senate would make crystal clear that what it has in mind, in making that appropriation, is to have 3 full divisions of the Marines and 3 Marine air wings, and thus carry out the law.

Mr. MANSFIELD. I thank the Senator from New Mexico.

FISCAL YEAR 1958 MILITARY BUDGET

Mr. SYMINGTON. Mr. President, I have had the pleasure of listening with interest to the distinguished senior Senator from Illinois [Mr. DOUGLAS], as he raised many problems incident to the operations of the Department of Defense and the three military services.

In many cases his criticism of the efficiency of the services are justified.

In private business there would not be the extended waste found under the present planning and programs of the three services, because any bank or business which tried to operate under said planning and programs, which have in recent years been characteristic of the Department of Defense, would long since have gone bankrupt.

Mr. President, the Senate is now considering the proposed military budget for the fiscal year 1958.

There are many who believe the Korean War would never have been forced upon us if the Free World had not so heavily, and unilaterally, reduced is military strength.

After the start of the Korean war, the percentage of America's gross national product placed into major security expenditures began to grow rapidly. From 4.5 percent in the fiscal year 1950, it rose to 6.8 percent in 1951, 12.7 percent in 1952, and 13.8 percent in 1953.

When the present administration came into power, however, despite the lesson of Korea, it immediately began again to reduce our defense effort. In 1954, the percentage of the gross national product expended for defense dropped to 12.7 percent; in 1955, it went to 10.4 percent; and in 1956, it dropped further, to 9.8 percent.

It should be noted that in 1953, when we were using nearly 14 percent of our income for defense, the United States had virtually an atomic monopoly. Today, however, we have no such monopoly; and yet we have now cut our expenditures for security to less than 10 percent of our gross national product.

These reductions have been made despite our ever-increasing worldwide commitments. To the heavy obligations we already had in such countries as Korea, Formosa, Indochina, West Germany, and the other NATO countries, we have now added the heavy new obligation incident to the Eisenhower doctrine for the Middle East.

These reductions have also been made despite the known heavy increase in military strength of the Soviet and Chinese Communists.

To reduce our relative military strength under these conditions works against the best interests of all people who desire to remain free, as the men and women of Hungary would be the first to verify.

These reductions have been laid down as established policy, at a time when this country is richer, and therefore enjoys a better standard of living than any country has ever enjoyed in the history of the world.

The Communists have every right to believe, therefore, that figures are more important to this Government than forces; and to set their foreign policy plans and programs accordingly.

President Eisenhower presented the Congress with a military budget request of $38,500,000,000. This recommendation was reduced over $2½ billion by the House of Representatives. After studying that reduction, the President accepted over 50 percent of the House cuts; but he went on television to urge the American people to in turn pressure the Congress to restore the remaining billion two hundred million dollars.

That was the President's considered opinion, made after his reexamination; and as a result the Senate committee has restored nearly a billion dollars.

Now, however, as of only last Friday, the President again revised his desires, and asks that there be a further cut in the military budget of some $256 million.

So I ask again, what Military Establishment does the President want? Is our entire military programing to be tailored to the day-to-day problems of the Treasury?

Any businessman would look on the waste incident to this up and down, hand-to-mouth programing with disgust. The billion of dollars such programing is costing the American taxpayer is hard for the average citizen to realize. But, worse, this constant budget vacillation directly affects our national security.

Today in London are going on what may be the most important conferences of this century; or, for that matter, in the history of the world. I refer to the disarmament conference between the United States, Russia, England, France, and Canada. Even if little or nothing comes out of them now, they may be a beginning.

These conferences are vitally important, because it is becoming ever more clear that, whereas if the country is attacked, in all probability we can destroy the Communists, so in turn they can in all probability destroy us.

As the logic of this "two scorpions in a bottle" theory becomes more apparent, it is unfortunate that both our allies and our possible enemies now know we plan to further reduce our defense programs.

Perhaps the new administration defense policy of reduction and stretch-out is not one of unilateral disarmament; but it will be so construed in the other capitals of the world.

Do we have a better chance to obtain permanent world peace through agreed-upon disarmament if we negotiate with the Communists from a position of relative weakness, or if we negotiate from a position of relative strength?

In order to back up our diplomatic commitments, there are hundreds of thousands of American soldiers, sailors, and airmen—many with their families—stationed all over the world.

We know that, regardless of previous agreements, in some of these areas containing our troops there have been heavy reductions in the forces of our allies. But the United States continues to fulfill to the letter every one of its own agreements.

In Germany alone we continue to maintain 5 divisions—over 30 percent of our strategic reserve—plus 23 air bases. But the French have practically gone from Germany; and the British are heavily reducing their forces in that country.

In this connection, an informed writer, Dr. Henry Kissinger, in his book Nuclear Weapons and Foreign Policy, recently stated:

The result of all these half measures and mutual pretenses has been the stationing of substantial ground forces in an area (Germany) where our strategic doctrine explicitly rejects the possibility of local war. While in the peripheral areas of Asia and the Middle East, where the possibility of local war is admitted, we have neither forces on the spot, nor the mobility (airlift) to get our strategic reserve into position quickly enough.

Never was there a more logical indictment of the forces available for limited war that we are building, and of their deployment. No wonder our allies look on these vacillations with increasing skepticism, and, in some cases, with actual distrust.

If such is to continue to be our policy, unless we maintain our forces at least at their current strength, are we not in effect deserting those Americans now stationed in places like Germany?

That is the type of realism this Nation must face up to, because the biggest fool is the fool who fools himself.

Now, if ever, is the time in our history for courage and clear thought.

The reason this administration gives for further cutting the military programs is lack of money.

Then why does President Eisenhower continue in opposition to the various practical methods now available for obtaining more military defense at less cost?

Why, for example, does he reject the recommendations of the Cordiner Military Manpower Committee, a committee he appointed himself under the President of General Electric Co.? That Committee's report states that if its recommendations are adopted, $5 billion a year can be saved within 5 years, at no sacrifice whatever to national defense.

Why also is there continuing refusal to consider and further unification? The Hoover Commission asserts that its recommendations along those lines would save additional billions.

Why do we not reexamine our strategic stockpile policy and program; also our industrial reserve program, in both of which the American people have now invested many billions of dollars?

If these latter programs were right in the past, how can they necessarily be right in this rapidly developing hydrogen era?

Above all, why do the President and his subordinates continue to refuse to agree to any real weapons systems evaluation program, the place where by far the most money could be saved?

Because of this latter refusal, a recent scholarly article stated: "With modern weapons, the traditional definition of primary missions amounts to giving each of the three services a claim to develop within itself a capability for total war."

And that is exactly what each service is doing, or at least trying to do—at tremendous unnecessary expense to the taxpayer.

The above facts show where billions of dollars are being wasted which could be utilized to shore up our defenses. Under better management they could buy more airlift for the Army—badly needed—more submarines for the Navy—badly needed—and more jet tankers for the Air Force—also badly needed.

And at least as important, they could hold more trained people in all the services. But the President and his advisers will not sit down to the task. Rather, in the interest of a false economy, because it is economy at the expense of security, they are now applying meat-ax cuts across the board.

People like former President Hoover and Mr. Cordiner have shown where great savings can be made without sacrifice to security.

Apparently, however, this Administration is determined not to take advantage of such suggestions. It prefers to continue to operate under obsolete rules, rules which will jeopardize our future generations, because we are now in the process of unilateral disarmament.

Even so, I do not want to cut off my children's noses either to spite my face or the face of the President.

Those who refuse to support these restorations should remember that experienced students of our current position now say, with deep sincerity, that the way things are going, within 10 years there may be no life left on this earth.

Many people believe in the literal truth of Biblical prophecies.

In Revelation, chapter 16, Armageddon, the final battle of the world, is described as follows:

And there were voices, and thunders, and lightnings; and there was a great earthquake, such as was not since men were upon the earth, so mighty an earthquake, and so great. • • • And the cities of the nations fell. • • • And every island fled away, and the mountains were not found.

And there fell upon men a great hail out of heaven.

Perhaps the modern word for "hail" is "fallout"; and in any case, those of us who saw the disappearance of a good-sized Pacific island after a multi-million-ton nuclear explosion, know that what has happened once can happen again.

If we are to survive as a free people, the time to act with courage and vision is now. We had better stop flopping around with our defense policy and programs. In our defense plans, as in our diplomatic plans, we must start creating policies which establish events, instead of letting events continue to establish our policies.

It is for these reasons that I fully support these recommended restorations to this military budget.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to my able friend, the senior Senator from Oregon.

Mr. MORSE. As a preface to my questions, I wish to say that I believe in following the experts. The Senator from Missouri was a great Secretary of the Air Force. I am at a loss to understand why the advice he has been giving this administration since his service in the Senate commenced has not been heeded, because it has been based upon his firsthand knowledge of America's air defense problems.

The interesting thing is that many predictions the Senator from Missouri has made in the past several years with respect to our Air Force problems have already come to pass. I wish to commend the Senator for the statement he has made.

Mr. SYMINGTON. I thank the Senator, very deeply.

Mr. MORSE. I should like to ask the Senator a few questions about his statement.

My understanding of the position of the Senator from Missouri is that we can make great savings in the military budget, as the Senator from Illinois [Mr. DOUGLAS] has so ably pointed out in his speech this afternoon, but the Senator from Missouri takes the position that we could make those savings, for example, if we put into administrative practice some of the recommendations of the Hoover Commission and some of the recommendations of President Eisenhower's own specially appointed Committee known as the Cordiner Committee? Am I correct in my understanding of the position taken by the Senator from Missouri?

Mr. SYMINGTON. The Senator is correct. I would add that we should also reexamine programs and not simply consider them as the laws of the Medes and the Persians. I refer to such programs as the industrial reserve program.

Mr. MORSE. And the stockpile program.

Mr. SYMINGTON. The Senator is correct.

As someone has said recently, before World War II we had two weapons systems. During World War II we developed, let us say, 10. At the present time we have scores. As missile development continues we may have thousands. But for reasons best known to themselves, the leaders of this administration refuse to have any real weapons systems evaluation program which would determine where the greatest amount of money could be saved for the taxpayers.

Mr. MORSE. As the Senator from Missouri knows, I have followed his leadership with respect to the matter of military defense.

Mr. SYMINGTON. The Senator honors me, and I am grateful.

Mr. MORSE. Am I correct in interpreting the position of the Senator from Missouri to be that the essential thing is

to see to it we have forces in being which can be immediately employed for the defense of the Nation in case of a sudden attack upon us by our potential enemies?

Mr. SYMINGTON. There is no question that what is now called the air atomic age has tremendously increased the importance of forces in being.

Mr. MORSE. Am I correct in my understanding that one of the major contentions of the Senator from Missouri, the very able former Secretary of the Air Force, is that this administration, as he has stated throughout the series of debates in the Senate, has been economizing at the expense of forces in being, but it has not done the job which some of its own committees have recommended with regard to great savings which can be made in connection with administrative functions in the Military Establishment?

Mr. SYMINGTON. The able Senator is right.

Mr. MORSE. Next, am I correct in my understanding that the Senator from Missouri takes the position that as of now, with the disarmament problem before us as it is, we may find ourselves engaged in an unilateral disarmament program by the further weakening of our forces in being, so that we may wake up some day to find ourselves in the middle of an atomic war without the forces in being necessary for those very important first few hours and days of the war in sufficient numbers adequately to protect the people of the United States?

Mr. SYMINGTON. I agree with the distinguished Senator from Oregon.

When the President last Friday came out voluntarily for further heavy reductions in the Military Establishment, that is just another way—I repeat, another way—of cutting the ground out from under his representatives in London at the disarmament conference.

Mr. MORSE. Is it the position of the Senator from Missouri that our disarmament program should not precede a reduction in our own forces in being, but that our disarmament program should follow after we have made perfectly clear to the world that we have forces in being to defend adequately the American people?

Mr. SYMINGTON. There is no question about that.

Everybody realizes, I believe, that our chances for any true disarmament are infinitely better if we negotiate with the atheists who run the Kremlin from a position of relative strength instead of from one of relative weakness.

Mr. MORSE. I have one final question. Would the Senator from Missouri give the Senate his opinon, which I consider to be an expert opinion, with respect to what he thinks the present status is of both the Air Force program and the missile program now being conducted by this administration?

Mr. SYMINGTON. If I may state my opinion to the able Senator from Oregon, when it comes to military strength, we must always incorporate the word "relative."

From a relative standpoint, I believe that our Air Force is now adequate enough to destroy the Communists, in an all-out attack; and I also believe that their force is now adequate to destroy ours in a similar attack. Therefore the question is, what about forces which are and would be necessary for any limited type of war. The latter become increasingly important if we are now in what has been called an atomic stalemate.

With respect to our Navy, we have a strong surface Navy, but in recent years Russian naval construction, especially of submarines has become so great that I believe—since submarines can now be used as weapons of attack—there is no longer the naval supremacy which we for so long have felt that we had.

From the standpoint of the Army, and I include the Marines as ground soldiers, the Soviets are ahead of us in modernity; and far ahead in size. Their army is entirely adequate to handle a limited war. Our Army is not.

The missile field is difficult to analyze because of relative lack of information. However, it is my belief that the Soviet Communists are at least equal to us in missile development and in one of the two most important categories are ahead.

Mr. MORSE. I wish to thank the Senator very much for making this statement and for making this record.

Mr. SYMINGTON. I again thank the Senator from Oregon. His interest in a strong America has long been known by those who wish to remain free.

Mr. DOUGLAS. Mr. President, will the Senator yield to me?

Mr. SYMINGTON. I am glad to yield to the able Senator from Illinois.

Mr. DOUGLAS. I wish to congratulate the Senator from Missouri for his very excellent statement. There is one point, at the conclusion of his reply to the Senator from Oregon, which is most significant, where the Senator stated that so far as our land forces are concerned they are inferior to those of the Soviet Union.

In the case of a limited war resulting from probing operations with an atomic stalemate, might not this lack of strength on our part be fatal? It would seem to me to be so. That is one reason why I have urged the reducing of waste in the armed services, and that a portion of the economies achieved be devoted to increasing the strength of the Army and the Marine Corps, equipped with nonnuclear weapons, so that they would not stir up a race war and could confine the violence to the points where aggression was committed.

What does the Senator from Missouri think about that?

Mr. SYMINGTON. I think there is much in what the distinguished Senator says.

The Senator from Missouri would hesitate to eliminate tactical nuclear weapons from either the Marine Corps or the Army. With that reservation, I agree with the Senator.

Mr. DOUGLAS. I would not eliminate such weapons for troop use on the Continent of Europe. I am simply afraid that if we use tactical nuclear weapons against black, brown, or yellow people, it would touch off a race war even though soldiers in uniform were the only people who were killed.

Mr. SYMINGTON. I was not surprised to read in yesterday's paper that a former Canadian Chief of Staff said he thought we were not giving enough attention to the forces necessary for limited war. But I was pleased to read that the Chief of Staff of our Army had sufficient courage and vision yesterday to say that the way things were going, because of the ability of the Soviets to fight a limited war, if there should be a nuclear stalemate we might find ourselves in serious difficulty because of Soviet ability to attack the peripheries.

Mr. DOUGLAS. That was what the Senator from Illinois was trying to point out in the concluding portion of his address, in which he was attempting to outline ways to turn waste into security.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. O'MAHONEY. I wish to associate myself with my colleagues who have commended the Senator from Missouri for the speech he has delivered this afternoon. I regret only that there was not a quorum present to hear the Senator. I believe that the importance of his remarks is so great that the Senate is sacrificing its ability to become acquainted with the gravity of the situation because of the absence of many Senators. I assume that the Senator, because of his modesty, did not wish to have a quorum call. But these are the most troublous times in the history of this Government. It is really a shocking thing that a Senator from the great State of Missouri, who has behind him a remarkable record of achievement as Secretary of the Air Force, should be standing here making a moving speech with scarcely 20 Members of this body present. The speech should be heard by every Member of the Senate.

Mr. SYMINGTON. I thank the Senator.

Mr. O'MAHONEY. I hope that no effort will be made to bring the bill to a vote tonight, and I hope that when the Senate convenes tomorrow the Senator from Missouri will be ready to take the floor and explain again in detail the meaning of the situation in which we find ourselves.

If there should be a third world war, there would be no possibility that it would be waged on foreign soil. If a third world war comes, it will come to America. We know that today the Soviets have nuclear power sufficient to enable them to melt the ice cap on the North Pole and loose a flood of water which would probably inundate the eastern coast of North America and the western coast of Europe.

We have heard the Secretary of State speak again and again of brinks, brinks, and brinks. But we are on the brink. The people of the United States themselves are on the brink of a third world war. It is necessary to rally the owners of capital and the payers of taxes in the United States, and arouse them to a realization of what is going on. The necessity for this is such that the Senator from Missouri will, I hope, be willing to repeat his warning when tomorrow comes.

Mr. SYMINGTON. I thank the distinguished Senator from Wyoming for what he has said. I have known for many years of his great interest in the military, and of his consistent record for a strong defense. I am aware of the fact that at one time he was chairman of the Military Appropriations Subcommittee, where he served in very able fashion.

I, too, am sorry there is not more general interest in the country and in the Congress in relation to defense, 60 percent of our total budget.

Mr. HILL. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to my very able friend from Alabama.

Mr. HILL. I wish to join Senators who have commended the Senator from Missouri for his speech. I wish not only to congratulate him, but strongly to commend him. Not only was he a great Secretary of the Air Force, as the distinguished Senator from Oregon has said, but I know of no man in our country who has been a closer or more devoted student of the defense of our country than has the Senator from Missouri. He has given of his time, of his thought, and of his best efforts. He has given of himself. He is dedicated to the cause of defense of the United States. No man could come on this floor and speak with greater authority than does the Senator from Missouri. I, for one, am grateful to him for the message he has brought us this afternoon, bringing out so clearly and so eloquently the fact that we in the United States cannot afford to disarm unilaterally. We cannot afford to weaken or impair our forces while our enemies continue to build ever stronger their forces.

The Senator from Missouri has taken a further step, which is very important. He has shown that not only must we maintain our strength and continue to build it, but at the same time we should put an end to waste and unnecessary expense. We can cut down some of this unnecessary expense, and yet maintain our strength.

I think the Senator from Missouri is entitled to the thanks not only of the Senate, but of all the people of the country. I wish it were possible for every man, woman, and child in America today to read the address of the Senator from Missouri. He has certainly made a great contribution this afternoon. His speech is statesmanship at its best.

Mr. SYMINGTON. I thank my able colleague, for whom I have the most complete respect. The Senator from Missouri knows that the Senator from Alabama is one of the most experienced experts in this field. For many years he has led the fight for adequate defense.

It has been a matter of deep regret to me that some Members of this body have felt there is no mileage in arguing with the current administration over the character and size of our Military Establishment. I am consoled, sometimes, in the failure of some efforts made with my friend from Alabama to prevent unilateral disarmament by remembering there were many Englishmen in the middle 1930's who shared similar confidence in Mr. Baldwin and Mr. Chamberlain; and that Mr. Churchill was the conspicuous exception.

I thank the Senator for his very gracious, undeserved, and deeply appreciated remarks.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. MANSFIELD. I, too, wish to join my colleagues in congratulating and commending the distinguished Senator from Missouri for the remarks he has made this afternoon.

The Senator is a member of the Armed Services Committee, is he not?

Mr. SYMINGTON. I thank the able acting majority leader; and that is correct.

Mr. MANSFIELD. The Senator is also a member of the Subcommittee on Armed Services of the Appropriations Committee, is he not?

Mr. SYMINGTON. That is correct.

Mr. MANSFIELD. The Senator has attended every meeting of that subcommittee of the Appropriations Committee and has had a great deal to do with the defense measure now before us. Is not that correct?

Mr. SYMINGTON. I thank the Senator for his gracious comments.

Mr. MANSFIELD. I have been in that committee on several occasions on other matters, and I have always found the Senator from Missouri at his place at the table, participating actively, and having a great deal to do with the kind of defense appropriation bill which finally came from the committee.

I think the RECORD ought to show that fact, and the RECORD should also show that the Senator has a very great interest in the so-called Cordiner report, which was submitted by a Commission which was appointed by the President, but the findings of which were ignored by the President. Is that correct?

Mr. SYMINGTON. That is correct.

Mr. MANSFIELD. Did not the Cordiner Commission set forth recommendations which, if put into effect, would save, over a short period of time, $5 billion in the defense costs of the country?

Mr. SYMINGTON. By 1962, $5 billion a year, at no sacrifice in our defense, the report says, would be saved.

Mr. MANSFIELD. As a matter of fact, we would have better trained men and we would have a more capable force and we would have better technicians, who would stay in the service for longer periods of time. Is that correct?

Mr. SYMINGTON. That is correct. I add one point which came to my attention only recently. In the Strategic Air Command, considered the No. 1 deterrent of all-out war, not too long ago 17,000 out of every 43,000 men in that command were on-the-job trainees.

Mr. MANSFIELD. The Senator has always demonstrated his great patriotism and his great interest and his great understanding of the defense problems of our country. I again wish to join my colleagues in extending to him my deep commendation.

Mr. SYMINGTON. I again thank the acting majority leader and deeply appreciate the remarks he has been kind enough to make on the floor this afternoon. He has always been for a strong America against the growth of communism.

Mr. JACKSON obtained the floor.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. JACKSON. I merely wish to say that the distinguished junior Senator from Missouri has once again made a fine statement on the floor of the Senate in connection with our overall national security situation. I have followed very closely the work he has been doing in the Subcommittee on Defense Appropriations. I know that as a result of his membership on that subcommittee we have a much better bill than we otherwise would have. His long experience in the executive branch, as the first Secretary of the Air Force, and his service on the subcommittee have been invaluable to the Senate.

Mr. SYMINGTON. I thank my able friend from Washington. It has been my privilege to serve with him on the Armed Services Committee for a number of years. As Chairman of the Subcommittee on Military Applications of the Joint Committee on Atomic Energy, he is one of the foremost authorities today on this subject in the country. I am sure that what he is going to say to the Senate tonight will be of great interest and will be appreciated by all interested in this vital subject.

Mr. CHAVEZ. Mr. President——

Mr. JACKSON. Mr. President, I shall be very happy to yield to the Senator from New Mexico for a question.

Mr. CHAVEZ. I appreciate the kindness of the Senator from Washington, but it so happens that I am handling the bill on the floor.

Mr. JACKSON. The distinguished chairman of the subcommittee has done an outstanding job. I was merely commenting on the statement made by the distinguished junior Senator from Missouri.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. JACKSON. I am happy to yield.

Mr. SYMINGTON. With reference to the remarks of the able senior Senator from New Mexico, of course he is handling the bill in able fashion. I have been very pleased with the conscientious and constructive way in which he handled the hearings on the pending bill. The speed with which these matters have come to the floor after long hearings is additional proof of his administrative ability. I express my appreciation, as the lowest member on the committee totem pole, for his gracious courtesy at all times.

Mr. O'MAHONEY. Mr. President, will the Senator yield for just a moment?

Mr. JACKSON. I yield.

Mr. O'MAHONEY. Mr. President, I rise to give notice that it will be my purpose to move, under rule XL, to suspend paragraph 4 of rule XVI, which provides that no amendment which proposes general legislation shall be received to any general appropriation bill. It will be my purpose tomorrow to offer, on behalf of the Senator from Illinois [Mr. DOUGLAS] the Senator from Colorado [Mr. CARROLL] and myself an amendment which

we offered in committee but which the committee did not see fit to adopt. It was rejected in committee largely, I understand, because it is a legislative amendment. The amendment is an enlargement of an existing provision of law, a legislative rider, known as section 638 of the Appropriation Act of 1953.

At that time I was a member of the Committee on Appropriations and chairman of the Subcommittee on Defense Appropriations. The Appropriations Committee at that time gave its complete support to the measure, the purpose of which was to place restrictions upon procurement expenditures by bringing about a unification of the expenditure functions of the various services in the Department of Defense.

Mr. President, at the conclusion of my remarks I shall submit the notice of a motion to suspend the rule.

Mr. SALTONSTALL. Mr. President, I rise to make a parliamentary inquiry.

The PRESIDING OFFICER (Mr. MORSE in the chair). The Senator from Massachusetts will state it.

Mr. SALTONSTALL. My question is this. The Senator from Wyoming has stated that he will move to suspend the rule with regard to legislation on an appropriation bill. Does that require a point of order to be made, or does that come about automatically when the Senator moves to suspend the rule, and does it then take a two-thirds vote to suspend the rule?

The PRESIDING OFFICER. The Senator from Wyoming could offer his amendment; the point of order could be made against the amendment; and then the Senator from Wyoming could move to suspend the rule, which would require a two-thirds vote.

Mr. SALTONSTALL. I thank the Chair. I say most respectfully, after listening to the Senator from Wyoming and after giving him an opportunity to present his amendment, I shall make a point of order against it.

Mr. O'MAHONEY. I understand, of course, that it will be the intention of the Senator from Massachusetts to make a point of order. The matter, however, is of grave importance to the economy of the country, to the reduction of the national debt, and to the prevention of waste and extravagance, because of the failure of the Department of Defense to take full advantage of existing law and to abolish the methods and practices which are being followed, and which were so clearly set forth this afternoon by the Senator from Illinois [Mr. DOUGLAS], in his masterly address.

The same facts, or similar facts, are set forth in a House document. It is the report of the Special Investigations Subcommittee of the House Armed Services Committee. The investigation has been going on for several months. It reveals shocking conditions of waste of the money of the people of the United States by the Department of Defense. We ought to take steps to eradicate such conditions. When the proper time comes, I shall take the floor to explain in more detail the reasons why the amendment should be adopted.

NOTICE OF MOTION TO SUSPEND THE RULE

Mr. O'MAHONEY (for himself, Mr. DOUGLAS, and Mr. CARROLL) submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, the following amendment, namely: At the proper place in the bill, insert the following new sections:

SEC. . For the purpose of achieving an efficient, economical, and practical integrated supply system designed to meet the needs of the military departments without duplication or overlapping of either operations or functions, the President, within 180 days after the date of enactment of this act, shall submit to the Congress his recommendations for a civilian-managed agency, to be under the supervision and direction of the Secretary of Defense, which shall be responsible for the procurement, production, warehousing, distribution of supplies or equipment, standardization of inventory control and other supply management functions for common supply items.

SEC. . Section 638 of the Department of Defense Appropriation Act, 1953, is amended to read as follows:

"SEC. 638. (a) Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services, activities, and operations through the elimination of overlapping, duplication, and waste within and among the agencies of the Department of Defense.

"(b) The Secretary of Defense, in order provide for the effective accomplishment of this section, is hereby authorized from time to time to transfer, combine, and coordinate noncombatant services, activities, and operations within the Department of Defense.

"(c) The Secretary of Defense is further authorized to transfer such property, records, and personnel and such unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the military departments, as he deems necessary to carry out the provisions of this section."

Mr. O'MAHONEY (for himself, Mr. DOUGLAS, and Mr. CARROLL) also submitted an amendment, intended to be proposed by them, jointly, to House bill 7665, making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. SALTONSTALL. Of course, I do not agree with everything the Senator from Wyoming has said. I will not make the argument now, except to say that I believe that if his proposition is a wise and necessary one, it should be offered to the Committee on Armed Services and considered carefully.

ORDER FOR ADJOURNMENT TO 11 A. M. TOMORROW

Mr. MANSFIELD. Mr. President, it is evident that action on the Department of Defense appropriation bill cannot be concluded tonight. I ask unanimous consent, therefore, that when the Senate completes its business today, it adjourn until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILEY. Mr. President, am I to understand, then, that there will be no votes tonight?

Mr. MANSFIELD. So far as the leadership is concerned, there will be no votes of any kind tonight.

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the President pro tempore:

H. R. 6659. An act to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes; and

H. J. Res. 391. Joint resolution making temporary appropriations for the fiscal year 1958, and for other purposes.

DEFENSE DEPARTMENT APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. JACKSON. Mr. President, I do not intend to speak at length at this time. My views on defense are well-known to the Senate.

But I wish to commend the Appropriations Committee for restoring almost $1 billion of the funds cut by the House from the defense bill.

Mr. President, you will recall that the Senate added $900 million to the Air Force appropriation last year. For this we received no thanks from the administration. Top officials told us they did not need the money, did not want the money, and could not spend it if they had it. They called the $900 million an extravagance.

But, Mr. President, events have proved the administration wrong. On May 22 of this year, Secretary Wilson felt compelled to hold back some $500 million earmarked for new weapons procurement, because military spending was running at a higher rate than he foresaw. At the same time, strong hints have been given that drastic spending curbs will be ordered in the fiscal year starting July 1 in the hope of keeping military expenditures somewhere near the budgeted spending level.

In this situation, the additional $900 million we voted last year is coming in mighty handy.

Mr. President, the continuing peril is demonstrated by the events of this last year. One need only mention Moscow's entry into the Middle East, and the crushing of Hungary's revolt by the Soviet Army.

There is much talk of disarmament, relaxation of tension, and peace. But it is still talk. Is there any hard evidence that the peril is really subsiding? Is there new intelligence which signifies an early or a general settlement with Moscow?

I have not seen it. On the contrary, Zorin talks peace and disarmament in London, but Khrushchev and Bulganin swing the hammer and sickle in Moscow.

Indeed Khrushchev boasts that this is but the start of the struggle. As he said in the now famous CBS television program:

You hold first place among all capitalist countries in all fields of production, but now there is a socialist country on hand which is trying to catch up with you and you can be sure that we will catch up with you.

Khrushchev added:

I can prophesy that your grandchildren in America will live under socialism.

Mr. President, we must persist in seeking a safe and sound disarmament agreement among the nations. The present balance of terror is a precarious foundation for peace. The world requires security arrangements which rest on more than the threat of mutual annihilation. Yet until we have a knave-proof disarmament system, this Nation cannot safely weaken its military position.

Some savings can be made in the defense field. Wherever we can impose more austerity in our defense program without cutting real military power—we should do so. A greater austerity is a good thing. But cuts or cutbacks which undermine actual military strength are a mistake.

I hope the Senate will pass the bill as reported by the Appropriations Committee—without further cuts. But let us not delude ourselves. For the modern and balanced defense we need, we shall have to pay more than we provide in this bill.

Serious thought will have to be given to adding certain funds, when supplemental appropriations are considered after the first of next year.

Mr. President, the defense funds now recommended by the Appropriations Committee are the minimum which the Senate must furnish.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. SYMINGTON. Let me congratulate the distinguished junior Senator from Washington upon his brief but very effective talk. I should like to associate myself with his remarks.

I ask the Senator if it is not true that, at the same time this administration has been asking Congress to increase heavily the appropriations for military defense, it has also been stating that, because of fiscal problems, it plans to reduce heavily the obligations and expenditures it plans to allow the three services.

Mr. JACKSON. That is correct, as I understand it.

Mr. SYMINGTON. Is it not true that the obligational authority granted to the services, their right to expend that money, is far more important than any request for appropriations?

Mr. JACKSON. I should think so. This is particularly true so far as those items go which require a long time for procurement—in other words, items which involve long lead time.

Mr. SYMINGTON. It would be especially true, also, would it not, because in the past the appropriations which have been made to the Department of Defense often have not been utilized, because that Department, or the Bureau of the Budget considered it advisable not to do so?

Mr. JACKSON. I understand that is true. I thank my distinguished colleague from Missouri for his observation.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. MANSFIELD. I join with the Senator from Missouri in congratulating the Senator from Washington. As always, he has given us something to think about; as always he has spoken his mind and as spoken it forcefully. I hope the advice he has given the administration this afternoon will be taken to heart.

FAST TAX WRITEOFFS

Mr. CARROLL. Mr. President, almost 2 months ago Barnet Nover, chief of the Washington Bureau of the Denver Post, with prophetic vision, asked one of the most important questions of this session: "Is a new giveaway brewing in the Idaho power project?" I ask unanimous consent to have his article printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS A NEW GIVEAWAY BREWING IN THE IDAHO POWER PROJECT?

(By Barnet Nover)

WASHINGTON.—Is a new Al Sarena giveaway case in the making, this time along the middle reaches of the Snake River as it winds its way through deep canyons along the Idaho-Oregon boundary?

The Al Sarena case involved the grant of a mineral lease on valuable timber lands in Oregon. The lease was made by the Interior Department, over the objection of its own experts, and under conditions which seemed peculiar. And the sequel was not the mining of minerals from below ground, the ostensible reason for the lease, but only the cutting of timber on the site.

It is being said in justification of the rapid tax amortization certificate granted last week by the Office of Defense Mobilization to the Idaho Power Co. for two power projects it is constructing on the Snake River that there was nothing exceptional about this action. It was wholly in line, it is continued, with similar rapid tax writeoffs granted to private utilities for more than 900 other power projects, including some built by the same Idaho Power Co.

It is also being pointed out that the applications made by Idaho Power for such tax writeoffs bear the dates August 6, 1953, for the $35,944,000 Oxbow Dam, and August 21, 1953, for the $67,138,000 Brownlee Dam, both on the Snake. The cutoff date for such applications was January 1, 1956.

The only reason why these two Idaho Power applications were held up until now, we are told, is because it was not until the Supreme Court refused to act on the plea to nullify the FPC license granted the utility for the construction of the two dams that the company could claim a clear title and go ahead in earnest with these power projects.

All this may be so. But the fact remains that one of the principal arguments advanced by the Idaho Power Co. for the private construction of three low-level dams on the Snake as against a high Government-built dam at Hells Canyon was that almost as much power would be produced under the three-dam plan as by the high dam. It was further claimed that the Government, instead of having to shell out millions for the project, would benefit from taxes paid by the utility.

What we now find is that by being authorized to write off depreciation on the Oxbow and Brownlee Dams in a 5-year instead of a 20-year period, the Idaho Power Co. will, in effect, be able to save $29,250,000 in taxes during the next 5 years.

In other words, the Government will be subsidizing the Idaho Power Co. for part of the construction. These tax savings, if invested and receiving even a modest rate of return, could in the life of the dams (say 50 years, which is conservative) pay for the entire cost of the two dams and amounts to a sum greater than the sum which Interior Department engineers estimated would be the cost of the Federal high dam at Hells Canyon.

It is not surprising, then, that Senator WAYNE MORSE, Democrat, of Oregon, a stanch advocate of the high dam, describes the ODM's grant to the Idaho Power Co. of a rapid tax amortization as a demonstration of Executive immorality, and political theft. But the action was also bitterly denounced by Senator HARRY F. BYRD, whose views on many matters, including the Hells Canyon issue, are frequently the exact opposite of MORSE's. BYRD described the action of the ODM as an utterly indefensible act.

The law providing for the rapid writeoff depreciation, he said, "was intended to apply only to those industries which were engaged in defense operations. A public utility is guaranteed its profits."

The ODM may argue in justification of its tax that the development of electric power is an essential defense need. But if that is the case it is passing strange that the administration rejected the high dam, which would be capable of producing a million kilowatts of electrical energy, and threw its weight behind the Idaho Power Co.'s application for a substitute plan which lacks flood control and other features of the high dam plan and would also, even if carried out to the full, produce far less power.

Mr. CARROLL. To answer Mr. Nover's question, the Denver Post, an independent Republican newspaper, assigned one of its most skilled research and editorial staff writers to examine into the so-called free-tax, fast tax writeoffs. I ask unanimous consent to have printed in the body of the RECORD an article entitled, "Others Pay for Speedy Tax Writeoff," written by Robert H. Hansen, Denver Post editorial writer, and published in the Denver Post of June 23, 1957; and also an article entitled, "Tax Writeoff Amounts to 'Free' Loan," written by Robert H. Hansen, and published in the Denver Post of June 24, 1957.

I have studied this subject for many weeks. I find these articles to be the most comprehensive, carefully written

analysis I have read in any newspaper in the Nation.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Denver Post of June 23, 1957]

OTHERS PAY FOR SPEEDY TAX WRITEOFF

(By Robert H. Hansen)

There is a whole lot more to fast tax writeoffs than the public v. private power controversy over Hells Canyon.

That controversy is focusing public attention upon a tax gimmick which, when spread over the Nation, will cost the American taxpayers $5 billion to $6 billion in extra taxes between 1950 and 1960.

That same tax gimmick will add another $3 billion in interest charges to the taxpayers' bill—the price of making little-understood coucessions to favored businesses.

The rejection by Idaho Power Co. of $65 million in fast tax writeoffs for private Hells Canyon development on the Snake River boundary of Oregon and Idaho, only points up mounting Congressional demands for repeal of the entire writeoff program.

For almost 2 months, until the eve of the 45–38 Senate vote for a high Federal Hells Canyon Dam, Idaho Power stood firm on its valuable writeoff privileges. Then it caved in and with it collapsed the only serious defense offered for the giant industrial subsidy that fast tax writeoffs are.

Actually, fast tax writeoffs are not as hard to understand as they sound. Nor are their effects too difficult for the average taxpayer to grasp.

Probably the best Congressional analysis of fast tax writeoffs (also known as the accelerated amortization or certificates-of-necessity program) was made in 1951 by the House Committee on Expenditures in the Executive Departments. That committee said:

"The certificate-of-necessity program is the biggest bonanza that ever came down the Government pike. In 5 months, certificates have been issued for $5 billion worth of plants. Applications are pending for many billions more and the end is not in sight."

Today the program has passed the $23 billion mark, involving 22,000 writeoffs in 229 kinds of industry.

Two years ago Treasury Secretary Humphrey told a House committee that fast tax writeoffs are dangerously discriminatory and artificial.

HUMPHREY URGED CONGRESSIONAL ACTION

"If such subsidies • • • are desired," Humphrey testified, "then appropriations should be made • • • which can be submitted to the Congress • • • where the full amounts will be well known and where the Congress specifically can vote in favor or in opposition to special treatment for any group.

"This use of the tax laws, where stimulants are applied by men, not by law, is appropriate only in an emergency or under special conditions under rigid restrictions."

But what is this fast tax writeoff program anyway? How does it work? Where did it come from and where does it stand? What does it mean to industry? How does it cost the taxpayer? Why all the furor now, after all these years? And what, if anything, is being done about it?

Fast tax writeoffs are a subsidy to private industry to encourage production and expansion. They were intended only for defense industries. But lack of a clear definition of defense has resulted in costly abuses.

A fast tax writeoff allows a company to postpone a share of its normal income tax for 5 years and then repay it over the next 10 to 50 years or so, depending on the useful life of the plant for which it was granted.

This is why fast tax writeoffs are regarded as interest-free loans. The company can retain money it otherwise would have paid in taxes, put it to work against the day 5 years hence when larger-than-normal taxes begin falling due, and use it as a valuable aid to obtain cheaper private financing.

Meantime, if corporate income taxes are ever reduced, the company gains still another windfall.

POSTPONED TAX MUST BE PAID BY OTHERS

And somebody has to pay the taxes that favored industries are postponing. That somebody is the average American taxpayer. He gets stuck for the interest the Government must pay, besides.

Postponed taxes under fast writeoffs will amount to about $5 billion between 1950 and 1960. The staff report of the Joint Committee on Internal Revenue Taxation last December said:

"If the Federal Government wants a balanced budget, then revenue from one taxpayer postponed this year must be made up by keeping rates on other taxpayers higher than they otherwise would have been.

"When the postponed taxes are ultimately paid, the other taxpayers get a break, but by that time there may be different 'other taxpayers'".

And about the additional interest costs the taxpayers must also bear, the committee staff estimated:

"On the basis of the revenue postponement ($5 billion), there would appear to be an interest cost to the Federal Government through the year 1976 totaling roughly $3 billion."

(EDITOR'S NOTE.—Treasury Secretary Humphrey has used this same $3 billion figure as the interest cost to other taxpayers. The committee staff added that another $1 billion in interest charges may pile up after 1976.)

Those figures are based on the average interest rate on the entire Federal debt, 2.63 percent. But if current borrowing rates, which exceed 3 percent, were applied, the total interest cost would be even higher.

WRITEOFFS HAD START IN WORLD WAR I

Regardless of what fast tax writeoffs mean to the privileged industries which receive them, they do shift a substantial tax burden onto the wage earners and unfavored businesses.

This remains true whether fast tax writeoffs are considered as subsidies, interest-free loans, tax deferrals or anything else. Nor does it make any difference whether the same amount of taxes is paid in the long run by those who receive tax advantages from writeoffs.

Historically, fast tax writeoffs began in World War I, were revived in World War II, and again during the Korean war. In all three cases they helped to offset the depressing effect of the excess profits tax and provided capital for plant expansion in the national defense.

But this is the first time fast tax writeoffs for war have been continued so far into peace. The World War I and II programs died with excess profit taxes soon after the fighting stopped.

After Korea, however, the excess profits tax expired all right, but fast tax writeoffs were extended indefinitely in the internal revenue code of 1954.

Politically, Republicans accuse the Democrats of enacting fast tax writeoffs in the first place. But Democrats quickly reply President Roosevelt criticized the World War II program as special privileges for the greedy, not the needy, only to have it passed over his veto.

Democrats blame the Republicans for including the Korean writeoff program in the internal revenue law revision of 1954. That was a key bill in the GOP package of tax legislation which President Eisenhower a few weeks ago claimed has already saved our people almost $25 billion in taxes.

[From the Denver Post of June 24, 1957]

TAX WRITEOFF AMOUNTS TO "FREE" LOAN

(By Robert H. Hansen)

The average American is quick to anger when a labor leader "borrows" $300,000 without interest from union funds, or business executives deduct a $60,000 "dinner" for a bakery workers boss from their income taxes.

But does that same average American grasp the greater significance of fast tax writeoffs—a program which is costing him $5 billion to $6 billion?

Here's what bonanza fast tax writeoffs are:

Say the Government allowed the average taxpayer to keep $100 of his income tax every year for 5 years, and then repay it in small amounts over the next 45 years without interest.

In 5 years the taxpayer would have a $500 interest-free "loan" of income taxes he ordinarily would have paid. By investing this $500 at 3 percent compound interest, he could repay the "loan" and have $977.44 left over at the end of 50 years. At 4 percent interest, his free $500 tax "loan" would earn $1,819.17 in 50 years, after paying itself off besides.

That is how fast tax writeoffs work—except they involve billions of dollars for favored industries, not just hundreds for average taxpayers.

The staff of the joint Congressional Committee on Internal Revenue Taxation reported last December that the fast writeoff program is costing the Nation's taxpayers between $5 billion and $6 billion in taxes, and another $3 billion to $4 billion in interest.

TWENTY-TWO THOUSAND WRITEOFFS WORTH $23 BILLION

Since the Korean war started, nearly 22,000 fast tax writeoffs totaling $23 billion have been handed to 229 kinds of industry, in the name of national defense.

But in 3 years of peace since that limited war ended, tax writeoffs of $17 billion for defense purposes have been approved—or $1 billion more than all the tax writeoffs of World War II.

Even the $5.7 billion written off during World War II brought sharp Congressional criticism. In 1948, a Senate committee headed by Senator Brewster, Republican, of Maine, said of the wartime rapid-writeoff program:

"Legal profiteering resulted from certificates of necessity. Many companies came out of the war with new, valuable, fully amortized facilities which they could either use, or as some have done, sell. In this way a facility actually paid for out of a contractor's war taxes was additional war profit to him. • • •"

Witnesses before the Brewster committee suggested that as much as $3 billion of the wartime certificates was unwarranted.

In 1951 it was estimated that fast tax writeoffs of World War II produced another $3.2 billion windfall in reduced wartime corporation taxes, according to testimony before the House Committee on Expenditures in the Executive Departments.

PROFITS TAX'S DEATH BOON TO CORPORATIONS

Then in 1953, the excess-profits tax was killed—saving corporations another $1.6 billion in income taxes. But fast tax writeoffs rolled merrily on as part of 1954 overhaul of the Nation's tax laws engineered by Senator Millikin, Republican, of Colorado.

In the case of World Wars I and II, fast tax writeoffs ended along with excess-profits taxes shortly after the fighting stopped.

But now it will require an act of Congress instead of Presidential action as before to repeal the Korean writeoffs, 4 years after that lesser war ended.

Senator BYRD, the conservative Virginia Democrat, is leading a drive for repeal. He wants to restrict fast tax writeoffs to new military items only.

Last December Senator BYRD told Congress:

"On the basis of certificates (for fast writeoffs) issued between 1950 and 1956, it is estimated there will be a loss in revenue of approximately $5 billion, none of which can begin to be recovered until 1961.

"This is a hidden cost for which no appropriation is required by the Congress. Its effect makes it more difficult to balance the budget or reduce the tax burden of taxpayers not receiving such a benefit."

BYRD is chairman of the tax-writing Senate Finance Committee. With certain minor or technical amendments, his proposed repeal of fast tax writeoffs has drawn support from President Eisenhower, the Secretaries of Treasury, Commerce, and Interior, the Bureau of the Budget, the Defense Department, and numbers of influential Democratic and Republican Senators and Congressmen.

But the fast-tax-writeoff program is far from dead yet. (See accompanying table.)

Treasury Secretary Humphrey has testified that the interest cost to the Government—on funds it has to borrow to replace lost fast-tax-writeoff revenues—will amount to $3 billion in this decade of high taxes, high interest, and high budgets.

TAX WRITEOFFS TOP ONE-HALF BILLION DOLLARS IN 1957

Fast tax writeoffs approved in 1957

Industry	Number of writeoffs	Amount
		Million
Plants for military production	129	$74.7
Research facilities	23	48.0
Ocean-going tankers	26	187.0
Steel castings	12	4.0
Roll-on, roll-off ships	2	73.2
Oil refineries	10	20.1
Glycerin facilities	1	6.4
Steam turbine facilities	3	10.7
Steam boiler facilities	1	1.4
Oil storage for military	10	39.2
Electric power transmission	13	45.5
Electric power generation	2	65.2
Titanium processing	3	6.8
Total	235	581.2
Applications approved: Eligible applications pending as of May 10, 1957	257	688.0
		Billion
Applications denied:		
Jan. 1–May 10, 1957		$4.0
1950–57	22,000	23.0

To those who argue that fast tax writeoffs are not subsidies, that they do not impose any additional costs on the taxpayers, and that everything comes out even in the long run, Senator BYRD has said:

"Somebody has gotten advantage of the Government to the extent of $3 billion in interest. • • • The Government has lost it, lost it forever. • • • There is no question about that."

The staff of the Joint Committee on Internal Revenue Taxation concluded last December that fast tax writeoffs are hidden subsidies, and put its finger on another bad feature of the program—discrimination. The staff reported:

"Rapid amortization is a form of special government assistance to private manufacturers or, bluntly, a subsidy. • • • As does any subsidy, it involves favoring one firm, that gets a subsidy, over another."

At the height of the Korean war 6 years ago, a house committee chairmanned by Representative DAWSON, Democrat, of Illinois, summed up the fast tax writeoff program this way:

UNAPPRECIATIVE OF RESPONSIBILITY

"At times, the subcommittee gathered the impression that those administering the certificate of necessity program were not fully appreciative of the grave responsibility imposed upon them. Some seemed to feel that little harm could result from injudicious grants of certificates. • • •

"The fact is, of course, that their actions may well shape the Nation's economy for generations to come and that the millions in tax exemptions which they are granting will have to be compensated for by other means.

"Thus, the effect of the program well may reach to the pockets of every taxpayer in the country."

But this penetrating report went unnoticed because both Congress and the people were too preoccupied with the conflict in Korea.

PROPOSED AMENDMENT OF INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, I move that the injunction of secrecy be removed from Executive M, 85th Congress, 1st session, a proposed amendment to the International Convention for the Safety of Life at Sea, signed at London on June 10, 1948, as contained in a memorandum dated at London in May 1955. I ask unanimous consent that the proposed amendment, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

Referring to the International Convention for the Safety of Life at Sea signed at London on June 10, 1948, I transmit herewith a report by the Secretary of State recommending amendment of that convention. The proposal for amendment originated with the Government of the United Kingdom and is contained in a memorandum, dated at London in May 1955, from the British Ministry of Transport and Civil Aviation, a copy of which memorandum is also transmitted herewith.

I request that the Senate give its advice and consent to the ratification of the amendment to Regulation 30 of chapter III of the International Convention for the Safety of Life at Sea signed at London on June 10, 1948, as recommended in the report of the Secretary of State.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 1, 1957.*

(Enclosures: 1. Report of the Secretary of State. 2. Memorandum, with attachment).

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I should like to announce the schedule for tomorrow.

I have previously announced that on tomorrow the Senate will consider Executive H, 85th Congress, 1st session, the agreement between the United States of America and the Republic of Austria regarding certain bonds of Austrian issue. It is our intention to move to have that agreement or treaty considered immediately after completion of the morning business; and, as previously announced, there will be a yea-and-nay vote on the question of ratification of the agreement, in accordance with the practice of the Senate.

Calendar No. 551, House bill 7665, the Department of Defense appropriation bill, remains the pending business.

The unfinished business remains Calendar No. 486, Senate bill 944, to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes." It is intended that the Senate will complete action on that bill tomorrow, and will consider also, either tomorrow or Wednesday, the following bills:

First. Calendar No. 488, S. 1730, a bill to implement a treaty with the Republic of Panama.

Second. Calendar No. 537, S. 1489, amending title 14 of the United States Code, relative to retirement rank of warrant officers.

Third. Calendar No. 538, S. 2250, authorizing the construction of some surveying ships for the Coast and Geodetic Survey.

Fourth. Calendar No. 539, S. 1520, to authorize the disposal of federally owned property at obsolescent canalized waterways.

Fifth. Calendar No. 540, S. 1461, to amend section 212 (a) of the Interstate Commerce Act.

Sixth. Calendar No. 546, S. 1971, amending sections 3 (a) and 7 (a) of the Vocational Rehabilitation Act.

Seventh. Calendar No. 548, S. 2261, amending the Public Buildings Purchase Contract Act of 1954.

Eighth. Calendar No. 550, S. 1383, amending section 410 of the Interstate Commerce Act to require freight forwarders to obtain certificates of public convenience and necessity.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes, indeed.

Mr. SALTONSTALL. Is it the intention of the Senator to have the Senate complete action on the treaty and the defense appropriation bill tomorrow, before taking up the other measures?

Mr. MANSFIELD. If it is at all possible.

Mr. SALTONSTALL. Is it the Senator's intention to have a fairly late session tomorrow night in order to accomplish that objective?

Mr. MANSFIELD. That should depend on developments. I hope to have action on the Defense Department appropriation bill completed tomorrow; if not, then some time early on Wednesday. I think what the Senate does the remainder of the week will depend on what it does tomorrow.

LEAD-ZINC SHUTDOWNS AND MINERALS POLICY

Mr. WATKINS. Mr. President, recent price declines for lead and zinc have forced a number of domestic mining and

milling companies to close or announce impending shutdowns.

These actions, all heavy economic blows to the communities involved, underscore the importance of our expediting action on the President's long-range minerals program, which includes import protection for domestic lead and zinc against ruinous foreign dumping.

An article in the Salt Lake Tribune of June 26 summarizes this economic catastrophe in the lead-zinc mining areas, and I request unanimous consent to introduce this article in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HUNDREDS FACE JOB LOSS IN LEAD-ZINC SHUTDOWNS

(By Robert W. Bernick)

Hundreds of additional lead-zinc miners are being served with severance notices in western United States as more lead-zinc mines prepare to close in the face of price declines and mounting foreign imports.

American Smelting & Refining Co. will close three metal mines in Colorado, New Mexico, and Washington, the Tribune was informed.

Combined Metals Reduction Co., Salt Lake City, associated with Crested Buttes Co. in operations on the King Lease near Crested Buttes (Gunnison), Colo., announced closure or mine and mill, affecting 30 workmen.

E. H. Snyder, C. M. R. president, also announced that the Pioche District, Nev., operations of the company would be closed by August 1, unless there was an improvement in prices of the two metals.

(Only action by Congress on increase in tariffs on the imports of these metals would buoy prices at this stage, in the opinion of most observers.)

Meanwhile, A. S. & R. was mailing notices of severance to some 80 employees at its Keystone mine and mill at Crested Buttes, the Tribune was informed. Some 80 miners and millmen on day pay will be affected by the closure July 15. A few miners will be kept at work on a development project at the properties, the Tribune learned.

At A. S. & R.'s Ground Hog Mine at Silver City, N. Mex., and the custom mill at Deming, N. Mex., some 200 miners and millmen would be affected by closures scheduled next month. Other mines shipping to the Deming concentrator also would presumably close down.

A low-grade open cut zinc property near Colville, Wash., along with a mill near Colville, also will be closed by American Smelting, the Tribune was advised. This Vanstone mine and mill employs an estimated 80 persons.

In all, the shutdowns at the King Lease and those involving A. S. & R. bring to more than 400 miners and millmen who will face unemployment next month. An additional 150 miners and millmen at the Pioche District properties of C. M. R. would be affected in August, Mr. Snyder said.

During the last few months, as the domestic mining industry has seen lead prices skid to 14 cents and zinc to 10½ cents a pound, mines and mills have been closed down in the tristate district of Oklahoma, Kansas and Missouri and in Utah, Idaho, Colorado, Nevada, New Mexico, California, Montana, Washington, Oregon and Arizona.

Declines in prices result from ruthless dumping of lead and zinc metals on American shores by companies engaged in low-wage, foreign production of the commodities.

Policies of encouraging foreign production of metals by the United States State Department have thus resulted in grave contraction of minerals development in the Western States with consequent unemployment to citizens of the region.

Mr. WATKINS. A number of Western communities have brought this matter of urgency to the attention of the House Ways and Means Comittee, with a request for early hearings on this measure. A large number of the Members of both Houses of Congress also have petitioned the House committee to expedite these hearings, and I sincerely trust that this can be done so that a remedy can be provided before many of these remaining domestic mining firms are forced out of business.

Mr. President, one of the important features of the President's long-range minerals policy legislative proposals is the authorization of assistance in minerals exploration. The precedent for this aspect of the program has been the minerals exploration activities sponsored by the Defense Minerals Exploration Administration since 1950.

In a news release on the FMEA program issued by Secretary Seaton on June 27, the Interior Secretary reported that the exploration projects already certified under this program had discovered minerals potentially worth $400 million.

Based upon Federal assistance costs for these projects, the program has contributed discoveries of about $50 million worth of new ore in the ground for every $1 million in Federal funds invested. If the total cost of all projects is included, the ratio stands at about 23 to 1, Secretary Seaton estimated.

This type of return on a Federal investment spells good business any way one looks at it. In addition to the value of the minerals itself, the mining of these minerals, and the processing and fabrication of the metals, will amplify that value many times in terms of employment, new business opportunity, and local, State, and Federal taxes paid on the business operations.

In view of the widespread, bipartisan interest in long-range minerals legislation, I hereby request unanimous consent to introduce at this point the entire Department of Interior news release on the DMEA program.

In addition, I also request unanimous consent to introduce at this point an article from the Deseret News and Salt Lake Telegram of June 26, 1957. This article summarizes the development of active, bipartisan support for the President's long-range minerals program.

There being no objection, the news release and article were ordered to be printed in the RECORD, as follows:

[From the Department of the Interior Information Service]

ORE POTENTIAL ON DMBA CERTIFIED PROJECTS ESTIMATED AT $490 MILLION

Secretary of the Interior Fred A. Seaton said today that the ore potential resulting from 291 mineral exploration projects certified by the Department's Defense Minerals Exploration Administration is estimated to be worth $490 million, based upon December 1956 prices.

Secretary Seaton said he has been advised by DMEA Administrator C. O. Mittendorf that about $8.5 million of Government funds had been disbursed on the successful projects through April 30, 1957. This represents about $50 million worth of new ore in the ground for each $1 million of Federal funds invested in these projects. The ratio decreases to about 23 to 1 when all contract disbursements made under the DMEA program are compared with the value of ore potential, the Secretary was informed.

Repayments received through April 30 amounted to $1,796,000. This was derived from royalties on production valued at about $37,458,000. Twenty-five projects have completely repaid Government contributions in an amount of $401,670.

The exploration program of the DMEA operates under the authority of the Defense Production Act of 1950, as amended. Its purpose is to encourage exploration for domestic sources of strategic and critical minerals. As a part of the newly proposed long-range minerals program, legislation has been submitted by the Department which would place mineral exploration activities on a permanent basis.

According to Administrator Mittendorf, DMEA has received 3,550 applications for proposed projects in 43 of the 48 States and in Alaska. On April 30, 1957, 202 applications were in various stages of processing, 1,706 had been denied, 629 had been withdrawn, and 1,013 had resulted in exploration contracts.

Of the 1,013 contracts, 765 have been terminated after some exploration work, 64 projects have been canceled with no expenditure of Federal funds for exploration, and 184 are still in force. The DMEA had certified 269 of the 765 terminated projects, leaving 496 terminated uncertified. Two of the canceled projects were certified and 20 of the 184 projects presently in force have been certified. Additional certifications are expected from among this number.

The largest number of certifications relate to copper, lead, mica, tungsten, uranium, and zinc, Mr. Mittendorf said. The largest number of uncertified terminated projects involved these same commodities.

Certification by DMEA means that a project shows ore deposits of sufficient quality and quantity to warrant notifying the operator of his obligation to pay a royalty on future production for repayment of Government participation in the exploration, Mr. Mittendorf explained. Certification does not necessarily mean that the DMEA regards the property immediately capable of producing economically, but it does protect the Government's financial interest in the event that production occurs at some future period.

Under the DMEA program, Federal funds are used to finance part of the exploration on approved projects, the extent of Government participation depending upon the mineral commodity involved. Federal expenditures are repayable through royalties on future production, but in the case of the two certified but canceled projects, no royalties are due since no Government money was spent on them for exploration.

Secretary Seaton was informed that the cost of work approved under all DMEA contracts thus far totals about $48,295,000, with maximum Government participation approximating $29,772,000. These figures represent the estimated cost of exploration work to be undertaken, and not funds actually expended at this time.

Federal expenditures on the 496 terminated uncertified projects amounted to $4,369,000, as compared with $7,100,000 spent on 271 terminated projects which had been certified, Mr. Mittendorf said. He pointed out that the relatively low expenditures on unsuccessful exploration demonstrates the care exercised by DMEA in administering contracts to avoid unwarranted expenditure of public funds.

Federal funds spent on the 20 certified projects still in force added to the $7.1 million expended on certified terminated projects brings the total of Government money invested in successful projects to the $8.5 million figure reported to Secretary Seaton.

[From the Deseret News and Salt Lake Telegram of June 26, 1957]

IKE TO PRESS MINERAL BILLS—SOLONS IN 11 WESTERN STATES VOTE TO PUSH VITAL PROGRAM

WASHINGTON.—The administration's new long-term minerals program got a major boost Tuesday as President Eisenhower pledged his efforts to get speedy action on bills before Congress, and Congressmen from 11 Western States voted to go "all out" in their support of the program.

Senator ARTHUR V. WATKINS (Republican, Utah), went to the White House to enlist the President's assistance in gaining immediate hearings on the bills before the House Ways and Means Committee.

President Eisenhower promised Senator WATKINS "every help he could" and agreed to bring up the matter at Thursday's meeting with legislative leaders. Senator WATKINS told the President of the situation of his State where the Eureka mine had been forced to close and low lead and zinc prices threatened to throw between 4,000 and 5,000 miners out of work.

REVENUE MEASURES

Since the minerals bills are revenue measures they must be initiated in the House.

Meanwhile, 15 western Congressmen met Tuesday to unite in bipartisan support of the administration's plan for a sliding scale of excise taxes on foreign imports of lead and zinc.

Reflecting a mushrooming movement to hurry the bills through Congress, the Congressmen unanimously agreed to ask that hearings be conducted in executive, not public sessions and that no amendments be made on the floor of the House.

At the luncheon meeting, the Congressmen heard reports of further price declines in the ailing and growing numbers of mine closures.

CAN'T HOLD OUT

Representative WILLIAM A. DAWSON, Republican, Utah, urged immediate action as "our mines can't hold out until next year."

"Since the administration's long range minerals policy was announced," Representative DAWSON said, "foreign producers with their advantage of low cost labor, are dumping more than ever on the American market."

Representative JOHN J. DEMPSEY, Democrat of New Mexico, announced that Congressmen from New York, Tennessee and New Jersey, all zinc producers, had been urged to join in the effort to hurry legislation. He said that the dangerous price decline in the last few days called for concerted action, and he was optimistic that now the bills would get rapid consideration.

Representative GRACIE PFOST, Democrat of Idaho, called the zinc and lead situation critical in her State. Idaho is the Nation's third largest producer and second largest lead producer. She reported her office has been flooded with letters and telegrams from lead-zinc mines facing closure.

NEW MEXICO MINES CLOSE

Representative JOSEPH M. MONTOYA, Democrat of New Mexico, pointed out that two mines in New Mexico at Deming and Vanadium had closed in the last few days.

"We must act concertedly to get some rapid action on the lead and zinc prices," he said.

Other Representatives who voted to go "all out" for rapid passage of minerals legislation were Republicans J. EDGAR CHENOWETH, Colorado; MYRON V. GEORGE, Kansas; E. KEITH THOMPSON, Wyoming; HENRY A. DIXON, Utah, and Democrats LEE METCALF and LEROY H. ANDERSON, Montana; EUGENE J. MCCARTHY, Minnesota; WAYNE N. ASPINALL, and BYRON G. ROGERS, Colorado; WALTER S. BARING, Nevada, and ED EDMONDSON, Oklahoma.

PROVISIONS OF BILLS

The bills provide for a new import excise tax to stabilize lead at 16 cents a pound and zinc at 13½ cents a pound and policy of establishing support of the minerals industry with Government assistance in exploration and development of essential minerals.

This is the first time a concrete, long-range program will have been made for the mining industry.

INDIAN POLICY: THE GOAL IS FREEDOM AS AN AMERICAN CITIZEN

Mr. WATKINS. Mr. President, this morning the Indian Affairs Subcommittee heard testimony from Assistant Secretary of the Interior, O. Hatfield Chilson, and from various officers of the Indian Bureau, relative to consideration of various proposals for bettering the Indians' standard of living and for Federal aid to the Indians.

At this time I feel that it is particularly important that we keep before us, in all considerations of Indian legislation, the basic policy of this Congress and of the immediately preceding Congresses relative to Indians. This policy has been and is to assure that "as rapidly as possible" we provide conditions whereby the Indians are subject to the same privileges and responsibilities as are applicable to other citizens of the United States, and that we "end their status as wards of the United States."

To refresh Congressional memories, let me note that this was the unanimous decision on Indian policy expressed by Members of the 83d Congress in 1953, and that it was the abiding policy of the succeeding 84th Congress.

Freedom for the Indian, freedom that will assure him the same rights and duties that are common to all Americans, should be our abiding aim in all Indian legislation. Toward that end we should constantly strive. When we consider various economic, educational, cultural, or other proposals for Indian benefit, we should ask: Will this aid the Indian in his rise toward complete freedom of action as an American citizen?

Mr. President, by request of the American Academy of Political and Social Science, I contributed, for their latest issue of the Annals, an article dealing with this very problem. I related therein Congressional policy toward the Indian freedom movement, particularly in the 83d and 84th Congresses. Since the article is not long, I hope that all Members of the Senate and House will give it their serious consideration.

I therefore ask unanimous consent that, for the convenience of Members and others interested, the article be printed at this point in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TERMINATION OF FEDERAL SUPERVISON: THE REMOVAL OF RESTRICTIONS OVER INDIAN PROPERTY AND PERSON

(By Hon. ARTHUR V. WATKINS,[1] of Utah)

(Abstract: Thinking constructively of the Indian as a fellow American we are now seeking to assure him of equality in the enjoyment and respnsibilities of our national citizenship. Congress has called for termination of Federal supervision over him as soon as possible. The proposed solutions vary in method. Seeking to be factual and informative rather than argumentative, the author discusses recent Congressional and related actions with a view as to what these establish for the present and portend for the future.—EDITOR.)

Virtually since the first decade of our national life the Indian, as tribesman and individual, was accorded a status apart. Now, however, we think constructively and affirmatively of the Indian as a fellow American. We seek to assure that in health, education, and welfare, in social, political, economic, and cultural opportunity, he or she stands as one with us in the enjoyment and responsibilities of our national citizenship. It is particularly gratifying to know that recent years of united effort, mutual planning, and Indian self-appraisal truly have begun to bear increasing fruit.

One facet of this overall development concerns the freeing of the Indians from special Federal restrictions on the property and the person of the tribes and their members. This is not a novel development, but a natural outgrowth of our relationship with the Indians. Congress is fully agreed upon its accomplishment. By unanimous vote in both the Senate and the House of Representatives termination of such special Federal supervision has been called for as soon as possible. Of course, as with any such major social concern, methods vary in proposed solutions and emotions sometimes rise as to how the final goal should best be reached. A clear understanding of principles and events is necessary. Here the author seeks more to be factual and informative rather than argumentative and dogmatic. This article is largely intended to note recent Congressional and related actions with a view as to what these portend for the future as well as establish for the present. After all, the matter of freeing the Indian from wardship status is not rightfully a subject to debate in academic fashion, with facts marshalled here and there to be maneuvered and countermaneuvered in a vast battle of words and ideas. Much more I see this as an ideal or universal truth, to which all men subscribe, and concerning which they differ only in their opinion as to how the ideal may be attained and in what degree and during what period of time. In the course of this chapter, then, I shall be primarily concerned with the main object and the degree of understanding which has come to us regarding its attainability.

THE SITUATION IN DECEMBER 1950

A little more than 2 years ago—June 17, 1954—President Dwight D. Eisenhower signed a bill approved by the 83d Congress that signified a landmark in Indian legislative history. By this measure's terms an Indian tribe and its members, the Menominee of Wisconsin, were assured that after a

[1] ARTHUR V. WATKINS, LL. B., Washington, D. C., is the senior United States Senator from Utah. He has served in the Senate since 1947. During the 80th and 83d Congresses, he was chairman of the Subcommittee on Indian Affairs and is now the ranking Republican member.

brief transition period they would at last have full control of their own affairs and would possess all of the attributes of complete American citizenship. This was a most worthy moment in our history. We should all dwell upon its deep meaning. Considering the lengthy span of our Indian relationship, the recency of this event is significant. Obviously, such affirmative action for the great majority of Indians has just begun. Moreover, it should be noted that the foundations laid are solid.

Philosophically speaking, the Indian wardship problem brings up basically the questionable merit of treating the Indian of today as an Indian, rather than as a fellow American citizen. Now, doing away with restrictive Federal supervision over Indians, as such, does not affect the retention of those cultural and racial qualities which people of Indian descent would wish to retain; many of us are proud of our ancestral heritage, but that does not nor should it alter our status as American citizens. The distinction between abolishment of wardship and abandonment of the Indian heritage is vitally important. I wish to emphasize this point, because a few well-intentioned private organizations repeatedly seek to influence Congress to keep the Indian in a restricted status by urging legislation to retain him as an Indian ward and as a member of a caste with social status apart from others, not basically as what he is—a fellow American citizen.

These organizations have presented some proposals to Congress impossible of accomplishment, but likely to produce argumentation and thus to protract debate beyond reasonable limits. In this manner they apparently seek to justify a continued role as presumable spokesmen for Indian tribes. Likewise, it should be noted that in legislative considerations various other private organizations and serious-minded periodicals have been used as devices propagandizing viewpoints based upon assertions known to Congress to be contrary to the facts upon Indian conditions. Special interests are of course involved in other ways; thus commercial companies having specific reservation leases may be reluctant to see terminal programs proceed, feeling that their own economic interests may be jeopardized. And again, State cooperation in the assumption of responsibilities for their Indian citizens has not always been consistent. Historically, however, the Congress, although perhaps more or less ineffectively until recent years, has sought in the nineteenth and early twentieth centuries to free the Indian. A full study of Congressional actions will bear this out. Freedom for the Indian was the goal then; it is the goal now.

Unfortunately, the major and continuing Congressional movement toward full freedom was delayed for a time by the Indian Reorganization Act of 1934, the Wheeler-Howard Act. Amid the deep social concern of the depression years, Congress deviated from its accustomed policy under the concept of promoting the general Indian welfare. In the postdepression years Congress—realizing this change of policy—sought to return to the historic principles of much earlier decades. Indeed, one of the original authors of the act was desirous of its repeal. We should recall, however, that war years soon followed in which Congress found itself engrossed in problems first, of national defense and then of mutual security. As with many other major projects, action was thus delayed.

INDIAN FREEDOM

In 1947 significant facts were emphasized regarding the advisability of furthering Indian freedom during hearings of the Senate Post Office and Civil Service Committee. The then Acting Commissioner of Indian Affairs, William Zimmerman, Jr., testified that about 40,000 Indians were then ready for immediate freedom from further special Federal control. Statements made by the Acting Commissioner vividly recalled Congressional attention to the fact that specific groups of Indians were then regarded as prepared for on-the-spot freedom from their wardship status. Later the same Mr. Zimmerman became an officer of one of the private groups interested in Indian affairs. This testimony at the 1947 hearings served as an effective stimulus toward renewed consideration of an end of wardship.

In the light of this background, the actions of the ensuing 83d and 84th Congresses offer profitable example and experience. As this Federal policy is better understood, tribal and individual Indian interest in abolishment of special Federal controls will continue to increase. Meanwhile, we must be ever mindful that in broad terms and in many ways, decontrol has already advanced for all Indians by and large. These Federal restraints over Indians have been removed through related Congressional measures dealing with health, education, social welfare, economics, and kindred fields, the end result of which is to regard the Indians as any other American citizens.

The Indian freedom program will not be accomplished immediately in the case of more large and complex situations, but for most tribes it can be numbered in a few years. Emotional and practical concerns dictate careful but measurable progress toward the goal of complete freedom. Complicated realty and other property problems, the careful clarification and protection of rights, these at times serve to make the process of decontrol lengthy. Meanwhile the Congress, through increased appropriations, is stressing the education of Indian children. The Bureau of Indian Affairs is expanding its adult education and vocational rehabilitation programs to help Indians earn a livelihood and to assume their responsibilities as citizens without special Federal services. By action of the 83d Congress, Indian health concerns, previously in the Bureau's care, have been transferred to the Public Health Service. Simultaneously through the Bureau's relocation program, increasing thousands of energetic, healthy, skilled Indians compete successfully in our cities, bring their families into new modern homes, and thus in effect remove many conditions of their earlier wardship. Where financial burdens of transition from guardianship to normal citizenship appear evident for a tribe, consideration is given; thus the 83d Congress in precedent-setting legislation provided assurance of aid for the Menominee. When all factors are considered, numerous chain-reaction situations are evident which tend to stimulate the desire for freedom even more conclusively.

We may admit the it-takes-time view, but we should not allow it to lull us into inaction. Freedom of action for the Indian as a full-fledged citizen—that is the continuing aim. Toward this end Congress and the administration, State, and local governments, Indian tribes and members, interested private agencies, and individual Americans as responsible citizens should all be united and work constantly. The legislatively set target dates for Indian freedom serve as significant spurs to accomplishment. Congress steadily continues to inform itself, to seek out, delimit, and assist those Indians most able to profit immediately by freedom from special supervision, and it acts primarily to speed the day for all Indian tribes and members to be relieved of their wardship status. A basic purpose of Congress in setting up the Indian Claims Commission was to clear the way toward complete freedom of the Indians by assuring a final settlement of all obligations—real or purported—of the Federal Government to the Indian tribes and other groups.

This picture we must keep in mind when considering the steps that will be taken during the 85th and succeeding Congresses and in understanding the setting in which the 83d and 84th Congresses acted to directly further the freedom program.

Let us now briefly consider the work of these two recent Congresses.

Freedom program in the 83d Congress

In 1953 during the 83d Congress the Members of the Senate and the House unanimously endorsed a statement on Indian policy that has continued to be in its general terms the guiding course of Congress. This action taken in the first session, designated as House Concurrent Resolution 108, should be carefully noted in full:

"Whereas it is the policy of Congress, as rapidly as possible to make the Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship; and

"Whereas the Indians within the territorial limits of the United States should assume their full responsibilities as American citizens: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is declared to be the sense of Congress that at the earliest possible time, all of the Indian tribes and the individual members thereof located within the States of California, Florida, New York, and Texas, and all of the following-named Indian tribes and individual members thereof, should be freed from Federal supervision and control and from the disabilities and limitations specially applicable to Indians: The Flathead Tribe of Montana, the Klamath Tribe of Oregon, the Menominee Tribe of Wisconsin, the Potawatomi Tribe of Kansas and Nebraska, and those members of the Chippewa Tribe who are on the Turtle Mountain Reservation, North Dakota. It is further declared to be the sense of Congress that, upon the release of such tribes and individual members thereof from such disabilities and limitations, all offices of the Bureau of Indian Affairs in the States of California, Florida, New York, and Texas, and all other offices of the Bureau of Indian Affairs whose primary purpose was to serve any Indian tribe or individual Indian freed from Federal supervision should be abolished. It is further declared to be the sense of Congress that the Secretary of the Interior should examine all existing legislation dealing with such Indians and treaties between the Government of the United States and each such tribe, and report to Congress at the earliest practicable date, but not later than January 1, 1954, his recommendations for such legislation, as in his judgment, may be necessary to accomplish the purposes of this resolution."

Thereafter there were bills introduced and hearings held in 1954 on 12 Indian groups totaling 1,715 printed pages. As a result Congress enacted legislation providing for release of Federal supervision over the property and individual members of the Alabama and Coushatta Tribes of Texas, the Klamath of Oregon (Klamath and Modoc Tribes and the Yakooskin band of Snakes), the tribes of western Oregon (Grand Ronde, Siletz), the Menominee Tribe of Wisconsin, and certain tribes in Utah (Shivwits, Kanosh, Koosharem, and Indian Peaks bands of Paiutes; the mixed-blood Uintah and Ouray [Utes]). All of the above except the Utah Indians were specified in House Concurrent Resolution 108.

Approximately 10,000 Indians were thus set on the road to complete citizenship rights and responsibilities.

Hearings were also conducted but no conclusive legislation was adopted by the 83d Congress regarding freedom from special supervision of the following: The Kansas and Nebraska tribes (Sac and Fox, Iowa, Potawatomi, Kickapoo), the Makah of Washington, the Flathead of Montana (Salish and Kootenai), the Seminole of Florida, the Turtle Mountain Chippewa of South Dakota, the Indians of California, the Nevada Indians (Ruby Valley, Shoshone, Yerington Paiute, Battle Mountain, Carson, Las Vegas, Lovelock, Reno-Sparks and Yerington colonies).

Completion of the Alabama-Coushatta program largely enabled the Bureau of Indian Affairs to wind up its activities in Texas, one of the goals expressed in the resolution. Even before its adoption the Bureau had virtually concluded its activities in another State mentioned in the resolution, that of New York.

Freedom program and the 84th Congress

During the 84th Congress legislation resulted in approval of releasing Federal control over the property and individual members of three tribes in Oklahoma—the Peoria, Ottawa, and Wyandotte. Each of these tribes voluntarily adopted a resolution requesting the introduction and enactment of terminal legislation.

Through action of the 84th Congress the Council of the Confederated Tribes at Colville, Wash., will submit within 5 years to the Secretary of the Interior a proposed plan providing for their decontrol. The Congress likewise adopted a special decontrol deadline in the case of the mixed-blood members of the Uintah and Ouray (Utes) in Utah. This provided a 7-year period or until fall, 1961, for completion of terminal proposals.

Secluded reservation life is a deterrent to the Indian, keeping him apart in ways far beyond the purely geographic. By way of preparation for future decontrol programs, the 84th Congress also passed the Vocational Rehabilitation Act to assist Indians to adapt themselves more readily to off-reservation life. Self-reliance is basic to the whole Indian-freedom program. Through our national historic development the Indian was formed into a dependent position with the Federal Government more and more, as America advanced westward, tending to sublimate his natural qualities of self-reliance, courage, discipline, resourcefulness, confidence, and faith in the future. Congress has realized this, and has steadily acted more positively to restore to the Indian these qualities. But self-reliance demands opportunity to grow. The Indian must be given the conditions under which—and only under which—self-reliance can be wholeheartedly regenerated.

DECONTROL ACTIONS PRECEDENT TO THE 83D AND 84TH CONGRESSES

To further clarify understanding, certain actions taken earlier than these two Congresses should be noted. Long before the 83d, of course, the matter of releasing Indians from Federal controls had been an important concern for Congressional and administration study and action.

During the early years of the century so-called competency commissions were intended to provide a means of determining the qualifications of Indians to manage their affairs independently of Bureau of Indian Affairs supervision.

A decisive step forward was the granting of legal citizenship in 1924 by Congress to all American Indians born in this country not hitherto made citizens. This clear indication of Congressional decision pointed toward the ideal of Indian freedom and complete citizenship.

The role of the Bureau itself in preparing the Indian for self-reliant status was emphatically phrased by the Institute for Government Research. The Brookings Foundation, in its major 1928 publication, the Problem of Indian Administration, commonly known as the Meriam report. It stated.

"The fundamental requirement is that the task of the Indian Service be recognized as primarily educational, in the broadest sense of that word, and that it be made an efficient educational agency, devoting its main energies to the social and economic advancement of the Indians, so that they may be absorbed into the prevailing civilization or be fitted to live in the presence of that civilization at least in accordance with a minimum standard of health and decency."

Soon thereafter—from 1929 to 1934—a broad survey was conducted by a Senate subcommittee relating to the principles upon which Indian administration should be furthered.

The Meriam report had recommended the transfer of services performed by the Bureau of Indian Affairs to other agencies, both public and quasipublic. This principle was observed in 1934 in the passage of the Johnson-O'Malley Act, which enabled the Bureau to transfer some of its previous services, particularly in the welfare and educational fields. By thus integrating the Indians into service channels open to the common citizenry the way toward freedom from special controls was fostered.

During the late 1940's when the matter of Federal decontrol was considered it was proposed in theory that an impartial scientific approach was the best means to handle the terminal program. Thus, for those tribes definitely showing the greatest degree of advancement in education and economic self-sufficiency it was proposed that Federal control be withdrawn immediately. For others, a graduated scale of dates was proposed depending upon the rate of advance indicated. In 1947 the Bureau developed yardsticks and opinions on the relative degree of acculturation of various Indian tribes based on 1930 data. Since that time a continuing effort has been and is being made to refine similar data by tribes and other groups. Many of these data appeared in detail in House Report No. 2503, 2d session, 82d Congress, and in House Report No. 2680 of the 83d Congress. These reports and other survey work and recommendations were conducive to legislative action, particularly in the 83d Congress.

By thus integrating the Indians into service channels open to the common citizenry the way toward freedom from special controls was fostered.

ADMINISTRATIVE DEVELOPMENT OF 83D CONGRESS LEGISLATION

Experience developed in carrying out the legislation adopted by the 83d Congress for freedom from special Federal control over Indians will be a valuable guide in continuing to develop further freedom-program bills. Generally, this experience has shown that other factors being equal, the smaller and rather well assimilated tribes or other groups, having relatively minor and cohesive property or other value interests easily adjustable to individual shares, appear the more likely subjects for prompt release from Federal controls. And conversely, rather unassimilated and/or large groups with quite major or intricate property or other value interests require more time, patience, and mutual understanding in moving toward eventual freedom from their Federal wardship status.

For example, in a case such as that of the Alabama and Coushatta Tribes in Texas, involving about 400 Indians, relatively few problems were involved. All administrative action under the measures signed August 23, 1954, is complete. In fact, Federal supervision ended as of July 1, 1955, and reasponsibility for 3,100 acres of tribal lands has been transferred to the State of Texas. These Indian people continue to be eligible for admission to hospitals and schools, maintained by the Federal Government for Indians, on the same terms applicable to other Indians. However, only seven found it necessary to call upon Public Health Service hospitals for medical needs. During the fiscal year 1956 five Alabama and Coushatta students continued or completed their courses in Bureau schools.

Decontrol also proceeded smoothly with the so-called western Oregon Tribes, including some 2,100 Indians, and was completed August 13, 1956. Here more than 60 tribes, bands, and communities in northwest Oregon were concerned. After its final membership roll was completed the Grande Ronde Tribe decided to dispose of the bulk of its tribal lands and such sales were initiated. A practical property settlement on the Siletz Reservation was quickly effected and a per-capital distribution of $500,000—$400,000 of it from the sale of tribal lands—was made to the Siletz.

In December 1956 completion of decontrol arrangements for the Paiute bands in Utah was very near, assuring an additional 232 Indians freedom from any special controls by the Federal Government.

A practical solution of the full- versus mixed-blood status, of certain tribesmen was effectively worked out in Utah in the case of 1,804 Indians—Utes of the Uintah and Ouray Reservation. The Congressional act of August 27, 1954 provided for the division of tribal assets between the full bloods (the Ute Indian Tribe of the reservation) and the mixed bloods (the affiliated Ute citizens of the State of Utah). The final roll published April 5, 1956, determined a membership of 1,314 full-blood Indians and 490 mixed-blood persons. On the basis of this last roll a ration for the division of tribal lands was then worked out between full and mixed bloods. The mixed bloods have now adopted a constitution and by-laws approved by the Bureau, and a budget for fiscal year 1957 made provision for a $4,500 per-capita distribution of assets of the affiliated Ute citizens. Meanwhile the full bloods have drawn up a long-range development program for their own property.

In the case of the Klamath the Government has shown its willingness to review the program as a result of administrative problems that arose in applying freedom legislation. As a result of statements from both Indians and non-Indians who felt that enforcement of the act of August 13, 1954, might prove injurious to the valuable Klamath forest lands, the Secretary of the Interior has agreed to review the act with a view to possible amendment should it seem desirable. The act does not call for complete decontrol before August 13, 1958. However, other events moved forward auspiciously for the 2,118 Indians concerned. A proposed final roll for the Klamaths has been published, and plans have been proceeding for a suggested division of the tribal property as well as for management of tribal-held assets.

A detailed case history of each tribal member is being obtained, and a special advisory service is open to those wishing its assistance.

Although the Menominee was the first decontrol act adopted by the 83d Congress, on June 17, 1954, this act affecting the largest such group to date—3,225 Indians living in Wisconsin—provides for the longest transition period of those enacted by the 83d Congress. In many ways the most interesting of the decontrol projects to date, it also marks a fine example of State and local interest and cooperation.

During the first year of the Menominee transitional program four steps were taken: To prepare for a final membership roll and to arrange distribution of $4,885,500 among members; to set up a State-Federal special educational program and to reorganize tribal and agency commercial activities with Menominee controls greatly augmented.

An enlarged tribal organization has taken over many service functions formerly performed locally by the agency personnel. The greatly reduced agency staff is now largely devoted to advisory and trust-management

activities. For the balance of the transitional period it will be a learn-by-doing process for the Menominees with counseling and general trust supervision as the Bureau's interim role.

ADMINISTRATIVE DEVELOPMENT OF 84TH CONGRESS LEGISLATION

Through their voluntary request more than 2,000 Indians in Oklahoma, members of the Peoria, Ottawa, and Wyandotte Tribes, were placed upon the road to final termination of special Federal controls by the 84th Congress. For each group a complete membership roll was to be prepared early in 1957, and it was expected that decontrol would be complete by August 1959 for each. No large administrative problems appear evident.

During October 1956 a delegation of the Confederated Tribe of the Colville, Wash., reservation met with Bureau officials in Washington to prepare a 5-year decontrol program for 4,189 Indians. The 84th Congress had provided that the tribe should submit proposed decontrol legislation by July 24, 1961.

VOLUNTARY INDIAN ACTIONS TOWARD FEDERAL DECONTROL

The Commissioner of Indian Affairs, Glenn L. Emmons, has noted that one of the most helpful and promising courses toward termination is by voluntary request of the Indian groups themselves. In an informal statement on January 31, 1956, at a House subcommittee hearing on appropriations, Emmons remarked:

"• • • In a number of areas, tribes have taken the initiative in exploring the means of programing their way toward eventual self-determination, that is, the Sisseton-Wahpeton Tribe in the Aberdeen (S. Dak.) area, the Makah and Colville Tribes in the State of Washington, several urban colonies in Nevada, the tribes in the Quapaw jurisdiction in eastern Oklahoma. • • •

"• • • in order for projects to be meaningful to the tribal groups, they must be developed at the local level in consultation with the tribal groups affected, and there must be a continuous follow-through in the development and implementation of the program proposals."

On April 12, 1956, in a major memorandum to all of the Bureau area directors and superintendents, Commissioner Emmons again referred particularly to the value of voluntary Indian group action. He said in part:

"A good program is one which results from the desires of and fits the needs of a particular group of Indians. In whole or in part the program should, if possible, be the work of the Indians themselves."

As to the question of legislation Emmons noted that "• • • In some cases, it may specifically develop that special legislation will be necessary to forward a group's basic program. In other cases the Indian group may feel that the group's cultural assimilation and integration into the community life about them has progressed to the point where they desire early Congressional consideration of termination legislation. In either case, the area director should advise the Commissioner with a view to arranging for special guidance and assistance."

ROLE OF THE INDIAN CLAIMS COMMISSION IN DECONTROL

Completely within the historic policy of Congress in working toward the elimination of special controls over Indians is its concept of the role of the Indian Claims Commission. The Commission assures legal settlement of long-standing claims for redress against the Federal Government, which many Indians believe should be a necessary condition precedent to effective decontrol consideration. The Commission, set up in 1946, was then empowered to accept petitions until August 13, 1951, and was directed to conclude judgments on all claims by April 1957. Because of the large number of claims filed it had become necessary to extend the life of the Commission, and Congress—intent on providing judicial determination of all claims—passed legislation in 1956 to continue the Commission until the spring of 1962. However, the fact that all claims are not settled does not forestall present decontrol planning.

ACTION OF SUCCEEDING CONGRESSES TOWARD DECONTROL

The basic principle enunciated so clearly and approved unanimously by the Senate and House in House Concurrent Resolution 108 of the 83d Congress continues to be the overall guiding policy of Congress in Indian affairs. In view of the historic policy of Congress favoring freedom for the Indians, we may well expect future Congresses to continue to endorse the principle that as rapidly as possible we should end the status of Indians as wards of the Government and grant them all of the rights and prerogatives pertaining to American citizenship.

With the aim of equality before the law in mind, our course should rightly be no other. Firm and constant consideration for those of Indian ancestry should lead us all to work diligently and carefully for the full realization of their national citizenship with all other Americans. Following in the footsteps of the Emancipation Proclamation of 94 years ago, I see the following words emblazoned in letters of fire above the heads of the Indians—these people shall be free.

COL. BENJAMIN AXELROAD—VETO MESSAGE (S. DOC. NO. 51)

The PRESIDING OFFICER (Mr. MORTON in the chair) laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying bill, referred to the Committee on the Judiciary and ordered to be printed:

To the United States Senate:

I am returning herewith, without my approval, S. 1008, for the relief of Col. Benjamin Axelroad.

The bill would provide for the payment to Col. Benjamin Axelroad, of Tullahoma, Tenn., the sum of $2,799.50 as compensation for legal services performed and expenses incurred by him in securing the enactment of private relief legislation to compensate certain claimants for a death and for personal injuries sustained by others in a motor-vehicle accident involving an Army truck.

The private relief legislation involved was Private Law 498, 83d Congress, approved July 1, 1954, entitled, "For the Relief of Chester H. Tuck, Mary Elizabeth Fisher, James Thomas Harper, and Mrs. T. W. Bennett," which provided compensation to the named beneficiaries in the aggregate amount of $27,999.50. That act also provided that no part of the money appropriated therein should be paid to or received by any agent or attorney on account of services rendered in connection with such claim and specified a penalty of a fine of not more than $1,000 for violation of such prohibition. When that act passed the House of Representatives, it provided that no part of the amount appropriated therein "for the payment of any one claim in excess of 10 percent thereof" should be paid to any attorney. This language was stricken in the Senate, however, and the measure was finally enacted carrying the complete bar against the payment of attorney's fee in any amount from the sums appropriated.

The relief proposed by this measure is most unusual. It would require the Government to compensate counsel for claimants in private relief legislation, whereas claimants themselves should bear the cost of attorneys' fees for such services. Indeed, the enrolled bill here under consideration contains an identical prohibition against the payment of attorneys' fees for services rendered in connection with this legislation. I am unable to find any justification for the payment by the Government of attorneys' fees on behalf of claimants in private relief legislation. Committee reports on this bill (H. Rept. 498 and S. Rept. 210, 85th Cong.) advance, as a basis for this legislation, the fact that original language would not have prohibited the payment of an attorney fee by the claimants. This language was stricken from the bill and, as a result, counsel could not obtain compensation under the bill as finally enacted. If the original language of the former measure, prohibiting the payment of attorneys' fees from the amount appropriated in excess of 10 percent thereof, had been enacted, Colonel Axelroad might have been entitled to recover reasonable attorneys' fees from claimants out of the amount appropriated—but in no event would he have been entitled to a fee from the Government. If the Congress wishes to undo what it did in enacting legislation prohibiting Colonel Axelroad from receiving any compensation from the amounts of the several awards, it may be done by appropriate legislation. I cannot, however, approve legislation which would cast upon the Government the burden of paying the fees of counsel for claimants in private relief legislation, and which would establish a most undesirable precedent.

For these reasons, I feel obliged to withhold my approval from this measure.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *July 1, 1957.*

ADJOURNMENT TO 11 A. M. TOMORROW

Mr. MANSFIELD. Mr. President, under the order previously entered, I move that the Senate stand in adjournment until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 16 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until tomorrow, Tuesday, July 2, 1957, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate July 1, 1957:

FEDERAL DEPOSIT INSURANCE CORPORATION

Erle Cocke, Sr., of Georgia, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of 6 years, vice Maple T. Harl, deceased.

INTERNATIONAL MONETARY FUND

Frank A. Southard, Jr., of New York, to be United States executive director of the International Monetary Fund for a term of 2 years. (Reappointment.)

COLLECTOR OF CUSTOMS

Cleta M. Smith, of St. Louis, Mo., to be collector of customs in customs collection district No. 45, with headquarters at St. Louis, Mo. (Reappointment.)

DEPARTMENT OF COMMERCE

Henry Kearns, of California, to be an Assistant Secretary of Commerce, vice H. C. McClellan, resigned.

COAST AND GEODETIC SURVEY

Charles Pierce, of Washington, to be Assistant Director of the Coast and Geodetic Survey, with the rank of rear admiral for a term of 4 years, vice Robert W. Knox, retiring.

TENNESSEE VALLEY AUTHORITY

Arnold R. Jones, of Kansas, to be a member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 1966, vice Harry Alfred Curtis, term expired.

MISSISSIPPI RIVER COMMISSION

Brig. Gen. William A. Carter (colonel, Corps of Engineers) to be a member and President of the Mississippi River Commission, vice Maj. Gen. John R. Hardin, retiring.

UNITED STATES ATTORNEY

Hugh K. Martin, of Ohio, to be United States attorney for the southern district of Ohio for a term of 4 years. He is now serving in this office under an appointment which expires July 16, 1957.

UNITED STATES MARSHAL

James Y. Victor, of Oklahoma, to be United States marshal for the northern district of Oklahoma for a term of 4 years. He is now serving in this office under an appointment which expires August 5, 1957.

PUBLIC HEALTH SERVICE

The following candidates for personnel action in the regular corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR APPOINTMENT

To be surgeon

Philippe V. Cardon, Jr.

To be senior assistant surgeon

George M. Berg
Philip S. Brachman
Charles A. Davis, Jr.
John P. Doyle
Jerome G. Green
Joseph P. Mardesich
Norbert J. Matzinger
Gene E. Meger
Bernard R. Shochet
James H. Tuthill
Adolph J. Urban
Daniel I. Yale

To be assistant surgeon

Robert W. Kirtley.

To be senior assistant dental surgeon

Selvin Sonken.
Charles W. Taylor, Jr.

To be assistant dental surgeon

Darwin F. Davis, Jr.
Christopher E. Kennemer.
Charles P. Wollschlager.

To be senior sanitary engineer

Jerome H. Svore.

To be senior assistant sanitary engineer

Joseph P. Schock.

To be assistant sanitary engineer

Richard S. Brief.
Herbert R. Pahren.

To be senior assistant pharmacist

Salvatore D. Gasdia.

To be assistant pharmacist

Gene G. Knapp.
M. Thomas Wagner, Jr.

To be senior scientist

Herbert F. Schoof.

To be scientist

Joseph B. Margolin.

To be sanitarian

Mary C. Gillis.
William C. Miller, Jr.

To be assistant veterinarian

Paul Arnstein.

To be nurse officer

Tirzah M. Morgan.

To be senior assistant nurse officer

Verna B. Grimm.
Helen Solomon.
Lena F. Turner.

To be therapist

Corinne Q. Way.

II. FOR PERMANENT PROMOTION

To be surgeon

Charles A. Munroe.

To be senior assistant pharmacist

James E. Bleadinghelser.

To be assistant pharmacist

William H. Briner.
Robert E. McKay.

To be senior therapist

Eleanor G. Loomis.

IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299. All officers are subject to physical examination required by law.

To be lieutenant colonel

Abernathy, Sterling H., O32401.
Abraham, Robert, O32427.
Ackner, Ned E., O32452.
Aebischer, Louis J., O32384.
Ahee, Joe, O22215.
Allen, Ollie J., O32085.
Arthur, John E., O32468.
Babcock, Bernard E., O44018.
Bachman, Roger M., O22226.
Ballah, Harry, O22218.
Balliett, Howard D., O22684.
Bare, George S., O32488.
Barry, Robert B., Jr., O22674.
Baskin, John S., O22634.
Batlin, Alexander, O43927.
Baum, John W., O38997.
Beaty, William F., O22672.
Becker, Alexander, O32392.
Bedford, William H., Jr., O43926.
Beelman, Glenn T., O22235.
Besser, William J., O44039.
Bishop, James F., O22231.
Bjork, Delbert L., O32399.
Boyce, Beryl L., O32400.
Bradford, James C., O32519.
Brooks, Robert L., Jr., O44054.
Brown, Bevelle T., O32469.
Brown, Virgil G., O40398.
Browne, Harvey S., 3d, O38992.
Brownfield, Page H., O40395.
Brubaker, William E., Jr., O32497.
Bruce, Thomas R., Jr., O32423.
Bruyere, Walter R., 3d, O22644.
Bucha, Paul A., O31996.
Callaway, George D., O32502.
Canine, Chester E., O43949.
Cannon, Linden K., Jr., O32509.
Cantrell, Charles, O22682.
Chaney, Christopher W., O32496.
Christy, John J., O44023.
Clark, Carl V., O40393.
Cole, Norman E., O32484.
Copley, Lewis L., O22652.
Corcoran, Charles A., O31721.
Cox, Amel L., O43971.
Cox, Landon G., O32413.
Cross, Leslie H., O22232.
Dantzker, Morris, O43992.
Dawson, George P., Jr., O38998.
Delnore, Victor E., O32398.
Devore, Leland S., Jr., O32404.
Dewey, George C., O22191.
Dickey, Charles H., 3d, O44001.
Donaldson, William R., O22198.
Dougan, Murray D., O22221.
Downey, Stephen W., Jr., O22649.
Doyle, George K., O44000.
Eaves, Royce L., O32499.
Eitt, Herbert E., O32477.
Erb, Herbert B., O40379.
Erickson, John L., O32434.
Fairchild, Clarence G., O40396.
Fisher, Norman E., O32435.
Fleming, David D., O32042.
Fondren, William M., O32481.
Fonk, Elwyn J., O44015.
Foster, Ralph L., O22669.
Freeman, Harlan M., O32409.
Friedman, Arthur L., O32474.
Frink, Albert W., O22192.
Gall, William O., O22664.
Gallagher, James D., O43958.
Gallaher, Glendale D., O43925.
Gee, William C., O44027.
Genetti, Albert J., O22194.
Giles, Earl F., O56899.
Gorn, John W., O22200.
Gray, Norman, O40387.
Hale, Ralph N., O43968.
Hall, Richard E., Jr., O32330.
Hamilton, Wilbur A., O52352.
Hampton, McLean, O32239.
Hannum, Calvin S., O32428.
Harnstrom, Edmund V., O32414.
Harrold, Arthur K., O32417.
Hasselback, Frederick W., O22673.
Hassenfelt, Harold E., O22195.
Hastings, William H., O22658.
Heasty, Charles F., Jr., O22665.
Helfert, Peter A., O32385.
Helmuth, Oliver J., O32395.
Heston, John T., O52371.
Hill, Raymond D., O22645.
Hodges, Richard, O44065.
Holmes, Sterling C., O22655.
Hood, Ralph E., O32443.
Hoover, Lawrence M., O22193.
Hussey, William J. A., O22205.
Irby, Richard L., O22678.
Jacks, Fred W., Jr., O32407.
Jean, James N., O22632.
Jewett, Leonard G., O22236.
Johnson, Benjamin W., O52351.
Johnson, Harold O., O22635.
Jordahn, Erik W., O44060.
Kaiser, William F., O52323.
Kaufman, Lee S., O32388.
Kelly, Lem M., O32378.
Kenan, Thomas A., O22670.
Kent, Richard F., O22676.
Kinson, Richard L., O43955.
Koshko, John R., Jr., O43974.
Kyckelhahn, Russell H., O32467.
Laing, James A., O43929.
Landes, Sidney W., O40397.
Langham, Harauld D., O32518.
Lay, Kenneth E., O22224.
Layman, Ernest M., Jr., O32455.
Lemmon, Johnson G., O22653.
Leonard, John W., O44056.
Lewis, Arden I., O43360.
Lossen, Herbert L., O32420.
Luczak, Bernard R., O22196.
Ludeman, Richard F., O22233.
Lumry, Raymond H., O22199.
Lyons, Crawford D., O43924.
MacDonald, Aleck F., O22685.
MacLeod, James F., O44026.
MacLean, Robert J., O44042.
Mann, Thomas L., O22663.
Marlowe, Lon D., Jr., O32459.
Marshall, Albert B., O52350.
Marshall, Oliver K., O22219.
Masters, Avery W., O22666.
Matlock, Hallie A., O40377.
Maynard, Stanley G., O32515.
McConnell, C. W., O40381.
McCord, Max, O52355.
McCrory, Dorsey E., O22683.
McKnight, John T., O32439.
McQuail, Robert P., O22651.
McWhinney, William W., O32450.

Merrill, Claude J., O22241.
Merritt, Harrison J., O62492.
Micheau, Charles G., O32429.
Miller, Gordon A., O40386.
Miller, Homer E., O22227.
Miller, Josiah B., O32386.
Molloy, Robert W., O32526.
Moore, Louis R., Jr., O22662.
Moorefield, Jesse P., O22244.
Morelock, George L., Jr., O43960.
Murphy, Arthur P., O62226.
Murphy, Luther W., O43979.
Myers, James R., O22209.
Niccolls, Robert S., O32317.
Pavey, Kenneth G., O22307.
Pearson, Willys H., O22660.
Penty, William J., O22300.
Peterson, Carl A., O52344.
Petrilli, Frank J., O32433.
Pope, Lemuel E., O22646.
Pray, John I., O22214.
Radtke, Kurt G., O22208.
Ragsdale, Gerald H., O22217.
Ralf, Earl W., O44037.
Rankin, George H., O32522.
Ratliff, Frank G., O22637.
Rawie, Vernon E. R., O22654.
Reeves, Charles P., Jr., O43996.
Reeves, Charles W., O22223.
Requarth, Jack A., O22189.
Reynolds, Edwin W., O43969.
Rials, Grady F., O44022.
Richards, Ira B., Jr., O22639.
Richardson, Richard L., O44002.
Risley, Richard G., O32516.
Rodgers, Thomas A., O44010.
Rohr, Urban E., O38996.
Rosa, Robert J., O33078.
Roseborough, Morgan G., O22681.
Rountree, William C., O32387.
Rousek, Charles, O44030.
Rushing, William J., O40391.
Russell, Clyde R., O32478.
Samson, Charles P., O22204.
Sanders, Edgar S., O52359.
Sasse, Emil D., O32421.
Scannon, Anthony J., O32393.
Schooley, Carl T., O22225.
Schumm, Frederick L., O32479.
Sharrer, Robert A., O22229.
Shaver, Robert T., O43928.
Shaw, Eugene A., O32511.
Shepherd, Joe R., O40380.
Shigley, James N., O22222.
Shoemaker, Samuel E., O22661.
Simmerman, James S., O40376.
Slaughter, Donald F., O22202.
Smith, Everett N., O32449.
Snow, John R., O22659.
Swatta, Frank A., O22237.
Tam, Donald R., O43933.
Thomte, Hubert D., O22633.
Thorkelson, William L., O22667.
Turner, David C., O43965.
Tutin, Bill J., O32381.
VanSickle, Clifford J., O32505.
Vieman, Lewis D., O22201.
Wadle, Louis J., O44059.
Ward, Albert N., Jr., O32491.
Warner, George P., O32462.
Waterman, Glen S., O22239.
White, Alan B., O22675.
White, Claude W., O44029.
Whittick, John R., O33457.
Wildey, Robert W., O52353.
Wilkins, James C., O44009.
Williams, Robert M., O22206.
Wineman, Theodore H., O52354.
Witherspoon, William O., Jr., O40378.
Wood, John E., Jr., O22210.
Woodward, Walden F., O22190.
Young, Ross, O39001.
Zacca, Mario J., O32396.

To be lieutenant colonel, Chaplain

Johnson, Andrew L., O30934.
Kozak, Edwin J., O43129.
McCarty, Robert S., O51970.
Moore, Harmon D., O51971.
Sampson, Francis L., O30951.

To be lieutenant colonel, Medical Corps

Ashby, John D., O66606.
Conant, Ralph E., O65408.
Cox, William W., O43178.
Crump, Frederic M., O65530.
Heldobler, Alfred O., O65568.
Kirk, Warren M., O65674.
Krieger, Howard G., O65673.
Putnoi, Martin, O66075.
Reed, Paul A., O65411.
Smith, James H., O55410.
Sullivan, Joseph T., O59513.
Turner, Hyman, O65567.

To be lieutenant colonel, Dental Corps

Augsburger, Russell H., O24376.
Avery, S. Kingdon, O23684.
Clapp, Stacy W., Jr., O30990.
Cruzan, Winston V., O30981.
DeGon, Kenneth C., O23676.
Evans, Pierre O., O23351.
Farrell, Clement A., O30988.
Farrell, Richard J., O25168.
Goodall, Henry A., O30977.
Haskins, Harold P., O23347.
Irby, William B., O31035.
Krug, Frederick R., O25613.
Lafflitte, Herbert B., O43150.
McKelvey, Lowell E., O30967.
McNelly, Justin E., O31026.
Murphy, James M., O23609.
Orsinger, William O., O23343.
Quarantillo, Edward P., O31002.
Rogers, Roger P., O38858.
Sexson, Julius C., O24630.
Siegesmund, Kenneth W., O43149.
Smith, Edwin H., Jr., O24629.
Talbot, Raymond J., O23608.
Wilenzick, Harold, O23342.

To be lieutenant colonel, Veterinary Corps

Batcheldor, George D., O38852.
Brenner, Carl F., O51969.
Isenberg, Conley G., O40104.
Wheelin, Thomas J., O38856.

To be lieutenant colonel, Medical Service Corps

Flintjer, John D., O56920.
Ryer, Robert, 3d, O31252.
Stabile, Joseph N., O43218.

To be lieutenant colonel, Women's Army Corps

Briggs, Ruth M., L339.
Lynch, Sue, L81.
Munson, Ethel C., L91.
Murray, Billie L., L84.
Schulten, Marjorie E., L249.

To be major

Abrignani, Vincent A., O40966.
Adams, Edwin C., O38212.
Adamson, James B., O26935.
Allan, Robert H., Jr., O38070.
Althaus, Kenneth G., Jr., O41121.
Amacher, Aaron G., O27040.
Anderson, Arnold V., O37666.
Anderson, Edward P., O39426.
Andreoli, Robert L., O41181.
Andrews, Albert E., O55492.
Applewhite, Kermet H., O36787.
Aschoff, John F., Jr., O37856.
Atkins, James L., O39409.
Aud, James E., O27051.
Aylor, James L., O37766.
Barbour, Alfred E., O37787.
Barfoot, Van T., O38269.
Barnes, Joseph P., O26501.
Bartley, James T., O26649.
Beaumont, Lee Roy H., Jr., O55170.
Belford, Jack F., O55279.
Bell, William, 3d, O26934.
Benckart, Robert G., Jr., O49838.
Benner, John S., Jr., O38089.
Betchtel, Robert W., O38218.
Beyer, Richard A., O38263.
Bishop, Eugene H., O41167.
Black, Frederick H., Jr., O26796.
Black, Harold, O49373.
Blaha, Charles R., Jr., O38245.
Blair, Victor P., O37926.
Blair, Wayne A., O55653.
Blake, Stewart P., O38221.
Blanchard, George S., Jr., O26737.
Blandford, James T., Jr., O26598.
Blewett, Rex R., O38030.
Bohannon, Frederick G., O27057.
Bohnak, Joseph A., O27036.
Bolick, James O., O36920.
Bowers, Frame J., Jr., O41129.
Boyles, Wilson N., Jr., O26933.
Bradley, Ben W., O49713.
Brady, John B., O26794.
Brandenburg, William H., O38080.
Braun, Eugene J., O37790.
Braun, Gustav J., Jr., O38191.
Bressler, Dean M., O26809.
Brinnon, William H., O55931.
Brooks, Albert Q., O26516.
Brooks, Dwight M., O50004.
Brown, Charles H., O49617.
Brown, George B., Jr., O26623.
Brown, John W., Jr., O26751.
Brownley, Richard H., O55919.
Bryan, Robert L., O41125.
Bullard, Robert H., O55817.
Burnett, Henry H., O26906.
Burr, William E., 3d, O26597.
Buttler, Robert M., O37685.
Buzzett, Harry A., O26683.
Cabaniss, Jelks H., Jr., O26558.
Cabell, DeRosey C., Jr., O26902.
Call, William T., Jr., O37896.
Callahan, Leslie G., Jr., O26704.
Campbell, James B., O26690.
Canham, Robert C., O38192.
Cann, Richard T., 4th, O37799.
Capka, Jerry G., O26573.
Carley, John W., O26571.
Carlson, John H., O26479.
Carne, William B., O38011.
Carraway, Joseph G., Jr., O50012.
Carson, James E., O41206.
Carter, Doniphan, O22907.
Cary, Randolph J., O26905.
Caton, June C., O38074.
Childers, Ernest, O48416.
Chiment, John A., O27046.
Christensen, John J., O49867.
Cleveland, John G., O26559.
Clore, Duncan D., O26642.
Coachman, Francis G., O49618.
Cody, Robert L., O55980.
Coggins, Samuel M., O37861.
Coleman, Bernard H., O38243.
Collins, Rodney J., O55519.
Conant, Robert W., O26502.
Connell, James M., O26700.
Connolly, Thomas W., O56008.
Cooch, Francis A., 3d, O26712.
Cook, Thomas A., O38238.
Cooksey, Howard R., O37690.
Cooper, Kenneth B., O26476.
Cowherd, Robert M., O26932.
Craddock, William P., Jr., O37952.
Crawford, Donald A., O37881.
Crawley, James J., O49218.
Curll, Edwin W. L., O49674.
Curry, Jack A., O39354.
Cushman, John H., O26483.
Cutrona, Joseph F. H., O26655.
Cyr, Clarence W., O26753.
Dallam, Robert N., O49607.
Dalton, Charles H., 3d, O37943.
Daly, Robert C., O26707.
Daney, Albert G., O26542.
Daniel, Charles D., O26744.
Dantzer, Laurence, LeR., O55602.
Darling, Howard N., O55893.
Dart, Robert C., O26552.
Davis, Charles J., O26491.
Davis, William A., O55935.
Davis, William E., O49241.
Dawson, Dallas O., O49338.
Day, Robert S., O26490.
DeArment, Harold G., O26617.
Decker, Edwin R., O26510.
Deeter, Chalmer L., Jr., O26822.
DeGraff, Andrew J., O26696.
Dempsey, Jack T., O37816.
Denman, Dale, Jr., O26691.
Desmond, John B., O26627.
Dew, James R., O37758.

DeYoung, Daniel, O38203.
Dickinson, Werner L., O55569.
Dinsmore, Oliver R., Jr., O37806.
DiSilvio, Armond, O26817.
Dixon, Walter J., O55511.
Dollar, Fred W., O39385.
Donaldson, John W., O26637.
Dondanville, Wilfred LaV., O26658.
Dooley, Edward M., O38168.
Dougherty, Joseph P., O55921.
Douglas, James S., O26625.
Douglass, John J., O49602.
Doyal, Dean A., O49017.
Drackett, Ferris J., O49474.
Drake, Robert E., O26621.
Dring, John P., O37734.
Duncan, Carl R., O38140.
Dunham, James W., O26614.
Dupont, Leo E., O55889.
Duttweiler, Oscar E., Jr., O26908.
Duvall, Duncan E., O36477.
Eaton, Robert L., O55596.
Eblen, Thomas H., O50015.
Eller, Keith E., O26533.
Eisenhower, John S. D., O26607.
Elliott, John T., O26896.
Ellis, Lindley C., O26849.
Emerson, Edwin W., O49152.
Emley, Paul C., O26909.
English, Keith H., O55422.
Enos, William F., O26819.
Erlenkotter, Richard, O26507.
Evans, John M., O39493.
Evans, Lawrence J., Jr., O38205.
Everton, Theme T., O41103.
Farne, George H., O26857.
Fish, Charles R., O38068.
FitzGerald, Charles G., O41098.
Fitzpatrick, Spillman N., Jr., O37826.
Flash, Edward T., O38087.
Fleming, Robert N., O50014.
Flint, Willard, O41077.
Flynn, John R., O26881.
Flynn, Thomas F., Jr., O26646.
Forsythe, Alva J., O26640.
Franaszek, Joseph J., O55447.
Francis, Henry M., O26715.
Franey, John E., O49217.
Freakley, Edwin M., O39440.
Frock, Charles F., O26731.
Fye, John H., 3d, O37715.
Gabrhel, Frank J., Jr., O49614.
Gallez, Douglas W., O26594.
Gentleman, Robert W., O50006.
Gephart, John W., O38069.
Gerstner, John F., O55315.
Gilbert, James B., O49514.
Gill, Bryan E., Jr., O56005.
Glan, John E., O26556.
Godfrey, Hampton J., O37822.
Goforth, Robert C., O37670.
Grace, Henry A., O26714.
Graft, Charles Van D., Jr., O37961.
Graham, William B., O26509.
Grant, Philip S., O26837.
Graves, Ernest, Jr., O26473.
Graves, William F., O49828.
Greaves, Fielding L., O26656.
Green, Charles W., O37744.
Gregg, Frank A., O37864.
Grimes, George E., O55568.
Gruenther, Donald A., O26528.
Guild, Walter A., Jr., O26525.
Guthrie, Richard E., O49822.
Haar, Herbert R., Jr., O49842.
Hacker, William C., O38083.
Hagler, Thomas, O27052.
Halin, Paul J., O55597.
Halstead, Leslie H., O26848.
Hamlin, Jack I., O38004.
Hansen, Richard H., O37714.
Hardy, Harry B., O41238.
Harper, Wilson C., O26663.
Harris, Douglas L., O26763.
Harris, Walter R., O26585.
Harrop, John W., O38136.
Hauser, John R., O37946.
Hayman, George R., Jr., O26576.
Hayward, Harold I., O26755.
Heaser, William J., Jr., O49892.
Heidt, George F., Jr., O41076.
Heiss, Gerson K., Jr., O26613.
Henderson, William G., O37707.
Henderson, William W., 3d., O49834.
Henion, John Q., O38206.
Hennessey, John J., O26793.
Henry, William R., O37960.
Hicks, Grady L., Jr., O38006.
Higgins, Warren J., O49460.
Hite, Merle L., O38036.
Hixon, Robert C., O37892.
Hoadley, Dallas W., O27012.
Hochmuth, Milton S., O55986.
Hodges, Warren D., O37869.
Hoffman, Roy A., O26726.
Hoge, William C., O37742.
Howland, John S., O26589.
Hoy, Thomas H., O38207.
Hughes, Orville R., O39432.
Humma, William J., O26861.
Humphrey, James B., O49620.
Hunt, Paul E., O36910.
Hurst, Robert H., O26838.
Hutter, Dean E., O38210.
Hyman, Arthur S., O26774.
Igersheimer, Milo, O37678.
Ingham, Frederick L., O37681.
Irvine, James, Jr., O26495.
Jacks, Gordon L., O49357.
Jackson, Harry H., O55516.
Jackson, Saul A., O26636.
Jelley, Alfred P., O37878.
Jenkins, Joseph E., O49610.
Jepson, Warren H., O38216.
Jervey, John P., O49219.
Johnson, Charles S., Jr., O26866.
Jones, Daniel B., Jr., O37937.
Jordan, William K., O55586.
Kahn, Wilbur L., O26631.
Kallsta, Clifford J., O27038.
Kane, George W., O55446.
Kelfer, Frederick J., Jr., O26927.
Keller, Andrew K., O26474.
Kessler, Herman E., Jr., O55898.
Kettler, Jack F., O50003.
Kimbel, John F., O26480.
Kinnard, Leo D., O26736.
Kipp, Eugene H., Jr., O39401.
Kjellstrom, John A., O38252.
Kleist, Erwin H., O26504.
Knight, Hale H., O55247.
Knoll, Dallas L., Jr., O26550.
Kuehn, Albert J., O38001.
Kutchinski, Henry P., Jr., O26734.
Ladd, Jonathan F., O27041.
Lafield, William C., Jr., O37894.
LaMarre, Jean B., O26539.
Lance, John E., Jr., O38026.
Larson, James C., O55520.
Leeper, Bryan H., O26579.
Lema, Henry R., O39370.
LeMay, Robert W., Jr., O38236.
Lerch, Archer L., Jr., O26735.
LeVan, C. J., O38124
Lewis, George W., O38013.
Lewis, Robert B., O37802.
Libby, Jack P., O37932.
Lindell, Kermit O., O26530.
Lindell, Rodney W., O26719.
Losch, Joseph W., O26812.
Loving, Roger C., O55885.
Lowe, Thomas A., O49826.
Lownds, John G., O38211.
Lowry, Walter C., Jr., O37959.
Lucas, Eugene R., O39383.
MacDonald, Francis A., Jr., O41082.
MacDonald, John P., O39368.
MacWilliams, Donald G., O26551.
Mahin, Frank C., Jr., O26489.
Mahone, Nelson A., Jr., O38003.
Main, Ralph E., O41200.
Maish, Alexander M., O26523.
Malkemes, William C., O41223.
Maloy, Richard E., O55496.
Marshall, Arthur R., O26584.
Marshall, Max L., O26867.
Martin, Robert T., O26641.
Mathews, Stanley R., Jr., O37737.
Mathis, William H., O37653.
Mathwin, Albert V., O37721.
May, Ray B., O38259.
McAuley, Jack A., O36706.
McAuliffe, Dennis P., O26609.
McClurkin, James H., O37825.
McCold, Chester B., O36251.
McConnell, Guy C., O49201.
McCormac, Billy M., O27043.
McDonald, Thomas J., Jr., O41221.
McDonald, Thomas J., O39437.
McElwee, Daniel W., O37732.
McGuire, Thomas J., Jr., O26733.
McIlwain, Bob A., O55346.
McKeen, Chester M., Jr., O49816.
McKeever, Bernard E., Jr., O26789.
McLain, John V., O37662.
McNaught, David R., O38081.
McNeil, Samuel F., Jr., O49354.
McRae, John R., O55582.
McSoley, George F., O37677.
Meares, Edward D., O56013.
Mercer, Oliver L., O39382.
Metz, Robert G., Sr., O49890.
Metzler, Howard C., O26521.
Miccio, Edward, Jr., O50013.
Miles, Charles E., Jr., O55717.
Miller, Adelbert E., O41085.
Miller, John H., O38010.
Miller, Ralph H., Jr., O38248.
Miller, Robert G., O36863.
Millington, Edgar N., O26759.
Mitchell, Clarence A., Jr., O26903.
Mohl, John L., O37815.
Molloy, Cornelius J., Jr., O26792.
Moon, Franklin B., O26511.
Moore, Frank E., Jr., O26865.
Moore, Thomas E., Jr., O26615.
Morris, Charles A., O37730.
Moser, Dewey F. L., O41197.
Moss, Felix R., O49876.
Moulis, Wallace J., O26863.
Mowery, Lawrence L., O38023.
Mulkey, Steve W., Jr., O26724.
Mullen, William C. F., O55926.
Mummey, Robert McC., O26610.
Munera, Antonio V., Jr., O49872.
Murphy, Maxwell C., Jr., O26768.
Murphy, Robert H., O26650.
Muser, Norman F. A., O49353.
Myers, Gordon R., O38250.
Nalle, Richard, O28716.
Naugle, Paul T., O41075.
Nellond, Patrick McA., O26616.
Nelman, Robert E., Jr., O37683.
Nelson, William J., O26572.
Neubert, Bernard E. O49837.
Newbold, William M., O37538.
Newman, James W., O37751.
Nixon, Robert T., O26563.
Nold, William D., O38247.
O'Brien, James K., O26535.
O'Brien, James V., O38230.
Odom, Robert E., O49363.
O'Donnell, Edwin T., O26527.
O'Kier, Oliver E., O50039.
Olney, Gregory L., O38142.
O'Neal, James D., O38018.
Osborne, Lloyd A., O38123.
Ott, David E., O26522.
Overton, Daniel, O27026.
Pappas, George S., O26787.
Parker, Albert J., O37759.
Parker, Burton F., O55932.
Parker Russell E., O37882.
Parks, Leonard F., O41207.
Parks, Robert W., O26694.
Parson, Nels A., Jr., O26713.
Patterson, Harvill H., O37717.
Patterson, Luclus K. Jr., O49239.
Patton, Oliver B., O28747.
Pearce, Robert McI., O26721.
Peterson, Carl L., Jr., O26692.
Peterson, John T. O26901.
Petrone, Joseph C., Jr. O26813.
Pettigrew, Dee W., Jr., O26717.
Pfeiffer, Dewey T. O38031.
Phelps, William G., O39369.
Phillips, J. Coulson, O49712.
Phillips, Paul W., O26611.
Phillips, Robert F., O36918.
Pickett, George E., 4th, O26828.
Pierce, John A., Jr., O56915.
Piper, James G., O49248.
Pitts, Kern P., O26718.
Pollin, Jack M., O26520.
Porter, Ray E., Jr., O37741.

Powers, James F., O39431.
Preble, Charles E., Jr., O55490.
Preston, Roy W., O67756.
Price, Arthur P., O49538.
Rafert, Walter E., O27044.
Rantz, Richard C., O55168.
Rapson, William F., O41166.
Rawls, Louie T., O55581.
Reeder, Boyd P., O55238.
Reid, Raymond T., O37925.
Reitmeier, Woodrow A., O55144.
Reynolds, Wylie S., Jr., O41094.
Rich, Robert E., O50002.
Richards, Howard W., O26689.
Ried, George H., O27032.
Ripley, Richard M., O37760.
Roach, John E., Sr. O55600.
Robbins, Vernon E., O26871.
Robinson, Edward A., O37735.
Robinson, Robert B., O26581.
Rodden, Robert M., O26588.
Roemer, William A., O37665.
Rogers, Harry L., 3d, O26578.
Routh, Robert K., O26850.
Royal, George S., O55598.
Rule, Max M., O41204.
Russell, Clyde McC., O55518.
Russell, Earl L., Jr., O37829.
St. Sauver, Richard T., O37658.
Samuel, Robert W., O26723.
Samuell, Edward W., Jr., O26668.
Schardt, Bruton B., O26757.
Scheer, James H., O37749.
Schmidt, Robert J., O41088.
Schonlau, Richard H., O37663.
Sciolla, Ralph A., O26628.
Schoomaker, Fred B., O38249.
Scoggin, James F., Jr., O26472.
Scott, Winfield S. O26697.
Seidel, Richard L., O39355.
Selander, Stanley W., O55344.
Selton, Robert W., O26878.
Sewell, Toxey H., O49609.
Shannon, Robert F., O26860.
Shaw, John M., O49362.
Shelton, Joseph R., Jr., O26781.
Shepard, Norman C., Jr., O26654.
Sheppard, Byron E., O39353.
Shirey, William M., O26635.
Sieber, Charles F., Jr., O49615.
Silver, Benjamin S., Jr., O39427.
Silver, David L., Jr., O26919.
Simpson, George L., Jr., O55818.
Sims, Leonard H., Jr., O26786.
Singley, George T., Jr., O55928.
Slawson, Harry C., O55896.
Sloan, Harold B., O26624.
Smith, Frederick A., Jr., O26404.
Smith, Glen W., Jr., O39139.
Smith, Irvin D., Jr., O39399.
Smith, Jeffrey G., O39417.
Smith, Ray H., O49788.
Smith, Robert A., O26679.
Smith, Robert McK., O33408.
Smith, Robert S., Jr., O50000.
Smith, Stephen H., O26632.
Snead, George M., Jr., O27028.
Snedeker, Eugene C., O50011.
Snow, Beverly C., Jr., O26499.
Snyder, Hollice H., O49998.
Spence, Judson C., Sr., O49771.
Spreul, Donald N., O49441.
Stalfa, Rudolph W., O49348.
Staser, Bruce I., O26842.
Steel, Charles L., Jr., O26546.
Stephenson, Horace G., O55488.
Stevens, Kenneth T., O36203.
Stewart, John A., Jr., O37800.
Stowell, William McG., O26692.
Strecker, Robert H., O26853.
Stuart, Whitney D., O37788.
Styve, Lester O., O38199.
Suddeth, James A., O55222.
Sullivan, John S., Jr., O26904.
Sweers, Peter C., Jr., O39371.
Tarpley, Thomas McK., O26827.
Taylor, Roy M., Jr., O39419.
Terry, Thomas E., O27042.
Thebaud, Charles C., O38008.
Thomas, Jay P., O43685.
Thompson, Milton R., O49532.
Thomure, Richard F., O49440.
Todd, William N., 3d, O26846.
Toffler, Alan R., O38037.
Toon, Philip B., O26799.
Treadwell, Jack LeM., O38163.
Trigg, Robert E., O49819.
Trimmer, John C., O26633.
Truman, Corbie R., O26883.
Truog, John E., O55415.
Tully, Larkin S., O26929.
Turner, Walter M., O37963.
Tuttle, George A., O26583.
Tuttle, William B., Jr., O26941.
Ursano, James J., O37890.
Usher, William F., O55954.
Valenstein, Earle L., O50040.
Van Lydegraf, Dean, O49667.
Vance, Wendell W., O55895.
Vitullo, Anthony J., O26760.
Waldner, Stanley C., O39358.
Walker, Joseph, Jr., O37817.
Waller, Charles P., 5th, O55840.
Walters, Gene A., O37805.
Wardlow, Ralph C., O49516.
Ware, Richard S., Jr., O26688.
Warner, Virgil L., Jr., O41122.
Watson, Francis M., Jr., O39381.
Wear, George E., O26783.
Weathers, James W., Jr., O26879.
Webster, Robert A., Jr., O55579.
Wedbush, Othon E., O55231.
Welhs, Donald H., O56001.
Weinberger, Howard W., O32234.
Wernimont, Wayne H., O38017.
Wessels, Robert R., O26630.
Weston, Alan E., O26519.
Wheeler, Jesse L., Jr., O49154.
White, Cecil W., O33208.
White, Fred R., O49616.
White, Lawrence J., O37738.
Whitesides, Bruce McK., O49707.
Williams, David H., Jr., O38029.
Williams, Richard K., O38174.
Williams, Robert J., O49162.
Williams, William R., Jr., O37675.
Wise, Richard A., O38171.
Witt, Warren W., O49370.
Wood, Carroll H., O27024.
Woodson, Wilbert T., Jr., O49358.
Yantis, Myron DeW., O38014.
Young, Mason J., Jr., O26603.
Young, Robert M., O37803.
Zillmer, David, O26722.

To be major, Women's Army Corps

Anthony, Carolyn M., L200.
Averett, Imogen E., L160.
Bailey, Mildred C., L281.
Baker, Maxene M., 1173.
Carlson, Lane, L169.
Connolly, Iona S., L185.
Dahnke, Alice L., L253.
Deady, Virginia R., L167.
Dollahite, Jimmie B., L179.
Feild, Constance K., L184.
Gentle, Margaret M., L178.
Guyette, Mary J., L183.
Knaslak, Marie S., L187.
Mills, Martha L., L186.
Sinclair, Margaret E., L163.
Sutherland, Katherine L., L286.
Williams, Carol M., L175.

To be major, Medical Corps

Anglin, Walter McA., O62979.
Arney, Glen K., O63170.
Barquist, Richard F., O67984.
Carson, Charles P., O65961.
Collings, Harold, Jr., O63456.
Cosand, Henry C., Jr., O62982.
Davis, Michael J., O65428.
Deffer, Philip A., O67915.
Deutsch, David L., O67916.
Dunckel, William C., Jr., O60781.
Fadell, Edward J., O67919.
Giffin, Robert B., Jr., O60159.
Hawkins, Joseph A., O63835.
Hayes, James C., O68013.
Keeling, William McC., O63455.
Kroyer, John M., O60089.
Law, Arthur G., O62977.
Leonard, Robert R., Jr., O60096.
Mallis, Nicholas, O60153.
Marchesi, John C., O66045.
Massonneau, Robert L., O63673.
McCabe, Marshall E., O71555.
Nelson, Kenwyn G., O67947.
Platoff, Gennady E., O63457.
Raymond, Bruce A., O63834.
Sloane, Jeremiah P., O71280.
Stephens, William A., O65429.
Stratton, Albert W., O68056.
Sundre, Robert L., O62950.
Tearse, Herbert G., O67966.
Williams, William A., O63169.

To be major, Dental Corps

Amaral, William J., O63474.
Arbucci, John R., O63152.
Benson, Walter E., O61950.
Bowers, Dale C., O57751.
Brown, Walter Z., O57752.
Burns, Doyle E., O63668.
Campagna, Sebastian J., O57845.
Clark, Raymond C., O61072.
DeYoung, Millard E., O57418.
Donahue, James L., O58116.
Dougherty, William O., O61172.
Ellis, David J., O63154.
Flinchbaugh, Ralph W., O61071.
Foster, James K., Jr., O63161.
Geer, John F., O63719.
Gowan, Paul M., O57914.
Hellg, Frederick A., O58115.
Hill, James J., O63778.
House, Ernest E., O63720.
Hughes, Kenneth W., O57846.
Kendall, Charles O., O62904.
Klevan, Dean C., O63450.
Korchin, Leo, O61173.
Lancaster, Carolus N., O62902.
Lancaster, James E., O57037.
Lewis, Carter H., Jr., O57915.
Lewis, Sherman, O57844.
Lister, Roderick L., O57753.
Maloney, Richard J., O57574.
Merchant, Hubert W., O63669.
Pollock, Jack P., O62909.
Rowland, Robert B., O63781.
Schroeder, Charles R., O63793.
Stalker, Francis O., O63151.
Styer, Donald J., O63716.
Summa, Joseph P., O65574.
Suriano, Raffaele, O63212.
Thomasson, Kenneth W., O62911.
Williams, Lloyd E., O63472.
Zak, Henry L., O63831.

To be major, Veterinary Corps

Dixon, George F., O37624.
Folling, Bjarne N., O52058.

To be major, Medical Service Corps

Bunger, Egbert V., O39492.
Bunson, Sydney M., O56273.
Butler, Stanley E., O37609.
Cheezum, Lynn R., O41363.
Clutter, Carroll E., O41362.
Cook, Dudley P., O38552.
Cunningham, Melvin F., O41146.
Dexter, Wade H., O38554.
Epperson, Jordan L., O38550.
Erb, John J., Jr., O38538.
Flora, Jack L., O38551.
Foley, Joseph S., O38539.
Hanna, Edward J., O37610.
Hart, Bernard A., O38544.
Heep, Matthew S., Jr., O56981.
Holladay, Norman C., O38540.
Keenan, James W., O49572.
Knight, Ovid L., O37601.
LaFrankie, Reginald S., O41163.
Layman, Charles A., O49778.
Pascal, Andre R., O38573.
Pfeiffer, Lawrence J., O38546.
Prettyman, William O., Jr., O38549.
Redmond, John, Jr., O38542.
Stanley, Forrest H., O38545.
Wells, Frederick M., O39487.
Williams, John R., O38533.
Wiscarson, John W., O37588.
Zielazinski, Harry R., O38543.

To be captain

Aarestad, James H., O69576.
Aaron, Thomas E., O64021.
Ablett, Charles B., O67546.
Ackerson, Bruce A., O64055.
Adams, George H., O69450.
Adams, Paul G., O68067.
Aden, Irving J., Jr., O67635.
Akers, Albert B., O64211.
Albert, Benjamin B., Jr., O70246.
Albree, John A., O64529.
Albritton, Herbert H., O64169.
Albritton, John D., O64408.
Aldenerfer, Franklin W., Jr., O69581.
Aldridge, George W., O69582.
Alexander, Hubert P., Jr., O68068.
Alfonte, William A., Jr., O63765.
Alford, John C., Jr., O71751.
Allen, John C., O69583.
Alter, Charles P., O65505.
Altvater, Harry W., O65557.
Alverson, Willard G., O64688.
Anderson, Dee R., O67637.
Anderson, Skinner E., O69453.
Andrews, George N., O64900.
Andrews, Robert J., O63759.
Anker, Don C., O64070.
Antila, Eric F., O64029.
Arculis, Sherwin, O70162.
Armstrong, Charles E., O64384.
Arnet, Robert A., O64700.
Arnold, Peter E., O64479.
Arnold, Raymond E., O64226.
Arter, Robert, O63272.
Ashley, Floy L., O63897.
Atkeson, Edward B., O64069.
Atkins, Jesse J., O68072.
Atkinson, Larry R., O71439.
Austin, Garratt A., O65624.
Avis, William T., O64411.
Ayers, Carl W., O73436.
Bachinski, Stephen W., O70253.
Baez-Murphy, Julio C., O70255.
Bailey, Bruce B., O64175.
Bailey, Joe, O68073.
Bain, James, Jr., O68322.
Baird, Olin J., Jr., O68075.
Baisley, Robert F., O64275.
Baker, Arthur R., O67639.
Baker, Harold L., O64244.
Baker, Milton S., O67640.
Balke, Thomas R., O64830.
Bannister, Bob C., O70261.
Barber, Ransom E., O64033.
Barker, Frank P. K., Jr., O64243.
Barnes, Willman D., O64821.
Barott, William C., O64102.
Barringer, Fred A., O71758.
Barringer, John D., O65396.
Barron, James T., O64039.
Barton, Harold A., O64013.
Basanez, Edward S., O69585.
Bashore, Frank M., O64197.
Bateman, Samuel J., Jr., O63761.
Bates, James D., O63607.
Bauer, James C., O64318.
Bauers, Robert E., O64157.
Baum, Alfred K., O69587.
Baumann, Adolph E., O63554.
Bayless, Robert M., O70163.
Beamer, William E., O69457.
Beard, Orville S., O63255.
Bearden, Richard D., Jr., O64347.
Beaty, Raymond H., O63679.
Beczkiewicz, Peter A., O63950.
Bell, David A., O69459.
Bell, John E., O70270.
Bellomo, Jack B., Jr., O67643.
Benefiel, Daniel J., O69588.
Benefield, Ralph O., O67788.
Bennett, Ernest LeR., O64269.
Bennett, Risden T., Jr., O70272.
Beran, Kurt, O67644.
Bernier, Jacques W., O64740.
Best, Frederick W., Jr., O64245.
Beutler, William W., O65375.
Bicher, George A., Jr., O63914.
Bick, James D., O64216.
Biggs, Odie E., O65396.
Bills, David L., O63925.
Bilon, John J., O69591.
Birch, Harold B., O64656.
Bird, Russell D., O64365.
Birdseye, Elmer H., O64024.
Birkmeyer, Louis R., O63576.
Bishop, James M., O71444.
Bittick, Emmett K., O73288.
Black, John R., O64253.
Black, Roscoe, O71445.
Blaine, Ronald L., O68079.
Blasingame, Robert M., O65402.
Blazina, Joseph J., O73289.
Boatner, James G., O63931.
Bohen, John McG., O64116.
Bond, Robert M., O69596.
Bontadelli, James A., O64785.
Bostad, Allen B., O64636.
Bowden, James C., Jr., O66136.
Bowden, William C., O63516.
Bowers, Emmett W., O64359.
Boyd, Robert U., Jr., O66137.
Boze, Wilburn H., O65320.
Bradley, Phillip H., O65393.
Bradley, William J., Jr., O63973.
Bradshaw, Charles W., O70283.
Brady, Morris J., O69597.
Braim, Paul F., O69598.
Brandenburg, John F., O69599.
Brandenburg, John N., O64653.
Breakiron, Richard C., O63993.
Breed, Edwin R., O69462.
Breen, Thomas A., O64746.
Brett, James S., O63998.
Britton, Thomas N., Jr., O70169.
Broady, James P., O64237.
Brooke, DeForrest, O68083.
Brooks, Edwin E., O71452.
Brooks, Harry W., Jr., O73494.
Brosky, Vincent I., O64232.
Brown, Dewey E., O63597.
Brown, Harry W., O64560.
Brown, John C., O70288.
Brown, Norman, O73295.
Brown, Thomas J., Jr., O64897.
Brown, Wesley B., O65754.
Brown, William R., O69603.
Browning, Freddie L., O72827.
Brubaker, Russell E., O63652.
Bruton, Gaston S., Jr., O67991.
Bryson, Baird P., O69604.
Buchan, Earl K., O72829.
Buchanan, Charles J., O63197.
Buck, Bruce F., O69465.
Buck, Richard J., O64023.
Buergin, Allan A., O65331.
Burk, Frank E., O63513.
Burke, John P., O63563.
Burke, Robert B., Jr., O65327.
Burkett, Joseph W., O69608.
Burkholder, Lowell E., O69609.
Burns, Jack W., O63631.
Busbee, John T., O64259.
Butler, Jack R., O73062.
Butler, Lawrence E., O67650.
Byers, John R., O63880.
Byron, William F., O64473.
Callaway, Jack O., O64507.
Campbell, Clarence P., O72836.
Canham, Charles D. W., 2d, O64000.
Canine, Ralph J., Jr., O69468.
Cannon, Morris C., O66140.
Capers, Norris R., O64574.
Carlson, Gerald J., O64155.
Carmichael, Donald B., O64313.
Carmichael, Donald Q., O65354.
Carpenter, Archie E., O65621.
Carpinteri, Paul S., O70170.
Carrigan, Marion R., Jr., O63494.
Carrillo, Arnold R., O64266.
Carroll, David A., O63956.
Carter, Charles H., Jr., O64417.
Carter, David G., O63934.
Carter, Edd McL., O63132.
Carter, William G., O64807.
Carvajal, Joseph R., O63756.
Casbon, Lewis M., O64137.
Casman, William R., Jr., O64224.
Casner, Earl L., Jr., O64545.
Castille, Maurice J., O70299.
Castro, Joseph P., O64893.
Cathrall, Eugene H., 3d, O63496.
Cavazos, Richard E., O64583.
Chadbourne, Ralph G., O69617.
Champion, Alfred N., O70300.
Champlin, Allen R., O63511.
Chandler, George V., O63493.
Chapman, James N., O70301.
Charles, Carlyle H., O69618.
Charney, Theodore J., O63977.
Check, James A., O63960.
Chesak, Kenneth L., O64584.
Chirafisi, Donald, O61409.
Chrisco, Robert H., O72841.
Christian, Charles P., O71654.
Christiansen, Thomas B., Jr., O64870.
Cipolla, Francis R., O64665.
Clark, James O69468.
Clark, Noble N., O64909.
Clark, Philip L., O69469.
Clark, Steven T., O64674.
Clark, William L., O64453.
Clarke, Robert B., O73951.
Clary, Thomas C., O69621.
Clause, James D., O75097.
Clay, Jack H., O64373.
Clem, Carrell A., Jr., O69470.
Clemons, Joseph G., Jr., O63871.
Clough, Junie L., O63525.
Clune, William C., O68088.
Cobb, John E., O65966.
Cochran, Arthur F., O63604.
Cochran, Maury F., Jr., O70303.
Coleman, Walter E., O70081.
Coleman, William E., O70305.
Coley, James P., O64744.
Collier, Harry H., O63691.
Collins, Roland H., O63122.
Collins, Thomas J., Jr., O63135.
Collom, Percy W., Jr., O64407.
Compton, Thomas J., O65366.
Conlee, John F., O64534.
Conn, Jack L., O66143.
Conway, Edward R., O67659.
Cook, George R., O64591.
Cook, Harold E., O64402.
Cook, James H., O69471.
Cook, Raymond L., O68089.
Cooley, Raymond K., O64345.
Cooper, John P., O64406.
Cooper, William E., Jr., O64701.
Corbett, Charles D., O64626.
Corbett, William U., Jr., O64510.
Corkill, Harry L., Jr., O73064.
Corliss, James J., O70309.
Cortner, Sanders A., Jr., O64156.
Costanzo, Albert C., O63895.
Coughlin, Paul A., O64032.
Couris, John G., O64390.
Cousins, John H., O63877.
Cox, Carlisle B., Jr., O67661.
Coy, Malcolm L., O70313.
Craft, George E., O64254.
Craig, Francis W., O64022.
Craig, Max A., O63654.
Craig, Verne P., O70314.
Cram, George D., Jr., O69475.
Cramer, Raymond A., Jr., O63138.
Craun, Noel E., Jr., O71661.
Criswell, Daniel L., O65397.
Crocker, Lawrence P., O63882.
Cromwell, Raymond B., Jr., O63858.
Cross, Clifford E., O67663.
Crouch, William E., Jr., O64002.
Crow, Edward E., O69637.
Crowe, Charles A., O64097.
Crowe, J. Godfrey, O64059.
Cunningham, Gene S., Jr., O64267.
Cunningham, Lee D., O64921.
Cuny, Philip A., O64048.
Curran, George W. 2d, O68091.
Curtis, Roland E., O63261.
Daigh, John D., O63918.
Daigneau, Louis A., Jr., O63565.
Daly, Earl E., Jr., O63630.
Daniels, John L., O65974.
Dashiell, John C., O68093.
Davis, Ernest J., O64299.
Davis, Francis J., O64896.
Davis, Michael McQ., O64212.
Davis, William E., O63608.

Davison, Evan R., O70179.
Dawson, John G., O60280.
Dean, Allen M. R., O63927.
Decker, Oscar C., Jr., O64303.
Deichmeister, Frank L., O70322.
DeLoach, William W., O67668.
DeLorimier, Alfred J., O63163.
Dennis, Ralston K., O70324.
Denny, Lawrence E., O71479.
Dent, Thomas R., O70325.
Depew, William L. O64174.
DeRamus, Thomas B., Jr., O64173.
Derrick, John T., O64178.
Deskis, Anthony J., Jr., O64424.
DeYoung, Alan, O69478.
Diana, Michele N., O65356.
Dibbert, Bernard W., O64231.
Dickson, John F., Jr., O63633.
Dietrich, Daniel H., Jr., O67669.
Diggles, Walter J., O64351.
Dilbeck, Thomas J., O63685.
Dittamo, Roy J., O64777.
Dobson, Robert R., O69631.
Doerflinger, Otto C., Jr., O63922.
Donaldson, John E., O65364.
Donnan, Joseph A., O64829.
Dorman, Robert L., O69633.
Dorton, John J., O63967.
Doss, Jesse B., O64264.
Doty, Kie O., O64213.
Dougherty, Charles A., O64268.
Dover, Ralph S., O54468.
Downes, Miles H., O64845.
Downing, Earl D., O63698.
Drenkhahn, Andrew O., O72859.
Dubia, Christian F., O69637.
Dudney, Charles L., O71782.
Duffy, Thomas N., O64762.
Dufour, Elmore G., O65405.
Duke, Lee E., O63947.
Dukes, David D., O64805.
Dumas, John L., O67670.
Dunlap, Norman E., O63980.
Dupont, Albert A., O73321.
Duskin, Edgar W., O67671.
Duvall, William H., O69907.
Dyer, Robert A. J., Jr., O71485.
Eaton, Loren D., O65365.
Eberhardt, Ernest M., Jr., O63583.
Ebersberger, Robert C., O63690.
Edler, William C., O64124.
Ehni, Richard L., O63864.
Eicher, William E., O73325.
Einsel, David W., Jr., O63806.
Ellis, David M., O67672.
Ellis, George V., O64378.
Ellis, Robert H., O64639.
Emig, Harvey E., O64262.
Emmons, Earl, O67673.
Erdrich, Robert H., O63657.
Ernst, Harold O., Jr., O68097.
Escribano-Aponte, Angel, O67674.
Esper, Donald O63581.
Esser, Alan C., O63954.
Estes, Van E., Jr., O63515.
Eva, Norman, Jr. O69641.
Evans, Bill G., O69642.
Evans, Henry C., Jr., O64181.
Evans, John C. O72863.
Ewing Charles B., Jr., O63890.
Ewing John B., O68099.
Faaborg, Clarence, O68100.
Fade, Walter W., O65617.
Fant, Joseph L., 3d., O64142.
Faulkner, Donald H., O64808.
Fegley, Richard J., O64789.
Finch, Homer J., O64627.
Fish, Curtis D., O69485.
Fitzgerald, Leo J., O65382.
Flanagan, Robert W., O64172.
Fleck, Herbert A., O67675.
Fleming, Joseph V., O63881.
Flemming, Frederick F., O69647.
Flood, James P., O64592.
Flynn, William F., O63522.
Foldberg, John D., O64154.
Ford, Clarence E., O64281.
Forman, Robert H., O64878.
Forrester, Redmond V., Jr., O64057.
Foss, Peter J., O64062.
Foster, John B., O64042.
Foster, Thomas G., 3d, O63959.
Fountain, Foster F., Jr., O72869.
Fox, Douglas E., O67678.
Fox, Harley C., O69648.
Fox, John K., O64410.
Francis, Gordon H., O64540.
Franz, Robert F., Jr., O64645.
Fraser, Danny P., O64537.
Frazier, Lee V., O63195.
Fred, Walter A., O65349.
French, Daniel W., O67679.
French, Harry W., O67680.
Friar, Robert G., O70185.
Frick, Alan A., O63885.
Fridy, Richard S., O65400.
Fried, George W., O73330.
Friend, Edgar V., Jr., O64812.
Fucci, Michael A., O64415.
Fuerst, Albert A., O69650.
Fulton, James F. Jr., O64883.
Fyock, James A., O69652.
Gabe, Donald D., O63253.
Gallant, Wallace M., O70339.
Galligan, Hugh S., O64159.
Gardes, George H., O63976.
Garrison, Charles T., O63246.
Garrison, Frank L., O70341.
Gauger, Daniel McI., O64469.
Gause, Joseph W., Jr., O72877.
Gentry, Dennis V., Jr., O69490.
Gentry, Edwin B., O64362.
Genualdi, Joe, O63505.
German, Robert L., O64368.
Giambusso, Angelo, O63687.
Gigney, Louis G., Jr., O68103.
Gilbert, John M., O73334.
Gilbertson, Rodney B., O64041.
Gilchrist, Raymond, Jr., O69491.
Gildart, Charles R., Jr., O64106.
Gilliland, William S., O67682.
Gillingham, William R., O64611.
Gillis, Charles A., O64822.
Gillis, Ronald J., O64432.
Girven, Elijah H., Jr., O66000.
Glviden, George M., Jr., O64146.
Glasgow, Richard J., O74697.
Goble, David B., O69492.
Goettel, Donald J., O64757.
Goodnow, Chandler, O64092.
Goodson, Allen McL., O71670.
Goodwin, Warner S., Jr., O64322.
Gordon, John D., O69659.
Gould, Jack W., O72881.
Gow, Arthur J., O67684.
Graham, John A., 3d, O64218.
Granger, Clinton E., Jr., O64081.
Granicher, John W., O63909.
Grant, Myles S., O63945.
Graves, Charles S., O69494.
Gray, Daniel P., O64623.
Gray, William W., O64859.
Greene, Sammie L., O68340.
Greenlee, Joseph C., O68105.
Gregory, Bob L., O69663.
Gressette, William C., O64705.
Griffith, James C., O70349.
Grillis, Angelo, O70350.
Grimes, Richard A., O64649.
Grimm, Philip D., O70351.
Grisham, Jack P., O67687.
Grover, William S., O64454.
Grugin, William E., O64054.
Gudgel, John E., Jr., O64569.
Guest, Charles B., Jr., O64680.
Gunning, Robert, Jr., O64702.
Haas, Richard J., O69495.
Habermehl, Robert N., O68010.
Hadaway, Joseph L., O64913.
Hageman, Alger E., O63260.
Hale, Earl H., Jr., O67690.
Hale, Warren C., O64257.
Hall, Charles E., O70356.
Hall, Francis G., O68108.
Hamilton, Benjamin M., O67691.
Hamilton, Frank E., O63933.
Hampton, David R., O64799.
Hankins, Robert B., O69498.
Hardesty, George D., Jr., O63941.
Hardy, David E., Jr., O69665.
Harlan, James M., O69667.
Harman, George L., O63902.
Harper, Robert L., O63699.
Harrington, Rodney P., O63186.
Harris, Audley C., O69669.
Harris, Gerald E., O63606.
Harris, John F., O63184.
Harris, Leonard H., O63127.
Harris, Richard L., O63868.
Harrison, Benjamin L., O65760.
Harrold, Thomas U., O64198.
Hart, William J., Jr., O64315.
Harte, John F., Jr., O64431.
Harvey, Earl F., Jr., O64608.
Hastie, John L., O70365.
Hastings, Thomas H., O64217.
Haumersen, John P., O63965.
Hayden, Joseph E., Jr., O63512.
Haydon, Christopher R., O64796.
Hayes, John D., O67694.
Hazelwood, John E., O68110.
Hecht, Donald J., O64690.
Hein, Elwood J., O70369.
Hemler, John V., Jr., O64046.
Hemphill, John A., O64015.
Henchman, John M., O64475.
Henderson, Dwight O., O67697.
Henderson, John T., O69675.
Heningburg, Gustav, O65622.
Henk, Floyd H., O63815.
Henley, Raymon D., O63490.
Henson, Jack A., O69677.
Henson, William F., O69678.
Herlihy, William J., Jr., O64739.
Herlinger, Harry V., Jr., O70375.
Herring, Kenneth G., O64149.
Herte, Roy J., Jr., O64205.
Hervey, Lynn C., O70195.
Hesterly, John H., O64771.
Hewgley, Clarence T., Jr., O63550.
Hexner, Peter E., O68113.
Higgins, William W., O69681.
Hill, John P., O63919.
Hill, Robert H., O70377.
Hilty, Paul R., Jr., O63999.
Hinton, John, Jr., O63971.
Hiscox, Richard A., O68117.
Hittle, Leslie L., Jr., O63518.
Hoar, William J., O63694.
Hoctor, James E., O64858.
Hoff, Ernest P. Jr., O63686.
Holderman, Robert L., O64273.
Holland, Herbert S., Jr., O69505.
Holland, Rex L., O64823.
Holley, Robert J., O64549.
Hollis, Richard C., O71521.
Holman, Jonathan L., Jr., O63996.
Holwick, William B., O70381.
Hook, John F., O64152.
Hook, John R., O63942.
Hooker, Joe R., O69684.
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Stumm, Thomas A, O63888.
Sudderth, David H., Jr., O70519.
Sulenski, Joseph S., O70239.
Sumner, Robert B., O63859.
Sutton, Claude B., Jr., O67620.
Sutton, Harry L., Jr., O70522.
Sutton, James L., O70523.
Sweet, Richard S., O64671.
Swift, Robert J., Sr., O73412.
Szymczyk, Richard A., O64058.
Tague, Duane R., O63995.
Takano, Thomas H., O69564.
Talafuse, Darwin D., O63564.
Tambe, Joseph T., O65374.
Tamez, Rudolph M., O67766.
Tanzola, Vincent J., Jr., O64355.
Tarbell, Frank S., O64464.
Tatum, John M., Jr., O64187.
Tausch, Roland D., O63961.
Taylor, Don C., O67768.
Taylor, George O., Jr., O67769.
Taylor, William W., Jr., O70524.
Tecco, Robert, O70525.
Teehan, Paul A., O64499.
Tennant, Malcolm B., O64025.
Terrell, Ernest P., Jr., O70526.
Tester, Duane M., O64305.
Tharp, Charles B., O64770.
Thomas, Constantine, O67770.
Thomas, David C., O69815.
Thomas, Edgar C., Jr., O64072.
Thomas, Francis G., Jr., O63499.
Thomas, Lloyd A., Jr., O64603.
Thomas, Robert F., O70528.
Thomas, William N., O64035.
Thompson, Dudley, O63962.
Thompson, Nathaniel R., Jr., O64421.
Thompson, Richard H., O73415.
Thompson, Thomas E, O70529.
Thorsen, Peter L., O64020.
Tominac, John J., O68172.
Toole, Raymond L., Jr., O64153.
Torseth, Lowell E., O64207.
Treat, Charles J., O67627.
Trolan, Rice T., O67772.
Tucker, George G., Jr., O65358.
Tucker, Ray E., O65330.
Turner, Jean L., O70537.
Tyson, Robert M., Jr., O73082.
Uttinger, Joe W., O69568.
Valella, Dominic, O64265.
Van D'Elden, Karl H., O67773.
Vandenberg, William E., O63870.
Van Keuren, Edwin, Jr., O64104.
VanMatre, Donald A., O63974.
Vann, Joseph W., O63248.
Vaughn, Clifford H., O71618.
Vaughn, Edward R., Jr., O64480.
Vellella, Frank P., O64078.
Verser, Fort A., Jr., O65321.
Vetort, Herman J., O63987.
Villaret, Gustav, 3d, O64166.
Vincent, Robert DeW., O63939.
Voelcker, Herbert B., Jr., O64857.
Vogel, Edward B., O70546.
Volk, Robert H., O64210.
Wainer, Douglas F., O64118.
Walby, William G., O70547.
Waldman, Francis J., Jr., O63879.
Walker, Billy G., O64248.
Walker, Charles J., O64193.
Walker, John R., Jr., O64526.
Walker, Samuel S., O71738.
Wallace, William B., O64662.
Wallens, Charles N., O64133.
Walpole, Philip P., O64581.
Walsh, Daniel J., O64324.
Ward, Bynum P., O63526.
Ward, Charles P., Jr., O66117.
Wardrop, Daniel H., O64060.
Warthen, Price L., O71891.
Waters, William W., O69825.
Weaver, James W., O69572.
Weaver, Jonathan M., Jr., O68174.
Welch, Marhl L., O65333.
Welch, Paul B., Jr., O70062.
Welch, Robert E., O64050.
Wells, Obel H., O69827.
Wells, Richard M., O63928.
West, Charles F., O63753.
Weston, Robert A., O73010.
Westrich, Ralph L., O64661.
Weyand, Alexander M., O64122.
Whisler, Harold H., O70560.
White, Marion E., O69830.
White, Peter L., O63504.
Whitmire, Nelson L., O63588.
Whitted, Jack G., O64583.
Wiard, Seth, Jr., O64755.
Wiens, Gene B., O64855.
Wilder, Bliss W., O71626.
Wilhelmi, Sylvester L., O65373.
Wilkinson, Don A., O63819.
Williams, Aylwyn D., O64876.
Williams, Davant T., O71744.
Williams, Edward L., Jr., O64438.
Williams, Fred D., O70565.
Williams, Lawrence H. D., O69573.
Williams, Oscar D., Jr., O64686.
Williams, Paul S., Jr., O64804.
Williams, William R., O68176.
Williford, Oliver J., 3d, O64620.
Willis, Edward M., O63899.
Wilmot, Francis G., Jr., O64533.
Wilson, Don E., O67781.
Wilson, Franklin L., O63975.
Wilson, James R., O71897.
Winfield, Francis E., O64194.
Winn, Arthur C., O70568.
Winter, Kenneth LeR., O64383.
Wirth, Herman L., O64745.
Wisnack, Joseph R., O70569.
Wolf, William S., O63436.
Wong, Frank, O64296.
Wood, Donald M., O64234.
Wood, George E., O67782.
Woodley, Thomas R., O63883.
Woodrow, Ralph T., O70570.
Woods, Glenn H., Jr., O63544.
Woodward, Arthur Q., Jr., O64310.
Woody, Charles K., O64604.
Wright, Clarence D., O71749.
Wright, Corey J., Jr., O67784.
Wright, Louie E., O64412.
Wroth, James M., O64596.
Wysong, Richard C., O64607.
Yerks, Robert G., O64150.
Yoder, Donald A., O63570.
Yoder, Harry A., Jr., O64840.
Young, Fletcher R., Jr., O63577.
Youngblood, James O., O69841.
Yusas, Vitte V., O64316.
Zalonis, John A., Jr., O68178.
Zamparelli, Alfred A., O73434.
Zastrow, Richard E., O69842.
Zeller, Norman C., O71634.
Zeller, Richard G., O63640.
Zuver, Edward L., O64196.

To be captain, Women's Army Corps

Altenburger, Jean C., L378.
Barron, Helen F., L481.
Bouldin, Patricia L., L388.
Clarke, Mary E., L468.
Dohnal, June P., L478.
Edwards, Mary A., L480.
Garrett, Pola L., L376.
MacMichael, Kitt M., L385.
McCarthy, Margaret M., L463.
Morsman, Phyllis J., L360.
Paul, Geraldine, L472.
Sherba, Dorothy, L373.
Sollars, Jacquelyn R., L362.
Wandelt, Virginia H., L355.
Wardell, Barbara J., 375.
Wilkes, Kathleen I., L374.

To be captain, Medical Corps

Abington, Robert B., O73262.
Alden, Alfred M., O73210.
Allen, John W., O73086.
Appleton, Budd, O73263.
Armstrong, Frederick S., O72814.
Campbell, Arthur S., O73438.
Clements, James H., O73239.
Dart, Leroy H., Jr., O73252.
Domnitz, Jack, O73524.
Donald, Alexander G., O73212.
DuBois, James J., O72702.
Faircloth, James R., O72865.
Ferguson, John S., Jr., O73553.
George, Richard E., O73449.
Granger, Carl V., Jr., O72882.
Green, David C., O72389.
Hearn, R. E., O73270.
Jackson, Peter E., O72392.
King, Hueston C., O73271.
Klemme, William M., O73044.
Kurke, Lewis, O73511.
Laux, France A., O73272.
Levin, Herbert J., O72418.
McDonald, Charles E., O73243.
Morris, Robert W., Jr., O73276.
Olsen, Ralph N., O73075.
Parker, Malcolm R., Jr., O73454.
Parsons, Robert W., O72422.
Rayfield, Roy C., O73245.
Skipworth, George B., O73195.
Small, Harold S., O73117.
Smith, Perry C., O73249.
Vargas, Manuel J., Jr., O73083.
Williamson, Harold G., O73085.
Woolvin, Samuel C., O73459.

To be captain, Dental Corps

Boykin, Thomas C., O73061.
Clinton, Everett E., O72452.
Hunsuck, Ervin E., O72336.
Larrabee, Wayne F., O71931.
Milligan, Vernon L., O73244.
Nicholas, Wharton A., Jr., O73178.
Norris, Russell S., O73231.
Osbon, Donald B., O73179.
Shepard, Walter L., O69556.
Smith, Duncan M., O73259.
Stepp, James V., O73233.

To be captain, Veterinary Corps

Baker, Roger W., O73018.
Johnson, Edward L., O71929.

To be captain, Medical Service Corps

Allen, Joseph K., O70248.
Anderson, James E., O70249.
Angel, Charles R., O69848.
Anistranski, Charles, O70251.

Beavers, Joseph E., O70266.
Benson, Albert G., O69858.
Bethea, Thomas M., O70274.
Black, Gordon C., O73060.
Bolger, Robert E., O69863.
Bradford, Duke C., Jr., O69864.
Brown, Earle W., O65956.
Buckius, Richard R., O70290.
Carmick, Edward J., O69875.
Carmody, Francis J., Jr., O69876.
Cavanaugh, Dan C., O63187.
Chewning, Claudius D., O69881.
Christensen, Herbert E., O67557.
Christopherson, William J., Jr., O68087.
Cofield, Leaton C., O70304.
Couch, Sidney A., C68090.
Crawford, John P., O39891.
Dalton, Russell R., O63092.
Daly, Hugh F., Jr., O69896.
Davis, Robert E., O70320.
Dittmann, Stephen P., O69904.
Eggleston, Norman E., O63096.
Egozcue, Edward J., O70330.
Field, Gordon, O70335.
Fields, James S., O70333.
Fletcher, John L., O73499.
Foley, Paul M., O67573.
Foulk, William J., O69923.
Freeman, William L., O69926.
Funk, John C., O73032.
Garis, Kenneth D., O69929.
Gausepohl, Elmer B., O63102.
Godfrey, William H., O72372.
Graziano, James F., O70354.
Griffith, Henry V., O63938.
Grzesiow, Thomas M., O70355.
Hamm, Charles R., O69941.
Hammett, John W., O73070.
Hardwick, Willard E., O64447.
Haworth, David D., O63109.
Hedeen, Robert A., O68111.
Henderson, Arnold C., O70372.
Hernandez, Donald, O67578.
Hiatt, Robert S., O68114.
Hill, William G., O68116.
Hoefling, Adam F., O67579.
Holland, Willis D., O66021.
Holman, Edward F., O70380.
Hungate, Joseph I., Jr., O69953.
Jacobs, Joseph P., O69954.
Knowles, William R., O68124.
Litrio, John J., O68126.
Lowe, Bryan T., O70412.
MacLennan, Robert J., O69975.
Madrano, Joseph P., O69976.
Marshall, John D., Jr., O69978.
McCaffrey, Joseph P., O73969.
McCandless, Earl R., O73048.
McFarland, Cowan J., O70427.
McKinney, Robert W., O69986.
Miner, Lewis C., O64409.
Mitchell, Henry C., O68139.
Mortensen, Raymond K., O69993.
Mundy, Roy L., O69997.
Needles, Herman C., O70002.
Newson, Harold D., O70451.
Parker, Albert E., O70009.
Peterson, Merrill C., Jr., O70471.
Ports, Kenneth N., O68151.
Reese, Seth T., Jr., O67607.
Roesser, Joseph C., O73481.
Rogers, John E., Jr., O70493.
Ryan, Aaron, O70495.
Sagner, Charles E., Jr., O67611.
Sankey, Theodore R., O70496.
Scott, Jack H., O73485.
See, Herbert G., O68162.
Shaw, Robert MacK., Jr., O67613.
Short, Robert D., O63621.
Smith, Jack C., O70041.
Spellman, Seth W., Jr., O70509.
Spencer, Lloyd E., O70511.
Storms, William G., O70047.
Summers, Samuel J., 3d, O70521.
Taylor, Robert L., O67622.
Trahan, Robert G., O71734.
Valentine, John P., O70054.
Veltri, Benjamin J., O66113.
Wagner, John R., O70056.
Walsh, Ralph J., O67632.
Walton, Bryce C., O70550.
Welton, George C., O70557.
Wheatley, Kenneth K., O70558.
Whitmore, Robert O., O70065.
Wilkinson, Clarence H., O73487.
Wold, Vernon H., O63814.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3304. All officers are subject to physical examination required by law.

To be lieutenant colonel, Army Nurse Corps

Hannigan, Kathryn D., N150.
Williams, Maude D., N1871.

To be major, Army Nurse Corps

Becker, Jane T., N2051.
DeWitt, Florence M., N1887.
Hollinger, Margaret A., N1962.
Jensen, Doris F., N1963.
Kotowski, Eva T., N2133.
Loucks, Margaret L., N2050.

To be captain, Army Nurse Corps

Brown, Barbara R., N2589.
Cooper, Jacqueline L., N2731.
Cox, Juana J., N2686.
Davis, Betty K., N2729.
Decker, Julia E., N2702.
Fritz, Mildred C., N2561.
Guseman, Elsie R., N2724.
Hill, Nellie M., N2716.
Holmes, Beatrice V., N2689.
Holtz, Betty L. B., N2330.
Holtz, Dorothy M., N2575.
Imlach, Eleanor H., N2711.
Jackson, Barbara E., N2727.
King, Harriet J., N2732.
Kirkpatrick, Mable, N2721.
Liberty, Frances M., N2695.
Lothian, Elizabeth E., N2594.
Lundy, Sara N., N2551.
McLean, Mary F., N2572.
Millan, Helen T., N2689.
Mobley, Ruth Z., N2646.
Morgan, Betty F., N2744.
Olson, Ruth E., N2712.
Parks, Madelyn N., N2536.
Pelton, Ella M., N2652.
Riggs, Lucille M., N2653.
Rita, Mary, N2745.
Schlachter, Elsie M., N2718.
Shor, Edith E., N2726.
Steinhilber, Marion A., N2708
Suess, Helen V., N2591.
Turgeon, Beatrice L., N2734.
Watson, Elinor M., N2676.
Wilkey, Mildred E., N2698.
Wilson, Lorna M., N2626.

To be captain, Army Medical Specialist Corps

Galt, Elizabeth A., M10149.
Gilchrist, Priscilla K., M10159.
Lopez, Sarah D., M10150.
McKinley, Harriet J. A., M10147.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 1, 1957:

DEPARTMENT OF THE AIR FORCE

Richard E. Horner, of California, to be an Assistant Secretary of the Air Force.

FEDERAL CIVIL DEFENSE ADMINISTRATION

Leo Arthur Hoegh, of Iowa, to be Federal Civil Defense Administrator.

MILITARY STAFF COMMITTEE OF THE UNITED NATIONS

Lt. Gen. Blackshear Morrison Bryan, O15004, Army of the United States, for appointment as senior United States Army member of the Military Staff Committee of the United Nations, under the provisions of title 10, United States Code, section 711.

IN THE ARMY

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in rank as follows:

Maj. Gen. Robert Milchrist Cannon, O16163, United States Army, to be lieutenant general.

Lt. Gen. Robert Nicholas Young, O15068, Army of the United States (major general, U. S. Army), to be placed on the retired list in the grade of lieutenant general under the provisions of title 10, United States Code, section 3962.

The following-named officers for appointment in the Regular Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier general

Maj. Gen. Louis Theilmann Heath, O18060.
Maj. Gen. Andrew Pick O'Meara, O18062.
Maj. Gen. Robert Jefferson Wood, O18064.
Maj. Gen. Robert Highman Booth, O18093.
Brig. Gen. Alva Revista Fitch, O18113.
Maj. Gen. Roy Ernest Lindquist, O18125.
Brig. Gen. Sidney Clay Wooten, O18126.
Brig. Gen. Archibald William Stuart, O18130.
Maj. Gen. Barksdale Hamlett, O18143.
Brig. Gen. Carl Irven Hutton, O18177.
Brig. Gen. Ned Dalton Moore, O18212.
Maj. Gen. Walter Bernard Yeager, O29464.

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general

Brig. Gen. Sam Carroll Russell, O18678.

To be brigadier general

Col. James Wilson Holsinger, O29432.
Col. William Whipple, O18024.
Col. George Sebastian Speidel, Jr., O18406.
Col. Paul Arthur Mayo, O18621.
Col. John Tabb Snodgrass, O29670.
Col. William Winston Lapsley, O19727.

Appointment as dean of the Academic Board of the United States Military Academy under the provisions of title 10, United States Code, section 4335

Prof. Gerald Alford Counts, O8556, United States Military Academy.

IN THE NAVY

To have the grade, rank, pay, and allowances of vice admiral while so serving in present assignment

Rear Adm. Robert B. Pirie, United States Navy.

The following-named persons, when retired, to be placed on the retired list, with the rank of vice admiral, in accordance with the provisions of title 10, United States Code, section 5233:

Vice Adm. Cato D. Glover, Jr., United States Navy.
Rear Adm. James H. Thach, Jr., United States Navy.

IN THE AIR FORCE

The nominations of Rachel W. Brinton, and 5,063 other persons for promotion in the Regular Air Force, which were confirmed today, were received by the Senate on June 10, 1957, and appear in full in the proceedings of the Senate for that day, under the caption "Nominations," beginning with the name of Rachel W. Brinton, which appears on page 8622, and ending with the name of Jeremiah R. Lynch, which is shown on page 8640.

IN THE MARINE CORPS

Capt. Albert F. Schoepper, United States Marine Corps, for permanent appointment to the grade of major.

The nominations of Jino J. D'Alessandro, and 723 other persons for permanent appointments in the Marine Corps, which were confirmed today, were received by the Senate on June 14, 1957, and appear in full in the Senate proceedings of that date, under the caption "Nominations," beginning with the name of Jino J. D'Alessandro, which is shown on page 9180, and ending with the name of Raymond J. Start, which is shown on page 9182.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 1, 1957

The House met at 12 o'clock noon.

Rabbi Morton M. Berman, Temple Isaiah Israel, Chicago, Ill., offered the following prayer:

God of our fathers, we ask Thy blessing upon this assembly, men and women dedicated to the making of the laws of our great Nation. We pray that they may always be filled with an awareness of the ideals on which this Nation rests. As we approach the Day of Independence, our hearts are filled with the recollection of the sacred values upon which this Nation rests, upon the concept of equality of all men and of the right of all men to the enjoyment of those rights which God affords us and which our Nation guarantees to all the people.

May the leaders of our Nation be ever conscious of their responsibility to keep America great—great not alone in material things, but in those blessings of the spirit, in justice and compassion, in freedom and in peace. May the work of your hands and the thoughts of your mind enable us to keep America foremost in the struggle to build a just and free world. Amen.

The Journal of the proceedings of Friday, June 28, 1957, was read and approved.

THE CONTINUING APPROPRIATIONS RESOLUTION FOR FISCAL YEAR 1958

Mr. CANNON. Mr. Speaker, by direction of the Committee on Appropriations, I ask unanimous consent for the immediate consideration of the resolution, House Joint Resolution 391, the continuing resolution making temporary appropriations for the fiscal year 1958.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. TABER. Mr. Speaker, reserving the right to object, I should like to have the chairman explain the resolution.

Mr. CANNON. Mr. Speaker, in response to the request of the gentleman from New York, this is the usual stereotyped resolution always passed at the end of the fiscal year, to provide for the departments for which appropriation bills have not yet passed for the fiscal year 1958. It is in no respect different from the continuing resolutions we have had for many years past.

I ask unanimous consent that the joint resolution be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units in the executive branch of the Government, namely:

(a) (1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1957 and for which appropriations, funds, or other authority would be made available in the following appropriation acts for the fiscal year 1958:

Department of Agriculture and Farm Credit Administration Appropriation Act;

Department of Defense Appropriation Act;

Public Works Appropriation Act.

(2) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided for by the pertinent appropriation act.

(3) Whenever the amount which would be made available or the authority which would be granted under an act listed in this subsection as passed by the House is different from that which would be made available or granted under such act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

(4) Whenever an act listed in this subsection has been passed by only one House or where an item is included in only one version of an act as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, funds, or authority granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower.

(b) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1957 and listed in this subsection (1) at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, or (2) if no budget estimate has been submitted prior to June 30, 1957, at the current rate, or (3) in the amount or at the rate specified herein:

Housing and Home Finance Agency, Office of the Administrator, Salaries and Expenses (voluntary home mortgage credit program);

Export-Import Bank of Washington;

Tennessee Valley Authority (direct appropriation activities);

Atomic Energy Commission;

Administration, Ryukyu Islands;

Small Business Administration;

Mutual security programs, $200 million, to be expended in accord with provisions of law applicable to such program during the fiscal year 1957 and at a rate for any individual program not in excess of the current rate therefor: *Provided*, That administrative expenses for such programs shall not exceed the current rate.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this act shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this act, or (b) enactment of the applicable appropriation act by both Houses without any provision for such project or activity, or (c) July 31, 1957, whichever first occurs.

SEC. 103. Appropriations and funds made available and authority granted pursuant to this act may be used without regard to the time limitations set forth in subsection (d) (2) of section 3679, Revised Statutes, and expenditures therefrom shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 104. No appropriation or fund made available or authority granted pursuant to this act shall be used to initiate or resume any project or activity which was not being conducted during the fiscal year 1957, except military construction projects otherwise authorized by law. Appropriations made and authority granted pursuant to this act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this act.

Mr. CANNON. Mr. Speaker, this is fiscal "New Year's Day" for the Government of the United States. Today the Government turns over a new leaf and makes a fresh start on another year's spending.

But contrary to the traditional New Year's Day of the calendar year, there is little occasion for rejoicing and few felicitations on the fiscal year just closed and the new year just beginning.

I shall not discuss at this time the unhappy financial situation in which the Nation finds itself at this fiscal milestone—the continuous and successive increase in the cost of living, the progressive depreciation in the buying power of the dollar, the apparent abandonment of any attempt to systematize the reduction of the national debt, the annual bill of $8,250,000,000 yearly interest on our public obligations, the largest peacetime budget in the history of the Republic, and our inability to balance the budget without continuing the levy of wartime taxes which were supposed to have been abandoned immediately on the cessation of hostilities.

But I do want to emphasize on this sobering occasion the more serious and more alarming demand of the people, the average citizen, for more costly and more luxurious service on the part of the Government, without regard for the cost of the service.

Every fiscal year the departments are demanding more money—which means more taxes, for the Government cannot continue to extend and expand its services without increasing the appropriations for the departments and, of course, increased appropriations mean increased taxes. There is no alternative. These lush services are not free. They do not come off the Christmas tree.

The President, with this in mind, said recently:

> I am sure many Members of the Congress are as gratified as I am to note the growing awareness of private citizens that the dollars spent by the Federal Government are in fact their own dollars, and that Federal benefits are not free but must be paid for out of taxes collected from the people. It is good to see this realization developing into a widespread insistence that Federal activity be held to the minimum consistent with national needs. As this sentiment grows, our country will be strengthened in many ways.

Notwithstanding these wise and significant admonitions on the part of the President, at a time when we should be reducing and contracting expenses and retrenching expenditures and appropriations, we are increasing and expanding personnel and services. And that means increasing appropriations which inevitably means increasing taxes.

We are headed at hurricane speed for larger costs and larger taxes in every department, every year and the alarming thing is that nobody seems to be alarmed.

If we cannot even start systematic payments on the national debt this year when personal and national income are at high tide, when can we start payment?

Congress votes these record appropriations because the people at home demand increased appropriations. And Congress will not vote a budget that will keep the Nation solvent until the people back home demand it.

With a view to impressing the voters with the fact that they must go down in their pockets and dig up the taxes required to pay for all this prodigal shoveling of cash from the United States Treasury; that there is not a single "free" dollar here in Washington; that the more they demand in the way of services and new programs, the more tax dollars they must send to Washington to pay the bill and the Federal overhead, I am this morning introducing a bill (H. R. 8460) to alter the withholding tax plan and permit each taxpayer to receive, in his pay check, the major part of his Federal income tax, which his check does not now include. He will then send in to Uncle Sam his check every three months based on his estimated tax liability not withheld by his employer. Nothing else will bring home to him so graphically the realization that it is himself and not Santa Claus who is holding the sack and paying the bills and incidentally greasing the palms of all the bureaucrats in between.

Individual taxpayers carry the largest part of the tax load. The President's budget for 1958 estimates total budget receipts of $73.6 billion, of which $41 billion, or 55 percent, are from individual income taxes. Something like 37 percent, or about $27.8 billion, of the entire Federal revenue is collected through the payroll withholding plan. Unfortunately the withholding tax plan is painless. This bill turns the major part of it over to the taxpayer and lets him dole it out to the Collector of Internal Revenue. And suddenly he realizes who is paying and where all this free money is coming from. And the hope is that he will with corresponding alacrity demand of his Congressman that he exercise a little more common horsesense in shoveling it out.

I append a brief analysis of the bill:

Section 1 (a) of the bill would revise the rate of withholding from the present 18 percent down to 4½ percent, a reduction of 75 percent. The proposed 4½-percent rate is not a magic, or inflexible, rate. It is to some extent a judgment figure. The purpose here is to provide that a substantial part of the tax presently being withheld be henceforth included in the taxpayer's take-home pay.

Paragraph (1) (A) of section 1 (b) provides that the Secretary of the Treasury shall prescribe wage bracket withholding tables in lieu of those in the present law. Present tables are based on the 18 percent withholding rate. Paragraph (1) (A) would provide that the Secretary would prescribe new tables consistent with the proposed new withholding rate of 4½ percent.

Paragraph (1) (B) of section 1 (b) merely assures continuation of the present 18-percent tables until January 1, 1958, the date provided in Section 4 for the proposed new rate of 4½ percent to become effective.

Section 1 (c) would repeal present law which permits optional withholding additional to that prescribed in the present withholding tables. This repeal would be consistent with the basic purpose of the bill.

Section 2 would amend existing law relating to filing of declaration of estimated income tax by individuals. Here again, the two minimum tax liability figures are judgment amounts. The purpose is to set a reasonably low minimum tax liability level—after deducting credits including amounts already withheld at the source by the employer—beyond which the taxpayer would be required to file a declaration and make payment, or payments, in accord with law. Under the bill as submitted, a single individual whose annual take-home pay includes at least $40 of estimated tax liability would be required to file a declaration and remit payment thereof either in quarterly installments, or in one payment if so desired. Under a joint declaration, the bill sets the corresponding figure at $80.

Section 3 would repeal a section of present law which would be inapplicable or inoperative upon abandonment of the present 18 percent withholding rate.

Section 4 sets the effective dates of the several provisions of the bill. The new 4½-percent withholding rate would apply to remuneration paid on or after January 1, 1958. The provisions of sections 2 and 3, relating to declarations and returns, would be applicable to taxable years beginning on or after January 1, 1958.

Mr. Speaker, I move the previous question on the joint resolution.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RABBI MORTON M. BERMAN

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I wish to thank the ever-gracious and beloved Chaplain, the Reverend Dr. Bernard Braskamp, for inviting Rabbi Morton M. Berman to be with us on the opening of the session on this, the 1st day of July. Rabbi Berman, who served with great distinction and bravery in World War II, has been the spiritual head of one of our large synagogues in the city of Chicago. He is leaving Chicago and his friends there to make his permanent residence in Israel. I understand he is sailing in the next day or two. We all feel privileged, I know, to have Rabbi Berman here with us today and to share in the spiritual uplift of his prayer opening the session of the House of Representatives of the Congress of the United States and in his presence on the floor. May God's blessing attend him in all the days ahead in his work of dedication to the greatness and goodness of the State of Israel. In Chicago we shall miss him sorely, but our prayers shall be with him always.

Mr. BOYLE. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Illinois.

Mr. BOYLE. Mr. Speaker, it is a profound honor and privilege to join with the other Members of Congress from Illinois in hailing Rabbi Morton M. Berman as he leaves our great city of Chicago to embark upon a new life, a highly significant mission in the tiny State of Israel. His leaving is a profound loss not only to Chicago but to Illinois and the whole United States. Nowhere will you find a man who exemplifies that adage that people should walk among tall men better than in his individual case. Through the years Rabbi Berman has been a leader of the Jewish community not only of Chicago but of the United States. Many and varied have been his wonderful contributions. In the battle for men's minds in this critical and revolutionary era as it turns to the Middle East, that region is getting a wonderful spokesman because there is no man that believes more in the spirit of charity, of love and brotherhood than our departing friend. We salute him and wish him well. In his new endeavors may he continue to be esteemed and loved as he meets a new challenge and a new opportunity for good.

Mr. ROOSEVELT. Mr. Speaker, the beautiful words of prayer spoken for us today by Rabbi Berman are typical of his deep inspiration. Those of my colleagues from Illinois who speak words of praise for Rabbi Berman today do so from firsthand knowledge of his great contributions to his community and his Nation. As one who also has had the privilege of knowing personally of Rabbi Berman's work I welcome this occasion to join with all his friends in wishing him every blessing in his new work overseas. May peace and justice for all men crown his efforts.

Mrs. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. Mr. Speaker, it is an honor and a privilege to find myself a Member of the House of Representatives at a time when Rabbi Berman comes to say hail and farewell. No man in the Chicago area has done more to hold high those ideals and principles upon which this Nation stands. We wish him Godspeed and send with him our prayers for great service and extended life. We know that in Israel as in this country he will make his work and his life conform to and enhance these same ideals. May we accept the responsibility of keeping them high in our own thoughts and actions, as we in legislating seek to bring peace and harmony to this troubled world.

COMMUNIST CHINA

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I, too, want to commend the forthright statement of Secretary Dulles—in his San Francisco speech, he has clarified our policy toward Communist China in a way that can no longer be misunderstood by even the most wishful thinkers.

I am sure that the American people as a whole, regardless of party, agree that we must be steadfast for the right in resisting at this time recognition, trade, and seating in the United Nations.

The consequences of recognition upon the millions of Chinese on the mainland and overseas who oppose the present regime in Communist China, and upon our stanch friend and ally, the Republic of China and other free Asian governments of the Pacific and southeast Asia—the dangers of admitting to the United Nations a regime which has promoted 5 foreign or civil wars in the past 7 years, which defies the United Nations, and which proclaims its continuing purpose to resort to military aggression if and when it sees fit—the lack of sound judgment in building up, through trade controlled by the government of Red China, the military power of a potential enemy, are all clearly set forth for the world to note.

To appear to weaken, to compromise with Chinese communism at this time is to play directly into the hands of international communism in its unrelenting search for world domination.

To remain strong, to adhere to that which is right, is to recognize the gains which the Free World has won and to bring closer the day of victory in the struggle for freedom.

Let us not waiver when we are winning.

Mr. MORANO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MORANO. Mr. Speaker, I wish to join with my distinguished colleague from Wisconsin [Mr. SMITH] and my distinguished colleague from Massachusetts [Mr. WIGGLESWORTH] in the remarks they made concerning the admittance of Red China. I am delighted that the Secretary of State, John Foster Dulles, has so forcefully laid at rest the persistent rumors inspired by the Red China lobby that our policy on China is about to change. I agree with the Secretary that the capacity to change is an indispensable capacity of the American people, but I am even more strongly of the opinion that now, at the very moment when our policy holds the greatest promise for success, is the time to hold fast against the policy of admission of Red China to the United Nations.

MUTUAL SECURITY PROGRAM

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, I take this moment to call attention to the remarks which I will extend in the body of today's RECORD at the conclusion of other special orders, respecting the mutual security program. The burden of those remarks is that if you are going to have such a program you had better appropriate the basic minimum amount of money needed to carry it on, or otherwise abandon it.

The remarks also include a historical summary of the reasons behind the mutual security program of the United States.

I am extending the remarks rather than delivering them because I expect to be in committee hearings on the Hells Canyon Dam proposal during the afternoon.

BOARD OF VETERANS' APPEALS IS IGNORING THE LAWS ENACTED BY CONGRESS

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, I want to call to the attention of the House a matter in the Veterans' Administration which is becoming most serious and which the House should know about.

I refer to the many decisions emanating from the Board of Veterans' Appeals which clearly violate the laws enacted by Congress for the protection of our veterans. Particularly, reference is made to the presumption of soundness which applies to a man going into one of the branches of the Armed Forces. I also refer to the provision of law which requires all reasonable doubt to be resolved in favor of the veteran. Both of these provisions are being ignored, in my opinion, in many decisions being made by the Board of Veterans' Appeals.

I think that unless this trend is stopped it will be necessary for the Congress to enact legislation to assure that the will and intent of the law is followed.

I, for one, do not expect to sit idly by and see deserving cases denied day after day.

RED CHINA

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN. Mr. Speaker, Secretary Dulles made a bold, courageous, and appealing talk in San Francisco. He properly rejects recognition of Red China and points out the folly of thinking it would bring more trade to the United States. Trade with Red China, he emphasizes, would only be for the purpose of building up the military strength of communism.

As long as brutal, repressive communism rules China, we cannot permit their admission to the United Nations, nor can we grant them diplomatic recognition. To do so would dishearten and discourage the millions of free people who struggle for the day when all people will be free.

And in the end it would bring disaster to ourselves. The record of communism is not such as to encourage us to rely on slick and glib promises. The repeated violations of the Korean armistice are proof of how futile it is to depend upon the word of Red China.

Communism, if it had its way, would spread its ideology all over the world and put in the chains of slavery people who are now free and are determined to remain free.

MUTUAL SECURITY PROGRAM

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks on the mutual security program in the body of the RECORD at the conclusion of today's legislative business and other special orders.

The SPEAKER. Is there objection?

There was no objection.

COMMITTEE MEETING DURING GENERAL DEBATE

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may be permitted to sit during executive session during general debate in the House today.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

COMMITTEE ON FOREIGN AFFAIRS

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file a report on House Joint Resolution 16, providing for the revision of the status-of-forces agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. VORYS. Mr. Speaker, I ask unanimous consent that I may have permission to file a minority report with the majority report on the same bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

IMPLICATIONS IN THE INCREASE OF THE PRICE OF STEEL

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, today the price of steel is $6 more a ton. I wish to express my complete disappointment—utter astonishment—in the decision of the steel corporations to raise steel prices. The appeal of President Eisenhower that all of us voluntarily exercise restraints to combat the inflation spiral in costs and prices went entirely unheeded. We will now see a rise in the price of automobiles, refrigerators, baby carriages, and all those items used by the average family. We will now see a price rise in national defense costs and in our highway construction program where steel is so extensively used.

Steel is considered big business. But just how big is big business? It is big in capital investment. It is big in plants and equipment. It is big in the number of stockholders and number of employees. It is big in net worth and profits.

But, Mr. Speaker, it is disappointing to me to find that steel is not big enough to forego immediate profits for future gains. Yes, the steel industry is big, but it apparently is not big enough in vision to recognize that this action on their part in raising prices will have a tremendous impact on our whole economy. In my judgment, you are truly big when you place the best interests of the country above all else.

If to combat inflation it should become necessary to impose artificial price and wage controls, to which I have always been opposed, the steel industry would be the first to protest and protest with vigor. Yet they themselves proceed, without foresight, to help create a situation which may make such rigid action inevitable.

THE CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

LIMITING PAYMENTS TO CERTAIN BENEFICIARIES

The Clerk called the bill (H. R. 72) to amend section 21 of the World War Veterans' Act, 1924, to provide for the disposition of certain benefits which are unpaid at the death of the intended beneficiary.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WEAVER. Mr. Speaker, inasmuch as a rule has been granted on this bill I ask unanimous consent that it may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

MEAT PROMOTION PROGRAM

The Clerk called the bill (H. R. 7244) amending the Packers and Stockyards Act, 1921, to permit deductions for a self-help meat promotion program.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. O'NEILL. Mr. Speaker, I object.

SEWER AND WATER FACILITIES FOR ELKO INDIAN COLONY, NEVADA

The Clerk called the bill (H. R. 5953) to provide for the construction of sewer and water facilities for the Elko Indian colony, Nevada.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the exercise of his functions under the act entitled "An act to transfer the maintenance and operation of hospital and health facilities for Indians to the Public Health Service, and for other purposes," approved August 5, 1954 (68 Stat. 674), the Surgeon General shall—

(1) undertake such construction as may be necessary to extend the sewer and water lines of the city of Elko, Nev., to all land used by the Elko Indian colony, so as to provide water under pressure and adequate sewage facilities for all habitable dwellings on such land, and shall transfer or lease such facilities, without consideration therefor, to the city of Elko, Nev.; and

(2) provide all such habitable dwellings with appurtenances necessary for full utilization of such facilities.

SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out this act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That to carry out more effectively the purposes of the act of January 31, 1931 (46 Stat. 1046), as amended (authorizing appropriations for the installation of sanitary sewer and water systems for the Indian village of the Elko Indian colony), and his functions under the act entitled 'An act to transfer the maintenance and operation of hospital and health facilities for Indians to the Public Health Service, and for other purposes', approved August 5, 1954 (68 Stat. 674), the Surgeon General is authorized—

"(1) to develop plans, after consultation with the Indians concerned and in cooperation with the city of Elko, Nev., and other appropriate State or local public authorities, for extending the city's water and sewer lines and providing essential domestic and community water supplies and sewage and waste disposal facilities for the Indian village of the Elko Indian colony, including the provision of necessary appurtenances and fixtures for Indian homes in the village;

"(2) to make such arrangements with such public authorities, and with the Indians to be served by such lines, supplies, and facilities (including such appurtenances and fixtures), regarding contributions toward the extension and provision thereof and responsibilities for maintenance thereof, as in his judgment are equitable and will best assure the future maintenance of such lines, supplies, and facilities in an effective and operating condition and, after making such arrangements, to construct (directly or by contract) or otherwise provide such lines, supplies, and facilities on lands occupied by the Elko Indian colony or on lands made available for the purpose by the city of Elko or other public agency; and

"(3) to transfer any lines, facilities, or appurtenances provided hereunder, with or without a money consideration, and under such terms and conditions as in his judgment are appropriate, having regard to the contributions made and the maintenance responsibilities undertaken, the special health needs of the Indians concerned, and the purposes of this act, to the city of Elko, to the State of Nevada, or to any other subdivision of such State or, in the case of domestic appurtenances and fixtures, to any one or more of the occupants of the Indian homes served thereby.

"SEC. 2. There are authorized to be appropriated from time to time such sums, not to exceed $40,000 as may be necessary to carry out this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL KEY DEER REFUGE IN FLORIDA

The Clerk called the bill (H. R. 1058) to preserve the Key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order to protect and preserve in the national interest the Key deer and other wildlife resources in the Florida Keys, the Secretary of the Interior is authorized to acquire title, in such manner as he shall consider to be in the public interest, including but not limited to donation, the use of donated funds, and exchange for unreserved public land or interests therein when such exchanges involve properties of approximately equal value, not to exceed 1,000 acres of the lands or interests there in townships 65 and 66 south, ranges 28, 29, and 30 east, Monroe County, Fla.: *Provided, however*, That no land shall be acquired by condemnation on any island which is traversed at any point by United States Highway No. 1, as he shall find to be suitable for the conservation and management of the said Key deer and other wildlife. The properties so acquired shall constitute the National Key Deer Refuge, and shall be administered by the Secretary of the Interior in accordance with the laws and regulations relating to the national wildlife refuges, including, but not limited to, sections 4, 7, and 8 of the act of March 10, 1934, as amended by the act of August 14, 1946 (60 Stat. 1080; 16 U. S. C., 1952 edition, secs. 664, 666a, and 668), relating to the conservation of wildlife, fish, and game.

SEC. 2. In furtherance of the aforesaid purposes, the Secretary may take such action and make such expenditures as he shall find to be necessary in order to secure satisfactory title in the United States to such properties, including the payment of expenses incidental to the location, examination, and survey of such lands and the acquisition of title thereto; but no payment shall be made for any such lands until the title thereto shall be satisfactory to the Attorney General: *Provided*, That the acquisition of such lands or interests therein by the United States shall in no case be defeated because of rights-of-ways easements, exceptions, and reservations which, in the opinions of the Secretary of the Interior, will not interfere materially with the use of such properties for the purposes of this act.

SEC. 3. There is hereby authorized to be appropriated from time to time out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to effectuate the purposes of this act. The Secretary shall not utilize more than $35,000 from appropriated funds for the acquisition of land and interests in land. For the purposes of the immediately preceding sentence, the exchange by the Secretary of lands and interests therein shall not be considered an expenditure from appropriated funds.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDING THE SOCKEYE SALMON FISHERY ACT OF 1947

The Clerk called the bill (H. R. 6587) to amend the Sockeye Salmon Fishery Act of 1947.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BONNER. Mr. Speaker, I ask unanimous consent that the bill S. 1806 be considered in lieu of the House bill, H. R. 6587. It is an identical bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 2 (a) of the Sockeye Salmon Fishery Act of 1947 (61 Stat. 511) is amended to read as follows:

"(a) Convention: The word 'convention' means the convention between the United States of American and the Dominion of Canada for the protection, preservation, and extension of the sockeye salmon fisheries of the Fraser River system, signed at Washington on the 26th day of May 1930, as amended by the protocol to the convention, signed at Ottawa on the 28th day of December 1956."

SEC. 2. Section 2 (e) of such act is amended to read as follows:

"(e) Sockeye salmon and pink salmon: The term 'sockeye salmon' means that species of salmon known by the scientific name Oncorhynchus nerka, and the term 'pink salmon' means that species of salmon known by the scientific name Oncorhynchus gorbuscha."

SEC. 3. Such act is further amended by striking out "sockeye salmon" wherever used in such act, except in subsections (a) and (e) of section 2, and inserting in lieu thereof "sockeye salmon or pink salmon."

SEC. 4. Section 7 (a) of such act is amended by striking out "fishery" and inserting in lieu thereof "fisheries."

SEC. 5. The amendments made by this act shall take effect on the date of entry into force of the protocol, signed at Ottawa on December 28, 1956, between the United States of America and Canada to the convention for the protection, preservation, and extension of the sockeye salmon fisheries of the Fraser River system, signed at Washington on May 26, 1930.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 6587) was laid on the table.

A motion to reconsider was laid on the table.

CANAL ZONE MONEY ORDERS WHICH REMAIN UNPAID

The Clerk called the bill (H. R. 6710) relating to Canal Zone money orders which remain unpaid.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter 14 of title 2 of the Canal Zone Code, as amended by section 2 of the act of June 13, 1940 (ch. 358, 54 Stat. 389), is amended by adding at the end thereof a new section numbered 282 and reading as follows:

"§ 282. Money orders unpaid after lapse of 20 years

"No money order heretofore or hereafter issued by the Canal Zone postal service shall be paid after 20 years from the last day of the month of original issue. Claims for unpaid money orders shall be forever barred unless received by the Canal Zone postal service within such 20-year period. Funds accrued because of money orders remaining unpaid shall be treated as revenues of the Canal Zone postal service. The records of the Canal Zone postal service shall serve as the basis for adjudicating claims for payment of money orders."

SEC. 2. This act shall take effect on the 1st day of the 6th calendar month beginning after the date of its enactment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING DUAL JOBS FOR CANAL ZONE TEACHERS

The Clerk called the bill (H. R. 7734) to exempt certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the Legislative, Executive, and Judicial Appropriation Act, approved July 31, 1894, as amended, and section 6 of the Legislative, Executive, and Judicial Appropriation Act, approved May 10, 1916, as amended, shall not apply to teachers in the public schools of the Canal Zone who are also employed in night schools or in vacation schools or programs.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSPORTATION ON CANADIAN VESSELS TO AND WITHIN ALASKA

The Clerk called the bill (S. 886) to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, until June 30, 1958, notwithstanding the provisions of law of the United States restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from any port in the United States to another port of the United States, passengers may be transported on Canadian vessels between ports in southeastern Alaska, and passengers and merchandise may be transported on Canadian vessels between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING PENALTIES FOR INTERFERENCE WITH UTILITY LINES

The Clerk called the bill (H. R. 3604) to amend section 831 of title 5 of the Canal Zone Code to make it a felony to injure or destroy works, property, or material of communication, power, lighting, control, or signal lines, stations, or systems, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 831 of title 5 of the Canal Zone Code is hereby amended to read as follows:

"§ 831. Communication, power, lighting, control, or signal lines, stations, or systems

"Whoever (a) willfully or maliciously injures or destroys any of the works, property, or material of any radio, telegraph, telephone, cable, or television line, station, or system, or other means of communication, or of any power or lighting line station, or system, or other means of power or lighting transmission or distribution, or of any control or signal line, station, or system, whether any such line, station, or system be constructed or in process of construction, or (b), willfully or maliciously interferes in any way with the working or use of any such line, station, or system, or (c), willfully or maliciously obstructs, hinders, or delays the transmission of any communication or signal, or the transmission or distribution of power or lighting by means of any such line, station, or system, is guilty of a felony."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELATING TO ADMISSION INTO THE UNION OF THE STATE OF IDAHO

The Clerk called the bill (S. 1794) to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the act relating to the admission of the State of Idaho into the Union, be amended to read as follows: "That 50 sections of the unappropriated public lands within said State, to be selected and located in legal subdivisions as provided in section 4 of the act, shall be, and are hereby granted to said State for the purpose of erecting public buildings at the capital of said State for

legislative, executive, and judicial purposes, including construction, reconstruction, repair, renovation, furnishings, equipment, and any other permanent improvement of such buildings and the acquisition of necessary land for such buildings, and the payment of principal and interest on bonds issued for any of the above purposes."

SEC. 2. This act shall take effect as of July 3, 1890.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELATING TO THE ADMISSION INTO THE UNION OF THE STATE OF WYOMING

The Clerk called the bill (H. R. 7708) to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing, equipment, or other permanent improvement of public buildings at the capital of said State.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ENGLE. Mr. Speaker, I ask unanimous consent that the bill, S. 1396, which is an identical bill to the House bill, be considered in lieu of H. R. 7708.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 6 of the act of July 10, 1890 (26 Stat. 222, 223), providing for the admission into the Union of the State of Wyoming, is amended to read as follows:

"SEC. 6. That 50 sections of the unappropriated public lands within said State, to be selected and located in legal subdivisions as provided in section 4 of this act, shall be, and are hereby, granted to said State for the purpose of erecting public buildings at the capital of said State, including construction, reconstruction, repair, renovation, furnishing, equipment; and any other permanent improvement of such buildings, and the acquisition of necessary land for such buildings, and the payment of principal and interest on bonds issued for any of the above purposes."

SEC. 2. This act shall take effect as of July 10, 1890.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 7708) was laid on the table.

A motion to reconsider was laid on the table.

AMENDING SECTION 206 OF THE LEGISLATIVE REORGANIZATION ACT OF 1946

The Clerk called the bill (H. R. 6900) to amend section 206 of the Legislative Reorganization Act of 1946, so as to enable the Comptroller General more effectively to assist the Appropriations Committees in considering the budget.

The SPEAKER. Is there objection to the present consideration of the bill?

Messrs. FORD, HORAN, and BOW objected.

APPLICATION OF PUBLIC LAW 815, 81ST CONGRESS, TO WAKE ISLAND

The Clerk called the bill (H. R. 7540) to amend Public Law 815, 81st Congress, relating to school construction in federally affected areas, to make its provisions applicable to Wake Island.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 210 (14) of the act of September 23, 1950 (Public Law 815, 81st Cong.), is amended by striking out "or the Virgin Islands" and inserting "the Virgin Islands, or Wake Island."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION OF INDIAN HEALTH FACILITIES

The Clerk called the bill (H. R. 8053) to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whenever the Surgeon General of the Public Health Service, in carrying out his functions under the act of August 5, 1954 (68 Stat. 674), determines, after consultation with the Indians concerned, that in a particular area the provision of financial assistance to one or more public or other nonprofit agencies or organizations for the construction of a community hospital constitutes a more desirable and effective method, than direct Federal construction, of obtaining needed hospital facilities for Indians in the area to whom the Public Health Service provides health services, he may provide such financial assistant from funds available for the construction of Indian health facilities for such Indians.

SEC. 2. The amount of such financial assistance shall not exceed that portion of the reasonable cost of the construction project which is attributable to the Indian health needs, as determined by the Surgeon General: *Provided*, That in determining, for the purposes of this act, the portion of the cost of the construction project attributable to Indian health needs, the Surgeon General shall take into account only those categories of Indians receiving hospital and medical care, including outpatient care and field health services, from or at the expenses of the Public Health Service on the date of enactment of this act.

SEC. 3. As a condition to providing assistance under section 1, the Surgeon General shall—

(a) require plans and specifications meeting such standards of construction and equipment as he may prescribe, and

(b) obtain such assurances and agreements as in his judgment are equitable in the light of the financial assistance provided under this act and are necessary to assure the availability of the facility for the provision of hospital and medical care to Indians and to assure compliance with State standards for operation and maintenance of hospitals which receive Federal aid under title VI of the Public Health Service Act (42 U. S. C. ch. 6A, subch. IV).

SEC. 4. The Surgeon General shall make payments under section 1 in advance or by way of reimbursement and in such installments consistent with construction progress, as he may determine.

SEC. 5. Neither assistance provided under this act for meeting part of the cost of construction of a hospital project, nor the giving of any assurance required as a condition of such assistance, shall be construed as affecting in any way the eligibility of such project for aid under title VI of the Public Health Service Act or any other Federal Act authorizing financial aid in the construction of such project, but construction costs met with Federal funds made available under this act shall not be included in the cost of construction in which the Federal Government shares under such title VI or other Federal Act.

SEC. 6. As used in this act:

(a) "Hospital" includes diagnostic or treatment centers and general hospitals, and related facilities, such as laboratories, outpatient departments, nurses' home and training facilities, and central service facilities operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care;

(b) "Diagnostic or treatment center" means a facility for the diagnosis or diagnosis and treatment of ambulatory patients—

(1) which is operated in connection with a hospital, or

(2) in which patient care is under the professional supervision of persons licensed to practice medicine or surgery in the State, or, in the case of dental diagnosis or treatment, under the professional supervision of persons licensed to practice dentistry in the State.

(c) "Nonprofit" means owned or operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(d) "Construction" means construction of new buildings, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings (including medical transportation facilities), including architects and engineering fees, but excluding legal fees, the cost of off-site improvements and the cost of the acquisition of land.

SEC. 7. Except as otherwise specifically provided, nothing in this act shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any hospital, with respect to which any funds have been or may be expended under this act.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS of Mississippi: Page 1, strike out beginning with line 5 down through line 2 on page 2, and insert the following: "August 5, 1954 (68 Stat. 674), with respect to the provision of health services to Indians in any particular area, determines, after consultation with such Indians, that the provision of financial assistance to one or more public or other nonprofit agencies or organizations for the construction of a community hospital constitutes a method of making needed hospital facilities available for such Indians which is more desirable and effective than direct Federal construction"; page 2, line 13, strike out "receiving" and insert "for which"; and in line 14 strike out "from" and insert "is being provided by"; page 3, line 1, after "assure" insert " that the hospital is operated in."

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. I should like to ask the gentleman from Mississippi relative to the Indian health facilities. Does that include plumbing and sewage disposal plants and water plants?

Mr. WILLIAMS of Mississippi. No. This bill deals exclusively with hospital facilities. It permits participation by the Public Health Service in the construction of public and nonprofit hospitals to the extent it is estimated by the Surgeon General that the Indians will require those facilities.

Mr. MILLER of Nebraska. This also applies to use by non-Indians?

Mr. WILLIAMS of Mississippi. I did not get the question.

Mr. MILLER of Nebraska. Will non-Indians also use the hospital facilities?

Mr. WILLIAMS of Mississippi. Oh, yes. Let me give the gentleman an example of what this will cover. We will say, for example, that a city is getting ready to construct a 25-bed hospital. There is an Indian colony in the immediate vicinity, to which the Federal Government is obligated to furnish health care. This bill provides that the Surgeon General may enter into an agreement with the community, estimating the needs of the Indians to be, we will say, 5 beds, and to pay for the additional 5 beds and expand it to a 30-bed hospital. In that way, the five beds will be reserved for use of the Indians.

Mr. MILLER Nebraska. Is it not possible for this project to come under the provisions of the Hill-Burton Act?

Mr. WILLIAMS of Mississippi. That is true.

Mr. MILLER of Nebraska. Is this in excess of the Hill-Burton bill or in addition to it?

Mr. WILLIAMS of Mississippi. This is separate and apart from the Hill-Burton Act.

Mr. MILLER of Nebraska. The reason I raised the question is that for a number of years we have had before our Committee on Interior and Insular Affairs a bill that would put the Public Health Department in the business of building and maintaining sewage disposal plants and so forth for the Indians. The bill now has been referred to the Committee on Interstate and Foreign Commerce, because they felt they could get a little better reception. I will say to the gentleman while I am not favorable to all aspects of the bill, I think the bills that we have had before our committee go entirely too far in allowing the department to build and maintain and supervise sewage plants and water works and so forth for the various tribal Indians throughout the country when we do not extend it to non-Indians. The bills would cost unknown amounts if passed.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IMPROVED METHODS OF STATING BUDGET ESTIMATES

The Clerk called the bill (H. R. 8002) to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, I object.

AMENDING ADMINISTRATIVE EXPENSES ACT OF 1946

The Clerk called the bill (H. R. 7390) to amend the Administrative Expenses Act of 1946, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM, of Iowa. I object, Mr. Speaker.

AMENDING SECTION 4 OF THE INTERSTATE COMMERCE ACT

The Clerk called the bill (S. 937) to amend section 4 of the Interstate Commerce Act, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4 (1) of the Interstate Commerce Act, as amended (49 U. S. C. 4 (1), is amended to read as follows:

"(1) It shall be unlawful for any common carrier subject to this part or part III to charge or receive any greater compensation in the aggregate for the transportation of passengers, or of like kind of property, for a shorter than for a longer distance over the same line or route in the same direction, the shorter being included within the longer distance, or to charge any greater compensation as a through rate than the aggregate of the intermediate rates subject to the provisions of this part or part III, but this shall not be construed as authorizing any common carrier within the terms of this part or part III to charge or receive as great compensation for a shorter as for a longer distance: *Provided*, That upon application to the Commission and after investigation, such carrier, in special cases, may be authorized by the Commission to charge less for longer than for shorter distances for the transportation of passengers or property, and the Commission may from time to time prescribe the extent to which such designated carriers may be relieved from the operation of the foregoing provisions of this section, but in exercising the authority conferred upon it in this proviso, the Commission shall not permit the establishment of any charge to or from the more distant point that is not reasonably compensatory for the service performed; and no such authorization shall be granted on account of merely potential water competition not actually in existence; *Provided further*, That any such carrier or carriers operating over a circuitous line or route may, subject only to the standards of lawfulness set forth in other provisions of this part or part III and without further authorization, meet the charges of such carrier or carriers of the same type operating over a more direct line or route, to or from the competitive points, provided that rates so established over circuitous routes shall not be evidence on the issue of the compensatory character of rates involved in other proceedings: *And provided further*, That tariffs proposing rates subject to the provisions of this paragraph requiring Commission authorization may be filed when application is made to the Commission under the provisions hereof, and in the event such application is approved, the Commission shall permit such tariffs to become effective upon 1 day's notice."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOLL BRIDGE AT OR NEAR BAUDETTE, MINN.

The Clerk called the bill (S. 1054) to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to revive and reenact the act authorizing the village of Baudette, State of Minnesota, its public successors or public assigns, to construct, maintain, and operate a toll bridge across the Rainy River, at or near Baudette, Minn., approved December 21, 1950," approved June 16, 1955 (69 Stat. 159), is amended by striking out "commenced within 2 years and completed within 4 years" and inserting in lieu thereof "commenced within 4 years and completed within 6 years."

With the following committee amendment:

Page 2, line 3, insert:

"SEC. 2. The amendments made by the first section of this act shall take effect as of June 15, 1957."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HANDLING OF SHORT PAID AND UNDELIVERABLE MAIL

The Clerk called the bill (H. R. 7910) to revise the laws relating to the handling of short paid and undeliverable mail, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the Postmaster General shall prescribe by regulation the conditions under which matter mailed without prepayment of the postage required by law to be paid, or without prepayment of the full amount of the postage required by law to be paid, shall be delivered to the addressee, returned to the sender, or otherwise disposed of.

(b) The Postmaster General shall prescribe by regulation from time to time the charges to be collected on delivery for any matter mailed without prepayment of any lawfully required postage or without prepayment of the full amount of the lawfully required postage.

The Postmaster General may waive the collection of any charges when he deems such waiver to be in the best interest of the Government.

SEC. 2. Section 12 (a) of the act of October 30, 1951 (65 Stat. 676; 39 U. S. C. 246f (a)), is amended by inserting before the period at the end thereof a semicolon and the following new paragraph:

"(9) for returning undeliverable letters and parcels from the dead-letter office to the senders."

SEC. 3. Section 26 of the act of March 3, 1879 (20 Stat. 361), as amended (39 U. S. C. 275), is further amended to read as follows:

"SEC. 26. (a) The Postmaster General may issue postage due stamps of such special design and denomination as he deems necessary to be affixed to short paid mail, and such

stamps shall be canceled in the same manner as other postage stamps.

"(b) Postage due stamps may not be sold by any postmaster nor received by him in repayment of postage or fess for special services.

"(c) The Postmaster General may designate agencies of the Department where postage due stamps may be sold for philatelic purposes only."

SEC. 4. Section 3936 of the Revised Statutes, as amended (39 U. S. C. 406), is further amended by striking out the second sentence and inserting, in lieu thereof, the following:

"The Postmaster General shall return to the senders by registered mail all ordinary dead letters containing $10 or more in cash, and parcels of the first class which apparently contain matter valued at $10 or more, under such rules and regulations as he may prescribe. The minimum registry fee, in addition to such other fees as the Postmaster General may prescribe, shall be collected at the time of delivery."

SEC. 5. The first section 1 of the act of May 9, 1930 (39 U. S. C. 261), is amended by striking out "15 cents" and by inserting in lieu thereof "25 cents."

SEC. 6. All laws or parts of laws inconsistent with the provisions of this act are hereby repealed. Such repeal shall include, but shall not be limited to, the following laws and parts of laws which are hereby repealed:

(a) Section 3937 of the Revised Statutes, as amended (39 U. S. C. 407);

(b) Section 3898 of the Revised Statutes (39 U. S. C. 274);

(c) Section 3900 of the Revised Statutes (39 U. S. C. 272);

(d) The semicolon and the clause "but if the publisher of any refused or uncalled-for newspaper or other periodical shall pay the postage due thereon, such newspaper or other periodical shall be excepted from the operation of such regulations," in section 4061 of the Revised Statutes (39 U. S. C. 411);

(e) The second proviso of section 29 of the act of March 3, 1879 (20 Stat. 362) as added by the amendment to such section contained in section 3 of the act of July 5, 1884 (23 Stat. 158; 39 U. S. C. 321); and

(f) The proviso added to section 3 of the act of March 3, 1885 (23 Stat. 387), as amended by the act of January 16, 1889 (25 Stat. 650; 39 U. S. C. 165).

SEC. 7. This act shall be effective on the first day of the third month following the month in which enacted.

With the following committee amendments:

Page 1, strike out lines 3 to 8, inclusive, and insert in lieu thereof the following: "That (a) the Postmaster General shall prescribe by regulation the conditions for delivery to the addressee, return to the sender, other disposition, of matter mailed without prepayment of the postage required by law to be paid, or without prepayment of the full amount of the postage required by law to be paid."

Page 2, line 9, immediately after the period insert "Such charges (1) shall be in addition to the payment of lawfully required postage, (2) shall not be adjusted more frequently than once every 2 years, and (3) when adjusted shall equal, as nearly as is practicable, the approximate cost incurred by the Post Office Department with respect to the delivery of such matter and the collection of postage and other lawful charges thereon."

Page 3, line 25, strike out "1."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTRACTS FOR CONDUCT OF CONTRACT POSTAL STATIONS

The Clerk called the bill (H. R. 7907) relating to contracts for the conduct of contract postal stations, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 15 of the act entitled "An act to amend the act approved June 25, 1910, authorizing the postal savings system, and for other purposes," approved May 18, 1916 (39 Stat. 163; 39 U. S. C. 161), is hereby amended to read as follows:

"SEC. 15. The Postmaster General may enter into contracts for the conduct of contract stations for a term not exceeding 3 years. Any such contract may be renewed by the Postmaster General, at the same or a lower contract price, for additional terms not exceeding 3 years each unless (1) the Postmaster General finds that such renewal is not in the interest of the United States, or (2) not later than 90 days before the end of any contract term the Post Office Department receives a request in writing that the contract be opened for competitive bidding at the end of such term. Upon any such finding by the Postmaster General, or upon receipt of any such request, the Postmaster General shall terminate the contract, with respect to which such finding has been made or such request has been received, at the end of the current term and shall advertise for bids thereon in accordance with existing laws relating to the advertising of public contracts and the award thereof on the basis of competitive bidding."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REIMBURSEMENT TO COUNCIL OF CHEYENNE RESERVATION

The Clerk called the bill (H. R. 5810) to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to the Cheyenne River Sioux Tribal Council, Cheyenne Agency, S. Dak., the sum of $97,580.24. The payment of such sum shall be in full settlement of all claims of the said tribal council against the United States for reimbursement for expenses incurred by it and caused by, or incident to, negotiations which led up to the making and ratification of the agreement between the United States and said tribal council contained in the act of September 3, 1954 (68 Stat. 1191).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PERFORMANCE RATING ACT OF 1950

The Clerk called the bill (S. 1412) to amend section 2 (b) of the Performance Rating Act of 1950, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 (b) of the Performance Rating Act of 1950, as amended (5 U. S. C. 2001), is further amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following:

"(13) Civilian officers and members of crews of vessels operated by the Department of the Army and the Department of the Navy."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF LAND TO VILLAGE OF CENTRAL, N. MEX.

The Clerk called the bill (H. R. 7520) to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 45, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That, subject to section 2 of this act, the Secretary of Agriculture is authorized and directed to sell, at market value as determined by him, and to convey to the village of Central, in the State of New Mexico, for the purpose of residential and business development, the following described lands, formerly part of the Fort Bayard Military Reservation, Grant County, N. Mex., comprising approximately fifty-eight and thirty-one one-hundredths acres situated in the north half of the south half of the southeast quarter of section 34, township 17 south, range 13 west, and in the north half of the south half of section 35, township 17 south, range 13 west, New Mexico principal meridian, more particularly described by metes and bounds as follows:

Beginning at a point located at the intersection of the south right-of-way line of United States Highway 260 and the south boundary of the Fort Bayard Military Reservation, from which the Fort Bayard Military Reservation 1-mile marker bears north 89 degrees 59 minutes east, 30.65 feet distant;

Thence along the south right-of-way line of United States Highway 260 as follows:

First, along a circular curve to the left, the radius being 1,332.5 feet and the long chord being 1,078.87 feet in length and bearing north 58 degrees 47 minutes west;

Thence along a transition curve to the left, the long chord being 287.83 feet in length and bearing north 86 degrees 48 minutes west;

Thence north 88 degrees 38 minutes west, 1,067.69 feet;

Thence along a circular curve to the left, the radius being 8,494.42 feet and the long chord being 2,364.46 feet in length and bearing south 83 degrees 18 minutes west;

Thence south 75 degrees 18 minutes west, 1,309.49 feet to a point of intersection of the south right-of-way line of United States Highway 260 and the south boundary of the Fort Bayard Military Reservation;

Thence leaving said right-of-way, along the south boundary of the Fort Bayard Military Reservation as follows:

North 89 degrees 17 minutes east, 654.26 feet to the Fort Bayard Military Reservation 2-mile marker;

Thence north 89 degrees 59 minutes east, 2,629.90 feet to the Fort Bayard Military Reservation 1½-mile marker;

Thence north 89 degrees 59 minutes east, 2,610.00 feet to the point of beginning.

SEC. 2. The conveyance authorized by this Act (1) shall provide that the described land shall not be used in a manner incompatible with the proper and effective operation of the Veterans' Administration hospital at Fort Bayard, N. Mex., and if any parcel or lot shall ever be used in such manner, the title to such parcel or lot shall revert to the United States, which shall have the immediate right of reentry thereon, provided that such reversion shall terminate in the event the Veterans' Administration ceases operation of the hospital, (2) shall protect existing valid rights, (3) shall reserve easements for existing facilities such as roads, telephone lines, pipelines, electric power transmission lines, or other facilities or improvements in place, and shall reserve such easements for roads as the Secretary of Agriculture finds necessary to assure access to land of the United States or to meet public needs, (4) shall reserve to the United States all mineral rights, including gas and oil, in the land so conveyed, and (5) may contain such additional terms, conditions, reservations, and restrictions as may be determined by the Secretary of Agriculture or the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 7520) was laid on the table.

SUPPLEMENTING THE LAND-GRANT PROVISIONS OF THE ALASKA MENTAL HEALTH ENABLING ACT

The Clerk called the bill (H. R. 3358) to supplement the land-grant provisions of the Alaska Mental Health Enabling Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of subsection (a) of section 202 of the Alaska Mental Health Enabling Act of July 28, 1956 (70 Stat. 712), no lease, permit, license, or contract which has been issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U. S. C., sec. 181 and the following), as amended, or under the Alaska Coal Leasing Act of October 20, 1914 (38 Stat. 741; 30 U. S. C., sec. 432 and the following), as amended, and which is in effect on the date of approval of this act shall prevent the Territory of Alaska from selecting under said section 202 the lands subject to such lease, permit, license, or contract: *Provided*, That an application to select such lands is filed with the Secretary of the Interior within a period of 5 years after the date of approval of this act: *And provided further*, That such selections shall be made only from lands that are otherwise open to selection under said section 202. Such selections shall include the entire area that is subject to each lease, permit, license, or contract involved in the selections. Any patent for such lands shall vest in the Territory of Alaska all right, title, and interest of the United States in and to any such lease, permit, license, or contract that remains outstanding on the effective date of the patent, including the right to all rentals, royalties, and other payments accruing after that date under such lease, permit, license, or contract, and including any authority that may have been retained by the United States to modify the terms and conditions of such lease, permit, license, or contract: *Provided*, That nothing herein contained shall affect the continued validity of any such lease, permit, license, or contract or any rights arising thereunder.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

PUBLIC RECREATIONAL FACILITIES IN ALASKA

The Clerk called the bill (H. R. 7364) to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of May 4, 1956 (70 Stat. 130), is hereby amended by inserting in place of the word "transfer" in the first sentence thereof the words "conveyance or other disposition", and by deleting the entire third sentence and substituting therefor the following sentence: "Upon such terms and conditions as he may consider to be in the public interest, the Secretary may convey, or otherwise dispose of, to appropriate territorial agencies and communities such of the aforesaid public facilities and land relating thereto as he shall deem in the public interest."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO CONSUMMATE LAND EXCHANGES

The Clerk called the bill (H. R. 2170) to authorize the Secretary of the Interior to consummate desirable land exchanges.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to accept from grantors title to non-Federal land and interests in land, together with improvements thereon, situated within or adjacent to the Great Smoky Mountains National Park, and in exchange therefor, to convey by deed on behalf of the United States to the aforesaid grantors, land or interests therein, together with improvements thereon, situated within the Great Smoky Mountains National Park: *Provided*, That such exchanges may be made without additional compensation by either party to the exchange when the properties to be exchanged are of approximately equal value; however, when the properties are not of approximately equal value, as may be determined by the Secretary, an additional payment of funds shall be required by the Secretary or by the grantor of non-Federal properties, as the case may be, in order to make an equal exchange, and the Secretary is authorized to use any land acquisition funds relating to the national-park system for such purposes: *Provided further*, That not more than 200 acres of park land shall be conveyed pursuant to the aforesaid exchange authority. All properties acquired by the United States pursuant to this act shall become a part of the Great Smoky Mountains National Park upon acquisition thereof. Properties conveyed by the United States pursuant to this act shall thereafter be excluded from the park and any Federal regulation or control thereof for park purposes.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF LANDS TO STATE OF TENNESSEE

The Clerk called the bill (H. R. 4115) to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order that existing roads within Shiloh National Military Park may be devoted primarily to use by park visitors and that traffic hazards and nonconforming uses may be eliminated from the park by providing a more suitable road location and related area for the highways designated State routes Nos. 22 and 142 which now traverse the central portion of the park, the Secretary of the Interior is authorized to convey certain lands within Shiloh National Military Park on the terms and conditions hereinafter provided.

SEC. 2. The Secretary may convey to the State of Tennessee for road purposes a right-of-way located in Hardin County, Tenn., as shown on National Park Service map NMP-SH-7006, revised June 1956, being a minimum of 120 feet and a maximum of 140 feet in width, and a length of approximately 18,900 feet, said, right-of-way containing approximately 51 acres: *Provided*, That, in exchange, the State constructs and thereafter maintains a roadway on said lands and thereupon releases those portions of the present highways within the park designated State routes Nos. 22 and 142 from such designation and subsequent use for State highway purposes.

SEC. 3. The Secretary may convey to the State of Tennessee for use as a recreational area contiguous and incident to the relocated State Route No. 22 certain lands situated in Hardin County, Tenn., as shown on National Park Service map NMP-SH-7006, revised June 1956, and designated thereon as parcel A, said lands containing 151 acres, more or less: *Provided*, That in exchange the lands so conveyed shall be developed and used exclusively by the State or its political subdivisions for recreational purposes only, thereby removing certain incompatible uses from the military park.

SEC. 4. Upon the delivery and acceptance of the conveyance herein authorized, any jurisdiction heretofore ceded to the United States by the State of Tennessee over the lands conveyed shall thereby cease and determine and shall thereafter vest and be in the State of Tennessee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDATORY CONTRACT WITH NORTHPORT IRRIGATION DISTRICT, NEBRASKA

The Clerk called the bill (H. R. 3071) to authorize the Secretary of the Interior to enter into and to execute amendatory contract with the Northport Irrigation District, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to enter into a contract with the Northport Irrigation District, Nebraska, amendatory of the contract between said district and the United States

dated August 19, 1948, which amendatory contract shall provide, among other things, for (i) the relinquishment by the district of any interest that it may have in all present and potential power revenues from or related to the North Platte Federal reclamation project, (ii) application by the United States of the consideration for said relinquishment, namely $479,602, in amounts of not more than $8,000 per annum toward payment of the annual cost of carrying the district's water through the Farmers' Irrigation District canal, and (iii) retention by the United States of that portion of miscellaneous project revenues which the Secretary determines are properly creditable to the district, which revenues shall be covered into the special deposit account established by section 4 of the act of July 17, 1952 (66 that 754, 755), and expended for the purposes and in the manner therein provided.

SEC. 2. Nothing contained in this act shall be construed to diminish or enlarge the adjusted construction charge obligations of the Gering and Fort Laramie, the Goshen, and the Pathfinder Irrigation Districts, or any other party as set forth in the contracts between the United States and said districts and parties which were approved by the act of July 17, 1952, or which have been or shall be entered into pursuant to the authority contained in said act or to alter the basis upon which said adjusted construction charge obligations have been or shall be computed. The share of each participant in the cost of operating and maintaining the reserved works of the North Platte project shall be computed by the Secretary on the basis of the project acreages in the Fort Laramie and Interstate divisions as set forth in the aforementioned district contracts and 16,170 acres in the Northport division, but said basis of computation shall not entitle the Northport Irrigation District to any larger amount of credit from miscellaneous project revenues than is consistent with the amounts apportioned to the other districts and parties in accordance with the aforesaid contracts.

SEC. 3. The heading "Northport Division" in section 26 of the act of May 25, 1926 (44 Stat. 636, 642) and paragraph (a) thereunder are hereby repealed, but this repeal shall not affect the obligation of the Northport Irrigation District as expressed in its contract with the United States dated August 19, 1948.

SEC. 4. The paragraph under he heading "Appropriation of Certain Payments" in that portion of chapter VII, title I, of the act of September 6, 1950, which pertains to the Bureau of Reclamation (64 Stat. 595, 609) is hereby amended to read as follows:

"The Secretary may, without further appropriation, pay from the reclamation fund to the Farmers' Irrigation District, Nebraska, such sums, but not more than $8,000 per annum, as are required for water carriage in accordance with contracts between the United States and the Northport Irrigation District authorized by and entered into pursuant to law. The authority contained in this paragraph shall expire when the tottal of such payments shall be $479,602."

With the following committee amendment:

Page 4, following line 6, add a new section to read as follows:

"SEC. 5. The amount of $479,602 stated in section 1 of this act and in the paragraph of the act of September 6, 1950, which is amended by section 4 of this act shall be reduced by whatever amount of net power revenues may have accrued to the benefit of the Northport Irrigation District after June 30, 1956."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COLLECTION OF PEANUT STATISTICS

The Clerk called the bill (H. R. 6764) to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the last sentence of section 1 of the act of June 24, 1936 (ch. 745, 49 Stat. 1898; 7 U. S. C. 951), is amended to read as follows: "All reports shall be submitted monthly in each year, except as otherwise prescribed by the Secretary."

SEC. 2. Section 2 of said act, as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 952), is repealed.

SEC. 3. Section 3 of said act, as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 953), is renumbered section 2 and is amended to read as follows:

"It shall be the duty of each warehouseman, broker, cleaner, sheller, dealer, growers' cooperative association, crusher, salter, manufacturer of peanut products, and owner other than the original producer of peanuts to furnish reports, complete and correct to the best of his knowledge, on the quantity of peanuts and peanut oil received, processed, shipped, and owned by him or in his possession. Such reports, when and as requested by the Secretary, shall be furnished within the time prescribed and in accordance with forms provided by him for the purpose. Any person required by this act, or the regulations promulgated thereunder, to furnish reports or information, and any officer, agent, or employee thereof, who shall refuse to give such reports or information or shall willfully give answers that are false and misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $300 nor more than $1,000, or imprisoned not more than 1 year, or be subject to both such fine and imprisonment."

SEC. 4. Sections 4, 5, 6, and 7 of said act (49 Stat. 1899; 7 U. S. C. 954–7) are renumbered sections 3, 4, 5, and 6, respectively.

With the following committee amendments:

Page 2, beginning on line 2, strike out "is renumbered section 2 and".

Page 2, line 16, insert a comma after the words "or employee thereof".

Page 2, beginning on line 22, strike out all of section 4.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 609) to amend the act of June 24, 1936, as amended—relating to the collection and publication of peanut statistics—to delete the requirement for reports from persons owning or operating peanut-picking or threshing machines, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma

There was no objection.

The Clerk read the Senate bill.

Mr. ALBERT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ALBERT: Strike out all after the enacting clause and insert the provisions of the bill H. R. 6764 as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The proceedings by which the bill (H. R. 6764) was passed were vacated and the bill was laid on the table.

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES TO THE FORMER OWNERS THEREOF

Mr. BROOKS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6182) to provide for the conveyance of certain real property of the United States to the former owners thereof, as amended.

The Clerk read, as follows:

Be it enacted, etc., That the Administrator of General Services shall convey without consideration to Martha V. Gilkeson and Damaris E. Gilkeson, Moorefield, W. Va., all right, title, and interest of the United States in and to the real property containing 9 acres, more or less, which is described in section 2 of this act.

SEC. 2. The real property referred to in the first section of this act, known as the Moorefield Fish Cultural Station, is the same property conveyed by deed dated the 21st day of March 1938, from Martha V. Gilkeson and Damaris E. Gilkeson to the United States of America, said deed recorded on the 2d day of June 1939 in the clerk's office of the county court of Hardy County, W. Va., the exact legal description of which shall be determined by the Administrator of General Services.

The SPEAKER. Is a second demanded?

Mr. MAY. Mr. Speaker, I demand a second.

Mr. BROOKS of Texas. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, this is a bill which would convey 8.9 acres of farmland, donated to the Federal Government, to the former owners. The bill came out of the Committee on Government Operations without any dissenting votes either in the subcommittee or the full committee.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

FISSIONABLE MATERIALS

Mr. BROOKS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8005) to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook, and State of Illinois, as amended.

The Clerk read as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to convey by quitclaim deed to the city of Chicago, a municipal corporation of the State of Illinois, all of the right, title, and interest of the United States in and to "fissionable materials," as defined by Executive Order No. 9701 issued March 4, 1946, in the tract of land in the county of Cook, State of Illinois, which was conveyed by quitclaim deed from the United States of America to the city of Chicago, recorded on March 22, 1946, in the office of recorder of deeds of Cook County, Ill., as Document No. 13747964; the exact legal description of such land shall be determind by the Administrator of General Services.

The SPEAKER. Is a second demanded? If not, the question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. BROOKS of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'BRIEN] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. O'BRIEN of Illinois. Mr. Speaker, the purpose of H. R. 8005, which I introduced at the request of the mayor and corporation counsel of the city of Chicago, is to remove a technical objection that has been blocking the marketing of a bond issue of $85 million for the improvement of O'Hare Airport in Chicago.

Under an arrangement advantageous to the city and to the Nation and as well to the Defense Department, the $85 million bond issue for the further development and improvement of this most important airport will be retired from the earnings of the commercial airlines. In addition to the $85 million, which as I have said ultimately will be repaid by the airlines without one cent of the burden falling on the taxpayers, the city of Chicago is putting in an additional $15 million, raised by another bond issue, for the acquisition of adjacent lands to meet the demands for future expansion. O'Hare Airport when the planned developments and improvements are completed will be the largest and most important airport in inland America, servicing national and international commercial airlines and the flying craft of the Air Force of the United States. Needless for me to say, it is vital to the defense and security of the country, as well as to the national economic interest accruing from air transportation progress, that the plans go forward without delay. I wish to commend Mayor Richard J. Daley and the members of his municipal government, including Corporation Counsel Melaniphy, for conducting the negotiations and reaching the agreement whereby the cost of this most important development in the public interest will not come out of the pockets of the taxpayers.

The reason the enactment of H. R. 8005 is necessary is that the Atomic Energy Act of 1946, supplemented and expanded somewhat by Executive orders, required that in all conveyances of lands by the Federal Government there should be reserved the right to fissionable materials. An amendment to the act in 1954 provided that such reservations should on application be rescinded. Since there was no longer need for such reservation, it was clearly the intention that the application of the 1954 amendment should cover all lands conveyed by the Federal Government, but the language used in the 1954 amendment was "public lands" and the question has never been judicially passed upon whether the term "public lands" in a strict technically legal sense is confined to lands of the public domain or includes acquired lands.

As the site of O'Hare Airport was acquired by the Federal Government during the war period and later given by the Federal Government to the city of Chicago for exclusive use as an airfield it is not land from the public domain.

As long as this technical question is undecided it is necessary for present holders of land acquired not from the public domain by the Federal Government, and later transferred to them to come to the Congress for clarifying relief. In July of last year the Congress passed H. R. 9578, a bill similar to H. R. 8005, and which became a law of the 84th Congress. In that instance the owner of the land from which the reservation was removed was a private party and the use of the land was for a private purpose. In the present instance the owner of the land is a municipal corporation and the use of the land is for a public purpose and in the furtherance of national economic and military ends.

There is no objection from the Atomic Energy Commission and the General Services Administration since the retention of the reservations is no longer thought advantageous to the Federal Government.

I trust the bill will be passed and that later, as I understand is now in prospect, there will be general legislation making bills of the character of H. R. 8005 unnecessary.

Mr. BROOKS of Texas. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. O'HARA] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was objection.

Mr. O'HARA of Illinois. Mr. Speaker, my colleague and the beloved dean of the Illinois delegation, Mr. O'BRIEN, who is the author of H. R. 8005, has explained the bill and its purpose, and the reason for its introduction, with such clarifying completeness that nothing remains to be said. I trust the bill will pass unanimously.

There is one typographical error in the report, however, that in justice to the memory of a great American hero of World War II I would wish to correct. The report because of this typographical error refers to O'Hare National Airport as O'Hara National Airport. The airport is named in honor of the memory of a young man from Chicago who as a combat flyer gave his life in one of the outstanding feats of heroism in the war with Japan. He spelled his name O'Hare, and it is his name the airport bears.

DONATION OF CERTAIN RECORDS TO THE PHILIPPINE REPUBLIC

Mr. BROOKS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1141) to authorize and direct the Administrator of General Services to donate to the Philippine Republic certains records captured from insurrectos during 1899–1903.

The Clerk read as follows:

Be it enacted, etc., That the Administrator of General Services is authorized and directed to transfer to the Government of the Republic of the Philippines, without compensation, the records captured by United States forces from the Philippine insurgents during the period 1899–1903 and now maintained as part of record group 94 in the National Archives of the United States.

SEC. 2. Before effecting such transfer, the Administrator of General Services shall cause to be made a microfilm copy of each document contained in such records which the Secretary of State or his designated representative shall select for preservation in the National Archives of the United States.

SEC. 3. There is hereby authorized to be appropriated to the Administrator of General Services such sum, not exceeding $35,000, as may be required to cover the costs of microfilming records and transporting the originals thereof to Manila in conformity with the provisions of this act.

The SPEAKER. Is a second demanded? If not, the question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

Mr. BROOKS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS of Texas. Mr. Speaker, S. 1141 directs the Administrator of General Services to transfer to the Philippine Republic those records captured by the United States forces from insurrectos during 1899–1903. These records are now maintained in the National Archives and the bill provides for the microfilming of those records which have historical significance. These micofilms would be maintained in our archives.

These captured records are hallowed historical documents of special value and great significance to the Republic of the Philippines. They detail the momentous beginnings of democracy in the islands, illuminating the desperate period when

Filipinos first made very plain their budding desire for self-governing liberty.

More than a half century has passed since Admiral Dewey took Manila, and the whole world today knows the Philippines as a growing example of democracy successfully at work in the Far East, a flaming symbol of freedom in an Asia which has felt the dark menace of communism. The subject records prove that the Filipinos were striving for a democratic way of life even before United States forces challenged Spanish control of the Philippines.

Gen. Carlos P. Romulo, Philippine Ambassador to the United States, testifying before the General Government Activities Subcommittee, described the period 1899–1903 covered by these records as one of revolution, its principals now national heroes of the Filipinos.

General Romulo said the records prove that even before American troops came to the Philippines, the Filipinos were already fighting for democracy and the democratic way of life.

He said his nation is grateful that the American Government is willing to donate these records to them and feels it is another token of the friendship and good will the United States long has manifested toward the Philippines. They hope to have the records on the 4th of July 1957, 11th anniversary of Philippine independence.

Students and scholars of government also have indicated a great interest in these records. The bill provides that microfilm copies of the records to be transferred be retained by the National Archives to serve such research needs.

VINCENNES UNIVERSITY, VINCENNES, IND.

Mr. BROOKS of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 806) to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.

The Clerk read as follows:

Be it enacted, etc., That (a) the Administrator of General Services is authorized and directed to convey by quitclaim deed, without consideration, to the board of trustees for the Vincennes University, Vincennes, Ind., all right, title, and interest in and to that parcel of land located in the city of Vincennes, Ind., title to which was vested previously in the city of Vincennes, Ind., by section 2 of the act of March 3, 1881 (21 Stat. 505), and which was authorized to be conveyed with certain reservations to the board of trustees for the Vincennes University by the act of June 30, 1944 (58 Stat. 645). The Administrator shall except from such conveyance that area of land within such parcel bounded by Third and Fourth Streets and Indianapolis Avenue and Hickman Street (now College Avenue).

(b) The Administrator shall withhold execution of the conveyance provided for in subsection (a) until he determines that the city of Vincennes, Ind., has released and conveyed to the board of trustees for the Vincennes University any right, title, and interest that such city may have in and to the parcel of land defined in subsection (a). In the event the city of Vincennes fails to release and convey such right, title, and interest within 6 months from the date of enactment of this act, the authority contained herein shall terminate and be of no further force or effect.

The SPEAKER. Is a second demanded?

Mr. MAY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. Does the gentleman from Texas desire to be heard on his motion?

Mr. BROOKS of Texas. I do not desire to be heard on it, Mr. Speaker.

Mr. MAY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. BRAY. Mr. Speaker the purpose of this bill is quite simple and I believe the consideration of it can also be free from complexities. The bill is to remove certain reversionary restrictions on a part of the campus of the Vincennes University. To all intents and purposes, the Federal Government has lost its interest in this land which is used as a college campus. The Government has parted with title to it, except on the contingencies that the University must cease to use it for school purposes, and, in which event, the City of Vincennes should then cease to use it for park purposes. The Senate report itemizes the various transactions which have placed the deed to this small tract of land in its present predicament. Vincennes University currently is anxious to proceed with construction of a much needed school facility. To do so it must have title to this land completely free of even so remote a reversionary interest as the Federal Government has. The Bureau of the Budget has no objections to this bill nor has the Comptroller General of the United States.

We are all aware of the severe strain on educational facilities at colleges and universities throughout the Nation. Vincennes University is a junior college on a community level which is doing much to meet the expanding need for this type of education. The enactment of this measure, which does not require any Federal expenditure and which relinquishes only a very nominal interest, will be of great assistance to Vincennes University in meeting the needs of its student body.

The bill also requires that the Administrator of General Services Administration shall withhold execution of the conveyance until he determines that the city of Vincennes has released and conveyed to Vincennes University the reversionary interest it has. In other words, the continued use of this land for educational purposes will be assured and I might add, that it is being used for such purposes now but will be of much more assistance to the university if they can obtain unrestricted title as this bill would allow.

I had introduced H. R. 5569 to accomplish the same purpose. I asked the committee to approve the Senate bill in order to speed the enactment of this legislation so important to Vincennes University.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PAYMENT OF GOVERNMENT CHECKS

Mr. McCORMACK. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8195) to facilitate the payment of Government checks, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That section 1 of the act of July 11, 1947 (61 Stat. 308; 31 U. S. C. 132) is hereby amended to read as follows:

"That (a) All checks heretofore or hereafter drawn on the Treasurer of the United States, including those drawn by wholly owned and mixed-ownership Government corporations, shall be payable without limitation of time: *Provided*, That where on presentation of any check for payment the Treasurer of the United States is on notice of a doubtful question of law or fact the payment of such check shall be deferred pending settlement by the General Accounting Office.

"(b) The amount of all checks drawn by authorized officers of the United States on designated depositaries which have not been paid prior to the close of the fiscal year next following the fiscal year in which the checks were issued shall be withdrawn from the accounts with such depositaries and deposited with the Treasurer of the United States for credit to a consolidated account or accounts on the books of the Treasury. Claims for the proceeds of such unpaid checks shall be payable from such consolidated accounts by checks drawn on the Treasurer of the United States pursuant to settlement by the General Accounting Office.

"(c) The limitation imposed in respect to certain claims or demands against the United States by the act of October 9, 1940 (54 Stat. 1061; 31 U. S. C. 71a, 237), shall not be deemed to apply to original or substitute checks heretofore or hereafter drawn on the Treasurer of the United States, including those drawn by wholly owned and mixed-ownership Government corporations, or drawn by authorized officers of the United States on designated depositaries."

Sec. 2. Section 3 of the act of July 11, 1947 (61 Stat. 309; 31 U. S. C. 134) is hereby amended to read as follows:

"Sec. 3. The Secretary of the Treasury is authorized to transfer, at appropriate intervals, amounts of unpaid checks from the accounts on which drawn to a consolidated account or accounts on the books of the Treasury and to transfer to such consolidated account or accounts the balance of the special deposit account established pursuant to section 1 of the act of July 11, 1947 (61 Stat. 308), which consolidated account or accounts shall be available for the payment of such checks and any unpaid checks heretofore payable from the special deposit account. The Secretary of the Treasury is further authorized to transfer, at appropriate intervals, from the accounts available for the payment of unpaid checks to the appropriate receipt account on the books of the Treasury any amounts not required for the payment of such checks and with the concurrence of the Comptroller General to make such rules and regulations as he may deem necessary or proper for the administration of the provisions of this act: *Provided*, That in the case of checks issued by the disbursing officer of the District of Columbia and the disbursing officer of the Corps of Engineers in reference to the disbursement of District funds, the Secretary of the Treasury is authorized to transfer, at appropriate intervals, from the accounts available for the payment of such unpaid checks, to the general revenues of the District of Columbia, any amounts not required for the payment of such checks: *Provided further*, That as to such checks issued on or before June 30, 1955, transfers to the general revenues of the District of Columbia shall be limited to the amount of undelivered checks."

Sec. 3. (a) Section 2 of the act of June 22, 1926 (44 Stat. 761; 31 U. S. C. 122) is hereby amended to read as follows:

"Sec. 2. Hereafter all claims on account of any check, checks, warrant, or warrants appearing from the records of the General Accounting Office or the Treasury Department to have been paid, shall be barred if not presented to the General Accounting Office or the Treasurer of the United States within 6 years after the date of issuance of the check, checks, warrant, or warrants involved. However, any claims for the proceeds of checks payable in Philippine pesos heretofore issued in payment of claims certified by the Philippine War Damage Commission, shall not be barred if received by the representative of the Chief Disbursing Officer, United States Treasury Department, at Manila, Republic of Philippines, within 6 years after the date of issuance of such checks."

(b) Section 1 of the act of March 6, 1946 (60 Stat. 31; 31 U. S. C. 129) is hereby amended by inserting immediately after the words "General Accounting Office" the words "or the Treasurer of the United States".

Sec. 4. Subsection (a) of section 3646 of the Revised Statutes of the United States, as amended (31 U. S. C. 528 (a)) is hereby amended to read as follows:

"(a) Except as provided in this section, whenever it is clearly proved to the satisfaction of the Secretary of the Treasury that any original check of the United States is lost, stolen, or wholly or partly destroyed, or is so mutilated or defaced as to impair its value to its owner or holder, the Secretary of the Treasury is authorized to issue to the owner or holder thereof against funds available for the payment of the original check a substitute showing such information as may be necessary to identify the original check, upon receipt and approval by the Secretary of the Treasury of an undertaking to indemnify the United States, in such form and amount and with such surety, sureties or security, if any, as the Secretary of the Treasury may require; but no such substitute shall be payable if the original check shall first have been paid: *Provided*, That nothing contained in this section shall be deemed to relieve any certifying officer or his sureties or any disbursing officer or his sureties of any liability to the United States on account of any payment resulting from the erroneous issuance of the original check."

Sec. 5. (a) Subsection (c) of section 3646 of the Revised Statutes of the United States, as amended (31 U. S. C. 528 (c)), is further amended by deleting the phrase "prior to the expiration of 10 years from the date on which the original check was issued" and inserting in lieu thereof "prior to the close of the fiscal year next following the fiscal year in which the check was issued".

(b) Subsection (e) of section 3646 of the Revised Statutes of the United States, as amended (31 U. S. C. 528 (e)), is further amended by deleting the phrase "prior to the expiration of 10 years from the date on which the original check was issued".

(c) Subsection (f) of section 3646 of the Revised Statutes of the United States, as amended (61 Stat. 310; 31 U. S. C. 528 (f)), is further amended to read as follows:

"(f) Substitutes issued under this section drawn on the Treasurer of the United States shall be deemed to be original checks and payable under the same conditions as original checks."

Sec. 6. Section 2 of the act of July 11, 1947 (61 Stat. 309; 31 U. S. C. 133), and section 5 of the act of July 1, 1916, as amended (61 Stat. 309; 31 U. S. C. 154) are hereby repealed.

The SPEAKER. Is a second demanded?

Mr. BROWN of Ohio. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, this is a very simple bill. If any Member wants to ask any questions about it, I shall be very glad to undertake to answer them.

Mr. GROSS. Is this similar to the bill H. R. 8195?

Mr. McCORMACK. This is H. R. 8195.

Mr. GROSS. I thought we were considering a Senate bill.

Mr. McCORMACK. There is no bill of this kind that has passed the Senate. There are certain minor committee amendments. This is merely to facilitate the payment of checks that have been outstanding for more than a year. This is a matter in relation to better service to the people and there will be some savings to the Government while bringing about greater efficiency at the same time.

Mr. GROSS. May I say to the gentleman I was under the impression that the House was considering a Senate bill and I was seeking to ascertain whether it was similar to the bill H. R. 8195.

Mr. McCORMACK. No; this is the House bill.

Mr. BROWN of Ohio. Mr. Speaker, the members of the Committee on Government Operations are unanimous in reporting out this bill. The purpose of this bill is to correct certain inequities and the bill has been recommended by the Treasury and by the General Accounting Office.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

INTERNAL SECURITY ANNUAL REPORT FOR 1956

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the concurrent resolution (S. Con. Res. 22) to print for the use of the Senate Committee on the Judiciary additional copies of the internal security annual report for 1956 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary 75,000 additional copies of Senate Report No. 131, 85th Congress, entitled "Internal Security Annual Report for 1956."

Mr. LeCOMPTE. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Ohio. I yield.

Mr. LeCOMPTE. Mr. Speaker, for the benefit of the membership I simply want to ask the gentleman from Ohio whether it is not true that 2 or 3 of these resolutions are resolutions of the other body.

Mr. HAYS of Ohio. That is correct.

Mr. LeCOMPTE. Of course, the principle of comity between the two bodies practically compels us to pass these resolutions without any long drawn-out debate.

Mr. HAYS of Ohio. That has always been the policy.

Mr. LeCOMPTE. And the other resolutions, if I may speak at the moment concerning the several resolutions which the gentleman from Ohio expects to call up at this time are mostly resolutions from committees of the House asking for documents to be printed for the use of the committees; is that not correct? And of the total cost probably the three Senate resolutions cost far in excess of the amount estimated for the others.

Mr. HAYS of Ohio. That is correct.

Mr. LeCOMPTE. The House resolutions constitute the greater part of this group of resolutions and all were passed out of the Committee on House Administration by unanimous vote.

Mr. HAYS of Ohio. That is the case in all except one or two instances, and I will speak about those when we get to them.

Mr. LeCOMPTE. I thank the gentleman.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

THE INTERNATIONAL PETROLEUM CARTEL

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the concurrent resolution (S. Con. Res. 26) to print additional copies of the report entitled "The International Petroleum Cartel," and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed 3,000 additional copies of the report entitled "The International Petroleum Cartel," a staff report to the Federal Trade Commission submitted to the Subcommittee on Monopoly of the Senate Committee on Small Business, which was printed as a committee print during the 82d Congress, 2d session. Such additional copies shall be for the use of the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

COMPILATION OF STUDIES AND REPORTS ON THE FOREIGN-AID PROGRAM

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House

Administration, I call up the concurrent resolution (S. Con. Res. 30) to print a compilation of studies and reports on the foreign-aid program, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed as a Senate document a compilation of studies and reports prepared under the direction of the Special Committee To Study the Foreign Aid Program, created by Senate Resolution 285, agreed to July 11, 1956, as amended by Senate Resolution 35, agreed to January 30, 1957.

SEC. 2. There shall be printed 8,000 additional copies of such Senate document. Such additional copies shall be for the use of the Special Committee To Study the Foreign Aid Program.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

FOREIGN TRADE INTERESTS IN THE STATE OF MICHIGAN

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 240) authorizing the printing of the manuscript, Foreign Trade Interests in the State of Michigan, as a House document, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the manuscript entitled "Foreign Trade Interests in the State of Michigan," prepared by the Library of Congress, be printed as a House document.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INTERNAL REVENUE ADMINISTRATION, PROGRESS REPORT OF THE SUBCOMMITTEE ON INTERNAL REVENUE TAXATION

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up the resolution (H. Res. 266) providing for printing additional copies of a study entitled "Internal Revenue Administration, Progress Report of the Subcommittee on Internal Revenue Taxation" and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Committee on Ways and Means, House of Representatives, 3,000 additional copies of a study entitled "Internal Revenue Administration, Progress Report of the Subcommittee on Internal Revenue Taxation," to the Committee on Ways and Means, issued by said committee during the 85th Congress, 1st session.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON INTERGOVERNMENTAL RELATIONS

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 278 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed for use of the Committee on Government Operations 2,700 additional copies of the report on intergovernmental relations made by that committee pursuant to a study of State and local governments.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 135, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the publication entitled "Guide to Subversive Organizations and Publications" prepared by the Committee on Un-American Activities, House of Representatives, 84th Congress, 2d session, be printed as a House document; and that there be printed 60,000 additional copies of said document, of which 40,000 copies shall be for the use of said committee and 20,000 copies to be prorated to the Members of the House of Representatives for a period of 90 days after which time the unused balance shall revert to the Committee on Un-American Activities.

The SPEAKER. The question is on agreeing to the resolution.

Mr. HAYS of Ohio. Mr. Speaker, I would like to state for the RECORD that there was some discussion of this resolution in the committee and there was some objection to it, although it was subsequently reported out by an almost unanimous vote. The objection came about because there had been some criticism by the press that our subcommittee was holding up on this resolution and copies were not available to people who wanted them. Some members of the committee called the Government Printing Office and found there were some 5,000 copies down there for sale. They felt that we should not come out with this resolution until that supply was exhausted. However, the full committee ordered the subcommittee to make a study of matters of this kind with a view to setting up some rule for the future, and then with, I believe, only one dissenting vote the committee reported out this resolution.

The SPEAKER. The question is on the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

SOVIET TOTAL WAR

Mr. HAYS of Ohio. Mr. Speaker, by direction of the Committee on House Administration, I call up House Concurrent Resolution 136, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That volumes I and II of the publication entitled "Soviet Total War" prepared by the Committee on Un-American Activities, House of Representatives, 84th Congress, 2d session, be printed as a House document; and that there be printed 5,000 additional copies each of volumes I and II for the use of said committee.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRIAL BY TREASON

Mr. HAYS of Ohio. Mr. Speaker, I call up the resolution, House Resolution 189, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the publication entitled "Trial by Treason" prepared by the Committee on Un-American Activities, House of Representatives, 84th Congress, 2d session, be printed as a House document; and that there be printed 4,000 additional copies of this document for the use of said committee.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNUAL REPORT FOR THE YEAR 1956

Mr. HAYS of Ohio. Mr. Speaker, under direction of the Committee on House Administration, I call up House Resolution 220 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there be printed for the use of the Committee on Un-American Activities 7,000 additional copies of House Report No. 53, current session, entitled "Annual Report for the Year 1956."

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO AMEND THE ATOMIC ENERGY ACT OF 1954

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 297, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7383) to amend the Atomic Energy Act of 1954, as amended, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking House minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN].

At this time I yield myself such time as I may require.

Mr. Speaker, House Resolution 297 provides for the consideration of H. R. 7383, a bill to amend the Atomic Energy Act of 1954, as amended. The resolution provides for an open rule and 2 hours of general debate on the bill.

H. R. 7383 is substantially the same as the bill reported by the Joint Committee on Atomic Energy last year, which was never debated on the floor of either House.

The provisions of this bill provide governmental indemnification to persons and companies licensed by the Atomic Energy Commission within the next 10 years. Indemnification agreements will be signed under which the Commission will agree to indemnify the licensees for a portion of the damages arising from nuclear incidents which are in excess of financial protection in the form of private liability insurance, private contractual indemnities, or self-insurance required by the Commission to cover public liability claims. The limit of the Commission's responsibility under the agreements would be $500 million. The Commission is authorized to treat with its own contractors in the same way it treats with licensees under the provisions of this bill.

The Commission is also authorized to make contracts in advance of appropriations, and any appropriations made available to the Commission shall be available for the payment of obligations under indemnity agreements.

Section 5 of the bill adds a new section 29 to the Atomic Energy Act to formally establish a Committee on Reactor Safeguards. The Committee will review license applications and advise the Commission with respect to the hazards involved at any facility. The Committee is required to publish its safety reports and public hearings on certain facility license applications. The main reason for making this Committee a statutory committee is to insure that any features of new reactors would be as safe as possible.

Ample time has been provided for debate on H. R. 7383, and I urge the prompt adoption of House Resolution 297.

Mr. Speaker, I think the Committee on Rules reported this bill unanimously and with one exception I think it was reported unanimously by the Joint Committee on Atomic Energy.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Indiana [Mr. MADDEN] has explained, House Resolution 297 makes in order the consideration of the bill, H. R. 7383, from the Joint Committee on Atomic Energy, to amend the Atomic Energy Act of 1954 so as to authorize the Federal Government to engage in the insuring of privately constructed and operated atomic energy plants for the manufacture of power and electric energy after private insurance companies have granted as much insurance as it is possible to obtain. The bill was reported almost, if not quite, unanimously. I think there was perhaps one member of the Joint Committee on Atomic Energy that had a reservation, but the bill is supported by the great majority of the members of the Joint Committee on Atomic Energy and the rule which provides for consideration of the bill was reported by the Committee on Rules with a unanimous vote.

This bill, of course, involves a considerable liability on the part of the Government under certain conditions and is an important measure. It will be fully explained during general debate and the provisions of the bill will be carefully gone into.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. GROSS. Does this bill have the firm support of the administration, may I ask the gentleman?

Mr. BROWN of Ohio. It was my understanding that the Atomic Energy Commission and the administration have supported the measure.

Mr. COLE. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. COLE. I can assure the gentleman from Iowa that this bill does have the very strong support of the administration; so much so that at the last session of Congress President Eisenhower sent a communication to the Speaker asking that this bill be given consideration.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, I have not been able to find any reference in the report to such a communication or any statement from the Bureau of the Budget with respect to the financing provisions.

Mr. COLE. I was referring to a communication from the President to the Speaker which was submitted during the last session of Congress, and I am only speaking from memory; I am not altogether positive.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. PRICE. The joint committee is in possession of a letter of approval from the Atomic Energy Commission and cleared by the Bureau of the Budget for this purpose.

Mr. BROWN of Ohio. Will the gentleman place that letter in the RECORD?

Mr. PRICE. Yes. I would be glad to read it now. The letter reads as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 5, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy,
Congress of the United States.

DEAR MR. DURHAM: In accordance with Senator ANDERSON'S request transmitted by Mr. Ramey in his letter of May 20, the Commission has reviewed S. 2051 and H. R. 7383. While, as we indicated by our recent testimony on indemnity legislation, certain provisions contained in the bills may raise problems of administration, we believe that we will be able to develop a workable program under the authority provided therein. Although we would prefer to continue the Advisory Committee on Reactor Safeguards in its present status, as indicated by our letter of January 4, 1957, to Senator ANDERSON, we feel that in view of the urgent need for indemnity legislation, the enactment of S. 2051 or H. R. 7383 is of paramount importance.

In response to Senator ANDERSON'S request, we are forwarding to the executive director of your committee by separate letter our comments directed toward perfecting amendments to better carry out the purposes of the bill.

Sincerely yours,

LEWIS STRAUSS,
Chairman.

Mr. BROWN of Ohio. I thank the gentleman.

Mr. MADDEN. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, 7 years ago I called attention to a program being conducted in my native city of Boston aimed at reducing the tragic loss of life and property due to fire. Reprints from the CONGRESSIONAL RECORD of those remarks were secured and distributed, at their expense, by the National Board of Fire Underwriters.

Thus there was fulfilled one of the major purposes of my remarks in that other communities in the United States—as well as in Canada and many parts of the world—learned about this program.

I was reminded of this when I learned that among the many communities that adopted this program is Flint, Mich. As a reward, eight outstanding boys and girls who participated in this fire marshal plan program, as it is called, were brought to Washington where my fellow Congressmen from Michigan met them and played host.

If I might employ a figure of speech, I would like now to reverse the procedure and to take you Members of Congress back to your districts and to the Nation as a whole so that we might realize, first, the great need for this work being performed so gloriously by our boys and girls in the sixth grades; and second, that you may appreciate the great civic contribution of these boys and girls who have participated in this fire marshal plan program.

Let me state at this time that the program derives its name because it is built about a key boy or girl in each participating school classroom. And he or she is designated the room marshal, and proudly wears a gold badge signifying that rank.

But before explaining in greater detail just how this plan works and why it is so successful, I wish to direct your attention to the tragic problem itself. It is conservatively estimated that at least 13,000 people are burned to death in the United States every year; that three-quarters of these deaths occur in the home, and that a very high percentage of those who are burned to death in their own homes are children.

Quite properly, we as a Nation do much to combat polio and other diseases which

we group as killers of children. Why are we so indifferent to the tragedy of fire which annually kills more children than all these major diseases combined? Let me quote from a newspaper story concerning just one of these fires that occur too often and wipe out 5, 6, and more children in a single family: "One by one we saw the tortured faces of these children vanish from the window while we had to stand by helpless to save them."

Such is the average adult's conception of fire and the role of the fire department that we become outraged when we read of as many as seven children being burned to death less than a mile from the fire station, as happened in one community this year. We seem to take for granted that because we have appropriated the funds for a fire department these tragedies cannot happen.

We forget that today more than ever homes are subjected to flash fires which can gut a home and take lives in a matter of a few seconds. Long before the fastest fire apparatus has a chance to respond.

We have made great technological advances in our war against fire. We have learned how to prevent conflagrations and to contain the large industrial fire and in many instances prevent it. Nevertheless, our fire losses keep soaring until they have passed the billion-dollar mark.

One obvious reason for this is that our dwelling fires have increased. There is a logical explanation for this. The many new products and inventions that have added to our comfort have, in turn, introduced many new and unrecognized fire hazards into our homes.

Smoking, for example, has greatly increased in the home and careless smoking is still the number one cause of fires. A survey has indicated that one-third of all dwelling fires caused by smoking or matches result from smoking in bed. The variety of appliances using electricity and now available for the average home has tripled since the end of World War II and such appliances, old and new, are in much greater use today.

In short our problem, that destroys so much life and property, centers upon the community and the occupants of our homes.

How do we reach them? How do we instruct them? How do we get them to pay attention and to cooperate? How do we get them to save their lives and the lives of their children?

That is why 7 years ago I called attention in Congress to the program conducted in my native city of Boston by the Boston Fire Department and Boston public, parochial and private schools, and sponsored by the Boston Board of Fire Underwriters. In Boston, shortly after the introduction of the fire marshal plan, the number of building fires dropped 25 percent and this figure has remained consistently low. Moreover, the experience of other communities that sought information and then adopted this program is similar. Here are just a few examples. In Watertown, Mass., the Watertown Press in a full page feature article revealed that after the first year of this program fire losses dropped from $235,483 the year before to $38,789. In the second year fire losses reached a record low of $19,332.

In Chelsea, Mass., a report of the local Chamber of Commerce gave credit to the program for a 64 percent drop in fire losses. Building fires, which ran above 400 a year before the program, dropped consistently to a below 100 mark with one low of 67. Warren, Ohio, where the chamber sponsors the program, reported a 20 percent drop in dwelling fires, and Woonsocket, R. I., where local insurance agents sponsor the program, reported a 40 percent drop in losses

However, all communities point out that prevention of fires and the saving of life and property is but one phase of the program. It improves schoolwork and serves as the foremost youth activity in which all boys and girls, including the physically handicapped, can excell in an outstanding civil activity. Johnstown, Pa., for this reason calls its fire marshal plan program "a fire prevention and juvenile delinquency program."

It is a tragic fact that the average adult is too preoccupied with the crowded affairs of a busy existence to give attention to the many warnings beamed at him or her concerning the many hazards about us. And yet only by an educational program can we gain the necessary attention and cooperation of these adults—the occupants of our homes.

This end has been and can be achieved by this sixth grade program; thanks primarily to the responsiveness and alertness of boys and girls of this age, and thanks, also, to the cooperation of local fire and school departments as well as local groups who make this possible.

In the beginning this fire marshal plan was undertaken in the belief that our present generation of adults could be written off as beyond the age when they could be alerted to dangers in the home, or could have their habits changed. Instruction was begun with the idea that knowledge and good habits would be planted in children at a formative age to bear fruit some years later when they became adults.

This achievement has already been gained, since the program has been in effect for more than a dozen years. But in the very beginning it was happily discovered that these enthusiastic boys and girls would immediately eliminate thousands of fire hazards in and around their own homes.

But perhaps of even greater value was the soon discovered fact that they could and did gain the attention and cooperation of their parents. This in turn created interest in the work of fire and other officials in their efforts to make their communities safer.

We have reams of statistics resulting from fires that have occurred. There is no way of recording that fire that would have happened had not some father, at the moment of tossing away a lighted cigarette, remembered the interest of his sixth grade son or daughter and extinguished the cigarette. But we do know that these and many other similar acts have occurred because we have so many reports from parents and teachers.

And so 7 years after I first called attention to the benefits of this fire marshal plan program, I am only too happy to do so again, having before me the splendid record achieved in so many communities.

I point with pride to the work under this program of such Massachusetts communities as Boston, Cambridge, Chelsea, Weymouth, Watertown, Waltham, Burlington, Holyoke, Lynn, Athol, Orange, and to communities in other States, such cities and towns as Cleveland; Minneapolis; Warren, Ohio; Niles, Ohio; Champion, Ohio; Flint, Mich.; Council Bluffs, Iowa; Ridgewood, N. J.; Woonsocket, R. I.; and Presque Isle, Maine.

In conclusion I would like to quote from the remarks of Fire Commissioner Francis X. Cotter of Boston. Annually at the end of the school year the Boston Fire Department stages an open air reception for the boys and girls.

The commissioner called attention to the members of the firemen's band and to the other uniformed firefighters on the stage. "This is one Boston Fire Department. But you boys and girls wearing your well-earned badges tonight are also a fire department. You do not climb ladders or pour water into flaming buildings, but in eliminating fire hazards and preventing just such fires you, too, perform the work of a fire department. Work for which the city is indebted to you and I know is grateful."

May the work of such fire departments expand and continue.

To those interested, I might say that details of the fire marshal plan program and how it may be adopted can be obtained from Herbert L. McNary, executive manager, Boston Board of Fire Underwriters, 89 Broad Street, Boston 10, Mass.

Mr. MADDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include an article by Robert J. Serling of the United Press.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, a very interesting and informative article on aviation safety and the tragic accident over Grand Canyon a year ago appeared Sunday in the Washington Post and Times-Herald. It was written by Mr. Robert J. Serling of the United Press. In view of its interest to Members, I ask unanimous consent to extend my remarks and include that article.

Through the years, the Committee on Interstate and Foreign Commerce has maintained a continuing interest in aviation safety, a subject over which the committee has legislative jurisdiction.

Immediately following the Grand Canyon accident, the then chairman of the committee, the late Honorable J. Percy

Priest, appointed me chairman of a special subcommittee to investigate the Grand Canyon accident.

The committee made an on-the-spot investigation at the scene of the accident where testimony was taken in an all-day session from officials of the Civil Aeronautics Board, the Civil Aeronautics Administration and others with knowledge of incidents leading up to this tragic accident in which 128 lives were lost.

Later, in Washington, we held hearings on July 18 and again on September 11, 12, and 13. I shall not go into detail regarding facts developed in these hearings. The hearings have been printed and are available from the committee.

Subsequently, on January 3, 1957, I submitted a report to the House on our investigation of this accident and the problems encountered in the use of our crowded airspace. That report is House Report No. 2972, 84th Congress, entitled "Airspace Use Study."

In our report, we said:

The Grand Canyon accident points out very clearly that the "see and be seen" concept will be out of date in the jet age. Some more effective method of traffic control or collision avoidance is needed. This control must be capable of being effective under all conditions, including airspace that is presently not controlled.

In the hearings held in Washington last September, Mr. James T. Pyle, Administrator of Civil Aeronautics, outlined to the committee steps being taken by the CAA to install new equipment and develop new techniques to handle the growing air-safety problem. The CAA is proceeding with those plans as rapidly as possible.

In connection with the Grand Canyon accident, the committee insisted that steps be taken as rapidly as possible to establish an airway across Grand Canyon. Difficulties were encountered in connection with airspace reservations of the military, but I am pleased to announce that the CAA today announced the airway has been established.

At the very start of the Grand Canyon accident investigation it became apparent that the line of demarcation between responsibilities of the CAB and the CAA in the field of aviation safety should be more clearly defined.

In our report, the committee said:

It is evident that the closest coordination must be maintained between the CAB and the CAA in this field. During the September hearings, Mr. James Pyle, then Acting Administrator of the CAA, informed the subcommittee that he and Mr. James Durfee, Chairman of the Civil Aeronautics Board, had agreed to make a study of regulatory problems involved in this delegation of rulemaking authority to the CAA. The committee is of the opinion that this is an important step toward improving the relationship between the two agencies having great responsibilities with the aviation program so vital to the American public.

In further hearings held April 16, 1957, Hon. James F. Durfee, Chairman of the Civil Aeronautics Board, told the committee:

We have now established an agreed procedure for a method of coordinating the rulemaking activities of the Board with the administrative functions of the administration and particularly with the question of delegation of rulemaking power by the Board to the Administrator in certain types of regulations where we feel the Administrator can perhaps do the job more expeditiously and on the basis of better information than we have, because of their personnel in the field.

The committee has continued its study of the subject of aviation safety in the present Congress in a series of hearings. We are pleased with the progress being made, but much more must be done and I am sure will be done as rapidly as possible.

The article by Mr. Serling follows:

CANYON CRASH HAS MADE AIR SAFER

(By Robert J. Serling)

One year ago today, two giant airliners bisected an angle of death over the Grand Canyon.

In a few sickening seconds, 128 lives were snuffed out in history's worst commercial aviation disaster and a stunned Nation was made suddenly aware of a gigantic air safety problem.

Grand Canyon was the "impossible" accident: The airliners collided in reasonably clear weather, at a high altitude and in literally empty airspace.

The lesson was grimly clear. If it could happen over the Grand Canyon, it was far more likely to happen in the congested air approaches to the big cities.

The Civil Aeronautics Board spent almost 10 months investigating why Trans World Airlines' super-Constellation and United Airlines' DC-7 collided. In its final report, the CAB said the "probable cause was that the pilots did not see each other in time"—which was like saying that the collision was accidental.

But the CAB went on to list a number of factors which, singly or in combination, may have "blinded" the pilots. These included:

Limited cockpit visibility.

Intervening clouds which prevented the pilots from seeing the other aircraft in time to maneuver away.

Preoccupation with normal cockpit duties.

Physiological limits to human vision.

Insufficiency of en route air traffic advisory information because of inadequate facilities and lack of personnel in air traffic control (ATC).

Preoccupation with unrelated cockpit duties such as trying to provide passengers with a more scenic view of the canyon.

This possible sightseeing factor has been discarded by most air safety experts because of the altitude (21,000 feet) and the clouds and haze present. But the other suggested factors added up to an indictment of the air traffic system as it existed on June 30, 1956.

The TWA and United planes came together because their pilots didn't see each other in time—but that visual failure was merely the culmination of many weaknesses in the system under which the airmen were operating.

Both planes were flying off airways—in airspace uncontrolled by Federal traffic control centers. That was because the controlled airways were not as direct. But in choosing to fly the uncontrolled routes, the pilots were made solely responsible for avoiding any other traffic.

The TWA plane, originally assigned a lower altitude, had been given permission to climb 1,000 feet above the clouds. In doing so, it had to reach 21,000 feet—the assigned altitude of United's DC-7. TWA was told that United was at that altitude but the undermanned ATC centers along the route were too busy to warn United. The centers had their hands full monitoring traffic on controlled airways; they could not accept responsibility for planes in uncontrolled air space.

Thus the deadly pattern was set. Has anything been done about those conditions in the 12 months since? These are the positive accomplishments:

As quickly as possible, the airlines are shifting to instrument flight rules (IFR) both at high altitudes and in the more congested airways. All carriers have voluntarily gone to "positive separation" for all flights above 18,000 feet, which means that they must fly on federally designated airways under the monitoring and guidance of air traffic control centers.

Effective Monday, every flight above 9,500 feet in the heavily traveled Golden Triangle between New York, Washington and Chicago must fly IFR in controlled air space. And, eventually, every commercially scheduled flight will be IFR from takeoff to landing.

The Civil Aeronautics Administration, which operates the air traffic control system, is almost ready to control all civil and military flights above 24,000 feet. By next January, this floor will be lowered to 15,000 feet. CAA has increased the number of one-way airways, particularly between New York-Washington and New York-Chicago. It also has designated 12 direct transcontinental "superskyways" for safe separation and control of coast-to-coast high-speed flights, including the forthcoming jets.

The CAA, with Congressional blessing, has compressed its original 5-year expansion of the Federal airways system into 3 years and has stepped up spending on this system from $246 million to at least $810 million.

From June 30, 1956, to last May 30, the CAA added nearly 7,000 miles of electronically monitored airways to its system. It put into commission millions of dollars worth of radio and radar equipment both along the airways and at airports themselves. It also recruited 2,200 new air traffic controllers and spent $9 million on 23 long-range radar sets with first deliveries scheduled for August.

The CAA in the past 12 months has spent another $9 million on improved communications equipment for more efficient voice traffic between pilots and controllers.

The CAA has revised its regulations to cut down the visual flight rules (VFR) under which pilots must bear complete responsibility for avoiding other traffic. VFR is now given pilots only when they request it; formerly CAA controllers initiated VFR restrictions.

Both the CAA and the airlines, with pilots' cooperation, are restricting the 1,000 on top clearances which played a role in the Grand Canyon crash. Pilots must now fly at least 2,000 feet above the clouds.

Congress and the aviation industry have been handed a massive blueprint for future handling of air traffic, drawn up by President Eisenhower's Special Aviation Facilities Planning Commission. It calls for a temporary 3-year airways modernization board which would test new air traffic control systems and equipment. It details elaborate future plans for traffic control at major airports and recommends a new, completely independent Federal aviation agency.

These are the positive accomplishments which followed Grand Canyon. But they do not give the whole picture.

Some of the Government's airways expansion plans have been blocked by conflicts with the military over use of airspace. For example, CAA plans to establish a direct, controlled airway across the Grand Canyon collided with an Air Force demand that the area be banned to commercial planes. The controversy is still being thrashed out.

Also, the CAA's proposed 12 superskyways for transcontinental flights are being threatened by the military blocking out sections for air training and gunnery practice. During the recent naval maneuvers which President Eisenhower witnessed off the Virginia coast, airlines were forced to detour more than 200 flights in a 27-hour period.

Despite the current drive toward safer air-traffic control, near misses take place daily. A recent report to Congress revealed that aircraft are involved in two near misses a day while flying over densely populated areas. The Civil Aeronautics Board reported 452 near collisions in the last 4 months of 1956—101 of them over the largest metropolitan areas.

Last month, the aviation industry itself ruefully admitted that 2 years of research have failed to develop anticollision warning devices. Nearly 70 companies have been trying to perfect anticollision or proximity warning equipment without success.

Could Grand Canyon happen again?

Government and aviation industry officials believe that the chances have been reduced considerably, thanks to better control of high-flying traffic and the virtual elimination of visual flight rules for such planes. But the collision danger itself is still haunting pilots and airline executives. Traffic in congested airport areas gets heavier by the day.

And no matter how much improved control goes into commercial airline operations, there is no present way to keep military and private aircraft out of the way all the time. Many of the reported near-misses have involved military and private planes brushing close to airliners, with the formers' presence unsuspected by air traffic control centers.

The blueprint mapped by White House air safety planners would lump all military, commercial, and private planes under a single control system. But the target date for this blueprint is 1975—and, as one veteran pilot put it, "a lot of collisions can take place in the next few years."

Grand Canyon accomplished two major goals:

It galvanized Congress into voting funds for which Federal aviation agencies and the airlines had been pleading for years.

It also resulted in some badly needed Government-industry cooperation in solving air traffic problems.

Like virtually every air crash, it taught some lessons and drove home old ones—for which 128 persons had to die. And like every air accident, it cannot be summed up in mere statistics. It touched hundreds of homes with personal tragedy which a short year has failed to ease.

The families of the dead pilots are reasonably well off financially, although one of the companies had to take up a collection to pay off a copilot's mortgage. Three damage suits totaling a half-million dollars have been filed against the Government and the two airlines. More are expected now that the CAB's final report has been published.

The crash apparently had no effect on the public's confidence in air travel. In the 6 months following June 30, 1956, 19,168,000 persons flew domestic airlines. That was about 2 million more than in the comparable period of the preceding year.

Much of the wreckage of the red and white Constellation and the blue and silver DC-7 is still at the scene. Investigators took what they could for laboratory inspection, but some of the parts were left where they fell on that warm, hazy day in June.

They will stay there rusting and forgotten—mute testimony to man's imperfections, while overhead will thunder airliners on flights made safer by what happened 1 year ago today.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I rise in support of H. R. 7383, the atomic reactor indemnity bill which amends the Atomic Energy Act of 1954 to protect the public by providing governmental indemnity and granting limitation of liability for persons in the atomic energy program.

I have studied the report of the Joint Committee on Atomic Energy on this bill and I feel that it justifies a favorable vote. Without a governmental indemnity program, private industry just cannot move ahead in the field of peaceful uses of atomic energy. This bill offers a practical approach to the problem of providing adequate protection against liability arising from atomic hazards as well as a sound basis for compensating the public for any possible injury or damage arising from an atomic runaway. Private insurance companies could provide a maximum of $65 million in financial protection and the Atomic Energy Commission will agree to indemnify the licensee for damages arising from nuclear incidents which are in excess of this financial protection but up to a limit of $500 million.

This legislation is necessary if the development of economical, competitive, and safe nuclear power by private industry is to continue. Otherwise, the Government will have to take over the entire program of peaceful development of atomic energy. This will result in the taxpayers being held responsible for the entire cost of the program. It will also place the entire burden of any possible atomic runaway with resultant tremendous losses upon the Federal Government and ultimately, the American taxpayer.

Mr. MADDEN. Mr. Speaker, I yield myself 7 minutes and ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

TITO-KHRUSHCHEV TELEVISION BROADCAST

Mr. MADDEN. Mr. Speaker, yesterday afternoon, June 30, for the second time within a month, millions of Americans listened to another Communist television propaganda broadcast by one of the leading Communist tyrants in the world, Tito of Yugoslavia. On June 2 a similar television program was sent over the airwaves by Nikita S. Khrushchev, the Soviet Communist leader. Anyone who listened to these two Communist leaders could detect a well prepared effort to mislead the people of the world concerning the real truth of the Communist menace. The questions propounded to these Communist leaders were of such a nature that they could engage in general answers, extolling false propaganda about the so-called people's government under the Communist rule. In answer to one question, Khrushchev stated and I quote:

> We would prefer that you would not plan that war against us, but we believe that you are planning that war and you must know that such a war would be an awful thing—

And then he proceeded to elaborate on the Communist peaceful intentions. He also elaborated on how anxious the peoples of the captive countries were to accept communism and how happy they are under its regime.

If the questions asked in these interviews were not censored, why did not the interrogators ask Dictators Khrushchev and Tito regarding how the Communists succeeded in taking over the captive countries and remind them of the millions of innocent victims who were executed, massacred, and sent to slave labor camps so that these countries, could, as he says, enjoy life under communism. Why did they not ask them about the destruction of churches and the tens of thousands of priests, ministers, rabbis, and leaders of religion who have been tortured, imprisoned, and executed under the Communist regime. If these television reporters and the Columbia Broadcasting System wished to give the American people a true interrogation of these dictators, they should have consulted the records and reports of two committees of Congress who have had an opportunity to hold hearings, receive sworn testimony, and expose communism in its true light. All of this testimony was documented by a special committee of Congress which invited the Soviet leaders to testify. A special congressional committee in the 83d Congress took the testimony of 250 witnesses, including former leaders in government of Communist captive nations, religious and labor leaders, and victims of slave labor camps which expose the real truth about communism. Testimony under oath before this congressional committee in hearings in Munich, Germany, revealed that Ana Pauker, the Communist Rumanian leader, stated that when the Soviet armies took over Rumania, the Communists in Rumania numbered less than 1,000 in a nation of 20 million people. This congressional committee filed separate reports, revealing identical methods used by the Soviets to take over Poland, Hungary, Czechoslovakia, Bulgaria, Albania, Georgia, Estonia, Byelorussia, Ukrania, Latvia, and other smaller nations. I wonder if Secretary of State Dulles and Allan Dulles, head of the Central Intelligence Agency could possibly persuade the Soviet leaders to air a similar broadcast throughout Russia and behind the Iron Curtain which was enjoyed by comrade Khrushchev and Tito on a nationwide hookup in our country. Why were not Mr. Khrushchev and Tito asked if such a broadcast behind the Iron Curtain would be permitted?

I firmly believe that considering the billions that American taxpayers are spending to curtail communism that the State Department and our public information and intelligence system should exert the same efforts to spread the truth about democracy and free government that the Communist leaders succeeded in broadcasting regarding the Communist conspiracy. The Columbia Broadcasting System should offer to the State Department its facilities to answer the unfortunate and misleading broadcasts which they allowed to go over the air waves on their programs yesterday and on June 2.

The following are some of the questions which the reporters either failed to ask or were restricted from asking these two Communist dictators:

First. Why has there not been a free election held within the Soviet borders during the last 39 years?

Second. Why are labor unions completely abolished in Russia and in the other Iron Curtain countries?

Third. Is it not a fact that the basic reasons for the recent uprisings in Poland, Hungary, and East Germany were based on hatred for tyranny, bad working conditions, and the breakdown of Communist economy?

Fourth. How many slave labor camps are behind the Iron Curtain as of today? How many slave laborers and political prisoners are inmates of these camps?

Fifth. Why did the Soviet leaders denounce the 17-point program submitted by the democracies in November 1955 for breaking down the barriers between communism in the Free World as a "blueprint for espionage"?

Sixth. Mr. Khrushchev, after the uprising, the Hungarian Government wanted to peacefully coexist with the Soviet, why did Moscow commit the violent onslaught and kill and imprison hundreds of thousands of Hungarian people?

Seventh. Mr. Khrushchev, after the summit meeting in Geneva, why did you and Mr. Bulganin, on your extended trip through the Near East, publicly denounce and condemn the leaders of the Free World as imperialists and warmongers when at Geneva a few months before, you were silent on these charges?

Eighth. Mr. Khrushchev, a special congressional committee, after holding extended hearings in this country and in Europe, reported unanimously in its findings that the Soviet leaders massacred 14,000 Polish Army officers and civilian leaders in the Katyn Forest and 2 other prison camps. Your government was invited to submit testimony at the Katyn massacre hearings in Frankfurt, Germany, in 1952. Why was this invitation refused?

Ninth. Mr. Khrushchev, in June 1945, 15 Polish leaders were invited to Moscow on the pretense of negotiating for an independent Poland. Thirteen of these emissaries disappeared and the remaining two were jailed by your secret police. What became of the 13 who disappeared?

Tenth. Mr. Khrushchev, the U. S. News & World Report, an American magazine, in an article last year, stated that of 52 agreements, treaties, and pacts entered into by the free nations with your government during the last 25 years, only 2 agreements have been kept. Is that statement true? If so, what agreements and pacts did the Soviets fulfill during this period?

Eleventh. Mr. Khrushchev, why was it necessary 6 years ago for our Government to conduct a gigantic food and provision airlift into Berlin in violation of your corridor agreement?

Twelfth. Mr. Khrushchev, why were the free elections "for captive countries" agreement which your government signed at Yalta not carried out by the Communist leaders?

Thirteenth. Mr. Khrushchev, the special congressional committee in the 81st Congress filed separate reports based on testimony of over 300 witnesses revealing executions, tortures, mass arrests, and deportation of millions of people of all ages to Siberia and other slave-labor centers. If your contention is true that the satellite nations voluntarily accepted communism, why were these crimes on humanity necessary to take control of the Baltic nations or other captive nations?

Mr. Speaker, these are just a few of important questions that should have been propounded by the Columbia Broadcasting System interrogators to the two Communist leaders who enjoyed free access to our air waves, I personally am not objecting to the American people listening to the facts from any source whatsoever if they are truthful and not false Communist propaganda. We are spending billions of dollars to expose communism in its true light and our Government is so naive as to allow the avowed enemies of world freedom to falsely propagandize the people throughout the world in behalf of an international Communist conspiracy which has for its purpose to eventually enslave humanity. No doubt the success of the Khrushchev-Tito propaganda television broadcasts will bring about additional repetition of these broadcasts by other Communist leaders. Our next television visitors may be the leaders in Red China.

Today I am filing a resolution asking that the Congress go on record demanding that the Federal Communications Commission insist that all future questions propounded to Communist officials on television or radio broadcasts be submitted to the Secretary of State and the Director of our Central Intelligence for approval. If Communist leaders are willing to answer only questions which are submitted for their approval before the broadcast, they should be denied the use of our air waves. The Khrushchev-Tito broadcasts were excellent opportunities to submit questions to these two Communist leaders which if answered in truth, would reveal important facts about the Communist conspiracy which millions throughout the world do not know. The questions propounded to Khrushchev and Tito were skimmed milk, watered down interrogations which only afforded them an opportunity to continue their false propaganda and lies regarding communism as compared with world democracy.

Resolution to express the sense of the House of Representatives with respect to radio television broadcasts of interviews with official representatives of Communist and Communist-dominated countries

Resolved, That it is the sense of the House of Representatives that no radio or television broadcast should be permitted over the facilities of any station licensed under the Communications Act of 1934, if such broadcast consists of an interview with any official representative of the Union of Soviet Socialist Republics or of any other Communist or Communist-dominated government, unless, prior to such broadcast, the questions to be propounded to such official representative have been submitted to, and approved by, the Secretary of State.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. LAIRD. Mr. Speaker, I watched the program on which Marshal Tito of Yugoslavia was interviewed yesterday. It seemed to me that the commentator, Edward R. Murrow, tried to give the impression to the American people that the questions he was asking were completely unrehearsed. As I listened to that program, it seemed to me that Mr. Murrow took complete responsibility for the questions asked of Tito, at least he tried to give the viewer that impression. Why he did not ask any of the questions outlined by the gentleman from Indiana is certainly something Mr. Murrow and CBS should explain to the American people.

Mr. MADDEN. Several months ago Congressmen MCCORMACK, KEATING, MCDONOUGH, and myself caused a petition to be circulated among the Members protesting Tito's proposed visit to Washington. The great number of signatures to this petition caused the cancellation of Tito's propaganda visit to our Capital. The questions that I have suggested are only a few of the very important questions that could have been asked, but these Communist dictators refuse to appear on a television broadcast unless they know the type of questions they are going to be asked, so that they may send out their Communist propaganda.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. O'NEILL. I think an important point is the fact that with all of the money that we appropriated for the Voice of America last year to spread the gospel of democratic government throughout the world, the Russians spent more money to jam the program than the amount that we spent on the Voice of America. Yet the C. B. S. allows these Communists to come into this country, through their leaders, and speak before 20 million of our people. I think it is a problem to which we should give some attention.

Mr. MADDEN. I thank the gentleman. The Communists are spending billions of dollars for propaganda. They come into our country through the use of our airwaves and then refuse to answer questions unless they are submitted to them beforehand so that they can prepare their Communist propaganda.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. FEIGHAN. Mr. Speaker, I wish to congratulate the distinguished gentleman from Indiana for his timely and practical resolution. I wish he were a participant in those TV programs and was permitted a free interrogation of these brutal, criminal tyrannists such as Khrushchev and Tito.

With reference to the gentleman's resolution that he is proposing, I think there is merit to it. But I would have to give that considerable thought because, if the State Department is going to approve these questions, that may not be a proper safeguard for the simple reason that many of the State Department officials have the silly notion that the way to defeat communism is

to strengthen it and to support it, just as they advocate support for Tito's tyrannical regime in Yugoslavia. However, your resolution would clearly fix responsibility for the questions asked of any communistic dictators.

As matters now stand no one has responsibility to the American people for these questions.

Yet the Kremlin and all its stooges are now sole judges of what questions can be asked before the so-called interviews begin.

Mr. DEROUNIAN. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. DEROUNIAN. Mr. Speaker, if the gentleman's resolution should be passed, does he not think that Mr. Murrow might be put out of business? Mr. Murrow seems so proud of his Communist dictator firsts on television.

Mr. MADDEN. I do think Mr. Murrow lost a beautiful opportunity when he had this interview with Tito, to ask him certain very pointed questions that Tito would not have been able to answer.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 391. Joint resolution making temporary appropriations for the fiscal year 1958, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5189) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6659) entitled "An act to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H. R. 7238) entitled "An act to amend the public-assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRD, Mr. KERR, Mr. FREAR, Mr. MARTIN of Pennsylvania, and Mr. WILLIAMS to be the conferees on the part of the Senate.

TO AMEND THE ATOMIC ENERGY ACT OF 1954

Mr. DURHAM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7383) to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7383, with Mr. O'NEILL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. DURHAM. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. PRICE].

Mr. DINGELL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Ninety-one Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 129]

Adair	Gwinn	Patterson
Andersen, H. Carl	Halleck	Pilcher
Ayres	Harrison, Nebr.	Pillion
Bailey	Hoffman	Polk
Barden	Holtzman	Powell
Beamer	James	Preston
Bowler	Jennings	Rains
Brownson	Jensen	Reece, Tenn.
Buckley	Johansen	Reed
Celler	Jones, Ala.	Riehlman
Christopher	Jones, Mo.	St. George
Chudoff	Kearns	Saund
Clevenger	Kilburn	Scott, N. C.
Collier	Landrum	Sheehan
Colmer	McConnell	Shelley
Curtis, Mo.	McMillan	Taylor
Davis, Ga.	Maillard	Teague, Tex.
Dawson, Ill.	Mason	Teller
Delaney	Matthews	Thomas
Dennison	Metcalf	Thompson, La.
Dollinger	Michel	Thomson, Wyo.
Dooley	Miller, N. Y.	Willis
Evins	Moore	Wilson, Calif.
Fino	Morrison	Zablocki
Grant	O'Konski	
	Osmers	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEILL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 7383) and finding itself without a quorum, he had directed the roll to be called when 343 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. PRICE].

Mr. PRICE. Mr. Chairman, first let me assure my colleagues of the House that I had nothing at all to do with the request that a quorum be present, although I believe it is worthwhile for as many Members as possible to sit here and listen to the debate on this bill which we regard as important legislation.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from California.

Mr. HOLIFIELD. I will say that I made an agreement not to ask for a roll-call vote on this bill, but that does not mean I think this bill ought to be considered with only 25 or 30 Members on the floor and I shall take no responsibility for any quorum calls in case the Members do not stay on the floor, because this bill involves a contingent liability on the part of the United States that may run from $50 to $100 billion and I think it is serious enough so that the Members should hear the arguments on both sides of the question.

Mr. PRICE. Mr. Chairman, I am not making any particular issue of the fact that a quorum call was had, but I do not think I have sufficient wisdom that I would ask that a special call of Members be made to listen to my remarks.

Mr. Chairman, as I speak this afternoon in support of H. R. 7383, I do so with the conviction that this bill is as soundly drafted as it is possible to get. The probability of there ever being any necessity for using the provisions of this act is very, very slight.

Let me give you a brief explanation of how the bill operates.

First. As a condition for a license for a reactor, the Commission will require the licensee to take out and maintain financial protection. The face amount of this protection is to be the amount of insurance which is privately available, unless the commission finds that a lesser amount is fair, considering the hazard involved in the reactor and the terms and cost of the insurance, among other things.

The Commission is given authority to require this financial protection as a condition of the license when any other hazardous activity in the atomic energy program might be carried on.

Second. Each licensee required to furnish financial protection is also required to maintain a contract of indemnification with the Federal Government by which the Government will indemnify the licensee up to $500 million, including damages and the costs of investigating and settling claims. This $500 million is the maximum amount the Government will be called upon to pay in connection with any nuclear incident under this bill.

Third. Both the financial protection and the Government's indemnification are to be made for the benefit of any person who might be found liable for a reactor incident. This will cover a large number of contractors and subcontractors and it will cover them whether they supply the materials, knowing they are going into a reactor, or whether they supply them through the open market. In view of the committee's desire to protect the public, regardless of the particular cause of any reactor incident, the private insurance and the Government indemnification will both cover any person who might be liable for the nuclear incident at the reactor.

Fourth. The Commission is given the authority to use this indemnification procedure with its own contractors and subcontractors. There have been occasional questions as to the Commission's authority to give indemnification agreements under the Atomic Energy Act of 1954 where the President has not exercised his special authority to waive the statutory requirements of contracts. In addition, the Commission has not always extended its indemnities down through the lower tiers of subcontractors so that they are left without any protection in the event one of their contributions to a reactor should be found to be the cause of a nuclear incident.

Fifth. In the even more remote contingency that the possible damages might exceed the amount of the financial protection, together with the $500 million sum, the Commission, or any person interested, can apply to the District Court having jurisdiction in bankruptcy over the site of the nuclear incident and have the funds available prorated among all those to whom liability is owed. Congress could appropriate more moneys after further authorization hearings before the joint committee, if this seemed desirable at the time. The Commission is required to make full reports to the joint committee whenever there is a nuclear incident which might require the exercise of the powers given by this bill, and the final findings of the Commission are to be made public.

Sixth. The joint committee recommended that the Commission charge $30 a year per thousand kilowatts of thermal energy for commercial facilities. This would cover the administrative costs of the protection but would not provide an actuarily sound basis for accumulating any reserve.

To round out the picture, I should tell you that Commonwealth Edison Co. would pay $18,900 a year for the governmental indemnity; Yankee would pay $14,400; Elk River would pay $1,640; General Electric Co. would pay $360 and Armour and Battelle would pay $100 each.

Seventh. To complete the statutory provisions for the reasonable safety of reactors, as I have mentioned before, the bill would make the Reactor Safeguards Committee a statutory committee and would make its reports public. It would require the Reactor Safeguards Committee to pass on applications for those licenses for reactors which, by their nature, are the less safe. In addition, the Commission is required to hold hearings on each facility which would be licensed, either as a commercial facility or as a facility looking toward the demonstration of its practical value, or a testing facility. These are the facilities most likely to have the hazards against which this bill seeks to provide additional protection.

I believe that this bill is most important to the future of the atomic-energy industry. The Joint Committee has carefully examined all the angles with respect to the bill and we believe it as sound as possible and extremely necessary. I urge the passage of this bill.

Mr. Chairman, first I want to go over the history of how this bill came to its present state. During the hearings which are required to be held by the Joint Committee under section 202 of the Atomic Energy Act of 1954, this indemnity problem was brought to the attention of the committee as a possible roadblock. In April of 1956 the Joint Committee held a seminar with over 40 persons attending. These persons represented the Atomic Energy Commission, insurance companies, possible reactor owners, possible reactor contractors, and persons who may sell specialized services or parts. Again, on May 15, 16, 17, 18 and 21, 1956, the Joint Committee held public hearings on the problem, at which time it heard 38 persons, which also included representatives of cooperatives and unions.

Further hearings were held in June of 1956. Hearings were held again in March of 1957, at which time 26 witnesses were heard. Everybody who desired to appear was given an opportunity to testify or to file a statement. Only one statement has been submitted to the Joint Committee opposing this legislation.

I want to assure you that the main purpose of this proposed legislation is to see that the public is protected in the unlikely event of a runaway reactor. This aim, more than anything else, distinguishes the present bill from those methods of protection suggested by other persons.

Of course, the Joint Committee on Atomic Energy has followed the operation of the reactors ever since 1946. There has never been a reactor incident causing any lost time of personnel. There have been only three reactor accidents—one was the Chalk River reactor in Canada; one was the accidental melt down of the EBR–2 at Idaho; one was the deliberate pushing of the Borax experiment to rupture. In no case was any person hurt.

In addition, the Joint Committee requested the Atomic Energy Commission to have some of its experts make a study of the possibility that a reactor incident could occur. The Atomic Energy Commission testified:

Nuclear reactors have been operated in the United States since December 2, 1942, with a safety record better than that of other industry. More than 100 reactor-years of regular operating experience have been accumulated, including experience with reactors of high power and large inventories of fission products, without a single personal injury and no significant deposition of radioactivity outside of the plant area. There have been a few accidents with research reactor installations as contrasted with the perfect record of safety of the regularly operating reactors. But even these accidents with research and experimental reactors did not affect the public.

There have been some criticisms leveled at the indemnity program. I will try to answer them as best I can.

In the first place, before there would be any call on the Government there would have to be some incident which would affect all of the safety controls which are built into the reactor and which would result in damage outside of the reactor, exceeding the amount of financial protection required. In order to do this, damage within the reactor would have to be so great that it would break through the containment structure usually required around reactors. In all the years of its operating experience, the Commission has never had an accident in any of its reactors which has even approached this magnitude. Indeed, there hasn't been a single incident in a reactor which has caused personal injury great enough to cost lost time. Those reactor incidents which have occurred have merely affected the reactor itself, and even then the damage has not been extensive. The report prepared for the joint committee by the Commission shows that the possibility of the contingency which concerns us is so remote that some scientists do not want to even express it in words.

However, if you take all of the remote incidents, add on the remote possibility of all safety devices failing simultaneously, add on the even more remote possibility of the container being ruptured, it is possible to imagine a radioactive cloud could escape which could effect considerable damage. It is against this very remote possibility that the joint committee is concerned. In the first place, the joint committee desires to afford financial protection to the public against this kind of a situation, as well as to see that everything reasonable is put in the statute to assure that the situation does not arise.

The best estimate of all who are concerned with the field is that the Government will never have to make any payments under this statute. The extremely small possibility of these very large damages has concerned those who would participate in the field to the point where this kind of protection is necessary for them, in order to have the field go forward.

In addition to the scientific safeguards, which are known, this bill also provides some legal safeguards. One of the basic assumptions of the insurance industry, in putting together their large pools for the insuring of reactors, has been that there will be a Reactor Safeguards Committee within the Commission. By this bill, the joint committee seeks to make that committee a statutory committee and to have it pass on safety of reactors as they are proposed and constructed. By making it a statutory committee, the joint committee hopes to give this Reactor Safeguards Committee permanent standing and prestige. The legislation, at the same time, would make the reports of the Reactor Safeguards Committee public and would require that there be hearings on the reactor applications, which would either be commercial, or those looking toward the demonstration and practical value, or testing reactor. Thus, the joint committee has tried to see that there are all the reasonable statutory provisions necessary to insure the safety of reactors.

Some have claimed that this indemnity is an additional subsidy to the private industry. I do not see it that way at all. I have favored having the Government build reactors. I have also favored having the Government assist private industry in the reactor-development program. This indemnity insurance will help industry, whether it is participating in the Government program as a contractor, or in the private program as a

licensee. For the purposes of this statute, it does not matter whether the atomic-energy program is carried forward by private licensees or by Government operations. In either event the private contractors have to supply the necessary materials and parts and the public does stand a chance of being injured. This bill would establish an indemnity procedure applicable either way, save for the very few indemnities on the very large and relatively more dangerous production reactors which are now granted indemnity by the President, acting under the powers under the Atomic Energy Act.

The others who participate under Government contracts, and this includes those who construct, design, and furnish parts for, testing reactors and the research reactors and the prototypes, do not receive this presidential indemnity but have received an indemnity under the Government contracts which is primarily based on the availability of funds. If this bill should not pass, not only will the entire demonstration program, be immediately halted, but another Government program of complete Government ownership, complete Government construction, and complete Government operation, would have to take its place with the only inherent powers in the Commission to grant indemnities which are presently subject to the availability of future funds. That is not a sound way to reach the problem, either from the point of view of citizens who might be injured, or from the point of view of those who will be asked to participate, whether the program is public or private.

To say that this program will put an enormous potential responsibility that will reach several hundred million dollars on the Federal Government is not presenting an accurate picture of the situation. This is a mathematical possibility, of course, but this is like saying that the insurance companies that insure automobiles have a potential liability of many billion dollars more than they say they have, since each automobile insured could be involved in an accident which could kill any number of persons whose lives would be worth many thousands of dollars. You and I know that this is not the way things occur. It is true at the moment the atomic energy program has been in existence since 1943 but since that time not only has there not been any major reactor accidents but there has not been even a minor reactor accident sufficient to cause lost time. In addition, the records of the Atomic Energy Commission show that the plants are one of the safest places to work.

I do not believe that the Congressional control of appropriations would be weakened. The rights of the people who would be injured would be established under State laws no matter whether the program is operated by the Federal Government or by Private Industry. This bill is fashioned so as to preserve those rights up to the point where the funds are not available. Then the limitation of liability proceeding is established. This is the only fair way to proceed. Otherwise, you would have the Congress passing on State rules of liability and damages and you would have the Congress passing on each and every claim.

There is nothing in this bill which would weaken control of appropriations by transferring any duties to the district courts. If there should be an incident involving damages over $500 million, the district courts would probably automatically have jurisdiction, since the person found liable would otherwise go into bankruptcy and leave the public completely unprotected. By the procedures established in this act that step is eliminated as it is eliminated in the limitation of liability proceedings for ships. The courts are given authority to prorate the funds available for those who would be entitled thereto in the most extreme case.

In other words, Mr. Chairman, this legislation which is before you today was suggested after thorough study by the Joint Committee extending over two separate sessions of Congress. By providing indemnity instead of reinsurance, it keeps the Government out of the insurance business and, at the same time, provides adequate protection for those persons who might unfortunately be hurt in the development of this industry.

I should tell you, Mr. Chairman, that the Atomic Energy Commission favors this legislation. On June 5, they wrote to Mr. DURHAM, stating, and I read the most pertinent sentence:

> Although we would prefer to continue the Advisory Committee on Reactor Safeguards in its present status, as indicated by our letter of January 4, 1957, to Senator ANDERSON, we feel that in view of the urgent need for indemnity legislation, the enactment of S. 2051 or H. R. 7383 is of paramount importance.

I should also state, Mr. Chairman, that the President, in his budget message, said:

> As a further and necessary step to facilitate industry's investment in atomic powerplants, legislation will again be proposed to authorize the Government to supplement commercially available insurance against liability arising from possible nuclear accidents.

This legislation has been approved both last year and this year by the joint committee. Last year there was one vote against this legislation. This year, with one member abstaining from voting, there was no vote against the legislation. It is believed that this legislation is in the best interests of all concerned, both for the protection of the public and to assure that those who will participate in the program will not suffer any undue risks from nuclear incidents. I believe that the bill is sound and should be passed.

Mr. HAYS of Ohio. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN (Mr. O'NEILL). The Chair will count. [After counting.] One hundred and three Members are present, a quorum.

Mr. COLE. Mr. Chairman, I yield myself 10 minutes.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. COLE. Mr. Chairman, the gentleman from Illinois [Mr. PRICE], the author of this bill, has given such a complete and clear explanation of its terms, its purposes, and the reasons for it, that I doubt if I can add anything of great value to what he has already said. I think, though, it might be helpful to the membership in arriving at their decision on how to vote on this measure to know something of the backgound of this bill.

Under the original Atomic Energy law under which this Government operated for the first 10 years of the atomic program except when it was under the Manhattan Engineering District, the entire operation of the program was under the Government, under Government auspices, under Government ownership, with Government direction and with Government liability in case anything went wrong. All these vast atomic energy plants which were constructed during the period of the atomic program have been Government plants. If any accident had occurred resulting in damage to property or injury to anybody the United States Government would have had to pay for those damages.

In 1953 and 1954 when the Joint Committee began deliberations and consideration of the possibility of revising the law so as to make it possible for private participation in the atomic program, this question of protecting the public against any unforeseen accident was in our mind. We were completely aware of it 3 or 4 years ago. It was a problem of such great magnitude, and the solution appeared so far in the distance that we at that time felt it would be undesirable to suspend changing the act in order to arrive at some solution to this question of indemnity of the public. At any rate, in 1954 the law was changed so as to make it possible for private development of atomic reactors along with the concurrent program of reactor development by the Government. All of the sponsors, private utility companies, private corporations, of a reactor program have insisted that without this assurance of some limitation on their liability they would not start in motion the reactors which they have in process of construction.

During the hearings on this bill recently all the reactor sponsors without exception insisted that they would not push the initial button to start the reactor going until they knew just where they stood with respect to public liability.

I want to repeat again that this bill is not for the purpose of indemnifying the reactor operator; it is for the purpose of protecting the public.

From the very early days when the committee considered this problem there was a wide variety of suggestions made ranging all the way from holding the reactor operator harmless for any accident that may occur—that is the extreme on the low end. Those people who had advanced that thought felt that the development of reactor technology was of such great public interest and importance that the public generally would have to accept the remote hazard of being damaged by it. At the other end of the spectrum of recommendations was the thought that the Federal Government should absorb all of the liability as is the case now with the Government plants. In the course of time the insurance companies who were brought in to help resolve this question amassed the staggering and stupendous amount of $60 million to $65 million to cover the issuance of any single reactor, the greatest amount of insurance coverage that has ever been collected for any insurance purpose whatever. In view of the uncertainty of the liabilities that are involved I think it is to the great credit of the insurance companies that this fund has been inaugurated. The fund is composed of $50 million from privately owned stock insurance companies, approximately $10 million from mutual companies, making an aggregate of $60 million to $65 million.

This bill was reported by the committee, as indicated to you, and it was reported to the House last year. For a number of reasons the House did not consider it at that time. We bring it to you now for your consideration with the recommendation that it be adopted because without it private participation in the atomic program will grind to a dead but certain halt. Without the capacity of private industry, it will be inevitable that the Government must carry on with the program. Progress must be made and we must exhaust all opportunities to learn the full peacetime potential of atomic energy. If it is to be public policy that private capital will not participate, then it is inevitable that public funds must be used to advance the program.

What is the consequence of that route? It is that the liability will be the same in the future as it has been in the past with respect to atomic reactors. The full liability will fall upon the Federal Treasury and we will not have the benefit of this cushion of $60 million to $65 million to pay off the claims.

With regard to the provision contained in the bill granting a permanent statutory status for the Reactor Safeguards Committee, I would like to briefly express some grave concern which I have regarding the advisability of giving that committee statutory authority. As it is now under the present law the Atomic Energy Commission has from the beginning, I think it has been from the beginning, at any rate ever since it has been proposed for private participation, had a Reactor Safeguards Committee to give it advice with respect to the safety of these reactors. I would remind you that the variety of types of reactors is great. Serving on that Advisory Committee have been the most talented, skilled scientists in the reactor field.

I have no objection whatever to an Advisory Committee. I think it is highly necessary that the Commission have such guidance from these experts, but to make it a statutory committee seems to me to carry with it some consequences which might in time result in unpleasant and undesirable situations, especially because this bill requires that the recommendations of the Advisory Committee be made public. It permits public proceedings to be inaugurated against a license being granted by the Commission for the construction of any one of these reactors which that Advisory Committee has found to contain some elements of risk. For this reason it seems to me very likely that the best talent in the country will not willingly serve on the Advisory Committee, knowing its recommendations will be subject to litigation, litigation which may be inspired for purposes other than the safety of the public, although public safety will be used as the cloak on which to base such litigation. That being so, assuming that competent persons are recruited for the Statutory Advisory Committee, that safety committee then will be ultracautious in not passing approval on any reactor until it is convinced beyond any doubt whatever that the reactor is safe. That general objective, of course, is desirable, but nobody can be positive about the safety of these reactors. Nobody wants a reactor under construction which has reasonable elements of danger. But to inaugurate a system which will be ultraconservative from the standpoint of safety would tend, I think, to slow down the program. That is not the only objection I have to it as a statutory committee.

The Commission, ever since this reactor-development program started, has used its own safety people on its staff, competent people, who have given close study to this specialty of safety. Now, if there is a Statutory Safeguards Committee, it is inevitable and a natural human reaction, it seems to me, that the staff of the Commission itself will be less cautious in fulfilling its responsibility than it would otherwise be, since it very naturally will acquire the attitude: "Well, let us leave it up to the Statutory Committee which has this statutory responsibility and whose recommendations are open to public scrutiny and criticism to make the decision—let them carry the load and defend their positions." So, to that extent a close study of the problem will inevitably become more lax on the part of the Atomic Commission staff.

While I have no serious objections to the provisions in this bill regarding the Reactor Safeguards Committee, I do want to point out some possible consequences which might be harmful to the program. But, if the provisions in this bill are necessary in order to have the bill itself adopted, the indemnity bill, then, of course, that is a minor price for us to pay, for this bill is of the greatest importance. And, I repeat again that without it there will be no reactor-development program unless it is done by the Government, and if it is done by the Government, then the Government will have the full responsibility for whatever damages or whatever incidents may occur.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield to the gentleman from Ohio.

Mr. JENKINS. Everybody knows that the gentleman is one of the best posted men in the whole country on this matter we are talking about. I would be very glad if the gentleman would take about 3 minutes to tell us about it. I want the gentleman from New York [Mr. COLE] to tell us what a reactor is, how they differ, what they cost, what they do, and what they are for. I do not know half as much as I should know about this important matter.

Mr. COLE. Well, the gentleman from Ohio has indicated that he does not know half as much as he would like to know about it. I may say to him, in response to his suggestion, that if I were to take 3 minutes to discuss my knowledge of reactor technology, I would convince the membership that I know far less about it than the gentleman from Ohio does. But, in an effort to comply with his suggestion, I can only say that a reactor is simply a name which is given to the boiler or furnace part of a conventional generating plant which makes electricity. The nuclear energy provides the heat that boils the water that turns the turbines. There are other ways of harnessing or utilizing this heat than to boil water. There are a variety of these scientific approaches in an effort to find most economical, efficient adaptation of nuclear energy as a fuel. And, it is in such an effort to develop which is the best, most efficient, and safest type of reactor that this program has been inaugurated. The reactor development program was started by the Commission at the suggestion of the joint committee 3 or 4 years ago. Then it was a complete Commission program. With a change in the law, the development program has come to be one in which private capital has participated, either exclusively private capital or by a combination of assistance from the Atomic Energy Commission.

Now, having succeeded in convincing the membership of the committee that I cannot even match the knowledge of the gentleman from Ohio on reactor development, I will close, but not without again urging that this bill is the keystone of the development of reactor technology for peaceful purposes, and without it we will have none.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield to the gentleman.

Mr. JONAS. Is this pool of $60 or $70 million available for any accidents all over the United States before the indemnity comes into effect?

Mr. COLE. The insurance protection covers each single reactor, irrespective of size. As the gentleman from Ohio has indicated, these reactors range all the way from a negligible pittance of energy to tremendous amounts of energy. Therefore the risk of damage depends on the size of the reactor, the type of the reactor, and where it is located. But for each single reactor the amount of insurance which the Commission will require to be obtained for that reactor is the amount the Commission feels compatible with the particular type and place of the reactor.

I would point out that this law requires the Commission to exact from each applicant for a reactor license the full amount of available insurance, the full $60 million, unless the Commission finds under the circumstances that a lesser amount is sufficient to provide the protection against public damage.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. Somebody has told me that we are giving away these reactors, distributing them to some other countries; is that the fact?

Mr. COLE. If we have given away any, it has been a negligible amount in cost. We have started a program of assisting each foreign government in the cost of one small research reactor which, it is my recollection, represents a cost of $200,000 in Federal funds.

Mr. KEAN. Mr. Chairman, will the gentleman yield to me?

Mr. COLE. I yield to the gentleman from New Jersey.

Mr. KEAN. With respect to the question asked by the gentleman, do I understand that before the United States has any liability the amount of private insurance first must be covered?

Mr. COLE. The gentleman is correct.

Mr. KEAN. And that is not $67 million on each plant but allocated among the various plants?

Mr. COLE. No; the amount of insurance coverage which the Commission requires of each applicant for a license, covers the operation of the particular reactor for which a license is sought.

Mr. KEAN. And that fund overall is $67 million. But for a plant, say, in Pittsburgh, for example, that would only be $30 million or $40 million?

Mr. COLE. No; it is $65 million for each reactor.

Mr. KEAN. And if the damage were $70 million, let us say, the United States would be liable for only $5 million?

Mr. COLE. That is it exactly.

Mr. KEAN. I thank the gentleman very much.

Mr. DURHAM. Mr. Chairman, I yield 20 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I hope that the gentleman who asked the question on insurance will stay on the floor, because I wish to comment on what I think the bill provides.

Mr. Chairman, when you are one of a committee of 18 and you take position different from that of the other 17, it must be that you are either cantankerous or you believe very strongly in your position. I assure you, I am not cantankerous. I am not angry at anybody.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. COLE. May I join in the assurance that the gentleman is not cantankerous and that his position stems from a sincere, conscientious basis of criticism.

Mr. HOLIFIELD. I thank the gentleman. During the consideration of this bill I worked as hard as I could to make a good bill out of it. I think I made some contributions to the bill in its present condition, although I told them that from a basic standpoint of principle I could not support the bill.

I wish that I had a large audience here but I am not asking for a quorum call at this time because I know some of the other Members are busy. However, I wish I could have them here to hear what I have to say about this, because it stems from deep conviction and I am thinking about human lives. I am not thinking about dollars, I am thinking about a danger to human lives. There is a deep responsibility for the legislation which this Joint Committee brings forth. As I have been on it since its inception, I would not take issue with my chairman or colleagues who recommend the enactment of this bill providing Government limitation of liability for persons engaged in atomic enterprises, if I did not feel strongly on the matter.

I am going to take a few minutes of my limited time to elaborate on what my friend, the gentleman from Ohio [Mr. JENKINS] requested a moment ago. In order to bring it out very plainly, clearly, and briefly, and probably oversimplified from the time I need to explain it, I have some questions and answers here, and I am going to give it here in that form.

The first question is, What takes place in an atomic reactor? Atoms are split, which causes heat in a process called a chain reaction, which is under control.

What takes place inside an atom bomb when it explodes? Atoms are split in a noncontrolled chain reaction. Uncontrolled they are allowed to run wild.

What happens regarding radioactivity in both cases? Both a bomb and a reactor create radioactivity, deadly radioactivity, that can go through several feet of concrete and steel. In a reactor you contain the radioactivity behind walls of concrete, steel, or lead. In a bomb you release the radioactivity into the environment. As long as the controls work on a reactor, you are going to contain that radioactive material inside this reactor, and a large-size reactor may be half as large as this room.

The inside of a reactor becomes contaminated to a degree equivalent to the contamination of a bomb. As long as it is behind those walls it is safe. If that reactor gets out of control and it explodes, it is spread over the environment for many miles, possibly many hundreds of miles, and carried downwind on the breeze. The amount of radioactivity in a reactor varies with its size and its type.

Are there different degrees of inherent safety in different types of reactors? Yes, there are. Scientists agree that some reactors are more dangerous than others due to built-in peculiarities and higher heat-level operations.

What could happen to a reactor if its controls fail? It could run away, become so hot that it would melt down. It could explode and release radioactive clouds of gas and contaminated material in solid or liquid form into the countryside area. A combination of some or all of these factors that I have given you could occur.

Do reactors have accidents? Yes. There have been unplanned and unexpected accidents in small experimental types of reactors, and my colleague the gentleman from Illinois [Mr. PRICE] told you of two of them: The EBR No. 2 fast-breeder reactor which melted down. It got so hot it got out of control and it melted down. It was a small experimental reactor, a small model of the big reactor which is going to be built at Lagoona Beach, Mich.

Then there was the Chalk River reactor, another small reactor in Canada, which got so hot it had a core breakdown, and it leaked into the surrounding area around this reactor.

Remember these are small reactors and they are the reactors where we have had some experience in operating them. Now what do we know about the safety factors of the large commercial types of reactors which are now planned. We just do not know whether they will be safe or not because we have not built any of their contemplated size. We are shooting in the dark. We are going out into the unknown with these types of reactors. In no instance have all of the vital components such as the fuel rods, the valves, circulatory system, moderating element, the level of continuous heat operation, and so forth been tested. We have not tested them. We do not know. That is why the insurance companies will not cover these reactors to the extent that the people who are building them want them covered. They do no know. They sell their insurance on the basis of tables of experience. That is free enterprise and it should be that way. But 139 American insurance companies backed up by an agreement with Lloyds of London have said, "We will not write any more than $60 million of insurance." The gentleman from New York and the gentleman from Illinois are mistaken. This bill does not say that they have to take $60 million. I will read the bill to you.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. PRICE. Of course, the bill does not say they have to take $60 million of insurance out for every reactor, but we have had many hearings on this. It provides provisions within the bill so that the Commission could make regulations and determinations in its discretion on small research reactors.

Mr. HOLIFIELD. That is exactly it.

Mr. PRICE. The gentleman knows that it would not be fair to make the Armour Institute with a 50-kilowatt reactor constructed strictly for research purposes take out $60 million worth of insurance.

Mr. HOLIFIELD. No, the gentleman would not suggest that.

Mr. PRICE. All the testimony before the committee has been, and the provision in the bill will be, that the Commission insists on maximum insurance for these power demonstration reactors.

Mr. HOLIFIELD. I would like to give the gentleman more time, and I am sure the gentleman from North Carolina is going to give me some more time, but at the bottom of page 7, it says:

> The Commission shall establish criteria in writing for determination of the fee for facilities licensed under section 104.

That is what we are talking about, taking into consideration such factors as type and size and location of the facility involved and other factors pertaining to the hazards. The nature and purpose of the facilities. That is under section 104 and under section 104 we are building these reactors that we are talking about. At the bottom of page 4 it says,

"the Commission may establish a lesser amount on the basis of criteria set forth in writing, which it may revise from time to time, taking into consideration such factors as the following: (1) The cost and terms of private insurance,". If it considers the cost a little bit too high or the terms a little bit too onerous, it can cut them down.

The type and size and location of the licensed activities. That is all right.

Other factors pertaining to the hazard—that is all right.

The nature and purpose of the licensed activity—and that is all right.

But, when they take into consideration the cost and terms of private insurance, they can say, "Mr. Reactor Builder, you do not have to take out $60 million. The private insurance companies are charging too much."

Mr. PRICE. I know the gentleman is fair. Will he yield at this point?

Mr. HOLIFIELD. I yield.

Mr. PRICE. The gentleman knows that the committee amendment to which we all agreed, and which the gentleman himself offered, entirely changes the gentleman's position on that or it should change the position which he is taking now.

Mr. HOLIFIELD. I will be glad to comment on that. The committee amendment changes it in regard to reactors of 100,000 electrical kilowatts or higher but it does not change it for reactors of less than 100,000 kilowatts. It is important and I offered it to try to improve the bill. But I am showing you that it does not cover the risks on a reactor of 75,000 electrical kilowatts or 50,000 electrical kilowatts. They could blow up just the same as any reactor.

Mr. PRICE. I think any of them could blow up.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. COLE. Will the gentleman not agree that this authority for the Commission to take into consideration the cost of the insurance was included in the bill at the suggestion of the gentleman himself, for the purpose of allowing the Commission to take into consideration the inability of small, rural cooperatives who do not have the financial resources that private utilities might have?

Mr. HOLIFIELD. No. I am sorry. The gentleman was not responsible for that term.

Mr. COLE. Will the gentleman not agree that that is the purpose?

Mr. HOLIFIELD. No; that is taken care of in part 2. It is not my language. The language is in there for a definite purpose.

I am opposing this bill because it would provide another Government subsidy to atomic power development without any commensurate benefits to taxpayers and power consumers.

Second, it would place upon the Federal Government an enormous potential liability that could reach several hundred billion dollars.

I want to comment on that. At this point I want to correct a typographical error in the report which apparently I do not have here. The $500 billion figure on page 37 should be $50 billion. Meantime I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. Are not these reactors all owned by private industry?

Mr. HOLIFIELD. The Government owns reactors and private industry own reactors, but the Government is responsible for its own operations. The Government does not need this.

Mr. BASS of Tennessee. But this insurance we are talking about would be on a privately owned reactor?

Mr. HOLIFIELD. That is right.

Mr. BASS of Tennessee. Let me ask you one other question. Are not these people who own reactors, this industry, given a franchise or a license by the Government to operate these reactors as a sort of a noncompetitive situation?

Mr. HOLIFIELD. They are given a license by the Atomic Energy Commission to build a reactor and operate it.

Mr. BASS of Tennessee. But in effect this would be that the Government is underwriting insurance for private industry in atomic reactors.

Mr. HOLIFIELD. That is right.

Third, it would weaken Congressional control over appropriations by transferring to the Atomic Energy Commission complete discretionary power to commit the Government to undetermined liabilities in advance of appropriations.

Make no mistake about it. You are putting the Government into the insurance business with a vengeance, because as the gentleman who preceded me told you, each one of these reactors can be, if the Commission says it should be, covered by $500 million worth of Government insurance. Ten reactors, as I figure it, is $5 billion. A hundred reactors at that rate is $50 billion. I agree that all 100 of these are not going to explode at once, but what did Mr. Vance, one of the Commissioners, say in his testimony? I have it in my prepared speech. He said the damages for one nuclear accident could reach $7 billion. Five hundred million dollars is not the ceiling, because there is language in the bill which in effect says that if it runs over $500 million the Congress can take the matter up and follow through and give such additional liability indemnity as the Congress sees fit. So there are many places in the bill.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. PRICE. We took that language out of the bill. The Congress could do that anyway. Congress could do what it wills.

Mr. HOLIFIELD. Well, the language is still in the bill.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. ROGERS of Colorado. On page 2, line 1, "and may limit the liability of those persons liable for such losses." Does that mean that the Congress of the United States is giving the Atomic Energy Commission the authority and the right to limit the liability of any person for damage that they may do?

Mr. HOLIFIELD. Yes. You were told a few minutes ago that this was not to protect the reactor owners. It was to protect the people. I tell you that this relieves the reactor owners of their liability, and it indemnifies the survivors of any of the families of the people who have been killed by reactor explosion. So it does two things. There is only one thing that can protect you, and that is a safe reactor, or a reactor in an isolated position where it will not explode in the neighborhood of the people who are liable to get killed. In the case of five of these reactors the radius of possible danger is 30 miles and within their respective areas live a million people. If in that radius we had a real runaway large reactor, they call it a nuclear "incident," I call it an accident, then those people are the ones who will suffer.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. ROGERS of Colorado. Do you consider that wording to mean that the Atomic Energy Commission may under the authority of this language limit the amount that the owner or the operator of a reactor may pay for damages as to life or limb, or what-not, that if we adopt this legislation we pass that on to the Atomic Energy Commission?

Mr. HOLIFIELD. That is what the language of the bill says.

Mr. ROOSEVELT. Mr. Chairman, I think the gentleman is answering questions of the greatest moment and we want the Members to understand this. I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-nine Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 130]

Adair	Fino	O'Konski
Andersen, H. Carl	Grant	Osmers
Ayres	Gwinn	Patterson
Bailey	Halleck	Pilcher
Barden	Harrison, Nebr.	Polk
Beamer	Henderson	Powell
Bowler	Hoffman	Preston
Brownson	Holtzman	Rains
Buckley	James	Reece, Tenn.
Burdick	Jennings	Riehlman
Celler	Jensen	St. George
Christopher	Jones, Mo.	Saund
Chudoff	Kearns	Scott, N. C.
Clevenger	Kilburn	Sheehan
Colmer	Landrum	Shelley
Curtis, Mo.	McConnell	Spence
Davis, Ga.	McMillan	Steed
Dawson, Ill.	Magnuson	Taylor
Delaney	Mailliard	Teague, Tex.
Dellay	Mason	Teller
Dennison	Matthews	Thompson, La.
Dixon	Michel	Wainwright
Dollinger	Miller, N. Y.	Willis
Dooley	Montoya	Wilson, Calif.
Eberharter	Moore	Withrow
Evins	Morano	Zablocki
	Morrison	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEILL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 7383, and finding itself without a quorum, he had directed the roll to be called, when 346 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. HOLIFIELD. Mr. Chairman, when a Member rose and asked that a quorum call be made, I was explaining that while in this bill there is a ceiling of $60 million theoretically available from private insurance companies, there is a loophole in the bill, and I read from the committee report, at the bottom of page 20:

> Since the program is so new, and no experience as to the rates established the Commission must be in a position to set the amount of financial protection required at an amount lower than amount of private insurance offered if the rates appear high and all other factors indicate a lower amount is appropriate.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. ROGERS of Colorado. On page 6, beginning in line 3, appears this language:

> In such agreements of indemnification the Commission may require its contractor to provide and maintain financial protection of such a type and in such amounts as the Commission shall determine to be appropriate to cover public liability arising out of or in connection with the contractual activity.

Does that give to the Commission the authority to say what rate they should charge?

Mr. HOLIFIELD. It gives the Commission the authority to require its contractors to take out the amount of liability indemnification which they think is necessary.

Mr. ROGERS of Colorado. Is that in addition to the amount referred to on page 7 beginning on line 14, where it is stated, "This fee shall be $30 per year per thousand kilowatts"?

Mr. HOLIFIELD. I am glad the gentleman asked that question because in the report you will find some tables which give the rates which private companies will charge for their insurance. In the case of Commonwealth Edison, they will charge $250,000 for $50 million worth of coverage. That is in the hearings. That means they will charge an average of $5,000 per million dollars for private insurance for that type of reactor and in that amount. This language on page 7, which refers to the $30 per thousand kilowatts of thermal energy when it is figured out from the standpoint of electrical kilowatts, and I hope the Members hear this, the Government will receive $37.80 per million dollars insurance.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COLE. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. HOLIFIELD. When that is reduced to dollars, it means that the Government will charge $37.80 for each million dollars' worth of liability indemnification. For the full $500 million indemnification, the Government will charge a total of $18,900. In comparison, private insurance companies will only go as high as $50 million in indemnification and for that lesser amount of insurance will charge a total of $250,000. Insurance from private insurance companies, therefore, will cost on the average $5,000 per million as compared to the Government cost of $37.80 per million.

Mr. ROGERS of Colorado. With reference to the amount the Government may collect under the $30 per thousand kilowatts, is that to be considered as part of the obligation in excess of the obligation of a half billion dollars beginning on page 6, line 17, where it says:

> c. The aggregate liability for a single nuclear incident of persons indemnified shall not exceed the sum of $500 million together with the amount of financial protection required of the licensee or contractor.

Mr. HOLIFIELD. No, that is included in it. This is the way of computing the first $50 million of private insurance. Then, you go above that. Instead of charging on the basis of a table of experience, it would be like charging an automobile owner for his accident insurance on the basis of how many wheels he had on his car or how many spark plugs he had in his car.

Now, Mr. Chairman, I want to go back to this section which you first called to my attention and that is the $30 per thousand. That applies to commercial reactors. But, if you read the next line, you will see for facilities licensed under section 104, and that is the type we are talking about, these experimental reactors for power demonstration purposes, the Commission is authorized to reduce the fee set forth above.

So, they do not even have to charge $37.80 for reactors under section 104, which is the type we are now considering indemnifying.

Mr. ROGERS of Colorado. Does not the Commission under section 104 have the right to collect such nominal fees as it deems appropriate, but no fee under this subsection shall be less than $100 a year.

Mr. HOLIFIELD. That is right.

Mr. ROGERS of Colorado. That means that they can license one of these reactors for as low as $100 a year.

Mr. HOLIFIELD. It says no license under this subsection shall be less than $100 a year. I think that was put in for the purpose of certain small reactors. It might be in a university or be a research or medical type reactor, an experimental or scientific type which would be very small and be of a very low heat quotient. That was to take care of the real small ones.

Mr. ROGERS of Colorado. Do you mean to say that this would give the Atomic Energy Commission the power to set a rate for one site and another rate for another site?

Mr. HOLIFIELD. Oh, yes; and I think that is necessary, too.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. PRICE. The Commission does not set the rates.

Mr. HOLIFIELD. The Commission sets the rates of the Government indemnity.

Mr. PRICE. Of the Government indemnity, but the reason for that is that we are not trying to build up a Government insurance fund. We are not trying to establish an actuarial history like private companies are trying to do. The gentleman knows that the private companies are doing this, and after a period of 10 years they intend to go over this whole thing and refund to the reactor companies what would have been considered in excess of a fair and reasonable premium. But we are not trying to establish that kind of history, because we do not intend to go into the insurance business.

Mr. HOLIFIELD. The reason you do not set it is because you do not have any historical experience.

Mr. ROGERS of Colorado. And we do not want it.

Mr. HOLIFIELD. Well, do not include me in that, because until you can have assurance that these reactors are safe, they should be put in isolated positions and not next to these great cities. That is the point I am making. I am making the point that you cannot put these reactors—and the large insurance companies themselves say we do not know what the reason is—you cannot put them near the cities and take the human-life risk and try to cover it up with $500 million of Government liability. That is my whole point. I do not want to stop this reactor business. I want them to keep on making them. I want the Government to build them and I want private industry to build them, but I know what happened in the case of the Lagoona Beach reactor—the reactor which the Scientific Safeguard Committee said was not safe, and the Atomic Energy Commission gave a construction permit on it anyway. When questioned last week, the top man of that Reactor Safeguard Committee said, "We are of the same opinion. This thing should not be built until it is safe." Yet they are going ahead and building it.

I admit the Atomic Energy Commission says, "We are not going to let them start operating until we are sure it is safe." But how can I know and how can I be sure the Atomic Energy Commission will not, just as it did recently, overrule the Committee and let them go ahead and operate this reactor near the city of Detroit, with the consequent risk of killing a hundred thousand people?

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. PRICE. With the passage of this bill it would be much less likely to approve such an operation.

Mr. HOLIFIELD. If this bill were not passed the PRDC would not build a reactor close to the city of Detroit. It would go out to an isolated place. They talk about these reactors not blowing up, and so forth. Every one of them is in an isolated position. The reactors that are being built in England are being built in isolated positions, because they cannot tell you that there will not be a blowup. I say that until they can tell you there is not going to be a blowup, you Members of Congress are taking upon your shoulders the personal responsibility for writing an indemnity bill which will give these people the coverage that they want financially and you will have upon your hearts and upon your minds and upon your souls the responsibility in case there is a blowup in this field.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. VANIK. Will the gentleman advise the Committee whether or not the private insurance companies have indicated a willingness to go into the power reactor development at Lagoona Beach?

Mr. HOLIFIELD. I have no information on that. I have no information that they will write a million dollars. Let me tell you something else too about the private insurance companies. They may decide after one of these accidents occurs, if it should occur—and it might occur—to retire from writing this atomic insurance. They may decide to reduce the amount available from $50 million to $1 million. They may decide to raise their rates drastically. Then you will be caught in the trap, because you will have these reactors built near the cities of our Nation and the private insurance companies will slide out and then it will be up to the Government to carry on. If they have one of these real catastrophic accidents then it will be up to the Government to carry on. The $50 to $100 million invested in these reactors will provide the incentive for them to keep on operating.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. ROGERS of Colorado. The statement was made by the gentleman from Illinois, I believe, a moment ago, that the Commission is authorized to collect certain moneys. Is that part of the indemnification fee?

Mr. PRICE. The fee for indemnification is not set by the Commission. The Committee was not seeking to go into the insurance business. It is not trying to establish an actuarially sound fund, and it is not trying to get into the rate-making business. The legislation calls for a minimal fee to cover administrative costs of this program.

Mr. ROGERS of Colorado. That is what I wanted to bring out and find out. The $30 is for that purpose?

Mr. PRICE. It is for administration costs only, and we do not expect to ever have to pay indemnification.

Mr. ROGERS of Colorado. In section (f) on page 7, lines 14 and 15, the statement is made that it is going to be $30 per year.

Mr. PRICE. Yes.

Mr. ROGERS of Colorado. And that, I understand, is the fee and has nothing to do with the indemnification agreement that the Commission may require of its contractors.

Mr. PRICE. No; it has nothing to do with that.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. DURHAM. Mr. Chairman, I yield the gentleman from California 5 additional minutes.

Mr. HOLIFIELD. Mr. Chairman, I have not by any means been able to cover the important features of this bill, because of the time limit, although the time accorded me has been very generous. When the bill is read under the 5-minute rule I will avail myself of the opportunity of the floor to advance at least two amendments. I think those amendments should be attached to the bill in order to keep this reactor safeguard committee from being ignored, as it was in the Lagoona Beach case. Until this committee of scientists say these reactors are safe there should be no license of any kind given; and then there will be another amendment which I will offer that I will explain at that time.

I want to make it very clear to the House that even though those amendments are carried I shall vote against the bill, but I hope the amendments will carry for I think they will help improve the bill somewhat.

I hold in my hand the report of the National Academy of Sciences, National Research Council. This is the report to which the President referred the other day when he commented on radiation. I read to you from pages 31 and 32 of this report:

> As in any other area of human activity, accidents are bound to happen in the atomic energy program. The problem here is to set up a large enough margin of safety so that accidents that do occur are not catastrophes.
>
> The most serious possibility is that the core of a large reactor will overheat so severely as to vaporize its material complete. If the vapor were released to the air it would spread disastrous quantities of radioactivity over thousands of square miles.
>
> Such an accident is highly unlikely in a properly designed reactor.
>
> Nevertheless the barest chance of its happening in a highly populated area is intolerable.

You can take that bare chance if you want to.

Now I will read to you from a letter written by Commissioner Vance to the committee under date of March 22. He also said he did not think there was much chance of this happening but here is what he said would happen if it did:

> Theoretical property damages ranged from a lower limit of about one-half million dollars to an upper limit in the worst case of about $7 billion. This latter figure is largely due to assumed contamination of land with fission products.
>
> Under adverse combinations of the conditions considered, it was estimated that people could be killed at distances up to 15 miles, and injured at distances of about 45 miles. Land contamination could extend for greater distances.

I am not accepting this because Mr. Vance does not know any more than I know, but this is the result of their safety study, a study that came up and said: We do not think this will happen, but it could happen and it might happen, and if it does happen this is the damage that will occur.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from North Carolina.

Mr. JONAS. I take it that the gentleman's principal objection to the bill, therefore, is on the theory that it is too dangerous to construct these reactors in any event?

Mr. HOLIFIELD. Near big cities. I have always been for constructing them like they are constructed now, in isolated areas, but they are allowing them to build these reactors close to cities and that is the thing I am afraid of.

Mr. JONAS. If they are building them close to the cities and expect to continue to do so, then the insurance feature is desirable for protection?

Mr. HOLIFIELD. Of course, it is desirable, but here is the proposition: Are you going to cover up with $500 million worth of Government money a catastrophe that would decimate the city of Detroit, that might wipe out a hundred thousand people, and injure other thousands genetically for all time, as well as contaminate the land for an undetermined length of time? Remember, these reactors contain a mass of materials and fuel elements that are highly radioactive. The rays will go through concrete 3 feet thick; they will go through a human being and dissolve his flesh if you spread this. That is what we are up against. I am saying that the insurance companies are too smart to put over $50 million on one deal, and there are 139 of them backed by Lloyd's of London which will not put but $50 million up and the reactor people will not put them up unless they get $500 million worth of coverage. That is where the Government comes in to pick up the tab.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. COLE. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HOLIFIELD. Mr. Chairman, I thank the gentleman. He is very kind to me, as he always is, and I want to assure you there is nothing but kindness in my heart for all those who may disagree with me.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Ohio.

Mr. VANIK. In the bill there is provided the Reactor Safeguards Committee. May I ask, in a situation where the committee may decide a facility is a dangerous facility and should not be built, will that decision or will that ruling prevent the Commission from granting a license?

Mr. HOLIFIELD. No. The Reactor Safeguard Committee can be overridden and the fact they have been overridden in the Lagoona Beach case is a demonstration exactly of what this means unless you place additional language in it.

One of my amendments would say:

> c. In the event that the Committee on Reactor Safeguards shall, by majority vote, determine that the applicant for a license has failed to satisfy the requirements set forth in section 182, the Committee shall report adversely to the Commission and the Commission shall not issue a construction permit under section 185, nor an operating license under sections 103, 104 b, and for testing facilities under 104 c of this act.

That would give the Reactor Committee some teeth. At this time they can do like they did at Lagoona Beach and turn down their advice.

Mr. SIEMINSKI. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from New Jersey.

Mr. SIEMINSKI. I understand the British are going into this atomic reactor business on quite a large scale for commercial purposes. What has been and what is their experience in this regard?

Mr. HOLIFIELD. They are building their reactors in isolated places in England far away from concentrated populations, and the government is carrying the liability just like we are at Hanford, Oak Ridge, and Savannah today.

Mr. SIEMINSKI. I thank the gentleman.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Ohio.

Mr. ASHLEY. I am interested in this discussion because the city of Cleveland is located near the Lagoona Beach project that the gentleman mentioned. Now, is it not true that the safeguards committee recommended against the hot reactor project that is to be installed at Lagoona Beach?

Mr. HOLIFIELD. That is right.

Mr. ASHLEY. Is there anything that can be done to reevaluate that decision? Is there anything being done by the Atomic Energy Commission?

Mr. HOLIFIELD. There is an intervenor's suit and the Atomic Energy Commission has said that they will not allow an operating license until we are convinced that this is a safe reactor. Now, that can be determined, I think, very easily, because if the PRDC puts $50 million into a program, it will be awfully hard to say to them that they cannot operate.

Mr. ASHLEY. Has the Detroit Edison group applied for insurance?

Mr. HOLIFIELD. Not that I know of. I have no information to indicate that they have, nor do I have any information that the private insurance companies will insure that type of a reactor. Now, they may or they may not. I do not know.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Illinois.

Mr. PRICE. Of course, they would have to take it out under the provisions of this bill. They could not operate or could not have a final license until they did subscribe to the provisions of this bill, and they would be compelled to have liability coverage.

Mr. HOLIFIELD. That is right, and they could not build it if they did not have it unless the Commission gave them a license. So, you can take it either way you want it.

Now, as to the other amendment I mentioned. There will be an amendment offered on page 4 at line 24 after the word "activity," which reads as follows:

And provided further, That in no event shall the amount of financial protection required from private sources for such facilities be less than 10 percent of the aggregate indemnity provided by the Government pursuant to subsection c hereof.

Which will in effect say that the Commission shall require the maximum amount of private insurance on reactors over 100,000-kilowatt size. And, as shown in the bill and in the report, the maximum amount available designated by the Commission might be cut to $1 million from the private people and $500 million from the Government.

Now, that would mean that if the Atomic Energy Commission said you shall take out a total of $200 million worth of liability, that they would have to take 50 percent of that, or $20 million, from private insurance, and if they said $500 million, they would have to take the maximum of $60 million, if it is available. So, that is to pinpoint the fact of not allowing the Commission to cut down on the private availability of insurance within their discretion but to make them use the private insurance companies wherever there is this insurance available.

Mr. DURHAM. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I do not believe there are as many bad things about this bill as my good friend the gentleman from California [Mr. HOLIFIELD] says there are. This House has been very kind to this committee. We have brought out but very few bills that there has not been unanimous agreement on both sides of the aisle. It so happens that the gentleman takes a different position on this measure than I do. And, I do not believe there has ever been a measure that has had as careful consideration by what I believe to be capable expert lawyers on the committee and its staff and also by attorneys of the insurance companies representing a 130-member group, and the atomic equipment companies and their counsel. They have studied this in detail for the past 2 years or more.

Just what are we trying to do here, without going into all of the details of the technicalities involved in this atomic energy field? We could stand here and talk hour after hour and there would still be some confusing points that would be difficult to clear up.

The gentleman from California [Mr. HOLIFIELD] just read from a book entitled "The Theoretical Possibilities and Consequences of Major Accidents in Large Nuclear Power Plants." I wish every Member of the House could read this through, not just pick out a few points here and there.

A full explanation of what a reactor is is also very technical, but the statement was made by the gentleman from California [Mr. HOLIFIELD] that atomic bombs and reactors are about the same and that an explosion could occur in a reactor, as I understood the gentleman's statement, which would be similar to that of an atomic weapon.

No scientist, no group of scientists, has ever come to that conclusion yet. They say it simply cannot result because of the difference in the structure and fissioning of the material. I think the scientists believe today that no such atomic explosion could occur in a nuclear reactor. Although atomic bombs and atomic reactors both involve chain reactions, a runaway reactor would not result in an atomic explosion comparable to an atomic bomb. An atomic bomb will explode only if carefully engineered in a bomb casing. The hazard from reactors is from a chemical explosion occurring as a result of a meltdown, not from a nuclear explosion which has never been demonstrated scientifically from a reactor meltdown.

As pointed out earlier, a meltdown is highly unlikely to ever occur.

Reactors are enclosed in a concrete containment shell which are designed to withstand any chemical or small scale nuclear explosion.

I want to recognize, however, that there is a hazard, although remote. That is why we bring this bill to you, because we feel that it is a measure which will give us some basic protection.

The atomic power field is the first industry where public safety standards have been developed before the industry has achieved commercial status.

America developed all of her domestic fuel resources before safety standards were established. What did we do with coal? We went for years and years and had explosions, because we had no safety devices and there were no insurance features until we were forced to do something and we finally did it. The same is true in connection with the railroads. We developed a great railroad system in this country with no safety features at all and no insurance features. I could also mention the automobile industry. Today we are killing 40,000 people a year in automobile accidents. But we laid down no basic rules for insurance. It would have been much better if we had done so, in my opinion.

Now we are taking this industry and trying to put it into the stream of private enterprise and develop it so that it will be of some use to the American people and the world. Because of the great Federal investment in the program and the increased private participation, I believe we are making progress. So we bring this measure in today in an effort to provide for some indemnity protection and to lay down some ground rules on safety and other matters. Private insurance and Government indemnity over and above it are absolutely necessary if, as has been said by the gentleman from New York [Mr. COLE], and others, we expect to develop this source of fuel. I do not believe we can afford not to develop atomic power to its fullest.

As we who have followed the program closely know, this program at the moment is not one in which there are any profits. Indeed, during the period of current development work, those who build and construct reactors in private industry can expect only losses. The cost of power produced by a reactor will not be economic in this country for the first generation of reactors still to go into operation. On the other hand, there is one extremely remote, but still barely possible, chance that a runaway reactor might suffer a meltdown and cause damage to persons outside of the reactor. If such an incident occurred, the damages could be very large.

The insurance companies have pooled their resources so that they are able to insure each reactor for third-party damage for two sums: the stock companies can issue a policy up to $50 million; and the mutual companies can issue a policy up to $10 million, for a total $60 million on each reactor. In other words, those who will be building or contributing to a reactor do not have the normal opportunity to make a profit but do stand a chance to bankrupt their companies and

thereby not be able to pay public liability claims.

I should digress a moment from the atomic energy industry to point out that in order to obtain the new large amounts of insurance for these policies, the insurance companies had to put together capacities that they had never had heretofore. The stock companies had 135 of their companies join together so that there was available $50 million of third-party liability insurance and $50 million on property insurance. Over 100 mutual companies likewise joined together so that they were able to offer $10 million of third-party insurance and $5 million of property insurance. These companies had to form special pools in order to achieve this capacity. I believe that this is a fine contribution of the insurance field to the operations of the atomic energy field.

This is an unknown area into which these companies are stepping and they seem to be doing everything they can to satisfy the needs of industry.

The Joint Committee has heard testimony from many of the firms in the field with respect to their ability to proceed without the insurance. These firms have almost uniformly stated that they cannot proceed unless this bill is passed. It is not the probability of damages but the possible size of the improbable damages that bothers them. Indeed, most of the applications for licenses and for contracts in the demonstration program for reactors in the Commission are contingent upon resolution of this indemnity problem.

The Joint Committee very carefully examined the entire situation. It sought to find the most reasonable method of solution for this problem. The only satisfactory solution appeared to be the indemnity route.

Under this bill the United States would indemnify the reactor owner for third-party liability damages caused beyond the amount of private insurance. The ceiling was set on the present sum of money which the Government would make available at $500 million. If, in the even more remote chance there might be an incident causing more than this amount of damage, then Congress could look at the particular situation again.

I should explain that we considered the indemnification route in place of the reinsurance, or other route, because of the small probability of there ever being any payments made by the United States under the provisions of this act. Hence, there was not an actuarially sound basis to try to establish any kind of insurance. If the Government tried to collect sums from the reactor operators which would quickly provide a fund from which tremendous losses could be paid, the reactor operators would not be able to make that kind of a payment. Furthermore, it would only be likely that the sum would never be used and the Government would have a large fund on its hands which would be idle. Also, the Government would most likely be required to set up insurance pools to care for the problem. Under the provisions of this bill, the Commission assumes functions in those areas of technology where it has competence and uses the facilities of the private firms for the balance of its responsibilities.

In conclusion, I want to say that I believe the bill we have before us today is a better bill than we have had before. It not only provides for protection to the public and reactor operators and suppliers, but it also incorporates procedures which help insure that all safe precautions will be taken in the design, construction, and operation of reactors. Thus the bill formally establishes the Reactor Safeguard Committee, requires that their safety reports on each power reactor be made public and requires hearings on power and test reactors.

Mr. PORTER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 131]

Adair	Fino	Morrison
Andersen, H. Carl	Grant	O'Konski
Ayres	Gwinn	Osmers
Bailey	Halleck	Patterson
Barden	Harris	Pilcher
Beamer	Harrison, Nebr.	Polk
Blatnik	Healey	Powell
Bowler	Henderson	Preston
Brownson	Hoffman	Rains
Buckley	Holtzman	Reece, Tenn.
Burdick	James	Richlman
Celler	Jennings	St. George
Chelf	Jensen	Saund
Christopher	Johnson	Scott, N. C.
Chudoff	Jones, Mo.	Sheehan
Clevenger	Kearns	Shelley
Colmer	Kilburn	Spence
Curtis, Mo.	Landrum	Taylor
Davis, Ga.	McConnell	Teague, Tex.
Dawson, Ill.	McIntosh	Teller
Delaney	McMillan	Thomas
Dellay	Magnuson	Thompson, La.
Dennison	Mailliard	Utt
Dixon	Mason	Wainwright
Dollinger	Matthews	Willis
Dooley	Michel	Wilson, Calif.
Eberharter	Miller, N. Y.	Zablocki
Evins	Montoya	
	Moore	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THOMPSON of New Jersey, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 7383, and finding itself without a quorum, he had directed the roll to be called when 345 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Chairman, I can assure the Members that I was not responsible for this rollcall. I had about completed my statement.

I do want to say that the gentleman from Illinois [Mr. PRICE] has made a very fine explanation of this measure, so has the gentleman from New York [Mr. COLE]. I am very sorry that our good friend and a member of our committee, the gentleman from California [Mr. HOLIFIELD] speaks in opposition to the measure. I believe it is sound, if we expect to get along with this program, and I hope the House will pass the measure today without delay.

Mr. COLE. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, I rise in support of House Resolution 7383, providing for Government indemnity against reactor hazards over and above private financial protection.

It seems to me that this bill is among the most important pieces of legislation which the House has before it this session and that prompt passage is essential if we are to avoid a serious setback in our atomic-power program.

As a member of the Joint Committee on Atomic Energy for the past 10 years I have observed at firsthand the remarkable progress which this country has achieved in the transition from purely military applications of atomic energy to large-scale peaceful applications, including atomic power.

As many of you may remember, the Joint Committee sponsored legislation back in 1954 so as to speed up this transition process through encouragement of private industry participation in our atomic energy program.

In the few short years that followed, private industry and cooperative groups, working in close cooperation with our Government laboratories and facilities, have taken large strides down the long difficult road toward development of nuclear powerplants.

These steps have been taken despite the fact that economic nuclear power, at least in this country, is some years away and that estimated construction costs are continuing to rise.

I think it is a tribute to those who have been willing to invest their money in atomic power development, that they have gone ahead with their plans, despite these discouragements, and have demonstrated their faith in the future.

The program at the present time is faced with still another roadblock which threatens to bring these efforts of private and cooperative groups to a standstill if it is not removed.

I refer to the problem of financial protection for nuclear powerplants to cover public liability claims in the remote event of a nuclear incident.

In many respects this is a psychological problem, in that it involves something that has not happened as yet, and probably never will.

In other words, it concerns the remote chance that one of these nuclear powerplants will have an accident of such proportions that private insurance will not be adequate, even under present pooling arrangements, to cover public liability.

While everyone agrees that the chances of such an accident are extremely doubtful, the possibility of an accident still exists, and serves as a strong deterrent to plant operators and equipment manufacturers who are participating in the nuclear power program.

I think that concern has been most acutely felt among the equipment manufacturers and the makers of component parts for atomic powerplants.

Many of these companies have forgone the realization of any profit for the near future, and in a number of cases have actually sustained loses, in the interests of gaining know-how for the future.

This poses the difficult problem of staying afloat financially in the interim period, but this is a challenge that the manufacturers are able to meet.

Yet when you place on them the additional psychological burden of possible bankruptcy arising from public liability payments in the event of a nuclear incident—and this affects large companies as well as small—then the old story of the straw that broke the camel's back comes to mind.

Perhaps the best way to describe the anxiety on the part of the equipment manufacturer is to quote briefly from the testimony of Frank McCune, president of the Atomic Products Division of the General Electric Co., which was presented to the joint committee at its recent public hearing on the indemnity bill we have before us today.

Mr. McCune is a man of the highest integrity and for many years has been intimately acquainted with the problems of atomic power development.

His company is presently engaged in developmental work aimed at producing a nuclear power reactor and associated equipment for the Dresden plant of the Commonwealth Edison Co. in Chicago.

Here is what Mr. McCune had to say:

In testifying on this subject in the past 3 years, I have said, in effect, that failure to provide liability protection could constitute a major obstacle to private work in the atomic field.

I have expressed concern that some projects might be delayed or halted if legislation were not enacted.

In this connection, I believe all of you are aware that in a recent poll conducted by the Atomic Industrial Forum, the unresolved liability question was rated second only to the lack of economic incentives as a roadblock to further progress.

On the other hand, General Electric Co. has not delayed or halted its own work.

To the contrary, it has gone ahead in the full confidence that legislation will be passed.

There are two reasons for this confidence.

First, we believe that the case for legislation is clear and overwhelming.

Second, it has been our experience that the Congress, acting on the advice of this committee, has always been prepared to do what is essential to atomic progress.

I believe that others have been going forward with the same conviction.

Mr. McCune then went on to say:

I think it only fair that I give this committee a statement of our thinking.

We have been very reluctant, categorically, to state that we will not proceed unless an indemnity bill is passed by Congress.

We have feared that such a statement might be misinterpreted as a threat to Congress to take action—or else.

Further, we have not wanted to cast any doubt on the ability of private industry to carry a major share of the job of atomic power development.

Eventually, however, there comes a time for a frank statement of the position of the General Electric Co.

I am sure that the committee would want us to make such a statement and would not misinterpret our motives in doing so.

The effort we have put into the atomic power program and the money we have spent on it should be sufficient evidence of our good faith.

Continuing, Mr. McCune said:

At present I see no alternative but to recommend that work on the Dresden Station be halted as soon as practicable after the end of this session of Congress in case appropriate legislation has not been passed by that time.

Also, as I now see it, it is my view that General Electric should not take on any other comparable project if it appears that appropriate legislation will not be passed.

I believe you appreciate that I have arrived at this view only with the greatest reluctance.

Now those are the words of Mr. Frank McCune, president of the Atomic Products division of the General Electric Co., one of our most responsible leaders in atomic industry.

As Mr. McCune goes to great length to point out, he is not threatening the Congress or anyone else with a take-it-or-leave-it proposition.

He is merely pointing out the tough facts of life in the atomic manufacturing business.

A question which was only of academic importance a few years ago, when plans were largely on paper, has become an intensely practical one now that manufacturers such as General Electric are in the actual hardware stage.

It is no longer a matter of theory but of hard fact whether any company wishes to proceed to the operating stage with a cloud of possible bankruptcy hanging over its head in the event of a nuclear incident.

Even though the chances of a serious incident are remote, the possibility does exist, and it is this possibility, or rather the fear of it, which confronts us.

It is clear that this fear—this anxiety and concern I have been describing—is widespread throughout the atomic industry and is posing a major obstacle to the progress of our nuclear power program.

In fact, it threatens the very existence of the program at a crucial stage of its development.

Therefore, it would be nothing less than tragic at this stage—when the fledging atomic industry is just beginning to get on its feet—to dissipate the fruits of its efforts by refusing to provide the protection it needs to go forward.

Mark you, the loss would not be confined to the atomic industry.

The greatest loss would be to the Nation itself, and it is for that compelling reason that I strongly urge the passage of this legislation.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from New York.

Mr. COLE. Will not the gentleman corroborate the statement which I and others have made that the same attitude which he has just quoted as coming from Mr. McCune was voiced by every other potential sponsor of a privately owned and operated reactor, and that they would not start the reactor until the extent of their liability was known as contained in the bill before the committee at this time.

Mr. VAN ZANDT. The gentleman from New York is correct. The witnesses who have appeared before the legislative subcommittee of the Joint Committee on Atomic Energy during the course of public hearings on the authorization bill have all supported the statement of Mr. McCune by saying that unless this bill becomes law they cannot proceed in their efforts to develop atomic power. So, the gentleman from New York is absolutely correct.

Mr. COLE. Mr. Chairman, will the gentleman yield further?

Mr. VAN ZANDT. I yield.

Mr. COLE. The gentleman has quoted Mr. McCune. Would the gentleman permit me to read from a copy of a letter which I received today from Dr. Henry Smyth? The letter was addressed to Mr. HOLIFIELD and is dated June 27, 1957. A copy was sent to me by Dr. Smyth who, I am sure the gentleman will acknowledge, is one of the foremost and best-informed scientists in the field of atomic energy.

Mr. VAN ZANDT. That is correct.

Mr. COLE. Dr. Smyth prepared the last report which was released by the Government along about 1946, right after the use of atomic energy in weapons. Later on he was a member of the Commission and he is now identified with the atomic program in an unofficial capacity in Princeton. But in connection with the bill before us, Dr. Smyth in this letter said:

Failure of this Congress to pass the insurance bill which has been approved by the joint committee and which everyone seems to feel is desirable and appropriate can seriously impede the program.

Mr. VAN ZANDT. I thank the gentleman.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 2 of the Atomic Energy Act of 1954, as amended, is amended by adding a new subsection to read as follows:

"i. In order to protect the public and to encourage the development of the atomic energy industry, in the interest of the general welfare and of the common defense and security, the United States may make funds available for a portion of the damages suffered by the public from nuclear incidents, and may limit the liability of those persons liable for such losses."

SEC. 2. Subsection 53 e. (8) of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"(8) except to the extent that the indemnification and limitation of liability provisions of section 170 apply, the licenses will hold the United States and the Commission harmless from any damages resulting from the use or possession of special nuclear material by the licensee."

SEC. 3. Section 11 of the Atomic Energy Act of 1954, as amended, is amended by adding thereto the following new subsections, and redesignating the other subsections accordingly:

"j. The term 'financial protection' means the ability to respond in damages for public liability."

"n. The term 'licensed activity' means an activity licensed pursuant to this act and covered by the provisions of section 170 a."

"o. The term 'nuclear incident' means any occurrence within the United States causing bodily injury, sickness, disease, or death, or

loss of or damage to property, or for loss of use of property, arising out of or resulting from the radioactive, toxic, explosive, or other hazardous properties of source, special nuclear, or byproduct material."

"r. The term 'person indemnified' means the person with whom an indemnity agreement is executed and any other person who may be liable."

"u. The term 'public liability' means any legal liability arising out of or resulting from a nuclear incident, except claims under State or Federal Workmen's Compensation Acts of employees of persons indemnified who are employed at the site of and in connection with the activity where the nuclear incident occurs, and except for claims arising out of an act of war. 'Public liability' also includes damage to property of persons indemnified: *Provided*, That such property is covered under the terms of the financial protection required, except property which is located at the site of and used in connection with the activity where the nuclear incident occurs."

SEC. 4. The Atomic Energy Act of 1954, as amended, is amended by adding thereto a new section, with the appropriate amendment to the table of contents:

"SEC. 170. Indemnification and limitation of liability.—

"a. Each license issued under section 103 or 104 and each construction permit issued under section 185 shall, and each license issued under section 53, 63, or 81 may, have as a condition of the license a requirement that the licensee have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with subsection 170 b. to cover public liability claims. Whenever such financial protection is required, it shall be a further condition of the license that the licensee execute and maintain an indemnification agreement in accordance with subsection 170 c. The Commission may require, as a further condition of issuing a license, that an applicant waive any immunity from public liability conferred by Federal or State law.

"b. The amount of financial protection required shall be the amount of liability insurance available from private sources, except that the Commission may establish a lesser amount on the basis of criteria set forth in writing, which it may revise from time to time, taking into consideration such factors as the following: (1) the cost and terms of private insurance, (2) the type, size, and location of the licensed activity, and other factors pertaining to the hazard, and (3) the nature and purpose of the licensed activity. Such financial protection may include private insurance, private contractual indemnities, self insurance, other proof of financial responsibility, or a combination of such measures.

"c. The Commission shall, with respect to licenses issued between August 30, 1954, and August 1, 1967, for which it requires financial protection, agree to indemnify and hold harmless the licensee and other persons indemnified (other than a Government agency), as their interest may appear, from public liability arising from nuclear incidents which is in excess of the level of financial protection required of the licenaee. The aggregate indemnity for all persons indemnified in connection with each nuclear incident shall not exceed $500 million. Such a contract of indemnification shall cover public liability arising out of or in connection with the licensed activity.

"d. In addition to any other authority the Commission may have, the Commission is authorized until August 1, 1967, to enter into agreements of indemnification with its contractors for the construction or operation of production or utilization facilities or other activities involving possession of sufficient quantities of special nuclear, source or byproduct materials to constitute a hazard involving potential widespread injury to persons or property other than those employed or used at the site of the contract activity, for the benefit of the United States. In such agreements of indemnification the Commission may require its contractor to provide and maintain financial protection of such a type and in such amounts as the Commission shall determine to be appropriate to cover public liability arising out of or in connection with the contractual activity, and shall indemnify the persons indemnified against such claims above the amount of the financial protection required, in the amount of $500 million in the aggregate for all persons indemnified in connection with such contract and for each nuclear incident. The provisions of this subsection may be applicable to lump sum as well as cost type contracts and to contracts and projects financed in whole or in part by the Commission.

"e. The aggregate liability for a single nuclear incident of persons indemnified shall not exceed the sum of $500 million together with the amount of financial protection required of the licensee or contractor. The Commission or any person indemnified may apply to the appropriate district court of the United States having venue in bankruptcy matters over the location of the nuclear incident, and upon a showing that the public liability from a single nuclear incident will probably exceed the limit of liability imposed by this section, shall be entitled to such orders as may be appropriate for enforcement of the provisions of this section, including an order limiting the liability of the persons indemnified, orders staying the payment of claims and the execution of court judgments, orders apportioning the payments to be made to claimants, orders permitting partial payments to be made before final determination of the total claims, and an order setting aside a part of the funds available for possible latent injuries not discovered until a later time.

"f. The Commission is authorized to collect a fee from all persons with whom an indemnification agreement is executed under this section. This fee shall be $30 per year per thousand kilowatts of thermal energy capacity for facilities licensed under section 103. For facilities licensed under section 104, and for construction permits under section 185, the Commission is authorized to reduce the fee set forth above. The Commission shall establish criteria in writing for determination of the fee for facilities licensed under section 104, taking into consideration such factors as (1) the type, size, and location of facility involved, and other factors pertaining to the hazard, and (2) the nature and purpose of the facility. For other licenses, the Commission shall collect such nominal fees as it deems appropriate. No fee under this subsection shall be less than $100 per year.

"g. In administering the provisions of this section, the Commission shall use, to the maximum extent practicable, the facilities and services of private insurance organizations, and the Commission may contract to pay a reasonable compensation for such services. Any contract made under the provisions of this subsection may be made without regard to the provisions of section 3709 of the Revised Statutes, as amended, upon a showing by the Commission that advertising is not reasonably practicable and advance payments may be made.

"h. The agreement of indemnification may contain such terms as the Commission deems appropriate to carry out the purposes of this section. Such agreement shall provide that, when the Commission makes a determination that the United States will probably be required to make indemnity payments under this section, the Commission shall collaborate with any person indemnified and may approve the payment of any claim under the agreement of indemnification, appear through the Attorney General on behalf of the person indemnified, take charge of such action, and settle or defend any such action. The Commission shall have final authority on behalf of the United States to settle or approve the settlement of any such claim on a fair and reasonable basis with due regard for the purposes of this act. Such settlement may include reasonable expenses in connection with the claim incurred by the person indemnified.

"i. After any nuclear incident which will probably require payments by the United States under this section, the Commission shall make a survey of the causes and extent of damage which shall forthwith be reported to the joint committee, and, except as forbidden by the provisions of chapter 12 of this act or any other law or Executive order, all final findings shall be made available to the public, to the parties involved and to the courts. The Commission shall report to the joint committee by April 1, 1958, and every year thereafter on the operations under this section.

"j. In administering the provisions of this section, the Commission may make contracts in advance of appropriations and incur obligations without regard to section 3679 of the Revised Statutes, as amended."

SEC. 5. The Atomic Energy Act of 1954, as amended, is amended by adding thereto a new section, making the appropriate amendment to the table of contents, as follows:

"SEC. 29. Committee on Reactor Safeguards: There is hereby established a Committee on Reactor Safeguards consisting of a maximum of 15 members appointed by the Commission for terms of 4 years each. The Committee shall review safety studies and facility license applications referred to it and shall make reports thereon, shall advise the Commission with regard to the hazards of proposed or existing reactor facilities and the adequacy of proposed reactor safety standards, and shall perform such other duties as the Commission may request. One member shall be designated by the Committee as the Chairman. The members of the Committee shall receive a per diem compensation for each day spent in meetings or conferences, and all members shall receive their necessary traveling or other expenses while engaged in the work of the Committee. The provisions of section 163 shall be applicable to the Committee."

SEC. 6. Section 182 of the Atomic Energy Act of 1954, as amended, is amended by redesignating subsection b. as subsection c. and subsection c. as subsection d., and by inserting the following subsection as a new subsection b. immediately after subsection a.:

"b. The Committee on Reactor Safeguards shall review each application under section 103 or 104 b. for a license for a facility, any application under section 104 c. for a testing facility, and any application under section 104 a. or c. specifically referred to it by the Commission, and shall submit a report thereon, which shall be made part of the record of the application and available to the public, except to the extent that security classification prevents disclosure."

SEC. 7. Section 189 a. of the Atomic Energy Act of 1954, as amended, is amended by adding the following sentence at the end thereof: "The Commission shall hold a hearing after 30 days notice and publication once in the Federal Register on each application under section 103 or 104 b. for a license for a facility, and on any application under section 104 c. for a license for a testing facility."

Mr. DURHAM (interrupting the reading of the bill). Mr. Chairman, I ask

unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. PRICE. Mr. Chairman, I send to the desk some committee amendments and ask unanimous consent that they be considered en bloc, with the exception of the amendment on page 4, line 24, which I request be considered separately.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read as follows:

Committee amendments offered by Mr. PRICE: Page 2, line 16, after "public liability" insert "and to meet the costs of investigating and defending claims and settling suits for such damages."; page 3, line 5, at the end add "for public liability."; page 5, line 8, strike "(other than a Government agency)"; page 5, line 14, after the figure "$500,000,000" insert "including the reasonable costs of investigating and settling claims and defending suits for damage"; page 6, line 11, after the figure "$500,000,000" insert "including the reasonable costs of investigating and settling claims and defending suits for damage"; page 6, line 18, after the word "indemnified" insert "including the reasonable costs of investigating and settling claims and defending suits for damage"; page 5, line 21, to page 6, line 3, strike out, beginning with the word "activities" to the end of the sentence and insert instead: "activities under contracts for the benefit of the United States involving activities under the risk of public liability for a substantial nuclear incident"; page 9, line 23, add "advisory" before "committee"; page 9, line 24, add "advisory" before "committee"; page 10, line 20, add "advisory" before "committee."

Mr. PRICE. Mr. Chairman, the committee amendments that have just been read are clarifying amendments to be sure that the bill as presented to the Congress is as clear as possible.

The first, fourth, fifth, and sixth amendments would merely be sure that the financial protection required of the participants in the program and the indemnity sum of $500 million are to cover both the liability and the costs of investigation and settlement of claims. This is to insure that the top liability of the Government under this bill for any one incident would be $500 million and not more.

The third amendment carries out the committee intent of treating all licensees alike for the purposes of this indemnity program regardless of whether they are private firms or Government agencies, which are also licensees—such as the Maritime Commission.

The seventh amendment redefines the area in which the indemnity bill could be applied by the Commission in its own contract operations so as to be as closely similar to those areas covered by licensed operations as is possible. The original language in covering only those activities involving possession of hazardous amounts of special nuclear materials did not cover such activities as the design or construction of a reactor which would precede the insertion of special nuclear materials into the pile as fuel.

The 8th, 9th, and 10th amendment merely add the word "Advisory" to the title of the Reactor Safeguards Committee—thus indicating its nature and keeping its present title.

These amendments have been agreed to by all committee members who have been able to be consulted—including the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from California.

Mr. HOLIFIELD. I agreed to consider these amendments en bloc because in my opinion they have strengthened the bill. However, there is an amendment which puts the word "advisory" before the word "committee" which is in conflict with an amendment which I intend to offer which, in effect, would make the Committee on Reactor Safeguards a real committee with teeth in it instead of a committee which could be overridden by the Commission. Therefore, I respectfully request that that particular amendment be withdrawn from the amendments that are to be considered en bloc and that it be voted on separately.

Mr. PRICE. Of course, the gentleman agreed in committee with the rest of us on this as a committee amendment. The committee has been polled and it has been submitted as a committee amendment.

Mr. HOLIFIELD. I have no objection to it being considered, but I am simply asking that it be considered separately.

Mr. PRICE. I think I would have to agree with the gentleman's request.

Mr. Chairman, I ask unanimous consent to withdraw from the amendments that are to be considered en bloc, the amendments offered by the committee at page 10, line 20; page 9, line 23, and page 9, line 24.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Illinois [Mr. PRICE].

The amendments were agreed to.

Mr. PRICE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PRICE: Page 4, line 24, after the word "activity" change the period to a colon and add the following: "*Provided*, That for facilities designed for producing substantial amounts of electricity and having a rated capacity of 100,000 electrical kilowatts or more, the amount of financial protection required shall be the maximum amount available from private sources."

Mr. HOLIFIELD. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment to the amendment offered by Mr. HOLIFIELD: On page 4, after the committee amendment, line 24, insert "*And provided further*, That in no event shall the amount of financial protection required from private sources for such facilities be less than 10 percent of the aggregate indemnity provided by the Government pursuant to subsection c hereof."

Mr. HOLIFIELD. Mr. Chairman, my amendment to the amendment would do this. The committee amendment provides that the Commission shall require reactor owners of 100,000 kilowatts or more to take the amount of insurance available from private insurance sources. I think this is a good amendment. As I said in my other presentation, I do not think it goes far enough, however. This amendment was my amendment in the committee. After studying it more thoroughly overnight, I thought it should be strengthened further by providing that in no instance should the Commission set a requirement of less than 10 percent of the aggregate amount to be taken from the private-insurance people. In other words, if they set the amount necessary as $500 million, it would mean that the utility company, the reactor owner, would be required to take $50 million available from the private insurance companies. If they said that because of the type of the reactor and its location away out in the country that the liability should be only $200 million, then this would require of the reactor owners to take $20 million. So this would be to prevent the Commission from saying, "Because of the terms and cost of insurance you only have to take $100 million from the private insurance people and you can take $500 million from the Government. One million dollars may cost you $5,000 or $20,000 from the private company, but we will give you $500 million for $18,500."

So if this is any part of private enterprise, certainly they should take at least 10 percent of the aggregate amount from private insurance, and not be relieved of that burden.

That is the purpose of my amendment to the amendment. If you believe they should take at least 10 percent of their total insurance from the private companies, you would vote "Aye." If you believe the Commission should set it as low as a million dollars from the private owners, then utilize the cheap Government liability on top of that, of course your vote would be "No."

Mr. COLE. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California to the committee amendment. The gentleman did submit this amendment to the Joint Committee and the Joint Committee rejected it. In place of the suggestion which the gentleman from California [Mr. HOLIFIELD] submitted to the Joint Committee, the committee recommended a change, as submitted to the House today. That is, that with respect to the large reactors of 100,000 kilowatts or more, the private operator should be required, before he gets a license, to obtain the greatest amount of insurance possible. Under the provisions submitted by the gentleman from California [Mr. HOLIFIELD], if, in the course of time this insurance fund, which today is an aggregate of $60 million, may increase to $100 million, under the committee amendment the reactor operator would have to get $100 million. The gentleman from California has indicated that the Commission would have the authority to permit the operator to obtain as little as $1 million worth of insurance, which of course is not the case at all if the committee amendment is adopted. The Joint Committee thinks it is quite proper that these large reactor operators should be required as a matter of law to get the maximum amount of insurance that is available, whether it is $20 million or $30 million or $50 million or $100 million or $200 million. They must go out and buy and pay out of their own resources the coverage in the greatest amount that is available to them.

The amendments which have been offered by the gentleman from California would, it seems to me, place limitations on the minimum requirement so as to deny the Commission the right to insist on an insurance coverage if there should happen to be less than $60 or $65 million available to them.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. COLE. I yield.

Mr. HOLIFIELD. The purpose of my amendment to the amendment was to see that the reactors under 100,000 kilowatts also took not less than 10 percent of private insurance. I do not believe that it would affect the reactors over 100,000 because that is an express statement; but, then, when you get into 90,000 or 80,000, or 70,000, then the condition which I have alluded to does occur where the Commission can set not the maximum amount available but anything that they determine is the right amount to be taken from the private companies. My amendment would take that from the bill, 100,000 kilowatts.

Mr. COLE. Mr. Chairman, this bill has been drafted in such fashion as to lay out certain standards which the Atomic Energy Commission must follow in granting licenses and requiring the amount of insurance coverage. We must rely to some extent upon the integrity and the good judgment of the Atomic Energy Commission to make certain that its twofold responsibility in the atomic energy program is carried out: One, its responsibility as a commission in carrying forward the atomic energy program; the other its responsibility as a public agency to see that the public interest is preserved and that there be no opportunity of undue and unreasonable raids on the Federal Treasury.

I feel that the amendment offered by the gentleman from California is unnecessary and ill advised.

Mr. DURHAM. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California.

The gentleman from New York is correct in stating that this would have a very bad effect. It would place a limitation on the owners of these reactors to carry more insurance even if it were not available, this would place a limit on them forever.

I hope that the House will vote the amendment down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HOLIFIELD] to the amendment offered by the gentleman from Illinois [Mr. PRICE].

The amendment to the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Illinois [Mr. PRICE].

The amendment was agreed to.

Mr. PRICE. Mr. Chairman, I offer three amendments, and I ask unanimous consent that they may be considered en bloc. They consist in adding the word "advisory" in three places.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. PRICE: Page 9, line 23, before the word "committee" insert the word "advisory."

Page 9, line 24, before the word "committee" insert the word "advisory."

Page 10, line 20, before the word "committee" insert the word "advisory."

Mr. HOLIFIELD. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD to the amendment offered by Mr. PRICE: Page 10, line 22, strike out the word "advisory."

Mr. HOLIFIELD. Mr. Chairman, my reason for offering this amendment in this manner is that it is included in the en bloc amendments; therefore, this is my only way of offering an amendment to the one amendment that concerned me.

My concern is that we are setting up a statutory Committee on Safeguards. I believe that this statutory committee should be other than an advisory committee.

At the present time our only protection from a disinterested source is in the Reactor Safeguards Committee which is composed, I believe, of 9 or 15 scientists who sit in judgment on the safety factors of these reactors and either clear them or render an adverse report. I believe that their report is so important to the safety of human life in the vicinity of these reactors that if we are going to make a statutory committee we should provide a statutory committee with power to render judgment and have that judgment followed.

Unless I amend this to rule out the word "advisory" then I have doubt as to the amendment which I intend to offer which makes this statutory committee an effective committee in place of just a front, just an advisory committee. It has no power. It can say, Do not build this reactor in this place because it is dangerous, but the AEC, notwithstanding they have set up a committee and they have picked the scientists who are qualified to judge as to the safety, may say, we are not going to follow your advice; we will let them build it anyway. So it becomes a nullity. That is what happened in the case of the PRDC reactor at Lagoona Beach, Mich. The Reactor Safeguards Committee which exists now by rules and regulations and not by statute made an adverse report on that type of reactor and the AEC overruled them. This means absolutely nothing now and we should not create a statutory Reactor Safeguards Committee unless we give it some power and I seek to do what ought to be done, in my opinion, which is to make it a statutory committee with power to have its views considered and not just summarily passed over by people on the Commission who are not scientists with the exception of one man, and who by majority action can overrule 9 or 15 scientists who may think otherwise. So that would be the reason why I would say that the word "advisory" should be stricken, that it should be as it appears now in the bill, namely, Committee on Reactors Safeguards.

Mr. COLE. Mr. Chairman, I must rise in opposition to the amendment offered by the gentleman from California. In his earlier discussion this afternoon, he made reference to the Lagoona Beach project that is proposed to be constructed in the vicinity of Detroit. My recollection is that the gentleman from California said this Reactor Safeguards Committee, now in existence in the Commission, had made a study of this particular project and had declared it unsafe. If I have misquoted the gentleman from California, I wish he would indicate it now.

Mr. HOLIFIELD. That is right.

Mr. COLE. The Safeguards Committee has never declared the Lagoona Beach project as unsafe and I will quote to you, Mr. Chairman, from a letter of the Reactor Safeguards Committee in which they present their views on the Lagoona Beach property.

In the very beginning of their letter they say:

There are no facts or calculations available to the Committee that clearly indicate that the proposed reactor is not safe for this site. There has not been produced a scintilla of testimony that the proposed PRDC reactor is unstable or unsafe.

The PRDC reactor, I may say, is the Lagoona Beach reactor. So, there has been no statement by the advisory committee that the Lagoona Beach reactor is unsafe. It is true that the advisory committee has raised some question about the safety of the reactor. They have expressed a basis for some doubts, but at no time has any member of that reactor committee declared that this particular concept of reactor is unsafe.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. COLE. Surely.

Mr. HOLIFIELD. Would the gentleman permit the whole paragraph to be read? The gentleman read part of it.

Mr. COLE. The gentleman may read the entire matter on his own time.

Mr. HOLIFIELD. I do not have any time on this amendment. I used my 5 minutes.

Mr. COLE. Irrespective of what that may be, I have quoted to you the opening statement of the letter. But, it goes much deeper than what that particular committee has expressed itself on this particular subject. The law now establishes a general advisory committee to consult with the Commission on all phases of the atomic-energy program. That is a general advisory committee. The Commission may or may not accept the advice of that general advisory committee. At no place in the law does it say that the Commission must abide by

the decision of the general advisory committee. For the Congress by law to compel the Commission to accept the recommendation of a statutory committee with respect to atomic reactors would be to withdraw from the Commission the statutory responsibility the Commission now has to make certain that in every license granted, whether it is a reactor or whatever it may be, the Commission have in mind at all times the public interest and health and safety. Almost every section of the basic law imposes on the Atomic Energy Commission the obligation of making certain that the program is carried out in accordance with the best technical advice available, having in mind the safety and health of the public. To convey to this committee such power would be to set up a supercommission above and beyond the Commission itself, and it would be a terrible error to give this advisory committee paramount authority to that now given to the Commission.

Mr. DURHAM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I hardly think it would be advisable or well to take a committee out of the AEC and give it final authority Commission. That would be a little beyond what I believe to be good procedure. Also, as stated by the gentleman from New York [Mr. COLE], the procedures now would all be avoided by such action as this. All the safeguards that we use now could be voided without going directly to the Commission and without asking the Commission to make any decision. I think it is unwise to accept such an amendment.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman from California.

Mr. HOLIFIELD. I rise for the purpose of reading the paragraph which my colleague, the gentleman from New York [Mr. COLE], referred to:

> There are no facts or calculations available to the committee that clearly indicate that the proposed reactor is not safe for this site, the committee believes there is insufficient information available at this time to give assurance that the PRDC reactor can be operated at this site without public hazard.

Now, if you want to indulge in semantics and say that this is unsafe or safe, you can do so, but the assurance that the Reactor Safeguards Committee set up could not be given that it could be operated safely. Thereby by inference they meant it was unsafe. And, they went ahead and inserted two more paragraphs and then they set up a program for them to follow to prove that it could be operated safely. So, it is because of this situation where the Atomic Energy Commission overrode the Reactor Safeguards Committee that I felt that the word "advisory" should be stricken.

Mr. DURHAM. The gentleman will agree that the committee did ask for more research before any decision was made on this matter.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. DURHAM. I yield to the gentleman.

Mr. VAN ZANDT. Is it not true that the Commission granted only a conditional construction permit to the Lagoona Beach project, and they have not authorized them to operate a reactor until they have met the safety requirements?

Mr. DURHAM. That is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HOLIFIELD] to the amendment offered by the gentleman from Illinois [Mr. PRICE].

The amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. PRICE].

The amendment was agreed to.

Mr. HOLIFIELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. HOLIFIELD: Page 11, following line 2, add the following additional subsection to section 182:
>
> "c. In the event that the Committee on Reactor Safeguards shall, by majority vote, determine that the applicant for a license has failed to satisfy the requirements set forth in section 182, the committee shall report adversely to the Commission and the Commission shall not issue a construction permit under section 185 nor an operating license under sections 103, 104b, and for testing facilities under 104c of this act."

Mr. PRICE. Mr. Chairman, I make the point of order that this amendment in substance is exactly the same as the amendment which the committee just rejected.

The CHAIRMAN. The Chair overrules the point of order.

Mr. HOLIFIELD. Mr. Chairman, the same principle is involved. I was sure tha , this amendment was germane. I had circulated this petition and obligated myself to offer it.

What this does is to say that if you have 9 reactor scientists who are set up to pass on the safety of a reactor, and a majority of them say it is not safe then the Commission may not proceeed with it under any of the licenses permitted under the act. That is all there is to it.

If you want a safety reactor committee of scientists, who know more about this than any other people, and if they give an adverse report, but you want the reactor built anyway, near a big city, then vote against my amendment. But if you want a reactor safety committee that is set up for a real purpose and those people who have been chosen by the Commission itself think that it should not be followed, then you vote no on my amendment. But if you want this committee which is set up by statute to have some power, then you should vote yes on the amendment. That is all I ask.

Mr. DURHAM. Mr. Chairman, I rise in opposition to the amendment. This amendment in substance is the same as the amendment that has just been voted down except it is in the reverse. I ask that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HOLIFIELD].

The amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. GROSS. Mr. Chairman, I should like to ask some member of the committee how many of these commercial reactors are in operation or are under contruction. I do not believe anyone this afternoon has given us any idea of the number of reactors that are in operation or are under construction. Can any member of the committee give me some information as to the size of this program?

Mr. DURHAM. Applications are coming in down here, but I do not recall the number of applications that are in at the present time. There are a number of them under construction, some large, some medium. I think the number now stands at around 10.

Mr. GROSS. What are the locations?

Mr. DURHAM. Those are the ones we are actively concerned with.

Mr. GROSS. What are the locations of the reactors privately operated or being constructed? Are they in the proximity of large cities? Where are they?

Mr. DURHAM. Most of them operating today are on the Savannah River. They are the old ones.

Mr. GROSS. I am talking about the reactors built or building for commercial purposes.

Mr. DURHAM. I cannot give the gentleman all the locations. The big one is at Shippingport.

Mr. GROSS. Are they in proximity to cities, or are they being built in isolated places?

Mr. DURHAM. Most are in isolated places. The one that is being located in Chicago is some 50 or 60 miles from the fringe of the city of Chicago, in an isolated position.

Mr. GROSS. How about the one at Pittsburgh?

Mr. DURHAM. That one is about 40 or 50 miles north of Pittsburgh, quite a distance from Pittsburgh.

Mr. GROSS. So you are making every endeavor to get these reactors outside of the large cities and in isolated places?

Mr. DURHAM. These are mostly big steam plants located out of the cities, so they are placing them more or less in line with their transmission lines.

Mr. GROSS. What are the British doing in connection with their commercial plants? Have they adopted an insurance plan of this kind?

Mr. DURHAM. The British have not completed their insurance yet. They are in process of doing it, very much as we are. The Calder Hall Reactor is a gas-diffusion plant. It also makes power. They have a different type of plant. We do not have one of them in this country.

Mr. GROSS. How many reactor plants are they building in the British Isles?

Mr. DURHAM. I believe 5.

Mr. GROSS. Does the gentleman mean they have not even started an insurance program of any kind?

Mr. DURHAM. Yes; they have it in process. We have had it in process 2 years ourselves.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. HOLIFIELD. I think I can give the gentleman some information. It is my understanding that the Commonwealth Edison plant at Dresden, Ill., has over a million people in a radius of 30 miles around that plant.

Mr. PRICE. No; the gentleman is in error there. The Dresden plant is located 50 miles south of Chicago.

Mr. HOLIFIELD. I am not talking about the population of Chicago.

Mr. PRICE. The gentleman used the figure of over 1 million population in the radius of 30 miles. That is just not correct.

Mr. HOLIFIELD. I got that from the reactor study here, this black book.

Mr. PRICE. A lot of that population is in Chicago and Cook County. This is 30 miles south of Chicago and 15 miles south of Joliet, which is a city of about 60,000.

Mr. HOLIFIELD. The reactor at Laguna Bay has a population of around a million people around it.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. COLE. I wanted to answer the question with respect to what Britain is doing with regard to the problem. She has no problem. It is a Government-owned and operated atomic industry operation. If anything goes wrong the Government is liable for it, if it accepts liability. They do not have any insurance problems. We will have the same result in this country if we do not pass this bill. We will have a Government-sponsored and Government-operated atomic energy program, and the Federal Treasury will be liable for the full damage.

Mr. GROSS. Mr. Chairman, I have no desire to in any way impede the development of atomic energy but this legislation gives far too much authority to the Atomic Energy Commission to control the purse strings in the expenditude of potentially huge sums of money.

Section 170 provides, for instance, that the Commission may make contracts in advance of appropriations by Congress and incur obligations without regard to the restraints wisely provided in existing law. There are other delegations of congressional power equally as potentially dangerous.

I submit, Mr. Chairman, that the time has come when Congress should be recapturing rather than delegating new powers to the commissions, boards, and bureaus that infest the Government. Moreover, I am not convinced that it is necessary at this time to set up this huge insurance program. I am seriously concerned that it will establish a precedent that can lead us into very deep financial water by assuming the risks of other enterprises.

For these and other reasons, I must oppose this measure.

The CHAIRMAN. If there are no further amendments, the Committee will rise.

Accordingly the Committee rose and the Speaker having resumed the chair, Mr. O'NEILL, Chairman of the Committee of the Whole House on the State of the Union reported that that Committee, having had under consideration the bill (H. R. 7383) to amend the Atomic Energy Act of 1954, as amended, and for other purposes, pursuant to House Resolution 297, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DURHAM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ATOMIC ENERGY INSURANCE

Mr. PHILBIN. Mr. Speaker, there are few things more important to us today than adequate atomic-energy insurance because, unless the Congress authorizes a suitable program in this field, the development and utilization of atomic energy for peace will be seriously impeded and perhaps paralyzed.

I recently addressed the House upon the subject of flood insurance and at that time I pointed out that a flood-insurance measure would have to be undertaken and guaranteed by the Government, since no one could reasonably expect the private companies to assume the risks incident to this type of coverage, even though the bill provided that private enterprise should handle the proposed insurance contract.

The pending bill stands very much in the same position as the flood-insurance bill. It is an instance of where the risks involved are so great and incalculable that they cannot be assumed in entirety by private enterprise. It is clearly a field for government assistance based on demonstrated needs for this type of coverage and the requirements of our free economic system as well as the overriding considerations of the public safety and the clear mandate to develop atomic energy for peacetime uses. There are so many aspects and problems connected with the matter which admit of no easy solutions, yet like other difficult problems facing us these days where the answers are not clear and the methods proposed may well be in dispute, because of the great national and public interest factors involved, this Congress is bound to make speedy decisions and take speedy action.

Just as in the case of flood insurance, there are in this proposal definite, experimental features implicit and unavoidable in any authority we extend and any arrangements we make. This is not an instance wherein Congress can pass an organic law that will meet every contingency that may develop in the broad vital field of atomic energy. Here we can merely map out certain essential boundaries, apply certain essential principles and techniques, which appear to offer the means by which in our opinion the overall program can be best promoted.

To my mind, there has already been unfortunate delay in pressing for the development of atomic energy for peacetime uses which may well have produced serious handicaps, competitively speaking, in our broader efforts to retain nuclear superiority in the world and to accelerate the beneficial uses of the truly revolutionary nuclear discoveries and advances.

It may be asserted that American industry itself has been set back definitely by official failure and inability to get started with a realistic program of nuclear development applicable to many phases of our economic growth and necessary as well for social and welfare advancement.

Many public-service industries which have expressed willingness or entered into agreements looking toward nuclear energy development have been stalemated, not only by faltering, hesitant national policy in the field, but also by inability to secure or arrange for proper, necessary insurance against possible gigantic loss which could not possibly be absorbed by industry itself. It is not anticipated that this loss will necessarily occur; in fact, it is believed that it will not occur. But it is possible always that unfortunate accidents could happen as industry deals with these highly dangerous, unpredictable substances; hence, it is incumbent upon the Congress to provide a sufficient mechanism for coping with and, to an extent, eliminating these difficulties of insurance coverage.

A great public service company in my own State and area, for example, is ready to go forward with nuclear development at great cost to itself and stockholders. A suitable site has been selected and other arrangements effectuated, plans and specifications have been drawn and early construction is proposed. But like other companies throughout the Nation undertaking this work, this concern naturally wants to be assured of complete Government cooperation and be furnished with guaranties against possible huge losses that could well wipe out major portions of its investment.

At this time and for these reasons, I believe that Congress should be willing to go forward with a suitable insurance plan on the assumption that, if it is found wanting in any respect, procedurally or in substantive character, it can properly be revised to meet developing needs. I hope that the House will express its approval in no unmistakable terms of this necessary program.

JUNE 30 IS THE IMPORTANT ANNIVERSARY OF AMERICA'S FIRST SETTLEMENT FOR RELIGIOUS FREEDOM AND OF THE BEGINNING OF PERMANENT SETTLEMENT OF OUR LAND

Mr. BENNETT of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT of Florida. Mr. Speaker, 3 days from now, we Americans will celebrate our most important anniversary, the Fourth of July. Millions of us will be flying that day our beautiful American flag in commemoration of July 4, 1776. It is a fitting way for us to pay tribute to the courage and vision of those who established our independence and created our Nation.

Yesterday, a flag was flown over the Capitol of the United States which will, before this year is out, fly over a land in our beloved America where the roots of our people first became established 393 years ago on June 30, 1564.

The greatest historical coincidence of all time was the contemporaneousness of the religious revolutions of the 15th and 16th centuries with the discovery of America. Thus when the minds of men vigorously sought freedom a new land was discovered for their settlement and use. Almost 200 years later our Nation was born. Roughly our people have had 400 years of history in America the first 2 centuries of it in colonies and the second 2 centuries in independence.

It would seem fittting to me if America gave more adequate consideration and honor to the courage and vision of the early colonists who were inspired by the highest of ideals and came here to establish an area in which freedom would give the opportunity for adequate individual and collective development.

So, I would suggest that it would be appropriate for us in America to commemorate not only July 4, as the founding of our Nation, but also 5 days before that date, June 30, the date on which our first permanent foundations in this country were established. On June 29, 1564 there were no Europeans living in what is now the United States, but since that time, there have never failed to be such populations in our land. On June 30, 1564 the Fort Caroline settlement was founded. The Fort Caroline settlement of 1564 was predominantly French Protestant, but included Catholics and a number of European nationalities besides French. The settlement was inspired by the desire to be free from the religious and political oppressions of Europe. The existence of this colony required Spain to establish St. Augustine, which is today the oldest continuously occupied city in our land. It was also a part of the inspiration to the English in settling Roanoke and later Jamestown. The leader of this French colony, Rene Laudonniere, described the events of June 30, 1564, in the following language:

I commanded a trumpet to be sounded, that being assembled, we might give thanks to God for our favorable and happy arrival. Then we sang a psalm of thanksgiving to God, beseeching Him that it would please Him of his grace to continue His accustomed goodness toward us his poor servants, and aid us in our enterprise that all might turn to His glory.

Afterward having measured out a piece of ground in the form of a triangle, we all exerted ourselves, some to bring earth, some to cut fagots, and others to raise and make the rampart, for there was not a man that had not either a shovel, cutting hook, or hatchet, as well to clear the ground by cutting down the trees, as for building of the fort, which we did hasten in such cheerfulness that within a few days the effect of our diligence was apparent.

For those who are interested in the earlier but unsuccessful efforts at settlement in our country, a brief review of these earlier events may be of interest.

In 1514 Juan Ponce de Leon secured a patent to colonize Florida and Bimini, which he had explored in the previous year. In 1521 he led a colony of 200 men to the peninsula, landed on the west coast, and tried to establish a settlement. But he was attacked by natives and driven back to Cuba, mortally wounded.

To carry out a contract to colonize Chicora, Allyon sailed from Espanola in July 1526 with six vessels and a colony of 500 men and women, Dominican friars, and supplies, prepared to find a new home in Carolina. But the experiment was doomed to be another failure. Landing was first made on the river called Jordan, perhaps Cape Fear River. On another stream, perhaps the Peedee, the settlement of San Miguel de Gualdape was begun. But supplies gave out, Ayllon died in October 1528, quarrels ensued, and in midwinter the only survivors, about 150 souls, returned to Santo Domingo.

In 1526 Panfilo de Narvaez secured a patent. He raised a colony of 600 persons in Spain in 1528 and reached Florida, landing near Tampa Bay. He proceeded to a place near modern Tallahassee, built boats, traveled along the coast past the mouth of the Mississippi, and was wrecked on the coast of Texas. In a short time most of the survivors of the party died of disease, starvation, and exposure, or at the hands of the Indians. Having passed nearly 6 years of slavery among the Indians, four survivors reached the west coast of Mexico, having traveled across the present State of Texas.

In 1539 De Soto reached Florida with a colony of 600 persons. Landing at Tampa Bay, he soon set out to look for a rich province called Cale. This was the beginning of an expedition lasting 4 years, during which the Spaniards passed Pensacola Bay, the Savannah River, the North Carolina piedmont, Mobile Bay, the Mississippi near modern Memphis, across Arkansas into Oklahoma, thence down the Arkansas River to its mouth, where De Soto died, in May 1542. De Soto's followers crossed Arkansas to the Red River, then turning southwest through eastern Texas, perhaps reaching the Brazos River. Returning to the Mississippi, they built a fleet of boats, descended the river, and skirted the Texas coast, reaching Panuco on the Mexican coast in 1543. Thus ended the fourth attempt to colonize Florida.

Fray Luis Cancer, with a royal license and a plan to subdue Florida by peaceful methods, equipped a vessel at Vera Cruz and with a few companions went in 1549 to Florida to convert the natives. He was murdered, however, and his companions returned.

An expedition of 13 vessels and 1,500 soldiers and colonists landed at Pensacola Bay in 1559 and 3 vessels were sent on to Santa Elena—Parris Island, S. C.—but the latter were storm driven and returned to Veracruz. Establishing a garrison at Pensacola—Ichuse—this expedition moved about a thousand colonists inland to Nanipacna on the Alabama River. In 1560 the colony returned to Pensacola and in the following year most of the colony went to Santa Elena, but failed to make a settlement, and the Pensacola garrison was soon withdrawn.

In view of these repeated disasters, Philip II declared in 1561 that for the present no further attempt would be made to colonize Florida. However, the French colony at Fort Caroline called for renewed effort. Menendez founded St. Augustine in 1565 and after subduing the French, he garrisoned Fort Caroline, having renamed it San Mateo.

I believe that when we think about our Founding Fathers here in America, we should not only give honor and praise to those who achieved our independence in 1776. We should also honor and praise those who, centuries before, had the courage and vision to come to our shores in their quest for freedom and those who had the determination and perseverance to keep alive and to forward the spirit of freedom and liberty in our land. These of our earliest fathers made possible what happened two centuries later when we achieved our independence. So, June 30 should take its place among our important American anniversaries; and, as on July 4, our American flag should be displayed on this date as a fitting tribute to our early forefathers and their ideals.

MINORITY LEADER OF THE HOUSE MADE GOOD TV APPEARANCE BUT MISLED PUBLIC ON ADMINISTRATION'S TIGHT-MONEY POLICY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, yesterday I had the privilege of seeing the distinguished minority leader, the gentleman from Massachusetts, Hon. JOSEPH MARTIN, in an appearance on television. I am sure that many of the other Members had this privilege too. It is always educational to listen to the distinguished minority leader, and as always, the gentleman makes a fine appearance on television as he does in this Chamber. On the whole, the gentleman is to be congratulated on his appearance.

On one important point, however, I believe that the distinguished minority leader, in response to a question, gave a hasty and ill-considered reply which unfortunately will have the effect of misleading the public about an important policy.

The question put to the gentleman from Massachusetts concerned the tight money policy. His answer was to the effect that the present tight money conditions have been brought about by the Federal Reserve System, and that the Federal Reserve System is an independent agency, and thereby indicated it was divorced from any control or influence by the administration or by the Congress. The gentleman from Massachusetts further added that President Eisenhower had been able to appoint only two members of the present Board of Governors of the Federal Reserve System. These statements would leave the impression, I think, that tight money is a policy which has been arrived at completely and separate and apart from any policy determined by the administration. And, indeed, the President, since he has appointed only 2 of the 7 man board, would be unable to reverse the policy, if he should care to do so.

I realize that hasty remarks are frequently made in the heat of debate and in response to questions without the speaker intending to convey the impression which such remarks do convey. In this instance, however, the distinguished gentleman's unfortunate remarks have left the wrong impression to a serious degree. And, indeed, these remarks tend to disassociate the administration with responsibility for a policy which the retiring Secretary of the Treasury, Mr. Humphrey, has at various times taken full credit for in public statements. I believe that the distinguished minority leader should, and will wish to make another public statement amplifying and correcting the misleading impression of his remarks.

On the question of the President's appointments to the Board of Governors, the President, in effect, has 4 members on the Board of 7. President Eisenhower has appointed Mr. Martin for a 14-year term and has also appointed him Chairman of the Board; he has also appointed Mr. Balderson, Vice Chairman of the Board, and Mr. Shepardson, a member of the Board. In addition, Mr. Mills of Oregon, a member of the Board of Governors appointed by President Truman, is a Republican so the President has four members of the Board of Governors. Mr. Martin, the chairman, was selected by the Secretary of the Treasury, Mr. Humphrey.

Mr. MARTIN should also correct the impression that Congress is unable to reverse the hard-money, high-interest policy. Perhaps without intending to do so, he left the definite impression that neither the administration nor Congress could do anything about the hard-money, high-interest policy and that the matter was left entirely to the Federal Reserve which cannot be influenced or controlled in any way.

THE PRESENT NEED TO CREATE A FOREIGN SERVICE ACADEMY

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, since World War II the United States has become the leader of the Free World. To strengthen this position we have created and financed worldwide programs of mutual security, economic and technical assistance, and intellectual cooperation. During this time our defense spending has been higher than in any other previous peacetime period. Billions of dollars have been spent to expand our research and development program as well as our system of defense. Under this expanding international responsibility, however, very little has been done to remodel and develop our program of education for Foreign Service personnel. America's investments abroad are high, our policy circles the globe, our Foreign Service Corps "is our shock troops in the front-line of diplomacy abroad." We must make them our best qualified representatives. Recent world events in my opinion, make it mandatory for the Congress to give serious consideration to the many legislative proposals to create a United States Foreign Service Academy to strengthen America's world leadership.

My bill, H. R. 4220, would create a United States Foreign Service Academy for the instruction and training of diplomatic cadets to prepare them for service as officers in the Foreign Service of the United States. The institution's course of instruction would be equivalent to the curriculum of accredited colleges and universities in this country. Particular emphasis, however, would be placed on the study of the history, culture, customs, folklore, and language or languages of the nations in which the diplomatic cadets may elect to serve. Such a Foreign Service Academy would also provide the valuable firsthand experience of study in the field.

The proposal provides for selection of diplomatic cadets through competitive entrance examinations and a stipend for quarters and subsistence for the duration of the course.

Our Foreign Service officers must be recruited from among the best, most capable youth in this country. America must have a stable, progressive, dynamic Foreign Service training program which offers a challenge for opportunity and advancement to new recruits from all over the United States. Such a program must provide an intellectual challenge to the youth of America in order to stimulate more interest in Foreign Service careers. The plan for a United States Foreign Service Academy would help to increase the efficiency of the recruiting procedures for our Foreign Service corps. We need to improve the method of recruitment and the training for the United States Foreign Service in order to attract more gifted, capable and devoted people to the Service. In addition to accomplishing this end a corps of Foreign Service cadets selected by competitive examination from all over the country would help to develop a staff of diplomatic officers who would reflect the national characteristics of the American people. As a representative democracy, America must be represented officially abroad by all of the people in our population.

The current tensions of international relations require the United States to prepare its Foreign Service personnel for the most effective kind of service possible. This country must be represented abroad by well-trained Foreign Service officers because we depend on these people not only to serve the United States Government, but to explain our ideals and our ideas. Because our Foreign Service officers are the Nation's first line of defense abroad, their education and training is of paramount importance to this country's future world leadership. To best represent the United States our Foreign Service officers require an educational background considerably broader than what is afforded by the normal undergraduate training. A successful representative of our country should be not only better educated than the average university training affords with respect to the world outside the United States, but he should have also an exceptional understanding of his own country. He should be better equipped than the average college graduate in all those things which contribute to his ability to observe and interpret a foreign environment, in the things that appeal to the eye and ear, architecture, applied arts, industrial processes, methods of agriculture in all those things, in other words, that make up the outward expressions of custom, tradition, and belief. The Foreign Service officer should have sufficient experience with real scholarship, in the genuine academic sense, to understand at least the meaning of that concept, and to distinguish an unscholarly and unsound bit of intellectual work from a scholarly and sound one.

Training and preparation for the United States Foreign Service deserves as much interest, financial backing, and support as the Nation affords for the preparation of its officers in the various armed services. As I have tried to broadly outline to you, the education of a Foreign Service officer requires a good educational background, a knowledge of a modern foreign language, certain cultural interests, a knowledge of various systems of government, some acquaintance with the basic principle of economic theory, some knowledge of geography, and the ability to present ideas in an orderly fashion. Students preparing for a career in the Foreign Service must have the benefit of being taught by Foreign Service officers who have had years of experience in the Foreign Service of the United States. Men who understand the particular problems and cultural patterns of the areas in which they have lived and worked for the United States Government. It is as important for a future career diplomat to have this background of practical education during his training period as it is for the West Point cadets, Annapolis middies, and Air

Force cadets to be trained in the techniques and strategy of modern warfare by experienced military officers.

It is as important for the United States Government to spend money on the proper education of its Foreign Service officers, as it is important that we train for the Coast Guard and the other armed services. Our Foreign Service officers are among the first who are called upon to explain and defend this Nation's struggle to maintain the freedom throughout the world.

The extreme importance of providing for a well-trained United States Foreign Service corps, in contrast to the specialized training programs for the officer corps of our armed services, was highlighted by the editor of one of America's most widely read, popular magazines when he wrote:

> The United States Navy assigns young officers in various countries with no other job than learn the language. There are few comparable opportunities for members of the Foreign Service. * * * Do the American people seriously believe that dropping bombs on foreigners requires more knowledge of their language than does the negotiation with them?[1]

The vital role of our Foreign Service officers was compared also to the role of the military service by President Eisenhower, who respects the importance of both services in a divided world. The President said:

> The soldier can no longer regain a peace that is usable to the world. * * * If there is any organization that should have the highest morale based on the importance of its work, it is the Foreign Service and the State Department.

The proposals for the creation of a United States Foreign Service Academy, in my opinion, would help to develop more effective personnel for America's Foreign Service. At no other time in our history have we needed so many well-trained, capable representative American Foreign Service officers.

Dr. Henry M. Wriston, the renowned authority on international relations, in his recent book, Diplomacy in a Democracy, emphasized the urgent need for effective United States Foreign Service personnel when he declared that:

> No one who understands the temper of the world or the interests of the United States would fail to do everything reasonable to relieve tension with the Soviets. But he would be blind not to see that every success in easing that pressure creates new problems in keeping the Atlantic alliance strong. The task of the diplomat is simultaneously to hold friends together and keep the potential enemy at bay. His left hand works against his right hand. If he does not reduce tensions he is hostile to peace; if he relieves strain the strength of the alliance is correspondingly endangered. The path of diplomacy in these circumstances is narrow indeed; nonetheless it has become of critical importance. The diplomat must expound and explain; he must report and interpret; he must negotiate. Whatever is necessary to keep the peace and protect the national interest must be channeled through him. No longer is his significance largely ceremonial, or his labors peripheral. He can make or break the peace.[2]

The problems of world affairs cannot wait forever for the United States, at regular intervals, to patiently study the needs of the Foreign Service. There are vital issues at stake because the free world looks to us for intelligent, understanding leadership. This is directly connected with the quality of the educational background and experience of our Foreign Service officers. The survival of the American way of life in the world is dependent upon it. Through a specialized Foreign Service Academy education program, created by experienced educators, and experienced diplomats, we would strengthen our chances of establishing a growing, efficiently functioning foreign policy program.

The changing aspects of America's conduct of public business overseas demands congressional attention, study, and action. This need was highlighted recently by the American assembly in its background study of the representation of the United States abroad, which stated that:

> One of the vital problems facing American policymakers, and crying for comprehension by the American public, is the conduct of our overseas public business. The events of this century have thrust America into a position of deep involvement in the political, economic, social, and military developments in nations and areas all over the globe. This involvement is unprecedentedly broad in scope, costly in resources, perplexing as to policy, and complicated in administration. Yet it is no exaggeration to say that the successful handling of the issues flowing from it is crucial to the very survival of America and to the Western way of life. Nor is the weight of this burden likely to decline substantially in the foreseeable future. Even assuming the possibility of avoiding large-scale military conflict, the rising crescendo of competition with totalitarianism for the effective political and economic mobilization of vast populations and resources poses the most direct challenge to the energy, strength, and capacity for leadership of the American people.
>
> We cannot withdraw from this contest. With the help of our allies, and with the imaginative use of the many advantages which lie with us, we can prevail. But we can do so only if we fully recognize the magnitude of the task, accept the long-range burden it lays upon us, take the necessary policy decisions, and strengthen the administrative structure and processes necessary to carry them out.[3]

The United States must establish a vigorous, creative Foreign Service training program which is competent to strengthen America's increasingly responsible role in world affairs. The establishment of a Foreign Service academy deserves the study and attention of the Congress. A properly organized, well-staffed Foreign Service academy would provide a steady stream of recruits into the junior rank of the Service; it would provide the opportunity for qualified young people of limited means to receive the education and training necessary to prepare for the Service; and it would assure a curriculum adequately tailored to provide an education suitable to the urgent needs of the Service.

[1] Saturday Evening Post, Aug. 6, 1955, p. 10.

[2] Wriston, Henry, Diplomacy in a Democracy, New York, Harpers, November 1956, p. 15.

[3] The American Assembly (Columbia University), background papers for conference held May 3–6, 1956, pp. 1–2.

IN SUPPORT OF SECRETARY OF STATE DULLES' SPEECH ON RED CHINA

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, Secretary Dulles has done a service to our Nation and to free peoples everywhere by bluntly stating the many reasons why Red China should not be admitted to the society of respectable nations.

Red China, the Secretary said, came to power not by the will of the Chinese people but by violence. Violence is still its policy. It warred against the United Nations in Korea and has broken the armistice terms there and in Vietnam.

Its announced intention is to expand by force. Trading with Red China means building up an industrial machine to support conquests dangerous to us and the whole Free World.

The Secretary was extremely frank in pointing out that those nations which have recognized Red China have not changed her aggressive policies one iota. He might have added that the Red Chinese have never sent an ambassador to Great Britain, the first nation to recognize them years ago.

We must all agree with the Secretary that it is against the interest of free men everywhere to deal with people who have, by their continued actions, demonstrated that they cannot be trusted.

Mr. Speaker, as part of my remarks I am including an editorial which appeared in the Sunday Star, June 30, 1957:

THUMBS DOWN ON PEIPING

In his San Francisco address to the Lions International, Secretary Dulles has cogently explained why the United States is firmly resolved—under present conditions—not to extend diplomatic recognition to Red China or engage in trade or cultural relations with it.

The reasons for this thumbs-down policy are both obvious and compelling. To begin with, as shown particularly in Korea, and in places like Indochina, the Chinese Communists are still stigmatized with a black record of subversion, armed aggression, and flagrant violation of their armistice pledges. In addition, while abusing our nationals and continuing to carry out a bitter campaign of hate-American propaganda, they persist in evading our country's proposal for a reciprocal renunciation of force. Indeed, far from welcoming such a peace-promoting idea, they have frankly declared that they will resort to military action to seize Formosa if they cannot get it in some other way.

In these circumstances, especially since their venom has been directed principally at us, we can hardly establish diplomatic relations with the Chinese Communists without doing serious damage to ourselves as a self-respecting nation. And by the same token, as Mr. Dulles has said, it is virtually certain that such recognition would have a tremendously perplexing and discouraging psychological effect on great numbers of people in mainland China who are bitterly opposed to the Peiping tyranny. Moreover, it would deeply confuse and depress the Formosa Nationalists and all those countries and governments of free Asia that look to us for leadership in holding the line against further Red subversion and aggression.

All this argues powerfully for the view that our policy regarding Red China, in the situation now prevailing, must be based on the proposition that neither recognition, trade nor cultural relations, or all three, would be wise. On the contrary, in Mr. Dulles' judgment, such action would be dangerous folly, and our Government must therefore stand firm against it. But for how long? Is our American position to be everlastingly negative toward Peiping? The Secretary has answered by saying that the United States will shift to a more affirmative line when, as and if the Chinese Communists change for the better, and he was voiced the hope—perhaps too optimistically—that their rule will be impermanent and relatively shortlived.

In any event, never is not a realistic or commonsense word in international affairs, and Mr. Dulles has been careful not to use it in ruling out early American recognition of Red China. For the process of change is always so much at work in the world that nobody can tell today what effect it will have upon policies tomorrow. Four or five years from now, or possibly even sooner, we may well find it highly desirable to have good relations with Peiping—even if it is still Communist, as it is likely to be.

Mr. VORYS. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield.

Mr. VORYS. I wish to join the gentleman in the fine statement that he has made.

Mr. SMITH of Wisconsin. I thank the gentleman.

THE GEOPHYSICAL YEAR, EARTH SATELLITE, AND REDSTONE ARSENAL

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, at 8 o'clock last evening, Washington time, the universally heralded and long-awaited 1957–58 International Geophysical Year finally arrived. For the next 18 months, the world we inhabit will get perhaps the most extensive scientific examination in all history. At least 66 nations are participating in this International Geophysical Year and their leading scientists have spent years in preparation.

By working as a team and exchanging research data, scientists hope to solve some of the age-old riddles of the universe and possibly a few of the phenomena and mysteries of life on earth. In an undertaking of this type, full cooperation between all the participants is essential for any degree of success.

The United States main contribution to the geophysical year studies is to be the launching of an earth satellite, or perhaps a number of these small man-made moons. This satellite, our scientists tell us, will circle the earth at some 18,000 miles an hour. Tiny instruments on board will record certain scientific data and radio it back to earth. This information promises to be of inestimable value in designing later models which may someday carry humans. When the first earth satellite is fired and it assumes its orbit, the age of space will have begun.

Naturally, I hope that the United States is able to launch its satellite on schedule. It will be visible to people all over the world as it circles and recircles the earth. As a world leader, our Nation will suffer no diplomatic loss by sending up the first manmade moon. On the contrary, if we bungle the satellite project and especially if we let some other nation beat us to the launching, the United States stands to lose face all over the world.

The development of our Nation's satellite has been entrusted to the Department of the Navy. As far as we know, this project is on schedule although we have been given no date as to when the Navy expects to launch the satellite. We do know that Russia is rushing the development of its own space moon. They, of course, would like nothing better than to launch one of their satellites before we can get ours off. In this instance, the world prestige of the United States is in the balance.

Other than the propaganda value, a satellite will serve little practical use without carrying the proper scientific instruments to capture and transmit to earth the cosmic data in its orbit. The Navy tells us that it is the intricacies of these instruments which is now holding up the project, rather than the development of a suitable rocket to transport the satellite out into space.

However, we do not know that the Navy has the rocket to do it. Their scientists have not had much experience in long-range rockets but they have not asked for any held from the other services. While the Navy has been silent about its prospects for coming up with a suitable rocket, there have been persistent yet unofficial reports that such a rocket is already designed, if not in actual existence.

It is time, in my opinion, that the Department of Defense give more adequate consideration to using Army rockets developed at Redstone Arsenal to successfully launch the earth satellite.

There is no doubt that Redstone Arsenal's rocket research team is the greatest and most successful outside the Iron Curtain. They have just perfected our Nation's only intermediate range ballistic missile, the Jupiter. It has the longest range of any missile we have yet been able to develop. From Redstone recently have leaked repeated reports that its scientists have a rocket capable of launching the earth satellite.

In my judgment, the Department of Defense may be missing out by not utilizing Redstone in the satellite project. Of course, when the Department of Defense misses the boat in the case of the earth satellite, so does the United States. It certainly appears that there should be more cooperation between the services, especially since unification has taken place, at least on paper.

If it is a fact that Redstone Arsenal has a rocket capable of delivering the earth satellite on its space orbit, I see no valid reason for the Department of Defense to delay until such time as the Navy is able to come up with a satisfactory rocket.

Mr. Speaker, it is of the utmost importance to our Nation that there be real unification of, and cooperation between, our own armed services, just as there is between all the scientists participating in this international geophysical year.

INFLATION

Mr. HIESTAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HIESTAND. Mr. Speaker, war, famine, pestilence, and inflation have been mankind's greatest scourges. Today, through scientific and diplomatic progress, we have succeeded in reducing the chances of war, famine, and pestilence. But the danger of inflation—severe inflation—is still with us, and it is real.

In my judgment the greatest danger to our country—greater than the threat of Russian aggression or atomic fallout—is inflation. It is a stark tragedy that many millions of people face. The pathetic part is that so few people realize this threat. Seemingly they think, "It can't happen here."

Inflation was checked and the cost of living held almost even for the years 1953, 1954, and 1955, but 1956 showed nearly a 3-percent increase, and the latest available figure increases the cost of living by another 1½ percent.

Too few people realize the basic cause of inflation and the fact that Congress itself, the representatives of the people and their voice, is responsible for it over the years. The basic cause of inflation is Federal spending, and increased Federal spending means increased inflation.

Generally, three types of spending are especially vicious: Federal aid to States and communities, because it forces the States and communities to do excess spending without adding anything to the marketable supply of goods and services; defense spending, because it creates new money without adding anything to the supply of marketable goods, and, third, foreign aid, because, although most of the money is spent here in America, the products go overseas and add nothing to American supply but merely increase demand for marketable goods.

It is the third type of spending—foreign-aid spending—that concerns us here.

Foreign aid is the second largest single item in the Federal budget. Between July 1945 and December 1956, American taxpayers contributed $58 billion to various foreign-aid programs, and there are no indications that the policy ever will be curtailed. Estimates for the year ahead vary between $3 billion and $4 billion and there is well over $6 billion in unexpended balances from previous appropriations.

Yet, despite these staggering figures, there is no major program conducted by the Federal Government about which Congress knows less. Foreign aid has become a supercolossal, supersecret mystery compounded each year by more bigness, more bureaucracy and more bungling. Committees of Congress are thwarted in their attempts to get the real facts behind the foreign-aid program. Specifics do not exist.

Congress is requested, and almost required, to make annual appropriations which total 5 percent of the entire Federal budget, without sufficient data on which to judge whether it is acting wisely, foolishly, recklessly, or aimlessly. What for? What is happening to the authority of Congress to decide where and how the Nation's tax dollars shall be spent?

These questions have troubled many Members of the Senate. Last year, in an effort to resolve their doubts, Senators voted to create a Special Committee To Study the Foreign Aid Program. This special group spent almost a year in intensive study. It brought in unanimous recommendations for correcting the weaknesses, the fallacies, and the dangers. Yet the legislation upon which Congress is being asked to act this session pays only lipservice to the committee's recommendations.

Some new, more powerful committee is obviously needed so that every facet of the foreign-aid program may be patent to the Congress which controls it. Today I am introducing a resolution intended to establish such a committee. It would be a joint congressional committee to be known as the Joint Committee on Foreign Aid.

The committee would be composed of some of the most powerful men in Congress. It would be their duty to learn why the authority of Congress to vote with full knowledge of the subject upon which they are voting, has been thwarted. That would be the first job of the committee. More specifically, however, the committee would conduct a detailed study and evaluation of the policies and operations of our foreign-aid programs—past and present—to learn what they are all about and how they can be improved.

Congress must do this to clarify the objectives which foreign aid is supposed to obtain. Apparently there is no consistent aim of foreign aid beyond self-perpetuation. I have read and studied many available documents on foreign aid. Statements of the basic, overall purpose and goals of foreign aid are strangely lacking. We run upon the following in the Senate bill for this year:

> The Congress of the United States recognizes that the progress of free peoples in their efforts to further their economic development, and thus to strengthen their freedom, is important to the security and general welfare of the United States. The Congress further recognizes the necessity in some cases of assistance to such peoples if they are to succeed in these efforts. The Congress accordingly reaffirms that it is the policy of the United States, and declares it to be the purpose of this title, to assist, on a basis of selp-help and mutual cooperation, the efforts of free peoples to develop their economic resources and to increase their productive capabilities.

This is intended to state a purpose. But it is so broad, so general, that almost any policy is permissible in carrying it out. Another purpose of my resolution would be to spell out a policy which would achieve the objectives stated above, while maintaining maximum economy and efficiency in all parts of the program.

Maximum economy and efficiency would not be served by continuing to appropriate new moneys while unexpended balances from previous appropriations pile up. This is the situation this year, as more than $6.3 billion remains in unexpended balances while we are being asked to appropriate $3 billion or $4 billion more.

Certainly the amount now remaining in unexpended balances is sufficient to carry over the program for another year in those places where we have a clear moral responsibility and strategic defense interest, while we conduct a critical examination of the entire program to determine whether new funds are required for additional years.

No blank check should be voted by Congress while $6.3 billion remains unexpended, and the necessity for finding out why so much remains unexpended is incumbent upon all of us in Congress.

Indications are that we may be asked to extend the revolving loan fund for 2 years. It is just this type of blank check extension that creates so much confusion about foreign aid. Where the program has been successful should be obvious under a searching examination by committee. Where it has failed should be equally obvious. In many cases improvements and savings could be carried out. These, too, should be clear to Congress without its having to vote full authority to the executive branch to spend blindly on nebulous good-will projects, many of which apparently do more harm than good.

In urging the creation of a special committee, I repeat the necessity for some congressional action to check inflation. Certainly a program that consumes 1 percent of our gross national product, and 5 percent of our entire Federal budget, adds to the inflation inasmuch as it returns no goods or services to the American people.

Even if all the highest motives of foreign aid were served by the present program, we still face the inflation factor, which, I repeat, is the most serious threat that our country faces.

NATIONAL SCHOOL LUNCH ACT

Mr. COAD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. COAD. Mr. Speaker, today I have introduced a bill to amend the National School Lunch Act, to increase the minimum protein requirements for lunches provided under that act. This bill would increase by one ounce the minimum protein requirements for the school lunch program, which would undeniably be beneficial to the many thousands of youngsters participating in this program throughout the United States. But, more than that, this bill would provide a substantial stimulation to the farmer by providing better markets; for the food trades by increasing sales operations; the consumer by insuring the best possible value for food expenditures; and for the Nation by promoting efficient use of our abundant food production.

The present law provides a minimum nutritional requirement of not less than 2 ounces of protein for the most popular type of school lunch. During the 1956–57 school year, there were approximately 1.8 billion meals served to school youngsters through this program. An increase of 1 ounce of protein food per meal would expand beneficial consumptive uses of lean meat, fish, poultry, and cheese in the amount of over 56,000 tons per year. I believe that early consideration and adoption of this measure would be a step in the right direction in increasing beneficial and consumptive uses of our bountiful harvest. I further believe that there are other areas wherein, with imagination, ingenuity, and concerted effort, it is possible to obtain a greater distribution and thus a greater beneficial use of our food surpluses. This program has increased in popularity with each year of operation. The school lunch program is providing in many instances the best and main meal of participating youngsters. I feel that this bill deserves the support of every Member of Congress.

TESTING OF ATOMIC WEAPONS

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. COLE] is recognized for 30 minutes.

Mr. COLE. Mr. Speaker, at Alamogordo, a very few in our Military Establishment observed the potential use of nuclear energy in waging warfare; at Hiroshima and Nagasaki all of the military and the entire world learned of this new force of tremendous military importance. The natural and inevitable consequence has been that greater and ever greater emphasis is being placed on atomic weapons by all major powers. The hydrogen bomb has only served to accentuate this revolution in concepts of warfare brought about by nuclear weapons. With progressively greater emphasis being placed on atomic weapons there has been a relatively lessening

of our effort to develop and expand the conventional methods of warfare. This, too, is natural and understandable because each dollar of defense expenditure for nuclear weapons produces a military posture millions of times more forcible than if that expenditure were for conventional weapons.

All this has transpired under the plans and program of our professional Military Establishment. The time has come, I think, for those having civilian responsibility in the military field to give a close but objective examination of the political implications of our increasing reliance upon an atomic arsenal. In our examination we must consider not only our own national security, but also the preservation of international stability throughout the world. No doubt considerable thought has been given by some in the military department to these political implications, but there appears to be no evidence of their having reached any conclusion. In fact some charge that on the contrary there appears to be considerable confusion of thought on the relation of atomic weapons and international politics within the Military Establishment. I have undertaken this discussion today to attempt some clarification of this confusion.

Within the last 6 months a great change has occurred in power relationships of the world. After Hiroshima, there was no doubt in the mind of any person, even the Soviets, that the United States held unquestioned and exclusive nuclear superiority. This nuclear capability was the shield which seemed to have slowed if not halted the expansion of Russia immediately after World War II, and which has been the strong defense of the Free World since that time.

Today with the advent of apparent Russian deliverable nuclear weapons and delivery capability, the shield is beginning to tarnish and we can no longer continue to rely completely with safety upon it. This great change carries portentous meaning for us and for the Free World. We and the world have not realized nor have we thought through the full implications of this change. Today all of us are nervously seeking an answer. It is this nervousness and uncertainty pervading both our military and our national life that is creating the nuclear military confusion and resultant lack of well-defined military purpose.

The Soviets have a nuclear capability; this we know. But we do not know the extent of that nuclear weapons capability. We have only the evidence of their detected atomic tests. However, there are other factors which can tell much of U. S. S. R. nuclear progress. The International Conference on Atomic Energy at Geneva in 1955 showed surprising advances by the Soviets in other than military uses of atomic energy. Testimony before committees of the Congress indicates an increasing capability by the Soviets to deliver weapons either by aircraft or guided and ballistic missiles. These help our assessment. But still none of us can determine with certainty the balance between the two great nuclear powers. This in itself is not necessarily bad. The very fact of uncertainty restrains both nations from attacking each other for reasons of self-interest if not for moral considerations. And, so long as both sides continue to believe that either can destroy the other, no matter which strikes first, there is a nuclear stalemate so far as a major war is concerned. Thus appears the world situation today.

What could bring nuclear war? I believe that neither side is likely to initiate a major war until and unless it believes in desperation that its national security is at stake. And national security is automatically at stake when either strikes first since there is no reliable assurance that retaliation will not be unacceptably destructive. Look at the situation from the Russian viewpoint. To the Russian Politburo what objective is worth the possible or probable loss of 50 or 100 or 150 million Russian lives in return for similar numbers of American casualties and the probable destruction of the cities and industries of both nations? Conversely, what conceivable circumstances would persuade the President, who alone under the law has authority to determine when to use nuclear weapons, to push the button which might bring similar consequences of retaliation upon American people and cities? In my view there are very very few such circumstances and very few conditions wherein either country would regard the threat adequate to justify the use of nuclear weapons. Certainly Korea was not of such importance; probably, stability in the Middle East is not sufficient to justify a nuclear attack on the homeland of the enemy. In fact, it is doubtful that even stability in Europe is of such importance. I categorically believe that no President would initiate an atomic assault on the Soviets or even that the Soviets would initiate an attack on us each knowing that such a big step would be the open invitation to national ruination.

Thus nuclear weapons have apparently reversed a trend of the last century in which limited or small wars have tended to grow into big ones. Undoubtedly there will continue to be small or limited wars in various parts of the world, but because of this atomic weapons stalemate these are most unlikely to ever develop into a major war. Two conclusions can be drawn from this thinking: First, there is little chance that opposition to aggression in any part of the world would lead either Russia or the United States to initiate an all-out war no matter what weapons have been used in resisting that aggression; second, nuclear weapons may be used in small and limited military engagements without those same weapons being applied to an all-out war.

Thus, we must strike a balance in our national military posture. On one hand we must retain this nuclear stalemate. To lose it would mean our probable destruction or eventual reduction to impotence by threat from the Soviets. On the other hand we must be prepared for the small war while deterring the big one.

If we can maintain this nuclear stalemate, the Soviets must pursue the only course remaining to them in their announced goal of world conquest. It is the one in which they have proved skillful in the past—limited aggression in various areas of the world where open aggression is deemed more profitable than their usual methods of infiltration, subversion and clandestine operation. To meet this situation we need capability for both all out and limited military action. Capability involving the strategic air command, missiles, submarines, fast seaplanes with atomic weapons, or any other future tools of warfare. All these are essential for our survival and we must have them. But to maintain such capability is difficult and costly, particularly as we stagger under a defense burden of approximately $40 billion annually. As the cost of armaments increases there inevitably will be pressure to fight the easy and cheapest way. This reaction is likely to reduce conventional forces and place ever greater emphasis on atomic weapons for all aggression either limited or major. It is this very significant and understandable trend which creates our military-political nervousness and which must be resolved.

What then will be our military requirements if we are to continue our role of defender of the Free World and resist by military action the open aggression which might occur in the world? We will need flexible discriminating weapons which can be applied to military objectives without unintended effects upon nearby civil populations or free forces. Not only do we need the weapons but we must have the determination to use these weapons wherever appropriate. To have these tools and the determination to use them, we must take appropriate action now.

It is my purpose to point out what I believe this action should be. Conventional forces are essential for there are many instances in which atomic weapons no matter how flexible, small or clean, will not be suitable. For example, operations in which enemy concentrations either of facilities or men cannot be formed or found would make the use of any atomic weapon both extravagant and useless; conventional weapons would be adequate.

We then require forces with dual capability in either conventional or atomic weapons as conditions may dictate. But all forces cannot have this dual capability for many years to come because of the great costs. What is needed is a gradual buildup and development of a flexible atomic capability. Thereby we can build slowly and rationally upon our knowledge of conventional weapons so that we will have both the understanding and the capability of using the right weapons in each situation.

In reaching a decision with regard to the increasing of our atomic capability to meet any unforeseen situation, it is important for us to give some consideration to the widespread belief throughout the world that the atomic weapon is wanton, indiscriminate, and inhumane. It is generally believed to be a horror weapon whose effects cannot be controlled and the use of which may result

in the death of thousands or millions of local civil population including even neutral or friendly forces. Because of this general conception, there is a corresponding prevailing opinion that the use of any nuclear weapon of any kind, at any place, would inevitably lead to an all-out war because of its wantonness. This may or may not be true depending upon the size and nature of the weapon used in relation to the location, size, and nature of the target. More fuel has been added to this conception through the belief that atomic bursts spew out atomic radiation—fallout—ashes of death which may be carried to the four corners of the world bringing disease, death, and destruction.

I think it most significant that Russia has constantly fed these flames of misconception regarding the ruthlessness of atomic weapons. Since Russia has a distinct manpower edge over the West, it is to her advantage to create a climate of fear of all nuclear weapons because thereby she would be free to pursue her usual methods of local aggression and fully put to use her vast superiority of manpower. It is small wonder that she has sought from the beginning to ban the atomic weapons which have so far held her in check and which are so essential to the Free World's resistance to Russia's expansion.

In the area of weapons tests Russia would like nothing better than to limit our atomic capability either by agreement or by suspension of these tests. She has been astonishingly successful in this campaign of deceit and propaganda, and if this campaign to outlaw nuclear tests and weapons were successfully continued without effective resistance, we might as well throw away our nuclear capability for resisting local aggressions because the public, even including our own, would not permit the use of atomic weapons until convinced that the issue is worth the price of probable national suicide. Few issues will ever be that important, particularly when the issues are so difficult to resolve. Thus we face a situation where we could be forced to inevitably retreat bit by bit until there is nothing left for us to defend.

To preclude our being backed away from the source of our military strength and protection, we need two things above all else. First, an aggressive and determined program to perfect "clean" weapons which will release a minimum, if any, radioactive fallout. This means without reservation that there must be no suspension or termination of atomic tests until the program of "cleanup" is completed. I must confess that during the past several months, a continuance of weapons tests without restraint or demonstrable humanitarian purpose has been more and more difficult to defend and, therefore, a matter of grave concern to me. Although the Joint Committee has been aware of considerable progress in the direction of making cleaner weapons, it was not until quite recently that the great success of these efforts was made known. We now have the unhesitating concurrence of all the most competent scientists engaged in the nuclear weapons program that their efforts could eliminate nearly 100 percent of the fallout radiation. Teller, Lawrence, Graves, Bradbury, York, and Mills all seem to agree. This being so, and certainly none of us have any basis on which to dispute the judgment of these scientists, we have but one course to follow. All humanity, decency, and conscience demand that the tests continue until the weapons can be made "clean" to the end that if and when an atomic weapon ever is used in battle, there will be no victims of innocent, distant, civil populations.

This does not imply that the disarmament discussion now in progress in London should be disrupted or modified in regard to a cessation of weapon testing. We can still agree to a cessation of all further tests except those which may be needed to prove our success in eliminating radioactive debris. This kind of limited tests can and should be done with United Nations participation.

Therefore, that we may demonstrate our good faith in continuing the tests for the purpose of making them clean, I propose that our Government extend an invitation to an appropriately qualified group of scientists designated by the United Nations, including the Russians, to attend our tests and make the necessary scientific examination of the radiation and see for themselves the success of our efforts. The scientists who vouch for the achievement of clean weapons assure me that such participation by foreign observers will not compromise our vital weapons information or national security in the slightest degree. If the United States sets the pattern for production of clean weapons, other nations should follow our example. Certainly, world opinion would soon demand that they do so.

The second element in maintaining our national nuclear shield is that we relax our security barriers sufficiently to permit a program of public education through which we can demonstrate not only to the American people but to the entire world that atomic weapons are not as wanton and indiscriminate as they are thought to be. Our experts, the scientists and the engineers are making constant progress toward reducing the size and yield of atomic weapons, making them more and more precision instruments so that only the immediate military target will be affected or destroyed. The honest objective of this program of experimentation tests and education will be that we have harnessed atomic energy to provide us with just another conventional weapon—that is, one which uses blast and heat to destroy the target but with no amount of radiation.

Atomic weapons can be discriminating and their effects can be confined to military targets when they are used to that end. Atomic weapons need not be wanton, indiscriminate, or inhuman. They can be made as precise and humane as any other weapon.

There is no such thing as a strategic or tactical atomic weapon except in the exact manner in which they may be used. It is most important that we understand and approve the use of atomic weapons so that we shall have both the weapon and the determination to use them to resist local aggressions.

It seems perfectly clear, therefore, Mr. Speaker, that any unqualified agreement to suspend the tests of atomic weapons is both ill advised, contrary to the advice of our experts, and unheeding of the voice of humanity and conscience. The world should know that our only purpose for continuing the tests is to remove the hazard which might befall innocent people if they are ever used as weapons. To prove our intention and the success of our efforts to make them clean, representatives of foreign nations should be invited to attend. Our responsibility as the leading Nation of the Free World, our position as the pioneer and leader in the atomic field, demand that we fulfill that position of responsibility and leadership by a continuance of the tests as I have indicated. Overriding all, Mr. Speaker, we must remember that the greatest strength of nuclear weapons is in their being. With nuclear weapons we can have both deterrence of the large war and winning of the small one; without nuclear weapons, we would be overrun by the hordes of Russian manpower. Nuclear weapons are the lever to apply our mental strength against Russian massed manpower.

INFLATION

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, inflation is the biggest danger facing this country today. On Monday, July 1, United States Steel boosted its price $6 a ton; the other steel companies will do the same thing—and once more the inflation balloon has been cut loose.

I was disappointed that the administration did all but put its official blessing to this steel price boost. It approved such inflationary price increases as being needed for expansion.

This is regrettable, Mr. Speaker. This will be taken as the signal for a price increase by every other major industry in this country.

And who suffers?

The greatest sufferers today are the thousands of older citizens. Those who are living on fixed incomes—who find their food, their rents or their taxes mounting. They find that monthly check buying less and less, they find the retirement they had looked forward to is now becoming a nightmare of economic worry.

And caught with them in this economic pincers—this big squeeze—are the ordinary folks, the wage earner, the postal workers, the school teacher, the minister, the farmer, the small business man—all of them are suffering from the ever-continuing inflationary spiral.

I'll admit that some people are profiting from this economic condition. The rich are getting richer—year in and year out since this administration has taken over, the rich have become richer, the poor have become poorer.

During the last 4 years the national income has gone up, but the income of small incorporated business has dropped 4.5 percent. Farmers share of the national income has dropped 36.5 percent.

Yet during this same period corporation profits have gone up 16.5 percent. And interest income is up 40 percent.

The banker, the financial entrepreneur have grown fat at the expense of the farmer, the little businessman, the retired grandmother and grandfather, and the rank and file of the American public.

The only thing that can curb this drive to enrich the rich and impoverish the lower- and middle-income group is a complete investigation of corporate profits.

The Senate Finance Committee is doing a good job as far as it goes, but we need a supplemental investigation into the spread between production costs and retail costs and into the rapidly increasing profits of the Nation's moneylenders.

Only such an investigation, Mr. Speaker, can put the brake on today's runaway inflation.

SHIPPING RATES FROM THE PORT OF BOSTON

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. LANE] is recognized for 15 minutes.

Mr. LANE. Mr. Speaker, the United States Department of Commerce reports foreign-trade gain for the port of Boston.

Total volume of 5.8 million long tons last year, a gain of 16.6 percent over 1955.

Total value of foreign-trade movement $537,200,000, a gain of 11.7 percent.

The port of Boston is making steady progress in spite of the fact that it has to work with one hand tied behind its back in the form of railroad freight rate discrimination.

Boston is fighting to end this unfair discrimination so that it may compete on an equal basis with other ports. Boston once enjoyed advantageous shipping rates because it was closer to European and African ports. In 1935, however, a differential was imposed to give southerly ports equality with Boston. This so-called equalizing process by going too far, has placed Boston at a disadvantage. In 1935, ocean rates to and from all east coast ports were equalized, but the rail rates have not been adjusted.

At the present time, railroad freight rates on import and export shipments between Boston and Midwest, are usually 2 cents per hundredweight higher than the rate between Philadelphia and such points, and 3 cents higher than the Baltimore rate. New York rates are the same as the Boston rates.

This constitutes an unjust handicap.

Recognizing this inequity, the district court overruled the Interstate Commerce Commission, and gave Boston and New York parity rates on grain from the Great Lakes via Buffalo. The Supreme Court later affirmed this decision. This was only a partial victory, as it applied to a single route and to a single commodity.

A petition for freight-rate equalization has been filed by the Port of Boston Commission, the Boston-New York railroad lines, and others.

Opinion is that the Interstate Commerce Commission has no choice but to bring all port rates down to the Baltimore level. In general, parity has been established among the gulf ports and the west coast ports. In the East, the significant grain decision points the way toward true equality.

With this handicap removed, Boston will boom.

As it is, the port is doing a remarkable job.

Total cargo movement—exclusive of intraport—during the past fiscal year was the greatest of any year in the history of the port, exclusive of World War II, reflecting a high level of economic activity in the areas served by the port, and greater appreciation in such areas of the advantages of the port. Grain movement aggregated nearly 20 million bushels as contrasted with less than 8 million bushels average of the 10 preceding years.

During the year, rehabilitation of the Hoosac Grain Elevator, including the creation of new grain drives at a total cost of approximately $425,000 was completed, substantially improving grain-handling facilities and resulting in increased revenues to the Commonwealth. The extension of transit sheds and the renovation of the water supply system at Castle Island, at a total cost of about $1,200,000 was virtually completed and the rental payable to the Commonwealth for occupancy of this terminal was substantially increased.

The rehabilitation of Army-base pier at a total cost of about $11 million and of Commonwealth pier No. 5 at a total cost of about $1,900,000 was progressing more slowly than planned, prolonging the limitation of vessel berthing and cargo-handling areas. It is presently contemplated that the work at Army-base pier will be completed in October 1957, at which time this entirely restored facility will be turned over to the Commonwealth for operation under the 1954 compact with the Federal Government. This additional facility, which will be leased to a competent and experienced terminal operator, will produce significant net revenue for the Commonwealth. The modernization of Commonwealth pier No. 5 to the extent permitted by available funds is expected to be completed late in 1957. The Commission expects to install a mechanical grain-car unloader which will materially decrease cost of grain unloading at the East Boston elevator in 1957, for the full cost of which it will be reimbursed over the life of the lease by the New York Central.

The gross operating revenue of the Commission for fiscal year 1956 increased $365,000 over the previous year, exclusive of nonrecurring items, while operating expenses increased only $11,000, with the result that net operating revenue at $637,000 represented an increase of $354,000, or more than 44 percent over the preceding year. These net revenues not only provided for payment of interest on funded debt issued by the Commonwealth for the purchase and construction of port facilities, but also a substantial part of the sums required during the fiscal year for the retirement of such debt. It must be emphasized that on a normal business accounting basis the port properties earned a substantial surplus for the year. The apparent deficit results from charging against revenues the annual amortization of bonds issued on a 20-year serial basis to create facilities with a life of more than 50 years. So that the debt is being retired much more rapidly than the facilities created by such debt are depreciating.

The Commonwealth has devoted very large sums of money since World War II to the repair, improvement, and reconstruction of the port, and, with relatively minor exceptions, all of the pier facilities have been constructed or substantially rebuilt since 1946 and again, with relatively minor exceptions, are modern, in excellent condition, and provide efficient facilities for cargo handling.

Much of Boston's present oil-storage facilities is situated in the vicinity of Chelsea. This is an important arm of Boston Harbor. The $550,000 allocated by the Federal Government to deepen the Mystic River Channel will help greatly in accommodating the larger oil tankers.

It is estimated by some that the volume of transatlantic travel by sea, within 10 or 20 years, will increase to the point where New York will be unable to handle it. Boston would then enjoy an advantage that should prove attractive to steamship companies, because Boston is half a day nearer to Europe, as compared with New York. This is especially important on the return trip when travelers are in a hurry to get back home.

Another estimate indicates that Boston's present piers could service up to 50 percent more business as Boston prepares to meet the greater volume of the future.

There are many other factors involved in the successful development of a major port, which I cannot detail in this brief summation.

Boston has a glorious maritime history, and once present inequities that discriminate against her are removed, she will once again assume her leadership, because Boston is the natural transfer station between the Old World and the heartland of America.

The Port of Boston Commission has overcome many obstacles in its development program, and I believe that the members should be congratulated for their successful direction of an important project.

New England's future owes much to them.

THE INTERNATIONAL GEOPHYSICAL YEAR

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, today is a very significant date in the scientific world. It marks the beginning of the International Geophysical Year program. This is a worldwide scientific effort in which some 58 nations are participating and coordinating their efforts, and who are sending their scientists to all points in the world to make observations and take scientific measurements in every phase of geophysics. The goal is to learn more about the world we live on and the space above us.

The program of the International Geophysical Year that has most captured the imagination of the world, and it has become itself a symbol for the entire program, is that for the earth satellite. At some time during the next 18 months the scientists plan to project a round, metallic ball 20 inches in diameter and filled with instruments, some 300 miles above the earth. At that point it will travel around the world once every 90 minutes and stay there, nobody knows yet for how long. As this satellite passes observation points on each trip around it will transmit to earth the data it has collected in the last 90 minutes. But this is merely one program of some 13 fields of study, and each is fascinating when one goes into the details.

On May 1, some of the most outstanding scientists in the world came before the Independent Offices subcommittee of the House Committee on Appropriations and testified as to the current objectives for the International Geophysical Year as the program is about to begin, and plans for the coming 18 months. We had Dr. L. V. Berkner, Vice President of the Special International Committee for the International Geophysical Year, and Dr. Joseph Kaplan, Chairman of the United States National Committee for the International Geophysical Year, who are certainly outstanding men. There was also Dr. Richard W. Porter and Dr. James A. Van Allen who are chairmen of panels on the earth satellite program. Dr. Roger R. Revelle came from California to tell us about plans in the field of oceanography and Dr. Harry Wexler testified on the fascinating work that is progressing the Antarctic program.

Mr. Speaker, the members of the Independent Offices Appropriations Committee are proud of the men who are working for our Nation in the IGY. We congratulate the National Science Foundation under the able leadership of Dr. Alan T. Waterman for the part it has played in this historic undertaking. Our Nation is indebted to the United States Committee for the International Geophysical Year and the great number of learned and distinguished scientists and laymen who comprise the United States team for the IGY.

Mr. Speaker, the role of the Congress in this great undertaking has been emphasized by Dr. Joseph Kaplan, chairman, United States Committee for the International Geophysical Year, National Academy of Sciences:

> Your committee has welcomed us warmly and heard us patiently time and again; but, more than that, your committee has repeatedly, over the years since this program began, demonstrated keen and detailed interest in the scientific problems confronting us and our efforts to understand our physical environment. Your committee has shown vision and insight in thinking about these problems and in encouraging us with our plans and hopes. For these reasons, I feel that you are partners with us in this program and the successful launching of this unprecedented study is in large measure a tribute to the chairman and members of the committee and the Congress.

By these words, Dr. Kaplan indicates that the work could not have been undertaken without the interest of the Members of this House. Through recommendations of the Independent Offices Subcommittee on Appropriations, the Congress has appropriated $39 million to the National Science Foundation for the IGY program. This is only a small part of the total cost and effort that will be put into this worldwide coordinated effort. The total investment runs to something around $500 million and before the IGY year is completed could be substantially more than that.

As the world enters the International Geophysical Year, the Congress of the United States wishes godspeed to those throughout the world who will carry the program forward. The tests and findings and results of the tremendously significant programs of the IGY will no doubt affect the ways of the world in the future. Mankind awaits the conclusions with breathtaking anticipation.

Mr. Speaker, under unanimous consent I include with my remarks an editorial from today's New York Times and an article from the Baltimore Sun:

[From the New York Times of July 1, 1957]

MAN LOOKS AT HIS WORLD

Last night, at 8 o'clock eastern daylight saving time, which was midnight Greenwich mean time, man began his first completely coordinated look at his world. The creature who for countless generations lived in caves and trees, who walked with his head bent forward toward the ground, who feared the darkness of night and the gloom of the forests, who performed incantations to propitiate forces and spirits he could not understand—this creature, modern man in all his wisdom and all his foolishness, bitterly divided in his political philosophies, is now united in the common enterprise called the International Geophysical Year.

Let us translate the somewhat forbidding name. This "year" is a term of eighteen months, during which scientists from sixty-odd nations will try to add to our knowledge of the surface of the earth, of the earth's internal structure, of the movements of currents in the oceans, of the nature and behavior of the atmosphere to a height of 300 miles or more.

These and other problems have been long under study, some for many generations. The International Geophysical Year is a supreme effort to concentrate this study in terms of time and spread it in terms of geography. The weather will be studied in 2,500 stations, forty of them in the Antarctic. Ships of ten countries will chart the Gulf Stream. Half a dozen expeditions will operate in the Antarctic, prying into the secrets of the ice and its influence on climate. Fifty observatories will concentrate on the sun. The tides of the land as well as of the sea will be measured. The exact shape of the earth will be determined with a degree of accuracy never before attained.

All this will be possible because the scientists of all the participating countries will be sharing every scrap of information they obtain. This information will be assembled and collated by a carefully organized system that will make the results swiftly available. If to understand our environment is to make it easier to control it, the next eighteen months may bring us nearer being masters of our destiny than many a long generation, many a century, has done in the past.

We stand on the threshold of a majestic—and dangerous—future. This is what the International Geophysical Year really dramatizes. Among the originally announced participating nations are 10 under the influence of Moscow or Peiping communism and one whose independence we are today wondering about—Yugoslavia. But though North Korea is on this original list, South Korea is not; although North Vietnam is on the list, the southern portions of that divided land are not; although Red China is on the list, she has been threatening to withdraw if Taiwan is allowed to retain her standing.

In what conceivable manner the study of air currents, or the movements of cold water at the bottom of the sea, or the earth's magnetism can touch this political dispute no sane person can imagine. There is an interlocking of worldwide physical phenomena, but politics do not affect it. Walter Sullivan wrote yesterday in this newspaper's Review of the Week section that a "prolonged low sea level at Miami Beach means that there will be severe ice conditions in the Barents Sea, north of Russia and Scandinavia, 3 years later." But this is not because Florida lives under private enterprise, Russia under communism, and parts of Scandinavia in the middle way.

The Psalmist said long ago, "The earth is the Lord's and the fullness thereof." The inheritance, under God, is ours. It is all mankind's, and not merely the possession of the more powerful or the more numerous. It is, if we can follow the pattern of the International Geophysical Year, a goodly heritage.

For in this enterprise of scientists, behaving as nonpolitically as circumstances permit, we may see the other side of science's proven destructiveness. Here is our world, everybody's world; we shall know how to make it more beautiful and happier. Will we use the knowledge?

[From the Baltimore Sun of June 29, 1957]

THE INTERNATIONAL GEOPHYSICAL YEAR AND SOME OF ITS PROJECTS

The long-heralded International Geophysical Year, described as man's most ambitious program in international scientific cooperation, begins on Monday. It will continue through December 31, 1958 (for a year and a half if you want to be literal).

What is geophysics? In an article in the American Scholar dealing with the International Geophysical Year, Mr. Laurence M. Gould, member of the executive committee of the United States national committee directing this country's participation, defines it as "The application of the tools of physics to the study of the earth and its atmosphere." All of man's major activities, he says, are inextricably bound up with the geophysical sciences. To a large extent they are the determining factors in such fields as agriculture, transportation, and communication of all sorts. Since the time of the very earliest speculations about the world, man has been measuring the earth, recording data about its climate, its oceans, and other geophysical phenomena. Now, thanks to electronic instrumentation, it will be possible to learn a great deal more than ever was possible before.

"Geophysics," continues Mr. Gould, "presents quite different problems from those of the laboratory sciences. The nuclear physicist can go into his laboratory and perform experiments at will, but in geophysics the laboratory is the world itself. Nature performs the experiments; man makes the observations. Because all geophical phenomena are related in one way or another to solar activity, the interval 1957–58 was selected for the International Geophysical Year, as solar activity will be near the top of its 11-year cycle at that time.

"The present international effort was anticipated by the First Polar Year in 1882–83 and the Second Polar Year in 1932–33. Both of these involved but a few nations and were restricted to the north-polar region; yet the results of the first gave us our first definite data about the aurora and the basis for all subsequent research. During the second, studies of the ionosphere by newly developed techniques gave rise to data that was vital to the development of communications.

"During the forthcoming International Geophysical Year more than 5,000 scientists from 56 countries will be observing the same phenomena from stations all over the world. An important result should be the greatest breakthrough to date in a fundamental understanding of such major phenomena as ionospheric activity and atmospheric circulation. • • •

"Answers to many questions of both theoretical and practical importance will be sought during the International Geophysical Year. What is the relationship between long-range radio transmission and sun spots and solar flares? Is the earth's climate changing? Where do cosmic rays come from? These are but samples of the kinds of questions inherent in the International Geophysical Year.

"The particular geophysical phenomena to be studied by way of finding answers are aurora and air glow, cosmic rays, geomagnetism, glaciology, ionospheric physics, longitude and latitude, meteorology, oceanography, seismology, gravity, and solar activity.

"Atmospheric studies will be greatly extended beyond all previous records by the programs in rocketry and satellites. At least 600 rockets and 6 small earth-circling satellites with highly specialized instruments will be launched.

"Each of the six satellites will have special instruments which will teleradio back to earth new and important data about such phenomena as the density of the outer atmosphere, the fluctuations and intensities of cosmic rays, fluctuations of the earth's magnetic fields, more accurate measurements of longitude and latitude, and so on."

Much already has been heard on the activities in Antarctica. Of their magnitude and importance Mr. Gould says: "There will be a total of some 54 stations in the overall Antarctic program. While the problems of carrying out the observations in the International Geophysical Year in Antarctica are formidable, yet the results will be of major importance because it is the largest unoccupied area of the globe. Most fields of geophysics now demand for completeness specific data that are available only from observations on the polar continent.

"Solar radiation is assumed to be the principal agent in breaking up atoms to form the ionosphere. Our base at the South Pole will discover what happens to the ionosphere when there is no direct solar radiation for 6 months."

The International Geophysical Year, the writer concludes, is a good example of a new approach to world unity: "The geophysicist is inevitably a truly international scientist. All considerations other than purely scientific ones are omitted. For instance, the complicated matter of claims in Antartica is forgotten as the United States, Soviet Russia, Britain, France, and eight other nations cooperate in the first comprehensive exploration ever made of this single polar continent."

MURPHY GENERAL HOSPITAL, WALTHAM, MASS.

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I raise my voice against the closing of Murphy General Hospital at Waltham, Mass. I am besieged again and again with requests from people in the Commonwealth of Massachusetts and from people in the other States in New England to try to keep that hospital open. I hope that the other body will reconsider its decision not to have it in the appropriation bill that is under consideraiton there now. It would be a tragedy, spelled with a capital T if it is closed.

It has been said that the New England division of the Army engineers would go into the Waltham General Hospital if it is closed for hospital purposes. I am very much of the opinion that it will never be used by the Army engineers, and that is the report I have heard today. With all the strength of my being I implore the other body to keep Murphy General Hospital open at least for a year. I feel so sure that time will give added arguments and proof for its retention. We have such a shortage of proper beds and staffs as it is.

The cold war is still on but it may break out into a hot war at any time. The world is sitting on a tinder box and we certainly must take care of our servicemen and women. We are pledged to do it by legislation, and I am sure that because of a whim or desire of some persons the Murphy General Hospital should not be closed. I feel very strongly about it. The closing of the hospital before World War II and the necessary repairing a few months afterward was disastrous in the extreme and very expensive. Economy is one of the excuses. I believe no economy would ensue—sometimes we learn by bitter experience, and much suffering.

SELECTIVE IMMIGRATION BOARD

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 15 minutes.

Mr. FEIGHAN. Mr. Speaker, today I introduced H. R. 8454, a bill to create a Selective Immigration Board.

For some time there has been a strong controversy over our immigration policy and the laws that apply thereto. In this controversy there are those who insist that no change at all can be made in either our immigration policy or our immigration laws. At the other extreme are those who want to repeal practically all the immigration laws on the statute books and make a completely new start in that field.

My bill seeks neither of these objectives. All it seeks is a fair trial over a limited period of time of a new and selective method for the distribution of authorized but unused quota numbers. It does not seek to throw out the national origins formula. The national origins formula will remain as is during the 3 years proposed for the trial period which my bill authorizes.

There are a number of reasons which cause me to propose to Congress a limited trial of a new and selective method for the distribution of authorized but unused quota numbers. They are as follows:

First. Experience during the last 15 years has shown that our immigration policy lacks elasticity to meet the demands of our time. It will be recalled that President Franklin D. Roosevelt, in January, 1944, issued an Executive Order authorizing the admission into the United States of a limited number of victims of totalitarian persecution. In 1948 Congress enacted the Displaced Persons Act in order to meet a great human crisis that had developed in the wake of World War II. In 1953, Congress again enacted emergency immigration legislation known as the Refugee Relief Act in order to extend a helping hand to victims of Communist persecution who were seeking asylum in countries of the Free World. In November, 1956, even before the expiration of the Refugee Relief Act of 1953, President Eisenhower issued a Presidential Order authorizing the emergency admission into the United States of Hungarian refugees who had fled into Austria during and immediately following the inspiring Hungarian revolution against the despotism of Russian communism. All of these special immigration acts and directives were made necessary because our basic immigration policy and the laws that govern it were so rigid that they could not be applied in such emergencies.

Second. The national origins formula which is basic to our immigration laws was developed in the period 1921 to 1924, at a time when our national security and well-being were not endangered by the threat of world communism, and when the belief existed that it was possible to safely insulate the United States from world affairs since we were separated from most of the rest of the world by the Atlantic and Pacific Oceans. This explains in large measure the rigidity of the mathematical formula which today determines how many quota numbers shall be authorized each year and who shall be benefited by them.

Third. The world in which we live today is not the world of 1921 to 1924. The Atlantic and Pacific Oceans cannot be counted upon to insulate us against fast-moving events which happen in Europe or Asia. The genius of man has reduced the earth on which we live to a very small sphere in which we can reach almost any part of the earth's surface in a matter of hours and in which events happening anywhere in the world are news to us within a few minutes after they occur. In the intervening years we have grown into the greatest national power on earth and the crises of our day have placed upon us leadership of the still free nations of the world. In the struggle against the tyrannical ambitions of communism, experience has taught us that the survival of our free way of life in large measure depends upon our ability

to harness all our great resources behind a foreign policy capable of quick and decisive action.

Fourth. Congress has had emergency legislation brought before it to meet every crisis that develops in the world having an important effect on our national security. We must face up to the prospect that the likelihood exists that so long as the conspiracy of communism exists in this world and continues its inhumanities and tyrannies against people, we will continue to have refugees who plead with us for religious and political asylum. If another freedom revolution should break out in Poland or in Czechoslovakia or in Rumania or in Yugoslavia or East Germany or elsewhere behind the Iron Curtain, the President would be faced with the same situation that applied during the Hungarian revolution of last October and November. It is my judgment such revolutions against Russian occupation will certainly occur in the future.

Fifth. I feel reasonably confident that Congress will accept the idea of using authorized but unused quota numbers in order to put some flexibility into our immigration policy. I am not asking Congress to authorize more quota numbers because I think this is unnecessary. Congress, in my opinion, has authorized enough quota numbers to meet any situation that has or might develop in the world affecting our vital interests. The question is—how to make the authorized quota numbers work full time for our national interests.

Sixth. I believe the time has arrived to put an end to the immigration controversy which has taken up so much of the time of the Members of Congress. In my judgment, the only way this can be done is to provide a fair test on a trial basis of selective immigration based upon criteria established by Congress. The trial period which I envisage should provide the necessary experience for Congress to judge what changes, if any, should be made in the methods we now use to assign immigration quotas. Both sides of the controversy on immigration policy should be willing to accept this trial and to allow the case to be evaluated strictly on the basis of a record to be established.

I should like to make it clear that I propose no changes in the basic immigration law having to do with security standards or health requirements. All the provisions of the law in this respect remain unchanged. Moreover, the national origins formula remains basic to the law since it is not in the least affected by my proposal.

I anticipate that the appropriate committees of Congress will be constantly consulted and advised on all major developments within the purview of the Selective Immigration Board. The plan I propose will not work unless this is the case.

I expect that all departments and agencies of the Government concerned in any way with immigration will cooperate with the proposed Selective Immigration Board, and will give their advice and counsel to the Board.

I anticipate that the proposed Board will provide contingency plans in the allocation of authorized but unused quota numbers to take care of such future revolutions against communism as occurred in Hungary. This can be done by setting aside on an earmarked basis, a number of authorized but unused quota numbers to be used only should such a contingency arise.

The President of the United States has two major responsibilities in connection with my proposed Selective Immigration Act. In the first instance, the President is required to nominate five members of the Board, one who shall be designated by the President to be chairman. These Board members are to be appointed by the President by and with the advice and consent of the Senate. They are required by law to be selected without regard to their political affiliation and solely by virtue of their high personal integrity, their capabilities and their experience in and expert knowledge of national and international political, economic and social affairs and immigration laws and problems. The makeup of the Selective Immigration Board is critical to the success of the entire proposal.

The President, under this bill, must also make a determination on which aliens are refugees by virtue of the fact that they have left the country of their national origin because of oppression or persecution, or threat of oppression or persecution because of race, national origin, religion, adherence to democratic beliefs, or opposition to a totalitarian form of government. In this connection, I hope the President will avail himself of the advice and guidance of the National Security Council in making determinations of this sort, particularly when revolutions against Russian communism are involved. In any case, the President is the proper person to make such determinations, as he did in the Hungarian situation.

It is estimated that each year there are some 65,000 authorized but unused quota numbers. I propose that any part or all of these unused quota numbers for a 3-year period be allocated by the Selective Immigration Board with the following criteria to serve as guideposts in making specific allocations:

First. The desirability of bringing into the United States annually a number of persons possessing technical and professional skills and specialized experience found to be in short supply in the American labor market. A determination would need to be made that such services will be substantially beneficial to our national economy.

Second. Our traditional position of providing a haven for victims of totalitarian aggression who have found it necessary to flee their homelands because of persecution or threat of persecution based upon their religious or political views. In the present world circumstances, special account should be taken of those escapees from communism who fled from their homelands because of acts they had taken against the regimes in control.

Third. The desirability of reuniting families and relatives. There are in the United States a considerable number of families who have found asylum here while members of their immediate families are still living in distant lands. There are also native-born Americans who are anxious to have relatives abroad admitted into the United States for permanent residence. To reunite these broken families is to act in concert with our political philosophy which holds that the family is the basic unit of society.

After the Selective Immigration Board, with the advise and counsel of the appropriate committees of Congress and the concerned agencies of the executive branch of the Government, makes its determination on the manner in which authorized but unused quota numbers are to be distributed for a given year, that plan must be submitted to Congress for approval. If Congress disagrees on all or any part of the proposed plan, Congress can reject the plan and the Selective Immigration Board must then submit a new plan. In addition, it is to be noted that before a plan may be adopted by the Selective Immigration Board for submission to Congress, four of the five members of that Board must concur. With these safeguards, it is reasonable to assume that the Board will be highly sensitive to the advice and counsel from Congress and the concerned agencies of the Government which in turn will result in plans for the distribution of authorized but unused quota numbers that clearly will reflect benefits to the national interest.

Mr. Speaker, I introduced this bill with the hope and expectation that the appropriate subcommittee of the Committee on the Judiciary will give my proposal very careful thought and will, before the next session of Congress convenes, have a series of hearings during which interested organizations and individuals can express their views on the merits of the proposal.

MUTUAL SECURITY PROGRAM

Mr. HOSMER. Mr. Speaker, the much maligned mutual security program has been going on for over 10 years. Both Democrat and Republican Presidents have supported it. A substantial majority of Democrats and Republicans in Congress vote for the program year after year. Thus it must amount to something more than caprice and indiscretion with the taxpayers' dollars.

Of course, support for the program does not endorse the "horror cases" you sometimes read about where some bungling incompetent builds a hydroelectric project where there is no water, or a cowbarn where there are no cows. I am as outraged by such things as anybody else. But one thing should be made clear. Without indicting the many fine people who have been hired to handle these overseas programs, it has not always been possible to obtain 100 percent recruitment of people of the caliber we would like. The pay is not too good; in some areas living conditions are next to impossible, and the jobs are of temporary duration.

Whether or not the program should be carried on at all is a question on which thoughtful men can honestly disagree. But if it is to be carried on, I think everyone can agree that it should be done as efficiently as possible, as economically as possible, as effectively as possible, and by the highest caliber personnel we can hire.

This means that the committees handling the mutual security authorization and appropriation bills, and the Congress in its consideration of them, must, if they decide to carry on the program at all, exercise a positive responsibility regarding it. That is a responsibility to give it enough money to carry out its objectives efficiently, economically and effectively. It is also a responsibility to give the program sufficient funds to hire the caliber personnel needed to guide its day-by-day operations toward those objectives.

There has never yet been a program by government, business, or by private individuals that did not require a certain basic minimum investment for its success. An investment of less than that amount not only brings failure to the program, but a dead loss of whatever amount actually was invested in it.

The same principle applies to the mutual-security program. Under present circumstances I am sure there is little likelihood of giving the program more than it needs. There is, however, a great danger of giving it less than it needs for success. Giving it less will not only destroy the whole program, it will waste whatever money is put into it. In short, we cannot possibly reach a compromise between an economy mood and what is basically needed for a working mutual-security program. We must either provide the basic minimum investment necessary, or abandon the program entirely.

The balance of my remarks will be directed to the question of whether or not the program should be abandoned. This can best be introduced by a question involving the actions of Congress with respect to the program since it was initially proposed and each year thereafter.

What decides a substantial majority of both the Houses of Congress after careful study, hearings, and debate to vote for the program year after year?

History helps explain.

There almost always has been some aggressor nation on the march against the world. Today it is Red Russia. Before in this century it was Germany under Hitler, Italy under Mussolini, Germany under the Kaiser. Going back further you find it was France under Napoleon, before that it was Spain, and so on.

Since each aggressor's ultimate reward has been defeat, history should tell us what inherent weaknesses of aggressors to exploit to our advantage against today's threat.

Looking at the historical pattern we find four invariable characteristics in a nation on the aggressive march:

First. Blustering statment of military invincibility calculated to frighten others into submission.

Second. Smokescreening the aggressive intent behind some crusading idea: Russian—communism; Hitler—race destiny; Napoleon—law, order, freedom from tyranny, and so forth.

Third. Satellization of neighboring countries.

Fourth. Alliances with noncontiguous countries.

Each of these historic characteristics mark Russian aggression today.

History shows us there is little threatened nations can do about the first two listed characteristics of an aggressor except employ counterpropaganda and ideological techniques. Our USIA program is designed to do just that. The wisdom of recent budget cuts in the program is therefore debatable.

As to the third, satellization, the experience of Napoleon with Holland is illustrative:

Under French bayonets a completely subservient stooge government was "elected" in Holland. Once in office, the stooges began giving trouble. Napoleon's answer was to depose them and set up his own brother Louis as King of Holland. Louis soon developed such a fondness for his Dutch subjects that he, too, began giving trouble, was deposed, and the territory incorporated bodily into France. There it became a thorn inside instead of outside the Napoleonic empire and contributed considerably to its ultimate breakup.

The situation of the Russian satellites today is strikingly similar. Despite stooge governments, the satellization process has not yet been perfected to the point where these countries can be relied upon by the Soviets to strengthen rather than weaken their apparatus of aggression. The two most powerful forces working against the Russians are: First, a spirit of nationalism in these countries, and, second, deep religious beliefs which constantly clash with the atheism of the Soviet regime. The Soviets never have seemed to realize their continuing antagonism to both these forces serves to render their satellization program imperfect and incomplete.

Unless and until the program is perfected, the satellites remain a source of weakness to Russia and a check on her aggressive designs. The intended victims of Soviet aggression, including ourselves, are thus posed the problem of how to assist these forces and block perfection of the satellization process.

Even though Tito in Yugoslavia and Gomulka in Poland are Communist stooges, are they such imperfect ones that some amount of "aid" would further their imperfections? Or would it just take a load off the Soviets? As a conscientious legislator I wish to heavens I knew for sure—I want to do what is best for our country. Looking back on history gives you a general idea what needs to be done, but it certainly gives you no specific instructions as to the right answer to this particular question. And avoiding the wrong answer has much to do with our future safety.

Getting to the fourth aggression characteristic, alliances, the answers appear a little clear. Russia has been slower than expected in seeking alliances. Her first move was toward China. As corrupt as was its Nationalist Government, a Soviet alliance was refused. In the absence of effective United States countermeasures, that government was replaced by a Communist regime that did ally itself.

In Europe, where United States action was effective in blocking Communist attempts to take over several countries, Soviet alliances were frustrated. Some say these countries are of little value as United States allies, so we have not gained. But the fact they are not allies of the Russians, who would straitjacket them into compliance, is certainly a factor favorable to us in the balance of power with the Reds. The mere thought of opening the Atlantic and Mediterranean seaports of France as naval bases for over 500 Russian submarines is a United States defense planner's nightmare.

Of late Russia has turned toward the Middle East for alliances. For various reasons which I shall not go into, but which are almost universally agreed on by geopolitical experts, it was to be expected that aggressive Russia would have turned toward the vitally strategic Middle East even earlier.

Thus far the Reds have obtained alliances with Egypt and Syria. Neither country is a satisfactory ally from the standpoint of national strength, but both are highly important because of their strategic locations. An element of their weakness from the Soviet point-of-view is their separation by Jordan. Conversely, it is a very definite advantage from the Free World point of view, including our own, to keep Jordan in existence to continue the separation of the two countries.

Jordan has little economic reason for existence as a separate state. It was formed under British influence as a buffer state to solve somewhat similar British problems in the area during an earlier time. It has been kept sovereign and independent by an annual $30 million grant from the British Government. Soviet subversion in Jordan has been effective in creating conditions which chopped off this subsidy as of March 31 this year.

With the Soviets pulling strings, the Egyptians and Syrians made a phony offer to put up $10 million each per year to help their neighbor. At, I believe our behest, King Saud made a legitimate offer of $10 million a year. At Moscow instructions, the Egyptians and Syrians already have reneged on their offer so as to bring about a collapse of the pro-Western Jordanian Government and give them an excuse to march in and join up with each other.

So we are faced with the question: Is it better to let this happen, or to put up $30 million a year in the guise of aid to prevent this important step toward consummation of Soviet plans to capture control of the Middle East, control of the Suez, and control of Mid-East oil which underlies Europe's economy?

Those whose lives have been devoted to study of just such things tell us the $30 million would be a drop in the bucket compared to what we would have to spend for increased defense if this Soviet aim should be accomplished. They give a similar answer with respect to the necessity of maintaining the Nationalist Chinese Government in control of Formosa, keystone of defense against military aggression from across the Pacific.

So it goes to a greater or lesser extent with various other points of a key military importance around the world. Most certainly these various nations have their own interest in not being gobbled up by the Communists, but we also have our own national security at stake in seeing to it that they are not.

That is why foreign aid is pretty much of a misnomer for what a majority of Republicans and Democrats in Congress, including myself, vote for when we support it. The President uses a much more accurate label, mutual security, and the connotation of those two words is what we vote for year after year. That is why this year's proposed $3.6 billion program amounts to $2.8 billion of direct and indirect military support, with $800 million in the economic category for situations akin to that of Jordan.

SAFETY ON NAVIGABLE WATERS IN THE UNITED STATES

Mr. BONNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, I wish to announce that I am today introducing a bill entitled "To promote boating safety on the navigable waters of the United States; to provide coordination and cooperation with the States in the interest of uniformity of boating laws, and for other purposes."

This legislation is the result of more than a year's study by the Merchant Marine and Fisheries Committee of the problems of recreational boating safety and regulation in the United States. In April of this year, our committee released House report No. 378, which summarized our findings and recommendations for legislation. The bill I am introducing today is for the purpose of implementing this report and putting the recommendations into legislative language.

Our committee has received very gratifying reactions from the boating industry and the public with respect to House Report No. 378. We shall, of course, forward this committee bill to the Coast Guard and other interested groups, in and out of Government, for comments and suggestions which can be received when hearings are held on the bill.

I should like to make two points about this legislation. First, it is the result of a nationwide study that received almost 100 percent cooperation from the industry and sport affected. Secondly, the provisions of this bill will provide needed regulation for the millions of pleasure boats on the navigable waters of the United States in a reasonable, temperate and nonrestrictive manner. Furthermore, this legislation will serve as a pattern or model which the States may follow in order to bring about general uniformity of boating laws in this country.

Briefly, this bill seeks to achieve five basic objectives, as follows:

First. Require the numbering for identification purposes, of all motor driven boats using the navigable waters of the United States. Such numbers would be renewable every 3 years and a nominal fee would be charged to cover the cost involved.

Second. The Coast Guard would be enabled to invoke stated civil penalties for reckless or negligent operation of a boat. Today, the Coast Guard can only proceed against violators through criminal proceedings. Aside from the difficulties attending a criminal prosecution in a Federal court, it is thought that the majority of infractions by boat owners or operators should not be stigmatized as crimes.

Third. The Coast Guard by regulations, will define generally, what acts or practices by boat operators are considered reckless or negligent operation.

Fourth. Persons operating boats that become involved in accidents would be required to stop and render assistance and also make a report to the Coast Guard of the accident.

Fifth. Provision is made for cooperation and coordination with the States to achieve the greatest possible uniformity of boating laws in an effort to obviate the chaos which would result from as many as 48 different State laws and a 49th Federal law.

Pleasure boating is a wonderful family means of recreation in our country today, and I feel that if the five legislative objectives described above are enacted, the sport and the industry will continue to grow and more millions of our citizens will go afloat in greater safety.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MAILLIARD (at the request of Mr. ALLEN of California) for 2 weeks beginning July 1, on account of official and other business.

To Mr. KEARNS (at the request of Mr. ARENDS) until July 12, on account of official business.

To Mr. CLEVENGER (at the request of Mr. BROWN of Ohio) for 2 days on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. STAGGERS, for 5 minutes, today.

Mr. LANE, for 15 minutes, today.

Mrs. ROGERS of Massachusetts (at the request of Mr. FULTON) for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MULTER (at the request of Mr. RODINO) and to include extraneous matter.

Mr. SIKES in two instances and to include extraneous matter.

Mr. LANE and to include extraneous matter.

Mr. BURDICK in three instances.

Mr. MILLER of Nebraska with reference to Alaskan Statehood and include extraneous material.

Mr. RABAUT and include extraneous material.

Mr. THOMPSON of Texas and include a newspaper article.

Mr. HOLTZMAN (at the request of Mr. ALBERT).

Mr. FULTON and to include related matter.

Mr. BEAMER (at the request of Mr. HARVEY) and to include extraneous matter.

Mr. ALGER.

Mr. BYRD.

Mr. ZELENKO (at the request of Mr. SANTANGELO) and to include extraneous matter.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereopon signed by the Speaker:

H. R. 5189. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 6659. An act to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes;

H. R. 7599. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes; and

H. J. Res. 391. Joint resolution making temporary appropriations for the fiscal year 1958, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 7599. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1958, and for other purposes.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 59 minutes p. m.) the House adjourned until tomorrow, Tuesday, July 2, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

996. A letter from the Acting Secretary of Agriculture, transmitting a report of operations for disposal of stocks of agricultural commodities held by the Commodity Credit Corporation, pursuant to section 201 (b) of the Agricultural Act of 1956; to the Committee on Agriculture.

997. A letter from the Assistant Secretary of Defense (Supply and Logistics) transmitting reports on Army, Navy, Air Force, and Military Petroleum Supply Agency prime contract procurement actions with small and large concerns for work in the United States, pursuant to section 6 of Public Law 268, 84th Congress; to the Committee on Banking and Currency.

998. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation entitled "A bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions"; to the Committee on Interstate and Foreign Commerce.

999. A letter from the chairman, Pacific Marine Fisheries Commission transmitting the Ninth Annual Report of the Pacific Marine Fisheries Commission for the year 1956, pursuant to Public Law 232, 80th Congress; to the Committee on Merchant Marine and Fisheries.

1000. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 6, 1957, submitting a report, together with accompanying papers, on a letter report on Red River in vicinity of Index, Tex. (Ogden levee, Arkansas), requested by the Committee on Public Works, United States Senate and House of Representatives, adopted March 12, 1949, and July 6, 1949, respectively; referred to the Committee on Public Works.

1001. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1958 in the amount of $1,665,500,000 for the Department of Defense (H. Doc. No. 203); to the Committee on Appropriations and ordered to be printed.

1002. A letter from the Attorney General transmitting the Second Report of the Attorney General on Competition in the Synthetic Rubber Industry covering the industry's operation under private enterprise in the calendar year 1956, submitted in accordance with the request of the Senate Banking and Currency Committee set forth in Senate Report No. 117, 84th Congress; to the Committee on Armed Services.

1003. A letter from the Secretary of Defense, transmitting the Annual Report of the American National Red Cross for 1956, together with the combined statement of income and expenditures of the national organization for the fiscal year ended June 30, 1956, pursuant to the act approved July 17, 1953 (67 Stat. 178); to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROBESON of Virginia: Committee on Post Office and Civil Service. House Joint Resolution 275. Joint resolution transferring to the Commonwealth of Puerto Rico certain archives and records in possession of the National Archives; without amendment (Rept. No. 665). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations: H. R. 8195. A bill to facilitate the payment of Government checks, and for other purposes; with amendment (Rept. No. 666). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS of Ohio: Committee on House Administration. Senate Concurrent Resolution 22. Concurrent resolution to print for the use of the Senate Committee on the Judiciary additional copies of the "Internal Security Annual Report for 1956"; without amendment (Rept. No. 667). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. Senate Concurrent Resolution 26. Concurrent resolution to print additional copies of the report entitled "The International Petroleum Cartel"; without amendment (Rept. No. 668). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. Senate Concurrent Resolution 30. Concurrent resolution to print a compilation of studies and reports on the foreign aid program; without amendment (Rept. No. 669). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 240. Resolution authorizing the printing of the manuscript "Foreign Trade Interests in the State of Michigan" as a House document; without amendment (Rept. No. 670). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 266. Resolution providing for printing additional copies of a study entitled "Internal Revenue Administration—Progress Report of the Subcommittee on Internal Revenue Taxation"; without amendment (Rept. No. 671). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 278. Resolution authorizing the printing of additional copies of the report on intergovernmental relations; without amendment (Rept. No. 672). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 135. Concurrent resolution to print as a House document the publication "Guide to Subversive Organizations and Publications" and to provide for the printing of additional copies; without amendment (Rept. No. 673). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Concurrent Resolution 136. Concurrent resolution to print as a House document volumes I and II of the publication "Soviet Total War" and to provide for the printing of additional copies; without amendment (Rept. No. 674). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 189. Resolution to print as a House document the publication "Trial by Treason" and to provide for the printing of additional copies; without amendment (Rept. No. 675). Ordered to be printed.

Mr. HAYS of Ohio: Committee on House Administration. House Resolution 220. Resolution authorizing the printing of additional copies of House Report No. 53, current session; without amendment (Rept. No. 676). Ordered to be printed.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H. R. 3233. A bill to amend section 22 of the Interstate Commerce Act, as amended; with an amendment (Rept. No. 677). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURLESON: Committee on Foreign Affairs. House Joint Resolution 16. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; with an amendment (Rept. No. 678). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FEIGHAN:

H. R. 8454. A bill to create a selective immigration board and to provide for the allocation of authorized but unused quota numbers in accordance with the criteria established by the Congress; to the Committee on the Judiciary.

By Mr. ANFUSO:

H. R. 8455. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes; to the Committee on Agriculture.

H. R. 8456. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes; to the Committee on Agriculture.

By Mr. BENNETT of Florida:

H. R. 8457. A bill to provide for systematic reduction of the public debt; to the Committee on Ways and Means.

By Mr. BOLAND:

H. R. 8458. A bill to provide financial assistance for States and local governments through a system of loans and guaranties for purposes of public education, public health, and other public needs. To the Committee on Ways and Means.

By Mr. BONNER:

H. R. 8459. A bill to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CANNON:

H. R. 8460. A bill to promote economy in Government by reducing the rate at which individual income taxes are withheld at the source; to the Committee on Ways and Means.

By Mr. COLE:

H. R. 8461. A bill to amend the Atomic Energy Act of 1954 to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. DENTON:

H. R. 8462. A bill creating the City of Cannelton Bridge Commission, defining the authority, power, and duties of said commission; and authorizing the commission and its successors and assigns to construct, maintain, and operate a bridge across the Ohio River at or near Cannelton, Ind., and Hawesville, Ky., to purchase and operate a ferry at such location, and for other purposes; to the Committee on Public Works.

H. R. 8463. A bill to permit farmers in areas affected by excessive rainfall and flooded conditions to include acreage in the acreage reserve program up to July 31, 1957; to the Committee on Agriculture.

By Mr. DIXON:

H. R. 8464. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

By Mr. ENGLE (by request):

H. R. 8465. A bill granting the consent of Congress to the Klamath River Basin compact between the States of California and

Oregon, and for related purposes; to the Committee on Interior and Insular Affairs.

By Mr. HAGEN:

H. R. 8466. A bill to provide a uniform rule for the transfer of cotton allotments of farms taken by agencies having the right of eminent domain; to the Committee on Agriculture.

H. R. 8467. A bill to amend the cotton-marketing quota provisions of the Agricultural Act of 1938, as amended; to the Committee on Agriculture.

H. R. 8468. A bill to provide a uniform rule for the transfer of allotments of farms taken by agencies having the right of eminent domain; to the Committee on Agriculture.

By Mr. HOLTZMAN:

H. R. 8469. A bill to amend the Internal Revenue Code of 1954 to regulate the importation of pistols and revolvers; to the Committee on Ways and Means.

By Mr. HYDE:

H. R. 8470. A bill to prohibit the examination in District of Columbia courts of any minister of religion in connection with communications made by or to him in his professional capacity, without the consent of the parties to such communications; to the Committee on the District of Columbia.

By Mr. JOHNSON:

H. R. 8471. A bill to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, to provide for the reallocation of receipts from the sale of migratory bird hunting stamps, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ULLMAN:

H. R. 8472. A bill granting the consent of Congress to the Klamath River Basin compact between the States of California and Oregon, and for related purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H. R. 8473. A bill to prohibit residence requirements as conditions for eligibility under State plans for aid to the blind; to the Committee on Ways and Means.

By Mr. BONNER:

H. R. 8474. A bill to promote boating safety on the navigable waters of the United States; to provide coordination and cooperation with the States in the interest of uniformity of boating laws, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BURNS of Hawaii:

H. R. 8475. A bill to permit the Legislature of the Territory of Hawaii to enact legislation relating to public lands; to the Committee on Interior and Insular Affairs.

H. R. 8476. A bill to amend the Hawaiian Homes Commission Act, 1920, to extend the period of tax exemption of original lessees from 5 to 7 years; to the Committee on Interior and Insular Affairs.

H. R. 8477. A bill to amend section 77A of the Hawaiian Organic Act relating to the post auditor; to the Committee on Interior and Insular Affairs.

H. R. 8478. A bill to amend section 207 of the Hawaiian Homes Commission Act, 1920, to permit the establishment of a post office on Hawaiian home lands; to the Committee on Interior and Insular Affairs.

H. R. 8479. A bill to amend the Hawaiian Organic Act to lower the voting age of citizens of the Territory of Hawaii to 20 years; to the Committee on Interior and Insular Affairs.

H. R. 8480. A bill to amend the Agricultural Act of 1949 to provide that coffee shall be treated as a basic agricultural commodity; to the Committee on Agriculture.

H. R. 8481. A bill to amend title IV of the Agricultural Act of 1956 to provide that the provisions of such title shall apply to Hawaii; to the Committee on Agriculture.

H. R. 8482. A bill to authorize the Commissioner of Public Lands of the Territory of Hawaii to exchange certain public lands for private lands of equal value required for public highway purposes; to the Committee on Interior and Insular Affairs.

H. R. 8483. A bill to authorize the extension of leases of certain lands in the Territory of Hawaii; to the Committee on Interior and Insular Affairs.

H. R. 8484. A bill to amend section 373 of title 28 of the United States Code to extend the application thereof to the judges of the circuit courts of the Territory of Hawaii; to the Committee on the Judiciary.

H. R. 8485. A bill to amend the Hawaiian Organic Act to provide for leasing of public lands; to the Committee on Interior and Insular Affairs.

By Mr. COAD:

H. R. 8486. A bill to amend the National School Lunch Act to increase the minimum protein requirements for lunches provided under that act; to the Committee on Education and Labor.

By Mr. DIXON:

H. R. 8487. A bill to amend the Packers and Stockyards Act, 1921, as amended, regulating interstate and foreign commerce in livestock, livestock products, dairy products, poultry, poultry products, and eggs, to clarify the jurisdiction of the Secretary of Agriculture thereunder, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN of Pennsylvania:

H. R. 8488. A bill to amend title II of the Social Security Act to include the Port of New York Authority with the States and political subdivisions which are permitted to divide their retirement systems into two parts so as to obtain social security coverage, under agreement, for only those employees of the Port of New York Authority who desire such coverage; to the Committee on Ways and Means.

By Mr. SPRINGER:

H. R. 8489. A bill to provide for systematic reduction of the public debt; to the Committee on Ways and Means.

By Mr. THOMPSON of Texas:

H. R. 8490. A bill to amend the Agricultural Adjustment Act of 1938, as amended, with respect to rice acreage allotments; to the Committee on Agriculture.

By Mr. CANNON:

H. J. Res. 391. Joint resolution making temporary appropriations for the fiscal year 1958, and for other purposes; to the Committee on Appropriations.

By Mr. HIESTAND:

H. Con. Res. 212. Concurrent resolution establishing a Joint Committee on Foreign Aid; to the Committee on Rules.

By Mr. MADDEN:

H. Res. 305. Resolution to express the sense of the House of Representatives with respect to radio and television broadcasts of interviews with official representatives of Communist and Communist-dominated countries; to the Committee on Interstate and Foreign Commerce.

By Mr. MERROW:

H. Res. 306. Resolution creating a select committee to conduct an investigation and study of factors responsible for increasing the cost of living; to the Committee on Rules.

By Mr. DOYLE:

H. Res. 307. Resolution to amend rule X and XI of the Rules of the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mrs. CHURCH: Memorial of 70th General Assembly of the State of Illinois urging the modification or denunciation of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over the United States Armed Forces, their civilian components and the dependents of each; to the Committee on Foreign Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Pennsylvania, memorializing the President and the Congress of the United States to enact Senate bill 964, known as the area redevelopment bill; to the Committee on Banking and Currency.

Also, Memorial of the Legislature of the Territory of Hawaii memorializing the President and the Congress of the United States to amend the Hawaiian Organic Act by adding a new paragraph to section 80 thereof; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H. R. 8491. A bill for the relief of Frieda Bergmann; to the Committee on the Judiciary.

H. R. 8492. A bill for the relief of John Timothy Livingston; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. R. 8493. A bill for the relief of Dr. Anny Katan; to the Committee on the Judiciary.

By Mr. BOSCH:

H. R. 8494. A bill for the relief of Olga Sagi Szentirmai; to the Committee on the Judiciary.

H. R. 8495. A bill for the relief of Alfonso Cava; to the Committee on the Judiciary.

By Mr. CURTIS of Massachusetts:

H. R. 8496. A bill for the relief of William H. Pearlmutter; to the Committee on the Judiciary.

By Mr. HESS:

H. R. 8497. A bill for the relief of Robert J. Roncker; to the Committee on the Judiciary.

By Mr. HOLLAND:

H. R. 8498. A bill for the relief of Mrs. Cynthia Helene Estner; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 8499. A bill for the relief of George Olichwer; to the Committee on the Judiciary.

By Mr. MINSHALL:

H. R. 8500. A bill for the relief of the Fawick Corp.; to the Committee on the Judiciary.

By Mr. O'NEILL:

H. R. 8501. A bill for the relief of Jaime R. Gutierrez; to the Committee on the Judiciary.

By Mr. PATMAN:

H. R. 8502. A bill to provide for the reconveyance of certain real property heretofore acquired by the United States for the Texarkana Dam and Reservoir project, to B. R. McCarley, Texarkana, Ark.; to the Committee on Public Works.

By Mr. VORYS:

H. R. 8503. A bill for the relief of Mrs. Gertrude E. Shetler; to the Committee on the Judiciary.

By Mr. WALTER:

H. J. Res. 392. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

H. J. Res. 393. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain persons; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

290. By the SPEAKER: Petition of the president, Northwest Texas Conference of the Methodist Church, Dallas, Tex., petitioning consideration of their resolution with reference to requesting enactment of the legislation now pending before the Congress of the United States to ban the serving of alcoholic beverages to airline passengers; to the Committee on Interstate and Foreign Commerce.

300. Also, petition of the chief clerk, city Council, Philadelphia, Pa., petitioning consideration of their resolution with reference to requesting that every attempt be made to prevent the Federal Government from abandoning the Salk antipolio vaccine program; to the Committee on Interstate and Foreign Commerce.

301. Also, petition of the county clerk, Wailuku, Maui, T. H., petitioning consideration of their resolution with reference to requesting enactment of necessary legislation to permit the entry into the United States of America as nonquota immigrants, the wives and minor children of the nationals of the Republic of the Philippines; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

The Supreme Court

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. BURDICK. Mr. Speaker, the decision of the Supreme Court of the United States in the Jencks case, holding in substance that the files of the FBI must be turned over to any defendant who is tried on charges investigated by that organization, threatens its usefulness and efficiency to a very great degree. For all practical purposes this puts the FBI out of business, and will also prevent convictions.

If a defendant has the files, he will naturally be in possession of the names of those who have cooperated with the FBI, and many of the persons who have given it information will not be living when the trial is completed. When a great number of these informers are shot down or pushed out of a 14-story window, new informers will hesitate to pass their knowledge on.

If we had lawyers sitting on the Supreme Court instead of professors and lecturers, this thought of squelching informers would have occurred to them. Just ask yourself how many experienced trial lawyers are on that Court.

In prosecuting liquor-running cases in the Federal Court in North Dakota I very often found it necessary to not call an important witness at all. I knew perfectly well that if he testified in open court against the defendant his life would not be worth a nickel. I therefore took his story in confidence, got the general line of the defendant's action and then proved my case by the witness I did not call. With all the precautions I took to protect the lives of witnesses, one that I did not call was shot down anyway because the defendant surmised that this witness had given me information.

Now, after this decision of the Supreme Court which opens the FBI files to a defendant how easy it will be for the defendant, who is usually befriended by a gang, to have this witness show up in a wooden box. I don't think that any member of the Supreme Court who supported this decision intended to make it possible for arch criminals to suppress the evidence against them by murder, but what they decided in that opinion had the effect of making witnesses easy marks for an assassin.

One of the very reasons why J. Edgar Hoover has been such a tower of strength in the prosecution of Federal violators is that he never went back on his word with an informant and made certain that he had all the protection possible from the revenge of underworld gangs. He never exposed any witness to risks that might take his life.

The majority of the Supreme Court evidently never thought of this, and as the matter now stands, witnesses are going to volunteer nothing to Mr. Hoover, as they will consider their lives more important than to give him information which will all be disclosed to the defendant before the trial begins.

This decision encourages crimes. It encourages the underworld, and it is a blow to law enforcement. Congress should immediately pass an act setting aside this opinion, which it has the power to do.

A few good lawyers on the Supreme Court would not do a bit of hurt at this time. No good lawyers who knew beans about criminal trials would ever have signed the opinion in the Jencks case.

Supreme Court

EXTENSION OF REMARKS
OF
HON. ROBERT L. F. SIKES
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. SIKES. Mr. Speaker, I am today introducing two measures designed to curb growing encroachments by the Supreme Court in the fields traditionally and historically reserved to the States and to stop incursions by the Court in the sphere of social and other legislation.

These measures were inspired by the Florida Legislature which passed memorials to Congress recommending passage of the two bills.

One bill proposes "an amendment to the Constitution of the United States which would provide that the powers reserved to the several States by the 10th amendment to this Constitution shall be construed to include, but not be limited to, power to enact laws to promote the public peace, safety, and welfare and to provide for good order, education, and harmonious race relations therein. In these enumerated fields, except where the Congress of the United States by legislation provides expressly to the contrary, the laws of each State shall govern."

The other measure would provide that "the Senate of the United States shall comprise a court with final appellate jurisdiction to review decisions and judgments of the Supreme Court of the United States where questions of the powers reserved to the States, or the people, are either directly or indirectly involved and decided and a State is a party or anywise interested in such question involved and decided. The Senate's exercise of such final appellate jurisdiction shall be under such rules and regulations as may be provided by the Senate, including the time within which appeals shall be taken. A decision of the Senate affirming, modifying, or reversing a decision or judgment of the Supreme Court of the United States shall be final."

After passage by the Congress both would require ratification as an amendment to the Constitution by the legislatures of three-fourths of the States.

The massive invasion by the Supreme Court into the field of sociological experiment and its obvious naivete in decisions dealing with the dangers of communism require that Congress step into the breach before irreparable damage is done.

Congressman Lane Supports H. R. 4 Providing Increased Annuities for Retired Federal Employees

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my statement before the House Committee on Post Office and Civil Service on June 29 in support of legislation to increase annuities for retired Federal employees:

STATEMENT OF CONGRESSMAN THOMAS J. LANE BEFORE THE HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, IN SUPPORT OF LEGISLATION TO INCREASE ANNUITIES OF RETIRED FEDERAL EMPLOYEES, JUNE 29, 1957

Mr. Chairman, 139 identical bills to provide annuity increases for all those Government workers who were "pensioned off" before last fall, is evidence of the overwhelming support for H. R. 4.

The legislation passed in 1956, to increase annuities for those retiring after October 1,

1956, added part of another ceiling to the civil service retirement system, but neglected to complete the job. H. R. 4 will remedy that inequity by providing higher coverage for all those retired in the years before October 1, 1956.

To do less than this would be a cruel breach of faith.

The men and women who gave 30 or 40 years of devoted service to the Federal Government, in the expectation of receiving an adequate annuity, have suffered from the gradual attrition of their annuities. The steady increase in the cost of living, has left their fixed pensions far behind. The social security contract that we made with them, has not been fulfilled. In many cases, this has resulted in actual hardship, and in all cases it has deprived them of peace of mind.

It is this depreciation in the value of their pensions that has resulted in an unfortunate situation which we intend to correct.

As the span of human life is lengthening, and increasing millions of our people are living on retirement, this raises social and economic problems that must be met, in the national interest. The needs, and the purchasing power of this group cannot be neglected without danger to the general welfare.

Furthermore, what we do here will be observed by, and will have an effect on the morale of all Federal employees. Realistic adjustments to meet changing conditions, are necessary to maintain the good faith implicit in the United States civil service retirement system.

The cramped retirement dollar is not what it used to be.

It has lost in purchasing power, as prices have gone up.

Barring a major economic setback, which no one expects, it looks as if we are in for a long period of gradual inflation.

Those living on fixed incomes, become the casualties of this trend, unless the Government provides increases in public pensions to keep the purchasing power of their retirement income at full value in relation to the cost of living. By this precedent, we hope that private retirement plans will make the same accommodation to the economic facts of life.

The escalator clause providing for automatic increases in wages to offset the rise in the cost of living, is basic to the contract between labor and management in several of our larger industries.

In principle, we should apply this thinking to our legislation regarding the retirement system for Federal employees.

Although it might be impractical to legislate such a formula, we are nevertheless, duty-bound to make upward revisions in retirement rates, to keep faith with the annuitants, in response to the faith they placed in us.

The sliding scale arrived at in H. R. 4 seems to be the most reasonable solution to the problem.

It ranges from a 25 percent increase of the present annuity for those who retired prior to October 1, 1956, to 30 percent for those who retired prior to October 1, 1951—for annuities which are $1,500 and under. It increases all such annuities in excess of $1,500 by 10 percent. It limits such increases to $750 per year, and excludes for computation purposes the amounts purchased by voluntary contributions. Provides that all such increases operate to increase the annuities of survivors.

The virtue of this bill is that it provides proportionate adjustments in a fair manner, and in language that is clear and understandable.

The Civil Service Retirement Fund, financed by 6½ percent contributions from Federal employees (which, incidentally, is much higher than the contributions of employees in private industry to the Social Security fund from which they receive relatively higher benefits) is in sound condition.

This bill requires on or after July 1, 1960, a yearly appropriation to compensate the retirement and disability fund for the extra cost of the increase in annuities. For any fiscal year for which such an appropriation shall not have been made, the proposed increases shall be canceled. But the Congress will be under a firm moral obligation to provide for such compensation to the fund.

Retirement 'security' must be genuine security and protected against depreciation.

The fact that H. R. 4 has already been endorsed via identical bills submitted by almost one-third of the membership of the House, is indicative of the overwhelming sentiment in its favor.

The Congress will increase the annuities of Government employees who retired before October 1, 1956.

To keep faith with them.

Jewish War Veterans of the United States of America

EXTENSION OF REMARKS
OF
HON. JAMES G. FULTON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. FULTON. Mr. Speaker, it is a pleasure to call the attention of Congress to the correspondence of the President with Bernard Weitzer, national legislative director of the Jewish War Veterans of America, and to the resolution passed by the national executive committee of the Jewish War Veterans of America urging support of the 1957 mutual security program. At the same meeting the national executive committee of the Jewish War Veterans of America approved the recommendation of their Foreign Affairs Committee, urging full support for the President's budget request for the Armed Forces:

Whereas our organization has for 10 years consistently supported the essential elements of the mutual security program and appropriations fully adequate for the need thereof; and

Whereas the military aid, economic support in the form of loans and grants and technical assistance made available under that program, have strengthened our traditional allies and the independent nations of the world, especially those newly independent since World War II; and

Whereas the results of the mutual security program have inured to our own country's improved military defense and capacity for swift retaliation in the event of any Communist attack; and

Whereas the combination of our own strength and the capacity of the nations which we have aided to withstand the subversive and infiltrating activities of the Communists has served to deter Communist aggression and to frustrate their intent to dominate the world: Now, therefore, be it

Resolved, That the national executive committee of the Jewish War Veterans of the United States of America at its regular meeting in Washington, D. C., May 25-26, 1957, wholeheartedly supports the President's minimum request for funds to carry out the mutual security program as proposed in the President's message of May 21 to Congress and reaffirms its confidence that the dollars thus appropriated will be the most effective expenditure our country can make in achieving a durable, just peace.

JEWISH WAR VETERANS OF THE
UNITED STATES OF AMERICA,
Washington, D. C.

The PRESIDENT,
The White House,
Washington, D. C.

DEAR MR. PRESIDENT: You may recall that when I had the pleasure of visiting you, last year, with our newly elected national commander, William Carmen, we handed to you copies of the resolutions passed at our 61st annual national convention expressing the full support of our organization for the foreign-aid program which you have presented to the Congress in past years. These resolutions included military aid, economic aid in the form of loans and grants, technical assistance through bilateral agreements, as well as contributions to expanded technical-assistance programs of the United Nations and other types of assistance which buttress the strength of the independent nations of the world.

It is a pleasure to read your strong message to Congress setting forth your detailed recommendations for these foreign-aid programs covering fiscal year 1958. According to our convention resolutions, we would have preferred that these outlays be larger than those for 1957 instead of the decrease which you apparently found necessary.

Though we have become accustomed to terming these outlays "foreign aid," our membership is firmly convinced that this foreign aid is one of the strongest elements of our own defense and our own national interest. Dollar for dollar, these outlays contribute more than any other dollars we spend directly for our national defense; and, besides, they insure a greater likelihood of our living in peace.

We sincerely hope that the Congress will share the views and recommendations of our President on this subject and will, overwhelmingly, vote for the minimum appropriation requests you have made.

With all good wishes,
Cordially,

BERNARD WEITZER,
National Legislative Director.

THE WHITE HOUSE,
Washington, May 24, 1957.

Mr. BERNARD WEITZER,
National Legislative Director, Jewish War Veterans of the United States of America, Washington, D. C.

DEAR MR. WEITZER: I deeply appreciate the support you have expressed for the mutual-security program. In this recognition of the importance of strengthening the saving shield of freedom, you and your associates in the Jewish War Veterans of the United States of America give voice to America's determination to stand firmly against the menace of international communism.

Enactment of the proposed economic and military programs will contribute effectively both to our immediate security and to the promotion of peace in the world. Thank you for your clear expression of what you regard as being in the national interest.

Sincerely,

DWIGHT D. EISENHOWER.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the

RECORD, I include the following weekly newsletter to my constituents for the week concluded June 29:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

JUNE 29, 1957.—The Supreme Court decisions this week caused many thoughtful members concern far beyond the legislation under consideration. Decisions results: In Washington a convicted rapist was freed, though guilty by everyone's admission including his own; convicted Communist conspirators were freed, no question of their guilt; the powers of Congress to investigate and to question were curtailed, and Communists immediately flouted the House Un-American Activities Committee's jurisdiction in California hearings; the FBI files were declared open to defendants in criminal trials; vertical stock ownership of one company in another was condemned. There is a pattern emerging to these and earlier rulings by the Court which should concern every American. The reversal of time-honored rulings has the effect of new legislation, much as if Congress had passed new laws. The overriding danger is the aid and comfort given our avowed enemies, including the Communists, who are dedicated to discredit and overthrow our Government. The Supreme Court has bypassed Congress, and lessened its coequal importance. The sentiment is growing that its time for Congress, as representative of all the people, to reestablish its rightful legislative role. This may include quite properly some "pinning back of the ears" of the Supreme Court. Legislation to accomplish this, so far as possible, is being introduced. I shall report more on these bills in the future.

The continuing attack on business and businessmen by the Congress is a surprising matter to me. This is to be expected of Communists and socialists but not by American citizens nor Congressmen representing these citizens. Rather than praise capitalism, profit, stockownership, savings, and the underlying qualities required—initiative, planning, hard work, ambition, sacrifice, individual responsibility, and obligation, we confiscate the property of the most successful (up to 91 percent), denounce capitalism (although anyone with savings is a capitalist if he collects interest), deride bankers (who only invest the savings of others and then pay them interest), and discredit those who succeed. Simultaneously we subsidize those who pressure the Government hard enough for help, at the expense of the taxpayers. At the moment the Interstate Committee is concentrating on the regulation of the natural-gas producers by Federal law, not freeing them, so free-enterprise competition can keep prices down; Government is castigating bigness as though it were a sin, although we get the good things of life materially, like cars and most manufactured goods, from successful big operations (Premerger Notification Act now before committee); public power advocates (Hells Canyon) are trying to replace private business with Government operation; Congress is giving away food hand over fist; Federal public housing is replacing private or local government's efforts. Meanwhile, the Hoover Commission's practical and commonsense suggestions for getting the Government out of business in hundreds of activities are stalled by Congress. Why? What's the answer? Is there a pattern here, too? True, it's all embraced in the liberal's philosophy. Are the Congress and Supreme Court patterns related?

The Small Business Act was passed (1) making the Small Business Administration a permanent Government agency; (2) increasing money for loans; (3) to procure Government contracts; (4) to lower interest rates. I could not accept this emergency program as a permanent addition to the taxpayers' burden. The bill passed 392 to 2. I was 1 of the 2. I protested in this way: "Mr. Speaker, I do not consider this a vote for or against small business or small-business men—I, too, want to help the small-business man, if the Federal Government can do so appropriately. By this vote, I wish to stress that the way to help a small-business man is to return to him some of his tax money which can be done by cutting the size and cost of Government, not by making businessmen dependent on Government, and by such reliance on Government, increasing his taxes to pay for the service. As a Congressman, my views can be expressed in only one way, by the votes I cast. • • • Again, my vote is not a protest against the effort and efficiency of officials of the Small Business Administration, but is against the increasing encroachment of Federal Government in our lives, jeopardizing our very freedom and this includes economic freedom. This bill is a further part of the web to ensnare the people in the bureaucracy of big government. Therefore, I voted against the bill."

The Senate in conference with the House increased the appropriations which the House had cut (Senate, the upper body, always ups the cost), restoring $3½ million to the independent offices appropriation and $23 million to the Health, Education, and Welfare Department, money laboriously saved by the House. Economy? Then, the House failed to limit the Senate's expenditures on their new office building and furniture.

Importation of Firearms

EXTENSION OF REMARKS
OF
HON. LESTER HOLTZMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. HOLTZMAN. Mr. Speaker, I am today introducing a bill which would prohibit the importation into the United States of certain firearms.

I had introduced similar legislation in the 83d and 84th Congresses, but these measures prohibited only the members of the armed services and their dependents from bringing into this country pistols, revolvers, and other types of small firearms. The Department of the Army had submitted an adverse report on this legislation, primarily due to the fact that it was felt that the bill would be discriminatory toward military personnel and their dependents.

This year I have eliminated the provision restricting the ban to members of the Armed Forces only, and have asked that the prohibition be extended to everyone—civilian and military alike—who would bring such weapons into the country.

I have been in touch with many law-enforcement officers throughout the United States, and the vast majority of them have endorsed the legislation and have agreed that any attempt to keep dangerous weapons out of the hands of criminals, potential criminals, children, and irresponsible individuals should receive the full support of all those interested in combating crime, and lessening the occurrence of tragedy which results when some of these guns are accidentally fired. Our own district attorney, in Queens County, N. Y., one of the most heavily populated counties in the country—the Honorable Frank D. O'Connor—has agreed with me that the supply of illicit weapons should be stopped at its source, and fully supports the proposed measure.

Statistics have shown that as many as 50,000 of these contraband weapons have been brought into the United States on just one troopship returning from the European theater. Multiply that by the number of troopships and the number of civilians bringing such weapons into the country and we have an astounding figure.

I have been informed that in one county of New York City as much as 75 percent of the crimes of violence have been and are being committed with these so-called souvenirs. Every day we read in the papers or hear over the radio and television of tragic accidents which occur, and crimes which have been committed with these weapons.

I feel that something should be done to curb the easy accessibility of these guns, and I feel that this proposed legislation, together with efforts made on the local level, will do much to bring about a reduction in crimes, and to minimize future accidents which maim or kill so many individuals.

Mr. Dulles and the China Situation

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. BURDICK. Mr. Speaker, I heard the speech made by Secretary Dulles at San Francisco, concerning Red China and the proposal to admit that country into the United Nations, and the proposed abandonment of the non-Communist Chinese, who are now members of the United Nations.

This was a very well-thought-out speech, and I hope the administration will not yield to any appeasement in pursuing this policy. If and when the Red Chinese are admitted to the United Nations it will be the time for us to withdraw from it. With Red China and Russia members of this organization these two nations will control it.

Both of them are aggressors, and have been so branded by the U. N.; yet if Red China is admitted, the control of the organization to preserve peace will be under the complete domination of these aggressors. The U. N. ostensibly exists for the preservation of world peace, yet the two major nations—with Red China in—will control the U. N., and will be doing just the opposite of what it was organized for. This arrangement will simplify matters, for the Russians then can commit acts of aggression and invasion, and this peace organization will approve that action.

Mr. Dulles sees this situation clearly, and he is to be congratulated for the utterance of these views. Let us hope

that the destructive element of appeasement will not intervene to change our stand. The day of appeasement is past. Appeasement has made many million prisoners, and there will be no Free World as long as we surrender any part of our policy to that weak sentiment of conciliation.

Why are the people of Hungary, Czechoslovakia, Poland, and the Baltic States prisoners today? The answer is appeasement, which was first initiated by the Prime Minister of England, Chamberlain. He justified his action for what he called "peace in our time." We appeased Stalin at Yalta and Russia again at Potsdam. If we had stood our ground then there would be no East and West Germany today, but one nation, and a tower of strength against communistic aggression. We could have done more then than it is possible to do now, but continued appeasement will open the gates to a flood of communism flowing to every corner of the globe.

If the Dulles speech is an expression of the attitude of the administration, then I say we are on the right track.

Speaking of Liberty

EXTENSION OF REMARKS
OF
HON. JOHN V. BEAMER
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. BEAMER. Mr. Speaker, in my newsletter No. 13 released on June 19, 1957, I reported on one subject as follows:

Speaking of liberty, Soviet Communist Party boss, Nikita S. Khrushchev, on the precedent making TV interview seen in the United States on Sunday, June 2, said that eventually the United States of America will go Socialist.

Let's show him. We should be concerned with the avowed Socialist or the card-carrying Communist, but we must be more fearful of those people and of those groups that knowingly or unwittingly espouse and promote doctrines and programs that are socialistic.

What is government ownership but socialism?

As an example, certain individuals and groups seem to be attempting to make a campaign issue out of Hells Canyon where private industry was authorized to build certain dams. Repeatedly, there are voices heard in the Congress (I read the CONGRESSIONAL RECORD daily) that prefer Government ownership of this project. Some of these people also cry against the accelerated tax amortization permitted under the law to the private corporation that is constructing these dams. Thousands of tax benefits of this nature have been granted for years and all of this, in turn, has returned millions of dollars in taxes to the Government. If the Government built and owned the dams, no taxes would be returned and the taxpayer would feel another enormous gouge in his pocketbook.

President Eisenhower, answering a newsman's inquiry about Mr. Khrushchev's remark, replied that, during the 3½ years that remained in his term, he would pledge continued opposition to the advance of socialism.

Hundreds of Government operations that formerly competed with privately owned industries have been closed, but there are many more that continue as a burden on the taxpayer. The accumulation of Government-owned businesses has helped to increase the budget—all inheritances from previous Congresses.

In 1953, it was found by the new administration that the Federal Government was engaged in some $40 billion worth of business ventures, including baking, furniture making, sawmill operations, ropemaking, dry cleaning, and others too numerous to mention. Since that time, many of these activities have been sold or terminated. The Defense Department alone has closed some 250 business-type activities and plans to halt many more. This program, if continued in all departments, will put this previously tax-exempt business on the tax rolls—and will help to reduce your taxes—and help to stop socialism in the United States of America.

If this principle is followed, there will be no more socialism in the United States of America.

Since that time I have read the debate and noted the results of the voting of the Senate that would place the Federal Government in the position of building and owning this Hells Canyon Dam. At the same time, some newspapers carried pictures of certain Senators expressing jubilation at the outcome of the Senate vote.

That expression is their privilege but it is not my conviction. My job and jubilation will be expressed when the House of Representatives rejects this action of the other body. If, for purely political reasons, it could happen that the majority in the House unfortunately would concur, then my faith will be placed in the veto that the President possesses.

I feel confident that he does not want any more socialism. I know that I do not want. Let Mr. Khrushchev keep his socialism in Russia.

Illness has kept me absent from recent sessions. I hope by all means that the doctors will permit me to return to vote against this further gouge of the taxpayer and against any further advance of socialism.

The Onassis Contract With the Maritime Commission

EXTENSION OF REMARKS
OF
HON. HERBERT ZELENKO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. ZELENKO. Mr. Speaker, the distinguished chairman of the Merchant Marine and Fisheries Committee, the Honorable HERBERT C. BONNER, of North Carolina, has indicated that he will call for the appearance of Secretary of Commerce Weeks and Secretary of the Navy Gates before the committee, of which I am privileged to be a member, to elicit from either or both of these distinguished Cabinet officers pertinent testimony to help the Congress and the people of the United States to find out whether there is any policy of national defense relating particularly to maritime matters which will protect the interests of this country in time of emergency.

Recently the Merchant Marine Committee concluded hearings on the so-called trade-out-and-build policy of the Maritime Administration, which permits the transfer of American vessels to foreign flag. During the course of the hearings, it became apparent that in many instances the interests of the United States were not being fully protected.

In the matter of the trade-out-and build contract between the Maritime Administration and one Aristotle Onassis, a purported Greek shipowner, there was involved a $200-million windfall to this person.

After hearings before the committee, the Maritime Administration agreed to revise and amend the Onassis contract and to tighten up its provisions so that any losses to this country in the matter of defense, taxes, and American labor would be minimized or mitigated.

During the course of the hearings, which were particularly illuminating, the looseness and laxity of certain of the negotiations and provisions of the Onassis contract became apparent. I repeatedly warned that the best interests of the United States were not being served in dealing with Onassis, especially since he had already been in difficulty with our Government.

In the Washington Daily News of Monday, July 1, 1957, there appears an article which is of the utmost significance. Apparently the very ships which were the subject of the recent hearings are to be a part of a transaction with Colonel Nasser, of Egypt, in the joint program of Nasser and Onassis to build a pipeline in Egypt to freeze out United States interests.

When we consider that Russian arms and Russian technical help are being sent into Egypt, when it is further considered that Nasser is pro-Communist and anti-Western, the inescapable conclusion must be reached that the United States and its Western allies will have no effective control whatsoever of any of the vessels being permitted to be transferred or any of the vessels flying the flag of the Onassis interests. With Russia controlling Egypt by arms and military, it is obvious that none of the Onassis ships, whether directly owned by him or under his control, will ever be permitted to wander too far from the Soviet reach.

In view of this latest development, I have written to the Maritime Administration to halt all proceedings under its contract with Onassis; and I shall ask my distinguished chairman, Representative BONNER, to determine what, if anything, the Maritime Administration knows of the substance of the article which follows:

DEAL WITH NASSER: ONASSIS BACKS SUEZ PIPELINE

CAIRO, July 1.—President Gamal Abdel Nasser teamed up today with Greek tanker magnate Aristotle Onassis to build a Suez to Port Said pipeline—Colonel Nasser's biggest coup since nationalization of the Suez Canal.

The $37 million project will take about a year to complete. The pipeline will have an initial capacity of 500,000 barrels per day.

Huge supertankers—too big to use the Suez Canal—would load oil in the Persian Gulf, and unload it into the pipeline at Suez. Other supertankers would reload at the Port Said terminus, 102 miles away.

The project would allow Mr. Onassis to use his fleet of supertankers, including the 47,000-ton King Saud I instead of having to send it around the Cape of Good Hope.

Mr. Onassis flew to Cairo Thursday and began immediate talks with Hasan Ibrahim, head of the canal organization.

Mr. Onassis has been plugging for a Suez pipeline since 1954 when he built the King Saud I and found it was too big to move through the canal.

Construction of the pipeline would dull the edge of present Western plans to build various Middle East pipelines to reduce Western Europe's dependence on the Suez Canal.

The project also would diminish the importance of any Israeli pipeline between Eilat on the Gulf of Aqaba and some Mediterranean port.

Informed sources said plans call for establishment of an Egyptian joint stock company holding a 12-year concession to build and operate the pipeline. Sixty percent would be held by the Egyptians and 40 percent by foreigners, chiefly Mr. Onassis.

At expiration of the concession period Egypt would take over full operation. In the meantime the Egyptian Government would receive 50 percent of the collected charges as royalty.

Panama Canal: Capacity Reduced by Water Shortage

EXTENSION OF REMARKS
OF
HON. CLARK W. THOMPSON
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. THOMPSON of Texas. Mr. Speaker, in my remarks in the CONGRESSIONAL RECORD of June 4, 1957, I commented at some length on the possibility of the capacity of the Panama Canal being threatened by shortage of water for Gatun Lake incident to the current prolonged and severe dry season in the Canal Zone. A special dispatch from Balboa, C. Z., published in the June 28, 1957, issue of the New York Times, indicates that this fear has now materialized, with notification to shipping companies of draft limitations for ore carriers and supertankers.

No doubt this depletion of water, after the rainy season gets under way, will pass by. But it is well to remember that there is a periodic cycle of excessively dry years in the Canal Zone and more water crises will develop in the future. These may be considerably aggravated by the steadily increasing traffic, which is now at its highest point in history with more than 8,320 transits in the fiscal year 1957.

It is fortunate that the water problem has long been foreseen by far-visioned Panama Canal engineers. The construction of the Madden Dam and power project in the 1930's was an important step toward its solution, but now it appears that the project is not enough to meet future needs of interoceanic transit.

The attention of the Congress is invited to the thoughtful article, "The Panama Canal: A Challenging Problem for the United States," by William R. McCann, E. Sydney Randolph, Edward C. Sherman, and William G. B. Thompson, all experienced engineers with Panama Canal, subsequent business, and other civilian experience. This article was published in a statement by Senator THOMAS E. MARTIN, of Iowa, to the United States Senate in the CONGRESSIONAL RECORD of January 17, 1957.

One of the points stressed by these independent engineers in listing the principal marine problems of the Panama Canal is the limited operating range of the Gatun Lake water level (87–82 feet). In meeting this difficulty they propose to raise the summit water level to its optimum height, approximately 92 feet, thereby deepening the channel and providing more water for lockages.

Thus, the current water crisis of the Panama Canal is a danger signal that dramatizes the entire canal problem, of which the summit water level height is but a single element. Together with its other problems, the canal situation calls for a program of major improvement of the waterway and not for mere treatment of symptoms.

The questions involved in the canal policy problem are too grave to be saddled on routine administrative officials, but must be assumed by the Congress, which is the ultimate authority.

Again I wish to stress the necessity for early action on pending measures to create an independent Interoceanic Canals Commission to make a complete and up-to-date study and to advise the Congress in the premises. The growing traffic at Panama demands this course, which, as stated many times previously, I still believe to be the only means whereby this vital question of policy can be adequately resolved in the best interests of the United States as a whole.

The indicated special dispatch follows:

DRAFT CURBS SET ON PANAMA CANAL—LOW WATER LEVEL LEADS TO LIMITATION ON BIG TANKERS AND ORE CARRIERS

BALBOA, C. Z., June 27.—Shortage of water for operating the Panama Canal has necessitated notification to shipping agencies that draft limitations for certain vessel types—such as ore carriers and supertankers—must be lowered about 6 inches.

Abnormal lack of rain in Gatun Basin and unusually heavy traffic have combined to lower the lake level from 85 or 87 feet to 82.

Temporary limitation on the draft for heavy, cumbersome ships will continue until the level reaches 83 feet.

The limitation does not preclude the transit of such ships but may cut their loadings. Relatively few ships are affected. The lake level today was only 8 inches above the record low since the canal was opened. A low of 81.39 was recorded in May 1926, and again in May 1933. But traffic was lighter then. Also, ships required smaller, shallower draft. Hence today's water shortage is more critical than that of the 1930's.

Only the continued lack of rain for 2 more weeks could drop the lake level to a new low.

Each ship in transit results in a loss of 52 million gallons of water to the canal—enough to supply the population of a city of a half-million people for a day. An average of 26 ships passed daily during May.

The water shortage also forced the canal to cut the use of its hydroelectric plants and switch to emergency diesels. Some diesel power has been used since early May. This week another diesel station was placed on 24-hour operation to save water.

Statement in Support of Increased Annuities for Retired Federal Employees, H. R. 3245

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. MULTER. Mr. Speaker, the following is my statement in support of my bill, H. R. 3245, before the House Post Office and Civil Service Committee, Subcommittee on Retirement Bills, on June 29, 1957:

STATEMENT OF REPRESENTATIVE ABRAHAM J. MULTER, DEMOCRAT, NEW YORK, BEFORE THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE, SUBCOMMITTEE ON RETIREMENT BILLS, JUNE 29, 1957

Mr. Chairman and members of this distinguished committee, I am glad to be able to appear before this committee in support of my bill, H. R. 3245, which will provide relief for our hard-pressed retired Federal civil servants. Your committee is familiar with the particular problems of the people who had already retired when the liberalizations in the Civil Service Retirement Act became effective in the fall of last year. Truly, the retired civil annuitant has become the forgotten man in retirement act improvements.

Implicit in the debate surrounding the passage of the Civil Service Retirement Act amendments of 1956 was the idea that similar legislation would be enacted for persons already on the retirement rolls. Indeed it was stated in the Senate that the only reason increases for retired annuitants were not included in the amendments was because it was felt that in the interest of all concerned—both active employees and present annuitants—it would be better to keep the two bills separate. Thus, in my view, when we voted an increase for active employees last session we were accepting the responsibility of making sure that people who had already retired would receive equal consideration.

My bill would provide increases for most annuitants of 22½ to 30 percent. These increases are necessary, I believe, because of the grossly inadequate benefits which so many former civil servants are now receiving. The figures speak for themselves. Almost 40 percent of present civil-service annuitants are trying to exist on benefits of less than $100 a month. The condition of the widows and orphans of deceased workers is even more desperate; 90 percent of the payments of survivors' benefits are less than $100 per month, and 57 percent are less than $50 per month.

The situation of retired annuitants was forcefully brought to my attention by a resolution of the New York State federation of chapters of the National Association of Retired Civil Employees at their convention held in Rochester, N. Y., in April of this year. The resolution cites a report carried in the U. S. News & World Report of August 3, 1956, which shows that "after an analysis of 35 groups which represented approximately 95 percent of our population, it was found that all these groups, based on

1939 income, were receiving larger real income, the increases ranging from 4 to 107 percent. However, the report carried the further shocking figure that civil retirees were down 13 percent, or in other words, were receiving 13 percent under the 1939 level."

The comment of the United States News & World Report—which is certainly impartial on this question—is very much to the point of our discussion here today. That magazine concluded, "People living on pensions are in trouble, unless their pensions are increased as the cost of living rises. This rarely happens. Payments to retired workers, for example, are adjusted by Congress only occasionally. Last year (1955) these payments were increased an average of 10 percent, but this still left retired workers worse off than in 1939."

Since this article appeared conditions have worsened. It is a matter of public record that the cost of living has continued to rise to record highs for every month since this report was made. In August 1956 it stood at 114.5. Today it has risen to 119.6—an increase of more than 5 percent. These facts, I believe, are impressive testimony to the urgent necessity for action on this bill in this session of Congress.

Finally, I am particularly desirous of your enacting the provision in the bill which grants annuities to the widows of employees who retired or died prior to April 1, 1948. These unfortunate women have been denied benefits merely because the civil service retirement system had made no provision for survivor benefits at that time. Simple equity seems to call for action on behalf of these widows, and this can be accomplished at a very reasonable cost.

I appreciate the opportunity to appear before this committee in support of this important legislation, and hope that you will see fit to take early action.

Revision of Federal Firearms Regulations

EXTENSION OF REMARKS
OF
HON. ROBERT L. F. SIKES
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. SIKES. Mr. Speaker, I have been receiving numerous letters of opposition to the proposal advanced by the Alcohol and Tobacco Tax Division, Internal Revenue Service, for the revision of the Federal firearms regulations, scheduled to be effective in the next few months.

If the proposal, as it now stands, is imposed on the firearms and ammunition dealers, it will work serious hardship, especially on the smaller dealers. One point in the proposal requires ammunition dealers to keep complete records on pistol and revolver shells. To maintain these records, it will necessitate additional help, time, and money for most dealers and manufacturers. Information which will be required for these records include: Name of manufacturer, type of shell, caliber and quantity, and, the identity of the person from whom the shell was received and the signature of the person to whom it was sold. This appears to me to be a regulation which is completely unnecessary.

There are other points within these proposals which are causing considerable concern, not only by dealers, but by manufacturers of firearms and ammunition as well.

In view of these and other facts, I have requested that these regulations not become effective until such time as Members of Congress have had ample time to study the revisions proposed and to be heard on them. It is my opinion that additional time is needed for further study by all concerned so that more favorable proposals can be worked out which will be acceptable to those affected.

The Internal Revenue Service has announced that a public hearing will be held on the proposed revision of Federal firearms regulations on August 27. Since Congress probably will have adjourned by August 27, it will not be possible for the greater number of us to be present because of scheduled activities in our own district; therefore, it is my hope that the hearing may be postponed until early in 1958 at which time the Members of Congress who desire to be heard will have an opportunity to do so.

Artificially Fattened Poultry Sold for Food May Be Poisonous

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. BURDICK. Mr. Speaker, in previous news releases I have issued I pointed out that estrogen pills inserted in animals and poultry for fattening purposes are on the suspect list of dangerous food additives, as found by the International Union Against Cancer meeting held in Rome, Italy, in August of 1956.

That is only part of the story. Recent events have pointed up the need for a compulsory poultry inspection bill similar to the compulsory red meat inspection bill enacted in 1906.

The Delaney committee found that in 1950 a chemical known as diethylstilbestrol, in 15 milligram pellets, was used on about 30 million chickens, and that its use was on the increase. A mechanical injector, similar to a hypodermic syringe, implants the pellets in chickens' necks just below the head. They are used purely for monetary reasons in the belief that they will step up the rate of growth as much as 20 percent, and cause a more even distribution of fat. This chemical, said the Delaney committee, is so potent and dangerous that it cannot be purchased in druestores without a physician's prescription. The testimony of experts is conflicting concerning the safety of human absorption of the flesh of such treated poultry. Therefore, I ask, why should the doubt about its harmful effects be resolved in favor of its use, when scientists and so-called experts are sharply divided as to its long-range harmfulness on human health?

In 1952, 50,000 pounds of such treated chickens were condemned by the Food and Drug Administration as unsafe for human consumption. Sixty percent of the sampled chickens contained unabsorbed portions of these pellets in areas of the neck which would remain with the consumer after normal severance of the head from the carcass. There was evidence before the Delaney committee that the fat of fowl treated with stilbestrol differed chemically from that of normally fattened birds, and that it was watery and inferior culinarily; and there was additional evidence that the fat of birds so treated contained greater deposits of fat than the flesh of non-treated birds. There was also evidence that male birds so treated rapidly lost many male characteristics; combs, wattles, and reproductive organs shriveled, and the propensity for crowing and fighting disappeared.

The above facts stress the need for a compulsory poultry-inspection bill. Such a bill—S. 1747—recently passed the Senate. Its counterpart—H. R. 6814—was recently favorably reported by the House Agriculture Committee. Such a bill would tend to prevent the processor, or the dealer in such contaminated poultry from sending it into the channels of interstate commerce.

Why should not the meat of poultry which has been treated with estrogens be labeled so as to reveal that fact? Why should not restaurants serving such estrogen-treated food be required to advise customers by proper means so that they will know what they are eating and the risk being taken? Why should not the processors of such estrogen-treated poultry be required to prove beyond a reasonable doubt that such poultry is safe for human consumption before they should be permitted to sell it?

The facts cited above furnish potent support for the passage of my House Resolution 212—which is now before the Rules Committee—so as to procure proper strengthening of the Food, Drug, and Cosmetic Act of 1938.

Industrial Area Redevelopment

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. RABAUT. Mr. Speaker, under leave to extend my remarks, I should like to say that it is a matter of deep satisfaction to me, to the other members of the congressional delegation from the greater Detroit area and, I am sure, to many other Members, to know that the chairman of the Banking and Currency Committee, Mr. SPENCE, of Kentucky, has given assurance that the bills which many of us have introduced to provide for area redevelopment, both in industrial centers and in rural sections, will be the subject of committee hearings early in the 2d session of the 85th Congress, beginning January 1958.

Likewise, we are greatly heartened by the interest and support which the

Speaker has given this important matter which vitally affects millions of American families, thousands of American businesses and virtually every State in the Nation.

Recently it was my privilege to take part in a conference with the chairman of the Banking and Currency Committee and the Speaker at which a delegation representing more than 310,000 auto workers and their families in the Detroit area described that area's industrial blights, the obsolete multistory factories and outmoded facilities, and the need for Federal assistance in the way of loans and grants to clear away industrial slums and housing slums so that modern plants may be built in the Detroit area which has the world's greatest skilled labor supply in the automotive field. This delegation was composed of George Merelli and Ken Morris, codirectors, UAW region 1, Detroit—East Side—Mich., and Edward Cote and Joseph McCusker, codirectors, UAW Region 1A, Detroit—West Side—Mich.

This delegation reported that the UAW in Detroit area has committed substantial funds as "seed money" to be put into a common effort to develop practical plans for the modernization and redevelopment of the blighted areas of my native city. At this point in my remarks I ask unanimous consent to insert a brief summary of the area redevelopment bill which I have introduced as H. R. 7462 and which has been introduced by Congresswoman MARTHA GRIFFITHS as H. R. 5471, by Congressman MACHROWICZ as H. R. 5205, by Congressman LESINSKI as H. R. 5268, by Congressman DINGELL as H. R. 5302, and Congressman DIGGS as H. R. 7800. Senator MCNAMARA, of Michigan, also has introduced an area redevelopment bill, S. 964:

SUMMARY OF AREA REDEVELOPMENT BILL

1. Purpose: To assist communities, industries, enterprises, and individuals in areas needing redevelopment to expand their productive activity to alleviate excessive and prolonged unemployment and underemployment by providing new employment opportunities and developing and expanding existing facilities and resources without reducing employment in other areas.

2. Organization:

(a) Creates an Area Redevelopment Administration with an Administrator appointed by the President, subject to Senate confirmation.

(b) Creates a national Advisory Committee to assist Administrator.

3. Redevelopment areas defined:

(a) Industrial redevelopment areas are defined as "Those within the United States in which Administrator determines that there has existed substantial and persistent unemployment for an extended period of time."

(b) Rural redevelopment areas are defined as "those rural areas within the United States in which he determines that there exist the largest number and percentage of low income farm families, and a condition of substantial and persistent unemployment or underemployment."

(c) Administrator may designate several counties or municipalities or a part of a county or municipality as a "redevelopment area."

4. Local committees: Once a redevelopment area is determined, local redevelopment committee shall be appointed by Administrator consisting of at least 7 residents of area, representing management, labor, commercial, industrial development, and agricultural groups. Committee shall submit plans and cost estimates for:

(a) Development of resources, processing and marketing facilities of area;

(b) Construction, rehabilitation, and alteration of industrial plants or commercial facilities of area;

(c) Purchase of machinery or equipment for use in area to attract new industry and stimulate economic activity.

5. Loans:

(a) On application approved by a local committee, Administrator may make loans to assist in financing (1) purchase or development of land for industrial usage; (2) construction, rehabilitation, or alteration of industrial plants or other manufacturing, commercial, or processing facilities; and (3) purchase of machinery or equipment for use in area, if he finds borrower will not transfer business operations to such plant so as to effect a significant reduction of employment in any other area within the United States.

(b) One hundred million dollars authorized for making industrial redevelopment loans, on revolving fund basis. One hundred million dollars appropriated for rural redevelopment loans, with limitation of $6 million to any one State, on revolving-fund basis.

6. Assistance to public facilities:

(a) Loan for public facilities: Upon application of any State or political subdivision thereof, Indian tribe, private or public redevelopment organization, Administrator is authorized to make loans to assist in financing purchase or development of land for public-facility usage, and construction, rehabilitation, alteration, expansion, or improvement of public facilities in redevelopment areas.

(b) Grants for public facilities: Administrator may conduct studies of needs and probable costs in redevelopment areas for needed land acquisition for public-facility usage, and for construction, rehabilitation, alteration, expansion, or improvement of useful public facilities. May receive proposals from States, Indian tribes, organizations, etc., showing plans, costs, and contributions to be made to proposal, and Administrator may make grants where he finds appropriations authorized not to exceed $50 million for making grants.

7. Financial assistance under Housing Act:

(a) Housing and Home Finance Administrator is authorized to use slum clearance and urban renewal projects in redevelopment areas for industrial and commercial rebuilding without regard to requirements of existing law that project area be predominantly for residential uses. This is, however, subject to the limitation that not more than 10 percent of the funds authorized under existing law for loans or capital grants for slum clearance and urban renewal shall be available to provide financial assistance under this section.

(b) Housing and Home Finance Administrator is authorized also to make urban planning grants for planning in redevelopment areas.

8. Vocational training: Secretary of Labor shall—

(a) Determine vocational training or retraining needs of unemployed individuals in redevelopment areas and cooperate with Secretary of Health, Education, and Welfare, and State and local agencies engaged in vocational training to assure that all facilities are available to such unemployed persons.

(b) Determine additional facilities needed to meet vocational training or retraining needs. Secretary of Labor shall then so advise Secretary of Health, Education, and Welfare who shall furnish assistance, including finances, to State agencies to meet needs. If State agencies are unable to meet vocational training and retraining needs, Secretary of Health, Education, and Welfare may contract for such services with public or private institutions. Secretary of Labor shall provide any necessary technical assistance for setting up apprenticeship, journeymen, and other job training needed in locality.

9. Retraining subsistence payments: Secretary of Labor shall—

(a) Enter into agreements with redevelopment area States whereby the States, as agents of the Federal Government, make weekly retraining payments to unemployed individuals not entitled to unemployment compensation (exhaustions or not insured) and certified by Secretary of Labor to be taking training.

(b) Make retraining payments to such individuals for not more than 13 weeks in amounts equal to average unemployment compensation payments payable in State making payments.

Statehood for Alaska

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. MILLER of Nebraska. Mr. Speaker, I would like to summarize briefly the history of the great Territory of Alaska which I hope soon will become a valued member of our great team of States.

A possession of the United States since 1867, Alaska has had the status of a Territory since 1912. Here lies a vast area of 586,400 square miles with an undetermined population. The census of 1950 indicated a population of 128,643, but there have been some estimates as high as 200,000.

History tells us Alaska was discovered in the year 1741 by a Danish sailor commanding a Russian ship. Thereafter, Alaska was claimed by Russia.

United States negotiations for the purchase of Alaska started as early as 1855. In 1859 President Buchanan offered Russia $5 million for the unexplored wilderness, an offer which was rejected promptly.

Then in March of 1867 a treaty was signed whereby the United States agreed to pay Russia $7,200,000—a treaty which was heralded widely as Seward's Folly. Nevertheless, the actual transfer of Alaska from Russia to the United States was effected October 18, 1867. Thereafter, Alaska was called a district until 1912 when she was given Territorial rights.

Perhaps the most spectacular story in all of Alaska's history broke in 1896 when gold was discovered in quantity. In the ensuing gold rush it is estimated 100,000 Americans converged on the peninsula—with fame and gold for some—with tragedy and death for others.

The battle for Alaska statehood has been long and relentless. The first statehood bill was presented March 30, 1916, but needless to say, it came to an early demise.

The question of statehood rested then, more or less dormant, until the 80th Congress when hearings were held both in Alaska and Washington. A bill was reported out but there was no further action.

The 81st Congress held hearings in Washington. A statehood bill passed the House on March 3, 1950, but died in the Senate.

In the 82d Congress, the Senate reported out a bill which was recommitted.

In the 83d Congress, the committee reported a bill to the House. Then the Senate Interior Committee combined the Alaska and Hawaii statehood bills and passed the legislation in 1951. Request for a conference was objected to in the House and the matter tabled. Extensive hearings again had brought no tangible result.

In the 84th Congress, the House Interior and Insular Affairs Committee held 10 days of hearings on a combined Alaska-Hawaii bill and reported H. R. 2535. The bill was recommitted.

Mr. Speaker, after weighing the pros and cons of statehood for Alaska over a period of several years, I find myself more convinced than ever that Alaska should become a member of the team of States. The time has come for positive action.

There have been many arguments over the statehood question. I have studied both sides of the case with equal interest in my endeavor to get the thinking of as many of the people of Alaska as possible.

I believe you might be interested in the final results of an unofficial poll I conducted in Alaska through the cooperation of 10 radio stations and 5 newspapers in the larger cities of the Territory.

I asked the newspapers and the radio stations, as a public service, to publish or broadcast this question, "Do you favor immediate statehood for Alaska?" I requested the answers be mailed to my office in Washington, signed or unsigned. A remarkably large number—about 99 percent—were signed with name and address. Incidentally, in these days when we are trying to cut costs, I would like to report this poll was conducted without expense to the Government.

I received 1,916 replies to the question from residents of Alaska. So far as I could learn through routine inspection there seemed to be no duplication.

The vote indicated a considerable opposition to statehood as of this time. There were 522 affirmative votes and 1,394 negative ballots. Many of those who participated in the poll took the time and trouble to write long letters to set forth the reasons for their votes.

Now, we all realize that 1,916 votes would represent only a small segment of the total Alaska population. Only an overall plebiscite would furnish an accurate answer to the thinking of all the people. I had hoped that might be possible but a supporting amendment was rejected by a tie vote in the committee.

Now, may I say the unofficial poll was only one of the factors on which I based my final decision to vote in favor of statehood. While the poll was negative, the other factors were affirmative. At no time did I ever say or indicate the poll alone would govern my decision.

I found that opponents of statehood wrote longer and stronger letters than those who favored statehood. Many of them wrote that statehood now would bankrupt Alaska. Some asked for a 20-year tax moratorium before statehood. Some said they would move out if statehood were granted. Many said the new taxes necessary to support a State would ruin the Alaska economy. Those opposed seemed to be much more fierce in their attitudes than were those in favor.

If Alaska becomes a State, it will be the culmination of a promise of many years' standing, according to many letters favoring statehood. Many pointed to taxation without representation, to discrimination in shipping and to so-called "colonialism."

I believe it is agreed that if Alaska does become a State, there will have to be many adjustments made. There must be a complete review and correction of the tax structure, as proposed by Gov. Mike Stepovich in his inaugural address. Alaska would lose some of those special concessions which are given to Territories but not to States. Federal workers would lose the extra pay they receive for duty outside the States.

On the other hand, there would be many advantages to statehood, particularly in view of the amendments to the statehood bill which were approved in committee—such as the extension of the land area for the new State and dropping the ban on foreign shipping which should tend to promote new industry, new population, new development of the untold resources which lie dormant in Alaska.

The last plebiscite held in 1946 indicated a small majority in favor of statehood but similar narrow margins have been true in the cases of many States. I might cite the case of my own State of Nebraska in which the issue was approved by a margin of an even 100 votes shortly before statehood in 1867.

At this time, I would like to present, as fairly as possible, a small portion of the comments addressed to me during the statehood poll:

FOR IMMEDIATE STATEHOOD

The people of Alaska have been steadily preparing for statehood for a good many years and I feel that we are fully ready to assume the responsibilities that go with statehood.

I object very strongly to the blocking efforts from outside interests.

Reason alone would indicate that Alaskans desire statehood. What reasoning man wishes for government by edict; taxation without representation; discrimination in shipping, highway construction and use of national resources; and trial by judges who are appointed by his rulers?

I am unequivocally in favor of immediate statehood for Alaska and cannot understand why it has been so long denied us.

We do not have a vote in Congress nor a vote for President. We must depend on Federal courts for justice. There is nothing wrong with Federal courts but we have one in Anchorage for a population of 60,000 people and it is 2 years behind in its calendar. I say, let's have statehood.

We Alaskans have contributed much to the welfare of our country. Why should we be denied statehood now?

Alaska has so much to give but is stymied by the restrictions of Territorial government.

I think you will agree that Americans should not be compelled to live under a colonial system, even an American colonialism, if we are going to keep our American way of life and our American ideals.

For the sake of our American heritage and way of life and for the sake of the children and grandchildren of the American citizens who make up the entire Alaska population, Alaska should be granted immediate statehood.

We want the advantages of statehood we used to enjoy when we lived in the great State of Washington. We are disgusted with the way Alaskans are treated by selfish business interests in the States.

I can't understand why any Congressman or Senator can conscientiously oppose giving us the privilege of Statehood. As it now stands, we have taxation without representation.

OPPOSING IMMEDIATE STATEHOOD

The few people now living in Alaska would not be able to pay for the tremendous cost of statehood.

Let's leave Alaska a Territory, not make it a haven for a lot of money-hungry politicians.

We are burdened with such high taxation now there is no incentive to stay.

I definitely think Alaska is not ready for statehood and about 90 percent of the people here are opposed.

The statehood committee is organized and is being run strictly onesided.

The Congress should not turn over this vast undeveloped land to a bunch of fast operators to exploit for their own benefit.

I am not in favor of statehood for Alaska at this time but on the other hand I am not in favor of the present system of treatment but I do believe the present system to be the lesser of two evils.

I am a frequent traveler in the Alaska interior and I know the majority of inhabitants are opposed to statehood but do not have the means or the communications to express their views.

On the practical side, most of us know we can't support statehood.

We got a bunch of amateur politicians trying to appeal to our Alaska pride.

We are taxed very heavy now and can't raise enough money to run a Territory. I don't know what we would do with a State.

It would be pleasant if the politicians would forget themselves for a moment and face the facts and thinking of the people.

We do not complain about being colonials nor do we feel the Federal Government has stifled our growth. There is nothing new that statehood can do for us that the Federal Government has not done for us in the past.

I favor statehood but certainly not until the Territory can manage itself in a more businesslike manner and be in position to support itself.

This is the only organization that can speak for 35,000 of us natives. We are opposed to immediate statehood because you count as permanent the transient population of 100,000 persons, and in addition, you don't allow for the other transients (Government workers) who file their applications for transfer as soon as they get here and yet because they are civilians, can qualify to vote. We natives constitute almost the entire group that "lives off the country." Why hurry? (William L. Paul, Sr., Juneau, Grand President, Emeritus, of the Alaska Native Brotherhood.)

Mr. Speaker, the Interior and Insular Affairs Committee has explored carefully the pros and cons of the question of statehood for Alaska. The bill has been reported. I hope a rule will be granted and that the House again can work its will on this important subject.

It is my hope that the bill will not be joined with statehood for Hawaii. A subject as important as bringing in a new State to the Union ought to stand on its own merits.

I have given long and careful thought to the question of statehood for Alaska. While I am convinced the people will have a rather hard struggle in the early years of statehood I believe in the end, under wise economic and political leadership, they can attain a growth and place of influence that will be on a par with the other 48 States.

It is my considered judgment that, for some reason difficult to understand, there is less sentiment this year for statehood for either Alaska or Hawaii than at any previous time. It may be the same reason that has been reflected in my poll which is about 2½ to 1 against statehood. The people have been writing me long and thoughtful letters. I believe the question most frequently raised was that of poor political leadership. They also frequently referred to the high cost of living in Alaska and the inability of the people to compete with the other States without a tremendous subsidy from the Government.

It is true Alaska's economy is pretty well based on military and Government spending. The Territory receives more subsidy from the Government than any State—subsidies for schools, health, roads, agriculture, public works, and similar items. Many of the letters I received complained bitterly about the Alaska Statehood Commission and Tennessee plan under which this group has $175,000 to spend in promoting statehood for the Territory. I believe there are many Members of Congress who feel that some rather high-pressure methods have been used by the so-called Tennessee group, who, under the original bill, would have taken their seats as Senators and Representatives from Alaska had the bill not been amended to require a new election for these important posts.

There are many who wrote suggesting that a new plebiscite be held, stating that the vote in the last election to approve the constitution and Tennessee plan was mixed with that of voting for fish traps and was not a clear-cut mandate for immediate statehood for Alaska.

Mr. Speaker, I believe the committee has reported the best bill possible which would grant the Territory statehood. I expect to support it before the Rules Committee, and I suggest that my colleagues give their support to the bill when it comes to the House for consideration.

Address of Hon. Robert C. Byrd, of West Virginia, Before West Virginia Music Operators Association, Inc

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 1, 1957

Mr. BYRD. Mr. Speaker, under leave to extend my remarks, I wish to include an address which I made in Wheeling, W. Va., on Saturday, June 29, 1957, at the third annual convention of the West Virginia Music Operators Association, Inc. The address follows:

TRADE ASSOCIATIONS AND THEIR RELATIONSHIP WITH THE GOVERNMENT

Mr. Chairman, Ladies and Gentlemen: When I received your kind invitation to meet with you at your convention here today, I was very glad I was able to accept. Now that I am here, the pleasure of anticipation has been dwarfed by the cordial and friendly welcome you have given me. I was glad to accept your invitation primarily to get a chance to meet with you and to chat with you about things that concern us all. I also want to take this occasion to say a few words to you about trade associations, their place in American life, and particularly their functions relating to the Federal Government.

Trade associations, like the pleasures we get in listening to good music, are too generally taken for granted. They are not fully appreciated. Often they are inadequately supported.

But they are of tremendous importance. Most businessmen belong to at least one trade association, many to two or more. They have become an integral part in the economic and social life of the Nation, so much so that we can hardly conceive of our economy functioning smoothly without them.

How did these associations get started? Actually, of course, no one knows. It is only plausible to assume, however, that associations of businessmen are as old as business itself. As soon as 2 or 3 men started selling wool, or earthenware bowls, or metal ornaments at a primitive bazaar, we may be quite certain that quite often they got together, tossing about such questions as "How's business? What are you asking for this pitcher? Why is the quality of wool so poor this year?" Not much later producers and traders banded together for protection against bandits and pirates.

In the Middle Ages were formed the guilds of both manufacturers and merchants which might be considered more directly as the ancestors of today's trade associations. These guilds assumed a high degree of authority over their members, stipulating standards of output and rules for apprenticeship, fixing prices, and limiting output. They were a substantial power in the municipal and provincial governments in much of Europe as late as the 18th century.

However, there is obviously a vast gulf between such guilds and the trade associations as they have grown up in the United States. American trade associations are essentially voluntary in character and do not engage in such monopolistic activity as imposing prices or restricting production of individual members.

The affinity for Americans to join in groups such as trade associations was already observed more than a hundred years ago by that keen observer of American affairs, Alexis de Toqueville, who remarked in his noteworthy book, Democracy in America:

"Americans of all ages, all conditions, and all dispositions constantly form associations, succeed in proposing a common object to the exertions of a great many men and in getting them to voluntarily pursue it, and have applied this new science to the greatest number of purposes."

A few associations, mostly local in scope, developed before the 19th century, notably the Chamber of Commerce of the State of New York, founded in 1768, and the New York Stock Exchange, founded in 1792. The growth of national trade associations began after the Civil War. By 1900 there were an estimated 100 national associations in existence. By 1920 the number of trade associations had risen to more than 1,000, with many associations in the previous decade having adopted codes of ethics to promote higher standards of competitive conduct. Today there are at least 12,000 trade associations in the United States—National, State, and local.

This phenomenal growth certainly attests to the fact that these associations must be filling a genuine need. They have, in fact, adapted themselves to meet the great variety of needs of businessmen in different enterprises, needs that are constantly changing with shifts in economic conditions, public opinion, and governmental action. Although many of these functions will be familiar to you—some of them your own Music Operators Association undoubtedly undertakes for you—it may be well for us to refresh our memories as to scope of activities in which trade associations commonly engage today.

The trade association is probably first of all a clearinghouse of information that is vital to its own members. It often collects statistics on production and prices that its members need. Some of this information comes from the members themselves; often, other information is also gathered from pertinent public and other private sources. It may carry on any of a great range of advertising programs, making the public more favorably conscious of the products manufactured by its members. It often carries on educational programs of various kinds. This involves, on the one hand, providing information and suggestions for better business practices to members of the association themselves, and on the other, information to a wider public. Thus, trade associations in the food field are generous in furnishing carefully tested recipes to home economics instructors and to food editors in the daily papers. A trade association of savings banks will assist schools in carrying on campaigns encouraging thrift.

Closely related is the whole field of public relations, which includes a host of devices designed to create a more favorable public response to the particular industry involved. These devices run the gamut of news releases, plant tours, correspondence, speakers' bureaus, and a constructive approach to complaints.

Many of the larger trade associations now carry on sizable research projects on behalf of their members. The American Dairy Association, for example, is sponsoring a major research project designed to maintain and expand markets for milk and its products. The National Lumber Manufacturers Association has undertaken many projects of a technical nature, such as development of cigarette burn-proof table tops, utilization of sawmill waste, load tests of 50-foot timber trusses. These research projects are of greatest benefits to the small members of the associations who, obviously, cannot afford the necessary research personnel and facilities on their own. Here again the truth of the familiar motto, "In union there is strength" is borne out.

Trade associations have assisted their members in improving their accounting methods, in standardizing and simplifying their operations, in providing employment services, in cooperating with schools in providing employee training, in developing more effective employer-employee relations. They sometimes provide a certificate for products that meet specified standards.

But the function, or rather the group of related functions, of trade associations, I would like to concentrate on most here and now, is their role in governmental affairs. This is a tremendous and a complicated role. It is a well-known fact that, for better or worse, Government and business have come into an ever closer relationship, with more and more points of contact, over the years. The growth of antitrust and related legislation designed to assure fair and reasonable competition; the regulation of various industries such as railroads, airlines, radio and

television, electric and gas utilities; the protection of consumers and investors by such agencies as the Food and Drug Administration, the Federal Trade Commission and the Securities and Exchange Commission; the impact of taxes on corporations and other businesses; the reliance of the Government on industry for the materials and equipment needed for a successful prosecution of war and for an effective national defense—these are just a few of the illustrations of areas in which Government and business have impinged more and more on each other. In almost every instance, trade associations have performed an important service as a "middle man" between the Government and the particular industries involved. They are the ones who keep their membership informed as to legislation, both that which is passed and that which is proposed, and administrative action, affecting their members. They are the ones whom Government officials often turn to to get expert opinion on industry matters, and to obtain consultants, "dollar-a-year men," and other assistants needed in a war or defense emergency. They are frequently called upon to supply data essential for administrative action.

We often think of trade associations as lobbyists. Now, at first glance this sounds evil. The term "lobbying" has come into bad repute. But this is due largely to a few relatively isolated instances of unethical pressure having been brought to bear on individual Members of Congress, or other officials of the Government. Actually there is nothing improper about trade association representatives informing the Members of Congress and officials in the executive branch of the Government, just how they feel a specific legislature measure or executive order will affect the businesses in their own industry. On the contrary, no better way has yet been devised for Government officials to get, in a quick and efficient manner, a well-focused presentation of a particular industry point-of-view. It is vital for Government officials to have these views if they are to pass on legislative proposals with intelligence.

Trade associations not only furnish Government officials with industry opinion; they also supply the Government with a great deal of invaluable statistical information, information which is then, in most instances, made available to the whole American people. Take, for example, probably the single most convenient official compilation of statistics put out by the Government, the annual Statistical Abstract of the United States. In the back of that book are listed the sources of statistics used in the tables comprising this volume. You would be amazed at the number of trade associations listed there. To mention only a few, there are the American Iron and Steel Institute, the American Petroleum Institute, the Association of American Railways, the Automobile Manufacturers Association, and the National Lumber Manufacturers Association. These associations, and many more, compile and publish statistical information that is relied upon implicitly by Government officials in their day-to-day operations. Without these data, our stock of information about economic trends would be seriously deficient. Moreover, trade associations have been very helpful in assisting the Bureau of the Census and other official statistical agencies in deciding what information would be most useful for them to obtain and in assuring the cooperation of their members in the gathering of the requisite statistical data.

Of course, the trade association, as a middleman, does just as effective work in transmitting governmental views, laws and documents, to its members, as in giving the Government the benefit of industry statistics and viewpoints. Many trade associations have a legal branch whose primary obligation it is to keep their members informed of Federal, State, and local legislation, actual and proposed, that is pertinent to their operations. By keeping their membership thoroughly informed as to governmental policies and practices, trade associations frequently are helpful in a kind of watchdog operation over governmental affairs. They are able to, and have, pointed out cases of governmental waste, duplication, and inefficiency, which can then be more expeditiously corrected.

I have already mentioned, in a general way, how useful trade associations have been in the national defense effort. I think this is important enough that I should like to cite a few examples, again indicating the variety of trade association activity. In World War II, the National Electrical Contractors Association surveyed 6,000 electrical contractors to find 750 firms qualified to fill war orders. The American Association of Nurserymen gave the Army advice on plants and shrubs to use for camouflaging important civilian and military installations. The National Restaurant Association revised the Navy cookbook. The Association of General Contractors helped the Army develop a corps of men trained in the care of heavy construction equipment. Many of you, I am sure, could add instances of which you are personally familiar.

In concentrating as I have, and I believe, rightly so, on the constructive work done by trade associations, particularly in their dealings with governmental groups and agencies, I would not want to leave the impression that trade association activity has in each instance been in the public interest. There is in fact always the danger to be guarded against of collusion in terms of fixing prices or quantities or standards of production, which would clearly be in violation of the antitrust laws. There have been a few court cases in which trade associations have been prosecuted because of such unlawful activity. However, the percentage of trade associations that have become thus involved is very small and these court cases have made it reasonably clear as to what the proper limits of trade association activity are.

All in all, I am sure that we must agree that the record of trade associations in this country is an admirable one. The activities they have undertaken in the public interest are legion. They have facilitated the smooth functioning of business operations in hundreds of fields. They have made possible a mutual understanding between business and Government that would be quite inconceivable in their absence. I have every confidence that they will continue to perform ever more efficiently and usefully in the years to come.

Visit to Washington, D. C., of Asian Delegates From the Moral Re-Armament Assembly of Nations

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Monday, July 1, 1957

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement I have prepared relating to the visit to Washington, D. C., on June 28, 1957, of Asian delegates from the Moral Re-Armament Assembly of Nations at Mackinac Island, Mich.

There being no objection, the statement was ordered to the printed in the RECORD, as follows:

STATEMENT OF SENATOR WILEY RELATING TO VISIT OF ASIAN DELEGATES FROM THE MORAL RE-ARMAMENT ASSEMBLY OF NATIONS AT MACKINAC ISLAND, MICH., TO WASHINGTON, D. C., JUNE 28, 1957

Lincoln once said, "The dogmas of the quiet past are inadequate for the stormy present." In a world that has grown smaller through man's ingenuity, the power politics of the last century and the first 50 years of this century have proved inadequate. New conditions require new remedies or new approaches. Secretary Dulles has said, along the same line, "The capacity to change is an indispensable capacity. Equally indispensable is the capacity to hold fast that which is good."

Let me ask a few simple questions:

Is there any other way to meet head-on the challenge of Moscow's fight for Asia and Africa except by our usual diplomacy and by building up our military and economic strength?

Are we cognizant of the tremendous effort that the Kremlin is putting forth to inoculate the minds of the youth of other nations with their ideology? If so, what are we doing about it that is effective?

Is there any ideological stimulus available for the youth of all nations that would unite them in a great effort to stand for freedom, peace and friendly relations?

Do we realize the tremendous conflict going on for the souls and minds of men? Do we realize it—we in America living in the land of the highest standard of living ever attained by the human race—or are we drugged—as some say—by our materialistic success—drugged so that we cannot see the real path before us?

In Washington last Friday was a group of men and women who may hold the ideological balance of power in their nations. They come from the Moral Re-Armament Assembly of Nations at Mackinac Island, Mich., under the leadership of Dr. Frank N. D. Buchman of Pennsylvania.

Among them are prominent members of the Japanese, Philippines, and Ghana Parliaments, and 120 leaders of the Seinendan, the Japanese Youth Federation of 4¼ million.

The Seinendan have been a primary target of the Communist strategy since they represent the future of Japan. One hundred from the Seinendan were invited to Moscow. Dr. Buchman invited 100 to Mackinac to find a superior ideology. The invitation was so effective that only a handful were found prepared to go to Moscow.

Moscow has 4 ships moving through the Mediterranean and the Pacific whose job is to pick up the youth of every branch of national life who have been invited to Moscow: 2,000 from Egypt, 2,000 from Britain, 1,100 from India, 650 from Japan. Sixteen thousand are already in training in Russia and China from North Korea.

Sixty-nine special trains are already laid on for the Moscow festival.

One thousand three hundred buses are being used from inside and outside Russia and a 600-car pool established in Moscow for the chief delegates.

One man from French Africa who is in Mackinac tells us that 15 delegates were invited from his country, given their return fares and the equivalent of $850 in cash over and above expenses. That is how a government uses its transportation and its finance when it aims to capture the youth of the world.

Many of the men who were in Mackinac from central Africa, from Britain, France, Germany, Italy, Scandinavia, and especially from north Africa, are men who were invited to go to Moscow. They say, "No alternative program is offered to us except Moral Re-Armament, and it will be the salvation of our countries. But there is not much time."

What is happening to the Seinendan in America shows what can be done when we move effectively. European businessmen who saw what was happening at Mackinac were so impressed that they have pledged finance to bring plane loads of leading students and other youth from Europe to Mackinac.

It is a question of getting the right return on the money which we are nationally investing in aid to these countries. A Korean labor leader said, "After 3 confused and rushed months in America on a Government-sponsored tour, my meeting with MRA was an experience more valuable than anything in my 42 years. I was shown so much in America that was interesting, but had no application in Korea. In MRA everything I learned could immediately be applied in my own country."

A prominent American industrialist who has had the spending of millions of dollars of Government money, says, "You can do more with a dollar in Mackinac for America than anywhere else in the world."

In Mackinac there are not only leaders of youth who have chosen Moral Re-Armament instead of Moscow, but there are men like the first bipartisan delegation from the Ghana House of Parliament ever to represent their country overseas. Russia was the first country to invite a delegation at 5 minutes after midnight on the day of independence, but the first delegation to leave the country has come to Moral Re-Armament.

There is a delegation from Cyprus which contains both Greeks and Turks. They say they find the only hope here.

Leaders of black and white from South Africa, including the Judge President of the High Court, Southwest Africa, and African leaders who have bitterly fought the whites, are also united in this conviction.

The Middle East—Jordan, Iran, Lebanon, and key countries like the Sudan, also Pakistan and India represented by members of Parliament and industrial leaders, come because they know the situation is desperate. The Indian Government is doing everything it can now to stop the drift of labor, political, and youth leaders to Moscow, but without an answering and superior ideology they face an impossible task.

This is the significance of Mackinac and of the visitors to Washington on Friday. They are finding an ideology of freedom based on absolute moral standards and the guidance of God that can answer communism and the corruption and division that follow materialism of every kind in East and West.

The delegates from Mackinac include:

Mr. Niro Hoshijima, signatory to the Japanese Peace Treaty and senior member of the Japanese Diet.

Senator Mrs. Shidzue Kato, who received the largest majority of votes of any man or woman in the history of the Diet in the recent election.

Senator Takeshi Togano, chairman of the Transportation Committee of the Diet.

Senator Tsuyoshi Suzuki, former chairman of the Telecommunications Workers of 150,000 men in Japan.

Senator Roseller T. Lim, of the Philippine Congress, chief delegate to the ILO Conference in Geneva.

The Tolon Na, a leader of the opposition in the Ghana Parliament and one of the chief architects of their new constitution.

Maj. Agerico A. Palaypay, air force aide de camp and appointments secretary to the President of the Republic of the Philippines.

Mr. Rajmohan Gandhi, grandson of Mahatma Gandhi.

Mrs. Yukika Sohma, daughter of the late Honorable Yukio Ozaki, member of the Diet for over 60 years, who gave the cherry trees to Washington.

Mr. Takasumi Mitsui, of the Mitsui industrial family who had over a million employees before the war.

Mr. Sontoku Ninomiya, the founder and former president of the Seinendan, Japanese Youth Federation, of 4,300,000.

Mr. Kazuyoshi Mitsugi, chairman of the Tokyo region of the National Railway Workers.

Mr. Alberto Javier, acting chairman, Presidential Consultative Council on Youth Affairs, Philippines.

MRA is not another religious sect, although its ideology contains the fundamentals found in all religions—the teaching of honesty, purity, unselfishness and love, accepted absolutely for individuals and nations.

Friday last, I had an experience that I shall long remember. A Japanese told me, through an interpreter, "I came to America hating America because I was at Nagasaki, and there I lost all my loved ones. I have been to Mackinac Island, and the hate has gone out of me. I know I have something better to do than to hate."

I talked with a Filipino and with the grandson of Mahatma Gandhi; they, too, were seeking the answers and felt they had found some of them.

After the group had luncheon as guests of the Members of the Senate, they proceeded to the House of Representatives, where they were received by Speaker SAM RAYBURN.

Presidential Succession

EXTENSION OF REMARKS
OF
HON. THOMAS C. HENNINGS, JR.
OF MISSOURI
IN THE SENATE OF THE UNITED STATES
Monday, July 1, 1957

Mr. HENNINGS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article on Presidential Succession, written by the distinguished senior Senator from Rhode Island [Mr. GREEN]. The article appears in the Dickinson Law Review, of Dickinson College, in Carlisle, Pa.

It is an extremely provocative article, and in view of the long and varied experience of the distinguished senior Senator from Rhode Island as a teacher of law and in Government, I particularly commend it to the attention of my colleagues. The senior Senator from Rhode Island has exerted a leadership in the field for many years, and is especially well qualified to discuss this crucial question. I am sure all Senators will be interested in reading his latest thinking on this subject.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESIDENTIAL SUCCESSION

(By the Honorable THEODORE FRANCIS GREEN, United States Senator from Rhode Island)

(Introduction)

During the past few decades the importance of the office of the President of the United States has greatly increased, paralleling the rise of our Nation to its current status as a leading world power.[1] Now, more than ever before in our history, it is imperative that transferral of the executive power of the United States from one individual to another be accomplished smoothly and with a minimum of disruption in the processes of government.

Experience has demonstrated that in many areas of the broad field of Presidential succession the law is uncertain, imperfect, or incomplete. For example, grave illnesses of certain Presidents in the past have threatened the orderly processes of government and caused serious international concern.[2] If tomorrow we suddenly find ourselves in an unprecedented situation involving Presidential succession the attendant crisis could jeopardize not only our own security but that of our neighbors in the Free World.

In order to discuss intelligibly the problems relating to Presidential succession and to consider proposed solutions of those problems, a definition of the term "Presidential succession" is the first stem. The definition should be broad enough to include the normal succession which occurs when the incumbent President is replaced by a newly elected President and yet apply also to the unexpected or fortuitous circumstances of removal, death, or resignation of an incumbent President, or his inability to discharge the powers and duties of his office. In its broadest aspects the term "Presidential succession" includes the conditions under which, the order in which, and the extent to which, one person after another succeeds to the office and/or the powers and duties of the United States Presidency.

At the outset, any consideration of this phase of our system of government is replete with profound legal problems and grave constitutional questions. Efforts to study the problems and suggest concrete solutions to them seem only to be made by the Congress at the times when situations become acute and public interest is high. Then as soon as the dangers have lessened, public interest, as well as that of Congress, subsides and affirmative action is postponed. This is understandable in view of the difficulties involved but is no excuse for tolerating further neglect.

For many years I have been acutely aware of the problems inherent in Presidential succession. Although I have opinions on some of the issues involved, I frankly admit that neither do I have all the answers, nor do I believe a sufficiently concentrated analysis of the current laws and authoritative recommendations has been made on which to predicate positive legislative reform. Several years ago I arrived at the conclusion that the most appropriate method of dealing with the situation would be the creation of a joint committee of the Congress charged with the responsibility of exploring the entire area

[1] The book, Mr. President, by William Hillman (Farrar, Straus and Young, 1952), is an excellent and intimate portrayal of the problems and responsibilities encountered by the Chief Executive of the United States in today's world. For a more objective appraisal of the burdens of the American Presidency see Senate Report No. 1960, 84th Cong., 2d sess., entitled "Proposal to Create an Administrative Vice President."

[2] In 1881, President Garfield was incapacitated for 80 days preceding his death. During much of the time from September 1919 to March 1921 President Wilson was unable to give proper attention to the Presidential duties. In both instances the inability of the President was a well established fact, but friends and advisers counseled against transferring the powers and duties of the Presidency over to the Vice President in the fear that the President would be unable to regain the office in the event his inability should cease. The recent illnesses of President Eisenhower, which fortunately were of comparatively short duration, serve to point up once again the momentous problems which could arise under obscure provisions for dealing with the Presidential succession in such circumstances.

of Presidential succession and arriving at sound, well-considered proposals for appropriate consideration and action. As a Member of the United States Senate, I have introduced legislation to establish such a joint committee in the last six sessions of Congress.[1] Three times my proposals received the approval of the Senate, but in each of those instances the particular enabling resolution died in the House of Representatives.[2] However, my enthusiasm for the project has not waned with these disappointments, and I am continuing my crusade for the establishment of a joint committee which will lend the prestige and potency of both branches of the National Congress to this important project.

My most recent endeavor is Senate Concurrent Resolution 2 of the 85th Congress, which I introduced on last January 7. It would create a joint Congressional committee to make a full and complete study and investigation of all matters connected with the election, succession, and duties of the President and Vice President. The Senate Committee on Rules and Administration in favorably reporting my last previous concurrent resolution to the Senate stated, in part:

"The purpose of such contemplated study is to achieve a sound basis for the submission and promotion of remedial legislation necessary to make the statutes certain and complete concerning Presidential elections, successions, and duties.

"All matters relating thereto present legal problems and constitutional questions involving the fundamental concepts of the Federal Government which may be resolved adequately by Congress only after a thorough examination of the whole subject. To this end, a joint committee * * * would be established."[3]

The questions which follow are borrowed from S. Con. Res. 2, wherein they appear as suggested issues for study and recommendations. In this article I shall discuss them briefly and point out specific problems which they entail. I shall not presume to state the precise courses which remedial legislation should follow, because I believe such conclusions should await the completion of the study I propose. I shall, however, make reasoned observations where they seem appropriate.

Whether or not candidates for President and Vice President should be nominated by national conventions, as at present, and, if so, recommendations which should be made to the parties for improving the convention process, and, if not, a method which would be preferable.

I believe that our present method of nominating candidates for President and Vice President should be thoroughly reviewed by a joint committee of the Congress for the purpose of evaluating that method and recommending improvements therein or else the adoption of a preferable process.[4] At least two of my colleagues in the Senate have introduced specific legislation leading to the elimination or reform of nomination by national political conventions.

During the 82d Congress, Senator PAUL DOUGLAS, of Illinois, introduced S. 2570, to authorize the Attorney General to conduct preferential primaries for nomination of candidates for President and Vice President. Although the bill was the subject of a hearing by the Subcommittee on Rules, and was reported favorably to the Senate by the Committee on Rules and Administration,[5] it failed to pass. Mr. DOUGLAS introduced similar measures during the 83d and 84th Congresses,[6] both of which died in committee. Senator GEORGE SMATHERS, of Florida, introduced legislation during the 82d Congress providing for a constitutional amendment which would establish a presidential primary and eliminate nomination by national political conventions.[7]

Whether or not the President and Vice President should be elected by the electoral college, as at present, and if so, whether or not the members should be legally bound to vote in accordance with their instructions.

More than 20 States do not print the names of the candidates for electors on the general election ballots, but instead allow a vote for the presidential candidate of a national convention to be counted as a vote for the nominees of that candidate's party for the electoral college.[8] Yet the Constitution contemplates that electors, once chosen, shall be absolutely free to vote for any eligible person to be President or Vice President.[9] For example, as recently as December 18, 1956, an Alabama elector, Mr. W. F. Turner, who had been elected to vote for Adlai Stevenson and ESTES KEFAUVER, actually voted in the electoral college for Judge Walter B. Jones, of Alabama, for President and Senator-elect HERMAN TALMADGE for Vice President. Mr. Turner is only the most recent of several electors who have chosen to flaunt the wishes of a majority of the voters in their districts, though actually conforming to the original intent of the Constitution: viz, that the electors, not the people, shall choose our Executive.

There are several other weaknesses in the electoral-college procedure. Possibly the chief adverse criticism of the system is that it permits the election of candidates who trail in the popular vote. That has occurred three times during our Nation's history.[10] Then it is contended by some that, large portions of the electorate are in effect disfranchised by the winner-take-all system within

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[1] S. Con. Res. 50, 79th Cong., 2d sess. Submitted by Mr. GREEN January 17, 1946. Agreed to by the Senate March 14, 1946 (CONGRESSIONAL RECORD, vol. 92, pt. 2, p. 2237). Died in the House.

S. Con. Res. 1, 80th Cong., 1st sess. Submitted by Mr. GREEN January 6, 1947. Died in committee. See author's statement in support of S. Con. Res. 1 printed in Hearings before the Senate Committee on Rules and Administration on S. Con. Res. 1, S. 139, S. 536, and S. 564, 80th Cong., 1st sess., pp. 5–17 (1947).

S. Con. Res. 14, 81st Cong., 1st sess. Submitted by Mr. GREEN, January 31, 1949. Agreed to by the Senate October 17, 1949 (CONGRESSIONAL RECORD, vol. 95, pt. 11, p. 14772). Died in the House.

S. Con. Res. 23, 82d Cong., 1st sess. Submitted by Mr. GREEN April 9, 1951. Died in committee.

S. Con. Res. 2, 83d Cong., 1st sess. Submitted by Mr. GREEN January 7, 1953. Died in committee.

S. Con. Res. 65, 84th Cong., 2d sess. Submitted by Mr. GREEN January 23, 1956. Agreed to by the Senate February 20, 1956 (CONGRESSIONAL RECORD, vol. 102, pt. 3, pp. 2872–2875). Died in the House. (On March 8, 1956, the author appeared before the Committee on Rules of the House of Representatives and urged support of S. Con. Res. 65 and an identical resolution, H. Con. Res. 207, which had been introduced by Representative CHARLES E. BENNETT of Florida.)

[2] S. Con. Res. 50, 79th Cong., 2d sess.; S. Con. Res. 14, 81st Cong., 1st sess.; S. Con. Res. 65, 84th Cong., 2d sess.

[3] S. Rept. No. 1462, 84th Cong., 2d Sess. (1956). 1. Six years earlier the same committee, in favorably reporting a similar resolution, expressed the same objectives (Sen. Rept. No. 1096, 81st Cong., 1st Sess. (1949) 2).

[4] In the words of a popular periodical:

The search for a better way to nominate Presidential candidates is almost as old as the Presidency itself. In the early Presidential elections, candidates were selected by Members of Congress sitting in caucus. In 1824, Andrew Jackson and his followers rebelled against King Caucus, and paved the way for the convention system. In 1905, the Wisconsin Legislature passed a law for direct election of all delegates to national conventions. In 1910, Oregon adopted the first Presidential preference primary. In 1913, President Wilson urged virtually the same plan that Senator SMATHERS now proposes. (Time Magazine, February 25, 1952, vol. 59, No. 8.)

[5] S. Rept. No. 1858, 82d Cong., 2d Sess. (1952). See also Hearing before Subcommittee on Rules of the Committee on Rules and Administration on S. 2570, 82d Cong., 2d Sess. (1952).

[6] S. 1049, 83d Cong., 1st sess.; S. 652, 84th Cong., 1st sess.

[7] S. J. Res. 145, 82d Cong., 2d sess., which died in committee. Twelve States presently require that voters be enabled to express their preference for Presidential candidates. Those States are California, Illinois, Maryland, Minnesota, Nebraska, New Hampshire, New Jersey, Ohio, Oregon, Pennsylvania, West Virginia, and Wisconsin.

Although political parties are not provided for by the Constitution or statute, such parties have the power to determine their own nominees by well established precedent. Under their usual practice at national conventions the major political parties even provide for the possible death of its Presidential candidate.

To establish a procedure to be followed in the event of the death, resignation, or disability of its nominees for President and Vice President, the Democratic National Convention of 1956 adopted the following rule:

In the event of the death, resignation, or disability of a nominee of the Party for President or Vice President, the Democratic National Committee is authorized to fill the vacancy or vacancies, by a majority vote of a total number of votes possessed by the States and Territories at the preceding National Convention; the full vote of each State and Territory shall be cast by its duly qualified member, or members, of the National Committee, and in the event of a disagreement between the two members, each shall cast one-half of the full vote of the State. (Democratic Manual for the Democratic National Convention, 1956, p. 8.)

A similar resolution to provide for the same contingencies in respect to the Republican nominees was adopted by the Republican National Convention of 1956. (See also H. Rept. 345, 72d Cong.)

[8] The present provisions of law relating to the electoral college (enacted by Congress pursuant to Article II, Section 1, of the Constitution, and Amendment XII) are contained in Stat. 672–675 (3 U. S. C. 1–14). Title 3 of the United States Code, which contains said provisions, was enacted into positive law on June 25, 1948, by Public Law 771 of the 80th Congress. In 1957 the day set by the above law for the purpose of counting the electoral votes in Congress, January 6, falls on Sunday. Congress by the Act of March 24, 1956 (70 Stat. 54) designated Monday, January 7, as the day it shall meet in 1957 to count the electoral votes.

[9] According to custom electors usually vote for the candidate who is the choice of their political party. *McPherson* v. *Blacker* (146 U. S. 1, 36 (1892)). The U. S. Supreme Court has ruled that an elector may announce and pledge himself beforehand in support of such candidate. See *Ray* v. *Blair* (343 U. S. 214 (1952)).

[10] John Quincy Adams, in 1824; Rutherford B. Hayes, in 1876; and Benjamin Harrison, in 1888. A collateral problem develops from the failure of a candidate for President or Vice President to receive a majority of electoral votes. Then, under the 12th amendment of the Constitution, it becomes the prerogative of the House of Representatives to choose a President. But since 1801, when Thomas Jefferson was thus chosen over Aaron Burr—after 36 ballots—there has been support for a further amendment to resolve such issues by popular vote.

the States. It is also contended that since the people of the United States really do not elect their President, the present system is flagrantly undemocratic. Many persons agree with the statement attributed to Senator JOHN F. KENNEDY, Democrat, of Massachusetts, that "the electoral college is an unnecessary, confusing, and potentially harmful anachronism."[11]

During the 84th Congress a variety of proposals to revise or eliminate the electoral-college procedure were considered.[12] They can be conveniently categorized into those designed:

(a) To abolish the electoral college and elect the President and Vice President by direct popular vote;

(b) To keep the electoral college but to eliminate the discretionary power held—but rarely used—by the electors;

(c) To abolish the electoral college but retain the system of electoral votes, and apportion them among candidates on the basis of number of votes received by each candidate; or

(d) To permit each State, in its discretion, to adopt either of plans (b) or (c) above.

The debate on these proposals has revealed a wide disparity of opinion among Members of Congress.[13] But it has established clearly that there is a general need for change in the electoral procedure accompanied by lack of sufficient agreement on the nature of the best substitute or reform. Since the elimination of the electoral college or any radical revision thereof would necessitate a constitutional amendment, the need is apparent for comprehensive Congressional action if the processes of Presidential succession—by election—are to be improved within the foreseeable future.

Whether the provisions of Public Law 199 of the 80th Congress, approved July 18, 1947, relating to Presidential succession, adequately provide for all possible contingencies occasioned by the removal, resignation, death, or inability of both the President and Vice President.

The Constitution delegates to Congress authority to provide by law for the succession of the Presidency in the event the Nation should at any time find itself without either a President or a Vice President.[14] Pursuant to that authority Congress has enacted three basic statutes over the years.

The first, the act of March 1, 1792 (1 U. S. Stat. 240; Revised Stat., secs. 146, 147, 148, 149, 150), designated the President pro tempore of the Senate as third in succession (after President and Vice President). In the event there was no President pro tempore or he was unable to serve, the Speaker of the House was to act as President until the disability be removed or a President shall be elected. During the debates on this bill the question was raised as to who is an officer in the constitutional senses[15] since under the literal language of the Constitution[16] Congress can only debate what officer shall act as President. Although some Federal legislators doubted that the Presiding Officers of the respective Houses could qualify, they were notwithstanding designated as successors under the statute.

In 1886 Congress changed its mind and decided that the President pro tempore of the Senate and the Speaker of the House were not officers in the constitutional sense and therefore not eligible to succeed to the Presidency. The act of January 19, 1886 (24 U. S. Stat. 1), provided that the Secretary of State should be third in succession, followed in the stated order by the Secretary of the Treasury, the Secretary of War, the Attorney General, the Postmaster General, the Secretary of the Navy, and the Secretary of the Interior. From time to time bills were introduced to add the heads of newly created departments to the line of succession, but none became law, probably because of lack of interest at those times.

The principal criticism of the act of 1886 was that the President was in the unusual and undemocratic position of being able to select his potential successor through his prerogative of naming his Cabinet members. President Harry S. Truman in 1945 sent a special message to Congress asking that the succession law be changed to correct this anomaly. After much discussion in Congress the law was changed again, by the Act of July 18, 1947 (61 Stat. 380). That act, which is still in effect,[17] provides as follows:

"The Speaker of the House, upon his resignation as Speaker and as a Representative shall act as President in the absence of a President and a Vice President. If there is no Speaker or he is disabled or fails to qualify, the President pro tempore of the Senate, upon resignation as President pro tempore and as Senator, shall act as President. In the event of the absence or inability of either of the above, the Secretary of State shall act as President. The other Cabinet officers follow in the line of succession designated in the act of 1886."

Although Congress has temporarily answered the doubts as to whether the President pro tempore and the Speaker are officers in the constitutional sense, the question may arise again at any time. There are, in addition to this, many collateral questions which should be considered. Of these latter, I would like to touch briefly on one which is within the realm of current possibility.

Under present law the Speaker of the House and the President pro tempore of the Senate, both Democrats, are next in line after the President and Vice President, both Republicans, to serve as the Chief Executive. Should the top two offices fall vacant today, Speaker SAM RAYBURN would become President of the United States. This raises the question of party responsibility. Would a Democratic Speaker be as representative of the electoral will expressed in the last election as a Republican Secretary of State? Should the act of July 18, 1947, be modified to apply differently when the White House and the Congress are controlled by different political parties? That is the question which necessarily provokes the traditional arguments on the advantage of a pure parliamentary system.

How it shall be determined whether the President is unable to execute the powers and duties of the office; and how the extent and duration of such inability shall be determined and defined; and how it shall be decided that the inability requires the constitutional discharge by the Vice President of the powers and duties of the office of President, or results in the succession of the Vice President to the office of President.

During one of the sessions of the Continental Congress when the matter of presidential succession was under discussion Mr. John Dickinson, of Delaware, posed the following question to his colleagues: "What is the extent of the term 'disability' and who is to be the judge of it?"[20] It is interesting to note that nowhere is it recorded that Mr. Dickinson received an answer to his pointed inquiry.

Fortunately we survived the instances in our history when the ability of the President to carry on the duties of his office was highly questionable. The fact remains it is now more important than ever that we come to a definite understanding on the matter of what constitutes "inability" of a President in the constitutional concept. As is evident from the above allusion it was the intent of the framers of the Constitution that their successors in Government should meet the situation of inability to the President in the light of experience and pending circumstances.

The pertinent constitutional passage provides merely that in case of the President's inability to discharge the powers and duties of the office the same shall devolve on the Vice President.[21] The terse language suggests such problems as:

1. How should Presidential inability be defined?

2. Who shall determine that a President is unable to discharge his powers and duties?

3. When such determination is made, what ought to devolve on the Vice President, the office of the Presidency or only the powers and duties of that office?

I do not think that Congress should try to legislate a definition of the term "inability." Rather it would seem advisable, as it evidently did to the Founding Fathers, to allow the term to be interpreted in the light of conditions which obtain at the time. Instead of a cumbersome statutory definition, it might be better to adopt a commonsense rule that the President himself should be the judge of his own ability. However, this assumes that he is able to exercise rational judgment and declare his own inability and its likely extent; so Congress perhaps should lay the groundwork by expressing its interpretation of the constitutional provision and by establishing a positive procedure.

If a President were physically or mentally unable to decide or declare his inability, the power to so declare the inability might be given, by appropriate statute, to the President's Cabinet. It has been suggested that the authority should be vested in the Supreme Court or some independent commission.[22] To vest authority in the Supreme

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[11] 42 A. B. A. J. 1037 (November 1956).

[12] See How We Elect Our President: An Electoral College Education in One Lesson, by Joseph F. Dolan (42 A. B. A. J. 1037–1040 (November 1956)).

[13] (CONGRESSIONAL RECORD, vol. 102, pts. 4, 5, pp. 5533, 5535, 5537–5574, 5626, 5639, 5650, 5673, 8212.)

[14] Art. II, sec. 1, par. 6 of the Constitution reads:

"In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall act accordingly until the disability be removed or a President shall be elected."

[15] 3 Annals of Congress, 281.

[16] Supra note 16.

[17] By sec. 202 (a) of Public Law 253 of the 80th Cong., 1st sess., approved July 26, 1947, the Secretary of War and the Secretary of the Navy were eliminated from the line of succession and the Secretary of Defense (created by Public Law 253) was inserted therein.

[20] Farrand, Max, ed. The records of the Federal Convention of 1787 (Yale University Press, 1911), vol. 2, p. 427.

[21] Supra note 16.

[22] There are, of course the corollary problems of determining the duration and cessation of Presidential inability for which similar provision would have to be made.

For an indication of current congressional interest in the problems of Presidential inability see the following bill and joint resolutions introduced during the 84th Cong.: S. 2763, S. J. Res. 30, H. J. Res. 97, H. J. Res. 175, H. J. Res. 176, and H. J. Res. 442. See also hearings before Special Subcommittee to Study Presidential Inability of the House Committee on the Judiciary on Problem of Presidential Inability, 84th Cong., 2d sess. (1956), and accompanying committee print entitled "Presidential Inability" (January 31, 1956).

Court would probably require a constitutional amendment because the Court's original jurisdiction is strictly limited. Provision to decide the issue could follow the pattern of the impeachment process; devoid, of course, of any of the opprobrious connotations sometimes read into that process. A parallel procedure—initiation of the question of the President's inability by the House, consideration of the question by the Senate with the Chief Justice presiding, and a two-thirds vote by the Senate required for a determination or finding of inability—should provide ample safeguards for so grave a responsibility.

In the typical circumstance of Presidential inability I am inclined to the opinion that it is only the powers and duties of the President and not the Office itself that devolves on the Vice President. The logical implication of the Constitution seems to be that the Vice President in such a situation is merely acting for the President and that the latter recovers his powers when his disability is removed. As we have seen, there is no precedent to guide us except by questionable analogy to those instances when Vice Presidents have succeeded deceased Presidents.

The records of the Constitutional Convention indicate that it was not the intention of the framers of the Constitution that the Vice President or other officer in line of succession should become President in fact.[22] Yet we are faced with an unusual precedent in respect to Vice Presidents who succeeded to the powers and duties of the Presidency upon the death of a President. The precedent originated with Vice President John Tyler, who succeeded President William Henry Harrison, the first Chief Executive to die in office. Despite the objections of many of his contemporaries in high office, Tyler took the position that he was not Acting President, but President in fact. The other six Vice Presidents who succeeded Presidents who had died entertained the same attitude relative to their status when they assumed the powers and duties of the Presidency.[23] These precedents could cause reluctance in a disabled President and his advisers to encourage a Vice President to take over through fear that pursuant to the established precedent the Vice President would usurp the Office and fail to return it if the President's inability should cease.[24]

Congressional study of this tangent of presidential succession should have for its main objective the clarification of the status of one who succeeds to the Executive powers and duties. The present obscure situation should be rectified by statute or, if necessary, by constitutional amendment. Proceeding on the theory that the Vice President (or other officer in line of succession) does not become President in fact when he succeeds to the powers and duties of the Presidency under any set of circumstances, the question naturally arises as to whether it might not be advisable to provide for a special presidential election to coincide with the regular election of Members of the House of Representatives in those instances when 2 years or more of the presidential term remain. The proposed joint committee should consider the desirability of a constitutional amendment for that purpose.[25]

Whether the heavy responsibilities of the Presidency make it desirable to create an Office of Executive Vice President.

While not strictly within the area of presidential succession, I deem it advisable to include in the agenda for my proposed joint committee the consideration of the increasing responsibilities of the Presidency and the advisability and possibility of relieving the President of some of his administrative burdens. On January 16, 1956, former President Hoover, in an appearance before a Senate subcommittee, proposed that Congress create a statutory position of Administrative Vice President, to be assigned such administrative and coordination duties[27] as the President might be authorized under existing law to delegate to him. The former President emphasized that he was not proposing that the President be relieved of any of his constitutional duties. Mr. Hoover's proposal and other similar proposals and related matters were given complete study by the Subcommittee on Reorganization of the Senate Committee on Government Operations.[28]

CONCLUSION

I have attempted in this short article to review briefly some of the problems inherent in presidential succession and to emphasize those in dire need of early solution. The limitations of space have necessitated cursory treatment of the problems themselves, and my principal endeavor has been to stress the importance of their solution by the creation of a joint committee of Congress for that purpose.[29] All the items which I would include in the agenda of my proposed joint committee can best be considered together. While it is true that legislative remedies for them would have to be reported separately from several regular committees of the Senate and House, and that some of those remedies would be in the form of statutes and others in the form of constitutional amendments, I believe the first step by the Congress should be a comprehensive joint study of presidential succession in its broadest terms.

On Thursday, January 19, 1956, President Eisenhower held his first full-dress news conference following his unfortunate heart attack. At that conference, in discussing the laws of presidential succession and, in particular, succession pursuant to the disability of a President, President Eisenhower is quoted in the New York Times as having said:

"I think it is a subject that, in its broadest aspects, every phase of it should be carefully studied by the Congress, advised with by the Attorney General, and any kind of advice they want from the executive department, and some kind of a resolution of doubt reached. I think it would be good for the country."

I thoroughly concur in this forthright proposal. Although joint committees do not—except in rare instances—have my favor, it seems to me that the problems attendant upon Presidential succession constitute a rare instance. In my opinion, it is far more important to have some solution to the questions involved than it is to have the best solution, though, naturally, I would like to have the best. We cannot afford to be complacent. We cannot afford to indulge further procrastination in the area of Presidential succession. We must not wait for the impetus of another crisis to drive us to the action I now propose.[30] Any solution we can determine now by cool, deliberate consideration will be far superior to that achieved under the pressure of a sudden emergency.

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[22] Warren, Charles, The Making of the Constitution (1928), p. 635.

[23] In this respect, it is worthy to note an amusing aspect of the impeachment of Andrew Johnson, the Vice President who succeeded President Abraham Lincoln. During the impeachment of Johnson, his opponents, many of whom entertained the view that a Vice President does not in fact succeed to the Presidency, were forced to concede that Johnson was in fact President of the United States in order to proceed with the impeachment process inasmuch as Johnson was arraigned as "President of the United States."

[24] Amendment XX has seemingly given acquiescence to precedent in part since it provides that if a President-elect dies, the Vice President-elect shall become President.

[25] H. J. Res. 441, introduced by Congressman Dodd, during the 84th Cong., contained the following section:

"SEC. 2. If any person shall succeed to the Office of President, not having been elected thereto, and more than 1 year remains of the regular 4-year term, a special election shall be held within 4 months of the date of such succession to elect a President and Vice President to serve the remainder of such term."

[27] S. Rept. No. 1960, 84th Cong., 2d sess., 1956), p. 3.

[28] Hearings were held on this subject matter on January 16, 24, and 25, 1956; and on May 9, 1956, Senator JOHN KENNEDY, chairman of the Subcommittee on Reorganization of the Committee on Government Operations, summarized the unanimous views of the members of the subcommittee and explained its decision to take no further action at that time. See CONGRESSIONAL RECORD, vol. 102, pt. 6, p. 7744). Two proposals introduced in the House by Congressman FRELINGHUYSEN during the 84th Congress are worthy of note. H. R. 7900 would have established a Commission on the Office of President to look into the possibility of alleviating the heavy burdens of the Office of President and report its findings and recommendations to Congress. H. R. 7901, a more direct approach, would have amended title 3 of the United States Code by inserting a new provision, to wit:

"Section 106a. Administrative Vice President:

"The President is authorized to appoint, by and with the advice of the Senate, an administrative assistant to be designated as 'Administrative Vice President,' and may fix the compensation of such assistant at a rate not exceeding $27,500 per annum. The Administrative Vice President shall perform such duties as the President may prescribe."

In reference to the above proposals it should be noted that Congress made an attempt to relieve the President of much administrative detail by its act of October 31, 1951 (65 Stat. 712), which provides generally for the delegation of specified Presidential functions.

[29] In summarizing Congressional inaction and specific abortive attempts in clarification of succession law, one of the foremost authorities on the subject concluded her profound treatise as follows: "More to the point is Senator THEODORE F. GREEN'S resolution which would create a joint committee to investigate all matters relating to both Presidential election and succession." Silva, Ruth C., Presidential Succession. (University of Michigan Press, 1951, p. 166.)

[30] The report of the Senate Committee on Rules and Administration in recommending the establishment of my proposed joint Congressional committee, over 7 years ago, read in part:

"Many issues of the utmost importance and gravity will develop, no one of which can be adequately considered without a thorough examination of the entire subject. There also exists in this very important matter a definite interrelationship among the many far-reaching and fundamental questions which must be answered, so that this Nation will not be faced with a calamitous situation imperiling the succession of the Presidency without a legally established solution on which to rely. All uncertainties in a matter of such importance should be eliminated without hesitancy. This can be done by legislation which is based upon the findings of a complete investigation, and which is intelligently prepared and drafted so that all contingencies will be provided for in an adequate manner."

Senate Report 1096, 81st Congress, 1st sess. (1949) 2.

Freedom of Debate in the Senate

EXTENSION OF REMARKS
OF
HON. HERMAN E. TALMADGE
OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1957

Mr. TALMADGE. Mr. President, on Friday, June 28, the Special Subcommittee on Senate Rule XXII of the Senate Committee on Rules and Administration had the privilege of hearing testimony by Hon. John J. Wicker, Jr., of Richmond, Va., representing Hon. W. C. (Dan) Daniel, national commander of the American Legion.

Mr. Wicker's presentation on the subject of continued freedom of debate in the Senate of the United States made on behalf of Commander Daniel was masterful and persuasive, and, in order that all Members of the Senate may have the full benefit of it, Mr. President, I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD. I further ask unanimous consent that the introduction of Mr. Wicker as given by the distinguished junior Senator from Virginia [Mr. ROBERTSON] precede the text of Mr. Wicker's testimony.

There being no objection, the statement and the introduction were ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR A. WILLIS ROBERTSON IN INTRODUCING HON. JOHN J. WICKER, JR., BEFORE SUBCOMMITTEE OF RULES COMMITTEE, JUNE 28, 1957

Mr. Chairman, last year when the Senate Judiciary Committee was conducting hearings on a so-called civil-rights bill, I introduced as a witness the same gentleman who is with me today.

I have known him for many years, first, as an outstanding lawyer, as a member of the State Senate of Virginia, and as one of the founders of the American Legion and a former Virginia State commander of that organization.

He is a former chairman of the judiciary committee of the Virginia Bar Association and a present member of the executive council of the insurance law section of the American Bar Association.

He was president of the electoral college of Virginia in 1944 and chairman for the first half of the 1945 constitutional convention of Virginia. He has served on several State commissions and boards.

Most important, for our present purpose, however, he is an astute student of the law and a dedicated believer in the principles of constitutional liberty and in the institutions, including the Senate of the United States, which are designed to preserve that liberty.

Last year he gave a convincing and scholarly argument against proposed legislation which he and I both felt would constitute a threat to constitutional liberty. Today I am sure he will be equily skillful in presenting his views on why it would be dangerous and undesirable to change the rules of the Senate in a way which might remove some of the protections of minority rights which were deliberately provided by the Founding Fathers or prevent the full discussion of constitutional issues which is necessary for the preservation of the spirit as well as the letter of that great document.

It is a pleasure for me to present to this committee the Honorable John J. Wicker, Jr., of Richmond, Va.

STATEMENT OF JOHN J. WICKER, JR., ATTORNEY AT LAW, REPRESENTATING W. C. (DAN) DANIEL, NATIONAL COMMANDER OF THE AMERICAN LEGION, BEFORE THE SUBCOMMITTEE OF THE SENATE COMMITTEE ON RULES AND ADMINISTRATION, IN CONNECTION WITH HEARINGS ON PROPOSED CHANGES IN SENATE RULE XXII (CLOTURE RULE)

Mr. Chairman and members of the subcommittee, my name is John J. Wicker, Jr. I am an attorney at law, and for many years I have been a member of the bar of the Supreme Court of Appeals of Virginia, of the Federal courts in Virginia, and of the Supreme Court of the United States. I am also a former Virginia State senator and I was temporary chairman of the 1945 constitutional convention of Virginia. I reside, as I have for most of my life, in Richmond, Va.

I am appearing before you at the request of W. C. (Dan) Daniel, the national commander of the American Legion, and upon his authority, to express the views of the national commander—with which views I am in full accord—concerning a number of resolutions pending before you to amend and modify rule XXII of the Standing Rules of the Senate (relating to cloture). The national commander was invited to appear before you by the distinguished Senator from Georgia, Senator Herman E. Talmadge, and being unable to appear in person because of previous engagements, he has requested and authorized me to appear in his stead.

GENERAL PURPOSE AND EFFECT OF PENDING RESOLUTIONS

While the several resolutions pending before you with regard to cloture have some differences in language and in detail, they all appear to have the same general intent and purpose and would probably have the same general effect, viz to make it possible for less than two-thirds of the duly elected Members of the Senate to shut off debate and to deprive more than one-third of the duly elected Senators of their right of unlimited debate.

PENDING RESOLUTIONS WOULD PERMIT 49 SENATORS TO SILENCE 47 SENATORS

As the rule now stands, the views and voices of United States Senators upon pending legislation can be shut off by the concurring vote of 64 out of the 96 elected Senators. Under these pending resolutions, cloture could be applied and debate terminated at any time, by the concurrence of only two-thirds of these Senators actually voting on the resolution of cloture, provided that they constituted at least a bare majority of the total membership.

Thus, the sentiments and opinions and judgments of a large number of duly elected United States Senators—voicing and reflecting the sentiments and opinions and judgments of the citizens of their respective States—could be stifled and silenced by the active concurrence of a bare elected majority. And this would be true regardless of how fundamentally important the issue might be.

While the rule now requires 64 affirmative votes to apply cloture, the pending resolutions would reduce that required number by 15, almost a fourth, so that the required minimum would be only 49 Senators, provided not more than 24 other Senators actually voted the other way. Forty-seven Senators might be opposed to the pending legislation and/or opposed to cloture; but unless at least 25 of them were actually present and voting, their opposition would be ignored and count for naught.

SENATE AND HOUSE ARE COORDINATE AND OF EQUAL DIGNITY BUT FUNDAMENTALLY DIFFERENT

Our Founding Fathers very wisely provided for two distinct bodies in the Federal legislative branch. The House of Representatives, chosen on a population basis and constituting a large representative body, is fresh from the people as a result of elections every other year. The Senate, being a smaller and consequently much more deliberative body, with each State being represented by two Senators regardless of wide variations in population and area, has its membership elected for 6-year terms with only one-third of the body being elected every 2 years.

Anyone making even a cursory study of the fundamental principles and aims and purposes which the framers of the Federal Constitution had in mind in providing for these two bodies, so vastly different in their size and basis of representation and terms of office and times of election, will recognize that while the powers of the two Houses are coordinate, their methods of operation would, in many particulars, be vitally and fundamentally different.

LIMITATION OF DEBATE APPROPRIATE AND NECESSARY IN HOUSE BUT NOT IN SENATE

Obviously anything like unlimited debate in any legislative body as large as the House of Representatives (numbering 435 Congressmen) would be completely out of question. Consequently limitation of debate in the House of Representatives is not only traditional and historical, but is also absolutely necessary in order to permit the House to operate.

By sharp contrast, however, the Senate, with a total membership of 96—substantially less than one-fourth of the number of the House—can operate efficiently and effectively without limitation of debate. In fact, the Senate has actually done so throughout its existence.

ANYTHING IMPORTANT ENOUGH TO JUSTIFY CLOTURE WILL HAVE ACTIVE SUPPORT OF AT LEAST 64 SENATORS

Anything so serious and so dangerous to our American form of Government—as shutting off debate and stifling free expression and argument by United States Senators—should never be sanctioned without the affirmative concurrence of at least two-thirds of the membership of the Senate. If any real emergency arises that requires and justifies a limitation of debate, surely the emergency would be recognized and acted upon by at least two-thirds of the Senators. And any proposition of that kind which cannot secure the active voting support of at least two-thirds of the duly elected Senators does not deserve to be adopted.

With only two Senators elected by any one State to represent that State and its people, it would be unreasonable to silence those Senators from expressing their views fully—especially on measures which they believe may involve a violation of fundamental constitutional rights—unless at least two-thirds of the membership of the Senate affirmatively vote to close debate.

Any attempt to shut off debate which cannot command the affirmative voting support of at least 64 out of the 96 elected Senators must have inherent in it such weakness and such objection that it deserves to fail.

MINORITY OF SENATORS OBSTRUCTING WILL OF MAJORITY IS SOMETIMES BEST FOR PUBLIC WELFARE

It is claimed that rule XXII permits a minority to obstruct the will of the majority. If that be true, it is not necessarily a damning indictment because our history shows many instances in which a bare majority, if unfettered and uncontrolled, would have done willful violence to the legitimate rights of minorities.

To enable cloture to be applied upon the concurring vote of less than two-thirds of the elected Senators would undoubtedly result in the hasty enactment of some legislation which would otherwise be defeated if

debate were sufficiently prolonged to enable the American public to become fully informed as to the merits or demerits of the proposed legislation and to transmit their sentiments to their representatives in the Senate. In the very nature of things there is not as much opportunity for this formulation of informed and considered public opinion in connection with the passage of legislation in the House of Representatives, but this opportunity should by all means be preserved in the Senate.

MINORITY OF SENATORS MAY ACTUALLY REPRESENT MAJORITY OF CITIZENS

A minority of Senators may actually be representative of a large majority of American citizens and of American territory. For example, there are 10 States having a combined total of only 20 United States Senators, and yet these 10 States have a combined population constituting a substantial majority of all the citizens of the United States of America, and also a majority of territory. Even as it stands now, the rule is fraught with some danger of unduly stifling debate; but this danger certainly should not be increased, as it would be, by a weakening modification of the rule by the pending resolutions.

PRESENT RULE HAS NOT KILLED PERMANENTLY ANY MERITORIOUS LEGISLATION

Of all the legislation that has failed of passage at one time or another in the United States Senate, because of unlimited debate, very few measures have failed of ultimate enactment. In fact, the few that have failed permanently were those that were of such a vicious type, fraught with such genuine peril to our American system of government, that they fully deserved the defeat they experienced.

SENATE EXPECTED TO BE MORE DELIBERATE THAN THE HOUSE

In view of the important differences in size, basis of representation, terms of office, times of election, prerogatives and functions, the Senate was designed and intended to operate quite differently from the House. It is not unreasonable to say that the Senate was intentionally created of such size and type as to make sure that many things hastily approved by the House would not receive the approval of the Senate.

Elected entirely every 2 years, the House is fresh from the people and, quite naturally, reflects the current popular sentiment of the people at the moment. But the Senate, elected by thirds over a period of 6 years, represents a much broader span of public opinion. Consequently, from the very beginning of our Government, the Senate has been expected to be more deliberate than the House; ordinarily to concur in House action but just as properly to refuse concurrence when any sizeable segment of the Senate has reasonable doubt of the long range wisdom of House action.

MORE DELIBERATE SENATE ACTS AS BULWARK AGAINST EXECUTIVE DOMINATION

While the House and the Senate are of equal dignity, there are many important functions performed solely by the Senate; for example, the confirmation of executive appointments and ratification of international treaties. If limitation of debate could be brought about by less than the concurring vote now required, it is conceivable that the Senate might not be able to discharge its important functions as intelligently as it should, and as it now does.

The smaller size, staggered changes of personnel and representation on the basis of individual States rather than population, all combine to show that the Senate was consciously designed to act also as a safeguard against Executive domination. Otherwise, why is it that the Senate, rather than the House, must approve or reject important official appointments made by the President? Obviously because—ordinarily although not always—the majority of the House is more apt to be of the same political party or governmental persuasion as the President. Thus, ordinarily, the House is more likely to go along with Presidential policy. The Senate, however, being more removed from the popular pressures and changing passions of the day, is more apt to apply its own deliberate judgment. And whenever necessary, in the interests of constitutional government, the Senate is expected to act as a deterrent and checkmate against hasty action—regardless of whether that action originates in the House or in the Senate.

It has been true in the past, and may well be so in the future, that it is a minority of both parties in the Senate that must be counted upon as the last bulwark against improper, harmful legislation. And this bulwark should not be destroyed or weakened, regardless of how high and noble the motives of the proponents may be.

HISTORY WARNS OF DANGER OF BARE MAJORITIES

With no reflection upon anyone, let us remember that most of the foreign tyrants of the past have acquired absolute and despotic power on the temporary but surging wave of popular sentiment of the day, allegedly to promote social welfare and so-called civil rights, etc. Few indeed would have succeeded in their autocratic seizures if their countries had been blessed with a legislative body with the courage, power, and deliberative character of the United States Senate. In the few instances where there was indeed a legislative body at all comparable to our Senate, the first step of the tyrant and his cohorts was to suspend or repeal all rules which permitted anything less than an absolute majority to oppose him. Of course, it may be said that such a thing could never happen here. Well, that same thing was said, and believed, in every country before it succumbed to the tyranny of a dictator.

WHY WEAKEN MINORITY IN THE SENATE TO STRENGTHEN MINORITY OUTSIDE?

It is a strange and paradoxical thing that many of the leading proponents of cloture, who seek to make it possible to stifle the voice of substantial minorities in the United States Senate, appear to be doing so principally in the hope of thereby bringing about the passage of pending legislation, allegedly designed to protect miscellaneous minorities of people here and there in the United States outside the Senate. It would seem that Senators should be at least equally zealous in protecting the rights of their fellow Members of what has well been described as the most august deliberative body in the world as they are in seeking to set up a vast bureaucracy of Federal inquisitors and prosecutors to ferret out and punish fancied grievances of a comparatively few individuals.

RULE XXII HAS PROVEN ITS VALUE TO PUBLIC WELFARE AND SHOULD NOT BE WEAKENED

Rule XXII has had considerably more than a century of useful life and it would not be for the best interest of the United States and its people, or of our American form of government, to emasculate or otherwise weaken this rule.

The modification and weakening of the rule would bring about far greater bitterness and resentment than whatever may be occasionally aroused by the operation of the rule as it now stands.

SENATE

TUESDAY, JULY 2, 1957

The Senate met at 11 o'clock a. m.

Rev. Robert Theron Browne, associate minister, First Methodist Church, Houston, Tex., offered the following prayer:

Eternal Father, give us grateful hearts for this moment when a nation prays. May we beg to offer our thanks simply, and without pretense, for the high calling that unites us in the cause of freedom.

At the approach of the sacred day upon which that liberty was conceived, prepare in us a clean heart, O God, that we may by Thy help receive so great an inheritance with high resolve that it shall never be lost.

May all that is done in this Chamber cause all our country to hear a resounding note of freedom.

By Thy grace, may our ideals concerning justice fall into a more sober perspective, and may we discover that we have been led by Thy hand through difficult hours of discussion.

We pray in Thy holy name, for Thou art the power and the glory. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Monday, July 1, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on July 1, 1957, the President had approved and signed the act (S. 768) to designate the east 14th Street highway bridge over the Potomac River at 14th Street in the District of Columbia as the Rochambeau Memorial Bridge.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 609. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes; and

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1058. An act to preserve the key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida;

H. R. 2170. An act to authorize the Secretary of the Interior to consummate desirable land exchanges;

H. R. 3071. An act to authorize the Secretary of the Interior to enter into and to execute amendatory contract with the Northport Irrigation District, Nebraska;

H. R. 3358. An act to supplement the land grant provisions of the Alaska Mental Health Enabling Act;

H. R. 3604. An act to amend section 831 of title 5 of the Canal Zone Code to make it a felony to injure or destroy works, property, or material of communication, power, lighting, control, or signal lines, stations, or systems, and for other purposes;

H. R. 4115. An act to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes;

H. R. 5810. An act to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954;

H. R. 5953. An act to provide for the construction of sewer and water facilities for the Elko Indian colony, Nevada;

H. R. 6182. An act to provide for the conveyance of certain real property of the United States to the former owners thereof;

H. R. 6710. An act relating to Canal Zone money orders which remain unpaid;

H. R. 7383. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes;

H. R. 7540. An act to amend Public Law 815, 81st Congress, relating to school construction in federally affected areas, to make its provisions applicable to Wake Island;

H. R. 7734. An act to exempt certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries;

H. R. 7864. An act to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska;

H. R. 7907. An act relating to contracts for the conduct of contract postal stations, and for other purposes;

H. R. 7910. An act to revise the laws relating to the handling of short paid and undeliverable mail, and for other purposes;

H. R. 8005. An act to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook, and State of Illinois;

H. R. 8053. An act to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians; and

H. R. 8195. An act to facilitate the payment of Government checks, and for other purposes.

The message further announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 135. Concurrent resolution to print as a House document the publication Guide to Subversive Organizations and Publications and to provide for the printing of additional copies; and

H. Con. Res. 136. Concurrent resolution to print as a House document volumes I and II of the publication Soviet Total War and to provide for the printing of additional copies.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred or placed on the calendar, as indicated:

H. R. 1058. An act to preserve the key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida; to the Committee on Interstate and Foreign Commerce.

H. R. 2170. An act to authorize the Secretary of the Interior to consummate desirable land exchanges;

H. R. 3071. An act to authorize the Secretary of the Interior to enter into and to execute amendatory contract with the Northport Irrigation District, Nebraska;

H. R. 3358. An act to supplement the land-grant provisions of the Alaska Mental Health Enabling Act;

H. R. 4115. An act to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes; and

H. R. 7864. An act to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska; to the Committee on Interior and Insular Affairs.

H. R. 3604. An act to amend section 831 of title 5 of the Canal Zone Code to make it a felony to injure or destroy works, property, or material of communication, power, lighting, control, or signal lines, stations, or systems, and for other purposes;

H. R. 6710. An act relating to Canal Zone money orders which remain unpaid; and

H. R. 7734. An act to exempt certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries; to the Committee on Armed Services.

H. R. 5810. An act to provide reimbursement to the tribal council of the Cheyenne River Sioux Reservation in accordance with the act of September 3, 1954; to the Committee on the Judiciary.

H. R. 5953. An act to provide for the construction of sewer and water facilities for the Elko Indian colony, Nevada;

H. R. 7540. An act to amend Public Law 815, 81st Congress, relating to school construction in federally affected areas, to make its provisions applicable to Wake Island; and

H. R. 8053. An act to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians; to the Committee on Labor and Public Welfare.

H. R. 6182. An act to provide for the conveyance of certain real property of the United States to the former owners thereof; and

H. R. 8005. An act to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook, and State of Illinois; to the Committee on Government Operations.

H. R. 7383. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes; placed on the calendar.

H. R. 7907. An act relating to contracts for the conduct of contract postal stations, and for other purposes; and

H. R. 7910. An act to revise the laws relating to the handling of short paid and undeliverable mail, and for other purposes; to the Committee on Post Office and Civil Service.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were referred to the Committee on Rules and Administration:

H. Con. Res. 135. Concurrent resolution to print as a House document the publication Guide to Subversive Organizations and Publications and to provide for the printing of additional copies.

"House Concurrent Resolution 135

"*Resolved by the House of Representatives (the Senate concurring)*, That the publication entitled 'Guide to Subversive Organizations and Publications' prepared by the Committee on Un-American Activities, House of Representatives, 84th Congress, 2d session, be printed as a House document; and that there be printed 60,000 additional copies of said document, of which 40,000 copies shall be for the use of said committee and 20,000 copies to be prorated to the Members of the House of Representatives for a period of 90 days after which time the unused balance shall revert to the Committee on Un-American Activities."

H. Con. Res. 136. Concurrent resolution to print as a House document volumes I and II of the publication Soviet Total War and to provide for the printing of additional copies.

"House Concurrent Resolution 136

"*Resolved by the House of Representatives (the Senate concurring)*, That volumes I and II of the publication entitled 'Soviet Total War' prepared by the Committee on Un-American Activities, House of Representatives, 84th Congress, 2d session, be printed as a House document; and that there be printed 5,000 additional copies each of volumes I and II for the use of said committee."

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the following committees and subcommittee were authorized to meet during the session of the Senate today:

The Committee on Interior and Insular Affairs.

The Committee on Foreign Relations.

The subcommittee considering changes in rule XXII of the Committee on Rules and Administration.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour, for the introduction of bills and the transaction of other routine business. In that connection, I ask unanimous consent that statements be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZATION FOR DISPOSAL OF CERTAIN UNCOMPLETED VESSELS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation to authorize the disposal of certain uncompleted vessels, which, with the accompanying paper, was referred to the Committee on Armed Services.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

The petition of Roger Revelle, of La Jolla, Calif., praying for the enactment of legislation to construct a geophysical institute in the Territory of Hawaii; to the Committee on Appropriations.

A resolution adopted by the Northwest Texas Annual Conference of the Methodist Church, at Amarillo, Tex., favoring the enactment of legislation to prohibit the advertising of alcoholic beverages in interstate

commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. FLANDERS:

A joint resolution of the Legislature of the State of Vermont; to the Committee on Armed Services:

"Joint resolution relating to trial of United States military forces abroad

"Whereas the members of our Armed Forces serving abroad, their civilian components, and the dependents of each, are now subject to the criminal jurisdiction of more than 50 countries in which they may be on duty, by reason of the NATO Status of Forces Treaty, the administrative agreement with Japan, and executive agreements with other nations; and

"Whereas these agreements penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend; and

"Whereas it is difficult for any serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying systems of jurisprudence which make it difficult for him to receive the protection of all of the rights and guaranties which our Constitution gives to every citizen, and because of the prejudice and animosity sometimes existing against our men; and

"Whereas legislation has been introduced in both the Senate and House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its Armed Forces for all purposes: Now, therefore, be it

"*Resolved by the senate and house of representatives*, That the members of this body deplore the arrangements now existing which make service in our Armed Forces abroad a hazard by depriving our servicemen, their civilian components, and dependents of each of the rights and guaranties of our Constitution when they are stationed in other lands; and be it further

"*Resolved*, That we respectfully urge the Congress of the United States to immediately enact the legislation now pending or similar legislation which will secure a modification of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen; and be it further

"*Resolved*, That the general assembly express its belief that all United States service personnel stationed abroad should be tried by United States military tribunals under the Uniform Code of Military Justice for any offense committed on foreign soil and respectfully urge the President of the United States, by negotiation, and the Senate and House of Representatives of the United States by legislation directing such negotiation, to immediately seek a modification of all existing agreements with foreign nations so that the United States may regain criminal jurisdiction over its Armed Forces; and be it further

"*Resolved*, That the secretary of state send a copy of this resolution to Hon. GEORGE D. AIKEN, Hon. RALPH E. FLANDERS, and Hon. WINSTON L. PROUTY."

RESOLUTION OF FLORIDA STATE LEGISLATURE

Mr. HOLLAND. Mr. President, on behalf of myself and my colleague, the junior Senator from Florida [Mr. SMATHERS], I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, House Memorial 1579 of the Florida Legislature, regular session 1957, memorializing and requesting the Congress of the United States to take the necessary action to have the Department of the Interior cooperate and aid in preventing forest-fire hazards in Wakulla County, Fla., in which the Apalachicola National Forest is located.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and, under the rule, ordered to be printed in the RECORD, as follows:

House Memorial 1579

Memorial to Congress of the United States of America requesting aid and cooperation from the United States Department of the Interior to prevent forest-fire hazards in Wakulla County, Fla., in the national forest located therein

Whereas the year 1956 was one of the driest in the history of Florida, resulting in a drop of the natural water table and in Wakulla County, Fla., Lost Creek and the Sopchoppy River have become extremely low; and

Whereas there are thousands of acres of forest land, including the Apalachicola National Forest located in this area, which are now in a very bad position due to the fall of these rivers and if fire broke out in this area it would cause great damage to the forest and threaten life; and

Whereas the best solution, it appears, is to construct a series of spillway dams across these rivers to back up the waters of these rivers and raise the natural water table and assure water for fighting forest fires as well as maintaining natural fire breaks and reducing the hazard; and

Whereas the Apalachicola National Forest being involved, makes it necessary to consult the United States Government before such a cooperative plan can be worked out: Now, therefore, be it

Resolved by the Legislature of the State of Florida—

SECTION 1. The Congress of the United States of America is memorialized and requested to take the necessary action to have the Department of the Interior cooperate and aid in this forest-fire prevention measure.

SEC. 2. A copy of this memorial shall be sent by the secretary of state of the State of Florida to: (1) the Honorable BOB SIKES, Congressman from Florida, (2) the Honorable SPESSARD HOLLAND, Senator from Florida, (3) the Honorable GEORGE A. SMATHERS, Senator from Florida, (4) United States Secretary of the Interior.

Filed in office, secretary of state, June 20, 1957.

RESOLUTION IN SUPPORT OF INCREASED POSTAGE RATES

Mr. WILEY. Mr. President, I have received a resolution adopted by the Wisconsin Rural Letter Carriers' Association, favoring an increase in postage rates.

As we know, the House Post Office and Civil Service Committee has reported out a bill, H. R. 5836, for increased rates on first-, second-, and third-class mail, as well as on books.

While the Senate is awaiting action by the House on this revenue legislation, I would invite the attention of my colleagues, as well as the House members, to this grassroots "voice of support" for increased rates.

We will want, of course, to take a fair, openminded look at these proposals. As we recognize, there is a real need to modernize our postage rates in relation to today's actual increased costs of operation by the Post Office Department. Naturally, we will also want to give consideration to the effects that increased rates would have on specific groups of "mail users."

I feel there need be no basic inconsistency between the needs of the public, to avoid a huge postal deficit, and the needs of specific segments of private enterprise which rely heavily on fair mail rates for service purposes. These two basic interests can be and must be reconciled.

So that the sentiments of the fine Wisconsin Rural Letter Carriers Association may be considered, I request unanimous consent to have the resolution printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

WISCONSIN RURAL LETTER CARRIERS' ASSOCIATION,
Bowler, Wis., June 26, 1957.

DEAR MR. WILEY: The resolution listed below was passed at our annual State convention just completed, at Green Bay, and as per the same the secretary has been instructed to send a copy of said resolution to each of you.

No. 10. Whereas the Post Office Department has operated in a deficit and the Postmaster General has repeatedly asked for a postage rate increase, be it resolved that the Wisconsin Rural Letter Carriers' Association go on record as favoring an increase in rates, and that a copy of this resolution be sent to the Wisconsin Senators and Congressmen.

We do hope that some sort of an increase bill can be passed soon, to put postage rates on a 1957 basis.

Many thanks for anything you can do on this.

Respectfully yours,
MELVIN LEMKE,
State Secretary, Wisconsin RLCA.

RESOLUTIONS OF DAIRYLAND POWER COOPERATIVE, LA CROSSE, WIS.

Mr. WILEY. Mr. President, I have just received a series of resolutions adopted at a membership meeting of the vast Dairyland Power Cooperative, of La Crosse, Wis.

The first resolution of the Dairyland Power Co-op expresses the deep interest in the maintenance of stable and fair REA interest rates.

As we know, the REA—over the years—has helped tremendously in the development of rural America.

The REA lines have brought electricity to our farms, giving our rural folks light, electricity, and power—and thus access to the comforts and conveniences of modern living enjoyed by their city cousins.

The maintenance of this service—at fair and reasonable rates, of course, is of great importance to all of agriculture. As we are all aware, the farmer is still not receiving a proportionate share of the national income.

Consequently, I think it is highly important to take a careful look at any legislation—such as the proposals to increase REA interest rates—which might, in turn, result in an even greater strain on farm income.

The second resolution by this fine co-op recognizes the need for pushing ahead with our atomic program, a matter for which I for one have previously definitely voted.

The prospect of low-cost power through early development of atomic powerplants brightens the future, not only of agriculture, but the whole country—and the world.

Consequently, I am glad to have heard the "voice" of the Dairyland Power Co-op, as it expresses its interest in the Federal Government assuming a vital role in the atomic development program.

The third resolution expresses the approval and endorsement by Dairyland Power Cooperative's board of directors of the legislation for Federal construction of a high dam at Hells Canyon.

As a cosponsor of S. 555—which fortunately has just passed the Senate—of course, I am glad to have this approval of the Senate action.

Moreover, I invite the attention of the Members of the House, and especially of the Irrigation Subcommittee of the House Interstate Committee, as it takes up consideration of Hells Canyon today, to this resolution.

Because the Dairyland Power Cooperative, along with others in the cooperative movement, speaks strongly in behalf of rural Wisconsin and America, I believe these resolutions deserve the utmost consideration.

I ask unanimous consent to have these resolutions printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED AT THE MEMBERSHIP MEETING OF THE DAIRYLAND POWER COOPERATIVE HELD JUNE 5, 1957, AT LA CROSSE, WIS.

STABLE AND FAIR REA INTEREST RATES

Resolved, That the delegates to the Dairyland Power Cooperative assembled in its annual meeting approve and endorse the remarks and position stated by President John E. Olson in his report to the members, relating to interest rates, as follows:

"Another controversy shaping up is over REA interest rates. You are all familiar with this issue. When the REA program was established, interest rates were legislated which would provide that they equal the average cost of money to the Government on long-term borrowings. In 1944, because of the red tape involved in establishing each new advance of REA loan funds at a different rate of interest, the Pace Act was passed pegging future interest rates at 2 percent. This 2-percent rate was established based upon a long-term average rate of interest cost to the Government. The Pace Act was a revision of the REA Act which recognized the 8 years of REA experience and was calculated to project the REA program into the future on a long-range basis. In addition to establishing a permanent 2-percent interest rate, the Pace Act changed the amortization period from 25 to 35 years. At the moment of the adoption of the Pace Act money was costing the Government considerably less than 2 percent, and on the average has been less than 2 percent since then. As a matter of fact, the Government has made a profit of $47 million on REA loans as of the end of 1956.

"However, during the past 3 years as a result of the hard-money policy of the national administration, interest rates have temporarily, at least, increased above 2 percent. Judging from history, it is doubtful that such hard-money policy will be permanent. At any rate, the temporary effects of such political expediencies are not a proper justification for upsetting the long-range REA program.

"As you might expect, the hue and cry was immediately set up by those wishing to embarrass REA, that interest rates should be increased. We recognize that loans at 2 percent today are causing withdrawals from that $47 million profit made by the Government on previous REA loans. But we must recognize, too, that REA loans are and must be long-term loans. There may be withdrawals, and there may be increases over the years in the profit made by the Government on a permanent 2-percent interest rate on REA loans. However, we supported the Pace Act in recognition of this fact of life, and we fully expect that the Congress will recognize that in the long run the 2-percent rate is a valid one in protecting the interest of all taxpayers.

"Where does this hue and cry come from? Certainly not from those interested in the welfare of our rural citizens. Certainly it does not come from those who have seen and appreciate the transformation that cooperative rural electrification has brought to rural America. Certainly not from the average taxpayer who recognizes that programs, such as the REA program, are building the economic power of millions more Americans to help them contribute toward the cost of government.

"Each and every member cooperative and Dairyland has a great stake in the outcome of this issue. Two percent interest on principal over a 35-year period amounts to a very large interest bill. For the calendar years of 1955 and 1956, for instance, Dairyland's expense for interest amounted to more than 13 percent of total operating expenses."

ATOMIC ENERGY

Whereas the dedicated purpose of Dairyland Power Cooperative to improve the standard of living of rural people will be advanced and nurtured by the early development of low-cost fuel through the use of atomic energy, and

Whereas the Federal Government has already invested $16 billion in the development of the use of atomic energy, and is in the most advantageous position to immediately proceed with the final development of atomic energy in the generation of electricity on a basis that will make such processes freely available to all types of organizations generating electricity on a fair and equal basis, regardless of size or financial ability of such organizations, and

Whereas it is our judgment that it is the responsibility of Congress to carry on a positive action program for the research, development and production of electricity from atomic fuel under direct government mandate and under legislation authorizing sufficient funds to build and operate a number of variable sized generating stations throughout the United States and to continue their operation until the desired competitive price status of the energy produced has been attained: Now, therefore, be it

Resolved, That the Dairyland Power Cooperative go on record urging Congress to enact into law Senate bill 151 and H. R. 2154, which would permit and enable the government to face up to its responsibility to the people of making finally available processes for the generation of electricity from atomic energy.

DEVELOPMENT OF HELLS CANYON ON THE SNAKE RIVER

Resolved, That the delegates to the Dairyland Power Cooperative assembled in its annual meeting approve and endorse the resolution of the board of directors relating to Hells Canyon adopted at its meeting of April 18, 1957, as follows:

Whereas the Congress of the United States will act at its present session on authorizing legislation to construct a high dam at Hells Canyon on the Snake River; and

Whereas the proper legislative test to apply to any project like the proposed high Hells Canyon Dam is whether it will provide for the fullest proper use of natural resources and whether private interests are willing and able to do the job as well as can be done by Federal development; and

Whereas the Federal Power Commission has granted a license to Idaho Power Co. for construction of small, low dams as an alternative to a single high Federal dam despite the findings of its hearing examiner, after a year of hearings, that the best development in the public interest would be a single high dam such as proposed in Hells Canyon legislation; and

Whereas we heartily concur with the examiner that a high dam providing 2,880,000 more acre-feet of storage for flood control, that would provide almost 40 percent more power; that would permit ultimate sale of the power at less than half the cost compared to projects authorized by the Federal Power Commission, is clearly a superior project in the public interest, particularly because it would be part of a long term integrated development of the Snake River; and

Whereas the examiner's reason for recommending approval of a Federal Power Commission license for private development was only because he personally didn't think Congress would authorize promptly the Federal development; and

Whereas Wisconsin, Minnesota, Illinois, and Iowa farmers, as well as farmers in 11 other Midwestern States would realize a saving of approximately $8.40 per ton in their purchase of plant food as a result of a major development of the phosphate resources of this area which would utilize the low-cost power from a Federal dam, but could not practically utilize higher cost power and lesser available capacity from private development; and

Whereas in 1957, 16 farmer-owned cooperative organizations serving the plant food needs of 2 million farmer-patrons in 15 Midwest States have already started development of the phosphate resources of this area but find the cost of concentrating superphosphates at the plant cost $2.10 per ton more for each additional mill in kilowatt hour cost and the difference between cost of power available from Federal development average 3 mills compared to 7 mills from private development; and

Whereas low cost power would increase the percentage of estimated phosphate deposits feasible for development by more than 300 percent, and such differentials in both price and available supply may often determine whether or not a farmer can afford to follow good soil conservation practices; and

Whereas Idaho Power Co. already has applications pending for rapid tax writeoffs on 2 of its proposed 3 small dams which at 6 percent over 50 years would yield a total subsidy at the expense of taxpayers of more than $325 million or roughly the cost of the Federal high dam, with the further expectation that a similar subsidy will be applied for if it should build the third dam it proposes; and

Whereas the private development represents partial, piecemeal and less than maximum integration of the potential of our great American water resources at ultimately much greater cost to the taxpayers of the Nation; and

Whereas this stretch of the Snake River represents the greatest remaining potential dam site in the Nation: Now, therefore, be it

Resolved, That we, the members of the board of directors of Dairyland Power Cooperative, which serves more than 90,000 rural families with their wholesale electric power needs in the States of Wisconsin, Iowa, Minnesota, and Illinois, do hereby strongly urge that our representatives in the Senate of the United States Congress, and our Representatives in the House of Representatives in our United States Congress, do

actively support enabling and authorizing legislation to provide for the construction of the high Federal dam at Hells Canyon under auspices of the United States and that construction be authorized with the least possible delay.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 4830. An act to authorize revision of the tribal roll of the eastern band of Cherokee Indians, North Carolina, and for other purposes (Rept. No. 570).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 977. A bill to suspend and to modify the application of the excess land provisions of the Federal reclamation laws to lands in the East Bench unit of the Missouri River Basin project (Rept. No. 574).

By Mr. LONG, from the Committee on Finance, with amendments:

S. 2080. A bill relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases (Rept. No. 571).

By Mr. CHAVEZ, from the Committee on Public Works, with amendments:

S. 1869. A bill to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes (Rept. No. 575).

INCREASED EXPENDITURES BY COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN, from the Committee on Foreign Relations, reported the following original resolution (S. Res. 152) authorizing an increase in expenditures for the Committee on Foreign Relations, which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Foreign Relations is authorized to expend from the contingent fund of the Senate, during the 85th Congress, for the purposes specified in section 134 (a) of the Legislative Reorganization Act of 1946, $10,000 in addition to the amount authorized in such section.

PAYMENT TO GOVERNMENT OF DENMARK

Mr. GREEN. Mr. President, from the Committee on Foreign Relations, I report an original bill to authorize a payment to the Government of Denmark, and I submit a report (No. 572) thereon.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar.

The bill (S. 2448) to authorize a payment to the Government of Denmark was read twice by its title and placed on the calendar.

CONTINUANCE OF EFFECTIVENESS OF MISSING PERSONS ACT

Mr. RUSSELL. Mr. President, from the Committee on Armed Services, I report an original bill to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958, and I submit a report (No. 573) thereon.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar.

The bill (S. 2449) to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958, was read twice by its title and placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. POTTER:

S. 2436. A bill to amend subsection (f) (1) of section 209 of the Highway Revenue Act of 1956 (70 Stat. 387); to the Committee on Finance.

S. 2437. A bill for the relief of Douglas Keddy; to the Committee on the Judiciary.

(See the remarks of Mr. POTTER when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. CLARK (by request):

S. 2438. A bill to amend the District of Columbia Business Corporation Act; to the Committee on the District of Columbia.

By Mr. SMITH of New Jersey:

S. 2439. A bill for the relief of Evangelia Margarita Novak; and

S. 2440. A bill for the relief of Siegbert Haja; to the Committee on the Judiciary.

By Mr. HRUSKA:

S. 2441. A bill to amend the act of March 4, 1933, to extend by 10 years the period prescribed for determining the rates of toll to be charged for use of the bridge across the Missouri River near Rulo, Nebr.; to the Committee on Public Works.

By Mr. HILL:

S. 2442. A bill for the relief of William S. Sherrill; to the Committee on Armed Services.

By Mr. YOUNG:

S. 2443. A bill to permit certain veterans to waive entitlement to insurance benefits under title II of the Social Security Act in order to preserve their rights to receive disability pensions under laws administered by the Veterans' Administration; to the Committee on Finance.

By Mr. AIKEN:

S. 2444. A bill to authorize cooperative associations of producers to bargain with purchasers singly or in groups and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. CASE of South Dakota:

S. 2445. A bill to extend for 2 months the time during which annual assessment work on mining claims held by location may be made; and

S. 2446. A bill to authorize the partition or sale of inherited interests in allotted Indian lands in South Dakota, to provide for an interim trust patent, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON (by request):

S. 2447. A bill to authorize and direct the Secretary of the Interior to undertake continuing studies of the effects of insecticides, herbicides, and fungicides upon fish and wildlife for the purpose of preventing losses of those invaluable natural resources following spraying and to provide basic data on the various chemical controls so that forests, croplands, and marshes can be sprayed with minimum losses of fish and wildlife; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN:

S. 2448. A bill to authorize a payment to the Government of Denmark; placed on the calendar.

(See the remarks of Mr. GREEN when he reported the above bill, which appear under the heading "Reports of Committees.")

By Mr. RUSSELL:

S. 2449. A bill to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958; placed on the calendar.

(See the remarks of Mr. RUSSELL when he reported the above bill, which appear under the heading "Reports of Committees.")

By Mr. JACKSON:

S. 2450. A bill for the relief of Luther Joe Bracey (Choi Myung Dai);

S. 2451. A bill for the relief of Berta Irene Heurung (Hahn Myo Soon); and

S. 2452. A bill for the relief of Lou Jean Clark (Whang Marion); to the Committee on the Judiciary.

By Mr. SCOTT:

S. 2453. A bill for the relief of Emile Zaidan; to the Committee on the Judiciary.

RESOLUTIONS

The following resolutions were reported or submitted, and referred as indicated:

Mr. GREEN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 152) authorizing an increase in expenditures for the Committee on Foreign Relations, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full, which appears under the heading "Reports of Committees.")

Mr. KENNEDY submitted a resolution (S. Res. 153) to express Senate opinion relative to the establishment of independence of Algeria, which was referred to the Committee on Foreign Relations.

(See resolution printed in full when submitted by Mr. KENNEDY, which appears under a separate heading.)

AMENDMENT OF HIGHWAY REVENUE ACT OF 1956

Mr. POTTER. Mr. President, I introduce a bill to amend subsection (f) (1) of section 209 of the Highway Revenue Act of 1956.

The bill would, if enacted, make it reasonably clear that funds in the highway trust fund shall not be used for the purpose of enforcing the Bacon-Davis provisions of the Highway Revenue Act. The reason for my introducing the bill is not that I am opposed to the Bacon-Davis provisions, because the contrary is true. I supported the Bacon-Davis provisions and they should be carried out; but they should be carried out by direct appropriation rather than by dipping into the highway trust fund for that purpose.

If we allowed the Department of Labor to dip its hands into the highway trust fund to carry out the provisions of the Davis-Bacon Act, we would be giving the Department of the Treasury, and other Government agencies which may have some dealings with the Interstate Highway System, the same privilege. Therefore, I sincerely hope the bill will receive favorable action, so that next year there will be no doubt that the Congress will be saying, "We have confidence in the highway trust fund."

I send the bill to the desk and ask that it be appropriately referred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2436) to amend subsection (f) (1) of section 209 of the Highway Revenue Act of 1956 (70 Stat. 387), introduced by Mr. POTTER, was received, read twice by its title, and referred to the Committee on Finance.

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN NIAGARA RIVER—AMENDMENTS

Mr. CLARK (for himself, Mr. LAUSCHE, and Mr. NEUBERGER) submitted amendments, intended to be proposed by them, jointly, to the bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT OF SOCIAL SECURITY ACT, RELATING TO RETROACTIVITY OF CERTAIN APPLICATIONS—AMENDMENT

Mr. POTTER. Mr. President, I submit an amendment which I intend to propose to the bill (H. R. 6191) to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes.

When social security coverage was extended on a volunteer local option basis to municipal employees, policemen, and firemen positions which were covered by State or a local retirement system were, at the insistence of national groups representing policemen and firemen, specifically excluded by law from social security coverage. Since the 1954 amendments, special legislation has been enacted which modifies this original exclusion to allow social security coverage for policemen and firemen of the States of North Carolina, South Carolina, Florida, Oregon, and South Dakota.

The purpose of my amendment is to include the State of Michigan among those States in which social security coverage for policemen and firemen is allowed.

The exclusion of all police and fire positions works a very definite hardship on firemen and policemen in some of our smaller cities and villages where local retirement systems are deemed inadequate. Generally firemen and policemen are the only ones in municipalities who are excluded from social security coverage.

My amendment would not only remove the bar to the coverage of individuals in police and fire positions in the State of Michigan, but would permit optional treatment of police positions, fire positions, or a combination of these positions, as a separate retirement system for referendum purposes. With the opportunity for separate referendums by these groups of employees, it appears that the interests of policemen and firemen are adequately protected, and at the same time opportunity is given for social security coverage, if desired.

The VICE PRESIDENT. The amendment will be received, printed, and lie on the table.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. YARBOROUGH:

Address delivered by him to the Texas Press Association State convention, San Antonio, Tex., June 29, 1957.

By Mr. REVERCOMB:

Address delivered by him before State convention of Veterans of Foreign Wars, at Clarksburg, W. Va., June 21, 1957.

By Mr. CASE of New Jersey:

Address delivered by Senator JAVITS at Colgate University conference on American foreign policy, Hamilton, N. Y., July 1, 1957.

By Mr. DOUGLAS:

Radio dialog entitled "Labor Answers Your Questions," program No. 9, entitled "Labor's New Broom," between A. J. Hayes, Senator Douglas, and Senator Morse.

By Mr. KUCHEL:

Letter dated May 31, 1957, addressed to him by Hon. Herbert Brownell, Jr., Attorney General of the United States, relative to Senate bill 83, the administration's civil-rights program.

NOTICE OF HEARING ON S. 420, TO PROVIDE FOR THE APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

Mr. JOHNSTON of South Carolina. Mr. President, on behalf of the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, July 10, 1957, at 10:30 a. m., in 424 Senate Office Building, on S. 420, to provide for the appointment of additional circuit and district judges, and for other purposes. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent.

The subcommittee consists of the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Utah [Mr. WATKINS], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

NONFERROUS METAL PRICES

Mr. MANSFIELD. Mr. President, in today's issue of the Wall Street Journal, I notice an item having to do with nonferrous metal prices. The article reads as follows:

Nonferrous metal prices continued under pressure. Zinc was reduced a half cent a pound to 10 cents, East St. Louis. This represented a 3½-cent drop since May 6 and was the lowest level reached in more than 3 years. In London, spot copper receded to a 4-year low at 26.96 cents a pound. Weakness in London was followed by a half cent drop in the domestic price for custom smelter copper, which fell to 28½ cents.

Mr. President, I think the attention of the Congress should be called to the fact that the mining industry in the United States is in a very serious condition at the present time. Within the past several days the American Smelting and Refining Co. has closed three zinc mines in the Western States. This morning we find that zinc has reached its lowest price in 3 years, and that the price of copper is at a 4-year low—well below 30 cents.

I hope the House Ways and Means Committee and the Senate Finance Committee will take cognizance of these facts, because if some action is not taken to impose a tariff or excise tax on the imports of metals I am sure the American metal-mining industry will be in a most difficult situation. I make these remarks at this time to indicate that something will have to be done if the American mining industry is to be saved.

I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, an article concerning the drop in the prices of metals, as published in the Wall Street Journal of July 2, 1957.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ZINC PRICE CUT IN UNITED STATES—COPPER OFF HERE, ABROAD—DOMESTIC ZINC HITS 10 CENTS A POUND; LONDON COPPER FALLS TO LOW SINCE 1953—RHODESIAN QUOTATION LOWER

The price of zinc dropped in this country yesterday and copper's price fell here and abroad.

The domestic price for zinc was reduced a half a cent a pound to 10 cents, East St. Louis, the lowest in more than 3 years; the price for Rhodesian copper was cut 1¼ cents a pound; copper's quotation on the London Metal Exchange hit its lowest point in almost 4 years; and custom smelter copper was lowered a half cent a pound.

The zinc price cut was started by a leading custom smelter. Other custom firms and producers of the metal did not follow immediately. It was indicated, however, that similar action would be taken shortly.

The last change in zinc's price was a half-cent cut, June 19, to 10½ cents a pound. The metal has dropped 3½ cents since May 6 from the 13½-cent quotation that had held since early January 1956.

The new 10-cent price tag is the lowest zinc has been quoted since March 26, 1954, when it was 9¾ cents.

Zinc's price break stems from world overproduction, sharply curtailed demand, and reduced Government purchases of zinc through its domestic buying program and its barter deals for foreign-origin zinc and lead in return for surplus agricultural products.

Trade sources report the Government under its latest monthly purchase program took about the same tonnages of zinc and lead as it did under May purchases, when it stepped up buying over the low rate of earlier months this year. Miners of these metals, however, said the amounts accepted still fell far short of absorbing surpluses.

THE FISCAL SITUATION

Mr. BUSH. Mr. President, from the press of last evening I observe that some of our friends on the other side of the aisle describe themselves as being shocked at the manner in which the newspapers have attributed political motives to the inquiry before the Senate Finance Committee. I venture to say, Mr. President, that they are no more shocked than are millions of people who are the savers of this country, and who for the first time in a long, long while are

getting some recognition of a favorable nature.

I hold in my hand an editorial dealing to some extent with this problem. It is entitled "Dollars and Sense," and was published in the Washington Post of June 29. The editorial begins with the following:

After all the recent nonsense from some of the more politically minded members of the Byrd committee, the sober report on inflation of the congressional Joint Economic Subcommittee is refreshing indeed.

Then the editorial proceeds to deal with that subject in a very interesting fashion.

I ask unanimous consent that the editorial be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 29, 1957]

DOLLARS AND SENSE

After all the recent nonsense from some of the more politically minded members of the Byrd committee, the sober report on inflation of the congressional Joint Economic Subcommittee is refreshing indeed. In general, if not in detail, it supports the so-called tight-money policies which the administration has adopted in an effort, not altogether successful, to curb inflation. It puts the big budget problem in useful perspective by observing that most of the cuts Congress has made in the 1958 estimates will not produce real savings. It notes, indeed, that merely continuing present programs • • • may well result in rising levels of Federal spending over the next several years.

The report also points out, however, that the economy's growth seems likely to be sustained in the foreseeable future so that even existing Federal tax rates will produce about $3 billion more each year. The problem is to see that Federal spending, if it must rise, goes up at a slower pace. And the politically (and technically) difficult problem before Congress is to apply surpluses in proper proportion between tax adjustments and debt reduction so that saving is encouraged and inflation further dampened.

Spending reductions of one to two billion dollars—even if real and not merely apparent as has been the case in the recent budget-trimming exercises—would not suffice to allow a tax cut, or to ease materially the overall inflationary tendencies of the economy. If there is to be any hope of a tax cut in 1958—and the subcommittee certainly says nothing to suggest that one will be possible—it lies in economy efforts that are concerned with something more than mere elimination of waste and inefficiency, the subcommittee believes.

It declares close review of the substance of present programs, prospects for their future expansion or contraction, and their contributions to the Nation's economic progress "compared with private uses of the resources they command" will be necessary to effect major reductions in Federal expenditures. We have quoted what we regard as the key part of this statement. So long as the budget is balanced, spending reductions below that level will not necessarily ease inflationary pressures if the reductions are passed on in tax cuts. For if the money thus preserved for the private sector of the economy were used merely to augment the demand for goods and services that are in short supply, and if the budget cuts were in items such as slum clearance, school construction, or other programs that may contribute to economic growth and stability (even indirectly), the net effect of such cuts could add to inflationary pressures.

Here is a useful place for Senator BYRD's Finance Committee to begin if it wishes to get on with a serious study. Let it try to make a qualitative appraisal of the various kinds of Federal and private spending with respect to the end results on economic growth and savings. Let it endeavor to see whether a sort of handbook for real Federal economizing might be developed that would enable Congress to discriminate more wisely in its effort to draw the purse strings tighter.

Such a study could get into the difficult subject which the President dealt with, in somewhat superficial fashion, before the conference of governors: The return to the States of more responsibilities and of the taxes to meet them. Some Government programs no doubt are cheaper if carried out centrally, others might be less expensive if done at the State level. Similarly, private organizations might take over some Federal aspects of redevelopment, for example, and do it cheaper, or it might cost more. All of this is pretty much unexplored territory, but the rewards of investigating it might be vastly greater than continuing blind thrusts at big Federal spending per se.

THE EASY-MONEY FALLACY

Mr. BUSH. Mr. President, on yesterday there was published in the daily CONGRESSIONAL RECORD an article dealing with economic matters, from the current issue of the Guaranty Survey, a monthly publication of the Guaranty Trust Co., of New York. The article is entitled "The Easy-Money Fallacy." It is one of the most concise and effective articles in connection with the question of interest rates and monetary policy I have ever read. I hope Senators and others who read the CONGRESSIONAL RECORD will have an opportunity to refer to the article, which, as I have said, was published in yesterday's daily RECORD, where it was inserted by Representative RAY, of New York.

Mr. President——

The VICE PRESIDENT. The Senator from Connecticut.

HOW FARMERS MAKE HAY

Mr. BUSH. Mr. President, I hold in my hand a brief article entitled, "How Farmers Make Hay," which was published in Fortune magazine of July 1957. The burden of the article is that some of the REA cooperatives are in very fine financial condition, and that what they are doing with their surplus funds is to invest them in Government bonds at 3¼ percent. In other words, they are borrowing money from the Treasury at 2 percent, and then are lending it back to Uncle Sam at 3¼ percent. The article sets forth the fallacy of that kind of operation. I ask unanimous consent that the article be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW FARMERS MAKE HAY

Any city slicker who would like a short course in the art of thimblerigging the United States Government is hereby advised to spend a little time down on the farm. One intriguing avenue into the United States Treasury has been uncovered by the House Appropriations Committee, which found that some farmers whose crops had failed in 1956 were being solaced by the Government, not once, but twice. First, these farmers were recompensed under the Federal crop insurance program. And second, they collected money under the soil-bank program—for not harvesting their crops. (They were able to do this only in 1956, because the act specified that for this first year of the soil-bank program any farmer could be eligible for payments if he did not harvest his crops. In the future, only nonplanters will be eligible.)

A more durable, and yet more devious, method of separating the Treasury from its folding money was described to the House of Representatives a few weeks ago, by an urban legislator named FRANK J. BECKER. Congressman BECKER, a New York Republican, was complaining about a bill that would increase by $179 million the amount the Rural Electrification Administration could borrow from the Treasury. Like several other Federal agencies (e. g., the Small Business Administration), REA borrows from the Treasury at a fixed rate—in this case only 2 percent. The money it borrows is used to finance rural cooperatives that supply electricity to farmers.

What incensed Congressman BECKER was his discovery that the great majority of the cooperatives are today in fine financial shape, and in many cases have good-sized reserves that are being invested in long-term Government bonds. In other words, the REA cooperatives borrow from the Treasury at 2 percent and lend money back to it at 3.25 percent—the current rate on long-term issues. For an operation that is not much different from arbitrage, this is a handsome differential, and its natural that the REA, and rural legislators, are all in favor of the status quo. Under the status quo, it appears, there is no way to make rich cooperatives, the ones with reserves, lend directly to the needy cooperatives. The latter must go to the REA, which in turn goes to the Treasury, for the 2-percent money.

Last month the administration made an effort to take the Treasury off this hook by sending Congress a bill that would have the Treasury charge interest rates in line with its own borrowing costs. But rural legislators, as well as spokesmen for other special interests, are likely to give this bill a hard time. Perhaps the best way for the Government to handle its relations with farmers would be to look into a suggestion made, half seriously, by Congressman HOWARD SMITH of Virginia. Several months ago he proposed the complete liquidation of the Agriculture Department, including, presumably, the REA. Then, SMITH suggested, the Department's money—over $5 million spent in fiscal 1957—could be distributed directly to United States farmers. With the overhead cut down, the payments could be larger. And the farmers would not have to do so much finagling for their money.

COMMISSION ON REVISION OF COMPENSATION SYSTEM FOR CIVILIAN SALARIED EMPLOYEES—ADDITIONAL COSPONSOR OF BILL

Mr. MORTON. Mr. President, on June 18 the junior Senator from Pennsylvania [Mr. CLARK] introduced, on behalf of himself and the junior Senator from Minnesota [Mr. HUMPHREY], a bill (S. 2317) to establish a commission to study and revise the present compensation system for civilian employees of the Federal Government, to amend the compensation schedule of the Classification Act of 1949, and for other purposes. The bill would carry out the three major recommendations on compensation for civilian employees, as made by the Cordiner committee. The junior Senator from Pennsylvania has very graciously

permitted me to become a cosponsor of the bill; and I ask unanimous consent that my name be listed as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

COMPENSATION FOR CIVILIAN EMPLOYEES

Mr. MORTON. Mr. President, I am delighted to associate myself with the sponsorship of Senate bill 2317.

The Cordiner committee was established by Defense Secretary Wilson to advise him on the adjustments that might be needed in the present provisions for compensating officer, enlisted, and civilian personnel in order to attract and retain the competent professional, technical, managerial, and combat personnel required by our defense activities. Volume II of the committee's report deals with civilian personnel. It is to this portion of the report that Senate bill 2317 is directed.

In my opinion, the Cordiner committee's greatest contributions regarding the compensation system for our Federal employees were—

First. Outlining the principles of a modern system of compensation, and

Second. Pointing out the way in which those principles can be put into effect.

To quote the committee's report—

Any sound, modern compensation must embody the following principles. It must—

1. Adjust to market rates by particular skills.
2. React to changes in the general economy.
3. Maintain internal alinement.
4. Provide flexibility to accommodate individual worth.
5. Provide flexibility to meet unusual environment and work situations.

These are the principles upon which a successful compensation system today is based. Mr. Cordiner, president of General Electric, and his committee composed of leading industrialists and public members are thoroughly familiar with the application of these principles in non-Government activities. They feel the principles can, and must be, applied in the compensation system for Federal white-collar employees. So do I.

The committee recognized the complexity of the problem, and pointed out a practical means of arriving at a satisfactory and lasting solution. It proposed that a commission be established to overhaul the Classification Act and to report its recommendations to the Congress and the President. This commission would be composed of legislative branch, executive branch, and public members. This membership provides representation from Congress which must act upon its recommendations, representatives from the executive branch which must administer the system, and representatives from the public which these Federal employees serve, and which must foot the bill.

Section 1 of S. 2317 establishes this proposed commission. It is this section of the bill in which I have particular interest. I recognize the importance of the other two sections of the bill, however, I believe the Senate Post Office and Civil Service Committee, of which I am a member, will come to grips with the problems of immediate pay adjustments and more top level positions through other pending legislative proposals.

Mr. President, compensation for Federal employees is a matter which is above partisan politics. I believe the Congress should, and will, treat it that way by enacting section 1 of S. 2317 authorizing the establishment of a commission to study the pay of our civilian employees on an overall basis and from a long-range viewpoint. The pending pay bills are stopgap measures, at best. A more permanent solution must be found, and I am convinced S. 2317 provides the best possible approach to that end.

FEDERAL AID FOR SCHOOL CONSTRUCTION

Mr. BUTLER. Mr. President, some weeks ago, in anticipation of the consideration by the Senate of proposed legislation authorizing the use of Federal funds for school construction, I asked the governors of the 48 States to share with me any comments or opinions they might have on this highly controversial issue. Twenty-seven governors very graciously responded, and of these, twelve expressed unequivocal opposition to Federal aid for school construction; two were opposed with qualification. Six favored without qualification; five favored with qualification. Two governors responded with no comment.

I have made a digest of the responses from these governors, which in all probability will be of significant interest to the Members of the Senate and the House of Representatives alike. I therefore ask unanimous consent, Mr. President, that the results of this survey be printed in the body of the RECORD at this point.

There being no objection, the digest was ordered to be printed in the RECORD, as follows:

FEDERAL AID FOR SCHOOL CONSTRUCTION—RESULTS OF POLL OF GOVERNORS OF THE 48 STATES CONDUCTED BY SENATOR JOHN MARSHALL BUTLER (REPUBLICAN OF MARYLAND)—DIGEST OF 27 REPLIES

THOSE IN OPPOSITION

California, Gov. Goodwin J. Knight:

"I am firmly of the belief that the States and their political subdivisions should make full effort to finance and control their own systems of public education, and that we should look to the Federal Government for aid in school construction only to the extent that States and their local school jurisdictions are economically unable to provide adequate school facilities.

"In my opinion, we should be very careful to avoid establishing any form of Federal financial aid to our school system which would bring with it Federal control of education."

Delaware, Gov. J. Caleb Boggs: "From a purely State point of view I believe that Delaware could well do without Federal aid for school construction and meet its own problem successfully as it has been doing. Our State always comes out very poorly due to the criteria used in determination of Federal allocations."

Florida:[1] Gov. LeRoy Collins:

"Public education is one of those fields which I regard as a primary responsibility of State and local governments. My concern has been not so much with the Federal Government entering this field but what I regard as the failure of many State and local governments to provide adequately for public schools and, thereby, abandoning responsibilities which properly are theirs.

"We in Florida are determined that we shall meet our responsibilities in the field of public education, and we are devising methods which will make this possible.

"Should a new Federal assistance program be developed by the Congress, doubtless Florida will accept the advantages offered along with our sister States. As a State, however, we prefer for the Federal Government to help us to help ourselves. We can finance our schools and our school building program when we can go into the market for loans that are perfectly sound and find a lender who will buy our securities for a reasonable rate of interest."

Georgia, Gov. Marvin Griffin: "I am unalterably opposed to any Federal invasion, encroachment or infringement of the fundamental right and obligation of the individual States to provide, supervise and control the education of their children."

Illinois, Gov. William G. Stratton: "I can speak only for Illinois. I think in view of what has been done in this State that there's absolutely no necessity for Federal aid. It is possible that in other States a need exists. But it is my feeling, particularly about classrooms, that there have been ideal or wishful estimates. I think the original figures sent out from Washington 2 or 3 years ago were, from a practical standpoint, exaggerated."

Indiana, Gov. Harold W. Handley:

"Hoosiers feel that they can build better schools for less money. • • • Moreover, they resent and fear any intrusion by the Federal Government, both because it is unduly expensive and roundabout, and also because it would result in curtailment of complete local control. • • •

"This opposition also has been manifest by the Indiana Legislature regarding participation in a Federal library program. The majority of members of both political parties in both houses have consistently voted for home rule."

Iowa,[1] Gov. Herschel C. Loveless: "In view of the present status of legislation on this matter, I do not feel that I could make any comment which would cover all eventualities. It is quite clear in my own mind that there are some provisions which have been at least discussed, which would make such aid unacceptable."

Montana, Gov. J. Hugo Aronson: "Montana has no proven need for Federal aid for school construction. Nineteen hundred and fifty-seven legislature made no provision for State matching funds should Federal legislation pass Montana people show every indication of building necessary buildings."

Nebraska, Gov. Victor E. Anderson: "I would like to state that there does not seem to be any critical need in Nebraska for this program, nor am I aware of any classroom shortage in this area. Generally, the people of Nebraska are opposed to Federal aid to education in any form."

South Carolina, Gov. George B. Timmerman, Jr.: "We in South Carolina are opposed to Federal aid for education. It is folly to think that Federal aid will not mean additional taxation.

"It is inconceivable that the Federal Government would cut its vast expenditures for national defense, foreign air, public welfare assistance, and debt service which is cannot cut, in order to return money to the States for local school purposes."

South Dakota, Gov. Joe Foss: "Please be advised that South Dakota, as in other States, is confronted with the problem of fast-expanding school enrollments and lack of funds. However, I believe our communities

[1] Opposed with qualification.

[1] Opposed with qualification.

are doing a good job of keeping pace with the school construction needs. * * *

"I believe our citizens realize that classroom space must be made available to our growing school population, and I am confident the challenge will be met."

Texas, Gov. Price Daniel: "As a member of the United States Senate, I oppose general Federal aid for education and school construction because I think this is a responsibility the States and local governments can and should bear. Operation of our public schools is a last bulwark of local self-government. Dependence on Federal money would result ultimately in Federal controls."

Virginia, Gov. Thos. B. Stanley:

"There is need of some additional classroom facilities in Virginia but these needs can be met by the resources of our own localities and there is no basis whatsoever for Federal intervention in this field. Experience has shown that 'Federal aid' is a misnomer in that an excessive percentage of revenue is dissipated in administration and, in addition, control, and restrictions are attached to the expenditure of the money which are unnecessary and ofttimes objectionable.

"My judgment is that Federal aid would not be a service to public education but a hindrance, and would result in unnecessary additional cost to the taxpayers of the respective States."

Wyoming, Gov. Milward L. Simpson:

"If there ever was a clear mandate against Federal aid to schools, this is it. We do not need any more Federal aid to education. It invites Federal control and Federal control is the death knell to local control of our public-school system. Many see magic in the words, 'Federal aid.' It is an alluring phrase, actually intended to give the impression that big brother 'Uncle Sam' is saving the educational systems of the poor, beleagured, helpless little States. Federal aid actually means that we raise our taxes to send our money to Washington; then raise some more taxes to match the amount we have already sent to Washington in order to get back the amount we originally sent, less of course, an additional 40-percent cost of administering Federal controls.

"We have met and will continue to meet our obligations to our schools. Education of our youth is not only a responsibility. It is a sacred trust."

THOSE IN FAVOR

Arizona, Gov. Ernest W. McFarland: The Arizona White House Conference on Education recommends: "The principle of Federal aid to education is approved by specific vote of the conference members."

Kentucky, Gov. Albert B. Chandler: "Kentucky would certainly participate in a Federal program for schoolhouse construction and we do not fear Federal interference with our school system * * * the time has come for the Congress to act instead of finding excuses for failing to do its plain duty for the boys and girls of America."

Louisiana,[2] Gov. Earl K. Long: "Any Federal aid that might be provided should be absolutely free of Federal control or any phase of Federal administration. This matter should be left to the States and local school systems."

Michigan, Gov. G. Mennen Williams: "In short, we feel that Federal aid to education is of such vital necessity that we are desirous of seeing a start made as quickly as possible. We quite agree with the philosophy behind Senator PATRICK V. MCNAMARA's bill; i. e., that we should start immediately and then perhaps iron out the formula controversy at a later date."

New Hampshire,[2] Gov. Lane Dwinell: "I believe New Hampshire should accept Federal aid for construction purposes only, provided such aid does not involve Federal interference with educational policies at State or local levels."

New York,[2] Gov. Averell Harriman: "Of the bills presently being considered by the House Committee on Education and Labor on the subject of Federal aid to education, it is my view that H. R. 1, introduced by Congressman KELLEY, is in several respects superior to the administration bill, H. R. 3986. * * * The Kelley bill is also preferable in permitting matching of Federal funds by funds expended by the school districts themselves. * * * Any Federal-aid bill should, of course, provide that control of education should remain with the States."

North Carolina,[2] Gov. Luther H. Hodges:

"The need for school construction in North Carolina is genuine. We believe that a Federal-aid program for school construction would be a constructive investment in the lives and the future of our children. At the same time, we believe strongly that the operation and control of our schools and our school policies should rest at the local and State levels."

Pennsylvania, Gov. George M. Leader: "It would certainly be to our advantage to participate in any assistance program enacted by the 85th Congress."

Rhode Island, Gov. Dennis J. Roberts: "Although Rhode Island under the present method of distribution of funds contained in H. R. 1, amended will receive the smallest amount per school age child of any State, we feel that this legislation is vital if we are to continue to be able to house our school children adequately."

Washington, Gov. Albert D. Rosellini: "I wish to express the view of this State's administration that we are in favor of Federal aid to carry out a program of adequate classroom facilities for public schools."

West Virginia,[2] Gov. Cecil H. Underwood: "West Virginia school buildings needs are many. While I have been rather vitally opposed to Federal grants-in-aid to the operating school program, I support aid to building construction."

ACKNOWLEDGMENTS, NO POSITION

Maryland, Gov. Theodore R. McKeldin.
New Jersey, Gov. Robert B. Meyner.

How States would fare under administration's school construction bill

	Federal allotment	Estimated tax payments	Net gain or loss	For every dollar of taxes paid, this much school money
States in opposition:				
California	$14,180,000	$20,280,000	−$15,100,000	$0.48
Delaware	381,000	1,750,000	−1,369,000	.22
Florida[1]	6,398,000	5,531,000	+778,000	1.14
Georgia	11,926,000	3,937,000	+7,989,000	3.03
Illinois	11,125,000	23,499,000	−12,374,000	.47
Indiana	8,021,000	7,156,000	+865,000	1.12
Iowa[1]	5,813,000	3,937,000	+1,876,000	1.48
Montana	1,465,000	937,000	+468,000	1.50
Nebraska	2,856,000	2,625,000	+231,000	1.09
South Carolina	8,727,000	1,812,000	+6,915,000	4.82
South Dakota	1,881,000	719,000	+1,162,000	2.62
Texas	19,842,000	13,437,000	+6,405,000	1.48
Virginia	9,275,000	4,500,000	+4,775,000	2.06
Wyoming	674,000	469,000	+205,000	1.44
States in favor:				
Arizona	2,524,000	1,281,000	+1,243,000	1.97
Kentucky	8,917,000	2,937,000	+5,980,000	3.04
Louisiana[1]	9,394,000	3,344,000	+5,800,000	2.75
Michigan	12,102,000	16,843,000	−4,741,000	.72
New Hampshire[1]	1,074,000	937,000	+137,000	1.15
New York[2]	15,795,000	48,122,000	−32,335,000	.33
North Carolina[1]	14,615,000	4,125,000	+10,490,000	3.54
Pennsylvania	18,803,000	22,490,000	−3,690,000	.84
Rhode Island	859,000	1,625,000	−770,000	.54
Washington	4,298,000	4,781,000	−483,000	.90
West Virginia[2]	6,669,000	1,937,000	+4,762,000	3.46

[1] Opposed with qualification.
[2] Favored with qualification.

TAX JUSTICE FOR THE SELF-EMPLOYED

Mr. WILEY. Mr. President, I was pleased to note two items in today's mails point up an important issue of legislation which the Senate and House face, and to which I have repeatedly referred.

It is the issue of helping self-employed Americans to provide for their own retirement in later years by permitting them, in effect, to build up a nest egg on which tax rates are deferred.

This is commonly known as the Jenkins-Keogh legislation, in honor of the two distinguished Members of the House of Representatives Ways and Means Committee who have worked long and hard and well for this objective.

ARTICLE IN WISCONSIN MEDICAL SOCIETY FORUM

The first item which I noted was a fine article in the current June issue of the Medical Forum, published by the Wisconsin Medical Society in Madison. It was written on this topic by the Honorable F. Joseph Donohue, former Commissioner of the District of Columbia here, and now national chairman of the American Thrift Assembly.

This is the assembly of 21 national organizations of the self-employed—doctors, lawyers, accountants, and others—who have for the first time banded together to seek tax justice in this respect.

Simultaneously, I received a copy of an open letter to the distinguished chairman of the Senate Banking Committee, our colleague from Arkansas, Mr. FULBRIGHT. This open letter was written by Mr. Lucius S. Smith, secretary of the American Thrift Assembly.

Both of these messages point up the need for the Jenkins-Keogh bill.

INSURANCE PROVISION IN 1957 BILL

I am glad to say that this bill has been constantly improved so as to answer any previous obections to it. As Mr. Donohue noted in his article:

One of the biggest improvements in the 1957 bill is that you are permitted to invest in life insurance. You could let your present life policies constitute your retirement plan. Or you could buy new insurance for this purpose.

INVESTMENT AND DEFLATIONARY EFFECTS

In other words, the self-employed will be provided a sound variety of modus operandi to look after themselves in later years, rather than relying on Uncle Sam.

Likewise, the bill would have the effect of increasing the pool of capital available for sound long-time investment in our expanding economy. Thus, too, it would decrease present inflationary pressures which arise from the fact that the self-employed feel they might as well spend their present earnings which Uncle Sam will get otherwise, in high tax rates.

HOPED FOR AGREEMENT BY TREASURY

It is my earnest hope that the Secretary of the Treasury-designate, Robert Anderson, and his associates, will now take a sympathetic and understanding view of this legislation in the interest of fair tax treatment of these self-employed.

President Eisenhower has long since endorsed the principle of this legislation.

Of course, we realistically concede that with America's budget situation still admittedly very tight, even the deferral of tax revenue, such as this legislation proposes, becames a matter of deep significance to the Treasury.

Nevertheless, I hope that our budgetary situation will be such that our colleagues on the Ways and Means Committee will see their way clear toward sympathetically reappraising this legislation and sending it to the full House of Representatives for action so that we in the Senate, in turn, can take it up.

I ask unanimous consent that the text of both items to which I have referred be printed at this point in the body of the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

YOUR HELP IS NEEDED—THE JENKINS KEOGH FIGHT CAN BE WON

(By F. Joseph Donohue, chairman of the association's committee on retirement benefits and national chairman of the American Thrift Assembly, Inc.)

While President Eisenhower was speaking at his press conference April 3, Under Secretary of the Treasury W. Randolph Burgess told the Senate Finance Committee the budget could be substantially cut and taxes could be reduced next year. Burgess said the budget could be cut by two or three billion dollars.

Speaker of the House SAM RAYBURN, commenting on the President's tax statement, said, "We're going to make some reviews. Whether we will act or not this year, I don't know. If there is a tax cut, Congress will make it—and it's a Democratic Congress."

These statements coming at the time when the combined voices of self-employed citizens all through the United States are mounting a demand for enactment of the long-overdue Jenkins-Keogh bill, hold out the hope that the principle of tax deferment for individual retirement savings now can be realized.

This is the considered opinion of those of us who are working for the American Thrift Assembly on behalf of fair tax legislation that will give the self-employed the opportunity to save a small part of their own money for their own retirement—for family and old age—before taxes take most of what they earn. The American Thrift Assembly was incorporated early in 1957 in the District of Columbia to pool the leadership of a number of national associations whose members work for themselves and thus are ineligible, under present tax laws, to set up individual retirement programs similar to tax-sheltered pension plans available to those who work for others.

The spokesmen include the following officers of American Thrift Assembly, Inc.: John C. Williamson, a realtor, vice chairman; Morris B. Harriton, a certified public accountant, treasurer; Lucius B. Smith III, a public relations consultant, secretary; Ralph E. Becker, a lawyer, counsel; and the following members of the board of directors: Floyd W. Pillars, oral surgeon; William M. Black, managing partner of a leading firm of certified public accountants; Leon Chatelain, Jr., architect; David B. Allman, president-elect of the American Medical Association; Lester H. Sugarman, doctor of optometry; William J. Barnes, a patent lawyer; Brig. Gen. W. O. Kester; H. Walter Graves, realtor; George H. Frates, druggist; Carl R. Staiger, tax accountant; Neva B. Talley, lawyer; John C. Davis, executive director of National Small Businessmen's Association; and R. C. Vogt, a professional engineer.

GROUPS LISTED

Altogether, we represent and speak for the following associations: American Association of Medical Clinics, American Bar Association, American College of Radiology, American Dental Association, American Institute of Accountants, American Institute of Architects, American Medical Association, American Optometric Association, American Patent Law Association, American Society of Composers, Authors and Publishers, American Veterinary Medical Association, Artist's Managers Guild, Authors League, Maritime Law Association of the United States, National Association Real Estate Boards, National Association of Retail Druggists, National Association of Women Lawyers, National Funeral Director Association, National Small Businessmen's Association, National Society of Professional Engineers, National Society of Public Accountants, National Association of Tax Accountants, and more than 1,500 regional, State, and local associations and societies.

Of course, it ought to be pointed out that there are observers who continue to doubt that we can push the Jenkins-Keogh bill through Congress this year. They point out: (1) The administration continues to be reluctant about the bill. While it is true that President Eisenhower has given verbal support to the idea of tax equity for the self-employed, he apparently has been reluctant to oppose Secretary Humphrey's considered judgment that the bill, if enacted, would cost the Government an estimated one hundred to two hundred million dollars a year in revenue. (2) The bill is unpopular with many politically powerful elements. From the start it has been called a rich man's bill and the label has stuck, even though the major beneficiaries would actually be millions of small-business men and their families.

HOPES HIGH

Despite such admitted handicaps, optimism is running high at 1025 Connecticut Avenue, Washington, D. C., where ATA is leaving no stone unturned in its all-out campaign to win support.

Most lawyers now are generally familiar with the provisions of H. R. 9 and 10, as introduced in the House this session. Briefly, the Jenkins-Keogh bill would permit any person who has self-employment income to put part of his earnings before taxes into a retirement fund. Maximum permissible deduction: 10 percent of your annual net earnings from self-employment, up to a limit of $5,000. Total amount you could deduct over your lifetime: $100,000. If you are an older lawyer, with less time to accumulate a retirement fund, the bill would allow you to set aside more than the prescribed 10 percent a year. You have a wide choice of investments. For example, you can arrange your own retirement plan or you can join one arranged by a bar association. Any such plan would have to be administered by a bank or insurance company, which would invest your savings in securities, the earnings of which would not be taxed, but would be reinvested for you automatically.

One of the biggest improvements in the 1957 bill is that you are permitted to invest in life insurance. You could let your present life policies constitute your retirement plan. Or you could buy new insurance for this purpose.

Few lawyers realize how much of a tax advantage employed persons now enjoy over self-employed in the matter of retirement savings. A financial editor of the New York Times recently pointed out the difference by means of the following comparison:

Suppose a 40-year-old married man with 2 children wants a retirement plan that will let him retire at 65 on about 36 percent of his present $10,000 income. To guarantee him that much retirement income for life, an insurance company has to charge a $1,600 annual premium for the next 25 years.

If the man is employed, the actual cost of such a plan to his employer (who can deduct such annual premiums before paying taxes) totals only about $19,000 over the 25 years. If a man is self-employed, he can't deduct his annual premiums before taxes; so he has to earn $2,050 in order to have $1,600 of after-tax money for his premium. His actual cost for the 25 years will total more than $51,000.

The difference between the two totals is a whopping $32,000. That is how much a self-employed man is penalized if he earns $10,000 a year. If he earns more, the inequity becomes even greater. For example, a salaried person whose income is $25,000, would find the above program would cost his employer a total of $48,000. Its cost to a self-employed man with the same income, $152,000, is more than the typical self-employed man could hope to get back in retirement benefits. For, at 65, he would have a life expectancy of 15 years, and if he lived just that long he would get retirement benefits totaling only $135,000.

This is the sort of inequity the Jenkins-Keogh bill is designed to correct.

Will tax deferment for self-employed savings cause the Treasury Department to lose money? Estimates vary, but it seems unlikely that tax deferrals would exceed $100 million in revenue in the first year. Actually, it seems reasonable to believe that the Treasury ought to back the Jenkins-Keogh on its merits, for three reasons: (1) Its deflationary impact. Long-term savings on the order suggested by $100 million in taxes would reduce inflationary pressures. (2) New capital for sources of production. The volume of these savings (invested in trust, insurance, bonds, etc.) would increase the supply of investment capital, hence productivity—thus creating new tax revenues. (3) Tax paid on withdrawals. Income taxes ultimately are paid when savings are taken down at retirement age.

AMERICAN THRIFT ASSEMBLY
FOR 10 MILLION SELF-EMPLOYED,
Washington, D. C., June 27, 1957.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Banking and Currency, Senate Office Building, Washington, D. C.

DEAR SENATOR FULBRIGHT: Thank you for yours of June 18 asking for an explanation of our position on H. R. 9 and 10.

[2] Favored with qualification.

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Today there are approximately 15 million Americans whose total annual compensation includes valuable fringe benefits on which a good part of the income tax they normally would have to pay is deferred. There are 10 million Americans who pay the full tax load each year on all of their earnings. What accounts for this separate treatment by the Internal Revenue Service—many people, including high Government officials, call it discrimination—of two major cross sections of the gainfully employed public?

The answer boils down to this: In 1942 the Congress supplemented the Social Security Act to encourage corporations and their employees to set up pension funds under preferential tax treatment. President Dwight D. Eisenhower described that amendment in his campaign for election in 1952: "When this legislation was being considered, self-employed citizens were evidently forgotten."

The explanation is as simple as that. Apparently by oversight, our present income-tax law discriminates against the man or woman who works for himself or herself in favor of the employee who is given a tax-free retirement plan by his employer. The self-employed, being his own boss, cannot be his own employee. So when it comes to setting up a private pension plan, the factor of self-reliance—once prized heavily in America as a cardinal virtue—weighs increasingly against nearly 10 million citizens ranging from accountants and farmers to tractor salesmen and undertakers who find it virtually impossible in these high-cost, shrinking-dollar days to save up the kind of money after taxes it takes to fund even a meager retirement plan.

When H. R. 9 and H. R. 10 come before the Committee on Ways and Means, we hope they will act to report this legislation to the House of Representatives for full consideration and that the House will approve the bill and send it on to the Senate. In one form or another, the legislation proposed in these bills has been before the committee a long time now. In all candor, the issue ought to be accorded a full and open test, once and for all.

This seems especially true in view of the fact that the vast majority of the House has expressed itself in recent months as favorable to these measures.

The Department of the Treasury, of course, continues to oppose this legislation for fear someone may open the door to tax reduction. But to what degree should Treasury's officials sway the judgment of the Nation's lawmakers in terminating the inequity that inspired these bills?

What weight should be assigned an obviously pro forma objection when it is understood the Treasury can assume no less rigid a posture in the present climate?

After all, H. R. 9 and H. R. 10 do not reduce taxes. We have here a proposal for deferment of a very little amount of tax revenue—for what purpose? To save for old age. The current reductions in appropriations will more than provide the margin within which Treasury can absorb the very modest temporary deferral of revenues contemplated in this legislation. And these bills provide for rapid and orderly recoupment of the taxes deferred.

The fact is, the administration has shot the ground from under any serious consideration of Treasury's pro forma opposition with three statements:

1. In 1952, President Eisenhower said: "I think something ought to be done to help (the self-employed) to help themselves by allowing a reasonable tax deduction for money put aside by them for their own savings. * * * If I am elected, I will favor legislation along these lines."

2. In 1955, the Treasury Department testified: "Tax relief seems most clearly indicated for self-employed individuals who do not have even potential tax benefits under existing law in providing themselves with retirement income. * * * It is the Treasury Department's view that the net effect of the present law is to give substantial potential tax advantages to employees who are covered by qualified pension plans over self-employed individuals. * * * When general tax relief is possible * * * the Department would be sympathetic to a limited form of special allowances to self-employed individuals."

3. On April 3, 1957, Under Secretary of the Treasury W. Randolph Burgess told the Senate Finance Committee the budget could be cut substantially and taxes reduced next year.

According to the Treasury Department's own statements, it clearly is time for the Committee and Ways and Means to call up H. R. 9 and H. R. 10 for full consideration by the 85th Congress.

There no longer can be any doubt that the self-employed are looking to the 85th Congress to eliminate the discrimination in the tax-on-total-compensation that gives benefits to one class of Americans—the corporate employee—to the disadvantage of an entire cross-section of fellow citizens.

The fact that the volume of savings that will ensue will function as a needed brake on inflation, and the fact that taxes are not cut but deferred in an orderly and self-reliant program for old age integrity, merit serious consideration now.

Sincerely,

LUCIUS S. SMITH III,
Secretary, American Thrift Assembly.

ANALYSIS OF EISENHOWER ADMINISTRATION

Mr. FULBRIGHT. Mr. President, as so often happens, Mr. Walter Lippmann has described clearly and succinctly what it is that afflicts this administration—unreadiness and indecision. Coming from any other source, this analysis of President Eisenhower's administration might be called partisan. Coming from Mr. Lippmann, it is an objective, penetrating study based upon decades of observation and a profound understanding of human affairs, especially governmental affairs of this country.

Mr. President, I ask unanimous consent that the article from this morning's Washington Post and Times Herald may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of July 2, 1957]

UNREADINESS AND INDECISION

(By Walter Lippmann)

There is a remarkable resemblance between General Eisenhower's handling of the disarmament negotiations and his handling of the budget. In both cases, that is to say, he has launched a proposal and embarked on a course, not having made up his mind about just where he wished to go. The deliberation, the weighing of alternatives, the hard work of making a firm decision, would in an orderly and rational conduct of Government have preceded the presentation of the budget and the sending of Mr. Stassen to London to negotiate with Mr. Zorin.

But in the case of the budget, it took nearly 2 months before it was reasonably clear whether the Chief Executive was for or against the executive budget. Only after much confusion and controversy did the President begin to make clear where he stood. In the case of disarmament, it has now transpired that he started the diplomatic exchanges with no real agreement within his own official family, with no adequate understanding with our allies, and with his own mind still fluid. During the past few weeks, with Mr. Stassen abroad in London to speak for him, the President has acted the part, not of a statesman who has a policy but of a puzzled man who is thinking out loud.

No doubt the problems of disarmament are extraordinarily complicated. They are fraught with uncertainty and with risk, and there is an awful responsibility on one who, like the President, must make the final decisions. But there is no reason why he had to enter into the negotiations or why he had to send Mr. Stassen to face Mr. Zorin, until he knew for certain whether he was in favor of reaching the kind of agreement that might conceivably be possible. He should have waited until he was ready. There was no use talking with the Russians if the President himself had not yet thought through his policy, no use if high officials in Washington were convinced that they must nullify what Mr. Stassen was supposed to do.

In the field of diplomacy, this has been like committing unprepared troops to a great battle, while the generals have not yet arranged for their supplies or ceased to argue with one another about the objectives of the battle. This is the way to demoralize an army and during the past week there has been a very considerable demoralization in Washington. The greatest doubt has been raised as to whether the President wants an agreement, or whether he could now persuade the Senate to ratify an agreement.

Mr. Gromyko is wrong in saying, as he did last week, that the United States is using the disarmament talks as a screen concealing its striving to continue and intensify the arms race. The truth is that the United States is not really using the disarmament talks at all because the President and his administration have a policy to which some are opposed, and about which the rest are not convinced.

Unless the President can find some way to clarify and then to make firm the American position, we shall find ourselves with a treaty that the President does not really want, or with one that the Senate will reject. In either event, we shall bring down upon ourselves the onus of blocking the path to a limitation of armaments.

I have heard it said that this will not happen because if and when Mr. Stassen really starts to negotiate about the details with Mr. Zorin, he will find the Soviet Union is quite unwilling to reach a good agreement about inspection and control. That may well be true if the negotiations are genuine. But if we remain in our present position, where the probabilities are against the ratification of a disarmament agreement, the Soviet Union can go very far in its offers without running the risk of having to make good on them.

We had better assume that the Russians do want an agreement, and that they are prepared to pay a considerable, though not an enormous, price for it. We had better assume, too, that we shall have ourselves to clear up the confusion in our own position, and that we must not count upon the unreasonableness of the Russians to save us from the consequences of our uncertainty and indecision.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is the morning hour concluded?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of William W. Boyd, to be postmaster at Sherrodsville, Ohio; Franklin B. Spriggs, to be postmaster at Arnold, Md.; Edith M. Casey, to be postmaster at New Caney, Tex.; Wesley D. Banks, to be postmaster at St. Matthews, S. C.; Jackson T. Potter, to be postmaster at Winnabow, N. C.; Blaine E. Moyer, to be postmaster at Kreamer, Pa.; Ted M. Anderson, to be postmaster at Batesville, Ark.; and Evelyn R. Howard, to be postmaster at Montmorenci, Ind., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GREEN, from the Committee on Foreign Relations:

Neil H. Jacoby, of California, to be the representative on the Economic and Social Council of the United Nations, vice John C. Baker;

Vinton Chapin, of New Hampshire, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Luxembourg;

W. Randolph Burgess, of Maryland, to be the permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary, vice George W. Perkins; and

Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary to Ceylon.

THE AUSTRIAN BONDS AGREEMENT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Executive H, the Austrian bonds agreement.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the agreement, Executive H (85th Cong., 1st sess.), between the United States and the Republic of Austria regarding certain bonds of Austrian issue denominated in dollars, together with a related protocol, both signed at Washington on November 21, 1956, which was read the second time, as follows:

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF AUSTRIA REGARDING CERTAIN BONDS OF AUSTRIAN ISSUE DENOMINATED IN DOLLARS

Whereas there are outstanding several issues of bearer bonds of Austrian debtors (both public and private) denominated in American dollars which are payable in the United States and for which there are corporate trustees, fiscal agents, or paying agents in the United States (which bonds are herein called "Austrian dollar bonds"); and

Whereas a certain number of these bonds were acquired by or on behalf of the issuers for eventual retirement, or immediately before or during World War II were acquired by or on behalf of the German Reich (Deutsches Reich), the Reichsbank, the Konversion Kasso fuer Deutsche Auslandsschulden, or the Deutsche Golddiskontbank, which bonds were not reintroduced into circulation by or on behalf of the issuer, the Government of Germany, or one of its said agencies; and

Whereas the bonds in question were never canceled in any way or presented for cancellation on the official records of the trustees, fiscal agents, or paying agents, and therefore appear on their face to be valid obligations and are carried on such records as still outstanding; and

Whereas many of these bonds were stolen or disappeared in Germany or Austria during the hostilities of World War II or immediately thereafter; and

Whereas some or all of the various bonds described above may have fallen unlawfully into the hands of persons who will seek to negotiate them or to make claim against the debtors, trustees, fiscal agents, or paying agents, or otherwise profit from their illegal acquisition; and

Whereas any payment on those bonds which are now held unlawfully would necessarily reduce the amount of foreign exchange or other funds available to make payments to legitimate holders, a large number of whom are nationals of the United States; and

Whereas any payment on those bonds which are now unlawfully held after having been acquired for eventual retirement, and which no longer represent valid and proper obligations of the issuer, would also be inequitable to the Austrian debtors; and

Whereas the free and open trading in the United States of all Austrian dollar bonds is impeded by the uncertainties arising from the situation described above; and

Whereas pursuant to Austrian Law No. 22 of December 16, 1953, the Government of Austria on various dates in 1954, commencing on February 1, published in the "Amtsblatt zur Wiener Zeitung" lists of numbers of the Austrian dollar bonds as recited in annex A of this agreement; and

Whereas Austrian Law No. 22 provided in effect that bonds of the type described in the second recital shall be deemed extinguished provided that such publication is made, but that holders thereof deeming themselves aggrieved shall have the right to present their claims to the Austrian courts within prescribed periods upon the expiration of which their claims would be barred; and

Whereas it is the desire of the contracting parties that all holders of Austrian dollar bonds who deem themselves aggrieved by the Austrian legislation referred to above shall have an adequate opportunity, in addition to that already provided by law, to present their claims before an appropriate and convenient tribunal; and

Whereas for the reasons set forth above it is desirable that reasonable periods of limitation be provided for the assertion of such claims, upon the expiration of which the bonds listed in annex A shall no longer be enforceable; and

Whereas it is desirable to establish a proper basis and appropriate procedures for accomplishing the foregoing objectives;

Now, therefore, the United States of America and the Republic of Austria have agreed as follows:

ARTICLE I

1. The two Governments hereby establish jointly a Tribunal for Austrian Dollar Bonds, hereinafter referred to as the Tribunal.

2. The Tribunal shall consist of two members and a Chairman. One member shall be appointed by the Government of the United States, the other member by the Government of Austria, and the Chairman (a citizen of the United States) by agreement between the two Governments.

ARTICLE II

1. Holders of any bonds listed in annex A who claim such bonds were improperly declared invalid may submit them, for a determination of their rights to valid bonds, to the Tribunal within 18 months from the first publication of the notice prescribed in article XII of this agreement or such further time as may be provided pursuant to article XV. A holder who submits a bond to the Tribunal shall submit therewith evidence to establish that such bond meets the requirements of paragraph 2 (a) or 2 (b) of this article.

2. If, upon consideration, all of the pertinent evidence submitted by the holder or otherwise received by the Tribunal with respect to any bond submitted to it pursuant to paragraph 1, the Tribunal is satisfied either—

(a) that, on January 1, 1945, the bond was located outside the borders of Austria and Germany as they existed on December 31, 1937, or

(b) that the bond was acquired by the holder prior to January 1, 1945, or in a chain of lawful acquisitions traced back to the owner of such bond on January 1, 1945, provided that the bond had not been acquired by or on behalf of the issuer or by the Government of Germany or one of its agencies, referred to in the second paragraph of the preamble, unless such bond was reintroduced into circulation prior to May 8, 1945, by or on behalf of the issue, the Government of Germany or one of its aforementioned agencies,

the Tribunal shall make a finding to that effect and shall certify the holder of such bond to be entitled to a valid bond of the same issue and denomination bearing a serial number not appearing in the list contained in annex A hereof and having attached thereto coupons of the same payment dates as those submitted to the holder. A copy of such certificate shall forthwith be furnished to the bondholder and the issuer. Upon such certification, the issuer shall, within such time and in such manner as the Tribunal may determine, cause such valid bond to be delivered to the Tribunal in exchange for the bond submitted to the Tribunal, and the Tribunal shall deliver such valid bond to the holder.

3. If, upon consideration of the evidence before it, the Tribunal is not satisfied that the requirements of paragraph 2 (a) or 2 (b) have been met, it shall make a finding to that effect and notify all parties in writing of such finding and the reasons therefor. The Tribunal shall thereupon promptly return the bond to its holder.

ARTICLE III

All decisions and findings of the Tribunal shall be by joint action of its two members if they are in agreement. If they are not in agreement, they shall refer the matter to the Chairman, whose decision or finding in such

case shall constitute the decision or finding of the Tribunal.

ARTICLE IV

The seat of the Tribunal shall be in New York City in the State of New York. The Tribunal shall maintain an office at which there shall be a duly appointed agent of the members and the Chairman for service of process in the cases referred to in article VIII. The Tribunal may, in view of exceptional circumstances, hold sessions elsewhere.

ARTICLE V

The Tribunal shall adopt reasonable regulations and procedures for the determination of cases with regard to bonds submitted to it.

ARTICLE VI

1. The Tribunal shall promptly notify the parties in interest whenever a bond listed in annex A has been submitted for a determination of the holder's rights. The issuer shall be given an opportunity to be heard and to present evidence.

2. For the determination of the issues referred to in article II the Tribunal may make such investigation as it considers necessary to ascertain the facts. If such an investigation is made, the Tribunal shall reduce the results thereof to writing which shall constitute part of the record. Both parties shall be given a reasonable opportunity to rebut any evidence resulting from such investigation.

3. The Tribunal before making any finding under paragraphs 2 or 3 of article II shall notify the parties in writing of its proposed finding and the evidence upon which it is based and give them reasonable opportunity to submit additional evidence.

4. The Tribunal shall not be bound by technical rules of evidence and shall accept any evidence submitted to it which it deems to have probative value regarding the situations described in paragraph 2 of article II. In particular, and without limiting the generality of the foregoing, the Tribunal may accept bank statements, statements of security brokers or dealers, and affidavits. Witnesses before the Tribunal may be sworn.

5. The Tribunal may request additional evidence beyond that submitted to it.

6. The Tribunal may hold hearings on its own motion and it shall hold hearings at the request of any party in interest.

ARTICLE VII

1. An invalidation decree by an Austrian court with respect to any bond shall be considered by the Tribunal:

(a) in the case of a holder claiming under paragraph 2 (a) of article II, as evidence, that such bond was inside Austria or Germany on January 1, 1945;

(b) in the case of a holder claiming under paragraph 2 (b) of article II, as evidence, that such bond was acquired by or on behalf of the issuer, or by the Government of Germany or one of its agencies before January 1, 1945, and was not reintroduced into circulation prior to May 8, 1945, by or on behalf of the issuer, the Government of Germany or one of the aforementioned agencies.

2. In the absence of other evidence such invalidation decree shall be controlling. If, however, other evidence is submitted or received, the decree shall be given only the weight which the circumstances surrounding its entry justify in the Tribunal's judgment.

ARTICLE VIII

The members of the Tribunal are authorized and bound not to claim any immunity from service of process issuing from any United States district court in proceedings brought to any holder of a bond listed in annex A to determine whether the requirements of article II have been met. Such proceedings must be brought within 4 months after a registered letter giving notice of the determination of the Tribunal has been mailed to the claimant at the last address furnished by him to the Tribunal. The Tribunal shall notify the issuer of the pendency of such action by registered mail. The members of the Tribunal, including the chairman, will comply with any judgment, order or decree that such court may issue in such proceedings. A certificate issued by the Tribunal pursuant to any such judgment, order or decree shall have the same effect as a certificate issued pursuant to paragraph 2 of article II.

ARTICLE IX

All rights of enforcement of the bonds listed in annex A shall be barred:

(a) if submitted to the Tribunal, 18 months after final determination of the Tribunal under article II or after final decision by the court in proceedings referred to in article VIII, or

(b) eighteen months after the first publication of the notice prescribed in article XII, or

(c) eighteen months after the original maturity date of the bond,

whichever is later, unless such time is extended by the two governments in accordance with article XV.

ARTICLE X

All holders of bonds submitted to the Tribunal in accordance with article II shall be informed of the provisions of articles II, IV, VI, VII, VIII, and IX.

ARTICLE XI

1. Former holders of any bond listed in annex A or their successors in interest as determined by the present Austrian restitution laws may apply to the Restitution Commission at the Landesgericht for Civil Matters at Vienna for a decree against the bond debtor to the effect that they were deprived of their bond within the meaning of the Austrian restitution laws. This application and a second application for the issuance of a valid bond as provided in paragraph 3 of this article shall be filed jointly and no later than 18 months from the first publication of the notice prescribed in article XII of this agreement or such further time as may be provided pursuant to article XV.

2. In determining whether the applicant was deprived of his bond within the meaning of the Austrian restitution laws it shall be immaterial whether the act of deprivation took place in or outside Austria.

3. If the Restitution Commission finds that the applicant was deprived of his bond within the meaning of the Austrian restitution laws it shall certify this fact in its decree and, pursuant to the second application, it shall adjudge the bond issuer liable to issue to the applicant within 90 days from the date of the decree a valid bond which shall bear a different serial number and which shall be equivalent in every respect to the bond of which the applicant has been deprived; the second application shall be denied, however, to the extent that payments were made by the bond debtor in accordance with regulations in force at the time and accepted by the creditor.

4. Neither the issuance of bonds of the Reichsanleihe 1938, series II, by way of exchange in accordance with the offer of indemnification of the German Reich Government made to owners of Austrian bonds, of October 25, 1938, nor the issuance between March 13, 1938, and April 8, 1945, of reichsmark bonds by Austrian corporate or municipal debtors in exchange for dollar bonds will, for the purposes of this article, be considered as having deprived the former owner of his bonds within the meaning of the Austrian restitution laws unless the exchange was brought about by direct duress against the former owner.

ARTICLE XII

1. In order to assure that holders of bonds listed in annex A, as well as former holders of such bonds and their successors in interest, are given timely and adequate notification of such action as is required of them to secure a determination of their rights under this agreement, the Government of Austria shall cause publication of an appropriate notice. The notice shall state the name of the issuer and trustee or fiscal agent and a description of the issue of each of the bond issues referred to in annex A. The notice shall also recite that certain bonds of the issues so listed have been invalidated by decrees of Austrian courts in proceedings duly brought for that purpose, or by statutory law of Austria. It shall state from whom information may be obtained regarding the specific serial numbers of the bonds so invalidated and it shall set forth the procedure whereby holders of such bonds and former holders or their successors may have their rights determined and, in appropriate cases, receive valid bonds, and it shall state the time limit within which claimants must act. The exact contents of the notice and its size and form shall be subject to approval by the Government of the United States prior to its publication pursuant to paragraph 2 of this article.

2. Publication of the notice shall begin simultaneously within 1 month from the entry into force of this agreement in at least 15 newspapers or financial journals in the United States and in 5 newspapers or financial journals in Europe. The selection of these newspapers and financial journals shall be subject to the approval of the Government of the United States. Publication of the notice shall be made on 3 different dates, within a period of 90 days.

3. The notice shall be published again on 3 different dates in 3 newspapers or financial journals having a general circulation in the United States, the last publication to be not later than 1 month before the expiration of the 18-month period prescribed in article II, paragraph 1, and article XI, paragraph 1.

ARTICLE XIII

1. The Government of Austria agrees to pay the entire cost of implementing the procedure prescribed by this agreement for the determination of the rights of holders of bonds listed in annex A including, in particular (but without limiting the generality of this provision):

(a) the costs of giving notice as required by article XII, including the costs of printing and widespread distribution of the lists of bonds involved;

(b) the compensation of the members of the Tribunal and of its Chairman, as agreed upon between the two Governments;

(c) office rent, salaries of employees, and other necessary expenses of the tribunal.

2. The Government of Austria agrees to pay to any holder of a bond listed in annex A who is found as a result of proceedings referred to in article II or article VIII to be entitled to a valid bond an allowance for legal and other expenses in the amount of 10 percent of the face amount of the bond.

3. The Government of Austria agrees that it will make available for transfer the dollar exchange necessary to effectuate the payments of its obligations under this article as they become due.

4. The Government of Austria agrees that, upon request of any interested person to the Austrian Embassy, Washington, D. C., or the Austrian Consulate General, New York, N. Y., information regarding bonds listed in annex A, including the specific serial numbers, will be made available.

ARTICLE XIV

1. The term "bond" or "bonds" in this agreement shall be deemed to include the appurtenant coupon or coupons of such "bond" or "bonds."

2. The term "party in interest" in this agreement shall be deemed to include the issuer of bonds involved, any trustee, any paying or fiscal agent with respect to such bonds, and any party who either holds a bond listed in annex A or who may be liable on such bond.

ARTICLE XV

The Government of Austria agrees that if appropriate representation is made by the Government of the United States that the operation of this agreement appears likely to impose undue hardships upon the United States or its nationals, or nationals of other countries, or otherwise proves to be impracticable or unworkable, the Government of Austria will take action to eliminate such hardships or make the program practicable or workable. In particular, and without limiting the generality of the foregoing, the 18-month period for the filing of claims described in article II, paragraph 1, and in article XI, paragraph 1, shall be extended if the Government of the United States so requests before the end of the 18-month period.

ARTICLE XVI

1. The present agreement shall be ratified and the instruments of ratification shall be exchanged at Vienna as soon as possible.

2. The agreement shall enter into force on the date of the exchange of ratifications.

In witness whereof, the undersigned representatives duly authorized thereto by their respective Governments have signed this agreement.

Done at Washington, in duplicate, in the English and German language, both texts being equally authentic, this 21st day of November 1956.

For the United States of America:
[SEAL] HERBERT HOOVER, Jr.
For the Republic of Austria:
[SEAL] LEOPOLD FIGL.

* * * * *

PROTOCOL

At the time of the signing of the agreement between the United States of America and the Republic of Austria regarding certain bonds of Austrian issue denominated in dollars, the undersigned plenipotentiaries, duly authorized thereto by their respective Governments, have agreed on the following interpretations of the aforesaid agreement:

1. The agencies of the Government of the German Reich mentioned in article II, paragraph 2, item (b) and in article VII, paragraph 1, item (b) are in particular considered to be the agencies mentioned in the second paragraph of the preamble.

2. The Federal Republic of Germany is to be considered a party in interest in the meaning of article VI, paragraph 1, if and insofar it has assumed obligations under the agreement on German external debts, signed at London February 27, 1953, to effect payments due in respect of bonds which are presented.

3. The issuance of bonds of the Reichsanleihe 1938, series II, by way of exchange in accordance with the offer of indemnification of the German Reich Government made to owners of Austrian bonds, of October 25, 1938, will not, for the purposes of article XI, be considered expropriation within the meaning of the Austrian restitution laws, unless the exchange was brought about by direct duress against the former owner.

4. The measures reserved by article XV, except the extension of the deadline provided by the second sentence, require the consent of the German Federal Government insofar as such measures affect obligations of the Federal Republic of Germany.

This protocol shall constitute an integral part of the agreement to which it relates and shall be ratified together with that agreement.

In witness whereof, the undersigned representatives duly authorized thereto by their respective Governments have signed this protocol.

Done at Washington, in duplicate, in the English and German language, both texts being equally authentic, this 21st day of November, 1956.

For the United States of America:
[SEAL] HERBERT HOOVER, Jr.
For the Republic of Austria:
[SEAL] LEOPOLD FIGL.

Mr. MANSFIELD. Mr. President, for the information of Members of the Senate I wish to say that at the conclusion of the remarks of the chairman of the Committee on Foreign Relations [Mr. GREEN], and any other remarks pertinent to the treaty, I intend to suggest the absence of a quorum.

Mr. GREEN obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. GREEN. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, on the resolution of ratification I ask for yeas and nays.

The yeas and nays were ordered.

Mr. GREEN. Mr. President, the agreement now before the Senate between the United States and Austria, which was signed on November 25, 1956, creates a procedure under which the holders of certain dollar bonds issued by the Government of Austria prior to the Second World War may establish the validity of their bonds.

The problem dealt with in this agreement arises from the fact that a great many bonds which had been acquired by the issuing authority for eventual retirement were looted by Soviet military forces after the occupation of Austria. In consequence of such seizures, quantities of these bonds are believed to have come into the hands of individuals who might seek either to negotiate them or to claim payment from the issuing authorities. By the terms of the bond indentures, these retired bonds could only be canceled by the trustees or paying agents in the United States. This procedure was rendered impracticable by the disruption of transportation facilities during the war. Since they could not be canceled as paid in Austria, they appear, on their face, as valid securities. From this arose the possibility that the issuing authority might be compelled to make a double payment on the bonds.

To protect itself against this contingency, the Austrian Government published the numbers of the looted bonds, declaring them to be invalid under Austrian law No. 22 of December 15, 1953. Pending a solution of the problem, no payments are being made by the issuers to any holders of bonds, including those owned by residents of the United States.

The pending agreement permits bondholders who believe their securities to have been erroneously included on the lists published by Austria an opportunity to present their claims within a reasonable period of time to an American-Austrian tribunal sitting in New York City. Should the tribunal find against the bondholder he may have the question considered by a United States district court. In the event of a decision by that court favorable to the bondholder, he will be given valid bonds in exchange for those erroneously listed.

This agreement is similar in purpose with that concluded by the United States with the Federal Republic of Germany in 1953, to which the Senate gave its approval on July 13, 1953—volume 4, United States Treaties and Other Agreements, page 797.

The entire cost of implementing the procedure under the pending agreement will be defrayed by the Austrian Government—article XIII. Legal expenses of holders whose bonds are validated will be reimbursed on the basis of 10 percent of the face value of the bonds.

United States business circles which are most directly concerned with the agreement have warmly endorsed it. It also has the support of the Securities and Exchange Commission and the Bondholders Protective Council.

Mr. President, it is important not only for the American bondholder, but for Austrian credit in the international community, that Austria be in a position to resume payment on obligations on which she has been in default. The Austrian bonds agreement will permit a normalizing of transactions in Austrian securities, and thereby contribute to the economic stabilization of that country.

I therefore urge the Members of the Senate to give their approval to the pending treaty.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

If there be no objection, the treaty will be considered as having passed through its several parliamentary stages up to the point of consideration of the resolution of ratification, which will be read.

The resolution of ratification was read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive H, 85th Congress, 1st session, the agreement between the United States and the Republic of Austria regarding certain bonds of Austrian issue denominated in dollars, together with a related protocol, both signed at Washington on November 21, 1956.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the ratification of the treaty? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON],

the Senator from Michigan [Mr. McNAMARA], the Senator from West Virginia [Mr. NEELY], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I further announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

I also announce, if present and voting, all of the Senators listed above would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Indiana [Mr. JENNER] and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from Iowa [Mr. MARTIN] is detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], the Senator from Indiana [Mr. JENNER], the Senator from North Dakota [Mr. LANGER], the Senator from Nevada [Mr. MALONE], the Senator from Iowa [Mr. MARTIN], and the Senator from Kansas [Mr. SCHOEPPEL] would each vote "yea."

The yeas and nays resulted—yeas 78, nays 0, as follows:

YEAS—78

Aiken	Fulbright	Mundt
Allott	Goldwater	Murray
Barrett	Gore	Neuberger
Beall	Green	Pastore
Bennett	Hayden	Payne
Bible	Hickenlooper	Potter
Bricker	Hill	Purtell
Bush	Holland	Revercomb
Butler	Hruska	Robertson
Byrd	Humphrey	Russell
Capehart	Jackson	Saltonstall
Carlson	Javits	Scott
Carroll	Johnston, S. C.	Smathers
Case, N. J.	Kefauver	Smith, Maine
Case, S. Dak.	Kennedy	Smith, N. J.
Clark	Kerr	Sparkman
Cooper	Knowland	Stennis
Cotton	Kuchel	Symington
Curtis	Lausche	Talmadge
Dirksen	Long	Thurmond
Douglas	Magnuson	Thye
Dworshak	Mansfield	Watkins
Ellender	Martin, Pa.	Wiley
Ervin	McClellan	Williams
Flanders	Morse	Yarborough
Frear	Morton	Young

NOT VOTING—17

Anderson	Ives	McNamara
Bridges	Jenner	Monroney
Chavez	Johnson, Tex.	Neely
Church	Langer	O'Mahoney
Eastland	Malone	Schoeppel
Hennings	Martin, Iowa	

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

Mr. MANSFIELD. Mr. President, I ask that the President be notified of the adoption of the resolution of ratification.

The PRESIDING OFFICER. Without objection, the President will be notified.

NOMINATIONS

Mr. MANSFIELD. Mr. President, since the Senate is in executive session, I ask that it proceed to the consideration of the nominations on the Executive Calendar.

The PRESIDING OFFICER. The nominations on the calendar will be stated.

DEPARTMENT OF THE TREASURY

The Chief Clerk read the nomination of Robert Bernerd Anderson, of New York, to be Secretary of the Treasury.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The Chief Clerk read the nomination of Albina R. Cermak, of Cleveland, Ohio, to be collector of customs in Customs Collection District No. 41, with headquarters at Cleveland, Ohio.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COMPTROLLER OF CUSTOMS

The Chief Clerk read the nomination of Albert Cole, of Massachusetts, to be Comptroller of Customs, with headquarters at Boston, Mass.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be notified forthwith of the confirmation of these nominations.

The PRESIDING OFFICER. The President will be immediately notified of the nominations this day confirmed.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

DEFENSE DEPARTMENT APPROPRIATIONS, 1958

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business will not come before the Senate until 1 o'clock.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of Calendar No. 551, H. R. 7665, the Department of Defense appropriation bill.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the pending business.

The Senate resumed the consideration of the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. DOUGLAS. Mr. President, I should like to make two technical changes on page 4 of my amendment designated "7-1-57-C" to the Defense Department appropriation bill. The changes are as follows:

In line 4, after the words "supporting of," insert "2 or more."

In line 10, after the words "supporting of," insert "additional."

I ask unanimous consent that the amendment as modified be printed at this point in the RECORD.

There being no objection, the amendment, as modified, was ordered to be printed in the RECORD, as follows:

On page 5, line 17, strike out "$3,123,000,000" and insert in lieu thereof "$3,113,000,000".

On page 8, line 4, strike out "$3,291,356,000" and insert in lieu thereof "$3,145,200,000".

On page 8, line 21, strike out $217,000,000" and insert in lieu thereof "$197,000,000".

On page 10, line 2, strike out "$360,000,000" and insert in lieu thereof "$320,000,000".

On page 10, line 12, strike out "$400,000,000" and insert in lieu thereof "$392,000,000".

On page 10, lines 22 and 23, strike out "$300,000" and insert in lieu thereof "$225,000".

On page 11, line 6, strike out "$5,500,000" and insert in lieu thereof "$5,000,000".

On page 12, lines 17 and 18, strike out "$2,307,000,000" and insert in lieu thereof "$2,295,000,000".

On page 14, line 3, strike out "$88,000,000" and insert in lieu thereof "$87,000,000".

On page 14, lines 12 and 13, strike out "$634,600,000" and insert in lieu thereof "$630,000,000".

On page 14, lines 19 and 20, strike out "$23,500,000" and insert in lieu thereof "$23,200,000".

On page 15, line 18, strike out "$182,500,000" and insert in lieu thereof "$178,000,000".

On page 16, line 6, strike out "$1,912,000,000" and insert in lieu thereof "$1,812,000,000".

On page 16, line 16, strike out "$868,500,000" and insert in lieu thereof "$853,500,000".

On page 17, line 12, strike out "$1,609,000,000" and insert in lieu thereof "$1,534,000,000".

On page 18, line 1, strike out "$823,000,000" and insert in lieu thereof "$820,000,000".

On page 18, line 20, strike out "$211,000,000" and insert in lieu thereof "$176,000,000".

On page 19, line 6, strike out "$166,000,000" and insert in lieu thereof "$164,000,000".

On page 19, line 15, strike out "$86,700,000" and insert in lieu thereof "$85,200,000".

On page 20, line 2, strike out "$136,630,000" and insert in lieu thereof "$134,630,000".

On page 20, line 7, strike out "$505,000,000" and insert in lieu thereof "$495,000,000".

On page 20, line 21, strike out "$306,000,000" and insert in lieu thereof "$300,000,000".

On page 21, line 12, strike out "$108,000,000" and insert in lieu thereof "$107,000,000".

On page 22, line 8, strike out "$6,126,000,000" and insert in lieu thereof "$5,864,000,000".

On page 22, line 16, strike out "$1,246,500,000" and insert in lieu thereof "$1,146,500,000".

On page 23, line 1, strike out "$661,000,000" and insert in lieu thereof "$649,000,000".

On page 25, line 2, strike out "$4,193,993,000" and insert in lieu thereof "$4,062,120,000".

On page 26, line 16, strike out "$3,836,600,000" and insert in lieu thereof "$3,801,600,000".

On page 26, line 25, strike out "$57,000,000" and insert in lieu thereof "$55,000,000".

On page 8, between lines 11 and 12, insert the following:

"COMBAT UNITS

"For expenses incident to the arming, equipping, and supporting of 2 or more combat units of the Army utilizing nonnuclear firepower; $425,000,000."

On page 14, between lines 13 and 14, insert the following:

"COMBAT UNITS, MARINE CORPS

"For expenses incident to the arming, equipping, and supporting of additional combat units of the Marine Corps utilizing nonnuclear firepower; $75,000,000."

CIVIL RIGHTS

Mr. RUSSELL. Mr. President, for the first time since I have been a Member of the Senate, I respectfully request that I be not interrupted in the course of my prepared discussion. I shall be happy to yield to any Senator who wishes to discuss any phase of my remarks when I have finished.

In the course of the discussion of the so-called civil-rights bill when it was sent directly to the calendar I touched upon the propaganda campaign to deceive the American people as to the true purposes and effect of that measure. I charged that an effort was being made to sail this bill through the Senate under the false colors of a moderate bill to assure and protect the voting rights of American citizens, while obscuring the larger purposes of the bill.

I said then, Mr. President, and I reassert now that the bill is cunningly designed to vest in the Attorney General unprecedented power to bring to bear the whole might of the Federal Government, including the Armed Forces if necessary, to force a commingling of white and Negro children in the State-supported public schools of the South.

Indeed, Mr. President, the unusual powers of this bill could be utilized to force the white people of the South at the point of a Federal bayonet to conform to almost any conceivable edict directed at the destruction of any of the local customs, laws, or practices separating the races in order to enforce a commingling of the races throughout the social order of the South.

This campaign of misrepresentation took shape even before the Senate took the unusual action of placing the bill directly on the calendar without committee consideration.

Proponents of the bill prepared the way for that action by speeches in which they consistently referred to it as a measure to assure the right to vote. The press, the radio, and television consistently parroted this propaganda line.

On the day following Senate action, I took occasion to listen to a number of radio and television broadcasts purporting to describe the bill and discuss the Senate action of bypassing the committee. Everyone that I heard referred to it as only a "moderate bill to assure voting rights for all citizens."

The great organs of the national press chorused this flagrant misrepresentation of the true character of the bill. As a sample, let me read extracts from an editorial carried by the New York Herald Tribune on Thursday, June 20, discussing the action taken in the Senate:

As Mr. Eisenhower said again at his news conference yesterday, the desired bill is moderate. Certainly there should be no alarm about a proposal for insuring the constitutionally guaranteed right of every qualified citizen to participate in national elections. But this is precisely what the southern legislators do not want, and they are resisting it with all their skills of obstruction.

Most of them, of course, are not quite so blunt as to contend that the Negro has no business voting. Yet, as every one knows, there is an effective system of discrimination and intimidation in large parts of the South which keeps the Negro from exercising his electoral privilege, and since this exists contrary to the Constitution, it seems only logical that this undemocratic denial should be stopped. The only way to do it is to establish practical means of enforcement. What the Administration proposes is injunctive relief by the courts in all violations or threats of violation of this most basic of all civil rights.

Why this should be so objectionable is hard to understand except on the ground that the South, or at least its constituted leadership, is congenitally opposed to the proposition that all citizens are entitled to equal rights.

It is noteworthy that this supposedly respectable publication carried the conspiracy of silence as to the true purposes of the bill over to its news columns. It did not mention in the news the fact that it was charged repeatedly on the floor of the Senate that the proponents of the bill were talking about voting rights, while thinking about integrating schools, and that one of the most eminent lawyers supporting the bill had admitted on the floor of the Senate that the Attorney General could apply this measure to an enforced commingling of the races in the public schools.

The eminent New York Times in its discussion of the Senate action concluded its editorial with the following description of the bill:

But quite apart from these political currents, there is a basic morality in this matter. It lies in the fact that the civil rights bill as passed by the House is, as President Eisenhower said, a "moderate, decent" measure, directed not against the South, but to freedom of the ballot for all Americans.

Newsweek, which styles itself as the magazine of news significance, limited its description of the bill to this statement:

Under the administration's civil-rights bill, the Attorney General would be given the power to seek an injunction in a Federal court against anyone who interfered with anyone else's right to vote. Those who violated the injunction would face charges of contempt of court.

Mr. President, I have always considered the Christian Science Monitor to be the most objective of our great national newspapers. But even the Monitor cautiously participated in the campaign in its editorial dealing with the Senate action by describing the bill as "a plan to permit the Attorney General to obtain injunctions to prevent such things as denial of voting rights to Negroes."

These are samples of the misrepresentation of the scope and extent of the sweeping powers of this bill that came to my attention in the course of my daily reading. They are fair samples of the movement designed to inflame public sentiment in the rest of the Nation against the white people of the South and their representatives in the Congress, in order to force passage of the bill before the people generally understand all of its terms.

In my opinion, Mr. President, this campaign of deception as to what this bill proposes to accomplish constitutes an abuse of the constitutional guaranty of freedom of the press. It is as great an abuse of that constitutional right as abuses being practiced to deny to any segment of our population the constitutional right to exercise the franchise.

It is a much more widespread abuse, for in this country today there are very few under State law to vote find that right improperly limited or circumscribed. I can speak of personal knowledge of the condition in my own State. Within recent months, at a primary in our capital city, a Negro citizen was reelected over a single white opponent to serve in an important office, by a city-wide primary vote, in a southern city where the colored population constitutes only about 30 percent of the total.

There is a very simple reason, Mr. President, for this studied misrepresentation of the sweeping powers to punish the South, as proposed by this bill. Let me say in passing that in all of its implications it is as much of an actual force bill as the measures proposed by Sumner and Stevens in reconstruction days in their avowed drive "to put black heels on white necks." The powers are there, even though more cunningly contrived than the forthright legislation aimed at the South in the tragic era of reconstruction.

The simple reason for confining the description to a voting bill is that the American people generally are opposed to any denial of the right of ballot to any qualified citizen. It is easy to array them in support of a bill represented as confined to this purpose.

The more sweeping powers which this bill gives to the Attorney General, to exercise his will, are obscured because in this country outside the South there are millions of people who would not approve of another reconstruction at bayonet point of a peaceful and patriotic South.

There are many people in every State of the Union, including thousands who do not favor the social order which exists in the Southern States, who would not approve the use of their tax money to throw the whole might of the Federal Government, including the military forces, behind a force law designed to compel the intermingling of the races in the public schools and in all public places of entertainment in the Southern States.

There are many Americans everywhere who would look askance at denying the white people of the South the ordinary rights guaranteed all Americans everywhere, as is proposed in this cunningly contrived bill.

There are many Americans who know that constitutional guaranties cannot be denied to the white South without endangering the loss of those guaranties by all the people of this Nation.

There are others who do not believe in indicting and convicting the whole people of a great section of this land on the charge, unsupported by evidence,

that all of them would forswear themselves as jurors.

Now, Mr. President, I shall undertake to examine some aspects of this measure, so glibly advertised as a moderate bill to assure the right to vote. I shall undertake to do so in language which the layman can understand. I shall cite sections of the code, in order that my brethren of the bar may have the opportunity to study what I believe to be the most classic example of cunning draftsmanship ever presented to the American Congress.

Mr. President, let us go first to the one part of the bill which does deal with voting rights. It is appropriate that the part of this drastic bill which deals solely with voting rights should be part IV of a 4-part bill. Weighed against the important and far-reaching effect of the other provisions of the bill, it is meet and proper that the voting provision should be the last part of the bill, even though it is the only one that has been emphasized in the presentation of this wickedly designed measure to the American people.

Mr. President, I ask unanimous consent that part IV of the proposed law may be printed in the CONGRESSIONAL RECORD at this point.

There being no objection, part IV was ordered to be printed in the RECORD, as follows:

PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

(a) Amend the catch line of said section to read, "Voting rights."

(b) Designate its present text with the subsection symbol "(a)."

(c) Add, immediately following the present text, three new subsections to read as follows:

"(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"(c) Whenever any person has engaged or is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States but for the benefit of the real party in interest, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

Mr. RUSSELL. Mr. President, part IV undoubtedly deals with voting rights. I shall not at this time discuss the full effect of this language. At an appropriate time I shall undertake to show that there are already on the statutes of the United States any number of laws to assure the right to vote, including criminal statutes which punish by fine and imprisonment any person who interferes with that right.

Leaving part IV, the voting part, I shall now proceed to that section of the bill which clearly stamps it as a force bill of unprecedented powers aimed at the white South. I shall demonstrate by explaining part III of the bill that the talk about voting rights is a smokescreen to obscure the unlimited grant of powers to the Attorney General of the United States to govern by injunction and Federal bayonet. This section of the bill strikes at our whole theory of a government of law and proposes to create a government of men. It grants to one man or to men sweeping powers to deny individual rights by wholesale and to jail and imprison peaceful American citizens according to the whim or caprice of the man or men exercising the power.

The heart of this bill is found in part III. Part III is the most cunningly devised and contrived piece of legislation I have ever seen. It is the ultimate in the technique of legislative draftsmanship to obscure purpose while creating and conferring power. By a process of amending one statute or existing law by reference and taking this statute or law and incorporating it, by reference to a number, into another law, without anywhere spelling out the total effect of the proposed law in express terms, it cunningly obscures its real scope and purpose.

When I was engaged in the active practice of law I thought I was a fair lawyer, but it has taken me a great deal of study to comprehend thoroughly the full magnitude of the objectives of the drafters of this part of the bill.

I understand it completely now. I unhesitatingly assert that part III of the bill was deliberately drawn to enable the use of the military forces to destroy the system of separation of the races in the Southern States at the point of a bayonet, if it should be found necessary to take this step.

I assert that this bill vests in one man, the Attorney General of the United States, greater powers over the American people than any other man, including any President elected by the people, has ever possessed.

This part of the bill is a potential instrument of tyranny and persecution. It can be used to jail and imprison American citizens and to deny them elemental rights inherent to all our people if it accords with the political inclinations of any Attorney General who possesses the confidence of the President.

Let us now proceed to consider the provisions of this bill and then discuss the ways by which it may be applied. Part III of the bill seeks to amend existing law known as section 1980 of the Revised Statutes—title 42, United States Code, section 1985. The existing law which is amended by reference has three paragraphs. The pertinent paragraph to this discussion is the third.

Mr. President, at this juncture I ask unanimous consent that part III of the proposed legislation be printed in the RECORD at this point.

There being no objection, part III was ordered to be printed in the RECORD, as follows:

PART III—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "Fourth" and "Fifth" and to read as follows:

"Fourth. Whenever any persons have engaged or are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs First, Second, or Third, the Attorney General may institute for the United States, or in the name of the United States but for the benefit of the real party in interest, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 122. Section 1343 of title 28, United States Code, is amended as follows:

(a) Amend the catch line of said section to read "§ 1343. Civil rights and elective franchise."

(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

(c) Add a paragraph, as follows:

"(4) To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote."

Mr. RUSSELL. Mr. President, any lawyer who is interested in all the legal ramifications will be interested in reading all of the present section 1985 of title 42 of the United States Code. It is one of the old reconstruction laws. Its criminal counterpart was declared unconstitutional by the Supreme Court decision, stating that the law was enacted by an impassioned Congress operating on the theory that the Southern States were conquered provinces.

To explain more easily what this bill seeks, I now read the pertinent part of the already existing law which the bill seeks to amend. I shall omit, and the asterisks will indicate the omission of any redundant or immaterial language which is likely to confuse the explanation. This is the existing law which part III seeks to amend:

SUBSEC. 3. If two or more persons in any State • • • conspire • • • for the purpose of depriving either directly or indirectly any person or class of persons of the equal protection of the laws or of equal privileges and immunities under the law • • • in any case of conspiracy set forth in this section if one or more persons engaged therein do or cause to be done any act in furtherance of the object of such conspiracy whereby another is • • • deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such • • • deprivation against any one or more of the conspirators.

It will be seen that this section of existing law, which the bill seeks to amend, establishes the right of any individual citizen injured under the terms of the statute to sue other individuals for damages in the courts.

Let me point out that there are a number of criminal laws or statutes which deal with any interferences with the rights of any citizen and make subject to criminal prosecution anyone who interferes with those rights.

Mr. President, I ask unanimous consent to have incorporated in the RECORD two illustrations of existing statutes which deal with crimes in this category which are made liable to suits for damages in the law which I have read. They are found in title 18, sections 241 and 242 of the code, and I ask that they be printed in the RECORD without my reading them.

There being no objection, the sections of the code were ordered to be printed in the RECORD, as follows:

Title 18, United States Code, section 241:

CONSPIRACY AGAINST RIGHTS OF CITIZENS

If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined not more than $5,000 or imprisoned not more than 10 years, or both (June 25, 1948, ch. 645, sec. 1, 62 Stat. 696).

Title 18, United States Code, section 242:

DEPRIVATION OF RIGHTS UNDER COLOR OF LAW

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, Territory, or district to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both (June 25, 1948, ch. 645, sec. 1, 62 Stat. 696).

Mr. RUSSELL. Mr. President, the Attorney General of the United States does not ordinarily participate in civil suits for damages between individual citizens of the United States. His primary duty is to enforce the penal or criminal laws passed by the Congress. In studying this matter, I was greatly puzzled by the fact that this proposed new law, which gave the Attorney General the power to sue, in the name of the United States, at the expense of the American taxpayer, in civil actions should have been included in and made a part of the old law defining a tort action or a suit for damages when there were so many criminal statutes available.

I of course apprehended that the bill would be far-reaching in its effects. This bill would authorize the Attorney General to bring suits whether the aggrieved party wished him to sue or not. It has always been the duty of the Attorney General to prosecute for criminal violations whether the aggrieved party desired a prosecution to be entered or not, but it is unusual for him to seek powers under a damage suit law when there were so many other clearer statutes, including criminal statutes, available for use in seeking civil injunctions if that should be a necessary or proper proceeding.

I knew that under the clever wording of this section injunction suits could result in the jailing of American citizens for an indeterminate period without the benefit of jury trial. I soon found that the proposed act struck down all Federal and State administrative or other remedies that must ordinarily be pursued by private citizens.

But it was difficult to dig out the purpose of the draftsman in using this particular law, which defines not a crime, but a cause of action or case for damages as the base for this far-reaching bill.

Mr. President, I now undertake to show that the real purpose of this bill is to enforce judicial law dealing with separation of the races in the Southern States. Let me explain that judicial law is law that is written by the courts rather than by the Congress.

We have had an unusual spate of judicial law recently. The present Supreme Court is writing more judicial law than the Congress is making through the ordinary process of legislation.

I shall resist the temptation to deal with some of the recent excursions of the Supreme Court into the legislative field which we had heretofore considered as reserved to the Congress.

For the purposes of this exposé, I must say that we can expect the present occupants of the marble building constructed to house a Supreme Court of the United States to go to any requested length to make the white people of the Southern States conform to their psychologically inspired and supported decisions as to what the social order of the South should be.

With this I return to the subtle cunning of the draftsman of this act in seeking to use a law authorizing a suit for damages between individual Americans as a vehicle to vest these vast powers in the Attorney General. I assert, Mr. President, that this bill was specifically drawn in this peculiar fashion so as to authorize the use of the military forces of the United States against the white people of the South to compel them, if necessary at bayonet point, to do away with any separation of the races in any phase of public life. To prove that assertion to any fair-minded man, I shall now read the provisions of section 1993 of title 42 of the United States Code, as follows:

Title 42, United States Code, section 1993:

AID OF MILITARY AND NAVAL FORCES

It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under sections 1981–1983 or 1985–1992 of this title, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of sections 1981–1983, and 1985–1994 of this title (Revised Statutes, sec. 1989).

Mark well, Mr. President, that section 1985, the old reconstruction law creating the right to sue for damages, is specifically mentioned in this authorization of the use of military forces, whereas it is not mentioned in any of the other statutes describing a crime or any civil action that might lie in a case of this kind. None of these other statutes on which the Attorney General would ordinarily rely are mentioned in this section of the code, providing for the use of military forces. The devious purpose in undertaking to have the Congress legislate by reference and cross reference, and by numbers of references to sections of the code, was to tie this whole proposition into a law authorizing the use of troops to integrate southern schools, and not for the purpose of assuring the right of any citizen of this country to vote.

I might point out that the voting section of the code is not tied in with the use of military forces, whereas that section which will be utilized to force the mixing of the races in the schools and in the public places of amusement is tied in with the statute authorizing the use of military forces.

Mr. President, if the Supreme Court so determines—and who can doubt their intent—that the separate hotels, eating places, and places of amusement for the two races in the South constitute a denial of equal privileges and immunities under the old law, this great power can be applied throughout the South.

I say, Mr. President, that no one, certainly, would doubt that the Supreme Court would make that holding, particularly in view of their holding in the Stephen Girard will case. Girard had left a will leaving money for the education of white orphan children, but the Court, in effect exhuming a man who had been dead for more than 100 years, went so far in that case as to say that because the trustees happened to be city trustees in Philadelphia that provision of the will not binding, without regard to his intent. Mr. Girard could not will his money as he wanted to, but it was necessary to admit Negro children to this private school because the trustees happened to be city officials in the city of Philadelphia.

All the public eating places, the swimming pools, and the hotels which operate in the Southern States hold licenses from either the State or the municipality. That gives the court a much firmer base for such a ruling than they had in the Girard case.

Under this bill, if the Attorney General should contend that separate eating places, places of amusement, and the like in the South, licensed by State or municipal law, constituted a denial of equal privileges and immunities, he could move in with all the vast powers of this bill, even if the person denied accommodation or admission did not request him to do so and was opposed to his taking that action. The white people who operated the places of amusement could be jailed without benefit of jury trial and kept in jail until they either rotted or until they conformed to the edict to integrate their places of business. There is no limit on

the punishment for contempt. A person convicted of contempt of court stays in jail until he purges himself of the contempt.

If a group of white people were to gather in front of the restaurant or theater or other place of amusement after its operators had been jailed, and there protested and resisted the commingling of the races in such places, the Attorney General could invoke the use of the military and naval forces of the United States to subdue, suppress, arrest, and jail every person who so gathered to protest and resist the commingling of races on the ground that they were guilty of conspiracy. That could be done if this bill should ever be enacted into law in its present form.

I have already said that the widely advertised voting section of the bill is not even remotely tied in with the use of military forces. The school enforcement section is. That affords a measure of the true importance of the voting right clause, as compared to the power sought to integrate the schools and destroy the separate system for the races on which the social order of the Southern States is built.

Who can doubt for a moment that some Attorney General, yielding to the demands of such organizations as the NAACP and the ADA, who have been most zealous in pushing this proposal, would move into the South to compel the communities to integrate white and Negro children in the schools?

If that were done, town meetings would be held, of the white citizens of those communities. They have already taxed or obligated themselves for bond issues to establish separate and equal schools for the children of the two races, as the law specifically provided for nearly 100 years.

At the outset of such a meeting the Attorney General and the courts might recognize the right of the participating citizens to peaceable assemblage, and to petition for the redress of grievances. However, it is certain that there would be many at the meeting who would advocate closing the schools rather than commingling their children.

What would happen then? If certain citizens should vote to close the schools, would they not all become subject to the conspiracy statute, and liable to being gathered up and jailed for violating the Attorney General's writ?

This purported moderate bill would give to the Attorney General the authority to apply these vast powers in the community, on his own volition and indiscriminately, even, as I have said, if all the people of both races residing in the community should oppose the use of Federal power and military might.

Part III is the heart, soul, and body of this so-called moderate measure. I assert that any fair-minded lawer who studies the cross references must conclude that it could result in placing many southern communities under martial law if they should fail to submit to what they regard as the destruction of their society at the time and in the manner demanded by whoever might be acting as Attorney General of the United States.

If this be a moderate bill, just what would be embraced within a drastic bill? I suppose some persons would regard it as a proper law to require all southern white people opposed to forcible race mixing to wear a tag, to declare all those tagged to be wild animals, and prescribe a year-round open season on such persons, with an annual bag limit of 24 white males and 12 white females.

I shall not elaborate at this time upon the policy which the bill proposes to establish, of saddling the American taxpayer with lawyers' fees and costs of litigation in innumerable cases between individual citizens.

Neither shall I deal today with the ingenious method employed in the proposed legislation to abolish the right of trial by jury.

I shall not dwell on the fact that the bill is a gratuitous insult to the integrity of every white southern citizen. Without exception, it indicts and convicts them all on the unsupported charge that southern jurors will not do their duty, but will forswear themselves in any case in which the rights of a Negro citizen are involved. Such indictment and conviction are without evidence to support them.

I should also like to note that this charge is most vigorously and frequently voiced by citizens who represent areas where there has admittedly been, within recent years, a complete breakdown of the processes of law and order. It has come from communities which have seen periods of domination by gangsters and racketeers, communities which have passed through the experience of having all their mediums of law enforcement and their public officials subservient to gang leaders.

What I say now is in no sense a threat. I speak in a spirit of great sadness. If Congress is driven to pass this bill in its present form, it will cause unspeakable confusion, bitterness, and bloodshed in a great section of our common country. If it is proposed to move into the South in this fashion, the concentration camps may as well be prepared now, because there will not be enough jails to hold the people of the South who will oppose the use of raw Federal power forcibly to commingle white and Negro children in the same schools and places of public entertainment.

I suppose that we may now expect to be told that President Eisenhower believes in moderation, and that he would not use the provisions of this bill to send the military forces into the Southern States to compel southern white people to conform to the views of the present Supreme Court and of other sections of the United States as to their social order, which, by custom and State law, has always required separate schools, eating places, swimming pools, hotels, and the like, for the two races.

I would be less than frank if I did not say that I doubt very much whether the full implications of the bill have ever been explained to President Eisenhower. I base that statement on my analysis of his answers to questions at press conferences relating to this measure. At first he apparently did not know that it would abolish the right of trial by jury. Someone must have referred him to a comment President Taft had made with respect to contempt of court. He used that comment in another press conference. Let me say in passing that I doubt whether any lawyer would insist on a jury trial for a contempt which was committed in the presence of the court.

Without regard to what may be contended as to the uses to which the bill, if enacted, might be put, this is supposed to be a government of law and not a government of men. Jefferson said:

> In questions of power, let no more be said of confidence in man.

Any idea of legislating and passing permanent statutes on the basis of the statement of intentions of any man, however great, fair, and just, who may happen to occupy the White House is wholly contrary to our entire system of government. I repeat that if this bill is used to the utmost, neither Sumner nor Stevens, in the persecution of the South in the 12 tragic years of reconstruction, ever cooked up any such devil's broth as is proposed in this misnamed civil-rights bill.

I make this statement today because I know that if any statement is made after a motion is made to proceed to the consideration of the bill, it will be clouded by cries of "Southern filibuster," which will ring throughout the land from the moment the motion is made.

Several years ago I was asked, with respect to a prolonged discussion on a certain bill, whether or not it constituted a filibuster. I think I coined the expression that it was "a lengthy educational campaign."

So far as this bill is concerned, in view of the campaign of misrepresentation which has been waged, it seems highly probable that we shall be largely confined to the CONGRESSIONAL RECORD as our medium to attempt to disseminate the truth about the measure. The circulation of the CONGRESSIONAL RECORD is limited, and we shall require a long time to get the facts across to the country. I hope that our colleagues will not be intolerant of us as we seek to discharge our duty to the American people of our States who have honored us by sending us here, even as the people of other States have honored other Senators.

I say to all the other Members of this body: If there should ever be presented here a bill which proposed to deal so harshly with the people of their States as this bill would deal with the people of my State, if they did not fight it to the very death, they would be unworthy of the people who sent them here.

If it is ever proposed to use the military forces of this Nation to compel the people represented by other Senators to conform their lives and social order to the views of the rest of the country, those Senators need not be afraid of the word filibuster or of attempting to exercise all their rights under the rules. I hope that no one who lives outside the South will ever be faced with the experience that lies before us. However, if there should ever be presented a measure which would deal so harshly with the people of other parts of our country as this bill deals with the people of the South, and at the time I am a Member of the Senate, I hope Providence will give me the strength and the courage to stand by their side, even if the great majority of the people of my State should happen to favor a measure so unfair.

Mr. President, there are millions of God-fearing, law-abiding citizens in the Southern States who believe as strongly in their right to send their children to schools attended by children of their own race, as the victims of destroyed Lidice or the Hungarians who fell in the streets of Budapest believed in the rights for which they died.

The social order of the South, with the separation of the races in the South, was accepted and protected by the laws of the land for nearly a hundred years. It is the only system the present generation has ever known. It was overturned in the twinkling of an eye, not by an act of Congress, after debate and explanation, but by action of the Supreme Court in striking down long-established law.

Mr. President, it is a monstrous proposal to establish the power to bring the military forces of the United States to bear against the white South, to compel them to change at once a way of life long supported by law and the only one under which our people have ever lived.

It is a tragic fact that the misrepresentation of the South and the southern people should have assumed such proportions in this country. Nowhere in our history has any minority group in this country—with the possible exception of the persecution of the Mormons in the 19th century—been subject to a campaign which compares to that being waged against the white people of the South today.

We have become mere pawns in a game of power politics. Other minority groups have apparently convinced the leaders of both political parties that the presidential election of 1960 will go to the political party willing to go the furthest in the drive to humiliate and punish the white South.

I say, Mr. President, that the white people of the Southern States deserve better at the hands of their fellow Americans of all races than to be subjected to the treatment which will inevitably follow if the bill is enacted in its present form.

Since Appomattox, this country has engaged in four wars in which the sons of the South have sealed the compact of reunion with their blood. Nearly every conceivable charge has been brought against us except that we are a cowardly people. I thank God I have not heard that charge. I would not resort to invidious comparisons, but I refer the Senate to the list of those who have won the Congressional Medal of Honor, the Distinguished Service Cross, and all the other decorations which are given for bravery in action—yes; and to the casualty lists—for evidence that the South has done her part in the armed services of the United States when our common country has been threatened.

Mr. President, politicians may be stampeded into supporting proposed legislation of this type. Pressures may be brought to bear that can compel those who control radio and television to distort and misrepresent. But, Mr. President, I have an abiding faith in the sense of fairness of all the American people when they know the facts. Before the outrage possible in this bill is inflicted upon a helpless people, I shall demand an amendment which will submit this issue to the American people in a national referendum.

It may be said that there may not be any precedent for such action, but there is certainly no worthy precedent for the disasters that the enactment of this bill in its present form are certain to bring.

I concede that it will be difficult to get the facts about this bill to all the American people under present conditions, but we will undertake to do it by word of mouth, if we must, and if that is the only way available to us.

If they understand it, the American people will reject this proposition overwhelmingly at the polls in any fair plebiscite. Pressure groups cannot work both sides of the street where the whole people are involved, as they can when they deal in terms of the number of votes they can deliver in given wards, counties, and States to the holders of public office.

This is not a partisan question. It is not one to be decided in terms of who will be elected to Congress, or governor of a State, or even President of all these United States. It is a problem that goes to the peace and tranquillity of our whole land.

The South was finally freed of the bayonet rule of reconstruction days through the efforts of northern men. There was less bitterness and hate between the soldiers than between the civilians in the War Between the States. Northerners who had been subjected to the waving of the bloody shirt came South in the forces of occupation. They found the truth about the South, and their hearts were touched with compassion at the treatment accorded their late enemies during the reconstruction era. It was really the veterans of the war and those who served in the forces who occupied the South for 12 years who finally broke the chains forged for the South by Sumner and Stevens.

I am not afraid to have this issue submitted to the people of the North and West in a clearcut and fairly presented plebiscite. I shall appeal to my colleagues at the proper time to let the whole people of this country pass upon this question before millions of white people in the South are subjected to the outrageous and un-American treatment contemplated by this bill.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. STENNIS. Mr. President, first I wish to commend highly the Senator from Georgia for his very fine analysis of this complicated and far-reaching bill. I certainly agree with him that it was put together by a man who is well versed in the law and who is very, very clever. The arrangement of the sections exposes the very drastic and far-reaching terms in the bill, as contrasted with the wide publicity going forth throughout the land that it is a moderate bill, drawn honestly by men of good will.

About 2 months ago I heard a Member of the Senate, a very conservative man, not from the South, honestly tell a nationwide television audience that this was a very moderate bill. I am certain that when he reads the Senator's speech, he will change his mind, because his mind is open on other points the Senator from Georgia has raised.

I wish to comment especially upon what the Senator said with reference to the schools. The facts he has related and the conclusions he has drawn are most unfortunately true concerning the problem relating to our schools. I heard a distinguished Member of the Senate last evening, on a national television program, advocate Federal aid for public schools, and in the same breath very honestly state that he was backing the civil-rights bill about which the Senator from Georgia has spoken. With a great understanding of his sincerity, I thought it was tragic that our colleague did not realize that he was supporting a bill which would destroy the public schools in the South.

As the Senator from Georgia has pointed out, the social order and the habits of the people of the South—the only ones we know—are so embedded in their life, that to attempt to disrupt and change them through the medium of their schools, or in any other way, will destroy the instrumentalities of service to the people, rather than accomplish a desirable result.

So, with great appreciation and a thankful heart, I commend the Senator for his very clear way of bringing out this point in language that, as he said, a man on the street can and will understand. I believe the Senator's speech will be a landmark, a turning point, in connection with this very much agitated but greatly misunderstood national problem.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. ERVIN. I compliment the able and distinguished Senator from Georgia for pointing out in such a direct manner the fallacy which is being perpetrated upon the American people in reference to the so-called civil-rights bill, namely, that it is merely a voting rights bill. As the Senator from Georgia has so well demonstrated the bill covers every conceivable field of civil rights, including that of the integration of the schools.

I ask the Senator from Georgia if part III does not amend title 42, section 1985, subsection 3, which provides, among other things, that the Attorney General may bring suits under the bill in connection with any conspiracy, either consummated or nonconsummated, to deprive any person of the equal protection of the laws under the 14th amendment.

Mr. RUSSELL. I am not so much concerned about the equal protection to which the Senator refers as I am about the language that seeks to assure equal immunities and privileges. That is the language that will be used to strike down any semblance of separation of races in

public places, including places of entertainment, restaurants, hotels, and swimming pools, throughout the South, wherever the license is obtained from a municipality or a State.

Mr. ERVIN. I call the attention of the Senator from Georgia and of the Senate as a whole to the provision with reference to the equal protection of the laws clause. We are told daily by editorials, by columnists, by radio, and by television, that the bill is nothing except a simple voting rights bill. The extreme coverage of the one clause about equal protection of the laws is very well illustrated by the latest general treatise upon American law. I hold in my hand volume 16A of Corpus Juris Secundum.

I point out to the Senator from Georgia, to the Senate as a whole, and, if it is possible to do so, to the press and other communications media throughout the country, that this general treatise discusses in general terms what would be covered by one simple clause of the bill. It takes from page 296 through page 536 of this volume of this general treatise of the law merely to state in a general way the subjects concerning which the Attorney General would be empowered to litigate at the taxpayers' expense under one little clause of one of the statutes which the bill seeks to amend. In other words, 240 pages of small type are required merely to set forth in a most cursory fashion the hundreds of topics of the law which, under the bill, the Attorney General would have power to litigate at the expense of the taxpayers.

As I have said before, the bill would place in the hands of the Attorney General powers which would be appropriate, perhaps, for a commissar of justice in a totalitarian state, but which are wholly unfit for the chief law officer of a Republic which boasts that it is a government of laws rather than a government of man.

I thank the Senator from Georgia.

Mr. RUSSELL. I thank the distinguished Senator from North Carolina for his observations. I have been tremendously impressed by his knowledge of this subject. I consider the minority views which he filed when the bill was reported by the subcommittee of the Committee on the Judiciary to be the finest document of its kind I have seen during my tenure in the Senate. It is completely unanswerable.

Mr. ERVIN. I thank the able and distinguished Senator from Georgia for his generous remarks concerning the minority views.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HOLLAND. I thank the distinguished Senator from Georgia. I should like to comment briefly, if I may, on two aspects of the able and splendid presentation which has just been made by the distinguished Senator from Georgia, and to congratulate him warmly upon his speech.

The first comment is with reference to the fact that, search as one might, it is almost impossible to find in the pages of the metropolitan press of the North and East any recognition at all of the fact that anything except voting rights and the proclaimed protection of voting rights is embraced within the bill.

I have scanned daily the pages of the New York Times and the New York Herald Tribune and have not found in the editorial comments of those two newspapers anything to indicate or give warning to the readers that anything more than voting rights and their protection is involved in the so-called civil-rights bill. But I did find one brief and fair news dispatch by a correspondent who, I think, is one of the most eminent assigned to Washington, namely, Mr. William S. White, of the New York Times.

In a special dispatch to the New York Times, Mr. White was fair enough, in stating the news, to give a story on the bill which I should like to read into the RECORD, because it is "the voice of one crying in the wilderness," so far as the reportorial staffs and the editorial staffs of these two great newspapers are concerned, insofar as the Senator from Florida has been able to discover from scanning them. This is what Mr. White said:

> The bill approved by the House would empower the Department of Justice to obtain injunctions from Federal judges against violations or threatened violations of civil rights—such as the right to vote or the right to attend a racially integrated school.
>
> Those refusing to obey such injunctions could be fined or imprisoned by the judge for contempt of court without a jury trial.

I hope the Senator from Georgia will not feel it is inappropriate for me to call attention to this one distinguished aberration from the rule of nonreporting which seems to have been so fully followed by most of the reporters and most of the editorialists in the two papers mentioned, and in general in the great and powerful newspapers of the North and the East.

Since Mr. White was frank enough to say, "Those refusing to obey such injunctions could be fined or imprisoned by the judge for contempt of court without a jury trial," and since just prior to that he had specially mentioned "the right to attend a racially integrated school," as one of the rights affected, I think it is appropriate to say, and I hope the press of this great area, the most populated area of the Nation, will be fair enough to cover it, that, in the opinion of many who have studied this question most carefully, there is just one perfectly legal, perfectly constitutional remedy which is available in the event the fight is carried far enough to force attendance at integrated schools. That last-ditch remedy is the abandonment by a State of the public-school system. I have not approved that particular step, drastic as it is.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that Calendar No. 551, House bill 7665, making appropriations for the Department of Defense, for the fiscal year ending June 30, 1958, and for other purposes, be made the pending business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, the point I am trying to make clear—a point well known to the distinguished Senator from Georgia [Mr. RUSSELL]—is that there is a perfect constitutional remedy against enforced public-school integration, drastic though that remedy may be, which is the abandonment of the public-school system. The point is, further, that various sovereign States of the area of the Nation that is so gravely affected by this problem have, through their legislatures, and in some instances by means of almost unanimous votes, taken that step, and have provided, in a perfectly constitutional, perfectly legal way, that if this bill is pushed upon them—that is to say, the bill which would integrate their schools—they will abandon their public-school systems.

I wonder whether the distinguished Senator from Georgia feels that sufficient prominence has been given to the fact that great sovereign States, thus clothed with a perfect constitutional remedy, have clearly pointed to the fact that that is the course they will follow, if they are forced to do so, in this great battle.

Mr. RUSSELL. Mr. President, my State happens to be one of those which have adopted in their constitutions provisions prohibiting the use of any State funds for a racially integrated school. But even if that provision were not in the constitution of my State, there would be very few communities in my State where a public school which was integrated would be permitted to operate.

I may say that on the day, I believe, when the Supreme Court handed down its decision, I stated then that that decision could well result in the destruction of the system of public education in many of the States. There is no question in my mind that throughout the South there are vast areas where the people would overwhelmingly prefer to have no public schools at all, rather than have integrated schools.

Mr. HOLLAND. Does the Senator from Georgia have in his mind any doubt at all as to the complete constitutionality of that course of action, if it were adopted by a State?

Mr. RUSSELL. Of course there is no doubt in my mind about its constitutionality; but in view of the great hue and cry to make the people of the South conform, there might be set up some military government or rule of martial law which would attempt to enforce such a system. However, I do not think such an attempt would contribute anything to the cause of public education.

Mr. HOLLAND. I have never felt that the present lack of sympathy and lack of understanding would ever go that far.

Mr. RUSSELL. The Senator from Florida has more confidence in the situation than I have. I have no doubt that if this bill in its present shape is enacted into law, it will be so utilized.

Mr. HOLLAND. My feeling is that, regardless of what may be planned by some in Government, the people of the United States would never permit anything so drastic to be done.

Mr. RUSSELL. That is why I state that I insist that this question be submitted to a referendum of all the American people.

Mr. HOLLAND. I think the Senator from Georgia is very wise in his demand in this matter.

The next thing I wish to ask the Senator from Georgia is this: In the event the public schools are abandoned—as I think they can be abandoned, without question—then, because of that fact, those who have sufficient means will be able to send their children to private schools. But other people of both colors—those who do not have sufficient means—will be forced to accept some inferior form of education, or none at all, for their children. Can the distinguished Senator from Georgia think of anything in the world which would be more disruptive of unity in the country and would be more calculated to create class consciousness and class strife than to have the children of parents who were able to provide them with a private-school education more or less the only group of children to be given any substantial educational opportunities?

Mr. RUSSELL. Of course, I agree with the Senator from Florida in making that statement. The saddest aspect of this entire matter has been the fact that this decision has, almost overnight, destroyed the vast reservoir of understanding and good will which had been patiently built up between the people of the two races in the South, who emerged from a state of two races, one in slavery and the other free, to a state of emancipation.

We in the Southern States have passed through an experience which I sometimes doubt very much that many of our colleagues understand. Eighty years seems to be a lifetime, in the life of one man; but it is but a day in the life of a great country or in the building of great civilizations. In that period of time, no other similar races have made so much progress in being able to live together and understand each other, and in undertaking to support each other and help each other. But I say with great sadness that much of that desirable relationship, which had been patiently constructed over a long period of time, has now been stricken down; and we have almost reached a situation where the avenues of communication between those of good will in both races are practically closed.

Mr. HOLLAND. I certainly agree with the distinguished Senator from Georgia.

I should like to make a further point, if I may: Those who prate about how the proposed law will do away with the inequity in voting, overlook the fact that the greatest group of both white and colored citizens now prevented from voting is so prevented by the poll-tax laws of only five States. There is no approach whatever, in the measure now proposed, to the correction of that situation.

The Senator from Georgia knows, of course, that over a period of years the Senator from Florida, sometimes joined by as many as 11 other Senators from the South, has been trying to submit to the States an amendment to the Federal Constitution under which the requirement of the payment of a poll tax as a prerequisite for voting for Federal officials—for President, Vice President, Senators, and Representatives—would be forever prohibited. One of the blind spots—and it is a very large blind spot—that seems to be almost a disease on the part of those who are sponsoring the legislation now proposed is, it seems to me, that they fail to see that it makes no effort at all to approach the freeing from that situation of hundreds of thousands of citizens, both white and colored, in the five States where that requirement still prevails.

The State of Georgia, so ably represented, in part, by the distinguished senior Senator from Georgia, is not one of those States, because some years ago, of its own volition, it took the step which did away with the poll-tax requirement, not only in connection with voting for Federal officials, but also in connection with voting for all types of officials, down to the local level.

Does not the Senator from Georgia think that those who claim that this bill is a great potent piece of proposed legislation to protect voting rights, must have their tongues in their cheeks, when they know, and have had it called frequently to their attention, that there are those who are trying to approach the problem directly, legally, and constitutionally, and in accord, for instance, with the provisions of a recent Republican national platform, by presenting a proposed constitutional amendment on the question I have described?

Mr. RUSSELL. Mr. President, I am very happy to bear testimony, from personal knowledge, to the great diligence and the earnest efforts of the distinguished senior Senator from Florida [Mr. HOLLAND] to secure the presentation to the States of a constitutional amendment which would forever wipe out the poll tax. He has labored on that well, both in season and out of season.

Mr. HOLLAND. Mr. President, I certainly appreciate that expression by the Senator from Georgia.

I should like to ask him an additional question, if I may. Do those who sponsor this measure upon the ground that it will protect voting rights, approach the question in any such way as to give improved voting rights to those who are unable to pay their poll taxes, in the States which still require the payment of the poll tax?

Mr. RUSSELL. Mr. President, I cannot answer that question as to every community in all the States, but as for my own State I know that the percentage of the Negroes of my State who voted increased tremendously after the abolition of the poll tax, and the registration records of the State will reflect that fact.

Mr. HOLLAND. Is it not true that that remedial legislation released many, many thousands of white people to participate in voting in the State so ably represented by the distinguished Senator?

Mr. RUSSELL. I will say, in all frankness, that was true to a lesser degree, because more white people kept up with their payments and were more interested in exercising their right of suffrage; but the passage of the law undoubtedly opened up the registration rolls and brought about an increase in the number of participants in our elections.

Mr. HOLLAND. I thank the Senator. That was our experience in Florida. Participation in elections became immediately greater on the part of both white and colored people upon the enactment of our State legislation, similar to that enacted in Georgia, to which the Senator from Georgia has already referred. It has been passing strange to think that in all this effort there has been no consideration whatever given to the fact that the proposed legislation does not touch the greatest pool of nonparticipating citizens, those who do not participate in elections, that we have anywhere, namely, those who are prohibited, under present poll tax laws, from voting for their President, Vice President, Senators, and Representatives.

I thank the Senator and compliment him warmly for his splendid and scholarly speech.

Mr. THURMOND and Mr. HILL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield; and, if so, to whom?

Mr. RUSSELL. I yield first to the Senator from South Carolina. Then I shall yield to the Senator from Alabama.

Mr. THURMOND. I wish to commend the Senator from Georgia for the excellent address he has made, which has been a magnificent contribution to this subject. I hope every Member of the Senate will read it carefully.

Mr. HILL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Alabama.

Mr. HILL. As the distinguished Senator from Georgia knows, he and I have served in this body for a good many years, and we have been priviliged to hear many able addresses, and some fine constitutional arguments delivered in this body. I unhesitatingly say that I have never heard a calmer, a more judicious, a more logically and cogently reasoned, and a more masterful exposé of any bill than the distinguished Senator from Georgia has made of House bill 6127 in the address he has delivered before the Senate this morning. He has demonstrated clearly and convincingly that this bill is not, as it has been represented throughout the country to be, a moderate piece of proposed legislation, but that it is most drastic, contrary to our long-established concept of the American Federal system, and repugnant to our great basic Anglo-Saxon jurisprudence and judicial procedures for which, down through the years, men have fought and suffered in order to preserve

the individual liberties and rights of citizens.

Mr. RUSSELL. I am most grateful to the distinguished Senator for his very complimentary references. I am even more grateful for the friendship which causes the Senator to look at me through eyes of bias and therefore to overvalue my efforts, but I thank the Senator.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll——

Mr. MANSFIELD. Mr. President, will the Senator withhold his request?

Mr. RUSSELL. Mr. President, I will withhold my request for a quorum until the Senator from Massachusetts is recognized, and then I shall renew my request.

The PRESIDING OFFICER. The Chair recognizes the Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield for the purpose of permitting the Senator to suggest the absence of a quorum.

Mr. RUSSELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 528. An act for the relief of Nicolaos Papathanasiou;

S. 1169. An act for the relief of Herbert C. Heller;

S. 1212. An act for the relief of Evangelos Demetre Kargiotis; and

S. 1352. An act to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills and joint resolution of the House:

H. R. 3558. An act for the relief of Ernest Hagler;

H. R. 4159. An act for the relief of Z. A. Hardee; and

H. J. Res. 288. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bill and joint resolutions of the House:

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation;

H. J. Res. 290. Joint resolution for the relief of certain aliens; and

H. J. Res. 307. Joint resolution for the relief of certain aliens.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 45. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.;

S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.;

S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation;

S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended;

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from the Insurrectos during 1899–1903;

S. 1396. An act to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing, equipment, or other permanent improvement of public buildings at the capital of said State;

S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; and

S. 1806. An act to amend the Sockeye Salmon Fishery Act of 1947.

STATUS OF FORCES POLICY

Mr. JAVITS. Mr. President, will the Senator from Massachusetts yield to me briefly?

Mr. KENNEDY. I yield to the Senator from New York for 3 minutes. Then I shall yield to the Senator from Illinois for 3 minutes. Then I shall yield to the Senator from Arizona in order that he may make an insertion in the RECORD. Then I must say I shall not be able to yield further.

Mr. JAVITS. I thank the Senator.

Mr. President, I ask unanimous consent that the Senator from Massachusetts shall not lose the floor during the time he is yielding to me, the Senator from Illinois, and the Senator from Arizona.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, an effort by the United States to abrogate the Status of Forces agreements made by us with 54 friendly countries which is now threatened would be a serious reversal of our foreign policy and would seriously jeopardize our own security. This is a very vital and pertinent issue, since it will be considered by the other body of Congress shortly.

Should the United States abrogate such agreements, it would drastically reverse its Status of Forces policy by depriving foreign countries of criminal jurisdiction over military personnel, regardless of whether or not the crime was committed in the performance of official duty. I have been concerned with the impact which the Reynolds case in Formosa and the Girard case in Japan would have on public opinion and the possible demand for unrealistic and unjustifiable changes in our Status of Forces agreements.

Mr. President, we need to understand that these agreements maintain the essential objectives of our foreign policy and are but a recognition of the independence and dignity of friendly foreign nations within whose borders we station troops, not only for the added protection of such nations but equally for our own national security.

The line of distinction in jurisdiction should be kept clear, Mr. President, as between a member of the Armed Forces who is on a post or a station or on duty—he is answerable only to the United States—or being off duty in the civilian stream of a particular country—when he may be answerable for a crime to the host country provided his essential rights are safeguarded.

Mr. President, in the Girard case I feel this distinction was not maintained, but that the requirement of our treaty with Japan for negotiations on the subject where negotiations were not in order led us into a situation where public opinion in Japan was as strong for turning Girard over to the authorities there as our public opinion was against it. I have urged renegotiation of this agreement with Japan and I urge renegotiation of any similar agreement which can get us into that kind of a situation. But abrogation of these treaties would be a disservice to our foreign policy and would jeopardize our own security as well as that of the Free World. Abrogation of these treaties will not advance the cause that many well intentioned people see in such abrogation but will have just the opposite effect.

Mr. President, unusual cases should not be permitted to make bad law, and we should not strike a disastrous blow to our own status as a leading power in defense of the Free World.

Mr. President, we would be playing directly into the hands of the men in the Kremlin, whose prime article of faith is to get the United States out of these overseas bases were we to abrogate the Status of Forces Agreement. For years the men in the Kremlin have, in vain, threatened and cajoled the powers where these bases have been located, including threats of atomic bombardment, to get the United States out. It is our duty to resist this effort.

Our agreements call for the locating of troops in friendly countries, all with their consent and approval, and at their invitation. This is the very opposite of the system the Soviet Union uses in the military occupation of its satellites. How long can our arrangements last if we deny these countries jurisdiction over a

rape, a theft, or a hit-and-run auto accident committed by a United States soldier on leave? How long will their own local public opinion tolerate it?

Mr. President, if we wiped out the Status of Forces law instead of administering it with clarity and courage—which can avoid injustices or offense to United States sensibilities—we would be jeopardizing the continuance of our overseas bases. We would be playing directly into the hands of the men in the Kremlin whose prime article of faith is to get us out of such bases and who have vainly threatened and cajoled the powers where they have been located for years now—including threats of atomic bombardment. It is our duty to resist this well-nigh fatal error.

Our Status of Forces treaties and agreements with the 54 friendly countries call for locating our troops in these countries, all with their consent and approval, and at their invitation. How long can this last if we deny them jurisdiction over a rape, a theft, or a hit-and-run auto accident committed by a United States soldier on leave—how long will their own local public opinion tolerate it? Now let us look at how this jurisdiction has been used:

Since these treaties and agreements have been in effect, about 32,000 United States personnel have been charged with off-duty crimes abroad. In 23,000 of these cases, the foreign government waived their jurisdiction and the soldiers were turned over to United States authorities for discipline. About 9,000 have faced foreign courts since 1953. Of these, 305 have been sent to prison for crimes ranging from homicide and rape to manslaughter and hit-and-run accidents. Eighty-three were still in prison as of November 30, 1956. As aginst this, let us note that there were over 5,000 traffic accidents involving United States personnel in Europe alone in 1956.

What are safeguards of United States troops tried in foreign jurisdiction? When tried by local courts, United States troops have many protections: They include the right to a speedy trial, information on charges, the right to face accusers, the furnishing of interpreters, also the United States Government is on the defendant's side. It gets him a lawyer and pays the legal fees, stations United States representatives to observe the trial, and inspects conditions in the prison to which any American is sentenced.

Certainly, there is no neglect of American personnel nor turning them over wholesale to the tender mercies of any foreign court. This is again provided we can have the lines clear in terms of cases on posts or stations when on or off duty. I think it is very essential that the basic foreign policy involved be plain to all of us before there be some hasty, ill-advised action prejudicial to our foreign policy and our national security.

I thank the Senator for yielding to me.

Mr. KENNEDY. Mr. President, I yield 3 minutes to the Senator from Illinois [Mr. DOUGLAS].

THE CIVIL RIGHTS ACT OF 1957

Mr. DOUGLAS. Mr. President, I wish to thank the Senator from Massachusetts for yielding to me.

Mr. President, I think it is not necessary for me to emphasize my respect for the Senator from Georgia [Mr. RUSSELL] and my real friendship for the people of the South. The comments of the Senator from Georgia, however, do call for some immediate reply.

The Senator from Georgia very ably shifted the focus of his speech away from protection of the right to vote to the alleged horrible consequences which he declared might come from part III of the bill, H. R. 6127.

I think it is very important that we keep a proper sense of emphasis in this discussion of the proposed civil rights bill and realize that the primary purpose of those who are supporting this civil rights legislation is to throw added Federal protection around the right to vote. This is certainly one of the most fundamental of American rights. And this right is now denied over a considerable section of this country, primarily in the South, and denied not merely by the imposition of a poll tax, but by the striking of Negroes from voting registers on arbitrary grounds and the exercising of social, economic, and in some cases physical coercion against the exercise of voting rights by the Negroes.

What we are attempting to do in the civil rights bill is to give to the Attorney General and to the Department of Justice powers to bring civil actions to prevent such violations from occurring. We do this, of course, through the time-tried method of equity, the granting of injunctions by the courts if the facts support the injunctions, to restrain improper acts from being committed. That is about all there is to it.

Our primary aim is to prevent these deprivations of constitutional rights before they occur, rather than mete out punishment after the event.

So far as the argument of the Senator from Georgia against part III of the bill is concerned, may I say that no new rights are created by part III. Those rights dealt with in part III have already been granted by the Constitution and by previous acts of Congress, going back in some cases to 1871 and in other cases even prior to that.

All that is done to provide a new remedy for protecting those rights, to give to the Attorney General the power to bring suits to prevent these violations from occurring rather than to resort to criminal action after they have occurred.

So far as the use of Federal troops by the President is concerned, a subject which the Senator from Georgia brought into the discussion with such dire warnings, that power has existed in the United States by statute since 1795, at the time of the Whisky Rebellion, and since 1870, when the Force Act was passed. But that power has never been exercised by this Government, since 1877, and we pray God it never will be exercised.

It is not the intention or thought of those advocating this civil rights legislation to be unjust to the South. We believe in national unity. We welcome all the magnificent contributions which the people of the South have made, and we hope that we may all go forward in a spirit of unity together, to remove the real abuses which exist in American life.

I thank the Senator from Massachusetts for yielding to me.

Mr. KENNEDY. I yield a half minute to the Senator from Arizona.

ST. COLUMBAN NURSING NUNS IN KOREA

Mr. GOLDWATER. Mr. President, while it is my understanding that the Department of Defense has specifically ruled against the granting of APO privileges for commercial, benevolent, and religious organizations, my attention has been called to a situation involving the St. Columban nursing nuns in Korea, whose efforts, I believe, fully justify an exception to this policy, in order that they might receive the medical and drug supplies which they so urgently need in fulfillment of their work in caring for the sick at their hospital and leprosarium in Mokpo, Korea.

For the information of the Senate, and in order to acquaint my colleagues with the effort in which I am engaged in behalf of this deserving order, I ask unanimous consent that there be printed, at this point in my remarks, the text of a letter on this subject which I have addressed to the Secretary of Defense.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
Washington, D. C., June 27, 1957.

The Honorable CHARLES E. WILSON,
Secretary of Defense, Department of Defense, Washington, D. C.

DEAR MR. SECRETARY: While I am aware of the Defense Department's decision against the granting of APO privileges for commercial, benevolent, and religious organizations, I am nevertheless prompted to write to you concerning a case which I regard as extremely meritorious, and in the hope that it may be possible, in some way, to lift the ban on this privilege with respect to the St. Columban nursing nuns in Korea.

By way of background, the Most Reverend Harold W. Henry, Roman Catholic bishop of Kwangju, Korea, has set up and operates at Mokpo, Korea, a hospital and leprosarium, and at Chunchon, Korea, a dispensary, which facilities are available to people of all creeds.

In this work in Korea, Bishop Henry is assisted by 12 St. Columban nuns, 6 of whom are citizens of the United States. These nuns nurse the sick and lepers, and the bishop desires to obtain APO mailing addresses for them in order that they may receive from the United States medicines, surgical supplies, and related materials, by direct order or by gift. Bishop Henry has an APO mailing address, APO 102, San Francisco, for first-class mail only. This APO address is shared by the Sisters, but in order to receive the medical supplies which they so urgently need an extension of this privilege would have to be obtained.

Surely, in view of the nature of their medical work, these Sisters are invaluable to our country and to the entire Free World in the struggle against communism. These same Sisters gave medical care to General Doolittle's group, which first bombed Tokyo, in

their hospital at Nanchang, China. In retaliation, the Japanese destroyed all their buildings and confiscated and destroyed all their medical supplies and food. The Sisters have never asked for compensation and probably never will; but, in consideration of their sacrifice for members of the Armed Forces, the granting of this extremely minor privilege seems only just.

The Sisters of St. Columban require the use of an APO address for the receipt of critical drugs and medical supplies only. At times, with the hundreds of patients to whom they are giving courses of medication, they run short of these necessary drugs. Unavoidable delays and pilferage are experienced when shipment is via regular channels. These delays cause the stoppage of treatment for long periods of time, in some instances for months, thereby rendering ineffective previous treatments.

In view of the foregoing, I am certain that you will understand that the use of the APO privilege is a vital necessity, and I greatly hope that it will be possible for you to take the required steps to grant this privilege to these deserving Sisters.

With kindest regards, I am,

Sincerely,

BARRY GOLDWATER.

Mr. GOLDWATER. I thank the distinguished Senator from Massachusetts.

Mr. KENNEDY. I yield to the Senator from Illinois [Mr. DIRKSEN] for 1 minute.

THE CIVIL RIGHTS ACT OF 1957

Mr. DIRKSEN. Mr. President, I listened very attentively to the distinguished Senator from Georgia [Mr. RUSSELL]. Seldom in my long legislative experience have I seen within the frame of a single speech so many ghosts discovered under the same bed, but I am confident that if the civil rights bill is enacted the heavens will not be rent asunder, the waters will not part, the earth will not rock and roll, and we will go on, as we always have, and add to the course of our progress the protection and the safeguarding of the rights of citizens of the United States, because the 14th amendment to the Constitution makes all native born and naturalized citizens, and those subject to its jurisdiction, citizens not only of the State where they reside but citizens of the United States.

The civil rights bill, which will be under consideration soon, is concerned with only one thing, and that is the proper safeguarding of the citizens of our common country.

IMPERIALISM—THE ENEMY OF FREEDOM

Mr. KENNEDY. Mr. President, the most powerful single force in the world today is neither communism nor capitalism, neither the H-bomb nor the guided missile—it is man's eternal desire to be free and independent. The great enemy of that tremendous force of freedom is called, for want of a more precise term, imperialism—and today that means Soviet imperialism and, whether we like it or not, and though they are not to be equated, Western imperialism.

Thus the single most important test of American foreign policy today is how we meet the challenge of imperialism, what we do to further man's desire to be free. On this test more than any other, this Nation shall be critically judged by the uncommitted millions in Asia and Africa, and anxiously watched by the still hopeful lovers of freedom behind the Iron Curtain. If we fail to meet the challenge of either Soviet or Western imperialism, then no amount of foreign aid, no aggrandizement of armaments, no new pacts or doctrines or high-level conferences can prevent further setbacks to our course and to our security.

I am concerned today that we are failing to meet the challenge of imperialism—on both counts—and thus failing in our responsibilities to the Free World. I propose, therefore, as the Senate and the Nation prepare to commemorate the 181st anniversary of man's noblest expression against political repression, to begin a two-part series of speeches, examining America's role in the continuing struggles for independence that strain today against the forces of imperialism within both the Soviet and Western worlds. My intention is to talk not of general principles, but of specific cases—to propose not partisan criticisms but what I hope will be constructive solutions.

There are many cases of the clash between independence and imperialism in the Soviet world that demand our attention. One, above all the rest, is critically outstanding today—Poland.

The Secretary of State, in his morning news conference, speaking on this subject, suggested that, if people want to do something about the examples of colonialism, they should consider such examples as Soviet-ruled Lithuania and the satellite countries of Czechoslovakia, Poland, and others.

I agree with him. For that reason, within 2 weeks I hope to speak upon an issue which I think stands above all the others, namely, the country of Poland.

There are many cases of the clash between independence and imperialism in the Western World that demand our attention. But again, one, above all the rest, is critically outstanding today—Algeria.

I shall speak this afternoon of our failures and of our future in Algeria and North Africa—and I shall speak of Poland in a later address to this body.

I. ALGERIA, FRANCE, AND THE UNITED STATES

Mr. President, the war in Algeria confronts the United States with its most critical diplomatic impasse since the crisis in Indochina—and yet we have not only failed to meet the problem forthrightly and effectively, we have refused to even recognize that it is our problem at all. No issue poses a more difficult challenge to our foreign-policy makers—and no issue has been more woefully neglected. Though I am somewhat reluctant to undertake the kind of public review of this case which I had hoped—when I first began an intensive study of the problem 15 months ago—that the State Department might provide to the Congress and people, the Senate is, in my opinion, entitled to receive the answers to the basic questions involved in this crisis.

I am even more reluctant to appear critical of our oldest and first ally, whose assistance in our own war for independence will never be forgotten and whose role in the course of world events has traditionally been one of constructive leadership and cooperation. I do not want our policy to be anti-French any more than I want it to be anti-nationalist—and I am convinced that growing numbers of the French people, whose patience and endurance we must all salute, are coming to realize that the views expressed in this speech are, in the long run, in their own best interest.

I say nothing today that has not been said by responsible leaders of French opinion and by a growing number of the French people themselves.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield to the Senator from Montana.

Mr. MANSFIELD. The distinguished Senator from Massachusetts is making a speech which, I am quite certain, will receive a great deal of earnest and deliberate consideration. It will not be an easy speech, I am sure, but I think it will be a candid speech, and I hope it will be recognized in the spirit in which it is meant.

The Senator from Massachusetts is correct when he refers to France as our oldest and first ally. We all know that of all the major nations of the world, the one major nation with which we have not gone to war is the Republic of France. We know that there were more French soldiers than American with Washington's Army at Yorktown. We know that behind the Continental Army was the fleet of Admiral de Grasse, and behind the fleet of De Grasse was the French treasury. So we are indebted to the French for a great many things which they have done to help us. We are grateful for their enduring friendship down through the decades since independence.

I have examined a copy of the Senator's speech, with respect to which I hope to make comments from time to time, if the Senator will permit. At the very beginning, let me say that the Senator from Massachusetts is to be commended for laying the cards on the table and showing the picture as he sees it, in the hope that something constructive will be the result.

Mr. KENNEDY. I appreciate what the Senator from Montana has said. The basic theme which I shall attempt to develop is that unless the French are willing to make some concessions and adjustments in their basic policy toward Algeria today—and I hope they will do so—any hope that the French will occupy in North Africa a position of any real constructive value to France will, in my judgment, disappear.

So I believe that in the true sense of the word—at least, that is my intention—this is a speech from a friend of France, in what I consider to be the best interest of France as well as the best interest of the United States and Africa.

Mr. MANSFIELD. As I have said, it is a speech which is not easy to make.

Mr. KENNEDY. The Senator from Montana and I discussed a similar problem in the case of Indochina. As of today, it is my opinion that the best intests of both the French and the United States will be served by speaking frankly on this question.

IS ALGERIA OF CONCERN TO THE UNITED STATES?

American and French diplomats, it must be noted at the outset, have joined in saying for several years that Algeria is not even a proper subject for American foreign policy debates or world consideration—that it is wholly a matter of internal French concern, a provincial uprising, a crisis which will respond satisfactorily to local anesthesia. But whatever the original truth of these clichés may have been, the blunt facts of the matter today are that the changing face of African nationalism, and the ever-widening byproducts of the growing crisis, have made Algeria a matter of international, and consequently American, concern.

The war in Algeria, engaging more than 400,000 French soldiers, has stripped the continental forces of NATO to the bone. It has dimmed Western hopes for a European common market, and seriously compromised the liberalizing reforms of OEEC, by causing France to impose new import restrictions under a wartime economy. It has repeatedly been appealed for discussion to the United Nations, where our equivocal remarks and opposition to its consideration have damaged our leadership and prestige in that body. It has undermined our relations with Tunisia and Morocco, who naturally have a sense of common cause with the aims of Algerian leaders, and who have felt proper grievance that our economic and military base settlements have heretofore required clearance with a French Government now taking economic reprisal for their assistance to Algerian nationalism.

It has diluted the effective strength of the Eisenhower doctrine for the Middle East, and our foreign aid and information programs. It has endangered the continuation of some of our most strategic airbases, and threatened our geographical advantages over the Communist orbit. It has affected our standing in the eyes of the Free World, our leadership in the fight to keep that world free, our prestige, and our security; as well as our moral leadership in the fight against Soviet imperialism in the countries behind the Iron Curtain. It has furnished powerful ammunition to anti-Western propagandists throughout Asia and the Middle East—and will be the most troublesome item facing the October conference in Accra of the free nations of Africa, who hope, by easing the transition to independence of other African colonies, to seek common paths by which that great continent can remain alined with the West.

Finally, the war in Algeria has steadily drained the manpower, the resources, and the spirit of one of our oldest and most important allies—a nation whose strength is absolutely vital to the Free World, but who has been forced by this exhausting conflict to postpone new reforms and social services at home, to choke important new plans for economic and political development in French West Africa, the Sahara, and in a united Europe, to face a consolidated domestic Communist movement at a time when communism is in retreat elsewhere in Europe, to stifle free journalism and criticism, and to release the anger and frustrations of its people in perpetual governmental instability and in a precipitous attack on Suez.

No, Algeria is no longer a problem for the French alone—nor will it ever be again. And though their sensitivity to its consideration by this Nation or the U. N. is understandable, a full and frank discussion of an issue so critical to our interests as well as theirs ought to be valued on both sides of an Atlantic alliance that has any real meaning and solidarity.

This is not to say that there is any value in the kind of discussion which has characterized earlier United States consideration of this and similar problems—tepid encouragement and moralizations to both sides, cautious neutrality on all real issues, and a restatement of our obvious dependence upon our European friends, our obvious dedication nevertheless to the principles of self-determination, and our obvious desire not to become involved. We have deceived ourselves into believing that we have thus pleased both sides and displeased no one with this head-in-the-sands policy—when, in truth, we have earned the suspicion of all.

IS AN EARLY RESOLUTION LIKELY WITHOUT UNITED STATES ACTION?

It is time, therefore, that we came to grips with the real issues which confront us in Algeria—the issues which can no longer be avoided in the U. N. or in NATO—issues which become more and more difficult of solution, as a bitter war seemingly without end destroys, one by one, the ever fewer bridgeheads of reasonable settlement that remain. With each month the situation becomes more taut, the extremists gain more and more power on both the French and Algerian sides. The government recently invested by the French Assembly is presided over by a Premier clearly identified with a policy of no valid or workable concessions; and his cabinet, though resting on a balance of parties similar to its predecessor, has been purged of all members associated in any way with a policy of negotiation in Algeria. The French Government, regardless of the personality of its leadership, seems welded to the same rigid formulas that have governed its actions in Algeria for so long; and the only sign of hope is a more articulate concern for a settlement among independent thinkers in France, a notable example being the well-reasoned volume recently published by M. Raymond Aron entitled "The Algerian Tragedy."

M. Aron, the leading political commentator of the conservative Le Figaro, urged the constitution of an Algerian state as the best choice of evils. But the prospects for such a settlement being offered or accepted by his own government are already remote, if the record of past failures at negotiation is any indication. In February 1956 Premier Mollet, pelted with tomatoes and bricks, bent to the fury of a French mob in Algiers and replaced the prospective French Resident Minister suspected of leaning toward an early settlement. Last fall, when Mollet himself authorized French emissaries to hold cease-fire discussions with the nationalists in Rome and elsewhere, and encouraged discussion on the matter between the rebels and the Tunisian and Moroccan Governments, key Algerian rebel leaders were taken captive by the French while in air transit between Rabat and Tunis during the course of these meetings. This step, taken on the apparent initiative of the French Minister of Defense and the Resident Minister, and, in fact, without even the knowledge of the Prime Minister, Mr. Mollet, himself, not only collapsed all hopes for a cease fire, but also had the most unfavorable repercussions for France in all the uncommitted world.

After the passions of Suez had subsided, Prime Minister Bourguiba, of Tunisia, again attempted to find some common ground; and with much effort persuaded nationalist representatives to accept the principle of internationally controlled elections, subject to safeguards, if the French would abide by the results. But again M. Mollett pulled the rug out from under these efforts; and more recently even M. Bourguiba has been alienated by the French action arbitrarily cutting off economic grants to Tunisia. Another violent demonstration has recently been promised if the present uncompromising Minister Resident, Robert Lacoste, is replaced with a moderate. An extremist French organization in Algiers which pillories M. Mendes-France and moderate reform advocates is actually subsidized by Lacoste and the Government. And French policy continues to insist that neither negotiations nor elections can take place until the hostilities have ceased—a commitment, as I shall discuss further in a moment, which only renders less likely both negotiations and the termination of hostilities, just as it did in Indochina.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. I note that in the course of the Senator's remarks he refers to a statement made by M. Aron, who urged the constitution of an Algerian state. Can the Senator tell us whether any offers, firm or otherwise, have been made in recent years by any French Government which would seek to bring about some sort of concordat between the Republic of France and Algeria in the form of a federation, confederation, or commonwealth?

Mr. KENNEDY. The Senator from Montana knows that at the meeting of the Socialist Party during the past weekend the Socialist Party, in whose membership there are strong minority feelings, nevertheless voted to support Guy Mollet's policy, which regards Algeria as an integral part of metropolitan France, and which calls for a cease fire and a disarmament of the rebels, and then a discussion of the problem.

The party refuses to agree with M. Aron and refuses, also, to recognize the facts of life; instead, it states that Algeria is an integral part of metropolitan France and that it should not be regarded as an independent entity.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. Is it not true that some months ago, at any rate, perhaps not over a year ago, Marshal Juin himself had suggested that some sort of commonwealth or federation status should be set up in Algeria to govern its relations with France?

Mr. KENNEDY. There is no doubt that Marshal Juin, who was regarded at one time as an adamant opponent of Moroccan independence, has come to the realization that the present policy of the French Government in Algeria is bankrupt. On Monday the New York Times, in an article from Toulouse, France, in discussing the meeting of the French Socialists which was held there stated:

> Those who favored public recognition of Algeria's right to independence were in reality expressing the growing but still mostly private attitude of many Frenchmen who fear the political consequences of such a position if they were to assume it publicly.

It seems to me that public opinion in France is slowly moving toward recognition of the facts of life that Algeria is not realistically integral to France. Nevertheless, the party still follows the policy of M. Mollet, who regards Algeria as an integral part of metropolitan France.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. There is, then, a continuation of that expensive policy. Speaking of expense, the Senator from Massachusetts mentioned the fact that France has in effect denuded its NATO commitments in order to maintain itself in Algeria to the extent of 400,000 men. Before Mr. Mollet resigned, he issued a statement—I wish I had a copy of it before me—to the effect that at one time there were 700,000 men in Algeria.

Again speaking of the expense, there is the matter of taxation on the French people at home.

Even while France was in undisputed control of Morocco, Tunisia, and Algeria, she had to spend large sums of money in order to keep going the economies of those three areas. Now, of course, she has to expend a great deal more because of the Algerian situation.

In France it now costs in excess of a dollar for a gallon of gasoline. The so-called luxury and excise taxes have been increased. Other commitments have been made which are a burden on the French people because of the adventure in which France has engaged in Algeria.

I do not wish to interrupt the Senator's speech further, although there are some questions I should like to ask him with regard to what he said about France regarding Algeria as an integral part of metropolitan France.

Mr. KENNEDY. I should like to quote further from the New York Times article, in referring to the policy of the Socialist Party of Mr. Mollet:

> The longstanding French offer of a cease-fire has been maintained, and as soon as calm is restored elections would be held. A definite statute would then be negotiated with elected representatives of the people of Algeria, which is considered part of metropolitan France.

The story then goes on to state:

> Until then a provisional statute giving the Moslems a greater voice in local, regional, and, later on, territorywide affairs would be put into effect. Independence is absolutely barred.

The story continues:

> The Government depends for its existence on the support and participation of the Socialists. If they had voted decisive changes in Algerian policy, the coalition of Socialists and radicals would have collapsed, precipitating a new governmental crisis.

In other words, this refusal to face the facts of life is considered essential to maintain the present governmental structure. All through the meeting of the Socialist Party during the past few days there were strong currents of feeling that a change was necessary.

The fact of the matter is that, although the French claim, on the one hand, that Algeria is an integral part of metropolitan France, the French have never truly recognized Algerians as French citizens. If they permitted all Algerians to vote as French citizens, over one-sixth of all the representatives in the French Assembly would be from Algeria. The fact is that of approximately 625 representatives, they have allowed to Algeria a total of 30. Furthermore, they have denied the Algerians the social, political, and economic benefits that accrue to citizens who live in metropolitan France.

In 1936, when Premier Leon Blum put forth his proposals to gradually integrate Algeria and give the Algerians French citizenship and French nationality, the French citizens of Algeria revolted. A reasonable compromise, which I am certain would have been accepted by the Algerians as far back as 1936, was rejected by the French who lived in Algeria. It is that attitude which prevents any really constructive policy from being developed today.

Mr. MANSFIELD. The Senator from Massachusetts anticipated one of my questions, namely, the agreement made by France that Algeria, as an integrated part of the metropolitan area, would obtain for its citizens the rights of French citizenship. Had that agreement been followed out—I believe it was De Gaulle who, in 1947, issued the latest decree to the effect that the Algerians should be considered as full French citizens—it would, as the Senator from Massachusetts has indicated, have meant the addition of between 100 and 120 deputies to the French Parliament. If, to these were added the other deputies from overseas this would prove to be a very strong bloc. The Communist deputies, in between, could well exercise a dominant influence. It would not be beyond reason to assume that, under certain conditions, metropolitan France itself could be governed by an assembly the majority of whom were overseas deputies. Is not that correct?

Mr. KENNEDY. The Senator is correct. Moreover, the French made some concessions in 1947 which provided for the setting up of a bicameral legislature based on two electorates in Algeria.

Although the French population is considered as being a million, if they were counted strictly the number might be found to be as low as 700,000. Equal voting rights have not been given to the whole Algerian population of more than 8 million. The Blum bill provided that full citizenship should be given to a slowly growing base, beginning with those who made special contributions to the state, in the army, for example. But it was agreed in the French colony in Algeria that even this would not be acceptable. All the French mayors of Algeria banded together and offered their collective resignations and made a formal protest. Seventy-five thousand out of a total population of 8 million were given French voting rights.

On the one hand, there is the French claim that its policies protect metropolitan France. On the other hand, the French in Algeria refuse to accept the responsibility which such a point of view entails.

It is for that reason I contend that France, as a practical matter, has, through these statements, recognized Algeria as an independent entity. In my opinion, the situation should be treated in that light, and France should carry on negotiations with the Nationalists on that basis. Until that is done, obviously the situation will continue to deteriorate.

WHAT IS THE AMERICAN RECORD ON ALGERIA?

This dismal recital is of particular importance to us in the Senate, and to the Foreign Relations Subcommittee on U. N. Affairs which I have the honor to serve as chairman, because of the attitude toward the Algerian question which has been adopted throughout this period by our spokesmen in Washington, Paris, and U. N. headquarters. Instead of contributing our efforts to a cease-fire and settlement, American military equipment—particularly helicopters, purchased in this country, which the natives especially fear and hate—has been used against the rebels. Instead of recognizing that Algeria is the greatest unsolved problem of Western diplomacy in North Africa today, our special emissary to that area this year, the distinguished Vice President, failed even to mention this sensitive issue in his report.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CHAVEZ. I am glad that the Senator from Massachusetts is talking along the lines he is. I was somewhat annoyed when I could not go ahead with the defense appropriation bill. In that bill, which is now pending before the Senate, military aid is provided for France. I want that aid to be used for the purposes it is supposed to serve, but not for the purposes of killing Algerians in North Africa.

Mr. KENNEDY. As the Senator from New Mexico knows, because of the uprising in Algeria, the French have been forced to denude their NATO defenses and transfer nearly all of their men to Algeria, in order to maintain public order in Algeria, which represents a dissipation of NATO's strength and lessens the effectiveness of our help in building NATO strength.

Mr. CHAVEZ. I want the French to have wholehearted support in North Africa, but I do not want 1 penny of the millions of dollars appropriated in this bill to be used there in order to maintain colonialism in north Africa.

Mr. KENNEDY. I agree with the Senator.

Instead of recognizing France's refusal to bargain in good faith with nationalist leaders or to grant the reforms earlier promised, our Ambassador to the U. N., Mr. Lodge, in his statement this year as previously, and our former Ambassador to Paris, Mr. Dillon, in his statement last year apparently representing the highest administration policy, both expressed firm faith in the French Government's handling of the entire matter. I do not criticize them as individuals, because they were representing the highest administration policy.

In his statement Ambassador Dillon recalled with pride that "the United States has consistently supported France when North African subjects have been discussed in the United Nations"; and that American military equipment—particularly helicopters—had been made available for use against native groups in Algeria.

> The United States—
>
> Ambassador Dillon emphasized—
>
> stands solemnly behind France in her search for a liberal and equitable solution of the problems in Algeria.

Our proud anticolonialist tradition, he said, does not place the Algerian problem in the same camp as Tunisia and Morocco.

Naturally the French were delighted with Ambassador Dillon's statement. Premier Mollet expressed his nation's pleasure at having the United States "at her side at this moment." Le Monde described it as "a victory of the pro-French camp in the State Department over the champions of anticolonialism and appeasement of the Arabs." But the leader of the national Algerian movement, under house arrest in France, expressed his dismay that the United States had departed from its democratic traditions to ally itself with French colonialism and to favor "the military reconquest of Algeria at the expense of the self-determination of peoples."

Similarly, when in 1955 the U. N. steering committee was asked to place the issue on the agenda of the General Assembly, and our Ambassador to the U. N. insisted that Algeria was so much an integral part of the French Republic that the matter could not properly be discussed by an international body, an Algerian spokesman commented that his people were "at a loss to understand why the United States should identify itself with a policy of colonial repression and bias contrary to American political traditions and interests."

The General Assembly, as the Senate will recall, overruled the committee's decision and placed the question of Algeria on the agenda, causing the French delegates to walk out of the Assembly, the United States again voting against discussion of the issue. Two months later, of course, the matter was dropped and the French returned. In the 1956–57 session the United States again labored to bring about a compromise resolution postponing U. N. consideration for at least a year until the French had settled the matter as they saw fit.

This is not a record to view with pride as Independence Day approaches. No matter how complex the problems posed by the Algerian issue may be, the record of the United States in this case is, as elsewhere, a retreat from the principles of independence and anticolonialism, regardless of what diplomatic niceties, legal technicalities, or even strategic considerations are offered in its defense. The record is even more dismal when put in the perspective of our consistent refusal over a period of several years to support U. N. consideration of the Tunisian and Moroccan questions.

HOW SERIOUS ARE THE OBSTACLES TO AN ALGERIAN SOLUTION?

I realize that no magic touchstone of "anticolonialism" can overcome the tremendous obstacles which must confront any early settlement giving to the Algerians the right of self-determination, and which must distinguish them from the Tunisians or Moroccans. But let us consider the long-range significance of these objections and obstacles, to determine whether our State Department should remain bound by them.

First. The first obstacle is the assertion that Algeria is legally an integral part of metropolitan France and could no more be cut loose than Texas could be severed from the United States, an argument used not only by France but by American spokesmen claiming concern over any U. N. precedent affecting our own internal affairs. But this objection has been largely defeated by the French themselves, as I shall discuss in a moment, as well as by the pace of developments which have forced Algeria to become an international issue, as I have already pointed out. I believe it will be the most important issue on the agenda of the United Nations this fall.

Second. The second hurdle is posed by the unusually large and justifiably alarmed French population in Algeria, who fear for their rights as French citizens, their property, and their lives, and who compare their situation to that of American colonists who drove back the native Indians. Their problem, in my opinion, is one deserving of special recognition in a final settlement in Algeria, but it does not reduce the necessity to move forward quickly toward such a settlement. On the contrary, the danger to their rights and safety increases the longer such a settlement—which in the end is inevitable—is postponed.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. I think the Senator from Massachusetts is very correct in pointing out the extremely large French population in Algeria. Am I correct in stating that many of those families go back more than four generations?

Mr. KENNEDY. The Senator is correct.

Mr. MANSFIELD. They have a vested interest, so to speak, because they have raised their children there. Some of the greatest leaders of France, both in the Assembly and in the army, and in the other branches of the government, as well, have come from Algeria. So there must be a recognition of the fact that there is an excess of 1 million French citizens, as such—although I believe many of them are Maltese, Italian, or Spanish, as well as French; but they have the right of French citizenship—who have rights there which must be considered and settled, in connection with any solution of the Algerian question.

Mr. KENNEDY. Yes; I do not believe that when the settlement is made, any French there should be driven out or should have their property expropriated. I believe their special status, as a minority, must be recognized—a minority which will become further diminished because of the steep Algerian birth rate.

Mr. MANSFIELD. Then the Senator from Massachusetts is saying that so long as the Algerian situation remains unsettled, the danger to the rights of those people substantially increases.

Mr. KENNEDY. Yes. I do not think there is any doubt about that, after World War II, had the French proposed a federal solution, it would have been acceptable even to the more extreme Algerian nationalists. But what was acceptable then is not acceptable today; and what is acceptable today will not be acceptable 2 years from now.

Third. The next objection most frequently raised is the aid and comfort which any reasonable settlement would give to the extremists, terrorists, and sabateurs that permeate the nationalist movement, to the Communist, Egyptian, and other outside antiwestern provocateurs that have clearly achieved some success in penetrating the movement. Terrorism must be combated, not condoned, it is said; it is not right to "negotiate with murderers." Yet once again this is a problem which neither postponement nor attempted conquest can solve. The fever chart of every successful revolution—including, of course, the French—reveals a rising temperature of terrorism and counterterrorism; but this does not of itself invalidate the legitimate goals that fired the original revolution. Most political revolutions—including our own—have been buoyed by outside aid in men, weapons, and ideas. Instead of abandoning African nationalism to the antiwestern agitators and Soviet agents who hope to capture its leadership, the United States, a product of political revolution, must redouble its efforts to earn the respect and friendship of nationalist leaders.

Fourth. Finally, objection is raised to negotiating with a nationalist movement that lacks a single cohesive point of leadership, focus, and direction, as the Tunisians had with Rabib Bourguiba, or as the Moroccans certainly had after the foolish and self-defeating deposition of Sultan Ben Youssef in 1953—now Mohammed V of Morocco. The lack, moreover, of complete racial homogeneity among the African Algerians has been reflected in cleavages in the nationalist forces. The Algerians are not yet ready

to rule their own country, it is said, on a genuine and permanent basis, without the trained leaders and experts every modern state requires. But these objections come with ill grace from a French Government that has deliberately stifled educational opportunities for Algerian natives, jailed, exiled or executed their leaders, and outlawed their political parties and activities. The same objections were heard in the cases of Tunisia and Morocco—where self-government has brought neither economic chaos, racial terrorism, or political anarchy; and the problem of the plural society, moreover is now the general, and not the exceptional, case in Africa.

Should we antagonize our French allies over Algeria? The most important reason we have sided with the French in Algeria and north Africa is our reluctance to antagonize a traditional friend and important ally in her hour of crisis. We have been understandingly troubled by France's alarmist responses to all prospects for negotiations, by her warning that the only possible consesquences are political and economic ruin, "the suitcase or the coffin."

Yet, did we not learn in Indochina, where we delayed action as the result of similar warnings, that we might have served both the French and our own causes infinitely better, had we taken a more firm stand much earlier than we did? Did that tragic episode not teach us that, whether France likes it or not, admits it or not, or has our support or not, their overseas territories are sooner or later, one by one, inevitably going to break free and look with suspicion on the Western nations who impeded their steps to independence? In the words of Turgot:

> Colonies are like fruit which cling to the tree only till they ripen.

I want to emphasize that I do not fail to appreciate the difficulties of our hard-pressed French allies. It staggers the imagination to realize that France is one nation that has been in a continuous state of war since 1939—against the Axis, then in Syria, in Indochina, in Morocco, in Tunisia, in Algeria. It has naturally not been easy for most Frenchmen to watch the successive withdrawals from Damascus, Hanoi, Saigon, Pondicherry, Tunis, and Rabat. With each departure a grand myth has been more and more deflated. But the problem is no longer to save a myth of French empire. The problem is to save the French nation, as well as free Africa.

Mr. JAVITS. Mr. President, at this point will the Senator from Massachusetts yield to me?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Massachusetts yield to the Senator from New York?

Mr. KENNEDY. I yield.

Mr. JAVITS. I think the Senator from Massachusetts has put his finger on the critical point of this particular situation, in his forthright and well-documented speech. Yesterday I looked through an advance copy of his speech. I had the privilege of making the opening address at the Colgate Foreign Policy Forum in my own State, and there I discussed, in part, the same matter.

As a result, I should like to ask a question of the Senator from Massachusetts: Is it not a fact that the political realities in France appear to indicate that some means somewhere must be found to deal with a situation in which, apparently, the internal stresses in France are such that the government there seemingly cannot deal with it until such time as it may be too late to deal with it really effectively?

Mr. KENNEDY. The Senator from New York is correct. I believe that if 3 years ago the French had made a reasonable concession, there is no doubt that a reasonable solution could have been found, and would have protected French interests. I think such a solution could well have been found then, but it becomes more and more difficult to do so as the months pass.

Furthermore, the point will be made in the United Nations meeting this fall that the United States really put off the matter last February, because the French argued for further time. The fact is that the situation has deteriorated since the United Nations met, and therefore the United States will be met with a strong resolution proposing that the United States and the other members of the United Nations recognize the fact that Algeria is attempting to obtain the right of independent existence. I hope before that time the French will put forth a proposal; and I suggest that with the help of Habib Bourguiba and the Sultan of Morocco and the good offices of NATO, a solution recognizing the rights of both parties can be put forward.

Mr. JAVITS. One would get the feeling, if reading the Senator's speech with certain glasses, that there are overtones of criticism of the administration implied in it. Knowing, as both of us do, that the bipartisan foreign policy has had the greatest amount of success, will the Senator from Massachusetts agree with me that it is perfectly possible to lay that aside and to forget about criticizing anyone, and to ask the United States to take the position that, having tried and tried again and having played along with the French, on the theory that the United Nations which has been referred to should not have the matter under consideration, as being one of domestic jurisdiction, now the time has come when the United States cannot let the U. N. stand aside any longer. That can be the position of the United States—namely, that having done the best we could with an ally, by waiting and waiting, the United States now feels that in the overall interest of international peace, some mediation from an international body must ensue.

Mr. KENNEDY. I am suggesting that United States policy in this area is subject to criticism. But unfortunately that policy has been entrusted to this administration and this Secretary of State. But when I spoke in 1953 and 1954 in this body, in discussing the question of Indochina, I was extremely critical of the policy the Democratic administration had practiced on that question for a period of 7 years. Moreover, I also wish to state that the Democratic administration's position on Morocco, as the United States defined that position in the United Nations before 1953, was not altogether a happy one, either. So my criticisms are not meant to be partisan, but are meant only to indicate that United States policy in that area in the last 3 years had been unfortunate; and in that connection I am obliged to mention the names of Mr. Lodge, Mr. Dillon, and the Secretary of State. I have been critical of the position of the United States regarding this situation since 1946—particularly, the desire of the United States to maintain its friendship with the French, the Belgians, and the Portuguese, all of whom have colonial possessions, and at the same time to maintain friendship with the colonial peoples themselves. So my criticism is not meant to be a partisan one, but is meant only to indicate that I believe our policy has failed.

Mr. JAVITS. Let me state the matter affirmatively, Mr. President: Our Government needs—not to step backward—only to take the very honest position that now, having tried and tried to make progress along a certain line, now that the situation has become nearly impossible in terms of the maintenance of international peace, something else must be done.

I thank the Senator from Massachusetts for yielding to me.

Mr. KENNEDY. I thank the Senator from New York, and I appreciate what he has said.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. I think it ought to be emphasized that the Senator from Massachusetts has always been bipartisan in his discussions of foreign policy, and has never endeavored to use his speeches for partisan purposes. I think, however, that what he is calling to the Senate's attention today has been a perennial problem since the end of the Second World War. We are caught between our friends and allies on one side and colonial or semicolonial people on the other. In order to placate both and keep the friendship of both, we find ourselves in difficulty. On that basis, the Senator from Massachusetts this afternoon is performing a service in trying to cut a swath through the mist and haze surrounding this particular situation. I wish to commend him.

Mr. KENNEDY. I made mention of Mr. Dillon's speech of March 1956. I assume he was our agent, and he put us on the side of France. I quote him:

> Ever since I have been here in Paris my Government has loyally supported the French Government in its search for solutions to north African problems, solutions that will make possible long-term close cooperation between France and the Moslem communities of Tunisia, Morocco, and Algeria.
>
> The United States has consistently supported France when north African subjects have been discussed in the United Nations. The most recent instance was our strong support last fall of the position that Algeria is an internal French problem and therefore not appropriate for discussion by the United Nations.

> In addition, when last year the important question of helicopters was brought to our attention we responded promptly and favorably to the requests of the French Government.

I feel that policy which these statements characterize is outdated. I do not want to be partisan or captious, but it is American policy; therefore I am criticizing it.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. JACKSON. I would like to associate myself with the comments made by the distinguished junior Senator from Montana. I remind him that the junior Senator from Massachusetts, as I recall, back in 1953, in the first year he was in the Senate, pointed very effectively to the failure of French policy in dealing with this same general problem, in Indochina. I recall that the counsel he gave to the Senate at that time proved to be wise counsel.

Mr. KENNEDY. I appreciate that statement.

Mr. JACKSON. What is regrettable is that we continue to make the same mistake over and over again. I realize, as the junior Senator from Montana pointed out so effectively a moment ago, that we are caught in a difficult situation.

As we approach July 4, it would be well for all Americans to bear in mind that this country had more friends, more allies, and better standing in the world when it exported only one thing, and that was freedom. This export started with our great Revolution of 1776. What the junior Senator from Massachusetts is saying today certainly underlines the importance of assisting all people who desire the very thing we desired in 1776. What the junior Senator from Massachusetts has to say is in the interest of our national security and in the interest of the preservation of the free countries of the world.

Mr. KENNEDY. I thank the Senator very much for his statement.

Mr. President, no amount of mutual politeness, wishful thinking, nostalgia, or regret should blind either France or the United States to the fact that, if France and the West at large are to have a continuing influence in North Africa—and I certainly favor a continuation of French influence in that area—then the essential first step is the independence of Algeria along the lines of Morocco and Tunisia. If concrete steps are taken in this direction, then there may yet be a French North Africa. Short of this step, there will inevitably only be a hollow memory and a desolate failure. As Mr. David Schoenbrun, in his recent excellent volume "As France Goes," cogently argues:

> France must either gamble on the friendship of a free North Africa or get out of North Africa completely. It should be evident after the Egyptian fiasco that France cannot impose her will upon some 22 million Africans indefinitely. Sooner or later the French will have to recognize the existence of an Algerian state. The sooner, the cheaper in terms of men, money, and a chance to salvage something from the wreckage of the French Union.

Indeed, the one ray of hope that emerges from this otherwise dark picture is the indication that the French have acknowledged the bankruptcy in their Algerian policy, however they may resent our saying so, by legislating extremely far-reaching and generous measures for greater self-government in French West Africa. Here, under the guidance of M. Felix Houphouet-Boigny, the first Negro cabinet minister in French history, the French Government took significant action by establishing a single college electoral system, which Algeria has never had, and, by providing universal suffrage, a wide measure of decentralized government, and internal self-control. Here realistic forward steps are being taken to fuse nationalist aspirations into a gradual and measurable evolution of political freedom.

WHAT HAVE WE LEARNED IN INDOCHINA, TUNISIA, AND MOROCCO?

Not only the French, however, needed to be convinced of the ultimate futility and cost of an Algerian-type struggle. The United States and other Western allies poured money and material into Indochina in a hopeless attempt to save for the French a land that did not want to be saved, in a war in which the enemy was both everywhere and nowhere at the same time, as I pointed out to the Congress on several occasions. We accepted for years the predictions that victory was just around the corner, the promises that Indochina would soon be set free, the arguments that this was a question for the French alone.

And even after we had witnessed the tragic consequences of our vacillation, in terms not only of Communist gains but the decimation of French military strength and political effectiveness, we still listened to the same predictions, the same promises, and the same arguments in Tunisia and Morocco. The strong prowestern bent in each of these countries today, despite beguiling offers from the Communist East, is a tribute to the leadership of such men as Prime Minister Bourguiba, whose years in French confinement never dimmed his appreciation of Western democratic values.

THE FRENCH RECORD IN TUNISIA AND MOROCCO

Certainly the French cannot claim sole credit for this pro-Western orientation. Although in Tunisia, and even more in Morocco, which has a far more diversified and flexible economy, the French left impressive testimony of economic achievement, the fruits of this progress were by no means equitably distributed through the native populations; and there was almost no parallel growth of educational and political opportunity. Though a nationalist political party—the Istiqlal in Morocco and the Neo-Destour in Tunisia—gathered force in each country, they were cramped by close French surveillance, by long periods of illegality, by the arrest, isolation, or imprisonment of almost every important political leader, and by a lack of opportunity to share real political responsibility. Trade unions, which in Africa provide one of the best pools of political experience, were given little freedom for development.

In the years after the Second World War a succession of military commanders and resident-generals in both Tunis and Rabat seemed to look upon their missions in North Africa as primarily concerned with public order, the suppression of dissent by force, and the plugging up of nationalist outlets. The Istiqlal Party was suppressed outright from 1952 to 1954, while no effective Moroccan press was allowed to publish outside of French and Spanish restraint. Literacy was as low as 10 percent among Moroccans, only somewhat higher among Tunisians.

Two years prior to the achievement of Moroccan independence, the French exiled the Sultan and replaced him with the puppet Ben Arafa, the mere creature of the French and of El Glaoui, the Pasha of Marrakesh, who had conspired with Marshal Juin to depose the Sultan. These crude steps, the attempt to impose a military solution on Morocco and the sabotage by the French Government and "colons" of the only genuine reform effort of Resident General Grandval in 1955, in fact insured the independence of Morocco. For opinion decisively rallied to the side of the exiled Sultan, and the French had increasing difficulty in dealing with the Moroccan Army of Liberation and the underground tactics of the Istiqlal Party.

In Tunisia the garrison policy of the French was not quite as vindictive and thorough—but no real concessions were made, and the leader of the Tunisian Neo-Destour Party, Bourguiba, was kept in isolation.

THE UNITED STATES RECORD ON TUNISIA AND MOROCCO

Unfortunately, the Tunisians and the Moroccans also know they owe little, if anything, to the United States for their new-found freedom. To be sure, we hedged our consistent backing of the French position with occasional pieties about ultimate self-government and hopes for just solutions. And, fortunately, our Government did not offer recognition to the French-sponsored Ben Arafa after the deposition of Sultan Ben Youssef, with whom President Roosevelt had conferred at the time of the Casablanca Conference. But in the series of discussions which began in 1951 in the United Nations over Morocco and Tunisia, the United States, in vote after vote, under both Democratic and Republican administrations, argued either that the U. N. had no real competence to deal with these issues, or, after this argument had petrified, that to do so would only inflame the situation. In short, on every single U. N. vote concerning the issues of Morocco and Tunisia, we failed to vote against the French and with the so-called anticolonial nations of Asia and Africa even once.

TUNISIA, MOROCCO, AND THE WEST TODAY

Fortunately for the United States and France, and in spite of—not because of—our past records, neither Tunisia nor Morocco has a natural proclivity toward either Moscow, Peking, or Cairo today. But it is apparent, nevertheless, that the latter constitute possible alternate magnets if the Western nations become too parental or tyrannical. In Tunisia, the political opposition to Premier Bourguiba, led by the self-exiled Salah Ben Youssef, is clearly seeking to mobilize the

support of the Egyptian and Russian Governments. In Morocco the more reactionary and traditionalist forces, which could come to power if the present Western-minded government fails, seems to be groping for support in Cairo, and probably Moscow as well, and we in this country are finally fully aware of the fact that Russia possesses an effective repertoire of economic inducements and political tricks; that Egypt appeals persuasively, in the name of African nationalism, for unity against the West; and that Red China offers nations emerging from a colonial state a ready answer on how to achieve quickly the transition from economic backwardness to economic strength.

United States policies in these areas—to provide an effective alternative to these forces, who aided Tunisian and Moroccan independence while we remained silent—cannot be tied any longer to the French, who seek to make their economic aid and political negotiations dependent upon the recipient's attitude toward Algeria. We cannot temporize as long as we did last year over emergency wheat to Tunisia. We cannot offer these struggling nations economic aid so far below their needs, so small a fraction of what we offered some of their less needy, less democratic, and less friendly neighbors that even so stanch a friend as Premier Bourguiba was forced to reject Ambassador Richards' original offer—just as he had rejected an offer of Soviet aid more than 30 times as great. In Morocco, too, our aid has fallen short of the new nation's basic needs.

We must, on the other hand, avoid the temptation to imitate the Communists by promising these new nations automatic remedies and quick cures for economic distress—which lead only too readily to gathering disillusionment. But we can realistically contribute to those programs which will generate genuine economic strength as well as give relief from famine, drought, and catastrophe. The further use of agricultural surpluses, and the new revolving loan fund making possible long-term planning and commitment, should be especially well-suited to the requirements of Morocco and Tunisia, which have moved beyond the point of most underdeveloped states but not yet attained the strength of most Western economies.

Another step which we can take immediately, of the highest priority yet small in cost, is to step up considerably the number of young people of North Africa who have so far come to the United States for higher education and technical training, and to increase our own educational and training missions in that area. The building up of a national civil service, a managerial talent, and a pool of skilled tradesmen and professionals is an immediate prerequisite for these countries—and the addition of even a few trained administrators, engineers, doctors, and educators will pay off many times over in progress, stability, and good will.

In these ways, we can help fulfill a great and promising opportunity to show the world that a new nation, with an Arab heritage, can establish itself in the Western tradition and successfully withstand both the pull toward Arab feudalism and fanaticism and the pull toward Communist authoritarianism.

WHAT ARE THE FRENCH ELEMENTS OF A SETTLEMENT IN ALGERIA?

The lessons of Tunisia and Morocco, like the lesson of Indochina before them, constitute, I hope, the final evidence of the futility of the present French course in Algeria and the danger of the present frozen American posture. Prompt settlement is an urgent necessity—for north Africa, for France, for the United States, NATO, and the Western World. Yet what are the elements of "settlement" put forward from time to time by the French, in which we have placed our faith? They are three: First, military reconquest or pacification; second, social and economic reform; and third, political union with France.

I respectfully suggest that these three elements represent no settlement at all, that the continual emphasis upon them is only postponing, not hastening, the day of final reckoning. Permit me to examine each point briefly.

First is the French insistence upon pacification of the area, in reality reconquest, before further talks proceed, a policy which only makes both settlement and a cease-fire less likely. For it encourages the Nationalists to assume that they can play a game of endurance in which the patience and tenacity of French politicians will finally snap as they did regarding Indochina in 1954. The so-called pacification policy of M. Lacoste does consist of more imaginative measures than simple military repression, since it attempts to combine the elimination of rebel and terrorist activity in individual localities with measures of social reform and reconstruction. But the rebellion is now too contagious to be treated by pacification methods, even if the French could afford to increase substantially the manpower already poured into the area, and despite the steady stream of optimistic French communiques.

For, as General Wingate wisely pointed out in the last war, "Given a population favorable to penetration, a thousand resolute and well-armed men can paralyze for an indefinite period the operations of a hundred thousand"; and this is precisely what has happened in Algeria. The French tend to look at the Algerian rebel problem in terms of a military chessboard, when in fact each identifiable rebel has behind him the silent or half-articulate support of many other Algerians. Thus, nearly half a million valiant French soldiers face an enemy with no organized forces, no acceptable strategy, no military installations, and no identifiable lines of supply. They themselves fight not with the zeal with which they defend their own liberty, but fight in vain—and it has throughout history been in vain to curb the liberty of another people.

The United States, contributing to French military strength and refusing to urge mediation of a cease-fire, has apparently swallowed the long series of counterstatements offered by the French suggesting why the war in Algeria did not end long ago. From time to time we have been told that the war was being kept alive only because of interference and meddling by Colonel Nasser, that the rebellion was active only to gain the attention of the United Nations, or because of help from Morocco and Tunisia, or because of unwarranted interference by American shirtsleeve diplomats and journalists, or finally because of Russian and Communist meddling in Algeria. None of these explanations which seek to make outsiders the real agents of the Algerian rebellion carries much conviction any longer, even to the French, as shown in the multiplicity of recent attempts to suppress local critical newspaper and public comment.

Second, the French have continued to tell the U. N. of their present and proposed economic and social reforms in Algeria, promising a better life for all if they can ever end the fighting. It is true that the French have finally opened up greater employment opportunities for the Moslems, have expropriated some land for redistribution, and have made some efforts to increase wages of agricultural workers. But the tardiness of these reforms, and the narrowmindedness of the French minority in Algeria which over more than 20 years defeated the reform efforts of the few liberal ministers, have permitted the wave of nationalism to move so far, and to take root so deeply, that these palliative efforts are too little and too late for a situation of now convulsive proportions. We must, I am afraid, accept the lesson of all nationalist movements that economic and social reforms, even if honestly sponsored and effectively administered, do not solve or satisfy the quest for freedom. Most peoples, in fact, appear willing to pay a price in economic progress in order to achieve political independence.

Third and finally, the French conception of settlement has stubbornly adhered to the concept of Algerian incorporation within France itself. This area, it should be recalled, was taken only by the French a little more than a century ago—the southern desert area has always been governed from Paris like a crown colony—and although the populous and fertile northern coastland was legally made a part of France in 1871, native Algerians were not made French citizens until 1947. Even then, that move was made to cement French control rather than to grant equality, for at the same time a system of electoral representation in the French National Assembly and Algerian Assembly was established giving equal power to 2 strictly separated electoral groups—1 consisting of over 7 million Algerians and the other consisting of some 1 million French colonials. Only 75,000 African Algerians had full voting rights—and only 30 seats from Algeria, mostly filled by French politicians, were elected to the French National Assembly. Even those seats are vacant now, of course, the 1956 elections not having been extended to crisis-torn Algeria.

The result of this gap between word and deed, and the continued reluctance of the French to permit more than spasmodic and slight reforms at the expense of vested interests in France and Algeria, has been to alienate most sections of Algerian opinion so that assimilation is now a fruitless line of effort. There has been a progressive increase in the number of African Algerians, once committed to a program of integration with France, who have recanted and joined the movement of independence—the most notable instance being that of Ferhat Abbas, one of the ablest nationalist leaders, who long argued for the assimilationist approach and did not wholly despair of such a settlement until shortly before 1956, when he joined the National Liberation Front.

Had there been consistent progress in extending to all Algerians political equality and opportunity, so that over a realizable period of time there would have been a common standard of French citizenship, and had a steady effort been made to enlarge the political rights which were at least inherent in the 1947 statute for Algeria, it is possible that a responsible solution could have been reached. As late as 2 years ago a promise—with a specific date tag on it—that would have given genuinely equal voting rights to the French National Assembly, and at least parity in Algerian municipal government, might well have won general Moslem support. But the French were unwilling to see as many as 100 Moslem deputies in Parliament and to provide—at a cost no greater than the present Algerian war—common social services and education. And it is this failure on the part of the French to accept the consequences of their own conception that has closed the door forever on the possibility of a true French Union, and made Algeria irreversibly an aspect of the broader search for political independence in Africa. Moreover, nationalism in Africa cannot be evaluated purely in terms of the historical and legal niceties argued by the French, and thus far accepted by the State Department. National self-identification frequently takes place by quick combustion which the rain of repression simply cannot extinguish, especially in an area where there is a common Islamic heritage and where most people—including Algeria's closest neighbors in Tunisia, Morocco, and Libya—have all gained political independence. New nationhood is recorded in quick succession—Ghana yesterday, Nigeria perhaps tomorrow, and colonies in central Africa moving into dominion status. Whatever the history and lawbooks may say, we cannot evade the evidence of our own time especially we in the Americas whose own experiences furnish a model from which many of these new nations draw inspiration.

WHAT COURSE SHOULD THE UNITED STATES ADOPT IN ALGERIA?

And thus I return, Mr. President, to the point at which I began this analysis. The time has come when our Government must recognize, that this is no longer a French problem alone; and that the time has passed, where a series of piecemeal adjustments, or even a last attempt to incorporate Algeria fully within France, can succeed. The time has come for the United States to face the harsh realities of the situation and to fulfill its responsibilities as leader of the Free World—in the U. N., in NATO, in the administration of our aid programs and in the exercise of our diplomacy—in shaping a course toward political independence for Algeria.

It should not be the purpose of our Government to impose a solution on either side, but to make a contribution toward breaking the vicious circle in which the Algerian controversy whirls.

Nor do I insist that the cumbersome procedures of the U. N. are necessarily best adapted to the settlement of a dispute of this sort. But, direct United Nations recommendation and action would be preferable to the current lack of treatment the problem is receiving; and in any event, when the case appears on the U. N. agenda again, the United States must drastically revise the Dillon-Lodge position in which our policy has been corseted too long.

Moreover, though the resolution which was adopted at the last session in general gave backing to the French efforts to localize the dispute, there was nonetheless a proviso—a proviso which served to put France on a probationary status and warn that measurable progress would have to be shown by the next meeting of the Assembly. We have now come nearly to the halfway point of this interim period, and the situation has only further deteriorated. To prevent a still more difficult situation in the fall session, our State Department should now be seeking ways of breaking the present stalemate. And I am asking this body, as it has successfully done before in cases of Indonesia and Indochina, to offer guidance to the administration and leadership to the world on this crucial issue.

I am submitting today a resolution which I believe outlines the best hopes for peace and settlement in Algeria. It urges, in brief, that the President and Secretary of State be strongly encouraged to place the influence of the United States behind efforts, either through the North Atlantic Treaty Organization or good offices of the Prime Minister of Tunisia and the Sultan of Morocco, to achieve a solution which will recognize the independent personality of Algeria and establish the basis for a settlement interdependent with France and the neighboring nations.

This resolution conveys my conviction that it should not be impossible to break a deadlock in a matter of such close concern to NATO and to mediatory forces in the rest of North Africa. The Governments of Tunisia and Morocco, neither members of the Arab League and each concerned to continue Western connections, provide the best hope, and indeed, they furnished such help, as already noted, last summer and early fall. Two weeks ago M. Bourguiba again made an appeal for an Algerian solution within an overall French oriented north African federation. Even the Indian Government, often assumed to be spokesman of nationalism for nationalism's sake, offered last summer to act as a possible intermediary in a solution which would grant political independence to Algeria but confirm special protections for French citizens and to place Algeria in a special economic federation with France.

Neither reasonable mediators nor reasonable grounds for mediation are impossible to find. The problem in Algeria is to devise a framework of political independence which combines close economic interdependence with France. This is not an illusory goal. Algerian Nationalist leaders are mostly French speaking; Algeria has an inherent interest in continued economic and cultural ties with France as well as in Western aid generally. But these natural links with France will ebb away if a change is not soon made. Last November, when Algeria was under U. N. consideration, Premier Bourguiba expressed the anguish which afflicts the responsible nationalist of North Africa on the Algerian question:

> The vote of free Tunisia will be against France, but it would be a mistake to believe that we are happy about this conflict. I had hoped sincerely that Tunisia would be a bridge between the Occident and the Orient and that our first independent vote would have been in favor of France. Although that has proved to be impossible I still cannot bring myself to despair, for the first time in my life, of the wisdom of the French people and their government. The day may perhaps yet come, if the government of the Republic acts swiftly enough, when French civilization will be truly defended in world council by the leaders of a French North African confederation.

The United States must be prepared to lend all efforts to such a settlement, and to assist in the economic problems which will flow from it. This is not a burden which we lightly or gladly assume. But our efforts in no other endeavor are more important in terms of once again seizing the initiative in foreign affairs, demonstrating our adherence to the principles of national independence and winning the respect of those long suspicious of our negative and vacillating record on colonial issues.

It is particularly important, inasmuch as Hungary will be a primary issue at the United Nations meeting this fall, that the United States clear the air and take a clear position on this issue, on which we have been vulnerable in the past. And we must make it abundantly clear to the French as well as the North Africans that we seek no economic advantages for ourselves in that area, no opportunities to replace French economic ties or exploit African resources.

If we are to secure the friendship of the Arab, the African, and the Asian—and we must, despite what Mr. Dulles says about our not being in a popularity contest—we cannot hope to accomplish it solely by means of billion-dollar foreign aid programs. We cannot win their hearts by making them dependent upon our handouts. Nor can we keep them free by selling them free enterprise, by describing the perils of communism or the prosperity of the United States, or limiting our dealings to military pacts. No, the strength of our appeal to these key populations—and it is rightfully our appeal, and not that of the Communists—lies in our traditional and deeply felt philosophy of freedom and independence for all peoples everywhere.

Perhaps it is already too late for the United States to save the West from total catastrophe in Algeria. Perhaps it

is too late to abandon our negative policies on these issues, to repudiate the decades of anti-Western suspicion, to press firmly but boldly for a new generation of friendship among equal and independent states. But we dare not fail to make the effort.

Men's hearts wait upon us—

Said Woodrow Wilson in 1913—

Men's lives hang in the balance; men's hopes call upon us to say what we will do. Who shall live up to the great trust? Who dares fail to try?

Mr. President, I submit for appropriate reference a resolution on the subject which I have discussed today.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 153), submitted by Mr. KENNEDY, was referred to the Committee on Foreign Relations, as follows:

Resolved, That taking cognizance of the war in Algeria, its repression of legitimate nationalist aspirations, its growing contamination of good relations between the new states of North Africa and the West, its widening erosion of the effective strength of the North Atlantic Treaty Organization, the mounting international concern it has aroused in the United Nations, the President and Secretary of State be, and hereby are, strongly encouraged to place the influence of the United States behind efforts, either through the North Atlantic Treaty Organization or through the good offices of the Prime Minister of Tunisia and the Sultan of Morocco, to achieve a solution which will recognize the independent personality of Algeria and establish the basis for a settlement interdependent with France and the neighboring nations; and be it further

Resolved, That, if no substantial progress has been noted by the time of the next United Nations General Assembly session, the United States support an international effort to derive for Algeria the basis for an ordinary achievement of independence.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. MANSFIELD. I wish again to commend the distinguished Senator from Massachusetts for making both a candid and a courageous speech.

I was much impressed with one of his last paragraphs, which contains a sentence reading as follows:

And we must make it abundantly clear to the French as well as the North Africans that we seek no economic advantages for ourselves in that area, no opportunities to replace French economic ties or exploit African resources.

Previously the Senator had mentioned the fact that he hoped some sort of interdependent relationship between Algeria and France would develop. I am in full accord with the views of the distinguished Senator relative to interdependence between the two areas, and the fact that we have no economic aspirations in North Africa.

I point out that the Senator made his speech on the eve of our Independence Day, which comes on July 4. It may be coincidental, but the French Independence Day happens to come on July 14, Bastille Day. I hope the French Government and the French people will realize the spirit in which this speech was made, and become aware of the fact that we wish nothing for ourselves, but only a reasonable, decent, and lasting solution to the present French-Algerian crisis.

Mr. KENNEDY. I thank the Senator. I think he has said in a few sentences what I have been attempting to argue. He has touched the heart of the matter, and I appreciate what he has said.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CARROLL. I wish to associate myself with the remarks of the distinguished Senator from Montana [Mr. MANSFIELD] in congratulating the junior Senator from Massachusetts [Mr. KENNEDY] for a very fine, thought-provoking speech.

All through the speech he emphasizes the importance—to use the words of the Senator from Massachusetts—of the principle that it is man's eternal desire to be free and independent. If we cannot understand that, we cannot understand the forces of social revolution which have been sweeping the world since the end of World War II.

Enormous sums of money have been spent to prevent Soviet economic, political, and military penetration. But we ourselves, as has been ably set forth by the distinguished Senator from Massachusetts, have a great task to perform.

I shall be very happy to join with the Senator from Massachusetts in helping to have his resolution adopted. Those of us who served in World War II in Africa could sense then—although we knew little about the history, customs, or traditions of the area—what the Algerians were thinking. They want to be free and independent, and we should help them to reach their goal without offending our great friends, the French. As the Senator has so ably pointed out, the French have strong ties with those people. I do not like to use the term "political bungling," but there has certainly been great political ineptness on our part in the solution of this most important problem.

Again I thank the Senator from Massachusetts for a very penetrating and thought-provoking speech. I hope it will be read by all Members of the Senate.

Mr. KENNEDY. I thank the Senator. I think this question affects France very vitally.

An article written by Jacques Jean Servan-Schreiber and published in L'Express, a French weekly paper, after he had concluded his military duty in Algeria, brought out the fact that the French policy in that area was endangering France's position in the whole of North Africa.

Particularly in view of the discovery of oil in the desert of Algeria, Africa will play an important part in national affairs in the next 10 years. It seems to me to be vitally important that France and the United States should clear the air and realize that this question will inevitably arise. If the freedom of those people is won against the consistent opposition of the United States we shall have no right to claim close ties with them in the future. We did not support Tunisia and Morocco, but we have been fortunate in that those governments have been prowestern

I think it is vitally important that we clarify our own position with respect to Algeria. French opinion is bubbling up under the artificial parliamentary situation. I think many French people realise the importance of redefining the Algerian question.

Mr. CARROLL. Can the Senator tell us what progress has been made in Tunisia and Morocco? How are they getting along?

Mr. KENNEDY. The Tunisians have recently broken off their economic aid ties with the French, because of what is happening in Algeria. As I have said, Prime Minister Bourguiba was the first Arab leader to support the Eisenhower doctrine. When Ambassador Richards went there he offered only $3 million, with certain limitations, on certain types of aid, for which the Tunisians asked. We were afraid of alienating the French.

This question involves the entire struggle against communism in that area. These countries are moving ahead. They desire cooperation with us. If we could grasp the nettle today, a moderate nationalist government could take over in Algeria. The longer the present situation continues, the easier it will be for the extremists to take over.

Every French soldier who goes to fight in Algeria is given a booklet. On the front of the booklet is a statement by an Algerian leader in the 1930's in which he affirmed his belief that Algeria was not entitled to independent nationality, but rather that Algerians were French citizens.

The situation deteriorates so fast that moderate people become extremists, extremists become revolutionaries, and revolutionaries become Communists. I think time is running out.

Mr. CARROLL. Mr. President, will the Senator yield further?

Mr. KENNEDY. I yield.

Mr. CARROLL. In view of the very excellent presentation made today by the Senator from Massachusetts, and based on our general knowledge of the situation, is there any doubt that we must make a complete reappraisal of the situation with reference to Algeria?

Mr. KENNEDY. That is particularly true, I will say to the Senator from Colorado, when this question comes before the United Nations. At the time when we try to make our record on Hungary, we will be faced with this problem. How can we expect any recognition of our position on Hungary if we take an ambiguous position on Algeria?

Mr. CLARK. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. CLARK. I should like to join my colleagues in paying tribute to the distinguished Senator from Massachusetts for the splendid address he made this afternoon. I had an opportunity yesterday to read the text of his address, which he had made available to me, and thus to study it very carefully. I find myself in complete agreement with the points he has made. I would be happy to join him in supporting the resolution he has submitted.

I believe, also, it is high time that we had at the executive level a reappraisal of our relations with France on the question of Algeria. As the Senator has pointed out, we must remain on friendly terms with our allies, particularly with our oldest ally, the Republic of France. We know how important that friendship has been in the past and how important it will probably be in the future.

However, there comes a time when it is necessary to call a spade a spade. We have seen Indochina fall while we remained supine, or at least failed to give support to France when it was needed, although we offered support to France when it was no longer of any use to them.

I feel very strongly that the future of Algeria lies in political freedom, with some economic interdependence with France. So long as there is no political freedom, the present conditions will continue, which is not in the best interest of the United States or of the Free World.

Mr. KENNEDY. I thank the Senator from Pennsylvania. I was a bit disturbed that the Secretary of State should link the situation in Algeria with Soviet imperialism. Nevertheless, it is difficult to have our position in that regard recognized on a moral basis until we have cleared our position on this moral question.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. NEUBERGER. I should like to join the Senator from Pennsylvania in what he said to the Senator from Massachusetts. The Senator from Massachusetts was kind enough to send his colleagues advance copies of the text of his speech. I gained a great deal from it. I am a Member of the Senate who is concerned with committees which deal almost exclusively with domestic problems, such as natural resources, wildlife, agriculture, and so forth. When a Senator delivers an address such as the Senator from Massachusetts has delivered today, it is of special service to Senators like myself.

As I sat on the floor of the Senate and, for a part of the time, in the Presiding Officer's chair, during the course of the speech, I came to realize a situation which until now was rather vaguely and dimly known to me.

When the Senator from Massachusetts talks about our own traditions of freedom and the need of America to cast its influence on the side of freedom, he is stating a great truth. I have long supported closer union within the Atlantic community of democracies which share this tradition. But I do not see how we can support our allies—at least without our making known our position and exerting moral suasion upon them—in continuing outdated colonial policies if we wish to hold ourselves up to the world as an example of liberty and freedom. As the Senator from Massachusetts has correctly said, we must disassociate ourselves from colonialism.

In conclusion—and I should like to say to the Senator from Massachusetts that this thought came to me last night while I was reading his very effective and able address—I wonder if we in our country might not set an example to France to give self-government and freedom to Algeria by granting self-government this year to Alaska and Hawaii as equal States of the Union, and in that way show France and the world that America not only preaches democracy but practices democracy as well.

Mr. KENNEDY. I believe that would have a beneficial influence. However, I do not equate what is happening in Russia with what France is doing in Algeria. Neither do I equate the situation of Algeria with that of Alaska and Hawaii. I am sure the Senator does not do so either.

Mr. NEUBERGER. I do not. Nevertheless, all through the world there runs the search for freedom and liberty. It may be more evident in one place than in another, but it all concerns the great question of self-government. While it may be a matter of degree, wherever American influence is felt, either under its own flag, or in the form of indicating our views to those under other flags, that influence should be exercised on the side of self-government.

Mr. KENNEDY. Of course, the Alaskans and Hawaiians want to make their ties more intimate, which is not the situation with reference to the Algerians. Nevertheless, it is an expression of a people.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. COOPER. I should like to express appreciation of the important speech the Senator from Massachusetts has made. It was a clear exposition of a difficult problem. Although he has spoken of a specific situation, in doing so he has pointed out a dilemma of our country. It is the problem of maintaining unity with our allies in the crisis we have faced since World War II, and at the same time maintaining our traditional position against anticolonialism and for independence.

I know he would not want his speech to obscure the fine and magnificent record in its full perspective, of the United States against colonialism. In every situation in which our country had full power to act as in the case of the Philippines, Puerto Rico, and Cuba, its decision was against colonialism, and for independence and self-determination.

Further, I am sure the Senator will remember that since World War II, we have given our support to India and Indonesia and other countries in their struggle for independence. In the United Nations we have supported the gradual movement toward independence of former colonies—among them Libya and Eritrea. It is also fair to point out that even when other countries have claimed complete jurisdiction and asserted that any consideration by the United Nations of the claims of peoples under their governmental control, was an interference in their internal affairs, as in the case of the apartheid in South Africa, the United States and its representatives in the U. N. have spoken out. Nevertheless, the Senator from Massachusetts has pointed out the more difficult situation that obtains in respect of Algeria, because of the close relationship and friendship of the United States with France, and the common effort we have made against what we consider the greatest threat to freedom and self-determination by the people of the world, and at times we appear equivocal in our position against colonialism.

There is a policy of gradualism toward independence of course, which the United Nations has recognized, and followed in the case of the former Italian colonies. Former colonial countries agreed in that case, with gradualism. Great Britain pursues such policy of gradual development of its colonies toward independence. I would suggest to my distinguished friend that when we support the policy of gradualism our test ought to be, whether it is actually a process toward independence or a cloak to deny independence. I believe that the Senator is suggesting that we use our good office toward a solution of this problem before it passes beyond the possibility of solution.

Mr. KENNEDY. I think there is much in what the Senator says. Mr. Dillon and Mr. Lodge are in very difficult, sensitive positions, and are confronted with conflicting pressures.

We want to maintain our traditional policy of friendship with the people who are fighting for independence. At the same time, we have close ties upon which our military security depends, and we owe loyalty to those with whom we are allied. So if I have criticized them, it was not without full recognition of their problems and recognition of the fact that from 1945 to 1952, on the question of Indochina and other questions, American representatives, who were Democrats, faced the same problem and, in my opinion, did not at that time take a firm enough position. I criticize them, as I am criticizing the present leadership.

The only point I am attempting to make is that I do not think that, since the last United Nations meeting, the situation in Algeria has visibly moved forward toward a rational settlement. It seems to me that French policy in that area is almost stagnant, and I think substantial elements of French opinion recognize that fact.

I suggest that by the time of the United Nations meeting next fall this matter will confront us again. I think the situation is continuing to deteriorate. No progress has been made in the past year. Action was deferred before on the assumption that progress would be made. Since no progress has been made, what are we going to do? I am attempting to indicate that France and the United States will have to take a new look.

In March 1957 the New York Times quoted Robert Lacoste, the French Minister residing in Algeria as reporting to the French Cabinet that the rebellion-torn north African area would be pacified in 3 months. That was written in March of this year.

I could show the Senator headlines in the newspapers of 1947, 1948, 1949, and 1950 concerning Indochina. This situation will not end under present conditions. Mr. Lacoste has been recycling similar periodic predictions since he took

office early in 1956, and his predecessors did likewise.

Mr. COOPER. I was not bringing into question the facts the Senator has stated; I was simply trying to point out that on the whole our record throughout the years regarding colonialism, and the support of countries seeking independence has been good, and that our leaders and our representative in the United Nations deal with a sensitive issue regarding Algeria. I agree with the Senator that our past record does not relieve us from taking a new look and making new determinations of policy.

I know, as does the Senator from Massachusetts, that the movement toward independence throughout the world will never be stopped. It is necessary that this country associate itself with others in seeking constructive solutions in countries which move toward independence. I must say that I think this is an extremely difficult problem so far as Algeria is concerned.

Mr. KENNEDY. I thank the Senator from Kentucky. I think it is fortunate that independence is the strongest force, because ultimately the only force which will bring the Soviet Union down will be the desire of the people for independence, the desire not only of the people who live in the Soviet Union itself, but also the people who live under the control of the Soviet Government.

So recognizing independence as a force, I think we should turn it to our own advantage; and we can do that best, I think, by clarifying our own position.

I thank the Senator from Kentucky. I know of no Member of the Senate who has, during the past 10 years, under both Republican and Democratic administrations, taken a more objective, more experienced look at all of our foreign policy problems, or who has rendered more distinguished service in that field, than has the Senator from Kentucky.

Mr. COOPER. I thank the Senator. There is one other point which I think should be reiterated. The Senator from Massachusetts has stated it in principle. That is, our tradition of influence in the world depends upon our support of freedom and our belief in freedom at home as well as abroad. I think we will deny our tradition unless we continue to associate ourselves constructively with the great movement for independence which is now in progress throughout the world.

Mr. KENNEDY. I thank the Senator. I agree with him wholeheartedly.

Mr. DIRKSEN. Mr. President, I desire to make some reply to the statement of my distinguished friend from Massachusetts, but I understand that the Senator from Louisiana desires to make a 10-minute speech.

Mr. LONG. It will be approximately 10 minutes; yes.

Mr. DIRKSEN. I thank the Senator. Mr. President, I wish to make some response to the remarks of my distinguished friend, the Senator from Massachusetts [Mr. KENNEDY].

First, I pay him the honor of stating to him that I have read his speech twice before today, and I also listened to most of it when it was delivered today.

Mr. President, I suppose it can be accurately said that history seems to run either in cycles or in parallels. The address delivered by my distinguished friend, the Senator from Massachusetts, reminds me of what happened on the floor of the Senate almost 4 years ago to this very day. I recall rather vividly having been in the Orient, to visit such areas as Indochina and elsewhere, with another distinguished Member of this body, the Senator from Washington [Mr. MAGNUSON]. In those countries we made some sustained observations, and then returned to the United States, and reported to the President of the United States.

I recall the breakfast meeting at which the report was made. I said, "Mr. President, what they need in Cambodia, what they need particularly in Indochina"—now South Vietnam—"is independence, because it is only the fire of independence that so stirs people to fight for something in the nature of a homeland and for the freedom which is so dear to the human heart."

I think some representations were made at that time, rather informally, but when the foreign aid bill was considered—and I had some share in its preparation—I made a suggestion to my colleagues, which finally eventuated on the floor of the Senate in the form of an amendment. The interesting thing about it was that it was an amendment submitted finally by our distinguished friend from Massachusetts. The day was July 1, 1953, and the language of the amendment, which is to be found in the CONGRESSIONAL RECORD, volume 99, part 6, page 7787, read as follows:

Provided, That the expenditure and distribution of the funds, equipment, materials, and services authorized under this or any other section of this act on behalf of the Associated States of Cambodia, Laos, and Vietnam, to the extent that it is feasible and does not interfere with the achievement of the purposes set forth in this act, shall be administered in such a way as to encourage through all available means the freedom and the independence desired by the peoples of the Associated States, including the intensification of the military training of the Vietnamese.

It was 4 years ago yesterday that the amendment was offered on the Senate floor. The vote on it was 17 to 64. I shared the conviction and the zeal of my distinguished friend from Massachusetts. I was one of the 17 who voted for it. So I shall let the history books indicate how I felt about it, and, as a matter of fact, how I feel about it even now. But one of the things that made a deep impression 4 years ago yesterday was the address delivered by the former distinguished Senator from Georgia, Senator George. He is no longer a Member of this body, but I recall his eloquence, and I recall his persuasion, and I recall what a deep effect his statement had on this body, for when we got through on the Kennedy amendment, it had been defeated by a vote of 64 to 17. One of the first things Senator George said was this:

Much as I am concerned about what goes on in the East, and in the Far East, I am still concerned about what goes on in Western Europe. If France should not decline to accept further assistance, or if France should be forced to take a political action which she is not yet able to take because of the conditions which we would impose upon her by this or some similar amendment, then I think it would be very difficult to prevent the NATO organization from falling apart.

I recall the solicitude of the Senator from Georgia on that occasion, and how he expressed his interest in France, and how vital it was, not only to NATO but to the security of the United States of America. I think it is one of the first things we must keep in mind in connection with what I am sure the distinguished Senator from Massachusetts knows to be the delicate problem with which the Republic of France contends in Algeria.

Sometimes parallels are drawn between Algeria and Tunisia. I doubt whether they are parallel. In the case of Tunisia, there were leaders with whom we could work. There was the Bey of Tunis and the present Prime Minister Bourguiba, men of character and of intellectual resource, with whom we could deal, and who could act as a nucleus.

In the case of Morocco, we had the Sultan. In the case of Vietnam we had the Chief of Staff, Ngo Dinh Diem, a man of resolute purpose, character, and intellectual resource, who had much to do with keeping that country together, and with sponging out the divergent groups that menaced the peace of Vietnam, and so gave it stability and brought it into the sunlight of independence and freedom.

I think our record in this whole field is pretty good. Sometimes the diplomatic hand is not too apparent to the eye, but I think in the case of Tunisia, in the case of Vietnam, in the case of Cambodia, in the case of Laos, a great deal of work has been done. That, I think, is equally true in the case of the very delicate situation that prevails in Algeria at the present time.

I am rather concerned about the impact on the thinking in France. Do we worsen the situation or do we improve it if we adopt the resolution which has been offered by our distinguished friend from Massachusetts? I think I ought to read into the RECORD at least one paragraph of the resolution, because it contains this phrase. This is the salient paragraph:

The President and Secretary of State be and hereby are strongly encouraged to place the influence of the United States behind efforts, either through the North Atlantic Treaty Organization or through the good offices of the Prime Minister of Tunisia and the Sultan of Morocco, to achieve a solution which will recognize the independent personality of Algeria and establish the basis for a settlement interdependent with France and the neighboring nations; be it further

Resolved, That, if no substantial progress has been noted by the time of the next United Nations General Assembly session, the United States support an international effort to derive for Algeria the basis for an orderly achievement of independence.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CHAVEZ. May I ask the Senator what is wrong with that?

Mr. DIRKSEN. There is nothing particularly wrong with it, except—and I shall be very candid about it, Mr. President—I think that there is a disposition on the part of the United States Senate as a body ofttimes to move too far and to embarrass the efforts of the President and the Secretary of State and those engaged in diplomacy in this very field. Who can doubt the Secretary of State has gone far in this field already? He was in Paris in May, conferring with Mr. Mollet. Christian Pineau was before the United Nations General Assembly in January of this year. I am not prepared to say whether the suggestions which have been made about a cease-fire, about free elections, and so forth are sufficient, but I do say that this administration is not wanting in diligence and zeal in that field. While we do not always see the hand, while it is not always apparent what is being done, I must add this is the kind of work that is not necessarily effectuated with a brass band.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORTON. The Senator has mentioned six countries that were either colonial countries or had a semicolonial status at the end of World War II. Five of those countries are now independent. That is a pretty good record. Tunisia, Morocco, Laos, Cambodia, and Vietnam have all achieved their independence.

Mr. DIRKSEN. That is true.

Mr. MORTON. The Senator has mentioned the fact that this kind of work is not always effectuated with a brass band. Certainly, our Department of State has been working, through diplomatic channels, with the French and with the people of the countries affected in an effort to achieve independence. I was an officer in the Department of State in the tragic times of the difficulties in southeast Asia. It was a matter of daily concern to the officers of that Department, from the Secretary on down, that the three countries in that area should achieve their independence. But in solving that problem it was felt we should not kick one of our strongest NATO allies in Europe out the window.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. KENNEDY. I should first like to point out to the Senator, with reference to the three leaders who have been mentioned—Diem, the Sultan of Morocco, and Bourguiba—that Bourguiba had been in a French jail several times; that the Sultan of Morocco was only brought back from forced exile only when the situation became intolerable and that Mr. Diem lived in this country for years, and when he returned in some obscurity, I think was quite properly supported by the United States even against the judgment of the French.

So I do not believe we have observed in those instances leaders who had the support of the French in their move to win independence. These people were brought in only when there was no other alternative.

I have no doubt that it is possible to find responsible leaders in Algeria, but the longer the problem persists the more difficult it will be to find responsible leaders in Algeria.

The Senator may remember that I thought we might adopt the amendment, in previous debate, until Senator GEORGE, with all his influence, "lowered the boom." The Senator will remember that in his speech Senator George said:

If France is forced to withdraw from Indochina, or if she voluntarily withdraws from Indochina, what assurance have we that Indochina will not itself fall a victim to Red China?

In fact, because of the recognition of the rights of the people of those areas, I think, Indochina did not fall a victim to Red China. Both under the military diplomacy of Mendès-France and the defeat at Dienbienphu, the French were forced to withdraw, but if they had stayed there another year or two, I have no doubt in my mind that Ho Chi Minh, the Communist leader in the fight against France, would have dominated the entire country. We were fortunate that there was brought into play an unusual personality in the person of Diem.

I do not wish to be harsh or unfair, but I do not think we are moving ahead, or that the French are moving ahead. Since the United Nations meeting last winter there has not been appreciable progress. We are going to be faced with very difficult decisions. I would like to see the French, as well as the United States, use their time before the next U. N. debate in an effort to move to new ground, and to recognize the fact that Algeria is entitled to independence. If it were obtained I hope Algeria would continue to maintain constitutional ties, or at least close connections, with France.

I am aware of the fact that the prospects for the adoption of my resolution are rather dubious, but it indicates, at least in my judgment, the hope that the people of North Africa, the people involved, will realize that the people of the United States are interested in them. I hope this action will bring some attention to the matter from the people of France. There are many people in France, I think, who feel as I do, that the time has come for France to make a substantial change in its present policy. That is all I hope to accomplish, or to have an influence in accomplishing.

Mr. DIRKSEN. Mr. President, I wish to add one comment from the statement of Senator George, which I thought was particularly persuasive. He said:

Mr. President, it is known in the State Department, it is known in the executive offices of this Government, it is known by all of us who have tried to keep abreast of what is going on in Indochina, that a great effort has been made to bring France herself to a decision which would obviate the necessity of this kind of amendment or resolution.

What Senator George meant to point out was that an effort was in progress, and that they were sensitive to the independence issue in Asia.

I observed the situation there. Anyone who visited with the leaders in Indochina, Cambodia, and elsewhere could not have failed to sense the feeling of the people. The distinguished Senator from Montana must have appreciated it when he was there.

As an "eager beaver" I came back to put some steam behind the effort in that regard. But I realize there is such a thing as patience in this field of endeavor, if we are going to accomplish the greatest amount of good.

In further comment on the observation which the Senator from Massachusetts made a moment ago, the strong leaders in Algeria have not yet come forward. If we suppose independence were granted tomorrow, would it eventuate in anarchy, in civil war and bloodshed? The resulting condition might be infinitely more aggravated than what obtains at the present time, bad as it is. I do not condone it. I do not apologize for it. I think it is a terrible thing, and that a solution ultimately must be forthcoming. But I do not believe there has been laches; I do not believe there has been negligence; I do not believe there has been a lack of diligence on the part of this Government or its official and responsible officers.

Mr. KENNEDY and Mr. MANSFIELD addressed the Chair.

Mr. DIRKSEN. After I have made one other comment I will yield.

I noticed in the Senator's statement the observation that the Vice President did not comment on this matter in his formal report. However, I can say to the Senator that the Vice President did comment at length in a confidential report which he made on this subject. He was exercising caution, and I think the necessary prudence, because of the delicacy of the situation that was involved.

I now yield to the Senator from Massachusetts.

Mr. KENNEDY. I will say to the Senator that one of the reasons why the amendment was defeated in 1953 was that the word was passed on the floor of the Senate that in about 2 weeks—it may have been July 6, but at least within 2 weeks—the French Government would come forward with substantial concessions to the Nationalists in Indochina. As I remember, in July, of 1953, they did make some proposals, which were completely inadequate to meet the situation.

I must say that when the Senator was younger, more youthful and vibrant——

Mr. DIRKSEN. I thank the Senator.

Mr. KENNEDY. He favored this type of amendment, but now the responsibility has sobered him.

Mr. DIRKSEN. The responsibility and 4 years have sobered me.

Mr. KENNEDY. I am not sure I might not argue the same way if I were the Senator from Illinois, but my view is that progress is never made unless there is some incentive, some pushing and goading toward progress.

I believe we should not let this fight go on simply among the Algerians, Tunisians, Moroccans, Egyptians, Communists, pro-Arab groups, and antiwestern groups. I think we in the United States should usefully join this debate. I think it will pay dividends to us in the years ahead, when Algeria ultimately receives independence, as I am confident it will. I believe Algeria will receive independence, whether the policy I have suggested is followed, or whether the policy

of the French Government is followed. Ultimately, Algeria will be independent. I hope they will look to the West with favor, and acknowledge us, because I trust we will take a strong stand in their favor.

I thank the Senator.

Mr. DIRKSEN. First, by way of comment, Mr. Pfesident, I should like to say to my distinguished friend from Boston that at his age I would have been a member of the Boston Tea Party, I am sure, and I am not so sure that I would not be today, even though a little older.

Now I should like to stress the importance of France in the NATO line and the importance of France to the security of the United States. If there is any doubt about it, all anyone has to do is to go there and count the air bases we use and all the facilities we have. France has been our oldest ally I think, and that merits consideration on our part, and a caution as to the delicacy of the problem which confronts France at the present time. She is wrestling with it.

I do not care to pass judgment on whether or not what is happening at the moment is right or wrong. At least France has come to grips with the problem; and so have we.

I think as responsible leadership develops in Algeria, as it has in Tunisia and in Morocco, swifter progress will be made. In view of the fact that representations have already been made to the United Nations, I think that situation must be taken into account.

So, Mr. President, what we deal with in a resolution of this kind is its impact upon the thinking of people in another country. We forget that so easily.

I remember introducing a bill in the House of Representatives to increase the quota for India under our naturalization acts, and when I went to Delhi, there was my name in 3-inch headlines on the front page of all the daily newspapers in India. It showed that they kept abreast of what was going on here.

Of course, at a time when they are wrestling with a complicated problem, I think we ought to be very careful not to step on their toes.

Also we should constantly emphasize the fact that the executive branch—the President, as the conductor of our foreign policy, and the Secretary of State as his right hand—are certainly not insensible of the problems which confront us.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. KENNEDY. I am reminded that the Senator and I cosponsored a resolution for freedom for a united Ireland, so I should like to know how the Senator squares that action with his opposition to the present resolution.

Mr. DIRKSEN. Nothing ever haunted me so much as did that resolution, because everyone thought I was an Irishman from County Kildare. I am afraid there is not a teaspoonful of Irish blood in me; yet I was the author of a resolution for an undivided Ireland.

My distinguished friend from Massachusetts joined me in that effort. We secured 17 sponsors and cosponsors—to correspond with the 17th of March which is the memorial day of the great patron saint of Ireland. So we carried on; and even though we received no sympathetic hearing on the part of the Foreign Relations Committee, we put our best foot forward.

I believe that those people have the right, under those circumstances, to determine their undivided destiny. All the counties of Ireland except six share in a certain type of independence. I believe it is up to them, by plebiscite, to determine whether or not the six counties should be taken into the Republic of Ireland.

I see my distinguished friend from Montana [Mr. MANSFIELD] smiling. As a good Irishman, he joined us in supporting the resolution to which reference has been made.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to my distinguished friend from New Mexico.

Mr. CHAVEZ. I am not Irish, but I am sympathetic to both South Ireland and North Ireland. What is the difference between obtaining freedom for North Ireland or South Ireland, and obtained freedom for Algeria?

Mr. DIRKSEN. From the standpoint of the people, there is not the slightest difference, whether they be Algerians or Irish, whether they be Orangemen in Belfast, or, for that matter, whether they be Negroes in our own country who are seeking full citizenship.

Mr. CHAVEZ. I go along with the Senator in that philosophy, but the resolution before us deals with the Algerians. Is the Senator against freedom for the Algerians, merely because the French wish to retain Algeria as a colony?

Mr. DIRKSEN. There is not a particle of difference. What I am trying to point out, in response to the able and well-reasoned speech of the Senator from Massachusetts, is that the Vice President, the President, the Secretary of State, and the State Department are not lacking in zeal in dealing with this question. We must always bear in mind the necessity for cautious prudence when we are dealing with a sovereign country like France, which insists that Algiers is a part of metropolitan France. I do not necessarily have to concede that argument, but the contention is made.

Mr. CHAVEZ. I am in favor of caution. I am in favor of the State Department, the President, and the Vice President being cautious. However, they come and go; but freedom must be forever.

Mr. DIRKSEN. That is true.

Mr. CHAVEZ. I have the greatest respect for the Secretary of State, for the President, and for the Vice President. But we are now discussing the question of freedom, which must be eternal. In this instance what is wrong with the resolution of the Senator from Massachusetts?

Mr. DIRKSEN. I read the resolution a moment ago. I shall reread the middle paragraph, because it is rather significant.

Mr. CHAVEZ. I may be a little dull——

Mr. DIRKSEN. My friend is just as sharp as a southwestern cactus.

Mr. CHAVEZ. And my friend is as sharp as an Illinois porcupine. [Laughter.]

Mr. DIRKSEN. I read the middle paragraph of the resolution:

> The President and Secretary of State be and hereby are authorized and strongly encouraged to place the influence of the United States behind efforts, either through the North Atlantic Treaty Organization or through the good offices of the Prime Minister of Tunisia and the Sultan of Morocco, to achieve a solution which will recognize the independent personality of Algeria and establish the basis for a settlement interdependent with France and the neighboring nations.

Suppose the Senator from New Mexico were a Frenchman, a French leader in Algeria. How would he feel, in view of the fact that there is no suggestion in the resolution that independence ought to be achieved through the Government of the Republic of France?

Mr. CHAVEZ. I would feel like Washington crossing the Delaware. I would feel exactly as did those who fought for the independence of this Nation as against the King of England. He thought everything was wrong, but the American colonists did not think so.

Mr. DIRKSEN. I am sure I do not know how George Washington felt when he was crossing the Delaware, except that it must have been cold.

Let me read the last paragraph of the resolution. If we fail to achieve freedom for Algeria through the North Atlantic Treaty Organization or through the good offices of the Prime Minister of Tunisia and the Sultan of Morocco, this is the alternative method:

> That, if no substantial progress has been noted by the time of the next United Nations General Assembly session, the United States support an international effort to derive for Algeria the basis for an orderly achievement of independence.

I am for independence, but we are dealing with another country.

Mr. CHAVEZ. I think it is good American policy to be for independence.

Mr. DIRKSEN. This territory is regarded as a part of metropolitan France. I do not wish to offend our French friends.

Mr. CHAVEZ. The French claim jurisdiction over this territory. However, theirs is the power of might, and not the power of liberty and freedom.

Mr. DIRKSEN. I share the conviction of my good friend from Massachusetts, but I believe that in this rather fitful and feverish world there should be caution on the part of this country in assuming additional grave responsibilities. These things must be accomplished in a proper way. The maximum of patience must be exercised when we are dealing with anything so explosive. We might inherit a condition of complete anarchy in Algeria. How might it be controlled? That is the point I seek to emphasize.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the distinguished former Assistant Secretary of State.

Mr. MORTON. I take this opportunity to commend the distinguished Senator from Massachusetts for bringing this subject before the Senate today. Undoubtedly it was a tremendous effort for him to prepare the address which he delivered today. I think it has been stimulating, and that it will be of great service.

I do not wish to take the time of the Senate at this point to comment in detail. I know that the Senator from New Mexico [Mr. CHAVEZ] wishes to make progress in the consideration of the defense appropriation bill.

I should like to make three brief observations. First, upon reading the address of the distinguished Senator from Massachusetts—and I read it before I heard it—I was impressed with the fact that there is a tendency to underestimate the difficulties which the French people face politically.

Second, I think there is perhaps some underemphasis of the serious efforts being made by the French Government, and especially by Guy Mollet, to bring this matter to some resolution.

Third, I am not sure in my own mind—and I assure the Senator from Massachusetts that I have an open mind—that the formula which he suggests would be the most helpful in this dilemma.

I thank the Senator from Illinois for yielding to me.

Mr. DIRKSEN. Mr. President, before yielding the floor, I salute my friend from Massachusetts for his able discourse in the interest of human freedom and independence, on the eve of our own great Independence Day, in the hope that we can move forward and help other people to achieve the same golden goal. At the same time, we should be mindful of the approach and the techniques which are necessary in order to achieve the objective at the earliest possible time, so that the situation will not be worsened and our responsibilities from here on aggravated.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. I think the discussion this afternoon has been helpful and beneficial.

I wish to commend the Senator from Massachusetts for making the speech he made today, not that I agree with every aspect of it; at least he laid the cards on the table, and they are there for all to see. I commend him for submitting the resolution. I do not know how far it will get, but I am quite certain that it will be given serious consideration in the Committee on Foreign Relations. If something does come out of the committee, it may be somewhat different from what he has offered.

We have been following a course of caution for a long time in this particular matter. I find no blame with the position of the State Department or the administration, because what is happening under the present administration also happened under previous Democratic administrations. We have been caught in the middle. We have friends on both sides. We have tried to placate both sides. We have tried to keep friendships on both sides.

Somebody had to say something. It is entirely proper that the distinguished Senator from Massachusetts should make the speech he has made this afternoon. I am very happy that the assistant minority leader, the Senator from Illinois [Mr. DIRKSEN] made his remarks, and that our friends, the senior and junior Senators from Kentucky, made their statements and expressed their feelings with respect to what the Senator from Massachusetts had to say.

Therefore I hope that on the basis of the candid and courageous statement made by the Senator from Massachusetts, his speech will be understood in its proper perspective. I am sure he is not trying to tell the French Government or the French people what to do.

Perhaps what he did this afternoon was something which the French people themselves have been unable to do, because of lack of decisiveness, and perhaps because of extreme caution, which has characterized the Government in recent years.

However I point out that perhaps it is not a question of independence for Algeria. The Senator from Massachusetts has stressed the idea of interdependence. One of the great generals of France, Marshal Juin, has come forth with the idea of a federation or a commonwealth status for Algeria. Although it is primarily a French-Algerian question, it is a question which, if not settled, is bound to affect the international relations of other parts of the world, and is something which is bound to affect us considerably. Therefore I hope that not only the Government of France and the people of France, but that the State Department and the administration also, will accept what the Senator from Massachusetts has stated in the spirit in which it was said, and I express the hope that out of this debate there may come a solution acceptable to all sides.

Mr. KENNEDY. I thank the Senator.

THE LOUISIANA DISASTER

Mr. LONG. Mr. President, on Thursday morning the most destructive hurricane in 30 years struck the Louisiana coast. The full fury of the blast struck the shore of Cameron Parish at 8 a. m., several hours before it had been anticipated. The tidal wave accompanying the blast was approximately 13 feet above sea level. In the city of Cameron, at an elevation of approximately 4 feet above sea level and located about 4 or 5 miles from the Gulf of Mexico, the surging current was about 9 feet deep.

In effect, the storm simply made the low marshland prairies a part of the Gulf of Mexico. Human bodies were washed as far as 18 miles inland.

At the time the storm struck, all communications with the coastal area were destroyed. Telephones and radio facilities at the coast were knocked out by power failure; radios in patrol cars were submerged; and radio towers further inland were destroyed.

It was more than 24 hours from the time the storm struck until contact was reestablished and relief was able to reach the coastal towns.

The press of the Nation has informed Americans of the devastation and suffering that accompanied this hurricane.

We are grieved and shocked by the tremendous loss of life and property that has resulted from these hurricane winds and the tidal wave that came in their wake.

For several days, now, our people, aided by civil defense and other emergency forces, have been seeking stranded survivors, treating their wounded, and accounting for their dead and missing in an area estimated to be 95 percent destroyed.

Deaths are estimated to exceed more than 500 in number and the number continues to rise as helicopters and airplanes search the marshlands for bodies.

For several days burials awaited the construction and arrival of caskets. Bodies have been preserved by refrigeration until proper funerals can be arranged. Stark human tragedies have been so tremendous that we have not yet attempted to assess our property damage.

The coastal towns of Cameron, Grand Chenier, Creole, and Pecan Island are practically destroyed. The total population of these towns was about 2,500. Latest estimates indicate that approximately 20 percent of their population is dead. Ohers are threatened with disease and aftereffects of the storm.

Reports of courage, valor, and personal sacrifices, as well as pitiful unsuccessful efforts to save loved ones—the types of things that reach the headlines of newspapers on ordinary days—were so commonplace that they were little noticed.

Cattle have perished by the tens of thousands. Livestock and poultry have been destroyed in untold quantities. Damage to homes and other structures has run into a great many millions of dollars. Rice fields have been flooded by ruinous salt water. The fresh water supply for these crops was cut off by destruction of the power supply for deep wells.

Other cities, towns, and villages have suffered major damage. In Lake Charles the majority of homes sustained damage. In the small city of Eunice, more than a million dollars of storm damage was sustained. In its first inventory, the oil industry assessed its damage in excess of $10 million. Considerable damage has been reported in Lafayette, Morgan City, Opelousas, and other cities and towns removed from the immediate vicinity of the tragedy-stricken area. Little has been said or printed about these inland property damages because of the overshadowing tragedies on the coast.

The hundreds of dead and missing, and the thousands of homeless, cause us to ask whether our Nation can render more effective and direct assistance to the victims of this tragedy.

The work of rehabilitation in Louisiana will be long and tortuous. Those on whom this hurricane struck with such

devastating force are frontiersmen who have struggled against the cruelest of the elements for a lifetime. Had it been otherwise, they would have been less reluctant to abandon their homes and their earthly possessions to seek greater personal safety, thus reducing the death toll.

They will again rebuild their homes and communities and make their contribution to the greatness of their nation. It is because they are such people that I urge this Government to exert every possible means in assisting the citizens of Cameron, Creole, Grand Chenier, Pecan Island, and nearby settlements during this initial period of almost complete helplessness.

Tomorrow, I will go into this area, and personally will attempt to assess the magnitude of the damages, and will confer with those who are in charge of rehabilitation, to see what can most effectively be done to restore these people to a normal way of life in the least possible time.

The National Guard, the Civil Defense Administration, and the Red Cross are providing emergency aid. The Small Business Administration and the Farmers Home Administration will lend money and, help on liberal terms, at low interest rates, to help persons rebuild their businesses and their homes. The Federal Housing Administration will also insure loans for rebuilding housing for as much as 100 percent of the cost of the homes.

The Department of Agriculture will make available surplus foodstuffs for human consumption, and also to help save the livestock.

The Army engineers, the General Services Administration, the Public Roads Administration, and others will help from the Federal level to bring order out of chaos.

Every department of our State government will assist wherever possible. Local citizens from nearby communities are volunteering generous aid.

In spite of all this, however, the survivors of the hurricane disaster will find themselves deeply in debt for many years to come, in order to regain their homes and property values that were lost in the storm on Thursday.

Already we have seen enough to agree upon the wisdom of the many provisions Congress has made to assist in this type of emergency. Few Members of this body or of the House of Representatives would care to backtrack on the established measures presently available. Obviously, more is needed.

A few days ago the House of Representatives eliminated from the budget funds for flood insurance, and today we see by the press that the Federal Flood Indemnity Administration closed shop without issuing a single policy. That penny-wise, pound-foolish mistake should be corrected as soon as possible. Thereafter, we should explore the possibility of direct Federal grants in situations where insurance fails to provide an adequate answer.

Furthermore, Federal activities in resisting beach erosion should be expanded to assist State and local governments to maintain the beaches of the Nation. This problem is beyond the ability of a single individual or any group of individuals acting together. Our beaches and shorelines are a great national asset. Properly developed, they furnish recreational facilities for the enjoyment and the benefit of the entire Nation. If we are to develop them properly and to protect those who live in the area, we must find ways of insuring their investment and to protect the shoreline from the encroachment of the sea. In these fields, much remains to be done.

Mr. BUSH. Mr. President, will the Senator from Louisiana yield to me?

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Louisiana yield to the Senator from Connecticut?

Mr. LONG. I yield.

Mr. BUSH. I wish to say to the Senator from Louisiana that I have listened with great sympathy and understanding to the remarks he has made regarding the disaster which has occurred in Louisiana, because it was only 2 years ago that in the State of Connecticut and elsewhere in New England there was a similar, if not quite so severe, disaster. I have an especial interest in the matter, because at Eastertime I told the Senator from Louisiana that I was going to visit that area, and I did; and I went to Cameron, which was struck so severely; I visited Cameron because my son was in business there. The part of his business which was established in Cameron was completely washed out by the flood. However, that reference is purely incidental to the statement I wish to make to the Senator from Louisiana.

In addition to offering my own sympathy and the sympathy of all the people of my State, I should like to say to the Senator from Louisiana and to all those who may hear his statement today or who may read it in the press or elsewhere that the President of the United States has called upon the people of the country to respond to the appeal of the American National Red Cross for assistance in the face of this great disaster. From my own certain knowledge and my own observations and experience, I know that nothing else which can be done at present by persons not connected with the Government or not connected with the actual relief work on the ground can be so useful or so helpful as to support the appeal for funds by the President of the United States so as to enable the American National Red Cross to lend relief and comfort and assistance in the rehabilitation of stricken people in the State of Louisiana.

One is apt to think of the American National Red Cross as an organization which, when disaster strikes, takes to the stricken area a coffee wagon which serves coffee and doughnuts, and also establishes a first-aid station to distribute band-aids, and so forth. However, as a matter of fact, the initial work in dealing with an emergency or great disaster of this kind is but a very small part of the work the American National Red Cross does and has done during the years, in connection with great disasters in various localities. More than 90 percent of the money the Red Cross spends under these circumstances goes to what the Senator from Louisiana has called rehabilitation. The great problem before the people of Cameron and the surrounding area is not to bandage the wounds, but to try to rehabilitate the people, so that they can, as the Senator from Louisiana has said, rebuild their homes and rebuild their lives. That is what the disaster fund of the American National Red Cross must help them to do. It is the only grant-in-aid money which can be given today to the people in that disaster area.

The Senator from Louisiana has made a very fine presentation in recounting the agencies of the French Government which are available under these circumstances; and they will—as they have over the years, in various places—render very valuable service to the Senator's State. But in order for some of the persons in the disaster area to obtain loans, some equity money must be available; and the American National Red Cross is in a position to supply that money, as it has done in hundreds and hundreds of cases in the New England States and elsewhere in the Nation, as I particularly saw done in my own State in 1955.

So I join the Senator from Louisiana in appealing to the people of the United States for sympathy, understanding, and action in connection with the disaster; and I desire to state that the one thing anyone can do, if he wishes to be helpful at this stage of the game, is to contribute to the American National Red Cross.

Mr. LONG. I thank the Senator from Connecticut. As he well knows, the Red Cross is doing a very fine job and is assisting; and we are grateful for all the assistance it is able to render.

Mr. BUSH. I have made this comment because I happen to know that the Red Cross is nearly broke, insofar as funds for this kind of service are concerned. Those funds have been exhausted, due to the rather unusual number and extent of the disasters which have occurred in the past several years. Knowing that, and knowing the urgency of the need for free funds of that kind, which can be given away, I have taken the liberty of asking the Senator from Louisiana to yield to me on this occasion.

Mr. LONG. I certainly urge that those who can do so—and certainly I, myself, shall make a contribution to the Red Cross.

As I have stated, there is much more which can be done at the Government level, and I hope the Government will do all it can. I also hope the Congress will help improve the laws, so as to take care of such emergencies more adequately in the future.

Mr. CHAVEZ. Mr. President, I happen to be chairman of the Committee on Public Works. Many Senators speak about insurance or about what the Red Cross and other agencies should do. Of course such activities are entirely proper. All of us are sympathetic and all of us shed tears—as we should—because of the terrible disaster which has occurred in Louisiana. However, in many instances such disasters should not occur. Instead of providing insurance or shedding tears of sympathy, the disasters should be prevented. The disaster which occurred in Connecticut or the disaster which occurred elsewhere in the New England area could have been prevented if the flood had been prevented.

In the case of the recent disaster in Louisiana, we sympathize very greatly. We wish to do the right thing, and we should contribute to the Red Cross or to any other agency which will help provide some kind of relief.

However, the principal thing is to prevent such occurrences in the future. That is the chief type of insurance we can provide. If we do that, I think we shall be doing the best we can, so far as the Government is concerned.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. LAUSCHE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

DEFENSE DEPARTMENT APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CLARK in the chair). The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. O'MAHONEY. Mr. President, I desire to discuss an amendment which it is my intention to offer to the bill. The purpose of the amendment is to save a little money by carrying out the unification of the armed services as originally planned, at least with respect to the procurement functions of the Department of Defense.

The bill before the Senate provides appropriations in the amount of $34,534,229,000. I know the country is fully aware of what a billion dollars is. But sometimes I wonder whether Congress understands that a billion dollars is a thousand million dollars, and that $34 billion is 34 thousand million dollars.

If every person on the floor of the Senate this afternoon and every person in the gallery had a million dollars which he could contribute as a free gift to the Treasury of the United States to reduce the national debt, it would not make a dent in that debt.

DEBT WAS REDUCED AFTER WORLD WAR II

The debt of the United States is approximately $275 billion. It has been hovering around that figure ever since, at the conclusion of World War II, the then President of the United States ordered that the entire $20 billion which had been raised by the people of the United States to purchase the last war bond issue should be applied upon the payment of the national debt. That reduced the debt, at the end of World War II, from about $295 billion—almost $300 billion—to $275 billion. There it has stood year after year. Congress has from time to time passed temporary provisions allowing the Government to increase the debt above $275 billion, upon certain conditions that reductions should be made.

THIS IS LARGEST BUDGET EVER PRESENTED EXCEPT IN WARTIME

But this is the fact: We are dealing with a budget which is the largest budget ever presented to Congress by the Executive when the Nation was not involved in a shooting war. The amount provided in the Defense appropriation bill is as I have said, $34,534,229,000.

MUTUAL SECURITY AND DEFENSE COSTS TOTAL ABOUT $43 BILLION

When we shall have passed the appropriation bill to implement the Mutual Security Act, when that authorization law shall have been enacted, the total for mutual security and major defense will amount to about $43 billion. That will be more than 60 percent of the entire expenditures of the Government of the United States for all other purposes.

O'MAHONEY RIDER TO 1953 APPROPRIATIONS BILL WAS NOT ENFORCED

While the committee had the pending measure under consideration, I conferred with members of the task force of the Hoover Commission on the reorganization of the Government, and I read the speech of the majority leader in the House of Representatives, Representative McCORMACK, of Massachusetts, about the lack of enforcement of a provision of law of which I was the author back in 1952, and which was designed to bring about the unification of the procurement activities for common use items by all of the Department of Defense. So I yielded to the suggestions which came from the Hoover Commission to seek to strengthen that section of the law.

I am referring to section 638 of the Defense Appropriation Act of 1953. The purpose of that section was to provide that the materials needed by each branch of the defense forces, and which were used by all of them, should be purchased noncompetitively by a single purchasing agent, and that the various branches of the Department of Defense should not be competing with one another.

This amendment is a modification of the 1953 rider endorsed by the Hoover Commission.

So the amendment which I offered to the Committee on Appropriations this year was a modification which was endorsed by the Hoover Commission. I gave notice yesterday that it would be my intention, on behalf of myself, of the Senator from Illinois [Mr. DOUGLAS], and of the Senator from Colorado [Mr. CARROLL], to offer that amendment today.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CHAVEZ. The Senator from Wyoming knows well that I joined in offering the original amendment suggested by the Senator from Wyoming.

Mr. O'MAHONEY. The Senator from New Mexico was kind enough to do that. I know that the Senator from New Mexico gave his valuable aid and assistance to the consideration of that measure.

Mr. CHAVEZ. But I discovered then, as a practical proposition, that notwithstanding the fact that the committee was most anxious to cooperate and agree with the suggestion, it would be legislation on an appropriation bill.

Mr. O'MAHONEY. There is no doubt of that.

Mr. CHAVEZ. Yes, there is no doubt about it. So I suggest that the proposal be brought up through the proper standing committee of the Senate. I am most sympathetic with the Senator from Wyoming, and I would like to go along; but I regret, so far as the appropriation bill is concerned, I cannot do so.

Mr. O'MAHONEY. Mr. President, I can understand why the chairman of the Subcommittee on Defense Appropriations has reached that conclusion. But after the committee acted, there came to my attention two startling reports which indicate very clearly the need of reform in the purchasing activities of the various defense agencies; and I wish to call those facts to the attention of the entire Senate.

Mr. THYE. Mr. President, will the Senator from Wyoming yield to me?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. O'MAHONEY. I am glad to yield.

Mr. THYE. I hold in my hand a copy of the amendment proposed by the distinguished Senator from Wyoming, and cosponsored by the Senator from Illinois [Mr. DOUGLAS] and the Senator from Colorado [Mr. CARROLL]. I wonder how many additional persons the Department of Defense will employ if the amendment is enacted into law.

Mr. O'MAHONEY. I do not think there will be any real increase in the personnel of the Department of Defense. If the Senator from Minnesota will permit me to continue, before interrogating me about the details regarding the amendment, I wish to discuss the situation which exists. After I have done so, I think possibly he may be willing to concede that there is a real basis for calling the matter to the attention of the Senate at this time.

I am grateful to the Senator from Minnesota, because he was a member of the Defense Appropriations Subcommittee in 1952, when I offered the original

legislative rider, now known as section 638 of the Defense Appropriation Act of 1953; and he was one of those who helped to bring about its enactment. So I am grateful to him for that aid. If he will permit me to have an opportunity to lay before the Senate the additional facts which have come to my attention, I believe he may be willing to support the amendment at this time.

Mr. THYE. Mr. President, I do not wish to intrude——

Mr. O'MAHONEY. The Senator from Minnesota never intrudes.

Mr. THYE. But I should like to ask several questions.

Mr. O'MAHONEY. Will the Senator from Minnesota withhold his questions until I have presented the facts I have obtained?

Mr. THYE. Of course, I shall listen with interest to the presentation the Senator from Wyoming will make, just as—as a member of the Appropriations Subcommittee—I have attended quite a number of the sessions of the committee, in connection with the appropriations for the armed services. I am vitally interested in these matters.

The present amendment of the Senator from Wyoming, identified as "7–1–57–A," interests me very much, and I have tried to study it very carefully. I am alarmed at what we might find to be an additional appendix to an already huge Department of Defense; I believe that is what is likely to happen as a result of the amendment, if it is enacted into law. Certainly most additions of that sort are not needed; and I am afraid that the addition proposed in this case would be found to be a nuisance, rather than a service, to the Department of Defense.

Mr. O'MAHONEY. Mr. President, the Senator from Minnesota is disturbed about what he calls the appendix. I am disturbed about the cancer which is eating into the capital funds of the people of the United States, by means of the waste, extravagance, and competition among departments which should not be competing with one another. That process is resulting in the wasting of billions of dollars. I think I shall be able to demonstrate that to the Senator from Minnesota before I conclude my remarks. Perhaps then he will join me in attacking the cancer, instead of the appendix.

Mr. THYE. Mr. President, the distinguished Senator from Wyoming is most persuasive, but he is not sufficiently persuasive to convince me that there is a cancerous sore in the administrative functioning of the Department of Defense. I think the Department has been administered quite efficiently, under the direction of Charles Wilson and his civilian assistants. I believe there have been able civilian officials who have worked with the Joint Chiefs of Staff, as well. I do not know where we can find better heads for the various divisions of either the Navy, the Air Force, or the Army.

So I shall listen with interest to the presentation the Senator from Wyoming will make, just as I have attended many of the committee sessions.

Mr. O'MAHONEY. Mr. President, I am always happy to yield to the Senator from Minnesota, even when he announces his conclusion before he hears the evidence. [Laughter.]

Mr. President, I hold in my hand a report which was submitted to the House of Representatives on June 10 of this year. It is a report on the measure to continue in effect the provisions of title II of the First War Powers Act, 1941. That measure, which would extend for an additional year the provisions of title II of the First War Powers Act, came to the Senate only last week. It was referred to the Committee on the Judiciary, the committee which in the past has handled such measures. I was amazed when the chairman of the committee handed the report to me and ask me to submit to him an opinion regarding it.

In order to save time, I shall read only excerpts from the report. On the first page I read the following:

Under the provisions of title II, the President may authorize any department or agency of the Government exercising functions in connection with the prosecution of the national defense effort to enter into contracts and into amendments or modifications of contracts and to make advance, progress, and other payments thereon, without regard to the provisions of the law relating to the making, performance, amendment, or modification of contracts, whenever he deems such action would facilitate the national defense, subject, however, to the additional provisions set forth in title II.

WAR POWERS ACT WAS PASSED AS A WAR MEASURE

The original act was passed in 1941. Its purpose was to facilitate the prosecution of the Second World War, and it authorized the waiver of certain very essential housekeeping provisions to protect the money of the people of the United States and to prevent waste and extravagance in the various departments. When Congress passed that law, granting that waiver, it was guided by the belief that it was better to risk such waste and extravagance than to be too late in arming the Nation. But at the present time the United States is not engaged in a shooting war, and at present there is no need for the haste that was needed after the bombs fell on Pearl Harbor. At present there is no need for the sudden appropriation of huge sums of money or to allow the Department of Defense to have discretion regarding how the money will be spent wisely. Therefore, why should the Congress now do what the Department of Defense requests? The United States is not now engaged in war. Why should the Congress provide that the Department of Defense may enter into contracts and amendments or modifications of contracts now existing, and may make advance payments, progress payments, and other payments thereon, without regard to the provisions of the laws which require competitive bidding and require publication and notice with respect to all expenditures?

The requirement to obey those laws is forgiven, because, in the second paragraph of page 2 of the report we find the following language:

The continuation of the effectiveness of these emergency powers has been and will continue to be of important assistance to the authorized departments and agencies of the Government in the prosecution of the national mobilization program.

EMERGENCY POWERS ARE NOT NEEDED NOW

What mobilization program is meant? Why is emergency power needed? We are not in an emergency. The Secretary of the Treasury appears before the Finance Committee and says that under his administration the national debt has been decreased. It has not been decreased. The chairman of that committee, the Senator from Virginia [Mr. BYRD], made it clear, in his interrogation of the Secretary of the Treasury, that the national debt is not being reduced. Why is it necessary to have emergency powers in current procurement activities?

I read now from the report:

Under the act, executive departments and agencies are empowered to amend or modify Government contracts without additional consideration.

The contract has been made. The consideration has been fixed. The Department of Defense may modify the contract, increasing it without additional consideration to the Government of the United States. How can we defend the handling of the financial affairs of the United States in such a loose and extravagant manner? I read again from the report:

Mistakes and ambiguities in contracts may be rectified, and indemnity payments may be guaranteed for otherwise noninsurable risks.

WE MUST EXAMINE CAREFULLY EXPENDITURES OF FUNDS

When the Defense Department comes before the Congress and asks for the continuation of emergency powers dealing with the expenditure of funds which are necessary, it compels us to examine closely the manner in which expenditures are made.

The report continues:

Title II was reactivated for the Korean emergency by the act of January 12, 1951.

WAR POWERS ACT WAS NOT IN FORCE BETWEEN WORLD WAR II AND KOREAN WAR

Notice the word "reactivated." That means that prior to the Korean emergency the War Powers Act had come to an end, but because we were engaged in another shooting emergency, title II was reactivated. Then the report proceeds:

In each Congress thereafter it has been extended. This legislation provides for a 1-year extension of the automatic termination date to June 30, 1958. Of course, in addition to the termination date, there remains the possibility of title II terminating at any time Congress by concurrent resolution or the President designates.

NO HEARING WAS HELD IN ACT EXTENSION

In the same report, there is a letter addressed to the Speaker of the House of Representatives, Mr. RAYBURN, by Mr. W. B. Franke, Acting Secretary of the Navy. There is a copy of the bill to amend the act of January 12, 1951, as amended. We find a letter from Mr. Joseph Campbell, Comptroller General of the United States, to the chairman of the House Judiciary Committee, Mr. CELLER. We find a letter from Wendell B. Barnes, Administrator of the General Services Administration, to the chairman of the House Committee on the Judiciary. We find another letter from the General Services Administration to the chairman of the House Committee on the Judiciary. All those letters are contained in the House report. They express no opposition to the extension of the act. But the significant thing is that no hearing was held by the Judiciary Committee of the House. Not a word of testimony was taken. Not a single question was asked by a Representative, and the extension of these emergency powers was approved in automatic fashion by the House of Representatives.

Mr. President, I ask unanimous consent that a copy of the report from which I have been reading be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

HÉBERT REPORT CITES WASTE AND EXTRAVAGANCE IN SPENDING

Mr. O'MAHONEY. I had scarcely read the report on the extension of the War Powers Act when all the New York and Washington Sunday papers carried the account of the report submitted by Representative F. EDWARD HÉBERT, of Louisiana, chairman of the Subcommittee for Special Investigations of the Committee on Armed Services of the House of Representatives. This is the same Representative HÉBERT who was head of one of the committees that made the studies which resulted in the adoption of what has been called the O'Mahoney rider in 1952, which has designed to bring about unification of the procurement services.

The Senator from Illinois [Mr. DOUGLAS] yesterday gave the Senate a very clear and extensive review of what has been reported to the Congress and the country by Representative HÉBERT's study. I shall not find it necessary to read further in extenso from the report, but there are several extracts which ought to be made a part of this RECORD.

I read from the first page of the study. It bears the page No. 639 in the subcommittee proceedings No. 3, under the authority of House Resolution 67. I recommend that every person who desires to have an understanding of how the money of the people is being expended wastefully and extravagantly secure a copy of this special report and read it with attention. I read this paragraph:

On December 16, 1950, President Truman declared a national emergency because of Korean hostilities. Thereupon the Secretary of Defense directed the military departments procure by "negotiation" without regard to the provisions of the act relating to advertised sealed bidding or the other 16 exceptions in the act. Hostilities in Korea were terminated on July 27, 1953. But the Presidential proclamation of a national emergency has not been modified or revoked.

PEOPLE'S MONEY IS STILL BEING SPENT WASTEFULLY

The authority under which these emergency powers were granted has not been modified or revoked, and the money of the people of the United States is still being spent in the extravagant but necessary way that Congress felt could not be avoided during World War II.

On the second page of this document appears a table, to which the Senator from Illinois alluded, and I think inserted in the RECORD, yesterday. This table is a comparison of procurement by negotiation versus advertised competitive bidding during the period January 1, 1956, through September 1956, by dollar value and number of contracts under the Armed Services Procurement Act of 1947.

OVER 90 PERCENT OF OUR MILITARY CONTRACTS WERE NEGOTIATED, NOT ADVERTISED, IN 1956

The negotiated contracts during that period from January 1 to September 30, 1956, amounted in dollar value to $12,716,085,000. The advertised contracts amounted to only $1,111,727,000. In other words, the percentage of negotiated contracts, by dollar volume, was 91.96 percent as compared to 8.04 percent for advertised contracts under the normal law of the Government of the United States.

By number of contracts in the same period, the negotiated contracts numbered 2,731,151, and the advertised contracts numbered only 214,136. In other words, by number 92.73 percent were negotiated contracts and only 7.27 percent were advertised contracts.

RESULT IS CONCENTRATION OF CONTRACTS IN FEW LARGE COMPANIES

Is it any wonder that there is a concentration of Government contracts in the hands of a comparatively small number of large companies? Is it any wonder that small companies are finding it difficult to get contracts?

The contracts are not advertised, and after they have been awarded they can be changed until the 30th of June 1958, when the extension of the War Powers Act will expire. It remains to be seen what Congress at this session will do about that extension.

RECOMMENDS THAT ACT NOT BE EXTENDED

For my part, I submitted my report to the chairman of the Committee on the Judiciary of the Senate and recommended that the act should not be extended. Perhaps I should read that letter into the RECORD at this point. It is addressed to the Honorable JAMES O. EASTLAND, and is dated July 1, 1957.

DEAR JIM: You will remember that on Friday last you requested me to look into the extension of title II of the First War Powers Act of 1941 which has passed the House and is now pending before the Judiciary Committee. Title II of the act is a broad delegation of authority to the President or any department or agency of the Government performing functions for the prosecution of the defense effort and should not, in my opinion, be approved by the Senate committee without a hearing.

By Executive Order No. 10210 of February 2, 1951 (16 F. R. 1049), the powers granted by the act were delegated to the Secretary of Defense. Paragraph 4 of this order recites that the Department may "amend or settle claims under contracts heretofore or hereafter made, * * * may make advance, progress, and other payments upon such contracts of any per centum of the contract price—"

I ask Senators to note the words "any per centum."

I continue to read the letter:

"and may enter into agreements with contractors or obligors, modifying or releasing accrued obligations of any sort."

This latter grant of power is so broad that it is defined in the Executive order so as to include "accrued liquidated damages or liability under surety or other bonds."

More than that, amendments and modifications of contracts may be made "with or without consideration."

Equally important is the fact that paragraph 5 of the Executive order provides that advertising, competitive bidding, and bid, payments, performance, or other bonds or other forms of security need not be required.

Imagine! The Defense Department demands continued authority to make contracts without any obligation to require security and performance bonds.

In a special report of the Subcommittee for Special Investigations of the House Committee on Armed Services, of which Congressman F. EDWARD HÉBERT, of Louisiana, is chairman, the charge is made that over 90 percent of the military business is now being conducted by secret negotiations without competitive bidding. It is stated that during 9 months of the year 1956 expenditures amounting to more than $5.3 billion were contracted on the basis of the Korean national emergency procurement of December 16, 1950, although this basis had been set aside by Armed Services Procurement Regulation 3–201.2 (b).

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Is the Senator able to state whether or not the figure cited, of ninety-some percent of the procurement by negotiation, is limited to the procurement of supplies and weapons systems, or whether it includes construction?

Mr. O'MAHONEY. I think it applies to all expenditures.

Mr. CASE of South Dakota. I doubt that it applies to construction. I know, in working on the military construction items, we had some discussion of that point.

Mr. O'MAHONEY. Let me read what the report of the House committee said on that very point. It is very important. I know only what I read in the reports of Senate and House committees, and in the newspapers, what I hear on the radio, and what I see on television. I was not there when the report was written.

Mr. CASE of South Dakota. A paragraph is carried in the annual military construction bill which is directly on this point.

Mr. O'MAHONEY. I wish to read exactly what the House committee said.

Mr. CASE of South Dakota. There are some exceptions provided for, and I should like to know if the exception clause is used to such an extent that 90 percent is accomplished without competitive bidding. I will be surprised if that is true.

Mr. O'MAHONEY. I will read from the summary and conclusions drawn by the House committee, from page 683 of the report I have already mentioned. This is the paragraph from which I took the language that I put into the letter to the Senator from Mississippi [Mr. EASTLAND]:

In 9 months of 1956, notwithstanding the Armed Services Procurement Regulation 3-201.2 (b), 38.94 percent of Department of Defense dollars amounting to $5,312,515,000 was contracted for, using as the legal basis the Korean national emergency proclamation of December 16, 1950. That was 84,410 contracts. This action was taken after the information given to the committee in January 1956.

I invite the Senator's attention to this language, from page 682:

We note that the Armed Services Procurement Act became effective in May 1948, and was suspended in December 1950. It had a little over 2 years of actual usage. Since the suspension and the directive of the Department of Defense of October 28, 1955, effective January 1, 1956, adherence to the language of the act was enjoined and simulated by regulation. The reports which we have published herein show that this regulation has been wholly ineffective, that it is in fact being flouted, and that still more than 90 percent of the purchases are accomplished almost in defiance of the act.

That is the 90 percent to which I referred in my letter to the chairman of the Judiciary Committee, and it obviously relates to purchases, and probably does not involve construction.

I note that under the heading "table A" there is a table entitled "Construction Program, 2304 (c) Included," which lists the Corps of Engineers and the Bureau of Yards and Docks of the Navy. The table refers to construction. I am happy to be able to say to the Senator that, so far as the construction program is concerned, the negotiated contracts for both services amount to 28.67 percent, and the number of advertised contracts for construction to 71.33 percent. So while, with respect to purchases, the 90 percent plus figure applies, it does not apply with respect to construction.

However, I submit that when 28.67 percent of the construction program for both the Army and Navy is carried on by negotiated bids, there is reason for concern by the Congress. The amendment which I am offering, however, does not refer to construction. It refers to the procurement of items of common need in all the services of the Department of Defense.

Mr. CASE of South Dakota. I think a useful purpose has been served by having this point clarified.

Mr. O'MAHONEY. I think so.

Mr. CASE of South Dakota. I agree with the Senator that even if 28 percent of the contracts for construction are accomplished by negotiation, that, of itself, warrants concern. I mention the matter at this time because I note the presence in the Chamber of the chairman of the subcommittee, the distinguished Senator from Mississippi [Mr. STENNIS]. As he knows, yesterday afternoon when we were going over certain provisions in the military construction bill, we discussed this particular point. We were wondering if the language should not be tightened in order to restrict the exceptions which have been permitted under statutory law.

Mr. O'MAHONEY. I am glad the Senator has addressed these questions to me, because I think it is important that the committee should consider this subject.

Mr. CASE of South Dakota. I would have been shocked if the 90-percent figure could have been applied to construction.

Mr. O'MAHONEY. But is it not shocking that the figure of 90-percent plus is the figure for procurement of common use items?

Mr. CASE of South Dakota. It is certainly far too high. I hope the appropriate subcommittee of the Armed Services Committee will go into the subject, just as our subcommittee has gone into the subject of construction.

Mr. O'MAHONEY. I have been hoping that the Appropriations Committee, first, and then the Senate, would adopt my amendment, so that there would be opportunity to go into the subject now instead of later.

Mr. CASE of South Dakota. I think it is understandable that there may be certain instances in which we are dealing with construction, such as the Dew Line, or similar construction in a foreign country, with respect to which it might be found that negotiation would be the only way a contract could be accomplished. Even in that field, speaking on the basis of my own personal studies of this subject, going back to 1953, when our subcommittee inspected certain construction overseas, we thought there had been entirely too much negotiation of contracts.

Mr. O'MAHONEY. I know by experience how diligent the Senator from South Dakota has been in the examination of requests from the Department of Defense for appropriations.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the distinguished Senator from Mississippi.

Mr. STENNIS. Concerning the question raised by the distinguished Senator from South Dakota [Mr. CASE], with reference to military construction and whether or not there were competitive bids, let me say that we have before our subcommittee certain figures which were furnished quite recently by the Assistant Secretary of Defense, Mr. Bryant. I know that the figures were carefully collected, and I feel that they are correct.

Mr. Bryant made the statement in our hearing that, as of December 31, 1956, for the preceding calendar year contracts had been let for military construction totaling $1,169,066,300. We were informed that contracts representing 93 percent of that sum were formally let on competitive bids.

As the Senator from South Dakota has said, there is in the military construction bill a section providing that construction contracts must be let by competitive bids. That provision was carried in the bill last year, and it will be in the bill which will be presented in a few days.

There is also included the qualifying language "wherever practicable." We have been checking that feature since this subject was under discussion yesterday afternoon. I am told that that language covers only projects which, for security reasons, are on a secret basis, and that otherwise competitive bidding is used.

I furnish that information for the benefit of the Senator from Wyoming and the information of the Senate. I do not believe that the figures which I have given coincide with others which have been quoted. However, this information comes from the Assistant Secretary of Defense, and it covers construction. The information was given in his recent appearance before our committee.

Mr. O'MAHONEY. The figures which the Senator from Mississippi has just given, as he says, do not apply to the same period mentioned in the House committee report. In this report construction contracts issued during the 9-month period in 1956, from the first of January of that year to the end of September, amounted to $1,385,220,000 for the Corps of Engineers, and $510,859,000 for the Bureau of Yards and Docks of the Navy.

For the Corps of Engineers the percentages were 25.99 percent by negotiation, and 74.01 percent by advertising for bids. For the Navy, Bureau of Yards and Docks, 35.92 percent by negotiation, and 64.08 percent by advertising for bids. Again I call attention to the fact that the amendment which is now before the Senate does not deal with construction, but with procurement.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am glad to yield.

Mr. CASE of South Dakota. Do those percentages apply to numbers of contracts or to dollar values?

Mr. O'MAHONEY. I gave both. I gave the percentages as to dollar value and as to numbers of contracts.

Before the Senator came on the floor I read the percentages by number of contracts. These appear on page 641 of the report of the Subcommittee for Special Investigations of the House. I recommend a copy of the report to the Senator. The total number of contracts issued during this period, the same 9-month period, was 2,945,287.

Negotiated were 2,731,151; advertised were only 214,136, a percentage of 92.73 percent for the negotiated contracts, and only 7.27 percent for the advertised contracts.

Mr. CASE of South Dakota. Of course, the Senator, in using the 90-percent figure, is going back to procurement purchases.

Mr. O'MAHONEY. Oh, yes; of course.

Mr. CASE of South Dakota. And the Senator is not dealing with construction.

Mr. O'MAHONEY. Oh, yes. In the same tables are figures for the construction program. There the total percentage for construction was 73.02 percent, for both the Army and the Navy, by negotiation, and the advertised portion was 26.98 percent.

The Senator will note that there is a great difference between what the Corps of Engineers was doing and what the Bureau of Yards and Docks of the Navy was doing. With respect to the Corps of Engineers, 76.67 percent of their contracts were negotiated, and only 23.33 percent were advertised; whereas, with respect to the Navy, 22.24 percent were negotiated, and 77.76 percent were advertised.

Mr. CASE of South Dakota. I suppose, to follow that situation through, we ought to have a hearing at which the representatives would go into the nature of those contracts. The Bureau of Yards and Docks does have the responsibility of the construction for the Air Force in Spain. Normally our overseas construction has been done by the Corps of Army Engineers. However, following the experience we had in Africa, which was brought to the attention of the Senate in 1953, the Bureau of Yards and Docks of the Navy have been given the responsibility for the construction jobs in Spain.

NEGOTIATION IS NOT WAY TO TRANSACT PUBLIC BUSINESS

Mr. O'MAHONEY. I am not discussing the construction. I am discussing procurement. I wish to read from page 353 of the report a very interesting comment of the House subcommittee:

The Deputy Director of Procurement for the Air Force calls negotiation "an art," where meaning may be "conveyed by the blinking of an eye or the shading of a statement."

That is not the way—

Says the committee—

to transact the public business. We condemn excessive use of negotiation. We condemn it as a breeding place for suspicion and fraud. We condemn it as a shield for mischief. We accept it only when no other course is possible in order to make certain that which was before uncertain.

I do not believe anyone can disagree with that effective statement of the House special investigations committee.

Mr. CASE of South Dakota. I wish to associate myself with the Senator from Wyoming in saying that I am sure no Member of Congress defends negotiation where the obtaining of a bid is possible and practical.

Mr. THYE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. THYE. I, too, wish to be very emphatic in my statement that I do not condone entering into contracts by negotiation if competitive bids can be called for. I have always had the impression that the military operated under competitive bid system in all instances——

Mr. O'MAHONEY. The Senator sees the record now and realizes that that is not the case.

Mr. THYE. Yes. It has been my understanding that these contracts have always been subject to bids, unless it was a classified construction or something that involved classified matter.

NEGOTIATION HAS BECOME SUBSTITUTE FOR COMPETITIVE ADVERTISING BIDS

Mr. O'MAHONEY. I regret to say that the investigating subcommittee of the House has not come to that conclusion. It has come to the completely contrary conclusion, that purchasing is going on under the emergency proclamation made specifically for the Korean emergency, although the emergency does not exist, and that negotiation of construction and purchases has by far become a substitute for competitive advertising bids.

On page 683 the subcommittee stated:

We call attention to the power delegated to Congress by the Constitution in section 8 of article I: "To make Rules for the Government and Regulation of the land and naval Forces;"

Yet, today, there is in fact no law specifically dealing with the method of purchasing by the military departments as intended by the Congress when it passed the Armed Services Procurement Act of 1947.

HOUSE COMMITTEE UNANIMOUS IN REPORTING WASTEFUL PROCEDURES

That is the record before us. That is the reason why I have ventured to take the time of the Senate this afternoon to urge consideration of the amendment. It is a matter of paramount importance. We talk about balancing the budget. We talk about saving the money of the taxpayers. We talk about our desire to be careful in the use of the funds that belong to the people of the United States. Yet the cold facts before us are indisputable, with no contrary views by any minority of the committee. The whole committee joined in the report. Let me read the names of the members of the committee. There are no minority views. The Subcommittee for Special Investigations consisted of F. EDWARD HÉBERT, Louisiana, chairman; OVERTON BROOKS, Louisiana; L. MENDEL RIVERS, South Carolina; O. C. FISHER, Texas; PORTER HARDY, JR., Virginia; GEORGE P. MILLER, California; WILLIAM E. HESS, Ohio; LEON H. GAVIN, Pennsylvania; PAUL CUNNINGHAM, Iowa; WILLIAM H. BATES, Massachusetts; FRANK C. OSMERS, JR., New Jersey; ex officio, CARL VINSON, Georgia, and LESLIE C. ARENDS, Illinois.

UNIFORM REGULATIONS FOR PROCUREMENT NEEDED

On page 690, we find this quotation:

In the course of this report, we have had occasion to comment upon the variety of regulations, instructions, and directives issued for the guidance of contracting officers. The Department of Defense, we feel, was charged with introducing harmony and consistency into the national defense system. Without laboring the point, it is our belief that the Secretary of Defense must, by law, be directed to undertake the establishment of uniform regulations dealing with the whole subject of procurement, and eliminate the confusing, overlapping, and unnecessary departmental directives, instructions, and regulations in so many fields.

AMENDMENT CALLS FOR FULLY INTEGRATED SUPPLY SYSTEM

That is precisely what the amendment offered by the Senator from Illinois [Mr. DOUGLAS], the Senator from Colorado [Mr. CARROLL], and myself would do. It would provide the following objectives.

The PRESIDING OFFICER. Does the Senator from Wyoming desire to call up his amendment?

Mr. O'MAHONEY. In a moment.

First, the amendment directs the Secretary of Defense to take action to achieve economy, efficiency, and effectiveness in the noncombatant areas within and among the agencies of the Department of Defense.

Second, the Secretary of Defense is given the authority to organize and reorganize the noncombat functions and operations so as to accomplish the purposes of the act.

Third, the Secretary is authorized to transfer such property, records, personnel, and funds, and so forth, as may be required to accomplish the purposes of the act. For example, the various stock fund operations may be merged where they duplicate or overlap.

Fourth, subsection (b) of the amendment deals specifically with the supply management area and is an expansion of my original amendment. It calls for a fully integrated supply system and requires the President to submit his recommendations to this effect to Congress within 180 days after the enactment of the act.

The proposal calls for a civilian-managed agency to be under the direction of the Secretary of Defense. The agency will not be a fourth department as such; it will serve all departments and should be in the Office of the Secretary of Defense and be responsive to the Secretary of Defense for supply and logistics.

PREFERMENT GIVEN TO BLACKLISTED CONTRACTOR

That, Mr. President, is the purpose of the amendment. I wish, however, to call attention to a statement which was issued by the able and distinguished senior Senator from Arkansas [Mr. MCCLELLAN], who is the chairman of the Permanent Subcommittee on Investigations, and also the chairman of the Committee on Government Operations. This is an extraordinary revelation of preferment given to a blacklisted contractor. I am reading, now, the words of the Senator from Arkansas in the release which he issued for Sunday morning, June 30, 1957:

The staff of the Senate Permanent Subcommittee on Investigations has made a preliminary inquiry concerning the sale of demilitarized surplus combat vehicles by the Army to the United Auto Parts Co., Inc., of Kansas City, Mo., and its affiliate, the Texarkana Truck Parts Co., Texarkana, Tex., and the subsequent resale of those vehicles, remilitarized, to the Government of France by the purchaser at an exorbitant profit.

In the spring of 1954, United Auto Parts Co., Inc., and its affiliate, Texarkana Truck Parts Co., purchased 379 of these surplus armored cars from the Army Ordnance at the Red River Arsenal, at Texarkana, Tex. They paid an average price of $375 per vehicle. At the time of the purchase of these vehicles, certain demilitarization provisions, as well as certain scrap warranties were stipulated in the contract of sale. The Army did in fact cut out a piece of the turret and remove part of the armor plate from these cars. United Auto Parts Co., Inc., rebuilt these light armored cars to military specifications despite the provisions in the contract. They then sold 350 rebuilt combat vehicles to the French Government at the average price of $3,675 per vehicle. They thus realized a total income of $1,286,250 from this sale to France. The original purchase price from the Army was approximately $140,000.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. DOUGLAS. The Senator from Wyoming has just read some shocking and scandalous figures.

Mr. O'MAHONEY. On the authority of the Senator from Arkansas [Mr. McCLELLAN].

Mr. DOUGLAS. If France needed those vehicles, as I assume France did, why should not those orders have been placed with the United States Government and the armored cars sent directly to France under military aid and mutual security?

Mr. O'MAHONEY. We have a law on the statute books providing for mutual security and providing for military grants and military aid. Of course it could be done. The Senate has already passed a new authorization bill for the same purpose. The House is about to act upon it. Of course it could be done. But instead of doing so, it appears from the rest of the statement that these contractors, who had been blacklisted because of a former performance——

Mr. DOUGLAS. That is, blacklisted by whom?

Mr. O'MAHONEY. By the Army.

Mr. DOUGLAS. And then the Army sold the cars to the contractor at a price of a little more than $300 a car, and the contractor immediately sold them to France for over $3,000 a car.

Mr. O'MAHONEY. The sales price to France was $3,576 each. The price at which the Government of the United States sold the cars to the United Auto Parts Co. Inc., was $375 a vehicle.

Mr. DOUGLAS. Does the Committee on Government Operations indicate who authorized that sale?

Mr. O'MAHONEY. The statement does not appear to contain that information. The concluding paragraph reads as follows:

As a result of the aforementioned transactions, many questions have arisen, the answers to which this subcommittee seeks. However, during the course of our preliminary inquiry, a civil complaint was filed by the Department of Justice in the United States District Court for the Western District of Missouri against United Auto Parts Co., Inc., and certain of its officers to recover double damages of $1,172,741.50 in connection with the sale of these particular remilitarized armored cars to France. This civil action embraces in essence the matters I have related. The subcommittee, not wishing to interfere with this action brought by the executive branch of the Government, has deferred its investigation until such time as the civil suit filed by the Department of Justice has been resolved.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am glad to yield.

Mr. DOUGLAS. Must not the Army, when it sold the armored cars to this company, have known that the cars would be purchased only for resale? One does not buy armored cars in such quantities as this for domestic use. It was military equipment; is not that correct?

Mr. O'MAHONEY. I think it was the suspicion of the committee that that was known to the Department of the Army when the cars were declared surplus.

Mr. DOUGLAS. But instead of the cars being sold or given directly to our ally under mutual security, they were sold to a dealer who had been blacklisted for improper dealings with the Government, and the company resold them for ten times the purchase price and made more than a million dollars profit.

Mr. O'MAHONEY. Let me read to the Senator another paragraph from the statement:

In the fall of 1954, United Auto Parts Co., Inc., was placed on the suspended bidders list by the Department of the Army for a totally unrelated transaction. Since that time, all of its affiliates, including American Auto Parts Co., have been placed on the suspended list.

In the spring of 1956, application was made by the French Government for an export license to ship 350 of these remilitarized vehicles to Algiers, Algeria. The Department of Defense objected to granting of this license because United Auto Parts Co., Inc., had acquired these cars in a demilitarized state and rearming them would be contrary to the Department of Defense and Department of the Army directives.

Now listen to this:

STATE DEPARTMENT KNEW WHAT WAS GOING ON

The State Department at this time was well aware that this company was the seller of the cars to France and was on the suspended list. The Defense Department, at the specific request of the Department of State, removed its objection and the cars were shipped to Algeria.

In 1955, despite the fact that they were on the Army's suspended bidders list, United Auto Parts Co., Inc., was successfully awarded two contracts for miscellaneous truck parts by the Army at Red River Arsenal, Texarkana, Tex.

Mr. President, I ask unanimous consent that the entire statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SENATOR MCCLELLAN'S STATEMENT

Senator JOHN L. MCCLELLAN (Democrat, of Arkansas) chairman of the Senate Permanent, Subcommittee on Investigations, announced:

"The staff of the Senate Permanent Subcommittee on Investigations has made a preliminary inquiry concerning the sale of demilitarized surplus combat vehicles by the Army to the United Auto Parts Co., Inc., Kansas City, Mo., and its affiliate, the Texarkana Truck Parts Co., Texarkana, Tex., and the subsequent resale of these vehicles, remilitarized, to the Government of France by the purchaser at an exorbitant profit.

"In the spring of 1954, United Auto Parts Co., Inc., and its affiliate, Texarkana Truck Parts Co., purchased 379 of these surplus armored cars from the Army Ordnance at the Red River Arsenal at Texarkana, Tex. They paid an average price of $375 per vehicle. At the time of the purchase of these vehicles, certain demilitarization provisions, as well as certain scrap warranties, were stipulated in the contract of sale. The Army did in fact cut out a piece of the turret and remove part of the armor plate from these cars. United Auto Parts Co., Inc., rebuilt these light armored cars to military specifications despite the provisions in the contract. They then sold 350 rebuilt combat vehicles to the French Government at the average price of $3,675 per vehicle. They thus realized a total income of $1,286,250 from this sale to France. The original purchase price from the Army was approximately $140,000.

"In the fall of 1954, United Auto Parts Co., Inc., was placed on the suspended bidders list by the Department of the Army for a totally unrelated transaction. Since that time, all of its affiliates, including American Auto Parts Co., have been placed on the suspended list.

"In the spring of 1956, application was made by the French Government for an export license to ship 350 of these remilitarized vehicles to Algiers, Algeria. The Department of Defense objected to granting of this license because United Auto Parts Co., Inc., had acquired these cars in a demilitarized state and rearming them would be contrary to the Department of Defense and Department of the Army directives. The State Department at this time was well aware that this company was the seller of the cars to France and was on the suspended list. The Defense Department, at the specific request of the Department of State, removed its objection and the cars were shipped to Algeria.

"In 1955, despite the fact that they were on the Army's suspended bidders list, United Auto Parts Co., Inc., was successfully awarded two contracts for miscellaneous truck parts by the Army at Red River Arsenal, Texarkana, Tex.

"On July 6, 1956, while on this suspended bidders list, American Auto Parts Co., an affiliate of United Auto Parts Co., Inc., was awarded a contract by General Services Administration for the purchase of a surplus armorplate plant at Gary, Ind. The amount of this transaction was $3,260,000.

"In July 1956, the manager of Texarkana Truck Parts Co., realizing his firm was on the suspended bidders list, sent his secretary to Red River Arsenal to submit a bid in her own name. The secretary was successful in purchasing two trucks which were paid for by the Texarkana Truck Parts Co.

"As a result of the aforementioned transactions, many questions have arisen, the answers to which this subcommittee seeks. However, during the course of our preliminary inquiry, a civil complaint was filed by the Department of Justice in the United States District Court for the Western District of Missouri against United Auto Parts Co., Inc., and certain of its officers to recover double damages of $1,172,741.50 in connection with the sale of these particular remilitarized armored cars to France. This civil action embraces in essence the matters I have related. The subcommittee, not wishing to interfere with this action brought by the executive branch of the Government, has deferred its investigation until such time as the civil suit filed by the Department of Justice has been resolved."

Mr. DOUGLAS. Mr. President, I am sure that the Senator from Wyoming agrees with me that apparently this is one of the most scandalous transactions of which American history has record.

SUCH SCANDALOUS TRANSACTIONS RESULT FROM NEGOTIATING PROCEDURE

Mr. O'MAHONEY. It is amazing beyond belief. But this is the sort of thing which occurs under the shield of secrecy which is afforded by the practice of negotiating contracts, instead of letting contracts openly, by competitive bidding, as the law requires. I am amazed at what has been revealed to me.

I say to the Senate this afternoon I have produced evidence regarding the request of the Department of Defense for an extension for another year of the provisions of title II of the First War Powers Act of 1941. Certainly there is no reason to do that except to provide the right to award negotiated contracts and to amend such contracts and to waive liquidated damages.

Mr. DOUGLAS. I hope the Senator from Wyoming will use his great influence both in the Judiciary Committee and in the Senate to prevent the extension of that act, thus preventing granting authority to negotiate contracts.

Mr. O'MAHONEY. I have already made that recommendation to the chairman of the Judiciary Committee. In that connection, Mr. President, I ask unanimous consent that my letter to him be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 1, 1957.

The Honorable JAMES O. EASTLAND,
Chairman, Judiciary Committee, United States Senate, Washington, D. C.

DEAR JIM: You will remember that on Friday last you requested me to look into the extension of title II of the First War Powers Act of 1941 which has passed the House and is now pending before the Judiciary Committee. Title II of the act is a broad delegation of authority to the President or any department or agency of the Government performing functions for the prosecution of the defense effort and should not, in my opinion, be approved by the Senate committee without a hearing.

By Executive Order No. 10210 of February 2, 1951 (16 F. R. 1049) the powers granted by the act were delegated to the Secretary of Defense. Paragraph 4 of this order recites that the Department may "amend or settle claims under contracts heretofore or hereafter made * * * may make advances, progress, and other payments upon such contracts of any percent of the contract price * * * and may enter into agreements with contractors or obligors, modifying or releasing accrued obligations of any sort."

This latter grant of power is so broad that it is defined in the Executive order so as to include "accrued liquidated damages or liability under surety or other bonds."

More than that, amendments and modifications of contracts may be made "with or without consideration."

Equally important is the fact that paragraph 5 of the Executive order provides that advertising, competitive bidding, and bid, payments, performance, of other bonds or other forms of security need not be required.

In a special report of the Subcommittee for Special Investigations of the House Committee on Armed Services, of which Congressman F. EDWARD HÉBERT, of Louisiana, is chairman, the charge is made that over 90 percent of the military business is now being conducted by secret negotiations without competitive bidding. It is stated that during 9 months of the year 1956 expenditures amounting to more than $5.3 billion were contracted on the basis of the Korean national emergency procurement of December 16, 1950, although this basis had been set aside by armed services procurement regulation 3-201.2 (b).

It would appear by this report that under the cover of secrecy favored contractors may be receiving substantial awards without competitive bidding which, of course, results in excluding many contractors from participation in the awards of the Department of Defense.

In the light of the report of the Subcommittee for Special Investigations of the House Armed Services Committee and in the light of the fact that no hearings were held in the Judiciary Committee of the House on the bill extending title II of the First War Powers Act of 1941, I most earnestly recommend that no action be taken by the Senate Judiciary Committee without hearings.

Sincerely yours,

JOSEPH C. O'MAHONEY.

EVIDENCE POINTS TO NEED FOR AMENDMENT

Mr. O'MAHONEY. Mr. President, I have called attention to the three items of solid proof of waste, extravagance, and recklessness in the handling of the property and the money of the people of the United States: First, in connection with the request for the extension of title II of the War Powers Emergency Act, when there is no emergency of such a character as would authorize the extension of those powers; and, second, I have called attention to the report of the special investigating committee of the House Armed Services Committee, on the waste in the procurement activities of the Department of Defense and the terrific favoritism which is extended in connection with the negotiation of contracts, instead of having the contracts subject to competitive bidding; and, finally, I have submitted the statement of the chairman of the Government Operations Committee with respect to the sale of military trucks to a purchaser who is on the suspended list, and who, after purchasing the trucks for $375 each, sold them to the Government of France for $3,675 each, after doing some work upon them.

Mr. President, it seems to me that this evidence makes it conclusive that the Senator who is in charge of the bill should at least take the amendment to conference.

FORMER PRESIDENT HOOVER ENDORSES AMENDMENT

I now walk amiably over to the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], the acting minority leader. He is a member of the Appropriations Committee, and he is also a member of the Armed Services Committee. In my experience when I was a member of the Armed Services Committee, he was a diligent member of that committee, in seeking to save money for the people of the United States. I beg him now to join with the Hoover Commission in recommending the taking of the action I now propose. I now stand on the Republican side of the aisle. Mr. Hoover, who was once a Republican President, would, if he were a Member of the Senate, stand on this side of the aisle; and I tender to the Senator from Massachusetts the request of Herbert Hoover, formerly President of the United States, to do something about the enactment of this amendment.

SUPPORT COMES FROM INDUSTRY, BUSINESS, THE MILITARY, AND PROFESSIONS

I should like to read to the Members of the Senate from the list of persons who have endorsed this proposed legislation. It has awakened a great deal of interest on the part of persons who should know about this matter. This is a list of industrialists, business, military, and professional men from the membership of the task forces of the Hoover Commission who support a separate, integrated supply system for the Department of Defense, under civilian control, and reporting to the Secretary of Defense. That is what I propose. I now read from the list:

Joseph P. Binns, New York, executive; colonel, Army Air Force in World War II; chief of supply and service, ATC of the Army Air Force in Europe; now vice president, Hilton Hotels Corp.

George C. Brainard, Cleveland, Ohio, executive; served with Army Ordnance department in both world wars; later with Office of Production Management and War Production Board; now chairman of the executive committee, Addressograph-Multigraph Corp.

Howard Bruce, Baltimore, director of materiel, Army Service Forces, World War II; Deputy Administrator, Economic Cooperation Administration, chairman of the board, Worthington Corp., New York.

Michael DeBakey, Houston, Tex., surgeon; formerly surgeon in chief, Jefferson Davis Hospital and Methodist Hospital, Houston; consultant to Veterans' Administration; colonel, Medical Corps, United States Army, World War II, now chairman, department of surgery, Baylor University, College of Medicine.

Frank M. Folsom, New York, executive; formerly vice president and director, Montgomery Ward & Co.; during World War II served as member of National Defense Council and as special assistant to the Under Secretary of the Navy; formerly president and now chairman of the executive committee, Radio Corporation of America.

Paul Grady, New York, certified public accountant; served on various committees of the American Institute of Accountants; during World War II served in Navy Department in development of the Navy's Cost Inspection Service; now partner in firm of Price Waterhouse & Co.

Leroy D. Greene, Bethlehem, Pa.; executive; formerly with Bethlehem Steel Co.; member of Somervell mission to Europe on disposition of war scrap; also member of ECA missions in 1948 and 1949 looking into disposition of German scrap; consultant to Office of Defense Mobilization.

Joseph B. Hall, Cincinnati, Ohio; executive; member, Business Advisory Council, Department of Commerce; former chairman, Commercial Activities Advisory Committee on Fiscal Organization and Procedures, Department of Defense; now president of the Kroger Co.

Clifford E. Hicks, New York, civil engineer; former member, Munitions Board Storage and Handling Industry Advisory Committee. Now president, New York Dock Co. and New York Dock Railway.

Charles R. Hook, Middletown, Ohio, executive; chairman, ARMCO Steel Corp. Served in Department of Defense and other Government activities during World War II; member, Business Advisory Council, Department of Commerce.

Mervin J. Kelly, Short Mills, N. J., research engineer; formerly physicist with Western Electric Co.; served on various governmental committees; formerly physicist, now president, Bell Telephone Laboratories.

Arthur F. King, San Francisco, Calif., publisher; formerly with McGraw-Hill Publishing Co.; now president, King Publications.

John R. Lotz, New York, executive; former chairman of board, Stone & Webster Engineering Corp.; Industrial Advisory Committee for revision of reparations and dismantling plants in Germany; retained by Secretary of War to report on impact and reparations on Japan, and by Government of Iran to study necessity for and implementation of its 7-year development plan.

George Houk Mead, Dayton, Ohio, executive; member and chairman, Business Advisory Council, Department of Commerce; various Government boards and commissions during World War II; member, first Hoover Commission; now chairman of the board, Mead Corp.

Ben Moreell, Pittsburgh, Pa., civil engineer. Admiral United States Navy (retired); served in Navy from 1917 to 1947; during World War II, chief, Bureau of Yards and Docks, and employed in many other Government activities; now chairman of the board, Jones & Laughlin Steel Corp.

Mr. President, I shall not read further from the list; instead, I ask unanimous

consent that the entire list of these persons, who have endorsed this amendment, be printed at this point in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

INDUSTRIALISTS, BUSINESS, MILITARY, AND PROFESSIONAL MEN FROM THE MEMBERSHIP OF THE TASK FORCES OF THE HOOVER COMMISSION WHO SUPPORTED A SEPARATE INTEGRATED SUPPLY SYSTEM FOR THE DEPARTMENT OF DEFENSE—UNDER CIVILIAN CONTROL AND REPORTING TO THE SECRETARY OF DEFENSE

Joseph P. Binna,[1] New York, executive; colonel, Army Air Force in World War II; Chief of Supply and Service, ATC of the Army Air Force in Europe; now vice president, Hilton Hotels, Corp.

George C. Brainard, Cleveland, Ohio; executive; served with Army Ordnance Department in both World Wars; later with Office of Production Management and War Production Board; now chairman of the executive committee, Addressograph-Multigraph Corp.

Howard Bruce, Baltimore, director of materiel, Army Service Forces, World War II; Deputy Administrator, Economic Cooperation Administration; chairman of the board, Worthington Corp, New York.

Michael DeBakey, Houston, Tex., surgeon; formerly surgeon-in-chief, Jefferson Davis Hospital and Methodist Hospital, Houston; consultant to Veterans' Administration; colonel, Medical Corps, United States Army, World War II; now chairman, Department of Surgery, Baylor University, College of Medicine.

Frank M. Folsom, New York, executive; formerly vice president and director, Montgomery Ward & Co.; during World War II served as member of National Defense Council and as special Assistant to the Under Secretary of the Navy; formerly president and now chairman of the executive committee, Radio Corporation of America.

Paul Grady,[1] New York, certified public accountant; served on various committees of the American Institute of Accountants; during World War II served in Navy Department in development of the Navy's Cost Inspection Service; now partner in firm of Price Waterhouse & Co.

Leroy D. Greene, Bethlehem, Pa., executive; formerly with Bethlehem Steel Co.; member of Somervell Mission to Europe on disposition of war scrap; also member of ECA missions in 1948 and 1949 looking into disposition of German scrap; consultant to Office of Defense Mobilization.

Joseph B. Hall,[1] Cincinnati, Ohio, executive; member, Business Advisory Council, Department of Commerce; former Chairman, Commercial Activities Advisory Committee on Fiscal Organization and Procedures, Department of Defense; now president of the Kroger Co.

Clifford E. Hicks, New York, civil engineer; former member, Munitions Board Storage and Handling Industry Advisory Committee; now president, New York Dock Co., and New York Dock Railway.

Charles R. Hook,[1] Middletown, Ohio, executive; chairman, ARMCO Steel Corp.; served in Department of Defense and other Government activities during World War II; member, Business Advisory Council, Department of Commerce.

Mervin J. Kelly,[1] Short Hills, N. J., research engineer; formerly physicist with Western Electric Co.; served on various governmental committees; formerly physicist, now president, Bell Telephone Laboratories.

Arthur F. King, San Francisco, Calif., publisher; formerly with McGraw-Hill Publishing Co.; now president, King Publications.

[1] Task force chairman, second Hoover Commission.

John R. Lotz,[1] New York, executive; former chairman of board, Stone & Webster Engineering Corp.; Industrial Advisory Committee for revision of reparations and dismantling plants in Germany; retained by Secretary of War to report on impact of reparations on Japan, and by Government of Iran to study necessity for and implementation of its 7-year development plan.

George Houk Mead, Dayton, Ohio, executive; member and Chairman, Business Advisory Council, Department of Commerce; various Government boards and commissions during World War II; member, first Hoover Commission; now chairman of the board, Mead Corp.

Ben Moreell,[1] Pittsburgh, Pa., civil engineer; admiral United States Navy (retired); served in Navy from 1917 to 1947; during World War II, Chief, Bureau of Yards and Docks, and employed in many other Government activities; now chairman of the board, Jones & Laughlin Steel Corp.

Frank H. Neely, Atlanta, Ga., formerly with Westinghouse Electric & Manufacturing Co.; now chairman of the board of Rich's in Atlanta; chairman, Federal Reserve Bank of Atlanta.

Willard S. Paul, lieutenant general United States Army (retired); served in World War I; later Adjutant General's Department; World War II, commander 26th Infantry Division; Deputy Chief of Staff, European theater; assistant Chief of Staff, Director Personnel, General Staff; now president, Gettysburg College.

Thomas R. Reid,[1] executive; presently director of civic affairs, Ford Motor Co.; former Chairman, Surplus Manpower Committee, Office of Defense Mobilization.

Franz Schneider, New York, executive; formerly financial editor of New York Post. Served in the Army during World War I; was Deputy Administrator of War Shipping Administration during World War II; special advisor to the Director of the Office of War Mobilization. Now executive vice president of Newmont Mining Corp.

Perry M. Shoemaker,[1] Summit, N. J., railroad executive; with Pennsylvania, Erie and New Haven Railroads until 1941; now president, Lackawanna Railroad.

J. Harold Stewart,[1] Boston, Mass., certified public accountant; past president of Massachusetts Society of Certified Public Accountants and of American Institute of Accountants; during World War II, Chairman, Committee on Cost Principles, Joint Contract Termination Board, and later Assistant Director, Office of Contract Settlement.

Robert W. Wolcott,[1] Paoli, Pa., manufacturer; president, Lukens Steel Co., 1925–49; now, chairman of the board; director, American Iron & Steel Institute; member of the Industrial Committee, Iron and Steel Division, War Production Board, and also liaison representative, Department of Commerce during World War II.

Robert E. Wood,[1] Chicago, Ill., executive; director of Panama Railway and Chief Quartermaster General of the Army in construction of the Panamal Canal, 1905–15; Acting Quartermaster General, United States Army, during World War I; until recently, chairman of the board, Sears, Roebuck & Co.

Mr. LAUSCHE. Mr. President, will the Senator from Wyoming yield to me?

The PRESIDING OFFICER (Mr. COTTON in the chair). Does the Senator from Wyoming yield to the Senator from Ohio?

Mr. O'MAHONEY. I yield.

Mr. LAUSCHE. I wish to commend the Senator from Wyoming for his very forceful presentation of the various reasons why a reformation should be made in the purchasing program of the defense agencies of the United States.

I listened with interest to the names the Senator from Wyoming read from the list he held in his hand. The name of Charles Hook, president of Armco Steel Corporation, was mentioned. I think it is very significant that he has given his support to the recommendation of the Hoover Commission. May I point out that Charles Hook, of Ohio, was one of the leaders in the provision of funds for Members on the other side of the aisle who were running for election at the last election. I have in my hand a telegram from a Mr. Shoemaker, and I shall read it:

> This afternoon Senate will be considering amendment by O'MAHONEY to defense appropriation act, which would have the effect of encouraging integration of supply organizations under a plan presented by the President. This would be an encouraging step toward economy without affecting security. I urge your favorable support.
>
> (Signed) P. M. SHOEMAKER,
> *Vice Chairman of the Committee of Hoover Commission Task Force Members.*

I do not think it would be amiss if I mention to my colleagues that one of the cries throughout the country a few years ago, with tremendous applause being given to the effort everywhere, was that raised by those who wanted economy in Government that the recommendations of the Hoover Commission be adopted.

I attended a meeting in Cleveland at which former President Hoover spoke. That meeting had in attendance persons who did not subscribe to what was being done by the administration which was then in power, but wanted economy in Government. I was there as a sort of intruder, but I listened to the argument, and I subscribed to it. There had to be reformations made, and the proposal of the distinguished Senator deals with out of those recommendations.

If I may say a further word, I listened to the fine presentation made by the Senator from Illinois [Mr. DOUGLAS] yesterday, and I should like to add something to it. In the purchasing of material by Government, not only is honesty required, but, over and above that, there must be maintained an atmosphere of unimpeachability. Government purchases must be above reproach. It is not enough that there merely be honesty. Every circumstance which leads to suspicion must be removed.

May I ask my distinguished colleagues, Why has there been adopted a universal program throughout the 48 States, throughout every municipality in the country, requiring that the government be foreadvised, that there shall be advertising for competitive bids, and that the award shall be made to the lowest and best bidder? I humbly submit that is the distillate of many years of experience in Government, and out of it has come the declaration that any purchase made by the government must be under public competitive bidding.

Mr. O'MAHONEY. Purchases must be under public scrutiny all the time, or else the danger of corruption enters.

Mr. LAUSCHE. And it does enter. I need not mention to my colleagues who

[1] Task force chairman, second Hoover Commission.

are present the tremendous forces that operate upon purchasing agents. There are political bosses, there are contributors to political campaigns, there are friends of purchasing agents. Then we have purchasing agents who have become tired and sick and cynical.

Mr. O'MAHONEY. Then we have negotiated contracts.

Mr. LAUSCHE. Superimposed upon all that we have the evils that flow from negotiated contracts. This very morning I had a conference in the outer room regarding a complaint made by the Aeronca Aircraft Co., of Middletown, Ohio. A negotiated contract had been made. The company complained that it was discriminated against. When one begins to analyze a negotiated contract, one needs all of the wisdom of Solomon, for many nebulous reasons are given why a bid is denied, and those reasons cannot be traced to ascertain their soundness. There will be suspicion. I know from my own experience as Governor of Ohio that I wanted competitive bidding, not only to maintain unimpeachability, but I wanted it for my own protection.

I wish to say to my colleagues, with the prospect that nothing will come of this discussion, that we are going to pay the price, and there will be regret for the failure to recognize that the distillate which has come down to us from years and years of experience has now been repudiated.

I have respect for the President. I have respect for the men in charge of his departments. But I say to my colleagues, in fairness to them, the process of buying materials under negotiations ought to be brought to an end, and I will gladly give my support to the proposal made by the distinguished Senator from Wyoming who has been presenting his cause this afternoon.

Mr. O'MAHONEY. I very much appreciate the comments of the Senator from Ohio. He has made a distinguished career as Governor of the State of Ohio by observing the principles of probity and integrity in the administration of public funds. In his long career he has set an example which should be followed by the Department of Defense.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. DOUGLAS. Is not one of the most discouraging features of this whole matter the fact that in January, 1956, the Assistant Secretary for purchase told the Hébert committee that the Department of Defense intended to reduce the number of negotiated contracts to the lowest possible number, and the Hébert committee apparently thought the Department was going to do it; but when the committee checked into it, it found that in the 9 months following the promise, negotiated contracts formed 92 percent of the dollar value of the purchases and contracts obtained through competitive bids only 8 percent, whereas before the promise had been made the percentages were, respectively, 93 percent and 7 percent. In other words, this pledge of reform did not take place. The Department reformed in about the same way Rip Van Winkle reformed when he said, "We won't count this time." Then the Department went off on another round of purchases.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CHAVEZ. The Senator from Wyoming [Mr. O'MAHONEY] is so correct. The Senator from Ohio [Mr. LAUSCHE] is so correct. The Senator from Illinois [Mr. DOUGLAS] is so correct.

The chairman of the committee which reported this bill to the Senate believes exactly as the three Senators I have mentioned believe, but we are faced with a situation. I wish we could reform the Department. As a matter of fact, 93 percent of the purchases made by the Department of Defense are under negotiated contracts. I think that is wrong. I personally believe we should have a system under which the Department would have to call for bids.

I will go beyond what the three Senators have said. I know, and I mean it when I say it, that some of those who make the purchases for the Government later go to work for those from whom they purchase, after they are retired. I do not like that.

Mr. DOUGLAS. The Senator is making a very interesting statement.

Mr. CHAVEZ. I make that statement.

Mr. DOUGLAS. Is the Senator saying that the procurement officers of the Department of Defense, when they resign or retire from the Department, go to work for the firms to whom they have let the contracts?

Mr. CHAVEZ. The Senator can investigate that and will find in many instances it is correct. They do. I do not like it. I wish I could do something about it.

Not only that, but I will tell the Senator from Illinois a little something different, to show him that I am on his side. A general or an admiral will retire from the military service, and as a civilian he will go to work for the Government, probably at a higher salary than before. I do not like that.

The Senator would be surprised to know how many admirals and how many generals are now working as civilian employees for the United States Government. I do not know what I can do about it. I am merely trying to present a bill to carry on a necessary function.

Mr. O'MAHONEY. Mr. President, may I say to the Senator, carrying on the development of this argument, that the Senator, every member of the Committee on Appropriations, and every other Member of the Senate can do something about the situation. Senators must realize that when so large a proportion of the defense contracts are let by negotiation it adds to inflation. This administration is against inflation. The Democrats are against inflation. The country is against inflation. Let us stop inflation, with regard to the expenditure of 60 percent of the total budget, by adapting the recommendation made by the Hoover Commission.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Delaware.

Mr. WILLIAMS. I wish to join the Senator from Wyoming in expressing the hope that we can insert a provision in this bill which will provide for competitive bidding. I am not sure the Senator does not have a point as to the establishment of the commission. After the Senator's amendment has been acted upon, I intend to offer an amendment which will be applicable to all the funds appropriated by the bill. My amendment will read:

> *Provided, however,* That none of the funds appropriated in this act shall be used except that, so far as practicable, all contracts shall be awarded on a competitive basis to the lowest responsible bidder.

The phrase "so far as practicable" means to exempt only those contracts which it would not be in the interest of national defense to try to award on a competitive bid basis. There are certain instances as to which there is not a competitive supply of services or goods. In other instances, by and large, if there is a competitive supply of other goods or services and the amendment would provide that the contracts must go to the lowest responsible bidder. The word used is "shall."

Mr. O'MAHONEY. Mr. President, let me say to the Senator from Delaware that he is marching in the right direction, but he is carrying the wrong gun. The amendment which he intends to offer is not self-enforcing. The amendment we offer, with the support of the Hoover Commission, is self-enforcing, because it creates a central body under the Secretary of Defense which will have charge of the whole purchasing area.

Mr. WILLIAMS and Mr. CHAVEZ addressed the Chair.

Mr. O'MAHONEY. I yield to the Senator from Delaware.

Mr. WILLIAMS. What I am suggesting is this: Whether we establish a central buying authority or whether we do not——

Mr. O'MAHONEY. I do not wish to establish a commission. I merely wish to create a branch of the Office of the Secretary of Defense, made up of civilians, who will have the duty to conduct a central unified purchasing agency for all three branches of the military services.

Mr. WILLIAMS. I agree with the Senator from Wyoming that there is merit to that proposal, but the point I make is that, even with the establishment of such a procurement agency, I think it would also be well for the Congress to go on record that it is the intention of Congress that the Department should award contracts to the lowest responsible bidder as obtained on a competitive-bid basis.

Mr. O'MAHONEY. I wish to urge the Senator from Delaware to join me in securing the competitive bidding system by voting for the amendment we have offered for and on behalf of the Hoover Commission.

Mr. THYE and Mr. CHAVEZ addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Wyoming yield; and, if so, to whom?

Mr. O'MAHONEY. I decline to yield at the moment.

The PRESIDING OFFICER. The Senator from Wyoming declines to yield.

Mr. O'MAHONEY. I want to get this into the RECORD at the logical time.

I have here a letter written on the letterhead of Herbert Hoover, at the Mark Hopkins Hotel, San Francisco, Calif., June 19, 1957. He states:

MY DEAR SENATOR—

I wish to read the letter on the Republican side of the Chamber.

MY DEAR SENATOR: As the former Chairman of the Commission on Organization of the Executive Branch of the Government, I am happy that you have undertaken a renewed effort to secure the unification of what we call the "Common Use Business Services of the Department of Defense."

I welcome the glance of the Senator from Massachusetts [Mr. SALTONSTALL] over my shoulder, and I will point out to him the signature of his former President—my former President, also.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Let me finish the letter.

Mr. SALTONSTALL. I would not look over the Senator's shoulder if he were not sitting in my seat.

Mr. O'MAHONEY. I am standing. The Senator did look over my shoulder at my invitation.

The second paragraph reads:

Certainly the present setup is one of the most unjustifiable wastes in the executive department—and it has been the object of congressional action ever since the original unification law was enacted. I need not make any arguments for it with you.

Yours faithfully,

HERBERT HOOVER.

I do not know whom he had in mind when he said he did not have to argue with me about it. I know some Members of the Senate with whom it is necessary to argue in support of the amendment.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from New Mexico.

Mr. CHAVEZ. The Senator from Wyoming is not the only Senator who wishes to save money.

Mr. O'MAHONEY. I know that. The Senator from New Mexico, I think, has indicated that desire in his career.

Mr. CHAVEZ. The only proposition I wish to state is this: The Senator from Wyoming has read the letter from former President Hoover. I respect former President Hoover, too, but I did not vote for him in 1932.

Mr. O'MAHONEY. Neither did I.

Mr. CHAVEZ. I did not think the Senator from Wyoming did. I merely wanted to get that admission.

Mr. WILEY. Both Senators are taking guidance now, though.

Mr. CHAVEZ. I would answer that suggestion, if I did not like the Senator from Wisconsin so much.

At the moment we are trying to pass a bill to appropriate money for the Defense Department. Irrespective of my desire to do everything the Senator from Wyoming wishes to do—and I would like to do it—it cannot be done in this bill, and no one knows that better than does the Senator from Wyoming. I should like to do it, but it cannot be done.

If we want to do what the Senator from Wyoming wishes to do, why can we not introduce a legislative measure and do it as it should be done? I would be willing to be on his side. I know about the waste. By looking at yesterday's CONGRESSIONAL RECORD one can learn a great deal about waste. I know that my good friend from Wyoming will agree to that statement.

No one admires General Twining more than I do. He is a good man. He has contributed a lifetime of service to the defense of the country. He was retiring from the position of Chief of Staff of the Air Force, and a party was held for him at Andrews Field, at a cost of $4,300. No one begrudges him that; but we are talking about economy. Then it was necessary to put on an air show, at a cost of $400,000 for gasoline and oil. I would do anything for General Twining, but I think that was a waste. It is a waste when we think we must spend $400,000 or more for gasoline and fuel in order to pay our respects to a good citizen and a good soldier.

Mr. President, we are not trying General Twining. We want to save money. We want the Air Force to know it. The only reason I referred to those figures was that I wanted the Defense Department to realize that, even in paying respect to General Eisenhower, it would be wasteful to bring airplanes from the Pacific coast to fly over Andrews Field.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. DOUGLAS. Does the Senator from New Mexico know the cost of the big aerial review staged in honor of former Secretary Talbott, who was being forced out of the Air Force on good grounds, and who was then given what, up to that time, was the biggest review in the history of the armed services?

Mr. CHAVEZ. I am sorry to say that I cannot tell the Senator. However, I will say that if the Air Force ever had a friend, if the Air Force ever had someone who really believed in it, and I am not talking about dollars and cents, it was Secretary Talbott.

Mr. DOUGLAS. That reply is not quite responsive to the question.

Mr. CHAVEZ. If I were not ignorant of the amount spent, I would tell the Senator.

Mr. DOUGLAS. Was it not very close to the cost of the Twining review?

Mr. CHAVEZ. If it was, it was just as bad.

Mr. DOUGLAS. I am glad the Senator from New Mexico did not say it was just as good.

Mr. O'MAHONEY. Mr. President, the Senator from Wisconsin [Mr. WILEY], my able and genial friend and colleague on the Judiciary Committee, has asked me what the recommendations of the Hoover Commission were. I have before me the report of the Task Force on Food and Clothing, issued in April 1955. That is a very lengthy document, and too long, of course, to read at this point.

I have before me also House Report No. 2013, the report of the Commission on Organization of the Executive Branch of the Government, which filed its 15th intermediate report on April 18, 1956. In this document, on pages 2 and 3, there are set forth some of the recommendations of the Hoover Commission. They are extensive recommendations. However, I will say to the Senator that the amendment which I have offered on behalf of my colleagues and myself has been reviewed by the Hoover task force. As will be seen from the letter which I have read into the the RECORD, it has the endorsement of the former President himself.

There are many other remarks which might be made. I do not desire to occupy the floor further in setting forth the details. I have before me a general summary of the report.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CARROLL. I wish to associate myself with the very fine statement made by the distinguished Senator from Wyoming. I am happy to be associated with him in support of this amendment, and also to support the arguments made by the junior Senator from Ohio [Mr. LAUSCHE].

The same thing is happening in Colorado that has been happening in Ohio. Study groups of businessmen have been examining the Hoover Commission reports. In Colorado there is a disinterested, nonpartisan group of men at work studying these problems. Their recommendations are along the lines of the amendment of the Senator from Wyoming.

Yesterday when I put a question to the chairman of the subcommittee, the distinguished senior Senator from New Mexico [Mr. CHAVEZ], I wished to ascertain the amount of money being appropriated. Of course, the reports disclose that. However, the purpose of my questioning was to find out what group in the Congress—whether it be the Appropriations Committees or the Armed Services Committees—should control expenditures by the military amounting to $35 billion. Do we confess to the people of the country that we have lost control of this enormous sum?

Mr. O'MAHONEY. We must, unless we take some action like this.

Mr. CARROLL. It seems to me that this is only the first step in a series of actions we in the Congress must take. Nevertheless it is a very important first step. The distinguished Senator from Wyoming made a statement about inflation. What could feed inflation more than a runaway segment of our budget amounting to $35 billion? Have we not lost control of one-half of the whole United States Government budget? And that's what the military budget amounts to, one-half of our whole budget. Furthermore it looks to me as though we have lost control of a great segment of our economy. That has caused an inflation in the military budget and hence has inflated our entire economy. I am speaking of the "administrated price" industries. The distinguished Senator from Wyoming has been chairman of a very important Senate subcommittee investigating the price raises by giant oil corporations of the Nation. During the investigation we found that giant United States corporations are not truly in a competitive market; they are in a market in which they themselves "administer", that is "arbitrarily fix" the prices. In other words, prices are not determined by consumer demand. They are "rigged." In this manner, by constant and unnecessary price increases on basic commodities like oil, chemicals and steel, the giant corporations fan the fires of inflation throughout the Nation. For example, during the investigation of the oil price increases we had the testimony of Admiral Lattu with respect to oil purchases by the United States Navy. We discussed Navy purchases of $1 billion worth of petroleum products. We were told that the recent price increases will cost the Government almost $100,000.

Mr. O'MAHONEY. The exact testimony of Admiral Lattu is, as I recall it, that the increase added to the budget for 1958 at least $84 million, which was not even contemplated for the purchase of oil products when the President sent his budget message to Congress.

Mr. CARROLL. That is correct. The other day a warning came to us, certainly not from a partisan source—the former Secretary of the Treasury—that the recent increase in the price of steel will set off another inflationary spiral, the effect of which cannot be gaged at this moment. Certainly it will affect the $35 billion military budget. It emphasizes more and more, I say to the distinguished Senator from Wyoming, the absolute necessity of having a central procurement agency to bring some kind of order and economy purchasing by the Government in the area where it spends the most money—the Defense Department.

It is absolutely essential that we have such an agency in the military established. Perhaps we cannot accomplish it with an amendment in this way, but we must at least make an attempt in this way. I believe this amendment can be properly included in the bill, although I know it is a little more difficult to do it in that fashion. Nevertheless, we must make the record. I commend the distinguished Senator from Wyoming and the distinguished Senator from Illinois for making this fight during the past 2 days in order to alert the people about what is going on in the Defense Establishment, and to alert the people with respect to the giant corporations of this country—oil, steel, chemical—as to what these corporations are doing and how they are wantonly and heedlessly fanning the fires of inflation in this Nation with indiscriminate and unwarranted rigged prices.

Mr. O'MAHONEY. I thank the Senator from Colorado for his statement, which is an accurate description of the situation in which we find ourselves.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WILEY. I, too, have listened to the remarks of the Senator from Wyoming. As I understand the statute at the present time, the various departments are getting their equipment by way of competitive bidding. Is that correct?

Mr. O'MAHONEY. No. The normal law calls for competitive bidding, but that law was set aside by the War Powers Act of 1941. That War Powers Act expired on the 30th of June last. Unless it is renewed, the war powers that were granted will no longer be in effect.

Mr. WILEY. Then my statement is correct—that there is a requirement at the present time for competitive bidding.

Mr. O'MAHONEY. But there are various provisions otherwise which permit negotiated contracts.

Mr. WILEY. The Senator read from a pamphlet containing recommendations with relation to procurement by the armed services. Did the recommendation include anything to the effect that there should be established a procurement agency which would purchase equipment, such as airplanes, for example? I say that because I always approach a situation with stop, look, and listen in my mind. Would airplanes, for example, be included?

Mr. O'MAHONEY. Combat equipment is not included.

Mr. WILEY. Did the Hoover Commission make any recommendation with reference to combat equipment?

Mr. O'MAHONEY. No; it did not.

Mr. WILEY. But the Senator's amendment would cover such equipment?

Mr. O'MAHONEY. No. That part was stricken from the amendment, of which I gave notice yesterday that I would offer today. That was in the original print, but we eliminated it.

Mr. WILEY. Does it refer to equipment?

Mr. O'MAHONEY. We struck that language from the amendment.

Mr. WILEY. Then what would the agency supervise?

Mr. O'MAHONEY. Common use items, such as clothing, food, materials, pencils. There is a large catalog of such materials purchased by the Government and then sold as surplus. I have the catalog here.

Mr. WILEY. I am glad to take the Senator's word for it.

Mr. O'MAHONEY. I should like to have the Senator see the size of it. The Defense Department sets forth a list of surplus supplies. This is the volume for April 1957. I thumb it over for the Senator to see. It is an amazing list of items which have been declared surplus in April 1957.

Mr. WILEY. They are declared surplus, the Senator says. Does the Senator mean that the Departments are buying those supplies all over again?

Mr. O'MAHONEY. They are buying and buying and buying; and declaring surplus and declaring surplus and declaring surplus. That is what they are doing.

Mr. DOUGLAS. If the Senator from Wyoming will yield to me I should like to say that I can list some of the common supply items which would be purchased by the civilian management.

Mr. O'MAHONEY. I would be very happy to have the Senator do that. He has the list on his desk.

Mr. WILEY. I think it is a pretty good characterization, and I have no reason to go into it.

Mr. DOUGLAS. Clothing, equipment, subsistence, chemical supplies, engineer supplies, general quartermaster supplies, medical-dental supplies, signal supplies, photographic material, ships' repair parts, general stores, ships' stores, vehicular equipment parts, general property, possibly electronics parts, although this is not certain, and so forth.

Mr. WILEY. What I have in mind is this. It seems to me that we have heard a great deal on the floor of the Senate about the increased cost of equipment. It seems to me that those are the articles in connection with the purchase of which the Government should have the benefit of civilian brains, to see that the Government is not "taken for a ride." I wonder what protection is afforded by the Senator's amendment.

Mr. O'MAHONEY. It seemed to me that in the drafting of the amendment it would be going too far to take out of the hands of the military the purchasing of military items. The military officers have been educated and trained to do that sort of work. They know their job. They know about airplanes and they know about submarines. We do not want to take those things out of their hands. Therefore we drafted an amendment to deal with the simple things, the common items of supply, the items of common use.

Mr. WILEY. How much does it amount to?

Mr. CHAVEZ. It amounts to plenty.

Mr. WILEY. How much, in round figures, out of the total we have been speaking of?

Mr. SALTONSTALL. I shall be happy to give those figures, if the Senator will yield.

Mr. O'MAHONEY. I am glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. In 1956 the procurement for military functions in the Department of Defense totaled about $14 billion. Of the $14 billion, $12.7 billion was for the purchase of combat equipment; $1.3 billion was for noncombatant procurement. Thus, between 85 and 90 percent, in 1956, would not come within this amendment. This amendment would apply to approximately 10 percent of all the procurement in the Department of Defense.

Mr. CHAVEZ. When we speak about 10 percent of procurement which the Senator has in mind, that refers to operation and maintenance—to "groceries."

Mr. SALTONSTALL. The Senator is correct. It is for quartermaster supplies, such as clothing.

Mr. CHAVEZ. That is correct; it does not refer to the procurement of armament—military procurement.

Mr. SALTONSTALL. The Senator is correct. The Senator from Wyoming has just stated that. But the amendment would not apply to between 85 and 90 percent of the procurement.

So far as I am concerned—so far as everyone is concerned—we want the contracts to be negotiated just as rapidly as they can be. I was just as shocked at some of the revelations as the Senator

said he was. But the amendment of the Senator from Wyoming will not help that situation one iota.

Mr. DOUGLAS. I have made a hasty computation. I will not vouch for the precise accuracy of the figures. But I have taken the material which I placed in the RECORD yesterday at page 10631, which the Senator from Massachusetts can check.

The categories which I have read, which would be susceptible to common use purchases, comprise approximately half of the amounts which will be put into the so-called stock funds during the coming year.

Mr. WILEY. Mr. President, will the Senator yield on that very point?

Mr. DOUGLAS. I yield.

Mr. WILEY. Now I am beginning to get a little light. These are items as to which a civilian would be specifically informed and could provide guidance and undoubtedly get a better price than the ordinary military man.

Mr. DOUGLAS. That is correct.

Mr. WILEY. The items which were stricken from the amendment were the items on which military men would be experts.

Mr. DOUGLAS. That is correct—shells, munitions, rifles, guns, hand grenades, airplanes, submarines.

Mr. AIKEN. And gasoline and oil?

Mr. DOUGLAS. Are we going to say we should not go halfway simply because we do not go all the way?

Mr. WILEY. The Senator did not understand my question. Does not the Senator think that there should be some kind of overall supervision of the military personnel, who are in the habit of spending?

Mr. DOUGLAS. I agree.

Mr. WILEY. I have known of instances of those in the Department itself having been told to give a certain contract to so and so, instead of advertising for competitive bids. That involves military items, not simply foodstuffs and articles of that kind.

Mr. DOUGLAS. I think the Senator from Ohio, in the statement which he made earlier, indicated that there are a number of things which must be followed in connection with freely competitive bids. For example, the figures on the contracts must be stated in the simplest specifications.

Mr. LAUSCHE. May I supplement what I have said?

Mr. DOUGLAS. Certainly.

Mr. LAUSCHE. We now have a system under which the winds and caprices, the loves and the hatreds, and the political leanings of the purchasers are the law. What are needed are clearly defined laws and regulations which will control.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Wyoming has the floor. To whom does he yield?

Mr. O'MAHONEY. I yield to the Senator from Illinois, a cosponsor of my amendment.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. The Senator from Illinois was about to make a comment.

Mr. DOUGLAS. The Senator from Ohio has been correct in what he has been saying. There should be simple specifications, free and full advertising, public opening of written bids, and awards to the lowest responsible bidders.

Mr. LAUSCHE. Who can honestly oppose that?

Mr. DOUGLAS. Apparently the Department of Defense is opposing it. That is one of the shocking things which is taking place. They are fighting this proposal for reform every inch of the way.

Mr. O'MAHONEY. May I comment to the Senator now?

Mr. DOUGLAS. Certainly.

Mr. O'MAHONEY. During the pleasant interlude, in which other Senators have been discussing the question, I myself have been negotiating. I have been negotiating with the chairman of the subcommittee——

Mr. WILEY. Did the Senator get the lowest price?

Mr. O'MAHONEY. Yes, I have the lowest price.

Mr. AIKEN. Did the Senator try competitive bidding?

Mr. O'MAHONEY. I have consulted also with the able acting minority leader, the distinguished Senator from Massachusetts [Mr. SALTONSTALL], with whom I was associated for many years on the Committee on Appropriations.

I gave notice under rule 40 of my intention to submit this amendment today, because it contains, particularly in section 1, a legislative provision, namely, that which establishes an agency within the office of the Secretary of Defense.

I am advised by the Senator from New Mexico and the Senator from Massachusetts that if my sponsors and I will agree to drop the first section, and to modify our amendment, so as to insert, on page 2, line 9, at the proper place in the bill, a new section, which will be a modification and an expansion of section 638 of the Defense Appropriation Act of 1953, they will be agreeable to accepting the amendment.

This, I think, is substantial progress along the lines for which we have been battling. The Senator from New Mexico tells me that he will wage a fight for this expansion in the committee of conference. I am confident that with the reports which have been received and which have been published by the committee in the House, the amendment will be adopted by the House.

Mr. CHAVEZ. I was one of those who sponsored a provision along that line.

Mr. O'MAHONEY. The Senator from New Mexico was one of the effective sponsors.

Mr. CHAVEZ. But I know that legislation cannot be included in an appropriation bill. So I have agreed with the Senator that if he will strike the legislative part of the amendment and simply offer the rest of it, I will be glad to take the amendment to conference, and I assure the Senator that we will fight for that portion of it.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I yield to the Senator from Vermont.

Mr. AIKEN. If the first section of the amendment be deleted, what does the remainder of the amendment instruct the Secretary of Defense to do that he is not supposed to do anyway?

Mr. O'MAHONEY. It is a strengthening of the existing law.

Mr. AIKEN. It is a reminder; that is all; is it not? It simply reminds the Secretary that he is supposed to do what he ought to do.

Mr. O'MAHONEY. That is true; but it gives him authority which he did not have before the provision was originally adopted.

Mr. AIKEN. But it does not require competitive bidding.

Mr. O'MAHONEY. No, it does not go into that.

Mr. AIKEN. It does not set up any new agency to compete with General Services Administration, does it?

Mr. O'MAHONEY. It does not; no. It provides:

> Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services, activities, and operations through the elimination of overlapping, duplication, and waste within and among the agencies of the Department of Defense.

There is an explicit directive from Congress to the Secretary of Defense to eliminate conflict among the three departments under his jurisdiction.

Mr. AIKEN. He is supposed to do that anyway, is he not?

Mr. O'MAHONEY. Oh, no; not until the original O'Mahoney rider was adopted. This proposal is progress toward unification. The record already made this afternoon shows conclusively how the regulations which were adopted at the beginning were afterward abandoned. This amendment indicates Congressional intent.

Mr. AIKEN. I can see no special reason for opposing the amendment as modified. I could see a thoroughly good reason for opposing the original proposal of the Senator from Wyoming. In fact, I do not want to see emphasis put on competitive bidding and a tightening of the restrictions for the purchasing of pencils, while letting gasoline and oil go free. I think the large items should be subject to competitive bidding also.

Mr. O'MAHONEY. I think the Senator is correct.

Mr. AIKEN. I think we ought to obtain all items as cheaply as possible.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. SALTONSTALL. I am glad to join in accepting the amendment. If the Senator from Wyoming and his colleagues will strike out the first section, I will do all I can to secure the adoption of the amendment in the committee of conference. I say this because I joined with the Senator from Wyoming in 1952 in proposing the original section 638 as it now is.

I may say to the Senator that this section applies, as I have stated, to noncombatant goods and to about 15 percent of all the purchases.

Mr. O'MAHONEY. I think it applies to more than that.

Mr. SALTONSTALL. But we shall not debate that point now. I am just

as opposed as is the Senator from Wyoming to the improper practices to which reference has been made this afternoon.

Mr. O'MAHONEY. Of course I realize that.

Mr. SALTONSTALL. I favor competitive bidding.

I wish to point out that under the amendment of the Senator from Wyoming to the 1953 act, a number of things have been accomplished.

Mr. O'MAHONEY. I know it, and I am glad to have the Senator from Massachusetts state it for the record.

Mr. SALTONSTALL. The stock fund which was set up as a result of the amendment of the Senator from Wyoming, was provided with appropriated funds in the amount of $424 million. Since that time $1,770,000,000, largely generated through the sales of excess stocks not requiring replacement, has either been returned to the Treasury, or at the direction of the Congress, has been used to finance other activities of the Department of Defense.

Mr. O'MAHONEY. There has been just a little backsliding.

Mr. SALTONSTALL. Under the present system more than 3 million items have been listed in one way, so that each Department can understand the listing; and a single manager system has been established. It represents integration, in the area assigned, of both operations and organization. It includes many of the quartermaster supplies to which reference has been made. In addition there is the Interservice Supply Support arrangement, so that if the Air Force, let us say, has a jeep it does not need, and if the Army needs another jeep, the Air Force jeep can be supplied to the Army, and so forth.

I am informed that 18 commodity coordinating groups are established at the present time, under the Interservice Supply Support arrangement, and that another 13 are under study.

Finally, there is the procurement-assignment system. Under this program, one of the military departments, through its normal procurement system, purchases all of a given class of technical and commercial commodities for itself and for other services.

When the Senator from Wyoming was on the committee, we heard many times about that program.

For instance, meat is purchased by the Navy, and clothing is purchased by the Army, or vice versa, for all three of the services. So under the amendment of the Senator from Wyoming, which was section 638 of the 1953 act, those things have been accomplished; and more can be accomplished.

If the first section of the amendment the Senator from Wyoming now proposes is introduced as proposed legislation, it should be referred to the Armed Services Committee, and should be thoroughly studied in connection with the other arrangements which already have been made, so as to work it out in a proper legislative way.

But I understand that that section has now been eliminated from the amendment. Therefore, I am glad to support the modified amendment of the Senator from Wyoming.

Mr. O'MAHONEY. I thank the Senator from Massachusetts.

AMENDMENT IS MODIFIED

Mr. President, I announce that I am modifying my amendment by eliminating the first part; namely, all the language on page 1 and all the language at the top of page 2, through line 6. I now modify the amendment in that way; and the amendment, as modified, is submitted by me, on behalf of myself, the Senator from Illinois [Mr. DOUGLAS], and the Senator from Colorado [Mr. CARROLL]. In short, we now submit the remaining portions of the amendment, which is offered as a modification of the existing section 638 of the Defense Department Appropriation Act of 1953.

The PRESIDING OFFICER. The amendment as modified will be stated.

The CHIEF CLERK. At the proper place in the bill, it is proposed to insert the following new section.

SEC. 633. Section 638 of the Department of Defense Appropriation Act, 1953, is amended to read as follows:

"SEC. 638. (a) Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services, activities, and operations through the elimination of overlapping, duplication, and waste within and among the agencies of the Department of Defense.

"(b) The Secretary of Defense, in order to provide for the effective accomplishment of this section, is hereby authorized from time to time to transfer, combine, and coordinate noncombatant services, activities, and operations within the Department of Defense.

"(c) The Secretary of Defense is further authorized to transfer such property, records, and personnel and such unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the military departments, as he deems necessary to carry out the provisions of this section."

Mr. AIKEN. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. AIKEN. I should like to ask whether paragraph (b), which provides that "the Secretary of Defense, in order to provide for the effective accomplishment of this section, is hereby authorized from time to time to transfer, combine, and coordinate noncombatant services, activities, and operations within the Department of Defense" gives to the Secretary of Defense the same powers which now are vested in the President of the United States.

Mr. O'MAHONEY. No. It is not intended to take away anything from the President. This appropriation gives the Secretary of Defense authority to do what was originally provided in the original section 638. Let me state that an example is the combination, under one agency, of the purchasing authority for petroleum and petroleum products. All that is handled now under the direction of Admiral Lattu. A similar combination can be made for all the departments which are buying common-use items.

Mr. AIKEN. Then it does not give to the Secretary of Defense powers which he does not have at the present time; is that correct?

Mr. O'MAHONEY. At the moment I do not have before me——

Mr. AIKEN. I mean does it vest in the Secretary of Defense powers which may now be vested solely in the President, for reorganization purposes?

Mr. SALTONSTALL. Mr. President, in that connection will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. SALTONSTALL. Examining very hastily title II of Public Law 253, 80th Congress, 1st session, which was Senate bill 758, and now is chapter 343, I find that section 202 deals with the Office of the Secretary of Defense; and the first item in section 202 (a) is—

> (1) Establish general policies and programs for the National Military Establishment and for all of the departments and agencies therein.

Mr. AIKEN. Does the pending amendment conflict in any way with the powers which were given to the President, to enable him to reorganize the Government by legislation enacted by reason of the Hoover Commission recommendations referred to?

Mr. O'MAHONEY. No; it does not.

Mr. CURTIS. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. CURTIS. The amendment of the distinguished Senator from Wyoming grants to the Secretary of Defense broad power to transfer property, records, personnel, and funds, without any restrictions or limitations, as he may deem necessary in order to carry out the provisions of this section. One of the objectives of this section is to provide effectiveness.

Mr. O'MAHONEY. That is correct, and also to provide efficiency and economy.

Mr. CURTIS. Then if the Secretary of Defense says that a transfer of funds will make something more effective, he can make the transfer; is that correct?

Mr. O'MAHONEY. The purpose of the amendment is solely to provide unification, another step in the long process of progress since the 1947 defense bill was passed.

Mr. CURTIS. I understand that. But I wish to ask whether the authority of the Secretary of Defense to transfer funds is contingent upon a real and present possibility of saving money.

Mr. O'MAHONEY. Precisely, certainly.

Mr. CURTIS. And not on a theoretical saving which will occur at a future time; is that correct?

Mr. O'MAHONEY. Yes, that is correct. This has been the result of the studies made by at least five separate Congressional committees, and those finally made by the Hoover Commission.

Mr. CURTIS. I am aware of that. But, after all, the Secretary of Defense will be given rather broad authority to transfer anything he wishes to transfer.

Mr. O'MAHONEY. No; the amendment is limited to the noncombatant items, the items which have to do with common use by the departments. It is designed to do away with competition among various branches of the same agency.

Mr. CURTIS. But is it the intention that the Secretary cannot transfer funds unless it is done to carry out a real and immediate saving of money?

Mr. O'MAHONEY. There is no prohibition of that kind. The amendment is designed to give him the authority to bring about and to promote economy, and it is so stated. One must rely upon the integrity and intelligence of officials to carry out an instruction of Congress.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CHAVEZ. I am looking now at page 2, line 17, of the amendment of the Senator, which reads:

The Secretary of Defense, in order to provide for the effective accomplishment of this section is hereby authorized—

And so forth. Is not the word "authorized" permissive? Could not the Secretary do his own interpreting? Should not the word be "shall" instead of "authorized"?

Mr. O'MAHONEY. I suggest to the Senator that matter could well be taken up in the conference.

Mr. CHAVEZ. We could take it up in conference.

Mr. O'MAHONEY. If the Senator desires to change the word to "shall," I have no objection.

Mr. CHAVEZ. No. The only thing I have in mind is this. I think I follow what the Senator has in mind. However, when the word "authorized" is used, it makes it permissive.

Mr. O'MAHONEY. The Senator is quite right, but the first section reads:

Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services—

And so forth; so that is the overriding provision.

Mr. CHAVEZ. But the provision is that in order to provide for the effective accomplishment, the Secretary is authorized. I was wondering if that would carry out the purposes the Senator has in mind?

Mr. O'MAHONEY. On the assumption that the Secretary of Defense would proceed in harmony with this directive of Congress.

Mr. CHAVEZ. I am willing to take the amendment to conference.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Minnesota.

Mr. HUMPHREY. First of all, I wish to associate myself with the efforts of the Senator from Wyoming on this splendid amendment. Some time ago, in the Committee on Government Operations, in the Subcommittee on Government Reorganization, which deals with Hoover Commission recommendations, the question of Defense Department procurement was gone into rather extensively. At that time we had difficulty with the Department of Defense on purchase items exclusive of the needs of the combat forces—that is, exclusive of military equipment. It had been hoped some of the purchasing might be placed in a central purchasing administration, but to no avail. Then we considered the possibility of more centralized purchasing in the Defense Department, which was tacitly agreed to, but it was found wanting in terms of accomplishment.

I am particularly impressed with section 638, which the Senator has just read, where the mandate is laid down that "the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services." That relates to the preceding paragraphs, which refers to duplication in procurement, and sometimes duplication in actual services.

If the proposal is properly administered, which we have hope it will be, it will result in substantial savings. I think this is the way to save, rather than to strike at the established system in the hope that substantial cuts in expenditures will be accomplished, because the truth is that the departments will request supplemental or additional appropriations.

I commend the Senator. I shall vote for the amendment. I think it is an effort to effect economy in Government, for which the Senator should be commended.

Mr. O'MAHONEY. I thank the Senator.

EXHIBIT 1

EXTENDING TITLE II, FIRST WAR POWERS ACT, 1941

Mr. [illegible], from the Committee on the Judiciary, submitted the following report:

The Committee on the Judiciary, to whom was referred the bill (H. R. 7536) to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 1, line 4, strike out "1267" and substitute "1257."

Page 1, line 5, strike out "1959" and substitute "1958."

AMENDMENTS

The amendments are to correct the statute citation and to limit the extension of title II to 1 year.

GENERAL STATEMENT

The purpose of this legislation is to extend the termination date of title II of the First War Powers Act of 1941 to June 30, 1958. Under present law title II would expire on June 30 of this year.

Under the provisions of title II, the President may authorize any department or agency of the Government exercising functions in connection with the prosecution of the national defense effort to enter into contracts and into amendments or modifications of contracts and to make advance, progress, and other payments thereon, without regard to the provisions of the law relating to the making, performance, amendment, or modification of contracts, whenever he deems such action would facilitate the national defense, subject, however, to the additional provisions set forth in title II. Pursuant thereto the President has conferred the powers authorized in title II upon the heads of a number of executive departments and agencies, including the Departments of Defense, Army, Navy, Air Force, Commerce, Agriculture, and Interior, the Atomic Energy Commission, the National Advisory Committee for Aeronautics, the Government Printing Office, the General Services Administration, the Tennessee Valley Authority, and the Federal Civil Defense Administrator.

The continuation of the effectiveness of these emergency powers has been and will continue to be of important assistance to the authorized departments and agencies of the Government in the prosecution of the national mobilization program, either in current procurement activities or as standby authority which may be exercised during a period of exigency arising out of the defense effort. Under the act, executive departments and agencies are empowered to amend or modify Government contracts without additional consideration, where, for example, an actual or threatened loss on a defense contract will impair the productive capacity of a contractor whose continued existence is needed for the national defense. Officials likewise may make advance payments on contracts to be executed in future or extend delivery dates where authorized. Mistakes and ambiguities in contracts may be rectified, and indemnity payments may be guaranteed for otherwise noninsurable risks. Without this authority, it would be impossible for the various procurement agencies to use the special procurement techniques required in situations of military or production urgency, which other permanent laws are not designed to afford.

Title II was reactivated for the Korean emergency by the act of January 12, 1951. In each Congress thereafter it has been extended. This legislation provides for a 1-year extension of the automatic termination date to June 30, 1958. Of course, in addition to the termination date there remains the possibility of title II terminating at any time Congress by concurrent resolution or the President designate.

The executive communication from the Department of the Navy and the departmental reports on the bill are here inserted and made a part of this report.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D. C., May 9, 1957.

Hon. SAM RAYBURN,
Speaker of the House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: There is enclosed a draft of legislation, to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

This proposal is a part of the Department of Defense legislative program for 1957, and the Bureau of the Budget has advised that there would be no objection to its transmittal to the Congress for consideration. The Department of the Navy has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

PURPOSE OF THE LEGISLATION

The proposed legislation would amend section 2 of the act of January 12, 1951 (64 Stat. 1257; 50 U. S. C. App. 611, Note), as amended, so as to continue in effect title II of the First War Powers Act, 1941, for the duration of the national emergency proclaimed by the President on December 16, 1950, or until June 30, 1959, whichever is earlier. Since reactivation of the basic law in 1951, title II thereof relating to contracts has been successively extended by the Congress to June 30, 1953 (Public Law 426, 82d Cong.), June 30, 1954 (Public Law 97, 83d Cong.), June 30, 1955 (Public Law 443, 83d Cong.) and June 30, 1957 (Public Law 58, 84th Cong.). These extensions were in recognition of the need for such emergency authority during periods of continued international unrest.

Under the provisions of the expiring law the President may authorize any Department or agency of the Government exercising functions in connection with the prosecution of the national defense effort to enter into contracts and into amendments or modifications of contracts and to make advance progress, and other payments thereon, without

regard to other provisions of law relating to contracts whenever he deems such action would facilitate the national defense, subject however to the additional provisions which are set forth in title II of the First War Powers Act, 1941. Also by the authority of that title, the Department of Defense is empowered to amend contracts without consideration. This includes the extension of the time of performance of contracts and the waiver of liquidated damages and performance bonds by the United States.

The exercise of title II authority permits defense agencies to make the necessary adjustments to assure the continued availability of essential productive capacity. Without this authority, it will be impossible to use the special procurement techniques necessary and proper in situations of military or production urgency, which other permanent laws are not designed to afford. By virtue of title II of the First War Powers Act, the Department of Defense is currently authorized to make advance payments on advertised contracts. Without the authority granted by title II, the Department of Defense could make advance payments only on negotiated contracts. This law is considered to be vitally necessary in order to supplement other contract authority and thus insure uninterrupted performance of contracts to facilitate the national defense.

The possibility of abuse of the powers granted by this law is greatly precluded by safeguards contained in the statute itself. Furthermore, the administration of the law has been marked by close adherence to its intended purposes. Within the Department of Defense, title II authority has been used only when "such action would facilitate the national defense" and where normal procurement methods and authority are deemed inadequate to meet the situation.

It is considered that the reasons necessitating past extensions of this authority prevail in no less degree today. The continued internal and international tensions in many parts of the globe, particularly the Middle East, and the importance of this law to the readiness of our defense forces are believed to well justify its extension as provided by this proposal.

COST AND BUDGET DATA

The enactment of this legislation would cause no apparent increase in budgetary requirements insofar as the Department of Defense is concerned.

Sincerely yours,

W. B. FRANKE,
Acting Secretary of the Navy.

"A bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941

"*Be it enacted*, etc., That section 2 of the act of January 12, 1951 (64 Stat. 1267), as amended, is further amended by striking out '1957' and inserting in lieu thereof '1959'."

COMPTROLLER GENERAL OF THE
UNITED STATES,
Washington, May 23, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CHAIRMAN: Further reference is made to your letter of May 20, 1957, requesting our views on H. R. 7536, a bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

Title II of the First War Powers Act gives the President power to authorize any agency of the Government which is exercising functions connected with the national defense to make or modify contracts without regard to other laws relating to Government contracts whenever such action will facilitate the national defense. Advance and progress payments to contractors are also authorized.

When the last extension of title II was being considered by the House Committee on the Judiciary we reported to you in our letter of March 16, 1955, B–100460, that in view of the intended purpose of the title II powers and the manner in which they were being administered, we had no objection to the extension. Since nothing has come to out attention to change our views in the matter, we likewise have no objection to its extension as now proposed in H. R. 7536.

The statute citation in the bill should be 64 Statute 1257 rather than 64 Statute 1267.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

SMALL BUSINESS ADMINISTRATION,
OFFICE OF THE ADMINISTRATOR,
Washington, D. C., June 5, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary, House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN CELLER: Further reference is made to your letter of May 20, 1957, requesting the views of this agency on H. R. 7536, a bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

Title II of the First War Powers Act, 1941, authorizes Government agencies exercising functions in connection with the national defense "to enter into contracts and into amendments or modifications of contracts * * * without regard to provisions of law relating to the making, performance, amendment or modification of contracts whenever * * * such action would facilitate the national defense." This legislation authorizes, among other things, modification of contracts without additional consideration and thereby grants to the procurement agencies a degree of flexibility in national defense procurement activities which is said to be necessary in the efficient as well as equitable administration of a defense procurement program.

H. R. 7536 would extend title II of the First War Powers Act for a period of 2 years. The Small Business Administration does not oppose such an extension.

The Bureau of the Budget has no objection to the submission of this report.

Sincerely yours,

WENDELL B. BARNES,
Administrator.

GENERAL SERVICES ADMINISTRATION,
Washington, D. C., June 5, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary, House of Representatives,
Washington, D. C.

DEAR MR. CHAIRMAN: By letter dated May 20, 1957, you requested the views of the General Services Administration on H. R. 7536, to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941. It is noted that the citation on lines 3 and 4 of the bill should read "(64 Stat. 1257)."

In connection with the national defense programs of this administration, we consider that the authority provided by title II of the First War Powers Act, 1941, as amended, is essential to meet the varying situations where more normal procurement methods and authority are found to be inadequate. The proposal to have this authority continued through June 30, 1959, is both logical and desirable and is, therefore, recommended.

No estimate of the probable cost of the bill is available, but it is anticipated that the enactment of this legislation would cause no increase in the budget requirements of this administration.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Sincerely yours,

FRANKLIN G. FLOETE,
Administrator.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the House of Representatives, there is printed below in roman type without brackets existing law in which no change is proposed by enactment of the bill as introduced; present provisions proposed to be stricken by the bill as introduced are enclosed in black brackets, and new provisions proposed to be inserted are shown in italic:

"ACT OF JANUARY 12, 1951 (PUBLIC LAW 821, 81ST CONG. (64 STAT. 1257), AS AMENDED

* * * * * * *

"SEC. 2. Title II of such act, as amended, shall remain in force during the national emergency proclaimed by the President, December 16, 1950, or until such earlier time as the Congress by concurrent resolution or the President may designate but in no event beyond June 30, [1957] *1958*."

Mr. DOUGLAS. Mr. President, before the final vote is taken on the revised form of the O'Mahoney amendment, I think I should add a word of warning. The proposed wording is somewhat similar to the O'Mahoney amendment of 1952. It does broaden the directive given to the Secretary of Defense, but it apparently does not make it mandatory upon the Secretary of Defense to install a system of centralized purchase and storage of common-use items. It merely gives a general directive to the Secretary which he may carry out or may disregard as he chooses. While the amendment is an improvement over the amendment offered in 1952, I am afraid that on the basis of the experience which we have had since 1952 it will be relatively ineffective.

We have had this general language now for 5 years, and the Secretary of Defense has chosen to disregard it. It is obvious that the opposition to the O'Mahoney amendment as originally proposed this afternoon has come from the Department of Defense, and that the Senator from Wyoming, in order to salvage something, has chosen to get as much as he could. However, I think in its final form the amendment is so watered down that it can be—and I am afraid it will be—disregarded by the Department of Defense, and that next year we will find ourselves in almost precisely the same situation we are in this year.

I wish to congratulate the Senator from Wyoming for the gallant fight which he has made. I think he has been compelled, largely by force of circumstances, to retreat from the field.

I hope the Department of Defense—I know their representatives are here in the gallery—will note the debate which has occurred and report to their superiors the clear opinion of the Senate in this matter, and that we will get some action. If we do not get action next year, I think the temper of the Senate will be such that when the Senator from Wyoming offers a strong amendment again neither the gates of hell, the opposition of the Defense Department, nor points of order will prevail against it.

Mr. O'MAHONEY. Mr. President, I ask that the amendment be submitted to the judgment of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] for himself and other Senators.

The amendment, as modified, was agreed to.

Mr. WILLIAMS. Mr. President, I send an amendment to the desk, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to insert at the proper place the following:

Provided, however, That none of the funds appropriated in this act shall be used except that, so far as practicable, all contracts shall be awarded on a competitive basis to the lowest responsible bidder.

Mr. WILLIAMS. Mr. President, the purpose of the amendment is to require that in all instances in the procurement of goods or services under this act the Secretary of Defense shall use the procedure of soliciting and accepting the lowest responsible bid in all instances where it would be practicable.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. CURTIS. Who would determine whether it would be practicable?

Mr. WILLIAMS. The Secretary of Defense.

Mr. CURTIS. It is not the intention of the Senator that such authority shall be vested in a lower official who is actually making the purchase; is it?

Mr. WILLIAMS. No; it would be determined by the Secretary of Defense.

The reason the provision granting some discretionary authority is included is that it is recognized that in the procurement of certain items it would not be practicable to solicit competitive bids. Secret weapons might be involved which it would not be desirable to advertise. There might also be certain goods desired to be purchased of which there would not be a competitive supply. But where there is a competitive supply, either of services or of goods, the purpose of the amendment, if adopted, would be to instruct the Secretary of Defense that it was the will of the Congress that he should use the competitive bid basis for awarding the contracts and that the contracts should go to the lowest responsible bidders.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WILLIAMS. I yield.

Mr. AIKEN. Would the adoption of the amendment preclude the placing of orders for any commodity in areas of high unemployment, such as has been the practice in the past few years?

Mr. WILLIAMS. The adoption of the amendment would mean that the contract must go to the lowest responsible bidder except as the Secretary of Defense——

Mr. SALTONSTALL. Mr. President, if the Senator will yield, I interpret the Senator's amendment to read as far as practicable, but as not changing the present law with respect to defense areas and other matters of that character. I understand the Senator's amendment to mean that a contract shall go to the lowest bidder wherever that is practicable in the Secretary's opinion. The law is very clear on that point. Some commodities can be negotiated for, as was brought out this afternoon. A small amount in the defense area in a certain technical way, is negotiated for. There is a bill now in Congress to end that, anyway. The other contracts would be let by competitive bidding.

Mr. WILLIAMS. The Senator is correct. I have had several contractors point out to me instances where they have bid on goods or supplies which have been in competitive supply, and there were likewise instances in which contractors were bidding on certain services to be rendered wherein the Department of Defense would solicit bids and then negotiate with a contractor who had one of the higher bids and then award the contract on a negotiated basis. This amendment provides that if goods or services are in competitive supply, the Department shall solicit competitive bids and then award the contract to the lowest responsible bidder. If the Department wants to reject all bids, it should do so, but then it should allow all bidders to submit new bids. And then award the contract to the lowest responsible bidder.

Mr. CHAVEZ. Mr. President, I was willing to accept the amendment a few minutes ago. I accept the amendment.

Mr. AIKEN. Mr. President, I expected the amendment to be accepted. I should like to have the record show that I do not approve or accept it, so far as changing the present law is concerned, so that it would preclude the placing of orders in some areas where there is much unemployment, even in these prosperous days.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. DOUGLAS. Mr. President, I call up my amendments 7-1-57-C, as modified this morning, and ask to have the amendments considered en bloc as amendments to the proposed Senate bill.

The PRESIDING OFFICER. Without objection, the amendments will be printed in the RECORD.

The amendments submitted by Mr. DOUGLAS and ordered to be printed in the RECORD, are as follows:

On page 5, line 17, strike out "$3,123,000,000" and insert in lieu thereof "$3,113,000,000."

On page 8, line 4, strike out "$3,291,356,000" and insert in lieu thereof "$3,145,200,000."

On page 8, line 21, strike out "$217,000,000" and insert in lieu thereof "$197,000,000."

On page 10, line 2, strike out "$360,000,000" and insert in lieu thereof "$320,000,000."

On page 10, line 12, strike out "$400,000,000" and insert in lieu thereof "$392,000,000."

On page 10, lines 22 and 23, strike out "$300,000" and insert in lieu thereof "$225,000."

On page 11, line 6, strike out "$5,500,000" and insert in lieu thereof "$5,000,000."

On page 12, lines 17 and 18, strike out "$2,307,000,000" and insert in lieu thereof "$2,295,000,000."

On page 14, line 3, strike out "$88,000,000" and insert in lieu thereof "$87,000,000."

On page 14, lines 12 and 13, strike out "$634,600,000" and insert in lieu thereof "$630,000,000."

On page 14, lines 19 and 20, strike out "$23,500,000" and insert in lieu thereof "$23,200,000."

On page 15, line 18, strike out "$182,500,000" and insert in lieu thereof "$178,000,000."

On page 16, line 6, strike out "$1,912,000,000" and insert in lieu thereof "$1,812,000,000."

On page 16, line 16, strike out "$868,500,000" and insert in lieu thereof "$853,500,000."

On page 17, line 12, strike out "$1,609,000,000" and insert in lieu thereof "$1,534,000,000."

On page 18, line 1, strike out "$823,000,000" and insert in lieu thereof "$820,000,000."

On page 18, line 20, strike out "$211,000,000" and insert in lieu thereof "$176,000,000."

On page 19, line 6, strike out "$166,000,000" and insert in lieu thereof "$164,000,000."

On page 19, line 15, strike out "$86,700,000" and insert in lieu thereof "$85,200,000."

On page 20, line 2, strike out "$136,630,000" and insert in lieu thereof "$134,630,000."

On page 20, line 7, strike out "$505,000,000" and insert in lieu thereof "$495,000,000."

On page 20, line 21, strike out "$306,000,000" and insert in lieu thereof "$300,000,000."

On page 21, line 12, strike out "$108,000,000" and insert in lieu thereof "$107,000,000."

On page 22, line 8, strike out "$6,126,000,000" and insert in lieu thereof "$5,864,000,000."

On page 22, line 16, strike out "$1,364,500,000" and insert in lieu thereof "$1,146,500,000."

On page 23, line 1, strike out "$661,000,000" and insert in lieu thereof "$649,000,000."

On page 25, line 2, strike out "$4,193,993,000" and insert in lieu thereof "$4,062,120,000."

On page 26, line 16, strike out "$3,336,600,000" and insert in lieu thereof "$3,301,600,000."

On page 26, line 25, strike out "$57,000,000" and insert in lieu thereof "$55,000,000."

On page 8, between lines 11 and 12 insert the following:

"COMBAT UNITS

"For expenses incident to the arming, equipping, and supporting two or more combat divisions of the Army utilizing nonnuclear firepower; $425,000,000."

On page 14, between lines 13 and 14, insert the following:

"COMBAT UNITS, MARINE CORPS

"For expenses incident to the arming, equipping, and supporting of additional combat units of the Marine Corps utilizing nonnuclear firepower; $75,000,000."

Mr. DOUGLAS. I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois [Mr. DOUGLAS] that the amendments be considered en bloc? The Chair hears none, and the amendments will be considered en bloc.

Mr. DOUGLAS. Mr. President, I hope we will have the yeas and nays on this amendment. I do not see the distinguished acting majority leader in the Chamber, but I hope we may have the yeas and nays, and I now ask for them.

The PRESIDING OFFICER. The Senator from Illinois asks for the yeas and nays on his amendment.

The yeas and nays were ordered.

Mr. DOUGLAS. I thank the Presiding Officer, and I thank my colleagues.

Mr. President, I am not going to argue this amendment at any great length this afternoon, because I spoke for some 3 hours on it yesterday, and filled 35 pages of the CONGRESSIONAL RECORD, and this material has been available today for study by the Members of the Senate.

I think the material which was introduced into the RECORD yesterday and today proves very clearly that there are enormous wastes in the Department of Defense, wastes which far from having been reduced in the last few years have probably been increased. These are wastes, as we pointed out, in an excessive accumulation of stocks—$111 billion worth of personal property scattered all over the world, and supplies accumulating in central depots running close to $51 billion, with additional supplies distributed to units in the field. There is a huge wastage of material, gradually moving towards obsolescence, which, when it finally has to be sold, sells for only a few cents on the dollar.

We can and should draw on the existing stocks, instead of acting like a group of pack rats and still further filling up depots.

In this connection, Mr. President, I should like to invite the attention of the Senate to what the Deputy Under Secretary of the Army, Mr. Pearson, said in 1953, where he is quoted on page 70 of the hearings of the Subcommittee of the Committee on Government Operations of the House of Representatives:

> We spend $940 million a year operating depots, pushing dead ducks around, instead of using personnel in their capacities and abilities to handle live things and control things in the way they should be controlled.

That was the statement made merely for the Army. It could be duplicated for the Air Force, for the Navy, and to some degree, although to a lesser one, for the Marine Corps. That was 4 years ago. During these last 4 years conditions have not improved; they have grown worse. There is an enormous waste in the accumulation of surplus supplies.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a question?

Mr. DOUGLAS. I yield.

Mr. SALTONSTALL. I should like to ask the Senator if my understanding is correct as to what the Senator said yesterday, that his amendments, considered en bloc, would reduce the amount to be appropriated in the bill by $1,058,504,000, subject to a $500 million increase in the Army and the Marine Corps for combat units.

Mr. DOUGLAS. In order to clear up the uncertainty for the Senator from Massachusetts, let me say that these amendments would reduce the specified appropriations to the amounts finally approved by the House, or $971 million less than the amounts recommended by the Senate Appropriations Committee. We do not restore the Army and Marine procurement items which the Senate committee cut out. Then of that $971 million saving on individual items, $500 million would be appropriated for the equipping and furnishing of additional combat units, to be divided between the Army and the Marine Corps in the approximate ratio of their present combat strength.

Really, the proposal is a very simple one. It proposes to cut the total appropriations by approximately $500 million or, to be precise, by $471 million. Then, of the $34 billion which would be appropriated, $500 million would be earmarked for the equipping of additional combat units to provide added protection against the danger which is likely to occur in the peripheral areas of the world where the Communists will probably start probing operations and where the war will be of a limited and not a total character.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am glad to yield.

Mr. LAUSCHE. To make certain that I understand the net result of the amendment, if adopted the amendment will restore the funds approved by the House but add thereto $500 million, to be assigned in equal proportions to the Army and the Marine Corps for the implementation of our forces to meet limited warfare?

Mr. DOUGLAS. The Senator is correct. Instead of being an arithmetically equal distribution between the Army and the Marine Corps, it would be in proportion to the existing combat strength; 17 Army divisions and 3 Marine divisions.

Mr. President, that is the amendment which I am proposing, and I submit that it is justified by the facts concerning waste—waste of supplies, waste in negotiated contracts, and waste in improper items which are let under contracts, many of which I referred to yesterday, including the celebrated diaper service, which apparently we are furnishing for certain Army personnel at Government expense. There are many other wasteful and absurd items. In addition, there is a fact that the Air Force could certainly draw in its horns in connection with MATS and administrative aircraft.

Fundamentally, what I am trying to do is to effect economies and increase national security at the same time. I am attempting to take the $1 billion out of waste, as a saving, and give half of it to the taxpayers, and half of it to increased national security. It is as simple as that.

I see the representatives of the military in the galleries smiling and laughing at my efforts. I suppose that it their attitude as they look down upon mere mortals here on the floor from their lofty Olympian heights. That is their privilege. There is no law against the military laughing. But I say this to them in all sincerity, and with no malice in my heart: You should get into the game yourselves, and try to produce more efficiency and security instead of championing waste and luxury. It is, however, no laughing matter when attempts are made both to economize and to increase the armed strength of the United States. Let the people ultimately be the judges.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. DOUGLAS. I yield.

Mr. CARROLL. I should like to address a question also to the attention of the distinguished Senator from Massachusetts [Mr. SALTONSTALL].

Yesterday I asked the chairman of the subcommittee, the distinguished Senator from New Mexico [Mr. CHAVEZ] about the amount of money——

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. Did the Senator from Illinois yield the floor?

Mr. DOUGLAS. I was ready to yield the floor when the Senator from Colorado asked me to yield. I do not wish to evade answering his question.

Mr. CARROLL. I believe that the question of the transfer of funds involves some $590 million. I wonder if the distinguished Senator from Illinois can tell me how much money is in those funds?

Mr. DOUGLAS. In the stock funds?

Mr. CARROLL. Yes; in the stock funds.

Mr. DOUGLAS. For the Army alone, there is almost $7 billion in stock funds; for the Navy, $1.4 billion; for the Marine Corps, $393 million; for the Air Force, $746 million. However, those are only the stock funds. Behind them stand enormous quantities of stock in a less preferred position. As I say, the total amount of all personal property is $111 billion, and the appropriated fund inventories amount to $41.2 billion for all services, plus the stock fund inventories of $51 billion in all.

Mr. CARROLL. I understood the distinguished Senator's remarks with reference to that enormous sum. That is why I wished to address my remarks also to the attention of the distinguished Senator from Massachusetts. The distinguished Senator from Illinois may not have the figures at his finger tips.

How much money is there in unobligated funds, money that is available to the Military Establishment? Does the Senator from Massachusetts have that information?

Mr. SALTONSTALL. I did not hear the question.

Mr. CARROLL. How much money is available to the Military Establishment in unobligated funds, above the budget we are now considering?

Mr. SALTONSTALL. The Senator asks a very difficult question. The budget presented by the committee would call for appropriations of approximately $34,534,000,000.

Mr. CARROLL. I understand that.

Mr. SALTONSTALL. There are certain funds carried over. The total obligation availability will be $49,900,000,000, including military construction. The Department will apportion during the fiscal year 1958, for its program in 1958, approximately $46 billion, of which there will be carried over approximately $8 billion. I do not vouch for the accuracy of those figures, but I think they are reasonably accurate.

Mr. CARROLL. If I correctly understand what we are doing, an appropriation of about $34 billion or $35 billion is asked for.

Mr. SALTONSTALL. That is correct.

Mr. CARROLL. But there is another pool of about $49 billion.

Mr. SALTONSTALL. No. That includes the $34 billion.

Mr. CARROLL. Those are obligated funds. Is there another fund called the unobligated fund?

Mr. SALTONSTALL. No; that figure of $49.9 billion includes the unobligated funds of $10.9 billion carried over into fiscal year 1958. They will be used during the fiscal year 1958, and there will be certain unobligated funds carried over into 1959.

The Senator was formerly a Member of the House. The House would not stand for the principle of contract authorization, so the House eliminated that provision, in the exercise of its power as the senior appropriating body. What we do now is to say, "If you build an aircraft carrier, that will require 4 or 5 years. We will appropriate the entire sum, $200 million, the first year." That money is carried over as unexpended balances, but that does not mean that it is not planned for. The plans are all made, but the contracts are not let until the time comes to let them. That may be the third year after the original appropriation. That is what is meant by unobligated balances. So an unobligated balance is not an unplanned balance. The Department knows where the money is to go, but it is not yet contracted for.

Mr. CARROLL. I thank the distinguished Senator from Massachusetts. I understand the situation generally to be this:

If we appropriate the sum of $34 billion or $35 billion, the sum total available for expenditure will be about $49 billion, and the actual expenditure for the next fiscal year will be approximately $46 billion.

Mr. SALTONSTALL. For the fiscal year 1958 there will be a total obligation availability of $49,900,000,000.

Mr. CARROLL. But the obligation in the next fiscal year——

Mr. SALTONSTALL. The total planned program for the fiscal year 1958 will amount to $46,684,000,000 leaving a carryover or unobligated balance to 1959 of $8 billion. There is a carryover this year of $10.9 billion. In other words the Department will use almost $3 billion of the unobligated balances during the fiscal year 1958.

Mr. CARROLL. I thank the distinguished Senator from Massachusetts.

Mr. President I think the amendment offered by the distinguished Senator from Illinois cannot possibly be misconstrued by anyone who wishes a strong national security because the evidence now is clear that with this appropriation with even the small cut the Senator from Illinois suggests to this body there would still be $48.5 billion available; and I am confident that the report of the distinguished Senator from Massachusetts is accurate. Notwithstanding a planned obligation in this fiscal year of some $46 billion there will still be a surplus—we can call it an unobligated surplus—of $3 billion.

No one claims that such a cut as that proposed by the Senator from Illinois will injure national security. It is true—and I am speaking now for myself—that I do not want to put myself in the position of saying that I know more than the President of the United States or the great military experts, but it seems to me that there comes a time when we must say to the military, who are negotiating contracts and spending great wealth and revenue, "Take another look. You can absorb the $437 million."

We are not adopting the full House cut. We want to eliminate waste and overlapping and duplication. All we want the military to do is to eliminate some of the plush programs. From the debate this afternoon it should be clear to all concerned that the military will no longer call the turn for Congress. We must have economy. If security is in the national interest so is economy in the national interest. It has been said that one of the most terrible problems we faced 20 years ago was the problem of unemployment. Today the counterpart to that problem in our economy is inflation. For 10 consecutive months we have had an inflationary spiral moving upward. I said to the distinguished Senator from Wyoming only a few minutes ago that we saw what the giant oil corporations have been doing. With just one little increase in the price of crude oil they have added fuel to the fires of inflation, which will have a billion-dollar inflationary effect upon our economy.

The other day the United States Steel Corp. increased the ton price of steel. That will have a chain reaction throughout the Nation's economy, like the chain reaction which was triggered by the giant oil corporations when they raised the price of crude oil. We are facing a very serious problem, the problem of inflation.

I therefore intend to support the amendment, not because I substitute my judgment for the judgment of the military, but because the time has come when we must begin to manifest some desire for economy and the curbing of wasteful expenditures in the Government. The Senator's amendment stands as an example of what we can do to fight inflation without injuring the national security. I congratulate the Senator from Illinois on the work he has done.

Mr. DOUGLAS. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Illinois.

Mr. CHAVEZ. Mr. President, the amendments of the Senator from Illinois would reduce the bill by $971 million, subject to a $500 million increase in the Army and Marine Corps for combat units.

It would cut under the House bill by $87 million. The amendment would wipe out all the increases which the Secretary of Defense, the Joint Chiefs of Staff, and the military leaders have testified are necessary to the security of our Nation. The amendment would cut the National Guard from 425,000 to 368,000.

It would cut the organized Reserve by 20,000 6-month trainees. It would cut the flight pay for Army aviator training.

It would reduce necessary research and development in the three services. It would cut out 11,000 Navy military personnel, or defer the promotion of 45,000 qualified personnel. It would reduce the Navy aircraft procurement program. It would eliminate two needed Navy ships. It would stop the procurement of influenza vaccine. We have been reading a great deal recently about the influenza epidemic in the Far East. The Douglas amendment would stop the procurement of influenza vaccine. It would cut the procurement of spare parts for Air Force aircraft. It would stretch out the guided missile development program. B–52's would be deprived of their support equipment. Of course eventually guided missiles will do the job, but until they are available we will still need the B–52's. The amendment would also eliminate the repair of crash-damaged aircraft. It would also probably reduce the Air Force from 925,000 to 910,000.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. DOUGLAS. The dire consequences the distinguished Senator from New Mexico has read off—and I am sure this is not intentional on his part—are the usual tactics of Government bureaus when an appropriation is reduced. They threaten to reduce services, rather than to eliminate waste.

Is it not true, as the Senator from Massachusetts has stated, that there are reserve stocks of $50 billion unobligated and unexpended? What the Senator from Illinois is proposing is really only a reduction of $471 million, or 1 percent of this.

Is the Senator from New Mexico saying that a reduction of 1 percent in the available supplies which are now on hand, not obligated and not expended, will endanger the security of the United States?

I think we are having this afternoon a repetition of the Summerfield tactics, a refusal to reduce waste and, instead, a threat to reduce security, when waste can be eliminated by the simple device of pulling down these vast accumulating stocks by 1 percent. It is the usual threat that the departments make to Congress.

Mr. CHAVEZ. I will tell the Senator from Illinois what I think. In all sincerity, I may say that I am not on Summerfield's side. However, I believe, so far as I am concerned, that the items provided for in the bill are necessary for national security.

Mr. DOUGLAS. But those items would not have to be eliminated. That is just the point.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I shall yield in a moment. Does the Senator from Illinois have something else to add?

Mr. DOUGLAS. That is all.

Mr. CHAVEZ. I stand by the figures in the committee's report.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. SALTONSTALL. I agree with the Senator from New Mexico. I make merely one addition to what he has so ably pointed out. First, the figures he has read concerning the reductions, if I am correctly informed, were the work of our staff in the Committee on Appropriations, who were asked to analyze the bill and the effect of the reductions proposed by the amendments.

Second, what the Senator from New Mexico has said has a cumulative effect. The amendments eliminate what we have been trying to do for the National Guard and the Reserves; but, above all, they unbalance the system of Army operation. They add to the number of combat units, but reduce the maintenance and operation funds with which the additional combat units can operate.

The Senator from Illinois was a very distinguished marine. I have the utmost respect for his combat service and his other abilities. I am certain that when I make the statement that more than 60 percent of our Army today is composed of combat troops, he will agree that that is a figure which is seldom reached in peacetime, or has never before been reached, I believe, in peacetime.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I have finished my statement. The Senator from New Mexico has the floor.

Mr. DOUGLAS. Mr. President, will the Senator from New Mexico permit me to reply to the Senator from Massachusetts?

Mr. CHAVEZ. Yes, I will; but before the Senator does so, I wish him to bear in mind that if his amendments are agreed to, they will cut the National Guard from 425,000 to 368,000. If the Senator wants to have that done, it is all right with me.

Mr. THYE. Mr. President, will the Senator yield?

Mr. CHAVEZ. In a moment. The organized Reserve would be cut by 20,000 6-month troops. If the Senator wants to do that, it is perfectly all right with the Senator from New Mexico. His amendment would cut the flight pay for aviator training. If the Senator from Illinois wants to do that, that is perfectly all right with me, too.

I now yield to the Senator from Minnesota.

Mr. THYE. Mr. President, on the subject of the National Guard, in the committee we studied that question most thoroughly. We obtained all the information it was possible to get from the National Guard Association as well as from the individual officers of the National Guard.

Mr. CHAVEZ. And also from the Pentagon.

Mr. THYE. And from the Pentagon. We increased the appropriation by $40 million. If we had not increased it, it was a positive, proven fact that a reduction in the National Guard would be made from a possible 400,000 to a lower figure. It was for that reason that the subcommittee increased the amount for the National Guard, and the full committee supported the subcommittee when the question was put before the full committee.

Mr. CHAVEZ. That is why this item is before the Senate.

Mr. THYE. The greatest military strength at the lowest cost can be had and can be maintained with the least amount of disruption to the normal life of the youth through the National Guard.

Mr. CHAVEZ. That is correct.

Mr. THYE. For that reason, I believe it would be a serious mistake to reduce the amount provided in the bill as an appropriation for the National Guard.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. DOUGLAS. May I ask the Senator from New Mexico if it is not true that the Secretary of Defense has in practice exercised broad powers not only to freeze funds which have been appropriated, but also to distribute funds within a given service?

Mr. CHAVEZ. I do not understand the Senator's question.

Mr. DOUGLAS. Has not the Secretary of Defense exercised the power not merely to freeze funds which Congress has appropriated, but has also reapportioned and reallocated funds within a service or department?

Mr. CHAVEZ. He has no power whatsoever to transfer funds appropriated for the National Guard.

Mr. DOUGLAS. He has exercised similar powers in the past in transferring funds from one purpose to another. It is very strange that now it is suddenly discovered he cannot do so.

Mr. CHAVEZ. No; I do not think he has the power or the authority.

Mr. DOUGLAS. Has he not done so?

Mr. CHAVEZ. I have seen Government officials do so many things that I would not be surprised if he has.

Mr. DOUGLAS. Exactly so. I do not wish to prolong the debate, but the point was raised by my good friend from Massachusetts, whom we all love and respect, that the amendment would unbalance the military forces because it would increase combat forces and diminish the funds for operation and maintenance, and deserves to be answered.

The Department of Defense has already unbalanced the situation by devoting too much of the funds for operation and maintenance and not enough funds for combat. An alteration of the distribution of those funds would distinctly help the national defense. How ridiculous to say we are unbalancing national defense by increasing combat strength.

Mr. CHAVEZ. The Senator from Illinois is a peaceful man.

Mr. DOUGLAS. At times I am peaceful; but at times I am bellicose when I see public funds wasted and national security sacrificed.

Mr. CHAVEZ. I understand national origins, so I accept it. We can be peaceful or otherwise. Nevertheless, we are supposedly at peace, and not at war.

We are providing, or are trying to provide, in the best of faith, armed services appropriations which will meet the demands in case of an emergency. If an emergency were to occur, the appropriations would not be half enough. But we are trying to provide for the security of the country as things are now.

Mr. DOUGLAS. I do not wish to prolong the discussion and with this last remark, I will stop. I agree that we are in for a hard pull. But I submit that the Nation needs combat troops more than it needs diaper service for Army personnel; more than it needs swimming pools; more than it needs $500,000 messhalls; more than it needs free riders on MATS; more than it needs $50 billion worth of idle goods in the warehouses.

We should trim down to be a little leaner. We should strip down more than we are doing, and we should give up some of the luxuries which apparently the Pentagon holds more dear than combat effectiveness. We should strive instead for greater combat strength.

Mr. CHAVEZ. I assure the Senator from Illinois that, so far as I am concerned, as the chairman of the subcommittee which handles the Defense Department appropriation, I am not for diaper service. I am for combat service.

Mr. DOUGLAS. We are paying for diaper service now. I am proposing that we turn some of the diaper money into bullets.

Mr. CHAVEZ. I prefer bullets to diapers.

Mr. President, I suggest that the Senate vote.

Mr. SALTONSTALL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Without objection, it is so ordered.

The question is on agreeing en bloc to the amendments of the Senator from Illinois [Mr. DOUGLAS]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the Senator from Missouri [Mr. SYMINGTON]. If the Senator from Missouri were present, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

I also announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

On this vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Arkansas [Mr. FULBRIGHT]. If present and voting, the Senator from Virginia would vote "yea," and the Senator from Arkansas would vote "nay."

The Senator from Texas [Mr. JOHNSON] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Texas would vote "nay," and the Senator from Oregon would vote "yea."

The Senator from Montana [Mr. MURRAY] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from Montana would vote "yea," and the Senator from West Virginia would vote "nay."

I also anounce that, if present and voting, the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Oklahoma [Mr. MONRONEY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. JENNER] and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

If present and voting, the Senator from Maine [Mr. PAYNE] would vote "nay."

The Senator from Nevada [Mr. MALONE] is paired with the Senator from Kansas [Mr. SCHOEPPEL]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from Kansas would vote "nay."

The result was announced—yeas 7, nays 65, as follows:

YEAS—7

Carroll	Johnston, S. C.	Smathers
Douglas	Lausche	
Frear	O'Mahoney	

NAYS—65

Aiken	Flanders	Mundt
Allott	Goldwater	Neuberger
Barrett	Gore	Pastore
Beall	Hayden	Potter
Bennett	Hickenlooper	Purtell
Bible	Hill	Revercomb
Bricker	Holland	Robertson
Bush	Hruska	Russell
Butler	Humphrey	Saltonstall
Capehart	Jackson	Scott
Carlson	Javits	Smith, Maine
Case, N. J.	Kefauver	Smith, N. J.
Case, S. Dak.	Kerr	Sparkman
Chavez	Knowland	Stennis
Clark	Kuchel	Talmadge
Cooper	Long	Thurmond
Cotton	Magnuson	Thye
Curtis	Martin, Iowa	Watkins
Dirksen	Martin, Pa.	Wiley
Dworshak	McClellan	Williams
Ellender	McNamara	Yarborough
Ervin	Morton	

NOT VOTING—23

Anderson	Fulbright	Johnson, Tex.
Bridges	Green	Kennedy
Byrd	Hennings	Langer
Church	Ives	Malone
Eastland	Jenner	Mansfield
Monroney	Neely	Symington
Morse	Payne	Young
Murray	Schoeppel	

So the amendments of Mr. DOUGLAS were rejected en bloc.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. POTTER. Mr. President, I send to the desk an amendment, and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 40, line 8, it is proposed to strike out "$3,300,000," and insert in lieu thereof "$3,000,000."

Mr. POTTER. Mr. President, in discussing the amendment now before the Senate, I should also like to discuss a couple of other items in the bill, to which I shall not seek to offer amendments, but I think, for the benefit of the Senate, they should be discussed for a few moments.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. POTTER. I yield.

Mr. CHAVEZ. Can we not first take action on the first amendment, and then have the Senator follow with the others?

Mr. POTTER. It is my intention to discuss the amendment, which will take only a few moments, and then have the Senate vote on the amendment, if it cares to.

I think there is no Member of the Senate who wants to cut down on the amount of hardware for the fighting forces of our Nation or on the number of those who serve in our fighting forces.

I am confident that every Senator who has ever been in a military installation, or who has ever served in one of the branches of our armed services, must realize that the nature of our defense structure tends to be wasteful. There is a tendency on the part of our military leaders, because of the nature of their profession and character of their training, to be, let us say, lax with the American dollar.

The amendment I propose is a minor one. Actually, it will not save one nickel in the appropriation bill. However, I have here a list of the public relations people working in our Defense Department in the Washington area, which I think is of interest in connection with the amendment.

This proposal has nothing to do with the various public relations people throughout the world who are connected with the Department of Defense, but refers only to those within the Washington area. Let me cite these figures. In the Department of Defense, there is an Assistant Secretary in charge of public affairs. Under him there are 32 civilian professional personnel and 32 clerical personnel. The military personnel, under the Department of Defense in the field of public relations, consist of 37 professional personnel and 11 clerical.

The civilian personnel public relations people in the Department of the Army are listed as 21 clerical. The military personnel in the Department of the Army, in the public relations field, are listed as 15 professional and 8 clerical.

I could go down the list, Mr. President, and cite example after example of what is, to me, a growing tendency on the part of the military to expand its noncombatant forces.

I would be the first to admit that a public relations division in the Army and the other services, or in the Department of Defense, might be desirable. However, when there are, in the Washington area alone, nearly 150 public relations people who are assigned to that duty, to say nothing of the many hundreds who are engaged in public relations work but are not assigned to that duty on behalf of the various services, I think in their stead we could support almost a division of men, and those men could be used to a much better purpose in a military assignment, which would be more beneficial to the Nation.

What does my amendment propose? Instead of a limitation of $3.3 million, it would reduce that limitation by $300,000 to $3 million.

I have discussed this proposal with the ranking minority member of the Subcommittee on Appropriations which considered this bill, and I have discussed it in the committee. I hope the chairman of the committee, with his usual graciousness, will see fit to accept this amendment. However, before I relinquish the floor, if the chairman will do that, there is another item which I should like to bring to the attention of the Senate.

Mr. President, in the House report on this bill there are minority views presented by my colleague, Representative GERALD FORD, a member of the Subcommittee on Department of Defense Appropriations on the other side of the Capitol. In his minority views Representative FORD cited an example of two hospitals, one in the State of Massachusetts and one in the State of Arkansas. It is stated that the Department of the Army has twice said it could not use these hospitals. Since that time the Murphy Army Hospital in Massachusetts has been transferred for other use, but the Army-Navy Hospital at Hot Springs, Ark., has not. In the pending bill there is a proviso on page 8 which states that the Army shall not abandon the Army-Navy Hospital at Hot Springs, Ark.

This is a small item, and I am most reluctant to bring it to the attention of the Senate, particularly because of my good friend, a distinguished Member of this body, the Senator from Arkansas [Mr. MCCLELLAN], who has shown a great deal of interest in the hospital. It is, as the Senator states, one of the better Army hospitals in the country.

The fact remains, Mr. President, that the Army has not used the hospital, which now costs, according to the testimony of the Army, approximately a half million dollars a year to maintain. We could save a half million dollars if this hospital were closed.

I am confident that this proviso could be knocked out of the bill on a point of order, as legislation on an appropriation bill. I have discussed this matter personally with the distinguished Senator from Arkansas, and I agree with him that the military will be coming here probably within a few weeks to present

to the Congress a bill to provide for construction of new hospitals all over the country. If the Army cannot use this hospital, then I think that the other services, as well as the Army, when they come before the committee—I believe the chairman of the committee is the Senator from Mississippi [Mr. STENNIS]—asking for new construction, should be informed that every effort should be made to utilize the hospital at Hot Springs.

Because of the fact that the committee under the chairmanship of the Senator from Mississippi has not acted as yet, and because this matter will be coming before the Senate, I shall not at this time make the point of order. However, I would be remiss in my duty if I did not point out to the Senate that if this item is allowed to stand, and the same conditions prevail this year as prevailed last year, it will cost the taxpayers a half million dollars, which the Army claims is not needed.

So in all deference, not wishing to take more time of the Senate, I shall not raise the point of order at this time.

I ask the distinguished chairman of the subcommittee [Mr. CHAVEZ] if he would like to have me yield to him now, so that action may be taken on my amendment? If he would, I shall be happy to do so.

Mr. CHAVEZ. I will be delighted to have action taken on the amendment.

First, let me say to the Senator from Michigan that I appreciate the fact that he is not raising the point of order on the provision relating to the hospital at Hot Springs. It is true that it affects directly the two Senators from Arkansas. I do not represent the State of Arkansas. However, I have been following this particular item for many years, and I am most happy that the Senator from Michigan is not raising a point of order.

With reference to the other item, a reduction of $300,000 is involved in the limitation figure carried in the bill. The Senator from Michigan is a member of the subcommittee. He participated in the hearings. The Senator knows what happened, just as well as do other Senators who participated. In view of the overwhelming report of the subcommittee to the full committee, and the report of the full committee to the Senate, I hope that the amendment of the Senator from Michigan will be rejected.

Mr. SALTONSTALL. Mr. President, I agree with what the Senator from New Mexico has said. I should like to add—and I hope he will agree with me—that this amendment represents a cutback on a limitation. It is not a cutback on money, but a cutback on a limitation.

Mr. CHAVEZ. That is correct.

Mr. SALTONSTALL. The essential thing is to make certain that the Department of Defense itself has an appropriation of $450,000 to spend, and that the proposed cut will be divided among the 3 services. If it is done in that way, I can see no harm in taking the amendment to conference. However, I hope the item in the appropriation for the Department of Defense itself will not be cut.

Mr. CHAVEZ. Mr. President, I do not mind trying to agree, and I am usually very agreeable, especially where the Senator from Massachusetts is concerned.

Mr. SALTONSTALL. I thank the Senator.

Mr. CHAVEZ. However, I do not like to do anything contrary to the expressed will of the full committee.

Mr. POTTER. Mr. President, I do not wish the impression to remain that I did not bring the question up in committee when the bill was being marked up before the full committee. As a matter of fact, my amendment lost in committee by only 1 or 2 votes. The vote was close.

Mr. CHAVEZ. No. As I recollect, the vote was 9 to 5. I may be mistaken.

Mr. POTTER. Mr. President, this amendment would not take away one nickel from the appropriation bill. The only thing it would do would be to take $300,000 out of a $3,300,000 limitation. It would reduce the limitation from $3,300,000 to $3,000,000. I most respectfully say that in my judgment we do not win wars with the vast propaganda machine which we have in the Pentagon. The figures which I read, as to the personnel assigned to the public-relations field in the Pentagon for this area alone, are astounding. I thought I was being very cautious in seeking to reduce the limitation by $300,000. As a matter of fact, I would have preferred a much deeper cut than that.

I sincerely hope that the chairman of the subcommittee will accept my amendment and take it to conference.

Mr. CHAVEZ. Being an "easy mark," I shall do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. POTTER].

The amendment was agreed to.

Mr. CLARK. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Pennsylvania will be stated.

The CHIEF CLERK. On page 45, after line 2, it is proposed to insert a new section, as follows:

SEC. 633. The Secretary of Defense shall, insofar as practical and taking into consideration the relative costs of various modes of transportation, provide for the procurement on an equitable basis of commercial transportation services financed with funds appropriated in this act.

Mr. CHAVEZ. Mr. President, I believe that the language in the bill would carry out the purposes of the amendment of the Senator from Pennsylvania. Nevertheless, in order to be sure that the purposes he has in mind will be carried out, the chairman of the subcommittee, with the consent of the Senator from Massachusetts, will accept the amendment.

Mr. SALTONSTALL. Mr. President, I agree with what the Senator from New Mexico has said. The substantial language of the Senator's amendment is in the committee report. I do not object to the amendment being taken to conference.

Mr. CLARK. Mr. President, I thank my distinguished friends on the majority and minority sides of the aisle for agreeing to this amendment, which merely puts into legislative form what is already in the report of the committee, and will make it possible for the Department of Defense to negotiate with commercial carriers, so that some money can be saved for the general taxpayers.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. CLARK].

The amendment was agreed to.

Mr. DWORSHAK. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Idaho will be stated.

The CHIEF CLERK. On page 45, between lines 2 and 3, it is proposed to insert the following:

SEC. 633. Notwithstanding any other provision of this act, the total amount appropriated pursuant to this act shall not exceed $34,351,537,770. The Secretary of Defense is authorized and directed within 60 days after the enactment of this act to determine and to certify to the Secretary of the Treasury and the Director of the Bureau of the Budget which of the appropriation items shall be reduced, and the amount that each shall be reduced, in order to effectuate the reduction made by this act. Each appropriation item specified by the Secretary of Defense in his certification is hereby reduced by the amount of reduction specified by him with respect to such item in such certification; and the Secretary of the Treasury is authorized and directed to make the necessary entries on the books of the Treasury to reflect such reductions.

On page 45, line 3, it is proposed to strike out "633" and insert in lieu thereof "634."

Mr. DWORSHAK. Mr. President, we have had enlightening debate on the provisions of the defense budget for this fiscal year. Every Member of Congress realizes the need for maintaining a top Military Establishment at a time when there are many crucial developments throughout the world.

During this debate there has been some confusion, because we have been dealing with potential cuts and actual cuts from the budget was submitted by the President to Congress last January.

I point out that it is difficult to make recommendations for appropriations below the budget figures, because the President, after requesting a reexamination and reappraisal of the budget which he himself had submitted to the Congress, made a reduction. The House, in making its cut of more than $2.5 billion, provided for transfers from one fund to another, with a deferment of some of the programs from this year until next year, with the result that, while the report submitted by the Committee on Appropriations stated that the bill, as reported, was below the budget estimates by $1,593,771,000, the same report points out that the bill which is now before us provides for an actual reduction of $164,294,000 under appropriations for the fiscal year 1957.

Throughout this session there has been a very decisive economy drive, because Members realize that, as we face inflationary problems almost daily, every

effort must be made to reduce Federal spending; and that should be done on the basis that we should not impair any worthwhile services or objectives.

I had the staff of the Senate Committee on Appropriations prepare a statement, which I hold in my hand, showing an accurate report as to what has been saved in various bills which have already been acted upon by both Houses, or at least by the House of Representatives.

Mr. President, I ask unanimous consent to have the table printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of appropriations, fiscal years 1957 and 1958

	Appropriations, fiscal year 1957	Appropriations, fiscal year 1958	Increase (+) or decrease (−), 1958 compared with 1957	Percentage increase or decrease, 1957 and 1958
Agriculture	$2,026,689,968	[1] $3,668,972,157	+$1,642,282,189	+81.0
Commerce	798,535,136	597,790,225	−170,744,911	−22.2
Defense	34,698,523,000	[2] 34,534,229,000	−164,294,000	−0.5
District of Columbia	22,558,650	22,504,450	−54,200	−0.2
General Government matters	16,007,475	16,010,370	+2,895	(*)
Independent offices	5,990,841,826	5,373,877,800	−616,964,026	−10.3
Interior	463,187,710	456,189,600	−6,998,110	−1.5
Labor, Health, Education, and Welfare	2,884,836,181	2,871,192,781	−13,675,400	−0.5
Legislative	119,049,798	104,840,600	−14,209,198	−11.9
State, Justice, and Judiciary	605,765,157	562,891,293	−42,873,864	−7.1
Treasury-Post Office	3,634,274,850	[3] 4,017,927,000	+383,652,150	+10.6
Public works	867,353,000	[4] 814,813,023	−52,521,977	−6.1

[1] Amount used is figure passed Senate since bill is still pending.
[2] Amount used is figure reported to Senate.
[3] Includes supplemental Post Office.
[4] Amount used is figure passed by House.

Mr. DWORSHAK. Mr. President, I call attention to the tabulation, which shows a comparison, not with the budget, but with the actual appropriations for fiscal year 1957, and the percentage of increase or decrease in the various appropriation bills for 1958, compared with 1957—appropriations, not the budget figures.

This is a very interesting document. It shows that, with the exception of the Department of Agriculture, where there is an increase of 81 percent, largely the result of the initiation of the soil-bank program and because of the tremendous expense involved in getting rid of the surplus commodities under Public Law 480 and other laws, and with the exception of the Treasury and Post Office appropriations—where there was an increase of 10.6 percent, largely because the Post Office is a service department and its appropriations are governed more or less by the requirements of the services that must be rendered, and which are outlined by the legislative branch—all the other departments show a reduction.

For instance, the Commerce Department appropriations are 22.2 percent under the appropriations for 1957. Independent offices show a reduction of 10.3 percent. Interior, 1.5 percent. Labor, Health, Education, and Welfare, where research funds were materially increased, show a reduction of one-half of 1 percent under the appropriations for fiscal 1957. Even the legislative appropriations show a reduction of 11.9 percent. State, Justice, and Judiciary appropriations show a reduction of 7.1 percent. Public Works appropriations, which have been acted upon by the House—and the House figures are used for this comparison purpose—show a reduction of 6.1 percent.

I am sure that everyone appreciates the need of maintaining an efficient Military Establishment. But that does not mean that the Congress should take any action which exempts from the economy crusade the Defense Department. During the debate we have heard many charges made that in procurement, largely on the basis of negotiation instead of on the basis of competitive bids, there has been great waste and inefficiency.

In the Washington Post of this morning there appeared an article with the headline "Procurement Scandal Reported Suppressed." I shall read only a few paragraphs from that article. I assume the facts are correct, and possibly the revelations will be made later. It reads:

> A report on profiteering by foreign suppliers of the United States military services has been suppressed here, it was learned yesterday.
>
> The reason for suppressing something of this much interest to taxpayers was not immediately determined.
>
> But it was possible that the lid was kept on this scandal in the hope of averting a discussion of it while the Defense Department appropriation bill and the foreign aid bill are still in the congressional hopper.

Mr. President, I am not charging that there has been any scandal. I am merely pointing out that as we are making this overall commitment for greater economy and greater efficiency within the operations of the executive branch of the Government—yes, even within the legislative branch—we should expect wholehearted cooperation on the part of the Defense Department. We are asking them to absorb a reduction of exactly 1 percent, as compared with appropriations made for the past fiscal year.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. MUNDT. The Senator is making a very interesting and informative and, I might add, impressive presentation. I listened with a great deal of interest to the percentage reductions which we have been able to bring about through our efforts in the Committee on Appropriations and on the floor of the Senate and in the House of Representatives.

Do I understand the Senator correctly to state that if his amendment is adopted it would bring about a total reduction in the national defense appropriation, as against the budget requests, of 1 percent?

Mr. DWORSHAK. No; not with respect to the budget requests, but a reduction of 1 percent under the appropriations which were made a year ago for the fiscal year 1957.

Mr. MUNDT. Would the reduction be comparable with the other reductions made in respect to other departments of the Government?

Mr. DWORSHAK. The reductions for the Department of Defense would be much less.

Mr. MUNDT. Are these percentages also related to the actual expenditures?

Mr. DWORSHAK. Yes. The table from which I have been quoting the figures shows the appropriations for fiscal 1957, the appropriations for fiscal 1958, and, in the last column, the increase or decrease percentagewise.

The reason the comparison is not made with the budget figures is that the budget may have some questionable request contained in it, and may cover a great many items which are not bona fide in every respect. The Senator from Idaho has pointed out that the bill before us is one and a half billion dollars under the budget estimate for 1958. That of course, is more or less meaningless. The committee has done a fine job, and I know the chairman of the subcommittee, the senior Senator from New Mexico [Mr. CHAVEZ], and the ranking minority member, the senior Senator from Massachusetts, [Mr. SALTONSTALL], have done outstanding work.

On that basis I appeal to my colleagues to ask the Department of Defense to cooperate with Congress and with the President. The President himself has asked for a reappraisal of the spending program. Although some Members of the Senate have envisioned reductions in the 1958 budget of 4 or 5 or 6 billion dollars, it would appear now that we will be fortunate indeed if we can bring about a cut of approximately $3 billion so far as the budget is concerned.

I am not so much concerned about cutting the figures in the budget. I make the contention that if we are to have any worthwhile economy enforced on a logical basis for the fiscal year 1958, it is not unreasonable to expect the Department of Defense to reduce its appropriations by 1 percent during the next fiscal year. If that is unreasonable, I wish someone would point out to me in what way it is.

Mr. MUNDT. Speaking for myself only, I think it is a very reasonable request. I voted against the amendment offered by the senior Senator from Illinois [Mr. DOUGLAS], because it seemed to me that his proposed reduction was too great and because it seemed to me he had gone too far in reallocating the funds within the Department of Defense in a manner which is probably beyond the ability of anyone on the floor of the Senate to do wisely. However, I

understand that the Senator from Idaho would leave it to the discretion of the Department of Defense, through its Secretary, to determine where this small percentage reduction would actually be made and how it would be distributed.

Mr. DWORSHAK. Yes. The committee has already reduced the appropriations by a little less than one-half of 1 percent, and my amendment would result in another reduction of about $182 million, which, added to the cut already made, would total exactly 1 percent under the appropriations for fiscal 1957.

Mr. MUNDT. What the Senator from Idaho is actually proposing is something in the nature of a belt-tightening procedure, which would suggest, with the voice of Congress behind it, that the Department of Defense, along with all other departments of Government, try to get along with just a little less personnel here and there; avoid just a little duplication here and there; perhaps instead of sending 6 colonels to testify before the committee, riding in 6 automobiles, driven by 6 chauffeurs, that 3 colonels appear before the committee, driven by 3 chauffeurs, riding in 3 automobiles; and make a little modest cut here and elsewhere; and in that way come within the 1 percent overall reduction. Is that correct?

Mr. DWORSHAK. That is the objective of the amendment. It is on the basis that the Senator from Idaho recognizes the fact that the top officials, the Secretary of Defense and the policy-makers in that Department, are willing to cooperate, and that these cuts can be made. If similar or larger reductions can be made in other departments of the executive branch of the Government, certainly it is reasonable to expect the Defense Department to absorb just 1 percent reduction in its appropriations during this fiscal year.

Mr. MUNDT. I certainly hope the Senator will request the yeas and nays on his amendment. I think it is an amendment which will go far beyond the amount of money saved by inducing the sort of economy and reexamination in the Pentagon which will be fruitful in the months and years ahead.

Mr. DWORSHAK. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. ELLENDER. On the first page of the report I note that the Senate bill amounts to $34,534,229,000. How much is deducted from that sum under the Senator's amendment?

Mr. DWORSHAK. About $182 million.

Mr. ELLENDER. Is that amount to be in addition——

Mr. DWORSHAK. In addition to the $164 million cut by the committee and included in this bill.

Mr. ELLENDER. And the cut is to be applied to the various sections or portions of the military service, such as the military or armed services?

Mr. DWORSHAK. The amendment authorizes the Secretary of Defense within 60 days after the enactment of the bill to determine and certify to the Secretary of the Treasury and the Director of the Bureau of the Budget which of the appropriation items shall be reduced and the amount that each shall be reduced in order to effectuate the reduction made by this cut.

The purpose of that is to give the authority and discretionary power to the Secretary. I am positive that no meat-ax approach will be made, because on the basis that it is possible to absorb 1 percent, that can be done in an orderly manner.

Mr. ELLENDER. In other words, it would be up to the Army, the Navy, and the Air Force to apply the cut wherever they saw fit?

Mr. DWORSHAK. That is correct.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. LONG. As I understand the situation, the Senate committee has restored $971,500,000 of the reduction made by the House.

Mr. DWORSHAK. That is correct.

Mr. LONG. After the Defense Department has made its plea to restore as much as possible and the committee has gone along with the Department wherever it could agree with them, the Senator is saying that out of that amount we could very well save $182 million, which is about one-half of 1 percent of the total amount in the bill.

Mr. DWORSHAK. That is correct.

Mr. LONG. By doing so, we would still have restored almost $800 million. Is that correct?

Mr. DWORSHAK. That is correct. It would be just under $800 million in excess of the amount in the House bill.

Mr. LONG. Then the Senator is saying that the Defense Department is to be instructed to look around to see how they can make it possible to stay within the extra $800 million.

Mr. DWORSHAK. That is the purpose.

Mr. LONG. I must say that anyone who is making any effort to do a real housekeeping job in the Pentagon could certainly see where that percentage could be saved.

Mr. DWORSHAK. If not, we are certainly talking in a futile manner about economy and efficiency.

Mr. CHAVEZ. Mr. President, irrespective of the remarks being made, I will accept the amendment of the Senator from Idaho and take it to conference.

Mr. DWORSHAK. Mr. President, like a good many of my colleagues, I voted against the amendment offered by the Senator from Illinois [Mr. DOUGLAS] because I thought it provided for too drastic a cut in the bill. On the basis of that, I question whether it is advisable to rescind the order for the yeas and nays at this time, because I think Senators want an opportunity to go on record for a reasonable reduction in the appropriation for the Department of Defense.

Mr. MANSFIELD. But the Senator from New Mexico has accepted the amendment.

Mr. SALTONSTALL. Mr. President, most respectfully, I cannot agree with the chairman of the subcommittee on this point. What the amendment does is to cut $182,691,230 from the budget. That may be only one-half of 1 percent; it is still a large sum of money. The committee has apportioned very carefully all the money to be appropriated. It has designated it to be applied where it was felt it would do the most good and where it would leave no one any discretion. The committee placed on Congress the responsibility for allocating the money.

Now it is proposed to give the Secretary of Defense discretion in absorbing the proposed cut. I respect the Secretary; I like him. I believe he does a very good job. But he has been very much criticized and we should not give him discretion to cut $182 million wherever he pleases. By this amendment, we would be giving the Secretary complete discretion over what he shall do in cutting back $182 million. I do not believe we ought to do that.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. STENNIS. Under the amendment, would it be possible to apply the $186 million to any single item?

Mr. SALTONSTALL. It would.

Mr. STENNIS. Or to wipe out an item of $50 million?

Mr. SALTONSTALL. It would.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. KNOWLAND. It would also be possible under the amendment, would it not, to strike out the item which has been included for the National Guard, or to strike out any other item?

Mr. SALTONSTALL. Certainly. The committee has done its job of allocating funds and cutting appropriations where it believes that should be done. We restored, as the Senator from California has said, the funds for the National Guard. We put back the funds for the Reserve. We put back funds for certain maintenance operations. We have cut out certain other items. As the Senator from Mississippi [Mr. STENNIS] has said, the Secretary could make this cut in one place, if he wanted to do so.

I have been a member of the Committee on Appropriations for 10 years. In no appropriation bill that I know of have we given authority to the head of a department to take a percentage of the funds and, in a perfectly indiscriminate way, to move the money around in the department. The committee has already apportioned the money not to exceed a certain amount.

Mr. DWORSHAK. Mr. President, in offering the amendment, I have demonstrated more confidence and faith in the integrity and fairness of the Secretary of Defense, because I recognize that it would be unreasonable and illogical to make a meat ax cut in one department.

The Senator from Idaho was very active in the committee, as the Senator from Massachusetts knows, in having

funds added for the Reserves and the National Guard.

Even after the application of the amendment, if 1 percent were to be cut from that increase, it would amount to only $800,000. Surely the Senator from Massachusetts will not stand here and tell the Senate that whoever is serving as Secretary of Defense would defy Congress by making ill-advised and indefensible cuts and disrupting the Department of Defense.

Mr. SALTONSTALL. We have not given so much discretion to any Secretary, in terms of dollars and cents, since I have been a member of the Committee on Appropriations; and, remember, we are talking about $182 million.

Mr. DWORSHAK. This amendment merely sets a ceiling which would provide an overall cut of 1 percent as compared with the appropriation made for the fiscal year 1957. When other departments are taking cuts up to 22 percent as compared with appropriations for 1957, then we are not unreasonable when we expect the Department of Defense to absorb only 1 percent.

Mr. SALTONSTALL. In reply to the Senator from Idaho, I may say that the House reduced the budget estimate $1,300,000,000, which reductions the President has accepted, and then cut $1,200,000,000 below that. What the Senate did was to restore a portion—$971 million—of the $1,200,000,000. So the net cut will be approximately $1,500,000,000.

Mr. DWORSHAK. Is it not true that if my amendment is agreed to and the 1 percent cut is made, the bill will still provide $770 million more than the amount contained in the House bill?

Mr. SALTONSTALL. It will contain $789 million more than the House bill.

Mr. THYE. Mr. President I must oppose the amendment for the reasons that the bill as reported to the Senate makes appropriations of $1,593,771,000 less than the amounts recommended by the Bureau of the Budget, or the amounts contained in the presidential budget transmitted to the Congress. The bill as reported to the Senate by the Appropriations Committee of the Senate calls for appropriations of $164,294,000 less than the appropriations made for the Department of Defense for the fiscal year 1957. No member of the Appropriations Committee has worked more diligently on this bill than has the chairman of the subcommittee, the senior Senator from New Mexico [Mr. CHAVEZ]. He sat in the committee room day after day, and took testimony from the representatives of every division of the Department of Defense. The Senator from Massachusetts [Mr. SALTONSTALL] made a complete study of every phase of this budget and of the military appropriations. There was no day when the Senator from Massachusetts and the Senator from New Mexico were not to be found sitting in the committee room, permitting every member of the subcommittee to interrogate any of the military officers who were there to testify or the civilian secretaries. Every item of the bill was examined most carefully by the committee staff. Both the subcommittee and the full committee have some of the most able staff members. Francis Hewitt and Leonard Edwards were the two regular members of the committee staff who were assigned to the subcommittee. They studied the bill from the very first day when the bill came before the subcommittee.

Therefore, Mr. President, I am unwilling to vote for the amendment, which provides a means of reducing the overall amount, and leaves that to the discretion or responsibility of one person. I must oppose the amendment, because, as I have stated, a most careful study has been made of every item in the bill.

At the time when the budget request came to the Congress, I stated that I believe it could be reduced by $1,500,000,000, after a very careful study of the carryover, the unobligated balances, and the requests on the part of the Military Establishment.

The total has now been reduced by the Senate committee by more than $1,500,000,000. In its recommendations to the full Senate, the committee has provided for economy.

I repeat that the chairman of the subcommittee, the senior Senator from New Mexico [Mr. CHAVEZ], has devoted day after day and week after week, from the early spring until now, to the consideration of the bill; and he has given every member of the subcommittee an opportunity to interrogate every witness who appeared before the committee. The Senator from Massachusetts [Mr. SALTONSTALL] is one of the most able members of the subcommittee, and he studied these budgetary requests in detail and dollarwise.

For those reasons, I must oppose the amendment.

Mr. JAVITS. Mr. President, will the Senator from Minnesota yield to me?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Minnesota yield to the Senator from New York?

Mr. THYE. I am delighted to yield.

Mr. JAVITS. I should like to ask a question. Obviously the only effect of the amendment will be upon the conferees on the part of the Senate; it will reduce the ceiling within which they will negotiate with the conferees on the part of the other body.

Can we ascertain from the chairman or the ranking Republican member of the subcommittee, or from any other Senator who is likely to be a conferee, just what the amendment is likely to mean in the conference? I think we should ascertain that, so we may vote intelligently on the amendment.

Mr. THYE. In the first instance, the subcommittee worked for many, many weeks in the preparation of its recommendations to the full committee. The amount I have stated was recommended by the subcommittee to the full committee, based on the best ability of the members of the subcommittee. The full committee, after considerable study and consideration, decided on this amount; and I do not believe the Senate should now ask its conferees to go to conference with the responsibility of trying to reallocate very nearly $200 million, as involved in the amendment. I do not believe the conferees on the part of the Senate should be given that additional responsibility. As matters now stand, they will have sufficient responsibility.

Mr. President, I yield the floor.

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona will state it.

Mr. GOLDWATER. I wish to ask the Senator from New Mexico whether I am correct in remembering that he, as chairman of the subcommittee, agreed to accept the amendment.

Mr. CHAVEZ. I withdraw that. [Laughter.]

Mr. McCLELLAN obtained the floor.

Mr. CHAVEZ. Mr. President, will the Senator from Arkansas yield to me?

Mr. McCLELLAN. I yield.

Mr. CHAVEZ. Mr. President, I am an easy-going person. In order to try to get along with other Senators, all of whom are able, I did yield to the Senator from Idaho [Mr. DWORSHAK], my good friend, who is a member of the subcommittee handling this bill. The idea was to let him make his position clear.

Nevertheless, I still think the subcommittee and the full committee have reported to the Senate a good bill.

Mr. McCLELLAN. Mr. President, I desire to join the distinguished Senator from Minnesota [Mr. THYE] in what he has said regarding the distinguished chairman of the subcommittee and also regarding the senior Senator from Massachusetts [Mr. SALTONSTALL], the ranking Republican member, with respect to their patience, their diligence, and their fairness in their sincere effort to find the correct answers to the perplexing problem of determining how much money the Congress should appropriate for this agency of the Government.

Mr. President, I hope I am on the side of economy. I am sure I have voted that way many times, during the course of our deliberations with respect to the bill.

I did not vote for all the increases which go into the $971,540,000, which is the amount by which the Senate committee voted to increase the appropriations voted by the House of Representatives for the Department of Defense.

But there were many items for which I believed an increased amount should be provided, and as to which I believed an increase was justified. I took into account the practical fact, which is one of the realities with which we deal, that when the bill goes to conference, the conferees on the part of the House will wish to maintain the position previously taken by the House. Likewise, the conferees on the part of the Senate will argue in behalf of the position taken by the Senate. I know that the amounts reported from the conference will represent a compromise. No Member of the Senate expects the conferees on the part of the House to agree to all the increases voted by the Senate. By the time the conferees have worked out the conference report to the best of their ability, as a result of a process of give and take and the compromising of various views, more than the 1 percent will be saved. I have no doubt that when the conference report comes to us, it will provide for $180 million less.

So I think the objective the Senator from Idaho seeks to achieve is a worthy one; but I believe it will be achieved without having the Senate vote to delegate this power to one man, so as to enable him to eliminate any items he wishes to eliminate.

The amendment would have greater weight with me if it provided for a percentage cut all the way across the board. But I cannot go along with a proposal to permit the Secretary of Defense to eliminate anything he might wish to eliminate. He might decide to eliminate the very things which I would wish to fight for and defend.

So, I believe the amendment proposes the wrong way to go about the matter. However, I commend the Senator from Idaho for his objective.

Again I say that I think no Member needs to be apprehensive that the $180 million will not be saved, as a result of the conference report.

Mr. DIRKSEN. Mr. President, I propound a parliamentary inquiry. I understand the parliamentary situation is that the chairman of the subcommittee has accepted the amendment of the Senator from Idaho. The yeas and nays have been ordered. I am sure the order for the yeas and nays cannot be dispensed with except by unanimous consent.

The PRESIDING OFFICER. The chairman of the subcommittee has not accepted the amendment.

Mr. DIRKSEN. I thought I heard him say he had accepted the amendment.

Mr. CHAVEZ. I withdrew it.

Mr. DIRKSEN. Oh, the Senator withdrew it.

Mr. MUNDT. Mr. President, I am a little bit surprised at the trend that this argument has taken, from the standpoint of those who feel that this 1 percent reduction should not be put in the Defense Department appropriation, and I question their argument on both major points. The first point is that this cut would repose too much confidence in the Secretary of Defense. If this is going to be a vote of confidence in the Secretary of Defense, I am going to vote in the affirmative. I have confidence in him. I have confidence that the administration of the cut of $182 million will be wise, just as I have confidence in his capacity to administer the multibillion-dollar appropriation we are making available to him.

I cannot even conceivably imagine that Charlie Wilson, or anybody else in that position, is going to engage in any frivolous or capricious use of this right to economize to the extent of 1 percent by slapping Congress on the wrist or picking out for a reduction some particular service or agency with respect to which he knows the Congress has consistently supported additional funds.

If this is going to be a vote of confidence, I am for it. I am as confident that he will administer wisely a cut of $182 million as I am confident that he will administer well the spending of multibillion dollar appropriation we are providing for him.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. BARRETT. Is it not a fact that the cut proposed by the Senator from Idaho is only one-half of 1 percent?

Mr. MUNDT. That is correct. The other one-half of 1 percent reduction was made by the committee.

As to the other argument which has been implied, although not frankly stated, that the amount proposed has been hiked a little bit beyond what the committee normally would have provided, because it had to go $800 million above the House figure, and it is thought the House will be adamant, and the conferees want some bargaining power, I recognize that the Senate must face that possibility.

However, I also think we have the responsibility of voting as to whether this is the exact amount, to the dime or dollar, which should be appropriated, or whether, as individual Senators, we feel that perhaps a total cut in the defense appropriation of 1 penny out of $1, $1 out of $100, is justified. We talk about and complain about and criticize the Defense Department, and ask for a greater unification in procurement and speak for more economy. I concur in what the Senator from Wyoming has been saying about that. By following such a policy, we could perhaps economize to the extent of 3 percent, instead of 1 percent. If we are going to back our speeches up with some kind of convincing action, then I think this inches along in the direction in which the Senate should be walking; we should take a little responsibility and authority, and insist on some economy in government including every section of our Government.

I am not going to vote, on a rollcall, for more money than apparently some Senators feel the Defense Department should have, so the Senate can bargain with the House Members. Maybe the House Members will not be in a bargaining mood. Maybe they will yield. I do not want to delegate my interest in economy to the conference committee nor to the House of Representatives.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. LAUSCHE. What is the source of the Senator's information that the committe deliberately lifted the amount of its recommendation in order to place itself in a favorable position for bargaining?

Mr. MUNDT. The source of my information is the colloquies which have been participated in by Members on the floor of the Senate tonight, some of which were engaged in by some very dear friends of mine. I heard them. The Senator from Ohio heard them. That is the conclusion I arrived at. If the Senator from Ohio did not arrive at the same conclusion, that is his privilege.

Mr. LONG. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. LONG. The statement has been made that the Secretary of Defense could make this cut applicable with regard to any particular item. Is it not also true that he does not have to spend any money at all? Does the Senator not remember the amendment of the Senator from Missouri [Mr. SYMINGTON] providing $46 million for the Marine Corps? That money was not spent. During the Truman administration Congress voted an extra $5 billion for the Air Force. The Secretary of Defense impounded the money and declined to spend it. Congress cannot make the Secretary of Defense spend anything.

Mr. MUNDT. Of course, that is true, and we would not force him to spend it if we could. Certainly nobody would want to put the Secretary of Defense in chains and say that he had to spend whatever we provided, even though the weapons in question might be obsolescent. We have to have confidence in our Secretary of Defense. We have confidence in his ability to spend billions of dollars. I think we should have confidence in him with regard to the item of saving $182 million in this bill.

Mr. KNOWLAND. Mr. President, I think we ought to take a good look at what we are doing. Unless my figures are inaccurate, the bill as reported to the Senate by the Appropriations Committee, with the restoration which the committee in its judgment recommended after hearing testimony, and which was less than the restoration asked for by the executive branch of the Government, is still under the budget request by $1,593,000,000, which is in the neighborhood of 3½ to 4 percent under the budget estimate.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. CHAVEZ. The actual figure is 4.4 percent under the budget.

Mr. KNOWLAND. I thank the Senator. I had made a rather rapid calculation. I thought the figure was somewhere between 3½ and 4 percent. I will take the Senator's figure. I assume the staff has checked it. We have recommended a bill which is 4.4 percent under the budget estimate.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. DWORSHAK. Does the Senator from California concede that when the bill was before the Senate Appropriations Committee the Department of Defense asked for a restoration of only $1,220 million, although the House had cut the budget figure by $2,565 million. No restoration of about $1,300 million was asked for because it was admitted that deferments could be made until the next fiscal year, and that at least $1,300 million did not reflect what might be called bona fide reductions?

Mr. KNOWLAND. I think it is fair to say and for this I think Congress is to be commended—that the executive branch of the Government understood the feeling in both the House and the Senate, that items which they would like to have had, and which in their original recommendation they believed were desirable and necessary in our defense picture, would have to be postponed. Consequently, the Department adhered to those items which they felt had a priority of essentiality. Even then we did not give them all the very high priority items, but cut some of them rather substantially.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Idaho.

Mr. DWORSHAK. The Senator from California is correct in that regard, as to the amount which was not requested to be restored.

Is not the failure to ask for the full restoration a result largely of a carryover? I am not sure exactly how much the carryover is. It could be $6 billion, $7 billion, or $8 billion. On that basis, it was not necessary to ask for the full restoration.

Mr. KNOWLAND. Of course, we can get into a discussion of the carryover problem, and we have discussed it. Actually, as the able and distinguished member of the committee knows, the Senate Appropriations Committee has made a little different approach from that taken by our colleagues in the House. Nevertheless, the fact remains that with the procedure which the Congress has followed, the carryover funds are committed. There are items on order in the pipeline.

I think we all agree that with the new missiles and with the new planes the costs of defense have gone up greatly from what they were even in World War II. Items which we could purchase for $1 million may today cost $2 million, or perhaps even $3 million. It is possibly true they are not precisely the same items, because we need different equipment and faster equipment, but nevertheless the rough comparison of the situation shows that item after item for defense has gone up greatly in cost.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. SALTONSTALL. I wish to supplement what the Senator from California has stated. $516 million in Army procurement was put in the budget roughly 18 months ago. When the time came this spring for that expenditure, the Army found it would not need the $516 million, because the production lines in those items were not ready. Those production lines had not come forward as fast as they had expected them to. Therefore, considering the money they had on hand, they did not need the $516 million, because they could not manufacture those goods as planned.

Mr. THYE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Minnesota.

Mr. THYE. Mr. President, I rose to make practically the same statement as that so ably made by the Senator from Massachusetts [Mr. SALTONSTALL], which was that the President recommended a revision of his budget request as submitted to Congress, to reduce it by $516 million, just the same as was done when the President came forth with a reduced recommendation in the mutual security or foreign-aid program.

The President has studied the budgetary requests, which he has submitted to Congress, monthly, and of course we all know that the Bureau of the Budget recommendation is developed some 18 months in advance. In fact, the administration is making studies for the 1958 budget request at the present time.

I think this administration, therefore—the President and the Bureau of the Budget—have been most diligent in their efforts to help Congress revise the budget in view of the world situation and the development of guided missiles, which have permitted a review of our air strength to determine what might be saved in that particular portion of the Department of Defense.

Mr. KNOWLAND. I wish to thank the Senator for his remarks.

Mr. HAYDEN and Mr. JAVITS addressed the Chair.

Mr. KNOWLAND. I yield first to the Senator from Arizona [Mr. HAYDEN], and then I shall yield to the Senator from New York [Mr. JAVITS].

Mr. HAYDEN. Mr. President, I asked the Senator from California to yield for the purpose of suggesting a point of order. I have examined the amendment, and it appears to me the amendment imposes conditions which are legislative in character and not justified in an appropriation bill. If such is the case, it is my duty, as chairman of the Committee on Appropriations, to make a point of order, and I do so.

I should like to have a ruling from the Chair.

The PRESIDING OFFICER. The Chair is ready to rule.

This amendment grants authority to and directs the Secretary of Defense to reduce the appropriations in the bill. The imposition of additional duties or conferring of authority upon an official which he does not under the law possess constitutes legislation on an appropriation bill, and the Chair, therefore, sustains the point of order.

The bill is open to further amendment.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were ordered.

Mr. DWORSHAK. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 45, between lines 2 and 3, to insert the following:

SEC. 633. Notwithstanding any other provision of this act, the total amount appropriated pursuant to this act shall not exceed $34,351,537,770.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. DWORSHAK].

Mr. DWORSHAK. Mr. President, the amendment has the same ceiling, and provides for the same overall cut of one-half percent in addition to that already made, which would be an overall cut of 1 percent under the appropriations for fiscal year 1957. The amendment deletes that portion of the previous amendment which was ruled out of order.

Mr. CURTIS. Mr. President, will the Senator yield so that I may make a unanimous-consent request?

Mr. DWORSHAK. I yield.

Mr. CURTIS. Mr. President, I ask for the yeas and nays on this amendment.

Mr. MUNDT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MUNDT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). Without objection, it is so ordered.

Mr. MUNDT. Mr. President, I ask for the yeas and nays on the amendment offered by the Senator from Idaho [Mr. DWORSHAK].

The yeas and nays were ordered.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. JAVITS. Mr. President, I shall take only a minute. I had not intended to participate in this debate, but the way in which this matter has come before us brings me to my feet, for this reason: We either have respect for this bill and its integrity or else it is wanting. If we make this very small cut, we send our conferees into conference with the feeling they should stand by everything they have found by way of facts, borne out by all the evidence they have taken, but there are some small doubts. That is what this action would mean.

Everyone knows very well that this bill is going to be cut before it comes back to us by $180 million, but this action would indicate we have some small doubts as to what we have done. Speaking for myself, it seems to me that the position of the negotiators would be strengthened, and integrity given to them, by showing that we have no doubts and that we feel their findings of fact are correct. If they have to make compromises, that is the fact of life.

Mr. DWORSHAK. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Idaho.

Mr. JAVITS. I will yield in a moment.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. JAVITS. This action represents a doubt on our part. That is the way this amendment appears to me.

Many of those who are defending this budget have talked about "meat-ax cuts." I should like to know what the definition of a meat-ax cut is, if it is not an across-the-board reduction, regardless of where it comes from or what it affects.

Mr. DWORSHAK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. DWORSHAK. The sponsor of the amendment did not have in mind casting any reflection on his associates on the Senate Committee on Appropriations. I attended many of the hearings and studied the bill. I am not at liberty to disclose what took place in executive session.

When a Senator proposes that a total overall reduction of 1 percent be made, certainly the Senator from New York is not justified in making the claim that a meat-ax approach is being made.

As the Senator from South Dakota [Mr. MUNDT] pointed out a few minutes ago, this amendment is an expression of confidence in the Secretary of Defense and would accord to him the opportunity to absorb a small overall reduction, without jeopardizing or impairing in the least any particular program within the Department of Defense.

Mr. JAVITS. Let me say to the Senator that I am a lawyer, and I choose my words very carefully. In the expressions I used, the words "moral integrity" would have been very handy, but I did not use them. I used the word "integrity." I understand exactly what it means, and I think the conferees do too.

The word "integrity" as distinguished from the expression "moral integrity" means that the members of the committee had no mental reservations. I thoroughly agree with my colleague that they did not. I am confident they did not. What it means is that we sustain their findings upon the facts. That is what I understand to be the meaning of the word "integrity." By voting against the amendment, we enable the conferees to go into conference, and say, "We believe in every one of these proposals we are putting forward. We have no doubts on the question. We are not soft. Therefore, if we must negotiate, we negotiate from strength."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. DWORSHAK].

Mr. LAUSCHE. Mr. President, I should like to ask the Senator from Idaho a question.

The amount of the bill as it passed the House was $33,562,725,000. If the amendment of the Senator from Idaho were adopted, what would be the difference between the bill accepted by the Senate and the version accepted by the House?

Mr. DWORSHAK. If this amendment were adopted, it would restore between $775 million and $800 million of the cut made by the House.

Answering the question in another way, it would reduce the total in the bill as reported by the committee by approximately $182 million, or one-half of 1 percent under the appropriations for the fiscal year 1957.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Idaho [Mr. DWORSHAK]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD (when his name was called). On this vote I have a pair with the Senator from Missouri [Mr. SYMINGTON]. I am informed that if he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." Therefore I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], and the Senator from Missouri, [Mr. SYMINGTON], are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

I also announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

On this vote the Senator from Virginia [Mr. BYRD] is paired with the Senator from Texas [Mr. JOHNSON]. If present and voting, the Senator from Virginia would vote "yea" and the Senator from Texas would vote "nay."

I also announce, if present and voting, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island, [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Montana [Mr. MURRAY], and the Senator from West Virginia [Mr. NEELY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. JENNER], and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from Vermont [Mr. FLANDERS] is detained on official business.

If present and voting, the Senator from Kansas [Mr. SCHOEPPEL], would vote "yea."

The Senator from Nevada [Mr. MALONE] is paired with the Senator from Maine [Mr. PAYNE]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from Maine would vote "nay."

The result was announced—yeas 24, nays 49, as follows:

YEAS—24

Allott	Ellender	Robertson
Barrett	Goldwater	Smathers
Bricker	Hruska	Smith, Maine
Butler	Johnston, S. C.	Thurmond
Carroll	Kefauver	Watkins
Curtis	Lausche	Williams
Douglas	Long	Yarborough
Dworshak	Mundt	Young

NAYS—49

Aiken	Gore	Neuberger
Beall	Hayden	O'Mahoney
Bennett	Hickenlooper	Pastore
Bible	Hill	Potter
Bush	Holland	Purtell
Capehart	Humphrey	Revercomb
Carlson	Jackson	Russell
Case, N. J.	Javits	Saltonstall
Case, S. Dak.	Kerr	Scott
Chaves	Knowland	Smith, N. J.
Church	Kuchel	Sparkman
Clark	Magnuson	Stennis
Cooper	Martin, Iowa	Talmadge
Cotton	Martin, Pa.	Thye
Dirksen	McClellan	Wiley
Ervin	McNamara	
Frear	Morton	

NOT VOTING—22

Anderson	Ives	Morse
Bridges	Jenner	Murray
Byrd	Johnson, Tex.	Neely
Eastland	Kennedy	Payne
Flanders	Langer	Schoeppel
Fulbright	Malone	Symington
Green	Mansfield	
Hennings	Monroney	

So Mr. DWORSHAK's amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there are no further amendments to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

Mr. ELLENDER. Mr. President, the amendment which has just been offered was a very modest one, and I am sorry that it failed of adoption. I voted against the Douglas amendment because in my opinion it eliminated much that was necessary and added almost a half billion dollars which was not essential.

The "economy wave," which engulfed Capitol Hill since the President submitted to Congress the highest peacetime budget in our history has apparently dwindled to a faint ripple. Any thought that this Congress was economy-minded disappeared when the Senate Appropriations Committee acted on the Defense bill for fiscal year 1958.

The committee restored $971,504,000 out of a possible requested restoration of $1,220,171,000. The greatest amount of money was added to the procurement appropriations of the armed services, which is the area in which the greatest waste has occurred, and I submit, will continue to occur.

In increasing the appropriations for Operations and Maintenance, I feel that the committee acted wisely since all three services pointed up the urgency of their needs for funds for this purpose. Had the committee acted otherwise, it would have amounted to a substitution of the committee's judgment for the judgment of our military leaders. This would be dangerous. However, that qualification does not hold true for the restorations made in the procurement appropriations.

For procurement in the armed services the President submitted a budget request aggregating $11,950,000,000. This amount, added to the unobligated balances available at the beginning of fiscal year 1958—balances which aggregate approximately $10.9 billion—would have given the Defense Department almost $23 billion available for procurement in the ensuing and subsequent fiscal years. The services estimate that they will be able to obligate approximately $14 billion of this amount in fiscal year 1958. Therefore, they will carry over an estimated $9 billion for use in fiscal year 1959.

Almost before the ink on the budget document could completely dry, and while the House was conducting its hearings, the President advised Congress that it could reduce the amount requested for procurement in the armed services by $596 million.

He pointed out that this reduction could be specifically applied as follows:

Procurement and Production for Army, $516 million, and for Marine Corps, $80 million.

The House, in marking up its bill, not only complied with the President's desire and made the cut he suggested, it also proceeded to make some reductions of its own. The House applied cuts in the procurement appropriations amounting to $774 million, as follows:

Procurement of ordnance and ammunition, Navy	$80,000,000
Aircraft and related procurement, Navy	120,000,000
Shipbuilding and conversion	120,000,000
Aircraft and related procurement, Air Force	354,000,000
Procurement other than aircraft, Air Force	100,000,000
	774,000,000

These reductions, made by the House, were not made haphazardly. There was no meat ax approach applied to the procurement appropriations. Every reduction made by the House was justified. The deductions were only made after a careful study of the justifications and the available evidence.

In the appropriation, procurement of ordnance and ammunition—Navy, the House cut $80 million.

This cut was based on the fact that the Navy failed to consider a $10 million reimbursement it would obtain from MDAP—Military Defense Assistance Procurement—and further, that the Navy had underestimated the amount of unobligated balances it would carry over into fiscal 1959. Even if the Navy had been correct in its estimate, it would still have an unobligated balance in this appropriation of $39.5 billion as of July 1, 1958.

In the appropriation, aircraft and related procurement, Navy, the House reduced the budget request by $120 million. In making this reduction, two reasons were advanced by the House:

First, the Navy, in determining its financing requirements for fiscal year 1958, estimated it would have recoupments in this appropriation, as a result of repricings and deletions of items, aggregating $165 million. Based on past experiences the House felt that this amount was underestimated by $70 million.

Secondly, it was discovered in the Navy's justifications that funds were requested for the procurement of the F4H1 and the F8U3, two all-weather fighters. Both of these craft accomplish the same mission, and therefore, it was felt that the Navy should make a choice and keep only one in production while dropping the other, thereby reducing the requirements for funds.

In the appropriation, shipbuilding and conversion—Navy, the House reduction from the budget request amounted to $120 million. Basing its decision on past experience, the House was of the opinion that as a result of repricing, recoupments would be realized amounting to $100 million. In addition to the savings of $100 million, it was felt that some economy could be effected in the administrative expenses of this appropriation.

The greatest reductions made by the House in the procurement area took place in the Air Force appropriations. Between the two appropriations—aircraft and related procurement and procurement other than aircraft—a total of $454 million was cut from the budget request.

In the appropriation, Aircraft and Related Procurement, the Air Force estimated that it would have recoupments resulting from repricings and deletions of items amounting to $1,060,600,000. Just as in other appropriations of this nature, the House was of the opinion that this estimate was too low. It was determined by the House that this amount would approximate $1,414,600,000, or $354 million more than the amount calculated by the Air Force. From 1957 and prior years, the Air Force had already recouped an amount approximating $2.4 billion, and considering this past experience, it would appear that the House calculation is more likely to be correct.

From the appropriation, procurement other than aircraft in the Air Force, the House reduced the budget request by $100 million. This reduction was tied in with the reduction made in the appropriation, aircraft and related procurement. The House felt, and rightly so, that since there was going to be a lengthening of the B–52 program, it should follow that the need for support equipment would be correspondingly reduced. Also, there would be some recoupments during fiscal year 1958 which would reduce the need for new obligational authority.

It cannot be too strongly emphasized that the reductions made by the House in the procurement appropriations could not and would not have any effect on our national security. As was pointed out earlier, the Armed Forces will have a "kitty" amounting to $22 billion dollars, even if the House reductions were permitted to stand as reported. Notwithstanding this fact the Senate Appropriations Committee saw fit to restore a total of $590 million or almost 80 percent of the House cut, and thereby augment a bank account that is already bulging at the seams.

On the afternoon of June 20, Secretary Douglas of the Air Force made a second appearance before the Senate Appropriations subcommittee and put forth a special plea for the restoration of the operation and maintenance funds that had been cut by the House. He pointed out that this item had top priority and that if nothing else was restored, the funds for operating and maintaining the existing Air Force should be provided. He proceeded to rank, on a priority basis, his requests for restoration, and, out of the five appropriations available to the Air Force, he gave the lowest priority to the appropriation—Aircraft and Related Procurement. In fact, the feelings of the Secretary were expressed in an article that appeared in the Washington Post on the morning of June 21, 1957, the morning after the Secretary appeared before the Defense Subcommittee of the Senate Appropriations Committee and made a special plea for the restoration of funds for operation and maintenance.

I ask unanimous consent to have the article printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

AIR FORCE SECRETARY DOUGLAS WARNS PLANE BUILDERS OF CUTBACKS

Leaders of the Nation's aircraft industry were called to the Pentagon yesterday and given some bad news about the future.

Air Force Secretary James H. Douglas bluntly told the plane builders that drastic economy measures are coming and they will have to "produce improved hardware at less cost."

That means, he warned, that some plants will be closed, industry payrolls will be reduced and some types of aircraft in development and production must be dropped.

Pentagon officials did not say so, but the executives left the meeting with the distinct impression that some of their companies would not survive the coming cutbacks.

Over 100 representatives of the major aircraft and allied industries came here at Douglas' call for a face-to-face talk on the problems brought about by rising costs and new spending ceilings imposed on the Armed Forces. Included were the presidents of the biggest aircraft manufacturing companies.

They already knew of the overall situation, but Air Force chiefs took this means to lay the problem before them, dramatize the need for change and ask for full cooperation.

"We have been in a period in which we could do almost everything in development and procurement that was desirable," said Douglas. "In the future we must be more highly selective. • • •

"We are not at a point where we must exercise a great deal of ingenuity in order to continue certain essential programs at a relatively lower rate without unit cost being unacceptably high."

Douglas, Assistant Air Force Secretary for Materiel Dudley C. Sharp, Lt. Gen. Clarence S. Irvine, deputy chief of staff for materiel, and Maj. Gen. David H. Baker, director of procurement and production, Air Materiel Command, spoke behind closed doors and then answered questions. The Air Force released a summary of events afterward.

Answering a question from the floor, Douglas said that the effects of a directive from Defense Secretary Charles E. Wilson, banning "installment buying" of aircraft will not be anywhere near as drastic as at first feared.

Earlier Douglas had told Congress that some $4 billion in plane contracts would be rescinded or stretched out under the order. But yesterday, he said that Pentagon chiefs have placed a different interpretation on it and relaxed it somewhat.

Nevertheless, the Air Force didn't mince words in warning that belts must be tightened in the future. Douglas said that the problem stems from imposing missile programs on top of the aircraft modernization program and the increasing cost of both.

Government spending ceilings to prevent expanding costs from continuing have produced a "severe dollar pinch," he said. Industry must cooperate in "getting more dollar value out of the funds now available," he added.

None of the Air Force officials, it was said, mentioned specific plants to be closed, nor plane types to be dropped. But Sharp declared that these steps will be taken:

Overtime costs must be further reduced, despite arguments that this sometimes produces greater efficiency.

Reduction and "streamlining" of engineering staffs. Some companies have built duplicate design staffs where they have several plants building planes.

Planes must be simplified and parts standardized.

Mr. ELLENDER. Mr. President, the Secretary of the Air Force had every reason to believe from the evidence presented to both the Senate and House Appropriations Committees that restorations in the aircraft and related procurement appropriation could not be expected. That is one reason why he advised the aircraft companies to tighten their belts. He was cognizant of the fact that instead of the Air Force position being strengthened before the Senate subcommittee, it had actually been weakened by the testimony developed there, on the recoupments made in the Air Force.

In an endeavor to determine the necessity for the large amount of unobligated carryovers in the procurement appropriations of the armed services, the staff of the Senate Appropriations Committee learned that for fiscal years 1956 and 1957 the Air Force had made recoupments amounting to 17.3 percent of its procurement program. When questioned about this matter, the Air Force testified that anticipated recoupments in fiscal year 1958 would not be greater than 7 percent. Nevertheless, a 7-percent recoupment out of the 1958 program was not considered by the Air Force in determining its financing requirements for fiscal year 1958.

If the anticipated recoupment for fiscal year 1958 had been considered by the Air Force, there could have been a reduction of $525 million over and above the $354 million already deducted by the House, which was concerned only with recoupments from fiscal year 1957 and prior years. If recoupments in the other procurement appropriations had been fully considered, the Senate could have reduced the total House allowance by an additional amount approximating $600 million.

Notwithstanding the evidence included in the House hearings and report, the priority ranking by the Secretary of the Air Force of the appropriation, aircraft and related procurement, and the evidence advanced at our Senate hearings, our own Senate Appropriations Committee was undaunted in its restoration of a total of $590 million in the procurement accounts. Certainly, this is no more than a contribution to more waste, more duplication, and even more triplication in the armed services. That is what prompts me to say, Mr. President, that it appears that the economy wave which threatened to engulf us has now subsided, perhaps not to return in the near future.

When the bill was under discussion, I endeavored to cut it $3½ billion. I said it could be cut by that amount without in any way affecting the programs of the three services, or our national security.

During the last week I made every effort before the committee and before the subcommittee to reduce the bill by almost a billion dollars under the House figure.

Soon after the committee acted I went to my office and started to prepare a few amendments in order to carry out the views I had expressed before the committee. I worked for about an hour and then said to myself, "What's the use?" The Senate demonstrated just a few minutes ago that I was correct.

When we tried to cut one-half of 1 percent from an appropriation bill of $34 billion, the Senate voted in the negative, by a vote of 2 to 1.

I was justified in not presenting the amendments. The armed services in their testimony before us stated that by the end of next fiscal year they will have on hand, unobligated, $8,700,000,000. Every effort I made in committee, to reduce this amount, failed.

I predict that at the end of fiscal year 1958 there will be over $10 billion in unobligated funds, or $1,300,000,000 more than the Defense Department's estimate.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. The question I should like to ask the Senator is of great importance, because it will place in the proper perspective the fiscal situation which will prevail within the defense forces at the conclusion of this day's work. If the Senator from Louisiana will look at the hearings at page 378, in columns 4, 5, and 6 under "Total Estimated Obligational Availability," he will see that there will be available $51,712,000,000 for use by the defense forces in the next fiscal year. Does the Senator from Louisiana have the page to which I have referred?

Mr. ELLENDER. I have.

Mr. LAUSCHE. There is an asterisk there which suggests that one should look at the footnotes at the end of the table on page 383. It is asterisk No. 7. The footnote under that asterisk shows that undercharges between the different division of the Defense Department cover the sum of $1,200,000,000. That means that there will be available for expenditure in the next fiscal year $51,712,000,000, less $1,200,000. The total of the bill as reported to the Senate by the committee is $34,534,000,000. That means, if the figures which I have quoted are correct, that $15 billion of unobligated money will be available to the defense forces.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. SALTONSTALL. I most respectfully call the Senator's attention to the fact that the figures he is using are for fiscal 1957, which is the year that has just gone by.

Mr. LAUSCHE. I may say to the Senator from Massachusetts that I picked up this column in accord with answers which he gave this afternoon to questions put to him when other Senators were not able to answer. A young women was sitting at his side, aiding him in answering, and he said the figure was $49 billion.

Mr. SALTONSTALL. That is correct; $49 billion for the fiscal year 1958; and there was an unobligated balance at the start of this fiscal year—which was yesterday—of $10,900,000,000. At the end of this fiscal year—1 year from now—there will be an unobligated balance of $8 billion.

Mr. ELLENDER. The precise estimate is $8,700,000,000. I am sure the Senator remembers Secretary Wilson's memorandum of May 22, which had the effect of withholding $500 million from obligation in fiscal year 1957, thereby increasing the unobligated balances for fiscal year 1958 by that amount.

Mr. SALTONSTALL. Withheld $500 million; the Senator is correct.

Mr. LAUSCHE. I submit to my colleagues that they cannot lightly disregard the fact of the unobligated sum which passes into the year 1958 from the year 1957. Many Senators who have voted against the recommendations will be charged with hampering the efforts of our country. I may be one who will be so charged. I have no fear about the charge. I have had some contact with the military. I respect them. They have given of themselves liberally for the defense of the country. But, with due respect, I believe I can say, and can have the subscription of many who have been in contact with the military, that their use of the dollar in war is carried over into the semipeace period and into the absolute peace period. Mr. President, we can cut this budget.

I suggest, further, although I have not asked the question, as a culmination of all the discussions had today, that it appears to me as though we are going to approve more than the committee recommended. Am I correct in that understanding?

Mr. ELLENDER. No. The total amount which will be appropriated by the Senate, if this bill passes without amendment, is $34,534,229,000.

Mr. LAUSCHE. What is the present status of the figures? Can the Senator from Massachusetts answer that question?

Mr. ELLENDER. Nothing has been taken away thus far.

Mr. CHAVEZ. Not a dime has been added by the Senate.

Mr. ELLENDER. And not a dime has been taken off.

Mr. CHAVEZ. No.

Mr. LAUSCHE. In conclusion, I subscribe to the words of the Senator from Louisiana. We are accepting in full faith every word uttered to us by the military. I have faith in them, but not such faith that I would dismiss from my own mind my own reason and my own experience in dealing with the National Guard of Ohio, and generally with the military. I give my support to the statements made by the Senator from Louisiana.

The PRESIDING OFFICER. Are there further amendments to the bill? If not, the question is on the third reading of the bill.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. McCLELLAN. Has the committee amendment on page 8 been adopted?

The PRESIDING OFFICER. All committee amendments have been adopted except the amendment on page 8, beginning with line 8 and ending with line 11. That amendment was rejected, according to the information given to the Chair by the Parliamentarian.

Mr. McCLELLAN. May I inquire about the amendment beginning with

line 4, page 8, and extending through line 7?

The PRESIDING OFFICER. The amendment beginning on line 4 and continuing through line 7 was agreed to.

Mr. McCLELLAN. I thank the Chair. I do not wish to argue the amendment; but since some remarks were made in opposition to the amendment this afternoon, I simply wish to place in the RECORD some documentary facts in support of the amendment, since it may go to conference.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a telegram I received yesterday from Colonel Westervelt, commanding the Army-Navy Hospital at Hot Springs, Ark.; a telegram I received yesterday from Dr. Goode, manager of the Veterans Hospital at Little Rock; and a telegram I received yesterday from the commanding officer of the Little Rock Air Force Base.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

HOT SPRINGS, ARK., *July 1, 1957.*

Hon. JOHN L. MCCLELLAN,
United States Senate,
Washington, D. C.:

In answer to your telephonic request there are 94 patients in Army-Navy Hospital today. Of these 60 are active duty Army personnel; 11 are active duty Air Force personnel, of whom 10 are from Little Rock Air Base; 7 retired Army personnel; 2 retired United States Navy Marine Corps; 14 dependents of military personnel. Little Rock Air Force Base has averaged approximately 7 active-duty patients this hospital during past year. Little Rock Air Force Base is sending some patients to Veterans' Administration facility in Little Rock and is sending a considerable number of patients to various Air Force Hospitals, among them probably Barksdale Air Force Base, Shreveport, La., and Sheppard Air Force Base, Wichita Falls, Tex.

WESTERVELT,
Commanding, Army-Navy Hospital.

LITTLE ROCK, ARK., *July 1, 1957.*

Hon. JOHN L. MCCLELLAN,
Senate Office Building,
Washington, D. C.

Since the activation of the Jacksonville Air Force Base we have admitted 712 of their servicemen as patients. An additional 1,234 have received treatment on an outpatient basis. Our average daily patient load is 423.

DELMAR GOODE, M. D.
Manager.

WASHINGTON, D. C., *July 1, 1957.*

Senator JOHN L. MCCLELLAN,
United States Senate,
Washington, D. C.

Priority 012240Z, action Senator JOHN L. MCCLELLAN, care of Senate Chambers, United States Senate, Washington, D. C., Information Director of Legislative Liaison, Office of Secretary of the Air Force, Washington, D. C., CINCSAC, OFFUTT, AFB, Nebr., COM AF 2, Barksdale AFB, La., unclas C-5818, attn., Chief of Staff, Barksdale: Reference your conversation with Colonel Strauss this date. Medical records of this installation are incomplete prior to January 1, 1956, disposition of patients during period from January 1, 1956, to this date was as follows: To Veterans' Administration Hospital, Little Rock, Ark., 374; to Army and Navy Hospital, Hot Springs, Ark., 179; to Sheppard AFB, Tex., 61; to Lackland AFB, San Antonio, Tex., 33; to Barksdale AFB, La., 0; to Memphis, Tenn., 0; to Wolters AFB, Tex., 0; to other hospitals for specialized treatment such as tubercular cases, etc., TIM of 2,089 patients this station, 705 were assigned to hospitals as indicated in foregoing with the remaining 1,384 patients being treated at our station dispensary.

COMADIV 825,
Little Rock AFB, Ark.

Mr. McCLELLAN. Mr. President, I call attention to the fact that while an effort is being made to close the hospital at Hot Springs, the Air Force Base at Little Rock sent more than 700 patients to the veterans' hospital at Little Rock, instead of using the Army-Navy hospital, and paid $17.50 a day per patient for that service.

It has bypassed the hospital at Hot Springs and has sent 61 patients to Sheppard Air Force Base, Tex., 350 miles away.

It has sent 33 patients to Lackland Air Force Base, 510 miles away. There is a request now before Congress to increase the facilities at that base by 500 beds.

I do not like to ask a favor for my State, and I am not; but there is a request from the Army for 9 new installations or additions to hospital installations, estimated to cost $56,383,000.

From the Department of the Air Force, there is a request for 12 new additions to installations in the United States and 1 overseas. Those in the United States total 1,790 beds, at a cost of $41,809,000.

There are pending before the Congress requests from the Veterans' Administration for 17 new facilities or additions to facilities, to provide 10,970 beds. I do not know the cost involved; but with the two increases I have stated, there are before the Congress requests for over $150 million for the construction of new hospital facilities for these agencies and services.

The hospital at Hot Springs, Ark., so Senators will be told, when the witnesses are pressed about the matter—and I asked General Hays this question, and he admitted it—is the best facility in continental United States; only one better one is owned by the Government, and it is in Hawaii. The patients being sent to hospitals by the Veterans' Administration could very well be sent to a hospital only 60 miles away. But that hospital is being bypassed, and the veterans are being sent 350 miles away or more than 500 miles away.

When this measure is referred to as an economy measure, I point out that the economical way to proceed is to make the agency use the existing facilities, and to stop the construction of more.

Mr. CHAVEZ. Mr. President, I think I know the subject to which the Senator from Arkansas has been referring. Although I do not come from Arkansas, I ask why a new hospital should be built, if an existing hospital is already available.

In other words, I am in favor of the amendment to which the Senator from Arkansas has referred.

Mr. McCLELLAN. Mr. President, the witnesses were asked what they wished to do with that hospital. They wish to close it and put it in mothballs. Then what will be done with it? It will be declared to be surplus. Then what will happen to it? The Air Force and the Army and the Navy and the Veterans' Administration will say they do not want it. Then what will be done with it? It will be turned into a bat roost. What will happen to it then? An effort will be made to sell it. Who will wish to pay anything for it?

I say that unless the hospital is operated as it should be, instead of being turned into a bat roost, the Federal Government should deed it to the State of Arkansas, and let the State of Arkansas see what it can do with it, and thus insure that the taxpayers who paid for the construction of the hospital and paid to equip it will get some benefit from it.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. HUMPHREY. Mr. President, before the final vote on the bill is taken, let me say that in the light of the arguments I have heard about the necessity for economy, I should like to ask one of the members of the Appropriations Committee what the final vote was in the committee on the bill, as reported by the committee to the Senate. Will the Senator from New Mexico please reply?

Mr. CHAVEZ. I shall be glad to reply. There was not a vote against it.

Mr. HUMPHREY. Mr. President, when the Senate has before it a bill with hearings comprising 1,574 pages; and when, according to the statement of the chairman of the subcommittee, no votes were cast against the bill in the committee, it appears to me that the arguments which have been made in favor of the bill must be rather valid.

I am not saying there cannot be differences of point of view regarding the bill. Indeed there can be, and such differences in point of view have been expressed.

In the case of a bill involving more than $34 billion and the subject of hearings which comprise more than 1,500 pages, and when the bill involves the security of the country, I think it fair to say that one should resolve his doubts in favor of the action taken by the committee.

The PRESIDING OFICER. The bill having been read the third time, the question now is, Shall the bill pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. GREEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Texas [Mr. JOHNSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I further announce that the Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

I also announce, if present and voting, all of the above listed Senators would vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from New York [Mr. IVES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Indiana [Mr. JENNER] and the Senator from Kansas [Mr. SCHOEPPEL] are necessarily absent.

The Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from Maryland [Mr. BUTLER] and the Senator from Vermont [Mr. FLANDERS] are detained on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maryland [Mr. BUTLER], the Senator from Vermont [Mr. FLANDERS], the Senator from New York [Mr. IVES], the Senator from Nevada [Mr. MALONE], the Senator from Maine [Mr. PAYNE], and the Senator from Kansas [Mr. SCHOEPPEL] would each vote "yea."

The result was announced—yeas 74, nays 0, as follows:

YEAS—74

Aiken	Fulbright	Mundt
Allott	Goldwater	Neuberger
Barrett	Gore	O'Mahoney
Beall	Hayden	Pastore
Bennett	Hickenlooper	Potter
Bible	Hill	Purtell
Bricker	Holland	Revercomb
Bush	Hruska	Robertson
Capehart	Humphrey	Russell
Carlson	Jackson	Saltonstall
Carroll	Javits	Scott
Case, N. J.	Johnston, S. C.	Smathers
Case, S. Dak.	Kefauver	Smith, Maine
Chavez	Kerr	Smith, N. J.
Church	Knowland	Sparkman
Clark	Kuchel	Stennis
Cooper	Lausche	Talmadge
Cotton	Long	Thurmond
Curtis	Magnuson	Thye
Dirksen	Mansfield	Watkins
Douglas	Martin, Iowa	Wiley
Dworshak	Martin, Pa.	Williams
Ellender	McClellan	Yarborough
Ervin	McNamara	Young
Frear	Morton	

NOT VOTING—21

Anderson	Hennings	Monroney
Bridges	Ives	Morse
Butler	Jenner	Murray
Byrd	Johnson, Tex.	Neely
Eastland	Kennedy	Payne
Flanders	Langer	Schoeppel
Green	Malone	Symington

So the bill (H. R. 7665) was passed.

Mr. MANSFIELD. Mr. President, I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. CHAVEZ, Mr. HAYDEN, Mr. RUSSELL, Mr. HILL, Mr. BYRD, Mr. SALTONSTALL, Mr. BRIDGES, and Mr. YOUNG conferees on the part of the Senate.

ORDER FOR ADJOURNMENT TO NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns tonight it adjourn to meet at 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM WEDNESDAY TO FRIDAY AND FROM FRIDAY TO MONDAY

Mr. MANSFIELD. Mr. President, for the information of the Senate, I wish to announce that the Senate will meet at 12 o'clock noon tomorrow, and the next meeting will be on Friday. When the Senate meets on Friday, it will convene and adjourn. There will be no speeches and no insertions in the RECORD.

So at this time I ask unanimous consent that on Wednesday, July 3, 1957, at the conclusion of its business on that day the Senate adjourn until 12 o'clock noon on Friday, July 5, 1957, and that immediately upon the convening of the Senate on that day the Presiding Officer shall, without the transaction of any business or debate, declare the Senate adjourned until Monday, July 8, 1957, at 12 o'clock noon.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

LEGISLATIVE PROGRAM

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HICKENLOOPER. The Senator did not announce what the business for tomorrow will be.

Mr. MANSFIELD. I am coming to that.

For tomorrow, in addition to the announcements made last night, the Senate will consider Calendar No. 462, H. R. 6191, amending the Social Security Act relative to disability applications; and Calendar No. 341, S. 943, to amend section 218 (a) of the Interstate Commerce Act.

The Senate may consider Calendar No. 576, S. 1386, relating to power brakes on trains.

DELETION OF REQUIREMENT FOR REPORTS FROM CERTAIN PERSONS RELATING TO COLLECTION AND PUBLICATION OF PEANUT STATISTICS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 609) to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirements for reports from persons owning or operating peanut picking or threshing machines, and for other purposes, which was, to strike out all after the enacting clause and insert:

That the last sentence of section 1 of the act of June 24, 1936 (ch. 745, 49 Stat. 1898; 7 U. S. C. 951), is amended to read as follows: "All reports shall be submitted monthly in each year, except as otherwise prescribed by the Secretary."

SEC. 2. Section 2 of said act, as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 952), is repealed.

SEC. 3. Section 3 of said act, as amended (49 Stat. 1899; 52 Stat. 349; 7 U. S. C. 953), is amended to read as follows:

"It shall be the duty of each warehouseman, broker, cleaner, sheller, dealer, growers' cooperative association, crusher, salter, manufacturer of peanut products, and owner other than the original producer of peanuts to furnish reports, complete and correct to the best of his knowledge, on the quantity of peanuts and peanut oil received, processed, shipped, and owned by him or in his possession. Such reports, when and as requested by the Secretary, shall be furnished within the time prescribed and in accordance with forms provided by him for the purpose. Any person required by this act, or the regulations promulgated thereunder, to furnish reports or information, and any officer, agent, or employee thereof, who shall refuse to give such reports or information or shall willfully give answers that are false and misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than $300 nor more than $1,000, or imprisoned not more than 1 year, or be subject to both such fine and imprisonment."

Mr. ELLENDER. Mr. President, I have discussed the House amendment with the distinguished majority leader and with the distinguished minority leader. They have no objection to the immediate consideration of the amendment. The House amendment is technical only. It eliminates the renumbering of sections, which I understand will make the job of the compilers of the United States Code easier. The House proposal is satisfactory to both the State of Virginia and the State of Georgia.

I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

EXTENSION OF TIME FOR CONSTRUCTION OF TOLL BRIDGE ACROSS RAINY RIVER NEAR BAUDETTE, MINN.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1054) to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn., which was, after line 12, to insert:

SEC. 2. The amendments made by the first section of this act shall take effect as of June 15, 1957.

Mr. THYE. Mr. President, the bill would extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn. The amendment of the House would make the bill retroactive to June 15, 1957. The majority leader and the minority leader are agreeable, and I move that the Senate concur in the amendment of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes.

ADDITIONAL COSPONSORS OF SENATE BILLS 2375 AND 2376

Mr. WATKINS. Mr. President, my colleague, the Senator from Utah [Mr. BENNETT] and I hereby request unanimous consent to add the names of several Senators as cosponsors of S. 2375 and S. 2376, bills to implement the President's long-range minerals program.

Colleagues who have indicated their desire to join as cosponsors of S. 2375 include Senators ALLOTT, BIBLE, CARLSON, CHURCH, GOLDWATER, KNOWLAND, KUCHEL, MAGNUSON, MALONE, and MURRAY.

Senators desiring to join as cosponsors of S. 2376 include: Senators ALLOTT, BIBLE, CARLSON, CHURCH, GOLDWATER, KNOWLAND, KUCHEL, MAGNUSON, MALONE, MONRONEY, and MURRAY.

We are gratified at this display of bipartisan interest in this proposed legislation, and invite any other of our colleagues who are interested to support this highly desirable legislation and to join us in urging expeditious action upon it by the Congress.

The PRESIDING OFFICER. Without objection, the names of the Senators indicated will be placed on the bills as cosponsors.

NEED FOR STABILIZING LEGISLATION FOR DOMESTIC MINERALS INDUSTRY

Mr. WATKINS. Mr. President, the urgency of the need for stabilizing legislation for our domestic minerals industry was strongly pointed up in an article in the financial pages of this morning's newspapers.

An Associated Press dispatch carried in the Washington Post announced a further reduction in the prices of copper and zinc at the custom smelters.

The price of copper was reduced one-half cent a pound to 28½ cents, and the price of zinc was cut the same amount to the distressingly low price of 10 cents a pound. As the article points out, this zinc price is some 3½ cents below the 13½-cent price that was held from early 1956 until the decline started some 2 months ago.

Members of Congress from minerals-producing States on both sides of the aisle have petitioned the House Ways and Means Committee to schedule hearings on the lead-zinc import tax proposal, in an effort to assist this industry before widespread unemployment is created in several producing sections of the country. I sincerely hope that the House committee can find a place in its admittedly crowded calendar to schedule these hearings and get this legislative action underway while there is still an opportunity to render first aid to ailing domestic industry.

I ask unanimous consent to have the article from the Washington Post of July 2 printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COPPER, ZINC PRICES REDUCED

NEW YORK, July 1.—Nonferrous metal prices weakened again today with reductions of one-half cent a pound in custom smelters' prices for copper and zinc.

The dip in copper to 28½ cents a pound came after the Rhodesian Selection Trust announced a lowering of its price by 1¼ cents a pound to 27½ cents. This brings the RST fixed price about in line with fluctuations on the London Metal Exchange.

Major producers in this country held to their recently established price of 29¼ cents a pound for copper.

The cut in zinc brought that metal's price to 10 cents a pound, some 3½ cents below the 13½-cent price that lasted from early 1956 until about 2 months ago. Other zinc sellers were expected to follow the smelter action.

AGREEMENT FOR COOPERATION WITH THE FEDERAL REPUBLIC OF GERMANY, IN ACCORDANCE WITH SECTION 125 OF THE ATOMIC ENERGY ACT

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD an agreement for cooperation with the Federal Republic of Germany on behalf of Berlin, together with the accompanying correspondence. This agreement was signed on June 28, 1957, and was received at the Joint Committee on Atomic Energy on July 1. It is a standard research agreement which provides for the lease of up to 6 kilograms of uranium 235 contained in uranium and enriched up to the maximum of 20 percent of U–235.

This agreement is entered into in accordance with section 125 of the Atomic Energy Act, which was passed by the Congress earlier this year, and signed by the President on April 12 as Public Law 18 of the 85th Congress. In accordance with the provisions of that public law, the statutory guaranties are made by the Senat of Berlin and are approved by the British, French, and American commandants.

There being no objection, the agreement and accompanying correspondence were ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 28, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: In accordance with sections 123c and 125 of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. An executed "Agreement for cooperation between the Government of the United States of America and the Federal Republic of Germany on behalf of Berlin concerning civil uses of atomic energy" together with an annex signed by the Berlin Senat containing all of the guaranties prescribed by the act.

2. A copy of the letter from the Allied Commandants (Kommandatura) to the Berlin Senat expressing nonobjection to the Senate's signing of the annex containing all of the guaranties prescribed by the act. The Department of State has informed us that this is the normal procedure by which the commandants register approval to the actions of the Berlin Senat.

3. A letter dated June 25, 1957, from the Commission to the President recommending approval of the agreement.

4. A letter dated June 27, 1957, from the President containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security, approving the agreement, and authorizing its execution.

In accordance with section 125 of the act, Berlin is defined as the areas of Berlin over which the Berlin Senat exercises jurisdiction (the French, British, and American sectors). This agreement, as executed, makes cooperation possible between the United States and Berlin on the design, construction, and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, and agriculture and industry. Berlin, if it desires to do so, will be able to engage United States companies to construct research reactors, and private industry in the United States will be permitted within the limits of the agreement, to render other assistance to Berlin. No restricted data will be communicated under this agreement. The Atomic Energy Commission will be able to lease to the Senat of Berlin up to 6 kilograms of contained U–235 at any one time, plus additional quantity as, in the opinion of the Commission is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Berlin or while fuel elements are in transit.

You will note that article V of the agreement provides for the transfer of limited amounts of special nuclear materials including U–235, U–233, and plutonium for defined research projects related to the peaceful uses of atomic energy.

Article VIII of the proposed agreement records the obligations undertaken by Berlin to safeguard the special nuclear material to be transferred by the Commission, and article IX of the agreement and the annex to the agreement contain the guaranties prescribed by sections 123 and 125 of the Atomic Energy Act of 1954, as amended.

The agreement will enter into force when the Governments of the United States and the Federal Republic of Germany acting on behalf of Berlin have exchanged notifications that the necessary statutory and constitutional requirements have been fulfilled.

Sincerely,

LEWIS STRAUSS, *Chairman.*

(Enclosures: 1. Agreement for cooperation with the Government of the Federal Republic of Germany on behalf of Berlin (3 certified copies). 2. Letter from Allied Commandant to Berlin Senat (3 certified copies) 3. Letter from President to Commission (3 certified copies). 4. Letter from Commission to President (3 certified copies).)

JUNE 25, 1957.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed Agreement entitled "Agreement for Cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany on Behalf of Berlin Concerning Civil Uses of Atomic Energy," and authorize its execution. For purposes of the Agreement, Berlin is defined as the areas of Berlin over which the Berlin Senat exercises jurisdiction (the French, British and American sectors).

The Agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, and is, in the opinion of the Commission an important and desirable step in advancing the development of the peaceful uses of atomic energy in Berlin in accordance with the policy which you have established. The Agreement would permit cooperation between the United States and Berlin with respect to the design, construction and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture and industry. As provided in section 125 of the Atomic Energy Act as amended, the Berlin Senat, with the approval of the Allied Commandants, has made all of the guaranties prescribed by this Act, and these guaranties are contained in the Agreement and the Annex thereto.

No Restricted Data would be communicated under this Agreement. The Commission is authorized to lease to the Senat of Berlin up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235 for use as reactor fuel. You will note that article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy. The Senat of Berlin, if it desires to do so, may engage United States companies to construct research reactors, and private industry in the United States will be able, under the agreement, to render other assistance to the Senat of Berlin.

Following your approval and subject to the authorization requested the Agreement will be formally executed by the appropriate authorities of the Government of the Federal Republic of Germany acting on behalf of Berlin, and the United States and then placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954.

Respectfully,

LEWIS L. STRAUSS, *Chairman.*

THE WHITE HOUSE,
Washington, D. C.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission,
Washington, D. C.

DEAR MR. STRAUSS: Under date of June 25, 1957, you informed me that the Atomic Energy Commission has recommended that I approve the proposed "Agreement for Cooperation Between the Government of the United States of America and the Government of the Federal Republic of Germany on Behalf of Berlin Concerning Civil Uses of Atomic Energy," and authorize its execution. For purposes of the agreement, Berlin is defined as those areas of Berlin over which the Berlin Senat exercises jurisdiction (the French, British, and American sectors). The agreement recites that Berlin desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States and United States industry with respect to this program.

The recommended agreement has been reviewed. It calls for cooperation between the Government of the United States and the Senat of Berlin with respect to the design, construction and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture, and industry. The agreement and annex thereto contain all of the guaranties prescribed by the Atomic Energy Act of 1954, as amended. No restricted data would be communicated under the agreement. The Commission is authorized to lease to the Senat of Berlin up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235 for use as reactor fuel. In addition, article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Pursuant to the provision of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby—

1. Determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and

2. Approve the proposed agreement for cooperation between the Government of the United States and the Government of the Federal Republic of Germany on behalf of Berlin enclosed with your letter of June 25, 1957; and

3. Authorize the execution of the proposed agreement for the Government of the United States by appropriate authorities of the Atomic Energy Commission and the Department of State.

It is my hope that this agreement will mark the beginning of a very productive program of cooperation between the United States and Berlin in the peaceful uses of atomic energy.

Sincerely,

DWIGHT D. EISENHOWER.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY ON BEHALF OF BERLIN CONCERNING CIVIL USES OF ATOMIC ENERGY

Whereas the peaceful uses of atomic energy hold great promise for all mankind; and

Whereas the Government of the United States of America desires to cooperate with Berlin in the development of such peaceful uses of atomic energy; and

Whereas the design and development of several types of research reactors are well advanced; and

Whereas research reactors are useful in the production of research quantities of radioisotopes, in medical therapy and in numerous other research activities and at the same time are a means of affording valuable training and experience in nuclear science and engineering useful in the development of other peaceful uses of atomic energy including civilian nuclear power; and

Whereas Berlin desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States of America and United States industry with respect to this program; and

Whereas the Government of the United States of America, acting through the United States Atomic Energy Commission, desires to assist Berlin in such a program; and

Whereas the Government of the Federal Republic of Germany, as a party to this agreement, is acting on behalf of Berlin;

The parties agree as follows:

ARTICLE I

For the purposes of this agreement:

(a) "Commission" means the United States Atomic Energy Commission or its duly authorized representatives.

(b) "Berlin" means those areas of Berlin over which the Berlin Senat exercises jurisdiction (the French, British, and American sectors).

(c) "Equipment and devices" means any instrument or apparatus and includes research reactors, as defined herein, and their component parts.

(d) "Research reactor" means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy, or training in nuclear science and engineering. The term does not cover power reactors, power demonstration reactors, or reactors designed primarily for the production of special nuclear materials.

(e) The terms "restricted data," "atomic weapon," and "special nuclear material" are used in this agreement as defined in the United States Atomic Energy Act of 1954.

ARTICLE II

Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this agreement to the Senat of Berlin or authorized persons under its jurisdiction if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of restricted data.

ARTICLE III

1. Subject to the provisions of article II, the Commission and the Senat of Berlin will exchange information in the following fields:

(a) Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

(b) Health and safety problems related to the operation and use of research reactors.

(c) The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

2. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application.

ARTICLE IV

1. The Commission will lease to the Senat of Berlin uranium enriched in the isotope U–235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of research reactors which the Senat of Berlin, in consultation with the Commission, decides to construct and as required in the agreed experiments related thereto. Also, the Commission will lease to the Senat of Berlin uranium enriched in the isotope U–235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of such research reactors as the Senat of Berlin may, in consultation with the Commission, decide to authorize private individuals or private organizations under its jurisdiction to construct and operate, provided the Senat of Berlin shall at all times maintain sufficient control of the material and the operation of the reactor to enable the Senat of Berlin to comply with the provisions of this agreement and the applicable provisions of the lease arrangement.

2. The quantity of uranium enriched in the isotope U–235 transferred by the Commission under this article and in the custody of the Senat of Berlin shall not at any time be in excess of 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the

Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Berlin or while fuel elements are in transit, it being the intent of the Commission to make possible the maximum usefulness of the 6 kilograms of said material.

3. When any fuel elements containing U-235 leased by the Commission require replacement, they shall be returned to the Commission and, except as may be agreed, the form and content of the irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission.

4. The lease of uranium enriched in the isotope U-235 under this article shall be at such charges and on such terms and conditions with respect to shipment and delivery as may be mutually agreed and under the conditions stated in articles VIII and IX.

ARTICLE V

Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Senat of Berlin, or persons under its jurisdiction, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes will be sold or otherwise transferred to the Senat of Berlin by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Senat of Berlin, by reason of transfer of this article, be, at any one time, in excess of 100 grams of contained U-235, 10 grams of plutonium, and 10 grams of U-233.

ARTICLE VI

Subject to the availability of supply and as may be mutually agreed, the Commission will sell or lease, through such means as it deems appropriate, to the Senat of Berlin or authorized persons under its jurisdiction such reactor materials, other than special nuclear materials, as are not obtainable on the commercial market and which are required in the construction and operation of research reactors in Berlin. The sale or lease of these materials shall be on such terms as may be agreed.

ARTICLE VII

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States of America or Berlin may deal directly with private individuals and private organizations in other countries. Accordingly, with respect to the subjects of agreed exchange of information as provided in article III, the Government of the United States of America will permit persons under its jurisdiction to transfer and export materials, including equipment and devices, to and perform services for the Senat of Berlin and such persons under its jurisdiction as are authorized by the Senat of Berlin to receive and possess such materials and utilize such services, subject to:

(a) The provisions of article II.

(b) Applicable laws, regulations, and license requirements of the Government of the United States and the Senat of Berlin.

ARTICLE VIII

1. The Senat of Berlin will maintain such safeguards as are necessary to assure that the special nuclear materials received from the Commission shall be used solely for the purposes agreed in accordance with this agreement and to assure the safekeeping of this material.

2. The Senat of Berlin will maintain such safeguards as are necessary to assure that all other reactor materials, including equipment and devices, purchased in the United States of America under this agreement by the Senat of Berlin or authorized persons under its jurisdiction shall be used solely for the design, construction, and operation of research reactors which the Senat of Berlin decides to construct and operate and for research in connection therewith, except as may otherwise be agreed.

3. In regard to research reactors constructed pursuant to this agreement, the Senat of Berlin will maintain records relating to power levels of operation and burnup of reactor fuels and will make annual reports to the Commission on these subjects. If the Commission requests, the Senat of Berlin will permit Commission representatives to observe from time to time the condition and use of any leased material and to observe the performance of the reactor in which the material is used.

4. Some atomic energy materials which the Senat of Berlin may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Senat of Berlin, the Senat of Berlin shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Senat of Berlin or to any private individual or private organization under its jurisdiction, the Senat of Berlin shall indemnify and save harmless the Government of the United States of America against any and all liability (including third-party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Senat of Berlin or to any authorised private individual or private organization under its jurisdiction.

ARTICLE IX

The Senat of Berlin guarantees, as provided in the annex hereto, that:

(a) Safeguards provided in article VIII shall be maintained.

(b) No material, including equipment and devices, transferred to the Senat of Berlin or authorized persons under its jurisdiction, pursuant to this agreement, by lease, sale, or otherwise, will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Senat of Berlin except as the Commission may agree to such transfer to a nation and then only if, in the opinion of the Commission, such transfer falls within the scope of an agreement for cooperation between the United States and such nation.

ARTICLE X

At the expiration of this agreement or of any extension thereof the Senat of Berlin shall deliver to the United States of America all fuel elements containing reactor fuels leased by the Commission and any other fuel materials leased by the Commission. Such fuel elements and such fuel materials shall be delivered to the Commission at the expense of the Senat of Berlin and such delivery shall be made under appropriate safeguards against radiation hazards while in transit.

ARTICLE XI

This agreement shall enter into force on the date on which the Government of the United States of America and the Government of the Federal Republic of Germany have advised each other in writing that they have complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 5 years. Such advice from the Government of the Federal Republic of Germany shall include a notification that the Senat of Berlin has adopted the provisions of this agreement and has made the guaranties specified in article IX above, as provided in the annex hereto, with the approval of the Allied Commandants (Kommandatura).

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and German languages, both texts being equally authentic, this 28th day of June 1957.

For the Government of the United States of America:

C. DUREE ELBRICK,
LEWIS L. STRAUSS.

For the Government of the Federal Republic of Germany:

HEINZ L. KRekeler.

ANNEX TO THE AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY ON BEHALF OF BERLIN CONCERNING CIVIL USES OF ATOMIC ENERGY

With regard to the agreement for cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany on behalf of Berlin concerning civil uses of atomic energy, signed

The Senat of Berlin accepts the provisions of the agreement and makes the following guaranties:

(a) The safeguards provided in article VIII thereof shall be maintained.

(b) No material, including equipment and devices, transferred to the Senat of Berlin or authorized persons under its jurisdiction, pursuant to this agreement, by lease, sale, or otherwise will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Senat of Berlin except as the Commission may agree to such transfer to a nation and then only if, in the opinion of the Commission, such transfer falls within the scope of an agreement for cooperation between the United States and such nation.

In witness whereof, the Senat of Berlin has caused this annex to be executed pursuant to duly constituted authority.

Done at Berlin, this 4th day of June 1957.

THE SENAT OF BERLIN,
OTTO SUHR,
Dr. KLEIN.

ALLIED KOMMANDATURA BERLIN,
June 15, 1957.

Subject: Draft of a supplementary agreement to be concluded between the Government of the United States of America and the Government of the German Federal Republic (acting on behalf of Berlin) with a view to cooperation in the field of peaceful use of atomic energy. Declaration of Guaranties by the Berlin Senat.

To: The governing mayor, Berlin.

Reference. BK/L(57)17 of June 4, 1957.

DEAR MR. MAYOR: I have the honor to inform you that the Allied Kommandatura has no objection to the implementation of the above-mentioned agreement, presented in the Senat's letter of May 16, 1957 (reference Bund 2898-60-02), with the amendments mentioned in the Senat's letter of June 12, 1957 (reference Bund 2898-60-02).

The Allied Kommandatura reaffirms its approval of the Declaration of Guaranties executed by the Berlin Senat.

The Allied Kommandatura also wishes to remind you of the terms of BK/L(57)7, dated January 26, 1957.

Yours sincerely,

G. DMITRIEV,
Chairman Secretary.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

JOINT RESOLUTIONS OF ILLINOIS LEGISLATURE

Mr. DIRKSEN. Mr. President, I present a joint resolution adopted by the Illinois Legislature on May 1, 1957, urging the enactment of legislation to bring about a modification of the provisions of the NATO status of forces treaties and other agreements under which the criminal jurisdiction over United States servicemen, civilians, and dependents is presently surrendered to foreign nations. I ask unanimous consent that the joint resolution be printed in the RECORD and appropriately referred.

There being no objection, the joint resolution was referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 23

Whereas the members of our Armed Forces serving abroad, their civilian components and the dependents of each, are now subject to the criminal jurisdiction of more than 50 countries in which they may be on duty, by reason of the NATO Status of Forces Treaty, the Administrative Agreement with Japan and Executive agreements with other nations; and

Whereas these agreements penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend; and

Whereas it is impossible for any serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying systems of jurisprudence which make it impossible for him to receive the protection of all of the rights and guaranties which our Constitution gives to every citizen and because of the prejudice and animosity sometimes existing against members of our Armed Forces; and

Whereas legislation has been introduced in both the Senate and the House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its Armed Forces for all purposes, or if such a modification is refused, then to terminate or denounce the agreements according to the terms of each; Therefore be it

Resolved, By the Senate of the 70th General Assembly of the State of Illinois (the House of Representatives concurring herein), That the members of this general assembly deplore the arrangements now existing which make service in our Armed Forces abroad a hazard by depriving our servicemen, their civilian components and dependents of each, of the rights and guaranties of our Constitution when they are stationed in other lands; that it is the sentiment of this general assembly that all United States service personnel stationed abroad should be tried by United States military tribunals under the Uniform Code of Military Justice for any offense committed on foreign soil; and be it further

Resolved, That we respectfully request and urge the President of the United States, by negotiation, and the Senate and House of Representatives of the United States, by enacting the legislation now pending or similar legislation directing such negotiation, to secure a modification or denunciation of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over the United States Armed Forces, their civilian components and the dependents of each; and be it further

Resolved, That a suitable copy of this preamble and resolution be forwarded by the secretary of state to the President of the United States and to the Members of the United States Senate and House of Representatives from Illinois.

Mr. DIRKSEN. Mr. President, I also present a joint resolution adopted by the 70th General Assembly of the State of Illinois with reference to the definition of children in the Social Security Act, and the impact of this definition of benefits available for children in those States like Illinois which do not recognize the validity of common-law marriages. I ask unanimous consent that the joint resolution be printed in the RECORD and appropriately referred.

There being no objection, the joint resolution was referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

House Joint Resolution 29

Whereas the Social Security Act so defines the term "children" that in Illinois and many other States which do not recognize the validity of common-law marriages, social-security survivorship benefits are denied to children of a deceased father, who is a party to a common-law marriage, although it can be established that the father had lived with the children, supported them, acknowledged parentage on birth certificates, claimed them for income-tax purposes, and in other ways formally and informally acknowledged paternity of such children; and

Whereas there is a substantial number of these children in this and other States who are being deprived of benefits to which they should be entitled; and

Whereas in many cases the public aid and assistance agencies of the State must provide and care for these children at a cost to the States of millions of dollars; and

Whereas the definition of "children" in the Social Security Act should be so amended as to prevent further injustice and financial loss to these children, to enable them to receive the social-security survivorship benefits to which they are entitled and to relieve part of the financial burden which has been placed on this and other States: Therefore be it

Resolved by the House of Representatives of the 70th General Assembly of the State of Illinois (the Senate concurring herein), That this general assembly respectfully request the Senate and House of Representatives of the United States to enact legislation which will redefine the definition of "children" in the Social Security Act so that children of common-law marriages may be permitted to obtain survivorship benefits under the Social Security Act upon the death of the father of such children; and be it further

Resolved, That a suitable copy of this preamble and resolution be forwarded by the secretary of state to every Member of the United States Senate and House of Representatives from Illinois.

ADDITIONAL BILLS INTRODUCED

Additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HUMPHREY:

S. 2454. A bill to provide that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn.; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. HICKENLOOPER:

S. 2455. A bill for the relief of Sari Rothmann;

S. 2456. A bill for the relief of Michael Carlyle Erickson;

S. 2457. A bill for the relief of Lucy Irene Henning; and

S. 2458. A bill for the relief of Victoria V. F. Farhat; to the Committee on the Judiciary.

By Mr. BRICKER (for himself and Mr. MAGNUSON):

S. 2459. A bill to amend section 402 of the Civil Aeronautics Act of 1938; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BRICKER when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 2460. A bill to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority; to the Committee on Banking and Currency.

By Mr. JACKSON (for himself and Mr. MCCLELLAN):

S. 2461. A bill to prohibit the unauthorized disclosure of certain information by members, officers, and employees of regulatory agencies of the Government; to the Committee on the Judiciary.

By Mr. JACKSON (for himself, Mr. MCCLELLAN, and Mr. YARBOROUGH):

S. 2462. A bill to prohibit certain communications with respect to adjudicatory matters pending before Government agencies; to the Committee on the Judiciary.

(See the remarks of Mr. JACKSON when he introduced the above bills, which appear under a separate heading.)

CONVEYANCE OF CERTAIN LAND TO VILLAGE OF NEW RICHLAND, MINN.

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill which provides that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn. This bill is a companion to H. R. 8385 introduced last week by Representative ANDRESEN of Minnesota.

The village officials of New Richland have requested legislation of this kind so that the village may acquire from the Federal Government an old hemp-mill plant contiguous to the village.

Mr. President, I earnestly hope the bill may receive favorable action during the present session of Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2454) to provide that the Secretary of Agriculture shall convey certain land to the village of New Richland, Minn., introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938

Mr. BRICKER. Mr. President, on behalf of myself, and the Senator from Washington [Mr. MAGNUSON], I introduce, for appropriate reference, a bill to amend section 402 of the Civil Aeronautics Act of 1938. I ask unanimous consent that a statement, prepared by me, relating to the bill, may be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2459) to amend section 402 of the Civil Aeronautics Act of 1938, introduced by Mr. BRICKER (for himself and Mr. BRICKER), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. BRICKER is as follows:

STATEMENT BY SENATOR BRICKER

I have introduced, for appropriate reference, a bill to amend section 402 of the Civil Aeronautics Act of 1938.

This bill sets forth the principles which should govern the granting of air routes to foreign airlines.

The bill also directs the Civil Aeronautics Board to review annually the operations of foreign airlines in order to assure itself that these operations conform to the principles set forth.

This proposed legislation is necessary because Congressional policy appears not to have been followed by the Department of State. The Congress stated in the Air Commerce Act of 1926 and the Civil Aeronautics Act of 1938 the principles that should govern the grant of air transport rights to foreign airlines, but these have not governed in recent agreements with Germany and the Netherlands.

These grants have not only ignored the principles announced by Congress in the legislation referred to above, but they have also ignored the principles which have been stated by the executive branch as governing these aviation agreements. In 1946 the executive branch entered an agreement with the United Kingdom which set forth principles to govern the operation of foreign airlines to this country, known as the Bermuda agreement. Several of the routes granted to the Dutch and the Germans, I am informed, can be operated only in violation of those principles.

The Congress of the United States has constitutional responsibilities for the development of an air transport system adequate to the needs of foreign commerce, of the postal service and of the national defense. The Congress has relied on assurances by the executive branch that it has followed principles adopted in the statutes and in past agreements, but recent activities of the Department of State lead us to the reluctant conclusion that the Congress must again spell out its intent.

There is nothing new in the principles that are here stated because they are the substance of what has been written in more than 45 bilateral agreements with foreign countries since the Bermuda Agreement in 1946. The purpose of this bill, however, is to write them into the statute to make unmistakably clear the intention of the Congress that this policy be carried out in the award of air-route permits to foreign air carriers. The United States, as the leader of the Free World, has a duty both to itself and to others to maintain a strong international air-transportation system, at the lowest possible cost to the taxpayer. Under the American system, this should be accomplished by private-enterprise companies which pay salaries and wages commensurate with the American standard of living. The United States is committed to the Bermuda principles and no feasible substitute has been suggested, so this bill provides a means by which the Civil Aeronautics Board can give them effect.

Having committed itself to the Bermuda principles, the United States should see to it that they are adhered to. The second section of the bill gives the Civil Aeronautics Board additional tools to do the job. After foreign airlines have been awarded a permit to operate to the United States, some of them are able to exploit the United States traffic and thus gain advantages not contemplated in the agreement under which they have been admitted. Since these airlines do not file data with the Civil Aeronautics Board, the scope of their gains cannot readily be detected. Even when it becomes apparent, the Civil Aeronautics Board and State Department do not feel obligated to take action under the agreement.

The governments of foreign countries have enforced the Bermuda principles to restrict United States airlines; but, to my knowledge, in no instance has our Government enforced these principles.

Section 2 of the bill would require the Board to review "from time to time and at least annually * * *" all operations of foreign airlines to determine whether such operations accord with the principles set forth in section 1, and report to the President and the Congress "the conclusion reached by it on all such reviews and the action taken or proposed to be taken in consequence thereof." The Board is authorized to require foreign airlines to furnish such records and statistics as will enable the Board to carry out its duties under the bill.

This bill is the result of study and analysis begun 2 years ago when new routes were granted to the German airline. The disapproval expressed by members and committees of Congress at that time was ignored. In the past several months, further disregard of Congressional policy has made it imperative that the Congress take further steps to carry out its duties to promote an American air-transportation system adequate to the needs of our flag. This bill is offered to start the further hearings and investigations which are necessitated by the unjustified generosity of the State Department in granting air-transport routes.

PROHIBITION OF UNAUTHORIZED DISCLOSURE OF INFORMATION IN ADJUDICATORY PROCEEDINGS OF REGULATORY AGENCIES OF THE GOVERNMENT

Mr. JACKSON. Mr. President, in May and June of this year the Senate Permanent Subcommittee on Investigations held a number of hearings concerning a leak from the Civil Aeronautics Board which resulted in abnormal stock activity in Northeast Airlines on August 3, 1956. The members of the Civil Aeronautics Board met on the evening of August 2, 1956, and voted to award the New York-Florida run to Northeast Airlines. The decision was a secret one. On August 3, 1956, some 24,000 shares of Northeast stock were traded, whereas on the average day approximately 500 shares were traded. This Subcommittee ascertained that there were at least two leaks concerning this secret decision. One witness, a lawyer for Delta Airlines, testified that he had received an anonymous telephone call advising him of the vote. This call was received late in the evening of August 2. He related the news of this award to certain people. As a result, stock was purchased early on August 3. The subcommittee had evidence that another probable leak was the Executive Director of the CAB.

The hearings demonstrated a need for legislation in two distinct areas; one prohibiting the unauthorized disclosure of certain information by employees of these agencies in any adjudicatory proceeding, and the other, allowing the members of the Board freedom from influence in making decisions in any adjudication.

There is no criminal penalty relating to the willful disclosure of certain information by an employee of the CAB. They do have an agency regulation which prohibits the disclosure of such information by any officer or employee. James Durfee, the Chairman of the Civil Aeronautics Board, testified that, despite this regulation, leaks have been a great source of trouble to his Board, and he felt that this was a very serious reflection upon the integrity of his agency. It is very interesting to note that, while the subcommittee was in the process of investigating the leaks concerning the award of August 2, 1956, another leak occurred in CAB in December of 1956, involving an audit of Pan-American Airways.

In connection with our investigation, we heard testimony from Board members of the Interstate Commerce Commission, the Federal Communications Commission, the Securities and Exchange Commission, the Federal Trade Commission, and the Federal Power Commission. It developed that all of these agencies have some administrative rule or regulation prohibiting the disclosure of certain information.

However, only one of these quasi-judicial agencies—the Federal Trade Commission—has a criminal provision for improper disclosure of certain information. Significantly, testimony from officials of the Federal Trade Commission indicated that they felt that this criminal penalty had a very salutatory effect in preventing leaks.

I feel very strongly that the rules and regulations in these various agencies are not adequate. As a matter of fact, all of the agency representatives, who appeared before us, voiced no objection to legislation in this area, and some of the witnesses felt that it would be most beneficial. I am, therefore, introducing two bills. The first bill would prohibit the unauthorized disclosure of certain information in any adjudicatory proceeding by members, officers, and employees of regulatory agencies of the Government.

Regarding the second bill, this subcommittee ascertained by investigation that there are no criminal penalties protecting the commissioners from attempts to influence decisions in adjudicatory matters. There are various agency rules in existence which attempt to prohibit an individual from engaging in such tactics.

I feel that, in the exercise of their judicial functions, the members of the boards of these regulatory agencies are entitled to the same immunity which, by long-established custom and tradition, is given to the judiciary. This immunity will provide a better climate for these officers in reaching fair and just decisions.

Once again, the representatives of the various agencies, who testified before this subcommittee, voiced no objection to legislation in this area.

The second bill I am introducing merely prohibits anyone, with intent to influence any adjudication, from making any oral or written presentation on any question of law or fact to any member, officer, or employee, without giving notice to all interested parties. The bill in no way curtails any interested party from presenting his views to the Commission and to the board, providing that all parties are first advised. It is only fair and just because it relieves the commissioners from undue influence.

Mr. President, I send the bills to the desk for appropriate reference and I ask unanimous consent they lie on the table until Monday next, so that any Member of the Senate desiring to join as a cosponsor of the bills may have the opportunity to do so before that time.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will lie on the desk until Monday next, as requested by the Senator from Washington.

The bills, introduced by Mr. JACKSON, were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

By Mr. JACKSON (for himself and Mr. MCCLELLAN):

S. 2461. A bill to prohibit the unauthorized disclosure of certain information by members, officers, and employees of regulatory agencies of the Government.

By Mr. JACKSON (for himself, Mr. MCCLELLAN, and Mr. YARBOROUGH):

S. 2462. A bill to prohibit certain communications with respect to adjudicatory matters pending before Government agencies.

AMENDMENT OF CHAPTER 223, TITLE 18, UNITED STATES CODE, RELATING TO PRODUCTION OF STATEMENTS AND REPORTS OF WITNESSES—AMENDMENT

Mr. BRICKER submitted an amendment, intended to be proposed by him, to the bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, which was ordered to lie on the table and to be printed.

ADM. FELIX B. STUMP

Mr. REVERCOMB. Mr. President, it is gratifying to me, as I am sure it is to many citizens, to learn that this Nation's entire Far East military forces have been placed under the command of Adm. Felix B. Stump. Admiral Stump is a native of the State of West Virginia. Members of his family live there, and we of our State take a natural pride in the high position attained by him and in the patriotic service he performs.

The importance of the new responsibility which rests upon Admiral Stump is clearly evident from the fact that this change places the Army, the Air Force, and the naval forces in both the Asian and Pacific theaters under the command of one man. Thus Honolulu becomes the command post of nearly one-half million United States servicemen, more than 7,000 planes, and 400 ships, on guard between American and Communist coasts.

Admiral Stump's command covers 75 million square miles. It is bordered by 8,000 miles of Communist coastline—about 4 times the length of the Iron Curtain in Europe. It takes in several of the world's most potentially explosive areas, including Red China, Korea, and Vietnam. It embraces such friendly areas as Japan, Formosa, and the Philippines.

In addition to commanding United States forces in this vast area, Admiral Stump will also direct the American military advisory groups which handle training for some 1.7 million troops of friendly Pacific nations. He is also top United States military advisor in the seven-nation Southeast Asia Treaty Organization.

I have been acquainted with this outstanding West Virginian over a long period of years, Mr. President, and I know that our Pacific and Far Eastern forces are in capable hands. Admiral Stump is a plain-spoken American of rare ability and sterling character. He is not only one of the Nation's outstanding military men; he is also a diplomat of fine ability. I have the utmost confidence in his leadership in this strategic position of grave responsibility.

Upon assuming this new command, Admiral Stump was quoted by the press as saying:

We have the forces now to contain an attack that occurs anywhere in the world.

Knowing Admiral Stump as I do, I feel that the American people can take a large measure of comfort in that statement. We hope and pray that this country will never have occasion to use this huge military force to resist aggression, but if forced to do so to protect our land from enemy domination, we can know that our Armed Forces, now under the command of one man in that area, are in capable hands.

TWO-PRICE WHEAT PLAN TO REPLACE ACREAGE RESERVE OF SOIL BANK

Mr. NEUBERGER. Mr. President, as many of my constituents realize, I have had grave misgivings for a considerable length of time about the acreage-reserve feature of the soil-bank program. Although I support the conservation-reserve phase of the program—with its emphasis on grasses and trees and ponds and other strengthening forces—I have regretfully concluded that the acreage reserve has not had a beneficial result.

Now this is confirmed by an illuminating article in the New York Times of June 16, 1957, by J. H. Carmical, agricultural expert for that great newspaper.

Mr. Carmical emphasizes that by taking many acres of wheat out of production, the Government not only has failed to control surpluses but, in addition, numerous rural trading centers in wheatgrowing areas have suffered a drastic decline in trade and business. All of this leads me to the conclusion that, more than ever, a genuine trial is merited for the two-price plan for wheat, under which domestic wheat for human consumption would have a supported price while the rest of the crop would seek its own level in the world market. Many Oregon wheatgrowers support this proposal.

I ask unanimous consent that the full text of the article by Mr. Carmical appear in the body of the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOIL BANK PROVES COSTLY IN WHEAT

(By J. H. Carmical)

The difficulty of holding down the production of wheat through the soil bank was illustrated in the June 1 report of the Department of Agriculture.

Despite the fact that a little more than one-fifth of the national allotment of 55 million acres for this year's wheat crop was withdrawn from cultivation by the soil bank, the prospective yield was put at 971 million bushels, or only 2.7 percent less than the 997,207,000 bushels harvested in 1956.

Reflecting largely the plentiful moisture in the last 2 months, the yield from the winter-wheat crop may be even greater than last year's, despite the much smaller acreage. The total yield was forecast on June 1 at 735,720,000 bushels, and the average yield at 23.6 bushels an acre. Last year, winter-wheat production amounted to 734,995,000 bushels, and the acre-yield was 20.6 bushels.

BANK GOT THE POORER LAND

Another factor in the high acre-yield is that generally farmers reserved their most fertile land for growing wheat and placed their less productive acres in the soil bank.

Based on June 1 conditions, the spring-wheat crop is estimated at 234,813,000 bushels, compared with 263,213,000 bushels last year. The acreage is down almost 20 percent from a year ago, but the crop is off to a good start. Moisture is ample, and if conditions continue favorable, many in the trade believe that the yield may prove even greater than now indicated.

Heavy rains, particularly in Kansas, may hold back the winter-wheat harvest, and some of it may be damaged by the excessive moisture. But chances are that any losses there will be more than offset by an improvement in the spring crop. In fact, the next report, as of July 1, may show some gain in the total wheat estimate.

In an effort to prevent the further accumulation of surpluses, the Department of Agriculture has contracted to pay farmers some $231 million for withdrawing about 12 million acres allotted to them for growing wheat. With the crop now forecast at only 26 million bushels below last year's, the cost to the Government may be figured at nearly $9 for every bushel of wheat held off the market through the soil bank. Of course the crop might have been much larger than last year's had it not been for the soil bank.

But the indirect cost to the economy of the wheat belt is even more. In addition to the loss in wheat proceeds from the land placed in the soil bank, the growers bought in their trading centers less of the equipment and supplies necessary to the production of wheat.

The money paid by the Government went to the landowner and not to the farmer who may have rented the land in the past or the laborer who may have seeded or harvested it.

The prospects of a normal crop and a decline in export demand already has resulted in a drop in the price of wheat to nearly 30 cents a bushel below the loan level. Unless there is a sharp rise in prices within the next few weeks, growers are bound to put wheat into the Government loan at a high rate. This would mean additional expenditures by the Government, but the losses would be small compared with the cost of the reduction in surplus through the soil bank.

The loan level on this year's crop is about $2 a bushel at the farm, or $2.32 at Chicago. The difference covers transportation costs. However, recently the Department of Agriculture announced the 1958 loan rate at about 22 cents a bushel below the present rate, or at 75 percent of parity, which is the lowest permissible under the law.

UNITED STATES DUE TO GET MORE

Because of the large surplus of wheat, the price in the open market generally has held just below the loan level in recent years. Now, with a reduction likely for the 1958 loan, lower rather than higher prices in the open market seem likely for next year. Under such circumstances, it is quite likely that farmers this year will take full advantage of the loan, and that by the next harvest virtually all the surplus wheat will be controlled by the Government.

This would mean a tight market situation from time to time, but plenty of wheat should be available at or near the loan level both from the growers, who may find it to their advantage to redeem their cereal, and from the Government, which may dispose of some of its huge holdings.

At present, there seems little likelihood of any drastic change in the farm laws. Recently, the House of Representatives approved a bill aimed at eliminating the soil-bank program for next year, but the Senate last week voted to restore it. The matter now must be ironed out in conference, and the belief is that the program will be continued.

REFERENDUM COMING UP

The national referendum to decide whether the wheat growers want marketing quotas next year is to be held this Thursday.

If marketing quotas are approved, as they have been in the last 4 years, the price support for the 1958 crop will be at a $1.78 a bushel to producers who do not exceed their farm acreage allotments. If the quotas are turned down, price support will be available only 50 percent of parity, or $1.18 a bushel.

Many farmers are dissatisfied with the low support price and many in the trade believe that the vote favoring marketing quotas will not be as high as in past years. However, the assurance of $1.78 a bushel is so much better than $1.18, that the growers are expected to produce the necessary two-thirds vote.

If farmers should reject marketing quotas a rather serious price disturbance probably would ensue. The carryover from previous crops on July 1 is expected to be about 950 million bushels, with all except about 75 million bushels held by the Government.

Some of this wheat has been held for 2 years or more, and deterioration normally is heavy after such a period. If wheat or any other commodity held by the Government is in danger of deteriorating rapidly, it may be sold in the domestic market below the loan level.

In addition to the huge carryover, the present crop will be in excess of requirements. The domestic consumption in a season, July 1 to the following June 30, is about 600 million bushels. Exports for the coming season are not expected to be more than 350 million bushels—probably less because of the increase of production in Europe. France is expected to reenter the export market after being a large importer this season.

Exports of wheat from the United States this season are expected to be around 528 million bushels, the largest on record. This stems in part from the poor yield in Europe in 1956 and stockpiling by many countries as a result of the Suez crisis.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 2, 1957, he presented to the President of the United States the following enrolled bills:

S. 45. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.;

S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.;

S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation;

S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended;

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from the insurrectos during 1899–1903;

S. 1396. An act to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing equipment, or other permanent improvement of public buildings at the capital of said State;

S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; and

S. 1806. An act to amend the Sockeye Salmon Fishery Act of 1947.

ADJOURNMENT

Mr. WATKINS. Mr. President, pursuant to the order previously entered, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 9 o'clock and 25 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Wednesday, July 3, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 2, 1957:

DEPARTMENT OF AGRICULTURE

Don Paarlberg, of Indiana, to be an Assistant Secretary of Agriculture, vice Earl L. Butz, resigned.

FEDERAL COMMUNICATIONS COMMISSION

Frederick W. Ford, of West Virginia, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1957, vice George C. McConnaughey, term expired.

UNITED STATES DISTRICT JUDGE

Alfred A. Arraj, of Colorado, to be United States district judge for the district of Colorado, vice Jean Sala Breitenstein, elevated.

UNITED STATES ATTORNEYS

The following-named persons to the positions indicated:

Frank D. McSherry, of Oklahoma, to be United States attorney for the eastern district of Oklahoma for a term of 4 years. (Reappointment.)

William M. Steger, of Texas, to be United States attorney for the eastern district of Texas for a term of 4 years. (Reappointment.)

James L. Guilmartin, of Florida, to be United States attorney for the southern district of Florida for a term of 4 years. (Reappointment.)

Charles W. Atkinson, of Arkansas, to be United States attorney for the western district of Arkansas for a term of 4 years. (Reappointment.)

UNITED STATES MARSHAL

Emerson Ferrell Ridgeway, of Florida, to be United States marshal for the northern district of Florida for a term of 4 years. He is now serving in this office under an appointment which expires July 31, 1957.

COLLECTOR OF CUSTOMS

Chester R. MacPhee, of California, to be collector of customs in customs collection district No. 28, with headquarters at San Francisco, Calif. Reappointment.

Charles F. Brown, Jr., of Louisville, Ky., to be collector of customs in customs collections district No. 42, with headquarters at Louisville, Ky. (Reappointment.)

Frank Abelman, of Marquette, Mich., to be collector of customs in customs collection district No. 38, with headquarters at Detroit, Mich. (Reappointment.)

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Ferrell S. Tucker, Caraway, Ark., in place of Lee Rea, deceased.

Alvin M. Bridwell, Dumas, Ark., in place of W. I. Fish, retired.

Elouise H. Craig, Proctor, Ark., in place of M. T. Akin, deceased.

CALIFORNIA

Arthur R. Olson, Hilmar, Calif., in place of A. N. Renshaw, resigned.

George R. Jahnel, Lodi, Calif., in place of J. W. Koenig, deceased.

Clarence W. Needham, Plymouth, Calif., in place of C. G. Nance, removed.

CONNECTICUT

Walter A. Rollinson, Dayville, Conn., in place of John Welsh, retired.

Willard C. Huntley, Old Lyme, Conn., in place of N. C. Clark, resigned.

GEORGIA

Mary M. Pitts, Rabun Gap, Ga., in place of Miriam Dickerson, retired.

Edward J. Snow, Sr., Rebecca, Ga., in place of C. S. Young, retired.

HAWAII

Irene R. Afflerback, Spreckelsville, Hawaii, in place of E. J. Freitas, retired.

ILLINOIS

Wayne W. Bird, Galatia, Ill., in place of L. L. Riegel, retired.

Robert C. Peterson, Lynn Center, Ill., in place of R. L. Peterson, retired.

Charles R. Simmons, Venice, Ill., in place of D. J. Hallissey, deceased.

INDIANA

Harlan C. Pedlow, Bridgeport, Ind., in place of L. L. Locke, retired.

Raymond P. Steele, Connersville, Ind., in place of R. E. Nelson, deceased.

Paul R. Wadsworth, Rising Sun, Ind., in place of C. E. Pendry, resigned.

Gerald J. McCarty, Union Mills, Ind., in place of H. P. Childers, retired.

KANSAS

Hubert C. Holloway, Greensburg, Kans., in place of H. V. Luginbill, deceased.

MASSACHUSETTS

Russell G. McPhee, East Orleans, Mass., in place of G. F. Mayo, retired.

MINNESOTA

Lawrence D. Murphy, Circle Pines, Minn., in place of F. S. Petersen, resigned.

MONTANA

John W. Loughnane, Belgrade, Mont., in place of J. L. Weaver, deceased.

NEBRASKA

Paul O. Davidson, Alexandria, Nebr., in place of M. A. Brinegar, deceased.

Donald E. Adams, Cody, Nebr., in place of M. S. Yancey, retired.

Lester E. Murrell, Oshkosh, Nebr., in place of H. M. Morris, removed.

NEW JERSEY

Alexander Peter Campbell, Alpine, N. J., in place of V. M. Burkhardt, resigned.

Caroline K. Sheets, Bloomsbury, N. J., in place of S. E. Bellis, removed.

Robert Crater DeRemer, Glen Gardner, N. J., in place of Nellie Potter, resigned.

Ralph B. Speier, Seaside Heights, N. J., in place of A. W. Raymond, resigned.

Marjorie E. Houghtaling, Vernon, N. J., in place of A. E. Baldsin, deceased.

NEW YORK

Dorris S. Beaney, Hamlin, N. Y., in place of E. M. Martin, removed.

Charles P. Stephenson, Morristown, N. Y., in place of C. E. Scott, retired.

NORTH CAROLINA

Wallace K. Crawford, Hayesville, N. C., in place of F. R. Jones, retired.

Wilton McRae, Maxton, N. C., in place of C. B. Williams, retired.

OHIO

Lawrence R. Hazen, Ashland, Ohio, in place of C. L. D. Hartsel, retired.

Alice R. Smith, Parkman, Ohio, in place of H. P. Olmstead, retired.

OKLAHOMA

Lulu M. Klein, Butler, Okla., in place of J. E. Gwinn, transferred.

PENNSYLVANIA

Harry O. Campsey, Jr., Claysville, Pa., in place of M. D. Blayney, retired.

William J. Hlavats, Glassport, Pa., in place of P. E. Hutton, retired.

Claude B. Faust, Macungie, Pa., in place of F. E. Neumeyer, removed.

Henry L. Haines, Maytown, Pa., in place of M. E. Culp, retired.

Edward J. Miller, Newry, Pa., in place of Adam Hoover, retired.

Harold J. Niemeyer, Newtown Square, Pa., in place of S. S. Broadbelt, retired.

Claude B. Arnold, Rome, Pa., in place of R. K. Valentine, retired.

RHODE ISLAND

Richard M. Stanton, Wood River Junction, R. I., in place of E. A. Hill, removed.

SOUTH DAKOTA

Robert G. Chase, Parker, S. Dak., in place of G. L. Egan, retired.

TENNESSEE

Lee N. Ruch, Belvidere, Tenn., in place of Clyde Zimmerman, transferred.

Charles Edwin Graves, Knoxville, Tenn., in place of A. S. Garrett, retired.

TEXAS

Ernest H. Butts, Annona, Tex., in place of M. E. Russell, resigned.

John Sleeper, Sr., Elm Mott, Tex., in place of T. F. Gassaway, retired.

Herman S. Gray, Somerset, Tex., in place of Walter Kurz, retired.

VERMONT

Glenn T. Foster, Weston, Vt., in place of Raymond Taylor, retired.

VIRGINIA

Owen K. Blackburne, Lynchburg, Va., in place of J. H. Coleman, retired.

WASHINGTON

Theodore H. Biermann, Lind, Wash., in place of C. E. Schutz, retired.

WEST VIRGINIA

Emil E. Frye, Chapmanville, W. Va., in place of D. R. Toney, removed.

Mary Virginia Earman, Harpers Ferry, W. Va., in place of M. E. Marquette, retired.

Elner F. Stutler, West Union, W. Va., in place of Oma Corder, removed.

WISCONSIN

Charles A. Hall, Gresham, Wis., in place of L. C. Mader, deceased.

Roger W. Most, Prescott, Wis., in place of F. J. French, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 2, 1957:

DEPARTMENT OF THE TREASURY

Robert Bernerd Anderson, of New York, to be Secretary of the Treasury.

COLLECTOR OF CUSTOMS

Albina R. Cermak, of Cleveland, Ohio, to be collector of customs in customs collection district No. 41, with headquarters at Cleveland, Ohio.

COMPTROLLER OF CUSTOMS

Albert Cole, of Massachusetts, to be Comptroller of Customs, with headquarters at Boston, Mass.

WITHDRAWALS

Executive nominations withdrawn from the Senate, July 2, 1957:

POSTMASTERS

William W. Boyd, Sherrodsville, in the State of Ohio.

Franklin B. Spriggs, Arnold, in the State of Maryland.

Edith M. Casey, New Caney, in the State of Texas.

Wesley D. Banks, St. Matthews, in the State of South Carolina.

Jackson T. Potter, Winnabow, in the State of North Carolina.

Blaine E. Moyer, Kreamer, in the State of Pennsylvania.

Ted M. Anderson, Batesville, in the State of Arkansas.

Evelyn R. Howard, Montmorenci, in the State of Indiana.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 2, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou eternal and gracious spirit, we know that for guidance and understanding, for patience and perseverance, for joy and peace, we need the wisdom and strength of the Lord God Almighty.

Grant that daily, in this Chamber, we may bear witness that we are coveting and cultivating earnestly those ideals and principles which are curative and creative in the building of a nobler civilization.

Give us a glorious vision of the kingdom of truth and righteousness and may we make its consummation and fulfillment the object of all our hopes and labors.

Hear us in the name of the Captain of our salvation. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2420. An act to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation.

COLOMBIA'S STORY

Mr. PORTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, a nation of 12 million inhabitants last May emerged from 8 years of dictatorship and is now on the road to democracy. This nation, Colombia, from which I lately returned, needs and deserves the full and enthusiastic support of the United States.

During the dictatorship, 200,000 Colombians were killed. Yet the Conservative and Liberal Parties united last March to organize passive resistance to the dictator, Rojas Pinilla, and force his downfall with a minimum of bloodshed. Great credit must also be given to the Colombian Catholic clergymen, especially to the courageous and distinguished Cardinal Luque, who dared publicly to speak out against the dictator's crimes.

The dictator is gone. The press, including the great El Tiempo, is again free. The political parties have agreed to lay aside partisanship during the transition period. The military junta has declared itself to be only an interim government and has pledged that free elections will be held in due course.

Dr. Eduardo Santos, former President of Colombia and the owner of El Tiempo, asked me to tell Colombia's story in the United States, this story of a fine people emerging from the degradation of dictatorship into the dignity and decency of democracy.

Mr. Speaker, it is in our best interest and in conformity with our oldest traditions to foster democracy all over the world. Certainly, in this crucial period of transition in Colombia, we should make haste to provide generous support: moral, intellectual, and financial.

THE FARM PARITY PROGRAM

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, in last Friday's issue of the CONGRESSIONAL RECORD, my distinguished colleague from South Dakota [Mr. BERRY], whom I had notified I would speak today, charged that the Democratic Congress, rather than the Secretary of Agriculture, is responsible for the current crisis in agriculture. Said Mr. BERRY:

If the Democratic Party really wants a program of farm supports at 90 percent of parity, they can pass a law providing supports at that level, and the Secretary of Agriculture has no alternative, except to put that law into effect.

Now, Mr. Speaker, there can be no doubt of my South Dakota colleague's knowledge of Secretary Benson's activities. Within the last 60 days the administrative assistants of two members of my State's congressional delegation, including Mr. BERRY's assistant, have joined Mr. Benson's personal staff. I do not, therefore, question our colleague's ability to defend Mr. Benson, but I do question his interpretations of who is responsible for the failure of the 90 percent of parity farm bill. It is difficult to understand how our colleague could have forgotten that only a year ago the Democratic Congress passed a 90 percent of parity farm bill.

Unfortunately, the President vetoed that bill in spite of his 1952 pledge at Brookings, S. Dak., that he would continue the Democratic 90 percent of parity farm program. Now I am wondering if our colleague can give us any reason at all to think that the President has had a change of heart and would now sign farm legislation of the type he vetoed last year. Just to keep the record straight, it should be pointed out that the Secretary of Agriculture is now authorized by the Congress to set farm price supports at 90 percent of parity.

METALS CRISIS DEEPENS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, today's edition of the Wall Street Journal carries news of continued worsening of the already grave metals price situation confronting our Nation's miners, a situation which daily adds to the long list of mine shutdowns across the Nation.

According to the Journal article, the domestic price for zinc in this country has now fallen to 10 cents a pound, the lowest price on zinc since May of 1954.

Significantly, zinc prices in this country have fallen the disastrous total of 3½ cents since May 6 of this year, one of the most precipitous price declines in history.

At the same time, and indicating the scope of the problem, copper prices both here and abroad have fallen to the lowest point in 4 years.

The Wall Street Journal says the zinc price emergency stems from several causes:

First. World overproduction.

Second. Sharply curtailed demand.

Third. Reduced Government purchases of zinc through its domestic buying program and its barter deals for foreign origin zinc and lead in return for surplus agricultural products.

An additional factor within the United States, not mentioned in the Journal, is the continued heavy volume of imported zinc appearing upon the United States market, which has been coming into our country at a record-breaking rate for many months.

This is a problem on which representatives of mining States are urgently requesting consideration by the House Ways and Means Committee, which has before it a number of bills aimed at metal import control or reduction.

Unless some action is taken soon, by either the Congress or the administration, this Nation may soon be a world power without a domestic metal mining industry, and no world power in that condition has ever survived as a world power.

THE LATE GENERAL PIERRE JACOBSEN

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, it is my sad duty to inform the House of the sudden, tragic death of a great international public official, Gen. Pierre Jacobsen, Deputy Director of the Intergovernmental Committee for European Migration, who was killed yesterday in Geneva, Switzerland, when a train struck his car at a grade crossing.

Many Members of the House knew well Pierre Jacobsen and many of us who had the privilege of working with him since 1947 had become not only fond of him but learned to admire his unusual capabilities and his devotion to the high office with which many nations had unanimously entrusted him.

Pierre Jacobsen was a native of Denmark, where he was born in 1917. He acquired French citizenship and served with General de Gaulle's resistance forces with courage that became legendary in the famous French Maquis. He was raised to the rank of a General of the French Army, the youngest Frenchman ever to attain that rank.

At the end of the war, Pierre Jacobsen joined the International Refugee Organization serving first in Germany and then in Geneva, Switzerland. His great heart and his enlightened humanitarianism was placed at the disposal of the suffering masses of people known to the world as displaced persons.

When we created the Intergovernmental Committee for European Migration in Brussels, Belgium, in 1951, we were fortunate indeed to obtain the services of Pierre Jacobsen. The 27 nations which are now banded together in the ICEM mourn the death of their great servant and the refugees and migrants of the whole world realize well what a terrible loss they have suffered.

We, the Members of Congress who have been associated with the international migration movements realize that we have lost not only a wonderful friend and a great international official, but also a human being whose departure will deprive the world of a man who knew what international cooperation is and what are its responsibilities.

I wish to express my deepest sympathy to the bereaved family of Pierre, and to France and Denmark alike, two countries which have lost a son and an adopted son, respectively, a son who has added to the glory of both countries.

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from Maryland.

Mr. HYDE. Mr. Speaker, I should like to join with the gentleman from Pennsylvania in his expression of sympathy to the family of Pierre Jacobsen and the expression of deep regret at his loss. His loss is not only a great one to his country but to the world. I had the opportunity to meet Mr. Jacobsen on several occasions. I was greatly impressed with his ability and devotion to duty. In these troublesome times the world can ill afford to lose a statesman of his character.

COMMITTEE ON RULES

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ADJOURNMENT TO FRIDAY AND MONDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Friday next, and that when the House meets on Friday next it adjourn to meet the following Monday.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FACILITATE THE PAYMENT OF GOVERNMENT CHECKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1799) to facilitate the payment of Government checks, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, an identical bill, with the exception of one amendment, passed the House on yesterday under suspension of the rules. I was not aware at the time that a similar Senate bill was on the Speaker's desk, and that is the reason for this action. I move to strike out all after the enacting clause of the Senate bill and to substitute therefor the text of the House bill (H. R. 8195) as it passed the House on yesterday.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the enacting clause of S. 1799 and insert the text of H. R. 8195 as passed by the House.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Mr. BLATNIK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, lines 1 and 2, strike out "two sentences" and insert "sentence."

Page 3, lines 8 and 9, strike out "If the Secretary of the Treasury approves, the interest on such bonds may be deferred." and insert "The interest payments on such bonds may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest after June 30, 1960."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FOR THE RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. J. Res. 290) for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the resolution.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, after "Loucacos", insert "and."

Page 1, lines 7 and 8, strike out "Evangelos Demetre Kargiotis, and Hsun-Tiao Yang."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

IMMIGRATION AND NATIONALITY ACT

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. J. Res. 288) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the resolution.

The Clerk read the Senate amendment, as follows:

Page 2, line 17, strike out "Carapia Gaytin" and insert "Carapia-Gaytan."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the joint resolution (H. J. Res. 307) for the relief of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendments, as follows:

Page 4, after line 16, insert:

"SEC. 7. For the purposes of the Immigration and Nationality Act, Kerttu Poutiainen Mayblom shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee."

Page 4, after line 16, insert:

"SEC. 8. For the purposes of the Immigration and Nationality Act, Paolina Toscano shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 18, 1925, upon payment of the required visa fee."

Page 4, after line 16, insert:

"SEC. 9. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the cases of John William Forbes Petch and Mrs. Tsuma Ueda. From and after the date of the enactment of this act, the said persons shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FOR THE RELIEF OF ERNEST HAGLER

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3558) for the relief of Ernest Hagler, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 2, strike out "for" and insert "or so much thereof as may be necessary for the."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Z. A. HARDEE

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4159) for the relief of Z. A. Hardee, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That notwithstanding any period of limitations or lapse of time, claims for credit or refund of overpayments of income taxes for the taxable years 1945 through 1948 made by Z. A. Hardee, of Enfield, N. C., may be filed at any time within 1 year after the date of the enactment of this act. The provisions of sections 322 (b) 3774, and 3775 of the Internal Revenue Code of 1939 shall not apply to the refund or credit of any overpayment of tax for which a claim for credit or refund is filed under the authority of this act within such 1-year period."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AUTHORITY TO DECLARE RECESS TO RECEIVE THE PRIME MINISTER OF PAKISTAN

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order at any time on July 11, 1957, for the Speaker to declare a recess for the purpose of receiving the Prime Minister of Pakistan.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

PETER V. BOSCH

The Clerk called the bill (S. 189) for the relief of Peter V. Bosch.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. AVERY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

PHYLLIS L. WARE

The Clerk called the bill (H. R. 2302) for the relief of Phyllis L. Ware.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

RAMON TAVAREZ

The Clerk called the bill (H. R. 4335) for the relief of Ramon Tavarez.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $25,000 to Ramon Tavarez, of 25 Monument Walk, Fort Greene Project, Brooklyn, New York City, N. Y., in full settlement of all claims against the United States for personal injuries, and all expenses incident thereto sustained as a result of the shooting of the said Ramon Tavarez by a guard on the United States naval base (known as Ensenada Honda), Geiba, Puerto Rico, on April 18, 1948. Such claim is not cognizable under the Federal Tort Claims Act: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ORVILLE G. EVERETT AND MRS. AGNES H. EVERETT

The Clerk called the bill (H. R. 5288) for the relief of Orville G. Everett and Mrs. Agnes H. Everett.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Orville G. Everett and Mrs. Agnes H. Everett, Vincennes, Ind., the sum of $5,000. Payment of such sum shall be in full settlement of all claims of the said Orville G. Everett and Mrs. Agnes H. Everett on account of the death of their son, Robert V. Everett, who was killed in the course of his duties as a flight instructor at Riddle-McCay Training Field, Union City, Tenn., on January 22, 1943, while instructing an aviation cadet: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN ALIENS

The Clerk called the joint resolution (H. J. Res. 339) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Pietro Rosa and Mrs. Elisabeth Ottile Trout, nee Zirkenbach, may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 2. Notwithstanding the provisions of section 212 (a) (9), (17), (19), and (31) of the Immigration and Nationality Act, Francisco Ponce-Cruz may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 3. Notwithstanding the provisions of section 212 (a) (1) and (4) of the Immigration and Nationality Act, Peter Walsh may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 4. Notwithstanding the provisions of section 212 (a) (9), (12), (17), and (19), of the Immigration and Nationality Act, Mrs. Alicia Romero de Ramires may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 5. Notwithstanding the provisions of section 212 (a) (9) and (31) of the Immigration and Nationality Act, Juan Perez-Ramires may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 6. Notwithstanding the provisions of section 212 (a) (9) and (17) of the Immigration and Nationality Act, Gerard Phillip Dunn may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 7. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Departments of State and Justice had knowledge prior to the enactment of this act.

With the following committee amendments:

On page 1, line 4, after the name "Pietro Rosa" insert the following: "Florindo Francesco Nappo, Anthony Bauer, Leslie A. Stuart, Antoine Hagenaars."

On page 1, line 10, after "(a)" strike out "(9)."

On page 2, after line 11, insert new sections 4, 5, 6, and 7, to read as follows:

"SEC. 4. Notwithstanding the provision of section 212 (a) (19) of the Immigration and Nationality Act, Gumaro Rubalcava-Quezada (also known as Gumero Rubalcava-Quezada and Gelasio Juaregi-Lopez) may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

"SEC. 5. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Mrs. Maria Guadalupe Aguilar-Buenrostro de Montano (also known as Victoria Rosas de Montano) and Eva Magalhaes y Aguirre (also known as Eva Pugliese) may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

"SEC. 6. Notwithstanding the provisions of section 212 (a) (9) and (23) of the Immigration and Nationality Act, Maria Leister De Angelo may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

"SEC. 7. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Gisela Ilse Beyer may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That her marriage to her United States citizen fiance, Sgt. Alber M. Braga, shall have occurred within 6 months after the enactment of this act."

On page 2, line 12, renumber "SEC. 4" to read "SEC. 8."

On page 2, line 18, renumber "SEC. 5" to read "SEC. 9."

On page 2, line 23, renumber "SEC. 6" to read "SEC. 10."

On page 3, after line 2, add a new section 11 to read as follows:

"SEC. 11. Notwithstanding the provisions of section 212 (a) (17) and (31) of the Immigration and Nationality Act, Antonio Hernandez-Gomez may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act."

On page 3, line 3, renumber "SEC. 7." to read "SEC. 12."

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HERBERT C. HELLER

The Clerk called the bill (S. 1169) for the relief of Herbert C. Heller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Civil Service Commission is authorized and directed to pay, out of the civil-service retirement and disability fund, to Herbert C. Heller, of Wilton, Conn., an amount equal to interest at 3 percent per annum compounded annually, on the refund of retirement deductions which was due him upon his separation from Government service, from the date of such separation to the date of payment of such refund, such payment having been delayed for a period of approximately 11 years because of an error in the computation of the length of his allowable service.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MALOWNEY REAL ESTATE CO., INC.

The Clerk called the bill (H. R. 1339) for the relief of the Malowney Real Estate Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Malowney Real Estate Co., Inc., of Springfield, Ohio, the sum of $14,425.26: *Provided*, That no interest shall be paid on such sum. Payment of such sum shall be in full settlement of all claims of the Malowney Real Estate Co., Inc., against the United States, for income taxes erroneously collected for the years 1944 and 1945: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. WALTER. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WALTER: On page 2, line 1, strike out "in excess of 10 per centum thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK A. SIMMONS

The Clerk called the bill (H. R. 2752) for the relief of Frank A. Simmons.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Frank A. Simmons, chief boatswain, United States Navy, retired $36805, is hereby relieved of all liability to refund to the United States the sum of $1,342.09. Such sum represents the aggregate amount of overpayments of retired pay by the United States to the said Frank A. Simmons, contrary to law but without fault on his part, for the period from November 1, 1954, to April 19, 1955, both dates inclusive, by reason of his receipt, in good faith, of compensation incident to his civilian employment at the Memorial Golf Course, Marine Corps Air Station, El Toro (Santa Ana), Calif., while in a retired status. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be allowed for all amounts for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Frank A. Simmons, a sum equal to the aggregate of all amounts which have been repaid by him to the United States, or which have been withheld by the United States from amounts otherwise due him from the United States, by reason of the liability of which he is relieved by the first section of this act: *Provided*, That no part of the amount appropriated in this section in excess of 10 per centum thereof shal be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KENNETH F. AILES

The Clerk called the bill (H. R. 3344) for the relief of Kenneth F. Ailes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 15 to 20 of the Federal Employees' Compensation Act are hereby waived in favor of Kenneth F. Ailes, Vallejo, Calif., and his claim for compensation for personal injuries alleged to have been sustained in or about February or March 1947 while he was employed as a sheet-metal worker by the Department of the Navy at the naval operating base, Guam (now naval base, Marianas), shall be acted upon under the remaining provisions of such act in the same manner as if such claim had been timely filed, if such claim is filed within 60 days after the date of the enactment of this act: *Provided*, That no benefits shall accrue by reason of the enactment of this act for any period prior to its enactment, except in the case of such medical or hospitalization expenditures which may be deemed reimbursable.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT B. PETERMAN

The Clerk called the bill (H. R. 5365) for the relief of Robert B. Peterman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Robert B. Peterman, master sergeant, United States Army, retired (Army serial No. R-691177), the sum of $77.55. The payment of such sum shall be in full settlement of all claims of the said Robert B. Peterman against the United States on account of additional retired pay due him for the period beginning June 1, 1942, and ending August 31, 1943, both dates inclusive, his claim therefor having been disallowed because not received in the General Accounting Office within 10 full years after such claim first accrued: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 4, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHAEL S. TILIMON

The Clerk called the bill (H. R. 6166) for the relief of Michael S. Tilimon.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

ARTHUR L. BORNSTEIN

The Clerk called the bill (H. R. 6530) for the relief of Arthur L. Bornstein.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arthur L. Bornstein, 25 Powelton Road, Dorchester, Mass., the sum of $1,764.93. Such sum represents reimbursement to the said Arthur L. Bornstein for paying out of his own funds judgments rendered against him in courts of Massachusetts, under date of August 3, 1956, arising out of an accident occurring when he was performing his duties as a motor vehicle operator in the post office motor vehicle service at Boston, Mass.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RAYMOND R. SANDERS VAN SERVICE

The Clerk called the bill (H. R. 6664) for the relief of Raymond R. Sanders Van Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $150.50 to Raymond R. Sanders Van Service, of Springfield, Mo., in full settlement of all claims against the United States. Such sum represents the cost of transportation charges for the moving of the household goods of Alfred Wayne Chittenden, United States Army, bill of lading WQ 16050777 from Springfield, Mo., to Oklahoma City, Okla., on November 23, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemd guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 2, line 2, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WALTER H. BERRY

The Clerk called the bill (H. R. 6961) for the relief of Walter H. Berry.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter H. Berry, of Washington, Ind., the sum of $1,097.30, in full satisfaction of his claim against the United States for salary for the period May 10, 1947, to September 2, 1947, during which he was erroneously separated from his CAF–7 civil-service position at the United States Naval Ammunition Depot, Crane, Ind.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 11, strike out "in excess of 10 per centum thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NICOLAOS PAPATHANASIOU

The Clerk called the bill (S. 528) for the relief of Nicolaos Papathanasiou.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act Nicolaos Papathanasiou shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUTFIE KALIL NOMA

The Clerk called the bill (S. 749) for the relief of Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama) shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

Mr. WALTER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: Strike out the period at the end of the bill, substituting a colon therefor, and add the following: "*Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EVANGELOS DEMETRE KARGIOTIS

The Clerk called the bill (S. 1212) for the relief of Evangelos Demetre Kargiotis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Evangelos Demetre Kargiotis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RICHARDSON CORP.

The Clerk called the bill (H. R. 1473) for the relief of Richardson Corp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,601.10 to Richardson Corp., of Rochester, N. Y., in full settlement of all claims against the United States. Such sum represents drawback of tax on the distilled spirits alleged to have been used in the manufacture of nonbeverage products during the quarter April 1 to June 30, 1955: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY N. DUFF

The Clerk called the bill (H. R. 1695) for the relief of Harry N. Duff.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That, notwithstanding the statute of limitation, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Harry N. Duff, of Denver, Colo., for injuries sustained as the result of military service, and his eligibility for retirement for physical disability. The court shall have such jurisdiction if suit is instituted within one year after the date of the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARL J. WARNEKE

The Clerk called the bill (H. R. 3720) for the relief of Carl J. Warneke.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any statute of limitation, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment upon the claim of Carl J. Warneke, of Chicago, Ill., for disabilities sustained as the result of exposure to mercury and arsenic contact while working with the War Production Board, Chicago, Ill., during 1944. Such suit may be instituted at any time within 6 months after the date of enactment of this act: *Provided*, That proceedings for the determination of such claim, and appeal from, and payment thereon, shall be in the same manner as in the case of claims over which the Court of Claims has jurisdiction as now provided by law.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the able.

REAL PROPERTY IN SAN JACINTO, TEX.

The Clerk called the bill (H. R. 4768) to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States hereby release, remises, and quitclaims all right, title, and interest of the United States in and to the following described tracts of land situated in the county of San Jacinto, Tex., to the person or persons who would, except for any claim of right, title, and interest in and to such land on the part of the United States, be entitled thereto under the laws of the State of Texas: *Provided, however*, That if such persons are unable to agree with the United States as to the title to, and possession of, and the description of the property to be quitclaimed by the United States, jurisdiction is hereby conferred on the United States District Court for the Southern District of Texas, Houston Division, to adjudicate such controversies, and the parties hereinafter named in groups 1 through 6, respectively, are hereby granted permission and authorized to bring suit or suits in said court against the United States of America for the title and possession of, and for damages to, the following described tracts of land, numbered 1 through 6, respectively, in the corresponding numerical order:

GROUP ONE

G. A. Ott, F. M. (Marion) Ott, James E. Faulkner, and Jeff Cochran.

GROUP TWO

T. R. (Tom) Bowen and wife, Mrs. T. R. (Tom) Bowen, Sylvester Bowen, and James E. Faulkner.

GROUP THREE

Elizabeth McMurrey, a feme sole, individually and as administratrix of the Estate of V. W. McMurrey, deceased, and James E. Faulkner.

GROUP FOUR

W. G. Mizell and wife, Mrs. W. G. Mizell, and James E. Faulkner.

GROUP FIVE

Rachel Faulkner, James E. Faulkner, and Elgin Matthews.

GROUP SIX

Bevel Enloe, Ben Brown, Minnie Cherry and husband, Manuel Cherry, B. E. Whitton, J. F. Whitton, C. E. O'Briant, Barney O'Briant, James Whitton, T. V. Yeager, Wilmer Yeager, Cassie Yeager, Gladys Lilley and husband Alvin Lilley, George Enloe, Jim Enloe, Ed Enloe, T. F. Enloe, Carrie Vickery and husband J. A. Vickery, Della Ott and husband G. A. Ott, Ernestine Puckett and husband Floyd Puckett, Lucille Mosely and husband Thomas Mosely, Ethel Thomas and husband Bruce Thomas, Helen Lilley and husband Jamie Lilley, Birtie Lilley, a feme sole, Udell McIlvain, Robbie Alvin (Mickey) McIlvain, Celestia Fowler and husband J. C. Fowler, Sidney Whitmire, Clyde Whitmire, Claude Whitmire, Dolly Grimme and husband H. A. Grimme, Bonita Perdon and husband Earl Perdon, R. L. Whitmire, Rose McMillian, Lee McMillian, Odis Matthews, Ruby Plander, George H. Plander, Dorothy Plander, Eddie Plander, L. C. Matthews, Trulee Matthews, Arvil Matthews, Jermina Blicham and husband Robert Gene Blicham, Mrs. Dorothy Matthews, a feme sole, Bobby Jean Matthews, David Matthews, Jewell Edna Matthews, Annie Mae Shean, L. D. Shean, Clareed Taylor, F. W. Taylor, Pauline Taylor, W. H. Taylor, Ruth Driver, Billey Driver, Margaret Simmons, W. F. Simmons, J. V. Hickman, Elmer Hickman, Ernest Hickman, and James E. Faulkner.

TRACT ONE

Being an undivided one-half interest in that certain 160 acres of land, more or less, in and a part of the James W. Robinson league or survey, situated in San Jacinto County, Tex., described in a deed from H. W. C. Bittick and wife A. B. (Bell) Bittick to I. I. Ott, bearing date of October 7, 1897, and recorded in volume Z, page 545, Deed Records of San Jacinto County, Tex., and also that land described in a deed from J. N. Bittick and Alma Bittick to Clara Ott, dated November 2, 1903, and recorded in volume Z, page 548, Deed Records of San Jacinto County, Tex., and also that land described in a deed recorded in volume Z, page 544, Deed Records of San Jacinto County, Tex., and in an instrument of conveyance from G. A. Ott to James E. Faulkner and Jeff Cochran, dated April 12, 1950, and recorded in volume 55, pages 483, et seq., Deed Records of San Jacinto County, Tex., to which deeds, instruments and records reference is here made for a full and complete description of said land and for all purposes, such land being more particularly described by metes and bounds as follows, to wit:

Beginning on the south boundary line of said Robinson league 707 vrs from the southeast corner of same, it being the southwest corner of the J. S. (A) Finn survey established by retracing the boundaries originally marked on the ground, a pine mkd X brs S 44 W 6 vrs, a sweet gum brs W 84 vrs;

Thence S 49½ W 750 vrs to a stake from which a magnolia brs S 25 E 4.2 vrs; another brs N 41 W 5.4 vrs;

Thence north 40½ W 920 vrs to a stake from which a pin oak 20 in in dia brs S. 53 E 3.2 vrs another 16 in in dia brs S 27 W 3.2 vrs;

Thence north 49½ E 530 vrs to west bank of Winters Bayou a stake from which a sycamore 6 in in dia brs S 70 W 5.8 vrs another brs W 20 E 7.4 vrs:

Thence down and with the meanderings of said bayou, general course S 84½ E 633 vrs to a stake from which a sweet gum 16 in in dia brs N 63 E 4.8 vrs and a magnolia 15 in in dia brs S 69 E 8.6 vrs to a stake;

Thence S 66 E at 622 vrs intersected said league line a stake from which an ash 16 in in dia brs S 53 W 5 vrs and a red oak 10 in in dia brs northwest 7.6 vrs;

Thence S 49½ W with said Robinson league or survey line to the place of beginning, containing 160 acres of land, more or less.

TRACT TWO

That certain tract of land composing thirty-two and one-tenth acres of land, being a part of the L. A. Gosse six hundred and forty-acre survey situated in San Jacinto County, Texas, in the New Hope community about sixteen miles south of Coldsprings, Texas, more particularly described by metes and bounds as follows, to-wit:

Beginning at the southwest corner of said L. A. Gosse survey, same being common with the southeast corner of the William Dobie survey on the north boundary line of the D. M. Bullock survey, an iron car axle stake for corner from which a pine 3 in in dia mkd X brs S. 9 W. 1.6 vrs, a sweet gum 3 in in dia mkd X brs N. 62 W 2.1 vrs, a sweet gum 6 in in dia mkd X brs N 18 E 2.5 vrs and a pine 6 in in dia mkd X brs E 3.9 vrs;

Thence N 2 W 204 vrs to a 1" X 3" iron bar stake painted red for corner, from which a 50-inch black gum brs N 80 W. 4.3 vrs a white oak 20 in in dia brs N 30 W 8 vrs and a pine 4 in in dia brs S 52 E 3.3 vrs;

Thence N 88 E along an old fence row at 889 vrs a stake for corner from which a 2 in iron pipe painted red brs N 83 E 4.3 vrs, a white oak 14 in in dia mkd X in fence corner brs S 86 E 5.4 vrs, a ½ inch iron pine brs S 85 E 6 vrs, a 3 inch pine brs N 24 E 2.3 vrs;

Thence S 2 E 207 vrs to a stake for corner on the south boundary line of said L. A. Gosse survey on the north boundary line of the James Patterson survey (abstract No. 243), from which a sweet gum 20 in in dia mkd X brs S 10 W 2.7 vrs;

Thence West with said Gosse south boundary line, same being also the north boundary line of said Patterson survey 97.2 vrs to the common corner of the David M. Bullock survey and the James Patterson survey on the South Gosse boundary line (same being the NEC of said Bullock survey and the NWC of said Patterson survey) a stake for such common corner from which a pine 3 in in dia mkd X brs N 48½ W 1 vr; a double Fork Pin Oak mkd XX brs S 79 E 5 vrs and a pin oak 3 in in dia mkd X brs S 1 W 1.4 vrs (old original witness and bearing trees gone);

Thence continuing with said L. A. Gosse South boundary line, same being common with the David M. Bullock survey North boundary line S 88 W 793 vrs to the place of beginning, containing 32.1 acres of land.

TRACT THREE

Those certain tracts of land situated in the BBB & C RR Co. Survey (Abst. No. 82) and the George Taylor League or Survey (Abst. No. 292) and being the same lands conveyed to Jim McMurrey by G. L. Turnley, by deeds dated July 9, 1917, March 1, 1918, and March 6, 1918, respectively, and recorded in Volume 12, pages 247, 248, and 311, respectively, of the Deed Records of San Jacinto County, Texas;

Those two certain tracts conveyed to Jim McMurrey by J. M. Hansbro under dates of March 2, 1918, and April 13, 1918, recorded in Volume 12, pages 251 and 241, respectively, of the Deed Records of San Jacinto County, Texas;

That certain tract of land described in a deed of February 26, 1918, from L. T. Sloan to Jim McMurrey, recorded in Volume 12, page 246, Deed Records of San Jacinto County, Texas;

That certain tract of land described in a deed of March 25, 1918, from C. W. Robinson to Jim McMurrey, recorded in Volume 12, page 346, Deed Records of San Jacinto County, Texas;

That certain tract of land described in a deed of April 2, 1918, from J. W. Merrell et al. to Jim McMurrey, recorded in Volume 12, page 344, Deed Records of San Jacinto County, Texas;

That certain tract of land described in a deed of record in Volume 12, page 401, Deed Records of San Jacinto County, Texas, from Helen M. Jessup et al. to Jim McMurrey.

Reference to above deeds and the records thereof being here now made for a full and complete description of said land(s) and for all legal purposes.

TRACT FOUR

Being 11.3 acres, more or less, out and a part of the Wm. R. Goode League or Survey (Abstract No. 136), more particularly described by metes and bounds as follows, to-wit:

Beginning at the Southwest corner of the James Youngblood or what is known as the Boyd or James Youngblood 180 acre tract out of and a part of said Wm. R. Goode Survey, and which corner is West 150 vrs and North 75 vrs from the Northeast corner of the L. R. Pearson 953 acre tract, and which

is also an "L" corner of the Wm. R. Goode Survey, said corner being in an old field;

Thence north following the West line of said 180 acre tract at 319 vrs pass the southeast corner of said Youngblood 50 acre tract, and the northeast corner of the Hiram Purkerson 50 acre tract out of the said 180 acre tract, and continuing north at 849 vrs pass the northeast corner of the Youngblood 50 acre tract at 1100 vrs to the old original corner of the Boyd or James Youngblood 180 acre tract, a stake from which a gum 22 in in dia brs S 40 E 12 vrs this point and corner being the beginning point or corner of the 11.3 acres involved and described in Clause No. 3701, styled "Foster Lumber Company vs. W. G. Mizell" in the District Court of San Jacinto County, Texas, and therein decreed to the said W. G. Mizell;

Thence north 77 vrs to a stake from which a pine 5 inches in diameter brs N 82 W 2 vrs and a pine 5 in in dia brs S 75 E 3.3 vrs, this point being 149 vrs south of the south line of the P. H. Cannon 963 acre tract out of said Goode Survey;

Thence east along and following the old divisional line through the Goode survey to a stake for corner on the West bank of the San Jacinto River, from which a pin oak 20 in in dia brs S 35 W 6 vrs, this distance being 829½ vrs;

Thence south along the following the meanders of said River to the northeast corner of the old original Boyd or Youngblood 180 acre tract, a corner on the Bank of the old River at the northeast corner of an old field;

Thence west along and following the old original north line of said Boyd or Youngblood 180 acre tract 829 vrs to the place of beginning, containing 11.3 acres of land, more or less, and being the same land awarded and decreed to the said W. G. Mizell and described in a judgment rendered and entered in cause No. 3701, styled "Foster Lumber Company vs. W. G. Mizell" on the 16th day of February, 1926, by the district court of San Jacinto County, Texas, recorded in Volume J, pages 332, et seq., minutes of the said District Court, reference to which is here now made for all purposes.

TRACT FIVE

Being 49.4 acres of land, more or less, of the Watson Estate, a part of the Vital Flores League or Survey (Abst No. 14) situated about 8 miles southwest of Coldsprings, Texas, bounded on the Northwest by the Grover Ellisor Estate (formerly the old John Henry Kirby Tract), on the northeast by the old R. D. Denson and Santa Fe Tie & Lbr Co. (U. S. A.) tract, on the south and southeast by the U. S. A. forest lands, and on the west and southwest by the paved farm-to-market road leading from Evergreen to Cleveland, Texas farm road No. 2025, and more particularly described by metes and bounds as follows, to-wit:

Beginning at corner No. 7 of a 267 acre (more or less) U. S. A. forest tract known as said government's tract "J13" being the most northern corner of land formerly owned by Lila Cochran and H. S. Lilley, a 1" iron pipe stake for corner witnessed by marked and blazed bearing trees; (said corner being on the common boundary line between said Vital Flores and the James Rankin, Jr., surveys);

Thence north 50 W with said Common boundary line of and between said Flores and Rankin surveys, it being the line, 723 vrs to the stake for corner from which a 20 in sweet gum mkd X brs S. 31 W 10 vrs, and a 10 in sweet gum mkd X brs S 83 W 6 vrs, and a 20 in forked pine mkd X brs N 77 E 3 vrs, said corner being common with the most eastern or northeastern corner of said old Kirby (Ellisor) tract;

Thence S 40 W 415 vrs with the southeast boundary line of said old Kirby (Ellisor) tract; it being the line to stake for corner in the right-of-way of said Paved farm road, same being a northern corner of the old J. O. H. Bennett tract;

Thence S 36 E with and down said Farm Road, it being the line 345 vrs to a stake for corner in the northwest boundary line of said U. S. A. forest tract where same intersects said road, said corner being N 77 E 240 vrs from corner 6 of said U. S. A. "J13" tract, said stake and corner being witnessed by mkd and blazed bearing trees;

Thence N 77 E with the Northwest boundary line of said U. S. A. tract "J13" it being the line 630 vrs to the place of beginning, containing 49.4 acres, more or less.

TRACT SIX

An undivided one-half interest in the following 80 acres of land, more or less, being a part of the James W. Robinson League or survey, Abstract No. 45, situated in San Jacinto County, Texas, more particularly described by metes and bounds as follows:

Beginning at the southwest corner of a 32 acre tract owned or formerly owned by A. J. Bruner, said corner being a 20 in black gum mkd X;

Thence S 16 deg 54' West along the southerly projection of the West line of the said Bruner 32 acre tract, a distance of 473 vrs to a point for the southwest corner of the herein described tract;

Thence south 77 deg 52' East 953.3 vrs to a point for corner;

Thence north 17 deg East 473 vrs to the Southeast corner of the P. L. Robberson 32 acre tract, being a concrete monument marked J-364 (or J-365) from which monument a 6" Pin Oak mkd U. S. B. T. brs South 6 West 12.1 vrs and a 9" pine mkd U. S. B. T. brs S 72 W 20 vrs;

Thence north 72 deg 44' West with the south line of the said Robberson 32 acre tract, 385.4 vrs to the southwest corner of same, being the southeast corner of the W. A. Johnson 16 acre tract;

Thence north 78 deg 01' West with the south line of said W. A. Johnson 16 acre tract and the south line of the aforesaid Bruner 32 acre tract, a total distance of 568.7 vrs to the place of beginning, containing 60 acres of land, more or less.

With the following committee amendment:

Strike the language contained in lines 3 to 9, inclusive, on page 1, and lines 1 through 13 on page 2 of the bill and insert: "That jurisdiction is hereby conferred notwithstanding the lapse of time, laches, or statutes of limitation, on the United States District Court for the Southern District of Texas, Houston Division, to hear, determine, and render judgment on the claims and controversies of the parties hereinafter named in groups 1 through 6, respectively, concerning the title and possession of, and for damages to the land included within the following described tracts of land, numbered 1 through 6, respectively, in corresponding numerical order; and those parties are hereby granted permission and are authorized to bring suit or suits in said court against the United States of America for the title and possession of, and for damages to the land included within the tracts described herein."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FILOMENA AND EMIL FERRARA

The Clerk called the bill (H. R. 4174) for the relief of Filomena and Emil Ferrara.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

MAJ. HAROLD J. O'CONNELL

The Clerk called the bill (H. R. 6492) for the relief of Maj. Harold J. O'Connell.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROBERTS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

WIDOW AND CHILDREN OF JOHN E. DONAHUE

The Clerk called the bill (H. R. 4986) for the relief of the widow and children of John E. Donahue.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the Civil Service Retirement Act of May 29, 1930 (as in effect on June 24, 1954), John E. Donahue, deceased, former employee of the Department of Agriculture, shall be deemed to have been retired on June 24, 1954, pursuant to section 6 of such act, and to have elected at such time, pursuant to section 4 (b) of such act, to receive a reduced annuity and an annuity after death payable to his widow, Mary E. Donahue. The benefits payable to the widow and children of John E. Donahue shall not be paid unless an amount equal to the amount paid from the civil service retirement and disability fund pursuant to section 12 (f) of the Civil Service Retirement Act of May 29, 1930 (as in effect on June 24, 1954), on account of the death of John E. Donahue, is redeposited in such fund within 6 months from the date of enactment of this act with interest thereon at the rate of 3 percent per annum for the period beginning on the date on which such amount was paid from such fund and ending on the date on which such redeposit is made.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. LYMAN C. MURPHEY

The Clerk called the bill (H. R. 6528) for the relief of Mrs. Lyman C. Murphey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Lyman C. Murphey, Avondale Estates, Ga., the widow of Lyman C. Murphey (Veterans' Administration claim No. XC3862082), a sum equal to the amount which would have been paid to, or on behalf of, the two minor children of the said veteran for the period beginning January 25, 1945, and ending March 8, 1953, both dates inclusive, if a claim for pension, by or on behalf of such minor children, had been filed with the Administrator of Veterans' Affairs within 1 year after the death of the said Lyman C. Murphey, and had been allowed: *Provided*, That no part of the amount paid under this section in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. The Administrator of Veterans' Affairs shall certify to the Secretary of the Treasury the sum which is to be paid to Mrs. Lyman C. Murphey under the first section of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND CONVEYANCE IN PRAIRIE COUNTY, ARK.

The Clerk called the bill (H. R. 2259) to provide for the conveyance of all right, title, and interest of the United States to certain real property in Prairie County, Ark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized and directed, upon payment to the United States of the sum of $175, to convey to Clayton F. Ames and Maxine R. Ames, his wife, of West Memphis, Ark., all right, title, and interest of the United States in and to the real property part of the southeast quarter of the southeast quarter of the northwest quarter, section 17, township 4 north, range 4 west, of the fifth principal meridian, in the northern district of Prairie County, Ark., more particularly described as follows:

Commencing at the quarter corner on the north line of said section 17, which point is the intersection of centerlines of an east and west county road and a county road bearing south 00 degrees 50 minutes west, run thence south 00 degrees 50 minutes west along the centerline of said county road a distance of 2,170.2 feet to the point of beginning; run thence south 77 degrees 21 minutes west a distance of 311.2 feet to the northeast bank of Spring Lake; thence following the meander line of the northeast bank of Spring Lake in a southerly direction to the point of intersection with the south line of the southeast quarter of the southeast quarter of the northwest quarter of said section 17; thence run easterly on the south line of the southeast quarter of the southeast quarter of the northwest quarter of said section 17 to a point at the southeast corner of the northwest quarter of said section 17; thence run north on the east line of the southeast quarter of the southeast quarter of the northwest quarter of said section 17 to the point of beginning.

With the following committee amendment:

Page 1, line 4, after the word "directed", insert "upon payment to the United States of the sum of $175."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRANTING OF THE STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

The Clerk called the resolution (H. Con. Res. 194) approving the granting of the status of permanent residence to certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress approves the granting of the status of permanent residence in the case of each alien hereinafter named, in which case the Attorney General has determined that such alien is qualified under the provisions of section 6 of the Refugee Relief Act of 1953, as amended (67 Stat. 403; 68 Stat. 1044):

A-8155735, Aikler, Mirko alias Emilio Federico Aikler.
A-10170961, Apanowicz, Boleslaw.
A-10035418, Baldois, Marija.
A-9825049, Bonk, Pawel Frank or Paul Bonk.
0300-462272, Chang, George Teh-Lai.
A-8888549, Chang, Sen Dou.
A-9694446, Chang, You Ding also known as Ah Za Wang.
A-8205758, Chao, Beatrice Jung-Chuan.
A-6694109, Chen, Chi Ta.
A-6851660, Chen, Joseph Yeh also known as Chang Bao Chen.
A-7202753, Cheng, Liang.
A-8103705, Chi, Li.
A-6457533, Chin, Ming Liang.
V-184674, Choy, Shih Hung.
A-7439685, Choy, Shew Ming Eip.
A-7835335, Ding, Joan Jo-An.
A-7274682, Dunn, Sally Sung-Lih.
A-8933695, Gay, Ng Seow or Manuel Kaua.
A-7388015, Hildeshaim, Mojsze.
A-8846028, Hildeshaim, Ita.
A-8936343, Huang, May Sze-Chin.
E-094444, Kai, Choung.
A-8954733, Kao, Hsiang-Sung.
A-8960635, Kao, Li-Nan Kwan.
A-9694263, Kilt, Low Ah.
A-6026549, King, Hsien Tsu.
T-1613805, King, Eosin Chu.
T-1613806, King, Linda.
A-10170902, Kolumbic, Vjekoslav.
A-10170901, Kolumbic, Stanislav.
A-7366623, Ku, Feng Shen.
A-9804796, Lau, Foo Kwai.
A-2201853, Lee, John Koo.
A-8891582, Lee, Ronald Shao Nan, also known as Shao Nan Lee.
A-10130368, Li, Thomas Chang-Jen.
1300-128711, Low, James, also known as Lau, Yuk.
A-9709772, Low, You, or Low Yow, or Low Cheu.
A-8301804, Lusik, Valev Valentin.
0300-301304, Maerz, Alla.
E-094647, Nee, Fred, also known as Nee Kao Hong.
A-8956186, Pettersson, Sing Ye, also known as Sadie Sing Yee Pettersson (nee Romahn), (nee Wong), Sing Yee.
A-9562348, Que, Cheng Sim.
A-9825046, Reichel, Stefan.
A-9542507, Siew, Wong.
A-8055441, Stark, Simon.
A-10052787, Sun, Chi Fong Tyen.
A-1006432, Sun, Eeh-John.
A-7243268, Svagna, Silvo.
0300-457385, Tan, Annie Hau.
A-7277350, Tang, Edward Yau Chien, formerly Wau Chien Tang.
A-7143030, Tawil, Esther.
A-6694206, Teng, Celia, or Celia Hsi-Lee Tseng, or Celia Marie Teng.
A-7462147, Wu, Edith Hsiu-Hwei.
A-6699876, Wu, Irene Hsueh.
A6986541, Yu, Alex Shih-Ge.
A-10465773, Yung, Nee Shu.
A-10465771, Ming, Wen Lyna Hsu.
A-7882493, Yung, Richard Chih Shin.
E-084466, Chang, Ming Wah.
A-7174560, Chen, Ming Li.
A-7274978, Chu, David Bao-Shan.
A-10436781, Chu, Poong Nan.
A-7141139, Hsu, Immanuel C. Y. also known as Chung Yueh Hsu.
A-7118843, Huang, Siu-Lien.
0300-401127, Kai, Chan.
A-9562506, Kwee, Wah Kia.
A-7837162, Liu, Hsing Yueh (Fred).
A-6848619, Sun, Hen Teh.
A-6967368, Tao, Samuel Shao also known as Shao Ming Tao.
A-7096300, Tso, Chih Hui or Sister Mary Evangelist Tso.
A-6848002, Wang, Julia (nee Julia Chin Yun Ho).
A-7356395, Geng, George Yuen-Hsioh.
A-10085249, Hsia, Chen.
173/427, Keung, Liu Chung.
A-8996626, Kolumbic, Kresimir.
173/426, Liu, Suey Har Lee.
173/428, Liu, Boy Poon (Betty).
173/429, Liu, Dung Koon (John).
173/430, Liu, Dung Non (Billy).
0300-288731, Liao, Suzanne also known as Liao Kia-Pao.
A-10060260, Libe, Kalju.
A-7279631, Paszternak, Riza.
A-8000633, Shannir, Kasim Ismail.
0300-467737, Tsing, Min-Ye.
0300-346587, Tsing, Su-Tsen.
A-6258475, Wang, James Chia-Fang.
0300-458459, Yang, Helen Cheng Chao.
0300-468334, Yen, Grace Chuin Ying.
0300-468332, Yen, Alice Hua Ying.
A-0946127, Yen, Yang-Chu James.
0300-459487, Behrs, Amalie formerly Amalie Kiviranna (nee Amalie Pavel).
A-10087975, Chien, Pien Kiang.
A-9783058, Chin, Chi Tien.
A-1693463, Fan, Paul Hsiu Tsu.
A-1003405, Fan, Joyce Sik-Ho Wang.
A-7396740, Hsu, David Pin.
A-7444631, Lee, Lester Shin Pei.
0300-462434, Liang, Maisie Mei-Hsi.
A-6703208, Lin, Sping.
A-7606419, Liu (Vera), Hsi Yen (nee Wong-Quincey).
A-6271443, Liu, Vi Cheng.
A-9825070, Luzny, George.
A-7286973, Mui, Daniel Fook Kee.
A-9825053, Pustulka, Boleslaw.
A-7805943, Shane, Catherine Yen (nee Shih-Ping Yen).
A-10401836, Sheng, Hung Tao.
A-9825073, Sokolowski, Witold Stanislaw.
A-7967355, Sung, Zei Ling.
A-8038957, Sung, Chi Wha (Gladys).
A-8038959, Sung, Chi Ming (Mary).
A-8038960, Sung, Chi Chang (John).
A-8132662, Sung, Chi Tak (James).
A-8038958, Sung, Chi Ching (Thomas).
A-10188700, Sung, Chi Kwan (William).
A-9825136, Trykowski, Jan Zygmunt.
A-8285563, Wai, Angli.
E-118826, Wai, Fong Yok also known as Yok Wai Fong, Fong Yok Square.
A-9669272, Wee, Poo Kia.
A-8190602, Wee, Lee Sung.
A-7417146, Yang, Ah Poa.
A-10237804, Yee, Lee.
A-10068693, Yip, Kiu or Pip Kiu also known as Wing Yip.
A-6940537, Bailey, Flower also known as Te Ling Chang and Chank Te Ling.
A-7190921, Cerny, Helena.
0300-371967, Chao, Tsung-Hu Lee also known as Polly Tsung-Hu Lee Chao.
0300-381266, Chao, Grace Yao-Ping.
0300-371975, Chao, Faith Yao-Yu.
0300-371968, Chao, George Yao-Tung.
A-8103763, Cheng, Helen formerly Helen Mien-Mien Yu.
A-6847996, Cheng, Lu I.
A-7952707, Genger, Josef.
A-6503242, Grabie, Majer.
A-7292660, Grabie, Marianna or Masha.
A-7292661, Grabie, Morris or Mojsze Towia.
A-6405954, Hsu, Eugene (Ting Chen).
A-7057890, Hsu, Kenneth Jing-Hwa.

A-7092721, Laing, Yung also known as Laing Yung.
A-10073320, Lee, Dong Sep.
V-1505818, Ng, Seid Young also known as Wu, Seid Young also known as Wu, Chung Poh.
A-10138853, Sang, Mon Loy alias Wen Lai Sung.
A-9015504, Seng, Foo Ah.
A-9094621, Sung, Woo Chen.
A-6848699, Tang, Philip Jen-Chien.
0300-461961, Wang, Eleanor Bei-Lee.
A-7386130, Wang, Samuel Chia-Cheng.
A-9634988, Wee, Lee Sung.
A-6500397, Berger, Herman also known as Mikulas Federweisz.
A-7367968, Berger, Kalman.
A-6396664, Chen, Wen-Chao.
A-6845070, Chen, Mary Lilia (Ch'un Jen), (nee Chao).
A-9634307, Juat, Tan Chin.
A-6953077, Langer, Abraham Leopold.
V-885058, Li, Hsien-Kuan Hugo.
V-885059, King, Wei-Lien.
T-357403, Lee, Barbara (Bei Bei).
0300-469349, Li, Tsung Jen.
A-10245429, Li, Teh-Chieh Kuo also known as Tah-Chieh Kuo.
A-10245428, Li, Jackson also known as Jee Sen Li.
A-6848144, Loh, Yu-Cheng also known as Eugene Loh.
A-8015357, Mob, Jim or James Chin.
A-10210252, Pao, Peter Sien-Kwei or Sien Kwei Pao.
A-2023266, Suksdorf, Jurl Johannes.
A-6404843, Tsai, Wu.
A-9825090, Witkowski, Stanislaw.
0300-376850, Yen, Flora Chow.
A-7248479, Ching, Tao Pu.
A-9825103, Cielenkiewicz, Ryszard Emil.
A-10077721, Hop, Leung or Long Hop.
A-4949822, Ing, Wen Pei.
A-6171332, Mo, Sung Shen.
A-6448785, Mo, Chen Wei.
E-094520, Ng, Hing also known as Wu Yu Wah.
A-8091377, Pyn, Lee also known as Lee Ping.
A-8893285, Yen, Esther Kwang Tzu.
A-6806304, Yu, Shih-Cheng also known as Michael Shih-Cheng Yu.
A-6806306, Yu, Ya-Ming (nee Chai), also known as Lucia Ya-Ming Yu.
A-10625693, Chang, Fu Yun.
A-6848003, Chen, Yun Chieh or James Y. Chen.
A-7805944, Dao, Therese Tsu-Yin.
A-8055411, Dembitzer, David.
0400-58439, Huang, Yu-Kuan (Chen Ching Chen).
A-7988129, Jakobovits, Victor.
A-10130803, Kung, Edward Yen Chung.
A-7364794, Lee, William Wei-Yen (Li, Wei-Yen).
A10075777, Liu, Ah Fong or Liu Ah Fong.
A-6847867, Loo, Shu Hsin or Mary Agnes Loo or Agnes Shu-Hsin Jen.
0300-461048, Lu, Nora Ellen.
0300-458294, Sze, Wu Fook.
A-6847791, Tung, Charles Pao-Chun also known as Tung Pao-Chun.
0300-78518, Wu, Lily also known as Yu Sue Wu also known as Oij Eng.
A-7028494, Wu, Judith also known as Teh Jean Wu.
A-8106443, Chao, Yung Lai.
A-8955828, Chu, Hai-Chou.
0300-439720, Huang, Wen Shan.
0300-456285, Huang, Lun Kun (nee Cheng).
0300-456286, Huang, Yen Fu.
A-10237798, Kalnins, Arvids Bruno.
A-6712043, Lam, Jean Lu.
A-7897506, Lebovits, Laszlo.
A-7274352, Lin, Chun Chia.
A-9825066, Lojewski, Czeslaw Bogdan.
A-7955278, Sun, Zee Ah.
A-10060602, Tsing, Jan Sing.
A-7418206, Yang, Sam Yuan-Chen.
A-7805945, Wang, Helen, also known as Mary Helen Therese Want.
A-6624719, Wang, Shou Ling also known as Daniel Wang.
A-7835259, Wu, Grace Ho-Lan or Grace Wu.
A-10035417, Balodis, Paulis Voldemars.
A-10073947, Behrsin, Roman.
A-10353028, Chang, Ta-Chung.
A-6848442, Chen, Shee-Ming or Chen Shee Ming.
A-7286660, Chung, Lynn.
A-8065296, Gabor, Robert alias Robert Goldstein.
A-8065297, Gabor, Elizabeth nee Fischer.
A-9825106, Jurkiewicz, Jerry formerly Jan Jerzy Jurkiewicz.
A-7560713, Koo, Hai-Chang Benjamin presently known as Benjamin Koo.
A-10075053, Lee, Esther Pei-Cheng Lim formerly known as Esther Pei-Cheng Lim.
A-6967296, Ma, Chen-Luan.
A-9825075, Ptaszynski, Kazimierz.
0300-466218, Sing, Charles also known as Wang Kao Chee also known as Wong Go Pae.
A-7319016, Stein, Stanley Marian.
E-118715, Taw, Ngiam Seng.
A-6448797, Wang, Philip Iching.
A-6975581, Yang, Thaddeus Wen-Hsien.
A-6855648, Yang, Grace Kwei-Ying (nee Liu.)
A-7228327, Yung, Lydia Chih-Jui or Lydia Yung.
A-8847641, Dan, John Si-Kiang.
A-6142220, Hsu, Charlotte Chien.
A-8845236, Loo, Jen Wan (Marie) (nee Lee).
A-6818128, Lorincz, Jeno Eugene.
A-7364796, Muna, Nadeem Mitri.
A-10075751, Yin, Jen Ching or Charles Yin.
A-6967530, Zee, Chong Hung.
A-6224481, King, Gloria Euyang.
A-6958561, Pu, Florence Luan-Fei.
A-6849456, Hwang, Ming Chao.
A-8094862, Janoyan, Hagop Apraham.
A-6142216, Lieu, Tse-Hsien.
0300-425930, Modrzelewska, Jadwiga.
A-8106741, Modrzelewski, Sgmunt Jan.
A-9029161, Nicolaou, Ion Dimitrios or John Nicolau.
A-9541479, Tani, Johannes.
A-10416361, Weinberg, Hersel formerly Zvi Weinberg.
A-9765919, Cecco, Frank or Francesco Cecco.
A-6986570, Yi, Shu Ping.
0300-426380, You, Wong.
A-8102693, Anabtawi, Samir Nazmi.
A-11048303, Chu, Ting Chi.
A-10237098, Chu, Grace Hsi.
A-7983212, Chu, Rosalind.
A-10394745, Chu, Constance Pamela.
A-10237100, Chu, Kay.
A-10257554, Kovacs, Imre.
A-10250309, Zmurek, Andre Michael.
A-8217527, Zmurkowa, Irena Helena nee Wasilkowska.

With the following committee amendment:

Page 3, line 10, strike out all of line 10.

The committee amendment was agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SYLVIA OTTILA TENYI

The Clerk called the bill (H. R. 1424) for the relief of Sylvia Ottila Tenyi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of section 205 (a) and section 203 (a) (3) of the Immigration and Nationality Act, Sylvia Ottila Tenyi shall be held and considered to be the child of Irene Tenyi Petercsak as such term is defined in section 101 (b) (1) (A) of the said act.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert "That, for the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Sylvia Ottila Tenyi shall be held and considered to be the child of Irene Tenyi Petercsak, a lawfully resident alien of the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GILBERT B. MAR

The Clerk called the bill (H. R. 1677) for the relief of Gilbert B. Mar.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 316 of the Immigration and Nationality Act relating to the required periods of residence and physical presence within the United States, Gilbert B. Mar may be naturalized at any time after the date of the enactment of this act if he is otherwise eligible for naturalization under the Immigration and Nationality Act.

With the following committee amendment:

Page 1, line 3, strike out all after the enacting clause and insert "That, for the purposes of the Immigration and Nationality Act, Gilbert B. Mar shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 22, 1948."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMISSION IN THE UNITED STATES OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 373) to facilitate the admission into the United States of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, for the purposes of section 101 (a) (27) (B) of the Immigration and Nationality Act, Cielia Cusano Puglia, Magoji Nakashima, and Eiju Nakashima shall be held to be classifiable as returning resident aliens.

SEC. 2. For the purposes of the Immigration and Nationality Act, Yotsu Yusawa Heim shall be deemed to be a nonquota immigrant.

SEC. 3. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Zmirah Mittelman shall be held and considered to be the minor alien child of Haim Mittelman, a citizen of the United States.

SEC. 4. In the administration of the Immigration and Nationality Act, Anna Marie Deutch, the fiancée of Edgar F. Sill, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 8 months: *Provided*, That the administrative authorities find that the said Anna Marie Deutch is coming to the United States with a bona fide intention of being married to the said Edgar F. Sill and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Anna Marie Deutch, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Anna Marie Deutch, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Anna Marie Deutch as of the date of the payment by her of the required visa fee.

SEC. 5. For the purposes of sections 203 (a) (2) and 205 of the Immigration and Nationality Act, Anna Rossetti shall be held and considered to be the mother of Mrs. Leroy R. Kohne, a citizen of the United States.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 368) for the relief of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, for the purposes of the Immigration and Nationality Act, Guillermina Peralta Anderson, Rodrigo Eulalio Santa Ana-Alvarado, Rose Hannah Cox Fransone (nee Garbutt), and Heleene Garbut shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees.

SEC. 2. For the purposes of the Immigration and Nationality Act, Juan Ysais-Martinez and Mrs. Inge Johnson shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees, and upon compliance with such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare may deem necessary to impose: *Provided*, That, except in the case of beneficiaries entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), suitable and proper bonds or undertakings, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

SEC. 3. For the purposes of the Immigration and Nationality Act, Purificacion de Peralta, Orietta Giardino, Irma Flora Bissesar, Bessie Yu (nee Huang), Mohamed Abdul Kerim, and Hans J. Bernick shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act in the case of Irma Flora Bissessar. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 4. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrant of arrest, and bonds, which may have issued in the case of Ludwik Kwasniewski. From and after the date of the enactment of this act, the said Ludwik Kwasniewski shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WAVING CERTAIN PROVISIONS OF SECTION 212 (A) OF THE IMMIGRATION AND NATIONALITY ACT IN BEHALF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 367) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That, notwithstanding the provision of section 212 (a) (1) of the Immigration and Nationality Act, Eva Glockner may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

SEC. 2. Notwithstanding the provisions of section 212 (a) (9) and (17) of the Immigration and Nationality Act, Hjalmar Johansen may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

SEC. 3. Notwithstanding the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, Josefa Kujawa may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 4. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Emmy B. Heinrichmeier, the fiancée of Sgt. James W. Goetsch, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Emmy B. Heinrichmeier is coming to the United States with a bona fide intention of being married to the said Sgt. James W. Goetsch and that she is otherwise admissible under the provisions of that act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Emmy B. Heinrichmeier, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Emmy B. Heinrichmeier, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Emmy B. Heinrichmeier as of the date of the payment by her of the required visa fee.

SEC. 5. Notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Willem Fransen and Stefanie Emilie Geiger Conrad may be issued visas and admitted to the United States for permanent residence if they are found to be otherwise admissible under the provisions of that act.

SEC. 6. Notwithstanding the provisions of section 212 (a) (9), (17), and (19) of the Immigration and Nationality Act, Maria de Jesus Alfaro de Martinez may be issued a visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

SEC. 7. The exemptions provided for in this act shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

With the following committee amendments:

On page 2, line 7, after the word "act", insert the following: "Christa Riblet (nee Friese) and."

On page 2, line 7, after the words "may be issued", strike out the words "a visa" and insert in lieu therof "visas."

On page 2, line 8, after the words "residence if", strike out "she is" and insert in lieu thereof "they are."

On page 3, line 10, after the name "Fransen", insert a comma and strike out the word "and."

On page 3, line 10, after the name "Conrad", insert the following: "and Bastiaan Van Leeuwen."

The committee amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES TO THE FAIRVIEW CEMETERY ASSOCIATION, INC., WAHPETON, N. DAK.

The Clerk called the bill (S. 1352) to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior shall convey to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak., all right, title, and interest of the United States in and to the real property described in section 2, together with all improvements thereon upon payment by such association to the United States of the fair market value of the property as determined by the Secretary of the Interior.

SEC. 2. The real property referred to in the first section of this act is situated in the county of Richland, State of North Dakota, and is more particularly described as follows:

North half of the southeast quarter of the southeast quarter of section 6, township 132 north, range 47 west, fifth principal meridian, comprising 20 acres.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF CERTAIN LANDS OF THE UNITED STATES IN WYOMING TO BUD E. BURNAUGH

The Clerk called the bill (H. R. 1826) to authorize the sale of certain lands of

the United States in Wyoming to Bud E. Burnaugh.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Bud E. Burnaugh, of Green River, Wyo., is hereby granted the right to purchase the south half of the southeast quarter of the southeast quarter of the northeast quarter, section 8, township 18 north, range 107 west, sixth principal meridian, Wyoming, for a period of 1 year beginning on the date of enactment of this act. The sale authorized by this act shall be made in accordance with the applicable provisions of the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938, as amended (43 U. S. C., sec. 682a, and the following).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLEARING TITLE TO CERTAIN INDIAN LAND

The Clerk called the bill (H. R. 1259) to clear the title to certain Indian land.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States hereby disclaims on behalf of itself and any Indian allottee, or his heirs or devisees, any interest in the eighty-six and eight one-hundredths acres of land in Miami County, Kans., the title to which was quieted by judgment of the district court of Miami County, Kans., in the case of Rutherford and others against Wah-Pon-Ge-Quah and others (No. 15734).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MORRIS B. WALLACH

Mr. HYDE. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 2674) for the relief of Morris B. Wallach, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to credit to the annual leave account of Morris B. Wallach, in addition any annual leave to which he is entitled, 83 hours of annual leave to remain available until used. Such amount of annual leave is equal to so much of the annual leave accumulated by Morris B. Wallach as an employee of the Department of Labor in an overseas position as was lost to him as the result of a ruling of the Comptroller General.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEAUTHORIZATION OF CERTAIN RIVERS AND HARBORS AND FLOOD-CONTROL PROJECTS

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, I have today introduced a bill to deauthorize rivers and harbors and flood-control projects which have been authorized prior to 1946. This deauthorization would apply only to those projects which have not been started, funds have not been granted for either survey or construction. The total estimated cost for this group of projects is $4.9 billion, broken down according to project classification as follows:

Classification	Number of projects or units	Total estimated cost
Active	223	$2,560,471,000
Deferred	156	1,316,334,000
Inactive	422	1,043,216,000
Total	801	4,920,041,000

The projects covered in the tabulation were all authorized in 1946 and prior years and have not been placed in a construction status.

The Corps of Engineers has classified the active projects as projects which have some merit but no funds have been appropriated to initiate construction. Projects classified as deferred are the ones where conditions have materially changed and a restudy would be necessary to establish their need and economic justification under present conditions. Projects classified inactive are due to changed conditions affecting their engineering feasibility or economic justification, all of which are very doubtful.

You will note the total number of projects is 801, estimated cost $4,920,041,000. If at any time these projects are deemed to be necessary it would be very easy to have them reauthorized providing the benefits of the cost ratio are adequate and they are proven necessary. The bill reads as follows:

That any authorization by the Congress for the construction or planning of a project for flood control or river and harbor improvements under the jurisdiction of the Secretary of the Army shall expire (1) at the end of the 10-year period beginning on the date such construction or modification was authorized by the Congress, or (2) on the date of the enactment of this act, whichever is later, unless, before the expiration of such 10-year period, or before the date of the enactment of this act, whichever is applicable, funds are appropriated by the Congress for the planning or construction of such project.

If we of the Congress are sincere in our attempt to stop spending we should recognize that money cannot be appropriated for expenditures unless it has been authorized. We should stop authorizing new projects unless they are absolutely necessary and essential and deauthorize those which are not needed.

BACK TO THE CONSTITUTION

The SPEAKER. Under the previous order of the House the gentleman from California [Mr. ROOSEVELT] is recognized for 60 minutes.

Mr. ROOSEVELT. Mr. Speaker, if Congress is going to properly consider the questions raised by the Supreme Court in its recent decisions, legislation which has been indicated by the Supreme Court as necessary for definiteness of purpose and as a guide to the judiciary should be enacted and undoubtedly will be. However, in our hurry to act, we should not overlook the fundamental principles touched by these decisions. The problem is to achieve needed national security without trampling on the rights of individuals—rights which so clearly mark democracy with the stamp of freedom.

Because one's own thoughts are often better expressed by others, I am going to ask unanimous consent at this point to include in the RECORD the full reproduction of an editorial published in the Christian Science Monitor on Wednesday, June 19, 1957. It embodies my own thoughts and I cannot help but feel that as we go forward to implement these historic decisions of the Supreme Court, we will all need the guidance of these basic principles. Definite action is necessary and desirable. Ill-considered and unsound legislation will only raise serious and more difficult problems for the future.

The SPEAKER. Without objection, the gentleman may extend the editorial referred to.

There was no objection.

(The editorial referred to follows:)

BACK TO THE CONSTITUTION

I. IN REGARD FOR INDIVIDUAL RIGHTS

One great concern of the framers of the United States Constitution was that in setting up a government strong enough to unite and protect the people they should not create an oppressor. For extra surety they added the Bill of Rights to guard the citizen against official tyranny. The latest Supreme Court decisions remind us that to be effective their work requires continued support by the people and the courts.

Three major rulings announced Monday have one common denominator—they uphold individual rights against all branches of the Federal Government. Thorough understanding of this should halt hasty misconceptions that the Court is being "soft on Communists" or is moving "further along the New Deal road." While liberals will hail the Court's action, its opinions are basically and soundly conservative. For they mark an emphatic return to constitutional guaranties of liberty.

The Court has restored a balance which had been upset in recent years by the cold war and popular fears for national security. It was necessary to erect defenses against subversion. But some of the weapons hurriedly shaped or recklessly wielded to save America from communism were perilously similar to totalitarian measures for enforcing conformity. Emphasis on individual rights is a fundamental opposition to totalitarian emphasis on the supremacy of the state.

The Court is only saying that freedom can be defended by methods of freedom—even if that means granting new trials to Reds. Public opinion in America has largely recovered from a period of hysteria, but the Court is restoring the balance formally and legally by going back to the Bill of Rights.

Similarly, it is plain that this latest expression of judicial leadership has no kinship with New Deal federalism. For where that

was all in the direction of extending Federal powers these latest decisions limit and censure official interference with individuals. They do not throw down New Deal social legislation. They simply say that civil liberties must be safeguarded.

In a fourth decision the Court struck at a State legislature's delegating general and sweeping powers to investigate subversion. But the main force of this striking series of decisions is directed at Federal authorities.

The rulings are drawing some criticism as crippling the Nation's defenses against communism. But justice and freedom are their own best bulwarks against Red tyranny. And success of the free-enterprise system is the basic defense against communistic economic theories. The FBI and the courts can deal effectively with espionage.

Congress retains investigating authority fully adequate for legislation. And some of the Congressmen who object to the decisions might well reexamine their own aims in supporting abuses which did not begin or end with the McCarthy censure. Of course, no branch of government takes kindly to curtailment of its powers. But to set some limits on usurpation is one reason constitutional checks and balances exist. The Court's most recent action will cause many an American to be grateful that it has the independence and the courage to call Congress and a former Secretary of State to book.

Jefferson, chief advocate of adding a "declaration of rights," declared that this would give the Court a base for resisting not only legislative or executive usurpation but also mob pressures. The public in a hurry can be very annoyed with the brakes the Court supplies, as when it threw down 12 New Deal projects in 3 years. Some portions of the public have recently attacked the Court as being an uncontrolled usurper itself, declaring it has legislated States rights out the window. But historically there is no evidence that the Court long thwarts the people's will. It does, as in these cases, act as a brake and balance wheel, and as a necessary guardian of the Constitution.

II. IN THE LEGISLATIVE AND JUDICIAL

"Congress shall make no law * * * abridging the freedom of speech or of the press; or the right of the people peaceably to assemble." So in part reads the first amendment.

How this amendment might apply to the rights of the individual as against the concern of society with Communist conspiracy has been a question to which only the Supreme Court could give a conclusive answer. It has now done so—with respect to legislative investigations and to the Court's application of legislation, the Smith Act in particular.

John T. Watkins, labor leader, had been cited for contempt by the House Committee on Un-American Activities for refusing to name former associates who, he was convinced, had severed communistic contacts.

In reversing his conviction the High Court took account of the broad powers inherent in investigation as a part of the legislative process. But those powers are not unlimited. Congress, it declares, has no power to expose for exposure's sake. Investigations conducted to punish are indefensible. Any probing into the private affairs of individuals must be clearly justified solely as an adjunct to the legislative process.

The first amendment, says the Court, can be invoked where such justification is lacking. But Congress by exercising a measure of added care can get the information it needs. That, says the tribunal, is a small price to pay for preserving constitutional government.

In ordering retrials of nine Communist leaders and freeing five others the Supreme Court helpfully sharpened the distinction between advocacy as mere abstract doctrine and advocacy which incites to illegal actions. The first, says the Court, is within the free speech protection of the first amendment; as is the second, it refers to its 1950 ruling upholding conviction of the 11 top Communist leaders.

It will be recalled the Court then pointed out that the defendants' advocacy was coupled with their leadership of a highly organized conspiracy, with rigidly disciplined members subject to call * * * The lower courts, it finds, in these latter cases did not sufficiently differentiate for the jury which kind of advocacy is forbidden by the law.

Thus as regards lawmaking and lawinterpreting the High Court has drawn clearer lines around this area of freedom.

III. IN THE EXECUTIVE BRANCH

The Court's ruling that Asian expert John Stewart Service was wrongfully discharged from the State Department in 1951 hinges on a technical point. But implicit in it is a warning to the executive branch of the Government not to be swayed by the temper of the moment to ignore rules it has set up to safeguard the rights of its employees.

The Service case itself goes beyond the narrow point of law to which the Justices limited their 8 to 0 decision.

Before being dismissed by Secretary of State Dean Acheson, Mr. Service had undergone what amounted to septuple jeopardy. In 1945 he was accused of violating the Espionage Act in giving information to the editor of Amerasia magazine. A grand jury refused to indict him. Six times thereafter he was cleared of risk charges, three times by the State Department itself, three times by the Loyalty Security Board of the Department. Then the Loyalty Review Board of the Civil Service Commission reversed the last Loyalty Security Board clearance, finding "reasonable doubt" of loyalty and recommending dismissal. Mr. Acheson immediately complied.

A Federal district court opinion on another case subsequently cut much of the ground from under the Secretary of State's action by ordering wiped from the record the review board finding—which was Mr. Acheson's sole basis for dismissal.

But despite the reason for firing having been expunged, the firing itself stood valid until the current Supreme Court decision. In this, Justice Harlan found that according to the State Department's own rules the Secretary of State might not countermand a decision of the loyalty board which had been upheld by the Deputy Under Secretary of State.

Civil service regulations prevent the firing of a Government servant on narrow political grounds. The current Court decision backs up the protection of a job special departmental rules. Beyond this, the Service case shows the need for what might be called crisp executive procedures to assure that security cases are given an impeccable initial probe which either leads to discharge of an employee or assurance against further interference short of the introduction of new evidence.

THE PROBLEM OF RETAINING SKILLED MILITARY PERSONNEL

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, throughout history many nations have built mighty armies and naval armadas. This country is no exception. But traditionally during peacetime the United States has maintained small military forces and then mobilized as rapidly as possible during periods of tension.

The rumbling of the Russian bear—underscored by radioactive particles drifting out of Siberia—has changed our outlook. Advancing technology has changed the very nature of global strategy. The vapor trails left by supersonic planes high over the polar icecap have changed the timetable. Time and space factors have been reduced sharply.

Concurrent with the dramatic changes in technology, this country's role in the world political scene has changed. The events of almost two decades of war have catapulted this Nation into an inescapable position as the leader of one-half of a divided world.

The keystone of the defense of the Free World now rests on the ideological, moral, economic, and military power of this country. The defense forces of the United States have assumed a new and vital significance in world affairs.

It is now clearly apparent, or should be, to everyone that the level of our defense capability must be maintained on a high plateau indefinitely. In doing so, our military forces must evolve rapidly with—and often provide the incentive for—the phenomenal technological pace of the age.

It should not, therefore, be any surprise that recent defense costs are unparalleled in our peacetime history. In a rapidly rising economy the cost of defense has increased geometrically.

The demands of this order of defense on our national resources are enormous. Obviously, if military capability of this order must be maintained, then there must be devoted to the task a full measure of talent for efficiency and economy in its creation and employment.

We must, at any given moment, be able to secure the maximum output from the weapons in the arsenal. Equally important, this Nation cannot afford to get less than the most for its defense dollar.

Today we are not getting a full dollar's worth of defense for each dollar invested, and we are not getting—and cannot get—maximum output from the weapons on hand.

At a time when we should be leading from a strong position, and at a time when we should be keeping our guard up, that guard is slipping dangerously low. It is slipping because we just do not have the proper balance between the high-quality and fantastically complex weapons, on the one hand, and the qualitatively outstanding manpower required to maintain and operate that equipment, on the other.

Let me cite the situation in just one of our tremendously important elements of defense: the Strategic Air Command.

The situation was outlined for my benefit on several of my visits to SAC Headquarters in Omaha last year. At that time, I was fully informed of the gravity of the situation with respect to SAC's manpower problem, which has been recently emphasized by Gen. Curtis E. LeMay, commander of the Strategic Air Command, in a memorandum to his key officers. In it he said he wanted to

make sure that there was no misunderstanding about what his and his command's problem was.

General LeMay said, "I consider the most challenging and important problem in the command today to be our failure to retain our skilled personnel."

This is why General LeMay is so worried.

He knows that the Strategic Air Command must be ready to go, at any time. And I emphasize—at any time. SAC's crews must be ready and able to retaliate on a moment's notice. That means that they must be fully capable of around-the-clock operation. It also means that they must be capable of operating their equipment under any extreme of climatic conditions, as the time and requirements may dictate.

He also knows that his ability to perform that mission is fading. He knows it is fading, rather than increasing, because the quality of the combat crew force is regressing.

Here are the facts of this tragic situation:

SAC's current requirement for officers totals 29,500. The command now is short 2,000 of those officers. This is a pure quantitative shortage.

On the quality side—of the officers now assigned to SAC—only 56 percent are fully qualified to do their jobs.

This is the twofold officer problem in SAC. First, a pure numerical shortage; and, second, critical qualitative shortcomings. This is the situation which is causing SAC's combat capability to slip rather than increase as it should be doing with the delivery of increasingly effective weapons.

In the combat crew force, one-fourth of all the crews are not combat ready. They are not ready because of inexperience resulting from instability. There just are not enough career-minded young officers willing to remain in the military service long enough to attain the qualitative standards required.

More than half of the combat crews in SAC have at least one member who has a fixed expected date of separation. General LeMay is extremely concerned because 1,230 of his vitally important combat crews have officer members who may soon leave the service.

He knows from experience that unless there is an early and drastic change for the better, he is going to lose the combat capability of 923 crews by the end of this year.

Specifically, SAC expects to lose 1,134 combat B–47 pilots and 688 observer-navigators from its B–47 strike force by the end of December 1958.

Mr. Speaker, I ask every Member of this Congress to reflect seriously on this important question. How can we logically authorize vast sums of money for new, more effective and more complex bombers, tankers—and, soon, missiles—for the Strategic Air Command, without also giving General LeMay and the military leadership the kinds of management tools they must have to develop the human element of defense on a par with the weapons?

There is more than the B–47 force involved here. With the B–47, SAC must maintain an aerial refueling capability to get the intercontinental range they need. Even the B–52 requires tanker support.

In the SAC tanker force today, there are 739 KC–97 tanker pilots who will be lost during the next 2 years. Nearly 1,000 navigators/radar observers will be completing their trip on the training treadmill during that same period. These latter experts are the men who must first guide the tankers to a pinpoint location on the globe—and then guide the fuel-thirsty bombers to that point and arrange for the contact to transmit the range-giving fuel.

The impact of this mass exodus of highly skilled and potentially career-motivated group of officers on the ability of SAC—our power-packed retaliatory force—should be clear. It is crippling.

But there is another factor here which must be reckoned with. What is all of this costing the American taxpayer?

Between January and the end of October of this year, SAC will have 3,033 officers eligible for separation. It is important to note that some 88 regular Air Force officers, who will, based on previous experience, resign their commissions, are included in that total. Eighty-eight officers who have worked hard, and who have indicated their desire to devote their lives to this important task, will be driven from the service.

In addition, 320 career Reserve officers are expected to leave. The remaining 2,625 are young, vigorous, capable officers who will not stay in uniform 1 day longer than is required by law.

SAC estimates that it costs $200,000 to train an individual pilot or navigator. This cost does not include the training received after assignment to a SAC crew.

That means that by October of this year $346 million worth of trained officers will leave SAC, which means that the taxpayers of this Nation will be spending another $346 million to train their replacements.

Now, I want to emphasize that I have been talking about just one command of the Air Force—just one component of the military forces of the Nation—and only about the officers in that command.

Geared together as a hard-hitting, power-for-peace team, the global strike force of the Air Force, the airborne pentomic divisions of the Army, the nuclear-powered submarines and supercarriers of the Navy, the vertical envelopment concepts of the Marine Corps, give this Nation a military might such as we have never known before. Never before has any nation dedicated such overwhelming strength so sincerely and expressly for peace as has the United States.

To be effective, these forces must have nothing less than qualitatively superior management. In the military, that management comes from the officer corps. The examples of what is happening in SAC could be repeated almost verbatim for every command in every service.

Mr. Speaker, we now have an opportunity to do something about this grave national problem. We now have an opportunity to stop the tragic slippage in our military preparedness program and simultaneously conserve billions of the dollars now being wasted.

I am referring, of course, to the recommendations of the Defense Advisory Committee on Professional and Technical Compensation, commonly called the Cordiner Committee. I am also referring to H. R. 7574, which I have introduced to enact the modernized compensation system, which is one part of the Cordiner Committee's recommended plan.

There seems to be a general belief that this bill provides a general, across-the-board pay raise for military personnel. In connection with that belief, here is what Mr. Cordiner said during his press conference in Washington, D. C., on March 26:

> Because of inadequate information, many people have been led to believe that the Committee's recommendations are nothing more than a general pay raise for military personnel, adding still more to the oppressive costs of national defense and to the current forces of inflation. Nothing could be further from the truth, and nothing could be further from the Committee objectives.

In support of Mr. Cordiner's statement, I have determined that only slightly more than one-third of the members of the military services—or those with technical backgrounds—will realize an immediate pay raise from this law. The remaining two-thirds—composed of nontechnical personnel—would not change. In fact, approximately 22 percent of the military people would get a pay cut if it were not for the traditional saved-pay provision written into all military pay laws.

Increases in pay which will accrue in coming years under this law would go to people who qualify for new and higher rates of pay on the basis of outstanding performance. Most certainly, these increases for deserving people will be more than offset by the resultant savings in materiel, operating and training costs, and the numbers of people required to achieve a given level of national security.

If the recommendations of the committee and the legislation which would enact the compensation portions of the program are not in fact a pay raise, then what are they?

The recommendations of the Cordiner Committee, though dealing to a great extent with compensation, in reality constitute the basis for sweeping changes in the management and development of personnel in the military services. These recommendations constitute a fundamental design for putting the Defense Establishment on a sound business footing—on a modernized basis so as to provide for markedly improved productivity in the form of increased defense capability—with fewer people and at considerably less cost.

It is my personal opinion that the compensation recommendation advanced by the Committee did not go far enough. By the Committee's own admission, there was no effort whatsoever to make overall adjustments in pay for military personnel to reflect the increases in living costs.

The Committee's effort was devoted to the task of overhauling the basis on which pay is awarded so that subsequent actions might be taken intelligently to make proper adjustments in the general levels of compensation.

In his speech here in Washington on Armed Forces Day, Mr. Cordiner said:

> While I am personally convinced that any human undertaking can be kept manageable through proper organization and leadership, I realize that the problems of national defense pose unusual challenges to managerial skill, both in the size of the operation and in the number of factors that must be considered. This has not been fully recognized by the public or by the Government, because the top officers who must provide leadership in this great operation—here in Washington and in the field—are perhaps the most underpaid executives in the Nation. This must be obvious to everyone who stops to think of the difficulty, scope, and responsibility of their work.

Mr. Speaker, my purpose here today has been to focus attention on this important responsibility. I have endeavored to point out the seriousness of the manpower situation in one of our most important defense commands, the Strategic Air Command, and to emphasize how this problem is damaging our capacity to defend the Free World and, at the same time, is causing defense costs to be considerably higher than necessary. My purpose here today is to urge once again, as I have urged repeatedly before, that early and earnest consideration be given to this aggravating and dangerous situation with a view toward enacting the proposed legislation, H. R. 7574, as soon as possible since it is the first step in providing the kind of modernized management tools required to build an improved National Defense Establishment at a reduced cost to the Nation.

H. R. 6017

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HENDERSON. Mr. Speaker, some months ago I introduced H. R. 6017, a bill designed to provide more jobs for persons past middle age by offering employers a tax incentive to employ more than the normal amount of persons past that critical age.

I should like to bring to the attention of the House the extreme importance of this legislation and the critical need for some positive action to be taken. The current issue of Readers Digest contains a very excellent article on the subject of "Forty-Plus," the problems of employment faced by persons past middle age.

The discouragement, frustration, and helplessness of our older unemployed is one of the greatest social evils facing American civilization. It is responsible for the swollen unemployment and relief rolls which we face in an era of prosperity.

I should like to urge that hearings be commenced on H. R. 6017 at the earliest possible date.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ABERNETHY, for 30 minutes, on Friday next.

Mrs. ROGERS of Massachusetts, for 5 minutes today, and if the time is not used, to have her remarks extended in the RECORD.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KEE.

Mr. WALTER and to include an article from the U. S. News & World Report.

Mr. DAGUE.

Mr. SAYLOR.

Mr. GRIFFIN.

Mr. MILLER of Nebraska.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2420. An act to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes; to the Committee on Armed Services.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 45. An act to authorize the Secretary of Agriculture to sell to the village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, New Mexico;

S. 806. An act to authorize the Administrator of General Services to quitclaim all interest of the United States in and to a certain parcel of land in Indiana to the board of trustees for the Vincennes University, Vincennes, Ind.;

S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska in the continental United States, either directly or via a foreign port, or for any part of the transportation;

S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended;

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from the insurrectors during 1899–1903;

S. 1396. An act to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing equipment, or other permanent improvement of public buildings at the capital of said State;

S. 1412. An act to amend section 2 (b) of the Performance Rating Act of 1950, as amended;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (6 Stat. 15), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; and

S. 1806. An act to amend the Sockeye Salmon Fishery Act of 1947.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to. Accordingly (at 12 o'clock and 33 minutes p. m.) the House, pursuant to its previous order, adjourned until Friday, July 5, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1004. A letter from the Acting Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to authorize the disposal of certain uncompleted vessels"; to the Committee on Armed Services.

1005. A letter from the Director, International Cooperation Administration, transmitting an interim report for the fiscal year 1957 on major changes in the mutual-security program as required by section 513 of Public Law 665, 83d Congress, pursuant to rule XL of the Rules of the House of Representatives; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TRIMBLE: Committee on Rules. House Resolution 308. Resolution for consideration of H. R. 4520, a bill to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska; without amendment (Rept. No. 679). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 309. Resolution for consideration of H. R. 8240, a bill to authorize certain construction at military installations, and for other purposes; without amendment (Rept. No. 680). Referred to the House Calendar.

Mr. TRIMBLE: Committee on Rules. House Resolution 310. Resolution for consideration of H. R. 8364, a bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959; without amendment (Rept. No. 681). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 8504. A bill to transfer certain property and functions of the Housing and Home Finance Administrator to the Secretary of the Interior, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROWN of Georgia:

H. R. 8505. A bill to amend title II of the Social Security Act so as to permit the State of Georgia to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. KEAN:

H. R. 8506. A bill to amend title II of the Social Security Act to include the Delaware River Port Authority and the Delaware River Joint Toll Bridge Commission, corporate instrumentalities of the States of Pennsylvania and New Jersey, and the Port of New York Authority, a corporate instrumentality of the States of New Jersey and New York; to the Committee on Ways and Means.

By Mr. KEOGH:

H. R. 8507. A bill to amend title II of the Social Security Act to include the Delaware River Port Authority and the Delaware River Joint Toll Bridge Commission, corporate instrumentalities of the States of Pennsylvania and New Jersey, and the Port of New York Authority, a corporate instrumentality of the States of New Jersey and New York; to the Committee on Ways and Means.

By Mrs. KNUTSON:

H. R. 8508. A bill to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties; to the Committee on Agriculture.

By Mr. McGREGOR:

H. R. 8509. A bill to provide for the expiration of certain authorizations by the Congress for projects for flood control or river and harbor improvements; to the Committee on Public Works.

By Mr. McINTIRE:

H. R. 8510. A bill to provide flexibility in the operation of marketing agreement programs; to the Committee on Agriculture.

By Mr. MURRAY:

H. R. 8511. A bill to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PATTERSON:

H. R. 8512. A bill to amend section 510 of the Mutual Security Act of 1954 to provide for procurement of commodities under that act within the United States; to the Committee on Foreign Affairs.

By Mr. TEAGUE of Texas:

H. R. 8513. A bill to authorize the preparation of plans and specifications for the construction of a building for a National Air Museum for the Smithsonian Institution, and all other work incidental thereto; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURNS of Hawaii:

H. R. 8514. A bill for the relief of Hiroshi Sato and his wife, Tari Sato; to the Committee on the Judiciary.

By Mr. DAGUE:

H. R. 8515. A bill for the relief of Mrs. Masako Witmer; to the Committee on the Judiciary.

By Mr. KILBURN:

H. R. 8516. A bill for the relief of Roukous Salimon Roukous; to the Committee on the Judiciary.

By Mr. MACHROWICZ:

H. R. 8517. A bill for the relief of Armand Tchilinguirian; to the Committee on the Judiciary.

By Mr. MERROW:

H. R. 8518. A bill for the relief of Mrs. Celinda Shephard; to the Committee on the Judiciary.

By Mr. REECE of Tennessee:

H. R. 8519. A bill for the relief of the law firm of Frazier & Frazier; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H. R. 8520. A bill for the relief of Mara Zorich; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

European Shoot Moth Infestation

EXTENSION OF REMARKS
OF
HON. ROBERT P. GRIFFIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mr. GRIFFIN. Mr. Speaker, an emergency condition now exists in National, State, and private forests of lower Michigan, and particularly in several counties of the Ninth Congressional District.

I bring this situation to the attention of Members of the House not only as a call for assistance, but also as a warning, because the European shoot moth which is threatening the northern Michigan forests also poses a threat, according to the United States Department of Agriculture, throughout the general area from Massachusetts south to Virginia, and west to Illinois and Michigan, and Nova Scotia, southern Ontario, and British Columbia.

Seriousness of the problem in my district is evidenced by the following resolution which I have just received from the board of supervisors of Wexford County:

Whereas the European shoot moth infestation has developed into a serious menace to the pine trees of northern Michigan and has ruined hundreds of acres of plantations; and

Whereas the menace has got beyond the control of counties and individuals: Therefore be it

Resolved, That the Federal share-the-cost programs of ASCC and the soil-bank program in the planting of pine trees plantations be discontinued until such time as there is control of the European shoot moth and that all other possible funds be made available for the control of this menace; further be it

Resolved, That the Federal Government, State government, and State highway department make an all-out effort in the control of said European shoot moth in their respective plantations; and further be it

Resolved, That a copy of this resolution be sent to Hon. ROBERT P. GRIFFIN, United States Representative; Hon. Charles A. Boyer, State representative; Hon. John Minnema, State senator, 27th District; and to the several counties of the State of Michigan, asking that they get behind this movement before it is too late.

At a regular meeting of the Wexford County Board of Supervisors the above resolution was adopted by the following vote: Yes 21; Absent 2.

WALTER H. EDWARDS,
Wexford County Clerk.

Mr. Speaker, I have learned from Dr. Richard E. McArdle, Chief of the Forest Service of the United States Department of Agriculture, that the European pine shoot moth, an insect native to Europe was introduced into the United States accidentally and was first found in damaging numbers affecting Scotch pine plantations on Long Island about 50 years ago.

Unusual habits of this shoot moth make control of the pest very difficult. The larvae are concealed within the tips of the lateral twigs on the trees and are vulnerable to insecticidal sprays only for a short period in any given year. Time of vulnerability in Michigan is right now.

Studies of methods and materials for effective control of the shoot moth have been under way by several of the States and by the Federal Government for the past several years. In recognition of the exceptional severity of the pest infestation in lower Michigan, the Forest Service of the United States Department of Agriculture is at present making a study of the problem in the Cadillac area.

Findings from this study will be utilized in planning for control of the European shoot moth throughout the widespread area which it has infected.

In view of the seriousness of this situation, and the threat to thousands of acres of national, State, and local forest lands, I plan to return home for a personal inspection, with regional officials of National and State forestry departments of the infected area.

Mr. Speaker, I believe that the European shoot moth is so severe a threat to this Nation's great forests that all possible action should be taken to stamp it out immediately.

Veterans' Administration Benefits Claims May Need Judicial Court or Review Action

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mr. SAYLOR. Mr. Speaker, there is legislation pending before the Committee on Veterans' Affairs on which I have the good fortune to serve as a member, which would provide for the determination through judicial proceedings of claims for compensation resulting from disease or injury incurred in or aggravated while serving in the active military or naval service. I refer to H. R. 1006.

Similar to this bill in purpose is H. R. 834 and H. R. 4746. The first bill would confer jurisdiction upon the Court of Claims to review claims for benefits under laws administered by the Veterans' Administration; the second bill would confer jurisdiction upon the United States Court of Appeals for the District of Columbia to review decisions for veterans' benefits. Both of these proposals are pending before the Judiciary Committee and during the last Congress hearings were held on similar measures.

I fear that unless we can experience better decisions from the Board of Veterans' Appeals, it will be necessary to take action to pass one of these measures and provide judicial court or review of decisions of the Veterans' Administration.

Of course, I realize that this would place quite a burden on the courts and it might be necessary to set up a special court comparable to the Tax Court. I am sure that all Members of Congress realize that such a step might have to be taken if more equitable decisions are not forthcoming from the Veterans' Administration.

Keenotes

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mrs. KEE. Mr. Speaker, while the rest of the country welcomes vacation time, the only official indications of summer's arrival in Washington are the weekend sunburns decorating distinguished noses at Monday session of the Congress—they have usually faded from view by Wednesday or thereabouts—and the heat and humidity for which the Nation's Capital is noted. Nor does the warmth occasionally generated under the Capitol dome help the outdoor temperature very much, as Members of Congress wrestle with national and international problems in a world grown stranger and stranger.

If that elusive individual, the so-called average citizen—to whom politicians and statisticians are so fond of referring, but whom I have still to meet—begins to feel more and more like Lewis Carroll's famed Alice in Wonderland, in that things keep getting curiouser and curiouser—small wonder.

Today, the business executive and the labor leader are being exhorted—according to the President's latest press conference—to serve as statesmen while Government officials and Members of Congress are called upon to act like business executives and members of the board of directors.

Times are so good, we are told, that inflation has become an alarming threat to the national economy and the individual's pocketbook. Some Government policies, it is acknowledged, are at fault in bringing about this upward flight of price pressures, but this is in part due, the President is quoted, to the "deliberate policy to bring the farmer his own share of the national income."

Mr. Speaker, I am not certain that I care too much for this explanation for it would seem to me that our farmers have enough of their own troubles without having to shoulder any of the blame for our present runaway cost of living. Based upon returns for the first quarter of this year projected at the annual rate, total net farm income will reach $11.7 billion in 1957. This represents a very slight improvement over 1956, when it was $11.6 billion, but is still a far cry from the $16.1 billion reached in 1951 or the $15.1 billion total of 1952.

Moreover, it is to be noted that the Secretary of Agriculture, in a recent speech delivered in Knoxville, Tenn., is quoted as still urging low-income farm people to seek income opportunities off the land.

A dollar—

Mr. Benson is quoted as stating—

will buy just as much health, just as much education, just as much good living if it is earned in off-farm employment as if it is earned growing crops or livestock.

This is like the old-fashioned recipe for rabbit stew: "First catch the rabbit." These people have still to earn that dollar in the highly skilled labor market demanded today.

The Secretary should have added: "That is, provided the skills used in making the land produce on a farm can be converted to making a machine produce in a factory."

Entirely aside from the moot question of whether we wish to see the Nation's agriculture turned from the hands of the small and independent farmer and over to big business, General Motors-type commercial propositions, it would seem that either the farmer is being blamed unjustifiably for our price rises, or the administration's efforts to help him are resulting in extremely costly failures for the whole country.

On the other hand, is it not barely possible, as businessmen in the Fifth District of West Virginia have pointed out, and as I duly reported in last week's Keenotes, that, with interest payments on the national debt more than double what they were prior to 1953, and interest rates on short-term Government bonds up from 1 to 3 percent in the same period, it is the administration itself which is doing everything that will tend to promote inflation?

One thing is certain. The average citizen—whoever he is and wherever he may be—and I strongly suspect he is every one of us—is finding it more and more difficult to accept as fact the statement that he is enjoying his rightful share in the general national prosperity.

Mr. Speaker, I have never been one for statistics. Indeed, I have a tendency to regard them with strong suspicion. I know that if my net income is $50 per week, while that of my right-hand neighbor is $100 and my left-hand neighbor is $150, the average net income for all three of us is $100. But this does not give me an extra $50 a week to spend, nor does it stretch the dollars that are in my pocket to meet the higher prices I must pay for the necessities of life my family must have to live.

Consequently, it is very difficult to convince me that because the national personal disposable income has increased more than $32 billion since 1954, this has put an extra dime in my pocket. No more has it benefited the retired worker living on his OASI benefits, the retired civil-service worker struggling along on a pension geared to pre-World War II prices, the white collar employee working on a fixed salary, the factory worker who does not have a cost-of-living escalator clause in his union contract, or the small-business man who has to raise his retail prices to take care of his inflated overhead costs.

Mr. Speaker, somewhere along the line of our complex economic structure, some of the cogs are not meshing as they should. I am neither an economist nor a statistician—and I only wish that I were a financial wizard. But I do know that the problem of halting inflation is not one to be put upon the shoulders of the business community or labor. The business executive has a responsibility to his stockholders and investors to show as high a profit sheet as he can. The labor leader has a duty to his union members to secure for them the highest wages he can procure at the bargaining table.

It is Government, both the executive and legislative branches, which has the great responsibility to look out for and to promote the general welfare of all the people and which, hence, must find the means to establish a stable economy—to check inflation—as it has the means to prevent depression. Surely, we have not lost our native ingenuity, our inventiveness, and our foresight to the extent that we cannot cope with this problem without passing the responsibility, the burdent or the hardship along to any segment of our people.

Dulles Declares Our Independence

EXTENSION OF REMARKS
OF
HON. PAUL B. DAGUE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mr. DAGUE. Mr. Speaker, nothing could have been more reassuring to Americans who cherish the sacred principles upon which our Nation is built than is Secretary Dulles' declaration that we will have no traffic—commercial or ideological—with the gangster nation which is Communist China. And coming on the eve of our National Day of Independence, it serves to reaffirm our basic renunciation of tyranny and our independence of those other nations of the so-called Western bloc who are prepared to sell their birthright for the temporary and nebulous benefit of trade with Peiping.

Our naivete and our unfamiliarity at the time with communistic disregard for truth and honor may explain away our recognition of Communist Russia in 1933. After almost 25 years, however, of lies and equivocation and with thousands of our own boys lying dead, and millions of other free peoples either dead or enslaved, as the result of Communist savagery, we cannot longer plead ignorance of their aims and philosophy.

In the first instance, it was only through connivance on the part of Communist sympthizers in our own Government that the Chinese Reds were elevated to a place of dominance over Chiang Kai-shek. And it was in Korea that we saw the fiendish brutality and utter ruthlessness of a murderous regime that now seeks to do business with honest people and through that avenue worm its way into a place in the United Nations.

We do not have to stretch our memory very far to recall when it was thought to be socially smart to traffic with bootleggers and gangsters during the prohibition era. Today it would appear that there are those who like to think of themselves as internationalists or one-worlders who see nothing immoral in trafficking with a group of international gangsters who deny all Divine authority and whose word is not worth the time it takes to utter it. Indeed, Pope's Essay on Man gives us the best possible summation of the attitude currently displayed by some people who should know better:

> Vice is a monster of so frightful mien,
> As to be hated needs but to be seen;
> Yet seen too oft, familiar with her face,
> We first endure, then pity, then embrace.

Secretary Dulles has struck exactly the right note for July 4, 1957. We declared our independence of tyrants in 1776, and it is just as well that we reaffirm our independence of some of our so-called allies and let them know that our honor is not an item that fluctuates with the various winds—I repeat, winds—of international economics.

As a matter of fact, I wish the Secretary had gone one step further and served notice on the world that when Communist China takes her seat in the United Nations she can have the seat which will on that instant be vacated by the United States.

Discussion on Hells Canyon

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1957

Mr. MILLER of Nebraska. Mr. Speaker, the Hells Canyon project has been before the Congress since 1950. It was defeated in the Senate last year by a vote of 51 to 41. It passed the Senate on June 21, 1957 by 45 to 38. The bill has been heard several times before the subcommittee in the House. In the 82d Congress, controlled by the Democrats, there was almost unanimous vote in the committee to indefinitely postpone the bill. During the 83d Congress, when I was chairman of the Interior and Insular Affairs Committee, there was no request for a hearing. In the 84th Congress there were rather lengthy hearings. The printed record shows 523 pages. The subcommittee finished hearings in the 85th Congress on July 2 and voted, 15 to 12, to strike the enacting clause. I believe the full committee will sustain this action.

FEDERAL POWER COMMISSION

The Federal Power Commission, which is an arm of the Congress, held hearings of more than 1 year's duration, covering some 20,000 pages of testimony, on the question of a high Hells Canyon Dam. There has been much complaint about the FPC and its action. The committee should remember that the FPC—Federal Power Commission—is a body created by the Congress. The five members are appointed by the President on a bipartisan basis and they must be approved by the Senate.

There has been much spleen vented against Mr. Kuykendall, a member of the Commission. Some people blame him for everything that has happened. I would remind my colleagues that he is but one member of this bipartisan board that made the unanimous decision on Hells Canyon.

Mr. Speaker, the FPC engineering staff made a 44,000 man-hour study of the entire Hells Canyon problem. The findings were presented to the Commission by the engineers with numerous supporting exhibits. It seems to me there is no agency in Government which is in a better position to give a fair and impartial judgment, on all the questions raised, than the FPC. The five members are a bipartisan group. They have no ax to grind. Their only job is to consider, under the Federal Power Act, which is the best plan for development.

No committee of Congress would have the time or patience to hold such exhaustive hearings. It should be remembered that after the board made its ruling that the Idaho Power Co. should have a license to build three dams on the Snake River, those who opposed the license appealed to the Supreme Court to overrule that decision. The courts, after reviewing all of the evidence and facts surrounding the case, ruled against those who favor a high dam. The courts upheld the right of the Federal Power Commission to issue these licenses.

The FPC found the three dams licensed by the Commission to the Idaho Power Co. will produce 767,000 dependable kilowatts. This figure compares to 785,000 kilowatts for the proposed Government dam. The Commission said, "the ratio of power benefits to power costs of the 3-dam plan is greater than that of the 1-dam plan."

The Idaho Power Co. has gone forward under its license with the construction of the Brownlee and Oxbow Dams and will be producing power late in 1958. They have spent or contracted to spend up to this date about $50 million. Cancel their permits and the Government would be liable and this would be added to the cost of the high dam.

The Idaho Power Co. will do certain things under the Hells Canyon scheme at no expense to the United States. They will not be reimbursed or will there be an actual Federal tax loss. There are funds for fish protection facilities. There will be a million acre-feet of flood control at no cost to the Government. The Idaho Power Co. has gone ahead in good faith and spent nearly $50 million. The people of the area are desperately in need of power. They will be paying taxes to the Federal Government over a 50-year period of about $283,126,300. The States of Idaho and Oregon over the same time will receive $200 million in taxes.

SIZE OF DAMS

If the Congress authorizes the high Federal dam, certainly the Idaho Power Co. would be in the Court of Claims for damages.

Mr. Speaker, every Member of Congress has received mail stating that the Idaho Power Co. would be building three runt or pygmy dams that would not serve the purpose and use wisely the water of the Snake River.

Well, let us look at these so-called runt dams. The Brownlee that is now nearly half completed is 395 feet high. That is 107 feet higher than the Capitol dome. The Oxbow which will be constructed next will be 205 feet high. That is twice as high as the Bonneville Dam. Hells Canyon, which is to be built on about the same site as the proposed Federal Hells Canyon, will be 320 feet high and that is about twice the height of Niagara Falls. In fact, Mr. Speaker, the so-called hydroelectric heads of the high dam and the three proposed dams, according to the engineers is 602 feet. They are exactly the same.

The three dams will produce about the same amount of power as that produced by the one federally constructed dam. These are electric power projects. There is little or no irrigation or flood control water in either the high dam or the three-dam proposal.

TAX WRITEOFFS

There have been some harsh words said about the so-called tax-write off provisions given to the Idaho Power Co. Personnally I have always been opposed to these so-called "tax writeoffs." However, there have been more than 21,000 such certificates issued in the last 10 years; 927 of the certificates were in the power field. Every State has had tax writeoffs except one. There is nothing illegal, dishonest, or immoral about the procedure. Indeed, if I were a stockholder in the Idaho Power Co. and the president and the board failed to take advantage of the tax writeoffs, I would want to get a new set of officers. This tax writeoff has been blown up all out of proportion. Quite a number of these tax writeoffs were in the States of Oregon and Washington. I did not hear either the junior or senior Members of the other body from Oregon complain about the writeoffs in their own States. It seems to be wrong only when it comes to the State of Idaho. There certificates were granted as a matter of public policy. The policy was established by the Congress itself. If the law is wrong it should be corrected. The Congress is responsible for that correction.

THE STORY OF LICENSES

There has been nothing sudden about the granting of this license to the Idaho Power Co. The first plans were made in 1946. They applied for permits in 1947. That was 10 years ago. All of this was done up and above board. They made formal application for a license, the first in 1950 and again in 1953. Then, after the longest hearings in history a bipartisan board issued the license. The Commission said this when they issued the license:

> Most of what we have already said indicates that the applicant's three-dam proposal is best adapted to a comprehensive plan of development as required by section 10 (a) of the Federal Power Act.

That was the Commission's findings. It was in the public interest.

COURT DECISIONS

The opponents went to the United States Court of Appeals twice and were rejected. They carried their appeal to the Supreme Court of the United States on two occasions. Each time the courts, after reviewing all of the evidence, held that the licenses issued to the Idaho Power Co. were valid. The company under these court decisions have proceeded and will have the Brownlee Dam completed and producing power in 1958. The Oxbow Dam will be completed in 1960 and, under their license provisions, Hells Canyon should be completed in 1962.

COST OF DAMS

It has been estimated that the cost of one high Federal dam would be about $356 million. When the smaller dams and power lines that must be built downstream to firm up the power are built, the total cost would be $700 to $800 million. Four of the downstream dams have not been authorized. The cost of the three dams by the Idaho Power Co. is about $133 million. They will produce about the same amount of power.

My colleagues should understand that the Pacific Northwest, in the last 20 years, has received about one-fifth of all moneys appropriated for reclamation. I cannot believe that now we should make available another $100 million each year for 7 or 8 years to complete this high Federal dam particularly so when there is a private enterprise group now constructing the needed power facilities.

PRIVATE VERSUS FEDERAL POWER

Some people seem to have the idea that all electric power should be generated by the Government. That is a mistaken idea. Public power should be generated by the Government in areas where private capital is not available. There is no reason for the Government to develop power projects unless those projects are too big for the people to handle.

Now let me state my policy so there will be no misunderstanding. I am from Nebraska, the only completely public power State in the country. I believe in public power where public power is necessary.

I know there are many sincere people in the United States who feel that the Federal Government should develop all of the power sites now existing on the rivers. They have a feeling that these power sites and the water belong to the people; that the Government ought to build power units and then let private power companies come and get the power. There are other sincere people who feel the Government should go so far as to build transmission lines for the power. I respect their views. I would point out, however, that if the Federal Government should do this for power, why not for steel, build the locomotives, control the food, and all other private enterprise systems now existing in the United States. This would be socialism in full swing.

In my opinion there is room enough in this country for both private and public power systems. Our America became great because free men and women were able to go ahead and do the things they want to do with a minimum amount of Government interference. In my humble opinion, our America cannot remain great and strong by expecting the Government to do so many things for people that they could do for themselves.

I did support the great power network on the Missouri and Colorado Rivers because private enterprise was not able to develop these water sites. That is not true of the Snake River. The Hells Canyon is far different than the Colorado or Missouri Rivers. I would say that if private capital were not available, then the Government should step in.

Again I say I believe in free enterprise, one of the foundations of our American way of life. I believe that people should do things for themselves when it can be done. I believe the Government should aid the people in projects which the people cannot handle alone.

In Nebraska it would have been impossible to construct the farflung network of powerlines without Federal aid. We have a great power system. The REA's have extended lines throughout the rural areas so that practically every farmer who wants power can have it. This was done through Federal funds which are now being repaid to the Government over a period of years.

However, private capital is available in the Hells Canyon case. In fact, private capital is now being used in the construction of the first of three dams. There is, then no concrete reason for the Government to step in and furnish Federal funds in competition with free enterprise.

I believe in projects which are an investment in the future of America. I have endorsed and voted for many public-power projects, irrigation projects, flood-control projects, and others where help from the Government is needed.

The high dam would take 6 to 8 years for completion. What will the people of the Northwest do for power in the interim?

The Hells Canyon case should be resolved, once and for all time. There is no sense in this continuing controversy which is wasting time and inflaming tempers. We have heard the arguments—pro and con. The time has come for decision.

Are we going to uphold the studied decision of the Federal Power Commission? Do we believe in free enterprise or are we going to demand the right to socialize every segment of society? Why should we spend $700 million of the people's money when there is private money to do the job?

Mr. Speaker, the Christian Science Monitor of June 25 in an editorial entitled "Beyond the Bonds of Reason," said in part:

> The Senators—many of them milling around excitedly, shaking hands, slapping backs, and otherwise congratulating each other on a splendid victory they had just won. And what was this great achievement 40 Democrats and 5 Republicans were so proud of? They had just voted to spend a great deal of the taxpayer's money to do a job already under way at no taxpayer's expense. Specifically, they had voted to build a Federal dam at Hells Canyon, thereby flaunting the considered opinion of the administration, the Federal Power Commission, and indeed, of the Senate itself last year. In the process they would wash out the 3 dam sites, 2 for which the Idaho Power Co. has already spent $18 million.

A few weeks ago the country listened to Nikita Khrushchev, the Russian dictator, who remarked that our grandchildren would be living in a state of socialism. The actions of the 40 Democrats and 5 Republicans in their vote on Hells Canyon must have given the Russian dictator a wry smile for here was socialism in full action. If the Government is to supply the electric energy for people why not the automobiles, steel, coal, and our food. That would be Rusisa and that would be socialism.

COST AND SELLING PRICE OF FEDERAL POWER

Mr. Speaker, another unfortunate feature in the Pacific Northwest, and I have studied this problem for several years, is the fact that all Federal dams are selling about half of their electric energy at less than the cost of production. Many of these contracts were entered into under the Truman-Chapman-Strauss regime. They are long-term contracts with no right to the preference customer.

The sale of the Bonneville Power Administration for the fiscal year 1955–1956 were as follows:

Total sales, 1955, 21,828,500,000 kilowatt-hours at an average per kilowatt-hour of 2.34 mills.

In 1956, the total sales amounted to 25,973,700,000 kilowatt-hours at 2.32 mills.

The power developed at the high dam will be sold at a cost to every State and taxpayer in the Union. It will be a form of subsidy. It is cheap Federal power paying no taxes. The power will be sold at less than the cost of production. This 4-mill power will be fed into the Bonneville system where it is sold at an average rate of about 2.4 mills.

In conclusion, Mr. Speaker, to put a stop to this hydroelectric construction now under way, which would develop more than one-half million kilowatts of power, and add 1 million acre-feet of flood control storage would be disastrous to the Northwest. Much of this power will be on the line in 1958. There is a real shortage of power. Some of the defense plants last year and even early in this year, were closed down because of a shortage of power. This additional power is desperately needed now. It will take from 6 to 8 years for any power to develop out of the Federal high Hells Canyon Dam.

LACK OF ELECTRIC POWER

What will those who favor the Federal dam say to the farmers when they lack power for pumping or for running their farms? What will they say to the laboring group when the factories are shut down because they lack sufficient power? Do they want to impose a shutdown on this industrial and farm growth making a delay of 6 to 8 years before Federal power could possibly come on the line? What will they say about the great tax loss? These are a few of the problems that the proponents of the high dam should answer. They should also tell the REA's and farmers under the Chapman-Strauss regime why long term contracts were let to private concerns at less than the cost of production with no preference or withdrawal clause for the power when needed by the REA.

Mr. Speaker, I have gone into considerable detail on the pros and cons of the development of power on the Snake River. In the past there has been much emotion in trying to solve the problem. I hope my colleagues will look at the facts in cold, hard logic. When that is done, there is little doubt but what they and the country will come to the conclusion that the three dams to be built by the Idaho Power Co. will best serve the interests of the Pacific Northwest.

Labor Answers Your Questions

EXTENSION OF REMARKS
OF
HON. PAUL H. DOUGLAS
OF ILLINOIS
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of a radio dialog between Mr. A. J. Hayes, AFL–CIO vice president, and the Senator from Oregon [Mr. MORSE] and myself.

There being no objection, the dialog was ordered to be printed in the RECORD, as follows:

LABOR ANSWERS YOUR QUESTIONS

(An AFL–CIO public service radio series, program No. 9, Labor's New Broom, No. 1. Guest, A. J. Hayes, chairman of the AFL–CIO ethical practices committee, AFL–CIO vice president, and president of the International Association of Machinists. Panel, Senator PAUL DOUGLAS, of Illinois; Senator WAYNE MORSE, of Oregon. Moderator, Harry W. Flannery. Running time, 13:30)

Mr. FLANNERY. Labor answers your questions.

Labor is front-page news these days because of racketeering within the ranks of labor. People are asking questions. They want to know whether the Congressional investigations help to clean out the racketeers. They want to know whether many labor officials are among the offenders. They want to know what labor itself is doing about it.

In this program, labor answers your questions. Here to discuss the situation is the chairman of the AFL–CIO ethical practices committee and two Members of the United States Senate who have been active in Congressional investigation procedures. The chairman of the AFL–CIO Ethical Practices Committee is Al J. Hayes, who is also an AFL–CIO vice president and the president of the International Association of Machinists. The Senators are PAUL DOUGLAS, of Illinois, and WAYNE MORSE, of Oregon.

The broadcast comes from the office of Senator DOUGLAS in the Senate Office Building here in Washington.

Mr. Hayes, will you begin by saying whether Congressional investigations are helpful or not helpful in carrying out the AFL–CIO Ethical Practices Codes.

Mr. HAYES. Well, of course, Mr. Flannery, in connection with Congressional investigations, organized labor is for democracy and we are, therefore, for Congressional investigations.

And we are no more opposed to Congressional investigations in connection with the affairs of labor unions than we are in connection with any other matters that Congress should properly investigate. With regard to the investigation of practices in the labor movement, we feel that the investigations thus far have been of material assistance to us. We're convinced that even the ethical practices committee and the AFL–CIO council could not have brought out all of the things that have been disclosed so far by the Douglas committee and by the McClellan committee.

I say that with some reservations, however, where we are opposed to inquisitions. We are opposed to investigations that are not objective, that are conducted for the purpose of punitive legislation.

Mr. FLANNERY. Senator Douglas?

Senator DOUGLAS. Well, I'm very glad to have Mr. Hayes say this because a Congressional committee has two powers that a voluntary organization cannot have, namely, it has the power of subpena, and it has the power to put witnesses under oath; these are great advantages. We found them to be very helpful in our investigation of health and welfare funds.

I do want to say, however, that any Congressional committee should be very careful of the rights of individuals whom they summon before them or who are reflected upon. We followed the practice of sifting all evidence in executive hearings before they were brought out in public so that there would not be indiscriminate name dropping and indiscriminate smearing.

Secondly, if we found that someone was going to be adversely reflected upon by the testimony of another witness, we notified him in advance that this was going to happen, and gave him a cordial invitation to appear with the right of making a statement immediately following any adverse reflection upon him. All witnesses were given the right of counsel. And counsel were permitted not merely to advise the witnesses, but also to make statements in their own behalf.

We've tried to make it possible for witnesses who might be put on the spot to get their story across to the public at the same time that our questioning got across to the public, so that both sides would have the right of equal access to public opinion.

Mr. FLANNERY. Senator Morse, I think you've been rather active in connection with procedures of these committees?

Senator MORSE. Yes; I have, but before I discuss that point I want to say something personally to Al Hayes on this program. I want to say that Al, you and George Meany and the other officials of your great labor organization, have performed some great acts of labor statesmanship in recent weeks in connection with the house cleaning that you are carrying on within the ranks of labor.

Senator DOUGLAS. Wayne, I want to join in that and say that it is one of the most encouraging developments in American life, and I only wish that other groups would evidence the same desire for the good name of their organizations and their professions that the AFL–CIO has done.

Senator MORSE. I know you share that view, Paul, but I have said so many times on the floor of the Senate and elsewhere in America—that the democratic processes of the American labor movement will take care of the racketeering and the communism and the crooks within the labor field—but that we, the Congress, have the duty to help strengthen your arm. And that's why I think these Congressional hearings are so important. I'm glad to have you, Al, go on this program and say to the American people that labor welcomes these Congressional investigations. I knew that was your position, but I agree with Paul and I agree with you they should be conducted with fair procedure.

Now I want to make this point very quickly: For 10 years I have been urging some reforms in procedures of Congressional investigations, along the line of procedures that PAUL DOUGLAS in his investigation work has voluntarily applied. But I think that they ought to be required as a matter of Senate rules.

And here they are very quickly:

Whenever a Senate committee brings a charge against any person that involves an allegation of crime, then, I think, certain basic procedural guaranties should automatically attach themselves to that hearing:

1 (as Paul indicated). The right to be represented by counsel.

2. The right to have a bill of particulars, or in other words, an indictment; that somebody not be hailed before a Senate committee for example and not know what he's in there for until he gets in the committee room.

3. The right to put on your case in your defense in an orderly way with the assistance of counsel, and not be interrupted by a Senator when he sees he doesn't like the answer he's getting, and stop you in the middle of a sentence and not even let you complete your sentence. He should have the right to put on—as we lawyers say—a case in brief in an orderly fashion. And

4. The right to be confronted by your accusers and cross-examine them.

Now that's been my criticisms of Congressional committee hearings and investigations when charges of crime have been involved. And I'm going to continue to fight for that kind of reform.

Now having said that, I want to say that at the beginning of the McClellan committee hearings I said let's have a thorough going investigation of corruption in American unionism, and let the chips fall where they may, but let me quickly add I also pointed out when you get into any of these charges, whether its racketeering or bribery or any of the others, you've got to have two people for racketeering and bribery; you've got to have an employer on one side of the deal, and a crooked labor leader on the other side of the deal. And I've been urging an equal investigation of the collusive activities of crooked employers along with crooked labor leaders.

Mr. FLANNERY. Mr. Hayes?

Mr. HAYES. Well, Senators, first of all let me express my appreciation for the nice things that you have said about the federation and some of us in the federation; we certainly appreciate that. But I think that I ought to add that while we are the first to admit hat we need the aid and assistance of investigating committees in order to ferret out the things that are wrong in the trade-union movement, I don't think we ought to mislead the American public to believe that because of the disclosures thus far in the Douglas investigation and the McClellan committee investigations, that the entire labor movement is corrupt.

Senator DOUGLAS. No; no.

Mr. HAYES. That is not true. The fact of the matter is that only a very, very small segment of some of the leadership in the trade-union movement is currupt. Unfortunately, the publicity that the disclosures have received thus far has misled many of the people and the public who have no other source of knowledge to believe that most of the trade-union movement is corrupt. And that isn't true. The publicity has not been balanced off with information from the other side of organized labor's ledger; organized labor has made a great contribution to our society.

Senator MORSE. But I would like to comment on something else that Al Hayes said earlier when you pointed out that only a small percentage of labor leaders are in the corrupt class, just as only a small percentage of employer representatives are. I have said so many times that 99 percent of labor leaders and employer representatives are dedicated men and women.

I want to say a word now to representatives of other groups listening to this program—if you are a lawyer, if you are a doctor, if you are a teacher, or farmer, businessman, consumer generally. I'd have you always remember that your standard of living that you enjoy today wouldn't be what it is if we hadn't had the great, free American labor movement through our history; because the right of free men and women to organize and bargain collectively for better wages, hours and working conditions, in my judgment, has been fundamental in the raising of America's standard of living to what it is today; because when you don't have that kind of organization, you have exploitation of the workers because of the frailty of human nature that creeps into employers. It's just to be expected and, therefore, in spite of all this castigation labor is getting these days, I am going to raise my voice again in warning the American people—watch out for an antilabor drive in this country because it is not against labor alone, it is against you no matter what economic group you belong to.

Mr. HAYES. I might comment in connection with the statement that I made, and that you just repeated, about not all labor being corrupt, that the American public probably doesn't know what these statistics are: There are 136 unions affiliated with the AFL–CIO, and those 136 national and international unions have 16,000 full-time paid officers. In addition to that, there are more than 60,000 officers of local unions, and of this number, that does not include some 500,000 shop committeemen and stewards and local representatives, but of this entire number in the Douglas committee hearings and the McClellan hearings thus far, testimony has been submitted to indicate that 13 may be guilty of some wrongdoing. I am sure that there are more than 13; but assuming there are more, the significance is that the 13 that have thus far had testimony presented against them which indicates they may be guilty, and the additional number that there may be, is still a very, very small percentage of the total number of representatives of the trade-union movement.

Senator MORSE. Oh, I was just going to talk with Paul on this program about the code of ethical practices Al Hayes has laid in front of us here this morning. I am going to put them in the CONGRESSIONAL RECORD today, but I wish every American citizen could read your own proposals, Al, for a code of ethical practices, because it is clear proof of what Paul and I have been saying: labor itself will do a great housecleaning job once these facts are brought to light.

Mr. FLANNERY. Thank you, gentlemen. Because of time, we shall have to continue this discussion in another program. We shall again present Al J. Hayes, president of the International Association of Machinists, vice president of the AFL–CIO, and chairman of the AFL–CIO ethical practices committee; and Senators Wayne Morse, of Oregon, and Paul Douglas, of Illinois. Next week, we will discuss the AFL–CIO ethical practices codes themselves. Copies of the AFL–CIO ethical practices codes, now six in number, will be mailed free to any interested listener. Just write "codes" together with your name and address on one side of a postal card and mail to AFL–CIO Radio, Washington, D. C. That's AFL–CIO Radio, Washington, D. C.

Remember, next week, Mr. Hayes and Senators Morse and Douglas discuss the AFL–CIO's "new broom"—the ethical practices codes.

This is Harry W. Flannery speaking for the American Federation of Labor and inviting you to be with us next week at this same time to continue this discussion on labor's "new broom" in the public service series, presented with the cooperation of this station, Labor Answers Your Questions.

Freedom of the Press

EXTENSION OF REMARKS
OF
HON. RALPH W. YARBOROUGH
OF TEXAS
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I may have printed in the CONGRESSIONAL RECORD an address delivered by me to the Texas Press Association State Convention at San Antonio, Tex., on June 29, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

FREEDOM OF THE PRESS

(Address by Senator RALPH YARBOROUGH, delivered to the Texas Press Association State convention at San Antonio, Tex., June 29, 1957)

Members of the fourth estate, fellow Texans, I am very pleased that you asked me to meet and talk with you here today. I want you to share that pleasure, so let me say, right here at the beginning, that I didn't use to be in the newspaper game, myself. This ought to give you relief, if not a pleasurable feeling. I understand from my friends in your profession that this makes me a rare specimen, if not a unique one.

I do plead guilty to having earned my first dollar turning an old Washington hand press on the Chandler Times for my old friend and your former president, R. T. Craig, of Athens. But your profession requires men of special training and I was never able to qualify as a newspaperman.

I've been in Washington less than 60 days but I've learned some new procedures and had some old truths reaffirmed. Among these old truths is the fact that Texas is fortunate in having a Speaker in the chair of the National House of Representatives. This Texas Speaker is no ordinary Speaker; he is longest in point of service of any of the Speakers who have graced that chair. In my opinion, Speaker SAM RAYBURN is the greatest Speaker of the House of Representatives in the entire history of this Nation. This is not merely the verdict of partisan politics. Impartial historians approve this verdict.

Historians have pronounced him the ablest legislator ever developed by the American legislative system. SAM RAYBURN is always on the side of the people. His service to Texas and the Nation would fill volumes and in time these volumes will be written by a grateful people.

And in the majority leader of the Senate, LYNDON JOHNSON, Texas has as able a parliamentary leader as has ever represented this State there. Energetic, astute, and resourceful, he seems to be everywhere in the Senate Chamber at the same time.

Texas is fortunate in having the leaders of both Houses of Congress from this State.

I am especially pleased to be here with you today, because you are meeting in San Antonio. This lovely city is to me, as it is to all Texans, a dear and special shrine. Here, we Texans lost a battle, but won the time to win freedom. From the ashes of the devoted dead of the Alamo, a new flame of liberty fired the hearts that won liberty for Texas.

Freedom is a curious commodity. It must be preserved over and over again—and in many ways. Won at an Alamo, a San Jacinto, a Yorktown on this day, it must be resaved at a Marne, an Iwo Jima, a Normandy beach, a 38th parallel on the next. And freedom must also be secured over again every day, in a thousand and one ways in a thousand and one places—mostly in ways far less spectacular than in battles and wars.

Now I do not believe that freedom for all is something distinct from freedom of the press. Rather, I believe that the ramparts of freedom are continuous, and that a breach anywhere is a threat to the whole citadel.

But I do believe, with Thomas Jefferson, who said, "our liberty depends on freedom of the press, and that cannot be limited without being lost," that the press has a special function in the defense of freedom that has to be exercised earlier and oftener than the average citizen is called upon to exercise his.

As I see it, the press' theater of war for the preservation of freedom is within the hearts and minds of the people. It is not the press' function to fight the conventional battles and wars, though it does much to assure victory in them. Rather, the press' function becomes supercritical—to use an adjective of the bombmakers of the atomic age—precisely at the moment when the artillery falls silent, the cruisers slip in to their moorings and the bombers come in to their landing places.

Because this is true, freedom of the press is always under attack. Those who would take away all our freedoms have read Jefferson, too; they, also, have learned that the place to begin to destroy our freedom is by seeking to limit freedom of the press. Our history is studded with examples:

You are all familiar with the martyrdom of John Peter Zenger. You know that it was not until 1721, when James Franklin successfully launched the independent Hartford Courant, that a newspaper could be printed without being licensed by the Government and carrying on its masthead the words: "Published by authority."

You know that in 1798 the Federalists in the Congress, angered by independent reporting of their activities, passed the Sedition Act, sending many a newsman to prison for the free exercise of his profession.

Yes, as newspaper men and women, you all know all of the historic attempts at limiting freedom of the press. But did you also know that on June 21, 1957—a week ago yesterday—a presidential commission recommended to the President and to the Congress, legislation which, in my opinion, is a dangerous to press freedom as the Sedition Act?

Buried in the 800-page report of the President's Commission on Government Security—the Wright Commission—is this recommendation to Congress:

"That Congress enact legislation making it a crime for any person willfully to disclose without proper authorization, for any purpose whatsoever, information classified 'secret,' 'top secret,' knowing, or having reasonable grounds to believe, such information to have been so classified."

The proposed bill would make disclosure a felony punishable by up to 5 years in prison and by a fine up to $10,000. These penalties would apply to any person disclosing information—the bill does not specifically mention writers or editors or publishers—even though his intentions are to help, rather than to harm, his country.

The only test under the proposed bill is whether the disclosed document had been classified by a Government official.

Why did the Commission recommend this bill? There already are laws under which newspapers can be prosecuted for knowingly publishing information harmful to the Nation. The test of these existing laws is whether there is intent to do harm to the country, not whether a bureaucrat somewhere has decided a document should be classified.

In my opinion, the proposed bill is an extension of a dangerous threat to freedom of the press contained in a letter written on May 17, 1954 by President Eisenhower to Defense Secretary Charles Wilson.

This letter, which I thought the press never protested strongly enough, was written during the Army-McCarthy hearings. Its aim was to prevent Army Counsel John Adams from testifying as to conversations with Deputy Attorney General William P. Rogers and Assistant to the President Sherman Adams.

The letter was couched in very broad terms and talked of the rights of the executive branch of our Government to keep certain things confidential. This was the place where danger to the press lurked. Almost immediately after the letter was written, executive department agency heads in our Federal Government began applying the precedent set by the letter.

Budget Director Rowland Hughes, using the precedent, refused to allow witnesses to be questioned and certain papers to be produced in connection with handling of the now-famed Dixon-Yates contract. Hughes, citing the letter, said records and conversations involved in reaching decisions within his department were confidential.

Logically extended, the Eisenhower-Wilson letter gave to the head of every executive agency, and those acting for him, a precedent for making confidential anything they pleased to cover up.

Here was a parasol under which Government heads could stand any time an information seeking reporter or, for that matter, a congressional investigating committee, asked him questions.

Many times since the letter was written, reporters and congressional investigators have heard this phrase: "We consider that information to be confidential under the President's May 17, 1954, letter to Defense Secretary Wilson." Bureaucrats using this phrase and its variations have not pleaded that the Nation's security is involved or that information-seekers were after loyalty files, or diplomatic papers or so-called raw investigative files. They simply and arbitrarily said: "Confidential."

This has caused a slowdown in the ability of the Congress to secure information pertinent to its necessary investigations. And gentlemen, I believe you must face the fact that when the power of the Congress to investigate is limited, so is the power of the press to get answers to the questions it asks.

No question of the intent of President Eisenhower is involved here. He stated that the letter he wrote to Wilson would not be used to cover up improper acts. But what about our next President and the next and the next?

No all-out fight was made by either the press or the Congress to outlaw the precedent set in the Eisenhower-Wilson letter, although such a fight should have been made, on a purely nonpartisan, nonpolitical basis.

And now, we are faced with the recommendation of the Wright "Commission on Government Security" of June 21, 1957.

Let us assume that no fight is made against this proposal, either. Let's assume that it has long been the law of our land. What would have happened in the past few years, had such a law been on our statute books?

Here are but a few of the stories of critical national interest which you could never have printed:

The story of the late Bert Andrews, of the New York Herald Tribune, that President Franklin Roosevelt had agreed at Yalta to allow entrance of the Ukraine and Bylorussia to the United Nations. This story was published and no one has ever questioned but that its publication was in the Nation's best interests.

The series of stories by Paul Anderson of the St. Louis Post-Dispatch which led to the full disclosure of the infamous Teapot Dome scandals could not have been published, had this proposal been our law.

Arthur Krock of the New York Times in the early 1930's could not have printed stories informing this Nation that its Government intended to go off the gold standard and to initiate the NRA.

The New York Times in 1915 printed a series detailing the plans of the United States, the Soviet Union, Great Britain and France to form the United Nations. It could not have done so, had this new proposal been law.

I have already mentioned Dixon-Yates. Had the new proposal been law, the Dixon-Yates scandal would never have seen the light of day. And there are many, many others which I could cite. Had this recommendation been law, the tax writeoff granted Idaho Power Co. in the Hells Canyon cases would have been completely hidden from the public.

At this point, I should like to make it clear that I am not condemning the whole report of the Commission on Security. Many of its recommendations are admirable, notably a prosal that henceforth persons accused shall have the right to be confronted by their accusers.

But the proposal that would allow bureaucrats to cover their tracks—even their illegal acts—by the simple process of stamping "classified" on a document, cannot be condemned strongly enough. It is dangerous, not alone to the press, but to all of us because it strikes at the basic right of our citizens to know what their Government is doing. If enacted into law, it would form perfect protection for a series of Dixon-Yates and Idaho Power Co. deals—the sky would be the limit and the people, the press and our democratic way of life would be the losers.

This is a proposal that must be fought—and that fight must be led by men like yourselves. It is a primary duty of newspapers to seek always for access to information about our Government. The burden of proof should always be on the Government to prove why information should not be made public. The press should never be forced to prove why it is entitled to have information about the Government. If the press is ever forced into a position of having to prove its right to access to information, the press will be throttled—and so will the rest of us.

May I now for a moment look at the other side of the press coin, the face of the coin that is responsibility—responsibility to exercise freedom?

Often, to us outside your profession, it appears that editors and publishers in their zeal to defend press freedom often overlook abuses of that freedom.

From the outside, it seems that the mantle of press freedom has been stretched rather wide at times. But, happily, I think, most of the press is itself aware of these shortcomings. I remember reading a speech made by Henry Luce, publisher of Time-Life-Fortune. He said: "That freedom which we so uncritically demand is often nothing more than freedom to pander. If we pander to sensuality that is bad enough. But there may be an even greater danger in the fact that freedom of the press is also freedom to pander to ignorance, to pander to mediocrity, to pander to group passions and prejudices, to pander to hatred and meanness, to pander to all that is unlovely in a democracy."

I know that you, yourselves, are aware of the ease with which the trust that is freedom of the press can be abused. The selection of news to be included or omitted, the treatment of facts in a news story, the headlines given that story, the twist applied by the choice of descriptive adjectives or descriptive phrases—all these offer opportunities for distortion of the truth by the press.

Perhaps this distortion is not always a sin of commission. It may be the result of ignorance or simply of carelessness, but the result is the same. Sometimes it seems to us who must read as we run that the traditional slogan, "all the news that's fit to print" has been altered to "all the news that fits."

I said at the beginning of this talk that I believed the place where the press must fight for the liberty of all of us is within the hearts and minds of the people. I wish to repeat this here, because I do not think that this nation will perish when it loses its fleets and its armies, but only when it loses its certainty that its high mission and destiny is linked with freedom and liberty—the freedom and liberty for which Travis and Bowie and their little band died not so very far from this spot. If we lose that certainty, that is the moment when we shall surrender, not to Russian or Chinese invaders, but to self-destructive panic.

To buttress this Nation against this danger is the noble call of the journalist, the lawyer, the statesman, the industrialists, the theologian, the educator—all of us—doctor, lawyer, merchant, chief.

There is no single repository of the people's liberties; these liberties are not dependent upon one class or one occupation, but upon a general climate of opinion, what the late Justice Holmes called: "a brooding omnipresence in the sky" which is everywhere and nowhere. These liberties are wrapped up in the beliefs and hopes of all of us, sometimes vague and shapeless, sometimes clearly understood, always called forth when, in Lincoln's words, "the mystic chords of memory" call them forth, and appeal to our better natures.

You here are the opinion-makers and therefore must act always when freedom and liberty is in peril—and not just your freedom and liberty.

The press and the people will be free together or they will be enslaved and destroyed together, for liberty like ours is indivisible. Texas is a land of outspoken men, typified in the press by men like H. M. Baggerly, Elton Miller, Ernest Jolnex, and Archer Fullingham. I do not believe the Texas press will see this muzzle clamped over its sources of news without protest. Yours is the opportunity to strike new blows for liberty in this generation.

Address by Hon. Chapman Revercomb, of West Virginia, Before State Convention, Veterans of Foreign Wars, Clarksburg, W. Va.

EXTENSION OF REMARKS
OF
HON. CHAPMAN REVERCOMB
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. REVERCOMB. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of an address delivered by me before the State convention of the Veterans of Foreign Wars at Clarksburg, W. Va., on June 21, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR REVERCOMB BEFORE STATE CONVENTION OF THE VETERANS OF FOREIGN WARS, AT CLARKSBURG, W. VA., JUNE 21, 1957

I consider it a distinct honor to be invited to meet with you on the occasion of your 35th convention. The Veterans of Foreign Wars has a long and distinguished record of supporting those American principles we all hold high. I congratulate you on the significant part you have played in public affairs. I applaud your labors for improvements to your communities, your State, and your Nation.

I speak to you today on a subject which I consider of primary importance—America's security in the nuclear age.

There is no question in my mind but that the Nation's security is still the No. 1 problem facing the Government at this time. I need not remind this audience of the grave responsibility that rests upon the United States for I know of no group of American citizens more deeply conscious of the need for strong defenses than those who are assembled here. That responsibility is thrust upon America because of our high concern for the preservation of the kind of life which has been our heritage and which you yourselves have defended so valiantly.

The one question uppermost in our minds today is: How can we best assure security for ourselves and conditions that will lead to peace in the world?

Disarmament talks are much in the news and we all hope that something constructive will come from these discussions. The United States may well explore sound ways to slow down the world armaments buildup—but I say to you in all earnestness that any agreements to this end can be achieved only if all nations that may be arrayed against each other willingly and sincerely agree to limitations. Moreover, any such agreements must carry assurance of a foolproof inspection.

I feel that such ironclad safeguards are imperative for our own security. We cannot afford to rob ourselves of the power to deter aggression so long as there exists in the world the present danger of destruction by an enemy.

Much is being made today of the danger of radiation fallout from nuclear explosions. It is generally conceded, however, that explosions up to this time have resulted in little danger. I think the scientists are warning us of what may happen if there are too many of these explosions. If such explosions occur to a point where the atmosphere would be saturated with fallout, unquestionably there would be terrible danger, maybe destruction, to the human race. This we must prevent.

At the same time, we must consider the danger of annihilation by an enemy using nuclear weapons. Suppose this country were to end all H-bomb tests. Could we have any assurance whatsoever that a country which has violated agreement after agreement in the past would abide by an atomic limitation treaty unless there be an ironclad system of international inspection?

We must seek every possible means of averting war—but to stop further H-bomb tests without assurance of controlled and inspected disarmament could well spell disaster.

I also call your attention to the proposal being advanced in some quarters that this country relax its present trade restrictions with Communist China. This proposal, to my mind, is a dangerous move and could have serious consequences in southeast Asia and the Far East.

The Chinese Communists have not shown the slightest sign of becoming peaceful. Therefore, to add to their war potential by enabling them to industrialize rapidly would not only be a breach of faith with friendly Asian countries which are resisting Communist domination, but it would also strengthen a country whose Government is unfriendly to us.

It is my conviction that our best assurance of preventing a catastrophic war in the years ahead lies in a strong defense force and real military alliances with friendly nations. If the United States took any other course, I fear we would see one friendly nation after another fall. And we know quite well that, left standing alone, this counry, with all its power, resources, and industrial potential, would have an exhausting experience to try to remain a free nation for long. This, I submit, is a harsh reality that must be faced, for we cannot close our eyes to the fact that this threat exists today.

Nearly every American is convinced, I believe, that the leaders of this country are dedicated to the task of achieving conditions in the world that will lead to peace. In his second inaugural address, President Eisenhower said it is our firm purpose to build a peace with justice in a world where moral law prevails. I quote his words:

"The building of such a peace is a bold and solemn purpose. To proclaim it is easy; to serve it will be hard, and to attain it we must be aware of its full meaning and be ready to pay its full price."

The price we are paying for today's peace is high. More than 60 percent of the Federal budget is for our protection. But the price of war is many times higher. Not only in dollars but in a far more priceless possession—the lives of Americans. I say to you in all sincerity that we must not lessen our efforts at a time when the Western World is growing stronger and the danger of war seems to be receding.

Our defense dollars, let us remember, are being spent not only for our present protection but for insurance for the future. We must think of them as buying time—time to work toward easing the international tensions, time to establish a more certain and secure peace. But as long as there is loose in the world a country or a power that would destroy us we must remain geared to meet it with force if need be. If we falter at that point, or lessen our efforts, we run a grave risk of losing everything we hold dear.

Therefore, in the interest of our own security and self-preservation, we must continue military alliances with friendly nations. We should, I believe, out of necessity, continue military aid to our allies but the time has come when economic aid must be placed on a loan basis.

It is heartening to me—and I know it must be satisfying to you—to know that the new Mutual Security Act passed by the Senate provides for a development loan fund for development assistance to those friendly nations in need of economic help.

I have urged time and time again that economic aid, when necessary to other lands, be in the form of sound business loans—and it must come as heartening news to Americans throughout the length and breadth of this land to know that at last Congress is recognizing the fact that while we want security, we also have a regard for our own people, their property, and their money.

Direct military aid to allies will continue, but loans to friendly nations requiring economic development aid is far better than grants, handouts, or giveaways. This is far better for the American people, and it is far better for the people receiving such assistance. There is still contained in the bill direct gifts in some instances—but a new and wholesome step has at last been taken—and I hope to see soon all economic help abroad upon a secure and sound basis as we now provide for development operations in the present bill.

There is increasing evidence, that together with our present allies, we are growing stronger all the time and may soon reach the point where would-be aggressors will not dare risk war.

This is the whole aim of our foreign policy. As to defense measures, I believe it to be a sound one. It has kept this country out of a shooting war for more than 4 years, it has undoubtedly kept some of our allies from falling to communism.

And as the anti-Communist alliance grows stronger, as the danger of war recedes, we all look forward to the time when the billions we are now spending for defense can be diverted to internal improvements in our own country, or turned back to the people in the form of tax relief.

I am convinced, however, that the best way to avert war during this fateful era of uncertain peace is to maintain strong defenses and firm military alliances until international tensions have eased and the threat of aggression has diminished. Any other course could well lead to our downfall.

Together, we continue to stand for a strong country, where a free people may be secure and left alone to make their way and make their contributions to mankind's betterment.

The Administration's Civil Rights Program

EXTENSION OF REMARKS
OF
HON. THOMAS H. KUCHEL
OF CALIFORNIA
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. KUCHEL. Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD a letter to me from the Attorney General dated May 31, 1957, relating to the proposed civil-rights legislation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., May 31, 1957.

HON. THOMAS H. KUCHEL,
United States Senate,
Washington, D. C.

DEAR SENATOR: Thank you for the letter of May 15 signed by you and Senator CASE requesting the comments of the Department of Justice relative to the minority report filed

by Senators ERVIN and JOHNSTON in opposition to S. 83 (the administration's civil-rights program) and particularly to their discussion of their jury trial amendment. In addition to the comments which follow, may I particularly call to your attention the statement of the American Civil Liberties Union opposing such an amendment to require jury trial in contempt proceedings arising under the proposed civil-rights legislation. This statement was reprinted in the CONGRESSIONAL RECORD for May 22, 1957, at pages 7369–7371.

The proposed legislation seeks merely to apply long-established civil procedures for enforcing Federal laws to civil-rights cases where experience has shown the need for civil remedies. In urging Congress to authorize the Government to institute civil suits for preventive relief in civil-rights cases we are requesting the right to use procedures long available to the Government as a means of enforcing other types of Federal laws. Ever since the adoption of the Sherman Act in 1890 the Department of Justice has been empowered to institute proceedings in equity to prevent and restrain civil violations of the antitrust laws, as well as to bring criminal prosecutions. The Department of Labor uses the injunctive process as a means of enforcing the Fair Labor Standards Act. The Interstate Commerce Commission, the Civil Aeronautics Board, the Securities and Exchange Commission, the National Labor Relations Board, the Atomic Energy Commission, and other Government agencies have similar authority to use civil remedies in addition to criminal prosecutions. In none of these fields are jury trials required in contempt cases.

There are valid reasons for the ever-increasing use of civil suits for preventive relief as a means of enforcing Federal law. Judicial determination of the validity of a course of conduct in advance aids the Government in its primary purpose of preventing violation of law. It also aids the defendant since he can litigate the legality of his proposed conduct without the necessity of taking action at the risk of a criminal conviction if he guesses incorrectly.

All of these reasons exist in the civil rights field, particularly in connection with the protection of the right to vote. The primary interest of the Government is in making it possible for all citizens to vote without discrimination based upon race, creed, or color, not in punishing local officials for denying such rights. Often it is not clear whether the particular conduct of a registrar of voters, for example, does constitute a violation of Federal law. Under present law the Government can only wait until the harm has been done—the rights to vote denied—and then proceed with a criminal prosecution as a means of testing the validity of the registrar's action. The registrar himself is often caught between community pressures to discriminate and the fear of Federal criminal prosecution with no way to resolve the issue in advance. With civil remedies authorized, the Government will often be able to obtain a judicial ruling in advance of the election which will determine the legality of the proposed conduct of the registrar, removing from him the necessity of risking criminal prosecution and effectively protecting the constitutionally guaranteed right of citizens to vote without discrimination based on race, creed, or color.

Suits for preventive relief under the proposed legislation will be governed by the traditional rules of procedure which have always applied to such suits. The Government seeks no new or radical procedures to govern in junction suits in civil rights cases. Under the proposed legislation the rules of procedure which have traditionally governed equitable suits in the Federal courts would apply in the same manner and to the same extent that they now apply to other suits by the Government for preventive relief. The defendant in an injunction suit in a civil rights case will have the same rights that the defendant now enjoys in a similar suit under the antitrust laws, the Fair Labor Standards Act, or any other one of the Federal laws mentioned above.

These procedural protections are ample to protect all legitimate rights of the defendant. He gets a full hearing before the court on the question whether his conduct violates Federal law and hence should be enjoined. If he disagrees with the determination of the court, he may appeal the ruling for full consideration by the appellate courts. In most cases this is the end of the matter. The defendant obeys the court order and the public interest in the enforcement of the Federal law has been vindicated. But if the defendant chooses to ignore or defy the court order he may be subjected to punishment for contempt of court. Again he is entitled to a full hearing before the court. He is presumed to be innocent, his guilt must be established beyond a reasonable doubt, and he cannot be compelled to testify against himself. If he is found guilty, he again may appeal. And an examination of the cases in recent years demonstrates that the appellate courts are alert to protect defendants against any possible unfairness in contempt proceedings.

It is true that wherever the Government is authorized to sue for preventive relief the defendant is not entitled to a jury trial in contempt proceedings. The Constitution of the United States recognizes the traditional differences between the procedures of courts of law and courts of equity and does not require jury trial in equitable proceedings. As long ago as 1890 the Supreme Court of the United States said: "It has always been one of the attributes—one of the powers necessarily incident to a court of justice—that it should have this power (the contempt power) of vindicating its dignity, of enforcing its orders, of protecting itself from insult, without the necessity of calling upon a jury to assist it in the exercise of this power." In 1914 Congress passed a statute (now 18 U. S. C. 3691) extending the right to jury trial in criminal contempt cases where the acts constituting the contempt also constitute criminal offenses under Federal or local law. This statute expressly excepted contempts arising out of disobedience to court orders entered in suits brought in the name of the United States. Since criminal contempt proceedings are not often sought in private litigation (the Clinton, Tenn., case is one of the few instances of its use), this statute has had little impact upon the enforcement of Federal court orders. In 1932 in the Norris-La Guardia Act, Congress, after removing almost all of the jurisdiction of the Federal courts to issue injunctions in labor dispute cases, provided for jury trial in contempt proceedings arising under the act. It was only with the enactment of the Taft-Hartley Act in 1947 that the Government was given jurisdiction to seek injunctions in any substantial number of labor dispute cases and that act expressly provided that the jury trial requirement of the Norris-La Guardia Act should not apply to it. Hence it is probable that the statute which appears to grant jury trial in contempt proceedings for violation of injunctions issued in labor dispute cases (18 U. S. C. 3692) has no application to injunction suits brought by the Government under Taft-Hartley, which are, for all practical purposes, the only type of injunction suits (private or governmental) in labor dispute cases over which the Federal courts have jurisdiction. (See *United States* v. *United Mine Workers of America*, 330 U. S. 258.)

With reference to jury trial, then, the procedure under the proposed legislation would be the same as that which has always governed suits by the Government for preventive relief. This procedure appears at the present time to be effective and satisfactory. I am aware neither of abuse nor of serious complaint of abuse by the Federal courts in contempt proceedings instituted for the purpose of enforcing injunctions issued in governmental litigation. I foresee no reason why this procedure should not be equally satisfactory in civil rights cases.

Enactment of legislation providing for jury trial in contempt cases arising out of governmental litigation would undermine the authority of the Federal courts by seriously weakening their power to enforce their lawful orders. The effect of adopting current proposals for jury trial would be to weaken and undermine the authority of the Federal courts by making their every order, even when issued after due hearing and affirmed on appeal, reviewable by a local jury. Referring to proposals similar to those now advanced, President (and later Chief Justice) Taft said in 1908: "The administration of justice lies at the foundation of government. The maintenance of the authority of the courts is essential unless we are prepared to embrace anarchy. Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court made after full hearing and the enforcement of such orders."

Furthermore, the proposed amendment to existing procedures that is being advocated under the innocuous slogan of "jury trial" would permit practical nullification of the effectiveness of the proposed civil rights legislation. The enforcement of any court order may require prompt and vigorous action if it is to be effective. Prompt action will often be vital in civil rights cases, especially election cases where the registration period or the election may pass while enforcement is delayed. The injection of a jury trial between an order of a court enjoining discrimination against Negroes in an election and the enforcement of that order would provide numerous opportunities for delay beyond the time when the order could have practical effect.

I hope that the foregoing statement provides the information requested by you. If I can be of further assistance, do not hesitate to call upon me.

Sincerely,

HERBERT BROWNELL, JR.,
Attorney General.

Disarmament and Relief of International Tensions

EXTENSION OF REMARKS
OF
HON. CLIFFORD P. CASE
OF NEW JERSEY
IN THE SENATE OF THE UNITED STATES
Tuesday, July 2, 1957

Mr. CASE of New Jersey. Mr. President, it is important, at a time when the United States is engaged in disarmament negotiations, that we remain mindful of the pressing political problems which are yet to be resolved. In an address delivered to the Colgate University Conference on American Foreign Policy at Hamilton, N. Y., on July 1, 1957, the distinguished junior Senator from New York [Mr. JAVITS] ably pointed out this need. I ask unanimous consent that his remarks be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR JAVITS BEFORE COLGATE UNIVERSITY CONFERENCE ON AMERICAN FOREIGN POLICY, HAMILTON, N. Y., JULY 1, 1957

The most important phase of foreign policy which dominates the world scene is disarmament and specifically the current London negotiations. The most striking development in these negotiations is that the United States is seemingly moving toward falling in with what has been the basic foreign policy position of the Soviet Union since at least the Geneva Conference in 1955—that disarmament had to precede political settlements.

Until January 1957, the United States had strongly maintained that political settlements had to precede or accompany disarmament. In fact, until January 1957 we had insisted that free elections to unite West and East Germany was the essential preliminary to any real disarmament arrangement. Since that time, however, congressional hearings on atomic fallout and the national debate on fallout dangers have made many, in and out of Government, believe that a public climate has been created requiring us to conclude disarmament agreement and to yield ground on what had been the key position of our international policy up to the beginning of this year.

No one can overstate the horrible consequences of a hydrogen bomb and atomic war. Hence, a disarmament agreement, even a "first step" agreement, dealing largely with atomic bomb tests and some inspection machinery, is worth considering to keep the masters in the Kremlin from being backed into an intolerable corner by pyramiding armament expenditure until they feel they can do nothing but launch an atomic war. If we do this, however, we need not and should not completely adopt the Russian thesis that disarmament must precede political settlements, but we should insist on some progress in political settlements, too. I believe that this is the most likely and capable of attainment through making, as part of the present disarmament negotiations, a proposal for strengthening the peace maintenance machinery of the U. N., and it is this which I recommend to our Government.

Accordingly, I urge that our Government in the disarmament negotiations for a first step agreement include as one of the conditions at least the strengthening of the peace enforcement machinery of the United Nations. In this respect, I suggest the following four items as worthy of inclusion and practicably attainable:

1. The establishment of a permanent United Nations peace force analogous to the UNEF now stationed in the Middle East with duties to implement the peace maintenance machinery of the United Nations.

2. To end the use of the veto in questions of membership, measures for the pacific settlement of disputes, and on the distinction between considering procedural and substantive questions.

3. To improve the jurisdiction of the International Court of Justice.

4. To improve the jurisdiction of the United Nations to consider threats to the peace arising from conflicts between non-self-governing or administered areas and the administering power.

Each of these items has an immediate and pressing applicability to world affairs. They could probably be accomplished substantially by interpretations agreed to to be placed on the charter rather than amendment.

It is well known that the tinderbox of the world right now is the Middle East. Establishing a permanent United Nations peace force will help to solve the problem of how long the United Nations emergency force will remain in being between Israel and Egypt in the effort to bring some stability and permanent cessation of fedayeen raids or other hostilities in that area. Removal of the veto for the pacific settlement of disputes may urgently be needed for example in the test of the Eisenhower doctrine for the Middle East which may come if Colonel Nasser uses his newly acquired Communist Russian submarines to disrupt peaceful commerce in the Gulf of Aqaba. It may also be very important if tension in Korea is brought nearer the boiling point by the recent decision to permit the Communists no longer to take advantage of us through the modern rearmament of their forces in North Korea. Improvement of the jurisdiction of the International Court of Justice can serve us very well in order to test out the validity and legality of the way in which Egypt controls traffic through the Suez Canal. Strengthening of United Nations jurisdiction in conflicts between administering powers and non-self-governing peoples or administered areas is especially important in the Algerian question which will actually arise again in the next session of the United Nations General Assembly, and again face the argument of the domestic jurisdiction section of the charter.

Here are practical, definitive, and effective as well as minimal actions to deal with the real causes for the armamenta race, which should be made a part of even a first step disarmament agreement, if we are to be realistic and faithful to our own judgment as to the best interests of the Free World.

We should not be compromised out of our basic foreign policy convictions by domestic pressures with respect to the dangers of atomic fallout. Our people are adult enough to recognize that in a negotiation such as the one in which we are now engaged on disarmament, the attitude of an agreement at any price is fatal.

The major political issues in the world between the Soviet Union and the United States are the underlying cause of international tension and breed the basic mistrust as to the use of weapons. These are the issues poisoning the world scene. These issues include the division of Germany, Korea, and Vietnam maintained by the Soviet Union and Communist China respectively; the pressure on Japan and Formosa by the Communist bloc; the entry of the Soviet Union into the Mideast as the backer of an Arab hegemony under Communist domination being promoted by Egypt's Colonel Nasser; and the pressure of subversion upon existing governments in these and other areas of the world.

That the Russian thesis is that disarmament shall precede any effort at political settlement is clear from the test of the Soviet disarmament proposals introduced in the U. N. disarmament committee subcommittee as late as April 30, 1957. This document states, "The Charter of the U. N. places an obligation on states to resolve their international disputes by peaceful means and to refrain from the threat of force or the use of force in their international relations. Therefore, the existence of outstanding international issues or disputes cannot be imputed as a justification for the maintenance by states of large armed forces, or as a justification for the armaments race."

In the United States and the Free World generally focusing on disarmament while passing over the political issues may increase, not reduce, anxieties and fears. The best example is the impact upon the German Federal Republic already recorded of the current disarmament negotiations in the course of which Chancellor Adenauer's political opponents were charging German unification would be seriously prejudiced by the contemplated disarmament agreement.

On the other hand, a first step disarmament settlement agreement passing over political settlements could, within the U. S. S. R., relieve serious economic pressures attributable to rising armament expenditures, reduce the urgency for political settlements and make more acceptable to the Russian people the iron-fisted control and military occupation of satellites practiced by the occupants of the Kremlin.

We have a right to recall as an object lesson the widely heralded Washington Conference of 1922, which resulted in the scrapping by the United States of 28 capital and other ships, by Britain of 24, and by Japan of 16. In connection with this agreement, we pledged ourselves not to add to the existing fortifications on Guam, Tutuila, the Aleutians, and the Philippines. We surrendered our power to act in the Far East not only to preserve the "open door" and the territorial integrity of China, but to protect our own outlying possessions. We soon found out that it was the new air power which profoundly altered military strategy, that the naval race was transferred from capital ships to aircraft carriers, cruisers, destroyers, and submarines. In 1934, Japan denounced the treaty. We ended up with the loss of the Philippines, Guam, and Wake after Pearl Harbor, at least in part because of the way in which our defenses there had been let down.

Speech by Hon. Joseph P. O'Hara Before Minnesota State Bar Association, Duluth, Minn., June 20, 1957

EXTENSION OF REMARKS
OF
HON. FRANCIS E. WALTER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 2, 1957

Mr. WALTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address:

SPEECH BY HON. JOSEPH P. O'HARA BEFORE MINNESOTA STATE BAR ASSOCIATION, DULUTH, MINN., JUNE 20, 1957

Mr. Chairman, this has been a privilege and a pleasant incident to me to be invited to speak to you on a subject broad enough to permit all the freedom and latitude that could be hoped for by a speaker. For many years I have had a deep interest in and affection for and have been a member of the Minnesota State Bar and American Bar Associations. My greatest concern is that what I may say to you will be of as much pleasure and interest to you as your gracious invitation has been to me.

In the summer of 1940 I was honored by being elected vice president of this association. In the fall of 1940 I was elected a Member of Congress from the Second Congressional District. It is now 16 years since I was on my way back to attend the State bar convention at Duluth, when I was taken ill on the train and spent the following month in the hospital in Chicago. One of my deep personal regrets is that I, therefore, did not have the opportunity of the honor of being president of your great association.

Permit me to say that nine consecutive terms in Congress have in no manner diminished my first love, that of the law, and I have earnestly tried so far as possible to keep advised not only of the decisions of our State supreme court, but of the success and

activities of individual members of the bar and of our State bar association.

I used to think that I worked rather hard as a country lawyer, where the week usually consisted of no limit of hours and sometimes no limitation on days. I frankly confess to you that I did not know what hard work was until I went to Congress and found the demands on one's time exceeded the demands on a fairly busy country lawyer. In candor I say to you that I know of no harder working group of people anywhere than the Members of Congress. The demands and responsibilities upon them exceed anything that I know of in any walk of life.

You will often hear it said, "Why do not Members of the House initiate action to have their terms lengthened from 2 years to 4 years?" Permit me to say that if any attempt is ever made to attack the wisdom of our forefathers of keeping the House of Representatives responsive to the people, I hope that you will oppose such action. The longer I stay in Congress, the more I am impressed with the fact that the House of Representatives should at all times be the most responsive to the wishes of our people, and those who seek that office should every 2 years face their constituents and their constituency for election.

The demands made upon a Member of Congress are fantastic in their scope and number, and a Congressman who is asked to pull strings to keep his constituents happy sometimes pulls a bucket of cold water down on his head.

Not so long ago one of my colleagues had an experience similar to one which I have had. It seems that a prospective mother-in-law wrote him, saying that the Navy would not let a young man off his ship, anchored in San Diego Harbor, to marry her daughter. It appeared the prospective bride and prospective mother-in-law were waiting at the wharf for him to land and complete the nuptials. The Congressman promptly contacted the captain of the ship to find out why he was so vilely blighting romance. It wasn't long until he had a reply from the captain saying he had contacted the sailor but was told the sailor had not asked for leave. Shortly thereafter the Congressman had a note from the sailor himself, asking the Congressman why he did not mind his own business.

On Tuesday of this week the House of Representatives completed debate upon a bill commonly known as the civil-rights bill, recommended by the Attorney General of the United States and substantially reported by the House Judiciary Committee as recommended by the Attorney General.

Under existing Federal statutes existing civil rights consist of two parts. There is a criminal law by which a person for violation of civil rights may be indicted and tried by jury, and then there is the civil damage suit in a separate statute. Under that the person aggrieved may bring his suit under civil action and the trial is a trial by jury.

The new civil rights bill provides that the same acts as are now subject to civil suit by the person aggrieved may be also brought by the Attorney General in equity for special equitable relief, and further provides that the Attorney General where he under the present law must bring a criminal action, can now invoke equity jurisdiction. On the face of it this seems a rather harmless change in procedure from criminal to equity, but the net result of it was that it eliminated the right of trial by jury under either the civil or criminal provisions of the Federal statutes, and of course in the event of a violation of the criminal statute the defendant would be subject to the same penalties of fine and imprisonment without benefit of a trial by jury.

The long debate upon the bill was filled with both high and low points.

While there were those from the South who violently disagreed with the need for such legislation, the strongest fight was on the amendment to reinstate the jury trial proviso, which cut across party lines, and Runt mede, the Magna Carta and the background of our Anglo-Saxon law versus the right to vote equation was an interesting one. As most of you know, the final result was that the right to trial by jury was denied—which caused many who wanted to vote for the bill to vote against it.

The bill is a perfect example of what can happen to a very fundamental issue under stress of emotionalism and political expediency. Interestingly enough, of the 435 Members of the House, 235 are qualified as lawyers, who are either practicing attorneys now or were practicing attorneys before entering Congress.

I hope the alleged title to my speech will be no presumptuous reflection upon the State of the Union message which the President delivers to the Congress, in which he conveys his views as to world affairs, national affairs, and his recommendations generally for legislation. Recognizing that you are as interested as other citizens in the general conditions of our country, I could perhaps make a very general summation of affairs, but all of which you are perhaps generally as familiar with as am I.

During the time I have been in Congress I have noted that from time to time we have passed legislation setting aside decisions of our Supreme Court. Also, from time to time I have noted that our United States Supreme Court has reversed itself in whole or in part.

1. The effects of *United States* v. *South Eastern Underwriters Association* ((1944) 322 U. S. 533) which held that insurance was subject to Federal control under the commerce clause were for all intents and purposes, abrogated by the McCarran Act of March 9, 1945 (59 Stat. 33), as amended by the act of July 25, 1947 (61 Stat. 448). This act recognizing that the regulation and taxation of insurance by the States are in the public interests subjected such business to State law and provided that after June 30, 1948, the Sherman Act, as amended; the Clayton Act; the Federal Trade Commission Act, as amended; and the Robinson-Patman Antidiscrimination Act; should be applicable to the insurance business to the extent that it was not regulated by State law.

2. The case of *Dobson* v. *Commissioner* ((1943) 320 U. S. 489) which established the principle that no appellate court could reverse a holding of the Tax Court except for a clear-cut error of law was set aside by the act of June 25, 1948 (62 Stat. 991), which provided that the circuit courts of appeals should have exclusive jurisdiction to review Tax Court decisions in the same manner as decisions of the district courts in civil actions tried without a jury.

3. The rule of decision of *Anderson* v. *Mt. Clemens Pottery Co.* ((1946) 328 U. S. 680) holding that an employee was entitled to compensation for the time spent in punching time clocks and walking through the plant to his place of work regardless of contrary custom or contract, was set aside by Congress in the enactment of the Portal-to-Portal Pay Act of May 14, 1947 (61 Stat. 84), on the basis that the Fair Labor Standards Act of 1938, as amended, had been interpreted judicially in disregard of long-established customs and practices and of contracts between employers and employees. The decision was further circumscribed by the act of October 26, 1949 (63 Stat. 910), by amending section 3 of the Fair Labor Standards Act to exclude any time spent in changing clothes or washing at the beginning or ending of each workday, which was excluded from measured working time during the week involved by the express terms of a contract or under the custom or practice of the trade under a bona fide collective bargaining agreement, applicable to the particular employers and employees.

4. The case of the *United States* v. *State of Wyoming and the Ohio Oil Co.* ((1947) 331 U. S. 440) a suit by the United States to establish title to lands leased by Wyoming to the oil company which lands both Wyoming and the oil company in good faith had believed to be vested in Wyoming as a part of the State school land grants, was decided adversely to the State. The decision in effect divesting Wyoming of these school lands after she had exercised and assumed jurisdiction for almost 60 years upon the premise that Congress by the enabling act had granted the lands, was overruled by the act of July 2, 1948 (62 Stat. 1233), which was a directive to the Secretary of the Interior to issue a patent to the State of Wyoming, subject to existing leases, for such land with a proviso that such land should be considered to have vested in the State of Wyoming on July 10, 1890.

5. The case of *Wong Yang Sung* v. *McGrath* ((1950) 339 U. S. 33), which held that deportation proceedings were controlled by the Administrative Procedure Act was overruled in effect by a rider to the Department of Justice appropriations bill dated September 27, 1950 (64 Stat. 1040, 1048), which provided that proceedings on the law relating to the exclusion or expulsion of aliens shall hereafter be without regard to the provision of the Administrative Procedure Act.

6. The case of *Schwegmann* v. *Calvert Distillers Corp.* ((1951) 341 U. S. 384) which held that the exemption from the Sherman Act provided by the Miller-Tydings Act (57 Stat. 643) applied only to parties to contracts or agreements under State Fair Trade Acts for minimum prices for the resale of trademarked commodities and did not apply to resales by nonsigners, was in effect overruled by the McGuire Act, July 14, 1952 (66 Stat. 631) which provided that willfully and knowingly advertising for sale trademarked commodities covered by a Fair Trade Agreement contract at a price less than prescribed by such contract shall constitute actionable unfair competition whether the person is a party to the contract or not.

7. The decisions in the three cases of *United States* v. *California* ((1947) 332 U. S. 19), *United States* v. *Louisiana* ((1950) 339 U. S. 699), and *United States* v. *Texas* ((1950) 339 U. S. 707), upset titles to lands that had up to that time been considered vested in the respective States. Congress considering the long period of time and good faith administration of these lands by the States and the equities involved confirmed and established the titles of the States to these lands beneath navigable waters by the act of May 22, 1953 (67 Stat. 29).

8. The decision in *Federal Power Commission* v. *East Ohio Gas. Co.* ((1950) 338 U. S. 464), held that there was no language in the Natural Gas Act of June 21, 1938 (52 Stat. 821) which indicated that Congress meant to create an exception for companies transporting interstate gas in only one State. To make the intention of granting such exemption crystal clear, Congress, by act of March 27, 1954 (68 Stat. 36), added a new subsection to section 1 of the Natural Gas Act, which established exemption from regulation, of persons engaged in transportation in interstate commerce of natural gas, who receive from other persons within the State natural gas which is all ultimately consumed within the State, if there is a State commission regulating the rate of service and facilities of such person.

9. The holding of *United States* v. *Wunderlich* ((1951) 342 U. S. 98), that the finality clause of the standard form of Government contract controlled in the absence of fraud or such gross mistakes as would necessarily

imply bad faith was set aside by the act of May 11, 1954, (68 Stat. 81), by prohibiting the pleading of such a clause as a limitation on judicial review and by prohibiting Government contracts containing a provision that an administrative decision should be final on a question of law.

I call your attention to the fact that these 9 cases do not include the so-called Phillips case, wherein the Supreme Court held that Congress in passing the 1938 Natural Gas Act had intended to include the independent producers and gatherers of natural gas, notwithstanding that Congress in the Act itself and in the debate thereon had specifically said, in as clear and as plain language as could be stated, that it was not the intention of Congress to include the independent producers and gatherers of natural gas.

Twice Congress has passed through the Congress bills correcting this decision which have been vetoed respectively by Presidents Truman and Eisenhower.

B. Since 1941 there have been approximately 30 cases which have overruled previous decisions in whole or part. Fifteen cases covering points of general interest are set forth below.

For a list from 1789 through 1956, of such cases see CONGRESSIONAL RECORD, March 2, 1957, pages 2935–2936.

1. *United States* v. *Darby* ((1941) 312 U. S. 100), predicated upon the plenary power of Congress over interstate commerce, overruled the decision in *Hammer* v. *Dagenhart* ((1918) 247 U. S. 251), which had held that Congress was without power to exclude the products of child labor from interstate commerce on the basis that the Congressional power to prohibit articles entering interstate commerce was limited to articles which in themselves possess some harmful or deleterious properties.

2. *Nye* v. *United States* ((1941) 313 U. S. 33), overruled the "reasonable tendency" rule of *Toledo Newspaper Co.* v. *United States* ((1918) 247 U. S. 402), and returned to the thesis that the words "so near thereto" contained in the power granted the Federal courts to punish for contempt set forth in Sec. 268 of the Judicial Code have a geographical connotation.

3. *California* v. *Thompson* ((1941) 313 U. S. 109), grounded on the theory that in the absence of pertinent Congressional legislation there is constitutional power in the States to regulate commerce that does not affect the free flow of commerce, overruled *DiSanto* v. *Pennsylvania* ((1927) 273 U. S. 34), which had held that a Pennsylvania statute requiring other than railroad or steamship companies that engage in interstate sales of steamship tickets of orders of transportation to or from foreign countries to procure a license an infringement of the commerce clause.

4. *Olson* v. *Nebraska* ((1941) 313 U. S. 236), overruled *Ribnik* v. *McBride* ((1928) 277 U. S. 350), which had held that the business of an employment agent is not affected by a public interest so as to enable a State to fix the charges made for services rendered, on the ground that the standards of public interest in the Ribnik case were not controlling as to the constitutionality of the economic and social programs of the States.

5. *Alabama* v. *King & Boozer* ((1941) 314 U. S. 1), overruled *Panhandle Oil Co.* v. *Knox* ((1928) 277 U. S. 218), and *Graves* v. *Texas* ((1936) 298 U. S. 393), in so far as these cases had held that a State tax imposed on a person doing business with the Government is an economic burden which falls upon the Federal Government and therefore may not constitutionally be imposed.

6. *State Tax Commisioner* v. *Aldrion* ((1942) 316 U. S. 174), overruled *First National Bank* v *Maine* ((1932) 284 U. S. 312), which had read into the 14th amendment a rule of immunity from taxation of intangibles by more than one State, by holding that the power of the tax is an incident of sovereignty and is coextensive with that to which it is incident.

7. *Williams* v. *North Carolina* ((1942) 317 U. S. 287), holding that the full faith and credit clause of the Federal Constitution requires extraterritorial recognition of the validity of a divorce decree obtained in accordance with the requirement of procedural due process in a State by a spouse who under the law of such State had acquired a bona fide domicile, overruled *Haddock* v. *Haddock* ((1906) 201 U. S. 562), which had held that the mere domicile in a State of one party to a marriage does not give the courts of that State jurisdiction to render a decree of divorce enforceable in all the other States by virtue of the full faith and credit clause of the Federal Constitution against a nonresident who did not appear and who was only constructively served with notice of the pendency of the action.

8. *Board of Education* v. *Barnette* ((1943) 319 U. S. 624), holding a West Virginia law requiring public school pupils to salute the flag of the United States while reciting the Pledge of Allegiance unconstitutional, overruled *Minerville School District* v. *Gobitis* ((1940) 310 U. S. 586), which had held that such a State law was constitutional.

9. *Mercoid Corp.* v. *Midcontinent Co.* ((1944) 320 U. S. 661), overruled *Leeds and Catlin Co.* v. *Victor Talking Machine Co.* ((No. 2) (1909) 213 U. S. 325), which had held that a person who had sold an unpatentable part of a combination patent for use in the assembled machine may be guilty of contributory infringement.

10. *Smith* v. *Allwright* ((1944) 321 U. S. 649), overruled *Grovey* v. *Townsend* ((1935) 295 U. S. 45), which had held that the denial of a vote in a primary was a mere refusal of membership to a person by a political party and therefore not unconstitutional.

11. *Girouard* v. *United States* ((1946) 328 U. S. 61), overruled *United States* v. *Schwimmer* ((1929) 279 U. S. 644), *United States* v. *McIntosh* ((1931) 283 U. S. 605), and *United States* v. *Bland* ((1931) 283 U. S. 630), which had established the general rule, that an alien who refuses to bear arms will not be admitted to citizenship.

12. *Commissioner* v. *Church* ((1949) 335 U. S. 632), overruled *May* v. *Heiner* ((1930) 281 U. S. 238), which had held that the corpus of a trust transfer need not be included in the settlor's estate, even though the settlor retained for himself a life income from the corpus.

13. *Oklahoma Tax Commission* v. *Texas Co.* ((1949) 336 U. S. 342), overruled *Choctaw and G. R. Co.* v. *Harrison* ((1914) 235 U. S. 292), *Indian Territorial Illuminating Oil Co.* v. *Oklahoma* ((1916) 240 U. S. 522), *Howard* v. *Gypsy Oil Co.* ((1918) 247 U. S. 503), *Large Oil* v. *Howard* ((1919) 248 U. S. 549), and *Oklahoma* v. *Barnsdall Corp.* ((1936) 296 U. S. 521), cases which had granted tax immunities or exemptions to persons doing business with the Government on the theory that taxation of such business was an interference with governmental functions.

14. *United States* v. *Rabinowitz* ((1950) 339 U. S. 56), holding that reasonableness under all the circumstances of a search is controlling of its legality, thus overruling *Trupiano* v. *United States* ((1948) 334 U. S. 669), which had held that the legality of a search depended upon the practicability of securing a warrant.

15. *Joseph Burstyn Inc.* v. *Wilson* ((1952) 343 U. S. 495), holding that motion pictures are within the aegis of the first amendment, overruled that part of the case of *Mutual Film Corp.* v. *Industrial Commission of Ohio* ((1915) 236 U. S. 230), which had held that the principles of free speech and press did not apply to motion pictures.

NOTE.—The newspapers of June 11, 1957, carried an account of the Supreme Court, upon rehearing of *Kinsella* v. *Krueger* ((1956) 351 U. S. 470) and *Reid* v. *Covert* ((1956) 351 U. S. 487), overruling its decisions that civilian military dependents with the Armed Forces outside the country might be held by military tribunals.

As one who has always entertained the deepest and highest respect for all of the courts of our land, I have always been most guarded and careful in my statements as to any court, including the United States Supreme Court.

I do not think that any supreme court—State or Federal—has any right to legislate in its decisions. Under our check and balance system of the legislative, the executive, and the judiciary, each has its responsibilities. Under the doctrine of stare decisis I do not see how you lawyers can now advise your clients, in matters of important decisions, as to what the decision of the United States Supreme Court is going to be upon any given proposition of law.

It is to be expected that under our form of government of check and balance that at times there will be a clash between the legislative and the executive, but in my lifetime I have never heard so much criticism between the legislative and the judiciary as in the last 20 years.

On Monday of this week a number of decisions were handed down by our United States Supreme Court. I hold in my hand newspaper reports of bitter criticism of several of these decisions and their interpretation of legislative act and the right of investigation by Congress.

The nine instances I have called to your attention, in which Congress has legislated to overcome Supreme Court decisions in the past 16 years, speak for themselves.

It is certainly my opinion that the Justices of our great United States Supreme Court should be judges learned in the law. If we are going to have a disposition on the part of those Justices from time to time to substitute their personal notions for the law, then we should provide that the Supreme Court should consist of nine sociologists in black robes to decide what is fitting in the way of legislation, as well as what should be their final notions as to the supreme law of the land.

I have also noted two additional disturbing decisions, the effects of which are so far reaching that I cannot envision what may follow.

The first of these was the so-called Pennsylvania sedition case wherein Steve Nelson, a Communist convicted under the sedition laws of the State of Pennsylvania was—so our United States Supreme Court held—illegally convicted because the Smith Sedition Act passed by Congress was alleged to have preempted the field of sedition and deprived the States of all jurisdiction in that field. This decision affected 32 States and nullified their laws on sedition.

The other case, also decided this spring by our Supreme Court, was the Girard College case. From your law student days, most of you here will remember the old Girard case as one of the early cases which went to the Supreme Court on the question of wills. As I recall, we usually had the ancient Girard case under "Wills and Trusts." The present Girard case—formally known as *Pennsylvania* v. *Board of City Trusts of Philadelphia*—involved the terms of the will of Stephen Girard, who died in 1831, leaving about $6 million for the education of "poor white orphan boys." The city of Philadelphia set up a body known as the board of city trusts to administer the fund, which currently amounts to nearly $100 million. The assumption has been that the job of the board of city trusts was to administer the fund as Girard decreed in his will, just as any trust company would be required to do if it had been given charge of the Girard bequest.

The Girard will has in recent years been under fire by Negro politicians who have made the point that the founder of the college had no right to make a will which provided for racial discrimination contrary to

the terms of the 14th amendment of which Stephen Girard never heard tell.

This argument got nowhere in Pennsylvania—at any rate in the State's law courts—for the Pennsylvania Supreme Court turned it down on what most people would describe as the reasonable ground that the late Mr. Girard had a right to will away his money as he chose, and that you couldn't safely go around upsetting wills simply because they didn't suit pressure groups which turned up a hundred years after the wills were made.

That seemed to settle it to the satisfaction of all except a group of ambitious politicians.

This group took the Girard case into the Federal courts and it is painful to record that the mayor of Philadelphia and the Governor of Pennsylvania, far from resisting the efforts to upset a will of which they were supposed to be trustees, actually joined the movement to set it aside.

The real question, of course, was and is—"If a trustee happens to be an official of a city or State, when he acts as a trustee is he acting as the agent of the maker of the trust or is he acting as the agent of the State?" When one considers that no public funds were involved in the Girard College case, but the entire $100 million now in the fund are private funds, it seems that the answer to the question should be obvious.

A few miles down the pike from Girard in Pennsylvania is little Haverford College, a 125-year-old Quaker school. Haverford has been wrestling with the problem of whether or not to accept a grant of Defense Department funds for research in organic chemistry. However, Haverford discriminates. It discriminates on the basis of sex and, to a degree, religion.

So the question is, If Haverford accepts Federal money for research, does the Government—on the theory of public interest similar to the Girard case—have the power to stop any discrimination in favor of male Quaker students?

Such well-known private schools as Harvard, Yale, Princeton, Dartmouth, Notre Dame, California Institute of Technology, Case Institute of Cleveland, and others are further examples of schools outside the Deep South which practice some degree of discrimination based on either sex or religion, and which are apt to have formal relationships with Government from time to time.

Are their scholastic and administrative policies subject to the 14th amendment?

Then there is Tuskegee Institute, founded in 1880 by that great Negro leader, Booker T. Washington, for Negroes, not to mention Hampton Institute, founded in 1868 by the American Missionary Society for Negroes and Indians.

There are hundreds of privately endowed colleges, universities, charitable organizations, and foundations which include public officials on their board of trustees, ex officio; many are wholly or partially exempt from taxation. Would not a home for aged and infirm Baptists ipso facto discriminate against aged and infirm Episcopalians, and on religious grounds to boot?

Here is another facet to the Girard ruling: Could it be extended to private institutions or services other than educational ones? Could it, for example, be extended to cases where the State licenses an essential service such as those provided by doctors, lawyers, pharmacists, architects, engineers, etc.?

Maybe this sounds remote. However, in a California lawsuit decided a few weeks ago, a Negro brought a suit against a Los Angeles dentist who had refused to treat him because of his race. The plaintiff had argued that the dentist, as a publicly licensed practitioner of an essential service, was prohibited by constitutional principles from refusing to accept him as a patient.

While the California court ruled for the dentist, it did so at least partly in deference to the traditional reluctance of the courts to interfere with the doctor-patient relationship.

The point is that the question has been raised and has actually gone to court. The argument has been made. In future cases of this kind, the apparent public interest doctrine of the Girard College case might be advanced in an effort to strengthen that argument.

I have no doubt that Girard College will welcome Negro boys since it is required to accept them. But when courts undertake to decide issues which ought to be decided by the people and their elected representatives, confusion and conflict are inevitable.

If it is necessary to imperil the whole institution of inheritance in order to accommodate perhaps two dozen Negro boys in a privately endowed school, why not let the State legislature do it? In such circumstances the citizens would at least have an opportunity to learn what the issue was. If they decided to go ahead with the wrecking anyway, nobody could say, as a good many people are beginning to say, that the threat to our institutions is less from the Communists than from a Supreme Court so dedicated to sociology as to be startlingly indifferent to constitutional tradition.

Under our Constitution, our forefathers most wisely provided in substance that, except as specifically provided, the powers of the sovereignty of the States were reserved to the States.

The question which I would like to leave with you is, "How far, and what is the purpose, of some of these decisions which would destroy the sovereignty of our States and set up in place of our historical system of divided sovereignty a monolithic omnipotent central government?"

Hitler said that his first 2 years in office were consumed in breaking down the power of the separate German States so that Germany could be governed effectively from Berlin to establish national socialism.

There is much justifiable concern that the original American constitutional system has been impaired in three ways:

1. By Executive usurpation of power.
2. By congressional abdication of power.
3. By decisions of the Supreme Court which alter the meaning of the Constitution.

Day before yesterday I was visiting with a former president of the American Bar Association. Of course I was proud to advise him that I was going to speak to the lawyers of Minnesota today. When I gave him a brief outline of what I was going to talk about, he said, "I hope you will tell the lawyers of Minnesota of my own concern over the trend of the decisions of our United States Supreme Court."

He said further, "I hope you will tell the lawyers of Minnesota that I am fearful of the weakness of lawyers in not standing up for what are important principles, not only of our Constitution but the matter of appointment of judges."

For example, he said, "I will say to a member of the bar 'are you in favor of so-and-so for a Federal judgeship?' The lawyers will say, 'Heavens no.' Then I will say, 'Well, come along with me and oppose the appointment.' The lawyer will usually say, 'Oh, I can't do that, I may have a case before him.' And the man gets the appointment."

It is trite to say that eternal vigilance is the price of liberty.

The right is one which rests with every citizen—it is not just the responsibility of Congress or the executive or the judiciary. It is as inherent in the individual and the collective membership of this bar association. If you are vacillating, indifferent, or without courage, then the greatest Republic in the history of the world will fall, not from its enemies without but from its enemies within.

SENATE

WEDNESDAY, JULY 3, 1957

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Lord God, who knowest the burdens we bear, the tasks we face, and the problems which confront us: Grant us, we pray, the royalty of inward content which comes only from uncompromising personal integrity and the calm composure which is the reward of doing always the things which please Thee. So let the spirit of joyous service dwell in our hearts, that we may carry about the infection of a good courage, meeting all life's tests with gallant-hearted devotion and dedication to the highest. As in Thy name we contend against the vile treacheries which today foul the earth and enslave Thy children, make us the kind of persons fit to be the defenders of the regal and precious things which ennoble life and crown it with glory. In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Tuesday, July 2, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Siemon Noma or Loutfie Noama); and

S. 1799. An act to facilitate the payment of Government checks, and for other purposes.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1259. An act to clear the title to certain Indian land;

H. R. 1339. An act for the relief of the Malowney Real Estate Co., Inc.;

H. R. 1424. An act for the relief of Sylvia Ottlia Tenyi;

H. R. 1473. An act for the relief of Richardson Corp.;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 1695. An act for the relief of Harry N. Duff;

H. R. 1826. An act to authorize the sale of certain lands of the United States in Wyoming to Bud E. Burnaugh;

H. R. 2259. An act to provide for the conveyance of all right, title, and interest of the United States to certain real property in Prairie County, Ark.;

H. R. 2674. An act for the relief of Morris B. Wallach;

H. R. 2752. An act for the relief of Frank A. Simmons;

H. R. 3344. An act for the relief of Kenneth F. Aieles;

H. R. 3720. An act for the relief of Carl J. Warneke;

H. R. 4335. An act for the relief of Ramon Tavarez;

H. R. 4768. An act to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same;

H. R. 4986. An act for the relief of the widow and children of John E. Donahue;

H. R. 5288. An act for the relief of Orville G. Everett and Mrs. Agnes H. Everett;

H. R. 5365. An act for the relief of Robert B. Peterman;

H. R. 6528. An act for the relief of Mrs. Lyman C. Murphey;

H. R. 6530. An act for the relief of Arthur L. Bornstein;

H. R. 6664. An act for the relief of Raymond R. Sanders Van Service;

H. R. 6961. An act for the relief of Walter H. Berry;

H. J. Res. 339. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 368. Joint resolution for the relief of certain aliens; and

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 194) granting permanent residence to certain aliens, in which it requested the concurrence of the Senate.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred, as indicated:

H. R. 1259. An act to clear the title to certain Indian land; and

H. R. 1826. An act to authorize the sale of certain lands of the United States in Wyoming to Bud E. Burnaugh; to the Committee on Interior and Insular Affairs.

H. R. 1339. An act for the relief of the Malowney Real Estate Co., Inc.;

H. R. 1424. An act for the relief of Sylvia Ottlia Tenyi;

H. R. 1473. An act for the relief of Richardson Corp.;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 1695. An act for the relief of Harry N. Duff;

H. R. 2674. An act for the relief of Morris B. Wallach;

H. R. 2752. An act for the relief of Frank A. Simmons;

H. R. 3344. An act for the relief of Kenneth F. Ailes;

H. R. 3720. An act for the relief of Carl J. Warneke;

H. R. 4335. An act for the relief of Ramon Tavarez;

H. R. 4768. An act to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same;

H. R. 5288. An act for the relief of Orville G. Everett and Mrs. Agnes H. Everett;

H. R. 5365. An act for the relief of Robert B. Peterman;

H. R. 6528. An act for the relief of Mrs. Lyman C. Murphey;

H. R. 6530. An act for the relief of Arthur L. Bornstein;

H. R. 6664. An act for the relief of Raymond R. Sanders Van Service;

H. R. 6961. An act for the relief of Walter H. Berry;

H. J. Res. 339. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 368. Joint resolution for the relief of certain aliens; and

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens.

H. R. 2259. An act to provide for the conveyance of all right, title, and interest of the United States to certain real property in Prairie County, Ark.; to the Committee on Agriculture and Forestry.

H. R. 4986. An act for the relief of the widow and children of John E. Donahue; to the Committee on Post Office and Civil Service.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 194) granting permanent residence to certain aliens, was referred to the Committee on the Judiciary, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress approve the granting of the status of permanent residence in the case of each alien hereinafter named, in which case the Attorney General has determined that such alien is qualified under the provisions of section 6 of the Refugee Relief Act of 1953, as amended (67 Stat. 403; 68 Stat. 1044):

A-8155735, Aikler, Mirko alias Emilio Federico Aikler.
A-10170961, Apanowicz, Boleslaw.
A-10035418, Balodis, Marija.
A-9825049, Bonk, Pawel Frank or Paul Bonk.
0300-462272, Chang, George Teh-Lai.
A-8888549, Chang, Sen Dou.
A-9694446, Chang, You Ding also known as Ah Za Wang.
A-8205758, Chao, Beatrice Jung-Chuan.
A-6694109, Chen, Chi Ta.
A-6851660, Chen, Joseph Yeh also known as Chang Bao Chen.
A-7202753, Cheng, Liang.
A-8103705, Chi, Li.
A-6457533, Chin, Ming Liang.
V-184674, Choy, Shih Hung.
A-7439685, Choy, Shew Ming Eip.
A-7835335, Ding, Joan Jo-An.
A-7274682, Dunn, Sally Sung-Lih.
A-8933695, Gay, Ng Seow or Manuel Kaua.
A-7388015, Hildeshaim, Mojsze.
A-8846028, Hildeshaim, Ita.
A-8038343, Huang, May Sze-Chin.
E-094444, Kai, Choung.
A-6954733, Kao, Hsiang-Sung.
A-8960635, Kao, Li-Nan Kwan.
A-9694263, Kilt, Low Ah.
A-6026549, King, Hsien Tsu.
T-1613805, King, Eosin Chu.
T-1613806, King, Linda.
A-10170902, Kolumbic, Vjekoslav.
A-10170901, Kolumbic, Stanislav.
A-7366623, Ku, Feng Shen.
A-9804796, Lau, Foo Kwai.
A-2201853, Lee, John Koo.
A-8891582, Lee, Ronald Shao Nan, also known as Shao Nan Lee.
A-10130368, Li, Thomas Chang-Jen.
A-9709772, Low, You, or Low Yow, or Low Cheu.
A-8310804, Lusik, Valev Valentin.
0300-301304, Maerz, Alla.
E-094647, Nee, Fred, also known as Nee Kao Hong.
A-8956186, Pettersson, Sing Ye, also known as Sadie Sing Yee Pettersson (nee Romahn), (nee Wong), Sing Yee.
A-9562348, Que, Cheng Sim.
A-9825046, Reichel, Stefan.
A-9542507, Siew, Wong.
A-8055441, Stark, Simon.
A-10052787, Sun, Chi Fong Tyen.
A-10060432, Sun, Eeh-John.
A-7243268, Svagna, Silvo.
0300-457385, Tan, Annie Hsu.
A-7277350, Tang, Edward Yau Chien, formerly Wau Chien Tang.
A-7143030, Tawil, Esther.
A-6694206, Teng, Celia, or Celia Hsi-Lee Tseng, or Celia Marie Teng.
A-7462147, Wu, Edith Hsiu-Hwei.
A-6699876, Wu, Irene Hsueh.
A-6986541, Yu, Alex Shih-Ge.
A-10465773, Yung, Nee Shu.
A-10465771, Ming, Wen Lyna Hsu.
A-7882493, Yung, Richard Chih Shin.
E-084466, Chang, Ming Wah.
A-7174560, Chen, Ming Li.
A-7274978, Chu, David Bao-Shan.
A-10436781, Chu, Foong Nan.
A-7141139, Hsu, Immanuel C. Y. also known as Chung Yueh Hsu.
A-7118843, Huang, Siu-Lien.
0300-401127, Kai, Chan.
A-9562508, Kwee, Wah Kia.
A-7837182, Liu, Hsing Yueh (Fred).
A-6848619, Sun, Hen Teh.
A-8267368, Tao, Samuel Shao also known as Shao Ming Tao.
A-7096300, Tso, Chih Hui or Sister Mary Evangelist Tso.
A-6848002, Wang, Julia (nee Julia Chin Yun Ho).
A-7356395, Geng, George Yuen-Hsioh.
A-10085249, Hsia, Chen.
173/427, Keung, Liu Chung.
A-8996626, Kolumbic, Kresimir.
173/426, Liu, Suey Har Lee.
173/428, Liu, Boy Foon (Betty).
173/429, Liu, Dung Koon (John).
173/430, Liu, Dung Non (Billy).
0300-288731, Liao, Suzanne also known as Liao Kia-Pao.
A-10060260, Libe, Kalju.
A-7279631, Paszternak, Riza.
A-8000633, Shannir, Kasim Ismail.
0300-467737, Tsing, Min-Ye.
0300-346587, Tsing, Su-Tsen.
A-6258475, Wang, James Chia-Fang.
0300-458459, Yang, Helen Cheng Chao.
0300-468334, Yen, Grace Chuin Ying.
0300-468322, Yen, Alice Hua Ying.
A-0946127, Yen, Yang-Chu James.
0300-459487, Behrs, Amalie formerly Amalie Kiviranna (nee Amalie Pavel).
A-10087975, Chien, Pien Kiang.
A-9783058, Chin, Chi Tien.
A-1693463, Fan, Paul Hsiu Tsu.
A-1003405, Fan, Joyce Sik-Ho Wang.
A-7396740, Hsu, David Pin.
A-7444631, Lee, Lester Shin Pei.
0300-462434, Liang, Maisie Mei-Hsi.
A-6703206, Lin, Sping.
A-7606419, Liu (Vera), Hsi Yen (nee Wong-Quincey).
A-6271443, Liu, Vi Cheng.
A-9825070, Luzny, George.
A-7286973, Mui, Daniel Fook Kee.
A-9825053, Pustulka, Boleslaw.
A-7805943, Shane, Catherine Yen (nee Shih-Ping Yen).
A-10401836, Sheng, Hung Tao.
A-9825073, Sokolowski, Witold Stanislaw.
A-7967355, Sung, Zei Ling.
A-8038957, Sung, Chi Wha (Gladys).

A-8038959, Sung, Chi Ming (Mary).
A-8038960, Sung, Chi Chang (John).
A-8132662, Sung, Chi Tak (James).
A-8038958, Sung, Chi Ching (Thomas).
A-10188700, Sung, Chi Kwan (William).
A-9825136, Trykowski, Jan Zygmunt.
A-828556, Wai, Angli.
E-118826, Wai, Fong Yok also known as Yok Wai Fong, Fong Yok Square.
A-9669272, Wee, Foo Kia.
A-8190602, Wee, Lee Sung.
A-7417146, Yang, Ah Poa.
A-10237804, Yee, Lee.
A-10088693, Yip, Kiu or Yip Kiu also known as Wing Yip.
A-6940537, Bailey, Flower also known as Te Ling Chang and Chang Te Ling.
A-7190921, Cerny, Helena.
0300-371967, Chao, Tsung-Hu Lee also known as Polly Tsung-Hu Lee Chao.
0300-381266, Chao, Grace Yao-Ping.
0300-371975, Chao, Faith Yao-Yu.
0300-371968, Chao, George Yao-Tung.
A-8103763, Cheng, Helen formerly Helen Mien-Mien Yu.
A6847996, Cheng, Lu I.
A-7952707, Genger, Josef.
A-6503242, Grable, Majer.
A-7292660, Grable, Mariasza or Masha.
A-7292661, Grable, Morris or Mojsze Towia.
A-6405954, Hsu, Eugene (Ting Chen).
A-7057890, Hsu, Kenneth Jing-Hwa.
A-7092721, Laing, Yung also known as Laing Yung.
A-10073320, Lee, Dong Sep.
V-1505818, Ng, Seid Young also known as Wu, Seid Young also known as Wu, Chung Poh.
A-10138853, Sang, Mon Loy alias Wen Lai Sung.
A-9015504, Seng, Foo Ah.
A-9094621, Sung, Woo Chen.
A-6848699, Tang, Philip Jen-Chien.
0300-461961, Wang, Eleanor Bei-Lee.
A-7386139, Wang, Samuel Chia-Cheng.
A-9634988, Wee, Lee Sung.
A-6500397, Berger, Herman also known as Mikulas Federweisz.
A-7367988, Berger, Kalman.
A-6396664, Chen, Wen-Chao.
A-6845070, Chen, Mary Lilia (Ch'un Jen), (nee Chao).
A-9634307, Juat, Tan Chin.
A-6953077, Langer, Abraham Leopold.
V-885058, Li, Hsien-Kuan Hugo.
V-885059, King, Wei-Lien.
T-357493, Lee, Barbara (Bei Bei).
0300-469349, Li, Tsung Jen.
A-10245429, Li, Teh-Chieh Kuo also known as Tah-Chieh Kuo.
A-10245428, Li, Jackson also known as Jee Sen Li.
A-6848144, Loh, Yu-Cheng also known as Eugene Loh.
A-8015357, Moh, Jim or James Chin.
A-10210252, Pao, Peter Sien-Kwei or Sien Kwei Pao.
A-2023266, Suksdorf, Juri Johannes.
A-6404843, Tsai, Wu.
A-9825090, Witkowski, Stanislaw.
0300-376850, Yen, Flora Chow.
A-7248479, Ching, Tao Pu.
A-9825103, Cielenkiewicz, Ryszard Emil.
A-10077721, Hop, Leung or Long Hop.
A-4949822, Ing, Wen Fei.
A-6171332, Mo, Sung Shen.
A-6448785, Mo, Chen Wei.
E-094520, Ng, Hing also known as Wu Yu Wah.
A-8091377, Pyn, Lee also known as Lee Ping.
A-8893285, Yen, Esther Kwang Tzu.
A-6806304, Yu, Shih-Cheng also known as Michael Shih-Cheng Yu.
A-6806306, Yu, Ya-Ming (nee Chai), also known as Lucia Ya-Ming Yu.
A-10625693, Chang, Fu Yun.
A-6848003, Chen, Yun Chieh or James Y. Chen.
A-7805944, Dao, Therese Tsu-Yin.
A-8055411, Dembitzer, David.
0400-58439, Huang, Yu-Kuan (Chen Ching Chen).
A-7988129, Jakobovits, Victor.
A-10130803, Kung, Edward Yen Chung.
A-7364794, Lee, William Wei-Yen (Li, Wei-Yen).
A-10075777, Liu, Ah Fong or Liu Ah Fong.
A-6847867, Loo, Shu Hsin or Mary Agnes Loo or Agnes Shu-Hsin Jen.
0300-461048, Lu, Nora Ellen.
0300-458294, Sze, Wu Fook.
A-6847791, Tung, Charles Pao-Chun also known as Tung Pao-Chun.
0300-78518, Wu, Lily also known as Yu Sue Wu also known as Oij Eng.
A-7028494, Wu, Judith also known as Teh Jean Wu.
A-8106443, Chao, Yung Lai.
A-8955828, Chu, Hai-Chou.
0300-433720, Huang, Wen Shan.
0300-456285, Huang, Lun Kun (nee Cheng).
0300-456286, Huang, Yen Fu.
A-10237798, Kalnins, Arvids Bruno.
A-6712043, Lam, Jean Lu.
A-7897506, Lebovits, Laszlo.
A-7274352, Lin, Chun Chia.
A-9825066, Lojewski, Czeslaw Bogdan.
A-7955278, Sun Zee Ah.
A-10060602, Tsing, Jan Sing.
A-7418206, Yang, Sam Yuan-Chen.
A-7805945, Wang, Helen, also known as Mary Helen Therese Want.
A-6624719, Wang, Shou Ling also known as Daniel Wang.
A-7835259, Wu, Grace Ho-Lan or Grace Wu.
A-10035417, Baiodis, Paulis Voldemars.
A-10073947, Behrsin, Roman.
A-10353028, Chang Ta-Chung.
A-6848442, Chen, Shee-Ming or Chen Shee Ming.
A-7286660, Chung, Lynn.
A-8065296, Gabor, Robert alias Robert Goldstein.
A-8065297, Gabor, Elizabeth nee Fischer.
A-9825108, Jurkiewicz, Jerry formerly Jan Jerzy Jurkiewicz.
A-7560713, Koo, Hai-Chang Benjamin presently known as Benjamin Koo.
A-10075053, Lee, Esther Pei-Cheng Lim formerly known as Esther Pei-Cheng Lim.
A-6967296, Ma, Chen-Luan.
A-9825075, Ptaszynski, Kazimierz.
0300-466218, Sing, Charles also known as Wang Kao Chee also known as Wong Go Pse.
A-7319016, Stein, Stanley Marian.
E-118715, Taw, Nglam Seng.
A-6448797, Wang, Philip Iching.
A-6975581, Yang, Thaddeus Wen-Hsien.
A-6855648, Yang, Grace Kwei-Ying (nee Liu).
A-7228327, Yung, Lydia Chih-Jui or Lydia Yung.
A-8847641, Dan, John Si-Kiang.
A-6142220, Hsu, Charlotte Chien.
A-8845236, Loo, Jen Wan (Marie) (nee Lee).
A-6818128, Lorincz, Jeno Eugene.
A-7364796, Muna, Nadeem Mitri.
A-10075751, Yin, Jen Ching or Charles Yin.
A-6967530, Zee, Chong Hung.
A-6224481, King, Gloria Euyang.
A-6958561, Fu, Florence Luan-Fei.
A-6849456, Hwang, Ming Chao.
A-8094862, Janoyan, Hagop Apraham.
A-6142216, Liu, Tse-Hsien.
0300-425930, Modzelewska, Jadwiga.
A-8106741, Modzelewski, Sgmunt Jan.
A-9029161, Nicolaou, Ion Dimitrios or John Nicolau.
A-9541479, Tani, Johannes.
A-10416361, Weinberg, Hersel formerly Zvi Weinberg.
A-9765919, Cecco, Frank or Francesco Cecco.
A-6986579, Yi, Shu Ping.
0300-426380, You, Wong.
A-8102693, Anabtawi, Samir Nazmi.
A-11048303, Chu, Ting Chi.
A-10237098, Chu, Grace Hsi.
A-7983212, Chu, Rosalind.
A-10394745, Chu, Constance Pamela.
A-10237100, Chu, Kay.
A-10257554, Kovacs, Imre.
A-10259309, Zmurek, Andre Michael.
A-8217527, Zmurkowa, Irena Helena nee Wasilkowska.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Permanent Subcommittee on Internal Security of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, under the rule there will be the usual morning hour, for the introduction of bills and the transaction of other routine business. In that connection, I ask unanimous consent that statements be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of Mrs. Doris B. Duncan, to be postmaster at Skippers, Va., and Marjorie C. Mossman, to be postmaster at Hamburg, Ill., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the nominations on the calendar will be stated.

UNITED NATIONS

The Chief Clerk read the nomination of Neil H. Jacoby, of California, to be representative of the United States of America on the Economic and Social Council of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COUNCIL OF THE NORTH ATLANTIC TREATY ORGANIZATION

The Chief Clerk read the nomination of W. Randolph Burgess, of Maryland, to be United States permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of Vinton Chapin, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ceylon.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

Two joint resolutions of the Legislature of the State of Alabama; to the Committee on the Judiciary:

"Senate Joint Resolution 45

"Whereas the right of jury trial is subject to serious limitations in the district courts of the United States because the judges of such courts under present law may withdraw a case from the consideration of the jury upon a substantial evidence standard rather than upon the scintilla evidence standard of the common law and because the judges of such courts are free to comment to the jury upon the evidence in any case coming before them: Now, therefore, be it

"*Resolved by the Senate of the State of Alabama (the House of Representatives concurring)*, That the Congress of the United States is hereby memorialized to enact legislation to prohibit the judges of the district courts of the United States from commenting on the evidence in cases coming before them, and to enact legislation allowing the Federal judges of the district courts of the United States to direct verdicts in jury cases only in accordance with the scintilla evidence rule of the common law.

"The secretary of the senate is directed to transmit a copy of this resolution to the Presiding Officer of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Alabama delegation in Congress.

"I hereby certify the above is a true, correct, and accurate copy of Senate Joint Resolution 45, by Mr. Davis (Pickens), adopted unanimously by the Legislature of Alabama, June 28, 1957.

"J. E. SPEIGHT,
"*Secretary of Senate.*"

"Senate Joint Resolution 47

"*Be it resolved by the Senate of the Legislature of Alabama (the House of Representatives concurring)*—

"1. That the Legislature of Alabama hereby petitions and memorializes the Congress of the United States to call a convention, pursuant to article V of the Constitution of the United States, for the purpose of proposing amendments to section 2, article II, and section 1, article III, of the United States Constitution, which would alter the method of selecting Federal judges and fix for such judges a definite term of office.

"2. That the legislature of each of our sister States is urged to give the most serious consideration to the problems arising from the present method of selecting and tenure of office of Federal judges, and to petition the Congress of the United States to call a convention for the purpose of proposing amendments to section 2, article II, and section 1, article III, of the Constitution of the United States, so as to alter the present method of selecting Federal judges and to fix for such judges a definite term of office.

"3. That the secretary of the senate transmit duly authenticated copies of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Alabama delegation in Congress, and to the executive authority of each of our sister States for transmittal to its legislature.

"I hereby certify the above is a true, correct, and accurate copy of Senate Joint Resolution No. 47 by Mr. Davis (Pickens), adopted by the Legislature of Alabama, June 28, 1957.

"J. E. SPEIGHT,
"*Secretary of Senate.*"

The petition of Julius Bauer, of Chicago, Ill., relating to governmental economy; to the Committee on Finance.

JOINT RESOLUTION OF OHIO LEGISLATURE

Mr. BRICKER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a joint resolution adopted on May 24, 1957, by the Ohio General Assembly, under which the Eastern Orthodox Church would be recognized as a major faith in the State of Ohio.

There being no objection, the joint resolution was referred to the Committee on the Judiciary, and, under the rule, ordered to be printed in the RECORD, as follows:

Joint resolution to recognize the Eastern Orthodox Church as a major faith in the State of Ohio

Whereas it has come to the attention of the members of the 102d General Assembly of Ohio that, whenever anything is said concerning the major faiths, usually only Protestants, Catholics, and Jews are referred to; and

Whereas the Eastern Orthodox Church is a major faith in the State of Ohio; and

Whereas the Eastern Orthodox Church, by reason of its long and illustrious history, should be included in the meaning of any reference to the major faiths: Therefore be it

Resolved, That the Eastern Orthodox Church is hereby recognized as a major faith in the State of Ohio, and all references to the major faiths by all media of communication shall be deemed to include the Eastern Orthodox Church; and be it further

Resolved, That the members of the 102d General Assembly of Ohio hereby adopt this resolution and cause a copy thereof to be spread upon the journal, and that the clerk of the senate transmit duly authenticated copies of this resolution to the Most Reverend Bishop Polyefktos of the sixth diocese, Greek archdiocese of North and South America, Rev. John Papdopoulos, Rev. George Hadjis, and Reverend Pappas, all of the Eastern Orthodox Church.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the flag of liberation.

By Mr. HENNINGS, from the Committee on Rules and Administration, with amendments:

S. 2150. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

S. 1773. A bill to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356) (Rept. No. 577).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments:

S. 556. A bill to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the Nevada State Board of Fish and Game Commissioners (Rept. No. 578); and

S. 1645. A bill to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road-widening purposes (Rept. No. 579).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with amendments:

S. 2069. A bill to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain (Rept. No. 576).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, without amendment:

H. R. 632. An act to amend the Federal Crop Insurance Act, as amended (Rept. No. 580).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, with an amendment:

H. R. 1045. An act to amend the Soil Conservation and Domestic Allotment Act, as amended (Rept. No. 581).

ADDITIONAL REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL EMPLOYMENT AND PAY

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit an additional report on Federal employment and pay for the month of May 1957. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the RECORD, together with a statement prepared by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

PERSONNEL AND PAY SUMMARY

(See table I)

Information in monthly personnel reports for May 1957, submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In May numbered—	In April numbered—	Increase (+) or decrease (−)	In April was—	In March was—	Increase (+) or decrease (−)
Total [1]	2,393,292	2,395,764	−2,472	$903,746	$899,686	+$4,060
Agencies exclusive of Department of Defense	1,232,753	1,230,972	+1,781	445,799	455,999	−10,200
Department of Defense	1,160,539	1,164,792	−4,253	457,947	443,687	+14,260
Inside continental United States	2,187,795	2,190,505	−2,710			
Outside continental United States	205,497	205,259	+238			
Industrial employment	653,194	656,456	−1,262			
Foreign nationals	269,745	270,219	−474	30,139	27,415	+2,724

[1] Exclusive of foreign nationals shown in the last line of this summary.

Table I, below, breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside continental United States by agencies.

Table III breaks down the above employment figures to show the number outside continental United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during May 1957, and comparison with April 1957, and pay for April 1957, and comparison with March 1957*

Department or agency	Personnel				Pay (in thousands)			
	May	April	Increase	Decrease	April	March	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	87,147	85,417	1,730		$29,669	$27,567	$2,102	
Commerce [1]	49,905	49,305	600		21,616	20,824	792	
Health, Education, and Welfare	51,735	51,607	128		22,462	20,803	1,659	
Interior	52,409	51,209	1,140		20,902	20,117	875	
Justice	30,231	30,452		221	15,156	14,480	676	
Labor	5,974	5,928	46		2,777	2,607	170	
Post Office	524,807	524,265	542		166,366	[2] 192,736		$24,370
State [3]	33,642	33,568	74		12,615	12,030	585	
Treasury	82,529	83,857		1,328	35,467	33,663	1,804	
Executive Office of the President:								
White House Office	386	389		3	232	222	10	
Bureau of the Budget	447	444	3		301	286	15	
Council of Economic Advisers	30	30			22	21	1	
Executive Mansion and Grounds	70	70			21	26		5
National Security Council [4]	27	28		1	19	18	1	
Office of Defense Mobilization	260	261		1	160	156	4	
President's Advisory Committee on Government Organization	6	6			3	3		
Independent agencies:								
Advisory Committee on Weather Control	9	16		7	6	7		1
Alexander Hamilton Bicentennial Commission	9	11		2	7	6	1	
American Battle Monuments Commission	657	638	19		95	89	6	
Atomic Energy Commission	6,724	6,711	13		3,583	3,422	161	
Board of Governors of the Federal Reserve System	583	583			310	293	17	
Boston National Historic Sites Commission	5	5			1	1		
Civil Aeronautics Board	594	597		3	346	325	21	
Civil Service Commission	4,420	4,410	10		2,020	1,957	63	
Commission of Fine Arts	4	4			2	2		
Corregidor Bataan Memorial Commission	1	2		1	2	1	1	
District of Columbia Auditorium Commission	18	18			1	1		
Export-Import Bank of Washington	187	186	1		118	113	5	
Farm Credit Administration	944	954		10	500	477	23	
Federal Civil Defense Administration	1,193	1,169	24		659	626	33	
Federal Coal Mine Safety Board of Review	7	7			3	3		
Federal Communications Commission	1,180	1,167	13		620	597	23	
Federal Deposit Insurance Corporation	1,135	1,133	2		576	535	41	
Federal Home Loan Bank Board	729	725	4		356	334	22	
Federal Mediation and Conciliation Service	334	332	2		238	228	10	
Federal Power Commission	713	713			396	372	24	
Federal Trade Commission	747	747			427	407	20	
Foreign Claims Settlement Commission	116	118		2	60	60		1
General Accounting Office	5,344	5,336	8		2,553	2,428	125	
General Services Administration	27,401	27,463		62	10,103	9,583	520	
Government Contract Committee	18	16	2		12	10	2	
Government Printing Office	6,449	6,468		19	3,010	2,848	162	
Housing and Home Finance Agency	9,998	10,018		20	4,928	4,662	266	
Indian Claims Commission	14	14			11	11		
Interstate Commerce Commission	2,170	2,159	11		1,099	1,057	42	
Jamestown-Williamsburg-Yorktown Celebration Commission	5	5			3	2	1	
National Advisory Committee for Aeronautics	7,722	7,720	2		3,941	3,751	190	
National Capital Housing Authority	282	281	1		97	94	3	
National Capital Planning Commission	33	27	6		20	18	2	
National Gallery of Art	328	332		4	109	102	7	
National Labor Relations Board	1,125	1,128		3	650	618	32	

[1] May figure includes 415 seamen on the rolls of the Maritime Administration and their pay.

[2] Revised on basis of later information.

[3] May figure includes 11,275 employees of the International Cooperation Administration as compared with 11,141 in April and their pay. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The May figure includes 2,736 of these trust fund employees and the April figure includes 2,681.

[4] Excludes personnel and pay of the Central Intelligence Agency.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during May 1957, and comparison with April 1957, and pay for April 1957, and comparison with March 1957*—Continued

Department or agency	Personnel				Pay (in thousands)			
	May	April	Increase	Decrease	April	March	Increase	Decrease
Independent Agencies—continued								
National Mediation Board	110	110			$90	$76	$14	
National Science Foundation	300	290	10		153	153		
National Security Training Commission	5	5			2	2		
Panama Canal	14,141	14,124	17		3,589	3,616		27
Railroad Retirement Board	2,361	2,395		34	964	913	51	
Renegotiation Board	383	414		31	271	263	8	
St. Lawrence Seaway Development Corporation	37	38		1	24	24		
Securities and Exchange Commission	782	789		7	441	418	23	
Selective Service System	6,963	6,994		31	1,788	1,703	85	
Small Business Administration	1,111	1,074	37		587	538	49	
Smithsonian Institution	784	772	12		298	284	14	
Soldiers' Home	1,025	1,018	7		245	235	10	
Subversive Activities Control Board	36	36			26	26		
Tariff Commission	213	215		2	126	120	6	
Tax Court of the United States	143	141	2		90	90		
Tennessee Valley Authority	15,423	15,345	78		7,208	6,769	439	
Theodore Roosevelt Centennial Commission	6	6			3	2	1	
United States Information Agency	11,916	11,887	29		3,382	3,250	132	
Veterans' Administration	176,195	177,246		1,051	59,751	56,896	2,855	
Woodrow Wilson Centennial Celebration Commission	4	4			2	2		
Total, excluding Department of Defense	1,232,753	1,230,972	4,627	2,846	445,799	455,999	14,204	$24,404
Net change, excluding Department of Defense			1,781				10,200	
Department of Defense:								
Office of the Secretary of Defense	1,660	1,679	11		1,054	991	63	
Department of the Army	428,310	428,015	295		164,283	158,511	5,772	
Department of the Navy	389,022	390,895		1,873	162,528	159,056	3,472	
Department of the Air Force	341,517	344,203		2,686	130,082	125,129	4,953	
Total, Department of Defense	1,160,539	1,164,792	306	4,559	457,947	443,687	14,260	
Net change, Department of Defense			4,253				14,260	
Grand total, including Department of Defense	2,393,292	2,395,764	4,933	7,405	903,746	899,686	28,464	24,404
Net change, including Department of Defense			2,472				4,060	

TABLE II.—*Federal personnel inside continental United States employed by the executive agencies during May 1957, and comparison with April 1957*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	85,762	84,046	1,716	
Commerce [1]	45,896	45,501	395	
Health, Education, and Welfare	49,919	[2] 49,828	91	
Interior	48,191	46,978	1,213	
Justice	29,660	29,917		257
Labor	5,898	5,872	26	
Post Office	522,340	521,792	548	
State [3]	8,499	8,602		103
Treasury	81,514	82,845		1,331
Executive Office of the President:				
White House Office	386	389		3
Bureau of the Budget	447	444	3	
Council of Economic Advisers	30	30		
Executive Mansion and Grounds	70	70		
National Security Council [4]	27	28		1
Office of Defense Mobilization	260	261		1
President's Advisory Committee on Government Organization	6	6		
Independent agencies:				
Advisory Committee on Weather Control	9	16		7
Alexander Hamilton Bicentennial Commission	9	11		2
American Battle Monuments Commission	19	18	1	
Atomic Energy Commission	6,704	6,692	12	
Board of Governors of the Federal Reserve System	583	583		
Boston National Historic Sites Commission	5	5		
Civil Aeronautics Board	600	603		3
Civil Service Commission	4,405	4,394	11	
Commission of Fine Arts	4	4		
Corregidor-Bataan Memorial Commission	1	2		1
District of Columbia Auditorium Commission	18	18		
Export-Import Bank of Washington	187	186	1	
Farm Credit Administration	934	945		11
Federal Civil Defense Administration	1,193	1,169	24	
Federal Coal Mine Safety Board of Review	7	7		
Federal Communications Commission	1,154	1,140	14	
Federal Deposit Insurance Corporation	1,133	1,131	2	
Federal Home Loan Bank Board	729	725	4	
Federal Mediation and Conciliation Service	334	332	2	
Federal Power Commission	713	713		
Federal Trade Commission	747	747		
Foreign Claims Settlement Commission	116	118		2
General Accounting Office	5,269	5,272		3
General Services Administration	27,301	27,361		60
Government Contract Committee	18	16	2	
Government Printing Office	6,449	6,468		19
Independent agencies—continued				
Housing and Home Finance Agency	9,832	9,849		17
Indian Claims Commission	14	14		
Interstate Commerce Commission	2,170	2,159	11	
Jamestown-Williamsburg-Yorktown Celebration Commission	5	5		
National Advisory Committee for Aeronautics	7,722	7,720	2	
National Capital Housing Authority	282	281	1	
National Capital Planning Commission	33	27	6	
National Gallery of Art	328	332		4
National Labor Relations Board	1,107	1,110		3
National Mediation Board	110	110		
National Science Foundation	300	290	10	
National Security Training Commission	5	5		
Panama Canal	406	397	9	
Railroad Retirement Board	2,361	2,395		34
Renegotiation Board	383	414		31
St. Lawrence Seaway Development Corporation	37	38		1
Securities and Exchange Commission	782	789		7
Selective Service System	6,770	6,802		32
Small Business Administration	1,101	1,064	37	
Smithsonian Institution	782	770	12	
Soldiers' Home	1,025	1,018	7	
Subversive Activities Control Board	36	36		
Tariff Commission	213	215		2
Tax Court of the United States	143	141	2	
Tennessee Valley Authority	15,423	15,345	78	
Theodore Roosevelt Centennial Commission	8	6	2	
United States Information Agency	2,774	2,756	18	
Veterans' Administration	174,957	175,997		1,040
Woodrow Wilson Centennial Celebration Commission	4	4		
Total, excluding Department of Defense	1,160,579	1,165,274	4,250	2,945
Net increase, excluding Department of Defense			1,305	
Department of Defense:				
Office of the Secretary of Defense	1,645	1,633	12	
Department of the Army	365,197	364,662	535	
Department of the Navy	355,880	357,630		1,750
Department of the Air Force	298,494	301,306		2,812
Total, Department of Defense	1,021,216	1,025,131	547	4,562
Net decrease, Department of Defense			4,015	
Grand total, including Department of Defense	2,187,795	2,190,505	4,797	7,507
Net decrease, including Department of Defense			2,710	

[1] May figure includes 415 seamen on the rolls of the Maritime Administration.

[2] Revised on basis of later information.

[3] May figure includes 1,731 employees of the International Cooperation Administration as compared with 1,744 in April.

[4] Exclusive of personnel of the Central Intelligence Agency.

TABLE III.—*Federal personnel outside continental United States employed by the executive agencies during May 1957, and comparison with April 1957*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,385	1,371	14	
Commerce	4,079	3,804	275	
Health, Education, and Welfare	1,816	[1] 1,779	37	
Interior	4,218	4,291		73
Justice	541	535	6	
Labor	136	116	20	
Post Office	2,467	2,473		6
State [2]	25,143	24,966	177	
Treasury	1,015	1,012	3	
Independent agencies:				
American Battle Monuments Commission	618	600	18	
Atomic Energy Commission	20	19	1	
Civil Aeronautics Board	4	4		
Civil Service Commission	15	16		1
Farm Credit Administration	10	9	1	
Federal Communications Commission	26	27		1
Federal Deposit Insurance Corporation	2	2		
General Accounting Office	75	74	1	
General Services Administration	100	102		2
Housing and Home Finance Agency	166	169		3
National Labor Relations Board	18	18		
Panama Canal	13,735	13,727	8	
Independent agencies—continued				
Selective Service System	193	192	1	
Small Busines Administration	10	10		
Smithsonian Institution	2	2		
United States Information Agency	9,142	9,131	11	
Veterans' Administration	1,238	1,249		11
Total, excluding Department of Defense	66,174	65,698	573	97
Net increase, excluding Department of Defense			476	
Department of Defense:				
Office of the Secretary of Defense	45	46		1
Department of the Army	63,113	63,353		240
Department of the Navy	33,142	33,265		123
Department of the Air Force	43,023	42,897	126	
Total, Department of Defense	139,323	139,561	126	364
Net decrease, Department of Defense				238
Grand total, including Department of Defense	205,497	205,259	699	461
Net increase, including Department of Defense			238	

[1] Revised on basis of later information.

[2] May figure includes 9,544 employees of the International Cooperation Administration as compared with 9,397 in April. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for the purpose. The May figure includes 2,735 of these trust fund employees and the April figure includes 2,681.

TABLE IV.—*Industrial employees of the Federal Government inside and outside continental United States employed by the executive agencies during May 1957, and comparison with April 1957*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,220	3,162	58	
Commerce	2,729	2,716	13	
Interior	7,859	8,383		524
Treasury	5,583	5,619		36
Independent agencies:				
Atomic Energy Commission	145	146		1
Federal Communications Commission	41	41		
General Services Administration	1,095	1,089	6	
Government Printing Office	6,449	6,468		19
National Advisory Committee for Aeronautics	7,722	7,720	2	
Panama Canal	7,278	7,254	24	
Tennessee Valley Authority	12,589	12,531	58	
Total, excluding Department of Defense	54,709	54,919	161	380
Net decrease, excluding Department of Defense			219	
Department of Defense:				
Department of the Army:				
Inside continental United States	[1] 181,000	[1] 180,572	428	
Outside continental United States	[1] 23,800	[1] 23,881		81
Department of the Navy:				
Inside continental United States	218,759	219,657		898
Outside continental United States	5,886	5,958		72
Department of the Air Force:				
Inside continental United States	164,437	164,818		381
Outside continental United States	6,812	6,851		39
Total, Department of Defense	600,694	601,737	428	1,471
Net decrease, Department of Defense			1,043	
Grand total, including Department of Defense	655,194	656,456	589	1,851
Net decrease, including Department of Defense			1,262	

[1] Subject to revision.

[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under United States agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of May 1957 and comparison with April 1957*

Country	Total		Army		Navy		Air Force	
	May	April	May	April	May	April	May	April
Belgium	6	6					6	6
Denmark	1	1					1	1
England	7,149	7,221			37	37	7,112	7,184
France	25,163	25,592	17,678	17,873			7,485	7,719
French Morocco	5,705	5,791	156	156			5,549	5,635
Germany	98,307	98,234	82,321	82,127	957	980	14,986	15,127
Japan	127,806	127,589	66,693	[1] 66,245	19,172	19,252	41,941	42,092
Korea	4,881	4,804	4,881	4,804				
Malta	116	116			116	116		
Netherlands	41	42					41	42
Norway	23	24					23	24
Trinidad	547	550			547	550		
Total	269,745	270,219	171,639	171,205	21,250	21,469	76,856	77,545

[1] Revised on the basis of later information.

NOTE.—The Germans are paid from funds provided by German Governments. The French and English reported by the Army and Air Force are paid from funds appropriated for personal services. All others are paid from funds appropriated for other contractual services.

STATEMENT BY SENATOR BYRD

EMPLOYEES

Executive agencies of the Federal Government reported regular civilian employment in the month of May totaling 2,393,292. This was a net decrease of 2,472 as compared with employment reported in the preceding month of April.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1957, which began July 1, 1956, follow:

Month	Employment	Increase	Decrease
July	2,398,673	14,230	
August	2,400,493	1,820	
September	2,388,854		11,639
October	2,396,163	7,309	
November	2,394,324		1,839
December	2,389,788		4,536
January 1957	2,387,015		2,773
February	2,390,517	3,502	
March	2,392,987	2,470	
April	2,395,764	2,777	
May	2,393,292		2,472

Inside continental United States civilian employment decreased 2,710 and outside continental United States civilian employment increased 238. Industrial employment by the Federal agencies in May totaled 655,194, a decrease of 1,262.

Civilian agencies

Total civilian employment in civilian agencies during the month of May was 1,232,753, an increase of 1,781, as compared with the April total of 1,230,972.

Civilian agencies reporting the major increases were Agriculture Department, with 1,730; Interior Department, with 1,140; Department of Health, Education, and Welfare, with 660; and Post Office Department, with 542. The increases in the Departments of Agriculture and Interior were largely seasonal. Major decreases were reported by the Treasury Department, with 1,328, and the Veterans' Administration, with 1,051.

Military agencies

Total civilian employment in the military agencies in May was 1,160,539, a decrease of 4,253, as compared with 1,164,792 in April.

In the Department of Defense decreases in civilian employment were reported by the Department of the Air Force, with 2,686, and the Department of the Navy, with 1,673. The Department of the Army reported an increase of 295.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,393,292 civilian employees certified to the committee by executive agencies in their regular monthly personnel reports includes some foreign nationals employed in United States Government activities abroad, but in addition to these there were 269,745 foreign nationals working for United States military agencies during May who were not counted in the usual personnel report. The number in April was 270,219. A breakdown of this employment for May follows:

Country	Total	Army	Navy	Air Force
Belgium	6			6
Denmark	1			1
England	7,149		37	7,112
France	25,163	17,678		7,485
French Morocco	5,705	156	957	4,592
Germany	98,307	82,321	421	15,565
Japan	127,806	66,693	19,172	42,031
Korea	4,881	4,881		
Malta	116		116	
Netherlands	41			41
Norway	23			23
Trinidad	547		547	
Total	269,745	171,639	21,250	76,856

PAYROLL

The regular monthly Federal civilian payroll in April totaled $903,746,000. United States pay for foreign nationals working under Federal agencies abroad totaled $20,562,000. The total April payroll for agencies of the executive branch of the Federal Government, $924,308,000.

These figures for the month were certified by executive agencies to the Joint Committee on Reduction of Nonessential Federal Expenditures. Payroll figures are on an actual basis and necessarily lag 1 month behind the personnel count.

Payroll for the first 10 months of fiscal year 1957, including United States funds for foreign nationals not on regular rolls, totaled $9.3 billion. This was a monthly average of $933 million, since fiscal year 1957 started July 1, 1956.

These payroll figures by months follow:

[In millions]

Month	Regular payrolls	Foreign nationals not on regular rolls, United States funds	Total
July	$907	$17	$923
August	950	17	967
September	846	17	863
October	947	17	964
November	931	17	948
December	933	18	951
January 1957	990	17	1,006
February	848	16	864
March	900	19	919
April	904	21	924
Total, 10 months	9,155	176	9,330

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRICKER:

S. 2463. A bill for the relief of Richard M. Taylor and Lydia Taylor; and

S. 2464. A bill for the relief of Hope Whang (Hope Whang Faust) and Arden Whang (Arden Whang Faust); to the Committee on the Judiciary.

By Mr. MURRAY:

S. 2465. A bill to stimulate the investment of venture capital in the production of strategic and critical metals or minerals; to the Committee on Finance.

By Mr. MURRAY (for himself, Mr. NEUBERGER, Mr. HUMPHREY, Mr. SCOTT, and Mr. MORSE):

S. 2466. A bill to repeal the Sustained Yield Act of March 29, 1944 (58 Stat. 132), and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of South Dakota (for himself and Mr. MUNDT):

S. 2467. A bill to authorize the Administrator of Veterans' Affairs to negotiate a new contract with the city of Sturgis, S. Dak., with respect to the use of the sewage facilities of such city by the Fort Meade Veterans' Hospital, Sturgis, S. Dak.; to the Committee on Labor and Public Welfare.

By Mr. BUTLER:

S. 2468. A bill to amend section 2410 of title 28, United States Code, with respect to the sale of real or personal property upon which the United States has a lien; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 2469. A bill for the relief of Dr. Brant Bonner; to the Committete on the Judiciary.

By Mr. SALTONSTALL:

S. 2470. A bill for the relief of William L. Morris; to the Committee on the Judiciary.

By Mr. COOPER:

S. 2471. A bill to amend Veterans' Regulation No. 10 to provide that the term "child" shall include a child of a veteran who is a member of the veteran's household and who becomes permanently incapable of self-support; to the Committee on Finance.

S. 2472. A bill for the relief of Michael Parvaresh; to the Committee on the Judiciary.

By Mr. CARROLL:

S. 2473. A bill for the relief of Charlene Nalani Franklin (Joo Bok Ja); to the Committee on the Judiciary.

By Mr. BYRD (for himself and Mr. ROBERTSON):

S. 2474. A bill directing the Secretary of the Navy to convey certain land situated in the State of Virginia to the Board of Supervisors of York County, Va.; to the Committee on Armed Services.

By Mr. CHAVEZ:

S. 2475. A bill for the relief of Ma Bong Ching; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

RECOGNITION OF BASEBALL HALL OF FAME

Mr. JAVITS. Mr. President, on behalf of myself and the senior Senator from New York [Mr. IVES], I submit a concurrent resolution providing for the recognition by Congress of the Baseball Hall of Fame at Cooperstown, N. Y. I understand an identical resolution is being submitted in the House of Representatives by Representative BERNARD W. KEARNEY, of Lake Pleasant, N. Y.

The Baseball Hall of Fame is a national institute of a game which is our national pastime, which fosters the highest ideals of sportsmanship and fair play, and the competitive spirit. New York is proud to call itself the home of baseball and the Baseball Hall of Fame, and this is a deserving memorial. I could think of no better day to do this than the day before the Fourth of July.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 37) favoring Congressional recognition of the Baseball Hall of Fame, located at Cooperstown, N. Y., submitted by Mr. JAVITS (for himself and Mr. IVES), was referred to the Committee on Rules and Administration, as follows:

Whereas baseball is universally recognized as the American national sport, a sport that in the more than 100 years of its existence has captured the imagination and zeal of most of our youth and has spread to other lands; and

Whereas millions of Americans have participated either as players or spectators in countless school, college, community, or professional leagues since Abner Doubleday conceived the first game of town ball in 1839 in Cooperstown, N. Y.; and

Whereas modern American baseball teams have achieved wide acclaim in exhibition tours in foreign lands and have been generally accepted as among our finest good-will ambassadors abroad; and

Whereas baseball epitomizes our highest ideals of sportsmanship and fair play; and

Whereas there was established in 1938 at Cooperstown, near the site of the first game, the Baseball Hall of Fame; and

Whereas the Baseball Hall of Fame is the shrine of the game's immortals whose exploits are there preserved for the inspiration of future generations: Therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby recognizes the Baseball Hall of Fame at Cooperstown, N. Y., as a memorial to individuals who have made outstanding contributions to the sport of baseball and as a fitting and valuable institution for the collection and preservation of famous tokens and other evidences and data relating to our national game.

WAIVER OF PRIMARY RIGHT TO JURISDICTION OVER MEMBERS OF ARMED FORCES UNDER STATUS OF FORCES TREATY

Mr. THURMOND. Mr. President, I submit for appropriate reference, a concurrent resolution to advise the officials of the executive branch who deal with our status of forces treaties and agreements that the Congress does not approve of the United States waiving the primary right to jurisdiction, when the right to jurisdiction is held by the United States, with reference to any member of our Armed Forces serving overseas.

Article VII of the Status of Forces Treaty, which was ratified by the Senate on July 15, 1953, contains the definitions of jurisdiction. Section 3 (a) (ii) contains the pertinent part of the treaty for the purpose of this resolution. It reads as follows:

(a) The military authorities of the sending state shall have the primary right to exercise jurisdiction over a member of a force • • • in relation to—

(ii) offenses arising out of any act or omission done in the performance of official duty.

The material I have just quoted from the status of forces treaties specifies that the United States, in sending members of the Armed Forces to countries where the status of forces treaties prevail, shall have authority—or the primary right—to try our men for criminal acts committed in those countries when such acts are committed in the performance of official duty.

However, part (c) of section 3 of the same article provides that—

The authorities of the state having the primary right shall give sympathetic consideration to a request from the authorities of the other state for a waiver of its right in cases where that other state considers such waiver to be of particular importance.

That is the point which concerns me. The best illustration of what can happen when the United States waives the primary right to jurisdiction over a member of our Armed Forces is the Girard case, which is now pending before the Supreme Court. I anticipate that, under the waiver provision, the Court will permit Girard to be turned over to the Japanese for trial.

When this country sends fighting men overseas, the least we can do is to protect the best interests of the men by providing them trial by courts-martial for acts done when they are on duty. When our officials waive the right actually held under the treaties to provide our men with such protection, I believe the Congress should take action to remedy the situation.

This concurrent resolution would make clear to the executive branch that the Congress expects all of its officials to exercise jurisdiction over our Armed Forces, when a right to such jurisdiction is held under the treaties.

Mr. President, I hope that early action can be taken on this resolution.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 38), submitted by Mr. THURMOND, was referred to the Committee on Foreign Relations, as follows:

Resolved, etc., That it is the sense of the Congress that whenever any member of any Armed Force of the United States is charged with any criminal offense alleged to have been committed by him in any foreign country, and under the terms of any treaty or other agreement with such foreign country the United States has primary jurisdiction to try such member for such alleged offense, the United States should exercise its right to try such individual by court-martial, and should not waive such jurisdiction or surrender such member to any authority of such foreign country for trial.

SEC. 2. Copies of this resolution shall be transmitted to the President, the Secretary of State, the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force.

PRINTING AS A SENATE DOCUMENT THE REPORT OF COMMISSION ON GOVERNMENT SECURITY—ADDITIONAL COPIES

Mr. MANSFIELD. Mr. President, I submit a concurrent resolution providing for the printing as a Senate document and for additional copies of the report of the Commission on Government Security, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The concurrent resolution will be read for the information of the Senate.

The concurrent resolution (S. Con. Res. 39) was read as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed as a Senate document the Report of the Commission on Government Security, submitted to the Congress June 21, 1957, pursuant to Public Law 304 of the 84th Congress, as amended; and that there shall be printed 5,000 additional copies, of which 2,500 shall be for the use of the Senate and 2,500 for the use of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

Mr. MANSFIELD. Mr. President, this matter was cleared with the minority leader, the Senator from California, and it was brought to our attention by the Senator from Mississippi [Mr. STENNIS]. Because of the widespread public interest in the report of the Commission on Government Security, the supply of which has been depleted, it is felt that additional copies are needed. Because implementation of the legislative recommendations is important business now in both Houses of Congress, the Senator from Mississippi brought to our attention the concurrent resolution before us, for the printing of 5,000 copies of this report as a Senate document, 2,500 to be available for the use of the House and 2,500 to be available for the use of the Senate.

The staff of the Committee on Rules and Administration advises me that the Government Printing Office's estimate of the cost of this printing is $3,960.05.

I urge the adoption of the concurrent resolution.

The VICE PRESIDENT. The question is on agreement to the concurrent resolution.

The concurrent resolution was agreed to.

RESOLUTIONS

ADDITIONAL EXPENDITURES BY COMMITTEE ON APPROPRIATIONS

Mr. HAYDEN submitted the following resolution (S. Res. 154), which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the 85th Congress, $10,000, in addition to the amounts, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946.

CONSTITUTIONAL ISSUES INVOLVED IN STATUS OF FORCES AGREEMENT PROCEDURES

Mr. SMATHERS. Mr. President, many of us in the Congress are deeply concerned with the constitutional issues involved in connection with the procedures being followed by the executive branch of the Government in carrying out the provisions of the Status of Forces Agreement, and administrative agreements of a similar nature entered into between the United States and foreign governments.

Because of the interpretation being given to the provisions of these agreements, and the manner in which they are being carried out, proposals have been made by Members of this body designed to abrogate, rescind, or modify them.

The precedent established in the Girard case has focused considerable attention and concern on this problem. It is a precedent which is not only vitally important to more than a million American Armed Forces personnel who are presently stationed in foreign countries, but a precedent of equal importance to millions of others in the armed services who might be called upon to perform duty in a foreign country. It is a precedent which also affects to an equal degree of importance millions of the youth of this Nation who will in the future be called upon to perform military duty. Widespread and deep-rooted concern is therefore justified.

We know that the United States District Court for the District of Columbia has enjoined the Government from turning Private Girard over to Japanese courts for trial. This decision was predicated on the fact that to do so would violate the protection given him under the Constitution of the United States. The case is now on appeal before the Supreme Court of the United States, and a decision will undoubtedly be made within the next few weeks. All of us, I am sure, are anxiously awaiting the decision of the Supreme Court.

My position on the Status of Forces Agreement is clear. I voted against Senate ratification of the agreement. It is not my purpose at this time to engage in recrimination or argumentation as to the wisdom of the Status of Forces Agreement, and other administrative agreements of a similar nature which have been made. However, I feel that it can be accurately stated that it was never the intention of any Member of the United States Senate in voting to ratify the Status of Forces Agreement to permit the waiver of any of the constitutional safeguards of members of the Armed Forces on overseas duty.

As a nation we have entered into these agreements. In my opinion, we are not going to violate our pledge nor back out of basic commitments, though many of us in the United States Senate believe that it was unwise to have given such a pledge and commitments in the first instance.

I was interested in reading last night in the Washington Star that Secretary of Defense Wilson had stated that the "practical effect" of a Congressional resolution to end foreign trials of GI's "would be the withdrawal of United States forces from all over the world."

"This result is not imaginary," Wilson told Chairman GORDON, Democrat, of Illinois, of the House Foreign Affairs Committee. Mr. Wilson stated further:

It would be the inevitable consequence of forcing the Presidents to denounce the status of forces agreements throughout the world.

The end result, he added, would be to force this country to shift from its global alliance strategy to "a fortress America concept for the defense of the continental United States."

On that point I agree with the Secretary. We probably should not have entered into such agreements, but having entered into them, we are in a position from which we cannot very well back out.

The question then arises, How can we best deal with the situation which now confronts us, and eliminate in the future the fundamental cause of the Girard incident? There is no doubt that American citizens are entitled to their constitutional guaranties and to be assured the protection of these guaranties wherever they might be. At the same time, we, as a nation are expected to live up to international obligations which we have freely assumed.

In considering both of these questions, it is my purpose to try to discover a mechanism whereby we can fully protect the rights of American citizens abroad, or members of the Armed Forces, or the civilian components thereof, and at the same time honor the agreements which we have made. I believe I have a suggestion worthy of prompt consideration.

Both the Status of Forces Agreement and the administrative agreement entered into between the United States and Japan contain a specific provision that the United States shall exercise primary jurisdiction over members of the United States Armed Forces, or the civilian components with respect to offenses committed arising out of any act or omission done in the performance of official duty.

It is my firm conviction that at the time the Status of Forces Agreement was ratified the American people believed that the United States Government would exercise jurisdiction in criminal cases involving members of our Armed Forces in foreign countries when the immediate superior of the person involved in the alleged offense certified that such person was on a duty status at the time of the alleged offense. What we believed to be a fact, however, seems to be a matter of interpretation by administrative officials of the executive branch of the Government exercising discretion in each individual case.

The rights guaranteed the individual under the Constitution of the United States are inviolate. Under no circumstances can or should they be waived. This is true regardless of how emotionally tense an international situation may become.

In my opinion a repetition of the Girard incident can be prevented, the constitutional guaranties protected, and the executive department of our Government saved from embarrassment by the adoption of a Senate resolution which I am submitting at this time. It reads as follows:

Resolved, That it is the sense of the Senate, that the President of the United States as soon as is practicable take such action as may be necessary, with respect to any treaty or international agreement to which the United States is a party and which contains provisions permitting foreign countries by waiver or otherwise to exercise criminal jurisdiction over members of the Armed Forces of the United States stationed within their boundaries, to modify such provisions to insure that criminal jurisdiction shall not be conferred upon or exercised by a foreign country when the alleged criminal act or omission of a member of the Armed Forces occurs during a time when he is determined by his immediate commanding officer to be in the performance of his official duty.

I sincerely trust that the committee to which this resolution is referred will act promptly and favorably on it. Its adoption by the Senate will bolster and reaffirm what was unquestionably in the minds of the Members of the Senate at the time it ratified the Status of Forces Agreement.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. POTTER. First, I should like to commend the Senator from Florida for submitting his resolution.

It is my understanding that in the Girard case, which has caused so much concern not only in the United States, but in Japan, under an executive agreement, the commanding officer did state that Girard was on official duty. As I understand the Senator's resolution, he would amend any other similar executive agreements which we might have. The host government can appeal the decision of the commanding officer when the commanding officer says the man was on official duty. That decision by the commanding officer should represent the sole jurisdiction in such a case.

Mr. SMATHERS. I thank the able Senator. He is correct.

What happened was that the commanding officer of Girard did say that he was on official duty, and in the performance of his duty. However, there is another provision in the agreement which allows our country or the other country to waive jurisdiction. Apparently the emotional situation became so tense that it was determined to be in the best interests of the United States—certainly not of Girard—that we waive the right which we had, under the previous paragraph, to try the boy.

What is sought by my resolution is to have the President contact each of the countries with which we have entered into status of forces agreements or administrative executive agreements, and say that in the future, with respect to waiver, whenever the commanding officer of a member of the Armed Forces says that the person in question was on official duty, we cannot waive jurisdiction, and the person involved shall be tried under the procedures of the United States Government.

Mr. POTTER. It is my understanding that under the Status of Forces Treaty, when the commanding officer states that the act of omission or commission was committed while the person was on official duty, the commanding officer's decision holds, unless it is changed by negotiation between the two governments.

Mr. SMATHERS. The Senator is correct.

Mr. POTTER. But in this case there was a protocol to an executive agreement. It so happened that in the Girard case there was a provision which was not in our Status of Forces Treaty. Apparently an appeal is allowed from the decision of a commanding officer to a review board representing the United States Government and the Japanese Government, in this case, which takes the man out of the jurisdiction of the Army—in this case—and places him under the jurisdiction of the host government, irrespective of the decision of the commanding officer.

Mr. SMATHERS. The Senator is correct.

Mr. POTTER. I think the Senator's resolution should receive very careful consideration.

The resolution (S. Res. 155), submitted by Mr. Smathers, was referred to the Committee on Foreign Relations, as follows:

Resolved, That it is the sense of the Senate, that the President of the United States as soon as is practicable take such action as may be necessary, with respect to any treaty or international agreement to which the United States is a party and which contains provisions permitting foreign countries by waiver or otherwise to exercise criminal jurisdiction over members of the Armed Forces of the United States stationed within their boundaries, to modify such provisions to insure that criminal jurisdiction shall not be conferred upon or exercised by a foreign country when the alleged criminal act or omission of a member of the Armed Forces occurs during a time when he is determined by his immediate commanding officer to be in the performance of his official duty.

ADDITIONAL FUNDS FOR SENATE OFFICIAL REPORTERS OF DEBATES

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 156) to provide additional funds for the Senate Official Reporters of Debates.

(See resolution printed in full, which appears under a separate heading.)

MARGARET BURNS RAYMOND

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 157) to pay a gratuity to Margaret Burns Raymond, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Margaret Burns Raymond, widow of Allen Raymond, an employee of the Senate at the time of his death, a sum equal to 3 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

MILDRED M. BINNICKER

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 158) to pay a gratuity to Mildred M. Binnicker, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to

Mrs. Mildred M. Binnicker, sister and administratrix of the estate of Byron C. Wanger, an employee of the Senate at the time of his death, a sum equal to 5 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

DAVID JOHN BRENNAN AND JOHN F. BRENNAN

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 159) to pay a gratuity to David John Brennan and John F. Brennan, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to David John Brennan and John F. Brennan, brothers of William M. Brennan, an employee of the Senate at the time of his death, a sum to each equal to 4¾ months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

REPEAL OF SUSTAINED YIELD ACT OF MARCH 29, 1944

Mr. MURRAY. Mr. President, on behalf of myself, the junior Senator from Oregon [Mr. NEUBERGER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from North Carolina [Mr. SCOTT], and the senior Senator from Oregon [Mr. MORSE], I introduce, for appropriate reference a bill to repeal the act of March 29, 1944.

In 1956, the Senate Interior and Insular Affairs Committee and the House Government Operations Committee issued a Joint Report on Federal Timber Sales Policies. The committees called upon the Secretaries of Agriculture and the Interior to review the operation of the 1944 act and to report thereon. The statute under review gave the Secretaries discretionary power to award timber upon the public domain, Indian lands, and the national forests to particular companies or communities.

This law has been applied on the western public domain national forests in Washington, Oregon, California, Arizona, and New Mexico. In the 13 years since this law has been on the books, the Department of Agriculture has created only 5 units which committed national forest timber to selected localities, and only 1 has been created which pooled national forest and private land for the benefit of 1 company.

I should also like the RECORD to show that there are approximately 700 national forest areas where these units could have been created, and on only 6 of them do Federal units or cooperative agreements exist today. In addition, the Forest Service has had a total of 3 applications for pooling private timber with Federal timber; and a public hearing was held on only one of the three. It has received four other applications for the creation of Federal units; hearings have been held on three; and all three were turned down. Thus, I think that it is clear that this law had only limited applicability, when we consider the number of times it has been invoked in the 13 years since its enactment.

The Secretary of the Interior has never created any units under this act. However, he did set up marketing restrictions on the Oregon and California revested lands; but this was done under the O. & C. Act. This year he abolished those marketing restrictions, after holding appropriate public hearings.

When the Secretary of Agriculture made his report to the Congress, he advised me that he would not object to the repeal of the 1944 authority. I, in turn, requested that he send me a bill to accomplish this purpose; and this is the bill I introduce today. I wish to call attention to the fact that the Bureau of the Budget also favors the repeal of this act. The repeal of this act would rescind the authority to create new Federal units or cooperative agreements, but it would permit the continuation of existing units. The Department of Agriculture has advised me that it plans to review the Federal units, to consider whether it will continue them. Apparently it does not plan such a review of the one cooperative agreement that it has.

This one cooperative agreement embraces over 4 billion feet of national forest timber and about 1 billion feet of private timber. The Federal timber is on 111,000 acres, while the private timber is on about 200,000 acres. The one cooperative agreement is a contractual agreement which runs for 100 years, until the year 2046.

There is no time limit on a Federal unit, and it embraces only national forest timber. Furthermore, in a Federal unit there is no contractual relationship between the Government and the community.

It would be sound public policy for the Congress, in considering the repeal of this legislation, to review whether it is desirable to continue either Federal units for an indefinite period or this one cooperative agreement until the year 2046.

I ask unanimous consent that the reports of May 29 and June 24 by the Secretary of Agriculture be printed in the RECORD, in order that the basis for the Department's position may be known to all Members of Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the reports will be printed in the RECORD.

The bill (S. 2466) to repeal the Sustained Yield Act of March 29, 1944 (58 Stat. 132), and for other purposes, introduced by Mr. MURRAY (for himself, Mr. NEUBERGER, Mr. HUMPHREY, Mr. SCOTT, and Mr. MORSE), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The reports presented by Mr. MURRAY are as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., May 29, 1957.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate.

DEAR MR. MURRAY: This letter is in response to recommendation G–7 in the report on Federal timber-sale policies of the Subcommittee on the Legislative Oversight Function of the Senate Committee on Interior and Insular Affairs for a report on the results of a review and a recommendation of this Department on Federal and cooperative sustained yield units.

In respect to Federal sustained yield units, your subcommittee specifically requested answers to the following two questions:

1. What in the experience of the agencies has been their actual effect, if any, in practice?

2. Whether these restrictions serve any useful purpose at this time, and if so, in what way.

Specific accomplishments or developments in each of the five established Federal units are:

Vallecitos Federal unit, Carson National Forest, N. Mex.: Established January 21, 1948; contains 74,000 acres with allowable cut of 3.5 million board-feet annually. Establishment of this unit resulted in installation of a modern sawmill at Vallecitos. The standard of living has been raised in this depressed and overpopulated community. Maintenance of restriction on point of manufacture is needed to insure continuance of needed employment in this community.

Flagstaff Federal unit, Coconino National Forest, Ariz.: Established May 6, 1949, contains 900,000 acres with allowable cut of 56.8 million board-feet annually. Sawmill capacity has been maintained and a small pulp mill has been established at Flagstaff. This mill is now being enlarged from 20 to around 80 tons per day capacity. Chips from the major sawmill at Flagstaff will be a substantial raw material source for the 250-ton-per-day pulp plant to be constructed at Snowflake.

Both of these pulp plant developments have been facilitated by the assurance of timber supply provided by the Flagstaff Federal sustained yield unit. Continuance of this unit will assure the availability of raw materials for these two pulp mill developments which for the first time provide for utilization in the southwest of sawmill waste and substantial markets for thinnings and other nonsawlog uses of ponderosa pine and associated species.

Gray's Harbor Federal Unit, Olympic National Forest, Wash.: Established November 2, 1949; contains 117,000 acres with allowable cut of 78 million board-feet. Need for this timber in Gray's Harbor area is clearly shown by the strenuous competitive bidding in this unit. Competition among operators within the unit has resulted in stumpage rates which are comparable to those received in areas outside the unit. Assurance that this backlog of 78 million feet will be available for local use has undoubtedly helped in encouraging maintenance and modernization of the established wood-using industries in his area.

Big Valley Federal Unit, Modoc National Forest, Calif.: Established January 27, 1950; contains 82,000 acres with allowable cut of 8 million board-feet. Timber in this unit has been bid in at appraised prices by one operator, while there has been lively competitive bidding for comparable timber outside of this unit. The steady flow of timber has helped to maintain the principal Big Valley community at about the same level as before establishment of the unit.

Lakeview Federal Unit, Fremont National Forest, Oreg.: Established October 10, 1950; contains 488,000 acres with allowable cut of 53 million board-feet. There has been virtually no competition within the unit since establishment. Since 1950, the lumber industries in the unit have expended about $1,500,000 to improve their manufacturing and remanufacturing facilities. These local mills are exceeding minimum man-hour requirements for lumber refinement and remanufacture established for the unit. The community has shown sound growth and development since establishment of the unit, although developments there are perhaps no more outstanding than in some other comparable communities which do not have the benefit of a Federal unit designation.

Conditions, problems, and results are different for each of these units but may be summarized as follows:

1. The units have contributed to the stabilization of the communities they were designed to support. There are, however, comparable communities which are in about as good condition without Federal units.

2. The sawmill at Vallecitos, the small pulpmill at Flagstaff and the larger pulpmill planned nearby are specific examples of improvements and projected improvements of manufacturing facilities based on utilization of national forest timber in units. Development on the other units is about the same as incomparable communities without such designation.

3. The degree of timber utilization within Federal units is substantially the same as on comparable national forest areas where no units have been established.

4. With one outstanding exception (Gray's Harbor), there has been virtually no competitive bidding for timber within the Federal units. Stumpage revenues realized by the Government have been less than amounts realized for comparable timber which has been sold without restrictions as to where primary processing must be provided.

The five Federal units now in existence, widely scattered in five different States, were established during the 3-year period 1948 through 1950. No Federal unit has been established since 1950. Public hearings were held since that date on proposed units in Oregon, Idaho, and Texas but in each case the decision was that the proposal did not justify establishment of a unit under the terms of the 1944 act. Proposals for hearings on other Federal units have been denied because they did not qualify under the terms of the act. The five Federal units were established to attain long-term objectives. They have functioned with varying degrees of effectiveness, but have not been in operation long enough to demonstrate their full potentialities. Accordingly, the existing units will be continued, subject to periodic review and reexamination to determine for each unit whether the purposes of the act are being realized. Before any major changes are made in any Federal unit the community concerned will be given opportunity for presentation of views at a public hearing. From consideration of results from established units and experience gained in recent hearings and investigations of proposed units, this Department has concluded that further establishment of Federal units is inadvisable in the foreseeable future.

With respect to cooperative sustained yield agreements, the only established cooperative sustained yield unit is for the Shelton area in western Washington. It was established in December 1946. One other public hearing on a proposal to establish a cooperative sustained yield unit in the Woodleaf area in California was held in 1948. Widespread objection to this proposal, particularly from the local people living within the area, resulted in a decision by the Forest Service not to establish the unit.

Proposals for establishment of cooperative sustained yield units have proven to be highly controversial. They have generally been opposed by the local timber operators other than the potential cooperator and by affected communities other than the one where the timber from the proposed unit would be processed. Operators who have little, if any, backlog of private timber, including even those who might be remotely affected by a proposed withdrawal of national forest timber from competitive bidding, have been particularly active in opposing cooperative units. Most of these objectors have relatively smaller sized operations but larger operators who want to purchase national forest timber have also expressed strong opposition. Organized labor also has opposed cooperative units because such units eliminate competitive bidding and tend to limit employment opportunities in the vicinity of cooperative units to a single employer.

For a number of reasons there has been a significant decrease in the number of timberland owners who desire to commit their lands to this form of cooperative management. In addition, the Forest Service estimates that there are now very few situations which conceivably might qualify for cooperative sustained yield units under the requirements of the 1944 act.

The economic advantages held by a firm which has an assured permanent supply of timber which can be purchased noncompetitively over one which must obtain public timber through competitive bidding have increased many fold since passage of the act in 1944 and establishment of the Shelton unit in 1946. It would not be wise under present intense demands to establish a few selected preferences for noncompetitive purchase of national forest timber. The Department is therefore terminating consideration of further establishment of cooperative sustained yield units in the foreseeable future.

The first 10 years of operation of the Shelton cooperative sustained yield unit were completed last December. This unit has been operated in close conformity to the plan established 10 years ago. The cooperative agreement with the Simpson Logging Co. is a contractual commitment of the United States which runs until the year 2046. The Simpson Logging Co. has acquired an additional approximately 50,000 acres of cutover and second growth timber, which it has committed to the cooperative agreement. Continuance of this contractual arrangement will insure that the more than 200,000 acres of the Simpson Co. land will be cut under sustaining yield limitations during the next 90-year period. This assures stabilized support for communities of Shelton and McCleary. Since the establishment of this cooperative sustained yield unit there has been progressive development of community facilities at both Shelton and McCleary, which, for their size and circumstances, can be rated as superior communities.

It is believed that even the critics of the Shelton cooperative sustained-yield agreement would agree that operations and development are proceeding in a highly satisfactory manner in respect to conditions in the woods and in the dependent communities. The one criticism which has been raised results from the fact that in recent years there have been substantial differences between appraised and bid prices on the rest of the Olympic Forest and the presumption that if the timber in the unit had been sold competitively similar increases over appraised prices would have been obtained. A considerable reduction in the difference between bid and advertised stumpage prices on the Olympic Forest has been obtained during the last 12 months, and we expect to effect further reduction of this difference. It should be borne in mind that through the commitment of the cooperator's lands for a century to this cooperative agreement the Government has been enabled to increase the rate of harvest and regrowth on its lands over the rates which would otherwise have been possible under sound sustained-yield management. The only feasible way to have obtained such a commitment from the cooperator was for the Government to agree to sell its timber noncompetitively as authorized by the act of March 29, 1944. Since enactment of the law and establishment of this unit in 1946, competition for national forest timber in western Washington has increased in an unprecedented and unforeseen manner. On the other hand, incentives to liquidate private timber while the good markets and attractive profit opportunities of the last decade prevailed also increased substantially. Establishment of this cooperative sustained yield unit has and will continue to prevent over-rapid liquidation or undesirable cutting practices in the Shelton area.

In summary, it has been determined to discontinue, for the foreseeable future, further establishment of both Federal and cooperative sustained yield units under the act of March 29, 1944. The contractual rights and obligations of the United States in the cooperative agreement with the Simpson Lumber Co. for the Shelton sustained yield unit will be continued. The five established Federal units will be continued for the present. The desirability of their further continuance will be examined from time to time and not less frequently than at 5-year intervals. Subsequent decisions on continuance of any Federal unit will be based on investigations and on information presented at public hearings.

If, in view of the great changes in conditions since 1944, the administrative experience gained in the application of the Sustained Yield Unit Act as reviewed herein and the lack of opportunities or need to establish additional units, the Congress decides to revoke the authority contained in the act of March 29, 1944, this Department would not object provided that provision is made for the continued administration of established units.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., June 24, 1957.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate.

DEAR SENATOR MURRAY: Reference is made to your letter of June 4 requesting a draft of legislation which would revoke the Federal unit and cooperative sustained-yield unit authority of the act of March 29, 1944.

Attached is a draft bill which would repeal those authorities but would not affect the sustained-yield units heretofore established under the act.

You inquired as to authority for cooperative agreements between Federal departments. The draft bill makes no exception with respect to the authority under section 4 of the act (16 U. S. C. 583c) regarding interagency agreements. This is because (a) the interagency authority under section 4 pertains only to land-management plans authorized by the March 29, 1944, act and (b) other authority to cooperate with Federal agencies is considered to be ample.

We would have no objection to the enactment of this bill.

The Bureau of the Budget advises that there is no objection to the submission of this draft bill.

Sincerely yours,

E. T. BENSON,
Secretary.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. GORE:

Statement by Senator MONRONEY entitled "Oklahoma Today."

By Mr. DOUGLAS:

Radio panel discussion entitled "Labor Answers Your Questions" on the subject

Labor's New Broom, No. 2, among Al J. Hayes, chairman of the AFL–CIO ethical practices committee, AFL–CIO; Senator DOUGLAS; and Senator MORSE.

By Mr. ROBERTSON:

Messages from Representative BROOKS HAYS, president of Southern Baptist Convention, and Gov. Thomas B. Stanley, of Virginia, on the occasion of the laying of the cornerstone of the Quaker Baptist Church; a list of contents of cornerstone box; and a chronology of the Quaker Baptist Church.

By Mr. ALLOTT:

Statement entitled "Baseball and the Anti-trust Laws," prepared by Spencer M. Beresford.

By Mr. WILEY:

Article entitled "Window on Asia Is Still Murky," written by Malvina Lindsay, published in the Washington Post and Times Herald of July 1, 1957.

NOTICE OF CONSIDERATION OF NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, the Senate received today a list of 100 names of persons for appointment and promotion in the Foreign Service, and consular and/or diplomatic appointments for Foreign Service officers, staff officers, and Reserve officers.

I desire to give notice that these nominations will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule. The list will be found elsewhere in the proceedings of the Senate today.

THE UNITED STATES AND THE MIDDLE EAST

Mr. SMITH of New Jersey. Mr. President, in 8 short months, United States concern with the Middle East has helped in bringing about a number of significant successes for the forces of stability and law in that critical area. Our entrance into the Middle East was prompted by the realization of its vast importance in the struggle between the free nations and communism. We have assumed a responsibility of high magnitude which will necessitate that constant exercise on our part of wisdom, patience, fairness, and statesmanship.

Our underlying endeavor is to assist the Middle East nations to attain economic self-sufficiency, independence, and self-determination. United States policy will be vindicated in proportion as the nations of that area make gains toward these ends.

Already, Mr. President, results are being secured under the aegis of the American doctrine. The recent election victory of the pro-Western government in Lebanon and the growing strength of the government of King Hussein in Jordan are manifestations of the beneficial implementation of American policy.

The surface has barely been scratched, as we all recognize; and a vast effort lies ahead. However, it is heartening to witness these initial successes for the forces of freedom. The New York Times of July 2, called attention to these achievements in an editorial entitled "Middle East Gains"; and I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MIDDLE EAST GAINS

The Eisenhower doctrine for the protection of the Middle East against Communist aggression has scored two further successes which increase its value as a stabilizing factor in this explosive area.

One of these successes is the smashing victory of the prowestern Government of Lebanon in a national election which was in effect a plebiscite on the doctrine. After completion of the fourth and last round in the election, the Government, which accepted and espoused the doctrine, has won 50 out of a total of 66 seats in the new Parliament and on foreign policy can also count on the support of 3 prowestern independents. The opposition, which denounced the doctrine, with open backing by Soviet and Egyptian fifth columns, could capture only 13 seats. Where the issue was dramatized by such a well-known prowestern personality as Foreign Minister Malik, Lebanon's long-time representative in the United Nations, the Government policy won by nearly 50 to 1.

The other success is the consolidation of Jordan's anti-Communist government under King Hussein to the point that it can now dare what it could not dare before—to accept American military and economic aid. This aid will replace both the former British subsidy, which King Hussein was forced to renounce, and the promised assistance on which Egypt and Syria welshed. Supplemented by aid from friendly Saudi Arabia and Iraq, and possibly by British loans, it should keep Jordan from going bankrupt.

It will, however, scarcely solve the impoverished kingdom's long-term problem. That can be achieved only by large-scale development involving both the utilization of the Jordan River waters and the resettlement of the refugees who constitute a large and unstable element in Jordan's population. The present realignment of forces in the Middle East should facilitate at least a start toward a solution of these problems, which are the real keys to final peace for the whole area.

ENDORSEMENT BY THE KALISPELL CHAMBER OF COMMERCE OF FEDERAL AID TO EDUCATION

Mr. MURRAY. Mr. President, I rise to commend the national affairs committee of the Kalispell, Mont., Chamber of Commerce. This committee has concluded, and has so advised me, that Federal aid to education is needed, and that, specifically, H. R. 1, the Kelly bill, as approved by the House Education and Labor Committee, should be passed.

It is noteworthy when a local chamber of commerce group endorses Federal aid to education. The national chamber of commerce opposes this needed aid for schoolroom construction. Many of the local chambers, without making their own independent survey, parrot the line of the national organization. Some of the local chamber members in Montana, I may add, reconsider their flat stand against all Federal aid to education when they are reminded of the aid that is going to ther own communities under the 81 existing programs of Federal aid to education.

Mr. President, I ask unanimous consent to insert in the RECORD immediately following these remarks the pertinent portion of the letter I received from D. J. Korn, chairman of the national affairs committee of the Kalispell chamber.

May the action of these Montanans bestir other members of chambers of commerce to study educational needs and to help enact, rather than to oppose, the proposals for providing desperately needed facilities for this Nation's schoolchildren.

There being no objection the excerpt from the letter was ordered to be printed in the RECORD, as follows:

DEAR SENATOR MURRAY: The national affairs committee of the Kalispell Chamber of Commerce is composed of 25 respective members of the community of both political parties. The subcommittee chairman on the various subjects assigned to the national affairs committee include such men as D. Gordon Rognlien, J. H. Hawkins, Matt Himsl, and E. B. Foot. The report of the national affairs committee, made to the board of directors from time to time, is based upon the specific findings of its subcommittees. At several recent meetings of the board of directors, these findings were presented to the full board, discussed at length in open meeting, and the board has authorized and instructed the national affairs committee of the chamber to notify our Senators and Representatives in Congress of the following action taken by the board of directors on the various topics considered, as follows:

1. Education:

That there are many areas where schools are sorely needed to meet some particular circumstance where the tax base is such that money is not available for school purposes, and that Federal money is the only source which can provide the needed building program.

That H. R. 1, having received bipartisan support in its amended form of $300 million per year for construction purposes and without Federal controls, should be supported and passed. * * *

Very truly yours,

KALISPELL CHAMBER OF COMMERCE,
D. J. KORN,
Chairman, National Affairs Committee.

PROPOSED REFERENDUM ON CIVIL-RIGHTS LEGISLATION

Mr. NEUBERGER. Mr. President, on July 2 the distinguished senior Senator from Georgia [Mr. RUSSELL] proposed that the pending civil-rights legislation be submitted to a referendum of the people.

As one rank-and-file supporter of such legislation, I would be willing to accept that suggestion. I propose that the voters of all 48 States be permitted to have a plebiscite at the ballot box on the civil-rights bill now on the Senate Calendar—the bill which passed the House of Representatives in June.

I am completely, entirely, and wholly willing to abide by the results of such a referendum. If the people of the country, by majority vote, either reject or accept the civil-rights proposal, that verdict will be determining with me.

I wonder if this is the kind of national referendum which the senior Senator from Georgia had in mind. I certainly hope this is the case, and that the test can occur just as soon as possible.

Of course, Mr. President, in announcing that I am willing to abide by the outcome of such a plebiscite, I am speaking for myself only, and not for my fellow sponsors of civil-rights legislation; for I am not authorized to speak for them.

As one of the Senators from Oregon, which was the first State ever to adopt the initiative and referendum, I am particularly in favor of the proposal of the distinguished Senator from Georgia. Incidentally, Mr. President, it is significant that our fine Southern States, which now urge a referendum on civil rights, have not seen fit to put into effect at their own State levels the initiative and referendum machinery which Oregon first adopted over half a century ago, back in 1902.

SONIC BLASTS

Mr. KUCHEL. Mr. President, my office has received a considerable number of complaints alleging damage, fright, and discomfort by reason of the activity of supersonic military aircraft in southern California as they pass the so-called sound barrier. We can all remember the tragedy that occurred in the southern part of my State a number of weeks ago at the community of Pacoima, where, by reason of a collision in the skies above that area, many schoolchildren were killed and maimed by the falling wreckage of colliding planes.

This question of supersonic military aircraft, Mr. President, creating what is called a sonic boom, presents a dangerous problem to populous areas over which military aircraft are conducting flight operations.

The Los Angeles City Council on two occasions has adopted resolutions asking the Federal Government, and particularly the Military Establishment, to eliminate this continuing hazard. I have engaged in a number of conferences, and I have reduced to writing the views I have upon the subject. I ask unanimous consent that a copy of the letter which I recently wrote to the Civil Aeronautics Administration and a copy of the letter which the Secretary of Commerce wrote to the Secretary of Defense, by reason of my comments, be incorporated in my remarks at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JUNE 7, 1957.

Mr. WILLIAM B. DAVIS,
Deputy Administrator, Civil Aeronautics Administration, Department of Commerce, Washington, D. C.

DEAR MR. DAVIS: As I explained during our telephone conversation yesterday, the repetition of so-called sonic blasts in the Los Angeles metropolitan area and in suburban communities has become a problem of grave proportions and no little significance.

I am gratified to learn that the Civil Aeronautics Administration is cognizant of the feeling of residents of the area where such blasts have occurred. At the same time, I feel strongly that more vigorous steps must be taken to prevent recurrences of such instances as those which have prompted the Los Angeles City Council on two occasions to adopt resolutions calling upon appropriate authorities to impose and enforce stringent restrictions against the type of flying which results in such blasts.

The people of the Los Angeles metropolitan area have been assured on a number of occasions that regulatory measures would be or were being taken to limit experimental flying over the heavy-populated sections of this portion of southern California. Despite such assurances, they continue to be alarmed and on occasions made the victims of property damage by aircraft which apparently set up strong shock waves by flying at sonic speeds. In my estimation, property owners, residents, and others in the cities and towns where such blasts have been experienced are thoroughly justified in showing apprehension and in demanding more drastic action to restrain pilots and limit aircraft which are capable of producing such effects as broken windows and cracked plaster.

I do not know exactly what course might be followed to solve this problem. But I am convinced that the exercise of regulatory and police powers delegated to the Civil Aeronautics Administration is warranted to safeguard the civilian population residing and working in these areas. I earnestly hope that the CAA can find a means of giving a greater sense of security to these people and of bringing quickly to an end the disturbances which from time to time have caused real fright as well as considerable discomfort and disturbance.

I am grateful for your letter of May 8, in which you express confidence that "much progress has been made toward solving this problem." At the same time, I must share the feeling of residents of the Los Angeles area that recent experiences offer little reason for confidence that there will be "continued improvement toward eliminating the inadvertent sonic blast" through the measures so far taken.

I am taking the liberty of sending a copy of this communication to the Secretary of the Air Force in the hope it will prompt that branch of the armed services to consider again the possibility of taking action to supplement any further efforts the CAA may initiate.

With kind regards,

Sincerely,

THOMAS H. KUCHEL,
United States Senator.

THE SECRETARY OF COMMERCE,
Washington, D. C.

The honorable the SECRETARY OF DEFENSE,
Washington, D. C.

DEAR MR. SECRETARY: During the past 6 months, there has been a sharp increase in the number of complaints received by the Civil Aeronautics Administration of this Department from citizens and Members of Congress about the noise of so-called sonic blasts and actual property damage claimed.

The majority of these complaints so far have been coming from the greater Los Angeles metropolitan area, but we have received others from the east coast and the Middle West. It would seem that this problem is on the increase with the placing of more and more supersonic aircraft in military tactical squadrons. As you would expect, the identification of aircraft causing the blasts has so far been impossible because of the altitude and speed of the operation.

These sonic blasts are caused by highly compressed shock waves of air coming off the aircraft's leading and trailing wing edges when the speed of sound is exceeded. It is very difficult for the engineers to predict exactly how or in what maneuvering position the aircraft must be for the shock waves to reach the ground. It can happen in level flight under certain air conditions, but it is their belief that such shock waves usually reach the ground when the aircraft is in a diving attitude.

We have determined that many military commands have designated a specific area for the practice of maneuvers at supersonic speeds that would most likely cause sonic blasts to reach the earth. This, of course, has done much to alleviate the problem, but it still exists over large metropolitan areas. Our Los Angeles CAA office has held several meetings with factory and military command representatives, as well as with city officials, in an effort to put a stop to this annoying phenomenon, but so far they have only been able to improve it. We have explained to the citizens and the Congressmen the difficulties in determining the precise aircraft that have repeatedly caused damage. However, as might be expected, a person who has suffered actual property damage or frightening annoyance is not satisfied with anything but controlling action.

I am writing this letter to you because the only aircraft in use today in the United States capable of causing sonic blasts are operated by the various military services. As far as we can determine, there has been no incident of this sort that involved an actual violation of any of the civil air regulations, which makes it difficult for us to take any positive action. I would appreciate, and I am sure the citizens affected will also appreciate, any action you can take to call the attention of the various military commands to this problem, urging them to do everything in their power to correct it.

I am enclosing a copy of a recent letter from Senator KUCHEL, of California which outlines rather well the feelings of his constituents in the Los Angeles area.

Sincerely yours,

_____,
Secretary of Commerce.

Mr. KUCHEL. Mr. President, I am grateful to the Department of Commerce for recognizing the problem involved and for urging the Defense Department, by regulation and otherwise, to give civilians protection from the activities of aircraft in this supersonic age, when, by reason of passing the sound barrier, people in homes suffer various kinds of damages, discomfort, and fright.

THE HELLS CANYON DAM

Mr. MURRAY. Mr. President, the Washington Post and Times Herald this morning carried an editorial commenting on the action of a subcommittee of the House Committee on Interior and Insular Affairs yesterday which was adverse to the proposed high Hells Canyon Dam.

Foes of the dam have said this subcommittee action kills the high dam as "dead as a dodo bird."

The Washington Post comments that if that is true "it will rise from its ashes and plague the Republicans who killed it."

Mr. President, it will rise from its ashes to haunt and plague not only the power trust's subservient political party, it will rise from its ashes to plague the power trust, and the great eastern financial institutions who manipulate it, as well.

There is a tremendous waste of resource potential involved in construction of three little runt dams instead of giant Hells Canyon Dam in the Snake River Canyon. Half the power potential will be lost. Millions of acre-feet of flood control storage capacity will be lost. Economic development in the West will be retarded by the waste of low-cost power potential. Human lives may be the price of wasted flood control possibilities.

These losses, and these ultimate costs, are the price the Nation will have to pay

to satiate the greedy appetite of the power trust and the great eastern financial institutions who are the largest stockholders in the operating companies.

It is too great a price to pay, and one day the American people will retire from office—as the Western States have retired from office—all those officials who have backed such a giveaway, and again deal with the excessive greed of these private interests as it had to do in the Insull days.

It is my hope that the full House Committee on Interior and Insular Affairs will reverse the action of its subcommittee and report the Hells Canyon bill to the House for passage. It is my hope that there will be some sober second thoughts about high Hells Canyon and the excessive price the Nation will have to pay if it is not built.

Mr. President, I ask unanimous consent to have the Washington Post editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OVER THE DAM

The Hells Canyon Dam project may be, as Representative SAYLOR put it yesterday, as dead as the dodo bird; but we are inclined to think that, like the phoenix, it will rise from its ashes to haunt and plague the Republicans who killed it. The death of this project means that the choicest undeveloped dam site on the North American Continent will go to waste. It means that the Northwest region of the United States will not get the full power potential it needs for the realization of its industrial capacities. It means that the Snake River will not be harnessed and developed as wisely as prudent engineering would permit in terms of irrigation, flood control, and power potentialities. This may be a victory for private power over public power. But it is a defeat for sound development of the Nation's natural resources.

Of course the real mischief was done when previous Congresses rejected this project long before any license had been issued for construction of the Idaho Power Co.'s lesser dams. Some members of the House subcommittee which rejected the Senate-passed bill may have concluded that, after large sums have been spent on the private dams, it was too late for Congress to change its mind. The outcome ought to be a reminder to Congress that, though opportunity may knock more than once, it does not necessarily keep pounding on the door forever.

PROPOSED SENATE COMMITTEE ON VETERANS' AFFAIRS

Mr. POTTER. Mr. President, the United States Senate has sometimes been called the cave of the winds because of a certain amount of talk that swirls about in this Chamber.

Today I shall add a few metaphors of my own to those deliberative breezes. If the metaphors are jagged and scrape the shins of certain distinguished Members, they should remember that this is done as a last resort. I have tried everything else to get action on my resolution, Senate Resolution 36, which now reposes in the Committee on Rules and Administration.

The resolution provides that Senate rule XXV shall be amended to establish a standing Committee on Veterans' Affairs in the Senate. It has been pigeonholed for 5 months.

Hardly a day goes by, Mr. President, that I do not receive complaints from men and women who have served in the United States Armed Forces. As individuals and through their veterans' organizations, they are seriously questioning this state of affairs.

Pigeonholing, of course, is an old technique. It has been applied to a succession of previous resolutions for a Veterans' Affairs Committee. First, the resolutions are permitted to gather dust, then they take on the musty odor of old paper. By now, I should think, the document files of the Committee on Rules and Administration would smell like a morgue, for there lie the moldering corpses of resolutions providing for a Veterans' Affairs Committee.

Mr. President, tomorrow is the Fourth of July. It is the day on which this Nation will pay tribute to the spirit of freedom embodied in the Declaration of Independence. Almost two centuries ago a small band of brave men met to sign their names to a document which was to become the rock upon which our Nation has built a shining edifice of freedom.

Tomorrow many of us will return to our own States to make Independence Day speeches. Every word of the Declaration of Independence will be recalled with emotion. I should like to read one sentence from that historic document today:

> And for the support of this declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

"We pledge our lives," the Founding Fathers said. Mr. President, of our millions of men and women, which group of Americans has been called upon to fulfill this great pledge? Which group has gone into the valley of the shadow for the principles of the Declaration of Independence?

The American veteran has done so. It is in his behalf that I speak today. He is being short-changed.

A Senate veterans committee was first proposed in 1946. At that time the joint committee on the reorganization of Congress made provision for a veterans affairs committee in the Senate. It was stricken from the final bill, however, because the two-committee limitation would have deprived the new group of the long experience in veterans' affairs possessed by Finance Committee members, who then held exclusive jurisdiction in these matters. Former Senator La Follette observed at the time that a veterans committee would become a necessity in the near future, if only to relieve the Finance Committee of an overwhelming burden.

Shortly afterward, responsibility for handling veterans' problems was divided between the Finance Committee and the Labor and Public Welfare Committee. And there lie our veterans' problems today, gathering dust beneath hundreds of other bills on which these committees place a higher priority.

Since that time, Mr. President, former Senator Ferguson made an attempt to pass such a resolution. He was supported by a bipartisan coalition of 34 Senators. But nothing came of their efforts. Later, in 1953, Senator Ferguson made another try. And last year the Senator from Oregon [Mr. MORSE] and the Senator from Idaho [Mr. DWORSHAK] submitted resolutions similar to my own.

Today there are 22 million veterans in the United States. Together with their dependents, they represent almost half the population of the United States.

Surely the most fitting way the United States Senate could observe Independence Day, 1957, would be to establish a committee empowered to give proper attention to veterans' matters.

We owe these patriotic men and women undivided and full consideration of their special problems. This demands top priority. It is my understanding that this proposal has the support of the American Legion, Veterans of Foreign Wars, AMVETS, and Disabled American Veterans. I shall continue to work with these groups to make a Senate veterans committee a reality.

The interests of this group probably are more specialized than any other one segment of the American people. And yet their affairs continue to be tossed into the overloaded hamper of two committees, Finance and Labor and Public Welfare, which right now have enough work for half a dozen committees.

The standing committee I propose would consider proposed legislation covering pensions, life insurance, compensation, vocational rehabilitation, education, veterans' hospitals, medical care, civil relief, and readjustment of servicemen to civil life, housing, and all other matters relating to veterans.

If it were true in 1946 that the Finance Committee carried a tremendous burden, it is 12 times truer today. Our growing population is adding to their burden every day and veterans' affairs have piled up. According to my mail, our war veterans are becoming more and more disillusioned with the Senate. Where do they channel their inquiries? Not to the Senate of the United States, but to the House of Representatives. This single fact should shame the Senate into action. These men and women who have served their Nation in time of war, Mr. President, avoid the Senate. They go to the House of Representatives because that body had the wisdom to organize a committee specially designated to handle veterans' affairs.

The veterans are not asking for backstairs influence.

They are not asking anyone to pull strings.

They do not want any more stalls or flimsy stories about veterans' affairs already receiving adequate treatment in the Senate, or letters dishing them paragraphs of gobbledygook.

They want a committee.

Mr. MORSE subsequently said: Mr. President, I noted that earlier today the Senator from Michigan [Mr. POTTER] made a comment regarding his bill for the creation of a standing Senate Committee on Veterans' Affairs.

As he knows, for some time I have supported the same proposal. I wish him to know that I completely agree with the observations he made today.

As the CONGRESSIONAL RECORD will show, I have discussed this question a number of times. In my campaign last fall, I pledged to the veterans' organizations in my State that I would do all I could to have established a standing Senate committee on veterans' problems. So I desire to associate myself with the Senator from Michigan, in connection with this matter.

I wish to say now—as he said more eloquently earlier today than I could—that I think such a change in the Senate committee rules is long overdue. The veterans' organizations in the United States are entitled to have a standing Senate Committee on Veterans' Affairs created, so the veterans will not be pushed around from committee to committee, with no Senate committee having sole jurisdiction over their affairs. The matter is so important that I would be perfectly willing to support a motion to discharge the Committee on Rules and Administration from the further consideration of the Senator's resolution and to bring it to the floor of the Senate, if we cannot get some action taken by the Committee on Rules and Administration on the requests by innumerable veterans' organizations for prompt consideration of the proposal to establish a standing Senate Committee on Veterans' Affairs.

I hope my support does not shock my friend, the Senator from Michigan. I want him to know that on this issue we stand together.

Mr. POTTER. Mr. President, let me say that I appreciate the remarks of the distinguished senior Senator from Oregon. In my statement I pointed out that he has long been a supporter of the proposal I have advocated.

As the Senator from Oregon has pointed out, the veterans run into a frustrating situation in connection with the consideration of their problems by Senate committees. Whereas the House of Representatives has a standing Committee on Veterans' Affairs, no standing Senate committee has, as one of its assignments, major concern for such problems.

So I welcome the support of the Senator from Oregon. I know that with his enthusiastic support there soon will be established a standing Senate Committee on Veterans' Affairs.

Mr. NEUBERGER. Mr. President, I should like to say that today there occurred in the Senate an episode which I believe illustrates the validity of the point of the Senator from Michigan and the senior Senator from Oregon. A bill was passed by the House of Representatives dealing with social security and veterans' benefits, which provided that a veteran who had been disabled in military service, and later also had been totally disabled at a civilian job, could draw social-security benefits and also receive compensation from the Veterans' Administration. This seemed to me certainly fair and justifiable. But under the Senate version of the bill—and the bill was not considered by a committee dealing directly and exclusively with veterans' affairs—that privilege was denied to veterans. It is my hope such examples as this will serve to demonstrate the cogency of the argument made by the Senator from Michigan earlier today and by the Senator from Oregon at this time.

INFLATION IN UNITED STATES AND STATEMENTS OF THE PRESIDENT THEREON

Mr. NEUBERGER. Mr. President, last Wednesday at a White House press conference President Eisenhower was asked for his appraisal of "just how serious the threat of inflation is now." In answering this question the President declared that "a very considerable amount" of the rise in the cost of living is due to "the deliberate policy to bring to the farmer his own proper share of national income."

Because President Eisenhower's reply represents such an astonishing example of political buckpassing and erroneous economic conclusions, I would like to read to the Senate that portion which relates to his charges against the American farmer:

> Well, you have had the beginnings of a type of inflation, because, after having been successful over a period of almost 4 years in keeping the cost of living from rising more than a percent or two—I've forgotten exactly—within the past year, we now have it going up more rapidly, and that becomes alarming, because the curve bends upward.
>
> Now, part of that, of course, is due to the deliberate policy to bring to the farmer his own proper share of national income. We say "proper share"—and I am not exactly sure what that means—but, as you know, they have taken certain years to be representative of justice in this matter, and have tried to approach that through all sorts of laws.
>
> We are still—the whole country is still—experimenting with laws in that question.
>
> But that has accounted for a very considerable amount of this increase in cost.

At the outset, I might nudge the President's lagging memory by pointing out that in December 1952 the Consumer Price Index stood at 114.1. The Labor Department reported last week that the cost of living rose three-tenths of 1 percent in May to 119.6—its ninth consecutive record high and 3.6 points above a year ago.

Before blaming the United States farmer and Federal farm programs for the current inflationary trend, the President should recall these facts:

First. Programs designed to stabilize farm prices and income represent only a small portion of total Federal expenditures, and could hardly be classed as major causes of inflation. Of the President's budget for fiscal year 1957 only 3 percent was allocated to such programs while interest on the Government debt accounted for 10 percent, veterans services for 7.4 percent and national security for over 61 percent.

Second. In recent years total farm income has shrunk rather than expanded as prices paid farmers declined. This certainly cannot be regarded as an inflation-promoting tendency.

Using the 1947–49 economic base, we find that by the end of 1956, net farm income from all sources, including net changes in inventories, had decreased 10.8 percent, while prices paid by farmers for commodities, services, interest, taxes and wage rates increased 14.4 percent. During this same period corporate profits increased 47 percent and corporate dividends 69 percent.

These statistics become even more significant when we consider that in 1956 farm income rose about 4 percent, the first improvement since 1951 and reversal of a trend that pushed the average of farm prices down almost 23 percent in 5 years, while corporate earnings in 1956 declined approximately 1.6 percent from the peak year of 1955. In other words, even though agriculture made its first real gain in 5 years and industry slipped slightly over the previous year, farmers are receiving less than they did in 1947–49 while corporation earnings have increased nearly 50 percent.

Yet President Eisenhower declares, apparently on the basis of this tiny increase in farm income during 1956, that our agricultural industry is a principal cause of inflation.

In his discussion of inflation, President Eisenhower referred to policies to provide the farmer with his proper share of national income and confessed his ignorance of what such a phrase means. I would like to indicate very briefly, but I believe graphically, the problem faced by America's farmers.

In 1953 average net per capita income of the farm population was $930–$665 from farm sources and $265 from nonfarm sources. National per capita income of the nonfarm populace of the United States in 1956 was $1,875. In 1956 per capita income of the farm population was $889—$599 from farm sources and $290 from nonfarm sources. National per capita income for the nonfarm populace in 1956 was $2,010.

Thus from 1953 to 1956 net per capita income of the farm population decreased $41 while per capita income of the nonfarm population rose by $135.

I would also draw to the President's attention a report issued by the House Agriculture Committee this spring which showed that the average worker's family paid 5 percent more and farmers received 17 percent less in 1956 for the same kinds and quantities of food purchased in 1947.

This is what we are talking of when we discuss methods of insuring that our farmers receive their proper share of the national income. Judging by the President's knowledge of this problem as evidenced by his remarks last Wednesday, it will be a long time before we reach this goal for American agriculture if we rely on the present administration to lead us.

DEPORTATION OF HUNGARIAN REFUGEES

Mr. THYE. Mr. President, on June 14, 1957, I placed in the CONGRESSIONAL RECORD a newspaper article referring to three Hungarian refugees who were found to be penniless and homesick in

the State of Minnesota after they had been arrested on a traffic violation charge. I placed that article in the RECORD for the specific purpose of calling attention to some very unfortunate people. At the same time I made known to Congress that I was asking General Swing, Director of the Immigration and Naturalization Service, to grant a 2-week deferment in the hearing which was scheduled to be held in St. Paul to determine the disposition of the case of these unfortunate Hungarians.

General Swing granted the deferment. I received a communication from him, together with a complete report referring to the case. The subject is of sufficient importance that I should read the letter and report from General Swing:

JULY 1, 1957.

Hon. EDWARD J. THYE,
United States Senate,
Washington, D. C.

DEAR SENATOR THYE: Attached for your information is a brief résumé of developments to date in the cases of Bela Kutasy, Sr., Bela Kutasy, Jr., and Josef Nagyar, the Hungarian refugees who recently illegally entered the United States across the Canadian border.

Sincerely,

——— ———, *Commissioner.*

Following the apprehension of the three Hungarian refugees who had illegally entered the United States by crossing the Canadian border, the Immigration and Naturalization Service issued orders to show cause why they should not be required to leave the United States. The refugees were released from custody promptly upon the posting of bond in their behalf in the sum of $500, and a hearing was scheduled for June 14.

Because of the possible unfavorable international implications and for the purpose of affording more time to study the matter, the Immigration and Naturalization Service upon the request of Senator EDWARD J. THYE postponed the scheduled hearing for 2 weeks.

The Immigration and Naturalization Service promptly began negotiations with the Canadian immigration authorities regarding the status of these refugees and their resettlement in Canada. At the same time, conferences were held between officers of the Immigration and Naturalization Service and the attorney for the refugees, as well as representatives of religious and civic groups.

These discussions brought out the fact that one of the refugees had a distant relative residing in Montreal, and that this, coupled with possibly more favorable employment opportunities in the Montreal area, would be conducive to satisfactory adjustment in Montreal rather than in the Alberta area where the refugees had left. The refugees, and all others concerned, were in agreement that they should return to Canada and settle in Montreal.

The Canadian authorities were most sympathetic and cooperative in working out a solution, and gave assurances that the refugees would be accepted into Canada and assisted in reaching their destination. It is understood that the Canadian immigration officials have volunteered to assume the costs of transporting the refugees from Winnipeg to Montreal. The Catholic diocese in the St. Paul area has been most active in seeking a solution in this matter and has also undertaken to pay the fares to Montreal.

Pursuant to these understandings, the refugees agreed to voluntarily return to Canada as soon as transportation arrangements have been made. This has been done, and they are scheduled to depart today on Northwest Airlines at 9:35 a. m. for Winnipeg, where they will be met by representatives of the Catholic diocese and assisted in completing their journey to, and resettlement in Montreal.

Mr. President, I am happy that the ending of the unhappy experience of these unfortunate refugees has been pleasant and satisfactory to the refugees. I am confident that they will start their new life in a new country under much happier circumstances than they thought possible when they crossed the border from Canada to Minnesota and found themselves involved in a minor highway incident.

NEED FOR MODERATE-INCOME HOUSING

Mr. CLARK. Mr. President, 2 days ago, during the discussion of the conference report on the housing bill, I had occasion to refer to an article published in the Philadelphia Inquirer pointing out that pay increases have put thousands of moderate-income families out of public housing, and that many of them had to return to the slum conditions from which they had moved into public housing.

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PAY RISES PUT THOUSANDS OUT OF PUBLIC HOUSING HERE

(By Saul Kohler)

More than 1,000 Philadelphia families have been evicted from public housing developments and told to shift for themselves—even if it means a return to slum living—the Inquirer learned yesterday. They were forced to move because their incomes were above the prescribed limit for living in a development. Although the difference between public and private rentals is at least 20 percent, a 1-percent income rise can put a family on the street.

The difference is accentuated by the fact that public housing rents include all utilities, while private rentals generally do not.

GOT EVICTION NOTICES

In the past 5 years, a total of 1,010 families were given eviction notices, an Inquirer survey shows. Here is the breakdown:

1952	428
1953	221
1954	86
1955	101
1956	128
1957 (first quarter)	46

Each year, the Philadelphia Housing Authority examines the incomes of 11,000 families living in 19 developments. As soon as a figure goes above the prescribed maximum, the ax falls. The family gets 6 months to move and, if it fails to do so, eviction proceedings are started in the common pleas court.

NO AID GIVEN

The family gets no help in finding new quarters. Some are fortunate and can use their savings for a downpayment on a home. But with mortgage rates what they are today, most of them are left to the mercy of private housing.

The jump in salary may be minute—the jump in rents may be terrific. And many of the families, unable to buy homes and unable to pay the high rents for a decent place to live, return to the substandard housing they occupied before they were given clean, modern quarters in a development.

Walter E. Alessandroni, executive director of the Housing Authority, said the law does not provide for help in finding another place to live.

"The Redevelopment Authority and local real estate agents cooperate with us by posting available places," he said. "But after that, these people have to shift for themselves."

Alessandroni said it is unfortunate that the line must be drawn so rigidly. But the limits are set down by Federal law and, except for deductions such as union dues, uniforms and tools, they must be observed.

"These 'borderline' people are the ones we need as tenants in public housing," Alessandroni said. "Believe me, it doesn't make us happy to evict them to heaven knows what. These are the people who have the 'oomph.' They are the leaders, they are the ones most able to better themselves. From this group, you get the scout leaders and the Sunday school teachers.

"The Government's theory is that these are the people who should be evicted because they have the spirit to go ahead. Yet it doesn't always work that way and some of them end up back where they came from."

Here are the income limits for the dwellings which range in gross rent from $25 to $65 a month, depending on income and size of family:

Size of family	Admission		Continued occupancy
	Regular	Special	
1 or 2 persons	$3,300	$3,850	$4,400
3 or 4 persons	3,750	3,950	4,400
5 or 6 persons	3,900	4,250	4,350
7 or more persons	3,700	4,100	4,600

The special limit on admission applies only to those families whose private dwellings have been taken from them by public action—to make way for a highway or bridge approach or to be redeveloped.

MAY LAND IN STREET

For example, a man and wife with 2 children may not have an income of more than $3,300 (including a $100 exemption for each child and the allowable deductions) when they apply for admission to a development. If their home is to be razed for a bridge approach, their income may reach $3,950 on application. Once they move in, they may earn no more than $4,100. If the salary hits $4,200, the family runs the risk of finding its furniture on the street.

Such a family pays $56 for a two-bedroom apartment. The rent includes light, gas for cooking, heat, water, and janitor service, in a modern, light, airy building equipped with an elevator. The Housing Authority estimates that a similar apartment would rent for $70 to $80, plus utilities, on the private market.

PAY, RENTS COMPARED

At intervals of 2 to 5 years, the Federal Government orders a revision of the rents and salary limits. The last revision was completed 2 years ago. The Housing Authority must take a survey of comparability by checking the average of low-income salaries in Philadelphia industry and rents in comparable living quarters on the private market.

Should the salary limits be raised now?

Alessandroni thinks not. He cites the fact that there is a waiting list of 5,000 families who desperately need decent, low-rent quarters. Instead, he has proposed that a small percentage of ineligibles be retained in housing project—at private rental rates—to provide the leadership and add some "class." He said the plan had been rejected "because you cannot lay out a pattern that won't hurt someone."

The problem, then, rests in the class of people who earn too much to live in developments and too little to rent decent quarters elsewhere. Development Coordinator William L. Rafsky thinks more should be done for these people.

"Public housing should still aim at the families that need it the most, those earning less than $3,500," he said. "But the question is: Do you make public housing a device to care for the lowest strata and then let them shift for themselves when they go up?"

Mayor Richardson Dilworth has taken a similar position. Dilworth also has advocated that smaller developments be scattered throughout the city to minimize problems, such as minority groups.

Mr. CLARK. Mr. President, the end result is that new emphasis is given to the need for moderate-income housing such as proposed by the Senator from Alabama [Mr. SPARKMAN] but which was rejected during the conference. I hope that the measure can be resuscitated in the Senate.

THE JENCKS CASE: PROPOSED AMENDMENT TO S. 2377

Mr. MORSE. Mr. President, on Monday, July 1, the Committee on the Judiciary reported S. 2377, designed to regularize the procedure declared by the Supreme Court to be essential to due process in the Jencks decision of June 3, 1957.

The report on the bill declares:

The proposed legislation, as reported, is not designed to nullify, or to curb, or to limit the decision of the Supreme Court insofar as due process is concerned.

Despite this statement, I fear that the bill, based upon the draft of the Department of Justice, would, in its present form, do what the committee report states is not intended. So far as the committee is concerned this result appears to be inadvertent.

Therefore, I am submitting an amendment for myself and Senators NEUBERGER, MURRAY, CLARK, HENNINGS, and LANGER, in the hope that the committee and the Senate will study the proposal before the bill is called up for consideration. When debate is held, I shall discuss this defect, and other questions that cause me grave concern, in greater detail. When the Senate deals with guaranties of due process and fair procedure it is vital that it do so with care and deliberation. I understand that the committee acted with speed from a desire to provide procedures which would prevent abuse of the rights declared in the Jencks decision and the uncertainty, of some at least, as to how far the decision reaches.

I digress from my prepared statement momentarily to say that I even have serious doubt as to whether any legislation at all is needed or is desirable, because under our system of Government Congress ought to be very slow and careful and thoughtful before it seeks to set itself up as a super Supreme Court to tell the Supreme Court how it should interpret the Constitution of the United States.

Basically, we have to consider the precious issue of due process and the right to a fair trial on the part of anyone who is accused of crime in America. In a very real sense, our liberties stem from due process under the Constitution. I am always very slow to conclude that the Supreme Court, with the solemn obligation it has to protect the American people and their constitutional rights by judicial process, has made some gross mistake which threatens the administration of justice from the standpoint of law enforcement, as so many of the critics are saying these days about the Supreme Court.

I suggest, first, that many of the critics give more evidence that they have even read the Jencks decision and more evidence that they have read the supporting precedents upon which the Jencks decision is based.

But if we are to have legislation, then I respectfully submit that the amendment I am offering today is very much needed in order to protect what I consider to be some very precious rights of Americans in the whole field of fair trial.

Furthermore, I think the amendment is needed if the bill which the Committee on the Judiciary has reported will itself subsequently stand the test of Supreme Court review, because, let us not forget, we can pass all the legislation we wish to in the Senate; but if in the legislation we transgress upon constitutional guaranties, thank God there still is in America a Supreme Court to check the Senate, if necessary, and the House of Representatives, too, when it comes to the guaranty of due process.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. I should like to indicate my agreement with the suggestion of the distinguished Senator from Oregon that the proposed legislation is hastily conceived and, in all likelihood, is unnecessary. I have cosponsored the Senator's amendment, but in the hope very much that the Senate will proceed with all deliberate speed in connection with the matter because, in my judgment, if the bill were held over until the 2d session of the 85th Congress, it would never be passed at all, because it would have become abundantly apparent that there was no need for it.

I think the Senate should be very hesitant, indeed, to intervene in questions of Federal judicial procedure. We should not be panicked into action because, in a hurry, the Attorney General comes forward and asks, on a scare basis, for a piece of legislation designed to accomplish a purpose which, in my judgment, could be far better accomplished, so far as the objectives are concerned, by the orderly procedures of the Federal courts.

Mr. MORSE. I completely agree with the observations of my colleague from Pennsylvania. I appreciate his cooperation with me as one of the cosponsors of the amendment, if we are to have any legislation at all.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The time of the senior Senator from Oregon, under the limitation during the morning hour, has expired.

Mr. MORSE. I wonder if my colleagues, in the interest of saving time, would give me 5 more minutes in order to finish my statement.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and the Senator may proceed.

Mr. MORSE. For my part, I would not have the Court's decision used as a pretext for fishing expeditions into FBI files on matters unrelated to the testimony of Government witnesses. The Court's opinion does not seem to me to carry such a threat. However, I can conceive of problems of administering the decision which Congress can help avoid by enacting a procedure to assure defendants' rights, and at the same time protect data in FBI files from inspection by defendants which is unrelated to their case. These are the desirable aims of such legislation, and we should not be rushed into sacrificing either.

The Supreme Court held, in the Jencks case, that defendants in a criminal prosecution brought by the United States should have access to earlier statements and reports of Government witnesses. And rightly so, because, let me stress, it would be a police-state tactic if we ever embedded in our system of justice in the United States any power in the Government to keep from a defendant information to which he is entitled in order to have a fair trial. I do not care whether the information is in the files of the FBI or in any other Government files. There is no place in America for a police-state tactic which keeps locked up from free men and women charged with crime, information which, under due process, they are entitled to have if they are to have a fair trial.

I do not intend to allow FBI files to be made a sacred cow in our system of government when it comes to the application of the due-process clause of the Constitution of the United States.

So the Supreme Court, in the Jencks case, issued a long-overdue warning in the administration of criminal justice in America when it said:

We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial.

The bill, as reported, would limit the inspection to reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified.

I say that is a point of inadvertency on the part of the Judiciary Committee. I do not think they have stopped to analyze the procedure which is followed in collecting these statements.

A comparison of the language of the Court and the bill's provision shows that the bill includes conditions not contemplated by the Court.

In practice, most prospective witnesses interviewed by the FBI or other Government investigatory agents are not given the opportunity to see the summary of their interviews.

How many Senators have ever seen a summary of an interview with the FBI? How many Senators, when they have been interviewed by the FBI, have ever

signed the FBI summary of interview? That is not the way the FBI collects a great deal of its information. One major catch in the bill concerns signed statements or statements approved by the witness.

In effect, then, the bill contains a condition which in the vast majority of cases would not and could not be met in practice.

Indeed, the condition of the bill leaves it up to the FBI and other agencies to change their procedures so as to avoid completely the duties imposed and the rights declared in the Jencks case. This can be accomplished by the simple expedient of discontinuing written reports in the few cases in which informants have given their information in that form.

It would be a very easy thing for the FBI to do. A new rule could be issued as to the collection of information, in order to get around the decision of the Supreme Court.

It is to this defect of the bill that the amendment is addressed. It would strike out the passage quoted, namely:

> Reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified.

And substitute:

> Any record in the possession of the United States which contains a recitation or the substance of any oral or written statement previously made by the witness touching upon the substance of the testimony of that witness.

The amendment thus made would preserve the intent of the Jencks decision that summaries of information given by the witness be available to the defense for purposes of impeachment of the witness.

POWER OF THE COURTS

The bill, as reported, further provides that it is up to the judge to decide what in the Government document is relevant; and only that portion of a witness' prior statements or reports, or summary thereof, shall be made available to the defendant.

Mr. President, this is a serious defect. In the United States, a judge cannot be substituted for a defendant's counsel. The defendant's counsel has the duty of protecting the rights of the defendant, insofar as the preparation and presentation of his defense is concerned; and the Congress has no right by legislation to seek to make the court the counsel for the defendant. The court has the duty of passing on the evidence, and the court must not be given the assignment of determining the form of the defense of the defendant.

I submit that to follow such a process is not due process.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Under the 3-minute rule, the time available to the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I have left a page and one-half of manuscript. I am willing to resume later. However, I see that my good friend, the Senator from Kentucky, who is seeking the floor, indicates that he is willing to accommodate me.

Mr. KNOWLAND. Mr. President, I have no objection to having the Senator from Oregon proceed for an additional 5 minutes during the morning hour.

Mr. MORSE. I shall not need that much time. I thank my friend, the Senator from California, for his courtesy.

The PRESIDING OFFICER. Without objection, the Senator from Oregon may proceed.

Mr. MORSE. Mr. President, in my judgment there is something to be said for giving the court some control over what shall be made available for inspection. The FBI, for example, should be protected from producing for inspection all of a document which relates in part to the witness' testimony, but also relates to other crimes by the defendant or other persons still under investigation.

The FBI should not have to show all the documents; and the court should have the power to make perfectly clear that the defendant and his counsel shall be limited, in examining the file, to the information dealing with the witness, in connection with the crime for which the defendant has been indicted. But as to that material, no judge should have the power to deny the defendant or his lawyer access to it, because it is vital to the defense; and there cannot be a fair trial if a defendant is denied access to the material which bears on the offense with which he is charged.

However, in my view, the burden should be on the Government to show that its activities would be impeded in dealing with investigations other than those involved in the case being tried, and only that material should be withheld. Any material which deals with the alleged crime for which the defendant is being tried should not be withheld.

The Supreme Court said:

> We hold, further, that the petitioner is entitled to inspect the reports to decide whether to use them in his defense. Because only the defense is adequately equipped to determine the effective use for purpose of discrediting the Government's witness and thereby furthering the accused's defense, the defense must initially be entitled to see them to determine what use may be made of them. Justice requires no less."

Mr. President, I say to my constitutional lawyer friends in the Senate that they should mark well that language in the Jencks case, because in my judgment it deals directly with the due process clause.

Mr. President, the Congress cannot permit a trial judge to make such a decision for the defendant. The defendant must be allowed to prepare his own defense.

If the bill in its present form, as reported from the Committee on the Judiciary, were enacted into law, I would not be at all surprised to find that it would run directly into the due process clause, because in my judgment the Supreme Court would say, in effect, "You are seeking to interfere with the right of the defendant to pass judgment upon what evidence shall be available to him, from Government files, in his own protection, for his own defense."

Mr. President, anyone who has tried a case knows the truth of what the Court said. The judge cannot know the potential relevance of all parts of a prior statement to the evidence given by a witness to the extent, at least, that a defendant can.

If the judge is to perform a function in superintending discovery and inspection of statements or summaries in Government files, he must do so to protect both the defendant and the Government.

The bill, as reported, does not do this. It gives the trial judge authority which the Supreme Court said he should not have. Indeed, the provision of the bill may be a fatal defect under the Supreme Court's decision.

At the least, the committee should clarify the intent of this provision of the bill.

Better yet, the committee should propose an amendment to cure the apparent deficiency of the latter part of present subsection (b).

If it should not do either, there is a possibility verging on probability that the bill would not withstand attack before the courts, even if it should withstand the attack in the Senate which I know would come.

Mr. President, I close with a fervent plea on my lips that the Senate will study the Jencks case, because I respectfully submit that here we are dealing in too much haste with a precious right in criminal jurisprudence which should accrue to all defendants the right to make sure that their Government does not withhold from them a single piece of paper which bears on their case, and which they might need in preparing their defense. If we do not keep sacred that protection, once again we shall run the danger of establishing another tactic of a police state; and in the great temple of democracy there is no room for even a vestige of police state procedure.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

THE SITUATION IN ALGERIA

Mr. MORTON. Mr. President, I ask unanimous consent that I may address the Senate for 5 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? Without objection, the Senator from Kentucky may proceed for 5 minutes.

Mr. MORTON. Mr. President, on yesterday we were privileged to hear a very thought-provoking address, by the distinguished Senator from Massachusetts [Mr. KENNEDY], dealing with one of the most tragic and critical situations which exists in the world today. His remarks show a thorough knowledge of the key factors involved in the Algerian-French struggle. It is clear that he gave careful thought and study to the preparation of his address. His speech was made in the spirit of trying to be helpful in solving this most complex problem. I am sure that what he had to say will arouse great interest in the Congress of the United States, the executive branch,

among the people of this country, and among the people of France and Algeria.

While I was deeply impressed with much the distinguished Senator from Massachusetts had to say, I do not believe, frankly, that his description of the present situation was in full perspective. I do not think that all aspects of the problem were fully portrayed. As I pointed out yesterday, it seems to me that he has underestimated the difficulties involved in finding a solution. Moreover, I do not think he has given full expression and importance to the efforts made by the French Government in endeavoring to resolve the conflict. Finally, I am not sure in my own mind that the formula he has proposed would be really helpful in working out a solution.

The Senator from Massachusetts has only touched on the problem of the existence of over 1 million Frenchmen permanently residing in Algeria. These are not all vast landowners or "colons," as they are commonly termed. These largely consist of small farmers, shopkeepers, and professional people. They have lived in Algeria for generations. They are more Algerian than French. They have no place to go in France, should they be driven out of Algeria or otherwise dispossessed. These people are naturally concerned by the prospect of an independent Algeria, where they would become a minority, and possibly an oppressed minority, in a country whose religion, laws, and customs might become completely different from their own.

It is the existence of these people that makes Algeria unique, and makes the Algerian problem quite different from the usual colonial problem. In no place in the world have we ever had a situation quite comparable. Neither in India, Morocco, nor any other country which has recently gained full independence has the European population composed one-ninth of the total. It is thus clear that the French Government has before it an agonizing problem.

Moreover, the pressures generated as a result of this special situation create a political atmosphere in which it is extremely difficult for the French Government to chart a purely objective course. All one has to do in order to get an idea of the political problems now confronting the French Government is to suppose that more than 3 million Americans were residing, as a minority, in an area which was demanding independence. The political pressures which such a situation would create in the Congress can well be imagined.

The Senator mentioned only briefly the policies enunciated by the French Government, and the impression was given that French policy is still aiming toward complete integration of Algeria with France. I do not think that this is an accurate description of recent developments. As enunciated by former Premier Guy Mollet on January 9 of this year, the French Government has come out completely in favor of elections by universal suffrage throughout all of Algeria. That is to say, the French Government is pledged to give each Moslem equal voting rights with the French, which would accordingly do away with the former system, which gave greater weight to the Frenchman's vote.

However, before holding fair elections, it is obvious that peace and order must first be restored. The French have offered, with no strings attached, a cease-fire to the Algerian rebels. No retaliation would be undertaken against those who had until now carried arms against France. Ninety days after restoration of order, elections would be held. Guy Mollet further pledged that the French Government would then undertake to work out with such duly elected Algerian representatives a new statute providing a large measure of autonomy for Algeria.

The Front of National Liberation, the leading rebel organization, has so for rejected the French offer, insisting that the French Government first recognize Algerian right to independence and the Front of National Liberation as the provisional Algerian Government. It is evident that no French Government could survive if it accepted such terms.

Nor would the turning over of the future Algeria to a small fanatical force, supported by Colonel Nasser, be necessarily in the interests of the Algerian people or in the Western interest in general. The present French Government has maintained Mollet's cease-fire offer, and pending acceptance of this program, has decided to go ahead decentralizing the Algerian administration, holding elections where possible, and thereby building up gradually a structure of self-government.

I do not wish to imply that I think French policies have been forthright and liberal in every instance. Nor am I insensitive to the well-justified demands of the Moslem people of Algeria for greater self-government. Moreover, any contribution to the solution of the tragic conflict should certainly be most welcome.

I seriously wonder, however, whether it would be particularly helpful for the United States to inject itself directly into such a complicated issue. I am sure this body would not be appreciative if a foreign congress proposed a formula for resolving an issue which touched so closely the American people. I strongly suspect that the type of action which the Senator from Massachusetts contemplates will tend to stiffen the Franch position, hamper the efforts of French liberal elements, and thereby jeopardize the prospect for the French coming forth themselves with liberal solutions. It does not seem to me, therefore, that the action proposed is really helpful or capable of contributing to a peaceful settlement of the Algerian conflict, which is certainly what we all desire, including both the Algerians and the French.

Let us bear in mind that France has been at war almost constantly for the past 18 years. The French people have faced some very difficult political and economic problems. Since World War II five independent nations have been established from former French colonies. They are Vietnam, Cambodia, Laos, Tunisia, and Morocco. The French still are faced with the problem of meeting the aspirations of the Algerian people for freedom. I believe that a solution of the problem can be found. I know from my own experience in the Department of State that those who are entrusted with the conduct of our foreign affairs are interested in helping the French and the Algerians in resolving peacefully and justly the bitter conflict. I also know from personal experience that this Government did use its good offices when the question of self-government for the five nations mentioned above was a burning issue both in France and the nations involved.

I certainly think, Mr. President, that our country should be found on the side of liberty and freedom for all peoples. I think history proves that in all cases where the determination was properly ours we have acted in conformity with our own great tradition of freedom. Both inside and outside the United Nations the record of the United States in regard to colonialism is a good record. I do not mean to imply that we as a nation can be content merely to stand on the record. We must continue the active championship of liberty and freedom. New policies must be formulated and implemented from time to time. However, such new policies must be carefully considered in the light of all factors concerned; else our efforts might retard the very goals we seek.

ADOPTION OF KOREAN ORPHANS

Mr. MORSE. Mr. President, on January 25, 1957, I cosponsored, with my very able colleague, the present Presiding Officer, the junior Senator from Oregon [Mr. NEUBERGER], Senate bill 866, which seeks to expedite the procedures for bringing into this country Korean orphans whom American families wish to adopt.

As we pointed out, a good many of these orphans were fathered by American servicemen and they are illegitimate children. I think the only moral thing to do is seek to make it as easy as possible for American families that wish to adopt those children to proceed to do so. There can be no question about the fact that those children are suffering greatly in Korea. They are in orphanages which in many instances are not the most desirable. I think there ought to be hearings and early action on S. 866, but it has been languishing in the Judiciary Committee of the Senate. It has not even been scheduled for hearings.

I felt, Mr. President, without any reflection upon the Judiciary Committee, that it became my duty to formally request the Judiciary Committee for action on the bill. Therefore, I sent to the chairman of the Judiciary Committee, the Senator from Mississippi [Mr. EASTLAND], a letter in which I courteously and respectfully asked for early hearings on the bill, so it could be reported and placed on the calendar and the Senate could pass upon the bill, as I think it is our humanitarian duty to do.

I therefore ask unanimous consent that there be printed in the RECORD at this point in my remarks a copy of the letter I sent to the chairman of the Senate Judiciary Committee.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 2, 1957.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, United States Senate.

DEAR MR. CHAIRMAN: Upon calling the Subcommittee on Immigration this morning I was very much distressed to learn that S. 866, which was introduced on January 25, 1957, by Senator NEUBERGER and myself, is still pending in the subcommittee, apparently with no action planned or hearings scheduled.

This does not seem to be in keeping with the views you expressed on the floor of the Senate on June 19, 1957, when you said, in replying to Senator NEUBERGER: "I think that such a bill as that referred to by the Senator (S. 866) will soon be on the Senate Calendar. I hope so. I may say, as chairman of the subcommittee, I favor such a bill." Nor does this lack of action by the subcommittee seem to be in keeping with the high humanitarian purpose of the bill to admit to this country for adoption young and helpless orphans who are victims of war and its aftereffects. Many of these children, who were fathered by our servicemen in Korea and other parts of the Far East, are badly mistreated in the country of their birth and most of them are underfed, undernourished, and therefore susceptible to disease.

In this country there are many wonderful people who are not only willing but eager to adopt these children and give them every opportunity to grow into fine, upstanding, and useful American citizens. However, because there are no visas available for the children to be united with their adoptive parents they must continue to languish in the inadequate orphanage facilities provided for them until S. 866 is passed and enacted into law.

Both Senator NEUBERGER and I have introduced a number of individual private bills for the more urgent of these cases, but it seems to me that this is unnecessarily burdensome to your committee and the process could be obviated by passage of one bill, S. 866.

I hope you and your committee will feel that our bill can be reported out favorably in the very near future.

Sincerely,

WAYNE MORSE.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

DISPOSAL OF FEDERALLY OWNED PROPERTY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 539, Senate bill 1520.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1520) to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. REVERCOMB. Mr. President, I wish to thank the distinguished acting majority leader, the Senator from Montana [Mr. MANSFIELD] for calling up this bill. It is a bill dealing with the restoration of a dam on the Little Kanawha River in West Virginia.

In 1956 the Congress passed an act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes. Among the properties affected were some five dams on the Little Kanawha River. At one time that was a navigable stream and carried a great deal of commerce. Over the years the situation has changed, and the stream is no longer used for navigation, because the principal product and the principal article of commerce was oil, which has ceased to be produced in the quantities it once was. Other methods of transportation have also been used.

Among the dams which were abandoned and disposed of was one known as dam No. 3. I am advised, Mr. President, that in 1956—and perhaps while the bill was under consideration—dam No. 3 washed out, with the result that the water level was lowered for a considerable distance. The effect of that was to injure and destroy the banks, causing them to fall into the water and recede. However, the most damaging result was the lowering of the water level in that area. The people obtain their water in large part from wells. The wells dried up.

The water supply of the town of Elizabeth was affected, and the water supply for the homes of many people who lived up and down the river was affected.

It is felt, Mr. President, that if the Government is to turn back this dam, originally built in 1874, more than 75 years ago, it should be returned and restored in a permanently safe condition, and that it should not be returned to the people in its destroyed condition, with the resulting damage which will continue.

The purpose of this bill is to amend the previous act. I think there is ample justification for the action proposed whereby dam No. 3 will be restored, at a cost not to exceed $150,000. If the cost should be greater than that, the local people will have to defray it.

I believe that is a complete explanation of the bill, and I appreciate being given the opportunity to make this statement to the Senate.

The PRESIDING OFFICER (Mr. MORSE in the chair). The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2 of the act approved August 6, 1956, entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes," Public Law 996, 84th Congress, 2d session, is hereby amended by adding the following: "*And provided further*, That in lieu of preparing dam No. 3 on the Little Kanawha, W. Va., for abandoning, such funds may be expended for modification of the lock and restoration for said dam either as a movable or fixed type dam, but not to exceed $150,000, contingent upon local interests furnishing such additional funds as may be necessary and agreeing to accept the property and take over operation and maintenance of said structure."

INCREASED EXPENDITURES BY COMMITTEE ON FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 152, a resolution reported by the Committee on Rules and Administration this morning, which deals with appropriations for the Committee on Foreign Relations.

The PRESIDING OFFICER. The clerk will state the resolution.

The legislative clerk read the resolution (S. Res. 152), as follows:

Resolved, That the Committee on Foreign Relations is authorized to expend from the contingent fund of the Senate, during the 85th Congress, for the purposes specified in section 134 (a) of the Legislative Reorganization Act of 1946, $10,000 in addition to the amount authorized in such section.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, this resolution was reported unanimously. It is the usual procedure followed by the committee. I urge the adoption of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

ADDITIONAL FUNDS FOR SENATE OFFICIAL REPORTERS OF DEBATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the resolution reported by the Committee on Rules and Administration having to do with the proposed payment for additional reporters.

The PRESIDING OFFICER. The clerk will state the resolution.

The legislative clerk read the resolution (S. Res. 156), as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate, to the Official Reporters of the Senate debates and proceedings, during the period July 1, 1957, to December 31, 1957, so much as may be necessary, not to exceed $20,000, for the employment of additional office personnel.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

RATES OR CHARGES FOR TRANSPORTATION SERVICES BY CONTRACT MOTOR-VEHICLE CARRIERS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 341, S. 943.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 943) to amend section 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicles to file with the Interstate Commerce Commission their actual rates or charges for transportation services.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 943) to amend section 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicles to file with the Interstate Commerce Commission their actual rates or charges for transportation services, which had been reported from the Committee on Interstate and Foreign Commerce with amendments on page 2, after line 3, to strike out:

(3) By changing the second word in the fourth sentence from "reduction" to "change"; and

And, in lieu thereof, to insert:

(3) By striking out the fourth sentence up to the semicolon and inserting in lieu thereof the following: "Nothing herein provided shall be so construed as to require such carriers to maintain the same rates, rules, and regulations for the same services for all shippers served. No reduction shall be made in any such charge either directly or by means of any change in any rule, regulation, or practice affecting such charge or the value of the service thereunder, nor shall any new charge be established, except after 30 days' notice of the proposed change or new charge filed in the aforesaid form and manner."

On line 21, after the word, "or", to insert "less than", and

On page 3, line 2, after the word "or", to insert "less than"; so as to make the bill read:

Be it enacted, etc., That section 218 (a) of the Interstate Commerce Act, as amended (49 U. S. C. 318 (a)), is further amended as follows:

(1) By striking from the second sentence thereof the words "the minimum rates or charges of such carrier actually maintained and charged" and substituting therefor the words "the actual rates or charges of such carrier";.

(2) By striking from the third sentence the words "minimum charges" and substituting in lieu thereof the words "actual rates or charges";

(3) By striking out the fourth sentence up to the semicolon and inserting in lieu thereof the following: "Nothing herein provided shall be so construed as to require such carriers to maintain the same rates, rules, and regulations for the same services for all shippers served. No reduction shall be made in any such charge either directly or by means of any change in any rule, regulation, or practice affecting such charge or the value of the service thereunder, nor shall any new charge be established, except after 30 days' notice of the proposed change or new charge filed in the aforesaid form and manner".

(4) By changing the sixth sentence up to the proviso to read as follows: "No such carrier shall demand, charge, or collect compensation for such transportation different from the charges filed in accordance with this paragraph, as affected by any rule, regulation, or practice so filed, or less than the minimum rate or charge as may be prescribed by the Commission from time to time, and it shall be unlawful for any such carrier, by the furnishing of special services, facilities, or privileges, or by any other device whatsoever, to charge, accept, or receive compensation different from the actual rates and charges so filed, or less than the minimum charges so prescribed:"

Mr. SMATHERS. Mr. President, this is a bill requested by the Interstate Commerce Commission. It proposes to amend the Interstate Commerce Act so as to require that in the future actual rates shall be filed instead of minimum rates, as has been the case heretofore.

The subcommittee of which I am chairman held hearings on the bill. Many witnesses appeared. As a result of the hearings we prepared an amendment. The Senator from Oklahoma [Mr. MONRONEY] proposed an amendment, which subsequently had to be amended by an additional amendment offered by the Senator from Ohio [Mr. BRICKER].

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

Mr. SMATHERS. Mr. President, at this time I should like to offer an amendment and have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, at the end of line 9, it is proposed to insert the following: "and by striking out the period at the end of such sentence and inserting in lieu thereof a colon and the following: '*Provided*, That any contract carrier serving but one shipper having rendered continuous service to such shipper for not less than 1 year may file reasonable minimum rates and charges unless the Commission in any individual case, after hearing, finds it in the public interest to require the filing of actual rates and charges.'"

Mr. SMATHERS. Mr. President, I urge the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

Mr. SMATHERS. Mr. President, I urge the passage of the bill, as amended. There was no objection to it by any person who appeared before the committee.

The PRESIDING OFFICER (Mr. MORTON in the chair). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent that I may have printed in the RECORD a statement in connection with the bill just passed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON S. 943

The proposed amendment would add a provision to the law which would relieve contract carriers serving only one shipper from filing their actual rates or charges. Under the language of this amendment the contract carrier must have rendered continuous services to the shipper for a period of at least 1 year. Having so served, the contract carrier would then qualify under this amendment and be relieved from filing their actual rates and charges.

The amendment reads as follows: "*Provided*, That any contract carrier serving but one shipper having rendered continuous service to such shipper for not less than 1 year may file reasonable minimum rates and charges unless the Commission in any individual case, after hearing, finds it in the public interest to require the filing of actual rates and charges."

One reason advanced for this suggested amendment is that a number of contract carriers provide services that are not competitive with common carriers; consequently, there is no reason to require disclosure of actual rates. Contract carriers who now serve but one shipper are required, under existing law, to file schedules on minimum rates and charges actually maintained and charged. The courts, in *Auto Transports, Inc.* v. *United States*, affirmed per curiam (343 U. S. 923 (1952)), have held under the existing statute providing for filing "minimum rates and charges actually maintained and charged" that a contract carrier serving a single shipper must file actual rates. Enactment of S. 943 with Senator MONRONEY'S amendment would change the present law, as decided in the Auto Transports, Inc. case. This amendment would, in effect, provide a measure of relief for legitimate contract carriers and give greater stability to our contract carriers.

I should like to add that this amendment has been cleared by Senator BRICKER, the ranking Republican member of our committee, and I believe this provision has great merit. I earnestly urge its adoption.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

WORLDWIDE BAN ON NUCLEAR TESTS

Mr. MANSFIELD. Mr. President, before the unfinished business is discussed, I should like to make a few remarks relative to the present situation with regard to "clean" and "dirty" bombs.

Mr. President, the desirability of a test ban on big nuclear tests is the most controversial issue that confronts the nations of the world today. There are many proposals coming from the capitals of the world and from many prominent individuals. These proposals differ largely in matters of degree. The Soviet Union has made a number of attempts to seize the initiative in promoting a worldwide ban on nuclear tests. Propaganda or not, we must admit that these Soviet proposals have put the nations of the Free World on the defensive. It is time that the United States forcefully reassumes its leadership.

As I have stated on previous occasions, I feel that a multilateral ban on the testing of nuclear weapons of one megaton or more in strength would be in the best interest of the peoples of the world, both from a defense and humanitarian point of view.

My views on this subject are known, as are the views of many of my colleagues here in the Senate. Many scientists and lay people have expressed their thoughts on this topic. What disturbs me greatly is whether this country, as the most powerful nation in the world, has a firm policy on this, the greatest of all issues. I really do not know, and from all public sources of information I am forced to assume that the President, his associates and his advisers in the administration are not unified in the formulation of a firm policy on the continued testing of nuclear weapons.

In November of 1956, President Eisenhower stated that he opposed a ban of any kind on the continued testing of nuclear weapons. On the eve of the 1956 presidential election, Dr. Edward Teller and Dr. Ernest Lawrence, of the University of California Radiation Center, issued a statement that "the radioactivity produced by the testing program is insignificant." This statement, though disputed by some, had considerable effect on the thinking of many people at that time.

In the months that have passed since the presidential election, the growing support for some kind of test ban has become very vocal, and President Eisenhower has come to look more favorably upon the desirability of a nuclear test ban. Just recently, Dr. Teller and Dr. Lawrence joined with the Chairman of the Atomic Energy Commission in reporting to the President that this country now knew a way of making virtually clean superbombs in which the radioactive fallout could be cut down by 96 percent. Prior to this announcement the administration had committed itself to a ban on nuclear tests under stringent conditions as a part of an overall disarmament program.

Now, however, the President has said, that while he would still stand by the heavily conditioned United States offer to join in a ban on atomic tests, he thought there was much to be said for continuing tests in order to eliminate the fallout dangers to the fullest possible degree.

Let me say at this point that regardless of the source of scientific information, it would seem unreasonable to depend on only one source on such a vital issue. Advice from other learned scientists should also be considered. During the course of the recent Joint Atomic Energy Committee hearings, AEC scientist Dr. Alvin C. Graves testified that complete cleanliness in hydrogen bombs was impossible.

In recent weeks the clean bomb has been used as a major argument favoring the continued testing of large hydrogen weapons. Let us consider for a moment the various ramifications of a clean versus the dirty bomb.

I think the first important consideration is to recognize that if it is possible for this country to perfect a clean bomb, the question arises as to whether we can be assured that Great Britain, the Soviet Union, and any other nation which would become a nuclear power would also be able to perfect clean bombs. We must remember that our nuclear test explosions are not the only ones which spawn radioactive particles into the atmosphere. Are we willing to give our formula to the Soviet Union so that she can continue her tests without contaminating the atmosphere?

Another point we must consider is that if we do perfect a bomb that is 95 or 96 percent clean, the percentage that is still dirty in one of these bombs in the megaton range would still release more fallout than the atomic bomb dropped on Hiroshima.

Proponents of the clean bomb say that such bombs could be used tactically in battlefield operations without unnecessarily injuring civilians with fallout and without contaminating the ground so that invading troops could not enter. Conversely, it could be argued that the dirty bomb is more desirable because it would contaminate an area for a long period of time, making it inaccessible.

Because of the tremendous force embodied in a megaton bomb that is, in terms of millions of tons of TNT, the initial destruction from the explosion and the heat creates total destruction over areas covering several miles. It would seem difficult to limit a target to a specific military installation without bringing death and destruction to hundreds of thousands of innocent people.

I am not at all convinced that the use of a clean bomb would automatically displace the use of hydrogen weapons which would spread radioactive fallout over a large area.

We, as Americans, may not use dirty bombs, but who is to say that the aggressor will do likewise? I feel that this yen to perfect clean bombs is leading us to an unattainable goal of perfection in war.

It is time for realism. The advantages and disadvantages of clean and dirty bombs will be cast to the winds if, God forbid, the world should become embroiled in another world war.

I feel that the greatest contribution to a worldwide disarmament program would be a multilateral agreement among the nuclear powers to end the testing of large hydrogen weapons of one megaton or more in strength. Such an agreement is enforcible because, from all information available, it would be impossible for any nation to test such a large weapon without being detected.

This, I feel, can be the first step in any sound disarmament program. It is virtually impossible to bring about a complete disarmament agreement among the major powers without approaching it on a step-by-step basis. The administration is to be commended for proposing at the current Disarmament Conference in London a ban on nuclear tests for a 10-month period if, at the same time, the Soviet Union will agree to stop the manufacture of such weapons. I express the hope that should our proposal fail, because of an "all or nothing, take it or leave it" basis, negotiations would be continued in the hope that some small step-by-step agreement could be reached in this difficult and delicate field.

I wish to make it clear that I do not suggest that we discontinue the testing and perfection of small tactical nuclear weapons. This is very necessary to maintain our military strength in the atomic age until there is an ironclad disarmanent agreement.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "The So-Called Clean Bomb," written by William H. Stringer, chief of the Washington Bureau of the Christian Science Monitor, and published in the July 1, 1957, edition of that newspaper.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SO-CALLED CLEAN BOMB

(By William H. Stringer)

WASHINGTON.—The prospect that a clean hydrogen bomb can be developed—that is, one which produces a negligible fallout—undeniably has altered the disarmament picture.

All of the great and compelling reasons for disarmament still remain—and most of the reasons for reaching a limited first-step agreement at the London disarmament talks. But to the other arguments which have been made to President Eisenhower for proceeding cautiously, and for insisting on a first-step package deal which would include almost everything under the disarmament sun, there now is added the argument that further testing for 4 or 5 years would yield a fairly clean bomb.

Since the United States ultimately will embrace disarmament because it is to its own self-interest and safety and not because of some global demand for halting bomb tests, this concept of the clean bomb and what it may mean to weapons policy and armaments is worth examining.

First of all, the clean bomb means that a nation could launch a nuclear war which would not, because of deadly radioactive fallout drifting down on all alike in the months following, threaten the aggressor as well as the victim with annihilation. This is a crucial consideration.

It means that if an aggressor could launch a sneak attack he might conceivably get away with it. He would not himself be punished by the backfire of fallout. This kind of bomb actually makes nuclear war less unthinkable to a desperate dictator. And by that very fact it makes disarmament all the more imperative. For to a small degree that deterrent of mutual terror is alleviated by the clean bomb.

Secondly, the clean bomb gives added flexibility and efficiency to small nuclear weapons—the kind on which Washington is relying for defense against limited wars and nibbling aggression. As one nuclear scientist puts it, a small nuclear weapon without fallout is more like a supercharge of TNT. A Korean aggression could be repelled—perhaps made impossible—with a few small nuclear bombs hurled by plane, cannon, or rocket. Defense is accorded a real chance in brush-fire wars.

Ernest O. Lawrence and Edward Teller—the Government's own brand of atomic special pleaders who were brought to the White House by Lewis L. Strauss, chairman of the Atomic Energy Commission, to see President Eisenhower last week—argued that the AEC needed more time to perfect these smaller tactical weapons. Tactical nuclear weapons, and particularly those whose scatter-blast effect is lessened because fallout is vastly curtailed, could provide at least a partial answer and deterrent to the massed manpower capabilities of the Soviet Union and Communist China. In any showdown it would be massed firepower countering massed manpower.

Finally, bombs without fallout can be more readily used over a nation's own cities in defense against enemy aircraft or even, conceivably, against enemy guided missiles. It seems fantastic to believe that any barrage of nuclear explosives could intercept a shower of intercontinental guided missiles raining down at far beyond the speed of sound, but this is one of the ultimate, and perhaps unrealistic, objectives of the nuclear weapons experts.

Most immediately, of course, the idea that clean bombs can be perfected removes the desperate urgency from the proposal to ban bomb tests. If worried nations and peoples can be persuaded—and this is a big "if" in these days of powerful propaganda—that future testing will yield relatively negligible amounts of fallout, then testing of nuclear devices per se would not loom as any more dangerous, or any less dangerous, than testing, say, of guided missiles.

But here we come right back to the initial compulsions which have kept the disarmament talks in being these many long postwar years. Nuclear warfare, even with fallout largely omitted, would be devastating to whole nations, perhaps continents. Once a nuclear attack were launched, and several nations started hurling their big weapons, it would be despairingly proved that, as President Eisenhower told a recent press conference, "there can be no such thing as a victorious side" in a global nuclear war.

The need for ultimate disarmament is just as powerful now as before Messrs. Lawrence and Teller went on their neatly timed mission to the White House. There is the global cost, the tension, the mounting burden of the arms race.

But what happens now? At London the United States, feeling less urgency, has added to its package deal on disarmament various conditions which Moscow is not likely to accept—certainly not very soon. Prospects for a quick deal are dim. Whether the achievement of a clean bomb is worth the long postponement of disarmament hopes is something with which Mr. Eisenhower and his advisers are evidently still wresting.

AMENDMENT OF PUBLIC ASSISTANCE PROVISIONS OF SOCIAL SECURITY ACT—CONFERENCE REPORT

Mr. FREAR. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

On page 2, of the Senate engrossed amendments, strike out lines 14, 15, and 16; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

HARRY F. BYRD,
ROBT. S. KERR,
C. ALLEN FREAR, JR.,
EDWARD MARTIN,
JOHN J. WILLIAMS,
Managers on the part of the Senate.

JERE COOPER,
W. D. MILLS,
NOBLE J. GREGORY,
DANIEL A. REED,
THOMAS A. JENKINS,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

The Senate resumed the consideration of the bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

The PRESIDING OFFICER. The committee amendment will be stated.

The committee amendment was, on page 2, line 11, after the word "the," to strike out "National Fine Arts Commission" and insert "Commission of Fine Arts," so as to make the bill read:

Be it enacted, etc., That title I of the act of August 30, 1954 (68 Stat. 961), is amended to read as follows:

"TITLE I—TUNNEL IN VICINITY OF CONSTITUTION AVENUE

"SEC. 101. That the Secretary of the Interior is authorized and directed to construct, maintain, and operate a four-lane tunnel across the Potomac River from the vicinity of Constitution Avenue in the District of Columbia to the Virginia side of the Potomac River, such tunnel to be constructed north of the Arlington Memorial Bridge and south of, or under, Theodore Roosevelt Memorial Island, together with approaches and roads connecting such tunnel and approach ramps with streets and park roads in the District of Columbia and with streets and park roads on the Virginia side of the Potomac River: *Provided*, That in planning such approach ramps and connecting roads, in the District of Columbia and the Commonwealth of Virginia, the Secretary of the Interior shall consult with the National Capital Planning Commission, the Commission of Fine Arts, the Commissioners of the District of Columbia, and the Bureau of Public Roads, Department of Commerce: *Provided further*, That the tunnel, approach ramps, interchanges, and connecting roads at both ends of the tunnel shall be constructed with a view to retaining as far as possible the memorial setting and the artistic design of the Lincoln Memorial, the Arlington Memorial Bridge, Theodore Roosevelt National Monument, the Marine Memorial to the Dead of All Wars, the Arlington National Cemetery, and other monumental structures, properties, and park lands of national significance in the general area.

"SEC. 102. Lands and facilities under the jurisdiction of other Federal agencies, may be used for the approach ramps, related structures, and connecting roads. The closing, obliteration, construction, or relocation of facilities, including roads as a result of the use of the aforesaid Federal lands for the purposes of this act shall be accomplished in accordance with plans and procedures satisfactory to the head of the department having administrative jurisdiction over such properties.

"SEC. 103. The Secretary of the Interior is authorized to enter into an agreement or agreements with Arlington County and the State Highway Commission of Virginia, acting for and on behalf of the Commonwealth of Virginia, for the purpose of providing for cooperation by Arlington County and the State Highway Commission of Virginia, to such an extent as the Secretary of the Interior shall deem necessary in the construction of connecting roads, temporary or permanent closing of existing roads, and any other matters relating to the construction of said tunnel which the Secretary of the Interior shall consider appropriate.

"SEC. 104. The Secretary of the Interior is authorized and directed to route and reroute and to cause the routing and rerouting of traffic on, and to close or cause to be closed roads, streets, and highways under the jurisdiction of the Commissioners of the District of Columbia, by agreement or agreements with the Board of Commissioners of the District of Columbia to such an extent as the Secretary of the Interior shall deem necessary and appropriate.

"SEC. 105. The cost of construction, reconstruction, relocations, obliteration, and repair of all facilities and related works, including streets, if any, and park roads, which are changed or made necessary incident to the construction of said tunnel, approach ramps, and connecting roads, shall be paid out of funds allotted and made available for construction of said tunnel, approach ramps, and connecting roads: *Provided further*, That the cost of all necessary regrading and landscaping resulting upon the completion of said tunnel, approaches, and connecting roads also shall be paid out of funds allotted and made available for the purposes of this act.

"SEC. 106. There is authorized to be appropriated the sum of $25,500,000 to carry out the provisions of this act."

The amendment was agreed to.

Mr. CARLSON. May I inquire whether the Senator from Nevada is about to discuss the bill, which deals with bridges over the Potomac River?

Mr. BIBLE. The Senator is correct.

Mr. CARLSON. I have no objection, but I know that minority views have been filed, and I wonder whether we should have a quorum call at this time.

Mr. BIBLE. I believe all the Senators who are interested in the minority views are on the floor at the present time. Certainly as the discussion of the bill proceeds I shall be very happy to yield for the purpose of suggesting the absence of a quorum.

AMENDMENT OF SOCIAL SECURITY ACT, AS AMENDED

Mr. BYRD. Mr. President, there is a bill which has been reported unanimously by the Committee on Finance, and which has an expiration date of July 1. I therefore ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 462, H. R. 6191.

Mr. CARLSON. May I inquire to what the bill relates?

Mr. BYRD. It relates to social security payments to veterans.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 6191) to amend title II of the Social Security Act, as amended, to extent the period during which an application for a disability determination is granted full retroactivity, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the bill (H. R. 6191)?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendment on page 1, after line 6, to strike out:

SEC. 2. (a) Section 224 (e) of the Social Security Act is amended by adding at the end thereof the following new sentence: "For the purposes of this section, the term 'periodic benefit' does not include compensation paid to any individual under laws administered by the Veterans' Administration on account of such individual's service-connected disability."

And, on page 2, after line 3, to strike out:

(b) The amendment made by subsection (a) shall apply only with respect to monthly benefits under title II of the Social Security Act for months after June 1957.

Mr. BYRD. Mr. President, H. R. 6191 would amend title II of the Social Security Act, as amended, to extend for 1 year—through June 30, 1958—the time within which disabled workers can file applications which would permit the beginning of a period of disability to be established as early as the actual onset of disablement, provided the other requirements of the law are met. Under present law if an application to establish a period of disability is filed by a disabled worker after June 30, 1957, any period of disability that is established for him cannot begin earlier than 1 year before the application is filed.

It is now clear that many people who have been disabled for some time and who would be eligible for the freeze will not make the necessary application before July of this year because they are not aware of the existence of the freeze provisions. While this is understandable in view of the newness of the disability features of the old-age and survivors insurance program, your committee is concerned that many persons who became disabled some time ago will, if they fail to file applications before July 1, 1957, lose all their protection under the old-age and survivors insurance program—retirement and survivor, as well as disability protection.

The committee believes that it is only fair to give workers now disabled a further opportunity to avoid loss of these valuable rights by extending through June 30, 1958, the period for filing an application which will make the freeze effective for eligible workers for the entire period of their total disability.

Without prejudice as to the merit of the proposal, the committee did not include in its reported bill section 2 of the House-approved bill which would modify the disability-benefit offset provision of the Social Security Act so that an individual's disability-insurance benefit under old-age and survivors insurance would not be reduced, because of disability compensation he receives from the Veterans' Administration. The purpose in deferring action on this provision was to allow the Social Security Administration sufficient time to endeavor to work out appropriate language to enable the service-connected disabled veteran to draw full social-security disability benefits in the event he is disabled in employment or his employment aggravates his veterans' disability to such an extent that he can no longer be gainfully employed. In other words, the committee is in complete sympathy with the objective insofar as the service-connected disabled veteran is concerned but distinctly disapproves the duplication or unwarranted pyramiding of disability benefits received under other Federal plans.

After studying the problem further the Social Security Administration subsequently reported that the suggested committee amendment was administratively infeasible; thus, the committee reconsidered and approved the House amendment. I, therefore, ask the Senate to disapprove the committee amendment, thereby restoring section 2 to the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

Mr. BYRD. The rejection of the committee amendment restores the bill to the form in which it passed the House. It is a very desirable bill. The amendment proposed by the Committee on Finance would have disallowed veterans certain benefits under social security. The purpose of rejecting the amendment is to give to the service-connected disabled veteran full benefits under social security, in addition to his veteran's disability compensation, as provided in the House bill.

Mr. CARLSON. As I understand, the bill now is exactly the same as it was passed by the House, H. R. 6191. Is that correct?

Mr. BYRD. The Senator is correct.

Mr. CARLSON. Section 2 is restored to the bill, and that section provides that disabled veterans shall be able to secure benefits under both old-age and survivors insurance and pension benefits. Is that correct?

Mr. BYRD. The Senator is correct.

Mr. CARLSON. I think it is a worthy bill, and I sincerely hope it will be passed.

The PRESIDING OFFICER. The Chair announces that the parliamentary situation as it stands now is that the committee amendment has been rejected. Its rejection restores the bill to the form in which it passed the House.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. BARRETT. Do I understand correctly that the amendment which has been rejected restores section 2 of the House bill?

Mr. BYRD. It does. The Senate has rejected the committee amendment. The effect is to restore section 2 of the bill. The amendment resulted from a suggestion of the administration that certain details had to be worked out. The details were worked out, and were included in the House bill, and the rejection of the committee amendment restores the House provision to the bill. Therefore the bill now before the Senate is exactly the same bill that passed the House.

Mr. BARRETT. As the situation stands now, a veteran with service-connected disability may also obtain disability benefits under social security. Is that correct?

Mr. BYRD. Such benefits may be paid to the veterans; yes.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. POTTER. I had intended to offer an amendment to the pending bill to allow Michigan, one of the States to qualify under the legislation, along with other States which also qualify, to include firemen and policemen under the provisions. However, it is my understanding that such a provision will be submitted as separate legislation. I should like to ask the chairman if it is the intention of the Committee on Finance to take up such proposed legislation in a separate bill. I realize that the chairman would like to have the bill passed in its present form, so that it would not be necessary to have it go to conference.

Mr. BYRD. As soon as the House sends to the Senate such a bill as that referred to by the Senator from Michigan, I feel certain that there will be no objection to the adoption of an amendment in line with the Senator's suggestion. The bill before the Senate has a time limit of July 1, and to add an amendment to it would require the bill to go to conference.

Mr. POTTER. But it is the view of the chairman, is it, that other bills dealing with the Social Security Act will come before this session of Congress, and that an amendment could be either offered on the floor or referred to the committee at that time?

Mr. BYRD. The Senator is correct. I suggest that he offer an amendment and have it referred to the Committee on Finance, to be applied to any bill to which it would be proper to attach it.

Mr. POTTER. With that understanding, I will not offer the amendment at this time. I thank the Senator from Virginia.

Mr. BYRD. I thank the Senator from Michigan.

Mr. O'MAHONEY. Mr. President, I desire to ask the Senator from Virginia a question. My understanding of what has been said by the distinguished chairman of the Committee on Finance is that if the bill is now enacted, after the rejection of the original amendment suggested by the Committee on Finance, and now withdrawn, the bill will read as follows. It is a short bill, and it will not take long to read it:

Be it enacted, etc., That paragraph (4) of section 216 (i) of the Social Security Act is amended by striking out "July 1957" and inserting in lieu thereof "July 1958", and by striking out "July 1956" and inserting in lieu thereof "July 1957."

SEC. 2. (a) Section 224 (c) of the Social Security Act is amended by adding at the end thereof the following new sentence: "For the purposes of this section, the term 'periodic benefit' does not include compensation paid to any individual under laws administered by the Veterans' Administration on account of such individual's service-connected disability."

(b) The amendment made by subsection (a) shall apply only with respect to monthly benefits under title II of the Social Security Act for months after June 1957.

The result of the action which has been taken as I understand, is to strike from the bill the restrictive language which was suggested by the committee, excluding from the meaning of the words "periodic disability" service-connected disability allowances for the individual, so that a veteran will be entitled to all the benefits provided in section 1.

Mr. BYRD. The Senator is correct. The rejection of the committee amendment leaves the bill in the form it passed the House.

Mr. O'MAHONEY. The House bill does not restrict the veteran.

Mr. BYRD. It does not restrict him.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. JAVITS subsequently said: Mr. President, I was not in the Chamber when the debate took place on Calendar No. 462, H. R. 6191. I wish to be recorded in connection with the deliberations on that bill.

I am very much pleased that the Committee on Finance has seen fit to report a bill which accords with the views of the American Legion, the Veterans of Foreign Wars, and other distinguished veterans' organizations in the State of New York, who feel very keenly about the opportunity for veterans to receive their service-connected compensation payments as well as social-security benefits. The committee has done that under the chairmanship of the distinguished senior Senator from Virginia (Mr. BYRD), by restoring the House language in section 2.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 486, Senate bill 944.

The PRESIDING OFFICER. That bill is the unfinished business. It will come before the Senate automatically.

The Senate resumed the consideration of the bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

Mr. BIBLE. Mr. President, the bill now before the Senate is probably better described as the bill which brings into focus the crossing of the Potomac River in the vicinity of Constitution Avenue, whether that crossing is to be a 6-lane bridge crossing or a 4-lane tunnel crossing.

By direction of the Committee on the District of Columbia, a report has been filed, a copy of which is on the desk of each Senator. Likewise a copy of the hearings held before the Subcommittee on Fiscal Affairs of the Committee on the District of Columbia and a copy of Senate bill 1707 also are on the desk of each Senator.

Senate bill 1707 provides for a six-lane, fixed span bridge across the Potomac River in the vicinity of Constitution Avenue.

Extended hearings were held by the subcommittee on these two pieces of proposed legislation. The Subcommittee on Fiscal Affairs, by a vote of 2 to 1, reported the bridge bill to the full committee. By a vote of 5 to 3, the full committee reported the tunnel bill to the Senate, and it is that bill S. 944 to which I am now addressing my attention.

The minority views filed in the report were those represented by the chairman of the committee, the Senator from West Virginia (Mr. NEELY), the Senator from Delaware (Mr. FREAR), and myself. The decision which we reached, as I shall point out in the opening statement, was one which was made after considering the important factors of cost, need, and capacity.

The proposal before the Senate today is not a new one. During the 83d Congress, when the question was considered for the first time, Public Law 704, which was approved August 30, 1954, was enacted and is the law at the present time. It authorizes the Commissioners of the District of Columbia to construct a low-level span bridge over the Potomac River in the vicinity of Constitution Avenue north of Memorial Bridge and south of the southern portion of Theodore Roosevelt Island.

For the benefit of Senators who are interested in examining the various existing crossings of the Potomac and those proposed not only by Public Law 704 but also by both S. 944 and S. 1707, as well as the bill which was before the Senate last year, a map has been mounted on an easel at the rear of the Senate Chamber which clearly delineates the various crossings.

It is interesting to note that the distance from the present Memorial Bridge to the bridge proposed in the 6-lane bridge bill, taking the District of Columbia side, is 1,900 feet; taking the center line, it is 2,200 feet; and taking the Virginia side, it is 2,500 feet.

The distance from the present Memorial Bridge to the bridge already authorized by law is in the neighborhood of 1,300 feet. So the pending proposed legislation in effect moves the bridge upstream varying distances, between 550 feet on the District of Columbia side, 930 feet in the center line, and 1,200 feet on the Virginia side.

I make special comment on that because it is significant to me that new legislation was introduced in the 84th Congress to move the proposed bridge upstream the short distance I have just indicated in order to minimize the impact on the Lincoln Memorial area. At that time the District Commissioners agreed, at the request of the Commission on Fine Arts, the Department of the Interior, the Theodore Roosevelt Association, and others, that there would be some advantage in moving the bridge slightly upstream, as I have indicated.

The location as presently provided in S. 1707 is controlled at both ends of the bridge by physical considerations. On the Virginia side, Arlington Towers and the Marine Corps Memorial fix the alinement of the bridge. On the District side, the connections to Constitution Avenue and the inner loop fixed that end of the bridge.

The last control was in establishing the crossing of the main Potomac River channel on the east side of Theodore Roosevelt Island and the crossing of Little River on the west side of Theodore Roosevelt Island, as nearly as possible to a right angle with the flow of the river. This means that the new location for the bridge will be the short distances upstream that I have already indicated.

I emphasize that the bill before the Senate today is identical with the bill which the Senate passed at the last session of Congress. Today we are passing upon the same proposed legislation for the third time.

I likewise call the attention of the Senate to the fact that under the authority of the existing law the Commissioners could proceed today with the construction of a six-lane, fixed-span bridge at a location just a short distance south, downstream, from the location proposed in the bill before the Senate. The Commissioners testified before the committee that they were completely satisfied with the authorization contained in that act and would be quite happy to receive an indication from Congress to proceed under that act without the passage of a new bridge bill for this location.

The Commissioners also indicated that they recognized some question and disagreement in Congress as to the advisability of a fixed-span bridge versus a tunnel, and that, naturally, they would defer any action until they had some final expression, and, it was hoped, a very clear-cut, final expression, from Congress, at least before the adjournment of this session.

It is significant that, as a matter of fact, under the legislation I have described, the Congress in 1955 appropriated $200,000 for the project; in 1956, $1,500,000; in 1957, $3 million; and, in 1958, $350,000. Of the total amount appropriated to build the bridge, which has already been authorized under existing law, the sum of approximately $50,000 has been expended for consultant service.

The District of Columbia has the authority and the money needed to proceed with the bridge, as I have just stated. In addition to the appropriations already mentioned, this is a Federal-aid to highway project. It seems to me the Congress should today give to the District of Columbia government some indication about its feelings regarding this important matter, in order to help the District of Columbia government alleviate the pressing need for a crossing in this central area.

There are, in fact, absolutely no changes of the facts as to the need, and no changes of the facts as to the esthetics, and no changes of the facts as to the navigation requirements. Today they

are the same as they were when the act was passed a short 3 years ago.

The Federal Highway Act of 1956, which the Congress passed last year, sets forth the following in section 108 (i):

(i) Standards: The geometric and construction standards to be adopted for the Interstate System shall be those approved by the Secretary of Commerce in cooperation with the State highway departments. Such standards shall be adequate to accommodate the types and volumes of traffic forecast for the year 1975. The right-of-way width of the Interstate System shall be adequate to permit construction of projects on the Interstate System up to such standards. The Secretary of Commerce shall apply such standards uniformly throughout the States. Such standards shall be adopted by the Secretary of Commerce in cooperation with the State highway departments as soon as practicable after the enactment of this act.

Those are the provisions of the Federal Highway Act of 1956, enacted last year, which governs the requirements for the Interstate Highway System. The Department of Highways of the District of Columbia has consulted—as it is required to do under this act—the Bureau of Public Roads of the Department of Commerce, and they have reached the conclusion that a 4-lane tunnel or any 4-lane facility at this location would not adequately serve those needs, based upon a 1975 traffic capacity, and that the Bureau would be unable to approve a project for a 4-lane facility if it were submitted by the District of Columbia. Traffic studies show conclusively that any 4-lane facility would be operating at capacity on the day when such a facility was opened to accommodate traffic. One can easily picture traffic backed up for great distances at both approaches to the tunnel, for this reason alone.

On the Virginia side, Route 50 is to be enlarged from a 4-lane to a 6-lane facility. On the District of Columbia side, Constitution Avenue, as all Senators probably know already, is an 8-lane facility; and the Inner Loop Highway, when completed, will be an 8-lane facility. It is impossible to visualize that any 4-lane crossing would take care of traffic needs, considering alone these approaches to a tunnel.

The expert testimony given before the Fiscal Affairs Subcommittee indicated that the practical capacity in one direction for a 6-lane, fixed span bridge is 4,500 vehicles an hour, whereas a 4-lane tunnel would have a capacity in the neighborhood of 2,200 vehicles an hour.

There are filed with our report the figures for the various costs relative to the pending proposal; and I should like to comment on them.

The 4-lane tunnel proposal, under the estimates given to us by the Department of the Interior, would cost in the neighborhood of $25,482,000. The estimates of the Department of the Interior for such a tunnel, plus rights-of-way and present channel clearance estimates made by the Highway Department, are somewhat higher, namely, $29,382,000. It seemed to be clear and uncontradicted that the cost of maintenance of a 4-lane tunnel would, in any event, be in the neighborhood of $125,000 a year.

The estimates for the construction of a 6-lane tunnel as given to the committee by the experts who appeared before the committee, varied considerably. The estimate given by the Interior Department was in the neighborhood of $37,500,000 for a 6-lane tunnel facility, whereas the estimates by the Highway Department ranged to as high as $47,842,000. I am frank to confess that there was a wide variance between the figures submitted by the Highway Department and those submitted by the Interior Department. Suffice it to say that even taking the lower figure, which is given by the proponents themselves—namely, $37,500,000—it is almost $20 million higher than the cost of a 6-lane, fixed span bridge to have comparable traffic capacity at this particular crossing.

The estimate for a fixed span, 6-lane, prestressed concrete bridge was $15,500,600; and the estimate for annual operation and maintenance was $10,000. The estimate by the Highway Department for a steel bridge was $18,699,000; and the estimate for annual operation and maintenance was $14,000.

If a draw span were to be authorized—and again I stress that the pending bill is for a fixed span bridge—the cost would be increased by approximately $1,900,000.

I am very well aware of the fact that a great deal of testimony before our committee was on the question of the esthetics. That point was thoroughly considered by those of us who felt that the six-lane, fixed-span bridge is the correct answer to this problem. The bridge bill, S. 1707, contains the following language as to that—

Provided further, That the bridge hereby authorized to be constructed may cross such portion of either of the two islands comprising the said Theodore Roosevelt Memorial Island as may be agreed upon between the Theodore Roosevelt Association and the Commissioners. The general plan and profile of the bridge structure shall be subject to the approval of the Fine Arts Commission. The general location of the bridge, approaches, interchanges, and connecting roads on lands under the jurisdiction of the Secretary of the Interior shall be subject to his approval. The bridge, approaches, interchanges, and connecting roads at both ends of the bridge shall be constructed with a view to retaining so far as possible the monumental setting and the artistic design of the Lincoln Memorial, the Arlington Memorial Bridge, and other monumental structures, properties, and park lands in the general area.

The bill further contains a proviso—

That the Secretary of the Interior shall retain control and jurisdiction over all park lands in the vicinity of the bridge other than such lands as may be required for the actual bridge structure and other than the surface of the approach roads and streets between curbs, which shall be the responsibility of the government of the District of Columbia.

So, Mr. President, one of the very purposes of S. 1707 is to change the location of the bridge authorized to be constructed by Public Law 704 of the 83d Congress, and move it to a location upstream from the presently authorized by such law, so as to minimize the impact of the bridge on the memorial area.

I am convinced, and I share the views of the Commissioners of the District of Columbia, that it is possible to design a bridge which will result in the enhancement of the appearance of the area and will be an asset to the monumental location, and will have the advantage of not plunging those who use the crossing into a tunnel as they approach these monumental structures, and then bringing them to the surface after they have passed them.

Mr. President, to my colleagues who are on the floor at this time, and who are interested in the proposed design of the bridge, as conceived by the architect, let me state that we have had placed at the rear of the Senate Chamber a picture of the proposed Constitution Avenue Bridge. We think it is architecturally beautiful.

The record of the hearings shows that there have been 5 independent traffic studies made since 1952, all of which demonstrate the need for a 6-lane structure to accommodate the traffic that demands a crossing in this vicinity.

The first survey was made in July 1952, by the firm of Modjeski & Masters, of Harrisburg, Pa., in its report to the Commissioners it recommended a new 6-lane bridge in the vicinity of Constitution Avenue, and estimated that had a bridge been in place at the time the report was submitted, it would have carried an average daily volume of 48,500 vehicles. This was an immediate traffic assignment to an immediately needed project back in 1952.

A second traffic study was made in February 1954 by the Regional Highway Planning Committee. It established a traffic count in the vicinity of Constitution Avenue and estimated that had a facility been available at that time, it would have carried in excess of 43,000 vehicles per day. The Regional Planning Committee report, like the Modjeski & Masters report, did not forecast future volumes, but indicated a 6-lane bridge to allow for the normal growth of traffic.

A third study was made in 1954 by the Department of Highways, District of Columbia, which indicated that there was a crossing demand for 47,000 vehicles a day. The Highway Department projected their data, and found that in 1970 this demand would increase to 65,000 daily; and in 1980 to 75,000 vehicles daily.

A fourth study was made in 1955, which indicated that in 1980 a Constitution Avenue Bridge would carry an average daily load of 75,000 vehicles.

The latest study, also made in 1955, forecast that 75,000 vehicles a day would cross a Constitution Avenue bridge by 1970.

To summarize, the evidence gathered by these 5 groups, all working independently, arrived at the same conclusion, based upon traffic demand, that a traffic facility constructed at or in the vicinity of Constitution Avenue must contain 6 traffic lanes.

Before concluding, I wish to emphasize again that the bridge has been approved by the Bureau of Public Roads as a part of the Interstate Highway System. I would not venture to say, because I simply do not know, what the construction of a four-lane tunnel would do to other Bureau-approved plans in Virginia and the District. It seems to me it might very well call for a complete readjustment of the Bureau's approved plans.

Those of us who are advocating a bridge felt that the need and capacity and cost data all indicated that a 6-lane fixed-span bridge, as approved by the District of Columbia government, the Secretary of the Army, and the Bureau of Public Roads, would be far superior at this location to a 4-lane tunnel, and would even be superior to a 6-lane tunnel. For all those reasons, we favor the construction of a bridge.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. BYRD. What are the comparative costs as between a tunnel and a bridge?

Mr. BIBLE. The cost of the steel bridge was estimated at $18,500,000. The cost of a 6-lane tunnel was estimated by the advocates of the tunnel at $37,500,000, and that was the lowest estimate we received. I will say to the Senator from Virginia. Taking the proponents' figures as presented to us, there is a differential of $19 million.

Mr. BYRD. Would they have the same carrying capacity?

Mr. BIBLE. They would not have the same carrying capacity. There was considerable dispute before the committee on that point. The carrying capacity of a 6-lane bridge was estimated to be 4,500 vehicles an hour. The testimony was that a 4-lane tunnel would have a carrying capacity of 2,200 vehicles an hour. There was a disparity in the testimony of those before the committee. I think it is safe to say a 6-lane tunnel would not carry the same number of people that a 6-lane bridge would, but would carry a lesser number.

Mr. BYRD. The investigation of the committee unquestionably indicated a great need for either a bridge or a tunnel. Is that correct?

Mr. BIBLE. I may say it has been a great pleasure to work with the Senator from Maryland [Mr. BEALL], the second senior member of the District of Columbia Committee. If there was one thing on which we were in complete agreement, it was that there was a great need for a crossing in the vicinity of Constitution Avenue, be that crossing a bridge or a tunnel.

Mr. BYRD. Was the committee unanimously in favor of a bridge?

Mr. BIBLE. It was not. As I pointed out previously, the subcommittee voted for a bridge by a vote of 2 to 1. The full committee voted for a tunnel by a vote of 5 to 3. The tunnel proposal is before the Senate as a result of a favorable report of the District of Columbia Committee by a vote of 5 to 3.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BIBLE. I am delighted to yield.

Mr. O'MAHONEY. I think perhaps the Senator from Virginia would like to know that the bill providing for a tunnel was introduced by the present speaker as Vice Chairman of the Theodore Roosevelt Centennial Commission. The Theodore Roosevelt Centennial Commission authorization likewise fosters the bill which was introduced. I have only the highest confidence in the Senator from Nevada, who finds himself in the unusual position of being the chairman of the subcommittee of the District of Columbia Committee which conducted hearings on the bill, and nevertheless being the author of the minority views. He finds himself in the difficult task of submitting a favorable report for a tunnel, while he himself was the minority representative leading the battle in the committee for a bridge instead of a tunnel.

The Senator from Maryland [Mr. BEALL], the ranking Republican member on the District of Columbia Committee, I think, is an ardent advocate of a tunnel. I want to compliment the Senator from Nevada, because he has been eminently fair in presenting the matter. I think, however, in presenting the favorable report he has been irresistably compelled by his own predilections to make an argument for the minority instead of for the majority of the committee.

Mr. BIBLE. I may say to my friend from Wyoming that I know of his interest in the tunnel bill. He acquainted me concerning his interest very enthusiastically. I certainly intended to yield to my friend and colleague from the State of Maryland [Mr. BEALL], because I know he is now a strong advocate of a tunnel, as he was a strong advocate of it in committee. It was my intention to yield to him so he could present his views.

I will say the chairman of the Fiscal Affairs Subcommittee found himself in the majority until the bill reached the full committee. We were 2 to 1 ahead until then. Notwithstanding that fact, I have filed minority views. I am sure the Senator from Maryland [Mr. BEALL] will develop the position of those who advocate a tunnel.

Mr. President, before yielding to the Senator from Maryland in order to place before the Senate and square up the question as to a bill providing for a tunnel or for a bridge, I should like to move that all after the enacting clause of Senate bill 944, which is the tunnel bill, be stricken, and that the contents——

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. O'MAHONEY. I suggest to the Senator that perhaps it might be a courtesy to those of us who are supporting the majority report that he withhold his motion.

Mr. BIBLE. I have no intention of asking that the motion be put now. I was going to yield first to the Senator from Maryland, and then yield the floor.

Mr. O'MAHONEY. I merely ask the Senator if he will not be good enough to withhold the motion until after the advocates of the bill as reported by the Committee on the District of Columbia have had a chance to explain their position.

Mr. BIBLE. I had no intention of precluding that type of discussion or debate.

Mr. O'MAHONEY. I understand.

Mr. BIBLE. I simply wish to put the advocates of the bill on notice that I intend to make the motion to substitute the bridge bill for the tunnel bill so as to get an expression from the Senate as to a tunnel or a bridge.

Mr. O'MAHONEY. I understand.

Mr. BIBLE. I had no intention of making the motion until the discussion had been completed.

Mr. BEALL. Mr. President, I certainly want to thank and congratulate the Senator from Nevada, the chairman of the subcommittee, with whom I had the pleasure of working for many days and many months as to river crossings, for his fairness in presenting his report. Factually, I would say he was very fair in his presentation, and I thank him for that.

Mr. President, I do not intend to discuss this matter at length, since the plan has been so ably explained by the chairman of the subcommittee; but I wish to reiterate that for many months there has been almost constant discussion of the question of providing an additional crossing over the Potomac River. In the last Congress there was enacted a law providing for a permanent span bridge, but no action looking to its construction has been taken. We know the same fate will face such a bill this year.

The question arises, Mr. President, Do we want to provide for another crossing of the Potomac River at this location? If so, we will have to find some way to do it other than by a bridge; and so a tunnel is the answer.

Mr. President, many organizations, groups, and individuals in the District of Columbia, with the exception of the District Commissioners, are in favor of a tunnel. I should like to read a list of some of the persons and organizations who testified before the committee in favor of it. They are:

General U. S. Grant, of the Federal City Committee of 100.

Mr. Harland Bartholomew, the chairman of the National Capital Planning Commission.

Mr. Conrad Wirth, of the National Capital Parks.

Mr. Horace M. Albright, of the American Smelting & Refining Co.

Mr. Oscar S. Straus, of the Theodore Roosevelt Association.

Mrs. Fleetwood L. Guthrie, of the General Federation of Womens Clubs.

Mr. Fred E. Howe, of the Sons of Union Veterans.

The Honorable Fred A. Seaton, Secretary of the Interior, who filed a statement.

Colonel Arthur Hanson, of the Marine Corps War Memorial Foundation.

The National Monument Commission.

The American Society of Landscape Architects.

The Freedom Shrine, Inc.

The American Institute of Architects.

The American Scenic and Historic Preservation Society.

All the groups mentioned testified for a tunnel, because they felt it was the best way to preserve the natural beauty of this Potomac area, without interfering with the historic monuments that are located there. The tunnel built at the particular location that is under consideration here would accomplish this.

The costs, to which the Senator from Nevada has referred, are debatable. The Senator used some figures in his statement. At the moment I do not have the other figures, but the fact is that the

bridge bill, S. 1707, asks an authorization of only $900,000 less than the tunnel bill, S. 944.

I think, if we wish to have a crossing of the river, the main thing we must work out is a bill which will be approved by both bodies of Congress. The proposal must be acceptable to everybody.

I think the striking thing is that every known historical society, and all the planning organizations, with the exception of the District Commissioners themselves, favor the tunnel. They have all advocated a four-lane tunnel. The figures presented in the committee hearings showed that a tunnel of this size would carry the traffic at this time and at this particular location.

Mr. President, we should provide for a tunnel. I am not going to take up any more time of the Senate, because the acting majority leader wishes to proceed with the consideration of the bill. So I yield to the Senator from Wyoming, the author of the bill, who I believe desires to make a statement.

Mr. O'MAHONEY. Mr. President, I have in my hand a pamphlet showing the type of architectural development which has been planned for the area over which it is proposed to construct the bridge. The Freedom Foundation is proposing to construct a beautiful architectural memorial on the Virginia side of the Potomac River.

I should like to have my friend, the Senator from Pennsylvania [Mr. CLARK], take a look at the beautiful structure which is proposed to be constructed as a memorial to freedom on the very area where the photograph shows the direct east and west line of the Capitol of the United States, the Mall, the Washington Monument, and the Lincoln Memorial. Near there stands Roosevelt Island, which was turned over to the Federal Government by the Theodore Roosevelt Association, in the belief that the island would be kept in its virgin state as a memorial to one of the great Presidents of our country.

The proposed bridge, which the Senator from Nevada favors having constructed instead of the tunnel, would mar the scenic beauty of this area. It would pass over the island.

More than that, Mr. President, the land which would be needed for the construction of the bridge is the property of the Federal Government. The Federal Government has been endeavoring to make this region of the Potomac River, embracing the Capitol, the Washington Monument, the Lincoln Memorial, the Jefferson Memorial, and the Arlington Cemetery, a scenic center for the people of the United States. Many thousands of visitors from all over the land come to Washington every day. Members of the Senate and Members of the House of Representatives see these visitors traversing the halls and corridors and lobbies, I may say, of the Capitol of the United States. These visitors go to their homes bearing with them the thrill they have acquired from observing what they believe to be a government of the people in operation.

Life magazine for July 8, 1957, contained an article entitled "Pilgrims of the United States of America Visit Their Capital." I ask unanimous consent that this article be printed in the RECORD as a part of my remarks, together with certain captions descriptive of the pictures.

There being no objection, the article and captions were ordered to be printed in the RECORD, as follows:

PILGRIMS OF THE UNITED STATES OF AMERICA VISITING THEIR CAPITAL

Coatless against the Washington heat, cameras at hand, the visitors shuffle indefatigably through the marble shrines to a nation's past and through the great buildings where the Nation's future is shaped. In a land of travelers, only New York City draws more visitors than the 5.5 million who came to Washington last year. But the trip to Washington is something special to Americans—part tour, part civics lesson, and most of all, a pilgrimage to the well-spring of their democracy. Recently Henri Cartier-Bresson, a Frenchman who is one of the world's great photographers, joined the city's visitors.

The visitors come all year round to sightsee, to convene, to visit their Congressmen. With spring the great influx of students arrives—the senior classes from Winfield, Kans., Paoli, Ind., or Dahlonega, Ga., making graduation trips to the Capital. For 3 to 5 exhausting days they walk and see and store up impressions—the glistening immensity of the Capitol Building, the firearms at the FBI, the money rolling out at the Bureau of Engraving.

Cartier-Bresson caught the city's familiar tourist landmarks and an aspect—the fashionable lawn parties and unhurried beauty—that most tourists miss. But, as his pictures show, he found himself entranced as much by his fellow sightseers as by what they saw.

History becomes palpable for some young students as they touch the nose and shoulder of Gutzon Borglum's massive marble bust of Lincoln in the Capitol rotunda.

Leaning from the bus which brought his class from Winfield, Kans., a senior takes a picture of the Capitol as the tour leaves.

Amid the endless exhibits of the Smithsonian Institution, visitors aim cameras at a plastic replica of the statue that tops the Capitol.

Coming to see their Congressman, Watson Totus and Eagle Seelatsee of the Yakima tribal council stride through the Capitol.

Quiet amid the marble grandeur, a high school tour descends the great staircase of the Library of Congress. They had just looked at Jefferson's draft of the Declaration of Independence and a copy of the Gettysburg Address in Lincoln's handwriting.

Suspended from the ceiling of the Smithsonian Institution are Lindberg's "Spirit of St. Louis" and, behind it, the Wright brothers' original plane.

Footsore and art-weary, students sink onto benches beneath Renoir's "Diana" to summon strength for the rest of the National Gallery of Art.

On the long, broad greensward that sweeps down from the Washington Monument, some local boys shag a few flies. Around the base of the monument sit the cars of some of the 5,500 tourists who come to visit it each day.

In the warm afternoon, the city's twice-daily tide begins to flow as office workers from the Navy and Atomic Energy Commission buildings queue up for the buses that will start them on their way home. Of Washington's half million workers, one-third work in Government and it is a city uniquely attuned to the office-worker's punctual pulse. Many of the civil servants live in Maryland or Virginia and their days begin and end with a monstrous traffic jam they have long since learned to endure.

Across the still Tidal Basin, the Jefferson Memorial glistens in the sunlight. In cherry blossom season, tourists would swarm through the area. Now, later in the season, two young boys can unhurriedly poke ripples in the water.

Mr. O'MAHONEY. I cannot use the pictures which accompany the article, but I shall pass the magazine around so that as many Senators as possible may take a glance at the scenes which are depicted here in the Capital—scenes which are duplicated almost every day as a result of the activity of the Government in fostering and preserving the beauty of all construction in this area. My point is that this beauty would be spoiled by the proposed bridge.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I shall be glad to yield in a moment.

I wish to read into the RECORD at this point a letter from Secretary of the Interior Seaton to the Director of the National Park Service, dated March 27, 1957. The letter reads as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., March 27, 1957.

To Director, National Park Service.
From Secretary of the Interior.
Subject: Tranariver trafficway in the vicinity of the Arlington Memorial Bridge.

I have been following with considerable interest the discussions that have appeared in the press concerning an appropriate transriver trafficway in the vicinity of the Arlington Memorial Bridge. I am, of course, vitally interested in this problem and am anxious that it be resolved in the total public interest.

As custodian of our national shrines, monuments, and memorials, which would be affected by either a tunnel or a bridge in the location now being considered, I wish you to know that you have the full support of the Department in pursuing the objectives of constructing a tunnel in the general vicinity of Constitution Avenue extended.

Since the Department has not been requested to report on the legislation now being considered, I should like you to advise the committees of the House and the Senate who may be designated to consider this problem, that the Department of the Interior is opposed to a bridge trafficway in this vicinity and that it supports the concept of a tunnel.

FRED A. SEATON,
Secretary of the Interior.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. The Senator from Delaware has asked me to yield.

Mr. FREAR. Mr. President, the Senator from Wyoming was speaking of the beauty of some of the buildings in Washington. I wonder if the Senator believes that the beauty of a tunnel would equal that of a bridge.

SHED OVER RIVER

Mr. O'MAHONEY. Yes. I think the bridges which are contemplated would result eventually in the building of a shed over the Potomac, which would completely conceal the attractive waters of the Potomac.

Mr. FREAR. The beautiful waters of the Potomac.

Mr. O'MAHONEY. I notice a chart which was brought into the Chamber by the minority who are opposing the tunnel. It is not the making of the Department of the Interior. It is not the making of the majority of the District Committee. It is not the making of the advocates of the tunnel. It is the making of the advocates of a bridge.

The legend on the map shows in black existing bridge locations. There are three of these in the immediate area of the Theodore Roosevelt Island.

The proposed bridges are marked in red. There are three of those.

Possible future locations are marked in green.

Reports which have come to us indicate that traffic experts say that at least 14 lanes would be needed to handle growing traffic. It is perfectly clear that, at the place at which the tunnel would be built, the proposed bridge would not only span Theodore Roosevelt Island, but would span the Potomac at a point where all the land involved is under the jurisdiction of the Government, through the Department of the Interior, which land is dedicated to beautifying this area of the Capital of the United States, probably the greatest capital in the world.

It is obvious from this chart that the construction of multiple bridges over the Potomac River at this point would not serve to enhance the beauty of the area, but would serve rather to destroy its beauty. What we propose to do is to build a tunnel, which would not require an embankment on the Virginia side, and which would not destroy the beauty on the District of Columbia side.

Moreover, I wish to point out to the advocates of the bridge that the President of the United States, who will have to act upon any bill which is passed, in signing the bridge authorization bill in the previous session, issued a statement from the White House, dated August 30, 1954. In this message, after approving the authorization for a bridge, the President said:

> Trucks should be prohibited on the bridge and its approaches, and all passenger-carrying buses now utilizing the Arlington Memorial Bridge should be required to use the new bridge upon its completion.

This is an indication, it seems to me, that the President of the United States would not prefer the bridge to a tunnel which would carry the traffic.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. FREAR. What was the date of that message from the President?

Mr. O'MAHONEY. August 30, 1954.

Mr. FREAR. Does the Senator think the President is still of the same mind today as he was in 1954?

Mr. O'MAHONEY. I have no reason to believe that he has changed his mind.

Mr. FREAR. If the proponent of the tunnel will indulge me for a moment before I ask him a question——

RECOMMENDATION FOR TUNNEL

Mr. O'MAHONEY. Before the Senator asks the question perhaps he will permit me to give a quotation from another authority which will have a bearing on this question.

Wilbur Smith & Associates are reputedly the Nation's leading traffic consultants. One of the most significant things, it seems to me, is that the best consultants in the country are on record as approving a four-lane tunnel facility at Constitution Avenue.

The same group were of the opinion that if two new bridges, for which the authorization legislation has already been introduced, are built in the immediate future, that will make it more certain that there ought to be a tunnel rather than a bridge at this point.

The following are the words which were used by Wilbur Smith & Associates. They were called upon by the National Capital Planning Commission to express their point of view:

> We believe that it may not be necessary, or even desirable, to provide a six-lane capacity at the Constitution Avenue location, and that more thought might be given to the dispersal rather than the concentration of transriver crossings in order to better solve the approach road problem.

In other words, the best advice the National Capital Planning Commission could obtain was to the effect that bridges should not be concentrated in this area, but that the tunnel should be built instead.

As the report of the majority shows, there has been endorsement by the following agencies or organizations of the tunnel proposal recommended by the District Committee:

> Department of the Interior.
> Commission of Fine Arts.
> Theodore Roosevelt Centennial Commission.
> Theodore Roosevelt Association.
> National Monument Commission.
> Committee of One Hundred for the Federal City.
> Marine Corps War Memorial Foundation.
> American Society of Landscape Architects.
> American Scenic and Historic Preservation Society.
> Freedom Shrine, Inc.
> Sons of Union Veterans.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. FREAR. There are some very worthwhile arguments being presented in favor of a tunnel, including the arguments made by the distinguished Senator from Wyoming. However, I wonder if the commissions and foundations he has mentioned would consent to underwrite the difference in cost between a tunnel and a bridge.

Mr. O'MAHONEY. I think the cost of a tunnel or of a bridge is not set forth in any of the statements contained in the minority views. The Department of the Interior challenged the estimates of the advocates of the bridge.

Mr. FREAR. Does the Senator from Wyoming indicate that the cost of a tunnel would not be more than the cost of a bridge, either 4-lane or 6-lane?

Mr. O'MAHONEY. I believe the cost of a bridge such as is being planned, of 6 lanes, or perhaps even 10 lanes, would be much greater.

Mr. FREAR. Does the Senator think a 4-lane tunnel would carry as much traffic as a 6-, or 8-, or 10-lane bridge?

Mr. O'MAHONEY. I believe that a four-lane tunnel would carry much more traffic per square foot than any bridge which was ever built.

Mr. FREAR. The Senator does not answer my question. My question was, Does the Senator believe——

Mr. O'MAHONEY. The overriding issue and the overriding consideration is that we should not commercialize the scenic value of the Potomac River, the memorial center of Washington.

Mr. FREAR. But the Senator is concentrating——

Mr. O'MAHONEY. It is much more desirable to construct even a more expensive tunnel than to destroy the beauty of the memorial center of Washington.

Mr. FREAR. The Senator is concentrating on his own views.

Mr. O'MAHONEY. Of course; and the Senator from Delaware is concentrating on his views.

Mr. FREAR. The difference is that the Senator from Delaware is attempting to do so; whereas the Senator from Wyoming is not agreeing with the Senator from Delaware. Will the Senator yield further?

Mr. O'MAHONEY. I yield.

Mr. FREAR. I agree with the views expressed by the Senator from Nevada [Mr. BIBLE], the distinguished chairman of the subcommittee. He has given a message to the Senate which it should heed.

The Senator from Wyoming has displayed his usual ability in portraying the beauty of Washington, and in making other arguments. He always does an outstanding job. However, I ask Members of the Senate to analyze the cost involved in the construction of a tunnel or a bridge before they cast their vote with the Senator from Wyoming. Of course I would much prefer that Senators cast their vote with the Senator from Nevada and the Senator from Delaware.

Mr. O'MAHONEY. The Senator has not asked me a question. Therefore, I shall close my argument by asking unanimous consent, in order to save time of the Members of the Senate, who I know are eager to go to other activities, that there be printed in the RECORD at this point the text of a prepared statement on this subject which I had intended to deliver, but which I shall not deliver at this time.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

POTOMAC RIVER TUNNEL

Traffic demands along the Potomac River have engendered a spate of proposals for new river crossings. One of the several proposals contemplates a new crossing at the Constitution Avenue corridor. There is full agreement that a new crossing is in urgent demand. There is no argument over the type at other sites but the unique cultural and historic locale near Constitution Avenue has prompted the proposal of a tunnel in place of a bridge at this site.

The Potomac River tunnel envisioned by S. 944 was designed by Ole Singstad, one of the world's leading authorities on tunnel design and construction. As designed by Mr. Singstad, the tunnel will cost $25,482,000 to construct. It will be a 4-lane tunnel capable of moving 55,000 to 60,000 vehicles per day, a number comparable to the number now crossing the Arlington Memorial Bridge.

A careful check of records shows that other great tunnels of the land, e. g., the Holland and Lincoln Tunnels in New York have proved capable of moving as much traffic as the great bridges. For example, Lincoln Tunnel in New York has been clocked in highest recorded day of moving 17,246 vehicles per lane while the George Washington Bridge carried 18,043 vehicles on its record

day. The Holland Tunnel during its highest recorded day carried 17,847 vehicles per lane.

ADEQUACY OF FOUR LANES

In the hearings there has been a great deal of discussion over the need for a 6-lane facility at Constitution Avenue. And there are those who feel keenly the need for a 6-lane crossing. However, Wilbur Smith & Associates, one of the Nation's leading traffic consulting firms, has reported that a 4-lane crossing at Constitution Avenue is wholly adequate if 2 more bridges, one at Roaches Run and the other above the Key Bridge, were to be constructed in the immediate future. Senator CASE, of South Dakota, has introduced a bill to provide for the construction of these 2 bridges. If the Congress will authorize these 2 bridges, we have the assurance of leading traffic experts that a 4-lane tunnel at Constitution Avenue will move the necessary traffic.

There is much to suggest that it would not be desirable to introduce any more traffic into downtown Washington than that contemplated by the tunnel. In the hearings there was a great deal of testimony to the effect that a 6-lane crossing, preferably a bridge would be needed and that the necessary dispersal arteries would be available to handle the volume. These estimates were all predicated upon the use of E Street channeling traffic north past the White House and the use of a nonexistent park drive on the north side of the Reflecting Pool, an arterial drive which cannot be built until the Navy and Munitions Buildings are demolished. The estimates also presuppose the construction of the inner loop.

The statement in the minority report which asserts that "All agencies which have made a study of traffic demands in the area have approved the need for a six-lane crossing at Constitution Avenue," does not take into account the Wilbur Smith & Associates recommendation.

There are a good many figures in the discussion but the Senate Committee on the District of Columbia has accepted the following figures:

Costs of proposals

TUNNEL, 2,870 FEET LONG

4 lanes:	
Estimates by Interior	$25,482,000
Estimates by Interior plus rights-of-way and present channel clearance estimates by Highway Department	29,382,000
Operation and maintenance per year, $125,000.	
6 lanes:	
Estimates by Interior	37,500,000
Estimates by Highway Department	47,842,000
Operation and maintenance per year, $310,000.	

BRIDGE

Fixed span, 6 lanes:	
Estimates by Highway Department: Prestressed concrete	15,550,000
Operation and maintenance per year, $10,000.	
Estimates by Highway Department: Steel	18,699,000
Operation and maintenance per year, $14,000.	
Draw span, 6 lanes:	
Estimates by Highway Department: Prestressed concrete	17,450,000
Operation and maintenance per year, $56,000.	
Estimates by Highway Department: Steel	20,599,000
Operation and maintenance per year, $60,000.	

MATTHEW M. NEELY.
ALAN BIBLE.
J. ALLEN FREAR, Jr.

NEED FOR STUDY

Like a good many figures they must be studied closely if their true import is to be understood. The first figure, the $25,482,000 figure, is a firm one. It is the figure at which Ole Singstad, the tunnel authority, arrived at when he designed the tunnel. It has been audited, and contractors have studied it and reported that they could build a tunnel for the figure. Past this point the figures must be studied carefully. For example, in the next figure, an allowance has been made, not by the Department of the Interior but by the District Subcommittee for Land Acquisition and Channel Maintenance. But one of the beauties of the tunnel is that it will be built solely upon Federal land. There need be no money appropriated for land acquisition. There need be no more money for maintenance. The channel is now maintained exactly as it will be when the tunnel is built. In fact, a statutory authorization to maintain the channel at its present width, instead of the larger one provided by law, will reduce the cost of the tunnel, for the tubes will not have to be sunk so low into the river.

The bridge estimates are preliminary ones which have not been checked and rechecked. Despite public testimony from the Department of Highways of the District of Columbia the fixed steel bridge, which is the only one seriously contemplated, will actually cost $20 million as some officials of the Department of Highways have acknowledged, not the $18,699,000 listed in this report. The 6-lane draw span will cost $22 million.

The bridge-maintenance figures seem strangely low. The District of Columbia Highway Department reports that it will cost $14,000 a year for maintenance and repair of the steel bridge, which is the one which the highway department really intends to build, if it is granted the authority. This is strange estimate when it is known that the highway department has estimated $55,000 each for the two new 14th Street bridges, that the District Highway Department's one-third of the yearly maintenance of the authorized Jones Point Bridge is $20,000, when it is understood that the Department of the Interior spends $60,000 to $70,000 per year to maintain the Arlington Memorial Bridge.

TUNNEL BENEFITS

In any arrangement of these figures the tunnel will cost more to build than a bridge. These increased costs must be balanced against the benefits from the tunnel. The Federal Government has an investment, actual and contemplated, of $66,200,000 in the immediate vicinity of the crossing site. (This does not include the White House, the Washington Monument, the Arlington National Cemetery, and the proposed National Cultural Center.) The Federal investment is figured on cost, not replacement value.

The extra money for the tunnel will procure:

The preservation of the planned beauty of the Washington Mall and the projected National Memorial on the Virginia shore;

The beauty of an intact river line;

The maintenance of Roosevelt Island as the site for a national memorial to President Theodore Roosevelt without the complications of a bridge;

A facility which will not add to the flood level during high water and will permit unobstructed navigation.

It is also possible that the tunnel costs can be lowered if a narrower navigation channel is authorized in the Potomac. The Army engineers maintain a channel 200 feet wide in this reach of the river. The statutory authorization permits a 400-foot channel and the tunnel plans are based upon this width. If the statutory authority authorization is decreased to the 200 feet now maintained the tunnel plans can be changed. This would be a saving of about $1 million.

H. R. 6763, a similar bill which has been recommended by the House Subcommittee on Police, Firemen, and Traffic contains the language needed to narrow the channel to its maintained width.

THREAT TO FEDERAL CONTROL

Construction of a medium level bridge at Constitution Avenue, besides obstructing views in this particularly monumental area, would be an intrusion of the District of Columbia into an area which for many decades has been owned and carefully administered by the Federal Government. The tunnel will be built in its entirety upon Federal land. The Washington Mall, the Arlington Cemetery and Roosevelt Island have all been placed under the ownership and administration of the Federal Government chiefly to preserve, maintain, and enrich the monumental testimony to free government which these few acres are. There are no other sites, as those within a 1-mile radius of this crossing, as intimately connected with the development of free government in a new continent. To despoil them for the sake of saving $2,500,000 seems penny wisdom and pound foolishness.

This is particularly so in the light of the many millions which have been spent, which will be spent to make this immediate locale and other areas not far distant the most beautiful capital in the world. These are some of the sums which have been authorized by the Congress for the development of the Capital in line with the hopes of Thomas Jefferson and the other Founding Fathers who envisioned, in the principle, the great city devoted solely to the government of a free people which has risen on the banks of the Potomac. In the past several years Congress has appropriated these sums for the planned development of this city and its approaches:

George Washington Parkway	$11,000,000
Little Falls Dam	15,000,000
New State Department Building	45,000,000
Four new Government office buildings	90,000,000
New Smithsonian Building	50,000,000
New CIA Building	45,000,000
New Senate Office Building	25,000,000
New 14th St. bridge	10,000,000
New Jones Point bridge	15,000,000

MINORITY REPORT

The minority report needs to be read with close scrutiny. Its view seems to be an expression of agencies whose only concern is traffic. Many of the assumptions of the report are based upon plans for an interloop and other rearrangements of the arterial highway system not yet out of the planning stage. They will not be built for many years. The traffic studies upon which the minority reports rely all focus on traffic counts at this single point without reference to the need and desirability of dispersing traffic as recommended by Wilbur Smith & Associates nor to the possibility of the construction of other bridges.

Actually the addition of two lanes to Highway 50 on the Virginia shore will not tax the tunnel. The present 4 lanes of Highway 50 channel traffic to the Arlington Memorial Bridge. With the addition of 2 lanes and the construction of a tunnel this traffic will have 2 choices instead of 1. While there was testimony that the tunnel would be operating at full capacity as soon as completed it was not conclusive and seemed to envision the strange occurrence that as soon as the tunnel was completed no other traffic would use the Arlington bridge.

The arguments in paragraph 2 of the minority report are irrelevant in that the Bureau of Roads will not be asked to pass upon any of these funds. The funds will be appropriated to the Department of the Interior which now administers the land upon which the tunnel will be built. The tunnel will be built under the direction of the Secretary of the Interior and administered by him as part of the National Capital Parks system.

While the minority report asserts that the aspect of esthetics "was thoroughly considered by those us who are opposed to the construction of a tunnel" the plain fact is that the commissions and organizations charged particularly with preserving the esthetic values of this area have opposed the bridge and favor the tunnel. These include the Commission of Fine Arts, the National Monument Commission, the Committee of One Hundred for the Federal City, the American Society of Landscape Architects, the American Society of Professional Engineers.

The minority report stresses the fact that the tunnel would not solve the controversy between fixed-span and movable-span proponents. Selection of the tunnel would certainly solve this controversy as far as the Constitution Avenue is concerned. It is true that the Senate District Committee has voted a fixed span at 14th Street but it does not follow that the House will accept a fixed span. A tunnel, however, at Constitution Avenue definitely solves the dilemma.

The traffic figures of paragraph 6 just don't match the figures attested by numerous bridge and tunnel authorities throughout the Nation. By testimony from the Port of New York Authority the one-way traffic capability of the tunnel should easily be 3,000 vehicles per hour instead of 2,000 suggested by the minority.

Construction of the bridge would jeopardize the creation of the national monument on the Virginia shore. A nonprofit organization of citizens have worked out plans for a great national monument to the freedoms of the Bill of Rights. The high embankments of a bridge would block the view from this monument across the river. Legislation will shortly be considered to incorporate this nonprofit organization which will build the monument by public subscription. If the bridge is passed, however, the planners have indicated, they will not wish to press for the creation of the monument. It would be pointless from their standpoint if the bridge destroys the symmetry of the locale.

Mr. BIBLE. Mr. President, I merely wish to close the discussion with a few observations. It behooves all Members of the Senate to bear in mind that if a four-lane tunnel is built at the proposed Constitution Avenue crossing, the expert testimony is to the effect that from the day the tunnel is constructed it will be packed to capacity. I sound that warning, because the uncontradicted testimony is to the effect that a four-lane tunnel is insufficient for that area in view of the foreseeable growth of the District of Columbia.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. BIBLE. I yield to my distinguished friend.

Mr. BEALL. The statement that the tunnel would be packed to capacity from the day it opened is debatable, I believe, because expert witnesses were very much divided with respect to the question of the capacity of the tunnel versus the capacity of a bridge.

Mr. BIBLE. There was some division among the experts, but there was no division about the volume of traffic a tunnel could carry as compared with the volume a bridge could carry. Therefore, Mr. President, I close my argument with that note of warning. Furthermore, it should be borne in mind that the additional cost of the construction of a tunnel would be $7 million or $8 million. From the standpoint of traffic capacity, of course, there is obviously no comparison. As to the question of beauty, I sincerely feel that the construction of a bridge would not in any way damage the beauty of the monumental area, as has been indicated.

In accordance with my earlier statement, I now offer an amendment to strike out all after the enacting clause of S. 944, the pending bill, and to insert in lieu thereof the text of S. 1707. The purpose of the amendment is to place before the Senate the question of the six-lane fixed-span bridge.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Without objection, the text of the amendment will be printed in the RECORD.

The amendment was to strike out all after the enacting clause and insert the following:

That subsection (a) of the first section of title I of the act entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," approved August 30, 1954 (68 Stat. 961) is amended, (a) by inserting immediately after the phrase "Potomac River," where it first appears, the phrase "to be known as the Theodore Roosevelt Bridge,"; and (b) by striking the period at the end of said subsection and adding the following: ": *Provided further*, That the bridge hereby authorized to be constructed may cross such portion of either of the two islands comprising the said Theodore Roosevelt Memorial Island as may be agreed upon between the Theodore Roosevelt Association and the Commissioners. The general plan and profile of the bridge structure shall be subject to the approval of the Fine Arts Commission. The general location of the bridge, approaches, interchanges, and connecting roads on lands under the jurisdiction of the Secretary of the Interior shall be subject to his approval. The bridge, approaches, interchanges, and connecting roads at both ends of the bridge shall be constructed with a view to retaining so far as possible the monumental setting and the artistic design of the Lincoln Memorial, the Arlington Memorial Bridge, and other monumental structures, properties, and park lands in the general area."

SEC. 2. Section 102 of said act approved August 30, 1954, is amended by striking the period at the end thereof and adding the following: ": *Provided*, That the Secretary of the Interior shall retain control and jurisdiction over all park lands in the vicinity of the bridge other than such lands as may be required for the actual bridge structure and other than the surface of the approach roads and streets between curbs, which shall be the responsibility of the government of the District of Columbia."

Mr. BIBLE. Mr. President, I suggest the absence of a quorum.

Mr. O'MAHONEY. Will the Senator withhold that suggestion of the absence of a quorum?

Mr. BIBLE. I withhold it.

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. O'MAHONEY. The result of the adoption of the amendment offered by the Senator from Nevada would be to reverse the action of the Committee on the District of Columbia, to repudiate the recommendation of the Department of the Interior, to violate the recommendation of the Fine Arts Commission, and other bodies, and to kill the tunnel.

Mr. BIBLE. Mr. President, I should like to make a similar parliamentary inquiry. If the amendment is agreed to, it would sustain the views of the minority and the views of the Commissioners of the District of Columbia, and sustain the Bureau of Public Roads and the Bureau of Highways, and the American Automobile Association.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair requests those who are in the Chamber under the rules which give them the privilege of the floor to please respect that privilege by being quiet, so that the Senate may transact its business. Persons having no active business on the floor might well view the proceedings from the gallery.

The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Nevada [Mr. BIBLE].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDINGS PROJECTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 548, S. 2261.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2261) to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. CHAVEZ. Mr. President, the bill, which was reported by the Committee on Public Works, is a simple bill. The term of jurisdiction of the General Services Administration under the Lease-Purchase Act will expire on July 22, 1957. The bill provides only that the act be extended until June 30, 1960.

I could speak at length, but I do not desire to take the time of the Senate to do so. Therefore, I ask unanimous consent that a statement I have prepared concerning the bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CHAVES

The purpose of this bill, S. 2261, is to amend and extend the Public Buildings Purchase Contract Act of 1954 and the Post Office Department Property Act of 1954. It extends the period for approving projects under Public Law 519, 83d Congress, for a period of approximately 3 years, or until June 30, 1960, and recommends changes in the funding and financial aspects of the act to alleviate problems encountered in carrying out the implementation of the program, provide greater flexibility in its operation, and permit the program to proceed in an orderly manner, in order to provide the much-needed space for carrying out the many functions of the Federal Government.

The committee does not feel that budgetary conditions at the present time would permit the appropriation of the large sums that would be required to meet the existing space needs by direct construction. It believes that continuation of the lease-purchase program will assist in providing the much-needed space for governmental activities, and by reducing the use of the straight leasing method, will result in an overall saving. The committee therefore recommends that the lease-purchase program be extended, with amendments to the existing law that will permit its more effective operation and workability. Senate bill 2261 is a committee bill, sponsored by 11 of the 13 members of the committee.

The committee considered the information presented at the hearings and the amendments to the Lease-Purchase Act that were proposed. It was the opinion of the committee that the program should be extended, and other amendments adopted, particularly those with respect to the funding and financing aspects of the program. This would provide a flexible and workable law and alleviate many of the problems encountered in carrying out the program. While the program has not been entirely successful, the committee still believes it to be a good law, that it can be made to work, that it is the only vehicle for obtaining Federal buildings at the present time, and that the Federal agencies should be given the necessary tools to permit operation under the law.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 411 of the Public Buildings Act of 1949, as amended, 63 Stat. 176, as added by the act approved July 22, 1954, 68 Stat. 518, as amended, is hereby amended as follows:

(a) The proviso at the end of subsection (a) reading "*Provided*, That prior to July 1, 1955, a limitation of not to exceed $5 million is hereby established for such purposes." is hereby deleted and the following added in lieu thereof: "*Provided*, That subject to the foregoing restrictions on total annual payments, any such purchase contract may provide for payments at such intervals as the Administrator may deem necessary and, without regard to the foregoing requirement for equal annual payments, for partial payments during construction to cover interest on and amortization of the earned portion of the purchase price."

(b) By inserting in subsection (c) thereof, immediately after the words "any person, copartnership, corporation,", the words "Federal lending agency, public corporation."

(c) The colon after the word "States" in the fifth line of subsection (d) is changed to a period and the remainder of the sentence reading "*Provided*, That no such agreement may provide for the payment by the United States in pursuance of the terms thereof of moneys in an aggregate annual amount in excess of 15 percent of the appraised fair market value of the property at the date of the purchase contract, or in the case of property where construction shall not have been completed at that date in excess of 15 percent of the fair market value at the date of completion of such construction." is deleted.

(d) By striking from subsection (e) the words "within 3 years after the date of enactment of this act" and inserting in lieu thereof "on or before June 30, 1960."

(e) By striking out the semicolon at the end of item (2) of subsection (e) and inserting in lieu thereof a colon and the following: "*Provided*, That the maximum cost set forth in any prospectus for any project may be exceeded by an amount equal to the percentage increase, if any, as determined by the Administrator of General Services, in construction costs dating from the time of transmittal of such project to such committees, but in no event shall such increase exceed 7 percent of the maximum costs set forth in the prospectus without approval of such committee."

(f) By striking item (3) of subsection (e) and inserting in lieu thereof "(3) a comprehensive plan for providing space for all Government employees in the locality of the proposed project, having due regard for suitable space which may continue to be available in existing Government-owned buildings and in rented buildings."

(g) By striking the word "and" following the semicolon in item (7) of subsection (e), by changing such semicolon to a period and by striking item (8) of subsection (e).

(h) By changing the period at the end of subsection (h) to a colon and adding the following: "*Provided*, That the Administrator of General Services is authorized to enter into agreements with any State, county, municipality, or any subdivision thereof providing for reduction in the amount of or for exemption from taxes otherwise payable under this subsection."

(i) A new subsection (k) to read as follows is added:

"(k) The faith of the United States is solemnly pledged to the payment of all annual payments contracted for under purchase contracts entered into pursuant to this section and there is hereby authorized to be appropriated in each fiscal year, out of any money in the Treasury not otherwise appropriated, the amounts necessary to provide for such annual payments. Payments under purchase contracts entered into pursuant to this section shall be pledged, if the Administrator of General Services so requires, as security for any loans obtained by a contractor to assist in the financing of the construction of the projects to which the purchase contracts relate."

(j) A new subsection (l) is added to read as follows:

"(l) Wherever, in this section, the Administrator of General Services is authorized to enter into 'purchase contracts' or a 'purchase contract', such authorization shall be deemed to include any contract or series or group of contracts, including but not limited to contracts covering acquisition of sites, preparation of plans and specifications, financial arrangements and construction which the Administrator of General Services deems necessary to effectuate any of the purposes of this section."

(k) A new subsection (m) is added to read as follows:

"(m) Notwithstanding the provisions of the Assignment of Claims Act of 1940, as amended (31 U. S. C. 203, 41 U. S. C. 15), assignment of moneys due or to become due from the United States under any purchase contract entered into pursuant to the provisions of this section may be assigned to any bank, trust company, trust, insurance company, pension fund, other financing institution including a Federal lending agency, or any other individual, firm, or organization, or any public corporation or other public or private entity, providing the financing in connection with any approved project, whether acting as principal or trustee."

SEC. 2. Subsection (g) of section 202 of the Post Office Department Property Act of 1954, as amended (39 U. S. C. 902 (g)), is further amended—

(a) By striking the words "within 3 years after the date of enactment of this act" and inserting in lieu thereof "on or before June 30, 1960";

(b) By striking the word "and" following the semicolon in item (7) thereof and by changing the semicolon to a period, and by striking item (8) thereof.

(c) By changing the period at the end of subsection (h) to a colon and adding the following: "*Provided*, That the Postmaster General is authorized to enter into agreement with any State, county, municipality, or any subdivision thereof providing for reduction in the amount of or for exemption from taxes otherwise payable under this subsection."

SEC. 3. The first section of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes", approved May 25, 1926, as amended (40 U. S. C. 341), is further amended by striking out "That, to enable" and inserting "That (a) to enable," and by adding at the end thereof the following new subsections:

"(b) No appropriation shall be made to carry out the purposes of this act for any project (1) until the expiration of 30 calendar days of continuous session of the Congress following the date on which the Administrator of General Services has submitted to the Committees on Public Works of the Senate and House of Representatives a prospectus of the proposed project, or (2) where a resolution has been adopted by either committee, during such period, stating in substance that such committee does not approve of such a project. For the purposes of this subsection continuity of session shall be considered as broken only by an adjournment of the Congress sine die, but in the computation of the 30-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

"(c) The prospectus of the proposed project shall include (but not be limited to)—

"(1) a brief description of the building located or to be erected at a given location;

"(2) an estimate of the maximum cost of the site and building: *Provided*, That the maximum cost set forth in any prospectus for any project may be exceeded by an amount equal to the percentage increase, if any, as determined by the Administrator of General Services, in construction costs dating from the time of transmittal of such project to such committees, but in no event shall such increase exceed 7 percent of the maximum cost set forth in the prospectus without approval of such committee;

"(3) a comprehensive plan for providing space for all Government employees in the locality of the proposed project, having due regard for suitable space which may continue to be available in existing Government-owned buildings and in rented buildings;

"(4) a statement by the Administrator of General Services that suitable space owned by the Government is not available and that suitable rental space is not available at a price commensurate with that to be afforded through the proposed action; and

"(5) a statement of rents and other housing costs currently being paid by the Government for agencies to be housed in the building to be constructed, enlarged, remodeled, extended, or purchased.

"(d) The Administrator of General Services shall submit to the Congress promptly after the convening of each new Congress, a report showing the location, space, cost, and status of each project submitted under this act and uncompleted as of the date of any prior report under this act."

SEC. 4. The prospectuses required by section 1 (b) of the aforesaid act approved May 25, 1926, as added by section 3 of this act shall supersede the reports required by section 4 of the said act approved May 25, 1926, and section 409 of the Public Buildings Act of 1949, as amended (40 U. S. C. 355), and said section 409 is hereby repealed.

SEC. 5. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

DEATH OF KNOX T. HUTCHINSON, FORMER ASSISTANT SECRETARY OF AGRICULTURE

Mr. KEFAUVER. Mr. President, I know that my colleagues in the Senate share the grief of many in Tennessee who knew him well at the death of Knox T. Hutchinson, a very distinguished citizen of my State, who served as Assistant Secretary of Agriculture from 1949 to 1953.

Mr. Hutchinson worked well and effectively on farm programs which have been of great benefit to farmers all over the United States. He was one of the early proponents of rural electrification. Mr. Hutchinson began to organize rural electric cooperatives in 1935 in Tennessee after buying a farm at Murfreesboro. He was a past president of the Tennessee Rural Electric Cooperative Association and of the Middle Tennessee Electric Membership Cooperative.

Always active in farm groups trying to improve the lot of the farmers of the Nation, Mr. Hutchinson was a former chairman of the Tennessee State Grange. He served as vice president of the Mid-South Cotton Growers Association, and as a member of the Tobacco Advisory Committee, Research, and Marketing Administration.

He was a former member of the Tennessee Senate.

After leaving the Department of Agriculture, Mr. Hutchinson returned to his 650-acre farm, which he planned and developed himself, near Murfreesboro, Tenn.

He was a source of sound advice and counsel to me on agricultural matters during my service both in the United States House of Representatives and in the Senate. He will be sorely missed.

Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee.

UNITED STATES CHAMBER OF COMMERCE DINNER TO DISCUSS MONOPOLY

Mr. KEFAUVER. Mr. President, some of our friends in the newspaper business have been receiving letters signed by Earl B. Steele, manager of the news and information department of the United States Chamber of Commerce. The letters say that a private, informal dinner is being arranged for a select group of the press for next Tuesday evening. The purpose is stated as being an off-the-record discussion of several phases of the broad subject of monopoly.

As you know—

The invitation states—

the forthcoming Kefauver subcommittee report and a recent Supreme Court ruling lend timeliness to the subject.

The letter states that the following business spokesmen will be on hand to answer questions concerning four areas of the problem:

Mergers: Richard Wagner, chairman and chief executive officer, Champlin Oil & Refinery Co., Chicago, Ill.

Antitrust laws: Mark S. Massel, Belle, Boyd, Marshall & Lloyd, attorneys, Chicago, Ill.

Measuring concentration: Lester S. Kellogg, economist, Deere & Co., Moline, Ill.

Bigness: B. Druster Jennings, chairman of board, Socony Mobile Oil Co., New York, N. Y.

The letter also states:

There will be no speeches, just free-swinging conversation. The discussion will be at 5:30 p. m. in the South American Room of the Statler Hotel. Cocktails will be served at 7:15 p. m. Dinner at 7:45.

It is intended that the discussion will continue through the dinner hour. Others present, in addition to the press and participants will be a few chamber staff specialists who are concerned with the question in monopoly.

I am delighted at this evidence of interest in the problem of monopoly, which has been proceeding headlong for so long, by representatives of the United States Chamber of Commerce.

Previous reports of the the monopoly subcommittee, prior to my chairmanship, have pointed out that we are now in the midst of the third great merger movement in the history of our country. Many smaller firms, which were members of the chamber of commerce, have been swallowed by larger rivals, since our subcommittee began to concern itself with the problem. It is indeed gratifying, therefore, that the chamber itself has become concerned. My only regret is that the meeting is private and off the record. We need more free-swinging conversation on this topic on the record.

I hope that other organizations, including small-business groups, labor organizations, and farm organizations, will enter into the discussions being inaugurated by this chamber of commerce private, informal dinner, which thus far is limited to a select group of the press.

I have always believed in the fullest possible discussion of great, overriding problems, such as this one, so that our free-enterprise economy can be preserved intact and functioning, undominated by either government or any concentrated economic group or interest.

AVAILABILITY TO VETERANS OF DISABILITY PROVISIONS OF THE SOCIAL SECURITY ACT

Mr. NEUBERGER. Mr. President, I am concerned by the amendment reported by the Senate Finance Committee on H. R. 6191, which would deny to veterans with service-connected disabilities protection of the disability provisions of the Social Security Act.

Section 2 of the House-passed bill provides that—

The Social Security Act is amended by adding at the end thereof the following new sentence: "For the purposes of this section, the term 'periodic benefit' does not include compensation to any individual under laws administered by the Veterans' Administration on account of such individual's service-connected disability."

This section was removed by the Senate Finance Committee.

A veteran, wounded in defense of our country, could be drawing service-connected disability compensation from the Veterans' Administration, and, after his return to civilian life, and while in civilian employment, could suffer a total and permanent disability, and could meet the requirements for disability compensation from the Social Security Administration. Such a veteran would be penalized and would be unable to receive the social security disability compensation. Yet there would be two separate injuries, and the veteran would not be drawing disability compensation twice for the same injury.

I do not think it is at all fair to penalize our veterans who were disabled while in active military service defending their country. I strongly urge that the provisions of section 2 of H. R. 6191, as passed by the House of Representatives, be restored.

The House Ways and Means Committee, in its report on H. R. 6191, felt that—

Persons who are receiving compensation for disability incurred or aggravated as a result of service to their country in the Armed Forces should not be required to give up all or part of the disability insurance benefits which they have earned under the contributory social-security system.

I fully agree with the House committee on this matter.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD telegrams I have received from Mr. Don Eva, department commander, and Mr. Joseph P. McDonald, department adjutant, of the American Legion, Department of Oregon; Mrs. Grover Francis, department secretary, and Mrs. Clarence B. Grund, department president, American Legion Auxiliary, Department of Oregon; and Mrs. E. A. Funk, department legislative chairman, American Legion Auxiliary, Department of Oregon.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG., *June 28, 1957.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Your support of restoration of the provisions of section 2 of H. R. 6191 when it comes to floor of the Senate urgently requested. The American Legion feels that each veteran is entitled to both his service-connected compensation payments and his social-security payments which were deducted from his paycheck while in civilian employment. Deprived veterans of either of these payments places families in jeopardy of

foregoing necessities of life. Close scrutiny of H. R. 6191, section 2, by our Senators of Oregon will be appreciated by all veterans in the State of Oregon and in our great United States.

DON EVA,
Department Commander, American Legion.
JOSEPH P. MCDONALD,
The Department Adjutant.

PORTLAND, OREG., *June 27, 1957.*
Senator RICHARD L. NEUBERGER,
United States Senate Building,
Washington, D. C.:

Please give your attention and support to the restoration of the provisions of section 2 of H. R. 6191 when it comes on the floor of the Senate. We feel that each veteran is entitled to both his service-connected compensation payments and also his social security payments which he helped to pay for while in civilian employment. If both are not paid it will deprive many veteran families of real necessities of life. Your close attention to H. R. 6191, section 2, will be appreciated by all veterans and their needy families, and we expect your approval of section 2 being restored to the measure.

Mrs. GROVER FRANCIS,
Department Secretary.
Mrs. CLARENCE B. GRUND,
Department President, American Legion Auxiliary.

ATHENA, OREG., *June 26, 1957.*
Senator RICHARD NEUBERGER,
United States Senate,
Washington, D. C.:

We want section 2 restored to H. R. 6191. Please approve this measure.

Mrs. E. A. FUNK,
Department Legislative Chairman of Oregon American Legion Auxiliary.

PAYMENT TO GOVERNMENT OF DENMARK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 581, S. 2448.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2448) to authorize a payment to the Government of Denmark.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, the purpose of the pending bill is to provide a definitive settlement of the claims of certain Danish shipowners whose vessels were requisitioned by the United States Government in 1941. These claims have been the occasion for protracted negotiations between the United States and the Danish Government for the past 14 years. They have constituted a continuing, and I may add, wholly unnecessary, source of irritation between our two governments.

Mr. President, I should like to summarize very briefly for Members of the Senate, some of the background which finally gave rise to the present bill, a bill which has been before the Congress in various forms since 1941.

During the early black days of World War II, 40 vessels of Danish ownership were lying in United States ports. Denmark had been overrun by the German Army, and its Government was under Nazi domination. In disregard of orders from his country, the Danish Minister, Henrik de Kauffmann, who is presently Denmark's Ambassador to the United States, offered to cooperate with the United States, and courageously assumed responsibility for the taking of the 40 vessels in question.

I remember those circumstances very clearly. Shipping was becoming scarce, and these vessels were badly needed. At the time they were requisitioned, it was the understanding of the Danish Minister, as well as of the Department of State, that the Danish owners would receive the same just compensation as was provided for American citizens—in other words, that they would benefit by equal treatment. For reasons which it is unnecessary to develop here, the Danish owners never received the equal compensation to which they believed they were entitled. They brought suits before the United States Court of Claims, but the stipulated judgments entered in their favor provided much less than the compensation which they believed was their due. So far as the domestic law of the United States is concerned, the legal issues involved in the determination of just compensation for the vessels taken over by the United States have been disposed of. But there still remains the question of an equitable settlement of those claims under the law of nations.

Twenty-four of the vessels here involved were sunk during the war. The remaining 16 were returned to their owners. There is no question that adequate and prompt compensation for the use and loss of those ships should have been made by the United States long ago. The Danish Government contends it has not received such compensation, even though it appears to be reasonably clear from the records that the Danes were entitled to equal treatment with our own citizens. Unfortunately, one administrative complication after another, involving differing views between United States agencies as to the basis of compensation to be made for the ships, has delayed fulfilling the promise made to the Danish Government. Finally, an arrangement has been reached between the two Governments which is satisfactory. No opposition is offered by any agency of the United States to the settlement contained in this bill.

Payments made by the United States thus far, under contractual settlements and the stipulated judgments referred to, total $35,432,350. It has been the position of the Danish Government that, under the principle of equal treatment, the shipowners are entitled to an additional $11,950,000. However, in the interest of settling this irritating controversy, the Danes have agreed to accept the compromise sum of $5,296,302 as a final solution of the issue. The Committee on Foreign Relations believes this settlement to be a fair one under all the circumstances inherent in the case.

Mr. President, I think I should call the attention of the Senate to the fact that if the pending bill is not approved, there is nothing to prevent the Government of Denmark from having recourse to the jurisdiction of an international court or tribunal. And before that tribunal, the issue would be whether the amounts awarded in the Court of Claims judgments were such as to satisfy the obligations of the United States toward Denmark under international law. The outcome of such litigation might well be considerably more disadvantageous for the United States than the present settlement.

It is my conviction, Mr. President, that the compensation provided for in this bill would rectify the failure on our part to do justice to a small nation whose friendship we prize, and which is one of our stanchest and most resolute partners in NATO.

I therefore urge the Members of the Senate to give their approval to this bill.

The bill was reported unanimously by the Foreign Relations Committee. I have cleared it with the minority leader. So far as I know, there is no opposition to it.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2448) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to pay to the Government of Denmark the sum of $5,296,302. The payment of such sum shall constitute full satisfaction and settlement in connection with the requisitioning in 1941 and the use and/or loss of 40 Danish vessels during World War II by the United States.

SEC. 2. There is hereby authorized to be appropriated the sum of $5,296,302 to carry out the purpose of this act.

LOUTFIE KALIL NOMA (ALSO KNOWN AS LOUTFIE SLEMON NOMA OR LOUTFIE NOAMA)

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 749) for the relief of Loutfie Kalil Noma (also known as Loutfie Siemon Noma or Loutfie Noama), which was, on page 2, line 2, after "able", to insert ": *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act."

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendment of the House to S. 749.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

AMENDMENT OF VOCATIONAL REHABILITATION ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 546, S. 1971.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1971) to amend sections 4 (a) and 7 (a) of the Vocational Rehabilitation Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. HILL. Mr. President, the bill was introduced, at the request of the Department of Health, Education, and Welfare, by the distinguished Senator from New Jersey [Mr. SMITH] and the distinguished Senator from Connecticut [Mr. PURTELL]. It was unanimously reported by the Committee on Labor and Public Welfare. It simply extends the time for training doctors, under the Vocational Rehabilitation Act, from 2 to 3 years. All of the other categories of training are kept under the 2-year ceiling. The evidence showed very positively a doctor needs 3 years of training rather than 2 years. That is the purpose of the bill. It does not authorize any more expenditures of money.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1971) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the second sentence of section 4 (a) of the Vocational Rehabilitation Act (29 U. S. C. 34 (a)) is amended by adding the following immediately before the period: ", except that, in the case of a course of study in physical medicine and rehabilitation, such period may not be in excess of 3 years."

SEC. 2. Clause (3) of section 7 (a) of such act (29 U. S. C. 37 (a)) is amended by striking out "for any one course of study for a period in excess of 2 years" and inserting in lieu thereof "for any one course of study, other than a course of study in physical medicine and rehabilitation, for a period in excess of 2 years, or for a course of study in physical medicine and rehabilitation for a period in excess of 3 years."

SEC. 3. The amendments made by this act shall become effective July 1, 1957.

RANK OF WARRANT OFFICERS ON RETIREMENT IN COAST GUARD

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 537, S. 1489.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1489) to amend title 14, United States Code, entitled "Coast Guard," with respect to warrant officers rank on retirement, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, the bill is designed to correct an oversight in the enactment of the Warrant Officer Act of 1954. The bill would enable warrant officers to be restored to the right which they had prior to the passage of that act, and would allow them to retire at the highest rate in which they served, and receive corresponding retirement pay.

The bill was reported unanimously by the Committee on Interstate and Foreign Commerce. There was no objection to it. It was indicated the expense in connection with the bill would not exceed two or three thousand dollars a year. I hope the Senate will see fit to pass the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 1489) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 243 of title 14, United States Code, entitled "Coast Guard", be amended to read as follows:

"§ 243. Retirement in cases where higher grade has been held

"(a) Any commissioned officer, other than a commissioned warrant officer, who is retired under any provision of section 230, 231, 232, or 234 of this title, or that provision of section 235 of this title which provides for retirement of officers after 30 years' service, shall be retired from active service with the highest grade held by him while on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, but not lower than his permanent grade, with retired pay of the grade with which retired.

"(b) Any commissioned warrant officer who is retired under any provision of section 564, 1263, 1293, or 1305 of title 10, shall be retired from active service with the highest commissioned grade above chief warrant officer, W-4, held by him on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, with retired pay of the grade with which retired. However, when the rate of pay of such highest grade is less than the pay of the warrant grade with which the officer would otherwise be retired under section 1371 of title 10, the retired pay shall be based on the higher rate of pay."

SEC. 2. (a) Title 14, United States Code, is amended by inserting the following new section after section 312:

"313a. Retirement in cases where higher grade has been held

"Any warrant officer, W-1, who is retired under any provisions of section 564, 1263, 1293, or 1305 of title 10 shall be retired with the highest commissioned grade above chief warrant officer, W-4, held by him on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, with retired pay of the grade with which retired. However, when the rate of pay of such highest grade is less than the pay of the warrant grade with which the officer would otherwise be retired under section 1371 of title 10, the retired pay shall be based on the higher rate of pay."

(b) The analysis of chapter 11, title 14, United States Code, is amended by inserting the following item:

"313a. Retirement in cases where higher grade has been held."

SEC. 3. The analysis of chapter 11, title 14, United States Code, is amended by deleting the following items:

"303. Compulsory retirement at age 62.",
"304. Voluntary retirement after 30 years' service.",
"305. Voluntary retirement after 20 years' service.",
"307. Retirement upon recommendation of Personnel Board.",
"308. Pay upon involuntary retirement after 30 years' service," and
"313. Retirement in cases where higher grade has been held."

CONSTRUCTION OF TWO SURVEYING SHIPS

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 538, S. 2250.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2250) to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, the purpose of the bill is to increase the authorization for the cost of 2 vessels from $3,700,000 to $6,793,243. The original authorization was made in 1955.

It was the opinion of the committee that these ships should be built, but, by reason of inflated costs, it was necessary to increase the authorization. That is the purpose of the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. SMATHERS. Mr. President, I ask unanimous consent, on behalf of the distinguished junior Senator from Maine [Mr. PAYNE], that a statement prepared by him in reference to Senate bill 2250, to increase the authorized construction cost of two surveying ships for the United States Coast and Geodetic Survey, be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PAYNE

The bill presently under consideration by the Senate would amend Public Law 251, 84th Congress, by increasing the authorized cost of construction of two surveying ships. It will be recalled that Public Law 251, which was the result of a bill that I introduced, authorized the construction of two ships for the United States Coast and Geodetic Survey. The bill established a limit of $3,700,000 on the cost per vessel. Apparently, as set forth in the committee report on S. 2250, the departmental cost estimate on which this figure was based was in error. Since that time it also appears that ship-construction costs have increased appreciably which, taken with the original low estimate, necessitates a substantial increase in the authorized cost limits for construction of these vessels. It is now reliably established that the vessels will cost $6,793,243 each and S. 2250 would amend Public Law 251 to substitute this new figure for the original one.

At the time the legislation, which became Public Law 251, was under consideration the hearings clearly established the urgent need for the two vessels called for by the act. The degree of need for these vessels today is, if anything, greater than it was 2 years ago. The Survey presently operates five vessels of the type provided for in Public Law 251. Two of these are overage, while a third, a former Navy vessel, is approaching obsolescence.

With this inadequate equipment the Coast and Geodetic Survey must discharge its responsibility for surveying and charting the 90,000 miles of shoreline of the United States and its possessions as well as the 2,317,000 square miles of adjacent waters. Adequate

nautical charts are imperative to guard our commercial and military shipping against disaster, but over 60 percent of the 2,317,000 square miles cited are still inadequately charted or entirely unsurveyed.

The two vessels authorized by Public Law 251 would be specifically designed for Alaskan service where the Survey is engaged in highly important work for the Department of Defense. They would permit the release of a vessel now in Alaska for assignment to the Atlantic coast to conduct much-needed survey work. The oldest of the Survey's present vessels, the *Surveyor* (40 years old), which is none too seaworthy would be scrapped while the 27-year-old *Hydrographer* would be retired.

Although no one is happy about the increased cost of these vessels there can be absolutely no question about the necessity for placing them in service at the earliest possible date. It should be remembered that the loss of 1 ship because of inadequate charts could well cost as much or more than the total combined cost of these 2 surveying vessels. It is my hope that the Senate will approve the bill now under consideration without delay.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2250) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act of August 5, 1955, chapter 577 (69 Stat. 537, 538) is amended by deleting the figures "$3,700,000" and inserting in lieu thereof the figures "$6,793,243" and by striking out "January 1, 1955" and inserting in lieu thereof "April 4, 1957."

AMENDMENT OF INTERSTATE COMMERCE ACT

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 540, S. 1461.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1461) to amend section 212 (a) of the Interstate Commerce Act, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, the purpose of the bill is to amend section 212 (a) of the Interstate Commerce Act. It is in three parts. First, to make motor carrier operating authorities subject to suspension, change, or revocation for willful failure to comply with any rule or regulation lawfully promulgated by the Interstate Commerce Commission. The Interstate Commerce Commission advises it does not now have that authority.

Second, to make the revocation procedure prescribed in section 212 (a) for motor carriers conform to the procedure provided in section 410 (f) of the Interstate Commerce Act applicable to freight forwarders by eliminating the term "willfully" in the first proviso of section 212 (a).

Third, to provide that the Commission may, upon reasonable notice, suspend motor carrier operating authorities for failure to comply with insurance regulations issued by the Commission pursuant to section 215 of the act.

The bill was unanimously reported by the Surface Transportation Subcommittee and unanimously reported by the full Interstate and Foreign Commerce Committee.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 1461) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (a) of section 212 of the Interstate Commerce Act, as amended (49 U. S. C. 312 (a)), is amended as follows:

(1) By striking out in the second sentence the words "of the Commission promulgated thereunder" and substituting in lieu thereof the words "lawfully promulgated by the Commission,"

(2) By deleting the word "willfully" in the first proviso, and

(3) By inserting the figure "215," between the figures "211 (c)," and "217 (a)" in the second proviso.

OBTAINING OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY BY FREIGHT FORWARDERS

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 550, S. 1383.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1383) to amend section 410 of the Interstate Commerce Act, to require freight forwarders to obtain certificates of public convenience and necessity.

The PRESIDING OFFICER. The question is on the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment to strike out all after the enacting clause and insert:

That subsection (d) of section 410 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(d) The Commission shall not deny authority to engage in the whole or any part of the proposed service covered by any application made under this section by a corporation controlled by, or under common control with, a common carrier subject to part I of this act solely on the ground that such service will be in competition with the service subject to this part performed by any other freight forwarder or freight forwarders."

Mr. SMATHERS. Mr. President, under the present law freight forwarders are not required to obtain a certificate from the Interstate Commerce Commission. The bill, as introduced, would amend the law to provide that such a certificate should be required for freight forwarders. In its amended form as reported, the bill would merely tighten up the requirements for obtaining a permit. That is all the bill proposes to do.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill amending section 410 of the Interstate Commerce Act, to change the requirements for obtaining a freight-forwarder permit."

SUSPENSION OF APPLICATION OF EXCESS-LAND PROVISIONS IN THE EAST BENCH UNIT, MISSOURI RIVER BASIN

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 583, Senate bill 977.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 977) to suspend and to modify the application of the excess-land provisions of the Federal reclamation laws to lands in the east bench unit of the Missouri River Basin project.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 977) to suspend and to modify the application of the excess land provisions or the Federal reclamation laws to lands in the East Bench Unit of the Missouri River Basin project, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, line 3, after the word "That", to insert "except as provided in section 2 of this Act", and on page 2, line 4, after "Sec. 2.", to strike out "That waters appropriated by the United States for use in connection with the East Bench unit of the Missouri River Basin project, Montana, shall not be furnished to individual water users in quantities greater than the amount required for a full supply for the irrigation of 160 acres of land as determined by the Secretary of the Interior, excepting users' irrigating units containing class 3 lands who may be furnished water for the irrigation of an acreage equivalent to 130 acres of class 1 lands, as determined by the Secretary of the Interior: *Provided, however*, That water may be furnished for the irrigation of lands owned in excess of the above limitations if the owners thereof execute valid recordable contracts, such as are provided for in the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 649–650)", and insert "Any lands of East Branch unit which are held in private ownership by a person whose holdings of bench lands alone or of bench and valley lands combined exceed the equivalent of 130 acres of class 1 lands shall, to the extent they exceed that acreage, be deemed excess lands. No water shall be furnished to such excess lands from, through, or by means of East Bench unit works unless (1) the owner's total holdings do not exceed 160 irrigable acres or (2) said owner shall have executed a valid recordable contract with respect to the excess in like manner as provided in the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649, 43 U. S. C., sec. 423e)." In computing "the equivalent of 130 acres of class 1 land" under the first sentence of this section, each acre of class 2 land shall be counted as thirteen-fourteenths of an acre if in the valley and as thirteen-sixteenths of an acre if on the bench, each acre of class 3 land shall be counted as thirteen-seventeenths of an acre if in the valley and as thirteen twenty-seconds of an acre if on the bench, and each acre of class 4–P land shall be counted as thirteen forty-fourths of an acre", so as to make the bill read:

Be it enacted, etc., That, except as provided in section 2 of this act, the excess land provisions of the Federal reclamation laws shall not apply to lands in the Beaverhead Valley, Mont., lying below the proposed Clark Canyon Dam of the East Bench unit of the Missouri River Basin project, authorized in section 9 (a) of Public Law 534, 78th Congress, approved December 22, 1944 (58 Stat. 887), that are irrigated under existing State water rights, whether the waters used for their irrigation are passed through, regulated by, or stored in the Clark Canyon Reservoir by the United States.

SEC. 2. Any lands of the East Bench unit which are held in private ownership by a person whose holdings of bench lands alone or of bench and valley lands combined exceed the equivalent of 130 acres of class 1 lands shall, to the extent they exceed that acreage, be deemed excess lands. No water shall be furnished to such excess lands from, through, or by means of East Bench unit works unless (1) the owner's total holdings do not exceed 160 irrigable acres or (2) said owner shall have executed a valid recordable contract with respect to the excess in like manner as provided in the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649, 43 U. S. C., sec. 423e). In computing "the equivalent of 130 acres of class 1 land" under the first sentence of this section, each acre of class 2 land shall be counted as thirteen-fourteenths of an acre if in the valley and as thirteen-sixteenths of an acre if on the bench, each acre of class 3 land shall be counted as thirteen-seventeenths of an acre if in the valley and as thirteen twenty-seconds of an acre if on the bench, and each acre of class 4–P land shall be counted as thirteen forty-fourths of an acre.

Mr. MANSFIELD. Mr. President, this bill applies to the East Bench area in the Beaverhead county of southwestern Montana. The main purpose is to permit the establishment on the East Bench unit of irrigation farms which will be of adequate size to provide suitable family livelihood and to meet the cost of water service pursuant to contract with the United States.

The bill is sponsored by my colleague, the senior Senator from Montana [Mr. MURRAY], and I have joined him in sponsorship of the measure. It will apply solely to the East Bench unit located in Montana. It will not affect in any degree application of the 160-acre limitation to other reclamation projects.

Because of the special circumstances of high altitude, climate, and soil conditions, as well as the preexisting established irrigation of the valley lands, this proposed legislation would hardly be a precedent for any other area.

It is my understanding that this bill was reported from the committee with the unanimous approval of all the members.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill (S. 977) was ordered to be engrossed for a third reading, read the third time, and passed.

IMPLEMENTATION OF TREATY WITH REPUBLIC OF PANAMA

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 488, S. 1730, a bill to implement a treaty and agreement with the Republic of Panama.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill S. (1730) to implement a treaty and agreement with the Republic of Panama, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

TRADE WITH COMMUNIST CHINA—A FATEFUL DECISION

Mr. POTTER. Mr. President, there has been considerable discussion lately about relaxing our controls over trade with Communist China, much of it apparently triggered by England's recent decision to put its trade with the Chinese Reds on the same basis as its trade with the Russians.

There are those in high places who have suggested that a reappraisal of our own trade policy regarding Red China is in order. Some of my colleagues have quite frankly suggested that we should ease our present embargo against the Chinese Communists. Strong pressures are expected to be exerted by certain interests to ease the controls.

The thinking seems to be in certain quarters that if other nations of the Free World embark upon trade with Red China, the United States would be foolish not to "get in the swim" and get its share of the expected profits. It is claimed that trade with Communist China would provide a new and expanding market for United States products—that China needs and will continue to need for years to come large quantities of capital goods, and that the United States is one of the nations which can best supply the need. The United States, it is claimed, should remove the embargo because the people of Red China will get a chance to see how much better goods are produced in the United States. Arguments are made that should the United States provide Communist China with capital goods for a few years, the consequent improvement in the standard of living of the Chinese people will result in a market for many of our consumer goods.

Naturally, these economic arguments in favor of trade hold a powerful fascination for those whose paramount interest in any case is always economic in nature. These individuals would trade with Communist China just for the sake of the trade, and would totally disregard the diplomatic, moral, and political implications of such trade.

Those who are not primarily interested in the economics of the situation advance political arguments in favor of trade with Red China. One of the more popular arguments is that such trade would wean Red China away from the Soviet bloc—that the United States should agree to concessions in order to hold together the western alliance. It is believed by some that this trade would pave the way for a long-range adjustment of Asian problems. Some people see trade as a tool for opening China policy to new inspection. Restrictions on trade, it is said, have hurt the United States relations with its allies more than they have harmed Red China. One individual who recently visited Red China reportedly had the following to say on the subject:

Thus far, policies aimed at ostracizing and blockading China have, without undermining the regime, forced it to rely almost exclusively on the Soviet Union.

One of our historians claims there is a bare possibility that the restrictions have forced the Soviets to produce certain items that they may have found easier to purchase abroad. If this be true, he says, the Russians would find themselves less dependent on the outside world if war did come and our restrictions would have defeated the very purpose of their being.

Mr. President, I submit that in any reappraisal of our trade policy with Communist China, numerous and fateful questions must be thoroughly explored and satisfactorily answered. I do not believe we can afford to take a calculated risk on trade with Red China—the stakes are too high—the dangers too great.

As a practical matter we already know the answers to most of these questions if we choose to view them objectively and logically, and if we will remember certain lessons of history.

For example, exactly what effect would trade with Red China have on our present policy of not recognizing her diplomatically and opposing her admission to the United Nations? As my colleagues well know, our records are replete with expressions by both the House and the Senate holding that the Chinese Communists are not entitled to represent China in the United Nations and should not be recognized. As I recall, not one of my colleagues voted against the last such resolution. Indeed, until a few weeks ago not even the least realistic politico would have suggested trading with Red China.

In my judgment, it would be paradoxical, even ludicrous, to withhold diplomatic recognition from Red China and at the same time trade with her. As a matter of fact, it would be highly impractical and tremendously dangerous. We could well win a diplomatic victory and lose a possible future war through such illogical and shortsighted tactics. Trade with Red China would bring strong and unflagging pressures for diplomatic recognition, certainly a tragedy for the United States and the other free nations of the world.

WHY DOES COMMUNIST CHINA WANT TO TRADE WITH THE UNITED STATES AND OTHER NATIONS OF THE WORLD?

Certainly any child knows the answer to this question. As Secretary Dulles stated in his recent address:

> The primary desire of that regime is for machine tools, electronic equipment, and in general, what will help it produce tanks, planes, ammunition, and other military items.

Anyone who believes we can trade with Communist China to any appreciable degree in any type of goods without augmenting her war potential is simply deluding himself—it cannot be done.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. POTTER. I am delighted to yield to the Senator from California.

Mr. KNOWLAND. In view of the situation which prevails does not the distinguished Senator from Michigan feel that the sending of strategic materials to Communist China would be as short-sighted as the action of those who, from the United States and elsewhere, shipped scrap iron and oil to the Japanese war lords, a good deal of which came back at us on December 7, 1941?

Mr. POTTER. The Senator is absolutely correct. The Senator knows that the Chinese Communists are having a most difficult time in the economic field. They need the machine tools and the electronic equipment which we can produce. It would be a worse trade than trading a horse for a rabbit if we should start to trade with Communist China. In other words, the gain to their economy would mean much more to them than any slight benefit which we might derive would mean to us.

The lessons of history should shed some light on this delusion. The scrap metal that was sent to Japan, the oil that went to Italy, and the trade with Germany all helped to prepare these nations for World War II. Those who call for expanded trade with Communist China evidently have forgotten these tragic lessons. They apparently still believe that one can safely do business with tyranny—that somehow we can weaken the forces that threaten our freedom by strengthening them economically and diplomatically.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. POTTER. I yield.

Mr. KNOWLAND. The Senator recalls, does he not, that there were a good many people, including some of our allies, who, prior to World War II in Europe felt that they could do business with Hitler; and in doing business with him, they strengthened his warmaking potential to the point where he overran most of Europe, and he and his allies overran a good deal of the Pacific.

Mr. POTTER. Yes. History is replete with examples which show that, by means of trade, we helped to build up the economic strength of a tyrant, who abused the economic well-being which we helped to develop by turning against us. The same result would ensue in this case.

WHAT EFFECT WOULD TRADE WITH COMMUNIST CHINA, CARRYING WITH IT OUR IMPLIED APPROVAL OF ITS TYRANNICAL REGIME, HAVE ON THE FREE PEOPLES OF ASIA AND THEIR FERVENT DESIRE FOR FREEDOM?

I contend that it would be regarded by them as appeasement, and a giant step on our part toward their abandonment. Our influence on these peoples who trust us would be seriously impaired. Certainly they would be disillusioned. The vast sums we have expended, the good work we have done to win these peoples would go down the drain.

WOULD NOT TRADE RELIEVE THE MOUNTING ECONOMIC CRISIS THE CHINESE COMMUNIST REGIME IS FACING ON THE MAINLAND?

Reliable sources indicate that an unprecedented economic crisis is mounting on the mainland. It is caused principally by the refusal of the Chinese peasants and workers to produce, and by the excessive exports of foodstuffs. The refusal of the Chinese peasants to produce has already resulted in the failures of the regime's 5-year industrialization and agricultural plans. These failures have created economic chaos and wide dissatisfaction, which have not been quieted by Communist murders of millions of Chinese. Should we rush into the breach with trade to save the Peiping regime? To do so will aid that regime in eliminating whatever vestiges of anticommunism that are left.

WOULD TRADE WITH COMMUNIST CHINA BE AS PROFITABLE AS SOME CONTEND?

The evidence at hand indicates otherwise. More than 80 percent of all Red China's trade is now with the Soviet bloc, and there is no reason to expect this will materially change. While the United States has a potential, if not actual, abundance of the things Red China desires, that country has comparatively little to offer in trade that we need or desire. China's principal exports are hog bristles, tung oil, litchi nuts, grass mats, tea, silk, and soya sauce. As Congressman BYRD recently stated on the floor of the House, speaking on this same subject:

> My personal view is that the world demand for soya sauce has now reached the saturation point.

Trade to be beneficial to both parties must have the quality of mutuality. This is not possible with the Peiping regime. Our trade would not be with businessmen of China—it would be with the regime. As Secretary Dulles says:

> Trade with Communist China is not a free trade. It does not provide one country with what its people want, but cannot well produce for themselves, in exchange for what other people want, but cannot well produce for themselves. Trade with Communist China is wholly controlled by an official apparatus and its limited amounts of foreign exchange are used to develop as rapidly as possible a formidable military establishment and a heavy industry to support it.

Mr. KNOWLAND. Mr. President, will the Senator further yield?

Mr. POTTER. I yield.

Mr. KNOWLAND. Does not the Senator also believe that, once the trade in strategic materials was established, in addition to bolstering the warmaking potential of Communist China, with the threats which she makes to move into southeast Asia, Korea, Formosa, and elsewhere, we would be bolstering her economic and political system? Once the trade was started, some of the traders would look to the Government to finance the trade; and we would find the American people, in effect, financing the stability of a regime devoted to aggression in the Far East.

Mr. POTTER. The Senator is absolutely correct. The trade apparatus in Red China would be a part of their overall objective, which is to build a war machine to make gains in Asia; and we would be abetting their effort by trading with them, and giving them the materials which they so much desire.

Mr. KNOWLAND. The Senator will recall that in his television speech of June 2 Khrushchev, who is considered to be the leading figure in the Kremlin at the present time, predicted that our grandchildren would be living under Marxian socialism. I believe he is wrong. I believe that, in any fair test of the free system and the Communist system of tyranny, the Free World will win. But I have some doubts only when I find proposals being made by which the Government and the people of the United States, as well as other peoples of the Free World, would bolster the Communist regimes and make them workable. In fact, such a course would make the slaves more content with their Communist masters.

Mr. POTTER. The Senator is absolutely correct. The Senator from California is one of the greatest students of the Asiatic problem in the Senate, or even in the United States. He well knows that today the Chinese Communists have a very difficult and serious domestic problem on their hands. The clamor to expand and liberalize trade with Communist China did not happen overnight. It is a part of their policy. They want to trade with the United States.

They are not seeking such trade because of their love for us as a people or as a nation. They are doing it because they hope, by so doing, they will bolster their economy, and relieve themselves of some of the domestic economic pressure they are experiencing among their own people.

I do not believe that we can liberalize our trade with Red China without eventually—and perhaps much sooner than would seem possible today—recognizing Red China as the government of China in the United Nations, and according that regime diplomatic recognition here.

Trade would be the first step. Are we in a position now to say to the anti-Communist peoples of Asia, "We are selling down the river the National Chinese Government"?

Are we ready to say to the people of Vietnam, the people of South Korea, or even our friends in the Philippines, that we are not too serious about communism, that we consider it only a bugaboo, and that we are ready to appease the Communists by trading with them?

How are the people of the Free World to maintain a strong anti-Communist posture in every critical area of the world if they see the great United States trying to liberalize her trade with Red China?

Mr. KNOWLAND. Mr. President, will the Senator yield further?

Mr. POTTER. I gladly yield.

Mr. KNOWLAND. I believe that the sequence of events which the Senator has mentioned is certainly a very great possibility. It may not be a probability, but certainly it bears upon the chain of events which would occur; namely, trade; then appeals for setting up economic missions; then appeals for setting up diplomatic missions; then recognition by the Government of the United States; then appeals for admission to the United Nations.

Mr. POTTER. The nose would be under the tent.

Mr. KNOWLAND. The camel's nose would be under the tent flap. However, when we come to consider that point, it is not merely the admission of another country, albeit Communist, to membership in an organization now comprised of 80 members, which would in itself be not so serious—although I believe it would not be wise—but, because of the nature of the Charter of the United Nations, in accordance with which China is regarded as a charter member, and is a member of the Security Council, the admission of Communist China would mean the expulsion of free China. That would mean that Communist China would be a member of the Security Council.

Once Red China gets on the Security Council, it means a very fundamental constitutional change in the organization of the United Nations. I refer to article 20, paragraph 3, which reads as follows:

> Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members, including the concurring votes of the permanent members: *Provided*, That in decisions under chapter VI and under paragraph 3 of article 52 a party to a dispute shall abstain from voting.

Let us consider that an act of aggression might be committed by the Soviet Union. An appeal could be made under that section that the Soviet Union was not entitled to exercise its veto power because it was a party to a dispute. That parliamentary situation could then be thrashed out. However, once Communist China was made a member of the Security Council, Communist China could say, in effect, to the Soviet Union, "If you commit an act of aggression, and if you are challenged under this provision of the charter, you may abstain from voting, and we will exercise the veto for you."

That would change the whole concept and destroy the last opportunity we would have of overcoming a Soviet veto in the face of an aggression committed by it.

In other words, the Soviet Union could scratch Red China's back and Red China could scratch the Soviet Union's back.

Mr. POTTER. Mr. President, I thank the Senator for his observation. In other words, as I understand the Senator's statement, if this chain of events should be allowed to get under way, Communist China would eventually wind up as a member of the Security Council of the United Nations. There it could have a backscratching arrangement with the Soviet Union. One nation could become involved, and the other nation could remain innocent and in that way protect its partner. It is a point we should consider before we permit this first effort, this first link in the chain reaction, to take place. I am sure that would happen.

Mr. President, I think it would develop that the expected benefits from trade with Communist China are illusions and at best they would be extremely transitory. The rich China market is largely a myth used for pro-Communist propaganda. Foreign trade in Communist China is a state monopoly and it is used as a major political instrument, not for mutual benefits.

Under any circumstances, do we want to trade with Communist China as long as the Peiping regime is in power?

Can we so quickly forget Korea? Can we so quickly forget our firm resolutions against the admission of Communist China to the United Nations? The American people have not forgotten the treatment of American prisoners by Communist China, nor have they forgotten that American prisoners still are held illegally by Communist China.

Mr. President, Communist China is an outlaw nation because of her past actions. Her aims for world conquest, just as those of the Soviet Union, have not changed in the slightest degree. I am convinced that to embark on trade with Red China would be to help her and the Soviet Union obtain their objectives. How could we possibly be so foolish and inconsistent?

Mr. President, I have touched briefly on this serious subject of such importance to our country and it is my intention to pursue it more thoroughly at appropriate times in the future.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, as I understand, the pending business before the Senate is Calendar No. 488, S. 1730, to implement a treaty and agreement with the Republic of Panama.

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. For the information of the Senate, it is the hope of the leadership that the Senate will consider not only that bill on Monday, but also, conditions permitting, Calendar No. 547, S. 2406, to authorize the construction of certain works of improvement in the Niagara River for power and other purposes; and Calendar No. 584, S. 1869, to amend the Tennessee Valley Authority Act.

DISARMAMENT NEGOTIATIONS AT LONDON

Mr. COOPER. Mr. President, the proposal yesterday of the United States, the United Kingdom, Canada, and France to the Soviet Union represents a most encouraging development in the current disarmament negotiations at London toward a first-step agreement between the West and the Soviet Union.

The United States suggestion of a 10-month suspension of tests of nuclear weapons, joined with a cessation of the production of fissionable material, provides a practicable basis for a first-step agreement, especially when viewed in the light of Soviet acceptance of the requirement for scientific inspection posts to detect and control the nuclear testing.

No disarmament agreement at whatever stage of the proceedings, however limited, will be free of risks. But I suggest that the delegations of the United States and the other Western Powers have demonstrated an accurate assessment of the risks and the alternative—the continued danger of nuclear war—and have recognized the overriding benefits of a first-step agreement.

In recent weeks, extensive criticism has been directed at the administration for its purported failure to take the initiative in offering constructive proposals toward disarmament.

I recall that I discussed this question with the Senator from Montana [Mr. MANSFIELD] in connection with a very able speech made by him on this subject on June 17 of this year.

I suggest today that the developments in London yesterday have demonstrated clearly that this administration has indeed taken the initiative in advancing serious, constructive proposals before the Disarmament Committee; that our Government is not seeking an "all or nothing at all" agreement; but is, on the contrary, patiently seeking agreement on workable, step-by-step approaches to world disarmament.

The proposal of the United States, if accepted, will represent a partial acceptance, at least with respect to nuclear tests, of the principle of inspection, the base of all United States disarmament proposals; and second, will assure the substance, rather than the form, of disarmament by insisting that any suspension of nuclear tests shall be tied to further agreement to control the production of nuclear weapons and fissionable material. It is an effort to secure the substance of disarmament, rather than the appearance.

I think no one will disagree with the statement that a guaranteed disarmament agreement would be the most important achievement of our time. With such a goal before us, and with definite steps and initiative having been taken, I urge that Congress and the American people support the President, the Secretary of State, and Mr. Stassen in their efforts.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. MANSFIELD. I may say to my good friend, the Senator from Kentucky, for whom I have the greatest respect and admiration, that earlier today, on the floor, I commended the administration for showing the initiative it did in suggesting a proposal which could lead toward disarmament, both in the testing and the manufacturing of nuclear weapons.

I expressed the hope today, however, as I did a week or so ago, that the proposal was not being submitted on an all-or-nothing, take-it-or-leave-it basis, because I felt that even if our proposal, for which I think the administration should be commended, is rejected by the Soviet Union, then we ought to try the next step, even though it is a small one, and we ought to keep on trying to work out something in the way of a disarmament agreement which would be beneficial to the peoples of both countries and of the whole world.

Mr. COOPER. I am sorry I did not hear the earlier statement of the distinguished Senator from Montana. I know that his interest has been to secure some kind of first step toward disarmament.

Mr. MANSFIELD. I always appreciate what the distinguished Senator from Kentucky has to say, because I have great admiration for him. I am fully aware of his objectivity and fairmindedness.

Mr. COOPER. I value the Senator's statement. I have believed, as have many others, that this administration, including the Secretary of State and Mr. Stassen, have been patiently working to find some approach, some first step, toward disarmament. I have felt that it was not an all-or-nothing proposal which was made by the administration.

AUTHORIZATION FOR COMMITTEE ON BANKING AND CURRENCY TO SUBMIT A REPORT DURING ADJOURNMENT — SUPPLEMENTAL VIEWS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be permitted to file a report extending the Small Business Administration following the adjournment of the Senate today or on Friday, next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I also ask unanimous consent that the Senator from Arkansas [Mr. FULBRIGHT], or any other member of the Committee on Banking and Currency be permitted to file supplemental views following the adjournment of the Senate today or on Friday, next.

The PRESIDING OFFICER. Without objection, it is so ordered.

COST SHARING PRACTICES UNDER AGRICULTURAL CONSERVATION PROGRAM

Mr. COOPER. Mr. President, I have just learned that the Department of Agriculture is considering eliminating or changing several of the cost-sharing practices under the agricultural conservation program. I am particularly concerned about practice A–4, entitled "Initial Treatment of Farmland To Permit the Use of Legumes and Grasses for Soil Improvement and Protection." This is the practice under which the Government shares with farmers the cost of applying lime, rock phosphate, and gypsum to their fields.

This has been one of the most important contributions of our soil conservation work up to this time. In 1955, 15 million tons of lime were applied under the ACP program. Hundreds of thousands of small farmers have greatly benefitted from this practice, which in a great many areas is fundamental to maintaining and improving soil fertility and productivity. Between 1936 and 1955, 348 million tons of lime were used in this way. As my colleagues know, every soil test first establishes the acidity of the soil in order to determine how much lime may be needed to sweeten the earth so that the farmer's crops will flourish.

I would be very much concerned if the Department were to eliminate or seriously limit this practice, which means so much to so many small farmers. In 1955, 51,290 Kentucky farmers participated in the cost-sharing agricultural conservation programs. Kentucky farmers used 1,215,000 tons of lime under this program that year. They paid 32 percent of the cost, or about $1.59 a ton. Kentucky's share of the $32 million cost of this conservation practice was $1,937,000. For all minerals, including lime, it was $3,203,000. No less than 7½ million acres of Kentucky farmland were enrolled in ACP approved practices. I am sure this practice has been followed widely in other States. It is one of the most helpful of our farm programs for the small farmer, who may not benefit proportionately from many of our other farm programs.

Among the other cost-sharing practices which I understand are being questioned at D–1, D–2, and D–3—establishing cover crops for winter or for summer protection from erosion, or for green manure. These are also important.

In approving the 1958 program, which may take place in a few days, possibly as soon as Congress finally approves the agricultural appropriation bill, I hope the Secretary will give every consideration to the value of these practices and the importance of continuing them.

ANNOUNCEMENT RELATIVE TO CIVIL-RIGHTS BILL

Mr. KNOWLAND. Mr. President, while the distinguished Senator from Georgia and the distinguished acting majority leader are in the Chamber, and in conformity with previous statements which have been made on the floor that no procedure would be taken in the Senate until Monday, July 8, relative to the proposed civil-rights legislation, I feel it is only fair to the Senate, especially to the distinguished Senator from Georgia and other Senators who are interested, on both sides of the question, to state that it will be my intention on Monday next, following the morning hour, and when the unfinished business has been laid before the Senate, to move that the Senate proceed to the consideration of the civil-rights bill which is now on the Senate calendar.

Mr. RUSSELL. Mr. President, I appreciate the candor and the spirit of fairness which impels the distinguished minority leader to make the statement which he has just made to the Senate.

It would have been expecting too much, of course, to hope that this cup would not be pressed to our lips. But it is consistent with the spirit of fairness which the Senator from California always displays to advise us as to the time and the manner in which we will be expected to drink this potion. I appreciate his fairness and can assure him that some of us will be on the floor at that time on Monday to discuss the motion.

Mr. KNOWLAND. I appreciate the statement made by the distinguished Senator from Georgia. There is no Member of the Senate who is more respected, on both sides of the aisle, than is the Senator from Georgia.

I am very hopeful that after a reasonable consideration of the motion to take up the bill, we may have the measure actually before the Senate, so that as a deliberative legislative body we can consider the merits or, as the Senator from Georgia might put it, the lack of merits of the particular bill. We might consider amendments which would be proposed from both sides of the aisle. We might be able to debate them and the great constitutional questions and legal problems which are involved, together with the many other questions which are of concern to the Senate.

As a personal observation, I may say that I believe the predominant feeling in the Senate is that the membership does not have closed minds on the subject. I think Senators are prepared to listen to, to discuss, and ultimately to pass judgment upon the various suggestions which may be made. I think it is fitting and proper that the Senate should proceed in that way.

I merely seek, at a reasonably early date, to have the proposed legislation actually before the Senate, so that the arguments of the distinguished Senator from Georgia, his colleagues, and others who are interested may be presented to the Senate. Then we may decide the basic questions of policy and the constitutional problems which are involved.

I may say to the Senator from Georgia that, as one Member of the Senate, I shall listen to the arguments with an open mind and try to seek what I think and hope will be an equitable solution for all sections of the country.

Mr. RUSSELL. Mr. President, I likewise wish to thank the distinguished Senator from California for his statement.

At this time I am not prepared to fix any specific time when any specific action will be taken on the bill. One who is in a minority, at least as to the overall aspects of this measure, must of necessity deal with the facts as they are presented, and must take action or decline to take action as the circumstances dictate.

However, I can assure the distinguished Senator from California that, so far as the early discussion of the bill is concerned, on the motion to proceed to its consideration, the speeches will be of no greater length than those ordinarily made on the floor of the Senate, in order to make a record of the position of those who oppose the bill. Different Senators will address themselves at not unusual length to different aspects of the measure, in order that it may be clearly understood.

I am grateful to the Senator from California for his statement. I must say that from his side of the fence, it is an eminently fair statement.

I hope that as the debate progresses in the Senate Chamber, we may arrive at some meeting of the minds, at least as to the portions of the bill which I regard as being most objectionable and most vicious; and that the time may come when, after full and fair debate, the Senate may proceed to vote on amendments to the bill.

ADJOURNMENT TO FRIDAY

Mr. MANSFIELD. Mr. President, under the agreement previously entered, I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 2 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, to Friday, July 5, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 3, 1957:

DIPLOMATIC AND FOREIGN SERVICE

The following-named Foreign Service officers for promotion from class 1 to the class of career minister:

Cecil Wayne Gray, of Tennessee.
Hervé J. L'Heureux, of New Hampshire.
Henry E. Stebbins, of Massachusetts.
Walter N. Walmsley, Jr., of Maryland.

Avery F. Peterson, of Idaho, now a Foreign Service officer of class 1 and a secretary in the diplomatic service, to be also a consul general of the United States of America:

The following-named persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

H. Francis Cunningham, Jr., of Nebraska.
Leo G. Cyr, of Maine.
Albert B. Franklin, of Massachusetts.

William L. Wight, Jr., of Virginia, now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Ernest J. Colantonio, of Massachusetts, for appointment as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America.

Albert N. Abajian, of New York, for appointment as a Foreign Service officer of class 4, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 5, consuls, and secretaries in the diplomatic service of the United States of America:

J. Fred Doyle, Jr., of Colorado.
Arthur A. Hartman, of New Jersey.
Roswell M. Parrott, of New York.

The following-named persons, now Foreign Service officers of class 6 and secretaries in the diplomatic service, to be also consuls of the United States of America:

Henry E. Dumas, of California.
E. Paul Taylor, of California.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Miss Helene A. Batjer, of Nevada.
Miss Joan M. Clark, of New York.
Theodore T. Franzen, of New Jersey.
Grenfall L. Penhollow, of Nebraska.
J. Leopoldo Romero, of California.
Alfred Schelp, of Missouri.
Michael Smolik, of Oregon.
John Quincy White, of Minnesota.

The following-named persons for appointment as Foreign Service officers of class 8, vice consuls of career, and secretaries in the Diplomatic Service of the United States of America:

Madison M. Adams, Jr., of Florida.
Dexter Anderson, of New Jersey.
Stanley Baldinger, of Minnesota.
Edward C. Bittner, of Pennsylvania.
Richard C. Bialock, of Oklahoma.
James E. Briggs, of North Carolina.
Clive Chandler, of Washington.
Vincent J. Cherry of New York.
Paul M. Cleveland, of Virginia.
William M. Clevenger, of New Jersey.
Raymond C. Collins, Jr., of New Jersey.
James F. Coovelis, of California.
Miss Winifred Dana, of California.
Miss Claudette Ann Dartsch, of Illinois.
Robert E. Doran III, of New York.
Ernest A. Duff, of Virginia.
Charles E. Duffy, of Iowa.
James M. Ealum, of Oklahoma.
Miss Mary L. Eysenbach, of Connecticut.
Charles E. Finan, of Washington.
Richard H. Flanagan, of Massachusetts.
Jay R. Goldberg, of New York.
John M. Gregory, Jr., of New York.
Miss Ange Belle Hassinger, of Louisiana.
Richard S. Hawley, of Michigan.
John P. Heimann, of Illinois.
Sean M. Holly, of New York.
John W. Holmes, of Massachusetts.
Harold E. Horan, of Texas.
Alton L. Jenkens, of Massachusetts.
Warren Mark Johnson, of California.
Peter E. Juge, of Louisiana.
George L. Kinter, of New York.
Donald A. Kruse, of Pennsylvania.
Robert Kurlander, of New York.
John J. LaMazza, of New York.
Girard C. Lane, of New York.
George Q. Lumsden, Jr., of New Jersey
John D. McAlpine, of Illinois.
Donald F. Meyers, of Wisconsin.
Herbert T. Mitchell, Jr., of North Carolina.
John H. Moore, of Tennessee.
Donald R. Morris, of New York.
Robert B. Oakley, of Louisiana.
Daniel A. O'Donohue, of Michigan.
Miss Martha Ann Orahood, of Ohio.
Sydney E. Paulson, of Michigan.
Gerald S. Pierce, of Oklahoma.
Dale M. Povenmire, of Ohio.
Henry E. Powell, Jr., of Virginia.
Miss Rozanne L. Ridgway, of Minnesota.
Edward G. Ruoff, of Virginia.
James Sartorius, of New Jersey.
Leslie Andrew Scott, of New York.
Robert S. Steven, Jr., of Rhode Island.
Louis A. Tananbaum, of Colorado.
Thomas A. Thoreson, of Illinois.
Ronald A. Webb, of California.
Kenneth D. Whitehead, of Utah.
Thomas F. Wilson, of Michigan.
Edward C. Woltman, Jr., of Indiana.
Michael van Breda Yohn, of Connecticut.

The following-named Foreign Service staff officers to be consuls of the United States of America:

Leland C. Altaffer, of Ohio.
William S. Harrington, of Florida.
Albert W. Hennig, of Massachusetts.

Daniel J. Herget, of Maryland, a Foreign Service staff officer to be a consul of the United States of America.

(This nomination is submitted for the purpose of correcting an error in the nomination as submitted to the Senate on May 23, 1957, and confirmed by the Senate on June 3, 1957.)

The following-named Foreign Service reserve officers to be consuls of the United States of America:

Keith E. Adamson, of Kansas.
Robert T. Shaw, of Virginia.

The following-named Foreign Service reserve officers to be vice consuls of the United States of America:

Robert C. Pierson, Jr., of West Virginia.

Graham D. Renner, of the District of Columbia.

The following-named Foreign Service reserve officers to be secretaries in the diplomatic service of the United States of America:

Richard H. Dale, of the District of Columbia.

Grant A. Fielden, of Michigan.
Charles T. Katsainos, of Massachusetts.
Harry A. Rositzke, of Virginia.
Winston M. Scott, of Virginia.
Richard H. Webster, of Virginia.

SECURITIES AND EXCHANGE COMMISSION

Edward N. Gadsby, of Massachusetts, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1958, vice J. Sinclair Armstrong, resigned.

IN THE ARMY

The following-named officers for appointment as chaplains in the Regular Army of the United States, in the grades specified under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

To be major

Adams, Rowland Chrisler, O317852.
Bartholomew, Lisle, O406248.
Betzold, John Wistar, O928364.
Fitzgerald, William Robert, O543296.
Frain, Joseph Edward Xavier, O931365.
Reardon, David Morriss, O502235.

To be captain

Benner, Herman Nathaniel, O552868.
Gefell, Joseph Gerard, O930921.
Griffin, Johnson Linwood, O549048.
Hunt, Frederick Olen, Jr., O1101506.
Krug, Clement Peter Joseph, O522387.
Lam, Alfred P., O434979.
McNally, Carl Patrick, O997366.

To be first lieutenant

Brady, Lawrence Kennedy, O997021.
Cronin, Edward Thomas, O2269693.
Hayes, James Raymond, O2272033.
Hulme, John Wesley, O2273307.

The following-named officers for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, section 3311, and Public Law 737, 84th Congress, subject to physical examination required by law:

To be major

Brecht, Helen Frances, WAC, L705117.

To be captain

Bates, Roy Leslie, MSC, O2055437.
Benke, Clyde Willard, MSC, O1636290.
Berg, Frances, WAC, L1020579.
Cooney, Henry Francis, MSC, O2049205.
Knowlton, Homer Clay, MSC, O967638.
Roos, Phyllis, WAC, L803504.
Weatherall, Richard Thomas, MSC, O454176.
Wolfe, Barbara Jane, WAC, L1010600.
Wheeler, Leigh Franklin, Sr., MSC, O1547204.

To be first lieutenant

Allen, Julian Bernard, MSC, O1930091.
Allen, Mary Frances, WAC, L1020152.

Alluisi, Earl Arthur, MSC, O981206.
Borchardt, Kenneth Andrew, MSC, O2271115.
Brissee, John Aldin, MSC, O4013501.
Buell, Leonard Keith, MSC, O4019426.
Burris, Carahal Allen, Jr., MSC, O999096.
Fraser, Betty Rose, WAC, L1010401.
Gregory, Charles William, MSC, O1933649.
Hatfield, Jimmy Lew, MSC, O4007039.
Jefferies, Vashti Volina, WAC, L1010594.
Jones, Evan E., Jr., MSC, O4006608.
Piaciteili, John Daniel, MSC, O2270675.
Thomas, Evan Thomas, MSC, O2271058.
Watson, Dorothy Lea, WAC, L1010364.
Welch, Billy Edward, MSC, O2274205.
Williams, Mary Ruth, WAC, L1010743.

To be second lieutenant

Albright, Ruth Marie, WAC, L1010819.
Allen, Turman Earl, Jr., MSC, O4043295.
Beach, Douglas Johnstone, MSC, O2276857.
Burns, Daniel Ellsworth, MSC, O4018121.
Chapin, George Edgar, Jr., MSC, O1923139.
Chiei, Dante Antonio, MSC, O1924217.
Graff, Norman Howard, MSC, O1876444.
Green, Bruce Edward, MSC, O1937444.
Hahn, Jerry Dean, MSC, O4025204.
Hunt, Kenneth Francis, MSC, O2279269.
Kelly, Peter Charles, MSC, O4033283.
Michael, Patricia Ann, WAC, L1010849.
Musante, John Gustin, MSC, O2275942.
Paul, Hinton Groves, Jr., MSC, O4042948.
Pitchford, Thomas Lew, MSC, O4031625.
Sato, Irving Shigeo, MSC, O4058417.
Shippee, Audrey Bancroft, WAC, L1010843.
Smith, Creed Delaney, MSC, O2284225.
Stoltz, Richard Byford, MSC, O1920432.
Viering, Lois Shulder, WAC, L1010855.
Walt, Wayne Perry, MSC, O4018270.

The following-named officers for appointment in the Regular Army of the United States in the grades specified, under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

To be major

Bremer, Ernest Kern, O379612.
Carlan, Ulysses Grant, O378949.
Ferriter, Richard Herrick, O1283397.
Gardner, Hamilton Bonnett, O1644352.
Greer, Henry Bryan, O377192.
Jackson, Robert James, O1822010.
Kenworthy, Max Ronald, O373063.
Rigg, Robert Benjamin, O405863.
Schlotzhauer, Walter Scott, Jr., O328531.
Smee, James Coleman, O363665.
Warren, Robert Eugene, O333975.
Wignall, Kenneth Knowles, O375999.

To be captain

Anderson, Ellis Franklin, O1636920.
Bailey, Gordon Woodrow, O397245.
Barker, Irving Oscar, O1317138.
Barnhill, Gervase Lindsay, O387901.
Benson, James William, O439819.
Brouse, Marion Dale, O947629.
Cadenhead, Charles Robert, O829159.
Cahill, George Thomas, Jr., O1323662.
Calenberg, Harry Douglas, O2017806.
Calhoun, James Robert, O571173.
Cash, Carl Vernon, O588944.
Chapin, Russell Dorsey, O1281354.
Cheatham, Jesse Richard, O413226.
Chrzanowski, John Joseph, O2033277.
Cook, William Byron, Jr., O1280709.
Copeland, Edward Allen, O1638913.
Dale, John Harbert, O422631.
Daskevich, Anthony Frank, O1692601.
Del Mar, Henry Richard, O1305553.
Diaz, Victor Fernandez, O1341081.
Dieleman, William Kearns, O2055141.
Diggs, Jack Franklin, O1173217.
Doeppner, Thomas Walter, O1651813.
Donahue, James J., Jr., O1169084.
Dye, Harold Anthony, O391324.
Eliett, Charles Crittendon, O2035304.
Ellis, Richard Edward, O1104143.
Emerson, John Emory, Jr., O1289711.
Fimiani, Joseph Charles, O1043941.
Gardner, George Milton, O1102250.
Gardner, Richard Marshall, O423242.
Gertie, Raymond Joseph, O1020245.
Grekasa, Paul, O1634825.
Grimland, Neal Gideon, O2007495.
Hales, William McKinley, Jr., O405742.
Hardenbergh, Henry Hall, O407498.
Haynes, Thomas Edison, O394443.
Howland, Frederick Paul, O1321413.
Hutchison, Robert Franklin, O445352.
Hutto, Charles Lee, O1950377.
Hylander, Walter Raymond, Jr., O2274100.
Jones, David Leland, O468490.
Kavanaugh, Martin James, O1328704.
Knight, John Newton, O1339880.
Lynch, Eugene Michael, O2011622.
Maddox, William Johnston, Jr., O549455.
Maher, John Ralph, Jr., O1994472.
McElhenny, John Francis, O1997996.
McKinney, John Bradley, O1639652.
Meadows, Byron Dunfee, O1058074.
Michau, Herbert John, O1299605.
Moore, Walter Nathaniel, Jr., O1176439.
Morris, Edward Leroy, O887897.
Murphy, Daniel Joseph, O1645234.
Musser, Robert Howard, O386786.
Norris, Charles Reed, O1559956.
O'Brient, Lex Eugene, O1017420.
Parsons, Thomas Reed, O964660.
Patterson, James Henry, O1286698.
Payne, Francis Edwin, O2033319.
Peck, James Mason, O1047288.
Prost, Louis Joseph, O1326110.
Regn, Elmer Martin, O453700.
Reitan, Robert Vernon, O1167172.
Riordan, Frank Joseph, Jr., C465451.
Robinson, Ralph Charles, O2033273.
Roth, Theodore Robert, O1050063.
Sacra, Sam Warren, O1020500.
Schira, Pedro Ivan, O2280089.
Scoggins, Ruel Prentis, O1823947.
Sills, Gerald Herbert, O444780.
Smith, Chester Ray, O1577859.
Stevenson, Leland Lewis, O1597289.
Tate, Roy Askew, O376759.
Taylor, Porcher Lengle, Jr., O2205742.
Taylor, Raleigh Ogle, O1324961.
Thomas, James Dudley, O1053108.
Tobiason, Orville LeRoy, O1172694.
Turner, Leo Dalton, O1336572.
Vohs, Ralph Herman, O1313002.
Walker, John Wilbur, O460495.
Walsh, Joseph Anthony, O1950060.
Webb, George Kenneth, O535946.
Western, George Edwin, O1017861.
Whitlock, Harold Sherrod, O976941.
Whittier, Harold Walter, O1995537.

To be first lieutenant

Abercrombie, Edward Lee, O4011954.
Adams, Basil Royden, Jr., O1875706.
Adessa, Anthony John, O4012222.
Allen, Leverne Elwood, O1925625.
Alvey, Everett Lynn, O2021302.
Anderson, George Brooks, O4019152.
Andrew, Donald George, O1930610.
Back, Arthur Ryan, O4013349.
Baddaker, William Lawrence, O4001392.
Bailey, Ronald Owen, O4016368.
Baker, James Goodwin, Jr., O2097684.
Ballard, Graydon Lee, Jr., O1930262.
Bamford, Charles Frank, 2d, O1927575.
Barton, Jack Lewis, O4001558.
Beatty, Robert Dunn, O1893132.
Beckwith, Charlie Alvin, O1886972.
Bell, Frederick Dawson, Jr., O4000434.
Bell, Wiley Wayne, O1915871.
Bennett, Raymond Gordon, O995614.
Bilderback, Gerald Wayne, O4009396.
Black, James Ansel, Jr., O4012973.
Bole, Albert Cleaver, Jr., O1875493.
Bollinger, Walter William, O1892227.
Bonomo, Reno Joseph, O1939952.
Borzumato, Paul Lawrence, O1875331.
Bowden, John Charles, Jr., O1916167.
Boyd, David Theo, O4023722.
Boyle, Dennis Mathew, O4023425.
Brady, James Pope, O4012904.
Branch, William Edgar, O4013356.
Brandt, Leo Max, O4003694.
Brown, Herman Dale, O1880412.
Browne, Robert Theodore, O1939487.
Brownlee, Emory William, O4012851.
Brumley, William Booth, O2104789.
Bryant, Deewitt Talmadge, Jr., O1879546.
Buchanan, Elton Eugene, O1935922.
Bukoski, James Richard, O1883283.
Burghardt, Charles Allen, O1937358.
Campbell, Laurence Alexander, O4019615.
Carson, David Lee, O1940180.
Cassidy, John James, O1925781.
Chandler, Victor Earl, O1916342.
Chaney, Otto Preston, Jr., O4012859.
Childress, Gerald, O1892123.
Choat, Buddy Jack, O1879168.
Cioffi, William George, O1936016.
Clapp, Max Albert, O1926323.
Clark, Allison Paul, O2264697.
Clark, Donald Olson, O1939701.
Cleghorn, Leonard Vincent, O1939447.
Clingempeel, William Donald, O1877421.
Cole, Raymond Franklin, O4012206.
Coleman, Edward Rolland, O4009131.
Conover, Robert Lloyd, O1882899.
Cooper, Robert Gerald, O4011851.
Coye, Roger Herbert, O1875526.
Culver, James Volk, O2097680.
Cunha, Fredrick Robert, O4021253.
Cunningham, Walter Douglas, O1939449.
Currey, Charles Elmore, O1890399.
Darivoff, Irvin, O4021290.
Davis, Roger Herring, O1880973.
DeLorenzo, William Alfred, O1875875.
Deming, Roger McPetree, O4012297.
Dismore, William Elvin, Jr., O2104527.
Dixon, John Burton, O1880384.
Dobbs, Frederick Herbert, O1938661.
Doby, Robert Floyd, O1940485.
Dodds, Charles Frost, O4009602.
Downey, Allan Norton, O1889275.
Doyle, David Kyte, O1930803.
Doyle, William Patrick, O4004262.
Echols, Herald Vincent, O1915978.
Edmonds, Maurice Owen, O4011567.
Eldred, Marshall Stuart, O2269737.
Elliott, Richard Lorne, O4002778.
Ellis, Donald Douglas, O1890113.
Ellis, William Thomas, O1883679.
Estep, Glenn Richter, O1933308.
Eyman, Robert Franklin, O1889548.
Falk, Dale Robert, O998042.
Fenech, Paul Michael, O1915511.
Ferguson, James Harrison, O4000576.
Field, Nathaniel Armstrong, Jr., O1931542.
Fincham, Jack Emertt, O1892130.
Fischer, Arthur Frank, O1926031.
Fischer, Richard Leo, O1890607.
Fisher, Clyde, Jr., O1929398.
Forbes, Barney Hubbard, O4023505.
Forbes, Stanley Ray, O1872995.
Fowler, Thomas Ross, O4023506.
Francis, Phillip Meyrick, O403322.
Franklin, Charles Dale, O1930282.
Franklin, James Albert, O2004749.
Gabardi, David Lee, O1877598.
Gernon, Thomas Elmo, 3d, O1939983.
Gillespie, John William, O984553.
Good, James Arthur, O4002109.
Green, Albert Francis, O1925061.
Green, William Thomas, O4009352.
Gregerson, William Edward, O4019599.
Griffith, Joseph Kenneth, O2263002.
Gustaveson, Melburn Le Roy, O2211960.
Gutschenritter, Earl John, O1925919.
Hall, Harry Edward, O1929786.
Haller, Douglas Leon, O4002586.
Hancock, Jack Logan, O1877609.
Hannum, David Bentley, Jr., O4009756.
Harmon, Tommy Jay, O1881099.
Harrer, Lee John, O1888168.
Haswell, Peter Russell, O4019937.
Hathaway, Warren Arthur, O4014980.
Heiss, Richard Walter, O1883788.
Hellmuth, Harry Edward, Jr., O4016482.
Hertel, Robert Gene, O1926276.
Hibbs, Joseph Guy, O1889291.
Hillman, John Kenneth, O1884032.

Hollhen, Joseph Markham, O1890025.
Howard, William Clarke, O2263442.
Hutchins, Charles Franklin, O1862153.
Hyde, Darwin Spencer, O1889426.
Janssen, Arlo Dean, O1881148.
Jeffers, Sam Eve, Jr., O1939461.
Jensen, William Charles, O1893888.
Johnson, Joseph Edward, O1891422.
Jones, Charles Lee, O1887474.
Jones, Charles Roy, O4003789.
Jones, Richard Allen, O4014074.
Jones, Thomas Michael, O1886140.
Judge, Richard Francis, O1894134.
Kavanaugh, William Walstrum, Jr. O4003274.
Keller, Theodore Reeve, O1927978.
Kelly, Clifford Brian, O1940269.
Kent, John Forrest, O4015550.
Kirkland, Faris Russell, O4020664.
Kitchin, James William, O1885821.
Klingenfus, Emil John O1929416.
Klippel, Kenneth Leroy, O4019032.
Kniffin, Arnold Dean, O1890066.
Kobata, Kazuji, O1927750.
Koehler, William Frederick, O4002030.
Kros, William John, Jr., O1939754.
Krueger, William Henri, O1930311.
Kwasigroch, John Frank, O1888891.
Lacy, James Frederick, O4012289.
Lambert, Richard Thomas, O4004098.
Lander, Robert Benjamin, O2028716.
Lanier, Albert Barnes, Jr., O4012514.
Lanphere, Robert Francis, O4017025.
Larsen, John William, O1929914.
Lawson, James Christopher, O1937379.
Lax, Joseph Oppenheim, Jr., O4013010.
Layne, Leslie Alexander, O1926889.
Leathers, Billy Joe, O4023374.
Le Clair, William James, O4017062.
Ledford, William Valentine, O4005968.
Lees, Robert Edward, O4014815.
Leese, Donald Albert, O4000978.
Leland, David Paul, O4015551.
Lewis, John Potter, O4006671.
Light, Allen H., Jr., O1932629.
Lindsey, Tommy Gene, O1879638.
Lodge, Thomas Carroll, O1926067.
Lowe, Orin Hewitt, O4014983.
Lowery, Carlton Merle, O4014984.
Lucas, Warren Jacob, O1935053.
Ludwig, Donald Joseph, O4020799.
Luepnitz, Carl Adolph, O4015783.
Maga, Fred Dominic, O1940733.
Mallo, Harry Richard, O4002606.
Mallonee, John Brice, Jr., O4000709.
Malmgren, Alfred Charles, O1886093.
Mann, Everett Edward, O1889498.
Marker, Robert Herman, O1928093.
Martellini, Carmen Richard, O4015555.
Matthews, Paul Doran, Jr., O2208036.
Mays, George Glover, O1879801.
McClean, Raymond James, O2104429.
McCrea, J. Hollis Victor, Jr., O4019440.
McDonald, Gerald Lee, O1939324.
McGahee, Mack Milo, O1886932.
McGarity, John Floyd, O4023806.
McGee, Charles Franklin, O1885716.
McGinn, Harry Laurance, O1889651.
McIver, James Clarence, O1888942.
McMahon, John Francis, O1890346.
McNally, John William, O1935372.
McTigue, Donald Hugh, O4006215.
Michael, Lloyd Donald, O4005128.
Miller, Clarence Allen, Jr., O1915281.
Miller, George Franklin, O4020906.
Miller, Glen Robert, O4019098.
Miller, Harvey Fisher, O1939465.
Miller, Kenneth Merrill, O4003186.
Modica, Donald, O4002486.
Moeller, Selmer Eugene, O2264561.
Monroe, Charles Arthur, O4000581.
Mooney, Harley Floyd, Jr., O1341181.
Moran, Conrad Vincent, O1875970.
Morrill, George Henry, O4016181.
Morris, Robert William, O2210607.
Moss, Robert Eugene, O2104613.
Moulthrop, Robert Moss, O2097523.
Munn, Frank Oldham, O4006037.
Munn, William Richard, O4020976.
Murphy, Alvin Frank, O4009435.
Murray, Roger, Jr., O4003476.
Mustain, James Clarence, O1940316.
Nabell, Eugene Victor, O2264940.
Neff, Owen Bates, O1916139.
Negris, Rocco, O4014823.
Niemann, Thomas Eugene, O4007067.
Nolet, Robert Adelard, O1937784.
Norcross, John Cleo, O1879483.
Nunn, Thomas Calvin, O1916053.
Odekirk, Carl John, O2162185.
Oliver, Henry McCarty, O4003554.
Partridge, Charles Cater, O4023837.
Passano, John Dyer, O1935365.
Perry, Richard Arlen, O1880358.
Peters, Billy, O4004040.
Peters, Perry Earl O1888666.
Petterson, Charles William, O1933338.
Phillips, James Vester, O2265085.
Phillips, Ted Nathaniel, O4011650.
Pledger, Walter Robert, O1938640.
Poel, David Jay, O4015929.
Pope, William Aubry, O4019822.
Potter, Russell Calvin, O1882708.
Power, Arthur Vincent, O1941364.
Prevatt, Richard Montgomery, Jr. O1887328.
Price, Francis Kingsley, Jr., O4005929.
Proctor, Lawrence Bert, Jr., O4012663.
Prokopowich, Lucien Rufian, O4015155.
Pugh, Hilton Edward, O1887509.
Pugliese, Nicholas Rudolph, O1938490.
Pursell, Alfred Burton, O1938662.
Quast, Lorus Lamar, O1939407.
Radke, Galen Wayne, O4005716.
Ragano, Frank Paul, O1890985.
Ramos, Domingo, O1886121.
Ramsey, LeRoy Springs, Jr., O1887831.
Ray, William Eugene, O1934962.
Reum, James LeRoy, O1930662.
Rhodes, Cephus Syrason, O1890951.
Rhodes, Robert Howard, O2004672.
Richards, Howard Charles, O4019365.
Richardson, Ronald Ray, O1888261.
Ridgway, John Joseph, Jr., O4009215.
Robbins, William Curtis, O2003844.
Rogers, Clare Roy John, O4020629.
Rothwell, John Cowell, O1887668.
Routh, Harry Maurice, O4002240.
Saltus, William Thomas, O4003585.
Sanders, Bobby Lee, O4021211.
Sandstrom, Theodore Frederick, Jr., O4002901.
Schiffman, Donald Bernard, O1937135.
Schneider, George John, O4020601.
Schweitzer, Robert Laurence, O2266455.
Segrest, William D., O4005847.
Sewell, William Pierce, O4011979.
Shay, Patrick Earl, O1879875.
Shellenbaum, Glen Earl, O1883293.
Shields, George Duncan, O4019513.
Shields, Maynard Earl, O1887338.
Simmons, John Edwards, O1875409.
Sims, Roy Donald, O4001284.
Skanchy, Rex Karren, O1927333.
Slater, Burt Evans, O4006643.
Smith, Albert Joseph, O1881075.
Smith, George Ellis, O4009586.
Snyder, Clinton Willis, O4000339.
Somers, Charles Edwin, Jr., O1703721.
Spang, Allan Gordon, O1876217.
Sperow, Charles Conrad, O1889880.
Spilker, Wayne Eugene, O1887687.
Spradlin, Glenn Doyne, O1939514.
Stanton, Martin Paul, O4009788.
Staum, Vernon Eldeen, O2104816.
Stephenson, Lamar Voyles, O1890833.
Stewart, Dennie William, Jr., O4001536.
Story, Billy Lorenza, O4011700.
Stromgren, Kenneth Gustave, O1876054.
Strouse, William Richard, O2104223.
Sullivant, Harold Truett, O1886149.
Swisher, Robert Keim, O2210252.
Thorpe, John Clifton, O4009739.
Tonsager, James Richard, O1940290.
Treece, Frank LaRue, O1936733.
Troutman, Gregory Lee, O4011665.
Tucker, Charles Eugene, O1939601.
Turnage, Preston Bryon, Jr., O1936945.
Underhill, Victor Sherwood, Jr., O4021156.
van Sickle, James Patrick, O4006172.
Visscher, Robert Edmund, O4013474.
Wallace, John Claud, Jr., O1894059.
Walton, Ben Lee, O4009536.
Weathersby, Russell Allison, O4011839.
Weinstein, Kenneth, O4015195.
Wells, Don Russell, O1936646.
Westall, Bynum Porter, O2263768.
Westmoreland, Richard Lee, O1887366.
Williams, Thomas Paul, O4023758.
Willmann, William James, O1939480.
Wilson, Robert Drake, O4015644.
Wilson, Walter C., Jr., O1881998.
Witt, John Richard, O1926567.
Wong, Alfred Mun Kong, O1920631.
Wordal, Clifford Milton, O1880336.
Young, Robert Lewis, O1880914.
Ziek, Thomas George, O1935816.

To be second lieutenant

Adair, Billy Roy, O1940831.
Adams, Bruce Eugene, O4041039.
Ainsworth, Willie James, O4025051.
Allen, Wilbur Roper, O4044606.
Almy, Donald Chester, O4039235.
Anderson, Bruce David, O4029644.
Anderson, John Alfred, O4029634.
Anderson, Lee Earl, O4010640.
Anderson, Richard Leon, O4018516.
Andrews, Donald George, O4029127.
Arciero, Robert Gaetano, O4038246.
Austin, Kenneth Blaine, O4026902.
Awtery, Sherry Eugene, O4023707.
Axnix, Eugene Joseph, O4029663.
Baeten, Harold John, O4041575.
Bailey, George Arthur, O4039392.
Bailey, William Robert, Jr., O4031804.
Bails, James Robert, O4041788.
Baker, Jack Eugene, O1930261.
Bare, Frank Lee, O4040469.
Barge, Beverly Lake, O4063185.
Barkate, Joseph George, O1941120.
Bausler, Donald Ray, O4010345.
Berg, Roland Elliott, O4030035.
Berschauer, Walter L., O4050385.
Bjorn, Edward Douglas, O4030881.
Blake, Richard James, O4010500.
Blow, James Lee, O4055977.
Boling, Douglas Lowell, O4016523.
Bowden, Robert Cecil, O4042954.
Bowdoin, William Ralph, Jr., O4024508.
Bozymski, Valentine Walter, O3000961.
Bracewell, Roland Allen, O4034150.
Bradberry, William N., Jr., O4033535.
Bradbury, William Delph, Jr., O4023784.
Bradford, James Carrow, O4031672.
Bramlett, James Timothy, O4029472.
Brandon, Claude Eugene, O4041977.
Brandt, Ronald Stirling, O4057027.
Brennan, William Bernard, O2276217.
Brown, Arnold Kaywood, Jr., O4053454.
Browning, Robert Abner, O4018181.
Bruder, Robert Willard, O4029734.
Bryan, Thomas Francis, O1887398.
Buchanan, Paul Joseph, O4041931.
Bunyard, Jerry Max, O1941318.
Burckes, Melvin Stearns, O4028817.
Burkard, Danny Joseph, O4024723.
Burke, Thomas Benjamin, O1940874.
Burns, Harris, Jr., O4028714.
Burt, Woodruff Arthur, O4057144.
Bush, Charles Edward, O2105117.
Caine, Thomas William, O4028982.
Caldart, Donald Edward, O4018417.
Callaway, Charles Patrick, O4043148.
Cameron, Duane Greer, O4032552.
Cameron, Frank Norman, O4051454.
Campbell, Frank Donald, O4044414.
Campbell, Robert James, O2282540.
Caprio, Daniel William, O4042789.
Cardwell, Kenneth Edward, O4027730.
Carlson, Gustaf Raymond, O4016230.
Carpenter, Herbert D., O4042005.
Carpenter, Jake Allen, O4049788.
Carroll, George Francis, Jr., O4010576.
Casson, John Cotterell, O1874998.
Caswell, Philip Preston, O4038532.
Cathcart, James Elton, O4044631.
Chapin, Gordon Richard, O4030271.

Chick, Robert Lamont, O4060055.
Chillcott, Dewey Arthur, Jr., O4035966.
Chisolm, Patrick Donald, Jr., O4058559.
Cholak, Barry Stanley, O4048627.
Christenson, John Martin, O4010333.
Cipriano, Alexander William, O4037856.
Clark, William Lee, O4028156.
Clarke, Gordon Howe, O4027130.
Click, Edwin Francis, O4031733.
Cline, Ellis Franklin, O4035500.
Closs, William Roorebach, O4027845.
Cloutier, Joseph Arthur, Jr., O4037462.
Coast, Albert Frank, O4026212.
Coker, Walter Richard, O4058731.
Cole, Donald Joe, O4040400.
Collins, Billy Charles, O4045250.
Colson, Keith Quentin, O4017587.
Comer, Winston Lee, O4048422.
Concilla, Joseph Anthony, O4004427.
Conlin, Leonard Morgan, O4052412.
Cooley, Edward Eugene, O4009975.
Coon, David Perkins, O4034318.
Cornell, Robert King, O1940853.
Cosby, Lloyd Neale, O4035180.
Costino, Michel, O4017727.
Courey, Charles Jerome, O4041513.
Cowart, William Franklin, O4044591.
Cowden, Carl, Jr., O4030724.
Crawford, William Roy, O4042749.
Crawley, Paul Kimpleton, O4030893.
Creley, Thomas John, O4029857.
Crosby, Richard Dudley, Jr., O2282856.
Dail, Robert Bourne, O4010947.
Dal Corobbo, Bruno Valentino, O4061384.
D'Amico, John Francis, O4037352.
Dareos, Pete John, O4048238.
Darling, Allan Lewis, O4017839.
Darrah, Robert Finley, O4040864.
Davis, Dwight Andrew, O4037794.
DeWitt, William Weldon, O2021987.
Dedyo, John, O4015594.
Demmons, William Herbert, O4027948.
Denton, Eugene Harold, O4042029.
Devers, John Patrick, O4045220.
Dickinson, William George, O4004325.
Dill, Bobby Mendel, O4042877.
Dillon, Richard Emmett, O4053338.
Dirmeyer, Robert Pinckney, O4024860.
Dismukes, James Russell, O4044721.
Dixon, Allen Cloar, Jr., O4010114.
Doane, Colin Robertson, O4053464.
Dobbs, Herbert Hotaling, O4030032.
Dorey, Fred Orwin, Jr., O4036094.
Dorsey, Don Stuart, O4050303.
Dreher, Henry Edward, O4037871.
Droite, James Elmer, O4041325.
Drury, Peter Francis, Jr., O4038236.
Dukes, William Carlyle, O4056793.
Dull, Harry Lloyd, Jr., O4050162.
Edgeman, Ronald Winfred, O4027941.
Edwards, Donald Marvin, O4006996.
Ehrmann, Edward Joseph, Jr., O4010618.
Elliott, Francis William, O4034200.
Elliott, Joseph Morris, O4033319.
Ellison, James Roy, O4048767.
Erickson, Roland Spencer, O4010116.
Falbo, John Joseph, O4034208.
Fallon, Thomas Francis, O4036917.
Farrow, James Harris, O4044468.
Felker, Dale Richard, O4017429.
Ferguson, Charles Hicklen, O4059090.
Fernander, Bobbie Bernard, O4029331.
Few, Henry Theron, O4045116.
Fickett, William Alden, O4020840.
Finehout, Arthur William, O4014757.
Fitzgerald, Walter Jack, O4000580.
Flood, John Joseph, O4035620.
Folta, Russell John, O4039050.
Fotinos, George Chris, O4040712.
Fralinger, Albert Augustin, Jr., O4042834.
Fratt, Charles Kennedy Poe, O4020098.
Frazer, Rex Lloyd, O4018105.
Fuellhart, Joseph Marsh, O4010250.
Fuqua, Raymond Louis, Jr., O1927823.
Gabrielli, Robert Joseph, O4041268.
Garner, James Edward, O4057778.
Garvais, Donald Francis, O4014940.
Gautier, Augusto Rafael, O4037983.
George, Robert Gerald, O4027074.
Gibbs, Frank James, O4029542.
Giggey, Robert Lincoln, O4052689.
Gilliam, John Joseph, O4050509.
Gminder, Russell, O998868.
Goldberg, Daniel John, O4027693.
Gontarski, Joseph Walter, O4038720.
Gorey, Paul John, O4038251.
Gosney, Robert Russell, O4024422.
Gould, James Louis, O4049806.
Graham, Richard William, O4032038.
Graham, Robert Lester, O4010971.
Grant, Gordon Ellis, O4041394.
Grant, John Clark, O4037440.
Gray, Donald Alva, O4010649.
Green, Donald James, O4018116.
Grens, Walter Brown, O4027633.
Gugel, Donald Nell, O2104724.
Gunsell, Richard Myron, O4056737.
Haendle, Karl Victor, O4044639.
Hair, Eddy Ra, O4037355.
Hally, John Edward, Jr., O4039084.
Hambrick, Jackson Westmoreland, O4045120.
Hammond, Donald Paul, A4045189.
Hampel, Victor Hugo, O1940541.
Hanmer, Stephen Read, Jr., O4046853.
Harl, Neil Eugene, O4056539.
Harms, Norman Dale, O1936112.
Harper, Joshua Allen, Jr., O4032060.
Harris, Robert William, O4030583.
Harrison, William Hardin, O4031230.
Hartrick, William Lee, O4037372.
Harvey, Philip Schuyler, Jr., O4051662.
Hawkins, John Owen, O4058927.
Heath, Edward Wyman, O4017951.
Heinsoo, Heino, O4030813.
Heiss, John Louis, 3d, O4009614.
Henderson, James Morris, O4029412.
Herold, Ernest Joseph, O4010718.
Hess, Carl Holmes, O4037061.
Hesse, Richard Paul, O4042038.
Heuschkel, Donald Gene, O4040382.
Highhill, James Kenneth, O4029816.
Hilbert, Donald Eugene, O4029090.
Hilton, Maynard E., O4037443.
Hinkin, Paul Edwin, O4040852.
Hisey, Jack Edward, O4028082.
Hobbs, Harry Vincent, O1941079.
Hock, Robert Conrad, O4004860.
Hoffert, Charles Edward, O4004235.
Hogan, Joseph Harrie, 3d, O4051769.
Hoglan, Curtis Francis, O4026306.
Holdridge, Gerald Raphael, O4057336.
Holland, John Joseph, O4017530.
Holt, Roscoe Lee, O4026004.
Horn, Joey Ray, O4048139.
Hornish, William Eugene, O4018374.
Hosmer, Calvin, 3d, O4052703.
Hough, Henry Albert, O2211380.
Hove, James Norman, O4040542.
Howe, Robert Hampton, O4045056.
Howell, William Henry, O4028781.
Hudson, Samuel Rice, O4012735.
Huff, Don Burton, O4030737.
Huff, Richard Austin, O4010503.
Hulse, John Edward, O4057857.
Hunt, Forrest Clayton, O4030059.
Hurd, Chetwin, Merrill, O4034491.
Hutchings, John Edward, O4041011.
Hutter, James Lyle, O4048775.
Imholz, Robert Emerson, O4024427.
Irby, Joseph Mettauer Hurt, O4036076.
Irving, Conrad James, O4056426.
Islin, John Alexander, O4035917.
Jackemeyer, Robert Raymond, O4041252.
Jackson, Donald, O4042676.
Jackson, Tracy Howard, O4029238.
Janert, Alfred Charles, Jr., O4024884.
Jarrett, Richard Stanley, O4040951.
Jenkins, Quentin Arthur Lot, O4010156.
Johnson, Carl Nathan, Jr., O4024849.
Johnson, David Straub, O4045609.
Johnson, Jack Oliver, O4017437.
Johnson, John James, O4044876.
Johnson, Sherlock Adolph, O1930552.
Johnson, William Vance, O4048741.
Johnston, Frederick Curtis, O4038927.
Jones, Burten Duane, O4029702.
Jones, Herbert Lewis, O4035981.
Jones, Robert Edwin, O4035189.
Jordon, Horace Edward, O4004363.
Justiss, Robert Earl, O1941132.
Kanamine, Theodore Shigeru, O4017606.
Keane, John Richard, O4003025.
Keasbey, Robert Bruce, O4050126.
Keeling, Edgar R., Jr., O4024497.
Kelley, Victor Bruce, O2207572.
Kelly, Edward John, 3d, O4032389.
Kelly, Thomas Lee, O4025959.
Kelly, William Hyland, O4044179.
Kennedy, Billie Joe, O4041758.
Kennedy, Bruce, O4019948.
Kennedy, Ralph Pollock, Jr., O4045543.
Key, James Leslie, O4025450.
Keyes, William G., O4037109.
Kiefer, Paul Ellsworth, O4050510.
King, Robert Thomas, O4036675.
King, Robert Cotton, O4040917.
Kinz, Richard Allen, O4027618.
Knapp, John Williams, O4032503.
Kolditz, Walter, O4010122.
Konkle, Carl Henry, O4040448.
Kraak, Charles Frederick, O4018048.
Krebs, James Max, O4009488.
Kyle, Norman Richard, O4045011.
Lampe, William James Richard, O4052912.
Langa, John Matthew, O4050265.
Lansdell, Jesse Willard, O4058870.
Large, Ulysses S., Jr., O4044733.
Larson, Raymond Kent, O4029555.
Lasker, Paul Edwin, O4027742.
Lay, Gilbert Richard, O1939501.
Lecklider, Courtney Alan, O4056589.
Lee, Curtis Don, O4057802.
Lee, Quillon Curtis, Jr., O4028897.
Leehane, Daniel Joseph, O4050365.
Lewis, Richard Roland, O4050146.
Libassi, Jerome Joseph, O4051852.
Light, Thomas Mack, O4050131.
Lindgren, Theodore Dean, O4056614.
Little, Robert Pierce, O4036678.
Lloyd, Joseph Walker, O4040973.
Lloyd, Luther Richard, O4029963.
Lockwood, Ronald Duane, O4041861.
Loeffler, John Francis, O4010703.
Lopez, Ramon Reyes, O4030921.
Lorigan, Robert Eugene, O4004793.
Love, Harold Max, O4010899.
Lovelace, Richard Sanders, O4017850.
Luecker, James Frederick, O4056406.
Lund, Robert Everett, Jr., O4042861.
Lundwall, Walter R., O4034927.
Lutz, Clarence Albert, O4056548.
Lyles, Jesse Don, O1941071.
MacDonald, John, O4057825.
MacDonnell, Thomas Aquinas, O4037104.
MacLeod, John Richard, O4032266.
MacManus, Frederick O'Neill, O4025320.
Magrath, Claude Peter, O4052047.
Mahoney, Patrick James, O4052146.
Main, Robert Gail, O4018141.
Malt, Martin Benjamin, O4033991.
Manhan, Robert David, O4010662.
Manzo, John Matthew, O4035627.
Mapes, John Burdick, Jr., O4065620.
Marshall, Thomas Worth, 3d, O4030585.
May, Robert Morris, O4059014.
McBrady, Daniel John, Jr., O4048645.
McBride, David Myers, O4032375.
McCann, John R., O4050300.
McDaniel, Cecil Douglas, Jr., O4044652.
McDonald, Kenneth George, O4049758.
McDonald, Vincent Paul, O4052443.
McFall, Thomas Neel, O4045274.
McGee, Lester Earl, Jr., O4043135.
McGraw, Kenneth Eugene, O4017751.
McGreevy, Daniel Edward, O4050486.
McGruder, Beverly Lettelle, O4036140.
McHugh, Thomas Edwin, O4038924.
McKaip, Homer Diehl, O4036489.
McKee, Robert Wesley, O4045167.
McKellips, John Lee, O1880173.
McNair, Jeptha Isaiah, Jr., O4010513.
McNall, Jack Glenn, O4045933.
Meara, John Joseph, O4035009.
Merrill, Richard Glen, O4019066.
Michehl, Edward Helmuth, Jr., O4030754.
Miller, Richard Earl, O4038355.

Miluszusky, Raymond Jr., O4010261.
Mink, Oscar Gorton, O1926300.
Misajon, Herman Gerald, O4030676.
Mitchell, Stanley Joseph, Jr., O2276722.
Moir, Raymond Charles, O4030323.
Monteith, Gerald Eugene, O4042042.
Moody, John Fleetwood, O4045072.
Moore, David Russell, O4044535.
Moreau, Thaddee Fernand, O4037496.
Morgan, Robert Thompson, O4025538.
Morley, William John, O4042491.
Moses, Thomas Edwin, O1888097.
Murphy, Patrick Joseph, O4049821.
Myers, Bobby Lee, O1939507.
Nagy, William Joseph, O4032988.
Neal, James William, O4034215.
Nelson, Ronald Andrew, O4028223.
Nice, Duane Ray, O4037698.
Nolan, Donald Grant, O4063108.
Nolan, John William, O4059339.
Novak, Andrew Michael, O4044450.
Nugent, Edward Joseph, O4031346.
Nye, Jack Glenn, O4033458.
O'Toole, Hubert Joseph, O4052299.
Oakes, Norman Lee, O4035343.
Oakley, Howard Hughes, O4042304.
O'Brien, John Lydon, O4033006.
Oglesby, John Mohler, O1915144.
O'Leary, Arthur John, O4030520.
O'Leary, Francis Daniel, O4025416.
Oliver, Mahatha Marshall, O4044971.
O'Neil, William Robert, O4042308.
Orkand, Robert Edward, O4031167.
Osborn, Phillip Carrol, O4024638.
Owens, Frank Enos, O4004994.
Pacelli, Vincent Anthony, O4037530.
Padget, Herber Nathaniel, O4028918.
Painter, Brookman Endler, O4052736.
Parham, Paul Biery, O4010595.
Pastor, Paul Anthony, O4052151.
Pece, Henry W., Jr., O4043157.
Penney, Hubert Francis, O4015633.
Perschetz, Gerald, O4029570.
Pershing, Jay Wesley, O4017863.
Pettibone, Clifford Alan, O4046823.
Philbrook, Wilbur Woodbury, Jr., O4039246.
Picillo, Angelo Paul, O4046364.
Pratt, Wills Goyne, O4004337.
Prescott, Warren Thomas, O4013235.
Prigge, Robert Wallace, O4015585.
Prothero, Ronald Percy, O403321.
Przedpelski, Zygmunt Jan, O4029683.
Pugh, George Monroe, O4045278.
Pulliam, Nathan McGarity, O4031177.
Pybus, Fred Rayner, III, O4047934.
Quest, Joseph William, O4051984.
Ralles, Gordon Corey, Jr., O4019224.
Randolph, James Willis, O4044544.
Rapkoch, James Michael, O1940720.
Reddell, Gerald William, O4025584.
Reed, Donald Stuart, O4050466.
Regan, John Paul, O4038870.
Register, Benjamin Franklin, Jr., O1873902.
Reid, Robert Leonard, Jr., O4042200.
Reither, Wayne Casimir, O4010633.
Rendine, Alfred John, O4035543.
Rhode, Michael, Jr., O4029377.
Rhodes, Lonnie Dale, O4025938.
Rice, Harley Eugene, O4032412.
Richardson, William Travis, O4058874.
Rider, Archie Allen, O4024702.
Rider, James Dennis, O4025585.
Ripple, Larry Melvin, O1940547.
Robb, James Frederick, O4027533.
Rogner, Emil Albert, O4039006.
Rooker, James Alan, O4040841.
Roop, John Ronald Coleman, O4023456.
Rop, Richard Forrest, O4058854.
Rosin, Roy Rembert, O4040687.
Ross, Joseph Lamond, Jr., O4048654.
Roth, Bernard Jacob, O4039009.
Rowe, Alvin George, O4058031.
Rowe, Richard Herbert, O1937134.
Rowell, Robert Grady, O4042867.
Russell, Benjamin Bradbury, O4038441.
Rutledge, Howard Lilbern, O4042623.
Salley, Ernest Meres, O4013230.
Sanders, MacDwain, O4048605.
Sato, Irving Katsumi, O4040128.
Schaefer, Robert Roy, O4050367.
Schaefer, Rolland Milton, O4017164.
Schick, Robert Lee, O4039267.
Schilling, William Alfred, Jr., O4033290.
Schmitz, Robert Paul, O4057315.
Schneider, Finis Earl, O1885199.
Schoenstein, Herbert Joseph, O4027083.
Schreiber, Anthony John, Jr., O4036511.
Schull, Dunell Vernon, O4018627.
Scoggins, Larry Elmer, O4058616.
Scribner, Edwin Grant, O4040854.
Seago, Pierce Turner, Jr., O4059190.
Sessions, Jerrald Maynard, O4015732.
Seward, John Mason, O4032834.
Shaw, George William, O4037498.
Sheehan, Stephen Anthony, O4051407.
Shelton, Samuel William, Jr., O1873267.
Sherk, Kenneth John, O4056484.
Shufelt, James Wade, O4035606.
Silva, Edward Henry, O4036703.
Simons, John David, Jr., O4047870.
Slingo, James Frederick, O4052749.
Silva, Norman Eugene, O4025601.
Smalley, Kenneth Lee, O4024652.
Smith, Alfred Leon, Jr., O4025827.
Smith, John Edward, O4042783.
Smith, Richard Ruel, O4032741.
Smith, Robert Severin, O4039011.
Somerville, William Alan, O4059472.
Spring, Ronald Dee, O4032440.
Springman, Robert Wayne, O4019805.
Springstead, Bertin Walker, O4046888.
St. Peter, Robert Eugene, O4057709.
Stapleton, John Ruskin, O4030950.
Stein, Albert Edward, O4027480.
Stempel, Robert Carl, O4053310.
Stengel, Robert Miller, O4053506.
Stewart, Frank Shaw, Jr., O4049787.
Stewart, Harold Lloyd, O4075239.
Stewart, William Allen, Jr., O1931586.
Stimeare, Robert Ray, O4004734.
Stires, Buell Wilson, O4047758.
Stone, Leon Haynes, Jr., O4028642.
Storm, Forest Clyde, O4057263.
Strom, Roy Malcolm, O4030548.
Stroup, Glenn Allen, O4059062.
Studer, Richard Edward, O4038875.
Sullivan, Noel Edward, O4027797.
Sullivan, Roy Franklin, O4024407.
Sumner, Brice Saunders, O1889779.
Swartwout, Donald Clayton, O4028635.
Sweetwood, Dale Richard, O4057266.
Taylor, Emmett Kirk, Jr., O4058588.
Taylor, Francis Carroll, O4045094.
Taylor, James Oliver, O4040356.
Taylor, Joseph Wayne, O4058682.
Taylor, Terry Arthur, O4026293.
Terry, Clifford Frank, O4017240.
Terzopoulos, Nicholas, O4010184.
Thayer, Henry Jerome, O4044676.
Thomas, Charles Reid, O4045096.
Thomasson, William Cloud, Jr., O4042837.
Thompson, Albert Garrison, O4025992.
Thompson, John Ulysses, O4024914.
Thompson, Robert Summers, O2264946.
Thompson, Thomas P., O4028086.
Thorson, Albert Sheron, O4049978.
Tigh, Leland Frederick, Jr., O4027203.
Toner, Francis Joseph, O4033135.
Torbett, William Cleburne, 3d, O4025593.
Towle, Thomas Joseph, O4038884.
Trent, Warren Thomas, Jr., O4024064.
Troeltzsch, Lloyd Alvin, O4017970.
Troknya, Robert James, O4032138.
Tucker, Tye Bright, O4044901.
Tutwiler, James Douglas, O4049941.
Tyler, Thomas Hardy, O4031123.
Ueltschi, Donald Richard, O4042209.
Valli, Louis Angelo, O4004948.
Valz, Darwin Kenneth, O4036788.
Valz, Donald Joseph, O4030851.
Van Houten, William, 3d, O4042668.
VanPool, Jack Lavern, O4025482.
Vandenberghe, Henry Emil, O4010536.
Vanderschaaf, John Nolan, O4030286.
VonGortler, Frederick Carl, 3d, O4028173.
Vosbein, Henry Michael, Jr., O1940977.
Walker, Mickey Arthur, O4044851.
Wallin, Spencer Dean, O4053415.
Wallington, Edward Hugh, O1890081.
Walsh, Clayton Dean, O4041352.
Walsh, Patrick Dana, O4046177.
Walter, John Stanislaus, O4031800.
Walton, John Carroll, Jr., O4025969.
Ward, Stanley Dustin, O4033356.
Wasko, Frank John, Jr., O4010714.
Waters, William Hugh, O4039453.
Watford, John Hardin, O4040730.
Watson, Velvin Richard, O4026421.
Watzling, John Keith, O4027538.
Weinert, Phillip Darden, O4049397.
Welsch, Hanno Fritz, Jr., O1939517.
Wendelken, William Henry, O4032255.
Whipple, Winthrop, Jr., O4037424.
White, Charles Elliott, O4028931.
White, Frederick Basford, O4025394.
Whitten, James Austin, O4026186.
Wiggers, Ralph Garrett, O4017486.
Wiles, James Malcolm, O4057968.
Williams, James Mercer, Jr., O4043015.
Williams, Sylvanus Johnson, 3d, O4025349.
Williamson, Rayburn Leroy, O4017897.
Wilt, Duane Chester, O4033922.
Winkelman, Barry Alan, O4035373.
Winship, Edwin Carroll, O4035320.
Winston, Neil Countess, O4025738.
Wintermute, Edwin Hampton, 4th, O4056709.
Wintz, Edward Kenna, O4027623.
Witte, James Ray, O4026010.
Witter, Robert Anthony, O4032019.
Wolver, Clarence Hugh, Jr., O4024549.
Wollan, Gary Byron, O4030082.
Wolterstorff, Jerrold David, O4040536.
Wood, David Heyer, O4037957.
Woods, Eugene Ray, O4027854.
Woods, James Joseph, O4031853.
Worthington, Howard Leslie, Jr., O2033923.
Yore, Joseph Alexander, O4037990.
Young, William Worsley, 3d, O4024447.
Zane, Thomas Leeds, O4058818.
Zimmerman, Charles Vernon, O4032142.
Zisk, Edward Joseph, O4038969.
Zurbriggen, Donald John, O4017798.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 3, 1957:

UNITED NATIONS

Neil H. Jacoby, of California, to be representative of the United States of America on the Economic and Social Council of the United Nations.

THE NORTH ATLANTIC TREATY ORGANIZATION

W. Randolph Burgess, of Maryland, to be United States permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

DIPLOMATIC AND FOREIGN SERVICE

Vinton Chapin, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ceylon.

WITHDRAWALS

Executive nominations withdrawn from the Senate July 3, 1957:

POSTMASTERS

Doris B. Duncan, Skippers, in the State of Virginia.

Marjorie C. Mossman, Hamburg, in the State of Illinois.

EXTENSIONS OF REMARKS

Oklahoma Today—Statement by Hon. A. S. Mike Monroney, of Oklahoma

EXTENSION OF REMARKS
OF
HON. ALBERT GORE
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement the Senator from Oklahoma [Mr. MONRONEY] has prepared concerning the Oklahoma State magazine.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

OKLAHOMA TODAY

The semicentennial souvenir edition of Oklahoma Today has just come to my attention. I am proud to report that, with this edition, our State magazine has come of age. I believe we are catching up with Arizona Highways and the New Mexico magazine, which for many years have had a well-deserved popularity inside and outside those States.

Two outstanding examples of contemporary Indian painting from originals in Tulsa's famous Gilcrease Museum are used for the front and back covers of this issue of the Oklahoma State magazine. The front cover is Blackbear Bosin's very spirited painting, "Eagle Dancer," while the back cover picture, "Bending Willows Setting About the Care of Motherhood," by Woody Crumbo, portrays a peaceful scene.

The land, the people, and the spirit of Oklahoma—all these compel the readers' attention in story and picture. "Oklahoma Family of Man" is particularly interesting. Between the covers, in one way or another, the saga of our State is told from before it was born to the present, with significant looks into the future.

Perhaps one reason I like this issue of Oklahoma Today so much is that the 8 color photographs printed for framing are dramatic proof of some of my contentions through the years—such as my claim that there is nothing in the world quite like an Oklahoma sunset, whether it silhouettes an oil derrick or a barbed wire fence. The photographers, whose work is shown, are Cliff King, Ross Cummings, Jesse A. Brewer, Kazimir Petrauskas, Edith Hogan, Mel Woodbury, and Paul E. LeFebvre, who is the art director. All of the photos are superb.

Congratulations also are in order for the magazine's editor, Dave Loye; the editorial board, composed of Gov. Raymond Gary, Dr. Randall T. Klemme, C. A. Stoldt, Kelly Debusk, and Dave Ware; contributing editors Jeff Griffin, Carl Held, and Miss Juanita Mahaffey; and writers Bill Thomas, Bill Burchardt, and Gladys Jeffords.

The schedule of activities listed by Oklahoma Today as a handbook for visitors to Oklahoma this year gives a comprehensive picture of the State, past and present. The following calendar for July and August records the enthusiasm and variety with which many communities in the State are celebrating the 50th anniversary of Oklahoma's first half century as a State:

JULY EVENTS

1-8. Homecoming, rodeo, beauty pageant, oldtimers picnic, band concerts, fireworks display, Sapulpa.
1-4. First annual Kiowa Indian powwow, Carnegie.
2-4. Rodeo, Wright City.
2-6. Annual Will Rogers Roundup Club Rodeo, R. C. A., Claremore.
3-4. Annual reunion and free hometown carnival in beautiful Redbud Park, Marlow.
3-5. Perkins semicentennial Fourth of July celebration.
3-5. Rodeo, Purcell.
3-5. Indian stomp dance, Miami.
3-6. Picken's intertribal powwow, seventh day for Indians only, Madill.
4. Annual fireworks display, Pryor.
4. Annual carnival, Frederick.
4. Fourth of July celebration, Pawnee.
4. American Legion fireworks display, Boise City.
4. Woods County Day, Freedom.
4. Play Day, Woodward.
4. Fourth of July celebration, Prague.
4-6. Roundup Club Rodeo, Drumright.
6. Dramatization of David and Saul at Holy City, Lawton.
8-10. Twenty-seventh annual Kiwanis Rodeo, Hinton.
4-6. Roundup Club Rodeo, Drumright.
11-14. Junior chamber of commerce rodeo, Miami.
11-14. Twelfth annual Pawnee Indian homecoming powwow—no admission, Pawnee.
12. Old Greer County pioneers reunion, pageant, and parade, Mangum.
16-19. Semicentennial rodeo, R. C. A., Chickasha.
17-20. Rodeo, Pryor.
20. Tulsa Indian powwow dances, Reserve Armory, Tulsa.
21. Fishing boat relay race open to all boats 16 feet and under with outboard motors, Fort Gibson Lake, Wagoner.
24. Tulsa League all-star baseball game, Tulsa.
24-27. Oklahoma quarter horse show and race meet, Enid.
25. Seventh annual street square dance festival, Pawhuska.
26-28. Eleventh annual International Roundup Club's Cavalcade—world's largest amateur rodeo, Pawhuska.
28. Ardmore's birthday celebration, Ardmore.
31-Aug. 1-2. Golden Jubilee Championship Rodeo, R. C. A., Duncan.

AUGUST EVENTS

1-3. Jaycee Rodeo, Broken Bow.
2-3. Junior Rodeo (Quarterback Club), Talihina.
2-6. Rodeo, R. C. A., Lawton.
2-4. All-Colored Rodeo, Drumright.
4-6. Reenactment of Kiowa-Comanche Indian land drawing (actual drawing for a small tract of land), El Reno.
6. Lawton's birthday celebration, Lawton.
8. Watermelon festival, Rush Springs.
13-17. Twenty-second annual rodeo, R. C. A. Stock to be furnished by Gene Autry & Associates, Ada.
13. All-State high-school baseball game, Tulsa.
13. All-State high-school basketball game, Tulsa.
15. All-State high-school football game, Tulsa.
17. Tulsa Indian powwow dances, Tulsa.
18. Runabout cruiser race (for cruisers 21 feet and under), Fort Gibson Lake, Wagoner.
18-24. The Will Rogers country pageant, Claremore.
19-24. American Indian Exposition, Anadarko.
22-23. Annual rodeo, Madill.
22-24. Cimarron Cowhand Reunion and Rodeo, Freedom.
24-25. Ozark Singers Association convention, Miami.
26-30. Sooner State dairy show, Enid.
28-Sept. 1. Will Rogers Memorial Rodeo, R. C. A. (4 nights and Sunday afternoon), Vinita.
29-Sept. 1. National hot-rod races, fairgrounds, Oklahoma City.
29-Sept. 1. Elk's Rodeo, toughest of 'em all, Woodward.
29-Sept. 2. Ponca Indian powwow, Ponca City.
30-31. Roundup Club rodeo, Tahlequah.
31. Sucker Day, Wetumka.

Labor's New Broom, No. 2

EXTENSION OF REMARKS
OF
HON. PAUL H. DOUGLAS
OF ILLINOIS
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have the second part of the radio panel discussion on the program Labor Answers Your Questions printed in the CONGRESSIONAL RECORD.

There being no objection, the discussion was ordered to be printed in the RECORD, as follows:

LABOR ANSWERS YOUR QUESTIONS

(An AFL-CIO public service radio series, program No. 10, Labor's New Broom, No. 2. Guest, Al J. Hayes, chairman of the AFL-CIO ethical practices committee, AFL-CIO vice president, and president of the International Association of Machinists. Panel, Senator PAUL H. DOUGLAS, of Illinois; Senator WAYNE MORSE, of Oregon. Moderator, Harry W. Flannery.)

Mr. FLANNERY. Labor answers your question.

You have been reading stories about the investigation of improper activities in labor by the select Senate committee whose chairman is Arkansas Senator JOHN MCCLELLAN. You probably have questions in mind. Perhaps you want to know what labor itself is doing to help clean racketeers and other corrupt persons from its ranks.

Last week, we began to take up this subject in a discussion with the chairman of the AFL-CIO ethical practices committee, Al J. Hayes, who is also an AFL-CIO vice president, and president of the International Association of Machinists. Mr. Hayes was heard as he talked with two United States Senators who have been active in Congressional investigations and procedures: PAUL DOUGLAS, of Illinois, and WAYNE MORSE, of Oregon.

In this program, Labor's New Broom, we continue the discussion as broadcast from the office of Senator DOUGLAS in the Senate Office Building here in Washington.

Senator DOUGLAS. Now, Mr. Hayes, since I was chairman of the committee which conducted the investigations into health and welfare funds, I wondered if you would say a few words about the standards which you believe to be proper, in connection with these funds?

Mr. HAYES. Well, of course, I think that our code on health and welfare funds actually answers that question. We are in favor of the strictest type of regulation of health and welfare funds.

Senator DOUGLAS. I have your code before me, and that very clearly states as a matter of self-discipline, that no union official is to profit, either directly or indirectly, from the funds; and that, also, he is not to have his relatives profit as insurance agents and so on.

Mr. HAYES. Actually, the code prohibits anyone connected with the union, receiving a salary from the union, from collecting any supplemental salary from a health and welfare fund—even if he performs a service for the fund—as a trustee or an administrator or health and welfare representative.

Senator DOUGLAS. Now, after studying this matter for some time, I came to the conclusion that what the Government should do would be to require full reporting of all the details of these funds to a public agency, and then, disclosure to the beneficiaries and to the public of these facts, so that the white light of publicity would always beat in upon them. And we believe that this would be a great deterrent.

Now, we have found great reinforcement from your movement, in advocating full disclosure. And I want to pay tribute to you for doing this. I wonder if you have any comments that you would like to make on this principle of full reporting and full disclosure?

Mr. HAYES. Well, the only comment I have, Senator Douglas, is that we are in favor of it. We're in full accord with your bill in that regard. However, we feel that this should apply to any type of health and welfare funds.

Senator DOUGLAS. Oh, that is in my bill, not merely to union-managed funds or jointly administered funds, but to employer funds. And I personally have been pained to find that the National Association of Manufacturers, which is urging strict regulations of union and jointly administered funds, are, nevertheless, claiming exemption for employer funds.

Mr. FLANNERY. Senator, I want to ask you in connection with these health and welfare funds, how many of them are union administered?

Senator DOUGLAS. Well, only about 2 percent, Mr. Flannery, 8 percent are jointly administered by the unions and the employers, but 90 percent are employer administered; so that if you merely regulate union or union and jointly administered plans, you are only regulating the tail of the dog. The real dog consists of the employer-administered plans, and these are the plans which have the major resources, amounting now to almost $40 billion.

Mr. FLANNERY. The bill which has been sponsored by yourself, by Senator MORSE and others, would provide for the covering of all of these funds as far as the law is concerned?

Senator DOUGLAS. That is correct. And the NAM would confine the plan to the 8 or 10 percent only.

Senator MORSE. Well, PAUL DOUGLAS, I want to say that I'm proud to be a cosponsor of your bill, because I think you're completely on the right track; you're doing a great service to the American people as well as labor and employers. I, too, regret that we have the opposition of great employer groups to a thorough-going analysis and disclosure of welfare funds. It's interesting also that some of the great insurance companies seem to want to take a hands-off policy when it comes to welfare funds.

Senator DOUGLAS. Mr. Hayes, I wonder if you'd say a word or two about the codes that you've adopted, notably the one on union financial practices and then on union democracy.

Mr. HAYES. It might be well to mention all of the codes, at least identify them, and also other policy statements that are related to the codes. First of all, the federation has adopted a code with regard to local union charters. This code prohibits the granting of local union charters to any individuals that are not qualified to become members of the unions, and are not qualified to be union officials.

The second code is with regard to administration of health and welfare funds, which we've already discussed.

The third code deals generally with racketeers, crooks, Communists, and Fascists in the labor movement, and prohibits any union from aiding and abetting such elements.

The fourth code deals with conflicts of interest, and in substance or in a general way, prohibits a trade union official to have any interest that conflicts with his primary responsibility to the membership of his union.

Then the fifth code, recently adopted, has to do with all of the phases of financial practices in a labor union.

Senator DOUGLAS. I notice that there you require an audited statement which will be made available to the membership.

Mr. HAYES. Yes. Made available to all local unions and to every individual member of the union, periodically.

Senator DOUGLAS. And you believe, and I think this is correct, that if the audit has to be made by an outside agency, that this will lead not only to greater efficiency and economy, but it will also be a deterrent and protection against possible temptation.

Mr. HAYES. Yes, and it might be well to mention that this financial code applies to the local unions as well as to the national and international unions.

Senator DOUGLAS. And I wonder if you'd say a word about this last code that you've adopted, namely, about union democracy.

Mr. HAYES. The last code deals with union democratic procedures, and assures to the membership—to the rank and file membership of the union—the opportunity to decide how its union is going to be operated.

Senator MORSE. I want to stress that because I think it's one of the great public demands. The public is so misinformed about it; the public seems to think that labor runs an oligarchy or a dictatorship in the handling of union affairs. The public doesn't realize that almost all unions—some exceptions—but almost all unions are just little democratic states, really, as far as their own procedures are concerned.

Senator DOUGLAS. This isn't true of all unions.

Senator MORSE. No—I say most of them; some of them are not. But a great majority of them are certainly democratic states where the delegates from the local union level on up, really under democratic processes control and determine union policy.

Mr. HAYES. Well, Senator MORSE, I said in some recent speeches that I've been making at colleges that the machinists union which is typical of approximately 90 percent of unions, insofar as our procedures were concerned. And in our organization, all of the laws that govern the organization were adopted by the membership in a referendum vote; these laws can be changed only in a referendum vote. Even the delegates at convention are not empowered to change the laws. The officers of the organization are nominated and elected by the membership, and not by convention delegates. I say that more than 90 percent of the unions in the federation are as democratic in their procedures as are the machinists union. And this is not commonly known to the American public.

Senator DOUGLAS. I notice that you provide that union officials should hold office not to exceed 4 years, and should be elected by democratic methods either by referendum or by the vote of a delegate body which is itself elected by a referendum or at union meetings.

Mr. HAYES. That's correct.

Senator DOUGLAS. And also that all conventions should be open to the public.

Mr. FLANNERY. What is the procedure, Mr. Hayes, in case of violation of these codes? What happens?

Mr. HAYES. In case of violation of the code, of course, the ethical practices committee is duty bound to investigate all of the reasons for the violations and the extent of the violations, and submit——

Mr. FLANNERY. How does the violation come to the attention of the ethical practices committee?

Mr. HAYES. In many ways—either it can be reported to the executive officers of the federation who then refer the matter to the ethical practices committee, or it is reported directly to the ethical practices committee. And the ethical practices committee then, on its own motion or by direction of the counsel of the federation or the executive officers, can conduct a formal investigation to determine whether or not there has been a violation of any of the codes of policies or laws of the federation, and the extent of the violations. Then after the investigation has been conducted, the ethical practices committee submits it reports, its findings and recommendations to the executive council. And then the executive council takes action on the report of the ethical practices committee.

Mr. FLANNERY. Senator DOUGLAS, would you believe from your experience, your knowledge of unions, and so forth, your study of these particular codes, that there is hope of labor being able, along with Congressional committees cooperating, to be able to do its job in cleaning house definitely?

Senator DOUGLAS. Oh, yes. I think the formulation of these very carefully worked out codes will be of great help, and then the fact that a committee has been set up to carry them into effect will be a real advantage. Now, in all these matters eternal vigilance is the price of liberty, and we need to work at this. But I do want to say that I think the labor movement has stepped out ahead of industry and business in these matters, and I would like to see industry and business adopt similar codes.

Mr. FLANNERY. Is there a final word you'd like to say, Mr. Hayes?

Mr. HAYES. Yes, Mr. Flannery, I think that organized labor needs the help of Government, needs the help of industry, needs the help of business, and others—in first of all minimizing whatever may be wrong within the trade union movement and ultimately eliminating this wrong.

I think, however, that help must come from people who are sincerely dedicated to helping the trade union movement, and not hurting the trade union movement. And we certainly solicit that help—from Congressional committees, from State legislature committees, from industry, and from business.

Mr. FLANNERY. Thank you very much. Very good indeed.

Thank you, gentlemen. You have just heard a discussion on Labor's New Broom, the AFL-CIO ethical practices code, with Al J. Hayes, chairman of the AFL-CIO ethical practices committee, and two United States Senators, PAUL DOUGLAS, of Illinois, and WAYNE MORSE, of Oregon. Mr. Hayes is also an AFL-CIO vice president and president of the International Association of Machinists.

For copies of the codes, address AFL-CIO Radio, Washington, D. C.

For further answers to your questions on labor today, you are invited to be with us next week at this same time. This is Harry W. Flannery speaking for the American Federation of Labor and Congress of Industrial Organizations, which has presented this program as a public service in cooperation with this station. Next week, same time, same station, labor answers your questions.

The Importance of Foreign Students in the United States, and of United States Students Abroad

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. WILEY. Mr. President, one of the most significant factors in international relations today and tomorrow is the welcome presence in this country of 40,666 foreign students and the presence abroad of 9,887 American students.

No one can now foresee the tremendous role which these youngsters will be playing in the years ahead, in communicating to others what they have studied, seen, heard, and lived in the course of their studies in a different land.

That is why it is always a particular pleasure for me to visit with foreign student groups here in our land.

It is why I welcome the important work of the Institute of International Education, the work of International Student Houses here and in other cities, and the work of the vast variety of other American groups and centers which contribute in many ways to the hospitality of foreign students in our land.

CONSTRUCTIVE WORK OF EMBASSIES

Foreign governments in turn are keenly aware of the opportunities and challenges of this subject. Here in Washington, one of the principal tasks of many of the embassies is to contribute to and facilitate the studies of the large foreign student contingents in our country. The embassies rightly regard this as one of their most important tasks.

I know that this is the case with our friends in the Indian, the Korean, the Iranian, and other Embassies.

Moreover, many of the ambassadors, the minister counselors, and cultural counselors make numerous speeches before American college audiences in order to help familiarize folks on the campuses with the background of the countries which they represent.

UNIVERSITY OF WISCONSIN HAS MANY FOREIGN STUDENTS

In Madison, the University of Wisconsin has been host to a vast assembly of students from abroad. We are proud of this heavy foreign contingent, and I know that Madison is playing an extremely effective role in foreign policy in this respect.

But what it does for these foreign students, it does spontaneously, because it regards the student, whatever his nationality, as a seeker of truth. It welcomes the student, whatever his origin, into all activities of academic and campus life.

ANSWERING MISINTERPRETATIONS

Madison recognizes, as does every college town, that when foreign students come here, they can see with their own eyes, and hear with their own ears, the "real America."

In turn, when our youngsters study abroad, they can get a better idea of the truth in foreign countries.

Each student, in turn, can help to answer misinterpretations and misunderstandings.

Each can, in friendly, frank exchanges, discuss the viewpoints of the respective countries.

We are all aware that there are, unfortunately, a tremendous amount of misunderstandings. We do not know enough about foreign lands, and foreigners do not know enough about us.

WE MUST LEARN MORE ABOUT THE EAST

We have an especially great deal to learn about the East, about the countries of Asia and the Middle East, and Africa, as well.

These Asian-African lands are coming into their own. If we are to have the fullest friendship with them, then we must understand the facts about them, and they about us. That was one of the points brought out in various meetings of the Washington Educational and Cultural Attachés. This is a fine group, to which I have previously referred in the RECORD.

I send to the desk now the text of an article on the theme of minimizing misunderstandings. It was written by Malvina Lindsay, in the July 1 issue of the Washington Post and Times Herald. Its title is, "Window on Asia is Still Murky." I ask unanimous consent that the article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WINDOW ON ASIA IS STILL MURKY
(By Malvina Lindsay)

Americans increasingly find themselves in a goldfish bowl in which they are being observed by the world's youth. But, like goldfish, they are seemingly neglecting to observe their observers.

Thirty years ago students throughout the world flocked to Western Europe to study. But today, according to a National Science Foundation report, there are annually as many students of other nations in the United States as there are foreign students in all the universities of Western Europe.

A majority of the 36,500 foreign students here are from Asian countries. Excepting Canada, the largest number is from India.

Yet knowledge here of India, indeed of all Asia, is meager and distorted. One reason is that American culture has its roots in Europe. Also Europe is first choice with Americans who go abroad to study. And American tourists make Europe their stamping ground.

Much light is thrown on American misconceptions of India—the world's largest Republic in point of population—by a study, What American Students Think About India, made by Dr. Palayam M. Balasundarum, visiting scholar at Columbia University.

Four hundred students at 12 leading northeastern colleges were questioned in the survey. In general the results were encouraging. Most of the students were objective in their judgments, aware of their ignorance, eager to improve their understanding of a country so important to the democratic world.

In some colleges where there had been contacts with sister colleges in India, or where Asian area studies were included in curriculums, much accurate knowledge of India's political and social development was manifested. But the misconceptions that existed among students in 12 of the country's highest ranking colleges scholastically were a clue to the far greater amount of ignorance concerning India that must exist among citizens generally.

Many an American concept of India was expressed by a Princeton senior who, when asked what associations came to him with the word "India," replied, "It is exotic; people are poor for the most part; it has a lot of tigers."

The highest number of students questioned associated Gandhi and Nehru with India. The second ranking image was of India's social and religious institutions. Yet only 2 percent of the students mentioned Indian villages, although 8 out of 10 Indians live on the land and depend on agriculture.

The students were slightly more favorable than unfavorable to India's foreign policy—those with the most factual information being the most favorable. Two hundred and fifty-four did not object to intermarriage. Those who did object did so chiefly on difficulties of cultural adjustment rather than racial grounds.

The survey revealed great desire by the students to improve their knowledge of India. A Cornell student said, "As the future leaders of our country, it is appalling to think that we are so poorly informed on such a vital subject as India."

Dr. Balasundarum feels that one of the chief gaps in American knowledge of India that the survey revealed was that concerning India's rural community development, which is an integral part of the first and second 5-year plans. For on this depends largely the raising of Indian standards of living and the nation's future destiny.

In his conclusions Dr. Balasundarum says that mass media information concerning India that goes beyond the spot-news level or personality coverage is greatly needed in this country. Also needed is more accurate teaching about India in grade and high schools, as well as in colleges. Especially recommended is more social and cultural contact of Americans with the Indian students here.

Such contacts between East and West need to be increased in every college and in every community in which there are Asian students. Social get-togethers are helpful, but also needed are cultural meetings in which discussions can reach a deeper level.

Laying of Cornerstone of the Quaker Baptist Church

EXTENSION OF REMARKS
OF
HON. A. WILLIS ROBERTSON
OF VIRGINIA
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. ROBERTSON. Mr. President, last Sunday, June 30, ceremonies were held in Bedford County, Va., at one of the oldest sites of worship in Piedmont Virginia, in connection with the laying of the cornerstone of the Quaker Baptist Church.

The program included reading of messages from Representative BROOKS HAYS, of Arkansas, president of the Southern Baptist Convention, and from Gov. Thomas B. Stanley, of Virginia, and the placing of a cornerstone box containing an interesting collection of mementoes gathered by Kenneth E. Crouch, of the staff of the Bedford Democrat. Participants in the ceremony included the Reverend L. C. Coffman, Raymond J. Dowdy, and Roy Burnette, who placed the cornerstone; Dr. Wesley N. Laing, who gave the invocation; the Reverend A. W. Connelly, who read the scripture lesson; the Reverend Tearle P. Brown, who gave the dedicatory message; and the Reverend L. Preston Brown, who gave the benediction at the morning service; the pastor of the church, John Layton, who gave the invocation at the afternoon service; the Reverend Fred Harcum, who read the Scripture lesson; W. Curtis English, moderator of the Baptist General Association of Virginia; and the Reverend Floy W. Cox, Jr., moderator of the Strawberry Baptist Association, who brought greetings from those organizations; and the Reverend Charlie M. Shelton, who gave the message.

I ask unanimous consent, Mr. President, to have printed in the CONGRESSIONAL RECORD the texts of the messages of Representative HAYS and Governor Stanley, a list of contents of the cornerstone box, and a brief chronology of the Quaker Baptist Church.

There being no objection, the messages, list of contents, and chronology were ordered to be printed in the RECORD, as follows:

MESSAGE FROM REPRESENTATIVE BROOKS HAYS, OF ARKANSAS, PRESIDENT OF THE SOUTHERN BAPTIST CONVENTION

I am very pleased to extend my best wishes to you on the dedication of your new Quaker Baptist Church building. I think it is wonderful to have continued worship on this same site since 1757, when the Society of Friends held their first service there. The relationship with the Quaker heritage reflects a great sense of brotherhood and a real contribution to the spirit of religious tolerance in America and in Virginia. As president of the Southern Baptist Convention, I wish you and your congregation many years of continued success in preserving this historic landmark and furthering the cause of our great Baptist faith.

MESSAGE FROM GOV. THOMAS B. STANLEY, OF VIRGINIA

I would like to take this opportunity to extend my congratulations to the congregation of the Quaker Baptist Church in Bedford County on its 200th anniversary.

The foundation of this Nation was laid by men and women who believed in God and His influence in human affairs, and from the earliest years these spiritual aspirations have been a vital force in American life.

We give thanks for the religious beliefs of our Founding Fathers for their contribution to the creation of this land of freedom.

The heart of America's greatness still springs from its belief that only through religious faith can men hold firm and uncompromised their spiritual heritages of freedom and the right to live with hope.

CONTENTS OF CORNERSTONE BOX
(Collected by Kenneth E. Crouch)

History of Lower Goose Creek Meeting and Quaker Baptist Church, 1754–1957 with 1880 (earliest on record) and 1957 church membership and all officers since 1757.

Parts of cornerstones from churches built in 1789 and 1957.

Blueprint of church built in 1957.

Church constitution adopted in 1957.

First budget adopted by church in 1955.

Nineteen hundred fifty-seven Strawberry Baptist Association minutes.

"Peeping and spying" law passed by 1956 session of General Assembly of Virginia.

Messages from Gov. Thomas B. Stanley, of Virginia, and Representative BROOKS HAYS, of Arkansas, president of Southern Baptist Convention.

Song, The Old Rugged Cross, autographed by the Reverend George Bennard, author-composer.

Song, Beautiful Bedford.

Folder, What You Should Know About Your Church.

Book, The History of Bedford County, Va.

Bedford County 1954 Bicentennial Program.

Folder of Bedford Chamber of Commerce on Bedford and Bedford County.

Nineteen hundred fifty-four Bedford County bicentennial wooden nickel and 1862 Bedford County paper currency.

Rock and soil from First Baptist Church in Providence, R. I., built in 1638 and oldest Baptist church in America.

Rock and soil from Mill Swamp Baptist Church in Isle of Wight County, in 1714 and oldest Baptist church in Virginia.

Fragments of stones from the birthplace of Christ in Bethlehem, the Garden of Gethsemane, the Cenacle (the upper room in which the Last Supper was eaten), Mount Calvary, and the Church of the Holy Sepulchre at the site of the crucifixion.

Programs of 1953 pastorium dedication, 1955 Easter sunrise service, 1956 groundbreaking service, 1957 first worship service in new church, and 1957 dedication service.

Pictures of 1789 deed, cornerstone of church built in 1789, Dr. J. T. Kincannon, church built in 1899, interior of church built in 1899, pastorium, route 24 marker, artists drawing of church built in 1957, 1956 groundbreaking service, 1899 baptising in Body Camp Creek west of church, 1957 auction sale of church built in 1899, and churches built in 1899 and 1957.

Copies of the Fincastle (Va.) Herald, the Religious Herald (Richmond, Va.), the Bedford (Va.) Democrat, and Ambassador Life (Birmingham, Ala.).

Editorial page of the Roanoke (Va.) Times of March 31, 1957, with column by Dr. Goodridge A. Wilson on oldest churches in southwest Virginia.

CHRONOLOGY OF QUAKER BAPTIST CHURCH

October 9, 1756: Petition presented to have Lower Goose Creek meeting organized by Society of Friends (Quakers).

September 15, 1757: First session of Lower Goose Creek meeting in new house.

1775: Difficult Creek Baptist Church organized.

November 11, 1788: Meeting officially established and named Bedford meeting.

July 27, 1789: Deed recorded for Lower Goose Creek meeting; meetinghouse built same year.

1805: Difficult Creek Baptist Church admitted to Strawberry Baptist Association.

1810: Difficult Creek Baptist Church officially planted by the Reverend Alderson Weeks.

July 1824: Society of Friends release Lower Goose Creek meeting property to Baptists.

1899: New church built.

August 13, 1899: First sermon preached in new church by Dr. J. T. Kincannon.

August 26–27, 1899: Dedication service for new church; Rev. W. S. Royall, speaker.

August 4–6, 1903: Strawberry Baptist Association met at church.

January 7, 1939: Name changed from Difficult Creek Baptist Church to Quaker Baptist Church.

August 1–6, 1949: Historic marker erected by Virginia State Conservation and Development Commission on Route 24.

November 28, 1951: Deed recorded for pastorium at intersection of Routes 24 and 43.

October 25, 1953: Pastorium dedicated; Rev. Wesley N. Laing, speaker.

March 2, 1956: General Assembly of Virginia passed peeping and spying law as a result of case originating at pastorium and in Bedford County courts.

May 27, 1956: Groundbreaking for new church.

October 31, 1956: Actual construction begun on new church.

May 19, 1957: Sunday school and evening worship service held in new church.

May 20, 1957: First sermon preached in new church by the Reverend Floy W. Cox.

June 1, 1957: Old church sold at public auction, purchased by Woodson Tuck for $150.

Baseball and the Antitrust Laws

EXTENSION OF REMARKS
OF
HON. GORDON ALLOTT
OF COLORADO
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. ALLOTT. Mr. President, recent Supreme Court decisions have expressly indicated that legislation is needed with respect to the application of antitrust laws to professional sports. As a part of my study of this matter, I have asked the Library of Congress to prepare an analysis of the legal and practical issues involved. Mr. Spencer M. Beresford, of the American Law Division of the Library, has been of very great assistance in preparing the comprehensive analysis which I here submit so that it may be available to the many other Congressmen and the committees of both the Senate and the House now working on this complicated and difficult subject.

I have not yet completed my consideration of this problem, and consequently am unable to recommend a specific approach for its solution. It seems clear to me that either complete coverage under the antitrust laws or complete exemption from them is unworkable. The solution requires a sound, flexible, and reasonable application of the antimonopoly regulations in such a manner as to allow the continuance of these great American pastimes within the framework of our laws. This requires reconciling our longstanding policy against monopolies and unfair competition with the peculiar economic requirements of organized baseball and other professional team sports.

This study sets forth the basic problem, and suggests some solutions which I believe to be worth further consideration in our search for the best means of protecting the public interest and the rights of the players and the clubowners.

Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the statement, Baseball and the Antitrust Laws, which was prepared by Mr. Spencer M. Beresford.

I am informed by the Public Printer that the statement is estimated to make 3¼ pages of the RECORD, at a cost of $250.25.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

BASEBALL AND THE ANTITRUST LAWS

This report advances suggestions for preserving professional baseball, and other team sports, while at the same time protecting the players and the public from the usual adverse effects of monopoly.

I. CONCLUSION

There is a large body of literature on this subject, including the series of hearings conducted by the House Antitrust Subcommittee. An attempt has been made to summarize the salient data and opinions contained in this literature, indicating disagreement wherever it exists, and stating reasons on both sides whenever a choice is made between conflicting views.

The conclusion reached in this report is that legislation is needed to amend the Federal antitrust laws so that they will apply to organized professional baseball and other team sports (football, basketball, and hockey), with the following exceptions:

A. Playing rules and the scheduling of games.

B. The organization of leagues and associations, provided that they are reasonably responsive to demand (e. g., in geographic distribution) and that unreasonable barriers are not raised against entry by potential competitors.

C. Reasonable agreements and practices restricting the rights of clubs, leagues, or associations to operate within specified geographic areas.

D. Reasonable agreements and practices restricting the employment of players—provided, however, that farming, blacklisting, and the drafting of a player or the assignment of a player's contract without his consent shall not be excepted.

These exceptions are believed to be justified by the peculiar business conditions of professional team sports. They, nonetheless, are limited by the requirement that they must be reasonable, because they would otherwise be open to abuse. Any other monopolistic practice, such as a restrictive broadcasting agreement, would be an antitrust violation per se. Whether a given practice or agreement was reasonable would be decided ultimately by the courts.

Legislation rather than judicial decision is needed, not only because the courts have already taken the position that baseball is wholly exempt from the Federal antitrust laws and that other professional team sports are not exempt at all, but also because judicial decision would necessarily be retroactive in its practical effects.

II. BACKGROUND

A. Organized baseball

Organized baseball denotes a vast entity consisting of nearly 400 professional baseball clubs divided into 2 major and about 50 minor leagues. This entity is governed by certain agreements and a set of rules administered by a so-called commissioner. The principal agreements are the major league agreement, the national association agreement (minor leagues), and the major-minor league agreement. (The texts of these agreements along with related rules and other matters can be found in the Baseball Blue Books published by the Heilbroner Baseball Bureau.)

The economic importance of organized baseball is impressive. Total receipts are on the order of $100 million a year. This is more than the receipts of all other professional team sports combined. (The major leagues account for more than half the receipts of organized baseball.) Nearly 10,000 players engage in approximately 30,000 games a year before more than 50 million spectators.

Although the restrictive economic practices of organized baseball are numerous and complex, their principal features can be described fairly concisely.

1. Organized baseball has cornered the market for skilled ballplayers by means of the uniform player contract and the player lists (including blacklists). The result has been accurately stigmatized as monopsony in manpower (62 Yale Law Journal 576).

Clubs are forbidden to hire any player unless he signs the uniform player contract. This is a 1-year employment contract with a renewal clause enabling the club to renew the contract unilaterally for another year. The renewal clause is widely known as the reserve clause (because the club reserves the right of renewal). Since the renewed contract will be identical with the old one, it will also contain a reserve clause, and can in turn be renewed, and so ad infinitum. (In practice, it appears, a player normally signs a new contract containing a reserve clause every year.)

By signing the uniform contract, a player agrees to recognize the authority of the commissioner, and abide by the rules of organized baseball.

The uniform contract may be unilaterally terminated or assigned by the club, but not by the player. The player cannot play for any other club unless his contract has been assigned or he has been released. (Major league rules 3 (a) and 3 (d); major-minor league rules 3 (a) and 3 (d); national association agreement, secs. 15.01 and 15.04.)

It is fairly generally agreed that this system of employment eliminates effective competition for the services of players already under contract. Critics of the system have stated that there is complete absence of equality in bargaining position between clubs and players. Certainly a player under such a contract has little freedom to change or to bargain with his employer (club), and is doubtlessly paid substantially less than he would be paid in a free labor market.

On the other hand, it is probably true that the reserve clause enables the poorer clubs to keep in the running. Uniform player contracts were adopted, in 1879, for the avowed purpose of equalizing the playing abilities of the different clubs. If the reserve clause were abolished, it is probable that the playing abilities of the clubs would become more unequal, the richer clubs getting a higher proportion of the better players; and that players' salaries, while generally increasing, would also become more unequal. Some clubs, especially in the minor leagues, would probably be put out of business.

2. Player lists are submitted annually by each club to the commissioner, and includes the names of players who are ineligible for employment in organized baseball (e. g., for "jumping" their reserve clauses). Other clubs are forbidden by the rules even to participate in any game or exhibition in which any blacklisted player also participates. (Major league rule 4 (a); major-minor league rule 4 (a); national association agreement, sec. 16.01.)

3. The "farm system" supplements the uniform player contract and the backlists through a vertical integration of the labor supply, enabling the major-league clubs to control most (allegedly over 90 percent) of the Nation's ballplayers. A "farm" is simply a club in a lower league which is owned or otherwise controlled by a major-league club. The purpose of the farm system is to give the major-league club more scope in acquiring and disposing of skilled players.

Critics of the farm system have said that the reserve clause is most pernicious on the "farms," where players can be kept indefinitely.

Without the reserve clause (or some similar device), the farm system would collapse, because it would have lost its reason for existing.

4. These restraints on the labor market are somewhat mitigated by the so-called "waiver" and "draft" rules. The waiver rule provides that a player may not be assigned to a lower league till the other clubs in his league have had a chance to "buy" him. (Major league rule 10 (b); national association agreement, sec. 23.02 (a).)

The draft rule enables any club to compel clubs in lower leagues to sell their player contracts for a fixed price. The effect of this rule is very slight, however, because of the limitation that only one player per year may be drafted from a class A or higher club. (Major league rule 5; major-minor league rule 5; national association agreement, sec. 27.)

5. Apart from labor restraints, the restrictive economic practices of organized baseball consist chiefly in (a) territorial agreements and the division of markets, (b) restrictions on entry into the baseball business by potential competitors, and (c) restrictive agreements with respect to radio and television broadcasts and other promotional activities.

These practices are considered as serious in their economic effects as the labor restraints, but simpler and easier to control in practice. Hence, though their importance is emphasized, they will be discussed only briefly.

Since restrictive broadcasting agreements have been suspended since 1951, we need not consider them here except to note that they are monopolistic by universal admission.

(a) Territorial agreements and the division of markets are also clear-cut monopolistic practices. The geographic distribution of major-league clubs, for example, does not conform even roughly (if it ever did) to the distribution of population or income. Los Angeles, the third city in the country, has no major-league club, and Detroit, the fifth city, has only one. Yet Boston and St. Louis until very recently had two apiece. The present maldistribution of franchises is not only uneconomic but is harmful to baseball as a game. It is the main cause of existing inequalities in the playing abilities of the different clubs, and tends to perpetuate and increase these inequalities by favoring the clubs in the wealthier and more populous cities.

(b) It is not practicable to establish new major-league clubs. The number of clubs in each league is fixed at eight—having been chosen for convenience after considerable trial and error. An entire new league would be prohibitively expensive to establish, and would be greatly hampered by the tight control which the present leagues exercise over the supply of ballplayers. Nor can existing franchises be moved, except under extraordinary circumstances; for major-league rule 1 (c) provides that major-league circuits shall not be changed without unanimous consent of the clubs in the same league and approval by a majority of clubs in the other league.

Potential competitors not only find it virtually impossible to join organized baseball; they cannot even play against clubs that are already in it. All clubs in organized baseball are forbidden to participate in any contest or exhibition in which any outside participant appears. (This is rule 1. Major-league rule 1; major-minor league rule 1; national association agreement, secs. 10.06-.08 and 30.03 (a).)

6. During the past 10 years, various concessions have been made by organized baseball under duress—notably under the threat

of competition from the Mexican League, and under pressure from the Justice Department. Concession to players include a salary minimum (major leagues only), a limitation on salary cuts, pensions, and a player-representation plan.

On October 8, 1951, the major leagues rescinded their agreements restricting competition in the sale of radio and television rights. The old rule (major league rule 1 (d) (2)) reads as follows:

"No major-league club shall consent to or authorize a broadcast or telecast (including rebroadcast or network broadcast) of any of its games to be made from a station outside its home territory and within the home territory of any other baseball club, major or minor, without the consent of such other baseball club."

Home territory extended 50 miles from the center of the ball park.

In recent years some flexibility has been shown in the geographic distribution of franchises. Clubs have moved from Philadelphia to Kansas City, from St. Louis to Baltimore, and from Boston to Milwaukee. Nevertheless, over the period of roughly 60 years since the major leagues were formed, their geographic pattern has proved to be very rigid.

The concessions which organized baseball has thus made, though substantial, have been granted as matters of grace, were self-imposed, and are terminable at pleasure.

B. Judicial decisions

1. Baseball

(a) The parent case is *Federal Baseball Club of Baltimore* v. *National League of Professional Baseball Clubs* (259 U. S. 200 (1922)), in which Justice Holmes held for a unanimous Court that organized baseball is not subject to the Federal antitrust laws because (1) a baseball game is a local affair, and hence not interstate, (2) "personal effort, not related to production, is not a subject of commerce" (p. 209).

These are evidently alternative reasons and would be separately sufficient.

Both reasons given by the Court have since been completely undermined.

A baseball game may be local to those who look only at the ball park. But the promotional activities of organized baseball (notably broadcasting and motion pictures) have grown to such proportions as to make it unmistakably interstate. There are many other interstate features—e. g., the nationwide market for baseball players.

Furthermore, the "interstate" concept has been greatly broadened by the courts since the Federal Baseball case was decided; e. g., *Mandeville Island Farms, Inc.* v. *American Crystal Sugar Co.* (334 U. S. 219 (1948)) (agreement by local sugar refiners to pay uniform prices to local beet growers held violation of Sherman Act).

The Court's second reason, that services to ultimate consumers are not "commerce," has also been overturned by later decisions; e. g., *U. S.* v. *South-Eastern Underwriters Ass'n* (322 U. S. 533 (1944)) (holding that insurance is "commerce" within the meaning of the Federal antitrust laws).

Thus, the foundations on which the Federal Baseball decision was explicitly based have long since been destroyed. Although other legal objections could be raised today against the subjection of organized baseball to the Sherman Act in its present form, they do not seem substantial. Specifically, it could be argued that the restrictive practices of organized baseball do not raise prices to ultimate consumers, and are not monopolistic at all but merely monopsonistic restraints on labor (baseball players). But, in addition to labor monopsony, a number of truly monopolistic practices are involved—e. g., the division of markets, restrictive broadcasting agreements. Artificial barriers are raised to entry into the business by a new club or league. The supply of baseball games is artificially limited, and the unit cost to the ultimate consumer is increased. Besides, the common-law concept of "restraint of trade" included restraints on employment. The United States courts have adopted this view. (*U. S.* v. *American Medical Ass'n.*, (110 F. (2d) 703 (D. C., D. C., 1940), cert. den. 310 U. S. 644 (1940)).)

Restrictive labor practices closely similar to these prevalent in organized baseball were involved in *Anderson* v. *Shipowners Ass'n. of the Pacific Coast* (272 U. S. 359 (1926)) (employers who refused in concert to deal with prospective employee held liable under Sherman Act). In that case, a combination of Pacific coast shipowners allegedly fixed the wages of seamen, assigned them to particular ships, and blacklisted those who disobeyed its rules. The Court's decision that such practices violate the Sherman Act would seem to apply with equal force to the labor monopsony in organized baseball.

It is nonetheless arguable that the Federal Baseball decision was at least partly justified for practical reasons because of the peculiar economic conditions of the baseball business.

(b) The Federal Baseball decision was not directly challenged until 1949. Then organized baseball was jolted by the related cases of Gardella and Martin, who dared to play for higher bidders. Gardella was blacklisted for 5 years, for playing with the Mexican League. The district court dismissed his complaint, following the *Federal Baseball* case (79 F. S. 260 (D. C., N. Y., 1948)). But the Second Circuit Court of Appeals reversed and remanded (*Gardella* v. *Chandler* (172 F. (2d) 402 C. C. A. 2, 1949)); see also *Martin* v. *National League Baseball Club* (174 F. (2d) 917 (C. C. A. 2, 1949)).

In the Gardella case, Judge Learned Hand took the view that the radio and television aspects of organized baseball may "mark the business as a whole" sufficiently to justify antitrust regulation (p. 408). Judge Frank agreed, pointing out that the precedents on which the Federal Baseball case relied had since been overruled (pp. 408, 409). Judge Frank called the reserve clause monopolistic; Judge Hand refrained from passing on it, but said that he did not mean to disagree on this point.

The Gardella and Martin cases were both settled out of court.

(c) The next major development involved three baseball-player cases which were all dismissed by the lower courts, on the authority of the Federal Baseball case: *Toolson* v. *N. Y. Yankees* (200 F. (2d) 198 (C. C. A. 9, 1952)), *Corbett* v. *Chandler* (202 F. (2d) 428 (C. C. A. 6, 1953)), *Kowalski* v. *Chandler* (202 F. (2d) 413 (C. C. A. 6, 1953)).

The Supreme Court disposed of all three together in *Toolson* v. *N. Y. Yankees* (346 U. S. 356 (1953), rehearing denied, 346 U. S. 917 (1953)), in the following words:

"Without reexamination of the underlying issues, the judgments below are affirmed on the authority of Federal baseball * * * so far as the decision determines that Congress had no intention of including the business of baseball within the scope of the Federal antitrust laws" (p. 357).

Justices Burton and Reed dissented, urging that the popularity of organized baseball "increases, rather than diminishes, the importance of its compliance with standards of reasonableness comparable with those now required by law of interstate trade or commerce" (p. 365).

Considerably greater light was thrown on this decision by the opinion handed down 2 years later in *Radovich* v. *National Football League* (25 L. W. 4152 (U. S. 1957)). The Court distinguished and explained the Toolson case as follows:

"In Toolson we continued to hold the umbrella over baseball that was placed there some 31 years earlier by Federal baseball. The Court did this because it was concluded that more harm would be done in overruling Federal baseball than in upholding a ruling which at best was of dubious validity. Vast efforts had gone into the development and organization of baseball since that decision and enormous capital had been invested in reliance on its permanence. All this, combined with the flood of litigation that would follow its repudiation, the harassment that would ensue, and the retroactive effect of such a decision, led the Court to the practical result that it should sustain the unequivocal line of authority stretching over many years" (p. 4153).

But "were we considering the question of baseball for the first time upon a clean slate we would have no doubts" (i. e., that organized baseball is within the scope of the Federal antitrust laws) (p. 4154).

At last the exemption of organized baseball from the Federal antitrust laws was explicitly justified on practical grounds alone, and admitted to be an anomaly in the law.

2. Other Professional Team Sports

Baseball is widely regarded as the most monopolistic of professional team sports. Hockey is probably second, being organized much like baseball and having a farm system and player contracts with reserve clauses. Football and basketball are relatively competitive.

Although at the present time baseball alone is exempt from the Federal antitrust laws, no reason is known or appears to have been advanced for any difference in treatment between baseball and other professional team sports.

The courts might well have held all professional sports exempt from the Federal antitrust laws, either on the reasoning of the Federal baseball case that they are local affairs not involving the production of goods, or conceivably on the ground of congressional intent advanced in the Toolson case. In fact, they treated baseball as unique. In cases involving other professinal sports, they were less concerned to explain why those sports were subject to the Federal antitrust laws than to explain why baseball was not.

In *U. S.* v. *International Boxing Commission* (348 U. S. 236 (1955)), the Supreme Court reversed a decision based upon the Federal Baseball and Toolson cases, and held that those cases apply to baseball only. Professional boxing was held to be within the scope of the Federal antitrust laws because of its promotional activities (notably the fact that a substantial part of its revenue was derived from the interstate sale of radio, television, and motion-picture rights).

It seems to follow from this decision that the promotional restraints of all professional sports, including baseball, should be subject to the Federal antitrust laws. It does not necessarily follow, however, that the player-contract restrictions of professional team sports should also be subject to those laws; different treatment for team sports could be justified on the ground that they require some limitation of playing competition among clubs and leagues.

But, in *Radovich* v. *National Football League*, supra, the Supreme Court held that professional football was within the scope of the Federal antitrust laws. (Radovich, who had been under contract to a National League football club, was blacklisted for playing with a club outside the league.)

III. DISCUSSION

The problem is to reconcile the general policy against monopolies and unfair competition with the peculiar economic requirements of organized baseball and other professional team sports.

A. It is generally acknowledged that the present organization, agreements, and practices of organized baseball lead to the usual undesirable consequences of monopoly, both for the players and for the consuming public. In particular, they tend to produce the following results:

1. Reduce and equalize competition among clubs for players already under contract.

2. Deprive each player already under contract of freedom to choose his employer or his place of work.

3. Reduce and equalize players' salaries. (Although the median major-league player is paid a good salary ($10,000 to $15,000 a year), his minor-league counterparts are not (roughly $2,000 a year in class D leagues)).

4. Freeze the present geographic maldistribution of club franchises.

5. Prevent the entry into the baseball business of new leagues, clubs, etc.

6. Reduce the supply of baseball games, and raise the prices paid by spectators.

B. On the other hand, there is fairly general agreement that some restraints on competition are justified by the peculiar economic conditions of professional team sports. The blanket application of the Federal antitrust laws to organized baseball would probably wreck it. Cooperation among competitors is required to produce a marketable product.

Note that this reasoning does not apply to individual sports such as golf or boxing. Nor does it apply to any restraints on competition which do not promote strictly necessary cooperation or equality of playing ability among different clubs.

C. The problem is complicated by contradictions between baseball as a business and baseball as a game. Restrictive territorial agreements, for example, are not strictly necessary forms of cooperation, nor do they promote equality of playing ability among different clubs (in fact, quite the contrary). Yet it is arguable that they should be permitted, within reasonable limits, because of public loyalty to hometown clubs and players and public belief in the loyalty of players to their clubs.

D. Similar considerations as to public loyalties and beliefs support restrictions on the employment of players. Such restrictions are independently justifiable, since they promote equality of playing ability among different clubs. The point here is that they also bind a given player to a given club, and so help to preserve public confidence in baseball as a game. It is concluded that they should be allowed within reasonable limits. In determining what limits are reasonable, the public (spectator) interest should be balanced against the liberties and economic interests of the players. Everyone would probably agree that players should be paid (roughly) in proportion to their services, should have reasonable opportunities for advancement, and should be treated fairly (i. e., without discrimination). It follows that the waiver and draft rules shall be permitted if universal, at least if no draft or waiver prices are charged, but that "farming" and "blacklisting" should be prohibited, and that no player should be drafted, or his contract assigned, without his consent.

E. If restrictive employment practices in organized baseball are thus relaxed, one result will admittedly be a tendency for the richer clubs to get a higher proportion of the better ballpayers. This undesirable tendency will be partly counteracted by limitations on territorial agreements and on the division of markets. In addition, it will probably be necessary to make compensatory changes in the employment conditions of ballplayers. Universal waiver and draft rules and the abolition of waiver and draft prices have already been suggested. Bonuses for new players should probably be prohibited too; and both minimum and maximum salaries should be set by agreement in each league. Other modifications will no doubt be worked out by trial and error. For example, the unionization of ballplayers would facilitate the setting of salaries, and would probably improve the players' employment conditions in other ways. (However, it offers no general solution for the problems of baseball, since it would probably have no effect, for example, on the maldistribution of club franchises. Furthermore, unionization is considered a rather unlikely development, in view of players' attitudes toward it in the past.) Player contracts of more than a year might be adopted. An impartial board of arbitration might be established, to set salaries and perhaps even to assign franchises. Sealed competitive bids for players' services might be submitted annually, for acceptance or rejection by the players themselves. In short, while it is impossible to foresee or prescribe all the specific modifications of employment practices in organized baseball which could and should be adopted under freer and more competitive conditions, it is evident that a number of suitable devices are available to accomplish all the desired results.

IV. OTHER POSSIBLE SOLUTIONS

In arriving at the conclusion set forth at the beginning of this report, it was necessary to consider other possible solutions. These will now be briefly discussed, in the interests of clarity and convenience:

A. Subjecting professional baseball (and other team sports) to the antitrust laws without any exemptions was rejected at an early stage, since there is widespread agreement, among apparently disinterested observers as well as industry spokesmen, that the result would be to spoil the game and wreck the business. It was, therefore, concluded that some restraints on competition were justified by the peculiar economic conditions of professional team sports. This conclusion is borne out both by theoretical considerations and by the historical experiences of American baseball which led to the adoption of uniform player contracts and other restrictive practices.

B. Exempting professional baseball (and other team sports) from the Federal antitrust laws altogether was also quickly rejected, since a blanket exemption would condone a number of restrictive practices which are almost universally condemned as abuses. (The most flagrant are the division of markets, the exclusion of potential competitors, restrictive broadcasting agreements, and player blacklisting.) This "solution" also seemed contrary to the long-standing policy of establishing either competition or governmental control as the ruling principle of each area in the American economic system.

C. The intermediate solution of qualified or limited exemption from the Federal antitrust laws was therefore adopted. This left open the questions of scope—i. e., what specific practices should be exempted—and of means:

1. As to scope, it was decided that the Federal antitrust laws should apply generally to professional team sports, except for such reasonable agreements and practices as were necessary either to promote equality of playing ability among different clubs or to maintain public loyalty and confidence. The specific results of applying this general principle are spelled out in the "Discussion" section of this report.

2. As to means, three main alternatives have been proposed in previous discussions of this subject:

(a) A comprehensive and detailed statutory code of conduct. This was considered impractical. Such a code would require superhuman foresight and would necessarily be extremely long and detailed. Furthermore, in the absence of superhuman foresight, it would need to be revised continually.

(b) A Federal regulatory commission. Although a formally acceptable solution, this was soon rejected in view of probable administrative difficulties and the almost universal expectation of strong public disapproval.

(c) The third alternative of a statute couched in relatively general terms, to be applied by the courts, was therefore adopted. Within this framework, specific types of restraint were classified as wholly exempt, exempt unless unreasonable, or violations per se—in accordance with their tendency to lessen competition, on the one hand, against their contribution to necessary cooperation, equality of playing ability, and public loyalty and confidence.

V. PENDING LEGISLATION

Under H. R. 6876 (Mr. KEATING) and H. R. 6877 (Mr. BYRNES), the Federal antitrust laws would be amended so as to apply to organized professional baseball, football, basketball, and hockey, except with respect to the playing rules of the game, the organization of leagues and associations, contracts between leagues and between clubs fixing their rights to operate within specified geographical areas, and the employment of players. (Note that these matters would be wholly exempt.) Section 2 of each bill expressly preserves the rights of players to bargain collectively.

H. R. 5307 (Mr. HILLINGS) and H. R. 5319 (Mr. CELLER) would amend the Sherman Act alone, by adding a new section 9 as follows:

"The words 'trade or commerce' as used in any provision of the antitrust laws shall include the interstate business of organized professional baseball."

H. R. 5393 (Mr. HARRIS) would amend the Federal antitrust laws so that they would not apply to organized professional baseball, football, basketball, or hockey.

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SPENCER M. BERESFORD,
American Law Division.

JUNE 10, 1957.

SENATE

FRIDAY, JULY 5, 1957

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., July 5, 1957.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. MIKE MANSFIELD, a Senator from the State of Montana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. MANSFIELD thereupon took the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. Pursuant to the order of Tuesday last, the Senate will stand adjourned until noon on Monday.

Thereupon (at 12 o'clock and 12 seconds p. m.) the Senate adjourned, the adjournment being, under the order previously entered, to Monday, July 8, 1957, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, JULY 5, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, we rejoice that Thou art always seeking to draw us within the compass and circuit of Thy divine love.

May the assurance of Thy gracious providence and the memory of Thy goodness hallow all the hours of this new day.

Grant that our beloved country, conceived in sacrifice and dedicated to liberty, may be faithful in its glorious mission of safeguarding the principles of democracy.

Inspire us with a faith that is strong and steadfast as we strive to preserve and perpetuate those freedoms and human rights which our forefathers fought so bravely to win.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of Tuesday, July 2, 1957, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 6191. An act to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7665. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. CHAVEZ, Mr. HAYDEN, Mr. RUSSELL, Mr. HILL, Mr. BYRD, Mr. SALTONSTALL, Mr. BRIDGES, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) entitled "An act to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 943. An act to amend section 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicle to file with the Interstate Commerce Commission their actual rates or charges for transportation service;

S. 944. An act to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes";

S. 977. An act to suspend and modify the application of the excess land provisions of the Federal reclamation laws to lands in the East Bench unit of the Missouri River Basin project;

S. 1383. An act amending section 410 of the Interstate Commerce Act, to change the requirements for obtaining a freight forwarder permit;

S. 1461. An act to amend section 212 (a) of the Interstate Commerce Act, as amended;

S. 1489. An act to amend title 14, United States Code, entitled "Coast Guard," with respect to warrant officers' rank on retirement, and for other purposes;

S. 1520. An act to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes";

S. 1971. An act to amend sections 4 (a) and 7 (a) of the Vocational Rehabilitation Act;

S. 2250. An act to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes;

S. 2261. An act to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, and the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes;

S. 2448. An act to authorize payment to the Government of Denmark; and

S. Con. Res. 39. Concurrent resolution providing for the printing as a Senate document and for additional copies of the report of the Commission on Government Security.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 609. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut-picking or threshing machines, and for other purposes.

S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Siemon Noma or Loutfie Noama); and

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

SAN ANGELO FEDERAL RECLAMATION PROJECT—MINORITY VIEWS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] be permitted to submit minority views on the bill (H. R. 2147) to provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes, to be printed as part 2 of House Report No. 664.

The SPEAKER. Is there objection? There was no objection.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL—CONFERENCE REPORT

Mr. WHITTEN submitted a conference report and statement on the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes.

EXTENDING AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. GATHINGS submitted a conference report and statement on the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

PUBLIC ASSISTANCE MEDICAL CARE PROVISIONS

Mr. COOPER submitted a conference report and statement on the bill (H. R. 7238) to amend the public-assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care.

HELLS CANYON DAM

Mrs. PFOST. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

Mrs. PFOST. Mr. Speaker, I rise to call the attention of the House to an

editorial from the New York Times of Sunday, June 30, which clearly spells out the issues involved in the Hells Canyon controversy. It is most heartening to me that this influential eastern newspaper makes such a strong and clear case for the enactment of legislation to authorize the high dam. The editorial is entitled "Hells Canyon: Last Call." It states:

The 10-year fight for a high Federal multipurpose dam at Hells Canyon on the Snake River is nearing its climax. Reversing its negative action of a year ago, the Senate has by a narrow margin now authorized Government construction of this project on the Idaho-Oregon border, and its proponents in the House are moving ahead rapidly to bring it to a vote there.

While the political aspects of the Hells Canyon battle are of gerat interest and played an important role in the strongly partisan Senate vote last week, this question ought to be decided on its merits, not on its politics. It involves several hundred millions of dollars in Federal expenditure as against considerably less in private funds. It involves a fully integrated Federal development of probably the finest dam site still available in the United States as against a private-power operation that almost certainly would produce fewer kilowatts at higher cost per kilowatt to the consumer. It involves the question of whether this major river resource should be retained in the hands of all the people, at the expense of all the people, or whether it should be turned over to private exploitation, at private cost and private profit. It also involves protection of incomparable scenic and natural-resource areas nearby that would be threatened by the need for finding additional water-storage sites unless the high Federal dam, with its greater scope and capacity, were erected.

We favor a Federal dam at Hells Canyon because on the evidence it appears to us that the Federal plan would be more comprehensive, would more fully take advantage of the potential resources in water and power, and would lead to maximum benefits to the public—first of all to the public of the Northwest but in the long run to the public of all America. The success of the earlier dams in the Columbia River Basin (of which the Snake forms a part) is too well known to repeat here: Hells Canyon would be the final large-scale member of this vital system. It is too valuable a resource to develop partially, inadequately, or haphazardly. That, in the long run, would be the most expensive kind of development for the public.

LEAD AND ZINC PRICES

Mr. METCALF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. METCALF. Mr. Speaker, the price of zinc has fallen 3 cents a pound in the last 2 months. The continuous decline in lead and zinc prices has worsened the already desperate crisis confronting the lead and zinc and particularly the zinc producers of this country. The other day Anaconda's Darwin mine in California was closed down. Mr. Fred E. Tong, the manager of Darwin Mines, in a letter to his employees announcing the shutdown, cited the constant decline in lead and zinc prices as the primary factor in closing.

The closure of the Darwin mine in California was followed by the announcement of the American Smelting & Refining Co. that the Keystone mine at Crested Butte, Colo., was scheduled for shutdown. In addition it was also announced that plans were being made to close the Northport mine at Colville, Wash., and the Groundhog mine at Vanadium, N. Mex. Operation of the mill at Deming, N. Mex., where the Groundhog ores are processed, will also be suspended.

All over the West the story repeats itself. Mines and smelters are suspending operation, because the present price of lead and zinc is considerably below the domestic costs of production. At the same time imports of zinc in ores and concentrates continue to rise. Congress must soon choose whether we are going to assist our domestic lead and zinc industry or whether we are going to depend entirely on foreign imports to the detriment of American producers and wage earners. The situation is so critical that much more inaction will result in total paralysis of our domestic industry, and it will be too late to save many producers.

THE DEPARTMENT OF DEFENSE

Mr. BENNETT of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT of Florida. Mr. Speaker, the Hoover Commission has made many excellent suggestions for making the Department of Defense more efficient and economical. I recently introduced a bill, H. R. 8091, to carry out some of these recommendations. In this I join others who have also introduced similar legislation in a joint cooperative effort.

My bill proposed reforms in the field of civilian-military relationships. This general problem will always confront the Department of Defense, because the Nation will never permit the Department to be completely military run, and military science makes complete civilian staffing impossible. At present two divergent personnel systems are operating together with no clear delineation of relative roles. One important result of the ineffective division of responsibility between military and civilian personnel is duplicate staffing, under which 2 individuals, 1 military, the other civilian, carry out the same responsibility. The Hoover Commission found duplicate military-civilian personnel in 16,000 defense-support assignments, representing an unnecessary payroll cost of $110 million annually.

The best solution to the confusion, inefficiency, and waste resulting from dual staffing is for the Secretary of Defense clearly to delineate the jobs which should be filled by military officers from those which should be filled by civilians. H. R. 8091 authorizes and directs such delineation and specifies criteria upon which this delineation should be based. According to the criteria in the bill, civilians would be employed in positions which require skills which are usual to the civilian economy, in which continuity of management and experience can be more readily provided by civilians, and which do not require the exercise of military command over tactical forces. Military personnel would be given assignments in combat related support activities, and in organizations immediately in support of operational forces exposed to potential enemy action, and in supplier related support activities necessary for the training of officers for combat related support, and in those activities which are necessary to provide military experience to supplier related support.

Besides directing the delineation necessary for preventing wasteful dual staffing, H. R. 8091 provides other means for making military and civilian personnel more effective in their respective spheres of defense support activities. It directs the Secretary to provide longer assignments for military personnel in support activities, to improve the career outlook for officers given such assignments, to confine the rotation of military personnel in such positions to specialized support areas, and to discontinue the assignment of tactical officers to positions in the support activities for reasons of rotational convenience.

To make civilians more effective in their sphere, the bill directs the Secretary to provide civilians the same career development and promotion opportunities which are provided military personnel. The Secretary would set up a civilian management personnel reserve for quick expansion in times of emergency.

Mr. Speaker, it behooves us here in Congress to give our closest and most careful attention to this and other proposals for effecting permanent economies which can save the bent-backed American taxpayers substantial sums year after year. I commend H. R. 8091 to the serious consideration of my colleagues in the House.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the legislative program for next week will be as follows:

On Monday, the bill H. R. 8240, construction, military installations authorization bill, will be taken up. Any record votes on Monday or Tuesday will go over until Wednesday of next week.

On Tuesday, and the balance of the week, the following bills will be considered:

H. R. 7441, conference report on the Agricultural appropriation bill for 1958.

H. R. 6814, poultry and poultry products, compulsory inspection bill.

House Joint Resolution 16, status of forces agreements. The latter resolution will be programed for consideration

on Wednesday if a rule is reported. Following that the following bills will be considered:

H. R. 7390, utilization of advisory committees.

H. R. 8364, extending plans of Reorganization Act of 1949.

H. R. 72, veterans, guardians, gratuities.

H. R. 4520, certification of Alaska air carriers.

H. R. 3753, agriculture, homesteaders, and desertland entryman.

If the bill is reported and a rule granted, Mr. Speaker, the bill S. 2130, the Mutual Security Act of 1957, will be taken up.

The bills listed above may not necessarily be called in the order in which announced.

I desire to advise the House also that on Thursday next, at 12:30 p. m., the Prime Minister of Pakistan will address the House. This will not be a joint session.

Any further program will be announced later, and conference reports may be called up for consideration at any time.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Iowa.

Mr. GROSS. I believe the gentleman stated that these bills might not be taken up in the order announced.

Mr. ALBERT. The gentleman is correct.

Mr. GROSS. Is there any possibility that the foreign dole bill will come up early in the week?

Mr. ALBERT. If the gentleman refers to the Mutual Security Act of 1957, I should say it would be very unlikely for the bill to be taken up early in the week.

Mr. GROSS. I will say to the gentleman that I tried before the 4th of July to get a copy of the bill and the report, but could not do so. This is a multibillion-dollar program and I would like to know something about it. I hope the leadership on the other side of the aisle will bring the bill up late in the week, if it has to come up next week at all, so that Members may have an opportunity to at least have a working knowledge of what it contains.

Mr. ALBERT. I think we will be able to accommodate the gentleman.

CALENDAR WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

JONES-DAVIS BILLS FOR FINANCING TVA POWER FACILITIES

The SPEAKER. Under previous order of the House, the gentleman from Mississippi [Mr. ABERNETHY] is recognized for 30 minutes.

Mr. ABERNETHY. Mr. Speaker, the Tennessee Valley Authority is the wholesale power supplier for 98 municipal electric systems and 51 rural cooperatives. The TVA is their only source of power. The territory served by TVA will move forward or fall backward depending upon the ability of TVA to meet the power needs.

If progress in the valley is to keep step, if a shortage of power is to be avoided, then it is absolutely essential that increased generating facilities be put under construction at an early date. A day of a serious power shortage is rapidly approaching.

It has now been several years since Federal funds were invested in expanded generating facilities for TVA. It has been the judgment of this administration that the method of financing TVA's power expansion, in effect since the advent of the authority, should be ended. The will of the administration has prevailed. Action must not end there. Some other method of financing must be substituted.

In substitution it has been agreed by those on both sides of the issue that TVA should be empowered to finance its own power expansion facilities by way of revenue bonds. It is imperative that such authority be granted by this Congress. The bills, H. R. 3236, by Mr. JONES of Alabama, and H. R. 4266, by Mr. DAVIS of Tennessee, are designed to confer the appropriate authority and meet the emergency.

A simple issue is presented by these bills. Shall TVA, an agency created by the Congress, be permitted to continue successfully to administer a program authorized by Congress to achieve objectives laid down by Congress in its statute. It can do so if H. R. 3236 or H. R. 4266 is enacted into law. Failure to approve the legislation presents the unthinkable alternative. Then Congress would be seen ready to repudiate the decisions of prior Congresses, to disregard a magnificent record of achievement extending over more than two decades, to ignore the desires of the region concerned, and by default cause this great enterprise to fail. That must not happen. Enactment of this legislation is vital to a great area of the country and to the Nation.

The bills introduced by Representatives DAVIS and JONES will authorize TVA to issue bonds to finance the capacity additions required to meet the growing loads of the area served by TVA. They will be revenue bonds, and the power consumers of the area will provide the revenues needed to carry and to retire them. Annual appropriations by the Congress will no longer be required for investment in added power capacity to serve the people of the area.

A great partnership urges enactment of this legislation. In a time when new types of partnership are promoted it is good to point to this unique example of a partnership which has been tested. It works. The partnership which exists between TVA, an agency of the Federal Government, and the more than 150 local agencies which carry power to the ultimate consumers has been cemented over almost a quarter of a century. It is based on an act of Congress, the act creating TVA adopted in 1933. Then Congress first authorized the TVA to enter into contracts with local agencies and on November 9, 1933, TVA's first municipal power contract was signed.

That first partner was the city of Tupelo in Mississippi in the district I have the honor now to represent. The partnership was strengthened by an amendment to the TVA Act adopted by the Congress in 1939. Under that legislation TVA was authorized to issue bonds, to purchase the generating and transmission facilities of certain private companies operating in the area. When that amendment was approved and the purchase was concluded, TVA became the sole source of power supply for the area it served. By authority of the Congress it accepted the basic responsibility of every power supplier—the responsibility of providing capacity adequate to meet the people's expanding requirements for electric energy.

At the same time, and as a part of the same transaction, municipalities and rural cooperatives in the region bought the distribution systems of the private power companies. They entered into contracts for power supply with TVA. They agreed to carry out the policies Congress had outlined in the statute. They became true partners, accepting a share of the responsibility, a share of the risk, in trying out the promotional marketing policies Congress had directed the Board of TVA to promote. They extended lines to the farms and to residential customers which the private companies had refused to serve. They offered service at lower rates than the region had known before. Over the years they have demonstrated what will happen to any power supplier when rates are lowered and the increasing volume of sales is relied upon to provide the earnings required to cover the costs of service. That demonstration has helped the private power companies to do a better job. It has helped the farmer in areas far removed from TVA. Now that REA cooperatives cover the country it is easy to forget that the Alcorn County Electric Power Association in my district was the forerunner of them all, and that from the beginning the cooperatives in the TVA area have been the pacesetters for the country. This partnership has been a stirring thing to watch, a vital experiment in the democratic process.

The issue now presented to the Congress is whether that partnership is to continue. Today the distribution systems which have contracts with TVA have invested more than half a billion dollars in their locally owned facilities. They are prepared to make further investments in new facilities, to improve their service, to develop new ways of power utilization, to provide the earnings which will permit TVA to add to the facilities of generation and transmission required to serve them. The nine municipal systems and the dozen cooperatives which serve my district are all prepared to carry out the partnership obligations. They are ready all over the region. They are waiting for the adoption of this legislation they all approve to make their plans for the future. Our industries are waiting. Over 5 million people, the economic future of a whole

region, vast private investment—the future of all these is involved in the decision of the Congress on this question.

It seems to me that the Government, the owner of this system, ought to be rejoicing that the management of TVA has been able to do this development job so effectively that it can project a future where the system's earnings will be adequate to finance the additional capacity required. I think it is an amazing tribute to the validity of the theories Congress directed TVA to try out in this region. It is a tribute to the management of TVA and to the people of the area that TVA can continue to achieve the same objectives as it moves to accept the burden of additional costs imposed by private financing. I am astounded that such an occasion should be seized by some not as an opportunity to applaud and approve and encourage TVA, but to threaten, to criticize, and to endeavor to hamstring the agency.

The need for authorizing TVA to issue bonds seems to be fairly generally recognized, except, of course, among groups like the Edison Electric Institute or the National Chamber of Commerce, which have fought TVA from the beginning and would like to liquidate it now. It is natural, perhaps, that private power companies should look with greedy eyes at the market developed by TVA and its distributors, a market they neglected all the years they had the responsibility of service. It is natural, perhaps, that they and their allies feel a deep resentment toward the people who have demonstrated how wrong their estimates and their policies were, how inadequately they met their obligations. It is natural, perhaps, that the complacent managements of private companies resent pressures to do a better job for their consumers.

The opposition of such self-serving spokesmen is probably to be expected. I know their hostility will not prevail in the Congress. I am more troubled by the opposition of others who give lipservice to the importance of the enactment of bond-authorization legislation for TVA, but who for one reason or another suggest changes and alterations in the bills proposed. I am concerned by those who express fears and doubts as a reason for this and that amendment, the total impact of which would be to prevent TVA from continuing to do a good job. It would be a disaster if this Congress were to add provisions to these bills which would smother and strangle the agency, which would, in fact, guarantee the failure opponents have been predicting for 24 years. That self-induced failure, if it occurred, could then be used as an argument for the liquidation of TVA and the destruction of this partnership against the wishes of the people of the region and in violation of any decent standard of responsibility on the part of the Congress.

I would urge the most careful study of the various amendments which will be suggested. These bills embody a plan developed after long study, a plan under which the responsible management of TVA pledges to the Congress a continuance of the program so magnificently administered thus far. I would urge, for example, the most meticulous examination of the position of the Bureau of the Budget which, when the legislation was first introduced 2 years ago, presented an amazingly complicated list of amendments which would have combined to destroy TVA. This year, as I understand it, the Bureau has contented itself with a letter to the chairman of this committee, under date of April 11, a letter which argues that these bills are faulty because they do not incorporate four principles which, in the opinion of the Budget, should be embodied in whatever legislation is passed. It seems to me very easy to demonstrate that the Bureau's criticisms are without validity, and I would like for a few moments to examine the principles which the Bureau states are not embodied in H. R. 3236 and H. R. 4266.

First, the Bureau says, the authorizing legislation "should provide for executive and legislative review, as now applies to all wholly owned Government corporations under the terms of the Government Corporation Control Act, of proposed expenditure plans for new or expanded power facilities." As a matter of fact, no provision of H. R. 3236 and H. R. 4266 repeals or modifies existing law with respect to title I of the Government Corporation Control Act, so the "principle" enunciated is met. I think the truth is that what the Bureau really wants is more authority over TVA than afforded by the present Government Corporation Control Act or any other statute. I think the Bureau wants to run TVA, in order to destroy it. What the Bureau proposed in its own draft of legislation submitted 2 years ago was something that went way beyond the provisions of title I of the Government Corporation Control Act. They wanted to make sure, beyond all doubt, that TVA would be required to seek and obtain affirmative approval by the Bureau itself before a single kilowatt could be added to the TVA system. The Bureau now has the authority to decide how much capacity will be added by the use of appropriations, and in the last 4 years only 360,000 kilowatts have been added. The Bureau's approval is not required to add units to existing plants, from revenues, and today over a million kilowatts are being added, over the spiteful opposition of the Budget. Now they want total control, over revenues current and future. What the Bureau wants is a transfer of control and management from the Board of Directors, who administer the TVA statute under oath and who are accountable to Congress, to the Bureau of the Budget. The Bureau wishes to substitute itself for the Board. No recommendation could be made to Congress unless the Bureau approved it. No information would come to Congress unless the Bureau approved it. This would be the end of TVA. The people of the region, the power consumers, would have no appeal from the secret decisions of unaccountable bureaucrats in Washington. The Congress would have no information on which to base its judgment. The basic provisions of the TVA statute would be nullified. TVA would no longer be run by a responsible nonpolitical management located in the region, accountable to the Congress, visible to the people. It would be run by the Bureau of the Budget.

Second, the Bureau's letter states that legislation "should provide both for payment of interest on, and the orderly retirement of, the existing appropriation investment in Tennessee Valley Authority power facilities." Here the Bureau seems to forget that the Government owns this power system, that it is not in the position of a banker demanding interest and retirement of money he has loaned. There is no question about the payment in cash to the Treasury of an adequate return on the appropriation investment in power facilities. H. R. 3236 and H. R. 4266 specifically provide for such a return, measured by the Government's own current cost of money. But it makes no sense for the owner of an enterprise, and one incidentally which is itself using more than half that enterprise's product, to insist on withdrawing its capital investment at the same time that the enterprise must expand its facilities by borrowing money in the bond market. The result would be ultimately to leave the TVA power system financed 100 percent with bonds while the Federal Government, with no equity investment, continued to exercise all the rights and powers of an owner. No private utility would ever be permitted to function on such a basis, and it is not reasonable that a Government-owned project should be expected to do so.

Third, says the Bureau, legislation "should be so drawn as to limit the maximum amount of bonds that may be outstanding at any one time, so that the Congress will be enabled to make a review of the effect of revenue bond financing after a reasonable period of time in operation." This statement is a classic among non sequiturs. Since when, may I ask, has Congress ever been unable to review the operations of any Federal agency whenever it may choose to do so? Why would it require a ceiling on the amount of bonds to review the effects of TVA revenue bond financing? The answers are obvious. No such limitation is necessary to enable Congress to review the results of TVA bond financing whenever it wishes. The only effect of such a limitation would be to create continued uncertainty as to TVA's ability to finance needed future power capacity. The only effect would be to frighten off investors, to add to interest costs. The only effect would be to jeopardize the success of a bond financing program.

Finally, says the Bureau, the legislation "should be limited to Tennessee Valley Authority's financing problems and should not alter Tennessee Valley Authority's presently authorized basic functions." There is nothing in H. R. 3236 or H. R. 4266 which would change TVA's presently authorized basic functions. Congress, in 1939, made TVA the sole power supplier in the region it serves, and H. R. 3236 and H. R. 4266 would simply permit it to discharge this responsibility.

The Bureau is trying hard to find a basis for opposition to these bills. It is time for Congress to say to the Bureau—we created TVA. It has done a fine job. We want it to continue.

Mr. Speaker, this is a most pressing matter. Power consumption in the valley is growing by the hour. With each passing day a power shortage looms nearer. People of the valley are anxiously awaiting action by the Congress.

Passage this year of the self-financing plan as outlined in the Jones-Davis bill is essential. The cooperation and assistance of this administration is respectfully invited.

STRONG FORCES CONTINUE EFFORTS TO ELIMINATE INDEPENDENTS

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, every Member of Congress is interested in the preservation of independent banking. In view of this interest, I commend to the House membership an interesting, informative, and factual address by Mr. Harry J. Harding, president of the First National Bank of Pleasanton, Calif., and honorary president of the Independent Bankers Association of the 12th Federal Reserve District, before the 23d annual convention of the Independent Bankers Association at Miami Beach, Fla., in April of this year, entitled "Strong Forces Continue Efforts To Eliminate Independents." This address was carried in the July 1957 issue of the Independent Banker.

Mr. Harding, an independent banker himself, has long, diligently, and effectively worked to secure legislation for the benefit of independent bankers, including the Bank Holding Company Act of 1956. He is one of the best informed persons in the Nation on the subject of banking. His analysis of the problems facing independent banking and his suggestions for remedial legislation are well worth the time of any Member to consider.

The address follows:

STRONG FORCES CONTINUE EFFORTS TO ELIMINATE INDEPENDENTS

(Address by Harry J. Harding)

Although the title of my talk appears on your program as "The Single, Dual and Triple Banking Systems Reexamined," I will approach this by discussing "The Three 'F. T. F.'s' of Independent Banking."

These F. T. F.'s are: Face the Facts of Independent Banking, First Things First in Independent Banking, and Finish the Fight for Independent Banking.

What are some of the facts of independent banking today?

Fact No. 1 is that independent banking is under attack.

We do not hear anyone advocate the destruction of our system of independent banking and the substitution therefor of the Canadian or the European systems of nationwide branch banking—with only half a dozen or so banks—at least not openly and directly. Such an effort quickly would be buried in an avalanche of opposition.

WHITTLING PROCESS

The effort to accomplish the elimination of independent banks is more subtle. It takes form largely in a whittling process, a constant nicking away at diffused control of banking on the one hand, and a building up of public acceptance of absentee ownership and management.

Among other things, these undermining efforts take the form of the recurrent urging that control over the reserves of all banks be placed in the hands of the Federal Reserve Board—or increasing the powers of the Federal Deposit Insurance Corporation—or to expand the powers in the hands of the other Federal supervisory agencies.

The State comptroller of the State in which we are now meeting, addressing the Florida Bankers Association a few weeks ago, warned that the continued invasion of the rights of the States by the Federal Government and its agencies, in the field of banking, could result in the disappearance of State chartered and State supervised banks.

So, fact No. 1 that we should face is that our system of independent banking is under strong undermining attack.

Fact No. 2 is the threat of holding company expansion within a State.

The Bank Holding Company Act of 1956 falls short of the objectives of your organization. While it prohibits further interstate expansion, it leaves the door wide open in most States for the expansion of bank holding companies within a State regardless of what the branch banking laws of such State might be. It placed a responsibility upon each of the States to enact its own legislation if it wishes to regulate the expansion of such companies within its borders.

A rather startling idea, which certainly seemed aimed at furthering the purposes of a proposed New York State bank holding company, was the publication by a well-known and highly respected bank stock analyst, claiming that Congress, by enacting the Banking Holding Company Act had given its blessing to a new triple banking system.

NEW TERM FOR EVADING

Completely misunderstanding the legislative history and the restraining purposes of the act, he enthusiastically hailed what he believed to be Congressional approval of the pole vaulting of the State's branch banking laws. (Let me add that pole vaulting is a polite way of saying evading).

This authority on bank stock says: "The announcement of plans for a new bank holding company. First National Corporation, marks the opening of a new era of banking in New York State, and, inevitably, the Nation."

He also stated: "The proposed bank holding company • • • now shows the way to leap across every wall from New York City to Plattsburg and from Albany to Buffalo. Indeed, the proposed first little jump has suddenly revealed greener pastures that have already forced other bankers and their stockholders to look to their own jumping shoes."

PREMATURE EXULTATION

That expert on bank stocks spoke a little too soon. He hadn't dreamed that in addition to Mississippi, Illinois, and Georgia, which States already had laws on their books, other States would be enacting legislation to clip the wings of any holding-company movement.

Indiana and Kansas recently enacted laws that ban holding companies. Pennsylvania, New Jersey, Minnesota, and Massachusetts have had bills in the hopper.

Most surprising of all, probably, to the stock expert, was the action of New York State, as follows:

First in the anti-holding-company position taken by Governor Harriman and George A. Mooney, superintendent of banks.

Second, the enactment of a stopgap law aimed at preventing the proposed First National City Bank holding company from acquiring a bank in a district in which it could not legally operate branches.

Third, extension to this stopgap measure to keep it in effect until May 1, 1958.

No; we are far from developing this so-called triple system of banking, thanks to the work that the independent bankers have done over the years and are still doing to fight this threat. But the inadequacy of present bank holding-company laws is fact No. 2 that we must keep in sight.

CONCENTRATION BY MERGER

Fact No. 3 is the concentration of banking control through the mergers of banks. This merger trend has been accelerated in recent years.

Last year alone 103 banks absorbed 143 other banks—almost 1½ banks gobbled up by each of the surviving banks.

In the 20-year period from December 31, 1936, to December 31, 1956, according to the FDIC, the number of banks in this country decreased from 15,679 to 14,166—a shrinkage of 1,513 banks, though approximately 1,000 new banks were organized in this period.

This year-by-year shrinkage in the number of banks, in the opinion of the ABA, is nothing to be alarmed at. The ABA, to which we all belong, bitterly opposed the Celler bank merger bill in 1955 as not needed. It declared "that the number of individual banks in operation since 1939 has remained relatively stable; that this stable level in the number of operating institutions has adequately supplied the banking needs of the country essential to the enormous economic growth of the country during this period."

A decline of about 10 percent in the number of banks in 20 years, the ABA regards as relatively stable, notwithstanding an enormous economic growth.

WHAT LAW SAYS

The Financial Institutions Act of 1957, as approved by the Senate, declares that in addition to other factors, the respective Federal supervisory agencies in considering proposed mergers shall, and I quote:

"In the case of a merger, consolidation, etc., take into consideration whether the effect thereof may be to lessen competition unduly or to tend unduly to create a monopoly, and, in the interests of uniform standards, it shall not take action as to any such transaction without first seeking the views of each of the other two banking agencies referred to herein with respect to such question; and in such case, the appropriate agency may also request the opinion of the Attorney General with respect to such question."

Let me discuss this a little. You will note that there is no outright prohibition of any merger, merely the requirement the appropriate agency shall take into consideration competitive and monopolistic aspects and in the interest of uniform standards shall first seek the views of the other two banking agencies.

The appropriate Federal agency at its discretion may also request the opinion of the Attorney General with respect to such question. What is the question? Whether the effect of a specific merger may be to lessen competition unduly or to tend unduly to create a monopoly? Does that mean monopoly is O. K. as long as it does not tend unduly to create a monopoly?

How would you define "unduly"? In the existing antitrust legislation, such as the Sherman Act and the Clayton Act, the word "unduly" does not appear.

The word "substantially" has been passed upon as to meaning by the courts in a number of cases. It is safe to say that it will be years before the meaning of the word "unduly" can be determined. There will have to be a number of court decisions on this point.

You will also note that the provision which we have quoted does not say a word about any approval of any merger by the State supervisor of banks where a State bank is

concerned. Here again the termite of Federal control continues to eat away at the vitals of our dual banking system.

FDIC MERGER STAND

The FDIC, in a letter signed by its General Counsel, addressed to the Honorable STROM THURMOND, United States Senator from the State of South Carolina, has given assurance that it will not consent to any transaction under the merger section involving a State bank without the prior approval of the State banking authority, if such approval is required by State law.

While this is a recognition the State supervisor should have the authority to disapprove a merger, this is not enough to preserve the prerogatives of the State supervisory authorities and to maintain the autonomy of the States over banking. This policy of the Federal Deposit Insurance Corporation can be changed by the board of directors at any time. The personnel of the board does change. We learned with sorrow of the passing of Maple Harl, former Chairman and a director of the FDIC. This brings home more than ever that boards do change.

I strongly believe that neither the Federal Reserve Board, nor the Comptroller of the Currency, nor the FDIC should have any additional powers over the mergers of State banks, and I hope that the House of Representatives will amend the Senate bill in this regard.

Certainly the record of the States as to the maintenance of competition among banks is as good as that of any Federal agency. However, inasmuch as banks have been held to be engaged in interstate commerce and since existing Federal antitrust laws apply to concerns engaged in interstate commerce, it does not seem realistic to permit each State to establish its own standards to apply to monopolistic tendencies, either for banking or for any other line of business. Therefore, I believe the enforcement of all antitrust and monopoly laws, including those affecting banking monopoly, should rest with the Federal Government, that is, the Attorney General.

Those who argue that the Federal supervisory agencies alone should have anything to say over banks and banking are forgetting that, by reason of being engaged in interstate commerce, banks come under a whole flock of laws that are administered by agencies other than the Federal supervisory agencies. Among these laws are the Fair Labor Standards Act (wages and hours law, as we usually refer to it), the Labor-Management Act of 1947 (Wagner Act), Social Security Act, the Clayton Act, and the Sherman Act.

PERMISSIVE WORDING

The merger provisions in the proposed Financial Institutions Act which I have quoted state that the respective Federal agencies may request the opinion of the Attorney General. Why? Presumably because the Attorney General's opinion should be helpful. Then why under the sun shouldn't the respective Federal agencies take advantage of that help? They will, if the wording of the act is changed from "may" to "shall."

The independent bankers consistently have held there is danger in the economic power inherent in the concentration of control over banking. Monopoly, in the ordinary sense, the destruction of competition, always has been second to this danger.

It was not so much the fear there would be no competition to the Second Bank of the United States, that led Andrew Jackson to fight for a system of diffused control over banking, as it was the fear of the economic power that centralized control would beget.

Congressman CELLER has presented some arresting figures on the concentration of banking, figures that are startling in showing how far down the road to the European system of banking we have traveled. I also will shock you with some figures from an area with which I happen to be pretty well acquainted and where I saw it happen.

At the end of 1935, there were in California 275 banks, of which 236 were unit banks; 39 branch systems. At the end of last year, there were only 139 banks, of which 87 were unit banks and 52 branch systems.

At the end of 1935, the bank assets held by branch banking systems amounted to 83.6 percent of the total. Twenty-one years later, at the end of last year, the branch systems held 97.8 percent of the total bank assets, largely concentrated in 7 branch banks.

In Washington, at the end of 1935, there were 168 banks, of which 180 were unit banks. By the end of 1956, the number of banks had decreased to 97 with unit banks numbering 74 and branch bank systems 23. The percentage of bank assets held by the branch banking systems in the 20-year period increased from 52.9 percent to 89.3 percent, largely concentrated in the 5 large branch bank systems.

In Oregon, at the end of 1935, there were 97 banks of which 94 were unit banks. At the end of 1956, the number of banks had dwindled to 52, of which 41 were unit banks and 11 branch bank systems. In the 20 year period, the percentage of bank assets held by the branch bank systems increased from 69.1 percent to 91.5 percent, practically held about equally by two chains.

ARIZONA: TWO INDEPENDENTS

At the end of 1935, there were 9 banks in Arizona, of which 6 were unit banks; 3 branch systems. By the end of 1956, the number of banks remained the same, but the unit banks had decreased to three. Now there are only two. Think of it—only two small independent banks in the entire State of Arizona.

Whereas in 1935 the percentage of bank assets in Arizona held by the branch systems was 77.2 percent, but the end of 1956 this had increased to 96.5 percent. But, as a matter of fact, two holding companies hold practically all of the assets as shown by the branch banking systems just mentioned.

Certainly, in Oregon and in Arizona, where 2 organizations alone in each State hold practically all the bank deposits, there is competition between these 2 organizations. But we would like to ask the Comptroller of the Currency, the Federal Reserve Board, and the Department of Justice, as well as the ABA, has a tendency toward monopoly developed in the States that I have just quoted? Or, at what point does this tendency toward monopoly begin?

MUST CHECK MERGERS

As so ably pointed out by Congressman CELLER, unless the merger movement is speedily checked we will wake up one day to find that these mergers, repeated and multiplied over and over again throughout the country, will have brought about a new situation like the European system where a few banks completely dominate our banking structure. That is fact No. 3 on our list of facts we must face.

Fact No. 4 is the extension of branch banking. The destruction of legal restrictions on branching is perhaps the most serious of all threats to independent banking.

Branch banking proponents argue that independent banks and branch banks can exist together. The history of no country supports their claims. No, the history of Europe and Canada, as well as of some American States, overwhelmingly demonstrates the fact that branch banking drives out unit banking.

PATTERN IN CALIFORNIA

Let's take another look at California. The Bank of America started in 1904. By the end of 1922, when I located in California, it had 61 banking offices in 42 communities and deposits amounted to $229 million. By the end of 1956, the Bank of America branches had reached the 600 mark and deposits amounted to $8,993,000,000 about 44.5 percent of the State's banking resources. There is no ceiling.

There are half a dozen other large branch systems in California trying to overtake each other in opening branches. There are now 1,304 branch bank offices in California and only 87 unit banks.

There are some branch bank operators in California who very frankly admit they are afraid of the situation. They are opposed to any octopus system and they want competition, instead of monopoly by themselves or any other bank.

Because they cannot restrain the ambitions of their competitor branch bank operators—and as these competitors reach out and surround them with branches, they feel forced, in defense of existing business, to expand themselves. Thus the pressure continues, ever spiraling toward greater and greater concentration.

RECORD SHOWS ATTRITION

In our own country, the history of those States where branch banking is permitted, even though limited to cities or counties, shows in almost every case a steady attrition in the ranks of independent banks and a constant increase in the number of branches.

Of 7,957 branch offices as of December 31, last, 3,336 were in the 18 States that permit statewide branches, and 4,403 are located in the 18 States that limit branches to cities, counties, or other areas.

In 20 years, there has been a gain of about two and one-half times in the areas in which branching is limited, as against a gain of two and one-fifth times for the statewide States. In States where branching is limited in area, the concentration of bank assets in a few institutions is just as marked as it is in States permitting statewide branching, sometimes more so.

No, the argument that branch banks and unit banks can live side by side on a basis of equality is a fallacy.

Fact No. 5 is the lack of public interest. In my opinion a great many people care very little whether a bank is a unit bank, a branch bank, or a subsidiary of a holding company. Most people care very little whether a bank's policies are laid down locally or by an absentee management located a long distance away. The public's primary concern is as to the safety of its funds, and it looks to the Government to provide this protection.

That is why Carter Glass, after nearly 32 years as a member of the House and Senate Banking and Currency Committees, was able to say he had never heard a merchant or businessman protest against branch banking.

Happily, there are people who understand the difference between independent and other banking. It is this percentage who prefer independent banking that accounts for the slightly better growth in unit banks as compared with other systems. Nevertheless, the public apathy is fact No. 5 we must consider.

Fact No. 6 is internal weaknesses. Certainly, faulty building helps create the "termite problem." We might say that we ourselves are guilty of faulty building when we do not properly provide for management succession, when we fail to build up our invested capital as our business grows, and when we get careless about providing adequate services for the public as conditions and ways of doing business change.

There are other problems that confront us, such as competition of pseudo-banks and various lending organizations. But these problems your association has been studying and we are hopeful there will be devised a treatment necessary to meet these situations.

The facts that face us, then, are:

Independent banking is under attack.

Holding company expansion within a State regardless of branch bank laws, is undermining independent banking.

The concentration of control of banking by the merger method is another threat to independent banking.

The spread of branch banking.

The public is disinterested.

Internal weaknesses in our banks must be corrected.

WHAT TO DO

With these facts before us, let us take a second look and determine which of these undermining influences presents the most urgent problems to be tackled.

I think we will pretty much agree the most serious threats are from the three channels through which concentration of banking control is taking place: merging, branching, and holding company intrastate expansion, and these need to be tackled simultaneously.

Let's begin with the merger threat.

For quite a number of years the House Judiciary Committee and the Senate Select Committee on Small Business, particularly, have called attention to the dangerous trend of banking concentration and have sought to cure this tendency.

In my opinion, none of the proposed bank merger bills go far enough. Preston Delano, then Comptroller of the Currency, in testifying before the Senate Committee on Banking and Currency in 1950 on S. 2318, a bank holding company bill which had been drafted by the Federal Reserve Board, declared, "It has also been suggested that it would be wise to have a definite ceiling beyond which bank holding companies could not expand. A suitable test might be a specified percentage of the banking offices or bank resources within defined areas."

I seem to be in good company, then, when I suggest a somewhat similar provision be added to the bank merger bill. You may wonder why we had not endorsed this principle at the time Preston Delano made the suggestion. We, however, took the position and have steadfastly maintained it, that the bank holding company device had been used to evade the Nation's banking laws, and we oppose legalizing such evasion in any degree. The matter of law evasion does not apply to branch bank legislation.

SUGGESTED STANDARDS

So that we may have something to shoot at, let me suggest an addition to any bank merger bill, along the following lines:

No merger shall be approved under this act, in cities of 10,000 or less population, when the result will be two or less banks located in the city in which the merging bank is located; nor in cities of more than 10,000 population up to 25,000 population when the result will be three or less banks located in the city in which the merging bank is located; nor in cities of over 25,000 population to 100,000 population when the result will be four or less banks located in the city in which the merging bank is located; nor in cities of over 100,000 in population when the result will be five or less banks located in the city in which the merging bank is located. In each case, the population figures will be those of the last Federal census.

Nor shall any merger be approved under this act when the result will be that the merging bank will hold more than 30 percent of the total banking deposits of the area in which the merging bank has offices.

Let's kick this around for awhile. I don't want you to say you are for this or that you are opposed. I would like to have you think of the arguments both for and against such a proposal, so that we may carefully study and weigh them.

You may feel that the criteria specified in this suggestion are not realistic, but can you think of better yardsticks than the ones suggested? Do you think that we ought to have any yardsticks other than the discretion of some Federal agency? Have you any reason to believe the Federal agencies would? The yardsticks I have suggested are no more arbitrary than the existing requirements as to the capital necessary for the establishment of a new bank, or of a merging bank. The prevention of undue concentration of banking control is just as much in the public interest as the limitations on the loans that a bank can make. As to the argument that mergers should be left to the discretion of a supervisory agency, this, in my opinion, could apply equally as well as to the capital requirements for a new bank.

SEES OBJECTION

I know the supervisory agencies will immediately howl that the merger door must be kept open so that without hindrance they can merge a failing bank, a bank that is not properly managed, or a bank that is undercapitalized, with another good bank, regardless of its monopolistic tendencies.

If such an emergency escape hatch needs to be kept open, that can be provided, of course, but I wonder if merging a weak bank is the one and only solution that the FDIC or any other supervisory agency can think of. If so, why do not the laws say something affirmatively giving the power to compel the merger of a bank under such circumstances, to the supervisory agencies? Or is this a method they themselves have seized upon without Congressional sanction?

You will note what we have proposed places no limitations on size, nor does it in any way hinder normal growth. It merely restricts canabalism.

Let's not say it can't be done, but rather ask ourselves, should this be done? I am convinced we must have a ceiling on concentration of control over banking or face destruction to our independent banking system.

Second: What can be done to overcome the threat of envelopment by branch banking?

Every effort must be made to hold existing restrictions on branching in the various States. This should be done by study and discussion of branch banking and its tendency to drive out independent banking, a tendency that is just as inexorable as the workings of Gresham's law.

While each State will have to solve its own problems, your organization must be prepared to give help and guidance to State groups, profiting by the experience and success achieved in other States. This means a certain amount of public education also.

PUBLIC HEARINGS NEEDED

There is no provision in the National Bank Act, nor in the Financial Institutions Act of 1957, for public hearings on national bank branch applications. I fail to see any valid reason why such applications should be made and passed on in secrecy.

What we want to know is: Wherein is it detrimental to the public interest to have it known when an application for a branch has been made? I hope that the House of Representatives will amend the Financial Institutions Act to provide for such public hearings. Your association is on record in favor of such a provision.

The Comptroller of the Currency should be restricted by statute in his authority to approve branches of national banks, in addition to the geographical limits in which State banks can have branches, as at present, so that limitations a State may place on drive-in or tellers' windows would have to apply to similar stations or offices of national banks in those States.

Likewise, I am of the opinion that the ceiling in percentage of deposits of a city or area, such as I have suggested for mergers, that is, 30 percent, should apply in the case of de novo branches; in other words, no bank holding 30 percent of the deposits of the area in which it is authorized to operate should be permitted to establish a new branch.

Now let us look at the third important threat, holding-company expansion within its home State. One difficulty in securing enactment of the Bank Holding Company Act of 1956 in the form it was originally overwhelmingly approved by the House of Representatives was the intensive effort on the part of the ABA and the Federal Reserve Board to convince the Senate Banking and Currency Committee that holding-company banking was not essentially branch banking.

THE SAME, COURTS SAY

The ABA particularly testified at length as to the differences between a branch bank and a separately incorporated bank controlled by a holding company. The representatives of the Independent Bankers Association held that these differences were mainly in form and not in substance.

In the March issue of Banking, there appeared an item stating that a court in the State of Georgia held that holding company banking and branch banking were the same. Courts in several other States have held the same thing. Had the American Bankers Association recognized the obvious, that the holding company was a mechanism for evading the law of the States relative to branches of banks, I am quite sure we would have gotten the House-approved Spence bill, substantially in its original form.

We realized after successfully having the Douglas amendment prohibiting interstate expansion by bank holding companies adopted by the Senate, the bill was all we could hope for at the time. Striving for the ideal might have meant that legislation would have been delayed as our opponents counted on doing and thereby we would have been defeated.

REVIEW PROVISION

We knew if we kept well organized, and, as experience proved the need, the act could be amended. In fact, the act provides that within 2 years after the enactment, the board of governors shall report to the Congress the results of the administration of the act, stating, what, if any, substantial difficulties that have been encountered in carrying out the purposes of the act, and any recommendations as to the changes in the law which in the opinion of the board would be desirable.

I think we can expect the holding companies will make every effort to bring about a softening of the law. We must be ready ourselves, at the proper time, to support amendments that will strengthen the act.

SUGGESTED AMENDMENTS

The first of these amendments would be a definite restriction on the evasion of the State branch banking laws through the holding company device, such as was recently attempted in New York State. This would mean adding a provision essentially similar to the one deleted from the House-approved Spence bill, as follows:

"Nor will it be lawful for any bank holding company or subsidiary thereof to acquire, directly or indirectly, any shares in a bank in any area within its home State except in the same geographical area in which a bank located in the same city in which the bank holding company has its principal place of business could lawfully establish a branch of such bank."

A second amendment, in my opinion, would be a provision to restore the requirement which also was in the House-sponsored Spence bill, that the Federal Reserve Board would have to accept as final any disapproval by the State supervisory authority as to the acquisition of stock in a State bank, and by the Comptroller of the Currency as to the acquisition of stock in a national bank.

I am not saying these are the only changes in the Bank Holding Company Act of 1956 that should be advocated, but these are the ones that primarily are necessary to prevent

the further evasion of branch banking restrictions and for the preservation of independent banking.

Now we come to the third FTF: Finish the Fight for Independent Banking.

To my way of thinking, we are fighting on 3 fronts, and all 3 fronts, we need to act and act quickly:

At the national level we need Congressional action on merger legislation and Bank Holding Company Act amendments.

At the State level we must hold the line against extension of branch-banking areas and secure enactment of State merger and holding company laws.

At the banking level, we need more intensive organization.

NEED MORE BANKING

Not that I minimize our strength. This organization has proved its strength and has established its standing. But, our first problem is to arouse all independent bankers. There are 5,000 more banks that should be in this fight. With strong representation in a State, it will be a lot easier to secure enactment of State laws to regulate mergers and bank holding companies. With effective State laws on the books, it will be easier to get Congressional action.

No job is hard when we can break it down into small parts. To double the membership merely means that each member should undertake to secure one new member, that's all, just one new member. If those present today will do this it will add substantial strength to your organization. If there's the will, it can be done.

Don't fool ourselves. We've got to face these undermining attacks on independent banking with our eyes wide open. We've got to make decisions like grownup men, men who are confident that what we represent is in the public interest, that the business in which we are engaged has been a mighty factor in the growth and prosperity of our country, and can continue to be so. We are not playing for marbles. The future of free enterprise and our independent banking system is at stake.

You bankers are the leaders in independent banking. If you were not interested, you would not be here. But the passive gentle sort of an interest will not win this battle. Every bit of support, every bit of strength you gave to the independents' fight to secure bank holding company legislation needs to be doubled and tripled. Remember, the best defense is a strong offense.

Let's face the facts, tackle first things first, and finish the fight for independent banking.

SPANISH-AMERICAN WAR WIDOWS

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. O'HARA] is recognized for 15 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, it is now almost six decades since the commencement of the war with Spain that started our country on the way to its present position of world responsibility. Our Regular Army at that time numbered less than 25,000. Volunteers filled in the ranks, and in the Pacific and the Atlantic raw but inspired troops won victory after victory that laid the foundation of our world power. But for this and the world reshaping events that the war with Spain triggered, Dwight Eisenhower in all probability today would not be President of the United States. In all probability he would be an unknown and unsung junior officer, possibly a retired lieutenant or a captain.

But today the name, the power, and the prestige of President Eisenhower are being used in an attempt to crush from the few remaining widows of Spanish War veterans whose ages run from 75 to 90 years their last hope of sustenance. I wish to be fair to the President of the United States. From the bottom of my heart I hope that he will be able to find the time, in the pressure of his Presidential duties, to inquire into the use of his name by the Bureau of the Budget.

I might remind the President that it was the Bureau of the Budget that gave him a budget that shocked the people of the United States, that even the President himself on examination said was excessive, and that the House of Representatives already has cut over $4 billion with 2 appropriation bills still to come. But what I am referring to today, and what I am branding as infamous is the communication of June 21, 1957, to the Chairman of the Committee on Finance of the other body on the subject of increased pensions for widows of the Spanish-American War. I quote from the final paragraph of this communication:

Accordingly, enactment of S. 1926 or H. R. 358 would not be in accord with the program of the President.

I trust that the President will take prompt action, and perhaps the editor of the National Tribune will be permitted to attend the President's next press conference to ask the President if it is really in his heart that a handful of aged women, 75 to 90 years of age, should go on trying to keep body and soul together on $54.18 a month. Frankly, I do not believe that the Bureau of the Budget ever discussed this matter with the President. But as the Bureau of the Budget has put the President of the United States fairly in the center and has pinned upon him, as being contrary to his program, the giving of this relief to these aged women, the President now will have to speak for himself or take the blame that the Bureau of the Budget has pinned on him.

H. R. 358 is a bill that three times was passed by unanimous vote of this House. It was supported by the leadership on both sides, championed both by Democrats and Republicans, including the best political friends the President has in all the world. Now comes the Bureau of the Budget, without taking the trouble even to get and to state accurately the facts, saying that the decent thing that the House of Representatives did on three occasions was contrary to the President's program.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am happy to yield to the distinguished gentleman from Kansas.

Mr. AVERY. I would like to point out to the House at this time that I know of no one in the House who has done any more work or has any more interest in the widows of the Spanish-American veterans than the gentleman from Illinois [Mr. O'HARA].

I was a member of the Committee on Veterans' Affairs in the 84th Congress, and he introduced legislation to raise the annuity to these widows. As I recall, the House passed that bill under suspension of the rules in the closing days of the 84th Congress. Is that correct?

Mr. O'HARA of Illinois. The House passed it unanimously three times, and the Spanish War veterans and the widows, now trying to exist on $54.16 a month, have not forgotten that the gentleman from Kansas supported the bill both in committee and on the floor of the House.

Mr. AVERY. And it is now pending in the Senate, if my memory serves me correctly.

Mr. O'HARA of Illinois. Yes.

Mr. AVERY. The point I wanted to bring up at this time is, I did not know that the Finance Committee of the other body was so entirely dependent upon the views of the Bureau of the Budget and the President. There would be nothing to preclude the other body taking that bill up and acting on it, because the gentleman's party is in control of the Senate now, and if they so desired they could take the bill up. Is that not correct?

Mr. O'HARA of Illinois. I would say to the gentleman that there is nothing partisan in this bill. In the House every Republican and every Democrat voted for the bill three times. I would be the last to say there is anything partisan in it. That I was selected to introduce the bill is due entirely to the circumstance that I am the only Spanish War veteran left in this body, and it would have been the same regardless of the political party with which I was affiliated.

My thought in bringing the matter up today is that I do not think the President was consulted by the Bureau of the Budget when it sent in a report that is inaccurate, unfair and puts the President of the United States in a false position.

Let me call your attention to this: The report says that the present pension of Spanish War widows is from $67.73 to $54.18. This clearly would give the impression that many of these widows are getting $67.73. The fact is that the widows who receive $67.73 were married to the veterans prior to or during the period of the Spanish-American War. That being almost six decades ago, the distinguished gentleman from Kansas knows how few are now living. The others, most of whom were married shortly after the war when the soldiers returned are getting $54.18 a month, and that is all they have. I know what a good heart the President has, and I know if he were consulted he would say, with the Members of the House, certainly this is a good bill.

Mr. AVERY. I do not think the gentleman meant to leave the impression with the House that the action in the other body was entirely dependent upon the Bureau of the Budget or the White House, because they very frequently take whatever action they desire.

Mr. O'HARA of Illinois. Yes, that is true. I think they have always shown independence, and the responsibility is on each and every Member to account for his own vote. But in fairness to the President, who is the President of all the people, the attempt to put him in a position that reflects neither the President's mind nor heart should not be permitted to go unnoticed. I for one refuse to accept, or at least until he personally has verified it, the statement that to rescue a few aged women from the hopelessness of eking out existence on $54.18 a month is contrary to his program. The situation of these aged widows is too tragic. They have no social security. All they have is $54.18 a month. It is a terrible situation.

Why cannot the Bureau of the Budget take the same care in ascertaining accurately the facts, and in presenting them objectively, as do the committees and the professional staffs of the House? Why did not the Bureau of the Budget consult the great chairman and members of the Committee on Veterans' Affairs before making the infamous statement that the widows of the Spanish War veterans already were in a privileged class. I presume the Bureau of the Budget meant they were privileged to live luxuriously on $54.18 a month, and if they could not quite make it they were privileged to die.

The fact is that there were no records kept in the Spanish War period, there was little in the way of medicine, and the food, with the exception of "sow belly" and Civil War hardtack, was unfit to eat. For this and other good and valid reasons, all of which are well known to every member of the Committee on Veterans' Affairs, the term "non-service-connected" has never been applied to the Spanish War group. The presumption under the circumstances that prevailed at the time, and which actually is factual, is that all physical afflictions were service connected. The Bureau of the Budget easily could have obtained this information.

Mr. Speaker, I am glad to have had the opportunity today, the day after our national holiday, of bringing to the attention of the House a communication from the Bureau of the Budget that challenges the very spirit of the Fourth of July and makes a mockery of the sacred heritage of our country.

FBI FILES AND SUPREME COURT DECISIONS INVESTIGATIVE COMMITTEE

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. CRAMER] is recognized for 10 minutes.

Mr. CRAMER. Mr. Speaker, I was utterly appalled to read in this morning's newspaper a damnable condemnation of the entire Judiciary Committee, and by implication, of the whole Congress, by one of the Nation's columnists in which he implied that H. R. 7915, similar to H. R. 8388 which I introduced, which was reported out of the Judiciary Committee Tuesday and had as its effect, relating to the admissibility in evidence of certain public or FBI records in any criminal proceeding, as determined to be relevant to the defendant's case by the judge, and in an effort to clarify while fully recognizing rights of the defendant the limits set up by the Jencks case—to clarify that case and prevent from being made available for a fishing expedition by the defendant the entire raw and unverified FBI files including matter irrelevant to evidence introduced in the case which would, in my opinion, result in the complete breakdown of our criminal law enforcement system as developed and practiced in America.

I was appalled that in his column, and I have it at hand—with the headline "The Supreme Court Is Put Below the FBI"—he implied the bill was passed hurriedly, with no member of the Committee on the Judiciary having read the Jencks case, with the threat of the FBI secret files on each Member of Congress hanging over the heads of the committees, and with the effect that the bill voted out places the Supreme Court below the FBI.

I am a member of that Judiciary Committee and the ranking minority member of the special subcommittee created on the same day for the purpose of investigating questions raised by certain decisions of the Supreme Court as handed down during the last session of that Court. I cannot let such a damnable condemnation go unchallenged. I for one had fully digested the Supreme Court's decision and I know many others of the committee had also done so.

In the first place, let me review what was done by the Committee on the Judiciary.

Mr. AVERY. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Kansas.

Mr. AVERY. I think the gentleman is bringing a very important matter before the House. However, he has not thus far indicated what columnist he refers to and I think the RECORD should show that.

Mr. CRAMER. I think most people could guess what columnist it was. It was Drew Pearson.

The first step arose out of the Jencks case which in some instances has been interpreted in a manner by the lower courts that could substantially jeopardize our criminal law enforcement system. It was an effort to clarify the decision within the constitutional limitations set out by the Court. It is, in my opinion, and apparently the opinion of the Judiciary Committee, "must" and "emergency" legislation and it was approached from a calm and deliberate standpoint as a reading of the bill reported will show. It resulted from lengthy and careful study by a standing committee of the Committee on the Judiciary and after consideration of its report by the full committee. It was fully debated by the whole committee on Tuesday after lengthy interrogation of and testimony by the Attorney General, the Honorable Herbert Brownell, and counsel for the Treasury, David Kendall.

The bill that was reported out, I am sure when it and the report is read and filed, will clearly show its approach was made in a calm and dispassionate manner within the limitations, again I stress within the constitutional limitations, as set up in the Jencks case.

It can be well noted that the bill as reported out by the full committee was far less broad than that proposed by the subcommittee giving less discretion to the Attorney General. This, obviously, would be contrary to the wishes of the FBI and conclusively disproves the implication of the Pearson article. It further demonstrates what little factual information he had when writing his story.

The columnist, apparently, did not take time out to clearly absorb the Jencks case at all, because the decision and conclusion of the Court itself is self-explanatory and gives rise to broad interpretations, and I quote from the decision on page 15, the holding which was:

We hold that the criminal action must be dismissed when the Government, on the ground of privilege, elects not to comply with an order to produce, for the accused's inspection and for admission in evidence, relevant statements or reports in its possession of Government witnesses touching the subject matter of their testimony at the trial.

I quote further on pages 11 and 12:

We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial. We hold, further, that the petitioner is entitled to inspect the reports to decide whether to use them in his defense. Because only the defense is adequately equipped to determine the effective use for purpose of discrediting the Government's witness and thereby furthering the accused's defense, the defense must initially be entitled to see them to determine what use may be made of them. Justice requires no less.

The practice of producing Government documents to the trial judge for his determination of relevancy and materiality, without hearing the accused, is disapproved. Relevancy and materiality for the purposes of production and inspection, with a view to use on cross-examination, are established when the reports are shown to relate to the testimony of the witness. Only after inspection of the reports by the accused must the trial judge determine admissibility—e. g., evidentiary questions of inconsistency, materiality, and relevancy—of the contents and the method to be employed for the elimination of parts immaterial or irrelevant.

In other words, the question of what in the file can be inspected and the relevancy thereof is completely left open; according to the Supreme Court's decision the determination of what in the files can be inspected is made not by the trial judge but by the defendant upon inspection of the full FBI files or by the Government in withholding certain matters in the file. The bill as reported out puts that determination where it should be, in the hands of the judge, to determine, first, what is relevant, what is necessary, and then the defendant is thus entitled to inspect in a case while recognizing all rights to which a defendant is entitled.

Why is this so essential? Why is this emergency legislation? Why did the committee vote it out immediately, as it was requested to do, on an emergency basis?

Let me review here briefly why it is so essential that irrelevent portions of the entire report on FBI cases be withheld from the defendent's scrutiny. Practically all of our criminal law enforcement is based upon the files of some

investigative authority, be it the Treasury Department, the Customs Department, or the FBI. The reports of the FBI are all inclusive and cover every phase of the investigation of a case and it includes not only interviews with possible witnesses but information received from confidential sources as well as voluntary statements and all the action that has been taken from the start of the investigation to the preparation of the case for trial.

The reading of an FBI report by a defendant would often enable him to learn the identity of confidential informants. Frequently the information such informants furnish is of such a nature that its very disclosure will identify its source. The uncovering of confidential informants, particularly in the internal security field, would cut off intelligency sources, and in some instances endanger the lives of the informants.

The FBI reports may contain information gathered by other intelligence investigative agencies, including those of friendly allied countries exchanging information on a cooperative basis under this Government's commitment that their identities will not be disclosed without prior consultation.

Investigative reports necessarily include the raw material of unverified complaints, allegations, and information which is checked out only if it bears upon the investigation. In some investigations it is necessary to secure the most intimate details of the personal life of a victim of a crime to aid in the identification of the wrongdoer. Thus, in the early stages of any big extortion or kidnaping case, the enemies, both real and imaginary, of a family are frequently identified to the FBI.

This personal information may subsequently prove to be wholly irrelevant in the ultimate outcome of the investigation. Nevertheless, it is in the reports, and properly so, because the FBI investigation must record all information received, whether relevant or not and whether verified or not.

These are some examples of why it would be destructive of our criminal law agencies' necessary practices and procedures to make all of this information, whether relevant or not, available to the defendant. It is certainly not justified under our present established rules of evidence.

Now, here is the crux of the problem. Here is some of the evidence which the committee had before it at the time the decision was made. Here are some of the proven, practical effects of this Jencks decision I read, which is just a few weeks old. These are facts which Pearson failed to acknowledge.

For instance, in a narcotics case in Pittsburgh shortly after the Jencks decision, defense counsel sought the production and inspection of the entire Narcotics Bureau report after the Government agent had testified. The report covered all of the investigation of the case. The judge ordered the production of the entire report based upon the Jencks case. In that case the court dismissed the case.

And, I am sure if the columnist reads the Jencks case, he will see sufficient dicta in it and sufficient statements in the opinion itself in addition to the holding, as it relates to relevancy, that those judges who want to construe it in a broad fashion, as they have done in some of these instances by broadly construing the opinion come to this conclusion, and that is the committee's concern.

In an antitrust case, also tried in the western district of Pennsylvania, the Government was required to dispense with material testimony of FBI agents because of the court's ruling that if the agents testified, their entire reports would have to be given the defense and I hasten to add without any question of determining what portion of those files were relevant or otherwise.

In a narcotics case in Georgia, trial of which was actually in progress on the day of the decision, the defense attorney immediately asked for the production of any statements that that Government witness was testifying from and any intelligence reports submitted to the Government in the investigation carried on in connection with this case.

The report by the investigator consisted of summarizations of the numerous interviews with police, drug company employees, and others. The investigator was on the stand and had testified that he had prepared the report. Two other witnesses, whose oral statements to the agents were paraphrased and summarized in his report, had already testified. The court ordered that the Government produce for inspection by the defense any of the reports relating to the events and activities about which either of the witnesses had testified or is expected to testify. The United States attorney assured the court there were no written statements by the witness but declined to produce the entire report or the summarizations of the oral statements of the witnesses to the agent which had not been read to or by the witness nor did they in any way adopt or approve these statements as correct. The agent had dictated his report after his interviews and, at best, his report was a summary of the interview, obviously hearsay evidence. The court, without further discussion, dismissed the case.

In a criminal income tax case, likewise tried in Georgia, the court dismissed the case because the Government declined to produce unauthenticated summaries of interviews with witnesses.

The Jencks case is also being interpreted to permit new trials in those cases where defendants have already been convicted.

On June 21 a defendant who had already been convicted in a criminal tax evasion case in Rhode Island moved the court to order production and handing over to the defense of the complete reports of the special agent and the revenue agent who had investigated and prepared the case. The court stated that although the defendant had not requested these reports during the trial, the court immediately entered an order granting the motion. In that case the court stated:

> In the light of the pronouncements of the majority of the Supreme Court in the Jencks case, I think there is a clear mandate to permit the defendant to examine these reports. It may well be that the result of the examination of these reports will produce material of an evidentiary value to be used in support of a motion for a new trial.

Then on June 27 the Justice Department received notice that four defendants who were convicted on May 29 of a kidnaping in Rhode Island, have filed with the same Court a motion to have turned over to them all the reports of the FBI relating to the "alleged kidnaping" as well as any statements "oral or written" made to the FBI agents by the parents of the victim. That motion will be heard on July 8.

I could go through numerous other cases showing the effect of the Jencks case.

The second problem arises from the fact that in the Jencks case, the Court ordered the Government to produce reports orally made by the witness, and the effort of this bill, H. R. 7915, is to clarify that situation. Obviously, the credibility of a witness cannot be impeached by using a statement that the witness has never seen, approved, or prepared.

A third problem arises from an interpretation of the decision which would possibly require pretrial production of such statements and reports and perhaps even minutes of grand jury proceedings, certainly a broadening of the rules of evidence never previously acknowledged by the courts.

Now, that is some of the evidence which the committee had before it, and I was reading largely from the statement of Attorney General Herbert Brownell, at the time this bill was voted out. And, I think that anyone in reviewing the Jencks decision itself and the broad interpretation given it and its dicta, can clearly see the absolute necessity of emergency legislation that in some manner will clarify the decision, in order that these cases in the future not be dismissed, because obviously the FBI cannot make available, in fairness not only to the Government but to the defendant as well, all the raw, unverified, and irrelevant records of every FBI file.

Mr. HIESTAND. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from California.

Mr. HIESTAND. I very much appreciate the profound and well-expressed statement of the gentleman from Florida. Not being a lawyer, it was especially illuminating to me. I hope that everyone studies the report. This is a very, very valuable and convincing statement, and I congratulate the gentleman.

Mr. CRAMER. I thank the gentleman. And, I would not have taken the time of the House today, Mr. Speaker, if it had not been for the fact that I rose this morning and had my breakfast ruined by Drew Pearson, who in his column carelessly and recklessly stated:

> It also pays a Congressman to be friendly to the FBI. For it has a complete rundown on every Congressman, his private life, and his family. Furthermore, no Congressman, if defeated or desirous of another Government job, can become a judge or hold Government office without clearance from the FBI.

And, he concludes:

> And the mystery is how the FBI has reached the point where it has more influence with Congress than perhaps any agency in Government.

I, for one, do not feel, not only as a member of the Committee on the Judiciary but also as a Member of this House, that a statement of that nature can be permitted to stand on the record without the people of America knowing what the facts are.

It is careless, reckless, and inexcusable for anyone, even including Pearson, to plant in the minds of the people of this country the thought that Members of Congress fear the FBI or are in any way subservient to it merely because it keeps records. It is equally obnoxious to me, and I am sure to all the Members of this body, that from this fallacious premise the conclusion is reached that because this purely fictional club is held over the heads of Members of Congress the Members do the bidding of the FBI and give the FBI special consideration or favored treatment—citing the FBI files case bill, H. R. 7915, as an example. Nothing could be further from the truth than the premise used and conclusion reached. I am sure the Members, as did the Judiciary Committee, will recognize the merit of the FBI files bill and will pass it overwhelmingly—on its merits alone—despite the unsubstantiated sniping from such columnists.

Mr. HIESTAND. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield.

Mr. HIESTAND. The columnist refers to a certain lobbyist of the FBI. I have been here 5 years, and as far as I know I have never seen that lobbyist, and I certainly do not know who he is.

Mr. CRAMER. Well, he refers to a lot of things that I disagree with and for which I can find no substantiation. He implies that members of the Judiciary Committee did not even read the Jencks case before they passed the legislation, not even the subcommittee that considered the case. I think such an accusation cannot be permitted to stand. I, for one, read the case, as I am sure many other members did, and the committee was thoroughly briefed on it.

One other subject. On the same day the special subcommittee of five, of which I have the privilege of being a member, was appointed for the purpose of looking into the matter of certain present Supreme Court decisions. I have been asked by many what is its authority; and, for the dual purpose of, first, informing the people of America and in order to inform the House what the committee is authorized to do, and, second, in the hopes of perhaps avoiding possible impact of the Watkins case limiting congressional investigations, although I do not believe the House is willing to accept that case and I do not want my statement to be so interpreted; in order that those who may be called as witnesses before the committee will be on notice as to what the committee's investigative authority is and thereby not be able to claim that they do not believe the questions asked are relevant and that they do not have the responsibility of answering under the first amendment, I want to submit in the RECORD the resolution as passed by the House. I read it:

> *Resolved*, That a special subcommittee, consisting of five members of the Committee on the Judiciary, be constituted and authorized as a matter of the highest urgency to conduct an inquiry, take evidence, and make findings and recommendations, legislative or otherwise, to this committee at the earliest practicable date, with reference to those questions raised by decisions of the Supreme Court, handed down at the last session of the Court, which affect (1) the power of Congress to investigate, (2) Federal laws relating to subversive activities, and (3) the enforcement of Federal criminal laws.

That is the jurisdictional authority of the committee. I am sure that many Members of the House will agree that some of these decisions rendered in the past few months deserve to have complete and thorough investigation and study. Such cases as the release of a convicted rapist in the Mallory case, the release of 5 Communists convicted under the Smith Act and resulting also in new trials for 9 others, and the refusal of the right of Congress to investigate thoroughly and exhaustively into the activities of those who are supporting the overthrow of our Government in the Watkins case. I am sure this committee is going to promptly go about its activities as instructed by the full committee, it being of the highest urgency that it be done. I am further convinced our committee will act not only with dispatch but also with calm deliberation in a dispassionate frame of mind, and with complete realization of the seriousness of the task assigned to us.

CIVIL AERONAUTICS ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MACK] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, under our present laws the Civil Aeronautics Administration may issue a pilot's license to an alien living in the United States. The Communications Act of 1934, however, prohibits issuance of a radio operator's license or a radio station license to anyone who is not a citizen of the United States.

Thus, one agency of our Government tells an alien, "Yes, it's all right for you to fly an airplane," while another agency says to the alien, "No, you can't operate an aircraft radio and, if you own a private plane, you can't have a radio installed in that plane."

Is this not a ridiculous situation? If we can permit an alien to fly an airplane, would there be any greater risk to the national security to allow him to operate a radio on that plane for the sake of his own safety, the safety of his passengers, and the safety of other planes in the sky?

Mr. Speaker, I have today introduced a bill to correct this absurdity in the law that guides the Federal Communications Commission.

My proposed amendment to the Communications Act of 1934 would permit the FCC to waive the citizenship requirement in order to issue radio licenses to aliens holding pilot's certificates issued by the CAA.

If my bill is enacted, an alien who has a CAA pilot's license could get a license to operate a radio in someone else's plane. He also could be granted a license for a radio in his own plane.

Radio is one of the most valuable safety aids that a flyer has. Let us not deny this aid to any pilot licensed by the United States Government.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN for 15 minutes today and to revise and extend his remarks and include extraneous material.

Mr. O'HARA of Illinois for 15 minutes today.

Mr. VURSELL for 20 minutes on Wednesday next.

Mr. CRAMER for 10 minutes today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. PORTER in two instances and include extraneous matter.

Mr. PATMAN in three instances and include extraneous matter.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 943. An act to amend section 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicle to file with the Interstate Commerce Commission their actual rates or charges for transportation service; to the Committee on Interstate and Foreign Commerce.

S. 944. An act to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes"; to the Committee on the District of Columbia.

S. 977. An act to suspend and modify the application of the excess land provisions of the Federal reclamation laws to lands in the East Bench unit of the Missouri River Basin project; to the Committee on Interior and Insular Affairs.

S. 1383. An act amending section 410 of the Interstate Commerce Act, to change the requirements for obtaining a freight forwarder permit; to the Committee on Interstate and Foreign Commerce.

S. 1461. An act to amend section 212 (a) of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

S. 1489. An act to amend title 14, United States Code, entitled "Coast Guard," with respect to warrant officers' rank on retirement, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 1520. An act to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes"; to the Committee on Public Works.

S. 1971. An act to amend sections 4 (a) and 7 (a) of the Vocational Rehabilitation Act; to the Committee on Education and Labor.

S. 2250. An act to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 2261. An act to amend and extend the Public Building Purchase Contract Act of 1954, as amended, and the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes; to the Committee on Public Works.

S. 2448. An act to authorize payment to the Government of Denmark; to the Committee on Foreign Affairs.

S. Con. Res. 39. Concurrent resolution providing for the printing as a Senate document and for additional copies of the report of the Commission on Government Security; to the Committee on House Administration.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on July 1, 1957, present to the President, for his aproval, bills and a joint resolution of the House of the following titles:

H. R. 5189. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes;

H. R. 6659. An act to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes; and

H. J. Res. 391. An act making temporary appropriations for the fiscal year 1958, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 40 minutes p. m.), under its previous order, the House adjourned until Monday, July 8, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1006. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to authorize the appointment of Robert Wesley Colglazier, Jr., as permanent brigadier general of the Regular Army"; to the Committee on Armed Services.

1007. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to authorize the appointment of Philip Ferdinand Lindeman as permanent colonel of the Regular Army"; to the Committee on Armed Services.

1008. A letter from the liaison assistant, Theodore Roosevelt Centennial Commission, transmitting the interim report of the Theodore Roosevelt Centennial Commission, pursuant to Public Law 183, 84th Congress; to the Committee on the Judiciary.

1009. A letter from the Secretary of Defense, transmitting a draft of proposed legislation entitled "A bill to promote the interests of national defense through the advancement of the scientific and professional research and development program of the Department of Defense, to improve the management and administration of the activities of such Department, and for other purposes"; to the Committee on Post Office and Civil Service.

1010. A letter from the Executive Secretary, National Advisory Committee for Aeronautics, transmitting a draft of proposed legislation entitled "A bill to promote the interests of national defense through the advancement of the aeronautical research programs of the National Advisory Committee for Aeronautics"; to the Committee on Post Office and Civil Service.

1011. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (1)); to the Committee on the Judiciary.

1012. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of the orders granting the applications for permanent residence filed by the subjects, pursuant to the Refugee Relief Act of 1953; to the Committee on the Judiciary.

1013. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress; to the Committee on the Judiciary.

1014. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (5)); to the Committee on the Judiciary.

1015. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 9, 1957, submitting a report, together with accompanying papers and an illustration, on a review of reports on Bar Harbor, Maine, requested by a resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 10, 1945; to the Committee on Public Works.

1016. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 21, 1957, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Hacks Creek, Northumberland County, Va., authorized by the River and Harbor Act approved June 30, 1948; to the Committee on Public Works.

1017. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 17, 1957, submitting a report, together with accompanying papers and an illustration, on a review of reports on the Ohio River at Evansville, Ind. (Pigeon Creek), requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 29, 1955; to the Committee on Public Works.

1018. A letter from the Secretary of the Army, tranamitting a letter from the Chief of Engineers, Department of the Army, dated May 2, 1957, submitting a report, together with accompanying papers on a letter report on Eufaula Reservoir, Okla., authorized by the Flood Control Act, approved June 22, 1936; to the Committee on Public Works.

1019. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 8, 1957, submitting a report, together with accompanying papers and an illustration, on a letter report on Dirty Creek, Okla., authorized by Flood Control Act, approved August 11, 1939; to the Committee on Public Works.

1020. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 8, 1957, submitting a report, together with accompanying papers and an illustration, on a letter report on Arkansas River, Ark. (Grand Prairie), authorized by the River and Harbor Act approved July 24, 1946; to the Committee on Public Works.

1021. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 10, 1957, submitting a report, together with accompanying papers and an illustration on a review of report on Siuslaw River and Bar, Oreg., requested by a resolution of the Committee on Commerce, United States Senate, adopted May 16, 1939, and authorized by the River and Harbor Act approved July 24, 1946 (H. Doc. No. 204); to the Committee on Public Works and ordered to be printed with one illustration.

1022. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend section 69 of the Hawaiian Organic Act", to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RHODES of Arizona: Committee on Interior and Insular Affairs. Part 2: Minority Views on H. R. 2147. A bill to provide for the construction by the Secretary of the Interior of the San Angelo Federal reclamation project, Texas, and for other purposes (Rept. No. 664). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITTEN: Committee of conference. H. R. 7441. A bill making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 682). Ordered to be printed.

Mr. COOLEY: Committee of conference. S. 1314. An act to extend the agricultural Trade Development and Assistance Act of 1954, and for other purposes (Rept. No. 683). Ordered to be printed.

Mr. COOPER: Committee of conference. H. R. 7238. A bill to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care (Rept. No. 684). Ordered to be printed.

Mr. FRAZIER: Committee on the Judiciary. House Joint Resolution 354. Joint resolution to authorize the designation of October 19, 1957, as National Olympic Day; without amendment (Rept. No. 685). Referred to the House Calendar.

Mr. FRAZIER: Committee on the Judiciary. House Joint Resolution 378. Joint resolution designating the week beginning June 30, 1957, as National Safe Boating Week; with amendment (Rept. No. 686). Referred to the House Calendar.

Mr. BLATNIK: Committee on Public Works. S. 1361. An act to revive and reenact the act entitled "An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River"; without amendment (Rept. No. 688). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. S. 2420. An act to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes; without amendment (Rept. No. 689). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS: Committee on Armed Services. H. R. 912. A bill to amend the Navy ration statute so as to provide for the serving oleomargarine or margarine; with amendment (Rept. No. 690). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARDY: Committee on Armed Services. H. R. 5382. A bill to amend section 301 of the Servicemen's and Veterans' Survivor Benefits Act to provide for expeditious payment of the death gratuity by the military departments; with amendment (Rept. No. 691). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Armed Services. H. R. 6078. A bill to provide for the erection of suitable markers at Fort Myer, Va., to commemorate the first flight of an airplane on an Army installation, and for other purposes; without amendment (Rept. No. 692). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ST. GEORGE: Committee on Armed Services. H. R. 7140. A bill to amend title 10, United States Code, to authorize a registrar at the United States Military Academy, and for other purposes, without amendment (Rept. No. 693). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. H. R. 7576. A bill to further amend the Federal Civil Defense Act of 1950, as amended, and for other purposes; without amendment (Rept. No. 694). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Armed Services. H. R. 7696. A bill to authorize certain persons to wear the uniform of a Reserve officers' training corps; without amendment (Rept. No. 695). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS of Louisiana: Committee on Armed Services. H. R. 7697. A bill to provide additional facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States; with amendment (Rept. No. 696). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATTERSON: Committee on Armed Services. H. R. 7912. A bill to authorize, in case of the death of a member of the uniformed services, certain transportation expenses for his dependents; without amendment (Rept. No. 697). Referred to the Committee of the Whole House on the State of the Union.

Mr. REECE of Tennessee: Committee on Armed Services. H. R. 7914. A bill to amend the Career Compensation Act of 1949 to provide incentive pay for human test subjects; without amendment (Rept. No. 698). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. H. R. 8121. A bill to establish the Office of the Deputy Judge Advocate General of the Navy, and for other purposes; with amendment (Rept. No. 699). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee on the Judiciary. H. R. 7915. A bill to amend section 1733 of title 28, United States Code; with amendment (Rept. No. 700). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KILDAY: Committee on Armed Services. H. R. 7198. A bill for the relief of Col. Russell King Alspach; without amendment (Rept. No. 687). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER:

H. R. 8521. A bill to provide that certain confessions and other statements shall be admissible in evidence in the courts of the United States; to the Committee on the Judiciary.

By Mr. ARENDS:

H. R. 8522. A bill to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes; to the Committee on Armed Services.

By Mr. BAUMHART:

H. R. 8523. A bill to amend the Internal Revenue Code of 1954 so as to permit the payment of the estate tax in installments; to the Committee on Ways and Means.

By Mr. BELCHER:

H. R. 8524. A bill to authorize the preparation of a roll of persons of Indian blood whose ancestors were members of the Otoe and Missouri tribe of Indians and to provide for per capita distribution of funds arising from a judgment in favor of such Indians; to the Committee on Interior and Insular Affairs.

By Mr. HARRIS:

H. R. 8525. A bill to amend the Natural Gas Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. O'HARA of Minnesota:

H. R. 8526. A bill to amend the Natural Gas Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BERRY:

H. R. 8527. A bill to authorize the Administrator of Veterans' Affairs to negotiate a new contract with the city of Sturgis, S. Dak., with respect to the use of the sewage facilities of such city by the Fort Meade Veterans' Hospital, Sturgis, S. Dak.; to the Committee on Veterans' Affairs.

By Mr. BLATNIK:

H. R. 8528. A bill to provide that there shall be two county committees elected under the Soil Conservation and Domestic Allotment Act for certain counties; to the Committee on Agriculture.

By Mr. BOYKIN:

H. R. 8529. A bill to amend the Federal-Aid Highway Act of 1956 with respect to its application to toll bridges and tunnels on the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. BRAY:

H. R. 8530. A bill to permit farmers in areas affected by excessive rainfall and flooded conditions to include acreage in the acreage reserve program up to July 31, 1957; to the Committee on Agriculture.

By Mr. BROOKS of Louisiana:

H. R. 8531. A bill to provide an interim system for appointment of cadets to the United States Air Force Academy for an additional period of 4 years; to the Committee on Armed Services.

By Mr. BURNS of Hawaii:

H. R. 8532. A bill to amend the Hawaiian Organic Act with respect to interim appointments by the Governor; to the Committee on Interior and Insular Affairs.

By Mr. COOPER:

H. R. 8533. A bill to amend title II of the Social Security Act to include Tennessee among the States which may obtain social-security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mr. CRAMER:

H. R. 8534. A bill to amend section 239 of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. CUNNINGHAM of Iowa:

H. R. 8535. A bill to amend title 10, United States Code, to provide for the readiness of industrial capacity for defense production or mobilization reserve purposes; to the Committee on Armed Services.

By Mr. DIXON:

H. R. 8536. A bill to amend the Packers and Stockyards Act, 1921, to clarify the jurisdiction of the Secretary of Agriculture thereunder, and for other purposes; to the Committee on Agriculture.

By Mr. EBERHARTER:

H. R. 8537. A bill to amend title II of the Social Security Act to include the Delaware River Port Authority and the Delaware River Joint Toll Bridge Commission, corporate instrumentalities of the States of Pennsylvania and New Jersey, and the Port of New York Authority, a corporate instrumentality of the States of New Jersey and New York, with the States which are permitted to divide their retirement systems into two parts so as to obtain social-security coverage, under agreement, for only those employees of the Delaware River Port Authority, of the Delaware River Joint Toll Bridge Commission and of the Port of New York Authority who desire such coverage; to the Committee on Ways and Means.

By Mr. HARRIS:

H. R. 8538. A bill to amend section 402 of the Civil Aeronautics Act of 1938; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRISON of Nebraska:

H. R. 8539. A bill to create an Agricultural Research and Industrial Board; to define its powers and duties; and for other purposes; to the Committee on Agriculture.

By Mr. KILGORE:

H. R. 8540. A bill authorizing Gus A. Guerra, his heirs, legal representatives, and assigns, to construct, maintain, and operate a toll bridge across the Rio Grande, at or near Rio Grande City, Tex.; to the Committee on Foreign Affairs.

By Mr. McGOVERN:

H. R. 8541. A bill to provide that certain lands shall be held in trust for the Crow Creek Sioux Tribe in South Dakota; to the Committee on Interior and Insular Affairs.

H. R. 8542. A bill to provide that the United States shall take title to certain lands in trust for Indian tribes, bands, or groups; to the Committee on Interior and Insular Affairs.

By Mr. MACK of Illinois:

H. R. 8543. A bill to amend the Communications Act of 1934 to authorize, in certain cases, the issuance of licenses to noncitizens for radio stations on aircraft and for the operation thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. METCALF:

H. R. 8544. A bill to provide for the restoration to tribal ownership of all vacant and undisposed of ceded lands on certain Indian

reservations, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORRIS:

H. R. 8545. A bill to amend title 10, United States Code, with respect to agreements for length of service of graduates of the United States Military, Naval, and Air Force Academies, and for other purposes; to the Committee on Armed Services.

By Mr. PATTERSON:

H. R. 8546. A bill to regulate the foreign commerce of the United States by establishing quantitative restrictions on the importation of plumbing brass goods; to the Committee on Ways and Means.

By Mr. VINSON:

H. R. 8547. A bill to authorize the disposal of certain uncompleted vessels; to the Committee on Armed Services.

By Mr. SIKES:

H. J. Res. 394. Joint resolution proposing an amendment to the Constitution of the United States relating to the powers reserved to the States by the 10th amendment to the Constitution; to the Committee on the Judiciary.

H. J. Res. 395. Joint resolution proposing an amendment to the Constitution of the United States vesting the Senate of the United States with certain appellate court functions; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Alabama, memorializing the President and the Congress of the United States to enact legislation allowing the Federal judges of the district courts of the United States to direct verdicts in jury cases only in accordance with the scintilla evidence rule of the common law; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Alabama, memorializing the President and the Congress of the United States relative to proposing amendments to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H. R. 8548. A bill for the relief of Candida Giovanna Pirecca Nardi and Vito Pirecca Nardi; to the Committee on the Judiciary.

By Mr. BALDWIN:

H. R. 8549. A bill for the relief of Teresa M. Reyes; to the Committee on the Judiciary.

By Mr. BOSCH:

H. R. 8550. A bill for the relief of Ernst Windmeier; to the Committee on the Judiciary.

H. R. 8551. A bill for the relief of Alfonso De Martino; to the Committee on the Judiciary.

By Mr. DAWSON of Utah:

H. R. 8552. A bill for the relief of Michael Prevedourakis; to the Committee on the Judiciary.

By Mr. FISHER:

H. R. 8553. A bill for the relief of Stewart Chiu Hao Wu and Virginia Wu; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 8554. A bill for the relief of Charles and Alda Rosen; to the Committee on the Judiciary.

By Mr. SIKES:

H. R. 8555. A bill for the relief of Susanne Leiminger McDonald and Kathe Rita Leiminger McDonald; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. R. 8556. A bill for the relief of Mrs. Maria Richter Cornell and her minor daughters, Irene Theopile Richter and Beatriz Isabel Richter; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Questions and Answers on H. R. 11, an Amendment to Robinson-Patman Act

EXTENSION OF REMARKS
OF
HON. WRIGHT PATMAN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, July 5, 1957

Mr. PATMAN. Mr. Speaker, during recent days the Members have referred to me questions received by them regarding H. R. 11. Effort has been made to supply answers to the Members who referred to questions. However, some questions have been repeated a number of times. Therefore, for the benefit of Members and others I shall insert in the RECORD at this point answers I have made to a number of those questions. The questions and answers are as follows:

1. Question. Why do we have Federal laws against price discrimination?

Answer. Congress conducted extensive investigations respecting the practice of price discrimination during the periods of 1875–90, 1912–14, and 1935–36, and so did the Bureau of Corporations during the period 1903–14 and its successor, the Federal Trade Commission, during the period 1928–34. Each of those investigations uncovered an abundance of evidence demonstrating that the practice of price discrimination was used widely by large sellers with the effect and result of destroying competition and creating monopolies. Therefore, Congress acted to curb the practice of price discrimination because it had been found to be a monopolistic practice.

2. Question. Why is H. R. 11 needed?

Answer. The Federal Trade Commission in its official formal report on H. R. 11 to the Committee on the Judiciary, House of Representatives, March 12, 1957, in effect stated that the decision by the Supreme Court of the United States in the case of the *Standard Oil Company of Indiana* v. *Federal Trade Commission* (340 U. S. 231) and other recent decisions in similar cases have made it clear that notwithstanding Federal legislation against price discrimination a large seller may now discriminate in price even where the effect may be to substantially lessen competition and tend to create a monopoly. Therefore, the Commission stated that it is of the opinion that the objectives of H. R. 11 * * * are of sufficient importance to the effective operation of the Clayton Act that such legislation should be enacted without awaiting further case by case development.

In the light of those circumstances it appears that it is time for each of us to reexamine our position on the question of whether we are for a free and competitive enterprise system or for a system of monopoly. When that is done, I am confident that a majority will be found who are still opposed to a substantial lessening of competition and a tendency to monopoly and are therefore in favor of H. R. 11, the equality of opportunity bill. It is a bill against monopolies.

3. Question. Would the law as amended by H. R. 11 apply to local sales by retail stores?

Answer. No. The law applies only to interstate sales and shipments.

4. Question. Would the law as amended by H. R. 11 apply to local sales by wholesalers?

Answer. It would apply only to interstate sales and shipments. Therefore, since wholesalers and jobbers ordinarily sell only in a single State it would not apply to such sales. On March 18, 1957, I made a statement outlining in detail how the equality of opportunity bill, H. R. 11, would and would not apply to independent oil jobbers. That statement appears in the RECORD commencing at page 3875 of March 18, 1957.

5. Question. How will H. R. 11 affect freight absorption?

Answer. The bill will not prevent freight absorption. In the RECORD of March 18, 1957, page 3892, I inserted a statement outlining why it is considered that H. R. 11 will not prevent freight absorption. I refer to that statement for the benefit of those who wish to review more material dealing with that point.

6. Question. Will the law as amended by H. R. 11 prevent sellers from reducing prices to meet competition?

Answer. No. There is nothing in the Clayton Act, the Robinson-Patman Act, or in H. R. 11 forbidding price reductions. Under those provisions of law any seller would remain free to lower his price to any level he chooses to meet competition or for any other purpose. Those provisions of the law do not deal with the question of price reductions. They deal only with the practice of price discrimination.

7. Question. Describe a situation in which the law could be applied if it were amended by H. R. 11.

Answer. Under date of March 8, 1957, the Armstrong Creamery Co., of Wichita, Kans., wrote a letter to Members of Congress and to Members of the Senate in which price discrimination practices of the National Dairy Products Corp. were outlined. That up-to-date instance of price discrimination was described by the Armstrong Creamery Co. as follows:

"Recently the National Dairies Division (Sealtest) at Kansas City lowered the price of ice cream 25 cents per gallon throughout this area. Discounts and all other factors considered, this new price is lower than 97 percent of the sales volume in the area before Sealtest lowered the price. This low price makes it impossible for any dairy to sell ice cream at a profit, and if continued very long will force a number of independent plants out of business. At the same time Sealtest has been raising prices in other areas where competitive situations are as bad, or worse, than they are here.

"The plain fact is that through ineptness and mismanagement, Sealtest has lost a lot of volume in the past few years and has taken this method of regaining their position. Right now they can use the excuse that they are meeting the price of the 3 percent of the volume which was sold at a cutthroat figure (and which will always be sold that way).

"Of course, Sealtest's profits in other areas will more than carry the losses they will take in this one."

The letter of the Armstrong Creamery Co. concluded as have many others I have received from small and independent business concerns in a plea for the passage of H. R. 11. The closing words of that letter were: "It is the only salvation for a great number of independent businesses."

8. Question. Since H. R. 11 is designed to eliminate destructive price discriminations which substantially lessen the competition and tend to create monopoly, who are those opposing it and why?

Answer. Most big business concerns such as National Dairy Products Corp. and the giant major oil companies are opposed to the passage of H. R. 11. Need we discuss the details of why when we have before us examples of the practice of price discrimination such as the one outlined by the Armstrong Creamery Co., of Wichita, Kans.?

The Most Serious Default of Leadership

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Friday, July 5, 1957

Mr. PORTER. Mr. Speaker, President Eisenhower's default of leadership has its most serious consequences in connection with our nuclear weapons policies. The following exchange of letters illustrates this point. If we had any basis for believing that appropriate consideration meant anything or that even consideration was being given to these problems relating to the survival of human life on this globe, we might have more cause for encouragement.

Under leave to extend my remarks in the RECORD, I include the following correspondence:

JUNE 7, 1957.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: We, the undersigned Members of Congress, respectfully and urgently call on you to support five steps in the direction of survival in the face of the awesome peril arising from the development of nuclear weapons.

You have repeatedly pointed out the terrifying proportions of the present situation. "Humanity," you said in your September 19, 1956, broadcast, "has now achieved, for the first time in its history, the power to end its history."

Humanity's history may in fact end in the space of a few hours. Three nations have the means to end it. An accident could trip the mechanism of retaliation. A limited war could spiral out of control. The U. S. S. R. could coldly calculate that time is on the side of the Free World and that it could win an all-out war even with its back broken by our counterattacks.

We realize that these thoughts are not new to you, Mr. President. You recognize your duty and we recognize ours. We surely agree both on the magnitude and the imminence of the nuclear danger. Here indeed is a brink on which we and all the world teeter. Contemplating the abyss need only occupy a moment. Then our efforts must turn toward regaining our balance and moving to solid ground.

Our long term goal of arriving on this solid ground safely away from the nuclear abyss is of course a workable disarmament agreement and we are encouraged by the vigor of your policies in this area. But results here are too far in the future and today we do not dare rely solely on our enemy's fear of massive retaliation. Fear of mutual destruction is a flimsy basis for balance at the brink of the abyss.

We most earnestly ask that you place your full official and personal weight behind the following five measures, all of which are, in our opinion, likely to aid in the survival of mankind, whether of not nuclear war comes.

1. A National Radiation Institute of Health, with sufficient funds to conduct a large-scale research program: There is apparently no scientific doubt that the worldwide radiation generated in an all-out war of H-bombs would be a hazard to life over the whole globe. Scientists also seem to be agreed that the testing of H-bombs involves at least a certain risk. The issue is over the immediacy of the radiation danger—that is, just how many tests the different nations may conduct before the cancer threshold is crossed. This must be measured against the contribution tests make to our military security.

Without now judging this question, however, we feel that the potential danger alone justifies a much greater effort to explore the possibilities for the treatment or, hopefully, prevention of radiation-induced cancer, leukemia, and cell degeneration.

2. Vigorous reassertion of your support of an international Atomic Energy Agency: We believe that the vast majority of the American people are fully behind your dramatic effort to develop peaceful uses of the atom through the United Nations. As Congressmen, we are anxious for the momentum behind these proposals to be sustained.

The exercise of your prestige and leadership will not only insure the passage of the appropriate legislation it will also present the proper image of the United States as a nation devoted to using the atom to build a better world.

3. A national shelter program: The policy of mass evacuation, on which the United States planned to rely in a war of atom bombs, is now outmoded by the vastly more powerful H-bombs. A 50-megaton H-bomb can incinerate all life within a radius of 15 miles of the explosion. Within a few days the people who live in the downwind area of fallout will also sicken and die.

Under these circumstances, it appears prudent and imperative to provide some form of shelter for our people at the places where they live and work.

Our capacity to take a blow and keep on fighting is just as important as our ability to deliver one. An adequate system of shelters will therefore give pause to a potential aggressor and make a formidable contribution to our policy of deterrence.

4. Your appointment of a Special Advisory Committee to the AEC vested with authority to declassify data on radiation: We recognize that secrecy about some kinds of data on radiation may be vital to our national security. On the other hand, official silence or even reassurances have on several occasions in the past been followed by contrary evidence from independent scientific sources, for example, the Japanese physicists who analyzed the fallout from our Pacific tests.

Such incidents breed suspicion and an emotional approach toward the tests, making it difficult for the American people to reach a fair judgment. We are convinced that the public has the right to judge the issue for itself. Consistent with security, the people should be given the information they need to do so.

5. Increased emphasis on military formations capable of fighting limited or brushfire engagements: As you have cogently observed, concentration upon massive weapons in the fields of research and delivery can lead to a dead end in strategic thinking.

The enemy is too likely to calculate that we would permit him to retain a modest conquest rather than invoke a nuclear exchange. The only successful counter to this kind of limited attack is the capacity to meet the attack at the spot where it occurs.

To have this capacity we would need very flexible forces armed with both conventional and atomic weapons. We would also need many more troop-carrying airplanes than we now have on hand.

We as Members of Congress want to do our part in averting the suicide of the human race. Each of us whose name is signed below believes that this issue transcends partisanship. We respectfully request your personal attention to these proposals and stand ready to provide additional information.

Sincerely,

CHARLES O. PORTER
(And Six Other Members of Congress).

THE WHITE HOUSE,
Washington, June 12, 1957.

The Honorable CHARLES O. PORTER,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN PORTER: The President has asked me to thank you sincerely for your June 7 letter, cosigned by 7 of your colleagues, urging him to "place (his) full official and personal weight" behind 5 specific measures which relate to atomic warfare and health hazards and to the character of our Armed Forces. The President asked me to assure you that he will continue his efforts to deal effectively with each of the problems mentioned. He, of course, welcomes the close attention you and your colleagues have devoted to these crucial problems facing our country.

With best wishes,

Sincerely yours,

WILTON B. PERSONS,
The Deputy Assistant to the President.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 22, 1957.

The PRESIDENT,
The White House.

DEAR MR. EISENHOWER: I have received General Persons' letter of June 12, replying to my letter of June 7, cosigned by 7 of my colleagues, and I am now writing to ask that you undertake the comment specifically on each of the 5 specific measures set forth in the letter.

I do not need to be assured that you will continue to attempt to do your best to deal effectively with each of these problems and, of course, I know you welcome the close attention of Congress to such problems.

I recognize very well the immense demand of your job and it seems quite appropriate to ask that you take a definite stand on each of these five matters since they are intimately related to human survival in the face of imminent peril.

I hope that you will see fit to reply specifically to my June 7 letter.

Sincerely yours,

CHARLES O. PORTER,
Member of Congress.

THE WHITE HOUSE,
Washington, June 26, 1957.

The Honorable CHARLES O. PORTER,
House of Representatives,
Washington, D. C.

DEAR MR. PORTER: Further respecting your June 7 letter, my June 12 reply, and your June 22 request for supplementary comments, I have been requested to advise you in respect to the questions raised in the June 7 letter that: (1) The suggested National Radiation Institute of Health will receive appropriate consideration; (2) the International Atomic Energy Agency Treaty has

just been ratified by the Senate: (3) Presidential views respecting civil defense needs are reflected in legislation recently considered by the House Armed Services Committee, on which administration witnesses have testified at length; (4) the suggested Special Advisory Committee will likewise receive appropriate consideration; and (5) recent executive branch testimony on the pending defense appropriation and mutual security legislation presents Presidential concepts and programs respecting conventional and nuclear weapons and all other major aspects of our defense efforts.

Your further interest in these matters is appreciated.

With best wishes.

Sincerely yours,

WILTON B. PERSONS,
The Deputy Assistant to the President.

Two Questions About H. R. 11: Interstate Commerce and Suppliers' Price Cuts To Help Retailers Meet Local Competition

EXTENSION OF REMARKS
OF
HON. WRIGHT PATMAN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, July 5, 1957

Mr. PATMAN. Mr. Speaker, I have a letter of March 14 from the San Francisco Petroleum Retailers Association, Inc., which asks two quite specific questions about the equality of opportunity bill, H. R. 11. Believing that other small-business people, as well as Members, may be interested in these questions and my answers, I am offering for the RECORD the letter from the San Francisco Petroleum Retailers Association, Inc., together with my reply, both of which follow:

SAN FRANCISCO PETROLEUM
RETAILERS ASSOCIATION, INC.,
San Francisco, Calif., March 14, 1957.

Hon. WRIGHT PATMAN,
House of Representatives, House Office, Building, Washington, D. C.

DEAR SIR: In order to aid us in combating the propaganda that the oil companies are putting out to their dealers to get them to oppose H. R. 11, we would like an answer from you that we can use in our letters, bulletins, and press releases.

Specifically the statements have been made that H. R. 11 would not apply to California, and also that in the event of an independent dropping his price in an area, the major supplier would not be able to help their dealer in that area. The two statements are, of course, incongruous, but are typical of the steps that are being taken to defeat this legislation.

Our legal counsel has advised us that naturally H. R. 11 would apply in California, and we are going on that premise.

As I mentioned above, we would like a complete explanation from you as to the ramifications that H. R. 11 would have if passed, and your permission to use this information to the fullest.

The board of directors of the San Francisco Petroleum Retailers have voted in favor of supporting this bill, and we will contact all the Members of Congress from this State to that effect.

Thank you for your courtesy, and the best of luck for a winning battle.

Yours truly,

SAN FRANCISCO PETROLEUM
RETAILERS ASSOCIATION.

MARCH 19, 1957.

Mr. WALLACE E. PETTIGREW,
San Francisco Petroleum Retailers Association, San Francisco, Calif.

DEAR MR. PETTIGREW: I am glad to have your letter of March 14 asking me for statements which will explain what the equality of opportunity bill, H. R. 11, would do.

I am enclosing pages from the CONGRESSIONAL RECORD which contain statements by me, explaining both the purpose of the bill and how it would work.

To give brief answers to your specific questions, however, they are as follows:

First, you ask whether H. R. 11 would apply in the State of California. The answer is that it would apply in all States and in the District of Columbia. However, since the bill involves Federal law, and not a State law, it would apply only to those companies that are in interstate commerce. The question of whether a company is in interstate commerce is, in some instances, a rather technical one, but in general it means that the company must be in business in more than one State, or that it sells its products in more than one State. As a general rule, the bill would not apply to sales made by a single store retailer, although it would give protection to such a retailer from the discriminatory selling practices of a company which is in interstate commerce.

Your second question is whether a major oil company from which you purchase supplies would be able to drop its price to you, in order to help you meet local competition. The answer is that the oil company could drop its price to you, within certain limitations. The limitations are that the bill would create a strong tendency to require the major oil company, if it drops the price to you, to drop the price also to its other dealers who are in competition with you. I use the phrase "strong tendency" for this reason: The bill does not require the supplier to accord absolutely fair and equal treatment to its competing dealers; but it does forbid the supplier to discriminate among its dealers to such a serious extent that the effect may be, in the language of the bill, "substantially to lessen competition or tend to create a monopoly."

In other words, it is this key language which I have quoted above which would determine whether or not your supplier's discriminatory selling practice is illegal. This is the same language which defines an illegal merger of corporations, under section 7 of the act; and it is the same language which defines an illegal exclusive-dealing agreement and an illegal tie-in sales agreement under section 3 of the act.

I hope that these remarks and my enclosed statements will clarify all of the issues for you.

I am

Sincerely yours,

WRIGHT PATMAN.

Democrats' Dilemma: Civil Rights

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Friday, July 5, 1957

Mr. PORTER. Mr. Speaker, the civil-rights discussions now being launched in the other body can result in grievous hurt to the Democratic Party and to the cause of liberalism in the United States. It is a tribute to the character of the Democrats in this House that no such wounds occurred when the legislation was before us.

An acute and timely analysis of the dilemma facing us Democrats appears in the New York Times magazine section for July 7, 1957. It is written by my good friend and distinguished fellow Oregonian, RICHARD L. NEUBERGER, the junior Senator from Oregon. As always he writes without pulling his punches and on a solid basis of pertinent facts. I am glad to associate myself with his views on this crucial matter.

The article follows:

WASHINGTON.—Can the Democratic Party of today actually be regarded as the majority party in the Nation?

This is what many of its partisans claim, and this is what might be assumed from the fact that the Democrats have held numerical superiority in both branches of Congress during most of President Eisenhower's residency at the White House.

It is my belief that this supremacy is far more illusory than real. In truth, the Democratic Party now confronts its greatest crisis in modern times. If the crisis is not successfully weathered, the result could be banishment for the Democrats for many decades from the executive branch of Government. Conversely, mastery of the crisis by the Democrats might mean a return to the political glories of the New Deal, for the Republicans are likewise not without their grave and serious problems.

In the 2½ years that I have been a Member of the United States Senate, a pair of situations have surprised me more than any others. One is the depth and even grimness of the feeling against granting equality to the Negro on the part of many southern Democrats. The other is the hostility of most Republican Senators—and this includes even some of the so-called modern Republicans—toward the mildest kind of social and economic reform.

These two circumstances pose both the sternest challenge to the Democratic Party and its principal opportunity. Of the existence of the challenge there can be no doubt, for the political timbers of the Democratic party have not required such propping and sheathing since the Hoover landslide of 30 years ago.

Although it has won five comparatively recent presidential elections, nevertheless the share of the popular vote collected by the Democratic Party throughout the Nation has declined steadily ever since 1944—and this is particularly true in the teeming metropolitan areas where most Americans live. And, while some Democrats unquestionably derive satisfaction from the party's continued statistical preponderance in both Chambers of Congress, the very nature of this advantage should afford some concern to those who trust that the Democratic Party soon will return to national office.

While the influence of the South in party affairs is doubtless a factor contributing to the dwindling proportions of the Democratic vote in the strategic urban counties of the East, it is a harsh reality that the Democrats would be far outnumbered in the Senate and the House were it not for their nearly unanimous congressional victories in the States which lie below the Mason and Dixon line.

The statistics in this respect are both decisive and startling. They emphasize that the Democratic dominance in the Nation outside the South is a myth. In the 1956 elections, the Democrats nationally polled 1,160,000 more votes than the Republicans in contests for House seats, and 1,500,000 more votes where Senatorial desks were at stake. But what occurs when the single-party South is removed from this compilation? The Democrats then become 2,600,000 votes shy of their Republican rivals in House contests and 1,300,000 votes wanting in contested engagements for Senate seats.

The inevitable conclusion from all this is that the Democrats, in addition to their stunning defeats for the Presidency in 1952 and again in 1956, are definitely a minority party in the States where actual battles are waged over Senate and House positions. For example, the Democrats now hold a margin of 49 to 46 in the Senate, with 1 place vacant since the death of Senator McCarthy. A similar margin prevailed in the last Congress. Yet even this slim majority is founded completely on 22 safely Democratic seats from 11 Southern States, where senatorial elections go to the Democrats practically by default. If these southern seats were split equally between the parties, the result would be decisive Republican rule in the Senate by an edge of at least 58 to 38.

Thus the Democratic Party is in the anomalous position of being dependent for its Congressional majorities on an element that is a liability nationally—the Southerners who oppose civil-rights legislation. It is this question that threatens the party's future. Virtually all southern Democrats oppose Federal legislation guaranteeing the Negro his voting privileges and civil liberties. With any matter even remotely touching the race question at issue, earnest southern liberals like LISTER HILL and JOHN SPARKMAN of Alabama must take the same essential position—albeit not so flamboyantly—as JAMES O. EASTLAND of Mississippi and RICHARD RUSSELL of Georgia. Some of the political realities ruling the South were demonstrated in 1956 when the elderly Senator Walter F. George of Georgia, himself a longtime foe of civil-rights legislation, had to give way before a young challenger who differed from Senator George only by adopting a more strident attitude toward this problem.

When even Democrats with the liberal reputation of J. W. FULBRIGHT of Arkansas, and ALBERT GORE, of Tennessee, stand against resolutions to limit debate so the Senate can finally vote on civil-rights proposals, this becomes a heavy burden for their colleagues to carry in Northern States. Indeed, I believe his allegedly "moderate" posture on civil rights was Adlai Stevenson's greatest single liability during the recent Presidential campaign. The civil-rights dilemma loads down the Democrats in the North, as the Old Man of the Sea sat athwart the shoulders of Sindbad the Sailor.

The assumption has been made that this liability prevails only among Negro voters. I doubt if any conclusion could be more fallacious. During the 1956 campaign my wife and I delivered more than 350 speeches urging the reelection of Senator WAYNE MORSE. We were continually confronted with the charge that a vote for Senator MORSE, the Democrat, was a vote to continue Senator EASTLAND as chairman of the Senate Judiciary Committee, where civil-rights legislation normally originates. This contention could not have come predominantly from Negroes, for less than 2 percent of Oregon's population is colored.

Furthermore, Senator MORSE himself had protested the accession of Senator EASTLAND to the Judiciary chairmanship, while Mrs. Neuberger and I, as State legislators, had been sponsors of Oregon's own Fair Employment Practices Act and State civil-rights bill. Yet we still were kept on the defensive over the hostility to civil rights on the part of many of my southern colleagues.

Of course, the charge has hurt the party with Negro citizens, too. After his narrow defeat for reelection in Kentucky, Senator Earle Clements told me that he had been sharply attacked because, as assistant Democratic floor leader, he had performed the purely automatic task of presenting Senator EASTLAND's name for chairman of the Judiciary Committee, a promotion governed by the long-enduring seniority system. This was used effectively among the not inconsiderable colored vote in Louisville, although Senator Clements had been a backer of legislation to safeguard civil rights.

Nor, at the national level, can Democrats ignore the facts highlighted by Richard L. Lyons of the Washington Post and Times Herald, when he wrote last November: "Election returns made it evident there had been a significant Negro Presidential voting switch away from the Democratic Party standard bearers, with whom they had been allied since Franklin D. Roosevelt's day * * *. In every city surveyed, President Eisenhower won a larger percentage of the Negro vote then he did in 1952."

What are the chances of healing the Democratic cleavage over this burning issue? And, barring a thorough rapport within the party, how can the Democrats recover politically from a breach that has widened ever since the Supreme Court verdict in the school-segregation cases?

I believe these events are necessary in order to attain such results:

1. Civil-rights legislation must be enacted. Without this basic prerequisite, the controversy will smolder indefinitely within the halls of Congress—and particularly inside the Democratic Party. Southern Democrats, while expressing to the full their legitimate views, must refrain from using a filibuster to prevent perpetually a vote in the Senate on civil rights. Not only is this legislation needed and merited, but unless Southern Senators are willing to forego stalling tactics and interminable debate, the Democratic Party eventually could be wracked to pieces.

2. Northern Democrats—at least until their numbers in the Senate are appreciably greater than at present—must accept gracefully as leader of the party in the upper chamber someone like LYNDON B. JOHNSON, of Texas, who represents a composite of Democratic Senators and who is close to the southerners on the issues which move them most emotionally. Insistence by some northerners on a Senate leader farther to the left, while perhaps not as divisive a force as the adamant southern antagonism to civil rights, nevertheless contains real elements of peril for a united and cohesive party.

3. Northern and southern Democrats alike, once the breach is even slightly closed, must dramatize for the country that there never would have been substantial economic gains either for Negroes or for whites if Republican policies on social welfare had dominated the Nation during the past quarter of a century.

The first two of these proposals require a certain modest degree of accommodation by both sides to the simmering strife over civil rights and related matters in the Democratic Party. Yet I think the compromises involved are reasonable.

As for the Democratic liberals—on one recent intraparty division along liberal-conservative lines, we liberals from both North and South could muster only 20 of the 49 Democratic Members of the Senate. When our Members are considerably less than half of the total, how valid a right do we have to object to a leader who symbolizes more of a cross section of party membership in the Chamber? I would calculate that LYNDON JOHNSON stands quite a few notches closer on the political spectrum to Senator PAUL H. DOUGLAS than to Senator EASTLAND, and I doubt if we liberals have a bona fide case at present against a Senate leader who thus synthesizes the views of the men from whom his authority stems.

But suppose the southern Democrats do not consider this northern concession a sufficient quid pro quo for abandoning their right to filibuster civil-rights legislation? The northern Democratic Senators are not helpless; they hold some trump cards, too. I always have felt they could announce to their southern colleagues that an opportunity to ballot unimpeded on effective civil-rights legislation was going to be the consideration for continued northern support of a Senate organized by the Democratic Party.

After all, under the inexorable seniority rule, most of the committee chairmanships belong to southerners when the Democrats form a majority of the Senate's membership. They have the choice seats at the head of the green felt tables, control of the selection of committee staffs and the scheduling of bills, the gleaming limousines and the other perquisites. They would lose these emoluments if the northern Democrats abstained from contributing the votes necessary to Democratic control of the Senate.

It is one of the political ironies of our era that the Democrats from the North must wage the most desperate battles against their generously financed Republican foes, but to the Democrats from the one-party South go the chairmanships and the prestige posts in the Upper Chamber. While it may be presumptuous for a Senate tyro to voice such a prediction, I prophesy there might be a rollcall vote at last on civil rights if the northern Democrats sought this in return for supplying the numerical strength to make possible continued Democratic titular supremacy when the Senate is organized.

Nor do I regard such a bargain as improper. No southern Senator would be asked to surrender his honest convictions and beliefs, but merely to forego the use of essentially undemocratic Senate rules which block majority action on civil-rights legislation.

My third proposal was that northern and southern Democrats must join in dramatizing Democratic liberalism. One of the main reasons the Democratic Party is in trouble nationally is a widely held belief that, under its current leadership, it is losing out on liberal issues to the Eisenhower Republicans. Many of my constitutents have recently expressed the disgruntled viewpoint that the Senate Democratic spokesmen are to the right of the political figures who describe themselves as modern Republicans. This notion, prevalent though it may be, is far from the actual truth—but I must confess that we Democrats have done an ineffective job of countering propaganda about so-called modern Republicanism.

In fact, on many basic domestic issues—expansion of social security, custodianship of natural resources and taxation predicated on ability to pay, to name only three—the supposedly conservative Senate leadership of the Democratic Party has been markedly more liberal than prominent symbols of "modern" Republicanism on the other side of the aisle. On almost all issues except those embodying the general problem of civil rights, the vast majority of Democrats in the Senate are conspicuously to the left of the Eisenhower Republicans. This does not mean all such Democrats are invariably liberal per se, but rather than they are favored greatly by the contrast in economic outlook between themselves and most of their GOP colleagues. Whatever may be the faults of the Democratic Party, they are trivial when compared with the indifference of its principal competitor to the continuing need for fairness and justice in our social and economic structure.

It is for this compelling reason that I believe the Democratic Party must not crack apart into a Northern and a Southern faction. Such a break would only surrender the Government of the United States to the Republicans, virtually by default, for far into the future. The opposing forces in the civil-rights controversy must resist the temptation to go their separate ways.

As a Northern liberal, I often feel that I would prefer to be in a separate party in the Senate, rather than anchored in any fashion

to fellow party members who are so stubbornly determined to block civil-rights laws. Perhaps my Southern colleagues—equally rooted in their differing views—may occasionally harbor similar thoughts. But then I peer across the center aisle at our Republican rivals: people sincerely convinced of the rightness of their attitudes, but militantly against the legislative correctives and palliatives which are so necessary to help the less favored and less fortunate in an economic system such as ours. And I realize that both the Democratic North and South will have to give ground so that the political party can endure which conquered the depression, mobilized the victorious war against the Axis and took the heroic but politically hazardous steps in Korea to curb aggressive communism.

If it is to fulfill its challenging mission of advancing liberalism, the Democratic party must overcome the civil-rights crisis which has cost it so dear in recent elections. Failure to accomplish this could be fatal to the party and, more important, lastingly detrimental to the Nation.

H. R. 11 Would Operate Against Monopolization of Oil Industry by International Oil Combines

EXTENSION OF REMARKS
OF
HON. WRIGHT PATMAN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, July 5, 1957

Mr. PATMAN. Mr. Speaker, heretofore I have referred to propaganda distributed by representatives of the international oil combines in opposition to H. R. 11. On January 28 I placed in the CONGRESSIONAL RECORD at page 1034, on January 29 at page 1219, and again on February 5 at page 1570, quotations from and citations to documentary evidence of a false front lobbying campaign which had been planned and organized by the international oil combines against H. R. 11. Since then the Antitrust Subcommittee of the Committee on the Judiciary, United States Senate, has held extensive hearings dealing with that subject and has more fully documented the evidence on that point.

Until we analyze the situation, it is difficult to understand the reasons why the international oil combines and other major oil companies associated directly with them have gone to such lengths in their opposition to H. R. 11. However, once we look into the matter, then their reasons are perfectly clear. They want to gain a complete monopoly control over our domestic oil industry as they have gained monopoly control over the international oil trade. Standing in the way of that accomplishment are the independent producers, refiners, and distributors in our great American petroleum industry.

There is a means by which these giant international oil combines can destroy the independent producers, refiners, and distributors of our domestic petroleum industry. That means is the use of the practice of price discrimination. H. R. 11 would curb the practice of price discrimination. Therefore, the giant international oil combines oppose it.

Recently I wrote Mr. Gordon M. Robb, of Houston, Tex., a letter in which I pointed out the dangers in allowing these giant international oil combines and those associated with them to continue the practice of price discrimination. I believe that the Members may be interested in reading the letter I wrote to Mr. Robb because in it I have tried to dispel some of the misinformation and clear up some of the misunderstandings about H. R. 11. That letter is as follows:

APRIL 29, 1957.

Mr. GORDON M. ROBB,
Houston, Tex.

DEAR MR. ROBB: I thank you for writing me on April 22, 1957, about H. R. 11 to amend section 2 (b) of the Robinson-Patman Act.

Your interest in this proposed legislation is appreciated. It does appear, however, that someone has misinformed you concerning the possible effects of this proposed legislation on various methods of doing business.

Enclosed is a copy of H. R. 11. It is a simple and modest proposal. You will note that it provides that the "good faith" meeting of competition shall be a complete defense to a charge that a seller has unlawfully discriminated in price unless the effect of the discrimination would be to substantially lessen competition or tend to create a monopoly.

The reason why we must have a law to curb price discrimination is that without such a curb big competitors destroy small competitors without respect to efficiency or other merits, and the result is that all business tends to end up in a monopoly.

By discriminating in price, a big seller may destroy his smaller competitors even when all competitors receive their supplies at the same price and have the same unit operating cost. But when discrimination is a general practice in business, the bigger competitors receive another unearned advantage in the price they pay for supplies, and they almost inevitably use this advantage to destroy smaller competitors.

Some of us thought that we had solved this problem and had placed some reasonable limits on price discrimination by passage of the Robinson-Patman Act in 1936. But the majority opinion of the Supreme Court in the Standard Oil (Indiana) case drove a serious loophole into the law. According to this opinion, a seller is justified in discriminating in price as between his competing customers, when he is meeting the price offered by a competitor to one of those customers no matter to what extent competition may be destroyed.

H. R. 11 simply says that such discriminations will not be permitted where the effect may be, in the language of the bill, "substantially to lessen competition or tend to create a monopoly."

If we do not have effective laws against monopoly and against unfair methods of creating monopoly, countless small businesses will be needlessly destroyed, and, in fact, the whole country will be hurt by high prices, low production, unemployment, and slow progress.

The fully integrated major oil companies with international connections and facilities are among the worst offenders against our antitrust laws. They, as the Standard Oil Company of Indiana, have utilized the practice of price discrimination to eliminate independent oil producers, refiners, and distributors.

Recently I had some research done regarding the decline in the number of active and inactive oil refining companies in the United States. In that connection it was found that in 1920 the number of such companies totaled 274. In 1950 the total number of active and inactive small refining companies had dropped to 193. I am informed that at the end of 1955 the total number of refinery companies stood at 179. Included in that are the 30 major integrated, international oil combines. Thus, the total of independent refinery companies in the United States at the end of 1955 stood at 149. That number is growing smaller.

Thus, you can see that if the trend to monopoly based on monopolistic practices such as price discrimination and other factors continues, it will not be long before independent oil producers will have no independent oil refineries as markets for their products. The international major oil companies will constitute the only markets. Then the prices the independent oil producers will receive will be the prices the international oil companies decide they wish to pay.

In view of these circumstances I am not surprised that the opposition to H. R. 11 and to other proposals to strengthen the laws against monopolistic price discriminations has been led by the major oil companies. I have made some speeches on the floor of the House about this. Enclosed for your information is a reprint of some of these recent statements.

I trust that this information will be found to be responsive to your inquiry of April 22.

With best wishes and kind regards, I am,

Sincerely yours,

WRIGHT PATMAN.

SENATE

MONDAY, JULY 8, 1957

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God, our Father, Thou searcher of men's hearts, from whom no secrets are hid: At this beginning of a new week of counsel, help Thy servants in the ministry of public affairs to draw near to Thee in tranquillity, in humility, and sincerity. With Thy benediction upon them, may they face the thorny problems of our national life with honest dealing and clear thinking, and with hatred of all hypocrisy, deceit, and sham.

Save us from lowering the shield of national solidarity by divisive policies in a perilous hour. May we close our national ranks in a new unity, as powers without pity or conscience seek to destroy the birthright of our liberty of worship and speech and the sanctity of the individual. In all our thinking, help us to keep step in the ranks of those who do justly, love mercy, and walk humbly with Thee, our God. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Wednesday, July 3, and Friday, July 5, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on July 3, 1957, the President had approved and signed the following acts:

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from insurrectos during 1899–1903;

S. 1264. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia;

S. 1576. An act to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act;

S. 1586. An act to eliminate the financial limitation on real and personal estate holdings of the American Historical Association in the District of Columbia;

S. 1794. An act to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; and

S. 2243. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the President pro tempore:

S. 528. An act for the relief of Nicolaos Papathanasiou;

S. 669. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes;

S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Siemon Noma or Loutfie Noama);

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.;

S. 1169. An act for the relief of Herbert C. Heller;

S. 1212. An act for the relief of Evangelos Demetre Kargiotis;

S. 1352. An act to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.;

H. R. 3558. An act for the relief of Ernest Hagler;

H. R. 4159. An act for the relief of Z. A. Hardee;

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the St. Lawrence Seaway Development Corporation;

H. R. 6191. An act to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes;

H. J. Res. 288. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 290. Joint resolution for the relief of certain aliens; and

H. J. Res. 307. Joint resolution for the relief of certain aliens.

LEAVE OF ABSENCE

On request of Mr. JOHNSON of Texas, and by unanimous consent, Mr. HENNINGS was excused from attendance on the session of the Senate today because of illness.

HANDLING THE PROBLEMS CONNECTED WITH FLOODS AND DROUGHTS

Mr. JOHNSON of Texas. Mr. President, I have just returned from spending a few days in my home State of Texas.

I have seen for myself some of the damage done by the devastating floods that closed out 8 years of grinding drought. I have talked with men and women who suffered through the floods—and who also had suffered through the drought.

Both the drought and the floods have cost Texas heavily in human misery and loss of human life; in tremendous property damage; and in serious loss of income, during the disaster period and in the future.

THIS WILL NOT CHANGE

The wide variation in the cycle of Texas climate—from drought to flood, and back again to drought—is our recorded history. It is a circumstance that probably will not change. Rather, we shall have to adapt ourselves to it more effectively than in the past.

Mr. President, effective adaptation to this circumstance is both possible and feasible.

We can lessen the harmful effects of rainfall extremes. We can do this through realistic programs for the control and utilization of surface waters. The future of Texas and of other Southwestern and Western States depends to an almost absolute degree upon how effectively we regulate our surface waters.

This year's floods in Texas spotlighted the need for many more reservoirs containing many additional millions of acre-feet of water to help carry us over the dry years that inevitably will recur. Flood control is important simply for the sake of flood control. It has a further importance—a vast importance—in connection with water supply requirements.

I have for some years supported a far-reaching investigation by the Bureau of Reclamation to determine the current and long-range water-supply problems. I asked the Bureau to propose a master plan of what could logically be done by the Federal Government to help meet this problem, once it was fully defined.

Mr. President, I have given strong and consistent support to the survey and construction programs of the Corps of Engineers. It now appears, in the light of this year's experience, that we have not done enough. Accordingly, I am urgently advocating an intensified program for the Corps of Engineers.

Studies by the Bureau of Reclamation have been aimed primarily at water supply for all needs. Significantly, however, these studies have produced a stronger justification for authorized, but as yet unbuilt, corps reservoirs in Texas.

MUST WORK TOGETHER

Mr. President, it is vitally necessary that the Corps of Engineers and the Bureau of Reclamation work closely together. I hope both of them will take notice of this statement. They must coordinate their respective programs. Such collaboration of effort is essential to insure that the water-development program will follow a pattern designed to guarantee steady, orderly, economical expansion.

Final commitment of remaining dam sites in the Southwest can properly be made only after a careful decision has been reached regarding every purpose each future reservoir must serve.

We are dedicating the last of our dam sites, the last of our water supplies. These commitments must stand the test of time, for they control the economic future of Texas.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PROMOTION OF CERTAIN OFFICERS IN THE REGULAR ARMY

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the appointment of Robert Wesley Colglazier, Jr., as permanent brigadier general of the Regular Army (with an accompanying paper); to the Committee on Armed Services.

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize the appointment of Philip Ferdinand Lindeman as permanent colonel of the Regular Army (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF SECTION 69 OF HAWAIIAN ORGANIC ACT

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend section 69 of the Hawaiian Organic Act (with an accompanying paper); to the Committee on Interior and Insular Affairs.

IMPROVEMENT OF ADMINISTRATION OF DEPARTMENT OF DEFENSE

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to promote the interests of national defense through the advancement of the scientific and professional research and development program of the Department of Defense, to improve the management of the administration of the activities of such Department, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

ADVANCEMENT OF AERONAUTICAL RESEARCH PROGRAMS

A letter from the executive secretary, National Advisory Committee for Aeronautics, Washington, D. C., transmitting a draft of

proposed legislation to promote the interests of national defense through the advancement of the aeronautical research programs of the National Advisory Committee for Aeronautics (with an accompanying paper); to the Committee on Post Office and Civil Service.

INCREASED COMPENSATION FOR CERTAIN EXECUTIVES OF ATOMIC ENERGY COMMISSION

A letter from the Chairman, Atomic Energy Commission, Washington, D. C., transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes (with an accompanying paper); to the Joint Committee on Atomic Energy.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A letter, in the nature of a petition, from the Pineapple Research Institute of Hawaii, Honolulu, T. H., signed by R. L. Cushing, director, favoring the enactment of House bill 7341, providing for the construction of a geophysics institute in Hawaii; to the Committee on Appropriations.

A resolution adopted by the Oil Heat Institute of Long Island, Inc., New York, favoring the enactment of legislation to decontrol natural gas at the wellhead; to the Committee on Interstate and Foreign Commerce.

RESOLUTION OF CITY COUNCIL OF MILWAUKEE (WIS.), RELATING TO WHOLESALE MARKET FACILITIES

Mr. WILEY. Mr. President, I have received from Stanley Witkowski, city clerk of Milwaukee, a resolution favoring the enactment of House bill 4504, introduced by Representative COOLEY, chairman of the House Agriculture Committee. This bill is known as the Marketing Facilities Improvement Act. It would provide a system of mortgage insurance to municipal and other State subdivisions, to be administered by the Secretary of Agriculture, for the purpose of expanding public wholesale market facilities for perishable agricultural commodities.

The basis for the legislation is that such facilities are sadly lacking in many of the leading municipalities of our country.

I present the resolution, and ask unanimous consent that it be printed in the RECORD, and be thereafter referred to the Committee on Agriculture and Forestry.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

RESOLUTION REQUESTING CONGRESS TO ENACT BILL KNOWN AS H. R. 4504 WHICH WOULD PROVIDE A METHOD OF FINANCING WHOLESALE MARKET FACILITIES WITHOUT ANY GRANT OF FEDERAL FUNDS

Whereas the city of Milwaukee presently has outmoded and inefficient wholesale produce market facilities; and

Whereas the buildings in which such facilities are housed are in deteriorated condition and badly located; and

Whereas one of the reasons that the wholesale produce industry in Milwaukee has been unable to modernize its facilities has been its difficulties in obtaining adequate financing for new facilities; and

Whereas the bill presently before Congress known as H. R. 4504 would provide for a means of financing a new wholesale produce terminal: Therefore be it

Resolved, That the common council and the mayor do herewith earnestly request Congress to enact bill known as H. R. 4504 which would provide a method of financing for such wholesale market facilities without any grant of Federal funds; further be it

Resolved, That the city clerk is instructed to send copies of this resolution to all Members of Congress in both the House and Senate from the State of Wisconsin.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PAYNE, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 1866. A bill to amend the act entitled "An act to require the inspection and certification of certain vessels carrying passengers," approved May 10, 1956, in order to provide adequate time for the formulation and consideration of rules and regulations to be prescribed under such act (Rept. No. 582).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 441. A bill for the relief of Jose Ramirez-Moreno (Rept. No. 584);

S. 1365. A bill for the relief of Milenko Krnjajich (Rept. No. 585);

S. 1815. A bill for the relief of Nicholas Dilles (Rept. No. 586); and

S. 1896. A bill for the relief of Maria West (Rept. No. 587).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1227. A bill for the relief of Stavros Georgas (Rept. No. 588);

S. 1370. A bill for the relief of Wanda Wawrzyczek (Rept. No. 589);

S. 1767. A bill for the relief of Eileen Sheila Dhanda (Rept. No. 590);

S. 2009. A bill for the relief of Mrs. Jytte Starel Synodis (Rept. No. 591); and

H. J. Res. 323. Joint resolution to facilitate the admission into the United States of certain aliens (Rept. No. 596).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 366. A bill for the relief of certain Korean war orphans (Rept. No. 592);

S. 1387. A bill for the relief of Rebecca Jean Lundy (Helen Choy) (Rept. No. 593);

S. 1685. A bill for the relief of Sic Gun Chau (Tse) and Hing Man Chau (Rept. No. 594); and

S. 1736. A bill for the relief of Rosa Sigl (Rept. No. 595).

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Mr. EASTLAND. Mr. President, from the Committee on the Judiciary, I report an original concurrent resolution, favoring the suspension of deportation in the cases of certain aliens, and I submit a report (No. 583) thereon.

THE PRESIDENT pro tempore. The report will be received, and the concurrent resolution will be placed on the calendar.

The concurrent resolution (S. Con. Res. 40) was placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which the case the Attorney General has suspended deportation for more than 6 months:

A-1750750, Ali, Mohamid.
A-6678456, Alvear, Leonicia Garcia De.
A-9764546, Baizer, Herbert Paul.
A-5554927, Bliznakoff, Vasil.
A-3124105, Cassimis, John.
A-5826946, Cho, Tse.
A-8057140, Chu, Lek.
A-10255258, Chu, Li Yih Al.
A-5993801, Li, Sue Ling.
A-10255250, Li, Sue Loo.
A-10255047, Li, Ruth Wu.
A-5531810, Darmanin, John.
A-6921218, Epstein, Zofia.
A-6958010, Escobar-Gonzalez, Victor Manuel.
A-9527785, Fong, Wong.
A-3049549, Gama-Reyes, Manuel.
A-4590908, Glick, Adolf.
A-1432407, Hahn, Soon Kyo.
0900-57150, Hahn, Tai Chin.
A-4359142, Herraja-Jiminez, Samuel.
A-9726671, Hidick, Massoad Abdul.
A-7356652, Hroncich, Leonardo.
A-2678095, Hsu, Rose Fung.
A-3667758, Kepraios, Stavros Stellanos.
A-1551550, Khan, Ali.
A-10255537, Kwan, Kwang Pei.
A-3209149, Lee, Poo.
A-8259493, Liadis, Panagiotis Dimitriou.
A-8189299, Liu, Tsong Won.
A-5449221, Lottrup, Jorgen S.
A-9770877, Mahmoud, Mohamed.
A-4043565, Mallet, Andre Pierre.
A-5148487, Mann, Mina.
A-1121179, Messina, Stellario G.
A-9709248, Nam, Tsu Hau.
A-4421186, Napoli, Michael.
A-9511407, On, Lee.
A-6242520, Ortiz-Zamorano, Rosendo.
A-4067578, Papagiarnis, John.
A-10139255, Rodriguez, Camelia Dreyfous.
A-10255544, Rodriguez, Manuel Joaquim.
A-4543719, Aurin, Dietrich.
A-7544210, Chu, Chen-Fu.
A-5970130, Contreras, Pablo.
A-7301220, Epstein, Zalman.
A-7868953, Herrera-Melquiades, Adalberto.
A-4962216, Gonzales, Eluteria.
A-9647871, Jung, Kai.
A-9654171, Lefas, Zacharias.
A-1961443, Roknich, Daniel.
A-9777001, Ryan, Michael.
A-6062026, Salazar-Gallegos, Roberto.
A-3429897, Sanchez-Poveda, Candido.
A-1177218, Secondo, Michele.
A-5877615, Sztulman, Berek.
A-9777191, Trillo, Manuel.
A-6933837, Tsai, Juin-Ping.
A-10130010, Tsai, Shuenn, Jeou.
A-8820267, Vasquez, Carlos.
A-10060080, Way, Tow.
A-10236971, Wing, Chin.
A-6708345, Wood, Jim Varley.
A-7383556, Yong, Sun Shin.
A-6817533, Greenhalgh, Richard James.
A-1239918, Kouyios, Nikitas.
A-6733979, Gerber, Golda.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Charles P. Moriarty, of Washington, to be United States attorney for the western district of Washington;

Thomas J. Lunney, of New York, to be United States marshal for the southern district of New York;

George Harrold Carswell, of Florida, to be United States attorney for the northern district of Florida; and

Dallas A. Gardner, Jr., of South Carolina, to be United States marshal for the eastern district of South Carolina, vice Alfred L. Plowden, Jr.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Texas:

S. 2476. A bill to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas; to the Committee on the Judiciary.

S. 2477. A bill to organize and microfilm the papers of Presidents of the United States in the collections of the Library of Congress; to the Committee on Rules and Administration.

(See the remarks of Mr. JOHNSON of Texas when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. LANGER:

S. 2478. A bill to establish a system for the classification and compensation of scientific and professional positions in the Government and for other purposes; to the Committee on Post Office and Civil Service.

S. 2479. A bill to amend the Internal Revenue Code of 1954 so as to allow a deduction for certain expenses paid by a taxpayer in obtaining a college education or in providing a college education for his spouse or dependents; to the Committee on Finance.

S. 2480. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

S. 2481. A bill to prohibit experiments upon living dogs in the District of Columbia and providing a penalty for violation thereof; to the Committee on the District of Columbia.

S. 2482. A bill for the relief of George Barsam; to the Committee on the Judiciary.

By Mr. LANGER (for himself and Mr. YOUNG):

S. 2483. A bill to provide for a preliminary examination and survey of the Missouri River between Garrison Dam in North Dakota and Sioux City, Iowa, for the purpose of determining the advisability of improving such river for navigation between such points; to the Committee on Public Works.

By Mr. MUNDT:

S. 2484. A bill for the relief of Margo Diann Wallace (Demetra); to the Committee on the Judiciary.

By Mr. POTTER:

S. 2485. A bill for the relief of Kwang Jin Chun; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2486. A bill for the relief of Wanda Carlene Boll (Lee Sook Ja);

S. 2487. A bill for the relief of Yu, Sang Koo; and

S. 2488. A bill for the relief of Kim, Hyun Suck; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself, Mr. HUMPHREY, and Mr. KEFAUVER):

S. 2489. A bill to require the use of humane methods of trapping animals and birds on lands and waterways under the jurisdiction of the United States; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 2490. A bill to provide for the control of noxious weeds on land under the control or jurisdiction of the Federal Government; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. THYE:

S. 2491. A bill for the relief of Matthew Schmidt (Kim Kunoh), and Juliann Schmidt (Cho Young Sook); to the Committee on the Judiciary.

By Mr. PURTELL:

S. 2492. A bill for the relief of the East Coast Ship & Yacht Corp., of Noank, Conn.; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 2493. A bill for the relief of Maria G. Aslanis; and

S. 2494. A bill for the relief of Mohammed Ali Halim; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2495. A bill for the relief of Lt. Col. John T. Collier; to the Committee on Armed Services.

By Mr. WATKINS:

S. 2496. A bill to amend the act entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes," approved March 10, 1934, as amended, known as the Coordination Act; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. WATKINS when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT:

S. J. Res. 117. Joint resolution to authorize the Secretary of the Interior to make loans to the Crazy Horse Memorial Foundation, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MUNDT when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HUMPHREY:

S. J. Res. 118. Joint resolution opposing distinction by foreign nations against United States citizens because of individual religious affiliations; to the Committee on Foreign Relations.

(See the remarks of Mr. HUMPHREY when he introduced the above joint resolution, which appear under a separate heading.)

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Mr. EASTLAND, from the Committee on the Judiciary, reported an original concurrent resolution (S. Con. Res. 40) favoring the suspension of deportation in the cases of certain aliens, which was placed on the calendar.

(See concurrent resolution printed in full, where it appears under the heading "Reports of Committees.")

MICROFILMING OF PAPERS OF FORMER PRESIDENTS

Mr. JOHNSON of Texas. Mr. President, I introduce, for appropriate reference, a bill to organize and microfilm the papers of Presidents of the United States now held in the collections of the Library of Congress.

On Saturday of last week I participated in a very pleasant and historic event. It was the dedication of the Harry S. Truman Library in Independence, Mo.

I wish to express my appreciation to the distinguished Chief Justice of the United States, the distinguished minority leader of the Senate [Mr. KNOWLAND], the distinguished assistant minority leader of the House of Representatives, and to my colleagues in both bodies, for their participation in that event. I thought it was a display of consideration, patriotism, and service to country rarely equaled.

Former President Truman has displayed great foresight and historical appreciation in preserving for all time the valuable documents and other materials related to his tenure of office as President of the United States.

We cannot today take action to emulate the constructive and timely steps that have been taken with respect to the Truman papers for the earlier Presidents of our country. We can, however, with a relatively small expenditure of money, insure that the papers which have come down to us from these great men of the past be organized and preserved in a useful fashion for now and the future.

This is the purpose of this proposed legislation, which has previously been introduced in the House of Representatives by Democratic Leader JOHN MCCORMACK, of Massachusetts. We should delay no longer in taking these necessary steps to guarantee against loss and waste of these valuable materials which remain from the papers of the Presidents of earlier years.

I am hopeful that the Congress can act favorably upon this proposed legislation during this session.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2477) to organize and microfilm the papers of Presidents of the United States in the collections of the Library of Congress, introduced by Mr. JOHNSON of Texas, was received, read twice by its title, and referred to the Committee on Rules and Administration.

USE OF HUMANE METHODS OF TRAPPING ANIMALS AND BIRDS ON CERTAIN LANDS

Mr. NEUBERGER. Mr. President, I introduce, for appropriate reference, a bill to prohibit the use of inhumane traps for the capture of animals or birds on the lands and waters belonging to, or under the jurisdiction of, the United States. I am happy to have as my cosponsors the able junior Senator from Minnesota [Mr. HUMPHREY] and the able senior Senator from Tennessee [Mr. KEFAUVER].

I need take only a few words to explain my proposal.

The trapping of birds and animals, particularly fur-bearing animals, no longer holds the important role it played in the earlier history of our country, and particularly in the Pacific Northwest. But a substantial amount of trapping still is carried on. I believe that, with the advances of modern technology and civilization, there is no reason why trapping has to be done in a manner which causes needless pain and suffering to the wild animals which are its victims and its commercial justification.

I believe there is no argument about the cruelty inherent in many of the existing traps and trapping practices now in use. Animals are caught in iron jaws which frequently fracture a leg or other bone. They are held in that position, struggling to the point of exhaustion, for many hours or even several days before being found and killed. I, myself, have walked a trapline, on snowshoes, Mr. President, accompanying a

trapper who was inspecting and collecting his catch. I have seen wild animals exhausted from trying to tear themselves to pieces, in pain and terror of the relentless irons which held them. It is not an unusual story for such an animal to try to chew off its fettered limb, so as to escape. As I say, the brutality inherent in such traps is beyond debate; the only question is what value we are to place on a matter as intangible, in material terms, as the suffering of an animal. Is such a matter worth the attention of the Congress of the United States? In Oregon recently, a terrified beaver dragged a trap in agony for over 4 days before life at last left the bleeding body of the animal.

Mr. President, I believe that a people's attitude toward the animals and other living things, with which it shares a common world, is one significant measure of that people's civilization. I have had occasion to say this in cosponsoring a humane-slaughter bill in the Senate, and it applies equally to wildlife. Two centuries ago, there were few human beings on this continent, compared with the millions of wild animals; and even sheer survival in the wilderness beyond the eastern seaboard was a difficult challenge. Today, the situation is exactly reversed. It is the wild animals which find survival difficult among 170 million industrialized, motorized, urbanized people. We maintain careful limits on the quantity and seasons of hunting, to try to keep them alive.

The primitive, cruel trapping practices of the last century are an anachronism today. With modern technology, such civilized requirements as humane slaughter or humane trapping do not stand between us and the food we need, or the furs; they become, at most, matters of cost. My bill proposes only the requirements that traps used within the jurisdiction of the United States must either capture animals painlessly or kill them instantaneously, and that they must be inspected and emptied at least once a day. Traps designed to meet these standards are already available; and they are in use, for example, by the personnel of Government conservation departments. My bill would vest in the Secretary of the Interior authority to conduct the necessary tests and promulgate the necessary standards and regulations, to give specific application to the objectives of the bill. Violations would be punishable as misdemeanors, with fines up to $500 or prison sentences up to six months, or both.

Mr. President, my proposal is consistent with American moral standards and with good conservation practices. I hope it will win the approval of the Congress. In conclusion, I ask that the text of the bill be printed in the CONGRESSIONAL RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2489) to require the use of humane methods of trapping animals and birds on lands and waterways under the jurisdiction of the United States, introduced by Mr. NEUBERGER (for himself, Mr. HUMPHREY, and Mr. KEFAUVER), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 41 of title 18 of the United States Code is amended by placing the prefix "(a)" before the present section, and by adding at the end thereof the following new subsection:

"(b) (1) Any person who, upon any land or waters owned by or under the jurisdiction of the United States, places or causes to be placed any trap, snare, net, or other device designed to trap or capture any animal or bird in any manner by which the animal or bird is not either captured painlessly or killed instantly, or who, having placed a trap, snare, net, or other device, fails to inspect and empty it at least once every 24 hours, shall be fined not more than $500 or imprisoned not more than 6 months, or both.

"(2) The Secretary of the Interior is authorized to conduct such tests and to promulgate such standards, rules, and regulations as he may deem necessary to the execution of this subsection.

"(3) No provision of this subsection shall apply in any case in which its application would be contrary to any treaty obligation of the United States to any Indian in effect on the date of enactment of this section."

SEC. 2. The provisions of this act shall become effective on January 1, 1958.

CONTROL OF NOXIOUS WEEDS ON FEDERAL LANDS

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a bill to provide for the control of noxious weeds on land under the control or jurisdiction of the Federal Government.

Mr. President this bill would aid in making State weed-control programs effective by giving the States authority to require removal of noxious weeds from Federal lands, with the expense to be borne by the Federal agencies controlling such lands.

Approximately 4 million acres of tax-exempt land in Minnesota is under control of the Federal Government, such as Indian lands, conservation land, or forest areas, islands, and so forth.

Minnesota has a very effective weed law, enforced by the commissioner of agriculture through the director of the division of plant industry, with the services of 10 district weed and seed inspectors and county inspectors in all of the counties, and also the 3 supervisors in each of the 1,841 townships for a total of 5,523 township inspectors, and the mayors of the 805 villages and cities.

In carrying out the weed-control program of our State, these inspectors find it very difficult to ask our farmers to control their weeds when weeds on State and Federal lands could not be controlled due to a lack of funds allocated for this purpose. Some 6 years ago the Minnesota Legislature appropriated $10,000 annually for the control of weeds on tax-exempt lands, and as a result all complaints as to weeds on State lands have been taken care of. However, much of the problem on Federal lands still remains.

In the past, in order to avoid a general breakdown of the program, it has been necessary to spend some of the State fund for weed control on Federal lands, such as the control of leafy spurge on the Forget-Me-Not Island near Lake Park in Becker County and Canadian thistle on the Indian reservation in Yellow Medicine County.

To date, no funds have been provided for the control of weeds on Federal lands by the Federal Government. It is only reasonable and just that this situation should be corrected, as it does not seem logical that the farmers of our State should be required to destroy their weeds and, on the other hand, the Federal Government not be required to keep the weeds on lands under their supervision under control.

While I have outlined this problem from the standpoint of Minnesota, the same situation applies in other States.

The regulatory, extension, industrial, and research people of the 14 Midwestern States and 4 provinces of Canada have an organization known as the North Central Weed Control Conference, which meets annually for the discussion of weed control. Minnesota is a member, and plays an important part in the functions of this organization. The North Central Weed Control Conference has passed resolutions requesting the Federal Government to provide funds for such a purpose, and the organization has asked Minnesota to take the lead in bringing this about.

The commissioners and secretaries of agriculture of the States have also made similar requests.

The amount involved is not large. We estimate that an appropriation of $10,000 annually will be sufficient for taking care of the weeds on Federal lands in Minnesota.

All this bill would do would authorize such expenditures by Federal agencies supervising these lands, making them responsible for complying with State weed laws on the same basis as owners of privately owned lands.

If the Federal department, agency or independent establishment involved has failed to comply with weed-control procedures under State law, this bill would authorize State commissioners of agriculture, or other proper agencies, of any State which has in effect such a program to enter upon Federal land, with permission of the head of the appropriate Federal agency, to destroy by appropriate methods noxious weeds growing on such lands. It further provides that States shall be reimbursed by the Federal agency involved for any expenses incurred in such weed removal, provided the Federal agency left it up to the State agencies to remove the weeds rather than do it themselves.

I urge active support for this measure, particularly from other Midwestern States confronted with a similar problem.

These noxious weeds cause a severe economic loss annually to agriculture unless they are controlled, and it is unfair to expect farmers to wipe out weeds on their own property, at their own expense, if seeds from similar weeds are blown all over the State from patches of noxious weeds on federally owned property.

I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred, and, without objection, the bill will be printed in the RECORD.

The bill (S. 2490) to provide for the control of noxious weeds on land under the control or jurisdiction of the Federal Government, introduced by Mr. HUMPHREY, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Commissioner of Agriculture or other proper agency of any State in which there is in effect a program for the control of noxious weeds may enter upon any land in such State under the control or jurisdiction of a department, agency, or independent establishment of the executive branch of the Federal Government, with the permission of the head of such department, agency, or independent establishment, and destroy by appropriate methods noxious weeds growing on such land if—

(1) The same procedure required by the State program with respect to privately owned land has been followed; and

(2) The department, agency, or independent establishment involved has failed to comply with the requirements of such program.

SEC. 2. Any State incurring expenses pursuant to the first section of this act shall be reimbursed, upon presentation of an itemized account of such expenses, by the head of the department, agency, or independent establishment of the executive branch of the Federal Government having control or jurisdiction of the land with respect to which such expenses were incurred.

CONSERVATION OF WILDLIFE, FISH, AND GAME

Mr. WATKINS. Mr. President, I introduce for appropriate reference, a bill to amend the Coordination Act of March 10, 1934, as amended.

This bill, if enacted, will effect some changes, sought by conservation groups throughout the country, in the 1934 act to promote more effective planning, development, maintenance and coordination of wildlife conservation and rehabilitation.

My interest in introducing the measure at this time is that it was warmly supported by a recent resolution of the Western Association of State Game and Fish Commissioners, one of the most active and effective conservation groups in the western part of the country. This group accurately pointed out that this proposal has been subjected to considerable analysis throughout the country and merits Congressional review this session. I am hopeful that early hearings will be scheduled on this measure so that all persons interested in fish and wildlife preservation and water resource development will have an adequate opportunity to contribute to sound long-range legislation.

The bill extends provisions of the Coordination Act to proposed water resource projects, as well as to authorized projects. It also gives the United States Fish and Wildlife Service an opportunity to review proposed drainage and channel modification projects, which were not specifically covered in the 1934 and 1946 legislation.

I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2496) to amend the act entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes," approved March 10, 1934, as amended, known as the Coordination Act introduced by Mr. WATKINS, was received, read twice by its title, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That sections 1 to 3, inclusive, of the act entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes," approved March 10, 1934, as amended (16 U. S. C. 661, 662, and 663), are amended to read as follows:

"That, in order to promote effectual planning, development, maintenance, and coordination of wildlife conservation and rehabilitation in the United States, its Territories and possessions, the Secretary of the Interior, through the United States Fish and Wildlife Service, is authorized (a) to provide assistance to, and cooperate with, Federal, State, and public or private agencies and organizations in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat, in controlling losses of the same from disease or other causes, in minimizing damages from overabundant species, in providing public shooting areas, and in carrying out other measures necessary to effectuate the purpose of this act; (b) to make surveys and investigations of the wildlife of the public domain, including lands and waters or interests therein acquired or controlled by any agency of the United States; and (c) to accept donations of land and contributions of funds in furtherance of the purposes of this act.

"SEC. 2. Whenever the waters of any stream or other body of water are proposed or authorized to be impounded, diverted, the channel deepened, or the stream or other body of water otherwise controlled or modified for any purpose whatever, including navigation and drainage, by any department or agency of the United States, or by any public or private agency under Federal permit or with Federal financial or technical assistance, such department or agency first shall consult with the United States Fish and Wildlife Service and the head of the agency exercising administration over the wildlife resources of the State wherein the impoundment, diversion, or other control facility is to be constructed with a view to preventing loss of any damage to wildlife resources, and with a view to providing for the development and improvement of wildlife resources in connection with such water resource development.

"In furtherance of the aforesaid purposes, the reports of the United States Fish and Wildlife Service relating to such water resource developments, together with any recommendations thereon by the Secretary of the Interior and any report of the head of the State agency exercising administration over the wildlife resources of the State, based on surveys and investigations conducted by such Federal and State agencies for the purpose of determining the possible damage to wildlife resources and for the purpose of determining the most desirable means and measures that should be adopted in the public interest to prevent the loss of or damage to such wildlife resources, as well as to provide concurrently for the development and improvement of such resources, shall be made an integral part of any report prepared in or submitted by any agency of the Federal Government responsible for engineering surveys and construction of such projects when such reports are presented to the Congress or to any agency or person having the authority or the power, by administrative action, or otherwise, (a) to authorize the construction of water resources development projects or (b) to approve a report on the modification or supplementation of plans for previously authorized projects, to which this act applies.

"The cost of planning for and the construction or installation and maintenance of such means and measures adopted to carry out the aforesaid purposes of this section, to prevent the loss of and damage to wildlife resources, and to provide for the development and improvement thereof, shall constitute an integral part of the costs of such projects: *Provided*, That, in the case of projects hereafter authorized to be constructed, operated, and maintained in accordance with the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), the Secretary of the Interior shall, in addition to allocations to be made under section 9 of the Reclamation Project Act of 1939 (53 Stat. 1187), make findings on the part of the estimated cost of the project which can properly be allocated to the prevention of damage to, and to the development and improvement of wildlife, and costs allocated pursuant to such findings shall not be reimbursable. In the case of construction or the provision of financial or technical assistance by a Federal agency for such construction, that agency shall transfer to the United States Fish and Wildlife Service, out of appropriations or other funds made available for investigations, engineering, or construction, such funds as may be necessary to conduct the investigations required to carry out the purposes of this section.

"SEC. 3. Whenever the waters of any stream or other body of water are impounded, diverted, the channel deepened, or the stream or other body of water otherwise controlled or modified for any purpose whatever, including navigation and drainage, by any department or agency of the United States, or when such purposes are to be accomplished with Federal financial or technical assistance or under Federal permit, adequate provision consistent with the primary purposes of such impoundment, diversion, or other control shall be made for the use thereof, together with any areas of land, or interest therein, acquired or administered by a Federal agency in connection therewith, for the conservation, maintenance, and management of wildlife, resources thereof, and its habitat thereon, as well as for the development and improvement of such wildlife resources pursuant to the provisions of section 2 of this act, as amended. When consistent with reports prepared in accordance with the provisions of section 2 of this act by the United States Fish and Wildlife Service and when approved by the Secretary of the Interior, the acquisition of land and interests therein by Federal construction agencies is authorized for the purposes of this act. In accordance with general plans, covering the use of such waters and other interests for these purposes, approved jointly by the head of the department or agency exercising primary administration thereof, the Secretary of the Interior, and the head of the agency exercising administration over the wildlife resources of the State wherein the waters and areas lie, such waters and other interests shall be made available without cost for administration (a) by such State agency, if the management thereof for the conservation of wildlife relates to other than migratory birds; (b) by the Secretary of the Interior, if the waters and other interests have particular value in carrying out the national migratory bird management program."

SEC. 2. The provisions of such act of March 10, 1934, as amended, shall be applicable

hereafter with respect to any project for the control or use of water as prescribed in section 2 of such act, as amended by this act, or any unit of such project, hereafter authorized for planning or construction and to any project or unit thereof authorized heretofore if the construction of the particular project or unit thereof has not been completed.

LOANS TO CRAZY HORSE MEMORIAL FOUNDATION

Mr. MUNDT. Mr. President, I introduce, for appropriate reference, a joint resolution to provide a loan of $250,000 to the Crazy Horse Memorial Commission to finance the completion of the monument being carved by the renowned sculptor, Korczak Ziolkowski, to the memory of the great Sioux chief, Crazy Horse.

I should like first to underscore the fact that the amount provided in the resolution is a loan, to be repaid to the Federal Government with 4-percent interest from the gate receipts and contributions received by the Crazy Horse Memorial Foundation.

It will be noted that the proposed 4-percent interest rate is a higher rate of interest than the Government must pay in procuring the money. We wish particularly to point out that fact. This is a business proposition. It is neither a gift nor charity.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. MUNDT. I am happy to yield to my colleague.

Mr. CASE of South Dakota. I merely wish to say that it has been my privilege to know of this proposal since its inception. The original idea was proposed by Chief Henry Standing Bear. It was felt to be unfortunate that the American people thought of the End of the Trail statue as expressive of the American Indian. He wanted a representation which stood for hope, rather than despair. Therefore, he conceived the idea of a memorial to Crazy Horse, which should be an inspiration to all Americans.

The sculptor, Mr. Ziolkowski, has given splendid interpretation to this very worthy concept, and it should be completed within the lifetime of the sculptor. The proposal now being presented to the Senate is one way of getting it done.

Mr. MUNDT. The sculptor, Mr. Ziolkowski, has been working with his own resources since 1948 to create this work for the ages. It is feared, however, that at his present rate, relying as he has been on his own finances and modest private contributions, Mr. Ziolkowski will be unable to complete the work during his normal life span. In a story in the current issue of Time magazine, which I shall have printed in the RECORD following my remarks, Mr. Ziolkowski is quoted as saying he will not accept a Government loan, even if it is made available to him.

However, at the urging of many of Mr. Ziolkowski's friends, Indian and white, and citizens serving on the Crazy Horse Memorial Foundation, I am introducing a joint resolution providing a loan so that the project may be completed during the lifetime of the artist who first envisaged this great monument to the original American.

To indicate local support and interest in this undertaking I am asking unanimous consent that a petition bearing the names of 152 individuals of Custer, S. Dak., be printed in the RECORD following my remarks on this subject. Custer is the community which is located closest to the site of the monument.

It should be noted that the joint resolution does not contemplate the loaning of funds directly to the artist, but to the Crazy Horse Memorial Foundation, and that neither Mr. Ziolkowski nor any member of his family will be serving as a member of the foundation. Disbursement of funds will be made only by presentation of properly certified vouchers. Another fact worth noting is that none of the moneys proposed are to be used as compensation for the sculptor, Mr. Ziolkowski, who insists on contributing his own talents.

Among Indians, Crazy Horse is an immortal hero. He was a fighting chief, who honestly sought peace but rose magnificently in battle only in the defense of his people: to protect them, their lands, and their culture.

American cavalrymen rated him the Indians' greatest tactician. Interestingly enough, when I visited the President one day, our present Chief Executive said to me that as a young cadet at West Point he studied the military tactics of Crazy Horse as one of the items in the rule book indicating good cavalry tactics.

The nephew of Crazy Horse, Chief Henry Standing Bear, in writing to Korczak Ziolkowski, pleaded with him to "Caress a mountain so the white man will know that a red man had heroes, too."

When the work is finally completed on Thunderhead Mountain in our beautiful Black Hills of South Dakota, Crazy Horse will be depicted in full relief astride a stallion whose head will be 219 feet from ears to nose. The monument will be an equestrian statue 563 feet high, 641 feet long. The head of Crazy Horse will be 87 feet high, topped by a 44 foot feather. His arm as it points out across the horse's head will be 263 feet long.

When completed the Crazy Horse Memorial will dwarf such other great monuments as the pyramids of Egypt and will be a true tribute to our first Americans. It will be the world's largest monument dedicated to a great race—our original Americans.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the article published in Time magazine to which I have referred, and the petition from Custer that I have mentioned.

There being no objection, the article and petition, with the signature attached, were ordered to be printed in the RECORD, as follows:

THE MOUNTAIN CARVER

Boston-born Korczak Ziolkowski likes to do things on a big scale. A brawny 6-footer who wears a full-blown 8-inch beard, he can still, at 48, lift a 500-pound weight off the floor. His name itself (approximate pronunciation: Kor-chak Jule-kuff-ski) is so big a mouthful that even old friends avoid using it so they won't mispronounce it. But the biggest thing about Ziolkowski is his ambition. It is to carve the most mountainous piece of manmade sculpture in recorded history. He is working on a piece of material that is to the measure of his ambition—a mountain.

Sculptor Ziolkowski's subject is Crazy Horse, the Sioux chief who was captured and killed in 1877, after the slaughter at the Battle of the Little Big Horn, where Custer made his last stand. In 1939 Crazy Horse's nephew, Henry Standing Bear, who knew that Ziolkowski had done some work on South Dakota's Mount Rushmore, asked him to carve a Crazy Horse memorial. Said Standing Bear, after a long look at the faces of the Presidents on Mount Rushmore: "We want the white man to know that the Indian had heroes, too."

MAN WITH AN AX

His sympathy for the underdog aroused, Ziolkowski closed his studio at Hartford, Conn., went to the Black Hills of South Dakota to build his monument as a symbol of the downtrodden of the earth. But the late terrible-tempered Harold Ickes, then Secretary of the Interior, snapped at him: "I won't permit you to carve up my mountains." That was not enough to stop Ziolkowski; he bought a mountain all his own.

Ziolkowski quickly showed that he had the energy to go with his size and ambition. Ax on shoulder, he went into the woods, felled and milled timber, and built with his own hands a house at the foot of the mountain and a 700-foot ladder up its side. For 2 years, until he rigged a makeshift cable hoist and then built a road to the top, he lugged lumber and equipment up the mountain piece by piece, on his back. He made a model and set out to carve out of the rock mountain the figure of Crazy Horse mounted on a plunging steed. To the derisive question of the white man, "Where are your lands now?" his figure of Crazy Horse points its tragic answer with a 300-foot arm, "My lands are where my dead lie buried." The figure has been outlined with paint (143 gallons), and is to stand in the round on the majestic scale of 563 feet in height by 641 feet in length. Standing Bear touched off the first charge of dynamite on June 3, 1948 (each blast removes about 200 tons of rock), and the sculpting has been going on ever since. So have arguments.

In the nearby town of Custer, S. Dak. (population 3,000), Ziolkowski became a center of controversy. At the Gold Pan Tavern and Flyspeck Billy's along Custer's main street, just 4 miles from Crazy Horse, sentiment ran high. More than half the town was behind Ziolkowski, but some of the people thought that Crazy Korczak would be a better name for the venture. Financing the work with his own money, contributions and tourist admissions, Ziolkowski has not got on as fast as some of his boosters would like. They persuaded him to seek a Federal loan, but when his critics objected that public funds should not be used for so tenuous a venture, Ziolkowski balked. Last week he said with a loud tone of finality: "It was not the white man that asked me to come out here, it was the Indians. Even if the Government does lend me the money, I won't accept it."

FINISHED AT 117?

To feed his large-scale family (Ziolkowski and his wife Ruth have six children, are expecting a seventh) and to help finance his dream, he bought cows and established a successful dairy farm, bought and successfully operated a sawmill. He and his wife milk the cows (by machine), manage the sawmill, shepherd the tourists, and keep digging at the mountain. At times they startle visitors by coming in from work in mountain-and-barn clothes and appearing for dinner a few minutes later in formal dress.

So far most of the sculpting has been done by dynamite and bulldozer, but Ziolkowski hopes to get within 6 inches of the lines of the face by the end of this summer. Then he can get down to detailed carving with jackhammer, and finally with mallet and chisel. On top of his mountain he can see far into the future. "There is where the university will be," he says, "and over here the medical center. The series of lakes will run down that meadow. There will be an airstrip, 7,200 feet long, out there by the highway."

When he began the job 9 years ago, Ziolkowski reckoned that he could finish it in 30 years. He has removed about 765,000 tons of rock and still has about 5,235,000 tons to go, is 5 years behind his 30-year schedule. A local supporter has told Ziolkowski that at the rate he is going he will finish at about the age of 117. "You're a good man," the friend said, "but not that good." Retorts Ziolkowski: "I came out here to carve a mountain, and I'm going to get it done."

We the undersigned citizens of Custer, S. Dak., favor the $250,000 proposed legislation for a Government loan to the Crazy Horse Commission. This will enable the carving of this great memorial to the North American Indian to become a certainty. The bill provides that all moneys spent must be for actual labor and supplies for carving the memorial. The Federal Government will name the depository, the money must be budgeted and the Commission will maintain a strict and businesslike management over the expenditure of all funds.

Clarence J. Chedes, Walter W. Black, Lorene C. Young, Rollie W. Pettit, George Pepper, Paul Kenzy, Lela Lane, S. B. Addis, R. L. Thomas, K. E. McColley, John M. Haines, Rose and Bill Triplett, Robert McRobbie, R. E. Scheinost, Marion Platt, Leonard Roudebush, Fay G. Fletcher, James R. Webb, Bill Sager, Bernie Tennyson, W. A. Mayhew, J. B. Webber, Robert E. Pointer, L. M. Leat, Carl J. Boe, H. R. McLaughlin, Theo. F. Wordford, Harold Knight, A. Q. Freeland, D. Tripet, A. Tripet, Marion Aabreth, Garnet Burke, James Moyer, Mrs. Wm. Relse, Albert Stoller, O. T. Whitley, L. J. Thebo, Bert E. Kasthaus, John P. Naugle, Custer, S. Dak.

Eric Heidepriem, Fred G. Heidepriem, Raymond Fox, Louis Canedy, Vincent E. Anderson, Eunice I. Rice, Maude Burron, Erwin H. Carter, Will Carter, C. C. Nelson, Earl C. Larson, Bernard A. Gira, Margaret Curran, C. I. Taunsley, Paul Hagenlock, Edna M. Larson, Wendelin Thomas, James G. Kennedy, R. W. Evans, D. L. Bennett, W. M. Lee, J. P. Calvird, L. H. Stender, Norman Borgen, Oscar Boettcher, Bob's Cafe, S. L. Stedman, Edlen Edsall, George Campbell, B. M. Dilley, John Waletish, June Levesus, Amy C. Scott, Robert C. Debsepell, Paul D. Holmes, Wm. Andre, W. L. Kubler, Marie da Keyser, Fred Edwards, Melvin J. Gibbs, Custer, S. Dak.

B. J. Baldwin, J. A. Wallace, Frank Baker, Darrel Parlin, H. P. Reedy, L. D. Naiman, Luella Naiman, B. L. Solom, Caroline Solom, Delbert McKenna, Albert Best, Rose Best, Charles Best, John Dyury, William R. Stiles, P. H. Brennan, William Campbell, Alvis Walker, George L. Monser, Magner Monser, Edward Campbell, Harold E. Varim, Don Gabel, Alta Gabel, Emil's Repair Shop, Mrs. S. A. Wallace, Leo Harbach, F. G. O'Connor, Lee Burrow, Evelyn Moye, Olive Thompson, Clarence G. Olson, Custer, S. Dak.; Glen W. Burdine, Ada Burdine, Rapid City, S. Dak.; Everett Seeger, Kenneth Voorhees, Gene L. Phillips, John C. Miller, Mrs. John Miller, Owen W. Baldwin, E. R. Huston, Charley A. Conger, R. P. Cooper, C. M. Jenniger, Custer, S. Dak.

R. J. McKulnen, Harvey L. Jones, John L. Kidwell, Jack C. Hall, Robert E. Leyson, Frank Stiles, Custer, S. Dak.; James C. Quinn, Rapid City, S. Dak.; Arnold A. Vieth, Robert B. Davis, Bercha L. Davis, Rose Morris, Irma Newberg, Walt Johnson, Chandler R. Young, Vera Jane Gibson, Edwin Schmitt, B. F. Schuink, Mrs. Isak Larson, R. F. Peck, John J. Maier, Linwood Dillon, James G. Kennedy, Andy Svoboda, Hugh Farley, Ron Decker, Erma Ferris, R. A. Wyland, Custer S. Dak.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 117) to authorize the Secretary of the Interior to make loans to the Crazy Horse Memorial Foundation, and for other purposes, introduced by Mr. MUNDT, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

DISCRIMINATION BY FOREIGN GOVERNMENTS AGAINST CERTAIN UNITED STATES CITIZENS

Mr. HUMPHREY. Mr. President, on June 13, I took the Senate floor to renew my protests over the State Department's failure to pursue Senate Resolution 323, of the 84th Congress, in its negotiations with Saudi Arabia. That resolution placed the Senate firmly on record opposing the discrimination imposed by foreign governments against United States citizens.

The American Jewish Congress has just released an excellent pamphlet summarizing the whole case history of Saudi Arabia's discrimination against American Jewish citizens. This account is entitled "What Price Bias—The Dhahran Airfield." The distinguished former Secretary of the Air Force, the Honorable Thomas K. Finletter, has written the introduction. I ask unanimous consent that this document, including Mr. Finletter's introduction, be printed at this point in my remarks.

There being no objection, the pamphlet was ordered to be printed in the RECORD, as follows:

WHAT PRICE BIAS: THE DHAHRAN AIRFIELD

FOREWORD

Foreign policy and the security of the United States frequently involve a difficult balance of expediency and principle. A distinguished characteristic of our country in all its history has been our insistence on maintaining our standards and principles as a democratic nation in all our dealings in the field of international relations. It has been a precept of our country that expediency must not displace integrity and that it is not necessary to our security that it should.

The practice of discrimination by the Saudi Arabian Government against American military personnel at the Dhahran air base in that country dramatically confronts us with the question whether we should sacrifice American principles to expediency. The United States is now assisting Saudi Arabia in its discriminatory practices by screening American military personnel assigned to service at Dhahran to comply with the Saudi Arabian regulation that no Americans of Jewish faith shall be included among our Armed Forces to be stationed in Saudi Arabia. This seems to me a state of affairs which should not be accepted and should be stopped. If the United States permits foreign countries to make distinctions among American citizens because of their religion we are not far from making such distinctions ourselves. As President Truman has pointed out, the exclusionary clauses in the original Dhahran air base lease were conventional clauses designed to bar objectionable individuals and not entire religious groups.

There has been much unfounded talk about the "vital" necessity of the Dhahran Airfield to the interests of the United States. I think I am reasonably aware of the importance of the base structure of our Air Force and I cannot agree with the idea that any one base such as Dhahran is vital. I happen to believe that our base structure should be strengthened well beyond its present state but there are other than Dhahran where a substitute base for Dhahran and the additional bases which are needed could be located. I do not believe that the need for the Dhahran Airbase in any way requires us to sacrifice the principles in which the American people believe. I think, in short, that the value of the Dhahran base is relatively small and that it can be replaced, but that the value of the principle involved is high and cannot be replaced.

I believe our country has much to gain in its domestic and international affairs by standing firm upon the great principles of freedom of worship and equality of the rights of the individual, which are keystones of the American creed.

THOMAS K. FINLETTER.

JUNE 6, 1957.

BACKGROUND OF THE DHAHRAN AIRFIELD

In 1943, in the midst of the Second World War, Col. Harry R. Snyder first conceived the plan for an American airfield on the western shore of the Persion Gulf to facilitate the movement of United States forces between Europe and the Far East.[1] Despite British opposition to such a project on the ground that no military necessity for the airfield existed, the United States Government by agreement with Saudi Arabia acquired a base at Dhahran, Saudi Arabia, on a tract of land located approximately 3½ miles from the installations of Aramco—the Arabian American Oil Co.[2] The airfield is on the western shore of the Persian Gulf.

Begun in the summer of 1945, the airfield was completed in March 1946. Between August 15, 1945, and the latter date, approximately $3,500,000 was spent to equip the field which can accommodate the largest type of aircraft.[3] The total cost of constructing the Dhahran facilities has been estimated to be in the neighborhood of $50 million.[4] Dhahran has two 7,000-foot runways, more than adequate hangar and repair facilities and is considered the best airport in the Persian Gulf area. Equidistant from Cairo and Karachi, it is a center for air communications and as many as a thousand military and nonmilitary airplanes have put down there in 1 month.[5]

The airfield was obtained originally to create a stopping-off place for flights supplying American troops and installations in India and Southeast Asia. The airfield is currently not militarized; the airmen there are completely unarmed and neither target practice nor any other kind of military exercises are permitted to the Americans.[6] No tactical military aircraft are now at Dhahran. According to the terms of the 1951 Dhahran

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[1] K. S. Twitchell and Edward J. Jurji, Saudi Arabia (2d edition, Princeton University Press, 1953), p. 202.

[2] S. Rept. 440, pt. 5, p. 17, 80th Cong., 2d sess. (1948).

[3] Ibid.

[4] New York Times, July 27, 1956.

[5] Richard H. Sanger, The Arabian Peninsula (Cornell University Press, 1954), pp. 114–115.

[6] New York Times, July 27, 1956; Washington Post, February 11, 1957.

agreement, "United States aircraft are permitted to use the Saudi Arabian Government Airport at Dhahran (only) to land and take off for refueling and other technical services such as maintenance and repair." [7] It has been reported that Air Force commanders "regard it as being too close to Russia to risk staffing it with modern aircraft. * * *" [8] Consequently, from the strictly military viewpoint, it is a "'standby' base in every sense of the word". [9]

If Dhahran has an immediate military value, it is as a military transport center and as a focal point in America's system of worldwide air communications. Some 2 or 3 large military transport planes from the Far East land at Dhahran each week; almost 1 airplane a day arrives from the United States. In addition, three local military air services use Dhahran as a terminus. There is one service from Dhahran to Teheran, another across Saudi Arabia to Aamara in Eritrea and on to Addis Ababa, and a third one connecting with Beirut, Adana (Turkey) and Athens. [9]

It may well be that the existence of the Dhahran airfield is a far greater boon to commercial airlines than it is to American military aviation. In fact, "testimony at the [special Congressional] committee [investigating the national defense program in 1948] revealed that Aramco is the principal beneficiary of this field." [10] In addition to Aramco, Dhahran is used regularly by TWA, KLM-Royal Dutch Airlines, and Saudi Arabian Airways, the contract for whose operation and maintenance was given to TWA late in 1946. [11] These companies pay landing fees directly to the Saudi Arabian Government. [12]

UNITED STATES-SAUDI ARABIAN AGREEMENTS

The 1945 negotiations between King Ibn Saud and the American Minister to Saudi Arabia resulted in an agreement permitting the United States to build the airfield at its own expense and then to lease it for a 3-year period. It is important to note that under this first arrangement all fixed installations and other property used in operation and maintenance of the airfield reverted to the Saudi Arabian Government in 1949. [13] On June 23 of that year the Saudi Arabian King renewed the lease for 6 months, and similar brief extensions were obtained until 1951, when the United States began to press for a new and more comprehensive agreement. [14]

On June 18, 1951, Saudi Arabia and the United States exchanged diplomatic notes, the basic provisions of which are given below, extending the Dhahran leasehold for 5 years. Following discussions at Washington last January between King Saud and President Eisenhower, the 1951 arrangement was renewed on April 8, 1957, for an additional 5-year period. Since these arrangements on Dhahran were concluded as executive agreements rather than as treaties, none of them has ever been submitted to the Senate for ratification.

The 1951 agreement provided for the continued use of facilities and services at Dhahran Airfield by the transient and supporting aircraft of the Government of the United States in exchange for the stationing at Dhahran of an American mission to train Saudi Arabian nationals and to organize the airport's technical operations. [15] Moreover, the American mission agreed to make available its weather services, radio communications, air rescue and aircraft operation services for the use of civilian aircraft * * * authorized by the Saudi Arabian Government to use Dhahran Airfield. [16]

Among provisions specifically advantageous to Saudi Arabia were the following: (1) All new "installations and constructions * * * become * * * the property of the Saudi Arabian Government," as do all existing fixed properties. [17] (2) Civil aviation operations were under the administration and responsibility of Saudi Arabia. [18] (3) The United States mission undertook to train, both in Saudi Arabia and at United States Air Force schools in this country, groups of Saudi Arabians in airfield operation and maintenance. [19] The principal specific advantage of Dhahran to United States military and civilian interests is the availability of a modern air terminus in the heart of our Middle East oil resources, relatively close to the borders of the U. S. S. R. and 1,000 miles south of its Baku oilfields.

The 1957 agreement, [20] which is embodied in a letter from Deputy Under Secretary of State Robert Murphy to the Saudi Arabian Ambassador in Washington, renews the Dhahran lease until 1962. The United States agreed to supply $50 million worth of military equipment, [21] to construct new facilities at the airbase, to institute a training program for the Saudi Arabian Air Force, to augment its present advisory program for the Saudi Arabian Army, to train naval personnel for the desert kingdom and to help in the expansion of the port of Dammam. All that Saudi Arabia has ever given in return is the temporary use of some acres of desert land.

SAUDI ARABIAN RESTRICTIONS

The principal restrictions by Saudi Arabia upon the Government and citizens of the United States, as stipulated in the 1951 agreement, are:

2. (b) The number of the members of the [United States] mission will be determined by request of the head of the mission and approval thereof by the Saudi Arabian Minister of Defense.

2. (d) It is provided that there must not be among members of the mission or among the other employees any individual who is objectionable to the Saudi Arabian Government, and that the Government of the United States will submit a detailed list of the names and identity of these personnel and employees.

2. (e) If the Saudi Arabian Government requests the mission to send out or replace any of its personnel or employees whom the Saudi Arabian Government does not desire to remain in the country, the mission will carry out such request promptly.

3. (d) The number of aircraft which will be permitted to be based at Dhahran Airfield and which will be used for air rescue and other authorized operations will be determined by request of the United States mission and approval of the Saudi Arabian Minister of Defense.

11. The members of the mission, its personnel and employees may carry on any social activities on condition that they will take into account the local customs and laws in effect in Saudi Arabia.

18. The mission is permitted to contract for any construction work at Dhahran Airfield authorized by this agreement without restriction as to choice of contractor provided that the contracting firm or the people working with it will not be unacceptable to the Saudi Arabian Government. [24]

The practical effect of these clauses, as interpreted by Saudi Arabia with the acquiescence of the United States, is that American Christians at Dhahran are restricted in the practice of their religion and American Jews are totally excluded from the country. In March 1956, Dr. Marion J. Creeger, director of the General Commission on Chaplains, an interdenominational Protestant organization, revealed that on a recent trip to Dhahran, two Catholic priests accompanying him were compelled to don open-necked sport shirts and civilian clothes. Dr. Creeger added that chaplains do not wear insignia and that religious services are held behind closed doors. [25] A few weeks later, Dr. Glenn L. Archer, executive secretary of Protestants and Other Americans United for Separation of Church and State, wired President Eisenhower and Secretary Dulles that the latter had admitted to the Senate that detailed lists, including religious designations of United States personnel scheduled for assignment to the airbase are regularly submitted to Saudi Arabian authorities. * * * Further, Dr. Archer noted that "United States chaplains refrain from wearing * * * crosses indicating their Christian faith, and conduct services for American personnel with as much secrecy as possible, while Catholic prelates substitute lay attire for their usual religious garb in order to avoid incidents." [26]

The only legal justification for the restrictions against Jews is a conventional clause intended to bar objectionable individuals, not entire ethnic groups. The Department of State has confirmed that Saudi Arabia excludes public identifications and practices of other religions, prohibiting the public display of Christian insignia by American chaplains and publicly held Christian religious services. [27]

In an official statement, dated October 18, 1956, the State Department's Public Services Division confirmed the existence of Saudi Arabian regulations barring the entrance or transit of persons of the Jewish faith * * * thus leaving no doubt that these regulations have been faithfully adhered to by the United States. No American Jews are permitted to be employed by Aramco [28] or any other private American establishment, nor are Jewish military personnel, regardless of their qualifications and the need for their services, ever assigned to Saudi Arabia. A good case in point is that of Lt. Col. Hyman Wilensky, of the United States Air Force Reserve. On January 26, 1957, in a letter to the New York Daily News, he wrote:

"In 1945, I, holding the rank of major in the United States Army, as Chief of the Theater Claims Service of the African-Middle East Theater, had my request for temporary duty in Saudi Arabia to investigate a claim filed by the Arabian American Oil Co. denied. The reason for the denial—not on the record, of course—was that I was of the Jewish faith and so persona non grata to that Government. And all of this before the birth of the State of Israel."

American acquiescence in there regulations has been explained by the State Department in these terms: "International law and practice recognize the fundamental right of a sovereign state to determine whether and under what conditions aliens may enter its territory." [29] But the 1951 agreement with Saudi Arabia was concluded by the Truman administration and, consequently, Mr. Truman's interpretation of its restrictive clauses should be binding on the State Department. He has insisted that the agreement was "not intended to bar American Jews or any other Americans" and that Saudi Arabia had the right to exclude persons from Dhahran only "on an individual and not on a race or creed basis." [30]

UNITED STATES ACQUIESCENCE IN ANTI-JEWISH RESTRICTIONS

During the last several years various departments of the Government have publicly acknowledged and to a large extent acquiesced in the discriminatory practices of Saudi Arabia against United States citizens. Examples of these statements are cited in chronological order:

1. A United States Air Force Manual, published in June 1953, stated: "Individuals of Jewish faith or descent are strictly barred entrance to or transit of Saudi Arabia. Further, any passport containing an Israeli visa will not be honored." [31] Although this sentence in the manual has since been deleted, the policy that it describes still remains in effect and American Jews are simply not posted for duty in Saudi Arabia.

2. In a letter, dated June 20, 1955, to Senator Herbert H. Lehman, Harold E. Talbott, then Secretary of the Air Force, wrote:

"The countries of Saudi Arabia and Jordan for purposes of internal security will not issue a visa for persons of the Hebrew race. This restriction is not only applicable to American citizens, but applies to Jewish people of all nations. * * *

"These restrictions are promulgated and enforced by the Arabic countries and are not within the prerogative of the State Department or the military to change."

Essentially, this view was repeated to Mr. Lehman by Secretary Talbott in his letter of July 20, 1955, in which he wrote: "The Air Force is cognizant of the situation concerning restriction of travel to members of the Jewish faith to Saudi Arabia. * * * However, it must be recognized that we are dealing with a tradition of long standing.

3. In the same vein, Secretary of State John Foster Dulles told the Senate Foreign Relations Committee on February 24, 1956, that, in regard to the exclusion of American service personnel of the Jewish faith at Dhahran, "we, perforce, accommodate ourselves to certain practices they have which we do not like." [32]

4. On May 22, 1956, the State Department sought to justify the existing situation and issued a public statement from which the following excerpts are taken:

"The restrictions practiced by certain Arab states against persons of Jewish faith and firms having connections with such persons arise both from feelings generated by the Arab-Israel dispute and from certain historical traditions.

"Saudi Arabia presents a special problem. The policy in effect of prohibiting the entrance or transit of persons of the Jewish faith has existed since the early days of Islam, many centuries ago. Relations with Saudi Arabia have for many years been of importance to the United States. The United States has made no agreement concerning the assignment of military personnel of the Jewish faith to Saudi Arabia, although the assignment of such persons is presently prohibited by Saudi Arabian visa regulations.

"International law and practice recognize the fundamental right of a sovereign state to determine whether and under what conditions aliens may enter its territory. We believe that American citizens should enjoy all the rights and privileges in a foreign country which we allow the nationals of that country in the United States. However, we are obliged to recognize that any attempt by this country to force our views on a foreign nation would be considered intervention in the domestic affairs of that nation and therefore greatly resented." [33]

5. On October 8, 1956, Robert Tripp Ross, then Assistant Secretary of Defense for Legislative and Public Affairs, in reply to a letter of Senator James H. Duff, noted inter alia that: "The restrictive provision governing the admission of United States military personnel into Saudi Arabia was contained, upon the insistence of the Government of Saudi Arabia, in the bilateral agreement * * * which was entered into on June 18, 1951." [34]

"The Department of State * * * has advised that it will * * * continue to exert every effort to obtain a rescission of the general restrictions imposed by the Government of Saudi Arabia with respect to the entry of American citizens of the Jewish faith. You may be assured that the Department of Defense will support this endeavor in every manner possible.

"In making assignments of military personnel, however, the military departments must avoid those which might be likely to make an individual subject to embarrassment or to place him in jeopardy; therefore, the assignment to Saudi Arabia of military personnel will have to remain contingent upon our success in persuading the government of that country to accede to our wishes in this matter."

6. On November 6, 1956, Mr. Ross wrote to Dr. Israel Goldstein, president of the American Jewish Congress:

"The restriction which has resulted in the nonadmission of military personnel of Jewish faith to Saudi Arabia does not represent a policy of the United States Government nor has this Government ever endorsed or condoned it. It is a restriction which has been imposed by the Government of Saudi Arabia pursuant to a national policy * * * of excluding all Jewish personnel, regardless of nationality or military status."

The Secretary also took the occasion to stress that "the extension of the base rights [at Dhahran] is an essential part of the overall security of a part of the world where the retention of United States influence * * * is vital to us." He therefore implied that the question of discrimination at Dhahran must give way to other considerations.

7. On April 20, 1957, Senator JACOB K. JAVITS made public an exchange of letters between himself and Robert C. Hill, Assistant Secretary of State, in which the latter wrote that during the discussions on the renewal of the Dhahran agreement the United States had expressed "our special concern over restrictions on the admission of persons of the Jewish faith into Saudi Arabia." Mr. Hill added, however, that "the representatives of Saudi Arabia explained that their regulations were not intended to discriminate against the citizens of another country on the basis of religion, but were related to the tensions arising from the Arab-Israel dispute." [35]

8. Most recently, when Secretary Dulles was asked at a news conference on April 23, 1957, what steps had been taken to have Saudi Arabia allow American airmen of the Jewish religion to serve at Dhahran, he replied: "We brought up the matter * * * during the talks that took place when King Saud was here. I did not find his attitude at that moment very receptive, largely perhaps * * * because of the fact that he felt that he had not been given nondiscriminatory treatment himself in the city of New York." [36]

9. On May 17, 1957, Assistant Secretary of State Robert C. Hill informed Senator WILLIAM F. KNOWLAND by letter:

"I can assure you we are concerned over practices of foreign governments which are contrary to basic American principles, and we have brought our concern to the attention of foreign governments, including that of Saudi Arabia. Saudi Arabia visa practices which discriminate against the entry of American citizens of the Jewish faith have been related by the Saudis to tensions arising from the Arab-Israel dispute. We do not agree with this association but it nonetheless is an element in any discusison of the problem with nations in the area, including Saudi Arabia. We shall continue to work for the acceptance of American principles by foreign governments in the treatment of American citizens, and specifically for the amelioration of the problem arising from the Saudi Arabian Government's visa regulations."

As will be shown, the State Department's policy surrenders principle to obtain a dubious advantage, not essential to our security. Regardless of Saudi Arabia's right to control its domestic affairs, the United States is not compelled to make deals with a country that discriminates against American citizens. Furthermore, there is every reason to believe that a show of firmness by the United States would compel Saudi Arabia to retreat from a position so hostile to American tradition.

SENATE RESOLUTION OPPOSING DISCRIMINATION

This attitude of the State and Defense Departments toward discrimination in Saudi Arabia has not gone unchallenged. On June 27, 1956, a bipartisan group of 25 Senators introduced Senate Resolution 298 which asked the President to notify the world that the United States would tolerate no distinctions on religious grounds among American citizens and would not enter into any diplomatic arrangements that sanctioned such distinctions. Modified and reintroduced as Senate Resolution 323, the resolution was

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[7] U. S. Treaties and Other International Acts Series, No. 2290, p. 10. Cited hereafter as T. I. A. S. 2290.

[8] U. S. News & World Report, July 13, 1956, p. 102.

[9] Testimony by George Wadsworth, United States Ambassador to Saudi Arabia, on February 6, 1957, Hearings Before the Committee on Foreign Relations and the Committee on Armed Services, U. S. Senate, on S. J. Res. 19 and H. J. Res. 117, 85th Cong., 1st sess., pt. 2, p. 656. See New York Times, Report on the Middle East: A Vital Region in Upheaval, April 2, 1957, p. ME–1.

[10] S. Rept. No. 440, pt. 5, p. 17, 80th Cong., 2d sess. (1948).

[11] Sanger, The Arabian Peninsula, p. 114; and J. C. Hurewitz, Middle East Dilemmas: The Background of United States Policy (Council on Foreign Relations and Harper & Bros., 1953), p. 137.

[12] Testimony by Adm. Arthur W. Radford, Chairman, Joint Chiefs of Staff, on January 30, 1957, hearings * * * on S. J. Res. 19 and H. J. Res. 117, pt. 1, p. 424, 85th Cong., 1st sess.

[13] See T. I. A. S. 2290, p. 10.

[14] Hurewitz, Middle East Dilemmas, p. 129; and Hurewitz, Diplomacy in the Near and Middle East: A Documentary Record, 1914–56 (D. Van Nostrand Co., Inc., 1956), II, 323.

[15] T. I. A. S. 2290, p. 9.

[16] Ibid., p. 15.

[17] Ibid., p. 12.

[18] Ibid., p. 11.

[19] Ibid., pp. 15–17.

[20] The text is reprinted in the New York Times, April 19, 1957.

[21] Reported by Dana Adams Schmidt, New York Times, April 9, 1957.

[22] T. I. A. S. 2290, pp. 9–10, 13, 16.

[23] Religious News Service, March 30, 1956.

[24] Quoted in ibid., April 17, 1956.

[25] Letter from Fraser Wilkens, Director, Office of Near Eastern Affairs, to Reuben Kaminsky, national commander of the Jewish War Veterans of the United States, April 6, 1956.

[26] In 1950, the New York State Commission Against Discrimination reported that it was informed by the Arabian American Oil Co. that the [Saudi] Arabian Government does not issue visas to persons of the Jewish faith. The company advised that it had an understanding with the Arabian Government to screen all prospective employees for work in Arabia before they applied for Arabian visas for the purpose of excluding persons of the Jewish faith to whom visas will not be granted. New York State Commission Against Discrimination, 1950 Progress Report, pp. 47–48.

[27] Statement of the Public Services Division, May 22, 1956.

[28] Quoted in the New York Times, March 4, 1956.

[29] U. S. Air Forces Europe (USAFE) Manual, 30–1.

[30] Situation in the Middle East: Hearing before the Committee on Foreign Relations, U. S. Senate, p. 45, 84th Cong., 2d sess.

[31] Statement of the Public Services Division.

[32] This agreement has since been renewed.

[33] Quoted in the New York Times, April 21, 1957.

[34] Quoted in the New York Times, April 24, 1957, p. 14. This is in reference to the refusal of the mayor of New York to extend official courtesies to the visiting Saudi Arabian monarch.

adopted unanimously on July 26, 1956. Specifically, it notes:

"It is a primary principle of our Nation that there shall be no distinction among United States citizens based on their individual religious affiliations • • • any attempt by foreign nations to create such distinctions among our citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is inconsistent with our principles."

Further, the resolution urges: "In all our negotiations between the United States and any foreign state every reasonable effort should be made to maintain" the principles that "any distinctions directed against United States citizens • • • [are] incompatible with the relations that should exist among friendly nations."

Ironically, the United States Government has relied upon certain language in Senate Resolution 323 to explain its continuing inability to effect a change in the discriminatory practices of Saudi Arabia. Thus Assistant Secretary of Defense Robert Tripp Ross wrote to Dr. Israel Goldstein, president of the American Jewish Congress:

"The fact that our Government cannot dictate the terms of negotiated agreements with other sovereign governments is recognized by Senate Resolution 323 itself, wherein it states 'that in all negotiations between the United States and any foreign state [every reasonable effort should be made] to maintain this principle.'"[35]

OTHER PUBLIC PROTESTS

At their national conventions last summer, each of the two major political parties in this country adopted planks opposing discrimination by foreign governments against American citizens. The Republican Party platform stated:

"We approve appropriate action to oppose the imposition by foreign governments of discrimination against United States citizens, based on their religion or race."

The platform of the Democratic Party read:

"We oppose, as contrary to American principles, the practices of any government which discriminates against American citizens on grounds of race or religion. We will not countenance any [arrangement or treaty with any government which by its terms or in its practical application would sanction such practices]."[36]

The American Jewish Congress brought the situation to the attention of the President's Committee on Government Employment Policy and the President's Committee on Government Contracts, and both agencies appreciated its seriousness. In the fall of 1956 a delegation from the two committees met with high officials of the State Department, emphasizing "the gravity of the discriminatory practices" and urgently requesting the Department "to intensify its efforts to resolve these problems." At the same time, the President's Committee on Government Contracts reviewed with officers of the Department of Defense "the nondiscriminatory policy in connection with their contracts in Saudi Arabia. • • •"[37] Furthermore, on October 24, 1956, Maxwell Abbell, chairman of the President's Committee on Government Employment Policy, wrote to Secretary of State Dulles saying:

"I strongly urge you to take definite action to correct this unwholesome and morally untenable position. Every foreign government as well as every American citizen must be assured that the United States Government makes no distinction between its citizens and that it will uphold to the fullest extent the right of every American citizen to be assured an American passport granting him equal privileges with every other American citizen and the right of every American citizen, regardless of faith, creed or color, to serve in the American Armed Forces in every country abroad, to work on Government contracts in every foreign country and to serve the Federal Government as an employee in any and every foreign country."

AMERICAN BASES IN SPAIN

In connection with the airbase agreement that the United States and Spain concluded on September 26, 1953, United States military officials entered into negotiations with the Spanish Government on matters relating to the marriage of American military personnel stationed in Spain. The proposed arrangement, publicized at the end of December 1954, provided inter alia that if two Americans, one of whom was a Catholic, wished to be married by a United States chaplain, they could do so only if the Catholic had received permission from the Spanish Catholic Church.[38] But as a result of mounting criticism here at home, on the ground that the projected arrangement violated established American principle and practice with regard to religious liberty,[39] all plans to regulate the marriage of Americans in Spain were ultimately dropped. On June 26, 1956 the State Department informed the American Jewish Congress as follows:

"After a period of discussion on the above subject with the appropriate Spanish authorities, it was decided that any formal agreement on such matters as the marriage and church attendance of United States military personnel in Spain was not appropriate. • • • To the knowledge of the Department, there have been no difficulties with regard to the activities of United States military chaplains at base facilities in Spain and they have been performing their usual functions."

In contrast to our attitude toward a similar set of circumstances in Saudi Arabia, the Spanish experience illustrates the refusal of the United States to join in the abrogation or abridgement of the rights of American citizens serving abroad. This is particularly significant inasmuch as American facilities in Spain are much more extensive and costly[40] than those at Dhahran and the Spanish restrictions may be considered relatively more reasonable than what is demanded by Saudi Arabia. Yet the United States resisted the former's and has yielded to the latter's demands.

OIL AND THE DHAHRAN AIRFIELD

One cannot be unmindful of the relationship between the Dhahran installation and Saudi Arabia's positon as one of the world's leading repositories of petroleum. As is known, the concession to exploit the oil reserves of that country has been given to an American company: the Arabian American Oil Co. (Aramco), whose shares are held by the Standard Oil Company of New Jersey (30 percent) the Texas Co. (30 percent), the Standard Oil Company of California (30 percent), and the Socony Mobil Oil Co. (10 percent).[41]

Undoubtedly, the existence of oil in Saudi Arabia, as well as Aramco's special position there, influenced the decision of the United States to acquire leasing rights at Dhahran and to accommodate itself to the prejudices of Saudi Arabia. In so doing, the Government has apparently failed to appreciate that "the Arab oil-producing countries are much more desperately in need of the income the West can give them for their oil and of the latter's ability to transport, use and market it than the West, as a whole, is in need of Middle East oil."[42] In 1955, Saudi Arabia received almost $260 million, or approximately 71 percent of its governmental budget, in oil royalties from Aramco.[43] It is therefore difficult to conceive that Saudi Arabia would interfere with the Aramco concession because of our insistence upon nondiscriminatory treatment of our citizens in Saudi Arabia.

If experience is any indication of future action, it is worth recalling that neither after the United States support of the Palestine partition resolution nor after our diplomatic recognition of Israel did Saudi Arabia stop the flow of oil to the West. In fact, on February 27, 1948, a correspondent of the New York Herald-Tribune reported from Dhahran that despite Arab bitterness against the United States for supporting the creation of a Jewish state (the late) King Ibn Saud had assured Aramco that its oil concession in Saudi Arabia would not be canceled. If it did not take such a drastic step in these situations, it is unlikely that Saudi Arabia would cancel the Aramco concession if we were firmly to insist upon the right to station at Dhahran American servicemen of the Jewish faith, a situation which, unlike our support of Palestine partition and our recognition of Israel, would in no way benefit Israel.

RESISTANCE TO ARAB INTRANSIGENCE

Our Government's acquiescence in Saudi Arabian discrimination against American citizens often produces the impression that Arab intransigence is so intense that absolutely nothing can be done to alter it in any way. Events, however, prove that the Arabs will abandon their intransigence and threats whenever they are faced with unyielding determination on the part of other countries.

The German-Israel reparations agreement, offers an excellent illustration. During the negotiation of this agreement, which obligates West Germany to pay Israel some $822 million in goods and services over a 14-year period, Arab diplomats and propagandists did everything possible to prevent the signing and then the ratification of this treaty. The principal Arab weapon was a threat to boycott West Germany and to close the expanding Middle East markets to German exports."

Notwithstanding this threat, the Bonn Government proceeded to ratify the agreement in March 1953. Yet German exports to the Arab countries as a whole have increased rather than decreased. For example, in 1953, the dollar value of German exports to Egypt, Iraq, Jordan, Lebanon, Saudi Arabia and Syria amount to $94,929,000. In 1955, the dollar value of German exports to these same six Arab countries increased to $123,862,000.[45]

Certain reactions to the Arab boycott of Israel give additional strength to the conclusion that the Arabs will modify their intransigence or abandon it altogether when they encounter strong resistance or are faced by adverse effects upon their economies. Thus, cruise ships carrying tourists are allowed to stop at Arab ports even though they may have called previously at Tel Aviv or Haifa. Although American Export Lines maintains a shipping service to Israel and an office in Israel, it is still doing business with the Arab countries. Despite the fact that Imperial Chemical Industries owns 20 percent of Israel's fertilizer and chemical industry, this firm's name "is conspicuously absent from the [Arab] blacklist."[46] It is also interesting to note that German firms which ship goods to Israel under the German-Israel reparations agreement are not considered by the Arabs to be trading with Israel and these companies are not blacklisted in the Arab countries.[47]

These examples of successful defiance of Arab threats can be multiplied. The important point is not the multiplicity of examples but the fact that Arab intransigence can be successfully resisted when there is a will to do so.

CONCLUSION

As Mr. Finletter, Secretary of the Air Force in 1951 when the lease of the airfield at Dhahran was renewed, points out in his foreword, the significance of the Dhahran airfield has been greatly exaggerated. It is not the only base available to us in the Middle East. America has airbases in Morocco, at Wheelus Field in Libya, and at Adana in Turkey (which is no farther from the Soviet Union than Dhahran). There is also no doubt that the existence of the airfield is of equal if not greater significance to Saudi Arabia, a fact often overlooked. But the overriding question is the principle involved: the principle that there shall be no invidious distinctions made or tolerated among Americans based on their religion or race. Is it proper that the price for American airfields abroad must be the curtailment of the constitutional rights of a group of Americans? Senator HENRY M. JACKSON has well stated the issue in his letter to Secretary Dulles of June 28, 1956:

"As a member of the Armed Services Committee, I am fully aware of the importance of the Dhahran Air Base. However, the question of principle involved in this case is so basic that it must take precedence over any military advantage to be gained through acceptance of the Saudi Arabian position."

It is unthinkable that the present discrimination, violating as it does the most fundamental principles of the American heritage, shall be permitted to continue. An eminent American student of the Middle East has asked "whether the American ideals of democracy • • • have not too often been subordinated to expediency, thus robbing American policy of the moral advantage that it once possessed and that it might well try to regain in the present revolutionary era in the non-Western World."[48] Certainly, the righting of the existing discriminatory policies in Saudi Arabia would put us a long step forward on the road toward regaining our national morality.

[35] The bracketed matter is in Mr. Ross' letter, dated November 6, 1956.

[36] Matter in brackets added.

[37] Letter from John A. Howard, executive vice chairman of the President's Committee on Government Contracts, to Dr. Goldstein, October 9, 1956.

[38] New York Times, December 28, 1954.

[39] See, for example, Religious News Service, December 29, 1954; January 3, 1955; January 31, 1955; March 11, 1955; and the New York Times, December 27, 1954.

[40] Five major airbases are about half built and some 25 other installations are "in various stages of selection, construction, or completion." Approximately $245 million worth of contracts have already been let. New York Times, May 12, 1957.

[41] J. H. Carmical, "Oil From the Middle East: How the Concessions Operate," New York Times, February 17, 1957.

[42] Benjamin Shwadran, "Oil in the Middle East Crisis," Middle Eastern Affairs, April 1957.

[43] J. H. Carmical in the New York Times, November 18, 1956.

[44] Kurt R. Grossmann, Germany's Moral Debt: The German-Israel Agreement (Public Affairs Press, 1954), pp. 27–29.

[45] Figures supplied by the German Consulate-General in New York, June 5, 1957.

[46] "Firms Producing Goods Needed by Arabs Dodge Economic Boycott on Israel," Business International, May 31, 1957, p. 7.

[47] "Arabs Make Climate Uncomfortable for Firms with Interests in Israel," ibid., May 17, 1957, p. 3.

[48] George Lenczowski, quoted in the American Political Science Review, March 1957.

Mr. HUMPHREY. Mr. President, I do not want the fact that Senate Resolution 323 was adopted in the 84th Congress to signify any lessening of interest on this matter by the 85th Congress. One would hope and assume that adoption of a resolution unanimously by the United States Senate would produce more interest and activity on the part of the State Department than this particular resolution did. Consequently, as one method of reemphasizing the importance which the Senate attaches to this issue, and being aware of a similar interest on the part of Members of the House of Representatives, I am today reintroducing Senate Resolution 323 as a joint resolution. I ask unanimous consent that the text of this joint resolution be printed at this point in my remarks.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

Resolved, etc.,

Whereas the protection of the integrity of United States citizenship and of the proper rights of United States citizens in their pursuit of lawful trade, travel, and other activities abroad is a principle of United States sovereignty; and

Whereas it is a primary principle of our Nation that there shall be no distinction among United States citizens based on their individual religious affiliations and since any attempt by foreign nations to create such distinctions among our citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is inconsistent with our principles: Now, therefore, be it

Resolved, That it is the sense of the Congress that it regards any such distinctions directed against United States citizens as incompatible with the relations that should exist among friendly nations, and that in all negotiations between the United States and any foreign state every reasonable effort should be made to maintain this principle.

Mr. HUMPHREY. I intend to be unrelenting on this question, Mr. President; and I have further ideas as to what may be done to demonstrate senatorial interest in this issue—ideas which I shall develop publicly in a short time. In the meantime, as chairman of the Subcommittee on the Middle East and North Africa, of the Senate Committee on Foreign Relations, it is my intention to make an intensive inquiry into this broad subject matter.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 118) opposing distinction by foreign nations against United States citizens because of individual religious affiliations, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Foreign Relations.

CIVIL RIGHTS—AMENDMENT

Mr. JOHNSTON of South Carolina submitted an amendment, intended to be proposed by him, to the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, which was ordered to lie on the table and to be printed.

TECHNICAL CHANGES IN FEDERAL EXCISE TAX LAWS—AMENDMENT

Mr. BIBLE submitted an amendment, intended to be proposed by him, to the bill (H. R. 7125) to make technical changes in the Federal excise tax laws, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

MRS. THEODORE (NICOLE XANTHO) ROUSSEAU

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its action on the amendment of the Senate to House bill 1359, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 18, 1957.

Resolved, That the House agree to the amendment of the Senate to the bill (H. R. 1359) entitled "An act for the relief of Mrs. Theodore (Nicole Xantho) Rousseau," with an amendment, as follows:

Delete the period at the end of the Senate amendment, substitute a comma therefore and add the following: "and to have had no nationality other than Rumanian prior to her naturalization as a United States citizen."

Mr. JOHNSON of Texas. Mr. President, on June 12, 1957, the Senate passed H. R. 1359 with an amendment suggested by the Department of State. Subsequent to passage, a letter was received from the Immigration and Naturalization Service indicating that some clarification of the language of the bill would be desirable. Pursuant to this suggestion, on June 18, 1957, the House of Representatives concurred in the Senate amendment with a further amendment. The additional language added by the concurring amendment does not change the original purpose of the bill.

I move that the Senate concur in the House amendment to the Senate amendment to H. R. 1359.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Texas.

The motion was agreed to.

SAM P. GRIFFIN, HEAD DOORKEEPER OF THE SENATE

Mr. JOHNSON of Texas. Mr. President, it is with deep sorrow that we learn of the death of Sam P. Griffin, head Doorkeeper of the Senate.

Mr. Griffin has served as an employee of the Capitol for 41 years. He is a veteran of the Senate—one of the faithful employees who do so much to help us over the difficult times.

Our hearts are with the surviving members of his family. To them we send our deepest condolences and our gratitude for the services that Sam P. Griffin performed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. MARTIN of Pennsylvania:

Address delivered by him at Independence Day celebration sponsored by Pennsylvania Chapter, Colonial Daughters of the 17th Century, at Valley Forge, July 4, 1957.

By Mr. WILEY:

Article entitled "Tractors To Tour Antarctica's Ice," written by Walter Sullivan and published in the New York Times of July 7, 1957.

DEATH OF FORMER REPRESENTATIVE EARL C. MICHENER

Mr. CASE of South Dakota. Mr. President, I rise to pay my personal tribute to the memory of a very distinguished legislator, who died in the State of Michigan last Friday, the Honorable Earl C. Michener. Mr. Michener served in the House of Representatives for 30 years. During 14 of those years it was my privilege to regard him as a personal friend and as a mentor.

Mr. Michener was truly a great legislator. He was a student of the rules of the House of Representatives. He was a member of the Judiciary Committee. He was regarded as an outstanding authority on constitutional law. But I suppose in instances like this we remember such friends for what they stood for as a matter of principle. Earl Michener was truly a great patriot. He retired from Congress finally, at the end of 30 years because, he said, of his wife's health. It is one of those little tragedies of life that his wife should have passed away a little more than a week ago. The fact that Representative Michener's death came so shortly afterward suggests that probably his sense of personal loss had something to do with it.

Those of us who had the privilege of serving with him will remember him as a great friend of new Members, freshmen Members of the House of Representatives. He always took them under his wing and helped them to learn how to operate in the House of Representatives.

Mr. President, I ask unanimous consent that the account of the life of Representative Michener which appeared in the Washington Post and Times Herald of Saturday, July 6, 1957, be printed in the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of July 6, 1957]

EX-LEGISLATOR MICHENER DEAD

Former Representative Earl C. Michener, Republican, of Michigan, 80, who was called watchdog of the Treasury during his 30 years as Representative of Michigan's Second District, died yesterday in his Lenawee Hotel room in Adrian, Mich.

Mr. Michener was a Congressman from 1915 to 1923 and from 1935 until his retirement in 1951. He retired because of the illness of his wife, the former Bell Strandler, whom he married in 1902. She died last week.

He was chairman of the House Rules Committee from 1925 to 1933 and 1935 until his retirement and served on the House Judiciary Committee, where he was noted for his sharp checks on Government spending.

Mr. Michener's single defeat was in the Roosevelt landslide of 1932 when he lost to Democrat John C. Lehr, but was reelected the following term. Mr. Michener was succeded by Representative GEORGE MEADER, Republican, who still holds the seat.

Born in Attica, Ohio, he was the son of Valentine A. and Sarah Adelia Cory Michener. He attended the University of Michigan and received his law degree from Columbian College.

He practiced law in Adrian in 1903 and was assistant prosecuting attorney, then prosecuting attorney from 1911 to 1914 in Lenawee County, Mich.

In 1925 he was recommended for a Federal judgeship but withdrew his name, saying he preferred to serve in Congress.

A veteran of the Spanish-American War, during which he served with the 31st Michigan Volunteer Infantry, he belonged to Phi Sigma Kappa fraternity, Sons of the American Revolution, Masons, Elks, and the Rotary Adrian, and Lenawee Country Clubs.

Mr. KEFAUVER. Mr. President, I wish to join my colleagues from Michigan, the Senator from South Dakota [Mr. CASE], and other Senators in paying high tribute to former Representative Earl C. Michener, of Michigan, who passed away a few days ago. I had the privilege of serving in the House of Representatives with Mr. Michener for almost 10 years. He was always a hard, thorough worker, who gave a great deal of attention to all bills, regardless of their importance. He was always fair and open-minded in connection with legislative proposals, and was helpful to new Members of Congress, regardless of their political affiliation. I considered Mr. Michener one of the ablest Members of the House of Representatives, a real statesman in the finest sense of the word.

Mr. POTTER. Mr. President, I wish to join my colleagues in paying tribute to former Representative Earl C. Michener, who died last Friday, July 5. All the people of Michigan, I know, were saddened to learn of his untimely death.

Mr. Michener was one of Michigan's most distinguished citizens. He served in the House of Representatives for 30 years. He was chairman of the House Committee on the Judiciary for a period of time, and the ranking Republican on that committee for some time. He was well known for his judicious mind.

When I first became a Member of the House of Representatives Mr. Michener was one of the deans of the House. At that time he acted much like a father to me. I know the guidance he gave me as a then new Member of Congress was greatly appreciated and most helpful.

Mr. CURTIS. Mr. President, I, too, should like to express a word of sorrow at the passing of Earl Michener. He was one of America's great men. He was a diligent legislator, a thorough student, extremely conscientious and exceedingly patriotic.

Like the distinguished Senator from Michigan [Mr. POTTER], I also served with Earl Michener in the House of Representatives. Mr. Michener acted as a father, so to speak, to many young Members who served in the House of Representatives. He provided not only time and advice, but he set an example which impressed a great many. I regret his passing, and I am sure that our country, his State and community have suffered a great loss.

Mr. JAVITS. Mr. President, I, too, served in the other body with Earl Michener, a fine gentleman, a loving soul, a delighted spirit, and a great legislator. I join with my colleagues, and particularly with his colleague from Michigan, in offering condolences to his family, and in expressing my deepest sympathy and my deep sense of personal loss at his passing.

Mr. POTTER. I thank the Senator from New York.

Mr. CASE of New Jersey. Mr. President, I was a member of the House Committee on the Judiciary when Earl Michener was chairmam of that committee in the House.

I cannot express too strongly my deep appreciation of the service Mr. Michener rendered to me as a young Member of the House, while he was chairman of the committee, and also his personal efforts in acting as a guide, a wise and kind helper, to all the younger Members of the House, including myself.

The world was better because Earl Michener was in it. The Congress was better. We shall all miss him.

I join with my colleague from Michigan in expressing the deepest sympathy to the members of his family.

Mr. POTTER. I thank the Senator from New Jersey.

Mr. MUNDT. I should like to associate myself with the remarks of solicitude and tribute paid in connection with the passing of Earl Michener.

I recall that Earl was one of the first Representatives with whom I conferred and consulted when I first became a Member of the House of Representatives in the 76th Congress. He was kind, gracious, thoughtful, and unselfish; and he was an exceedingly wise legislator. As I recall, it was Earl Michener who was the author of the two-term presidential limitation amendment, which was overwhelmingly ratified by the people of the United States, and which, I feel, is very likely to remain on the constitutional books, despite some recent tendenices to criticize that amendment.

Mr. POTTER. I thank the Senator from South Dakota.

TRANSATLANTIC AIRLINE FARES

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent that I may proceed for approximately 3½ to 4 minutes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Kansas may proceed.

Mr. SCHOEPPEL. Mr. President, during these summer months more Americans than ever before are crossing the Atlantic for European vacations. Such rewarding activity formerly was a pleasure for those in the upper income brackets. In recent years international travel has come within the reach of almost every average American.

Transatlantic plane fares are subject to the approval of the Civil Aeronautics Board, but the Board's authority is limited to approval or disapproval only. It cannot specifically set international airline fares.

This spring all the international airlines which fly the Atlantic proposed a 5 percent emergency increase in transoceanic fares. They said the additional revenue was essential to meet rising costs. This proposal was submitted by the International Air Transport Association to each government concerned for its approval.

Today the American Government, specifically the Civil Aeronautics Board, finds itself alone in exercising a veto of this proposal. Its philosophy over the years, which has been consistently endorsed by the Congress, is to use every means available to keep fares low enough so that a maximum number of persons may take advantage of this form of travel without, of course, jeopardizing the financial soundness of the transatlantic carriers.

It has now come to my attention that pressures are being brought against the Civil Aeronautics Board to soften its policy to hold the line on these fares. The American Aviation Daily has reported that European governments are "fuming." Certain communications have been forwarded from American diplomatic posts in Europe to the Department of State reporting foreign government displeasure over the Civil Aeronautics Board's action.

Our Government, unlike others, does not own and operate airlines. Its role in regulation of air transportation is to consider always the American public's interest. The Civil Aeronautics Board has tried to see that the American tourist's pocket is not picked, and at the same time has done nothing, in my opinion, to jeopardize the air transportation industry's financial position. On May 28, when the Board turned down the so-called "emergency" fare increase proposition, it made clear that no data whatsoever had been furnished by the airlines to show any real need. The Board is not blind to the fact that costs have risen in air transportation as in many other activities. But, the Board said, the information which it has, showing the tremendous increase in the number of transatlantic passengers, proves that the unit cost of carrying each of them has in fact gone down.

North Atlantic fares already exceed domestic fares about 70 percent. Last fall the Civil Aeronautics Board tried to talk the transatlantic carriers into increasing their seating densities, which up till now do not come near utilizing their aircraft to the best advantage as our domestic airlines do. This appeal by the Civil Aeronautics Board to the international carriers to help themselves rather than to levy additional charges on travelers has been largely ignored.

I think it is timely for us to remind ourselves, as well as the foreign governments, that the Civil Aeronautics Board continues to do an outstanding job in insisting upon and promoting low-cost international travel for the benefit of all concerned.

AMENDMENT OF MISSING PERSONS ACT

Mr. MANSFIELD. Mr. President, I should like to have the attention of the distinguished chairman of the Armed Services Committee and ask him a question. I note that Senate bill 2249, which was reported by the chairman of the Armed Services Committee, is listed for consideration at an appropriate time. I should like to ask the distinguished Senator if S. 1239, a bill to amend section 2 of the Missing Persons Act so as to provide that benefits thereunder shall be available to certain members of the Philippine Scouts, will be considered shortly.

As the Senator knows, I have appeared before his committee in support of this measure, and I seek further information.

Mr. RUSSELL. Mr. President, the bill to which the Senator refers, S. 1239, is embraced likewise in a House bill which has passed the House of Representatives. It provides for the extension of the Missing Persons Act, and as well deals with the question whether Philippine Scouts should be entitled to the benefits of that act. We had undertaken to have committee consideration of that bill to include the provisions which relate to the Philippine Scouts. Unfortunately, we were unable to secure a quorum of the committee in time to take intelligent action on all the ramifications of the bill—which, I may say incidentally, is opposed by the Department of the Army—before the 1st of July. The Missing Persons Act expired then. The bill S. 2449 provides for extending the act only until April 1, 1958.

Concurrently with reporting the bill, I referred to a subcommittee, for hearings and consideration, the bill S. 1239, to which the Senator from Montana has referred, and likewise the House bill, which also contains provisions pertaining to Philippine Scouts. I am sure the subcommittee will proceed to conclude hearings and take action on that bill as expeditiously as possible.

Mr. MANSFIELD. I thank the Senator.

SUPREME COURT DECISION IN THE JENCKS CASE

Mr. MORSE. Mr. President, I was very pleased to read in this morning's Washington Post and Times Herald an editorial entitled "Why the Haste?" I consider it to be a very scholarly discussion of the so-called Jencks case, involving the Supreme Court decision on that case.

The editorial sets forth in some detail a good many of the same points by way of criticism of the bill under consideration by the Congress which I made in a speech in the Senate last Thursday.

I am glad to find one editorial writer in the Washington Post and Times Herald who agrees with me about something. I wish to recommend this editorial to the reading of Senators. The last paragraph states:

These defects in the bill demand scrutiny. Nothing will be lost by taking a little time for study. The Senate is supposed to be a deliberative body, and this is a problem which calls for the most careful consideration.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHY THE HASTE?

Congress has been in such a hurry to advance a bill aimed at modifying the impact of the Supreme Court's decision in the Jencks case that it has not even found time to grant a hearing to opponents of the bill. Yet there is serious opposition from men of high repute and great legal learning who see no need for such legislation. Dean Erwin N. Griswold of the Harvard Law School, for example, says: "There is absolutely nothing in the (Jencks) opinion giving the public access to secret files of the FBI. It simply blueprints procedures used right here in Boston and every criminal court."

Other authorities believe that legislation is necessary, and their contention is buttressed by the varying interpretations of the Jencks decisions by judges of the lower courts. The subject is highly controversial, and that is the strongest argument for hearing both sides before legislation is brought to a vote.

The Court said in the Jencks case that when the Government chooses to put a witness on the stand in prosecuting an American citizen, it must make available to the defense earlier secret statements or reports made by that witness touching on his testimony at the trial. The purpose of this requirement is to give the defense a fair chance to look for contradictions which could be used to impeach the credibility of the Government witness. As Dean Griswold points out, this has long been standard procedure in American courts. It evokes a hullabaloo now only because the Supreme Court has applied it—in limited terms—to the FBI's secret files. No indiscriminate fishing expedition was authorized. But as the Court observed, "It is unconscionable to allow it (the Government) to undertake prosecution and then invoke its governmental privileges to deprive the accused of anything which might be material to the defense."

Sponsors of the bill accept this principle, but point out that its application is not automatic. They believe that confusion and unnecessary interference with law enforcement can be avoided only by authorizing the trial judge to determine what portion of the FBI reports requested by the defense relate to the testimony given. The bill would allow the judge to excise from such reports the portions not relating to the subject before they could be released to the defense counsel.

Going beyond this, however, the bill provides that "no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States shall be the subject of subpena, discovery, or inspection," except as subsequently provided in the bill. The terms of this would apply to all sorts of tax and antitrust cases where pretrial disclosure of relevant material in the Government's possession has always been a matter of course. Why should the bill apply not only to a "prospective witness" but in addition to any "person other than a defendant?" This appears to be either a concealed attempt to make a drastic and mischievous change in the established rules of criminal procedure or an extremely sloppy piece of draftsmanship.

The bill would modify the Supreme Court ruling by making available to the defense only "such reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct." This limitation would enable the Government to avoid its obligation to produce reports by the easy device of having informants

leave them unsigned and unapproved. Whatever reports the Government may have from a witness touching on his trial testimony ought to be given to the defense as a matter of elementary fairness.

The bill provides that previous reports by witnesses shall be made available to the defense only "after a witness called by the United States has testified on direct examination." The prosecution knows in advance of trial what its witnesses are going to testify on direct examination and, for the sake of orderly procedure, ought to produce relevant reports prior to the trial. Lacking these, the defense cannot prepare its case effectively.

The bill provides that if the Government declines to comply with a court order to produce reports, "the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared." This has raised some serious questions. It is impossible to strike from the minds of jurors testimony they have heard. If the Government does not wish to produce relevant reports, it should not use witnesses who made those reports.

These defects in the bill demand scrutiny. Nothing will be lost by taking a little time for study. The Senate is supposed to be a deliberative body, and this is a problem which calls for the most careful deliberation.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I also wish to invite the attention of the Senate to another editorial published in the Washington Post and Times Herald of this morning entitled "Division on Home Rule." I ask that it be printed in the RECORD at this point in my remarks, to be followed, Mr. President, by a prepared statement in the form of testimony which I gave this morning before the Senate Committee on the District of Columbia, in opposition to the administration's so-called home rule bill. My testimony is my answer to the Washington Post editorial.

There being no objection, the editorial and statement were ordered to be printed in the RECORD, as follows:

DIVISION ON HOME RULE

It is extremely unfortunate that the question of home rule for the District has seemingly become embroiled in national party politics. Until this year, the bills to restore suffrage to Washington, if they have not enjoyed any other sign of congressional interest, have at least commanded sufficient indifference to permit of bipartisan sponsorship. Now two of the ablest and stanchest supporters of the cause, Senators NEELY and MORSE, have declared they will actively oppose the Eisenhower administration's version of the home-rule bill and support their own.

Considering that only the earliest and most intense efforts will suffice to give any home rule bill a chance of passage in the House—where the District Committee keeps all such measures securely bottled up—this division of home rule forces in the Senate virtually foredooms the movement to another defeat. The difference between the Democratic bill and the one favored by the President, might be important in other circumstances. The President favors an appointed District governor and an elected assembly; the other version calls for an elected mayor and an elected council. Either system would constitute so enormous a gain for the civil rights of disfranchised Washingtonians that it seems a real pity to risk everything in a debate over these alternatives.

STATEMENT OF SENATOR MORSE, ON JULY 8, 1957, BEFORE THE SUBCOMMITTEE ON JUDICIARY OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA ON S. 1289 AND S. 1846, BILLS PERTAINING TO THE ESTABLISHMENT OF HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. Chairman and members of the subcommittee, it is with mingled feelings that I appear before you to speak on behalf of S. 1289, the home rule bill introduced by Senator MATTHEW M. NEELY of West Virginia, which I have had the honor of cosponsoring, and in opposition to the administration bill, S. 1846.

I recall the fate of S. 669 and that of S. 999, home rule bills of previous sessions of the Congress with a certain sadness that is tempered however, with pride rightfully taken in the great fight for principle that was then made. I anticipate with hopefulness the eventual recognition that will be the portion of those District citizens who have for so long struggled to obtain for themselves, their children, and their neighbors the full measure of true home rule.

Before I enter into the detailed presentation of my position on the two bills now pending before the subcommittee, I ask indulgence of its chairman in permitting me to make a few brief introductory comments. I should like to compliment the chairman for the splendid work that he has been doing in preparing for this hearing today. He and his staff have been for some time most diligent in analyzing the bills being considered, obtaining the advice of very well qualified experts in the field of municipal charter legislation upon the many highly technical aspects of city financing with which the bills are concerned, and in bringing to bear upon the problem his own excellent background of experience as the elected leader of a great metropolis. I venture to predict, that despite whatever fate may lie in store for the particular bills before the subcommittee today, the result of these hearings will make a record in scope of treatment that will be of inestimable value to students of municipal organization for many years to come. In this connection, I wish to make it perfectly clear, that with respect to many of the minor administrative provisions of S. 1289, I will welcome the perfecting amendments that I feel sure the subcommittee on the basis of the evidence, will wish to make.

Mr. Chairman, the heart and essence of the difference between the two bills under consideration, is whether we in the Congress are willing to grant home rule, by which I mean the right of the citizens of the District of Columbia to determine their political destinies through the procedure of freely electing their representatives, or whether, as proposed by the administration bill, we are willing only to grant the false front of elected representation which hides the underlying harsh reality of appointive authority.

The administration bill provides for an organizational structure subservient to the power, not of a freely chosen representative of the people of the District, but rather of a politically appointed representative of the executive branch. It is because of this political hypocrisy that the administration bill can well be characterized as a phony home-rule bill. I know that many well-intentioned citizens have taken, and will continue to take before the subcommittee in these hearings, the position that all the Congress and the President will permit the District to have is the mess of pottage that the so-called territorial form of governmental organization represents, and that therefore, limited though it is, the administration bill is better than nothing at all.

This belief and counsel of despair, Mr. Chairman, is appealing in many ways, but it is a concession to expediency that will, in the future, rise to plague its proponents. It were better, Mr. Chairman, and I say this in all sincerity, and with all the conviction that I can, to forego for now, the illusion of home rule, in order that at a later date the substance of home rule may be truly attained.

To document the statements that I have just made, I ask the subcommittee to consider with me now certain of the provisions of the administration bill and to contrast them with the provisions of the bill, S. 1289, that proudly bears as sponsor the name of that great liberal and fighting humanitarian who is chairman of the Senate Committee on the District of Columbia, Senator MATTHEW M. NEELY, of West Virginia.

The preamble to each of the bills set forth succinctly the major difference that I wish to stress this morning. S. 1289 provides for an elected mayor, an elected city council, an elected school board, and an elected nonvoting delegate to the House of Representatives. S. 1846 provides for an appointed governor, and an appointed lieutenant governor, permitting only the election of the legislative assembly and the nonvoting delegate to the House.

I call to your attention the fact that S. 1289 provides for an elected chief magistrate and that the administration bill does not do so. If the principle of home rule is a valid one, and it has worked throughout all of our history, and throughout the history of England before us for towns and cities, then the fiction that the city of Washington, D. C., is a territory and thus that the territorial form of organization ought properly to be used, stands revealed in its nakedness as a device to circumvent the most precious civic right enjoyed by urban citizens, the right to exercise the ultimate check of a democracy—the right to throw the rascals out. Let us be perfectly clear about the matter. The plain truth is that S. 1289 permits the citizens of the city of Washington, D. C., to choose and to retire the chief magistrate, while the administration bill does not give them that elemental civic right. To the extent that a citizen is deprived by the administration bill of that basic right, to that extent I hold that the administration bill violates the concept of home rule, and to that extent the bill is fraudulent in its attempt to masquerade as a home-rule bill.

One other point in this connection, Mr. Chairman, I commend to the attention of the subcommittee. S. 1289 provides for an elected school board, while S. 1846 leaves this most important segment of our community life to such disposition as the legislative assembly may determine. The autonomy of the school system, as it is presently established in the city, is by the administration bill abolished. Its role in the future could easily be that of a subordinate political entity, one on a par with that of the Department of Sanitary Engineering. Mr. Chairman, this point, in my judgment, is a crucial one. Do we wish to follow the philosophy of downgrading our educational system by placing it in departmental competition for funds with all other municipal functions? Is it not preferable that the school system be retained as an autonomous agency in a planetary system of governmental organization, responsible to the voter? The point gains added urgency, when it is remembered that we have today pending before the Subcommittee on Public Health, Education, Welfare, and Safety, measures which would permit a capital expenditure for school construction of $70 million derived from borrowing. This measure bears the strong endorsement of the Board of Education. The Board, although not elected, is autonomous. The proposal of the politically appointed Board of Commissioners, I am informed will be that substantially recommended by their appointed Public Works Program Review Committee an amount only

of $54,384,700. Thus, under S. 1846, if the past is an indication of the future, there is the grave risk that the school authorities could be muzzled administratively and prevented from presenting their needs to the community. This is but one example of the consequences that might flow from the enactment of S. 1846, the administration bill, but it is an example that should give us pause.

The assertion is made by the proponents of the administration bill that the problems of Washington are so complex that a territorial form of government is better suited to the situation than is a municipal form. The logic of this position escapes me completely. I would ask the proponents of S. 1846, in what respects does the city of Washington differ from its metropolitan neighbors of New York City, Philadelphia, Boston, Chicago, Baltimore, or, indeed, San Francisco? Urban problems are urban problems no matter where they are encountered in this country. Since I assume that the proponents of the territorial form do not go the whole road in their argument and suggest the wholly unconstitutional proposal that the city of Washington is to be prepared for statehood, and by that token ought to undergo territorial tutelage, I suggest that the territorial device is but a facade of fraud. To argue that Washington ought to be a Territory to negotiate as an equal with the surrounding States on matters of common concern, is to ignore the splendid record made in the analogous situation of New York City and the State of New Jersey in the creation of a port authority to serve that area. Since the city of Washington, D. C., no matter what form, territorial or municipal, is adopted, will still remain the Capital of our country, and by constitutional provision, the Congress will retain full rights as sovereign, the negotiation rationalization falls of its own weight. Certainly the Congress of the United States is sufficiently powerful to negotiate with the sovereign States of Maryland and Virginia as, at the very least, an equal.

At this point, Mr. Chairman, I should like to dispose of one other point that may be made by the proponents. This is the fallacious argument that the territorial form of organization would better preserve the unique interest that the Federal Government has in the Capital City. Unless my memory fails, it occurs to me that the Constitution of the United States in section 8, clause 17, makes provision for the Congress to have exclusive legislation in all cases whatsoever, over such District. Certainly the wording of this provision is broad enough to permit the Congress adequately to protect the Federal interest. It is possible that the proponents of S. 1846 are worried not about the Federal interest but about a far different thing, the executive interest. I would have them in that case remember that the Founding Fathers did not see fit to include explicitly any provision for the interest of the President over the District, and for this reason among others I question a territorial form under the model suggested by the administration bill.

There is a difference between the two bills with regard to the size of the legislative arm. S. 1289 provides for a council of 9 members; S. 1846 provides an assembly of 15 members. To perform the legislative functions of a city council it can be argued that the smaller number contemplated by S. 1289 might be able to perform their duties more expeditiously, it is certainly true that from the standpoint of economy the smaller number is to be preferred. S. 1846 provides for the office of lieutenant governor, to my way of thinking a decorative fifth wheel, albeit a costly one, whose rationale must stand upon the validity of the territorial argument. To be frank about the matter, it would provide the administration with a sinecure for patronage purposes, and it does provide a gilded ornament to adorn the false front of the territorial structure. It may be noted in passing that S. 1289 provides that the elected council fill a vacancy in the mayoral office until a general election can be held.

I cannot resist making at this juncture an admittedly minor point, but one which, nevertheless, helps to expose the inconsistency of the territorial fiction of the administration bill. Why, if the territorial form is appropriate to the District, do the proponents of S. 1846 balk at including under the appointive governor the Armory Board and the National Guard of the District of Columbia? Surely these agencies are appropriate to a territorial form. So too, for that matter is the Public Utilities Commission. That they are specifically excluded by the language of section 324 (a), pages 12 and 13, casts some doubt upon the territorial argument. In passing, Mr. Chairman, I should like to contrast the tenderness with which these excluded agencies are treated, by reminding the subcommittee that the school board is given no such special consideration in the administration bill. Actually the question of whether or not such agencies as the National Capitol Housing Agency and the Redevelopment Land Agency ought to be brought under the control of the municipal authorities as a matter of sound organizational structure, is one that has many ramifications. I feel confident that the subcommittee in its deliberations will carefully weigh the matter and decide the question on the basis of the technical arguments that ought to be controlling.

I do view with some concern, Mr. Chairman, the glaring omission in the administration bill of the specific provisions of S. 1289 on page 12, lines 1 and 2, prohibiting lotteries and gambling. In my view, this is a fit subject to include in a charter. I hold that gambling is against the public interest and that, especially here in the capital city of the Nation we ought to make sure that this vice is given no color of sanction by omitting it from the charter statute.

The provisions for a presidential veto contained in the administration bill, are but another example of the desire to protect the executive interest, and an additional illustration of the distrust of the home rule principle. One might almost say, Mr. Chairman, that it illustrates a basic distrust of the democratic process itself. If this provision originated at the White House, as some have intimated in the press, all I can say, with Shakespeare is that indeed they "seek to make assurance doubly sure and take a bond of fate." (Sec. 324 (d), p. 15, lines 16 through 24 and p. 16, lines 1 through 6.)

I turn now to section 401 (b), subpart (2) (b) and (4) which may be found on page 22 of S. 1846. The language reads (lines 17 through 25):

"(b) No person shall hold the office of Governor or of Lieutenant Governor, unless he • • • (2) is domiciled and resides in the District and • • • and (b) has not voted in any election (other than in the District) for any candidate for public office, • • •"; and "(4) holds no other appointive office for which compensation is provided out of District or Federal funds."

It seems to me to be rather odd that an individual who has exercised his right as an American citizen to cast an absentee ballot in the State of his origin, should be thus penalized. Equally strange to me is the philosophy which would deprive from chance of appointment to office the entire class of Federal employees. This would have the effect of barring from consideration such well qualified and devoted public servants as General Lane, whose transfer to Ft. Leonard Wood was recently announced, as well as those of his able predecessors who over the years have served as Engineer Commissioner. Certainly, in the Federal service we have a magnificent source of highly qualified executives who could, and who I feel would, shed lustre on the mayoral office. Why should we deny by statute our access to this reservoir of talent? Under S. 1289 no such bar exists. If such a devoted career employee were to be nominated and elected, he would simply take leave of absence from his position during the time of his campaign and incumbency, and return to it upon completion of his civic service. It is my hope that the subcommittee will consider this point with great care during the markup session.

Mr. Chairman, S. 1846 grants in section 402 subparts (10) and (14) on pages 27 and 28, powers to the Governor that merit careful scrutiny, the sections read:

"(10) He (i e., the Governor) may delegate any of his functions (other than the function of approving contracts between the District and the Federal Government under section 901) to any officer, employee, or agency of the executive office of the Governor, or to any director of an executive department who may, with the approval of the Governor, make a further delegation of all or a part of such functions to subordinates under his jurisdiction."

"(14) He is authorized and directed to promulgate, adopt, and enforce such rules and regulations not inconsistent with any act of the Congress or any act of the assembly as are necessary to carry out his functions and duties."

These two sections of S. 1846, Mr. Chairman, constitute a very broad grant of authority that could be exercised, through delegation and redelegation, by minor officials of the District government. If the assembly or the Congress has not acted in a certain field, the Governor has free reign. Should an abuse of this authority occur, the assembly could, through injudicious use of the double veto power contained in the bill in other places, find itself powerless, and the matter then would have to come before the Congress. This seems to me, Mr. Chairman, to be in contravention of our doctrine of the separation of powers. I call attention, by contrast, to the moderate provisions of S. 1289. There section 402 (8) permits delegation of mayoral power under two safeguards. First, it may be done only with the consent of the council, and second, delegations may be made only to the department head level. S. 1289 does not contain the rule making powers of S. 1846, because it was felt that legislation belongs properly to the legislative arm, and should be delegated to the executive arm only under proper safeguards and with review and recapture language written into the delegation. By granting these powers in the charter statute, Mr. Chairman, we are tying the hands of the assembly with respect to these important legislative checks. To say that the assembly or the Congress could enter into the picture by positive legislation while true, might as I have previously shown be difficult, and in any event it misses the essential point that cooperation between the legislative and executive branches may be better insured, and greater heed be given to the wishes of the legislature, if the structure of the relationship sets forth clearly the primacy of the legislative arm in these matters.

I move now, Mr. Chairman, to section 1601 of S. 1846 (p. 79), and the corresponding section of S. 1289, section 1701 (p. 76). I note that the administration bill, consistent with its philosophy of distrust of the home-rule principle, requires that 25 percent of the voters must request a referendum. S. 1289 requires only 10 percent of the registered voters for this purpose. I would not object to striking the word "registered" from S. 1289, since I can appreciate the administrative difficulties that might arise in attempting, after the fact, to determine whether or not a specific registered voter, for example, was still

living on election day. I do object, however, to the philosophy which would require such a large percentage of voters to protest as is contemplated by S. 1846. I commend to the subcommittee my suggestion that the 10-percent figure be retained and that the word "registered" be deleted. I have a strong interest in this matter because of the pride that I have, as an Oregonian, in the Oregon system of initiative and referendum. These devices, particularly the referendum, have served my State well over the years. They constitute, in my judgment, a most healthy check by the people on legislative action. It is for this reason that I view with question the language of S. 1846 in section 1603 on page 80, lines 22 through 24. I am reminded that in my own State the voters have on a number of occasions halted the action of the legislature when it sought to impose a sales tax. Whether the sales tax is right or wrong—and in my judgment it is a regressive tax and one that ought not be imposed on food especially, and in this I am sure that Senator JAVITS would concur—the inescapable fact is that the voters of my State just plain don't want to have a tax of this type imposed.

I am not moved, therefore, by arguments that revenue acts might be held up by this procedure. If they are, then alternative methods of obtaining the necessary money must be explored. To attempt to circumscribe to the point of invalidating a franchise right is, to my way of thinking, the same thing as denying that right but being unwilling to do it honestly. I ask the subcommittee to view this language carefully, and I earnestly counsel them not to replace the mandatory shall of S. 1289 with the permissive may of S. 1846.

This concludes, Mr. Chairman, my review of the specific provisions of the two bills. In summation, I ask only that you and your colleagues think carefully on the principles that underlie these bills. Let me refocus attention on the salient differences. S. 1846 under the pseudo-structure of a territorial facade provides for an appointive head, a politically appointed governor with very broad powers, a double veto that is an extension of presidential power, a restriction on referendum procedures that is almost a nullification of the right, and no protection for the autonomy of the school system while it carefully exempts from popular control the Public Utilities Commission and the District National Guard. S. 1289, on the contrary, provides for a freely elected mayor, an elected council and an elected school board.

I hold that S. 1289 is in the grand tradition of American local self-government, and I urge its favorable consideration by the subcommittee. Thank you very much for permitting me to testify today before you.

Mr. MORSE. Mr. President, as I said at the hearing this morning, there is no home rule connected with the administration bill, because it is a travesty on the very definition of home rule. There cannot be home rule, Mr. President, unless the citizens of the District of Columbia have the right to use the ballot box in electing a mayor of the District of Columbia, and exercise the voting privilege at the ballot box, as I testified this morning in checking the trend in this country toward executive government. The danger of executive government is very well epitomized and symbolized, I say respectfully, Mr. President, in the administration's so-called home rule bill. All the bill would do would be to strengthen the further exercise of executive power in America, and the American people had better be on guard against such a trend.

Mr. President——

The PRESIDENT pro tempore. The Senator from Oregon.

JOHN DAY DAM

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed as a part of my remarks in the body of the RECORD a letter from Ken Billington, the executive secretary of the Washington Public Utility Districts' Association, Seattle, entitled "Little Brown Hen."

I wish to associate myself with the observations Mr. Billington makes in that letter.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LITTLE BROWN HEN

To the EDITOR: While Thomas W. Delzell, chief executive officer of the Portland General Electric Co., tries to stampede the people of Oregon into a fight with the people of Washington over allocation of Federal power, he is one of the reasons behind a news story in your newspaper of May 30, which indicates that the House Subcommittee on Appropriations will not grant a new Federal start at John Day Dam this year.

On May 20, we of public power appeared before that Appropriations Subcommittee and went all out for a new Federal start at John Day. This has been the consistent position of the Washington PUD's. We had been led to believe that the Pacific Northwest Utilities Conference Committee, which is dominated by the private power companies, including Mr. Delzell's, had also agreed to support a new Federal start at John Day. Their written statement indicated this.

We were astounded to be hit in the face by the minority leadership on that committee who stated "representatives of the private utilities appeared before the committee last week and they said private utilities would build the John Day Dam if given the opportunity with their own money."

Later this was checked by a Washington Congressman and it was found the reference was to the verbal testimony of Mr. Delzell before the committee.

It's the same old problem. While Mr. Delzell argues for Federal power for Oregon people (which, in effect, actually means Federal power for his own company to sell to the Oregon people) he turns right around and sabotages Northwest efforts to get more low-cost Federal power.

It is remindful of the little brown hen story, whereby everybody wanted to eat the cake but nobody wanted to help grow the wheat or get it baked. If the people of the States of Oregon and Washington get pushed into an argument over allocation of Federal power, they will be the losers—not the private utility company which Mr. Delzell represents.

KEN BILLINGTON,
Executive Secretary, Washington Public Utility Districts' Association, Seattle.

UNITED STATES RELATIONS WITH BOLIVIA

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the body of the RECORD an editorial from a Bolivian newspaper entitled "Mr. Holland Again."

I wish to say, as chairman of the subcommittee of the Senate Committee on Foreign Relations which deals with Latin American affairs, that I think the members of my subcommittee, as well as of the full committee, should pay a great deal of attention to Mr. Holland's activities in South America, many of which cause me to raise my eyebrows in suspicion.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. HOLLAND AGAIN

(Translation from El Diario, La Paz, Bolivia, May 20, 1957)

When the arrival of Mr. Henry Holland was made public a few weeks past to coincide with the fifth anniversary of the Revolution of April 9, 1952, the general assumption was that Mr. Holland merely intended to demonstrate a spontaneous gesture of affection for Bolivia. While Assistant Under Secretary of State for Latin American Affairs of the United States of America State Department, he had, during a previous visit to Bolivia, associated himself publicly as a member of the National Revolutionary Movement, which declaration had dumbfounded even the leaders of this party. When greeted vociferously by the minions of the MNR party upon his arrival, Holland hastily explained that he now came to Bolivia in a private capacity, as a Texas lawyer to negotiate oil contracts. However, with well-known Texan verbosity, he pointed out clearly his past official relationship to the United States Government and the Bolivian Government as well as his deep affection for the latter. It appears that the deal which brought him to Bolivia progressed handsomely, because he negotiated at a level to which he was accustomed in his previous duties, although now in a private capacity. His new status did not prevent him from enjoying the special privileges accorded to him before, but ever fostered them.

Mr. Holland is again visiting us—whether to conclude the previous deal or to present new proposals, we do not know. Public opinion—surprisingly lenient in Bolivia—is, however, unable to reconcile the moral compatibility of a former Under Secretary of State with so many previous ties in Bolivia due to his official position, now exercising the profitable activities of a private lawyer amongst us. It seems to indicate contempt for public opinion in Bolivia.

The high standing commonly associated with the Government officials of the great North American country—decent men, never mixed up in shady deals—would have made it desirable that we should always remember Mr. Holland as a generous friend, free from hidden motivations. We would have liked to recall him with the respectful gratitude felt in Europe for General Marshall, due to his economic aid plan. This high esteem would have been lost—with serious damage to his prestige and that of his country's—if General Marshall would have been found to be a partner or agent of the large industrial companies whose economic recovery was furthered by his plan. The world needs from time to time heart-warming examples, such as that of General Marshall, to keep its faith in high, human values.

Besides, the transfer of oil concessions and the benefits derived from them can be advantageously negotiated by any Bolivian lawyer. Such is the method usually followed in Venezuela and Colombia in similar cases, where local professionals are preferred to foreign ones. To allow such negotiations to be conducted by foreign experts alone is a serious mistake; the application for a concession and the succeeding negotiations should not be the exclusive task of foreigners, but should be entrusted to native professionals in order to increase their economic welfare. On the other hand, the great hopes raised by the potential oil wealth of Bolivia, as well as the generosity of the Petroleum Code, so liberal as to border on extravagance, are able to attract foreign investors by themselves, making the activities of propaganda agents quite superfluous.

ARMANDO SOTELO BELTRAN.

DEDICATION OF HARRY S. TRUMAN LIBRARY AT INDEPENDENCE, MO.

Mr. SYMINGTON. Mr. President, Saturday, July 6, was a day we of Missouri will never forget.

Many thousands of people wended their way to the pioneer town of Independence in order to participate in the perpetuation of the words and actions of Missouri's first citizen.

This was done through the dedication of the Harry S. Truman Library.

On that day also this library was presented to, and accepted by, the United States Government as a permanent memorial.

This library will be by far the most authentic source for the records of executive action taken during 8 of the most important years of the history of the United States.

The distinguished citizens who gathered for the testimonial to a great American President not only included such leaders of his own party as Speaker Sam Rayburn, of the House of Representatives; and majority leader of the Senate, Lyndon Johnson; along with the distinguished junior Senator from New Mexico, Mr. Anderson; the distinguished senior Senator from Oregon, Mr. Morse; and the distinguished junior Senator from Texas, Mr. Yarborough; but also including former President Hoover; the Chief Justice of the Supreme Court, the Honorable Earl Warren; the minority leader of the Senate, Mr. Knowland; and the assistant minority leader of the House, Mr. Halleck.

I have not at hand the fine remarks of President Hoover, but at this time, Mr. President, ask unanimous consent that the addresses made by the Chief Justice, the Senate minority leader, and Representative HALLECK be inserted at this point in the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE EARL WARREN, CHIEF JUSTICE OF THE UNITED STATES SUPREME COURT, AT THE DEDICATION CEREMONY OF THE TRUMAN LIBRARY, INDEPENDENCE, MO., ON JULY 6, 1957

This is an important event in the life of the Nation and I am happy to participate in it. The library which we dedicate is destined to become a Midwestern center of study and research, not only for the period of Mr. Truman's Presidency, but also for the whole complex picture of events surrounding it. The impetus it provides for extending the research resources of this great section which has meant so much to the development of the Nation as a whole, represents a milestone in American history.

The casual observer would have difficulty in appreciating the dynamic part this quiet home city of Independence has already played in the growth of our country. Used as the hunting grounds of the Indians before and after the arrival in America of Europeans, this area was once part of the colonial empire of France and Spain. It was acquired by the United States in the Louisiana Purchase of 1803. Independence soon become a frontier settlement, the jumping-off place for those hardy pioneers, who gave forceful character to the Midwest and the Far West. It helped to impart to those great regions the spirit of the famous explorer Daniel Boone, whose son, Daniel Morgan Boone, is said to have been the first white man to visit this region. As more and more permanent settlers established themselves, Independence flourished as a trading post and outfitting point for the Oregon, Santa Fe, and California trails. The various chains of events started in motion here in those days of the Argonauts, are among the most colorful and heroic of our entire history. The Mormons came here to make their home in 1831, but, after two turbulent years, they moved on. After long wandering and, at a site a thousand miles westward, they finally established their Zion and founded the great State of Utah. The growth of Independence was given a tremendous impetus by the 1849 gold rush which brought many prospectors to purchase supplies for their journey to California. They were a hardy and adventurous lot spurred on by the lure of gold. Thousands of them, in their prairie schooners or on horseback wended their way across plains, mountains and desert to the Pacific Coast. Of them it has been said that "The timid never started and the weak died on the way." Mr. Truman's grandfather owned one of these outfitting stores, and eventually himself succumbed to the gold fever. He made the trek to California and acquired a ranch at our capital city of Sacramento. Independence, now a typical community, seems far removed from those days when it served as a western outpost.

Mr. Truman's Presidency naturally reflected this daring spirit of pioneer days as well as his own character as a man of action: Tireless, fearless, and decisive. Let me say that I personally came to appreciate his dynamic fighting qualities, perhaps earlier and more fully than some other people, in the fall of 1948, before he reached midpoint of his administration. The Truman era is already recognized as one of the most momentous periods in the history of our country and of the world. The demands then made upon the President were as diverse and breathtaking as they were ponderous. Complicated events crowded upon one another giving Mr. Truman little or no time to sit, ponder, and mull over historical precedents. He was, like Grover Cleveland, confronted with conditions, not theories. Repeatedly he was called upon to act with promptitude and resolution. His response always was action; even split-second action in matters of the gravest importance. The best evidence of the magnitude of the office he held, of the considerations basic to his decisions, of the methods he adopted to meet new and pressing problems will be found in the Truman papers housed in this library. Without them, the world would never fully understand his courage and stamina in responding in the vigorous and effective way he did to crises such as few other Executives have had to face.

Toward the close of World War II, and within a few weeks after he assumed the Presidency, Mr. Truman was host to representatives of the peoples of the world who met in America to form a world organization dedicated to maintaining and enforcing peace. During his administration, the headquarters of the United Nations were established in this country, we are entitled to believe, largely by reason of his leadership, the hospitality extended by our people, and the manifest desire for universal order in the soul of every American. While the United Nations was as yet young and untried, and while we were engaged in making a profound adjustment to a peacetime economy—demobilizing our armies, putting the ships of our fleet in mothballs, dismantling aircraft, reconverting industries, creating jobs, and developing human relations in and out of this country—the whole process had to be reversed by the outbreak of hostilities in Korea. There, at the instance of Mr. Truman, troops of many nations, for the first time in history, fought solely to restore peace with freedom under an international banner. Aggression was repelled. The war was successfully contained. Arrogance was frustrated as had previously been done in Europe with the Berlin airlift.

Again, it was during Mr. Truman's administration, with the experience of the Second World War behind us, that an end was put to any possibility that the United States could ever return to a policy of isolation and self-sufficiency. Out of that conflict had come the discovery of nuclear fission with implications for future good or evil and posing a grave challenge to the human family. Although we did not seek it, worldwide responsibility was thrust upon us. The obligation of this responsibility was accepted in an open-spirited way. We engaged to undergird the defenses of the Free World. A daring new policy of international cooperation and assistance designed to reconstruct the world and to aid backward areas through economic and technical assistance was then promulgated and has since been continued.

Colleges and universities whose faculties and students will reap the greatest benefit from their use of the Truman Library were among the institutions that experienced conspicuous changes during the Truman administration. The United States Government financed, in large part, the education of its veterans. The return to school of many thousands of serious and studious men, under the GI bill of Rights Act, doubled the registrations in institutions of higher learning. In this period, more than ever before, we recognized the need for college-trained citizens and we began to wrestle boldly with our educational problems. It became national policy that our veterans, educationally speaking, must not become a lost generation. Since then, because of the war-inflated birth rate, the size of elementary schools has doubled and now our high schools are feeling the effect of greatly increased enrollment. Shortly, the colleges and universities will have to double in size again. It is fortunate that the Truman Library is to become a part of our vast and growing educational system—that it can be a major influence in the process of training an ever-growing number of research students.

Prof. John D. Hicks of the University of California has aptly spoken of history as "an endless procession of human experience marching toward the present and the future. But the only way this procession can reach the current scene is through our recent past. The years just fading from our memories constitute, in a sense, the bridge over which the contributions of earlier ages must pass to make contact with the world of today and tomorrow."

The Truman papers will furnish substantial material "to keep this bridge in order." From them we are able to take inventory, to discover where we came from, how we got here, and, perhaps, to chart our future route more intelligently. People from the universities and colleges of this country and from foreign countries will beat paths leading to and from Independence reminding us of those of the 19th century. These new trails will be kept open because there will be sustained use of the Truman papers by future generations of writers, biographers, historians, political scientists, and others. The traveler following these new trails will explore the background which the Truman Library will provide for a more complete understanding of the contributions made by his administration. Independence will become even more distinguished as a center for the cultural development of our country than it was for its geographical expansion.

Again to quote the historian, the former preoccupation of that profession with the distant past had the effect "that the darkest age, historically speaking, was likely to be the age just gone by." Mr. Truman, the private citizen, now back at home, continues to dedicate his life to the public good—to make certain that the years of his administration will not be such a dark age. Today he performs a characteristic service in giving both his time and his substance to do that which in this instance only he can do. He is providing the people of America and the people of the world with the means to form their own estimate of his public service. Mr. Truman, who has an abiding interest in our national history, has arranged for the preservation of his papers in this library in such manner that his administration will be one of the clearest ages of history. It is in compliance with his public-spirited generosity that I dedicate this building as a museum and a library to safeguard, exhibit, and facilitate the use of its valuable resources that the American people, and, all the peoples of this earth, may gain by their wide and wise use understanding of ourselves and our times, and wisdom to choose the right paths in the years that lie ahead.

In doing so I share with all Americans the hope that Mr. Truman will live long to see the results of his work and to be accorded recognition that the future of mankind will be richer because of his having passed this way.

STATEMENT OF UNITED STATES SENATOR WILLIAM F. KNOWLAND, DEDICATION CEREMONIES OF TRUMAN LIBRARY, INDEPENDENCE, MO., JULY 6

President and Mrs. Truman, President Hoover, Governor Blair, distinguished guests, ladies, and gentlemen, we meet here today as Americans and not as partisans. We are here to help dedicate a library and its contents made available by the gifts of the American people and the generosity and interest of former President Truman. This collection will be of tremendous value to present and future generations of Americans.

As minority leader of the Senate and I know voicing the sentiments of the majority leader as well who was here this morning but had to return to Washington this afternoon, we bring the greetings and best wishes of the Senate of the United States in which Mr. Truman ably served as a Senator from the State of Missouri.

While there are many matters on which there are differences of opinion from a partisan or a geographic background there is a unanimity among us as Americans that we will work shoulder to shoulder together to preserve our Republic and to help maintain a free world of free men.

REMARKS OF CHARLES A. HALLECK, REPUBLICAN, OF INDIANA, INDEPENDENCE, MO., AT DEDICATION OF TRUMAN MEMORIAL LIBRARY, JULY 6, 1957

This is a magnificent occasion and I am happy and proud to be a part of it.

Let me also say that it was most gracious of President Truman to invite me out to participate in this ceremony.

Everyone familiar with the political scene of the past 10 years is well aware that Mr. Truman and I have not seen eye to eye—to put it mildly—on many things. You might even say that we have, in our political relationship, upheld the highest traditions of the Hatfields and the McCoys.

But whatever our differences may have been in the past—and I doubt that there were any hatchets buried in that cornerstone this morning—there has never been, to my knowledge, anything of personal bitterness between us. Nor will there ever be, I am certain.

I am here at the kind invitation of our host probably because it was my privilege to play a part, as House majority leader in a Congress which had a role in many of the momentous events whose history is recorded in the institution we are dedicating today.

It seems to me the inherent strength of our great two-party system was strikingly demonstrated during that period.

Certainly the times were difficult enough to provide an acid test of any system and the men upholding it.

The long years of World War II had subjected our own economy to severe stresses and strains. The grim question facing the Free World was whether, for the devastated nations which had fought as allies, we had won a Pyrrhic victory on the battlefield that would cost us the very freedom we had sought to preserve.

Having exerted our might to win the war, America now faced the burden of leadership in winning the peace.

Any illusion that the wartime alliance with Russia had been anything but a marriage of convenience had been shattered by Soviet maneuvers to capitalize on the weakness of small nations exhausted by the conflict.

Communism was on the march, in the Middle East, in Europe, and in Asia.

The records within the walls of this library will document how well the leadership of America, in the executive and legislative branches, met its responsibility to the cause of freedom.

In this solemn obligation—the obligation to resist communism and to prevent its domination over liberty-loving people everywhere—a Democrat President and a Republican Congress found common ground.

I believe history will confirm that what was done at that time did save Europe from communism.

In April of 1947, at the request of President Truman, Congress passed legislation providing aid for war-devastated countries. We had served notice to the Kremlin that on this issue Republicans and Democrats were standing together as Americans.

We enacted a second measure, again at the President's request, this time aimed at keeping Greece and Turkey out of the Communist orbit.

I don't pretend there wasn't opposition in the Congress to these programs—opposition from both sides of the aisle. But a vast majority of Members in both the House and Senate recognized that the United States was the only power on earth capable of stopping Russia, and that our own national security demanded action.

That conviction was reflected in the title of an interim aid bill for France and Italy, which set out the purpose of this third piece of major legislation as follows:

"To promote world peace and the general welfare, national interest, and foreign policy of the United States by providing aid to certain foreign countries."

These actions were forerunners of the comprehensive, multibillion dollar Foreign Assistance Act of 1948, otherwise known as the European Recovery Act, a one-package bill to implement the Marshall plan, called for by the Secretary of State and the President.

Now the march of history has given the nation a Republican President and a Democrat Congress.

And still the free nations have not won the struggle for a just and lasting peace in a world where tyranny is no longer a threat.

I know that President Eisenhower will receive as great a measure of cooperation in his efforts to win the peace for mankind as was accorded his predecessor.

Meanwhile, we meet here to dedicate a structure that will house papers which record a significant chapter in our history.

I commend President Truman for his enterprise in this most worthy project, a project whose value to the Nation speaks for itself.

It has been a pleasure to be here and to take part in this dedication.

Mr. SYMINGTON. Those of us on this side of the aisle do not always agree with the distinguished Senator from California, but there is no Member of this body for whom we have greater respect and affection.

One reason for this is well illustrated by the visit he and his lovely wife made to this ceremony in Independence last week, and the kind and gracious words he said, and I thank him in the name of all the people of Missouri.

Those of us who take pride in the accomplishments of that former member of this body who went on to become President of the United States are also especially pleased and grateful for the magnificent tribute paid Mr. Truman by another outstanding public servant who has risen to the highest judicial position in this land.

Mr. President, at this point in the RECORD I ask unanimous consent that a few remarks made by me at the luncheon held on that great day in the auditorium of the Reorganized Church of Jesus Christ of the Latter-day Saints be inserted at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS AT LUNCHEON BY SENATOR STUART SYMINGTON, HARRY S. TRUMAN LIBRARY DEDICATION, INDEPENDENCE, MO.

President Truman, President Hoover, Mr. Speaker, Mr. Chief Justice, Mrs. Truman, Mrs. Roosevelt, Senator Johnson, Senator Knowland, Representative Halleck, distinguished guests, ladies, and gentlemen, it is a very great pleasure for me to welcome here today, to this historic city, all these friends of the No. 1 citizen of Missouri.

This week, to all Americans, is a week of reassertion—reassertion of our abiding faith in our independence and our way of life.

It is therefore a fitting week in which to dedicate, to the eternal glory of Missouri and the Nation, a library that will perpetuate the thoughts, the writings, and the actions of the man of Independence.

Not many years ago, according to his mother, this young man plowed a straight furrow, the straightest furrow in Jackson County—and those of us who know him, know also that that ability was to become the outstanding characteristic of his life.

In the heart and soul of this youth there grew knowledge of the concrete beauty of America—its rolling fields, its mountains, and its strong running rivers. And also knowledge of the abstract beauty which makes up this scene—the traditions of our family life, of our church, and of our form of government.

Men who stay close to the land drink deep of the desire to serve.

And so it was near here that his character was moulded, aided always by the wise and gracious lady who became his wife.

We are honored to have with us today that beloved Texan, SAM RAYBURN. It was Mr. RAYBURN who said to me many years ago, "When men come to Washington, they just swell, or they grow."

Those of us who know our honored guest know also that his career exemplifies steady and continuous growth.

This fact is well illustrated by the thinking behind the building we dedicate this afternoon. God having blessed our honored guest with a rich and full life, he himself

then determined to return as much of the evidence and rewards of his work as possible to those who had checked him to highest office.

If I may paraphrase a part of one of the world's great speeches, here in this library will be a record of the men, living and dead, who for some 8 years worked and fought bravely with him to preserve this Nation.

Six years from now we will commemorate the centennial of that battle which caused this immortal address.

One hundred and six years from now scholars and students from all over the world will be walking through these halls, dedicating themselves with increased devotion to the great tasks of those days to come.

And what an inspiring opportunity they will have.

Here they will view the priceless records of the first practical efforts after World War II to resist the growing might of atheistic communism: the Marshall Plan, the Truman Doctrine itself, the Berlin Airlift, the North Atlantic Treaty Organization, the courage of Korea.

Here, for all to see, will be much of the eternal record of man's greatest single effort toward permanent world peace—the United Nations.

These visitors will view the record of this man of quiet courage, who rose to meet and conquer every challenge to his country; and who, at the same time, gave the people of his Nation the highest standard of living any people have ever known in the history of the world.

One characteristic these members of our future generations will not be able to see, however, is the innate modesty of him to whom this library is being dedicated.

As illustration, last week in Washington we had lunch together. I asked, "How do you feel?" He replied, "This has been a great day for me. When I was walking through the Senate corridor a few minutes ago, a woman touched her husband's arm and said, 'Look, there goes Margaret's father.'"

And so, Mr. President, thank you for again exhibiting your quiet determination, this time by bringing home the records of your administration. In the years to come Independence will be a shrine for those who seek the truth.

We of Missouri thank all you visitors for honoring us with your presence today.

When you return to your homes, I am sure you will give an eyewitness report to your friends and neighbors. You will tell them of this enduring testimonial to the hard work, the courage, and the wisdom of our honored guest; a great President, a great Missourian, and a great American—Harry S. Truman.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Missouri yield to me?

Mr. SYMINGTON. I am glad to yield to the distinguished majority leader, who was very kind in earlier remarks about the occasion in question.

Mr. JOHNSON of Texas. I wish to express my personal thanks to the distinguished junior Senator from Missouri for the hospitality and courtesy which he and other distinguished citizens of his State accorded visitors upon the occasion of the dedication of the Truman Memorial Library.

It was a fine tribute to former President Truman that such distinguished citizens as Chief Justice Warren, the distinguished minority leader [Mr. KNOWLAND], the distinguished assistant minority leader of the House [Mr. HALLECK], and many other Members of both the House and Senate were in attendance upon that occasion.

I believe all Members of the Senate appreciate the great contribution which the junior Senator from Missouri has made in connection with our visit to Missouri to attend the ceremonies incident to the dedication of this historic library. Former President Truman once again has earned the Nation's gratitude for his unselfishness and generosity in making available to us, to our children, and to our childrens' children, such a valuable collection. It will serve as a permanent monument to all the men who have occupied the role of Chief Executive of our Nation.

For a long time I have held a warm spot in my heart for the great State of Missouri. I must say that after having visited there again on Saturday, it occupies a place in my affection second only to Texas.

Mr. SYMINGTON. I thank the distinguished majority leader for his kind remarks. He has countless friends in my State. Former President Truman was very grateful that the able majority leader graced the dedication of this great library by the occasion of his presence, and made that much more eventful.

Mr. YARBOROUGH. Mr. President, I commend the distinguished junior Senator from Missouri for his very appropriate remarks here today. It was my privilege to attend the dedication of the Harry S. Truman Library at Independence, Mo., last Saturday. President Truman is due the thanks and gratitude of the American people for his generous action in giving to the people of the United States his presidential papers, and also the personal gifts bestowed upon him while serving as President. It is a type of patriotism in keeping with the highest traditions of our people. It follows the example of Washington in donating his services to this country in the Revolution.

President Truman's call on the people and Government of the United States to collect and preserve the papers of all the Presidents is but another evidence of that farsighted patriotism which has distinguished his public service at so many times and places.

The laying of the cornerstone of the library last Saturday morning, the noon lunch, the afternoon dedication, and the final reception tendered the guests by former President and Mrs. Truman, all were events which fill one with pride and humility at the greatness of our Nation, her people, and that public servant who did so much to advance human liberty.

I join in this tribute to President Truman, and in the wish that all the papers of all our Presidents might be preserved as a great reservoir of historical knowledge.

Mr. SYMINGTON. Mr. President, I thank the junior Senator from Texas for his statement.

ADDITIONAL EVIDENCE OF EXCELLENT WORK OF COMMITTEES OF PEOPLE-TO-PEOPLE PROGRAM

Mr. WILEY. Mr. President, as my colleagues may recall, it has been by pleasure on several occasions in the past to point up the wonderfully constructive role which is being played by the People-to-People Program, Inc. This is the fine organization which is fulfilling the worthy mandate conveyed by the President of the United States at the White House Conference which he had called.

During the past several weeks, it has been my good fortune to be in contact with many of the 42 chairmen of the committees of the people-to-people program—as well as with Mr. Charles E. Wilson, its distinguished president, and Mr. George V. Denny, Jr., vice president.

I now send to the desk extracts from a few of the additional messages which I have received from these various committee chairmen who are carrying out the people-to-people program in all fields of American endeavor.

This particular compilation includes comments which were made in reports and letters to me from Col. John Slezak, former Undersecretary of the Army and now cochairman of the nationalities division; from the Honorable William J. Donovan chairman of the fraternal activities committee; Mr. James C. Evans, staff director of the armed services committee; Mr. Arthur A. Schuck, who is the chief Scout executive of the National Council, Boy Scouts of America, Inc., and who serves as chairman of the youth activities committee; Mr. Theodore S. Repplier, chairman of the advertising organization committee; and Mrs. Katherine D. Moore, staff administrator of the music committee.

I am of course very grateful for the generous comments which have been made by these and other committee chairmen and staff members in letters and visits to me.

I believe that these comments will be of interest to my colleagues, and I ask unanimous consent that a brief statement which I have prepared, including various quotations from the committees, be printed in the RECORD at this point.

There being no objection, the material referred to was ordered to be printed in the RECORD, as follows:

THE NATIONALITIES DIVISION OF THE PEOPLE-TO-PEOPLE PROGRAM

Of interest to 35 million Americans of first and second generation—foreign extraction—is the work of the nationalities division.

Cochairmen of this division are Col. John Slezak, American industrialist, and former Under Secretary of the Army, and Judge Juvenal Marchisio, who is national chairman of the American Committee on Italian Migration.

An outstanding group of various American leaders of foreign ancestries serve as members of the executive board of the committee, and in other capacities.

There follows a press release which lists some of these eminent Americans:

"MEN OF MANY ORIGINS LEAD THE NATIONALITIES COMMITTEE OF THE PEOPLE-TO-PEOPLE PROGRAM

"The executive board of the nationalities committee of the people-to-people program recently held its first meeting in New York City, presided over by Col. John Slezak and Judge Juvenal Marchisio, the national cochairmen.

"Appointed national vice chairmen are: Col. Sigurd Arnesen, former United States military attaché to Stockholm and publisher

of the Norwegian newspaper Nordisk Tidende; Charles Rozmarek, president of the giant fraternal Polish National Alliance and of the Polish-American Congress; August Steuer, well-known sportsman and publisher of the New Yorker Staats-Zeitung und Herold.

"Members of the newly constituted board are: Celestino T. Alfafara, grand master of the Filipino order Caballeros de Dimas Alang from San Francisco, Calif.; Valdimar Bjornson, noted newspaperman of Icelandic origin and now tresurer of the State of Minnesota; Julio Garzon, editor in chief of La Prensa in New York City; Read Lewis, executive director of the Common Council for American Unity; Dr. Joseph L. Lichten of the Antidefamation League of B'nai B'rith; S. T. Kotelly, well-known Albanian leader and assistant district attorney of Detroit, Mich.; V. I. Mandich, president of the Croatian Fraternal Union, Pittsburgh; and Andrew J. Valuchek of the newspapers New Yorksky Dennik and the New Yorske Listy, and the president of the Slovak Gymnastic Union Sokol, Perth Amboy.

"Mr. Valuchek was elected secretary of the executive board, and Mr. Andrew P. Maloney, vice president of Bankers Trust Co., accepted the post of treasurer.

"Associate director of the common council, Yarosiav J. Chyz, formerly editor of a Ukrainian-American newspaper, was appointed executive director of the nationalities committee, and Mr. Joseph Jordan was appointed public relations consultant.

"The nationalities committee of the people-to-peonle program has set up temporary offices with the People-to-People Foundation, Inc. in the Carnegie Hall Building, 881 Seventh Avenue, New York, N. Y."

ACTIVITIES OF THE NATIONALITIES COMMITTEE

The purpose of the Nationalities Committee is to stimulate people-to-people activities among the foreign-born and those of their descendants who identify themselves with those groups.

1. STATISTICAL DATA

According to the United States census of 1950, there were 10,161,168 foreign-born whites in the United States, and 23,589,485 native whites of foreign or mixed parentage. Besides these figures, there were 569,637 persons of Chinese, Japanese, Filipino, and other nonwhite but not Negro origins. Out of these approximately 35 million persons, close to 25 million were natives or descendants of natives of free countries in America, Asia, and Europe. About 9 million were natives or descendants of natives from countries behind the Iron Curtain in Europe and Asia.

The largest among them, according to the same census, were those of British Commonwealth origin (about 8 million, including about 750,000 French Canadians); of German origin (more than 4,700,000); Italian origin (over 4,650,000); and of Polish (2,800,000); U. S. S. R. (more than 2,500,000); Mexican (1,300,000), and Swedish (1,200,000) origins; and 10 other groups number a quarter of a million or more persons each.

Since the census was made by countries of origin or birth, and not by nationalities, many large groups, such as Jewish, Croatian, Slovak, Ukranian, and others, are not mentioned and are submerged in figures for U. S. S. R., Poland, Austria, Yugoslavia, etc.

2. MEDIA

Press: The non-English-speaking groups maintain a press, which comprises 833 publications in 39 languages, with close to 4,800,000 circulation. Of these, 77 are dailies, 279 semiweeklies and weeklies, 357 semimonthlies and monthlies, and the rest of lesser frequency.

Radio: Through 578 radio stations in 43 States, 1,195 broadcasts are beamed in 38 languages, the largest of them being Spanish (269), Italian (162), and Polish (158).

Organizations: The members of the nationality groups are organized in over 900 national and regional associations of various types: Religious bodies (142—about 35,000 parishes and congregations), fraternal organizations (185—31,000 lodges or branches), civic-social (181), political (121), cultural-educational (167), and others. Probably 100,000 or more local clubs and societies are not affiliated with national bodies.

Letterwriting: Out of some 297 million letters mailed from the United States during the fiscal year 1954–55, the majority, if not three-quarters of them, were to relatives and friends of Americans of foreign origin.

Mr. WILEY. The activities of the nationalities committee are summed up in the following extracts from several of its statements:

Travel: According to official statistics for the year 1954, out of 452,049 passports issued during that year, 159,911 were issued to naturalized, i. e., foreign-born citizens. It is safe to assume that probably a similar number were issued to second-generation Americans.

Exchange of persons: Several nationality groups, such as the Belgian, Dutch, German, Polish, and Scandinavian (Danish, Finnish, Norwegian, and Swedish), have organizations which help, on a rather modest scale, to educate students and trainees in American schools, hospitals, and industrial enterprises.

WHAT YOU CAN DO NOW

Since the inception of the people-to-people program in the fall of 1956, chiefly preparatory and organizational work of the various committees has been in progress. During this period, however, there has been considerable publicity regarding the program, and many Americans in every walk of life have shown a keen desire to participate.

The nationalities committee is preparing a booklet, which will give in detailed form the many projects that nationality groups throughout the country can initiate. In the meantime, however, we give the following brief outline of some of the activities so that those people who are anxious to start the ball rolling may do so.

Here are some of the ways by which the people-to-people program can be promoted:

1. Letters: Continue, and enlarge, correspondence with friends, relatives, and even unknowns, abroad, and help other Americans to correspond with people of the country of your ancestors.

2. Printed matter: Send books, magazines, newspapers, periodicals, depicting American life in the true light, to individuals, schools, libraries, etc., in the country of your origin. Send publications in your language to your friends abroad and organize the exchange of these publications with newspapers abroad.

3. Students: Promote and organize help to students of your group to obtain scholarships for study abroad and bring students from your country of origin to study here.

4. Travel: See that members of your group, while traveling abroad, remember every traveler—an ambassador of good will. Write to us for the booklet, What Should I Know When I Travel Abroad?

5. Hospitality: Individual or group visitors from abroad should be shown the traditional American hospitality so that they may carry back with them a true picture of the character of the American people. This activity should be a part of the program of women's organizations in each group.

6. Information for Americans: Assist lecturers from abroad to get American audiences. Encourage the study and use of foreign languages, and the dissemination of books on your country of origin to make them accessible to Americans in libraries, schools, and so forth.

7. Town affiliations: The "twinning" of towns can be a very effective means of communication. An American town or city can find its counterpart, because of a community of interest, in your native country and then establish contact for exchange in every field, such as arts, music, business, visits of officials, etc.

8. Youth: Nationality youth organizations, such as Scouts, junior social, fraternal, religious, sports, and other associations, choirs and dancing groups should join in people-to-people activities either with their elders or through the general American youth movement, directed by the youth committee.

These are but a few of the things which can be started immediately. It is understood, of course, that each group must use its judgment as to what activities most suit them. Groups whose countries of origin are behind the Iron Curtain should be especially cautious in planning their work in order not to hurt their friends abroad.

MESSAGE FROM HON. WILLIAM J. DONOVAN, CHAIRMAN, FRATERNAL ACTIVITIES COMMITTEE

One of America's outstanding wartime leaders and heroes and one of its leading citizens in peacetime is Gen. William J. Donovan.

I was naturally most pleased, therefore, to hear from this outstanding American in the course of my various contacts with the committee chairmen, and with the foundation itself, since General Donovan is its chairman, as well.

The following is the text of his letter of June 17 to me:

LAW OFFICES OF
DONOVAN, LEISURE, NEWTON & IRVINE,
New York, N. Y., June 17, 1957.

Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: Your remarks in the Senate concerning the People-to-People Foundation have been brought to my attention. I want you to know how much we appreciate your support and continued interest in this project which promises so much for international peace and understanding. Your awareness of the goals of this project is but another manifestation of your vision and leadership in the field of foreign affairs.

Sincerely yours,

WILLIAM J. DONOVAN.

ARMED SERVICES COMMITTEE ENCOURAGES PEOPLE-TO-PEOPLE PARTNERSHIPS

With vast numbers of Americans in uniform, stationed throughout the world, inevitably one of the most important jobs which can be performed is the mission of each member of the Armed Forces who serves his country in one of our outer ramparts of defense.

I was pleased, therefore, to look through a booklet entitled "People-to-People Partnerships and How the Armed Forces Participate." This booklet is No. 7 in what is entitled "Manpower Awareness Series," as published by the Office of the Assistant Secretary of Defense for Manpower, Personnel, and Reserve.

The booklet points out the many ways in which members of the Army, Navy, Air Force, and Marine Corps deployed abroad, together with members of their families, can and do strengthen ties of good will and understanding between ourselves and foreign peoples.

The following are extracts from this booklet, as conveyed to me by Mr. James C. Evans, staff director of the Armed Services Committee:

RESOURCES AND FACILITIES AVAILABLE TO THE SERVICES FOR PEOPLE-TO-PEOPLE CONTACTS

MANPOWER RESOURCES

Approximately 800,000 American servicemen are stationed overseas.

Approximately 450,000 dependents of active duty military personnel are living overseas (wives, children, parents).

Approximately 58,000 United States citizens—civilian employees—are working overseas.

These human resources are widespread throughout many lands—Far East, central and southwest Pacific, Europe, Africa, Mediterranean, Middle East, and South America. Each has his or her job to do—but many have additional talents and training that could be used effectively to further our friendship with other peoples.

INFORMATION MATERIALS PREPARED BY OAFIE FOR USE BY THE SERVICES

DOD pamphlets: (Armed Forces talk) (Armed Forces information pamphlet).

Illustrated pamphlets providing information giving the service personnel an understanding of, and a living belief in, our democratic form of government and American ideals.

Fact sheets

Are used in emergencies, when it is necessary to get factual information to service personnel in certain geographical areas.

Pocket guides

Are illustrated factual booklets about countries overseas where service personnel are stationed or will visit frequently.

Special pamphlets

Are prepared as required to furnish Armed Forces personnel with information on subjects of general interest such as voting, survivor benefits.

Posters

Produced when required for special projects.

Films

Armed Forces information films and Armed Forces screen magazine films are available in 16-mm. size in film libraries of all the services.

Armed Forces clip sheets

Are furnished weekly to approved service newspapers on request by the Armed Forces Press Service, New York. It consists of two sheets of news and art materials with precut stencils and mats of the art.

STARS AND STRIPES, OVERSEAS NEWSPAPER

News photographs to overseas service newspapers are available.

Stars and Stripes—overseas newspaper: Daily—local newspaper overseas—authorized in areas where services of such newspapers are not available.

EACH SERVICE DEVELOPS MATERIALS ON SUBJECTS PECULIAR TO ITS OWN REQUESTS

Information materials, base newspapers, posters, and educational materials.

ARMED FORCES RADIO AND TELEVISION FACILITIES

Transcriptions, program material, etc., are provided weekly by the Armed Forces Radio and Television Service to 177 outlets overseas. Weekly radio decommercialized broadcasts originating in the United States are furnished these stations. Decommercialized information and education shows, religious shows, and entertainment shows are furnished.

Areas served by Armed Forces radio: Alaska, Canada, Caribbean, Europe, Italy, England, France, Pacific, north Africa, North Atlantic, Middle East, and the Far East.

Areas served by 20 Armed Forces TV stations: Maine; Libya; Iceland; Greenland; Okinawa; Luzon, Philippine Islands; Azores; Saudi Arabia; Bermuda; Eritrea; Cuba; Newfoundland; Marshall Islands; Alaska; Canal Zone; and Goose Bay, Labrador.

In addition to this service, there is a shortwave schedule of 13½ hours daily for the Pacific area (news, sports, special interests, political) and 5¾ hours daily for the Atlantic and South Atlantic area. TV stations receive approximately 50 hours per week of filmed programs.

Radio and TV stations produce live programs, utilizing local talent in the country where the station is located. TV stations in the Azores and Libya are producing programs in the language of the local foreign nationals.

Within the very near future some TV stations will be presenting films of civilian educators lecturing on a variety of academic subjects. Other educational and cultural materials are also available upon request.

WORK OF THE PEOPLE-TO-PEOPLE YOUTH ACTIVITIES COMMITTEE

The newspapers report that Valley Forge, Pa., will once more ring with the welcome voices of tens of thousands of Boy Scouts from the four corners of the Nation.

It is naturally most appropriate that the chief Scout executive of the Boy Scouts, Mr. Arthur A. Schuck, serves as chairman of the youth activities committee.

One of the most interesting projects of this committee was the gathering of the results of a questionnaire which was filled out by 26 youth-serving organizations.

The answers on this questionnaire demonstrate the very considerable extent to which these groups are even now carrying on various types of contacts with young people's groups throughout the world.

Current projects include not only direct person-to-person contacts, but exchange of knowledge and skills through publications, scrapbooks, visual aids, film recordings, and a broad variety of other activities.

There follows now a list of the 26 organizations which contributed to the answering of this important questionnaire prepared by the youth activities committee:

REPORTING ORGANIZATIONS

1. American Camping Association, Inc., Bradford Woods, Martinsville, Ind.
2. American Field Service, 113 East 30th Street, New York, N. Y.
3. American Friends Service Committee, Inc., 20 South 12th Street, Philadelphia, Pa.
4. American Jewish Committee, 386 Fourth Avenue, New York, N. Y.
5. American Youth Hostels, Inc., 14 West Eighth Street, New York, N. Y.
6. The American National Red Cross, National Headquarters, Washington, D. C.
7. Big Brothers of America, Inc., 1347 Suburban Station Building, Philadelphia, Pa.
8. Boys' Clubs of America, 381 Fourth Avenue, New York, N. Y.
9. Boy Scouts of America, New Brunswick, N. J.
10. Camp Fire Girls, Inc., 16 East 48th Street, New York, N. Y.
11. Children's International Summer Villages, Inc., 634 Dixie Terminal Building, Cincinnati, Ohio
12. The Experiment in International Living, Putney, Vt.
13. Future Farmers of America, Department of Health, Education, and Welfare, Office of Education, Washington, D. C.
14. Girl Scouts of the United States of America, 155 East 44th Street, New York, N. Y.
15. Huckleberry Mountain Workshop—Camp Hendersonville, N. C.
16. The International Recreation Association, 345 East 46th Street, New York, N. Y.
17. Junior Achievement, Inc., 345 Madison Avenue, New York, N. Y.
18. Koinonia Foundation, Pikesville Box 5744, Baltimore, Md.
19. National Association of Student Councils, 1201 Sixteenth Street, NW., Washington, D. C.
20. National Catholic Welfare Conference, 1312 Massachusetts Avenue, NW., Washington, D. C.
21. National Jewish Welfare Board, 145 East 32d Street, New York, N. Y.
22. The Salvation Army, 120–130 West 14th Street, New York, N. Y.
23. United States Committee for UNICEF, United Nations, N. Y.
24. United States Department of Agriculture, Federal Extension Service, Washington, D. C.
25. Young Men's Christian Association, 291 Broadway, New York, N. Y.
26. Young Women's Christian Association, 600 Lexington Avenue, New York, N. Y.

THE WORK OF THE ADVERTISING ORGANIZATIONS COMMITTEE

It is estimated that $10 billion is being spent in advertising in America at the present time. And even this huge figure is scheduled to be topped in the years up ahead.

Advertising has become a profound force in strengthening the free-enterprise system, in maintaining supply and demand in balance, and in improving our standard of living.

It is only natural, therefore, that the Advertising Organizations Committee should occupy a leading role in the people-to-people program.

The following is therefore a report which I have received from Mr. Theodore S. Repplier, president of the Advertising Council, Inc.:

REPORT OF THE ADVERTISING ORGANIZATIONS COMMITTEE

The general purpose of the Advertising Organizations Committee is to provide a means by which various aspects of the American advertising profession can be brought to bear on the purpose of the people-to-people program, which is, in turn, to strengthen understanding among peoples by broadening direct communications between them.

Representatives from the following organizations are serving on the Advertising Organizations Committee:

Brand Names Foundation, Associated Business Publications, Outdoor Advertising Association of America, Advertising Federation of America, Magazine Advertising Bureau, Direct Mail Advertising Association, National Association of Transportation Advertising, Association of National Advertisers, Advertising Age magazine, National Industrial Advertisers Association, American Association of Advertising Agencies, Advertising Association of the West, National Business Publications, Advertising Research Foundation, Point of Purchase Advertising Institute, International Advertising Association, Association of International Advertising Agencies, the Advertising Council, Inc.

The committee has gradually settled on a list of specific projects that seem both appropriate and promising. These projects are now in various stages of development. They are:

(a) Advertising fellowships for advertising people from other countries.

(b) Production of a film on anti-American propaganda and the need to correct it.

(c) Hospitality to foreign visitors by local advertising clubs.

(d) Preparation of a comprehensive exhibit on American advertising to be sent overseas.

(e) Possible drive to collect American books specially desired overseas.

(f) Advertising services to the People-to-People Foundation and people-to-people committees.

MUSIC COMMITTEE HELPS TO OVERCOME INTERNATIONAL BARRIERS

My colleagues will recall the correspondence which I have had with various members of the Diplomatic Corps here in Washington concerning the role which can be played by the arts in overcoming barriers between peoples.

Music—the international language—is a particularly wonderful instrument for encouraging understanding.

I was pleased, therefore, to receive from Mrs. Katherine D. Moore, staff administrator of the music committee, a fine booklet which shows specifically how a member of any of the musical organizations of the United States can cooperate with the people-to-people program.

I urge musically interested Americans to get in touch with this committee.

It, itself, is fortunate to have an outstanding array of musical leaders in its roster. There follows now a list of these leaders:

MUSIC COMMITTEE OF THE PEOPLE-TO-PEOPLE PROGRAM OF THE UNITED STATES OF AMERICA

Eugene Ormandy, chairman, music director, Philadelphia Orchestra.

Mrs. Helen M. Thompson, executive vice chairman, executive secretary, American Symphony Orchestra League.

EXECUTIVE COMMITTEE

John S. Edwards, manager, Pittsburgh Symphony; Ronald Eyer, editor, Musical America; Jack Ferentz, American Federation of Musicians; Goddard Lieberson, president, Columbia Records, Inc.; William Schuman, president, Juilliard School of Music; Dr. Grace Spofford, music chairman, National Council of Women of the United States.

PLANNING COMMITTEE OF THE MUSIC COMMITTEE

Emily Coleman, Newsweek magazine; Oliver Daniel, Broadcast Music, Inc.; Gerald Deakin, American Society of Composers, Authors and Publishers; Mrs. Ronald A. Dougar, president, National Federation of Music Clubs; Alfred V. Frankenstein, Music critic, San Francisco Chronicle; Miss Martha Graham, dancer; Howard Hanson, president, National Music Council; Arthur Judson, director, Columbia Artist Management, Inc.; Miss Vanett Lawler, executive secretary, Music Educators National Conference; James C. Petrillo, president, American Federation of Musicians; Gregor Piatigorsky, cellist; Emanuel Sacks, vice president, RCA Victor Records; Thomas B. Sherman, music critic, St. Louis Post-Dispatch; Dr. Carleton Sprague Smith, chief, music division, New York Public Library; Isaac Stern, violinist; Howard Taubman, music editor, New York Times; Luben Vichey, president, National Artists Corp.; Gld W. Waldrop, editor, Musical Courier; William Warfield, basso.

CONCLUSION

These extracts have been presented as samples of what can be done, is being done, and should be done in the future.

President Eisenhower, as honorary chairman, General Donovan, chairman, and Mr. Wilson, president, have all stressed this basic fact: The success of the people-to-people program naturally depends upon the participation by millions of grassroots Americans in its efforts.

I am satisfied that this program is making splendid progress.

It can and will make still more progress, especially if sufficient funds are made available to it.

That is why I am hoping that some of the great foundations in America will help carry the financial load of this unique undertaking.

It is why I urge Americans in all walks of life to have their own particular organizations get in contact with the people-to-people program in the Carnegie Hall Building in New York.

As for myself, it will be my pleasure to render continued service to this fine organization.

RELIEF OF HUNGARIAN AND EGYPTIAN REFUGEES

Mr. JAVITS. Mr. President, on Friday last, 10 Senators transmitted to the chairman of the Committee on the Judiciary of the Senate an urgent request for hearings on immigration bills, particularly those relating to refugees and escapees. There are some 23,000 Hungarian refugees in this country alone, who are awaiting regularization of their status. Hungarian teen-agers who fought for freedom in Hungary are languishing in Austria and other places in Europe, without a fair opportunity for us to take our fair share.

We feel very strongly that to implement the resolution adopted by this body only last week, calling for action on the United Nations Special Report on Hungary, we need to do something, and to do it at this session. The need is urgent, and we should do something immediately, upon this immigration subject.

I should like to read at this point the last paragraph of the statement sent to the chairman of the Committee on the Judiciary by the 10 Senators to whom I have referred:

As the Hungarian refugee situation remains unresolved and as the peoples of the world look to the representatives of the people of the United States, the Congress, for action, the necessity for enactment of the pending legislation becomes more urgent. We believe that the time has come for your committee to take affirmative action if any progress is to be made on this vital problem at this session of the Congress, as we are deeply convinced it must be in the national interest.

I point out that this situation affects also refugees from the Nasser dictatorship in Egypt, as well as refugees from the Hungarian terror of the Communists. I know of nothing which could remind the world more effectively of what humanitarism really means than our action in again recalling to the world the heroic example set by the great Hungarian people by admitting some of these heroic refugees.

The decks are now cleared for the Committee on the Judiciary. We will be considering the subject of civil rights in the Senate, and I hope very much that the committee will take this time for the purpose of considering this urgently essential immigration legislation.

CIVIL USES OF ATOMIC ENERGY—AGREEMENTS FOR COOPERATION WITH CERTAIN FOREIGN COUNTRIES

Mr. PASTORE. Mr. President, on July 3, four more agreements for cooperation were both signed and filed with the Joint Committee on Atomic Energy. As has been my practice, I ask unanimous consent to have these agreements for cooperation printed in full in the RECORD. These agreements for cooperation are, in my own opinion, extremely important since some of them call for the transfer of far larger amounts of special nuclear materials than have been authorized in any agreement for cooperation in the past.

The four agreements are: First, an amendment to the agreement with Netherlands which would provide for the transfer of 500 kilograms of contained U-235; second, an agreement with the Italian Republic which would provide for the transfer of 7,000 kilograms of contained U-235; third, an agreement with France which would provide for the transfer of 2,500 kilograms of contained U-235; and fourth, an agreement with the Republic of Germany which would provide for the transfer of 2,500 kilograms of contained U-235.

I am planning on having a meeting of the Subcommittee on Agreements for Cooperation very shortly on these agreements, together with other agreements, which are expected to come before the Joint Committee in the very near future.

There being no objection, the agreements were ordered to be printed in the RECORD, as follows:

UNITED STATES ATOMIC ENERGY COMMISSION,
Washington, D. C., July 3, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy,
Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. Three copies of an amendment to the Agreement for Cooperation with the Government of the Netherlands which was signed on June 22, 1956;

2. Three copies of a letter from the Commission to the President recommending approval of the proposed amendment;

3. Three copies of a letter from the President to the Commission approving the amendment, containing his determination that it will promote and will not constitute an unreasonable risk to the common defense; and his authorization to execute the proposed amendment.

The Agreement for Cooperation which the amendment would modify was signed by the Netherlands and the United States on June 22, 1956, and was designed to supersede an earlier Agreement for Cooperation which was signed on July 18, 1955. This earlier agreement provided for the lease of fuel from the Commission to the Government of the Netherlands for use in research reactors. The superseding agreement signed on June 22, 1956, provided for the transfer from the Commission to the Government of the Netherlands of fuel for use in research, experimental, demonstration power, and power reactors exclusively by means of sale. Article I of the proposed amendment would permit the Commission to sell or lease fuel as may be agreed for use in research reactors and sell fuel for use in experimental, demonstration power, and power reactors to the

Government of the Netherlands. The proposed amendment would therefore incorporate into the superseding agreement, signed on June 22, 1956, the provision of the earlier agreement signed on July 18, 1955, permitting lease of fuel for use in research reactors.

Article II of the proposed amendment would save harmless the Government of the United States of America against any and all liability (including third-party liability) arising out of the production of fabrication, the ownership, the lease, and the possession and use of special nuclear materials or fuel elements leased by the Commission to the Government of the Netherlands.

The amendment will enter into force when the two Governments have exchanged written notification that their respective statutory and constitutional requirements have been fulfilled.

Sincerely,

LEWIS L. STRAUSS,
Chairman.

THE PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed "Amendment to Agreement for Cooperation between the Government of the United States of America and the Government of the Netherlands Concerning Civil Uses of Atomic Energy" and authorize its execution.

The amendment has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended. The agreement for cooperation which the amendment would modify was signed by the Government of the United States of America and the Government of the Netherlands on June 22, 1956, and was designed to supersede the earlier agreement for cooperation which was signed on July 18, 1955. This earlier agreement provided for the transfer of fuel from the Commission to the Government of the Netherlands for use in research reactors exclusively by means of lease. The superseding agreement signed on June 22, 1956, provided for the transfer from the Commission to the Government of the Netherlands of fuel for use in research, experimental, demonstration power and power reactors exclusively by means of sale. Article I of the proposed amendment would permit the Commission to sell or lease fuel as may be agreed for use in research reactors and sell fuel for use in experimental, demonstration power and power reactors to the Government of the Netherlands. The proposed amendment would therefore incorporate into the superseding agreement, signed on June 26, 1956, the provision of the earlier agreement signed on July 18, 1955, permitting lease of fuel for use in research reactors.

Article II of the proposed amendment would save harmless the Government of the United States of America against any and all liability (including third party liability) arising out of the production or fabrication, the ownership, the lease, and the possession and use of special nuclear materials or fuel elements leased by the Commission to the Government of the Netherlands.

Following your approval and subject to the authorization requested, the agreement will be formally executed by the appropriate authorities of the Government of the Netherlands and the Government of the United States of America and then placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,

LEWIS L. STRAUSS,
Chairman.

Certified as a true copy of the original:
HAROLD D. BEUZELDORF,
Division of International Affairs, United States Atomic Energy Commission.

THE WHITE HOUSE,
Washington, July 2, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission.

DEAR MR. STRAUSS: Under date of July 1, you informed me that the Atomic Energy Commission had recommended that I approve the proposed Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Netherlands Concerning Civil Uses of Atomic Energy and authorize its execution.

The recommended amendment has been reviewed. It will permit the Commission to sell or lease fuel as may be agreed for use in research reactors and sell fuel for use in experimental, demonstration power, and power reactors to the Government of the Netherlands. The amendment would thereby incorporate into the Agreement for Cooperation Between the Government of the United States of America and the Government of the Netherlands Concerning Civil Uses of Atomic Energy signed on June 22, 1956, the provision of an earlier Agreement for Cooperation signed on July 18, 1955, which it superseded and which permitted the lease of fuel for use in research reactors.

I note that article II of the proposed amendment would save harmless the Government of the United States against any and all liability (including third party liability) arising out of the production or fabrication, the ownership, the lease, and the possession and use of special nuclear materials or fuel elements leased by the Commission to the Government of the Netherlands.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States, (2) approve the proposed Amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Netherlands Concerning Civil Uses of Atomic Energy enclosed with your letter of July 1, and (3) authorize the execution of the proposed amendment for the Government of the United States of America by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

Certified to be a true copy of the original.
JOHN P. TREVITHICK,
Division of International Affairs, United States Atomic Energy Commission.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE NETHERLANDS CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of the Netherlands:

Desiring to amend the Agreement for Cooperation Concerning Civil Uses of Atomic Energy between the Government of the United States of America and the Government of the Netherlands, signed at Washington, June 22, 1956 (hereinafter referred to as the "Agreement for Cooperation");

Have agreed as follows:

ARTICLE I

Article VII of the Agreement for Cooperation is amended to read as follows:

"A. During the period of this agreement, the United States Commission will sell or lease as may be agreed for use in research reactors and sell for use in experimental, demonstration power and power reactors to the Government of the Netherlands uranium enriched in the istopes U-235 in a net amount not to exceed 500 kilograms of contained U-235 in uranium. This net amount shall be the gross quantity of contained U-235 in uranium sold or leased to the Government of the Netherlands less the quantity of contained U-235 in recoverable uranium which has been resold or otherwise returned to the United States of America in accordance with this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America in accordance with this agreement. This material may not be enriched above 20 percent U-235 except as hereinafter provided. Such material will be sold or leased subject to the terms and conditions of this article and the other provisions of this agreement as and when required as initial and replacement fuel in the operation of defined research, and experimental, demonstration power and power reactors which the Government of the Netherlands in consultation with the United States Commission decides to construct or authorize private organizations to construct in the Netherlands and as required in experiments related thereto. The United States Commission may, upon request and in its discretion, make a portion of the foreging 500 kilograms available as material enriched up to 90 percent for use in a materials testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U-235 in uranium.

"B. The quantity of uranium enriched in the isotope U-235 transferred by the United States Commission under this article and in the custody of the Government of the Netherlands shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Netherlands or persons under its jurisdiction decide to construct as provided herein, plus such additional quantity as, in the opinion of the United States Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in the Netherlands or while fuel elements are in transit, it being the intent of the United States Commission to make possible the maximum usefulness of the material so transferred.

"C. Each sale or lease of uranium enriched in the isotope U-235 shall be subject to the agreement of the parties as to the schedule of deliveries, the form of material to be delivered, charges therefor and the amount of material to be delivered consistent with the quantity limitations established in paragraph B. It is understood and agreed that although the Government of the Netherlands will distribute uranium enriched in the isotope U-235 to authorized users in the Netherlands, the Government of the Netherlands will retain title to any uranium enriched in the isotope U-235 which is purchased from the United States Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U-235.

"D. It is agreed that when any source or special nuclear materials received from the United States of America require reprocessing, such reprocessing shall be performed at the discretion of the United States Commission in either United States Commission facilities or facilities acceptable to the United States Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the United States Commission or the facilities acceptable to the United States Commission for reprocessing.

"E. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the United States of America which are in excess of the need of the Government of the Netherlands for such materials in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted:

"(a) A first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an Agreement for Cooperation with the Government of the United States of America; and

"(b) The right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised."

ARTICLE II

Article XIV of the Agreement for Cooperation is amended by inserting "A." before the present paragraph thereof and adding the following new paragraph:

"B. With respect to any special nuclear materials or fuel elements which the United States Commission may, pursuant to this agreement, lease to the Government of the Netherlands or to any private individual or private organization under its jurisdiction, the Government of the Netherlands shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after transfer by the United States Commission to the Government of the Netherlands or to any authorized private individual or private organization under its jurisdiction."

ARTICLE III

This amendment shall enter into force on the date on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such amendment and shall remain in force for the period of the Agreement for Cooperation.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, this 3d day of July.

For the Government of the United States of America:

JOHN WESLEY JONES.
LEWIS L. STRAUSS.

For the Government of the Netherlands:
S. G. N. VAN VOORST TOT VOORST.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., July 3, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. Three copies of an agreement for cooperation with the Government of the Italian Republic.

2. Three copies of a letter from the Commission to the President recommending approval of the proposed agreement.

3. Three copies of a letter from the President to the Commission approving the agreement, containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security; and his authorization to execute the proposed agreement.

The agreement for cooperation submitted with this letter will incorporate and supersede the agreement for cooperation concerning civil uses of atomic energy which was signed on July 28, 1955, between the two Governments, and will remain in force for a period of 20 years. It will broaden the scope of cooperation on matters relating to the development, design, construction, operation, and use of research, experimental power, demonstration power, and power reactors; by providing for cooperation on health and safety problems related to the operation and use of such reactors; and by providing for cooperation on the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry. No restricted data will be exchanged under the agreement.

Article II of the agreement recognizes that the Government of the Italian Republic has signed the treaty constituting the European community for atomic energy (EURATOM) and, accordingly, provides that the European community may assume the rights and obligations of the Italian Republic under the agreement provided a cooperative arrangement is executed between the community and the Government of the United States of America and provided the community can, in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed agreement for cooperation.

Article VIII of the agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Italian Republic uranium, enriched up to a maximum of 20 percent in the isotope U-235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Italian Republic: *Provided, however,* That the net amount of any uranium sold or leased during the period of the agreement does not exceed 7,000 kilograms of contained U-235. The Commission at its discretion may make a portion of the foregoing 7,000 kilograms available as material enriched up to 90 percent for use in a materials testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U-235 in uranium. At the present time it is expected that the U-235 to be transferred to the Italian Republic will be employed in two large-scale power reactors and several research reactors. As in the case of sale transactions, the agreement, in the event of lease, would permit the retention by the Government of the Italian Republic of special nuclear materials produced in fuel elements obtained from the United States. The quantity of uranium enriched in the isotope U-235 transferred to the Government of the Italian Republic for use as fuel in reactors will not at any time be in excess of the amount of material necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in the Italian Republic or while fuel elements are in transit.

Article VI would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

The agreement provides that when any source of special nuclear material received from the United States requires reprocessing, such reprocessing will be performed by the Atomic Energy Commission in either Commission facilities or in facilities acceptable to the Commission. In addition, article X of the agreement incorporates provisions designed to minimize the possibility that material or equipment transferred under the agreement would be diverted to nonpeaceful purposes. In article XII the parties affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an agency is established.

The agreement will enter into force when the two Governments have exchanged written notification that their respective statutory and constitutional requirements have been fulfilled.

Sincerely yours,

LEWIS L. STRAUSS,
Chairman.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed agreement for cooperation between the Government of the United States of America and the Government of the Italian Republic concerning civil uses of atomic energy and authorize its execution.

The agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, as amended, and is, in the opinion of the Commission, an important and desirable step in advancing the development of the peaceful uses of atomic energy in the Italian Republic in accordance with the policy which you have established. The proposed agreement will incorporate and supersede the agreement for cooperation concerning civil uses of atomic energy which was entered into on July 28, 1955, between the 2 governments and will extend for a period of 20 years. The new agreement will broaden the scope of cooperation between the Italian Republic and the United States in fields related to the peaceful utilization of atomic energy by providing for cooperation on matters relating to the development, design, construction, operation, and use of experimental power, demonstration power, and power reactors, as well as research reactors. It is expected that the parties will exchange information in other unclassified areas including health and safety problems related to the operation and use of such reactors; and the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

The Italian Republic, if it desires to do so, may engage United States companies to construct research, experimental power, demonstration power, and power reactors, and private industry in the United States will be able, under the agreement, to provide other assistance to the Italian Republic. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954, as amended. No restricted data would be communicated under the agreement.

Article II of the agreement recognizes that the Government of the Italian Republic has signed the Treaty Constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the European Community for Atomic Energy may assume the rights and obligations of the Italian Republic under the agreement provided a cooperative arrangement is executed between the European community and the Government of the United States of America and provided the community can, in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed agreement for cooperation.

The agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Italian Republic uranium enriched up to a maximum of 20 percent in the isotope U-235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Italian Republic provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 7,000 kilograms of contained U-235.

At the present time it is expected that the U-235 to be transferred to the Italian Republic will be employed in two large-scale power reactors and several research reactors. The Commission at its discretion may make a portion of the foregoing 7,000 kilograms available as material enriched up to 90 percent for use in a materials-testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U-235 in uranium. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Italian Republic of special nuclear materials produced in fuel elements obtained from the United States.

The quantity of uranium enriched in the isotope U-235 transferred to the Government of the Italian Republic for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Italian Republic.

Article VI of the agreement would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Article VIII provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities or in facilities acceptable to the Commission.

Article X of the agreement incorporates several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes.

In article XII the parties affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an agency is established.

Following your approval and subject to the authorization requested, the agreement will be formally executed by the appropriate authorities of the Government of the Italian Republic and the Government of the United States of America and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954.

Respectfully,

LEWIS L. STRAUSS,
Chairman.

Certified to be a true copy of the original:
HAROLD D. BENGELSDORF,
Division of International Affairs, United States Atomic Energy Commission.

THE WHITE HOUSE,
Washington, July 2, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission.

DEAR MR. STRAUSS: Under date of July 1 the Atomic Energy Commission recommended that I approve a proposed agreement for cooperation between the Government of the United States of America and the Government of the Italian Republic concerning civil uses of atomic energy.

The recommended amendment has been reviewed. It will incorporate and supercede the agreement of cooperation concerning civil uses of atomic energy which was entered into on July 28, 1955, between the two governments and will continue for a period of 20 years. No restricted data will be communicated under the proposed agreement.

The new agreement will broaden the scope of cooperation between the Italian Republic and the United States in fields related to the peaceful utilization of atomic energy by providing for cooperation on matters relating to the development, design, construction, operation, and use of experimental power, demonstration power and power reactors, as well as research reactors. I note that it is planned that the parties will exchange information in other unclassified areas including health and safety problems related to the operation and use of such reactors, and the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

The Italian Republic, if it desires to do so, may engage United States companies to construct research, experimental power, demonstration power, and power reactors, and private industry in the United States will be able, under the agreement, to provide other assistance to the Italian Republic. Article II of the agreement recognizes that the Government of the Italian Republic has signed the treaty constituting the European community for atomic energy (EURATOM) and accordingly, provides that the European Community for Atomic Energy may assume the rights and obligations of the Italian Republic under the agreement provided a cooperative arrangement is executed between the European Community and the Government of the United States of America and provided the Community can, in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed agreement for cooperation.

The agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Italian Republic uranium enriched up to a maximum of 20 percent in the isotope U-235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Italian Republic; provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 7,000 kilograms of contained U-235. I understand that it is expected that the U-235 to be transferred to the Italian Republic will be employed in two power reactors and several research reactors. The Commission, at its discretion, may make a portion of the foregoing 7,000 kilograms available as material enriched up to 90 percent for use in a materials-testing reactor capable of operating whti a fuel load not to exceed 6 kilograms of contained U-235 in uranium. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Italian Republic of special nuclear materials produced in fuel elements obtained from the United States.

The quantity of uranium enriched in the isotope U-235 transferred to the Government of the Italian Republic for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Italian Republic.

Article VI of the agreement would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

I note that article X of the agreement incorporates several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes. In addition, article VIII provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed by the Atomic Energy Commission in Commission facilities, or in facilities acceptable to the Commission.

In article XII the parties affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an agency is established.

The Commission has expressed its belief that the proposed agreement will be an important and desirable step in advancing the peaceful uses of atomic energy in the Italian Republic and I note that the agreement contains all the guaranties prescribed by the Atomic Energy Act of 1954, as amended.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby

(1) Determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States.

(2) Approve the proposed agreement for cooperation between the Government of the United States of America and the Government of the Italian Republic enclosed with your letter of July 1st, and

(3) Authorize the execution of the proposed agreement for the Government of the United States of America by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

Certified to be a true copy of the original.
JOHN P. TREVITHICK,
Division of International Affairs, United States Atomic Energy Commission.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE ITALIAN REPUBLIC CONCERNING THE CIVIL USES OF ATOMIC ENERGY

Whereas the Government of the United States of America and the Government of the Italian Republic on July 28, 1955, signed an Agreement for Cooperation Concerning Civil Uses of Atomic Energy; and

Whereas such agreement provides that it is the hope and expectation of the parties that the initial Agreement for Cooperation will extend to considerations of further cooperation extending to the design, construction, and operation of power-producing reactors; and

Whereas the Government of the Italian Republic has advised the Government of the United States of America of its desire to pursue a research and development program looking toward the realization of peaceful and humanitarian uses of atomic energy including the design, construction, and operation of power-producing reactors; and

Whereas the Government of the United States of America desires to cooperate with the Government of the Italian Republic in such a program as hereinafter provided; and

Whereas the parties desire to supersede the Agreement for Cooperation signed on July 28, 1955, with this agreement which includes the new areas of cooperation;

The parties agree as follows:

ARTICLE I

A. The Agreement for Cooperation signed on July 28, 1955, is superseded in its entirety on the day this agreement enters into force.

This agreement shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of twenty (20) years.

ARTICLE II

It is recognized that article 106 of the treaty constituting the European Community for Atomic Energy (EURATOM) which the Government of the Italian Republic signed on March 25, 1957, in Rome, contemplates that member states of the community will seek a renegotiation of existing agreements in the field of atomic energy with third countries once the treaty comes into force. If the treaty comes into force and if a cooperative arrangement is executed between the European Community for Atomic Energy and the Government of the United States of America, the Government of the United States of America would be prepared to arrange for the European Community for Atomic Energy to assume the rights and obligations of the Italian Republic under this agreement provided the European Community for Atomic Energy could, in the judgment of the Government of the United States of America, effectively and securely carry out the undertakings of this agreement.

ARTICLE III

A. Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this agreement if the transfer of any such materials or equipment and devices or the furnishing of any such service involves the communication of restricted data.

B. Subject to the provisions of this agreement, the availability of personnel and material, and the applicable laws, regulations, and license requirements in force in their respective countries, the parties shall assist each other in the achievement of the use of atomic energy for peaceful purposes.

C. This agreement shall not require the exchange of any information which the parties are not permitted to communicate because the information is privately owned or has been received from another government.

ARTICLE IV

Subject to the provisions of article III unclassified information including information in the specific fields set out below shall be exchanged between the parties with respect to the application of atomic energy to peaceful uses, including research and development relating to such uses, and problems of health and safety connected therewith:

(a) The development, design, construction, operation, and use of research, experimental power, demonstration power, and power reactors.

(b) Health and safety problems related to the operation and use of research, experimental power, demonstration power, and power reactors.

(c) The use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

ARTICLE V

The application or use of any information (including design drawings and specifications) and any material, equipment, and devices, exchanged or transferred between the parties under this agreement, shall be the responsibility of the party receiving it, and the other party does not warrant the accuracy or completeness of such information and does not warrant the suitability of such information, materials, equipment, and devices for any particular use or application.

ARTICLE VI

A. Research materials: Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy as provided by article IV and under the limitations set forth in article III, including source materials, special nuclear materials, byproduct materials, other radioisotopes, and stable isotopes will be exchanged for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of either party, by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233.

B. Research facilities: Subject to the provisions of article III, and under such terms and conditions as may be agreed, and to the extent as may be agreed, specialized research facilities and reactor materials testing facilities of the parties shall be made available for mutual use consistent with the limits of space, facilities, and personnel conveniently available, when such facilities are not commercially available.

ARTICLE VII

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States of America or the Italian Republic may deal directly with private individuals and private organizations in the other country. Accordingly, with respect to the subjects of agreed exchange of information as provided in artivle IV, persons under the jurisdiction of either the Government of the United States of America or the Government of the Italian Republic will be permitted to make arrangements to transfer and export materials, including equipment and devices, to and perform services for the other Government and such persons under its jurisdiction as are authorized by the other Government to receive and possess such materials and utilize such services, subject to:

(a) The limitations in article III.

(b) Applicable laws, regulations, and license requirements of the Government of the United States of America and the Government of the Italian Republic.

ARTICLE VIII

A. The Commission will sell or lease, as may be agreed, to the Government of the Italian Republic uranium enriched up to 20 percent in the isotope U–235, except as otherwise provided in paragraph C of this article, in such quantities as may be agreed in accordance with the terms, conditions, and delivery schedules set forth in contracts for fueling defined research, experimental power, demonstration power, and power reactors which the Government of the Italian Republic in consultation with the Commission, decides to construct or authorize private organizations to construct in the Italian Republic and as required in experiments related thereto: *Provided, however*, That the net amount of any uranium sold or leased hereunder during the period of this agreement shall not exceed 7,000 kilograms of contained U–235. This net amount shall be the gross quantity of contained U–235 in uranium sold or leased to the Government of the Italian Republic during the period of this agreement less the quantity of contained U–235 in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope U–235 transferred by the Commission under this article and in the custody of the Government of the Italian Republic shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Italian Republic or persons under its jurisdiction decide to construct and fuel with United States fuel, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactor or reactors while replaced fuel elements are radioactively cooling or, subject to the provisions of paragraph E, are being reprocessed in the Italian Republic, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

C. The Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in a materials testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium.

D. It is understood and agreed that although the Government of the Italian Republic may distribute uranium enriched in the isotope U–235 to authorized users in the Italian Republic, the Government of the Italian Republic will retain title to any uranium enriched in the isotope U–235 which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U–235.

E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

F. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the United States of America which is in excess of the need of the Italian Republic for such materials in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

G. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Republic of Italy and after reprocessing as provided in paragraph E hereof shall be returned to the Government of the Republic of Italy, at which time title to such material shall be transferred to that government, unless the Government of the United States of America shall exercise the option, which is hereby accorded, to retain, with appropriate credit to the Government of the Republic of Italy, any such special nuclear material which is in excess of the needs of the Government of the Republic of Italy for such materials in its program for the peaceful uses of atomic energy.

H. Some atomic energy materials which the Government of the Italian Republic may request the Commission to provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Italian Republic, the Government of the Italian Republic shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to

any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of the Italian Republic or to any private individual or private organization under its jurisdiction, the Government of the Italian Republic shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of the Italian Republic or to any authorized private individual or private organization under its jurisdiction.

ARTICLE IX

As may be necessary and as may be mutually agreed in connection with the subjects of agreed exchange of information as provided in article IV, and under the limitations set forth in article III, and under such terms and conditions as may be mutually agreed, specific arrangements may be made from time to time between the parties for lease, or sale and purchase, of quantities of materials, other than special nuclear material, greater than those required for research, when such materials are not available commercially.

ARTICLE X

A. The Government of the United States of America and the Government of the Italian Republic emphasize their common interest in assuring that any material, equipment, or device made available to the Government of the Italian Republic pursuant to the agreement shall be used solely for civil purposes.

B. Except to the extent that the safeguards provided for in this agreement are supplanted, by agreement of the parties as provided in article XII, by safeguards of the proposed International Atomic Energy Agency, the Government of the United States of America, notwithstanding any other provisions of this agreement, shall have the following rights:

1. With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any (i) reactor and (ii) other equipment and devices the design of which the Commission determines to be relevant to the effective applicaton of safeguards, which are to be made available to the Government of the Italian Republic or persons under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: source material, special nuclear material, moderator material, or other material designated by the Commission.

2. With respect to any source or special nuclear material made available to the Government of the Italian Republic or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment, or device so made available: (i) source material, special nuclear material, moderator material or other material designated by the Commission, (ii) reactors, (iii) any other equipment or device designated by the Commission as an item to be made available on condition that the provision of this subparagraph B 2 will apply, (a) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in insuring accountability for such materials; and (b) to require that any such material in the custody of the Government of the Italian Republic or any person under its jurisdiction be subject to all of the safeguards provided for in this article and the guaranties set forth in article XI.

3. To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in subparagraph B 2 of this article which is not currently utilized for civil purposes in the Italian Republic and which is not purchased or retained by the Government of the United States of America pursuant to article VIII of this agreement, transferred pursuant to article VIII, paragraph F (b) of this agreement, or otherwise disposed of pursuant to an arrangement mutually acceptable to the parties.

4. To designate, after consultation with the Government of the Italian Republic, personnel who, accompanied, if either party so requests, by personnel designated by the Government of the Italian Republic, shall have access in the Italian Republic to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph B 2 of this article to determine whether there is compliance with this agreement and to make such independent measurements as may be deemed necessary.

5. In the event of noncompliance with the provisions of this article, or the guaranties set forth in article XI, and the failure of the Government of the Italian Republic to carry out the provisions of this article within a reasonable time, to suspend or terminate this agreement and require the return of any materials, equipment, and devices referred to in subparagraph B 2 of this article.

6. To consult with the Government of the Italian Republic in the matter of health and safety.

C. The Government of the Italian Republic undertakes to facilitate the application of the safeguards provided for in this article.

ARTICLE XI

The Government of the Italian Republic guarantees that:

(a) Safeguards provided in article X shall be maintained.

(b) No material, including equipment and devices, transferred to the Government of the Italian Republic or authorized persons under its jurisdiction pursuant to this agreement, by lease, sale, or otherwise, will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of the Italian Republic except as the Commission may agree to such transfer to another nation or an international organization and then only if in the opinion of the Commission such transfers falls within the scope of an agreement for cooperation between the United States of America and the other nation or international organization.

ARTICLE XII

The Government of the United States of America and the Government of the Italian Republic affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy. In the event such an international agency is created:

(a) The parties will consult with each other to determine in what respects, if any, they desire to modify the provisions of this agreement for cooperation. In particular, the parties will consult with each other to determine in what respects and to what extent they desire to arrange for the administration by the international agency of those conditions, controls, and safeguards including those relating to health and safety standards required by the international agency in connection with similar assistance rendered to a cooperating nation under the aegis of the international agency.

(b) In the event the parties do not reach a mutually satisfactory agreement following the consultation provided for in paragraph (a) of this article, either party may by notification terminate this agreement. In the event this agreement is so terminated, the Government of the Italian Republic shall return to the Commission all source and special nuclear materials received pursuant to this agreement and in its possession or in the possession of persons under its jurisdiction.

ARTICLE XIII

For purposes of this agreement:

(a) "Commission" means the United States Atomic Energy Commission.

(b) "Equipment and devices" and "equipment or device" means any instrument, apparatus, or facility and includes any facility, except an atomic weapon, capable of making use of or producing special nuclear material, and component parts thereof.

(c) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government agency, or Government corporation, but does not include the parties to this agreement.

(d) "Reactor" means an apparatus, other than an atomic weapon, in which a self-supporting fission chain reaction is maintained by utilizing uranium, plutonium, or thorium, or any combination of uranium, plutonium, or thorium.

(e) "Restricted data" means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear materials; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of restricted data by the appropriate authority.

(f) "Atomic weapon" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

(g) "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission determines to be special nuclear material; or (2) any material artificially enriched by any of the foregoing.

(h) "Source material" means (1) uranium, thorium, or any other material which is determined by either party to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as the Government of the Italian Republic or the Commission may determine from time to time.

(i) "Parties" means the Government of the United States of America and the Government of the Italian Republic, including the Commission on behalf of the Government of the United States of America and the National Committee for Nuclear Research on behalf of the Government of the Italian Republic. "Party" means one of the abovementioned parties.

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and Italian languages, both texts being equally authentic, this 3rd day of July 1957.

In fede di che le Parti hanno concluso il presente Accordo in buona e dovuta forma in virtù dei poteri debitamente conferiti a tale scopo.

Fatto in Washington, in duplice copia nelle lingue inglese ed italiana, ciascuna facente ugualmente fede, il giorno 3 luglio 1957.

For the Government of the United States of America:

Per il Governo Degli Stati Uniti D'America:
CHRISTIAN A. HERTER.
LEWIS L. STRAUSS.

For the Government of the Italian Republic:

Per il Governo Della Repubblica Italiana:
MANLIO BROSIO.

This is a certified copy of the signed original.

ELEANOR C. McDOWELL,
Treaty Adviser, Department of State.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., July 3, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy,
Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. Three copies of an amendment to the Agreement for Cooperation With the Government of the Republic of France which was signed on June 19, 1956.

2. Three copies of a letter from the Commission to the President recommending approval of the amendment.

3. Three copies of a letter from the President to the Commission approving the amendment, containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security; and his authorization to execute the proposed amendment.

Article I of the amendment recognizes that the Government of the Republic of France has signed the Treaty Constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the community may assume the rights and obligations of the Republic of France under the agreement which was signed by the parties on June 19, 1956, provided a cooperative arrangement is executed between the European Community and the Government of the United States of America and provided the community can, in the judgment of the United States, effectively and securely carry out the undertakings of the agreement for cooperation.

Article II of the amendment replaces article VIII of the agreement for cooperation which was signed by the 2 Governments on June 19, 1956. As you will note it will permit the Commission to sell or lease, as may be agreed, to the Government of the Republic of France uranium enriched up to a maximum of 20 percent in the isotope U–235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Republic of France; provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 2,500 kilograms of contained U–235. The Commission at its discretion may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in a materials-testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium. At the present time it is expected that the U–235 to be transferred to the Republic of France will be employed in several prototype and large-scale power reactors, in a materials-testing reactor and in several research reactors.

As in the case of sale transactions, the agreement, in the event of lease, would permit the retention by the Government of the Republic of France of special nuclear materials produced in fuel elements obtained from the United States. The quantity of uranium enriched in the isotopye U–235 transferred to the Government of the Republic of France for use as fuel in reactors will not at any time be in excess of the amount of material necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in the Republic of France or while fuel elements are in transit.

The agreement will enter into force when the two governments have exchanged written notification that their respective statutory and constitutional requirements have been fulfilled.

Sincerely yours,
LEWIS L. STRAUSS,
Chairman.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the proposed enclosed amendment to Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of France Concerning Civil Uses of Atomic Energy and authorize its execution.

The amendment has been negotiated by the Atomic Energy Commission and the Department of State, as amended, and is, in the opinion of the Commission an important and desirable step in advancing the development of the peaceful uses of atomic energy in the Republic of France in accordance with the policy which you have established.

Article I of the amendment recognizes that the Government of the Republic of France has signed the Treaty Constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the European Community for Atomic Energy may assume the rights and obligations of the Republic of France under the agreement for cooperation provided a cooperative arrangement is executed between the European community and the Government of the United States of America and provided the Community can in the judgment of the United States, effectively and securely carry out the undertakings of the agreement for cooperation which was signed by the parties on June 19, 1956.

As you will recall article VIII of the agreement for cooperation provides that the Commission may transfer to the Government of the Republic of France up to 40 kilograms of uranium enriched in the isotope U–235. These transfers were to be made exclusively on the basis of sale. Article II of the amendment replaces article VIII of the agreement and will permit the Commission to sell or lease, as may be agreed, to the Government of the Republic of France uranium enriched up to a maximum of 20 percent with the isotope U–235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Republic of France provided; however that the net amount of any uranium sold or leased during the period of the agreement does not exceed 2,500 kilograms of contained U–235. The Commission at its discretion, may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in a materials testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Republic of France of special nuclear materials produced in fuel elements obtained from the United States.

It is expected that the material to be transferred to the Government of the Republic of France will be employed in several prototype and large-scale power reactors, in a materials-testing reactor, and in several research reactors.

The quantity of uranium enriched in the isotope U–235 transferred to the Government of the Republic of France for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Republic of France.

Following your approval and subject to the authorization requested, the amendment will be formally executed by the appropriate authorities of the Government of the Republic of France and the Government of the United States of America and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,
LEWIS L. STRAUSS,
Chairman.

Certified as a true copy of the original:
HAROLD D. BEUFELSDORF,
Division of International Affairs,
United States Atomic Energy Commission.

THE WHITE HOUSE,
Washington, July 2, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission.

DEAR MR. STRAUSS: Under date of July 1, 1957, the Atomic Energy Commission recommended that I approve a proposed amendment to agreement for cooperation between the Government of the United States of America and the Republic of France concerning civil usea of atomic energy.

The recommended amendment has been reviewed. It will broaden the scope of cooperation between the Republic of France and the United States in fields related to the peaceful utilization of atomic energy by providing the basis under which an increased amount of U–235 may be transferred to the Government of France for use in defined research, experimental power, demonstration power, and power reactors to be constructed in the Republic of France.

Article I of the amendment recognizes that the Government of the Republic of France has signed the treaty constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the European Community for Atomic Energy may assume the rights and obligations of the Republic of France under the agreement provided a cooperative arrangement is executed between the European community and the Government of the United States of America and provided the community can in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed agreement for cooperation.

I note that article VIII of the agreement which was signed by the parties on June 19, 1956, provides that the Commission may transfer at any one time to the Government of the Republic of France up to 40 kilograms of contained U–235 in uranium.

These transfers were to be made exclusively on the basis of sale. Article II of the amendment replaces article VIII of the agreement and will permit the Commission to sell or lease, as may be agreed, to the Government of the Republic of France uranium enriched up to a maximum of 20 percent in the isotope U–235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Republic of France provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 2,500 kilograms of contained U–235. The Commission at its discretion, may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in a materials-testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium.

uranium. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Republic of France of special nuclear materials produced in fuel elements obtained from the United States.

The quantity of uranium enriched in the isotope U–235 transferred to the Government of the Republic of France for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Republic of France.

It is expected that the material to be transferred to the Government of the Republic of France will be employed in several prototype and large-scale power reactors, in a materia... testing reactor, and in several research reactors.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed amendment will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and (2) approve the proposed amendment to agreement for cooperation between the Government of the United States of America and the Government of the Republic of France concerning civil uses of atomic energy enclosed with your letter of July 1, 1957, and (3) authorize the execution of the proposed amendment for the Government of the United States of America by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

Certified to be a true copy of the original.
JOHN P. TREVITHICK,
Division of International Affairs,
United States Atomic Energy Commission.

AMENDMENT TO AGREEMENT FOR COOPERATION CONCERNING THE CIVIL USES OF ATOMIC ENERGY BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF FRANCE

The Government of the United States of America and the Government of the Republic of France, desiring to broaden in certain respects the Agreement for Cooperation on the Civil Uses of Atomic Energy (hereinafter referred to as the "Agreement for Cooperation") signed between them at Washington on June 19, 1956, have agreed as follows:

ARTICLE I

Article XII B of the Agreement for Cooperation is deleted and the following is substituted in lieu thereof:

"B. It is recognized that Article 106 of the Treaty Constituting the European Community for Atomic Energy (EURATOM) which the Government of the Republic of France signed on March 25, 1957, in Rome, contemplates that member states of the Community will seek a renegotiation of existing agreements in the field of atomic energy with third countries once the treaty comes into force. If the treaty comes into force, and if a cooperative arrangement is executed between the European Community for Atomic Energy and the Government of the United States of America, the Government of the United States of America would be prepared to arrange for the European Community for Atomic Energy to assume the rights and obligations of the Republic of France under this agreement provided the European Community for Atomic Energy could, in the judgment of the Government of the United States of America, effectively and securely carry out the undertakings of this agreement."

ARTICLE II

Article VIII of the Agreement for Cooperation is deleted and the following is substituted in lieu thereof:

"A. The Commission will sell or lease as may be agreed to the Government of the Republic of France uranium enriched up to 20 percent in the isotope U–235, except as otherwise provided in paragraph C of this article, in such quantities as may be agreed in accordance with the terms, conditions, and delivery schedules set forth in contracts for fueling defined research, experimental power, demonstration power, and power reactors which the Government of the Republic of France, in consultation with the Commission, decides to construct or authorize private organizations to construct in the Republic of France and as required in experiments related thereto: *Provided, However,* That the net amount of any uranium sold or leased hereunder during the period of this agreement shall not exceed 2,500 kilograms of contained U–235. This net amount shall be the gross quantity of contained U–235 in uranium sold or leased to the Government of the Republic of France during the period of this agreement less the quantity of contained U–235 in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

"B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope U–235 transferred by the Commission under this article and in the custody of the Government of the Republic of France shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Republic of France or persons under its jurisdiction decide to construct and fuel with United States fuel, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactor or reactors while replaced fuel elements are radioactively cooling or, subject to the provisions of paragraph E, are being reprocessed in the Republic of France, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

"C. The Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in a materials-testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium.

"D. It is understood and agreed that although the Government of the Republic of France may distribute uranium enriched in the isotope U–235 to authorized users in the Republic of France, the Government of the Republic of France will retain title to any uranium enriched in the isotope U–235 which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U–235.

"E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

"F. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the United States of America which is in excess of the need of the Republic of France for such materials in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

"G. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Republic of France and after reprocessing as provided in paragraph E hereof shall be returned to the Government of the Republic of France, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby accorded, to retain, with appropriate credit to the Government of the Republic of France, any such special nuclear material which is in excess of the needs of the Government of the Republic of France for such material in its program for the peaceful uses of atomic energy.

"H. Some atomic energy materials which the Government of the Republic of France may request the Commission to provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Republic of France, the Government of the Republic of France shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of the Republic of France or to any private individual or private organization under its jurisdiction, the Government of the Republic of France shall indemnify and save harmless the Government of the United States of America against any and all liability (including third-party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of the Republic of France or to any authorized private individual or private organization under its jurisdiction."

ARTICLE III

Article X, paragraph A–3, of the agreement for cooperation, is amended by deleting the letter "E" wherever appearing in this paragraph and substituting in lieu of each such deletion the letter "F."

ARTICLE IV

This amendment, which shall be regarded as an integral part of the agreement for cooperation, shall enter into force on the day on which each Government shall receive from the other Government written notification that it has compiled with all statutory and constitutional requirements for the entry into force of such amendment.

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and French languages, both texts being equally authentic, this 3d day of July 1957.

For the Government of the United States of America:

CHRISTIAN A. HERTER.
LEWIS L. STRAUSS.

For the Government of the Republic of France:

HERVÉ ALPHAND.

This is a certified copy of the signed original.

ELEANOR C. McDOWELL,
Treaty Adviser, Department of State.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., July 3, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, as amended, there is submitted with this letter:

1. Three copies of an Agreement for Cooperation with the Government of the Federal Republic of Germany;

2. Three copies of a letter from the Commission to the President recommending approval of the proposed agreement;

3. Three copies of a letter from the President to the Commission approving the agreement, containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security; and his authorization to execute the proposed agreement.

The Agreement for Cooperation submitted with this letter will incorporate and supersede the Agreement for Cooperation Concerning Civil Uses of Atomic Energy which was signed on February 13, 1956, between the two governments. It will broaden the scope of cooperation between the two countries by providing for cooperation on matters relating to the development, design, construction, operation, and use of research, experimental power, demonstration power and power reactors; by providing for cooperation on health and safety problems related to the operation and use of such reactors; and by providing for cooperation on the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry. No restricted data will be exchanged under the agreement.

Article II of the agreement recognizes that the Government of the Federal Republic of Germany has signed the Treaty Constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the European Community for Atomic Energy may assume the rights and obligations of the Federal Republic of Germany under the agreement provided a cooperative arrangement is executed between the European Community and the Government of the United States of America and provided the community can, in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed Agreement for Cooperation.

Article VIII of the agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Federal Republic of Germany uranium enriched up to a maximum of 20 percent in the isotope U-235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Federal Republic of Germany: Provided, however, That the net amount of any uranium sold or leased during the period of the agreement does not exceed 2,500 kilograms of contained U-235. The Commission at its discretion may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in a materials testing reactor capable of operating with a fuel load not to exceed six (6) kilograms of contained U-235 in uranium. At the present time it is expected that the U-235 to be transferred to the Federal Republic of Germany will be employed in 2 power demonstration reactors, 1 large-scale power reactor, and several research reactors. As in the case of sale transactions, the agreement, in the event of lease, would permit the retention by the Government of the Federal Republic of Germany of special nuclear materials produced in fuel elements obtained from the United States. The quantity of uranium enriched in the isotope U-235 transferred to the Government of the Federal Republic of Germany for use as fuel in reactors will not at any time be in excess of the amount of material necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in the Federal Republic of Germany or while fuel elements are in transit.

Article VI would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

The agreement provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed by the Atomic Energy Commission in either Commission facilities, or in facilities acceptable to the Commission. In addition, article X of the agreement incorporates provisions designed to minimize the possibility that material or equipment transferred under the agreement would be diverted to nonpeaceful purposes.

In article XII the parties affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an agency is established.

The agreement will enter into force when the two Governments have exchanged written notification that their respective statutory and constitutional requirements have been fulfilled.

Sincerely yours,

LEWIS L. STRAUSS,
Chairman.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed agreement for cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany concerning civil uses of atomic energy and authorize its execution.

The agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, and is, in the opinion of the Commission, an important and desirable step in advancing the development of the peaceful uses of atomic energy in the Federal Republic of Germany in accordance with the policy which you have established. The proposed agreement will incorporate and supersede the agreement for cooperation concerning civil uses of atomic energy which was entered into on February 13, 1956, between the two Governments. The new agreement will broaden the scope of cooperation between the Federal Republic of Germany and the United States in fields related to the peaceful utilization of atomic energy by providing for cooperation on matters relating to the development, design, construction, operation, and use of experimental power, demonstration power and power reactors, as well as research reactors. It is expected that the parties will exchange information in other unclassified areas including health and safety problems related to the operation and use of such reactors; and the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

The Federal Republic of Germany, if it desires to do so, may engage United States companies to construct research, experimental power, demonstration power, and power reactors; and private industry in the United States will be able, under the agreement, to provide other assistance to the Federal Republic of Germany. The agreement contains all the guaranties prescribed by the Atomic Energy Act of 1954, as amended. No restricted data would be communicated under the agreement.

Article II of the agreement recognizes that the Government of the Federal Republic of Germany has signed the treaty constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the European Community for Atomic Energy may assume the rights and obligations of the Federal Republic of Germany under the agreement provided a cooperative arrangement is executed between the European community and the Government of the United States of America and provided the community can in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed agreement for cooperation.

The agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Federal Republic of Germany uranium enriched up to a maximum of 20 percent in the isotope U-235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Federal Republic of Germany; provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 2 500 kilograms of contained U-235. At the present time it is expected that the U-235 to be transferred to the Federal Republic of Germany will be employed in 2 power demonstration reactors, 1 large-scale power reactor, and several research reactors. The Commission at its discretion, may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in a materials testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U-235 in uranium. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Federal Republic of Germany of special nuclear materials produced in fuel elements obtained from the United States.

The quantity of uranium enriched in the isotope U-235 transferred to the Government of the Federal Republic of Germany for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project, plus such additional quantity as, in the opinion of the Comraission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Federal Republic of Germany.

Article VI of the agreement would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Article VIII provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed either in Commission facilities, or in facilities acceptable to the Commission. In addition, article X of the agreement incorporates several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to non-peaceful purposes.

In article XII the parties affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an agency is established.

Following your approval and subject to the authorization requested, the agreement will be formally executed by the appropriate authorities of the Government of the Federal Republic of Germany and the Government of the United States of America and placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954, as amended.

Respectfully,

LEWIS L. STRAUSS,
Chairman.

Certified as a true copy of the original:

HAROLD D. BENFELDER,
Division of International Affairs, United States Atomic Energy Commission.

THE WHITE HOUSE,
Washington, July 2, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, the Atomic Energy Commission, Washington, D. C.

DEAR MR. STRAUSS: Under date of July 1, 1957 the Atomic Energy Commission recommended that I approve a proposed Agreement for Cooperation Between the Government of the United States of America and the Government of the Federal Republic of Germany Concerning Civil Uses of Atomic Energy.

The recommended agreement has been reviewed. It will incorporate and supersede the Agreement of Cooperation Concerning Civil Uses of Atomic Energy which was entered into on Febraury 13, 1956, between the two Governments. No restricted data will be communicated under the proposed Agreement.

The new agreement will broaden the scope of cooperation between the Federal Republic of Germany and the United States in fields related to the peaceful utilization of atomic energy by providing for cooperation on matters relating to the development, design, construction, operation, and use of experimental power, demonstration power, and power reactors, as well as research reactors. I note that it is planned that the Parties will exchange information in other unclassified areas including health and safety problems related to the operation and use of such reactors, and the use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture and industry.

The Federal Republic of Germany, if it desires to do so, may engaged United States companies to construct research, experimental power, demonstration power, and power reactors, and private industry in the United States will be able, under the agreement, to provide other assistance to the Federal Republic of Germany.

Article II of the agreement recognizes that the Government of the Federal Republic of Germany has signed the Treaty Constituting the European Community for Atomic Energy (EURATOM) and accordingly provides that the European Community for Atomic Energy may assume the rights and obligations of the Federal Republic of Germany under the agreement provided a cooperative arrangement is executed between the European Community and the Government of the United States of America and provided the Community can in the judgment of the United States, effectively and securely carry out the undertakings of the enclosed agreement for cooperation.

The agreement will permit the Commission to sell or lease, as may be agreed, to the Government of the Federal Republic of Germany uranium enriched up to a maximum of 20 percent in the istope U-235, except as noted below, in such quantities as may be agreed, for fueling defined reactor projects in the Federal Republic of Germany; provided, however, that the net amount of any uranium sold or leased during the period of the agreement does not exceed 2,500 kilograms of contained U-235. I understand that it is expected that the U-235 to be transferred to the Federal Republic of Germany will be employed in 2 power demonstration reactors, 1 large-scale power reactor and several research reactors. The Commission at its discretion, may make a portion of the foregoing 2,500 kilograms available as material enriched up to 90 percent for use in a materials testing reactor capable of operating with a fuel load not to exceed 6 kilograms of contained U-235 in uranium. As in the case of sale transactions, in the event of lease, the agreement would permit the retention by the Government of the Federal Republic of Germany of special nuclear materials produced in fuel elements obtained from the United States.

The quantity of uranium enriched in the isotope U-235 transferred to the Government of the Federal Republic of Germany for use as fuel in reactors will not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling or, subject to Commission approval, are being reprocessed in the Federal Republic of Germany.

Article VI of the agreement would permit the transfer of limited amounts of special nuclear materials, including U-235, U-233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

I note that article X of the agreement incorporates several provisions which are designed to minimize the possibility that material or equipment transferred under the agreement will be diverted to nonpeaceful purposes. In addition, article VIII provides that when any source or special nuclear material received from the United States requires reprocessing, such reprocessing will be performed by the Atomic Energy Commission in Commission facilities, or in facilities acceptable to the Commission.

In article XII the parties affirm their common interest in the establishment of an International atomic energy Agency to foster the peaceful uses of atomic energy and express their intention to reappraise the agreement in the event such an Agency is established.

Lastly, the Commission has expressed its belief that the proposed agreement will be an important and desirable step in advancing the peaceful uses of atomic energy in the Federal Republic of Germany and I note that the agreement contains all the guaranties prescribed by the Atomic Energy Act of 1954, as amended.

Pursuant to the provisions of section 123 of the Atomic Energy Act of 1954, as amended, and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and (2) approve the proposed agreement for cooperation between the Government of the United States of America and the Government of the Federal Republic of Germany enclosed with your letter of July 1, 1957; and (3) authorize the execution of the proposed agreement for the Government of the United States of America by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

Certified to be a true copy of the original.

JOHN P. TREVITHICK,
Division of International Affairs, United States Atomic Energy Commission.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING CIVIL USES OF ATOMIC ENERGY

Whereas the Government of the United States of America and the Government of the Federal Republic of Germany, on February 13, 1956, signed an Agreement for Cooperation concerning civil uses of atomic energy; and

Whereas such agreement provides that it is the hope and expectation of the parties that the initial agreement for cooperation will extend to consideration of further cooperation extending to the design, construction, and operation of power-producing reactors; and

Whereas the Government of the Federal Republic of Germany has advised the Government of the United States of America of its desire to pursue a research and development program looking toward the realization of peaceful and humanitarian uses of atomic energy including the design, construction, and operation of power-producing reactors; and

Whereas the Government of the United States of America desires to cooperate with the Government of the Federal Republic of Germany in such a program as hereinafter provided; and

Whereas the parties desire to supersede the Agreement for Cooperation signed on February 13, 1956, as amended, with this agreement which includes the new areas of cooperation:

The parties agree as follows:

ARTICLE I

A. The Agreement for Cooperation signed on February 13, 1956, as amended, is superseded in its entirety on the day this agreement enters into force.

B. This agreement shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 10 years.

ARTICLE II

It is recognized that article 106 of the Treaty Constituting the European Community for Atomic Energy (EURATOM) which the Government of the Federal Republic of Germany signed in Rome on March 25, 1957, contemplates that member states of the community will seek a renegotiation of existing agreements in the field of atomic energy with third countries once the treaty comes into force. If the treaty comes into force and if a cooperative arrangement is executed between the European Community for Atomic Energy and the Government of the United States of America, the Government of the United States of America would be prepared to arrange for the European Community for Atomic Energy to assume the rights and obligations of the Federal Republic of Germany under this agreement provided the European Community for Atomic Energy could, in the judgment of the Government of the United States of America, effectively and securely carry out the undertakings of this agreement.

ARTICLE III

A. Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred, and no services shall be furnished under this agreement, if the transfer of any such materials or equipment and devices or the furnishing of any such service involves the communication of restricted data.

B. Subject to the provisions of this agreement, the availability of personnel and material, and the applicable laws, regulations, and license requirements in force in their respective countries, the parties shall assist each other in the achievement of the use of atomic energy for peaceful purposes.

C. This agreement shall not require the exchange of any information which the parties are not permitted to communicate because the information is privately owned or has been received from another government.

ARTICLE IV

Subject to the provisions of article III, unclassified information including information in the specific fields set out below shall be exchanged between the parties with respect to the application of atomic energy to peaceful uses, including research and development relating to such uses, and problems of health and safety connected therewith:

(a) The development, design, construction, operation, and use of research, demonstration power, experimental power, and power reactors;

(b) Health and safety problems related to the operation and use of research, demonstration power, experimental power, and power reactors;

(c) The use of radioactive isotopes and radiation in physical and biological research, medical therapy, agriculture, and industry.

ARTICLE V

The application or use of any information (including design drawings and specifications) and any material, equipment, and devices, exchanged or transferred between the parties under this agreement, shall be the responsibility of the party receiving it, and the other party does not warrant the accuracy or completeness of such information and does not warrant the suitability of such information, materials, equipment, and devices for any particular use or application.

ARTICLE VI

A. Research materials: Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy as provided by article IV and under the limitations set forth in article III, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes will be exchanged for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of either party, by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233.

B. Research facilities: Subject to the provisions of article III, and under such terms and conditions as may be agreed, and to the extent as may be agreed, specialized research facilities and reactor materials testing facilities of the parties shall be made available for mutual use consistent with the limits of space, facilities, and personnel conveniently available, when such facilities are not commercially available.

ARTICLE VII

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States of America or the Federal Republic of Germany may deal directly with private individuals and private organizations in the other country. Accordingly, with respect to the subjects of agreed exchange of information as provided in article IV, persons under the jurisdiction of either the Government of the United States of America or the Government of the Federal Republic of Germany will be permitted to make arrangements to transfer and export materials, including equipment and devices, to and perform services for the other Government and such persons under its jurisdiction as are authorized by the other Government to receive and possess such materials and utilize such services, subject to: (a) The limitation in article III; (b) applicable laws, regulations, and license requirements of the Government of the United States of America and the Government of the Federal Republic of Germany.

ARTICLE VIII

A. The Commission will sell or lease, as may be agreed, to the Government of the Federal Republic of Germany uranium enriched up to 20 percent in the isotope U–235, except as otherwise provided in paragraph C of this article, in such quantities as may be agreed in accordance with the terms, conditions, and delivery schedules set forth in contracts for fueling defined research, experimental power, demonstration power, and power reactors which the Government of the Federal Republic of Germany, in consultation with the Commission, decides to construct or authorize private organizations to construct in the Federal Republic of Germany and as required in experiments related thereto; provided, however, that the net amount of any uranium sold or leased hereunder during the period of this agreement shall not exceed 2,500 kilograms of contained U–235. This net amount shall be the gross quantity of contained U–235 in uranium sold or leased to the Government of the Federal Republic of Germany during the period of this agreement less the quantity of contained U–235 in recoverable uranium which has been resold or otherwise returned to the Government of the United States of America during the period of this agreement or transferred to any other nation or international organization with the approval of the Government of the United States of America.

B. Within the limitations contained in paragraph A of this article, the quantity of uranium enriched in the isotope U–235 transferred by the Commission under this article and in the custody of the Government of the Federal Republic of Germany shall not at any time be in excess of the amount of material necessary for the full loading of each defined reactor project which the Government of the Federal Republic of Germany or persons under its jurisdiction decide to construct and fuel with United States fuel, as provided herein, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of such reactor or reactors while replaced fuel elements are radioactively cooling or, subject to the provisions of paragraph E, are being reprocessed in the Federal Republic of Germany, it being the intent of the Commission to make possible the maximum usefulness of the material so transferred.

C. The Commission may, upon request and in its discretion, make a portion of the foregoing special nuclear material available as material enriched up to 90 percent for use in a materials-testing reactor, capable of operating with a fuel load not to exceed 6 kilograms of contained U–235 in uranium.

D. It is understood and agreed that although the Government of the Federal Republic of Germany may distribute uranium enriched in the isotope U–235 to authorized users in the Federal Republic of Germany, the Government of the Federal Republic of Germany will retain title to any uranium enriched in the isotope U–235 which is purchased from the Commission at least until such time as private users in the United States of America are permitted to acquire title in the United States of America to uranium enriched in the isotope U–235.

E. It is agreed that when any source or special nuclear material received from the United States of America requires reprocessing, such reprocessing shall be performed at the discretion of the Commission in either Commission facilities or facilities acceptable to the Commission, on terms and conditions to be later agreed; and it is understood, except as may be otherwise agreed, that the form and content of any irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission or the facilities acceptable to the Commission for reprocessing.

F. With respect to any special nuclear material not owned by the Government of the United States of America produced in reactors fueled with materials obtained from the United States of America which is in excess of the need of the Federal Republic of Germany for such materials in its program for the peaceful uses of atomic energy, the Government of the United States of America shall have and is hereby granted (a) a first option to purchase such material at prices then prevailing in the United States of America for special nuclear material produced in reactors which are fueled pursuant to the terms of an agreement for cooperation with the Government of the United States of America, and (b) the right to approve the transfer of such material to any other nation or international organization in the event the option to purchase is not exercised.

G. Special nuclear material produced in any part of fuel leased hereunder as a result of irradiation processes shall be for the account of the Government of the Federal Republic of Germany and after reprocessing as provided in paragraph E hereof shall be returned to the Government of the Federal Republic of Germany, at which time title to such material shall be transferred to that Government, unless the Government of the United States of America shall exercise the option, which is hereby accorded, to retain, with appropriate credit to the Government of the Federal Republic of Germany, any such special nuclear material which is in excess of the needs of the Government of the Federal Republic of Germany for such material in its program for the peaceful uses of atomic energy.

H. Some atomic energy materials which the Government of the Federal Republic of Germany may request the Commission to provide in accordance with this agreement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of the Federal Republic of Germany the Government of the Federal Republic of Germany shall bear all responsibility, insofar as the Government of the United States of America is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of the Federal Republic of Germany or to any private individual or private organization under its jurisdiction, the Government of the Federal Republic of Germany shall indemnify and save harmless the Government of the United States of America against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of the Federal Republic of Germany or to any authorized private individual or private organization under its jurisdiction.

ARTICLE IX

As may be necessary and as may be mutually agreed in connection with the subjects of agreed exchange of information as provided in article IV, and under the limitations set forth in article III, and under such terms and conditions as may be mutually agreed, specific arrangements may be made from time to time between the parties for lease, or sale and purchase, of quantities of materials, other than special nuclear material, greater than those required for research, when such materials are not available commercially.

ARTICLE X

A. The Government of the United States of America and the Government of the Federal Republic of Germany emphasize their common interest in assuring that any material, equipment, or device made available to the Government of the Federal Republic of Germany pursuant to this agreement shall be used solely for civil purposes.

B. Except to the extent that the safeguards provided for in this agreement are supplanted, by agreement of the parties as provided in article XII, by safeguards of the proposed international atomic-energy agency, the Government of the United States of America, notwithstanding any other provisions of this agreement, shall have the following rights:

1. With the objective of assuring design and operation for civil purposes and permitting effective application of safeguards, to review the design of any (i) reactor and (ii) other equipment and devices the design of which the Commission determines to be relevant to the effective application of safeguards, which are to be made available to the Government of the Federal Republic of Germany or persons under its jurisdiction by the Government of the United States of America or any person under its jurisdiction, or which are to use, fabricate, or process any of the following materials so made available: source material, special nuclear material, moderator material, or other material designated by the Commission;

2. With respect to any source or special nuclear material made available to the Government of the Federal Republic of Germany or any person under its jurisdiction by the Government of the United States of America or any person under its jurisdiction and any source or special nuclear material utilized in, recovered from, or produced as a result of the use of any of the following materials, equipment, or device so made available: (i) Source material, special nuclear material, moderator material, or other material designated by the Commission, (ii) reactors, (iii) any other equipment or device designated by the Commission as an item to be made available on the condition that the provision of this subparagraph B 2 will apply, (a) to require the maintenance and production of operating records and to request and receive reports for the purpose of assisting in insuring accountability for such materials; and (b) to require that any such material in the custody of the Government of the Federal Republic of Germany or any person under its jurisdiction be subject to all of the safeguards provided for in this article and the guaranties set forth in article XI;

3. To require the deposit in storage facilities designated by the Commission of any of the special nuclear material referred to in subparagraph B 2 of this article which is not currently utilized for civil purposes in the Federal Republic of Germany and which is not purchased or retained by the Government of the United States of America pursuant to article VIII of this agreement, transferred pursuant to article VIII, paragraph F (b) of this agreement, or otherwise disposed of pursuant to an arrangement mutually acceptable to the parties;

4. To designate, after consultation with the Government of the Federal Republic of Germany, personnel who, accompanied, if either party so requests, by personnel designated by the Government of the Federal Republic of Germany, shall have access in the Federal Republic of Germany to all places and data necessary to account for the source and special nuclear materials which are subject to subparagraph B 2 of this article to determine whether there is compliance with this agreement and to make such independent measurements as may be deemed necesary;

5. In the event of noncompliance with the provisions of this article, or the guaranties set forth in article XI, and the failure of the Government of the Federal Republic of Germany to carry out the provisions of this article within a reasonable time, to suspend or terminate this agreement and require the return of any materials, equipment, and devices referred to in subparagraph B 2 of this article;

6. To consult with the Government of the Federal Republic of Germany in the matter of health and safety.

C. The Government of the Federal Republic of Germany undertakes to facilitate the application of the safeguards provided for in this article.

ARTICLE XI

The Government of the Federal Republic of Germany guarantees that:

(a) Safeguards provided in article X shall be maintained.

(b) No material, including equipment and devices, transferred to the Government of the Federal Republic of Germany or authorized persons under its jurisdiction pursuant to this agreement, by lease, sale, or otherwise, will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of the Federal Republic of Germany except as the Commission may agree to such transfer to another nation or an international organization, and then only if in the opinion of the Commission such transfer falls within the scope of an agreement for cooperation between the United States of American and the other nation or international organization.

ARTICLE XII

The Government of the United States of America and the Government of the Federal Republic of Germany affirm their common interest in the establishment of an international atomic energy agency to foster the peaceful uses of atomic energy. In the event such an international agency is created:

(a) The parties will consult with each other to determine in what respects, if any, they desire to modify the provisions of this agreement for cooperation. In particular, the parties will consult with each other to determine in what respects and to what extent they desire to arrange for the administration by the international agency of those conditions, controls, and safeguards including those relating to health and safety standards required by the international agency in connection with similar assistance rendered to a cooperating nation under the aegis of the international agency.

(b) In the event the parties do not reach a mutually satisfactory agreement following the consultation provided in paragraph (a) of this article, either party may by notification terminate this agreement. In the event this agreement is so terminated, the Government of the Federal Republic of Germany shall return to the Commission all source and special nuclear materials received pursuant to this agreement and in its possession or in the possession of persons under its jurisdiction.

ARTICLE XIII

For purposes of this agreement:

(a) "Commission" means the United States Atomic Energy Commission.

(b) "Equipment and devices" and "equipment or device" means any instrument, apparatus, or facility and includes any facility, except an atomic weapon, capable of making use of or producing special nuclear material, and component parts thereof.

(c) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, government agency, or government corporation but does not include the parties to this agreement.

(d) "Reactor" means an apparatus, other than an atomic weapon, in which a self-supporting fission chain reaction is maintained by utilizing uranium, plutonium, or thorium, or any combination of uranium, plutonium, or thorium.

(e) "Restricted data" means all data concerning (1) design, manufacture, or utilization of atomic weapons; (2) the production of special nuclear materials; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the category of restricted data by the appropriate authority.

(f) "Atomic weapon" means any device utilizing atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

(g) "Special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission determines to be special nuclear material; or (2) any material artificially enriched by any of the foregoing.

(h) "Source material" means (1) uranium, thorium, or any other material which is determined by either party to be source material; or (2) ores containing one or more of the foregoing materials, in such concentration as either party may determine from time to time.

(i) Parties means the Government of the United States of America and the Government of the Federal Republic of Germany, including the Commission on behalf of the Government of the United States of America. Party means one of the above-mentioned parties.

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, in the English and German languages, both texts being equally authentic, this 3d day of July 1957.

For the Government of the United States of America:

CHRISTIAN A. HERTER.
LEWIS L. STRAUSS.

For the Government of the Federal Republic of Germany:

HEINZ L. KRekeler.

This is a certified copy of the signed original.

ELEANOR C. McDOWELL,
Treaty Adviser, Department of State.

IMPROVEMENT OF THE NIAGARA RIVER

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 547, S. 2406, the Niagara River power bill. I wish to make it the pending business.

The PRESIDENT pro tempore. The Secretary will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. JAVITS subsequently said: Mr. President, some of us could not hear the distinguished Senator from Texas. Do I understand correctly that the pending business is the Niagara power bill?

Mr. JOHNSON of Texas. The Senator is correct. The Niagara power bill is a very important measure. The Committee on Public Works has reported it, and it is now the pending business before the Senate. I might say, in view of certain announcements which I have read in the newspapers, I do not anticipate action will be taken on the bill today, or perhaps for the next few days. But it is the pending business of the Senate until it becomes displaced by motion.

Mr. JAVITS. I may say that the people of the State of New York welcome its being made the pending business.

UNANIMOUS-CONSENT AGREEMENT RELATING TO THE CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that on the call of the calendar today, pursuant to rule VII, only measures to which there is no objection be considered, beginning with the first bill on the calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I should like to announce that, at the conclusion of the call of the calendar, if we can conclude it before the hour of 2 o'clock, the Senate will proceed to the consideration of Calendar No. 488, S. 1730, to implement a treaty and agreement with the Republic of Panama, and for other purposes.

I have an agreement with the distinguished minority leader and with the distinguished majority whip that if we can conclude the call of the calendar, and if we can consider that bill and conclude it before 2 o'clock, that would be done.

Mr. KNOWLAND. The Senator is correct.

CRITICAL SITUATION IN THE FEDERAL COURTS OF ARKANSAS

Mr. FULBRIGHT. Mr. President, a critical situation is rapidly developing in the Federal courts in Arkansas as a result of procrastination and delay by the Department of Justice in filling a vacant Federal judgeship in the eastern district—1 of a total of 3 Federal judges in the entire State.

More than a year ago Judge Thomas C. Trimble made it known that he planned to step down from the bench giving local court officials and Republican leaders ample notice that plans should be initiated for the appointment of his successor. In January, Judge Trimble announced his formal retirement but agreed to handle a few important cases until his successor was confirmed. When June arrived with the Department of Justice not having submitted a nomination to the Senate, Judge Trimble stepped out entirely and his place is now vacant.

Judge Harry J. Lemley has sought to handle some of the important cases in the eastern district but, unfortunately, he has been busy with his own cases in addition to being handicapped by illness. Furthermore, Chief Judge Archibald K. Gardner of the eighth circuit court of appeals has said that he has no available trial judge to send to Arkansas.

The docket of the Federal court has, as a result, become loaded with a variety of cases all of which are important to the individuals involved and many of which are suits involving the Federal Government. I am informed that there is a backlog of 111 damage suits on file involving a total of $1,870,000, about 40 other civil suits, and more than 20 criminal cases. It has been estimated by an officer of the court that it will take a new judge—if and when he is appointed—2 years to clean up the old cases.

Mr. President, this appointment is the first vacancy on the Federal bench since the present administration took office in 1953. I am not privy to the inner affairs of the Republican Party either in Arkansas or in Washington and cannot report the reasons why a decision has not been made. I do feel, however, that as Senator from the State I should be concerned about the plight of the Federal court. Accordingly, I have written to the Attorney General asking that he act with haste in filling the vacant judgeship.

I ask unanimous consent to have printed in the RECORD immediately following my remarks the text of my letter to the Attorney General and also an editorial and two news articles published in the Arkansas Gazette on this subject.

There being no objection, the letter, editorial, and articles were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON BANKING AND CURRENCY,
July 6, 1957.

The HONORABLE HERBERT BROWNELL, JR.,
The Attorney General, Department of Justice,
Washington, D. C.

DEAR MR. ATTORNEY GENERAL: During the past few weeks there has been increasing concern on the part of members of the Arkansas bar over the backlog of cases accumulating in the Federal district courts in Arkansas. This situation has become so acute that the Arkansas Gazette has stated editorially that it is rapidly become intolerable.

I believe that the Department of Justice must assume full responsibility for the plight of the Federal district court in Arkansas due to the procrastination in filling the vacant Federal judgeship in the eastern district. It has been known for almost a year that Judge Thomas C. Trimble planned to retire, and formal announcement of his retirement was made in January of this year. Judge Trimble continued to serve on a part-time basis, but on June 1 found it necessary to stop handling any cases. Obviously, the two other Federal judges in Arkansas cannot take the full load of work from the eastern district, and the chief judge of the Eighth Circuit Court of Appeals has indicated that he has no available trial judge in the circuit to assign temporarily to Arkansas.

The Eastern District Court is a vital part of my State, including the State capital of Little Rock where there are a number of district and regional offices of Federal agencies. Included in the backlog of 111 damage suits, 40 other civil cases, and more than 20 criminal cases, are several suits involving the Federal Government—income-tax cases, alleged violations of the Fair Labor Standards Act, land condemnation suits, patent infringement suits, and so forth. I am informed that the court has pending claims totaling $1,875,000 in personal injury cases. It goes without saying that delay in the handling of such cases in the Federal courts works a hardship on the individuals involved as well as upon the attorneys who represent them.

As you know, I have made no recommendation regarding the filling of the vacancy on the Federal bench, and I have no candidate to suggest at this time. I do feel, however, that I should urge you in the strongest possible terms to move with utmost speed in recommending to President Eisenhower that he submit the nomination of a qualified person for the Federal judgeship. I should think that you would wish to select an attorney from the eastern district and certainly one who is a member of the Arkansas bar.

It is important that a decision be made promptly if the Senate is to be given an opportunity to act upon a nomination for this vacancy during the present session. Since the vacancy has existed more than 30 days during this Senate session, I am informed that a recess appointee may not be paid from the Treasury. This would mean that the Federal bench in Arkansas would likely continue to be understaffed at least until Congress reconvenes in January 1958. The Department has had ample time to consider this matter, and I do not see how continued delay and procrastination can be justified.

With kind regards, I am,
Yours truly,

J. W. FULBRIGHT.

[From the Arkansas Gazette of June 29, 1957]

THE VACANCY ON THE FEDERAL BENCH

The vacant Federal judgeship in Arkansas is properly a matter of Republican patronage, and no Democrat quarrels with the right of Arkansas' Republican leaders to nominate one of their own for the post.

It is precisely for this reason that the Republican Party must bear the responsibility for what is rapidly becoming an intolerable situation. The local GOP leaders have known for more than a year that Judge Thomas C. Trimble planned to vacate the bench. In January he formally announced his retirement, but agreed to stay on for a few months to handle some of the caseload in the eastern district. On June 1 Judge Trimble stepped out entirely.

Judge Harry J. Lemley, of the western district, has handled some of the more urgent cases, but says he cannot take on any additional load. And Chief Judge Archibald K. Gardner, of the Eighth Circuit Court of Appeals, has said that he has no available trial judge in the circuit to assign temporarily to the district.

The result is that some 111 damage suits, 40 other civil cases, and more than 20 criminal cases have already piled up in the eastern district. In addition a heavy workload of pretrial conferences and the like is going untended. And more cases are being filed every week. One court official estimates that as things now stand it will take Judge Trimble's successor 2 years to clean up the backlog of pending litigation.

Yet the latest word from Washington is that there is no immediate prospect of an appointment. The reason is that the Department of Justice has been, and presumably will continue to be, unwilling to nominate for Presidential consideration any one of the three persons whose names were submitted by the Arkansas Republican patronage committee. In accordance with its standing practice—which is eminently sound—the Department will not act without the approval of the Standing Committee of Federal Judiciary of the American Bar Association. The committee, after extensive investigation, has been unwilling to approve any of the three Republican nominees.

Who the judge shall be—assuming that he is qualified—is, as we say, Republican business. But it is obviously public business that the vacancy be filled without delay. The only answer, apparently, is for the Republicans to expand their list of nominees.

[From the Arkansas Gazette of June 27, 1957]

UNITED STATES JUDGESHIP VACANT—AND IT MAY BE FOR AWHILE

(By Elizabeth Carpenter)

WASHINGTON, June 26.—The Arkansas Federal judgeship for the eastern district—the highest vacancy to occur in the State under the Eisenhower administration—is still wide open after 6 months.

Reliable sources said today that the Department of Justice had received no affirmative reports from the judicial groups asked to investigate the three candidates approved by the Arkansas Republican patronage committee for the $22,500-a-year position.

The three are Osro Cobb, district attorney at Little Rock; Charles F. Cole, of Batesville; and D. Fred Taylor, Jr., of Osceola.

The gist of the reports is that none has the exact legal experience for a trial judge position.

One of the most extensive investigations was made by the Standing Committee of the Federal Judiciary of the American Bar Association. It even dispatched Roy E. Willy, its eighth circuit member from Sioux Falls, S. D., to Little Rock to make an on-the-spot survey.

His visit did not alter the negative report of the committee.

While the Justice Department is not bound to make its appointment on the basis of the bar association's report, the past attitude of Attorney General Herbert Brownell has been to follow the bars' recommendations.

Wallace Townsend, of Little Rock, Republican national committeeman, Cole and Taylor said yesterday they had not heard of any Justice Department decision on the appointment. Cobb said he did not want to discuss the matter.

Townsend said he understood that the bar association had completed its investigation of the candidates but that it had not submitted its report to the Department of Justice.

"I have no reason, up to now, to feel that any of the men we've submitted will be rejected," he added.

"I know nothing whatsoever about it," Cole said.

"I hadn't heard a thing about it," Taylor said. "But any such decision wouldn't come direct to me—it would come through the Republican organization."

Whether the Department has already asked or will soon ask the Arkansas Republican patronage committee to submit new names is not known. But there are indications here that the Department would welcome some.

Already there are other names before the Department, including Richard C. Butler of Little Rock, a Republican, and William R. Penix of Jonesboro, a Democrat.

The Department has not yet asked the ABA committee to make reports on the two though.

Unless the Department decides and President Eisenhower sends a name to Congress before it adjourns, the whole matter will have to wait until January when Congress comes back.

The President can make no interim appointment unless the vacancy occurs within 30 days before Congress adjourns. This post was vacated when Judge Thomas C. Trimble announced his retirement last January, although he remained on until June 1, hoping some appointment would be made.

From all appearances, Arkansas will be without a judge for a long time.

[From the Arkansas Gazette of June 23, 1957]

TRIMBLE'S REPLACEMENT TO FACE LOADED DOCKET IN FEDERAL DISTRICT COURT

The new Federal judge for the eastern district of Arkansas will have his work cut out for him.

A check at the Federal district clerk's office at Little Rock yesterday revealed that:

There are 111 damage suits on file involving a total of more than $1,875,000, about 40 other civil suits pending in the district's Jonesboro division, and more than 20 criminal cases in the eastern district at Little Rock which haven't been disposed of.

A spokesman at the clerk's office pointed out that some of the civil suits would be settled out of Federal district court—but the settlements still will require the judge's approval. Many cases have reached the stage where they're ready to be heard in court.

But they'll have to wait for trial until a new judge—the replacement for Judge Thomas C. Trimble of Lonoke, who retired June 1—takes over.

The new judge not only will have to take care of the 111 cases on file now but he also will have jurisdiction in additional cases which will have piled up by the time he is appointed.

The clerk's office said seven new cases had been filed so far this month.

TWO-YEAR TASK SEEN

"It may take the judge a couple of years to clean out the backlog of old cases," a spokesman said. "And he'll also have quite a time of it at Jonesboro, because we haven't held court there in quite a while."

A few of the civil cases on the books are old ones which have been argued back and forth several years and are now in need of pretrial conferences or judicial rulings on motions, requests, or points of law.

The list includes several suits against the Government asking for recovery of income taxes, plus assorted actions involving alleged violations of the Fair Labor Standards Act, about 15 land condemnation suits, 2 patent infringement suits, and several personal injury suits.

Most of the $1,875,000 in damage claims resulted from personal injury complaints—suits filed in connection with accidents of one kind or another. Several plaintiffs are suing for $100,000 or more.

CRIMINAL CASES INVOLVED

Many of the criminal cases are not, for one reason or another, ready for trial yet. In a few, defendants are undergoing mental examinations. Medical opinions must be submitted before the court can act. In others, defendants are in jail elsewhere on other charges and will have to complete sentences before they can be brought to Little Rock to face complaints, information, or indictments filed against them in the eastern district of Arkansas. Some of the defendants have not been apprehended.

The list of criminal cases on file includes 10 of alleged unlawful interstate transportation of stolen cars, 3 cases of interstate transportation of forged checks, 2 of mail theft cases, 2 income-tax evasion cases and single cases of liquor law violation, forgery and uttering of Government checks, post-office burglary, filing a false change of address card, and fraud.

LEMLEY UNDER HANDICAP

Federal Judge Harry J. Lemley of Hope, chief judge for the western district of Arkansas, is assigned to hear one-third of the civil cases and one-fourth of the criminal cases in the eastern district. But he is ill and, although he is handling his share of eastern district matters plus the caseload in his own district, he probably won't be able to take on for some time any of the additional work that has piled up.

It has been reported that Judge Trimble asked Chief Judge Archibald K. Gardner, of the Eighth Circuit Court of Appeals at St. Louis to assign a judge to help ease the case burden in the eastern district. But Judge Gardner reportedly said he didn't have anyone available.

Wallace Townsend, of Little Rock, Republican National Committee member, said yesterday that he heard nothing from Washington about the selection of Judge Trimble's replacement.

"The last I heard was that Washington was busy selecting a new Supreme Court Justice and didn't have the time to devote to filling district court vacancies," Townsend said.

United States District Attorney Osro Cobb, of Little Rock and attorneys Charles F. Cole, of Batesville, and D. Fred Taylor, Jr., of Osceola, have been recommended for the job by the State GOP patronage committee.

Cobb appears to have the inside track because of his many years of service to the Republican Party (he formerly was the GOP State committee chairman) and his record as district attorney. But indications are that he may have opposition from somewhere within the GOP ranks.

The Department of Justice will make recommendations for Judge Trimble's replacement to President Eisenhower, who may reject any of the candidates. His choice would be subject to confirmation by the Senate.

The FBI must investigate the background of the candidates. The judicial selection committee of the American Bar Association also has a voice in the selection. Both the FBI and the association apparently have completed their work.

Another question the new judge must answer is whether United States District Clerk Grady Miller, a Democrat, and his staff and the court probation officers will keep their jobs.

CIVIL RIGHTS—COMMENT BY ARTHUR KROCK

Mr. FULBRIGHT. Mr. President, Mr. Arthur Krock, one of the wisest and ablest of the observers of our governmental problems, has once again written one of the most penetrating analyses of a very difficult problem. His comments on the speech by the distinguished senior Senator from Georgia [Mr. RUSSELL] should be read by every citizen who is interested in good government.

No problem is more difficult to consider objectively and dispassionately than that of civil rights. Mr. Krock manages to do that effectively.

I ask unanimous consent to have printed at this point in the RECORD Mr.

Krock's article, entitled "A Fitting Fourth of July Issue," published in the New York Times of July 5, 1957.

A FITTING FOURTH OF JULY ISSUE

(By Arthur Krock)

WASHINGTON, July 4.—The administration's civil-rights bill that the House has passed and is before the Senate, has now been analyzed by Senator RUSSELL with the seriousness and in the detail that the subject deserves. It is characteristic of the President that he was impressed by the potentialities the Senator found in the measure which the President and the public have been led to think of solely as an instrument to prevent infringement of the voting rights of Negroes in the South.

It can achieve that purpose by the authority it gives the Attorney General to seek, and the Federal courts to grant, injunctions against persons who have "engaged in or [it can be asserted to the court on mere suspicion] are about to engage in" activities to keep Negroes from the polls, with penalty of jail sentences for contempt of court after trial without jury. And these persons can be held in jail until the sentencing Federal judge decides they have purged themselves of the contempt finding. For, though the actions will be brought under the civil, as contrasted with the criminal, code, a prison is a prison.

But section 4 of the administration bill, which is concerned with assuring the right to vote, was drafted minus a link with item 1993 of title 42 of the United States Code, whereby the President is authorized to use the Armed Forces and the militia "to aid in the execution of judicial process" (contempt growing out of injunctions, etc.). On the other hand, this link with title 42 is carefully forged in section 3, which can be used to enforce Supreme Court decisions ordering racial integration in schools, recreation, and amusement centers, and so on.

Commenting on this aspect of the bill, Senator RUSSELL said it affords "a measure of the true importance of the voting right clause, as compared to the power sought to integrate the schools and [otherwise] destroy the separate system of the races on which the social order of the Southern States is built."

"Who can doubt • • • [he inquired] that some Attorney General, yielding to the demands of such organizations as the NAACP and the ADD • • • would move into the South to compel the communities to integrate. • • • [And] this Attorney General could invoke the use of the military and naval forces of the United States to subdue, suppress, arrest, and jail every person who • • • protested and resisted the commingling of races, on the grounds that [such persons] were guilty of conspiracy."

STRESSED FOR THE FIRST TIME

The overwhelming probability that this would never be done by the present administration does not remove Senator RUSSELL's contention that it could be done under the authority of the bill now before the Senate. Either this point had been omitted as without merit in the analysis of the measure that was made for the President, or it had been dismissed as a mere legal technicality; and hence, not until Senator RUSSELL stressed the contrast between the drafting of section 4 and section 3, did the President realize that anyone of the Senator's stature had found it valid.

That would be understandable in one who is not a lawyer, or in a lawyer who had not closely analyzed the bill. And as far as the public is concerned, the voting rights section has been represented as the primary purpose of the bill. Senator HENNINGS, an advocate, did concede to Senator EVVIN in debate that under certain conditions section 3 could empower the Attorney General to bring suits at the expense of the taxpayers to compel the integration of schools. And W. S. White has reported this fact more than once in our Washington correspondence. But the Armed Forces potential in the special draftsmanship of the legislation received its first stress from Senator RUSSELL.

It is, of course, only one lawyer's interpretation, and other lawyers can be expected to dispute it. Attorney General Brownell may be among them. And if he assures the President that the Russell analysis has no substance, the President presumably will accept that, as he has accepted the provision that denies jury trials to those charged with contempt by Federal courts in the area of activity covered by the bill.

But if the administration reply to RUSSELL is that, while the measure could be enforced by the military, this regime will never do it, that will pose an issue which merits the serious attention of a people who today are observing an anniversary of the great proclamation of evenhanded civil liberty for them all. For that reply would assert the philosophy of government by men and not by laws, and, said Jefferson: "In questions of power, let no more be said of confidence in men."

ALGERIA

Mr. KENNEDY. Mr. President, I wish to reply briefly to the criticisms of my recent speech on Algeria delivered yesterday by the French Minister for Algeria, Robert LaCoste, and by others who have joined in that new criticism. I might say at the outset that I was fully aware, when preparing my speech of last Tuesday, of the disfavor with which it would be regarded by our Department of State, the French Government, and others; but I felt nevertheless that the facts set forth by me needed to be stated fully and frankly.

The reaction to my remarks both at home and abroad has further strengthened my conviction that the situation in Algeria is drifting dangerously, with the French authorities reluctant to seek a fresh approach, and our American authorities refusing to recognize the grave international implications of this impasse. No amount of hopeful assertions that France will handle the problem alone, no amount of cautious warnings that these are matters best left unmentioned in public, and no amount of charges against the motives or methods of those of us seeking a peaceful solution can obscure the fact that the Algerians will someday be free. Then, to whom will they turn—to the West, which has seemingly ignored their plea for independence; to the Americans, whom they may feel have rejected the issue as none of our affair while at the same time furnishing arms that help crush them; or to Moscow, to Cairo, to Peiping, the pretended champions of nationalism and independence?

And who, by that time, will be leading the Algerians—the moderates with a prowestern orientation with whom negotiations might still be conducted now, or the extremists, terrorists, and outside provocateurs who inevitably capture such a movement as the conflict drags on? Finally, what will such a settlement in Algeria at some distant date mean to France then? Will it not mean the loss of all her economic, political, and cultural ties in north Africa which could still be salvaged in a settlement today? Will it not mean that France will have suffered a weakened economy, a decimated army and a series of unstable governments only to learn once again—as she learned too late in Indochina, Tunisia, and Morocco—that man's desire to be free and independent is the most powerful force in the world today?

Of course Algeria is a complicated problem. Of course, we should not assume full responsibility for that problem's solution in France's stead. And, of course, the Soviet Union is guilty of far worse examples of imperialism. But we cannot long ignore as being none of our business, or as a French internal problem, a struggle for independence that has been and will be a major issue before the U. N., that has denuded NATO of its armies, drained the resources of our French allies, threatened the continuation of western influence and bases in north Africa and bitterly split the Free World we claim to be leading.

The Algerian situation is a deadly time bomb steadily ticking toward the day when another disaster to the Free World—worse than Indochina—might explode.

When the roll is called on Algeria this fall in the United Nations, as it must inevitably, we in this Nation will be forced to face this issue publicly. If no reasonable proposal for settlement has by then been put forward by the French and encouraged by the West, will we be able to say to the General Assembly in all sincerity that progress has been made? Will we again vote against the anticolonial bloc that controls the world balance of power? Or will we finally take back from the Soviets the leadership that is rightfully ours of the world-wide movement for freedom and independence?

I repeat my opening observations of last Tuesday: We dare not overlook, in our concern over legal and diplomatic niceties, the powerful force of man's eternal desire to be free and independent. The worldwide struggle against imperialism, the sweep of nationalism, is the most potent factor in foreign affairs today. We can resist it or ignore it, but only for a little while; we can see it exploited by the Soviets, with grave consequences; or we in this country can give it hope and leadership, and thus improve immeasurably our standing and our security.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KENNEDY. I yield.

Mr. HUMPHREY. I was unable to be present in the Senate at the time the distinguished Senator from Massachusetts made his original statement on Algeria. However, I have read it and have discussed it privately with the Senator from Massachusetts. I feel he has performed a service to the cause of American foreign policy, of human freedom, and national independence for peoples who long for it and are looking forward to that eventful day.

The fact that the Senator from Massachusetts has received criticism from some quarters is indicative of the quality, soundness, and persuasiveness of his remarks. I am happy to associate myself with the endeavors of the Senator from Massachusetts. The people of France can find no better friends than the United States Senate or the United States of America. We admire and respect our faithful and trusted friend and ally, the Republic of France. Our views are expressed not as anti-French, but as a recognition of what is taking place in the 20th century. It is to the benefit of the people of France and to the free peoples everywhere that there be free and open discussion of these delicate and complex issues of foreign policy. We seek to cooperate not dominate. In the spirit of friendship to France we seek to advise not chastise. However, Americans and Frenchmen alike, both believing in liberty, equality, and fraternity, cannot honorably and logically deny or resist the legitimate aspiration of people for self-determination, freedom, and independence.

Mr. KENNEDY. I thank the Senator from Minnesota. He knows from his experience in the United Nations, when we adopted the Hungarian resolution, we sought power to condemn Soviet imperialism. What will be the decision of the United States when a resolution relating to Algerian independence is put forward, as it inevitably will be? We cannot vote "yea" in one instance and abstain from voting "yea" in another.

BASEBALL AND THE ANTITRUST LAWS

Mr. ALLOTT. Mr. President, on July 3, 1957, I placed in the CONGRESSIONAL RECORD a report prepared at my request by the Legislative Reference Service of the Library of Congress on Baseball and the Antitrust Laws. In view of the newspaper accounts, I wish to make it clear that the Library, following its usual practice, took no position and made no recommendations of its own, but developed and amplified a case in accordance with my specific request. The report was responsive to my request to draft a study looking toward a flexible and reasonable application of the antitrust laws to baseball and other professional team sports, so as to preserve the games as we know them, while at the same time protecting the rights of players and the public.

I do not want the Legislative Reference Service of the Library of Congress to be placed in a position of embarassment by erroneous headlines. Therefore, I have made this statement for the RECORD today.

CONTROL AND REDUCTION OF ARMAMENTS—PREFACE TO STAFF STUDY NO. 9

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a preface to Staff Study No. 9, of the Subcommittee on Disarmament, of the Committee on Foreign Relations, on the subject Disarmament and Security in Eastern and Southern Asia. The preface was written by me, as chairman of the subcommittee. The preface does not necessarily reflect the views of any other member or of a majority of the members of the Senate subcommittee. I also note for the RECORD that individual members of the subcommittee do not necessarily subscribe to the views of the staff study. We do feel, however, that these studies make a distinct contribution to the understanding and knowledge of the subject of the control and reduction of armaments.

There being no objection, the preface was ordered to be printed in the RECORD, as follows:

PREFACE

(By HUBERT H. HUMPHREY, chairman)

The security of the free nations of eastern and southern Asia rests upon many factors—economic, political, and military. In every one of these categories concrete steps toward disarmament can have a salutary impact. Many of the Asian States, because of the possibility of Communist aggression, must maintain military and police forces which constitute a heavy burden upon their near subsistence economies. Thus, any headway that can be made toward lifting the weigth of Asian armed forces and armaments can free resources for strengthening the material foundations of their liberty and independence. Steps toward disarmament can also lighten the heavy economic burdens of the people of the United States and other countries and enable them to channel more of their energies into constructive measures for peace.

Many of the Asian peoples are at a political crossroads, hoping that the atomic age will bring them peace and plenty, rather than misery and destruction. Thus, as pointed out in this study, they have a deep dread of the further development of atomic explosives, a dread that has been intensified by the holding of nuclear tests in regions relatively close—Siberia and the Pacific Ocean. Any initiative by the United States that can ameliorate this dread should make a profound impression on the Asian people. While promoting throughout the world the peaceful uses of atomic energy, we should strenuously endeavor to prevent the spread of nuclear-weapon capability to nations not now possessing it, for this would multiply manifold the chances of an outbreak of a nuclear war. The three present nuclear powers—the United States, the Soviet Union, and Great Britain—cannot expect, however, other nations to deny themselves the military instruments of an atomic age unless they themselves are willing to curb their own development and testing of nuclear explosives. The benefits that all nations, both great and small, would derive from a general limitation on nuclear arms development would be so farreaching that no nation can now afford to ignore the possibility of such an agreement.

Unsolved political problems are also contributing causes of the arms burdens sustained by both the Communist and the non-Communist states in Asia. The problem of Communist China, after being stalled on dead center for half a dosen years, is now approaching a decisive juncture. The issue of political prisoners, on which negotiations between the United States and Red China have been deadlocked for many months at Geneva, is slowly melting away as the prisoners are gradually released. At this time six are still being held. Surely the rulers in Peiping should realize that release of those imprisoned would help to lessen tensions in the area. The release of these Americans should open the gate to negotiations on other differences, the resolution of which would help dissipate ill-afforded arms burdens now weighing upon Red China, the nations of south and southeastern Asia, as well as other countries.

New forces are astir on the Chinese mainland that indicate the political situation may be evolving toward greater independence of action and less adherence to Soviet domination. While I do not think these developments should be exaggerated, nevertheless in my estimation the time has come to take a fresh look at our policy toward Peiping.

We should certainly encourage American newsmen to visit Red China, in order to report what is happening in that country, and to enable news about the United States to penetrate through the bamboo curtain to the Chinese people. We should consider modifying other barriers, such as the trade embargo, which force China into ever closer relations with the Soviet bloc. Finally, it is essential that Communist China be brought into any disarmament system at an early stage. As long as there are no armament controls on Communist China, that country will be free to continue to strengthen its large military machine. Moreover, until Communist China is included in a disarmament system, it will provide a loophole which the Soviet Union might use to violate obligations undertaken as a result of a disarmament agreement.

Another urgent question in eastern Asia today, as indicated in this study, is that of Korea. Here is another example where the lack of a political settlement results in the maintenance of large armies, separated only by a narrow demilitarized zone. The armistice negotiated in 1953 has become extremely tenuous because violations by the Communists have necessitated the suspension of key provisions on arms control. Only recently the United Nations Command announced that, in view of the reinforcement of North Korean forces, modern weapons would be sent to the United Nations forces in South Korea.

The danger of an arms competition between North and South Korea has convinced me that we should now take a further step. Before the armistice agreement breaks down entirely, we should amend the agreement to make it conform with the latest trends in United Nations disarmament negotiations. The United Nations Command should be authorized to offer to negotiate with the Communist command new military arrangements providing for a thinning out of armed forces and armaments on both sides of the armistice lines, and for effective mutual inspection. This study gives ample evidence that the past inspection system in Korea has been woefully inadequate. However, with mutual aerial and ground inspection of the type that both the United States and the Soviet Union have already accepted in principle, we would know whether a new limitation on armaments was being observed. Such an agreement would ameliorate a dangerous situation in Korea and perhaps pave the way for a political settlement. It would also provide an excellent pilot area for mutual air and ground inspection. Such a pilot project might also be applied to Vietnam, which may work to facilitate a political settlement of problems afflicting that divided nation.

It is my belief that Staff Study No. 9 on Disarmament and Security in eastern and southern Asia is a valuable aid in understanding the complex problems of disarmement and security. It was prepared by Ellen C. Collier and Charles Geilner, on assignment to the subcommittee staff by the Legislative Reference Service of the Library of Congress. It does not necessarily reflect the views of the Disarmament Subcommittee or any of its members.

EFFECTS OF THE TIGHT MONEY POLICY

Mr. HUMPHREY. Mr. President, in the June 22 issue Business Week magazine, there appeared a very interesting article on tight money. In the article it

is stated that most market authorities see the worst to come, and many Wall Street men fear a blowoff ahead.

The last two paragraphs are particularly of interest:

Many Wall Street men feel that whether or not the Federal moves (to boost the discount rate), the money market is headed for a climatic blowoff. As they see it, the Treasury will be forced to pay a great deal more than current rates for the cash it needs, and this will not only mean higher rates all around but will cut down on the amount available to the rest of the market. The result could make the squeeze so tight it would precipitate the kind of crisis that existed in early June 1953, when borrowers were unable to get funds at any price. If that happened, the Federal certainly would have to relax its tight money policy—and might be forced to swing toward easier money.

The Federal says it would like to avoid any severe trouble in the market. But observers point out that the market is already undergoing a lot of stress and strain. "It will only take a little more pressure," says one underwriter, "to bring on real troubles."

I ask unanimous consent, Mr. President, that this article from Business Week be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MONEY GETS NEW ARM TWISTING

The squeeze on money approached a climax this week as the cost of borrowing jumped perpendicularly all along the line.

All sectors of the money market felt the pinch. And though there was a general expectation that this week's squeeze would temporarily ease somewhat for technical reasons, market authorities were almost unanimous in predicting that the worst was yet to come.

This is because the Nation's monetary managers in Washington are intent on maintaining their restrictive credit policy. In a statement before Congress, Federal Reserve Board Chairman William McC. Martin made clear this week that economic conditions do not call for relaxation in efforts to curb inflationary pressures.

Martin's statement was consistent with current Federal policy. Last week, for example, the Nation's banks were forced into debt with the Federal to the tune of $570 million, up $124 million from the previous week. But the Federal made no attempt to ease pressure, although clearly the banks were being faced with an upsurge of demand from corporations borrowing to pay taxes.

These indications of the Federal's aggressive attitude—coming at a time of heavy tax borrowing—convinced the market that though conditions might show some slight improvement once the tax date passed, the squeeze itself would get worse.

In fact, the market was not only concerned about the high cost of money, but even its availability.

EVERYBODY CAUGHT

There was no doubt this week about the trend to higher rates. Borrowers of all kinds, public and private, short term and long term, were caught by the squeeze:

The United States Treasury paid 3.4 percent on its weekly issue of 91-day bills, the highest yield since the bank holiday of 1933.

The major finance companies upped their rates on borrowings for the second time in less than a week—to 3⅜ percent for 5- to 29-day paper, 4 percent for 6-month money. Commercial paper dealers also raised their rates, with the result that big corporate borrowers will have to pay 3⅞ percent for 4- to 6-month money, while smaller firms will pay 4¼ percent.

In the long-term market, Southern Bell Telephone & Telegraph Co., a top-rated utility that sold a $60 million issue at 3.9 percent last October, this week borrowed $70 million at 4.9 percent, the highest it has had to pay since 1929. Moreover, it had to sweeten its offering by agreeing not to refund any of the issue for 5 years.

Companies that did not command best terms paid even higher costs and had to swallow stiffer terms. For example, Michigan Consolidated Gas Co. this week paid 6.1 percent on an offering of $30 million first-mortgage bonds. In November 1955, it had paid slightly less than 3.4 percent.

PULLING BACK

Faced with these conditions, some companies changed their plans for borrowing. Last week, New York Central Railroad decided against paying the rates demanded by underwriters for a public offering, and sought to make a private placement. This week, Public Service Electric & Gas Co. postponed an offering of $25 million in preferred stock because of "unsettled conditions," and Associates Investment Co. drew back a $20 million debenture issue due to "the disorganized condition of the market." Kerr-McGee Oil Industries, Inc., delayed a public offering while it sweetened the terms.

STABILIZATION HOPE

According to some market experts, the new high level of rates represents an attempt to achieve a supply-demand equilibrium in the interest rate structure. As one underwriter put it, "We've now reached a point where rates are realistic enough to tempt investors."

The United States Government securities market is also undergoing a full-scale adjustment. Normally, interest rates on governments are about one-half of 1 percent below the top corporate issues. But as the yields on corporates rose this spring, the margin widened. However, in the past 2 weeks, prices of governments have declined sharply, in many cases reaching record lows. For example, the famous "Humphrey-Dumpty" 3¼-percent bonds selling below 94 now yield almost 3¾ percent.

The Federal Reserve hopes that the broad adjustment in rates carried through this week will stabilize the market. But Federal officials admit that they are not sure. The fact is that the Treasury will be in the market, both for new cash and refinancing, fairly constantly this summer. If corporate demand remains strong, then interest rates will probably surge higher.

Certainly the money managers feel that as long as the demand for funds by both Government and business continues, they must maintain a tight rein on the money supply. As they see it, any relaxation in their credit policy would serve to provide new stimulus to the wage-price spiral. The Federal considers that higher rates are inevitable at this stage in the capital boom.

DISCOUNT RATE DEBATE

Actually there is now a strong minority in the Board and at the regional banks who want another hike in the discount rate, which has been at 3 percent since August. They argue that it would merely confirm the overall rise in interest rates. From this point of view, a hike in the discount rate would not be an indication of increased tightness, but merely be a recognition of the current state of the market.

This viewpoint, which has adherents in many of the regional Federal banks as well as in the Board itself, does not claim a majority. Those officials who are resisting a new move claim that though the interest rate structure has made an upward adjustment, a rise in the discount rate would insure a further climb. In particular, they say, it would automatically lead to a hike in the prime rate that commercial banks charge their top accounts.

It is rumored that at least 2 Federal banks have had their applications for an increase in the discount rate turned down by the 7-man Board of Governors, which has the authority to approve or reject all moves on the discount rate. The New York Federal, which is in the heart of the money market, is resisting any overt move most strongly. According to one of its top officials, any new sign of tightness might bring on a crisis in the money market.

The Federal will probably hold off any move until the Treasury gets through the financing operation it has coming up within 2 weeks. But the market has no assurance that the majority now against a move will still exist later in the summer.

BLOWOFF AHEAD

Many Wall Street men feel that whether or not the Federal moves, the money market is headed for a climatic blowoff. As they see it, the Treasury will be forced to pay a great deal more than current rates for the cash it needs, and this will not only mean higher rates all around but will cut down on the amount available to the rest of the market. The result could make the squeeze so tight that it would precipitate the kind of crisis that existed in early June 1953, when borrowers were unable to get funds at any price. If that happened, the Federal certainly would have to relax its tight money policy—and might be forced to swing toward easier money.

The Federal says it would like to avoid any severe trouble in the market. But observers point out that the market is already undergoing a lot of stress and strain. "It will only take a little more pressure," says one underwriter, "to bring on real troubles."

POLICIES AND OPERATIONS OF THE FOREIGN TRADE DEVELOPMENT ACT—STATEMENT BY SENATOR COOPER

Mr. HUMPHREY. Mr. President, I wish to have printed in the RECORD a statement by one of our distinguished colleagues, the Senator from Kentucky [Mr. COOPER]. His statement was presented before the Senate Committee on Agriculture and Forestry, in connection with the committee's study of the policies and operations of the Foreign Trade Development Act, Public Law 480, of the 83d Congress. I asked the Senator from Kentucky for the privilege of requesting that his statement be printed in the body of the RECORD. It is one of the most concise and persuasive arguments in behalf of the extension and continuation of Public Law 480 that I have ever read or heard. Therefore, Mr. President, I ask unanimous consent that the statement of the Senator from Kentucky be printed in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

Mr. Chairman, Senator HUMPHREY, and members of the committee, I appreciate very much the opportunity you have given me to express my views on the importance of Public Law 480, the Foreign Agricultural Trade Development and Assistance Act of 1954. I had the opportunity to vote for its enactment in 1954, and since that time to see its practical application in one country, India. I believed at the time of its enactment in its purposes, and I now view it as one of the most valuable programs of our Government and people.

Today, I want to direct my remarks particularly to the sale of surplus agricultural commodities to other countries for their local currencies. I need not tell this committee that the uses of at least a portion of foreign currencies, for which we sell surplus agricultural products, can be of immediate and direct value to our country. In report No. 188, from the Senate Committee on Agriculture and Forestry, on the extension of Public Law 480, March 26, 1957, your committee indicates some of these uses. Among them are the development of markets with the United States, payment of United States obligations overseas, and procurement of strategic materials. All of these represent returns to the United States which can be ascertained in terms of repayment in dollars.

But at this hearing, I would like to speak briefly of other results of this program which I believe are of great benefit to the countries receiving our surplus food and of tremendous value to the immediate and long-range purposes of United States foreign and domestic policy. Today I may illustrate from time to time from my experience in India, but I point out that I consider the statements that I make applicable to many other Asian countries, and to Middle Eastern, African, and Latin American countries as well.

I do not believe that the operation, purposes, and accomplishments of the Public Law 480 programs are fully enough or widely enough understood by the people of our country. Beyond the return to the United States in goods and services, which I have mentioned, I suggest that we are doing these things under Public Law 480:

1. We help supply the basic human needs of people for food and for the fibrous material from which clothing is made.

It is a common experience with newly independent countries that their people, upon achieving political independence, demand and expect an immediate increase in the supply of food and clothing. This need, of course, existed long before, when independence was denied by colonialism, but now political freedom has made it possible for the people to demand more insistently that this need be met.

The first problem of the governments of newly independent countries is to provide more food and more fiber (especially for clothing) for their people. The need is very real and urgent—for an improved and more adequate diet, for a more uniform supply of food throughout the country, and from one season of the year to the next, to raise the health level of the population, and to take care of the dietary needs of the children. If the democratic governments of these countries cannot meet this first need, their people may in time look for other systems of government, and they might not be democratic systems.

The urgent nature of this need for a larger and more stable supply of food can be seen by comparing standards in such industrially advanced countries as our own with those of a representative country like India. Americans, with an average annual income of about $2,000, consume an average of 3,200 calories every day. Indians, on the other hand, have an average annual income of $55 and an average daily consumption of 1,700 calories per person.

Consequently, emphasis must be placed on the development of the country's agricultural economy. Through our point 4 program, we are endeavoring to help by supplying technical agricultural assistance, farming tools and supplies, and expert farm personnel, all of which is designed to help increase the quality and quantity of a country's agricultural production. The United Nations also has its point 4 program, to which we contribute. But it is a slow process; our point 4 assistance, while important, is a minor factor. The chief effort for agricultural development rests with each country itself, and many of them, like India, have made great and heroic progress.

In the meantime, however, while agricultural production is developing, many of these countries have been faced with an immediate and critical need for large supplies of food and fiber. It is here that our broadly conceived Public Law 480 programs have been of great help, and I hope will continue on an expanded basis to be of critical assistance. They fill the gap in part as a country makes its great effort to improve agricultural production.

2. A second point is that under Public Law 480 we are helping to prevent runaway inflation in countries beginning industrial expansion.

As the committee knows, nearly every country in the world is engaged in an all-out effort to raise the living standards of their people. They seek to accomplish this through increased agricultural production and increased industrial production. As this development progresses more people go to work and more income is produced. And the first use of new income is for food and cloth. It could not be used for much else. An advance in individual income of $2 to $5 per year can only go to basic needs—food and clothing.

However, unless agricultural production keeps up with the increased purchasing power made available through industrial development, the old and bitter cycle of inflation takes over. Thus, slightly increased income is more than consumed by the artificially higher prices paid for food and clothing. And this can result in the people being no better off, and sometimes far worse off, than before the development program started. At least, it can endanger the chance of progress in a country striving to advance.

By supplying needed amounts of food, Public Law 480 compensates for part of the lag in agricultural production and helps supply the food and clothing the people want to buy with their increased income. It is a valuable instrument in the fight against inflation.

3. The public Law 480 programs help finance the agricultural and industrial development efforts of underdeveloped countries.

This is best understood by describing the actual operation of the program. The United States sells food and fiber to the government of countries being aided, agreeing to repayment in their local currencies. The government, in turn, sells these commodities to its people for local currency—in Indian rupees, for example.

The income from the sale of Public Law 480 supplies becomes a part of the disposable national income of the country to which we transfer our surplus crops. And, rather than require the government to pay for the commodities immediately, the United States agrees to lend back to the government for a term of years the local currencies it has received from the sale of our surplus crops to its people, and which it owes to the United States. Thus, this income becomes a fund from which countries are able to finance economic development projects, projects which the recipient country and the United States work our mutually, but which the recipient country initiates and completes. It is their work and their program.

All of us know that investment for industrial expansion depends on savings. The tremendous expansion taking place in this country today is financed by the private savings of our people. Yet we hardly consider this fact—this necessity—we are so accustomed to it. But in countries whose people barely live above survival, there is very little scope for private savings. Compare the average income of an individual in the United States of over $2,000 per year with an individual's income in India where 380 million people earn an average of $55–$57 per year, and 95 percent of their people have incomes of less than $300 per year. There is very little scope for providing private savings for investment. Funds for development must be provided chiefly from taxes; but Public Law 480 provides a new source of funds for local investment, sales to the people. And, at the same time, it increases potential savings for development purposes by holding back the savings-depleting impact of inflation.

And of great psychological importance, it provides a means whereby the whole nation, all its people, contribute directly to the development efforts of its government—by realizing that the money they spend for necessities of life will, in turn, help stimulate greater agricultural and industrial production and further advance the country's standard of living.

4. And related to this development effort, the Public Law 480 programs accomplish another purpose: They enable the recipient country to save a part of its scarce supply of foreign currencies, for the purchase of capital goods which can be supplied only from outside the country, and without which it cannot develop industrially.

This fact is especially significant since one of the major obstacles to economic development in such new nations is the great difficulty in accumulating supplies of foreign currency and savings from its own people. A country may develop local funds to pay its labor, to purchase local material, and build plants with local materials, but unless it can place in the plants the tools, machinery, steel, etc., that are only obtainable in other countries, it cannot advance. And it must have foreign currency to purchase such necessary supplies of capital goods abroad.

In this respect, Public Law 480 works this way—

(a) It permits a country to supply a part of its increased food and fiber needs without purchasing supplies on the world market—for which it would have to pay in foreign currency;

(b) It permits the country to shepherd its reserves of foreign currency and to use these reserves in the most effective way to buy wealth-producing capital goods on the world markets.

One aspect of the great opportunity the United States has by reason of its Public Law 480 program can be best appreciated when we contrast our operations under the program with the operations of Soviet Russia's foreign aid. Russia can and does (a) make loans to countries seeking industrial progress, on easy terms; (b) supply a certain amount of capital goods for development purposes; and (c) train personnel in technological processes, both on the spot and in factories in the Soviet Union.

The United States can do and has done all these things. And we began to assist many of these countries in a time of real need—at the time they had attained political independence—an independence to which we had given our sympathy, and in many cases, our assistance. And at that time the Soviets were denouncing many of the governments and leaders of these countries as reactionary and counter-revolutionary.

But in addition, we can do something Russia cannot do. We can help supply the most basic need of peoples—food—in large quantities. We can give food and fiber and support liberty. And by supplying the most fundamental requirement of countries struggling for development throughout the world, we can accomplish the subsidiary and important assistance I have described in this statement, an assistance which otherwise might lose much of its value through famine and inflation.

I have not attempted to relate my statement too prominently toward our foreign policy. I will say, however, that one of the

prime objectives of United States foreign policy is that democratic countries throughout the world may be able to maintain their sovereignty and independence. The newly independent countries of the world have chosen the democratic system and its institutions, but it will be difficult for them to maintain their integrity and to secure the respect of their peoples for their democratic governments, unless they can maintain economic stability and advance the living standards of the people. I point out again that food is the first requirement and that the United States is the only country in the world with the capacity to supply the food that is needed.

I would not want to close without paying a tribute to the independent agencies and the churches, which in programs of their own, distribute surplus food in areas of great need or famine. Theirs is a work inspired by the noblest purposes and to meet the most immediate need of human beings.

Also, I am not ashamed to say that the people of our country, with all its abundance of food, have some moral and spiritual obligation to make available at least a part of its riches to those who need, and those who struggle to advance themselves. I express my admiration to you, Senator HUMPHREY, Senator AIKEN, and the members of this committee, for the effort you are making to improve and to expand, if necessary, the programs which came into operation under Public Law 480. I express my conviction that they are making a great contribution to the peace and well-being of the world, and to the success of our best objectives in foreign policy. I hope that this important program can be expanded and developed to make even greater contributions in the future. We are in the unique position of being able to say to the peoples of the world struggling to achieve equality and freedom: "There can be both freedom and food."

INCREASE IN STEEL PRICES

Mr. HUMPHREY. Mr. President, on June 27 the United States Steel Co. announced that it was raising its steel prices an average of $6 a ton. United States Steel maintained that the reason for the increase was higher wages and fringe benefits. It pointed to the workers of the industry as being the villains, and to the poor, little, old United States Steel as just not having any choice but to raise its rates.

I do not hesitate to state, Mr. President, that the American public is not being told the whole truth by the steel industry. Take for example the argument of United States Steel that wages and fringe benefits are increasing by 6 percent, while steel prices are being raised only 4 percent. In other words, United States Steel argues that it should be increasing its prices even more than it has. This line of argument would hold water only if labor costs were the major portion of the total costs in the steel industry. This is not the case, however. According to an article by McClellan Smith, in the Magazine of Wall Street of February 16 of this year, labor costs as a percentage of sales in the steel industry averaged 32 percent as of 1955; United States Steel's labor costs were 39 percent of sales.

I also call attention to some very pertinent statistics which were presented to the Joint Economic Committee on January 31, 1957, by Mr. Otis Brubaker, director of the United Steelworkers of America.

Profits before taxes of the 25 leading steel companies in 1956 totaled about $2 billion, despite the steel strike in the third quarter, only a little below the record profits of 1955, and 76 percent higher than the 1954 profits, 188 percent higher than the 1947 profits, and 1,168 percent higher than the 1939 profits.

Net profits tell the same rosy picture. Last year, despite the steel strike, these 25 top companies in the industry reaped $1 billion net. This is on a par with 1955, 70 percent higher than 1954, 154 percent higher than 1947, and 691 percent higher than 1939.

Profit margins in the steel industry have been widening sharply in recent years. For all manufacturing industries, however, they have been narrowing. Profits per dollar of sales of the 22 leading steel firms rose from 6.2 cents in 1947, to 7.9 cents in 1955 and the first half of 1956. Net profits per dollar sales in all manufacturing declined from 5.7 cents in 1947, to 4 cents in 1955, and to 4.3 cents in early 1956.

Net profits as a rate of return on net worth rose in the steel industry from 10.5 percent in 1947, to 13.8 percent in 1955, and 16.1 percent in the first half of 1956. In all manufacturing fields, however, net profits as a rate of return on net worth dropped from 15.1 percent in 1947, to 12.6 percent in 1955, and 12 percent in the first 3 quarters of 1956.

In the payments of dividends, the situation is the same. Steel industry dividends are up, compared with those of other industries: an increase of 229 percent from 1947 to 1956, as compared with an increase of only 86 percent for all corporations.

Not including the price boost or the wage increases effective July 1, we find that since 1945, for every dollar increase in labor costs, the steel industry has gotten more than $3 in added revenue. Here are the figures, measured in terms of 1956 operations, for the entire steel industry:

	Million
Additional revenues	$6,572.2
Additional labor costs	2,027.9
Total gain	4,544.3

I also note that United States Steel enjoyed during the first 3 months of this year the highest net earnings for any quarter in its history. Let me read the figures from the company's quarterly financial statement. Its net income after taxes for the first quarter of 1957 totaled $115,478,109; in the first quarter of 1956, its net earnings were $104,160,945; and in the first quarter of 1955 its net earnings were $72,652,402.

I say, Mr. President, that these facts and figures show that United States Steel had no need to boost its steel prices $6 a ton at a time when we are desperately trying to hold down the cost of living.

At this juncture, I should like to point out that the steel price increases follow closely upon President Eisenhower's plea of last week for voluntary action by industry and labor to check inflationary pressures. In this light, it would appear that the steel industry was either ignorant of, or was callously indifferent to, a legitimate request of the President of the United States. Inasmuch as radio and TV newscasts and the Nation's press gave full coverage to the President's request, I feel that the latter alternative must be accepted as correct.

In flouting the President's plea for self-restraint, the leadership of the steel industry has demonstrated an economic arrogance that is indeed shocking to the general public. It cannot be denied that, implicit in the rise in steel prices at this time, is a willful refusal by the industry's leadership to assume the social responsibilities concomitant with economic power and prestige. In my judgment, the steel industry's entire course of action in this matter presents a discouraging commentary upon the caliber of statesmanship practiced by a very important segment of our economy.

By increasing prices at a time when the President is advising selfrestraint in such matters, the steel industry has joined a select group. As will be recalled, the petroleum industry raised prices in January of this year shortly after the President had counseled in his state of the Union address:

> Business leaders must, in the national interest, studiously avoid those price rises that are possible only because of vital or unusual needs of the whole Nation.

I also note that even the Secretary of the Treasury, George Humphrey, admitted before the Senate Finance Committee on Monday that steel price increases will contribute to increased costs over a large area of the economy.

Mr. Robert B. Anderson, who will soon succeed Secretary Humphrey, told the Finance Committee of the Senate that he wished the steel price rises had not taken place. He voiced agreement with the Senator from Tennessee [Mr. GORE] that this price boost would add to inflationary pressures.

It may well be that business leaders, seemingly unaffected by the threat of inflation and indifferent to the pleas of the President, need to be reminded of some hard facts. They appear to have been unduly influenced by the President's expressed reluctance to impose price and wage controls at this time. Of course, Government controls in peacetime are anathema to all of us who believe in a free and competitive system of private enterprise. At the same time, however, irresponsible price boosts cannot and will not be indefinitely tolerated. On this point, I can add I have received a number of letters and telegrams proposing a program of Government controls. Business leaders should understand that, in failing to meet their social responsibilities, they are issuing an invitation for Government intervention—and action I hope will not be necessitated.

I have learned that the Senate Antitrust and Monopoly Subcommittee, under the able chairmanship of the Senator from Tennessee [Mr. KEFAUVER] has decided to investigate the steel price increases. This is good news. The talents and energies of the Senator from Tennessee will be needed in discovering what application the law of supply and demand has in an industry where prices are boosted at a time when only 80 percent of ingot capacity is being utilized.

In addition to the investigation of the Senator from Tennessee of the competitive aspects of the steel price increases, I suggest a broadscale inquiry into the inflationary aspects of the matter. Such a study would be most appropriate for the Joint Committee on the Economic Report. In the study, testimony could be received from representatives of Government, business, labor, and the general public. Through such an inquiry would come an objective and well-balanced assessment of all factors contributing to the current inflationary spiral. At long last, economic facts could be substituted for opinions and theories.

I ask unanimous consent that an article from the July 1 issue of the Wall Street Journal be printed in the RECORD. In this article it is predicted that the steel price boosts will spur increases in a host of steel products—in some cases even greater proportionately than the steel hike itself.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of July 1, 1957]

ANOTHER ROUND?—MANY STEEL USERS SAY THEY'LL BOOST PRICES TO OFFSET STEEL'S RISE—BUT IMPACT MAY BE UNEVEN AS COMPETITION, BUYERS' REACTIONS WORRY SOME—A PUMPMAKER ROUNDS OFF

Steel price boosts, effective today, will spur increases on a host of steel products—in some cases even greater proportionately than the steel hike itself.

This latest inflationary spurt comes while influential lawmakers are pondering the perils of generally advancing prices. Today, Treasury Secretary Humphrey, soon to become chairman of National Steel Corp., may be questioned about the steel price increases when he again faces the Senate Finance Committee. Another Senate study of steel price boosts is likely later this month by Chairman KEFAUVER's Senate Antitrust Subcommittee. Less than a week ago President Eisenhower called on business and labor alike for statesmanlike action to hold price lines.

Most steel users, including fabricators, furniture makers, auto manufacturers, and appliance firms, indicated in a nationwide survey that they plan to pass on to the consumer the average $6-a-ton increase on steel announced late last week by United States Steel Corp., the Nation's largest producer.

Other leading steelmakers, including Republic Steel Corp., National Steel Corp., and Youngstown Sheet & Tube, quickly followed United States Steel's lead and posted higher prices.

MOST AND MAYBE MORE

Although many steel users said market conditions and the action of competitors on the steel rise would influence their pricing policies, few left any doubt that they would attempt to pass most, if not all or more, of the price increase. Of more than half a hundred steel users in a broad industrial cross-section, only seven reported they did not intend to increase their prices.

The 4-percent steel hike, of course, was not unexpected. Under a 3-year contract with the United Steelworkers which was signed last fall, some 700,000 steel-company employees will get a boost in pay and fringe benefits beginning today. The steelworkers figure the pay package will cost the company 12.5 cents an hour more per employee but the industry put the extra cost at 20 cents or more. Steel companies contend the steel price boost will only partly offset these added labor costs.

The immediate effect of the steel price increase is apt to be uneven. On some big jobs—construction projects and railroad cars, for example—manufacturers have steel escalator clauses in their contracts. That means the steel price hike automatically will be tacked onto the customer's final costs. Other producers, though anxious to raise prices, say they want to hold off a bit to see what other companies in their industry will do. In some cases, therefore, the full impact of the steel change won't be felt for several months.

AUTOMAKERS AT ODDS

Auto manufacturers are at odds about how much, if any, of the steel price increase will be packed into prices of 1958 models. A spokesman for one of the Big Three companies said he doubted the increase would affect car prices at all. But another major car maker, relying on an industry rule of thumb based on 1.5 tons of steel in the average auto, figured car prices would be up about $10 on each new model because of the steel increase.

"It is going to be inevitable that we will have to raise prices," says a spokesman for Philco Corp., in Philadelphia. White goods—refrigerators, gas ranges, and such—almost certainly will go up because of the steel increase, he says, and television sets may be boosted, too.

Whirlpool Corp., another heavy user of steel in major appliances, is scheduling a meeting of officers today in its St. Joseph, Mich., headquarters, to consider the effect of the price hike, an official reports. In Columbus, Ind., Yandell C. Cline, vice president of Arvin Industries, Inc., voices a typical reaction of manufacturers:

"NO ALTERNATIVE

"We're reluctant to do anything which would increase the price spiral that we don't like and Eisenhower doesn't like. But ours is a close-margin business; we have no alternative but to adjust our prices up."

Mr. Cline says Arvin's fall line of radios, auto parts, electric heaters and auto heaters probably will show an increase. "Some seasonal products such as outdoor furniture, barbecue grills and window fans won't reflect the increase until next year, though," he adds.

Some steel users report they're raising prices even more than the percentage increase on raw steel.

"Our entire line of pumps will go up 5 percent to 7 percent," says Fritz F. Stadelhofer, treasurer of Berkeley Pump Co., of Berkeley, Calif. "Steel is just the beginning," he explains. "Pretty soon, all our suppliers will begin raising their prices to us to reflect the steel price increase in their products."

Mr. Stadelhofer pulls out a pricelist and points to one of the 150 pumps that Berkeley manufacturers. "Here is a centrifugal irrigation pump now retailing for $700," he notes. "It will go up to $735 or $742. But we always round off the figure to our favor so it will probably end up at $750."

A Philadelphia steel warehouseman plans to pass the $6 per ton increase along to customers and says his markup will probably be hiked, too, "We shoot for around 30 percent on markup," he notes. "If the price is raised, the markup will have to be, too, to stay at that 30 percent level."

Some manufacturers, especially in the appliance field where retail sales this year have been sluggish, are taking a wait-and-see approach.

"Industry conditions, during the next 30 to 45 days are the key to whether we'll pass on the effect of higher costs or hold the line," comments Judson S. Sayre, president of the Norge division of Borg-Warner Corp.

A big Chicago appliance maker says it will take "several weeks" before his company can set a new pricing policy and that changes will be spotty. A slow moving appliance, for example, may not be increased in price but a more popular one might, he says.

ABSORBING IT

Many fabricators and manufacturers say they may have to absorb at least part of the steel increase.

An executive of a Birmingham, Ala., fabricating and warehousing company reports that his firm has been figuring on a price increase and in quoting bids on future jobs has been adding $6 a ton. "But," he adds, "because of the competitive situation, we've had to shave our profit margin so much that we're not getting the $6."

"I presume we can pass on an increase," says William H. Wilkerson, president of Auto-Nailer Co., Atlanta maker of automatic fastening machines for the furniture and other woodworking industries. "We won't attempt to make anything on the increase and we hope we won't lose anything."

Adds a spokesman for Salem-Brosius, Inc., manufacturer of industrial furnaces and materials-handling equipment in Carnegia, Pa.: "We'll get clipped on some of our short-term contracts, but the company has escalator clauses in some of its long-term agreements."

LITTLE RELUCTANCE

Many steel users indicated little reluctance to add the new steel costs into their prices—and saw no reason why they should be hesitant.

Summing up this attitude is a statement by Herman T. Pott, chairman of St. Louis Shipbuilding & Steel Co., maker of river boats and barges.

"We're not going to take a steel price increase out of our own pockets unless business gets lousy."

The last major increase in steel prices came in August 1956, after the 36-day nationwide strike. It averaged $8.50 a ton. Since then, prices have been advanced an additional $5 or so, mostly through adjustments on extras, the charges paid by customers over and above base prices for special processing of the steel.

Demand for steel, though considered good by the industry, is not at the boom levels of a year ago. Actual production through March, April, May, and June has been below year-ago levels.

Mr. HUMPHREY. Mr. President, the July issue of Steel Labor, the journal of the United States Steelworkers of America, has some other interesting statistics bearing on the new steel price increase. In that issue, Mr. David J. McDonald, president of the United States Steelworkers points out:

> Since the postwar period—that is, 1945—there have been 21 rounds of steel price increases. There have been nine rounds of wage increases. These price increases have yielded the industry more than $3 in revenue for each $1 of wage increases. Remembering this three-for-one formula and noting the fantastic growth of profits per employee hour which accompany these prices, only one conclusion is possible. Wage increases in steel have not caused a single price increase.

The whole issue, Mr. President, is very carefully considered by Mr. Stanley H. Ruttenberg, director of research of the AFL–CIO, in an important letter which he sent to the New York Times and which was printed in that paper Friday, June 28, 1957.

I ask unanimous consent that the text of this letter be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 28, 1957]

PRICE-WAGE LINK EXAMINED—STEEL INDUSTRY DECLARED EXAMPLE OF WIDENING MARGIN OF PROFIT

To the EDITOR OF THE NEW YORK TIMES:

The current discussion of rising prices and the attempt to link price boosts to wage increases is almost always based on vague generalities. If this discussion is ever to become a meaningful one it will have to deal with economic realities—with administered price structures in most of the economy's key industries and with the price-profit-investment policies of the Nation's major firms, as well as with wage rates and unit labor costs.

Let us look at the steel industry, a basic industry whose price movements affect the general level of prices. According to informed newspaper accounts this industry is preparing to install its next semiannual increase of steel prices on or about July 1.

Officials of the United States Steel Corp., the industry's dominant firm and price leader, have been attempting to prepare the ground for the price boost by saying that increased labor costs will necessitate higher prices. The record of United States Steel profits, however, clearly indicate that the corporation can absorb the cost of improvements in the wages and fringe benefits of its employees without a price increase at all.

In 1939 United States Steel's profits before taxes were equal to 13 cents for each hour worked by each employee. In 1940 this profit was doubled to 26 cents. The following year, in 1941, profits per man-hour climbed to 38.8 cents. By 1947 it reached 42.6 cents. In the recession year of 1949 it went to 60.3 cents. In 1950 it was 85.4 cents.

In 1955 another new record was established when profits per man-hour hit $1.38. Last year, despite a strike, it was $1.345.

CURRENT RATE OF PROFIT

And in its most recent report for the first 3 months of 1957 United States Steel revealed that its profits were at an annual rate or $1.80 for each hour worked by each employee. This represents an increase of 30 percent over its previous record profit per man-hour in 1955 and a fabulous increase of 1,284 percent since 1939.

United States Steel's net profits (after taxes) per man-hour reveal a similar spectacular rise from 10 cents in 1939 to an annual rate of 69.8 cents in the first quarter of 1957, an increase equal to 13 percent a year, compounded annually from 1939 to 1957.

The upward movement of steel prices through the years has been caused by the steel industry's determination to widen its profit margin by a consistent policy of imposing even higher prices on customers and, eventually, consumers of steel, who are helpless to resist, as David J. McDonald, president of the United Steelworkers of America, declared in an address recently.

With United States Steel's annual profit rate of $1.80 per man-hour—and the industry's rising productivity—how can the expected steel-price boost on or about July 1 be justified on the basis of labor costs?

Some people have argued that a recent report by the Bureau of Labor Statistics proves that wage increases have been a primary cause of rising prices. The report itself, which covers the years 1947–56, declares that the index for unit labor costs was lower than the price index for every year prior to 1956. In other words, nonfarm prices were rising faster than nonfarm unit labor costs in the period covered except in the 1 year, 1956.

LABOR COSTS

In its report on this Bureau of Labor Statistics study, the June 1 issue of Business Week states: "One obvious way of trying to determine which caused which would be to measure whether labor costs or prices moved up first. Subjected to this test unit labor costs seem to have followed prices uphill through most of the postwar years—and particularly in those years when the inflationary heat was most intense."

The record of recent months indicates that labor cost-price-profit relationships are back to the 1947–1955 trend. Payrolls for production and maintenance workers in manufacturing industries declined almost 4 percent between September 1956 and last May, according to the Bureau of Labor Statistics, while the physical output of manufacturing industries declined only somewhat more than one-half of 1 percent.

Unit labor costs of factory production and maintenance workers actually declined 3.3 percent in those 8 months, but wholesale prices of industrial goods continued to move up by almost 2 percent.

Corporate profits in the past 6 to 8 months have been at alltime record annual peaks, despite a leveling off of economic activities.

These types of specific issues, rather than vague generalities, must be considered by those who are interested in the continued growth and stability of our economy.

STANLEY H. RUTTENBERG,
Director, Department of Research, AFL–CIO.

WASHINGTON, *June 25, 1957.*

Mr. HUMPHREY. Likewise, Mr. President, Mr. Walter P. Reuther, chairman of the economic policy committee of the AFL–CIO, issued a statement on the steel price increase. I ask unanimous consent that this statement, too, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATEMENT OF WALTER P. REUTHER, CHAIRMAN OF THE ECONOMIC POLICY COMMITTEE OF THE AFL–CIO AND PRESIDENT OF THE UAW

The price increase announced by the United States Steel Corp. is unjustifiable, socially irresponsible, and dangerously inflationary.

It is big business' contemptuous and defiant response to the appeal of President Eisenhower only last Wednesday for restraint by industry in initiating price increases.

The facts on steel prices and steel wages prove conclusively that United States Steel's effort to blame the price increase on increased labor costs is completely false and that this price increase, as other price increases in steel, autos, and other industries in the postwar years are nothing more than an unconscionable and greedy grab for higher and higher profits at the expense of American consumers.

This is further proof that the crushing burden of inflation imposed on American consumers by the steel and other key, price-setting industries is a rigged inflation arbitrarily fixed by industrial management. It does not grow out of the free interplay of normal economic forces.

Clifford E. Hood, United States Steel president, could well take a leaf out of the book of C. E. Wilson, now Secretary of Defense, who said in 1952, when he was president of General Motors: "I contend that we should not say the 'wage-price spiral.' We should say the 'price-wage spiral.' For it is not primarily wages that push up prices. It is primarily prices that pull up wages."

It is particularly significant, in view of this announced steel price increase, that the steel industry, along with other price-pacing industries, and the NAM and United States Chamber of Commerce, have consistently and vigorously fought tooth and nail against a Congressional investigation into the wage-price-profit relationship, which the AFL–CIO and many of its affiliates have proposed and urged.

Such an investigation would reveal that this present and other postwar price increases by the steel industry and by other industries are completely unwarranted and cannot be justified by increased labor costs. That is why these industries fear and fight against such an investigation. Labor has no fear of what such an investigation would reveal.

A simple and brief recital of the profit figures of three of these price-administered industries prove the point that blaming price increases on labor costs is propaganda rather than economic reality. They prove that such increases in labor costs, if any, which are not offset by increased productivity, can easily be absorbed out of profits and still leave these corporations and industries with record or near-record profits.

United States Steel is an admirable example. In 1939, United States Steel's profits per man-hour worked by each employee was 13 cents. In seven-league boot strides, this profit has advanced through the years, despite wage increases and other economic benefits to steelworkers, to an annual rate in the first 3 months of 1957 of $1.80 for each hour worked by each employee—a fabulous increase since 1939 of 1,284 percent. And these profit rates include not only hourly rated workers, but supervisory, clerical, and executive personnel as well.

General Motors raised its prices in 1955, using as an excuse a 20-cent-an-hour wage and fringe benefit package won by its employees in collective bargaining that year. This action was taken during the first 9 months of the year after the benefits won by workers had gone into effect and during which period GM earned $2.93 in profits before taxes for every hour worked by each of its hourly rated employees. For the whole year of 1955, GM made more than $2½ billion profit before taxes, highest in the history of any company in the world, representing a 79-percent return on investment. In the first 3 months of this year, which has been a comparatively bad period for GM because of a slump in sales, the company made $2.80 in profits before taxes for each hour worked by each hourly rated employee.

The spiraling profits of the oil industry is another example which deserves Presidential and congressional attention. Standard Oil of New Jersey's profits are not readily broken down into profit per man-hour, but its net total profit after taxes show the following rate of progression:

1954	$584, 793, 000
1955	709, 310, 000
1956	808, 535, 000

And in the first 3 months of the current year, this same company is making net profits after taxes at the rate of $948 million—a 17-percent increase over last year.

If President Eisenhower is truly concerned about inflation and unwarranted price increases, and I believe he is, he should turn his attention, not to workers whose economic gains increase mass purchasing power to the benefit of the country as a whole, but to such corporations and their managements as those listed above and make his appeal to reason and social responsibility to them.

The classical reasons for inflation are not present in this situation. There is no excess of demand over production or capacity to produce. In fact, in the last 2 years the automobile industry, the largest single consumer of steel, has suffered a decline in sales. It is currently operating at about 60 percent of capacity—despite a need for new automobiles and trucks.

The steel industry is operating at less than capacity.

The electrical-appliance industry, the textile industry, and other basic industries are operating at well below capacity and the workers in these industries have been suffering unemployment and underemployment.

There is a desire and need for these products but the great mass of consumers do not have the purchasing power to buy what they want and need.

The present inflation is artificial because it has been artificially rigged by a few corporations which, because of their dominant positions in industry, set the price of their products without any relation to the laws of supply and demand.

A continuation of the propaganda contest between management and labor, in which each tries to pin the responsibility for rising prices on the other, will not stop the inflationary spiral nor will it protect the American consumer against higher prices.

Both management and labor ought to be prepared to present all the facts before a congressional committee so that the American public will know all the facts and in turn fix the economic and moral responsibility for inflationary pressures which are forcing up the cost of living.

The American labor movement will continue to press for such an investigation.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that an article by Nate White, the business and financial editor of the Christian Science Monitor, be printed at this point in my remarks. Mr. White's article in the June 28 issue of his paper demonstrates quite clearly that the victims of this new price increase in steel are going to be American consumers, homes, schools, highway construction projects, new plant and equipment expansion, and fundamental economic growth.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STEEL COST PUSH JOLTS CONSUMER

(By Nate White)

BOSTON.—Direct victims of the announced increase of $6 a ton in the basic price of steel are the American consumers, homes, schools, highway construction projects, new plant and equipment expansion, and fundamental economic growth.

This is the single controversy-free, crystal-clear meaning for every American consumer, individually or collectively, already faced with a cost-of-living rise of 3.6 percent a year, of the United States Steel Corp.'s price increase effective July 1 when costly wage increases and employee benefits, agreed upon after a 34-day strike last summer, begin.

The price increase was expected. Industry leaders would liked to have seen it put at $10 to $12 a ton to cover their increased costs. Many expressed irritation with United States Steel for putting the increase so low. The corporation argued it was concerned about inflation.

PRICES PROPELLED

The United Steelworkers Union has argued that enormous profits in the steel industry would have enabled the companies to absorb the increased costs.

Following by only 2 days President Eisenhower's appeal to industry and labor to exercise restraint in order to curb inflation, the news of the price increase made it clear that more than public policy pronouncements will be needed to halt inflation in the United States.

Actually the price increases in steel were set before the President made his appeal, because the strike of last summer had already written the new costs into the making of steel. Neither the White House nor consumers had the power to offset the new round of prices which will now begin in every industry dependent on steel.

If Americans have wondered about the whys and wherefores of their new cost-push inflation the steel situation graphically illustrates it for them.

Labor, material, shipping, and equipment costs of making steel are going up. These costs push up prices. It's as simple as that.

The price of a baby carriage or a refrigerator, of next year's automobile and next year's new house, of the new school, the new office building, have also gone up behind the scenes in the price change in steel.

WAGE COSTS TRACED

This year marks the 10th since the end of World War II that prices of basic steel have been marked up following across-the-board wage increases. In 1949 and 1951, one a recession year and the second a year of war, no changes occurred.

The hourly wage in minimums paid steelworkers has ranged from 96½ cents in 1946 to $1.89 in 1957. Higher skills, of course, command higher hourly schedules. Clifford F. Hood, United States Steel president, estimated that the new pay adjustments would bring the corporation's average hourly employment cost for wage employees engaged in steel production to about $3.52 an hour.

Steel price increases each year beginning with $5 in 1946 have averaged $5.86 a year, although individual years have varied, $9.34 in 1948, $3 in 1954, $8.50 last summer, and $6 this summer.

EFFECTS STUDIED

Careful observers of the problem are convinced that no real solution to the problem will be found until the fight on inflation becomes as much of a crusade in the United States from the White House to the village store as was the fight on depression in the 1930's.

Since last year the cost of living has increased at a rate midway between 3 and 4 percent. This increase reflected a loss, as estimated by the Federal Reserve Board, of $2.5 billion for each percentage point, indicating a dollar loss to the American people in the past year of between $9 billion and $10 billion.

This is cost-push inflation.

Mr. HUMPHREY. I also ask unanimous consent that an article from the July 3 issue of the New York Herald Tribune be inserted in the RECORD at this point. This article points out that the three largest steel companies have in the past 10 years increased their sales by 105 percent and increased their net earnings after taxes by 186 percent. The big three also increased their operating profit ratio in 10 years from 9.4 percent to 20 percent.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of July 3, 1957]

BEHIND STEEL'S RISE: EXPANSION NEEDS

One of the reasons why steelmakers have been raising prices in the face of increasing wage demands is to keep profit margins firm enough to provide for new plant and expanding demand.

Seemingly, since 1947 they have managed to do just that—and then some. Over the last decade combined sales of the big three—U. S. Steel, Bethlehem and Republic—have moved from $3,750,000,000 to $7,700,000,000, a gain of 105 percent.

Operating profits over the same span have shot from $355 million to $1,600,000,000—a gain of 305 percent—while net earnings have increased 186 percent.

The prime reason for the difference between operating profit and net profit performances lies in depreciation—charges made against wear and tear of equipment.

Much of the new plant installed since the Korean war was put in place with the help of accelerated amortization. This had the effect of increasing the steelmakers' internal cash flow and minimizing taxes and reported earnings.

Generally, the trend of the steelmakers' operating profit margins has been up. In 1947 combined operating profit ratio of the big three averaged 9.4 percent. By 1951 this had climbed to 16 percent and last year stood at 20 percent.

Profit profile of steel's Big Three, 1947–56 (*combined: United States, Bethlehem, Republic*)

[In millions]

	Sales	Operating profit [1]	Net income	Depreciation	Funded debt	Dividends
1947	3,750	$355	$200	$154	$237	$75
1948	4,600	403	266	108	202	94
1949	4,309	538	310	170	292	97
1950	5,189	808	402	206	255	137
1951	6,370	1,020	345	210	416	141
1952	5,730	511	279	193	525	140
1953	6,980	1,010	413	210	370	143
1954	5,650	752	384	199	568	170
1955	7,300	1,300	638	223	666	231
1956	7,700	1,600	599	225	864	268

[1] Profits after all costs except depreciation and taxes.

Mr. LAUSCHE. Mr. President, I wish to supplement the remarks made by the Senator from Minnesota. It is highly regrettable that the steel industry did not give heed to the plea made by the President of the United States that there be some self-imposed restraints in the lifting of prices. In my judgment, arguments are constantly being flaunted before the minds of the public by labor leaders and business leaders, respectively, labor claiming that it is obliged to make demands for increased wages because of increased prices, and then business making the argument that they must raise prices because wages have been increased. I do not care which of the two is exactly right. I know one thing—that both are indifferent to the great plight confronting the people of America with respect to constantly rising prices.

I say to those members of the citizenry who are in the galleries, if you are the possessor of an annuity, if you have money in the bank, if you are receiving retirement payments from the Government, if you have Liberty bonds, all appearances are that next year your savings will probably be worth $5 less for each $100 of their present value.

I was hopeful, when the President delivered his message last January, and repeated it last week, that all Americans would become cognizant of the fact that

each one of us has a job to do in fighting inflation. I was hopeful that the Congress would quit feeding fat into the fire of inflation that we would stop giving encouragement to credit buying and credit building. We might as well recognize that, while international problems are grave, we have confronting us at home in our own household an attitude of indifference of the parent to the plight of the child.

If inflation continues for another period of 4 or 5 years, I respectfully ask my colleagues, What will be the value of the American dollar? The prospects are grim. In the next 5 years, unless some effective action is taken, the value of the dollar will probably drop by 25 cents. We shall then have something to worry about. We shall see inflation running with speed, trying to keep from stumbling. Its speed will increase until the time when it will be so fast that it will not be able to stop the stumbling, and there will be a "bust."

I have great respect for what steel has done for our country. I recognize the need for independence in free enterprise. I have fought in its behalf on the floor of the Senate. But I join in the remarks made by the Senator from Minnesota. In my judgment, this action is tantamount to a brazen indifference to the plight of the economy of Americans.

Mr. MANSFIELD. Mr. President, I join the Senator from Minnesota in what he has just said. The steel industry has shown an arrogance for which there is no justification. Personally, I think the two greatest dangers which the country faces at the present time are communism from abroad and here at home, and the possibility of inflation. I should like to call the attention of my colleagues to the fact that the American dollar today, based on the 1947–49 average, is worth approximately 45 cents.

I should like to suggest that the administration reconsider its so far adamant opposition to the possibility of reimposing regulation W, because I think our credit systems have run wild. The American public at the present time has in excess of $40 billion tied up in credit buying. We can go only so far. We cannot delude ourselves; we are in a period of inflation. It is a serious inflation. I hope the Congress of the United States and the President will both recognize it and seek to take some action to curb it.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 12 NOON TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberation today it stand in recess until 12 o'clock noon tomorrow. Before consent is given, I should like to inform Members that it is the plan of the leadership to ask consent that the Senate recess each day when it concludes its deliberations, and that it meet at 12 o'clock tomorrow, but beginning on Wednesday we shall ask consent that the Senate meet at 11 o'clock, a. m.

Mr. JOHNSTON of South Carolina and Mr. KENNEDY addressed the Chair.

Mr. JOHNSON of Texas. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Is the Senator from Texas asking consent for each day in the future?

Mr. JOHNSON of Texas. No. I am asking unanimous consent that when the Senate concludes its deliberations today it stand in recess until 12 o'clock noon tomorrow.

Mr. JOHNSTON of South Carolina. Only tomorrow?

Mr. JOHNSON of Texas. Only tomorrow. But I am making an announcement that on tomorrow the leadership will suggest that the Senate meet the following day at 11 o'clock, a. m. If the Senate supports the leadership, we will do that.

Mr. President, I should like also to give notice that we plan to have a Saturday session.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

IMPLEMENTATION OF TREATY AND AGREEMENT WITH THE REPUBLIC OF PANAMA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Order No. 488, Senate bill 1730, a bill to implement a treaty and agreement with the Republic of Panama, and for other purposes; and that at the conclusion of action on that bill the Senate revert to the consideration of the pending business, the Niagara power bill.

I understand there is no controversy in connection with this bill, S. 1730. It is an important and essential bill and should be passed. I hope the Senate will act on it promptly.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1730) to implement a treaty and agreement with the Republic of Panama, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I was informed by my associates that there was no opposition to this bill.

Mr. MANSFIELD. That is correct. That was the information I had.

Mr. JOHNSON of Texas. I understand, however, that the Senator from Oregon [Mr. MORSE] has a series of amendments he desires to propose.

Mr. MANSFIELD. If that be the case, Mr. President, I suggest that the request be withdrawn.

Mr. JOHNSON of Texas. Is that the case?

Mr. MORSE. Mr. President, I do have some amendments to propose.

Mr. MANSFIELD. I may say to the Senator, that I understood last week, from a conversation with the Senator from Florida [Mr. SMATHERS], that the Senator from Oregon [Mr. MORSE] had no objection, but that the Senator from Ohio [Mr. LAUSCHE] had an objection, which had been met. It was my understanding there was no controversy about the bill.

Mr. MORSE. Mr. President, it will not take long for me to explain my proposed amendments. I hope we at least will be able to have a conference on the bill. This bill is of vital concern to the transportation industry of my State, and I believe of the whole Pacific coast. In my opinion, the enactment of the bill would inflict a great injury upon the shippers of the west coast, for reasons I desire to set forth, which, for me, will be in an exceedingly brief speech.

Mr. JOHNSON of Texas. Mr. President, I withdraw my request, in the light of the Senator's interest. I desire to see his rights protected.

It was previously announced that there would be a call of the Calendar. I would not wish to keep other Senators, who are interested in having all the bills on the calendar called, from having them called because of a dispute over one bill. In the event we conclude the call of the calendar in time, then I shall renew the request with reference to the Republic of Panama bill.

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Pennsylvania.

Mr. MARTIN of Pennsylvania. Mr. President, it is extremely important that the Niagara power bill be enacted into law, but I also wish to announce that I have an amendment which I desire to offer when it comes before the Senate for consideration.

Mr. JOHNSON of Texas. I thank the Senator. We were discussing the Republic of Panama bill at this time.

Mr. MARTIN of Pennsylvania. I am sorry.

Mr. CASE of New Jersey rose.

Mr. JOHNSON of Texas. I yield to my friend, the Senator from New Jersey.

Mr. CASE of New Jersey. I thought the bill mentioned by the Senator from Pennsylvania, the Niagara power bill, was the one under discussion.

CALL OF THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I suggest that the Senate proceed with the call of the calendar.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and the Senate will proceed to the call of the calendar. The clerk will state the first measure on the calendar.

RESOLUTIONS AND BILLS PASSED OVER

The concurrent resolution (S. Con. Res. 2) to create a joint congressional committee to make a full and complete study and investigation of all matters connected with the election, succession, and duties of the President and Vice President was announced as first in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The concurrent resolution will be passed over.

The resolution (S. Res. 24) to amend rule XIV of the Standing Rules of the Senate was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 913) to provide permanent authority for the Postmaster General to establish postal stations at camps, posts, or stations of the Armed Forces, and at defense or other strategic installations and for other purposes, was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4815) to provide permanent authority for the Postmaster General to establish postal stations at camps, posts, or stations of the Armed Forces, and at defense or other strategic installations, and for other purposes, was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The concurrent resolution (S. Con. Res. 20) authorizing an investigation by the Federal Trade Commission into the activities and practices of companies engaged in the production, distribution, or sale of newsprint in interstate commerce was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The resolution will be passed over.

The bill (S. 495) to authorize the acquisition of the remaining property in square 725 in the District of Columbia and the construction thereon of additional facilities for the United States Senate was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 728) to authorize the acquisition of the remaining property in squares 725 and 724 in the District of Columbia for the purpose of extension of the site of the additional office building for the United States Senate was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1164) to make the evaluation of recreational benefits resulting from the construction of any flood-control, navigation, or reclamation project an integral part of project planning, and for other purposes, was announced as next in order.

Mr. BARRETT. Over, Mr. President.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1639) to provide for the suspension of the vesting of alien property and the liquidation of vested property, under the Trading With the Enemy Act, was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 864) to provide for the transfer of certain lands to the State of Minnesota was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2051) to amend the Atomic Energy Act of 1954, as amended, and for other purposes, was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 377) to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act was announced as next in order.

Mr. CLARK. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 25) relating to effective dates of increases in compensation granted to wage board employees was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 931) to provide for the reorganization of the safety functions of the Federal Government and for other purposes was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1873) to amend sec. 104 (c) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The concurrent resolution (S. Con. Res. 28) to print a compilation of materials relating to the development of the water resources of the Columbia River and its tributaries was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The concurrent resolution will be passed over.

The bill (S. 1310) for the relief of certain aliens was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4602) to encourage new residential construction for veterans' housing in rural areas by raising the maximum amount in which direct loans may be made, and for other purposes, was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 98) to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota was announced as next in order.

Mr. BARRETT. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States was announced as next in order.

Mr. TALMADGE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1730) to implement a treaty and agreement with the Republic of Panama, and for other purposes, was announced as next in order.

Mr. BARRETT. Over, Mr. President.

Mr. MANSFIELD. Just a moment, Mr. President.

Mr. CLARK. Just a minute, with regard to Calendar No. 488, Senate bill 1730.

Mr. MORSE. Over, Mr. President.

The PRESIDING OFFICER. The bill will be passed over.

ELEANOR FRENCH CALDWELL

The bill (H. R. 1754) for the relief of Eleanor French Caldwell was considered, ordered to a third reading, read the third time, and passed.

MRS. THOMAS L. DAVIDSON

The bill (H. R. 4342) for the relief of Mrs. Thomas L. Davidson was considered, ordered to a third reading, read the third time, and passed.

JACKSON SCHOOL TOWNSHIP, IND.— BILL PASSED OVER

The bill (S. 807) for the relief of Jackson School Township, Ind., was announced as next in order.

Mr. BARRETT. Mr. President, may we have an explanation of the bill?

Mr. TALMADGE. Is the Senator from Indiana present?

Mr. BARRETT. Mr. President, I ask unanimous consent that the bill go to the foot of the calendar.

Mr. KNOWLAND. Mr. President, I think the Senator from Mississippi [Mr. EASTLAND] is ready to explain the bill.

Mr. BARRETT. I shall be delighted to have it explained.

Mr. EASTLAND. Mr. President, this bill authorizes the payment of $275,000 to Jackson School Township, of Cass County, Ind., as compensation for the loss of utility of its elementary school at Lincoln, Ind., and for future costs to be incurred in relocating such school to a site remote from the noise and danger caused by military aircraft flights to and from Bunker Hill Air Base.

The bill as originally introduced provided for a contribution on the part of the United States of $300,000, which has been reduced by the committee to $275,000, and the committee has further provided that such payment will be subject to a conveyance to the United States by the school authorities of the school site, which has been rendered useless for school and other public assembly purposes.

Testimony taken by a subcommittee from school officials and Members of Congress as well as the Department of the Air Force and the Office of Education of the Department of Health, Education, and Welfare developed that, so far as is known at present, only three schools in the United States have been so affected, in that the impairment of the existing school facilities amounts virtually to confiscation of the property by the United States.

Mr. BARRETT. Mr. President, I thank the Senator for his explanation. I withdraw my reservation of objection.

Mr. TALMADGE. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED OVER

The bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes was announced as next in order.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

HIDEKO TAKIGUCHI PULASKI

The bill (S. 562) for the relief of Hideko Takiguchi Pulaski was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Hideko Takiguchi Pulaski, shall be held and considered to be the natural-born alien child of Stc. John Pulaski, a citizen of the United States.

SANDRA ANN SCOTT

The bill (S. 1335) for the relief of Sandra Ann Scott was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Sandra Ann Scott, shall be held and considered to be the natural-born alien child of David W. Scott, a citizen of the United States.

MRS. MARION HUGGINS

The Senate proceeded to consider the bill (S. 294) for the relief of Mrs. Marion Huggins, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Mrs. Marion Huggins shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SEOL BONG RYU

The Senate proceeded to consider the bill (S. 591) for the relief of Seol Bong Ryu, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "natural-born," to insert "alien," so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Seol Bong Ryu, shall be held and considered to be the natural-born alien child of Brooks Doran and Violet Risley Anderson, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DON Q. GEE

The Senate proceeded to consider the bill (S. 1268) for the relief of Don Q. Gee, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Don Q. Gee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JUNKO MATSUOKA ECKRICH

The Senate proceeded to consider the bill (S. 1321) for the relief of Junko Matsuoka Eckrich, which had been reported from the Committee on the Judiciary, with an amendment, in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That notwithstanding the provisions of paragraph (12) of section 212 (a) of the Immigration and Nationality Act, Junko Matsuoka Eckrich may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AYAKO YOSHIDA

The Senate proceeded to consider the bill (S. 1353) for the relief of Ayako Yoshida, which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 5, after the word "of", to insert "sections 242 and 243", so as to make the bill read:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Ayako Yoshida, the fiancée of James R. Beasley, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months, if the administrative authorities find (1) that the said Ayako Yoshida is coming to the United States with a bona fide intention of being married to the said James R. Beasley and (2) that she is otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Ayako Yoshida she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Ayako Yoshida the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Ayako Yoshida as of the date of the payment by her of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCESCA MARIA ARRIA

The Senate proceeded to consider the bill (S. 1452) for the relief of Francesca Maria Arria, which had been reported from the Committee on the Judiciary, with an amendment in line 6, after the word "of", to insert "Mrs. Maria Arria,", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Francesca Maria Arria shall be held and considered to be the minor natural-born child of Mrs. Maria Arria, an alien lawfully admitted to the United States for permanent residence.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NICOLETA P. PANTELAKIS

The Senate proceeded to consider the bill (S. 1496) for the relief of Nicoleta P. Pantelakis, which had been reported from the Committee on the Judiciary, with an amendment in line 6, after the word "natural-born", to insert "alien", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Nicoleta P. Pantelakis, shall be held and considered to be the natural-born alien child of Mr. and Mrs. S. L. Lamprose, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ERIKA OTTO

The Senate proceeded to consider the bill (S. 1502) for the relief of Erika Otto, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Erika Otto, the fiance of M. Sgt. Daniel Mobray O'Neill, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Erika Otto is coming to the United States with a bona fide intention of being married to the said M. Sgt. Daniel Mobray O'Neill and that she is found admissible under all of the provisions of the Immigration and Nationality Act, other than section 212 (a) (9): *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Erika Otto, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Erika Otto, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Erika Otto as of the date of the payment by her of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ARTHUR GREEN

The Senate proceeded to consider the bill (S. 1523) for the relief of Arthur Green, which had been reported from the Committee on the Judiciary, with an amendment, in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (19) of section 212 (a) of the Immigration and Nationality Act, Arthur Green may be issued a visa and be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

YONG JA LEE

The Senate proceeded to consider the bill (S. 1641) for the relief of Yong Ja Lee, which had been reported from the Committee on the Judiciary, with an amendment on page 2, line 8, after the word "act", to insert a colon and "*And provided further*, That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act", so as to make the bill read:

Be it enacted, That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Yong Ja Lee (Mina Kuhrt), shall be held and considered to be the natural-born alien child of Mr. and Mrs. Wesley A. Kuhrt, citizens of the United States.

SEC. 2. That, notwithstanding the provision of section 212 (a) (6) of the said act, the said Yong Ja Lee (Mina Kuhrt) may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *And provided further*, That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RANDOLPH STEPHAN WALKER

The Senate proceeded to consider the bill (S. 1783) for the relief of Randolph Stephan Walker, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "natural-born", to insert "alien", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Randolph Stephan Walker, shall be held and considered to be the natural-born alien child of Robert and Charlotte Ann Walker, citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAVID MARK STERLING AND JUDITH KOBUDEH STERLING

The Senate proceeded to consider the bill (S. 1071) for the relief of David Mark Sterling and Judith Kobudeh Sterling, which had been reported from the Committee on the Judiciary, with amendments, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, David Mark Sterling shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of David Mark Sterling."

EMILIO VALLE DUARTE

The Senate proceded to consider the bill (S. 1276) for the relief of Emilio Valle Duarte, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "be", to insert "issued a visa and be", and in line 10, after the word "States", to insert "Public Health Service, Department of Health, Education, and Welfare," so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Emilio Valle Duarte may, if he is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent resident under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose: *Provided*, That a suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Emilio Valle Duarte in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act: *Provided further*, That this act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TRAINTAFILIA ANTUL

The Senate proceeded to consider the bill (S. 1472) for the relief of Traintafilia Antul, which had been reported from the Committee on the Judiciary, with amendments, in line 4, after the word act", to strike out "the minor child,"; in line 6, after the word "natural-born", to insert "minor", and, in the same line, after the word "alien", to strike out "minor", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Traintafilia Antul, shall be held and considered to be the natural-born minor alien child of Mr. and Mrs. Charles Antul, citizens of the United States.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KLARA FRITZSCHE

The Senate proceeded to consider the bill (S. 1478) for the relief of Klara Fritzsche, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "be", to insert "issued a visa and be", and in line 10, after the word "States", to insert "Public Health Service, Department of Health, Education, and Welfare", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (6) of section 212 (a) of the Immigration and Nationality Act, Klara Fritzsche may, if she is found to be otherwise admissible under the provisions of such act, be issued a visa and be admitted to the United States for permanent residence, under such conditions and controls as the Attorney General, after consultation with the Surgeon General of the United States, Public Health Service, Department of Health, Education, and Welfare, deems necessary to impose. A suitable or proper bond or undertaking, approved by the Attorney

General, shall be given by or on behalf of the said Klara Fritzsche in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act. This act shall apply only to grounds for exclusion under paragraph (6) of section 212 (a) of such act known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FUMIKO BIGELOW

The Senate proceeded to consider the bill (S. 1509) for the relief of Fumiko Bigelow, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 3, after the word "paragraph," to strike out "(9)" and insert "(3)"; in line 5, after the word "be", to insert "issued a visa and be", and in line 7, after the word "act", to insert a colon and "*Provided*, That if the said Fumiko Bigelow is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act. This"; so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (3) of section 212 (a) of the Immigration and Nationality Act, Fumiko Bigelow may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That if the said Fumiko Bigelow is not entitled to medical care under the Dependents' Medical Care Act (70 Stat. 250), a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JULIA FODOR

The Senate proceeded to consider the bill (S. 1570) for the relief of Julia Fodor, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 3, after the numerals "212", to strike out "(2)" and insert "(a)", and on page 2, line 3, after the word "act", to insert a colon and "*And provided further*, That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act, Mrs. Julia Fodor may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act: *And provided further*, That the exemption granted herein shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The joint resolution (H. J. Res. 315) for the relief of certain aliens was considered, ordered to a third reading, read the third time, and passed.

JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 322) for the relief of certain aliens was announced as next in order.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The joint resolution will be passed over.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 324) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, which had been reported from the Committee on the Judiciary with amendments, on page 1, at the beginning of line 3, to strike out:

That, in the administration of the Immigration and Nationality Act, Mrs. Christa Ernst, the fiance of Sfc. Lester F. Druse, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Mrs. Christa Ernst is coming to the United States with a bona fide intention of being married to the said Sfc. Lester F. Druse and that she is found to be otherwise admissible under all of the provisions of the Immigration and Nationality Act other than section 212 (a) (9) and (12) of that act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Mrs. Christa Ernst, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Mrs. Christa Ernst, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Mrs. Christa Ernst as of the date of the payment by her of the required visa fee.

On page 2, at the beginning of line 15, to strike out "SEC. 2. Notwithstanding" and insert "That, notwithstanding"; on page 3, after line 3, to strike out:

SEC. 4. Notwithstanding the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act, Andres Amadeo Macha may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act.

At the beginning of line 9, to change the section number from "5" to "3"; at the beginning of line 23, to change the section number from "6" to "4"; on page 4, line 1, after the initial "M.", to strike out "Herrera" and insert "Herrera-Medina", and at the beginning of line 5, to change the section number from "7" to "5."

Mr. JOHNSTON of South Carolina. Mr. President, may we have an explanation of the joint resolution?

Mr. EASTLAND. Mr. President, House Joint Resolution 324 waives various excluding provisions of existing law in behalf of four persons who are the spouses or close relatives of United States citizens. Without the waivers provided for in the joint resolution, the beneficiaries will be unable to join their families in the United States.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read the third time.

The joint resolution was read the third time and passed.

MRS. RHEA SILVERS

The Senate proceeded to consider the bill (H. R. 2070) for the relief of Mrs. Rhea Silvers, which had been reported from the Committee on the Judiciary, with an amendment on page 2, line 3, after the word "act", to strike out "in excess of 10 percent thereof".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

JUDGESHIP FOR THE DISTRICT OF SOUTH DAKOTA

The bill (S. 2413) to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President is authorized to appoint, by and with the advice and consent of the Senate an additional district judge for the district of South Dakota as authorized by paragraph (3) of section 2 (b) of the act of February 10, 1954. The second sentence of such paragraph, which prohibits the filling of the first vacancy occurring in the office of district judge for said district, is hereby repealed. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this act in the number of permanent judgeships for the district of South Dakota, such table is amended to read as follows with respect to said district:

"Districts	Judges
• • • • •	
South Dakota	2
• • • • •	

Mr. EASTLAND subsequently said: Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. EASTLAND. Did Order No. 575, S. 2413, go over, or was it passed?

The PRESIDING OFFICER. S. 2413 was passed.

BILLS PASSED OVER

The bill (S. 1386) to authorize the Interstate Commerce Commission to prescribe rules, standards, and instructions for the installation, inspection, maintenance, and repair of power on train brakes was announced as next in order.

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2377) to amend chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses, was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 4830) to authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes was announced as next in order.

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7383) to amend the Atomic Energy Act of 1954, as amended, and for other purposes was announced as next in order.

Mr. TALMADGE. Over.

The PRESIDING OFFICER. The bill will be passed over.

COMPUTATION OF ANNUAL INCOME FOR PAYMENT OF PENSION FOR NON-SERVICE-CONNECTED DISABILITY

The Senate proceeded to consider the bill (S. 2080) relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases, which had been reported from the Committee on Finance, with amendments, on page 2, after line 4, to strike out:

SEC. 2. This act shall take effect on the date its enactment.

And insert:

SEC. 2. Section 1 of this act shall take effect on the date of its enactment and shall cease to be in effect on January 1, 1958.

After line 9, to insert:

SEC. 3. Section 403 of the Veterans' Benefits Act of 1957, Public Law 85-56, is amended by deleting the word "and" immediately preceding item (5); by substituting a semicolon followed by the word "and" at the end of section (5); and by adding the following new section:

"(6) payments of bonus or similar cash gratuity by any State, Territory, possession, or Commonwealth of the United States, or the District of Columbia, based on military, naval, or air service."

So as to make the bill read:

Be it enacted, etc., That in determining "annual income" under the provisions of paragraph II (a) of part III, Veterans Regulation No. 1 (a), as amended (38 U. S. C., ch. 12A), and section 1 (c) of the act of June 28, 1934, as added by section 1 of the act of July 19, 1939 (53 Stat. 1068), and as amended (38 U. S. C. 503 (c)), payment of a bonus or similar cash gratuity to a veteran or his survivors by any State based on service in the Armed Forces of the United States shall not be considered. The term "State" means each of the several States, Territories, and possessions of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 2. Section 1 of this act shall take effect on the date of its enactment and shall cease to be in effect on January 1, 1958.

SEC. 3. Section 403 of the Veterans' Benefits Act of 1957, Public Law 85-56, is amended by deleting the word "and" immediately preceding item (5); by substituting a semicolon followed by the word "and" at the end of section (5); and by adding the following new section:

"(6) payments of bonus or similar cash gratuity by any State, Territory, possession, or Commonwealth of the United States, or the District of Columbia, based on military, naval, or air service."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF EFFECTIVENESS OF MISSING PERSONS ACT

The bill (S. 2449) to continue the effectiveness of the Missing Persons Act, as extended until April 1, 1958, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 15, Missing Persons Act (56 Stat. 147, 1093), as amended, is further amended by deleting "July 1, 1957" and inserting in lieu thereof "April 1, 1958".

Mr. CASE of South Dakota subsequently said: Mr. President, what happened to Calendar No. 582, S. 2449?

The PRESIDING OFFICER. The bill (S. 2449) was passed.

BILLS PASSED OVER

The bill (S. 1869) to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes, was announced as next in order.

Mr. BARRETT. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2150) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BARRETT. Over.

The PRESIDING OFFICER. The bill will be passed over.

PAYMENT OF GRATUITY TO MARGARET BURNS RAYMOND

The resolution (S. Res. 157) to pay a gratuity to Margaret Burns Raymond was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Margaret Burns Raymond, widow of Allen Raymond, an employee of the Senate at the time of his death, a sum equal to 3 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PAYMENT OF GRATUITY TO MILDRED M. BENNICKER

The resolution (S. Res. 158) to pay a gratuity to Mildred M. Bennicker was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mrs. Mildred M. Bennicker, sister and administratrix of the estate of Byron C. Wagner, an employee of the Senate at the time of his death, a sum equal to 5 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PAYMENT OF GRATUITY TO DAVID JOHN BRENNAN AND JOHN F. BRENNAN

The resolution (S. Res. 159) to pay a gratuity to David John Brennan and John F. Brennan was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to David John Brennan and John F. Brennan, brothers of William M. Brennan, an employee of the Senate at the time of his death, a sum to each equal to 4¾ months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

DISPLAY OF THE "FLAG OF LIBERATION"

The joint resolution (S. J. Res. 103) to provide for the permanent preservation and display of the "Flag of Liberation" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the Architect of the Capitol is hereby directed to transfer said flag to the custody of the National Archives.

SEC. 2. The Archivist of the United States is hereby directed to suitably display said flag where it shall be available for viewing by the public and to permanently preserve it as the "Flag of Liberation" and the symbol of hope.

VALIDATION OF CONVEYANCE BY CENTRAL PACIFIC RAILWAY CO. TO THE STATE OF NEVADA

The Senate proceeded to consider the bill (S. 1773) to validate a certain conveyance made by Central Pacific Railway Co. to the State of Nevada.

Mr. MORSE. Mr. President, the bill would authorize the validation of a conveyance made by quitclaim deed from the Central Pacific Railway Co. to the State of Nevada in 1953.

The quitclaim covered approximately 2½ acres of railroad right-of-way lands, and was issued pursuant to a land-exchange agreement whereby the railroad received, in 1902, certain lands of

the Nevada State Hospital for relocation of its right-of-way.

Congressional approval is required because, under existing law, such an exchange is not one of the purposes for which a railroad right-of-way may be granted pursuant to Federal law.

In view of the fact that in 1902 the railroad received land from the State of Nevada for relocation purposes, without consideration, such exchanged land was in substitution for land to which the railroad would have been entitled to receive from the Federal Government under the laws relating to Federal railroad grants.

Therefore, no violation of the Morse formula is involved.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the conveyance in the form of a quitclaim deed executed by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, as grantors, to the State of Nevada, as grantee, under date of January 12, 1953, for the use and benefit of the Nevada State Hospital for Mental Diseases, and recorded in the office of the county recorder of Washoe County, State of Nevada, on the 21st day of March 1953, book No. 318 of deeds, page 300, official records of said county, involving certain lands or interests therein in the city of Reno, county of Washoe, State of Nevada, and forming a part of the right-of-way of said Central Pacific Railway Co. granted by the Government of the United States of America by an act of Congress approved July 1, 1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean and to secure to the Government the use of the same for postal, military, and other purposes" (12 Stat. L. 489), and by said act as amended by act of Congress approved July 2, 1864, entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' approved July 1, 1862" (13 Stat. L. 356), is hereby legalized, validated, and confirmed with the same force and effect as if the land involved therein had been held at the time of such conveyance by the above-named grantors making the same under absolute fee-simple title: *Provided*, That such legislation, validation, and confirmation shall not diminish said right-of-way to a width less than 50 feet on either side of the center of the main track or tracks of said Central Pacific Railway Co. as now established: *Provided further*, That nothing herein contained is intended or shall be construed to legalize, validate, or confirm any rights, titles, or interests based upon or arising out of adverse possession, prescription, or abandonment, and not confirmed by conveyance heretofore made by Central Pacific Railway Co., and its lessee, Southern Pacific Co.: *And provided further*, That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe.

CONVEYANCE OF CERTAIN REAL PROPERTY TO THE NEVADA STATE BOARD OF FISH AND GAME COMMISSIONERS

The bill (S. 556) to provide for the conveyance of certain real property to the Nevada State Board of Fish and Game Commissioners was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, at the beginning of line 4, to insert "State of Nevada for the use of the", and after line 8, to strike out:

Township 20 south, range 61 east, Mount Diablo base and meridian: In section 30, beginning at a point in the centerline of Vegas Drive from which the northwest corner of section 30 bears south 89 degrees 23 minutes 45 seconds west 675.93 feet, and proceeding south 00 degrees 47 minutes 30 seconds east 30 feet to northwest corner of property; thence south 00 degrees 47 minutes 30 seconds east 477.0 feet; thence north 89 degrees 23 minutes 45 seconds east 100.35 feet; thence north 13 degrees 41 minutes 00 seconds east, 492.19 feet; thence south 89 degrees 23 minutes 45 seconds west, 228.38 feet to the northwest property corner; north 00 degrees 47 minutes 30 seconds west 30 feet to point of beginning, containing 1.772 acres of land, more or less.

And insert:

Township 20 south, range 61 east, Mount Diablo meridian: In section 30, that part of lot 1 bounded as described as follows:

Beginning at corner 1, a point in the centerline of Vegas Drive, from which point the northwest corner of said section 30 bears south 89 degrees 23 minutes 45 second west 675.93 feet distant; thence south 00 degrees 47 minutes 30 second east, 507.00 feet to corner 2; thence north 89 degrees 23 minutes 45 seconds east, 100.35 feet to corner 3; thence north 13 degrees 41 minutes 00 seconds east, 523.15 feet to corner 4, a point in the centerline of Vegas Drive; thence with said centerline south 89 degrees 23 minutes 45 seconds west, 231.12 feet to the place of beginning;

Bounded on the north by the centerline of Vegas Drive; on the east and south by land of the city of Las Vegas; and on the west by land of the United States; containing 1.93 acres, be the same more or less.

Mr. MORSE. Mr. President, this bill would authorize the conveyance from the Federal Government, without consideration, of a 2-acre tract to the State of Nevada.

The 2 acres are a portion of 60 acres originally donated to the Federal Government by the city of Las Vegas for use as a Fish and Wildlife Service fish-culture station.

The original conveyance contained a clause providing for reversion to Las Vegas if the Federal Government did not use the land for fish-culture purposes.

The tract covered by the bill is surplus to the needs of the Federal Government.

Since the original deed contains a reversionary clause in favor of the city, there is some question as to why this bill, calling for conveyance to the State, is necessary. The report is silent on that subject.

However, since the original conveyance was gratuitous and the tract is surplus to the needs of the Federal Government, no violation of the Morse formula would be involved in the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners."

GRANTING OF EASEMENT IN CERTAIN LANDS TO THE CITY OF LAS VEGAS, NEV.

The bill (S. 1645) to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road widening purposes was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, at the beginning of line 1, to strike out:

TRACT NUMBERED 1

The east 45 feet of the west 75 feet of the north 507 feet of the northwest quarter of the northwest quarter of section 30, township 20 south, range 61 east, Mount Diablo meridian; save and except the north 40 feet thereof.

After line 10, to insert:

TRACT NUMBERED 2

The south 10 feet of the north 40 feet of the west 675.93 feet of the northwest quarter of the northwest quarter of section 30, township 20 south, range 61 east, Mount Diablo meridian; save and except the west 30 feet thereof.

After line 10, to insert:

PARCEL NUMBERED 1

The east 45 feet of the west 75 feet of the north 507 feet of the northwest quarter of the northwest quarter of section 30, township 20 south, range 61 east, Mount Diablo meridian; save and except the north 40 feet thereof.

After line 15, to insert:

PARCEL NUMBERED 2

A strip of land 10 feet wide in the northwest quarter northwest quarter of said section 30 having for its beginning corner a point 30 feet east and 30 feet south of the northwest corner of said section; thence north 89 degrees 23 minutes 45 seconds east with a line 30 feet south of and parallel with the north line of said section a distance of 869.42 feet (approximately) to the east line of the aforesaid land of the United States; thence south 13 degrees 41 minutes west 10.32 feet (approximately) to the southeast corner or said 10-foot strip herein described; thence south 89 degrees 23 minutes 45 seconds west with a line 40 feet south of and parallel with the north section line 866.87 feet (approximately) to a point 30 feet east and 40 feet south of the northwest section corner; thence north 10 feet to the beginning.

And, on page 3, after line 6, to insert:

The above-described 2 parcels contain 0.68 acre, more or less.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to grant and convey to the city of Las Vegas, Nev., without consideration, and subject to such conditions as the Secretary may deem necessary, perpetual easements for road widening purposes in two small strips of land in the city of Las Vegas, Nev., owned by the United States (under the jurisdiction of the Fish and Wildlife Service, Department of the Interior), described as follows:

PARCEL NUMBERED 1

The east 45 feet of the west 75 feet of the north 507 feet of northwest quarter of the northwest quarter of section 30, township 20 south, range 61 east, Mount Diablo meridian; save and except the north 40 feet thereof.

PARCEL NUMBERED 2

A strip of land 10 feet wide in the northwest quarter northwest quarter of said section 30 having for its beginning corner a point 30 feet east and 30 feet south of the northwest corner of said section; thence north 89 degrees 23 minutes 45 seconds east with a line 30 feet south of and parallel with the north line of said section a distance of 869.42 feet (approximately) to the east line of the aforesaid land of the United States; thence south 13 degrees 41 minutes west 10.32 feet (approximately) to the southeast corner of said 10-foot strip herein described; thence south 89 degrees 23 minutes 45 seconds west with a line 40 feet south of and parallel with the north section line 866.87 feet (approximately) to a point 30 feet east and 40 feet south of the northwest section corner; thence north 10 feet to the beginning.

The above-described two parcels contain 0.68 acre, more or less.

Mr. MORSE. Mr. President, this bill would authorize the Secretary of the Interior to convey to Las Vegas, without consideration, perpetual easements for road widening purposes. The land consists of approximately one-half acre.

The land in question was granted to the United States by the city in 1937, without consideration, for use by the Fish and Wildlife Service.

The report—No. 579—says the United States has no need for the one-half acre, and that the highway improvement would be beneficial to the Fish and Wildlife Service.

In view of the original gratuitous conveyance to the United States, the lack of need for the one-half acre by the Federal Government, and the benefit to the Fish and Wildlife Service through the highway improvement, it appears no violation of the Morse formula is involved.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DEVELOPMENT OF COAL ON THE PUBLIC DOMAIN

The bill (S. 2069) to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, at the beginning of line 3, to insert "after public hearing"; in the same line, after the word "that", to strike out "(1)"; and, in the same line, after the word "is", to insert "in the public interest and"; in line 4, after the word "necessary", to strike out "to enable" and insert "for"; at the beginning of line 5, to insert "in order"; and, in the same line, after the word "economically", to strike out "or (2) such person, association, or corporation is carrying on mining operations—including developments in furtherance or incidental thereto—under any such lease in such State or is commencing such operations, may permit such person, association, or corporation to take or hold coal leases or permits for an additional aggregate of ten thousand two hundred and forty acres in such State." and insert "may, under such regulations as he may prescribe, permit such person, association, or corporation to hold additional coal leases or permits in multiples of forty acres each not to exceed a total of five thousand one hundred and twenty acres in such State.", and after line 16, to insert:

SEC. 2. Subsection (c) of section 2 of such act of February 25, 1920, as amended (30 U. S. C. 202), is repealed.

So as to make the bill read:

Be it enacted, etc., That section 27 of the act of February 25, 1920, as amended (41 Stat. 448, 30 U. S. C. 184), is further amended by deleting from the first sentence thereof the words "coal or" and "for each of said minerals," and inserting at the beginning of said section the following:

"No person, association, or corporation, except as herein provided, shall take or hold coal leases or permits during the life of such lease in any one State, exceeding in the aggregate acreage 10,240 acres, except that the Secretary of the Interior, where he finds, after public hearing, that it is in the public interest and necessary for a person, association, or corporation in order to carry on business economically, may, under such regulations as he may prescribe, permit such person, association, or corporation to hold additional coal leases or permits in multiples of 40 acres each not to exceed a total of 5,120 acres in such State."

SEC. 2. Subsection (c) of section 2 of such act of February 25, 1920, as amended (30 U. S. C. 202), is repealed.

Mr. BARRETT. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement in explanation of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BARRETT

The bill, S. 2069, was introduced by my colleague, Senator O'MAHONEY, and myself. The bill has two objectives: (1) to increase the maximum acreage which may be held under a coal lease or permit under the Mineral Leasing Act from 5,120 acres to 10,240 acres, with a provision that after public hearing and upon proper showing, the Secretary of the Interior in his discretion may grant an additional lease of not to exceed 5,120 acres, and (2) to repeal the provisions of section 2 (c) of the Mineral Leasing Act which requires that a railroad company can use coal produced under a Federal lease solely for the operation of its railroad.

The Secretary of the Interior submitted a favorable report on the bill. The Bureau of the Budget concurred in the views expressed by the Secretary and reported that it had no objection to the enactment of the bill. The bill was reported unanimously by our Senate Interior Committee. Many witnesses appeared at the hearing before the committee in support of the bill and no one appeared in opposition thereto.

Wyoming is blessed with an abundance of coal. Coal deposits have been found in every county in Wyoming. The Federal Government owns the coal under 70 percent of the area of our State. The Federal lands are estimated to contain 84 billion tons of coal. Coal is one of Wyoming's greatest natural resources. In 1940 there were 126 commercial and 11 captive, making a total of 137 coal mines in operation in our State. In 1956 only 20 commercial and 4 captive, making a total of 24 mines in operation. The average number of men employed in coal mining in Wyoming has decreased from 4,321 in 1940 to 1,016 in 1956.

If this bill is passed we have every reason to believe that several large power installations will be constructed at different points in our State that will use and develop our coal resources and give employment to many of our people.

Secretary Seaton in his favorable report on the bill stated the case in this fashion: "An increase in the maximum acreage which may be held under a coal lease or permit now appears necessary if the Federal Government is to permit the more complete utilization of

low and medium grade coal deposits under the more modern methods of mechanized mining. • • • There are in the Western States extensive coal deposits amenable to strip mining which could provide a low-cost source of coal supply and could be utilized for power production to firm up hydroelectric power. Thus, an increase in acreage limitation would tend to provide energy sources which are demanded by our expanding economy and would be in the national interest."

The bill will make it possible for widespread development of our coal resources and the conversion of the coal into low-cost power to meet the expanding industrial needs of Wyoming. In addition, the bill will enable the Union Pacific Railroad Co. to expand its present coal mining business under its proposed dual operation of extracting synthetic fuels and tars and using the char for the purpose of generating electric power and thereafter using the power to process iron ore from its tremendous iron ore holdings at Iron Mountain, northwest of Cheyenne, Wyo.

The coal reserves of Wyoming have been estimated at 121 billion tons, of which 13 billion tons is butuminous coal and 108 is sub-bituminous coal. This bill will, in my judgment, make possible a revival of the coal mining industry in our State.

I am confident that not only Wyoming but many other western coal states will be benefited by this legislation and that the bill will add materially to the economic growth and development of all of the mountain West.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL CROP INSURANCE ACT

The bill (H. R. 632) to amend the Federal Crop Insurance Act, as amended, was considered, ordered to a third reading, read the third time, and passed.

Mr. ELLENDER subsequently said: Mr. President, I ask unanimous consent that a statement in explanation of H. R. 632 be printed in the RECORD at the point in the RECORD where the bill was passed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ELLENDER

This bill would authorize the Federal Crop Insurance Corporation to reinsure crop insurance issued by the Commonwealth of Puerto Rico. Such reinsurance would be provided only under terms and conditions consistent with sound reinsurance principles, and then only if private reinsurance should become unavailable. The bill's purpose is to provide a safeguard for the Puerto Rican coffee crop insurance program, if private reinsurance contracts should suddenly be terminated; and no cost to the Government is contemplated.

AMENDMENT OF SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The Senate proceeded to consider the bill (H. R. 1045) to amend the Soil Conservation and Domestic Allotment Act, as amended, which had been reported from the Committee on Agriculture with an amendment to strike out all after the enacting clause and insert:

That section 8 of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h), is amended by striking out of subsection (a) "January 1, 1959" and "December 31, 1958", wherever they appear therein, and inserting in lieu thereof "January 1, 1963" and "December 31, 1962", respectively.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. ELLENDER subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD at the point where H. R. 1045 was passed, a statement in explanation of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ELLENDER

This bill would extend the Secretary of Agriculture's authority to administer the agricultural conservation payment program pending the approval of State plans. When the program was authorized in 1936, it was contemplated that it would be carried out by the States with the aid of Federal grants. In order to give the States an opportunity to pass authorizing legislation and submit appropriate plans, the Secretary of Agriculture was given authority to administer the program for 2 years. The Secretary's authority has since been extended from time to time, and the latest extension is effective until December 31, 1958. Only 24 States now have authorizing legislation and it is not likely that the States will assume administration of the program in the near future, although the bill still provides for State administration.

As passed by the House, the bill would have extended the Secretary's authority indefinitely, so long as State plans are not approved. The Senate Commitee on Agriculture and Forestry has recommended that the bill be extended only for 4 years, until December 31, 1962, provided, of course, that State plans are not approved in the meantime. The committee felt that this program is one for which the authorizing legislation should be reviewed by Congress from time to time, and the committee substitute consequently would limit the extension to 4 years.

The PRESIDING OFFICER. That concludes the call of the calendar.

STATUS OF APPROPRIATION BILLS AS OF JULY 8, 1957

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry. The——

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. What is the pending business?

The PRESIDING OFFICER. The pending business is the Niagara power bill.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement relative to the status of appropriation bills as of July 8, 1957.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Status of appropriation bills as of July 8, 1957

Bill	Subcommittee chairman	Passed House	Status
2d urgent deficiency, 1957	Hayden	Apr. 15	Passed Senate Apr. 16, approved Apr. 16, Public Law 15.
Additional deficiency, 1957	do	Apr. 17	Passed Senate Apr. 18, approved Apr. 20, Public Law 19.
Treasury-Post Office	Robertson	Feb. 20	Passed Senate May 13, approved May 28, Public Law 37.
General Government matters	Magnuson	Mar. 13	Passed Senate May 22, approved June 5, Public Law 48.
State-Justice-Judiciary-USIA	Johnson	Apr. 17	Passed Senate May 15, approved June 11, Public Law 49.
Commerce	Holland	Apr. 9	Passed Senate May 17, approved June 13, Public Law 52.
3d supplemental, 1957	Hayden	May 7	Passed Senate May 20, approved June 21, Public Law 58.
District of Columbia	Pastore	Apr. 8	Passed Senate June 11, approved June 27, Public Law 61.
Labor-Health, Education, and Welfare	Hill	Apr. 4	Passed Senate June 12, approved June 29, Public Law 67.
Independent offices	Magnuson	Mar. 20	Passed Senate June 12, approved June 29, Public Law 69.
Legislative	Stennis	May 23	Passed Senate June 27, approved July 1, Public Law 75.
Interior	Hayden	Feb. 26	Passed Senate June 24, approved July 1, Public Law 77.
Agriculture	Russell	May 15	Passed Senate June 12; conference report to be filed July 8.
Defense	Chavez	May 29	Passed Senate July 2, conference, week of July 8.
Public works	Ellender	June 19	Subcommittee markup July 9.
Mutual security	Hayden		House holding hearings; Senate hearings, week of July 15.
Supplemental, 1958	Full committee		

Mr. JOHNSON of Texas. Mr. President, the statement shows that the Senate has acted on 14 of the 17 appropriation bills, and that 12 of them have been sent to the President. The agricultural and defense appropriation bills are still to be acted on in conference. The public works appropriation bill, which passed the House on June 19, will be marked up tomorrow. The mutual security appropriation bill has not been acted upon, because the House has not acted on the authorization bill, although the Senate passed the authorization bill some time ago.

Of course we shall also have to consider the final supplemental appropriation bill, which has not been submitted as yet.

The PRESIDING OFFICER. What is the pleasure of the Senate?

SENATE LEGISLATIVE ACTIVITY THROUGH JUNE 30, 1957

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement on the legislative activity of the Senate for the 1st sessions of the 80th through the 85th Congress. I may say that I shall bring the table up to date after the call of the calendar today.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Senate legislative activity through June 30

	80th Cong., 1st sess.	81st Cong., 1st sess.	82d Cong., 1st sess.	83d Cong., 1st sess.	84th Cong., 1st sess.	85th Cong., 1st sess.
Days in session	106	109	101	98	84	87
Hours	575:12	644:29	545:36	542:55	414:38	477:29
Total measures passed by Senate	391	522	485	419	700	546
Senate bills	140	205	186	184	346	301
House bills	128	101	161	113	239	85
Senate joint resolutions	29	16	9	15	15	14
House joint resolutions	21	18	12	8	10	22
Senate concurrent resolutions	5	22	16	13	16	17
House concurrent resolutions	9	10	10	10	8	17
Senate resolutions	59	60	91	76	66	90
Public laws	145	154	69	100	111	74
Confirmations	25, 627	47, 865	21, 141	21, 309	36, 745	30, 179

Mr. JOHNSON of Texas. The table shows that in the first session of the 80th Congress the Senate was in session 575 hours and that it passed 391 measures. In the first session of the 81st Congress it was in session 644 hours and passed 522 bills. In the first session of the 82d Congress the Senate was in session 545 hours and passed 485 measures. In the first session of the 83d Congress the Senate was in session 542 hours, and passed 419 measures. In the first session of the 84th Congress it was in session 414 hours and passed 700 measures. In the first session of the 85th Congress the Senate has been in session 477 hours and has passed 546 measures.

Thus far this session we have passed, as of today, 64 public laws, the last one being signed on July 3.

I might add that the Senate has also confirmed 30,179 nominations thus far this year.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I am informed that at 2 o'clock the distinguished minority leader will make a motion. It is my information, which I have obtained from Members of the Senate, as agents of the Senate, that the minority leader and other Members of the Senate, after the motion is made, will object to proceeding to the consideration of any other proposed legislation except such as may be of an extreme emergency nature, or legislation that all Members of the Senate can agree should be acted upon by unanimous consent.

I should like to inform all my colleagues that the minority leader, in his usual gracious and courteous manner, has told me that, after he makes the motion he is expected to make, except for emergency measures or for unanimous-consent measures, he and those who support him will resist any motion to proceed to other business or any request to proceed to the consideration of other business except by unanimous consent in connection with a measure of an urgent and emergency nature.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. MANSFIELD. Can the majority leader tell us if a long session is anticipated today?

Mr. JOHNSON of Texas. It is expected that the Senate will remain in session through the afternoon and into the evening. I would not want to foreclose any Senator who is ready to speak and desires to speak today from doing so. I want to be considerate and rational about the procedure. I do not want to tie myself to any definite hour; but it would be my suggestion that the Senate try to operate as it usually does and remain in session until 6, 6:30, or 7 o'clock. I hope that will meet with the approval of the other Members of the Senate. This is merely the view of the Senator from Texas. I think the minority leader concurs in it.

Mr. KNOWLAND. Yes.

Mr. KERR. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. KERR. Is the Senator from Oklahoma correct in his understanding that S. 2406 is the pending business?

Mr. JOHNSON of Texas. Is that the Niagara power bill?

Mr. KERR. That is the bill which authorizes the construction of certain works and improvements in the Niagara River for power and other purposes.

Mr. JOHNSON of Texas. That is the pending business, and will be, I think, for some time. I would not want to calculate just how long it will be the pending business, but it is now.

Mr. KERR. Has the distinguished majority leader given consideration to a unanimous consent request for limited debate on that bill and then to the consideration of its passage?

Mr. JOHNSON of Texas. I have not. I do not think the Senate could pass it in the next 7 minutes. I think in 7 minutes we shall be confronted with another motion which will occupy the attention of the Senate for some time.

Mr. KERR. I may say to the distinguished Senator from Texas and to the other Members of the Senate that, in my judgment, a most critical situation has arisen because of the water washing out the foundation of the powerplant at Niagara and tumbling it into the river.

The Committee on Public Works spent days—in fact, months—in drafting a bill which is in the form of a very justifiable compromise, in the opinion of the Senator from Oklahoma. In view of the extreme emergency which exists at that location, as it affects the people and the cities in that area, I urge upon the distinguished majority leader the consideration of a unanimous consent request which will enable the Senate, in a relatively short time, in my judgment, to act on and dispose of the bill before it gets behind what might be an interminable logjam.

Mr. JOHNSON of Texas. I may state that I am in hearty agreement with the statement of the Senator from Oklahoma. I favor the bill. I think it is a very desirable proposal. The distinguished Governor of New York has discussed it with the majority leader on several occasions. I am very happy to know that the Senator from Oklahoma has thoroughly considered the bill, and that the committee has reported it. It will be the purpose of the majority leader to bring the bill to the attention of the Senate at the earliest possible date, although I must say, for the information of all Senators, that I have been informed that after the motion is made at 2 o'clock, unless unanimous consent can be obtained, no other bill, unless it is of an emergency nature, will be acted upon. I do not think the bill to which the Senator from Oklahoma refers will receive unanimous consent.

Mr. KERR. I shall make one more brief comment. In the opinion of the Senator from Oklahoma and of the Committee on Public Works, there are two bills on the calendar which are of an emergency nature. One has to do with the authorization of the Power Authority of the State of New York to construct and continue in operation the power project at Niagara. The other bill enables the Tennessee Valley Authority Board of Directors to issue self-liquidating revenue bonds to meet the absolute necessity for expanding facilities in the present service area of the Tennessee Valley Authority.

Both bills are regarded as being of an extreme emergency in the areas which they affect. I urge upon Senators who will determine the course of action of the Senate their very serious and equitable consideration of the emergency nature of both the Niagara bill and the Tennessee Valley Authority bill, because I feel that if Senators will give them the consideration to which their emergency status entitles them, arrangements will be made for their consideration and action upon them by the Senate.

Mr. JOHNSON of Texas. I deeply appreciate the suggestion of my able friend from Oklahoma. The majority leader will explore the matter with the minority leader and other Senators interested in the proposed legislation. I am deeply interested in early action on both bills. I consider them to be meritorious measures. The Committee on Public Works has been very diligent and very considerate. I applaud them for reporting the two bills. I am certain the Senate, before it adjourns sine die, will want to take action upon both of them. However, I do

not have much hope that agreements can be obtained to pass upon the bills during the consideration of the civil rights question. But when the civil rights matter has been concluded, I shall be glad to see if it will not be possible for the Senate to pass both the bills to which the Senator from Oklahoma has referred. If they can be brought up by unanimous consent, I will so notify the Senator from Oklahoma.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. O'MAHONEY. On July 1 I had the honor to report from the Committee on the Judiciary a bill to amend chapter 223 of title 18 of the United States Code, to provide for the production of statements and reports of witnesses. The measure was regarded by the Committee on the Judiciary as a measure of an emergency nature, because its purpose is to do away with certain confusion and misinterpretations of the decision of the Supreme Court in the Jencks case.

The Department of Justice has found itself obliged to forego the prosecution of narcotics law offenders of a very grievous character because the courts, the newspapers, and the commentators on television and radio have not clearly understood the meaning of that decision.

As I stated at the hearing on the bill, the Supreme Court is not regarded as being on trial; but the Jencks case decision contained language that led to a misinterpretation and to confusion. The committee sought to correct that. Several amendments to the bill were offered, one by the distinguished Senator from Ohio [Mr. BRICKER], and one by the distinguished Senator from Oregon [Mr. MORSE]. Other Members of the Senate have spoken to me about those amendments and about other defects in the bill.

I want the Senate to understand that we have been authorized by the subcommittee which was given the authority by the full committee to make adjustments with respect to the amendments that have been suggested. An amendment will be offered to protect the right of discovery, a right which is, of course, recognized by the rules of procedure.

An amendment will be offered which, it is believed, will combine the objectives of both the amendments of the Senator from Oregon and the Senator from Ohio. In other words, we believe that the work covered by the bill can be done, and we believe it is of an emergency nature. I spoke to the distinguished minority leader about it this morning, and my understanding is that by motion that bill can be brought up.

Mr. JOHNSON of Texas. Any bill can be brought up on motion if a majority of the Senate votes to bring it up. But I seriously doubt that any bill will be brought up after the Senator from California has made his motion, unless it meets the standards which we have been discussing. Obviously it cannot be brought up now, during the morning hour.

Mr. O'MAHONEY. No, it cannot.

Mr. JOHNSON of Texas. As in the case of some of the other important measures which have been mentioned, I am sure the Senate will wish to consider all of them prior to sine die adjournment.

Mr. O'MAHONEY. But is the Senator willing to say now that the emergency nature of this measure is such that a motion to take it up will be received?

Mr. JOHNSON of Texas. I will say that it will be, but I do not think the time can be determined at this moment.

Mr. O'MAHONEY subsequently said: Mr. President, during the morning hour I engaged in a colloquy with respect to a measure reported by me from the Judiciary Committee, namely, S. 2377, to amend chapter 223 of title 18 of the United States Code to provide for the production of statements and reports of witnesses. This is the bill which was introduced for the purpose of clarifying some misunderstandings of the ruling handed down by the Supreme Court in the Jencks case.

I was hoping this measure could be passed before the civil-rights bill became the pending business of the Senate, but it was stated to me by the leadership this morning, during the colloquy, that it seemed to be impossible to expect that at this time. I announced that the Senator from Illinois [Mr. DIRKSEN] and I, being members of the subcommittee, had worked out amendments which we felt had met the objections of the Senator from Ohio [Mr. BRICKER] and the Senator from Oregon [Mr. MORSE], both of whom had presented amendments from the floor, and that it also did away with the fears of some of those who thought perhaps the right of discovery would be impaired by such legislation.

In order to make it clear that is not the case, I ask unanimous consent to have printed in the RECORD, as well as to have printed and lie on the table, certain amendments which accomplish the results I have mentioned, and which I shall propose when the occasion arises. I am sending forth two copies of each amendment, one to go to the Government Printing Office for printing as amendments, and one to appear in the body of the RECORD at the close of the colloquy this morning with the Senators from Texas and California, so that those who read the RECORD tomorrow may understand what is being done.

The PRESIDING OFFICER. Without objection, the amendments will be received, printed, printed in the RECORD, and lie on the table.

The amendments intended to be proposed by Mr. O'MAHONEY to Senate bill 2377 are as follows:

On page 1, lines 8 and 9, strike the words "any rule of court or procedure to the contrary notwithstanding."

On page 1, beginning in line 9, strike the words "any prospective witness or person other than a defendant" and insert in lieu thereof "a prospective witness."

On page 2, beginning in line 2, strike the words "paragraph (b) of this section" and insert in lieu thereof "the Federal Rules of Criminal Procedure, or as provided in paragraph (b) of this section."

On page 2, beginning in line 6, strike the words "the inspection of the court in camera" and insert in lieu thereof "delivery directly to the defendant, for use in cross-examination, any relevant portions of."

On page 2, beginning in line 8, strike the words "are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified" and insert in lieu thereof "contain a recitation or the substance of any oral or written statement previously made by the witness which directly relate to the substance of the testimony of that witness. In the event that the United States claims that the reports or statements ordered to be delivered to the defendant contain privileged information, the disclosure of which would be prejudicial to the public interest or national security, the court shall order the United States to produce such reports or statements for the inspection of the court, in camera".

On page 2, beginning in line 11, strike the words "then determine what portions, if any, of said reports or statements relate to the subject matter as to which the witness has testified and shall direct delivery to the defendant, for use in cross-examination, such portions, if any, of said reports or statements as the court has determined relate to the subject matter as to which the witness has testified. The court shall excise from such reports and statements to be delivered to the defendant any portion thereof which the court has determined do not relate to the subject matter as to which the witness has testified," and insert in lieu thereof "excise the portions, if any, of said reports or statements which contain information not relating to the subject matter as to which the witness has testified. With such information excised, the court shall then direct delivery of such reports and statements to the defendant for use in cross-examination."

On page 2, in lines 21 and 22, strike the word "determination" and insert in lieu thereof the word "procedure".

Mr. O'MAHONEY. Mr. President, I make this additional request for unanimous consent, namely, that the text of the bill as reported be printed in the RECORD at this point, showing how it will read with these amendments adopted, so that everybody will know exactly what is proposed.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

SEC. 3500. Demands for production of statements and reports of witnesses.

(a) In any criminal prosecution brought by the United States, no statement or report of a prospective witness which is in the possession of the United States shall be the subject of subpena, discovery, or inspection, except as provided in the Federal Rules of Criminal Procedure, or as provided in paragraph (b) of this section.

(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce for delivery directly to the defendant, for use in cross-examination, any relevant portions of such reports or statements of the witness in the possession of the United States as contain a recitation or the substance of any oral or written statement previously made by the witness which directly relate to the substance of the testimony of that witness. In the event that the United States claims that the reports or statements ordered to be delivered to the defendant contain privileged information, the disclosure of which would be prejudicial to the public interest or national security, the court shall order the United States to produce such reports or statements for the inspection of the court, in camera. Upon such production, the court shall excise the portions, if any, of said reports or statements which contain information not relating to the subject matter as to which the witness has testified. With such information excised, the court shall then direct delivery of such reports and statements to the defendant for use in cross-examination. If, pursuant to such procedure, any portion of such reports or statements is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire reports or statements shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court at its request for the purpose of determining the correctness of the ruling of the trial judge.

(c) In the event that the United States elects not to comply with an order of the court under paragraph (b) thereof to deliver to the defendant any report or statement or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

(d) The analysis of such chapter is amended by adding at the end thereof the following:

"Sec. 3500. Demands for production of statements and reports of witnesses."

Mr. WILEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WILEY. I understood from the distinguished Senator he had submitted these amendments to the Senator from Oregon [Mr. MORSE], and that he had agreed to them.

Mr. O'MAHONEY. No; I have not had his agreement yet; I have talked with him. Nor have I had time to discuss them with the Senator from Ohio [Mr. BRICKER], but I want them to be available to those who may read the RECORD in the morning.

Mr. WILEY. The original bill was proposed by the Attorney General's office to us. Has the Senator submitted these amendments to the Attorney General?

Mr. O'MAHONEY. I submitted some of them to the Attorney General, and the Attorney General was not willing last week to announce what his conclusion was; but in view of the situation in which we find ourselves, I want to have the material available to everybody concerned.

Mr. WILEY. I appreciate that.

IMPLEMENTATION OF TREATY WITH THE REPUBLIC OF PANAMA

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The CHIEF CLERK. A bill (S. 1730) to implement a treaty and agreement with the Republic of Panama, and for other purposes.

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN THE NIAGARA RIVER

Mr. JOHNSON of Texas. Mr. President, I thought the Niagara bill had been taken up.

The PRESIDENT pro tempore. It was taken up by unanimous consent during the morning hour, prior to the call of the calendar.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of the Niagara power bill. If that motion is passed, I shall yield then to the Senator from New York [Mr. IVES].

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. IVES. Mr. President, reserving the right to object—and I shall not object by any means—I wish to take this opportunity to emphasize what the distinguished Senator from Oklahoma [Mr. KERR] just said about the Niagara bill. It relates to a dire emergency in the Northeast. No piece of proposed legislation which will be before the Senate during this session will be of a more emergent nature than this measure is right now. The Niagara frontier is without adequate power. Business will have to cease there in some instances. Unemployment will increase. There will be a dire situation there in a very short time unless this redevelopment is begun this year. That means that this bill must be passed, not alone by the Senate, but also by the House of Representatives.

At this time I wish to pay tribute to the great chairman of the subcommittee of the Public Works Committee, the distinguished Senator from Oklahoma [Mr. KERR], who has done such a magnificent job in getting Members together in regard to this measure.

Mr. President, I must emphasize to the two leaders of the Senate that this measure must have the right-of-way just as soon as it is possible to give it that right-of-way.

Mr. JOHNSON of Texas. Mr. President, the Senator from New York understands, I am sure, that I heartily favor the bill. I shall do what I can to have it brought to a vote in this body as soon as possible.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes.

Mr. JAVITS. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. I should like to join my colleague from New York [Mr. IVES] in the statement he has made about the emergency character of this bill. I also wish to join him in expressing our feeling that the chairman of the subcommittee, the Senator from Oklahoma [Mr. KERR], has done a really outstanding job in trying to reconcile the different points of view. I should like to make it clear—while both the majority leader and the minority leader are on their feet—that there is no doubt about the fact that by agreement between both of them, before there is a sine die adjournment, action on this bill will be taken. That statement was made by the majority leader, and I understand it was concurred in by the minority leader.

Mr. KNOWLAND. Yes, I did concur.

Mr. JOHNSON of Texas. Mr. President, I did not say the Senate will act on it; but action can be taken under the motion which I assume the Senator from California will make. I intend to bring the bill before the Senate before adjournment.

Mr. CLARK. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. CLARK. Mr. President, while I share the views which have been expressed by the Senators from New York about the hard work and infinite pains the distinguished Senator from Oklahoma has given to the Niagara power bill, there are in this body those of us who are not in accord with the committee report which has been submitted. The junior Senator from Ohio [Mr. LAUSCHE], the junior Senator from Oregon [Mr. NEUBERGER], and myself have certain amendments which we believe are in the interest of common justice for the people of Ohio and Pennsylvania. The senior Senator from Pennsylvania, who takes a third view, has an amendment which he has submitted to the bill.

Although it is important to have the bill brought up, and perhaps it is important to have the bill passed at this session, I hope we shall not be placed in a situation where our friends on the other side of the aisle will endeavor to have the bill passed by unanimous consent, because, frankly, unanimous consent will not be forthcoming unless the views of those of us on this side of the aisle regarding the bill are met to a greater extent than thus far has been the case.

Mr. JOHNSON of Texas. Mr. President, the minority leader has pointed out that he does not intend to have other proposed legislation brought before the Senate except measures of an extreme emergency nature, which can be agreed upon by unanimous consent. That is the decision of the minority leader, and, I assume, of this administration. They will have to accept the responsibility for it. I have heard today of many emergency measures. I assume that a substantial number of Members of the Senate believe that the motion about to be made by the Senator from California is of an emergency nature. The Senate will have ample opportunity to discuss the wisdom of the motion. I do not wish to cause further delay at this time.

Mr. GORE. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I yield now to my friend, the Senator from Tennessee, who has asked me to do so.

Mr. GORE. Mr. President, I wish to join the distinguished Senators from New York in the generous tribute they have paid to the very able and distinguished senior Senator from Oklahoma [Mr. KERR], who, although he lives in, and represents, a State hundreds of miles from both the Niagara River and the valley of the Tennessee, has given generously of his time and ability and has brought to substantial agreement the controverting forces on two vital pending issues. He is entitled to tribute rendered at greater length.

I wish to say, in addition, that the bill authorizing the Tennesseee Valley Authority to issue self-financing, self-liquidating revenue bonds for the provision of power in that area is of an emergency nature equal to that of the Niagara power bill.

I participated in the development of the compromise and the understanding

and in the writing and reporting of the Niagara power bill. I join wholeheartedly in the statement that it is urgent that it be considered.

But I wish to urge upon the distinguished majority leader and the distinguished minority leader the emergency character of the Tennessee Valley Authority self-financing bill, as well; and I desire to express the hope that it will be considered before the Senate adjourns.

Mr. JOHNSON of Texas. I thank the Senator from Tennessee. I assure him that I shall urge the Senate at the appropriate time to give consideration to the Tennessee Valley bill, in which he is so deeply interested. I share his great admiration for the distinguished senior Senator from Oklahoma, than whom there is no better.

Mr. MUNDT. Mr. President, will the Senator from Texas yield to me?

Mr. JOHNSON of Texas. I yield.

Mr. MUNDT. I should like to refer to the very significant statement made by the Senator from Wyoming [Mr. O'MAHONEY] about some very urgent proposed legislation. In this instance, I refer to a measure in connection with the Supreme Court's decision depriving the FBI of the power it requires if it is to continue to function to protect America against criminals and against Communists. It seems to me that in line with the responsibility of the Senate to put first things first, before the Senate enters into a prolonged debate—no matter how meritorious the subject of the debate may be—about protecting the rights of certain Americans in certain areas of the country, the Senate should consider the proposed legislation, recommended by the Judiciary Committee, in connection with the decision of the Supreme Court to which I have referred. This matter relates to protection of the rights of all Americans in every section of the country.

The Senate may engage in prolonged debate about the right of certain persons in certain areas, and perhaps corrective steps should be taken. But in the meantime, the courts of the United States continue to function; and in the meantime congressional committees continue to function, and in the meantime the Communists, crooks, kidnapers, and cheaters continue to function. I do not think the Senate can expect the parade of history to stand still while the Senate listens to prolonged debate, no matter how interesting it may be.

I urge upon our respective leaders, in their very important positions, consideration of the importance of having the Senate take up first the correction of situations growing out of the misunderstandings resulting from the recent decisions of the Supreme Court.

Mr. JOHNSON of Texas. I thank the Senator from South Dakota for his suggestion. Of course, whenever he is prepared to indicate to me that a majority of the Members of the Senate share his view, the Senator from Texas will be glad to join with him. However, the Senator from Texas is aware of the practical situation which exists; and the minority leader has given notice of his desire to make a motion, and he has now been delayed approximately 10 minutes in making it.

I shall certainly seriously consider the suggestion the Senator from South Dakota has made and any other suggestions made by any other of my colleagues concerning measures of an emergency nature. I can assure all of them that the majority leader will look with sympathy upon early action upon these measures.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I shall be glad to yield to the Senator from Tennessee.

Mr. KEFAUVER. I appreciate that. Is the Senator withholding his motion?

Mr. KNOWLAND. Yes.

Mr. KEFAUVER. I had understood the tentative order of business to be recommended by the majority leader was the Niagara bill and then the self-financing bill for the TVA, which the Public Works Committee, under the chairmanship of the subcommittee headed by the Senator from Oklahoma [Mr. KERR], has worked out so well.

Mr. JOHNSON of Texas. I will say to the Senator the majority leader did not make that statement. It is the intention of the majority leader to urge the policy committee, and, if they act favorably, in turn the Senate, to act on the TVA bill at the earliest possible date. The committee has previously considered the Niagara bill. I hope the two of them may come along together at the appropriate time.

Mr. KNOWLAND. Mr. President——

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. CHAVEZ. Mr. President, the Niagara bill and the Tennessee Valley funding bill were reported by the Public Works Committee. I appreciate the importance of the bill that is now about to come under consideration, but I feel the Senate could do more for the country by passing the Niagara bill and the Tennessee Valley funding bill than it could by passing the bill about to come under consideration. That is only an opinion. I have my own views about the measure to be brought before the Senate. I hope both the majority leader and the minority leader will let the American people get the benefits of the Niagara bill and the Tennessee Valley funding bill.

Mr. JOHNSON of Texas. So far as the majority leader is concerned, he is prepared to proceed to the consideration of the Niagara bill and get the earliest possible decision on it. Every Senator can determine, by a vote on the motion of the Senator from California, what he desires to do.

Mr. CHAVEZ. I am trying to appeal to the reasonableness of the majority leader and the minority leader.

Mr. JOHNSON of Texas. This is no longer a question for the majority leader and the minority leader to determine. It is a question for the Senate to determine.

Mr. CHAVEZ. I know how I am going to vote. [Laughter.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAHON, Mr. SHEPPARD, Mr. SIKES, Mr. NORRELL, Mr. WHITTEN, Mr. ANDREWS, Mr. RILEY, Mr. FLOOD, Mr. CANNON, Mr. WIGGLESWORTH, Mr. SCRIVNER, Mr. FORD, Mr. MILLER of Maryland, Mr. OSTERTAG, and Mr. TABER were appointed managers on the part of the House at the conference.

CIVIL RIGHTS

Mr. KNOWLAND. Mr. President, the motion I am about to make is to enable the Senate of the United States to perform its legislative function to consider, debate, and vote upon such amendments as may be offered and upon H. R. 6127, otherwise known as the civil-rights bill.

I ask unanimous consent to have printed as a part of my remarks a copy of the bill at this point in the RECORD.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. Yes.

Mr. RUSSELL. Did the Senator ask to have printed the bill which was messaged over from the House?

Mr. KNOWLAND. A star print of the bill.

Mr. RUSSELL. I shall not object to having it printed in the RECORD, but the bill the Senator has offered for printing in the RECORD is not the bill which has been read twice before the Senate. It is a different text. I am sure the Senator will concede it is a different text.

Mr. KNOWLAND. I will say I have been informed that in sending over to the Senate the original bill an error was made in the print. The print has been corrected, as is the customary practice under procedures of this kind, and a star print is available to all Senators.

Mr. RUSSELL. If the Senator will indulge me, a star print may be available, but the point I wish to make, and it will become more important as time goes on, is that the bill which the Senator from California requested to have printed in the RECORD is not the bill which was read twice and placed on the calendar. It is a different bill. At the proper time that matter will be developed. I am glad the Senator, with his characteristic fairness, has admitted the bill to which he refers as the star print is not the bill which was sent to the Senate, read twice, and placed on the calendar.

Mr. KNOWLAND. At the proper time, this whole discussion can take place. It is the bill as passed by the House of Representatives. The star print shows the bill as passed by the House.

Mr. RUSSELL. Will the Senator indulge me for one more question?

Mr. KNOWLAND. Yes.

Mr. RUSSELL. Does the Senator know who prepared the star print? How did it come into being? I am referring to the bill messaged over from the House. Where did the star print come from?

Mr. KNOWLAND. I assume it was prepared under the normal procedures in the House. In the enrolling process in the House, when the error in the original print was discovered, it was corrected.

There being no objection, the star print of H. R. 6127 was ordered to be printed in the RECORD, as follows:

PART I—ESTABLISHMENT OF THE COMMISSION ON CIVIL RIGHTS

SEC. 101. (a) There is created in the executive branch of the Government a Commission on Civil Rights (hereinafter called the "Commission").

(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

(c) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner, and subject to the same limitation with respect to party affiliations as the original appointment was made.

(e) Four members of the Commission shall constitute a quorum.

Rules of procedure of the Commission

SEC. 102. (a) The Chairman or one designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

(c) Witnesses at the hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such person to subpena additional witnesses.

(f) Except as provided in sections 102 and 105 (f) of this act, the Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than 1 year.

(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge of the pertinency of testimony and evidence adduced at its hearings.

(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Commission.

(j) A witness attending any session of the Commission shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereof.

(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the State, wherein the witness is found or resides or transacts business.

Compensation of members of the Commission

SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $50 per day for each day spent in the work of the Commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

(b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

Duties of the Commission

SEC. 104. (a) The Commission shall—

(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based.

(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

(b) The Commission shall submit interim reports to the President at such times as either the Commission or the President shall deem desirable, and shall submit to the President a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of the enactment of this act.

(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

Powers of the Commission

SEC. 105. (a) Within the limitations of its appropriations, the Commission may appoint a full-time staff director and such other personnel as it deems advisable, in accordance with the civil service and classification laws, and may procure services as authorized by section 15 of the act of August 2, 1946 (60 Stat. 810; 5 U. S. C. 55a), but at rates for individuals not in excess of $50 per diem.

(b) The Commission may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission (or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12). Not more than 15 persons as authorized by this subsection shall be utilized at any one time.

(c) The Commission may constitute such advisory committees and may consult with governors, attorneys general, and other representatives of State and local governments, and private organizations, as it deems advisable.

(d) Members of the Commission, voluntary and uncompensated personnel whose services are accepted pursuant to subsection (b) of this section, and members of advisory committees constituted pursuant to subsection (c) of this section, shall be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U. S. C. 99).

(e) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

(f) The Commission, or on the authorization of the Commission any subcommittee of 2 or more members, at least 1 of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman.

(g) In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Appropriations

SEC. 106. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this act.

PART II—TO PROVIDE FOR AN ADDITIONAL ASSISTANT ATTORNEY GENERAL

SEC. 111. There shall be in the Department of Justice one additional Assistant Attorney General, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall assist the Attorney General in the performance of his duties, and who shall receive compensation at the rate prescribed by law for other Assistant Attorneys General.

PART III—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "Fourth" and "Fifth" and to read as follows:

"Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise

to a cause of action pursuant to paragraphs First, Second, or Third, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 122. Section 1343 of title 28, United States Code, is amended as follows:

(a) Amend the catchline of said section to read, "§ 1343. Civil rights and elective franchise."

(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

(c) Add a paragraph as follows:

"(4) To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote."

PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

(a) Amend the catchline of said section to read, "Voting rights."

(b) Designate its present text with the subsection symbol "(a)."

(c) Add, immediately following the present text, three new subsections to read as follows:

"(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates, or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

"(e) Provided, that any person cited for an alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial or hearing, as is usually granted to compel witnesses to appear on behalf of the prosecution. If such person shall be found by the court to be financially unable to provide for such counsel, it shall be the duty of the court to provide such counsel."

SEC. 141. This act may be cited as the "Civil Rights Act of 1957."

Mr. KNOWLAND. I hope that within this week the Senate of the United States will be allowed to vote on the motion to proceed to the consideration of this important bill.

I feel certain that the Members of this body are both reasonable and fair. If the opponents of the proposed legislation will argue the merits of their case on the bill itself and on the amendments when the bill is before the Senate, they will find that we who favor the Senate's functioning as a legislative body will not be unfair in our judgments or unreasonable in our actions.

The mere fact that a majority may favor bringing this bill up for consideration will not cause us to depart from a procedure of parliamentary conduct that we would consider fair and equitable if applied to us if we were in the minority on this or any similar measure.

Again I appeal to my colleagues to permit the Senate as a part of a coordinate branch of the Government of the United States, to function under section 1, article I of the Constitution, which reads as follows:

All legislative power herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Mr. President, I move that the Senate now proceed to the consideration of Calendar No. 485, H. R. 6127.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from California.

Mr. DOUGLAS. Mr. President, what the Senator from California has moved is merely that the Senate proceed to consider the civil rights bill. He is not, at this time, moving its passage. He is simply trying to bring the issue up before the Senate, so that we may then have the chance to discuss and to vote on it.

If the motion of the Senator from California prevails, then, and only then, will it be germane for us to debate the merits of the bill itself and to consider such amendments as may be proposed. But for the present, all that is before us is that we take a prior step and clear the decks so that we can thereafter consider the all-important question of civil rights.

This very simple parliamentary fact creates two guides for action. First, that to filibuster against such a preliminary step as deciding that we will later consider the bill would be a purely negative and obstructive act. The second consequence is equally clear. Until this motion is adopted, it is inappropriate and premature to discuss at any length either the merits of the bill or to consider any amendments thereto. All this will properly come later. But for the moment, all we are contending for is the right of the Senate to take the earlier step, which is logically prior to the discussion of amendments.

Let this immediate issue be crystal clear, and let it be not confused by a deluge of words and a multitude of false leads. It should not need any argument on our part.

Since the motives of those who are supporting this proposed legislation have, however, been called into question, it may be proper if we briefly restate our purpose. What we are trying to do is to make effective in actual life the constitutional rights of all citizens—regardless of race and color—primarily the right to vote. As we all know, this right is guaranteed by the 15th amendment in the following words:

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

The Congress shall have the power to enforce this article by appropriate legislation.

Not only does Congress have the power, but it also has the duty to protect this right to vote against interference by State officials under not only the 15th but also the "equal protection of the laws" clause of the 14th amendment.

Furthermore, the Supreme Court has held (*U. S. v. Classic* (313 U. S. 299)) that this right to vote in Federal elections is also guaranteed by article I, section 2 of the Constitution, and can be protected by the Federal Government against infringement by individuals as well as by State or local bodies.

All of us know—and this knowledge is supported by statistics and press accounts—that the right to vote is denied to vast numbers of Negroes, particularly in those areas where they are found in large numbers, namely the Southern States. Frequently, this is done by legal and procedural subterfuge, often by social pressure, sometimes by economic pressure, and—upon occasion—by outright coercion. The net effect of all these methods is the practical disenfranchisement of the vast proportion of potential Negro voters of the South.

We believe this to be a denial not only of constitutional rights, but also of the principles of true religion and of the ideals upon which our Republic was founded. We seek to realize those ideals not by criminal prosecutions after the fact, but by the preventive use of injunctions to prevent such abuses from occurring. All that is asked is that officials and citizens should conform to the law and to the Constitution. If this is done, nothing else need follow, since our aim is prevention, not punishment.

We are concentrating our efforts upon making the right to vote effective, because if this right is guaranteed then many other abuses which are now practiced upon the disenfranchised will be self-correcting. Once the Negroes vote in any appreciable proportion, "race baiting" by politicians for electoral advantage will largely cease. It will do so for the simple reason that it will not pay. Similarly, inequalities in health and educational opportunities will be lessened. In short, once a group possesses political rights, the competition of candidates and parties will provide a lever for improvement.

And all this will take place through the democratic process and will be a peaceful and reconciling alternative to the pattern of suppression and violence, prosecution, and punishment.

In the 18th century, it was an inspired group of southerners—Jefferson, Madison, and George Mason—who caused the new Republic to emphasize the right of all men to pursue happiness and to be guaranteed the protection of the laws. While those ideals were imperfectly realized at the time, they were held out as a goal which we might increasingly approach. These ideals have spread around the world and constitute America's noblest contribution to the thought and practice of mankind. Now in the 20th century, we have the chance to help our beloved country to take a further step forward. In so doing, we will be living up to the better standards of our Nation and will help to make the face of our country shine more gloriously in the sight of men everywhere.

This morning in preparation for this session, I read some passages from Albert Schweitzer, and I was struck with these remarks which I hope Senators will permit me to quote:

Once it was considered folly to assume that men of color were really men and ought to be treated as such, but the folly has become an accepted fact. * * * All the principles, dispositions, and ideals which make their appearance amongst us we measure, in their showy pedantry, with a rule on which the measures are given by the absolute ethic of reverence for life. We allow currency only to what is consistent with the claims of humanity. We bring into honor again regard for life and for the happiness of the individual. Sacred human rights we again hold high, not those which political rulers exalt at banquets and tread underfoot in their actions, but the true ones. We call once more for justice, not that which purblind authorities have elaborated in a legal scholasticism nor that about which demagogs of all shades of color shout themselves hoarse, but that which is filled to the full with the value of each human existence. The foundation of law and right is humanity.

It is for those ends that we struggle. It is by that spirit that we shall try to be guided.

Mr. RUSSELL. Mr. President, I feel that it is appropriate that I make a brief observation relative to the two statements which have been made by those on both sides of the aisle who are most active in pressing the consideration of the proposed legislation known as the civil-rights bill.

The Senator from California [Mr. KNOWLAND] has appealed to the Senate to act with a sense of responsibility. I wish to say, Mr. President, that those of us who are unfaltering in our opposition to this measure have acted as men of responsibility since the session of Congress convened in January. We have worked from day to day on a legislative program brought forth by the present administration. Many of us serve as chairmen of important committees. We have expedited the consideration of that proposed legislation, and the record will show that in many—indeed, in most—instances we have supported it. We have done so, Mr. President, with the sword dangling over our heads by a thin hair every day the Senate has been in session, and we have not been unaware of that fact.

We have felt the urge—indeed, we have heard the demand—since the very outset of the session to slow down the wheels of the Senate, to start lengthy debate on every bill, including all the appropriation bills which are brought before this body. We have lived up to a sense of responsibility, Mr. President, which I assert is as great as is shown by those who are attempting to press this bitter cup to our lips today, or greater.

I leave to the record whether we have not demeaned ourselves as men of responsibility, as men of patriotism, though we have known every waking moment of every day that this hour was being prepared for us.

Mr. President, we have tried to help. We have tried to expedite. And we have been responsible men. We do not provoke the issue which is brought into the Senate now. We do not instigate it. We did not time it.

For my part, I refuse to accept any responsibility for what ensues. Senators may talk about emergency legislation, Mr. President—and there is a great deal of emergency legislation on the calendar. Senators may talk about situations in local areas which need to be remedied. I have great sympathy with some of those needs, and I should like to assist in remedying them.

But I speak, Mr. President, for about 40 million American citizens who are confronted with an emergency when a motion is made to bring this type of force legislation before the Senate, and it is said:

"Like it or not, we are going to compel the people of the South to take it, by the most unusual judicial procedures ever devised. If that does not suffice, we will bring the Army and the Navy in and occupy your peaceful land."

That is the real emergency in this country today, Mr. President. I say again that we assume no responsibility for what ensues. We did not provoke or bring this issue forward. We shall be reasonable men in the course of this debate, insofar as we are permitted to be reasonable. We are lectured here today and told that it is highly inappropriate to urge one word on the merits of the proposed legislation in connection with the pending motion to proceed to its consideration. That is followed by a lengthy debate on the merits of the bill by the same Senator as a reason why the bill should be enacted. Some of us know our rights. What is sauce for the goose will be sauce for the gander until this country understands the full purport of the proposed legislation.

We are trying to be reasonable men. We are embarked on a program of undertaking to explain the bill, not only to the country but to the Senate. We are justified in discussing it on its merits, at every opportunity we get to discuss it, until every Member of this body, dealing justly in the sight of his Maker, can look at himself in the mirror and say to himself in all candor, "I understand the full implications of this bill. I know what it will do; and on my responsibility, and not because of political motives, I am willing to commit myself to this course of action."

If that be an unreasonable position for us to take, the Senate must make the most of it. I deem it to be a highly reasonable position.

We are here today in an unusual position. The bill has been placed on the calendar. Even the distinguished minority leader admits that the bill which has been read twice in the Senate is not the bill which it is desired to take up. It is not the bill which he has had printed in the RECORD.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the bill which was messaged to the Senate from the House of Representatives. I invite comparison of it with the so-called star print, of dubious parentage, even after the Senator from California spoke. He said he assumed that the trouble had been straightened out in the enrolling room. So, at best, the bill is of dubious parentage; yet we are supposed to sit here, with vital threats to our people, their lives, their happiness, their peace, and their welfare, and not resist, even when we are confronted with a situation of that kind. If we did not resist, we would not be worthy to be called men.

The PRESIDENT pro tempore. Without objection, the bill may be printed in the RECORD, as requested.

(See exhibit 1.)

Mr. RUSSELL. Mr. President, we will resist. We will explain and discuss the issues which are embraced in the bill on the motion to take up the bill until we are convinced that each and every Member of the Senate fully understands them in all their implications.

I did not intend to say anything here today, but I felt called upon to make this statement. Senators may call it a filibuster if they wish. If there were a sense of fairness throughout the whole Nation, and a desire to deal justly with a great patriotic area of this land, it would not be called a filibuster at this stage of the proceedings.

We are handicapped in getting our case to the country. I shall not refer again to the fact that the great media which influence public opinion in this land—especially television—have been slanted in favor of the bill, and have not fully presented its terms. I hope that some Member on our side of the fight, on the appropriate committee, will demand an investigation to determine just where that campaign originated, and what was the motive power which caused the views of those of us who are opposing the bill to be so completely obscured by talk of its being a simple right-to-vote bill.

If it dealt with any other section of the country, if it dealt with any other issue of half this importance, an investigation would already be in progress. The South, the political whipping boy

of the Nation, receives this kind of treatment. Our opponents undertake to have us dealt with from the outset like a badgered animal. As we undertake to protect the rights of the people who honored us, who are blood of our blood and flesh of our flesh, we are placed in such a position as to make us feel like a bear chained to a pole, with a man poking a pitchfork at him all the time to make him dance. We will not do it. God give us strength that each and every one of us will acquit himself as a man, as our people expect us to do as this cause proceeds.

EXHIBIT 1

House bill 6127 as messaged to the Senate:

"Be it enacted, etc.—

"PART I—ESTABLISHMENT OF THE COMMISSION ON CIVIL RIGHTS

"SEC. 101. (a) There is created in the executive branch of the Government a Commission on Civil Rights (hereinafter called the 'Commission').

"(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

"(c) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

"(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner, and subject to the same limitation with respect to party affiliations as the original appointment was made.

"(e) Four members of the Commission shall constitute a quorum.

"Rules of procedure of the Commission

"SEC. 102. (a) The Chairman or one designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

"(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

"(c) Witnesses at the hearing may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

"(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

"(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such person to subpena additional witnesses.

"(f) Except as provided in sections 102 and 105 (f) of this act, the Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

"(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than 1 year.

"(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge for the pertinency of the testimony and evidence adduced at its hearings.

"(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Commission.

"(j) A witness attending any session of the Commission shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereon.

"(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the State wherein the witness is found or resides or transacts business.

"Compensation of members of the Commission

"SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $50 per day for each day spent in the work of the Commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

"(2) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

"Duties of the Commission

"SEC. 104. (a) The Commission shall—

"(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

"(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

"(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

"(b) The Commission shall submit interim reports to the President at such times as either the Commission or the President shall deem desirable, and shall submit to the President a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of the enactment of this act.

"(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

"Powers of the Commission

"SEC. 105. (a) Within the limitations of its appropriations, the Commission may appoint a full-time staff director and such other personnel as it deems advisable, in accordance with the civil service and classification laws, and may procure services as authorized by section 15 of the act of August 2, 1946 (60 Stat. 810; 5 U. S. C. 55a), but at rates for individuals not in excess of $50 per diem.

"(b) The Commission may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission (or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12). Not more than 15 persons as authorized by this subsection shall be utilized at any one time.

"(c) The Commission may constitute such advisory committees and may consult with governors, attorneys general, and other representatives of State and local governments, and private organizations, as it deems advisable.

"(d) Members of the Commission, voluntary and uncompensated personnel whose services are accepted pursuant to subsection (b) of this section, and members of advisory committees constituted pursuant to subsection (c) of this section, shall be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U. S. C. 99).

"(e) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

"(f) The Commission, or on the authorization of the Commission any subcommittee of two or more members, at least one of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman.

"(g) In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof: *Provided*, That any person cited for an alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial or hearing, as is usually granted to compel witnesses to appear on behalf of the prosecution. If such person shall be found by the court to be financially unable to provide for such counsel, it shall be the duty of the court to provide such counsel.

"Appropriations

"SEC. 106. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this act.

"PART II—TO PROVIDE FOR AN ADDITIONAL ASSISTANT ATTORNEY GENERAL

"SEC. 111. There shall be in the Department of Justice one additional Assistant Attorney General, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall assist the Attorney General in the performance of his duties, and who shall receive compensation at the rate prescribed by law for other Assistant Attorneys General.

"PART III—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

"SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "Fourth" and "Fifth" and to read as follows:

"'Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs First, Second, or Third, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"'Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.'

"SEC. 122. Section 1343 of title 28, United States Code, is amended as follows:

"(a) Amend the catch line of said section to read,

"'§ 1343. Civil rights and elective franchise'

"(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

"(c) Add a paragraph as follows:

"'(4) To recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote.'

"PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

"SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

"(a) Amend the catch line of said section to read, 'Voting rights.'

"(b) Designate its present text with the subsection symbol '(a).'

"(c) Add, immediately following the present text, three new subsections to read as follows:

"'(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"'(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"'(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.'

"SEC. 141. This act may be cited as the 'Civil Rights Act of 1957'."

Mr. ERVIN. Mr. President, inasmuch as I desire to complete my statement without interruption, I shall postpone yielding to other Senators until I shall have concluded my remarks.

Mr. MORSE. Mr. President, will the Senator yield on a procedural matter?

Mr. ERVIN. I will yield to the distinguished Senator from Oregon for a procedural matter, with the understanding that I shall not lose the floor by so doing.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MORSE. I shall require only half a minute, or a minute at the most.

I merely wish to serve notice as to a procedural course of action which I shall follow, giving the Senate an opportunity to follow me in it if it cares to do so.

As Senators know, I think a great parliamentary mistake was made in not sending the House civil-rights bill to the Senate Committee on the Judiciary in the first instance. We discover today that we have read twice in the Senate a bill quite different from the star-print bill. This parliamentary blunder is another illustration of how sound I think I was in my insistence as a matter of sound procedure that the House bill be referred to the Senate Committee on the Judiciary for review. It is interesting to note that many people in and out of the Senate have expressed approval of the stand I took in the Senate in opposition to putting the House bill directly on the Senate Calendar.

In order that the Senate may know of the procedural step which I intend to place before it, I have checked with the Parliamentarian, and he says that the motion of the Senator from California [Mr. KNOWLAND] must first be disposed of. In other words, the Senate must vote first to take up the House bill.

I serve notice that, upon the approval of that motion—and I think we can take judicial notice that it will be approved—I shall then make a motion that the House civil-rights bill be referred to the Senate Committee on the Judiciary, with instructions that the committee return a civil-rights bill to the Senate within 2 weeks—either this bill with or without amendments, or a substitute bill, or a Senate bill.

We have heard much discussion today of emergency legislation pending on the calendar. There is no doubt that we have more legislative work than we can do within the next 2 weeks in connection with emergency legislation. If the Senate Judiciary Committee carries out the instructions of the Senate, pursuant to my motion, I am ready to remain here until the snow flies, or until we pass what we consider to be fair civil-rights legislation. I yield to no one in the Senate in devoted dedication to the cause of guaranteeing first-class citizenship to all of our citizens. However, I am opposed to adopting an end justifies the means doctrine adopted by those who have put this bill on the Senate calendar in violation of historic committee procedure and justice.

This is the last opportunity we shall have to defend what I consider to be sound committee procedure in the Senate on this issue. I believe that this bill should go to the Senate Judiciary Committee, with instructions to report a bill on civil rights within 2 weeks. Such is a fair and proper way of handling this great issue. My proposal will give the Senate plenty of time to handle other bills of emergency legislation and then give us all fall if necessary to handle civil-rights legislation. It will also remove a blot on the record of the Senate which the majority smudged into Senate history a few days ago when it forgot that procedural fairness is essential to legislative justice.

Mr. ERVIN. Mr. President, I rise in opposition to the motion of the able and distinguished minority leader. I do this because I know that the greatest blessing which could befall the United States at this particular time would be for further action on the civil-rights bill to be postponed until Congress reconvenes in January. If such postponement were had, it would afford the President, the Senate, the American bench and bar, and the American people an opportunity to discover what a queer concoction of constitutional and legal sins masquerades under the beguiling name of civil rights in this cunningly conceived and deviously worded bill.

At a news conference several weeks ago, a reporter put to President Eisenhower, who is not a lawyer, a question relating to the provisions of the civil rights bill. The President gave the reporter a characteristically honest answer. He said he did not understand what he called the legal quirks in the bill. The President made a somewhat similar confession at his news conference last week when he stated that he had been reading the bill and did not understand all of its language.

I have repeatedly asserted during recent weeks that President Eisenhower would not favor the civil-rights bill if he understood its provisions and implications.

I knew that President Eisenhower did not understand the legal quirks in the civil rights bill. Had he done so, he would never have described it as a moderate legislative proposal.

I based my assertion that President Eisenhower would not favor the civil-rights bill if he understood its provisions and implications upon this abiding conviction: President Eisenhower is an honest man, and he meant exactly what he said when he declared, in substance, at

New Orleans on October 13, 1952, and at Houston on October 14, 1952, that he deplored and would always resist Federal encroachment upon the rights and affairs of the States and that an all-powerful Washington bureaucracy will rob us one by one of the whole bundle of our liberties unless we preserve to our States, our counties, and our hometowns the power to administer affairs which are primarily local in nature.

As one who has spent the major portion of his days and energies in the study of constitutional and legal principles, I can readily appreciate why President Eisenhower or any other person finds it difficult to understand the legal quirks in the civil rights bill.

Incidentally, the term "legal quirk" is fittingly used in connection with the bill. According to the dictionary, a "quirk" is a deviation from the regular course.

The civil-rights bill is certainly a deviation from the regular course. It is so conceived and so worded as to conceal rather than reveal its provisions and implications. Consequently, no one can obtain any reliable notion as to the significance of the legal quirks in the bill simply by reading it. To do this, one must spend weeks studying constitutional and legal history, legal rules, equitable principles, Congressional enactments, and court decisions.

When one studies the civil-rights bill in the light of these things, he discovers that its provisions and implications are utterly repugnant to the American constitutional and legal systems.

I oppose the civil-rights bill. My opposition to it does not arise out of any matter of race. As a member of the school board in my hometown and as a representative from my county in the North Carolina Legislature, I have always done everything within my power to secure adequate educational opportunity for all of North Carolina's children of all races. As a lawyer, legislator, and judge, I have always done everything within my power to make it certain that all men stand equal before the law. As a private citizen and public official, I have always maintained that all qualified citizens of all races are entitled to vote.

I oppose the civil rights bill simply because I love our constitutional and legal systems, and desire above all things to preserve them for the benefit of all Americans of all races and all generations.

I know from my study of the civil-rights bill that this will not be done if the bill or any substantial provisions in it are enacted into law. Diligent efforts are made to present the bill in the guise of a meritorious and mild bill.

It is said, for example, that the bill is simply designed to secure voting rights for Negroes in Southern States. I am going to say this bluntly, and I will say it plainly, so that he who runs may read and not err in so doing: There is not a scintilla of truth in the oft-repeated assertion that the bill is simply designed to secure voting rights to Negroes in Southern States. The bill proposes to confer upon the Attorney General of the United States the power to bring suit to suppress any of the practices specified in section 1985, title 42, of the United States Code. This section contains three subsections, and each of these subsections has many clauses. I call attention to one clause alone. It contains a provision authorizing the Attorney General to bring suit at the expense of the taxpayers in the name of the United States in cases where there are any conspiracies threatening or consummated to deprive any person of the equal protection of the law under the 14th amendment.

Under that clause alone the Attorney General can bring suit in behalf of any citizens of any race, any aliens of any race, and any private corporations within the territorial jurisdiction of the United States upon the allegation that they have been discriminated against by any statute of any State or any application of State law to them on the part of any State or local officials. When we consider the fact that the term "State law" includes ordinances of municipalities, we get some idea of the breadth of the power which the Attorney General would have under this one clause.

Mr. President, I hold in my hand volume 16A of Corpus Juris Secundum. I invite the attention of the Senate to the provisions of pages 269 to 536, inclusive, of this volume. These 240 pages are required merely to state in the most general way the number of subjects concerning which the Attorney General could litigate, at the expense of private taxpayers, on behalf of citizens, aliens, and private corporations under this one clause of subsection 3, section 1985, title 42 of the United States Code.

The Attorney General, under part III of the proposed law, would be empowered to bring literally hundreds upon hundreds of different types of cases, in addition to cases to secure voting rights and to compel the integration of public schools. Mr. President, in every one of those cases the President would have the authority, under section 1993, of title 42, to call out the Army, the Navy, or the militia to enforce the decrees entered in any one of those hundreds upon hundreds of cases.

The civil-rights bill is, in truth, as drastic and indefensible a legislative proposal as was ever submitted to any legislative body in this country.

When all is said, it is not surprising that this is so. The bill is presented to Congress at a time when never-ending agitation on racial subjects by both designing and sincere men impairs our national sanity, and diminishes in substantial measure the capacity of our public men to see the United States steady and to see it whole.

The bill is based on the strange thesis that the best way to promote the civil rights of some Americans is to rob other Americans of civil rights equally as precious and to reduce the supposedly sovereign States to meaningless zeros on the Nation's map.

The only reason advanced by the proponents of the bill for urging its enactment is, in essence, an insulting and insupportable indictment of a whole people. They say that southern officials and southern people are generally faithless to their oaths as public officers and jurors, and for that reason can be justifiably denied the right to invoke for their protection in courts of justice the constitutional and legal safeguards erected in times past by the Founding Fathers and Congress to protect all Americans from governmental tyranny.

When all is said, the bill, if enacted, would make the constitutional and legal status of Southern State officials and southern local officials inferior to that of murderers, rapists, counterfeiters, smugglers, dope peddlers, and parties to the Communist conspiracy.

Congress would do well to pause and ponder this indisputable fact: The provisions of the bill are far broader than the reasons assigned for urging its enactment. I say to my friends who champion the bill that if these provisions can be used today to make legal pariahs and second-class litigants out of southerners involved in civil-right cases, they can be used with equal facility tomorrow to reduce other Americans involved in countless other cases to the like status.

The drastic provisions of the bill are even more surprising than the thesis of its proponents or the reason given by them for urging its enactment. They ignore the primary lesson taught by history, that is, that no man is fit to be trusted with unlimited governmental power.

If the bill should be enacted by Congress and successfully run the constitutional gauntlet, it would vest in a single fallible human being; namely, the temporary occupant of the Office of Attorney General, regardless of his character or qualifications, autocratic, and despotic powers, which have no counterpart in American history, and which are repugnant to the basic concepts underlying and supporting the American constitutional and legal systems.

When one studies the bill, he finds, to his utter consternation, that it undertakes to delegate to the Attorney General of the United States the power, at his uncontrolled election, to nullify State statutes prescribing administrative remedies duly enacted by State legislatures in the undoubted exercise of the legislative powers reserved to the States by the 10th amendment. If that provision of the bill can be sustained from the standpoint of the Constitution, then our Constitution has become a rope of sand, affording no protection to the States or the people of the Nation.

Our ancestors appraised at its full value the everlasting truth embodied in Daniel Webster's assertion that "whatever government is not a government of laws is a despotism, let it be called what it may."

Consequently, they based the governmental and legal systems of America upon these fundamental concepts:

First, that our Government should be a government by law and not a government by men—a government in which laws should have authority over men, not men over laws.

Second, that our courts should administer equal and exact justice according to certain and uniform laws applying in like manner to all men in like situations.

Parts III and IV of the civil-rights bill provide, in substance, that "the Attorney General may institute for the United States, or in the name of the United States," a new civil action or proceeding to enforce or vindicate certain supposed civil rights of private citizens.

By these words, the bill proposes to do these two things: First, to establish a new procedure for the enforcement or vindication of certain supposed civil rights of private persons at the expense of the taxpayers; and second, to confer upon one fallible human being, namely, the temporary occupant of the office of Attorney General, whoever he may be, the despotic power to grant the benefit of the new procedure to some persons and to withhold it from others.

The proposed law is not to be operative at all unless the Attorney General, acting either with or without reason, so wills. This is not government by law. This is not even government by men. This is government by the whim and caprice of the Attorney General.

It is to be noted, moreover, that the new procedure to be authorized by the bill is to be used for and against such persons only as the Attorney General may select. This being true, the bill is utterly repugnant to the fundamental concept that courts are created to administer equal and exact justice in compliance with certain and uniform laws applying in like manner to all men in like circumstances.

When all is said on this phase of the matter, Congress is asked to enact the civil-rights bill as a public law, and, at the same time, to make the public law the private possession of the temporary occupant of the office of the Attorney General, whoever he may be. The bill does not give civil rights to anybody. It does not give anybody any rights, except the Attorney General of the United States; and it says that he is to have complete authority over the law.

I am somewhat surprised that some of my Democratic colleagues show a disposition to place so much confidence in the occupant of the office of Attorney General. I am unwilling to repose so much confidence in any human being who ever trod earth's surface. I would never vote to pass a public law and make it the private possession of the occupant of any office, especially in the case of an office whose occupant is ordinarily appointed to it because of his political acumen rather than his legal ability.

If one is to understand the laws and institutions of today, he must know the events of yesterday which gave them birth. For this reason, I deem it necessary to consider the origins of relevant constitutional and legal safeguards.

The founders of our Government were wise men.

They knew that tyranny uses the forms of law to crush those who oppose her will.

They knew that the right of trial by jury is the best security of the people against governmental oppression.

They knew that the surest test of a witness is had when he is confronted on cross-examination by counsel for the adverse party.

They knew the history of the long struggle of the English people to secure and preserve such basic legal safeguards as the right of trial by jury and the right to confront and cross-examine adverse witnesses.

They knew the history of the repeated efforts of tyrannical kings and subservient parliaments to deprive the English people of the benefit of such legal safeguards.

They knew the history of the Court of Star Chamber, and rightly deducted from it "that the rights and liberties of the people will not long survive in any country where the administration of the law is committed exclusively to a caste endowed with boundless discretion and a long term of office, no matter how learned, able, and honest its members may be."

They knew the history of Chief Justice Jeffreys and his bloody assizes, and rightly inferred from it that tyranny on the bench is as objectionable as tyranny on the throne.

They knew that it is abhorrent to justice to punish any man twice for the same offense.

They knew that in 1764 and 1765 the British Parliament, at the instigation of King George III and his ministers, enacted the Sugar Act, the Stamp Act, and other measures, whereby they deprived American colonists of the right of trial by jury in cases arising under the revenue and trade laws by a device astoundingly similar to that invoked by the civil-rights bill, namely, "by extending beyond its ancient limits the jurisdiction of the courts of admiralty" in which trial by jury was not available.

They knew that the Stamp Act Congress, which was attended by delegates from nine of the Thirteen Colonies, forthwith met in New York, and adopted the Colonial Declaration of Rights of October 19, 1765, condemning this action of Parliament on the ground "that trial by jury is the inherent and invaluable right of every British subject in these Colonies."

They knew that in 1768 the British Parliament, at the urging of King George III and his ministers, enacted the statute known as 8 George III, chapter 22, whereby they deprived American colonists of the right of trial by jury in cases arising under the laws relating to trade and revenue by a repetition of the device resembling that invoked by the civil-rights bill, namely, "by extending beyond their ancient limits the powers of the courts of admiralty" in which trial by jury was not available.

They knew that the First Continental Congress adopted the Declaration of October 14, 1774, denouncing this action of the British Parliament on the ground that American colonists were entitled to the common law of England, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage according to the course of that law.

They knew that the Declaration of Independence assigned the fact that American colonists had been deprived in many cases of the benefits of trial by jury as one of the injuries and usurpations requiring the American colonists to dissolve their political bands with England.

They knew that tranquillity was not to be always anticipated in a republic; that strife would rise between classes and sections, and even civil war might come; and that in such times judges themselves might not be safely trusted in criminal cases, especially in prosecutions for political offenses, where the whole power of the executive is arrayed against the accused party.

They knew that what was done in the past might be attempted in the future, and that troublous times would arise, when rulers and people would become restive under restraint, and seek by sharp and decisive methods to accomplish ends deemed just and proper and that the principles of constitutional liberty would be in peril, unless established by irrepealable law.

They knew that the best part of the inheritance of America from England was the right of trial by jury, both in criminal cases and in suits at common law. For these reasons, the founders of our Government enshrined these guaranties in the Constitution:

That "the trial of all crimes, except in cases of impeachment, shall be by jury."—article III, section 2.

That "no person shall be held to answer for a capital, or otherwise infamous offense, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb"—amendment 5.

That "in all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed • • • and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense"—amendment 6.

That "in suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved"—amendment 7.

Americans in general and Senators in particular will do well to pause and ponder the statement made a few days ago by a great Pennsylvania lawyer, David F. Maxwell, the retiring president of the American Bar Association, before the State bar of Texas, in an accurate and eloquent answer to the charge that trial by jury is an outmoded, time-consuming process which can be replaced by more efficient legal procedure. After pointing out the truth that a group of average citizens sitting as jurors can mete out more even justice than can the most competent and experienced judge, Mr. Maxwell said:

> Let us in this country take warning; the jury alone is able to function as the thin wedge of reserved power that separates our system of law from the monolithic, totalitarian despotism behind the Iron and Bamboo Curtains.

At the time of the ratification of the Constitution, courts of equity existed in the several States, either in conjunction

with, or independent of, the courts of law. The basis of the jurisdiction then exercised by courts of equity, which historically function without juries, was the protection of private rights of property.

In stating that courts of equity historically function without juries, I do not overlook the circumstance that the chancellor or judge of such a court has discretionary authority to call an advisory jury to his aid. An advisory jury is not a jury, however, in the real sense of the term, because the chancellor or judge is at liberty to reject its verdict and act solely on his own findings.

In some of the cases cognizable by them at the time of the ratification of the Constitution, courts of equity used restraining orders and temporary and permanent injunctions. The role of the restraining order and the temporary injunction was to preserve the status quo in respect to property in dispute until the conflicting claims to it could be determined in a trial on the merits, and the role of the permanent injunction was to secure the enjoyment of the property by the person adjudged its owner in the trial on the merits. Restraining orders and injunctions did not issue to inhibit criminal acts except in cases where such acts threatened irreparable injury to property rights.

In urging the ratification of the Constitution, Alexander Hamilton made a statement, which appears in essay No. 80, in the Federalist, concerning the jurisdiction of courts of equity at that time. The statement reads as follows:

> It has also been asked, what need of the word "equity"? What equitable causes can grow out of the Constitution and laws of the United States? There is hardly a subject of litigation between individuals, which may not involve those ingredients of fraud, accident, trust, or hardship, which would render the matter an object of equitable rather than of legal jurisdiction, as the distinction is known and established in several of the States. It is the peculiar province, for instance, of a court of equity to relieve against what are called hard bargains; these are contracts in which, though there may have been no direct fraud or deceit, sufficient to invalidate them in a court of law, yet there may have been some undue and unconscionable advantage taken of the necessities or misfortunes of one of the parties, which a court of equity would not tolerate. In such cases, where foreigners were concerned on either side, it would be impossible for the Federal judicatories to do justice without an equitable as well as a legal jurisdiction. Agreements to convey lands claimed under the grants of different States, may afford another example of the necessity of an equitable jurisdiction in the Federal courts. This reasoning may not be so palpable in those States where the formal and technical distinction between law and equity is not maintained, as in this State, where it is exemplified by every day's practice.

I read Alexander Hamilton's statement concerning equity jurisdiction as it existed at the time of the ratification of the Constitution, to point out the fact that all claims that this bill provides for a customary use of equity process, is wholly without foundation in fact as well as in equity.

Courts of equity punished disobedience to restraining orders and injunctions by fines or imprisonment in proceedings for contempt conducted by chancellors or judges without juries.

It seems appropriate to note at this point changes occurring in the field of equity since the ratification of the Constitution. Since that time many States have extended the right of trial by jury to issues of fact arising in actions of an equitable nature. As this has not been done on the Federal level, actions of an equitable nature are still triable on the merits by judges without juries in district courts of the United States.

Beginning with the Interstate Commerce Commission Act of 1887, Congress has adopted 28 statutes creating new public rights and corresponding new public wrongs. The new public rights are enforcible by injunctive process as rights of the United States in its capacity as a sovereign nation in actions brought by the United States or specified Federal officials or agencies. The new public wrongs are punishable in the manner prescribed by law for other crimes. A painstaking analysis makes it obvious that each of the 28 statutes is clearly distinguishable from the civil-rights bill. In consequence, I refrain from further comment upon them.

The injunctive process is susceptible to abuse. This is particularly true when its use is extended beyond its ancient limits to the field occupied by criminal law.

Some of the objections to the use of the injunctive process in this field are well stated by a legal writer in these words:

> The objections to criminal equity are that it deprives defendant of his jury trial; that it deprives him of the protection of the higher burden of proof required in criminal prosecutions; that after imprisonment and fine for violation of an equity injunction, defendant may be subjected under the criminal law to punishment for the same acts; that it substitutes for the definite penalties fixed by the legislature whatever punishment for contempt a particular judge may see fit to exact; that it is often no more than an attempt to overcome by circumvention the supposed shortcomings of jurors; and that it may result, or induce the public to believe that it results, in the arbitrary exercise of power or in government by injunction. (43 C. J. S., Injunctions, sec. 150.)

Happily, the use of the injunctive process was confined in large measure to its ancient limits during the first century of our national existence.

Unhappily, however, its susceptibility to abuse was clearly revealed at the end of that period, when courts of equity, acting on the allegations of employers that such action was necessary to protect their property rights from irreparable injury, converted the extraordinary writ of injunction to ordinary and wholesale use to defeat the efforts of labor to secure fair wages and reasonable working conditions.

The most shameful story in the judicial annals of America was written during the ensuing years, when courts of equity robbed labor of its right to trial by jury, its right to freedom of the press, and its right to freedom of speech by substituting government by injunction for government by law.

Space and time preclude a review of the numerous episodes in this shameful story. Consequently we must content ourselves with calling attention to only one of them—the one recorded in the case of *Gompers* v. *the United States* (233 U. S. 604).

In that case Samuel Gompers, one of the wisest and most patriotic labor leaders of America of all time, was charged with contempt of court because of his alleged disobedience to an injunction issued by a Federal court of the District of Columbia on the application of Bucks Stove & Range Co., which undertook to defeat by the injunctive process the demands of its striking employees for better working conditions.

A Federal judge sitting without a jury adjudged Gompers guilty of contempt and sentenced him to jail for disobedience of the injunction because he had truthfully stated orally and in print that no law compelled his hearers and readers to buy a stove manufactured by Bucks Stove & Range Co.

Gompers managed to escape actual service of the jail sentence merely because the Supreme Court held on his appeal that the contempt proceedings had not been initiated within 3 years after the violations alleged, and in consequence the trial judge had lost his power to punish Gompers for contempt under the 3-year statute of limitations.

The abuse of the injunctive and contempt processes in industrial controversies prompted Congress to enact in 1914 as a section of the Clayton Act a statutory provision extending the right of trial by jury under certain circumstances to respondents in proceedings to punish violations of injunctions as indirect contempts of court. An indirect contempt is one committed outside the presence of the court.

This statutory provision is now embodied in somewhat altered phraseology in sections 402 and 3691 of title 18 of the United States Code.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point, as a part of my remarks, the two sections of the code referred to.

There being no objection, the code sections were ordered to be printed in the RECORD, as follows:

CONTEMPTS—18 U. S. C. A. 402—CONTEMPTS CONSTITUTING CRIMES

Any person, corporation or association willfully disobeying any lawful writ, process, order, rule, decree, or command of any district court of the United States or any court of the District of Columbia, by doing any act or thing therein, or thereby forbidden, if the act or thing so done be of such character as to constitute also a criminal offense under any statute of the United States or under the laws of any State in which the act was committed, shall be prosecuted for such contempt as provided in section 3691 of this title and shall be punished by fine or imprisonment, or both.

Such fine shall be paid to the United States or to the complainant or other party injured by the act constituting the contempt, or may where more than one is so damaged, be divided or apportioned among them as the court may direct, but in no case shall the fine to be paid to the United States exceed, in case the accused is a natural person, the sum of $1,000, nor shall such imprisonment exceed the term of 6 months.

This section shall not be construed to relate to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States, but the same, and all other cases of contempt not specifically embraced in this section may be punished in conformity to the prevailing usages at law. (June 25, 1948, ch. 645, No. 1, 62 Stat. 701; May 24, 1949, ch. 139, No. 8 (c), 63 Stat. 90.)

CONTEMPTS—18 U. S. C. A. 3691—JURY TRIAL OF CRIMINAL CONTEMPTS

Whenever a contempt charged shall consist in willful disobedience of any lawful writ, process, order, rule, decree, or command of any district court of the United States by doing or omitting any act or thing in violation thereof, and the act or thing done or omitted also constitutes a criminal offense under any Act of Congress, or under the laws of any State in which it was done or omitted, the accused, upon demand therefor, shall be entitled to trial by a jury, which shall conform as near as may be to the practice in other criminal cases.

This section shall not apply to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States. (June 25, 1948, ch. 645, No. 1, 62 Stat. 844.)

Mr. ERVIN. Mr. President, under these sections, a respondent, whether a natural person or a corporation, charged with an indirect contempt for violation of an injunction is entitled to a jury trial if the act charged as a violation of the injunction is also a crime under an act of Congress or the laws of the State in which it was committed. It is noted, in passing, that virtually all violations of the civil rights of others constitute crimes under both Federal and State laws.

Sections 402 and 3691 of title 18 of the United States Code confer another substantial right upon a respondent who is a natural person in case he is convicted. While they provide that he may be "punished by fine or imprisonment or both," they set definite limits to his punishment by specifying that he cannot be required to pay a fine to the United States in excess of $1,000 or subjected to imprisonment for a term in excess of 6 months.

Sections 402 and 3691 of title 18 of the United States Code stipulate in express terms that their salutary provisions do not apply "to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States."

I say and charge here and now, without fear of successful contradiction, that the only reason this bill provides that these proposed actions shall be brought in the name of the United States is so that those involved in civil-rights cases can be robbed of their right to trial by jury and their right to limited punishment under the Clayton Act.

Those who say this is a moderate bill ought to weigh the fact that if the bill shall be enacted, it will substitute for a limited punishment of 6 months' imprisonment a punishment which can last for years and years, and which has no limit whatever except the limitation implied in the nebulous provision of the eighth amendment prohibiting cruel and unusual punishments. The serious nature of this fact is obvious when we realize that nobody really knows what the eighth amendment means on that subject.

I very frequently hear persons who profess to be liberals say they intend to vote for this bill, which will deny the right of trial by jury. I wish to say that I do not care how liberal a person may be in other respects, anybody who will vote for a bill which denies any man the right to trial by jury is as reactionary as King John was before Runnymede, in that particular area of our life.

I wish to note that when the Clayton Act was before Congress and the question was whether a person should have the right of trial by jury when charged with contempt of court in cases where the alleged contemptuous action constituted a crime under either Federal or State law, all the liberals of that day voted for a provision securing the right of trial by jury. Among them were Borah of Idaho, Norris of Nebraska, and Walsh of Montana. They all favored extending the right of trial by jury to all persons charged with indirect contempts arising out of alleged violations of injunctions.

In a magnificent speech pointing out that such right was secured to the people by constitutional or statutory provisions in a number of States, Walsh declared that—

> The most perfect judicial systems ever known are those of which the jury forms an essential part.

That—

> Trial by jury • • • is the greatest school in self-government ever devised by the ingenuity of man.

That—

> Jefferson • • • maintained all his life that cases in chancery should be tried before a jury.

That—

> There is not an argument that can be advanced or thought of in opposition to trial by jury in contempt cases that is not equally an argument against the jury as we now know it.

And that—

> Instead of being an attack on the court, the proposal to submit to trial by jury alleged contempts not committed in the presence of the court is a plan to restore to the Federal courts the confidence and good will which the people ought to bear toward them, but which, unfortunately, by a liberal and sometimes inconsiderate exercise of the power to issue injunctions and to punish as for contempt, has, among certain classes of citizens, been all but forfeited.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Texas?

Mr. ERVIN. I am glad to yield.

Mr. JOHNSON of Texas. Mr. President, I wonder if the distinguished Senator, who is making a very able speech and who has spent weeks in studying the matter with which the motion concerns itself, will yield to me for the purpose of suggesting the absence of a quorum, so that we can get some of our colleagues to come into the Chamber to hear him make his address.

Mr. ERVIN. Mr. President, I take it to be implied by the question that I can so yield without losing the floor.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator may do so, without losing the floor.

The PRESIDING OFFICER. The Senator from Texas asks unanimous consent that the Senator from North Carolina may yield to him for the purpose of suggesting the absence of a quorum, the Senator from North Carolina to continue to hold the floor, and not to have it counted as a speech against him. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ERVIN. Mr. President, I was discussing the fact that in 1914 Congress was prompted to enact, as a section of the Clayton Act, a statutory provision extending the right of trial by jury under certain circumstances to respondents in proceedings to punish violations of injunctions as indirect contempts of court. Under that section a respondent, whether a natural person or a corporation, charged with an indirect contempt for violation of an injunction is entitled to a jury trial if the act charged as a violation of the injunction is also a crime under an act of Congress or the laws of the State in which it was committed. I noted, in passing, that virtually all violations of the civil rights of others constitute crimes under both Federal and State laws. Senators Borah, Norris, Walsh, and all the other great liberal Senators of that day supported that provision of the Clayton Act, and took the position that all persons charged with indirect contempt should be accorded the right of trial by jury.

Borah denounced with rare eloquence the provisions now embodied in sections 402 and 3691 of title 18 of the United States Code denying the right of trial by jury and the protection of limited punishment to persons charged with "contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States."

In offering an amendment to strike out this provision, Borah said that—

The effect of this amendment is to provide for jury trial in contempt cases in actions brought by the Government the same as when actions are brought by private individuals.

That—

Every argument * * * in favor of the right of trial by jury upon the part of one citizen of the United States is equally applicable to the right of trial by jury upon the part of every other citizen of the United States.

That—

The right of the citizen to have his guilt or innocence determined by his peers * * * cannot be changed by reason of the fact that a particular party happens to be a plaintiff in one case and another party a plaintiff in another case.

And that the provision denying persons charged with indirect contempts trial by jury in case the injunction alleged to have been violated was issued in a suit brought by the United States "offends every sense of justice and every principle of free institutions and equal rights."

Reed, of Missouri, made these trenchant remarks in support of the Borah amendment:

I believe that if it is right to submit questions involving the right of life to a jury it is not dangerous to submit to a jury a mere question of contempt. If we can safely repose in a jury the power to try all questions of property, all questions affecting the honor of the citizen, all questions affecting the liberty of the citizen * * * there is nothing unsafe in submitting to the same kind of tribunal, summoned in the same way, the simple question of fact has this corporation or that individual violated the order of the Court * * *. So, Mr. President, I feel that it is safe, that it is proper, to support the amendment offered by the Senator from Idaho. I believe that the dignity and authority of the courts will remain unimpaired. At the same time judges inclined to tyrannical practices or who are influenced by prejudice or passion will find a wholesome check has been placed upon unjust and arbitrary punishment.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. ERVIN. I yield to the Senator from Virginia.

Mr. ROBERTSON. Is it not a fact that the views cited by the distinguished Senator from North Carolina were held by two outstanding constitutional lawyers in the Senate at that time, and were echoed on the House side by the present chairman of the Committee on the Judiciary of the House of Representatives who, in support of trial by jury in the La Guardia amendment, said that he had been shocked by some of the decisions of the Court in injunction cases, and that by every concept of justice and of freedom the accused persons were entitled to trial by jury?

Mr. ERVIN. I answer that question in the affirmative, and say that the chairman of the House Committee on the Judiciary took a very fine and gallant and sensible stand in favor of the fundamental principles of Americanism, and supported the jury trial provision in the Norris-La Guardia Act.

The Borah amendment was rejected by the narrow margin of three votes. The amendment to the Clayton Act did not suffice to end many of the abuses of the injunctive and contempt processes in industrial controversies. This was due in large part to the failure of the amendment to extend the benefits of jury trials and limited punishments to persons charged with indirect contempts based on supposed violations of injunctions issued in actions brought "in the name of, or on behalf of, the United States," and to persons charged with indirect contempts based on supposed violations of injunctions enjoining acts themselves not illegal under Federal or State laws.

I should like to say at this point that historically whenever the Government sought to litigate, the Government was required to make out its case by the same procedure whereby private parties had to make out their cases.

It was not until the Clayton Act was enacted that this wise rule was altered. Under no circumstances should legislative bodies be so foolish as to give loaded legal dice to Government lawyers to enable them to try their lawsuits on a preferential basis. If there is any excuse for any difference in procedure, it should be the other way, because the whole power of the Government is arrayed against little citizens. If there is to be any discrimination on procedural matters, it ought to be in favor of the little citizens rather than in favor of the powerful Government.

Congress undertook to remedy these defects insofar as labor was concerned by the Norris-La Guardia Act, adopted in 1932. One of the salient provisions of this act is now embodied in changed phraseology in section 3692 of title 18 of the United States Code which reads as follows:

In all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed. This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court.

I respectfully submit that if persons involved in labor controversies are entitled to jury trials, when they are charged with indirect contempt of court, every other citizen of the United States is entitled to the same privilege. There should not be one kind of law for a red-headed man and another kind of law for a black-headed man. There should not be one kind of law for one man because of his profession, and another kind of law for another man because he is engaged in a different profession. On the contrary, every American ought to stand equal in respect to procedural matters and be fed out of the same legal spoon under the same circumstances. Any other system of law makes a mockery of justice.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. ROBERTSON. Mr. President, as a former member of the North Carolina State supreme court, the Senator from North Carolina will recall that the Slaughterhouse case arose over the application of a man of foreign birth to operate a slaughterhouse near the city of New Orleans. The decision in that case constituted a landmark, for it analyzed the whole spectrum, so to speak, of civil rights. The laws that were to be enforced by the Federal Government were put on one side, so to speak, and those that belonged in the realm of State enforcement were put on the other side.

The decision in that case, concerning the rights that were reserved to the States, has never been repealed, although they have been obliquely attacked by the Supreme Court in a number of so-called due-process-of-law cases. Of course in due-process-of-law cases, the Court can go as far as it pleases in stating what it means.

What the Senator from Virginia would like to ask the Senator from North Carolina is this: Is it not a fact that Mr. Justice Miller, who wrote the famous decision in the Slaughterhouse case, after he left the bench, said:

I am going to give the public some benefit of my observation in the conference room when justices meet to reconcile the conflicting views concerning the law and the evidence.

He said:

After 9 years on the Court, I have found that there was no difficulty in agreeing as to what the law was. However, the greatest difficulty was on agreeing as to what the facts were. Therefore it is my considered opinion that the average layman is in a better position than the judge, just one man, to decide the facts; hence it is very much better that we keep our English system of trial by jury.

Mr. ERVIN. I agree with the views of Justice Miller. I also state to the distinguished Senator that I have called attention to the statement made the other day before the State bar of Texas by the retiring president of the American Bar Association, David F. Maxwell, of Pennsylvania. He said that the jury is the thin wedge of reserved power which separates our legal system from the monolithic totalitarian system of justice which prevails behind the Iron and Bamboo Curtains.

Mr. President, Senator George W. Norris persuaded the Senate to pass a bill which gave everyone the right of trial by jury in indirect contempt cases. That bill went to the House of Representatives. At that time, the 18th amendment and the Volstead law were in effect, and Senator Norris was compelled to compromise his bill to meet the demands, as he said, of the wet and dry fanatics, and to restrict it to labor controversies. However, Senator Norris took the position throughout the debate on the Norris-La Guardia Act that there should be the right of trial by jury by Congressional enactment in every case of indirect

contempt of court, and he made this statement in connection with it:

I agree, that any man charged with contempt in any court of the United States, * * * in any case, no matter what it is, ought to have a jury trial.

It is no answer to say that there will sometimes be juries which will not convict. That is a charge which can be made against our jury system. Every man who has tried law suits before juries, every man who has ever presided in court and heard jury trials, knows that juries makes mistakes, as all other human beings do, and they sometimes render verdicts which seem almost obnoxious. But it is the best system I know of. I would not have it abolished; and when I see how juries will really do justice when a biased and prejudiced judge is trying to lead them astray I am confirmed in my opinion that after all, our jury system is one which the American people, who believe in liberty and justice, will not dare to surrender. I like to have trial by jury preserved in all kinds of cases where there is a dispute of facts.

That statement was made by Senator Norris in advocating the passage of a bill which would secure the right of trial by jury before a man could be fined or jailed for contempt of court for disobedience of an injunction.

Mr. President, the truth is that no sound reason whatever exists for enacting the provisions of the civil-rights bill into law. This is true because the existing Federal statutes afford ample remedies for the protection or vindication of all civil rights created by the Constitution or laws of the United States by means of criminal prosecutions by the United States, private actions at law for damages by the party aggrieved, and private suits in equity for injunctive relief by the party aggrieved.

To be sure, the defendants in the criminal prosecutions are accorded the right of indictment by grand jury, the right of trial by petit jury, the right to confront and cross-examine adverse witnesses, and the right not to be twice put in jeopardy for the same offense, guaranteed to them by article III and the fifth and sixth amendments; the defendants in the private cases at law for damages are accorded the right of trial by jury, guaranteed them by the seventh amendment; and the defendants in the private suits in equity for injunctive relief are accorded the benefits of jury trials and limited punishments, secured to them by sections 402 and 3691 of title 18 of the United States Code in the event they are charged with contemptuous acts which are also crimes under the Federal or State law.

Surely, no one who loves the American constitutional and legal systems ought to object to these things.

Our friends who support the civil-rights bill erect for themselves a straw man, so that they can knock him down. They say that southerners ought to be reduced to a constitutional and legal status inferior to that of murderers, rapists, robbers, thieves, smugglers, counterfeiters, dope peddlers, and parties to the Communist conspiracy, because they fear that some of our juries might acquit someone who is charged with a violation of civil rights.

In my State there are three Federal districts. Prosecutions for violations of civil rights are brought in the Federal district courts. There are 100 counties in my State of North Carolina. On an average, the Federal districts in my State comprise 30 to 34 counties.

Jurors for the Federal courts are selected, as a practical matter, from jury boxes prepared by the clerks of the Federal courts, which contain the names of the outstanding citizens of the counties in each division in the district. A man charged with a violation of a civil-rights statute would be tried in a Federal court, and the chances are that the trial would be held anywhere from 50 to 75 or 100 miles from his home. He would be tried by jurors who come from areas other than his home. He would be tried in a case presided over by a judge who had a right, under the law, to express his opinion on the facts.

I have spent a large part of my life trying jury cases in my State of North Carolina. For 7 years I had the privilege of acting as trial judge in courts of general jurisdiction. As such, I tried cases in about 50 of the 100 counties of my State, from the mountains to the sea. I have an abiding conviction that North Carolina juries are just as honest and just as honorable as are the juries in any other State of the Union. There is no basis for saying that North Carolina juries will not render verdicts based on the evidence given when they sit in the Federal courts. I say that this contention on the part of the supporters of the civil-rights bill is a straw man which has been erected to be knocked down.

Many insupportable charges are made against the South. Let me illustrate. I conducted most of the hearings before the Subcommittee on Constitutional Rights on the companion Senate civil-rights bill, and I shall tell the Senate what happened. The hearings were stopped as of a certain date, and witnesses were allowed to place material in the record up until a certain time thereafter. The representatives of an organization which professes to be working to uplift mankind—I have forgotten its name—appeared on the last day, when the committee had no opportunity to cross-examine them, and placed in the record a complaint brought by a colored man in North Carolina, who alleged that he had been wrongfully denied his right to vote. The representatives of the organization neglected to insert in the record the answer denying the allegations. Also, they omitted, by inadvertence, of course, the verdict of the jury finding that the plaintiff did not have a cause of action. That jury, incidentally, was composed of 9 white persons and 3 Negroes; and under the law of North Carolina, the jury could not have returned a verdict without the unanimous agreement of the 12 jurors. Also, the representatives of the organization omitted the judgment of the court, adjudging that the plaintiff had no meritorious cause of action.

Mr. President, that illustrates some of the propaganda used to back up the civil-rights bill.

I had read, before the Senate convened for this session, about a man named Gus T. Courts, of Belzoni, Miss., who, it was alleged, had been shot through the window of his store. It was asserted in press dispatches throughout the United States that he was compelled to flee Mississippi for his life, and to leave behind him a $15,000-a-year grocery business.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. EASTLAND. Does the distinguished Senator from North Carolina know that the person who said he was shot at through the window of the store and was forced to leave Mississippi is the person about whom the most prominent Negro newspaper editor in Mississippi stated in a front-page editorial that he called on the person in the hospital after he alleged he had been shot, and that person was lying in bed laughing and saying, "I'm going to get rich out of this"?

Mr. ERVIN. Yes; the statement of that very highly reputable Negro newspaper editor was inserted in the RECORD. The statement also said that if those who were backing the civil-rights bill wanted to bring witnesses before the committee, they ought to bring witnesses who would tell the truth. Courts, who alleged he had been shot, came before the committee and testified. I present this illustration to show the kind of propaganda which was circulated in the press throughout the Nation. When he testified before the committee, Courts presented a prepared statement in which he said that he had been compelled to flee Mississippi for his life and to leave behind him a $15,000 a year grocery business. He further stated that many Negroes had been murdered and that their bodies had been thrown into the rivers of Mississippi, simply because they wanted to vote.

I cross-examined him. I asked him how many dependents he had. I knew that a man who had a $15,000 a year grocery business ought to pay a considerable amount of income tax to the Federal Government. He said he had a wife and two children, as I recall.

I asked him, "How much Federal income tax did you pay in 1955?" That was the year when he ceased doing business.

He said, "I did not pay any then, because my business was going down."

I asked him, "When did you go into the grocery business?"

He replied, "In 1947."

Then I asked him, "How much Federal income tax did you pay in 1947?"

He replied, "Oh, I didn't pay any in that year; my business was just getting started."

Then I asked, "To make a long question short, how much Federal income tax did you ever pay while you were in the grocery business at Belzoni, Miss.?"

He said, "I never paid any Federal income tax, but I paid the State income tax."

I did not have available at that time the figures needed in order to cross-examine the man.

So then I asked him about the many Negroes he said in his statement had been murdered, and their bodies thrown into the rivers of Mississippi, merely because they wanted to vote. The only one he could name was the Till boy, who, as the witness admitted, was a teen-age boy who had been visiting there from Chicago, and was not seeking the right to vote in Mississippi. The witness could not name anyone else. But he said he saw the body of a Negro man, a schoolteacher, who had been murdered, and his body thrown into a lake near Indianola, Miss. Then he said he knew of a woman, but he did not know her name, who had been murdered, and her body thrown into another lake, near Glendora, Miss., because she wanted to vote.

I did not know anything about the facts in those cases; so I contacted the administrative assistant of one of the Senators from Mississippi, and asked him to call Mississippi by long-distance telephone and obtain information for me about those matters. He did so, and in that way I obtained the facts about those matters. I obtained them just as the committee was adjourning that afternoon. I asked the witness whether he could return the next day, to testify further. The witness said, "Yes." I asked the representative of the organization which had the witness there to testify whether the witness could come back without inconvenience, the next day. The representative said, "Yes," and asked me why I wanted the witness to come back. I said, "I have information from Mississippi." The witness had claimed he had an auditor who prepared his tax returns. I said, "I want to find out the name of that auditor, and I want to inquire of the witness about the persons he says were murdered and thrown into rivers in Mississippi."

We adjourned with the assurance that Courts would be back the next morning. But that night, under the cover of darkness, he fled Washington, and he has not returned since.

Subsequent evidence showed that Courts had never paid any income tax to Mississippi. He made only 2 returns; and in 1 of them he listed his net income as approximately $299 and some cents; and in the other, he listed it as approximately three hundred and some dollars. Yet he had been advertised all over the country as a man who had to flee Mississippi, leaving behind a $15,000-a-year grocery business.

As regards the two people he said had been murdered, and their bodies thrown into rivers in Mississippi, these are the facts: The colored man, who was a schoolteacher, drove to the edge of a lake in his wife's automobile, and wrote a suicide note. In it he said, in substance, that he was going to commit suicide, and that they would find his body in the lake. He entered the lake, leaving the suicide note in his wife's automobile which was parked beside the lake. The suicide note was later identified by his wife as being in his handwriting. His body was found in the lake. An autopsy was performed on the body by a competent surgeon and physician, who said there were no marks of external injury of any kind on the man, and that he had come to his death by drowning. A coroner's jury was impaneled; and the coroner's jury returned a verdict stating that the man had committed suicide by drowning. Yet the testimony to which I have referred was given by the witness in an obvious effort to blacken the good name of the State of Mississippi.

Mr. EASTLAND. Mr. President, at this point will the Senator from North Carolina yield to me?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Mississippi?

Mr. ERVIN. I yield.

Mr. EASTLAND. Does the Senator from North Carolina know whether the wife of the suicide stated that her husband committed suicide because of bad health?

Mr. ERVIN. That is what the suicide note stated as the cause for the suicide.

Mr. EASTLAND. Yes.

Mr. ERVIN. In the case of the woman whom this man testified was murdered, and her body thrown into a lake in Mississippi, because she wanted to vote, the facts are these: She was driving beside the lake, with two small children in the automobile. She lost control of the automobile, and it ran into the lake. Some fishermen who happened to be nearby rescued the two children; but before they could extricate her from the automobile, when it was in the water, she was drowned. But the testimony of this witness illustrates some of the charges which are peddled about the country in an effort to damn the reputation and character of the people of the South.

Mr. ROBERTSON. Mr. President, will the Senator from North Carolina yield to me?

Mr. ERVIN. I yield.

Mr. ROBERTSON. I read all the debate on the House side, regarding the bill. I assume that my distinguished colleague, the Senator from North Carolina, did the same, because we were vitally interested in knowing what points were being developed and what arguments were being used. Is it not a fact that throughout that debate, on at least two occasions, and perhaps more often, a speaker said, "If there be any Member of this House who has personal knowledge of anyone having been denied the right to vote, I will yield to him, to have him tell us about it," but no one could cite a single instance. Did not that happen during the debate on the House side?

Mr. ERVIN. I have not read all of the debate which occurred there, and for that reason cannot answer the question.

Mr. ROBERTSON. I read the entire debate; and I was struck by the fact that three times, or perhaps more, the Member speaking called on the other Members, to inquire whether any of them knew of a single case. No one could testify of his own personal knowledge of a single instance.

Mr. LONG. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. Mr. President, I prefer to complete my statement before yielding further. After I have completed it, I shall be glad to yield to the distinguished Senator from Louisiana.

Mr. President, the civil-rights bill is deliberately designed to confer upon the Attorney General of the United States the autocratic power to rob State and local officials and other Americans involved in civil-rights disputes of these basic and invaluable safeguards created by the Founding Fathers and Congress to protect all Americans from bureaucratic and judicial tyranny, namely: The constitutional right of indictment by grand jury; the constitutional right of trial by petit jury; the constitutional right not to be twice put in jeopardy for the same offense; the statutory right of trial by jury in indirect contempt cases; and the statutory right to the benefit of limited punishment in indirect contempt cases.

Let me elaborate on these propositions.

The coverage of parts III and IV of the civil-rights bill extends to the civil rights defined either expressly or impliedly by sections 1971 and 1985 of title 42 of the United States Code. While section 1971 relates solely to the right to vote, section 1985 is concerned in general terms with all rights arising under "the privileges or immunities" and "the equal protection of the laws" clauses of the 14th amendment, and in specific terms with definite rights arising under "the due process of law" clause of the 14th amendment and other articles of the Constitution. These things being true, the bill covers in substantial measure the entire spectrum of civil rights.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, section 1985 of title 42 of the United States Code, so the Members of the Senate may be apprised of the tremendous breadth of the civil-rights bill.

There being no objection, the excerpt from the code was ordered to be printed in the RECORD, as follows:

CIVIL ACTION FOR DAMAGES—42 U. S. C. A. 1985—CONSPIRING TO INTERFERE WITH CIVIL RIGHTS

1. Preventing officer from performing duties: (1) If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties.

2. Obstructing justice; intimidating party, witness, or juror: (2) If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully

assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

3. Depriving persons of rights or privileges: (3) If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat any citizen who is lawfully entitled to vote from giving his support or advocacy in a legal manner toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States, or to injure any citizen in person or property on account of such support or advocacy, in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators.

Mr. ERVIN. Deprivations or violations of the civil rights defined either expressly or impliedly by sections 1971 and 1985 of title 42 of the United States Code are punishable as crimes under other Federal statutes in criminal prosecutions instituted by the Federal Government. This is true because some of the deprivations or violations constitute felonies under sections 241, 372, and 1503 of title 18, and the other deprivations or violations constitute misdemeanors under sections 242, 243, and 594 of title 18.

Parts III and IV of the civil-rights bill specify, in essence, that whenever any persons have engaged or are about to engage in the deprivation or violation of any civil right expressly or impliedly defined by section 1971 or section 1985 of title 42 of the United States Code—

The Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order.

When this legal verbiage is recast in simple words, it means this: The civil-rights bill proposes to confer upon the Attorney General the absolute power, at his uncontrolled discretion, to bring civil actions or proceedings of an equitable nature, in which juries are not available, to enforce or vindicate by injunctive and contempt processes the civil rights expressly or impliedly defined by sections 1971 and 1985 of title 42 of the United States Code.

The objective of the civil rights bill is to vest in the Attorney General the autocratic power, at his absolute discretion, to bypass, circumvent, and evade the constitutional rights of indictment by grand jury and trial by petit jury of State and local officials and other Americans in civil rights disputes arising under sections 1971 and 1985 of title 42 of the United States Code.

This objective is revealed with complete clarity by the statement made by Attorney General Brownell before the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary on February 14, 1957, as well as by an analysis of the civil rights bill in the light of relevant constitutional and statutory provisions.

Defendants in civil rights cases will likewise often be deprived of their constitutional right to confront and cross-examine adverse witnesses if the civil rights bill is enacted by Congress. This is an inevitable consequence of the practice which prevails in actions for injunctive relief. Restraining orders and temporary injunctions are ordinarily issued by courts upon the most unsatisfactory evidence known to man, that is to say, ex parte affidavits or pleadings drafted by partisan lawyers and attested by partisan witnesses not subject to confrontation and cross-examination by the adverse party. When a restraining order or temporary injunction is issued upon ex parte affidavits or pleadings, and the main object of the action becomes a fact accomplished during the pendency of the action as a result of the coercive influence of the restraining order or temporary injunction, as is frequently the case, the court will thereafter refuse to try the action on its merits on the ground that the matter originally at issue has become moot, thereby rendering it impossible for the defendant to confront and cross-examine the adverse witnesses.

The provision that civil actions or proceedings are to be brought "for the United States, or in the name of the United States" is inserted in the civil rights bill for the deliberate purpose of depriving State and local officials and other Americans charged with indirect contempts for supposed violations of injunctions issued in civil rights cases, arising under sections 1971 and 1985 of title 42 of the United States Code, of the benefits of jury trials and limited punishments to which they would otherwise be entitled under sections 402 and 3691 of title 18 of the United States Code.

This purpose is revealed with complete clarity by the speech which Assistant Attorney General Olney made before the ninth annual conference of the national civil liberties clearing house on April 5, 1957, as well as by an analysis of the civil rights bill in the light of relevant judicial decisions and statutes.

I might add, incidentally, that in the course of his speech Mr. Olney made the most astounding statement I have known any American lawyer to make. He stated, in substance, that the object of the bill was to make it possible for a judge to keep a jury from acquitting a registrar. If the time ever comes when a judge can keep a jury from acquitting a person in court on any charge, at that precise moment liberty in America will be dead as a doornail.

If this purpose of depriving American citizens of the right of trial by jury should be consummated by the enactment of the civil-rights bill in its present form, State and local officials and other Americans charged with indirect contempts for supposed violations of injunctions in civil rights cases would be triable by judges without juries. Furthermore, they would be subject in such event to punishment, under section 401 of title 18 of the United States Code, by fines or imprisonments having no maximum limits whatsoever save those vague limits implied by the nebulous declarations of the eighth amendment that excessive fines shall not be imposed, nor cruel and unusual punishments inflicted.

A study of the Federal decisions, such as *Brown* v. *Lederer*, reported in 140 Federal (2d), *United States* v. *Green*, 140 Federal Supplement 117, and other Federal decisions, shows that the Federal courts have upheld the power of judges to sentence respondents to jail on trials without juries under section 401 of title 18 of the United States Code, for as much as 4 years.

So we would have a very astounding situation if the civil-rights bill should be enacted. If a man were tried and convicted criminally for a civil-rights violation constituting a misdemeanor, he could be sentenced to jail for only a year. Yet, under this bill, if it passes, instead of having the limited punishment prescribed by Congress of not more than 1 year, he could be sent to jail for the same offense as a contempt for any number of years, unless his sentence conflicted with vague and nebulous provisions of the eighth amendment. Not only would he be deprived of the protection even on the equity side, of the limited 6 months' punishment; he could be sentenced to jail for years and years and fined unlimited amounts of money on a trial by a judge without a jury, even though he denied his guilt.

In one of the cases I have mentioned, a man was tried for a violation of the Smith Act, was found guilty by a jury, and sentenced to 5 years' imprisonment on conviction. He appealed, the judgment was affirmed on appeal, and he was ordered to surrender at a certain time to begin his sentence. He failed to surrender, and was later convicted by a judge, on a trial without a jury, of contempt of court for so doing, and given 3 additional years for contempt of court.

As one contemplates the efforts of the proponents of the civil-rights bill to rob Americans involved in civil-rights disputes of such basic constitutional and legal safeguards as the right of trial by jury by a procedural device virtually identical with that employed by the British Parliament, at the urging of King George and his ministers, to rob American colonists of their right of trial by jury, he recalls observations made in the opinion in *Ex Parte Milligan* (4 Wall. I, 120), where the Supreme Court vacated a sentence of death pronounced upon a civilian by a military commission in violation of the basic safeguards guaranteed by the Constitution.

After stating that the founders of our Government inserted the constitutional guaranties of indictment by grand jury, trial by jury and confrontation of adverse witnesses in the Constitution because wisdom and experience had demonstrated them to be necessary to protect those accused of crime from tyrannical rulers and "the clamor of an excited people," the Supreme Court said:

Time has proved the discernment of our ancestors; for even these provisions, expressed in such plain English words, that it would seem the ingenuity of man could not evade them, are now, after the lapse of more than 70 years, sought to be avoided. Those great and good men foresaw that troublous times would arise, when rulers and people would become restive under restraint, and seek by sharp and decisive measures to accomplish ends deemed just and proper; and that the principles of constitutional liberty would be in peril, unless established by irrepealable law. The history of the world had taught them that what was done in the past might be attempted in the future.

And, now, after the lapse of more than 90 additional years, history repeats itself. The proponents of the civil-rights bill attempt again "what was done in the past." They seek to avoid and evade in respect to State and local officials and other Americans involved in civil-rights disputes basic constitutional and legal safeguards "expressed in plain English words" for the security of all Americans.

The proponents of the civil rights bill justify their advocacy of its astounding provisions by laying to their souls the Machiavellian unction that the end they have in view excuses the evil they propose. They solicit the support of others for their proposal by these arguments: That the Federal Government is compelled by existing laws to depend solely on criminal prosecutions in cases involving alleged deprivations or violations of civil rights; that criminal prosecutions are cumbersome, slow, and often unduly harsh, that jurors are reluctant to indict and convict dependents in criminal prosecutions for alleged deprivations or violations of civil rights; that the civil-rights bill is merely designed to lodge in the Federal Government an additional power to bring civil actions of an equitable nature in which the comparatively mild injunctive process is to be employed to redress or prevent deprivations or violations of civil rights; and that the proposed injunctive process is superior to criminal laws because it would afford the Federal Government means of preventing the commission of crimes in the civil-rights field.

The argument that criminal prosecutions are often unduly harsh on defendants in civil-rights cases and that such defendants would be benefited by subjecting them to the comparatively mild injunctive process instead of criminal prosecution is rather intriguing because of its source. This argument is advanced by Government attorneys who confess their fear that they might lose some of the civil-rights cases they wish to win if they are required to convince jurors of the truth of their allegations by the oral testimony of cross-examined witnesses according to the practice prescribed by the Constitution of the United States.

Mr. ROBERTSON. Mr. President, will the Senator yield? I do not wish to interrupt the Senator, if he desires to complete his statement, but I have a thought to express in line with his comments.

Mr. ERVIN. I prefer to complete my statement, if the Senator does not mind.

Mr. President, Congress would do well to beware of Government attorneys when they profess to bear gifts to those they are obligated to prosecute.

The arguments that criminal prosecutions are cumbersome and slow, and that jurors are reluctant to indict and convict are identical with those given for the establishment of the Court of Star Chamber, the enactment of the acts of Parliament depriving American colonists of the right of trial by jury, and the congressional opposition of former days to the jury trial provisions of the Clayton and Norris-La Guardia Acts. Moreover, these arguments are likewise identical with the arguments of those who justify mob law upon the ground that the administration of criminal justice in the courts is slow and expensive and sometimes unsatisfactory in its results.

Happily for liberty and justice in America, the founders of our Government hated judicial tyranny more than they loved judicial haste, and for that reason spurned the argument that criminal prosecutions are cumbersome and slow.

Believing, as they did, that all persons ought to be weighed in the same legal balance, they likewise rejected the argument that Justice ought to descend from her pinnacle in particular cases for fear that jurors might acquit some persons who, in the opinion of Government lawyers, ought to be convicted and subjected to punishment.

The argument that the civil-rights bill is a comparatively mild bill is destitute of validity. Those who advance it are like Job. They multiply words without knowledge.

Let us weigh the argument of mildness in the light of what the civil-rights bill would empower the Attorney General and a one-man Federal court to do to defendants in civil rights cases. And let us, when so doing, remember that the overwhelming majority of these defendants will be State and local officials, who render essential governmental services at State and local levels for little or no compensation out of a sense of public duty, and who will be haled into court, in the final analysis, simply because their ideas as to how their public duties should be performed differ from those entertained by the Attorney General or his underlings.

Under the civil-rights bill, the defendants in all civil actions or proceedings instituted by the Attorney General for the avowed purpose of protecting or vindicating any supposed civil rights defined either expressly or impliedly by sections 1971 and 1985 of title 42 of the United States Code are to be automatically deprived by circumvention of these substantial and invaluable rights: First, their rights under the Constitution to indictment by grand jury and trial by petit jury on the charges made in the civil actions or proceedings; second, their right under the Clayton Act to trial by jury on indirect contempt charges in subsequent contempt proceedings arising out of alleged violations of restraining orders, temporary injunctions, or permanent injunctions issued in the civil actions or proceedings; and third, their rights under the Clayton Act and sections 241, 242, 243, 372, 594, and 1503 of title 18 of the United States Code to the benefit of the limited punishments prescribed by Congress for the acts and practices allegedly committed by them.

After the Attorney General robs the defendants of these constitutional and legal safeguards by the devious device of using civil actions or proceedings under the civil-rights bill instead of criminal prosecutions, the one-man Federal court, which convicts them of contempts on trials without juries, may punish them for the contempts by fines or prison sentences having no fixed or known limits whatever.

The legal woes of the defendants do not necessarily end when they have suffered all these things at the hands of the Attorney General and the one-man Federal court. Since the civil-rights bill does not remove their liability to criminal prosecution, they may still be subjected to punishment under the criminal law for the same acts. They could not plead double jeopardy in such event, because they would be punished in the contempt proceedings for disobeying injunctions not to violate the criminal law and in the criminal prosecutions for committing crimes.

This brings us to the argument that the injunctive process proposed by the civil-rights bill is superior to criminal laws because it would afford the Federal Government means of preventing the commission of crimes in the civil-rights field.

This argument is pressed with vigor by those who would deprive defendants in civil-rights cases of such basic rights and benefits as the right of trial by jury and the benefit of limited punishment.

The argument that it would give the Federal Government the power to prevent the commission of crime is lacking in intellectual strength. It rests solely upon the fallacy that courts of equity can prevent crimes in some manner other than by fear of the penalties attending the violations of injunctions.

The prohibition of the equity court adds nothing of a deterrent nature to the prohibition of the criminal laws. This is so because criminal laws and courts of equity have no preventive powers whatever except the fear of punishment. When all is said, criminal laws and injunctions undertake to prevent forbidden acts in exactly the same way, that is, by threatening to punish their commission by fine or imprisonment. There is no sound reason for believing that laymen, unversed in the niceties of contempt and criminal processes, would fear the sentence of a court of equity more than the sentence of a court of law.

The only use of the term "equity" in the Constitution is in the stipulation of article III, section 2, that the "judicial power shall extend to all cases, in law

or equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made under their authority."

While the founders of our Government were at pains to have the Constitution specify that criminal prosecutions and suits at common law are to be tried by jury, they did not insert in that instrument any express limitation upon courts of equity. Adequate reason existed for this omission.

At the time of the adoption of the Constitution, writs of injunction and other equitable remedies were used for the protection of property rights only. As was made clear by the commentary of Alexander Hamilton on the extent of the authority of the Federal judiciary, which has been preserved in the Federalist as Essay No. 80, and which I have caused to be inserted in the RECORD, the founders of our Government contemplated that the equitable jurisdiction of the Federal courts would be exercised within similar limits.

When they placed in article III, section 2, the emphatic and unambiguous declaration that "the trial of all crimes shall be by jury," the founders of our Government intended these plain English words to mean exactly what they said. They believed that this constitutional declaration possessed sufficient vigor to thwart the efforts of those who would convert courts of equity into courts of star chamber and rob Americans of their right of trial by jury by the devious device of extending the powers of equity beyond their ancient limits.

History makes this manifest: If they had dreamed that Americans could be constitutionally robbed of their right of trial by jury by perverting injunctions and contempt proceedings from their historical uses to the field of criminal law, the people of the United States would have rejected the Constitution out of hand. If one is tempted to question the validity of this assertion, let him read Judge Story's affirmation that the omission from the original Constitution of the guaranty of jury trial in suits at common law later embodied in the seventh amendment raised an objection to the Constitution which "was pressed with an urgency and zeal well nigh preventing its ratification."

I submit that the constitutional declaration "the trial of all crimes shall be by jury" does possess the vigor attributed to it by the founders of our Government, and that in consequence it necessarily invalidates by implication any proposal to rob Americans of their right of trial by jury by extending the injunction and contempt processes of equity to the criminal field. If this is not true, this solemn constitutional declaration is but an empty pledge expressed in idle and ironic words.

If power can be conferred upon Federal courts to suppress crime in the civil-rights field by injunctions and contempt proceedings in trials without juries, there is no sound reason why power cannot also be conferred upon such courts to suppress in like manner any and all crimes in the whole catalog of crimes.

In concluding this phase of my remarks, I quote from an article by Judge Henry Clay Caldwell, which appeared in the American Federationist for May 1910:

These mandatory provisions of the Constitution are not obsolete, and are not to be evaded or nullified by mustering against them a little horde of equity maxims and obsolete precedents which had their origin in a monarchical government having no written constitution. No reasoning and no precedents can avail to deprive the citizen accused of crime of his right to a jury trial guaranteed to him by the provisions of the Constitution, "except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war, or of public danger." These exceptions serve to emphasize the right and to demonstrate that it is absolute and unqualified both in criminal and civil suits, save in the excepted cases. These constitutional guaranties are not to be swept aside by an equitable invention which turns crime into a contempt and confers on a judge the power to frame an extended criminal code of his own, making innocent acts crimes punishable by fine or imprisonment without limit, at his discretion (American Federationist, May 1910).

If the civil-rights bill should be enacted by Congress, and survive the test of constitutionality, it would commit the Federal Government for the first time in our history to the task of enforcing by injunctive process at the expense of the taxpayers the personal and political rights of private individuals. This would be a most dangerous thing, because it would establish government by injunction in the civil-rights field and eventually result in the extension of Government by injunction at public expense to every field involving pressure groups having substantial political strength.

The injunction ought to be restricted to the legal field in which it was designed to operate. It has no rightful place in the field of criminal law, especially when it is perverted to use as a subterfuge to rob Americans of their constitutional right to trial by jury.

If the constitutional and legal systems America has known and loved are to endure, we must compel the Government to remain in its proper field for the enforcement of law against individuals, that is, the criminal field.

Furthermore, if the constitutional and legal systems America has known and loved are to endure, the Senate must reject this monstrous proposal, called a civil-rights bill, which is designed solely and simply to sell constitutional truth to serve the political hour.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. STENNIS. I know that the entire membership of the Senate is indebted to the Senator from North Carolina for a very diligent study of the subject matter of this bill, and a masterly analysis from the standpoint of the fine legal mind, as well as the statesmanlike view of the Senator upon the entire subject matter. I am sorry there are not more Senators present to hear him. I am sure that on many fundamental points there will not be any who will be able to challenge him or to answer some of the fundamentals he has laid down.

I should like to call special attention to one phase of the subject which was touched on only lightly. I ask this question in view of the Senator's very careful study, extending over a 6-month period. Much has been said to the effect that the bill is merely to secure voting rights. I know the Senator has covered that point in his discussion of other subjects, but I should like to have him comment on the phrase that is so often heard and so many times repeated, that the bill is merely a measure to secure voting rights. Can the Senator from North Carolina give us an appraisal of that characterization?

Mr. ERVIN. I am glad to have the opportunity to do so. That statement has been iterated and reiterated. During the course of my speech I said I was going to state one proposition bluntly and plainly, so that he who runs may read and not err in so doing.

I have said there is not a scintilla of truth in the oft-repeated statement that this bill is simply designed to secure voting rights for Negroes in Southern States.

Under the bill, particularly under part 3, which gives the Attorney General the power to bring suit in the name of the United States at the expense of the taxpayers in all of the numerous cases that are to be covered by subsections 1, 2, and 3, of section 1985, of title 42, the Attorney General of the United States could bring suits virtually unlimited in number and nature.

Under one clause of subsection 3, the clause relating to the equal protection of the laws, the Attorney General could bring suit in the name of the United States and at the expense of the American taxpayers, in behalf of any citizen of any race, any alien of any race, and any private corporation, within the territorial jurisdiction of any of the 48 States, upon an allegation that such alien or citizen or private corporation had been discriminated against either by the wording of any State law or by the application to him or it by State officials or local officials of any State law or municipal ordinance.

Therefore, as a matter of fact, under that one clause, out of many clauses in section 1985 of title 42 of the United States Code, the Attorney General could bring suit, at the expense of the taxpayers and in the name of the United States, in every field in which the State or any of its political subdivisions is authorized by our system of government either to act or to legislate.

I cannot conceive of a broader power being given to one public official.

As I said, the Attorney General is given complete authority over this proposed law. He may withhold the benefit of this procedure from some persons and can accord it to other persons. He can use it against some, and refuse to use it against others. No other person in the United States—and I will go further and say in the whole universe—will have anything whatever to do with putting the proposed law into use except the Attorney General of the United States. I have never yet seen a human being who ought to be trusted with power so broad.

Mr. STENNIS. If the Senator will yield further, I should like to ask him one other question. I refer now to the recent Girard will case. I have in mind the carrying over of that power into the field of private property. Stephen Girard's will provided for the use of the services of public officials as trustees. Would it not be possible to extend the power the Senator mentioned to a case of that kind, which is primarily one dealing with private property?

Mr. ERVIN. There can be no question about it. I will say to the Senator from Mississippi that under this bill any person who claimed he had been discriminated against by the administration of the Girard trust by the public officials in charge of the administration of that private trust could ask the Attorney General to bring a suit at the expense of the taxpayers of the United States and in the name of the United States for his benefit. Of course, it would be up to the Attorney General then to say whether he would grant the request of that person.

Mr. STENNIS. I thank the Senator. I shall be brief in my further questioning of him. I should like to invite his attention to page 10, line 4, of the bill, which expressly confers jurisdiction on the district courts of the United States. It states:

> Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

As an experienced lawyer and judge, would the Senator from North Carolina comment expressly on the sweeping provisions in that provision of the bill?

Mr. ERVIN. That has reference primarily to statutes passed by States. As the distinguished Senator from Mississippi knows, there are Federal and State statutes prescribing remedies in virtually every case in which either the Federal Government or the State government has created a public board or commission to administer certain laws, or to regulate business clothed with the public interest. These administrative statutes are administered by men who are experienced in the fields covered by the laws. The statutes afford them an opportunity to correct any errors made by them, and result in the avoidance of a tremendous amount of unnecessary litigation.

Both in courts of law and courts of equity there is a fundamental rule that a person cannot seek judicial relief until he has utilized and exhausted the administrative remedies available to him.

This wise rule would be retained in every field except the civil rights field. Under the civil-rights bill, the Attorney General would have the uncontrolled discretion to strike down any State law prescribing an administrative remedy. The provision mentioned by the Senator from Mississippi would produce a peculiar situation. If the Attorney General should bring one of these suits under the bill, he would automatically nullify every State law prescribing an administrative remedy applicable in that particular case. But, on the contrary, if he were to refuse to bring a suit for a particular individual under the bill, the law prescribing the administrative remedy would remain in full force and effect, and that individual would have to comply with it before applying to the court for relief.

Our friends who support the bill say that it is ideally adapted to secure to everyone equal protection of the laws. However, equal protection of the laws in a procedural sense requires that all persons shall have the right to resort to court for redress without discrimination under the same rules. The bill would prevent that being the case.

Mr. STENNIS. Mr. President, will the Senator yield for one more question?

Mr. ERVIN. I yield.

Mr. STENNIS. I shall make this question very brief. I seldom ask a Senator to yield for more than one question. The Senator discussed the punishment for contempt, and said there would be no limitation on the punishment, and he discussed who would be the judge of the question whether the sentence had been completed or whether the person had purged himself. Will the Senator comment on that point?

Mr. ERVIN. As I construe the provisions of the Clayton Act, which are embodied in sections 402 and 3691 of title 18 of the United States Code, a person charged with indirect contempt in a civil-rights case is entitled to a jury trial. In such a case he also gets the benefit of the limited punishment of not over 6 months' imprisonment and a fine of not more than a thousand dollars to the Federal Government. Under the bill, he is deprived of both of those benefits, and he is subject, if he is tried by a judge, without benefit of a jury, to an unlimited prison sentence and an unlimited fine, save and except that he may not be subjected to excessive punishment under the 8th Amendment to the Constitution.

Mr. STENNIS. Who is the judge as to what the sentence should be?

Mr. ERVIN. It would ordinarily be the judge whose order is allegedly disobeyed.

Mr. STENNIS. I thank the Senator from North Carolina.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. O'MAHONEY. I do not want to deprive the Senator of the floor; I simply desire to make clear in the RECORD tonight that when the opportunity comes, I have an amendment which I desire to propose.

Mr. MANSFIELD. Mr. President, will the Senator from North Carolina yield for the purpose of my suggesting the absence of a quorum?

Mr. ERVIN. I yield.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

Mr. MORSE. Mr. President, will the Senator from Montana withhold his suggestion of the absence of a quorum to permit me to ask the Senator from North Carolina a question?

Mr. MANSFIELD. I prefer to have the quorum call now, and then to ask that it be rescinded later.

Mr. ERVIN. Mr. President, I ask unanimous consent that I may be permitted to yield to the Senator from Oregon without losing the floor.

Mr. MANSFIELD. Mr. President, I withhold my suggestion of the absence of a quorum.

Mr. ERVIN. After the Senator from Oregon has concluded, I shall yield to the distinguished acting majority leader for the purpose of suggesting the absence of a quorum.

Mr. MORSE. I shall study with great care the legal premises and thesis which the Senator from North Carolina has set forth in his speech this afternoon, but I wish to ask him a question based upon an assumption.

Let us assume that careful study proves that the Senator from North Carolina is completely correct in his argument that the bill gives unchecked discretionary power to the Attorney General. The Senator referred to the contention of some of our colleagues that they are insisting upon the bill in order to give equal protection of the laws to all citizens, irrespective of race, color, or creed.

Does the Senator from North Carolina agree with me that if his assumption is correct, and such arbitrary discretion is vested in the Attorney General, under the bill, then the bill is, in fact, a guaranty that there will not be equal protection of the law under the bill; because when unchecked discretionary power is given to any administrative officer, citizens are denied equal protection under the law, and their rights are determined entirely by the pleasure, the whim, and the caprice of the administrative officer who is given the unchecked power?

Mr. ERVIN. I agree absolutely with the distinguished Senator from Oregon. I say, in that connection, from my own convictions as a lawyer and a legislator, that courts are created to administer equal and exact justice according to certain and uniform laws which apply alike to all men in like circumstances. When law is applied by a public officer on a discretionary basis, the whim and caprice of the officer are the law.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. LAUSCHE. Do I understand correctly the statement of the Senator from North Carolina, that, in his opinion, the framers of the Constitution, when they attempted to outline the operation of the courts, considered the jurisdiction existing in the courts of law and the courts of equity in England; and based upon their knowledge of what the jurisdiction was then in equity, in civil actions in law, and in criminal actions in law, they concluded that there should always be trial by jury when the amount of money involved was $20 or more, and when imprisonment was the consequence of a finding of guilty?

Mr. ERVIN. I think there can be no question about that. In other words, Alexander Hamilton, who argued for the ratification of the Constitution, stated, in effect, that equity was intended to operate in the future substantially as it had operated in the past.

Mr. LAUSCHE. Am I correct in my understanding that there was constantly applied to the consciences of the chancellors in the courts of equity of England a sort of unwritten prohibition, which was, "Do not take jurisdiction of any case where there exists an adequate remedy at law"?

Mr. ERVIN. Absolutely. That is the first rule of equity, I should say. The primary rule of equity is that where there is an adequate remedy at law, equity cannot be invoked

Mr. LAUSCHE. I think that is correct. I believe the chancellors of the English courts were especially careful never to assume jurisdiction when it appeared that there was an adequate remedy under the civil law.

If I may delve a bit further, somewhere I once read that to rely upon chancellors was a dangerous practice, that they ruled according to their whims and caprices.

It has been said that a chancellor searches his conscience and renders judgment accordingly. But one chancellor spoke up and said, "That is a dangerous rule. The consciences of chancellors vary just as do the sizes of their toes. Some have large consciences, and others have practically no conscience at all."

It was for that reason that an unwritten law applied; namely, "Chancellor, be careful before you take jurisdiction, because it is the purpose to have actions tried in law, where the procedure is outlined, the law declared, and the method of a finding of guilt is determined."

May I ask the Senator from North Carolina whether through the years from the time the Constitution was written there has not been an expansion, by legislation, of the jurisdiction of equity in transgression of the principles which originally were dominant?

Mr. ERVIN. There is no question that legislative bodies have authorized courts of equity to act in cases which are no more similar to the original fields than the Milky Way is to the sun, as I believe Judge Caldwell says. But we have never gone quite so far as this bill does in the wholesale evasion of the constitutional right and statutory right of trial by jury.

Mr. LAUSCHE. The fear of the Senator from North Carolina is that the ancient rules which protect the individual in a court of law, and which do not entrust his rights to the whims and caprices of the judge in equity, will be violated and will be circumvented by the expansion of the jurisdiction in equity.

Mr. ERVIN. That is true. If the people can be robbed of their right of trial by jury, by converting crimes in the field of civil rights into contempts of court, they can be robbed of their rights in every field of criminal law, and the solemn guaranties of the right of trial by jury and the right of indictment by grand jury will become mere empty pledges expressed in idle, ironic words.

Mr. LAUSCHE. I thank the Senator from North Carolina.

Mr. ERVIN. I appreciate the observations of the Senator from Ohio.

Mr. MANSFIELD. Mr. President, I again suggest the absence of a quorum.

Mr. ERVIN. Mr. President, I yield for that purpose.

The PRESIDENT pro tempore. Obviously a quorum is not present. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Mundt
Allott	Green	Murray
Anderson	Hayden	Neuberger
Barrett	Hickenlooper	O'Mahoney
Beall	Hill	Pastore
Bennett	Holland	Payne
Bible	Hruska	Potter
Bricker	Humphrey	Purtell
Bush	Ives	Revercomb
Byrd	Javits	Robertson
Capehart	Jenner	Russell
Carlson	Johnson, Tex.	Saltonstall
Carroll	Johnston, S. C.	Schoeppel
Case, N. J.	Kefauver	Scott
Case, S. Dak.	Kennedy	Smathers
Chavez	Kerr	Smith, Maine
Church	Knowland	Smith, N. J.
Clark	Kuchel	Sparkman
Cooper	Langer	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Malone	Thurmond
Dworshak	Mansfield	Thye
Eastland	Martin, Iowa	Watkins
Ellender	Martin, Pa.	Wiley
Ervin	McClellan	Williams
Flanders	McNamara	Yarborough
Fulbright	Morse	Young
Goldwater	Morton	

Mr. MANSFIELD. I announce that the Senator from Delaware [Mr. FREAR], the Senator from Washington [Mr. JACKSON], the Senator from Washington [Mr. MAGNUSON], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Missouri [Mr. HENNINGS] is absent by leave of the Senate because of illness.

The Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Maryland [Mr. BUTLER] and the Senator from New Hampshire [Mr. COTTON] are absent on official business.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). A quorum is present.

Mr. O'MAHONEY. Mr. President, legislation proceeds by compromise. I have been in the Senate now, with a slight leave of absence, since the first day of January 1934, and I have known that bill after bill which passes this body and the House of Representatives and finally becomes law is hammered out upon the anvil of compromise. It is impossible for any person to stand before a legislative body in a free government and say, "I know what the law ought to be." In a free government those who propose legislation must be willing to compromise if they want to get results; and, Mr. President, I have no hesitation in expressing my view that there comes a time when, in the interest of the country itself and the progress of humanity, no minority should be in a position to prevent the enactment of necessary and essential legislation.

AMENDMENT IS A COMPROMISE

I rise this afternoon to speak upon this subject because I desire to suggest an amendment which, if this bill becomes the unfinished business of the Senate, I shall offer at an appropriate time. The amendment I intend to offer is in the nature of a compromise. It is designed to bring about a meeting of the minds, whereby those who are for a civil-rights measure and those who oppose it can unite in the firm belief that they are granting voting rights to the Negro population of the Nation, including the South. I know that in many parts of that area the right of the Negro to vote has already been recognized and protected.

These steps in expanding the right to vote are inevitable and they should be—I think they can be—completed now. In order to bring this about we should be willing here to make such compromises in the drafting of this bill as may accomplish the result we seek. As we approached the hour of 2 o'clock this afternoon several Members of the Senate, of whom I was one, arose to ask the majority and minority leaders if bills which they regarded as of some emergency character could be considered, and we were told that such consideration could not be granted in the circumstances that now exist.

WORLD FACES CRISIS TODAY

There is nobody within the sound of my voice, and certainly nobody in the United States, who does not know that the whole world is now involved in the greatest political and economic turbulence that ever existed. We have had wars in certain localities. We have had world wars; but never before have we been standing in such a perilous position as now. This is indicated by the fact that there are men of wisdom who predict a third world war may easily break upon us. We know that if it does, with nuclear fission having resulted in the production of the most destructive weapons that the imagination of man ever conceived, the result could easily be the destruction of civilization itself.

THIS COUNTRY MUST SAVE HUMAN RIGHTS

Civil rights will be of no value to anybody on either side if we should have a third world war, but the underlying fact which we must recognize is that the United States of America is the leader—the only effective leader in the whole world—to save for mankind equal rights, freedom of conscience, the dignity of man, the banishment of arbitrary power in whatever guise it appears.

If there is anything everybody must acknowledge about the Government of the United States—its Constitution and its form—it is that it was designed to make it possible for the people to rule themselves. Our Government was created to be an instrument of the people—and that meant all the people. It knew no division by race or creed or color.

The men who founded this Nation were thinking of the people that God Almighty created, and not about the divisions—the social divisions, the divisions of prejudice, and the divisions of

misunderstanding—that rise up to separate them.

I have prepared an amendment which I intend to propose if the civil-rights bill is taken up for consideration. I shall offer the amendment in the belief, or at least in the fond hope, that it can and will bring about a compromise. I shall read the amendment in a moment.

BILL WOULD ALLOW ATTORNEY GENERAL TO BRING SUIT FOR PRIVATE INDIVIDUALS

Senators should bear in mind, as has already been stated upon the floor by the distinguished Senator from Ohio [Mr. LAUSCHE], and the distinguished Senator from North Carolina [Mr. ERVIN], that the law of equity is a development of the ancient law of Britain which was known as the exercise of the conscience of the king. Equity was called into play when there was no opportunity to redress grievances in the courts of law. And certainly in our country it has always been the rule that a court of equity would not consider any plaintiff's case if the plaintiff had not sought administrative remedies provided by the laws of the State within which the plaintiff resided.

I do not know how many Members of the Senate have heard the facts which have been pointed out as to the provisions in the bill now on the calendar by vote of the Senate, which preferred not to allow the bill to go to the Committee on the Judiciary. There are two provisions which give the Attorney General the right to bring suit on behalf of the United States and on behalf of private litigants. I wish to invite attention to the fact that on page 9, in part III, which is entitled "To Strengthen the Civil Rights Statutes, and for Other Purposes," the Attorney General is given this power in these words:

Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs first, second, or third, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

Paragraph fourth which I have read is from the bill before the Senate. It is not a part of existing law. Any person seeking to determine what this paragraph provides must go elsewhere, beyond the pages of the bill, to find out what the provisions of the first, the second, and the third paragraphs of existing law are. How many people know that those provisions were written into law almost 100 years ago?

It was in 1861 that the Congress of the United States enacted the statutes which I hold in my hand. These are paragraphs 1, 2, and 3 of section 1985 of Title 42 of the United States Code. The volume I have in my hand is labeled "Property of the United States Senate Library."

The first of these paragraphs provides:

(1) Preventing officer from performing duties

If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties;

Then there are recited paragraph 2 and paragraph 3.

Mr. President, I ask unanimous consent that they may be printed in the RECORD at this point without my reading them.

There being no objection, the paragraphs were ordered to be printed in the RECORD, as follows:

(2) Obstructing justice; intimidating party, witness, or juror.

If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

(3) Depriving persons of rights or privileges

If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators.

FOR NEARLY A CENTURY CITIZENS HAVE HAD RIGHT TO SUE WHEN CIVIL RIGHTS INVADED

Mr. O'MAHONEY. The third paragraph ends with this clause—and remember, it refers to all the provisions of subsections 1, 2, and 3 of section 1985, Title 482, United States Code:

The party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators.

That provision of law was written upon the statute books of the United States by the act of July 31, 1861. This was clear law giving to individuals who were injured by the invasion of their civil rights the personal right to bring an action for the recovery of damages.

I invite the attention of the Senator from North Carolina to the fact that this law was enacted in 1861, not 1871. The Senator from North Carolina thought I was 10 years off, but I have the facts before me.

This has been the law all through these racial fights, all through the struggle to bring equality of voting rights and civil rights to the Negro population of the United States.

Added to that section is the section I have just read from the bill, giving the Attorney General the right to bring the suit when the citizen does not act. That would have the effect, in turn, of bringing about a confusion of law and equity which could easily result in the very undermining of the Bill of Rights itself.

That is not the only section. There is another section. I refer to section 1971 of Chapter 20, Title 42, United States Code. I read from the same volume, on page 6214——

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. LAUSCHE. On what page of the bill before us is the section which the Senator contemplates reading to be found?

Mr. O'MAHONEY. The section which I read was on page 9, beginning in line 16. It is the fourth provision, a new provision to be added to the existing law of 1861. It would give the Attorney General the right to institute for the United States, or in the name of the United States, "a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order" on behalf of the citizens for whose benefit the law of 1861 was written.

The words do not in themselves spell out the meaning of the proposed new law so that he who runs may understand as well as read.

Those words mean that the Attorney General of the United States may bring a suit which a citizen of the United States who has been injured does not desire to bring.

Mr. LAUSCHE. Does the Senator contemplate reading another section.

Mr. O'MAHONEY. Yes.

Mr. LAUSCHE. On what page of the bill is the section which the Senator now contemplates reading to be found?

Mr. O'MAHONEY. It is to be found on page 10.

Mr. LAUSCHE. Under the heading "Part IV"?

RIGHT TO VOTE LAW HAS BEEN ON STATUTES SINCE 1870

Mr. O'MAHONEY. Part IV, beginning in line 21. It would be interesting to read all of this, because it illustrates how difficult it was to draft the bill. I read beginning in line 21:

SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

(a) Amend the catch line of said section to read, "Voting rights."

Then we proceed to page 10—

(b) Designate its present text with the subsection symbol "(a)."

I wish to read the subsection which becomes designated by the symbol "(a)."

It is existing law. I find it in Title 42, Chapter 20, section 1971:

All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other Territorial subdivision, shall be entitled and allowed to vote at all such elections without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any such State or Territory, or by or under its authority, to the contrary notwithstanding.

When was that law enacted? That comes from the act of May 31, 1870. It is Chapter 114, section 1, of the Session Laws, 16th Statute, page 140. That law has been on the statute books, granting the perfect right to vote to all citizens included within the 14th amendment, since the 31st day of May 1870.

RESTRICTING QUALIFICATIONS HAVE BEEN MAINTAINED

I have no doubt—in fact I know—that this law has been violated. I know that, in some places, Negroes have not been permitted to vote. I know that qualifications were established, such as the poll tax qualification. Sometimes there were cumulative taxes to be paid, designed for the purpose of preventing such voting. But I also know that when I first became a Member of the Senate there were at least 8 Southern States that had poll tax qualifications which were alleged to be used to prevent voting. But I know that at the same time there were poll tax qualifications in certain States in the New England area.

As a matter of fact, when the Constitution was adopted, no one in the State of Pennsylvania could vote unless he was a landowner. The poll tax was invented in Pennsylvania for the purpose of spreading the right of voting to the workingman, who had been denied the right to vote because he was not the owner of land.

THERE HAS BEEN GREAT PROGRESS IN CIVIL RIGHTS

When I first became interested in this matter as a member of the Committee on the Judiciary I found that there were about 8 States which still maintained the poll tax as a qualification for voting. Now I understand there are not more than three. I know there is not a Senator who would not be willing to appear in court before the former judge of the North Carolina Supreme Court, now Senator, SAM ERVIN, confident that in any case he might have in litigation before this man he would receive justice and fairness and equity.

We know our brethren of the South in the Senate. We deal with them constantly. We know they have made great progress in the program of building up racial relations. We in the United States from the North and East and West and Middle West and South and Southwest, or wherever we may come from, can take great pride in the fact that greater progress has been made with respect to social justice and civil rights among our colored brethren in this country than in south Africa, for example.

I do not hesitate to make the comparison, and I know that it is all in favor of those who constitute the governments of the Southern States.

But there are places where justice is not done. There are places in the South—not many of them—where justice is not done, and I have in mind particularly one case which has been getting some press notices in recent days, where the practice invented by Elbridge Gerry of Massachusetts, to gerrymander the districts, is threatened to be adopted. Gerrymandering is older than the Constitution of the United States. It is not distinctive to any Southern State.

ETHICAL AND SPIRITUAL PROGRESS RESULTS NOT FROM GOVERNMENT BUT FROM HIGH RELIGIOUS CONCEPTS

We know perfectly well, as intelligent men, that we are dealing with millions of human beings. We know that we are dealing with a deep social ailment. Certainly our experience has been such that we know that no government can control by law the habits, the desires, and the actions of individuals.

The improvement of ethical standards and the improvement of spiritual standards come not from adherence to forced laws or submission to forced laws, but from following the teachings of high religious concepts. We know perfectly well, those of us who believe in Almighty God, that God made men equal and that He made them free. We know that God Almighty could have prevented, if He had so desired, any force to guide the conduct of his sons upon earth. He could have prevented murder and rapine, and all other crimes, even those that are committed in the name of religion itself. However, God Almighty did not do that. He laid down the Ten Commandments as guides, because he wanted freemen to reach the great height from which the angels were banished because of their unwillingness to follow the high spiritual concepts in which we believe.

We know that an attempt was made to stop the consumption of intoxicating liquor by adopting a constitutional amendment, and that it resulted in the production of gangsterism, not in the production of prohibition.

God made men free, and no power in government can compel men to yield their freedom to any law.

That is the heart of free government. That is why this Government of ours was founded—to give the people an opportunity to rule and to make government the servant of the people, not the master.

BILL OF RIGHTS GUARANTEES PEOPLE'S LIBERTIES

I can understand why some of our colleagues of the South might feel that the proposal giving the Attorney General the authority to go into any State and bring suit on behalf of any citizen might result in suppressing the liberties guaranteed to men by the Constitution. The Bill of Rights was written by a gentlemen's agreement, not into the Constitution when it was drafted, but after that document had been submitted to the States, and when it became apparent that there were patriotic leaders who would not vote to ratify the Constitution unless an agreement were reached that a Bill of Rights would be added by the First Congress.

George Washington was the first President of the United States, and he had been President of the Constitutional Convention. He knew what was in the Constitution and what was not in it. In his message to the First Congress he recommended the adoption of a Bill of Rights, the purpose of which was to make sure that the new government would not be the master of the people.

That is what the Bill of Rights means, and nothing else.

PURPOSE OF AMENDMENT IS TO EFFECT MEETING OF MINDS

I do not go so far in my amendment as to attempt to make changes in the bill which I would have made had I been drafting it. I am presenting here today, for offering if the occasion arises, an amendment which I hope will have the effect of bringing about a meeting of minds among the Members of the Senate. I trust that my brothers of the South, who have already made so much progress in the field of social relations, will take another great step of progress in that direction, and grant complete voting rights to the Negroes, so that Negroes will not be intimidated and will not be coerced, and that their jobs will not be endangered if they present themselves to register, for example.

I should like to say to my friends from the South that I have honored and respected and admired them ever since I became a Member of the Senate. I know their ability; I know their gallantry; I know their readiness to serve the public. I say to them that the greatest issue before us today is the maintenance in the United States of such an example of freedom among its citizens that the peoples of the satellite nations, the peoples of Europe, the peoples of Africa, the peoples of Asia, will want to follow our leadership. We certainly know that if we fail because of the incitement to anger, hatred, and violence within the boundaries of the United States by an appeal to force, we will have raised the emotional stresses to a higher pitch. It will be like a cancer eating at our capacity to unite for the peace of the world.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

MR. LAUSCHE. The Senator a few moments ago quoted from section 131, section 2004, of the Revised Statutes——

Mr. O'MAHONEY. No; section 131 is the section of the bill.

Mr. LAUSCHE. Of the bill; yes.

Mr. O'MAHONEY. Section 2004 is the section of the Revised Statutes. That is the act of May 31, 1870.

Mr. LAUSCHE. Yes. The Senator read the law as it exists.

Mr. O'MAHONEY. That is correct.

Mr. LAUSCHE. Is the Senator in a position to explain what the bill will do concerning that law, forgetting for the moment the amendment which the Senator is about to offer?

Mr. O'MAHONEY. Oh, yes; I am very glad to do that, because the new proposals follow right along on page 11. An interesting mistake is revealed here, a mistake made by the legislative draftsmen. I call the Senator's attention to the last word in line 3.

Mr. LAUSCHE. On page 11?

Mr. O'MAHONEY. I read from page 11, line 3, as follows:

(c) Add, immediately following the present text, three new subsections to read as follows.

Then, if the Senator will observe, on page 11, line 5, there is subsection (b); on line 17, subsection (c); on page 12, line 5, subsection (d); and on page 12, line 10, subsection (e).

In other words, although they have said they were adding three new subsections, they in fact added four new subsections. Does the Senator from Ohio see those paragraphs to which I have pointed?

Mr. LAUSCHE. Yes.

Mr. O'MAHONEY. This is another case in which the Attorney General is given the right to institute a civil action, or rather a proper procedure for preventive relief, including an application for a permanent or a temporary injunction.

In order to lay the basis of a compromise, this is the amendment which I intend to propose, if it becomes essential.

Mr. WILEY. Has the amendment been printed?

Mr. O'MAHONEY. I am going to ask that it be printed.

At the end of the bill I propose to add the following:

PART V—JURY TRIALS IN CERTAIN CONTEMPT CASES

SEC. 151. In any proceeding for contempt of any injunction, restraining order, or other order issued in an action or proceeding instituted under the fourth paragraph of section 1980 of the Revised Statutes or under subsection (c) of section 2004 of the Revised Statutes, the court shall, if it appears that there are one or more questions of fact to be determined, order that such questions of fact shall be tried by a jury in a trial conducted according to the mode prescribed by law for suits coming within the purview of the seventh amendment to the Constitution of the United States.

JURY TRIAL WOULD BE REQUIRED ONLY WHEN THERE ARE FACTS TO BE PROVED

Let it be observed that the amendment applies only to proceedings for contempt of an order of the court. It applies only when the substantial rights of a citizen of the United States are threatened by an equitable action which gives to the judge the power of imprisoning the individual involved and does not relate to those cases where the facts are clear.

In other words, this is an attempt to apply the historic doctrine of the king's conscience where there is no remedy at law and no administrative remedy. It does not compel a court trial when the contempt is committed in the presence of the judge—certainly not. That would not be proper at all. It applies only, as to a jury trial, when third persons may be involved.

How is it possible, for example, to determine, without a jury, who are involved in the following cases recited in the present statute? I am now referring to section 1980 of the Revised Statutes, the act of July 31, 1861, paragraph 2.

Let me begin with paragraph 3:

(3) Depriving persons of rights or privileges: If two or more persons in any State or Territory conspire or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any cases of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators. (Revised Statutes, sec. 1980.)

These are cases which obviously may easily involve third persons, fourth persons, or fifth persons who are not before the court at all. It is not at all clear that the persons charged may have been the persons who were in disguise in fact.

On the contrary, consider the case of voting. If a voter appears before the board of registry and is denied the right to vote, and if that case is taken before the court, and the court orders, by injunction, the board of registrars to register the voter, the judge is free. He does not have to call a jury in that instance, because the registrars are those who are named by law. If the officially elected registrars of a county decline to register a Negro voter, then the court can put the whole board of registry in jail for contempt without a trial by jury.

So I believe I have presented to the Senate an amendment—a jury trial amendment—which is unlike anything which was presented in the House; an amendment which is based upon fundamental American principles.

Mr. President, I ask that the amendment be printed and lie on the table.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). The amendment will be received, printed, and lie on the table.

Mr. O'MAHONEY. I do this in order that the amendment may be in the hands of every Senator for further consideration as we engage in this great debate—and it is a great debate.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. LAUSCHE. The Senator from Wyoming quoted from two sections. One concerns the interference with a public official in the performance of his duty. The other deals with the denial to a citizen of the right to vote.

My recollection is that in describing the remedy, the Senator from Wyoming said there was existent an action for damages at law. My question is this: Is any other remedy provided, if and when those laws are violated? Perhaps the Senator from North Carolina [Mr. ERVIN] can help in answering the question.

Mr. O'MAHONEY. I have not made a canvass of all the laws of the various States upon this matter. I have been dealing only with the law of the United States. I shall be very happy to have the Senator from North Carolina respond to the question.

Mr. ERVIN. In answer to the question of the distinguished Senator from Ohio, I would say I have made what I regard as a thorough study of all the statutes dealing with civil rights. In my judgment as a lawyer, there is a Federal statute which makes a crime of every act dealt with by every clause of either one of the sections of Title 42 which is proposed to be amended by the bill.

Mr. LAUSCHE. That answers my question.

Am I correct in understanding that under the laws to which reference has been made and the laws which deal with remedies, provision is made for an action at civil law for damages and an action at criminal law for punishment of the transgression?

Mr. ERVIN. That is correct. In other words, every one of the civil rights defined in either of those sections is now enforceable in either of three ways: either by a criminal prosecution by the Government, or by a private suit for damages by the party aggrieved, or by a private suit for equitable relief by the party aggrieved.

Mr. O'MAHONEY. Mr. President, perhaps the Senator from Ohio may find the answer to his question further spelled out in section 1988 of Title 42 of the United States Code, on page 6216. The section is entitled "Proceeding in Vindication of Civil Rights." It is Revised Statutes, section 772. It was adopted on April 9, 1866, and is Chapter 31, section 33 of 14 statutes, at page 27. It was amended on May 31, 1870, Chapter 114, section 18, which is recorded as 16 statutes 144.

Mr. HOLLAND. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. HOLLAND. First, as one humble southerner, I wish to express my very deep appreciation of the understanding and the Christian tolerance displayed by a distinguished Senator—the Senator from Wyoming [Mr. O'MAHONEY]—for whom I have very deep affection. I know his statements today stem from a very warm heart, to which I wish to pay my meed of tribute.

Mr. O'MAHONEY. The Senator from Florida is very, very kind.

Mr. HOLLAND. Second, Mr. President—because I have made some study of the subject—I should like to refer, in connection with the general figures the distinguished Senator from Wyoming has given relative to the poll tax situation in the Southern States in recent years, to a more or less correct-to-the-hour compilation, if I may do so with his approval.

Beginning with the list of 11 Southern States at the commencement of the current change in this situation—to which the distinguished Senator from Wyoming has so warmly referred—the States which banned the poll-tax requirement as a prerequisite for voting in all elections, whether for Federal officials or for State or local officials, are as follows:

North Carolina led the way some years ago, followed by Louisiana. I am glad to see present at this time the senior Senator from North Carolina [Mr. ERVIN] and the junior Senator from Louisiana [Mr. LONG].

I believe my own State of Florida followed, being the 3d of the 11. It happened to be my honor to be a member of the State Senate of the State of Florida when that change was made.

Georgia was the fourth.

South Carolina was the fifth.

Tennessee—so ably represented here by both the splendid Senators from that State [Mr. KEFAUVER and Mr. GORE]—was the sixth.

The five States which continue to have a poll-tax requirement of some kind or another, in almost every instance have ameliorated that requirement either by providing that persons beyond a certain age shall not be liable to pay, or by providing that persons engaged in military training shall not be required to pay, or by providing that persons with certain kinds of physical handicaps shall not be required to pay. There has been such scant enforcement of that law in some of those States as to bring about a much more salutary condition—that is to say, salutary from the standpoint of the Senator from Florida—as compared with the condition existing some years ago.

So I think the distinguished Senator from Wyoming is thoroughly within his rights and within the facts when he calls attention on the RECORD to the fact that the Southern States have made vast progress in this regard. I appreciate his having done so.

I hope the distinguished Senator from Wyoming will also share with me the feeling that a big blind spot in the proposed law, in connection with which the Senate is engaging in debate on the question of proceeding to its consideration—arises from the failure of the authors of the proposed law to realize that they fail to touch or affect or in any way ameliorate the condition of some hundreds of thousands of citizens, both white and colored, in the five States which still require the payment of a poll tax; they fail to give them any consideration whatsoever under the provisions of the bill. They do so by basing the bill—which I am sure they regard as a corrective proposed law—simply upon the number of persons, and the very persons, who are permitted to vote under the provisions of existing State laws.

Mr. O'MAHONEY. Mr. President, I dislike to interfere with the very nice, complimentary remarks of the Senator from Florida; but I wish to say that the President of the United States himself, the Honorable Dwight D. Eisenhower, has testified to his confidence in the leadership of the South. He selected the great Senator from Georgia, Walter George, to be his Ambassador to NATO. And when the problem of the Middle East came up, President Eisenhower selected a leading member of the House of Representatives, one from the State of South Carolina, Mr. Richards, to be his representative and his ambassador to the Middle East, in connection with the great battle to save that area from communism. So, Mr. President, all I ask my colleagues to do is to open their eyes and look at the great contributions the South has made, and to have some confidence in the ability of the South to make more contributions. Without regard to race or color, they will come; they will come through.

Mr. President, every night, on the television and the radio, and in the newspapers, in the magazines, and elsewhere, we hear of or see that the conquest of racial discrimination is occurring, and racial discrimination is being overcome. That does not mean integration in the sense of the mixing of the races. It merely means that the people of the United States recognize the fact that the Almighty created the men and women who populate the earth, and has given them a Teacher who has tried to lead them by their own free will, not compel them by the lash.

Mr. President, the time has come for those of us who serve in the Senate of the United States to find a way to work out a compromise which will enable all of us—white, black, red, or whatever color—to stand in unity for the preservation of free government in the world.

Mr. President, I yield the floor.

DISASTER RELIEF IN MINNESOTA

Mr. HUMPHREY. Mr. President, during the past week my assistant has been traveling through the most seriously flooded areas of the State of Minnesota, discussing with State and local officials and with farm leaders the problems caused by the severe rains and floods since mid-June.

Although the Federal Civil Defense Administration and the Small Business Administration have moved in promptly and effectively, the Department of Agriculture has, I regret to say, moved in many cases both belatedly and ineffectively to bring assistance to the farmers affected by the disaster.

Although I requested on June 21 that a coordinated effort be initiated in the State of Minnesota to administer a disaster-relief program, and although the Under Secretary of Agriculture informed me on June 27 that a State USDA disaster committee had been appointed, I determined last week that there was in fact no coordinated effort under way. Indeed, the committee designated had not even met.

Mr. President, today I sent to the Secretary of Agriculture a letter bringing these facts to the Secretary's attention, and requesting that specific dates be set up for the discussion of disaster relief between farm leaders and the State USDA disaster committee. I ask unanimous consent to have printed at this point in the RECORD the text of my letter to Secretary Benson.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 8, 1957.

The Honorable EZRA TAFT BENSON,
Secretary of Agriculture, United States Department of Agriculture, Washington, D. C.

DEAR MR. SECRETARY: In my letter of June 21, you will recall I expressed concern regarding lack of coordinated handling of flood disaster aid in Minnesota.

In a reply to me on June 27, Under Secretary Morse assured me that you had a coordinated flood-relief program embracing your various agencies, that you had a State USDA disaster committee in Minnesota which was doing this coordinating, that the State ASC chairman headed this group, and that the State civil-defense director was a member of the committee.

Under Secretary Morse repeated these assurances at the conferences held by the Minnesota Congressional delegation and other Senators with officials of your Department and other departments last Monday. At that time, I expressed the belief that much of the supposed coordination in reality did not exist, but rather appeared to be paper coordination.

I regret to report confirmation of that conclusion. Right after the Monday meeting, I sent one of my assistants to Minnesota to participate in conferences in the flooded area to which your Department sent representatives. On discussing this situation with Mr. Sjolander, the State ASC chairman, he indicated little more than vague knowledge about some kind of a disaster committee. He said he had received no instructions about acting in the present emergency. The supposed coordinating committee had never met. The State civil-defense director had never been informed of his supposed role as a member of that committee. In other words, while your Farmers Home Administration is functioning as an individual agency, the USDA is not functioning as a coordinated unit in handling the disaster. I went out to the State myself on Wednesday. I found further confirmation of this lack of coordination and no semblance of using the farmer committees in an organized way to provide

either estimates of losses or recommendations of what assistance is needed and what type of aid would be most effective.

For that reason, I would like to ask you to instruct the State USDA disaster committee chairman for Minnesota to call his committee together for a full meeting in Marshall, Minn., on July 16, and again at Oklee, Minn., on July 17, at open sessions at which farm spokesmen and local and State officials may discuss with the committee efforts to develop an overall relief program.

I understand this request is being conveyed to your ASC chairman both by the Natural Disaster Coordinator of Civil Defense, Mr. Edward George, and by State legislators from the major flooded areas.

I want to ask further that the county farmer committees in each flooded county be asked to submit recommendations of what they believe can and should be done to assist in meeting this emergency problem. I want also to be provided with copies of these recommendations, along with estimates of the amount of funds which might be required to carry out such programs.

In the meantime, because if it is to be effective, action must be taken during this week, I wish to urge that you permit farmers in the counties of Pennington, Red Lake, Clearwater, Polk, and Marshall to pasture their livestock on soil-bank acres or to take hay from these acres which have not been so badly flooded as to destroy the hay crop. There is a feed situation in this area which is critical, because delay of more than a week will cost the loss of much of the hay crop. Permitting farmers to use this pasture and feed, while still permitting the owner of the land to retain his soil-bank payments, would not cost the Government a dollar, and it would do much to keep many farmers going in this area until a more comprehensive program of assistance can be developed.

Sincerely yours,

HUBERT H. HUMPHREY.

Mr. HUMPHREY. Mr. President, at a meeting attended by my assistant last Friday evening, July 5, at Gully, Minn., more than 300 farmers from the counties of Red Lake, Pennington, Polk, Marshall, and Clearwater passed unanimously the following 3 resolutions calling on the Secretary of Agriculture to take specific action for the relief of farmers in the 5-county area who are been severely affected by the heavy rains and floods of recent weeks:

Resolved, That the Farmers Home Administration be requested to extend the time for repayment or to write off existing seed loans for those farmers hurt by the recent floods.

Resolved, That the Secretary of Agriculture institute a special agricultural conservation practices program to give payments to flooded-out farmers for conservation practices such as deep tillage, summer fallow, and green cover.

Resolved, That the Farmers Home Administration be requested to institute a program of 3-percent, 5-year loans for refinancing and consolidating existing debts and for operating expenses for farmers in the flood-damaged areas.

Mr. President, I am hopeful that the Secretary of Agriculture will see fit to take action yet in the case of our flooded-out Minnesota farmers, as in the case of farmers who have also lost so much of their 1957 crop in Louisiana, Oklahoma, Texas, Missouri, Arkansas, Indiana, and other States.

This disaster situation is a great challenge to the Secretary of Agriculture and to the Department of Agriculture. Let us hope that he rises to this challenge and institutes the kind of positive, effective program that is within his existing authority to undertake.

CIVIL RIGHTS

Mr. WILEY. Mr. President, I listened with profit to the fine discussion this afternoon of the Senator from Wyoming. I thought the Senator was extremely powerful in his logic as well as in his presentation. I always profit from listening to what the Senator has to say.

Mr. O'MAHONEY. The Senator from Wisconsin is overgenerous.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. RUSSELL. I was called off the floor and was not here when the distinguished Senator from Wyoming made his magnificent presentation in regard to the amendment he intends to propose to the bill which it is now sought to take up by motion. I merely wish to make this observation. If there has been a speech made in the great liberal tradition of the Senate in my time, it was the address of the Senator from Wyoming [Mr. O'MAHONEY]. Mr. President, if there is any one thing that those who are genuine, bona fide liberals completely believe in, it is the right of every American citizen to a jury trial in all appropriate cases; and the remarks of the Senator from Wyoming stamp him as being a true liberal and one who does not have to depend on a self-applied tag of liberalism.

Mr. O'MAHONEY. I thank the Senator.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. ERVIN. I should like to express to the able and distinguished Senator from Wyoming my deep personal appreciation of the exceedingly generous remarks he made in reference to me, and also to say that as a result of contacts I have had with him while serving in the Senate and serving on mutual assignments we had in Chicago, I have long since learned to admire the Senator from Wyoming for the great qualities of his head and to love him for the great qualities of his heart.

Mr. O'MAHONEY. Mr. President, the Senator from North Carolina [Mr. ERVIN] and the other Senators are most generous in their comments. I can say, having served with the Senator from North Carolina in Chicago—and I do not hesitate to name the place and the committee, which was the platform committee of the Democratic national convention—and having served with the Senator from North Carolina in the Committee on the Judiciary of the United States Senate, I have learned what a great mind he has and how eminently fair and just his purposes are. I do not hesitate to say that what I have remarked about him is the judgment of his colleagues who have had the pleasure of working with him. I am very grateful to him for his kind words.

Mr. JOHNSON of Texas. Mr. President, I wish to join my colleagues in commending the very able Senator from Wyoming [Mr. O'MAHONEY] for the great speech he has delivered in the Senate today. I have long admired him as a public servant.

Mr. President, I think the remarks made by the Senator from Wyoming should be read by every citizen of this land who loves his liberty and who treasures his freedom.

I believe, Mr. President, that we have had a very constructive day of debate in the Senate on this subject, which we all regard as a very complex and vital one. It will be my objective, in the days ahead, to make every effort to allow full and adequate opportunity for each Senator to express himself on this subject. I wish to be fair to every Member of the Senate. I feel sure that each Member of the Senate will sustain me in my effort to do that. Particularly it is my desire to see that full opportunities are accorded to the spokesmen of the various viewpoints in this controversy, especially the distinguished minority leader, the Senator from California [Mr. KNOWLAND], the distinguished senior Senator from Georgia [Mr. RUSSELL], the distinguished Senator from Illinois [Mr. DOUGLAS], and the distinguished Senator from North Carolina [Mr. ERVIN], all of whom have spent a great deal of time and have accumulated a great deal of information on this subject.

Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS TOMORROW

Mr. JOHNSON of Texas. Mr. President, it is my intention now to ask the Senate to take a recess until 12 o'clock tomorrow. I should like to ask that unanimous consent be given that immediately following the convening of the Senate tomorrow we have the usual morning hour for the introduction of bills, petitions, and memorials, and the transaction of other routine business, with a limitation of 3 minutes on statements.

I may say I have discussed this matter with the distinguished minority leader, and he is agreeable to this request. I should like to have the order entered now.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, as I previously announced, tomorrow I shall ask the Senate to take a recess, when it concludes its deliberations, until 11 o'clock on Wednesday. We shall on Wednesday have a full day, running until 6 or 6:30 o'clock in the evening, or as late as Members may care to address themselves on this subject.

I hope our sessions can be of reasonable length each day, long enough to accommodate the fair expression of viewpoints, but not so long as to tax the endurance of Members and their staffs.

I have already announced the intention, so far as the leadership is able to control it, of having a session of the Senate next Saturday. I believe, if reason and fairness prevail, the Senate can accomplish its will in a manner of which we can be proud.

Mr. President, it is always my desire to be right in what I do, but I also always want to be fair. Since accuracy of judgment is such a fragile standard, I think it is equally as important to be fair as it is to be right. We can never be absolutely sure we are right in our judgments, but our consciences can always tell us when we are unfair or unjust.

I wish to express my very deep gratitude to the Members of the Senate for the very high plane on which they have conducted the debate on this, the first day.

I wish to invite the attention of all Senators who are present, and of those who may read the RECORD, to the fact that the rules and practices of the Senate provide for Members having the assistance of clerks on the floor when their presence is required. I am clearly mindful of the need for such assistance. I assume that no one has more need for staff assistants than the majority leader and the minority leader, and we are both served by very competent staffs.

But in many cases, Mr. President, we must forgo at times our staff assistants, because we recognize that their presence alone causes noise and commotion which interferes with the deliberations of the Senate. So I should like to announce at this stage of the proceedings that the majority leader requests the Sergeant at Arms to enforce the Senate rules in connection with the issuance of passes to staff assistants, so that only those assistants having essential business will be on the floor during this important debate.

I should like to suggest to the Sergeant at Arms that he make arrangements for space in the gallery, which will always be available to accommodate the clerks who would like to hear the debate, or whose Members desire to have them follow the course of the debate. I believe most of the time they will be able to hear the debate in the gallery better than they will be able to hear it on the floor, particularly if we have a flood of staff assistants here talking to each other. I believe in this manner, Mr. President, we can best expedite the business of the Senate and assure that every Member will have a full opportunity to follow the debate and have the benefit of the arguments made pro and con.

It is not my intention to deprive any Member of clerical assistance he feels he needs, in accordance with the rules of the Senate, when he is engaging in debate on pending legislation. Each Member, I am sure, will be able to control this, with appropriate care and with restraint, for himself. I merely call on all Members to cooperate with the leadership to insure that clerical assistants are not present on the floor when their purpose in being here can be served just as well by their sitting in the gallery, in order to follow the debate.

I ask that the Presiding Officer assist in the maintenance of quiet and order in the Chamber by requesting from time to time, as circumstances require, that clerks not needed on the floor leave the floor and go to the galleries. I realize that it is not only essential but very necessary at times for Senators to have a staff assistant present, and of course we expect them to do so. However, I desire to make this announcement in the early stages of the debate, so that as we proceed all Members will be on notice and can appeal to their staffs to please follow the rules of the Senate. I wish the Sergeant at Arms to be fully notified, so that he will be able to make proper arrangements for a section in the gallery for clerical assistants who may desire to follow the debate.

Now, Mr. President, if there are no other Members who desire to address the Senate——

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to my friend, the Senator from Colorado.

Mr. CARROLL. Mr. President, I should like to join in the commendation of the distinguished senior Senator from Wyoming [Mr. O'MAHONEY] for a very brilliant and thought-provoking speech. We in Colorado recognize the distinguished Senator from Wyoming as one of the great American statesmen and philosophers, a scholar, and a distinguished lawyer.

I am confident that the remarks he made this afternoon not only deserve, but will receive, the commendation of Members as they read the RECORD tomorrow. I thank the Senator for a very fine speech.

Mr. O'MAHONEY. The Senator is very gracious.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. STENNIS. I highly commend, as well as thank, the Senator from Wyoming for his very timely remarks, so full of logic and common sense.

I wish especially to thank him for standing on the floor and uttering some word of commendation for those in my area of the country who are faced with special problems, just as all other areas have their special problems. I thank the Senator from Wyoming for his understanding of those problems, and for pointing out possible ways in which they can be met. I respect him very highly as a lawyer. He is an experienced and most capable legislator. He is a Senator who gets results, and who is always at work. I thank him again for his very timely remarks, which I believe will be influential and will constitute a light shining in the right direction.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, July 8, 1957, he presented to the President of the United States the following enrolled bills:

S. 528. An act for the relief of Nicolaos Papathanasiou;

S. 609. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes;

S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama);

S. 1054. An act to extend the times for commencing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.;

S. 1169. An act for the relief of Herbert C. Heller;

S. 1212. An act for the relief of Evangelos Demetre Kargiotis; and

S. 1352. An act to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.

RECESS

Mr. JOHNSON of Texas. Mr. President, if there are no other Senators who desire to address the Senate at this time, pursuant to the order previously entered, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 32 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until tomorrow, Tuesday, July 9, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 8, 1957:

UNITED STATES ATTORNEYS

John C. Crawford, Jr., of Tennessee, to be United States attorney for the eastern district of Tennessee for a term of 4 years. He is now serving in this office under an appointment which expires July 16, 1957.

Millsaps Fitzhugh, of Tennessee, to be United States attorney for the western district of Tennessee for a term of 4 years. He is now serving in this office under an appointment which expires July 16, 1957.

COLLECTORS OF CUSTOMS

Theodore H. Lyons, of New Orleans, La., to be collector of customs for customs collection district No. 20, with headquarters at New Orleans, La. (Reappointment.)

George F. Jameson, of Portland, Oreg., to be collector of customs for customs collection district No. 29, with headquarters at Portland, Oreg. (Reappointment.)

HOUSE OF REPRESENTATIVES

MONDAY, JULY 8, 1957

The House met at 12 o'clock noon.

Rev. Aaron L. Powers, Canterbury United Presbyterian Church, Pacoima, Calif., offered the following prayer:

Our Father in Heaven: We stand before Thee at the beginning of a new week of work and decisions.

As Thou hast called these men to govern and rule over others, may they be governed and ruled by Thee only.

Make them courageous in their obedience to Thee, and sensitively alert to the dangerous, baser drives of our human natures. Therefore, whatsoever things are true, whatsoever things are pure, whatsoever things are of good report, let us think on these things, and for all that is constructively accomplished each day, we shall give Thee the praise and the glory through Jesus Christ, forever. Amen.

The Journal of the proceedings of Friday, July 5, 1957, was read and approved.

DESIGNATION OF OCTOBER 19, 1957, AS NATIONAL OLYMPIC DAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk House Joint Resolution 354 to authorize the designation of October 19, 1957, as National Olympic Day, and for its immediate consideration.

The Clerk read the House joint resolution, as follows:

Whereas the XVII Olympic Games of the modern era will be held in Rome, Italy, August 25 to September 11, 1960, with winter games to be held at Squaw Valley, Calif., February and March 1960; and

Whereas these games will afford an opportunity of bringing together young men and women representing more than 70 nations, of many races, creeds, and stations in life and possessing various habits and customs, all bound by the universal appeal of friendly athletic competition, governed by rules of sportsmanship and dedicated to the principle that the important thing is for each and every participant to do his very best to win in a manner that will reflect credit upon himself or herself, and the country represented; and

Whereas the peoples of the world in these trying times require above all else occasions for friendship and understanding, and among the most telling things which influence people of other countries are the acts of individuals and not those of governments; and

Whereas experiences afforded by the Olympic games make a unique contribution to common understanding and mutual respect among all peoples; and

Whereas previous Olympic games have proved that competitors and spectators alike have been imbued with ideals of friendship, chivalry, and comradeship and impressed with the fact that accomplishment is reward in itself; and

Whereas the United States Olympic Association is presently engaged in assuring maximum support for the teams representing the United States at Rome and Squaw Valley; and

Whereas a day set aside by this Nation for a rededication to the amateur ideal could accomplish great good in encouraging good will for these games: Therefore be it

Resolved, etc., That the President of the United States is authorized and requested to issue a proclamation designating the 19th of October 1957 as National Olympic Day and urging all citizens of our country to do all in their power to support the XVII Olympic Games and the winter games to be held in 1960 and to insure that the United States will be fully and adequately represented in these games.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CABLEGRAM FROM THE CHAMBER OF REPRESENTATIVES OF CUBA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that there may be incorporated at this point in the RECORD a cablegram received from the Chamber of Representatives of the Government of Cuba.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The cablegram referred to follows:

CUBAN GOVERNMENT,
Habana, Cuba, July 4.

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES, *Washington, D. C.:*

In commemorating on this day the Proclamation of Independence of the United States of America, the Cuban House of Representatives [Deputies], through our intermediary, takes pleasure in sending an effusive congratulatory salute to the illustrious colleagues of your honorable legislative body, at the same time extending its best wishes for the increasing greatness and prosperity of the [much] admired friendly country and neighbor, the United States of America, which is the leader and safeguard of the western democracy. I am taking this happy occasion to reiterate to you the assurances of our highest esteem and personal consideration.

DR. ABELARDO VALDES ASTOLFI,
President, Chamber of Representatives [Deputies].
ANDRES PUPO SANCHEZ, *Secretary.*
EUGENIO CUSIPO TORRES, *Secretary.*

THE TECHNICAL AMENDMENTS ACT OF 1957

Mr. COOPER. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file a report on the bill, H. R. 8381, the Technical Amendments Act of 1957.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

THE LATE EARL C. MICHENER

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, it is with the greatest degree of sadness that I announce to this Chamber the death of former Representative Earl C. Michener, of Michigan.

Mr. Michener served in this Chamber for 20 years. He was, as those who knew him could well testify, a quiet, an unassuming but nonetheless erudite, painstaking and most efficient legislator. He had served superbly as chairman of the Rules Committee and then served most admirably as chairman of the Committee on the Judiciary of this House.

I served with Mr. Michener on the latter committee for a great many years and came to have, indeed, an affectionate regard for him. Latterly his life was made rather sad. The week before his demise, his wife died. I knew him many a year, and I was proud always to call him a friend. He leaves behind a good name. May he partake of the everlasing life of futurity, as we read in the Holy Scriptures, the righteous shall inherit the eternal kingdom. Yes, he left a good name. He gained that good name because of his good deeds. He departed with that good name. Of him it is said "better is the fragrance of a good name than the perfume of precious oils." Yes, "better even is the day of death to a man of such stature than the day of birth." Yea, there is a future for Earl Michener where hope will not be cut off, for it is in the world to come that the righteous, like Earl Michener, will find complete reward.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. KEATING. Mr. Speaker, I want to join the gentleman from New York in his beautiful tribute to our former distinguished colleague, Earl Michener. Earl served as the chairman of the Committee on the Judiciary in the 80th Congress. Prior to that he had spent many years of outstanding service in this body. He contributed in large measure to much important legislation which was before this House during the time that he served. He has made a great contribution to his district, to his State, and to his Nation. To all of his family I join in extending my deepest sympathy.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I join with the gentleman from New York in expressing regret over the passing of a wonderful American, Earl Michener. When I first came to Congress he was one of the outstanding men here and a real leader. In many, many ways he helped me in my beginning years in the Congress as I know he helped other Members, giving us the benefit of his knowledge and experience. He was an outstanding American, an able legislator, and a shrewd parliamentarian. He served in Congress with a dedication to his district and the country, and I regretted when he voluntarily retired. Like countless others, I recognized his unusual ability demonstrated time and again in his service on the Committee on the Judiciary. He was not only a man of learning and ability. He was a man of character, who in his every word and deed exemplified the fine things of life. I join with his many colleagues in mourning the passing of this fine individual whom we were privileged to know and privileged to call a friend.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. LECOMPTE. Mr. Speaker, I became acquainted with Earl Michener when I first came to Congress in 1939. He and I were almost constant companions for 10 years. We rode to the Capitol together every morning, and back in the evening. We were living at the Wardman Park Hotel. Associated with us was the late Major Bulwinkle whom we remember with so much affection, and frequently Congressman Cox of Georgia, whom older Members will always hold in deep affection. Others associated with us at times but always there were we three, Michener, Bulwinkle, and LeCompte. Earl Michener was one of the finest legislators I have ever known. He was an unusually careful legislator at all times. He studied bills and he discovered errors and he assisted in correcting errors in draftsmanship that might otherwise have slipped through unnoticed. Earl was conscientious in all things. He left the Congress only because of an invalid wife. He was a gallant soldier in the Spanish-American War, and his only son, I believe, lost his life in World War II. The older Members of the Congress will recall that Earl Michener was one of the outstanding Members of the Congress for a long period of years. He served as chairman of the Rules Committee in the twenties as the gentleman from New York has said. He wound up his career as a member of the Committee on the Judiciary, of which he was chairman in the 80th Congress. At all times he was a useful, faithful, conscientious Congressman, loyal to his party, but before his party came his country, always. We will not soon see his like again.

Mr. HILL. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Colorado.

Mr. HILL. Mr. Speaker, I wish to associate myself with the gentleman from New York [Mr. CELLER] in saying kind words about the great man with whom I served, Earl Michener, former Congressman from Michigan whose death was recently reported. As a freshman Congressman I received no finer instruction, assistance and advice than I received from Congressman Michener. At that time he was chairman of the Republican Conference, but he was not partisan. He was always broadminded. Whenever we had a problem of any kind I felt there was no one to whom I could talk, and who would give me the best possible assistance than Earl Michener. It was a great loss to this House when he decided to retire.

I am sure this House has never had a more conscientious, more diligent, more hard-working Congressman than Earl Michener. It is a sad day for each of us when we must say farewell to dear friends who have been of assistance to us in days gone. He was truly a great American.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. HOEVEN. Mr. Speaker, I deeply regret the passing of Earl Michener. He was one of the great parliamentarians of the House of Representatives. He had an analytical mind and I never knew of anyone who could better analyze legislation so as to make it more understandable.

Earl Michener was a great help to new Members.

I recall how helpful he was to me when I first came to the House of Representatives. I always admired him for his honesty and his integrity and his great ability as a legislator.

In behalf of the Republican Conference, and I am sure I also speak for the entire membership of the House, let me say that we all deeply regret the passing of this great American.

Mr. HARVEY. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Indiana.

Mr. HARVEY. Mr. Speaker, in the passing of Congressman Earl Michener I feel that I have lost a great personal friend. As I recall this friend and colleague, the one characteristic which stands out in my mind is the great respect that he had for the House of Representatives. He consistently reminded the Members of their duties and obligations and pointed out the decorum that should prevail in the House so that the people of this country of ours would properly respect the greatest legislative body in the world. He was a fine example of the highest type of statesmanship and his influence will long prevail.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Mr. Speaker, while it was not my privilege to know Earl Michener except by reputation, that reputation entitles him to highest honor for the great service he rendered to the Congress, the Nation, and the State of Michigan. I take this opportunity to express, in common with my colleagues in the House who served with Earl Michener from the State of Michigan, my deep regret at his passing, and to join in tribute to him.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the distinguished Speaker.

Mr. RAYBURN. Mr. Speaker, in the passing of Earl Michener our country has lost one of the most capable legislators I have ever served with or known. Earl was a gentleman of the best type. He truly served his day and generation. He had a spotless soul.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life and accomplishments of Earl C. Michener.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, the passing of Earl Michener is indeed sad news, especially to those of us who had the privilege of knowing him when he was a Member of the House of Representatives.

He was a man of great talent, modest and retiring, and in his quiet and friendly way commanded the respect and affection of all who came in contact with him. He took his job as a Congressman seriously and devoted his entire time and efforts to the responsibilities which were his. He was a distinguished lawyer in his own right and I have heard other members of the bar speak of his wisdom and his legal knowledge in terms of the highest respect and praise. He was especially kind and thoughtful to new Members of Congress as they came here and explained to them the rules and regulations under which we operate.

He always spoke well of people and was ready to listen to the other side of any argument and although he might not agree with you, when he so expressed himself it was with the greatest courtesy and in a spirit of warmth and friendship. It was a real privilege to know him and his wide circle of friends has suffered a severe loss.

Mr. WIGGLESWORTH. Mr. Speaker, I have learned with deep regret of the passing of Earl Michener.

He and I were close friends for many years during his service here in the House.

He was loved and admired on both sides of the aisle.

He made a fine contribution in life to his community, to his State, and to the Nation.

He served in the Army throughout the Spanish-American War. He served as a Member of the Congress for a full 30 years.

Those who served with him here will recall his outstanding ability as a legislator and as a parliamentarian, and his efficiency as a member and chairman of the House Committee on the Judiciary, and as a member of the powerful Rules Committee.

He retired after the 81st Congress because of the illness of his wife—who has also just died, only a few days before him.

I join in extending heartfelt sympathy to his daughter and to all those close to him.

Mr. FORD. Mr. Speaker, the passing of our former colleague, the Honorable Earl C. Michener, brings vividly to my mind the wonderful record he established in his long tenure as a Member of the House of Representatives. His accomplishments in the Congress will be long remembered. I know of no Member who was more respected or revered by his colleagues. His outstanding services should be a shining example to all new Members of this body. The pages of history will show his record to be the very best in all respects.

Earl Michener was a member of this body during my first term during the 81st Congress. He, during that 2-year period, taught me more than anyone else about the traditions, rules and practices of the House of Representatives. Furthermore he wisely counseled me on many issues and problems that came before us in 1949 and 1950. I owe him a tremendous debt of gratitude which can never be repaid except by following, to the best of my ability, his example and record.

Mr. Speaker, in closing may I say again Earl Michener's passing is very sad and takes from us one of the finest gentlemen I ever knew.

Mr. BENTLEY. Mr. Speaker, I was very sorry to learn of the recent passing of Earl C. Michener, who for many years ably represented the Second Congressional District of Michigan in the Congress. While it was never my pleasure to serve at the same time as Mr. Michener, I had met him, following his retirement, on various occasions in his home town of Adrian.

I understand that, during his many years of public service here in Washington, he compiled an outstanding reputation as a statesman, a parliamentarian and a keen and conscientious legislator.

His service as chairman of the two important House committees, Rules and Judiciary, shows the high esteem with which he was regarded by his colleagues.

I take this opportunity to express my sympathy to his daughter and other close relatives. Their loss has, of course, been made doubly hard by the recent passing of Mrs. Michener less than a month ago. They have my earnest prayers at this time of trial.

Mr. O'HARA of Minnesota. Mr. Speaker, it is my desire to join with the distinguished gentleman from Michigan [Mr. MEADER] to pay a tribute to our late colleague and friend, Earl Michener. It is with sadness that I learned that he had passed away at the page of 80 years.

One of the first friends that I made when I came to Congress was Earl Michener. He was an able and conscientious Member of the House, and certainly one of its ablest parliamentarians. I believe he is one of the few Members of the House who served both as a Member and chairman of both the Rules Committee and the Judiciary Committee.

He was always anxious and willing to be of assistance to new Members of Congress, and much of my early education of the rules of the House was from the advice of Mr. Michener.

Those of us who knew Mr. Michener know it was with the greatest reluctance that he reached his decision to retire, and that was largely due to the fact that his wife had been in poor health and he felt it was his duty to retire to be with her as much as possible.

Mr. Michener was a veteran of the Spanish-American War. He was a deeply patriotic citizen and honored and respected by everyone. To his daughter I extend my deep personal sympathy.

Mr. DINGELL. Mr. Speaker, it was with considerable sadness that I read in the paper the other day of the death of the Honorable Earl C. Michener who died at the age of 80 on July 5, 1957. Mr. Michener was a Member of this House from 1919 to 1933 and from 1935 until his retirement in 1951.

He was chairman of the House Rules Committee from 1925 to 1933 and from 1935 until his retirement he served as a member of the House Judiciary Committee. Mr. Michener is well remembered for his watchfulness over the Treasury and the taxpayers' money. He served his people long and with distinction. I had the pleasure of knowing him during my early boyhood and recall him as a kindly, gracious, and gentle man. He was much respected in Congress for his wisdom and for his decency and industry. When he retired because of his wife's illness, Congress lost a most able and conscientious man. The people of this country will miss a devoted public servant whom I know the good Lord will receive with mercy and kindness.

PARLIAMENTARY INQUIRY

Mr. SMITH of Virginia. Mr. Speaker, I desire to propound a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. SMITH of Virginia. Mr. Speaker, the bill, H. R. 6127, known as the civil rights bill, as it passed the House, contained an amendment, one amendment, which should have been printed on page 13 where it was adopted. By inadvertence an error was made in the Journal and in the printing of the bill, and the bill was printed so that the amendment appears at the bottom of page 8 of the bill instead of as a new section on page 13. It was so messaged to the other body in the erroneous form. In other words, the House sent to the other body a bill which is not in conformity with the action of the House. The bill was received by the other body and was read the first time and was then read the second time and it is now on the calendar of the other body. My parliamentary inquiry is whether it is not the proper procedure at this time to ask the other body to return the bill to the House for action to conform to what actually took place and to conform with the RECORD and the Journal of the House.

The SPEAKER. The Chair would ask the gentleman from Virginia to withhold his inquiry for the purpose of enabling the Chair to look further into the matter.

Mr. SMITH of Virginia. I thank the Speaker.

CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. BOLLING. Mr. Speaker, I call up the resolution (H. Res. 309) providing for the consideration of H. R. 8240, a bill to authorize certain construction at military installations, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8240) to authorize certain construction at military installations, and for other purposes, and all points of order against said bill are hereby waived, except that it shall be in order to make a point of order against section 411. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN] and now yield myself such time as I may require.

Mr. Speaker, House Resolution 309 provides for the consideration of H. R. 8240, authorizing construction for the military departments. The resolution provides for an open rule, 2 hours of general debate on the bill, and waives points of order against the bill, except for section 411.

The bill carries a total authorization of $1,676,662,000. Of this amount $297,714,000 is for the Army; and $391,095,000 is authorized for the Navy. Only one new activity is scheduled for the Navy and that is an air facility for the Naval Academy. The Air Force is authorized $727,764,000.

One hundred and eighty six million four hundred and ninety-nine thousand dollars of the total represents increases in prior authorities. $21,341,000 is authorized for the Air Force Academy at Colorado Springs, and $52,209,000 is authorized for 2,214 family housing units.

Some new provisions appear in the bill. The military departments are required to report twice yearly to the Congress on contracts awarded on other than a competitive basis to the lowest responsible bidder.

Unused authorities will be rescinded after a period of 4 years rather than 5, as now provided.

The authority for leasing of housing at tactical installations is extended for 1 more year, and 5,000 units are authorized.

Section 411 provides that prior to the termination or reduction in the operations of any commercial or industrial type activity which has been conducted for 5 or more years and requires the services of 10 or more civilian employees of the United States, the Secretary of Defense shall file a report with the President of the Senate and the Speaker of the House setting forth the details of the proposed termination or reduction. The section also provides that such termination or reduction shall not take effect until the expiration of 60 days of continuous session of Congress, and shall not take effect then if either House of Congress adopts a resolution which disapproves such termination or reduction. The Rules Committee provided that no points of order would be waived on this section so the House may have an opportunity to work its will on this controversial matter.

I urge the adoption of House Resolution 309 so the House may proceed to the consideration of H. R. 8240.

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Missouri [Mr. BOLLING] has explained, House Resolution 309 makes in order the consideration of the bill H. R. 8240, the so-called military construction bill. It carries approximately $1,700,000,000 in new authorizations for military construction of different types and kinds, both in the continental United States, in our possessions, and abroad. It is the authorization bills, of course, which pave the way, as we all know, for future appropriations. Of course this is a highly technical bill. Perhaps only the membership of the Armed Services Committee know, of their own knowledge, the need for these different installations and for construction of the different facilities as set forth in the bill.

However, the measure also carries some other provisions, which I think are very important, in addition to the authorization for appropriations. It carries one provision that is very important, in connection with the letting of contracts by the Armed Services and their different branches. In my opinion, as I heard the testimony given before the Committee on Rules, that particular provision is good, and one which should be of benefit to and give protection for the people of the United States and their tax funds.

Another section in this bill, however, section 411, is somewhat questionable, in my mind. Whether or not it is the part of wisdom to adopt such a particular provision into our law, is indeed doubtful. For that reason the Rules Committee saw fit, with the consent, I may add, of the chairman of the Armed Services Committee, to grant a rather peculiar rule which waives points of order on the bill, except as to section 411.

Section 411 would handicap, to a great extent, if not almost prevent entirely, the Secretary of Defense and other National Defense officials from eliminating many, if any, of the present business activities of the Defense Department which are in competition with private enterprise, unless and until Congress first gives its consent. I understand that perhaps a point of order may be made against section 411. I cannot pass on the parliamentary question as to whether such a point of order will prevail or will be overruled. But if section 411 remains in the bill, it is my understanding that there will be amendments offered to strike it from the measure.

I have made this explanation, Mr. Speaker, with the thought that my words may alert the membership of the House as to that particular situation, because I think it is one that must be debated and should be discussed rather fully on the floor.

I have no further requests for time, Mr. Speaker, and I, therefore, yield back the remainder of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. VINSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 132]

Abbitt	Boggs	Colmer
Adair	Bonner	Cooley
Alexander	Bosch	Coudert
Alger	Bowler	Cunningham, Nebr.
Andersen, H. Carl	Boyle	Curtis, Mass.
Anderson, Mont.	Brown, Mo.	Davis, Tenn.
Anfuso	Brownson	Dawson, Ill.
Ashmore	Buckley	Dennison
Barden	Byrne, Ill.	Diggs
Barrett	Byrne, Pa.	Dingell
Bass, N. H.	Canfield	Dixon
Baumhart	Chelf	Dollinger
Beamer	Chiperfield	Donohue
Belcher	Christopher	Dorn, N. Y.
Bentley	Chudoff	Eberharter
Blitch	Clark	Fallon
Boland	Coad	Fino
Bolling	Coffin	Flood
Bolton, Frances P.	Collier	Fogarty
Bolton, Oliver P.	Corbett	Forand
Bosch	Cretella	Frazier
Bow	Davis, Ga.	Fulton
Boykin	Davis, Wis.	Gary
Bray	Delaney	Gordon
Brooks, La.	Dempsey	Granahan
Brooks, Tex.	Denton	Green, Pa.
Broomfield	Derounian	Gregory
Brown, Ohio	Derwinski	Griffiths
Broyhill	Devereux	Hays, Ohio
Budge	Dies	Healey
Burdick	Dodd	Hess
Burleson	Dollinger	Holtzman
Byrd	Donohue	Ikard
Byrnes, Wis.	Dorn, N. Y.	James
Cahill	Doyle	Jennings
Cannon	Durham	Jones, Mo.
Carlyle	Eberharter	Kearns
Celler	Edmondson	Kelly, N. Y.
Chatham	Elliott	Kilburn
Chenoweth	Evins	Kluczynski
Chudoff	Fallon	Latham
Clark	Feighan	Lennon
Coad	Fino	Long
Coffin	Flood	McCarthy
Collier	Fogarty	McConnell
Corbett	Forand	McCormack
Cretella	Frazier	McCulloch
Davis, Ga.	Fulton	McMillan
Davis, Wis.	Gary	Macdonald
Delaney	Gordon	Machrowicz
Dempsey	Granahan	Madden
Denton	Green, Pa.	Magnuson
Derounian	Gregory	Mailliard
Derwinski	Griffiths	Martin
Devereux	Hays, Ohio	Meader
Dies	Healey	Merrow
Dodd	Hess	Miller, N. Y.
Doyle	Holtzman	Minshall
Durham	Ikard	Moore
Edmondson	James	Morano
Elliott	Jennings	Morgan
Evins	Jones, Mo.	Morrison
Feighan	Kearns	Moulder
	Kelly, N. Y.	Multer
	Kilburn	Mumma
	Kluczynski	O'Konski
	Latham	O'Neill
	Lennon	Osmers
	Long	Philbin
	McCarthy	Polk
	McConnell	Powell
	McCormack	Prouty
	McCulloch	Rains
	McMillan	Riehlman
	Macdonald	Robeson, Va.
	Machrowicz	Rodino
	Madden	Rogers, Mass.
	Magnuson	Roosevelt
	Mailliard	Santangelo
	Martin	Seely-Brown
	Meader	Sieminski
	Merrow	Staggers
	Miller, N. Y.	Stauffer
	Minshall	Taylor
	Moore	Teller
	Morano	Tewes
	Morgan	Thompson, La.
	Morrison	Thomson, Wyo.
	Moulder	Thornberry
	Multer	Tuck
	Mumma	Udall
	O'Konski	Vanik
	O'Neill	Van Pelt
	Osmers	Vorys
	Philbin	Watts
	Polk	Willis
	Powell	Wilson, Calif.
	Prouty	Wilson, Ind.
	Rains	Yates
	Riehlman	Zelenko
	Robeson, Va.	
	Rodino	
	Rogers, Mass.	
	Roosevelt	
	Santangelo	
	Seely-Brown	
	Sieminski	
	Staggers	
	Stauffer	
	Taylor	
	Teller	
	Tewes	
	Thompson, La.	
	Thomson, Wyo.	
	Thornberry	
	Tuck	
	Udall	
	Vanik	
	Van Pelt	
	Vorys	
	Watts	
	Willis	
	Wilson, Calif.	
	Wilson, Ind.	
	Yates	
	Zelenko	

The SPEAKER. On this rollcall 292 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AUTHORIZING CONSTRUCTION FOR THE MILITARY DEPARTMENTS

Mr. VINSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8240) to authorize certain construction at military installations, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 8240, with Mr. TRIMBLE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. VINSON. Mr. Chairman, I yield myself 18 minutes, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Chairman, this bill is known as the military construction authorization bill for fiscal year 1958.

Now, under the bill the following amounts will be granted the three services:

Army	$297,714,000
Navy	391,095,000
Air Force	727,764,000
Total	1,416,573,000

In addition to this authorization, $186,495,000 is authorized to correct deficiencies in authorizations of projects authorized under previous laws. This $186 million is broken down as follows:

Army	$28,885,000
Navy	42,648,000
Air Force	114,962,000
Total	186,495,000

Now, these 2 items amount to $1,603,072,000.

To this amount, we must add $21,341,000 for the Air Academy.

So, the correct total of authorization carried in this bill is $1,624,413,000.

There are over 400 named installations in this bill and about 4,000 individual line items.

When the program contained in this bill was being formulated in the first instance, the request from the field offices totalled over $5.5 billion.

As a result of careful surveys, the military departments reduced this amount down to $3.6 billion.

The Office of the Secretary of Defense, after a detailed study, further reduced it down to the amount of $1,742,394,000 which was submitted to the committee.

Now, I would like to talk briefly as to the extent to which the committee cut the bill, and I might say, that the committee made its cuts after 4 weeks of hearings in a most detailed study of the bill.

In the first place, the committee eliminated a little over $139 million from authorizations in titles I, II, and III. However, since the committee, for legislative purposes, moved the authority for the Air Force Academy from title III to the general provisions, the true cut is about $118 million. This is made up of two principal elements: $66 million in specific line item cuts in titles I, II, and III and $52 million in general housing authority.

This latter cut was done in this fashion: The departments already have on the books a large amount of authority to construct housing with appropriated funds—the reason for this excess authority in housing is the fact that the Capehart program came along and it was decided by the executive branch to use private money to construct family housing instead of appropriated funds.

The committee felt that old authority should be used up and thereby cut down on the new authorization.

AUTHORIZATIONS AND APPROPRIATIONS

Now, while we are on the subject of authorizations, I would like to draw your attention to page 3 of the report. There is set out there all the authorizations and appropriations which have been granted the three departments since 1948. This gives you the complete picture.

I would like to point out that at the time this bill was reported out, the appropriation request was $1,900,000,000. Shortly after the bill was reported, the President lowered his budget request to $1,665,500,000. For this reason, all of the appropriations figures set out in the table will change. I don't know, and I rather doubt whether anyone knows at this moment, exactly the way in which they will change. I would assume that the cuts which will result will be on a pro rata basis.

There is now, therefore, a total appropriation request of $1,665,500,000 against a total authorization in this bill of $1,676,000,000.

As you can see, this will leave unfunded authorization in the amount of a little over $2 billion still outstanding. It has been my purpose and the purpose of the Armed Services Committee over the past several years to cut down the difference between authorizations and

appropriations. I feel that the difference between them should be the minimum amount necessary for effective operation.

REPEAL OF OLD AUTHORITIES

A few years ago, we inserted a provision in the law which stated that any authorization over 5 years old was automatically repealed. This has worked quite well. However, feeling that this period could be cut even more, we inserted a provision in the bill this year which would automatically repeal all authorizations which are 4 years old. This is section 406 which begins on page 66 of the bill. At the time we put this provision in, we told the departments that next year we were going to move it down to 3 years. So, we are going to end up with only a minimum of difference between authorizations and appropriations.

DEFICIENCY AUTHORIZATIONS

At this point, I would like to speak about the deficiency authorization which you will find in each title of the bill. You will recall that I referred to those previously when giving the totals of each of the titles.

These deficiency authorizations are relatively new in military construction bills and reflect, for the most part, the steadily rising costs for construction. On page 30 of the report, the matter of deficiency authorizations is dealt with in some detail, but very briefly stated they are explained on two bases: First, poor cost estimates in the first instance, and second, rises in cost.

It should be understood that some of these items were designed and estimated as much as 4 or 5 years ago. In those days, there was no "advanced planning" authority. The effect of this was that many of the costs were grossly inaccurate, since they were not based on precise planning or design.

The second reason—increase in cost—is illustrated by the fact that during the past 2½ years, there has been a rise in construction costs of 13.4 percent.

In the case of the Air Force, another element is involved and that is building heavier runways, in place of lighter ones originally planned, in order that the heavy bombers may have a greater latitude of dispersal.

One concluding thought on the matter of deficiency authorizations. The increased authority does not represent a bigger barracks, larger hangar, or a longer pier. The barracks, the hangar, and the pier will be the same as originally authorized but simply will cost more than the authority originally granted.

LAND

A word about land. The report on the bill deals in detail with the lands already held by the military departments and the land planned for acquisition in this bill. This you will find on pages 27 through 29 of the report. This gives the complete picture of the land situation. Briefly stated, this bill will authorize land acquisitions as follows:

They total approximately 39,215 acres in fee, with the Army contemplating 942; the Navy, 29,444; and the Air Force, 9,140. The total cost of these lands will be about $15 million.

About 30,000 acres of easements also will be required, at a total cost of $9.5 million.

This is a total land expenditure of $24,639,000.

NEW BASES

I am always interested and I know you, Mr. Chairman, and the members of this committee are always interested in whether a bill of this kind authorizes the establishment of any new base. At the bottom of page 26 of the report is set out a discussion of the new bases.

Actually, there is only one new base planned by this bill, and that is Towers Field, which will be a training field for the midshipmen of the Naval Academy. The bill would authorize $3.2 million for land acquisition only for Towers Field.

I might say in this connection that there has been so much discussion and dissension about the establishment of this field that I appointed a subcommittee to look into the matter and keep tab on all matters relating to the location of the base. Personally, I feel that we should look very carefully at the possibility of using Andrews Air Force Base for this purpose.

BASIS OF THE PROGRAM

The construction program contained in this bill is, of course, based on the forces which we plan to have over the next several years. In the case of the Army, the program is based on 1 million men. In the case of the Navy, the program represents the shore establishment necessary for 980 ships. For the Air Force, we are building toward 118 wings.

I would now like to review briefly the major elements of the Army, Navy, and Air Force titles of the bill. If you wish, you can follow this discussion by referring to page 4 of the report where the breakdown of the Army program starts.

ARMY

Now, the Army would be authorized $297 million in this bill. This is about $25 million less than last year.

(a) Forty-four million eight hundred thousand dollars, or 15 percent, is for troop and family housing.

(b) One hundred and fifteen million dollars, or 38.6 percent, is for construction of facilities for the tactical defense of key cities, bases, and industrial centers in the United States. This represents construction for Nike, Hercules, and other defense missiles.

(c) Twenty million eight hundred thousand dollars, or 7 percent, is for construction in support of Army aviation at 17 installations.

(d) Twenty million eight hundred thousand dollars, representing 7 percent, is for the line of communications in France.

(e) The balance of the program, $68 million, or 22.8 percent, is for other essential construction of facilities, including $28 million for classified facilities both in the United States and overseas.

The Army's program, broken down by categories, will be found at the top of page 5. This is followed by a detailed breakdown of the program by technical service and continental armies. In each instance the mission of the technical service and the continental army is set out, as is the geographical area covered by the Army.

NAVY

The Navy would get $391 million under this bill.

Approximately 84 percent of the program, or $329 million, is for piers, runways, shops, and other operational facilities.

Twelve percent, or $46.6 million, is for barracks, batchelor officers quarters, messes, dispensaries, and other similiar facilities.

About 3 percent, or $9.9 million is for laboratories and similar research and development facilities.

The remaining 1 percent of the Navy's program, or $5.7 million, is for the acquisition of fee and easement interests.

You will note that starting at the bottom of page 12 of the report, the program is further broken down into shipyard facilities, fleet base facilities, aviation facilities, and so forth. In each instance, the purpose of the particular type of facilities is set out, as is the money amount and considerable detail as to the particular items which will be built.

AIR FORCE

The Air Force would be authorized $728 million under the bill.

You will find a breakdown by command on page 18 of the report. From that table, you will see that:

The Strategic Air Command gets $163 million or over 22 percent of the total.

The Air Defense Command is next with $107 million or almost 15 percent of the total.

The Air Training Command and the Air Materiel Command gets approximately the same amount—a little over 6 percent each.

Outside the United States, the Aircraft Control and Warning System receives the largest amount with $70 million which represents over 9 percent of the total. The Strategic Air Command is next with $64 million which is almost 9 percent of the total. The rest of the overseas construction follows those two items.

I might point out that $137,782,000 represents airfield payments alone.

In the material following the table which I have just referred to, you will find the various commands dealt with in detail. Not only is the amount of money set out but also the general areas of use to which the money will be put. And in each instance, the mission of the particular command is described.

GENERAL PROVISIONS

The general provision are for the most part similar to those which have appeared in previous years. They begin on page 64 of the bill and are described in the report starting on page 33.

Sections 401 through 405 are the same as they have been in previous years. They do not grant any new authority but merely set out totals in the bill, provide for 5 and 10 percent variations in the cost of projects, and other things of this nature.

Section 405 is essentially the same as in previous years. It provides that contracts for construction authorized by

this act will go to the lowest responsible bidders under virtually all circumstances. The military departments have a fine record on the basis of obtaining their construction through competitive bidding in that about 93 percent of all their contracts are awarded in this fashion.

The difference in section 405 appears as the second sentence of that section. You will note on page 66, starting on line 11, that semiannually the military departments will report to the Armed Services Committees with respect to any contracts which are let on a negotiated basis. Although there are very few of them, the committee felt that it should keep itself informed with respect to those instances where the contract is not let on a competitive-bid basis.

Section 406 is the section I referred to previously as the one rescinding authorities which have been in existence for some years. The bill as originally submitted had that period as 5 years. The committee now has changed this to 4 years, and, as I stated before, will change it to 3 years when the next bill is before us.

Section 407 merely modifies last year's law so that housing may be leased at NIKE sites and thereby save the money which would otherwise be expended in building houses for the troops which must be stationed at these important locations.

Sections 408 and 409 relate to housing and, generally, grants some more space to enlisted men with large families.

Section 410 has appeared in previous laws and relates to the use of funds generated by the sale of surplus commodities in foreign countries for the construction of housing for our military.

Section 411: To give some of the history of the philosophy behind section 411, I will go back to section 638 of the Defense Appropriation Act approved July 13, 1955. That section provided that:

SEC. 638. No part of the funds appropriated in this act may be used for the disposal or transfer by contract or otherwise of work that has been for a period of 3 years or more performed by civilian personnel of the Department of Defense unless justified to the Appropriations Committees of the Senate and House of Representatives, at least 90 days in advance of such disposal or transfer, that its discontinuance is economically sound and the work is capable of performance by a contractor without danger to the national security: *Provided*, That no such disposal or transfer shall be made if disapproved by either committee within the 90-day period by written notice to the Secretary of Defense.

This section, of course, provided that the Appropriations Committees would make the determination with respect to the disposal or transfer of the activity.

In May 1956 the appropriations bill was reported with language identical to section 638 and appeared this time as section 633.

Mr. ALLEN offered an amendment to strike section 633. There was a rollcall vote on the Allen amendment and the House approved his amendment by a vote of 222 yeas and 156 nays, a majority of 66 votes.

Later on that year, the Armed Services Committee reported its point-of-order bill, H. R. 7992. It contained a section 27 (a) which was substantially the same as section 411 of the bill we are now discussing. It read in part as follows:

SEC. 27. (a) Prior to the transfer by contract of any commercal or industrial-type operation which has been performed by the Department of Defense for a period of 3 consecutive years or more and in which more than 10 civilian personnel are employed at the specific activity concerned, the Secretary of Defense shall file with the President of the Senate and the Speaker of the House a report setting forth the details of the proposed transfer. Upon the expiration of 60 days of continuous session of the Congress following the filing of said report, the Secretary of Defense is authorized to proceed with the proposed transfer unless during such period either House shall adopt a resolution of disapproval, as hereinafter provided in this section, of the proposed transfer described in said report. For the purposes of this section, continuity of session shall be considered as broken only by adjournment of the Congress sine die; but in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

That section 27 (a) appeared in the point-of-order bill as a committee amendment and a separate vote on that amendment was demanded. The amendment prevailed by a vote of 201 to 185, a majority of 16 votes.

So, the House has previously indicated its approval of a provision virtually identical to this section 411.

Now, that brings us up to date for the consideration of section 411 of this bill which, as I say, is almost identical to section 27 (a) in the point-of-order bill.

Section 412: This is a new section and is designed to get the Department of Defense back in the business of doing their procurement on open competitive bids and not by negotiation.

The section provides that the national emergency declared by the President on December 16, 1950, may not be used in the field of procurement as a basis for negotiation with four exceptions. The exceptions are contracts that do not involve more than $2,500; contracts for nonperishable subsistence supplies; research and development contracts not exceeding $100,000; and lastly, in connection with programs in furtherance of small business, labor surplus areas, and major disaster areas.

On page 34 of the report are some of the figures which the Armed Services Committee has obtained indicating the extent to which the departments have been performing their procurement through negotiation. You will see that funds spent by the Department of Defense under the authority of the Korean emergency proclamation of December 16, 1950, constituted over 94 percent of all Defense Department funds.

During a 9 month period in 1956, and notwithstanding corrective action which was supposed to have been taken by the Department, $5.3 billion was contracted for using the same emergency proclamation. This represented 38.94 percent of Department of Defense dollars.

Section 413 simply permits old housing authority to be used for the construction of the houses authorized in this act. This will cut down on old authorizations.

Section 414 raised the basic authorization for construction at the Air Force Academy from $126 million to $147 million.

Mr. Chairman, I feel that we have a tight bill which, you will recall, started at $5½ billion and now ends up at $1,624,000,000.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. With pleasure.

Mr. GROSS. There seems to be in this bill a little, or even more than a little in some instances, for every State, led by California with $134 million.

Mr. VINSON. The gentleman is probably correct, except the State of West Virginia. West Virginia has an item in the bill, but it is classified, and it could not be dealt with in detail.

Mr. GROSS. Of course, the State of Iowa almost went out the window with only $284,000 out of a billion and a half.

Mr. VINSON. I may say to the gentleman that three is not one item in this bill for the Sixth Congressional District of Georgia, the district I have the privilege to serve.

Mr. GROSS. But, of course, the State of Georgia is in the bill to the tune of $37 million.

Mr. VINSON. That is not my district.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. HALLECK. The gentleman spoke of the effect of the declaration of emergency back in 1950. Does the gentleman not agree with me that it is about time that we put an end to this whole emergency business?

Mr. VINSON. Exactly.

Mr. HALLECK. If declaring an end to the emergency will have an adverse effect on certain laws and programs that should be continued, let us face the problem and take it up in the usual way.

Mr. VINSON. I certainly agree with the gentleman; and the Kilday amendment, as far as the Department of Defense is concerned, will accomplish that. As the gentleman from Ohio said in explaining the rule, that is a very important section of the bill and will help close the door on negotiated contracts.

Mr. ARENDS. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, first, I would like to place emphasis on the fact that this construction bill was reported out of the Armed Services Committee unanimously. I would like also to point out, however, that the committee was not unanimous with respect to one important element of the bill—and that is section 411. I will speak on this section somewhat later, when I move to strike said section from the bill.

The chairman of the committee has given an outline of the review to which this bill was subjected from the time of its original generation in the field offices of the military departments to the final product which we find in H. R. 8240.

A bill of this magnitude, containing as it does, over 400 named installations, and thousands of individual line items, is a difficult thing to grasp in its entirety without detailed study and consideration. Realizing this, the Armed

Services Committee approached the bill from three principal directions. The first of these was to get the overall policy which lies behind the bill and this we received from witnesses from the Office of the Secretary of Defense. Secondly, we required each of the military departments to break down their portion of the bill into what we called packages—and by this I mean how much was for barracks, how much was for Nike installations, how much was for airfield pavements, how much was for shipyard facilities, and so on?

The third approach was a detailed examination of the individual, specific line items which, in the last analysis, make up the whole bill.

It took us a month to do this and it is a hard, undramatic, unromantic job. But it is one we all know has to be done and has to be done well if we are to fulfill the responsibilities which we all have to our own constituents and to the whole country.

This bill contains authorities which will permit appropriations of $1,676,000,000.

Although this represents a huge program, the committee found that this amount actually represented the final results of the screening and rescreening review procedures which were carried out on this program within the Department of Defense. We found that the original requests from the three military departments to the Department of Defense amounted to $3.6 billion. After extensive review by the Secretary of Defense, this original request was reduced by over 40 percent down to a new total of $2.1 billion.

However, as this amount of construction work exceeded the monetary limitations within the Department of Defense fiscal year 1958 budget, this program was further screened down to less than 50 percent of what the 3 departments had originally asked the Secretary of Defense to approve.

This was not the final reduction—when this program was examined by the Bureau of the Budget, before its submittal to Congress, it was decided that the Department of Defense fiscal year 1958 construction funds would be reduced by $200 million. As a result, this program was finally cut down to $1,742,000,000 which was the amount initially requested in H. R. 7130, the predecessor bill to H. R. 8240. This amounts to only 43 percent of what the 3 departments requested in the first place, and is indicative of the extremely rigid review to which this bill was submitted before it was received by Congress. This review has achieved, I believe, utmost economy consistent with strong defense.

The testimony which we have received has repeatedly demonstrated that the items which survived both the Department of Defense review and the Bureau of the Budget reduction, represent fully verified requirements which are genuinely needed to support the missions which have been assigned to our Armed Forces.

We also found that the review procedures used within the Department of Defense were extremely thorough, and that each and every project was individually examined from the standpoint of need, cost, design, size, location, and sound engineering principles.

We also found that only those facilities needed to support long-term use were being requested, and that requests for many projects had been postponed so that the maximum possible use could be made of old structures left over from World War II.

Therefore, it seems very evident that the projects comprising H. R. 8240 represent a very tight and closely scrutinized military construction program that merits prompt passage, with 1 exception, and that is section 411.

Section 411 would, simply stated, require the Secretary of Defense to inform the Speaker and the President of the Senate whenever he intended to close down a commercial or industrial-type activity. If either of the Houses objected to the closing of the facility, then it could pass a resolution and require the activity to be continued.

This, of course, is not the first time we have had this concept before us. The idea managed to survive an appropriations act a few years ago, but was soundly defeated the next year. In the point of order bill, it survived by a very close margin, but I think that the vote at that time was not a considered one and may well have reflected a lack of complete understanding on the part of the House as to the implications that are inherent in legislation of this kind.

Historically, and most fundamentally, our Government is divided into three elements. It is our tradition—and, indeed, our law—that one of the constituent elements should not interfere with the activities of another. Each has its job to do and must be allowed to do it without interference from the other.

Here we have the legislative branch of our Government dipping into the day-by-day activities of the executive branch. We select officials to run the executive branch in whom we have confidence. We pick them for their proven ability in their particular fields. We place great responsibility upon them. And we give them our full confidence.

But what would we do under this section 411? We would say "We know you have an important job to do; we have almost full confidence in you, but we think we ought to be able to lend a paternal hand to your daily operations. We think we know better how to run your business than you do."

If good business sense dictates that a commercial or industrial activity should be deactivated and get out of business—and this decision is made by a responsible official in the Department of Defense and is approved by the Secretary of Defense—who are we to say that his decision is wrong?

Full and free business activity is our tradition. The very foundation of our country's economy is based on a free economy; one with a minimum of Government interference—one with a minimum of Government activity in fields which are essentially of a business nature.

In a word, if we can buy it from a private producer, then we shouldn't be in the business of making it ourselves. This is subject, of course, to some minor exceptions, but by and large, the Government's business is government, not manufacturing.

Section 411 is bad legislation and bad policy.

With the same strong feeling of sincerity that I ask that the construction authorization be passed, I will later on ask that section 411 be defeated.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from South Carolina.

Mr. RIVERS. The gentleman has said that under section 411 the Congress is dipping into the responsibility of the Executive and that, if I understood the distinguished gentleman correctly, the people whom we have selected to run the executive department have willed that these installations be cut out, in the event such an installation is sought to be disestablished. Now, to begin with, the military quite frequently does not want these establishments discontinued. It is some civilian down in the Department that wants to do it who does not have the comprehensive information that the military man would have. The gentleman says that we dip into the operation of the executive branch. I wish the gentleman would make it plain to the House that the Constitution—and a lot of us still believe in it—says that the Congress shall provide an Army and a Navy and that the President shall be Commander in Chief thereof. It does not say the Department of Justice; it does not say the Department of Commerce; it does not say the Department of the Interior, or some other department. It says the Congress shall provide a military. It does not single out any other department.

How can the gentleman say to the House that we are dipping into the Executive when the Constitution tells us to provide a military? How on earth can we do it if we do not know what is going on? So I respectfully submit to my distinguished friend that we are not dipping into the Executive. We are following our mandate when we provide a military. How can we provide a military with what they are entitled to have if somebody downtown takes this away, takes that away, and takes something else away, and gives it to some friend in industry?

Mr. ARENDS. If the gentleman from South Carolina will bide with me, when the motion is made to strike section 411 from the bill, I shall go into that in detail. I have some material that I should like to present at that time which I think will give the gentleman an answer to his question.

Mr. RIVERS. The gentleman will admit that the Constitution singles out the Congress to provide a military and the President to command it, and we have to provide that; the gentleman will agree with that?

Mr. ARENDS. I agree with the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Iowa.

Mr. GROSS. How does this proposed authorization compare with spending for the same purpose last year? I do not seem to find that information in the report. Does this represent an increase or a decrease?

Mr. ARENDS. I think last year the amount was $2,200,000,000. This provides some reducton. I should like to say to the gentleman from Iowa that I know of no way we could have screened these requests any more closely, or given this proposal a more intelligent approach than we did. I recited the careful study made of each item resulting in reductions, and I think we have done a tremendously good job from the standpoint of how much economy we could bring into this proposal.

Mr. GROSS. I understand that it is proposed to withdraw a couple of divisions from Japan. If they are brought back are facilities adequate to take care of them without coming to Congress for additional construction?

Mr. ARENDS. I am sure there will be, yes.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, on page 17 of the report there is listed $65 million of the total of the Air Force appropriation as classified. Yet on only three pages of the bill, dealing with Air Force installations, I find approximately $217 million proposed to be expended at "various locations," without any further detail. Can the gentleman shed any light on this?

Mr. ARENDS. I think the gentleman will have to rely somewhat on the good judgment of the committee. We have some of this classified information, which we obtained in executive session, but for security reasons we cannot divulge it at this particular time.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Georgia, the chairman of the committee.

Mr. VINSON. To supplement what the gentleman has just said, the committee had full information on all of the expenditures for each of the classified projects referred to in the bill. We cannot come into the House, and we could not in the report go into detail on each of those. Had we done so, we would have had to reveal secret information. But I can assure the gentleman and the committee that the Armed Services Committee had an explanation of all of the classified projects.

Mr. GROSS. If the gentleman will yield again, the only point I was making is that at one place the report lists $65 million as being classified and yet the bill, only on three pages, shows $217 million to be expended at various and completely unspecified locations. Nor is there information as to the purpose.

Mr. ARENDS. Let me repeat to the gentleman from Iowa that I think he must rely on the judgment of the Armed Services Committee in what we are trying to do in this particular bill without divulging where our security is involved exactly what is proposed.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from New York.

Mr. COLE. The gentleman from Illinois has announced the intention of striking out section 411. The effect of section 411 is to prohibit the Defense Department from discontinuing any function, service, or manufacture of any item which the Defense Department feels can be provided to better advantage from private sources. It prevents them from discontinuing that service without prior consent of Congress. Can the gentleman cite a single instance, after his many years of experience and service on the Committee on Armed Services, where the Defense Department has been able to manufacture an item or to provide a service or promote a function at a cost less than it can obtain it from private sources?

Mr. ARENDS. Of course I cannot. We all know that.

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Ohio.

Mr. McGREGOR. Getting back to the classified information, the gentleman from Ohio especially wants to thank the chairman and the entire membership of this committee for the courtesy and consideration shown him. There was a project that was determined classified. I am most happy to say that in my opinion there is one committee in Congress that does not allow the so-called brass or bureaucrats to tell them what to do. It has been proven to me beyond question of a doubt that this particular committee determines itself what is classified and does not take the ruling of someone regardless of how high his rank may be. The gentleman from Ohio greatly appreciates the consideration shown him in connection with a project that we determined ourselves was not worth while. I thank the committee for recognizing that fact.

Mr. ARENDS. We thank the gentleman. With all modesty, I must say we do have an extraordinarily good committee.

Mr. MACK of Washington. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. MACK of Washington. Are there any provisions in this bill for the acquisition of large land areas for Port Chicago, Calif.?

Mr. ARENDS. No, not at all. I do not think we took that into consideration at all.

Mr. VINSON. If the gentleman will yield, nothing in the bill relates to that. It remains status quo.

Mr. MACK of Washington. In other words, they are going to spend $723,000 for some small installations but no large-scale acquisitions?

Mr. VINSON. That is right.

Mr. MACK of Washington. If it is agreed later to make that installation, it will be located at Port Chicago or some other place that is satisfactory?

Mr. VINSON. We will take that up later, but there is nothing in here covering the buffer zone at Port Chicago.

Mr. MACK of Washington. I thank the gentleman.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. O'HARA of Illinois. I am addressing this question to the gentleman from Illinois because of the implication he made. I know that the wise and great committee has reason for it, but in the report I notice that the Fifth Army received only 2.9 percent of the total building program for the Army, the Fourth Army received 6.2 percent, and the Third Army 5.8. I presume there is good reason for that, but I know the gentleman from Illinois and the rest of us from Illinois when we get back to the Midwest will be questioned about that.

Mr. ARENDS. A lot of this is based on military priority needs, but I can say to my colleague from Illinois as a Member from Illinois that we were watching out for all these things from our particular area.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. CURTIS of Missouri. I was very much interested in reading the committee report pertaining to real estate. On page 27 and the immediately following pages there is an inventory for the first time, and I am happy to receive it, of the amount of real estate and improvements the military establishments now have. On page 28 it gives us what has been disposed of over the period of the past 10 years. It gives an item showing the cost. What I am interested in is knowing how much the Federal Treasury received in return for the disposition of this property and whether or not we had a net gain or a net loss. I should like to know what accounting is given of that.

Mr. VINSON. I will say, in answer to the question of the gentleman from Missouri, that the only agency which would have the information on that is the General Services Administration. We do not have the information. We go on the assumption that it is done in a good businesslike way and that no Government property is given away unless the Government receives its fair market value.

Mr. CURTIS of Missouri. If the gentleman will yield further to pursue further this line, certainly the Military Establishment has some idea as to how much it involves when it comes to the disposal of land.

Mr. VINSON. I would say "No." The military department, when it turns over to another agency of Government, the General Services Administration, any property for the other agency to dispose of, it naturally washes its hands of the property. And when another agency steps in and does dispose of the property, under the law, the military department would not normally attempt to keep track of it. They would have no information other than that which would be voluntarily sent to them. Their military interest is finished.

Mr. CURTIS of Missouri. I might suggest this: On the disposal of personal property, the figures seem to run at about $2 billion to $3 billion a year in excess property that the Military Establishment is disposing of, for which we get about 8 cents on the dollar. One of the best checks that we would have on our system, I might suggest, is to find out what is disposed of because it reveals to

us where the system is not operating properly. I think the Military Establishment ought to know and follow through in these instances where they have an inventory which shows us here that there is $3,780,000,000 worth of property and improvements; that is, the cost to the Government. Now, it would be very interesting to find out why over a period of 10 years we have had that amount of surplus generated, if there had been proper planning in the beginning.

Mr. VINSON. I would say to the gentleman from Missouri that as fast as the Committee on Armed Services can dispose of the legislation before us, and when we get a breathing spell and can get down to this question, we will be more than delighted to ask the General Services Administration to give us a report as to what amount of money it receives from the disposal of any real estate. We do not have that information today.

Mr. ARENDS. I think, Mr. Chairman, the gentleman makes a good point. It impresses me as a very good idea to try to get the information for him and all Members of the House.

Mr. CURTIS of Missouri. I want to thank the gentleman from Illinois and to add this one comment. The reason I bring this up here, of course, is that here we are generating considerable additional money. I like the way the Committee on Armed Services have gone ahead and have begun to dig into these things. But, I note on page 30 the committee makes this statement:

> The three departments admitted that a substantial number of projects for which increased authorization is necessary were poorly planned in the first instance and did not reflect anything but the most general estimates of cost.

I have felt that as a Member of Congress that that has been going on for some time. In spite of the words of reassurance that the gentleman has given me that this time it is different, I am still quite disturbed about it. But I do want to say that this looks like real progress and my suggestion of going into these things further is simply in the nature of making a suggestion as to how we can get on top of this matter.

Mr. ARENDS. I thank the gentleman.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield.

Mr. GROSS. I just want to make this brief comment. The Truman Airport at Grandview, Mo., is still with us in this bill to the tune of a little better than $2 million.

Mr. ARENDS. I well recall the gentleman's interest in that matter.

The CHAIRMAN. The gentleman from Illinois [Mr. ARENDS] has consumed 24 minutes.

Mr. VINSON. Mr. Chairman, I yield 15 minutes to the distinguished gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. Mr. Chairman, you have already heard from the chairman of the committee a description of the overall bill. You have been informed with respect to the highlights in the programs of each of the three departments and you have a description of the general provisions of the bill.

I think that every Member of the House now understands the magnitude and importance of H. R. 8240 and I will not, therefore, repeat any of the areas which have already been covered. I will devote my remarks to the Strategic Air Command.

The Strategic Air Command's ability to conduct offensive air operations on a global basis is recognized as the primary deterrent to enemy aggression. This Nation is always faced with the possibility that this powerful deterrent will be ignored by potential aggressors, if they believe our strategic forces are vulnerable to surprise attack.

We know that the Soviet Union has committed itself to work of creating a strong, modern, long-range offensive bomber force. It is readily apparent that this capability is a prime threat to our national security. Should this force be employed in a surprise attack against the United States, then the Strategic Air Command must immediately mount nuclear attacks designed to destroy the enemy's will and ability to wage war before overwhelming and irrevocable damage can be inflicted on the United States. This retaliation must be done quickly, to be effective, and in great weight to be decisive.

The major force within the Defense Establishment that has the potential to launch immediate attacks against critical Soviet targets is our Strategic Air Command. Through the immediate employment of this force, we can reach critical targets in sufficient time to minimize a Soviet air attack launched against ourselves or against our allies.

In giving meaning to our national policy of deterrence, the Department of the Air Force is taking action to continually improve the weapons systems of the Strategic Air Command, and provide it with the immediate reaction time required to employ the force under the circumstances which I have just outlined.

About 45 percent of the Air Force portion of the bill is directly related to improvement of the strike capability of the Strategic Air Command and the maintenance of SAC's constant readiness. These SAC operational and support projects include sites for strategic missiles; bases for dispersal of the heavy bomber squadrons; additional facilities required by the conversion from B–36's to B–52's; northern tanker bases; facilities and aviation fuel storage at overseas bases; housing and community facilities; and other essential base support items including aircraft maintenance facilities, ammunition storage, refueling facilities, mission training facilities, and unit operations buildings.

The intercontinental capability of the B–52 was dramatically demonstrated in the recent round-the-world flight with which you are familiar. You are also familiar with the concept of dispersal and the initial increment that was authorized in the 1957 Military Construction Program. The facilities provided by the Air Force's 1957 and 1958 military-construction program will, when completed, substantially reduce the vulnerability of the Strategic Air Command's Heavy Bombardment Force and will contribute greatly to its capability to react quickly and mount a significant retaliatory strike.

In recognition of the extreme high costs to disperse this force by providing completely new bases, the Air Force has, up until this time, dispersed the force within the existing inventory of bases, taking advantage of facilities already in place, to reduce the cost of this program.

Obviously, the deployment of bombardment units from existing bases to dispersal bases will do two things: First, in some instances it displaces units now in place at the dispersed locations; second, it creates facilitites at Strategic Air Command bases which cannot be used to capacity by the remaining Strategic Air Command's mission.

An immediate question arises: Are we, through dispersal, vacating facilities that are already in use at existing bases? To understand the answer—which is essentially "No"—we must look at the deployment of the entire force in the United States.

As you are aware, there has been some decline in the numbers of wings now programed for the Air Force. The 137-wing program has been reduced to a program of 128 wings, effective by the end of fiscal year 1958. We can expect further reduction in the future, as the combat power of Air Force units increases with improved weapons systems.

It is interesting to note that the force deployments in the United States remain substantially the same as under the 137-wing program. With this in mind, the Air Force has redeployed the force in the United States by placing units of other commands on Strategic Air Command bases to take advantage of the facilities made vacant by the dispersal of Strategic Air Command units. We must also consider that the heavy bombardment wings previously were composed of 30 B–36's with no requirement for air refueling squadrons. The heavy bombardment wing is now composed of 45 B–52 aircraft and 20 air refueling aircraft, so that instead of considering the dispersal of 30 B–36's, we must provide facilities for 65 large aircraft.

An example of this is at Ellsworth Air Force Base, S. Dak. Its current utilization is 30 B–36 aircraft, and a Strategic Air Support Squadron composed of 12 C–124 aircraft. The utilization at Ellsworth supported by the Air Force military construction program, after dispersal of the heavy bombardment squadrons, is 55 large aircraft. These require the same space as that previously required by the B–36 wing and the strategic support squadron.

A fighter wing is being placed at Briggs Air Force Base and a tactical reconnaissance wing is being placed at Walker Air Force Base to substantially use the facilities vacated when the squadrons disperse from these locations. These actions are illustrative of the scope of action being taken to utilize existing facilities.

The Air Force has given very serious consideration to the matter of dispersing this Strategic Air Command force and, at the same time, making maximum use of facilities by such dispersal. In my opinion, the deployments of the forces in the United States, as supported by the Air Force 1958 military construction program, is sound, avoids new construction where possible, and makes maximum use of existing facilities.

I would like to conclude on a note which I think is of overriding importance. It has been the thought of many people that the day of the intercontinental ballistic missile is with us, that we had the absolute weapon—and the long-range bomber would soon become a thing of the past.

Perhaps this day will come—perhaps we all here on the floor of the House today will see that day. But, gentlemen, that day is not today nor is it any day in the reasonably foreseeable future.

The short-range missiles, it is true, have, in effect, taken the place of artillery pieces and have proved very successful. Nothing, however, is in existence today, or can be anticipated to be in existence for a considerable time to come, which will take the place of the long-range Strategic Air Command bomber. The SAC force is our first—our primary—and in some very real sense, our present current deterrent to aggression.

So, I believe that we can look forward to many, many more years of dependence on the long-range strategic bomber of the Strategic Air Command. It would be dangerous to my mind to let any feeling of complacency creep into our thinking—permit any feeling that a pushbutton type of defense or offense is with us today. It may come, but it is far off yet.

I have devoted my remarks to the Strategic Air Command of our great Air Force. I have done this because of my own strong interest in SAC and because of my own profound admiration for the people who have led SAC and are leading it today. Gen. Curtis LeMay, now Assistant Chief of Staff of the Air Force, has given his official life to the work of building up the SAC force and he has done a magnificient job.

I would not mean to imply, however, by the restriction of my remarks to this great element of the Air Force to indicate any lack of interest in or support of the other two services.

As the chairman of the committee has pointed out, we examined most closely the individual items which make up the programs of the Army, the Navy, the Air Force, and the Marine Corps. We found the program to be a close one, a tight one—one which had been obviously well thought out—well planned—and I might say, well presented by the witnesses of the three services who appeared before the committee.

Indeed, I wish to leave no impression whatsoever that the functions of the other services are not of great importance. The Army, the Navy, and the Air Force together form a team—each doing its own job—each complementing the other—and together forming a defensive, or if need be, an offensive force which is second to none in the world.

The bill is one more step toward insuring that our military forces remain second to none. I feel its passage is an absolute essential to this end.

Mr. ARENDS. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, I take this opportunity to compliment the distinguished gentleman from Georgia [Mr. VINSON], the chairman of our committee, a man who has served in the Congress of the United States some 43 years. To me he is one of the outstanding Americans of our day, a great civic patriot who has contributed the greater part of his life to his Nation. As chairman of the Armed Services Committee, he has the responsibility for the development of programs to build and maintain our great national defense to meet any emergency that may arise in a critical and chaotic world. By his work over a long period of years he has earned and deserves the hearty commendation of the membership on both sides of the aisle. I have been privileged as a member of the Armed Services Committee to have the opportunity to work with him for many years. He is conscientious and thorough in his work. He spends hours and days and weeks in scrutinizing every item in the defense program. His wise counsel and guidance and direction is eagerly sought on all programs of national defense. The soundness of this bill we have before us today is a tribute to the able leadership and direction of our very able chairman, the gentleman from Georgia [Mr. VINSON]. It is a program calling for some $1.6 billion, and it is legislation which has for its objective the strengthening and maintenance of our national defense. Now a word about the Department of the Army program.

The Army's construction program for fiscal year 1958 totals $297,714,000 in new authorization as contained in title I of H. R. 8240. The title would also permit reprograming of certain prior years' authorization for sorely needed family housing. I feel that the Army's request is both modest and minimal, when taking into consideration its stated construction requirement for fiscal year 1958 of approximately $919 million. Exhaustive reviews of this program within the Department of Defense, the Executive Office of the President, and the Congress have reduced the program to the bare minimum.

As you are all aware, the primary purpose of the Army is to provide a deterrent to war in conjunction with its sister services. A strong, combat-ready Army is an essential part of the deterrent forces needed for our national security. The Army provides a deterrent to general and local wars through its overseas deployments covering vital strategic areas, by its contribution to the continental air defense of the United States, by the presence of ready, highly mobile forces, and by its capability to apply measured force to varying situations.

Toward this end, the fiscal year 1958 construction program has been developed. Thirty-nine percent of the program is devoted to strengthening the Nike defense system in continental United States; 45 percent is for the construction of permanent plant to house and support our Army in continental United States and its Territories; and 16 percent of the total is for construction of shorter term requirements in continental United States and temporary base rights areas overseas.

For the air defense of the continental United States, this bill will provide additional construction totaling $115 million for tactical facilities, and an additional $8,500,000 for logistical support of this highly important mission.

The need for adequate air defense of the United States is absolutely vital. This is required to support the national policy of deterrence. Army surface-to-air guided missiles make the major contribution to the defense against the atomic air threat as it exists today and may exist in the foreseeable future.

In the field of land-based air defense, the Army has a demonstrated competence unmatched by any other service. This competence manifests itself in many ways, including the following: The existence of trained missile units deployed on site; completed training in missile skills for thousands of personnel; a major training establishment in being at Fort Bliss; the availability of a competent development base of Army agencies and contractors; and the presence of an experienced and operating logistical support system.

The Army's air defense tactical facilities program in fiscal year 1958 is a logical extension of the overall air defense development program initiated in 1951, revised continuously to reflect the rapidly advancing technology in the guided-missiles field. Thus, the present program will, by the introduction of the Army Nike-Hercules guided-missile system, provide the first air defense capable of firing atomics.

Fortunately, our present Nike sites are readily converted to accommodate these new atomic weapons. With reasonable modification and costs, the present Nike sites can accommodate new weapons—such as the atomic Nike Hercules, for long-term use.

In addition, this program introduces facilities for the first increment of a new low-altitude system—the Hawk.

The air defense tactical facilities program is a vital step toward assuring that the planned continental air defense posture will keep pace with any enemy's capability, and will deny him the ability to destroy the mobilization and retaliatory potential of the United States.

The Army will never be any better than the people who serve in it. The modern Army, with its complicated weapons and exacting leadership requirements, is striving to improve the quality of its personnel and the way in which they are utilized. While the Army is making encouraging progress in increasing the professional proportion of its strength, the basic problem is not merely the training of personnel to a higher level of professional ability but more particularly the retention of such personnel after they are trained.

The ability to retain trained, qualified personnel is dependent to a large measure upon the availability of suitable living accommodations for personnel and their dependents. A great many of our

soldiers are still living in outmoded, high-maintenance-cost World War II facilities, which for the most part have long passed their normal life expectancy. H. R. 8240 as drafted will partially alleviate these undesirable conditions by providing 13,504 permanent enlisted barracks spaces; 360 permanent bachelor officer quarters; and 415 units of appropriated fund family housing, at a total estimated cost of approximately $50 million.

The Army also is making considerable progress toward providing adequate facilities to support its mission in the field of light aviation. Last year the Army requested, and the Congress authorized, $14.4 million for the first major step forward in providing aviation facilities for the Army's aircraft. This year's bill will provide an additional $20.8 million in new authorization for construction at 17 permanent stations.

Organic Army aviation consists of fixed- and rotary-wing aircraft which the Army requires continually, within its units, for the discharge of Army missions incident to ground combat. These aircraft are characterized by capability of short takeoffs and landings on unprepared fields, and generally by relatively low performance in comparison to the aircraft of the Air Force. They are immediately available and responsive to the requirements of the ground units commanders. The functions for which these aircraft are provided in the combat zone—observation, airlift for troop movement, movement of supplies, mobility for land reconnaissance, command, liaison and communication, and aeromedical evacuation—do not duplicate those of the Air Force although there may be some overlap immediately forward of the area of contact.

Army aviation is capable of living in the field, but like the combat infantrymen who move out of the mud and into barracks during peacetime, its aircraft must have minimum adequate base facilities when not engaged in combat. Otherwise their operation would involve costs considerably higher than necessary, due to increased wear and tear and attrition losses, and because of the increased flying hazards associated with field operations.

In temporary base rights overseas areas, the Army has reduced its fiscal year 1958 construction requirements to an absolute minimum. Construction is limited basically to France, Korea, and Army Security Agency bases; $20,754,000 is proposed for authorization for further construction of the line of communications across France. The French line of communications is rapidly nearing completion, and consists primarily of a 12-inch petroleum pipeline and backup supply depots stocking critical combat materials, the very life's blood of our combat-ready troops now stationed in Germany.

In Korea further improvements to troop living and operating conditions will be provided at an estimated cost of $9 million. The Army has finally succeeded in getting troops out of tents and into low-cost prefabricated buildings in Korea. Although the construction in Korea is limited to the most austere, temporary-type facilities, they are most welcome to our troops in lieu of the field-tent camps occupied up to early 1956.

I have served as a member of the Armed Services Committee for many years. In this capacity I have become quite familiar with the Army's construction programs, and the methods of development used. The Army has used a proven system of master planning for its construction for over 10 years. This system, which is analogous to city planning, provides a sound, well-balanced annual program. The continual review processes of construction requirements effected at all echelons of Army command have gained my confidence, as well as yours I am sure, in the Army's ability to plan and execute its construction program. I feel that this year's program is a fine example of this ability.

The program is not large. It has been developed under austere budget guidance. It will provide only the Army's bare, minimum construction needs in fiscal year 1958, and is consistent with the Nation's economy.

Mr. VINSON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Chairman, the committee is complimented by the confidence which the other Members of the House have in the deliberations of our committee.

As our distinguished chairman has said, we worked on this bill about a month. Every line item came under our scrutiny, under the tireless leadership of the gentleman from Georgia [Mr. VINSON].

We approached this bill not with the assurance in mind that there would be any disarmament. We do not look for that at the moment. I do not care what is going on in London; we have seen the developments of the last week in Russia and what has emerged from the Politburo in Russia.

We see now who is the leader in Russia. We have heard from General Twining how those Russians carry on when they give a party. And Khrushchev is not a teetotaler. He is in charge of Russia. So we had better keep our bases in first-class condition and implement those which are necessary. That is what this bill does. We have no new bases, but those which we have are going to be in first-class shape. We do not want to wake up one morning and have one man in Russia declare war on this country out of the dark, or out of the blue.

Mr. Chairman, my remarks deal primarily with the Air Force. I could have taken any one of the other branches of the services. I have dealt with what is going on in the hardware of the Air Force and the need to keep the bases completely up to date with the newest type of hardware for the Air Force.

I commend this bill to the attention of the distinguished membership of the Committee.

The chairman of the committee, the gentleman from Georgia [Mr. VINSON] has given a fine picture of the whole program. Others have or will deal with particular elements of the program. Whenever any one of us on the Armed Services Committee picks a particular portion of the construction bill to talk about, it doesn't mean that we feel that other portions or other programs in the bill are of necessarily less importance. It means simply that we, as individuals, wish to give the House a reasonably well distributed series of remarks in order that all of the various portions of the Army, Navy, and Air Force programs can be presented in a somewhat more precise and understandable fashion.

If I were going to be completely personal in my remarks on this bill, I would find myself torn between our great Navy and our great Air Force. And by this I mean that my own experience, background, and day-to-day activity embraces many problems of these two services.

Other members of the committee find that their problems and area of activity are devoted to one of these services or to the Army. It is a natural tendency to speak on subjects which are most familiar to you. I have chosen today to speak on the Air Force. But I could just as well, and with just as strong feeling, have chosen the Navy.

Every fighting force is made up of three elements—men, weapons, and bases to fight from. This bill has one single purpose and that is to provide the bases which our forces can fight from.

The Air Force has a vital interest in the development of a modern base structure. In fact, it must be considered equal in importance to the development of aircraft and missiles with increased speed, range, and striking power, for the degree of development of airbases, missile sites, and radar stations determines the effectiveness of these weapons as instrunents of defense. Continued progress in the construction and modernization of airbases is essential to maintaining the ready effective Air Force that our national security demands.

The Air Force installations program of the last several years has been aimed at providing airbase facilities required for the 137-wing Air Force that in 1953 was approved as the Air Force goal. The original goal of 137 combat wings by June 1957 now has been modified after a thorough review of the Air Force task and today's more modern and more powerful equipment and weapons.

In fiscal year 1958, the Air Force proposes to reduce the force to 128 wings. These changes are not arbitrary—but stem from a review of the task to be accomplished and the means at their disposal to get the job done, which include more modern equipment and more powerful weapons. Although the force is reducing in numbers, capability is being increased by virtue of tremendously increased striking capability and firepower.

No new aircraft operating bases will be initiated inside the United States under the Air Force construction program for fiscal year 1958. By virtue of effecting unit redeployments in combination with the reduced numbers of units, present base requirements for the forces will be satisfied by adaptation and utilization of existing bases.

I would like to refer briefly to the progress being made in the overall Air Force program, with particular reference to aircraft and weapons, because the characteristics of the aircraft and weapon systems used establish the pattern and type of operational facilities required on our air bases.

The last year saw production and assignment of the newest type aircraft to combat units. The Strategic Air Command has improved its capability by replacement of B-36's with B-25's with four of the heavy bomber wings scheduled for conversion by the end of this fiscal year. By the end of fiscal 1958, the B-36 wings will be down to 3 and the B-52 wings will be up to 8. In addition, each B-52 wing will be equipped with 45 planes as compared to the 30 planes in a B-36 wing.

In line with the overall modernization of the Air Force, all fighters now under procurement are of the supersonic 100 series—frequently called the Century Series. The capability of the Air National Guard and Air Reserve are being increased by receiving F-86 and F-84 equipment earlier than originally planned by reason of aircraft being made available through reduction in the number of active fighter units.

In the transport field, the first C-133 turboprop cargo plane, designed for about twice the payload capacity of the largest transports now in service, was flown last year. The turboprop C-130, a great advance over any troop carrier aircraft, is being assigned to Tactical Air Command medium troop carrier wings.

The integration of missiles into the Air Force weapons system continues to hold high priority. Already in use by the all-weather interceptor aircraft in operational units is the Falcon missile which is a dependable missile of high kill capability. The Air Force is also planning to use the Navy-developed Sidewinder air-to-air missile on certain day fighters.

To supplement the fighter interceptors, development of the Bomarc ground-to-air missile is being expedited. Once operational in effective numbers, it should reduce the requirement for short range, manned interceptors.

In offensive missiles, the first tactical missile in the Air Force is the Matador. One wing is equipped and is in position in Europe.

The Air Force has long range surface-to-surface missiles under development—both air breathing and ballistic. The ballistic missile development programs are substantially on the schedule established over a year ago. Excellent progress is being made in these projects and they are in various early stages of flight testing.

As to adequate control and warning systems, present warning lines are being improved and expanded. The main portion of the distant early warning line—DEW line—which provides the longer warning time necessary for timely launching of our retaliatory and air defense forces, is now nearing completion and will meet its scheduled operational date.

Eastern and western extensions to the main line are programed and partially funded.

The development, testing, and construction of SAGE our semiautomatic ground environment system which operates as a computing and control facility to control our advanced air defense weapons against multiple targets, is being continued.

Although significant progress has been made in the past several years in development of a base structure to support a modern Air Force, much remains to be done. The need for concurrent satisfaction of base requirements for new weapons systems and elimination of deficiencies at present bases requires that expenditures for Air Force military construction be maintained at a substantial level for several years to come.

We have no choice in this respect. We must continue to maintain the strongest possible military force and we cannot do this without meeting the constantly changing needs of our military services as modern developments themselves make these changes necessary.

We have built a great Air Force and we have already built a great base structure for it. But we will be back again next year for more essential construction to round out and render more perfect our operational facilities and, of almost equal importance, to provide personnel facilities which have for the past several years gone by the board in order that most of the authority and most of the funds could be devoted to the operating essentials.

The Armed Services Committee has reported out a sound bill. It has been pared and shaved down to a fine point. I would personally hesitate to go further than the executive branch and the committee has already gone. This bill represents a hard core and is a bill that every Member of this House should support wholeheartedly.

Mr. VINSON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 133]

Abbitt	Byrne, Ill.	Forand
Adair	Byrne, Pa.	Frazier
Alexander	Canfield	Fulton
Alger	Chelf	Gary
Andersen, H. Carl	Chiperfield	Gordon
	Christopher	Grannahan
Anderson, Mont.	Chudoff	Green, Pa.
	Coad	Griffiths
Anfuso	Coffin	Gubser
Ashmore	Colmer	Hays, Ohio
Barden	Cooley	Healey
Barrett	Cunningham, Nebr.	Hébert
Bass, N. H.		Hemphill
Baumhart	Curtin	Hess
Beamer	Curtis, Mass.	Holtzman
Bennett, Mich.	Davis, Tenn.	Ikard
Bentley	Dawson, Ill.	James
Blitch	Delaney	Jennings
Boggs	Diggs	Jones, Mo.
Bonner	Dingell	Kearns
Bosch	Dollinger	Keogh
Bowler	Donohue	Kilburn
Boyle	Dorn, N. Y.	Kluczynski
Breeding	Eberharter	Knutson
Brown, Mo.	Fallon	Lane
Brownson	Fino	Latham
Broyhill	Flood	Lennon
Buckley	Fogarty	McConnell
McCormack	O'Konski	Taylor
McCulloch	O'Neill	Teague, Tex.
Macdonald	Osmers	Teller
Machrowicz	Philbin	Thompson, La.
Mack, Ill.	Polk	Thomson, Wyo.
Madden	Powell	Thornberry
Magnuson	Prouty	Tuck
Mailliard	Radwan	Vanik
Meader	Rains	Van Pelt
Merrow	Riehlman	Vorys
Miller, N. Y.	Robeson, Va.	Vursell
Minshall	Rodino	Watts
Moore	Rogers, Mass.	Wharton
Morano	Roosevelt	Williams, N. Y.
Morgan	Santangelo	Willis
Morrison	Seely-Brown	Wilson, Calif.
Moulder	Shelley	Wilson, Ind.
Multer	Spence	Yates
Mumma	Staggers	Zelenko

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. TRIMBLE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H. R. 8240, and finding itself without a quorum, he had directed the roll to be called, when 288 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the journal.

The Committee resumed its sitting.

Mr. VINSON. Mr. Chairman, I yield 15 minutes to the distinguished gentleman from Texas [Mr. KILDAY].

Mr. KILDAY. Mr. Chairman, this bill contains approximately 400 installations. The chairman of our committee and the ranking minority member have explained the bill and the manner of its preparation. There has been every opportunity to make inquiry as to any individual line items, so I do not propose to go over line items at this time.

I do want to call attention, however, to Section 412 on page 71 of the bill. For many, many years, those who have had experience with public procurement have come to the conclusion that in order to keep procurement and public contracting fair and honest we must do our procuring by competitive bids after general advertising.

In 1947—that was during the 80th Congress—the Committee on Armed Services gave very careful consideration to the question of military procurement and at that time we again emphasized the fact that procurement was to be by competitive bids after general advertising. We then passed the Armed Services Uniform Procurement Act. It lays down the law that all contracts and all procurement shall be done by competitive bids after general advertising. However, we did include in that law a section which contained 17 exceptions, 17 instances in which competitive bidding would not be required. One of those was during a period of national emergency declared by the Congress or by the President. In 1950 President Truman, as an incident of the Korean conflict, declared a national emergency. That national emergency has never been terminated. The President does have the power to terminate it if he should see fit to do so, but he has never terminated it. Neither has Congress terminated it. In 1956 we brought in a bill from the Committee on Armed Services which would have terminated it as to military procurement. It passed this House but was never passed by the other body.

Section 412, included in this bill, provides simply that the national emergency declared on December 16, 1950, shall not be used as a basis of negotiation except in the four instances which we provide here. The original law provided that in any case of $1,000 or less competitive bids would not be necessary. Because of the increase in prices, we raised that to $2,500. Subsection 2 deals with purchases or contracts for nonperishable subsistence supplies. The third provides for purchases or contracts for property or services, for experimental, development, or research work, or making or furnishing property for experiment, test, development, or research, not exceeding $100,000. Then follows the provision for small business and labor distressed areas.

Hearings on this bill indicated that construction by the military has now been awarded on competitive bids to the extent of approximately 93 percent, but on other procurement the negotiated contract is being used about 93 percent and competitive bids only about 7 percent. Of course, that takes in every 1 of the 17 exceptions to competitive bidding. But because of the Korean emergency in 9 months last year the Defense Department acquired various supplies to the extent of $5,318,550,000, or 38.94 percent of dollar expenditures. All this was done by negotiation under the Korean emergency.

In addition, while the Department lists a tremendous amount of money that is expended without competitive bids but gives one of the other 16 exceptions as the basis for those contracts, it must be remembered that as long as this national emergency can be resorted to, then the Department just administratively determines that it comes under one or another exception, and they proceed to buy, whereas if we carry out what we propose in this bill, we will come back to our traditional system, what the Republican 80th Congress declared should be the law and what we wrote in the Armed Services Uniform Procurement Act. As several gentlemen have said, this is an excellent provision and should be enacted into law, and I am sure will be adopted.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman's proposal cover offshore procurements?

Mr. KILDAY. No. My recollection is that that would come within one of the 17 other provisions. Seven percent of construction that we have now by negotiated contract is practically all overseas. We do not find that procurement in other countries comes as easily under competitive bidding as procurement here in the United States.

Mr. GROSS. I can understand that, and I want to commend the gentleman for his proposal, but I hope some way can be devised to cover offshore procurement, at least some phases of it.

Mr. KILDAY. I am not sure that we are at this time in a position to write a law that would be applicable in foreign countries, with their different systems of doing business, with their different concepts of competitive bids and things of that kind. But, I think we are going a long way if we can get the procurement of our military supplies back under the general law, because anyone with experience in this subject knows that so long as you require competitive bids, with general advertising, you avoid favoritism, and the opportunity or temptations for dishonesty are reduced, if not eliminated. I am sure the professional officers of the military services who are engaged in procurement would much rather have competitive bidding so that their careers would not be endangered as they are now every day of the week.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. KILDAY. I yield to the gentleman from Illinois.

Mr. PRICE. Mr. Chairman, I should like the debate to show, in the legislative history of the discussion of this matter, that it is the sense of the Congress that we are seeking open competitive bidding, not the type of bidding by invitation to a selected few, but by general advertising, which would be true open competitive bidding.

Mr. KILDAY. Of course, I know that a good amount of the bidding that is claimed to have been competitive bidding was competitive only in the sense that there were two or three or four concerns invited to bid and they bid in competition. But this provided for only very limited competition, only competition from those who had been invited. So that I have attempted to see to it that each time these contracts are required by law to be awarded upon competitive bids after general advertising.

Mr. PRICE. I certainly agree with the gentleman.

Mr. KILDAY. I thank the gentleman.

Mr. VINSON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Chairman, the chairman of this committee did such an excellent job of explaining this measure, as he usually does. I do not think I have ever seen him bring a bill to the floor of this House which was not well thought out and well explained.

My remarks will be in the nature of a brief statement on the Research and Development Command and the construction required in support of its test and development programs.

It is a great pleasure for me to do this because I believe that our future, possibly our very existence, as a Nation and as human beings depends in good measure upon the results of the efforts of research and development. My reasoning is this: It is an accepted fact that any future war with nuclear weapons will be catastrophic beyond comprehension. It is also an accepted fact that this Nation's airpower—Navy and Air Force—will constitute a great factor in preventing or winning any future war. Our Nation must have superior airpower.

Our basic philosophy has been that superior airpower, seapower and landpower are possible only with the right quality and quantity. We have, in our planning, based many of our major policy decisions on the premise that we will maintain qualitative superiority. We have depended heavily on the ability of this Nation to continue to develop superior weapons systems. We have constantly sought qualitative superiority rather than quantitative superiority and this effort must continue.

As you know, the primary source for maintaining this qualitative superiority is in the field of research and development. In this bill there are, in round numbers, items of research and development construction for each of the three services as follows:

Army	$11,000,000
Navy	9,000,000
Air Force	24,000,000

In this day of complicated weapon systems, a new device rarely comes into being as a result of accident or genius on the part of an individual, rather it is usually the result of thousands, sometimes million of hours of research and development effort. This is the organized approach. It is the mission of our research and development people to seek new basic knowledge; to develop new and improved devices, processes, and techniques; and to maintain qualitative superiority of material.

This bill will provide for the construction of facilities at the centers in support of research and development projects now under way or planned in the near future.

Due to the complexity of our current weapons in the aerodynamic, electronic, and mechanical fields, and because of the extremes of the operating conditions of these systems in both altitudes and speeds, the research and development plant grows more complex as the weapons themselves grow more complex.

The research and development facilities must continually be capable of providing an environment in which the development of our weapons can flourish. An example of this type of environment is the Air Force Missile Test Center located in Florida which has been constructed since the end of World War II to fulfill the demanding engineering requirements for research, development, and operational testing of our missile systems. It has the capability of pinpointing these missiles from the surface to an altitude of 450 miles and from Florida to the Ascensions in the South Atlantic, a distance of 5,000 miles. This center, as well as those of the Army and Navy, were developed in direct fulfillment of a research and development requirement and have greatly assisted in making possible our tremendous technical advances in all of the scientific fields.

Because of the foresight of this country in constructing, maintaining, and improving these types of experimental and testing facilities, the United States has maintained its lead in weapons superiority over any other country in the world. It is only through the continued improvement and modernization of these facilities as reflected in the current research and development construction program that we will be able to keep our research and development plant abreast of the technical requirements of our weapons systems.

I, of course, support this entire bill wholeheartedly, and I have stressed those portions relating to research and development only because of my intense personal interest in this field of activity.

Mr. VINSON. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Massachusetts [Mr. BOLAND] and ask unanimous consent that he be permitted to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

MRS. GRACE GOODHUE COOLIDGE

Mr. BOLAND. Mr. Chairman, I take this time to announce to the House the death of Mrs. Calvin Coolidge, widow of the 30th President of the United States. Her death came quietly at 12:50 this morning in her beloved and beautiful adopted city of Northampton, Mass., the place she came to 55 years ago to teach the deaf and dumb and the place she met and married the man who climbed from small city lawyer to Governor of Massachusetts, to Vice President, and President of this great land.

That Grace Coolidge played a leading and important role in the meteoric rise of President Coolidge is acknowledged by all modern historians. The simplicity of her manner, her extreme graciousness and her enduring charm were attributes which overflowed from her great personality. She was a great woman. She was a good woman. She was possessed with a fine mind and a warm heart.

Her goodness and her warmness were nowhere better exemplified than in the career she entered upon graduating from the University of Vermont. For she came to Northhampton, Mass., to teach the deaf and the dumb—those unexplainable tragedies of society who are bereft of speech and hearing.

She never lost her interest in nor her love for the Clarke School for the Deaf and Dumb for she continued as a trustee to her death and frequently visited the school to rejoice in its advancement and the progress of its children.

Mrs. Coolidge's place as the First Lady of the Nation during her years in the White House was marked by the same simplicity and graciousness that had won friends and admirers wherever she set up house.

She understood people and she loved humanity. Human beings were her interest, her career. What a consolation and asset she was to her husband as he climbed the road of success from councilman, alderman, city solicitor, mayor of Northampton, State senator, lieutenant governor, governor, Vice President, and the crowning jewel of all, the Presidency of the United States.

I know that many of you, especially our elder statesmen, are aware that Mrs. Coolidge was not only a woman of extraordinary ability and humane instinct, but that she was also a person of great personal charm who presided over the social life and the White House with the dignity and graciousness of a perfect hostess.

She was a loyal wife who rejoiced in her husband's successes and encouraged him to overcome the obstacles that frequently stood in his path during his career. She consoled him in times of sorrow, especially in 1924 when death took their son, Calvin Coolidge, Jr., at the age of 17 and may I note in passing that her death occurred almost on the same date and the same hour of the 33d anniversary of the passing of Calvin, Jr., on whom she and her husband had set such great store.

I know that Northampton and the Nation will join me in mourning this truly great woman and expressing sympathy to her son, John. Mrs. Coolidge will be remembered not only for her striking personality but as a woman who lived her life with a sturdy faith in God, inherited from her rugged Vermont ancestors. She will be remembered as one who walked humbly all her days although destiny had raised her into the high and mighty places.

Mr. VINSON. Mr. Chairman, there are no further requests for time and I ask that the Clerk now read the bill.

The Clerk read as follows:

Be it enacted, etc.,

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities and equipment, for the following projects:

Inside the United States

Technical Services Facilities

(Ordnance Corps)

Aberdeen Proving Ground, Md.: Troop housing, $2,288,000.

Anniston Ordnance Depot, Ala.: Utilities, $2,015,000.

Jet Propulsion Laboratory, Calif.: Utilities, $130,000.

Savanna Ordnance Depot, Ill.: Supply facilities, and utilities, $758,000.

Sioux Ordnance Depot, Nebr.: Maintenance facility, $249,000.

White Sands Proving Ground, N. Mex.: Operational and training facilities, maintenance facilities, research and development facilities, storage facilities, administrative facilities, troop housing, community facilities, and utilities, $16,530,000.

(Quartermaster Corps)

Atlanta General Depot, Ga.: Operational facility, land acquisition, and utilities, $595,000.

New Cumberland General Depot, Pa.: Operational facilities, and utilities, $464,000.

Fort Lee, Va.: Operational facility, storage facilities, hospital facility, troop housing, and utilities, $6,229,000.

Seattle Quartermaster Market Center, Wash.: Land acquisition, $40,000.

Sharpe General Depot, Calif.: Operational facilities, and utilities, $110,000.

Fort Worth General Depot, Tex.: Operational facility, and land acquisition, $95,000.

(Chemical Corps)

Fort Detrick, Md.: Utilities, $627,000.

Dugway Proving Ground, Utah: Troop housing, $54,000.

(Signal Corps)

Fort Huachuca, Ariz.: Troop housing, $1,936,000.

(Corps of Engineers)

Cold regions laboratory, Hanover, N. H.: Research and development facility, $2,496,000.

Fort Belvoir, Va.: Operational facilities, training facility, and maintenance facility, $1,654,000.

Granite City Engineer Depot, Ill.: Utilities, $765,000.

(Transportation Corps)

Brooklyn Army Base, N. Y.: Operational facilities, $1,169,000.

Charleston TC Depot, S. C.: Operational facilities, $306,000.

Fort Eustis, Va.: Operational facilities, troop housing, administrative facility, and utilities, $3,039,000.

Oakland Army Base, Calif.: Medical facility, $602,000.

(Medical Corps)

Fitzsimons Army Medical Center, Colo.: Troop housing, $937,000.

Walter Reed Medical Center, Washington, D. C.: Utilities, $1,920,000.

Field Forces Facilities

(First Army area)

Fort Devens, Mass.: Operational facilities, maintenance facilities, administrative facilities, troop housing, and utilities, $4,859,000.

Fort Dix, N. J.: Maintenance facilities, $303,000.

(Second Army area)

A. P. Hill Military Reservation, Va.: Troop housing, $153,000.

Fort Knox, Ky.: Operational facilities, maintenance facilities, storage facilities, and utilities, $4,205,000.

Fort George G. Meade, Md.: Administrative facility, troop housing and community facilities, $2,652,000.

Fort Ritchie, Md.: Troop housing, $820,000.

(Third Army area)

Fort Benning, Ga.: Operational facilities, and maintenance facilities, $1,583,000.

Fort Bragg, N. C.: Operational and maintenance facilities, $1,051,000.

Fort Campbell, Ky.: Operational facilities, maintenance facilities, ground improvements, and utilities, $5,117,000.

Fort Rucker, Ala.: Operational facilities, and troop housing, $5,703,000.

Fort Stewart, Ga.: Troop housing, $3,691,000.

(Fourth Army area)

Fort Bliss, Tex.: Operational facilities, training facilities, maintenance facilities, storage facilities, medical facility, administrative facilities, troop housing, community facilities, and utilities, $7,704,000.

Fort Hood, Tex.: Operational facilities, training facilities, administrative facility, maintenance facilities, community facility, and utilities, $2,362,000.

Fort Polk, La.: Operational facilities, maintenance facilities, troop housing, and utilities, $7,734,000.

Fort Sam Houston, Tex.: Acquisition of land and improvements, $675,000.

(Fifth Army area)

Fort Carson, Colo.: Utilities, $1,049,000.

Fort Leavenworth, Kans.: Utilities, $336,000.

Fort Riley, Kans.: Operational facility, maintenance facility, and troop housing, $2,525,000.

Fort Leonard Wood, Mo.: Troop housing, $4,663,000.

(Sixth Army area)

Fort Lewis, Wash.: Operational facilities, maintenance facilities, administrative facilities, community facility, and utilities, $1,487,000.

Fort Ord, Calif.: Operational facilities, maintenance facilities, troop housing, and utilities, $5,231,000.

(Military Academy)

United States Military Academy, West Point, N. Y.: Utilities, $1,666,000.

(Armed Forces special weapons)

Various installations: Operational facility, community facilities, and utilities, $1,056,000.

(Tactical installations support facilities)

Various locations: Operational facility, maintenance facilities, administrative facilities, storage facilities, community facilities,

troop housing, family housing, and utilities $8,466,000.

Outside continental United States

(Alaskan area)

Alaska general, Elelson Air Force Base, Fort Greely, Ladd Air Force Base, Fort Richardson, and tactical installations: Operational facilities, maintenance facilities, administrative facilities, family housing, and utilities, $4,143,000.

(Pacific command area)

Tripler Army Hospital, Hawaii: Medical facilities, $154,000.

(Caribbean command area)

Fort Buchanan, P. R.: Community facility, and utilities, $273,000.

Fort Gulick, C. Z.: Community facility, $289,000.

(United States Army, Europe)

Various locations: Maintenance facilities, and storage facilities, $20,754,000.

(Army Forces Far East)

Various installations: Operational facilities, training facilities, maintenance facilities, storage facilities, troop housing, community facilities, administrative facilities, medical facilities, and utilities, $9,000,000.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, in a total amount of $143,002,000.

SEC. 103. The Secretary of the Army is authorized to purchase out of appropriations available for military construction family housing including necessary land at, or near, military tactical installations for assignment as public quarters to military personnel and their dependents. Not more than 300 units of such housing may be purchased under this section. Space limitations per unit will be in accordance with subsections (a), (b), and (c) of section 4774 of title 10, United States Code, and cost limitations as now or hereafter established for military housing constructed with appropriated funds.

SEC. 104. (a) Public Law 209, 83d Congress, is amended, under the heading "Continental United States" in section 101, as follows:

Under the subheading "Technical services facilities (Ordnance Corps)" with respect to Red River Arsenal, Tex., strike out "$1,808,000" and insert in place thereof "$2,212,000."

(b) Public Law 209, 83d Congress, as amended, is amended by striking out in clause (1) of section 502 the amounts "$44,003,000" and "$133,671,000" and inserting in place thereof "$44,407,000" and "$134,075,000," respectively.

SEC. 105. (a) Public Law 534, 83d Congress, as amended, is amended under the heading "Continental United States" in section 101, as follows:

Under the subheading "Technical Services Facilities (Signal Corps)" with respect to Department of the Army transmitting station, vicinity of Camp Detrick, Md., strike out "$2,360,000" and insert in place thereof "$3,137,000."

Under the subheading "Field Forces Facilities (Military Academy)" with respect to United States Military Academy, N. Y., strike out "$9,950,000" and insert in place thereof "$11,983,000."

(b) Public Law 534, 83d Congress, as amended, is amended by striking out in clause (1) of section 502 the amounts "$129,096,000" and "$236,060,000" and inserting in place thereof "$131,906,000" and "$238,870,000," respectively.

SEC. 106. (a) Public Law 161, 84th Congress, as amended, is amended under the heading "Continental United States" in section 101, as follows:

Under the subheading "Technical Services Facilities (Ordnance Corps)"—

(1) with respect to Aberdeen Proving Ground, Md., strike out "$1,736,000" and insert in place thereof "$2,039,000."

(2) with respect to Seneca Ordnance Depot, N. Y., strike out "$129,000" and insert in place thereof "$212,000."

Under the subheading "Technical Services Facilities (Quartermaster Corps)"—with respect to Fort Lee, Va., strike out "$8,589,000" and insert in place thereof "$9,874,000."

Under the subheading "Technical Services Facilities (Chemical Corps)"—

(1) with respect to Camp Detrick, Md., strike out "$452,000" and insert in place thereof "$525,000."

(2) with respect to Dugway Proving Ground, Utah, strike out "$1,129,000" and insert in place thereof "$1,491,000."

Under the subheading "Technical Services Facilities (Transportation Corps)"—

(1) with respect to Brooklyn Army Base, N. Y., strike out "$1,055,000" and insert in place thereof "$1,240,000."

(2) with respect to Fort Eustis, Va., strike out "$6,597,000" and insert in place thereof "$8,072,000."

Under the subheading "Technical Services (Medical Corps)"—

(1) with respect to Brooke Army Medical Center, Tex., strike out "$549,000" and insert in place thereof "$876,000."

(2) with respect to Madigan Army Hospital, Wash., strike out "$333,000" and insert in place thereof "$669,000."

(3) with respect to Walter Reed Army Medical Center, D. C., strike out "$3,557,000" and insert in place thereof "$4,472,000."

Under the subheading "Field Forces Facilities (Second Army Area)"—with respect to Fort Holabird, Md., strike out "$612,000" and insert in place thereof "$800,000."

Under the subheading "Field Forces Facilities (Third Army Area)"—with respect to Camp Jackson, S. C., strike out "$5,000,000" and insert in place thereof "$10,400,000."

Under the subheading "Field Forces Facilities (Fourth Army Area)"—with respect to Fort Hood, Tex., strike out "$12,922,000" and insert in place thereof "$14,283,000."

Under the subheading "Field Forces Facilities (Fifth Army Area)"—

(1) with respect to Fort Carson, Colo., strike out "$7,487,000" and insert in place thereof "$8,621,000."

(2) with respect to Fort Leavenworth, Kans., strike out "$8,615,000" and insert in place thereof "$9,893,000."

(3) with respect to Camp Lucas, Mich., strike out "$145,000" and insert in place thereof "$193,000."

Under the subheading "Field Forces Facilities (Armed Forces Special Weapons Project")—with respect to various installations, strike out "$3,014,000" and insert in place thereof "$3,204,000."

(b) Public Law 161, 84th Congress, as amended, is amended under the heading "Outside Continental United States" in section 101 as follows:

Under the subheading "Alaskan Area"—with respect to Wildwood Station (Kenai) strike out "$469,000" and insert in place thereof "$559,000."

(c) Public Law 161, 84th Congress, as amended, is amended by striking out in clause (1) of section 502 the amounts "$225,277,000", "$74,984,000", and "$534,254,000" and inserting in place thereof "$240,220,000", "$75,074,000", and "$549,287,000", respectively.

SEC. 107. (a) Public Law 968, 84th Congress, is amended under the heading "Inside the United States" in section 101 as follows:

Under the subheading "Technical Services Facilities (Ordnance Corps)"—

(1) with respect to Seneca Ordnance Depot, New York, strike out "$88,000" and insert in place thereof "$136,000."

(2) with respect to Redstone Arsenal, Ala., strike out "$6,159,000" and insert in place thereof "$8,593,000."

Under the subheading "Technical Services Facilities (Quartermaster Corps)"—

(1) with respect to Atlanta General Depot, strike out "$832,000" and insert in place thereof "$984,000."

(2) with respect to Fort Worth General Depot, Texas, strike out "$1,285,000" and insert in place thereof "$1,847,000."

Under the subheading "Field Forces Facilities"—

(1) with respect to Fort Bliss, Tex., strike out "$5,301,000" and insert in place thereof "$8,293,000."

(2) with respect to Fort Sill, Okla., strike out "$4,173,000" and insert in place thereof "$5,798,000."

(3) with respect to Fort Leavenworth, Kans., strike out "$1,092,000" and insert in place thereof "$1,373,000."

(b) Public Law 968, 84th Congress, as amended, is amended by striking out in section 102, "$200,783,000" and inserting in place thereof "$203,331,000."

(c) Public Law 968, 84th Congress, as amended, is amended by striking out in clause (1) of section 402 the amounts "$86,916,000", "$200,783,000", and "$323,462,000" and inserting in place thereof "$95,010,000", "$203,331,000", and "$334,104,000", respectively.

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:

Inside the United States

Shipyard Facilities

Naval Engineering Experiment Station, Annapolis, Md.: Development and test facilities, $618,000.

Naval Shipyard, Bremerton, Wash.: Drydock, $25,438,000.

Naval Shipyard, Brooklyn, N. Y.: Utilities, $1,452,000.

David Taylor Model Basin, Carderock, Md.: Utilities, $115,000.

Naval Shipyard, Long Beach, Calif.: Facilities for remedying effects of ground subsidence, $1,500,000.

Naval Submarine Base, New London, Conn.: Waterfront facilities, $2,966,000.

Naval Shipyard, Norfolk, Va.: Utilities, $2,998,000.

Naval Shipyard, Portsmouth, N. H.: Medical facilities, $391,000.

Fleet Base Facilities

Naval Station, Key West, Fla.: Troop housing, $1,326,000.

Naval Station, Long Beach, Calif.: Waterfront facilities, $544,000.

Naval Station, Newport, R. I.: Troop housing, community facilities, and utilities, $3,312,000.

Naval Base, Norfolk, Va.: Waterfront facilities, $7,808,000.

Aviation Facilities

(Naval air training stations)

Naval Auxiliary Air Station, Chase Field, Tex.: Operational facilities, $566,000.

Naval Air Station, Corpus Christi, Tex.: Operational facilities (optical landing system), $140,000.

Naval Air Station, Glynco, Ga.: Utilities, $293,000.

Naval Auxiliary Air Station, Kingsville, Tex.: Operational facilities (optical landing system), $160,000.

Navy Auxiliary Air Station, Meridian, Miss.: Operational facilities and maintenance facilities, $15,067,000.

Naval Auxiliary Air Station, New Iberia, La.: Operational facilities and maintenance facilities, $3,853,000.

Naval Air Station, Pensacola, Fla.: Operational facilities, waterfront facilities, and land acquisition, $6,225,000.

Navy Auxiliary Air Station, Saufley Field, Fla.: Operational facilities (tactical air navigation facility), $39,000.

(Fleet support air stations)

Naval Air Station, Alameda, Calif.: Operational facilities (guided missile support facilities), $185,000.

Naval Air Station, Brunswick, Maine: Operational facilities and land acquisition, $180,000.

Naval Air Station, Cecil Field.: Operational facilities, maintenance facilities, and land acquisition, $7,751,000.

Naval Auxiliary Landing Field, Crows Landing, Calif.: Operational facilities (tactical air navigation facility), $39,000.

Naval Auxiliary Air Station, Edenton, N. C.: Operational facilities, $199,000.

Naval Auxiliary Air Station, El Centro, Calif.: Operational facilities, messhall, and land acquisition, $4,774,000.

Naval Auxiliary Air Station, Fallon, Nev.: Operational facilities and land acquisition, $4,199,000.

Naval Seaplane Facility, Harvey Point, N. C.: Operational facilities, waterfront facilities, supply facilities, and utilities, $5,728,000.

Naval Air Station, Jacksonville, Fla.: Operational facilities (tactical air navigation facility), $39,000.

Naval Air Station, Key West, Fla.: Operational facilities (optional landing system), $130,000.

Naval Air Station, Lemoore, Calif.: Operational facilities, maintenance facilities, and utilities, $30,594,000.

Naval Auxiliary Air Station, Mayport, Fla.: Operational facilities, $384,000.

Naval Air Station, Miramar, Calif.: Operational facilities, $3,401,000.

Naval Air Station, Norfolk, Va.: Operational facilities and maintenance facilities, $5,467,000.

Naval Air Station, North Island, San Diego, Calif.: Maintenance facilities and supply facilities, $7,964,000.

Naval Air Station, Oceana, Va.: Operational and training facilities, maintenance facilities utilities and ground improvements, and land acquisition, $6,975,000.

Naval Air Station, Quonset Point, R. I.: Operational facilities (aircraft parking areas), $882,000.

Naval Auxiliary Landing Field, San Clemente Island, Calif.: Operational facilities, waterfront facilities, and utilities, $9,448,000.

Naval Air Station, Whidbey Island, Wash.: Operational facilities and land acquisition, $9,365,000.

(Marine Corps air stations)

Marine Corps Auxiliary Air Station, Beaufort, S. C.: Operational facilities, supply facilities, and administrative facilities, $2,632,000.

Marine Corps Air Station, Cherry Point, N. C.: Operational facilities, maintenance facilities, administrative facilites, supply facilities, and utilities and ground improvements, $6,503,000.

Marine Corps Air Station, El Toro, Calif.: Operational facilities $3,620,000.

Marine Corps Auxiliary Air Station, Mojave, Calif.: Land acquisition, $3,281,000.

Marine Corps Air Facility, New River, N. C.: Operational facilities and utilities, $132,000.

(Specal purpose air stations)

Naval Air Development Center, Johnsville, Pa.: Operational facilities, $39,000.

Naval Air Station, Patuxent River, Md.: Operational facilities, $2,209,000.

Naval Air Missile Test Center, Point Mugu, Calif.: Operational facilities (including operational facilities on San Nicolas Island), $3,479,000.

Naval Air Facility, John H. Towers Field (location to be determined): Land acquisition, $3,200,000.

Supply Facilities

Electronics Supply Office, Great Lakes, Ill.: Administrative facilities, $92,000.

Naval Ordnance Supply Office, Mechanicsburg, Pa.: Administrative facilities, $155,000.

Aviation Supply Office, Philadelphia, Pa.: Administrative facilities, $550,000.

Marine Corps Facilities

Marine Corps Supply Center, Albany, Ga.: Community facilities, $140,000.

Marine Corps Supply Center, Barstow, Calif.: Maintenance facilities, administrative facilities, troop housing, and utilities, $8,001,000.

Marine Corps Base, Camp Lejeune, N. C.: Operational and training facilities, troop housing, and utilities, $4,256,000.

Marine Corps Recruit Depot, Parris Island, S. C.: Training facilities, troop housing and community facilities, and utilities, $3,199,000.

Marine Corps Base, Camp Pendleton, Calif.: Operational facilities, and utilities, $1,469,000.

Marine Corps Schools, Quantico, Va.: Community facilities, development and test facilities, supply facilities, troop housing, and utilities, $2,213,000.

Marine Corps Recruit Depot, San Diego, Calif.: Training facilities, $116,000.

Marine Corps Training Center, Twentynine Palms, Calif.: Training facilities, maintenance facilities, administrative facilities, and community facilities, $2,331,000.

Ordnance Facilities

Naval Ammunition Depot, Bangor, Wash.: Utilities, $316,000.

Naval Ordnance Test Station, China Lake, Calif.: Supply facilities, $114,000.

Naval Ordnance Laboratory, Corona, Calif.: Research and development facilities, $494,000.

Ordnance Aerophysics Laboratory, Daingerfield, Tex.: Research and development facilities, $2,649,000.

Applied Physics Laboratory, Howard County, Md.: Research and development facilities, $1,452,000.

Naval Magazine, Port Chicago, Calif.: Maintenance facilities and utilities, $723,000.

Service School Facilities

Naval Academy, Annapolis, Md.: Dormitory foundations, $1,602,000.

Naval Receiving Station, Charleston, S. C.: Troop housing, $1,225,000.

Naval Training Center, Great Lakes, Ill.: Training facilities, and troop housing, $5,598,000.

Naval Training Center, San Diego, Calif.: Training facilities and troop housing, $5,375,000.

Communication Facilities

Naval Communication Station, Norfolk, Va.: Operational facilities, $443,000.

Naval Communication Station, Newport, R. I.: Operational facilities, $1,397,000.

Naval Communication Station, San Diego, Calif.: Operational facilities, $100,000.

Naval Communication Center, Stockton, Calif.: Operational facilities, and land acquisition, $460,000.

Naval Radio Station, Washington County, Maine: Operational facilities, and utilities, $13,982,000.

Office of Naval Research Facilities

Naval Research Laboratory, District of Columbia: Research and development facilities, $180,000.

Yards and Docks Facilities

Naval Shipyard, Brooklyn, N. Y.: Utilities, $332,000.

Public Works Center, Norfolk, Va.: Utilities, $3,244,000.

Naval Construction Battalion Center, Port Hueneme, Calif.: Supply facilities and administrative facilities, $759,000.

Outside the United States

Shipyard Facilities

Naval Shipyard, Pearl Harbor, Oahu, T. H.: Waterfront facilities and operational facilities, $6,076,000.

Naval Base, Subic Bay, Luzon, Philippine Islands: Maintenance facilities, hospital facilities, troop housing and community facilities, and utilities, $3,287,000.

Naval Station, Subic Bay, Luzon, Philippine Islands: Troop housing and community facilities, supply facilities, and ground improvements, $8,993,000.

Fleet Base Facilities

Naval Station, Adak, Alaska: Hospital facilities, community facilities, and family housing, $1,005,000.

Commander-in-Chief Pacific, Headquarters, Pearl Harbor, Oahu, T. H.: Administration facilities and utilities, $332,000.

Naval Station, Guantanamo Bay, Cuba: Utilities, $4,699,000.

Naval Station, San Juan, P. R.: Utilities, $190,000.

Aviation Facilities

Naval Air Station, Agana, Guam, Mariana Islands: Operational facilities (Guided missile support facilities), $428,000.

Naval Station, Argentia, Canada: Family housing and community facilities, $1,793,000.

Naval Air Station, Barber's Point, Oahu, T. H.: Operational facilities (aircraft parking areas), $2,088,000.

Naval Air Station, Cubi Point, Luzon, Philippine Islands: Operational facilities, and land acquisition, $149,000.

Naval Air Station, Guantanamo Bay, Cuba: Operational facilities, $5,730,000.

Marine Corps Air Station, Kaneohe Bay, Oahu, T. H.: Operational facilities, $249,000.

Naval Station, Kwajalein, Marshall Islands: Operational facilities (tactical air navigation facilities), $69,000.

Naval Station, Midway Islands, T. H.: Operational facilities (tactical air navigation facility), $69,000.

Naval Air Facility, Naha, Okinawa: Waterfront facilities at White Beach, $504,000.

Naval Air Station, Roosevelt Roads, P. R.: Operational facilities, maintenance facilities, troop housing, utilities, and land acquisition, $15,182,000.

Supply Facilities

Naval Station, Adak, Alaska: Supply facilities, $1,550,000.

Naval Station, Guam, Mariana Islands: Community facilities, $884,000.

Naval Supply Depot, Subic Bay, Luzon, Philippine Islands: Supply facilities and utilities, $2,098,000.

Ordnance Facilities

Naval Ammunition Depot, Oahu, T. H.: Maintenance facilities, utilities, and land acquisition, $904,000.

Communication Facilities

Naval communication station, Adak, Alaska: Troop housing, $1,053,000.

Naval station, Argentia, Canada: Operational facilities, and troop housing, $898,000.

Naval communication station, Finegayan, Guam, Mariana Islands: Troop housing, $594,000.

Naval security group activity, Istanbul, Turkey: Operational facilities, and troop housing, $130,000.

Naval security group activity, Sakata, Japan: Operational facilities, $69,000.

Naval security group activity, southern Japan: Operational facilities, housing, and utilities and ground improvements, $726,000.

Naval radio station, Wahlawa, Oahu, T. H.: Operation facilities, $4,392,000.

Public works center, Guantanamo Bay, Cuba: Utilities, $1,093,000.

Yards and Docks Facilities

Public works center, Subic Bay, Luzon, Philippine Islands: Maintenance facilities $393,000.

SEC. 202. The Secretary of the Navy may establish or develop classified naval installations and facilities by constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $65,091,000.

SEC. 203. (a) Public Law 534, 82d Congress, as amended, is amended under the heading "Continental United States" in section 201, as follows:

Under the subheading "Yards and Docks Facilities," with respect to "Various locations", strike out "$4,500,000" and insert in place thereof "$5,460,000."

(b) Public Law 534, 82d Congress, as amended, is amended by striking out in section 202, "$86,397,600" and inserting in place thereof "$95,489,000."

(c) Public Law 534, 82d Congress, as amended, is amended by striking out in clause (2) of section 402 the amounts "$138,183,000", "$86,397,000", and "$256,875,000" and inserting respectively in place thereof, "$139,143,000", "$95,489,000", and "$266,927,000."

SEC. 204. (a) Public Law 534, 83d Congress, as amended, is amended under the heading "Continental United States" in section 201 as follows:

Under the subheading "Aviation Facilities" with respect to the naval auxiliary air station, El Centro, Calif., strike out "$225,000" and insert in place thereof "$369,000"; with respect to the Marine Corps air station, El Toro, Calif., strike out "$1,675,000" and insert in place thereof "$2,030,000"; and with respect to the naval air station, Glenview, Ill., strike out "$70,000" and insert in place thereof "$170,000."

(b) Public Law 534, 83d Congress, as amended, is amended by striking out, in section 202, "$83,358,000" and inserting in place thereof "$70,656,000."

(c) Public Law 534, 83d Congress, as amended, is amended by striking out in clause (2) of section 502 the amounts "$102,956,000", "$83,358,000", "$202,807,000" and inserting respectively in place thereof "$103,555,000", "$70,656,000", and "$210,704,000."

SEC. 205. (a) Public Law 161, 84th Congress, as amended, is amended under the heading "Continental United States" in section 201 as follows:

(1) Under the subheading "Shipyard Facilities," with respect to the naval repair facility, San Diego, Calif., strike out "$629,000" and insert in place thereof "$1,099,000."

(2) Under the subheading "Fleet Base Facilities," with respect to the naval station, Orange, Tex., strike out "$399,000" and insert in place thereof "$563,000."

(3) Under the subheading "Aviation Facilities (Naval Air Training Stations)," with respect to the naval auxiliary air station, Kingsville, Tex., strike out "$3,686,000" and insert in place thereof "$4,292,000"; and with respect to the naval auxiliary air station, New Iberia, La., strike out "$24,361,000" and insert in place thereof "$26,871,000."

(4) Under the subheading "Aviation Facilities (Fleet Support Air Stations)," with respect to the naval air station, Alameda, Calif., strike out "$3,729,000" and insert in place thereof "$4,217,000"; with respect to the naval air station, Moffett Field, Calif., strike out "$2,581,000" and insert in place thereof "$4,355,000"; and with respect to the outlying field, Whitehouse Field, Duval County, Fla., strike out "$1,087,000" and insert in place thereof "$1,587,000."

(5) Under the subheading "Aviation Facilities (Special Purpose Air Stations)," with respect to the naval air station, Lakehurst, N. J., strike out "$16,311,000" and insert in place thereof "$17,911,000."

(6) Under the subheading "Ordnance Facilities," with respect to the Naval Ordnance Aerophysics Laboratory, Daingerfield, Tex., strike out "$1,111,000" and insert in place thereof "$1,751,000"; and with respect to the naval ordnance test station, Inyokern, Calif., strike out "$375,000" and insert in place thereof "$475,000."

(7) Under the subheading "Service School Facilities" with respect to the Naval Powder Factory, Indian Head, Md., strike out "$780,000" and insert in place thereof "$879,000."

(b) Public Law 161, 84th Congress, as amended, is amended under the heading "Outside Continental United States" in section 201 as follows:

(1) Under the subheading "Aviation Facilities," with respect to the Naval Station, Kwajelein, Marshall Islands, strike out "$4,411,000" and insert in place thereof "$5,235,000."

(2) Under the subheading "Communication Facilities," with respect to the Naval Communication Facility, Port Lyautey, French Morocco, strike out "$2,848,600" and insert in place thereof "$3,198,600."

(c) Public Law 161, 84th Congress, as amended, is amended by striking out in section 202 "$151,342,400" and inserting in place thereof "$152,763,400."

(d) Public Law 161, 84th Congress, as amended, is amended by striking out in clause (2) of section 502 the amounts "$209,512,600," "$107,191,300," "$151,342,400," and "$564,046,300" and inserting respectively in place thereof "$308,463,600", "$108,365,300," "$152,763,400," and "$575,592,300."

SEC. 206. (a) Public Law 968, 84th Congress, is amended under the heading "Inside the United States" in section 201, as follows:

(1) Under the subheading "Shipyard Facilities" with respect to the Naval Shipyard, Charleston, S. C., strike out "$148,000" and insert in place thereof "$191,000"; and with respect to the Naval Shipyard, Long Beach, Calif., strike out "$5,984,000" and insert in place thereof "$8,169,000."

(2) Under the subheading "Fleet Base Facilities," with respect to the Naval Station, Long Beach, Calif., strike out "$2,256,000" and insert in place thereof "$2,623,000"; and with respect to the Naval Station, Norfolk, Va., strike out "$2,844,000" and insert in place thereof "$3,340,000."

(3) Under the subheading "Aviation Facilities (Fleet Support Air Stations)," with respect to the Naval Air Station, Miramar, Calif., strike out "$8,835,000" and insert in place thereof "$11,040,000."

(4) Under the subheading "Aviation Facilities (Special Purpose Air Stations)," with respect to the Naval Air Missile Test Center, Point Mugu, Calif., strike out "$1,682,000" and insert in place thereof "$2,010,000."

(5) Under the subheading "Service School Facilities" with respect to the Naval Academy, Annapolis, Md., strike out "$7,469,000" and insert in place thereof "$10,919,000."

(6) Under the subheading "Communications Facilities," with respect to the Naval Communication Station, San Francisco, Calif., strike out "$2,029,000" and insert in place thereof "$3,779,000."

(7) Under the subheading "Yards and Docks Facilities," with respect to the Public Works Center, Norfolk, Va., strike out "$443,000" and insert in place thereof "$500,000."

(b) Public Law 968, 84th Congress, is amended under the heading "Outside the United States" in section 201, as follows:

(1) Under the subheading "Aviation Facilities," with respect to the Naval Air Station, Atsugi, Japan, strike out "$1,961,000" and insert in place thereof "$2,337,000."

(c) Public Law 968, 84th Congress, is amended by striking out in section 203, "$84,043,000" and inserting in place thereof "$85,939,000."

(d) Public Law 968, 84th Congress, is amended by striking out in clause (2) of section 402 the amounts "$292,572,000," "$61,625,000," "$84,043,000," and "$438,240,000" and inserting respectively in place thereof "$303,453,000," "$62,001,000," "$85,939,000," and "$451,393,000."

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment, for the following projects.

Inside the United States

Air Defense Command

Duluth Municipal Airport, Duluth, Minn.: Operational and training facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $4,499,000.

Ethan Allen Air Force Base, Winooski, Vt.: Operational and training facilities, maintenance facilities, supply facilities, and community facilities, $594,000.

Geiger Field, Spokane, Wash.: Maintenance facilities, hospital and medical facilities, community facilities, and land acquisition, $1,583,000.

Glasgow Air Force Base, Glasgow, Mont.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, family housing, community facilities, and utilities and ground improvements, $2,048,000.

Grank Forks Air Force Base, Grank Forks, N. Dak.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, and utilities and ground improvements, $4,466,000.

Grandview Air Force Base, Kansas City, Mo.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, and utilities and ground improvements, $2,184,000.

Hamilton Air Force Base, San Rafael, Calif.: Operational and training facilities, troop housing, and utilities and ground improvements, $614,000.

Kinross Air Force Base, Sault Sainte Marie, Mich.: Family housing, community facilities, and utilities and ground improvements, $429,000.

K. I Sawyer Municipal Airport, Marquette, Mich.: Operational and training facilities, maintenance facilities, community facilities, and utilities and ground improvements, $905,000.

Klamath Falls Municipal Airport, Klamath Falls, Oreg.: Maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $1,299,000.

McChord Air Force Base, Tacoma, Wash.: Operational and training facilities, supply facilities, and utilities and ground improvements, $2,103,000.

McGhee-Tyson Airport, Knoxville, Tenn.: Supply facilities and community facilities, $289,000.

Minot Air Force Base, Minot, N. Dak.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities,

community facilities, and utilities and ground improvements, $6,804,000.

Niagara Falls Municipal Airport, Niagara Falls, N. Y.: Supply facilities, community facilities, and utilities and ground improvements, $974,000.

Otis Air Force Base, Falmouth, Mass.: Troop housing, family housing, community facilities, and utilities and ground improvements, $2,074,000.

Oxnard Air Force Base, Camarillo, Calif.: Maintenance facilities, supply facilities, administrative facilities, troop housing, community facilities, and utilities and ground improvements, $2,062,000.

Peterson Field, Colorado Springs, Colo.: Land acquisition, $136,000.

Portland International Airport, Portland, Oreg.: Operational and training facilities, maintenance facilities, supply facilities, and utilities and ground improvements, $4,328,000.

Presque Isle Air Force Base, Presque Isle, Maine: Community facilities, $244,000.

Richard Bong Air Force Base, Kansasville, Wis.: Operational and training facilities, supply facilities, and utilities and ground improvements, $7,804,000.

Selfridge Air Force Base, Mount Clemens, Mich.: Supply facilities, troop housing, community facilities, and utilities and ground improvements, $2,893,000.

Sioux City Municipal Airport, Sioux City, Iowa: Operational and training facilities and supply facilities, $248,000.

Stewart Air Force Base, Newburgh, N. Y.: Supply facilities, community facilities, utilities and ground improvements, and real estate improvement, $2,149,000.

Suffolk County Air Force Base, Westhampton Beach, N. Y.: Supply facilities, community facilities, utilities and ground improvements, and land acquisition, $1,144,000.

Truax Field, Madison, Wis.: Community facilities, utilities and ground improvements, land acquisition, and real estate improvements, $1,123,000.

Tyndall Air Force Base, Panama City, Fla.: Maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $3,186,000.

Wurtsmith Air Force Base, Oscoda, Mich.: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $2,939,000.

Youngstown Municipal Airport, Youngstown, Ohio: Community facilities, and utilities and ground improvements, $358,000.

Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $48,178,000.

Air Materiel Command

Brookley Air Force Base, Mobile, Ala.: Troop housing, $405,000.

Griffiss Air Force Base, Rome, N. Y.: Operational and training facilities, maintenance facilities, research, development, and test facilities, supply facilities, administrative facilities, troop housing, utilities and ground improvements, and land acquisition, $10,659,000.

Hill Air Force Base, Ogden, Utah: Operational and training facilities, and troop housing, $1,911,000.

Kelly Air Force Base, San Antonio, Tex.: Maintenance facilities, and utilities and ground improvements, $899,000.

Marietta Air Force Station, Marietta, Pa.: Utilities and ground improvements, $2,438,000.

McClellan Air Force Base, Sacramento, Calif.: Operational and training facilities, maintenance facilities, troop housing, community facilities, utilities and ground improvements, land acquisition, and real estate improvements, $5,133,000.

Olmstead Air Force Base, Middletown, Pa.: Maintenance facilities, and troop housing, $1,673,000.

Robins Air Force Base, Macon, Ga.: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $20,507,000.

Rushmore Air Force Station, Rapid City, S. Dak.: Community facilities, $56,000.

Tinker Air Force Base, Oklahoma City, Okla.: Operational and training facilities, supply facilities, troop housing, and utilities and ground improvements, $2,674,000.

Wright-Patterson Air Force Base, Dayton, Ohio: Operational and training facilities, research, development, and test facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $2,077,000.

Air Proving Ground Command

Eglin Air Force Base, Valparaiso, Fla.: Research, development, and test facilities troop housing, community facilities, utilities and ground improvements, and land acquisition, $6,724,000.

Air Research and Development Command

Edwards Air Force Base, Muroc, Calif.: Operational and training facilities, research, development, and test facilities, community facilities, and utilities and ground improvements, $1,987,000.

Holloman Air Force Base, Alamogordo, N. Mex.: Operational and training facilities, research, development, and test facilities, troop housing, community facilities, and utilities and ground improvements, $11,869,000.

Indian Springs Air Force Base, Indian Springs, Nev.: Community facilities, $206,000.

Kirtland Air Force Base, Albuquerque, N. Mex.: Supply facilities, troop housing, community facilities, and utilities and ground improvements, $2,122,000.

Laurence G. Hanscom Field, Bedford, Mass.: Operational and training facilities, maintenance facilities, research, development, and test facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $4,929,000.

Patrick Air Force Base, Cocoa, Fla.: Operational and training facilities, research, development, and test facilities, troop housing, community facilities, utilities and ground improvements, and real estate improvements, $2,962,000.

Air Training Command

Amarillo Air Force Base, Amarillo, Tex.: Operational and training facilities, maintenance facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $1,765,000.

Craig Air Force Base, Selma, Ala.: Operational and training facilities, and land acquisition, $2,193,000.

Goodfellow Air Force Base, San Angelo, Tex.: Operational and training facilities, and community facilities, $489,000.

Harlingen Air Force Base, Harlingen, Tex.: Community facilities, and land acquisition, $424,000.

Keesler Air Force Base, Biloxi, Miss.: Operational and training facilities, troop housing, and community facilities, $2,209,000.

Luke Air Force Base, Phoenix, Ariz.: Maintenance facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $2,110,000.

Mather Air Force Base, Sacramento, Calif.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, and land acquisition, $8,249,000.

McConnell Air Force Base, Wichita, Kans.: Troop housing, community facilities, utilities and ground improvements, and real estate improvements, $763,000.

Moody Air Force Base, Valdosta, Ga.: Operational and training facilities, maintenance facilities, supply facilities, and community facilities, $938,000.

Nellis Air Force Base, Las Vegas, Nev.: Community facilities, $436,000.

Perrin Air Force Base, Sherman, Tex.: Operational and training facilities, and land acquisition, $460,000.

Randolph Air Force Base, San Antonio, Tex.: Operational and training facilities, supply facilities, and utilities and ground improvements, $2,858,000.

Reese Air Force Base, Lubbock, Tex.: Operational and training facilities, supply facilities, and land acquisition, $5,909,000.

Scott Air Force Base, Belleville, Ill.: Utilities and ground improvements, land acquisition, and real estate improvements, $653,000.

Sheppard Air Force Base, Wichita Falls, Tex.: Operational and training facilities, maintenance facilities, supply facilities, community facilities, and real-estate improvement, $4,200,000.

Stead Air Force Base, Reno, Nev.: Troop housing, and community facilities, $1,915,000.

Vance Air Force Base, Enid, Okla.: Operational and training facilities, supply facilities, and land acquisition, $1,977,000.

Webb Air Force Base, Big Spring, Tex.: Operational and training facilities, maintenance facilities, supply facilities, community facilities, and utilities, and ground improvements, $4,118,000.

Williams Air Force Base, Chandler, Ariz.: Maintenance facilities, community facilities, and land acquisition, $685,000.

Air University

Maxwell Air Force Base, Montgomery, Ala.: Land acquisition, $50,000.

Continental Air Command

Brooks Air Force Base, San Antonio, Tex.: Medical facilities, $952,000.

Dobbins Air Force Base, Marietta, Ga.: Operational and training facilities, and family housing, $139,000.

Mitchel Air Force Base, Hempstead, N. Y.: Utilities and ground improvements, and land acquisition, $337,000.

Military Air Transport Service

Aeronautical chart and information center, St. Louis, Mo.: Utilities and ground improvements, $820,000.

Andrews Air Force Base, Camp Springs, Md.: Operational and training facilities, $920,000.

Charleston Air Force Base, Charleston, S. C.: Supply facilities, and utilities and ground improvements, $2,216,000.

Dover Air Force Base, Dover, Del.: Operational and training facilities, troop housing, and utilities and ground improvements, $2,089,000.

McGuire Air Force Base, Wrightstown, N. J.: Maintenance facilities, utilities and ground improvements, and land acquisition, $496,000.

Strategic Air Command

Altus Air Force Base, Altus, Okla.: Operational and training facilities, maintenance facilities, and community facilities, $848,000.

Barksdale Air Force Base, Shreveport, La.: Operational and training facilities, maintenance facilities, supply facilities, troop housing, and community facilities, $3,344,000.

Beale Air Force Base, Marysville, Calif.: Operational and training facilities, maintenance facilities, supply facilities, hospital and medical facilities, and utilities and ground improvements, $9,680,000.

Bergstrom Air Force Base, Austin, Tex.: Operational and training facilities, maintenance facilities, and supply facilities, $1,487,000.

Biggs Air Force Base, El Paso, Tex.: Operational and training facilities, supply facilities, and troop housing, $5,557,000.

Blytheville Air Force Base, Blytheville, Ark.: Operational and training facilities, troop housing, community facilities, and land acquisition, $11,510,000.

Bunker Hill Air Force Base, Peru, Ind.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, and land acquisition, $9,584,000.

Carswell Air Force Base, Fort Worth, Tex.: Operational and training facilities, supply facilities, traap housing, land acquisition, and real-estate improvements, $2,059,000.

Castle Air Force Base, Merced, Calif.: Maintenance facilities, supply facilities, troop housing, utilities and ground improvements, land acquisition, and real-estate improvements, $2,976,000.

Clinton-Sherman Air Force Base, Clinton, Okla.: Operational and training facilities, supply facilities, and community facilities, $536,000.

Columbus Air Force Base, Columbus, Miss.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, and utilities and ground improvements, $2,468,000.

Davis-Monthan Air Force Base, Tucson, Ariz.: Maintenance facilities, supply facilities, troop housing, community facilities, and land acquisition, $2,411,000.

Dow Air Force Base, Bangor, Maine: Operational and training facilities, maintenance facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $14,759,000.

Dyess Air Force Base, Abilene, Tex.: Community facilities, $100,000.

Ellsworth Air Force Base, Rapid City, S. Dak.: Operational and training facilities, supply facilities, and community facilities, $2,258,000.

Fairchild Air Force Base, Spokane, Wash.: Operational and training facilities, $1,450,000.

Forbes Air Force Base, Topeka, Kans.: Operational and training facilities, and supply facilities, $1,357,000.

Gray Air Force Base, Killeen, Texas: Community facilities, $34,000.

Greenville Air Force Base, Greenville, Miss.: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $19,389,000.

Homestead Air Force Base, Homestead, Fla.: Maintenance facilities, $380,000.

Hunter Air Force Base, Savannah, Ga.: Troop housing and community facilities, $994,000.

Lake Charles Air Force Base, Lake Charles, La.: Real-estate improvements, $179,000.

Larson Air Force Base, Moses Lake, Wash.: Operational and training facilities, and community facilities, $13,112,000.

Laughlin Air Force Base, Del Rio, Tex.: Operational and training facilities, $250,000.

Lincoln Air Force Base, Lincoln, Nebr.: Land acquisition, $37,000.

Lockbourne Air Force Base, Columbus, Ohio: Operational and training facilities, supply facilities, and utilities and ground improvements, $2,364,000.

Loring Air Force Base, Limestone, Maine: Operational and training facilities, maintenance facilities, supply facilities, and utilities, and ground improvements, $7,322,000.

MacDill Air Force Base, Tampa, Fla.: Operational and training facilities, supply facilities, and utilities and ground improvements, $936,000.

Malmstrom Air Force Base, Great Falls, Mont.: Operational and training facilities, supply facilities, and utilities and ground improvements, $3,518,000.

March Air Force Base, Riverside, Calif.: Operational and training facilities, and troop housing, $2,347,000.

Mountain Home Air Force Base, Mountain Home, Idaho: Maintenance facilities, troop housing, community facilities, and utilities and ground improvements, $2,022,000.

Offutt Air Force Base, Omaha, Nebr.: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $7,681,000.

Plattsburgh Air Force Base, Plattsburgh, N. Y.: Supply facilities, and utilities and ground improvements, $231,000.

Portsmouth Air Force Base, Portsmouth, N. H.: Supply facilities, community facilities, utilities and ground improvements, and land acquisition, $2,344,000.

Schilling Air Force Base, Salina, Kans.: Operational and training facilities, supply facilities, community facilities, utilities and ground improvements, and land acquisition, $3,892,000.

Travis Air Force Base, Fairfield, Calif.: Operational and training facilities, maintenance facilities, supply facilities, community facilities, and utilities and ground improvements, $3,528,000.

Turner Air Force Base, Albany, Ga.: Operational and training facilities, maintenance facilities, supply facilities, and land acquisition, $8,628,000.

Walker Air Force Base, Roswell, N. Mex.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, troop housing, community facilities, and utilities and ground improvements, $9,697,000.

Westover Air Force Base, Chicopee Falls, Mass.: Operational and training facilities, troop housing, community facilities, and utilities and ground improvements, $1,901,000.

Whiteman Air Force Base, Knobnoster, Mo.: Operational and training facilities, and community facilities, $235,000.

Tactical Air Command

Clovis Air Force Base, Clovis, N. Mex.: Maintenance facilities, administrative facilities, troop housing, community facilities, utilities and ground improvements, and land acquisition, $2,149,000.

Donaldson Air Force Base, Greeneville, S. C.: Operational and training facilities, troop housing and community facilities, $1,287,000.

England Air Force Base, Alexandria, La.: Troop housing, community facilities, and land acquisition, $1,558,000.

Foster Air Force Base, Victoria, Tex.: Community facilities, utilities and ground improvements, and land acquisition, $760,000.

George Air Force Base, Victorville, Calif.: Supply facilities and community facilities, $2,478,000.

Langley Air Force Base, Hampton, Va.: Supply facilities and utilities and ground improvements, $1,255,000.

Myrtle Beach Air Force Base, Myrtle Beach, S. C.: Maintenance facilities, troop housing, community facilities, land acquisition, and real-estate improvements, $1,204,000.

Sewart Air Force Base, Smyrna, Tenn.: Community facilities, $745,000.

Seymour Johnson Air Force Base, Goldsboro, N. C.: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, community facilities, utilities and ground improvements, land acquisition, and real-estate improvements, $11,558,000.

Shaw Air Force Base, Sumter, S. C.: Troop housing and community facilities, $1,184,000.

Wendover Air Force Base, Wendover, Utah: Operational and training facilities and family housing, $2,035,000.

Special Facilities

Various locations: Operational and training facilities, $229,000.

Aircraft Control and Warning System

Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, family housing, community facilities, utilities and ground improvements and land acquisition, $7,331,000.

Outside the United States

Alaskan Air Command

Elelson Air Force Base: Operational and training facilities, $430,000.

Elmendorf Air Force Base: Operation and training facilities, maintenance facilities, and community facilities, $4,742,000.

Galena Airfield: Operational and training facilities, $350,000.

Ladd Air Force Base: Community facilities, $1,630,000.

Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, community facilities, utilities and ground improvements and land acquisition, $11,500,050.

Air Materiel Command

Various locations: Operational and training facilities, and community facilities, $1,366,000.

Caribbean Air Command

Howard Air Force Base, Canal Zone: Operational and training facilities, $1,400,000.

Far East Air Forces

Hickam Air Force Base, Honolulu, Hawaii: Operational and training facilities, troop housing, and community facilities, $2,642,000.

Various locations: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $12,736,000.

Military Air Transport Service

Various locations: Operational and training facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $15,006,000.

Strategic Air Command

Andersen Air Force Base, Guam: Community facilities, $820,000.

Ramey Air Force Base, Puerto Rico: Operational and training facilities, community facilities, utilities and ground improvements and land acquisition, $3,783,000.

Various locations: Operational and training facilities, maintenance facilities, supply facilities, troop housing, community facilities, and utilities and ground improvements, $59,613,000.

United States Air Forces in Europe

Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, community facilities, utilities and ground improvements, and real estate improvements, $39,217,000.

Special Facilities

Various locations: Operational and training facilities, $170,000.

Aircraft Control and Warning System

Various locations: Operational and training facilities, maintenance facilities, supply facilities, administrative facilities, hospital and medical facilities, troop housing, community facilities, and utilities and ground improvements, $70 million.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment in the total amount of $65 million.

SEC. 303. (a) Public Law 534, 83d Congress, as amended, is amended under the heading "Continental United States" in section 301, as follows:

Under the subheading "Air Defense Command"—with respect to Pescadero Consolan Station, Pescadero, Calif., strike out "$224,000" and insert in place thereof "$584,000".

Under the subheading "Strategic Air Command"—with respect to Clinton-Sherman Airport, Clinton, Okla., strike out "$11,393,000" and insert in place thereof "$12,636,000"; and strike out "$1,463,000" and insert in place thereof "$2,756,000."

Under the subheading "Continental Air Command"—with respect to Mitchel Air Force Base, Hempstead, N. Y., strike out "$729,000" and insert in place thereof "$929,000"; and strike out "$685,000" and insert in place thereof "$886,000."

Under the subheading "Research and Development Command"—with respect to Edwards Air Force Base, Muroc, Calif., strike out "$27,478,000" and insert in place thereof "$29,442,000"; and strike out "$16,192,000" and insert in place thereof "$18,156,000."

(b) Public Law 534, 83d Congress, as amended, is amended by striking out in clause (3) of section 502 so much as reads "$406,120,000" and "$415,949,000" and inserting in place thereof "$409,937,000" and "$419,766,000," respectively.

SEC. 304. (a) Public Law 161, 84th Congress, as amended, is amended, under the heading "Continental United States" in section 301, as follows:

Under the subheading "Air Defense Command"—

(1) with respect to Geiger Field, Spokane, Wash., strike out "$1,716,000" and insert in place thereof "$2,717,000";

(2) with respect to Grand Fork site, North Dakota, strike out "$7,709,000" and insert in place thereof "$9,220,000";

(3) with respect to Kinross Air Force Base, Sault Ste. Marie, Mich., strike out "$2,029,000 and insert in place thereof "$2,195,000";

(4) with respect to Minot site, North Dakota, strike out "$6,603,000" and insert in place thereof "$7,268,000";

(5) with respect to Oxnard Air Force Base, Oxnard, Calif., strike out "$2,445,000" and insert in place thereof "$2,935,000";

(6) with respect to Selfridge Air Force Base, Mount Clemens, Mich., strike out $5,526,000" and insert in place thereof "$6,445,000";

(7) with respect to Youngstown Municipal Airport, Youngstown, Ohio, strike out "$742,000" and insert in place thereof "$893,000";

(8) with respect to Yuma County Airport, Yuma, Ariz., strike out "$2,107,000" and insert in place thereof "$2,676,000."

Under the subheading "Air Materiel Command"—

(1) with respect to Brookley Air Force Base, Mobile, Ala., strike out "$4,170,000" and insert in place thereof "$4,728,000";

(2) with respect to Griffiss Air Force Base, Rome, N. Y., strike out "$15,803,000" and insert in place thereof "$16,654,000";

(3) with respect to McClellan Air Force Base, Sacramento, Calif., strike out "$9,522,000" and insert in place thereof "$11,970,000";

(4) with respect to Wright-Patterson Air Force Base, Dayton, Ohio, strike out "$12,001,000" and insert in place thereof "$14,508,000."

Under the subheading "Air Training Command"—

(1) with respect to Ellington Air Force Base, Houston, Tex., strike out "$3,438,000" and insert in place thereof "$3,876,000";

(2) with respect to Goodfellow Air Force Base, San Angelo, Tex., strike out "$4,081,000" and insert in place thereof "$5,088,000";

(3) with respect to Greenville Air Force Base, Greenville, Miss., strike out "$500,000" and insert in place thereof "$545,000";

(4) with respect to Harlingen Air Force Base, Harlingen, Tex., strike out "$446,000" and insert in place thereof "$529,000";

(5) with respect to James Connally Air Force Base, Waco, Tex., strike out "$883,000" and insert in place thereof "$1,129,000";

(6) with respect to Mather Air Force Base, Sacramento, Calif., strike out "$1,516,000" and insert in place thereof "$1,998,000";

(7) with respect to Reese Air Force Base, Lubbock, Tex., strike out "$1,076,000" and insert in place thereof "$1,304,000";

(8) with respect to Williams Air Force Base, Chandler, Ariz., strike out "$1,215,000" and insert in place thereof "$1,556,000."

Under the subheading "Headquarters Command"—with respect to Bolling Air Force Base, Washington, D. C., strike out "$520,000" and insert in place thereof "$325,000."

Under the subheading "Research and Development Command"—with respect to Indian Springs Air Force Base (Kirtland Auxiliary No. 1), Clark, Nev., strike out "$555,500" and insert in place thereof "$624,500."

Under the subheading "Strategic Air Command"—

(1) with respect to Carswell Air Force Base, Fort Worth, Tex., strike out "$5,929,000" and insert in place thereof "$7,363,000."

(2) with respect to Dow Air Force Base, Bangor, Maine, strike out "$11,155,000" and insert in place thereof "$12,218,000";

(3) with respect to Travis Air Force Base, Fairfield, Calif., strike out "$9,769,000" and insert in place thereof "$11,473,000";

(4) with respect to Walker Air Force Base, Roswell, N. Mex., strike out "$6,657,000" and insert in place thereof "$8,324,000."

Under the subheading "Tactical Air Command"—

(1) with respect to Alexandria Air Force Base, Alexandria, La., strike out "$2,684,000" and insert in place thereof "$3,527,000";

(2) with respect to Bunker Hill Air Force Base, Peru, Ind., strike out "$559,000" and insert in place thereof "$611,000";

(3) with respect to George Air Force Base, Victorville, Calif., strike out "$1,528,000" and insert in place thereof "$1,905,000";

(4) with respect to Larson Air Force Base, Moses Lake, Wash., strike out "$4,724,000" and insert in place thereof "$5,197,000";

(5) with respect to Sewart Air Force Base, Smyrna, Tenn., strike out "$3,589,000" and insert in place thereof "$4,010,000."

(b) Public Law 161, 84th Congress, as amended, is amended under the heading "Outside Continental United States" in section 301, as follows:

Under the heading "Alaska Air Command"—with respect to Galena Airfield, strike out "$518,000" and insert in place thereof "$735,000."

Under the subheading "area control navigational aids"—with respect to various locations, strike out "$526,000" and insert in place thereof "$1,394,000."

(c) Public Law 161, 84th Congress, as amended, is amended by striking out in clause (3) of section 502 the amounts "$801,256,000", "$532,454,000", and $1,339,060,000" and inserting in place thereof "$824,300,000", "$533,539,000", and "$1,363,189,000", respectively.

SEC. 305. (a) Public Law 968, 84th Congress, is amended, under the heading "Continental United States" in section 301, as follows:

Under the subheading "air defense command"—

(1) with respect to Duluth Municipal Airport, Duluth, Minn., strike out "$836,000" and insert in place thereof "$1,469,000";

(2) with respect to Geiger Field, Spokane, Wash., strike out "$2,827,000" and insert in place thereof "$3,079,000";

(3) with respect to Glasgow Air Force Base, Glasgow, Mont., strike out "$2,470,000" and insert in place thereof "$3,090,000."

(4) with respect to Grand Forks Air Force Base, Grand Forks, N. Dak., strike out "$18,969,000" and insert in place thereof $30,521,000";

(5) with respect to Grandview Air Force Base, Kansas City, Mo., strike out "$1,673,000" and insert in place thereof "$1,781,600";

(6) with respect to Kinross Air Force Base, Sault Sainte Marie, Mich., strike out "$2,156,000" and insert in place thereof "$2,326,000";

(7) with respect to Klamath Falls Municipal Airport, Klamath Falls, Oreg., strike out "$1,130,000" and insert in place thereof "$1,580,000";

(8) with respect to Minot Air Force Base, Minot, N. Dak., strike out "$21,215,000" and insert in place thereof "$27,035,000";

(9) with respect to Niagara Falls Municipal Airport, Niagara Falls, N. Y., strike out "$3,030,000" and insert in place thereof "$3,409,000";

(10) with respect to Oxnard Air Force Base, Camarillo, Calif., strike out "$2,392,000" and insert in place thereof "$2,779,000";

(11) with respect to Sioux City Municipal Airport, Sioux City, Iowa, strike out "$2,288,000" and insert in place thereof "$2,900,000";

(12) with respect to Truax Field, Madison, Wis., strike out "$4,876,000" and insert in place thereof "$8,726,000";

(13) with respect to Wurtsmith Air Force Base, Oscoda, Mich., strike out "$3,278,000" and insert in place thereof "$3,808,000";

(14) with respect to various locations, strike out "$21,510,000" and insert in place thereof "$26,201,000."

Under the subheading "air materiel command" —

(1) with respect to Griffiss Air Force Base, Rome, N. Y., strike out "$17,966,000" and insert in place thereof "$22,005,000";

(2) with respect to Searsport Fuel Storage Station, Searsport, Maine, strike out "$473,000" and insert in place thereof "$745,000";

(3) with respect to Tacoma Fuel Storage Station, Tacoma, Wash., strike out "$129,000" and insert in place thereof "$251,000";

(4) with respect to Tinker Air Force Base, Oklahoma City, Okla., strike out "$5,990,000" and insert in place thereof "$7,763,000."

Under the subheading "air training command"—

(1) with respect to Amarillo Air Force Base, Amarillo, Tex., strike out "$17,121,000" and insert in place thereof "$26,471,000";

(2) with respect to Craig Air Force Base, Selma, Ala., strike out "$18,000" and insert in place thereof "$22,000";

(3) with respect to Sheppard Air Force Base, Wichita Falls, Tex., strike out "$24,433,000" and insert in place thereof "$33,858,000";

(4) with respect to Stead Air Force Base, Reno, Nev., strike out "$2,221,000" and insert in place thereof "$3,063,000";

(5) with respect to Vance Air Force Base, Enid, Okla., strike out "$977,000" and insert in place thereof "$1,064,000."

Under the subheading "air university"—with respect to Maxwell Air Force Base, Montgomery, Ala., strike out "$215,000" and insert in place thereof "$311,000."

Under the subheading "continental air command"—

(1) with respect to Beale Air Force Base, Marysville, Calif., strike out "$13,395,000" and insert in place thereof "$15,993,000";

(2) with respect to Dobbins Air Force Base, Marietta, Ga., strike out "$345,000" and insert in place thereof "$500,000."

Under the subheading "research and development command"—

(1) with respect to Laurence G. Hanscom Field, Bedford, Mass., strike out "$6,939,000" and insert in place thereof "$7,530,000";

(2) with respect to Edwards Air Force Base, Muroc, Calif., strike out "$5,488,000" and insert in place thereof "$7,220,000."

Under the subheading "Strategic Air Command"—

(1) with respect to Biggs Air Force Base, El Paso, Tex., strike out "$922,000" and insert in place thereof "$1,190,000";

(2) with respect to Castle Air Force Base, Merced, Calif., strike out "$2,179,000" and insert in place thereof "$2,643,000";

(3) with respect to Columbus Air Force Base, Columbus, Miss., strike out "$14,518,000" and insert in place thereof "$15,322,000";

(4) with respect to Ellsworth Air Force Base, Rapid City, S. Dak., strike out "$943,000" and insert in place thereof "$1,075,000";

(5) with respect to Homestead Air Force Base, Homestead, Fla., strike out "$1,694,000" and insert in place thereof "$1,966,000";

(6) with respect to Lockbourne Air Force Base, Columbus, Ohio, strike out "$4,952,000" and insert in place thereof "$7,880,000";

(7) with respect to Malmstrom Air Force Base, Great Falls, Mont., strike out "$1,236,000" and insert in place thereof "$1,586,000";

(8) with respect to Mountain Home Air Force Base, Mountain Home, Idaho, strike out "$2,064,000" and insert in place thereof "$2,607,000";

(9) with respect to Offutt Air Force Base, Omaha, Nebr., strike out "$5,697,000" and insert in place thereof "$6,155,000";

(10) with respect to Plattsburgh Air Force Base, Plattsburgh, N. Y., strike out "$1,491,000" and insert in place thereof "$2,027,000";

(11) with respect to Portsmouth Air Force Base, Portsmouth, N. H., strike out "$661,000" and insert in place thereof "$720,000";

(12) with respect to Walker Air Force Base, Roswell, N. Mex., strike out "$2,791,000" and insert in place thereof "$3,181,000."

Under the subheading "Tactical Air Command"—with respect to Langley Air Force Base, Hampton, Va., strike out "$2,613,000" and insert in place thereof "$2,785,000."

(b) Public Law 968, 84th Congress, is amended under the heading "Outside the United States" as follows:

Under the subheading "Northeast Air Command"—with respect to various locations, strike out "$75,650,000" and insert in place thereof "$94,197,000."

(c) Public Law 968, 84th Congress, is amended by striking out in clause (3) of section 402 the amounts "$742,873,000", "$405,061,000", and "$1,360,934,000" and inserting in place thereof "$811,342,000", "$423,608,000", and "$1,447,950,000", respectively.

SEC. 306. Subsection (b) of section 302 of the act of August 3, 1956 (70 Stat. 991, 1012), is amended to read as follows:

"(b) Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions, new weapons developments, new and unforeseen research and development requirements, or improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next military construction authorization act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $50,000,000: *Provided*, That the Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this subsection, including those real estate actions pertaining thereto."

TITLE IV

General provisions

SEC. 401. The Secretary of each military department may proceed to establish or develop installations and facilities under this act without regard to sections 3648 and 3734 of the Revised Statutes, as amended, and sections 4774 (d) and 9774 (d) of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended, and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 402. There are authorized to be appropriated such sums as may be necessary for the purposes of this act, but appropriations for public works projects authorized by titles I, II, and III shall not exceed—

(1) for title I: Inside the United States, $120,099,000; outside the United States, $34,613,000; section 102, $143,002,000; or a total of $297,714,000;

(2) for title II: Inside the United States, $260,377,000; outside the United States, $65,627,000; section 202, $65,091,000; or a total of $391,095,000; and

(3) for title III: Inside the United States, $437,357,000; outside the United States, $225,407,000; section 302, $65,000,000; or a total of $727,764,000.

SEC. 403. Any of the amounts named in title I, II, or III of this act may, in the discretion of the Secretary concerned, be increased by 5 percent for projects inside the United States and by 10 percent for projects outside the United States. However, the total cost of all projects in each such title may not be more than the total amount authorized to be appropriated for projects in that title.

SEC. 404. Whenever—

(1) the President determines that compliance with section 2313 (b) of title 10, United States Code, for contracts made under this act for the establishment or development of military installations and facilities in foreign countries would interfere with the carrying out of this act; and

(2) the Secretary of Defense and the Comptroller General have agreed upon alternative methods for adequately auditing those contracts; the President may exempt those contracts from the requirements of that section.

SEC. 405. Contracts made by the United States under this act shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code and section 15 of the act of August 9, 1955 (69 Stat. 547, 551). The Secretaries of the military departments shall report semiannually to the Armed Services Committees of the Senate and the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

SEC. 406. As of July 1, 1958, all authorizations for military public works to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in acts approved before July 28, 1954, and not superseded or otherwise modified by a later authorization are repealed, except—

(1) authorizations for public works and for appropriations therefor that are set forth in those acts in the titles that contain the general provisions;

(2) the authorization for public works projects as to which appropriated funds have been obligated for construction contracts in whole or in part before July 1, 1958, and authorizations for appropriations therefor;

(3) the authorization for the rental guaranty for family housing in the amount of $100 million that is contained in section 802 of Public Law 534, 82d Congress;

(4) the authorizations for public works and the appropriation of funds that are contained in sections 2231–2238 of title 10, United States Code, as amended (50 U. S. C. 882, 883, 885, 886);

(5) the authorization for the development of the Line of Communications, France, in the amount of $60 million that is contained in title I, section 102, of Public Law 534, 82d Congress;

(6) Notwithstanding the provisions of section 410 of the act of August 3, 1956 (70 Stat. 991, 1016), the authorization for (a) development of classified facilities in the amount of $6,439,000 that is contained in title I, section 102, of the act of September 28, 1951 (65 Stat. 336, 343), and (b) development of classified facilities in the amount of $6,654,000 that is contained in title I, section 102 of the act of July 14, 1952 (66 Stat. 606, 609); and

(7) the authorization for public works and for the appropriations of funds that are contained in the act of April 1, 1954 (68 Stat. 47), as amended.

SEC. 407. Section 515 of the act of July 15, 1955 (69 Stat. 324, 352), as amended, is further amended to read as follows:

"SEC. 515. During the fiscal years 1957, 1958, and 1959, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities at or near military tactical installations for assignment as public quarters to military personnel and their dependents, if any, without rental charge upon a determination by the Secretary of Defense, or his designee, that there is a lack of adequate housing facilities at or near such military tactical installations. Such housing facilities shall be leased on a family or individual unit basis and not more than 5,000 of such units may be so leased at any one time. Expenditures for the rental of such housing facilities may be made out of appropriations available for maintenance and operation but may not exceed $150 a month for any such unit."

SEC. 408. (a) Family quarters to be constructed under the authority of titles I, II, and III of the act of September 1, 1954 (68 Stat. 1119), shall be subject to the net floor area limitations respectively prescribed in sections 4774, 7574, and 9774 of title 10, United States Code.

(b) Section 404 of the act of September 1, 1954 (68 Stat. 1119, 1125), is hereby repealed.

SEC. 409. Title 10, United States Code, is amended as follows:

(a) Section 4774 is amended by adding the following new subsection at the end thereof:

"(f) Not more than 15 percent of the family quarters constructed from appropriated funds for enlisted members of the Army may be four-bedroom quarters having a net floor area of 1,250 square feet or less."

(b) Section 7574 is amended by adding the following new subsection at the end thereof:

"(d) Not more than 15 percent of the family quarters constructed from appropriated funds for enlisted members of the Navy may be four-bedroom quarters having a net floor area of 1,250 square feet or less."

(c) Section 9774 is amended by adding the following new subsection at the end thereof:

"(f) Not more than 15 percent of the family quarters constructed from appropriated funds for enlisted members of the Air Force may be four-bedroom quarters having a net floor area of 1,250 square feet or less."

SEC. 410. The second paragraph of section 407 of the act of September 1, 1954 (68 Stat. 1119, 1125), as amended, is further amended to read as follows:

"The Department of Defense shall pay the Commodity Credit Corporation, from appropriations otherwise available for the payment of quarters allowances for military personnel and from appropriate allotments or rental charges for civilian personnel, amounts equal to the quarters allowances or allotments otherwise payable to or the rental charges collected from personnel occupying any housing constructed or acquired under authority of this section after deducting amounts chargeable for the maintenance and operation of such housing: *Provided*, That such payments shall not exceed the dollar equivalent of the value of the foreign currencies used for all such construction or acquisition."

SEC. 411. Prior to the termination of, or reduction in the operations of, any commercial or industrial-type activity being conducted on the date of enactment of this act within any of the 48 States or the District of Columbia (other than a nonappropriated fund activity), where such termination or reduction is for the purpose of having the supplies or services furnished by such activity furnished by other than civilian employees of the United States, and where such activity has been conducted for 5 or more years and requires the services of 10 or more civilian employees, the Secretary of Defense shall file with the President of the Senate and the Speaker of the House of Representatives a report setting forth the details of the proposed termination or reduction. Such proposed termination or reduction shall not take effect until the expiration of 60 days of continuous session of the Congress following the filing of such report, and shall not then take effect if, during such 60 days either House of the Congress has adopted a resolution which, in effect, disapproves the proposed termination or reduction described in such report. For the purposes of this section, continuity of session shall be considered as broken only by adjournment sine die; but in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

SEC. 412. The authority granted by section 2304 (a) (1), title 10, United States Code, shall not be exercised during the national emergency declared by the President on December 16, 1950, except with respect to—

(1) purchases or contracts the aggregate amount of which does not involve more than $2,500;

(2) purchases or contracts for nonperishable subsistence supplies;

(3) purchases or contracts for property or services for experimental, developmental, or research work, or making or furnishing property for experiment, test, development, or research, not exceeding $100,000.

(4) when in furtherance of small business, labor surplus area, or major disaster area programs, the agency head determines that supplies or services are to be procured from small-business concerns, from concerns which will perform the contracts substantially within labor surplus areas as determined by the Secretary of Labor, or from concerns which will perform the contracts substantially within areas of major disaster.

SEC. 413. Any outstanding authority heretofore provided by the act of September 1, 1954 (68 Stat. 1119), the act of July 15, 1955 (69 Stat. 324), and the act of August 3, 1956 (70 Stat. 991) for the provision of family housing shall be available for the construction of family housing at any installations for which family housing is authorized to be constructed under titles I, II, and III of this act.

SEC. 414. Section 9 of the Air Force Academy Act, as amended (68 Stat. 49), is further amended by striking out in the first sentence the figure "$126,000,000" and inserting in place thereof the figure "$147,341,000."

Mr. VINSON (during the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with and that the bill be printed at this point and be open to amendment at any point in the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment on page 15, line 8, strike out "$4,650,000" and insert "$1,500,000."

The committee amendment was agreed to.

Mr. VINSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VINSON: On page 66, lines 12 and 13, strike out the words "the Armed Services Committees of the Senate and the House of Representatives" and insert in lieu thereof "the President of the Senate and the Speaker of the House of Representatives."

The amendment was agreed to.

Mr. ARENDS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ARENDS: On page 70, strike out all of section 411 beginning on line 17 and extending through line 16 of page 71.

Mr. ARENDS. Mr. Chairman, this section vests veto power in either the Senate or House over decisions of the Secretary of Defense with respect to termination or reduction of any commercial or industrial-type activity which has been in existence 5 or more years and employs 10 or more civilians. My amendment would strike the entire section from the bill. It is the only section in the bill on which there was disagreement in our Committee on Armed Services.

To say the least, this provision is entirely irrelevant to subject matter of the bill. We have before us a multimillion dollar military public works measure, authorizing numerous new projects, and we find embodied in the same measure this superfluous section dealing with a different matter entirely.

It is a rider, so to speak. And what is its real purpose? I must frankly say that it could be interpreted as a political provision, whereby Members of Congress can stop the Secretary of Defense from closing, or even reducing, some manufacturing or some other commercial activity in their district or area. It is not a question whether such activity is actually needed. It is not a question as to how much it costs the taxpayers to operate it. It is not a question whether private enterprise can readily and at less cost supply the items or services involved.

The sole question is how to make certain the personnel operating the facilities do not lose their jobs and how to preserve the benefit for the community or area where the facility is located. That is the purpose of this section.

The Hoover Commission made an extensive study of the business enterprises in which the Federal Government is engaged. It reported that in the Defense Department alone there are more than 2,500, with a capital investment that exceeds $15 billion and involving 47 different categories of activities, such as paint manufacturing, rope manufacturing, coffee-roasting plants, various kinds of repair shops, dry-cleaning shops, laundries, and so on.

The Secretary of Defense initiated a program to eliminate these activities where found not essential to our national defense. When the same type of provision as this section 411 was embodied in the 1956 appropriation bill, the whole program was obstructed. With the repeal of that provision last year, the Secretary of Defense has curtailed or closed more than 500 business or industrial-type activities. It is now proposed to set up another roadblock to this program to take the Government out of competition with private enterprise.

Much is said here on the floor about the importance of small business, the problems with which small business is confronted, and we have sought ways and means to help in their solution. If we are really interested in helping small business we will strike this section from the bill. It is with small business that these commercial and industrial-type activities of the Government are in competition.

Much is said here on the floor about the size of the Federal budget, and we have been seeking ways to cut the cost of Government. By terminating or curtailing Government business-type activities, that rightfully belong to private enterprise, we can reduce Government costs. And yet it is proposed by this section to retard and obstruct such a program.

Except in a few instances, Government business-type activities pay no taxes, little or no interest on the capital invested, and generally the directing personnel is on the Government payroll. All this is paid for by the taxpayers. If, on the other hand, these activities were operated by private enterprise the Government would obtain tax revenue from the operation instead of defraying the cost.

Aside from these economic considerations, there is also a constitutional question which this section raises. By seeking to vest in ourselves veto power over executive action are we not violating the Constitution principle that the three branches of the Government are separate and coequal? President Eisenhower raised this question himself when he reluctantly signed the Defense appropriation bill for 1956 that contained this same general type of provision.

Mr. Chairman, this section may be good politics but it is unsound in every other respect. Let us here and now set political considerations aside and cast a

vote in the public interest by striking this section from the bill.

Mr. HARDY. Mr. Chairman, I rise in opposition to the amendment.

It grieves me to find a section so misunderstood and so misrepresented. I am sure that my friend, the gentleman from Illinois [Mr. ARENDS] did not intend to cast any particular aspersions or to mislead the House. I am equally sure that he did both.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield.

Mr. ARENDS. Certainly that was not my intention.

Mr. HARDY. I am sure of that.

Mr. ARENDS. You know I would not do that.

Mr. HARDY. I am absolutely sure of it, but I want to dispel several other points that were raised by the gentleman right in the very beginning. I believe this House knows me well enough to know that when I say there is no political motivation as far as I am concerned, I am telling the truth.

It happens that this section was generated in the committee by me. It has not the slightest bearing whatever on the question of maintaining the job of anybody; I am concerned only with the protection of the prerogatives of the Congress and in the satisfactory operation of our Department of Defense on an economical basis. I will say to my friend that I am perfectly happy to place the outcome of this matter on the question of what is needed by our Department of Defense from a security standpoint and on the question of economy. If those two criteria are not met, I shall certainly be in accord on going along with any proposal of the Department to close any business-type activity which does not meet them.

As to the question of relevancy, this is a relevant matter which ties also into the question of encroachment on the authority of the executive.

I think we ought to realize that every single one of these activities was authorized by the Congress generally in a line-item manner, that they were authorized and appropriated for. We authorized the construction of buildings, we authorized the purchase of equipment, we authorized and appropriated funds to pay the personnel, and they have been justified to this Congress year after year after year by the Defense Department. Having exercised our responsibility to authorize these functions we certainly must have been convinced they were needed when we did authorize them. Now, are we going to forget that and say to the Defense Department that some appointive official can come in and change everything we have done heretofore without our even having a chance of reviewing the matter?

This section does not require Congressional approval. The gentleman from New York (Mr. COLE), in general debate, made an erroneous statement that I am sure he did not intend to make: He said this section would require Congressional approval. That simply is not true. This section merely requires that the Department of Defense submit to the Congress its proposals. For a period of 60 days action is held in abeyance. During that period of time the Congress has the right to review a proposal, to pass a resolution denying the effectiveness of the proposal; and if the Congress does nothing then the action proposed by the Department takes place. Section 411 gives us only an opportunity to review and to pass by affirmative action a resolution denying that particular proposal; otherwise it becomes effective. To say that the section requires Congressional concurrence is strictly inaccurate.

Practically everything the Department of Defense does other than the actual deployment of the Army and the operation of ships and aircraft has a kinship to business operations. There is hardly anything on any military reservation that does not have some attributes of business and industry. The supply depots could all be handled by private industry; and yet who would suggest that we abolish all of our supply depots? There are a lot of smaller items necessary to the overall military activities on every installation that have to be performed which are in the nature of business operations.

It was my purpose in proposing this section to the committee simply to provide the Congress the right to review these actions and to consider what would happen to the facilities for which we have appropriated millions and millions of dollars before permitting some administrative official to act indiscriminately upon his own private judgment.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

(By unanimous consent (at the request of Mr. VINSON) Mr. HARDY was allowed to proceed for 5 additional minutes.)

Mr. HARDY. I am grateful to the gentleman from Georgia. Mr. Chairman, I want to call attention to the fact that this provision is not the same provision that we had in the appropriation bill; it is not the same provision that we had in the point of order bill. This is simple language to give the Congress a chance to review actions which the Defense Department proposes. Actually the agency can now effectively nullify what we have already done under our legislative authority.

I want to call attention to another aspect. This section relates not only to proposals involving procurements by contract, but it also would require the Department of Defense to report proposals for performing with military personnel of functions which are currently being performed by civilians. If anybody has any notion that it is more economical to perform industrial type activities with military personnel than it is with civilians, they certainly have another thought coming to them. Some of you might be surprised to learn that not so long ago there were a number of areas in which the Defense Department discontinued the use of civilians in business type activities but continued the operation of those facilities by military personnel. The cost of operation with military personnel in every case I ever heard of is far in excess of the cost when civilians are used.

As I said before, I am perfectly willing to put this determination on an economy basis and a basis of national security. I have no political ax to grind and, so far as I know, it will have no political significance to me one way or the other, but I do think we have a responsibility to pass on the future use of construction and equipment items which we have heretofore authorized and for which we have heretofore appropriated.

Mr. Chairman, I hope the Members will join me in opposing the pending amendment.

Mr. JONAS. Mr. Chairman, I rise in support of the pending amendment.

I had planned to offer a similar amendment to this section, but am very glad to support the amendment as offered by the gentleman from Illinois [Mr. ARENDS].

A few weeks ago when we had the Defense Department appropriation bill before the committee, many Members came down into the well and undertook to justify a cut of $2½ billion by claiming that the Secretary of Defense and the Secretaries of the different services could save vast amounts of money if they would just do it. What this section proposes is to nullify any substantial or real effort on the part of the Defense Department to get the Government out of competition with private business. A movement to get the Government out of competition with private enterprise would be a move in the direction of economy and in accordance with the pleas made by so many Members of this House just a few weeks ago.

If the amendment does not prevail and section 411 remains in the bill, it will mean that the Defense Department will not be able to terminate a commercial-type activity and procure the services terminated from private industry, if the service involves 10 or more employees, without filing a report of intention with both Houses of Congress and waiting on the expiration of 60 successive legislative days. It seems to me that that is an unreasonable requirement to be placed upon the Secretary of Defense and an unnecessary obligation to be imposed upon the Committees on Armed Services.

There are several reasons why this amendment is in my opinion necessary. First, it is an effort to cooperate with the Defense Department in practicing economy. Second, it is an effort to get the Government out of competition with private business. Third, most of the competing activities that would be involved are small business concerns in the localities where we have military installations. Many Members frequently proclaim their interest in small business, but this amendment will give all of us who wish to benefit and encourage small business enterprises an opportunity to strike a blow in their behalf. I believe a vote against this amendment will be a vote to obstruct the efforts of the Defense Department to get the Government out of competition with small business establishments in the areas of our country adjacent to military installations. Fourth, surely the Congress of the United States has more important duties to perform than to review every

decision of the Defense Department which involves the closing down of strictly commercial or industrial-type activities in which 10 or more civilian employees are engaged.

I think we should spend our time and energy seeking to encourage Government agencies to get out of the business of competing with private enterprise, in cooperating with the Secretary of Defense in his effort to benefit and promote the interests of small business enterprises which suffer from this Government competition in and near defense installations, and in seeking ways and means to bring about more economies in Government. In my humble judgment, and of course I speak only for myself and recognize the right of others to disagree with me, if we fail to adopt this amendment and leave section 411 in the bill, we will be putting roadblocks in the path of the Secretary of Defense as he undertakes to bring about a more efficient and economical administration of our Defense Establishment.

I submit to the members of the committee that this is an amendment which should prevail and I urge its adoption.

Mr. BALDWIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment and in favor of section 411 as it stands in the bill. It has been mentioned by the gentleman from Virginia [Mr. HARDY] that this provision in the bill does not prevent the Defense Department from closing any activity but simply gives the Members of the Congress of the United States an opportunity to review the proposal to determine whether it meets with the approval of the Members of the Congress and, if it does, then the Defense Department can proceed.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from Virginia.

Mr. HARDY. I would just like to emphasize that point. Contrary to the impression of the gentleman from North Carolina [Mr. JONAS], a moment ago, it does not require Congressional review of the matter. The gentleman knows as well as I do that there are very, very few that would ever even be presented to any committee for a study, looking toward a resolution against it; is that not correct?

Mr. BALDWIN. I think the gentleman is absolutely correct.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN. I yield to the gentleman from North Carolina.

Mr. JONAS. Well, it does require Congressional review by the committee if there is to be any veto.

Mr. HARDY. Mr. Chairman, will the gentleman yield on that point?

Mr. BALDWIN. I yield.

Mr. HARDY. That, of course, is correct, if there is to be a veto. But, this language does not contemplate that every one of them would be reviewed or that there would be any effort made to veto.

Mr. JONAS. There is no reason to submit it to the House if the House is not to review it, then.

Mr. HARDY. I will say to the gentleman they certainly should have an opportunity to review it if there is any reason that any Member knows that it should be reviewed.

Mr. JONAS. But we would not know that unless we reviewed it. How would you know that unless you reviewed every proposal?

Mr. BALDWIN. May I say further that last week the Defense Department announced the proposed closing of some 50 or 60 installations in the United States. None of those closed, which involve no transfer of activity to commercial enterprise, would be affected by this amendment. As long as the Defense Department proposes simply to close an installation, not transfer it to commercial enterprise or industry, this amendment would not even apply. The Defense Department could proceed to close such an installation. The only thing this section does is to provide that where the Defense Department says "We are going to close this activity at a military installation and transfer it to some industry or some business," that we, the Congress, want to have the opportunity to study this to determine for ourselves whether it is advisable, and if we do not take positive action, then after 60 legislative days it goes into effect.

Let me give you an example. During World War II the Navy Department had been searching for years and years to try to find an answer to the problem of having naval ships come into drydock at too frequent intervals in order to have barnacles and fouling and everything else cleared off the bottoms of those ships. For years the Navy Department tried to find a solution to the problem, and at Mare Island Navy Yard they set up a paint mixing facility for the primary purpose of trying to find a solution to this problem, to find some kind of satisfactory type of paint that would enable those ships to stay out at their posts or wherever the fleet might be for a much longer time. During World War II they made a breakthrough on that problem and they were actually able to develop a type of paint that made it possible for naval vessels during World War II, in the great military stresses of that time, to stay out at sea for a period twice as long as ever before.

The paint industry had all the opportunity in the world for the previous 100 years to develop that type of paint, but they did not. It was only under the stress of the war emergency that the naval paint-mixing plant, with naval civilian employees, developed an answer to the problem. It was something that the commercial industry had no equivalent for. And yet today, the Navy Department, because of pressure from the Department of Defense, states that it intends to close that particular facility and to transfer the patents, and everything else, to commercial enterprise, without even knowing whether at the present time those commercial facilities can produce this special type of paint at a cost comparable to that for which the Navy today can produce that paint.

The Federal Government by action of previous Congresses has appropriated over $1 million to build the facility, and yet, without even an opportunity for Congress to review the decision, the Department of Defense can simply say today that it is going to be closed down, that we are going to transfer the patents to commercial enterprise even though we do not know whether they can give us the product at comparable cost or not.

This will give us a chance to look at such a proposal before we allow it to be done.

Mr. VINSON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Chairman, the Hardy amendment only retains in the Congress the constitutional prerogative which is vested in the Congress to provide a military establishment. If we want to abdicate our constitutional mandate and responsibility, we can turn it over to the Department of Defense. No other branch of the Government is directed, as is the Congress, to provide a military establishment. That is in the Constitution. If you want to abdicate that, that is your responsibility. This amendment says, "We will review before we close an establishment and then decide whether or not it should be brought to the attention of you gentlemen." If you do not want that, that suits me all right. I have no manufacturing in my district. I went through my files to find out whether I did.

There is a navy yard in my town. There is an airbase in my town. In my district is Parris Island. I have this letter.

Some time ago, about a year and a half ago, somebody told me that they were closing up an ice-cream plant at Parris Island. Sometimes they have 20,000 recruits at Parris Island. Now, the most insatiable appetite on earth is a boot marine's appetite after 12 hours of drilling. He will eat anything that does not bite him first. Among those things is ice cream. They had an ice-cream plant down at Parris Island. Somebody in the Defense Department said, "Let's put it out of business. This ice-cream plant is ruining the Government. It's a shame the way the Marines at Parris Island are competing with the private ice-cream industry in making ice cream, and giving it to those recruits. We will put a stop to that." And they did. That was over a year ago.

So I wrote one of these oustanding defense officials in the Defense Department and he wrote me back. I have the letter and I can read it to you verbatim, punctuation and literatum. He said they could get ice cream delivered at all the places on the east coast for $1.10 a gallon. So they stopped it.

A little later on I was down at Parris Island and I saw Gen. Homer Litzenberg. I said, "General Litzenberg, what did it cost to make that ice cream you

used to make down here?" He wrote me a letter. I think he is reliable. He is now commanding the United States Marines in Korea. I believe he can be depended on. I think he can pass the security test. He said:

The cost of this product over a 6-month period, including overhead, was 62 cents per gallon.

This was made at Parris Island.

The depot is now purchasing ice cream which conforms to South Carolina standards—

And there are none better—

at a contract price of $1.35 per gallon.

He said they serve ice cream 2 or 3 times per week, compared to 5 or 7 servings a week before.

But they have got the Government out of business and the ice cream out of the stomachs of the Marines. That is the way they got the Government out of business. So, may I say to my great friend, the distinguished gentleman from New York [Mr. COLE], there is one of his specific instances where the Government was making something a little cheaper.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. RIVERS. May I ask the chairman of my committee, since he is not going to use his time, to give me a little time?

Mr. VINSON. I think the time is divided up.

Mr. RIVERS. I think the chairman has 3½ minutes. Is he going to use it?

Mr. VINSON. Do I have any time, Mr. Chairman?

The CHAIRMAN. Three and a half minutes.

Mr. VINSON. I yield it with pleasure to the gentleman from South Carolina.

Mr. RIVERS. I thank my distinguished chairman.

I represent Americans just as you do, and they are kind of conservative people. If you look at my record, I do not run out here on some of these wild goose chases. People just do not do business like that in my country.

We have the oldest New England society in the South in Charleston, S. C. A fellow by the name of Daniel Webster and Calvin Coolidge have spoken to it. We have the oldest chamber of commerce in America in Charleston, S. C. The same chamber of commerce that sent you people those letters about getting the Government out of business sent it to me, but when I explained it to them they understood. They knew whereof we spoke. You trust our committee. If this amendment is retained in this bill—you do not think CARL VINSON, at whose feet I have sat for 17 years, like St. Paul at the feet of Gamaliel, is the kind of man who spends the Government's money foolishly. Do you think Mr. VINSON would look at these things in a perfunctory sort of manner? Mr. VINSON does not do business like that. I do not think our committee would come in to you and say, "Keep one of these things in PORTER HARDY'S district and MENDEL RIVERS' district. They are pretty good fellows." This committee we have just would not do business like that.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from North Carolina.

Mr. JONAS. No one in this House could fail to say the gentleman from South Carolina is a good fellow. I should like to echo what the gentleman said a minute ago. There is not a more conservative nor a more patriotic Member of the House than the gentleman from Charleston. I follow him usually on this floor, but I cannot follow him with respect to this amendment.

Mr. RIVERS. I am sorry.

We cannot afford to abdicate our constitutional responsibility. The military is the only branch of the Government where the Constitution says, "You provide it and the President will command it." If you want to abdicate your responsibility, that is your business. I am just not going to be counted among that group.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield.

Mr. PELLY. I, too, have a navy yard; and I checked one of these situations with reference to the substitution of private industry, so it was said, for historic military institutions. I found these substitutions were being made in the name of economy, but economy was not one of the factors which was used in the criteria.

Mr. RIVERS. That is correct. A lot of times it is favoritism. I am on a subcommittee that investigates all of the military, the Hébert committee. We find in these cost-plus and fixed-fee contracts, it costs much more—much more—many times more. If you want to talk about competition, we have a Boston Navy Yard and right close to them is the Bethlehem Steel Yard. Both yards build ships. If you do not need the Boston Navy Yard, then give the work to the Bethlehem Co. Close by at Portsmouth, N. H., we have the Electric Boat Co. We have the Bath Iron Works up in Maine. You can do the same thing there, if you want to get the Government out of business. But when the bullets start flying, you had better look to these military installations because there are no bargains in security. You have to have it. I say to you, you need the Hardy amendment. It will save your military installations for when you have to have them.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Chairman, 2 years ago following the enactment of the military appropriation bill for fiscal year 1955, the law provided that before the Department of Defense could dispose of any civilian-type activities, a report had to be made to the Defense Appropriations Subcommittee of the House and the comparable committee for the Senate. Under that law the two committees had to approve the proposed discontinuances. The Secretary of Defense submitted in the fiscal year, I think, about 60 proposals for the disposal of military civilian-type activities. Included were the Rope Walk up in Boston and a paint shop out in California. Those were fairly extensive and important installations. Also included in the list were a number of cobbler shops, pressing shops, laundries and comparable smaller installations. This group of 15 on the subcommittee then spent, as I recall, about 2 weeks determining whether the Department of Defense should get rid of the laundries, several cobbler shops or some of these minor instaliations involving a minimum number of employees. It was the greatest and most complete waste of time I have ever experienced on that subcommittee because under that procedure the subcommittee was called upon to hamper and hinder the Defense officials in their effort to economize and rid the military of activities which were competitive with private enterprise.

Under the provision of this act, section 411, if there is a cobbler shop in any military installations of 10 or more employees—imagine a cobbler shop with 10 or more employees—the Defense Department has to file a report with the Speaker and the Vice President, and that report is then submitted to the House and the Senate Committees on Armed Services to determine whether they can get rid of a cobbler shop with 10 employees. It is a most ridiculous provision and a most wasteful procedure, timewise and otherwise, for the Congress.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. FORD. I must of course yield to my distinguished friend and colleague.

Mr. SIKES. May I ask my distinguished friend if it is not true that the services should have some justification before they plan to close an installation and if they have that justification, all they have to do is to send it right over to the Congress. It is just one step more and it does not cost any more money.

Mr. FORD. May I say it seems to be on the verge of ridiculousness that such a report and such a study with recommendations has to be put together and then filed with the Vice President and with the Speaker of the House, and then has to be referred to the distinguished gentleman from Georgia and his counterpart in the other body. To involve ourselves the Congress as a whole in the determination of a civilian competitive type installation with 10 employees is beyond my comprehension. That is the prerogative and responsibility of the executive branch of the Government.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FORD. I yield.

Mr. BYRNES of Wisconsin. When they establish a project like this do they come to Congress and get justification for putting in a cobbler shop for instance?

Mr. FORD. I have never seen a line item in an authorization bill where they got authorization from the distinguished gentleman from Georgia, Mr. VINSON, to establish a cobbler shop in Fort Dix, Fort Devens, or any of the Navy or Air Force installations.

I urge the approval of this amendment.

The CHAIRMAN. The gentleman from Massachusetts [Mr. BOLAND] is recognized.

Mr. BOLAND. Mr. Chairman, I am opposed to the amendment that would strike out section 411 of this bill, H. R. 8240. Section 411 would require that prior to the termination of, or reduction in the operations of, any commercial or industrial-type activity being conducted on the date of the enactment of H. R. 8240, where such termination or reduction is for the purpose of having the supplies or services furnished by such activity furnished by other than civilian employees of the United States, and where such activity has been conducted for 5 or more years and requires the services of 10 or more civilian employees, the Secretary of Defense shall file with the President of the Senate and the Speaker of the House of Representatives a report setting forth the details of the proposed termination or reduction. The section also provides that any proposed termination or reduction shall not take effect until the expiration of 60 days of continuous session of the Congress following the filing of such report, and shall not then take effect if, during such 60 days either House of the Congress has adopted a resolution which, in effect, disapproves the proposed termination or reduction described in such report.

Mr. Chairman, I am more deeply concerned over this matter now than I was on May 12, 1955, when I took the floor in the first session of the 84th Congress to oppose a similar amendment that would strike section 639 from the Defense Appropriations bill for 1956, under consideration on that day.

My greater concern today stems from the fact that there seems to be a concerted effort on the part of some officials in the Department of the Defense and the Department of the Army to strip the Springfield Armory from its traditional role of rifle production for the Army and turn this production over to commercial industries who have neither the know-how nor the experience in this field.

As my colleagues know, the Army on May 1 last adopted the new M–14 rifle as its standard shoulder piece to replace the famous M–1 Garand rifle. Both of these rifles were developed at the Springfield Armory, one of the outstanding units in the Government's arsenal system. These are only two of the many rifles that have been developed and produced at the Springfield Armory since it was established by our first President, George Washington.

But now it appears that Defense Department policy will channel the M–14 rifle production into commercial plants, resulting in a loss to the country of highly trained and skilled personnel who have spent their lives developing and making rifles in the arsenal system. I have no problem with the Defense Department in this policy as it pertains to strictly commercial types activities. These should and are now being conducted by private enterprise. Cobbler shops, cleaning establishment, and a host of other commercial endeavors have been eliminated. This type of commercial or industrial activity is better done by private business and small business. My quarrel is with any effort that would take the Army out of its legitimate role of producing the small weapons it alone uses. I hope that this amendment is defeated.

The CHAIRMAN. The gentleman from New York [Mr. TABER] is recognized.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. NICHOLSON. That rope walk up in Boston was supposed to have been closed 4 years ago. Does the gentleman know why you did not close it?

Mr. TABER. I do not know. I understood they were doing nothing but experimental work up there now. I do not know anything more about it.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. HALLECK. I want to inquire of the gentleman from Michigan [Mr. FORD], whether or not it is not a fact that this provision as it has been inserted in the law has operated as a very effective bar against the Defense Department in attempting to get rid of some of these installations.

Mr. FORD. If the gentleman will yield, there is no doubt about it. It has slowed down the disposition of these installations and prevented small business from getting its share of the business.

Mr. TABER. I just want to go into this a moment. If the Secretary of Defense took a notion that he needed to close up one of these activities, no matter how small it was, as long as it had 10 employees, and he took a notion to do that on the 15th of August and Congress was in adjournment sine die, it would be impossible until the middle of March for the closing to take place. In other words, it would take a little over 6 months in that kind of a situation. It would mean that the Defense Department would have to be up before the Armed Services Committee almost every day on some such program as this. I do not know how the Armed Services Committee would enjoy it. Frankly, I am afraid that they would get a little more than they bargained for, because this is an item that is deliberately designed to prevent the armed services from saving money. God knows the United States of America and the Military Establishment needs to save money so that we can have what is necessary to maintain the defense of the United States.

I hope that this amendment will be agreed to.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. CANNON. Is not the purport of this amendment to keep the Government in business when the House and the Congress have repeatedly voted to take it out of business?

We should reach some stable position on this amendment and remain there rather than voting one way one session and the other way the next. Both the committee and our distinguished colleague, the gentleman from Georgia [Mr. VINSON] have been on both sides of the question. The last time this amendment was up, the gentleman from Georgia told the House he was opposed to it because it put the Government back in business.

Mr. TABER. That is correct. We have had that situation up here time after time during the past several years, and we know it is not the way to do business.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. JONAS. The gentleman referred to the amendment. He meant the section, I think.

Mr. TABER. That is right. He meant the language in the bill. I hope the amendment will be agreed to.

Mr. GRIFFIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GRIFFIN. Mr. Chairman, I rise to register my wholehearted support of the amendment to strike out section 411 as offered by the distinguished gentleman from Illinois [Mr. ARENDS].

This amendment, if adopted, will help to carry out the spirit as well as the letter of the Hoover Commission recommendations to get the Federal Government out of business activities competing with private enterprise whenever possible consistent with economy and national security.

The great majority of people of this Nation want economy. They want the elimination of waste and of needless expense wherever possible.

Adoption of the Arends amendment will enable the Defense Department to save thousands of dollars and will result in the transfer of civilian-type commercial activities to small business and to free enterprise.

The CHAIRMAN. The gentleman from California [Mr. MILLER] is recognized.

Mr. MILLER of California. Mr. Chairman, I think we are all talking to the same end, but are approaching it by different ways. I want to save some money for the taxpayers. That is why I think this amendment should be defeated. We have heard a lot about the limitation of 10 men, but no one has said it only applies to those facilities that have been in existence over 5 years or more by that time they certainly have proven their worth. I am not too certain, because I have not investigated the practices in other parts of the country, that the situation as delineated by the gentleman from South Carolina [Mr. RIVERS], has not existed as the result of trying to get the Government out of certain types of business that are essential to the armed services. I know it took place in the dry cleaning work in my district and the result is that the enlisted men and the officers are paying more for their dry cleaning and the Government is paying more for its laundry and dry cleaning today than they paid when the Government was doing it. If the Government can do the job better under any circumstances the Government is entitled to do the job in the interest of economy of government.

We have been through some of this; we know that it can be done cheaper. In the matter of the reference of these matters back to the committee, we have it in all real estate transactions no matter how small, even to the granting of a simple easement; such a transaction must come before the Armed Services Committee.

Mr. BENNETT of Florida. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield.

Mr. BENNETT of Florida. I congratulate the gentleman from California on his statement. I would like to emphasize that this same procedure is regularly called for in a number of matters, and so far as I know there has been no criticism of it.

Mr. MILLER of California. Not only that, but on the Committee on the Merchant Marine and Fisheries we require the submission of certain real estate transactions and their study by the committee in order to protect the Government's interest in wildlife refuges.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield.

Mr. SIKES. The gentleman from California is making a very good statement. I am sure the gentleman would agree with me that when any agency of Government spends over half the total budget the Congress should keep an eye on what is going on, should have a check on spending.

At the time when a similar provision was in effect the Department of Defense sent up to, at that time the Appropriations Committee, a proposal to discontinue 112 activities. The committee spent only a short time, as I recall, 2 or 3 days—maybe a little longer—screening that and allowed all but 4 of the recommendations of the Department of Defense to stand.

It is our position that by having it in effect the Government was much more careful in determining what could properly be permitted.

Mr. MILLER of California. Certainly. We cannot afford to tie the hands of the Government too tightly in these instances. May I say again: Those services the Government can render cheaper than private industry it should be allowed to do.

The CHAIRMAN. The time of the gentleman from California has expired, all time for debate has expired.

Mr. ARENDS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ARENDS. There has been a little confusion as to what the parliamentary situation is on this amendment. A vote in support of the amendment means to strike section 411 from the bill; an affirmative vote on the amendment means striking section 411 from the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

Mr. VINSON. Mr. Chairman, I ask for tellers.

Tellers were ordered and the Chair appointed as tellers Mr. ARENDS and Mr. HARDY.

The Committee divided, and the tellers reported that there were—ayes 81, noes 61.

So the amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. TRIMBLE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 8240) to authorize certain construction at military installations, and for other purposes, pursuant to House Resolution 309, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. HARDY. Mr. Speaker, I ask for a separate vote on the Arends amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them engross.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment upon which a separate vote is demanded.

The Clerk read as follows:

On page 70, line 17, strike out all of section 411, beginning line 17 on page 70, through line 16 on page 71.

The SPEAKER. The question is on the amendment.

The question was taken and the Speaker announced the ayes had it.

Mr. HARDY. Mr. Speaker, I object to the vote on the ground a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. If that is done, we will not have a vote on the amendment until Wednesday.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that further proceedings on this matter go over until Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

USURPATION OF LEGISLATIVE POWERS BY THE SUPREME COURT

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, we southerners have long recognized the increasing tendency of the United States Supreme Court to usurp the legislative powers of Congress. With growing alarm and distress, we have witnessed, time and again, the Court's overstepping its judicial authority and invading the legislative field. For years, the South's protests have gone unanswered and unheeded as mere voices in the wilderness. Now, the severity of this situation is finally coming to the attention of the American people. The entire Nation is awakening to the inherent dangers which our system of government now faces because of recent Supreme Court decisions.

Our American Government draws its strength from a system of checks and balances set up by the Constitution. This system is workable only when each of the three branches of Government—the executive, legislative, and judicial—has equal but separate powers. Obviously, any deviation tending to give one branch more authority than the others would result in a change in the very essence of our Government. This dire consequence was perhaps seen from the very beginning of our Government, for Washington warned in his Farewell Address: "But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."

During the last 4 years the Court has handed down more than a score of decisions which usurp the power of the legislative branch to make the laws of the land. The school segregation cases of May 1954, the Steve Nelson sedition case of April 1956, and the recent decisions affecting Communists are cases in point. A cursory examination will indicate that these cases represent a gross invasion of the legislative authority vested in Congress by the Constitution and a usurpation of power on the part of the Supreme Court.

By successively limiting or denying the legislative powers of Congress, the Supreme Court has recently been taking over a lion's share of governmental functions and responsibility. This tendency did not cause widespread concern of a national nature until the present term of Court, when 16 far-reaching and provocative decisions have been handed down. While it is regrettable that the Court, in decision after decision, has been allowed to continue with this practice of usurpation of congressional authority, it is gratifying to see Representatives and Senators from all sections of the Nation aroused by the seriousness of the situation.

Four of the Supreme Court's most significant and alarming decisions came on the same day, June 17, 1957. At this same sitting, the Court:

First, in the California Communists cases, upheld the right of anyone to preach the overthrow of the Government "intellectually," so long as specific action is not advocated, thus drastically limiting the scope of the Smith Act, which, as you know, is a Federal law dealing with sedition;

Second, in the Watkins case, limited the power of congressional committees to investigate;

Third, in the Service case, restricted the power of Government officials to discharge employees for security reasons; and

Fourth, in the Sweezy case, limited the power of States to require witnesses to testify in investigations.

Just 2 weeks earlier, the Supreme Court denied a case which really lifted the lid. In upholding the appeal of

Clinton E. Jencks, New Mexico Communist, the Court ruled that reports to the Federal Bureau of Investigation and other Government agencies must be turned over to defendants in criminal trials if persons who made the reports are called as witnesses. It was this file-opening move which really stirred the American people to action.

This trend of decisions nullifying and vitiating the attempts of Congress to legislate is not new. The trend dates back several years. In the Steve Nelson case of last year, the Court held that State laws on sedition were invalid since the Smith Act, a Federal law dealing with the same subject, superseded any State law. In applying this preemption doctrine the Court wrote into the law certain provisions which, it is patent, were not intended by the Congress in enacting the law. The Court was thereby constituting itself as a legislative body in promulgating laws in violation of Article I of the Constitution. This article declares that Congress shall have "all legislative powers."

In the school segregation cases, the Court sought to give birth to an additional constitutional amendment without its first having been proposed by Congress and in violation of Article V of the Constitution. Article V provides that amendments to the Constitution shall be proposed by Congress. The law at the time of those decisions was well established that the doctrine of separate but equal educational facilities complied with the provisions of the 14th amendment. The Court, in ruling as it did in those cases, in effect adopted an additional amendment, for the decisions were contrary to the established law of over 100 years.

Congress was never intended to be subservient to the Supreme Court. The power of Congress to legislate cannot be hamstrung except in accordance with the provisions of the Constitution itself. It is becoming more and more evident that action must be taken in the Congress to correct these legislative abuses and usurpations.

Our only recourse is remedial legislation.

Last year, I introduced legislation which would reestablish and reaffirm the basic constitutional doctrine of the separation of powers between the executive, legislative and judicial branches of the Federal Government. My bill aroused considerable interest when it was introduced late in the last session. I have again introduced it in the 85th Congress as H. R. 692, which is now pending before the Committee on the Judiciary.

There can be no denying that a serious situation exists when the Supreme Court usurps the constitutional authority of Congress and exercises legislative functions through judicial decree. As Washington warned in his Farewell Address, any usurpation of power which goes unchallenged can become a weapon by which our Government may be destroyed.

It would certainly appear, Mr. Speaker, that these abuses by the Court can result only in sounding the death knell of our constitutional system of Government. It is high time that we members of the legislative branch of our Government enacted measures to counter this ominous threat. It is incumbent on us to serve notice on the Supreme Court that we wish them to confine their activities to the powers granted to them under Article III of the Constitution, that is, "The Judicial power of the United States shall be vested in one Supreme Court." We must make it plain that we intend for the Supreme Court to limit itself to the exercise of judicial powers only.

The bill which I have pending will serve this purpose. Constitutional authority for my legislation rests in the second paragraph of Section 2, Article III, of the Constitution:

The Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions and under such regulations as Congress shall make.

It is quite clear that Congress can limit the appellate jurisdiction of the Court.

In my bill, it is stated that:

It is the purpose of this act to reestablish and reaffirm the basic constitutional doctrine of separation of powers between the executive, legislative, and judicial branches of the Government.

In implementing this statement of purpose, Section 2 affirms that the established law of the United States shall be revised, or changed, only by legislative enactments by Congress or by constitutional amendments. This section turns back to Congress the power of enacting legislation and of proposing amendments to the Constitution, thus, in effect, repudiating the action of the Court in the school segregation cases, the Steve Nelson case, and the more recent decisions.

Section 3 of the bill provides:

That the courts of the United States of America and the courts of the several states of the United States shall not be bound by any decision of the Supreme Court of the United States which conflicts with the legal principle of adhering to prior decisions and which is clearly based upon considerations other than legal.

The import of this section is considerable. Under our constitutional power to limit the appellate jurisdiction of the Supreme Court, we are saying to the inferior United States courts and the courts of the various States that they will not be required to follow any decision of the Supreme Court which is not based upon the doctrine of stare decisis and which is decided counter to established law. In placing this limitation on the Supreme Court, we are instructing them, as is our constitutional right, that they must base their decisions upon prior decisions and upon legal considerations. It is hoped that we will be able to bring to a halt the practice of the Court to base its decisions on socio-psychological and other non-legal principles.

It is my considered opinion that this legislation is vitally needed to correct a gross abuse of power under our constitutional system.

Congress must reassert its powers and authority in our triumvirate of government. The Supreme Court's usurpation of legislative functions can no longer be tolerated.

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1958

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. MAHON, SHEPPARD, SIKES, NORRELL, WHITTEN, ANDREWS, RILEY, FLOOD, CANNON, WIGGLESWORTH, SCRIVNER, FORD, MILLER of Maryland, OSTERTAG, and TABER.

PROGRAM FOR TOMORROW

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

Mr. SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to inquire of the gentleman from Oklahoma [Mr. ALBERT] if he would kindly tell us what is anticipated for tomorrow.

Mr. ALBERT. I will advise the gentleman that there is no change in the program for tomorrow. H. R. 7441, conference report, agricultural appropriation bill, 1958, will be programed for tomorrow.

Mr. ARENDS. I thank the gentleman.

RESPONSIBILITY OF CONGRESS

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, on Tuesday last my distinguished colleague from South Dakota [Mr. MCGOVERN] took the floor in an effort to link my name with the defense of the Secretary of Agriculture, Mr. Benson.

He indicated that he had notified me he would speak on that day. His secretary did call my secretary at about 12 o'clock. My secretary tried to contact me at the Interior Committee hearing, but was advised that the committee had adjourned and I had already left. The committee did, in fact, adjourn about 12 o'clock, and I went directly to the floor with 2 or 3 other members of that committee. Upon entering the Chamber, I was advised that my colleague had just finished speaking and had left the Chamber.

Since I did not learn in advance that the gentleman from South Dakota [Mr. McGOVERN] planned to make reference to me, I am impelled to comment on his remarks now since I had no opportunity to do so when he spoke.

Mr. Speaker, I know it is his desire, as it is my desire, to serve the best interests of the people of the State of South Dakota. South Dakota is primarily an agricultural State. Agricultural income is of prime importance to our economy. It has been my desire since coming to Congress to do everything in my power to assist in increasing agricultural income. I know it is his desire to do the same thing. Apparently our only difference of opinion is in how to bring that about.

My contention is that it is the duty and obligation of Congress, if a majority believes that a high support price is the best method of increasing farm income, to pass legislation which would establish the support price on agricultural commodities at a definite rate rather than to delegate Congressional authority to some administrator to do the job that Congress itself is obligated to do.

Each morning there are laid on my colleague's desk, as there are laid on my desk, 2 publications; 1 is the CONGRESSIONAL RECORD, the other is the Federal Register. Contained in the CONGRESSIONAL RECORD are the laws made by the Congress—the representatives of the people. Contained in the Federal Register are the laws made by the rules and regulations of the executive branch of the Federal Government. Such laws are passed, if you please, by the departments, the boards, and commissions of Government, but are made possible only because the Congress has delegated its lawmaking authority to such departments, boards, and commissions rather than be bothered with the detail of outlining how such legislation shall be administered.

It is this constant delegation of authority from the Congress to the administrative branch that has long worried me because when all Congressional authority has been delegated, the people of America will no longer have any direct representation in Government. Most of this delegation of authority, including the authority to fix farm prices, has been made by Democrat Congresses since 1933.

When, however, Congressional authority has been so delegated and the administrative branch, through government by regulation has legislated by an order or directive which is contrary to the will of the people, it is, as yet, the prerogative of the people to demand of their representatives that they withdraw the legislative authority by which such order or directive was issued. Such is not the privilege of Congress—it is the duty of Congress.

My freshman colleague overlooks the fact that he is a Member of the body authorized and directed by the Constitution to enact legislation affecting the people of these United States. He does not appear to appreciate that it is his obligation to legislate and not simply authorize some administrator to legislate.

My colleague does not seem to appreciate that when he took the oath of office as a Member of Congress, he was not only empowered, but at the same time charged with the serious responsibility of enacting legislation within the framework of the Constitution, which would be of benefit to the greatest number of people without, at the same time, jeopardizing the rights and the privileges of the minority. That is the duty of Congress, that is the obligation of Congress.

In his remarks of last Tuesday, my colleague said:

> Just to keep the record straight, it should be pointed out that the Secretary of Agriculture is now authorized by the Congress to set farm price supports at 90 percent of parity.

Certainly he is authorized, but there is no legislation directing to set supports at 90 percent of parity. If it were the wish of the majority of the majority party in Congress, you may be sure he would be directed to do so.

Congress is directed to legislate. Congress is directed to make the laws. Congress is directed to determine the policies. Congress alone is responsible to the people.

The gentleman from South Dakota [Mr. McGOVERN] is a member of the majority party in this body, and it is his obligation to help correct inequities, if any exist, and to do it by legislation instead of by the "delegation" of that authority to someone in the executive branch.

The Democratic Party has a majority of 34 Members in the House and 3 in the Senate. They control every committee in both bodies by a majority membership of from 1 to 3. They have complete control of the scheduling and consideration of all legislation. The responsibility for bringing legislation to the floor and then saving it from crippling amendments is theirs. If they fail in that responsibility, the farmers of America have a right to assume that they do not desire such legislation.

My colleague's statement:

> I do not, therefore, question our colleague's ability to defend Mr. Benson.

I might say here that this is the first time I have been accused from either side of the aisle of defending Mr. Benson, at least, so far as the support program is concerned. On the other hand, he says:

> But I do question his interpretations of who is responsible for the failure of the 90 percent of parity farm bill. It is difficult to understand how our colleague could have forgotten that only a year ago the Democratic Congress passed a 90 percent of parity farm bill.

Then he bemoans the fact that the President vetoed the bill.

My colleague's statement would infer that the bill vetoed by the President was a simple price support extension. Such was not, I am sorry to say, a fact. It contained everything in the book, including supports on cottonseed and soybeans, manufactured milk, the Hickenlooper corn amendment, the dual parity program for wheat and rice, the soil-bank program, and so forth. It was loaded down with provisions which not only set the consumer against the producer, but at the same time, set one group of farm production against the other group of farm consumption. The President had no alternative but to veto it. Since the President could not reject part and retain part, all of the provisions of the bill were vetoed.

Let me point out, however, that in spite of 2½ years of complete Democratic control of both Houses of Congress, no bill providing a simple extension of 90 percent of parity on the basic commodities has been permitted to come out of the Agriculture Committee of either House, nor has it been voted upon by either body, nor has it been sent to the White House for consideration.

Mr. Speaker, I would here venture a wager that no such bill will ever be passed and sent to the White House by this Democratic Congress. This support program is a far too good political issue to ruin by passing legislation which would put it into effect. I would suggest, however, that if it were passed, it would save the taxpayers thousands of dollars annually in printing costs of the CONGRESSIONAL RECORD alone.

This theory of "loading" legislation with amendments to guarantee its untimely demise, worked so well in the 84th Congress that it has again been adopted to kill all farm legislation in the 85th Congress. The majority party is using identically the same strategy this year.

When the administration's emergency farm bill came to the House floor, nearly every Member of the majority side scurried around to think up amendments which could be tacked on to make the bill such a monstrosity that if it did pass the Congress, the President would be forced to veto it.

Although the economy of the district of my colleagues is primarily dependent upon corn, they were having so much fun running up and down the teller aisle that even he became inspired and offered an amendment which would have forced a veto from even President Harry Truman. His amendment would have supported at 90 percent of parity everything from fried eggs to rice krispies and, according to the CONGRESSIONAL RECORD and dozens of news reports on speeches he has been making, his amendment lost by only four votes. Four votes more and he could have bragged to his farmers that he pitched the final forkful which buried the emergency corn legislation for 1957.

They used the same strategy on the extension of Public Law 480, which has done so much to remove farm surpluses. Every conceivable amendment was dragged out again. This time, surely, they could put the President on the spot. I was not surprised to once again see my colleague going through the teller line to load this farm bill down with all the cats and dogs they could find—just to embarrass the administration or force a veto, regardless of how it jeopardized the farmer and rancher.

I was, however, happy to see him in the teller line for agriculture once—that one time—when he voted for the soil-bank appropriation. But there were

enough of his Democrat colleagues on that side voting against this measure that again he found himself on the losing side, and again the cause of the farmer was tossed into the bog hole of politics.

Mr. Speaker, I have said before and I say again, under our form of government it is the Congress who is given the right, the responsibility, and the duty to legislate. If it delegates that authority to some administrator, commission, or board, and that administrator, commission, or board legislates by regulations which are in opposition to the wish of Congress, it is not the right, but the solemn duty, of Congress to withdraw that authority by legislation and in turn enact laws which do represent its desire. It is the Democratic Party this past quarter of a century that has specialized in delegating legislative authority to executive departments of government.

Again, I call upon the very distinguished and able chairman of the Committee on Agriculture in the House to bring a bill out of his committee providing a simple extension of price supports on the six basic commodities at 90 percent of parity, and I shall help him defend that bill on the floor from the membership of his own Democratic Party.

FEDERAL OWNERSHIP OF LANDS BRINGS PROGRESS AND PROBLEMS FOR FOUR KENTUCKY COUNTIES

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NATCHER. Mr. Speaker, in 1941, 142 years after its discovery, Mammoth Cave became the country's 26th national park. On July 1 of this year the 16th birthday of Mammoth Cave National Park was appropriately celebrated.

Mammoth Cave, which is located in the Second Congressional District of Kentucky, has been attracting visitors for nearly a century and a half, and, at the present time, hundreds of thousands of persons go there each year. The national park, comprising 51,000 acres of land, is indeed one of the beauty spots of the world—abounding with trees, flowers, and wildlife. The forests cover 60 percent of the area inside the park on the Green and Nolin Rivers watersheds. On May 22, 1936, the Secretary of the Interior accepted deeds to something over 20,000 acres of land, for administration and protection, in accordance with Congressional authority. With the addition of other required land, the park was duly established July 1, 1941.

Though the Mammoth Cave National Park is a distinct asset to our national-park system, the State of Kentucky, and the entire United States, it has, in some respects, worked an extreme hardship on the citizens of Edmonson County. Of the 51,000 acres of land incorporated in the Mammoth Cave National Park area, 46,000 acres came from this one county of Edmonson. As a result of having this land taken off the tax rolls, Edmonson County has sustained severe losses economically, particularly with respect to its school system, its road system and all county governmental functions.

On June 14, 1957, the stockholders of the Kentucky Rock Asphalt Co. voted to dissolve that corporation. The Kentucky Rock Asphalt Co. is the only industry located in Edmonson County. By virtue of the liquidation of this company—caused mainly by its inability to price natural rock asphalt as low as asphalt obtained as a residue from petroleum—Edmonson County has lost its only source of mass employment, to say nothing of the resultant loss in taxes. The dissolution of the Kentucky Rock Asphalt Co. means that its former employees, who are Edmonson County citizens, will lose annual income amounting to one quarter of a million dollars. By reason of the loss of its only industry, and loss of the many acres of land acquired for the Mammoth Cave National Park, Edmonson County should be given all possible assistance, not only by the State, but by the Federal Government. Such assistance could well apply to the location of roads within the county.

It is an interesting fact that the Federal Government owns 405 million acres of land, which is 21.3 percent of the total land area in the United States. In a great many instances Federal ownership of this land has resulted in grave misfortune to towns and counties throughout the United States. Every effort should be made by the Federal Government to release as much of this land as possible which is not necessary for the security of our Nation.

In the Second Congressional District of Kentucky we have another instance of the Government acquiring a vast amount of land, namely that land on which Camp Breckinridge is located. In 1941 the Federal Government purchased 36,000 acres of rich farming land in Union, Henderson, and Webster Counties for this reservation. The purpose of this investment was to establish an infantry training center to be known as Camp Breckinridge. The camp was first occupied in 1942, and, upon termination of hostilities at the close of World War II, it was deactivated until 1948, at which time it was reopened for one year. The emergency created by the Korean War necessitated a second reactivation of the camp, which was effected in August 1950. Since September 1953, Camp Breckinridge has been retained on a standby basis. In the summer months it is used to drill units of the National Guard, but at other times it is under control of the caretakers.

As a result of the opening of Camp Breckinridge the entire economy of this portion of my Congressional district was completely changed, with facilities expanded to meet the demands of the population increase of military personnel. This expansion eventually affected practically all phases of economic life—restaurants, hotels, communications, transportation, housing facilities, and inevitably all media of entertainment. Before 1941 this section of my district had a rural economy, and the loss of 36,000 acres of its best farm land forced the people to become largely dependent upon their small business enterprises. Deactivating the camp has inflicted severe adversity on this section of Kentucky. The people of Kentucky, and especially this portion of my Congressional district, do not want this land returned to private ownership if it is essential to the security of our Nation, but they now feel that same is not essential and that the land should be returned to private ownership. If this supposition is not correct, then the camp should be completely reactivated, and placed in use.

From time to time during the past several years legislation has been introduced in the Congress of the United States to provide for payments in lieu of taxes to State tax authorities with respect to certain real property subject at the time of its acquisition by the United States to real property tax committed to the discharge of bonded indebtedness of any public improvement, and for the operation of the different governmental functions of the local taxing authority, including, of course, operation and maintenance of schools. At one time during the 2d session of the 84th Congress some 19 bills seeking to accomplish this purpose were pending. Careful consideration should be given to such legislation. Certainly the hardships occasioned by the loss of land in Union, Henderson, Webster, and Edmonson Counties in the State of Kentucky should, in some manner, be alleviated.

Edmonson County, Ky., is located in the Green River Valley which comprises 9,273 square miles. Since 1913 the people in this valley have suffered, by reason of 12 major floods, loss of lives, damage to property, and other calamities. Over 5 million tons of topsoil was lost each year. Because of the prevalent conditions, from 1940 to 1950 over 100,000 persons migrated from the Green River Valley. The valley abounds in natural resources. Coal deposits of 13,970,000,000 tons are located on a navigable stream—the Green River. Development of the Green River Valley and protection thereof through the construction of flood-control reservoirs will be of inestimable benefit. In 1938 the Nolin River Reservoir project was authorized. In 1955 I succeeded in having the Corps of Engineers recommend this project to the Bureau of the Budget for funds to be used for advance engineering and design. In appearing before the Bureau of the Budget, I stressed the importance of the Nolin River Reservoir project, not only to Edmonson County, the Green River Valley, but to the Ohio River Valley, as well as the Mississippi River Valley. It is an integral part of the overall flood-control plan for the Ohio River Valley, the Green River Valley, and the Mississippi River Valley. The 1957 budget contained a request for $50,000 for advance engineering and design on the Nolin River Reservoir project, and, as a member of the House Committee on Appropriations, I appeared before the Subcommittee on Public Works requesting that this amount be increased in order that the project could be con-

structed as soon as possible. The request was increased to $100,000 by the House Committee on Appropriations, and the 1958 budget contains a request for $138,000 to complete the advance engineering and design. After the President's budget message was delivered to the House of Representatives I contacted the Corps of Engineers to ascertain whether or not funds additional to the $138,000 could be used on this particular project, thus making a construction start. I was informed by the Corps of Engineers that no additional funds could be used during fiscal year 1958 on the Nolin River Reservoir project. For that reason it was impossible to get the project under construction during the fiscal year 1958. Construction will follow completion of advance engineering and design, and will be of great assistance to Edmonson County, the State of Kentucky, and the United States generally.

Civil-functions projects now under construction, and to be constructed in the future, will play a major role from the standpoint of development and protection of our country. Every effort should be made by the Government to bring benefits to our people and communities in the various States through the utilization of land. By such action the hardships occasioned as the result of the huge withdrawal of thousands of acres of land will be eliminated. The time has arrived for the Federal Government to make a recapitulation of the 405 million acres of land presently held to ascertain whether or not major portions can be returned to the taxpayers of this country, thereby accruing benefits to our people generally.

Mr. Speaker, Federal ownership of huge tracts of land in Edmonson, Union, Webster, and Henderson Counties has created problems which are now serious and require immediate attention. Reactivation of Camp Breckinridge or return of this land to private ownership will solve the problem confronting Union, Webster, and Henderson Counties. Construction of the Nolin River Reservoir; location of new State and Federal roads through Edmonson County; closer cooperation between the Mammoth Cave National Park officials and the citizens of Edmonson County—keeping in mind that this beautiful park is a great asset to Kentucky and the United States, but its creation has brought trouble and serious problems to this fine county—enactment of pending legislation providing payments in lieu of taxes to counties faced with problems such as Edmonson County, will assist in correcting a serious situation now existing in this county.

LEAD-ZINC LEGISLATION

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. DAWSON] may extend his remarks at this point in the RECORD and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DAWSON of Utah. Mr. Speaker, I doubt that any of us would support a bill which was aimed at decimating an established American community which is the home and the roots of hundreds of families.

But I wonder whether we realize how we sometimes can do that very same thing by failing to act upon legislation vital to such a community.

At this minute, several mining towns already are undergoing depression and depopulation because of the drop in lead and zinc prices brought on by an oversupply of cheap foreign imports of those vital metals.

Their situation becomes worse with each day that we fail to act upon legislation which has been introduced to bolster lead and zinc prices by imposing a scale of excise taxes upon imports when prices drop to the point that our own mines must shut down and throw their miners out of work.

One such town is Park City, Utah. From a one-time permanent population of 5,000 persons, not more than 2,000 remain. Buildings stand empty, merchants struggle to stay in business.

An excellent picture of what happens in a mining town when the mines shut down is drawn in a letter to me from Mrs. Anne H. Brunyer, welfare director for Summit County, in which Park City is located. Certainly no one could be better placed to know intimately the human problems which arise when the miners come down the hill for the last time.

Mr. Speaker, I include as part of my remarks Mrs. Brunyer's penetrating letter:

PARK CITY, UTAH, *July 3, 1957.*

Hon. WILLIAM A. DAWSON,
Representative, Congress of the United States, House of Representatives, Washington, D. C.

DEAR REPRESENTATIVE DAWSON: We in Park City are again appealing to you for definite and immediate action on a long range metals bill. We have noted through newspaper items that you have given many long hours of time from your busy schedule and put forth much effort in bringing the plight of the mining industry before the different committees and Congress. You can be very certain that we are all very grateful for your efforts and hope that in the end you and all of us will be rewarded by some legislation more substantial and beneficial to our mining industry than we have had in the past.

We are, however, wondering why the delay on the part of Congress and why the inactivity on this subject at this time when immediate action is so urgently needed. We are faced here in Park City with the closure of our two mines. Many other mines have already shut down in Utah and other Western States as you already know. There are reports in the newspapers every day of more and more mines closing.

During the month of June our mines laid off 10 percent of their employees. This means a great deal to a community where there is already much insecurity and suffering from unemployment. The only employment we have in this community is provided by the mines. There is nothing else for our people.

There are those who would suggest that the miners get out of the mines and look for something else. That is exactly what is happening. Our young people who are such a vital and necessary part of every up and going community are leaving for more stable industry. But there are those older miners who cannot begin to obtain employment in other industries because of age limits and because of lack of experience for other skilled labor. They own their homes here and many have large families.

Because of the unstable condition of the mines and the shutdown periods since 1949 and even before that time it has been impossible for the miners and their families to save sufficient money to take care of these long periods of unemployment. A 12- or 13-month shutdown as we have experienced in the past is difficult to weather through even though there are a few fortunate ones who have been able to accumulate some savings.

It seems to us that there have been and there will be again critical periods of time when metals will be vitally needed by this country and they will have to be obtained in the quickest way possible and from the nearest resources. However, if these discouraging and unstable conditions continue to prevail in the mining industry miners are not going to be available when needed. This was proven during World War II when the greatest problem experienced by the mining companies was the lack of available miners.

Should the mines close again, our town, like many other mining communities, will become a ghost town. Homes which our miners have worked and sacrificed for during a good many years of hard work will be abandoned. Our city presented a very delapidated picture when the mines reopened just 3 years ago in the fall of 1954. The people in the community rebuilt and remodeled homes and repaired sidewalks and roads to bring the town back to some semblance of being lived in again—and what for? Just to face another shutdown within a very short 3 years from the time the mines reopened.

We just cannot conceive of a Congress or Government which will not take action for the good of its own American citizens. It seems that the first duty of every Member of Congress is toward the welfare and protection of the industries and people of the United States.

As director of welfare in Summit County I am very close to these people and to their problems and the heartbreaking days when they are forced to give up their homes and leave to seek employment in other places and in most cases only to return here as they are no longer needed in other industry because of age and experience.

All of us are eagerly urging the need of alleviating our long periods of distress by passage of a bill which will restore the metal prices on a long-range basis so that the mines can keep operating on a much more stable basis. We plead with you to pass the long-range metals bill which has been so widely publicized and we feel will be a solution to the plight of the mining industry and will restore a livelihood to our citizens.

We make this plea for immediate action not only for our own community but for all of the other mining communities in the United States which are faced with shutdowns and complete unemployment.

Very truly yours,

(Mrs.) ANNE H. BRUNYER,
Director, Summit County Department of Public Welfare.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ANDERSON of Montana, for July 8 through July 19, on account of attendance under Army orders at unit field training.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. STEED, for 15 minutes, on Tuesday next.

Mr. HARVEY, for 10 minutes, on Thursday next.

Mr. JARMAN, for 30 minutes, on July 11.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. KEE and to include a newspaper article.

Mr. CELLER.

Mr. MULTER (at the request of Mr. CELLER) and to include extraneous matter.

Mr. BERRY in two instances and to include extraneous matter.

Mr. BURDICK in two instances.

Mr. MASON and to include a petition.

Mr. SAYLOR and to include extraneous matter.

Mr. MCCORMACK (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. REED and to include extraneous matter.

Mr. DINGELL (at the request of Mr. ALBERT) and to include extraneous matter.

Mrs. SULLIVAN.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3558. An act for the relief of Ernest Hagler;

H. R. 4159. An act for the relief of Z. A. Hardee;

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the Saint Lawrence Seaway Development Corporation;

H. R. 6191. An act to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes;

H. J. Res. 288. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 290. Joint resolution for the relief of certain aliens; and

H. J. Res. 307. Joint resolution for the relief of certain aliens.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 528. An act for the relief of Nicolaos Papathanasiou;

S. 609. An act to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes;

S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Siemon Noma or Loutfie Noama);

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.;

S. 1169. An act for the relief of Herbert C. Heller;

S. 1212. An act for the relief of Evangelos Demetre Kargiotis; and

S. 1352. An act to provide for the conveyance of certain real property of the United States to the Fairview Cemetery Association, Inc., Wahpeton, N. Dak.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 3558. An act for the relief of Ernest Hagler;

H. R. 4159. An act for the relief of Z. A. Hardee;

H. R. 5728. An act to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings, of the Saint Lawrence Seaway Development Corporation;

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H. J. Res. 290. An act for the relief of certain aliens; and

H. J. Res. 307. An act for the relief of certain aliens.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 39 minutes p. m.), the House adjourned until tomorrow, Tuesday, July 9, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1023. A letter from the Chairman, United States Atomic Energy Commission, transmitting a draft of proposed legislation entitled "A bill to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes; to the Joint Committee on Atomic Energy.

1024. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Federal Home Loan Bank Board for the fiscal years ended June 30, 1955 and 1956 (H. Doc. No. 208); to the Committee on Government Operations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 7225. A bill to amend provisions of the Canal Zone Code relative to the handling of the excess funds of the Panama Canal Company, and for other purposes; with amendment (Rept. No. 701). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORRISON: Committee on Post Office and Civil Service. H. R. 2474. A bill to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department; with amendments (Rept. No. 702). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 8192. A bill to amend the act of August 5, 1955, authorizing the construction of 2 surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; without amendment (Rept. No. 703). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 7974. A bill to amend the North Pacific Fisheries Act of 1954; without amendment (Rept. No. 704). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. House Resolution 292. Resolution to express the sense of the House of Representatives with respect to the return of, or a satisfactory accounting for, the 450 American prisoners of war who were taken prisoner by the Communists; without amendment (Rept. No. 705). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of California:

H. R. 8557. A bill to promote boating safety on the navigable waters of the United States; to provide coordination and cooperation with the States in the interest of uniformity of boating laws, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BROOKS of Louisiana:

H. R. 8558. A bill to amend title 10, United States Code, to authorize additional cadets at the United States Military Academy and additional facilities to accommodate those cadets; to the Committee on Armed Services.

By Mrs. HARDEN:

H. R. 8559. A bill to permit farmers in areas affected by excessive rainfall and flooded conditions to include acreage in the acreage reserve program up to August 15, 1957; to the Committee on Agriculture.

By Mr. McCARTHY:

H. R. 8560. A bill to amend section 4141 of the Internal Revenue Code of 1954 for the purpose of repealing the manufacturers excise tax on children's phonograph records retailing for 25 cents or less; to the Committee on Ways and Means.

By Mr. REED:

H. R. 8561. A bill to amend paragraph 373 of the Tariff Act of 1930, as modified; to the Committee on Ways and Means.

By Mr. SIMPSON of Pennsylvania:

H. R. 8562. A bill to amend section 337 of the Internal Revenue Code of 1954 to make such section apply to certain partial liquidations; to the Committee on Ways and Means.

H. R. 8563. A bill relating to the income-tax treatment of gain resulting from the involuntary conversion of property; to the Committee on Ways and Means.

H. R. 8564. A bill to amend section 1231 of the Internal Revenue Code of 1954 relating to property used in the trade or business and involuntary conversions; to the Committee on Ways and Means.

H. R. 8565. A bill to amend paragraph 396 of the Tariff Act of 1930, as modified; to the Committee on Ways and Means.

H. R. 8566. A bill to amend paragraph 326 of the Tariff Act of 1930, as modified; to the Committee on Ways and Means.

By Mr. TOLLEFSON:

H. R. 8567. A bill to promote boating safety on the navigable waters of the United States; to provide coordination and cooperation with the States in the interest of uniformity of boating laws, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ULLMAN:

H. R. 8568. A bill to establish reciprocity between members of the Umatilla Indian Tribes and other Indian tribes in the matter of succession by will or inheritance to certain types of restricted or trust properties, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H. R. 8569. A bill to stabilize the domestic market prices of lead and zinc; to the Committee on Ways and Means.

By Mr. BOYKIN:

H. R. 8570. A bill to extend in certain cases the period during which tolls may be charged on Federal-aid highways; to the Committee on Public Works.

By Mr. LANE:

H. R. 8571. A bill to provide Federal insurance for loans made to science and engineering students for tuition; to the Committee on Education and Labor.

By Mr. MULTER:

H. R. 8572. A bill to provide for a dual banking system in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SILER:

H. R. 8573. A bill to create a corporation to restore normal employment and produce industrial development in economically depressed areas; to the Committee on Banking and Currency.

By Mr. WALTER:

H. R. 8574. A bill to amend the Internal Security Act of 1950; to the Committee on Un-American Activities.

By Mr. FULTON:

H. J. Res. 396. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval and reduction of items in general appropriation bills; to the Committee on the Judiciary.

H. J. Res. 397. Joint resolution declaring Flag Day to be a legal holiday; to the Committee on the Judiciary.

By Mr. GRAY:

H. J. Res. 398. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. O'HARA of Illinois:

H. J. Res. 399. Joint resolution to amend the act of Congress approved August 7, 1935 (Public Law 253), concerning United States contributions to the International Council of Scientific Unions and certain associated unions; to the Committee on Foreign Affairs.

By Mr. AUGUST H. ANDRESEN:

H. J. Res. 400. Joint resolution designating the week of November 22–28, 1957, as National Farm-City Week; to the Committee on the Judiciary.

By Mr. KEARNEY:

H. Con. Res. 213. Concurrent resolution recognizing the Baseball Hall of Fame at Cooperstown, N. Y., as a memorial to certain individuals; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EVINS:

H. R. 8575. A bill to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes; to the Committee on Public Works.

By Mr. LOSER:

H. R. 8576. A bill to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes; to the Committee on Public Works.

By Mr. BASS of Tennessee:

H. R. 8577. A bill to authorize the conveyance of certain lands within the Old Hickory lock and dam project, Cumberland River, Tenn., to Middle Tennessee Council, Inc., Boy Scouts of America, for recreation and camping purposes; to the Committee on Public Works.

By Mr. ALLEN of California (by request):

H. R. 8578. A bill for the relief of Jose Simoes Malo; to the Committee on the Judiciary.

By Mr. CLARK:

H. R. 8579. A bill for the relief of Antonio Santilli; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. R. 8580. A bill for the relief of Mrs. Aiko Azuma Taylor; to the Committee on the Judiciary.

By Mr. FORD:

H. R. 8581. A bill for the relief of Hendrik K. Harms; to the Committee on the Judiciary.

By Mr. FULTON:

H. R. 8582. A bill to authorize Ambassador Henry Cabot Lodge, Hon. William A. Barrett, and Hon. James G. Fulton, Members of the House of Representatives, to accept and wear the award of the Order "Al Merito della Repubblica Italiana" tendered by the Government of the Republic of Italy; to the Committee on Foreign Affairs.

H. R. 8583. A bill for the relief of Pando Trailkofski; to the Committee on the Judiciary.

By Mr. GUBSER:

H. R. 8584. A bill for the relief of Shin Jung Ok; to the Committee on the Judiciary.

By Mr. KELLEY of Pennsylvania:

H. R. 8585. A bill for the relief of Selma Saliba (nee Achouh); to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 8586. A bill for the relief of Pasquale Pratola; to the Committee on the Judiciary.

By Mr. MARTIN:

H. R. 8587. A bill for the relief of Raffaele Tenaglia; to the Committee on the Judiciary.

By Mr. NICHOLSON:

H. R. 8588. A bill for the relief of Ng Hap Woon and Ng Shee Woon; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 8589. A bill for the relief of Charles Dayan; to the Committee on the Judiciary.

H. R. 8590. A bill for the relief of Mrs. Lisa Kaspi and her minor children, Bat-Sheva Ita Kaspi and Natan Yaacov Kaspi; to the Committee on the Judiciary.

H. R. 8591. A bill for the relief of Armando Passeri; to the Committee on the Judiciary.

By Mr. RABAUT:

H. R. 8592. A bill for the relief of John Steczak; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H. R. 8593. A bill for the relief of Herman Sung; to the Committee on the Judiciary.

By Mr. BERRY:

H. J. Res. 401. Joint resolution to authorize the Secretary of the Interior to make loans to the Crazy Horse Memorial Foundation, and for other purposes; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII,

302. The SPEAKER presented a petition of president, Public Affairs Luncheon Club, Dallas, Tex., petitioning consideration of their resolution with reference to taking necessary action to curb the exercise of tyrannical power by the Supreme Court and make subject to impeachment proceedings its Justices who are guilty of the abuse of judicial power and who have violated their oath to uphold the Constitution of the United States, which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Keenotes

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mrs. KEE. Mr. Speaker, under leave to extend my remarks, I am including herewith copy of my weekly newspaper column Keenotes which was released for publication today, as follows:

KEENOTES
(By Representative ELIZABETH KEE)

Secrecy has always been, to me, a word with unpleasant connotations. Webster's Dictionary defines it as the "quality or state of being secret; concealment; furtiveness in violation of a right, a law, a code or the like." Certainly, then, it is a word which, under any normal circumstances, should have no place in the democratic processes of government where the people's ability to govern themselves depends in large part upon the fullness and accuracy of the information available to them.

But these are not, unhappily, normal times as the United States and its allies, the free nations of the world, struggle to loosen the grip of the giant octopus, communism, whose bloody tentacles are today fastened about vast areas of the earth's surfaces and its peoples. Consequently, since World War II—and most especially since the development of the atom bomb and nuclear weapons—the American people have patriotically relinquished more and more of their vital and essential right to know in the name of national security.

Tragically, however, throughout the world's history, it has been demonstrated time and again that powers once yielded to governmental bureaucracy are hardly ever redeemable and lead inevitably to the grasp for more power and to widespread abuses of the public confidence. And so it would seem to be in our time, where excessive use of the rubberstamp "Secret" in the conduct of national affairs has concealed much information that rightfully belongs in the public domain.

This is why the Congress, in 1955, recognizing the urgent need for an objective, nonpolitical and independent study of the innumerable laws, executive orders, regulations, programs, practices, and procedures intended for the protection of the national security moved to establish a Commission on Government Security. The functions of this Commission were to establish fair, uniform, effective, and realistic measures to safeguard both national security and the rights of the individual; to obtain to the greatest uniformity; to restore full public confidence in the Government's programs; and to protect the national security.

Sworn in on January 9, 1956, the Commission on Government Security consisted of 12 outstanding citizens, 4 appointed by the President, 4 by the Vice President, and 4 by the Speaker of the House. The Commission elected its own Chairman, Mr. Loyd Wright, a former president of the American Bar Association, and its own vice chairman, Senator JOHN STENNIS, of Mississippi.

Last week the Commission rendered its report and recommendations and the furore this has created in Washington threatens to be anything but a tempest in a teapot. The storm is not likely to blow over soon, nor, indeed, should it until there has been the widest possible public discussion of its implications.

The principal controversy centers about the Commission's recommendation for a law to prohibit unauthorized disclosure of secret documents jeopardizing national security. This has been generally interpreted by the press as being aimed at news-gathering agencies, the newspapers and news reporters, all of which represent the public's major source of knowledge about the Government's handling of domestic and foreign affairs.

In refuting the press' assumption, Chairman Wright has stated: "The Commission's proposed statute is not aimed at newspapermen. It would apply equally to every American citizen, no matter what his occupation. It would, for example, cover the person who works in a defense plant, making secret weapons for the Government, who reveals plans or technical data. It would cover a Senator or Congressman speaking outside the legislative halls. We do not believe that journalists will claim a special immunity over their fellow citizens."

I wholeheartedly agree with Chairman Wright's finding that a person who imperils the Nation's security by wilfully, knowingly, and deliberately releasing secret information should not be able to escape punishment by pleading that he believed no harm would result. It is not a matter on which he is free to speculate. He has no right to take the law, and the survival of the Nation, into his own hands.

Nor, I would point out, have any of us at any time and under any circumstances, the right to take the law into our own hands. This has always been a basic principle of organized society.

On the other hand, the Commission itself would seem to have run afoul of the very problem which caused the Congress to establish it in the first place. In attempting to justify its proposal for the enactment of a law to prohibit unauthorized disclosures, Chairman Wright sought to have released certain classified information about the occurrences which led to its findings—occurrences which involved the revealing of information vital to the national security. In his opinion, the Chairman stated, these occurrences no longer required secrecy.

His request was denied by the responsible official who evidently did not see eye to eye with Mr. Wright in this instance. So, in Chairman Wright's own words "The information is apparently entombed forever • • • in the bureaucratic graveyard of a maze of files, never to be disseminated to the American people who are entitled to know the full details of these dark chapters of betrayal."

On the surface, therefore, it would appear that the Commission on Government Security has failed in its principal objective, to find the means to safeguard our national security while at the same time preserving and maintaining the American people's vital and precious right to information.

Meanwhile, the Special Subcommittee on Government Information of the House Committee on Government Operations, under the skilled chairmanship of Representative JOHN MOSS of California, has for more than a year now, disclosed instance after instance of arbitrary and capricious suppression of Government activities and practices which it was in the public interest to be made known.

The problem of national security versus our inherent right to know what goes on within our Government will not be easily solved. In the end, it will, I feel, best be resolved when the conduct of our domestic and foreign affairs rests in the hands of public servants, divorced from politics and with the wisdom, discretion, good judgment, and intelligence to use well the authority and confidence imposed in them by the American people. The inflated egos of a bureaucracy swollen with a little power can be as dangerous to our national well-being from within our midst as can be the threat of communism from outside our borders.

Review of Inequitable Decisions Coming From the Board of Veterans Appeals

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. SAYLOR. Mr. Speaker, I spoke last week on the subject of the necessity of enactment of legislation to provide judicial review of decisions by the Veterans' Administration. This agency, needless to say, has always opposed legislation of this type and, in fact, has always favored the finality clause which is in all basic Veterans' Administration laws with two exceptions. Briefly stated, this provision means that once the Veterans' Administration has made a decision, no other body of the Government can review it or change it. This, of course, is contrary to our concept of law. All decisions should be subject to review and most agencies recognize the fact that a review would benefit all parties.

If the Administrative Procedures Act were in fact followed by the Veterans' Administration, perhaps we would have better decisions, but it is not.

When the Congress enacted Public Law 550—the so-called Korean GI bill of rights—it provided that the decisions under that act should not be final and it permitted the Veterans' Administration rules and regulations to be reviewed by the Comptroller General. The Veterans' Administration was vigorously opposed to this provision. But now that the act has been in effect for nearly 5 years, I am informed that the procedures work well and that the Veterans' Administration has, as might be expected, profited by having its proposed regulations reviewed by the General Accounting Office. The same procedure is provided for in the War Orphans' Educational Assistance Act, Public Law 634 of the 84th Congress.

Perhaps this is the solution to the problem which I have been calling to the attention of the House—namely, review of inequitable decisions which have been coming from the Board of Veterans Appeals. Perhaps if the General Accounting Office were given authority to review all the regulations applicable to compensation and pension claims and to even review decisions, it would result in more justice being given to the veterans of this country.

Many Commitments to Mental Institutions Are Unconstitutional

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. BURDICK. Mr. Speaker, on January 31, 1957, I introduced a bill in the House known as House Concurrent Resolution 98, which provides for a complete Congressional investigation into all ramifications of mental health legislative programs which are currently being promoted.

I am informed that many thousands of citizens of the United States are confined in asylums, many wrongfully and needlessly. Many of these inmates of State mental institutions were committed under State laws which violate several fundamental constitutional guaranties both in State and Federal Constitutions. The most flagrant of these violations are:

First. Denial of the right of trial by jury.

Second. Denial of the right of habeas corpus.

Third. The taking of the inmate's property without due process of law.

Fourth. The taking of the inmate's real or personal property without due legal notice to him of the proposed sale of such property.

The conventional format for the accomplishment of these illegal acts is to confer upon a State so-called court of equity the power to commit an individual upon the application of designing persons who frequently use this ruse to get control of the victim's property.

This situation as to possible illegal commitment of alleged mental incompetents was brought forcibly to attention by an article which appeared in the Washington Post of May 31, 1957, under an Annapolis, Md., date line. It appears that Judge William R. Horney ruled in Queen Annes County that a 1943 act of the Maryland Legislature violated the constitutional rights of William Easton, who had been declared mentally incompetent and was confined in a Maryland mental hospital.

An appeal from the decision of Judge Horney was argued in the Maryland court of appeals at Annapolis on May 30, 1957.

Prior to the 1943 Maryland act persons had been declared mentally incompetent only after a trial before a judge and jury. The 1943 Maryland act permitted a judge in equity court without a jury, first, to declare a person mentally incompetent on the advice of two physicians and, second, to order the person's property sold, or transferred to a guardian.

Judge Horney ruled that this act was unconstitutional and a nullity, as it violated constitutional guaranties of the alleged incompetent.

This decision raises the important issue as to whether other State statutes similarly phrased did not also deprive many alleged incompetents, committed to many State mental institutions, of fundamental constitutional rights by depriving them of their liberty without a jury trial and by depriving them of their property without due process of law.

It would appear that State statutes of the kind referred to may involve two serious denials of Federal constitutional guaranties, to wit, first, of the right to a jury trial and, second, of the right guaranteed by the 14th amendment against deprivation of liberty and property without due process of law.

That is why an investigation on the Congressional and national level is imperative where there are State violations of Federal constitutional guaranties.

Economy in Government

EXTENSION OF REMARKS
OF
HON. NOAH M. MASON
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. MASON. Mr. Speaker, I have today filed a petition signed by taxpayers from 43 different States urging Congress to:

(a) Reduce Federal expenditures;

(b) Cut Federal taxes; and

(c) Greatly reduce and soon eliminate foreign aid.

A similar petition has been filed in the other body by the chairman of the Senate Finance Committee.

These petitions were circulated by Taxpayers Educational Association, Inc., of Austin, Tex., a nonprofit organization. The following is a copy of the petition that was circulated in 43 States, mostly among working men and their wives. After all, they are the people that pay 80 percent of all the Federal taxes collected. Hundreds of thousands of names have been collected and are still being collected on these petitions.

A PETITION TO MEMBERS OF CONGRESS OF THE UNITED STATES

(For petition, see CONGRESSIONAL RECORD for Wednesday, July 3, 1957. The petition was included in the remarks of Senator BYRD, Democrat, of Virginia, on that date.)

Returns on Questionnaire in Second Congressional District of South Dakota

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. BERRY. Mr. Speaker, one of the most rewarding efforts I have made this session was the distribution of a questionnaire in my district. I was quite overwhelmed by the response received. Almost half of the individuals took the time to add personal comments on items of special interest to them, and all of them devoted a great deal of time and thought to their answers.

Because I believe the tabulation of the results reflects the general thinking in western South Dakota on these subjects, I thought they would be of special interest, and am, therefore, inserting the compilation in the CONGRESSIONAL RECORD where it may be studied by other Members of Congress.

It is my privilege to represent a district with diversified interests, including farming, ranching, mining, tourist, and small industry. It covers that part of South Dakota west of the Missouri River, including the lush grasslands of the plains, the beautiful and mineral-producing Black Hills with majestic Mount Rushmore, several of the largest Indian reservations in the country, and numerous friendly, active communities where the memories of pioneer days are still quite fresh in mind.

Recalling the struggle of those pioneer days, the people of the second district know the value of a dollar, and the satisfaction that comes from a hard day's work. It is foreign to their way of thinking to look to the Federal Government for help for every minor emergency. They are accustomed to taking care of themselves. At the same time, they resent the increasing tax burden, brought about by expanded Federal operations, that makes it more difficult to be independent and fulfill their own needs.

These conservative, energetic, freedom-loving sons and daughters of the pioneers who broke the prairie and opened the mines have a lot of commonsense ideas on the operation of our Government. I recommend their thinking to my colleagues.

The results of the questionnaire are as follows:

	Percentage	
	Yes	No
AGRICULTURE		
Do you approve of—		
1. The soil-bank program as presently operated?	41	59
2. The sale and barter of farm surpluses to Communist nations?	38	62
3. A food stamp plan by which needy persons could obtain surplus foods through normal commercial channels?	77	23
4. Higher support prices on wheat and corn?	23	77
BUSINESS		
Do you approve of—		
1. Federal control over the production of natural gas?	51	49
2. The continuation of the Small Business Administration and to liberalize its lending authority?	71	29
3. Tax reduction for small business?	76	24
DEFENSE		
Do you approve of—		
1. President Eisenhower's foreign policy in general?	69	31
2. Inviting to this country for conferences, the heads of foreign governments with whom we are not in agreement?	75	25
3. The exchange of atomic secrets with other countries?	19	81
4. Requiring all new National Guardsmen to take six months' training on active military duty?	73	27
IMMIGRATION		
Do you approve of—		
1. The admission of additional refugees to the United States from Hungary?	30	71
2. Admission of a greater number of immigrants from all countries?	14	86
POSTAL SERVICE		
Do you approve of—		
1. An increase in postal rates to meet the Department deficits?	64	36
2. Increased salaries and retirement benefits for postal employees?	32	68
LABOR		
Do you approve of—		
1. Regulation by law of labor union welfare funds?	92	8
2. The proposal to extend the present $1 an hour Federal minimum wage to groups not presently covered, mainly retail and service employees?	53	47
3. The repeal of the Taft-Hartley law?	10	90
SCHOOL AID, FEDERAL		
Do you approve of—		
1. Federal assistance for a school building program?	51	49
2. Federal aid for school maintenance and operation?	33	67
TAXES		
Do you approve of—		
1. Reduction of Federal taxes even though it unbalances the budget?	22	78
2. Exemption of all pension and social security benefits from income tax?	70	30
VETERANS		
Do you approve of—		
1. Increasing the maximum interest rate on VA-guaranteed home loans to secure more private funds for home construction or purchase?	52	48
2. Increasing disability, hospital, and survivor's benefits for veterans?	46	54

Recommendations on budget cuts were as follows: (1) Foreign aid; (2) number of Federal employees; (3) Federal aid to States, municipalities, school districts, and local public agencies; (4) construction of public works (dams, airports, buildings, interstate roads, etc.); (5) Federal aid to agriculture; (6) Federal aid to small business; (7) national defense.

Address by Hon. Edward Martin, of Pennsylvania, at Independence Day Celebration, Valley Forge, July 4, 1957

EXTENSION OF REMARKS
OF
HON. EDWARD MARTIN
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Monday, July 8, 1957

Mr. MARTIN of Pennsylvania. Mr. President, last Thursday I had the honor of speaking at the historic Washington Memorial Chapel, located in a lovely, natural grove at Valley Forge, Pa. This is one of the most beautiful chapels in the Nation, and has been developed under the excellent leadership of Dr. John R. Hart. Every State in the Union is represented in this project.

The exercises were held under the auspices of the Colonial Daughters of the 17th Century and the Valley Forge Historic Society. The chairman is the dynamic Mrs. William C. Langsten, of York, Pa., and she was assisted by a charming group of patriotic leaders who always place America first.

I ask unanimous consent that my address be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF UNITED STATES SENATOR EDWARD MARTIN, OF PENNSYLVANIA, AT THE INDEPENDENCE DAY CELEBRATION SPONSORED BY THE PENNSYLVANIA CHAPTER, COLONIAL DAUGHTERS OF THE SEVENTEENTH CENTURY, AT VALLEY FORGE, JULY 4, 1957

Madam Chairman and my fellow Americans, it is a great honor to address this fine assembly of patriots who have done so much to keep alive the spirit of America.

There is no place more fitting for the celebration of Independence Day than this serene and beautiful shrine, here at Valley Forge. There is no place in America where real patriotism was better exemplified.

We meet at this hallowed place of suffering and sacrifice to pledge anew our devotion to the ideals of liberty and independence.

In these ceremonies we honor the ragged Continentals who left their bloody footprints in the snow of Valley Forge.

We gain new inspiration from the immortal example of General Washington, kneeling here on the frozen ground, to ask Divine guidance and protection in the struggle for freedom.

Here at Valley Forge Washington's little army, poorly clothed, poorly equipped, poorly housed and with inadequate rations, gave the world its finest example of valiant courage under the most severe hardships.

In that dark and desperate winter of 1777–78 they learned to suffer and to obey as men, soldiers, and patriots, for they believed in their cause. They were fighting for their own ideals of political freedom.

At one time less than 5,000 men were fit for duty. But when spring came, the little army was drilled, trained, and organized into a great fighting force.

Yes, my fellow Americans; the Fourth of July is an anniversary to be celebrated with a great outpouring of patriotic fervor, for on this day we pay tribute to the memory of the courageous statesmen whom we honor and revere as the Founding Fathers of our Republic.

One hundred and eighty-one years ago today, in the City of Philadelphia, they set forth a new concept of human liberty and equal justice. For the first time there was brought into the world a plan of government based on the proposition that all men are created equal—that they are endowed by their Creator with certain inalienable rights—that among these rights are life, liberty, and the pursuit of happiness.

In those undying words they erected a great and enduring landmark of human progress. They created a nation based on the firm foundation that the people are supreme, and that government derives its just powers from the consent of the governed.

In these days, when so many of our people take our precious liberty for granted, it is well to look back to the Fourth of July in 1776 when the Liberty Bell rang out the tidings of independence, proclaiming to all the world that "these United Colonies are, and of right ought to be, free and independent States."

Eight years of terrible war were fought before the Colonies were made free and independent—eight years of crises, defeats, and discouragment—which culminated in glorious victory at Yorktown.

The war was won, but a great test of statesmanship remained before "we, the people" could form "a more perfect union."

That historic goal was reached when representatives of the States, meeting in Independence Hall in 1787, framed the Constitution of the United States. Regardless of the pessimism of many people and the gloomy prophecies of many statesmen of the world that is plan of government could not survive, that Constitution has met the test of time. Today it is the oldest written Constitution in the world.

Under that Constitution we have fought wars in defense of right, honor, and justice. We have overcome the threat of financial disaster.

We have seen the clearing of the forests, the breaking of the sod on the prairies, the development of our natural resources, the building of great transportation systems and the growth of our great cities. We have seen our Nation expand from the Atlantic to the Pacific.

Under our Constitution we have seen the American standard of living rise to the highest level the world have ever known. We have reached cultural and spiritual attainment unequalled in any other part of the world.

In a comparatively short space of time—less than 200 years—we have expanded into the greatest industrial and agricultural nation of all history.

What is the secret of our great progress and our unsurpassed development?

For the answer we must go back to the ideals of the Founding Fathers, who built the structure of American greatness on the solid foundation of freedom of the individual.

Out of their far-sighted vision and wisdom we have:

First, our plan of equal justice, equal opportunity, and equal right to work and succeed.

Second, our plan of free enterprise which gives each individual the right to possess and enjoy the fruit of his labor, resourcefulness and thrift.

Third, our plan of equal obligation to take part in Government. The call for military duty makes no distinction between rich or poor, creed, color or national origin. In the same manner our plan of Government calls for self-reliant citizens, depending upon their own initiative, to work for civic betterment and thus advance the welfare of all the people.

Fourth, our plan of Government was established on the deep religious convictions of our people. The spirit of religion guided the first settlers to the North American Continent. Firm reliance on the protection of divine providence is set forth in the Declaration of Independence. Benjamin Franklin suggested prayer for divine guidance in framing the Constitution. That practice continues today in our legislative halls. God is recognized in the constitutions of 47 States of the Union. In Government we depend upon God.

During all our history we have been confronted with grave dangers. The same is true today. What are some of the dangers we face?

1. Too much government. The Founding Fathers recognized that big government could in time become oppressive. Therefore, they sought to restrict the powers of government to those specifically granted by the people and enumerated in the Constitution. We have become careless of this limitation. As a result government has grown so big and so complex that it has encroached upon the liberties of the people.

2. Too much public and private debt. Excessive debt is one of the greatest dangers because it brings on inflation and robs the people of their savings. It is shocking to realize that public and private debt has reached the staggering total of $803 billion. That is an average of $4,700 for every man, woman and child in the United States. Never before in the history of the world have any people owed as much as we owe today.

3. Too much dependence upon government. It is most unfortunate that in this period of great prosperity 5½ million of our citizens are receiving some form of governmental help. About 8 million are now employed by the three levels of government.

4. Too much evasion of the law. Every student of history knows that great nations have gone down to destruction when the moral fiber of their people was undermined by greed and corruption.

5. Too little interest in government. Unfortunately there are too many misguided Americans who do not understand and do not appreciate the real meaning of America.

6. Failure to appreciate that we are truly a nation under God. A government dedicated to the ideals of individual freedom cannot long endure unless its people are imbued with the spiritual strength and courage that comes from faith in God.

There have been many definitions of the real meaning of America. One that I like best was expressed by one of the greatest Americans of our time, the distinguished former President of the United States, Herbert Hoover. On his 74th birthday, in an address at his birthplace, the little town of West Branch, Iowa, he said, and I quote:

"America means far more than a continent bounded by two oceans. It is more than pride of military power, glory in war, or in victory. It means more than the vast expanse of farms, of great factories or mines, magnificent cities, or millions of automobiles and radios. It is more even than the traditions of the great tide westward from Europe which pioneered the conquest of this continent. It is more than our literature, our music, our poetry. Other nations have these things also."

Then Mr. Hoover continued: "The meaning of our word America flows from one pure source. Within the soul of America is freedom of mind and spirit in man. Here alone

are the open windows through which pours the sunlight of the human spirit. Here alone is human dignity, not a dream, but an accomplishment. Perhaps it is not perfect, but it is more full in in realization here than any other place in the world."

With love of country in our hearts, and with loyalty to ideals for which the heroes of our independence suffered and died, we can defend and preserve the American Republic.

We can go forth from this meeting, strengthened by faith in God, to meet the problems of our day with wisdom, courage, and patriotism.

The Richard E. Byrd Antarctic Commission

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES

Monday, July 8, 1957

Mr. WILEY. Mr. President, on May 31, of this year, it was my pleasure to introduce, with 22 cosponsors, S. 2189, to establish the Richard E. Byrd Antarctic Commission.

We are now awaiting reports from the various executive agencies which have this issue under study.

Time is, however, growing exceedingly short in the 1st session of the 85th Congress.

It is my earnest hope that the agencies will report, therefore, as soon as possible on this bill.

What must be borne in mind is this fact: To establish or just to continue an Antarctic expedition requires literally months and often years of planning.

If we do not establish such a commission this year, then we will have lost precious time not simply in 1957 but in the years up ahead.

It is my earnest hope, therefore, that the Wiley bill for the Byrd Antarctic Commission will be subject to hearing before the end of the 1st session, or no later than the commencement of the 2d session of the 85th Congress.

I invite attention to a significant article which was published in the May 13 CONGRESSIONAL RECORD. Congressman THOR C. TOLLEFSON, of Washington, introduced in the RECORD a Washington Daily News article of March 28 of this year by Jim G. Lucas, with the significant title "Looks Like the Reds Plan Long Antarctic Stay."

The article pointed out that there is strong reason to doubt whether the Russians regard their bases, which have been established for the International Geophysical Year, as only "temporary." The article reflects the concern of our Australian friends concerning the long-range Soviet plans for the Antarctic.

This morning's New York Times carries a dispatch by Mr. Walter Sullivan regarding the plans for seven American tractor parties to cross arcund 7,500 miles of the hinderland of the Antarctica.

While these valiant Americans are piercing the unknown in these freezing regions, surely the very least that we can do is to take action on legislation which will make sure that their work will be fully capitalized upon from a long-range standpoint.

Of course, their scientific findings will contribute to the "pool" of the International Geophysical Year.

But I am thinking now of even more direct benefits to the American people in terms of our own national interests.

These benefits can only be achieved through establishment of the Richard E. Byrd Anarctic Commission.

I am glad that there are many sources in the executive branch which are extremely sympathetic with the need for legislation of this type.

At the same time, I would be less than frank if I did not state candidly that there are some folks downtown who seem to be dragging their feet.

While I know these folks have a high regard for Antarctic exploration, they do not seem to realize that unless we fully coordinate work in this field we can never fully benefit from it.

These folks seem to fear the establishment of this small new agency. They seem to be more concerned with the minor costs that it would involve than they are with the tremendous national results which it would achieve.

I hope, however, that the reports which will come from the various Federal agencies to the Senate Labor Committee, which will soon be studying the Antarctic bill, will be favorable.

And I trust that this committee will report the legislation unanimously to us of the full Senate.

I hope, too, that there will be similar favorable action in the House of Representatives on the legislation.

Such action might well include, on both sides of the Hill, reference to all future Arctic, as well as Antarctic, work.

I ask unanimous consent that the text of the New York Times article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TRACTORS TO TOUR ANTARCTICA'S ICE—SEVEN UNITED STATES EXPEDITIONS TO STUDY 7,500 MILES OF FROZEN HINTERLAND FOR IGY

(By Walter Sullivan)

During the next 18 months, 7 American tractor parties are to cross about 7,500 miles of the little-explored hinterland of Antarctica.

The slow-moving vehicles will make a circuit comparable in distance to one from New York to Dallas to Los Angeles to Seattle and back to New York—without filling stations.

In most cases food and fuel will be delivered en route by aircraft.

This will not be possible on the 500-mile journey to be made from Wilkes Station this year. No planes are stationed there within reach. In an attempt to spot crevassed areas and other obstacles along this route, an intensive study is planned of aerial photos on file in Washington, D. C.

The pictures were taken by planes of United States Navy expeditions that discovered the region in 1947 and 1948.

DATA SOUGHT ON ICE SHEET

The program of tractor journeys was proposed by Albert P. Crary, the chief scientist at Little America. It has been approved by leaders of the United States program for the International Geophysical Year, an 18-month study of the earth that started last Sunday.

The purpose of the tractor trips is to find out more about the ice sheet that weighs heavily on the continent at the bottom of the world.

In addition to the journey from Wilkes Station, a tractor trip is planned for each of the next two seasons from three other American bases: Little America, Byrd Station in Marie Byrd Land, and Ellsworth Station on the Weddell Sea.

The treks will be made in October and November so that the vehicles can be back at their bases in time to help unload the relief ships. The longest will cover a 1,500-mile triangle on the Ross Ice Shelf—a floating extension of the continental ice sheet, roughly the size of France.

An additional project will be a study of the heavily contorted ice surrounding Roosevelt Island 50 miles south of Little America. The chaotic patterns of crevasses make this region almost impassable. It is planned to use helicopters to lift the scientists in a leapfrogging survey of the area.

TO BE STUDIED AS ROCK

Both sea ice and shelf ice will be treated as rock formations in this study. Some believe a better understanding of mountain-building and other phenomena of the earth's crust can be gained through examination of what happens when the flowing shelf ice, 700 feet thick, is twisted, bent, and split as it impinges on Roosevelt Island.

This study will be under James H. Zumberge, of the University of Michigan. Once or twice men flying over the 1,200-foot hump of Roosevelt Island have thought they saw bare land peeping through its icy mantle. An attempt will be made to find this spot and place a survey camp there.

Among the problems that scientists studying the ice shelf will try to resolve is whether the self grows on the bottom or dissolves there when the freshwater ice slips off the land and comes in contact with sea water.

Last season an examination of ice in a crevasse near Little America produced salt and algae, a form of plant that lives in the sea, from layers 20 feet or more above sea level.

This seemed to support the view that the ice had grown from the bottom. The subject is one that has been discussed by scientists since the British expeditions of early in the century.

AIRBORNE SURVEY WEIGHED

Another program under discussion is for an airborne survey of the ice sheet in the vicinity of the South Pole. A party would be landed at 50-mile intervals along a line extending along the meridians of 60° east and 120° west, with 4 stops in each direction from the pole.

At each point explosives would be used to determine the ice-sheet thickness by echo-sounding. Another line of soundings by airborne scientists has been proposed along the route followed by Capt. Robert F. Scott on his trek inland from the Ferrar Glacier in 1903.

The tractor journeys for the Antarctic summer of 1957-58—which coincides with the northern winter—are to be as follows:

1. From Little America to McMurdo Sound, passing south of Roosevelt Island, and then to Liv Glacier (where an aircraft-refueling depot was established by air last season) and back to Little America. A major obstacle on this route is the region of massed crevasses near 81 degrees south latitude, south of Little America. This blocked the tractors of the second Byrd Antarctic expedition in 1934.

2. From Byrd Station to the mountainous region near the coast, to the Sentinel Mountains and back.

3. From Ellsworth Station into Edith Ronne Land.

4. From Wilkes Station to the already established inland camp, then south to a point

192 trail miles from the coast, then to Mount Long, discovered by Navy planes and believed to be about 6,500 feet high, then to a fuel cache on the outbound route and from there back to Wilkes Station on a route skirting the coast.

CAUTION TO BE NEEDED

Because this party will not have aerial reconnaissance it will have to move cautiously near the mountains and coastline. It is to bring a dog team as well as two weasels, which are small tracked vehicles. The dogs can be used to scout suspicious areas. The fuel depot will be established in advance.

Journeys for the season of 1958-59 are planned as follows:

1. From Little America into western Marie Byrd Land.

2. From Byrd Station into the region south of Ellsworth Highland.

3. From Ellsworth Station into Coats Land.

Tractor journeys into other parts of the continent are planned by the Australian, British, French, New Zealand, and Soviet expeditions.

Hells Canyon Legislation

EXTENSION OF REMARKS
OF
HON. E. Y. BERRY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1957

Mr. BERRY. Mr. Speaker, under unanimous consent I insert in the RECORD a letter I have prepared outlining the facts with relation to the history of the Hells Canyon legislation as they have been presented to the Interior and Insular Affairs Committee. The statement is as follows:

The Hells Canyon bill may have been killed by another session of Congress, but Hells Canyon may not be dead. It has proven to be a too valuable political issue to be permitted to die.

In an effort to give you the unbiased facts as they have been presented to our commitee through the years, I shall go back to 1947, 10 years ago, when the Idaho Power Co. made application for a license for the first unit, and subsequently made application for all three dams, to use the falling water in the Snake River as it passes through the Hells Canyon Gorge, for the generation of power.

Their eventual proposal was for the construction of 3 dams: Brownlee Dam, 395 feet in height (half again as high as the Capitol Dome in Washington, D. C.), costing $63,594,000, Oxbow, farther downstream, with a height of 205 feet and costing $23,604,000; and Hells Canyon, with a height of 320 feet, costing $45,800,000. The 3 dams have a total dependable capacity of 767,000 kilowatts.

The first proposal for an alternate high dam to be constructed by the Federal Government came to Congress in 1948 when a bill sponsored by Senator Glen Taylor was introduced in the Senate. It was not voted on then, but in April 1950 it was defeated on the Senate floor.

The proposal has been before Congress each session since that time. In 1952 the Interior and Insular Affairs Committee in the House held hearings for 3½ weeks, including 2 hours each morning and many afternoon sessions. At the end of the hearings, the committee, with a membership of 12 Democrats and 9 Republicans, voted unanimously to indefinitely postpone further action on the measure.

The Federal Power Commission held continuous hearings for more than a year on the Idaho Power Co.'s application, and after making an exhaustive study with a transcript of more than 20,000 printed pages, this bipartisan, five-member Commission, upon the unanimous decision of all members, granted the power company's license in 1955.

Following the order of the Federal Power Commission, granting the license for construction to the Idaho Power Co., the Hells Canyon Association appealed to the circuit court of appeals. The circuit court of appeals in a unanimous decision upheld the order of the Federal Power Commission, granting the license to the Idaho Power Co.

The Hells Canyon Association appealed to the United States Supreme Court, which Court, on April 1, 1957, refused to grant a writ of certiorari by a vote of 8 to 1. The association then filed an application for a rehearing before the Supreme Court which was denied.

Immediately following final Supreme Court determination, on April 18, 1957, the Office of Defense Mobilization issued tax-amortization certificates to the Idaho Power Co. on an application made by the company back in 1953. This would mean that for the first 5 years after the project is finished the company would be entitled to a greater rate of depreciation and could depreciate the whole project in that period, which would lower the company's taxes for those years. Then, starting in the sixth year and thereafter, the company would have greater taxpayments for they would have used up all their depreciation credits beside having to set up a reserve for deferred taxes. Since 1950, when the law was passed, 926 similar tax amortizations have been granted to utility companies furnishing power to Government defense installations. Over 21,000 tax-amortization certificates identical to these have been issued since that time.

Returning to Congressional action, in each session during the past 10 years, bills have been introduced in both Houses of Congress to authorize Federal construction of a high Hells Canyon Dam. As I have previously indicated, in 1952 the bill was unanimously tabled. Following the decision of the circuit court of appeals in 1956, hearings were again held by the House committee, and the bill was reported to the House by a one-vote margin. It was blocked in a Democrat-controlled Rules Committee and failed to reach the House floor. In 1956 the Senate, by a vote of 51 to 41, rejected a similar bill.

Two weeks ago, it was brought to the Senate floor following consideration of the civil-rights motion, and in an apparent exchange of votes in that body, was passed by a vote of 45 to 38. Following their hearings, the House Subcommittee on Irrigation and Reclamation, by a three-vote margin, struck all after the enacting clause, emasculating, if not killing, the bill.

HIGH DAM

The proposed Federal dam would be 722 feet high with a capacity of 3,800,000 acre-feet of water. However, from 1927 to 1947, there were only 4 years during that 20-year period when there was sufficient water to fill a dam of that size. It would cost the taxpayers $525,500,000 to construct. This figure does not include interest on the investment during construction, and it does not include damage payment to the Idaho Power Co. for the flooding of their installations, which amounts to almost $58 million spent at this date, $1½ million more on obligation, and with one of their dams now over half constructed.

In order to have the high Federal dam constructed by 1964 (it requires 6¾ years to build), Congress would be required to appropriate this year $11,700,000. In 1961 an appropriation of $140,500,000 would be required, which is more than the entire appropriation for the Bureau of Reclamation. (The appropriation for Oahe, for instance, is $26 million, and for the entire upper Colorado project this year is $25 million.)

Congress has never appropriated as much as $100 million for any one project in any one year. Only once since 1940 has Congress appropriated over $50 million for a single project in any one session. That was $63.5 million for construction of The Dalles. And only twice in the same period of time has it provided as much as $60 million for area projects, as distinguished from single projects. This was for the Central Valley and Columbia Basin projects.

If the sponsors of the Federal dam are not successful in getting appropriations of $100 million per year and should they receive only $25 million per year, no power would be produced from the project until 1978—more than 20 years hence. The Idaho Power Co. will be producing power in 1958.

However, without any delays and with unlimited appropriations, no power will be available from the Federal dam until 1964 at the very earliest.

THREE DAMS

On the other hand, the power company now has the Brownlee Dam one-half completed, and the Oxbow is well under way. More than 1,250 men are employed on the construction; they have already spent to date $57,285,000. These plants will add more than one-half million kilowatts to the power product of the Pacific Northwest by 1958.

The three-dam plan, which was found to be the best plan of river development by the FPC, an agency of Congress itself, after 44,000 man-hours of engineering studies, 20,000 pages of hearings and more than 5 million words of testimony, would be destroyed by the Federal dam which the FPC said, "that the United States itself should not undertake the development of."

The overall three-dam project licensed by the FPC will: (a) Develop the same total head of 602 feet as the Federal dam; (b) produce approximately the same amount of average energy; (c) have a dependable capacity of 767,000 kilowatts—as compared with only 785,000 kilowatts for the Federal dam; (d) provide, without appropriations from the Federal Treasury, 1 million acre-feet of storage which is all the flood control storage justified at this point on the Snake River, with benefits appraised by the Army engineers at a million dollars annually, and also navigation benefits appraised at $100,000 annually; and (e) during the 50-year period the power company at the present tax scale will pay the following taxes: Federal, $289,505,450; to State of Oregon, $47,788,000; and to State of Idaho, $150,250,550. Because of this tax contribution to government, both State and Federal, the power company will of necessity receive a higher rate from the consumers of that area. The cost of production of the Federal project is 4 mills at the site, whereas the power company can deliver to the grid at from 4½ to 5 mills.

Much has been said about power to develop the phosphate beds located about 300 miles from these dam sites. At present, the Idaho Power Co. delivers power wholesale to the phosphate companies at from 4¼ to 4½ mills per kilowatt, which is about 1 mill less than Missouri River power costs South Dakota's REA's at the busbar.

It was brought out at the hearings that, in addition to the cost of the Federal power at the dam site, if the phosphate companies were required to pay the transportation cost on the public power from the dam site to the beds, the added charge would be 2.18 mills. It might also be of interest to mention that the Central Farmers Cooperative of Chicago has recently signed a contract with the Utah Power & Light Co. for power for their installation, and has just broken ground on their new $7 million plant. They need power in 1958, not in 1968.

With one exception, all farm organizations and canal companies in Idaho are very much opposed to the high Federal dam. They fear that the need for added water storage in such an impoundment will preempt their water use and deprive the 2½ million acres of irrigated farmland above the dam of sufficient water supply. The economy of Snake River Valley in Idaho is entirely dependent upon the use of these waters for irrigation. The farmers are dependent upon it—Idaho is dependent upon it.

The entire area is out of power and if the Federal project was ever to have been built, it should have been started in 1947 or 1948 and not in 1957 or 1958 with an optimistic completion and power production date of 1967 or 1968.

The Washington Star, in a well considered editorial on the subject, closed with this paragraph, "The issue may still be a football in 1958, but the House subcommittee has done its part, at least, to see that power rather than politics will be produced at Hells Canyon."

District of Columbia Banking Bill, H. R. 8572

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. MULTER. Mr. Speaker, my bill, H. R. 8572, which I introduced today, would permit the District to have the same banking facilities as the other 48 States. The District of Columbia is the only jurisdiction in the continental United States in which one banking authority has sole and supreme jurisdiction over the granting of bank charters and the supervision of banks. In every other State of the Union there are two banking authorities, the State banking authority and the national banking authority. Each is a strong and vitally necessary safeguard against arbitrary exercise of authority by the other. This bill establishes a second banking authority for the District and ameliorates the tyrannical situation that now exists.

The sole banking official authorized to permit the organization of new banks in the District is the Comptroller of the Currency. There is no check on his powers except by court review, which is expensive and rarely desirable because of possible retaliation, even if successful in court. The policy of his office is not to grant any application for a new bank charter in the District of Columbia. If he cannot discourage the filing of an application for a charter for a new bank in the District, the Comptroller will disapprove it after it is filed.

The powers of the Comptroller of the Currency—those which have been granted him by law and those which he claims—are far too broad and absolute for the needs and progress of the District.

If the applicants for a bank charter in the District of Columbia feel that the Comptroller of the Currency is arbitrary in disapproving their application for a bank charter, they cannot make an application to any State authority for a State charter as can be done in every one of the 48 States and in each of the Territories. The Comptroller contends there is no appeal from his decision.

The Comptroller denies to applicants any right to a public hearing on their applications. He refuses them any right to know who may be objecting to their applications and the grounds for such objections.

The Comptroller of the Currency has not bothered to publish rules or standards which would inform the public what facts they must prove in order to justify a favorable ruling or decision on their applications. The Comptroller claims that he is not required to set forth in detail, or in any manner whatsoever, the facts on which he bases a decision on an application. In short, the situation, as it now stands, permits the Comptroller to be as arbitrary, discriminatory, and capricious as he wishes. He can dispense charters and other favors to those whom he deems should have them or withhold them as he pleases.

The present Comptroller's testimony before the House Judiciary Subcommittee on Bank Mergers reveals that he had a complete lack of understanding or comprehension of the monopolistic forces that are, and have been for some time, casting a bigger and bigger shadow over our banking system.

His sympathetic consideration of more and bigger mergers and consolidations has been repeatedly made evident.

I urge you to read the testimony of the man who has absolute power over banking institutions in the District. It is set forth in the transcript of the hearings before the Antitrust Subcommittee—Subcommittee No. 5—Committee on the Judiciary, 84th Congress, 1st session, on H. R. 5948, pages 70–78.

Concerning this testimony by the present Comptroller, the Antitrust Subcommittee made the following comment:

> It is doubtful that the Comptroller's office is aware of the purpose of antimerger legislation or of the dangers that mergers pose to the competitive banking structure. This conclusion is indicated by Mr. Gidney's testimony before the subcommittee that he would not say any banks have been eliminated from competition as a result of mergers that have occurred in recent years. In his view, even if a merger takes place between the only two banks in a community, "there is still competition in the community." (P. 36, Interim Report of the Antitrust Subcommitee (Subcommittee No. 5) of the Committee on the Judiciary, House of Representatives, 84th Cong., 1st sess.)

I do not pretend to be the final judge as to the needs of the District for new banks. However, I would like to point out that there were 29 banks remaining in operation in the District of Columbia after the banking crisis of the twenties and thirties had run its course. I assume there was a need for all of these banks and that they were operating soundly, or the Comptroller of the Currency would have closed them.

In 1933, these 29 banks had about $260 million in deposits.

At present, there are about 17 banks remaining, the other 12 having been absorbed by one or more of the remaining banks through merger, consolidation or purchase. Deposits in the intervening years have increased to $1.4 billion, or more than 5 times what they were when there were 29 banks operating in the District.

Yet the Comptroller of the Currency thinks that 17 banks are adequate for the District. He cites the number of branches as if these branch offices furnish bank credit competition. The fact of the matter is that the number of sources of bank credit in the District of Columbia has shrunk from 29 to 17 since 1933, a decline of more than 41 percent and will shrink further as the big banks continue to absorb the smaller ones.

There could be 1,000 branches of these 17 banks, and still there would be no further increase in the sources of bank credit. The branches, practically all of which are operated by the large institutions, only serve to increase the concentration of the power of the big banks' credit in the District. Needless to say, with the number of banks shrinking from 29 to 17 since 1933, no matter how many branches these 17 banks establish, there can be no increase in the sources of bank credit in the District of Columbia—for as the number of independent banking units decreases, the sources of credit decrease.

The sharp decrease in the number of bank units is juxtaposed against the sharp increase in the population of the District, which has just about doubled, being approximately 860,000 at present, according to the Bureau of the Census estimates. Bank clearings and bank debits, the latter a well-recognized indicator of economic activity, soared to unprecedented heights. Recently published figures on bank loans in the District have shown all of the banks to be loaned close to capacity. The profits of District of Columbia banks after taxes increased 9 percent in 1955. The profits of District of Columbia banks after taxes increased 4.3 percent in 1956.

H. R. 8572 would give to the people of the District of Columbia a voice in determining their banking needs. Before a bank can be chartered by the District Commissioners, there must be a hearing on the questions of whether the new bank will serve the public needs to advantage, whether it will have a reasonable chance of successful operation, the fitness of directors, and other pertinent facts.

Under H. R. 8572, before a bank for which a charter has been issued can commence operations, it must become a member of the Federal Reserve System or of the Federal Deposit Insurance Corporation. Regardless of which membership the organizers of the bank should decide to undertake, the agency in question—the Federal Reserve or the Federal Deposit Insurance Corporation—then must investigate and make a determination of the following factors set forth in section 6 of the Federal Deposit Insurance Act of 1950:

First. The convenience and needs of the community to be served by the bank.

Second. The adequacy of its capital structure.

Third. Its future earning prospects.

Fourth. The general character of its management.

Fifth. Whether its corporate powers are consistent with the Federal Deposit Insurance Act.

At this stage of the proceedings, the Comptroller of the Currency will have the opportunity to state his opinion as to whether the new bank should be insured by the Federal Deposit Insurance Corporation since he is a member of the Board of that Corporation. When the new bank makes an application to become a member of the Federal Deposit Insurance Corporation, the Comptroller of the Currency, who is a member of the Board of Directors of the Federal Deposit Insurance Corporation, will have the opportunity of voting against the new bank if he deems its existence to be contrary to the public interest. Thus, in every case of a new bank chartered under H. R. 8572, either of two Federal agencies will have the opportunity to pass on the question of need as well as the District authorities. This procedure for determination by a local agency in the first instance under a local law and a determination under Federal law by a Federal agency is identical to the procedure that is, and has been for many years, in operation in all the States. There is no sound reason why this procedure should not be established in the District of Columbia.

H. R. 8572 would also supplement home-rule legislation since it will give to the people of the District of Columbia a voice in determining their banking needs. For this reason, I hope that those who have been supporting the home-rule legislation will lend their support to this bill. Self-determination of the number of sources of bank credit is vital to the community. Unless there is some action taken to reverse the trend of the past 23 years, the present oligopoly in banking in the District of Columbia will be transformed into monopoly in every sense of the word, and the sources of bank credit in the District, already decreased 41 percent; will be further centralized into fewer hands.

My bill will eliminate the dictatorship in banking supervision and bank chartering that now exists in the District. When a new District bank charter is sought, the question of need will be determined by the District Commissioners and the Federal Reserve Board and the Federal Deposit Insurance Corporation. In the case of the action by the District of Columbia Commissioners, the decision will be made after a public hearing, and the rights of all parties and of the public interest will be safeguarded under the Administrative Procedure Act.

I hope to see early enactment of this measure.

Look Out for the Red Chinese

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. BURDICK. Mr. Speaker, the voices demanding a softer attitude toward Red China grow louder. It is difficult to understand why. Right now the Chinese Reds are fostering narcotics trade all over the world.

The United States narcotics commissioner, Harry J. Anslinger, is quoted in a recent Associated Press statement as saying Communist China is the only country in the world that is not trying to curb illegal use of narcotics.

"Year after year we produce incontrovertible evidence of quanities of narcotics leaving mainland China—we seize it on ships at the dock," said Mr. Anslinger.

Some of the people who would now turn soft on the Reds need to be reminded that the Communist China of today is the same outfit that helped murder our boys in Korea. If Red China has changed since the Korean war, it has not been for the better. Its activities in the drug traffic prove that.

Pay TV Trials Should Await Approval by Congress

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. CELLER. Mr. Speaker, under leave to extend my remarks, I wish to insert in the RECORD a letter which I forwarded to Federal Communications Commission Chairman John C. Doerfer on July 8, 1957, urging that the Commission refrain from conducting proposed field demonstrations of subscription television unless express approval is first obtained from Congress. The text of the letter follows:

JULY 8, 1957.

Hon. JOHN C. DOERFER,
Chairman, Federal Communications Commission, Washington, D. C.

DEAR MR. DOERFER: I have been following with great interest and some concern the progress of the Commission's current proceedings in docket No. 11279, looking to the introduction of subscription television. Although more effective use of television in the service of all the people is a worthy purpose, it is imperative that no expedient be adopted that will impair the traditionally free television system authorized by Congress.

Since the television spectrum is a limited natural resource belonging to all the people, the interest of the public in its exploitation must always be paramount. Now the Commission contemplates diversion of a portion of the spectrum frequencies hitherto devoted to free television to the service of television for a price. If it were reasonably clear that, as its proponents claim, subscription television would supply new financial resources and supplemental programing to support the present system, and that it would not withdraw broadcasting stations and spectrum frequencies from their present service in television (as might be the case if the new service were limited to newly constructed stations and unused channels), the proposed experiments would merit wholehearted support.

Present indications, however, militate against the achievement of these goals and give rise to the danger that improvident experimentation with subscription television may permanently frustrate existing national objectives for a nationwide and competitive free television service.

First, as the recent report of the House Antitrust Subcommittee found, critical television station shortage already contributes to the obstruction of these national objectives. The Commission itself has stressed the time-consuming character of allocations problems. These problems have not to date been solved. Second, restrictive industry practices leading to concentration, also noted by the Antitrust Subcommittee, remain to be corrected. Third, the Commission has not yet received the report of its own network study group with respect to television industry problems.

Introduction of subscription television, even on an experimental basis, before these problems are solved, must not only further delay their solution, but may bring in its train a number of disastrous consequences. Stations to which the television audience is accustomed to turn may be blacked out for those who cannot or do not wish to pay, thereby impairing the utility of viewer-owned receiving equipment; the best existing programs that the public is accustomed to receive without charge may be siphoned off; the trend, noted by the Antitrust Subcommittee, toward the monopolization of outstanding talent may be accelerated; the television audience may be divided along economic lines; and a method of broadcasting will be inaugurated, having such an unparalleled built-in profit potential that it may drive free network television as we know it from the airwaves.

These dangers, of which the Commission is well aware, contain such a grave threat to the public interest in television that no action authorizing even the experimental diversion of television frequencies to the use of subscription television should be taken without the express approval of Congress.

Fundamental questions of law and of public administration combine to dictate this result. In the first place, the communications act does not, of course, expressly authorize pay television. Rather, an underlying purpose of the act is regulation that will make communications systems available, so far as possible, to all the people. The expedient under consideration by the Commission would not only divide the public into economic classes with reference to their eligibility to enjoy the benefits derived from exploitation of a public resource, it would introduce a method of spectrum utilization for which Congress has provided no clue of approval nor any framework of regulation.

The perplexity of the problem as to the Commission's authority under existing law to authorize and regulate subscription television is highlighted in the Commission's Notice of Proposed Rulemaking of February 10, 1955, and in its Notice of Further Proceedings of May 23, 1957. In the earlier document, the Commission propounded the following questions of law:

"A. Whether the Commission has the authority under the Communications Act of 1934, as amended, to authorize and regulate subscription television operations.

"B. Whether subscription television constitutes broadcasting within the meaning of section 3 (o) of the Communications Act of 1934, as amended; and if it is not broadcasting whether subscription television constitutes a common carrier or other type of service, and whether the Commission has authority to permit subscription television to employ channels assigned to television broadcasting.

"C. If, under the Communications Act of 1934, as amended, the Commission does not have the authority to authorize and regulate subscription television, what amendments to

the act would be required in order to permit the Commission to authorize and regulate such a service?

"D. What rules and regulations of the Commission would have to be amended in order to permit the Commission to authorize and regulate subscription television operations?"

In reply the Commission received many briefs and statements of law, but these appear to have left the Commission uncertain as to the answers to a number of important questions. Thus, in addressing the NARTB convention in April 1957, former Chairman McConnaughey stated:

"We have difficulty in knowing just what it (subscription television) is; it's not quite a common carrier, yet it has many attributes of a public utility."

In its Notice of Further Proceedings the Commission declared its inability at this stage of the proceedings to classify subscription television under the Communications Act or to say whether it is broadcasting or something else.

Predictably, subscription television will not take the form of a common-carrier operation. Such classification would be inconsistent with broadcaster responsibility for programing and with the avowed object of producing superior programs.

Existing law provides no basis for regulation of a non-common-carrier public utility. No such enterprise was within the contemplation of Congress when it passed the Communications Act. Classification of subscription television as a public utility other than a common carrier would thus require first-hand Congressional consideration of such policy matters as rate and financing control and program responsibility.

These problems are not solved if subscription television is classified as broadcasting. The question then remains whether the Commission must permit subscription television to compete without limitation with existing broadcasting and, if so, whether this would stack the deck against the survival of the latter. A further question is whether the Commission's existing licensing authority alone is adequate to assure competition and program responsibility on the part of subscription television broadcasters. Past difficulties of the Commission in bringing network practices within the ambit of its regulatory influence, and the extensive litigation required to establish the authority of the Commission's chain broadcasting regulations are well remembered. Subscription television would subject added and more complex relationships to regulation under the Commission's already burdened licensing authority, namely, as the Commission has pointed out, relations between subscription program producers, distributors, community franchise holders, television stations, manufacturers, and distributors of encoding and decoding equipment, and the public.

In light of the complexities and basic departures from established practice inherent in the regulation of subscription television, the Commission's refusal prematurely to classify the proposed technique is prudent. The same cannot be said for the Commission's conclusion, stated in its notice of further proceedings that it does have the statutory authority to authorize the use of television broadcast frequencies for subscription television if it finds that it would be in the public interest to do so. The Commission states that it believes that this authority falls within the powers conferred on the Commission in the Communications Act for licensing the use of radio frequencies.

The statement of this far-reaching conclusion in the face of uncertainty as to the classification of subscription television under the act and without any indication as to why or how the Commission reached it is disturbing because the notice of further proceedings implies that the Commission is considering, or would, under circumstances satisfactory to it, consider embarking upon widespread authorization of the use of subscription television without seeking express Congressional approval.

For the Commission to make its authority to license frequencies the sole basis for authorizing so radical a departure from existing methods of television would be to stretch the licensing authority to its very limits, if not beyond them. Even if ultimately held to be legally sound, the Commission's conclusion would assuredly be subjected to judicial test. Avoidance of protracted litigation is thus an added reason for seeking Congressional sanction of such proposals as the Commission ultimately determines to be in the public interest, rather than embarking on a course that is likely to be fraught with waste and delay. Clarification by Congress in advance will not only assure a more accurate reflection of the desires of the people, but will also go far to avoid costly, time-consuming litigation and possibly corrective legislation.

These considerations apply as fully to experiments like the field demonstrations projected by the Commission as they do to full-scale nationwide authorization of subscription television operations. Such experiments involve the dilemma that if the trial is conducted on too narrow a basis it provides no information of value as to the ultimate effects of the method on trial, whereas if the demonstration is conducted on a basis broad enough to be meaningful, investments are made and interests tend to jell so that it becomes well nigh impossible to reverse the forces that have been set in motion.

Examples of such nonreversibility are readily found in the history of television. In its 1941 report on chain broadcasting, for instance, the Commission stated that it would oppose network ownership of stations if it were deciding the matter ab initio. More graphic and more apt is the experience of the Commission in attempting to remedy its 1952 error in authorizing UHF broadcasting on a basis which permitted intermixture with VHF stations having established receiver-set circulation. Over the past 5 years, the Commission's concern with this problem has not provided an effective solution, and UHF remains on the critical list—with the Nation's hopes for a truly nationwide and competitive television system hanging in the balance.

The Commission has expressed full awareness of the dilemma involved in the proposed demonstrations, but states that it may be possible to avoid the objectionable results of either extreme. It is entirely proper for the Commission to pursue this happy mean, but it is necessary to recognize that experimentation on any meaningful scale will inevitably create interests and unleash pressures which, in comparable situations, the Commission has been unable to control. Such experimentation must therefore be regarded as potential commitment to a course from which there may be no return. The built-in profit potential of subscription television, arising from the fact that any charge for program reception would be many times greater than the present per set per program cost of program production, practically guarantees that an experiment that proves at all successful in terms of public acceptance will mean the withdrawal from free television of the channels and stations employed.

The potential effects of such withdrawal cannot be exaggerated. For example, one of the alternatives proposed in the Commission's Notice of Further Proceedings is that the demonstrations should be conducted in cities having four or more stations or services. On first impression this seems practical, but when it is recalled to what extent existing broadcasting depends upon the larger stations in the larger cities, the potential consequences of this proposal assume alarming significance. In 1955, 14 network-owned stations accounted for over 30 percent of all broadcast income before Federal tax of all television stations. The three network stations in New York City, alone, accounted for 15 percent of that income. The 9 network stations in the 3 cities (New York, Chicago, and Los Angeles) in which CBS, NBC, and ABC then each had a station accounted for 25 percent. Should experimental subscription television be inaugurated in one or more of these cities and prove successful, would not the networks become eager applicants for the privilege of using the new technique? Would the Commission have the capacity, or even a valid rationale, for denying their applications? Could networking as we know it survive the withdrawal of its most profitable stations? Such hypothetical examples could, of course, be multiplied.

In these circumstances, it is clear that the proposed demonstrations of subscription television involve a calculated risk of such magnitude and with such vital implications for the future of television broadcasting that the decision whether or not to embark on them should be made by Congress and not by the Commission.

Sincerely yours,

EMANUEL CELLER,
Chairman.

Huge Disparity Between Number of Needy Americans on Public Welfare and Number of Persons Receiving Surplus Food Under Present Distribution Program—Testimony by Congresswoman Sullivan Before Senate Committee on Agriculture

EXTENSION OF REMARKS
OF
HON. LEONOR K. SULLIVAN
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mrs. SULLIVAN. Mr. Speaker, last month, when the House was considering extension of the Agricultural Trade Development and Assistance Act—Public Law 480—I attempted to amend the bill to provide for the establishment of a food-stamp plan for the orderly and regular distribution of some of this surplus food to our own needy in this country—to all of the more than 6 million on some form of public welfare, and to other deserving groups of needy. The amendment, unfortunately, was defeated on a teller vote, 89 to 123.

Some of those who opposed my amendment claimed it was introduced for the purpose of delaying or killing the Public Law 480 program for gifts and giveaway sales of surplus food abroad. Of course, that was not my purpose at all, but that charge was repeatedly leveled against my amendment and perhaps caused some Members to vote against it in that form.

Other opponents said the proposal should be considered separately, on its own merits, and not as part of Public Law 480 extension. And still others said the present program of distribution to

our needy is adequate and should not be changed or replaced with a food stamp plan such as I proposed.

I should like to urge all those who voted against my amendment on these particular grounds last month to read the statement which I delivered on June 28 before the Senate Committee on Agriculture in connection with hearings which Senator HUMPHREY has been conducting on possible changes or improvements in Public Law 480 in the future.

In this testimony, I went into some of the points of criticism which had been voiced on the House floor, including the claim that my food stamp plan is unnecessary because the present program of distribution of surplus food is adequate and goes far in helping to feed our hungry.

Under unanimous consent, I am inserting my full statement in the RECORD and I really believe the facts it contains will surprise many of the Members—particularly the information which I found on the huge disparity between the number of really needy persons in this country—those on public welfare—as compared with the number now receiving some of the surplus food under the present hit-and-miss distribution system.

The statement referred to is as follows:

TESTIMONY BY CONGRESSWOMAN LEONOR K. SULLIVAN, OF MISSOURI, BEFORE SENATE COMMITTEE ON AGRICULTURE CONSIDERING FUTURE CHANGES IN THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954 (PUBLIC LAW 480), URGING ADDITION OF A FOOD STAMP PLAN FOR DISTRIBUTION OF SURPLUS FOOD TO NEEDY AMERICANS, PARTICULARLY THOSE ON PUBLIC WELFARE, FRIDAY, JUNE 28, 1957

I appreciate very much this opportunity to testify before you as part of your hearings on future changes in the Agricultural Trade Development and Assistance Act of 1954, but frankly, I wish things had gone just a bit differently in the House last week so that you would have to consider my food stamp plan not as some future issue but as an immediate one to be settled in the next days or weeks.

While H. R. 6974 was before us in the House last week, I attempted to amend it to provide for the establishment of a food stamp plan as provided for in my own bill, H. R. 949. Unfortunately, I lost the attempt 89 to 128 on a teller vote under parliamentary circumstances which made it impossible for me to obtain a rollcall vote on the issue. I am sure—I am positive—that if it had gone to a rollcall under the recommit motion I later attempted to make, that it would have been approved and adopted.

ONLY SMALL PERCENTAGE OF NEEDY RECEIVES SURPLUS FOOD

I don't see how anyone could oppose a clear-cut plan for getting some of this surplus to those who need it most—to those on various forms of public assistance. Yet we know that under the present hit-and-miss system of the Department of Agriculture for distributing surpluses to our own needy, that only a small percentage of those who need this food is getting any of it at all.

Let me give you just a few figures which I think will come as a surprise and perhaps a shock to some of you. They came as a surprise and shock to me when I totaled them up from a variety of sources and then looked at the result.

Let's look at this first from the vantage point of the States represented on this committee of the United States Senate. Let's take some sample totals:

In Minnesota, which has 2 Senators on this committee, you have, according to the latest figures I have seen, something like 15,352 needy persons in your State receiving surplus food under the present hit-and-miss program operated by the Department of Agriculture. I don't know how much it costs your State or the localities which participate to store this food, transship it, package it, set up distribution points, investigate the degree of need of those who apply for it, and then get them an occasional pound of butter or sack of flour or some dried beans or powdered milk, or whatever, but I am sure the expense, the redtape, the delays, the mixups, and the aggravation and disillusion are all sizable. I am sure it is a headache in Minnesota, as it is in most States which participate in the present plan.

But, in any event, you do all these things and spend this money and go to all of this trouble to get some surplus commodities to 15,352 Minnesotans in need.

DISPARITY BETWEEN NUMBER HELPED AND NUMBER OF NEEDY

But let's look at some other figures: In Minnesota, there are three times as many people on old-age assistance—not social security old-age and survivors insurance but on old-age assistance—public welfare—3 times more than the 15,352 people getting surplus food. There are about 50,000 on old-age assistance; nearly 30,000 more on aid to dependent children; more than 1,000 receiving aid to the blind; more than 1,500 receiving aid for disability; and an estimated 22,000 on general assistance. In other words, you have a total of 102,876 persons in Minnesota who should—if anyone should—be getting some of this surplus food, because I am sure these 102,000 are not getting enough to eat of good nourishing food—I am sure they are going to bed hungry.

In contrast, only 15,000 Minnesotans got any of this free food, and there is no guaranty that all of these 15,000 are in as much need of it as the 102,000 on public welfare. There is no way I have of knowing how many of the 15,000 are themselves on welfare. They could be getting this food because they are on unemployment compensation, in a distress area or because of drought or disaster or one thing or another not related to long-range, day-in-and-day-out need—desperate need for more food to give them a basic, minimum diet.

In fairness to Senators HUMPHREY and THYE, I did not just single out Minnesota in this respect. South Carolina has 82,367 on various forms of public assistance, but only 200 people in the whole State have been getting surplus food, if Senator JOHNSTON would like to check my figures.

MANY STATES REFLECT HUGE GAP

Or Senator HOLLAND could check Florida's figures—170,175 persons on various forms of public assistance, and not a single one getting any surplus food.

In North Carolina, as Senator SCOTT knows, there are 160,308 persons on various forms of public assistance, but not a single one gets any of this surplus food as now distributed.

In my own and Senator SYMINGTON'S State of Missouri, we have 232,909 persons on public assistance—on relief—and only 10,366 persons in the whole State have gotten surplus food—and they are not, I believe, relief cases as such but drought emergency cases in one section of the State.

In Georgia, Senator TALMADGE will find 176,553 persons on various forms of assistance, but none getting any surplus food. In Senator AIKEN'S Vermont, 14,191 are on relief; but only 3,886 persons get surplus food—and, as I said in connection with other States, in this same situation, there is no way to be sure those who do get the food are necessarily in the relief categories. I do not mean to say that chiselers get it. I mean that, depending upon the basis of the State's own form of participation in the program, the food might go only to a particular county or area where there is drought or flood or emergency or a temporary dislocation, whereas throughout the State there are hungry people in every town, but they do not come in under this present program.

I don't want to bore you with a lot of statistics but I do think it is important to get this point across. Mr. Benson speaks of the millions of needy Americans now getting free food. He counts in all those getting it as inmates of institutions and he counts in the school-lunch program, and for a while over 1 million in Pennsylvania who got this food regularly. It is now down to about 600,000 in that one State. But there is no systematic national distribution of this food which seeks to make sure it goes to those who need it most.

For instance, as Senator WILLIAMS knows, Delaware has 9,498 on public assistance, but no surplus food goes to the needy in Delaware.

PENNSYLVANIA PARTICIPATES ON LARGE SCALE

Some States do better than others on this, I must concede that. I mentioned Pennsylvania. Pennsylvania has been getting this food to 3 and 4 times as many people as it has on relief. Many were in mining areas hard hit by falling production orders. Others were unemployed elsewhere during periods of recession. The whole State got into this and spent, I know, a huge amount of money to get some of this food to the needy. But the expense was such that most States felt the cost was not worth the value of food distributed. That would be true in Missouri.

But in Chairman ELLENDER'S State of Louisiana, 177,654 have been getting surplus food, which is almost as high a number as the total of those on various forms of assistance; in Senator EASTLAND'S State of Mississippi, which had 139,606 persons listed on the relief rolls, more than a quarter of a million persons are getting free food—257,869, in fact; in Senator HICKENLOOPER'S State of Iowa, with a total of about 73,000 persons on relief, a total of 83,730 gets free food at last count; in Senator MUNDT'S State of South Dakota, a similar situation—24,162 on relief, 31,912 getting free food. So comparatively they do much better in feeding the hungry, but I know the cost to their States is very high. I think that covers all the States represented on this committee.

There are several other States which distribute this food on a rather large scale—Alabama, Arkansas, Kentucky, Oklahoma, New Mexico, Puerto Rico—all of these give out food to more persons than the total on relief. I guess or assume that most of those on relief get some of it, since the distribution apparently is on a statewide basis in those States.

NO FOOD DISTRIBUTION IN 10 STATES

But Arizona, Delaware, Florida, Georgia, Hawaii, Idaho, Montana, Oregon, North Carolina, the Virgin Islands, the State of Washington, and up to now, the District of Columbia, all with rather large lists of relief cases, have not distributed any food; and other States with large relief caseloads have given out very little of it. For instance, Connecticut with 46,000 on relief gave out free food to 612 persons; California, with more than half a million persons on public assistance, got free food to 33,500 persons.

It is therefore a haphazard, crazy-quilt pattern of food distribution, yet we know we have all of these hungry people. I mean hungry; I don't mean going without sirloin steak and fresh oranges; I mean hungry. Just try to feed even 1 person, and pay rent, and keep body and soul together on $55 a

month. The cost of living has reached its ninth straight peak and food costs are up, and we have misery and poverty and hunger, and mountains of spoiling food. Why can't we get this food to those we know need it most?

I have thrown a lot of figures and statistics at you. Let me give you just one more: Nationally, we have about 3½ million people getting bits of this food, dribbles of it, an occasional package of flour or dried beans or whatever. But we have more than 6 million on relief; and millions more living on the thin edge of malnutrition. And the 3½ million are not necessarily all in the larger group.

REMOVING HIT-AND-MISS STANDARDS

Now is it possible that we can be complacent about such a situation, when the Commodity Credit Corporation groans with the burden of storing these vast hordes of food surpluses, and the farmer groans for lack of markets and loses his shirt because food sales do not expand to meet population expansion?

Perhaps I should not be emotional about this. But I just cannot help being heartsick over the contrast as between the food we have and can grow and the hunger we have in our midst.

But let's look at the practical aspects of this issue. I am asking that you consider favorably in your overall revision of Public Law 480 my plan, as proposed in H. R. 949 for a food stamp plan.

If you will look at H. R. 949, you will see that the eligibility requirements would remove the present hit-and-miss standards and replace them with clear-cut, direct, simple standards. Every person on any form of public assistance would automatically be eligible.

In addition, those who are considered by local welfare authorities to be in need of welfare assistance, but ineligible because of residence requirements or other State or local law—for instance, in Missouri, no matter how desperate your situation might be, you are not eligible for public assistance if you are employable—and that is no consolation in a recession or a factory shutdown or other situation where you just can't find work—but under my bill proven need cases would be included and would receive stamps.

HOW FOOD STAMPS WOULD BE ISSUED

The food stamps would be issued by the Secretary of Agriculture to the persons certified by the local authorities—the stamps could go out in the same envelope with the relief check. The stamps would be issued for specified varieties and quantities of surplus foods—one stamp for a pound of butter, a different stamp for cheese, or whatever was on the list. The Secretary of Agriculture would decide each month what was available for distribution and would issue the appropriate stamps.

What then? My bill permits the widest kind of flexibility on how the program shall actually operate. The Secretary can distribute through central depots, or through regular stores. He could redeem the stamps directly for a fee or through a store's supplier, replacing items from regular stocks if he so chooses. He could determine that for every pound of butter a store distributed to food stamp recipients, the store could get from its wholesaler or supplier a pound and a half or a pound and a third of butter—that is for the Secretary to work out. He can even set it up so that the stamps are redeemable through the Federal Reserve banks. I will do my best to get him whatever legislative authority he might need through the Banking and Currency Committee if he wants to do it that way.

WIDE DISCRETION PERMITTED SECRETARY

What I am trying to say to you is this: the actual mechanics of the plan cannot be written in a law. It must be worked out by the experts. It can be done and it should be done. It must be done. I don't want to see them tied up in knots by details written into the law.

That is why my bill says he shall put into operation a plan for distributing this food to the needy through a food stamp plan in which all those who are on public assistance can participate. I spell out a definition of needy people.

Then, from there, it is up to the Secretary of Agriculture, with help and advice from the Secretary of Labor and the Secretary of Health, Education, and Welfare, to work out details. He is to confer with the other Cabinet members I named not only on standards under the program, but on the problem of determining whether this should be expanded to cover additional groups—such as those on unemployment compensation, those on old age and survivor's insurance, those on other types of pensions, and so on.

INCLUDING ADDITIONAL GROUPS

But such people are not automatically needy people just by reason of low current income. That is my point in dividing these groups. Those on relief—on public welfare—are provably needy. They need more food to keep body and soul together. They are nearly all hungry people. They should come first in this program. After that—after we make sure we have a workable plan for getting extra food—and I emphasize that this is to be extra food and not in place of any present relief grants—but after we make sure all those on relief are getting some extra food out of this program, through a workable plan, then we can decide whether to expand it to other groups.

You will note that the Department of Agriculture itself acknowledges that there are perhaps 25 million people in this country who do not now receive an adequate diet because of low income, and that to put into operation a full-scale supplementary food stamp plan to get enough nutritious food to all of them in a way which would also have the effect of reducing or eliminating future surpluses would cost perhaps $2½ billion a year. Perhaps we can one day do that. Perhaps we should.

MAKING A PRACTICAL BEGINNING

But let's make a start—a dent—in this enormous need by taking a practical first step. The Department says a plan such as mine might cost as much as half a billion a year, perhaps $600 million. I doubt that. That figure is a guess, based on the assumption that we ought to provide an additional $100 worth of food per year per person for those at the lowest income level—in other words, this is what they say it would cost to provide that additional $100 per person in foodstuffs to the approximate 6 million persons on public welfare to assure them an adequate diet—that is, a minimum diet.

But I would like to point out that this is food we already own or food the Government will be purchasing in any event. So it is by no means a case of $600 million a year in new expenditures caused by this program. I think the total value of all of the food given out by the Department of Agriculture last year to needy persons in this country was only around $91 million, and yet this involved gifts of food to about 3½ million people.

Let me point out to you furthermore that we have donated three times as much of this food to needy persons abroad as to needy persons in this country. And in addition to the food we have donated abroad, to needy persons, through the charitable organizations and directly as an outright gift, we have also sold to foreign governments in return for their own currencies about $3 billion worth of food and frequently have paid the ocean transport costs. In return, we accepted foreign currencies to be spent in those countries, and the majority of it is to be spent and is being spent for economic development in those countries.

VAST SUMS SPENT IN OVERSEAS FOOD GIFTS

I think in the last 10 months or so, we have spent about $1 billion in disposing of this food overseas. I do not oppose the foreign giveaway sales and gifts, but I think we can afford to use some of this food to feed our own hungry as well. I think it is a fine thing—a fine and decent and noble thing—to get this food to needy children and needy families in other lands and we have a right to be proud of our charitable actions and also of the good we do at the same time in fighting communism by giving the poor of other lands a better share of life.

But how can we sit by and wring our hands over the supposedly or allegedly impossible financial burden of feeding our own hungry? Yet that is exactly what Mr. Benson has been doing in his opposition to this plan—saying we can't afford it.

I submit instead that we cannot afford to have hungry Americans when the food is coming out of our ears—causing a storage headache and a depressing effect upon agriculture.

Truly Alice in Wonderland would find this situation no less mystifying than those she discovered in the classic story by Lewis Carroll. Our Government seems to be saying we can't afford to feed our hungry because we have too much food.

The Second O'Mahoney Amendment

EXTENSION OF REMARKS
OF
HON. JOHN W. McCORMACK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1957

Mr. McCORMACK. Mr. Speaker, under leave to revise and extend my remarks I wish to commend the sponsors of the second O'Mahoney amendment—section 633 of the Department of Defense Appropriation Act of 1958. This amendment was adopted unanimously by the Senate after 2 days' debate during which Senators O'MAHONEY, DOUGLAS, CARROLL, and LAUSCHE, and others, discussed the numerous examples of waste, overlapping, duplication, and inefficiency in procurement and other supply and service activities in the Department of Defense.

This is not a new subject to the Congress nor to the American people. On May 2, 1957, I spoke at some length upon the need for improvement in supply management in the Department of Defense, citing the huge personal property inventory of $111 billion with $51 billion in the supply systems. I also mentioned the overlapping and duplication in the stock fund corporations which have capitalization of some $12 billion. I also mentioned the fact that a step has been made toward supply management improvement through the establishment of the single manager, cross-servicing systems whereby some 45,000 items out of 3,295,000 have been included in the systems for clothing and textiles, medical supplies, petroleum products, and subsistence.

PROVISIONS OF THE SECOND O'MAHONEY AMENDMENT

The first O'Mahoney amendment—section 638 of the Department of Defense Appropriation Act of 1953—provided:

(a) Notwithstanding any other provision of law and for the purpose of achieving an efficient, economical and practical operation of an integrated supply system designed to meet the needs of the military departments without duplicating or overlapping of either operations or functions, no officer or agency in or under the Department of Defense, after the effective date of this section, shall obligate any funds for procurement, production, warehousing, distribution of supplies or equipment or related supply management functions, except in accordance with regulations issued by the Secretary of Defense.

(b) This section shall be effective 60 days after the approval of this act.

This provision gave great latitude to the Secretary of Defense to bring about economy, efficiency, and effectiveness in the supply systems of the military agencies. While a good start was made in the fall of 1952, there was a change of policy with the advent of Secretary Wilson's administration, and the services began a program of integrated supply within each service and abandoned the principles set forth in the O'Mahoney amendment of 1952, which was to develop an integrated supply system for the Department of Defense.

The second O'Mahoney amendment reads:

SEC. 633. Section 638 of the Department of Defense Appropriation Act, 1953, is amended to read as follows:

"SEC. 638. (a) Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services, activities, and operations through the elimination of overlapping, duplication, and waste within and among the agencies of the Department of Defense.

"(b) The Secretary of Defense, in order to provide for the effective accomplishment of this section, is hereby authorized from time to time to transfer, combine, and coordinate noncombatant services, activities, and operations within the Department of Defense.

"(c) The Secretary of Defense is further authorized to transfer such property, records, and personnel, and such unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the military departments as he deems necessary to carry out the provisions of this section."

The new amendment requires that the Secretary of Defense shall eliminate overlapping, duplication, and waste not only in the supply systems within and among the departments, but also with respect to other noncombatant services, such as, for example, transportation service, commissary service, PS service, accounting service, engineering services, and so forth. The scope of the second O'Mahoney amendment is, therefore, much broader than the first and, in addition, is a directive to the Secretary of Defense.

While subsection (a) of the new O'Mahoney amendment makes it mandatory that the Secretary of Defense achieve economy, efficiency, and effectiveness through the elimination of overlapping, duplication and waste, the subsections (b) and (c) authorize him to implement the basic intent of subsection (a) by transferring, combining and coordinating noncombatant services, activities, and operations and such property, records, personnel, funds, and so forth, as are necessary to achieve the intent.

With respect to combatant functions, Secretary Lovett wrote to President Truman on November 18, 1952:

Another problem which will be referred to in more detail under the notes dealing with the Munitions Board, arises out of possible confusion in the act which provides that the three military departments shall be "separately administered," while at the same time providing that the Secretary of Defense shall be head of the Department of Defense which shall have within it the three military departments over which the Secretary of Defense shall have "direction, authority, and control." No great difficulties have been encountered because of this straddle, except in the field of supply, warehousing, and issue, where certain ardent separatists occasionally pop up with the suggestion that the Secretary of Defense play in his own back yard and not trespass on their separately administered preserves. I feel that the Secretary of Defense clearly has authority to step in where necessary in these fields, provided he does not transfer, reassign, abolish, or consolidate any of the "combatant functions assigned to the military services" by the act.

However, to avoid a waste of time in arguments, it would be well, I think, to have this clarified definitively and I believe that it could be simply done by following the procedure already favorably acted upon in the case of other executive agencies through adoption of the recommendation of the "Committee on Organization" looking toward correcting the present diffusion of authority and diffusion of responsibility in certain executive departments. Under reorganization plans previously submitted to the Congress by the President, all functions of all other offices of a department and all functions of all agencies and employees of a department are transferred to the Secretary of the Department with exceptions, if necessary. The application of this approved procedure to the three military departments or the Department of Defense could neatly cure such questions and I believe it should be considered.

It was the intent of Secretary Lovett and others that Reorganization Plan No. 6 of 1953 would clarify the Secretary's authority with respect to these matters. President Eisenhower's letter of April 30, 1953—House Document 136, 83d Congress, 1st session—states in part:

The first objective, toward which immediate actions already are being directed, is clarification of lines of authority within the Department of Defense so as to strengthen civilian responsibility.

I am convinced that the fundamental structure of our Department of Defense and its various component agencies as provided by the National Security Act, as amended, is sound. None of the changes I am proposing affects that basic structure, and this first objective can and will be attained without any legislative change.

With my full support, the Secretary of Defense must exercise over the Department of Defense the direction, authority, and control which are vested in him by the National Security Act. He should do so through the basic channels of responsibility and authority prescribed in that act—through the three civilian Secretaries of the Army, the Navy, and the Air Force, who are responsible to him for all aspects of the respective military departments (except for the legal responsibility of the Joint Chiefs of Staff to advise the President in military matters). No function in any part of the Department of Defense, or in any of its component agencies, should be performed independent of the direction, authority, and control of the Secretary of Defense. The Secretary is the accountable civilian head of the Department of Defense, and, under the law, my principal assistant in all matters relating to the Department. I want all to know that he has my full backing in that role.

I have noted that the Senate, in passing the amendment, omitted a section which would have required the President himself to have submitted to the Congress within 180 days a plan for the establishment of an efficient common supply service under a civilian managed agency for the Department of Defense.

To my mind the omission of a special section dealing exclusively with a presidential plan for supply does not weaken the general import of the bill. The President is still in a position to exercise his great influence in bringing about the necessary improvement in all of the supply and service activities under the amendment as passed by the Senate. He is the head of the executive branch and Commander in Chief of the Armed Forces and as Chairman GEORGE H. MAHON, of the Military Appropriation Subcommittee, stated on May 24, 1957:

We cannot get a dollar in value for a dollar spent with rivalry running riot.

The new weapons we are now perfecting and the weapons that are likely to be developed over the next decade will be fabulously expensive.

The country cannot afford to provide these new weapons and also support an outmoded military structure which promotes unwholesome interservice rivalry and duplication.

I may be oversimplifying the picture but it should be clear to all that the stakes are high and that the desperate struggle for power and position among the services is quite understandable, and real, and quite expensive and wasteful, I may add.

The vested interests of military personnel as reflected in our present departmental and military organization concepts must be set aside in the broader interests of all. But we must make it possible for our men in uniform to set aside their vested interests and be somewhat secure in their careers.

A part of the answer is a greater degree of unification instead of tension and disunity, something approaching a merger. People who do not think these tensions exist have not looked for months as some of us have into the faces of our military leaders who have earnestly pleaded for appropriations and discussed problems of defense.

President Eisenhower, for whom I have the profoundest respect, is the one man in our Nation who, by reason of position, prestige, experience, and ability, can step into this picture and bring order and effectiveness and a saving of tax dollars out of a situation which promises something approaching colossal waste and havoc generally.

I do believe that it is essential, however, that the President and the Secretary reach a common understanding with respect to this matter. On Wednesday, July 3, 1957, at the President's press conference he was asked the question: "Mr. President, would you care to give us your views on the proposal of Senator O'MAHONEY for a single agency for the

three services?" The President responded as follows:

Well, you are asking a question that, of course—on which there has been volumes, literally many volumes, written. I have always believed this, that there should be a very strong central official of the—in the Defense Department who could prevent duplication of effort, competition which drives up prices in the products of single factories or industries, and, in general, a very definite power within the Defense Secretary himself or his immediate subordinates to keep all procurement, distribution and supply, on a very efficient, economical basis. And, as long as we don't have that power in the Secretary of Defense, you are bound to have these duplications and these competitions that do run up prices to the public.

It is noted, however, in the Senate hearings on H. R. 7665 that Secretary of Defense Wilson is not in agreement with the President with respect to the need for unification nor does he believe as the President stated that the Secretary of Defense needs additional authority. For example, at page 16, Senate hearings on H. R. 7665, we have this discussion between Senator SALTONSTALL and Secretary Wilson:

Senator SALTONSTALL. You have all the authority then that you feel you should have or need as Secretary of the Defense Department?

Secretary WILSON. That is right, and in addition I understand our type of government. The President cannot do things without checking them with the Senate and the House and we all have to get into it together and know what is going on and be in reasonable agreement on it.

It is found that Secretary of the Army Brucker, who was previously General Counsel for Secretary Wilson, takes the same view as the discussion on page 128 of the Senate hearings bring forth.

It is also of concern to me that Secretary Wilson advised the Senate committee that he has not discussed the problem of unification with the President.

See the following excerpts from pages 56 and 57 of Senate hearings on H. R. 7665:

SAFEGUARDING NATIONAL SECURITY

Senator SYMINGTON. A statement was made some time back that—

"The national security is safeguarded only if the Security Establishment is trained and administered under a single direction by a single department."

Do you agree with that statement?

Secretary WILSON. Who made it?

Senator SYMINGTON. It was made in 1945 by the then General Eisenhower. Inasmuch as your opinion apparently has been changed at least somewhat on the Cordiner Committee report by him you properly call your "boss," I am wondering if you feel what you said this morning is in accordance with the way he felt at that time in 1945.

Secretary WILSON. I don't know what he thinks about it today. I have not talked to him about it. I know that there was a great deal of argument in the Congress when the Defense Department was set up. What I said this morning is my own personal analysis of it and belief. I see where nothing would be gained by giving the Chairman of the Joint Chiefs of Staff and the Secretary of Defense more power and authority and put it all in one great big organization. The pieces are already too big, in my opinion. And all the big businesses in my country have been struggling to decentralize and get away from the very thing that you are talking about.

COMPARISON WITH GENERAL MOTORS

Senator SYMINGTON. You consistenly bring up the fact that, in effect, the Pentagon Building operation is comparable to the operation of General Motors. I know something about the organization of General Motors. I worked for it in supplying goods for many years. General Motors was and is a holding company that operates primarily for profit. A great many people get a bonus above their salary. This goes pretty far down the line, in each of the operating companies working under and for the holding company.

Based on my years in the Pentagon Building, the difference between that operation and the operation of the Pentagon was the difference between night and day. The people in the Defense Department do not have any profit motive. They operate on the basis of authority. Problems came up which, to my knowledge, were totally foreign to the operation of a business for profit.

UNIFICATION QUESTION

I was interested in your definite position on further unification or, rather, against further unification, because this committee, and the Congress are trying to give you the amount of money you think necessary to run the establishment, and at the same time not tax ourselves out of the free-enterprise system.

I will not read all the nine points that were made by General Eisenhower at that time.

Incidentally, the recent article appearing in the paper questioning the President only last week would seem to show that President Eisenhower feels the same way today that he did then.

I am sort of surprised that you never talked to him about it. Mr. Reston, of the Times, says in an article dated May 15:

"The President recalled this morning that he returned from World War II convinced that the day of the separate service was gone. He added that he encountered very fierce opposition then, that the law establishing the Defense Department did not meet with his desire. He wanted at that time a Chief of Staff for the President. He emphasized over and over again the main thing that was needed was the power of decision to settle inevitable differences among the services."

Then his last point that he made in his testimony before the Congress was this:

"Finally, there is no such thing as a separate land, sea, or air war. Therefore, we must recognize this fact by establishing a single Department of the Armed Forces to govern us all."

If there is a difference of opinion between the President and the Secretary of Defense with respect to the need for more unification in noncombatant areas or with respect to the authority of the Secretary of Defense to bring about needed unification in certain services in order to accomplish economy, efficiency, and effectiveness, the adoption of the second O'Mahoney amendment, which I fully endorse, should eliminate any doubt and confusion.

I have reviewed General Eisenhower's statements on the need for more unification in supply and service activities in 1945, 1946, 1947, 1949, while a candidate in 1952, and since he has been President. I cannot help but believe that his true position is that which he stated to the Woodrum committee on June 2, 1945, "efficiency must be obtained with maximum economy. This means expensive duplication must be ruthlessly eliminated."

GENERAL MARSHALL'S STATEMENT IN 1949

Mr. Speaker, I believe that General Marshall's prophetic statement before the House Armed Services Committee in 1949 requires some sober consideration on the need for further unification today. General Marshall stated that the day would come when the struggle for appropriations between the services would be very difficult to manage. He stated that "unity is absolutely mandatory, in my opinion, and it involves, of necessity, an approach to the subdivision of funds."

General Marshall realized that a continued heavy tax burden would eventually threaten our defense if unity were not secured and overlapping, duplication, and waste were not eliminated. General Marshall also stated in 1949, 8 years ago, "That, in a sense, is the view that I have always taken and which I hoped would have been smoothly worked out long ere this time."

General Marshall was, of course, correct in his statement that defense would be jeopardized by wasteful expenditures, and, as I pointed out in a letter to Secretary of Defense Wilson on October 24, 1955, large, excessive, and wasteful expenditures deprive our citizens of many other important services necessary for the general welfare such as schools, hospitals, roads, conservation of resources, and so forth, and also prevent tax cuts and reductions in the huge national debt.

Mr. Speaker, I commend Senators O'MAHONEY, DOUGLAS, and CARROLL for the amendment which passed the Senate on July 2, 1957. I sincerely hope that it will be given approval by the House and that the President and the Secretary of Defense and all his subordinates will enter into the spirit of the amendment and make it fully effective so that we shall not need to bring the matter up again next year and the next.

Inflation and Monetary Policy

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1957

Mr. DINGELL. Mr. Speaker, financial difficulties have been brought to this Government by its own monetary policies twice during the last 4 years. In the most recent period, the Secretary of the Treasury has announced his resignation. Shortly thereafter he proudly presented to the Finance Committee of the Senate a report on the development of inflation and monetary policy during the last 4 years. The report does not hesitate to notice that the country is experiencing inflation. At the same time it stresses the comparatively slight increase in money supply, and the favorable balance between receipts and expenditures of the Federal Government in the last fiscal year and in the fiscal year now coming to a close. We are experiencing

inflation without an increase in the money supply, during the second of an anticipated 3 years of Federal budgetary surplus. But the monetary policy of the Treasury and the Federal Reserve Board is directed only at curbing the growth of the money supply and bringing a balanced Federal budget. The experience is that the policy does not stop inflation, nor bring success to efforts at financing the Government. However, that has not led the Secretary to declare misgivings about his policy.

In his report, the Secretary claims credit for a long-term increase in personal savings. Increased savings are described as a way to curb inflation. Yet inflation continues. Either the size or the significance of the increase has been magnified unduly. The Treasury apparently is unable to reach savings through bond issues at high rate of interest. Savings bonds sold and held have increased in total amount in the last 4 years, but not by as large an amount as during the previous 4 years. In May, an offering of notes and certificates in exchange for maturing securities resulted in 28 percent of the holders of the maturing securities preferring cash to new securities yielding 3½ and 3⅝ percent. The nominal guide in offering Treasury securities is the market rate of interest; but investors seem to be guided by other considerations. Under this administration the total debt has increased. Expenditures proposed by the administration are at new record levels for peacetime. Tax and expenditure policies have kept the Government dependent on borrowing, and its monetary policy has made borrowing more expensive and less successful.

In his report, the Secretary quotes with pride the estimate that $25 billion of spending power has been added by the 1954 tax reductions, and does not regard that is inflationary. However, it is said to be inflationary to make smaller additions to spending power through more housing loans at low rates, through more credit for new and small business, and through less costly credit for the school buildings, the highways, hospitals, and the other community improvements which are basic to the expansion of the Nation's economic productivity and to its advance in civilization.

The Secretary notices that increased costs of borrowing have added to the burdens of municipalities, individuals, and businesses, and says that (1) higher prices would have been more costly to them; (2) higher prices actually were more costly than higher interest rates; and (3) lots of people are investors and they are better off because of higher interest return. It is to be added that other investors who have sold bonds or other interest bearing investments have taken losses which offset the gain in interest income.

The policy of offering Federal securities at market rates of interest or higher; or adding to bank reserves and lending power only for brief, minor emergency periods; and of charging higher rates at the Federal Reserve banks for temporary borrowing of reserves, has not prevented increases in commodity prices. If higher interest rates had succeeded in stabilizing prices and costs, they might have proved economical. But they have not brought economy for the home buyer who must pay constantly higher prices for housing and then add 10 or 12 percent to the final total cost of his house because the interest rate on his mortgage has increased 1 percent. It has not brought economy to the local taxpayer who must pay for a higher priced school and also pay 10 or 12 percent more to meet a higher interest rate. It has not brought economy to the Federal taxpayer who has had to pay 30 percent higher prices for military goods, and then an additional billion dollars per year for interest on the debt. If present Federal interest rates of 3¼ to 3⅝ percent continue until all outstanding securities are replaced, the monetary policy of the administration will have added $3 or $4 billion per year to the Federal tax bill. And that cost will have to be borne over the many years, until the debt can be retired or converted into lower rate securities under another administration. The monetary policy has not brought savings. Higher prices and higher interest costs are not alternatives to each other. They accompany and reinforce each other.

The Secretary of the Treasury included in his report some computations to show that interest was not a large part of the cost of things produced and sold. Despite its small size, changes in that cost are the heart of the inflation-control policy of the administration and its Federal Reserve Board. Higher costs of borrowing have not prevented the growth of borrowing, business and municipalities and individuals being more in debt now than at any time in the past. Higher interest rates have changed the form and pattern of borrowing. It could be concluded from this change that the interest-rate policy restrains inflation, but I conclude that the policy has been harmful to production and strengthens the forces of inflation. The monetary policy has kept away from the banks the untried and currently weak competitors in business and municipalities and consumers. Potential borrowers are refused accommodation by banks and other lenders, or are offered loans at rates above those charged to established borrowers, with cost differentials that weaken their competition. The established and strong firms can get sufficient credit at preferential rates and have enough savings from profits to be able to pay or to bid higher prices for their supplies. The present monetary policy only makes it unnecessary for them to use the full extent of their power. The present monetary policy weeds out the financially weaker firms, rather than making the weeding out a result of competition for the consumers' patronage. Having failed to build competition through other means, the administration tries to avoid the full extent of the price increases which could result from that situation by making money unavailable to new competitors. The higher interest cost, therefore, brings a loss of business opportunity, higher prices, and lack of technical progress.

Higher interest costs stand in the way of technical progress. They lead to postponement of school construction because of local inability to meet the costs. Lack of school facilities impedes education, and this loss cannot be made up. Education is a continuous process, not amenable to crash programs such as for national defense. If more school buildings are going up than in earlier years, as Secretary Humphrey says is happening, that is no cause for complacency. The only proper standard is whether there are enough, not merely whether there are more than at some past time when the number being built was inadequate. Education is fundamental to technical advance. So also are other community facilities. Without them, communities cannot attract nor provide healthful living conditions for the employees of factories and mines and shops. And technical advance requires not merely research and knowledge, but also the application of knowledge through physical plant and equipment. Plant and equipment expenditures of corporations are at very high levels, but apparently corporations, like municipalities, have done some postponing, because investment has run below expectations. And most of the expansion has been planned only by the largest corporations.

The tight money policy has failed to curb inflation and in fact has contributed to it, for several reasons. First of all, it does not prevent an increase in bank loans to all businesses; it only leads the banks to dispose of Government bonds and lend the proceeds to business, and to big established firms, but not to small, new, or weaker firms. The movement of corporation funds into short-term Government securities—increasing by $4 billion or $5 billion in only a few years; and the funds tied up in credit to customers, have kept down corporate deposits in banks. The result is a limited growth in funds for lending, yet the total available has grown, and the total of loans has grown. The money supply as conventionally measured, currency plus bank deposits, has not increased, but the money available for spending has increased through bank lending. Trade credit has increased. Manufacturing corporations alone have extended about $3 billion additional trade credit to smaller corporations and individual businesses during the recent tight-money period. Monetary policy does not prevent an increase in credit; it changes the source of credit so that power becomes more concentrated in the large corporations. The financing of business activity becomes more subject to the will, and the liquidity, of large firms; and the banking system becomes relatively less important. If a widespread contraction of credit begins, the banks will not be in an immediate position to add the flexibility which will be needed.

The development of greater economic power where it already has been concentrated adds to inflation. Prices have not been going up throughout the economy; in textiles, farm products, and elsewhere, there have been declining prices. The push toward higher prices comes from those industries where strong unions bargain with strongly organized employing corporations. Higher wages lead at once to higher prices and profits; and a

tight money policy that intensifies concentration and the ability to raise prices makes further inflation inevitable.

The administration junked all the direct controls which are effective against inflation, and the Federal Reserve has not developed qualitative controls that would restrain credit extension where danger of inflation actually is to be found. We are left with an ineffective anti-inflation policy that leads to industrial weakness and to difficulties for programs at all levels of Government.

Address of Secretary of the Interior Fred A. Seaton, at Chautauqua Institution, Chautauqua, N. Y., July 8, 1957

EXTENSION OF REMARKS
OF
HON. DANIEL A. REED
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, July 8, 1957

Mr. REED. Mr. Speaker, under leave to extend heretofore granted to extend my remarks, and include extraneous matter, it affords me great pleasure to insert in the RECORD an address of the Secretary of the Interior, Hon. Fred A. Seaton, delivered before the 84th Annual Assembly of the Chautauqua Institution at Chautauqua, N. Y., on July 8, 1957.

This remarkable address should be read by every American because it bears out the injunction that where there is no vision the people perish. The importance of conservation to the future of this country is so great and so pressing that statesmanship requires a long look into the future.

Such a program as Secretary Seaton presents requires that all unnecessary expenditures of government should be reduced to the end that necessary expenditures such as he suggests may be met without creating an unbearable burden of taxation.

I am very proud to have had this fine address delivered by Secretary Seaton in my congressional district.

The address follows:

"There can be no greater issue than that of conservation in this country."

That was Theodore Roosevelt speaking in 1912.

At the outset let me make this emphatically clear: Conservation is still an issue of the first magnitude. It affects our lives, the lives of our children and grandchildren, the fate of freemen everywhere. It's a vital and a huge undertaking—so vital and so huge that it is the proper concern of all our people—and I do mean all.

It requires, of necessity, enormous Federal expenditures, totaling hundreds of millions of dollars every year.

It requires, of necessity, a galaxy of State and local works, public and private.

And it requires, of necessity, the widest possible public knowledge and understanding and support.

I am therefore delighted to join with you here. I applaud what Chautauqua is doing to widen public interest in, and support for, the wise management and use of our natural resources. This series is another magnificent accomplishment in a long line which, going back for more than 80 years, has brought Chautauqua its justly deserved fame.

Our responsibility in 1957 is unmistakable:

As was in the case with Alice in Through the Looking-Glass, we have to keep running just as hard as we can in order not to fall behind, if we are to have sufficient natural resources in the future.

Why is this so? One immediately apparent reason is the enormous growth in the American population. Only a few months ago we passed 170 million. By 1975 we shall number 221 million and probably more.

Really, though, the greatest reason is the inexorable appetite of our modern industry. Since 1900, our daily per capita use of water has nearly tripled. Since World War II our per capita electrical energy consumption has more than doubled.

Of all the oil and natural gas ever consumed in this country, half has been used since 1940. Of all the coal ever burned in this country, half has been burned since 1920. Year by year these consumptive totals go up and up.

As a nation, by 1975 we shall need about 453 billion gallons of water per day, nearly twice as much as we need now.

As a nation, by 1975 we shall need 321 million kilowatts of electrical generating capacity, nearly 3 times as much as we need now.

Have you ever turned the handle on a faucet and had nothing but a cough of air come out? That's a water shortage, right in your own home. Thousands and thousands of Americans have endured this experience in recent years.

Six to twelve months ago families in nearly 1,200 communities from coast to coast had experiences like that. Water use in those areas was curtailed, often to an alarming degree. The Southwest recently suffered under a severe drought of long duration. For a while, drinking water in Dallas sold for nearly three times the price of gasoline.

Today water is more plentiful. But can we be sure that our supply will continue to be adequate? Certainly not. Despite all our hopes, water shortages in certain areas will come again. And if we were so foolish as to lull ourselves into a false security, to stop our many water conservation efforts—like Alice, stop running—region after region throughout American would inevitably find itself short on water for baths, for lawns, for crops, for livestock, and for a host of industrial products from steel to plastics.

That's why the Corps of Army Engineers and the Bureau of Reclamation have to keep on building huge multiple-purpose dams, the scope of which is beyond the capability of non-Federal interests.

That's why, last year, in the biggest single piece of legislation ever enacted for such a purpose, the Congress of the United States authorized the upper Colorado project, a development which will bring water to 360,000 arid acres in the West.

That's why the Federal Government must continue to work in harness with municipalities, farmers, and local irrigation districts in protecting upstream watersheds and preventing devastating floods.

Such measures today are a matter of simple and incontrovertible necessity. Through them we capture an ever greater fraction of the water that falls from the skies and courses down our watersheds, from the Continental Divide to the oceans. Presently the 17 Western States put only 31 percent of their available fresh water to full beneficial use. The Eastern States use 12 percent.

As a people, we must continue in our determination to increase—unremittingly increase—these percentages. We can't afford this loss.

In the years ahead we must do even more. We must go to the sea itself and bring back from it fresh water to make life possible on the land.

Samuel Taylor Coleridge's Ancient Mariner saw plenty of water but not a drop to drink. Now scientists have long known how to make seawater drinkable. But the cost of the process has almost always prohibited its commercial application. As recently as 5 years ago, conversion cost $500 to $1,000 per acre-foot. But today, thanks largely to private research conducted under contract with the Department of the Interior, it is expected that this cost can be brought down to $200 an acre-foot, or 60 cents per thousand gallons, and even less in the near future.

In general, our expectation is this: In 5 to 15 years we shall have fresh water from the oceans at prices which some industries and municipalities can afford to pay.

Not all saline water is in the ocean, I remind you. There's lots of it under the soil of some of our Western States, brackish water which is now good for little or nothing. Someday farmers in these States will be pumping this water to the surface, running it through small household or cooperative conversion units, and then using it for at least limited agricultural purposes and for human consumption.

While we are looking ahead, let's consider another field, that of electric power. Great transformations are taking place here, too. And here again, teamwork—between the Federal Government, the States, local public interests, and private enterprise—is an absolute necessity if we are to win out.

We don't know, of course, how long our conventional sources of electricity will last. But they will certainly not be with us forever. New sites for hydroelectric power development are steadily decreasing in number and desirability. In the next 20 years falling water can provide only 8 percent of our new electric-generating capacity.

We have lots of coal. For many years it will be available for economical burning in electricity-producing steam plants. But the coal in our mines travels only one way, up. Every time we blast loose a ton, we reduce by that much a supply which is irreplaceable.

Yet our national need for power is steadily increasing; it will triple in 20 years.

What do these facts mean? Two things: First, if we are to keep on top of the rising demand, we are going to have to enlist every possible kind of cooperation. The Federal Government alone cannot, should not, and will not pay the nearly $100 billion for the new power-generating capacity we shall need within the next 20 years. Teamwork is the only answer.

Second, we must continue an unremitting search for new energy sources. Through teamwork with cooperatives, public power districts, and private industry, the Federal Government is doing just that in its nuclear power program.

On Labor Day of 1954 the President of the United States, out in Denver, closed a switch. Construction began on the United States first large-scale civilian atomic energy powerplant near Shippingport, Pa., outside Pittsburgh. By next Christmas the reactor in that plant should start to warm up. And early in 1958, commercial atomic electric power, from a generating capacity of 60,000 kilowatts, will go onto the transmission lines of the Duquesne Light Co., which will carry it to factories, homes, mines, and farms in and around Pittsburgh.

This is only the beginning. For example, right here in New York State, at Indian Point, just 60 miles north of Manhattan Island, a 275,000-kilowatt plant is being built. It is scheduled to be ready by 1960.

If these and 12 other projected plants are completed on time, by 1962 there should be about 1,300,000 kilowatts of nuclear generating capacity serving the cities and towns and rural areas of this country.

Now, I don't mean to exaggerate that figure: It represents less than 1 percent of our estimated 1962 generating capacity. It does, however, provide a crystal-clear reflection of what the future will bring.

The cost of hydroelectric power and conventional steam power are continuing to go up—and that of atomic power is coming down. Although Shippingport electricity may initially cost 52 mills or more per kilowatt-hour, the Atomic Energy Commission estimates that by 1964 nuclear power costs will be down to 10 to 13 mills; by 1967 down to 9 to 11 mills; and by 1980 down to 6 to 7 mills. This generating cost is therefore expected gradually to compare favorably with that of conventional steam power generally ranging today from 4½ to 9 mills per kilowatt-hour.

America's commercial nuclear power industry and a child born yesterday may well grow to maturity together.

Nuclear power is almost competitive now with conventional steam power in much of Western Europe where coal is expensive or even lacking, oil is costly and its supply precarious, and hydroelectric sites are for the most part developed or nonexistent. So 6 European countries are now in the process of banding together to boost the Continent's production of nuclear energy; they hope for a generating capacity of 15 million kilowatts by 1967.

Here in America we are fortunate to have the time, because of our abundant coal and liquid and solid petroleum resources, to bring the costs down before we find it necessary to go into nuclear power on a large scale.

When we do, we shall have a virtually inexhaustible source of electrical energy. One pound of fissionable uranium, once we learn how to burn it completely, can produce as much heat as 2.7 million pounds of coal.

Every dollar that goes into our nuclear power program today is a dollar invested in a good life for our children tomorrow.

The good life is more than goods and services. It includes, of necessity, manifold opportunities for growth and fulfillment, in body, in mind, in heart, and in soul. Our children, and we ourselves, must know what it's like, again and again, to stand on a spot hallowed by history, to pass whole days on a lake or a stream, to set foot on wilderness trails, to view the world from a high mountain top.

Such experiences help set the spirit free.

The attainment of spiritual ends, however, often requires practical means. To assure the continuance of such opportunities we must act—now.

On our great scenic, wilderness, and historic areas, on our fish and wildlife resources, our immense national growth and way of life are having an unbelievable impact.

This state of affairs is not going to cure itself.

With more spare time and more and better highways, more and more people are coming to the national park areas. Thirty-three million came in 1950. In 1955 there were 51 million; in 1956, nearly 55 million. This year we may have 60 million visitors in the 181 areas of our national park system.

The meaning of this is unmistakable: Either we continue to be busy, now, to keep up with these demands, or we write off our national parks as we have known them. I'm happy to say the Eisenhower administration's response has been unhesitating and forceful; it bears the label of mission 66.

This is a $900 million, 10-year program scheduled for competion in 1966—the year of the golden anniversary of the National Park Service—when the number of national park visitors is expected to exceed 80 million.

There has been nothing like mission 66 in the 45 years since February of 1912, when President Taft sent a special message to the Congress earnestly recommending establishment of a Bureau of National Parks.

There is now before the Congress legislation, backed by the administration, to establish a National Outdoor Recreation Resources Review Commission. The establishment of such a commission will focus the thinking of many organizations—Federal, State, and local, public and private, on our recreational resources needs. It will enable us, all of us together, to plan ahead, to know clearly where we are going in the field of outdoor recreation.

Conservation decisions today have to be right. With every passing year, our growing population and our increasingly voracious technology shrink our time to plan and our room to err.

Yet the questions to be answered become more and more knotty.

Should we build a dam across a canyon and create a great artificial lake for flood control, water supply, irrigation, power, navigation, and fish and wildlife recreation, thereby perhaps impairing the natural beauties of the canyon?

Shall we provide for the permanent flow of water in the streams to preserve the fish and wildlife, at the possible expense of reducing water storage?

Should water once impounded be released for the manufacture of firm power or held back for the needs of irrigation?

What provision shall we make for public recreation around the reservoirs we build? Is that a Federal obligation, a State obligation, or a mixture of the two?

Should the reservoir be considered a national recreational area? Or is it a project which will be enjoyed mainly by residents of a relatively small area and which therefore should be paid for by the people who use it?

Each correct answer to such questions is a stone in the structure of America's future. If the structure is to endure, to stand strong and sure against the stresses and strains of the future, it can only rest on the bedrock of the enlightened cooperation and understanding and support of the entire American citizenry.

We have no choice but to so build it. Our hopes, and our children's hopes, for an ever-increasing economic abundance depend on the degree of our success. And so, in a large measure, does human freedom.

In a very real sense the United States is the bastion of the free world. Much of the physical strength of this mighty fortress is in its mines, its forests, its croplands, and its rushing rivers.

We, all of us in teamwork together, will not fail. We will pass on to our children and grandchildren something which they have every right to expect from us, a heritage unimpaired, and if possible even improved. Given this legacy, on this land but in their time they will be able to search out wider horizons than we have yet found, to discover new ways to better their lives, and to bear well their part in enlarging the scope of freedom and civilization and happiness around the globe.

SENATE

TUESDAY, JULY 9, 1957

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Father of mankind, to whom all souls are dear, at the altar of Thy grace we would turn from all pretense and prejudice to Thyself, where in Thy light alone the rampant confusions of today may be seen in their right perspective. In our search for truth, may we be willing to sit where others sit. To our fallible judgments may there come a wisdom not our own, as we give the best that is in us to master the tangled problems of human relationships that confront us in these overburdened times. Bestow, we pray, upon Thy servants in this body, the guardians of the sacred flame of a glorious heritage, the gifts of understanding, kindness, courtesy, and self-control.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Monday, July 8, 1957, was approved, and its reading was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 354) to authorize the designation of October 19, 1957, as National Olympic Day, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 354) to authorize the designation of October 19, 1957, at National Olympic Day, was read twice by its title, and referred to the Committee on the Judiciary.

THE CIVIL-RIGHTS BILL

Mr. JOHNSON of Texas. Mr. President, the opening day of the debate on the motion made on yesterday by the distinguished minority leader, that the Senate proceed to consider the civil-rights bill (H. R. 6127), was a good omen for the future.

All of us are aware of the fact that many people throughout the country consider this issue to be a test of our democratic processes. Personally, I have complete confidence in the ability of the Senate to measure up to any reasonable test.

It is already apparent that there are important questions to be resolved—questions that at the present time are not fully understood by the country, and not even understood by the Senate. The Senate is not going to be stampeded into taking hasty action in advance of full understanding.

Feelings are very strong on this issue. There are sincere advocates on both sides. Obviously, both sides cannot be completely right, but they do have the complete right to present their viewpoints in full, so the Senate can work its will.

As far as I am concerned, the immediate objective is to insure fairness and thoroughness. So long as we are fair and thorough, I believe that ultimately we shall arrive at constructive achievement.

The majority had ample attendance on the floor yesterday throughout the entire debate, which ran until late in the afternoon. I hope and trust that as we proceed, the attendance of the Senate will increase, so that all Members of the Senate will be fully informed of the basic points that are being made.

Mr. SMITH of New Jersey. Mr. President, I wish to commend the Washington Post for a timely and well-reasoned editorial which appears in this morning's issue. I believe it has pointed up the fundamentally important aspects of the debate upon which the Senate is currently embarking. I fully concur in its statement that the issue ought to be thoroughly debated, and that—

The Senate must satisfy itself not only that the measure has a worthy purpose but also that its specific provisions are well adapted to the accomplishment of this purpose.

There is one thing that this proposed legislation should stress, and that is the voting rights of every American citizen. As the Post's editorial stated:

The important thing is not to force acceptance of the letter of the measure as it now stands, but, in the end, to pass a bill that will make the right to vote an actuality.

I feel confident that our southern colleagues will agree with us on this matter, and will be willing to join in such regulations as may be necessary. I sincerely hope that the Senate will not engage in a prolonged debate at the present time on the pending motion to consider H. R. 6127. There should be the fullest and most thorough debate of the bill, and I am anxious to hear the provisions of the bill debated and explored, and to participate in the debate. However, such debate should, logically, follow adoption of the motion to make the bill the pending business. I hope that the Senate will proceed in an orderly and reasonable way to consider this proposed legislation without making recourse to around-the-clock sessions necessary.

I commend the Washington Post editorial to all Senators for careful reading, and I ask unanimous consent that it be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post of July 9, 1957]

BIG DEBATE BEGINS

The Senate has begun what may become its most momentous filibuster. In proclaiming that they will fight the right-to-vote bill until they "fall in their tracks, if necessary," the southern Senators have laid down a challenge which the Senate as a whole must meet. The bill sailed through the House by a vote of 286 to 126. It seems to have the approval of an overwhelming majority of the American people. Every consideration of logic and democratic principle demands that at long last it be brought to a vote in the Senate.

Of course, the measure ought to be thoroughly debated, and this may require a couple of weeks. Despite the basic purpose of the bill, some of its provisions are controversial among legislators who thoroughly accept the principle behind it. The Senate must satisfy itself not only that the measure has a worthy purpose but also that its specific provisions are well adapted to the accomplishment of this purpose. Insofar as the debate is aimed at the elimination of defects and a tightening up of language, it should be welcomed.

At the outset, therefore, sponsors, of the bill would do well to clear up any misconceptions as to its meaning or intent. It has been repeatedly denounced as an instrument through which the Federal Government could enforce racial integration in the schools of the South. Undoubtedly this will be the focal point of the assault against it, although Attorney General Brownell has denied that it would have any bearing on the liquidation of segregation in the schools.

Senator WATKINS also has said that, in contributing to the drafting of the bill, the idea it might be used to enforce integration in the schools was farthest from his thought. The fact remains that one provision of the bill as it now stands can be reasonably interpreted as authorizing the Attorney General to bring suits for the enforcement of equal rights in the schools. If that was not the intention of its authors, the matter should certainly be clarified before several weeks of debate are wasted on mere semantics.

The Senators who are trying to avoid this inflammatory issue are not saying that the Supreme Court's ruling against segregation in the schools should not be enforced. Rather, they are saying that compliance with the High Court's ruling is being worked out by normal judicial processes and that that issue should not be injected unnecessarily into the new contest which centers in the right to vote. Something more than oral assurances will be needed, however, if the school issue is to be kept out of the controversy now before the Senate.

The debate may show that other changes in the bill are also desirable. The important thing is not to force acceptance of the letter of the measure as it now stands but, in the end, to pass a bill that will make the right to vote an actuality. To this end, we think the Senate should be prepared to hold night sessions, to remain in continuous session if necessary to break the filibuster and to modify its outmoded rule which requires 64 votes to limit debate.

The Senate ought to be mindful that the eyes of the world are upon it. Now that the showdown is at hand it cannot fail to meet this issue without gravely undercutting American prestige in all other countries. The spectacle of our Senate locked in futile combat for several months or indefinitely paralyzed in regard to so fundamental an issue as the right to vote would be a blow to the whole Free World. The debate should be conducted in the light of these potential repercussions and the issue should then be courageously faced with full understanding of the impact the Senate's action will have on the processes of government as well as on the rights of individual citizens.

MRS. GRACE GOODHUE COOLIDGE

Mr. AIKEN. Mr. President, it was with deep sorrow that the people of Vermont learned of the death of Mrs. Grace Goodhue Coolidge. Like her illustrious husband, the President, Mrs. Coolidge was a native Vermonter, and spent the early years of her life in her native State. She was an able exponent of Vermont womanhood. Her modest, homey character was typical of her State.

Her graciousness and tact as first lady of the land brought pride to the hearts of the people of her native State. After years in the White House in the bright glare of publicity, it bespoke the character of Mrs. Coolidge that she could come back to her native New England and resume the life of her earlier years unspoiled and unaffected by the honors, pomp, and ceremony which had been heaped upon her and her illustrious husband and fellow Vermonter, Calvin Coolidge.

Mr. President, Vermont mourns the passing of one of its most distinguished daughters.

Mr. SMITH of New Jersey. Mr. President, the morning newspapers reveal the passing of Mrs. Grace Goodhue Coolidge at her home in Northampton, Mass. I was not privileged to be counted among her close friends, but I wish to pay tribute to a gracious and charming woman.

As the Nation's First Lady from 1923 to 1929, she won the heart of the country with her wonderful friendliness and humaneness. Her lively wit and gracious bearing were beloved throughout America, and her deep interest in philanthropy assured her a warm reception wherever she went. The inherent nobility of her character was in marked contrast with the excesses of the "roaring twenties."

America was the beneficiary of the years she spent in Washington. Mrs. Smith and I extend our sincere sympathy to her son. We are proud to join in the well-deserved national tribute which Mrs. Coolidge has so richly inspired.

Mr. KENNEDY. Mr. President, I desire to associate myself with other Members of the Senate in expressing my sorrow at the death of Mrs. Coolidge. She was a distinguished citizen of my State, but she was particularly beloved in the city of Northampton, Mass.

I was a cosponsor with her of a drive to raise funds for the Clarke School for the Deaf, with which Mrs. Coolidge was intimately associated during much of her life. I visited the school with her last year, and saw something of the dedication and the affection which she put into this most important, humane, and significant work.

While she was noted throughout the country as the wife of a distinguished former President, in her own right, and particularly since the years of her husband's death, she had rendered magnificent service to a particular group of people who were in great need of her services when her work began.

Mr. KNOWLAND. Mr. President, I wish to join with my other colleagues who have expressed their profound sorrow at the death of Grace Coolidge, the widow of the former President of the United States.

Calvin Coolidge, of course, as is known to all Americans, presided over this body when he was Vice President of the United States, and later occupied the high office of President. At that time Mrs. Coolidge was at his side, and was a very gracious hostess in the White House. She won for herself a place in the hearts of the American people during that entire period.

Mrs. Coolidge has lived a retired life since returning to her Vermont home. I know that citizens all over the United States, regardless of their partisan affiliations, will extend to her family their deepest sympathy at her passing.

Mr. JOHNSON of Texas. Mr. President, I wish to associate myself with the fine statement just made by the distinguished minority leader in connection with the passing of Mrs. Grace Coolidge, wife of the late President Calvin Coolidge.

Mrs. Coolidge graced the Executive Mansion with a calm dignity that earned for her the admiration of the country. She was admired everywhere for her conduct which was in the highest traditions of our history.

She has gone to join her husband and the heart of our country is with her grieving family. A lovely lady who played an important role on the national scene is no longer with us, but she will not soon be forgotten.

TRANSACTION OF ROUTINE BUSINESS

The VICE PRESIDENT. Under the unanimous-consent agreement of yesterday the transaction of routine morning business is now in order.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF PUBLIC UTILITIES COMMISSION OF THE DISTRICT OF COLUMBIA

A letter from the Chairman, Public Utilities Commission of the District of Columbia, Washington, D. C., transmitting, pursuant to law, a report of that Commission, for the year ended December 31, 1956 (with an accompanying report); to the Committee on the District of Columbia.

AUDIT REPORT ON FEDERAL HOME LOAN BANK BOARD

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Federal Home Loan Bank Board, for the fiscal years ended June 30, 1955 and 1956 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF ALASKA PUBLIC WORKS ACT, RELATING TO CONVEYANCE OF CERTAIN FEDERALLY OWNED LAND

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C., sec. 486 et seq.) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works (with an accompany paper); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were presented and referred as indicated:

By Mr. LAUSCHE:

A resolution of the Senate of the State of Ohio; ordered to lie on the table:

"Senate Resolution 62

"A resolution extending congratulations to Mr. Alvin Silverman of the Cleveland Plain Dealer on his appointment as head of the Washington bureau of the Cleveland Plain Dealer

"Whereas Alvin Silverman, an able member of the Ohio Legislative Correspondents Association, has demonstrated outstanding ability over the years as sports writer, Columbus correspondent, political editor, and city editor, of the Cleveland Plain Dealer; and

"Whereas the members of the Ohio Senate take note that Mr. Silverman has been promoted to the position of head of the Washington bureau of the Cleveland Plain Dealer, a promotion which will allow Mr. Silverman much opportunity to add to his reputation as an astute political analyst; and

"Whereas the membership of the Ohio Senate is familiar with the forthright, accurate, and interesting reporting which has always characterized the work of Mr. Silverman, and feels that his promotion is richly deserved: Therefore be it

"*Resolved*, That the members of the Ohio Senate of the 102d general assembly adopt this resolution as an expression of congratulations to our friend, Mr. Alvin Silverman, on his promotion, and that we extend to him our best wishes in his new position as head of the Washington bureau of the Cleveland Plain Dealer; and be it further

"*Resolved*, That the clerk of the Ohio Senate transmit an authenticated copy of this resolution to Mr. Alvin Silverman and to the Cleveland Plain Dealer."

A resolution of the House of Representatives of the State of Ohio; ordered to lie on the table:

"House Resolution 115

"A resolution extending congratulations to Mr. Alvin Silverman of the Cleveland Plain Dealer on his appointment as head of the Washington bureau of the Cleveland Plain Dealer

"Whereas Alvin Silverman, an able member of the Ohio Legislative Correspondents Association, has demonstrated outstanding ability over the years as sports writer, Columbus correspondent, political editor, and city editor of the Cleveland Plain Dealer; and

"Whereas the members of the Ohio House of Representatives take note that Mr. Silverman has been promoted to the position of head of the Washington bureau of the Cleveland Plain Dealer, a promotion which will allow Mr. Silverman much opportunity to add to his reputation as an astute political analyst; and

"Whereas the membership of the Ohio House of Representatives is familiar with the forthright, accurate, and interesting reporting which has always characterized the work of Mr. Silverman, and feels that his promotion is richly deserved: Therefore be it

"*Resolved*, That the members of the house of representatives of the 102d general assembly adopt this resolution as an expression of congratulations to our friend, Mr. Alvin Silverman, on his promotion, and that we extend to him our best wishes in his new position as head of the Washington bureau of the Cleveland Plain Dealer; and be it further

"*Resolved*, That the clerk of the house of representatives transmit an authenticated copy of this resolution to Mr. Alvin Silverman and to the Cleveland Plain Dealer."

CONCURRENT RESOLUTION OF NEW HAMPSHIRE LEGISLATURE

Mr. COTTON. Mr. President, I have the honor to present, for appropriate reference, a concurrent resolution of the New Hampshire Legislature, with which I am in full sympathy, concerning the Status of Forces Treaty with other countries.

There being no objection, the concurrent resolution was referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

Concurrent resolution concerning the Status of Forces Treaty

Whereas the members of our Armed Forces serving abroad in more than 50 countries, their civilian components and the dependents of each, are now subject in varying and confusing respects to the criminal jurisdiction of those countries by reason of the NATO Status of Forces Treaty, the administrative agreement with Japan, and executive agreements with other nations; and

Whereas these agreements in some instances penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend; and

Whereas it is difficult for a serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying and confusing systems of jurisprudence which make it difficult and sometimes impossible for him to receive the protection of all the rights and guaranties of our Constitution, and further because of the prejudice and animosity sometimes existing against our men; and

Whereas legislation has been introduced in both the Senate and House of Representatives of the United States to direct the President to seek a modification of all such agreements: Now, therefore, be it

Resolved by the senate and house of representatives in general court convened, That we are deeply and gravely concerned by the possible deprivation of the basic constitutional rights of our servicemen by virtue of present arrangement and we urge the Congress of the United States to study this problem carefully and enact the legislation either now pending, or to be presented, to safeguard and secure the constitutional rights of our servicemen and their dependents while serving the United States in foreign countries: Now, therefore, be it further

Resolved, That the secretary of state be, and he hereby is, directed to send a duly certified copy of these resolutions to our Senators and Representatives in the United States Congress.

W. DOUGLAS SCAMMAN,
Speaker of the House of Representatives.
KRALSEY C. FERGUSON,
President of the Senate.

Passed July 1, 1957.
Attest:

HARRY E. JACKSON,
Secretary of State.

CHICAGO-ST. LAWRENCE SEAWAY CELEBRATION IN 1959—RESOLUTION

Mr. DOUGLAS. Mr. President, we in Chicago are planning to hold a St. Lawrence Seaway fair and celebration in

the year 1959, to commemorate the opening for traffic of that great sea thoroughfare and the role of the Great Lakes, and particularly Chicago, in this extraordinary new development.

I ask unanimous consent that a resolution adopted by the City Council of Chicago, supporting the fair and celebration, be printed at the conclusion of my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas Chicago has long been the railroad center of the United States, the hub of its highway system and the world's busiest airport; and

Whereas, with the completion of the St. Lawrence Seaway scheduled for the spring of 1959, Chicago will take on added maritime preeminence as one of the great ports of the world; and

Whereas Chicago is fulfilling its destiny as the world's most exciting and magnificent city, and is on the threshold of momentous civic improvements encompassing every community to the benefit of every citizen; and

Whereas it is fitting and proper that in 1959 Chicago should hold a great year-around St. Lawrence Seaway celebration, a program of spectacular events including a World Trade Fair, symbolic of our ever-increasing importance as a center in world trade; festivals of the arts and sciences; a film festival; a "hemis-fair", to be participated in by the countries of the Americas, which would include Pan-American games if awarded Chicago; a carnival of the lakes, which would utilize our magnificent lake and lakefront for the presentation of spectacular water events; the institution of an annual harvest festival, which most appropriately should be held in Chicago, the food basket of the Nation; and dozens of other events which will reach into every neighborhood of our city: Now, therefore, be it

Resolved, That the mayor be authorized to appoint a citizens' commission representative of all Chicago to make plans, coordinate and supplement present plans, to recommend new facilities, to raise funds as needed from public and private sources, and to proceed with the conduct of a St. Lawrence Seaway celebration in 1959 which will, as did the Columbian Exposition and the A Century of Progress, bring to Chicago hundreds of thousands of visitors from all over the world and afford the opportunity for telling the true Chicago story.

RESOLUTIONS OF PAGE COUNTY, IOWA, BAR ASSOCIATION

Mr. HICKENLOOPER. Mr. President, the Bar Association of Page County, Iowa, met last week and adopted two resolutions. I ask unanimous consent that the resolutions be printed in the RECORD, together with the letter of transmittal sent by the Honorable Harold E. Davidson, judge of the 15th judicial district of Iowa.

There being no objection, the resolutions and letter were ordered to be printed in the RECORD, as follows:

DISTRICT COURT OF IOWA,
Clarinda, Iowa, July 2, 1957.

Hon. B. B. HICKENLOOPER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The Page County Bar Association last week held a very interesting and spirited meeting and much was said about the apparent usurpation of powers by the Supreme Court of the United States that are not delegated to the Court by virtue of the Constitution and the statutes of this country.

As a result of this meeting and discussion, two resolutions were adopted and I am enclosing herewith for your information and such other use as you care to make of them the two resolutions.

One of them involves the Girard case and the other the Jenks case. Of course, you are familiar with these cases and it occurred to us perhaps an expression or resolution from our association would be of some value to you. I may say this was passed unanimously by about 23 lawyers without a dissenting vote in either instance and some very sharp and critical remarks were made.

I personally think, although this was not discussed at the meeting, that a statute limiting the Supreme Court in its jurisdiction and preventing the Supreme Court by statute from usurping powers that are reserved to the States and have not been delegated to the Federal Government would be a good safeguard against such cases as the Nelson case in Pennsylvania and the recent case in Ohio where the Supreme Court reversed the supreme court of both States because they said the Smith Act controlled and that the States were without authority to legislate or judicially determine such cases. Congress never intended the Court to indulge in such usurpation of power and a specific statute no doubt would be very helpful.

Always with personal regards, I am,
Sincerely yours,

HAROLD E. DAVIDSON.

RESOLUTION OF THE PAGE COUNTY, IOWA, BAR ASSOCIATION UNANIMOUSLY PASSED AND ADOPTED AT THE ANNUAL MEETING OF SAID ASSOCIATION HELD AT SHENANDOAH, IOWA, ON JUNE 27, 1957

Whereas it has been brought to the attention of our association that a Supreme Court decision in the case of the *United States* v. *Jencks* in substance held that the defendant was entitled to investigate and have supplied prior to trial all the files of the Federal Bureau of Investigation pertaining to the defendant; and

Whereas it would appear to this association that such a decision places a burden upon the prosecution in cases of this kind far beyond that required by the Constitution or the statutes of the United States, is unreasonable, arbitrary, and provides an unwarranted avenue of escape for Communists and all traitors as well as all other violators of Federal laws; and

Whereas it would also appear that the citizenry of the United States should be protected against the invasion of such foreign ideologies and criminal conduct by not permitting the sources of the material resulting from investigation to be kept inviolate by the Federal Bureau of Investigation for such honorable use and benefit as may result therefrom and that if what appears to be the holding of the Supreme Court of the United States in the Jencks case is to be followed in the future, it will have a strong tendency, if not actually, to contribute to the elements desiring to destroy the security, safety, and sovereignty of our country: Therefore be it

Resolved by our association in meeting assembled, That the Member of Congress from this Congressional district, HON. BEN F. JENSEN, and the United States Senators from Iowa, HON. BOURKE B. HICKENLOOPER and Hon. THOMAS E. MARTIN, be forwarded a copy of this resolution to the end that legislation be introduced in both of the Houses of the Congress of the United States for the purpose of passing a statute to nullify the dire, disastrous results that may come from this Jencks opinion and we commend to these legislators their wholehearted support of any such legislation.

HAROLD E. DAVIDSON,
Chairman of Resolutions Committee.
EARL C. FISHBAUGH, JR.,
KENT H. THORNELL,
Members of Said Committee.

RESOLUTION OF THE PAGE COUNTY, IOWA, BAR ASSOCIATION UNANIMOUSLY PASSED AND ADOPTED AT THE ANNUAL MEETING OF SAID ASSOCIATION HELD AT SHENANDOAH, IOWA, ON JUNE 27, 1957

Whereas William Girard, a member of the Armed Forces of the United States, while serving in Japan is charged with criminal conduct while on duty on a United States military post with said United States forces; and

Whereas by executive agreement with the Japanese Government it is apparent that said Japanese Government has thereby been given authority to try the said Girard for such offense under the laws of Japan and without consideration to the Constitution or other statutory laws of the United States; and

Whereas said bar association, having a high regard for the provisions of the Constitution of the United States and believing it to be the supreme law of this land and having been adopted by all of the States and, among other things, for the protection of American citizens regardless of their location and particularly when serving officially on behalf of this country; and

Whereas it now appears that the said William Girard is being deprived of what would appear as reasonably to be his constitutional right by being turned over by some executive agreement to a foreign land to be prosecuted under the laws of said foreign land and in a foreign court; and

Whereas Hon. Joseph C. McGarraghy, judge of the United States District Court for the District of Columbia, has recently held that such prosecution, if permitted by the United States Government to be held in Japanese courts under Japanese law, would be a violation of the constitutional rights of the said William Girard: It is therefore

Resolved by this association in meeting assembled, That the said Judge Joseph McGarraghy of the Federal district court should be and he is hereby commended for his forthright and correct decision in concluding that the constitutional rights of said William Girard as defendant are or will be violated, if such prosecution as apparently has been authorized should be permitted; it is further

Resolved, That a copy of this resolution be sent to Hon. Joseph McGarraghy as a reminder to him that some of the lawyers in the Midwest, and all of the lawyers belonging to this association, thoroughly approve of and acquiesce in what appears to us to be a profound decision and, too, if it does, to encourage him to continue the upholding of the constitutional rights of our citizens and of the rights of our citizens as distinguished from Federal control.

HAROLD E. DAVIDSON,
Chairman of Resolutions Committee.
EARL C. FISHBAUGH, JR.,
KENT H. THORNELL,
Members of Resolutions Committee.

RESOLUTION OF EXECUTIVE COMMITTEE, NATIONAL CATHOLIC RURAL LIFE CONFERENCE, DES MOINES, IOWA

Mr. HUMPHREY. Mr. President, I have just received a copy of a policy resolution issued by the executive committee of the national Catholic rural life conference. The conference's distinguished executive director is Rt. Rev. Msgr. Liugi Ligutti.

I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

I note in particular that this resolution deals with the problem of agriculture and family-sized farms; also with the administration of Public Law 480, concerning the use of our food and fiber, which is in such abundance in this country.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

RESOLUTIONS OF POLICY, EXECUTIVE COMMITTEE MEETING, NATIONAL CATHOLIC RURAL LIFE CONFERENCE, JUNE 25–26, 1957, DES MOINES, IOWA

The past two decades have been years of unprecedented prosperity in our Nation. During these years the farmer has discovered that economic security alone will not bring him peace of mind nor happiness. Now, more than ever before, he realizes that he must integrate his faith with his daily life and must reevaluate those cultural and social advantages which rural living makes possible. The National Catholic Rural Life Conference, in collaboration with rural pastors throughout the land, must teach, guide, and encourage the farmer in this tremendous task.

THE FARMER IN A CHANGING AGRICULTURE

We recognize and appreciate the fact that new techniques and equipment enable the American farmer to produce an abundance of food and fiber for all of us. We are concerned, however, about the impact this new technology is having on the farmer and his family. The cost of land and equipment is so great that an ever-increasing proportion of farmers are unable to own the land and tools they use. The complicated skills and specialized methods of modern agriculture are such that thousands of farmers will eventually seek employment or managerial services from a relatively few corporations and individuals.

In order to preserve as many of the traditions and ideals of farming as possible, we make the following recommendations:

1. We must teach in home, church, and school those virtues of thrift, diligence, prudence, and cooperation which are the safeguards of independent family farming.

2. We shall challenge and reject bigness of operation in those instances in which smaller units are equally economic.

3. We shall urge a continuous reexamination of the notion of efficiency, demanding that the effects of a particular technique upon religion, morality, health, and culture be kept in mind.

4. We shall not turn to large corporations nor to government for equipment or technical assistance which could be had through cooperation with relatives or neighbors.

NONAGRICULTURAL USES OF LAND

During the last 15 years many millions of acres of our most fertile lands have been converted to nonagricultural uses. These withdrawals are continuing at an increased rate. Within another 15 years, a total of 100 million acres once in cultivation will have been converted to nonagricultural uses.

Highways and developments accompanying them are fast becoming the principal users of agricultural lands, absorbing approximately 2 million acres per year. It is extremely important that the major portion of the land suitable for cultivation be protected and conserved for agricultural uses. Once covered with concrete or asphalt, these lands probably will never again be used to produce food and fiber. Moreover, land taken out of agricultural use causes a change in the hydrological pattern and increases runoff and flood hazards.

With the equipment now available for earth moving, we can afford to develop roads on poor lands and save the best lands for present and future agricultural uses.

Farmers and other local people alone cannot solve this problem. There is a State and national responsibility for wise use of land resources. A basic coordinated State and national policy is needed to properly allocate the amount and kinds of land to be used for highways and accompanying developments.

FOOD DISTRIBUTION

We urge a thorough reexamination of the food distribution system from producer to ultimate consumer. We believe that many of the intervening steps in processing, packaging, advertising, and transportation are neither essential nor useful, and often they are actually contributing factors to increasing prices and lowering nutritive values.

We commend the Congressional investigation efforts along this line, and we hope that demand will be regulated by sound and sensible knowledge of food values rather than by fancy packaging and imaginary values or false descriptions. We would like to see dietary specialists, home economists, and home economics teachers wage a campaign toward the formation of traditions and viewpoints in this regard. We believe that diet deficiencies and often, malnutrition are due in great measure to a poor understanding of what constitutes food values. This is not, indeed, offered as a solution to the surplus food problem, but it would contribute in part to the consumption of more and better food at a lower cost.

Another current problem and opportunity which deserves continued attention is the discovery of new agricultural products and of new and expanded uses of traditional crops. The recent report of the President's Commission on Increased Industrial Use of Agricultural Products indicates many promising avenues for research and development. The results already apparent of this Commission's work are most gratifying.

EMERGENCY PUBLIC HEALTH TRAINING ACT OF 1957—LETTER

Mr. HUMPHREY. Mr. President, recently I introduced Senate bill 2304, the Emergency Public Health Training Act of 1957. I have just received a letter from the president of the University of Minnesota, Dr. J. L. Morrill, endorsing legislation of this kind.

I ask unanimous consent that Dr. Morrill's letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF MINNESOTA,
Minneapolis, July 1, 1957.

Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: My attention has been drawn to the bill recently introduced by you for aid to schools of public health as well as to a bill introduced in the House of Congressman RHODES (H. R. 6771), designed to accomplish the same purpose, though differing somewhat as to formula for allocation of funds.

The University of Minnesota is one of four State-supported universities accredited by the American Public Health Association for its graduate program in public health. During the academic year just completed, the school will have provided postgraduate professional training for 155 students in the general field of public health and 212 graduate nurses being given basic training for public health nursing responsibilities. Sixty-seven percent of the former and 50 percent of the latter were not residents of Minnesota, coming from 34 States and 19 foreign countries. Most of the foreign students were sent to the university by Federal agencies engaged in international work.

The University of Minnesota has wished to do everything possible to make its facilities available for this type of training but patently there must be a limit beyond which we cannot continue to expect the people of Minnesota, through legislative appropriations, to provide for the training of students from other States. The university is anxious to continue to meet the growing need for training of this character but feels that it must have some assistance beyond State appropriations if it is to continue to train and serve the increasing number of public health students from outside of the State.

I sincerely believe that Federal assistance is a logical means of distributing this financial burden for the training of persons for public service throughout the Nation. I earnestly hope that favorable consideration will be given to H. R. 6771 to this end. Dr. Harold S. Diehl, dean of medical sciences, and Dr. Gaylord W. Anderson, director of the School of Public Health, join me in urging your support of this legislation.

Sincerely,

J. L. MORRILL, *President.*

LETTERS FROM MINNESOTA AFL–CIO FEDERATION OF LABOR

Mr. HUMPHREY. Mr. President, I have just received two letters from the President of the Minnesota AFL–CIO Federation of Labor. Both deal with the difficult and complicated problems of Federal-State relations and the consequences of competition for standards among the 48 States.

The first letter deals with the fields of unemployment compensation and workmen's compensation. The second deals with the serious situation arising from jurisdictional declination of the NLRB over certain areas clearly conveyed by the legislative intent of Congress.

I ask unanimous consent that the two letters be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MINNESOTA AFL–CIO
FEDERATION OF LABOR,
St. Paul, Minn., July 3, 1957.

The Honorable HUBERT H. HUMPHREY,
The United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The National Labor Relations Board has had a policy of declining jurisdiction in cases affecting interstate commerce unless the case meets the so-called jurisdictional standard of the NLRB. This has resulted in the peculiar situation where Congress has passed a law which was supposedly designed to cover representation cases and unfair labor practice cases affecting commerce, but the agency established to administer this law has declined to apply it unless jurisdictional standards higher than those established by the Congress obtain.

As a result, there has arisen the question of whether the State law will apply in cases where there is a question affecting interstate commerce, but the jurisdictional standards of the NLRB are not met, and the NLRB, therefore, refuses to act. In three recent cases, the United States Supreme Court has held that the State law does not apply (*Guss* v. *Utah Labor Relations Board* (32 Labor Cases 70,563); *Meat Cutters Local 427* v. *Fairlawn Meats, Inc.* (32 Labor Cases 70,564); *San Diego Building Trades Council* v. *Garmon* (32 Labor Cases 70,565)).

As a result, there is now a so-called no-man's land in this particular area. We have no doubt that many will urge that the remedy in this case is to cede to the States more and more jurisdiction, and that the States should enter into this vacuum which has been created. In our view, this is not the answer. It seems to us that only the Federal agency can administer national labor policy

and that where Congress has passed a law which is designed to establish national policy with respect to representation cases and unfair labor practice cases affecting interstate commerce, that there should be one agency administering that policy, and that the agency should administer the policy in accordance with the full coverage of the law as enacted by Congress.

It is, indeed strange that an agency can lessen its responsibilities by refusing jurisdiction over areas clearly covered by the legislative intent of the statute. We have always thought that Congress was the legislative body, and that the administrative agency was to apply the law as enacted by the Congress. Here, we have the peculiar result where the administrative agency is disregarding the standard established by Congress of matters "affecting commerce," and has set up entirely arbitrary administrative definitions, for the most part based on dollar volume of sales or purchases.

It would be our hope that the Congress would insure that the administrative agency would apply the law so as to eliminate the vacuum created by the administrative agency's own actions. If the agency needs more personnel to accomplish the task, then that request should be made of the Congress, and sufficient appropriations provided.

We sincerely hope that this will be the answer to the Congress to this "no-man's land" problem, and that the Congress will not, instead, decide to let 48 States set 48 policies with respect to labor relations affecting interstate commerce.

Very truly yours,

R. A. OLSON, *President.*

MINNESOTA AFL–CIO,
FEDERATION OF LABOR,
St. Paul, Minn., July 2, 1957.

Hon. HUBERT H. HUMPHREY,
The United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: The Minnesota State Legislature recently adjourned from its 1957 session.

The legislature made certain modest increases with respect to the unemployment compensation and workmen's compensation laws. The maximum weekly benefit under the unemployment compensation laws was increased from $33 to $38 per week; under the workmen's compensation law, the statutory maximum was increased from $40 to $45.

Keeping in mind that average weekly earnings in manufacturing are now approximately $84 per week, and in construction, approximately $120 per week, the statutory maximums in each of these laws is failing to keep in step with the purpose of the legislation, which in the case of workmen's compensation is that the injured worker should receive approximately 66⅔ percent of his weekly earnings, and in the case of unemployment compensation, that the unemployed person should receive about 50 percent of his regular earnings.

Many States, of course, are substantially behind Minnesota, which always makes our job much more difficult when we seek improvement. It is my conviction that the Federal Government should set minimum standards in each of these fields requiring the States to observe such standards. On unemployment compensation, for example, such minimum standards should embrace coverage, benefits, eligibility, and disqualifications.

On the basis of past performance, it appears that leaving these matters to the 48 States is not productive of legislation which will sufficiently protect the rights of employees. Provision for minimum standards will, however, permit those States which desire to do better than the minimum standards, to take such desired action.

We solicit your support for the introduction and passage of such legislation.

Very truly yours,

R. A. OLSON, *President.*

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 7522. An act to authorize the extension of certain rights to remove timber from lands acquired by the United States (Rept. No. 598).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 5341. An act for the relief of John J. Farrelly (Rept. No. 599).

EXTENSION OF SMALL BUSINESS ADMINISTRATION

Mr. CLARK. Mr. President, from the Committee on Banking and Currency, I report an original bill to extend the Small Business Administration for 1 year until July 31, 1958, and which would increase the authorization for business loans by $75 million—raising this fund from $230 million to $305 million, and I submit a report (No. 597) thereon.

Although the committee had extensive hearings on numerous bills concerned with changes in the programs of the Small Business Administration and with proposals to supplement existing sources of long-term credit and equity capital for small businesses the committee determined that it had insufficient time to consider thoroughly these proposals before the scheduled expiration date of the Small Business Administration on July 31 of this year.

That was done, of course, because of the business pending before the Senate, which would make it difficult, if not, indeed, impossible, to have a comprehensive bill discussed and adopted in the Senate before the Small Business Administration Act expired.

For this reason, the committee determined to take an emergency action and extend the agency for 1 year, with the understanding that the many other proposals on this subject now pending before the committee will be acted upon in the second session of this Congress.

I personally regret that it was necessary for the committee to forgo full consideration of the matter at this time. I feel that many of the proposals pending before the committee warrant favorable action by the Congress, and I am hopeful that such action will occur early in 1958.

Mr. President, I ask unanimous consent that following my remarks there be printed in the RECORD a letter on this subject dated July 8, 1957, addressed to Chairman FULBRIGHT, of the Banking and Currency Committee, by Chairman SPENCE, of the House Banking and Currency Committee.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON BANKING AND CURRENCY,
Washington, July 8, 1957.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Banking and Currency, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: I am informed that the Senate Banking and Currency Committee has agreed to extend the Small Business Act for 1 year and to grant a corresponding increase in its business loan authority, and that this action was taken in the form of an amendment striking out all after the enacting clause of H. R. 7963.

This, of course, has the effect of killing the provisions of H. R. 7963, which was carefully worked out after extensive hearings by the House Banking and Currency Committee, and the House Small Business Subcommittee No. 2, and which passed the House by a vote of 392 to 2. Under the circumstances, I could not agree to accept the Senate amendment to the bill, and would have to ask for a conference with the Senate, and I would expect the House conferees to make a vigorous effort to preserve the provisions of the House bill.

I wonder if it would be possible for your committee to report a separate extension resolution, rather than amending H. R. 7963, thereby leaving H. R. 7963 before your committee for further consideration. I assure you that if the Senate passes such a resolution and sends it to the House, I will make every effort to obtain agreement to the resolution.

With kind regards, I am,

Very sincerely,

BRENT SPENCE.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar.

The bill (S. 2504) to amend and extend the Small Business Act of 1953, as amended, reported by Mr. CLARK, from the Committee on Banking and Currency, was read twice by its title and placed on the calendar.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Banking and Currency:

Frank A. Southard, Jr., of New York, to be United States Executive Director of the International Monetary Fund;

Erle Cocke, Sr., of Georgia, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation, vice Maple T. Harl; and

Edward N. Gadsby, of Massachusetts, to be a member of the Securities and Exchange Commission, vice J. Sinclair Armstrong.

By Mr. GREEN, from the Committee on Foreign Relations:

Cecil Wayne Gray, of Tennessee, and sundry other persons for promotion in the Foreign Service; and

Leland C. Altaffer, of Ohio, and sundry other persons for promotion in the Foreign Service.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH of New Jersey:

S. 2497. A bill for the relief of Mrs. Hildegard Porkert;

S. 2498. A bill for the relief of Matthew M. Epstein; and

S. 2499. A bill for the relief of Ilona Agnes Ronay; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina (by request):

S. 2500. A bill to make uniform the termination date for the use of official franks by former Members of Congress, and for other purposes; and

S. 2501. A bill to authorize the establishment of 88 positions for specially qualified scientific and professional personnel in the Department of Commerce at rates of compensation not to exceed the maximum rate payable under Public Law 313, 80th Congress, as amended, and Public Law 854, 84th Congress; to the Committee on Post Office and Civil Service.

By Mr. LANGER:

S. 2502. A bill to provide for the establishment of the Geographic Center of the North American Continent National Monument; to the Committee on Interior and Insular Affairs.

S. 2503. A bill for the relief of Maria H. Aguas and Buena M. Castro; to the Committee on the Judiciary.

By Mr. CLARK:

S. 2504. A bill to amend and extend the Small Business Act of 1953, as amended; placed on the calendar.

(See the remarks of Mr. CLARK when he reported the above bill, which appear under the heading "Reports of Committees.")

By Mr. KENNEDY (by request):

S. 2505. A bill to provide graduate fellowships for certain veterans for study, leading to a career in teaching; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. KENNEDY when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE (for himself and Mr. RUSSELL):

S. 2506. A bill to amend title II of the Social Security Act so as to permit the State of Georgia to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Finance.

By Mr. DOUGLAS:

S. 2507. A bill to permit articles imported from foreign countries for the purpose of exhibition at the St. Lawrence Seaway celebration, to be held at Chicago, Ill., to be admitted without payment of tariff, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. DOUGLAS when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2508. A bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. WATKINS:

S. 2509. A bill for the relief of Egriselda Toba de Quijada; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 2510. A bill for the relief of Dr. Brant Bonner; to the Committee on the Judiciary.

S. J. Res. 119. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration to be held in Chicago, Ill., from January 1, 1959, to December 31, 1959; to the Committee on the Judiciary.

(See the remarks of Mr. DOUGLAS when he introduced the above joint resolution, which appear under a separate heading.)

PROPOSED VETERANS' FELLOWSHIPS IN EDUCATION ACT OF 1957

Mr. KENNEDY. Mr. President, by request, I introduce, for appropriate reference, a bill which would offer an immediate remedy for one of the most urgent aspects of the teacher shortage in the United States. The bill proposes to utilize the reservoir of talent in our Armed Forces by retraining military personnel upon retirement to teach in public and nonprofit schools.

We are all aware of the tremendous need for teaching talent. In many States youngsters are going to school in shifts, getting only half-time education, or doubling up in classrooms. Sometimes this is caused by the lack of schoolrooms, but, just as importantly, it is caused by a shortage of qualified teachers. Education experts tell us that the shortage will grow worse, not better, in the next few years. Already there are an estimated 80,000 teachers with inadequate qualifications teaching on temporary permits.

Men who have served in the Armed Forces have benefited from training and education of the highest standards, particularly in the scientific fields—the very field of education in which the teacher shortage is most severe. They have been educated at great Federal expense. Yet upon retirement, many at quite an early age, their talent is either allowed to go unused or is snapped up by private industry.

This bill would encourage these persons to go into the teaching field by offering fellowships, providing not more than 11 months of study. The veteran, who must be under 59 years of age and have served at least 10 years, would receive $100 a month for subsistence, plus tuition expenses, with the total not to exceed $2,000. In return he would be obligated to teach for at least 3 years in a nonprofit school or college after completing the study provided by the fellowship.

A great many of our military men and women already hold college degrees and graduate degrees, or experience and military training equal to or greater than graduate study. All they need to convert their knowledge to the teaching profession is a teacher-training course. With such a combination, they would be able to offer not only the same qualifications a college graduate with a teaching degree can, but the age and wisdom which the young graduate cannot.

Not only would this program provide a number of teachers concentrated in the scientific and technical fields where the need is greatest, but it would increase the number of male teachers available.

Many of these retired military personnel would be willing to accept teaching jobs where others turn them down because of low salary. For in addition to their salaries as teachers they would still be receiving retirement benefits and thus could afford to remain in the teaching profession.

The cost to the Federal Government would not be great. The bill provides an appropriation of $17,500,000 to finance the fellowship program. But the benefits to our educational system could be immense.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2505) to provide graduate fellowships for certain veterans for study, leading to a career in teaching, introduced by Mr. KENNEDY, by request, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

THE ST. LAWRENCE SEAWAY CELEBRATION, 1959

Mr. DOUGLAS. Mr. President, I introduce, for appropriate reference, a bill and a joint resolution dealing with certain matters connected with the St. Lawrence Seaway celebration, to be held at Chicago, Ill., in 1959. I ask unanimous consent that the bill and joint resolution may be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill and joint resolution will be received and appropriately referred; and, without objection, the bill and joint resolution will be printed in the RECORD.

The bill and joint resolution, introduced by Mr. DOUGLAS, were received, read twice by their titles, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

S. 2507. A bill to permit articles imported from foreign countries for the purpose of exhibition at the St. Lawrence Seaway celebration, to be held at Chicago, Ill., to be admitted without payment of tariff, and for other purposes:

"*Be it enacted*, etc., That any article which is imported from a foreign country for the purpose of exhibition at the St. Lawrence Seaway celebration (hereinafter in this act referred to as the celebration) to be held at Chicago, Ill., from January 1, 1959, to December 31, 1959, inclusive, by the St. Lawrence Seaway Celebration Commission, Inc., a corporation, or for use in constructing, installing, or maintaining foreign exhibits at the celebration, upon which article there is a tariff or customs duty, shall be admitted without payment of such tariff or customs duty or any fees or charges under such regulations as the Secretary of the Treasury shall prescribe.

"SEC. 2. It shall be lawful at any time during or within 3 months after the close of the celebration to sell within the area of the celebration any articles provided for in this act, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe. All such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles

which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry under this Act for consumption or entry under the general tariff law.

"SEC. 3. Imported articles provided for in this act shall not be subject to any marking requirements of the general tariff laws, except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States.

"SEC. 4. At any time during or within 3 months after the close of the celebration, any article entered under this act may be abandoned to the United States or destroyed under customs supervision, whereupon any duties on such articles shall be remitted.

"SEC. 5. Articles which have been admitted without payment of duty for exhibition under any tariff law and which have remained in continuous customs custody or under a customs exhibition bond and imported articles in bonded warehouses under the general tariff law may be accorded the privilege of transfer to and entry for exhibition at the celebration, under such regulations as the Secretary of the Treasury shall prescribe.

"SEC. 6. The St. Lawrence Seaway Celebration, Inc., shall be deemed, for customs purposes only, to be the sole consignee of all merchandise imported under this act. The actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under this act, shall be reimbursed by the St. Lawrence Seaway Celebration, Inc., to the United States, under regulations to be prescribed by the Secretary of the Treasury. Receipts from such reimbursement shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524 of the Tariff Act of 1930, as amended (19 U. S. C. 1524)."

To the Committee on the Judiciary:

S. J. Res. 119. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration to be held in Chicago, Ill., from January 1, 1959, to December 31, 1959:

"Senate Joint Resolution 119

"*Resolved, etc.*, That the President of the United States is authorized by proclamation or in such other manner as he may deem proper, to invite the States of the Union and foreign countries to participate in the St. Lawrence Seaway celebration, to be held in Chicago, Ill., from January 1 to December 31, 1959, inclusive, for the purpose of promoting foreign and domestic commerce and of fostering good will among nations."

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938, AS AMENDED, RELATING TO CIVIL PENALTIES IN CERTAIN CASES

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions. I ask unanimous consent that a letter from the Chairman of the Civil Aeronautics Board, requesting the proposed legislation, together with a statement of its purpose and need, may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the RECORD.

The bill (S. 2508) to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions, introduced by Mr. MAGNUSON (by request), was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter and statement presented by Mr. MAGNUSON are as follows:

CIVIL AERONAUTICS BOARD,
Washington, June 28, 1957.

Hon. RICHARD NIXON,
President of the Senate, United States Senate, Washington, D. C.

DEAR MR. PRESIDENT: The Civil Aeronautics Board recommends to the Congress for its consideration the enclosed draft of a proposed bill: "To amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions."

The Board has been advised by the Bureau of the Budget that there is no objection to the presentation of the draft bill to the Congress for its consideration.

Sincerely yours,

JAMES R. DURFEE,
Chairman.

STATEMENT OF PURPOSE AND NEED FOR PROPOSED LEGISLATION

A bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases; and to increase the monetary amount of fines for violation of the criminal provisions

The purpose of that part of the proposed amendment which authorizes the imposition of civil penalties in certain cases is to provide a statutory tool for the more effective enforcement of the provisions of title IV of the Civil Aeronautics Act and of the Board's economic orders and regulations issued thereunder and under section 1002 (i) of the act. At the present time violations of these provisions are subject to criminal prosecution under section 902 (a) of the act. This sanction is an effective deterrent in serious cases involving knowing and willful violations. With respect to many cases of minor infractions, violations of a less serious nature, and actions falling short of knowing and willful misconduct, the conventional criminal proceedings are either too drastic, too cumbersome or altogether inappropriate. It is in acting upon these less serious but more numerous violations that the Board believes it could avail itself of the remedy of civil penalty in a constructive manner toward improving the enforcement program.

The availability of the remedy of civil penalty would enable the Board to attack violations speedily and avoid situations such as have existed in the past where offenders have been able to persist in violations during the time required to prosecute a formal proceeding or court action.

The availability of the remedy of civil penalty would afford an adequate remedy as a substitute for criminal action except in serious cases where willful and knowing violations involving the necessary degree of criminal responsibility may be established. Moreover, the imposition of civil penalty would, in many cases, have a salutary effect comparable to that of criminal penalties without subjecting the offender to the serious stigma which follows imposition of criminal penalties.

The modifications proposed in existing sections 901 (a) and 902 (a) of the act have been drafted primarily for the purpose of making available this additional sanction. The changes to section 901 (a), in addition, incorporate amendments effected by Reorganization Plan III and IV of 1940, and Reorganization Plan V of 1950. In regard to section 902 (a), such changes have been made to preserve the effectiveness and applicability of the criminal penalties as are made necessary in view of the amendment of section 901 (a).

It is also proposed (1) to add to section 901 (a) a provision, that if the violation is a continuing one, each day of the violation shall constitute a separate offense, and (2) to amend section 902 (a) to increase the monetary amount of fines which may be imposed thereunder.

The amendment of section 901 (a) to provide that each day of violation shall constitute a separate offense is believed desirable in the interest of effective enforcement of the civil penalty procedure. Section 902 (a) already contains such a provision with regard to criminal violations.

With respect to the proposal to increase the monetary amounts of the fines which may be imposed for violation of the criminal provisions, the Board feels that the current provisions are no longer adequate. Knowing and willful violations of the Civil Aeronautics Act are serious offenses for which there should be a more effective deterrent than the present maximum of $500 for the first offense. Likewise, it is suggested that repeated offenses should carry a higher penalty than the $2,000 fine now specified as the maximum, and that there should be a mandatory minimum fine in all cases.

Accordingly, the attached draft incorporates: (1) amendments to authorize the Board to impose civil penalties in additional cases, (2) amendment of section 901 (a) to provide that each day of violation shall constitute a separate offense, and (3) amendment of section 902 (a) to provide for the imposition of a mandatory minimum fine of $100, with a maximum of $5,000 both for the first offense and for each subsequent offense.

There is attached an analysis of the proposed amendments and a comparison of the proposed amendments with existing law.

ENTRANCE INTO UNITED STATES OF CERTAIN ALIEN CHILDREN—ADDITIONAL COSPONSOR OF BILL

Mr. KENNEDY. Mr. President, I ask unanimous consent that the name of the Senator from Oregon [Mr. NEUBERGER] may be added as a cosponsor of the bill (S. 2410) to facilitate the entry into the United States of certain immigrants, to authorize the adjustment of status of certain aliens in the United States, to provide for the issuance of special nonquota immigrant visas to certain refugees, and for other purposes, introduced by me, for myself and other Senators, on June 27, 1957. The Senator from Oregon has been a consistent supporter of this type of legislation.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KEFAUVER:
Letter dated July 3, 1957, addressed by him to the President concerning chronology in Idaho Power Co. fast-tax writeoff matter.

By Mr. CASE of South Dakota:
Weekly News Letter, written by him on the subject Electric Power at Hells Canyon, TVA, and Niagara.

By Mr. NEUBERGER:
Article written by him on the 85th anniversary of Popular Science Monthly.

By Mr. CLARK:
Address delivered by Senator CHURCH at Independence Hall, Philadelphia, Pa., on July 4, 1957.

By Mr. KENNEDY:
Letters from him and Senator PAYNE, published in the Washington Post and Times Herald of July 5, 1957.

By Mr. WILEY:
Article entitled "Nation's Crime Tab Set at $28 Billion," published in the Washington Post and Times Herald of June 14, 1957.

FEDERAL LOAN PROGRAMS—NOTICE OF PUBLIC HEARING ON S. 2427

Mr. FULBRIGHT. Mr. President, on behalf of the Committee on Banking and Currency, I desire to give notice that a public hearing has been scheduled for Monday, July 22, 1957, at 10 a. m., in room 301, Senate Office Building, on S. 2427, to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government.

All persons who desire to appear and testify at the hearings are requested to notify Mr. J. H. Yingling, chief clerk, Committee on Banking and Currency, room 303, Senate Office Building, telephone National 8-3120, extension 865, as soon as possible.

In order to make sure that all persons who may be affected by this bill will receive full notice I ask unanimous consent that the bill be printed in full in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That notwithstanding any other provision of law (1) the interest rate on any loan hereafter made by the Treasury to any department or agency of the Federal Government to finance loans made by such department or agency shall be fixed by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the loans made by the department or agency, and (2) the interest rate on any loan hereafter made by any department or agency shall not be less than the rate the department or agency making the loan would pay if it borrowed from the Treasury at the time the interest rate on the loan is fixed, plus an additional amount deemed adequate to cover administrative expenses and probable losses to the extent consistent with the purposes of the loan program.

PRESERVATION OF MONTANA WILDERNESS AREAS

Mr. MANSFIELD. Mr. President, the State of Montana has varied topography, and in the western part of the State we are blessed with some of the finest mountain regions in the country. These mountains provide wonderful protection for a number of wild game—elk, deer, mountain goats and sheep, and bears. In addition, this wilderness area provides hunting and fishing difficult to find today.

One of the finest of these areas is the Bob Marshall wilderness area, which stretches some 60 miles north and south along the Continental Divide in the Flathead and Lewis and Clark National Forests.

This mountainous region has all the ideal conditions for the protection of wildlife and the preservation of scenic beauties, wonders, and recreational resources as Mother Nature originally created them. These wilderness areas are becoming fewer as the Nation's population grows and new areas are exploited. These few remaining wilderness areas ought to be protected.

Tom Deckert, of Billings, Mont., vice president of the Montana Wildlife Federation, has prepared a very fine article in defense of these primitive regions against the encroachment of man and the construction of dams, reservoirs, and flood-control projects which will not be any great benefit to man.

I ask unanimous consent that this feature article from the June 30 issue of the Billings Gazette be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CONSERVATION FORCES OPPOSE DAM PROJECT ON NORTH FORK OF SUN RIVER—SPOKESMAN SAYS PLAN WOULD DESTROY VALUE OF PRIMITIVE REGION

Montana conservationist forces have reaffirmed their opposition to a North Fork Sun River Dam after a horseback trip in the rugged wilderness area near Augusta, an official of the Montana Wildlife Federation said Saturday.

The consensus is that the area should be kept in its present state of primitiveness, Thomas H. Deckert of Billings, an MWF vice president, reported.

Deckert, said the tour party included livestock interests and representatives of the Montana Wildlife Federation, United States Forest Service, Montana Fish and Game Department, Wilderness Society, Dude Ranchers Association, Guides and Outfitters and the Sun River Conservation Committee.

The wildlife federation spokesman said conservationists have been aroused by the Corps of Engineers, hearing in Augusta last April 9 to discuss the possibilities of a flood control project and protection plan along the lower Sun River and the city of Great Falls.

Deckert said the plan as explained at the hearing would not jeopardize fish and game to any great extent as long as it did not involve storage above Augusta.

"However," he said, "the mere mention of flood control in the upper Sun River, irrespective of who would build the project, is a matter of grave concern to the invaluable recreational resources."

The Sun River drainage comprises about one-third of the Bob Marshall wilderness area, wintering ground for one of the State's largest elk herds. Members of the recent tour observed about 400 elk, 14 bands of mountain sheep and whitetail and mule deer, Deckert said.

"When viewing areas such as this and looking into the vast heavens, a man cannot help but realize how insignificant his contributions to earthly affairs really are," Deckert said.

"I wonder if the cost of maintaining and preserving such areas as the Bob Marshall wilderness is too great a problem for our Government when such benefits are appreciated by so many of our people."

WARNING GIVEN

Deckert cited a warning from Robert F. Cooney, coordinator of the State fish and game department wildlife restoration division, that the proposed Sun River Butte Dam would destroy upstream fishing and ruin part of the elk range.

Cooney also contends the dam would block mountain passes to the department's Sun River elk preserve.

Proponents of the dam say it would provide irrigation water and at least 100,000 acre-feet of flood control, minimizing danger of damaging floods such as occurred in 1953. The present Gibson irrigation dam on the Sun River, they maintain, offers no flood protection.

The fish and game department official asserts the Sun River Butte Dam cannot be both an irrigation and flood-control project.

"If the dam would be constructed to store water for irrigation," Cooney told the April 9 hearing, "it would not be a flood-control measure. The impoundment would have to be filled by the spring runoff, or it does not answer the purpose for which it is built."

The Bob Marshall wilderness area stretches some 60 miles north and south along the Continental Divide in the Flathead and Lewis and Clark National Forests. It includes the Sun River on the east and the Flathead River on the west.

Elevations in the wilderness area range from 5,000 feet in the valley floor to more than 9,000 feet along the Continental Divide.

Its varied topography includes towering and precipitous ridge tops and gently sloping alpine meadows.

Established in 1931 and reclassified in 1940 under regulation U-1, the area consists of 950,000 acres, of which 710,000 are in the Flathead and 240,000 in the Lewis and Clark National Forests.

The area is considered extremely valuable for scientific investigation in all fields of natural science. Geological formations are basicly quartzite, argillite, and limestone which has yielded trilobite fossilization indicating the formation to be hundreds of millions of years old.

Glaciers have carved broad valleys and many of the principal lakes in the area, and many smaller lakes lie in the shadow of giant peaks.

Forest cover is characterized by open, parklike stands of ponderosa pine, denser thickets of lodgepole pine, mixtures of western larch and Douglas-fir and the shorter alpine species at higher elevations.

GAME IS ABUNDANT

Besides one of the largest native elk herds in the northern Rockies, the wilderness area boasts large numbers of deer, mountain goats, mountain sheep, black and brown bear and the mighty grizzly bear.

For this reason the region is prized by big-game hunters throughout the Nation.

Small-game animals, birds and predators also are common in the area. Lakes and streams provide excellent fishing for native cutthroat, rainbow, Dolly Varden and brook trout.

An outstanding feature of special interest to all visitors is a 25-mile-long limestone reef on the crest of the Continental Divide. This obstruction, rarely broken by a mountain pass, has been appropriately dubbed the Chinese Wall because of its vertical face rising more than 1,000 feet.

Hundreds of miles of Forest Service trails enable horseback travelers and hikers to roam at will through the area, however.

"It is a paradise of nature's wonders," Deckert said. "Many think of it as God's gift

to man. It should be forever cherished and never impaired. Its cleanliness and awe-inspiring beauty and wonders should be preserved at all cost."

"The Bob Marshall wilderness area, the Sun River game preserve, and the State fish and game department's big-game winter-range located and fenced to collect wildlife from their established migration routes, comprise a combination of the most ideal conditions," Deckert said.

"The management of this native herd is considered to be the best in our country. Since these ideal conditions prevail, little controversy exists between farmers, ranchers and wildlife interests.

"If other migration routes were to be established by the elk because of the Sun Butte Reservoir, a large part of the winter range would be useless. The time, hard work and the large investment would be wasted.

"Wildlife interests would have a huge problem with private interests to try and solve differences all over again.

"The future of America's outdoor recreation depends upon how many of these unspoiled, well-managed areas that might be saved from exploitation. There is evidence that the Sun Butte Dam and impoundment would not solve the flood problem of the lower Sun River.

"Even with every precaution and control measures, it is doubtful that the 18.79 inches of rainfall in the 11-day period in 1953 could have been completely checked without serious damage. The 5.41 inches of rain that fell in the Sun Butte area during this storm could not have added very much to the overall picture.

"Poorly constructed and neglected canals always play a big part in floods; road construction, overgrazed lands, and overcut timber lands are responsible to some extent.

"With surplus crops in sight for many years, and with one Federal department trying to take land out of cultivation and another department trying to put more land under cultivation, the people are subsidizing both ends and the middle."

CITES VALUE OF FISHING

Pointing to the economic importance of fishing and hunting to Montana, Deckert said 1 out of every 3 persons in Montana are fishermen; 235,450 fishing licenses were sold in 1956. Since 1940, nonresident fishing licenses have increased almost 400 percent. During 1956, 200,910 resident hunting licenses were sold and nonresident hunters have doubled in number since 1950.

Expenditures for hunting and fishing in Montana each year exceed $50 million.

"Add the hundred-million-dollar tourist business, and this gives us some idea of what our scenic beauties, wonders, and recreational resources are actually worth," the conservationist said.

"Industry and many in our Government have recognized the value of the great outdoors. They have and are encouraging their employees to participate whenever possible, and it has paid dividends.

"The people have demonstrated how they appreciate the outdoors by their tremendous increased usage.

"By proper planning, by all interests on a give-and-take basis without selfishness or greed, there must be a way to solve differences in some way other than what has been done in the past, or we are failing to uphold the principles of democracy."

Continuing, Deckert said, "The outdoor people are trying to understand and take a broad concept of the problem involved when destruction of areas of major importance is at stake.

"We endeavor to enter into controversial issues with a wide-open mind and weigh the true resource values at what they are actually worth today and for the future—not for a quick dollar that destroys $100."

According to Cooney, Montana's opposition to a dam at Sun Butte site, a short distance from the head of Gibson Lake, "is based upon the very serious detrimental effects such a structure would have on irreplaceable wildlife and recreational resources of the area."

He said the Sun River elk herd, consisting of somewhat over 3,000 animals, presents one of the most valuable groups of this big game species on the continent.

"The present balance between the State-owned winter range in the foothills, and the spring, summer, and fall range on national forest lands to the west, represents an almost ideal condition. The acquisition and development of approximately 20,000 acres making up the winter elk range represented an investment for Montana sportsmen of approximately $200,000. Its continued use by a majority of the Sun River herd presents one of the most important factors in the future successful management of elk in the area."

A dam at the Sun Butte site or elsewhere in that general locality would, in Cooney's opinion, disrupt the present ideal pattern of game use. Due to the precipitous reef-type cliffs found throughout the Sun River range, elk migration trails are restricted to low passes by which the main herd moves east onto the winter game range in the foothills.

WOULD OBSTRUCT MIGRATION

The proposed dam and resulting impoundment would obstruct the main migration trail to the foothills. Such an obstruction would undoubtedly cause elk to scatter widely in attempting to find other passes, thus causing them to emerge from the mountains long distances either north or south of the presently provided game range.

This would cause serious problems of damage to private lands and virtually eliminate the present benefits of the State-owned game range.

A dam at the Sun Butte site would flood approximately 2,565 acres of vitally needed calving ground, he said. Elk have been found to be very specific in their choice of calving range. It is therefore probable that this major loss of spring range would present a serious limiting factor in the production of this major game herd.

"The present back country type of highly valued hunting opportunity would be lost by the presence of access roads penetrating the construction area. It is quite probable that undesirable 'firing line' type hunting would result," Cooney said.

Construction and operation of the Sun Butte Reservoir would flood and thus eliminate somewhat in excess of 7 miles of valuable stream fishing on the North Fork of the Sun River.

"This loss would be particularly important as the Sun River drainage above Gibson Reservoir now represents some of the relatively few trout waters in the United States which have not been altered materially. A careful qualitative appraisal of this area ranks the upper portion of the Sun River Basin as one of the outstanding trout fishing areas of the Nation.

"This rare and natural type of stream fishery, which would be inundated by the proposed reservoir, could never be replaced."

Cooney pointed out the proposed impoundment would back water approximately 7 miles into this Bob Marshall wilderness area; it would seriously jeopardize the present wilderness aspect which is recognized as of national significance.

"From a wildlife point of view alone, the wilderness habitat now afforded presents an environment highly valuable in the perpetuation and survival of several rare game species. Wilderness type hunting and fishing is becoming increasingly difficult to find and is, therefore, considered of inestimable value," Cooney concluded.

ADDRESS BY POPE PIUS XII TO A DELEGATION OF THE AMERICAN JEWISH COMMITTEE

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by Pope Pius XII to a delegation of the American Jewish Committee in Rome on June 28, 1957. Pope Pius urged the governments of the world to resettle refugees driven out of their native countries by the "evil blight" of racial persecution, and condemned anti-Semitism and racial discrimination in any form as a "violation of fundamental rights inherent in a human person." This address appeared in the New York Times on Tuesday, July 2, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

The American Jewish Committee, which you honorable gentlemen represent, has just rounded out 50 years of service in behalf of the right and status of those of your race who, with other minority groups, have been subjected to the violation of fundamental rights inherent in the human person.

Forced to forsake the land of their birth and seek on far-off unfamiliar shores a refuge where they might begin anew a family life, how many have then had to experience the almost desperate situation added to their miseries of not being welcome where they had hoped for hospitality.

Your desire to visit us this morning is a testimony to your confidence in the interest we have in the sad plight of the peoples just described.

Again and again, as did our predecessor of happy memory (Pope Pius XI) before us, we have strongly urged that the fundamental principles of justice and charity and the long-recognized practice of offering asylum to those not guilty of crime be the norm of government conduct today.

It is a consolation to our paternal heart to know that our appeal has been generously heeded in many countries; and we like to cherish the hope that so long as that evil blight endures, states will not be lacking in their obligation to succor those who have been forced to emigrate.

We have been happy to welcome you gentlemen and our heart goes out in a fervent prayer to God that in His bounteous goodness He have pity on those who are suffering injustice and enlighten those who are perpetrating evil.

A PERMANENT SOLUTION NEEDED FOR THE FARM PROBLEM

Mr. MUNDT. Mr. President, in my opinion the major domestic problem in the calendar year 1958 will be to evolve and legislate a long-term solution of the farm problem. It seems unlikely we will succeed in that achievement during the congressional session of 1957, but I can think of nothing to which we should more earnestly devote our concentrated efforts in the next calendar year than to find a permanent solution to this very serious domestic problem.

During the course of the past few years we have tried fixed high price supports, and have found them to be inadequate to give the farmer the parity of income to which he is entitled.

We have also tried, in the past few years, flexible price supports, and have also found them to be inadequate to give the farmer the parity of income to which he is entitled.

We are now operating primarily under the soil bank program. While it is still too new a program to evaluate completely, I do not believe anyone holds that it will prove to be a total and permanent solution of the farm problem.

Concurrently, we have a stepped-up program of foreign utilization of farm products under Public Law 480 and other export programs, which are very commendable, but they have not proved to be a solution of the farm problem, and it has not provided the farmer with the parity of income to which he is so richly entitled.

We have before us a number of challenging and constructive new suggestions for the utilization by industry of farm products. The Senate committee on Agriculture expects to hold hearings, I hope this year, on some of the great opportunities which these new programs provide.

However, none of the programs operating as of this time give the farm population of the United States the equity, the parity, and the justice to which it is entitled as a very significant segment of the American body politic. We need constructive action on new programs at the earliest possible time.

One of the reasons why we have not succeeded, Mr. President, is that the great farm organizations of America have been unable to get together, pool their thinking, and agree on even the general outlines of a long-term farm program. There are 5, 6, 7 or 8 great farm organizations, some of them general in nature and some of them representing specific producers. If, as, and when those great farm organizations can come before Congress with a concentration of ideas and with a singleness of purpose, such as the labor organizations of America, for example, have been able to demonstrate for labor, I am confident they will carry us a great big Trojan step forward toward the ultimate goal of giving parity to the American farmer.

In that connection, Mr. President, I was highly gratified to read an editorial in a great newspaper published in South Dakota, the Daily Plainsman, which serves some of the best agricultural areas of the United States. The Daily Plainsman is published in Huron, S. Dak., the seat of our great State fair.

This editorial is entitled "Farm Meeting Step in Right Direction," and reports a most encouraging development which I hope Senators will watch and which I hope Senators will encourage in every way they can. The beginning of the editorial states:

National farm organizations finally are going to try to get together to restore unity to a badly disorganized agriculture.

A meeting will be held in Washington, D. C., in August to draft programs to meet the needs of the individual farm commodities. The purpose, of course, is to stabilize prices and income at levels satisfactory to producers.

Mr. President, I should state that the editorial goes on to say:

Promoting this attempt to develop new farm programs is the National Milk Producers' Federation, a major dairy organization.

I wish to commend the National Milk Producers' Federation for its leadership and vision in trying to bring together around one table the great farm organizations of this country, so that we may cease to have the bickering and the fighting among farm organizations and among producers which is demonstrated so lamentably, for example, in connection with the proposed self-help bill for livestock. The livestock organizations favor it. Some of the general farm organizations oppose it. The result has been costly inaction, acrimony, and conflict.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. MUNDT. I ask unanimous consent, Mr. President, that there may be printed in the RECORD at this point, as a part of my remarks, the stimulating editorial from the Daily Plainsman to which I have referred concerning what may be a great forward step in agriculture.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FARM MEETING STEP IN RIGHT DIRECTION

National farm organizations finally are going to try to get together to restore unity to a badly disorganized agriculture.

A meeting will be held in Washington, D. C., in August to draft programs to meet the needs of the individual farm commodities. The purpose, of course, is to stabilize prices and income at levels satisfactory to producers.

Promoting this attempt to develop new farm programs is the National Milk Producers' Federation, a major dairy organization. The federation said it was stepping into the general farm legislation field because the Grange, the Farm Bureau, the Farmers Union and the Council of Farmer Cooperatives have been unable to arrive at any general agreement on a national farm program.

The federation feels the difference between these groups have brought about the clashing views in Congress and have resulted in defeat for efforts to bring about changes in the Federal farm laws.

Under the coalition plan as offered through the federation, each commodity group will develop its own program. Once these individual commodity programs are developed, all will join hands to push each program through Congress.

Although we applaud this effort toward unity, we doubt that the approach is sound. It would be difficult, for instance, for the livestock producer who wants cheap feed to support a program which would raise his feed costs—yet feed growers will be after the highest possible price in any program which they might evolve.

That's only one example of conflict. There are other instances in which what is good for one commodity group is disadvantageous to another. Some farm groups are protectionists in the matter of foreign trade, for instance, while others oppose rigid trade barriers for different economic reasons.

Even among meat producers there are differences which arise from the competition for the housewives' dollars just as corn and wheat growers are competitors for the stock feeders' dollars.

Because of these differences—which are basic and have resulted in emotional attitudes toward what should be factual problems—it will be most difficult, if not impossible, for individual planning by commodity groups to bring about the necessary unity. The various commodity groups will have to meet jointly to work out compromises. Each will have to give a little.

Furthermore, any program which is planned piecemeal isn't going to be coordinated as a whole. A workable farm program will depend upon harmonious economic relationships between its various parts. There are complicated patterns of interdependence between the various groups which must be considered if a workable total program is to be evolved.

There is another difficulty, too. Some segments of the farm economy aren't organized on the national basis. These segments aren't just splinter groups either as is amply demonstrated by the fact that the corngrowers aren't organized.

However, despite the fact that the prospect for any immediate results is dim, the August meeting certainly will be a step in the right direction. It will focus attention on the desperate need for farm unity and will help stimulate thinking which possibly could bring about the desired results sometime in the future.

Certainly it will demonstrate to those unorganized commodity groups the need for joint action. Corngrowers certainly would want some voice in any movement such as the one proposed by the milk producers.

And certainly the meeting will spawn ideas. For instance, why not organize a National Farm Congress at which each community group would send representatives with the number of delegates based on the number of farmers raising the commodities? There could even be a senate, too, with equal representation from each commodity group. Wouldn't a delegation such as this, representing all segments of the economy, be likely to come up with a fair, workable farm program which would meet the main objectives which is to raise the general level of farm prices?

This is just one idea. There must be many more. The main consideration now is to put ideas to work. The National Milk Producers' Federation has provided the spark. It is up to the farmers at the grassroots to fan that spark into a flame.

ISRAEL'S ARAB CITIZENS

Mr. JAVITS. Mr. President, the renewed interest in the most nettling problem of the Near East, that of the Palestine Arab refugees, is long overdue. I welcome the suggestion of my friend and colleague, the Senator from Minnesota [Mr. HUMPHREY], concerning this very great and important subject, and for perceiving, as he obviously does, its critical influence on the effort to bring about peace and stability in that great area; I came to exactly the conclusion expressed by the Senator from Minnesota.

The Senator knows I have a very deep interest in the area and in its problems, and that I have constantly tried to get something done. I can think of no finer advocate in the Senate for the solution of the problems of this region than the distinguished Senator from Minnesota, and I welcome the initiative he has demonstrated.

Mr. President, by way of contribution to that discussion, there is a very interesting report in the New York Times of June 20, written by its correspondent in Israel, Seth S. King, on the position of the 200,000 Arab citizens of that country and how they have fared since 1948. The report is written objectively, as will be seen from the fact that it contains criticism, as well as some commendation. I think it is of great value in the effort to bring about a balanced understanding

of the situation, and I therefore ask unanimous consent, Mr. President, that the article may be printed in the RECORD as a part of my remarks.

Mr. King points out that there is no discrimination or animosity against these Arab citizens. He reports that Israel has made it possible for its Arab citizens to have better schools, better health and welfare services, and far greater prosperity. They enjoy free speech and a free press. They have the right to joint the Histadrut—the general labor federation—and to enjoy all its social and health benefits. They also have the right to vote and they are represented in the Knesset—Israel's parliament—by eight members of their own choice. The report does not minimize the restrictive measures under which the Israel Arab must live and which are necessitated by the continuing expressed hostility against Israel by Arab states surrounding it. Mr. King, however, attributes the basic difficulty in integrating the Arab citizen to the refusal of many to accept western progress and industrialization. Despite all the benefits of political and economic democracy which Israel makes available, many of Israel's Arabs apparently still hope for the liquidation of the Israeli state. The obstacles which Mr. King reports that Israel officials are trying to overcome are so great as to lend great weight to Israel's belief that large-scale repatriation of Arab refugees is impossible in the interests of the security of Israel.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARABS IN ISRAEL STILL A PROBLEM—MANY EXPECT A SECOND CONFLICT—DESPITE GAINS UNDER JEWISH REGIME, MOSLEM RESIDENTS STILL BELIEVE THEY ARE SECOND-CLASS CITIZENS

(By Seth S. King)

NAZARETH, ISRAEL, June 12.—In the spring of 1949, when a tenuous peace had settled over Israel, 145,000 Arabs suddenly became citizens of a new state made up largely of Jews.

Almost overnight the Arabs ceased to be a majority and became a minority. They began living under people they had just been fighting. These people were different in background, religion, and language, and until then had themselves always been the minority.

Today, after 8 years, Israel's Arabs still consider themselves second-class citizens.

They still are not fully—or officially—trusted. There is no evidence that they are any closer to accepting Israel as a permanent entity. Many of them admittedly still are waiting for a second round, when they hope the armies of the Arab States will come back and push the Jews into the sea.

There still is just as much emotion present today in any consideration of their problems. It still is just as difficult to find a true neutral who can fairly assess their position.

Everyone concerned with them admits that under the Israeli Government these Arabs are physically far better off now than in the days of the British mandate over Palestine.

Their numbers have risen to more than 200,000. By natural growth they now are adding 7,000 each year. Since the fighting stopped in 1949, more than 33,000 who had fled to adjoining states have been reunited with their families in Israel through the machinery of the United Nations.

EIGHT ARABS IN PARLIAMENT

They now have better schools and better health and welfare services and, in many instances, they are making more money and living in much better houses.

Politically they are free to say nearly anything they please. They also are free to vote for whom they choose. Eight of the 120 members of Israel's Knesset (Parliament) are Arabs.

But if an Israeli Arab lives, as most of them do, in one of the three special military government zones opposite the borders, he must carry a special identity card at all times. He cannot leave his assigned area without getting a special permit to travel. In theory this law must apply to anyone living or visiting in these zones, whether he be Jew or Arab. But in practice it is applied only to the Arabs.

If an Arab once owned land in certain areas and fled from that land to another part of Israel, it is unlikely that he has been permitted to return to it.

Unless he is a Druse, his children will not be conscripted into the military forces, as all other Israeli youth are. If he is a Christian, they might be allowed to volunteer. In most cases, if he is a Moslem, they cannot even do that.

An Arab is allowed to join a labor union in the Histadrut, the powerful general federation of labor. He is entitled to all social and health benefits of the federation. But he cannot hold an office in its central committee. Nor can his children join the federation's special youth branch.

For all these restrictive measures the Government has an explanation.

Israel is surrounded by Arab countries that still threaten to destroy her. Many Israeli Arabs have relatives and close friends in those countries. Despite the efforts of the border police, there still are numerous illegal crossings of the boundary line. Without the permit system, the Government says, there would be no check on or control over the movements of local Arabs, nor would there be any way of knowing how many outsiders had infiltrated into Israel.

Many Arabs have not been allowed to return to their land because it now is part of some Israeli agricultural settlement. But these Arabs were offered other nearby land in exchange. If this was not enough, they were offered additional cash payments.

DRUSES LOYAL TO ISRAEL

If they disagreed with these terms, they could challenge them in the civil courts. Many Arabs eligible for this compensation have refused it. This, the Government says, is not its fault.

The Druses, members of a small Arab group with a religion of its own, have been conscripted because they always have been loyal to Israel. They fought on the Israeli side in 1948.

The basic cause of friction between the Arabs and the Jews, many observers believe, is the head-on clash of a western culture that is energetic pragmatic and determined with an eastern culture that considers itself older and wiser.

There are few persons here who accuse the Israeli majority of deliberate discrimination or animosity toward the Arabs. The greatest difficulty appears to lie in the deep reluctance of the Arabs to be integrated into a society they have historically opposed and toward which they have no sympathy.

Nazareth, the largest Arab community in Israel, offers a good example.

For many years this sleepy mountain town has been a center of Christian shrines. It has not been an economically sound unit. There is no solid industry. It is overpopulated and many of its residents are unemployed.

Early this winter the first units of a modernistic housing project for Jewish immigrants were completed. Eventually 550 Jewish families will live in it. A chocolate factory and a textile plant soon will be built to provide work for them.

In addition, within the next year, the Government expects to move its regional offices from Tiberias to Nazareth.

These projects, the Government says, will mean new business activity for Nazareth and possibly some new jobs for its Arab residents. For these reasons, the Government says, all this should be welcomed.

But Nazareth's Arabs say they probably will be shut out of the better employment. They think, instead, that the projects will mean only that a large Jewish population will descend upon them and eventually take over their community.

THE ARABS REMAIN WARY

In many other Arab areas of Israel the Government has sponsored projects to improve living standards. The Arabs have contributed to the cost of these projects. But in most instances the Government has had great difficulty persuading them to accept help of any kind. They have feared that there would be political strings attached to this aid, and that by accepting it they would compromise themselves for the future.

For those who hoped Israel would prove that the Jew and Arab could live together in peace, the progress to date has been disappointing.

A neutral European, who has spent several years in Nazareth, said recently: "I'm afraid these people still cannot accept the State of Israel. They are certainly better off now than they were before. But they've sold themselves on the idea that they are second-class citizens and are likely to remain that way until there is another round to the fighting."

The Government specialists, all Jews, who supervise affairs of the minority group have no illusions about the future. But they do not share the Europeans' pessimism.

One of them recently stated the Government's attitude in this way:

"For us it has been 8 years since the armistice. For the Arabs it has been 8 days. They still cannot get used to the idea that the Jews now run this state.

"We know they don't like us and we don't expect them to. We are not trying to force them into integration.

"What we are trying to do is to give them every advantage we can. We also have tried to give them better schools and make it easier for them to live. In this way we hope it will be difficult for them to translate their feelings against us into action.

"We believe we are making some headway. You can say that one of our biggest objectives is to get every Arab boy and girl to go as far as he can in school. We hope to teach them to be proud enough to become leaders of their own people—and realistic enough to accept the State of Israel."

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JAVITS. I am glad to yield to the Senator from Minnesota.

Mr. HUMPHREY. I wish to thank the distinguished Senator from New York for his generous and kindly comments. I know of the Senator's keen interest in these problems—not only his interest, but his understanding, and his great contribution toward their settlement.

I believe the report to which the Senator from New York alludes is the report of Seth King.

Mr. JAVITS. The Senator is correct.

Mr. HUMPHREY. I met Mr. King while I was in Palestine. I have known him for some time. He is an extremely competent and most distinguished reporter.

The PRESIDING OFFICER. The Chair must inform the Senator from New York that under the procedure adopted for the session this morning the time the Senator is yielding is running against his 3 minutes.

Mr. HUMPHREY. Mr. President, I merely wish to associate myself with the comments of the Senator from New York, and I wish to thank him.

Mr. JAVITS. I thank the Senator from Minnesota.

Mr. President, I ask unanimous consent that I may be permitted time to introduce two other items.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object—and I shall not object—I should like to have the Senator be definite as to the amount of time he is requesting.

Mr. JAVITS. I ask for 2 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none and the Senator from New York is recognized for 2 minutes.

Mr. JAVITS. I thank the Chair.

ANNOUNCEMENT AS TO QUORUM CALLS AND PRESENCE OF STAFF MEMBERS

Mr. JOHNSON of Texas. Mr. President, I have an announcement of importance to all Senators.

It is my desire that during the debate on the pending issue there be the fullest possible attendance of Senators on the floor of the Senate at all times. Each Senator should know—and I now serve notice to that effect—that I think it is unlikely that during this debate consent will be given to rescind an order for a quorum call. Therefore, every Member should assume that every quorum call will be completed, and completed in the shortest possible time. I urge each Member to make every effort, when the quorum call bells are sounded, to come to the Chamber as quickly as possible after he hears the quorum bell. It is my hope that we can constructively use all the time during which the Senate will be in session for debate on the issue before us.

I wish further to announce that beginning July 9, 1957, there will be set aside at all times 4 rows, with 56 seats, in gallery No. 3, which is the gallery just to the right of the clock which I am facing. Those 56 seats will be reserved for members of the staffs of Senators, and members of committee staffs. Admission will be by identification cards which have been issued by the Sergeant at Arms. Guests of staff members will not be admitted.

Of course, we realize that from time to time it will be necessary for Senators, under the rule, to have members of their staff present with them when they are addressing the Senate or when they are participating in the debate. It may be necessary, on occasion, for a Senator to have two staff members present. I know that certain Senators will wish members of their staffs to follow the debate closely. For that reason, in order to keep at a bare minimum the number of staff members present on the floor of the Senate, we have arranged with the Sergeant at Arms to make it possible for a special section of the gallery to be occupied by those whose presence on the floor is not essential to Senators for whom they work.

Therefore I hope Senators, in accordance with the announcement made last evening, will follow the rules of the Senate and cooperate in order that the debate may be conducted in the minimum time, and in order that all Senators may have an opportunity to be heard.

SUPPORT FOR THE CIVIL RIGHTS BILL

Mr. HUMPHREY. Mr. President, I have just received a letter from the United Steelworkers of America, Local 1028, of Duluth, Minn., asking my support for the civil-rights bill. Needless to say that support will be forthcoming.

I ask unanimous consent that the text of the letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STEELWORKERS OF AMERICA,
Duluth, Minn., July 6, 1957.

Hon. HUBERT H. HUMPHREY,
United States Senator, Senate Office Building, Washington, D. C.

DEAR SENATOR HUMPHREY: Local Union, No. 1028, United Steelworkers of America have gone on record supporting H. R. 6127, civil-rights bill.

We urge you to do everything within your power to support this bill without any crippling amendments.

Sincerely yours,

EDWARD E. SKARP,
Secretary, Local Union, No. 1028, United Steelworkers of America.

NEED FOR INCREASED SUPPORT FOR RESEARCH AND TRAINING IN THE SOCIAL SCIENCES

Mr. HUMPHREY. Mr. President, the distinguished vice president of the University of Minnesota, Dr. Malcolm M. Willey, has recently directed my attention to the growing urgency of increased support for research and training in the social sciences. He notes with gratification the establishment by the National Science Foundation of a small program that supports projects in these all-important fields. However, he is impressed by the very smallness of this program, in view of the fact that the needs for research are far greater than are now being met through grants for research assistance and for fellowships in the social sciences. Most of our great universities, the University of Minnesota among them, would derive numerous benefits from an expanding National Science Foundation program of social science grants and fellowships.

I was one of the original sponsors of the National Science Foundation's program. I have always watched over it in every session of Congress—working for increased appropriations in order that its activities could be properly developed and expanded. I have paid particular attention to the Foundation's expanding social science program and have looked forward to the time that an adequate amount of its funds would be allocated to support research grants and fellowships in the social sciences.

I was therefore gratified to learn from the statement inserted in the RECORD on June 12, 1957 by the senior Senator from Oregon [Mr. MORSE] that he and the distinguished Senator from Washington [Mr. MAGNUSON] are agreed that it would be appropriate and desirable for the National Science Foundation to spend $1 million of the $40 million appropriated for fiscal year 1958, or only 2½ percent, for research grants and fellowships in the social sciences.

I should like to express my unqualified endorsement of the views of my able colleagues and to add my own voice to theirs in support of expanding the social science programs of the National Science Foundation. There can be no question of the importance and urgency of the matter. I assume that the Director of the Foundation and the National Science Board will proceed immediately and directly to the implementation of the suggestion of my colleagues, with respect to both research grants and fellowships, and that they will prepare the groundwork for an even more extensive social science program in the years to come.

My recent experience in the Middle East has impressed upon me more than ever the urgency of getting on in the social sciences. There is immediate and crying need for trained and knowledgeable personnel to deal intelligently and rationally with a variety of social science problems. For example, the question of equitable distribution of agricultural surpluses, the need for better understanding of the obstacles and impediments to reasonable interpersonal and intergovernmental relations in the area, and insight into the mentalities and personalities of the individuals and masses with whom we have to deal. The effectiveness of our various assistance programs depends in large measure upon having reliable information about, and understanding of, the hopes, aspirations, motivations, and expectations of the peoples involved. In so many different ways there was impressed upon me the tremendous benefits which would accrue to us as a Nation from having available a well-trained corps of social-science technicians and experts.

I deem it essential, therefore, that the National Science Foundation set about with dispatch to broaden its research and fellowship programs in the social sciences. The needs are considerable, but the program levels recommended by my colleagues from Oregon and Washington provide at least a reasonable minimum effort upon which a stronger and broader program can be developed in the future. As stated in the RECORD of June 3, 1957:

The imperative necessities of the current social crisis suggest that excessive timidity is a luxury we cannot afford.

My distinguished colleague from Oregon has remarked that curtailment of funds in this area will prove not to represent economy but a very expensive reduction. I agree with him and trust that

the Foundation will overcome its unwarranted reluctance to move forward in the social sciences.

It is gratifying to note the increasing evidence of a general recognition of the importance of basic scientific studies of human social behavior. The unequivocal position of the Senate's Subcommittee on Juvenile Delinquency of the Committee on the Judiciary is a case in point. On several occasions the subcommittee urged the National Science Foundation to expand its work in the social sciences and in its final report the subcommittee stated:

The subcommittee strongly recommends that ample funds be made available for the next fiscal year to permit the National Science Foundation to embark upon a program of social science support on a reasonable scale. The Foundation already possesses legislative authority to undertake programs in the social-science fields. The subcommittee believes that such a program would clearly be in the national interest and would provide for meeting an important national need. (S. Rept. 130, 1957, 85th Cong., 1st sess., p. 128.)

It is inconceivable to me that the National Science Board and the staff of the Foundation will fail to give proper attention to this serious recommendation of an able group of Senators. I am confident that the director of the Foundation and the Board, by virtue of their concern with promoting the national interest and national welfare, will not long delay in adopting and carrying out the wise suggestions of Senators MORSE and MAGNUSON, and of the members of the Subcommittee on Juvenile Delinquency, regarding the development of an expanded program of research grants and fellowships in the social sciences. It seems to me that the suggested allocation of $1 million for this purpose is the very least we can spend for this important national program.

HURRICANE AUDREY DAMAGE IN TEXAS

Mr. JOHNSON of Texas. Mr. President, a portion of Texas was hard hit by the recent hurricane Audrey, although we did not suffer the appalling loss of life that came in our neighboring State of Louisiana.

But I am told that we might be less fortunate if another such hurricane should strike in the same area.

I have received a telegram signed by the mayors of five cities and towns in the Port Arthur area that gives a needed warning.

These city officials suggest that Federal assistance in projects designed to prevent loss of human life and property loss from floods or tidal waves will be most effective if it is rendered before rather than after disaster strikes.

Mr. President, I agree.

The mayors who sent me the telegram were speaking specifically of a seawall that needs to be repaired and extended. The city officials called for new dredging in the Sabine-Neches Canal so that the seawall will not be undermined in the future, as it has been in the past.

If this area loses its seawall—

The five mayors said in their telegram to me—

and if the seawall is not extended to protect the city of Groves, the Cameron disaster may be repeated here.

Mr. President, I submit that there has been too much hindsight, not enough foresight, in our planning for flood control and water conservation projects.

We have not done enough.

What we have done, we have not done fast enough.

Whenever we spend a Federal dollar for these projects, we are making a sound investment. We will get the dollar back, and more.

We must go forward with a vast program of developing our water resources. We must move faster than we have been moving.

The telegram I received from the 5 Texas mayors is evidence from just 1 section of just 1 State of the need that exists. I ask unanimous consent that the telegram be appended to my remarks in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

PORT ARTHUR, TEX.

Hon. LYNDON B. JOHNSON,
United States Senate,
Washington, D. C.:

Thank you for your telegram offering Federal relief should it be needed in consequence of Hurricane Audrey. Because of seawall, levee was still intact (despite, it seems, undermined in five locations by dredging in and by erosion of the Sabine Neches Canal), area of the city of Port Arthur, Pear Ridge, Lakeview, and Griffin Park were not flooded by Audrey. However, at one point only 4 feet of the undermined levee remained intact; had the dredging undermining eaten away this section, serious flooding damage probably would have occurred. The city of Groves with no seawall protection and subject to being flooded by the tidewater was spared on this particular occasion. Once again it is requested that the Federal Government take immediate steps to repair the seawall damage caused by erosion and by dredging in the Sabine Neches Canal to aid in the extension of the seawall and to plan new dredging so that the seawall will not be undermined in the future. If this area loses its seawall and if the seawall is not extended to protect the city of Groves the Cameron disaster may be repeated here. The undersigned city officials suggest that Federal assistance will be of greater good if it is rendered before rather than after disaster strikes.

Z. Q. JOHNSON,
Mayor of the City of Port Arthur.
C. B. DRAPER,
Mayor, City of Groves.
DAIL BEACH, Jr.,
Mayor of the City of Lakeview.
L. R. VAN DEVENDER,
Mayor, Town of Pear Ridge.
J. C. RAYBUCK,
Mayor, Town of Griffin Park.

THE PROJECTED FOREIGN POLICY SPEECH BY SENATOR MANSFIELD ON SATURDAY

Mr. MANSFIELD. Mr. President, I should like to ask a question of the distinguished majority leader. For some time I have been working on a speech dealing with the subject of foreign policy. I do not wish to become involved in what might be termed a filibuster during this week or next week or the weeks following. However, I should like to know if during the course of the debate this week, perhaps on Saturday, I could be given the opportunity to make the speech and to have the speech interpreted in its own right and in its own capacity.

Mr. JOHNSON of Texas. I am sure the Senator from Montana will have the opportunity he desires at any time he cares to address the Chair and to seek recognition. I know of no Member of the Senate who would wish to silence any other Senator or require him to discuss any specific subject. We all know the Senator's interest in the field of foreign relations, and we all look to him for advice and counsel in that field. I should be delighted to hear the Senator at any time he chooses to address himself to the Chair and can get recognition.

Mr. RUSSELL. Mr. President, I should like to take this opportunity to assure the Senator from Montana of my complete cooperation in his effort to secure the floor so that he may make his speech, which I know will be a well-reasoned and thoughtful speech on the very important subject of our foreign policy.

I should like to assure him that he will not become involved in a filibuster, but I have no way of giving him that assurance, and therefore I cannot extend it to him.

Mr. MANSFIELD. I appreciate the words of both the Senator from Georgia and the majority leader. I have been working on the speech for some months now. I do not wish to become involved in what may happen on the floor this week or next week. I wish it to be clearly understood that the speech which I intend to make is on a subject entirely apart from the question being considered by the Senate, and is not to be construed in any shape or form as a filibuster of any kind.

Mr. JOHNSON of Texas. The Senator from Montana may be assured of the full cooperation of the leadership. All of us recognize his leadership in the field of foreign policy and his sincerity, and all of us look forward to hearing him. He may be sure of the full cooperation of the leadership in his desire to address himself to a subject which is not under discussion before the Senate.

Mr. MANSFIELD. If I may respond briefly to the distinguished majority leader, it is my hope and anticipation that I will be recognized on Saturday to make the speech, which I have been in process of preparing for some time.

Mr. JOHNSON of Texas. If the Senate follows the leadership of the Senator from Texas, there will be a session on Saturday. If the past can be used as any criterion for the future, I believe the Senator from Montana will have ample opportunity on Saturday to address himself to his subject.

THE PRESIDENT'S PROPOSAL THAT STATES TAKE OVER SOME OF THE FUNCTIONS NOW ADMINISTERED BY THE FEDERAL GOVERNMENT

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the CONGRESSIONAL RECORD a thoughtful and effective editorial from the Oregon Statesman of Salem, Oreg., for June 27, 1957, entitled "States Not Eager To Relieve Uncle Sam." This editorial, which is written by a former distinguished Governor of Oregon, Charles A. Sprague, editor of the Statesman, punctures the notion that State governments are sincerely and conscientiously interested in taking over many of the responsibilities now incumbent upon government at the Federal level.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

STATES NOT EAGER TO RELIEVE UNCLE SAM

President Eisenhower's proposal that States take over some of the functions now administered by the Federal Government drew a mixed reception at the governors' conference at Williamsburg, Va. Most of the governors are fresh from struggling with legislatures over balancing their present budgets. The prospect of taking on additional burdens gives them the shivers, and audible groans were heard from some of them. Governor Harriman, of New York, made some political hay by calling attention to the fact that President Eisenhower is increasing rather than diminishing the area of Federal responsibility. He underscored his point by referring to the President's program of aid to education, expansion of Federal aid for highways, increased urban renewal and introduction of disaster relief.

Truth to tell, States and local governments have been busier than the Federal Government in expanding their spending programs. The following table shows changes at intervals since 1946. Federal expenditures, of course, were affected by continued war spending in 1946 and by renewed spending for the military through the Korean and cold wars.

Government expenditures

[In billions]

	Federal	State	Local
1946	$60.9	$6.2	$7.0
1950	40.8	12.6	12.7
1954	71.5	15.8	17.8
1956	72.5	20.0	21.6

The important fact for John Taxpayer is that he has to provide the sinews of war for all the taxing units. A shift of functions from one unit to another will not lighten his burden unless some economy results. The assumption is general that State administration is less costly than Federal, and this is probably true. The great reason for Federal expansion is the reluctance or unwillingness of States and local governments to take on the extra burdens which are demanded. It is much easier for advocates of new programs to center their pressures on the Federal Government than on the governments of 48 States and several thousand local units of government.

Nothing will come of the President's suggestion. States and local governments will continue expanding their services, and so will the Federal Government, though more slowly. A few years ago the President set up a commission to study relations of Federal and State-local government. After its first chairman, Dean Manion, resigned (on request) the commission under Meyer Kestnbaum as chairman worked and turned in a report. But nothing came of it. The States still are irked because the Federal Government collects gasoline taxes; but all are on hand to get a bigger chunk of Federal highway funds which are derived in part at least from such revenues.

On one thing we are all agreed: the American people are getting a lot of government these days; also a lot out of government; also they are paying a lot to government.

FEDERAL AID TO SCHOOLS

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a hard-hitting editorial from the St. Louis Post-Dispatch of July 5, 1957, entitled "School Aid Runout." This editorial emphasizes the extremely pallid and unenthusiastic nature of the support which Federal aid to education is receiving from the Eisenhower administration. In effect, the administration seems to damn Federal aid with faint praise. I was particularly disturbed when the Vice President of the United States told the 100th anniversary meeting of the National Education Association that school aid has only a 50–50 chance of passage. The next night in Philadelphia, I told the Future Teachers banquet that if the administration would push Federal aid to schools with all the vigor and zeal that it has pushed the claims of the Idaho Power Co. to Hells Canyon, that Federal aid to schools would be enacted. The full text of the editorial from the St. Louis Post-Dispatch will be of interest to all Senators who favor Federal aid to schools.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SCHOOL AND RUNOUT

Speaker RAYBURN wields a great deal of power in the House, and he ought to use as much of it as necessary to obtain clearance from the Rules Committee for the school-construction bill. The signs are multiplying that the Eisenhower administration is not seriously interested in getting the bill passed. It is essential that a rollcall vote of the whole House shall be held, so that the responsibility for success or failure of the measure will be clearly fixed.

Republican Leader JOSEPH W. MARTIN, JR., says it is very doubtful that school-aid legislation can get clearance from the Rules Committee. The chances are that it can do so if Speaker RAYBURN impresses upon the majority Members his view that it must.

Entirely too many Congressmen, both Republicans and conservative Democrats, would be too easily let off the hook if the Rules Committee buried the bill. All should be required to go on record individually so that their constituents will know where every one of them stands.

Vice President NIXON did the cause little good by telling the National Education Association that school aid has only a 50–50 chance of passage in the House and none at all in the Senate. It is not up to such a high leader in the Eisenhower administration to utter public forecasts of defeat for a measure the administration is supposed to be sponsoring.

His job should be to work with Senators and House Members, especially those of his own party, to see to it that the bill passes. When the Vice President can take a curiously detached attitude, as if he were only a spectator at the contest, the evidence is persuasive that the administration is not throwing its full weight behind school aid.

INCREASED FUNDS FOR CANCER RESEARCH AND OTHER HEALTH NEEDS

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an excellent and effective editorial from the Denver Post editorial page of July 4, entitled "The Battle Goes On." This editorial, appearing in a newspaper which has demonstrated great leadership in the realm of health legislation, commends several Senators in general and the distinguished senior Senator from Alabama [Mr. HILL] in particular for the courage and resourcefulness recently demonstrated in increasing appropriations for vital phases of the National Institutes of Health.

Having just returned from Boston, Mass., where I visited the famous "Jimmy Fund" Hospital for children who are cancer victims, under the guidance of the great director of that hospital, Dr. Sidney Farber, I think I can testify vividly and fervently to the urgency of the program which the Denver Post supports in this outstanding editorial. I urge that all my colleagues read it carefully.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE BATTLE GOES ON

The Senate, refusing to economize at the expense of the Nation's health, has voted a $38.4 million increase in House-approved funds for medical research and training programs. Now the bill goes to a conference committee where the increase is expected to be accepted—and should be.

The bulk of the Senate increase will finance stepped-up attacks on cancer, mental ailments, arthritis, heart disease, nervous disorders, and blindness. While the Senate Appropriations Subcommittee noted significant advances have recently been made in these fields, it added:

"To increase and sustain momentum in medical research, two general objectives appear to be clear and imperative. The first is that training for medical science should be further strengthened. The second is that research on the massive problems generated by the major diseases should not be limited by lack of money."

Of the $38.4 million increase, nearly one-third—or $11.6 million—was earmarked for cancer research, particularly into possible relationship between viruses and cancer, and into cancer chemotherapy under Government contracts with private drug firms.

Other increases are: $8.8 million for expanded mental health training programs, to develop the full potential of tranquilizers which have reduced mental patients in the Nation's public hospitals by 7,000 in 1 year; $5.7 million for fundamental research in metabolism, endocrinology and biochemistry toward the ultimate prevention and cure of arthritis and metabolic diseases such as diabetes, ulcerative colitis, hepatitis, and peptic ulcers; $5.3 million for intensified heart disease studies and training, primarily in the fields of hypertension and arteriosclerosis; and $5.2 million for a full scale effort to learn the extent to which prenatal

influences are responsible for nervous and blinding diseases among children.

If the Senate figures stand, the Federal Government in the coming year will spend $58.5 million on cancer, $39.4 million on mental health, $38.8 million on heart disease, $23.5 million on arthritis, and $24 million on nervous disorders—all major increases over administration recommendations.

In hiking administration requests by $32 million and last year's funds by $33 million the Senate Appropriations Subcommittee took cognizance of strong signs that the world of medicine appears to be on the verge of a series of disease breakthroughs.

"Cancer of the cervix, the subcommittee said, is technically a problem which is on the brink of solution • • • developments in heart surgery have been spectacular • • • a new technique has been developed for detecting the precise location of most brain tumors without opening the skull • • • a diagnostic method has been developed for the early detection and treatment of a virulent form of uveitis, a blinding disease."

But throughout the subcommittee report ran disturbing references to delays, neglected areas of study, and limitations imposed on research progress by personnel shortages. Too often these perennial weaknesses have been obscured by the rapid strides medicine has managed to make in spite of them.

Senator LISTER HILL (Democrat), of Alabama, the man who put through the Senate increases with valuable assists from Senators RICHARD NEUBERGER (Democrat), of Oregon, and MARGARET CHASE SMITH (Republican) of Maine, observed:

"Every 2 minutes during which we have been considering this bill, a man, woman, or child in this country has died from cancer. More people die each year from diseases of the heart and circulatory system than from all other causes combined. More than 50 percent of the hospital beds of the country today are occupied by people suffering from some form of mental illness.

"We have made progress, but the battle must continue."

COMMITTEE MEETINGS

Mr. KEFAUVER. Mr. President, I should like to ask a question of the distinguished majority leader and of the acting minority leader on the subject of procedure.

The Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary this morning began hearings on the question of prices, particularly as that subject relates to inflation, which is causing us a great deal of concern at the present time. It was our hope to have a number of economists testify this week.

I understand that the Senate will convene tomorrow at 11 o'clock in the morning. I was hopeful that we might be able to secure permission of the Senate to hold brief sessions of the subcommittee during the time the Senate is in session. I wish to inquire, therefore, whether any policy has been determined as to subcommittee meetings under those circumstances.

Mr. JOHNSON of Texas. I wonder whether my good friend from Tennessee has read in the RECORD the comments I made yesterday in connection with the transaction of other Senate business during the time the present matter is pending before the Senate.

I do not believe it would be possible to obtain unanimous-consent agreements for committees to meet during the time when the Senate is in session. The majority leader made an announcement earlier this morning in which he expressed the hope that all Senators would be in attendance during the course of the debate. I think that if that hope can be realized, perhaps at an early date a solution can be found to the problem which confronts us all.

I have been informed by the minority leader and by other Senators that they do not wish to have proposed legislation considered, except measures of a highly emergency nature which can be considered by unanimous consent. That is a decision which was made by the Senator from California, and he took it into consideration before he made his motion which is now pending.

I have been informed by other Senators that they have committee duties which they cannot perform and be on the floor at the same time; they cannot be in two places at once. If an exception is made for one committee, then all the committees will feel that they should have the same privilege.

I shall be glad to talk to the Senator from Tennessee in an attempt to work out a program with him, because I realize the importance of the work he is doing. I commend him for his diligence in this field. The Senator knows that only yesterday I discussed with him the work of his committee and the hopes which I have for it.

It may be that it will become necessary for committee sessions to be scheduled earlier in the morning than is customary. It may be that committees can meet at 8:30 or 9 o'clock.

I hope it will not be necessary to ask the Senate to convene earlier than 11 o'clock during this week, and that the time lost in the morning can be added at the end of the day. Yesterday the Senate remained in session until about 6:30. I would be prepared to have the Senate continue in session until 7 or 7:30 o'clock today, if Senators desire to address themselves to the motion under consideration or to any other subjects which they feel are important.

The majority leader is not going to screen the speeches, he is not going to censor comments, and he is not going to prevent Senators from exercising the rights which they have. There are some Senators who will want to make statements on other subjects, as the Senator from Montana [Mr. MANSFIELD] has indicated this morning he wishes to do. He has prepared a speech on foreign relations on which he has been working for many weeks. It is not of great length, but it cannot be made under the 3-minute rule.

I hope the Senator from Tennessee will confer with me privately, to see if we cannot make some arrangement whereby his committee sessions may be scheduled ahead of the sessions of the Senate, because I do not think it will be possible to hold committee meetings during sessions of the Senate, or to consider other business, whether executive business, or other legislative measures, except measures of the highest emergency, until the civil rights matter is disposed of. I think that view is shared by a great many Members of the Senate.

Mr. KEFAUVER. I appreciate the cooperation of the majority leader.

THE FORCES OF COMMUNISM

Mr. HUMPHREY. Mr. President, may I ask the Senator from Montana if we are still in the morning hour.

Mr. MANSFIELD. I so understand.

Mr. HUMPHREY. I have a brief statement to make.

Mr. President, I ask unanimous consent that I may speak for not more than 5 minutes. I understand that I am entitled to only 3 minutes under the rule during the morning hour.

Mr. MANSFIELD. That is correct.

The PRESIDING OFFICER (Mr. KERR in the chair). Is there objection to the request of the Senator from Minnesota? The Chair hears none, and the Senator is recognized for 5 minutes.

Mr. HUMPHREY. Mr. President, I wish to direct my remarks to an aspect of the international scene which I feel has not been given appropriate attention.

In the fast moving international situation which confronts us, it is unfortunate but nevertheless understandable that occasionally great events can happen without gaining the notice and attention they deserve. For some time past and for a long time in the future the great East-West conflict will continue. The stakes in this conflict are immensely high. What is involved is the survival of the Free World and the preservation of the freedoms which we cherish.

The forces of communism are using many weapons. We would indeed be strategically nearsighted, historically ignorant, and grossly uninformed as to the tactics of communism if we do not recognize that the men in the Kremlin are astute, and, from the standpoint of their position, willing and eager to use every weapon and device that will further their efforts to make further gains against the Free World.

Only recently we have learned of the shakeup in the Kremlin; of the conflict or contest between the forces of Khrushchev and Bulganin versus those of Molotov, Kaganovich, and Malenkov, the latter having been purged by the first secretary of the Communist Party, Mr. Khrushchev. To some persons, this action indicates weakness in the Soviet Union. I think it is fair to say, certainly, that there is an indication of instability, but it should be remembered that in a period of so-called instability in the Soviet Union her policies internationally have become more intransigent and more dangerous.

I happen to believe that this is one of the reasons why the disarmament negotiations at London have taken a turn for the worse. It is not because the Soviet Union has basically changed its policy, but because of the instability at home she has a tendency to become more flexible and more arrogant abroad. This is a paradoxical situation, but one which history reveals to be true.

Furthermore, Mr. President, with the forces of Khrushchev and Bulganin in the ascendancy in the Soviet Union, there is reason to believe that our task in the days to come may be even more difficult. The forces of Khrushchev are presently directing their attention to competition with the West in the political, the economic, and the cultural areas. I happen to believe that in the days to come the Soviet will be a more sinister, more adroit, and more subtle in its activities on the international front than at the present time. We must be prepared to compete and win in each of these areas.

But, Mr. President, another event needs to be noted. Recently, there occurred on the military front an event which I firmly believe constitutes the most significant development in the East-West controversy in recent years. On June 20, the sleek, new Soviet cruiser, *Katuzov*, passed through the Turkish straits, and entered Mediterranean waters. Accompanying her were two modern destroyers. Only a few days prior to the *Katuzov's* entrance into the Mediterranean, she was preceded into those waters by three Russian submarines, which apparently were destined for Egypt.

These Russian naval forces have not been slow to show the Soviet flag and to make their presence felt in the Mediterranean. Within the last few days, according to news reports, two Soviet destroyers escorted a Soviet tanker through the Suez Canal.

On June 24, the cruiser *Katuzov* and her destroyer escorts steamed through the Mediterranean waters where NATO naval forces were scheduled to begin maneuvers.

This emergency of Soviet seapower in the Mediterranean has implications of incalculable magnitude. No longer does the Western World enjoy a seapower monopoly in the Mediterranean.

The Communist leaders have, in this case, keenly appraised the strategy of the Mediterranean world. They know that the Mediterranean is a seapower theater. The peoples of its littoral have for centuries been sensitized to naval power.

The sailing of the Soviet task force into the Mediterranean underlines the dogged determination with which Russia—Czarist or Communist—has pursued the goals of her aggressive imperialism. The Mediterranean world has, from the days of Russia's Varangian kings, been a major target of Russian expansion. The policy of western European governments for centuries has been to prevent Russia from exercising maritime power in the Mediterranean. That was a goal of Napoleon's Dardanelles policy. While the real causes of the Crimean War are involved and obscure, the fact remains that the then growing threat of Russian influence in the Mediterranean was a fundamental and underlying reason for combined action of Western European Powers to block Russian pressure against the eastern Mediterranean world.

On January 7, 1957, I invited the attention of the Senate to the alarming growth of Soviet seapower and its limitless consequences.

What now has happened is that we are beginning to see some of the tangible results of the vast buildup of Soviet naval power that has taken place since the end of World War II. With the passage of the Soviet task force through the Dardanelles into the Mediterranean, the Western World has been brought face to face with a great strategic reality of our time. With this new *Sverdlov*-class cruiser and her escorts steaming in the Mediterranean, the Western World can no longer view the rise of Soviet Russian seapower merely as an interesting academic development.

Today, Soviet men-of-war are showing the hammer and sickle in the same Mediterranean waters where, in the late 18th century, the Imperial Russian squadrons under Orlov threatened the Dardanelles, and gave the Western Powers a fright that was long remembered.

As members of the Senate may recall, it was my privilege to visit the Mediterranean area and Middle East shortly after the Suez crisis, and during the Jordanian developments. I am firmly convinced that the presence and prompt use of our 6th Fleet, with its carriers and Marine landing forces, restrained those who sought to destroy the Jordanian Government and, with it, United States and Western prestige in that area. The dramatic and meaningful sailing of the 6th Fleet to the eastern Mediterranean once again underlined the inescapable fact that balanced seapower is undoubtedly a necessary and useful instrument of national policy in the troubled age in which we live.

The Soviet Union recognizes the importance of modern seapower. With her growing naval forces, which, numerically, have now permitted Russia to supersede Great Britain as a ranking world seapower, the Soviet Union has turned the Baltic into a Russian lake. From the Far East we hear periodic reports of the movement of Soviet surface and submarine forces southward along the China coast. Thus, in the western Pacific, too, our seapower monopoly has been challenged by the rising Russian seapower.

Now Soviet seapower moves into the Mediterranean. Until now, the presence of the United States 6th Fleet in those waters was a wise and strategically sound policy. From the moment that the *Katuzov* and her escorts appeared in the Mediterranean, the maintenance of the 6th Fleet, with its carriers and Marine landing forces, in the Mediterranean became an inescapable necessity.

The issue for control of the Mediterranean world has now been joined on the most fundamental strategic level. Soviet naval access to, and use of, Mediterranean waters signals a new and alarming phase of the East-West conflict. It underlines the long-range determination of the Communist world. It serves notice on the United States that, even more than in recent years, our Nation must shoulder the burden of seapower primacy, only a few years ago relinquished by Great Britain.

If we do not assume that burden, and if we do not assure the continuation of our naval superiority, the Soviet Union, with her rising tide of seapower, which within the last few days has flowed into the Mediterranean, will eagerly grasp seapower leadership and all the prestige and decisive strategic advantages that go with it.

Mr. President, I believe that this matter is of such great importance that we should consider it within the context of the total developments which are taking place in the Soviet Union and her probing actions on both the political and the military fronts throughout the world. An effective foreign policy requires a clearcut understanding of our objectives, our commitments, and our capacity to achieve and fulfill those objectives and commitments. The political, economic, and military strength of the United States and her allies are being tested and challenged. We must not ignore or underestimate the power or the ruthlessness of the Soviet.

CALL OF THE ROLL

The PRESIDING OFFICER. Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, before the morning hour is concluded, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hickenlooper	Neuberger
Beall	Hill	O'Mahoney
Bennett	Holland	Pastore
Bible	Hruska	Payne
Bricker	Humphrey	Potter
Bush	Ives	Purtell
Byrd	Javits	Revercomb
Capehart	Jenner	Robertson
Carlson	Johnson, Tex.	Russell
Carroll	Johnston, S. C.	Saltonstall
Case, N. J.	Kefauver	Schoeppel
Case, S. Dak.	Kennedy	Scott
Church	Kerr	Smathers
Clark	Knowland	Smith, Maine
Cooper	Kuchel	Smith, N. J.
Cotton	Langer	Sparkman
Curtis	Lausche	Stennis
Dirksen	Long	Symington
Douglas	Magnuson	Talmadge
Dworshak	Malone	Thurmond
Eastland	Mansfield	Thye
Ellender	Martin, Iowa	Watkins
Ervin	Martin, Pa.	Wiley
Flanders	McClellan	Williams
Fulbright	McNamara	Yarborough
Goldwater	Morse	Young

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. FREAR], the Senator from Washington [Mr. JACKSON], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Missouri [Mr. HENNINGS] is absent by leave of the Senate because of illness.

Mr. DIRKSON. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent because of illness.

The Senator from Maryland [Mr. BUTLER] is absent on official business.

The PRESIDING OFFICER. A quorum is present.

Are there further items for the morning hour?

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President——

The PRESIDING OFFICER. The Senator from Texas.

Mr. JOHNSON of Texas. The quorum seems to have disappeared. [Laughter.]

Mr. President, I desire to accommodate all my colleagues, but I do not want to ask Senators to address themselves to the all-important question now engaging the attention of the Senate when there are so few Senators present. My colleagues on the minority side have a very important policy meeting to attend. We have some very important policy decisions to be made here on the floor. I do not want to interfere with their meeting. I was not aware that a minority policy committee meeting was being held until I suggested the absence of a quorum; but since we have, as the pending business, the motion of the distinguished minority leader, and since we are going to discuss the wisdom of adopting that motion, I do want Members of the Senate to have an opportunity to be heard by their colleagues.

Therefore, I ask unanimous consent that the Senate stand in recess until 2:15.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, I think that under the circumstances, and because of the gravity of the question, so well described by the majority leader, it would be infinitely better to have another quorum call rather than have the Senate take a recess.

Mr. JOHNSON of Texas. Of course, I will do that if that is what my friend insists on. We have just wasted the time of the staff and Members of the Senate, including the leaders, while we had a quorum call. We wound up with a net loss on this side of the aisle. There is only one member of the minority present. There are some 10 or 12 of the majority.

I apologize to the acting minority leader for taking him away from his policy committee, because it is necessary to have meetings of that kind. I do not know what policy discussion they are engaged in. I do not want to make an issue of it. But I think that if we had a quorum call there would not be any more Senators present, since the policy committee is meeting. I think the best thing to do is notify all Senators that the Senate will resume its deliberations at 2:15, and run a little later this evening.

Mr. DIRKSEN. This is a regrettable matter. It will catch the Members somewhere between the soup and the chicken, or the salad and dessert.

Mr. JOHNSON of Texas. I do not want to have them called to the Senate again, immediately, and I ask unanimous consent that the Senate stand in recess until 2 o'clock. Then the Senators will have a chance to finish their meeting, and all of them will be on notice that there is a very important speech to be delivered by the Senator from Arkansas [Mr. FULBRIGHT].

The PRESIDING OFFICER. If there is no objection, the Senate will stand in recess——

Mr. DIRKSEN. Mr. President, reserving the right to object, I should like to ask the Senator from Arkansas if he particularly wants a full attendance on the Senate floor.

Mr. FULBRIGHT. I will say to the Senator from Illinois I am accustomed to speaking when very few Senators are in attendance. It is not a personal matter with me, but I wish to follow the suggestion of the majority leader. I think his point is well taken.

RECESS TO 2 P. M.

The PRESIDING OFFICER. Without objection, the Senate will stand in recess until 2 o'clock p. m.

Thereupon, at 1 o'clock and 19 minutes p. m., the Senate took a recess until 2 o'clock p. m.

On the expiration of the recess, the Senate reassembled, and was called to order by the President pro tempore.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes; that the House receded from its disagreement to the amendment of the Senate No. 12 to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate No. 24 to the bill, and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 1359) for the relief of Mrs. Theodore (Nicole Xantho) Rousseau, and it was signed by the President pro tempore.

FEDERAL-STATE-LOCAL COOPERATION ON TORNADO AND FLOOD DISASTERS IN MISSOURI

Mr. SYMINGTON. Mr. President, the value of close Federal-State relations is never more evident than in a time of emergency. Recent floods and tornadoes in Missouri emphasize this value.

At approximately 7:45 p. m., Monday evening, May 20, a tornado, in which 38 persons lost their lives, struck in Missouri, south of Kansas City, and traveled in a northeasterly direction across Jackson County. This tornado struck Martin City, Grandview, Hickman Mills, Ruskin Heights, and finally blew itself out at the Missouri River, near Sibley.

Gov. James T. Blair, Jr., of Missouri, immediately upon learning of the disaster, ordered the 110th Engineer Battalion and the 205th Medical Battalion of the Missouri State National Guard, all State highway patrol posts in the vicinity of Kansas City, and personnel and equipment from the State highway department to report to the devastated areas and to provide all possible assistance in rescue work, immediate debris clearing, and necessary police action in guarding and protecting the property of the stricken population.

Although most of the devastation was in new suburban housing developments south of the Kansas City limits, Mayor H. Roe Bartle, of Kansas City, was at the scene within the hour, and worked throughout the night, in cooperation with county and State officials.

Kansas City police and fire detachments were soon joined by similar units from 20 other nearby communities. These were augmented by the enlisted and officer personnel of the Richards-Gebaur Air Force Base, under the command of Maj. Gen. Jarred V. Crabb. In the words of Mayor Bartle, "Air corps men literally dug dead and injured out of the debris with their bare hands."

The same night, Federal Civil Defense Officials made an initial survey of the damaged areas. They determined that 600 residences and 115 business establishments were destroyed or received major damage. In addition, five school buildings were destroyed. The total estimated damage was over $10 million.

The next day, May 21, Governor Blair made a personal inspection of the damage along the tornado path, and then sent to President Dwight D. Eisenhower a telegram requesting Federal assistance to supplement State and local efforts.

At the same time, the Kansas City Red Cross Chapter and the Salvation Army mobilized their resources, and sent first-aid teams and mobile feeding stations into the area. The citizens of Kansas City subsequently raised over $750,000 for the Red Cross to cover the expenses it incurred in this relief work.

As of June 21 the Red Cross had spent about $640,000 of the $1 million allotment for relief work in the area. Indeed, it seems that the citizens of greater Kansas City, the heart of America, have contributed enough money to cover the heavy expenses of the Red Cross in Jackson County, a record almost unique in the annals of that heroic organization.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter, dated May 28, 1957, from Mayor H. Roe Bartle, of Kansas City, together with the mayor's account of that first crisis-ridden day.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

CITY OF KANSAS CITY, MO.,
May 28, 1957.

The Honorable THOMAS C. HENNINGS, JR.,
The Honorable STUART SYMINGTON,
Washington, D. C.

MY DEAR SENATORS AND BELOVED FRIENDS: Please know that I am deeply and profoundly grateful for the magnificent help I have received from the offices of both of you fine Senators of Missouri. You have undoubtedly read the issues of the Kansas City Star which have proclaimed fully the devastation which was wrought by the recent disaster in suburban Kansas City and Jackson County as well as in Spring Hill, Johnson County, Kans.

Your telegraphic information that the President of the United States had declared the Greater Kansas City area as a major disaster area was appreciated greatly, and the way in which you vigorously prosecuted this matter will not be soon forgotten by me or by those who have been close to this problem extraordinary.

Frank O. Starr, regional director of civil defense, has been on the job. He has coordinated the Federal agencies magnificently and if the opportunity presents itself I wish you would commend him to his superiors for his forthright and intelligent approach to the problem and the dispatch with which it was effectively handled.

Governor Blair was with me for a day and a half and as a result thereof has intimate knowledge of all of the trials, tribulations, and perplexing personal problems and has full information as to the magnitude of the disaster.

Again, my heartiest and sincerest thanks.

Pardon this hasty note but the pressure is terrific, as you may well appreciate.

Faithfully yours,

H. ROE BARTLE, *Mayor.*

A little chat with Mayor H. Roe Bartle relative to the recent tornado in this community, dictated Monday morning, May 27, 1957, at 10:25 a. m., in the office of the mayor, city hall, Kansas City, Mo.:

"In view of the fact that literally hundreds of letters have come to me expressing sympathy in the great disaster which has visited the suburban area of Kansas City, Mo., I am taking a fleeting moment from the pressure of the hour to dictate a short, concise statement of facts as they relate themselves to the disaster. I am personalizing this statement, as many of my friends have inquired as to the relationship of the mayor of Kansas City to this unfortunate disaster."

On Monday evening, May 20, 1957, at 7:50, a police officer came to the table where I was sitting in the colonial ballroom of the Hotel Muehlebach, and informed me that 10 minutes earlier a vicious tornado had hit Ruskin Heights, Hickman Mills, Grandview, and Martin City, in Missouri, and Spring Hill, in Johnson County, Kans. I was attending the annual meeting of the Midwest Research Institute, which I proudly serve as a trustee. Mr. J. W. (Twink) Starr, my friend of long standing, was sitting next to me, and I asked him to join me. My car was in front of the hotel. The minute that I started for the scene of the disaster the police radio in my car indicated the gravity of the situation. Our police dispatchers were calm and deliberate, but the messages that they were transmitting as related to ambulances, doctors, and nurses disturbed me terrifically.

All of the territory involved is outside of Kansas City, Mo. When I was 3 or 4 miles from the scene the roads were completely blocked. I used my 3-way radio, and before arriving at the scene called for about 80 percent of the on-duty police officers to move immediately to the scene. Because my car is equipped with siren and emergency red lights and the like, I arrived at Ruskin Heights at 8:30. I saw hysteria in its worst form, and no bombed area in any section of the world could have been more chaotic. Within 2 minutes after I had arrived at Ruskin Heights my trusted friends, Col. Lyman Field, police commissioner, and Chief of Police Bernard C. Brannon, were by my side. We immediately designated Maj. Donald Bishop, who had arrived at the scene, as officer in charge, and I called for all off-duty police officers, all off-duty firefighters, and all off-duty municipal employees from the public works, park, and water departments to report as quickly as possible.

The complete lack of lights made the situation doubly horrifying. Fathers were looking for children, mothers were looking for their husbands and families, men and women both were digging with their hands in the debris in hundreds of homes looking for those who were injured or dead. With Chief Brannon and Colonel Field, we moved with great speed and rapidity to Hickman Mills, Grandview, and Martin City. At 9:50 I called His Excellency Gov. James T. Blair, Jr., in Jefferson City. I spent but a fleeting moment describing the situation and called upon the Governor to declare the distressed area as being under martial law. The Governor heeded my request and asked me to wait 5 minutes before calling National Guard units to action and instructed me to proclaim martial law in the name of the Commonwealth of Missouri.

Colonel Howard of the 110th Engineers had 90 percent of their personnel on the scene of action by 11 o'clock and other units moved rapidly as did the State highway patrol. Maj. Gen. Jimmie Crabb, who is my personal friend, who serves as commanding officer of the Richards-Gebaur Air Base (which is the Central Air Defense Command headquarters) turned out 98 percent of the enlisted personnel and the officers of the base, which is located only a few miles from the communities visited by the tornado. The Air Force was invaluable. We immediately set up roadblocks as the curiosity seekers came by the tens of thousands.

The trio of Field, Brannon, and Bartle moved from one sector to the other all night long checking on the progress made and coordinating the efforts of the good neighbors who had arrived to be of assistance. Certainly county lines and State lines meant nothing. We had firefighting apparatus and police officers from at least two dozen communities across the State line in Kansas. Likewise, the adjacent communities in Missouri responded faithfully and nobly. The Salvation Army and the Red Cross canteens moved in with dispatch and all night long I saw men of faith, courage, and valor in action. Monday night our first effort was to get the casualties to hospitals. We did not pause for identification but kept ambulances moving to every hospital in the area. As we worked through the night and all through the next day, late on Tuesday afternoon we began to put together the casualty list and by midnight Tuesday night we had a roster of the known dead and those severely injured.

This whole week has been nothing but a nightmare which I sincerely wish I could blot out of my memory. There has been little or no sleep for the whole week and I am exceedingly tired and very, very weary this morning, but I am happy to tell you that the complete situation is well in hand. I wish that you might have been with me on Saturday afternoon at the hour of 2 when we had all of the governmental agencies represented, such as the FHA, Veterans' Administration, Small Business Loan Corporation, and others, 12 in number, and had a meeting of all of the residents in the territory which is designated a disaster area.

It was Tuesday afternoon at the hour of 3 when Governor Blair joined with me in asking President Dwight D. Eisenhower to designate the affected areas as being eligible for disaster relief. The President responded momentarily with a positive affirmative answer.

The meeting on Saturday afternoon indicated to me the character of the people involved. Most of the homes were owned by GI's of World War II and the Korean conflict. They were youngsters who had just started building their families and all of their worldly goods were involved in their homes and their cars. There was not a single car that was not completely demolished by this vicious tornado which had terrific power and swept a path some 70 miles long and about 1,000 feet wide. At the meeting Saturday afternoon those youngsters who had only a hole in the ground to call their home possessed a sense of humor and had courage in their hearts to rebuild, and the only thing that disturbed the meeting was the loss of life on the part of their neighbors and the more than 200 who still remain in hospitals in Kansas City, some of them still in a very critical condition.

Yesterday morning I was in the services of the Presbyterian congregation whose church had just been completed and dedicated a few months before but yesterday morning it was a mere pile of rubble. The congregation met with debris all about them and the minister, who had lost everything that he possessed in his home and had only the clothes on his back, kindled faith extraordinary in the hearts and minds of the disaster victims. Immediately following that service I attended a pontificial mass celebrated by His Excellency, the Most Reverend James P. Cody, bishop of the diocese of Kansas City-St. Joseph, as held at St. Catherine's Parish in Hickman Mills. It was a requiem high mass for the dead and a mass of thanksgiving for the living.

The Red Cross is doing a herculean job. The Salvation Army, God bless them, is on the job and will so remain. The various churches are responding nobly on a denominational basis and rehabilitating the citizens of their fellowship. The American Legion and the Elks Clubs are in the harness, as you might expect. The streets have been cleared of all debris by the public works department of Kansas City even though the area is beyond our territorial concern. Our fire department is stationed about the afflicted area. Our police department has remained on duty throughout and will continue until the homes have been rebuilt and we get back to normalcy. The entire business sections of Ruskin Heights, Hickman Mills, and Martin City were destroyed. No churches and only one schoolhouse remains.

I could ramble on here at length, but we still need dynamic action in its best form. I can assure you that the needs of hundreds of families are really great and yesterday afternoon I pledged my fellow Kansas Citians to a gift of a million dollars within the week to the tornado disaster fund of the Red Cross.

Out of a terrific disaster of this type come cooperation and helpfulness in their finest and best form which indicates that the American people are fundamentally Christian insofar as their acts of charity are concerned and their willingness to love their fellowman. My appreciation is herein conveyed to you and others who have written me conveying sympathy for the disaster victims. I would like to acknowledge personally, but this communication will have to suffice.

Gratefully yours,

H. ROE BARTLE, *Mayor.*

Mr. SYMINGTON. Mr. President, on Tuesday afternoon, May 21, at approximately 4:30 p. m. central standard time, several other tornadoes struck in the southeastern section of Missouri, at Fremont and Van Buren, in Carter County, and at Desloge and Cantwell, in St. Francois County, causing extensive damage to both public and private property.

A total of 13 people lost their lives as a result of the May 21 tornadoes. These areas were also included in President Eisenhower's declaration of major disaster areas. The declaration was later extended to include flooded disaster areas, particularly in southeast Missouri.

Representatives from the Federal civil defense regional office were dispatched to all the stricken areas, to make damage surveys, and to report on any Federal assistance needed in the areas.

Following President Eisenhower's declaration, which qualified the affected areas in Missouri for Federal assistance, a meeting of all the Federal agencies which would be involved in providing the

required aid was held in Kansas City, to assure coordination of their efforts.

The Federal agency representatives reviewed their actions to date, and plans were formulated for providing further assistance under their broadened authorities with the President's declaration that the affected areas qualified for Federal assistance under Public Law 875.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article of June 3, 1957, from the Kansas City Times, recounting an inspection, by myself and other public officials, of the disaster-struck area immediately south of Kansas City.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Kansas City (Mo.) Times of June 3, 1957]

AMIDST RUINS, PLEDGE OF HELP—SYMINGTON TOURS AREA AND PROMISES TO AID IN GETTING FEDERAL ASSISTANCE—VICTIMS' SPIRIT NOTED—SENATOR IS AMAZED AT THEIR DETERMINATION DESPITE THE DESTRUCTION

Speed in obtaining Federal assistance for the rehabilitation of the Ruskin Heights-Hickman Mills-Grandview area was promised by Senator STUART SYMINGTON after he toured the tornado-devastated areas yesterday.

"The spirit of these victims is absolutely amazing and it is one of the most impressive things about the tragedy to me," Senator SYMINGTON said. "They are not bitter or despondent. They are alert and ready to go again at getting themselves back in business.

PROMISES SPEEDY HELP

"You can bet that I will do everything I can to see that they get any assistance they need from the Federal Government. Plans have been made for rebuilding these homes and getting everything reestablished. The job now is to get this thing finished."

Senator SYMINGTON toured the areas street by street, stopping here and there to get a closer look at the debris. His motorcade wound past row after row of battered and destroyed homes in the late morning and early afternoon.

"I know a lot of other people have said it, but you just can't picture this damage until you actually see it," the senator said. "I have seen newspaper, magazine and television pictures of the disaster but somehow your mind doesn't grasp the extent of it all."

ACCOMPANIED ON TOUR

Accompanying SYMINGTON on the tour were Mayor H. Roe Bartle; Arvid Owsley, Jackson County sheriff; Ray G. Cowan, presiding judge of the county court and disaster area coordinator; Joseph Stewart, board member of the American Red Cross; Sen. Floyd Gibson of Independence; Judge Marcus Kirtley of the circuit court, and Glen Gerred, Bill Wall and Russ Millin, members of the Hickman Mills school district board.

Paul Winckler, natural disaster coordinator for the Federal Civil Defense Agency, Battle Creek, Mich., conferred with SYMINGTON at the trailers set up at the entrance to Ruskin Heights for use by the Red Cross, insurance firms, county police and other agencies.

Winckler gave SYMINGTON a detailed report of what Federal agencies have done in the disaster area.

Winckler said the FCDA representatives would meet this morning with Jackson County representatives on the cost of clearing debris and litter from county roads and highways and assisting residents in moving debris from their home areas.

"For instance, a completed bridge on a country road was blown out by the tornado," Winckler said. "It was a 35-foot span of concrete and steel and had an 18-foot roadway. We will participate in rebuilding that."

AT 103D AND OLIVER

The bridge is located at 103d and Oliver Streets north of the Ruskin Heights area and south of Bannister Road.

Winckler also gave SYMINGTON this rundown on other Federal assistance being given:

Department of Agriculture: A representative of the Farm Home Administration has surveyed the area assisted by the Jackson County extension service agent. A temporary field office has been established for the processing of loans at Ruskin Heights.

Department of Health, Education, and Welfare: Representatives of the Public Health Service and the Food and Drug Administration were ordered on the night of the tornado to coordinate with their State and county counterparts in taking necessary actions on sanitation, water, and food. Food and Drug representatives condemned approximately $80,000 worth of foodstuffs in damaged areas and it was disposed of by the land-fill method. Water was tested and found drinkable. Federal, State, and county officials cooperated in spraying the area to control pests to protect the health of persons in the area.

Federal Housing Administration, Small Business Administration, and Veterans' Administration: Each has established temporary field offices at the disaster site. They are aiding tornado victims in getting reestablished.

At the Ruskin Heights High School, SYMINGTON got out with other officials and walked among the pieces of wreckage. Steel girders were crumpled like paper. Aluminum letters which had spelled "Ruskin Heights" dangled from a part of a brick wall. Great wooden arches, however, still stood in place over the wreckage.

"You wouldn't think the wind could do this, would you?" SYMINGTON asked.

The motorcade moved on past still more wrecked houses. Finally, it stopped at what had been a house at 7509 East 109 Street Terrace. It was now just a pile of wreckage. Millin, one of the school board members, walked up to it.

"This used to be my house, Senator," Millin said. "My wife and four children were down there in that basement. Luckily, they got out of there without a scratch after it was over."

CANTEEN UNITS WITHDRAWN

Red Cross and Salvation Army mobile canteen units were withdrawn from the disaster areas last night after serving the evening meal. Red Cross disaster centers in five areas remained open to process applications for gifts for rebuilding homes or replacing home furnishings.

The contributions to the Red Cross disaster relief fund stand at $527,613.55, the total reached Saturday morning. No mail deliveries were received at the chapter house yesterday, but Red Cross officials were hopeful that a new surge of contributions would arrive this morning.

Mr. SYMINGTON. Mr. President, on June 6, the President approved the allocation of $2 million, from funds appropriated under Public Law 875, 81st Congress, for assistance to the tornado-damaged schools in Missouri.

Exactly 1 month after the first Missouri tornado, on June 20, 1957, flash floods hit the St. Louis area, and resulted in at least five deaths and several injured. Over 3,000 persons were evacuated from flooded homes, and at one time 135,000 homes were without electric power. Linemen were borrowed from cities as far away as Cleveland and Chicago. The Coast Guard had a rescue unit on hand, and the Red Cross set up emergency shelters.

Late that day, Gov. James T. Blair, Jr., sent to President Eisenhower a telegram asking that the eastern Missouri flooded area be designated as a disaster area, and stating that $500,000 in emergency funds was needed. In keeping with this request, the President, on June 22, declared the St. Louis and east-central Missouri area a major disaster area under Public Law 875.

Since the first tornado in Missouri this spring, there have been several minor misunderstandings as to procedure and extent of Federal assistance available, but, in each case, these difficulties have been worked out speedily when we have called them to the attention of the Federal Civil Defense Administration and the other agencies responsible.

The flood damage in the seven southeast Missouri counties, in the loss of agricultural production alone, is now estimated at $56 million.

On several occasions, the Department of Agriculture has been asked to study the possibility and advisability of extending the acreage reserve signup time, so that these stricken farmers might put their damaged lands into the soil bank. Department spokesmen have repeatedly said this could not be done.

With incomes reduced, both by flood and by lower prices, credit needs in this area have been estimated at as much as $43 million.

During the conference on disaster assistance, called by the junior Senator of Minnesota [Mr. HUMPHREY] on July 1, True D. Morse, Under Secretary of Agriculture, and Kermit Hansen, Director of the Farmers' Home Administration, assured us that the Department of Agriculture would be sympathetic in meeting the credit needs of these people later this summer and fall.

In order that the problems may be worked out to the best advantage possible, Representative PAUL JONES, of Missouri's 10th District, banking and farm leaders of southeast Missouri, and officials from the agricultural credit agencies, both private and governmental, are arranging a conference to be held there later this month.

Based on our experience in Missouri and in other disaster areas this spring, we agree with Senator HUMPHREY that some improvement can be made in the procedure in getting the help to the people who need it, in accordance with the intent of Congress. In preparing for the future, it is good that these procedures are to be reviewed by the Senate Subcommittee on Reorganization of the Committee on Government Operations.

However, as to the tornado and flood emergencies in Missouri this year, Mr. President, there is real satisfaction in recounting this story of Federal-State-local cooperation.

In times of crisis, all of our agencies, public and private, not only should, but in the best American tradition can, and do, cut through redtape and get help on its way in the shortest possible time.

Mr. President, I ask unanimous consent to have included at this point in the RECORD a résumé, prepared by the civil-defense officials, of actions taken by Federal agencies to provide relief and assistance to areas affected by the recent disasters in Missouri; a letter from Gen. Alfred M. Gruenther, president of the American Red Cross, dated May 24, 1957; a letter from Hon. James T. Blair, Jr., Governor of the State of Missouri, dated May 29, 1957; a letter from Mayor H. Roe Bartle, of Kansas City, Mo., dated June 7, 1957; and an exchange of correspondence between my office and the Honorable Val Peterson, Federal Civil Defense Administrator, dated June 13, 1957.

There being no objection, the résumé, letters, and exchange of correspondence were ordered to be printed in the RECORD, as follows:

BRIEF RÉSUMÉ OF THE ACTIONS WHICH HAVE BEEN TAKEN BY VARIOUS FEDERAL AGENCIES IN PROVIDING ASSISTANCE

SMALL BUSINESS ADMINISTRATION

On Tuesday, May 21, 1957, with the recommendation of Regional Director C. I. Moyer, the disaster-struck cities and counties in Missouri were proclaimed major disaster areas, which thereby enabled this Administration to make 3-percent loans to businesses and private individuals in accordance with their existing rules and regulations.

FEDERAL HOUSING ADMINISTRATION

District Director Herb E. Studer immediately ordered Federal housing inspectors to the disaster area with instructions to furnish a written copy of a damage report for each of the homes that had previously been purchased with an FHA-guaranteed loan. He also made these inspectors available for intermediate inspections during and upon completion of reconstruction of the homes. These actions assured the homeowners that their replaced or repaired houses would be equivalent to that destroyed. Under their broadened powers, emergency loans at 5 percent interest rates, 30 years, no downpayment, could be made where needed.

VETERANS' ADMINISTRATION

Authority from the Washington office was obtained to provide for inspections by approved inspectors prior to and during reconstruction.

Field offices with representatives from the above three agencies were established in the disaster areas to provide advice and guidance to all affected persons, and to expedite the processing of new emergency loans.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Regional Director James Doarn on the night of the disaster received a report from representatives of the Public Health Service and the Food and Drug Administration who, working with their State and local counterparts, took necessary actions concerning the provision of emergency sanitation measures and inspection of the food and water supplies to protect the health of the people involved in the disaster and those in the immediate vicinity. On a later inspection, it was found necessary to spray the stricken areas as a public-health measure.

This Department, in conjunction with General Services Administration and the Missouri State surplus property director immediately surveyed all available surplus property warehouses and began processing applications for many different types of equipment requested. No delays were experienced in receiving this equipment in areas where requests originated.

Personnel were also furnished from the Office of Education to provide information relative to required temporary replacement space for the destroyed schools.

HOUSING AND HOME FINANCE ADMINISTRATION

This Administration furnished engineers who were experienced in estimating costs for temporary structures to replace the destroyed school facilities.

FARMERS' HOME ADMINISTRATION

Representatives surveyed all of the stricken areas and established offices where necessary to give advice and guidance to the disaster victims and for the rapid processing of emergency loans to affected persons in the rural areas.

BUREAU OF PUBLIC ROADS

The regional engineer, Mr. W. V. Buck, made available engineers who assisted in making damage surveys in the flooded counties in southwest and southeast Missouri.

The damage from flooding in certain counties of Missouri was principally confined to crop destruction. However, some counties have experienced considerable highway damage. Surveys are still in progress to assure that all of the Federal assistance that is needed to the flood-stricken areas will be provided.

Project applications are now being reviewed at the State and Federal regional level with most of the applications expected to be submitted by the eligible applicants during the month of June or early July 1957.

THE AMERICAN NATIONAL RED CROSS,
NATIONAL HEADQUARTERS,
Washington, D. C., May 24, 1957.

The Honorable STUART SYMINGTON,
United States Senate,
Washington, D. C.

DEAR SENATOR SYMINGTON: I want to share with you our latest report on tornadoes that hit your State. This tragic news came with the opening of our convention and I extend not only my own sympathy but also that of the other officers and delegates.

Our local chapters acted immediately to render emergency aid. The Jackson County Chapter at Kansas City, Mo., immediately sent first-aid teams into their suburban areas and mobilized additional personnel to help the hospitals care for the 100 hospitalized. Mobile and other feeding stations were operated around the clock. In another hard-hit community, Desloge, Mo., the St. Louis Chapter sent disaster workers to help the Desloge community. The people from the almost destroyed town of Freemont were evacuated, sheltered, and fed by volunteers from Winona, Poplar Bluff, and West Plains. These reports of mutual aid and volunteer service again inspired our delegates in their devotion to volunteer service principle of Red Cross.

Kansas and Missouri operations will be administered by a field office at Kansas City, Mo. Each county affected has one or more local disaster relief offices where victims are served. These offices will plan with those families in need and who apply to us for assistance in reestablishing themselves. Mr. Robert C. Edson, our national director of disaster services, is in Kansas City now completing these arrangements.

Surveys in Lewis, Cape Girardeau, Madison, St. Francois, Carter, Douglas, and Jackson Counties in Missouri reveal the following damage—45 killed, 265 injured, 1,068 families affected with 445 of their homes destroyed.

I am sure you are aware that Red Cross disaster reserves have been depleted by the unusually heavy disasters of the past 22 months. Red Cross disaster relief during this time has amounted to over $50 million. Despite this drain and the fact that our resources are lower than at any time since 1940, I want to assure you that the Red Cross will stay on the job in Missouri until all those who need Red Cross assistance have been started on the road to recovery.

Sincerely,
ALFRED M. GRUENTHER.

P. S.—And Stu, will you please pray for no more floods or tornadoes. We are in real financial difficulty.

EXECUTIVE OFFICE,
STATE OF MISSOURI,
Jefferson City, May 29, 1957.

Hon. STUART SYMINGTON,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR STU: Thank you so much for the telegram in regard to the fact that Missouri is now eligible for emergency credit.

I am greatly pleased over the manner in which the Federal Government has cooperated with us here in Missouri in time of need and I know, Stu, that much of the credit for this aid has been through your efforts. I deeply appreciate what you have done and I also greatly appreciate your keeping me advised as to the effectiveness of your efforts back in Washington.

Sincerely,
JAMES T. BLAIR, Jr.

CITY OF KANSAS CITY, MO.,
June 7, 1957.

The Honorable STUART SYMINGTON,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR SYMINGTON: As you well know, the territory south of the corporate limits of Kansas City, Mo., was hit by a tornado and as a result thereof the disaster is unquestionably the worst in the history of the State of Missouri.

There were many individuals who contributed much in caring for the needs of the unfortunate citizens who were hit by this devastating tornado. Within a period of 30 minutes after the tornado had hit I was on the scene of action and as you are possibly well aware, it was I who called His Excellency, the Governor of Missouri, to declare martial law.

Very frankly I do not know what would have happened if it had not been for Maj. Gen. Jarred Crabb, the commanding officer of Richards-Gebaur Air Force Base, who moved with such speed and unusual effectiveness in making available both officers and enlisted personnel from the Richards-Gebaur base. All of the equipment that was essential and necessary, such as ambulances, medical and hospital corpsmen, firefighting equipment, and literally hundreds of personnel who served as protectors of property, moved to the scene with dispatch.

The base is located only a few miles from the communities of Grandview, Hickman Mills, Martin City, and Ruskin Heights, where the disaster was at its worst. Air Corps men literally dug dead and injured out of the debris with their bare hands. Their conduct reflected the very finest in the way of discipline and the spirit of both enlisted personnel and officers indicated their most earnest desire to cooperate fully and completely with all of the energy and talents at their command.

It would be impossible for the citizens of this great city and our neighbors in the environs to adequately express appreciation to the Air Force and its personnel for the matchless service which was rendered so valiantly and efficiently.

May I humbly and most sincerely beg and beseech you to see that the proper authorities are given due credit for their valiant service to the citizenry of our Republic, who reside in the suburban territory of Kansas City.

With deep and abiding respect, please know me always as

Faithfully yours,

H. ROE BARTLE, *Mayor.*

JUNE 13, 1957.

Hon. VAL PETERSON,
Administrator, Federal Civil Defense Administration, Washington, D. C.

DEAR GOVERNOR: We of Missouri are very grateful to you and your staff for the effective work done by Civil Defense in effort to meet the need as the result of the recent tornadoes and floods in Missouri.

Mr. Frank O. Starr, Regional Director for that area, has been particularly helpful in coordinating the work of the various Federal agencies with the State and local efforts.

On May 25, Mr. Starr met me in St. Louis, reporting on the civil-defense work in the State up to that time. On June 2, during a tour of the tornado disaster area south of Kansas City, your special representative, Mr. Winkler, reported on the work in that section.

The President's initial allocation of $2 million for disaster assistance in Missouri will help a great deal as a start toward meeting the needs of our schools that were destroyed by tornadoes.

We of Missouri also deeply appreciate the fact your representatives are continuing to meet with and advise our local leaders in regard to additional assistance which may be available under Public Law 875.

Many thanks again to you and your fine staff.

Sincerely,

STUART SYMINGTON.

FEDERAL CIVIL DEFENSE ADMINISTRATION,
Washington.

Hon. STUART SYMINGTON,
United States Senate,
Washington, D. C.

DEAR SENATOR SYMINGTON: It is gratifying to me that you have found Mr. Starr, our Regional Director, and members of his staff helpful in the recent disasters in your State. I am taking the liberty of sending a copy of your letter on to them.

You can be sure every member of the Federal Civil Defense Administration staff will continue to be of all assistance possible.

Kindest regards.

Sincerely,

VAL PETERSON.

CALL OF THE ROLL

The PRESIDENT pro tempore. Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The LEGISLATIVE CLERK called the roll, and the following Senators answered to their names:

Aiken	Dirksen	Johnson, Tex.
Allott	Douglas	Johnston, S. C.
Anderson	Dworshak	Kefauver
Barrett	Eastland	Kennedy
Beall	Ellender	Kerr
Bennett	Ervin	Knowland
Bible	Flanders	Kuchel
Bricker	Fulbright	Langer
Bush	Goldwater	Lausche
Byrd	Gore	Long
Capehart	Green	Magnuson
Carlson	Hayden	Malone
Carroll	Hickenlooper	Mansfield
Case, N. J.	Hill	Martin, Iowa
Case, S. Dak.	Holland	Martin, Pa.
Church	Hruska	McClellan
Clark	Humphrey	McNamara
Cooper	Ives	Morse
Cotton	Javits	Morton
Curtis	Jenner	Mundt
Murray	Russell	Symington
Neuberger	Saltonstall	Talmadge
O'Mahoney	Schoeppel	Thurmond
Pastore	Scott	Thye
Payne	Smathers	Watkins
Potter	Smith, Maine	Wiley
Purtell	Smith, N. J.	Williams
Revercomb	Sparkman	Yarborough
Robertson	Stennis	Young

The PRESIDING OFFICER (Mr. SCOTT in the chair). A quorum is present.

Is there further morning business? If not, morning business is closed.

Mr. FULBRIGHT obtained the floor.

CIVIL RIGHTS

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND], that the Senate proceed to the consideration of H. R. 6127, the Civil Rights Act of 1957.

Mr. FULBRIGHT. Mr. President, I wish to thank the majority leader for requesting the quorum call and for having asked for the recess, in order to help to get some Senators present on the floor.

Mr. JOHNSON of Texas. Mr. President, may we have order, so that we can hear the Senator; and will the Senator speak a little louder, please?

Mr. FULBRIGHT. I observe some 15 of the minority party, and about the same number of the majority party, present for this debate.

I say that because of the importance of this particular issue. I am encouraged to believe, after having observed the reaction of the President of the United States——

Mr. JOHNSON of Texas. Mr. President, will the Chair ask the pages to take their seats, and ask the Members to take their seats?

The PRESIDING OFFICER. The pages will please take their seats. The Chair also asks Members to take their seats.

Mr. FULBRIGHT. Mr. President, I am encouraged to believe, after having observed the reaction of the President of the United States to the very fine speech of the senior Senator from Georgia [Mr. RUSSELL] the other day, as a result of which the President observed, in his press conference, that there were some aspects of this proposed legislation which perhaps he did not understand completely, together with the change in the point of view of the editorials of the Washington Post and Times Herald, that perhaps these debates on the floor of the Senate do actually serve a very good and effective educational purpose.

I am encouraged to believe by the editorial in this morning's Washington Post and Times Herald that there has been a change of heart. When I say "change of heart" I do not mean that the Post has done an about face and now opposes the proposed legislation but it has materially changed its point of view toward it and is now admitting that it is very possible amendments are justified.

I invite the attention of the Senate to the attitude in the principal editorial of April 7, 1957, which was entitled, "Question of Jury Trials." This editorial was published in the Washington Post and Times Herald shortly after the proposed legislation was brought up in the House and in the committee of the Senate. I should like to quote 2 or 3 sentences, and then compare them with the attitude expressed in the editorial of this morning's edition, simply to draw attention to the difference in attitude which I believe is due to the debates and serious discussions by Members of the Senate, such as the Senator from Georgia [Mr. RUSSELL], the Senator from North Carolina [Mr. ERVIN] who also delivered a very informative speech, and the Senator from Wyoming [Mr. O'MAHONEY], who made a speech on yesterday, discussing the significance of jury trials.

The following statement, among others, appeared in the Washington Post and Times Herald of April 7:

Along with many other southern Senators, the chairman of the Senate Judiciary Committee is trying to defeat the administration's civil-rights bill by the pretense that it would encroach upon the sacred right of every accused person to a jury trial. This argument has collided with the fact that there is no right of trial by jury for persons who are accused of disobeying court orders, except in limited categories of cases.

I read another item appearing a little later in the editorial:

The whole concept of equity in our judicial system grew up because there were many situations that could not be handled properly by criminal prosecutions or by regular lawsuits. Equity proceedings permit the issuance of court injunctions as a means of protecting the rights of the parties before the court. These injunctions are enforced through the power of the courts to inflict punishment for contempt.

Mr. President, I ask unanimous consent that the entire editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From Washington Post and Times Herald of April 4, 1957]

QUESTION OF JURY TRIALS

Senator EASTLAND has launched a crafty flanking movement with his bill to grant jury trials to persons accused of contempt for disobeying Federal court orders or injunctions. Along with many other southern Senators, the chairman of the Senate Judiciary Committee is trying to defeat the administration's civil-rights bill by the pretense that it would encroach upon the sacred right of every accused person to a jury trial. This argument has collided with the fact that there is no right of trial by jury for persons who are accused of disobeying court orders, except in limited categories of cases. So Senator EASTLAND, with the support of Senators BYRD and THURMOND, is seeking to overcome that deficiency by means of new legislation.

Much confusion surrounds the subject because of the popular belief that every accused person has the right to trial by jury. Actually, the Constitution guarantees trial by jury in only criminal prosecutions and civil actions at law for money damages in excess of a certain amount. In addition Congress has required jury trials in some equity proceedings, notably some labor disputes, but these are very limited.

Sponsors of the Eastland bill seem to regard these limitations on jury trials as an oversight. Of course, they were not. The whole concept of equity in our judicial system grew up because there were many situations that could not be handled properly by criminal prosecutions or by regular lawsuits. Equity proceedings permit

the issuance of court injunctions as a means of protecting the rights of the parties before the court. These injunctions are enforced through the power of the courts to inflict punishment for contempt.

Many critics of the bill buttressing the right to vote have feared that it involves an arbitrary swing away from jury trials because of the reluctance of southern juries to convict anyone of civil rights offenses. But this ignores the general practice of not requiring juries in contempt cases. The reason for this practice is that, under a government of laws, the courts must be obeyed, unless reversed on appeal. If a person could defy the courts, relying on a friendly jury to prevent his punishment, law and order would suffer a perilous blow. And if the Federal Government, having obtained an injunction against a person threatening to make a mockery of the law, had to rely upon a jury trial to enforce such an injunction, many of its operations would be crippled in different parts of the country.

The present law does provide for jury trials in some cases where the willful disobedience of a court order also constitutes a criminal offense. But the same statute also expressly provides that jury trials shall not be required in case of contempt in disobedience to court orders in any action brought by the United States. Senator EASTLAND would sweep away this safeguard and leave the courts at the mercy of juries to enforce their orders, whether or not the action had been brought by the United States.

Enactment of this bill would not protect the right of trial by jury but would gravely impair the right of effective government. It is an ill-conceived assault on our judicial system. The right of trial by jury is indeed a sacred right wherever it is properly applicable—a right that must be upheld and protected; but it is not enhanced by projecting it into situations where it is not appropriate.

The real question at issue in the civil-rights bill is whether the Government may institute civil proceedings (as well as criminal prosecutions) to protect the right of citizens to vote. Wherever criminal prosecutions may be resorted to, trials would be by jury. But if civil proceedings should result in injunctions, those injunctions should be enforced by the established and traditional means now in use. Certainly the country cannot permit Senator EASTLAND and his colleagues to destroy these time-tested procedures in their effort to make any civil-rights legislation meaningless in the South.

Mr. FULBRIGHT. The import of that editorial is that there was nothing to be done about the civil-rights bill, that the questions raised regarding jury trials were purely a pretense and the whole argument was dismissed as of little consequence.

This morning, some 2 or 3 months later, I read an editorial in the same newspaper entitled "Big Debate Begins," in which it is stated:

Despite the basic purpose of the bill, some of its provisions are controversial among legislators who thoroughly accept the principle behind it. The Senate must satisfy itself not only that the measure has a worthy purpose, but also that its specific provisions are well adapted to the accomplishment of this purpose. Insofar as the debate is aimed at the elimination of defects and a tightening up of language, it should be welcomed.

I submit that is a very substantial change in attitude toward the bill on the part of the Washington Post. They now recognize that there may be something wrong with the method which is being used to accomplish a worthy purpose, as they put it, and that is exactly the point which I shall seek to develop in the course of my remarks.

Mr. President, I also ask unanimous consent that this entire editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of July 9, 1957]

BIG DEBATE BEGINS

The Senate has begun what may become its most momentous filibuster. In proclaiming that they will fight the right-to-vote bill until they "fall in their tracks, if necessary," the southern Senators have laid down a challenge which the Senate as a whole must meet. The bill sailed through the House by a vote of 286 to 126. It seems to have the approval of an overwhelming majority of the American people. Every consideration of logic and of democratic principle demands that at long last it be brought to a vote in the Senate.

Of course, the measure ought to be thoroughly debated, and this may require a couple of weeks. Despite the basic purpose of the bill, some of its provisions are controversial among legislators who thoroughly accept the principle behind it. The Senate must satisfy itself not only that the measure has a worthy purpose but also that its specific provisions are well adapted to the accomplishment of this purpose. Insofar as the debate is aimed at the elimination of defects and a tightening up of language, it should be welcomed.

At the outset, therefore, sponsors of the bill would do well to clear up any misconceptions as to its meaning or intent. It has been repeatedly denounced as an instrument through which the Federal Government could enforce racial integration in the schools of the South. Undoubtedly this will be the focal point of the assault against it, although Attorney General Brownell has denied that it would have any bearing on the liquidation of segregation in the schools.

Senator WATKINS also has said that, in contributing to the drafting of the bill, the idea it might be used to enforce integration in the schools was farthest from his thought. The fact remains that one provisions of the bill as it now stands can be reasonably interpreted as authorizing the Attorney General to bring suits for the enforcement of equal rights in the schools. If that was not the intention of its authors, the matter should certainly be clarified before several weeks of debate are wasted on mere semantics.

The Senators who are trying to avoid this inflammatory issue are not saying that the Supreme Court's ruling against segregation in the schools should not be enforced. Rather, they are saying that compliance with the High Court's ruling is being worked out by normal judicial processes and that that issue should not be injected unnecessarily into the new contest which centers in the right to vote. Something more than oral assurances will be needed, however, if the school issue is to be kept out of the controversy now before the Senate.

The debate may show that other changes in the bill are also desirable. The important thing is not to force acceptance of the letter of the measure as it now stands but, in the end, to pass a bill that will make the right to vote an actuality. To this end, we think the Senate should be prepared to hold night sessions, to remain in continuous session if necessary to break the filibuster and to modify its outmoded rule which requires 64 votes to limit debate.

The Senate ought to be mindful that the eyes of the world are upon it. Now that the showdown is at hand it cannot fail to meet this issue without gravely undercutting American prestige in all other countries. The spectacle of our Senate locked in futile combat for several months or indefinitely paralyzed in regard to so fundamental an issue as the right to vote would be a blow to the whole Free World. The debate should be conducted in the light of these potential repercussions and the issue should then be courageously faced with full understanding of the impact the Senate's action will have on the processes of government as well as on the rights of individual citizens.

Mr. FULBRIGHT. I should like to read one further statement from this editorial:

The Senators who are trying to avoid this inflammatory issue are not saying that the Supreme Court's ruling against segregation in the schools should not be enforced. Rather, they are saying that compliance with the High Court's ruling is being worked out by normal judicial processes and that that issue should not be injected unnecessarily into the new contest which centers in the right to vote. Something more than oral assurances will be needed, however, if the school issue is to be kept out of the controversy now before the Senate.

The debate may show that other changes in the bill are also desirable.

Again, it is admitted that other changes in the bill may be desirable.

The important thing is not to force acceptance of the letter of the measure as it now stands but, in the end, to pass a bill that will make the right to vote an actuality.

Again, this editorial writer of the Washington Post and Times Herald evidently has also discovered something in the bill which he did not know about when he wrote the first editorial. That something, in my opinion, has arisen from a study of the speeches by the Senator from Georgia [Mr. RUSSELL], the Senator from North Carolina [Mr. ERVIN], and the Senator from Wyoming [Mr. O'MAHONEY].

I confess that I do not feel capable of making any comparable contribution to the enlightenment either of the Washington Post, the President, or the Senate on this subject. I have not served on the committee, and I do not pretend to be an expert in this field. The three Senators I have mentioned are clearly experts—the best experts, I believe, in this body on the subject. However, there are certain aspects of the problem which I should like to develop.

Mr. President, I should like briefly to recall some of the circumstances and some of the reasons which accompanied the foundation of our country. I believe it may give all of us a little better perspective if for a moment we refresh our memories about the origin of our governmental institutions.

The earliest settlers came to this country seeking freedom from oppression by temporal as well as by religious authority. Of course, there were other considerations involved, but the dominant desire of the great majority was that of personal freedom—freedom from being pushed around, told what to think or not to think, and how to act under any and all circumstances. They were sick and tired of self-righteous people who presumed to have a private pipeline to God, who knew how everyone should

act and think, and who insisted on conformity in every respect to the way they thought and acted.

Our forefathers wanted to be free from the arbitrary tutelage of the king, or any religious leader, just as the Hungarians want to be free from the domination of the Kremlin—domination of their political institutions as well as of their thoughts and their views about religion or personal conduct.

One of the principal protections to the freedom which our forefathers wanted and in search of which they came to this country, was the right of trial by jury. The Constitution is the basic charter of the freedom which our forefathers desired, and which we still retain. The Bill of Rights is the essence of that charter.

These rights were the indispensable ingredients without which there would have been no United States of America, and without which there could have been no Federal Union.

In the Bill of Rights, the sixth and seventh amendments expressly and unequivocally guarantee the right of trial by jury.

The trial by jury, of one's peers, of course, has its origins far back in history, so far back that I shall not attempt to review its history at this time, other than to remind my colleagues that in 1215 when King John was called to account by the barons at Runnymede a trial by jury was one of the chief items of interest to the barons. Even at that early date it was considered an important element in the freedom of the individual from oppression by an arbitrary executive.

Since King John's day, a trial by jury has become so well established that most of us have taken it for granted, without appreciating how important it is to our basic fredom from arbitrary governmental oppression.

One trouble with our present generation is that, having taken for granted the trial by jury, when unexpectedly it comes under attack few of us are prepared to defend it—We did not fight it—we inherited it from our forefathers and many of us do not seem to understand its significance.

The Constitution as originally written, including the Bill of Rights, expressly and in no uncertain terms guarantees the right to a jury.

I wish to read four references, in four different places in the Constitution, which I think should be reiterated on every suitable occasion, to draw attention to the significance and importance which the Founding Fathers attached to the right to trial by jury, as contrasted with some of the other rights under consideration here.

The sixth amendment to the Constitution provides as follows:

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

I ask Senators, Does anyone believe that that amendment should be lightly set aside by a play on words which amounts to saying that we now should give jurisdiction to a court of equity to enjoin all crime? If that be true, this amendment means nothing. If, as the bill attempts to do to a limited degree, we can turn the acts which have traditionally been considered crimes, and were considered crimes when this provision was written, into acts which may be enjoined, as the bill attempts to do, we shall have effectively negated the sixth amendment.

The seventh amendment to the Constitution provides as follows:

> In suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

The fifth amendment to the Constitution provides as follows:

> No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Article III, section 2, provides as follows:

> The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

Thus, in four different places in the Constitution and the Bill of Rights we find a specific guaranty of the right to trial by jury. In four places in the Constitution the Founding Fathers sought to insure and retain the right to trial by jury, which right would be impaired by the proposed legislation.

The Constitution does not provide in any place that every citizen shall have the right to vote. The truth of the matter is that during the early days of this Republic few if any responsible leaders of the country believed in universal suffrage. The percentage of the population entitled to vote under the laws in existence at the time of Washington and Jefferson was quite small. The idea that in some mysterious way vast masses of voters possess a wisdom and a sanctity superior to that of a more restricted electorate gained its greatest momentum under Hitler and Mussolini, in rather recent days. It will be recalled that Hitler used to poll 99.44 percent of all the votes of all the people. He made them all vote, and he received virtually all the votes. That was a wonderful example of mass voting. I leave it to Senators to judge the relative merits of the two systems, namely, the unanimous vote under the system once in vogue in Germany, and the vote under our own system.

Personally I have no objection to universal suffrage, although it certainly is not a panacea. In Arkansas in recent years there has been increasing participation by the Negro population in voting, to the point where, I dare say, today almost as high a percentage of the eligible Negro population vote in our elections as is the case with the white population.

It is true that not all of them vote. However, whatever the fact may be as to that, the truth of the matter is that in the Constitution, in the beginning, there was no guaranty that every citizen should have the right to vote. On the contrary, later on, amendments such as the 15th amendment, with regard to discrimination on account of race, color, or previous condition of servitude were added, and in those amendments—certainly in the 15th amendment—there is implicit the fact that there may be other qualifications for voting. But it is forbidden by reason of this amendment to deny the vote to anyone simply because of his race, color, or previous condition of servitude. Therefore, there are many other reasons why the vote may be restricted. In fact, it can still be restricted under the Constitution for appropriate reasons. Insane people, criminals, and minors under 21, or 18 years of age in some cases, are not permitted to vote.

The point I wish to make is that we are faced with a bill which, in a sense, requires the Senate and the people of the country to give up the right of trial by jury in order to accord to a limited number of people the right to vote. It is, therefore, being assumed, apparently, that the right to vote is of far superior worth than the right to trial by jury. I submit that that is an erroneous and false assumption.

There is one other point I should like to make before I pass on to another subject. It deals with a rather curious aspect of the question of the right to vote. The 14th amendment, as all of us know, has been considered one of the most important amendments with regard to individual rights. I wonder whether my colleagues have often thought of this part of that amendment. I read section 2:

> SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

The clear implication of that provision of the 14th amendment is that there are

perfectly proper grounds on which male citizens of 21 years or over may be denied the right to vote. It merely says that when they are denied the right to vote—perhaps for educational reasons, or by reason of other standards, which would bear a reasonable relationship to the function of voting—the representation of that State in Congress shall be reduced proportionately. It clearly contemplates that it is constitutional that such restriction may be placed upon the right to vote.

I emphasize that point, not because I wish to belittle the significance of the right to vote as such, but because I wish to emphasize the relative importance of the right to trial by jury, which in four places in the Constitution was mentioned by the Founding Fathers, and which provisions are of course still contained in the Constitution.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I am glad to yield to the Senator from Florida.

Mr. SMATHERS. When the Founding Fathers, as he has so well expressed it, provided the right to trial by jury in four instances in the Constitution, so that every burglar, rapist, Communist, and thief, is guaranteed the right of trial by jury, does the Senator have any explanation of the reason why the sponsors of the bill should want to take away the right of trial by jury from a limited number of people, most of whom live in the South? Can the Senator account for it? Can he give a reason why the proponents of the bill should want to do that?

Mr. FULBRIGHT. I will say to the Senator from Florida that later in my remarks I shall go into that particular aspect of the question in greater detail. At the moment I should like to say, however, that the only explanation I can think of is a political explanation. The principal sponsors of the bill feel that this particular issue has developed through the years into a potent political issue in certain of the great metropolitan areas. It is rather curious, perhaps, and I do not think it is wholly coincidental, that the primary sponsors and the most enthusiastic supporters of the measure come from Chicago, New York, Philadelphia, and San Francisco.

Mr. SMATHERS. Does not the Senator agree that that is a most dangerous method of seeking to gain what may be obviously a temporary political advantage, in that the sponsors and the supporters of the bill would erode away a basic protection provided not only by the Founding Fathers but by decisions of the Court? In other words, is it not true that they would take away that basic protection, and that, if they were to succeed in their effort, we would eventually see other protections eroded away? Furthermore, in time, those who had obtained a personal or political advantage would finally wind up with a great disadvantage and would cause a great disservice to all Americans?

Mr. FULBRIGHT. The Senator is entirely correct. The principal point I am seeking to make in emphasizing the importance of the right to trial by jury is that it would not be wise to give up the right or begin the process of relinquishing the right to trial by jury in return for the right to vote on the part of a few people.

It has already been pointed out by the distinguished Senator from Georgia [Mr. RUSSELL] that the right to vote is more or less a smokescreen for other powers within the bill which also remove the right to trial by jury, in the guise of using the injunction power of equity courts.

However, the primary excuse on which the proposed legislation is based is the right to vote. Therefore I was seeking to emphasize the shallowness of the reasoning which supports giving up the right to trial by jury in order to enable some people to vote.

So far as voting is concerned in my own State within the past 10 years there has been a tremendous increase in the participation of the Negro population in voting. I certainly know of no concerted effort to prevent them from voting. It is always dangerous to say that not a single man has ever been prevented from voting by an arbitrary interference on the part of someone, either in official life or in private life, and I cannot say that any more than I can stand here and say that there has not been a single murder or any other crime committed in my State.

Of course misdeeds take place in all fields of life. But, no one has cited any wholesale restrictions as a result of which groups of persons have been denied the right to vote. Certainly I say that I know of no such cases having occurred in my own State. I cannot speak for other sections of the country, but I do important. But the voters must be free have not come to my attention.

I do not wish to suggest that the right to vote is an unimportant right or an unnecessary function in a democratic society. Of course the right to vote is important. But the voters must be free men for the vote to be significant.

If the right to vote is to be meaningful, then the right to trial by jury as one of the principal attributes of retaining the freedom of the voters must be retained. If there is not to be the right of trial by jury, if there is not to be freedom on the part of the individuals who are doing the voting, then there will be nothing but an empty gesture, such as we witnessed in Germany, where 94 percent of the people all voted alike—for Mr. Hitler. There was in that period the right to vote in Germany—not only the right but the compelling duty; otherwise the people would have been thrown into jail, but I ask, What good was that kind of voting?

I should say the right to trial by jury, which is a symbol of free men, is the essential ingredient for making the right to vote of any significance. If we disassociate the right to vote from the freedom which trial by jury insures, I think we will have nothing but an empty symbol.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. EASTLAND. I am certain the distinguished Senator from Arkansas knows that Winston Churchill, in his great work, English Speaking Peoples, said that trial by jury constitutes the charter of liberty of every Englishman; it "constitutes the charter of every self-respecting man at any time, in any land. Trial by jury of equals, only for offenses known to the law, if maintained, makes the difference between bond and free."

The bill provides for the injunction process. It would legalize what was done at Clinton, Tenn., where acts, even though innocent, would have violated the injunction. An act committed on one day would not violate the injunction; an act on another day would be in violation of the injunction, and the man would be tried without a jury.

Does the bill not violate that which is fundamental in the American system of government, namely, that no man shall be imprisoned for any crime except that which is written in the law and is legally enacted?

Mr. FULBRIGHT. I think the Senator is absolutely correct. Logically, if we carry out the basic theory of section 3 of the bill, we could go a step further and give the court the authority to enjoin all citizens of the United States from committing murder. Any time anyone committed murder, all the court would have to do would be to exercise the contempt power, throw him in jail and keep him there without a trial by jury, simply because the person violated the court's order. That would be the ultimate development of such a theory. It would violate completely the whole concept of justice, as the Senator from Mississippi has just said.

Mr. EASTLAND. We might go one step further. The bill provides "if the Attorney General has reasonable grounds to believe." Every principle of criminal law is evaded. He could say that someone told him that he had reasonable grounds to believe that a certain person was going to deprive a man of equal protection of the laws. Then that person would be enjoined. He could be put in jail. He would not even have the benefit of being proved guilty beyond every reasonable doubt and to a moral certainty, as is provided by the law.

Mr. FULBRIGHT. There is no doubt that that is exactly what could happen under the bill, especially under title III, which is very broad and vague. The law which this section amends is still so uncertain that no one knows how broadly that title could be interpreted.

Mr. EASTLAND. Two remedies are provided under section 3. First, the court could issue an attachment against one charged with violating an injunction, and he could be sentenced to jail for contempt. The second is that the President himself, or by delegation to some minor official, could send in the Armed Forces to implement an injunction. Is not that correct?

Mr. FULBRIGHT. That is certainly correct. If there were disobedience of a court order, and there were no other way to assure obedience, I suppose it would be the duty of the Executive to do that. Defiance of constituted authority should not be permitted. It would be our responsibility, the responsibility of Congress, if such a situation were created to place the Executive under the

duty of taking such action. We should not create such a situation.

Mr. EASTLAND. Specific standards upon which soldiers could be sent into an area are not written into the law; but the power of injunction is very broad. In fact, at Clinton, Tenn., it was used for intimidating and coercing the people there. A man who was sitting on the runningboard of a car and who saw a fight was arrested. He had heart trouble, and had just got out of bed, and he later went to the police station and offered to make bond. He was picked up and was thrown into jail.

The assumed power to issue injunctions would include, even the prohibiting of children from wearing badges or carrying signs. It would even prohibit meetings and the right of free speech in a county. To enforce that kind of injunction, that kind of tyranny, the bill provides that the armed services may go into such areas in order to implement and carry out the law.

Can the distinguished Senator from Arkansas think of anything which is more far reaching, more deadly, more destructive of the basic principles of this Government than the powers contained in section 3?

Mr. FULBRIGHT. No. I agree with the Senator from Mississippi. I think it is a very evil section, and that a very evil theory is sought to be carried out in the bill. I see no excuse for it. The Government has not produced, and I do not think it can demonstrate, any kind of emergency or any set of facts which would justify anything like the powers which are contained in the bill. As a matter of fact, anything less than a wartime invasion or an emergency in which the security of the Nation is involved should not, I think, justify the granting of these unusual powers to a court of equity to be imposed upon the citizens of the United States.

Mr. EASTLAND. As the distinguished Senator knows, there is no such thing as criminal equity.

Mr. FULBRIGHT. I was very much impressed by the change of attitude—even though it was a slight change—on the part of the Washington Post and Times Herald from its first editorial on the subject, which seemed to assume that the use of an equity court in this field was a matter of course, and that advocacy of the retention of the right of jury trial was a pretense under which we who opposed the bill were acting. But now it is seen that the right to trial by jury is not some pretense. It is a real, fundamental protection of the liberty of the individual. To that extent, I was encouraged by the change in attitude on the part of the Washington Post and Times Herald. They are beginning to see that the matter of enforcing criminal laws in a court of equity is phony; that it is a fraud. Equity courts were never intended to play any such role in our judicial system.

Mr. EASTLAND. The purpose of equity courts, primarily in the United States courts, was to preserve the status quo of property until a final decision could be made. What is sought to be done by the bill is to take criminal acts which constitute a violation of the criminal code of the Federal Government and of the States and to bring them into an equity court. That is a perversion of equity. It is also a perversion of the American system of government.

Mr. FULBRIGHT. I certainly agree with the Senator that it is exactly that. It is certainly a perversion of the constitutional basis for our liberty.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SPARKMAN. I must say it has been a long time since I have had a very close contact with the law except in the making of it, as we do here; but as I remember my first studies in law, equity was originally devised as a means of reaching cases where manifest wrong, as between parties, existed, when the wrong could not be reached by a writ of the King.

Mr. EASTLAND. That is correct. But the primary purpose of the injunction—a moment ago, when I used the word "equity," I meant "injunction"—was simply to maintain the status quo of property until the court could render a final decision.

Mr. SPARKMAN. As I understand the reasoning of those who wish to have the Senate proceed to the consideration of this bill, it is that such matters should be handled as equity matters. I certainly agree with what the distinguished Senator from Arkansas and the distinguished Senator from Mississippi have said, namely, that equity never was intended to have any application to crimes or criminal offenses. Equity was originally devised for the purpose of reaching cases in which otherwise there would result a manifest injury to which a writ of the King could not be addressed. But in the lawbooks there is no crime that cannot be reached by a writ; and historically that has been true at all times. Therefore, to attempt to deal in this manner with equity is to attempt to bring about a perversion of the very fundamentals of the law.

Mr. FULBRIGHT. Mr. President, I appreciate the contribution the Senator from Alabama has made. He has expressed the matter very simply and clearly.

Mr. LAUSCHE. Mr. President, will the Senator from Arkansas yield to me for a question?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Arkansas yield to the Senator from Ohio?

Mr. FULBRIGHT. I yield.

Mr. LAUSCHE. I should like to hear the views of the Senator from Arkansas about what the reaction might have been in the case of those who wrote the Constitution, if someone had raised the point that throughout the years the original jurisdiction in equity was to be expanded so as to cover actions which historically in England found their relief in a court of law.

Of course, I know there was a very clear division between the jurisdiction of a court of law and the jurisdiction of a court of equity. Let me say that, regrettably, throughout the country it is not generally understood that there are in the United States two types of courts. I believe it is only in New Jersey that there is still a chancellor in equity and a judge in law.

Mr. FULBRIGHT. Arkansas has the same system.

Mr. EASTLAND. So does Mississippi.

Mr. LAUSCHE. In Ohio, we have the common pleas court, with a judge sitting at times in equity, and at other times in law. The average citizen does not understand the difference between the two jurisdictions.

We know that historically there were specific writs in law to which the complaint of the petitioner had to be fitted; and frequently the petitioner found that in a court of law there was no writ which would provide him with relief. My best recollection of the problem is of the lady who wrote to the King, "I am a poor Mary, a servant in the Lord's house. My rights have been abused. I have gone to a court of law but cannot get relief. I, therefore, ask you, the King, to provide poor Mary with relief."

The King referred the complaint to the Chancellor, the possessor of the King's conscience. If the Chancellor found that there had been committed a wrong for which there was no remedy at law, he said, "Equity will provide the relief for you."

The difference between the two was that in the court of common law, the trials were by jury; whereas in the court of equity, the trials were by judge.

My question of the Senator from Arkansas is this: What would have happened if, at any time when the Constitution was being written, someone had asked, "What will be the situation if, by legislative action, efforts are made to convert what is now an action in law into an action in equity?" What can the Senator from Arkansas say about the right of trial by jury in those instances?

Mr. FULBRIGHT. Mr. President, before the Senator from Ohio entered the Chamber, I referred to four different places in the Constitution where a trial by jury is guaranteed. I think that without any question there would not today be a Constitution or a United States of America if the Bill of Rights, including the sixth and seventh amendments, had not been adopted and if the leading citizens, we may say, of the country at that time had not been assured that the Bill of Rights would be adopted. Those two instances are the most specific ones, although in two other places in the Constitution there is a guaranty of the right of trial by jury.

Before the Senator from Ohio entered the Chamber, I was trying to contrast the difference between the importance the Founding Fathers attributed to the right of trial by jury and the importance they attributed to the right to vote. Nowhere in the Constitution is there a provision that every citizen of the United States shall vote. The right to vote is referred to only in later amendments to the Constitution. Specifically, the 15th amendment provides, in part, that—

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

But not even there is it said that a person shall not for any reason be denied the right to vote.

On the other hand, there is no exception to the guaranty of the right of trial by jury, except in the specific cases mentioned—for instance, as set forth in the fifth amendment:

> Except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger—

Or, in the case of the seventh amendment, in the suits at common law, where the value in controversy is $20 or less.

However, those are unusual cases, and certainly they are not the ones involved in the present instance.

I think the Senator from Ohio has described quite graphically, Mr. President, what we might call the origin of the concept of equity. Equity was to reach cases in which there was no adequate remedy at law. It was an appeal to the keeper of the King's conscience.

The bill being considered specifically undertakes to eliminate from the law the requirement that the remedies in the regular procedures of the courts be exhausted. That is the usual requirement. Instead, the bill provides that recourse may be had immediately to equity, without any reference whatever to the established law courts.

Mr. SPARKMAN. Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. I yield.

Mr. SPARKMAN. In reference to the question of the Senator from Ohio as to what the Founding Fathers would have thought about the matter of denying the right of trial by jury, of course it will be recalled that in the Declaration of Independence one of the principal charges made against King George III was "for depriving us in many cases of the benefits of trial by jury."

The right of trial by jury has been one of the basic attributes of our Government, from its very beginning.

Mr. FULBRIGHT. Yes.

In the very fine speech the Senator from North Carolina [Mr. ERVIN] made yesterday, he pointed out that, when the bill denies the right of trial by jury, in a sense it attempts to give the same kind of jurisdiction that was given to the admiralty court—in which there was no trial by jury—in the cases under the Stamp Act.

Mr. EASTLAND. Mr. President, will the Senator from Arkansas yield for a further question?

Mr. FULBRIGHT. I yield.

Mr. EASTLAND. The Senator from Arkansas knows that section 3 of the bill by implication amends section 1985 and 1986.

Mr. FULBRIGHT. Yes.

Mr. EASTLAND. Let us consider this circumstance: Is it not correct that if a newspaper man, while gathering the news, obtains information that some people are conspiring and that there is about to be committed an overt act to carry out the conspiracy, under the provisions of the bill if he has reasonable grounds to believe that that might occur, and if he neglects to tell the Attorney General and the wrong occurs, then, under section 1986—the compulsory informant statute—a damage suit may be filed against him and against his newspaper, because of his failure to inform?

Mr. FULBRIGHT. I think that could possibly be the effect of that provision of the bill.

Mr. EASTLAND. In fact, that would provide the power of intimidation over the press. If that power were provided, politicians would have the power to attempt to intimidate the press of the country.

Does the Senator further know that, because there is a sly, devious scheme here, to amend by reference, if a judgment is obtained against a newspaper, then, under this bill, the Armed Forces of the country—its soldiers—can be sent to collect the judgment against the newspaper? Yet the Judiciary Committee is criticized because it has been studying this bill to work out "bugs" like that.

Mr. FULBRIGHT. I think the Senator may well be correct. Of course, the Senator knows I did not approve, and do not now approve, the procedure by which the bill was placed on the calendar without being subjected to study by the committee. Nevertheless, it is here. Therefore, we have tried to study it as best we could on the floor of the Senate. But I think what the Senator has just said about it is most likely true.

I should like also to agree with what the Senator from Alabama stated in answer to the question of the Senator from Ohio. I do not think the Founding Fathers for a moment would have entertained such a proposal as this bill. They would have been shocked indeed by a proposal to deny trial by jury in cases of this kind.

Mr. EASTLAND. We say that one of the worst forms of the Russian tyranny is the practice in that country of inducing children to tell on their parents. Does not the Senator realize that, under section 3 of this bill, if a child hears his parents plan to picket a school or to deny to some other person the right guaranteed under section 1985, and does not immediately tell the Attorney General of the United States and give him that information about his parents, the child is liable to a suit in damages?

Mr. FULBRIGHT. The interpretation could be stretched to include that.

Mr. EASTLAND. I am not stretching it. It is very plain in the bill. It would force a person who did not tell on his neighbor to become liable in damages.

Mr. FULBRIGHT. What I should like to stress is that the language of sections 1985 and 1986 is very broad. I am informed it has received very little interpretation. I think it is so vague that almost any kind of coercion, such as the Senator has mentioned, could very well be read into the language.

Mr. EASTLAND. Let me tell the distinguished Senator I intend to speak at length on those features of the bill, which I think are very, very plain.

Mr. FULBRIGHT. I hope the Senator will. I think what has already been said by members of the committee and the Senator from Georgia [Mr. RUSSELL] has opened the eyes of many of us already to the implications of the proposed legislation.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. BUSH. Perhaps the Senator intends to come to this point later in his address. If so, I shall defer my question until that time, but I think somebody should point it out to us so that we can understand it. I am not a lawyer; perhaps that is the reason I have not been able to find the provision; or it may be implicit in the bill; but what I should like to know is, Where is the threat of the use of the Armed Forces contained in this bill? A great point was made of that by the Senator from Georgia [Mr. RUSSELL] when he first spoke on the bill a day or two ago. I was very much surprised to hear that there was something in the bill that seemed to make it clear that the Armed Forces of the United States might possibly be used under the provisions or the authority contained in the bill in enforcing a decision of the courts in any State in the South. I have examined the bill, and I do not find in it the danger which has been pointed out in that respect. I should like to have it stated for the RECORD, and I myself would like to know where that danger exists in the bill.

Mr. EASTLAND. Does the Senator refer to the Armed Forces?

Mr. BUSH. Yes.

Mr. FULBRIGHT. I shall yield to the Senator from Mississippi, so that he may comment on that point. All I can say, while the Senator from Mississippi is getting ready to answer the Senator from Connecticut, is that one of the evils of this bill is that it itself does not set forth the terms; it incorporates by reference section 1985 of title 42 of the United States Code. If the Senator has the volume on his desk, he will find it on page 6215.

On page 9 of the bill there is a very involved incorporation by reference. It is an amendment of that section. The penalties, by way of use of force, are provided in connection with the other sections. It is true that is not set forth in the bill itself. Yet, by incorporating the existing law into the section, it is done. It is vague, but I think the real danger in that technical point should be explained. I am not an expert on it.

Mr. EASTLAND. Let us take a school integration case. The Brown case in 1954 held that a child has a right to attend a nonsegregated school. To deny that right is a violation of section 1985. According to the Attorney General's testimony, what is proposed by the bill is the granting of certain additional remedies to protect such rights. What he would do would be to bring suit for an injunction under section 1985 of title 42 of the Code. He would get a decree to integrate the school and give the child the right to attend a nonsegregated school. If the decree were violated, he would have two remedies. First, the person who violated it could be brought into court under an attachment, tried without a jury, and put in jail for criminal contempt. But under section 1993 of title 42 of the United States Code the President of the United States can use

the Armed Forces to enforce judgments rendered under section 1985.

Mr. BUSH. The bill does not refer to that. Can the Senator show me where the bill refers to that, or is he saying it is implicit in the bill?

Mr. EASTLAND. I shall get that information for the Senator and put it in the RECORD.

Mr. BUSH. I would appreciate it, not only for myself, but there has been a good deal of discussion about the use of the Armed Forces, and it is a very important matter.

Mr. EASTLAND. Of course it is an important matter.

Mr. FULBRIGHT. If the Senator will permit me, this is normally the type of question which should be explained in a report of a committee on a bill. The great tragedy of the situation is that we have no report. I sympathize with the Senator. I am not on the committee. I have a passing knowledge of some of these items, but I would say the great tragedy of the bill and the reason why it should not be taken up at this time by the adoption of the pending motion, is that, as has been pointed out, there ought to be a written report on the bill prepared by experts in the field, by members of the Judiciary Committee and their very large, efficient staff, explaining in detail the point the Senator has raised.

Mr. BUSH. I feel this is such an important matter that, in view of the fact that the Senate is discussing it and has declined to refer the bill to the Judiciary Committee, the opponents of the bill should inform those of us who are not lawyers, and discuss the matter with reference to the use of the Armed Forces of the United States. That is one of the important charges that has been made against the bill.

Mr. EASTLAND. There can be no question about that. The question was raised at the hearings when the Attorney General of the United States was testifying. He did not deny it. He refused to discuss it.

Mr. BUSH. What I am asking the Senator to do is to point out to us by what authority, either in the existing law or in the provisions of the bill, the Armed Forces could be used.

Mr. EASTLAND. As I told the Senator, I am going to get the specific references and place them in the RECORD. I think the Senator has asked a very frank question on a specific item, and one which the RECORD should certainly reflect.

Mr. BUSH. Mr. President, may I say to the Senator from Mississippi and to my friend, the Senator from Arkansas, that I asked this question in all good faith and not in a frivolous way.

Mr. EASTLAND. I think the Senator did.

Mr. BUSH. We are entitled to know what is the basis of this charge, and where the language is in the bill that makes it right or possible, even, for the President of the United States to send the Armed Forces to any place in the South to enforce a decree of the court or anything else in connection with this whole issue.

Mr. JAVITS. Mr. President, will the Senator yield to me?

Mr. BUSH. I do not have the floor.

Mr. FULBRIGHT. First, I should like to compliment the Senator from Connecticut for raising this point in the way he has, because he emphasizes in this discussion that it is all important that such questions be cleared up.

I certainly do not wish to leave the impression that the Senator from Connecticut was being frivolous. This is a very serious matter. I think there can be no more serious question than the question of the right to trial by jury, with regard to the long-term freedom of the people of the United States.

The larger and more complex this country becomes, the more important it is to preserve the constitutional protections of individual freedom. When one looks over the world, one finds that all the large totalitarian countries have become impatient with individual freedom and have largely subjected such freedom to the convenience of the state. That is what the Attorney General is seeking to do here in this bill—make easy and certain, the process of controlling the people of the South. That trial by jury and the freedom of all people may be put in jeopardy thereby apparently does not concern him.

This is the only great country where individual freedom prevails—I should not say it is the only great country, but the countries behind the Iron Curtain have no semblance of the kind of protection of the individual which we enjoy; and we ought to be slow to destroy it.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from New York.

Mr. JAVITS. Regardless of which side of the argument we are on in this issue, I think we all wish to be precise. I thoroughly agree that the distinguished Senator from Arkansas has a very distinguished record in his effort to be precise.

May I ask the Senator from Arkansas a question? I refer to section 1993 of title 42 of the United States Code. Is it not a fact that whatever the President can do with respect to the Armed Forces of the United States, to enforce the process of the courts, is already provided in the law and that such power would not be added to by this bill? I think that is the central point.

Mr. FULBRIGHT. Ah——

Mr. JAVITS. May I finish?

Mr. FULBRIGHT. Yes.

Mr. JAVITS. As I understand, that is the central point of what the Senator from Connecticut wants to ascertain. Is or is not that authority put into the law by the provisions of this bill?

Mr. EASTLAND rose.

Mr. FULBRIGHT. Does the Senator from Mississippi [Mr. EASTLAND] wish to answer that question?

Mr. EASTLAND. Yes.

Mr. FULBRIGHT. I think I know the answer, but I would rather have the chairman of the Committee on the Judiciary answer the question, because he has been studying this subject far more than I.

Mr. EASTLAND. Section 1985 of title 42 of the United States Code, as amended, sets up some new remedies, injunctive remedies, and the remedies set up in the bill are the heart of the matter. There is an additional remedy under section 1993 to use the Armed Forces to implement section 1985 including the injunctive orders issued under this bill.

Mr. JAVITS. Mr. President, if the Senator from Arkansas will yield further, and I assume he will, is it not a fact—which is what we maintain—that whatever is in the law is there, it is not added to and it is not repealed by the provisions of this bill? The law now states, in section 1993, that the President may use the Armed Forces of the United States to enforce judicial process. That authority is in the law. That authority is not being added to by this bill.

Mr. FULBRIGHT. But the present law does not entitle one to use the injunction process against the particular activities mentioned in the bill.

Mr. JAVITS. I am sorry, but if the Senator will forgive me, I will state that the present law—the Brown case, to which the distinguished chairman of the Committee on the Judiciary referred—is the law, too.

As I say, I am very anxious to be precise. The only difference is that under this bill the Attorney General would be given the right to go into court and seek to require a public body, an agency of a State, to do what the Supreme Court says it should do. The only difference is that instead of Joe Jones, who is a citizen of the particular area and a taxpayer to the school board, doing it, the Attorney General would have the power to do it. That is provided by this bill.

Mr. ERVIN rose.

Mr. FULBRIGHT. The Senator from North Carolina [Mr. ERVIN] has studied this matter at great length. I should like to yield to him for his comments on the Senator's question.

Mr. JAVITS. The Senator from North Carolina and I have debated this question, I will say.

Mr. ERVIN. The answer to the question is that title 42, section 1985, in its present form, merely provides for the private person aggrieved to bring a suit for damages. It is inconceivable that a President would ever call out the Army, the Navy, or the militia to collect a judgment for a few dollars.

But if section 1985 of title 42 should be amended, as it is proposed to be amended by this bill, the Attorney General would be made the dictator of all the Southern States, and could bring suits to integrate schools or to do anything that is covered by the equal protection of the laws clause of the 14th amendment. It is quite conceivable that a political party, which is willing to introduce and sponsor a bill which would give to the Attorney General such dictatorial and autocratic powers, would not hesitate to call out the Army, the Navy, and the militia to enforce decrees obtained by him.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Before we go too far from this subject, since I do not wish

to interrupt that train of thought, the Senator from Connecticut [Mr. BUSH] asked a moment ago about the use of military and naval forces. Has the Senator looked at section 1993?

Mr. BUSH. No, sir.

Mr. FULBRIGHT. If the Senator has the Code before him, will he look at section 1993, which refers specifically to that matter.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ERVIN. Furthermore, under section 1985 of title 42 in its present form, the defendant in the suit for damages by the aggrieved individual, would have the right of trial by jury.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. BUSH. Mr. President, will the Senator permit the section to be read? The Senator from New York [Mr. JAVITS] has his finger on it. The Senator from Arkansas asked me to read it.

Mr. FULBRIGHT. Section 1993?

Mr. JAVITS. Yes.

Mr. FULBRIGHT. If the Senator from New York wishes to read it, that is agreeable.

Mr. JAVITS. Section 1993 reads:

AID OF MILITARY AND NAVAL FORCES

It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under sections 1981–1983 or 1985–1992 of this title, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of sections 1981–1983 and 1985–1994 of this title.

Mr. President, I should like to ask one further question of the Senator from Arkansas, which of course he can have any one of his colleagues answer if he chooses. Is it not a fact, therefore, that the section which I have just read would be equally applicable to section 1981, which guarantees equal rights under the law, to wit, the right to vote, and that this proposal does not represent money damages but represents an inalienable and fundamental right of every American, the right to vote?

Mr. FULBRIGHT. The last statement of the Senator, to be taken in reverse, I think is without justification. I know of nothing in the Constitution or in the law which says the right to vote is an inalienable right of every American. The Constitution certainly makes no such statement. Why does the Senator bring that in?

Mr. EASTLAND. May I say to the distinguished Senator that what we were discussing and what the Senator from Connecticut was talking about was the power to use the Armed Forces to integrate the schools.

Mr. FULBRIGHT. Let me come back again to this question——

Mr. EASTLAND. That power is implicit in the bill. The Attorney General now cannot bring suit under section 1985 to integrate a school. It is proposed to give him such power under this bill. At present he has not the right to use the Armed Forces of the country for such a purpose.

Mr. FULBRIGHT. Let me answer the question of the Senator from Connecticut. Under the existing law there would be the right to trial by jury. It is sought, by the proposed legislation, to give to the Attorney General the right to seek an injunction, without a trial by jury, and to deal with violations of the injunction by the use of the Armed Forces. Under existing law, if Mr. Jones goes to court to enforce his civil rights, those charged with violation of his rights have the right to trial by jury. That is what we are really talking about. It is proposed to take away that right. Under the proposed legislation, such a defendant would have no right to a trial by jury. The Attorney General would seek an injunction. He would say, "I have reason to believe that there may be a violation of these rights, and I want an injunction." The injunction might be violated; and, if it were violated, the Army and the Navy might be called in to compel compliance with the order of a court of equity.

The Senator from North Carolina has just pointed out that it is true that at present, if there were trial by jury, and if the right could not be enforced, the President would have authority, under section 1993 to employ the Armed Forces. But it is so clearly unnecessary that such authority has never been used, and it is not likely to be used. At the time this provision was written, of course, there was no authority whatever to integrate schools, if we wish to use that example as a specific—and to us objectionable—procedure, although many other things are involved.

Does not the Senator from New York see that there is a great difference between an individual who is accused of certain violations having the right to trial by jury, and an individual who has no such right, but who can be subjected to arbitrary procedure of a court?

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. JAVITS. It seems to me that the Senator has pinpointed admirably two fundamental points in connection with the use of the Armed Forces. We have read the pertinent section. The section referred to is now in the law, and the fact that it has not been used during all these years should certainly be some evidence as to whether or not it will be used in the future, because, after all, these laws have been on the statute books for some time. That is the main burden of our argument; namely, that we seek to import nothing new into the law.

Second, on the question of trial by jury, again the same situation exists. It is a fact that without the proposed legislation—and the proposed legislation has nothing to do with the question—when the United States is a party plaintiff in a contempt proceeding there is no jury trial. That situation would not be created by the proposed legislation.

What is being argued is that that provision should be included in the law, despite the fact that the United States is the plaintiff in the proceeding; and very importantly—and I argued this question out with our distinguished colleague from North Carolina [Mr. ERVIN]—we are not leaving a defendant defenseless and at the mercy of some autocratic judge. We have a circuit court of appeals and a Supreme Court. We have an established body of law and equity which was in existence long before this country was formed.

This is the fundamental point of the argument to which I wish to return: These are not new provisions which we are seeking to place in the law. They have been in the law. We have had generations of experience with them. That is why so many of us say that the idea that they will be suddenly misused is only a hobgoblin in the closet.

Mr. FULBRIGHT. The Senator can argue in his own time his interpretation of the bill, and the question as to whether it would be wise to do away with jury trials and have a purely judicial administration of the law. That is a matter for argument. What we are trying to pinpoint, for the information of Members of the Senate, is the question, What does the bill do?

The Senator from New York is entitled to approve the bill if he so desires. The people in Russia, in the Kremlin, approve this kind of procedure. It was approved in Germany.

Mr. JAVITS. Mr. President, this is not going to improve the argument.

Mr. FULBRIGHT. In those countries the people have not the same respect for jury trials and the traditions of justice which we inherited from our forefathers.

The Senator from New York makes statements about the inalienable right of every American to vote. That is nonsense. There is no such inallenable right; and I challenge him to find anything in the Constitution which provides that every American shall have the right to vote.

There are four places in the Constitution where it is provided that a man shall have the right to trial by jury in the circumstances set out.

Mr. JAVITS. Mr. President, will the Senator yield? The Senator challenged me.

Mr. FULBRIGHT. I do not yield further to the Senator from New York. He is not seeking to enlighten the Senate as to what the bill provides. He is merely arguing whether or not it is a good bill, which he is entitled to do on his own time.

Mr. JAVITS. I regret that the Senator has come to that conclusion.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. EASTLAND. The distinguished Senator from Arkansas heard the statement of the Senator from New York on the floor of the Senate that the provision with respect to use of the Armed Forces was already in the law, and that the law would not be changed in any way by the proposed legislation. It is perfectly plain that it is sought to give the Attorney General the right to bring suits to force school integration, and to give him the right to use the Armed Forces for that purpose. There can be no question about that.

Mr. FULBRIGHT. I think the Senator is quite correct. Let me go further. The issue relates not only to school integration. That is the present probability as to the purpose for which the power would be used. However, the issue is much broader than that.

Mr. EASTLAND. Under the Girard College case, such authority would extend to swimming pools, and many other things.

Mr. FULBRIGHT. It goes much further than has been indicated. The essential thing is that the procedure by which the right to trial by jury comes into being would be eliminated.

Mr. EASTLAND. We are on the high road to dictatorship, when we go to military government and government by bayonets.

Mr. FULBRIGHT. Of course, the Senator is quite correct.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. SPARKMAN. The Senator from Mississippi mentioned a couple of proposed changes. There is another change which would be made under this proposal, which is quite material. A judge could impose a penalty without a defendant ever having had the right to have the facts determined by a jury of his peers.

Mr. EASTLAND. Certainly he would be deprived of the guaranty against double jeopardy. He would be deprived of the right to have the Government assume the burden of proof. In fact, this bill would violate and bypass the Bill of Rights. It is a slick, devious scheme to circumvent the Bill of Rights. That is all anyone can make of it.

Mr. FULBRIGHT. I certainly believe that the bill would bypass the Bill of Rights in the respects which have been mentioned, especially in connection with amendments Nos. 6 and 7.

Mr. ERVIN. Mr. President, will the Senator from Arkansas yield for a question?

Mr. FULBRIGHT. I yield.

Mr. ERVIN. The Senator from New York has talked about the right of a person to appeal to higher courts. I will ask if the Senator from Arkansas does not know that virtually all the cases which would be brought by the Attorney General under the provisions of the bill, if it were enacted into law, would be brought against local officials who perform essential governmental services at the local level, either without pay or with very limited pay; and if it would not be practically impossible for such officials to undergo the terrible expense incident to appeals? I ask the Senator if the idea that these poor local officials can protect themselves by appealing to remote Federal courts is not just about as sensible as the observation of the Frenchman who said that a certain law was impartial because it prohibited the rich as well as the poor from sleeping under bridges and in parks, and searching garbage cans for food.

I ask the Senator further if the history of the United States does not show that a Republican Congress actually sent troops into the South, and if they were not garrisoned in many places in the South, including my hometown?

Mr. FULBRIGHT. That was certainly true during reconstruction days.

Mr. ERVIN. I ask the Senator if the statute to which reference has been made, which authorizes the President to call out the Army, the Navy, and the militia, was not enacted at a time when it was officially accepted by the Republican Party in control of Congress that the Southern States were conquered provinces.

Mr. FULBRIGHT. The Senator is quite correct. Section 1993 was enacted in 1866. So I say to the Senator from Connecticut that the origin of the provision of which he is interested was the Civil War. It was a part of the reconstruction legislation, under which, as he knows, the object was punishment of the conquered territory commonly called the Southern States.

Mr. President, I should now like to bring the argument a little more into focus. The point I was trying to make is that the bill, in order to insure, as it says, a certain right on the part of some unknown people, who are not specified, we should give up the right of trial by jury. I say the people are not specified, but, of course, from common knowledge, we believe the sponsors of the legislation have reference to some of the Negroes in some of the Southern States. I have already mentioned that, so far as my State is concerned, I do not believe it is a critical matter at all. There is no evidence that I know of which indicates any wholesale deprivation of the right to vote on the part of any people in my State, any more than, I may say, in New York City or Chicago there is a wholesale deprivation of the right to live because there are numerous murders committed there. I believe there were about 6,000 murders committed in the three leading cities of the Nation, New York, Chicago, and Washington, during the past 10 years. However, no one has come forward and said, "Let us do away with the criminal statutes and make all crimes subject to injunction. Let us issue an injunction against every criminal in these three cities, and provide that henceforth there shall be no more trial by jury, and let us provide also that anyone who is even suspected of committing a crime shall be thrown into jail for contempt of court."

Mr. EASTLAND. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I will yield, certainly, but I am really not as expert in this field as is the Senator from Mississippi, who ought to be making these points himself. However, I will yield to him.

Mr. EASTLAND. Let us assume that an injunction is issued under the bill and that an attachment is issued, and that a man is charged with violating the injunction. The judge will then sit as a legislature and define what acts are in violation of the injunction, will he not?

Mr. FULBRIGHT. That is correct.

Mr. EASTLAND. The judge then will cite the man for contempt. Is that correct? He will be the prosecutor, in other words.

Mr. FULBRIGHT. The Senator is correct. He is the whole thing.

Mr. EASTLAND. Then he is a judge.

Mr. FULBRIGHT. Yes.

Mr. EASTLAND. Then he makes the decision, does he not?

Mr. FULBRIGHT. The Senator is correct.

Mr. EASTLAND. In that way he would be bypassing the statute that says any criminal contempt may be punished with not more than 6 months in jail. If the bill is passed, we would be bypassing that provision of law, and providing, instead, that such a man may be confined by the judge who convicts him, for any length of time within his discretion, as long as he does not violate the very broad provisions of the eighth amendment. In other words, he can give the man 3 years. There has been a case, I understand in which a man was given 5 years. In other words, we would have one man acting as legislature, as prosecutor, as judge, and as jury. My question is this: What civilized country anywhere in the world, except the Soviet Union, would countenance such a system of jurisprudence?

Mr. FULBRIGHT. I certainly know that that is not in accordance with our traditions or the English system of justice. Neither do I believe it is in accordance with the French system of jurisprudence, or with Roman law.

Mr. EASTLAND. Does the Senator from Arkansas believe that there is a civilized country anywhere in the world which would permit such a system of jurisprudence within its borders except the Soviet Union, with its peoples' courts?

Mr. FULBRIGHT. I agree with the Senator. It is a wholly unjustifiable extension of the arbitrary power of the injunctive process. I see no excuse for it.

I am not saying that there may not be some interference with the rights of individuals, as there are interferences with the right to life, as I have mentioned, and many other rights in other activities in fields that involve the criminal law. However, there is no emergency to the situation that I know of. In fact, everything indicates that there has been a great improvement in recent years. To suggest that we need this kind of drastic alteration of our traditional system of justice, it seems to me, is to act without any justification whatever.

I should now like to conclude my remarks. It is clear that the right to a trial by jury has been considered by our Founding Fathers and by all the leading statesmen of our system, political and judicial, as one of the most important rights. It would be a very bad bargain, indeed to sacrifice or even limit in a serious way the right to trial by jury in return for the right to vote for a limited number of people.

The right to a trial by jury was considered by our Founding Fathers more essential to their freedom, more basic to the dignity of the individual than the right to vote. The right to vote without freedom from intimidation is an empty, useless right. The jury trial is the chief safeguard against intimidation by the Government.

Therefore, I urge Senators who are weighing the two rights in the balance not to sacrifice the right to a trial by jury of their peers, for the right to vote. It would be a poor bargain indeed. Especially would it be a poor bargain for all Senators who represent the smaller States in the West and the Southwest and in New England.

Only a trial by jury will protect their people from the arbitrary exercise of Government power.

To some of my colleagues from the small States of the West, with 3 or 4 or even 6 or 7 electoral votes, I say that there was a time, and there may come another time, when their men will not occupy the White House or the office of Attorney General.

The vagaries of history and of political fortune strongly suggest to me that they should not give up the safeguards to their liberty based upon centuries of experience, simply because their man will administer the law.

Mr. President, the bill not only in itself provides for a radical departure from established procedure, but the manner in which the bill has been brought to consideration by this body itself represents another radical departure from established procedure. I refer to the recent action of the majority of the Senate in refusing to refer the bill to the committee. It is an interesting subject for speculation that all those who are so anxious to destroy the traditions and procedures of the Senate and the Constitution come from the metropolitan areas. It seems to me that there must be some connection with the dynamism that has arisen from the terrific and unprecedented extension of our great centers of population which makes them impatient and intolerant of the traditional safeguards to our liberties, many of which, of course, entail some delay in the administration of justice.

Mr. President, all of us should pause in this mad rush to reform the South, and consider how the majority of the Senate is threatening to destroy the traditional safeguards to the freedom of all of us.

Here within the space of a few weeks we have violated our usual procedure of referral of all bills to committees. Now we are asked to violate our usual procedure of referring the commission of crimes to juries. I should like to remind the Senate of the danger of following such a procedure.

Mr. President, entirely aside from the merits or the demerits of the civil rights issue, there are two parts of the pending bill which should give deep cause for concern to all Americans:

First. The proposition that one section of the country cannot be trusted to dispense justice through the time-honored concept of the jury.

Second. The proposition that there should be a broad and sweeping grant of power to use novel methods for the enforcement of a series of statutes which are vaguely defined, rarely applied, and never adequately construed.

Those who are advocating that white southerners be deprived of the right to a jury trial are opening up dangerous grounds. They are stating, in effect, that a murderer, rapist, pederast, narcotics peddler, kidnaper or traitor is entitled to a basic right which will be withheld from a southerner. This is a difficult position to defend.

Furthermore, there is no assurance that the right withheld from the South today will be maintained for other sections of the country tomorrow. If such a precedent had been on the statute books there would have been a wild clamor to withhold jury trials:

First. From the Middle West during the depression when farmers were banning together to prevent fully legal foreclosures on farms by eastern banking and insurance interests.

Second. From Illinois during the period when Al Capone—vice lord and beer baron—allegedly had complete control over Burnham, Stickney, and Cicero, and partial control over Chicago itself.

Third. From Michigan during the depression period when labor unions were staging "sitdown strikes" and physically occupying factories.

If in those instances there had been in effect the law which is here proposed, I have no doubt that there would have been a great clamor for the adoption of similar procedures in those areas.

The sitdown strike analogy also raises an interesting point. The basic thesis of the Norris-La Guardia Act hailed as the measure which brought freedom to labor—was that workingmen were entitled to trial by jury rather than coercion by injunction. Now the Senate is told that freedom for minorities requires that trial by jury be abolished. Those sponsoring this legislation cannot have it both ways. If the jury trial is a charter of freedom—as in the Norris-La Guardia Act—it cannot now be condemned as the stumbling block to freedom.

But the advocates of this bill have not limited themselves to eliminating trial by jury on the right-to-vote issue alone. They have gone beyond that point and added it to a series of broad and sweeping reconstruction statutes which no one fully understands or at least which no one has fully explained.

The Senate is helpless to fully assess the effects of section 1985 because it has not had the benefit of a careful committee study. But certain things are obvious:

First. Section 1985 has nothing to do with the right to vote because voting rights are fully covered in title IV of the bill. If the sole purpose of the measure is to protect voting rights—something that has been widely advertised—then section 1985 is unnecessary.

Second. As presently written, section 1985 carries with it only civil penalties for violation. As amended by the pending bill, section 1985 would carry with it the full force and power of the Federal Government including the use of the Army and the Navy.

Third. Section 1985 is so broad that apparently it covers every phase of life defined as a civil-rights issue. The very least the Senate can do is to insist upon a definition of limitations before voting upon such a stringent measure.

This is a country which boasts that it has a government of laws; not of men. But no country can truthfully make such a claim unless its legislators have a clear and specific definition of the measures they are passing upon. It is not a legitimate argument to say that if powers are too sweeping, a moderate administration like the present one would not make use of them. The real point is why they should be granted in the first place.

It is axiomatic that no government is truly democratic unless the people have a clear understanding of the laws under which they are governed. Can anyone claim that the people of this country truly understand title III of section 1985? Under the circumstances, it might have been well to number this section 1984 in memory of George Orwell's famous novel.

At the present time, passage of this measure would represent a blow at the South only. But it would be a precedent under which the liberties of the whole Nation would be taken away—a bit at a time. It would require every courthouse to redefine justice under the law into a two-part code:

First. Justice for white southerners—to be dispensed by handpicked Federal judges who can define not only the punishment but the crime itself.

Second. Justice for rapists, pederasts, murderers, traitors and kidnapers—to be dispensed by juries of their peers upon the basis of clearly defined and strictly construed statutes.

Mr. President, I wish to quote a short statement from a recent book, The Price of Union, written by one of the great authors of this country, Herbert Agar:

> If the majority demands its way too harshly the Federal principle is broken, for the essence of federalism is the power of regional minorities to protect their interests.

Thus, in one sentence of his book, Mr. Agar has summarized the basic issue involved in this debate. In this instance, in this proposed legislation, the majority is indeed making harsh demands and has tampered with what I believe to be the keystone of the Federal system which has served this Nation so well for the last 168 years.

It always amazes me when the sponsors of such radical legislation profess to reconcile it with the obvious success of the Federal system which we now enjoy.

I am not alone in my belief that the genius of the American system is that it limits all power, including the power of the majority. Several years ago—in 1949, in fact—Walter Lippmann, one of the wisest commentators we have, stated the principle of federalism simply and clearly. As Senators will recall, this body at that time had under consideration the proposed change in rule XXII. Mr. Lippmann's comments were appropriate on that occasion and are even more so at this time, since the proponents of H. R. 6127 not only seek to limit debate, but have brought this measure before the Senate, by an unusual procedure which might well lead to a breakdown of our committee system.

Mr. Lippmann was writing in connection with the threat of the majority to change rule XXII. Here we have also the same majority that was involved in that threat seeking to impose upon us the bill which is now under discussion:

I quote Mr. Lippmann's comments on the question which I believe to be the most significant one involved in the present debate:

The American idea of a democratic decision has always been that important minorities must not be coerced. When there is strong opposition, it is neither wise nor practical to force a decision. It is necessary and it is better to postpone the decision—to respect the opposition and then to accept the burden of trying to persuade it.

For a decision which has to be enforced against the determined opposition of large communities and regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce. The opposition and the resistance, having been overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing, or nullifying the decision.

For that reason it is a cardinal principle of the American democracy that great decisions on issues that men regard as vital shall not be taken by vote of the majority until the consent of the minority has been obtained. Where the consent of the minority has been lacking, as for example in the case of the prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.

This is the issue in the Senate. It is not whether there shall be unlimited debates. The right of unlimited debates is merely a device, rather an awkward and tiresome device, to prevent large and determined communities from being coerced.

The issue is whether the fundamental principle of American democratic decision—that strong minorities must be persuaded and not coerced—shall be altered radically, not by constitutional amendment but by a subtle change in the rules of the Senate.

Mr. President, I think it is very appropriate that the words "not by constitutional amendment, but by a subtle change in the rules of the Senate" are used.

This bill is a subtle one. It proposes a subtle change in existing law.

The Senator from New York [Mr. JAVITS] pretends the bill proposes a very simple little thing, and nothing new, and that it would not change very much. However, Mr. President, all the bill does is to abolish trial by jury—a constitutional right which the Founding Fathers thought so important that at four different places in the Constitution or in the amendments thereto they included a provision guaranteeing to the people of the United States the right of trial by jury. I think no one would venture to deny that if those guarantees of individual liberty had not been incorporated in the Constitution, there never would have been a Constitution of the United States. I do not think there is the slightest doubt that if the gentleman's agreement had not been made with the leading citizens of Virginia, the Constitution would never have been ratified; and some of the principal points at issue were the sixth and seventh amendments.

The statement that it does not change matters very much if the right of trial by jury is abolished, in my opinion is a most deceptive way to present the bill. This is a tremendous and an ominous change in our judicial system.

I agree that the bill is a very subtle one. It is very difficult to interpret it properly, without reading the provisions of the bill in conjunction with various existing statutes, some of them very old. So it is very difficult to understand just what the bill provides. Mr. President, if ever there has come before this body a bill which should be subjected to the most careful scrutiny by a committee and its staff experts, who then would develop a thorough explanation of the bill, this is that bill. I know of no other measure in recent years which has been more difficult to understand by reading its text.

This bill must be read in conjunction with many other acts of Congress, passed years ago, during and shortly after the Civil War.

Mr. President, It surely cannot be seriously believed that it is purely accidental that Americans, composed of all the races of Europe, plus a sprinkling of several others, have been so successful in living together in peace and harmony and freedom. I know that it is comforting and personally satisfying to think that, somehow, we as a people possess some mysterious virtue that other peoples do not possess; that, somehow, we are superior and unique; that our personal excellence accounts for our success. There are occasions in our public life when it is appropriate to take that view, but neither science nor reason will support it.

It is my belief that what virtue we possess as a community is to a great extent due to our Federal system of government, and that the most unique and significant parts of that system are the Senate of the United States, as it has been constituted and regulated by its own rules of conduct, and our system of constitutional law which guarantees, among other things, the right of trial by jury. If we are to abandon the basic concept of the Federal-State system, and if we are to adopt a completely centralized system—one which we have seen fail in Europe and in Asia—then there is no need to be concerned about the Senate and its tradition or to be concerned about the Constitution.

Mr. President, before I conclude, I should like to address a very special appeal to the news-gathering agencies of the country. I say to them that in this particular instance they owe to the people of the United States a very special duty to elucidate the effects of the bill, as they are set forth during this debate. The special circumstance which warrants this appeal is the fact that the bill has not gone to a committee, and we shall not have available to us a report, such as that which usually accompanies a bill of this kind, in order to explain what the bill does and to give the answers to questions such as the one the Senator from Connecticut asked a moment ago—a matter in which every Member of the Senate may well be interested. Just what does this bill mean?

Mr. President, I began my remarks by making a reference to an editorial published in the Washington Post, one of the three great newspapers published in the city of Washington, D. C. Previously I had printed in the CONGRESSIONAL RECORD an editorial which was published in that newspaper several months ago. Today, we find that the Washington Post has changed its view, inasmuch as the editorial published this morning in the Washington Post accepts the idea that possibly the bill does need revision, and that it should be debated.

The bill is now being debated on the floor of the Senate, under circumstances which are not well designed for careful consideration of technical provisions. The Senate is trying to understand the bill and, I hope, to rewrite it.

Therefore, Mr. President, I appeal to the members of the press that if ever they had a duty to report a debate fully, impartially, and clearly, this is that debate. However clumsy those of us who are not on the committee may be in our discussion of the bill, I believe it is the duty of the press to try to present the points developed during the debate, so that everyone in the country may understand them and may understand the full implications of the bill.

I would remind the members of the press that, due to their cooperation with the Senate, on two or three occasions great mistakes, I believe, were prevented. One which comes to my mind was the Court-packing plan of my own party, or, at least, proposed by the leader of my own party, in the late 1930's, when the Senate delayed long enough to enable the members of the press to enlighten the people of the country, as a result of which there arose a great feeling of revulsion against the proposal, with the result that the plan was dropped. I think that was an excellent demonstration of what I have in mind and what I believe will occur if the people of the country understand that under this proposal they will be giving up one of the most vital protections of their personal freedom to be found in the Constitution.

I also recall the proposal to draft into the Army the railroad workers—a proposal made during a period of considerable internal tension. I believe it was an ill-advised proposal. But because the Senate was able to delay it and because during the period of delay the members of the press were able to inform the people of the country about it, that proposal also was defeated.

So I appeal to the press in this case, because we do not have the benefit of a committee study, and we do not have the benefit of a thorough report which would enlighten everyone as to just what the bill means. Therefore, I hope the press will report the debate on the bill in an accurate and unusually careful manner. Of course I do not confine my appeal to the representatives of the daily newspapers and periodicals; I also appeal to the members of the fourth estate who provide television and radio coverage. I hope they will do likewise.

Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, I desire to propound a parliamentary inquiry. However, before doing so, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hickenlooper	Neuberger
Beall	Hill	O'Mahoney
Bennett	Holland	Pastore
Bible	Hruska	Payne
Bricker	Humphrey	Potter
Bush	Ives	Revercomb
Byrd	Javits	Robertson
Capehart	Jenner	Russell
Carlson	Johnson, Tex.	Saltonstall
Carroll	Johnston, S. C.	Schoeppel
Case, N. J.	Kefauver	Scott
Case, S. Dak.	Kennedy	Smathers
Church	Kerr	Smith, Maine
Clark	Knowland	Smith, N. J.
Cooper	Kuchel	Sparkman
Cotton	Langer	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ellender	Martin, Iowa	Wiley
Ervin	Martin, Pa.	Williams
Flanders	McClellan	Yarborough
Fulbright	McNamara	Young
Goldwater	Morse	

The VICE PRESIDENT. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

CIVIL RIGHTS

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND] that the Senate proceed to the consideration of House bill 6127.

Mr. KNOWLAND. Mr. President, on yesterday the Senator from Georgia [Mr. RUSSELL] stated that the star-print bill which is now proposed to be taken up upon my motion is not the same bill which was heretofore read twice and ordered to be placed on the calendar. This colloquy appears on pages 10986–10987 of the RECORD of July 8, 1957. It was stated that the star-print bill had not been read twice.

I desire to submit a parliamentary inquiry, as to whether, if my motion prevails, the bill then before the Senate will be the engrossed bill, star print, and as to whether the validity of any proceedings the Senate may now or hereafter take on the star-print bill may be questioned.

The VICE PRESIDENT. A study of the precedents indicates that the question as to the validity of a star print has not been previously raised in the Senate, and that the Presiding Officer of the Senate, therefore, has not previously made a ruling. However, the Chair has asked the Parliamentarian to make a study of the use of such prints in the past, and on the basis of information furnished by the Parliamentarian the Chair replies to the parliamentary inquiry of the Senator from California [Mr. KNOWLAND] in this manner:

A star print, so called, of an engrossed bill, whether it is either a House or Senate bill, is simply a bill that has been reprinted for the purpose of correcting an error or errors, usually of a clerical or typographical nature, made by some person whose duty it was to see that such bill, when printed, was in conformity in all respects with and truly and accurately reflected the action of the particular House in its passage. It is designed to substitute for a bill in which an error has been discovered a reprinted bill correcting such error or errors and showing the exact form in which such bill was actually passed by the original House. The practice of star printing bills has been followed by both Houses of Congress, in a more or less routine manner, for a long period of time. The Parliamentarian has found instances going back almost 50 years ago. It is somewhat analogous to the method of correcting by a concurrent resolution errors discovered in an enrolled bill after it has passed through the legislative processes beyond the stage of amendment; indeed, in some cases, after an enrolled bill has been signed by the two presiding officers and presented to the President, it is recalled, the errors are corrected, and the bill again signed and presented to the President for his action thereon.

An engrossed bill is attested, in the Senate by the Secretary, and in the House by the Clerk, and transmitted to the other body by message. If an error in such a bill is not discovered until after its receipt by the other House, the usual procedure is for the enrolling clerk of the first House to have a star print made correcting such error and it is delivered to the enrolling clerk of the second House, who delivers to the first House the original signed bill containing the error. In such a case, a star print is made by the enrolling clerk of the second House of the bill on white paper showing the bill in its correct form, with the same action indicated thereon as appears on the original bill. All the original copies of the bill are withdrawn from the files and the star-print copies substituted therefor, whether the bill was referred to a committee or placed on the calendar.

The error in the engrossed bill H. R. 6127, the Civil Rights Act of 1957, was not discovered until after it had been transmitted by message to the Senate, read twice, and placed upon the calendar.

During the consideration of the bill in the House on June 17, 1957, as shown on pages 9378–9384 of the CONGRESSIONAL RECORD, Mr. WHITENER, of North Carolina, offered an amendment embracing the language of the proviso shown in the original engrossed bill beginning on page 8, line 19, and extending down to and including line 9, page 9. A point of order was made and sustained by the Chairman, Mr. FORAND, that it was not germane specifically to the section to which it was offered, but it was stated by the Chairman that it would be germane to the bill as a separate section. Mr. WHITENER then obtained unanimous consent that he might offer it as an amendment in the form of a separate section, to be known as subsection (e) of section 131, and to be inserted immediately following line 13, on page 12. An amendment to the amendment was offered by Mr. HOFFMAN, of Michigan, which was ruled out on a point of order as not being germane to Mr. WHITENER's amendment. Mr. WHITENER, by unanimous consent, then made a slight modification of his amendment, and the amendment as modified was agreed to. By inadvertence, the amendment as adopted was inserted in the bill at the same point where it was originally offered instead of at the place where it was offered the second time.

When the error was discovered, the enrolling clerk of the House had a star print made of the engrossed bill, in which the language of the amendment was transposed from the erroneous place in the bill to the place specifically indicated by him when he offered the amendment the second time, which now appears on page 12, as lines 10 to 23, inclusive, of the Senate Calendar print of the bill.

It was simply a transposition of the language of the amendment to the correct and proper place, as indicated by the proceedings in the CONGRESSIONAL RECORD. No word was changed in this transposition. It was placed in the star printed bill in exactly the same language as proposed and adopted by the House.

The transposition necessitated a change in the pages and lines of the star print after the place in which the amendment was incorrectly inserted, and it was therefore necessary to have a star print made in the Senate of the original calendar print, in view of the fact that any amendment offered after page 8, line 19, would not correspond to the language in the star printed engrossed bill.

When this star print was delivered to the Secretary's Office of the Senate, following the custom, undeviated from, the original erroneous engrossed bill was returned to the enrolling clerk of the House, and a copy of the Senate Calendar print of the bill was sent to the Government Printing Office for a star print.

The proceedings in connection with the star printing of the bill in the Senate followed the usual routine procedure customary in the correction of errors in engrossed bills.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. The Chair did not so state specifically, but I understood the distinguished Senator from California to propound a parliamentary inquiry as to the validity of this procedure. Did I correctly understand the Chair to rule that this remarkable procedure was valid under rule XIV?

The VICE PRESIDENT. The Chair did so rule.

Mr. RUSSELL. Mr. President, I feel constrained to submit a point of order in connection with that ruling.

We have a situation in which the Senate took the unusual step of bypassing a

committee to place a bill upon the calendar. After a long controversy the bill was read twice. Indeed, under the demand of the Senator from South Carolina [Mr. JOHNSTON], we resorted to the unusual procedure that the bill be read in full, and not only by title. According to the records of the Senate, it was read a second time, and placed upon the calendar.

Now we are told that, though the bill which was read the second time, is not the bill which is the star print bill, we can consider the star print, thereby not only bypassing committees, but bypassing all of rule XIV, which requires, in three separate places, that all bills shall be read three times, on separate days, under demand, before the Senate may take action upon them.

I was greatly interested in that part of the Chair's ruling that "this procedure is somewhat analogous"—and I am quoting from the ruling—"to the method of correcting, by a concurrent resolution, errors discovered in an enrolled bill after it has passed through the legislative processes—indeed, in some cases, after an enrolled bill has been signed by the two presiding officers and presented to the President, it is recalled," and errors are corrected. Indeed they are, but they are corrected by action of the Senate and House of Representatives, through a joint resolution and not by an enrolling clerk.

In this case it is said that the action of an enrolling clerk—not a clerk of the United States Senate, but a clerk of the other body—binds the Senate, and that his action is analogous to the solemn legislative action of Senators elected from 48 States and sworn to uphold the Constitution of the United States in adopting a concurrent resolution.

Mr. President, I assert that that is the most remarkable analogy that has ever come to my attention. What would have happened if, in passing the bill, the House had been dealing with the recodification of the statutes of the United States, and it dealt with a section having to do with murder on Federal lands. Suppose it had written that such murder should be punishable by hanging. Suppose there was another section providing for the punishment by fine of any person found guilty of spitting on the sidewalks in Federal lands. Suppose, through the error of the enrolling clerk, it came about that punishment of the person guilty of murder should be a fine of $15, and that the person spitting on the sidewalk should be hanged. Would that act of an enrolling clerk be valid? It is as remarkable as that one should take the position that an enrolling clerk could override the action of the House, or, by placing certain language in the bill, could commit the Senate to two readings of the bill that was not the bill the Senate would be asked to consider.

Has the Chair ruled that this bill has been read twice, under rule XIV?

The VICE PRESIDENT. The Chair so rules.

Mr. RUSSELL. Mr. President, I think I know something about the atmosphere under which we have been proceeding since this bill was first brought up. I have little hope of any of the aspects of usual consideration under the rules of the Senate. But, Mr. President, it is a remarkable rule to declare that an enrolling clerk of the House can take action which is equal to that which must be corrected by a concurrent resolution adopted by both Houses of Congress, as is necessary in the analogies which are given.

This was not the usual case. This was not a case in which "a" was used instead of "the" or "it," instead of "them." This was a case in which a bill was sent to the Senate with the provision in question, important as it is, appended to the "Commission" provision, or Part I of the bill, when it should have been appended to Part IV as subsection (e), as the CONGRESSIONAL RECORD will show.

It is evident that the rule which requires reading of the bill means nothing under this ruling if an enrolling clerk of the House changes the bill and then sends another bill to the Senate in the form of a so-called star print. Such action defeats the Senate rule and denies the rights of Senators.

This shows the difficulties we get into when we deviate from the regular, fixed procedures of the Senate. Almost always when we resort to an expediency to achieve a quick end we find, before we are through, that we are driven to expediency after expediency, until we tear down the whole structure of the law which is supposed to guide the Senate.

I might understand how the enrolling clerk of the Senate could take some action which would affect rule XIV, relating to two readings of the bill in the Senate; but it passes my comprehension how the Senate, even in its haste to get along with the bill, and to follow unusual procedures, could take the position that the enrolling clerk of the House of Representatives could intrude himself into the Senate and avoid two readings of the bill, as required by the rule.

You may rule; and you may ride roughshod. However, the fact remains that the bill, which it is now sought to bring up by motion has not been read even one time in the Senate; and the cold record of proceedings as set forth in the ruling which the Chair has made will completely sustain that statement.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from North Carolina.

Mr. ERVIN. I should like to ask the able and distinguished Senator from Georgia if he will also ask the Chair to make a parliamentary ruling on the following situation:

In the star print of the bill, at the top of page 11, we have something to which the distinguished Senator from Wyoming [Mr. O'MAHONEY] called attention yesterday. We find the following language:

(c) Add, immediately following the present text, three new subsections to read as follows:

Then there are set forth subsections (b), (c), (d), and (e), making four new subsections. I think we are entitled to a parliamentary ruling on the point. Since subsection (d) is not added or recognized by the language of the bill, it seems to me that it has no part in the star print bill.

Mr. RUSSELL. This procedure is completely analogous, of course, to the procedures outlined in the bill itself. I hope to appeal to some Senators who may favor even the extreme provisions of the bill, but who would still like to see the Senate at least follow some reasonable course calculated to maintain its self-respect and independence.

I shall not labor this question. I know that any effort that is made here to remind the Senate of the rules of the Senate when we get into a situation such as that in which we find ourselves today excites very little interest on the part of Senators.

I feel that I have a duty to the Senate. I love the Senate. I have respect for the Senate; and at least I should like to have it appear in the RECORD of the Senate that the point remains, that the bill which is sought to be brought before the Senate for consideration on motion has not been read even one time; and the distinguished Senator from California yesterday was honest enough to admit that this is not the bill which was read on two occasions and then sent to the calendar instead of to committee.

That is the position we are in. I do not know what further unusual tactics will be resorted to. I hope we will not undertake to pass the bill as prepared by enrolling clerk of the House of Representatives, or accept the statement of someone not connected with the Government, perhaps someone walking down the street, who may have an opinion about it, and who would transmit to the Senate, a demand that the roll be called immediately on the bill and that no Senator from South be permitted to vote.

Mr. President, in the course of the discussion on the parliamentary situation which obtained when the bill was placed on the calendar, instead of pursuing the normal committee course, I said that the suggested course of action would bring up troubles that would confound and confuse the Senate.

Ordinarily, the discovery and correction of errors is one of the important functions of a committee. Instead of letting the committee do it, we find that we will not be permitted to even let the Senate do it with an ordinary concurrent resolution. Instead, it is proposed that we do it by an action taken by an enrolling clerk of the House of Representatives. We are getting into a rather sad situation in the United States Senate when we resort to such rulings.

Mr. KNOWLAND. Mr. President, I am not sure of the parliamentary situation. Has the Senator from Georgia taken an appeal from the ruling?

Mr. RUSSELL. I have made a point of order against it. If the Chair overrules it, I may appeal from his decision. I shall not subject the Senate to a debate that will be charged as a filibuster by continuing this discussion at greater length. If I appeal I shall ask the Senate for a yea-and-nay vote. When we are following such procedures in the Senate, I believe we should make a record of it, so that when we have gone back into the oblivion from which we sprang, the record of our action will be left behind us.

The VICE PRESIDENT. May the Chair inquire whether the point of order is to the effect that the bill has not been read the second time?

Mr. RUSSELL. It has not been read the second time. I say the action of the enrolling clerk of the House of Representatives in preparing a new print is no substitute for action by the Senate as prescribed in the rules.

Mr. President, in order to refresh the recollection of my colleagues, I should like to read again from rule XIV. I have read often from that rule within the past few weeks.

I read from rule XIV, as follows:

2. Every bill and joint resolution shall receive three readings previous to its passage, which readings shall be on three different days, unless the Senate unanimously direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third: *Provided*, That the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order.

I point out to my colleagues that that paragraph does not say anything about the enrolling clerk of the House of Representatives substituting for the Senate. It does not say anything about the enrolling clerk of the House of Representatives substituting for the Presiding Officer. It does not say anything about the enrolling clerk of the House of Representatives being able to determine what the Senate shall do or what the Senate shall not do to conform to this rule. It says that the Senate may determine not even the leadership. Any Senator has that right, not the leadership or any employee of the other body, to have the identical bill read on different days.

I read further from rule XIV:

3. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to, for reference, but shall not be considered on that day nor debated, except for reference, unless by unanimous consent.

I had always thought that the words "unless by unanimous consent" referred to the unanimous consent of the Senate, not to the determination of the enrolling clerk of the House of Representatives.

I read further from rule XIV:

4. Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

Mr. President, it does not provide that the Senate is subject to the errors of the enrolling clerk of the House of Representatives. If we are subject to his errors, we are, under this kind of procedure, bound by his whims and fancies.

Mr. President, this is not routine business. I know, of course, that there have been errors made and corrected with respect to minor points. This is a bill over which a controversy raged as to whether rule XXV required that it go to committee.

We wiped out rule XXV by utilizing rule XIV. We now propose to wipe out rule XIV and say that the enrolling clerk of the House of Representatives can bypass that rule by changing a bill that has been sent to the Senate.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I thought I had the floor.

Mr. SPARKMAN. Will the Senator from California yield so I may ask a question of the Senator from Georgia?

Mr. KNOWLAND. I gladly yield.

Mr. SPARKMAN. Mr. President, I wonder, under the ruling which has been made by the Chair, at what point in the proceedings the control of the enrolling clerk of the House ceases to exist. Surely there must be a stopping point. Does the Senator know where it is?

Mr. RUSSELL. I do not know. If a star print No. 2 were to be sent to the Senate, and if by some conceivable means the bill could be read twice, as the rule requires, I suppose the action of the enrolling clerk would be binding on us. We have stricken down rule XXV and substituted rule XIV by bypassing the committee. Now we are wiping out rule XIV at one fell swoop and substituting the action of the enrolling clerk of the House of Representatives.

Mr. KNOWLAND. Mr. President, the language of the bill (H. R. 6127) is precisely the same, although inadvertently in the first print placed by the clerks of the House on page 8 beginning in line 19, instead of on page 12, beginning in line 10 as appears in the star print. The language is the same. That fact is not disputed.

The fact is that the star print which is now being discussed before the Senate would be before the Senate if my motion prevails, as it is the bill which was passed by the House of Representatives according to the Journal of the House and according to the CONGRESSIONAL RECORD.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I shall be glad to yield in a moment. The distinguished Senator from Georgia indicates that this is unusual. I hold in my hand a copy of H. R. 7665, which is an act making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes. It is a bill which was recently on the floor of the Senate. The distinguished Senator from Georgia [Mr. RUSSELL] was a member of the subcommittee which reported the bill.

This is a star print. I suppose that the clerks found a typographical error in the enrolled bill. As the Chair has pointed out, the Parliamentarian has found, going back for more than 50 years, that star prints have come to the Senate. It is a customary procedure. I submit that no damage has been done in any sense of the word. No words have been added. No section has been added. We are merely trying to get a bill before the Senate so that the Senate may act as a legislative body. I submit there is nothing unusual in the procedure, and I believe that the decision of the Chair is in keeping with the practice and the customs of the Senate and of the House.

Mr. RUSSELL. The Senator knows, of course, that the procedure in connection with this particular bill has not been usual from the outset. Very unusual procedures have been resorted to. It makes a great deal of difference as to where certain provisions appear in the bill. I undertook to illustrate that by the offenses of spitting on the sidewalk and of murder. Where the penalties for those offenses were placed in the law would have a great deal to do with the question. If the penalties were transposed in the law, a man might be fined $15 for murder, but he might be hanged for spitting on the sidewalk. So it would make a great deal of difference where the language appeared in the law.

As the Senator from California knows, the pending bill has taken an unusual course. When will this bill be read the first and second times in the terms in which it passed the House, if the star print is a corrected print?

Mr. KNOWLAND. I think the bill has been read the first and second times.

Mr. RUSSELL. Not the star print.

Mr. KNOWLAND. Yes. H. R. 6127 is before the Senate in precisely the way in which it passed the House of Representatives.

Mr. RUSSELL. But it has not been read in the Senate in precisely the terms in which it passed the House of Representatives.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. DIRKSEN. As the Senator from California has pointed out, not a word has been added to the text; not a word has been taken away. When the distinguished Senator from South Carolina asked for a reading of the bill at length when it first came to the Senate, everything which is in the bill was read at that time, because nothing has been added to it and nothing has been subtracted from it.

Now I respond to the curious argument made by the Senator from Georgia. I conferred with the Parliamentarian of the House of Representatives and with the Parliamentarian of the Senate and gave some time to the matter. I have been advised that these inadvertencies—engrossing errors, not enrolling errors—are made as often as 100 times in the course of every session of Congress. It is not unusual for such errors to occur. As a consequence, it has become a simple practice, so long as there is no modification in the substance of the bill, to correct such errors, not made by the enrolling clerk, but by the journal clerk in the House of Representatives, as I understand the procedure.

So the very bill which is before us is the very bill which in its substance was read, word for word, at length, when the bill was first taken up.

Mr. KNOWLAND. I thank the Senator from Illinois.

Mr. RUSSELL. I realize where the power lies in this matter. I do not, however, wish to accept, for any logical reason, the argument of the Senator from Illinois that if the language is the same, it makes no difference where it appears. To have a section appear out of order, in a different place from where it belongs, can change the entire characteristics of the bill. My own analogy as to the difference in punishment which could be imposed is not an extreme one. There could be the same language, but a greatly different result. That is somewhat in keeping with the whole atmosphere of the situation.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. SPARKMAN. Is it not true that the particular amendment which has been transferred appears in connection with an entirely different title from the one in which it was included when the bill was presented to the Senate originally?

Mr. RUSSELL. I think the Senator is correct. It was originally in part I.

Mr. SPARKMAN. Now it is in title III.

Mr. RUSSELL. Part IV.

Mr. SPARKMAN. Is it not true that a title is virtually an act unto itself?

Mr. RUSSELL. It is. I merely wish to point out the dangers which we encounter when we embark on a course of expediency and adopt the philosophy that the end justifies the means.

Mr. ERVIN. Mr. President, I think this is a good illustration of the situations which develop when shortcuts are taken. The bill which came over from the House and was read the first and second times in the Senate and placed upon the calendar set forth the Whitener amendment as a part of part I, relating to the Commission.

Part I specifies, on page 6, subsection (c), on line 10:

> Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

The bill, which was read twice in the Senate and placed upon the calendar, provided that the Whitener amendment only applied when the Commission was acting, and the bill provides that the Commission shall cease to exist 60 days after it files its final report and recommendations.

The star print, which is now before us, puts the Whitener amendment in an entirely different part of the bill. It puts the amendment in the permanent part of the bill, a part of the bill which, if it becomes law, will remain in force until the last lingering echo of Gabriel's horn trembles into ultimate silence. Yet we hear the distinguished minority leader and the distinguished minority whip say there is no real difference between the prints; that they are exactly the same. But in the original print the Whitener amendment is in the temporary part; in the star print, it is in the permanent part.

Mr. President, this reminds me of the story about the country undertaker who was operating under a law which prohibited him from shipping by express the unembalmed body of a man who had died of a contagious disease.

A man died. His body was not embalmed. The doctor issued a death certificate which stated that the person had died of tuberculosis, a contagious disease. The undertaker was like some Members of the Senate—particularly those who are anxious to get a civil-rights bill passed quickly. He did not wish to be delayed in shipping the body by the death certificate. So the undertaker said, "This man may as well have died in one way as another; because he is dead, in any event."

The undertaker took out his pencil, struck out the statement in the death certificate that the man had died of tuberculosis, and wrote in its place that he died of heart failure.

That is precisely the situation which confronts us here. That which was in the temporary part of the bill as it came from the House and was read in the Senate and placed on the calendar has now been placed in the permanent part of the bill. As a consequence we are not going to be killed by a contagious disease; we are going to be killed by something else.

Mr. RUSSELL. Mr. President, I regret and I feel very deeply that the Senate has got itself into an unfortunate situation in making a precedent of this kind, but I defer to realities. I know that when what I have referred to as the Knowland-Douglas Axis springs into action, they have enough votes to rewrite the rules as they go along.

I do not agree that this is an incidental matter. The mere fact that the question has not been raised before does not appeal to me, because the issue that was made in sending the bill to the calendar and avoiding the committee is not common procedure in the Senate. But I do not like to see the Senate make rules in this kind of atmosphere, this legislative spirit, in the absence of any consideration of the rights of minorities. I shall not appeal this matter, because I do not want to see it made a precedent. But I hope the question will come up again in a calmer atmosphere, when the Senate is prepared to pass upon a similar matter on its merits, and determine whether the enrolling clerk of the House of Representatives can perform a task which is analogous to the combined actions of the House and Senate in passing a concurrent resolution.

The VICE PRESIDENT. Does the Senator from Georgia, then, desire to withdraw his point of order?

Mr. RUSSELL. No; the Chair overruled the point of order.

The VICE PRESIDENT. The Chair has not yet ruled; the Chair simply indicated how he would rule.

Mr. RUSSELL. I withdraw the point of order, because it is very clear how the Chair might rule, and I think an unfortunate precedent might be set. So I shall await a calmer day and a calmer atmosphere than that which prevails in the Senate today in order to raise this question.

Mr. CASE of South Dakota. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE of South Dakota. What is the parliamentary situation in respect to the entire matter, as raised, first, by the distinguished minority leader, and, second, as commented on by the Senator from Georgia?

The VICE PRESIDENT. The Chair has answered the parliamentary inquiry, and the Senator from Georgia has withdrawn his point of order. The parliamentary situation is that the question before the Senate is on agreeing to the motion that the Senate proceed to the consideration of House bill 6127.

Mr. CASE of South Dakota. Mr. President, if the Senate will indulge me for a few minutes, I should like to make 1 or 2 observations.

First of all, in the final analysis, the Senate probably would not be depending upon the action taken by an employee of the House of Representatives. Any action which might be taken to recognize the correction of the bill would, in the final analysis, be to recognize a position taken by the Speaker of the House of Representatives.

By consulting the CONGRESSIONAL RECORD, it is evident that this matter was brought up yesterday in the House of Representatives, and the Speaker took it under advisement. I have been informally told that the parliamentarian of the House of Representatives would advise the Speaker of the House to the same effect as, apparently, the parliamentarian of the Senate has advised the Vice President.

Second, I wish to observe that if the Senator from Georgia had insisted upon consideration of his point of order, that of itself would have created a precedent which would have justified raising a question of that kind whenever a matter relating to a star print arose. If in one instance the use of the star-print method might be challenged, so might it be challenged in the case of every bill in connection with which it might arise. I think that would be an undesirable precedent to create, and the Senator from Georgia in withdrawing his point of order may have recognized that. In any event, I personally commend him for so doing.

Third, I would point out that if the Senator from Georgia had insisted upon consideration of his point of order, and if it had been sustained, the Senate still would have had before it the original printing of the bill, as it was on the calendar, and as it was read. Under those circumstances, if the motion to have the Senate proceed to consider the bill was agreed to, at that time or at any time thereafter a motion could be made to strike the paragraph in question from the place where it appeared in the original print of the bill, and to insert it at another place—for example, the place where it was inserted in the star print of the bill.

So it seems to me that the procedure which has been followed by the Senator from Georgia in withdrawing his point of order is well considered in the interest of preserving the possibility of orderly action in the Senate.

Mr. RUSSELL. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I am glad to yield.

Mr. RUSSELL. I think the Senator from South Dakota is correct when he says it is directed toward undertaking to secure orderly action in the Senate. But I can assure the Senator from South Dakota that it was for none of the reasons he has assigned.

Mr. SALTONSTALL. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I yield.

Mr. SALTONSTALL. Did the informal inquiry of the Senator from South Dakota determine the fact that the ruling of the Speaker of the House of Representatives was to the effect that the bill which was before the Senate and was properly sent to the Senate from the House of Representatives was the star print copy which was put into the RECORD?

Mr. CASE of South Dakota. In response to the question the Senator from Massachusetts has asked, let me say that reference to page 11011 of the CONGRESSIONAL RECORD for yesterday, July 8, 1957, indicates that when the question was raised by Representative SMITH of Virginia, the Speaker of the House of Representatives took it under advisement. The information I have received is purely informal—namely, that the parliamentarian of the House of Representatives would advise the Speaker along the line previously indicated.

Mr. RUSSELL. Mr. President, will the Senator from South Dakota yield again to me?

Mr. CASE of South Dakota. I yield.

Mr. RUSSELL. I can understand that the Senator from Massachusetts might be a little unhappy that the enrolling clerk of the House of Representatives would have such great authority as regards the Senate, and I can also understand that the Senator from Massachusetts would try to rest the authority at a somewhat higher level, namely, the Speaker of the House of Representatives. I have great respect for the Speaker of the House of Representatives, but I do not believe his rulings are binding upon the Senate of the United States.

Mr. CASE of South Dakota. Of course the rulings of the Speaker of the House of Representatives would not be binding upon the Senate, as to action of the Senate. However, the rulings of the Speaker would be binding insofar as setting forth the action of the House of Representatives itself. If the Speaker identified a bill in a certain form as the true form in which the bill was passed by the House of Representatives, that would be a record beyond which the Senate could not inquire.

Mr. HOLLAND. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I yield.

Mr. HOLLAND. I think the distinguished Senator from South Dakota may be overlooking one fact which I believe very vital to this matter, namely, that this is not a mere clerical error, but, instead, it represents the placing of an important amendment in a place in the bill where it does not belong, so that it will have a very greatly different meaning from the one it would have had if it had been placed in the proper place, the place it was in when the bill was passed by the House of Representatives.

I think the RECORD will show quite clearly that the Senator from North Carolina [Mr. ERVIN] stated the matter with complete correctness when he said that the bill, as it came to the Senate from the House of Representatives, and as it was read word for word, under the request made by the distinguished senior Senator from South Carolina, and as the bill was read and was understood by the Senate, and was subjected to the unusual treatment referred to—namely, being placed on the calendar, without reference to committee—showed at that time that particular amendment as attached to part I of the bill, and related solely to the proposed Commission and its functioning, which is new and different legislation. As a matter of statutory interpretation, without any question in the world, I believe that particular amendment, so placed, would have been held to apply only to persons guilty of contempt when they were summoned before the Commission or when at the request of the Commission they appeared to testify or to bring papers.

To the contrary, as now placed in the star print of the bill, that particular amendment—in the same words, without a change in the wording—is placed in part IV of the bill, where the bill proposes new legislation, as applied to an old statute. The first part of the bill is entirely a new statute or a new act. The fourth part, where the amendment is now placed, is an amendment of an old statute and of the code numbers by which the old statute now appears in the United States Code. Being so placed, it applies to the entire subject matter covered by that particular old statute and by those particular code numbers, and it has much more general application and, in fact, applies to all persons who fall within the toils of the proposed law, if it should become law, and to the person who may be guilty of contempt by refusing to abide by the terms of injunctions issued against them by Federal courts.

The meanings are so completely and entirely different in the two prints of the bill, that I think it is highly unfortunate that the distinguished Vice President, in making his rulings, would place this matter upon the same basis as a mere misplacement of a single word or a misspelling of a word. The present matter does not relate to such an error. Instead, the error goes to the meaning of the amendment; and the amendment had a completely different meaning when it was placed at the point in the bill at which it appeared on the evening when the bill was read, during the debate on the floor of the Senate.

I am distressed at the inability of Senators to distinguish what is so patent a fact upon the very face of the record, namely, that an attempt is made here to say that a very small clerical error was committed by a clerical assistant, when, to the contrary, the bill as it came to the Senate, with the amendment placed as it was then placed, had necessarily a very largely different meaning from its meaning in the star print of the bill.

I regret any ruling which would make it appear that under the rules governing this august body, Senators are not sufficiently perspicacious to be able to distinguish between two situations as different as those two are.

Mr. KNOWLAND. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE of South Dakota. I shall be glad to yield in a moment to the Senator from California.

First, Mr. President, let me say I do not dispute the fact that a material change was made, so far as the meaning of the bill is concerned. Personally, I would not contend that it was a typographical error or anything of the sort. I think the meaning of the bill would be materially changed by the different placing of the amendment.

However, I believe the interpretation the distinguished Senator from Florida has placed upon the Vice President's ruling, or possibly upon the comment which other Senators may have made, misses the point a little.

I do not know that I have heard any Senator contend that the meaning would not be changed by the different placement of the paragraph in the bill, but the ministerial act of the insertion of the amendment on one page rather than the other was a clerical error.

Mr. HOLLAND. Mr. President, will the Senator yield there?

Mr. CASE of South Dakota. In that respect it was an act which is commonly corrected, under the precedents of both bodies, by the use of the star printing of a corrected bill.

Mr. HOLLAND. Will the Senator yield there?

Mr. CASE of South Dakota. In that respect the mere reprinting of the bill was a ministerial act and nothing more than that. If, as, and when the Speaker of the House or any qualified officer of the House were to furnish a certification that the star print of the bill was the bill as it passed the House, and under that numbering, I do not know how we could go beyond that.

Mr. HOLLAND. Will the Senator yield there?

Mr. CASE of South Dakota. In a moment. Be that as it may, it seems to me, it would be unfortunate for the Senate to say, "We will not observe the practice which has been followed for 50 years," according to the record cited, of using star prints to correct ministerial errors.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I should like to yield first to the Senator from California. Then I shall be glad to yield further to the Senator from Florida.

Mr. KNOWLAND. First of all, Mr. President, I should like to say this. The parliamentary inquiry was raised by the minority leader in the interest of clarification, so that this issue would be settled before we got to the point of a vote on my motion to proceed to the consideration of this bill. There is no

one in the Senate of the United States who does not have ample information and full information as to the text of the bill as passed by the House of Representatives. It has been pointed out that, through a clerical error, the particular language was placed on page 8, when the Journal and the RECORD show it should have gone on page 12. There is no other change so far as language is concerned. It was a clerical error, apparently, when the paragraph was placed on page 8 instead of page 12. However, the star print came over to the Senate, according to the custom that has been followed for the last 50 years. Indeed, I call attention to the bill providing appropriations for the armed services. I hold in my hand a star print of that bill to show it is not an unusual situation. A copy of the star print, which is the text of the bill as passed by the House of Representatives, is the bill pending at the desk, upon which my motion rests. The star print has been printed in the CONGRESSIONAL RECORD of yesterday.

We have not even gotten around to the point where the Senate may consider amendments. Rather than have the situation prevail where there might be confusion on the point, I felt it a part of my responsibility as minority leader that this point should be clarified now. Nobody is under a misconception as to what the bill is. We know the page and the line and the number to be amended, if and when amendments are offered. I think it is proper procedure. I think it is a customary procedure. I do not think it is in any sense out of order.

If the distinguished Senator from Florida believed that the ruling was not correct, he or any other Member had the right, as had the Senator from Georgia, to appeal from the decision of the Chair and get a decision of the Senate. I would invite such an appeal if the Senator feels strongly on the matter, because I think actually we have established a precedent by the ruling of the Chair in answer to my parliamentary inquiry. If we are not to throw a question on the ultimate legality of the bill itself, this is a matter that has to be determined at this point. I would think every Member of the Senate, whether he is for or against the bill, would want an obvious clerical error corrected.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from Florida.

Mr. HOLLAND. It seems that the Senator from California and the Senator from South Dakota have not yet understood my point. I do not think the Senate is refusing to recognize the action of the House of Representatives. I think we are perfectly willing to accept the star print bill as the actual bill that the House passed. The point I am calling attention to is that the bill as read is not the bill as shown by the star print. The Senator from South Dakota has so admitted, and everyone else, as I understand, has so admitted. Everyone knows that the bill was read word by word at the request of the Senator from South Carolina [Mr. JOHNSTON] the other night when we were acting upon the question. The point I am making is that it is straining at the actual facts to say that the bill which was read twice the other night is the bill which now comes to the Senate as the act of the House, because it is not.

Every Senator knows—I think there is not one who would deny it—that the meaning of the star print of the bill is not the same as the meaning of the bill upon which the Senate passed when it was read. I say it is a stultification of the practice of the Senate to hold that a bill has been read twice when the bill which was read twice does not have the same meaning as the star print of the bill. I say, with great respect, that I think we should take up the actual bill passed by the House as shown by the star print. Certainly we should give it full faith and credit. We should recognize it completely, but let us not "kid" ourselves or try to "kid" the people of the country by saying the bill has been read twice, when it has not been.

Mr. CASE of South Dakota. The Senator from Florida, of course, is entitled to his opinion in the matter. I think his argument goes more to the merits of the bill or the meaning of the bill as it would appear under one version or another. It is an argument which can be renewed at the time the bill itself is up for consideration, if the motion to make it the pending business is agreed to. I certainly do not dispute that the meaning of the bill is different, depending upon where the particular paragraph in question appears, but the Senate has had the practice of accepting star prints. And, for that matter, so has the House of Representatives. It seems to me to upset that practice would invite raising that question on every star print bill that comes before the Senate, and thereby bring into question the possible validity of such a bill once it had been passed unless supported by a concurrent resolution.

Mr. HUMPHREY. Mr. President, we are again engaged in one of these interesting, and I believe illuminating, arguments over Senate rules and the relationship between the two Houses of Congress. The action which is being taken today, as has been noted, will set a precedent. Therefore, I feel that it is most important that this RECORD be quite clear—manifestly clear—as to just exactly what transpired. It is very important that the CONGRESSIONAL RECORD reveal what actually happened when the bill, as messaged over by the House to the Senate, was read, and how the so-called star print reads and its meaning. I am concerned about the action of the House enrolling clerk in coming over to the Senate and taking back a bill already on the Senate Calendar. This action could establish dangerous precedent.

Let us go back just a few days and see what happened. As has been noted, the bill as messaged over by the House was requested to be read by the able senior Senator from South Carolina [Mr. JOHNSTON]. It was read. That same bill is in the star print, word for word. And, what is more, the subsection which has been discussed at length here, namely, subsection (e) on page 12 of the star print, and the proviso on page 8 of the original H. R. 6127 as messaged to the Senate by the House relates to the entire language, all the language, of the act—the act that is now being motioned up for consideration by the Senate—H. R. 6127.

The term or the words "the act" apply to H. R. 6127 and to nothing else—those words apply to all sections of the bill.

Mr. President, H. R. 6127 as discussed during the time we were considering the application of rule XXV or rule XIV contained a proviso, on page 8, relating to contempt proceedings; that is, those who are in contempt of a district court. That proviso reads:

Provided, That any person cited for an alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours.

And so forth. Mr. President, I note that in the star print that same language refers to proceedings before the district court. In the section of this bill relating to the so-called Civil Rights Commission there is the power of subpena, and there is the possibility of rule of law by the court, the United States district court. If an individual is held in contempt of the court, the proviso which I read is there to protect that individual and his rights.

Mr. President, that same proviso applies in the case of an individual who is in apparent violation of a court order relating to the section of this bill or this act, when adopted, that refers to the so-called right to vote section. So, Mr. President, the provisions that we have been discussing, whether they were in the original bill or the star print, are provisions that apply to all sections of the Act which relate to contempt proceedings. All of this business of trying to confuse the thinking relating to this bill adds little or nothing to its understanding.

Mr. President, there is an old axiom of law, or saying by the Romans, "de minimis non curat lex," which means "the law does not concern itself with trifles." But apparently Senators do. Actually, Mr. President, this matter is a trifle, because the analogy which was used earlier by the able and distinguished Senator from Georgia [Mr. RUSSELL] simply does not apply. The analogy used was that if one took a penalty provision, and the penalty provision was one which was transferred from murder to spitting on the sidewalk, it would show there was a great difference in the application of the penalty for the degree of the crime. In other words, if one took the penalty of life imprisonment for murder and transposed or transferred it to the section of the bill which related to spitting on the sidewalk of course there would be a gross miscarriage of justice. Indeed. But, Mr. President, this measure before us has a proviso in it which relates to the right of the individual to have competent legal counsel provided for him at any time he is charged with being in contempt of court under any section, any part, or any subsection of this entire act, period.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. I say that one could place the proviso under the title of the bill, one could place the proviso as the last sentence in the bill, or one could place the proviso in the fourth paragraph of the bill, and it still would have the same effect, because it relates to "this act" and "this act" means H. R. 6127 when it is passed by both Houses of Congress and signed by the President of the United States.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Pennsylvania.

Mr. CLARK. I think it important that the RECORD show there are Senators on this side of the aisle, myself included, who are in complete agreement with the distinguished Senator from Minnesota in what he has stated. Whatever may be said technically with respect to the transposition of these sections, the argument concerns itself with a trifle and the more important thing is that nobody has been hurt, nobody's rights have suffered, and the cause of those who oppose this proposed legislation is just as strong as it was before.

I congratulate the Senator from Minnesota for making that so plain to his colleagues in the Senate.

Mr. HUMPHREY. I thank the Senator from Pennsylvania. May I say that I greatly respect his legal observations. He is a retained and learned lawyer of great competence and skill. I feel that his observations are surely worthy of the understanding and respect of his colleagues in the Senate.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Illinois.

Mr. DOUGLAS. I also wish to associate myself with the very able statement of the Senator from Minnesota, which I think goes to the very heart of the question.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HUMPHREY. Mr. President, I have made my point. I am happy to yield to the Senator from Colorado for an observation, because I feel that the point has been well established now.

I now yield to the Senator from Colorado.

Mr. CARROLL. I wish to commend the Senator from Minnesota for clarifying this very important issue for the sake of the RECORD. If there were some great difference, or if there were some issue on a question of substance, there might be something to the contention of the opposition, but I think the statement made by the Senator from Minnesota has clarified the whole atmosphere.

A mistake was made. The mistake has been corrected. As the distinguished Senator from Pennsylvania [Mr. CLARK] remarked, every Senator in this body understands the issue and understands where the provision will be in the bill. Therefore, no harm has occurred, and therefore no loss under the law, nor can anyone be misguided.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. SPARKMAN. Mr. President, I wish to say that I recognize the keenness of the mind of the able Senator from Minnesota, but I am not able to agree with him in all the conclusions at which he arrived in deciding that the position of this amendment in the bill means nothing. I think it does mean something.

I believe that if the Senator from Minnesota will transpose the language to the first part and read it in connection with that part, remembering that when the court takes it up to read it the court will read it in connection with the place where it occurs in the bill, as following the intent of Congress, not because of some particular word that may be in it, the Senator will understand my position. The Senator must remember that the first section is new law. It sets up a Commission. I do not recall that it applies to any other section of the statutes at all.

Mr. HUMPHREY. The Senator is correct.

Mr. SPARKMAN. Whereas the next two parts, part II and part III, both amend existing statutes.

Mr. HUMPHREY. The Senator is correct.

Mr. SPARKMAN. And in essence or essentially, each one is a title within itself or unto its own self, and each one is essentially an act unto itself.

I believe that if the distinguished Senator from Minnesota were trying to uphold in the Supreme Court of the United States the viewpoint he has just expressed, assuming that the bill had been passed in the form in which it came before the Senate originally, he would find himself in great trouble indeed.

Mr. HUMPHREY. I have always had great respect, and continue to have the utmost respect, for the Senator from Alabama and his views and observations. I say to him, in the spirit of friendship, admiration, and respect to which I have referred, that the bill before us will become an act of Congress when and if passed by both Houses of the Congress and signed by the President, and that the amendments to the existing statute to which the Senator refers will become new law when and if enacted. The term "an act," according to my limited knowledge of the law, when used in a bill such as this, refers to an act which Congress is called upon to pass.

ORDER FOR RECESS UNTIL 11 A. M. TOMORROW AND FOR MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, will the Senator from Minnesota yield to me for the purpose of making a unanimous-consent request, with the understanding that he will not lose the floor?

Mr. HUMPHREY. I yield, with that understanding.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in recess until 11 o'clock a. m. tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. I thank my friend, the Senator from Minnesota, and I ask that this appear at the conclusion of his remarks.

Mr. JOHNSON of Texas subsequently said: Mr. President, I ask unanimous consent that when the Senate convenes at 11 o'clock a. m. tomorrow there be the usual morning hour for the introduction of bills, the submission of petitions and memorials, and the transaction of routine business, with statements limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CIVIL RIGHTS

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. What is the business before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND], that the Senate proceed to the consideration of House bill 6127, the Civil Rights Act of 1957.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hickenlooper	Neuberger
Beall	Hill	O'Mahoney
Bennett	Holland	Pastore
Bible	Hruska	Payne
Bricker	Humphrey	Potter
Bush	Ives	Reverecomb
Byrd	Javits	Robertson
Capehart	Jenner	Russell
Carlson	Johnson, Tex.	Saltonstall
Carroll	Johnston, S. C.	Schoeppel
Case, N. J.	Kefauver	Scott
Case, S. Dak.	Kennedy	Smathers
Church	Kerr	Smith, Maine
Clark	Knowland	Smith, N. J.
Cooper	Kuchel	Sparkman
Cotton	Langer	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ellender	Martin, Iowa	Wiley
Ervin	Martin, Pa.	Williams
Flanders	McClellan	Yarborough
Fulbright	McNamara	Young
Goldwater	Morse	

The PRESIDING OFFICER. A quorum is present.

Mr. JOHNSON of Texas. Mr. President, the distinguished Senator from Alabama [Mr. SPARKMAN] has a prepared speech which he desires to deliver to the Senate. He has been prepared to do so all day. However, we were unable to obtain the attendance of many Senators for a part of the day. Later in the evening we engaged in propounding parliamentary inquiries, which involved a ruling from the Chair, in an attempt to clear up the record. While

we had planned to sit until 6 or 6:30 or 7 o'clock this evening, I believe it is a little unfair at this early stage of the debate to ask the Senator from Alabama to deliver a major speech at this time of the evening.

I have agreed, willingly and gladly, to an order which will have the Senate convene at 11 o'clock tomorrow morning. I should be glad to have the Senator from Alabama recognized to make a brief statement regarding the motion, with the understanding that at the conclusion of the morning hour tomorrow he will be recognized to complete his statement.

I did say to him that, in view of the discussion which was taking place in connection with the parliamentary inquiry, I doubted he would be called upon to speak this evening.

I have said to other Senators that we planned to run until 6 or 6:30 or 7, and they have made their arrangements accordingly. I am hopeful that we will not try to get this whole job done during the first few days. If the Senate will be reasonable in these matters, we can run to perhaps 5:45 or 6 or 7 o'clock on some evenings when we have a Senator present who is ready to speak. I discouraged one Senator who said he desired to address himself to another subject, namely, the money question. I am trying to locate that Senator now. If I can locate him, he may be willing to speak for 30 or 40 minutes.

We had to accommodate Senators with a recess today for a period of time because Members were not in attendance during the noon hour. I hope Senators who are absent will be as considerate of their colleagues as we have been of them.

I should like to have the Senate recess at this time and convene tomorrow morning at 11 o'clock. If it suits the majority of the Senate, I shall be willing to stay an additional hour beyond the agreed upon hour tomorrow evening, perhaps until 7:30.

I hope this procedure will be agreeable to the minority leader.

Mr. KNOWLAND. Mr. President, I will say to the distinguished Senator that I shall not resist his motion that the Senate now take a recess. There is a quorum of the Senate present. It is only a quarter to six. I had hoped that we might run a little longer this evening, because there are a number of speeches of importance to be made, and we are trying to fit them into the program. Certainly this is a very important matter.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I shall be glad to yield in a moment. I had hoped that we might continue in session until 6:30 or 7 o'clock this evening. Certainly our relationships have been pleasant, and I am sure they will remain so.

At the same time, I do not think it would be advisable under the circumstances to contest tonight such a decision if the Senator from Alabama prefers not to proceed tonight, and if the majority leader supports him in his desire. I shall not object to the decision to go over until tomorrow.

I most respectfully say to the distinguished Senator—and I know he has announced that the Senate will meet tomorrow morning at 11 o'clock—that I hope I shall have a chance to confer with him on Thursday morning again and take a look at the situation for the remainder of the week, because it seems to me that we should endeavor to lengthen the sessions from Thursday on, and that Senators should at least be on notice of the possibility of running into the night. So far during the session there have been a number of occasions when we have sat until 9 or 10 o'clock at night.

We have been advised that a number of Senators desire to express themselves prior to a vote is had on the motion to take up the bill, and we should get in more speeches than we have thus far.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to my friend from Texas.

Mr. JOHNSON of Texas. First I should like to say to the Senator that we have already entered an order that the Senate shall meet tomorrow at 11 o'clock. I did agree with the Senator that there should be a session until 6 or 6:30 this evening. If a Senator desires to address himself to the subject or to any other subject, the majority leader is prepared to stay here. However, I think it is a little unfair to insist that a Senator go on with his speech at this time, particularly in view of the fact that an extraneous discussion took place and we had to recess because Senators who support the motion were not in attendance. In view of the fact that we had this unusual situation today, it would appear unfair to ask the Senator from Alabama to make his speech at this late hour.

I believe the Senator from California can appreciate the situation in which the Senator from Alabama finds himself. The Senator from California would not want to make a major speech on his motion at this time of day.

Mr. KNOWLAND. The Senator from California has made his speech on the motion. He would be prepared to vote on the motion tonight. Obviously, the distinguished Senators on the other side of the aisle, and perhaps some on this side of the aisle, are not prepared to speak. But I hope that the other Senators present will be prepared to adjust their calendars accordingly, so that beginning on Thursday we may have night sessions.

Mr. JOHNSON of Texas. There have been unofficial reports and schedules circulated to the effect that there may be lengthy sessions after Thursday. I have expressed the hope—to the Senator from California and others—that such procedures would not be followed this week. I think a great deal more headway can be made if the Senate will operate as it has been operating, but will convene a little earlier in the mornings and remain a little later in the evenings.

We are agreeable to a Saturday session. This is so even though I have had some difficulty during this session in getting an agreement from the other side of the aisle on Saturday sessions, and even on night sessions.

I shall not insist on having the Senate convene at 12 o'clock and conclude at 5 o'clock. But I shall insist that Senators have an adequate opportunity to present their views when other Senators can hear them.

I do not think it is in keeping with the customs which the Senate ordinarily follows to ask the Senator from Alabama, at this stage of the debate, to make a major speech at 6 o'clock in the evening. He will be prepared to speak at 11 o'clock tomorrow morning. I shall be prepared to see to it that the 30 minutes we may lose tonight will be made up tomorrow.

Mr. KNOWLAND. Mr. President, I may say to my genial friend from Texas, without wishing to prolong the discussion, that I am certain we will come to an agreement. But I wish to correct the RECORD. I do not consider that the parliamentary inquiry which the minority leader made was an extraneous matter. I think it was to the point; it was to clarify a parliamentary situation before the Senate. I think the question needed to be clarified at the time, so I did not consider it to be extraneous.

But as a matter of courtesy to the distinguished Senator from Alabama, and again expressing the hope that we may be prepared to continue in session later in the evening in the latter part of the week, I am prepared now, even though a quorum is present, to agree with the majority leader in having the Senate recess until tomorrow morning at 11 o'clock.

Mr. JOHNSON of Texas. I am glad to have the views of the Senator from California concerning the discussion which took place regarding the parliamentary inquiry. I meant no reflection. I simply meant it was not in connection with the subject under discussion, when the motion was pending before the Senate, or on the merits of the bill.

If the Senate will recess now and will convene tomorrow morning at 11 o'clock, I serve notice that the session tomorrow will run until at least 7 o'clock, if there are any Senators who can be prevailed upon to speak that late in the evening.

I shall speak to the Senator from California tomorrow concerning the schedule for the remainder of the week.

Mr. KNOWLAND. As a matter of clarification, there are on this side of the aisle a number of Senators who are prepared to discuss the merits of the bill and several sections of the bill when the bill is actually being considered by the Senate. But they feel it would be more appropriate to have the discussion at a time when the vehicle is before the Senate, so that the sections of the bill can be discussed and any corrective amendments which might be offered, or which have already been offered, can be considered.

We do not anticipate that any great number of speeches will be made on the motion now before the Senate, but we expect to have the subject adequately discussed when the bill is before the Senate, as I hope it will be, certainly, within a reasonably few days hence.

SMALL BUSINESS

Mr. CARROLL. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article entitled "Small Business Study," written by Sylvia Porter, and published in the Washington Evening Star of July 2, 1957.

I have never met Sylvia Porter, but she is a very skillful journalist and makes penetrating analyses of the subjects about which she writes, especially economic matters.

In this article she calls the attention both of Democrats and Republicans to their campaign pledges concerning small business. The article should be read by every Member of Congress, because we have an obligation to fulfill those pledges.

Mr. President, I take the opportunity at this time, also, to call attention to the outstanding work of the distinguished Senator from Alabama [Mr. SPARKMAN] and the distinguished Senator from Arkansas [Mr. FULBRIGHT] in this connection. We obtained 33 votes on one occasion for a bill to give some tax relief to small business. That was commendable, but there is still no action on this most important problem of what to do to aid small-business men.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUR MONEY'S WORTH

(By Sylvia Porter)

SMALL BUSINESS STUDY

Mr. Small Business Man, I have a modicum of good news for you:

There's going to be a fresh study of your financing problems, of the increasing difficulties you face when you must borrow long-term capital to keep you alive and allow you to grow—and, this time, the comprehensive survey is to be conducted by no less an authority than the Federal Reserve Board.

Your plight is now so apparent that even the cautious Chairman of the Federal Reserve Board of Governors, William McC. Martin, agrees there is an apparent gap in existing credit facilities for small-business firms.

Mr. Martin actually goes beyond this. He says a fresh study might not only confirm the existence of gaps but it also might yield important byproducts by the pointing out of potentially profitable opportunities (that) could stimulate private enterprise to fill the indicated gaps.

The Senate Banking Committee has asked the Federal Reserve to undertake the investigation; the Board has consented.

Of course, it'll be months before the study is completed; early next year is the target date.

Major move unlikely

Of course, this just about kills any chance for a major move by Congress during 1957 to begin to fill the small business financing gap. Pigeonholing almost surely will be the fate of a bill in the Senate now which would create a new system of privately financed institutions operating regionally and statewide to make loans and supply capital to small and growing businesses.

Apparently, there also is to be no special tax break for small business either. This once bright hope has been dimmed almost to extinction.

As for most of the other fairly important small-business measures so fervently pledged by both the Republicans and the Democrats during the election campaign that even cynics expected action to be taken in 1957—well • • • the Small Business Administration is to be made a permanent agency and is to get an increase in lending authority • • • the terms of its loans presumably are to be liberalized • • • talk about a mountain laboring and bringing forth a mouse.

I don't need any help from the heat to get hot-blooded about the foot-dragging done by this administration and this Congress on aid to the smaller business firms in our land.

Let's push aside the questions of competition on defense contracts, on research, all the rest. Let's just concentrate on an obvious and possibly the most crucial problem today—credit.

Banks not blamed

Banks and other financial institutions can't be condemned for not solving the problem by channeling long-term funds to all their smaller applicants as well as best customers during a tight-money period; they have just so much money to lend and their responsibility is to lend what they have most profitably and safely.

The fact is that under today's circumstances, top banking as well as business groups believe the solution lies in the creation of the new system of banks for small-business loans.

Nevertheless, we're going to have a fresh study and then we're going to start debating a bill all over again. In the meantime, if you can't get the cash you must have in time and at a rate you can afford to pay, you know your alternatives:

Fold up on your own or sell out.

FEDERAL HOUSING ADMINISTRATION

Mr. CARROLL. Mr. President I ask unanimous consent to have printed in the body of the RECORD an article entitled "Reactionary FHA," written by Sylvia Porter, and published in the Washington Evening Star of July 8, 1957. This is an excellent piece of journalism and concerns what is wrong in the FHA today.

Again, the distinguished Senator from Alabama [Mr. SPARKMAN] has had much to do with the proposed legislation. I know he is working hard on the matter.

I call this article to the attention of all Members of Congress, because the article is written in the public interest.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

YOUR MONEY'S WORTH

(By Sylvia Porter)

REACTIONARY FHA

Twenty-three years ago the Federal Housing Administration came into being and gave this country for the first time a Federal program for insurance against housing risks—a program designed to soften the reactionary attitudes of private mortgage lenders at that time to help pull us out of our worst depression.

Today, it is not the Nation's private lenders who are most reactionary in their mortgage lending practices.

It is the FHA itself which has set up income requirements for FHA-insured home mortgages, particularly in the $15,000-and-over house range, that makes the requirements of most private lenders seem liberal in comparison. And $15,000 is now the average price of a new house.

Today, it is not the private lender who is so cautious that his losses on mortgages are virtually nil.

It is the FHA which has a record of losses so favorable—only 0.06 percent of loss on all home mortgage insurance since 1934—that, obviously, the agency is not taking even modest chances.

FHA structure

Today, it is not the private lender who is so strict that borrowers say "what's the use" and don't even bother applying.

It is the FHA which has achieved the dubious reputation of being so rigid about granting mortgage insurance that many private lenders say flatly, "We don't even bother sending an application over to an FHA office unless we are dead sure it will be accepted."

Today, it is not the private lender who is blindly following old rules of thumb on what income a buyer must have to afford a specific house and who is basing loans on records of the past rather than the present.

It is the FHA which is being trapped by its own low-paid men in the field—men who never have been properly orientated toward granting mortgage insurance on houses in the $15,000-and-up bracket.

If these were only my judgments, you well might suspect me of prejudice. But no! FHA Commissioner Norman P. Mason himself concedes that most or all of the criticisms can be justified.

This is why Mr. Mason last week called together some of the Nation's leading authorities on home mortgages for a first meeting of a new Industry Advisory Committee on Mortgage Credit.

Consensus of the conference was:

Just liberalization of the terms of the housing laws isn't the answer. The FHA is being stifled by its own outmoded, depression-orientated guides to judgment, by its own red tape and inadequately trained field staff.

The FHA is taking on new and potentially tremendous responsibilities, for the housing activities of the Veterans' Administration are being shifted to this agency.

I left the conference with the impression that Mr. Mason is laying the groundwork for a definite liberalization in the FHA's operations as it expands—meaning more help for the homebuyer.

And when and as this happens, it will be because the reactionaries of 1934 (the private lenders) needled the reactionary of 1957 (the FHA) into action. So does time catch up with yesterday's radicals.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. CARROLL. I yield.

Mr. SPARKMAN. I should like to comment upon the remarks made by the able and distinguished Senator from Colorado. I am delighted that he called the attention of the Senate to the articles written by Sylvia Porter. As the Senator has correctly stated, Miss Porter is one of the most skillful and thorough writers on economic matters.

I read the articles which she wrote on the subject of small business. They were excellent. I also read the articles which she wrote on the tight-money situation, especially the article in which she called attention to the trap in which the Treasury Department found itself or caught itself, a trap of its own making by reason of the high interest rates which it had incurred, interest rates which were the result of the tight-money market which certainly the Treasury had been pleased to see develop. But now the Treasury is faced with the tremendous problem of financing and refinancing many billions of dollars this year. It is confronted with performing a staggering and most difficult job, as the result of its own handiwork.

I do not know whether the Senator from Colorado saw those articles, but I thought of them in connection with his

placing in the RECORD the articles concerning small business and the FHA.

Mr. CARROLL. I have not had the pleasure or the privilege of meeting Miss Sylvia Porter. My only knowledge of her is from her writings. She is one reporter who is writing about the family life of America and on matters of interest to the consumers.

She has written about the tight-money policy and about the increase in the price of steel and its inflationary effect. She has written also, and most appropriately so, it seems to me, about small business. In substance, she said another study was to be made. The Senator from Alabama knows that this matter has been studied to death. What is needed now is action—action along the lines indicated by the Senator from Alabama.

Mr. SPARKMAN. Miss Porter's article concerning another study for business was of a rather sarcastic nature, because it came on the heels of study after study after study.

The Senator from Colorado may recall that during the spring, when we were fighting very hard—and certainly with his able assistance—to get some relief for small business, we were given the assurance, on the floor of the Senate, that before this session of Congress adjourned, the administration would propose a bill for the relief of small business. Later, I saw in the Wall Street Journal, and also in financial articles in the daily papers, statements to the effect that the administration had approved three of those bills, which I tried to have passed, with the assistance of the Senator from Colorado and many other Senators, when we had the tax bill on the floor of the Senate. The Senator from Colorado will recall that. Yet I have waited long and patiently—in fact, somewhat impatiently, let me say—for some word from downtown or from the distinguished minority leader—who, I know, would like to see something of this sort done—to the effect that some such proposed legislation would come before the Senate in time to be acted on during this session of Congress. I think the Senator from Colorado will agree with me that this session is getting—well, I shall not say close to the end, but certainly closer to it day by day; and not much more new business, I believe the Senator from Colorado will agree, stands a chance of getting through both Houses of Congress at this session.

Mr. CARROLL. Mr. President, will the Senator from Alabama yield further to me?

Mr. SPARKMAN. I yield.

Mr. CARROLL. It was one evening in the spring, almost at this time of day, when the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Alabama [Mr. SPARKMAN] were urging action by this body; and overnight we were able to get 33 Members of the Senate to fight for at least—if not the bill I wanted to vote for, because I wanted to vote for the bill of the distinguished Senator from Alabama—the bill to give some tax relief to small business. Every economist of the Nation has said this is one of the soft spots in the economy; the other has to do with the farm situation. But it is our information that at that time the White House put on pressure and defeated the small-business tax measure, which would have given some relief to small business. And today, as the distinguished Senator from Alabama has said, there is little likelihood that any effective action of that sort will be taken at this session of Congress.

Mr. SPARKMAN. Mr. President, I am sure the distinguished Senator from Colorado will recall that in the course of that debate, one of the sponsors of the amendment which was being debated—and a very fine friend of small business; I refer to the distinguished senior Senator from Minnesota [Mr. THYE]—announced on the floor of the Senate that he would vote against it, but that he had been assured by the administration—I do not remember whether he said the White House or Mr. Humphrey, the Secretary of the Treasury—but by the administration—that shortly there would be here a measure to give relief to small business on which Congress could act during this session.

Mr. CARROLL. I remember that conversation, and it was generally understood that the Senate would be given an opportunity to vote on an administration bill.

Let me say to the distinguished Senator from Alabama, in conclusion—because I know he wishes to proceed to discuss another matter—that we are now in the closing days of the session, and we have given a great deal of attention to many matters, but we have not given much attention to the economic matters which affect the family life of America. That is why I pay special tribute to Sylvia Porter for her writings, in which she constantly hammers at the things that affect the people at the grass roots. Other writers do likewise, but she has especially devoted her attention to the things which ought to have been given major attention by this body.

Of course, I recognize the very fine work done by the distinguished Senator from Alabama [Mr. SPARKMAN] and the other members of the Banking and Currency Committee, in the case of housing. But little has been done in the case of the other things which affect family life in America. It is true that the Senate has acted on large appropriations for the military and large appropriations for foreign aid, for matters abroad. But very little has been done in regard to the matters which affect the people who live in the United States of America.

I hope something can still be done at this session, although the prospects seem very dim, indeed.

Mr. SPARKMAN. I suppose the Senator from Colorado knows that there is now on the calendar a bill which, if enacted—as is planned—will provide a very fine and badly needed program for veterans' housing. But, of course, that bill is caught in the logjam behind the pending motion.

Mr. CARROLL. I understand, and I know there are many other such pieces of proposed legislation, let us say.

Mr. SPARKMAN. Unfortunately, that is true.

Mr. CARROLL. So we have been presented with a sort of patchwork, but not with anything which would get at the core of the economic problem, and would have a desirable effect upon our program either for the farmers or for small business, which all economists agree are the soft spots in the national economy.

We know what the difficulties are. But very little has been done in this field except the work done by the Senator from Alabama [Mr. SPARKMAN] and the other members of the Banking and Currency Committee. I congratulate him upon what he has done in this field.

Mr. SPARKMAN. Mr. President, I thank the Senator from Colorado.

ORDER FOR RECOGNITION OF SENATOR SPARKMAN AT THE CONCLUSION OF THE MORNING HOUR TOMORROW

Mr. JOHNSON of Texas. Mr. President, in a moment I shall have to leave the floor. Before doing so, I ask unanimous consent that on tomorrow, at the conclusion of the morning hour, the Senator from Alabama [Mr. SPARKMAN] be recognized.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. Mr. President, reserving the right to object—although I shall not object, because the request is in conformity with the understanding and the discussion which has been had—let me say that I would not want the proposed order to be considered as establishing a precedent, because it could well be that as we get a little further into the debate on the civil-rights issue, if the opponents of the bill conclude in the evening, perhaps the proponents of the bill should have an opportunity to speak beginning on the following morning, and to have some balance as between the time allowed to both sides in the debate.

However, under the circumstances, and without establishing such a precedent in the future, I shall not object at this time.

Mr. JOHNSON of Texas. I thank my friend; and I assure him that I shall do everything I can to see to it that a balance or equal allowance is provided.

Mr. KNOWLAND. I assure the Senator from Texas that the proponents have no intention of using an equal amount of time, because, as one Senator said not long ago—I believe it was the senior Senator from Oregon—in that case we probably would be here until snow flies in the winter. But I think there will be times when we shall believe that the RECORD should be corrected in certain respects, and I want an opportunity to do so to be provided.

Mr. JOHNSON of Texas. Mr. President, at this stage I do not think any Senator can anticipate how much time the Senator from California and the other Senators associated with him will wish to have. I think that will depend upon the turn of events. I can foresee a possibility that, if certain amendments are agreed to, the Senator from California will be very anxious to have a certain amount of time allowed.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? Without objection, it is so ordered.

ANNOUNCEMENT OF THE NUMBER OF SENATORS ANSWERING QUORUM CALLS

Mr. JOHNSON of Texas. Mr. President, earlier today I announced that during the debate on the civil-rights issue, it was most unlikely that unanimous consent would be granted for the withdrawal of any quorum call. I urged all Senators to cooperate to the utmost in responding quickly to each quorum call, on the assumption that it would be a completed call, and would be completed as quickly as possible.

Mr. President, in order that there can be no misunderstanding by anyone, I announce that henceforth I shall ask that the Vice President or Presiding Officer announce the number of Senators who have answered to a quorum call.

I have discussed with the distinguished minority leader, the senior Senator from California [Mr. KNOWLAND], the lack-of-attendance problem. Both of us believe that every Member of the Senate should be on the floor as much as possible while the motion of the Senator from California is under consideration. Senators will not be counted present unless they are physically present before the result of the quorum call is announced. Thereafter, no names of Senators will be added.

I desire to have the clerks and the attachés take note—and I ask them please to do so—of this statement. I ask them to notify each Senator as to the procedure which will be followed.

CIVIL RIGHTS

Mr. SPARKMAN. Mr. President, I have prepared a talk which I should think should not take more than an hour to present, provided there are no questions. We never know what may happen when we start making an address. I appreciate the fine cooperation on the part of the distinguished, able, and fair minority leader that I can simply be recognized tonight, and that tomorrow, following the morning hour, I may have the privilege of completing my talk.

ORDER FOR RECOGNITION OF SENATOR DIRKSEN FOLLOWING THE SPEECH OF SENATOR SPARKMAN TOMORROW

Mr. KNOWLAND. Mr. President, I should like to have the attention of the distinguished majority leader. I sent word that I should like to have him in the Chamber.

I am informed by the Senator from Illinois [Mr. DIRKSEN] that he should like to be recognized tomorrow following the speech of the Senator from Alabama. In view of the fact that the Senate is about to recess until tomorrow at 11 o'clock a. m., I was wondering if the distinguished majority leader would have any objection to such an order being entered.

Mr. JOHNSON of Texas. The Senator from Texas would not only not have any objection, but he would favor such an order. He appreciates very much the courtesies extended to him at all times by the minority leader and by Members of the minority, and he is certainly anxious to accommodate them whenever he can. There is no one the majority leader has a higher regard for than the Senator from Illinois. Any time the majority leader can suit his convenience, he wants to do so.

Mr. KNOWLAND. Mr. President, I make that unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California? The Chair hears none, and it is so ordered.

CIVIL RIGHTS

Mr. SPARKMAN. I shall not start on my prepared text this evening, under the order which has been entered, but I wish to say it is my purpose to discuss the measure with particular emphasis on its impact on our judicial system, involving the jury system, the growth of the vicious practice of applying injunction and contempt proceedings in equity to acts which are essentially criminal, and the imposition of penalties which are criminal in nature.

I think the history of the jury system and the development of the injunction system and contempt proceedings can be shown in a very clear pattern that will uphold the viewpoint of those of us who see in this proposed legislation a real and a vicious attack upon something upon which we have always prided ourselves so much—that is, the finest judicial system in all the world, of which the right of trial by jury is the keystone, associated with the two other ideas of the presumption of innocence until actually proven guilty, and the right of a person accused to be confronted by the witnesses against him.

Now, Mr. President, if it is agreeable, I shall discontinue at this point and resume tomorrow following the morning hour.

RECESS UNTIL 11 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, pursuant to the order previously entered, I move that the Senate stand in recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Wednesday, July 10, 1957, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 9, 1957

The House met at 12 o'clock noon.

Father Donald Werr, O. F. M., executive assistant to the president, Quincy College, Quincy, Ill., offered the following prayer:

O God, who lovest truth and justice, pour forth Thy blessing upon the deliberations of Thy servants. As Thou didst stretch forth Thy hand to Peter as he walked upon the sea, we entreat Thee to watch over their minds and hearts during this important day.

Grant each Member to be so guided that his decisions will always benefit the people of our land, and will promulgate the greater glory of Thy name. By Thy wondrous power and supernatural grace, may Thy legislative body be a continued instrument of Thy peace and love. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 632. An act to amend the Federal Crop Insurance Act, as amended;

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 1045. An act to amend the Soil Conservation and Domestic Allotment Act, as amended;

H. R. 2070. An act for the relief of Mrs. Rhea Silvers; and

H. J. Res. 324. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the Senate agrees to the amendment of the House to Senate amendment to H. R. 1359, entitled "An act for the relief of Mrs. Theodore (Nicole Xantho) Rousseau.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 294. An act for the relief of Mrs. Marion Huggins;

S. 556. An act to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners;

S. 562. An act for the relief of Hideko Takiguchi Pulaski;

S. 591. An act for the relief of Seol Bong Ryu;

S. 1071. An act for the relief of David Mark Sterling;

S. 1268. An act for the relief of Don Q. Gee;

S. 1276. An act for the relief of Emilio Valle Duarte;

S. 1321. An act for the relief of Junko Matsuoka Ekrich;

S. 1335. An act for the relief of Sandra Ann Scott;

S. 1353. An act for the relief of Ayako Yoshida;

S. 1452. An act for the relief of Francesco Maria Arria;

S. 1472. An act for the relief of Trianta-fila Antul;

S. 1478. An act for the relief of Klara Fritzsche;

S. 1496. An act for the relief of Nicoleta P. Pantelakis;

S. 1502. An act for the relief of Erika Otto;

S. 1509. An act for the relief of Fumiko Bigelow;

S. 1528. An act for the relief of Arthur Green;

S. 1570. An act for the relief of Julia Fodor;

S. 1641. An act for the relief of Yong Ja Lee (Mina Kuhrt);

S. 1645. An act to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road-widening purposes;

S. 1773. An act to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356);

S. 1783. An act for the relief of Randolph Stephan Walker;

S. 2069. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain;

S. 2080. An act relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases;

S. 2413. An act to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district;

S. 2449. An act to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958; and

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the "Flag of Liberation."

AMERICAN PRISONERS OF WAR HELD BY COMMUNIST CHINA

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 292.

The Clerk read the resolution, as follows:

Whereas 450 American military personnel taken prisoner by the Communists during the Korean war have not been repatriated or otherwise accounted for since the cessation of hostilities in Korea; and

Whereas under the terms of the Korean armistice agreement all American prisoners of war should have been accounted for long before now; and

Whereas the United States of America has never acquiesced in actions by foreign nations which illegally deprive our citizens of their liberty; and

Whereas the historic policy of firmly supporting the rights of American citizens should be continued: Now, therefore, be it

Resolved by the House of Representatives, That it is the sense of the Congress that the President, through his own offices, and those of the Secretary of State and the Secretary of Defense, should continue to make the return of, or a satisfactory accounting for, the 450 American prisoners of war, a primary objective of the foreign policy of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. JUDD. Mr. Speaker, reserving the right to object—and, of course, I shall not object—I do think that the gentleman from Wisconsin, the chairman of the subcommittee, should advise the House briefly as to the reason for this resolution and what it provides.

Mr. ZABLOCKI. Mr. Speaker, the effect of this resolution is to serve notice on the Communists that their continued flouting of the elements of human decency and conduct, as well as their violation of all conventions dealing with the treatment of prisoners of war, are firmly condemned by the Representatives of the American people. Our Ambassador, U. Alexis Johnson, on July 11 will resume negotiations with the Communists and I think we should give him our strong arm, let it be known that the people of the United States, through their Congress, are determined to obtain the information as to what has happened to the 450 boys who are not accounted for.

Mr. JUDD. Should it not be made clear, for the sake of the relatives of these men, that we do not charge or expect that these 450 American prisoners of the Communists, or any substantial number of them, are still alive? We do know that at one time these men were in the hands of the Communists and alive. We have seen pictures of some. The Reds themselves broadcast over the radio statements allegedly made by some. The Communists forwarded letters to the families of some, written in their own handwriting. Their buddies who were released, have reported them as alive and well in Communist prison camps.

Now the Communists claim they do not know anything about them. They will not even admit they ever had them as prisoners. Any decent kind of government would at least give an accounting of the men—what happened to them, whether they are alive or dead, and the circumstances surrounding their fate.

Mr. ZABLOCKI. That is true. It is clear that most if not all, of the 450 may be dead. But I believe we should demand an accounting as to how they died, where they died and where they are buried.

Mr. JUDD. Especially since the Communist Chinese are wanting to be accepted into civilized society under the pretense of being law abiding. One good way to show it would be at least to start abiding by the Geneva Convention on Prisoners of War. The world waits for one humane deed, not just protestations, from the Communists.

Mr. ZABLOCKI. Mr. Speaker, I feel very strongly about House Resolution 292 which is before us today, and I am confident that it will receive unanimous approval of the membership of this House.

The resolution expresses the sense of the Congress with respect to the 450 American prisoners of war taken prisoner by the Communists during the Korean conflict, and not accounted for, or released, to date.

The effect of this resolution is to serve notice on the Communists that their continued flouting of the elements of human decency and conduct, as well as their violation of all conventions dealing with the treatment of prisoners of war, are firmly condemned by the representatives of the American people.

The resolution goes further than that. It calls upon the Executive to continue to make the return of, or a satisfactory accounting for, these 450 men, a primary objective of the foreign policy of the United States.

Mr. Speaker, our unanimous approval of this resolution is the least we can do—we must do—in justice to these men. They met with cruel fate in the service of our country, while upholding the principles in which we believe against the evil tide of Communist barbarism. They fell into the hands of the Communists and, to date, we do not know how many of them are rotting in Communist prisons, and how many may have perished at the hands of their captors.

In this regard, I want to state that, personally, I am not at all convinced that our executive branch has pursued this matter with the vigor, determination, and energy it should have received. The fate of these men, even their numbers, have been kept quiet. It would almost appear as if the administration was more anxious to keep the news of Communist foul deeds away from the world, than to broadcast the fate of these men as a somber warning to the American people and to the free peoples everywhere.

The treatment accorded to these American prisoners of war by the Chinese Communists, and the blunt refusal of the Reds to account for these men even when they were faced with evidence showing that these American servicemen were in their hands, shows us what kind of an enemy we are faced with.

It negates the Communist pronouncements about peaceful coexistence, disarmament, and alleged good will and shows that we are dealing with an evil system—with a monstrous machine which will disregard any conventions, any agreements, almost as soon as they are made.

Under the terms of the armistice agreement entered into by the Communists, we have the right to demand an accounting for the missing American servicemen who we know have fallen into Communist hands during the Korean conflict.

We want an accounting for these men, and their release. This must be a primary objective of our foreign policy. We must pursue this objective in fairness to the parents of the servicemen, their wives and children, whose anguish has known no bounds since their disappearance.

We must pursue this objective in fairness to ourselves. We have spent billions of dollars in fighting Communism, in building strong forces against Communist advance. We have urged other nations, even demanded it of them, that they stand up to the Red menace and fight it with us.

How is it, then, that after all this sacrifice, all this determined effort, we can sit still and talk about trade with the Reds, coexistence, and disarmament, while 450 American soldiers have disappeared behind the Red Bamboo Curtain and have not been accounted for.

I do not mean to reflect in what I have said the efforts of the man who, during the last 2 years, has expended tremendous effort and exercised commendable patience in negotiating with the Communists, trying among other things to obtain an accounting for those 450 men. Ambassador U. Alexis Johnson has, I believe, done his best. The fact remains, however, that one man cannot do this job alone. He must be vigorously supported by the entire administration, armed with the moral indignation of the American people expressed by their Representatives in Congress assembled, and fortified by the pressure of world opinion.

Ambassador Johnson is scheduled to renew his conferences with the Communists on July 11. Let us arm him for the task which he faces by unanimously passing this resolution, and by calling upon the free world to demand the release, and an accounting for, of all of the men of the U. N. command in Korea who are still missing, and who have been reported to be in Communist hands.

We have fought bravely over the decades all over the globe for worthy causes in which we believed. Our men have died, have fallen prisoners of war, in those battles. We cannot forget them, consign them to oblivion whether they are still living or dead. We must expend our every effort to obtain an accounting for, and a release of, the 450 American men who were known to be in the hands of the Communists in the Far East. They have earned every right to their country's supreme effort on their behalf.

Mr. WRIGHT. Mr. Speaker, the 450 American military personnel taken prisoner by the Communists during the Korean war and neither repatriated nor accounted for by the Communists cannot and must not be forgotten by this Nation nor by the world.

The long, uncertain anguish of their families cries out not only for our sympathy but for our unremitting effort to secure an accounting of their fate.

For more than 4 agonizing years those who hold them dear, have sought in vain some word of their whereabouts, of their well-being, of whether they live, or lie in unmarked graves on some Chinese hillside, or linger in a subhuman state of semiawareness in a Red Chinese prison, the prey of brainwashing practitioners.

Reports of their having been seen alive in Chinese custody have filtered back through their repatriated buddies from the prisoner of war camps. That some of them lived, at least for a time, in the hands of their captors seems indisputable. Yet the ominous silence of the Chinese government is deafening.

That a government so patently unresponsive to human values should now be seeking respectability in the eyes of the world makes it the more imperative that we should renew our demands for a full accounting and for prompt repatriation of any of the 450 who live.

It once was said that, wherever an American goes on the earth, the American flag goes with him as a guaranty of his freedom and right treatment. That is one of the precious things of American citizenship. It must not be forsaken, nor must these 450 be forsaken or forgotten by their Government.

Mr. LANE. Mr. Speaker, I too, wish to associate myself with the members of the committee in their wholehearted support of this resolution offered today for our consideration.

In the first place, I wish to congratulate Congressman ZABLOCKI and his Subcommittee on the Far East and the Pacific for programing this matter for hearing before the committee on May 27. To me, this is a very important piece of legislation and one that merits the serious thoughts of the American people. I was privileged to appear before the subcommittee in behalf of my bill, House Concurrent Resolution 120, which is quite similar to the committee resolution, House Resolution 292.

I can only reiterate my remarks made at that important hearing in urging action in concentrating attention in liberating American hostages held captive by Red China.

From various reliable sources we piece together the tragedy of the hundreds of Americans taken prisoner during the Korean war, who are still held as captives by the Chinese Reds in cynical and contemptuous defiance of the Korean truce agreement.

The Communist mentality delights in crushing human rights, and in betraying its international agreements.

It tries, by a combination of confusion, mendacity, and exasperating delays, to "brainwash" individuals and governments into submission.

Quietly, but persistently, through the winding trails of international diplomacy, our Government is trying to effect the release of these men.

This is the traditional way of negotiation, that has its advantages and its pitfalls.

The unscrupulous Reds, schooled in the devious art of blackmail, are plainly trying to make a deal.

They may repatriate, or account for, some of these American prisoners, in exchange for concessions that would dishonor us before mankind.

That is the crux of the dilemma they have contrived.

They know that we will never rest until our fellow citizens are liberated. But they hope to wear us down so that we will abandon the moral position whereby we insist that these men be released because they are held illegally and, in securing their release by concessions, compromise ourselves beyond redemption.

What is the alternative?

There was a time when we were unafraid. In clear and explicit terms we would set a date by which these men must be released or else we would take positive action to free them.

With an eye to other dangers in the world of today, we practice caution.

We try, through the young and feeble influence of the United Nations, to reason with the Reds, and induce them to observe the standards of international law and order.

Meanwhile, our men are rotting in Communist compounds.

Perhaps the most oppressive punishment they are suffering is despair at the thought that their own Government may be only going through the motions on the merry-go-round of diplomatic notes and inconclusive conferences.

We soberly recognize the fact that the long-range hope of the world is an organization like the United Nations that will grow up to its responsibilities.

But how long will that take?

And what happens to American prisoners of war while the talks go on year after year?

I do not advocate an ultimatum to Red China demanding the release of these men and threatening to take military action if they fail to do so by a given date. I am sure that those most concerned, the relatives and friends of these unhappy prisoners would not expect us to take such drastic action even for a cause that is right and just.

But we are not satisfied with the results obtained to date.

Conferences and notes have bogged down in the weariness of routine. The Communists calculate that we will tire and forget. They see little mention of this issue in the American press. They believe that our moral imperatives will slacken, and end up in appeasement.

That is why I consider this resolution as essential to counteract certain false assumptions on the part of the Red Chinese regime.

I believe that it will strengthen the hand of our State Department by revealing through congressional action, the determination of the American people to press for the release of these men without shabby compromise.

Only on this firm moral basis, supported by American public opinion, can we convince the Chinese Reds that their policy of evasion, delay, and violation of the Korean armistice agreement, is bound to fail.

The United States of America has never acquiesced in actions by foreign nations which illegally deprive our citizens of their liberty.

And never will.

I am confident that the forthright and sustained adherence to these principles, as reiterated in this House resolution will help to break the present stalemate, and expedite the release of those Americans still held as prisoners of war by the Chinese Reds.

By serving notice on them by this resolution: "That it is the sense of the Congress that the President, through his own offices, and those of the Secretary of State and the Secretary of Defense, should continue to make the return of, or a satisfactory accounting for, the 450 American prisoners of war, a primary objective of the foreign policy of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER. Without objection, the resolution is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the resolution just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. WHITTEN. Mr. Speaker, I call up the conference report on the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 682)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 10.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 14, 15, 17, 18, 19, 20, 23, and 25, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the figure stricken out and inserted by said amendment insert "4"; and the Senate agree to the same.

Amendment numbered 1a: That the House recede from its disagreement to the amendment of the Senate numbered 1a, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$57,794,890"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert: "*Provided*, That the limitations contained herein shall not apply to $1,955,000 for the construction, alteration, and repair of buildings, and acquisition of necessary land therefor by donation or exchange, or at a cost not to exceed $5,000 for each facility"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$29,853,708"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$30,353,708"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$49,220,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$50,715,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$14,116,700"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,002,300"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,660,660"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum of "$73,545,000" named in said amendment insert "$72,545,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum of "$1,500" named in said amendment insert "$2,500"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum of "$350,000,000" named in said amendment insert "$325,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 12 and 24.

JAMIE L. WHITTEN,
FRED MARSHALL,
(except as to amendment 24),
WILLIAM H. NATCHER,
CLARENCE CANNON,
H. CARL ANDERSEN,
WALT HORAN,
C. W. VURSELL,
Managers on the Part of the House.

RICHARD B. RUSSELL,
CARL HAYDEN,
LISTER HILL,
A. WILLIS ROBERTSON,
By R. B. R.
ALLEN J. ELLENDER,
MILTON R. YOUNG,
KARL E. MUNDT,
HENRY C. DWORSHAK,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Amendment No. 1—Salaries and expenses: Limits building alterations to four percentum of the cost of the building, instead of three percentum as proposed by the House and five percentum as proposed by the Senate.

Amendment No. 1a—Research: Appropriates $57,794,890, instead of $48,994,890 as proposed by the House and $58,794,890 as proposed by the Senate. The amount agreed to provides an additional $1,000,000 for utilization research over the House bill.

Amendment No. 2—Research: Provides language for construction, alteration, and repair of buildings and acquisition of necessary lands therefor.

The laboratory in Mississippi is for work in the general field of hydraulic engineering with special emphasis on the entrainment, transportation, and disposition of sediment, shall be on the scale approved by the House, and shall be located as heretofore requested and justified before the Appropriations Committees of the House and Senate by the Department of Agriculture, to serve the needs of the Little Tallahatchie and Yazoo Watersheds, as well as the general research needs of the watershed treatment and flood-prevention programs of the Soil Conservation Service.

The conferees understand that such laboratory will be operated in cooperation with the University of Mississippi and Mississippi State College, in line with the general intent of the cooperative agreement entered into by the Department of Agriculture, the University of Mississippi, and Mississippi State College, which became effective August 1, 1956, for the operation of the present research project in this field.

The conferees agree that the laboratory designated for the Midwest in the Senate report should be constructed on the scale approved by the House and should be located in the Barnes-Aasted area of the North Central States as indicated in the House report and as supported by testimony of Department officials in subcommittee hearings held on September 24, 1956.

Amendment No. 3—Plant and animal disease and pest control: Appropriates $26,082,000 as proposed by the Senate instead of $25,682,000 as proposed by the House.

Amendment No. 4—Meat inspection: Appropriates $16,826,000 as proposed by the Senate instead of $16,586,000 as proposed by the House. The conferees direct that the additional funds agreed to be used to provide additional inspectors for new meatpacking plants.

Amendments Nos. 5 and 6—State experiment stations: Appropriate $30,353,708 instead of $29,503,708 as proposed by the House and $30,503,708 as proposed by the Senate.

Extension Service

Amendments Nos. 7 and 8—Payments to States, Hawaii, Alaska, and Puerto Rico: Appropriate $50,715,000 instead of $49,101,000 as proposed by the House and $50,865,000 as proposed by the Senate. The additional funds agreed to above the House figure should be used to expand the work of the regular extension agents. Not to exceed $250,000 of the increase should be used for the rural development program primarily in States which have not had such a program heretofore.

Agricultural Marketing Service

Amendment No. 9—Marketing research and agricultural estimates: Appropriates $14,116,700 instead of $14,041,700 as proposed by the House and $14,141,700 as proposed by the Senate. The conference committee directs that the additional work relative to the

weather crop reports and estimates of poultry laying flocks and egg production be performed within the funds approved.

Amendment No. 10—Marketing services: Appropriates $14,274,900 as proposed by the House instead of $14,324,900 as proposed by the Senate. The conferees are agreed that, since the livestock market at Sioux Falls, S. Dak., has recently been placed in category I, it deserves treatment similar to other markets in this category.

The conference committee has agreed that the reference in the Senate committee report was not intended to preclude research on truck transportation, but was intended to emphasize that care be exercised in the Department to make sure that research publications are impartial in dealing with the various methods of transportation, and to emphasize the need for a careful review of research projects undertaken as to essentiality and as to benefits to be derived therefrom by agricultural producers.

Foreign Agricultural Service

Amendment No. 11—Appropriates $4,002,300 instead of $3,902,300 as proposed by the House and $4,052,300 as proposed by the Senate. The conferees expect that the homeleave travel needs of this Service will be met within the total funds approved.

Amendment No. 12—Reported in disagreement.

Office of the Secretary

Amendment No. 13—Appropriates $2,660,660 instead of $2,640,660 as proposed by the House and $2,664,060 as proposed by the Senate.

Soil and water conservation

Amendment No. 14—Strikes House language establishing a combined appropriation for all soil and water conservation programs of the Department. Individual appropriations for all items involved are provided by amendments Nos. 15 through 22 which follow. The conferees are of the opinion that there are benefits to be derived from the consolidation of some or all of these appropriations, but feel that further consideration should be given to such a change. Accordingly, the Secretary is requested to study the matter and be prepared to discuss his findings with the House and Senate Appropriations Committees during consideration of the 1959 budget.

Soil Conservation Service

Amendment No. 15—Inserts heading.

Amendment No. 16—Conservation operations: Appropriates $72,545,000 instead of $73,545,000 as proposed by the Senate. The increase included in this amount is provided to furnish technical assistance to new soil conservation districts to be organized during the next year.

Amendment No. 17—Watershed protection: Appropriates $25,500,000 as proposed by the Senate.

Amendment No. 18—Flood prevention: Appropriates $13,220,000 as proposed by the Senate.

Amendment No. 19—Water conservation and utilization projects: Appropriates $350,000 as proposed by the Senate.

Great Plains program

Amendment No. 20—Appropriates $10,000,000 as proposed by the Senate.

Agricultural conservation program

Amendment No. 21—Appropriates $212,000,000 as proposed by the Senate, and limits amount to be received by any one participant to $2,500 as proposed by the House instead of $1,500 as proposed by the Senate. It is agreed by the conference committee that the change in this limitation should not affect present or future allocations under the basic formula governing the distribution of funds to States under this appropriation.

The amount appropriated, together with the balance of $38,000,000 available from the 1955 program, will provide the full $250,000,000 authorized for the 1957 program.

The conferees believe that the conservation reserve program should not be used to curtail existing programs, particularly the agricultural conservation program. It is understood from the Department's justifications and testimony that the 1958 agricultural conservation program will be continued on the same basis as the 1957 program. In agreeing to the funds for this purpose in the accompanying bill, the conferees direct that no changes will be made in the 1958 agricultural conservation program to restrict eligibility requirements or delete cost-sharing practices included in the 1957 program. Floods and drought conditions in much of the Nation make it imperative that all 1957 program practices be continued in 1958.

It is to be noted that the 1957 conservation reserve program is participated in by only 81,130 people at an estimated cost of $133,000,000, whereas the 1957 agricultural conservation program is participated in by 1,275,000 farmers at an estimated Federal cost of about $250,000,000.

The conferees recommend that the Department revise its method of securing recommendations for practices covered by the proposed advance authorization for the 1959 agricultural conservation program by securing recommendations for cost-sharing practices from county and State committees at the time the 1958 program is formulated. This should result in economy of program administration, more timely recommendations for formulation of a national agricultural conservation program for 1959, and should enable the Department to present any changes proposed in the 1959 program to the Congress during appropriation hearings next year.

Soil-bank programs

Amendment No. 22—Conservation reserve program: Appropriates $162,940,000 as proposed by the Senate and authorizes $325,000,000 for future programs instead of $250,000,000 as proposed by the House and $350,000,000 as proposed by the Senate. The conferees are of the opinion that, in determining individual payments, the Secretary should give careful consideration to the value of the land and the normal rental value as required by the Soil Bank Act.

Amendment No. 23—Changes heading.

Amendment No. 24—Acreage reserve program: Reported in disagreement. The managers on the part of the House intend to offer a motion to recede and concur with an amendment limiting payments to any one producer to $3,000 instead of $2,500 as proposed by the House and $5,000 as proposed by the Senate.

In the opinion of the conferees, acreage reserve contracts in 1958 should be limited to crops which would normally be planted on or before July 1, 1958, and all payments should be made on or before September 15, 1958. All contracts should require the participant farmer to cooperate in an effort to reduce his total production of the commodity or competitive commodity in the amount of the normal production of the acreage rented to the Government.

The Secretary is urged to reexamine the formula used to establish compensation rates paid to producers as provided by section 105 (a) of the Soil Bank Act to make certain that producer payments do not exceed fair and reasonable rates. The Secretary should provide State and county committees with clear-cut guides for setting local rates and should make certain that such rates are established in line with the intent of the act.

Commodity Credit Corporation

Amendment No. 25—Limitation on administrative expenses: Provides $35,396,000 as proposed by the Senate instead of $34,398,000 as proposed by the House. It is agreed by the conference committee that the additional $1,000,000 should be placed in reserve to be used under the same conditions as the 7-percent reserve already provided by the bill.

JAMIE L. WHITTEN,
FRED MARSHALL
(except as to amendment 24),
WILLIAM H. NATCHER,
CLARENCE CANNON,
H. CARL ANDERSEN,
WALT HORAN,
C. W. VURSELL,
Managers on the Part of the House.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman from Mississippi yield to me to ask a question of him at this point?

Mr. WHITTEN. I yield.

Mr. H. CARL ANDERSEN. Mr. Speaker, I would like to ask the chairman of our subcommittee a question or two to clarify some language in the conference report. I have reference to the language in the last paragraph on page 6 which has to do with the agricultural conservation program.

The wording of that paragraph appears to be quite restrictive and I hope that was not the intent. This is a farmer-administered program and the last thing we want to do, in my judgment, is to so legislate the program as to deny farmers the right they have always had to participate in the development of their own program. In addition, some of us are preparing to ask the Department to consider a program or practice change to meet the special conservation problems in the flood areas of Minnesota, Oklahoma, Arkansas, Texas, Louisiana, and other States. The door would be shut in our faces if this paragraph was interpreted to mean that the farmer-elected county committees and the Department of Agriculture could not deviate in any way from the 1957 program. Conservation needs change from year to year, and so do the practices. The flexibility of this program has been one of its most valuable assets and one which should not be impaired.

I hope this paragraph does not mean that the program is frozen, so to speak, for another year. That would be a bad thing for farm people and for American agriculture, and I would like the assurance of our chairman that this is not the case. I would like to ask the gentleman from Mississippi [Mr. WHITTEN] if it is not the intent of the conferees that no major or substantial changes be made in the 1957 program for the year 1958, but that we do leave sufficient flexibility and discretion in the hands of those administering the program so they can meet the demands of changing conditions.

Mr. WHITTEN. May I say to my colleague, the gentleman from Minnesota, that we certainly intend to retain to the farmers and to the local level, the right to make determinations within the overall catalog as to the practices which would apply to that section. The intent of the language is to announce that in the opinion of the conferees the same type of practices should be available to the States and at the local level in line with the justification before our respective committees and the prohibition is against the deletion at the Washington

level of certain practices. It does not in any way affect the right at the local and State levels to make determinations as to what practices suit their own purposes as they have had the right to determine in years past.

The gentleman from Minnesota is thoroughly familiar with the fact that each year we have a catalog of allowable practices issued by the Department. This directive in the report calls for a continuation of the program by the Department next year on the same basis as last year. It directs that the 1957 catalog be kept intact, but it in no way restricts farmers with respect to selection of local practices, from those included in the catalog.

In recent days there have been some reports that substantial deletions were planned in this program for 1958. It was to lead off deletions which came after our hearings were held that we put this language in the report. We were attempting to see that the program was kept available to farmers next year to the full extent it has been this year.

In the last paragraph we attempt to provide a procedure which, if followed, would prevent future misunderstandings from arising.

I thank the chairman.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. BASS of Tennessee. Is the gentleman familiar with a directive or memorandum from the Assistant Secretary, Mr. Peterson, directed to Mr. Paul Koger, administrator of the agricultural conservation program, which in effect deletes several of the soil conservation activities?

Mr. WHITTEN. I have heard of that directive, or what purported to be a directive, but I have not seen any official copy. I think that was written without knowledge on the part of the Department and the language which is in the conference report. I feel sure the conference report will have the support of the Department and that any such directive will be withheld.

Mr. BASS of Tennessee. Also the directive, according to the information I have, is in direct opposition to the stated practice or the proposed practice for 1958, as given to your committee by officials of the Department.

Mr. WHITTEN. It is, and as a result of the reported order, that language was included in our report.

Mr. BASS of Tennessee. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a list of the deletions in the program which would be brought about if this directive of Secretary Peterson is allowed to be put into effect. It would have the effect of deleting 84 percent of the soil conservation program for the State of Tennessee. I certainly hope that this report is strong enough to keep this directive from being put into effect by the Department of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

(The matter referred to follows:)

LIST OF CONSERVATION PRACTICES DELETED FROM THE 1958 AGRICULTURAL CONSERVATION PROGRAM BY ASSISTANT SECRETARY E. L. PETERSON'S MEMORANDUM OF JUNE 28 TO ACP ADMINISTRATOR PAUL KOGER

A-1: Initial establishment of a permanent vegetative cover in orchards and vineyards for control of erosion.

A-3: Establishment of additional acreages of vegetative cover in crop rotation to retard erosion and to improve soil structure, permeability, or water-holding capacity.

A-4: Initial treatment of farmland to permit the use of legumes and grasses for soil improvement and protection. (The basic liming practice.)

B-8: Installing pipelines for livestock water as a means of protecting vegetative cover.

C-3: Initial establishment of orchards, vineyards, bush fruits, strawberries, or perennial vegetables on the contour to prevent erosion.

C-13: Leveling land for more efficient use of irrigation water and to prevent erosion.

D-1: Establishment of vegetative cover for winter protection from erosion.

D-2: Establishment of vegetative cover for summer protection from erosion.

D-3: Establishment of vegetative cover for green manure and for protection from erosion.

The following conservation practices under the 1958 agricultural conservation program were to have various restrictions imposed upon them from the standards which had existed under the 1957 program.

A-2: Initial establishment of a permanent vegetative cover for soil protection or as a needed land-use adjustment.

A-7: Initial establishment of a stand of trees or shrubs on farmland for erosion control, watershed protection, or forestry purposes.

B-1: Improvement of an established vegetative cover for soil or watershed protection.

B-10: Improvement of a stand of forest trees for erosion control, watershed protection, or forestry purposes.

C-9: Constructing permanent open drainage systems to dispose of excess water.

C-12: Reorganizing irrigation systems to conserve water and prevent erosion.

F-2: County conservation practices.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. MAHON. I have been concerned about the soil bank program. I know the committee has had a very serious problem to consider here. As I understand it, you have a limitation on payments that can be made under the acreage reserve of $3,000?

Mr. WHITTEN. That is correct.

Mr. MAHON. There was no limitation for the 1957 crop year?

Mr. WHITTEN. That is my understanding insofar as the law is concerned.

CALL OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 134]

Abernethy	Diggs	Kluczynski
Adair	Donohue	McConnell
Allen, Calif.	Dorn, N. Y.	Madden
Anderson, Mont.	Fallon	Maillard
	Fogarty	Meader
Bass, N. H.	Frazier	Miller, Md.
Beamer	Fulton	Miller, N. Y.
Blitch	Garmatz	Minshall
Bonner	Granahan	Montoya
Bowler	Gray	Multer
Boyle	Green, Pa.	O'Konski
Brownson	Griffiths	O'Neill
Buckley	Gwinn	Philbin
Byrne, Ill.	Hardy	Polk
Byrne, Pa.	Harvey	Powell
Celler	Hays, Ark.	Rains
Chelf	Healey	Robeson, Va.
Christopher	Holtfield	Shelley
Chudoff	Holtzman	Siemiński
Coad	Hoeven	Taylor
Colmer	Ikard	Teller
Cunningham, Nebr.	Jennings	Thompson, La.
	Jones, Mo.	Thornberry
Davis, Tenn.	Kearney	Tuck
Dawson, Ill.	Kearns	Utt
Delaney	Kilburn	Willis
Dennison	Kirwan	Winstead

The SPEAKER. On this rollcall 351 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON EDUCATION AND LABOR

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that the Subcommittee on Education of the Committee on Education and Labor may sit this afternoon despite the fact that the House is in session, during general debate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. WHITTEN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: Page 10, line 8, insert the following: "*Provided further*, That provisions of the act of August 1, 1956 (70 Stat. 890-892), and provisions of a similar nature in appropriation acts of the Department of State for the current and subsequent fiscal years which facilitate the work of the Foreign Service shall be applicable to funds available to the Foreign Agricultural Service."

Mr. WHITTEN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. WILSON].

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a memorandum.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, I would like to speak about a development in connection with the agricultural conservation program which disturbs me considerably. On June 28 Assistant Secretary of Agriculture E. L. Peterson directed a memorandum to Paul Koger, Administrator of the Agricultural Conservation Program Service, dealing with the proposed 1958 national agricultural conservation program. As the House knows, a national handbook for the ACP is published each year in the Federal Register just as soon as the President signs the Department of Agriculture appropriation bill in which funds are authorized for the program for the following year. The States then proceed to formulate their individual programs within the framework of the national program.

Through the years it has become customary for those in direct charge of the ACP to submit the docket to the Secretary of Agriculture based on the recommendations of the respective State committees within the overall policy limitations as outlined by the departmental officials before the House and Senate Appropriations Subcommittees handling the agricultural bill. According to the letter from Mr. Peterson to Mr. Koger, which I am inserting in the RECORD at the end of my comments, Mr. Koger submitted the 1958 ACP proposal to Mr. Peterson on June 6. I have been reliably informed that instead of telling Mr. Koger from June 6 until June 28 that his proposal was not in line with the departmental policies and therefore should be revised, Mr. Peterson summarily handed Mr. Koger on June 28 a lengthy memo with specific orders to make deletions and changes. The memo closed with:

> I will be glad to approve the proposed docket when amended to incorporate the suggestions set forth above.

While this in itself is peculiar administrative procedure and shows a strong lack of confidence by Secretary Peterson in Mr. Koger, it is not the point with which I am mostly concerned. Through the years there has been considerable controversy over the agricultural conservation program. We have had lengthy debate on this floor not only as to the merits of this program but as to the scope that should be authorized each year. While it originally started out at $500 million a year and at one time dropped to $150 million a year, the amount has recently been stabilized at $250 million a year. Furthermore, the program itself has had its scope fairly well stabilized in recent years. Although I was certain that there had been no indication of any controversy either as to the amount of funds or the scope of the program when the agricultural appropriation bill appeared before the full Appropriations Committee, of which I am privileged to be a member, I decided to review the hearings before the subcommittee. Both Mr. Peterson, the Assistant Secretary of Agriculture, who is in direct charge of the Department's conservation agencies, and Mr. Koger, Administrator for the ACP, indicated in their supporting statements for the President's budget request for $250 million for the 1958 agricultural conservation program that the program for 1958 would be continued without any basic change.

The following quote is taken from Mr. Peterson's statement which appears on page 1863 of the hearing:

> Mr. Chairman and members of the committee, it is a pleasure to discuss the budget request of the agricultural conservation program service. This program of cost sharing with land owners or operators for the application of practices to protect their soil resources is, we believe, an important one. • • • The farmer or rancher cannot, or will not, always be able to exercise the judgments required by considerations of conservation because of the more immediate impact upon him and his family of economic circumstances. • • • In all the many circumstances of land used there is, however, a public interest that the productive capacity of the land be retained and improved. Foreseeable needs for water, food, fiber, wood, and materials for industry place urgencies upon the application of conservation practices and uses to our land area, greater than are likely to be accomplished without public effort. ACP is a part of that effort which now covers a wide range of activity—education, research, technical assistance, credit and cost sharing.

Following Mr. Peterson's presentation ACP Administrator Koger explained the operations of the 1957 program and the proposals for 1958. At no time during any of the presentations by the United States Department of Agriculture officials was there any serious question concerning the present ACP. The report showed that over 1,140,000 farms throughout the Nation had participated in the 1955 ACP and that the efforts of the Department were being directed toward making the program more effective.

For example, Mr. Koger said:

> Most of the other changes are designed to provide greater authority for local adaptation of program and practice provisions, fully within the general program principles, including the establishment of rates of cost sharing considered necessary by State and county groups to get the desired level of performance of needed conservation.

At a later point Mr. Koger said:

> It is contemplated that the 1958 program will be continued at the same level and scope as the program authorized for 1957.

Similar statements were made before the Senate Appropriations Subcommittee on Agriculture with no indication of any kind being given that any major change would be made either in the practices or the payment rates. In view of these statements it is extremely difficult for me to understand how Assistant Secretary Peterson can now send a memorandum to the Administrator of the agricultural conservation program and ask him to delete nine of the soil building practices which have proven to be the most popular with the more than a million farmers who are participating in this program. This memorandum also drastically restricts several other practices.

According to the Department of Agriculture's participation figures for 1955, the last year for which the reports are available, the practices which Mr. Peterson directed Mr. Koger to eliminate from the 1958 agricultural conservation program were those used by Indiana farmers to earn 76 percent of their payments during that year.

In other words, Mr. Peterson would now eliminate 76 percent of the agricultural conservation program in the State of Indiana without giving us any warning, without consulting with the Indiana State Committee, without consulting with the democratically elected county committeemen in all Indiana's counties, and without advising Congress. I am reliably informed that between 50 and 60 percent of the present ACP program nationwide would have been eliminated if this memorandum were allowed to stand. For example, 83 percent of the program in Vermont would be eliminated, 92 percent in the State of Alabama, 82 percent in the State of Illinois, 62 percent in Minnesota, and so forth. I can not help wondering if the original plan to bring the agricultural appropriation bill before the House Friday, June 28, did not figure in Mr. Peterson's plan of not issuing his drastic memorandum to Mr. Koger until late that afternoon. If the Congress had passed the agricultural appropriation bill that day, it would have been extremely difficult to have prevented Mr. Peterson carrying out his plan to greatly restrict the agricultural conservation programs without clearing them with Congress.

It is indeed fortunate that copies of this secret memorandum were made available to the conferees early last week and that they were able to include in their report last Friday the language which precludes Mr. Peterson from carrying out his attempt to ruin the agricultural conservation program. I, for one, would like to raise the question as to whether Mr. Peterson's efforts not only to mislead Congress but to circumvent its wishes aren't sufficient justification to ask for his resignation. He seems to be totally incapable of understanding our democratic practices of government and apparently believes that any means to secure the executive branch's wishes are justifiable.

I want to compliment the conferees for seeing to it not only that Mr. Peterson's drastic changes in the 1958 program cannot be put into effect, but also for directing that any changes in connection with the 1959 program be presented to the Congress at the time the authorization for the 1959 program is justified.

PROPOSED 1958 NATIONAL AGRICULTURAL CONSERVATION PROGRAM

PAUL KOGER,

Administrator, Agricultural Conservation Program Service:

The proposed 1958 agricultural conservation program which you transmitted to this Office on June 6, 1957, has been carefully reviewed. I believe some revisions are desirable.

It is requested that you proceed immediately with the modifications as indicated herein. A number of changes are for the purposes of clarification of intent. Others

are substantive with respect to the practice and cost-sharing provisions of the proposal.

We have previously discussed those features of the program, such as drainage and irrigation, which would without limitations tend to result in new land being brought into production. I have concurred in principle, but with some modification in wording, with the limitation you have proposed. There were proposed, however, other practices largely of a temporary or recurring nature which resulted in the stimulation of agricultural production at a time when other programs of the Department are aimed at reducing the production of surplus crops. To be consistent with such program objectives, it is necessary to modify the 1958 agricultural conservation program. Further, it is not considered proper policy to provide cost sharing for practices which are normally a part of good farm or range management.

In keeping with this position, the comments hereafter are referenced to specific paragraphs of the proposal.

1101.901: General program principles, item (g). The last sentence of this paragraph should be changed to "the State and county programs shall specify the life span of eligible practices. Cost shares are not applicable after they are initially utilized to undertake a practice during the normal life span."

1101.903: County funds. This paragraph should be stated as follows: "The State committee will allocate the funds available for conservation practices among the counties within the State consistent with the needs for enduring conservation in the counties within the State and will give particular consideration to the furtherance of watershed conservation programs sponsored by local people and organizations."

1101.904: This section should be rewritten for clarification. Beginning with the second sentence, it should be stated substantially as follows: "The State AC program development group shall consist of (a) the State committee (including the State director of extension), (b) the State conservationist of the SCS, and (c) the Forest Service official having jurisdiction of farm forestry in the State. The State AC program development group shall invite participation of representatives of (a) president of the land-grant college, (b) the State director of the Farmers' Home Administration, (c) the State soil conservation committee (board or commission), (d) the State Agricultural Extension Service, and (e) representatives of other State and Federal agricultural agencies. The program for the State shall be that recommended by the State AC program development group and approved by the Administrator, ACPS, after obtaining the recommendations of the Soil Conservation Service and the Forest Service."

1101.905: This section should be rewritten consistent with 1101.904 as modified. Clarify and make specific as to committee references.

1101.906: The words "in the desired volume" should be stricken from the paragraph.

1101.907: Item (b). The phrase "consistent with recognized performance standards and program policies and requirements" should be rewritten to make clear its intent.

1101.908: Incorporate a proviso that eligible seeds or combination of seeds for vegetative practices shall include a legume or legumes where recommended by the State experiment station.

Does the term "where applicable" in item (b) mean "appropriate"? Wording should be clarified.

Reference to 1101.952 will need to be changed since practice A–4 is to be eliminated from the practice list.

1101.909: This section must be revised to provide that no lime or fertilizer will be eligible for cost sharing except as a component part of an authorized practice. Also, it must provide that no payment will be made for lime or fertilizer separately from other components of an authorized practice.

The term "State committee" as used in item (a) should be clarified as the State AC program development group.

Item (b). Make wording clear that liming materials except as a part of vegetative practice are not eligible for cost sharing. Delete the remainder of the sentence following the statement: "The application of manure will not qualify for Federal cost sharing."

1101.910: Item (a). There is to be added to the practices for which the Soil Conservation Service is responsible for the technical phases, practices A–8 and A–9 with appropriate paragraph references. References to other practices should be made consistent with the changes in the practice list as indicated herein.

A final sentence is to be added to this item, as follows: "The Soil Conservation Service will utilize to the full extent available resources of the State forestry agencies in carrying out its assigned responsibilities for practice A–8."

Item (b). The last sentence is to be changed by adding to it the following: "• • • but services of State forestry agencies will be utilized to the full extent if such services are available."

1101.911: Item (a) is to be revised essentially as follows: "The general rate of cost sharing shall not be in excess of 50 percent of the costs of performing any practice on the basis of average costs for the county. For stipulated practices of a permanent type the AC program development group may establish a higher rate of cost sharing, not to exceed 65 percent, where conservation benefits are found to be substantial, long lived, and economic benefits from the practice are remote or spread over a long period of years."

Item (b). Average rates of cost sharing are to be established on a county basis.

1101.914: Add two sentences to the end of the paragraph as follows: "No practice may be approved for cost sharing except as authorized by the National, State, or county program or in accordance with procedures incorporated therein. Available funds for cost sharing shall not be allocated on a farm or acreage-quota basis but shall be directed to the accomplishment of the most enduring conservation benefits attainable."

1101.915: This section is to be revised to provide that cost sharing will be available only for complete practices. No cost sharing is to be made available for components of practices.

1101.924: Revise the paragraph to provide that components are not eligible for cost sharing but that 1958 funds may be obligated for a practice to be completed in the 1959 program year if circumstances justify.

CONSERVATION PRACTICES

The following practices are, for reasons stated in this memorandum, to be deleted from the 1958 program: A–1, A–3, A–4, B–8, C–3, C–13, D–1, D–2, and D–3.

The following practices are to be modified as indicated:

A–2. Delete the provision for cost sharing for fences.

A–7. Change the title of the practice to "Initial establishment of a stand of trees or shrubs on farmland for other than agricultural purposes." Delete the provision for cost sharing for fences.

B–1. Delete the word "annual" from the third sentence.

B–2. Change the title to "Improvement of vegetative cover on rangeland by artificial reseeding of deferred grazing."

B–4, B–5, B–6. Combine into one practice with parts 1, 2, and 3.

B–10. Change the title of the practice to "Improvement of a stand of trees on farm or ranch lands for other than agricultural purposes." Delete the provision for cost sharing for fences.

C–9. Revise the third sentence as follows: "No Federal cost sharing will be allowed for ditches which are to drain land which was not devoted to the production of cultivated crops or tame hay during at least 2 of the 5 years preceding the year in which cost sharing is allowed, or for cleaning ditches, or for structures installed for crossings, or for other structures primarily for the convenience of the farm operator."

C–12. Revise the third sentence as follows: "No Federal cost sharing will be allowed for reorganizing an irrigation system which results in bringing new land into agricultural production or for reorganizing a system which was not in use during at least 2 of the preceding 5 years.

F–2. Add a sentence to this paragraph as follows: Approval by the Administrator, ACPS, of a practice for one county does not constitute authority for extending the practice to other counties without such approval.

The following practices are to be added as indicated:

A–8. Initial establishment of a stand of trees or shrubs on farm or ranch land for agricultural purposes. Agricultural purposes will include protecting farmlands from wind and water erosion by windbreaks, shelterbelts, stabilizing gullies and stream banks and other critical silt-source areas, improving wildlife habitat, and similar-type actions to protect soils of farmlands from deterioration.

A–9. Establishment of vegetative cover for the purpose of adjustments in the use of farmlands for production of farm commodities in association with wildlife habitat improvement.

I will be glad to approve the proposed docket when amended to incorporate the suggestions set forth above.

E. L. PETERSON,
Assistant Secretary.

The SPEAKER. The question is on the motion offered by the gentleman from Mississippi.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24: Page 28, line 9, strike out "*Provided*, That no part of this appropriation shall be used to formulate and administer an acreage reserve program with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of $2,500 with respect to the 1958 crops" and insert "*Provided*, That not to exceed $34,500,000 of the total sum provided under this head shall be available for administrative expenses: *Provided further*, That no part of this appropriation shall be used to formulate and administer an acreage reserve program which would result in total compensation being paid to producers in excess of $500,000,000 with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of $5,000 with respect to the 1958 crops."

Mr. WHITTEN. Mr. Speaker, I offer a motion which is at the Clerk's desk.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows: In lieu of the sum of $5,000 proposed in said amendment insert "$3,000".

Mr. WHITTEN. Mr. Speaker, I would like to take a moment here to point out that in the report on page 5 in connection with the Extension Service, language appears to the effect that the increase above the House figure was to "expand" the work of the regular extension agents. The intent of the conferees is that the word "expand" be interpreted to include the word "strengthen." In fact, "strengthen" was the original purpose. I would like for the purpose of clarification to say here that it is the intent of the conferees that the word "expand" be used to include strengthen.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I would like to resume the colloquy I was having with the gentleman from Mississippi prior to the quorum call. No doubt there have been many abuses in the administration of the soil-bank law and I have no desire to defend these abuses. In fact it has become quite clear that the soil bank, while theoretically attractive, is not the answer to our agricultural problems.

I would like to discuss the pending provision for I am very much disturbed about the $3,000 limitation on the acreage reserve program. This will vitally affect many producers in various areas of the Nation, especially some of those in the area in which I live. I would just like to know if there has been any possibility that this restriction could have been omitted, leaving this matter up to the people who administer the program. The amount of the soil-bank payment should depend upon the facts and circumstances in each individual case and not upon some arbitrary dollar limitation. The program should be fair to both the small and the big producer.

Mr. WHITTEN. May I say to the gentleman from Texas that there was a limitation both in the House bill and in the Senate bill. In the House bill it was $2,500 and in the Senate bill it was $5,000. So, definitely the conferees were tied between those two levels. So far as the figure that appears here now, this figure, I think, and I refer to the general sentiment of the House and Senate, was based largely upon what happened in the last year in certain areas of the country. Apparently, the temper of the membership of both the Senate and the House was that a restriction should be placed on the total amount of any one payment. I may say to the gentleman that investigations are being made at the present time and, according to earlier reports, I think we will clearly see that in the interest of supporting a sound agriculture and a sound agricultural program for the future, a whole lot of things that have been going on should certainly be brought in line and certainly that is what this report attempts to do.

Mr. MAHON. I would like to ask the gentleman this further question, Mr. Speaker. The gentleman from Mississippi is the best informed man in the House in this field of agricultural appropriations. The people are making up their minds as to whether or not they want to see the soil bank continued. If the people in certain areas are confronted from here on out with a limitation of say $2,500 or $3,000 for acreage reserve payments, they may come to one conclusion. If the program is more elastic to fit varying conditions throughout the Nation, I think they might come to a different conclusion. My question to my friend from Mississippi is this: In his judgment, will the Congress and the country continue to support a limitation in the area of $3,000 or $4,000 for acreage reserve payments under the soil-bank program?

Mr. WHITTEN. I think the history of agricultural legislation shows that it does not take more than 2 or 3 years for limitations to get written into the agricultural program. The gentleman is familiar with the agricultural conservation program, in which it becomes more restricted year by year, until this year there was some recognition of the change. But, by and large, any time you have payments provided, you are going to have restrictions written, judging by the past. In actuality, I think the soil-bank program clearly requires that, because the general intent is that for the payments the farmer participants would reduce their production. The information before us is that last year a number of farmers rented some land and increased production on other lands and defeated the very purpose of the act, and we find the Government is out tremendous amounts of money. So I think any program of this nature will have restrictions, if I judge the temper of the Congress correctly.

Mr. MAHON. Can the gentleman state whether there is a growing sentiment within the committee, as far as he knows, for a limitation on loan amounts, under the loan program for supported crops? There has been some apprehension in certain quarters that limitations such as this might be placed on the loan program for wheat and corn and cotton.

Mr. WHITTEN. That would be more properly considered by the legislative committee, I should think. I know of no such sentiment in my own committee.

Mr. MAHON. I thank the gentleman.

Mr. BREEDING. Mr. Speaker, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. BREEDING. Does this limitation of $3,000 apply to a landowner's holdings or to the producer on his land?

Mr. WHITTEN. The limitation is to any one producer; I believe that is the word that is used. That determination would be in line with the definition of producer in the basic act. Personally, I would be of the opinion that it had to do with normal operations on the farm. If a place had been in 2 divisions for some time, it likely would be held to be 2 producers. If on the other hand a big operator were to divide his property out, so as to have 10 people farming the same land that he did last year, I think that likely would be held to be for the purpose of defeating the restriction in the act and would not be proper.

Mr. BREEDING. I have one constituent who has 50 tenants. Does this landowner receive only $3,000, or would he receive a portion or payment, for each of those 50 tenant-operated farms?

Mr. WHITTEN. It would be my thought that he would be one producer and would get a limitation of $3,000, but I would not want my expression here to in any way change the general definition of "producer" under the basic act. But that would be my understanding of it.

Mr. BREEDING. I would like to make this further remark, that if we put this limitation on at $3,000, it will automatically cut out 40 percent of the operators in the summer fallow wheat producing area of the United States from participation in the soil bank.

Mr. WHITTEN. May I add that some of the examples that have been brought to our committee would lead to the belief that somebody should be cut out. It is very bad in some areas. We have evidence where land has been sold without any downpayment and then rented to the Government for much more than the land is worth, and the seller has required transfer or an assignment to him of two-thirds of the Government payment. So you wind up with the Government getting little or nothing and the seller gets about twice the value of his land. The tenant gets something because he was not out any downpayment to start with. These restrictions have come into this bill after we have had quite a bit of information with reference to the excesses both last year and this year.

Mr. BREEDING. I am sure that is true in many cases. I do not pretend to protect any one who is trying to defeat the intent of the Soil Bank Act, but I happen to come from an area in the United States where there are large operators.

Mr. WHITTEN. The House voted to cut out the soil bank after this year on a very close vote. The Senate provided a limitation of $5,000 and the House, $2,500, and then of course the House killed the program after this year. In view of those two actions by the Senate and the House, including this $5,000 limitation and the action of the House with $2,500 limitation, the conferees agreed on what appears to me to be a reasonable solution of the problem, at least as reasonable as we could agree upon.

Mr. BREEDING. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

WHEAT PROBLEM SHARPENED

Mr. BREEDING. Mr. Speaker and distinguished colleagues, I would like to make a few remarks here today about the conditions existing in Kansas pertaining to wheat production and the limitations of the soil-bank program as proposed by the conference committee.

The 1957 Kansas wheat crop is being estimated at between 60 and 90 million bushels.

One thing is overwhelmingly certain: No one has done more than the Kansas wheat farmer to solve the Government's wheat-surplus problem. Admittedly, he has not done it altogether deliberately, and the Lord deserves most of the credit. But the facts are there.

Just 5 years ago, the State produced over 300 million bushels of wheat. This year it is producing one-sixth as much.

If any other State in the Nation has had a five-sixths reduction in the output of its major industry in half a decade, I have yet to hear about it.

The spring rains threatened for awhile to ruin our record and give us a sizable crop. But Kansas weather took care of that. It rained too much.

So Kansas has done her part for the United States of America, raising less wheat as patriotically as she raised more wheat for the red, white and blue during World War II.

And what is to be our reward?

There is still a wheat surplus. Kansas cannot be blamed for it. But Kansas still will pay for it. Subsoil moisture has been restored. The seedbed for the 1958 wheat crop should be the best since 1951. But it will be a narrow bed. Acreage allotment for the State is virtually the same as for the past year.

To be sure, the Kansas farmer will be paid for wheat he does not plant, with soil-bank checks; but the payments will not look nearly as good in the face of a good wheat year, as they did against this year's drought prospects.

The legend, "The wheat State" on the license plates, will continue to look a little ironic.

AIM AT SCARCITY

The Government's agricultural program is based on a premise of overabundance. It has been aimed at making wheat scarce when it was already too scarce in Kansas. Now that the prospect is for wheat abundance in Kansas, the Government-imposed scarcity will, from all indications, continue.

Kansas must continue to fight for the right to raise more wheat—the crop it raises best. This was something of an academic problem in the past few years, when we could not raise much anyway, because of drought. But it is a real goal now.

There have been numerous suggestions for reaching the goal: The Wheat Commission's project to find more uses for wheat, thus increasing the demand; the elimination of the "15-acre wheat farmer"; the limiting of the commercial wheat producing area to regions like Kansas.

Whatever the answer, it needs to be pursued even more vigorously than before.

The end of the drought did not solve our problem; it merely sharpened it.

In the June 1, 1957, issue of Doane's Agricultural Digest is a page entitled "This Month in Washington." This article mentions, and I quote:

Another point stressed was that large operators were receiving checks of from $25,000 to $40,000 for keeping land out of production. To guard against this the House wrote in a stipulation that Soil Bank checks will be limited to $2,500 per farm. Even if the acreage reserve is reinstated for 1958, you can expect this directive to stick. The big fat checks are a thing of the past.

If this becomes a true prediction, then the acreage reserve program for 1958 as I see it, will for all practical purposes of accomplishment be out in the summer fallow wheat belt in the United States, because a $3,000 limitation per farm, would prohibit over 40 percent of all operators from participating.

To put this limitation on our wheat farmers would remove all incentive to cut production in the summer fallow wheat area. I realize that during the debate on the acreage reserve program, much bitterness was displayed. Time and again my colleagues would point out how inequitable the program was. I think the main illustration used was that each New Hampshire farm received an average Soil Bank allocation of $1.37, while Kansas farms received an average allocation of $700 per farm. This, of course, is political thinking in the area where they had the vote.

For the purpose of explaining my position let me give you this true example:

Under the 1957 acreage reserve program, this company is owner of 300,000 acreas of wheatland, and allocated to this 300,000 acres was approximately 100,000 acres of 1957 wheat allotment. All of this land, of course, is rented to tenant operators on the basis of one-third or one-fourth of the crop delivered to market. Through their tenants, 80,555 acres of the 1957 allocated wheat allotment was placed in the acreage reserve. In other words, they were participating over 80 percent, and the heaviest participation is in the western part of Kansas and the eastern part of Colorado where these holdings are located, running as high as 97 percent in certain counties. This 300,000 acres was rented to approximately 500 tenants and consisted of approximately 650 units.

As I mentioned before, farm units in western Kansas and eastern Colorado are much larger than other parts of the United States, and more than 40 percent of the tenant operators and owner operators would be eliminated if the acreage reserve is limited to $3,000.

Also, as I mentioned before, with this limitation, it would be impossible for this company to participate in the program. They would have to take steps to see that their tenants did not sign up any of this land for the fall of 1958.

In this type of operation, in order to pay the taxes on the land, supervise and produce, there are expenses that must be met. If the total to be received under the soil bank for 80,555 acres were only $3,000 this company would soon go bankrupt. For example, their real estate taxes in Kansas and Colorado are approximately $100,000 and they will pay back to the Federal Government in income taxes better than 52 percent of any amount received.

My area of the country is particularly suited to large operations because of the contour of the land and the climatic conditions. It is not uncommon for one operator to farm 10 to 20 quarter-sections of land. If this provision of $3,000 per farm is retained I think it will defeat the farm program considerably. There would be more production than ever on the part of the large operators in the high plains area, not only in my State but in many surrounding States.

I am very much opposed to the $3,000 limitation, or any kind of a limitation. I realize that we get our production not from individual farmers, as this provision would make it mandatory, but our reduction comes from reducing production under acreage controls and should be kept on this basis rather than on a restricted individual basis.

It is my sincere hope that you remove any restrictions for individual farms. If you are unable to remove the limitation provision entirely I would suggest that you make the limitation more liberal.

Mr. VANIK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, I want to take the opportunity to oppose amendment No. 22 in the conference report accompanying H. R. 7441. This amendment appropriates $162,940,000 for the soil bank program and authorizes $325 million for future programs.

The soil bank program, as administered, has failed to make any substantial or worthwhile contribution to the increase or stability of farm income. This dole to the farmer will produce nothing more than a half-billion-dollar headache for the American taxpayer.

Mr. McGOVERN. Mr. Speaker, I am supporting the proposed Department of Agriculture and Farm Credit Administration appropriation bill, 1958, as modified in the conference report. I support this bill not because it meets with my approval on all counts but because it is probably the best bill that we can pass at this time.

I have believed from the very outset that those who view the soil bank as a complete answer to the farm problem are mistaken. Early in 1956 when the soil bank plan was being debated, I said publicly that it could not serve as a substitute for a farm parity support program. The experience of the past year has confirmed my earlier judgment.

I have always believed as I do now that the soil bank principle should be used as a supplement to the farm parity program, not as a substitute. Farmers must be assured of a fair price for their commodities before we can expect them to cooperate in any effective program of crop limitation.

I voted for the extension of the soil bank appropriation for 1958 when it was on the House floor some time ago. I vote for it again today. I do so with the determination to renew my efforts for a price-support program on farm commodities that will assure farmers at least 90 percent of parity.

I am proud of the fact that the overwhelming majority of the members of my party in the Congress joined together to pass just such parity legislation a year ago. It is regrettable that the President vetoed that legislation. It is equally regrettable that the Secretary of Agriculture has refused to use his authority to support farm commodities at the 90 percent of parity level. Nevertheless, the Congress should renew its efforts to pass such legislation again in the hope that the President may see fit this time to change his mind and sign such a measure into law. Any such program should, of course, be geared primarily to the needs of the family size farmer.

I intend to devote a great part of my time and effort in the Congress to the continuing fight for an improved farm program. It is ridiculous that at a time

of great national prosperity farmers should be experiencing economic hardship and painful insecurity.

During the balance of this session of Congress and again in 1958, I intend to bring the farm problem to the attention of the Congress in a series of weekly speeches until such time as this critical national problem is satisfactorily resolved.

Mr. STAGGERS. Mr. Speaker, I want to congratulate the conferees on their action in connection with H. R. 7441, the Department of Agriculture appropriation bill for the fiscal year ending June 30, 1958, and especially to commend the Honorable EARL WILSON, of Indiana, for his enlightening and comprehensive discussion of this very important bill. I hope that every farmer in West Virginia will read Mr. WILSON's statement. Of particular interest to farmers in West Virginia who have been utilizing the agricultural conservation program to carry out soil-building and soil-conserving practices on their farms is the committee's action directing the Department of Agriculture not to make any change in the 1958 program from what it was in 1957.

Mr. Speaker, I was just as shocked as my colleagues who have spoken before me were when I received a copy of the secret memorandum from Assistant Secretary Peterson to ACP Administrator Koger deleting nine practices, which in essence have been the practices which the majority of farmers have utilized in their soil-improvement work, and restricting many others. It is a little hard to reconcile Mr. Peterson's action taking out these practices which comprised nearly 60 percent of the payments to the one-and-a-quarter million farmers participating in this program in 1955 with his statements before both the House and Senate Appropriations Subcommittees. According to the official hearings of these committees, he committed the Department of Agriculture to continue the 1958 program in the same general manner in which they proceeded in 1957. For him to issue this directive at this late date after Congressional action was nearly completed and in direct opposition to the specific recommendations received from the various committees throughout the Nation is questionable procedure. The recommendations from my State of West Virginia were that no major change be made in the 1958 program over the 1957, and I have been reliably informed that this was the pattern throughout the Nation.

This administration has tried repeatedly to drastically curtail this program ever since they have been in power. There has never been a national program which has reached so many farmers and received such universal support. There is no excuse for such action as Mr. Peterson has taken of trying to reduce by administrative directive what they have been unable to sell Congress to do legislatively in previous years.

I want to congratulate the conferees again and I am glad to have the assurances of the chairman that he feels that the Department will withhold this directive.

Mr. AVERY. Mr. Speaker, I should like to make a few observations with respect to soil and water conservation in the State of Kansas. The farmers of Kansas generally are becoming more concerned about conserving their soil and water resources. Weather conditions of recent years have forcefully brought home to them some fundamental facts, especially in regard to water conservation.

Farmers who have installed permanent soil and water conservation systems on their land have found that their conservation work has paid dividends in both dry weather and wet weather.

During the drought years they found that their permanent conservation measures helped to capture and hold the little rain that did fall. Consequently, crop yields were better and their land was less subject to damage from wind erosion.

In this year's wet weather they found that their conservation farming systems induced greater insoak of moisture and carried the excess water from heavy rains off of their fields in an orderly manner with less damage from water erosion.

Understanding of these basic facts in my home district has resulted in a tremendous interest in water conservation. There is more interest today than ever before in installing conservation farming systems on individual farms and upstream watershed protection for entire communities.

The soil and water conservation services available from the Department of Agriculture for helping farmers to install permanent conservation measures are a real help to the farmers in my district. They are receiving highly valuable technical assistance through local soil conservation districts. They see great potentials in the new upstream watershed protection program.

It was because of local need that I supported the amendments to the Hope-Aiken Act in the 84th Congress, and have introduced H. R. 7756, to further amend the Hope-Aiken Act in the 85th Congress, in order that the intent of Congress can be carried out for developing upstream flood prevention projects such as the Walnut Creek project in Brown County, Kans. They appreciate the fact that in Kansas our policy is to emphasize ACP cost-sharing practices directed toward the installation of permanent conservation farming systems and the treatment of small watersheds.

I want to pay tribute to a man down in the Department of Agriculture who has an important responsibility for the policies under which these services are administered. I am referring to Ervin L. Peterson, Assistant Secretary for Federal-States Relations. He has proved himself to be a national leader in soil and water conservation.

Since Mr. Peterson has been in office he has given intensive attention to conservation matters. He did something, that in my opinion, more administrators should do. Soon after he was appointed he went out over the country and talked with farmers about their soil conservation problems. He saw for himself the work that farmers are doing. He learned from farmers what they think of soil conservation and what they need in the way of help.

Kansas was one of the States that Mr. Peterson traveled thoroughly. I am proud of the permanent conservation work that he saw on the land in Kansas. And I know Kansas farmers are proud of it, too.

I know, too, that what Mr. Peterson learned from farmers around the country has been reflected in the soil and water conservation policies of the Department of Agriculture. Under those policies farmers are getting more help than ever before in installing permanent conservation systems.

On behalf of the farmers of Kansas, I am taking this occasion to commend Ervin L. Peterson for the outstanding leadership that he is giving to the soil and water conservation movement in the United States. I am only hopeful that comprehensive watershed development can proceed under the Hope-Aiken Act as was originally prescribed by Congress.

The SPEAKER. The question is on the motion of the gentleman from Mississippi.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO ACCEPT A FOREIGN DECORATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8594) to authorize the Honorable ALBERT P. MORANO, Member of Congress, to accept and wear the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Honorable ALBERT P. MORANO, Member of Congress, is authorized to accept the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes, together with any decorations and documents evidencing such award. The Secretary of State is authorized and directed to deliver to the Honorable ALBERT P. MORANO any decorations and documents evidencing such award.

SEC. 2. Notwithstanding the provisions of section 2 of the act of January 31, 1881 (5 U. S. C., sec. 114), or any other provision of law, the Honorable ALBERT P. MORANO may wear and display the decoration referred to in the first section of this act after acceptance thereof.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

INSPECTION OF POULTRY AND POULTRY PRODUCTS

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 304.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. After general debate which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may consume.

The SPEAKER. The gentleman is recognized.

Mr. TRIMBLE. Mr. Speaker, House Resolution 304 provides for the consideration of H. R. 6814. The resolution provides for an open rule and 2 hours of general debate on the bill.

H. R. 6814 establishes a compulsory inspection by the Federal Government of poultry and poultry products in interstate commerce and in major intrastate consuming areas designated by the Secretary of Agriculture.

The bill requires ante mortem inspection where and to the extent the Secretary deems necessary and requires post mortem inspection of each carcass in plants processing poultry and poultry products.

Sanitary regulations are to be set up by the Secretary for the purposes of the act, and inspection services will be refused processing plants failing to meet the requirements. Containers of poultry products inspected and found wholesome are to be labeled in accordance with the provisions of the bill.

H. R. 6814 does not regulate the handling, shipment, or sale of live poultry and does not apply to poultry processors engaged in intrastate commerce, except, as I have stated, in major consuming areas designated by the Secretary of Agriculture in accordance with the provisions of section 4 of the bill. Also, the bill does not apply to the processing or sale of egg or egg products or game birds. Exemptions are provided for producers who process their own poultry for sale direct to household consumers. The Secretary is also authorized to grant exemptions under certain circumstances to retailers and processors within certain urban areas, and poultry processed in accordance with religious dietary laws.

Prohibited acts are listed in the bill. It also provides for the imposing of injunctions to restrain violations, but does give the Secretary discretion to issue warnings in lieu of criminal or injunction proceedings.

If enacted, no person shall be subject to the act prior to January 1, 1959.

It is estimated that the cost of the program when fully in effect will be approximately $10 million annually.

I urge prompt adoption of this resolution so the House may proceed to the consideration of H. R. 6814.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, in this day and age of fancy packaging and new marketing techniques, the American housewife can no longer use many of her old tried-and-true ways of determining the quality of the foods she buys. The packaging obscures the product. The new marketing techniques do not permit the little rule-of-the-thumb tests of the past.

This is especially true of poultry. The eviscerated chicken of today can look good and still have been diseased. The housewife needs some new way of telling whether the poultry in the grocery store or supermarket should go on her dinner table.

With red meat, we have found compulsory inspection by trained inspectors to be an effective and inexpensive way of assuring the housewife of clean and wholesome food. The same can and should be done with poultry.

H. R. 6814 will give the housewife the protection she wants and needs for her family. I urge the Congress to help her by enacting this legislation for compulsory poultry inspection.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, the gentleman from Arkansas [Mr. TRIMBLE] has explained this rule and the bill it makes in order. I understand there is some opposition to the bill although personally I feel it is a good one.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Kansas.

Mr. REES of Kansas. May I ask, Does the gentleman have any idea what the cost of this bill will be?

Mr. ALLEN of Illinois. I believe a little less than $5 million.

Mr. REES of Kansas. A year? I thought it would cost more.

Mr. ALLEN of Illinois. That is correct.

Mr. REES of Kansas. How many new inspectors will be necessary if the bill is approved?

Mr. ALLEN of Illinois. I think it would be best for the gentleman from Kansas to ask that of some member of the Committee on Agriculture.

Mr. REES of Kansas. I thank the gentleman.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, the two questions asked by the gentleman from Kansas are part of the reasons why I am taking the floor at this time to oppose this bill. I never like to find myself in disagreement with one of the legislative committees. An observation of the scene as it presently exists might indicate that the bill is going to pass, but it is not going to pass with my vote in the absence of any scientific, reasonable ground that I can discover to support this action to protect the health and welfare of the American people.

What you are really doing here, I might say in a brief sentence, answering the gentleman from Kansas and my other colleagues, is proposing to put from 2,000 to 3,000 more people on the Federal payroll. Is that what this Congress is dedicated to doing?

You are going to add an annual expenditure of from $10 to $20 million a year to Federal expenses. Is that a part of the economy drive of the Congress?

You are going to drive the small poultry processors out of business and concentrate the processing of poultry largely in the big plants in the large cities. Is this the way to encourage and preserve small business?

Finally, you are going to, in all probability, increase the spread between what the producer of the poultry gets for the chicken he raises and what the consumer pays for that chicken by something like 2 cents a pound and, looking into the future and to certain other things that develop, it could be much more than that.

Now, is that what we want to do in this Congress? Do we want to increase the spread and thereby the cost of living?

First of all, you should understand what this bill is going to provide for. It is going to require that a Federal inspector be in these poultry processing plants to look individually at the chickens as they are processed. The most conservative figure as to the number processed in this country each year is 2½ billion—not million, 2½ billion—and it runs up to 4 billion. Now, if they take very long to look at that many fowl, those inspectors are going to have to slow down a lot of lines, and it would seem to me it would take a small army to do the inspecting. That is the reason, as I say, that there undoubtedly will have to be some 2,000 or 3,000 inspectors.

Now, as to the cost. I have said that it will be from $10 million to $20 million a year. The bill specifically provides that the cost shall be paid by the Government, which means that it is a direct charge on the people of this country.

I have also referred to this proposal's impact on small business. I have here a letter from a poultry processor out in my district. When I found out about this bill, I got some copies and I sent them out there, because I rather wondered about it. This man has written his letter by hand. I know him personally. He writes:

> DEAR CONGRESSMAN: I am writing to you concerning bill H. R. 6814, the Federal inspection bill.
>
> Up to now this bill has not been brought to attention of small poultry dressers and processors, but if the bill goes through myself as well as some 15 other dressers in Jasper County—

That is my home county out in Indiana.

> will have to close our small plants.
>
> This is a vicious bill, and it not only concerns us but the public as well.
>
> We are just as concerned about the health of the poultry we dress as this is the only thing we have to fight back at the big dressers with.
>
> Mr. HALLECK, this bill is another rap at small business and will put the small operator that does custom work for farm freezers and local trade out of business.
>
> Thanking you for considering this bill, I am * * *.

Now, why do I say that that is the way I think this is going to work? First of all, look at the jurisdiction that is here involved. It does not concern itself only with interstate shipments. It says that the Secretary shall determine where the major consuming areas are. I take it that would be the metropolitan areas. Then, because that is said to burden and affect interstate commerce, this compulsory inspection would be required even in intrastate commerce. Well, I think I know why the burden would be on interstate commerce. The little processor outside of the city of Chicago who took his poultry in and sold it in intrastate commerce, with the inspection service and the attendant cost of inspection, would be at a competitive disadvantage with the interstate commerce shipper. I think it is just that plain. I think the preamble of the bill recognizes that.

Now, what will that end result be? These little processors down my way, many of them, sell to stores and outlets in Lake County, Ind., Gary, Hammond, and so forth. That will undoubtedly be declared a consuming area, so the result will be that these little fellows, if they want to stay in business, are going to have to have an inspector in their plants. Now, can you have an inspector for every one of the 15 little plants in my county? I do not think so. The result will be, as I say, that they will go out of business, and the business will go to the big city plants with the inevitable increase in cost.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Well, that inspector has to stay in that particular plant all the time. As long as it is in production, you have to have an inspector in every plant, if you are going to be practical.

Mr. HALLECK. That is right. You will have to have an inspector at the plant before he would dare to ship his poultry; and, if he shipped his poultry and he did not have an inspector, he would be in trouble with the Government.

I have mentioned the increase in the cost spread. I think the experience with the voluntary inspection system we have had is conclusive proof that it will add to the cost to the consumer; either that or take the added cost out of the processor of the poultry, who already, as I say, is not getting near what he ought to get. Actually, the poultry business as it has been developed in this country has been one particular industry vital to agriculture where the spread between the producer and the consumer has been kept down to the absolute minimum.

The question I raise, and I do this in all good faith, is this: If you want to pass the bill, that is all right with me, but at least I wanted the record to show what I am convinced are the true facts in the situation. If we want to have that sort of a situation, then, of course, pass the bill.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. I have heard no objection to the present system. I am wondering what is back of this bill, what is the reason for it?

Mr. HALLECK. I do not know, because I think anybody should be allowed to be for anything, in this country. They have that right. But the representative of the meatcutters union said that they had initiated the drive a long time ago and have pursued their efforts for this legislation. If you say, We want to put these people on the payroll; we want to add this cost to the Government; we do not care what happens to the small processors in the business; we do not care about the increase in spread from the producer to the consumer, then it seems to me you ought to say that there is a real reason for having it. And the thing that you would think of first of all, it seems to me, is that the health of the people is endangered by buying poultry that, somehow or other, infects the people who buy it and eat it. There is no scientific evidence to establish that fact.

Much has been made of something that starts with ornithosis in turkeys, but they tell me that you cannot discover that by a post mortem examination. You have got to discover it through an ante mortem examination. And secondly, the disease is not communicated to the people who eat the poultry, but to the ones who handle it.

In further substantiation of that matter, of the threat to the health of the people, Dr. Larrick, Commissioner of the Food and Drug Administration, was asked by members of the Appropriations Subcommittee this question:

> What about these outbreaks of illness that I have heard about from eating chicken?

And Dr. Larrick replied:

> We have not been able to establish any firm cases where a person contracted a contagious disease from the consumption of poultry.

If that is correct, then all I want to do here today is to point out what I think the impact of the enactment of this legislation will be. It just does not seem to me that a sufficient case has been made for the entry of the Federal Government into this business.

There is a voluntary inspection law, and some people have availed themselves of it. I think it was some sort of a sales gimmick; maybe the crate containing the poultry had on it "Government inspected" which they thought would make it sell more quickly. But as I have understood it, the experience is that that has not worked out that way.

Of course, those people who are paying for that voluntary inspection, if this bill passes, will transfer that cost to the Federal Government.

It has been with some reluctance that I have undertaken to speak here on what I think of this bill. But I could not find it in my conscience—and I have read only one of the many letters that I have had from my district on this matter—I could not find it in my conscience to sit idly by and not say what I think are the facts involved in this proposed legislation.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman.

Mr. REES of Kansas. Has the gentleman noticed, on page 12 of the bill, the penalties that may be inflicted in the event of a violation of this proposed legislation—6 months in jail and $3,000 fine?

Mr. HALLECK. It is a far-reaching bill. I have tried as best I could to find out what I could about the bill, who is for it and who is against it. Actually, when you begin to inquire who is for it, some people are listed in the report and I say to you on my word of honor, without mentioning names, that there are many of them who are very lukewarm. Sometimes we get started and are for something that we think will head off something worse. Then after a bit, what we started out with grows and grows and grows, like Topsy. I have found some of that in connection with some of the support of the bill.

Of course no one wants to do anything other than protect the safety and health and welfare of the American people, but I think there are other considerations that ought to be taken into account along with that.

Mr. TRIMBLE. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. WATTS].

Mr. WATTS. Mr. Speaker, under the consideration of the rule, I want to primarily direct my remarks in answer to some of the points that were raised by the gentleman from Indiana. I regret very much that I find myself in disagreement with him in regard to what this bill is for, its cost, and what it attempts to do.

He wanted to know who was for the bill. We had hearings before our committee for 6 days. We heard everybody that wanted to testify. We had 78 witnesses before us, and every single one of them said that this bill was vitally needed.

Who were those witnesses?

There is L. H. Abbott, president of the Kentucky Poultry Federation.

Cliff Carpenter, president, Institute of American Poultry Industries.

Frank T. Wollney, Institute of American Poultry Industries.

Albert R. Gibson, Georgia Poultry Federation.

Charles D. Hawks, Arkansas Poultry Federation.

Chester C. Housh, president, National Poultry Federation, also National Turkey Federation.

And on, and on, and on, 78 of them. Not a single soul appeared before our committee to testify against the bill, and we invited everybody.

I do not know whether the gentleman from Indiana agrees with the Indiana

Poultry Processors Association, but I have a telegram from them that came to me this morning. It reads as follows:

Hon. JOHN C. WATTS,
House of Representatives,
Washington, D. C.:

The Indiana Poultry Processors Association urges your capable support of H. R. 6814 as presented by House Committee on Agriculture, and cost of such inspection should be borne by federally collected funds.

ROBERT MCFARLING,
President, Indiana Poultry Processors Association.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. WATTS. I will be delighted to yield to the gentleman from Indiana.

Mr. HALLECK. It has been my understanding that an earlier resolution by the Indiana Poultry Processors Association contained a provision that the cost would be borne by the industry. Can the gentleman tell me whether or not that is true?

Mr. WATTS. I had no knowledge of it. This is the only information I have regarding their position. It is possible, among these 78 witnesses who testified, there might have been some from Indiana. I can look through here, if the gentleman desires, an advise him.

We had not only unorganized representatives of the poultry processors, and I named you just a few of them, but we also had State and local health agencies from all over this country testify, such as these:

Dr. Lloyd Florio, manager, Department of Health and Hospitals, Denver, Colo.

Dr. Aaron H. Haskin, health officer, city of Newark, N. J.

And on down, one after the other.

In addition, we had the following Members of Congress appear before our committee:

Hon. FRANK M. COFFIN, Hon. MARTHA W. GRIFFITHS, Hon. HARRY G. HASKELL, Hon. BURR P. HARRISON, Hon. CHARLES B. HOEVEN, Hon. EUGENE J. MCCARTHY, Hon. THADDEUS M. MACHROWICZ, Hon. D. R. (BILLY) MATTHEWS, along with many others, and testified in behalf of the bill.

Also, representatives of the Department of Health, Education, and Welfare, and the Department of Agriculture of the Federal Government appeared in support of the bill. There was not one single witness who did not testify before our committee that it was essential that we have Federal inspection of poultry if the American housewife and the American consumer could rely on the quality of the product they were buying. Many of the people who represented the industry which the gentleman from Indiana [Mr. HALLECK] claims will be disrupted said that unless Federal inspection of poultry was put into effect, the consuming public was going to stop eating poultry and that it would adversely affect the industry from top to bottom.

Another point the gentleman raised about the major consuming areas was written in the bill for one specific purpose, and I will try to outline it to you. When this bill was initially brought up, it was to deal with the movement of poultry in interstate commerce. We recognized there would be times when independent merchants and local stores would be affected. We could pick one, as I did before the Committee on Rules in discussing this bill, in Richmond, Va. There will be poultry shipped in there from Maryland. That poultry will be federally inspected because it is moved in interstate commerce. I had a big chainstore man tell me that if he had two piles of poultry in his store—one bearing the Government shield of purity and inspection by the Government and the other without any shield on it, the consuming public and the housewife would buy only the inspected poultry even though it was 5 or 6 cents higher per pound than the poultry that did not bear the Federal shield of purity and inspection. So we undertook to do three things in this bill—one was to protect the consuming public. Second, to do it in a manner that would not discommode the processor any more than was necessary. Third, to make it broad enough so that every processor could come under it. Now let us go back to the Richmond, Va., situation. A man ships poultry there from Maryland and the store advertises, "I sell nothing but United States federally inspected poultry." That is in interstate commerce. There are a lot of little poultry processors around Richmond, Va. They would have to bring their poultry in and compete with the poultry that came from Maryland that is federally inspected. According to the information that the chainstore people and the soup company gave me, the fellow who did not have his poultry inspected was probably going to be out of luck because the housewife would buy the other poultry because she thought it was pure and clean. Now, with reference to this major consuming area, we provided that the governing authority of that city or the poultry processors around that city could petition the Department of Agriculture to hold a hearing and to determine whether Federal inspection should also be put into effect on all poultry that moved into Richmond, Va., whether in interstate or intrastate commerce. In the event Federal inspection was ordered, this would give the little processor the same opportunity to get his poultry inspection as the poultry shipped across the State line would have.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. WATTS. I yield to the gentleman.

Mr. DAWSON of Utah. It seems to me the only justification for this bill would be the protection of the health and welfare of the people. Under the present system, have you had any cases where the health of the people has been endangered? What is the purpose of this bill?

Mr. WATTS. Under the present system, 26 percent to 30 percent of poultry is now inspected on a voluntary basis. Only the larger processing plants have been able to make a deal and put up the money to have it inspected. The smaller processors are practically shut out as far as inspection is concerned. Now to answer the gentleman's question. There have been hundreds of cases where people have been made sick and where they have lost time from work on account of ornithosis and other diseases communicated by poultry. I have a letter from John L. Harvey, Deputy Commissioner of the Department of Health, Education, and Welfare, in which he very strongly endorsed the bill and says that there are 24 diseases of poultry which may be transmitted from poultry to man. There have been many instances in which the disease has been communicated to man—the RECORD is replete with them.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. WATTS. I yield.

Mr. HOFFMAN. In addition to these diseases referred to in the RECORD, poultry has lice, too, and individuals can get those. Is there anything in the bill that protects that?

Mr. WATTS. Well, I do not know about the protection of lice, but, I do know that the consuming public needs protection and we are endeavoring to afford them this protection by proper inspection for wholesomeness. The evidence is irrefutable that a human can get disease from poultry. In addition, we had evidence before our committee that many times poultry that had died from some natural cause was dressed and sold. Perhaps a chicken would have a cancer on one side of it. That piece was cut off and thrown away and the rest was cut up and put in a package and sold to the consumer. Those instances were few, but it is like everything else in this country. About 5 percent of the people cause all the trouble.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. TRIMBLE. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. WATTS. This 5 percent of the people who will not do what is right is the reason we have to enact this bill.

We will have 2 hours of general debate if you adopt the rule. I will be glad to answer any questions about the bill. All I ask you is to adopt the rule and give us an opportunity to go into the merits of the bill.

The SPEAKER. The time of the gentleman from Kentucky has again expired.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, in addition to the reasons given by our colleague, the gentleman from Indiana [Mr. HALLECK], attention may be called to the fact that the hearings show that most of the people appearing in support of the bill were representatives of certain organizations. As the gentleman from Indiana [Mr. HALLECK] so correctly said, the effect of this bill, boiled down, is to increase the business of the larger operators, tend to create a monopoly in the poultry business, and to shut out the little fellow. There is no question but that will be the ultimate result.

Another effect of the bill, as the gentleman said, would be to create a horde of Federal employees. The departments and agencies send their agents, sometimes under one name, again under another, all over the country until today the average businessman does not see the back of one leaving until the nose of another is on the way in.

One of the things that our forefathers wrote into the Declaration of Independence—they were writing about the King—was:

He has created a multitude of new offices and sent hither swarms of officers to harass and eat out the substance of the people.

They rebelled. They fought and won a war to get out from under. We meekly submit that is what we are doing here today. There is not a week goes by that our people do not complain to us about inspections. About snooping—unnecessary and costly. About an ever-increasing number of Federal employees; unnecessary redtape.

I looked at the hearings a moment ago, and one of the witnesses referred to by the gentleman from Kentucky, who just preceded me [Mr. WATTS], was the president of a poultry association. You know, it is odd the way the association sought the opinion of its members. It sent out a questionnaire and asked the members all sorts of things. Here is the tail end of the questions they submitted: The last sentence:

In furtherance of this longstanding dedication—

That is, the Institute had paid for some inspections; then they add—

provided such programs are paid for from Federal and State funds.

That is, no cost to the individual whose opinion was asked.

Well, who does not want something that we can get some other fellow to pay for, something for nothing, even if he does not need it or want it?

But—here is what those of us who oppose this bill will run into, and it is a bad thing politically for us. I have had some experience with it. But these health agencies of the State and of the Federal Government will charge that those who vote—this is a rather frank expression—those who vote against the adoption of this resolution want the folks to eat diseased and decomposed poultry. That is what they will say. We have had it before earlier this session. You will recall one of the bills from the Department of Health, Education, and Welfare. Every time an argument was made on the floor, those who opposed that legislation were charged with wanting to not only make people suffer from disease, affliction from some sort of illness, but we were accused of wanting them to eat poisoned food which would kill them. A ridiculous charge but repeatedly made. Why not, as this debate runs on today, have just a little charity and let those who want this bill confine their arguments to what the bill will do and not charge those who oppose it with wanting to kill off our constituents?

This particular bill is devised, as the gentleman from Indiana [Mr. HALLECK] said, to promote monopoly, to squeeze out the small fellow, to make it impossible for the individual to do business if he is in the poultry business. The principal argument will be, as I said a moment ago, against those of us who oppose it: Oh, well, you want to put onto the market rotten poultry. That is not so. This bill is a bill to create new Federal employees at the taxpayers' expense. And what becomes of our economy program? The gentleman whose testimony I just referred to is a veterinarian. When I was home earlier this summer one of the companies which produced poultry and markets it, from the egg all the way through to the ultimate consumer of the dressed product—a very successful group of farmers—they asked: "Do you know what is the matter with this proposed legislation?" I said, "No, except the usual thing to establish a bigger and better bureaucracy and increase the number of employees." And this fellow said "Yes, and you cannot get inspectors there to do the job unless they are veterinarians, and a veterinarian gets five bucks an hour, when we can take a man from the plant itself and do the work just as efficiently and just as thoroughly for $2 an hour."

So the veterinarians have some interest in it.

We in almost all States now have sufficient regulations—clean good food products—this bill is just another expansion of Uncle Sam's domain—an unneeded expensive extension of snooping—of redtape.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. TRIMBLE. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I was not going to discuss the merits of the bill, but there is one feature of it that I called to the attention of the Committee on Agriculture when it was before the Rules Committee, and that I wish to call to the attention of the House because I think an amendment to the bill would be in order. That, however, is a matter I leave to the judgment of the committee, but I wish to call it to your attention this afternoon.

The Supreme Court has laid down what they call the preemption doctrine; that is when Congress has enacted any legislation on any subject that it preempts the field and thereby prohibits the State courts or the State authorities from exercising any jurisdiction of any character about it. It is illustrated well by a case, which would apply very much as this bill does, that arose in the State of Alabama. It was known as Alabama against the Cloverleaf Butter Co. That was a corporation that was renovating butter and shipping it into the State and also out of the State. The Federal Government apparently was not inspecting it. The State of Alabama feared that bad butter was being sold to their people and sent their inspectors to the plant to inspect it. The company refused to permit them to inspect on the ground that the Federal Congress had already passed the Pure Food and Drugs Act.

That case went to the Supreme Court, and the Supreme Court held that when the Congress passed a Pure Food and Drug Act it preempted the field of inspection of foods and that, therefore, the State could not inspect that food no matter how rotten it might be.

The same situation applies here. In none of your States could your State authorities under the Supreme Court decision inspect any poultry that was processed in your State, because the Federal Government preempted that field when it passed this bill.

Let me add one thing further, and this is something I have been trying in this House to get enacted for a number of years. I have not been able to get it out of the Judiciary Committee yet. I do hope that they will finally break down and let this bill come to the floor so that we can correct one of the worst evils that exists today in the whole of this country. The Supreme Court has held, and very recently held, that if the Congress does pass a law such as this and the Congress fails to implement that law by adequate inspection and the Federal Government does not do anything about it, the State government is still prohibited from doing anything about it. If that is the kind of situation you want to put on your people, it is all right with me, but I call it to your attention and I think the committee in charge of this bill ought to offer a simple amendment which would merely provide that while this law has been passed by the Congress it is not intended to revoke the rights of the States to have whatever supplemental inspection they desire.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from Indiana.

Mr. HALLECK. I would like to say to the gentleman for whatever interest it may be to my colleagues that I have been disturbed, I was about to say as much as the gentleman from Virginia, maybe not as much but I have been very much disturbed, at this whole doctrine of preemption that has been developing in this country. I agree with the gentleman that something ought to be done about it.

In the measure before us not only does it provide for inspection but it provides for the Federal Government setting up regulations having to do with sanitation and various conditions in these processing plants. Many of the States presently have regulations and laws dealing with that very matter and great progress has been made in the States.

Mr. SMITH of Virginia. The gentleman is taking up my time, but I am glad to hear him come up and say that he is for doing something about this preemption doctrine because I have been trying for years to get him to say that. I have him on record now.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield? I heard the gentleman ask the President just last week to do something about that preemption proposition.

Mr. SMITH of Virginia. I am delighted to know that. I know he exerts a great influence at the White House and I believe he can do something about it.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Maine [Mr. MCINTIRE].

Mr. MCINTIRE. Mr. Speaker, I rise in the consideration of this rule to point out 2 or 3 facts which I think are appropriate in the consideration of this rule, statements already made by previous speakers. I want to say that I appreciate and respect a difference of opinion

on the part of anyone in relation to any legislation, but some statements have been made as to the number of people that would be involved under the legislation which we now have before us.

I can only rely on the basis of information obtained from the poultry branch of the Department of Agriculture. I would point out to you that in the Agricultural Marketing Act of 1946, provision was made for voluntary inspection of poultry. Since that time a program of inspection has been developed in part for the industry. At the present time there are 525 inspectors who are serving 320 processing plants. As I say, I can only rely on the figures of the Department of Agriculture. They have had experience in this field and I consider their figures are reasonably accurate. It is estimated by the Department that under this legislation it would require about a doubling of the inspection force, or approximately 1,100 inspectors. I would suggest that that figure be kept in mind in relation to the estimate of 2,500 or 3,000 inspectors stated by previous speakers.

A statement was also made that the voluntary inspection program now in effect was probably asked for by the processors as some type of a sales gimmick.

There are two States in the Union that have Federal-State agreements in relation to the inspection of poultry. Those States are North Dakota and my own State of Maine. I can assure you that on my information and familiarity with the poultry-processing industry in my own State the program of voluntary inspection is not a sales gimmick. It is entirely one whereby the processors are interested in putting onto the market a uniformly packaged and processed product that has been processed in plants which meet inspection requirements, and it is their interest in a wholesome product which has initiated their program of inspection along with, of course, the fact that it would carry a United States inspector's label.

I would also wish to point out to you in reply to a statement made that this program would require only qualified veterinarians to provide the inspection, that that is not in this legislation. The Secretary is authorized to employ qualified people, and the requirement is not that they be veterinarians, and that point should be very clearly understood, because to read it any other way is to be misinformed on the legislation.

Mr. Speaker, I think this legislation is deserving of our careful consideration. I want to say that the subcommittee, under the chairmanship of the gentleman from Kentucky [Mr. WATTS], has done a very thorough job. While there has been an interest in this legislation on the part of various groups, I would want to say for your information that the first draft of this legislation came to my attention through the interest of farm organizations, and because of that fact I think that the record stands that the farm organizations have been active over a period of 2 or 3 years in drawing up and consulting with the poultry industry the type of legislation which would best serve the industry in order that there can be put onto the market this fresh product in an inspected, wholesome manner.

In closing I want to pay a compliment to the poultry industry for the fine job it has done. My interest in this legislation is simply that, as we move out, as we are doing into a tremendous volume of fresh meat, this industry make sure, through a system of inspection, that it is putting its product onto the market in a most wholesome manner; that the birds themselves are wholesome, and that the processing plants in which they are handled meet uniform standards of sanitation.

Mr. Speaker, I urge favorable consideration of this rule.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Tennessee [Mr. REECE].

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. REECE of Tennessee. I yield to the gentleman from New York.

Mr. TABER. I do not know much about the bill, but I see in section 4, page 3, it provides that it shall be effective after an application to and passing upon the need for it by the Secretary of Agriculture, and on page 8, section 8, all sorts of things are prohibited, and they do not say anything about exempting those places where the Secretary has not made such a decree. Now, it looks to me like the bill is all mixed up.

Mr. REECE of Tennessee. I think myself that the bill is very much mixed up. And, carrying the gentleman's question a little further instead of answering it, I want to call the attention of the House to the fact that if a processer is engaged in both interstate and intrastate business, coming under the provisions of this act, he can ship in neither intrastate nor interstate until his product has been inspected; therefore he might be prohibited from shipping, if adequate inspection is not provided for both interstate and intrastate.

Mr. WATTS. Mr. Speaker, will the gentleman yield?

Mr. REECE of Tennessee. I yield to the gentleman from Kentucky.

Mr. WATTS. The bill covers all poultry and poultry products that are shipped in interstate commerce except that shipped in live form. The section that the gentleman refers to on page 3 provides for additional inspection of poultry that moves into large consuming areas. As I attempted to explain on the floor a few minutes ago, that was put in the bill on purpose so that a small processor who might be processing poultry outside of a large city and had to compete with interstate poultry they were shipping in with a Federal stamp on it could get the opportunity to have his plant inspected and his poultry inspected, with a United States inspection label attached to it, in order that he would not be put out of business by some store or some other large concern advertising United States inspected products.

Mr. REECE of Tennessee. Mr. Speaker, I cannot agree with the construction of the gentleman from Kentucky [Mr. WATTS] on this provision of the act. I think it is open to the opposite construction, as was indicated by the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. REECE of Tennessee. I yield.

Mr. HALLECK. As I pointed out, and as was indicated in the letter that I received from a little processor in my home county, he said there were 15 little processors there, and the matter of establishing inspectors there would be almost out of the question. And so, instead of keeping them in business, this would really put them out of business.

Mr. REECE of Tennessee. The effect of it will tend, regardless of what the intention is, to put the little processor out of business and to concentrate the poultry business in the hands of a few people. And when that is done, these plants are going to have such a tremendous volume of poultry on the assembly lines, that it will be impossible to make an adequate post mortem bird-by-bird inspection. An efficient operating plant at the present time produces some 4,000 to 5,000 birds an hour. I cannot envision how an inspection can possibly be provided, a post mortem bird-by-bird inspection, that will mean anything, so far as detecting disease or any of these other matters to which the advocates of the bill refer.

There are 2½ billion birds of all types produced and marketed in the United States each year, about 70 billion pounds. If you concentrate the processing of these birds in a few plants, you are going to have such a tremendous assembly-line operation that it will be completely impossible to have an inspection that means anything more than a stamp. And that is the very thing we want to avoid. As the gentleman from Michigan said a while ago, there is no serious health problem involved, so far as the public is aware, in connection with the poultry operation. There has been no outbreak, there has been no public discussion.

The original bill provided for inspection by the Secretary of Agriculture under regulations set up by him. That bill would have been satisfactory to all the industry, the large and the small alike. When the original hearings were held by the committee it was on that type of legislation. Now this is a compulsory inspection bill, a post mortem bird-by-bird inspection which, in my judgment, is not only completely impractical, but completely impossible so far as effective inspection is concerned. These people who now have voluntary inspection—and most of their product goes into soups and pies—find that the inspection costs about $3 million a year and, of course, they are going to put that cost on the Government. The total cost of this inspection will run somewhere between twelve and twenty million dollars a year. We will wind up with a bureaucracy in this division that will be not less than 5,000 employees. We are just opening up another floodgate to have inspectors and other employees in the Federal Government going over this country, not protecting the health of the people, because it is impossible to get effective action under the provisions of this bill, but interrupting the flow of poultry from the farm to the market, with the result that there is going to be a backing up, there is going to be disaster in the poultry business from the farmer's standpoint.

Mr. TRIMBLE. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. WATTS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6814, with Mr. O'BRIEN of New York in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WATTS. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, there has already been quite a bit of discussion about some of the features of this bill. Legislation of this type was introduced by some 7 or 8 Members of this body. It was sponsored by the Department of Agriculture. We held about 6 days of hearings and had 78 witnesses representing every segment of the poultry industry, including representatives of major food companies, consumer groups, labor groups, health groups, State groups, and the Department of Agriculture and the Department of Health, Education, and Welfare.

Every single person that testified before our committee said that for the welfare of the consuming public and for the long-term good of the producer compulsory Federal inspection of poultry was necessary. Not one single voice was raised in those 6 days by a single one of those witnesses, and they covered the farmer as well as the producer and the consumer and everybody, because the American Farm Bureau Federation, the National Farmers Union, and the Grange, all testified in behalf of this bill.

They all said they wanted the bill, but I am going to have to admit to you that some of them kind of fell out with one another as to what should go into it. Your committee had a number of executive sessions at which they brought in various people and undertook to reconcile the various views. This bill is a compromise bill. We took into consideration in reaching the compromise every single idea or thought that was expressed to us. We had in our mind our duty to the American consumer to see to it that good, clean, healthy, wholesome poultry was supplied to the housewives and the consumers of this country.

Testimony before our committee showed that about 25 percent of the meat consumed in this country today is poultry. It is being marketed in ever greater quantities and transported across many miles to distant parts of the country. No longer are poultry markets confined to the local area where raised.

Poultry is now cut up and put in chicken pies and turkey pies, the old days when the housewife could look the chicken over and dress her own chicken and see what was on the inside of it and see what its condition was has long passed. Frequently, what she gets today is a cut-up chicken in a box or in a pie. As I said, the testimony before our committee was such that it was not pleasant to listen to. Your committee was unanimous in its opinion that we should have this compulsory inspection bill. We felt that since it was being done for the protection of the public that the public should pay for it. The testimony before our committee showed that for the first year it would cost something like $4 million and that when it got in full swing, it was estimated to cost $10 million. That was the cardinal purpose. Our second objective in the subcommittee was to give the American public this wholesome poultry in a manner that would least discommode and disrupt the orderly processes of the poultry industry, and at the least expense to the Government. We have tried to do that. We did not entirely agree with any particular group. Labor wanted this and the processors wanted that—nobody is totally satisfied with this bill—what I mean is that nobody got exactly what they wanted. It was a compromise that we think everybody can live with. Our third objective in the committee was to make it possible for everybody who desired compulsory Federal inspection to secure it. We realize, as I stated a few moments ago, that you might find conditions where nonfederally inspected poultry had to compete with federally inspected poultry. One of the officials of the large chainstores told me that if he had federally inspected poultry on one shelf at 38 cents a pound and nonfederally inspected poultry on another shelf at 32 cents a pound, he would not sell any of the 32-cent poultry because the housewife, naturally, being used to seeing the Federal inspection stamp on red meat and relying on it would buy that kind of poultry and the little processor who had no opportunity to get Federal inspection might be put out of business.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. BARDEN. Does the gentleman have any objection to the type amendment suggested by the gentleman from Virginia [Mr. SMITH] relative to the preemption of the authority of the States?

Mr. WATTS. I have not had an opportunity to give it thorough consideration at this time. I would like to defer any answer to that until I get a chance to talk with counsel and other members on the committee.

Mr. Chairman, those were the 3 principles we had in mind when writing this bill. Now, some say that this will put the small producer out of business. I want to talk about that for just a little bit. I have a letter from True D. Morse, Under Secretary of Agriculture.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I am delighted to yield to the gentleman.

Mr. FORD. On page 1 of the committee report, you state as follows, and I quote:

> Specific exemptions are provided for producers who process their own poultry and sell it directly to household consumers.

As I understand it, under the exemptions which begin on page 13 of the bill and run through page 15, it is the intention of the committee that the Secretary of Agriculture shall issue certain regulations which would conform with that statement which I quoted in the committee report.

Mr. WATTS. That is right. May I say to the gentleman, in addition to that, I have an amendment which the committee has agreed to to section 15 which says the Secretary "shall."

Mr. FORD. That is exactly the amendment which I was going to suggest to the gentleman and which I hope the committee would accept. I think it is essential and necessary to conform to the committee's intention.

Mr. WATTS. In addition to that, on page 15, while I am at it, section 1 where it says poultry producers with respect to poultry of their own raising on their own farm which they sell directly to household consumers, we have added after that amendment language which would extend the exemption to restaurants or to hotels where they are consumed on those premises.

Mr. FORD. May I ask the gentleman one other question?

Mr. WATTS. Yes; indeed.

Mr. FORD. I have a large metropolitan area within my district, and surrounding it there is a very sizable poultry-producing area. A good share of the poultry produced in the area does not move in interstate commerce, and I feel that they could and would subscribe to the requirements under this legislation. But if this large metropolitan area is designated as a major consuming area, it is my understanding that under this legislation the poultry producers in this community, if they were to sell within that major consuming area but not within interstate commerce, would fall within the purview of this legislation.

Mr. WATTS. Provided they have asked the Secretary of Agriculture to hold a hearing and determine: First, whether or not that city should be considered a major consuming area and, second, whether or not the movement of intrastate poultry was in such volume as to burden the flow of interstate commerce and, as a result, put in that category.

Mr. FORD. Who acts?

Mr. WATTS. Well, the poultry producers could petition, or the city authorities could petition. We made it as broad as possible, because we did not want your producers with good healthy poultry to be kept out of the market because their product bore no Federal stamp. A large executive of a chainstore told me that under those circumstances the housewife would be inclined to buy that which had the Government stamp. So we wanted your men to get a stamp of approval.

Mr. FORD. Does the gentleman have any information as to whether such an

amendment would be acceptable by the other body?

Mr. WATTS. I have not. I am going back to the statement about putting the small producer out of business, and I want to read an excerpt from a letter from Hon. True D. Morse, Acting Secretary of Agriculture, dated June 27, 1957, which addresses itself to the furnishing of inspectors:

DEAR CONGRESSMAN WATTS: This is in reply to your request for comments from the Department of Agriculture concerning the administration of the compulsory poultry-inspection activity which would be required under H. R. 6814, as it applies to small poultry processors.

This legislation is designed to provide wholesome poultry to consumers where such poultry moves in interstate commerce. The United States Department of Agriculture would be obligated to furnish inspection to every poultry processor who is involved in interstate commerce, regardless of the size of operations, his location, or his type of operation.

Certainly I come from a community of small farmers and small producers. I do not have many poultry producers in my district. Along with other members of this committee I tried to approach this matter in a manner to do what is best for everybody. I would not be a party to any legislation that I thought for 1 moment would militate against the smaller producer.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. LANDRUM. In connection with the statement the gentleman has just read from Mr. True Morse, of the Department of Agriculture, I understood you to say that Mr. Morse recognized it was up to the Department of Agriculture to furnish inspectors for every processor, regardless of the size of that processor.

Mr. WATTS. That is right.

Mr. LANDRUM. In the committee report, on page 3, I find in the paragraph dealing with ante mortem and post mortem inspection and reinspection, two sentences which I would like to read.

The Department of Agriculture advises that the carcass of each bird processed is examined under the voluntary inspection program now in effect.

The bill provides, as I understand it, for a post mortem inspection of each carcass.

Mr. WATTS. That is right.

Mr. LANDRUM. And the report further says:

The committee in placing this requirement in the bill does so with the direction to the Secretary that he shall at all times provide sufficient inspectors and employ such procedures as will not slow down processing operations in the plants being inspected.

I wonder if the gentleman who has rendered, incidentally, such a magnificent job as chairman of this subcommittee, I wonder if the gentleman would comment upon the real intent of Congress as to the slowing down of this processing procedure in the plants?

Mr. WATTS. I shall be delighted to.

During the course of our hearings certain persons raised the same question that the gentleman from Tennessee did. I took it up with the Department, or we in the committee took it up with them. We mean for the Department of Agriculture to furnish enough inspectors to do the job without slowing down any of the processors.

Mr. REECE of Tennessee. Since the gentleman has made such an exhaustive study of the question let me ask him this: In the plant that has 4,000 or 5,000 chickens going over the assembly line per hour just how could an effective inspection be arranged without slowing down the operation? What would be the method and the procedure?

Mr. WATTS. Does the gentleman from Maine desire that I yield to him to answer the question?

Mr. McINTIRE. If the gentleman will yield I would be glad to answer.

Mr. WATTS. I yield to the gentleman.

Mr. McINTIRE. I would like to point out in respect to the question that has been raised by the gentleman from Tennessee that in plants in my home State which are now operating under the voluntary inspection program which, in fairness, is just as strong a program as the one would be under this legislation, I have personally seen lines operating at about 4,000 to 4,500 birds per hour where a thorough inspection is being made.

I am advised by the Department that sound inspection can be made by one inspector serving a single processing line on from 20 to 25 frying chickens per minute which would be approximately the same as broiler weights, and so forth. With larger birds it is a little more; but with four inspectors on the line, which is not uncommon where inspection service is being given under the voluntary program, they will handle from 80 to 105 birds of broiler size per minute, which calculates out to be between 4,000 and 5,000 birds per hour in those plants.

It is my sincere belief on the basis of my observation in dressing plants that this service can be accomplished effectively at that rate at least and possibly a little faster.

Mr. WATTS. I thank the gentleman from Maine, and I will ask the gentleman from Tennessee if that answers his question.

Mr. REECE of Tennessee. May I ask the gentleman from Kentucky whether the chickens in the plant to which he referred were going largely into the broiler market or into the soup and pie market?

Mr. WATTS. It just happens, I may say to the gentleman from Tennessee, that those chickens were moving into the broiler market.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Utah, a member of the committee.

Mr. DIXON. There are two purposes of inspection, are there not? One is to inspect against disease, and the other is to guard against filth.

Mr. WATTS. Certainly. It is a fact that when you cook any kind of meat sufficiently long and sufficiently hard that there is very little likelihood that you could get any disease from it; but there are many things that you can cook that you might not want to eat. You could pick meat up out of the gutter and cook it long enough to make it harmless, but you would not want to eat it.

Mr. DIXON. The gentleman wants to guard against well-cooked garbage as well as poultry disease.

Mr. WATTS. I thank the gentleman for his inquiry and for his comment.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. PRICE. I think it is very doubtful if the inspection service contemplated under this bill would adversely affect the efficient operation of any poultry plant, but even if it did slow up assembly line production a little it is in the interest of the health of the people of the country to sacrifice perhaps a little time for the protection of the people's health.

Mr. WATTS. I agree with the gentleman entirely and thank him for his timely observation.

Mr. ELLIOTT. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. ELLIOTT. Do I understand from the inquiry of the gentleman from Kentucky that these small plants that oftentimes do not run a full 5-day week, but may run 1 or 2 days a week, or half a day 3 or 4 days a week, are going to have the benefit of this Federal inspection that the gentleman is discussing?

Mr. WATTS. They certainly are if the Department of Agriculture carries out the directive of this committee, provided they are shipping in interstate commerce or shipping into a major consuming area. We provide they may have cooperative arrangements with the States. They may use State employees, they may use part-time employees, they may use them by the hour. We realize there are a lot of little plants that cannot keep a man sitting around all day just to make an inspection involving an hour or so. But he can go out and inspect that plant while they are processing those birds. It is our intention to see to it that everybody gets the benefit of the inspection.

Mr. ELLIOTT. Does the bill provide any qualifications for the inspectors?

Mr. WATTS. It does. It does not set up the precise qualifications. It lets the Department of Agriculture do that.

Mr. ELLIOTT. Has the gentleman any statements in the hearing or otherwise as to what qualifications might be prescribed?

Mr. WATTS. I think there might be some general statement in the report, but I do not think we tried to tie them down. They are going to have to go to the far reaches of the United States. We have some language in our report. Of course, we realize that different-sized processing plants must have different types of regulation. You may have a plant processing 5,000 or 6,000 chickens and hour. Maybe one type of regulation might be put on for him. The other little fellow processes 50 or 70 and a different type of regulation has to be prescribed.

Mr. ELLIOTT. Did I understand the gentleman further to say that these inspectors definitely will not necessarily have to be veterinarians?

Mr. WATTS. That is right.

Mr. Chairman, I want to speak about a statement that the gentleman from Indiana made in reference to an increase in the cost of the poultry to the American housewife and the consumer. All the information that we were able to gather is that it would probably reduce the price because about 30 percent of the poultry now is moving under voluntary inspection where the processor is paying for it. When he is relieved of the burden of paying for the inspectors he can naturally put that poultry on the market a little cheaper. It will come out of the taxpayers, but all of our red meats are inspected and I do not believe anybody would want to go back to the old system. I have heard described many times the system that was in vogue around Chicago and other places. I am not the oldest fellow here, perhaps, but I can remember in my country that maybe a farmer would have cholera hogs and would run to the market with them before they died and get them to the consumer. But today with Federal inspection of meats that has stopped. I feel we have a good bill, a well balanced bill. It is a question for the Members of the House to make up their minds whether they want the housewife to be able to buy poultry with some assurance she will get good clean poultry.

Mr. HARRISON of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Virginia.

Mr. HARRISON of Virginia. The processors organization, the poultry organization, have they indicated their position?

Mr. WATTS. Yes; I think they have.

Mr. HARRISON of Virginia. Do they favor the bill?

Mr. WATTS. We had nobody who opposed it.

Mr. HARRISON of Virginia. How about the farmers associations?

Mr. WATTS. The American Farm Bureau, the Grange, and the Farmers Union are all strong for the legislation.

Mr. HARRISON of Virginia. They have favored the legislation?

Mr. WATTS. Yes.

Mr. HARRISON of Virginia. What about the feed people?

Mr. WATTS. I do not know whether we had any individual representatives of feed or not. They did not oppose it.

Mr. HARRISON of Virginia. What about the Department of Agriculture?

Mr. WATTS. They were very strong for it.

Mr. HARRISON of Virginia. What about the retailers that sell the birds to the public?

Mr. WATTS. Well, we had some representatives of some of their organizations and they were for it.

Mr. HARRISON of Virginia. What about the consumer organizations?

Mr. WATTS. The consumer groups were all for it.

Mr. HARRISON of Virginia. Then from the hatchery to the consumer, all of those organizations support the measure?

Mr. WATTS. We did not have a word against the bill.

Mr. HARRISON of Virginia. No appearance against the bill?

Mr. WATTS. Not one.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Who selects the inspectors and what qualifications must they have?

Mr. WATTS. The Department of Agriculture will select the inspectors and they will prescribe reasonable qualifications.

Mr. HOFFMAN. The law does not prescribe the qualifications of the inspectors?

Mr. WATTS. No.

Mr. HOFFMAN. That is up to the Secretary of Agriculture?

Mr. WATTS. Yes.

Mr. HOFFMAN. The gentleman is still willing to trust this to the Department of Agriculture?

Mr. WATTS. Yes. The Department of Agriculture has for some 50 years carried out a compulsory red-meat inspection program which has been very successful in guarding the consumer against unwholesome red meat.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from North Carolina.

Mr. JONAS. How many processing plants are there in the United States?

Mr. WATTS. I have forgotten the exact figure, but there are quite a number of them.

Mr. JONAS. Is that information available? It is not in the report.

Mr. WATTS. I can put it in the RECORD for the gentleman.

Mr. JONAS. Do you have an approximate idea?

Mr. WATTS. I can probably get the information for the gentleman.

Mr. JONAS. What does the committee contemplate would be the number of inspectors that would be required?

Mr. WATTS. Of course, they have a voluntary system now that is inspecting about 30 percent of the poultry that goes on the market; as a matter of fact, I think they inspect about 67 percent of the turkeys that go in the market. It is a little bit difficult to say the exact number, because some of them are going to be folks who service 5 or 6 plants, if they are located in one community, or, if not, they might work for an hour a day.

Mr. JONAS. They could not service 2 or 3 or more plants at the same time, though, could they?

Mr. WATTS. No.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, H. R. 6814 is a bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. This bill would require that all poultry and poultry products which are processed for sale in interstate or foreign commerce be inspected by the United States Department of Agriculture. The bill also provides authority for the Secretary of Agriculture, after public hearings, to designate major consuming areas in which all poultry processed and sold must be inspected under the authority of this act even though a proportion of this poultry is involved only in intrastate commerce. The designation of major consuming areas by the Secretary of Agriculture is authorized after receipt of application to designate such areas from appropriate governing officials or bodies or upon application by an appropriate local poultry-industry group in the area.

The bill contains authority for the Secretary to perform an ante mortem inspection where and to the extent considered by him necessary, and requires a post mortem inspection of the carcass of each bird processed. The bill contains provisions relating to sanitation, facilities, and practices as are necessary to produce wholesome poultry.

The bill would prohibit the interstate sale of uninspected poultry and the interstate sale of poultry which has not been labeled in accordance with its provisions. It also would prohibit, first, the sale of any poultry product declared to be unwholesome or adulterated; second, the false making or issuing or altering or forging of official inspection marks, memorandums, and so forth; third, the use in commerce of a false or misleading label on poultry products; and, fourth, the delivering, receiving, transporting, selling, or offering for sale or transportation of poultry in so-called New York dressed form, except that the movement of such poultry in interstate commerce would be permitted when this poultry is destined for an official establishment where it will be processed into a poultry product.

All poultry products processed in official establishments operating under this bill would have to be processed in compliance with its requirements. The bill also provdes appropriate penalties for noncompliance with its provisions.

The poultry inspection bill would become effective upon enactment, but would not require inspection until January 1, 1959. However, poultry processing plants may apply for and receive inspection under the provisions of this bill any time following January 1, 1958.

There are four exemptions provided for in this bill: First, an exemption to poultry producers with respect to poultry of their own raising on their own farms which they sell directly to household consumers, restaurants, hotels or boarding houses; second, an exemption for retail dealers with respect to poultry products sold directly to consumers in individual retail stores providing that the only processing operation performed by such retailers is the cutting up of poultry; third, authority for the Secretary to exempt processors until July 1, 1960, when he determines that it would be impracticable to provide inspection and the exemption would aid in the effective administration of the act; and fourth, exemptions may be made as necessary to comply with recognized religious dietary laws.

Imports of poultry would be required to meet the same standards of wholesomeness as would be provided for domestically produced poultry.

The cost of inspection would be borne by Federal appropriations, except the cost of overtime.

This proposed legislation would provide the poultry meat industry with compulsory inspection on a basis similar to that which has been in effect for the red meat industry for better than 50 years. The only inspection for poultry at the present time and until this bill is enacted is provided in a voluntary program administered by the Department of Agriculture under the authority of the Agricultural Marketing Act of 1946. The poultry industry has demonstrated broad interest in providing consumers with wholesome poultry through the use of this voluntary service. I am told that this service program has met with increasing acceptance over recent years, to to point where now approximately 320 poultry processing plants operate under this service and process approximately 27 percent of the poultry which is sold off farms.

This legislation was developed after extensive House and Senate hearings in the 2d session of the 84th Congress and in the present session of the 85th Congress. At the hearings on H. R. 6814, approximately 80 different groups and individuals appeared, all of them in support of this legislation. These groups represented all of the national farm organizations; all of the regional and national poultry organizations representing both producer groups and marketing groups; representatives of public health groups and representatives of consumer groups. There were no representatives at any of the hearings in opposition to this legislation.

Estimated cost of poultry inspection bill: First year, $3,535,000; second year, $7,750,000; third year, $10 million.

Mr. Chairman, I yield such time as he may desire to the gentleman from Connecticut [Mr. MORANO].

Mr. MORANO. Mr. Chairman, it has long seemed to me to be an anachronism that we have had compulsory meat inspection, but we have had no mandatory inspection for poultry. Yet poultry is an everyday food item. It is on my family's dinner table every week. And I am certain it is on the dinner tables of millions of other Americans often.

There is no reason why poultry should not be a popular food. It is nutritious, tasty, and inexpensive. However, there is also no reason why the consumer who buys poultry in good faith should not be guaranteed to the maximum degree possible that the bird is of good quality and has been processed in a clean environment.

The United States Public Health Service blames poultry for an average of one-third of the food poisoning cases reported each year. Part of this abnormally high figure is due to spoilage, which no inspection can correct. But a good proportion—in fact the majority of food poisoning cases—will be prevented by the compulsory inspection for wholesomeness and cleanliness.

I am also greatly concerned about the health of poultry workers. During the hearings of the Committee on Agriculture, testimony was presented demonstrating the transmittal of poultry diseases to men and women in the poultry processing plant. The most dramatic of these illnesses is psittacosis, which in 1956 caused the deaths of 3 men and illness among 133 others.

Mr. Chairman, I believe it is high time for Congress to enact a mandatory poultry inspection law. Such a law is needed by consumers, farmers, processors, and workers.

I want to commend the Committee on Agriculture, and especially its Poultry and Egg Subcommittee, for their great work in developing this legislation. I would have liked to see the committee report a bill with stronger consumer-protective provisions. However, the committee has had to take a course designed to accommodate the many viewpoints which came before it, and I believe it has done that well.

H. R. 6814 may not be as strong as some of us would have liked. But, as it is written now, it has sufficient consumer-protective features to allow a good compulsory poultry inspection to be instituted.

I urge my colleagues to approve H. R. 6814 without any weakening amendments.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. ANFUSO].

Mr. ANFUSO. Mr. Chairman, the House of Representatives will today be able to close one of the most dangerous loopholes in our food laws. By enacting H R. 6814, we will be able to assure the consumer that poultry in interstate commerce and in designated areas will be free of filth and disease.

Unfortunately, that is not true today. The overwhelming majority of poultry processors do their utmost to put good quality poultry on the market. And they improve their plants, so that the maximum of sanitation is achieved. But some processors put profit above their responsibility to the public. It is these processors who make poultry inspection legislation necessary as protection not only to the consumer but also to the honest, responsible processors.

To demonstrate what we are trying to prevent, let me read to you excerpts from three of many affidavits taken from poultry workers. One affidavit states:

> When packing, there would be hundreds of chickens every day coming into the packing room that would be bruised, have sores on them, and the chest cavity would be covered with pus. Sometimes the skins of the chickens would have sores (sores that would have openings with hard gristly ring around them, others that would have scabs over the sores, and others with red pimples that looked like chicken pox), so that I would have to take the entire skin off. Some of the sores could be cut off. After taking the skin off or cutting the sores off, I would pack them in boxes and see them loaded on trucks to be taken to market.

Another poultry worker says in an affidavit:

> We killed some (chickens) on the line that were already dead, that is, we would attempt to kill them. The reason that I knew these chickens were already dead was because they would fall entirely to bleed when I cut their throats. I have killed some chickens which seemed to be affected by some kind of disease because streams of fluid and pus would be running out of their beaks and mouths.

A woman working in a poultry plant states in an affidavit:

> When splitting many of these chickens, pus spurted out. This caused me to vomit on several occasions. It was a vile and sickening odor coming from the insides of the chicken. Some days we would run chickens all day long that would be sick. Many of the chickens would be full of worms, long stiff wiry worms.

I apologize to my colleagues for bringing up these sickening facts. But I believe we should have a clear picture of what we are legislating about.

These conditions exist in some processing plants throughout the country. They are a danger to the consumer, to the workers in the plant and to the overwhelming majority of processors.

In both the 84th and the 85th Congresses, I introduced legislation to do something about this situation. These were bills for compulsory poultry inspection. As a member of the Poultry and Egg Subcommittee of the Committee on Agriculture, I took part in the hearings on this legislation both in this and in the last Congress. My experience with this legislation makes me certain that compulsory poultry inspection is one of the greatest legislative needs of consumers today.

Frankly, I preferred my bill, H. R. 5403. I thought it would provide greater consumer protection. But in H. R. 6814, the subcommittee has written a clean bill which provides adequate protection to the consumer. It is a good and meaningful compromise between the various bills which were before the committee and I want to congratulate the author, the distinguished chairman of the subcommittee, for his patience and fairness in all of the deliberations of the committee.

I urge that the House approve H. R. 6814 today. We must do so without any weakening amendments. This measure is already a compromise. If attempts are made to weaken it, then attempts must also be made to strengthen it.

We have a meaningful compromise now. If that compromise bill were weakened, we would be betraying the consumer. I, for one, will not be a party to that. I believe we would then have to reconsider the sections on ante mortem inspection, State inspection programs, agencies carrying out the inspection, and other provisions.

Instead of this, I urge that we enact H. R. 6814, as reported by an overwhelming vote from the Committee on Agriculture. The consumer needs this protection now and we must provide it now.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Chairman, H. R. 6814 is a sound and progressive legislative step which will provide needed protection for the consuming public, and will at the same time protect the good name of one of our finest agricultural groups, the poultry industry. There is no sound reason why poultry should be exempt from Federal inspection to which meat is subject.

This bill has the support of the Department of Agriculture and the Department of Health, Education, and Welfare—the two Federal agencies most directly concerned. It is also backed by all major farm organizations, as well as consumer groups, health officials, professional societies, and labor unions.

This morning I received a telegram from Stanley B. Smith, secretary of the New York State Poultry Council, urging support of H. R. 6814, and indicating it has the backing of the poultry industry.

It is gratifying to note the strong support for this measure among those who will be regulated, indicating clearly their good motives and willingness to serve the public in the best possible manner.

Mr. Chairman, I urge passage of H. R. 6814. Its enactment will provide added insurance for the happy and healthy tomorrow all Americans want.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. DIXON].

Mr. DIXON. Mr. Chairman, the processors of poultry as well as the producers are to be complimented on taking the initiative in this movement. It is not just the consumers who have made a universal demand for compulsory inspection. It is the processors and the producers as well who want it. They all realize the situation. I certainly congratulate the processors for asking for this improvement as well as the producers, because it is in the interest of public welfare.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. Is it not also true that this legislation may in fact result in an increase in the consumption of poultry products by the public?

Mr. DIXON. Definitely. The question was, Will this result in an increased consumption of poultry? I believe the voluntary inspection program is to a considerable extent responsible for doubling the consumption of poultry since 1939. That is the best way to sell poultry, to have the housewife know that her food is clean, sanitary, and free from disease.

With regard to the question about the charge that inspection is impossible for so many small plants. I also have a letter from the Department of Agriculture in which they claim that they can provide this inspection and will be compelled to wherever it is necessary. Of course this bill is largely for poultry going into interstate commerce. The USDA testified before our committee that they used the inspectors frequently. All inspectors do not need to be veterinarians. The USDA also showed us that they have veterinarians employed on an hourly basis in nearly all sections of the country. They testified that they can meet this demand for qualified inspectors.

Of course the bill cannot become operative all at once. It will not become compulsory, as I understand, until 1959. As fast as the processors and poultry people themselves want to have the inspection they can ask for it, even before, any time now.

That brings me to the next commendable thing, and that is this voluntary poultry inspection movement paid by the processors and operated by USDA. In 1951 there were only 145 plants that had voluntary inspection. Now we have more than double that number which process now 28 percent of all poultry.

The testimony was uniform all through our hearings day after day that inspection is the finest thing that ever happened for the poultry grower himself as well as for the consumer; furthermore, that the United States Department of Agriculture has done a magnificent job in this voluntary inspection program. The Farmers Union, the Farm Bureau, the Grange, all of the organizations testified they were very much pleased with the voluntary inspection program as it has gone along. So this is not new, because the USDA voluntary inspection has paved the way.

Mr. REECE of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield.

Mr. REECE of Tennessee. If the voluntary program has been successful and the Department of Agriculture has done a good job of helping promote voluntary inspection, then why should it not be desirable to do as was originally contemplated, authorize the Department of Agriculture to install such inspection as in the Department's judgment would be necessary to safeguard the health of the people in all respects.

Mr. DIXON. Because there is universal demand on the part of the consumers for some protection. We have compulsory inspection of the red meats. Compulsory inspection has proved so indispensable for the red meats. Everybody wants it now for poultry. This is just the response to a universal demand for the same protection for poultry that we get for red meats.

Mr. REECE of Tennessee. There is a big difference between inspecting a 1200-pound steer carcass and a 2¼-pound fryer carcass. The inspection for the beef does not run to safeguard the health so much as it does to determine the quality of the beef so that the housewife will know the grade of beef she is buying when she buys it, being unschooled in many instances in how to determine the grade.

Mr. DIXON. I think it involves, too, health, because we have trichinosis in pork and inspection for that. We would not be without that inspection for anything in the world. There are 26 poultry diseases that are communicable to individuals.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield.

Mr. SANTANGELO. I am in favor of the principle of this bill, but I am a little disturbed about it. As a young man I worked in a poultry market. I used to kill and clean chickens. I wonder whether under the terms of this bill inspectors will be assigned to the retail poultry markets. For example, in the city of New York which is a large consuming area, if inspectors are assigned to every retail poultry market, you would have a tremendous number of inspectors assigned to the retail markets selling poultry and they would be working from Monday through Saturday from 9 o'clock in the morning to about 8 o'clock at night.

Mr. WATTS. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to my honored chairman.

Mr. WATTS. The bill does not provide any type of inspection at a retail plant. It provides for inspection only in the processing plants.

Mr. SANTANGELO. As I read the provisions with regard to exemptions, it seems to me it applies to retail plants and that is why I am disturbed about it. The bill says that no such exemptions shall continue in effect beyond 1960.

Mr. WATTS. The exemption that you are talking about has to do with the cutting up of poultry and not with reference to a retail store.

Mr. SANTANGELO. That is another exemption. I am talking about the other exemption which the bill says shall not go beyond a certain date.

Mr. WATTS. There are three exemptions set out.

Mr. SANTANGELO. One exemption applies to where they cut up the poultry. Another applies to where they are selling processed poultry. Now a retail place which sells poultry in the city of New York, which is a large consuming area, would be processing and slaughtering poultry from morning until night from Monday through Saturday and if the bill provides for the assignment of an inspector to these little retail places in the city of New York you are going to have the Federal Government in every place and you would have a situation which would be very difficult to tolerate. If there is an exemption in such a case and the bill does not apply to that, I think the bill is a very good bill. I would like to be assured that this does not apply to each and every retail plant requiring an inspector to be there from Monday morning to Saturday night.

Mr. WATTS. I can give the gentleman that assurance.

Mr. SANTANGELO. I thank the gentleman.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. MCINTIRE].

Mr. MCINTIRE. Mr. Chairman, this legislation is presented to the House of Representatives after careful consideration by the Poultry Subcommittee of the House Committee on Agriculture and the full Committee on Agriculture.

Legislation dealing with this subject matter—the compulsory inspection of poultry—was introduced in the 84th Congress, and although it was considered by the appropriate committees of both bodies, no legislation was enacted during that Congressional session.

At the inception of the 85th Congress, bills relating to the subject of compulsory inspection of poultry were introduced by numerous members of the House of Representatives, myself included. It is my opinion that full and adequate hearings were conducted by the subcommittee considering these bills, and I wish to commend my able colleague from Kentucky, the chairman of the subcommittee on poultry and eggs, for the thorough and objective manner in which this legislation was considered. After due discussion within the subcommittee and consideration of suggested amendments, a clean bill was drafted by the subcommittee chairman, considered by the full Committee on Agriculture, and referred to the House of Representatives for consideration today. It is my considered opinion that this bill has merit, and I urge its approval.

Mr. SEELY-BROWN. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. SEELY-BROWN. The gentleman is very familiar with the problems which the New England poultry producers face. Does he see anything in this legislation which would be harmful either to the poultry producers or to the small cooperative processing plants who find their problems already difficult? Does this add a new problem to their operation?

Mr. McINTIRE. I may say to the gentleman it is my considered opinion that this bill will not seriously inconvenience the small processor in the areas with which we are both familiar, and that the inspection service will be made available to him on a basis which will be flexible enough to meet his usual production schedule through his processing plant. It may be pointed out that this bill deals only with processors, and the idea that it creates a problem to the producer is far out of the proper perspective of the bill.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Evidently no quorum is present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 135]

Adair	Cunningham, Nebr.	Jones, Mo.
Allen, Calif.	Curtis, Mass.	Kearney
Anderson, Mont.	Davis, Tenn.	Kearns
Ashley	Dawson, Ill.	Keeney
Barden	Delaney	Kelly, N. Y.
Barrett	Dennison	Kilburn
Bass, N. H.	Derounian	Kluczynski
Baumhart	Diggs	McConnell
Beamer	Donohue	Maillard
Bentley	Dorn, N. Y.	Meader
Blitch	Eberharter	Miller, N. Y.
Bonner	Engle	Minshall
Bowler	Fallon	O'Konski
Boyle	Fogarty	O'Neill
Bray	Fulton	Ostertag
Brownson	Granahan	Philbin
Buckley	Green, Pa.	Polk
Byrne, Ill.	Gregory	Powell
Byrne, Pa.	Hardy	Prouty
Cederberg	Harvey	Radwan
Chelf	Hays, Ohio	Rains
Chiperfield	Healey	Riehlman
Christopher	Hillings	Robeson, Va.
Chudoff	Holtzman	Saund
Colmer	Ikard	Shelley
Coudert	Jennings	Smith, Kans.
Springer	Thornberry	Wilson, Ind.
Taylor	Tuck	Winstead
Teller	Widnall	Withrow
Thompson, La.	Willis	Younger

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'BRIEN of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6814) and finding itself without a quorum, he had directed the roll to be called, when 339 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. McINTIRE. Mr. Chairman, it should be said that a sincere effort was made to enable all parties having an interest in this legislation to be heard. As the record reveals, there were more than 70 witnesses who presented either testimony or statements. Testimony and/or statements were presented by 34 groups representing the poultry industry, 16 health officers, 12 representatives of labor unions, 6 general consumer organizations, representatives, and members of the major farm organizations—all of these supported some type of compulsory poultry inspection. Too, the Department of Agriculture and the Department of Health, Education, and Welfare have indicated their support of this legislation now before us.

H. R. 6814 is a compromise bill in many respects, differing only mildly with S. 1747, the Senate poultry bill passed by that body on April 8 of this year. H. R. 6814 does not thoroughly satisfy the interests of all parties advocating mandatory poultry inspection legislation—it does not fully accomplish all that has been requested by the labor unions; it does not entirely satisfy the representatives who spoke in behalf of the health groups; and it does not attain all of the objectives endorsed by the poultry producers. However, it does have eminently favorable features, for it is a timely piece of legislation that will aid—through a comprehensive and standardized program of inspection—in the progressive development of the poultry industry. It would also assure the consuming public that the poultry offered on the market would be wholesome in nature, having been processed in plants meeting uniform and high grade standards of sanitation.

I wish to pay tribute to poultry producers and processors, together with governmental agencies at the Federal and State level, for the excellent job that they have done in bringing to the American people very fine poultry products. I believe that this legislation will prove an assist in doing an even better job in providing palatable poultry, and that it will add confidence to the consuming public's interest in a food item which, because of its delicious nature, has today become a popular food requirement in our everyday diet.

I say "everyday diet" because chicken is no longer just a Sunday dinner, nor is turkey just for Thanksgiving and Christmas. Inasmuch as poultry has become so universally used—because of its perishable nature—handled fresh, I believe the time has come, as it did with red meats, for the public interest to be recognized—this to be accomplished through the establishment of high standards of sanitation and wholesomeness that are maintained through a program of compulsory inspection.

It is interesting to note that per capita consumption of poultry has grown from 22 pounds in 1940 to nearly 40 pounds in 1956, and production of poultry meat has now reached 6.6 billion pounds. With the development of refrigeration, frozen and precooked foods, and ready-to-cook packaging, the consumption and production of poultry meat has progressed very rapidly.

In effect, this is a very competitive industry today, one which often operates on very slim margins, and in the industry there are the careless and the unscrupulous. Many of these weaknesses presently evident in the industry can, in large degree, be substantially corrected or eliminated through an inspection system that requires sanitary facilities that will process only wholesome birds.

The Voluntary Poultry Grading and Inspection Service was started by the Poultry Branch of the Agricultural Marketing Service, under authority of the Agricultural Marketing Act of 1946. Under this provision it has been possible for a poultry processor to enter into agreement with the Poultry Branch of the Department of Agriculture and receive inspection, providing his plant is designed to meet requirements, and the processor pays all costs associated with this service. Two States—Maine and North Dakota—worked out Federal-State agreements for this service to processors in those States, and the processors pay the full cost of inspection service. At the present time, 28 percent of all classes of poultry are inspected at processing, and 68 percent of all turkeys.

At this point, I would like to commend the Maine poultry processors for the fine work they have done under this program, and for the high standards they have established for processing plants and for birds processed for market.

The poultry industry is now substantial in practically every State in the Union. The 10 leading States in 1956, in broiler production, were Georgia, Texas, Arkansas, North Carolina, Delaware, Alabama, Maryland, Virginia, California, and Maine, in that order. The 10 leading States in 1956 in the production of farm chickens were Iowa, Minnesota, Illinois, California, Missouri, Pennsylvania, Indiana, Wisconsin, Ohio, and Texas, in that order. The 10 leading States in turkey production in 1956 were California, Minnesota, Virginia, Iowa, Texas, Ohio, Missouri, Utah, Wisconsin, and Arkansas, in that order.

This legislation is of particular importance to the aforementioned States. It is also important to all other States where poultry is processed, because the inspection required will be applicable to processors that sell in interstate commerce and in intrastate commerce, where designated areas are involved.

You have had the separate provisions of the bill presented to you by previous speakers, and in consideration of the fact that the committee staff has prepared a very thorough and concise report on the bill, I would like to point out briefly the requirements of H. R. 6814:

(a) Compulsory Federal inspection on all poultry and poultry products moving in interstate commerce and in major intrastate consuming areas.

(b) This is not a poultry grading bill, and it does not apply in any manner to the handling, shipment, or sale of live poultry; nor does it apply in any manner to the processing or sale of eggs or egg products or game birds.

(c) The legislation requires post mortem bird by bird inspection and ante mortem inspection, as the Secretary deems necessary.

(d) Sanitary practices are required by regulations of the Secretary.

(e) Labeling requirements are established.

(f) Penalties are established.

(g) Exemptions are provided.

(h) Provisions are made to enable the Secretary to cooperate with States in respect to inspection service and standards.

(i) Inspection costs are borne by the Federal Government through general appropriations.

It is my considered opinion that the marketing of poultry as a fresh meat product has attained proportions which—in the public interest—demand an inspection designed to assure uniform standards of wholesomeness; that any associated costs should—because they are in the public interest—be at public expense. Because this bill, in large measure, achieves these objectives, I sincerely believe it has merit.

I would like to add just one or two other points. One is to reemphasize that this bill does not apply to the producers. It applies to the processors. The question was asked—how many additional plants would be brought under inspection. May I add for the record and for the information of the Committee that approximately 700 additional plants would be brought under inspection as soon as they qualify under the inspection requirements.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. HALLECK. Does that include the little processing plants which I know exist in my district? Does the Department know how many of them are out there?

Mr. McINTIRE. This figure was obtained from the Department of Agriculture, I will say to the gentleman from Indiana.

Mr. HALLECK. I feel constrained to say that if little processing plants such as are in my district are found in other places in the country, then that number, if they are to be inspected, and the gentleman has said that it would be provided to cover them, then the number will be many more than 700.

Mr. McINTIRE. This figure is one which I obtained from the Department and I base my statement on their information.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. COOLEY. It is contemplated by this program that if the Secretary cannot provide the necessary inspectors to carry out the program, he is authorized to exempt the little poultry slaughterhouses; is that not true?

Mr. McINTIRE. That is true, during the period in which the program is being built up for its full application.

Mr. COOLEY. And we think we have allowed sufficient time in the law to put the program into operation without causing any undue hardships.

Mr. McINTIRE. I might say to my chairman that that point was given very careful consideration by the subcommittee and the full committee, as the chairman will recall, and in consultation with the Department. We believe the effective date of this act is very fair.

Mr. COOLEY. The charge has been made that it is the purpose of this act to put the small producer out of business. I am sure the gentleman will agree with me that that is not the purpose of the law and no member of the committee had that in mind at the time we reported this bill.

Mr. McINTIRE. I would like to reply with reference to that point that as one member of this subcommittee that factor has been given very close consideration. I think we have endeavored, and quite successfully, to draft legislation which certainly did not have that objective as its purpose. We have done a diligent job to make sure that it does not work that way.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, it is strange that a people as health conscious as we Americans are, have not yet provided for compulsory inspection of poultry.

Poultry is one of our major foods. More than 6 billion pounds of it are consumed in the United States each year—enough for 35 pounds for every man, woman, and child. And yet there are no adequate and compulsory safeguards concerning this food for the consumer.

This is despite the fact that veterinarians have testified before the Committee on Agriculture that 26 diseases are transmissible from poultry to man. Some of these diseases cause extreme illness and even death.

While much of food poisoning comes from improper handling of foods, the United States Public Health Service reports that in 1956 nearly 36 percent of the cases of food poisoning reported to it were caused by poultry or poultry products. This is extremely high—far higher than for any other food.

Mr. Chairman, I believe these statistics are alarming. I know that the responsible sections of the poultry industry—and that is the overwhelming majority of the industry—is doing all it can to prevent these dangers. Many firms in the industry even pay for an inspection program to assure the consumer clean and wholesome poultry.

But the majority of the industry cannot control the few who, in order to make a "fast buck," will put diseased and filthy poultry on the market. The consumer must be protected against these unscrupulous operators.

The best means of doing this is through a system of compulsory poultry inspection. Fifty years ago, the Nation learned that a good Federal inspection program could make the jungle which was then the meat industry into an excellent provider of a tasty, nutritious, and wholesome food.

We can assure the consumer the same type of protection with poultry by approving H. R. 6814 today. Enactment of this measure is an immediate and pressing necessity.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. JOHNSON].

Mr. JOHNSON. Mr. Chairman, I wish to speak briefly in support of H. R. 6814, a bill to provide for the inspection of poultry and poultry products so as to prevent the movement in interstate or foreign commerce of poultry products which are unwholesome or otherwise unfit for human food. I think we can all agree with the purpose of the bill as set forth in the declaration of policy as most desirable and vital to the well-being of the consumer and producer.

It is not many years ago that the production of poultry was a sideline affair, and the consumption of poultry was more or less restricted to holidays and special occasions. That is no longer true. The production of poultry has become one of the major industries of this country, and consumption of poultry has increased by leaps and bounds to a point where 6.4 billion pounds of poultry were consumed last year as compared with 2.1 billion pounds in 1920. In this 46-year period, the consumption of poultry in this country has tripled while the consumption of red meat has just about doubled.

Yet the inspection of red meat has been in force since 1906 while poultry, at the present time, is still on a voluntary inspection basis with many areas of the country having no inspection at all.

In the 84th Congress, numerous versions of the mandatory inspection bill were introduced in both House and Senate. The Senate held hearings early in the second session of the 84th Congress, but the House held no hearings until July of 1956, close to the time of adjournment. At that time there was no unanimity of opinion among the various people concerned. And because unanimity could not be reached, it was decided to discuss the subject further and schedule hearings in the next session of Congress.

Early in March of this year, the House Agriculture Committee held further hearings and there were many bills before the committee. After the hearings were completed, H. R. 6814, the bill under discussion today, was introduced and passed out by the subcommittee. It is a compromise bill between the views of consumers, public health personnel, the Department of Agriculture, labor unions in the poultry field on one hand, and the poultry industry groups on the other

hand. Although all groups agreed on the need for adequate inspection to protect consumers and laborers in the processing plants, while at the same time not burdening the processor with extraordinary expense and redtape, there were many diverse points of view on how to achieve such an inspection program.

In the 83d Congress, there was one group which wanted the inspection functions vested in the Pure Food and Drug Administration of the Department of Health, Education, and Welfare. Another group thought they should be vested in the red-meat inspection branch of the Agricultural Research Service of the Department of Agriculture, which has handled red-meat inspection for 51 years. A third group thought it should be placed with the Poultry Division of the Agricultural Marketing Service, which has handled the voluntary inspection program for poultry for 30 years. When the House Agriculture Committee considered the matter this session, there were only two schools of thought.

One wanted the inspection performed by the Red-Meat Division of the Department of Agriculture and the other group thought it should be performed by the Poultry Division of the Agricultural Marketing Service. There were strong arguments for both positions.

H. R. 6814 places the inspection with the Department of Agriculture, but leaves it to the discretion of the Secretary of Agriculture whether the responsibility for poultry inspection shall be placed with the Red Meat Division or the Poultry Division of the Agricultural Marketing Service. If the Secretary of Agriculture decided to place this responsibility with the Marketing Service and, after a trial period, finds that it should be with the Red Meat Division, he has the authority to transfer the function.

Another point of disagreement was the question of antemortem inspection of each bird. One group felt that each bird should have antemortem inspection prior to slaughter, while another group thought the only inspection necessary was post mortem. H. R. 6814 provides for post mortem inspection of each bird and leaves it to the discretion of the Secretary of Agriculture to use antemortem inspection whenever he considers it necessary. This authority can be delegated to the individual inspector in the field, and if there are areas where antemortem inspections become necessary, they can be invoked.

The third point of disagreement between the various groups was the effective date of compliance under the mandatory inspection program. Only 35 percent of the poultry consumed at this time is subject to voluntary Federal inspection. Many processing plants will have to make necessary changes in order to come under the law. H. R. 6814 allows ample time for the poultry industry to get ready for inspection by making inspection available to plants which request it by January 1, 1958, and extending the time for mandatory inspection to January 1, 1959.

The fourth point of disagreement had to do with the enforcement of the act. One group advocated language which would require the Department of Agriculture to prove that a processor knowingly violates the law. The testimony of the representative of the Poultry Inspection Division was that this would make the law practically unenforceable, and he also stated that, in the many years voluntary poultry inspection has been in effect, violations have been very minor. H. R. 6814 compromises these points of difference by giving a reduced penalty for the first offense and dropping the word "knowingly" in the enforcing clause. Strong enforcement penalties are provided after the first offense. The objective of the poultry-inspection bill is to protect the consumer and the worker in the plant from unfit and diseased poultry and to protect the producer and processor from an unworkable inspection program that might drive them out of business.

To show the committee that various groups which have been at crossed points at the hearings now express their endorsement of H. R. 6814, I would like to state that a processor and turkey grower in my district who was one of the first to testify before the committee at that time strongly advocated the use of the word "knowingly" and was opposed to ante mortem inspection. He now favors H. R. 6814. I would also like to read you a letter from a processor in my district who endorses the provisions now contained in H. R. 6814.

WISCONSIN PRODUCE, INC.,
Elcva, Wis., March 4, 1957.

Congressman LESTER JOHNSON,
House Office Building,
Washington, D. C.

HONORABLE SIR: I am writing in regard to the mandatory poultry-inspection bill now up before Congress. There are several points which I feel should be included in this bill if small processors like ourselves are to survive.

First, the law should leave the inspection program in the hands of the Secretary of Agriculture. This will allow the Poultry Branch to function as it has in the past.

Second, the decision as to the use of ante mortem inspection should be left to the discretion of the Secretary of Agriculture and his advisers. Under no circumstances should it be legislated into law.

Third, a reasonable date for compliance should be allowed. The bill should not become effective before January 1, 1958.

We in the poultry industry realize the necessity for producing quality products; however, a costly or unworkable inspection program will sound the death knell for small processors like ourselves.

I sincerely hope you will do your utmost to include in any inspection program passed the three points listed above.

Sincerely yours,
WILLIAM J. WERNERSBACH,
General Manager.

I should also like to read you a letter from the Amalgamated Meat Cutters and Butcher Workmen of North America who were opposed to the stand taken by producers and processors at the time of the hearings and who now endorse H. R. 6814.

AMALGAMATED MEAT CUTTERS
AND BUTCHER WORKMEN
OF NORTH AMERICA,
Chicago, Ill., June 5, 1957.

The Honorable LESTER R. JOHNSON,
Member of Congress, United States House of Representatives, Washington, D. C.

DEAR CONGRESSMAN JOHNSON: During the past 3 years, we, on behalf of our union, have been writing to Members of Congress urging the enactment of legislation to provide the compulsory inspection of poultry. We have pointed out that the lack of inspection to guarantee wholesomeness and cleanliness posed serious dangers to consumers and poultry workers. A similar inspection program, as our organization suggested for poultry, has been in effect for red meats for more than half a century to the very great benefit of the entire Nation.

We are very happy to be able to say that the House of Representatives will soon vote on a compulsory inspection bill. The Senate has already passed such a measure.

The Committee on Agriculture recently reported H. R. 6814. This bill is a compromise between the views of the consumer, public health, women and labor groups on the one hand and poultry industry groups on the other. Quite frankly, H. R. 6814 does not have all the points we and other groups believed necessary, but we consider this bill to be a good compromise. This fact, and the great, immediate need for this legislation leads us to support H. R. 6814.

We respectfully urge that you support H. R. 6814 when it comes to the floor of the House of Representatives for a vote. It is very important consumer-protective and worker-protective legislation. It will provide the safeguards which groups, like our union, have so long sought against filth and disease in poultry processing.

Very truly yours,
EARL W. JIMERSON,
President.
PATRICK E. GORMAN,
Secretary-Treasurer.

Mr. WATTS. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Minnesota [Mrs. KNUTSON].

Mrs. KNUTSON. Mr. Chairman, the legislation we are considering today will have a direct effect on virtually every household in America.

Our action today on compulsory poultry inspection, will decide whether housewives can go into the market with almost complete assurance that the poultry they buy is good and healthful for their families.

I have heard a number of the gentlemen here say that compulsory poultry inspection legislation is long overdue. Let me assure them that to the housewife this is a great understatement. The homemaker has believed—and many still do—that all poultry is now inspected for wholesomeness and sanitation. She believed that this is a natural consequence of meat inspection.

I know that I was surprised and shocked when I discovered that only a fraction of our poultry is currently being inspected and that the processor had to request and pay for this program.

Congress must provide the homemaker with what she has long thought we had already given her—a protective inspection program, which will allow only wholesome, clean and unadulterated poultry to come to the market. The homemaker has a right to this protection.

Decades ago, most of us bought our poultry live from a farmer. We would see the bird before slaughter. We would clean and prepare it ourselves. We had no complete guaranty against disease, but we had some idea of the health of the bird. And we definitely knew that the poultry was sanitarily processed.

Today, with the labor-saving processing operations, we no longer have these safeguards. We buy our poultry in a grocery store or supermarket already processed, and perhaps even cut up into parts. We have no idea of its condition nor how it was processed.

The looks of the poultry offers us no indication of its quality, for the processor who wants to sell unfit birds—and there are fortunately few such processors—know tricks to fool the unsuspecting housewife. A diseased bird can be made to look as much like a tempting morsel as a wholesome bird.

The housewife now needs the protection of experts. Under a compulsory poultry inspection program, as provided in H. R. 6814, the Department of Agriculture will put trained inspectors in each processing plant whenever poultry is being slaughtered and prepared. He will inspect a flock, coop or batch of poultry before slaughter and each carcass after slaughter. He will make certain that processing plant, facilities, and operations are clean and will not lead to any adulteration.

That is the type of protection the housewife needs. That is the type of protection she must have.

Since discovering the absence of any compulsory poultry inspection, I have not bought any poultry which did not bear the stamp of the Department of Agriculture's voluntary inspection program. I look forward to the day soon when I do not have to search carefully for that stamp—the day when all poultry sold in interstate commerce and in major consuming areas will be federally inspected, in accordance with law.

I appeal to the members of the House of Representatives to make certain that that day will come on January 1, 1959. We can do this by approving H. R. 6814 today.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, I have been working for more than 3 years for the enactment of a compulsory poultry inspection bill, and while the bill now before us is not the perfect bill—while it does not quite dot every "i" or cross every "t"—nevertheless I am happy to say that I can go along with it. If properly administered—if it is administered with the same spirit which motivates the Department of Agriculture in administering the Meat Inspection Act—then I am sure it will protect the consumer fully, and we can foresee an end to these constantly recurring incidents of widespread infection, outbreaks of disease and epidemics attributable to bad or diseased or unwholesome poultry.

Perhaps it may still come as a surprise to some Members to know that at the present time, there is no assurance that when you go into the stores to buy poultry you are not being sold diseased or unwholesome poultry. If the poultry bears a stamp on it which says it has been inspected for wholesomeness by the United States Department of Agriculture—and only about a fourth of all the poultry sold bears such a stamp—then you know it is all right. But the present program under which poultry is inspected is a voluntary one, and not effective enough.

At present, the processing plant can subscribe to this inspection program if it wants to—and if it is willing to pay the cost of having the inspectors sent in by the Federal Government. And if some of the poultry in an inspected plant does not pass inspection, then, it can be sold anyway—although of course without the Federal stamp on it. But it can still be sold. Furthermore, most poultry now being sold is not inspected at all.

Obviously, this does not protect the consumer. As a result, the American public—which each year buys more than 6 billion pounds of poultry—has been victimized by being sold a lot of diseased, filthy, contaminated, unwholesome, unfit poultry, processed under unspeakable conditions, and sent out in the channels of trade to poison the unwary purchaser.

It is time that we put a stop to such shameful practices. This bill, I believe, will do that.

It will require processors selling poultry in interstate commerce to have their poultry inspected and approved, just as every meat packingplant for the past 51 years, under the Meat Inspection Act, has had to have every carcass inspected and approved before it can be shipped in interstate commerce.

Furthermore—and this is not in the Meat Inspection Act but will apply only to poultry—in consumer centers, such as the major cities, all poultry coming into such an area, both interstate and intrastate, will have to be inspected and approved under this bill certain conditions. That is, if the locality asks to come under the program and if the Secretary of Agriculture finds that the intrastate poultry sales into that city have an effect on or burden interstate commerce. This is not a new provision of law as it involves the concept of interstate commerce, but it is new in connection with any form of meat inspection legislation.

I might add that this provision was inserted primarily at the request of processors engaged in interstate commerce, so as to prevent unfair competition in the major city markets from producers within the same States. As long as the consequence of this is to provide more protection for the consumer, I am quite willing to accept and support this idea.

Now let me explain how the need for this poultry legislation has arisen. One might ask why we suddenly need poultry inspection laws when we have managed to get along for 51 years since the passage of the Meat Inspection Act without having poultry included along with the red meats—beef, pork, lamb—under a compulsory inspection system.

There are two answers to that question. One is that until food technology and refrigeration engineering made possible freezing and nationwide distribution of poultry by big firms, you usually bought a chicken or turkey raised not far from where you lived, and sold by a farmer from his truck or sold by a neighborhood storekeeper whom you knew had a good reliable supplier from a nearby farm.

But in recent years, poultry has gone bigtime and big business. The small farmer is not a factor. As a matter of fact, under this bill, the farmer can still raise his chickens and take them to town and sell them directly to the housewife without having to worry about inspection. But when you buy his poultry you know where that chicken comes from.

But most poultry sold in this country comes from major producing centers, from big processors who buy up or own whole flocks, and who may take this poultry and cut it up, freeze it, and send it half way or all the way across the country. Much of the poultry sold in St. Louis comes from Georgia. Georgia poultry, incidentally, also goes to California.

I am not picking on Georgia. I use the illustration only for geographical explanation. If I buy a Georgia-produced chicken in my St. Louis neighborhood store, or one from Illinois or Pennsylvania or anywhere else; however, I think I have a right as a consumer to expect that it be completely wholesome and fit for use—and that no bad parts were removed to give the impression a sick bird was a healthy one.

I have a right as a consumer to expect that when I buy a frozen turkey, it not be full of water "needled" into it before freezing to make it weigh more.

I have a right as a consumer to expect that when I buy cut-up poultry, the parts not be the healthy-looking legs or wings of a diseased and infected bird.

That is what this bill is intended to accomplish. Also, since we have periodically had outbreaks of epidemics in uninspected poultry-processing plants, causing not only sickness and hardship to employees but in many cases actually causing substantial numbers of deaths, we need this legislation to help and protect the worker, too. And since the greatest proportion of digestive ailments traced to food in this country have been traced to bad poultry, and since the sale of poultry is certain to decline if the consumer cannot have faith in the product he is buying, then the poultry industry itself must also have legislation of this kind.

I think these facts have been brought home to the poultry industry within the past few years. I know, Mr. Chairman, that the overwhelming majority of the industry is zealously trying to provide the consumer with wholesome and clean poultry, but there is a small minority which attempts to profit at the expense of the consumer's health. It is because of these unscrupulous operators we need this legislation.

When I first began working on legislation on this subject in 1954, it was bitterly opposed by people in the poultry-processing field and by some farm groups. That is now changed. This bill, I believe, has no organized opposition from the industry. As a matter of fact, since it is a compromise intended to meet industry fears as well as consumer needs, it is not as strong as I would want to make it, but I think, as I said, it can be used effectively to do the main job which must be done—and that

is protect the public from being poisoned by diseased and unfit poultry products.

I believe the gentleman from Kentucky [Mr. WATTS], who is chairman of the subcommittee which handled this legislation, has done a truly outstanding job in bringing together diverse viewpoints on this legislation and bringing about agreement on a compromise which the poultry industry believes is fair and which those of us primarily concerned with the consumer's needs can also accept. I should emphasize most strongly that this is a compromise. If we can pass it in this form, then all points of view will be treated fairly.

But I must warn that if the consumer protections which we have insisted on in this compromise are weakened, then the compromise would be upset. There would be an obligation upon us then to move to make the bill stronger. For I must point out that while this bill will have the effect of increasing poultry sales—by bolstering consumer faith and confidence in the purity of the poultry sold in the stores—it is primarily a consumer-protection bill, not a poultry-merchandizing one.

The poultry-merchandizing objectives will be enhanced, I can assure you, by assuring the consumer he is getting good food whenever he buys poultry.

It is my feeling that the objectives of a good inspection system could be achieved most simply and directly merely by amending the 51-year-old Meat Inspection Act to include poultry. My bill, H. R. 12, a successor to H. R. 11800 which I introduced in the previous Congress, would have approached it in that manner. However, the subcommittee felt it would be important to achieving the support and agreement of the poultry-processing industry and the farm groups if there was separate legislation on poultry, making it thus unlikely that poultry inspection would be made a subordinate stepchild of the Meat Inspection Branch dealing with red meats.

In line with that feeling, I agreed to submit a second bill along those lines, H. R. 5398, and thus both my bills were before the subcommittee. As we know, H. R. 6814, which is now before us, is a compromise of the provisions of my bills and of suggestions made by the industry groups, and was introduced by Mr. WATTS at the conclusion of the hearings. It incorporates many of the provisions of H. R. 5398 as well as the overall objectives of H. R. 12.

I have asked the Library of Congress Legislative Reference Service to provide me with a detailed table listing the differences as between the three bills—H. R. 12, to amend the Meat Inspection Act, H. R. 5398, which represented an ideal consumer approach in separate poultry-inspection legislation, and H. R. 6814, the compromise bill containing industry as well as consumer proposals. I include this excellent table at this point, Mr. Chairman:

Provisions of 3 poultry inspection bills

H. R. 12 by Mrs. SULLIVAN	H. R. 5398 by Mrs. SULLIVAN	H. R. 6814 by Mr. WATTS
Sec. 1. Finding by Congress that poultry and poultry products are being marketed without adequate inspection to insure wholesomeness and that amendments are hereby made to the Meat Inspection Act and the Tariff Act of 1930 to give the Secretary of Agriculture power to regulate shipments which (1) are in interstate and foreign commerce, or (2) burden, obstruct, or affect interstate or foreign commerce. The Meat Inspection Law has never been considered to apply to purely intrastate transactions. The act. of 1942 (56 Stat. 351) which extended the inspection on a voluntary basis, to establishments in intrastate commerce was repealed in 1947 (61 Stat. 449, sec. 1).	Sec. 1. Title: Poultry Products Inspection Act. Sec. 2. Legislative finding: Makes a finding as to (1) the large quantities of poultry products that are in interstate commerce, and (2) the great volumes of poultry products used within certain large centers of population which directly affect poultry and poultry products in interstate commerce. According to the Department of Agriculture, in their comment on previous bills, the application of the act to market areas was requested by the poultry processors whose products are largely in interstate commerce and who feel that compliance would put them in an adverse competitive position in large market areas represented by big cities. It is based on the regulatory technique used by the Secretary of Agriculture under sec. 8c of the Agricultural Marketing Act which was upheld by the Supreme Court in *United States* v. *Wrightwood Dairy* (1941), 315 U. S. 110.	Sec. 1. Title: Poultry Products Inspection Act. Sec. 2. Identical to sec. 2 in H. R. 5398.
Sec. 2. Proviso. Provides that the Secretary of Agriculture may regulate any shipments which directly burden, obstruct, or affect interstate and foreign commerce.	Sec. 3. Declaration of policy—Congress therefore provides in this act for inspection of poultry and poultry products in interstate commerce, and in designated cities and areas.	Sec. 3. Same as in H. R. 5398.
Sec. 3. The inspection process under H. R. 12 would be assimilated to the regulations governing meat inspection, or set up separately at the Secretary's discretion. The bill does require both ante mortem and post mortem inspection. In the regulations under the Meat Inspection Act (9 C. F. R. 21.1) the query on a suspicion of unwholesomness is made "to the immediate superior." Does the word "appeal" in H. R. 5398 and H. R. 6814 permit the formulation of a less expeditious regulation?	Sec. 4. Designation of inspection area. The procedure is as follows: (1) Application for regulation by the appropriate official or governing body of a city or area. (2) Public hearing by Secretary of Agriculture on whether regulation would effectuate provisions of act. (3) Order by Secretary placing city or area under regulation if the findings of fact at the hearing so warrant. (4) Designation goes into effect 6 months after publication in Federal Register.	Sec. 4. Designation: The procedure is as follows: (1) The Secretary is the motivating force. (2) A public hearing is conducted at his instance. (3) After the necessary finding of fact, he issues an order establishing regulation of the city or area. (4) Provided the city or area consents. This is equivalent to veto power. (5) The order establishing inspection goes into effect 6 months after publication in the Federal Register.
Sec. 5. Inspection: The inspection process consists of— (1) compulsory ante mortem inspection whenever processing operations are being carried on, in such manner as is determined necessary. (2) post mortem inspection of the carcass of each bird processed. (3) Condemnation of all poultry, parts, or products found to be unwholesome, and unless an appeal is taken, destruction thereof. (4) Permission to appeal a condemnation, which appeal shall be paid for by the person making it, if it is found frivolous. (5) Compliance with proper sanitary regulations established under the act is required.	Sec. 5. Inspection: The inspection process consists of— (1) Discretionary ante mortem inspection, where and to the extent considered necessary. (2) Post mortem inspection provisions the same as in H. R. 5398. (3) Condemnation of all poultry, parts, or products found to be unwholesome, and, unless an appeal is taken, destruction thereof. Such carcasses, parts and products which may by reprocessing, be made not unwholesome and not adulterated, need not be so condemned and destroyed, if reprocessed under supervision of an inspector and thereafter found not to be unwholesome and not adulterated. (4) Compliance with proper sanitary standards under the act is required.	Sec. 5. Inspection: The inspection process consists of— (1) Discretionary ante mortem inspection, where and to the extent considered necessary. (2) Post mortem inspection provisions the same as in H. R. 5398.
Sec. 6. Sanitation, facilities, and practices: Grants authority to establish regulations effecting these.	Sec. 6. Sanitation, facilities, and practices: Same as H. R. 5398.	Sec. 6. Sanitation, facilities, and practices: Same as H. R. 5398.
Sec. 7. Empowers the Secretary to establish regulations governing sanitary conditions.	Sec. 7. Labeling: (1) Requires each "shipping" container of any inspected product to bear in legible form (a) official inspection mark (b) name of product (c) accurate weight, measure, or numerical count (d) name and address or approved plant number in which contents were processed. (2) Requires each "individual consumer" package to bear in legible form (a) name of product (b) statement of ingredients if made from 2 or more (c) net weight or other appropriate measure (d) name and address or approved plant number of establishment where contents were processed. However, the name and address of the distributor may be used if the approved plant number is employed also. (3) Prohibits false or misleading written, printed, or graphic matter; and the use of false or deceptive names for the products unless the Secretary finds such names	Sec. 7. Labeling: (1) Requires "shipping" containers to bear in legible form the official inspection mark and the approved plant number of the official establishment in which the products were processed. (2) Requires the "immediate" container to bear in legible form the same items of information as the "individual consumer" package under H. R. 5398. The provisions respecting name and address and plant number are not, however, in the alternative under H. R. 6814. (3) Provisions as to labeling are the same as under H. R. 5398.
Sec. 10. The labeling provision governs the items inspected and passed. It does not refer to accompanying material, or false and misleading labels, other than those claiming an item has been "inspected and passed" which has not been. Violators are subject to criminal penalties only; not to injunction proceedings.		

Provisions of 3 poultry inspection bills—Continued

H. R. 12 by Mrs. SULLIVAN	H. R. 5398 by Mrs. SULLIVAN	H. R. 6814 by Mr. WATTS
	are legitimate trade names. The Secretary may require any label which is false or misleading in any particular to be modified. The person using the label may request a hearing; but use shall be withheld pending the hearing. Thereafter, if the finding is adverse to the use of the label, he may appeal to the United States circuit court of appeals in the circuit where he resides. Some factors under this section should be pointed out. Subsec. (a) has as its objective the proper identification of inspected poultry and poultry products and this is comparable to the labeling provision in the Meat Inspection Act (21 U. S. C. 75). Subsec. (b) in referring to "printed or graphic material" not only upon but also accompanying the inspected product, together with its prohibition against false and misleading labels borrows concepts from the misbranding provisions of the Food, Drug, and Cosmetic Act (21 U. S. C. 343) which is administered by the Department of Health, Education, and Welfare. The Meat Inspection Act subjects anyone violating its labeling provisions to criminal penalties. Under the Food, Drug and Cosmetic Act, items which have been misbranded are subject to seizure; the person (including firm) so doing is subject to injunction or criminal proceeding. As you may note, the libel for seizure has not been included in either of these bills.	
Sec. 9 and Sec. 10. Prohibit uninspected products, or improperly labeled products to be transported in interstate or foreign commerce.	Sec. 8. Prohibited Acts. There are 9 of these as follows: (1) Placing in interstate commerce or for sale, delivery, etc., of any poultry or poultry product unless it has been inspected and its container is properly marked. (2) Sale or other disposition for human food if any poultry or product thereof which has been found unwholesome or adulterated. (3) Forging or counterfeiting an official inspection mark. (4) Using a false or misleading label on any product. (5) The use of a container bearing an official inspection mark except for the products originally put in it. (6) Refusal to permit access to any authorized representative of the Secretary, at all reasonable times, to the premises of an establishment under this act engaged in processing poultry. (7) Refusal to permit access to and copying of records. (8) The use by any person, to his own advantage, of information acquired under this act. (9) Delivering, receiving, selling, etc., any poultry other than poultry under this act in commerce or a designated city or area.	Sec. 8. Prohibited Acts. Same as in H. R. 5398, except (9), below: (9) Contains a further clause permitting poultry to be transported between official establishments and to foreign countries subject to the regulations of the Secretary.
Sec. 8. H. R. 12 provides that inspections shall be made in the nighttime as well as the daytime, whenever slaughtering is being conducted at nighttime.	Sec. 9. Prohibits any establishment processing poultry or poultry products for commerce or for marketing in a designated city or area except in compliance with this act.	Sec. 9. Same as in H. R. 5398.
No comparable provision in H. R. 12.	Sec. 10. Records of interstate shipment: Records coming under these provisions must be maintained for 2 years following each transaction, and be opened to the inspection of any duly authorized representative of the Secretary.	Sec. 10. Records of interstate transactions. Same as in H. R. 5398.
No comparable provision in H. R. 12.	Sec. 11. Injunction proceedings: The district courts are empowered to issue injunctions both to enforce and to prevent and restrain violations under the act. The analogous provision in the Food, Drug, and Cosmetic Act allows only prohibitory injunctions to be brought (21 U. S. C. 332).	Sec. 11. Injunction proceedings. Same as in H. R. 5398.
Penalty for violation of the Meat Inspection Act, assimilated by H. R. 12 to poultry is conviction of a misdemeanor carrying a sentence of imprisonment for not more than 2 years and for a fine not exceeding $10,000.	Sec. 12. Penalties: Persons violating the provisions of this act shall be guilty of a misdemeanor. (1) For a 1st offense the penalty shall be imprisonment for 1 year and/or a fine of $5,000. (2) For a 2d offense, after a previous conviction has become final, the penalty shall be imprisonment for 2 years and/or a fine of $10,000. These bills do not carry penalty provision for those convicted of an attempt to defraud as does the Food, Drug and Cosmetic Act (21 U. S. C. 333 (b)). (b) Not carried in H. R. 5398.	Sec. 12. Penalties: Persons violating the provisions of this act shall be guilty of a misdemeanor. (1) For a 1st offense, the penalty shall be imprisonment for 6 months and/or a fine of not more than $3,000. (2) For a 2d offense, after a previous conviction has become final, the penalty shall be imprisonment for 1 year and/or a fine of not more than $5,000. (3) For any offense after the 2d, the penalty shall be imprisonment for not more than 2 years and/or a fine of not more than $10,000. (b) Carriers are not subject to the penalties of this act where their only act consisted of the carriage of poultry products. Carriers who violate the provision requiring records, whether or not with knowledge, shall be subject to the penalties of this section.
No comparable provision in H. R. 12.	Sec. 13. Requires a hearing before instigation of criminal proceedings, during which the defendant may state his side of the case, orally or in writing. The Secretary is authorized to overlook violations of this act. This provision is based on that in the Food, Drug and Cosmetic Act (21 U. S. C. 335). However, the penal provision of the bill (sec. 12), unlike the penal provision of the Food, Drug and Cosmetic Act does not explicitly note the defenses which could be raised (see 21 U. S. C. 333 (c)). The second sentence of this proviso is likewise based on a provision of the Food, Drug and Cosmetic Act (21 U. S. C. 336), but unlike that provision it does not limit to merely minor violations the Secretary's authority to overlook violations of the act.	Sec. 13. Similar to H. R. 5398.
Sec. 11. The Secretary of Agriculture is to appoint inspectors and make necessary regulations.	Sec. 14. The Secretary of Agriculture is empowered to establish necessary regulations.	Sec. 14. Same as in H. R. 5398.

Provisions of 3 poultry inspection bills—Continued

H. R. 12 by Mrs. SULLIVAN	H. R. 5398 by Mrs. SULLIVAN	H. R. 6814 by Mr. WATTS
Sec. 12. The Secretary of Agriculture may set volume limitations as the basis for exemption of certain poultry raisers, retail poultry butchers, and retail poultry dealers.	Sec. 15. Exemptions. 2 classes of persons are exempt: (1) Poultry producers raising their own poultry which they sell to household consumers only. (2) Retail dealers with respect to poultry products sold directly to consumers in individual retail stores.	Sec. 15. Exemptions. 4 classes of persons are exempt: (1) Same as in H. R. 5398. (2) Same as in H. R. 5398. (3) For such period of time as the Secretary determines would be necessary to so aid setting this Act into effect, those persons ordinarily subject to the act; but not beyond July 1, 1960. (4) Persons slaughtering, etc. poultry under religious dietary laws, to the extent the Secretary provides.
Sec. 12. Persons otherwise exempt are subject to imprisonment not in excess of 1 year and/or a fine not in excess of $1,000 for violations of the act.	Sec. 16. Violations by exempted persons: Persons otherwise exempt who sell, etc. unwholesome poultry products in commerce or in a designated area shall be subject to penalties of act.	Sec. 16. Violations by exempted persons: Here the element of scienter is required.
Sec. 13. The importation of diseased and unwholesome meats and poultry is prohibited.	Sec. 17. Imports: Prohibits imports of poultry, parts, or products thereof unless they are wholesome and comply with rules and regulations of the Secretary. Permits the Secretary to cooperate with other branches of the Government and State agencies.	Sec. 17. Imports: Same.
Sec. 14. Cost of inspection shall be borne by the United States except the cost of overtime.	Sec. 19. Cost of inspection. The Government is to bear the cost of inspection except for overtime.	Sec. 19. Cost of inspection. The Government is to bear the cost of inspection except for overtime and holiday work.
Sec. 13. Also includes this inspection under the permanent appropriation authority of the Meat Inspection Act.	Sec. 20. Authorizes necessary appropriations.	Sec. 20. Same as H. R. 5398.
No comparable provision in H. R. 12. No comparable provision in H. R. 12. Authority is implicit in the Secretary to make the necessary definitions in the regulations.	Sec. 21. Separability provision. Sec. 22. Definitions. Generally similar to those in H. R. 6814, except that "inspection service" is definitely placed in the Agricultural Research Section of the Department of Agriculture.	Sec. 21. Same as H. R. 5398. Sec. 22. Definitions. Similar to H. R. 5398, except— (1) "Adulterated" is defined as not embracing any situation where the substance is not an added substance and is not present in such quantity as to be injurious to health. (2) "Inspector" specifically includes State employees authorized to make inspections by the Secretary of Agriculture.
Sec. 16. Effective date: 6 months after enactment.	Sec. 23. Effective date is set at July 1, 1958.	Sec. 23. Effective date: Jan. 1, 1959.

The record will show that H. R. 6814 allows discretion to the Secretary of Agriculture in the manner in which he will require inspection of poultry before slaughter, that is, ante mortem, and requires carcass-by-carcass inspection after slaughter.

If this legislation is administered with the same spirit with which the meat inspection law has been administered, we need have no fears as to its effectiveness in protecting us from diseased poultry.

Mr. Chairman, I do not want to take the time of the House for unnecessary further comment on this legislation. I think there is by now general understanding and agreement among the membership on the need for such legislation. The Senate has passed a somewhat similar bill, also a compromise, and if we enact this bill today, I am confident we can quickly reach agreement and send a final bill to the White House. It is urgent we have poultry inspection on a compulsory basis as soon as possible and practical.

I have, over a period of 3 years, invested a good bit of time and effort and research into this legislation, and some of it, I believe, would be useful in connection with the legislative history of the bill. However, rather than take the time of the House to go into it here, I intend to include for the RECORD, as part of and at the end of my remarks, a presentation I made in the House in June 1956, which included several public health studies on the transmissibility of disease from poultry to humans, the incidence of food poisoning from unfit poultry, and so on. This material also outlines the steps which I took toward the achievement of this goal of getting a good bill before the House.

Mr. Chairman, I shall consider it one of the proudest and most heartwarming occasions of my political career if this bill passes. While it does not bear my name, I like to feel that my efforts have had some substantial influence in the development of this bill, and I am grateful for the help I have received on it from so many of my colleagues.

Every Member on this House floor today can contribute everlastingly to the health and well-being and safety of the people in their districts by supporting this legislation.

The research material referred to above is as follows:

CLOSING THE LOOPHOLES IN THE MEAT INSPECTION LAWS TO PROTECT THE CONSUMER AGAINST DISEASED POULTRY—REMARKS BY CONGRESSWOMAN LEONOR K. SULLIVAN OF MISSOURI IN THE HOUSE OF REPRESENTATIVES, JUNE 18, 1956

The SPEAKER. Under the previous order of the House, the gentlewoman from Missouri [Mrs. SULLIVAN] is recognized for 30 minutes.

(Mrs. SULLIVAN asked and was given permission to revise and extend her remarks and include a report.)

Mrs. SULLIVAN. Mr. Speaker, I have asked for this time today in order to call to the attention of the House of Representatives a bill which I have just introduced this afternoon to close one of the most glaring loopholes in our pure-food laws.

It is a bill to require Federal inspection for wholesomeness of all poultry or poultry products in interstate commerce or which directly burden, obstruct, or affect interstate commerce.

My bill would accomplish this long-overdue reform by amending the Meat Inspection Act to include poultry and poultry products along with beef, pork, lamb, and the other red meats now covered by the terms of this law.

The bill states that Congress finds that poultry and poultry products are being marketed through the channels of interstate and foreign commerce without adequate inspection to protect the public against poultry and poultry products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food.

OBJECTIVE: TO PROTECT THE PUBLIC

It further states as its objective: To protect the general consuming public, to protect the health of persons engaged in the processing and distribution of poultry and poultry products, to prevent the spread of disease through shipments in interstate and foreign commerce of unwholesome poultry and poultry products, and to promote the wider use of poultry through assurance to the consuming public of its wholesomeness and freedom from disease, thus assisting agriculture and the food-marketing industries in expanding their sales and augmenting their important contributions to our economic system, the following amendments are made to the Meat Inspection Act—34th United States Statutes at Large, page 1260, as amended—and the Tariff Act of 1930—46th United States Statutes at Large, page 689, section 306—giving the Secretary of Agriculture power to inspect, condemn, or regulate any shipments of poultry in interstate or foreign commerce, or any shipment thereof which directly burdens, obstructs, or affects interstate or foreign commerce in such commodity.

FIFTY YEARS OF MEAT INSPECTION

The Meat Inspection Act will be exactly 50 years old this month. During all of that time, we have had compulsory inspection for wholesomeness of all red meats shipped in interstate commerce. This law represented a great reform following the disclosures of the filth and complete lack of sanitation in the meat industry a half century ago. The law has worked fairly and well to protect the consumer. It has also been a great thing for the legitimate meat-packing industry.

The effectiveness of this program can be seen, Mr. Speaker, right in the bare figures and statistics of the Federal budget. We find on page 359 of the budget document for the coming fiscal year that in fiscal 1955, the year which ended last June 30, nearly 100 million meat animals were inspected by Federal meat inspectors, both before and after slaughter, to make sure the animals were healthy and the meat was wholesome. Out of this number, more than a quarter million carcasses were condemned as unfit for human consumption.

Just imagine how many illnesses those quarter million diseased or unfit steers, lambs, pigs, or other animals could have caused if the meat inspectors had not condemned the meat from them.

The budget shows that more than 16 billion pounds of processed meat and meat-food products were inspected by the Federal meat inspectors in that fiscal year, at a cost to the Federal Government of nearly $15 million that year. The estimate for meat-inspection work for the coming year is nearly $16 million, and it is money well spent—to protect our health.

NO COMPULSORY INSPECTION OF POULTRY

But while we have had compulsory inspection for wholesomeness of the red meats in interstate commerce, we have had no such requirement for poultry and poultry products. Consequently, we have been victimized as consumers many, many times by being sold poultry products which should have been condemned and destroyed. We have been defrauded by being sold products unfit for human food. We have been poisoned by the consumption of poultry products which carried disease. And, even more tragically, we have seen some employees in the poultry-processing industry die as a result of extremely serious disease transmitted to them by poultry which should have been detected as diseased before slaughter and thus never should have been brought in contact with the workers whose death they caused.

I have cited the consequences to consumers, to the general public, and to workers in the poultry-processing industry because we have not had adequate inspection of poultry and poultry products to insure that these foods are wholesome. Let me add an additional group which is being adversely affected—the poultry processors themselves and the food-distribution industry.

The spread of illness through sale of diseased poultry has caused many housewives to hesitate about buying poultry, particularly frozen poultry. A number of people in this line of business have told me that sales are adversely affected by the lack of confidence of many housewives in the wholesomeness of poultry products offered for sale. As they point out, this affects not only the fly-by-night or unscrupulous operator, but the legitimate concern as well. Firms which sell only the most wholesome commodities suffer from the lack of public confidence in the wholesomeness of poultry products generally.

IN BEST INTEREST OF PRODUCERS, TOO

So it is to the advantage of the consumer, then, the general public, the poultry processing plant worker, and to the poultry farmer and the poultry processor and the poultry distributor that we close this 50-year-old loophole in our meat-inspection laws and include poultry as well as the red meats under the terms of the Meat Inspection Act.

It may come as a shock to some Members, Mr. Speaker, to learn that the chicken or duck or turkey which you buy in the store could be shipped in interstate commerce without Federal inspection as to its wholesomeness—its purity—its fitness as human food. Do we not have laws to prohibit the sale in interstate commerce of food products unfit for human consumption? Of course we do.

We have the Food, Drug, and Cosmetic Act which prohibits the sale in interstate and foreign commerce of contaminated, unfit, filthy, adulterated foods. Since we have such a law on the books, we are inclined to sit back and be complacent in the belief that everything is nicely taken care of.

FOOD AND DRUG FUNDS INADEQUATE

As many of the Members know, I have been protesting ever since coming to Congress that we live in an atmosphere of false security about the purity of our foods, drugs, and cosmetics—despite a good law on the subject—because we treat the Food and Drug Administration like a stepchild. We starve out the agency responsible for protecting our own health against poisonous foods and drugs and cosmetics. It is a shortsighted and tragic thing.

The Food and Drug Administration hopes in this coming year—with the help of a very substantial increase in its appropriation—to expand back to the level of 1952 and have as many as 300 inspectors on its staff for food, drug, and cosmetic enforcement work.

It has been able to spare only about 7 or 10 men, at the outside, on a man-year basis, for poultry inspection. It has been able to send an inspector around to the various poultry processing plants engaged in interstate commerce about once every 3 or 4 years.

Yes; occasionally they do uncover a shipment of unfit, rotten poultry, which they then seize and remove from the channels of commerce. But this is hardly the kind of procedure which can assure the wholesomeness of the poultry we consume in this country.

Obviously, a visit every 3 or 4 years for a few hours by a food and drug inspector to a poultry-processing plant is not the answer.

PRESENT POULTRY INSPECTION ONLY PARTIAL PROGRAM

Well, then, do we not have Federal inspection of poultry by the Department of Agriculture? We do. Primarily such inspection was to protect the farmer and his poultry flock from diseased birds. It is illegal to ship diseased live poultry in interstate commerce and it is illegal to ship the carcasses of poultry which died from certain specified diseases.

But the loophole here is interesting. If the diseased birds suffering from such illnesses are slaughtered, the carcasses can be shipped, nonetheless, because they did not die of these specified diseases. Is that not, indeed, a ridiculous distinction?

The diseased poultry would not have been shipped live in violation of the act, nor would they actually have died of the disease from which they suffered.

Therefore, we cannot depend upon this particular statute to protect the consumer, or to protect the health of the poultry-processing plant worker, or to reassure the public as to the wholesomeness of the poultry they see offered in the stores.

Under the terms of another law, however, there is Federal inspection of poultry for wholesomeness. This is in the Agricultural Marketing Act of 1946, which provides for a voluntary inspection program, with the full cost of the service being paid for by the processors which use the service.

Hence, you can now find federally inspected poultry, certified as to its wholesomeness, in many stores today. When you see such poultry in the stores carrying the Department of Agriculture seal attesting that it has been inspected for wholesomeness, you can be sure this poultry is good—that it is wholesome. I am very pleased by the actions of so many food-merchandising companies in emphasizing in their advertising that they sell only United States inspected poultry, approved for wholesomeness. The customer should insist on this.

But, unfortunately, this voluntary program—which the processing industry must pay for—covers only a small proportion of our poultry supplies and is utterly inadequate in protecting the public.

Only about 25 percent of the Nation's poultry supply is inspected by the Federal Department of Agriculture for wholesomeness. The present Federal poultry inspection program, as I said, is purely voluntary on the part of the processors willing to participate under it, and willing to pay for the inspection service on a fee basis. That is why 75 percent of our poultry is not inspected by the Federal Government.

ILLNESS AND DEATH FROM DISEASED POULTRY

On the other hand, the Federal Government pays the full cost—now more than 15 million dollars a year—for inspection of the red meats for wholesomeness. When you stop to consider that we consume more than 6½ billion pounds of poultry a year, it is obvious there is a big gap in our machinery for protecting the consumer from unwholesome poultry products. We know that many diseases are transmitted from poultry to humans. We know that diseased poultry in the last few months in the Far West, and in the last few years in Texas and elsewhere has caused the death of a number of poultry processing workers and the serious illnesses of many workers—epidemics, for instance, of psittacosis. And we know that diseased, unfit poultry has caused an unusually high percentage of all food poisoning illnesses, particularly salmonellosis and gasteroenteritis.

I mentioned the Food and Drug Administration's efforts to combat this menace. Let me again point out that the Food and Drug Administration, with a total appropriation for all purposes of less than one-half of what we appropriate each year to the Federal Meat Inspection Service, cannot begin to do the job of protecting the public against all unsound, unhealthful, unwholesome poultry. There are 1,300 or more interstate poultry dressing, freezing, or canning establishments in the United States, and the Food and Drug Administration can visit them, as I said, only about once every 3 or 4 years.

Obviously, we need full-time inspectors to examine this poultry before it is killed—antemortem—and again after it is killed, exactly as it is done with the red meats.

MEATCUTTERS UNION HAS ALERTED PUBLIC

My attention first was called to this problem by the Amalgamated Meat Cutters and Butcher Workmen of North America, whose president, Mr. Earl W. Jimerson, and secretary-treasurer, Patrick E. Gorman, along with other officers and members, have been deeply concerned by the danger to the health of their fellow members from diseased poultry. Members of this union have sickened and, in some cases, died, from handling diseased poultry. Others have been made violently nauseous by the conditions in some of the plants, and by the unfit products—filthy products—they have had to process.

Two years ago, on June 15, 1954, after officials of this union called some of these matters to my attention in connection with my efforts to obtain higher appropriations for the Food and Drug Administration, I directed an inquiry to Mr. Charles W. Crawford, then Commissioner of the Food and Drug Administration, asking what was being done to overcome the menace to public health of diseased poultry being shipped in interstate commerce, and also asking of any instances known to his agency of the transmission of disease from poultry to humans. I received a most interesting answer from him on June 23, 1954. Subsequently, on July 26, 1954, I called this material to the attention of the House in the following statement in the CONGRESSIONAL RECORD:

"DISEASED AND 'NEEDLES' POULTRY ENDANGER AND CHEAT THE PUBLIC, AND OTHER RACKETS FLOURISH IN FOODS, DRUGS, AND COSMETICS, AS FOOD AND DRUG ADMINISTRATION APPROPRIATION AGAIN IS CUT

"(Extension of remarks of Hon. LEONOR K. SULLIVAN, of Missouri, in the House of Representatives, Monday, July 26, 1954)

"Mrs. SULLIVAN. Mr. Speaker, I hope that many Members of the Congress, and also officials of the administration, particularly those with policymaking responsibilities in

the field of health and welfare, read the excellent article in the Washington Evening Star on Wednesday, July 21, dealing with the Food and Drug Administration of the Department of Health, Education, and Welfare. The article was entitled 'Food and Drug Watchdogs Face Work With Less Funds.'

"I have tried during my tenure in the Congress to keep abreast of the work of the Food and Drug Administration and to do what I can to assure it adequate authority to do the work we expect of it, and also adequate funds. Last year, as a result of the Supreme Court decision, a loophole was disclosed in the basic authority of the Food and Drug Administration which prohibited inspectors of the agency to gain admission to factories preparing food, drug, or cosmetics preparations, except on the invitation of the operators of those factories. We succeeded in closing that loophole in the legislation. It was a great victory for the consumer, for it restored the right of our Government to inspect the conditions under which these products are prepared and processed, and to act against insanitary conditions threatening the health of the public.

"The fact remains, however, that the Food and Drug Administration has not been getting adequate funds to enable it to make the number of inspections it should make each year in preventing products which are dangerous to health, or which are fraudulently packaged, from getting into interstate commerce. The administration this year asked for only $5,200,000 for the appropriation of the Food and Drug Administration, as against the $5,600,000 appropriated under the Truman administration. The Congress then cut the administration's request by another $100,000, leaving the Food and Drug Administration only $5,100,000. That means a cut in the staff of this very essential Government agency by about 11 percent since 1952. Considering the work which the Food and Drug Administration does for all the people of the United States by seeking to eliminate poisoned, or adulterated, or mislabeled foods, drugs, and cosmetics from being sold to the public, I think this was one of the most shortsighted cuts ever made in an appropriation.

"*The diseased poultry situation*

"The work of the Food and Drug Administration has come in for renewed attention in recent months as a result of disclosures dealing with the sale in interstate commerce of diseased poulty and of frozen poultry which has been fraudulently weighted with water prior to freezing. Estimates on the extent of this dangerous and immoral racket have varied, but all the facts indicate that it has been an extensive problem. With its cut in funds in both last year's appropriation and this year's, the Food and Drug Administration has had to cut its enforcement work in this field by about 30 percent.

"Following disclosures of this diseased poultry racket, I wrote last month to Mr. Charles W. Crawford, Commissioner, of the Food and Drug Administration, asking for full information on the work of the FDA to protect the consumer against the sale of this diseased poultry, the time devoted to this work, the number of poultry processors in the country doing interstate business, the frequency with which they are inspected, etc. I also asked for any information he might have indicating transmission of diseases to humans as a result of the processing or consumption of diseased poultry. His reply, I believe, will be of extreme interest to every Member of the Congress concerned about protecting the health of the people of the United States and protecting them against fraud.

"With the unanimous consent of the House, Mr. Speaker, I include as part of my remarks the article Food and Drug Watchdogs Face Work With Less Funds, from the Washington Evening Star of July 21, and also an exchange of correspondence between myself and Commissioner Crawford, of the Food and Drug Administration, as follows:

"[From the Washington Star of July 21, 1954]

"'FOOD AND DRUG WATCHDOGS FACE WORK WITH LESS FUNDS

"'Housewives might do well to provide themselves with scales to check the weight of packages of food they buy.

"'They would thus be taking over part of the work of the Food and Drug Administration. But that agency, its budget cut and its staff reduced, has assigned a low priority to the checking of the net weight of packaged food against the statement of weight on the label.

"'Wallace F. Janssen, assistant to the Commissioner of the Food and Drug Administration, said he does not believe the housewife would find many packages not full weight. But it would provide a check the administration is not able to make.

"'The budget of the agency has been trimmed steadily in the last 4 years. For fiscal 1952 Congress appropriated $5.64 million. The next year the appropriation was $5.6 million. Last year it was $5.2 million, and for this fiscal year, 1955, it is $5.1 million.

"'*Eleven percent cut since 1952*

"'The estimated number of the staff for this year is 815, an 11-percent reduction since 1952. That number includes laboratory scientists, administrators, clerical workers, and, finally, the frontline troops, the inspectors.

"'There were only 230 inspectors in 1950. Last year the number was 195. These figures leave out about 170 persons employed in testing certain products as they are produced, with the manufacturer paying the salaries through fees.

"'The head of the Food and Drug Administration is Charles W. Crawford, a career man with 37 years' experience. He has applied for retirement.

"'The staff cuts have led the Agency to the conclusion that it is more important to direct its efforts toward activities that protect health rather than those that protect the pocketbook. Therefore, it has assigned lower priorities on checking weights of packaged goods, checking the contents of cans and packages to make sure their composition is what the label says, and proceeding against those who make extravagant claims for products unless danger to health is involved.

"'Occasional cases on these grounds are made, it is true, but usually they are incidental to other activities.

"'The Agency admits frankly it would take 200 inspectors 12½ years to make inspections of each of the 96,000 food and drug company plants and warehouses. Last year 8,650 plants and warehouses were inspected.

"'*Lacks followup facilities*

"'While the Agency is alert to cases in which public health is involved, it says it lacks the facilities to keep up with the testing of new products and materials which are being developed in increasing numbers. It cannot make followup investigations of the safety of new drugs after they are placed on the market. Important cases involving serious frauds have been delayed by a lack of medical and legal manpower.

"'The Agency does continue to seize contaminated and spoiled foods in large amounts. It goes after medical devices and products which make false claims. It prosecutes druggists who sell barbiturates and other prescription drugs without a physician's prescription.

"'After coffee prices went up the Agency decided it should check attempts by unethical dealers to take advantage of the higher prices. It seized a number of consignments of coffee.

"'It was learned that chickpeas, imported for canning, had become infested with insects. The chickpeas were diverted to coffee roasters. Coffee shipped by some firms were found to contain, in addition to the chickpeas, spent coffee grounds, barley, chicory, and soybeans.

"'*Frozen food adds work*

"'The expanding market for frozen foods has added to the Administration's work. One plant producing frozen turkeys was found to operate with a water hose having a hypodermic needle as a nozzle. Water was injected into the turkeys before they were frozen.

"'When one turkey was thawed 2 pounds of water seeped out. It was part of a lot of turkeys weighing 50,000 pounds. Taking the average weight of a turkey at 15 pounds, allowing for 1 pound of water per bird and taking the price at 75 cents a pound, the buyers were thus paying $2,500 for 3,300 pounds of water.

"'*May be political appointee*

"'With the retirement of Mr. Crawford pending, the agency has this question:

"'Will the new administrator be a professional man, perhaps trained in the agency, or a person from some other category whose appointment is cleared with the Republican National Committee?

"'When the Eisenhower administration directed that Government policymaking jobs be listed and that they be taken from under civil-service coverage, various trade associations in the food and drugs fields urged that politics be kept out of the Food and Drug Administration. Mr. Crawford was not replaced.

"'With the prospect of his retirement the requests are being repeated. Carlos E. Campbell, secretary of the National Canners Association, said his organization has urged that the appointment be kept in the professional category. Other organizations have done the same.'"

JUNE 15, 1954.

MR. CHARLES W. CRAWFORD,
Commissioner, Food and Drug Administration, Department of Health, Education, and Welfare, Washington, D. C.

DEAR MR. CRAWFORD: In view of the recent publicity given the sale of diseased poultry and the action of the AFL Meatcutters Union to try to bring about legislation to protect the American consumer against this menace, I would appreciate your sending me a statement on what the FDA is doing and intends to do to correct this situation. I would specifically like to have answers to the following questions, as well as any other information you can properly send me in connection with this problem.

What does the FDA do to protect the consumer against the sale of diseased poultry?

How much time is devoted to the inspection of that one particular item?

Are there any diseases of poultry that can be transmitted to humans through the consumption of diseased poultry being put up for sale?

If so, do you know of any instances where diseases of poultry have been transmitted to humans?

Do you know how many poultry processors there are in the country that do interstate business?

How often does the FDA inspect them?

I would appreciate it if you would send me your reply to these questions in quadruplicate.

Sincerely yours,

MRS. JOHN B. (LEONOR) SULLIVAN,
Member of Congress.

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
FOOD AND DRUG ADMINISTRATION,
Washington, D. C., June 23, 1954.

Hon. LEONOR SULLIVAN,
House of Representatives.

DEAR MRS. SULLIVAN: We have your letter of June 15 in which you ask several questions concerning our enforcement program on diseased poultry. We are answering your questions in the order in which you have asked them.

Under the Federal Food, Drug, and Cosmetic Act, a food is deemed to be adulterated if it is the product of a diseased animal or of an animal which died otherwise than by slaughter. This section of the act takes into account the basic objections of the consumer to the diseased product, whether or not actual danger to health can be demonstrated.

We have a carefully planned enforcement program under this section of the law, which includes inspection of poultry dressing and eviscerating plants and of other poultry processors, and sampling surveys in consumer markets to find diseased or otherwise unfit poultry. Under this program for fiscal 1953 and the first 11 months of fiscal 1954, we approved 106 seizure actions for the removal of unfit birds from the market, of which 64 actions included charges that the article was in whole or in part the product of a diseased animal. During the same period we also approved 33 criminal actions, 22 of which involved diseased poultry.

During fiscal 1953 we devoted 10 man-years to the poultry project, of which the work on diseased poultry is a part, along with work on filthy, decomposed or otherwise unfit poultry and poultry which has been "needed" or otherwise fraudulently watered to increase its weight. During fiscal 1954 this work has necessarily been reduced. We estimate, based on reports for the first 3 quarters, that 7 man-years will have been expended this year on this project.

The question of whether poultry diseases may be transmitted to man through the sale of diseased poultry cannot be answered with assurance. It is well established that certain poultry diseases are transmissible to man. These would include, for instance, psittacosis (parrot fever) and Newcastle disease. However, outbreaks of these diseases, so far as we know, have occurred only among persons handling live poultry or working in poultry dressing establishments. We do not know of any instances in which it has been proved that a specific disease was contracted through the consumption or preparation in the kitchen of a diseased bird. On the other hand, the possibility cannot be ruled out.

Several outbreaks of psittacosis have occurred recently among workers in turkey processing plants in Texas. In cooperation with the Public Health Service of this Department we are currently investigating these outbreaks to determine whether diseased birds have been shipped in interstate commerce and the degree of hazard, if any, to the purchaser of such birds.

There is another group of diseases common to poultry and to man and apparently caused by the same disease organism in both, in which definite transmission has not been established. However, it is believed that poultry may at least serve as a reservoir of human infection by routes still unknown. Certain types of encephalitis and meningitis, pseudotuberculosis, and pasturella infections are in this group.

In a closely related category are the food-poisoning illnesses—salmonellosis and gastroenteritis—which are attributed to poultry and poultry products or in which such products are suspected as the vehicle of infection. Poultry which are actively infected with salmonella or which are carriers of the organisms, though apparenly not diseased in the ordinary sense, undoubtedly are involved in many of these instances, and fecal contamination during processing may be a factor. For your further information on this phase of your inquiry, we are enclosing a mimeograph entitled "Poultry Diseases Transmissible to Man—Including Summary Report of Outbreaks," prepared by the Communicable Disease Center of the Public Health Service.

We estimate that there are approximately 1,300 interstate poultry dressing, freezing, or canning establishments in the United States. For the past 2 years we have made about 400 poultry-establishment inspections each year, of which we estimate that perhaps one-fourth represents reinspections of the same firms. Thus our program contemplates complete coverage of this industry about once every 3 or 4 years.

If we can be of further service, please do not hesitate to let us know.

Sincerely yours,

C. W. CRAWFORD,
Commissioner of Food and Drugs.

FULL REPORT ON TRANSMISSIBLE DISEASES

I did not, at that time, include in the RECORD the report which Mr. Crawford referred to—"Poultry Diseases Tranamissible to Man Including Summary Report of Outbreaks"—but I believe it is relevant now in light of the bill which I have introduced and the goal I am trying to achieve. I therefore am including it today as part of my remarks, identified as exhibit A at the end of my discussion. It is rather long, and for that I apologize, but I do believe it is important enough to the legislative process—if we are to achieve the goal of assuring the wholesomeness of the poultry we buy and eat—to include it in the RECORD. I hope that Members will be able to find the time to read it and to note especially the many incidents of food poisoning in the 1951-52 period studied which were directly attributable to diseased poultry.

For 2 years, then, Mr. Speaker, I have been actively interested in this problem of diseased poultry, and finding a solution to it which would protect the consumer and the public generally. I think the bill which I have today introduced is the best approach which has yet been made to solving the problem.

I have mentioned the intense interest of the Amalgamated Meat Cutters Union in this whole field, and I am pleased to acknowledge their leadership in bringing the matter to public attention and in enlisting my help and the help of other Members of Congress in seeking a solution. Since the Amalgamated's proposed solution has been somewhat different from mine, although our objectives are identical, I think it only fair to point out the development of our respective legislative approaches.

CONGRESSIONAL INVESTIGATION SOUGHT

The meat cutters union at first sought to meet the increasing problem of diseased poultry in interstate commerce through the vehicle of a congressional investigation, and several bills were offered in the Congress calling for such investigations. Unfortunately, however, no action was taken on these bills last year in either House or Senate.

EXCELLENT ASSISTANCE FROM LIBRARY OF CONGRESS

Over the congressional recess, as I thought about this problem I turned to the Legislative Reference Service of the Library of Congress for some guidance and assistance on the best way to accomplish the goal of assuring the wholesomeness of poultry in interstate commerce. I want now to acknowledge the outstanding assistance I have received on this from Miss Margaret M. Conway, of the American Law Division, who in December submitted to me a comprehensive and truly excellent exposition of the legal aspects of the problem. Her report to me was as follows:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D. C., December 12, 1955.

To: Hon. LEONOR K. SULLIVAN.
(Attention: Mr. Holstein.)

From: American Law Division.

Subject: Suggestions as to legislation to require inspection of all poultry shipped in interstate commerce.

For your information, and to place the question in a proper perspective, we are reviewing here for you, first, the laws already on the books providing certain types of inspection of poultry, and also the meat inspection laws which require compulsory inspection of meat shipped in interstate commerce.

POULTRY INSPECTION

There are at present the following several laws in effect which permit agents of the Federal Government to inspect poultry. Each of them has certain limitations in its coverage which we point out below.

1. The act of February 7, 1928 (45 Stat. 49): This law included live poultry within the purview of several previous inspection acts administered by the Department of Agriculture. By it, live poultry was made subject to the provisions of the act of May 29, 1884, establishing the Bureau of Animal Industry (23 Stat. 31; 7 U. S. C. 391); of the act of February 2, 1903, enabling the Secretary of Agriculture to suppress and prevent the spread of contagious diseases among livestock (32 Stat. 791; 21 U. S. C. 111-121); and of the act of March 3, 1905, enabling the Secretary of Agriculture to maintain quarantine districts and regulate the movement of cattle and other livestock therefrom (33 Stat. 1264; 21 U. S. C. 123-130).

The regulations concerning poultry hereunder are incorporated in the Federal regulations concerning the interstate transportation of animals and poultry suffering from specified contagious diseases (9 C. F. R. 71.1 through 81.2. The sections concerning poultry are 9 C. F. R. 81.1 and 81.2). They prohibit the interstate transportation of "live chickens, turkeys, or geese affected with or directly exposed to the contagious disease known as European fowl pest or other similar contagious poultry disease, [or the] carcasses of such animals which have died from any such disease."

The regulatory power of the Secretary of Agriculture in this instance is compulsory (21 U. S. C. 111). The wording of the law states that he has power "to seize, quarantine, and dispose of any hay, straw, forage, or similar material, or any meats, hides, or other animal products coming from an infected foreign country * * * or from one State or Territory in the United States in transit to another." The regulation, in itself, however, is deficient, so far as the alleged practices of some of the modern poultry packers are concerned. Its wording is such that chickens, not yet dead but suffering from any of the prescribed diseases, could be slaughtered and packed within a State for interstate shipment. In such instances, the poultry would not be shipped live, nor would it actually have died from any such disease, so that the shipment of the carcasses would come under the prohibition.

2. The second act which provides for inspection of poultry is the Agricultural Marketing Act of 1946 (60 Stat. 1087; 67 Stat. 205; 7 U. S. C. 1622-1627). The aim of this act was to promote a scientific approach to marketing of agricultural products. In order to accomplish this, it was suggested that the various types of activity required, such as inspection, regulatory work, and other services, be done in cooperation with State

agencies and State departments of agriculture, and State bureaus and departments of markets.

The inspection and certification provision is contained in 7 U. S. C. 1622 (h):

"To inspect, certify, and identify the class, quality, quantity, and condition of agricultural products when shipped or received in interstate commerce, under such rules and regulations as the Secretary of Agriculture may prescribe, including assessment and collection of such fees as will be reasonable, and as nearly as may be to cover the cost of the service rendered, to the end that agricultural products may be marketed to the best advantage, that trading may be facilitated, and that consumers may be able to obtain the quality product which they desire, except that no person shall be required to use the service authorized by this subsection. Any official certificate issued under the authority of this subsection shall be received by all officers and all courts of the United States as prima facie evidence of the truth of the statements therein contained."

The regulations issued hereunder are contained in 7 C. F. R. 70.1 through 70.410. They make provision for three main inspection activities: (1) the grading of poultry; (2) the inspection of poultry; and (3) the inspection of sanitary standards. A certificate to be used in marketing the poultry is given showing the completion of one, or a combination, or all of the above services.

Without going into the regulations in detail, certain determinative statements therein are herewith pointed out.

(a) Definitions (7 C. F. R. 70.01):

"Grader" means any employee of the Department authorized by the Secretary, or any other individual to whom a license has been issued by the Secretary, to investigate and certify, in accordance with the regulations in this part, the class, quality, quantity, and condition of live poultry. By 7 C. F. R. 70.384, however, the grader is permitted to confine himself to the condition only, and the mark he then issues is a statement as to the sanitary standards of the handler, rather than a certification of the quality of the product.

"Inspector" means any graduate veterinarian or layman who is an employee of the USDA or of a State, who has been licensed by the Secretary of Agriculture to inspect (1) the condition and wholesomeness of dressed poultry; (2) the condition and wholesomeness of any edible product at any stage of the preparation of packaging thereof in the official plant where inspected and certified; (3) the condition and wholesomeness of any previously inspected and certified product which has not lost its identity; (4) the condition of dressed poultry. The comment on 7 C. F. R. 70.384, above, is also applicable here.

(b) Services performed (7 C. F. R. 70.3):

Grading and inspection services of the following types may be rendered: (1) grading of live poultry; (2) certification of dressed poultry produced under sanitary conditions in official plants; (3) grading of dressed poultry produced under sanitary coterminal markets and other receiving points; (4) inspecting of dressed poultry in official plants for processing as ready-to-cook poultry; (5) grading of ready-to-cook poultry, in an official plant, or at terminal markets and other receiving points; (6) inspection service in official canning plants.

Sanitary requirements are mandatory in official plants (7 C. F. R. 70.44). There is no similar regulation as to other places.

(c) Inspection (7 C. F. R. 70.151, 70.152, and 70.191):

The section outlining the Department of Agriculture inspection service states that ante mortem examination may be required by the Administrator. Both the Federal and the Federal-State cooperative services provide post mortem examination (9 C. F. R. 70.152, and 70.191).

(d) Fees and charges (7 C. F. R. 70.130):

Any person requesting grading or inspection service shall pay certain fees and charges; the fees for services by United States agents shall be payable to the Treasurer of the United States; and the fees for services performed under any cooperative agreement with a State shall be payable as provided for in the agreement.

(e) Marks placed on poultry (7 U. S. C. 70.380–70.384):

The facsimile marks contained in the regulations, and the accompanying explanatory material show that four types of markings are provided: (1) Grade mark (quality); (2) inspection mark (wholesomeness); (3) a combination of the above; (4) dressed poultry (graded and inspected for condition only—not for quality or wholesomeness).

3. Two laws which permit inspection of a very limited nature, and whose chief purpose is other than detection of diseased fowl or protection of the public health are:

(a) The Department of Agriculture Organic Act (58 Stat. 734, sec. 101 (b), amended and superseded by act of August 4, 1950 (64 Stat. 413). This made permanent an authorization carried in the appropriations acts of 1935 and subsequent, allowing the USDA to administer regulations for the voluntary program of improved poultry breeding, and incidentally to aid in eradicating a disease called pullorum. The regulations hereunder are contained in title 9, Code of Federal Regulations, section 145.1 through 145.30.

(b) The act of March 3, 1927 (44 Stat. 1355; 7 U. S. C. 491–497) which permitted inspection of poultry by the USDA on behalf of any person aggrieved by malicious dumping or destruction of his products by any handler in interstate commerce.

MEAT INSPECTION

Meat inspection is currently conducted under the authority of the Meat Inspection Acts, beginning with the temporary act of 1906, made permanent by the act of March 4, 1907 (34 Stat. 1260; 21 U. S. C. 71–91, 96) and the Imported Meat Act of June 17, 1930 (46 Stat. 689; 19 U. S. C. 1306). The regulations under these acts will be found in title 9, Code of Federal Regulations, section 1.1 through 28.1.

The three chief aspects of these laws are (1) the inspection extends only to cattle, sheep, swine, and goats, and meat and meat-food products made therefrom, (2) the inspection is mandatory except as to certain farmers and retailers under prescribed circumstances, and (3) the primary object of the inspection is to determine the wholesomeness of the meat for human consumption.

Paralleling the major provisions of the poultry-inspection service which we outlined above, the regulations for meat inspection provide the following:

(a) Definition (9 C. F. R. 1.1):

Limiting ourselves here to the qualifications for inspectors contained in the definitions, we find that inspectors and division employees are those "who are authorized by the director or chief of division to do any work or perform any duty in connection with meat inspection."

(b) Services performed (9 C. F. R. 9.1, 12.1, and 10.1):

Although an ante mortem examination by law is discretionary with the Secretary of Agriculture (21 U. S. C. 71), he has exercised his discretion to make it mandatory. (9 C. F. R. 9.1 and 12.1.) The post mortem examination is mandatory by law (21 U. S. C. 72) and also required by regulation. It must be conducted, except in emergencies, at the time of slaughter. (9 C. F. R. 10.1.)

(c) Inspection (9 C. F. R. 2.1 and 5.3):

In section 2.1 of the regulation, it is stated that "every establishment" in which cattle, sheep, swine, or goats are slaughtered, or their products processed, is subject to mandatory inspection. Further, as a concomitant of such inspection, section 5.3 requires that inspection "shall not be begun if the establishment is not in a sanitary condition." Part 8 of the regulations, i. e., section 8.1 through 8.15 govern standards of sanitation required.

(d) Fees and charges: None.

(e) Markings (9 C. F. R. 1.1):

(1) "Inspected and passed" or "U. S. inspected and passed" or "U. S. inspected and passed by USDA." This shall mean that at the time they were inspected, passed, and so marked, they were found to be sound, healthful, wholesome, and fit for human food.

(2) "U. S. passed for cooking." These have been passed on condition they be cooked, rendered, etc., before used for human consumption.

(3) "U. S. passed for refrigeration." These must be refrigerated, or handled as required in section 11.1 through 11.34, governing carcasses of animals suffering from specified diseases.

(4) "U. S. inspected and condemned," found unwholesome, and must be disposed of; "U. S. retained," there is some doubt and the carcass or meat product is held for further examination; "U. S. suspect," also held for further examination; and "U. S. condemned" where the live animal is found in a dying condition from a disease that would cause condemnation of its carcass.

An inspection service similar to that conducted with respect to poultry is also conducted with respect to meat under the authority of the Agricultural Marketing Act of 1946 (60 Stat. 1087; 67 Stat. 205; 7 U. S. C. 1622–1627). It provides grading service, for a fee, at any designated market or location. However, it states that products to be eligible for grading service must be prepared under Federal inspection (that is under the Meat Inspection Acts, above) or under other official inspection services. It also contains regulations governing this inspection, including a requirement of both ante mortem and post mortem inspection of each animal (7 C. F. R. 53.3). If the grading service is withdrawn, public notice must be given of the withdrawal (7 C. F. R. 53.5). This is the service which results in markings on meat and meat products of "prime," "choice," "commercial," etc.

SUGGESTIONS FOR DRAFT OF BILL

There are certain considerations which must be paramount in order to accomplish the objective of an effective inspection of poultry being shipped and marketed in interstate commerce. Among these we would suggest: (1) that the bill put inspection for wholesomeness on a mandatory basis, ahead of all other types of inspection service; (2) that the bill obviate the deficiency in the regulations under the act of February 7, 1928 (noted above) respecting ill fowl being slaughtered and then shipped in interstate commerce; (3) if possible, the continued operation of the grade classification services under the Agricultural Marketing Act of 1946 should not be unduly hampered; (4) such mandatory poultry inspection service should be able to be effectuated in the most expeditious manner possible; and (5) the bill should contain adequate penalty provisions to enforce the law.

Under point (4) above, there are two things we have not gone into: first, an estimate of the cost of a mandatory inspection service, and secondly, the marketing pattern for live and/or dismembered poultry. The appropriation for the present meat inspection service for fiscal 1956 was $14,325,000 (Public Law 40, 84th Cong.). The size and cost of an increased inspection force will undoubtedly depend on the marketing pattern. At present, live poultry dealers and handlers are licensed under the Packers and Stockyards Act (7 U. S. C. 218), but this regulation extends chiefly to financial responsibility. It is indicative, however, of the market pattern.

The only two previous bills which we have been able to find were introduced in 1929 and 1930 respectively. They are S. 5376 of the 70th Congress, and S. 5371 of the 71st Congress.

S. 5376 of the 70th Congress was based upon provisions of the Meat Inspection Act. The bill, in our opinion, is deficient in the following respects:

(a) All the material after the first semicolon in Twenty-first United States Code, at page 71, dealing with separate slaughter of suspected animals (it would be poultry in the bill) is omitted.

(b) The language of the bill with respect to both the ante mortem and post mortem inspection is a permissive "may cause to be made." In the law (21 U. S. C. 72), the post mortem inspection is mandatory.

(c) The following several provisions of the Meat Inspection Act are not included (21 U. S. C. 73, 74, 75).

(d) Section 5 of the bill, which, of course, is dated 1929, completely exempts retailers and farmers from inspection. The Meat Inspection Act, on the other hand, was modified by the act of June 29, 1938 (52 Stat. 1235), to provide a limited supervision over farmers and retailers, plus a penalty provision for transporting unwholesome meat (poultry) in interstate commerce by either of these.

S. 5371, 71st Congress, would provide a mandatory inspection service for drawn poultry and on through all the other processing stages. This bill makes mandatory an inspection service starting with a post mortem inspection and following through all the other stages of preparation and handling under regulations of the Secretary of Agriculture. The principal defect of the bill is that it limits inspection of chicken and turkey.

We would suggest as the simplest and most effective method of accomplishing the objective of a mandatory inspection of poultry would be to make necessary changes in the Meat Inspection Act (34 Stat. 1260). This act itself is not divided into sections. For your convenience, the examples given are based on the section distribution in the code.

(a) Where the present phrase reads "meat and meat products", change it to "meat and poultry, and meat and poultry products" or "meat and poultry, and meat products and poultry products" (21 U. S. C. 71).

(b) Where the present phrase reads "cattle, sheep, swine, and goats", change it to "cattle, sheep, swine, goats, and poultry" (21 U. S. C. 71).

(c) Where the present phrase reads "any slaughtering, meat canning, salting, packing, rendering, or similar establishment", add the term "dismembering" or some other comprehensive term that would cover the ready-to-cook processors in the poultry industry (21 U. S. C. 72).

We would also suggest that in 21 U. S. C. 71 the phrase the "Secretary of Agriculture, at his discretion, may cause to be made" be changed to the "Secretary of Agriculture shall cause to be made" and thereby give him legislative support for the regulation he has already promulgated relating to mandatory ante mortem inspection of animals subject to inspection under the act. This, together with the fact that all the phraseology after the semicolon of that section would be applicable to poultry suspected of disease, should obviate the deficiencies under the current regulations. Since a parallel grade classification of meat is carried on at the same time as the mandatory meat inspection, the suggested amendment of the act to include poultry should not hinder the continuance of the grading service under the Agricultural Marketing Act of 1946. The Meat Inspection Act contains penalties which would then become applicable to poultry handlers and dealers. We also call your attention to the fact that the above-suggested changes in terminology are also applicable to the act of June 29, 1938 (52 Stat. 1235; 21 U. S. C. 91), governing sale of products by farmers and retailers.

MARGARET M. CONWAY,
American Law Division,
DECEMBER 15, 1955.

Subsequently, Mr. Speaker, I turned this report over to the House Legislative Council for actual drafting of a bill to carry out the suggestions made by Miss Conway and the American Law Division. The first draft of the bill which I received back was as follows:

"FIRST DRAFT OF THE BILL

"A bill to amend the Meat Inspection Act to provide for the inspection of poultry to be shipped in interstate or foreign commerce

"*Be it enacted, etc.*, That the portion of the act entitled 'An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908,' which appears after 'For meat inspection,' under the heading 'Bureau of Animal Industry' (21 U. S. C., sec. 71–93), is amended—

"(1) by striking out 'cattle, sheep, swine,' or 'cattle, swine, sheep,' each time either appears therein and inserting in lieu thereof 'cattle, poultry, sheep, swine,';

"(2) by striking out 'cattle, calves, sheep, lambs,' each time it appears therein and inserting in lieu thereof 'cattle, poultry, calves, sheep, lambs,';

"(3) by inserting 'or poultry' after 'animals' each time it appears therein;

"(4) by inserting 'dismembering', after 'rendering,' each time it appears therein;

"(5) by striking out of the first paragraph 'the Secretary of Agriculture, at his discretion, may cause to be made' and inserting in lieu thereof 'the Secretary of Agriculture shall cause to be made'; and

"(6) by inserting 'poultry' after 'beef' in the 15th paragraph thereof, beginning 'And no clearance shall be given'.

"SEC. 2. The amendments made by this act shall take effect ——— days after the date of its enactment."

AMALGAMATED PROPOSES INSPECTION BY FOOD AND DRUG ADMINISTRATION

Meanwhile, the top leadership of the meatcutters union was also working on the drafting of legislation, and came forward with bills which provided for compulsory poultry inspection by the Food and Drug Administration. When a draft of this legislation was brought to my attention, it was my view that it would be better to lodge this assignment with the Meat Inspection Branch of the Department of Agriculture because I knew the Food and Drug Administration is and has been terribly undermanned and is and has been unable to obtain sufficient funds to do the tremendous job we have already placed upon its shoulders.

As a result of this difference of opinion on the best way to proceed, I agreed to hold off on the introduction of my bill in order to give the union officials an opportunity to obtain legislative action on the bill which they had prepared and sponsored. The important thing, of course, is to get legislation enacted.

In recent weeks, the Food and Drug Administration has definitely gone on record against being given the powers to administer a compulsory poultry inspection law. The Department of Agriculture, meanwhile, has gone on record as promising effective administration of a compulsory poultry inspection law if one were to be enacted putting this responsibility on the Department of Agriculture.

I have consequently introduced my bill after very substantial changes and elaboration from the first draft provided me by the legislative counsel.. Although I am not a lawyer, it seemed to me the first draft did not cover the ground completely.

The bill which I introduced today is as follows:

"H. R. 11800

"A bill to amend the Meat Inspection Act (34 Stat. 1260, as amended) and the Tariff Act of 1930 (46 Stat. 689, sec. 306) to require compulsory inspection for wholesomeness of poultry and poultry products

"*Be it enacted, etc.*, That the Congress of the United States finds that poultry and poultry products are being marketed through the channels of interstate and foreign commerce without adequate inspection to protect the public against poultry and poultry products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food.

"To protect the general consuming public, to protect the health of persons engaged in the processing and distribution of poultry and poultry products, to prevent the spread of disease through shipments in interstate and foreign commerce of unwholesome poultry and poultry products, and to promote the wider use of poultry through assurance to the consuming public of its wholesomeness and freedom from disease, thus assisting agriculture and the food marketing industries in expanding their sales and augmenting their important contributions to our economic system, the following amendments are made to the Meat Inspection Act (34 Stat. 1260, as amended) and the Tariff Act of 1930 (43 Stat. 689, sec. 306) giving the Secretary of Agriculture power to inspect, condemn, or regulate any shipments of poultry in interstate or foreign commerce, or any shipment thereof which directly burdens, obstructs, or affects interstate or foreign commerce in such commodity.

"SEC. 2. The first paragraph of the act of March 4, 1907 (34 Stat. 1260; U. S. C. 71) authorizing inspection of cattle, sheep, swine, and goats before slaughter is amended to require such ante mortem inspection of cattle, sheep, swine, goats, and poultry, as follows:

"(a) by striking out the phrase 'meat or meat products' and inserting 'meat or poultry, and meat or poultry products';

"(b) by striking out the words 'at his discretion may' following the words 'Secretary of Agriculture' and inserting the word 'shall';

"(c) by striking out the phrase 'cattle, sheep, swine, and goats' wherever it appears, and inserting 'cattle, sheep, swine, goats, and poultry';

"(d) by adding to the phrase 'any slaughtering, packing, meat-canning, rendering, or similar establishment', the words 'or poultry processing plant';

"(e) By striking out the phrase 'the meat and meat food products thereof are to be used in interstate or foreign commerce' and inserting 'the meat or poultry or poultry pieces, and meat or poultry food products thereof are to be used in interstate and foreign commerce';

"(f) by adding at the end of said paragraph '*Provided*, That at his discretion the Secretary of Agriculture may also regulate any shipments of poultry or poultry products which directly burden, obstruct, or affect interstate or foreign commerce.'

"SEC. 3. The second paragraph of the act of March 4, 1907 (34 Stat. 1260; 21 U. S. C. 72) dealing with post mortem inspection of carcasses, labeling and marketing, destruction of condemned carcasses and reinspection, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' wherever it appears, and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by adding to the phrase 'any slaughtering, meat-canning, salting, packing,

rendering, or similar establishment', the words 'or poultry processing plant';

"(c) by adding after the words 'and carcasses and parts thereof of all such animals', wherever they appear, the words 'or poultry';

"(d) by adding 'or poultry processing plant' after the words 'any such establishment' and 'any establishment' in the clauses dealing with removal of inspectors from establishments failing to comply with requirements hereunder.

"SEC. 4. The third paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 73) dealing with the examination of carcasses brought into slaughtering or processing establishments, and meat-food products issued from and returned thereto, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by striking out the phrase 'meat or meat products' and inserting 'meat or poultry, or meat or poultry products';

"(c) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment, the words 'or poultry processing plants';

"(d) by striking out the phrase 'treated and prepared for meat food products' and inserting 'treated and prepared for meat or poultry food products.'

"SEC. 5. The fourth paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 74) dealing with the powers of meat inspectors in approving sound, healthful, and wholesome products and in condemning and causing the destruction of unsound, unhealthful, and unwholesome products, is amended:

"(a) by striking out the phrase 'meat food products' wherever it appears and inserting 'meat or poultry food products';

"(b) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant';

"(c) by striking out the phrase 'meat or meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(d) by striking out the phrase 'condemned meat food products' and inserting 'condemned meat or poultry food products.'

"SEC. 6. The fifth paragraph of the act of March 4, 1907 (34 Stat. 1261; 21 U. S. C. 75) dealing with labeling requirements, is amended:

"(a) by striking out the phrase 'meat or meat food products' in the four instances where it appears, and inserting 'meat or poultry, or meat or poultry food products.'

"SEC. 7. The sixth paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 76) governing sanitary inspection and regulation of the premises of slaughtering and packing establishments, and rejection of products of unsanitary establishments, is amended:

"(a) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment', the words 'or poultry processing plant';

"(b) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats and poultry';

"(c) by striking out the phrases 'meat and meat products' and 'meat or meat products' and inserting 'meat or poultry, or meat or poultry food products.'

"SEC. 8. The seventh paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 77) permitting inspections during the nighttime as well as during the daytime, when slaughtering is conducted during the nighttime, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry.'

"SEC. 9. The eighth paragraph of the act of March 4, 1907 (34 Stat. 1262; 21 U. S. C. 78) dealing with transportation of carcasses, meat, or meat food products not properly inspected and marked, is amended:

"(a) by striking out the phrase 'meat or meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(b) by adding at the end of said paragraph *'Provided*, That nothing in this section shall preclude the Secretary of Agriculture from regulating shipments of poultry or poultry products which directly burden, obstruct, or affect interstate or foreign commerce.'

"SEC. 10. The 17th paragraph of the act of March 4, 1907 (34 Stat. 1264; 21 U. S. C. 87) dealing with transportation or sale of meat or meat food products not complying with the inspection laws, is amended:

"(a) by striking out the phrase 'meat or meat food products' wherever it appears, and inserting 'meat or poultry, or meat or poultry food products';

"(b) by adding to the phrase 'any slaughtering, meat-canning, salting, packing, rendering, or similar establishment' the words 'or poultry processing plant.'

"SEC. 11. The 19th paragraph of the act of March 4, 1907 (34 Stat. 1264; 21 U. S. C. 89) dealing with the appointment, duties, and regulations governing inspectors, is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by striking out the phrases 'meats and meat food products' and 'meat and meat food products' and inserting 'meat or poultry, or meat or poultry food products';

"(c) by striking out the words 'meat food products' wherever they appear and inserting 'meat or poultry food products.'

"SEC. 12. The 21st paragraph of the act of March 4, 1907, as amended (34 Stat. 1265, as amended by 52 Stat. 1235; 21 U. S. C. 91) exempting certain farmers, retail butchers and retail dealers from the inspection provisions of the Meat Inspection Act, is further amended by adding the following subsection thereto:

"(d) The Secretary of Agriculture is hereby authorized to establish the basis on which certain categories of poultry raisers, retail poultry butchers, and retail poultry dealers are exempted from the inspection requirements of this act: *Provided*, That these exemptions shall be based on maximum volume limitations which are fair and reasonable in relation to other exemptions in this section: *And provided further*, That such exempt poultry raisers, retail poultry butchers and retail poultry dealers shall be subject to the provisions of the second paragraph of subsection (c) above for violations of the requirements of this act.

"SEC. 13. The authorization included in the act of June 30, 1906 (34 Stat. 679, as amended by 48 Stat. 1225; 21 U. S. C. 95) is amended:

"(a) by striking out the phrase 'cattle, sheep, swine, and goats' and inserting 'cattle, sheep, swine, goats, and poultry';

"(b) by striking out the phrase 'meat and meat food products' and inserting 'meat or poultry, and meat or poultry food products.'

"SEC. 14. The act of June 5, 1948 (62 Stat. 344; 21 U. S. C. 98) providing for payment of costs of the inspection service by the United States, is amended by striking out the phrase 'meat and meat food products' and inserting 'meat and poultry, and meat and poultry food products.'

"SEC. 15. Section 306 of the Tariff Act of 1930 (46 Stat. 689; 19 U. S. C. 1306) dealing with the importation of meat and meat products is amended:

"(a) by inserting the words 'or poultry' in subsection (b) thereof after the words 'meat' or 'meats' wherever they appear;

"(b) by striking out the phrase 'cattle, sheep, and other domestic ruminants, and swine' in subsection (c) thereof, and inserting 'cattle, sheep, and other domestic ruminants, poultry, and swine'; and in the same subsection (c) thereof, inserting after the word 'meats' the words 'or poultry.'

"SEC. 16. The compulsory poultry inspection provided for by this act shall commence on the first day of the sixth month after enactment hereof."

ANTE MORTEM INSPECTION MADE MANDATORY

It will be noted, Mr. Speaker, that my bill not only amends the Meat Inspection Act to include poultry and poultry products in the same way that cattle, sheep, swine, and goats are covered under that act, but that, in one particular, it also amends the act as it applies to those other meat animals. That is in section 2, which would make it mandatory to have ante mortem inspection not only of poultry but of the other animals as well.

The act presently says that the Secretary of Agriculture may at his discretion require such ante mortem inspection of cattle, sheep, swine, and goats. Actually, by regulation, he requires this type of examination before slaughter. In order to make it clear that it is the intent of Congress to require such ante mortem inspection of poultry, also, I have proposed in my bill this change in the basic statute to make ante mortem inspection mandatory for all of the meat varieties covered.

APPLICATION TO INTERSTATE SHIPMENTS

Another provision of my bill which involves more than merely including poultry along with beef, lamb, pork, and so on under the Meat Inspection Act, also contained in section 2 of my bill, would empower the Secretary of Agriculture to regulate certain shipments of poultry in intrastate commerce. These would be shipments which directly burden, obstruct, or affect interstate commerce.

The concept of including some intrastate as well as all interstate shipments of poultry under compulsory inspection laws has been suggested, as I understand it, by the poultry industry itself. The feeling on the part of some of the industry people, as it has been reported to me, is that where interstate and intrastate shipments are commingled in the same establishments, or where they directly compete in such way as to affect the interstate sales, that fairness requires all shipments be inspected.

While this raises legal issues I do not personally feel qualified to discuss, nevertheless I am informed by experts in the legal questions involved that the Supreme Court has upheld this concept as it applies to milk marketing and that it could, therefore, be applied to poultry. I have included this in my bill, because it is my understanding that there is widespread support within the poultry industry for compulsory inspection if it is fairly extended to all groups competing in the major market areas.

EXEMPTIONS

The Meat Inspection Act presently exempts farmers and certain categories of retail butchers and retail dealers, providing, of course, that they do not ship in interstate commerce products which are diseased or unfit in violation of the law. The exemptions for butchers and dealers are based on the number of animals or carcasses they ship per week. Having no means by which I could translate these standards into terms of chickens, ducks, or turkeys, for instance, I have instead provided that the Secretary of Agriculture should determine such exemption standards as they should apply to poultry raisers, butchers, or dealers. He would be expected to set standards which would be fair in relation to those now applying to butchers and dealers under the Meat Inspection Act.

PRIOR TO 1956, LAST SUCH BILL WAS IN 1930

The research material which I have received from the Library of Congress, and which I have inserted above, shows that up to the time this memo was prepared for me in December, there had not been a bill introduced in the Congress dealing with this subject of compulsory inspection of poultry since 1930.

This year, we have seen the introduction of a number of bills, and I think all of us are pleased to see such interest in the serious problem of assuring wholesome poultry supplies.

My bill differs from the others in that it is the only one, I believe, which provides for compulsory inspection of poultry on exactly the same basis as we now inspect the other meats. The penalties are the same. The exemptions would be the same. The procedures would be exactly the same. The valuable enforcement history built up by the Meat Inspection Branch these past 50 years would now become available for the enforcement of poultry inspection. No elaborate new definitions, subject to endless litigation, would be necessary.

This has been the approach suggested to me by the research people in the American Law Division, and I think it is the best of the various approaches proposed to this important issue.

ADEQUATE APPROPRIATIONS WILL BE REQUIRED

Recently, a friend in St. Louis, Mr. August Gieseke, secretary-treasurer of the Meat Cutters Union Local 88, wrote to me on behalf of the local, urging my support for the bills which the international has sponsored on this subject. Our exchange of correspondence was as follows:

AMALGAMATED MEAT CUTTERS
AND BUTCHER WORKMEN
OF NORTH AMERICA,
AFL–CIO, LOCAL No. 88,
St. Louis, Mo., March 9, 1956.

The Honorable Congresswoman Mrs. JOHN B. SULLIVAN,
House Office Building,
Washington, D. C.

DEAR MRS. SULLIVAN: Our union membership of 3,100 people, which consists of retail meatcutters and poultry workers who slaughter and dress poultry, are very much interested in bills H. R. 8509, H. R. 9006, and S. 3176, pertaining to Federal poultry inspection and industrial safety for poultry workers.

We are in a position to know firsthand that an inspection law is sadly needed to protect the consumer. Fowl is subject to tuberculosis and is also a disease carrier, same as any farm animal.

The consumer is not aware how dangerous it is to consume fowl which is not processed in a sanitary condition, especially diseased poultry.

We strongly urge you to support these bills for the public's protection.

Thanking you in advance for your favorable support, I am

Sincerely yours,

AUG. GIESEKE,
Secretary-Treasurer, Meat Cutters Union Local No. 88, AFL–CIO, St. Louis, Mo.

MARCH 14, 1956.

Mr. AUG. GIESEKE,
Secretary-Treasurer, Meat Cutters Union, Local 88, AFL–CIO, St. Louis, Mo.

DEAR MR. GIESEKE: I appreciated hearing from you in regard to the bills for the inspection of poultry, as urged by local 88 and also by the international officers of the Amalgamated Meat Cutters and Butcher Workmen. I am sure you know that this matter of diseased poultry being sold in interstate commerce is of very great concern to me as a Member of Congress interested in the consumer.

I have been in correspondence with the international officers of the Amalgamated on this question, and at their request I have held back on introducing a bill which I have had prepared. My bill would call for the inspection of poultry on exactly the same basis as beef and pork are inspected by the Department of Agriculture. However, the bills which the Amalgamated is sponsoring would place poultry inspection under the Food and Drug Administration.

We are in some disagreement as to the best basis for proceeding, but there is no disagreement between us as to the need for legislation. Because of the work the Amalgamated has done in bringing this matter to public attention, I am deferring to President Jimerson and the other officials of the Amalgamated on the question of strategy for the time being. So I am holding up on it for the time being, as I said.

Please be assured I will do everything I can to get legislation enacted for effective poultry inspection by the Federal Government. But even if we succeed in that, then there is the additional need for adequate appropriations. These are among my main objectives in Congress.

With kindest personal regards, I am,

Sincerely yours,

LEONOR K. (MRS. JOHN B.) SULLIVAN,
Member of Congress, Third District, Missouri.

As I pointed out to Mr. Gieseke, Mr. Speaker, our responsibility here is not only to enact laws which will require inspection of poultry for wholesomeness, but—wherever we put the authority or regardless of the type of bill we pass—we must make sure adequate funds are appropriated to carry on the work. That is where we have fallen down in the past in our handling of pure food and drug laws. We write laws providing for penalties for selling unsafe or unwholesome foods or drugs or cosmetics, but we have not given the Food and Drug Administration the money it needs to police these very excellent laws.

Mr. Speaker, in connection with the introduction today of my poultry inspection bill, H. R. 11800, and in connection with these remarks on the House floor, I have submitted some rather lengthy material for the CONGRESSIONAL RECORD. Normally, I do not like to load down the RECORD with extraneous material. In this instance, I think it serves a highly useful purpose in bringing together in one place the basic information available on this important issue. I am including one further document, as exhibit B following my remarks, in the form of a memorandum from the Amalgamated Meat Cutters Union going into the actual conditions under which poultry is now being marketed.

I have received and read a vast amount of material on this subject. Some of it has been so graphic, so shocking, that I have decided against using it here. But this memorandum is a calm and objective report which, I believe supplements the other document from the Public Health Service, and so I include them both. I hope, as I said, that the Members can find the time to read these reports. If so, I know we will act to stop this evil.

Mr. Speaker, Exhibit A: Poultry Diseases Transmissible to Man, is as follows:

"EXHIBIT A

"POULTRY DISEASES TRANSMISSIBLE TO MAN, INCLUDING SUMMARY REPORT OF OUTBREAKS

"(By Mildred M. Galton, bacteriologist, Communicable Disease Center, Public Health Service, Federal Security Agency, Atlanta, Ga., assigned to Bureau of Laboratories, Florida State Board of Health, Jacksonville, Fla., prepared for the Chief Veterinary, Public Health)

"The diseases of poultry to which man is also susceptible comprise a rather large group. In his excellent review Ingalls (1) lists 26 such diseases including those caused by bacteria viruses, fungi, and protozoa. It is apparent that some of these diseases constitute a considerable hazard to public health.

"In a more recent discussion of this subject, Brandly, C. A. B., (2) pointed out that interspecies infection cycles usually favor similar hosts, thus, a disease in animals generally would have a greater chance of thriving if transmitted to related species than to avian hosts. He emphasized, however, that this may not always be true and discussed the nature of the host-parasite relationship of certain diseases common to man and fowl. Earlier, these infections were discussed by Brandly, P. J., (3) from the standpoint of poultry inspection and public health. In the present report the current status as public health hazards of the following diseases common to man and fowl will be reviewed:

"Bacterial: Salmonellosis, paracolon infections, erysipelas, staphylococcosis, streptococcosis, tuberculosis, brucellosis, listeriosis, tularemia, pseudotuberculosis, and diphtheria.

"Viral: Equine encephalomyelitis, newcastle disease, psittacosis, and rabies.

"Fungal: Favus, thrush, and aspergillosis.

"Parasitic: Dermanyssus gallinae, Toxoplasmosis.

"Salmonellosis

"The role of fowl, swine, cattle, and many other animals as a source of outbreaks of salmonellosis in man has been established but only during the past decade has great emphasis been placed upon the public health significance of these reservoirs in the epidemiology of Salmonella infections. There have been numerous reports incriminating poultry or poultry products in outbreaks of the disease in man. The studies of Edwards, Bruner, and Moran (4) indicate that fowls are the largest single reservoir of Salmonella in this country. While S. pullorum and S. typhimurium are the most common types, these authors found a greater number of Salmonella types (60) in fowl than any other species except man. Of these at least 56 have been found in humans. As pointed out by Hinshaw and McNeil (5, 6) 'there may well be no truly avian nor truly human types; in fact such a description frequently means only priority in isolation.' They observed 7 cases of gastroenteritis among attendants on poultry farms caused by contact with acute outbreaks in poultry. Further evidence indicated the transmission of Salmonella to fowl by human carrier attendants on the ranch. All types are potentially pathogenic for man, animals, and fowls. In poultry as in man (8, 9) and other animals (4) Salmonella infection depends largely upon age and general resistance rather than upon the type of Salmonella, the young appearing most susceptible. S. pullorum until recently considered relatively nonpathogenic for man has been incriminated as the cause of one large outbreak of food poisoning (10) and several sporadic cases (11, 12). In Florida, S. pullorum has been isolated from cases of mild enteric fever and gastroenteritis in three individuals.

"Considerable evidence is accumulating concerning the presence of Salmonella in poultry meat. Cherry, Barnes, and Edwards (13) report the recovery of a nonmotile Salmonella from the skin of frozen turkeys. Galton, Mackel, and Haire (14) isolated anatum, from material appearing to be encysted egg yolk in a frozen chicken. Schneider and Gunderson (15) found 4 Salmonella types on the skin of 4.4 percent of 1,014 eviscerated chickens. They concluded that the customary methods of sanitation in the plant did not eliminate Salmonella. Most of these birds had been frozen and stored for some time. Browne (16) found that S. typhimurium survived for at least 13 months on the skin of frozen turkeys. It is thus apparent that freezing does not kill all of the Salmonella.

"More recently, attention has been given to the study of Salmonella in the environment of poultry processing plants. Browne (16) studied a turkey processing plant and isolated S. typhimurium from trays on which viscera were placed, pans in which cleaned giblets were stored, waste buckets and hands of eviscerators, trimmers, and inspectors. These organisms were also obtained from the loading platform, scalder chute, and floor, from the final wash trough, and even from dust on the rafters.

"During an extensive study of the bacteriology of commercial poultry processing, Kyle, McFadden, and Gunderson (17) isolated Salmonella from the hands of workers on the evisceration line, from the skin of birds ready for storage, from organs of the chickens, and other items on the evisceration line. Reports of outbreaks of food poisoning following the consumption of poultry meat are numerous as evidenced by the weekly reports of the National Office of Vital Statistics (see table 1).

"Reports implicating raw, frozen, or dried eggs as sources of Salmonella outbreaks appear frequently. Watt (18) reported such an outbreak attributed to raw eggs which contained S. montevideo. S. tennessee was isolated from frozen whole eggs and from powdered eggs by Schneider (19). Extensive studies on the occurrence of Salmonella types in dried egg powder have been reported by Schneider (20), Solowey (21) and associates, and the British investigators (22). Further studies on heat resistance and destruction by pasteurization of Salmonella organisms isolated from spray dried or liquid whole egg have been reported by Solowey et al. (23), Winter et al. (24, 25), and Goresline (26 et al.). The investigation carried out by Goresline et al. revealed that pasteurization can be used successfully, under processing-plant conditions, to produce liquid, frozen, and dried whole eggs free of Salmonella. They recommend flash heating the liquid whole egg to 140° F. and holding at that temperature for 3 minutes to kill any Salmonella present.

"That breaks in the pasteurization procedure do occur in large processing plants is indicated by a recent announcement in the Associated Press (November 28, 1952) in which the Food and Drug Administration issued a warning to the public to discontinue use of Swift & Co.'s canned dried egg yolk due to the presence of Salmonella organisms. This product had been pasteurized.

"McCullough and Eisele (27) were able to produce clinical salmonellosis in 32 human volunteers by experimental infection with strains of Salmonella meleagridis and Salmonella anatum derived from spray dried whole egg. Similar studies (28) with S. newport, S. derby, and S. bareilly resulted in clinical illness in 15 subjects, and with 4 strains of S. pullorum (29) there were 27 cases of human illness.

"It is thus obvious, as emphasized by Hinshaw and McNeil (5) that 'both from a poultry economic and public health standpoint, Salmonellosis is a hazard which should be eliminated.' These investigators present the following essentials for prevention of the disease in poultry: (1) 'elimination of known infected flocks as sources of replacements for breeding flocks (2) the use of separate hatching facilities for eggs from such flocks (3) the frequent use of diagnostic laboratories, to discover new outbreaks which may endanger future replacement sources (4) the recognition of numerous animal reservoirs of these diseases which must be controlled to prevent transmission (5) fly control, and (6) cooperation of growers, hatcheries, veterinarians and State agencies in securing replacements from salmonellosis-free sources.

"Paracolon infections

"The significance of the etiological relationship between paracolon organisms and enteric infections in man is difficult to determine due to the frequent recovery of some of these strains from the feces of apparently healthy persons and the lack of adequate methods of classification of different types. However, there have been numerous reports (8, 9, 30, 31) indicating pathogenicity of some types.

"Many of the paracolon organisms contain antigens common to the Salmonella and Shigella groups. This is particularly true of the Arizona group of paracolons which are closely related to the Salmonella. The excellent work of Edwards and his coworkers (32, 33, 34, 35) in establishing a satisfactory serologic classification for the Arizona group and presentation of epidemiological data leaves no doubt that these paracolon organisms are pathogenic for animals. The majority of cultures of this group that have been studied were isolated from fowls, egg powder, and reptiles. Many cultures were obtained by Hinshaw and McNeil (36, 37) during studies of infections among reptiles and turkeys. The symptoms and pathology in birds infected with these paracolon bacilli are comparable to those which occur in salmonellosis in fowls. The organisms have been isolated from heart blood, and all organs indicating a definite septicemia; young fowls, particularly poults, appear more susceptible. Mortality in flocks was comparable to that found in Salmonella infections. The spread of the infections by hatcheries and through eggs has been clearly established (35, 36).

"There have been scattered reports of the isolation of Arizona paracolon bacilli from man. Of 456 cultures studied by Edwards, West and Bruner (35) 5 were from human sources. All were from cases of enteric infection in which no other pathogenic organisms were recognized. Verder et al. (38) isolated a paracolon identified by Edwards as Ar. 1, 2:1, 2, 5 from 70 percent of patients cultured during an outbreak of gastroenteritis involving 51 student nurses. The organism was not obtained from 16 normal students cultured. Buttiaux and Kesteloot (39) reported the isolation of paracolon bacilli similar to the Arizona group from 6 patients, 3 with acute enteric disease, 2 with chronic colitis, and 1 with a typhoidlike fever. In 1950, Murphy and Morris (40) described 2 small outbreaks of gastroenteritis, both of which were associated with a member of the Arizona paracolon group. In both episodes, evidence relating to source of infection, incubation period and symptoms of individuals involved resembled the pattern observed in food infections due to Salmonella. Bacteriological findings indicated the paracolon bacillus was the etiologic agent.

"Thus, the necessity for the prevention and control of this infection is fowl is obvious.

"Erysipelas

"The occurrence of a septicemia associated with Erysipelothrix rhusiopathiae the causative agent of swine erysipelas and erysipeloid infection in man, has been reported in many species of birds. Fish though not susceptible carry the organism on the slime. The disease is relatively common in turkeys and ducks (41, 42, 43). It is characterized in acute cases by febrile symptoms and occasionally diarrhea; death may occur in 1 to 2 days; in chronic cases by loss of appetite, diarrhea and gradual emaciation (44). Diagnosis depends upon bacteriological examination as lesions are indefinite and not usually considered pathognomonic. The infection in man, first recognized by Rosenbach, in 1884, may occur as a mild, localized cutaneous lesion, sometimes accompanied by mild arthritic symptoms; as a diffuse or generalized cutaneous eruption, with arthritic symptoms and negative blood culture or as a septicemic form with endocarditis (45). Chronic cases of long duration have also been reported (46).

"Ersipeloid has long been recognized as an occupational disease of abattoir employees, veterinarians, butchers, kitchen workers and those handling poultry and fish (47). In a review of 100 cases Klauder (48) was able to obtain a history of contact with animals, animal products or fish. Stiles (41) reported cutaneous lesions and symptoms of erysipeloid in the owners of an infected turkey flock. Successful treatment of the disease in man with penicillin has been reported frequently (46, 49, 50). Stiles considered the public health significance of marketing possible infected turkeys and outlined the procedure followed in an outbreak in one flock. Apparently healthy fowls were marketed to a processing plant where they were subjected to Federal inspection. Questionable birds were rejected and the slaughtered birds were boned and sterilized by canning.

"According to Klauder (48), the virulence of E. rhusiopathiae varies in different species and in the same species. The organism has the capacity to change suddenly from a harmless saprophyte to a pathogenic parasite. Although man is relatively immune when the organism enters the gastro intestinal tract, cutaneous infections appear rather commonly. Skalova (51) in Yugoslavia has reported one fatal case of infection with E. rhusiopathiae.

"Staphylococcosis

"Staphylococci are widely distributed in nature but they may cause a variety of disease entities in man, domestic animals and fowl. Avian staphylococcosis has been reported in turkeys by Jungherr (52) Hinshaw and McNeil (53) and Hinshaw (54), in geese by Lucet (55), in ducks by Van Heelsbergen (56), and less frequently in chickens (57, 58). In fowl the infection occurs as an acute septicemia or chronic arthritis also known as bursitis, hock disease, ostitis or synovitis. In man, the most frequent manifestation is food poisoning, produced by an enterotoxin liberated by the growth of some staphylococcus strains in food prior to ingestion. Septicemia occurs occasionally in man. Although no reports have been found concerning the transmission of fowl staphylococcosis to humans McNeil (59) states that they have isolated Micrococcus pyrogenes from boils on the hands of workers in poultry killing plants. This potential source of infection in man warrants further study.

"Streptococcosis

"Streptococcus infections occur in both man and birds. Ingalls (1) is of the opinion that the infection in poultry does not play a prominent part in human disease, however, he has observed that the handling, dressing or eating of infected birds may serve as a source of infection in man. Acute streptococcic septicemia in fowls was first observed in this country by Norgaard and Mohler, 1902 (60) and later by Hudson (61). The disease is highly fatal. A chonic infection of hens due to hemolytic streptococci (group C) was reported by Edwards and Hull (62). Buxton (63) in England reports an acute infection of poultry due to streptococcus zooepidemicus which became chronic after 4 weeks. Edwards (64) states that all streptococcal infections of poultry that he has encountered have been due to the so-called animal group C types. A search of the literature revealed no reports of infection of fowls due to group A streptococcus strains.

"Tuberculosis

"Avian tuberculosis is widely distributed in poultry throughout the central and north central sections of the United States. It frequently also infects swine, occasionally cattle and rarely man. It is most common in chickens and pigeons, although it does infect other species of fowl. Chickens are susceptible only to the avian type of the tubercle bacillus. The question of the pathogenicity of avian tubercle bacilli for man has received much speculation. Feldman (65) has reviewed the literature up to 1938 and concluded that although human infection does occur, it is very rare. He further observed that many of the reported cases were inadequately or incompletely studied resulting in a questionable diagnosis of avian tuberculosis. Rich (66) reviewed the data available up to 1944 and 'noted that if progressive tuberculosis is ever produced in the human being by the avian tubercle bacillus it must be only rarely.'

"There have been a few confirmed cases, however, in which the organisms were identified. Bradbury and Younger (67) reported a case of pulmonary tuberculosis in a man from whom organisms were identified as the avian type on three occasions. This man had consumed 1 or more raw eggs a day for 30 years providing a possible source of infection. Avian tubercle bacilli were also isolated from a mediastinal lymph node from a man (68). A diagnosis of Hodgkin's disease had been made. Another isolation was reported from a case diagnosed as Boeck's sarcoid in a 50-year-old woman who had lived on a farm in Norway where tuberculosis of chickens was common (69).

"In chickens the disease is characterized by its chronicity and by lesions in the liver, spleen, kidneys, ovaries, intestines, and bone marrow. Large numbers of organisms are disseminated in fecal material. The bacilli are occasionally present in eggs from tuberculous hens.

"Feldman (70) makes the following statements concerning the suitability of tuberculous fowl for human consumption: 'When food markets are supplied from territories where tuberculosis is prevalent among chickens, the question of the suitability of the tuberculous fowl for human consumption is important. The problem is pertinent, not only because of the possible transmission of avian tuberculosis to human beings, but also because of the natural aversion of most people to food prepared from diseased animals. In the absence of a nationwide, efficient post mortem inspection of poultry, the only assurance to the consuming public that carcasses of dressed poultry represent healthy animals is the integrity of the merchant and the ability of the laity who dress fowl to recognize morbid processes.'

"Brucellosis

"Natural outbreaks of Brucella infection on poultry farms have been described in Italy by Florentine, in France by Dubois (71) and in the United States by Emmel (72). The symptoms in birds appear quite variable. In some, general debility, diarrhea, and paralysis are observed with high mortality; in other, no symptoms appear. Post mortem examination shows enlargement of spleen, degeneration of liver and kidney with necrotic foci and enteritis. Emmel and Huddleson (73, 74) were able to produce infection in fowl by feeding naturally infected milk, portions of an aborted fetus and cultures. They also reported the occurrence of natural infection in four flocks. Pagnini (75) attempted to infect chickens by giving them gelatin capsules containing Brucella. He succeeded only when employing large numbers of organisms and concluded that chickens were not of great significance in the spread of brucellosis. Pavlov (1938) (76) reported 5 of 7 rabbits placed with infected chickens became infected and died in 3 months. Brucella organisms were isolated from the rabbits. None of 3 normal chickens and 10 normal guinea pigs, placed with the infected chickens showed evidence of infection. Eggs from chickens infected with massive doses of Brucella were found to contain the organism only between the 4th and 14th day after infection.

"The experiments of Felsenfeld and his associates (77) showed that intramuscular, and intraperitoneal infections and feeding of Brucella, caused bacteriemia, fecal excretion of organisms and the appearance of significant serum agglutinin titers. They also observed cross reactions with Vibrio cholerae, Proteus OX–19 and S. pullorum antigens. Brucella were transmitted to normal chickens by feces from infected chickens. These investigators point out the possibility of misinterpreting pullorum disease in flocks of chickens with Brucella infection due to the cross reactions with pullorum antigens. They have observed also the difficulty in detecting infected chickens during inspection due to the frequent absence of significant pathology.

"Since birds can become infected with Brucella and may thus transmit the disease to other fowl, domestic animals and man, efforts to prevent the contact of poultry with infected mammals should be taken.

"Listeriosis

"Listeria monocytogenes is a causative agent of sporadic cases of meningitis in man and also has been isolated from the blood of patients with an infectious mononucleosis-like syndrome (78). In chickens it produces a specific septicemia with apparently few clinical symptoms. Necrotic lesions of the heart muscle and generalized edema may occur. Many other hosts are susceptible to spontaneous infection including the goat, sheep, cow, fox, guinea pig, and rabbit. It is noteworthy that the encephalitic symptoms, characteristic of listeriosis in domestic mammals have not been observed in naturally affected chickens.

"Distribution of the infection in man and animals appears to be worldwide (78, 79); in chickens outbreaks have been reported in many parts of the United States and England (80, 81, 82).

"Although no reports have been found to indicate direct transmission of Listeria infection from poultry to man the fact that both are susceptible warrants consideration of the situation from a public-health standpoint.

"Pasteurella

"Tularemia

"According to Burroughs (83) grouse, sage hen, quill, and horned owl have been found naturally infected with tularemia. At least two cases of tularemia (84, 85) have occurred in man where the source of infection was attributed to pheasants dressed by the individuals. Apparently the disease does not exist or is very rare in poultry since it is not referred to in Disease of Poultry edited by Biester and Schwarte in 1948.

"Pseudotuberculosis

"Pseudotuberculosis caused by Pasteurella pseudotuberculosis rodentium, is a disease occurring in birds, animals, and man (86, 87). It is characterized by an acute septicemia of short duration followed by a chronic focal infection which gives rise to tubercular lesions in various organs. In fowl, outbreaks have been reported chiefly in turkeys and rarely in ducks, pigeons, and chickens causing considerable losses in the former. In man it appears to be rare but highly fatal. Meyer (88) refers to reports of 14 human cases, 11 of which terminated fatally. According to Meyer the mode of transmission is not definitely known, but it is believed that P. pseudotuberculosis, widely distributed in nature and disseminated through infectious excretions of affected birds or rodents, attacks susceptible animals through the digestive tract. Usually the abdominal viscera are primarily diseased. Injuries of the skin may also serve as portals of entry. Direct or indirect contact may introduce the infection into a flock of birds. Hygienic conditions and prevention of exposure to infection are the usual prophylactic procedures.

"Pasteurella multocida, as the name indicates has more than one host. The many strains of this group change continuously in physiologic functions, antigenic structure, and pathogenic ability. The total range of susceptible animal species is wide, including man, rodents, herbivores, fowls and possibly carnivores but each host has its characteristic limitations beyond which it rarely goes in spontaneous disease. The first bacteriologically proved human case was reported by Brugnatelli (88) in 1913. Since that time human infections with P. multocida are being recognized more frequently.

"A review of the literature since 1930 by Schipper (90) revealed 21 bacteriologically proven cases from reports on 39 cases. Further evidence to support the occurrance of more frequent infection in man was presented by Needham (91). He isolated P. multocida from 11 patients of the Mayo Clinic during 1947. Later Olsen and Needham (92) reported the isolation of this organism from an additional 26 cases bringing the total to 37 cases observed at the Mayo Clinic during the period from October 1946 to July 1951. Twenty-seven of the thirty-seven patients were either farmers or members of a farmer's family. The source of material for bacteriologic study included bronchial secretion 17, sputum 15, empyema fluid 2, abscess of frontal sinus 1, appendiceal abscess 1, and purulent drainage from joint 1. All strains from these cases were found to be sensitive to low concentrations of penicillin. Although most of the patients had bronchiectasis, the authors consider P. multocida a probable "secondary invader." They emphasize, however, that the isolation of animal Pasteurella in cases of human disease has a definite significance. In view of the relative prevalence of human infection they recommended a more thorough search be made for this organism in infected material. Neter and associates (93, 94) have observed P. multocida wound infections in four children following bites by or contact with animals. These investigators (95) found aureomycin superior to terramycin treatment of P. multocida infection in mice.

"Numerous outbreaks of Pasturella infection (fowl cholera) in poultry have caused considerable losses. Murray (96) states that 'while man may generally consume without harm fowls that are suffering from the disease, it is advised that their meat should under no circumstances be used as human food.'

"Diphtheria

"Although there appears to be no evidence indicating that diphtheria in poultry is of public health significance, at least one human case has been reported in which evidence pointed to chickens as the source of infection. In a study of 256 cases of human diphtheria where contact with chickens was established, Litterer (97) reported 2 instances in which fowl harbored the virulent organisms. Identical organisms were isolated from a child in the family who owned the fowls. He was able to infect chickens with cultures obtained from infected children and chickens and concluded that fowl can transmit virulent diphtheria to man. According to Huyyra and Marek (44) the so-called fowl diphtheria or roup is caused by a virus and the disease is now known as the muco-membranous form of fowl pox.

"Virus diseases

"Eastern Equine Encephalomyelitis

"Eastern equine encephalomyelitis primarily a summer disease of equine and avian animals, is transmissible to man, in whom it is usually characterized by extensive inflammation and destruction of the central nervous system. It was first recovered from human CNS tissue by Fothergill et al (98), 1938; in the same year the first natural outbreak in birds was reported by Tyzzer, Sellers, and Bennett (99) who encountered fatal infection in ringnecked pheasants in Connecticut. Also in 1938 Fothergill et al (100) observed natural infection in pigeons in Massachusetts. Beaudette and Black (101)

have reported the appearance of natural outbreaks in pheasants in New Jersey from 1938 through 1946 except in 1940 and 1941.

"Davis (102) found that 6 species of Aedes mosquitoes were capable of transmitting the virus from infected birds to normal animals after a 9-day incubation period. Mosquitoes fed on infected birds transmitted virus to mice and birds; those fed on mice transmitted it to birds, mice, and guinea pigs.

"The symptoms reported in pheasants include paralysis, staggering, head drawn over back, and anorexia. Death occurred in 1 or 2 days or the birds recovered slowly. The infection has been produced experimentally in chickens and turkeys. After experimental inoculation, Ten Broeck (103) and Tyzzer (104), working independently, showed that chickens may develop a viremia without visible signs of infection.

"In man, children appear more susceptible. A mortality rate of 65–70 percent has been reported in the age group under 10 years.

"Western and St. Louis Encephalomyelitis

"The western and St. Louis types of encepholamyelitis are similar in many respects and although they are quite distinct from the eastern type, they also infect a wide range of hosts including equine animals and fowl. The extensive studies of Hammon have shown the important role that birds play in the epidemiology of these diseases. During the summer of 1941 Hammon et al. (105, 106) in the Yakima Valley, Wash., found that Culex tarsalis mosquitoes were infected with the viruses of western and St. Louis equine encephalitis, and that approximately 50 percent of the chickens of the area had specific antibodies for these viruses, but no chicken epizootic had been observed. Experimental infection with both viruses produced a viremia but no signs of illness. Evidence indicates that viremia of man and horses is of short duration. Virus isolations from blood are rare. These authors also observed that Culex tarsalis fed predominantly on birds. Recently (107, 108) the chicken mite Dermanyssus gallinae has been found infected with the St. Louis and western type viruses. These findings have focused even more attention on the chicken as an important source of mosquito infection. In further studies in the Yakima Valley, Hammon (109) examined 576 sera from mammals and wild and domestic birds by the neutralization test for antibodies against both viruses. Each of the viruses were positive in approximately 50 percent of sera from domestic fowl; 17–22 percent in wild birds, and only 8 percent from wild mammals.

"Japanese B Encephalitis

"Another of the summer encephalitides, chiefly prevalent in the Far East, is characterized by varied clinical symptoms, and caused by a virus similar in many ways to that of St. Louis encephalitis. According to Hammon less certainty is felt about the source of mosquito infection in this type. Hammon et al. (110) have demonstrated virus in mosquitoes caught in Japan. Thus the virus must be available in the blood of some animal. They have been able to detect small amounts of virus in the blood of inoculated chickens. More recent studies (111) have indicated wild birds as potentially important as a source of mosquito infection.

"Thus, it appears that poultry, especially chickens, may serve as an important source of infection with the eastern, western, and St. Louis encephalitis viruses and possibly also the Japanese B type.

"Newcastle Disease

"Newcastle disease (avian pneumoencephalitis) primarily a disease of world-wide distribution in fowls was first recognized in man in 1943, by Burnet (112) who isolated the virus from a case of conjunctivitis in a laboratory worker. Subsequently, reports have appeared of virus isolation from 8 cases of conjunctivitis in man (113, 117). Anderson (113), 1946 in Australia reported 2 laboratory infections. The remaining cases were in the United States. Ingalls (115) encountered 2 cases of natural infection; one in a broiler plant operator and the other in a veterinary student. Both cases were related to recent contact with NDV infected chickens. More recently, Nelson, et al. (118) have reported the occurrence of an outbreak of conjunctivitis in poultry plant workers. Of the 40 cases, virus isolation was successful in 4 of 10 acute cases. Specimens were obtained from the conjunctiva. They obtained a high SN index on specimens from employees in the plant showing no symptoms and observed that this may indicate resistance.

"In a recent study on food poisoning bacteria in poultry and poultry products, Kyle, MacFadden and Gunderson (17) isolated Newcastle disease from chicken livers and spleens collected on the evisceration line of a commercial poultry processing plant in Nebraska. The relative frequency of cases of conjunctivitis occurring in workers on the evisceration lines of poultry processing plants prompted this study. These investigators (17) studied 3 additional cases of conjunctivitis in humans from which Newcastle disease virus was isolated at the University of Nebraska Hospital. All patients had dressed chickens prior to onset of symptoms.

"An earlier report of an outbreak of conjunctivitis among kitchen workers handling poultry in an agricultural school in Israel was made by Yatom (119).

"It is obvious from the evidence presented that Newcastle disease of poultry is capable of infecting the mucous membrane of the human eye. Thompson (120) has observed that the high prevalence of the disease in poultry as compared with the scarcity and mildness of reported cases in man indicates that general alarm concerning human infection is not warranted. More recently, evidence obtained by several workers indicates that NDV is capable of causing systemic involvement in man. Mitchell and Walker (121) report a laboratory infection apparently acquired through the respiratory tract which produced an influenza-like attack lasting about 5 days. NDV was isolated from bronchial mucus. There was no evidence of conjunctivitis. A case of acute hemolytic anemia with autohemagglutinative vascular phenomena was reported by Moolten and Clark (122) in which NDV was isolated from the patient's blood shortly after the acute phase of illness had subsided. The isolation of the virus from 5 additional cases of human infection has been reported by Quinn, Hanson, Brown, and Brandly (123). These authors have noted the possibility of man to man transmission of the disease in view of the demonstration of virus in saliva, nasal discharge and conjunctival sac washings. In one of their cases NDV was isolated from the urine. Kyle, MacFadden and Gunderson (17) observed that due to the inherrent resistance and potential adaptability of the virus, it may well become a significant public health problem.

"Psittacosis

"Psittacosis (ornithosis), an apparent, or more frequently an inapparent, infection found in parrots, parakeets, canaries, pigeons, and many other birds is also communicable to man. The infection is caused by Miyagawanella psittaci, coccoid elementary bodies intermediate between Rickettsiae and true viruses. It was formerly thought to be contracted through association with psittacine birds, however, more recent reports have incriminated ducks (124), chickens (125), and turkeys (126), as the source of infection in man. Of great importance was the discovery that visibly healthy birds harbor the virus and as shedders or chronic carriers distribute the infective agent. Irons (126) has observed that the importance of common barnyard fowl in the spread of psittacosis frequently is overlooked.

"According to Meyer (127), the significance of the demonstration of psittacosis virus in the organs and intestinal contents of ducks to the duck-raising industry has not been assessed. He further states that there is evidence that the virus, present in approximately one-third of the bird population, occasionally infects workers on commercial farms, or persons who keep ducks as pets. In a study of the problem in ducks on Long Island, during a period when psittacosis occurred in man in the area, 38 percent of 115 ducks and ducklings on 9 different farms yielded psittacosis-like virus similar to the pigeon strain.

"A recent report by Irons (126) et al., described an outbreak of psittacosis in turkey dressers in a poultry plant in Texas. There were 22 cases and 3 deaths among 78 employees of the plant. All cases had been killing, picking feathers, or wrapping heads of turkeys. Few cases had been dressing chickens. It appeared that discharges from a group of turkeys was the source of the outbreak. Clinical findings varied widely in severity of illness, from mild influenza-like attacks to fatal illness.

"A recent communication from Dr. Irons stated that they have encountered a second outbreak of ornithosis in a Texas poultry and egg plant attributed to dressing turkeys for the 1952 Christmas market. In this outbreak psittacosis virus isolations were made.

"Pigeons have frequently been incriminated in outbreaks in man and in some instances chickens have been involved also. A human infection was traced to a chicken in New Jersey. Four of 31 birds examined harbored psittacosis virus resembling the pigeon strain. Study of 2 other human cases attributed to pigeons revealed that the infected birds were caged over a chicken pen; pigeon-psittacosis virus was recovered from the organs of 2 of the chickens. Determination of the extent of spontaneous psittacosis in chickens depends upon the development of a simple serological test for mass examination of barnyard fowl (127). A newly devised indirect complement-fixation-inhibition (128) test has improved detection of the disease in chickens.

"Mandel and Jordan (129) report the demonstration of psittacosis antibodies in serums from a poultry worker with pneumonitis, in serums from other poultry workers, and in sera from fowl slaughtered in local stores.

"A case of atypical pneumonia in a poultry dealer has been reported by Duncan, Thomas, and Tobin (130) in England. Virus of the ornithosis type was isolated from the throat washings. Ward and Birge (131) describe a case of psittacosis in the owner of a pheasant ranch. Complement fixation tests on the patient were performed by the Illinois State Department of Health. Indirect complement fixation test on the pheasant serums were performed by Dr. K. F. Meyer.

"The frequency with which psittacosis has been associated with poultry workers in recent years warrants its consideration as an occupational disease problem.

"Rabies

"Although fowl may be infected experimentally with the rabies virus, there is little evidence of spontaneous rabies in poultry. Remlinger and Bailey (132) reported transmission of the disease to the chicken by bites on the comb by a rabid dog. Thus it appears that chickens can, if bitten by a rabid animal, become infected and serve as a source of human infection.

"Fungus diseases

"Probably of less hazard to poultry workers are the mycotic infections of fowls. Those which deserve mention are aspergillosis, favus, and thrush. Although these infections are rare in man and frequently of a mild nature they do occur. Emmons (133) states that fungus diseases of poultry are of little danger to man unless there is heavy exposure and the individual has other predisposing factors.

"Aspergillosis

"Aspergillus fumigatus is especially pathogenic for birds and occasionally causes aspergillosis in man. The disease is common enough in domestic birds, pigeons, chickens, and ducks to be of some economic importance. In young chicks it frequently occurs in epidemic form and is known as brooder pneumonia (134). The disease may be localized or generalized but usually occurs in the lungs and air sacs.

"The infection appears to be acquired following inhalation of spores from moldy grain or litter. In man observations have indicated that infection also frequently follows exposure to air carrying many spores. Infections to the external ear have been attributed to aspergillus spores. However, the recent studies of Singer, Freeman, and Hardy (135) on otitis externa indicate that this fungus is of minor importance.

"According to a communication from Dr. W. L. Slippel, of the Georgia Coastal Plains Experiment Station they have encountered outbreaks of aspergillosis in birds in south Georgia.

"Favus

"Favus is a type of ringwork caused by several species of the genus Trichophyton (Achorion). The agent of favus or white comb in poultry is Trichophyton gallinae. In his excellent review of mycotic diseases of animals Gordon (136) states that despite the numerous references to the disease in American literature, there have been only 2 instances that an organism has been cultured which could be identified as T. gallinae according to published reports. It has been isolated from a human infection in France (137) and on many occasions from fowl favus in Europe and South America.

"Thrush

"Thrush (candidiasis, moniliasis) is another fungus infection that has caused high mortality in poultry flocks, especially young birds. It is caused by the yeast-like organism Canadian albicans. The disease has been observed in chickens, pigeons, turkeys, pheasants and other birds, and in man. In poultry lesions are localized in the mucosa of the upper alimentary canal and appear as whitish ulcers or psuedo-membranes in the crop, and gizzard.

"In man (137) Candida albicans may cause infections of the mucous membranes of the mouth and vagina; infections of the skin and nails: systematic infections or a mild broncho-pulmonary infection.

"No reports have been found indicating transmission of the disease from infected fowl to man although this may occur.

"Parasites

"Infestation with Dermanyssus gallinae the poultry mite frequently causes irritation and an itching dermatitis in poultrymen.

"Toxoplasma

"According to Manwell et al. (138 toxoplasmosis is one of the least understood of human infections as well as one of the most recently recognized.

"It is still uncertain whether birds are naturally infected with any strain of toxoplasma infective for mammals. But Manwell et al. (138) found that certain species including the duck, chicken, pigeon, canary, and wild birds are highly susceptible to experimental infection with a toxoplasma strain of human origin.

"The uncertain knowledge of this disease in man and birds, for the present, obscures its significance.

"It should be mentioned that Ingalls (1) has pointed out one other disease, leptospirosis, as an occupational hazard to poultry dressing plant employees, although the birds are rarely, if ever, infected.

"The predominance of poultry workers among the first patients found to have leptospirosis in the Detroit area led Molner (139) to study the problem in poultry dressing plants. It was found that rats were commonly in and around the plants. By washing work tables with Ringer's solution in the morning after exposure to the rats at night and infecting guinea pigs with the washings a clinical picture of Weil's disease was produced. No mention is made of isolation of the organism. This probable source of infection could, however, be eliminated by adequate sanitation measures and rat control.

"Some of the diseases reviewed in this report are of interest chiefly from an academic standpoint, whereas others present a definite public health problem.

"Measures toward controlling the incidence of infections that man may acquire from poultry have been adequately summarized by Brandly (C. A.) 2 as follows: 'It may be emphasized that suppression and eventual eradication of transmissible diseases common to birds and man require, at the onset, thorough elucidation of epizootiology together with adequate and often needed improvements in detection and diagnostic methods. These knowledges and skills, supplemented by sound long-range perspectives and practices and abetted by persistent educational programs must inevitably lead to success against this costly and needless loss and waste. Now, and in the future, necessary safeguards must aim to reduce the "occupational hazards" both against established bird to man infection chains, and against the factors of contact and exposure which may favor adaptation of other infectious agents to man from birds, and vice versa. Finally, a sound and inclusive poultry inspection service based on established practices and under competent veterinary supervision must be our primary bulwark toward protecting both the health of the public and the integrity of one of our major sources of food.'

"TABLE 1.—*Reported outbreaks of salmonellosis attributed to poultry or poultry products reported by FSA (National Office of Vital Statistics) 1951–52*

Date of outbreak	Location	Number of persons involved	Type isolated	Probable vehicle	Type isolated from material
Jan. 13, 1951	California	11	S. anatum	Turkey	S. anatum.
May 19, 1951	Minnesota	10	S. typhimurium	Raw turkey eggs	Not stated.
June 9, 1951	Illinois	340	None	Egg white	S. montevideo.
Sept. 8, 1951	California	30	S. typhimurium	Duck eggs in ice cream	No ice cream examined.
Sept. 15, 1951	Washington	16	do	Roast turkey	Salmonella-like organism.
Nov. 24, 1951	California	31	S. typhimurium	Roast turkey sandwiches	Negative.
Dec. 22, 1951	do	33	do	do	Do.
Jan. 19, 1952	do	41	S. newport	Sliced turkey	S. newport.
May 17, 1952	do	14	S. typhimurium	Pudding with eggs, chicken and turkey fat	S. typhimurium.
June 28, 1952	do	10	S. montevideo	Eggs in homemade ice cream	S. montevideo from ice cream.
July 5, 1952	Massachusetts	84	S. typhimurium	Roast turkey	Not examined.
July 12, 1952	Illinois	11	do	Turkey dinner	Do.
July 20, 1952	California	27	S. newport	Chicken chili	Do.
Oct. 4, 1952	Maryland	7	Sal. Sp	Eggnog	Do.
Nov. 15, 1952	New York	2	S. heidelberg	Turkey	None.
Dec. 20, 1952	14 States and District of Columbia	68	S. montevideo	Commercial canned powdered egg yolk	S. montevideo.
Dec. 20, 1952	Mississippi	14	S. oranienburg	Partly cooked turkey	Not examined.

"*Reported outbreaks of gastroenteritis in which poultry or poultry products were the suspected vehicle of infection, FSA (National Office of Vital Statistics), 1951–52*

Date	Location	Number of persons ill	History
June 16, 1951	Connecticut	65	Both reported in a private school. Onset 10 to 24 hours after eating turkey. Laboratory examination incomplete.
June 16, 1951	do	70	Do.
June 25, 1951	California	300	Poorly cooked turkey indicated as vehicle of infection.
July 7, 1951	Tennessee	[1] 247 [1] 27	Outbreak in State institution. Hemolytic Staph. aureus isolated from chicken salad.
Aug. 18, 1951	Maine	4	Commercially canned chicken and commercial mayonnaise probable vehicle of infection.
Aug. 25, 1951	California	9	Passengers on plane from San Francisco to Honolulu. Staph. aureus isolated from casserole diced ham and creamed boiled eggs.
Apr. 14, 1951	do	8	Chicken sandwiches suspected source of infection.
May 12, 1951	New York	21	Turkey dinner. Investigation incomplete.
June 2, 1951	Connecticut	94	Roast chicken in restaurant suspected source infection.
Sept. 22, 1951	California	7	Hemolytic Staph. aureus isolated from turkey dressing.
Sept. 29, 1951	Connecticut	19	Onset 7 to 18 hours after eating turkey. A paracolon organism isolated from turkey meat.
Oct. 6, 1951	Minnesota	110	Chicken loaf sandwiches. Bacteriological examination revealed gamma streptococcus, E. freundii and A. Aerogenes.
Dec. 22, 1951	New York	40	Onset 2 to 5 hours after eating egg salad. Staphylococci, enterococci and coliform organisms isolated from egg salad.
Jan. 5, 1952	Maine	8	Cooked chicken eaten. No other information.
Jan. 19, 1952	Idaho	34	Onset 6 to 12 hours after eating creamed chicken. No laboratory examination reported.
June 24, 1952	California	4	Onset 3 hours after eating turkey a la king. Staph. aureus isolated from turkey.
July 12, 1952	do	6	Onset about 3 hours after eating roast chicken. A Staphylococcus organism isolated from chicken, ham, and cake.
Nov. 22, 1952	Washington	120	Onset 10 to 12 hours after eating chicken. A gram positive Micrococcus isolated from chicken.
Dec. 20, 1952	Arkansas	50	Turkey probable vehicle of infection. None available for laboratory examination.

[1] Patients. [2] Employees.

"Reported cases of psittacosis FSA (National Office of Vital Statistics), 1951–52

Date	Location	Number persons ill	Laboratory findings	Contact with birds
Mar. 31, 1951	Chicago	2	Rise in complement fixation titer	Parakeet.
June 23, 1951	New York	1	do	Psittacine birds in home, 1 died. Psittacine virus isolated by Dr. K. F. Meyer.
Do	do	1	Unknown	Pigeons.
July 28, 1952	Minnesota	1	Complement fixation	Homing pigeons. Psittacine virus isolated.
Jan. 26, 1952	Chicago	1	Complement fixation positive	Parakeet and pigeons.
Feb. 16, 1952	Minnesota	2	do	Florida parakeet. Died.
Feb. 23, 1952	Connecticut	1	Incomplete	Florida parakeet. Psittacine virus isolated.
Mar. 1, 1952	Texas	29	Complement fixation positive virus isolated	Poultry packinghouse.
Mar. 8, 1952	Connecticut	1	Complement fixation positive	Lovebirds.
Do	Kentucky	2	do	Parakeet.
Do	Indiana	2	Not stated	Do.
Mar. 29, 1952	District of Columbia	1	do	Maryland parakeet. Psittacine virus isolated from bird at NIH.
Do	Connecticut	1	Complement fixation suggestive	None known.
Apr. 12, 1952	do	1	Complement fixation positive	Florida parakeet (mother of Connecticut case Feb. 23, 1952).
Do	Minnesota	1	Rise in complement fixation titer	Parakeet (local).
Apr. 19, 1952	Colorado	1	Rise plus in complement fixation titer	Exposed to Florida parakeets in Minnesota.
May 12, 1952	Missouri	2	Not stated	Parakeet in Kansas City pet shop.
May 10, 1952	New York	1	Rise plus in complement fixation titer	Florida parakeets.

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Mr. Speaker, exhibit B, Poultry Inspection and Health Hazards, is as follows:

"EXHIBIT B

"POULTRY INSPECTION AND HEALTH HAZARDS

"This memorandum seeks to present evidence concerning the need for compulsory Federal inspection of poultry for wholesomeness in interstate commerce.

"The data contained in this memo form the highlights and a summation of the findings made by the Amalgamated Meat Cutters and Butcher Workmen of North America, A. F. of L., during more than a year of study. The information is presented in the hope that you will interest yourself in the problem of bringing standards of wholesomeness and sanitation to the mushrooming poultry industry. You, thereby, can help end the flow of diseased and filthy poultry which is currently endangering the consumer and poultry worker.

"The Amalgamated Meat Cutters and Butcher Workmen, A. F. of L., has more than 300,000 members working in the poultry and meat industries. It has, therefore, become acutely aware of the shocking sanitary and health conditions presently existing in some sections of the poultry industry. The Amalgamated has made great strides in ending these practices in many plants, but the scope of its effectiveness is limited. It, therefore, looks to Congress to protect the health of poultry workers and of consumers, as a whole.

"Lack of poultry inspection

"The poultry industry stands alone among the major producers of food for the Nation in that it is not properly regulated to assure wholesomeness or freedom from disease. Unlike red meat, poultry can be, and is, sold filthy and diseased with immunity. No law exists on a national level to provide for the compulsory inspection of this much-eaten food.

"The phenomenal growth of the poultry industry in the past 20 years is responsible to a degree for the existence of this condition. In 1940 143 million broilers were raised commercially. In 1954 1,050,000,000 were raised. During the same period of time the production of turkeys increased from 34 million to 61 million birds.[1] This expansion has caused the poultry and egg industry to become the third largest source of agricultural income in the United States. The national poultry and egg income is estimated at $4.1 billion for 1954, and latest figures show it is still expanding at a rapid rate.

"An inspection service for sanitation and wholesomeness is maintained by the Production and Marketing Administration of the United States Department of Agriculture. However, inspection is purely voluntary. The processor is under no obligation whatsoever to have his product inspected. If he does seek the inspection, he must pay the full cost of it. In other words, not only can he get by without assuring the public of the wholesomeness of his product, but he is monetarily penalized if he seeks to provide that assurance.

"It should be noted that only 21 percent of the poultry in interstate commerce is inspected for wholesomeness and sanitation. In 1953 United States Department of Agriculture veterinary inspectors condemned as unfit almost 2 million (1,843,446) poultry carcasses. This figure does not take into account the many organs and parts condemned when the carcasses in whole or in part were certified as wholesome.[2]

"These sad facts do not tell the full story of the inadequateness and ineffectiveness of the permissive inspection by the Production and Marketing Administration. One of the major dangers is that Production and Marketing Administration often permits the owner of the poultry business or one of his employees to serve as official sanitarian and grader. Here, certainly is a tremendous conflict of interests, and the interest of the consuming public becomes secondary.

"This system does not meet the criterions laid down by Brig. Gen. Wayne O. Kester, Office of the Surgeon General, United States Air Force, who declared:

"'An inspection agency, to be acceptable, must comply with four cardinal prerequisites for an adequate inspection system.

"'First, the inspectors must be competent and qualified.

"'Second, they must have tenure of office, so that no one may put pressure on them in connection with their duties.

"'Third, the inspectors' agency or supervisors must be responsible and accountable to the consumer.

"'Fourth, the inspector must have no financial interest or connection with anyone in the organization being inspected.'

"Ineffectiveness of PMA program

"Actually, it is little wonder that the Production and Marketing Administration has been ineffective in its inspection, for this service was not intended primarily to safeguard the public health. Instead, it was established to promote the marketing of poultry products.

"Many people believe mistakenly that the PMA inspection service was established to provide a form of inspection and regulation paralleling that of the Federal Meat Inspection Act. In reality, the Production and Marketing Administration initially provided only a grading service which was utilized in trading between dealers. At the request of certain processors, this service was extended to include inspection for wholesomeness and sanitation on a take-it-or-leave-it basis.

"But even when diseased poultry is rejected under the present system, the carcasses are not necessarily condemned. For example, there is the classic case of the 60,000 birds of a Brady, Tex., poultry plant. The Army rejected the turkeys because they had been hit by the 1954 Texas outbreak of ornithosis (psittacosis). But instead of disposing of the carcasses, the processors sold them for civilian consumption. Public health authorities traced them to east coast cities—many of them carrying live ornithosis (psittacosis) virus.

"There are even instances in which health officers of cities having rigid poultry inspection programs have excluded poultry that came from plants inspected by the Production and Marketing Administration. For example, Dr. Aaron H. Haskin, Health Officer of Newark, N. J., wrote on December 7, 1954, to Earl W. Jimerson, president of the Amalgamated Meat Cutters and Butcher Workmen of North America, A. F. of L.:

"'About 1 month ago I excluded from sale in the city of Newark, N. J., the products of a poultry-processing plant which bore a USDA inspection legend. Meat inspectors from this office upon visiting the premises found numerous pertinent violations which had existed for a long time.'

"Limited activities of United States Food and Drug Administration

"The only Government agency responsible for preventing diseased and filthy poultry from coming to the market place is the United States Food and Drug Administration. Acting under the Federal Food, Drug, and Cosmetic Act, that agency has the right to seize any adulterated food, including poultry.

"However, the slashes in appropriations the Food and Drug Administration has suffered and the lack of a compulsory ante mortem, post mortem inspection law has made its job impossible.

"Thus, when Congresswoman LEONOR K. SULLIVAN, of Missouri, asked in September 1954 about the United States Food and Drug Administration's ability to police the poultry industry, then-Commissioner C. W. Crawford replied:

"'We estimate that there are approximately 1,300 interstate poultry dressing, freezing, or canning establishments in the United States. For the past 2 years we have made about 400 poultry establishment inspections each year, of which we estimate that perhaps one-fourth represent reinspection of the same firms. Thus, our program contemplates complete coverage of this industry about once every 3 or 4 years.'

"His successor, the present Commissioner, George P. Larrick, went even further in an April 21, 1955, letter to Shirley W. Barker, director, Poultry Department, Amalgamated Meat Cutters and Butcher Workers of North America, A. F. of L., Mr. Larrick wrote:

"'Your assumption is correct that our average rate of inspection coverage of the poultry-processing plants amounts to a spot check once every 3 or 4 years. One such inspection of one plant at one time requires, on the average, 5 or 6 hours of an inspector's time. It is also true, as you suggest, that such a spot check cannot guarantee the wholesomeness or the legality of products prepared at other times. However, lest this be misleading to you we must point out that in many instances reasonable valid conclusions with respect to the probability of diseased or otherwise illegal poultry being shipped from a plant can be drawn from the observation made during an inspection of this type, and conversations with employees.

"'* * * Although some lots of cull poultry are recognized as obviously diseased from the external appearance of the carcass, it is our view that not only post mortem but also ante mortem examination is essential to a full program of protection of the consumer from diseased poultry.'

"In other words, the present and the former head of the United States Food and Drug Administration bluntly state that their organization cannot, under present circumstances, guarantee protection against diseased poultry for the consumer. The present Commissioner adds that not only after-slaughter inspection is needed to protect the consumer, but also a before-slaughter inspection. Such a program can only be put into force by new legislation providing the compulsory inspection of poultry.

Industrial and consumer hazards

"There are many diseases of poultry transmissible to man which constitute a public health danger.[3] Dr. James Lieberman, DVM, MPH, consultant, Poultry Inspection and Sanitation, Milk and Food Branch, Division of Sanitation, United States Public Health Service, Washington, D. C., stated at the American Veterinary Medical Association, 19th annual meeting, Toronto, July 20–23, 1953:

"'Veterinary investigations have concluded that there are over 25 diseases of poultry to which man is also susceptible. Some of these diseases, such as staphylococcosis, streptococcosis, and salmonellosis, cause food poisoning and, hence, constitute a threat to individual and public health. Others, such as psittacosis, Newcastle disease, and erysipelas, must be viewed from an occupational standpoint, since they affect primarily our poultry plant workers.'

"Only one of these diseases, psittacosis, has resulted in the following officially recorded cases listed by the National Office of Vital Statistics of the Department of Health, Education, and Welfare:

"Year:	Deaths	Morbidity (illness)
1940	3	--
1941	1	--
1942	4	23
1943	0	1
1944	2	6
1945	0	27
1946	2	26
1947	1	27
1948	0	32
1949	0	35
1950	0	26

[1] U. S. Department of Agriculture; Agricultural Marketing Service; outlook issue 1955; released October 4, 1955.

[2] Paper prepared and presented by Dr. Joe W. Atkinson, DVM, consultant, U. S. Public Health Service, to the 39th annual meeting of Central Atlantic States Association of Food and Drug Officials, June 5, 1955, Atlanta, Ga.

"[3] Diseases and Public Health Dangers:

"1. The Public Health Aspects of Poultry Diseases by W. L. Ingalls, DVM, MSc.

"2. Poultry Diseases as Public Health Problems by C. A. Brandly.

"3. Isolation of the Virus of Newcastle Disease from Human Beings by W. L. Ingalls, DVM, and Ann Mahoney."

"Year:	Deaths	Morbidity (illness)
1951	1	25
1952	5	135
1953	4	169
1954	3	445
1955 (Jan. 1, 1955, to July 16 1955)	0	168
Total	26	1,145

"These figures, however, do not tell the full story of lost man-hours, illnesses and deaths. The National Office of Vital Statistics lists no deaths and only 32 cases of illness due to psittacosis in 1948, but Dr. J. B. Irons, Director of Laboratories of the Texas State Department of Health, has reported 3 deaths and 22 cases occurring among turkey plant workers in Giddings, Tex. alone during that year. This situation emphasizes that public health authorities are not fully aware of the annual frequency of these diseases.

"The tremendous impact of more sanitary methods and control of diseases in poultry processing plants is well illustrated by W. Vic Pringle, of the Rockingham Marketing Cooperative, Inc., Broadway, Va. Speaking before the Outlook Workship of the Institute of American Poultry Industries, Kansas City, Mo., in 1955, he said:

"'One firm I know saved $12,000 last year in compensation insurance, by controlling infections and skin rashes, thanks mainly to a better sanitation program throughout all parts of its plants. It is also a known fact that cleanup labor and supplies can be materially reduced when plants are constantly maintained in a sanitary manner versus the occasional thorough cleanup, with a hit-and-miss job most of the time. The preventive maintenance principle applies in any field.'

"As for the hazards to the consumer, while it is true that most of the disease organisms are killed by thorough cooking to allow diseased birds to be sold is somewhat like condoning the cooking of garbage for human consumption. Edible from a medical standpoint, but certainly not desirable.

"Let us look at an affidavit taken from an employee working on poultry processing without ante-mortem, post-mortem inspection:

"'My job was to pull feathers and those who were on the job with me and I were the first ones to handle the chickens after they had passed through the scalding process and roughing machine. When the chickens reached me most of the feathers were off the bodies and I could see the skin of the birds very clearly. It was quite often that thousands of chickens would pass on the line with sores on their bodies. Thousands of them would have large swellings as large as a chicken egg on their bodies. These swellings were filled with a yellowish pus and the odor was very strong.'

"Or as a worker in another plant has said:

"'I work on many different jobs on the line. During this time I saw lots of chickens with lumps on them and some were full of sores. Sometimes when the lumps were cut off or they would burst, they smelled awful bad. All of these chickens went right through with the other chickens for shipment.'

"Or as another employee states in an affidavit:

"'When a lot of chickens were returned to our plant because the customer would not take them because they were not the quality he wanted, these chickens were cut up in pieces and frozen and shipped to another customer. Many times these chickens were in not very good condition when they came back to the plant.'

"These affidavits, taken from workers employed by national concerns who sell their products under reputable name brands, certainly bear out the statement 'somewhat like cooking garbage.' There is, however, a very real danger with present methods of cooking poultry—broiling and baking at low temperatures—that it might not be thoroughly cooked. This would make real hazards of many diseases, such as salmonellosis, tuberculosis, streptococcosis, brucellosis, staphylococcosis, and others. Food infections caused by poultry constitute a major public-health problem. This is illustrated by the findings of the United States Public Health Service showing that 1 out of 4 food poisoning cases studied were the result of poultry or poultry products.

"Dr. Joe W. Atkinson, DVM, consultant, Poultry Inspection and Sanitation, Milk, Food, and Shellfish Sanitation Program, Division of Sanitary Engineering Services, Bureau of State Services, Public Health Service, stated at the 38th annual meeting, Central Atlantic States Association of Food and Drug Officials, May 5, 1954, Baltimore, Md.:

"'In 1948, a study of 8,832 cases of foodborne disease, as reported by the States, indicated that 2,492 (or 28.2 percent) were attributed to poultry or poultry dishes. Relatively many cases so reported each year since 1948 have similarly been attributed to poultry and poultry products. These figures indicate the relative importance of poultry among sources of food-borne disease.

"'Research indicates that poultry constitutes one of the important reservoirs of disease organisms affecting man. Such diseases may be transmitted to man, either during the preparation of poultry for marketing, or through the consumption of poultry products.'

"A 1954 United States Public Health Report summarizing 'disease outbreaks' for the previous year reveals the following:

"'In one-third of the (Salmonellosis) outbreaks, chicken or turkey was found to be the vehicle of infection. Considering the frequency with which these fowl are found with Salmonella infections, this cannot be considered an unusual finding.'

"Foreign resistance to United States poultry

"In 1907 when the Federal Meat Inspection Act was passed, the sale of poultry was largely a matter of selling surplus birds from a farm flock. The numbers sold were so insignificant, no records were kept. In most cases the prospective purchaser saw the bird alive, and was thereby assured that it was not visibly sick or emaciated. The processing was largely done at home where, if the fowl did not appear to be healthy or wholesome, it was thrown away.

"Historically, the American people have risen to protest against unclean, unsafe practices by any food industry. In fact, the peoples of the world have sought to protect themselves against the sale of diseased or unclean foodstuffs.

"The occurrences surrounding the passage of the Federal Meat Inspection Act in 1907 are indicative of this statement. When Upton Sinclair wrote The Jungle exposing the filth and diseases which were hazards to both workmen and the consuming public the legislative bodies of this country took appropriate action to correct this situation. Today more than 80 percent of all red meats sold are processed under Federal meat inspection surveillance.

"A contributing fact to the all-out support of the Federal Meat Inspection Act was also the embargo prior to 1907 by foreign lands against the meat products of this country. The Federal Meat Inspection Act covering movement of red meats in interstate and foreign commerce corrected this condition and met the standards demanded by the American public as well as the peoples of foreign lands. Some such appropriate action by the Congress of the United States is now needed to correct similar practices and similar hazards in the poultry processing industry.

"In a recent report to the poultry industry, Mr. William D. Termohlen, former Chief of the Production and Marketing Administration, United States Department of Agriculture, stated that the United States had been unable to develop markets for the export of poultry products into Europe because of embargoes.[1] Mr. Termohlen wrote:

"'The British importers' enthusiasm was in contrast to lack of interest by the National Farmers Union representatives and an attitude of caution on the part of British veterinarians who indicated they felt United States imports would in time cause poultry disease outbreaks among their flocks. * * *

"'Since the United States is not reported free of Newcastle (disease) by the Paris organization (International Epizootic Organization), no encouragement by United Kingdom officials toward the importation of fresh or frozen poultry meat was forthcoming.'

"Government officials of other countries feel that in the absence of adequate controls by the United States, imports from this country present hazards to their consumers and poultry industry which they are not willing to permit. In the face of a shortage of food in foreign lands, it appears that the poultry industry of the United States presently is confronted by the same dilemma faced by the red-meat industry in 1907.

"Protest by public health and consumer groups

"Many organizations, medical men, health officers, and persons in important positions have expressed interest and alarm over the present situation in the poultry industry. A notable number of them have indicated their willingness to stand up and be counted as soon as a program which would result in correction, if offered to protect the worker and the consumer alike.

"At conference after conference of public health officers and veterinarians the lack of compulsory inspection in the poultry industry has been a subject of serious discussion and suggestions have been made to correct this condition.

"On June 5, 1955, for example, the Central Atlantic States Association of Food and Drug Officials, meeting in Atlanta, Ga., resolved unanimously:

"'Whereas all meat that enters into interstate commerce may, under Federal regulations, emanate only from federally inspected slaughterhouses; and

"'Whereas poultry that enters into interstate commerce need not be processed in federally inspected processing plants; and

"'Whereas uniformity in the inspection of poultry for wholesomeness is most desirable and essential for the welfare of the consumer: Therefore be it

"'*Resolved*, That the Central Atlantic States Association urges that the Federal Government take the necessary measures to require that all poultry entering interstate commerce be inspected for wholesomeness by duly authorized representatives of a Federal agency.'

"The fourth annual conference of Public Health Veterinarians of the American Public Health Association, meeting in St. Louis on October 30, 1950, received from its committee on poultry inspection and sanitation a report which includes the following:

"'The committee further felt that all poultry entering into interstate commerce, if killed, should be federally inspected. They (sic) felt that if there is a need for the interstate inspections of "red meats," there should be a Federal law requiring the interstate inspection of "poultry meats" and they recommend that this conference go on record as recommending such congressional action as would be needed.'

"The 91st annual meeting of the American Veterinary Medical Association, meeting in Seattle, Wash., August 23 to 26, 1954, resolved that:

"'The American Veterinary Medical Association recommends that the Poultry Inspection Service be transferred and combined with the Federal Meat Inspection Service where adequate veterinary supervision can be provided to conduct an acceptable inspection program.'

"This transfer would automatically bring about compulsory ante mortem, post mortem inspection for wholesomeness and inspection for sanitation of all poultry processing plants.

"Not only public-health officials and veterinarians have viewed this situation with alarm. The Hoover Commission's Task Force on Federal Medical Service reported in February 1955:

"'Federal inspection of meat contrasts in form as well as in cost with its inspection of poultry. Whereas about four-fifths of the Nation's meat is slaughtered and packed under compulsory meat inspection, Federal poultry inspection not only is voluntary but also is financed by fees from users of the service and covers less than one-fifth of the Nation's commercial poultry supply.

"'The poultry industry has doubled in size since 1940 to become the third largest source of gross farm income. Diseases common to poultry and man—especially the salmonella infections—are almost as significant in number and severity as diseases common to animal and man. Poultry or poultry dishes cause about 1 out 4 cases of food-borne disease. Environmental sanitation and handling in poultry packing plants is, in many instances, deplorable.

"'Both the United States Livestock Sanitary Association and the Conference of State and Territorial Health Officers have recommended that State and local governments strengthein their poultry inspection and sanitation programs. But, as yet, only a few States have compulsory poultry inspection. Especially, in view of the recent growth of the poultry industry, we do not believe we can expect the States alone to provide the needed controls.'

"Legislative suggestions

"The legal propriety of an effective Federal inspection in the poultry processing industry is well established. In fact, under existing Federal enactments, jurisdiction over the industry has long been asserted by the Food and Drug Administration of the United States Department of Health, Education, and Welfare and the Poultry Branch of the Production and Marketing Administration of the United States Department of Agriculture.

"The products of the poultry processing industry prepared for, or while in interstate commerce or at any time thereafter, as subject to the provisions of the Federal Food, Drug, and Cosmetic Act, which is administered by the Food and Drug Administration. In this connection, section 304A of that act provides the authority under which the Food and Drug Administration is empowered to seize adulterated food products. Definitions of adulteration in section 402 are broad indeed and provide an ample frame of legislative authority for the promulgation of codes prescribing standards of wholesomeness of poultry and poultry products. It should likewise be noted that the same Federal statute provides the legislative concepts concerning investigations necessary to conduct an effective inspection program.

"It is here suggested that the establishment of an effective program of inspection for wholesomeness in the poultry processing industry would not necessitate the establishment of a new Federal agency, nor would it establish any new era of Federal jurisdiction.

"Recognizing the inadequacy of current Federal inspection programs, the Public Health Service of the United States Department of Health, Education, and Welfare has prepared and promulgated a poultry ordinance, providing standards of sanitation requirements and is now in the process of preparing and promulgating a proposed poultry ordinance, providing standards of ante mortem and post mortem inspections. Such ordinances, when adopted by States, counties and municipalities, provide a vital uniformity in sanitation and wholesomeness regulations in the poultry processing industry throughout the United States. It should be borne in mind that if the essence of such ordinances and codes were to be enacted as Federal legislation to be enforced by the Food and Drug Administration, there would thus be established, a valuable uniformity in regulations promoting the public health throughout the United States in all parts of the industry operating in interstate or intrastate commerce.

"Significantly, adoption of such Federal legislation could not interfere with the operation of local poultry ordinances in view of the specific Federal jurisdictional definitions contained in section 304 of the Federal Food, Drug and Cosmetic Act.

"In addition to the Food and Drug Administration, jurisdiction over the poultry processing industry has been exercised by the United States Department of Agriculture under the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.). That law provides for inspection and grading programs for poultry and poultry products. Programs, however, are permissive and are financed by the payment of fees by the members of the industry. The various regulations are promulgtated by the poultry branch of the Production and Marketing Administration of the United States Department of Agriculture. In general, three separate programs are administered by the USDA under the 1946 act. They provide inspection for wholesomeness, grading for quality and inspection for plant sanitation. Under the programs, different labels are provided which signify that the cooperating industry member has complied with the standards established in the regulations. The programs are generally comparable to those covering red meat except that, as above stated, they are permissive and are performed on a fee basis.

"Those who have been actively concerned with the establishment of an adequate Federal poultry inspection program have considered the advisability of the compulsory application of the voluntary regulations promulgated by the Production and Marketing Administration. It is of interest to note that Herman I. Miller, Acting Director of the Poultry Division of the Agricultural Marketing Service of the USDA, in a letter dated August 9, 1954, stated as follows:

"'The responsibility for regulating the interstate shipment of adulterated, unwholesome and misbranded product is vested in the Food and Drug Administration of the Department of Health, Education, and Welfare.'

"It has also been suggested that the problems herein considered can be adequately dealt with by the Bureau of Animal Industry in the Agricultural Research Administration of the United States Department of Agriculture if appropriate legislation is enacted. This bureau now administers the regulations governing meat inspection authorized under the Meat Inspection Act, as amended and extended (34 Stat. 1260; 21 U. S. C. 71; 21 U. S. C., sub. III, 71). Of course, the regulations governing meat inspection contained in the code of Federal regulations (Title 9: Animals and Animal Products) are thorough and all embracing. However, in this connection, it should be noted that such unit inspection, governing poultry and poultry products, could be inaugurated only after appropriate legislation amending the Meat Inspection Act (see above) as well as the Imported Meat Act (46 Stat. 689).

"This analysis of present laws and regulations indicates the existence of legal precedent for three separate methods of dealing with the problem of Federal poultry inspection. Various considerations to be developed during the course of legislative hearings will, of course, dictate which of the alternate methods should be pursued in effectuating an adequate inspection program in the poultry-processing industry, which will most effectively promote adequate public-health standards. In any event, it is significant to note that the promulgation and effectuation of an adequate Federal inspection program in the industry does not require any extension of existing Federal jurisdiction, nor will it necessitate experimentation with unknown or untried operational procedures."

[1] Poultry and Eggs Weekly, Saturday, Apr. 16, 1955.

Mr. WATTS. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Chairman, I enthusiastically support the legislation before the Members of the House on the subject of poultry inspection, and I commend the subcommittee of the Committee on Agriculture for its work on this legislation.

It seems to me a very simple thing to say that we should have the same kind of governmental protection of the public to safeguard it from the marketing of diseased and unwholesome poultry, that for four decades has safeguarded it from the marketing of diseased or adulterated meat. I imagine that when those provisions were before the Congress in those days there was similar opposition to that legislation. I know how successfully the meat inspection program has worked. We know, also, it did not put any small processors out of business. Some may have fallen by the wayside in those four decades but it certainly was not because of the Federal meat inspection laws.

In both the 83d and the 84th Congresses, I joined other Members in introducing measures to provide for an investigation of the conditions under which poultry was sold to the general public. This year I felt the time was appropriate for introduction of a bill requiring Federal inspection of commercial poultry processors and prohibiting the movement of diseased or unhealthful poultry in commerce. My bill, H. R. 899, was designed solely for the protection of consumers from the unwitting purchase and use of unwholesome poultry and poultry products. The measure under consideration today has the same objective.

Investigation by the Congress, testimony from officials of the executive department and a mass of documentation from those who work in the poultry-processing and meat-processing industries has exposed the weakness of our present inspection services in poultry.

Mr. Chairman, this legislation is sorely needed, it is urgent legislation in the interest of the health of the consuming public of this country and I sincerely hope that the House this afternoon will approve the bill before us.

Consumers are simply not protected from the purchase of diseased chickens and turkeys in the same way that they are protected, by Department of Agriculture inspectors, from being unwittingly tempted to purchase diseased or unwholesome beef or lamb or pork. The so-called Federal inspection program involving poultry is wholly voluntary, rather than compulsory, and a Department of Agriculture stamp has certified merely that a commercial poultry plant is generally sanitary rather than that the particular food offered for sale is fit for human consumption.

Let us understand what is involved: Consumers today seldom see live poultry before they buy the product. In the stores and supermarkets they buy packaged poultry, the products of large-scale processors. And in March of 1955 it was estimated that less than 20 percent of all poultry was under even the weak regulation of the voluntary inspection program.

The Amalgamated Meat Cutters and Butcher Workmen, AFL–CIO, pointed out in 1955 that certain poultry diseases can be transmitted to man. Among these are psittacosis—parrot fever—which has been traced to turkeys, and a virus infection called Newcastle disease. The United States Public Health Service reported that in 1948 nearly 2,500 cases of food-borne disease were traced to poultry or poultry dishes.

Some poultry-processing plants handle hundreds of thousands of pounds of poultry a day. In all of 1952, the Food and Drug Administration seized only about 200,000 pounds of poultry as unfit for human consumption. The small budget the Food and Drug Administration has available for such tasks is no substitute for the same kind of continuous inspection the Department of Agriculture provides to protect the public from diseased or unhealthful meat.

The Amalgamated Meat Cutters and Butcher Workmen have submitted affidavits by their members, working in poultry-processing plants, about revolting conditions, about the processing and sale of diseased fowl, about the danger that diseased birds would contaminate the carcasses of poultry that was healthy when slaughtered through the contamination of assembly-line equipment.

What are we seeking? Simply, Federal Department of Agriculture inspection of poultry plants offering fowl for human consumption in the stream of commerce.

We propose no innovation in principle. Department of Agriculture inspection of meat-processing plants is well established. The people acknowledge it and would never dream of abandoning it.

We seek to extend the principle of inspection to poultry-processing plants, so that food produced commercially and offered for sale in commerce shall be watched and inspected and certified as fit all through the process.

We propose that a poultry inspection section shall be established in the Department of Agriculture and that all poultry or poultry products transported in commerce must be inspected and marked as inspected.

The individual farmer could be exempted by the Secretary of Agriculture. Time would be allowed—2 years—for establishment of the Poultry Inspection Service. But we provide penalties for violation and the process of injunction, granting any person accused of violation a right of trial by jury if requested.

The objective is to protect the people from consumption of unfit food produced commercially, and I believe that the proposals are sound and practical.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Chairman, I want to commend the gentleman from Illinois [Mr. PRICE] for his very forceful statement on this important bill.

This legislation may not be vital in small communities close to the source of poultry supplies, however, the people of large urban areas, the principal consumers of poultry produced in many sections of the country are entitled to assurance that the poultry which they consume meets essential standards of wholesomeness—that it is fit and suitable for human consumption.

I am pleased to support this legislation and urge its enactment without delay.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Illinois.

Mr. GRAY. I would like to associate myself with the remarks of the distinguished gentleman in support of this legislation. Although the bill does not do everything desired, it is a step in the right direction to help control disease and insure the public of getting the best meat and poultry possible.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 3 minutes to the gentleman from Nebraska [Mr. HARRISON].

Mr. HARRISON of Nebraska. Mr. Chairman, I rise only at this time to ask a question of the committee to make sure that we understand each other and that it is a matter of record, as to whether or not the provisions of this particular legislation are extended to the possessions and Territories and islands of the United States. Would it be the impression of the committee that this bill includes Hawaii, Puerto Rico, the Samoan Islands, and so forth?

Mr. WATTS. Mr. Chairman, if the gentleman will yield, I will say to the gentleman that I do not think there is any specific reference to Territories and islands.

Mr. HARRISON of Nebraska. I presume that these islands and Territories do produce chickens and turkeys and poultry of the kind that is sought to be protected by this legislation.

Mr. WATTS. I will have to correct that statement. On page 18 under "Definitions" it states:

For the purposes of this act—

(a) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State or the District of Columbia, but through any place outside thereof; or within the District of Columbia.

So, I assume it does cover them.

Mr. HARRISON of Nebraska. So that it does cover possessions and Territories.

Now, if I may proceed for a moment. I do not want to appear to be opposed to

anything that affects the health and welfare of the people of the United States, and it has been stated here that we have been getting, in some instances, a type of poultry that is not healthful or wholesome at all. In spite of that claim, if it is true, the consumption of poultry has grown from a very meager start to some 6 billion pounds a year. Now, it appears to me at this time, since we have no particular examples of how the health has been impaired in this country of ours by the consumption of poultry, that we might effect a little economy. And, when I talk about economy, I think you will all agree with me that we want to, as far as possible, cut down on the number of Government employees.

Let me give you just a little example of how our Government has grown and grown. When I came to the Congress back in January 1952 there was the same urge to cut down on the number of Government employees; we wanted to cut down the number in the different departments. I know more about the Department of Agriculture than I do any of the other departments, but from 1952 until 1957 we added something over 16,000 employees. Now, this is just another example of adding more and more employees to our Government and thus increasing our taxes. I get letters every day from my constituents back home wanting us to effect economy here, and here, I think, is a good place to effect economy and in no way adversely affect the health of this Nation of ours.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Nebraska. I yield to the gentleman.

Mr. HALLECK. I stated in the remarks I made a little while ago, quoting Dr. Larrick, to the effect that so far as they can establish scientifically, no disease of poultry could be transmitted to a person eating that poultry. There has been reference here to 26 diseases to which poultry is susceptible and human beings are susceptible. I wish somebody who claims to be an expert on this would tell me first of all, are those diseases communicable, not by handling the poultry but by eating it, and particularly after it has been cooked? Are they such as could be determined in this post mortem inspection?

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 1 minute and yield to the gentleman from Utah [Dr. DIXON], who referred to the communicable diseases, to the end that he might answer the inquiry propounded by the gentleman from Indiana.

Mr. DIXON. Mr. Chairman, we tried to find that information in the 1957 hearings, but it is in the 1956 hearings. I am referring to the data which are quoted.

Mr. HALLECK. The only thing that occurred to me is that there is a remarkably discrepancy in this very important matter, because my information is that these diseases you might find in poultry are not communicable to the people who eat the poultry after it has been cooked; and so far as I know everyone cooks a chicken before he eats it.

Mr. COOLEY. Is the gentleman taking the position that it is just as well to eat bad poultry as to eat good poultry?

Mr. HALLECK. Just a minute, Mr. Chairman. I am not taking the position that it is good for people to eat bad poultry. But if my wife buys a chicken, and it smells bad, or is deformed, she can detect that and does not need to have somebody inspect it to know it.

Mr. COOLEY. Mr. Chairman, I yield to the gentleman from Illinois 1 minute for an observation.

Mr. PRICE. Mr. Chairman, in 1948 the United States Public Health Service reported 2,500 cases of parrot fever due to poultry.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I yield myself 1 further minute and yield to Dr. DIXON to go further into this matter.

Mr. DIXON. Mr. Chairman, in reply to my colleague from Indiana [Mr. HALLECK] psittacosis is a disease confined largely to handlers of poultry. We have a record of 1,145 of those cases. There was an outbreak of it in the Northwest.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. DIXON. I yield to the gentleman. The handlers had that disease.

Mr. HALLECK. Of course, a postmortem inspection is not going to do any good in connection with ornithosis in turkeys and the psittacosis that results. It is just like tularemia in rabbits; you do not get it from eating the rabbit.

Mr. DIXON. This would protect the handlers and prevent epidemics because the bill gives the Secretary authority to make ante mortem inspections. But, Mr. Chairman, let us go further.

Poultry diseases communicable to humans are a public health hazard.

At least 26 diseases can be communicated to man through poultry.

In a report by Mildred M. Galton, bacteriologist, Communicable Disease Center, Public Health Service, Federal Security Agency, Atlanta, Ga., it was stated:

> The diseases of poultry to which man is also susceptible comprise a rather large group. In his excellent review Ingalls (W. L. Ingalls. The Public Health Aspects of Poultry Diseases. Proceedings American Veterinarians Medical Association: 87th annual meeting, August 1950, p. 282) lists 26 such diseases including these caused by bacteria viruses, fungi, and protozoa. It is apparent that some of these diseases constitute a considerable hazard to public health.

Disease statistics are incomplete, but they tell an important story.

Psittacosis affects poultry plant workers. The number of recorded cases from 1940 to July 16, 1955, was 1,145, including 26 deaths. These figures do not tell the full story of lost man-hours, illnesses and deaths. The National Office of Vital Statistics lists no deaths and only 32 cases of illness due to psittacosis in 1948, but Dr. J. B. Irons, director of laboratories of the Texas State Department of Health, has reported 3 deaths and 22 cases occurring among turkey plant workers in Giddings, Tex., alone during that year.

Limited figures on salmonellosis attributed to poultry or poultry products—F. S. A. National Office of Vital Statistics—show 749 cases between January 13, 1951 and December 20, 1952.

Similar figures on gastroenteritis attributable to poultry products show 1,243 cases between June 16, 1951 and December 20, 1952.

Findings of the United States Public Health Service show that 1 out of 4 food poisoning cases studied were the result of poultry or poultry products. It should be noted, however, that many of these came from the processing, but most from poultry handling after processing.

In addition to the prevention of disease, sanitation would be greatly improved.

While it is true that when poultry is thoroughly cooked most disease organisms are killed, the consumption of such poultry is like eating well-cooked garbage.

To illustrate the fact that eating some poultry is like eating well-cooked garbage, I would like to quote from some affidavits given in testimony before the Poultry and Eggs Subcommittee of which I am a member. These statements were furnished by Representative LEONOR K. SULLIVAN of Missouri.

(Hearings before Subcommittee on Poultry and Eggs. July 17 and 18, 1956, p. 41.)

> "My job was to pull feathers and those who were on the job with me and I were the first ones to handle the chickens after they had passed through the scalding process and roughing machine. When the chickens reached me most of the feathers were off the bodies and I could see the skin of the birds very clearly. It was quite often that thousands of chickens would pass on the line with sores on their bodies. Thousands of them would have large swellings as large as a chicken egg on their bodies. These swellings were filled with a yellowish pus and the odor was very strong."

Or as a worker in another plant has said:

> "I work on many different jobs on the line. During this time I saw lots of chickens with lumps on them and some were full of sores. Sometimes when the lumps were cut off or they would burst, they smelled awful bad. All of these chickens went right through with the other chickens for shipment."

Or as another employee states in an affidavit:

> "When a lot of chickens were returned to our plant because the customer would not take them because they were not the quality he wanted, these chickens were cut up in pieces and frozen and shipped to another customer. Many times these chickens were in not very good condition when they came back to the plant."

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, when I asked for this time it was for the purpose of asking a few questions, many of which have since been answered. So I shall not consume all of the 4 minutes.

I should like to ask the chairman of the subcommittee, however, a question or two in order to clarify some points in my mind that have not been resolved in the debate.

As I understand it, we now have a voluntary program which this proposed legislation will nullify; is that correct?

Mr. WATTS. That is right.

Mr. JONAS. This voluntary program is participated in by what proportion of the processing industry?

Mr. WATTS. Between 25 percent and 30 percent of the poultry that is processed. It is used mostly by the large processors, and I would assume on a numerical basis it is a much smaller percentage than 25 percent.

Mr. JONAS. But it is used principally by the large processors?

Mr. WATTS. That is right.

Mr. JONAS. Is it true that the concerns now under the voluntary program pay for the inspection?

Mr. WATTS. That is right.

Mr. JONAS. But they would be relieved of that obligation under this legislation and the taxpayers generally would assume the entire cost of the program?

Mr. WATTS. Yes. It was felt by the committee that it was a matter of national concern, and one which was addressed to the consuming of the poultry rather than the processing.

Mr. JONAS. Under this proposed legislation, how much will the big processors be relieved from paying which they are now paying under the voluntary program?

Mr. WATTS. I do not have the exact figures on that. They told us in the committee that when the program was in full operation it would cost about $10 million a year. If 30 percent of the poultry inspection is being paid for by voluntary processing at this time, I assume you would say that 30 percent of $10 million is what they are paying. I doubt, however, if it runs that high, because there are so many little plants that it is going to cost more per bird to inspect them than it will in the larger plants.

Mr. JONAS. It is true, is it not, that if we go into this program, and it is a new program, a new authorization, for which appropriations will have to be made hereafter from year to year to support it, if we begin the program we should be prepared to expand it as the country grows and additional processing plants are established?

Mr. WATTS. I would assume that, like everything else in this country, as the country grows it probably will grow.

Mr. JONAS. I think the Committee should realize that this is another one of the authorization bills that we frequently have before the Committee, and that the estimate is that it will cost $10 million a year. From the information gained from the questions asked here today, it would appear that, with respect to at least 30 percent of that money, this legislation will relieve the big processors of a considerable obligation they have heretofore assumed and passes that obligation on to the general taxpayers.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Indiana.

Mr. HALLECK. From the report itself having to do with the cost of the program I quote this statement by the Department:

> It is believed that the enactment of this proposed legislation would result in a need for $7,750,000 on an annual basis during the first year and an annual appropriation of approximately $10 million for each subsequent year. This amount would, of course, have to be increased to the extent that the act was applied to cities and areas as provided in section 4. A study would be made in the interim, before the legislation became fully effective, to serve as a basis for arriving at the cost of the program.

There is no question in my mind that the way this legislation is drafted practically all intrastate processors are going to have to arrange for this inspection if they expect to stay in business. When I estimated that the cost would be from $10 to $20 million a year, $10 million is the low limit and I think $20 million is a low high limit.

Mr. WATTS. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, I should like to ask the chairman of the committee one question in relation to this last discussion. Is it not true that at the present time the large processors are the only ones that can afford this inspection and, therefore, they in essence have preempted the field; and that by doing as proposed under this bill, the small processors would get an opportunity to get back into the market and get their fair share of the market?

Mr. WATTS. The gentleman is exactly right. The testimony before our committee and the statements of the Department would bear out what the gentleman has said. At the present time only the large processors are in a position to have the inspection done, and due to the advertising campaign that has been put on in many places the small processors are being hurt.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Indiana.

Mr. HALLECK. I do not know whether or not the gentleman was here when I spoke earlier, but I had a letter from a constituent of mine in my home county in Indiana who is in the wholesale processing business on a very small scale. He said in his letter there were 15 other small processors in that 1 county. I know a great many of them personally. Do I understand that they are going to be kept in business and that the Government somehow will arrange to have an inspector at these 15 little processing plants in 1 county in my district? If that is to be arranged, and if they are going to continue in business and have this inspection, all I can say is that it is going to require a lot more inspectors than anybody has been talking about up to this point—and remember we do not have these giant mechanized processors.

Mr. ROOSEVELT. I think that would be a proper question for the chairman to answer.

Mr. WATTS. In answer to the gentleman, I would like to suggest that this bill specifies that we may use State employees and that we may hire people by the hour or that arrangements may be made in your county or community where you do a small amount of processing. Further, where a small amount of processing is done, it probably is not done all in 1 day and probably 1 inspector can serve more than 1 plant. Further, a cooperative agreement may be entered into between the Federal Government and your State or county or other State agencies to perform the inspection service. Furthermore, there is a provision allowing the Secretary to grant an exemption until 1960 where it would be impracticable in the beginning of the program to provide inspection. I am frank to admit to the gentleman that we may run into a good many problems in the administration of this law, and certainly the Congress is going to be in session after this year; and after this thing starts, if we have bit off more than we can chew, I shall be the first to join with the gentleman to straighten the matter out.

Mr. REECE of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I am happy to yield to the gentleman from Tennessee.

Mr. REECE of Tennessee. Has the Director of the Budget approved this bill?

Mr. WATTS. Yes.

Mr. REECE of Tennessee. It does not say so in the report; does it?

Mr. WATTS. The Department of Agriculture will never submit a report to us favorably until the Bureau of the Budget gives them permission to do so, and that has been the procedure in the past.

Mr. REECE of Tennessee. My experience has been that, when it is submitted to the Director of the Budget, the report states that it has been so submitted to the Director and has been approved by him.

Mr. McINTIRE. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield.

Mr. McINTIRE. May I say to the gentleman from Tennessee that under date of March 6, 1957, in a communication addressed to the Honorable HAROLD D. COOLEY, chairman of our committee, signed by the Secretary of Agriculture Mr. Benson in the last paragraph, and I quote:

> The Bureau of the Budget advises that there is no objection to the submission of this report.

This is a favorable report in which some amendments are suggested by the Department.

Mr. WATTS. Mr. Chairman, I yield such time as he may require to the gentleman from Wisconsin [Mr. ZABLOCKI].

Mr. ZABLOCKI. Mr. Chairman, I want to join with my distinguished colleagues in urging prompt enactment of H. R. 6814, the bill to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products.

I have actively supported this proposal, and I am happy that it has reached the floor of this House so that we may debate it and approve it without further delay.

The enactment of this measure is vital to the health of the American people.

Most immediately, an effective, compulsory poultry inspection program is necessary to minimize the health dangers which face thousands of poultry workers in many plants. These dangers, which range from bothersome skin rashes and infections to killing psittacosis, have been recognized a long time ago by poultry workers and their organizations. It is to the credit of these organizations that they have consistently and energetically advocated the enactment of legislation to protect poultry workers against health hazards, and to safeguard public health.

A poultry inspection program along the lines oulined in the bill before us is equally important to the health of poultry consumers throughout the Nation. The scandalous practices by some individuals of the poultry industry which have jeopardized public health, must be ended.

The consumer must be assured of a clean and wholesome product, and this legislation would help to achieve that objective. For this reason, it deserves our prompt and wholehearted approval.

The report submitted by the Agriculture Committee on H. R. 6814 points out that this bill was drafted after the committee held extensive hearings on this proposal. In the course of the hearings, the committee received testimony from more than 70 witnesses, representing parts of the poultry industry, health officers and other representatives of States and cities, general consumer organizations, labor unions, and all of the major farm organizations.

Without exception, all of the witnesses expressed themselves in favor of some type of compulsory poultry inspection.

Their testimony alone shows the urgent need for the enactment of this legislation.

I sincerely hope that H. R. 6814 will receive our prompt approval. The program it proposes is badly needed in the interests of the consumers and of the poultry workers of our Nation. It should be enacted into law without delay.

Mr. WATTS. Mr. Chairman, I yield such time as he may require to the gentleman from California.

Mr. HAGEN. Mr. Chairman, this legislation was considered by our committee with very little controversy and to my knowledge there was no audible dissent when we passed it out. Oddly enough, this is one of the few bills that comes out of our committee which looks principally to the interest of the consumers of this country, the housewives. We rarely pass anything here for the benefit of the housewife. This is one of those items. Actually, in referring to the cost of inspection, you might as well argue that we should abolish the Food and Drug Administration if we are to make the relatively small cost involved here the controlling consideration because this is a program which is for the protection of everyone in their homes. If the private packer pays it, he passes it on to the consumer. So the housewife is going to pay for the bill in the long run anyway. To get a uniform impact in this kind of program, we need this kind of law.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, we have no further requests for time.

Mr. WATTS. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Poultry Products Inspection Act."

LEGISLATIVE FINDING

SEC. 2. Wholesome poultry products are an important source of the Nation's total supply of food. Such products are consumed throughout the Nation and substantial quantities thereof move in interstate and foreign commerce. Unwholesome poultry products in the channels of interstate or foreign commerce are injurious to the public welfare, adversely affect the marketing of wholesome poultry products, result in sundry losses to producers, and destroy markets for wholesome poultry products. The marketing of wholesome poultry products is affected with the public interest and directly affects the welfare of the people. All poultry and poultry products which have or are required to have inspection under this act are either in the current of interstate or foreign commerce or directly affect such commerce. That part that enters directly into the current of interstate or foreign commerce cannot be effectively inspected and regulated without also inspecting and regulating all poultry and poultry products processed or handled in the same establishment.

The great volume of poultry products required as an article of food for the inhabitants of large centers of population directly affects the movement of poultry and poultry products in interstate commerce. To protect interstate commerce in poultry and poultry products inspected for wholesomeness, from being adversely burdened, obstructed, or affected by uninspected poultry or poultry products, the Secretary of Agriculture is authorized, pursuant to the provisions of this act, to designate major consuming areas where poultry or poultry products are handled or consumed in such volume as to affect the movement of inspected poultry or poultry products in interstate commerce.

DECLARATION OF POLICY

SEC. 3. It is hereby declared to be the policy of Congress to provide for the inspection of poultry and poultry products by the inspection service as herein provided to prevent the movement in interstate or foreign commerce or in a designated major consuming area of poultry products which are unwholesome or otherwise unfit for human food.

DESIGNATION

SEC. 4. Upon application by the appropriate governing official or body of a substantial portion of any major consuming area or upon application by an appropriate local poultry industry group in such an area, where the Secretary has reason to believe that poultry or poultry products are handled or consumed in such volume as to affect, burden, or obstruct the movement of inspected poultry products in interstate commerce, the Secretary shall conduct a public hearing to ascertain whether or not it will tend to effectuate the purposes of this act for such area to be subject to the provisions of this act. If after public hearing the Secretary finds that poultry or poultry products are handled or consumed in such volume as to affect, burden, or obstruct the movement of inspected poultry products in commerce and that the designation of such area will tend to effectuate the purposes of this act, he shall by order designate such area and prescribe the provisions of this act which shall be applicable thereto and grant such exemptions therefrom as he determines practicable. Such designation shall not become effective until 6 months after the notice thereof is published in the Federal Register. On and after the effective date of such designation, all poultry and poultry products processed, sold, received, or delivered in any such area shall be subject to the provisions of this act.

ANTE MORTEM AND POST MORTEM INSPECTION, REINSPECTION AND QUARANTINE

SEC. 5. (a) For the purpose of preventing the entry into or flow or movement in commerce or a designated major consuming area of any poultry product which is unwholesome or adulterated, the Secretary shall, where and to the extent considered by him necessary, cause to be made by inspectors ante mortem inspection of poultry in any official establishment processing poultry or poultry products for commerce or in, or for marketing in a designated city or area.

(b) The Secretary, whenever processing operations are being conducted, shall cause to be made by inspectors post mortem inspection of the carcass of each bird processed, and such quarantine, segregation, reinspection as he deems necessary of poultry and poultry products in each official establishment processing such poultry or poultry products for commerce or in, or for marketing in a designated city or area.

(c) All poultry carcasses and parts thereof and poultry products found to be unwholesome or adulterated shall be condemned and shall, if no appeal be taken from such determination of condemnation, be destroyed for human food purposes under the supervision of an inspector: *Provided*, That carcasses, parts, and products, which may by reprocessing be made not unwholesome and not adulterated, need not be so condemned and destroyed if so reprocessed under the supervision of an inspector and thereafter found to be not unwholesome and not adulterated. If an appeal be taken from such determination, the product shall be appropriately marked and segregated pending completion of an appeal inspection, which appeal shall be at the cost of the appellant if the Secretary determines that the appeal is frivolous. If the determination of condemnation is sustained the product shall be destroyed for human food purposes under the supervision of an inspector.

(d) The Secretary shall refuse to render inspection to any establishment whose premises, facilities, or equipment, or the operation thereof, fail to meet the requirements of section 6 of this act.

SANITATION, FACILITIES AND PRACTICES

SEC. 6. Each official establishment slaughtering poultry or processing poultry products for commerce or in or for marketing in a designated major consuming area shall have such premises, facilities, and equipment, and be operated in accordance with such sanitary practices, as are required and approved by the Secretary for the purpose of preventing the entry into or flow or movement in commerce or in a designated city or area, of poultry products which are unwholesome or adulterated.

LABELING

SEC. 7. (a) Each shipping container of any poultry product inspected under the authority of this act and found to be wholesome and not adulterated, shall at the time such product leaves the official establishment bear, in distinctly legible form, the official inspection mark and the approved plant number of the official establishment in which the contents were processed. Each immediate container of any poultry product inspected under the authority of this act and found to be wholesome and not adulterated shall at the time such product leaves the official establishment bear, in addition to official inspection mark, in distinctly leigble form, the name of the product, a statement of ingredients if fabricated from two or more ingredients including a declaration as to artificial flavors, colors, or preservatives, if any, the net weight or other appropriate measure of the contents, the name and address of the processor and the approved plant number of the official establishment in which the contents were processed. The name and address of the distributor may be used in lieu of the name and address of the processor if the approved plant number is used to identify the official establishment in which the poultry product was prepared and packed.

(b) The use of any written, printed or graphic matter upon or accompanying any poultry product inspected or required to be inspected pursuant to the provisions of this act or the container thereof which is false or misleading is prohibited. No poultry products inspected or required to be inspected pursuant to the provisions of this act shall be sold or offered for sale by any person, firm, or corporation under any false or deceptive name; but established trade name or names which are usual to such products and which are not false and deceptive and which shall be approved by the Secretary are permitted. If the Secretary has reason to believe that any label in use or prepared for use is false, or misleading, he may direct that the use of the label be withheld unless it is modified in such manner as the Secretary may prescribe so that it will not be false or misleading. If the person using or proposing to use the label does not accept the determination of the Secretary, he may request a hearing, but the use of the label shall, if the Secretary so directs, be withheld pending hearing and final determination by the Secretary. Any such determination by the Secretary shall be conclusive unless within 30 days after the receipt of notice of such final determination the person adversely affected thereby appeals to the United States court of appeals for the circuit in which he has his principal place of business or to the United States Court of Appeals for the District of Columbia Circuit. The provisions of section 204 of the Packers and Stockyards Act of 1921, as amended, shall be applicable to appeals taken under this section.

PROHIBITED ACTS

SEC. 8. The following acts or the causing thereof are hereby prohibited:

(a) The processing, sale or offering for sale, transportation, or delivery or receiving for transportation, in commerce or in a designated major consuming area of any poultry product, unless such poultry product has been inspected for wholesomeness and unless the shipping container, if any, and the immediate container are marked in accordance with the provisions of this act.

(b) The sale or other disposition for human food of any poultry or poultry product which has been inspected and declared to be unwholesome or adulterated under this act.

(c) Falsely making or issuing, altering, forging, simulating, or counterfeiting any official inspection certificate, memorandum, mark, or other identification or device for making such mark or identification, used in connection with the inspection of poultry, or poultry products under this act, or causing, procuring, aiding, assisting in, or being a party to, such false making, issuing, altering, forging, simulating, or counterfeiting, or knowingly possessing, without promptly notifying the Secretary of Agriculture or his representative, uttering, publishing, or using as true, or causing to be uttered, published, or used as true, any such falsely made or issued, altered, forged, simulated, or counterfeited official inspection certificate, memorandum, mark, or other identification, or device for making such mark or identification, or representing that any poultry or poultry product has been officially inspected under the authority of this act when such poultry or poultry product has in fact not been so inspected.

(d) Using in commerce, or in a designated city or area, a false or misleading label on any poultry product.

(e) The use of any container bearing an official inspection mark except for the poultry product in the original form in which it was inspected and covered by said mark unless the mark is removed, obliterated, or otherwise destroyed.

(f) The refusal to permit access by any duly authorized representative of the Secretary, at all reasonable times, to the premises of an establishment engaged in processing poultry or poultry products for commerce, or in or for marketing in a designated city or area, upon presentation of appropriate credentials.

(g) The refusal to permit access to and the copying of any record as authorized by section 10 of this act.

(h) The using by any person to his own advantage, or revealing, other than to the authorized representatives of the Government in their official capacity, or to the courts when relevant in any judicial proceeding under this act, any information acquired under the authority of this act, concerning any matter which as a trade secret is entitled to protection.

(i) Delivering, receiving, transporting, selling, or offering for sale or transport for human consumption any slaughtered poultry or any part thereof, separately or in combination with other ingredients (other than poultry products as defined in this act), in commerce or from an official establishment or in a designated major consuming area, except that such poultry may be permitted to be transported between official establishments and to foreign countries pursuant to rules and regulations prescribed by the Secretary.

SEC. 9. No establishment processing poultry or poultry products for commerce or in or for marketing in a designated city or area shall process any poultry or poultry product except in compliance with the requirements of this act.

RECORDS OF INTERSTATE SHIPMENT

SEC. 10. For the purpose of enforcing the provisions of this act, persons engaged in the business of processing, transporting, shipping, or receiving poultry slaughtered for human consumption or poultry products in commerce or in a designated major consuming area, or holding such products so received shall maintain records showing, to the extent that they are concerned therewith, the receipt, delivery, sale, movement, or disposition of poultry and poultry products and shall, upon the request of a duly authorized representative of the Secretary, permit him at reasonable times to have access to and to copy all such records. Nothing in this section shall be construed as requiring the maintenance of a record for a period longer than 2 years after the transaction, which is the subject of such record, has taken place.

INJUNCTION PROCEEDINGS

SEC. 11. The district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain violations of this act. The remedies provided for in this section shall be in addition to, and not exclusive of, any of the remedies or penalties provided for elsewhere in this act or now or hereafter existing at law or in equity.

PENALTIES

SEC. 12. (a) Any person who violates the provisions of section 8, 9, 10, or 17, shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than 6 months, or a fine of not more than $3,000, or both such imprisonment and fine; but if such violation is committed after 1 conviction of such person under this section has become final such person shall be subject to imprisonment for not more than 1 year, or a fine of not more than $5,000, or both such imprisonment and fine; but if such violation is committed after 2 or more convictions of such person under this section have become final such person shall be subject to imprisonment for not more than 2 years, or a fine of not more than $10,000, or both such imprisonment and fine. When construing or enforcing the provisions of said sections, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association within the scope of his employment or office shall in every case be deemed the act, omission, or failure of such individual, partnership, corporation, or association, as well as of such person.

(b) No carrier shall be subject to the penalties of this section for a violation of the provisions of section 8 or 17 by reason of his receipt, carriage, holding or delivery, in the usual course of business as a carrier of slaughtered poultry or poultry products, owned by another person unless the carrier has knowledge, or is in possession of facts which would cause a reasonable person to believe that such slaughtered poultry or poultry products were not inspected or marked in accordance with the provisions of this act or were not eligible for transportation under this act. Any carrier who, with or without knowledge, violated section 10 of this act shall be subject to the penalties of this section.

SEC. 13. Before any violation of this act is reported by the Secretary to any United States attorney for institution of a criminal proceeding the person against whom such proceeding is contemplated shall be given reasonable notice of the alleged violation and opportunity to present his views orally or in writing with regard to such contemplated proceeding. Nothing in this act shall be construed as requiring the Secretary to report for criminal prosecution or for the institution of injunction proceedings violations of this act whenever he believes that the public interest will be adequately served and compliance with the act obtained by a suitable written notice or warning.

REGULATIONS

SEC. 14. The Secretary shall promulgate such rules and regulations as are necessary to carry out the provisions of this act.

EXEMPTIONS

SEC. 15. (a) The Secretary is authorized, by regulation and under such conditions as to sanitary standards, practices, and procedures as he may prescribe, to exempt from specific provisions of this act—

(1) poultry producers with respect to poultry of their own raising on their own farms which they sell directly to household consumers only: *Provided*, That such poultry producers do not engage in buying or selling poultry products other than those produced from poultry raised on their own farms;

(2) retail dealers with respect to poultry products sold directly to consumers in individual retail stores: *Provided*, That the only processing operation performed by such retail dealers is the cutting up of poultry products on the premises in which such sales to consumers are made;

(3) for such period of time as the Secretary determines that it would be impracticable to provide inspection and the exemption will aid in the effective administration of this act, any person engaged in the processing of poultry or poultry products for commerce and the poultry or poultry products processed by such person: *Provided, however*, That no such exemption shall continue in effect on and after July 1, 1960;

(4) persons slaughtering, processing, or otherwise handling poultry or poultry products which have been or are to be processed as required by recognized religious dietary laws, to the extent that the Secretary determines necessary to avoid conflict with such requirements while still effectuating the purposes of this act.

(b) The Secretary may by order suspend or terminate any exemption under this section with respect to any person whenever he finds that such action will aid in effectuating the purposes of this act.

VIOLATIONS BY EXEMPTED PERSONS

SEC. 16. Any person who sells, delivers, transports, or offers for sale or transportation in commerce or in a designated major consuming area any poultry products which are exempt under section 15, knowing that such products are unwholesome and are intended for human consumption, shall be guilty of a misdemeanor and shall on conviction thereof be subject to the penalties set forth in section 12.

IMPORTS

SEC. 17 (a) No slaughtered poultry, or parts or products thereof, of any kind shall be imported into the United States unless they are healthful, wholesome, and fit for human food, not adulterated, and contain no dye, chemical, preservative, or ingredient which renders them unhealthful, unwholesome, adulterated, or unfit for human food and unless they also comply with the rules and regulations made by the Secretary of Agriculture to assure that imported poultry or poultry products comply with the standards provided for in this act. All imported slaughtered poultry, or parts or products thereof, shall after entry into the United States in compliance with such rules and regulations be deemed and treated as domestic slaughtered poultry, or parts or products thereof, within the meaning and subject to the provisions of this act and the Federal Food, Drug, and Cosmetic Act, and acts amendatory of, supplemental to, or in substitution for such acts.

(b) The Secretary of Agriculture is authorized to make rules and regulations to carry out the purposes of this section and in such rules and regulations the Secretary of Agriculture may prescribe the terms and conditions for the destruction of all slaughtered poultry, or parts or products thereof, offered for entry and refused admission into the United States unless such slaughtered poultry, or parts or products thereof, be exported by the consignee within the time fixed therefor in such rules and regulations.

(c) All charges for storage, cartage, and labor with respect to any product which is refused admission pursuant to this section shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against any other products imported thereafter by or for such owner or consignee.

GENERAL PROVISIONS

SEC. 18. (a) For the purpose of preventing and eliminating burdens on commerce in poultry and poultry products, the jurisdiction of the Secretary within the scope of this act shall be exclusive and poultry and poultry products shall be exempt from the provisions of the Federal Food, Drug, and Cosmetic Act, as amended, to the extent of the application or the extension thereto of the provisions of this act.

(b) In carrying out the provisions of this act, the Secretary may cooperate with other branches of government and with State agencies and may conduct such examinations, investigations, and inspections as he determines practicable through any officer or employee of a State commissioned by the Secretary for such purpose.

COST OF INSPECTION

SEC. 19. The cost of inspection rendered under the requirements of this act shall be borne by the United States. The Secretary of Agriculture is authorized in his discretion to pay employees of the Department of Agriculture, employed in establishments subject to the provisions of this act, for overtime or holiday work performed at such establishments at such rates as he may determine and to accept from such establishments wherein such premium pay work is performed reimbursement for any sums paid out by him for such work such reimbursement to be available without fiscal year limitation to carry out the purposes of this section.

APPROPRIATIONS

SEC. 20. There is hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this act.

SEPARABILITY OF PROVISIONS

SEC. 21. If any provision of this act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and of the application of such provision to other persons and circumstances shall not be affected thereby.

DEFINITIONS

SEC. 22. For the purposes of this act—

(a) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State or the District of Columbia, but through any place outside thereof; or within the District of Columbia.

(b) The term "Secretary" means the Secretary of Agriculture.

(c) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(d) The term "poultry" means any live or slaughtered domesticated bird.

(e) The term "poultry product" means any poultry which has been slaughtered for human food from which the blood, feathers, feet, head, and viscera have been removed in accordance with rules and regulations promulgated by the Secretary, any edible part of poultry, or, unless exempted by the Secretary, any human food product consisting of any edible part of poultry separately or in combination with other ingredients.

(f) The term "wholesome" means sound, healthful, clean, and otherwise fit for human food.

(g) The term "unwholesome" means:

(1) Unsound, injurious to health, or otherwise rendered unfit for human food.

(2) Consisting in whole or in part of any filthy, putrid, or decomposed substance.

(3) Processed, prepared, packed, or held under unsanitary conditions whereby a poultry carcass or parts thereof or any poultry product may have become contaminated with filth or whereby a poultry product may have been rendered injurious to health.

(4) Produce in whole or in part from poultry which has died otherwise than by slaughter.

(5) Packaged in a container composed of any poisonous or deleterious substance which may render the contents injurious to health.

(h) The term "adulterated" shall apply to poultry and poultry products under one or more of the following circumstances:

(1) If they bear or contain any poisonous or deleterious substance which may render them injurious to health; but in case the substance is not an added substance, such poultry and poultry products shall not be considered adulterated under this clause if the quantity of such substance in such poultry and poultry products does not ordinarily render them injurious to health.

(2) If they bear or contain any added poisonous or added deleterious substance, unless such substance is permitted in their production or unavoidable under good manufacturing practices as may be determined by rules and regulations hereunder prescribed by the Secretary or other provisions of Federal law limiting or tolerating the quantity of such added substance on or in such poultry and poultry products: *Provided*, That any quantity of such added substance exceeding the limits so fixed shall also be deemed to constitute adulteration.

(3) If any substance has been substituted, wholly or in part, therefor.

(4) If damage or inferiority has been concealed in any manner.

(5) If any valuable constituent has been in whole or in part omitted or abstracted therefrom.

(6) If any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, or make it appear better or of greater value than it is.

(i) The term "inspector" means:

(1) an employee or official of the United States Government authorized by the Secretary to inspect poultry and poultry products under the authority of this act, or

(2) any employee or official of any State government authorized by the Secretary to inspect poultry and poultry products under authority of this act, under an agreement entered into between the Secretary and the appropriate State agency.

(j) The term "official inspection mark" means the symbol, formulated pursuant to rules and regulations prescribed by the Secretary, stating that the product was inspected.

(k) The term "inspection service" means the official Government service within the Department of Agriculture, designated by the Secretary as having the responsibility for carrying out the provisions of this act.

(l) The term "container" or "package" include any box, can, tin, cloth, plastic, or any other receptable, wrapper, or cover.

(m) The term "official establishment" means any establishment as determined by the Secretary at which inspection of the slaughter of poultry, or the processing of poultry products, is maintained under the authority of this act.

(n) The term "label" means any written, printed, or graphic material on the shipping container, if any, or upon the immediate container, including but not limited to an individual consumer package, or the poultry product, or accompanying such product.

(o) The term "shipping container" means any container used or intended for use in packaging the product packed in an immediate container.

(p) The term "immediate container" includes any consumer package; or any carton, box, barrel, or other receptacle in which poultry carcasses or poultry products, not consumer packaged, are packed.

EFFECTIVE DATE

SEC. 23. This act shall take effect upon enactment, except that no person shall be subject to the provisions of this act prior to January 1, 1959, unless such person after January 1, 1958, applies for and receives inspection for poultry or poultry products in accordance with the provisions of this act and pursuant to regulations promulgated by the Secretary hereunder, in any establishment processing poultry or poultry products in commerce or in a designated major consuming area. Any person who voluntarily applies for and receives such inspection after January 1, 1958, shall be subject, on and after the date he commences to receive such inspection, to all of the provisions and penalties provided for in this act with respect to all poultry or poultry products handled in the establishment for which said application for inspection is made.

Mr. COOLEY (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill may be considered as read, be printed in the RECORD, and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WATTS. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WATTS: On page 11 strike out the heading to section 11 on line 16 and strike out all of section 11, renumbering subsequent sections to conform.

Mr. WATTS. Mr. Chairman, this merely deletes from the bill the section that the Department of Agriculture tells me would serve no useful purpose, and it is not needed.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. WATTS. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WATTS: In section 15, page 13, line 23, strike out the words "is authorized" and insert in lieu thereof the word "shall"; and on page 14, line 1, strike out the word "to."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. WATTS. Mr. Chairman, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. WATTS: In section 15, page 14, line 5, following the word "consumers" insert the following: "or restaurants, hotels and boarding houses for use in their own dining rooms in the preparation of meals for sales direct to consumers."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. MATTHEWS. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MATTHEWS: On page 3, line 9, after the word "application" insert the following: "by the appropriate State agency which has been given the responsibility for administering and enforcing poultry inspection laws, or in the absence of such an agency."

Mr. MATTHEWS. Mr. Chairman, first I want to congratulate the distinguished chairman of this subcommittee on the excellent work he has done. I have talked this matter over with him and he understands that this amendment is not intended at all as an insult to the work that he and his subcommittee have done for so many weeks on this particular bill.

When this bill was reported by our committee I had an abdominal distress and I had to be at Bethesda that morning, and when I returned the bill had been reported. I give that explanation so that again the gentleman from Kentucky [Mr. WATTS] will understand why I have to take this particular opportunity to present the amendment.

The poultry producers of Florida were particularly anxious for this amendment, and if you had a chance to read the hearings, you will read their sentiments about it.

In the State of Florida since 1933 we have had a State agency which has administered our poultry inspection laws. They have done a very commendable job. Those poultry producers in Florida feel that the State agency of Florida should be the appropriate agency to request the Department of Agriculture to have a public hearing to decide whether or not this law should take effect in a particular consuming area.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. COOLEY. Is it the purpose of the gentleman's amendment to prevent inspection in major consuming areas unless the Federal Government or an agency thereof is requested by the State agency to make the inspection?

Mr. MATTHEWS. What my amendment would do would be to insist that where there is an appropriate State agency administering the poultry inspection laws, that that agency would be the agency to request the Secretary of Agriculture to hold this hearing.

Mr. COOLEY. Now, assuming that there is an agency in a consuming area that the gentleman has in mind, unless that State agency requests the Secretary of Agriculture to provide inspection service in that area, no inspection service would be provided?

Mr. MATTHEWS. That is absolutely true, and I think it is a good idea.

We all have some concern about Congress, when it passes legislation preempting State laws. If my amendment were passed it would be a safeguard. If there is no appropriate State agency, the appropriate governing body or official of that area, or the local poultry industry in that area could then call upon the Secretary of Agriculture to hold this hearing and determine whether or not that particular area would come under the provisions of this bill.

Mr. Chairman, that is all there is to it. I am not going to take any more time, but I hope the amendment is carried.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. AUGUST H. ANDRESEN. I would like to understand the gentleman's amendment correctly. Does he mean by it that if it is approved the State of Florida would be exempt from the provisions of this act?

Mr. MATTHEWS. No; no, I do not mean that at all; I mean that the State agency of your great State, or of New York, or of California, if they have an appropriate State agency that is at the present time administering these poultry inspection laws, that that State agency would be the agency to call upon the Secretary of Agriculture to hold this public hearing. If they did not have such an agency then these other agencies would make the application.

Mr. AUGUST H. ANDRESEN. Then you want to keep the Federal Government in it, but you want to use the State agencies to make the application to the Secretary to send in Federal inspectors to handle the situation in Florida and in other States?

Mr. MATTHEWS. Of course, the State agency may decide that they do not want to do it; but I think they would be taking a good deal of responsibility if they did. I do feel, however, that it should be left with the local State agency.

Mr. AUGUST H. ANDRESEN. If they want to do it then they could call in the Federal Government; is that correct?

Mr. MATTHEWS. That is right. I think they will do it. In Florida we have a very fine inspection system.

Mr. AUGUST H. ANDRESEN. No doubt you have, as there are in other States, but I am rather interested in the gentleman's argument that he wants to take Florida out of the Federal Union.

Mr. MATTHEWS. No, sir; I just want the Florida poultry agency to be the adjudicating agency, which I think is not asking too much.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. HALLECK. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield to the gentleman from Indiana.

Mr. HALLECK. I, too, would like to understand a little bit, if I can, just what is involved.

If I understand the gentleman's amendment correctly it would deal with that section of the bill which makes it possible for shipments which would otherwise be intrastate commerce to become in effect interstate commerce so as to make it controllable by the Federal Government; in other words, in creating these consuming areas or designating them, the Federal Government steps in and says that the Federal regulations shall apply even though otherwise it would be intrastate commerce. In other words, if beyond the city limits of Miami there are Florida producers who ship into Miami, which commerce ordinarily would be considered intrastate, yet under this bill it could be designated as a major consuming area and then the Federal Government could step in and control it as though it were interstate commerce.

As I understand the gentleman's amendment it would keep the Federal Government from coming in and controlling what otherwise would be completely intrastate commerce unless the State of Florida through its proper agency invited them to do it.

Mr. MATTHEWS. I think my amendment would cover that feature; yes.

Mr. HIESTAND. Mr. Chairman, will the gentleman yield?

Mr. MATTHEWS. I yield.

Mr. HIESTAND. Do I understand that if the gentleman's amendment is adopted the States will have authority to refuse to allow this Federal inspection in interstate commerce?

Mr. MATTHEWS. No, sir; no, it would not. If the gentleman has the bill before him he will see it applies to this section 4 which provides that upon application by the appropriate governing official or body of a substantial portion of any major consuming area or

upon application by the local poultry industry group in such area the Secretary may conduct public hearings to ascertain whether or not this act shall be in effect in that area.

My amendment would say that when you have an appropriate State agency administering poultry laws it shall be the one to make the application.

Mr. HIESTAND. In other words, it does not affect interstate commerce by itself?

Mr. MATTHEWS. No, sir.

Mr. WATTS. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, we discussed this amendment in our subcommittee at length and came to the conclusion that it would be ill advised to put the amendment in the bill for the following reason: We tried to make this bill as broad as we could in order that every little processor of poultry might have the opportunity, if he was shipping into a major consuming area, to come under the terms of the bill. We could very readily visualize a situation where the State government, the State health official or a State inspection official might fail to act, although favoring a program of this kind. But they might not be functioning as they should, and I am not saying that the agency mentioned by my good friend from Florida is not functioning very good. However, I guess he will agree with me that it lacks a lot of being perfect. If the State official said "No," then the entire State and every large city in that State or every consuming area in that State of any size, as well as every little processor that wanted to ship into one of those areas, would be completely deprived of the opportunity of getting Federal inspection. So we thought we would make it a little more democratic and instead of saying that the State shall have full authority, we would leave it up to each consuming area and the processors of that consuming area who wanted Federal inspection to ask the Secretary to call a hearing and determine whether or not it would be the feasible, possible and proper thing to do.

I am not going to stand up here and tell you it will not work in the way the gentleman has stated, but I am very much afraid if you agree to the gentleman's amendment, you will find that possibly through some arbitrary act—you would have a situation where somebody who wanted to come in under this act would be prohibited from doing so. Take up in New York or New Jersey, you do not know when you go out of one town into another. If the governor or the chief inspection official of any one of those States that is involved in that concentration of population had the authority to stop this for the whole of the area, you might find a situation that would work to the disadvantage of the whole area. The way we have drawn the bill provides that a majority of the governing authorities of a consuming area shall prevail, and we had that in mind when we drew the bill. There are places like New York City where they have 5 or 6 boroughs. We did not want to fix it so that one borough could deny the whole of the area the right of inspection. So we said that the majority of the authorities, or in the event the governing authorities did not do so, the processors of the poultry who ship into that area, could petition for a hearing.

I am fearful of the effect of my good friend's amendment and I request that the committee vote the amendment down.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WATTS. I yield to the gentleman from Indiana.

Mr. HALLECK. Is there any merit in the suggestion that has been made by some people that the reason for having this designated area arrangement in respect to what might otherwise be intrastate commerce, and what would continue to be intrastate, is that the local processors would be able to sell the poultry to the consuming public at a reduced price?

Mr. WATTS. No.

Mr. HALLECK. What is the burden on interstate commerce to which the gentleman refers in the act in several places, including the declaration?

Mr. WATTS. In cities like Louisville, Ky., and Indianapolis, Ind., there will be lots of poultry moved into both places—some of it will be shipped in interstate commerce and quite a bit will be shipped in from the surrounding territory around the two towns. Certainly, both types of poultry are going to be commingled and one is going to become a burden on the other. As I understand the law with reference to interstate commerce, any commodity that is declared to be a burden on interstate commerce can be regulated as though it were moving in interstate commerce. In all probability the Department of Agriculture could exercise its right under this bill to inspect such poultry even though we did not provide for it in the act. The language in the act dealing with designated consumer areas can be considered a limitation in that before the Department can exercise authority in such an area they must be petitioned by a majority of the governing officials of the area or by the poultry processors in the area.

Mr. Chairman, I ask that the pending amendment be defeated.

Mr. McINTIRE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I just have one or two observations to make. I would point out that in some of the bills introduced and considered by the committee, that the full jurisdiction in relation to the designation of these areas rested with the Secretary. It was felt that it should be broadened to include other factors which were involved within the area.

It seems to me that the bill as presented by the committee has broadened it sufficiently to bring in those local interests, and I believe a very substantial problem would be created in the amendment offered by the gentleman from Florida if we were to broaden it further. We have attempted to bring in the local interests, both the municipal and the city authorities and those concerned directly with the poultry industry. It is my opinion that this broadens it sufficiently to bring in those interests adequately, and we have provided for public hearings before the Secretary can proceed. I think it is broadened sufficiently to protect the local people and that the State does not necessarily need to be brought into this field.

Mr. Chairman, I urge the defeat of the amendment.

Mr. JACKSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, perhaps I obtained the floor under somewhat false pretenses, but I did want to ask several questions of the chairman of the committee and of the subcommittee.

I am not quite clear in my own mind as to what the situation would be in, let us say, the State of California, where an adequate State system of inspection exists. Would the gentleman elaborate briefly as to what the effect of this act would be upon the State agency which is properly constituted and, so far as we know, is doing a good job?

Mr. WATTS. Mr. Chairman, if the gentleman will yield, under the present setup we have voluntary poultry inspection. Of course, you have a right good system in California of inspection, but the biggest objection that we see to it—and it is not critical—is that the employees of the plant do the inspecting, whereas we felt that some employee of the Federal Government should do the inspecting. But, that is beside the point. We have in this bill a provision that the various States and the Federal Government should cooperate one with the other, and it is our information that the State of California is now cooperating thoroughly with the voluntary system and that wherever the poultry people have put in a voluntary Federal system that the State has recognized that as ample and sufficient. The Federal Government has always cooperated with the State. We have provided in here that the Federal Government, when this law becomes effective, may use State employees as inspectors, and we feel like we have erected sufficient safeguards to guarantee or assure that there will be a cooperative exchange of interests between the State and the Federal Government.

Mr. JACKSON. I thank the gentleman for the explanation.

There is, of course, grave and widespread concern over the constant expansion of the power of the Federal Government, and I am speaking now relating what I say to some of the decisions of the Court, the preemption theories in certain areas of the Federal domain in which they have extended those powers in the respective States overriding the agencies which are constituted to do certain things, preempting powers which were never delegated to them in the first instance by the Congress. This is a matter of grave concern to a great many of us, and we are concerned with any legislative devices which might further tend to give to the agencies of Government powers which are not intended to be exercised.

Mr. HAGEN. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from California.

Mr. HAGEN. Mr. Chairman, in answer to the gentleman's question, this legislation has the endorsement of the State Director of Agriculture in California. Actually their service is not really quite under way. That is, it is fairly recent. It is one of the few compulsory setups in the country. But they are heartily in accord with this proposed legislation, because this protects our own producers. A lot of this uninspected poultry has been coming into California and placing our own poultry producers at a disadvantage.

Mr. JACKSON. My request was merely for an explanation.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman.

Mr. HALLECK. I do not know whether the gentleman was here on the floor when the gentleman from Virginia [Mr. SMITH] spoke on the matter of preemption. If I understood him correctly, he pointed out that there could very well develop out of the passage of this bill an extension of the doctrine of preemption which would mean that the State operations in the field covered by this bill would be precluded after the passage of the bill or after the enactment of it.

Mr. JACKSON. That is what I sense to be a very dangerous part of the legislation presently under discussion.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman.

Mr. HOFFMAN. I have an amendment at the Clerk's desk which will correct the situation to which the gentleman has made reference.

Mr. JACKSON. I thank the gentleman. I shall probably support it.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman.

Mr. MASON. The gentleman from Virginia [Mr. SMITH] said that we should put into this bill as a precaution a provision which would say that "Nothing in this act shall preempt the field or shall diminish the authority of the State courts to act under the jurisdiction of their own laws." But we put that in the Smith Act. That very provision was in the Smith Act, and our Supreme Court ignored the intention of Congress. So if we put it into this bill it will be ignored again by the same Supreme Court. And that would be no protection at all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. MATTHEWS].

The question was taken; and on a division (demanded by Mr. MATTHEWS) there were—ayes 27, noes 56.

So the amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 23, after line 11, insert a new section to read as follows:

"SEC. 24. This act shall not be construed as invalidating any provision of State law which could be valid in the absence of this act, unless there is a direct and positive conflict between an express provision of this act and such provision of State laws so that the two cannot be reconciled or consistently stand together."

Mr. HOFFMAN. Mr. Chairman, will the committee not accept this amendment? It carries out the intent of H. R. 3 introduced by the gentleman from Virginia [Mr. SMITH] and on which he has been unable to get action.

Mr. WATTS. Mr. Chairman, I should like to ask the gentleman a question or two about the amendment. The committee has not had very much opportunity to give it consideration.

Mr. HOFFMAN. Only for the last 10 or 15 minutes.

Mr. WATTS. If I understand the gentleman's amendment, it proposes that where the bill under consideration does not positively repeal some State law or does not run contrary to it, it would not repeal any State law.

Mr. HOFFMAN. If I understand the gentleman correctly, that is the purpose—that is, the adoption of this amendment is notice to the Supreme Court that by the enactment of this bill we do not repeal present State law nor prohibit consistent future State law.

Mr. WATTS. In other words, if there is a State law that can be reconciled with this bill, that State law shall remain in full force and effect. The only time this bill we are considering now would repeal a State law would be when there was a direct conflict between the two that is unreconcilable.

Mr. HOFFMAN. And the two could not be reconciled and be made to work together, that is correct. The purpose is, again, to call the attention of the Supreme Court to what Congress apparently failed to make clear to the Court in other legislation—that the Congress does not intend by the enactment of a bill to preempt the field so that the States are deprived of authority and opportunity to legislate in the same field.

Mr. WATTS. Under those circumstances, while I have not consulted the whole committee, I would have no objection to agreeing to the amendment.

Mr. AUGUST H. ANDRESEN. I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, those of us who have been in this body for some years are acquainted with the history of this legislation and the effort in past years to have legislation along this line enacted into law.

The subcommittee is to be congratulated on the careful and exhaustive manner in which it conducted hearings and the very careful manner in which it considered the bill in executive session. It is to be congratulated on reporting this bill.

I have heard the argument made that this bill originated in the minds of certain meatcutters. I remember well the gentlewoman from Missouri [Mrs. SULLIVAN] fighting for legislation of this type as far back as 1954. I remember well an important statement she made at that time, that she was urging the passage of such legislation because it protected the consumers of our country.

The relationship between the person who toils on the soil and the one who toils in the factory is very close. I come from a city, and there is not a farm located in my district, but I have year in and year out talked about the importance of the relationship between the toiler on the soil and the toiler in the factory and their interdependence. It seems to me this bill is an illustration of that interdependence. I believe those who produce the poultry of America, and they are toilers on the soil, should be interested in seeing legislation of this kind enacted into law. This legislation protects the farmer. In protecting the consumer it also protects those who are engaged in this activity on the soil.

The committee has been very careful in seeing that the bill does not regulate in any manner the handling and shipment or sale of live poultry. As is stated in the report, it does not apply to poultry processors not engaged in interstate commerce unless the processor markets within an area designated by the Secretary under section 4. The bill does not apply in any manner to the processing or sale of eggs or egg products or game birds.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. I certainly would not want to take anything away from the comment the gentleman has made about the gentlewoman from Missouri, whose interest in this legislation, we understand, is longstanding. I think the gentleman referred to 1954. I do not recall that I made any particular reference to the meatcutters.

Mr. McCORMACK. Did I mention the gentleman's name?

Mr. HALLECK. No, the gentleman did not. However, if he will refer to the hearings on page 182, containing the testimony of Mr. Barker, director of the Poultry Department, Amalgamated Meat Cutters and Butcher Workmen, he will find that Mr. Barker stated:

Our union began its campaign for compulsory poultry inspection in 1946.

Mr. McCORMACK. I do not challenge that statement and that statement does not challenge anything that I have said. Of course, the meatcutters have an interest, but that certainly is not the primary purpose of this legislation. The primary purpose of this legislation is for the protection of the consumers. As I said, the gentlewoman from Missouri [Mrs. SULLIVAN], in a speech as far back as 1954, which she made on the floor of the House in urging the passage of such legislation as this, based it primarily upon the premise that it is for the protection of the consumers. I do not think anyone can contradict that fact. This bill is an important bill. It is designed for the protection of the American people. It is a bill which should have been enacted into law before now. It was not done in the past, but the bill is before us now and I sincerely hope that the bill, as reported by the committee, will pass.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. HOFFMAN. Mr. Chairman, well if the bill is designed to protect the health of the people, of course, there must be an inspection before the poultry is killed. There is no way of telling whether a chicken has had the roup by inspecting the carcass after the head has been cut off. If the bill is to protect the consumers of food, there should be a provision requiring inspectors in the retail stores. The bill does not propose that. We all know that stores get poultry all through the week and they hold some of it over from Saturday until Monday of the next week. Some of us, and even I can when I get a chicken that has been cooked—I can tell whether it has been a little bit too long on the shelf even though it has been in the refrigerator, unless it has been frozen solid because it gets a certain taste along the upper part of the leg. You know that a chicken has been dead too long when you find a chicken that is cooked and it has a little bit too much dark meat where there should not be so much—you know it has not been bled properly. Another thing, the bill seems to show a lack of confidence in the Food and Drug Administration because it expressly takes away the jurisdiction of that Department and puts enforcement as well as administration under the jurisdiction of the Secretary of Agriculture.

I certainly like one thing in this bill. We all know there has been a lot of talk here on the floor from members of the Agriculture Committee, especially from some folks from the South and around in Texas, about the Secretary of Agriculture, Mr. Benson. He has been called most everything, cussed up hill and down. Well, here is a declaration of confidence in Secretary Benson, better late than never. Read the bill through page by page, paragraph by paragraph, and sentence by sentence. Then confess and repent. I know the gentleman from Texas [Mr. POAGE] will be interested and take notice as well as will the gentleman from North Carolina [Mr. COOLEY] in those provisions of this bill which they support and which so clearly expresses complete faith in the ability, the courage, the determination, the good faith of our Secretary of Agriculture—qualities which have been sometimes questioned but are now acknowledged to be his. Permit me to congratulate you two gentlemen and others upon having at last realized the greatness, the patriotism, the sincerity, and the ability of our Secretary of Agriculture and have by this bill conferred upon him. More he cannot ask and I hope he will call it to your attention when hereafter you venture to make complaints which I doubt you logically can do after the grant of authority carried in this bill.

Mr. ELLIOTT. Mr. Chairman, I rise in support of H. R. 6814, which provides for the compulsory inspection by the United States Department of Agriculture of poultry and certain poultry products.

I have recognized for some time that the consuming public is entitled to have an inspected chicken or broiler; and to that end, early in this session, I introduced H. R. 5463. Naturally, I feel that my bill is, in some respects, superior to the bill presently before us; but, realizing that all legislation of this type is the result of compromise, I am willing to accept this bill, together with such beneficial amendments as it carries, with the hope that any last-minute improvements indicated as being absolutely necessary can be effected by the conference between the House and Senate on the legislation. The Senate has already passed a bill providing for compulsory inspection.

If you accept the proposition that the American housewife is entitled to have the assurances of her Government that the poultry she buys has been inspected by her Government, and found to be clean and wholesome, then this bill or some reasonable approximation to it should be enacted. If inspection is to be compulsory, then it naturally follows in my mind that the cost of the inspection should be borne by the United States Government.

This bill provides that inspectors will be appointed by the United States Secretary of Agriculture, and I feel that he is given rather broad powers in this regard. However, I recognize the fact, especially in the early years when we are getting started with this inspection, that there should be great flexibility insofar as qualifications of the inspectors are concerned.

I have been assured by the hearings on this legislation, and by the debate this afternoon, that there is absolutely no intent on the part of this bill, or of any of its sponsors, to work an undue hardship upon any portion of the poultry industry. I am particularly interested to see that the small processors, those fellows who dress and process relatively a small number of birds, are not so burdened by redtape and regulation and undue requirements that they cannot continue to operate. I have been assured in this debate that there will be enough inspectors furnished by the United States Department of Agriculture, so that every poultry processing plant, however small or however irregular it operates, as long as it dresses or processes poultry for interstate commerce, will have the benefits of the poultry inspection service. This is as it should be. As a matter of fact, the bill provides a way whereby those processing plants that process for the intrastate trade, but are located in such a manner that their products constitute some burden to the interstate movement of poultry products, will have an opportunity, upon petition and hearing, to come within the purview of this law and be entitled to its inspection benefits, even though they process and dress poultry only for the intrastate demands.

There has been some suggestion in the debate here today that the passage of this bill will so slow down the operation of the processing plants as to cause the amount charged for dressed chicken to be unduly raised. However, I am informed by others, who have studied the matter, that perhaps most plants can be rearranged in such a manner that the slowdown caused by post mortem bird-by-bird inspection will not be too great. However that all may be, I feel, Mr. Chairman, the fact that the purchaser of chicken can be assured that his particular chicken was personally inspected, will be sufficient to increase the demand for poultry and poultry products sufficiently to overcome any deficiency occasioned by slowing down the lines in the processing plants. I am confident that eventually the matter can be worked out where there will be no real harmful effects.

Mr. Chairman, this bill should be passed. It is in the best interest of the consumer. It is, in the long run, in the best interest of the processor. It is in the best interest of the producer or grower of broilers.

Undoubtedly, inequities may appear as the operation of the bill gets underway, but I, for one, will be anxious to cooperate to iron out any inequities that may become apparent. I have the privilege of representing one of the largest poultry-producing areas of the country. The broiler and poultry industry is one of our large industries. There is being produced in the neighborhood of $4 billion worth of poultry a year in the United States. Under such forward-looking legislation as this, I believe the industry will grow in capacity, in strength, and in quality.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. O'BRIEN of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 6814) to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products, pursuant to House Resolution 304, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. REECE of Tennessee), there were—ayes 93, noes 23.

So the bill was passed.

A motion to reconsider was laid on the table.

Mr. WATTS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1747) an act to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products, strike out all after the enacting clause of the Senate bill, and insert the language of the bill H. R. 6814.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. WATTS]?

Mr. REECE of Tennessee. Mr. Speaker, I object.

GENERAL LEAVE TO EXTEND REMARKS

Mr. WATTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. PORTER. Mr. Speaker, this House has before it today legislation which I consider vital to the health of this country. H. R. 6814 would provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. The poultry industry in the State of Oregon is important to Oregon economy. The industry is important in many other areas.

On June 27, I received a letter from Dr. Harold M. Erickson, health officer for my State. Dr. Erickson reminded me of Oregon's recent experience with the hazards to human health in the processing of diseased poultry. For this very reason, the State health authorities had significant cause the examine carefully the various bills introduced in the House of Representatives relative to poultry inspection. He said that the health authorities, after carefully reviewing them, recommend H. R. 6814. The health authorities of Oregon believe this bill offers the most protection to human health without sacrifice of practicability.

Dr. Erickson and his staff share my concern and belief that there is a real need for compulsory poultry inspection. Therefore, at this time, I want to strongly urge the passage of this proposed legislation. I want also to commend the members of the Committee on Agriculture for their investigation into this matter and for the subsequent legislation now under consideration. It is my understanding that without exception witnesses at the hearing held by the committee expressed themselves in favor of some type of compulsory poultry inspection. I think this is indicative of its need.

I have received a considerable amount of correspondence concerning this bill, and, unlike many issues, there has not been a single letter opposing its passage. I believe H. R. 6814 is legislation which will provide safeguards which long have been needed in the poultry industry.

Mr. ANFUSO. Mr. Chairman, in passing the bill H. R. 6814, which provides for compulsory inspection by the Department of Agriculture of poultry and poultry products, it is of utmost importance that certain religious practices should not be overlooked.

It is my understanding, developed from the testimony at the hearings of the Committee on Agriculture, that recognized religious practices of the Jewish faith are accepted in the bill. For example, the laws of Kashruth require that kosher poultry be slaughtered by a shochet—religious slaughterer—that it cannot be defeathered with the use of steam or hot water, and that it must be offered to the consumer uneviscerated.

In order that these religious requirements should not be disturbed, poultry processed in accordance with religious dietary laws is to be exempt from the act.

I, therefore, call again these practices to the attention of the Secretary of Agriculture so that, in issuing the necessary rules and regulations pursuant to the act, he will make certain that they in no way interfere with these traditional processing requirements of the Jewish people.

EXTENSION OF AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. COOLEY. Mr. Speaker, I call up the conference report on the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. COOLEY]?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 683)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1314) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended as follows:

"(1) Sections 109 and 204 of such Act are amended by striking out '1957' and substituting in lieu thereof '1958.'

"(2) Section 103 (b) of such Act is amended by striking out '$3,000,000,000' and inserting in lieu thereof '$4,000,000,000.'

"(3) Section 203 of such Act is amended by striking out '$500,000,000' and inserting in lieu thereof '$800,000,000.'

"(4) Section 104 (e) of such Act is amended by striking out the semicolon at the end thereof and adding a comma and the following: 'for which purposes not more than 25 per centum of the currencies received pursuant to each such agreement shall be available through and under the procedures established by the Export-Import Bank for loans mutually agreeable to said bank and the country with which the agreement is made to United States business firms and branches, subsidiaries, or affiliates of such firms for business development and trade expansion in such countries and for loans to domestic or foreign firms for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products: *Provided, however*, That no such loans shall be made for the manufacture of any products to be exported to the United States in competition with products produced in the United States or for the manufacture or production of any commodity to be marketed in competition with United States agricultural commodities or the products thereof. Foreign currencies may be accepted in repayment of such loans.'

"(5) Within sixty days after any agreement is entered into for the use of any foreign currencies, a full report thereon shall be made to the Senate and the House of Representatives of the United States and to the Committees on Agriculture and Appropriations thereof.

"(6) Section 304 of such Act is amended to read as follows:

"'SEC. 304. (a) The President shall exercise the authority contained in title I of this Act (1) to assist friendly nations to be independent of trade with the Union of Soviet Socialist Republics and with nations dominated or controlled by the Union of Soviet Socialist Republics and (2) to assure that agricultural commodities sold or transferred thereunder do not result in increased availability of those or like commodities to unfriendly nations.

"'(b) Nothing in this Act shall be construed as authorizing transactions under title I or title III with the Union of Soviet Socialist Republics or any of the areas dominated or controlled by the Communist regime in China.'"

And the House agree to the same.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
AUGUST H. ANDRESEN,
WILLIAM S. HILL,
Managers on the Part of the House.

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
SPESSARD L. HOLLAND,
JAMES O. EASTLAND,
HUBERT H. HUMPHREY,
GEORGE D. AIKEN,
MILTON R. YOUNG,
EDWARD J. THYE,
BOURKE D. HICKENLOOPER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing positions of the two Houses on S. 1314, to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The action of the House was on the bill H. R. 6974 and after adoption of this bill in the House the Senate bill was amended by striking out all after the enacting clause and substituting the provisions of the House bill.

As passed by the Senate, S. 1314 contained four provisions, three of which were identical with similar provisions in the House amendment.

MATTERS IN AGREEMENT

The three provisions with respect to which the Senate bill and the House amendment were identical are: (1) Extension of the termination date of titles I and II of the act from June 30, 1957, to June 30, 1958; (2) an increase of one billion dollars in authority to dispose of surplus commodities under title I of the act; and (3) an increase of three hundred million dollars in the allowable disposals for famine relief and other assistance under title II of the act. With respect to these three provisions, the compromise substitute agreed upon by the conferees and reported herewith is identical with the provisions of both the Senate bill and the House amendment.

BARTER WITH SATELLITE COUNTRIES

The fourth provision in the Senate bill was the repeal of section 304 of the act which

had been construed to prohibit barter transactions with the so-called satellite countries. The House bill contained no such provision.

With respect to this matter, the conference has agreed upon a compromise position which will permit barter transactions (but not sales for local currency) with the European satellite nations but which specifically prohibits barter transactions with the U. S. S. R. itself, with Communist China, or with any of the areas dominated or controlled by the Communist regime in China. It is to be noted that the existing provisions of title I of the act, in which no change is made, prohibit sales for foreign currency under title I to the U. S. S. R. or "any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement."

ADDITIONAL APPROPRIATING AUTHORITY

The conference bill omits the provision of the House amendment which would have extended the appropriating authority of Congress to the financing of international educational exchange activities and the translation, publication, and distribution of books and periodicals with foreign currencies available pursuant to the provisions of the act. The committee of conference considered this point at length and the House conferees receded from the House amendment in this matter only after it was pointed out that the foreign currencies proposed to be used for these programs are budgeted several years in advance pursuant to agreements entered into with the respective foreign countries, that these budget estimates are submitted by the Bureau of the Budget to the Appropriations Committees, that the amount of foreign currency to be used for these programs is taken into consideration by the Appropriations Committees in making their dollar appropriations, and that, therefore, enactment of the House provision would add nothing to the real authority of the Appropriations Committees while it would seriously curtail the authority of the President to make agreements with other governments with respect to the sale of surplus commodities and with respect to these particular programs.

FOREIGN CURRENCY LOANS TO PRIVATE BUSINESS

The conference bill contains with some modification the provisions of the House amendment with respect to this matter. The modifications: (1) make is clear that loans for the establishment of facilities for aiding in the utilization, distribution, or otherwise increasing the consumption of, and markets for, United States agricultural products may be made to either foreign or domestic firms and (2) provide that loans may not be made for the manufacture or production of any commodity to be marketed in competition with United States agricultural commodities or the products thereof.

As agreed to by the committee of conference, this provision expresses a firm but general policy of the Congress that a substantial portion (25 percent unless there are compelling reasons for using a less amount) of the foreign currencies accruing under agreements hereafter entered into should be used for loans to assist the development and expansion of private business in the countries with which agreements are made under Public Law 480. These loans are to be of two types: (1) loans to United States business firms and their branches, subsidiaries, or affiliates for general business development and trade expansion, and (2) loans to either United States or foreign business firms for expanding markets for and consumption of American agricultural products abroad. The bill provides that such loans are to be made through and under the procedures of the Export-Import Bank and that they may be repaid in the foreign currency in which the loan is made. The detailed provisions as to the terms of the loans, the manner in which specific loans are to be made, and the method and time of repayment, are left to the determination of the President and will doubtless also be embodied to a mutually satisfactory extent in the agreements with foreign governments under this act. In this connection, the committee of conference points out that the approval and concurrence of the foreign government in this loan program is fully assured by the requirement that the loans negotiated by the Export-Import Bank must be "mutually agreeable" to the bank and to the nation involved.

REPORTS ON AGREEMENTS

The conference bill retains the House provision requiring that a full report on any agreement for the use of any foreign currencies be made to the Senate and House and to the Committees on Agriculture and Appropriations thereof within sixty days after any such agreement is entered into.

SURPLUS FOODS FOR STATE PENAL INSTITUTIONS

The conference bill does not contain the provision in the House amendment that would have made surplus food commodities available for contribution to State and local penal and correctional institutions. In this connection it was pointed out that there has been a substantial reduction in the past year in the stocks of surplus foods in the hands of the Commodity Credit Corporation and it appears at the present time that the existing list of eligible recipients of this food is entirely adequate to absorb the remaining stocks on hand and those which may reasonably be anticipated for the immediate future. While maintaining the soundness of its position in this matter, the House conferees felt that they should not insist on their position at this time.

BASIC OBJECTIVES OF THE ACT

The conferees take this occasion to specifically reaffirm the statements with respect to the basic objectives of Public Law 480 and the operations thereunder which were contained in the committee reports of the two Houses on this legislation. Specifically, the conference committee believes that the provisions of Public Law 480 should be utilized to the fullest to develop new and expanded markets abroad for the products of American agriculture. In this connection, the committee of conference expects that extra long staple cotton will be sold under the authority of this act, as is upland cotton, to any friendly nation without regard to the fact that this commodity may compete with a similar commodity produced outside the United States, and that all surplus agricultural commodities regardless of the kind, will be made available for sale under the act without the imposition of conditions which would prevent or tend to interfere with their sale. Rather than in any way seeking to discourage or impede the sales of such surplus commodities, their sales should be emphasized if it appears that by such sale under this act a future market for dollars, in the regular course of international trade, may be established for such commodities.

HAROLD D. COOLEY,
W. R. POAGE,
E. C. GATHINGS,
AUGUST H. ANDRESEN,
WILLIAM S. HILL,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

POLICIES WITH REGARD TO THE WATCH INDUSTRY

Mr. MACHROWICZ. Mr Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MACHROWICZ. Mr. Speaker, within the past 10 days, I have returned from Geneva, Switzerland, where I served as an adviser to the United States delegation at the conference on the General Agreement on Tariffs and Trade. I returned home reassured that significant accomplishments are being made in efforts by the free nations of the world to eliminate quotas and to minimize other barriers to international commerce.

I want to say to my colleagues that I was very impressed by the manner in which the United States representatives discharged their responsibilities under situations which required the greatest delicacy and skill.

At the same time, I feel compelled to call the attention of the House to an incident which took place in Switzerland a short time before the GATT conference opened and which could have undermined the positon of our representatives. The incident involves an official of the United States Department of Commerce who was visiting Switzerland and who requested a meeting with representatives of the Swiss watch industry.

At this meeting, I was reliably informed, the Commerce Department employee stated that he was an official representative of the United States Government. He then proceeded to disclose to the Swiss what he claimed will be the findings of the executive branch with regard to petitions which have been filed by the domestic watch manufacturing industry for relief from import competition under section 7 of the Trade Agreements Act.

Specifically, this Commerce Department employee informed the Swiss that the United States Government would soon reaffirm the defense essentiality of the domestic watch manufacturers and would impose quotas on watch imports unless the Swiss "voluntarily" agree to introduce quotas on exports to the United States.

Mr. Speaker, I can think of no more improper way for an employee of the executive branch to perform on an overseas trip. First, this man posed as an official spokesman for the American Government. Then, he predicted actions by the administration long before any official decisions have been made. So far as I am aware, action on the watch petitions is still in a preliminary stage, and neither the ODM nor the White House has reached any conclusions. And finally, at the very time that our GATT representatives were preparing to leave for Geneva to work on a program aimed at reducing trade barriers, he was pleading for the imposition of a quota system on Swiss watch exports.

As many of my colleagues are aware, I have long maintained that the 50 percent increase in tariffs on imported watch

movements, and other protectionist actions taken by the administration on behalf of the domestic watch manufacturers, were a serious mistake. It has been my belief that the so-called defense essentiality of the domestic watch manufacturers, which has been used to justify these trade barriers, is a myth—and it seems that the Defense Department shared this view at the time it filed a report with ODM recommending against Government assistance. This is the report, you will recall, which was prepared by the Defense Department in 1954, but was suppressed for many months in order to avoid embarrassment to the administration which had decided to yield to pressure—spearheaded by the Commerce Department—for a watch tariff increase.

Now it appears that the Commerce Department, or at least certain of its officials, is once again trying to take the lead in shaping policies at the Office of Defense Mobilization and the White House. Amazingly, these Commerce officials feel so confident that their protectionist views will prevail that they are informing the rest of the world in advance.

Mr. Speaker, I sincerely hope that these efforts by the Commerce Department to dictate the policies of the executive branch with regard to the watch industry will not succeed, and that ODM and the White House will, at long last, give this matter the objective study which it deserves. I am convinced that the President, who continually appeals to the Congress for enactment of liberal foreign-trade legislation, will recognize that actions speak louder than words, and that he cannot continue to allow the administrative departments and agencies to undermine the policies which he so ardently espouses. I believe the President will want to put an immediate end to this kind of mischievous behavior by Commerce Department officials and will line up the executive branch solidly behind his program of a gradual reduction in trade restrictions, including those in the watch industry.

For this reason, I have written the President a letter outlining the serious impropriety which I have described and emphasizing the fundamental problem that an unwarranted action of this kind raises for our Nation. I am, indeed, looking forward to the days ahead, to see whether the administration again bows to protectionist influences within the Commerce Department or whether the President will make his views prevail within his own official family.

Mr. Speaker, I submit here the text of the letter I have written to President Eisenhower to be included as part of this statement. I sincerely hope that my colleagues in the Congress will find the opportunity to give it their careful consideration.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., July 3, 1957.

Hon. DWIGHT D. EISENHOWER,
President of the United States,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: I have just returned from GATT conferences at Geneva to which I was assigned by designation of Mr. SAM RAYBURN, Speaker of the House, and at the suggestion of our State Department to serve as an adviser to the United States delegation.

I found there that the United States representatives were faced with many tasks requiring the greatest delicacy and skill in negotiation, and I came to believe that they were discharging their responsibilities efficiently and intelligently.

One of the greatest problems confronting them is that of continuing to persuade the countries with whom we trade to abstain from the abuse of quotas, import restrictions, and other negative devices. I believe that unless our negotiators can be continuously successful in this respect, the entire structure of GATT can be rapidly undermined and the consequences will be seriously injurious to the trading and export position of the United States.

Under these circumstances, I am sure that you are fully in agreement with my feeling that American negotiators at GATT must obtain the fullest cooperation of all departments of our Government; and furthermore that great care must be exercised so that no department of our Government will be guilty of acts—either deliberate or inadvertent—which can have the effect of undermining the authority of our GATT delegation, or of creating confusion and doubt regarding the basic trade policies of the United States among our many trading partners.

I therefore feel that it is my obligation and duty to report to you what I believe was a flagrant misuse of authority by an official of the Department of Commerce, who, I learned during my visit, had come to Switzerland immediately before the GATT conference and conferred with officials of the Swiss watch industry.

On the basis of the most reliable available reports of this official's meeting with Swiss industry members, I learned that he represented himself as speaking directly for the Government of the United States. He advised the Swiss industry officials that our Government would soon again reaffirm the defense essentiality of the domestic, United States watch industry.

The principal points made by this Department of Commerce official, as reliably reported to me, are the following:

1. The United States Government will decide that the domestic watch industry should receive the full support of the Government because watch companies in the United States are vital to national defense and are seriously threatened by some imported Swiss watches.

2. The Swiss should take advantage of the pending time and should offer their own solution for this problem in order to avoid further unpleasant measures against them.

3. The Swiss industry should adopt a self-imposed quota on its watch exports to the United States; if they do not act in this fashion, the probable alternative will be quotas imposed by the United States Government.

You can understand that reports of this meeting created a considerable sensation within Switzerland. Here was an official of the United States Commerce Department purporting to offer advance information concerning the final decision which will be reached by the Office of Defense Mobilization on the petition filed by the United States watch manufacturing industry under section 7 of the Trade Agreements Extension Act; predicting the actions which the President will take to implement the ODM finding, and recommending a quota system on the part of the Swiss. Timed as it was immediately prior to the GATT conference, such a statement naturally led to expression of considerable doubt regarding American trade policy, American actions within GATT and the responsibility and trustworthiness of our negotiations.

I take a very serious view of this incident and I trust that you will also regard this as a matter of extreme importance. I therefore feel that it is within my province to call to your attention certain considerations and fundamental questions with respect to the action of this Department of Commerce official.

First, is it true, as this official maintained, that the executive branch of our Government has already reached final decisions with respect to the ODM investigation on watch imports, although the investigation has not yet been completed?

Second, how is it possible for the Government to reach such a decision when the Defense Mobilizer has not yet rendered his findings nor has the President undertaken an independent investigation as required by the statute?

Third, is the action taken by the Department of Commerce official a result of personal impropriety? Or does it represent a calculated effort by certain people within the executive branch to shape the conclusions of the Office of Defense Mobilization and the White House?

Fourth, is it proper for an official of the Commerce Department to pose as a spokesman for the United States Government and to urge the imposition of quotas on Swiss watch exports to the United States?

Fifth, and finally, if the Department of Commerce representative has acted wholly without authority and contrary to your personal wishes, will the executive department take steps so that (a) there can be no existing confusion or misapprehension regarding the United States trade policy in respect to quotas, and (b) there can be no further repetitions of such unfortunate and mischievous incidents?

I shall look forward to receiving your reply at your early convenience.

Yours sincerely,
THADDEUS M. MACHROWICZ,
Member of Congress.

U. N. IFICATION OF IRELAND

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, we have been waiting for a progress report from the United States delegation to the United Nations concerning its efforts to promote the unification of Ireland.

Have our representatives to the U. N. accomplished anything in this direction?

Are they consulting with the members of the British delegation, and with other delegates, as to ways and means for ending the unnatural division of this island into the agricultural south and the industrial north?

Millions of Americans who proudly trace their ancestry to Ireland have been patiently waiting for news of progress toward unification.

In this they are joined by every person in the free world who believes in right, and justice.

But there is no news.

Why?

We realize that the United Nations has to contend with many problems involving the defiance of its moral authority; the betrayal of the armistice agreement by the Chinese Reds and the North Koreans; the intransigence of Egypt under Colonel Nasser, and the

brutal conquest of Hungary by Soviet tanks. These and others.

The Republic of Eire rejects the use of force to unite Eire with the six northeastern counties of Ulster which, since the beginning of time, have been an integral part of Ireland. Where would the United States be today if it were divided into two nations by civil war; or had partition imposed on it by alien conquerors who, knowing that the people were winning their fight for independence, negotiated a peace treaty on the basis of temporary partition? How would we feel if the promise to adjust the problem of partition was delayed by Britain for over 36 years?

The Republic of Eire bases its claim for unification on reason and morality, because, in the court of world opinion, it is clearly in the right.

The Government of the United States knows this to be true.

But what is our Government doing, through its representatives in the United Nations to achieve the unification of Ireland?

There is so little news of our progress.

The silence is disturbing.

The inertia is perplexing.

There is no valid reason whatever to obstruct the unification of Ireland. Only the illusion of intolerance, a myth to which the British Government clings, stands in the way of a united Ireland. For Ireland was one, in language, in culture, and in geographical fact, long before it was occupied but never conquered by British imperialism. It is a sad reflection on the freedom-loving British people of today, who are anxious to rid their Government of the last vestiges of imperialism, that they acquiesce in the continued partition of their neighbor whose hills they can observe across the Irish Sea.

From Protestant Douglas Hyde, the first President of the Irish Republic, to Jewish Robert Briscoe, former lord mayor of Dublin; the people of Eire are a fine example to the world of democracy in action, where a man is respected or honored on his own merits and nothing else.

Millions of Americans admire the Republic of Eire and its warm-hearted people, who, incidentally, look for no handouts.

These Americans are bothered by the artificial division of Ireland against the will of the Irish people.

They insist that the moral obligation of the United States to use its good offices for the unification of Ireland, be taken out of the inactive file.

They ask for a progress report and for definite assurances that our representatives in the General Assembly of the United Nations will press for positive action to unite all of Ireland under one independent government of its own choice.

SENATOR WAYNE MORSE: FIGHTER FOR TVA

Mrs. Green of Oregon. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, as a Representative from the State of Oregon, I am proud of the senior Senator from my State—of his integrity of purpose, of his zeal in fighting on behalf of all of the people, and of his lionhearted courage abiding by his deep convictions that what benefits the people most will ultimately benefit America most.

It is therefore very gratifying to note that Senator MORSE's deeds do not go unnoticed beyond the borders of his own State but that the people of the Nation are also aware of the fact that he is exercising dynamic leadership in the United States Senate in attempting to secure the reversal of the power policies of the present administration and the substitution for them of a policy of utilizing fully our great natural resources for the greatest good of all the American people.

I was pleased, therefore, to note a letter sent to the editor of the Decatur Daily, published by Barrett Shelton, in Decatur, Ala., in which the writer, Mr. Bill Stewart, Jr., of Hartselle, Ala., points out the qualities which make the senior Senator from Oregon—WAYNE MORSE—a great Senator.

I include Mr. Stewart's letter to be printed in full in the CONGRESSIONAL RECORD:

Who has replaced the late, beloved Senator George W. Norris of Nebraska as the principal nonsouthern fighter for the Tennessee Valley Authority? In this writer's opinion the western author of the TVA Act and other far-reaching public service measures has been replaced by Oregon's vigilant Senator WAYNE MORSE. Although not popular in the South because of his civil-rights beliefs, it must be admitted that without a doubt our section would be in an even worse state without his support in the fight to keep TVA out of the hands of private business.

I had the pleasure of sitting in on a Senate debate when the principles of TVA were being debated on May 23. During a brief interlude in the educational tour taken by Hartselle's seniors, I learned that the TVA debate was going on so I caught a taxi to the Capitol Building. Despite the lack of Senators present, the temperature could not have been much hotter as Senator MORSE and Senator FRANK A. BARRETT, of Wyoming, a Republican, discussed very heatedly the issue of public versus private power.

Senator MORSE, always a severe critic of the administration's power policies, scored a direct hit every time the bewildered Senator BARRETT tried to defend President Eisenhower's views on TVA and other public-power units. As a part of the debate, the Senator from Oregon presented an editorial from the Denver Post which was entitled "So This Is Why Private Power Is Preferable to Public Power." This editorial, stated Senator MORSE, revealed very plainly the many advantages given the private power companies through Government subsidies, "fast tax writeoffs," and long-term low-interest loans.

Senator BARRETT tried but in vain to prove that the favors given the enemies of TVA were not favors at all but merely a use of the tax-amortization law. In a quick-fire debate, Senator MORSE shot back with more examples of malpractice by the present administration.

With a brief but fact-filled statement, MORSE informed the beguiled BARRETT that "Slowly but surely, there is unfolding the eye-opening story of a $23-billion concession" to the United States private power industry. He stated that private power companies like those attempting to take over the TVA system are saved millions in interest. But on the other hand he pointed out, "Then the taxpayers are soaked because the Treasury must borrow money which it otherwise would have in its possession; and then it has to pay interest on the money."

With neither Senator SPARKMAN nor HILL in the Senate Chamber at the time of the unpublicized but highly significant debate, Senator WAYNE MORSE clearly drew the line between the proponents and the opponents of TVA.

The wrangle also showed that on the whole, the Democrats are the backers of TVA and the Republicans are against it in the United States Senate. Because of the poor attendance at the time of the debate Senator MORSE had only Senator PAUL DOUGLAS to back him up in his attacks. DOUGLAS joined in the drive against Senators BARRETT, HENRY DWORSHAK of Idaho, and EVERETT M. DIRKSEN of Illinois who defended President Eisenhower's policies.

HAS a successor to Senator Norris been found? We believe he has in the person of Senator WAYNE MORSE, Democrat, of Oregon.

BILL STEWART, Jr.

HARTSELLE.

FBI FILES BILL

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CRAMER. Mr. Speaker, on Friday, I addressed the House relative to the reckless remarks of Drew Pearson in Friday's newspaper column in which he discussed the FBI files bill voted out the preceding Tuesday by the Judiciary Committee of the House, of which I am a member. In commenting on the bill, Pearson made derogatory remarks about the committee as well as Members of the House. For instance, he implied that the only reason the bill was voted out was because of fear by Members of the FBI, due to certain records kept by that agency on all Members, and stated that thus the FBI always gets priority treatment by Congress. I refer my colleagues to my remarks starting on page 10922 of the RECORD which, I believe, illustrate how asinine Pearson's statements on this matter are.

Again, today, Pearson carries a column on the same FBI bill which has now cleared the Senate Judiciary Committee and is the same as H. R. 7915 as reported by the House. It is my opinion that his statements today are as reckless and unsubstantiated as were those of Friday. Apparently he is carrying on a campaign of smear against this bill in an effort to falsely arouse opposition to this much needed emergency legislation in the hope some of the Members of Congress will bite. Recognizing this and being a cointroducer of the bill, I feel it is my duty again to show how ill advised he is on this matter, how he fractures the facts and relies on wholly uncorroborated statements to build his distorted case.

Pearson states in an effort to arouse southern Congressmen, of which I am proudly one, against the bill that it might limit the defendants' right to search FBI records in civil-rights cases which the FBI might investigate in the future if the civil-rights bill is passed.

His words were:

Defense lawyers now have the right under Supreme Court rulings to examine earlier statements made to the FBI in order to impeach the testimony of witnesses. The FBI bill would curtail that right.

This is just not true. The mere reading of H. R. 7951, which is corroborated in the report on the bill, disproves this. I set out the wording of the added section to title 18, United States Code, chapter 233, in order that all members can avail themselves of the text of this bill and for the purposes of clarifying this discussion:

§ 3500. Demands for production of statements and reports of witnesses.

(a) In any criminal prosecution brought by the United States, any rule of court or procedure to the contrary notwithstanding, no statement or report of any prospective witness or person other than a defendant which is in the possession of the United States shall be the subject of subpena, discovery, or inspection, except as provided in paragraph (b) of this section.

(b) After a witness called by the United States has testified on direct examination, the court shall, on motion of the defendant, order the United States to produce for the inspection of the court in camera such reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified. Upon such production the court shall then determine what portions, if any, of said reports or statements relate to the subject matter as to which the witness has testified and shall direct delivery to the defendant, for use in cross-examination, such portions, if any, of said reports or statements as the court has determined relate to the subject matter as to which the witness has testified. The court shall excise from such reports and statements to be delivered to the defendant any portions thereof which the court has determined do not relate to the subject matter as to which the witness has testified. If, pursuant to such determination, any portion of such reports or statements is withheld from the defendant, and the trial is continued to an adjudication of the guilt of the defendant, the entire reports or statements shall be preserved by the United States and, in the event the defendant shall appeal, shall be made available to the appellate court at its request for the purpose of determining the correctness of the ruling of the trial judge.

(c) In the event that the United States elects not to comply with an order of the court under paragraph (b) hereof to deliver to the defendant any report or statement or such portion thereof as the court may direct, the court shall strike from the record the testimony of the witness and the trial shall proceed unless the court in its discretion shall determine that the interests of justice require that a mistrial be declared.

The committee report, in discussing the bill clearly shows that all the defendant's present rights are protected and quotes Justice Burton in the Jencks case who states what the defendant's rights have historically been in criminal cases and I quote from page 4 of the report:

It should be emphasized that this legislation in no way seeks to restrict or limit the decision of the Supreme Court insofar as constitutional due process of a defendant's rights is concerned. While defendant will be entitled to pertinent portions of the reports and statements of Government witnesses which the Government has in its files, he will not be entitled to rummage through confidential information containing matters of public interest, safety, welfare, and national security. He will be entitled to so much of the reports and statements as is relevant to a witness' testimony for the purpose of attacking the witness' credibility. The instant legislation, in securing this entitlement to defendant, authorizes the trial court to inspect the reports and statements and determine what portions thereof relate to the subject matter as to which the witness has testified and to direct delivery of those portions to defendant for his use in the cross-examination of the witness.

There is nothing novel or unfair about such procedure, as Mr. Justice Burton notes in his concurring opinion in the Jencks case. According to Wigmore, and as quoted by Justice Burton, such a procedure is customary:

"It is obviously not for the witness to withhold the documents upon his mere assertion that they are not relevant or that they are privileged. The question of relevancy is never one for the witness to concern himself with; nor is the applicability of a privilege to be left to his decision. It is his duty to bring what the court requires; and the court can then to its own satisfaction determine by inspection whether the documents produced are irrelevant or privileged. This does not deprive the witness of any rights of privacy, since the court's determination is made by his own inspection, without submitting the documents to the opponent's view." (VIII Wigmore, Evidence (3d ed. 1940), 117–118.)

Such provisions as this legislation contemplates effect a twofold beneficial purpose. It protects the legitimate public interest in safeguarding confidential governmental documents and at the same time it respects the interests of justice by permitting defendants to receive all information necessary to their defense.

As a matter of fact, upon recommendation of the Attorney General, the committee broadened the rules of evidence to the advantage of the defendant by accepting that portion of the Jencks case that held that a foundation of inconsistency between the testimony of the witness and the statement need not be established by the defendant before such a statement would be made available to the defendant, and thus statements which relate to the testimony of the witness must be made available to the defense without requiring that the defense first establish some inconsistency. Thus, the rights of the defendant are broadened over what they used to be by the omission from the FBI bill of language to upset this new rule of evidence, set out in the Jencks case, and, as the report states, the bill merely attempts to prevent the defendant from inspecting heresay, irrelevant, and unverified material in the files which under no previous rules of evidence were ever made available to the defendant, and in order to make sure that the Jencks case is not in the future, as in the past, too broadly construed. This disproves Mr. Pearson's first assertion. Pearson further states that:

Legal experts—

Without indicating who the so-called experts are—

now find the FBI bill would override not merely the Supreme Court but years of judicial procedure worked out by the courts and the American Bar Association to protect an individual from an oppressive Government.

And then he lists examples to support this opinion. The examples which I shall examine will clearly show how unexpert his expert advisors are—and they arouse my suspicions that he is his own expert—and that he doesn't mind fracturing a few more facts to reach certain preconceived ends so far as opposition to this bill is concerned. In each example a group of people he would like to stir up or scare into opposition to the bill are included, and I quote these examples he cites and refute them one by one.

First:

The National Association of Manufacturers: The FBI bill would permit a field day to the Government in antitrust prosecutions. General Motors, Du Pont, and any other corporation could be prosecuted without giving them the right to see the files of a competing firm on which the prosecution is based.

This is utterly false. Many such proceedings are civil in nature and the bill only applies to criminal cases. But, the report itself clearly states, and a reading of the bill substantiates this, that it has no effect whatsoever on books, records and evidence even in criminal cases other than statements of the witness. This is clearly pointed out in the report in the discussion of Rule 17 of the Federal Rules of Criminal Procedure in which it is correctly stated:

Rule 17 of the Federal Rules of Criminal Procedure relates to subpenas and subsection (c) provides among other things that "the court may direct that books, papers, documents, or objects designated in the subpena be produced before the court at a time prior to the trial or prior to the time when they are to be offered in evidence and may upon their production permit the books, papers, documents, or objects or portions thereof to be inspected by the parties and their attorneys." The Jencks decision did not involve this rule or any subpena issued thereunder. Rule 17 (c) relates to the production of documentary evidence and objects. The Jencks decision involves only prior statements made by witnesses which could only be used as evidence in the event the prior statement is in some way inconsistent with the testimony of the witness at the trial and in such case, as the court carefully pointed out, its only use would be for purposes of impeachment. H. R. 7915 does not in any way restrict the application of rule 17 (c) unless it be contended that it authorizes the issuance of the subpena in advance of trial for the production of statements of Government witnesses prior to their being called as witnesses. Such an application extends far beyond the purpose and language of rule 17 (c) and any such application of the rule to the statements of witnesses ought to be eliminated.

Thus, Mr. Pearson is proven wrong on his first example, not that he has ever

been the champion of the NAM. The second example he uses I quote:

Of interest to taxpayers—In tax cases against you, the Government could seize your files and financial statements and you would have no access to them.

This is utterly and ridiculously false. In the first place, this has never been the rule of evidence, because the defendant is always entitled to any records which he provides for the investigating officers and, secondly, for the same reason as stated in the first example, the bill only applies to statements of the witness, not to records and other documents. And of course, any statements of the defendant are always available to him, so, this entire "scare the taxpayer" example is fallacious. And certainly no "legal expert" would support this second example as a legal principle. The third example he uses and I quote:

Of interest to lawyers—

And now Mr. Pearson becomes a lawyer's lawyer—

the FBI bill wipes out rule 16 of the Federal Rules of Criminal Judicial Procedure, namely the right of discovery.

This is the poorest lawyer's lawyer advice I have gratuitously received in some time and of course just is not so. The bill retains all the present discovery procedures as the report states and I quote:

Suggestion has been made that H. R. 7915 would eliminate pretrial discovery and inspection as it presently exists in criminal cases. There is no merit to such suggestion. Rule 16 of the Federal Rules of Criminal Procedure cover the subject of discovery and inspection and provide that prior to trial and upon motions of the defendant the court may order the attorney for the Government to permit the defendant to inspect and copy "designated books, papers, documents, or tangible objects, obtained from or belonging to the defendant or obtained from others by seizure or by process, upon a showing that the items sought may be material to the preparation of his defense and that the request is reasonable." Rule 16 does not apply to written or other statements made by Government witnesses. Rule 16 was not involved in the Jencks decision and is not affected by H. R. 7915.

Thus, all three examples are unquestionably made up out of whole cloth in an effort to scare certain segments of our citizenry in an effort to stymie this much needed legislation.

Then to obscure the situation further and to make it appear that innocent people will suffer from trumped-up charges by the FBI if files are not opened to the defendant he gives as an example one case of obvious injustice to a Tom Mooney which preceded the establishment of rule 16. To imply that the FBI or any Government agency will fabricate charges is in itself—and particularly on the record of the FBI—untenable. But the example cited took place before the enactment of rule 16 and would be protected by that rule now, in that the bill does not in any way affect the right of discovery. Thus, this example is the use of most brazen scare techniques.

I would recommend to Mr. Pearson that in the future he might read the bill and the report thereon before he starts a scare campaign against it—especially when it involves such a vitally needed bill designed to prevent the breakdown of law enforcement and criminal procedures which would result in numerous criminal escapees from receiving their just punishment as a protection of the general welfare. Congress must act in the public interest when criminals are permitted to go scott free as the result of the Jencks case ruling, which has already been the proven effect in some cases as the report indicates.

As a southerner and as a cointroducer of the FBI bill I refuse to be scared by Mr. Pearson's smear tactics and I am sure the Members of Congress recognize them for what they are.

THE IMPACT OF IMPORTED FOREIGN OIL ON THE DOMESTIC OIL INDUSTRY

The SPEAKER. Under the previous order of the House the gentleman from Oklahoma [Mr. STEED] is recognized for 15 minutes.

Mr. STEED. Mr. Speaker, I have asked for this time today to again call attention of the Congress to a dangerous and appalling situation still confronting the Nation's domestic oil industry because of the continued growth of an undue quantity of imported foreign oil.

During the last several years I have served on a subcommittee which has studied the retailing of gasoline in America, and its many problems. Price wars continue to rage throughout the Nation and to anyone who will study the mass of testimony available, it ought to be apparent that the basic and fundamental reason for these price wars is the oversupply of gasoline that these foreign imports have imposed upon the country.

Tens of thousands of small independent gasoline retailers already have gone bankrupt, many of them direct victims of this import situation. Unless some relief is obtained, thousands more are condemned to the same misfortune in the months ahead.

In addition to this sideline of victims of big corporate greed, we know that the domestic oil industry represents a segment of our economy that is sick and that soon will include most of the small independent oil producers as further victims of this greed.

On this very day that I make this plea more than 1½ million barrels of foreign oil are being brought into the United States in competition with that domestic industry. These imports of oil no longer supplement domestic production as Congress intended when it passed the defense amendment to the Trade Agreements Extension Act in 1955. These 1½ million barrels of oil now supplant an equivalent amount of production from oilfields in Illinois, Arkansas, Louisiana, Texas, Oklahoma, and all other States where there is oil production.

There are many who would have you believe that this foreign oil is desperately needed—that the domestic industry is not capable of meeting our needs. However, that is not the case. The domestic oil-producing industry today has shut-in productive capacity of over 2 million barrels daily which could be produced if there was a market for the oil.

Crude oil production reached a peak of 7,717,000 barrels daily in March of this year. It has been reduced each month since then and, based on announced production allowables, will probably average no more than 6,900,000 barrels daily in July. While domestic production is being cut back month after month, imports continue to increase.

When Congress passed the defense amendment there were assurances that in regard to oil, any importation in excess of the ratio between imports and domestic crude production in 1954 would be considered a threat to the national security and actions taken to reduce imports to that level.

Yet, since the passage of the defense amendment, oil imports have continued at increasing rates to exceed that ratio—the maximum deemed safe for national security.

While the Nation's demand for crude oil has increased more than 7 percent since 1955, total well completions in the United States have dropped more than 10 percent. The number of rotary rigs active in fields across the Nation has dropped more than 11 percent and the primary phase of oil exploration, that of geophysical and core drilling crews, has dropped more than 15 percent since 1955.

These decreases come at a time when the domestic oil industry should be expanding its activities all across the country in its search for new reserves to provide the energy demands of our hungry economy.

The flood of foreign oil and its effect on every State of the Union is becoming more damaging every day.

Last week the Governor of Texas stated that when the Texas Railroad Commission cut oil-well production in that State to 13 days last month, it meant a loss of State revenue of nearly $50 million. This is revenue that would go to build more schools and would eventually have found its way into the tax coffers of other States through the construction purchases of Texas.

In my own State of Oklahoma, which was the first State to enact conservation legislation in order to protect the Nation in assuring a future supply of oil, the drilling activity has continued to go down as imports of foreign crude oil continue to rise. The number of rotary rigs active, for example, during the first half of 1957 averaged only 230, compared with 317 for the same period last year, a decline of 27 percent. Almost 1,200 fewer wells have been drilled than during the same period last year.

These are the effects of excessive imports on only two States of the Nation, but these effects will ultimately be felt by every other State. If Oklahoma and Texas oil revenues drop, then other industries must bear the brunt of an increased tax load to make up for the loss in oil revenues or if this is not done, vital programs planned for the welfare of the State must be postponed or abandoned.

While oil imports have been increasing, what has been done by the administration which promised you and me in 1955 that crude oil imports would be held within their 1954 ratio?

There have been studies, investigations, conferences with importers and testimony taken from the domestic industry as to the effects of these imports.

Yet not until our western allies faced an economic crisis due to the closure of the Suez Canal and the loss of Middle East oil, did these imports decrease one barrel.

Even then the importing companies, in order to maintain their import base in the United States, increased crude oil imports from Venezuela while Europe was crying for oil to fuel its factories and heat its homes.

This did not bother the importing companies, however, for they had to make sure that American industry never found out it could get along without imported oil.

During the Suez crisis the man responsible for keeping a checkrein on these importers told a Congressional committee that he was disappointed in the importing companies' attitude in regard to these Venezuelan imports.

In all this time while oil imports continue to soar and create havoc in the domestic industry and violate all national security standards, the administration has issued plea after plea for voluntary controls by the importing companies.

It is ridiculous to expect major American companies who are responsible to stockholders and boards of directors to carry out the national security policy of the United States Government. If the Government itself cannot carry out that policy, how can it expect a handful of international companies to do so?

On April 23 of this year the Director of the Office of Defense Mobilization certified to the President that crude oil imports threaten the national security.

Under the law the President is required to initiate his own study to determine if the ODM certification is correct.

Before making the certification to the President, ODM obtained from the importing companies their import schedules for the last half of 1957. These schedules indicated that the companies planned to import an average 1,260,000 barrels daily of crude oil alone—not considering products—during this period compared with an average of 656,000 barrels daily during the base year of 1954 considered to be the defense standard.

Despite this large scheduled increase in crude oil imports over the base year, the President waited 2 long months before appointing a committee to carry out this study. During this period crude oil imports increased from 906,000 barrels daily in April, to 1,025,000 in May and to 1,150,000 in June.

During this period the Director of ODM again appealed to the companies involved to voluntarily reduce their schedules for the last half of this year. He used a new tactic—personal conferences with each company—but the result was the same. Schedules filed just last week with the Texas Railroad Commission indicate that the importing companies still plan to bring in an unprecedented million and a quarter barrels daily of crude oil during the third quarter of this year.

In his statement announcing the formation of the new Committee the President urged the Committee to look at national security in "its broadest aspects."

This indicates a complete new study Cabinet Committee appointed last week mittee. If this is true, does it mean we will have 3 more years of delaying action by the administration with Mr. Gray pleading on the one hand with the importing companies to voluntarily reduce their imports and the importing companies blithely expanding their foreign production and importation into the United States on the other hand?

If this happens, the domestic oil industry, as we know it today, will no longer exist. The thousands of independent domestic producers, who incidentally drill almost 90 percent of all the wildcat wells drilled in the United States, will have to abandon their operations for lack of adequate funds from a proper share of the domestic market.

Thus, what is needed now from this Cabinet Committee appointed last week by the President is not more study of the oil imports problem but definite action to curtail imports within the 1954 ratio, a ratio which the administration itself has said is necessary to maintain a strong and dynamic oil industry to meet the energy needs of the United States in peace or in times of national emergency.

THE LATE MRS. GRACE COOLIDGE

The SPEAKER. Under the previous order of the House the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday I was deeply shocked and grieved by the passing of Grace Coolidge in her house at Northampton, the lovely and gracious widow of Calvin Coolidge, the 30th President of the United States. We in the Commonwealth of Massachusetts are inordinately proud. She will, I am sure, rank in history as one of the most wonderful wives who ever graced the White House: Lovely of character, gracious, gentle, handsome, a tower of strength, a great mother, a great wife, a great woman, a great lady. She had a tremendously big heart and in her work for the deaf which she was doing when she met Calvin Coolidge, a young struggling lawyer of Northampton, she was performing a wonderful service. She was greatly beloved by the students of the college for the deaf where she worked. Her associates said there had never been anyone like her and they doubted if there would be another like her because of the way she worked with the students.

I saw her in hospitals for our service men and women and I saw wan faces light up when she stopped and spoke. They knew her genuine interest and real sympathy—there never was any pretense about her.

I asked her once if she did not find it hard and depressing. She said, "Oh, no, the children are so wonderful and I feel I am helping them. They deserve everything that anyone can give them. They are entitled to a fuller and a happier life."

The last time I saw Grace Coolidge was in the lobby at the Ritz Carlton Hotel in Boston. She put her arms around my neck. She had just come from a baseball game. She was a tremendous fan and devoted to the great national sport of our country, as are thousands and thousands of others in the United States. She did much for baseball, she did much for everything she went into.

Grace Coolidge was a great worker in her church. She worked in every line of endeavor in the church. She was a very economical housewife and I wish, Mr. Speaker, that this country had men and women more like Calvin Coolidge and his wife, people who believe in paying their bills and who believe in living within their budget and who believe in a great and solid economy for our country. They had the simple, unpretentiousness of splendid character.

We cannot adequately measure what the Coolidge family did for the United States and for the world. Every diplomat who visited the White House spoke of Grace Coolidge's charm and friendliness. She was a most valuable ambassador of good will.

Calvin Coolidge was devoted to his wife, and he wrote the following about her:

I have seen so much fiction written on this subject that I may be pardoned for relating the plain facts. We thought we were made for each other. For almost a quarter of a century she has borne with my infirmities and I have rejoiced in her graces.

He was a tremendous admirer of her beautiful traits of mind and heart. She was a devoted wife to him and a gay and understanding mother of their two sons. She had a lovely spirit, a zest for life and happiness. She was somewhat restrained when in the White House because she felt that Mr. Coolidge and the country might not approve. But those fortunate to attend their State dinners will never forget her gracious charm or his kindly courtesy.

Grace Coolidge kept the faith in every way. My deepest sympathy goes to her fine son and grandchildren and to all who knew and truly loved her.

I enclose an editorial and a brief biographical sketch from the New York Times of July 9:

MRS. COOLIDGE DIES; WIDOW OF PRESIDENT

NORTHAMPTON, MASS., July 8.—Mrs. Grace Goodhue Coolidge, widow of Calvin Coolidge, former President of the United States, died today at her home. Her age was 78.

Mrs. Coolidge had been in failing health in recent years. She was suffering from a heart ailment, complicated by a kidney disorder. Several times she had left her home, Road Forks on the outskirts of town to enter the Cooley Dickinson Hospital for treatment. Her last stay was from February 25 to March 7.

Her son, John Coolidge, of Farmington, Conn., was at his mother's bedside when death came at 12:50 a. m.

Mrs. Coolidge's death reduces to three the number of living former First Ladies: Mrs. Woodrow Wilson, Mrs. Franklin D. Roosevelt, and Mrs. Harry S Truman.

In Washington, President and Mrs. Eisenhower expressed their regret over Mrs. Coolidge's death.

"Mrs. Eisenhower and I join with her many friends and admirers in expressing

our deep regrets and our sympathies to her family," the President said.

He named Senator LEVERETT SALTONSTALL, Republican, of Massachusetts, to represent him at the funeral.

Mrs. Coolidge will be buried Friday in Plymouth, Vt., beside her husband and their other son, Calvin, Jr., who died during his father's administration.

A POPULAR FAVORITE

Few chatelaines of the White House ever achieved popularity as universal as that accorded to Mrs. Coolidge. Her friends and admirers were legion, her enemies and critics, it seemed, nonexistent. Her utter simplicity, her femininity and dignity, and her radiant warmth of manner endeared her to the multitude and to individuals alike, and were balanced repeatedly in the public prints against her husband's habitual stiffness and terse conversation.

Americans generally found themselves approving and a little touched at the sincere tone of Mrs. Coolidge's reiteration of her reverence for the White House and for the role she filled temporarily as its mistress. Her pride in its past and her interest in her predecessors was a form of patriotic expression that lent her an unwonted solemnity in the performance of her official duties.

It was illustrative of her versatility that she could and did negotiate the elaborate receptions for such celebrities as Queen Marie of Rumania (first reigning sovereign ever to be received officially in the United States); the Prince of Wales (now the Duke of Windsor), and Charles A. Lindbergh, with cordiality and correctness, but that she initiated at the club meetings of Senators' wives an informality of routine that greatly popularized the sessions.

A daughter of a Vermont deacon, she was born on January 3, 1879, at Burlington, where she grew to young womanhood and was educated in the public schools. Her father, Capt. Andrew I. Goodhue, a steamboat inspector on Lake Champlain, holding office through appointment by Grover Cleveland, had a comfortable income, so that it was by choice and not by necessity that she sought a career after being graduated with the class of 1902 from the University of Vermont.

In college she was popular without being outstanding. She was active in dramatics and participated in several Shakespearean productions.

TAUGHT IN SCHOOL FOR DEAF

Until she left home to become a teacher in the Clarke School for the Deaf at Northampton, where she was to meet a rising young attorney named Calvin Coolidge, she had assisted her mother with the housework, since there was no maid in the Goodhue household. Her culinary achievements were only mediocre, as she admitted with amusement when asked to contribute to volumes of recipes by famous people.

On October 4, 1905, after 3 years on the faculty of the institution in which she retained an interest throughout her lifetime, she was married to Mr. Coolidge and began housekeeping in a home at Northampton. Throughout her husband's rise from mayor of the city to State senator and then to lieutenant governor, they maintained a home in one-half of a two-family frame house in that community.

When he was elected governor of Massachusetts and they went to Boston to occupy the executive mansion, their scale of living was expanded for the first time to include such luxuries as a family automobile.

Two sons were born—John, who like his father graduated from Amherst College, and Calvin, Jr.

Mr. Coolidge was inaugurated as Vice President of the United States in 1921, at which time they first took up residence in the National Capital. In an account of her experiences in Washington, written after her husband's retirement, Mrs. Coolidge named Mrs. Thomas Marshall as mentor and friend who inducted her into the ceremonial rites of social affairs at the Capital, preparing her for the position of White House mistress to which she succeeded after the death of President Warren G. Harding.

Extensive renovation of the upper floor of the Executive Mansion during their occupancy forced the Coolidges to move for a time to the Patterson House in Dupont Circle. Mrs. Coolidge, true to her domestic instincts, was greatly interested in the plans for enlarging the third floor, and, with the housekeeper, offered many suggestions that were incorporated into the plans.

Her only hobby during these years was knitting, at which she was so proficient that some of her handiwork was entered in national competitions and in at least one drew an honorable mention. She pursued quietly a special service to the hospitalized veterans of World War I in Walter Reed Hospital at Washington. Her visits there were frequent.

One of her recreations was walking—perhaps her favorite. Almost any morning she could be seen emerging from the White House grounds, a Secret Service agent accompanying her, for a brisk turn through the adjacent streets.

When Mr. Coolidge issued his famous pronouncement, "I do not choose to run," and Herbert Hoover followed him into office, the Coolidges returned to their home in Northampton and to private life. Not long afterward they purchased a wooded estate, the Beeches, where they lived while Mr. Coolidge resumed his law practice in Northampton. There, on January 5, 1933, she found her husband dead on the floor when she returned from a shopping tour.

An old friend, Mrs. Florence B. Adams, came to live with her at the Beeches. In the summer of 1936 the two women made an extensive tour of Europe, and during their absence most of the furnishings were disposed of and an auction held of the remaining articles. The estate was then put up for sale and Mrs. Coolidge went to share her friend's establishment in Northampton.

In 1940 she accepted the honorary chairmanship of the Northampton committee formed to collect money for the Queen Wilhelmina fund for the Dutch victims of the German invasion.

NOTED AS INTERVENTIONIST

Mrs. Coolidge, before the entry of the United States into World War II, showed that she was an interventionist. She became, in 1941, honorary chairman of the Hampshire County Fight for Freedom Committee. At a meeting of that body in Northampton she revealed that she had received "some protests for taking this position." One letter, she said, had likened her to an "old-age destroyer." She became, in the same year, a member of the new national women's organization of the National Fight for Freedom Committee.

Throughout her White House days and later Mrs. Coolidge showed great interest in early American furniture. In the White House she discovered several pieces of historic value, among them a chair that had been owned by Andrew Jackson, and had them renovated and displayed in the White House.

In the years after the death of her husband, many rumors arose concerning the former First Lady: It was said she might remarry, that she might accept one of many positions offered to her. None of the predictions came true, and Mrs. Coolidge remained as retiring as she had been in the White House.

In January 1943, she declined the position of head of the Massachusetts Women's Defense Corps, but she took a keen interest in the Waves who trained at Smith College in Northampton and lent her house to them rent-free for 2 years and moved into a neighbor's home. It was in that summer that the late Senator Carter Glass, of Virginia, introduced a resolution granting her an annual pension of $5,000. The measure passed readily.

One of the most surprising things about the mild-mannered Grace Coolidge was her interest in baseball; she was a fan during her White House days, even though President Coolidge was uninterested in the sport. For years afterward she was known as the No. 1 fan of the former Boston Braves.

Mrs. Coolidge's son, John Coolidge, is president of the Connecticut Manifold Forms Company of Hartford, and resides with his wife and 2 daughters, aged 18 and 13, in Farmington, a suburb.

THE MURPHY GENERAL HOSPITAL (MASSACHUSETTS)

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was in New England over the weekend and I found a great and tremendous resentment, bitterness and unhappiness because of the possibility of the Murphy General Hospital up there being closed. They resent the fact that patients are being sent far out of State at present in order for Murphy to make a poor patient load. The Senate left out last Friday a certain provision that might have been helpful in keeping the hospital running, but the money is still in the bill. I understand that petitions with thousands and thousands of names are being sent to the Senators and to the Members of the House to keep that hospital open. We need it desperately and I am absolutely certain that if this hospital is closed we will all regret it. The Chelsea Naval Hospital would have a very great additional expense if they had to open a new building and staff it as contemplated if Murphy closes. No economy would be made there. The Fort Devens Hospital would have to have an additional staff. Many of its buildings are unsuitable.

Mr. Speaker, I urge Members of the House to help us in Massachusetts and in New England to keep that hospital open. I believe that if the conferees of the House and Senate Defense Appropriations Committee unite that it is the sense of the conferees that the Murphy General should be kept open. Then the hospital would continue to operate. It would be a tremendous tragedy to close it.

I do not understand why we are pretending to economize at the expense of our sick service men and women and our disabled veterans. The House has passed some legislation, but the other body has not passed any legislation that amounts to anything, affecting our disabled veterans during the past 2 years. Nothing has been done in the other body. We passed some beneficial legislation in the House but it failed in the Senate.

Mr. Speaker, we are giving billions and billions of dollars abroad; we are giving billions and billions of dollars for other activities in this country. Why Mr. Speaker, are our soldiers and veterans neglected? We must take care of four ex-service men and women. They should be our just responsibility. Without them we would have no freedom in America today.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ALLEN of California for July 9 and 10 on account of personal business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ROGERS of Massachusetts, twice, for 5 minutes each, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. SULLIVAN to include extraneous matter in her remarks on H. R. 6814.

Mr. JARMAN and to include extraneous matter.

Mr. ALGER.

Mr. BYRD.

Mr. HANDY.

Mr. ANFUSO (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. WATTS.

Mr. SAYLOR and to include extraneous matter.

Mr. VANIK and include an article on civil-rights laws, notwithstanding it exceeds the limit and is estimated by the Public Printer to cost $192.50.

Mr. CANFIELD (at the request of Mr. TEAGUE of California).

Mr. WILLIAMS of Mississippi (at the request of Mr. MCCORMACK) and to include related matter.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 294. An act for the relief of Mrs. Marion Huggins; to the Committee on the Judiciary.

S. 556. An act to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the State of Nevada for the use of the Nevada State Board of Fish and Game Commissioners; to the Committee on Interior and Insular Affairs.

S. 562. An act for the relief of Hideko Takiguchi Pulaski; to the Committee on the Judiciary.

S. 591. An act for the relief of Seol Bong Ryu; to the Committee on the Judiciary.

S. 1071. An act for the relief of David Mark Sterling; to the Committee on the Judiciary.

S. 1268. An act for the relief of Don Q. Gee; to the Committee on the Judiciary.

S. 1276. An act for the relief of Emilio Valle Duarte, to the Committee on the Judiciary.

S. 1321. An act for the relief of Junko Matsuoka Ekrich; to the Committee on the Judiciary.

S. 1335. An act for the relief of Sandra Ann Scott; to the Committee on the Judiciary.

S. 1353. An act for the relief of Ayako Yoshida; to the Committee on the Judiciary.

S. 1452. An act for the relief of Francesca Maria Arria; to the Committee on the Judiciary.

S. 1472. An act for the relief of Triantafilia Antul; to the Committee on the Judiciary.

S. 1478. An act for the relief of Klara Fritzsche; to the Committee on the Judiciary.

S. 1496. An act for the relief of Nicoleta P. Pantelakis; to the Committee on the Judiciary.

S. 1502. An act for the relief of Erika Otto; to the Committee on the Judiciary.

S. 1509. An act for the relief of Fumiko Bigelow; to the Committee on the Judiciary.

S. 1570. An act for the relief of Julia Fodor; to the Committee on the Judiciary.

S. 1641. An act for the relief of Yong Ja Lee (Mina Kuhrt); to the Committee on the Judiciary.

S. 1645. An act to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road widening purposes; to the Committee on Merchant Marine and Fisheries.

S. 1773. An act to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Railway Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356); to the Committee on Interior and Insular Affairs.

S. 1783. An act for the relief of Randolph Stephan Walker; to the Committee on the Judiciary.

S. 2069. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain; to the Committee on Interior and Insular Affairs.

S. 2080. An act relating to the computation of annual income for the purpose of payment of pension for non-service-connected disability or death in certain cases; to the Committee on Veterans' Affairs.

S. 2413. An act to clarify the authority of the President to fill the judgeship for the district of South Dakota authorized by the act of February 10, 1954, and to repeal the prohibition contained in such act against filling the next vacancy occurring in the office of district judge for such district; to the Committee on the Judiciary.

S. 2449. An act to extend the effectiveness of the Missing Persons Act, as extended, until April 1, 1958; to the Committee on Armed Services.

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the "Flag of Liberation"; to the Committee on House Administration.

ENROLLED BILLS AND A JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1359. An act for the relief of Mrs. Theodore (Nicole Xantho) Rousseau;

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 1754. An act for the relief of Eleanor French Caldwell;

H. R. 4342. An act for the relief of Mrs. Thomas L. Davidson; and

H. J. Res. 316. Joint resolution for the relief of certain aliens.

ADJOURNMENT

Mr. LOSER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 35 minutes p. m.) the House adjourned until tomorrow, Wednesday, July 10, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1025. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the Alaska Public Works Act (63 Stat. 627, 48 U. S. C., sec. 486, et seq.) to clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works"; to the Committee on Interior and Insular Affairs.

1026. A letter from the Chairman, Public Utilities Commission of the District of Columbia, transmitting a report of its official proceedings for the year ended December 31, 1956, pursuant to paragraph 20 of section 8 of an act approved March 4, 1913, also balance sheets and other financial and statistical data, pursuant to paragraph 14 of section 8 of the above-mentioned act; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOLEY: Committee on Agriculture. H. R. 8308. A bill to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes; with amendment (Rept. No. 706). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 6562. A bill relating to the north half of section 33, township 28 south, range 56 east, Copper River meridian, Alaska; with amendment (Rept. No. 773). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 8054. A bill to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska; with amendment (Rept. No. 774). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOPER: Committee on Ways and Means. H. R. 8381. A bill to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes; without amendment (Rept. No. 775). Referred to the Committee of the Whole House on the State of the Union.

Mr. GORDON: Committee on Foreign Affairs. S. 2130. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes; with amendment (Rept. No. 776). Referred to the

Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 1244. A bill to provide for the development by the Secretary of the Interior of Independence National Historical Park, and for other purposes; with amendment (Rept. No. 777). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 6709. A bill to implement a treaty and agreement with the Republic of Panama, and for other purposes; with amendment (Rept. No. 778). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. S. 18. An act for the relief of Alessandro Renda; without amendment (Rept. No. 707). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 80. An act for the relief of Maria Adelaide Alessandroni; without amendment (Rept. No. 708). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 164. An act for the relief of John G. Michael; without amendment (Rept. No. 709). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 239. An act for the relief of Maria Parisi; without amendment (Rept. No. 710). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 249. An act for the relief of Theodora Hegeman; without amendment (Rept. No. 711). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 250. An act for the relief of Kyu Yawp Lee and his wife, Hyung Sook Lee; without amendment (Rept. No. 712). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 251. An act for the relief of Edith Elisabeth Wagner; without amendment (Rept. No. 713). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 255. An act for the relief of Fumiko Shikanuki; without amendment (Rept. No. 714). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 255. An act for the relief of Aristea Vitogianes; without amendment (Rept. No. 715). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 284. An act for the relief of Miyako Ueda Osgood; without amendment (Rept. No. 716). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 303. An act for the relief of Gaetano Mattioli Cicchini; without amendment (Rept. No. 717). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 307. An act for the relief of Noemi Maria Vida Williams and Maria Loretta Vida; without amendment (Rept. No. 718). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 308. An act for the relief of Maria Caccomo; without amendment (Rept. No. 719). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 368. An act for the relief of Jose Medina-Chavez (Joe Medina); without amendment (Rept. No. 720). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 525. An act for the relief of Rhoda Elizabeth Graubart; with amendment (Rept. No. 721). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 526. An act for the relief of Tikva Polsky; without amendment (Rept. No. 722). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 530. An act for the relief of Shun Wen Lung (also known as Van Long and Van S. Lung); without amendment (Rept. No. 723). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 560. An act for the relief of Alec Ernest Sales; without amendment (Rept. No. 724). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 583. An act for the relief of Stanislav Maglica; without amendment (Rept. No. 725). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 592. An act for the relief of Anton Revak; without amendment (Rept. No. 726). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 622. An act for the relief of Georgina Mercedes Liera; without amendment (Rept. No. 727). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 629. An act for the relief of John Eicher; without amendment (Rept. No. 728). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 650. An act for the relief of Isabella Abrahams; with amendment (Rept. No. 729). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 653. An act for the relief of Mrs. Elsbe Hermine van Dam Hurst; without amendment (Rept. No. 730). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 701. An act for the relief of Karl Eigil Engedal Hansen and his wife, Else Viola Agnethe Hansen, and their minor child, Jessie Engedal Hansen; with amendment (Rept. No. 731). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 767. An act for the relief of Christo Pan Lycouras Mauroyenis (Maurogenis); without amendment (Rept. No. 732). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 785. An act for the relief of Helga Binder; without amendment (Rept. No. 733). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 788. An act for the relief of Thelma Margaret Hwang; without amendment (Rept. No. 734). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 804. An act for the relief of Georgios D. Christopoulos; without amendment (Rept. No. 735). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 827. An act for the relief of Guillermo B. Rigonan; with amendment (Rept. No. 736). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 833. An act for the relief of Vida Letitia Baker; with amendment (Rept. No. 737). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 874. An act for the relief of Cornelis Vander Hoek; with amendment (Rept. No. 738). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 904. An act for the relief of Chrisoula Antonios Chegaras; without amendment (Rept. No. 739). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 908. An act for the relief of Kuo York Chynn; without amendment (Rept. No. 740). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 973. An act for the relief of Yun Wha Yoon Holaman; without amendment (Rept. No. 741). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 987. An act for the relief of Leonardo Finelli; without amendment (Rept. No. 742). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 988. An act for the relief of Satoe Yamakage Langley; with amendments (Rept. No. 743). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1083. An act for the relief of Maria Maniates; without amendment (Rept. No. 744). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1112. An act for the relief of Matsue Harada; with amendment (Rept. No. 745). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1171. An act for the relief of Harry Siegbert Schmidt; with amendments (Rept. No. 746). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1192. An act for the relief of Irma B. Poellmann; without amendment (Rept. No. 747). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1251. An act for the relief of Florinda Mellone Garcia; with amendments (Rept. No. 748). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1360. An act for the relief of Mrs. Geraldine Elaine Sim; without amendment (Rept. No. 749). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1376. An act for the relief of Chong You How (also known as Edward Charles Yee), his wife, Eng Lai Fong, and his child, Chong Yim Keung; without amendment (Rept. No. 750). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1566. An act for the relief of Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You; without amendment (Rept. No. 751). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1581. An act for the relief of Sheu Shei Lan and Chow Shong Yep; without amendment (Rept. No. 752). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 1833. An act for the relief of Janos Schreiner; without amendment (Rept. No. 753). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 387. Joint resolution for the relief of certain spouses and minor children of citizens of the United States; with amendment (Rept. No. 754). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 393. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain persons; with amendment (Rept. No. 755). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. House Joint Resolution 374. Joint resolution for the relief of certain aliens; with amendment (Rept. No. 756). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 1741. A bill for the relief of Ikuko Morooka Mahoney; without amendment (Rept. No. 757). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1797. A bill for the relief of Maria Sausa; with amendment (Rept. No. 758). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. H. R. 1868. A bill for the relief of Daniel Adamson; with amendment (Rept. No. 759). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. S. 615. An act for the relief of Josephine Ray; without amendment (Rept. No. 760). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 1595. A bill for the relief of Vanja Stipcic; with amendment (Rept. No. 761). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 1663. A bill for the relief of Dean E. Fosmoe; with amendment (Rept. No. 762). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 3583. A bill for the relief of Chandler R. Scott; with amendment (Rept. No. 763). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 4544. A bill for the relief of Louis S. Levenson; without amendment (Rept. No. 764). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6527. A bill for the relief of Horace Collier; without amendment (Rept. No. 765). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8280. A bill for the relief of Mrs. Alberta S. Rozanski; without amendment (Rept. No. 766). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8281. A bill for the relief of Paul Nelson; without amendment (Rept. No. 767). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 8282. A bill for the relief of James E. Driscoll; without amendment (Rept. No. 768). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. H. R. 1652. A bill for the relief of Rajka Markovic and Krunoslav Markovic; without amendment (Rept. No. 769). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. H. R. 5721. A bill for the relief of Marian Diane Delphine Sachs; without amendment (Rept. No. 770). Referred to the Committee of the Whole House.

Mr. HYDE: Committee on the Judiciary. House Joint Resolution 392. Joint resolution for the relief of certain aliens; with amendments (Rept. No. 771). Referred to the Committee of the Whole House.

Mr. HILLINGS: Committee on the Judiciary. H. R. 1851. A bill for the relief of Dezrin Boswell Johnson; with amendments (Rept. No. 772). Referred to the Committee of the Whole House.

Mr. DONOHUE: Committee on the Judiciary. H. R. 3920. A bill for the relief of Joseph E. Miller; without amendment (Rept. No. 779). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURNS of Hawaii:

H. R. 8595. A bill to provide a reduced rate for air parcel-post service between the United States and its Territories and possessions, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CRAMER:

H. R. 8596. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

By Mr. DORN of South Carolina:

H. R. 8597. A bill to establish rules of interpretation governing questions of the effect of acts of Congress on State laws; to the Committee on the Judiciary.

By Mr. JONES of Alabama:

H. R. 8598. A bill to amend title II of the Social Security Act so as to permit the State of Alabama to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. KEAN:

H. R. 8599. A bill to amend title II of the Social Security Act so as to provide that the exception from "wages" made by section 209 (i) of such act is not applicable to payments to employees of a State or a political subdivision thereof for employment covered under voluntary agreements pursuant to section 218 of such act; to the Committee on Ways and Means.

By Mr. KEATING:

H. R. 8600. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 8601. A bill to amend title II of the Social Security Act to permit employees of certain nonprofit organizations who are members of public retirement systems to be included under State agreements as State or local employees for purposes of social-security coverage; to the Committee on Ways and Means.

By Mr. LAIRD:

H. R. 8602. A bill to amend the provisions of the Social Security Act to consolidate the reporting of wages by employers for income-tax withholding and old-age, survivors, and disability-insurance purposes, and for other purposes; to the Committee on Ways and Means.

H. R. 8603. A bill to amend chapter 223 of title 18 relating to demands for production of statements and reports of witnesses; to the Committee on the Judiciary.

By Mr. McGOVERN:

H. R. 8604. A bill to create a Supply and Service Administration as a department in the Department of Defense, to provide that at least 25 percent of the procurement contracts by the Administration shall be let to small business, to protect the Government's interest in certain patent rights, and for other purposes; to the Committee on Armed Services.

By Mr. MASON:

H. R. 8605. A bill to amend the Internal Revenue Code of 1954 to repeal the taxes imposed on the transportation of persons and property; to the Committee on Ways and Means.

By Mr. MICHEL:

H. R. 8606. A bill to amend the Civil Service Retirement Act with respect to annuities of survivors of employees who are elected as Members of Congress; to the Committee on Post Office and Civil Service.

By Mr. SPRINGER:

H. R. 8607. A bill to authorize the transfer of certain housing projects to the city of Decatur, Ill., or to the Decatur Housing Authority; to the Committee on Banking and Currency.

By Mr. UDALL:

H. R. 8608. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on House Administration.

By Mr. BARING:

H. R. 8609. A bill to protect the right of the blind to self-expression through organizations of the blind; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States relating to the payment of pensions to veterans who are domiciled in a State veterans' home; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McCORMACK:

H. R. 8594. A bill to authorize Hon. ALBERT P. MORANO, Member of Congress, to accept and wear the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes; considered and passed.

By Mr. BENTLEY:

H. R. 8610. A bill for the relief of Pasquale Furio; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. R. 8611. A bill for the relief of Li-Chen Hsu; to the Committee on the Judiciary.

By Mr. DENNISON:

H. R. 8612. A bill for the relief of Janos (John) Kapka, wife, Edith, and children, Edith Rosemary, Georgette, Janos, Jr., Alice, Steven, and Mary Valery and mother-in-law, Antonia Majer; to the Committee on the Judiciary.

By Mr. DORN of South Carolina:

H. R. 8613. A bill for the relief of Mrs. Hedwig Thomason; to the Committee on the Judiciary.

By Mr. FASCELL:

H. R. 8614. A bill for the relief of George W. Davis, Mary Alma Knowles, and A. A. Whitlcar & Sons; to the Committee on the Judiciary.

By Mr. HOLIFIELD:

H. R. 8615. A bill for the relief of Carlos Ochoa-Sanchez (also known as Carlos Lopez Sanchez); to the Committee on the Judiciary.

By Mr. LESINSKI:

H. R. 8616. A bill for the relief of Angja Nikolovska Stoyanovska; to the Committee on the Judiciary.

By Mr. NATCHER:

H. R. 8617. A bill for the relief of Nobuyuki Tamai; to the Committee on the Judiciary.

By Mr. POAGE:

H. R. 8618. A bill for the relief of Henry M. Lednicky; to the Committee on the Judiciary.

By Mr. SMITH of Wisconsin:

H. R. 8619. A bill for the relief of Mrs. Clare M. Ash; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. R. 8620. A bill for the relief of Kinji House; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

303. By Mr. HALLECK: Petition of citizens of Lafayette, Ind., favoring legislation to prohibit the transportation of alcoholic beverage advertising in interstate commerce and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

304. By the SPEAKER: Petition of president, Oil Heat Institute of Long Island, Inc., Long Island, N. Y., petitioning consideration of their resolution with reference to favoring decontrol of natural gas at the wellhead to permit a full and free competition among the various home-heating fuels, thus protecting the rights of the consumer, without unduly favoring any one fuel over the others; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Idaho Power Co. Fast Tax Writeoff—Chronology of Actions Taken

EXTENSION OF REMARKS
OF
HON. ESTES KEFAUVER
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Tuesday, July 9, 1957

Mr. KEFAUVER. Mr. President, at the time the bill to authorize a high dam at Hells Canyon was under consideration, I suggested that it would be in the public interest, and certainly would be useful in the consideration of the matter, if the President directed the departments and the various agencies of the Government which had to do with the rapid tax writeoff benefit to the Idaho Power Co. to prepare a chronology of the events in connection with that action, along the same line as the chronology prepared in connection with the Dixon-Yates matter.

When he was asked about the suggestion at a press conference, the President stated that no request had been made directly to him for such a chronology.

On July 3, 1957, I wrote a letter to the President, suggesting that such a chronology would be helpful. I ask unanimous consent that the letter be printed in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MY DEAR MR. PRESIDENT: I note from a transcript of your press conference of today that in answer to a question from Mr. Robert Spivack, of the New York Post, as to whether you would ask all departments and agencies to get up a chronology of actions taken in regard to the Idaho Power Co. fast tax writeoff, you had this to say:

"I don't know. Senator KEFAUVER hasn't asked me. If he has said any such thing, he has said it for public consumption, and not to get any action, because he has not made any such request of me."

I made the statement on the floor of the United States Senate and it appears on page 9947 of the CONGRESSIONAL RECORD of June 21, 1957.

Frankly, Mr. President, I had thought that an official statement on the floor of the Senate, carried in the CONGRESSIONAL RECORD, was an official suggestion, and required no further direct communication with you. The only other time that I have had direct communication with you about such a topic was following your press conference on June 29, 1955, when in answer to a question about the role of Adolph Wenzell in the Dixon-Yates deal you said he was never called in or asked a single thing about the Dixon-Yates contract and that as quickly as the Dixon-Yates matter came up Mr. Wenzell resigned. I did feel constrained at that time to write you and inform you personally of the role played by Mr. Wenzell throughout the negotiations, a position similar to that which the Justice Department is now taking in defending the Government against the suit filed by Dixon-Yates.

In order that there may be no misunderstanding in this case, I do indeed think it would be a public service for you to order an official chronology, from all bureaus, agencies, and departments, in the Idaho Power tax writeoff, giving all conferences, all personnel attending the conferences, and making public all papers having to do with this deal.

As in the Dixon-Yates case, we have been met with the plea of privilege concerning the participation of White House staff members who were named in one of the documents we saw. Governor Pyle refused our invitation to appear before the committee. We have been met with the plea of privilege concerning memorandums. We learned about the position of Interior Secretary Seaton in opposing the writeoff only after we had originally been led by the testimony of Mr. Gordon Gray to believe that the Interior Department approved it.

As in the Dixon-Yates deal, we feel that we are not getting the full facts, and that perhaps you, too, have not been given the full facts. It was for these reasons that I made the statement that I did on the floor.

Looking forward to your cooperation, I am,
Yours sincerely,
ESTES KEFAUVER,
United States Senator.

House Postmaster Honored

EXTENSION OF REMARKS
OF
HON. JOHN C. WATTS
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. WATTS. Mr. Speaker, it gives me a great deal of pleasure to bring to the attention of the Members that the Postmaster of the House of Representatives, Mr. H. H. Morris, was recently honored with the presentation by his fellow employees of a silver plaque commemorating his 25 years of service as an employee of the House of Representatives.

Although "H," as he is known by his many friends here on the Hill, hails from Henry County, New Castle, Ky., and is therefore technically a constituent of mine, I would not be presenting a true picture of the situation if I did not add that "H" is a real "constituent" of every Member. I say this because in his 25 years on the Hill "H" has won many friends on both sides of the aisle and has rendered faithful and competent service in the best tradition of an employee of the House of Representatives.

"H" came to the House in 1932 as an employee of the late Virgil Chapman—then a Representative from the Sixth District of Kentucky. In 1952, it was to my benefit and pleasure to have him serve as my secretary until he was elected to his present position as House Postmaster.

I consider it a real privilege to commend him at this time for his achievement and excellent service.

Eighty-fifth Anniversary of Popular Science Monthly

EXTENSION OF REMARKS
OF
HON. RICHARD L. NEUBERGER
OF OREGON
IN THE SENATE OF THE UNITED STATES
Tuesday, July 9, 1957

Mr. NEUBERGER. Mr. President, a magazine dedicated to informing the American public on scientific advancement is this year celebrating its 85th anniversary. I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement which I have issued in connection with the work of the magazine, Popular Science monthly.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

America is recognized and admired throughout the world for its technological leadership. This enviable situation has been brought about not only because of our outstanding scientists, teachers and technical schools, but also because of the hunger for knowledge of the American people.

This interest in technological matters, which is a main source of our industrial strength, is nurtured and encouraged by many springs of knowledge including the government, our fine schools and some outstanding American publications.

One of these publications, Popular Science monthly, celebrated its 85th anniversary in May of this year, and as a long-time reader and occasional contributor to Popular Science, I should like to call attention briefly to its role in reporting and interpreting science and mechanical advances for these many years. As an example of its treatment of important problems, the magazine has started an educational guidance series of articles on how gifted children should be prepared for college, how average students may be aided, how to help children who will not go to college and many other subjects which will be of great aid both to parents and educators. This series is aimed at building a better relationship between parents and educators.

But in addition to analyzing such current problems, Popular Science has also been alert to the advances of science, and the magazine first reported such developments as telegraphic printing in 1872, the telephone in 1876, and the automobile in 1893.

This record of keeping the American people apprised of the progress of science reached a new level when Popular Science editors built a model of an artificial earth satellite.

The first model was placed on permanent exhibition in the halls of the Hayden Planetarium in New York City, a second model was presented to the United States Committee for the International Geophysical Year, and other models were loaned to the Chicago Museum of Science and Industry, the Buhl Planetarium in Pittsburgh and other similar institutions.

One model became a part of the American Dream Pageant, an exhibition of Americana that toured leading department stores throughout the country, where it was seen and studied by thousands.

This spirit of journalistic pioneering, scientific leadership and public service responsibility has helped to advance an understanding of the Nation's progress.

Military Construction Bill

EXTENSION OF REMARKS
OF
HON. PORTER HARDY, JR.
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. HARDY. Mr. Speaker, the vote on final passage of the military construction bill is scheduled for Wednesday, July 10. Prior to that vote, action will have to be taken on the Arends amendment which proposes to strike out section 411. I want to reemphasize my conviction that the Arends amendment should be defeated and that section 411 should be retained.

This section is essential for retaining the congressional authority which is ours. If the Arends amendment is adopted, the effect will be not only to delegate congressional authority to the administration, but it will make administrative action final and will constitute blanket approval of administrative judgment before the decisions are made.

Some of the discussions of this matter have been confusing and have erroneously contended that section 411 affects the fundamental philosophy concerning the participation of Government in business-type activities. I subscribe wholeheartedly to the general objective of eliminating governmental business activities which compete with private enterprise. Section 411 is in complete consonance with that general objective because it is not concerned with philosophy, it is merely concerned with the exercise of judgment.

I believe section 411 is highly desirable and that it will preserve for the Congress the right to check on the judgment of administrative officials. This section in no way reflects upon any official. The Congress has heretofore authorized, in most cases on an individual line-item basis, all of the business-type activities conducted by the military departments. We have appropriated the funds to finance the construction of buildings occupied by these activities, to purchase the equipment and to pay the employees. Defense Department officials have justified these authorizations and these appropriations year after year with arguments supporting their continuance. It has always been our responsibility to approve the establishment and financing of these functions, and to be consistent we must retain the right to require that those which should be conducted in the public interest are continued. We have in the past, and we should in the future, refused to give the military departments blanket authority to establish business-type activities without approval by the Congress. Neither should we give them blanket authority to discontinue such activities and to dissipate the assets involved without at least retaining an opportunity for Congressional review.

I hope the Members of the House will join me in resounding defeat of the Arends amendment.

Government Bookkeeping

EXTENSION OF REMARKS
OF
HON. JOHN F. KENNEDY
OF MASSACHUSETTS
IN THE SENATE OF THE UNITED STATES
Tuesday, July 9, 1957

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an editorial and two letters which appeared in the Washington Post and Times Herald on July 5, 1957, in connection with S. 434, which I introduced, with 48 other Senators as cosponsors, and which recently passed the Senate unanimously, and is now under consideration in the House.

There being no objection, the editorial and letters were ordered to be printed in the RECORD, as follows:

STILL IN THE BLACK

The fiscal year for the Federal Government has ended, as expected, with the Treasury about $1 billion in the black. This is less than the President had forecast but about what the Joint Economic Committee of Congress predicted on the basis of more recent figures. The surplus, considering the size of the annual budget and of the debt, is hardly anything to write home about. But it does mark the first time in a quarter of a century that there have been two black-ink years in a row, and for this there will be general applause.

The outlook for fiscal 1958 is not at all clear. Prices continue to rise, and there are enough carryover appropriations on the books to allow deficit spending in this new fiscal year despite the cuts in new appropriations made by this Congress. It is anxiety over this prospect, of course, that lies at the root of the well-intentioned efforts of Senator KENNEDY and a number of his colleagues to put all appropriations on a year-by-year basis.

The Senator explains the proposal in a letter published elsewhere on this page today. We agree and have said that Congress ought to consider more carefully the long-range effects of appropriations that extend over more than 1 year. We certainly believe deficit spending is unjustified in the present circumstances. But we continue to have serious fears that important defense and other programs might be unduly hobbled by the kind of checkrein which Senator KENNEDY proposes. It would, in any case, be no guaranty of balanced budgeting. The pressure for tax cuts is so great that any sizable anticipated surplus will be quickly eliminated by a tax reduction, and a small budget surplus can become a deficit very readily if revenue estimates prove wrong.

CHANGING THE GOVERNMENT'S BOOKKEEPING

Your opposition in an editorial, A Dubious Reform, of June 26, to my bill for putting Government spending on an annual accrued expenditure basis is very surprising. The measure has received the almost unanimous support of the Senate, the House Committee on Government Operations, and top financial officials in the administration.

The measure was conceived by the Hoover Commission as its key proposal for restoring to Congress some of the control over the purse strings which has slipped away from its hands over the years.

The task force of the Hoover Commission, headed by J. Harold Stewart, of Boston, was composed of first-rank authorities on Government financial operations. They asserted that millions of dollars could be saved every year by requiring Congress to make appropriations each year on long-term projects, instead of appropriating the money all at once.

The fact is that under the present system these long-term projects are not adequately reviewed each year, and we currently have a carryover of $70 billion of unexpended appropriations—a sum almost as large as the entire budget for the coming year.

Fifty Senators, including the very economy-minded Senator BYRD, cosponsored the bill with me. It passed the Senate unanimously and has now been reported out unanimously by the House Government Operations Committee.

The only opposition in the Senate committee hearings came from representatives of the Department of Defense who raised technical objections about its administrative implementation by the Bureau of the Budget.

Your editorial stated that, under the annual accrued-expenditure method of stating appropriations requests, the departments would be obligated to pad their requests as a hedge against uncertainties. Since the contemplated projects would be contracted for at a fixed cost, the only uncertainty would be if deliveries on such items as defense equipment were made ahead of schedule so that a year's purchasing were completed in, say, 10 months.

In fact, the difficulty is almost always the other way—that deliveries are delayed. Moreover, padding the request would be futile since unexpended funds will automatically lapse at the end of the fiscal year.

Concomitantly, you state that funds might be recklessly spent to avoid the loss. This fails to take into consideration that, in the granting of an appropriation on the new basis, the agency must justify its request by revealing past costs and accomplishments.

Any reckless spending of an agency would be reflected in increased costs—a fact that would systematically and clearly come to the attention of Congress under this new system. And this is perhaps the central point—the agency would be required each year to justify what it has already spent and what it intends to spend on a long-term project.

The Congress' concern is not only to the long-range spending plans of the Government, but also with the year-by-year rate of spending. It is the latter which determines whether our budget is balanced or whether we have a surplus or deficit.

Everyone is looking for a way to streamline the Government functions to get rid of what Dostoevsky called "administrative

ecstasy." This is a measure which the financial experts agree will do this.

JOHN F. KENNEDY,
Senator from Massachusetts.

WASHINGTON.

The proposal embodied in S. 434, which Senator KENNEDY and I introduced with 48 other Senators as cosponsors, is a logical follow-up of the vastly improved Federal budget and accounting procedures authorized by P. L. 863.

The basic theme of the editorial opposing S. 434 seems to be that if Congress were to only appropriate funds to be expended in a given year, it would result in needless red tape and confusion by requiring an annual review of long-lead-time programs which under the present system are for the most part considered only once.

As a matter of fact, appropriations for the civil functions of the Army Corps of Engineers, many of which are long-lead time projects, have been on a basis very similar to annual accrued expenditures for several years and the system of appropriating only those funds to be expended in the succeeding fiscal year has worked satisfactorily to all concerned.

Strict control should be maintained at all times over the expenditure of public funds. This was recognized by the Founding Fathers who wrote a provision into the Constitution that no money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

Yet the practice of appropriating funds in 1 year for expenditure as much as 10 years in the future has deprived both the executive and the Congress of any really effective control over the level of expenditure in a given fiscal year.

This year the accrued expenditure method of stating budget requests and appropriations has met with a more favorable reception in the House of Representatives and was recently favorably reported by the House Committee on Government Operations.

That committee added a provision to limit the authority contained in the bill to a 4-year period. In short, a trial period is proposed. If the proposal is as good as all of the experts firmly believe, it will amply demonstrate its value during this period.

FREDERICK G. PAYNE,
Senator from Maine.

WASHINGTON.

Decisions Emanating From the Board of Veterans' Appeals Make It Necessary That Legislation Be Enacted Clearly Defining Presumptive Periods

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. SAYLOR. Mr. Speaker, there are pending before the Committee on Veterans' Affairs two bills in which I am very much interested. I refer to H. R. 420 which provides for a presumptive period of 2 years for malignant tumors, and H. R. 924 which provides for a 3-year period.

Presumptive periods are well established in Veterans' Administration law. For example, World War I veterans had until January 1, 1925, to show that a tuberculosis or neuropsychiatric condition was service connected. The medical officials frown upon presumptive periods and I, as a general rule, do not favor them either. However, some of the decisions which are emanating from the Board of Veterans' Appeals make it necessary that some legislation along this line be enacted.

To deny that rigorous basic training in the Army, Navy, Marine Corps, or the Air Force could aggravate a cancerous tumor is to adopt a position which is ridiculous in the extreme. If decisions of this sort prevail, they will only result in the rankest sort of injustice to all veterans who have the misfortune to suffer from such condition.

I, for one, am willing to go ahead on such legislation and hope that the chairman of the full committee will shortly see fit to schedule action on these bills.

Independence Day Address by Hon. Frank Church, of Idaho

EXTENSION OF REMARKS
OF
HON. JOSEPH S. CLARK
OF PENNSYLVANIA
IN THE SENATE OF THE UNITED STATES
Tuesday, July 9, 1957

Mr. CLARK. Mr. President, on the 4th of July, at Independence Hall, Philadelphia, the people of eastern Pennsylvania had the opportunity to hear a most stimulating, eloquent, and thought-provoking address by the distinguished junior Senator from Idaho [Mr. CHURCH]. I ask unanimous consent that the address may be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR FRANK CHURCH DELIVERED AT INDEPENDENCE HALL, PHILADELPHIA, PA., ON JULY 4, 1957

Mr. Chairman, distinguished guests, and fellow citizens, I am highly honored to be your speaker today. My home is in the distant West—the youngest part of our country. What a singular satisfaction it is for me to come to Independence Hall in Philadelphia, the birthplace of our country, and here take part in this observance of Independence Day.

Those of us fortunate enough to be here are privileged to commemorate this 4th of July at the shrine of American liberty. Yet, even as we gather here, a thousand bands are playing and veterans are marching, and countless flags are waving in every part of the land. Flashing fireworks will fill our skies tonight, and Americans will congregate in parks and public squares to give evidence of their loyalty to our great Republic. And many will speak of patriotism.

Patriotism is love of country. How should one love his country? One should love his country as he loves his own child—with a will to serve its inmost needs; to see it reach fulfillment; to dream its best dreams, to labor to make them come true.

As a child grows from infancy to maturity, so does a country. As a child's needs change with the passing years, so do those of a country, with the changing times. The true patriot, like the best parent, seeks to know his country's real needs and to learn how to serve them wisely and well.

In 1776 our utmost need was to secure liberty. George III of England had persistently refused to grant to the English colonists in the new world the rights of Englishmen in the old, hard-won from the days of the Magna Carta. Steadily the rule of the royal governors had grown more insufferable. Again and again the colonists had petitioned their king, but their grievances were ignored, and their entreaties rebuked.

So the day came when no recourse remained but to renounce the Crown. Men of high station, with their lives and fortunes to lose, assembled in this historic hall, to pen their names to a ringing Declaration of Independence, proclaiming to the world that the Colonies had severed the political bands that connected them with England, and had assumed the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them.

Every man who placed his signature upon our Declaration of Independence, on that Fourth of July in 1776, from Thomas Jefferson to John Hancock, writing largely so that the King himself might plainly see, knew full well the peril that now confronted them. It is said that Benjamin Franklin remarked, before signing his name, "We must, indeed, all hang together, or, most assuredly, we shall all hang separately."

The Revolutionary War was hardly a contest between equals. The Colonies were rural, lying out on the fringes of the world, and ill-equipped to wage war against a rich and powerful monarch. But the rebels fought for liberty, a cause that fired the hearts of men who would be free, and American patriots, with gallant determination, battled the Redcoats, from the woods of Lexington and Concord to the breastworks at Bunker Hill—through the wintry agonies at Valley Forge to the final victory at Yorktown.

Yes; in 1776, our utmost need was to secure liberty. By the Declaration of Independence we solemnly announced our purpose; by the waging of a Revolutionary War we painfully achieved our goal.

Today, nearly two centuries later, our utmost need is to preserve liberty. Again we should solemnly declare our purpose to the world. But the method we must now pursue to achieve our goal can no longer be the waging of war. It must be the waging of peace.

Let us see why this is so.

The age we live in is as different from the age of colonial America as a powder horn is different from a hydrogen bomb. War is no longer an instrument by which men can win a worthy goal. A thermonuclear war could utterly destroy its participants, leaving nothing but chaos, ruin, and anarchy in its wake. Liberty depends on life and order. Both can be consumed by the witchfire of atomic war, and liberty lost even to those who yearn to preserve it.

I pray that we shall continue to deter the coming of another global war. But if we must do so by living indefinitely in a state of expectant war; by remaining forever teetering on the brink; by carrying an ever-heavier shield above us, then we must awaken to the fact that our liberty itself is in danger of being stifled in the very cause of defending it.

The debt of past war, and the current costs of military defense, now account for two-thirds of the total expenditures of the Federal Government. Today's bomber costs us 20 times as much as yesterday's Flying Fortress. Tomorrow's weapons will dwarf the cost of those we buy today. If we must continue our present course indefinitely, it will matter not what party controls the national administration. Government will get bigger and taxes will grow larger. From this there is no escape.

As the threat of war becomes ever more important in the formulation of national policy and national budget, the Central Government must continue to expand its powers. The prerogatives of States and communities will further wither. Most importantly, the rights of free men will give way to the interests of a national security that will always elude the mounting frenzy with which we shall pursue it. Thus the foundations of liberty will be eroded, for if we must endlessly prepare for total war, we must be prepared, ultimately, for total government.

So I submit that our country's foremost need today, if liberty is to be preserved for the future, is the need to conquer war in the world at large. That can be accomplished only by waging peace with the same zeal and determination with which we have waged war.

The peace of which I speak is not the cold war in which we now live. Peace is something different than absence from war. An armed truce is not peace, although 20 years continued. A cold war, unless abated, can only end in a hot war.

The time has come to plan a grand strategy for peace; to commit ourselves to its battles, its Lexingtons and Concords; to be prepared to suffer its Valley Forge; and to pursue our goal with strong and abiding faith that we shall at last achieve a Yorktown victory over war itself.

Our forefathers, here at Independence Hall, appealed to the Supreme Judge of the world for the rectitude of their intentions, and solemnly published and declared their purposes, and in support of them pledged to each other their lives, their fortunes, and their sacred honor.

We could do no better.

In a new declaration of independence from war itself, we might list, as did Thomas Jefferson and his colleagues, the failures of the old order, but we must, as they did also, proclaim new objectives that will capture the minds and hearts of men.

Let us declare it to be our high purpose to recognize and promote the cause of colonial peoples who aspire, as we once aspired, to independence and self-government. Their force is crumpling empires. It is the inexorable force of our times. How greatly would be strengthen our moral leadership among free nations if we would honor and befriend the cause of colonial people. It is in our finest tradition that we do this. And such a course offers us our best hope for wresting them from imminent fall to the false and covetous lure of communism, and enlisting them to the cause of liberty and peace.

Let us declare our fixed and unremitting resolve to free the world from the threat of the silent dust of thermonuclear explosion, which could come to fill the air and settle impersonally upon the just and the unjust, and generations yet unborn. Let us lift the monstrous burden of armaments from the backs of men. We must find a way, lead the way, to enforceable disarmament so that tensions may be eased, unreasoning fears dissipated, and the energies of nations turned to the ending of want, hunger, and poverty.

Not least, let us move to the fore to improve and strengthen the United Nations, to make it more effective in its role as keeper of the peace, so that law may replace brute force in the solution of disputes among nations.

In 1776, the governmental principles stated here at Independence Hall were regarded as radical, mischievous, and foredoomed. Instead, they thrived and our Republic became an inspiration for all men who aspired to be free. In the years since, the clean structure of our liberty, like the form and shape of the liberty bell, has always been treasured in the spirit of the free.

If, in the days of our infancy, we could ignite a flame of freedom so bright as to shine like a beacon around the world, then now, in the days of our greatness, we must do no less.

Now is the time for us to recapture the spirit of our Revolution. Now is the time for us to be willing to venture and to dare, to espouse new methods—for the old have failed. Now is the time for bold and imaginative action—for proposals big enough to match and master the looming challenges of the atomic age.

Then let us hew the track for all men of high purpose and good will to follow—to the end that one day they might live in a world where freedom presides and peace endures.

Natural-Gas Legislation

EXTENSION OF REMARKS
OF
HON. JOHN JARMAN
OF OKLAHOMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. JARMAN. Mr. Speaker, today the House Interstate and Foreign Commerce Committee favorably reported H. R. 6790. This is a compromise bill designed to eliminate some of the confusion and uncertainty now facing the natural-gas-producing industry, which is not only one of Oklahoma's greatest industries but one of vital importance to the whole Nation. Those of us who in the past have advocated natural-gas legislation and now support this bill have been forced to compromise in an effort to obtain some legislative relief for the independent producer now faced with regulation which threatens to stifle the incentive to explore and develop this resource. Congressional attempts to enact a more desirable law by completely removing the producer from these onerous and unneeded controls have been thwarted twice by Presidential veto and once by Supreme Court interpretation in the Phillips decision of 1954. H. R. 6790 is legislation actually providing for Federal control of certain producers' contracts.

It should be made clear in the beginning that it is still our belief that Federal control and price-fixing at the producing level of this or any other industry is contrary to the fundamental principles of our Constitution, contrary to the intent of past legislation, and contrary to the interests of our people and country as a whole. It is our belief that Federal control of this industry can only result in fewer natural-gas reserves, less gas for nonproducing States, and an eventual increase in cost to the consumer. Further, it is still our belief that natural gas is a commodity and its production has none of the characteristics of a utility service. Natural-gas producers are now under regulation by the Federal Power Commission. The Natural Gas Act of 1938 was designed to apply to the utility service aspects of the interstate movement of natural gas and not to the commodity itself, and, we believe that its present application is in error.

H. R. 6790 falls far short of this position, but as shown by testimony by industry spokesmen, administration officials, and Federal Power Commission representatives, the public utility formula of control is absolutely unworkable for this industry, which bears no resemblance to a utility. Something must be done to ameliorate the present confused situation. This bill tends to clarify the producers' status and to delimit the areas subject to regulation by the Federal Power Commission and eliminates many of the undesirable features of the present formula of control.

While not all we would ask for in natural-gas legislation, it is a bill which, if enacted into law, would tend to encourage the independent producer to explore, drill, and develop sufficient gas reserves to supply fuel to all States of the Union at reasonable prices. It is our belief that this Congress with the interests of the industry and consumers in mind must provide this encouragement.

Washington Report by Congressman Bruce Alger

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. ALGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following July 6 newsletter to my constituents:

WASHINGTON REPORT, BY CONGRESSMAN BRUCE ALGER, FIFTH DISTRICT, TEXAS

A roundup of odds and ends seems appropriate for a light legislative week accompanying July 4. First, should Congress be televised? Yes, though its debatable. The pitiless eye of the kinescope and John and Jane Doe at home could straighten out some of our problems. True, grandstanding would be possible—and important unpublicized work by committees might be overlooked. But our government is based on informed public opinion. I'm for citizens knowing what's going on. That's why my extra effort in newsletters, questionnaires, radio, and television. (The 1957 questionnaires are pouring in. It is my hope that every recipient will express himself. The difficulty of "yes" and "no" answers is the same faced by a Congressman in his voting.)

Taxpayers should know how Congress appropriates (spends) their money. It's quite a system. For example, we have passed the conference report of the Departments of Labor, Health, Education, and Welfare appropriations bills for 1958 after the conferees of the House and Senate adjusted the differences between their respective bills. Let's examine the system, taking a specific item; for example, the salaries and expenses for the Bureau of Employment Security, one of the Labor Departments' many bureaus. Here's how it started:

Item: salaries, expenses, appropriated 1957, $5,558,000; budget estimate 1958, $6,358,000; recommended 1958, $6 million.

Bill compared with: Appropriated 1957, +$442,000; estimated 1958, −$358,000.

Let's review the steps. The House committee studied and held hearings on the budget estimate for $6,358,000, $800,000 more than 1957's appropriation. Responsibly, with "cut the budget" cries from constituents, the committee recommended to the House a total of $6 million, $358,000 below

the budget request, but still $442,000 above last year. The House then voted to cut this further to $5,558,000, the same amount as last year. Then the House bill went to the Senate. The Senate committee, too, started with the budget request of $6,358,000 and cut this to $6 million, which the Senate approved. Then the conference of several Senate and House representatives, the conferees, debated and compromised the $5,558,000 House figure and $6 million Senate figure at $5,958,000, which both House and Senate approved.

Now, note the results: 1. More money was appropriated than last year ($400,000) but everyone is on record for economy (both Senators and Representatives cut the figure with which they started). 2. Every Member when necessary can proclaim support for the Government program, but can equally proclaim he's for economy and cutting the budget. 3. The Senate usually adds money and shows less fiscal responsibility than the House. 4. Politicians can demagog and straddle the fence. 5. Politicians are this way because they can't or won't say "No" to constituents' demands for more and more Federal aid. 6. The situation won't change unless people change, both constituents and Congressmen. Such is the appropriation story.

Typical inconsistencies from constituents: 1. Economize, cut the budget, but not my project, pension, or special interest. 2. Get me a tax cut, but give me all (and more) the Government service that I've had in the past.

Floorwork inconsistencies include: 1. Government with a "heart" means a Federal solution with taxpayers' money for every problem—housing, food, employment, wages, financial security, floods, droughts, polio and sickness, charity, relief, countless business operations, etc.—Government has the money and the power, besides it's smart politics, it means votes. 2. A do-something versus do-nothing Congress is measured by the number of new laws passed (every law subtracts a measure of individual freedom)—we can correct anything with another resolution. 3. Everyone's for States rights in principle but not in practice. 4. A nameless vacuum exists into which either Federal or State Government must move—if the State won't, the Federal must (X amendment?). 5. To some in voting it's, "What's politically the right move?" or "My party, right or wrong, but my party." 6. This is just a temporary or emergency measure (this always just precedes its permanent adoption). 7. It may be a bad program, but we must spend this much more to protect what we've already spent. 8. You can't buy friendship, but let's keep trying (foreign aid). 9. Elimination of waste and duplication in government is good (Hoover Commission bills) but * * *? (No political sex appeal; bills are shelved.) One thing I know, the people of Dallas County will be told what's going on in their Government so far as I have the ability and strength. Can we expose and eliminate some of the inconsistencies? It's worth while, isn't it?

Reducing the Nation's Staggering Crime Toll

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Tuesday, July 9, 1957

Mr. WILEY. Mr. President, the morning newspapers report continuing leads developed by police authorities in investigating the underworld connections between gambling czar Frank Costello and various criminal sources, as well as "legitimate" enterprises.

We are reminded, as well, by the current investigation of racketeering being so ably conducted by the McClellan committee that there is a vast amount of illegal activity going on in this country which tarnishes our good name in the eyes of the world, and in the eyes of self-respecting people here at home.

Obviously, infinitely more must be done to clean up the conditions of crime in this country.

Last month, at a meeting of the Washington Criminal Justice Association, it was estimated that serious crime in our land is diverting no less than $28 billion a year from the national economy, and is infiltrating a wide degree of activities of civic and community life.

This was the estimate made by Mr. Aaron Kohn, president of the National Association of Citizens Crime Commissions.

As a former member of the Senate Crime Investigating Committee, I have, on many occasions, pointed out the invaluable role played by civic watchdogs like the Citizens Crime Commissions, the Washington Criminal Justice Association, and similiar groups across the Nation.

I ask my colleagues to think what an enormous amuont of tax revenue the Federal Government must be losing because of underworld evasion of its fair share of taxes.

I ask my colleagues to think how this country could use more profitably the $28 billion which is being diverted into the costs of crime in our midst.

I ask my colleagues to think of the implications of underworld infiltration of legitimate business.

Right now, for example, several of the States are reportedly investigating the extent to which one or more State-chartered insurance companies may have granted loans of a very dubious quality to gambling establishments, perhaps at the request of underworld figures.

I hope, therefore, that the States and the localities will recognize their responsibility to proceed full-speed ahead on investigations to clean up their own areas.

The Federal Government can and must fulfill its responsibilities, but it cannot and it must not usurp the basic responsibilities of the States and cities.

Here in Congress, however, I earnestly hope that the Senate Committee on Interstate Commerce will find it possible to review the anticrime bills which we, of the Senate Crime Committee, recommended to it way back in 1950 and 1951.

In the meanwhile, I wish continued success to the McClellan committee in its own vigorous pursuit of those who use violence in labor or industry to coerce American citizens.

I ask unanimous consent that an article which was published in the Washington Post and Times Herald of June 14, 1957, describing the $28 billion crime cost to our country, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NATION'S CRIME TAB SET AT $28 BILLION

Serious crime is diverting $28 billion a year from the national economy and is infiltrating civic and community life, Aaron Kohn, president of the National Associations of Citizens Crime Commission, told the Washington Criminal Justice Association yesterday.

Kohn spoke as the WCJA honored its outgoing president, Ralph D. Pittman, in its 21st annual luncheon meeting at the Ambassador Hotel.

Director of the New Orleans Crime Commission and a former FBI agent, Kohn said there is an intense need for arousing public interest in citizens' crime commissions as a means of forming a united front for a war on the Nation's spiraling crime rate.

H. Holmes Vogel, vice president of the Chesapeake & Potomac Telephone Co., and new president of the Criminal Justice Association, called on John Remon, a WCJA past president, to present a plaque to Pittman at the luncheon.

The plaque expressed "deep appreciation" for Pittman's "splendid and unselfish performance of duty" during his 3 years as WCJA president.

"Your participation and accomplishments for the Washington Criminal Justice Association have resulted in an improved administration of criminal justice and better law enforcement for the District," the inscription said in part.

The Boy Scout Jamboree

EXTENSION OF REMARKS
OF
HON. GORDON CANFIELD
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. CANFIELD. Mr. Speaker, a youthful army in forest green shorts and multicolored neckerchiefs took over the Capitol yesterday and I for one was thrilled by its occupation.

The uniformed "invaders" were some of the 60,000 Boy Scouts from every State in the Union, the Territories of Alaska and Hawaii, Puerto Rico, and many foreign lands, who for the next 10 days will be camping in a city of 25,000 tents on the rolling hills of historic Valley Forge for the 1957 Boy Scout Jamboree. Many of these jamboree Scouts stopped off at this Capital City for a brief glimpse of their Government in action en route to the Valley Forge campsite while still others will be visiting us on their homeward journey.

I am told that the Scouts will be consuming some 509,000 eggs and more than 599,000 quarts of milk during the jamboree, and the 3,000 acre tent city that will house them, for the time of its occupation will be the 16th largest city in the Keystone State. I know that one of the major jamboree activities will be the swapping that goes on wherever Boy Scouts get together. There will be swapping of neckerchief slides, camporee badges, ceremonial gear and industrial samples from their respective areas, but even more important than this exchange of tangibles will be the swapping of ideas and friendships, the swapping of folkways and colloquialisms of speech. And out of all this the development of deep and lasting understanding and acceptance of the many differences that blend and merge into the harmonious pattern of our American way of life.

I recall so well my visit to the 1950 jamboree at Valley Forge when my own son was one of that great army of American boyhood encamped on the sun-warmed hillsides. I heard the rollicking Scout songs echo from rise to rise and thought how those old hills must have rocked to the strains of Yankee Doodle and Let Tyrants Shake Their Iron Rod, as the ragged Revolutionary soldiers sang to forget the misery, the hunger, and the cold.

I remember that thrilling pageant in the huge amphitheater, where the Scouts heard an address by the President of the United States and another by the top military leader of the day, the man who now sits behind the President's desk in the White House. There was a never-to-be-forgotten climax to that 1950 jamboree program when every light on the vast field was extinguished and a blanket of soft darkness fell over the buzzing, wriggling body of boys, bringing down a hush that seemed somehow sacred. Then in a far corner of the field one Scout lighted a tiny candle, its yellow flame leaping up and cutting through the enveloping blackness. One after another the boys lighted their candles until the whole amphitheater was shining with light, a moving demonstration of the power of a single candle to pierce the dark.

I like to think of those boys out there, swapping experiences and inspirations on the green hills of Valley Forge, as the shining candles of hope in this dark and weary world. May the ideals of Scouting burn brightly through all their lives and may these days at Valley Forge help them to appreciate and cherish the precious heritage that has been placed in their young and eager hands.

United States Policy on H-Bomb Testing

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. ANFUSO. Mr. Speaker, on June 13, 1957, I addressed a letter to Secretary of State John Foster Dulles concerning H-bomb tests and the dangers of nuclear fallout. I have now received an official reply from the State Department which I believe is most interesting since it outlines American policy and thinking on this matter at the present time.

Briefly, I had proposed in my letter that the United States should issue a declaration to the world stating that this country will make no H-bomb tests for a period of 6 months regardless of what other countries do. In this declaration the United States is to state clearly that we are taking this action in the interests of safeguarding humanity and civilization against the mortal perils of nuclear fallout.

Furthermore, I proposed that the declaration is to call on Soviet Russia and Great Britain to follow our example in accepting "this brief moratorium or trial period for the suspension of nuclear tests," and that if this 6-month trial period proves a success on the part of all concerned then it can be extended for a longer period of time.

On July 8, 1957, the State Department addressed a reply to my letter, signed by John S. Hoghland II, Acting Assistant Secretary for Congressional Relations.

It is worth recalling at this point that at the disarmament conference, now going on in London, the United States recently proposed the suspension of H-bomb tests for a period of 10 months. I prefer to believe that my letter to Secretary Dulles had something to do with the formulation of the proposal made by our delegation at the London conference.

Mr. Speaker, for this reason I believe it will be worth while to insert into the RECORD the text of the State Department's reply and my original letter.

The letters follow:

JUNE 13, 1957.

Hon. JOHN FOSTER DULLES,
Secretary of State, Department of State, Washington, D. C.

DEAR MR. SECRETARY: I am writing to you not only in my capacity as a Member of Congress and as spokesman for the people of my district, but also as the father of five children. During these past few weeks I have given considerable thought, as millions of others have done, to the mortal perils of nuclear fallout—the perils for our own generation, but even more so for our children and grandchildren.

Scientists seem to be generally agreed that radioactive elements which were unleashed by A-bombs and H-bombs since 1945 are already damaging human health all over the world. There may be some debate as to the degree of such damage, but no one questions the danger involved. As more of these bombs are exploded the physical danger increases since the atmosphere becomes more polluted with radioactive material.

It has been suggested that the three major nations experimenting with nuclear weapons, the United States, Soviet Russia, and Great Britain, should agree to stop these experiments for the safety of the entire human race. Others have maintained that if we stop testing nuclear weapons, then we might face the danger of losing our position of leadership in this field and in due time the United States would assume an inferior position to Russia who would utilize it for its own selfish purposes.

If there is no imminent danger to the security of our Nation, I should like to propound this question: Could we continue our nuclear research without tests for a period of 6 months and yet not suffer to any material extent the loss of our present leadership position? Would we be in a vulnerable spot if we abstained from such tests for 6 months? If the answer to these questions is that we could continue our research without tests and yet not endanger our position, then I would like to suggest the following proposal:

Let the United States come forward with a flat declaration to the world that we have decided to make no further H-bomb tests for the next 6 months, regardless of what other countries do, because we earnestly believe it to be in the best interests of humanity and civilization. At the same time we will call on Russia and Britain to do likewise during the same trial period. In other words, declare a brief moratorium or trial period for the suspension of nuclear tests. I believe that public opinion throughout the world would force Russia and Great Britain to follow our example.

By our action, we would demonstrate to the world that the American people are taking the initiative to end the destruction of the human race. It would also show that the American people and their Government are sincerely and genuinely dedicated to world peace.

Naturally, if this 6-month trial period proves to be a successful experiment on the part of all nations concerned, it can then be extended for a longer period of time. In this way, perhaps, we can avert the threat to our own and to future generations. In this way, too, we can provide our children and grandchildren with an equal opportunity of coming into this world as normal human beings and with the hope of living a normal life free from the perils of radioactive fallout which are threatening them.

I believe, Mr. Secretary, that millions of people in this country and abroad would be most interested in your views regarding this proposal.

Sincerely yours,

VICTOR L. ANFUSO,
Member of Congress.

JULY 8, 1957.

Hon. VICTOR L. ANFUSO,
House of Representatives.

DEAR MR. ANFUSO: I refer to your letter of June 13, 1957, concerning fallout and a proposal that the United States halt nuclear tests for 6 months.

It is believed that a review of the testimony given at the recent fallout hearings of the Joint Committee on Atomic Energy would not bear out the statement, "scientists seem to be generally agreed that radioactive elements which were unleashed by A-bombs and H-bombs since 1945 are already damaging human health over all the world." The record will show that there is general agreement among scientists on the amount of fallout received and the amount of strontium 90 in the body. It is recognized that the extra radiation from the test fallout is a small fraction of the natural dosage individuals receive from their own bodies and surroundings and cosmic rays. Radiation from test fallout is very small when compared with the radiation produced by medical and dental X-rays to which many individuals are exposed. Dr. Libby, of the Atomic Energy Commission, you may recall, has pointed out that an individual may receive doses which far exceed those from fallout by living in a brick house or in the mountains.

The Committee on Genetic Effects of the NAS–NRC noted in its report released in June 1956 that "the fallout dose to date (and its continuing value if it is assumed that the weapons-testing program will not be substantially increased) is a small one as compared with the background radiation, or as compared with the average exposure in the United States to medical X-rays." The following excerpt is taken from its conclusions: "The fallout from weapons testing has, so far, led to considerably less irradiation of the population than have the medical uses—and has therefore been less detrimental. So long as the present level is not increased this will continue to be true; but there remains a proper concern to see to it that the fallout does not increase to more serious levels." At the recent fallout hearings Dr. H. Bentley Glass, who is a member of the committee, commented that no data have become available in the past year to warrant changing the earlier conclusion.

From the foregoing, one should not conclude that there is no risk to be taken in

connection with nuclear testing. There is a small risk; however, it is small in comparison with the ordinary risks that we take all the time. At the fallout hearings, Dr. Libby asked the following question, to which only an affirmative answer can be given: "Are we willing to take this very small and rigidly controlled risk, or would we prefer to run the risk of annihilation which might result if we surrendered the weapons which are so essential to our freedom and our actual survival?"

Regarding the advisability of a 6 months' unilateral suspension of nuclear testing, a detailed review of the entire disarmament problem (as it relates to nuclear weapons) has led to the conclusion that the heart of the nuclear threat is ever-increasing stockpiles of nuclear weapons. Accordingly, the United States has proposed that, under effective inspection, at a given date, all future production of fissionable materials for weapons purposes should cease and that transfers from past production to peaceful uses should begin. Within the framework of such an agreement it would be possible to undertake either a suspension or a complete elimination of all nuclear weapons testing. For these reasons, a unilateral move merely to suspend testing for a short period would appear not to attack the most important and potentially dangerous aspect of the nuclear threat. It might tend instead to give a misleading impression of progress toward a safeguarded disarmament agreement. It is the view of the Department of State that any agreement on testing should be a part of a first step in a general disarmament agreement that would include provisions for the cessation of production of fissionable materials for weapons purposes.

Sincerely yours,

JOHN S. HOGHLAND II,
Acting Assistant Secretary for Congressional Relations
(For the Secretary of State).

Statement of Hon. Robert C. Byrd to the Subcommittee on Civil Service Retirement, House Committee on Post Office and Civil Service

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. BYRD. Mr. Speaker, permit me to call to the attention of our colleagues the statement which I presented to the Subcommittee on Civil Service Retirement, House Committee on Post Office and Civil Service, in connection with the hearings on the proposed legislation to increase the annuities of civil-service employees who retired prior to October 1, 1956. The statement follows:

STATEMENT OF HON. ROBERT C. BYRD PRESENTED TO THE SUBCOMMITTEE ON CIVIL SERVICE RETIREMENT OF THE HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, JULY 3, 1957

Mr. Chairman and honorable members of the Subcommittee on Civil Service Retirement, I am grateful for this opportunity to present my views in support of H. R. 4 and related bills, which would increase the annuities of civil-service employees who retired prior to October 1, 1956. The bill which I introduced on January 10, 1957, is similar to H. R. 4.

The proposed legislation will benefit some 240,000 retirees and about 80,000 surviving widows and dependent children. These employees did not share in the increased benefits which the 84th Congress granted under Public Law 854 to persons retiring on or after its effective date, October 1, 1956. General revisions increasing benefits under the civil-service retirement system were enacted in 1926, 1930, 1942, and 1948, and in each of those enactments benefits were also provided for persons already retired. These increases were paid from the civil-service retirement fund and did not call for special appropriations.

It is true that in the first session of the 84th Congress a token increase was provided for civil-service annuitants, but it is also true that that token increase was far below the proportionate increase in the cost of living. And, of course, that token increase was prior to the legislation of 1956, enacted for the benefit of future retirees. This fact, as well as the further fact that the cost of living has increased each month since the enactment of 1956 legislation, plainly points up the unfortunate economic situation in which retirees now find themselves.

Prior to the adjournment of the 84th Congress, the Senate passed the bill, S. 3725, to provide the necessary increases for annuitants; however, due to the approaching adjournment, the House was not able to act on the subject.

It is my understanding that about 70 percent of the beneficiaries are men and the balance women. Some 50,000 of these former Federal employees are today receiving approximately $50 a month. Another 50,000 receive between $50 and $100 a month, and still another 50,000 receive between $100 and $150 a month. In other words, 75 percent of our civil-service retirees receive less than $150 a month. The plight of their survivors is even more distressing. The average survivorship annuity is $50 a month. Do not these stark facts, then, amply demonstrate that Congress has the duty and the obligation to provide equitable and necessary improvement in its program of retirement and survivor benefits for former Government employees and their survivors?

No one denies the gross inadequacy of retirement benefits in meeting the present high cost of living. The urgency for remedial action, however, was graphically revealed in a special report published in the August 3, 1956, issue of the U. S. News & World Report. That report showed that civil service retirees were down 13 percent from the 1939 standard of living. On the other hand, the report showed that 35 major groups, representing 95 percent of our population of workers, enjoyed increases above that 1939 standard, ranging from 4 to 107 percent.

Many of the individuals who will be benefited by the increases proposed in the legislation here under consideration are wholly dependent upon their annuities. The inflationary spiral has hit hard. The shrinkage in the purchasing power of the "retirement dollar" cannot be ignored either.

The average age of the annuitants to be benefited by this legislation is 67.7 years. This fact, too, points up the necessity for immediate and favorable consideration of the proposed legislation. We recognize that retirees are at a great disadvantage because the dollars which they paid into the retirement fund have greatly decreased in value. The purpoee of the proposed legislation is to compensate for this loss in purchasing power and to provide some equity to these former Government workers.

The Congress has a direct responsibility to these former employees to see to it that their benefits have a sound relationship to the cost of living. Let us not overlook the real problems with which these retirees are faced. They are confronted with reduced income, reduced health, reduced living standards, and in many cases with increased medical expenses. Legislative action to assist these senior citizens is overdue.

In view of the above, I hope it will be possible for the subcommittee to give favorable consideration to the legislation here under consideration.

Hells Canyon, TVA, and Niagara

EXTENSION OF REMARKS
OF
HON. FRANCIS CASE
OF SOUTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Tuesday, July 9, 1957

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD one of my weekly newsletters which I send to the people of South Dakota. It deals with the subject of power at Hells Canyon, TVA, and Niagara.

There being no objection, the newsletter was ordered to be printed in the RECORD, as follows:

HELLS CANYON, TVA, AND NIAGARA

WASHINGTON, July 1, 1957.—It's time for plain speaking in South Dakota on power—public and private. Bills now pending in Congress point up the subject.

BILL NO. 1—HELLS CANYON

The Senate has passed a bill that would direct the Federal Government to build a high dam on the Snake River in Idaho

I voted against it. Why?

Because it will cost you your share of $500 million, possibly $600 million, plus damages to the private power company which has already spent about $20 million building some low dams under a license issued under President Roosevelt's 1936 Federal Power Act.

The issue was blurred by a tax amortization certificate that should not have been issued although the Idaho Power Co. was only getting what others have been getting since accelerated depreciation was resurrected with the Korean war. I did not like that—said so—introduced a resolution to stop it and stop all fast writeoffs.

Idaho Power then turned back its tax amortization certificate before the vote—but even if it had not, it does not make sense to make a $600 million mistake just because you've made an $18 million one.

Under either plan—there would be 750,000 kilowatts of firm power. A high dam might get 15,000 more. It might also get some dump power if you take water away from the upstream irrigators to fill a high dam. But I do not see using crop water to create dump power when the British are producing atomic power competitively.

So, I voted "No" which was to say, "Let the private company continue and let them put up the dough. We need lower, not higher, taxes."

BILL NO. 2—TVA

In the Senate Public Works Committee, I have helped to shape and report a bill that will let the Tennessee Valley Authority issue its own bonds up to $750 million to increase its facilities to meet growing power needs in its territory.

TVA is public power. My friends who think TVA is creeping socialism will probably themselves get the creeps on this one. And my REA friends who have been educated to think that one should be damned politically and perhaps eternally if he did not vote for a publicly built Hells Canyon Dam may give me no credit for supporting TVA public power.

But you, my fairminded reader—don't let anybody poison your mind. FRANCIS CASE is neither under the control of the private power trust when it comes to Hells Canyon nor the Socialists when it comes to TVA. I simply think it makes sense to let the cost of these things fall somewhere else than on the backs of the taxpayer.

Since TVA, a proven operation, can sell bonds and finance its needed expansion, why do it by taxation or an increase in the national debt?

BILL NO. 3—NIAGARA

Another bill which I have helped to shape and report from Senate Public Works would let the State of New York, through its State Power Authority, develop the hydroelectric potential in the Niagara River. It will cost them $566 million.

Again, I'm in the middle. Between the folks who wanted the original Miller-Capehart bill that would turn Niagara's potential over to five private power companies and those who wanted the Lehman-Roosevelt bill to have Uncle Sam do it and pick up the check.

This will be public power—State public power—but the so-called public power people are unhappy because we did not tack on the full preference clause for public bodies and cooperatives.

I voted for modifying the preference clause because I think if New York State finances the job, the people of that State are entitled to at least 50 percent of the power in that State. And less than 5 percent of them are served by the so-called preference bodies.

Also, I respect the claim of New York to some of the power that will be produced from waters rising and dammed in their State. (You know I also think that for South Dakota, too.) New York, under Republican Gov. Charles Evans Hughes over 50 years ago asserted that claim and it has been continued through Democrat Franklin Delano Roosevelt, Republican Tom Dewey and present Democratic Gov. Averell Harriman. All have asserted the doctrine of our Western States that a State has certain rights in its waters.

So, I have never favored requiring New York to accept a Federal preference law that would require them to export their State-financed power from a State dam on waters rising partly at least in their State to cities and co-ops in Pennsylvania, Ohio and Indiana and deny it to the 95 percent of their own citizens who are served by private distributors.

Now if I seem to have written this a bit bluntly, it is because the time has come to call the turn on a tendency to damn or praise in terms of "public power" and "private power." We have both in the United States—and should.

Without the drive that men have when there is a prospect of making a profit from enterprise and hard work, this country would not do any better than Russia does with state enterprises exclusively; without the yardstick of TVA and the example of what people will do with abundant electric power when they can get it at rates they can afford, we would not be the country we are today.

Not in our generation would the farm homes of America be lighted and modernized as they are had there been no Rural Electrification Administration. It has meant more to improve rural living than any other farm legislation you can name.

And the simple existence of a TVA yardstick makes it safe to have private power development when private capital and enterprise are able and willing to undertake the venture.

In each of these three cases, FRANCIS CASE voted—not on a public-power or a private-power basis—but for the solution which appeared likely to get the job done with the most protection to the public purse and to you as a taxpayer. I would save on—

Hells Canyon—private power	$600,000,000
TVA—public power, private funds	750,000,000
Niagara—public power, New York funds	566,000,000
Total in 3 bills	1,916,000,000

That much power development for a growing United States without any demands on the Federal Treasury. Without any increase in your taxes.

That's the way I voted. But whether you will be saved that first $600 million depends on what happens to Hells Canyon in the House of Representatives or at the White House.

If you want to help pay for a high Hells Canyon Government-built dam, write your Congressman that you are willing to have the national debt increased or your income tax raised or your share of the tax cost hidden in the price of a new tractor, cornpicker, or TV set.

And if you'd like to have the full-preference clause tacked onto the Niagara bill, write your Congressman that you are willing to have the Niagara Dam built by the Federal Government. That's a sure way to pick up the tab New York State stands ready to accept.

And, if you want TVA to be public enterprise, pure and simple, tell us that you want all TVA growth financed by Federal appropriations instead of TVA bonds. That's a quick way to add $750 million to the Federal budget for the next 6 years.

Thanks for letting me report to you so frankly.

Pregnancies Grow in Washington Schools

EXTENSION OF REMARKS
OF
HON. JOHN BELL WILLIAMS
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. WILLIAMS of Mississippi. Mr. Speaker, the entire country has been following with interest the results of public-school integration in the District of Columbia. Because President Eisenhower had suggested that Washington's public school system should serve as a model of integration for other communities to follow, developments here have been carefully noted by the public.

Last fall, a subcommittee of the Committee on the District of Columbia conducted a thorough study of conditions in the newly integrated Washington schools, and the evidence presented to that subcommittee startled the entire Nation. I am quite sure that no fair-minded person could close his eyes entirely to the disastrous effects that inevitably result from such wholesale integration if that person should take the time to read the transcript of hearings before that subcommittee.

In the current issue of U. S. News & World Report is to be found an enlightening article dealing with some of the problems brought about by integration of the District schools. The facts revealed in this article are shocking, to say the least, and should awaken even the most avid integrationists to the cold realities of life. Under leave to extend my remarks in the RECORD, I include the aforementioned article:

PREGNANCIES GROW IN WASHINGTON SCHOOLS

Pregnancy and vandalism are being pictured officially as twin problems in schools of the Capital of the Nation.

The number of pregnancies has multiplied. In one big section of the city, the health-clinic center has recorded a rise of 1,000 percent in pregnancies among junior-high-school girls, between 1948–49 and the present. The rate of rise is reported by officials as most rapid in the years since 1954, when separate schools for Negroes and whites were ended.

At the same time, vandalism in schools is described as a problem of serious proportions. Representative EARL WILSON, Republican, of Indiana, told Congress of an investigation of vandalism made by him at an elementary school newly constructed at a cost of $677,400. The story told by Representative WILSON is given in this article as it was printed in the CONGRESSIONAL RECORD.

JUNIOR MOTHERS

It is the problem of pregnancy among school children that is attracting special attention at this time. The problem is described in detail by a report made to the Youth Council of the city's administrative body, the District of Columbia Commissioners. The report was prepared by Dr. John R. Pate from school records and is entitled "Junior Mothers." Dr. Pate is director of the District's Bureau of Disease Control.

What follows is from the text of the report on pregnancy among pupils in junior high schools of Washington:

"The members of the Commissioners Youth Council, area M, have expressed concern over the increasing rise of illegitimacy among the early teenage group.

"A rise of over 1,000 percent in the number of such instances in comparison with 1948–49 school-year figures to that of 1956–57 has come to the attention of the Southwest Health Center clinic.

"In 1948–49, there were only seven illegitimate pregnancies in this age group (junior high school) that came to our attention. It is not expected that this large an increase would hold true throughout the city; but, because the statistics have risen so dramatically over a period of years, it was felt that a further study of this problem would be timely in order to bring to the attention of all concerned the seriousness of the situation, for the problem generally has increased.

"Further, many of these children being born out of wedlock are dependent solely on public-assistance funds for their support. This economic burden merely adds another complication to the emotional and moral one in the community.

"Alarming increase

"During the current school year there has been an alarming increase in the number of pregnant girls in the 7th, 8th, and 9th grades of the junior high schools of the city of Washington coming to the Southwest Health Center to have completed and properly signed physicians' certificates of pupils' inability to attend school. This problem has been increasing over the last 2 to 3 years, more than was noted in several years prior to 1954. The fact is that, during the current school year, our records show an increase of approximately 1,000 percent in the number of illegitimate pregnancies as compared to the 1948–49 school year in this age group.

"The purpose of this report is not to cast reflection on any particular group, for this situation is not confined to any one segment of the population. But it might be said that it is most prevalent in the group coming from the lower socio-economic status.

"Of the 23 junior high schools in the city of Washington, we have records on children

from 13 schools reporting to this health center for confirmation of pregnancy in order to be excused from school.

"The statistics of the public schools, included in this report, cover a period of 8 months. In practically every school the report is not completely accurate, falling short of the total number of pregnancies.

"Even the official certification of live birth kept by the Division of Vital Statistics does not always give the true picture as to illegitimacy, for the certification record, which is a legal record, does not necessarily indicate whether the child is legitimate or illegitimate. This is only found in the supplementary section which is recorded in confidential files.

"The overall figures for the District of Columbia in the year 1954, insofar as were obtainable, show 3 percent of the births to whites were illegitimate and 26.3 percent to nonwhites. This figure included births in the District of Columbia of nonresidents also, which further distorts the actual picture.

"Broken homes

"The statistics included in this report • • • are the actual numbers which the public schools have on record. In analyzing the case records (of pregnancies) available at the Southwest Health Center, we find of the 78 on hand that 61 come from broken homes. Two of this number are second pregnancies. Both of these girls, 14 years of age, had their first child at 13. Only one of the 78 is an only child. For the most part, they come from large families with a number of children, live in crowded conditions, with a history of separation of parents, common-law fathers or multicommon-law fathers in one family. Some of these junior mothers come from families where this pattern has existed from 2 to 3 generations.

"Example: One patient who was first seen at this clinic in 1948 as a frail, undernourished female early in her first pregnancy now is the mother of six living children, with several men involved. She is now living alone with these small children and is being given support with funds provided by the Department of Welfare. She readily admits the more children she has, the more income she expects to receive from this source and does not anticipate changing her pattern of living. (The present ceiling is $200 per month.)

"This pattern is repeated time and time again.

"Another example, whose child is now 9 months old, left junior high school in the ninth grade. The father of the child is a 17-year-old male who has continued in school. He does well in schoolwork and in school activities. In fact, so well that he was considered for a citizenship award which was to have been presented at graduation in June 1957. But the feeling of the principal is that we should not extend such a distinction to an individual who breaks the moral code of our way of life.

"PARENTAL COMPLACENCY

"It is tragic indeed to see these children present themselves as late as the second trimester of pregnancy or even the third trimester without ever having any prenatal care whatsoever. In the majority of instances, the mother of the patient is seen. In discussing the seriousness of the situation, the parents' reaction mostly is one of complacency. However, it has been our feeling that the parents have already experienced an emotional shock, and, while at the clinic, they seem to attempt to excuse the situation on the basis of the fact that it could not be helped and now it is too late.

"However, in a number of instances, these junior mothers have returned to the clinic within 3 or 4 months with no signs of pregnancy. It can only be concluded that an abortion has occurred. This, too, presents a very serious and alarming medical problem. This situation has been increasing in the last few months.

"According to the records of the Bureau of Vital Statistics for the calendar year 1955, [in the District] there were only 86 illegitimate live births to girls under 15 years of age. Certainly, from all indications, an alarming percentage of births in the District of Columbia are illegitimate.

"In the early part of the 1956–57 school year one school in southwest [Washington] reported over half of the 240 children enrolled were illegitimate. In the past few months, in the course of the redevelopment project, many of these families have moved. However, there still remain 40 illegitimate children out of an enrollment of 210.

"Boasts and bad examples

"It has been observed that, when children in the seventh, eighth, and ninth grades become premature mothers and then are required to return to a school setting, there has been a psychological change, as well as an enforced degree of maturity, which greatly affects their ability to adjust to normal school activities. For the most part, these junior mothers simply do not do well in the classroom setting, and boast of their progeny. This creates curiosity and develops disrupting attitudes among other teen-agers.

"It may well be pointed out in one instance where a young teen-ager who had a baby kept showing snapshots of her offspring to her close personal friend, an eighth-grade pupil, until she created such a strong desire in this young girl, who had never been pregnant, that she determined to duplicate the feat of her friend. After having intercourse with a number of young males and not getting pregnant, she has developed a definite psychosis. This situation is serious and, in spite of all counseling, when these premature mothers return to school they boast of their child or children to their school friends. This serious reaction and conflict of standards is demoralizing to all of the children who are aware of the situation.

"Other cities, less trouble

"Inquiries were made of several cities regarding their problem and, with the exception of Baltimore, none of the other several cities seem to be having such a dramatic increase in illegitimacy as Washington. The city of Baltimore replied on December 6, 1956, which is quoted in part:

"'There is a catastrophic lack of knowledge on illegitimacy, probably one of the most important problems in maternal health and subsequently in child health for cities like Washington and Baltimore.

"'The number of illegitimate pregnancies cannot be established with finality. Of the total illegitimate babies, 50 percent occur among girls 18 years of age and lower.' In 1954 in the city of Baltimore, 36 percent of the total number of live births among the nonwhites were illegitimate. This was an increase of 6 percent over 1953 figures. There was no noticeable increase in illegitimacy among white teen-agers during this same period.

"In the city of New York there were 131 births to mothers under 15 years of age in 1955, and in 1956 there were 148 births to mothers in this age group. In 1956, 133 of these 148 were illegitimate or 91.1 percent. Of births occurring among young women between 16 and 19, there were a total of 12,074 live births. Of these, 2,687 could be identified as births out of wedlock or 22.3 percent. In New York City there has been a gradual increase in the overall proportion of illegitimate births since 1954. In that year it was 5.5 percent; 1955, 6.3 percent; 1956, 6.7 percent. These figures fall far short of those of the city of Washington, however.

"In the city of Philadelphia in 1955 there were only 96 illegitimate births to mothers under 15 years of age recorded; 7 white or 0.2 percent and 91 nonwhite or 0.7 percent.

"Special schools for mothers?

"It seems in a number of cases children have made an effort to become pregnant in order to stop school. This confession has been made by a number of pregnant girls. If the pregnancy occurs in the 13th or 14th year and they are forced to return to school against their desires, a number of these children have stated they have frankly made an effort to become pregnant again. It is felt that some form of training should be provided for these children regardless of their wishes, even if it requires the establishment of special schools for them. They should be taught how to care for their offspring and be given other forms of instruction which can be made of practical value.

"It seems that the problem of illegitimacy is more serious in Washington and Baltimore than in New York City, Philadelphia, or Richmond, Va. Since the increase in this city has been so noticeable during the 1956–57 school year as compared with several previous years, it seems that we are faced with an acute pattern that demands immediate and serious consideration.

"Within the last few days the junior-high-school nurses and counselors have again been contacted and the figures released from the Statistical Division of the Board of Education are lower than what now seems to be the facts. It can only be concluded that the problem is even more serious than our statistics reflect.

"Grade-school pregnancies

"Due to the regulation that children must attend school until they are 16 years of age, there are few figures for senior high school students since, by and large, these pupils have reached their 16th birthday and may discontinue school without having to have an official excuse. Consequently, no accurate figures are obtainable. This report is directed primarily toward junior high school students. However, there have been recorded in the elementary schools 8 pregnancies between September 10, 1956, and April 10, 1957. Seven of these girls were 11 years of age and 1 was 10 when she became pregnant.

"Further observation is that, in some schools the male teen-ager is responsible, while in others there seems to be a definite pattern of young adults, 20 to 30 years of age and even older, who are responsible. Some teen-age males have confessed to fathering 2 to 8 children.

"In several cases stepfathers and common-law husbands are responsible, and, in others, married men have been named as the responsible partner. Out of the total records of approximately 75 junior high school children seen, in only 2 cases has the girl become legally married to the father of her unborn child.

"To prevent calamity

"From the statistics included in this report and the accompanying narrative, it can be readily concluded that we are now faced with a serious juvenile problem which affects both girls and boys. The result is such an enormous moral and economic catastrophe that we cannot afford to look askance at the needs of these young people.

"Sex education in the home, the church, the schools, and other social agencies must be put into effect, as the atomic weapon for the prevention of illegitimacy, and sufficient social services instituted, as well as pupil guidance and every other means at our disposal put into full force to correct and prevent maladjustments which follow such experiences.

"Further, it is imperative that we join forces to circumvent this present calamity and that we instill in our teen-agers a proper code of conduct for school, church, home, and community.

"On the question of public assistance to these children, it might be assumed that it will be the responsibility of the taxpayer for many years.

"Currently, in New York State the aid for children is catching up to the aid for the aging. It would be interesting in this city to learn the cost proportionately for financial aid to illegitimate children to that of the sick and aged.

"The proposals that have been submitted to Congress to help in the field of juvenile delinquency may have a great bearing on solving this problem when this measure is put into effect."

VANDALS AND HOODLUMS

Representative WILSON, who called attention to the school-vandalism problem, is a member of the House Appropriations Committee, which handles funds for the District. Congress provides about $5 million a year for new schools in the District, and it was abuse of one of these new schools that aroused Mr. WILSON.

The Wilson speech, as reported in the CONGRESSIONAL RECORD of June 27, 1957:

"Two years ago—May 13, 1955, to be exact—the District of Columbia, with financial aid of the taxpayers all over the United States, completed construction of a $677,400 elementary school building at East Capitol and 55th Streets NE. The property, including a well-equipped playground, covers an entire block.

"Known as the Marion P. Shadd School, it has 26 classrooms, auditoriums, cafeterias, and all modern facilities. There are 32 teachers in addition to clerical and maintenance workers. Students total about 1,300, ranging from kindergarten through the sixth grade. It is an all-colored school in an all-colored community of modern, spacious apartments and homes.

"This is one of the finest school plants in Washington or anywhere else. It is an architectural and cultural landmark, an institution of which the residents of that Negro community should be very proud.

"A school ripped to bits

"However, this beautiful edifice is being destroyed—literally ripped to bits by vandals and hoodlums—while people of the neighborhood stand by in apparent disinterest. The Marion P. Shadd School is rapidly becoming a landmark of shame to the very people it is intended to serve.

"I inspected this school a few days ago, Mr. Chairman. I found hundreds of windowpanes broken. Mud and filth have been hurled against the building. Empty beer cans are scattered about the premises, piles of filth lie in the doorways, outdoor electrical equipment and entrance lights broken and destroyed. Three or four windows at the cafeteria end of the building have been boarded up by the school authorities because vandals break windowglass as fast as it is replaced. Obscene words and crude drawings cover portions of the neat little frame annex used for kindergarten pupils.

"This has been going on since the school was opened, I was informed by the distressed principal, Mrs. Lillian S. Glascoe, who has been a teacher in the District of Columbia schools for 34 years. The cost of replacing broken windows and repairing other damage to the building already has run into thousands of dollars, she told me. She says she has vainly sought cooperation of adults in the area.

"Lack of adult interest

"I am bringing this matter to the attention of this Chamber, Mr. Chairman, because Washington, as the seat of government, is a Congressional responsibility. Perhaps some of my colleagues may have suggestions as to how this shameful situation might be corrected.

"My own background as a teacher and a school administrator convinces me that this is a shocking example of the lack of adult interest in the schools established for their children. The Negro people who live in this area are allowing their magnificent institution to be turned into a landmark of shame to them.

"If we look more penetratingly into the problems of juvenile delinquency, we can see that parental delinquency and disinterest are prime factors."

A PROBLEM IN WASHINGTON'S PUBLIC SCHOOLS

Pregnancies among schoolgirls under 16, based on physicians' certificates received during the period September 10, 1956, to April 10, 1957:

Total pregnancies reported	190
Among Negro girls	178
Among white girls	12
In high schools	53
In junior high schools	129
In elementary school (including 1 girl 10 years old)	8

Federal Judiciary Will Provide Fair Administration of Civil Rights Laws

EXTENSION OF REMARKS
OF
HON. CHARLES A. VANIK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, July 9, 1957

Mr. VANIK. Mr. Speaker, in connection with the civil-rights debate in the House of Representatives I took the occasion several times to oppose the jury trial amendment on the basis that the right of law-abiding citizens to vote without restraint is without doubt as important as the right of a wrongdoer to a jury trial. I also argued that since in most States the jury panels are selected from among the electors, the right to vote, therefore, is fundamental and essential to the conduct of fair jury trials. It is in the nature of things that some people who seek to interfere or restrain others in their right to vote must give up their right to jury trial under these circumstances so that others—equal Americans—may have the right to vote, from which all authority in our Government develops.

During the course of the argument on the floor, the opponents of the contempt provisions of the civil-rights legislation argued that the legislation constituted a mass indictment of the integrity of the entire southern populace of the country and that it would be irresponsible to charge that a whole people would be faithless to a solemn juror's oath.

I want to point out that the conduct of the contempt proceedings under the civil-rights bill as it passes the House of Representatives will in every case be conducted before distinguished jurists of the Federal bench who have lived and developed in their home communities. In every respect they are the products of the South and are familiar with its traditions and its culture.

Can those who oppose this legislation logically contend that these gentlemen, the judges of the Federal district courts in the southern districts, will ignore their obligation to comply with all corners of the law in passing upon the contempt charges which may be brought against their fellow men? Can it be contended that these are men who may be swayed by passion, or prejudice or who will render arbitrary or indiscretionary judgments? I do not believe so.

Mr. Speaker, I am submitting a list of the Federal judges who sit in the United States Federal district courts of the Southern States. By and large they are gentlemen who were born and raised in the communities in which they now act and pass judgment as judges of the Federal district court. They are products of the schools of the South. Some were members of Congress and have served with distinction throughout their entire careers. There is no reason for anyone to suspect that the civil-rights legislation will not be administered in keeping with the highest traditions of American jurisprudence.

ALABAMA

Daniel H. Thomas, judge; born, Prattville, Ala.; bachelor of laws, University of Alabama, 1928; admitted to Alabama bar, 1929; law practice, Mobile, 1929–51; assistant solicitor, 13th judicial circuit, Alabama, 1932–39; partner, Lyons, Thomas & Pipes, 1943–51; appointed United States district judge, southern district of Alabama, 1951. Home: 13 Dogwood Circle, Spring Hill. Office: Federal Building, Mobile, Ala.

Seybourn Harris Lynne, judge; born, Decatur, Ala.; B. S., Alabama Polytechnic Institute, 1927; bachelor of laws, University of Alabama, 1930; admitted to Alabama bar, 1930; general practice of law, Decatur, Ala., 1930–34; judge, Morgan County Court, 1934–41; judge, Eighth Judicial Circuit of Alabama, 1941–42; judge, United States District Court for the Northern District of Alabama since 1946. Home: 305 East Glenwood Drive, Birmingham. Office: Federal Building, Birmingham, Ala.

Harlan Hobart Grooms, judge; born, Jeffersonville, Ky.; bachelor of laws, University of Kentucky; admitted to bar, Kentucky and Alabama; practiced in Birmingham, Ala., 1926—; former member, Spain, Gillon, Grooms & Young; judge, United States District Court for the Northern District of Alabama, 1953—. Member, American, Alabama, Birmingham Bar Associations, Phi Alpha Delta, Omicron Delta Kappa, Scabbard and Blade, Pi Kappa Alpha. Home: 2624 Aberdeen Road. Office: Box 34, Birmingham, Ala.

Frank M. Johnson, Jr., judge; born, Haleyville, Ala.; graduate, Gulf Coast Military Academy, Gulfport, Miss., 1935, Massey Business College, Birmingham, 1937; bachelor of laws, University of Alabama, 1943, admitted to Alabama bar, 1943; private practice in Haleyville and Jasper since 1946; member of firm; Curtis, Maddox & Johnson, 1946–53; United States attorney, northern district of Alabama since 1953. Served as private to captain, Infantry, United States Army, 1943–46. Decorated, Purple Heart with Oak Leaf Cluster; Bronze Star. Home: 1100 Ninth Avenue, Jasper, Ala. Office: Federal Building, Birmingham, Ala.

ARKANSAS

Harry J. Lemley, judge; born Upperville, Va., student University of Virginia, 1901–03; bachelor of laws, Washington and Lee University, 1910, doctor of laws, University of Arkansas. Admitted to Arkansas bar, 1912, practiced at Hope, Ark., 1912–39; United States district judge, eastern and western districts, Arkansas, since 1939. Member Phi Delta Theta, Phi Delta Phi. Author and coauthor of papers on archeology of Arkansas. Home, Hope, Ark. Address, Texarkana, Ark.

John Elvis Miller, judge; born near Aid, Mo., student Southeast Missouri State Teachers College, Cape Girardeau, and Valparaiso

(Indiana University, bachelor of laws, University of Kentucky, 1912). In practice of law, Searcy, Ark., since 1912, member Miller & Yingling; prosecuting attorney, first judicial circuit, Arkansas, 1919–22; director Bank of Searcy. Member 72d to 75th Congresses (1931–39), 2d Arkansas District; resigned on election as United States Senator to fill vacancy caused by death of Joseph T. Robinson for term ending 1943; resigned from United States Senate (April 1, 1941) to become judge of the United States District Court for the Western District of Arkansas. Member Arkansas Bar Association. Home, Fort Smith, Ark.

FLORIDA

Dozier A. DeVane, judge; born near Lakeland, Fla., student Florida State College, Tallahassee, 1904–05; bachelor of laws, Washington and Lee University, Lexington, Va., 1908. Admitted to Florida bar 1908; practiced in Tampa, 1908–18; county attorney Hillsboro County, 1913–14; counsel to Florida Railroad Commission, 1918–20; rate attorney American Telephone & Telegraph Co., 1920–22; general counsel Chesapeake & Potomac Telephone Co., and associated companies, 1922–30; practiced law in District of Columbia 1930–33; solicitor, Federal Power Commission, Washington, D. C., 1933–38; reentered private practice Ordando, Fla., 1938; member DeVane, Andrews & Patterson; appointed United States district judge, northern and southern districts of Florida, 1943, northern district, 1947. Member Kappa Sigma O. D. K. Phi Beta Kappa. Home, Old St. Augustine Road; office, Federal Building, Tallahassee, Fla.

George W. Whitehurst, judge; born Wauchuta, Fla. Student, Stetson University; bachelor of laws, University of Florida; admitted to Florida bar; Florida State circuit judge; now United States district judge, Miami. Home: 301 Valencia Way, Fort Myers, Fla.; office: Post Office Box 1070, Miami, Fla.

William J. Barker, judge; born Marietta, Ga., bachelor of laws with highest honors, University of Georgia, 1916. Admitted to Florida bar, 1916, and began practice in Jacksonville; judge, circuit court of State of Florida, 1925–40; United States district judge, southern district of Florida, since 1940. Member, American and Florida Bar Associations. Home: 3305 Lykes Avenue; office: Federal Building, Tampa, Fla.

Bryan Simpson, judge; born Kissimmee, Fla., bachelor of laws, University of Florida, 1926. Admitted to Florida bar, 1926, and practiced in Jacksonville, 1926–39; assistant States attorney, fourth Florida circuit, 1933–37, judge, criminal court of record, Duval County, Fla., 1939–46; circuit judge fourth Florida circuit, 1946–50; United States district judge, southern district, Florida, 1950. Trustee Bolles School, Jacksonville; member State board Children's Home Society, Florida. Served as first lieutenant United States Army, 1943–45, 12 months ETO. Member American, Jacksonville Bar Associations, Florida bar.

Emett Clay Choate, United States judge; born Columbus, Ohio; bachelor of laws, University of Indiana, 1914; admitted to Indiana bar and Oklahoma bar, 1914, New York bar, 1922, Florida bar, 1925; practiced in Oklahoma City, 1917–21, New York City, 1922–25, Miami, 1925–54; United States judge southern district, Florida, 1954. Member Housing Authority, City of Miami, 1952; member national board, field advisers, Small Business Administration, 1954. Delegate Representative National Convention, 1952. Served as first lieutenant, Oklahoma Infantry, 1914–16; major, Field Artillery, United States Army, 1917–18. Member American Automobile Association, American, Florida, Dade County Bar Associations, Phi Delta Phi. Clubs: Kiwanis (Miami); home: 3306 Crystal, Miami, Fla.

GEORGIA

Frank Arthur Hooper, Federal judge; born in Americus, Ga.; student, Georgia Institute of Technology, Atlanta Law School, 1936, LL. M., 1937; secretary to judge, Georgia Court of Appeals, 1917, private practice, Atlanta, 1919–43; judge, Georgia Court of Appeals, 1933; instructor, Atlanta Law School, 1934–43; assistant city attorney, Atlanta, 1940–43; judge, superior court, Atlanta Judicial Circuit, 1943–49; United States district judge, Northern District of Georgia, 1949. Member, Georgia House of Representatives, 1925–28. Served as ensign, USNRF, 1919.

William B. Sloan, judge; born in Gainesville, Ga.; admitted to Georgia Bar, 1915; Representative, Georgia State General Assembly, 1927–31; assistant attorney general, Georgia, 1932; judge, city court, Hall County, Georgia, 1934–45; judge, superior courts, Northeast Judicial Circuit, Georgia, 1945–48; United States district court, Northern District, Georgia, since 1951. Member, American, Georgia State Bar Associations, American Judicature Society. Home: 1188 Cherokee Road. Office: Federal Building, Gainesville, Ga.

Thomas Hoyt Davis, United States district judge; born in Braselton, Ga.; bachelor of arts, Mercer University; admitted to Georgia Bar, 1916; in general practice, 1916–26; solicitor general, Cordele judicial circuit, Georgia, 1927–33; United States attorney, middle district, Georgia, 1933–45; United States district judge, middle district, Georgia, 1945. Member, Georgia Bar Association, Cordele Circuit Bar Association. Home: Vienna, Ga.

William Augustus Bootle, judge; born in Colleton County, S. C.; Mercer University, 1924, LL. B., 1925; admitted to Georgia Bar, 1925, since practiced at Macon; member, Carlisle & Bootle, 1933–54; United States district attorney, Middle Georgia District, 1929–33; acting dean, Mercer University Law School, 1933–37; part-time professor of law, 1926–37; judge, United States district court, Middle District, Georgia, 1954. Trustee, Mercer University, chairman, executive committee board, 1941–46, 1948–53. Member, Phi Delta Theta. Club: Civitan, president, 1936). Home: 196 Buckingham Place. Office: Post office, Macon, Ga.

Frank M. Scarlett, Federal judge; born in Brunswick, Ga.; 1898–08, Gordon College, Barnesville, Ga., 1908–10; bachelor of laws, University of Georgia, 1913; admitted to bar of Georgia, 1913; practiced law in Brunswick under name of Courtland Symmes & Scarlett, 1913–15; private practice, 1915–29; appointed solicitor of city court of Brunswick, 1919–29; entered partnership under name of Reese, Scarlett, Bennett & Highsmith, 1929–37, with Reese, Scarlett, Bennett & Gilbert, 1937–46; United States district judge since February 14, 1946; president, Brunswick Chamber of Commerce, 1936–38. Home: 902 Wright Square. Office: Federal Building, Brunswick, Ga.

LOUISIANA

Herbert William Christenberry, judge; born New Orleans, La. Student Soule College, New Orleans; bachelor of laws, Loyola University 1924, also student, New York University, 1927; private practice, 1924–33; assistant attorney, Board of Commissioners of Port New Orleans, 1933–35; deputy commissioner, Louisiana Debt Moratorium Commission, 1935; assistant district attorney, Parish of Orleans, 1935–57; assistant United States attorney, Eastern District of Louisiana, 1937–42, United States attorney, 1942–47; United States district judge since 1947; instructor, Loyola University of the South, School of Law. Member, Federal Bar Association, Louisiana State Bar Association, New Orleans Bar Association; home, 4300 St. Ann St.; office: 600 Camp Street, New Orleans.

James S. Wright, district judge; born New Orleans. Bachelor of philosophy, Loyola University, 1931. Bachelor of laws, 1934; high school teacher, 1931–35; lecturer, English history, Loyola University, 1936–37; assistant United States attorney, New Orleans, 1937–46; practice of law, Ingoldsby, Coles & Wright, Washington, 1946–48; United States attorney, Eastern District, Louisiana, 1948–49. Served as lieutenant commander, United States Coast Guard, 1942–46. Observer, United States State Department of International Fisheries Conference, London, 1943. Member, Louisiana State Bar Association (board of governors), Federal Bar Association (president, New Orleans chapter). District of Columbia Bar Association, New Orleans Bar Association, Alpha Delta Gamma (national president). Clubs: Army-Navy (New Orleans); Army-Navy Country (Washington); Home: 35 Newcomb Boulevard, New Orleans, 18; office: Post Office Building, New Orleans.

Ben C. Dawkins, Jr., judge; born Monroe, La., bachelor of arts, Tulane University, 1932; bachelor of laws, Louisiana State University, 1934; admitted to Louisiana bar, 1934, practiced in Monroe, 1934–35, Shreveport, 1935–53; member, firm, Blanchard, Goldstein, Walker & O'Quin, 1935–53; United States district judge, Western District, Louisiana since 1953. President, Shreveport Recreation Council, 1941; director Children's Service Bureau, 1947–51, Child Guidance Clinic, 1952. Member school board, Caddo Parish School, 1949–53, president, 1950–52. Served as lieutenant commander, air navigator, United States Naval Reserve, 1942–45. Member, America, Louisiana State (board of governors, 1950–52) Shreveport (vice president, 1941–42, secretary-treasurer, 1947–48; president, 1949–50), bar associations, Shreveport Chamber of Commerce (director 1949–52), Junior Chamber of Commerce (director 1941–42); American Legion, Veterans of Foreign Wars (post commander, 1946–47, judge advocate, Louisiana department, 1947–48), Delta Kappa Epsilon, Phi Delta Phi, Omicron Delta Kappa; Club: Shreveport Exchange (president, 1951). Home: 4054 Baltimore Street; office: Federal Building, Shreveport, La.

Edwin Ford Hunter, Jr., United States judge, born Alexandria, La. Student, Louisiana State University, 1930–33; bachelor of laws, George Washington University, 1938; admitted to Louisiana bar, 1938, member, Smith Hunter, Risinger & Shuey, Shreveport, 1940–53, member, Louisiana State Legislature, 1948–52; executive counsel, Governor, Louisiana, 1952; member, Louisiana State Mineral Board, 1952. Served as lieutenant, United States Naval Reserve, 1942–45, on U. S. S. *Saratoga*. Member American Bar Association (Louisiana State chairman, junior bar section, 1945), American Legion (post commander, 1945, judge advocate, Department Louisiana, 1948), Sigma Chi. Home: 1027 Ninth Street; office: Post Office Box 1339, Lake Charles, La.

MISSISSIPPI

Sidney Carr Mize, judge; born, Scott County, Miss.; bachelor or arts, Mississippi College, Clinton, 1908; bachelor of laws, University of Mississippi, 1911; admitted to Mississippi bar, 1911, forming law partnership with his brother, Joe H. Mize, to 1926; then firm changed to Mize, Thompson & Mize; served as special district attorney, special county judge, special chancery judge; United States judge for southern district of Mississippi since 1937. Member, Democratic State Executive Committee, 1931–37. Trustee, Gulfport municipal schools, 1930–38. Member, American, Mississippi State, and Harrison County bar associations; Phi Kappa Psi, Phi Delta Phi. Address: Gulfport, Miss.

NORTH CAROLINA

Wilson Warlick, judge; born, Newton, N. C.; bachelor of science, Catawba College; 1910 doctor of laws (honorary) 1936; bachelor of laws, University of North Carolina, 1913; admitted to North Carolina bar 1913, practiced law, Newton, N. C., 1913–30; judge, superior court, 16th judicial district, 1930–49; United States district judge, western district, North Carolina, since 1949. Chairman, North Carolina Probation Commission since 1937. Served as lieutenant, G–2, American Expeditionary Forces, Adjutant General Department, World War I; member of S. A. R. American Legion, 40 et 8, Alpha Tau Omega. Office: Federal Building, Statesville, N. C.

Donnell Gilliam, judge; born, Tarboro, N. C.; student, University of North Carolina, 1905–10; admitted to North Carolina Bar, 1910; member, firm Gilliam & Bond, Tarboro, 1923–45; State district solicitor, 1923–45; United States district judge, eastern district of North Carolina since May 30, 1945. Chairman, Edgecombe County Democratic Executive Committee, 1910–45. Member, Delta Kappa Epsilon. Home: 302 Church St., Tarboro, N. C.

OKLAHOMA

Royce E. Savage, judge; born, Blance, Okla.; bachelor of arts, University of Oklahoma, 1925, bachelor of laws, 1927; assistant insurance commissioner, 1927–29; practiced law as member firm Monnet & Savage, Tulsa, 1929–38; Cantrell, Savage & McCloud, Oklahoma City, 1938–40; appointed United States district judge for northern district of Oklahoma, 1940. Member of Phi Delta Theta and Phi Delta Phi. Home: 2135 East 25th Street; office: Federal Building, Tulsa.

William R. Wallace, judge; born, Troy, Tex.; student, Indianola College (now University of Tulsa), 1901–05; University of Oklahoma, 1909–10; doctor of laws, Oklahoma Baptist University, 1947; admitted to Oklahoma Bar, 1910, practiced in Pauls Valley, Okla., 1910–25; county judge, Garvin County, 1913–17; attorney, Magnolia Petroleum Co. and Lone Star Gas Co., 1925–50; United States district judge for the northern, eastern, and western districts of Oklahoma since 1950. Served as member of Oklahoma State Legislature, 1909–23. Chairman of Oklahoma Public Welfare Commission, 1939–42; board of regents, University of Oklahoma, 1944–48; member of American and Oklahoma Bar Associations, Kappa Sigma. Clubs: Rotary, Men's Dinner. Home: 2419 North Harvey, Oklahoma City; office: Federal Building, Oklahoma City.

Eugene Rice, judge; born, Union City, Tenn., bachelor of science, Hall-Moody College, Martin, Tenn., 1910; bachelor of laws, Valparaiso University, 1917; taught in rural schools of Tennessee, 1910–13; admitted to Oklahoma bar, 1920, and practiced in Oklahoma; State district judge, 1930–37; former member of court of tax review, Oklahoma; appointed United States district judge, eastern district, Oklahoma, 1937. Served with United States Army and AEF, 1917–19. Member of American Bar Association, Oklahoma State Bar Association; honorary member of Phi Delta Phi. Home: 1521 Boston Street; office: Federal Building, Muskogee, Okla.

Stephen S. Chandler, judge; born, Blount County, Tenn.; student of University of Tennessee, 1917–18; bachelor of laws, University of Kansas, 1922; private law practice in Oklahome City, 1922–43; appointed United States district judge for the western district of Oklahoma, 1943. Member of Sigma Alpha Epsilon and Phi Delta Phi. Clubs: Oklahoma City Golf, Beacon, and Rotary.

Ross Rizley, judge; born, Beaver, Okla.; bachelor of laws, University of Kansas City, 1915; admitted to Okhaloma bar, 1915; actively practicing law since 1915; county attorney, Beaver County, Okla., 1919–20; State senator, first Oklahoma district, 1931–35; Member, 77th-80th Congresses (1941–49), 8th Oklahoma District; Solicitor, Post Office Department, March to December 1953; Assistant Secretary of Agriculture, 1953–54; Chairman, Civil Aeronautics Board, 1955; director, City National Bank, Guymon; member, Guymon Chamber of Commerce (former president, director). Member, Oklahoma State Bar and American Bar Associations; address: Guymon, Okla.; office: Department of Agriculture, Washington, D. C.

SOUTH CAROLINA

George B. Timmerman, judge; born, Edgefield County, S. C.; graduate, Patrick Military Institute, 1900; bachelor of laws, South Carolina College (now University of South Carolina) 1902; doctor of laws (honorary) 1952; general practice of law, 1902–42; appointed United States district judge for the eastern and western district of South Carolina, 1942; captain, South Carolina Militia, aide on brigade staff, 1905; solicitor, 5th judicial circuit, 1905–08; 11th judicial circuit, 1908–20; member, State of South Carolina Highway Commission, 1931–39, chairman, 1936–39; chairman, Lexington County (S. C.) Democratic Committee, 1914–16; Democratic State executive committeman, 1930–32, 1938–42; president, Democratic State convention, 1932; chairman, Ridge District Boy Scouts of America, 1940–43; vice president, central council, 1942–44; chairman, Batesburg-Leesville Park Commission, 1941–46; trustee, University of South Carolina, Columbia, S. C., 1941–47. Member, South Carolina and American Bar Associations, Phi Kappa Sigma, Omicron Delta Kappa. Home: Rutland Street, Batesburg, S. C.; office: United States Courthouse, Columbia, S. C.

Ashton H. Williams, Judge; born, Lake City, S. C.; bachelor of arts, University of South Carolina, 1912; graduate law school; Georgetown University, 1915; admitted to South Carolina bar, 1914; since, practiced in South Carolina; member, Lake City Council, 1916–17; South Carolina State House of Representatives, 1921–22; senator, Florence County, 1923–26; member, Democratic National Executive Committee, South Carolina, 1948–49. Author (while in senate): Pay-as-You-Go Road Act, 1923; Coastal Highway Act; first act to tax gasoline for good roads; office, United States Courthouse, Charleston, S. C.

Charles C. Wyche, judge; born, Prosperity, S. C.; bachelor of science, The Citadel, Charleston, 1906; doctor of laws, 1952; Georgetown University, 1908–9; admitted to South Carolina bar in 1909, and practiced at Spartanburg; member, South Carolina House of Representatives, 1913–14; city attorney, Spartanburg County, 1919–33; United States district attorney, western district of South Carolina, 1933–37; appointed United States district judge western district of South Carolina, January 30, 1937; circuit judge, court common pleas, by special appointment, 1924; court of general sessions, 1924; associate justice, Supreme Court of South Carolina, by special appointment, 1929. Served in World War I, advancing from first lieutenant to major with AEF and Army of Occupation; member American and South Carolina State (president, 1931–32), Spartanburg County Bar Associations; American Law Institute; home: 268 Mills Avenue; office: Federal Building, Spartanburg, S. C.

TENNESSEE

William E. Miller, judge; born Johnson City, Tenn., bachelor of arts, University of Tennessee, 1930; bachelor of laws, Yale, 1933; admitted to Tennessee bar 1933; member, Cox, Epps, Miller & Weiler, Johnson City, 1933–55; chancellor, first chancery division, Tennessee, 1939; United States district judge, middle district, Tennessee, 1955—. Member, Tri-Cities Airport Commission. Presidential elector, 1940; member, Constitutional Convention of Tennessee, 1953. Chairman, Washington County Chapter, American Red Cross, 1938–40; board of visitors, Emory and Henry College. Served as major, United States Air Force, World War II. Member, Johnson City Chamber of Commerce, American, Tennessee, Washington County (past president) bar associations; American Counsel Association; American Judicature Society; American Legion; Sigma Alpha Epsilon. Clubs: Executives, Kiwanis, Hurstleigh, Johnson City (Johnson City, Tenn.). Home: 228 Vaughan's Gap Road, Nashville. Office: Federal Building, Nashville.

Marion S. Boyd, judge; born 1900; graduate, University of Tennessee, 1921; judge, United States district court, western district of Tennessee since 1940. Office: Federal Building, Memphis, Tenn.

Leslie Rogers Darr, judge; born Jasper, Tenn.; student, Pryor Institute, Jasper, 1904–08; bachelor of laws, Cumberland University, 1909; admitted to Tennesseee bar, 1910; practiced law at Jasper, Tenn., 1910–26; judge, 16th circuit of Tennessee, 1926–39; United States district judge, eastern and middle districts of Tennessee since 1939. Home: 1506 Riverview Road, Chattanooga, Tenn.

TEXAS

Thomas W. Davidson, judge; born Harrison County, Tex.; special courses study, Columbia and University of Chicago; studied law privately; admitted to Texas bar, 1903; practiced in Marshall; city attorney, 1907; State senator, 1921; Lieutenant Governor of Texas, 1923; United States district judge, northern district of Texas, since February 1936. Member, Democratic National Convention, 1912–32. Member American, Texas (president, 1927), and Dallas Bar Associations; president, Harrison County Bar Association, 1916. Home: Maple Terrace, Maple Avenue. Office: Post Office Box 266, Dallas 1, Tex.

Joseph B. Dooley, Federal judge; born San Angelo, Tex.; practiced law, Amarillo, Tex., 1911–47; president, State Bar of Texas, 1944–45; United States district judge for northern district of Texas, 1957; member advisory committee, Supreme Court of Texas, 1940; member, American Bar Association, State Bar of Texas. Home: 3011 Hughes Street. Office: Federal Court Building, Amarillo, Tex.

Allen B. Hannay, judge; born Hempstead, Tex.; student Agricultural and Mechanical College of Texas, 1907–9; bachelor of laws, University of Texas, 1913; admitted to Texas bar, June 10, 1913; practiced law in Hempstead and Houston, Tex., 1913–30; Walter County, judge, 1915–17; appointed district judge, 113th district of Texas, March 30, 1930; United States district judge since 1942; member, committee on judicial statistics, United States courts; member, Texas Bar Association. Home: 4001 Ella Lee Lane. Address: 330 Post Office Building, Houston.

James V. Allred, judge; born Bowie, Tex.; admitted to Texas bar, 1921; bachelor of laws, Cumberland University, 1921, began practice at Wichita Falls; district attorney, same 1923–25; attorney general of Texas, two terms, 1931–35; Governor, State of Texas, 1935–39; United States district judge; southern district of Texas, 1939–42; engaged in practice of law; United States district judge, southern district of Texas, since 1951. Home: 4720 Bellaire. Office: Electric Building, Houston, Tex.

Ben C. Connally, judge; born Marlin, Tex.; bachelor of arts, University of Texas, 1930, bachelor of laws, 1933; master of laws, Harvard, 1934; admitted to bar, Texas 1933; practiced as member firm Sewell, Taylor, Morris & Connally, Houston, 1934–42; Butler & Binion, 1945–49; United States district judge, southern district of Texas, since 1949. Member American, Texas & Houston bar associations, American Legion, Houston Chamber of Commerce; Home: 244 Hedwig Road; Office: 416 Post Office Building, Houston.

Joe W. Sheehy, judge; born Saratogo, Tex.; student University of Texas, 1927–29; bachelor of laws, Baylor University, Waco, Tex., 1934; admitted to Texas bar, 1934, and since practiced in Tyler as member firm of Ramey, Calhoun, Marsh, Brelsford & Sheehy; assistant general Texas 1934; United States district judge for eastern district of Texas, Tyler, since 1951. Member American, Texas, and Smith County (pres. 1942) bar associations.

Home: 2312 S. Chilton Street; Office: Federal Building, Tyler, Tex.

Ben H. Rice, Jr., judge; born Marlin, Tex.; bachelor of laws, University of Texas, 1913; master of laws, 1914; admitted to Texas Bar, 1913; assistant county attorney, Falls County, Tex., 3 years; city attorney, Marlin, 9 years; elected chief justice 10th Court of Civil Appeals, 1940; Federal judge western district of Texas since 1950. Address: Federal Court House, San Antonio.

Robert E. Thomason, judge; born Shelbyville, Tenn.; B. S., Southwestern University, Georgetown, Tex., 1898; bachelor of laws, University of Texas, 1900; began practice of law, Gainesville, Tex., 1900; district attorney, Gainesville, 1902–6; practiced at El Paso, Tex.; since 1912; member Texas House of Representatives, 1917–21; speaker of house, 1920–21; mayor of El Paso, 1927–31; member 72d to 80th Congress, 1931–47, 16th Texas district; United States district judge, western district, Texas. Address: 1918 North Stanton Street; Office: Federal Building, El Paso, Tex.

Joe McDonald Ingraham, judge; born Pawnee County, Okla. Admitted to Oklahoma bar, 1927, District of Columbia bar, 1927, Texas bar, 1928; practiced in Stroud, Okla., 1927–28, Fort Worth, 1928–35; Houston, 1935–54; served as member United States House of Representatives, 1934–48; associate justice, Texas Supreme Court, 1936, 1938, 1940; judge, United States District Court, Southern District, Texas, 1954. Secretary Tarrant Co., representative executive committee, 1930–35, chairman, Harris Co., 1946–53, member Texas State executive commission, 1952—; presidential elector, 1932, alternate delegate national convention, 1940, delegate, 1948, 1952. Served as lieutenant colonel, United States Army Air Force, 1942–46. Member American Houston Bar Association, Texas State bar, S. A. R. (president, Texas, 1937–38.) American Legion. Club: Army and Navy Association (president, 1950). Home: 2341 Sunset Boulevard, Houston 5; Office: Post Office Building, Houston 2.

VIRGINIA

John Paul, judge; born Harrisonburg, Va.; graduate, Virginia Military Institute, Lexington, 1903; bachelor of laws, University of Virginia, 1906; admitted to Virginia bar, 1906, and practiced at Harrisonburg; member, Virginia State Senate, 1912–16, 1919–22; member, 67th Congress (1921–23), 7th Virginia District; special assistant to United States Attorney General, 1924–25; United States district attorney, western Virginia district, 1929–31, United States district judge since January 1932. Served as captain, Field Artillery, United States Army, 1917–19 with American Expeditionary Forces, May 1918–19. Member, Raven Society (University of Virginia), Kappa Alpha, Phi Delta Phi, Phi Beta Kappa. Home: R. F. D., Dayton, Va. Address: Federal Building, Harrisonburg, Va.

Alfred Dickinson Barksdale, judge; born Halifax, Va., educated Cluster Springs Academy, 1907–08; Virginia Military Institute, 1908–11, bachelor of science; University of Virginia, 1912–15, bachelor of laws; admitted to Virginia bar, August 13, 1915, and began practice in Lynchburg; judge, Sixth Judicial Circuit of Virginia, 1938–40; judge, United States District Court, Western District of Virginia, since January 1940. Member, Virginia Senate, 1924, 1926, 1927. Served as captain, 116th Infantry, United States Army with American Expeditionary Forces, World War I. Decorated Distinguished Service Cross, Chevalier Legion of Honor, Croix de Guerre. Trustee, Hollins College. Member, board of visitors, University of Virginia; member Lynchburg (Va.), State and American bar associations; Kappa Alpha, Phi Delta Phi, Phi Beta Kappa. Home: 2001 Link Road; Office: Post Office Box 877, Lynchburg, Va.

Albert B. Bryan, judge; born Alexandria, Va., bachelor of laws, University of Virginia, 1921; admitted to Virginia bar, 1921; practiced in Alexandria, 1921–47; city attorney, Alexandria, 1926–28; commonwealth's attorney, 1928–47; United States district judge, eastern district of Virginia, 1947—. Member, State board of corrections, Virginia, 1943–45; member, board of law examiners, 1944–47; member American, Virginia bar associations; American Law Institute; Phi Kappa Sigma, Phi Delta Phi. Home: 2826 King Street, Alexandria, Va. Office: United States Courthouse, Alexandria; also Norfolk, Va.

SENATE

WEDNESDAY, JULY 10, 1957

(Legislative day of Monday, July 8, 1957)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty and most merciful Father, whose power and whose love eternally work together for the protection and enrichment of Thy children, give us grace this day to live by faith in things unseen—the faith that Thou dost rule the world in truth and righteousness, the faith in the final coronation of Thy loving purposes for mankind, unfolding even in the social convulsions of these tense times, the faith that will make us calm and courageous in the face of risks and threats and dangers which will meet us in the faithful doing of our duty. Rid us, we beseech Thee, of all vain anxieties and paralyzing fears, and give us cheerful and buoyant spirits and abiding peace in seeking and following Thy will. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Tuesday, July 9, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Ratchford, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of David W. Edeen, to be postmaster at American Lake, Wash., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6814. An act to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products; and

H. R. 8594. An act to authorize the Honorable ALBERT P. MORANO, Member of Congress, to accept and wear the award of the Cross of Commander of the Royal Order of the Phoenix conferred upon him by His Majesty the King of the Hellenes.

THE CIVIL RIGHTS BILL

Mr. JOHNSON of Texas. Mr. President, I have been following as closely as any other Member of the Senate the debate which has been taking place on the motion made by the distinguished minority leader [Mr. KNOWLAND]. It seems to me that the discussion thus far has produced two things:

First, a climate of reason within which the Senate can reach a meaningful conclusion.

Second, the need for some technical studies which can be used as a framework of reference.

In this instance, the Senate is operating without the benefit of a committee report, our normal source for reference material. Therefore, I am having some intensive studies made by some of the members of my staff, on some of the issues which have been raised by the discussions in the Senate.

I think we need basic information on the cases which have been decided under section 1985 of title 42 of the United States Code. That has reference, Mr. President, to part III of the bill.

I think we need basic information on the extent to which court decisions have already made law in the field of civil rights.

I wish to commend the Members of the Senate for the very high level of discussion which has taken place up to now. I appeal to them to continue in a spirit of reason and persuasion. I have no doubt that when action on this subject is completed, every citizen will have a right to be proud of the conduct of this great body.

ANNOUNCEMENT OF VISIT TO THE SENATE ON JULY 11 BY THE PRIME MINISTER OF PAKISTAN

Mr. JOHNSON of Texas. Mr. President, I should like to make an announcement in connection with the visit to the United States of the Prime Minister of Pakistan. By agreement with the minority leader and the Presiding Officer, at 3 o'clock on tomorrow, July 11, the Prime Minister will visit the Senate, and will be requested to make an address to the Senate at that time.

In this connection, Mr. President, I wish to say that the visit of Pakistan's Prime Minister, Husseyn S. Suhrawardy, to this country is a welcome occasion.

Pakistan is a nation which has a record of remarkable achievement under great difficulties. Its struggles to maintain itself have earned the respect of the world.

I ask unanimous consent that a very fine editorial from the Washington Post and Times Herald on Mr. Suhrawardy's visit be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PAKISTAN'S LEADER

In the 10 years since the partition of the Indo-Pakistan subcontinent, the role of Pakistan has been particularly difficult. This is a manufactured nation, divided into 2 sections 1,200 miles apart; the western portion has most of the area and the eastern has the great bulk of the population. Pakistan has experienced many of the economic woes of India and others besides, and the fact that it has been held together as an entity and emerged as a Western-oriented republic is no mean accomplishment.

Much of the credit for this accomplishment must be ascribed to the caliber of Pakistan's leadership—buttressed, one must mention, by considerable American aid. Perhaps the dominant figure in Pakistan has been that of Gen. Iskander Mirza, who first as Governor General and now as President has been a sort of symbol of the often elusive stability democratic forces have sought. Since last September Pakistan has found an additional kind of leadership in the skilled political performance of the Prime Minister, Husseyn S. Suhrawardy, who is an honored guest in Washington this week.

Mr. Suhrawardy is less a personal leader than an extremely accomplished politician. Schooled in what is now East Bengal, he brought to his national office the arts of persuasion and compromise. His Awami League Party holds only 11 of 80 seats in the National Assembly; yet he has consistently won support for his foreign and defense policies, and he has a sort of Rooseveltian flair for taking issues to the people. Mr. Suhrawardy has dedicated himself to the holding of general elections next March—Pakistan's first nationwide balloting, as contrasted with state elections and the indirect selection of constituent assemblies. In the April issue of Foreign Affairs Mr. Suhrawardy had some trenchant words about his goals:

"Warning voices sometimes tell me that Pakistan is not ready for the democratic process. I can only reply that then Pakistan is not ready at all; for there is no alternative way of bringing about rapport between authority and people, no other avenue to national fulfillment * * * Dictatorship would not combat corruption; it would erect corruption into principle * * * Politics is essential for the cohesion of the state and * * * the politicians are its servitors."

This is a useful and pragmatic political philosophy for an infant nation. Doubtless foreign affairs, rather than Pakistan domestic problems, will dominate the discussions between Mr. Suhrawardy and President Eisenhower and Secretary Dulles. Among the subjects, probably, will be the Middle East and the Baghdad and SEATO pacts, to which Pakistan lends strength; China, toward which Pakistan's leaders have exhibited more realism than the State Department; Arab-Asian influence in the United Nations; and Pakistan's relations with India. Mr. Suhrawardy has exercised real restraint over the festering Kashmir issue. The greatest contribution to stability in Pakistan, and India as well, would be some sort of compromise over Kashmir. Despite the past disappointments, there is still the hope that a formula can be evolved which will have a sympathetic response in New Delhi, and perhaps Mr. Suhrawardy's visit here can be fruitful to that end.

COMPARATIVE SUMMARY OF LEGISLATIVE ACTIVITIES OF THE SENATE IN THE 80TH THROUGH THE 85TH CONGRESSES

Mr. JOHNSON of Texas. Mr. President, I am submitting for the RECORD a comparative summary of the legislative activities of the Senate in the 80th through the 85th Congresses, through July 8 in the first session.

This summary includes a list of 26 more important bills—other than appropriations—upon which the Senate has acted during the first session of the 85th Congress. These measures were not selected in an effort to downgrade other legislation, but merely in an effort to set forth a representative compilation which would be available to those who may be interested.

I am well aware of the fact that reasonable men can differ in their judgment of a Senate. It is possible—by using various standards—to decide that a legislative body has both a very good and a very poor record.

It is my personal feeling that a Senate should be judged on the basis of what it has accomplished—rather than on the basis of what it has not done. By the standard of achievement, I think my colleagues—on both sides of the aisle—are entitled to congratulations.

The record of this Senate thus far can stand comparison with any other Senate in modern times.

I am aware of the fact that there is still much that the Senate must do. But I do not believe this session has reached the physical limits of achievement.

There is every reason to believe that this Senate will make responsible, constructive decisions on a number of legislative items before the end of the session.

Of course, we shall not satisfy everybody. No legislative body in the world could possibly act upon all the items which everyone considers most urgent and very pressing.

But even though we have disagreed on many items—and are disagreeing sharply upon one right now—a spirit of cooperation and reason has prevailed among all Members of the Senate. Every Member has played a significant role in shaping a legislative record of real accomplishment.

The Senate Appropriations Committee has acted with its usual efficiency and speed; and for its fine work a great deal of credit goes to the distinguished President pro tempore of the Senate, the chairman of the Appropriations Committee, the senior Senator from Arizona [Mr. HAYDEN]. I express to him my deep gratitude for the very fine leadership he has given that great committee.

There are only three major appropriation bills for the fiscal year 1958 which we have not received—Public Works, which on yesterday was marked up by the subcommittee; Mutual Security, which awaits action in the other body on the authorization act; and, of course, the first supplemental appropriation bill, which comes up after all the other appropriation bills have been passed. These are substantially on schedule in their progress through the committee.

Mr. President, in a Senate so evenly divided, progress is possible only when both parties are willing to cooperate in the transaction of business. I wish to express my gratitude to the distinguished minority leader, the senior Senator from California [Mr. KNOWLAND]; to the distinguished deputy minority leader, the Senator from Illinois [Mr. DIRKSEN]; and to all the ranking majority and minority members of the committees, for their complete cooperation in the achievements we have accomplished to date.

The summary which I am submitting is a real tribute to the cooperation which has taken place among all the Members.

Mr. President, I ask unanimous consent that the summary be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

Senate legislative activity through July 8

	80th Cong., 1st sess.	81st Cong., 1st sess.	82d Cong., 1st sess.	83d Cong., 1st sess.	84th Cong., 1st sess.	85th Cong., 1st sess.
Days in session	110	114	104	103	88	92
Hours	600:55	668:17	557:45	576:13	426:20	506:16
Total measures passed by Senate	454	599	485	475	711	602
Senate bills	166	233	186	231	348	339
House bills	158	232	161	129	244	93
Senate joint resolutions	32	17	9	15	15	15
House joint resolutions	22	20	12	10	10	25
Senate concurrent resolutions	7	25	16	15	16	18
House concurrent resolutions	9	10	10	10	9	17
Senate resolutions	60	62	91	80	69	95
Public laws	162	160	73	105	134	84
Confirmations	25,915	47,834	21,142	21,388	36,748	36,002

The statistical summary, above, provides a brief review of the legislative activity of the Senate through July 8 of each Congress beginning with the 80th through the 85th.

Through July 8 the Senate has passed 802 measures, among which the following represent 26 of the more important bills acted on:

1. Middle East resolution: Authorizes the President to undertake economic and military cooperation with any nation or group of nations in the general area of the Middle East to strengthen the defense of their national independence. Public Law 7, approved March 9, 1957.

2. Foreign aid: Authorizes $3.6 billion for military, economic, and technical assistance to friendly nations; establishes a Development Loan Fund to be operated as a special unit within the International Cooperation Administration to make loans to promote the economic development of less developed countries; authorizes military assistance and defense support for a 2-year period instead of 1; and authorizes, for the first time, a program of malaria eradication to be financed out of technical cooperation and special assistance funds.

3. Housing Act of 1957: Authorizes $1.7 billion housing program; lowers downpayments on FHA sales housing and urban-renewal housing programs; and increases by $650 million FNMA's total borrowing authority under its secondary market operations which will permit FNMA to buy more FHA and GI mortgages from private lenders to ease the tight money market.

4. International Atomic Energy Agency: Establishes an International Atomic Energy Agency to advance the peacetime uses of atomic energy and to develop methods for its application to industry, agriculture, and medicine. Ratified June 18, 1957.

5. Hells Canyon: Authorizes Federal construction of Hells Canyon high-dam project on the Snake River in Idaho for hydroelectric power development and flood control.

6. Fryingpan-Arkansas: Authorizes Federal construction of Fryingpan-Arkansas project in Colorado, for reclamation, power, flood control and recreation.

7. Financial Institutions Act: Revises and modernizes all Federal laws governing national banks, savings and loan associations, and credit unions.

8. Deferred grazing program: Requires the Secretary of Agriculture to establish a 5-year program in the drought areas under which farmers and ranchers will receive payments for deferred grazing in disaster counties at rates equal to the fair rental value of their land during periods of adequate rainfall. Public Law 25, approved April 25, 1957.

9. Agricultural Trade Development Act: Extends to June 30, 1958, the Agricultural Trade Development and Assistance Act; increases to $4 billion (from $3 billion) the amount of surplus commodities for sale, and to $800 million (from $500 million) the amount for famine relief; and permits barter transactions with the European satellite nations but prohibits barter transactions with the U. S. S. R., with Communist China, or with any of the areas dominated or controlled by the Communist regime in China.

10. Export-Import Bank Act: Extends for 5 years to June 30, 1963, the loan authority of the Export-Import Bank. Public Law 55, approved June 17, 1957.

11. Small-business loan authority: Increases by $90 million (bringing to a total of $445 million) the lending authority of Small Business Administration. Public Law 4, approved February 11, 1957.

12. FNMA: Increases the borrowing authority of FNMA by $500 million to $1.6 billion to relieve the shortage of funds for home loans. Public Law 10, approved March 27, 1957.

13. FNMA: Increases by $50 million the present special assistance authorization of $200 million available to FNMA to purchase military housing and selected home mortgages.

14. Reorganization Plan No. 1: Abolishes Reconstruction Finance Corporation and transfers its functions to HHFA, GSA, SBA, and Secretary of Treasury. Effective June 30, 1957.

15. Airways Modernization Board: Establishes Airways Modernization Board to develop, test and evaluate systems and devices to meet the need for efficient control of civilian and military planes.

16. Social-security grants: Changes formula for computing social-security grants to States for medical and public assistance recipients to provide for more equitable distribution.

17. Excise-corporate income taxes: Extends to July 1, 1958, the present 52 percent corporate income tax, and the existing rates of excise taxes on alcoholic beverages, cigarettes, automobiles and parts and accessories.

Public Law 12, approved March 29, 1957.

18. Atomic reactors: Authorizes agreements for construction of atomic reactors in West Berlin.

Public Law 14, approved April 12, 1957.

19. Former Presidents: Provides $25,000 yearly allowance, clerical assistance, franking privilege, and $10,000 annuity for widows of Presidents.

20. Budget estimates: Requires Federal budget estimates to be submitted on annual accrued expenditure basis, rather than for expenditures in future fiscal years as is done at present.

21. Universal Military Training and Service Act: Extends to July 1, 1959, the President's authority to induct doctors, dentists, and other allied specialists into the Armed Forces with reserve commissions.

Public Law 62, approved June 27, 1957.

22. Anglo-American agreement: Approves amendment to the Anglo-American financial agreement to permit postponement of payments on the United States loan to the United Kingdom.

Public Law 21, approved April 20, 1957.

23. Extra long staple cotton: Fixes price-support for 1957 crop of extra long staple cotton at the 1956 level of 75 percent of parity.

Public Law 28, approved April 25, 1957.

24. Poultry inspections: Provides for compulsory inspection of poultry and poultry products. This compulsory inspection has long been in effect for meat and meat products.

25. Veterans Benefits Act of 1957: Consolidates and makes uniform laws governing compensation, pensions, medical and burial benefits administered by VA.

26. Executive agreements: Requires the Secretary of State to transmit to the Senate, within 60 days after execution, all international agreements other than treaties.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, it is my understanding that, under the order entered on yesterday, there will be the usual morning hour for the transaction of routine business, with a 3-minute limitation on statements.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF LAW RELATING TO MINING LEASES ON CERTAIN INDIAN AND FEDERAL LANDS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to amend the law relating to mining leases on Indian lands and Federal lands within Indian reservations (with an accompanying paper); to the Committee on Interior and Insular Affairs.

GRANTING ADMISSION INTO THE UNITED STATES OF CERTAIN DEFECTOR ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

GRANTING TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Two letters in the nature of petitions from the American Meteorological Society, of Boston, Mass., signed by Kenneth C. Spengler, executive secretary, and the New York University, of New York, N. Y., signed by Serge A. Korff, professor of physics, praying for the enactment of legislation to establish a geophysical institute in the Hawaiian Islands; to the Committee on Appropriations.

A resolution adopted at the 171st annual conference of the Church of the Brethren, held at Richmond, Va., favoring the enactment of legislation to revise the immigration laws, in order to admit more refugees into the United States; to the Committee on the Judiciary.

RESOLUTION OF SERTOMA CLUB, KANSAS CITY, KANS.

Mr. CARLSON. Mr. President, at a recent meeting of the Sertoma Club in Kansas City, Kans., they unanimously adopted a resolution urging that every consideration be given to a reduction in individual and corporate income taxes.

I ask unanimous consent that the resolution submitted by their secretary, Charles O. Couts, be printed in the RECORD, and referred to the Committee on Finance.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

RESOLUTION IN SUPPORT OF H. R. 6452

THE SERTOMA CLUB OF KANSAS CITY,
Kansas City, Kans.

Hon. FRANK CARLSON,
United States Senator,
Washington, D. C.:

Whereas the steeply progressive individual income tax rates which are clearly discriminatory, unfair, and unreasonable tend to destroy individual initiative to produce, accumulate, and invest; and

Whereas the corporate tax rates severely restrict the normal flow of funds into capital investment, so necessary for producing jobs for the citizens who are entering our labor force each year; and

Whereas a serious threat exists to our free enterprise system, our standard of living, and the stability of our employment, unless Federal spending is by the exercise of economies by Congress and the administration, and Federal revenues reduced through tax reduction: Now, therefore, be it

Resolved, That the Congress of the United States undertake immediate steps to guard against such an economic situation, by enacting into law a realistic program of forward scheduling of tax reductions for all income taxpayers as contained in the provisions of H. R. 6452 introduced by the Honorable ANTONI J. SADLAK, of Connecticut, a member of the Ways and Means Committee, on March 28, 1957;

It is believed that the steady growth of the economy and the population justify such reductions, and at the same time permit the balancing of the budget, with reduction in the national debt;

Furthermore, that this resolution, properly inscribed, be forwarded to the Congressional delegation.

Signed this 2d day of July 1957.

CHARLES O. COUTS,
Secretary.

THE GOVERNORS CONFERENCE OF 1957—RESOLUTIONS

Mr. CARLSON. Mr. President, the 49th annual governors conference was held recently in Williamsburg, Va. The distinguished Governor of Virginia, the Honorable Thomas B. Stanley, was not only chairman of the conference, but also the host governor.

The Council of State Governments has been fortunate in having as its executive director for many years Frank Bane, who has devoted his time and efforts in behalf of good government.

I have had an opportunity to visit with a number of people who were in attendance at the conference, and all spoke highly of the outstanding program arranged, and the true southern hospitality of the Old Dominion State of Virginia.

As there are 24 ex-governors serving in the United States Senate at the present time, I know that getting reports from a governors conference bring back many pleasant memories. The present Members of the Senate who have served as governors are:

GEORGE D. AIKEN, of Vermont; FRANK A. BARRETT, of Wyoming; JOHN W. BRICKER, of Ohio; STYLES BRIDGES, of New Hampshire; HARRY FLOOD BYRD, of Virginia; FRANK CARLSON, of Kansas; THEODORE FRANCIS GREEN, of Rhode Island; BOURKE B. HICKENLOOPER, of Iowa; SPESSARD L. HOLLAND, of Florida; OLIN JOHNSTON, of South Carolina; ROBERT S. KERR, of Oklahoma; WILLIAM LANGER, of North Dakota; FRANK J. LAUSCHE, of Ohio; EDWARD MARTIN, of Pennsylvania; MATTHEW M. NEELY, of West Virginia; JOHN O. PASTORE, of Rhode Island; FREDERICK G. PAYNE, of Maine; RICHARD RUSSELL, of Georgia; LEVERETT SALTONSTALL, of Massachusetts; ANDREW F. SCHOEPPEL, of Kansas; KERR W. SCOTT, of North Carolina; HERMAN E. TALMADGE, of Georgia; STROM THURMOND, of South Carolina, and EDWARD J. THYE, of Minnesota.

It was my privilege to serve as chairman of the governors conference in 1950, which was held at White Sulphur Springs, W. Va., and I can truly state it was one of the gratifying experiences of my public service. This year the conference elected the Honorable William G. Stratton, Governor of Illinois, as chairman for the ensuing year.

This session of the governors conference, as has every other session, adopted resolutions dealing with current problems affecting Federal-State relations. This year President Eisenhower personally appeared before the conference, and discussed and recommended that the conference join with the Federal administration in creating a joint committee to study and examine the possibility of clarifying functions which can be performed more effectively by particular levels of government, and the allocation of resources in relation to these functions. This committee is now being formed.

Those of us who have served in both the executive and legislative capacities of Federal and State Governments realize the need for a study of the problems of government which not only overlap, but which are becoming more complex as time goes on.

Resolutions were approved at the conference on highway safety, national security and many other subjects of vital interest.

I ask unanimous consent that the resolutions adopted at the governors conference be printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

FEDERAL-STATE RELATIONS

Whereas the governors' conference has devoted extensive discussion over many years to the problems of achieving a sound relationship among Federal, State, and local governments; and

Whereas this conference has indicated on many occasions the need for clarifying functions which can be performed more effectively by particular levels of government and the allocation of resources in relation to these functions; and

Whereas the President of the United States, addressing the 49th annual governors' conference in Williamsburg, Va., recommended that this conference join with the Federal administration in creating a joint committee to examine this entire area and develop definite and specific programs for action: Now, therefore, be it

Resolved by the 49th annual meeting of the governors' conference, That the chairman of the executive committee be authorized to appoint a special committee to work with appropriate Federal officials appointed by the President from the executive branch to develop ways and means of attaining a sound relationship of functions and finances between the Federal Government and the States and to formulate definite proposals to these ends.

HIGHWAY SAFETY

Whereas during the first year of its operation, the governors' conference committee on highway safety has provided all of the States valuable information and assistance in the development of effective programs for the reduction of death and injury on public highways; and

Whereas as a direct result of this effort, many important forward strides already have been made in traffic safety legislation, administration, and enforcement; and

Whereas despite these encouraging gains, there still is a most urgent need to reduce the carnage on streets and highways which, unless checked, will claim half a million lives during the next decade: Now, therefore, be it

Resolved by the 49th annual meeting of the governors' conference, That the committee on highway safety be continued in existence, with the request that it also seek to develop recommendations for legislation requiring safety design features to be incorporated as standard equipment an all new automobiles; and be it further

Resolved, That this conference express appreciation to the committee for its fruitful work in this vital field, and pledge continued cooperation and support during the next year.

NATIONAL SECURITY

Whereas the Federal Bureau of Investigation has, over the years, earned a reputation for vigorous protection of the Nation's security; and

Whereas through its efforts the activities of many enemies of this country have been exposed and brought to a halt: Now, therefore, be it

Resolved, That the 49th annual meeting of the Governors' Conference bring to the attention of the various branches of our Government, our collective concern that the effectiveness of the Federal Bureau of Investigation will be continued and preserved and our hope that all possible avenues will be explored to protect the security of our Nation, while affording to its citizens all possible personal protection consistent with that security.

ARMED FORCES PAY

Whereas the Military Establishment is desperately in need of a means for attracting and retaining persons with scientific, professional, combat leadership, and management skills necessary to maintain a deterrent power; and

Whereas the Armed Forces do not presently have the means to compete for trained personnel urgently needed for the defense of this country, and a significant factor in their inability to do so is the inadequacy of the present compensation practices now in use; and

Whereas the proposed changes in the military pay structure are based on merit rather than longevity, will bring military pay more in line with the pay standards of industry and will offer greater reenlistment incentive for highly trained personnel: Now, therefore, be it

Resolved, That the 49th annual meeting of the Governors' Conference urge the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces, along the lines proposed by the Cordiner committee.

NATIONAL GUARD

The Department of the Army of the United States has instructed the National Guard commanders of the various States to carry on vigorous recruitment of young men for the new 6-month training program of the National Guard. This 6-month training program is an important modification of the draft law and procedure for building up the reserve strength of our Armed Forces.

The National Guard commanders have actively promoted the enlistment of young men into the guard for the 6-month program. Moreover, there exists a firm requirement for the construction of almost 1,000 additional Army National Guard armories to meet the demands of this needed training program.

On the other hand, the indicated amounts of money that are being made available for National Guard training and Army National Guard armories will fall considerably short of the minimum needs if we are to maintain the adequate strength of the Army National Guard and if we are to build sufficient armories for the training program.

Accordingly, the 49th annual meeting of the Governors' Conference strongly urges that adequate funds be appropriated by the Congress to meet the minimum Army National Guard training and armory requirements.

THEODORE ROOSEVELT

By a happy coincidence, 1958 will be the centennial year of the birth of an outstanding President of the United States and also the 50th anniversary of the convening by him of the first meeting of the Governors' Conference at the White House in 1908.

Accordingly, the 49th annual meeting of the Governors' Conference takes cognizance of the Theodore Roosevelt Centennial Commission, created pursuant to Public Law 183 of the 84th Congress, and to congratulate the Commission for its excellent work in commemorating the birth of a great American.

AIR POLLUTION

The Governor's Conference recognizes the great importance of air-pollution control,

particularly in metropolitan areas, and the need for a more intensive attack to be made on this problem.

Many air pollution problems affect large regions and they are often by their nature interstate in character. This does not mean that the Federal Government should assume jurisdiction, but rather that the States should by interstate action accomplish effective controls with the assistance of the Federal Government.

The 49th annual meeting of the Governors' Conference, therefore, requests that a committee be appointed to study the problem of air pollution, with the assistance of the staff of the Council of State Governments, and to report its conclusions to the States as to ways and means of developing an effective program on an interstate basis.

CIVIL DEFENSE—STATE GUARDS

The 49th annual meeting of the Governors' Conference reaffirms the recommendations in the 1956 report of its special committee on civil defense and again calls the attention of the Congress to this report in view of the inadequacy of the present Federal Civil Defense Act. The Governors' Conference also approves the 1957 report of said committee, which recommends that, in order to be prepared for a possible war emergency, all State governments should establish lines of succession for the executive branch of State governments and should develop plans for the assignment of State employees, facilities and equipment in case of attack.

In addition, as a parallel measure for improving the States' defense forces and for strengthening the Nation's ability to survive an enemy attack, the Governors' Conference urges that aid be available to State defense forces which the States have been authorized to organize and maintain, in addition to their National Guards, by Public Law 364 of the 84th Congress, approved August 11, 1955.

INTEREST RATES

As a result of expanded requirements, the State governments, the local governments and school districts are being pressed to make unprecedented capital expenditures. These accelerated needs for funds have resulted in the issuance of billions of dollars in bonds. These bonds have been floated at higher and higher interest rates, thus increasing amortization costs.

Therefore, the 49th annual meeting of the Governors' Conference suggests that the President of the United States and the Congress take cognizance of this additional burden on the taxpayers of America with a view to alleviating this burden.

GUESTS

The governors' conference is greatly indebted to the President of the United States and to the many members of his official family who have participated so fully and cooperatively in this 49th annual meeting.

APPRECIATION

The 49th annual meeting of the governors' conference is deeply appreciative of the gracious Virginia hospitality that has been extended to all the governors and their parties by the people of Virginia. Especially are we indebted to Governor and Mrs. Stanley and their aids and the members of the host committee for such unstinting devotion to our every need—this is truly a memorable meeting in the Old Dominion.

To the many donors of interesting gifts we express our thanks. We salute the magnificent contribution by the Virginia State Police and General Motors Corp. in providing us with not only efficient, but most comfortable, transportation, and services. The college of William and Mary and Vice Adm. Alvin D. Chandler, its president, have been most helpful to us in providing meeting facilities and in putting the new Phi Beta Kappa Memorial Hall entirely at our disposal.

We have been greatly impressed with the quality of reporting afforded by members of the press, radio, and television; and the telephone and telegraph companies have done nobly in supplying all needed equipment and personnel. For their outstanding leadership during the past year, we wish to express our sincere thanks to Governor Stanley, chairman, and all the members of the executive committee.

COLONIAL WILLIAMSBURG

The 49th annual meeting of the governors' conference wishes to express its gratitude to Mr. Winthrop Rockefeller, chairman of the board of Colonial Williamsburg, and to each one of the staff members of Colonial Williamsburg for the unsparing efforts to make our stay in historic Williamsburg a pleasant one.

We are grateful to Mr. and Mrs. John D. Rockefeller, Jr., for providing us with such a wonderful Knights of the Golden Horseshoe dinner and festival.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORSE, from the Committee on the District of Columbia, with amendments:

S. 1908. A bill to amend the District of Columbia Hospital Center Act in order to extend the time and increase the authorization for appropriations for the purposes of such act, and to provide that grants under such act may be made to certain organizations organized to construct and operate hospital facilities in the District of Columbia (Rept. No. 601).

By Mr. GREEN, from the Committee on Foreign Relations, without amendment:

S. Con. Res. 36. Concurrent resolution authorizing the appointment of 4 Members each of the 2 Houses to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India (Rept. No. 604).

By Mr. GREEN, from the Committee on Foreign Relations, with an amendment:

S. J. Res. 85. Joint resolution to amend the act of Congress approved August 7, 1935 (Public Law 253), concerning United States contributions to the International Council of Scientific Unions and certain associated unions (Rept. No. 602).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with amendments:

S. 2120. A bill to authorize the Secretary of the Interior to construct, rehabilitate, operate, and maintain the lower Rio Grande rehabilitation project, Texas, Mercedes division (Rept. No. 603).

PARTICIPATION IN INTERPARLIAMENTARY UNION

Mr. GREEN. Mr. President, from the Committee on Foreign Relations, I report an original bill to amend the act of June 28, 1935, entitled "An act to authorize participation by the United States in the Interparliamentary Union," and I submit a report (No. 600) thereon.

The PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar.

The bill (S. 2515) to amend the act of June 28, 1935, entitled "An act to authorize participation by the United States in the Interparliamentary Union," was read twice by its title and placed on the calendar.

APPOINTMENT OF MEMBERS TO ATTEND GENERAL MEETING OF THE COMMONWEALTH PARLIAMENTARY ASSOCIATION IN INDIA

Mr. GREEN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 160) authorizing the appointment of four Members of the Senate to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India, and submitted a report (No. 604) thereon; which resolution was placed on the calendar, as follows:

Resolved, That the Vice President is authorized to appoint four Members of the Senate to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India on the invitation of the Indian branch of the association and to designate the chairman of the delegation. The expenses incurred by the members of the delegation and staff appointed for the purpose of carrying out this resolution shall not exceed $15,000 and shall be reimbursed to them from the contingent fund of the Senate upon submission of vouchers approved by the chairman of the delegation.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Henry Kearns, of California, to be an Assistant Secretary of Commerce, vice H. C. McClellan, resigned; and

Charles Pierce, of Washington, to be Assistant Director of the Coast and Geodetic Survey, vice Robert W. Knox.

By Mr. GREEN, from the Committee on Foreign Relations:

Executive D, 85th Congress, 1st session, Treaty of Friendship, Commerce, and Navigation between the United States and the Republic of Korea; without reservation (Ex. Rept. No. 5).

Executive L, 85th Congress, 1st session, protocol amending the International Sugar Agreement of 1953; without reservation (Ex. Rept. No. 6).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAVEZ:

S. 2511. A bill for the relief of Maria Garcia Allaga; to the Committee on the Judiciary.

By Mr. MURRAY (for himself and Mr. MANSFIELD):

S. 2512. A bill to provide compensation to the Crow Tribe of Indians for certain ceded lands embraced within and otherwise required in connection with the Huntley reclamation project, Montana, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LANGER:

S. 2513. A bill for the relief of Sophie Gumuchdjian (also known as Sophie Calji); to the Committee on the Judiciary.

By Mr. THYE:

S. 2514. A bill to continue the election of two county committees for certain counties; to the Committee on Agriculture and Forestry.

By Mr. GREEN:

S. 2515. A bill to amend the act of June 28, 1935, entitled "An act to authorize participation by the United States in the Interparliamentary Union"; placed on the calendar.

(See the remarks of Mr. GREEN when he reported the above bill, which appear under the heading "Reports of Committees.")

By Mr. BEALL:

S. 2516. A bill to increase the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia; to the Committee on the District of Columbia.

By Mr. WATKINS (for himself, Mr. GOLDWATER, and Mr. ALLOTT):

S. 2517. A bill to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. WATKINS when he introduced the above bill, which appear under a separate heading.)

By Mr. JOHNSTON of South Carolina (by request):

S. 2518. A bill to promote the interests of national defense through the advancement of the scientific and professional research and development program of the Department of Defense, to improve the management and administration of the activities of such department, and for other purposes; to the Committee on Post Office and Civil Service.

RESOLUTION

Mr. GREEN, from the Committee on Foreign Relations, reported an original resolution (S. Res. 160) authorizing the appointment of four Members of the Senate to attend the next general meeting of the Commonwealth Parliamentary Association to be held in India, which was placed on the calendar.

(See resolution printed in full when reported by Mr. GREEN, which appears under the heading "Reports of Committees.")

TECHNICAL CHANGES IN FEDERAL EXCISE-TAX LAWS — AMENDMENTS

Mr. KERR. Mr. President, I submit amendments, intended to be proposed by me to the bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes. I ask unanimous consent that a statement, prepared by me relating to the amendments, be printed in the RECORD.

The PRESIDENT pro tempore. The amendments will be received, printed, and referred to the Committee on Finance and, without objection, the statement will be printed in the RECORD.

The statement presented by Mr. KERR is as follows:

STATEMENT BY SENATOR KERR

The Federal-Aid Highway Act of 1956 launched a big new roadbuilding program, and also established a trust fund with which to finance the program.

Among the taxes earmarked for this trust fund was a new tax of $1.50 per thousand pounds on any motor vehicle having a taxable gross weight of more than 26,000 pounds.

As is frequently the case, the practical application of this measure has indicated the need for clarifying amendments which will assure the carrying out of Congressional intent and correct apparent inequities.

It would appear that these amendments properly should be considered in conjunction with a variety of other excise-tax amendments contained in H. R. 7125, a bill which has passed the House and referred to the Senate Committee on Finance. H. R. 7125, known as the Excise Tax Technical Changes Act of 1957, provides for comprehensive revision of the technical and administrative provisions of the Internal Revenue Code of 1954 relating to Federal excise taxes.

The amendments which I am submitting are intended as additions to H. R. 7125. Aside from the necessary clerical amendments, the proposed amendments are four in number.

The first amendment is designed to assure that the tax of $1.50 per thousand pounds on motor vehicles having a taxable gross weight of more than 26,000 pounds is not applied to motor vehicles having an actual gross weight of less than 26,000 pounds.

Under the terms of the statute, the Internal Revenue Service was given broad authority to use "formulas or other methods for determining the taxable gross weight of vehicles by classes, specifications, or otherwise."

In promulgating its regulations, Internal Revenue Service elected to classify motor vehicles according to their empty weight, with each empty weight category assigned a taxable gross weight. Generally speaking, the result has been satisfactory, but in a couple of cases the result is inequitable and, I believe, contrary to the intent of Congress.

The first case involves motor vehicles which never have an actual gross weight of 26,000 pounds or more but which, by virtue of their empty weight, fall within one of the stipulated taxable categories.

It certainly was my intention, and I believe the intention of virtually everyone who had anything to do with this tax, that we were drawing a line at 26,000 pounds, with vehicles above that weight to pay the tax, and with no such tax against vehicles below that weight.

Therefore, one of the proposed amendments would add a new subsection to section 4483 of the Internal Revenue Code of 1954 to make it clear that no tax shall be assessed against any motor vehicle which does not exceed an actual gross weight of 26,000 pounds.

A second amendment is designed to correct an oversight in the statute. The due date for the annual tax with respect to a motor vehicle already in service is July 31. The law provides for prorating the tax with regard to any vehicle put into service for the first time after that date, as follows:

"If in any year the first use of the highway motor vehicle is after July 31, the tax shall be reckoned proportionately from the first day of the month in which such use occurs and including the 30th day of June following."

However, the law makes no provision for a credit or refund with respect to a vehicle which is permanently removed from service after the tax. In other words, the tax is prorated on a vehicle coming in, but not on a vehicle going out.

Thus, 24 hours after the tax is paid, a vehicle could be destroyed by fire or other means, and the tax payment is completely lost, and a new tax must be paid on the vehicle which replaces it. The result is double taxation and this should be corrected by a refund provision in the law covering vehicles which are destroyed or otherwise permanently removed from service.

To correct this situation, I am proposing an amendment which would add a new section to the Internal Revenue Code of 1954 providing that when a vehicle on which the tax has been paid is destroyed or otherwise permanently removed from service, a refund shall be allowed. Such refund shall be reckoned proportionately from the first day of the month following destruction or permanent removal from service to and including the 30th day of June following.

The third proposed amendment is designed to give the taxpayer the option of paying the tax in quarterly installments.

On July 31 each year the tax must be paid on each and every taxable vehicle owned by an individual or company. It is a substantial sum in every case, and in the case of a good-sized fleet it can run into thousands of dollars.

The trucking industry has asked the Internal Revenue Service to permit the taxpayer the option of paying this annual bill in quarterly installments much in the same manner of the income tax. It is my understanding that the Internal Revenue Service does not feel that it has the power to authorize this under the law as it now stands.

Therefore, my third proposed amendment would add a new section to the Internal Revenue Code of 1954 to authorize the payment of this tax in four equal quarterly installments.

The fourth proposed amendment is designed to correct inequitable application of the tax in the case of two specific classes of trucks used in the transportation of household goods and automobiles.

I explained earlier that under the regulations now in effect the empty weight of a vehicle determines whether a vehicle is taxable and the degree to which it is taxed. Each empty weight category is assigned a gross weight figure upon which the tax of $1.50 per 1,000 pounds must be paid.

This method has proved satisfactory, generally speaking, but has resulted in serious injustice to motor carriers of new automobiles and household goods. These two types of motor carriers, representing distinct and substantial segments of the trucking industry are penalized under the schedule, since the maximum loads they can carry are significantly below the gross weight categories to which they are assigned by virtue of their empty weight.

The gross-weight assignments in the tax schedule are based upon general freight averages. Both household goods and automobiles are low density freight, taking up a lot of space relative to weight. Thus, a trailer load of either household goods or automobiles weighs much less than a trailer load of the general run of freight. Under the existing schedule, however, they are required to pay the tax on the same gross weight basis as the carrier of general freight.

The great bulk of automobiles transported over the highways are carried by motor carriers which transport no other type of freight. The same is true with respect to transportation of household goods. For this reason, plus the fact that both types of carriers use distinctive and easily recognized types of trailers, they properly could be and should be placed in a special category and assigned gross weights more nearly in line with their actual operations.

Therefore, the fourth proposed amendment would add the following language to section 4482 (b) of the Internal Revenue Code of 1954: "Such regulations shall prescribe separate classifications for highway motor vehicles used exclusively in combination with semitrailers equipped with furniture van or automobile transporter bodies."

The four amendments that are proposed have very little significance from the standpoint of revenue. If any revenue is lost, it will be very small. Moreover, it will be revenue that never was intended to be collected and which was therefore not included in the advance estimates of revenue when the legislation was enacted.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by uanimous consent, addresses, editorials, articles, etc., were

ordered to be printed in the RECORD, as follows:

By Mr. CAPEHART:

Address delivered by him on July 5, 1957, at the launching of the *Philip Sporn*.

Editorial entitled "It Is Not Ours To Keep," published in the Easley (S. C.) Progress of July 2, 1957, relating to proposal for the return of assets seized from aliens.

By Mr. RUSSELL:

Transcript of interview with him on CBS News and Public Affairs Hour, Monday, July 8, 1957.

GRACE GOODHUE COOLIDGE

Mr. CASE of South Dakota. Mr. President, I desire to speak a few words in tribute to the memory of Mrs. Grace Goodhue Coolidge. The people of South Dakota, and particularly the people of my home community, at Custer, in the Black Hills of South Dakota, remember Mrs. Coolidge as a very gracious, friendly person. It was just 30 years ago this summer that the Coolidges came to South Dakota planning to stay for perhaps 2 weeks, but they remained all summer.

The State game lodge at which they lived while they were in Custer State Park became known as the summer White House of 1927.

The personalities of the Coolidges impressed themselves deeply upon the people of my home town and county.

They attended church in the little community church at Hermosa.

The stream where Mr. Coolidge fished had been known as Squaw Creek, but after the visit of the Coolidges, the State legislature changed the name of it to Grace Coolidge Creek, and it is so known today.

The name of Sheep Mountain, one of the large mountains in Custer State Park, was changed to Mount Coolidge.

Mrs. Coolidge entered into the life of the community during the 3 months which the Coolidges spent in our area. She was the person of honor at the dedication of a great community building there, built by the Custer Women's Civic Club. The people of the community remember her for many kindnesses and courtesies.

It was also typical of the personality of this lady that she was quick to remember the friendships established during those years. Some weeks ago, when Mrs. Coolidge's sickness became known, my wife was talking with Mrs. Norbeck, the widow of the late Senator Peter Norbeck. Mrs. Norbeck said to Mrs. Case, "I always owe Mrs. Coolidge a letter, for whenever I write her, she writes her reply the same day the letter is received."

So the people of my own community and the people of South Dakota would, I am sure, want me to join in the tributes which have been paid to the memory of this gracious lady who, 30 years ago this summer, was our neighbor.

HERVE J. L'HEUREUX

Mr. COTTON. Mr. President, it is with sorrow and distress that I call the attention of the Senate to the death of Herve J. L'Heureux, which occurred yesterday afternoon.

Mr. L'Heureux is known to many Members of the Senate. He served for some years as Chief of the Visa Office of the Department of State, and in that capacity he gained the high regard, respect, and affection of many Members of this body.

Mr. L'Heureux's life has been peculiarly associated with the Senate. He came to Washington from Manchester, N. H., on the patronage of the late Senator George H. Moses. At that time I was here as a clerk of Senator Moses' committee. Together, Mr. L'Heureux and I attended George Washington University Law School, while serving as attachés of this body.

He entered the Foreign Service in 1927, and in the 30 years following he became one of the most useful, skillful, and highly regarded of our Foreign Service officers.

He was serving before his death as consul general at Montreal, with the personal rank of minister. He was also widely known as the originator of the Pray for Peace Movement, which he proposed first in 1948.

His nomination for the rank of career minister was submitted to the Senate by the President on July 3, 1957, and was reported to the Senate yesterday by the Committee on Foreign Relations. Had the parliamentary situation been different, or had Mr. L'Heureux lived a few days more, his nomination to that rank would have been confirmed. It was a rank he fully deserved because of his long years of outstanding service.

Mr. President, while I would not suggest precipitate action, I suggest that the Senate confirm Mr. L'Heureux's nomination posthumously for the position which the President and the Secretary of State desired to confer on him, although they knew he was at that time on his deathbed. Such a tribute would be well deserved. If it can be done without establishing an unfortunate precedent, I hope it will be.

I take this opportunity to express my own profound sorrow at the death of a classmate, associate, and friend for many years from my State. I know if my colleague the senior Senator from New Hampshire [Mr. BRIDGES] were here today, he would certainly join me in these expressions. Other Senators, too, will join me in expressing deep and sincere sympathy to the members of Mr. L'Heureux's family.

CHOICE BY PRESIDENT EISENHOWER OF NEWPORT, R. I., AS BASE FOR HIS 1957 VACATION

Mr. PASTORE. Mr. President, Rhode Island rejoices in the word that President Eisenhower has chosen historic Newport as the base for his 1957 vacation. Our State is happy to welcome the first citizen of the United States to what is probably the first summer resort of America. Since 1725 the charms of the Rhode Island shore have lured those who seek rest and recreation in these festive months of the year. More than 400 miles of coastline dotted with sparkling beaches, unexcelled fishing and yachting, and the fresh water favorite spots of fishermen have grown all the more enticing with the centuries.

At Coaster's Harbor Island, our President will be in the central point of pleasure and of history as well. In Newport is the Old State House. Nearby is America's oldest synagogue, and now a national shrine. It is symbolic of our charter of 1663—"To hold forth a lively experiment that a most flourishing State may stand and best be maintained with full liberty in religious concernments."

Great names of American history come alive in Rhode Island's climate: Roger Williams, Gilbert Stuart, Ezek Hopkins, Oliver Hazard Perry, Nathaniel Greene.

The citizen of Gettysburg will live anew the stories of the revolution, and he will be living in the very heart of the naval installations of Narragansett Bay which are the pride of our State as well as of our Nation.

Newport, which played host to our first President, George Washington, will have a hearty welcome for our present President. May his stay with us be happy and may his days of diversion add to his health and strength against the truly heavy burdens of the Presidency.

Rhode Island welcomes President Eisenhower.

FINANCIAL POLICIES OF ADMINISTRATION

Mr. BUSH. Mr. President, during the discussion on the Senate floor relating to the investigation by the Senate Finance Committee into the policies of the Federal Reserve Board, as supported by the Treasury, attempts have been made to convince the Senate that the Wall Street Journal has been sympathetic with those who attack the policies of the Federal Reserve Board and the Treasury. I have watched the editorials in the Wall Street Journal affecting this matter, and I fail to understand how anyone could conclude that the Wall Street Journal had been in any way sympathetic with the advocates of loose money, but, rather, I conclude, from what I have read in the Wall Street Journal, that the publication strongly backs the advocates of sound money.

In today's issue of the Wall Street Journal there is an editorial entitled "The New Inflation." The editorial deals with the thought expressed by the attackers of the present policy that there is some kind of new inflation, or a new kind of inflation abroad in this land. The purpose of the editorial is to show that there is nothing new so far as inflation is concerned. The editorial shows that what the money managers are dealing with is not basically a new form of inflationary potential; it is an ancient one. The editorial concludes by pointing out that if there is criticism of the money managers' policies, it is not that they are too harsh, as the political inflationists contend, but that they may be too lenient.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of July 7, 1957]

THE NEW INFLATION

Is the United States facing a new kind of inflation?

This question is rapidly blossoming into both a political and economic controversy. It keeps cropping up in the Senate Finance Committee's study of monetary policy. It is discussed by economic commentators. It underlies yet another probe which Senator KEFAUVER is about to undertake.

The political answer given by Senators KEFAUVER, KERR and others is that we are indeed facing a new kind of inflation for which the administration's and the Federal Reserve's current fiscal and monetary policies are the wrong remendy. In this view, the threatened inflation is characterized by price rises even in the absence of maximum demand; consequently the attempts to hold down demand by restraining credit miss the point.

Economically this is not a very serious argument. Whatever the demand for some goods, the demand for credit continues intense and this is the cause of the so-called high interest rates. It is not at all difficult to imagine what the inflationary impact would be if the Federal Reserve, as these politicians apparently want, were to pump up the money supply to the point that cheap money would be available to all and sundry.

An economically more sophisticated aspect of the controversy turns on whether the Government or the constant succession of wage increases is the prime source of the inflationary pressures. The cost-push theorists pin the main responsibility on the latter. The money supply, they note, has expanded only slightly in recent years, whereas wage rates have gone up considerably, outrunning productivity gains.

Unquestionably the constant advance of wage rates, reflecting both what is for practical purposes a "full employment" economy and the monopoly power of organized labor to enforce its demands, constitute a continual upward pressure on prices. Unquestionably such a spiral can be an inflationary influence.

But rising wages and prices are not automatically or by definition inflation. Unless there is inflation in the money supply the spiral cannot continue indefinitely; it will reach the ceiling of the money available.

So we get back to the money supply. It is true it has been expanding only modestly compared to earlier periods, but it grew tremendously under the inflationary policies of the war and initial postwar years. Consequently it is now a much greater money supply and even a "modest" expansion of it—say, 2 percent a year—could be too much to keep the inflationary dangers adequately checked.

For our part, we do not know that the present inflationary dangers are as great as some people fear. But we do know that it is nonsense to talk of inflation as though it were something that could somehow be divorced from the money supply. What the money managers are dealing with is not basically a "new" form of inflationary potential; it is the ancient one.

And if there is criticism of the money managers' policies it is not that they are too harsh, as the political inflationists contend, but that they may be too lenient.

MISSOURI RIVER BASIN DEVELOPMENT PROGRAM

Mr. YOUNG. Mr. President, for the past 10 years the Missouri River Basin has been experiencing a long dreamed of development of its resources.

Construction has gone forward on most of its key multiple-purpose dams under the Pick-Sloan plan. Since the inception of this plan, there has seemed to be substantial agreement in the basin as to the use of these vast water resources. Now it would appear that at least some interests in the valley are seeking to destroy the whole concept which made possible the development of this basin.

A recent editorial in the Omaha World-Herald is in point. I have always contended, and so stated in Senate committee hearings, that Garrison Dam would be a net loss to North Dakota if we were not able to secure a sizable irrigation project to compensate us for the more than 550,000 acres of good land lost because of the Garrison Reservoir.

Mr. President, editorials have appeared recently in the Bismarck Tribune and the Minot Daily News, both North Dakota newspapers, which very ably express the deep concern of all the people of North Dakota as a result of the editorial in the Omaha World-Herald. I ask unanimous consent that these two fine editorials be printed in the body of the RECORD as a part of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Bismarck Tribune of July 6, 1957]

WATER DISPUTE IS IN THE OPEN

An editorial masquerading as a news story in the Omaha World-Herald may be the first salvo in a downriver fight to keep North Dakota and South Dakota from getting their fair share of the benefits from the Missouri River Basin development program.

It may signal the breakup of basin unity to bring this vast plan into being and may also help reinstigate the longstanding fight between river navigation interests on the one hand and reclamation interests on the other.

For North Dakota, South Dakota, Montana and any other States interested in irrigation and power for the many, as opposed to navigation subsidy for the few, it may also serve as a summons to stand together against predatory downriver interests.

Some weeks ago this newspaper warned editorially that a fight over Missouri River waters appeared to be in the making. It regretted the breakup of basin unity, and alerted upriver interests to the need to be prepared to defend themselves.

At that time the occasion for the alarm came from the Mississippi Valley Association, an organization which declares itself interested in all phases of river development but whose master is navigation.

Now the Omaha newspaper has launched the attack against irrigation and upriver States openly, questioning the feasibility of the Garrison diversion project in North Dakota with misleading statements calculated to arouse opposition where it is not understood.

It concludes its editorial-news story thusly:

"Other basin States are likely to raise objections to the project. Some are almost sure to question the practicability of such a costly diversion of water onto poor and mediocre soil in a latitude where the growing season is short."

This is the first serious indication that downriver States are considering repudiation of the agreement that was reached in 1944, when all States of the basin agreed to a sharing of water.

The terms of this agreement were simple. Below Sioux City, the needs of flood control and navigation were to be supplied. Above Sioux City, the needs of irrigation and municipal water were to be met. Hydroelectric power was to be generated at every dam where it was economical to do so.

Exhaustive studies of the river showed that there is enough water, if it is carefully stored and controlled, to provide for both navigation and irrigation. In order to get construction underway, both navigation and irrigation interests agreed to share the water supply.

Garrison Reservoir is built and filling. Oahe Reservoir will soon begin to fill. Mainstem storage of floodwater and main-stem control capable of giving the entire river flow to navigation is essentially complete.

And so, having gotten almost all they want out of the basin program, downriver navigation interests apparently are ready to repudiate their agreement and attempt to deprive the rest of the basin of its share of the benefits.

From the beginning, North Dakota has fought harder for river development than any of the other basin States.

It has given more to the program. Some 566,000 acres of productive, taxpaying North Dakota land have been given over to flooding by Garrison and Oahe Reservoirs.

South Dakota also has given heavily of its good land for the reservoirs above Oahe, Fort Randall, and Gavins Point Dams.

Are we now to learn that we have given half a million acres of good land just so that a few barges can be floated up and down the Missouri River for the personal profit of a few?

If, now that the Missouri River is harnessed so that it may serve fully the demands of navigation but nothing else, our one-time downriver friends desert us, we will have gained little here from Missouri River development.

But we will have a clearer understanding of the sort of people we joined in partnership back in 1944.

The Missouri Basin program was designed as a multipurpose program, intended to serve the entire basin and assist in the development of all the natural resources of this region.

The Congress of the United States did not spend billions of dollars in this basin to assist navigation only.

The Omaha newspaper has done a disservice in its distorted presentation of misinformation with respect to the upper basin portion of the program. It may have done a service, however, in bringing this opposition into the open, so the rest of the basin can know what confronts it.

If a few barge owners are more influential, and their right to water is more sacred than that of hundreds of thousands of people, now is the time to find it out.

With a multi-billion-dollar investment tied up in engineering works to control and conserve the Missouri River, it would be tragic indeed to see our longstanding interstate partnership break up merely because the navigation interests now have everything they want.

[From the Minot (N. Dak.) Daily News of July 6, 1957]

OMAHA WOULD WELSH

There has been something of a tradition of the West that anyone rating as a man, made his "word as good as his bond."

And that became a part of the heritage of communities and States.

Verbal or written, an agreement was something that was sacred to the extent that could never be broken.

The West regarded a man who broke an agreement as not fit company for man or beast.

Thirteen years ago the States in the Missouri River Basin entered into an agreement, blessed with the approval of Congress.

It was officially known as the Pick-Sloan plan for the Missouri Basin. Differences of the Corps of Engineers and the Bureau of Reclamation were adjusted. The two organizations were ordered to come forth with a unified plan, which was approved.

In that plan the South was to get flood control which had over the years cost Omaha, Kansas City and wide rural areas millions of dollars.

Navigation was also to benefit.

Flood control has been achieved 100 percent and navigation has been given the benefit of millions of acre-feet of water from Fort Peck and Garrison Reservoirs. There is every reason to believe navigation will benefit still further when reservoirs are completely filled.

For taking 566,000 acres of land from the tax rolls, much of which was rich river bottom, North Dakota was to have water for 1 million acres of farmland, plus municipal water for 41 communities.

South Dakota was in much the same category.

The power from all Missouri River dams would be utilized over a wide area. Garrison power is not for exclusive use in North Dakota. Far from it. As of today, there is a considerable flow of kilowatts across State lines.

In other words, the Garrison Dam would very easily be placed in the liability column by North Dakota except for irrigation and municipal water supply. Construction money went to out-of-State contractors and to a large extent the labor supply came from elsewhere.

Why recite facts well known in Minot, Sioux Falls, Omaha, and Kansas City?

Well, after having attained the objectives craved by Omaha and Kansas City, a movement has been started at Omaha, by the Omaha World-Herald to defeat North Dakota irrigation.

While Omaha is the headquarters of the Corps of Engineers for the Missouri Basin, it is unthinkable that this organization would become a party to violation of an agreement after one party has received its benefits in full and the other party has made great essential contributions and received no benefits.

The World-Herald contends the diversion will damage river navigation, divert water from power production, and cost a lot of money.

The World-Herald predicts "other Basin States are likely to raise objection to the project. Some are almost sure to question the practicability of such a costly diversion of water onto poor and mediocre soil in a latitude where the growing season is short."

Farmers of North Dakota, who raise hard, red spring wheat on the soil termed "poor and mediocre," to upgrade quality of winter wheat raised farther south in order that it can be made into a marketable product, will smile broadly at the slander that comes from ignorance.

It develops that Garrison diversion is a better project for flood control, navigation, and irrigation than were waters to be taken at Fort Peck.

The public has been advised time and again from the platform, through the press, and over radio that large-size benefits came with Garrison, including:

1. Cost $134 million less to build.
2. Cost $700,000 less each year to operate.
3. Save 500,000 acre-feet of water each year (17 percent) for additional power and navigation uses.
4. Use 100 million kilowatt-hours less electrical energy for pumping each year.
5. Generate 90 million kilowatt-hours per year more power when generating facilities are installed in power drops along the main diversion canal.

The News refuses to believe the Omaha paper speaks for any appreciable segment of downstream people. By and large we believe downstream folks are honorable and prize the fact their word is as good as their bond; that an agreement once made will never be broken—after one party has received everything and the other has sacrificed everything.

Members of Congress are well aware of the 1944 agreement which developed the Pick-Sloan pact.

It is well for friends of irrigation to realize that there is much to be done—in defending what has already been accomplished and securing congressional approval of the project report in the form of construction appropriations at the appropriate time.

It is no time to believe we can rest on laurels.

North Dakota has contributed more in educational and promotional work for the Missouri River development than any other single State.

And it is realized that the Missouri-Souris Projects Association has been the sparkplug in the promotional work. This organization is entitled to full support for the work that lies ahead.

FEDERAL ASSISTANCE TOWARD BILLBOARD CONTROL ALONG INTERSTATE HIGHWAY SYSTEM

Mr. NEUBERGER. Mr. President, on May 23, 1957, the Public Roads Subcommittee of the Committee on Public Works reported to the full committee an amended version of S. 963, the bill which I introduced to provide Federal assistance toward a measure of billboard control along the new 41,000-mile limited-access Interstate Highway System which the Congress authorized last year. In the coming months, highway departments all over the Nation will be going forward with acquisition of new rights-of-way, planning and engineering of the new roads, and actual construction of many projects. These new highways could and should provide millions of city-dwelling American travelers by car or by bus with a new view of America—mountains and prairies, farms and forests, the spectacular and the commonplace, but in any case, the land as it is today, before the roads are built. But if we fail to act in this 85th Congress, to offer some protection for the roadsides along this new interstate highway network, it will instead become a concrete spider web delivering a captive audience to the billboard industry.

Mr. President, I hope that the important debate in which the Senate is now engaged, and in which we shall be engaged for some time, will not prevent action during this session by the full Committee on Public Works, and by the Senate itself, on S. 963. We owe this protection to the traveling public on whom we have levied new taxes to pay for the Interstate Highway System. The Subcommittee on Public Roads, under the able and effective leadership of the junior Senator from Tennessee [Mr. GORE], held very extensive hearings and worked diligently to develop a formula for Federal assistance to roadside control by the States which would meet all objections except the complete, last-ditch opposition of the billboard industry itself.

Let me describe briefly how S. 963, as reported by the subcommittee, deals with the issues which have been raised by the drumbeaters of the opposition without any regard for the actual terms of the bill.

First. The phony States rights argument. This is the hoariest of all objections. It is invariably raised, by a sort of automatic reflex action, against any Federal proposal by those who want no regulation at all, Federal or State. Actually, under S. 963 the Federal Government could not act at all to control billboards. Only the individual States can act, which is exactly what the opponents say should be the case. All the Federal Government would do is to offer an additional three-quarter percent, above the 90 percent which it already contributes to the interstate highways, toward the cost of those highway projects with respect to which an individual State agrees to provide certain roadside protection, including billboard control.

Second. Advertising of off-highway facilities for travelers. The subcommittee has recognized that there is a legitimate interest, both on the part of highway travelers themselves and on the part of operators of motels, tourist resorts, garages, restaurants, and other facilities for travelers, in making information about these facilities available along the highway. In many instances, the new interstate highways will be relocated away from the roads along which these existing businesses have grown up. Their owners naturally want to be able to draw travelers from the new highways. From the point of view of the travelers, such information is in a different category from the familiar billboards advertising brand names of beer, automobiles, gasoline, tires, cigarettes, and other commercial products.

The subcommittee has made provision for permitting, on a proportion of the total highway mileage, informational signs concerning off-highway facilities of specific interest to highway travelers, subject to adequate standards of governing location, size, and other characteristics. Presumably such informational signs would be located within the last few miles before the exits from the limited-access highways.

Other objections are based on the destruction of valuable income and property interests of the billboard advertising industry itself and of farmers and other landowners. As to the latter, S. 963 does not affect their rights in any way. If a State wishes to exercise its power to prohibit the erection of signboards on land adjoining new highways, it can do so before the passage of S. 963 just as well as after its passage. If a State wishes to acquire advertising-control easements along with highway rights-of-way—which of course have little value before a road is built—it can do so now just as well as after passage of S. 963. S. 963 confers no authority on States that they do not have today.

BILLBOARD INDUSTRY WILL SURVIVE

As to the billboard industry itself, S. 963 does not restrict or limit it in any way as far as the hundreds and thousands of miles of the present primary and secondary road systems are concerned. They are not within the terms of the bill. Professionals as they are in the arts of advertising and propaganda, the billboard lobbyists have pictured the destruction of their industry. What is actually at stake is whether or not they are to be handed, by the travelers and highway taxpayers themselves, a tremendous bonanza in the form of 41,000 miles of new roadside along what will be the greatest channels of traffic and travel in the Nation.

Mr. President, it would be unreasonable to expect the billboard industry to abandon the hope for such a bonanza voluntarily, without a fight. They have not done so. I shall place in the RECORD some recent press comments on their efforts. However, the Congress can recognize that in this fight, the billboard industry unquestionably opposes the desire of the vast majority of individual, unorganized Americans, who have no selfish interest in this legislation save the desire to see their own country from their own highways, uncluttered by the blatant aggressions of billboard salesmanship. Mr. President, even the Eisenhower administration, which constantly reiterates its devotion both to budgetary savings and to States' functions, favors the roadside protection provisions of S. 963. I ask unanimous consent that the section of the report of the Secretary of Commerce to the chairman of the Committee on Public Works which deals with these provisions of S. 963 be printed in the RECORD at this point.

There being no objection, the section of the report was ordered to be printed in the RECORD, as follows:

JUNE 28, 1957.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: This is in reply to your letter of June 20, 1957 requesting the views of this Department with respect to S. 963 (committee print, May 24, 1957), a bill

"To provide for the control of certain advertising on federally owned or controlled lands adjacent to the National System of Interstate and Defense Highways, and to encourage such control on other lands adjacent to such National System."

Title I of the bill entitled, "Control of Advertising," declares it to be in the public interest to encourage and assist the States in regulating the use and improvement of areas adjacent to the National System of Interstate and Defense Highways for safeguarding public travel, promoting interstate commerce, protecting the public investment, and preserving scenic beauty and points or shrines of historical significance, and directs the Secretary of Commerce to prepare and publish recommended standards for the regulation and control of signs within 660 feet of the paved surface of the main traveled roadway by limiting such signs to specified categories. The Secretary of Commerce would be authorized to enter into agreements with any State for the purpose of carrying out such policy with respect to any projects, or parts of projects when approved by him. The Federal share payable on account of any project, or parts of any project when approved by the Secretary exclusive of main bridges and tunnels, would be increased three-fourths of 1 percent of the total cost thereof if such an agreement between the Secretary and a State is entered into for a project prior to July 1, 1960, or prior to the end of the 2-year period following execution of the project agreement, whichever is later. Costs incurred in carrying out any such agreement would not be included in the Federal share payable on account of the project. The Secretary of Commerce would be required to provide for application of the standards established to federally owned or controlled lands on which the Interstate System is located.

This Department is in accord with the objectives of title I of the bill. As I stated in my testimony before your committee on March 18, 1957, we are convinced that Federal legislation for the control of advertising along the interstate system is necessary if the objective of the Federal Government to provide a system making for safe and relaxed driving and pleasing appearance is to be achieved. We are also convinced that the legislation which we submitted to the Congress on that date will accomplish this objective most effectively. In view of the fact, however, that such legislation has not been introduced in the Congress, this Department would not interpose any objection to the enactment of legislation containing provisions similar to those of title I of the bill.

In this connection, we call attention to the fact that title I provides for the application of controls on a project-by-project basis rather than on a statewide basis. This, of course, leaves the States free to choose the particular projects with respect to which they wish to apply the standards of the Secretary of Commerce and receive the additional three-fourths of 1 percent. They would be free, if they so chose, to restrict the application of the standards to a single project. We think that title I would be much more effective if it provided for the control of advertising on a statewide rather than project-by-project basis.

Mr. NEUBERGER. In conclusion, Mr. President, I also ask unanimous consent to have printed in the RECORD several short articles and editorials commenting on the opposition of the billboard lobby to S. 963, from the Christian Science Monitor of June 15, 1957, and the Washington Post and Times Herald of June 12 and June 23, 1957, followed by an excellent article from the Post of July 4, 1957, by Mr. Carroll Kilpatrick, called Sign Curb Bill Stalls in Congress. I hope and trust the Congress will disprove this ominous headline.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor of June 15, 1957]

CURB ON HIGHWAY BILLBOARDS SHRINKS

The quiet work of the lobbyists is defeating the efforts to ban billboards on the new highway system to be built with close to $40 billion of the taxpayers' money.

A bill to ban billboards has been approved by the Congress committee, but it is a watered-down version, providing that the Federal Government shall pay 90.75 percent of the total cost of a highway instead of 90 percent if a State agrees to keep billboards off a Federal highway project.

It's the old story of small groups of organized people against big groups of unorganized people. The outdoor advertising industry has its effective lobby, the oil companies want to fight their sales wars with big signs along the highways, the building trades and sign painters want to cash in on this new bonanza. And they have been working on individual Senators.

On the other side are the automobile associations, the garden clubs, sportsmen, and Audubon societies—and the vast majority of Americans. But they are ridiculed as esthetes for wanting to keep the new highways clear of unsightly signs. And Congress shows every sign of kowtowing to the organized lobbyists.

[From the Washington Post and Times Herald of June 12, 1957]

HIGHWAY EYEWASH

A pat argument used by Members of Congress opposed to billboard controls is that only esthetes—or, as one Senator so nobly puts it, "ass-thetes"—are concerned about turning the new 41,000 miles of Federal highway into a garish jungle of billboards and neon-lit hotdog eateries. Yet among the chief opponents of unregulated billboards are highway engineers—hardly known as an arty-arty group—who rightly point to certain safety hazards posed by confusing signs on a speedway. We further suspect that many a motorist whose closest approach to the fine arts is watching a wrestling match will take loud offense if he sees more soapflake placards than sunsets on his first vacation tour on the new highways.

Yet the sensible billboard bill proposed by Senators NEUBERGER and GORE is presently buried in the Senate Public Works Committee. This bill would provide an additional three-fourths of 1 percent in Federal highway funds to States agreeing to meet certain roadside standards. Participation is optional, hence it is hard to see how any objections based on States rights can be raised. The most vigorous opposition to this moderate measure comes from the groups who stand to profit by plastering the new highways with their advertising.

[From the Washington Post and Times Herald of June 23, 1957]

PASTEPOT PARADISE

It is becoming painfully obvious that the billboard lobby may win its battle by default. A moderate bill to limit roadside eyesores on the new 41,000-mile Federal highway system is currently bottled up in the Senate Public Works Committee and may never emerge for a vote. The bill provides that States agreeing to place some controls on billboards would get an additional three-quarters of 1 percent in Federal highway funds; participation would be optional. Clearly the voters have a right to know which Senators approve this sensible bill, and which Senators are indifferent to opening the highways to an endless ribbon of honkey-tonk and hucksterism. If the committee fails to report out a billboard bill, it will be interpreted—rightly or wrongly—as a shameful surrender to a lobby with a vested interest in glutting the roadway with toothpaste and hair-oil signs.

[From the Washington Post and Times Herald of July 4, 1957]

SIGN CURB BILL STALLS IN CONGRESS

(By Carroll Kilpatrick)

Advocates of Federal action to keep the 41,000-mile Interstate Highway System free of unsightly billboards say they must win their fight this year or face almost insurmountable difficulties—but they acknowledge that at the moment the billboard lobby has the upper hand.

Senator RICHARD L. NEUBERGER, Democrat, Oregon, author of the pending control bill, says it is a matter of an organized and effective minority against an unorganized and ineffective majority.

He is convinced that the overwhelming majority of the American people want the new Interstate System, which will cost more than $25 billion, kept free of unnecessary advertising signs. Public opinion polls support his contention.

But lined up against the Neuberger bill are some powerful business and labor groups, who know how to bring pressure on Congress.

"It's a difficult lobby to cope with," NEUBERGER says, "because it works both sides of the street—labor on some Senators and business on others."

Senator ALBERT GORE, Democrat, Tennessee, chairman of the Senate Public Works Subcommittee on Roads, says it is necessary to take action on the billboard bill promptly or it may be too late.

"The expense of billboard control would be very much larger later and the political difficulties more severe than they now are—and they are already rather severe," GORE says.

His subcommittee approved the Neuberger bill in May—after attaching, without discussion, an amendment by Senator FRANCIS CASE, Republican, South Dakota, to add 7,000 miles to the Interstate System.

Some persons have charged that the Case move was designed to kill the Neuberger bill. GORE denies this. NEUBERGER says he is not opposed to the Case proposal but thinks it has no business in his bill. In this year of economy, Congress is hardly likely to approve an addition to the already mammoth-sized highway bill.

Since the subcommittee reported the combined bills, the full committee has sat on them. Chairman DENNIS CHAVEZ, Democrat, New Mexico, denies that he is trying to bottle up the billboard measure. He says he may call a committee meeting sometime soon.

But unless he acts promptly the billboard measure will stand no chance in Congress this year. The House has been waiting on the Senate.

When Congress passed last year the bill providing for the Interstate System it was unable to agree on a billboard control measure, and left the problem entirely to the States. Two or three States have reasonably effective control, but the majority do not.

Antibillboard enthusiasts contend that the States will never take proper action unless prodded by the Federal Government, which is putting up 90 percent of the money for construction of the Interstate System.

Under last year's bill, the Federal Government is authorized to set all kinds of regulations and standards for bridges, curvature of the road, tunnels, access rights, width, etc., but the billboard supporters say it would be an invasion of States' rights for Uncle Sam to say there should be no billboards.

The Neuberger bill provides only that States which agree to limit highway advertising will receive a Federal contribution of 90½ percent of the cost instead of 90 percent. The bill does not automatically ban billboard advertising; it says that States which agree to the standards set by the Secretary of Commerce will receive a larger Federal contribution on that part of the Interstate System covered by the agreement.

A State could agree to control advertising signs on part of a highway but not on another part. NEUBERGER admits that his measure as approved by the subcommittee is a weak one, but he says it was the best possible under the circumstances.

Highway advertising interests have drummed up much of the Congressional mail against the Neuberger measure. It has come in two batches, the first during the subcommittee hearings on the bill and the second in the last few days.

The anticontrol mail, according to NEUBERGER, has been from motor court operators, labor unions, farmers, outdoor-advertising firms, roadside businesses, and States rights advocates.

Supporters of the legislation include garden clubs, the National Federation of Women's Clubs, the Audubon Society, roadside councils, and the general public.

A. J. Mutholland, Jr., of Kalamazoo, Mich., wrote NEUBERGER 3 critical letters on May 31: 1 on his personal stationery, 1 on his stationery as city commissioner, and 1 on the stationery of the Mulholland Advertising Co.

Among the witnesses who testified against the bill were representatives of the American Motor Hotel Association, the Pennsylvania Hotels Association, the Advertising Federation of America, the National Outdoor Advertising Bureau, Inc., the Central Outdoor Advertising Co., Inc., the Brotherhood of Painters, Decorators, Paperhangers of America, AFL–CIO, the International Union of Sign Painters, Kansas City local, and the Roadside Business Association.

Former Senator Scott Lucas, Democrat, of Illinois, representing the Roadside Business Association, has led the attack on the bill in Washington. "The legislation by the States which will inevitably be necessary in order for the States to indicate that they wish to adopt the Federal standards, and the litigation which is inevitably the result of that type of legislation will consume years," he told the Public Roads Subcommittee.

"You will be faced with the double specter of a slowly moving (highway) program and the concomitant increases in costs which flow from those delays."

Neither GORE nor NEUBERGER has any idea how much money has been spent by the billboard lobby. It is perhaps more effective because it works primarily from back home rather than in Washington.

CHAVEZ put the Congressional dilemma in these words: "There's no question but that people want to clear up the highways, but it's hard to tell a farmer he can't put a billboard on his farm."

NEUBERGER thinks that if a few roads are billboard free the public will react with so much enthusiasm that it will be much easier to enforce antibillboard bans on additional mileage.

"Once the public sees how much difference it makes it will back effective control legislation," he says.

"In the short time we've been on this continent we've botched up more scenery than anyone else ever did. Switzerland built an enormous tourist industry because it knew people came to look at the scenery, and so it protected the scenery. It has complete control of road signs.

"It's now or never in this country for the Interstate System. Once the signboard operators come in and acquire rights to land we are sunk. We've got to act this year."

THE CONTEMPT TRIAL OF JOHN KASPER AT CLINTON, TENN.

Mr. STENNIS. Mr. President, in the morning hour and not as a speech on the pending question, the motion of the Senator from California [Mr. KNOWLAND], regarding the so-called civil-rights bill, I wish very briefly to refer to the proceedings in the Federal court before Federal District Judge Robert L. Taylor, wherein, among others, a man by the name of John Kasper is being tried for contempt.

This man Kasper is quoted in the press as having made a very bitter attack on the judge of that court. I am not trying to pass judgment on that case, except that I wish to point out such action is a direct contempt of court, if the alleged facts are true. It is certainly not the kind of contempt we are arguing about in the debate on the civil-rights bill. It is not the kind of contempt for which I shall urge there should be a jury trial. So far as I know, no opponent of this so-called civil-rights bill would limit the power of the court to punish summarily for direct contempt.

If the facts be accurate, I have no patience with, and certainly disapprove of, such conduct as this man is now engaging in by denouncing the court.

If I correctly understand the facts, this man is not interested in a solution of the school problem; he is not connected with the local school; and, personally, I know we do not need him or those of his stripe to help us out in our school matters and our school problems. I believe that is pretty much the sentiment of others concerned about our schools.

I point these facts out not to denounce this man, since I do not know the exact facts, but to make a clear distinction between this kind of case and the kind of activity in this field of litigation and in the school question, on the one hand, and, on the other hand, the position of our local people in the various communities, who really build the schools and who carry them on, and the trustees of those schools, who are confronted with the problem of maintenance of the public schools.

It is not this kind of contempt that Kasper seems to be guilty of to which I refer or to which any of us refer, I think, in our discussions of the highly important matter which confronts the Senate, and it is most important that this difference be emphasized.

Mr. ERVIN. Mr. President, as a part of the morning hour and not as a part of the debate on the pending question, the motion of the Senator from California [Mr. KNOWLAND], I should like to make an additional observation about the so-called Clinton, Tenn., case now pending before Judge Taylor and a jury in the district court at Knoxville, Tenn.

I am rather surprised to read or to hear every day that it will be necessary for the jury to convict all the people involved in that case if the Senate is to be satisfied that southern juries will convict guilty persons in civil-rights cases.

In an effort to put some limitations upon prosecutions for contempt for alleged violations of injunctions, there have been rules established by the Government to prescribe procedure in contempt cases of that nature in the Federal courts. The rules provide, among other things, that a person who is not a party to the proceeding in which the injunction was issued cannot be convicted of contempt unless he knew that the injunction was in force and unless he acted in concert with the party who was named in the injunction.

The point involved in this case, so far as the 15 persons other than Kasper are concerned, is, among other things, whether they were acting in concert with Kasper. If they were not acting in concert with Kasper, they cannot be convicted under the Federal rule.

All I know about the merits of the case is what I read in the newspapers; and, if what I read in the newspapers is correct, many of the acts alleged to have been committed by the 15 people occurred after Kasper had left that section of the country and, in my judgment, if that be true, they cannot be convicted, rightly, of acting in concert with Kasper.

It is a peculiar thing that anybody should advance the notion that, notwithstanding the fact that everybody charged with criminal contempt is presumed to be innocent and cannot be convicted unless the Government establishes guilt beyond a reasonable doubt by testimony, the acquittal of any southerners in any case of contempt demonstrates that southern juries will not convict guilty persons in civil-rights cases.

Mr. DOUGLAS. Mr. President, I wish to commend the Senator from Mississippi [Mr. STENNIS] for the characteristically fine statement which he has made. In the arguments which he has advanced, the Senator from Mississippi has always conducted himself on the very highest level, with not the slightest appeal to passion or prejudice, and with the complete bearing of a gentleman.

While many of us disagree at times with the points of view which the Senator from Mississippi advances, and disagree with him on the bill now being discussed, I wish to affirm publicly what I have frequently said privately; namely, that there is no more just or generous or finer gentleman in public life than the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from Illinois.

Mr. WILEY. Mr. President, I like this attitude of mind. Long ago the prophet said, "Come, let us reason together." Perhaps, following that process, we can settle not only the question now before the Senate, but perhaps some other questions.

Mr. President——

The PRESIDENT pro tempore. The Senator from Wisconsin.

THE INFLATIONARY, DANGEROUS NATURAL GAS BILL

Mr. WILEY. Mr. President, I wish to take a few moments of the time of the Senate to discuss what I think is a very dangerous condition; namely the inflationary situation. There are many causes. The increase of $6 a ton by the steel companies will add impetus to the inflationary trend. But I wish to speak from another angle.

Mr. President, 30 million American consumers were dealt a severe blow yesterday. The House Committee on Interstate and Foreign Commerce, by a vote of 15 to 13, unfortunately approved the gas rate increase bill. This bill is designed to eliminate effective regulation over gas going into interstate pipelines.

The legislative battle now shifts to the House Rules Committee, and thereafter will go to the floor of the House of Representatives.

My purpose in speaking today is once more to sound the alert to the American people.

In connection with the gas bill, there may be diversionary tactics. We may be diverted by the civil rights bill, and by other matters, so that we lose sight of one of the great dangers to our economic health.

Once more I wish to caution the American people the gas rate bill is undoubtedly the most inflationary single piece of legislation coming up for active voting in this first session of the 85th Congress.

Unfortunately, the American people to date, because of their preoccupation with other problems, have failed to recognize this danger.

Of course, the lobbying and propaganda forces of the natural gas industry have been concentrating 365 days a year on passing this proposed legislation. But, by contrast, there is not a single force in the United States which has devoted concentrated and continued attention to opposing this inflationary bill. The organization of mayors of the various cities and few consumer organizations have been able to give to this problem only the spottiest attention. As a result, the evil gas bill may win by default, unless the consumers of this country rise up and demand that it be defeated.

Let me point out that the American dollar is already losing more and more of its purchasing power. On the first day of every month, when 30 million consumers receive their gas rate utility bills, the consumers are going to find, if this inflationary bill shall be enacted, that their dollar will have lost still more purchasing power. So the time to act is now. This gas rate increase bill should not win by default. It must be defeated. The bill must be defeated, because its impact upon the inflationary cycle would be most dangerous to our economic health.

FUNERAL SERVICES FOR SAMUEL P. GRIFFIN

Mr. JOHNSON of Texas. Mr. President, at 10 o'clock tomorrow morning there will be funeral services for the late Samuel P. Griffin, Assistant Doorkeeper of the Senate.

Mr. Griffin had been a Senate employee for more than 40 years. Many of the doorkeepers and employees of the Senate have asked me to make this announcement for the information of Senators.

DISARMAMENT AND COMMUNISM

Mr. CURTIS. Mr. President, I wish to speak on the subject of disarmament. It is true that recent press dispatches indicate that the current disarmament discussions may bog down. Nevertheless, the basic factors involved are of such importance to the long range welfare of our country that I feel duty bound to speak my convictions. I am disturbed over trends, and the actions taken by some of the representatives of our country who appear to be speaking for us in reference to disarmament. I am disturbed by the utterances of others who appear to support those actions.

The Communist threat of world domination is either true or it is nonexistent.

The long record of broken promises on the part of the Soviets is either true or it is false.

The accounts of Soviet outrages and butchery in Hungary are either true or they are false. Soviet threats in the Middle East are either genuine or they are not.

The accounts of slaughter of tens of thousands of Chinese by the Chinese Communists are either true or they are false.

Mr. President, we could go on at some length raising questions about the record of the Communists. I do not believe the answers to the questions that I have raised are debatable. The Communist conspiracy stands indicted before humanity as a cruel, aggressive, war making, murderous clique, seeking to dominate the world.

Mr. President, in support of the answers to questions I have raised I wish to have printed in the CONGRESSIONAL RECORD at this point an article dated July 3, 1957, by that great protector of our security J. Edgar Hoover, Director, Federal Bureau of Investigation, on the present day menace of communism. Also, I include some of the excerpts from the publication of the Committee To Investigate Un-American Activities of the House of Representatives dealing with the activities of the Communists in Hungary and China, and, lastly, excerpts from statements made by our distinguished minority leader, the Senator from California [Mr. KNOWLAND], in which the broken promises of Russia are tabulated up to the date of May 26, 1955.

There being no objection, the material referred to was ordered to be printed in the RECORD, as follows:

"KO" RED MENACE—IT'S EVERYBODY'S JOB

(EDITOR'S NOTE.—Victor Riesel is enjoying the Independence Day holiday. His guest columnist today is FBI Chief Hoover)

(By John Edgar Hoover, Director, Federal Bureau of Investigation)

WASHINGTON, D. C., July 3.—Men risked their lives to secure the freedom which we enjoy in this Republic. They did so deliberately and with full understanding of exactly what they risked. A wise leader had warned them as they emphasized their revolt against tyranny by signing the Declaration: "We must all hang together, or assuredly we shall all hang separately."

With each stroke of the pen, every man present knowingly put his life in jeopardy. Those men took the chance which gained us our freedom, yet no one knew better than the Founding Fathers that the winning of freedom was only a first step. They knew that the problem of maintaining freedom is complex and demanding and they dedicated themselves to its maintenance.

No one recognized more clearly than those early Americans that only by personal accountability could freedom be retained uncorrupted. The concept of government which they projected was based upon individual responsibility. That concept proclaims today, as it did then, "Freedom depends on you. You are accountable."

Public apathy is the sure way to national suicide—to death of individual freedom. Public apathy enabled Hitler's fifth columns to prepare Europe for each Nazi coup. Public apathy allowed the Communists to penetrate and make satellites of once free countries, and it is at present enabling them to honeycomb and weaken the structure of freedom in the remaining countries.

There is today a terrifying apathy on the part of Americans toward the deadliest danger which this Nation has ever faced. Some of that apathy is deliberately induced by elements which desire you to believe that the Communist Party, U. S. A., no longer represents a threat to America. You hear that domestic communism is reduced in

numbers, that it is divided, split, shattered. You read the proclamation of well-meaning, uninformed individuals who, from their mountain of ignorance, maintain Americans are too worried over domestic communism. They charge that citizens who consider the misguided aberrations of a handful of persons to be a danger to our security are mistaken.

The facts indicate the contrary. The Communist Party in the United States is not out of business. It is not dead. It is not even dormant. It is, however, well on its way to achieving its current objectives—which is to make you believe that it is shattered, ineffective, and dying.

When it has fully achieved this objective, it will then proceed inflexibly toward its final goal. And let no one for a moment forget that the Communist Party, U. S. A., is part and parcel of an international conspiracy whose goal is conquest of the world.

The Communist conspiracy will not halt its forward march by itself. It must be halted. We have succeeded for a brief moment in throwing alien-inspired domestic Communists off balance. We must keep them off balance. We must expose them. We must not let them regain the desperately sought cloak of repectability behind which protection they wrought such infinite damage to American security.

Is the Communist Party, U. S. A., small in numbers? So, likewise, it was in Russia when freedom died in that unhappy land. The informed do not measure the strength of the Communist conspiracy in numbers, but by the areas where it finds its support and by its ability to influence, to pull strings, and to wield control.

The United States today is the major bulwark of freedom. We who are aware of the many insidious moves to destroy that bulwark cannot be apathetic. We know the character of the Communist Party. We know it to be an active, effective adjunct of the international Communist conspiracy, and that those who try to minimize its danger either are uninformed or have a deadly ax to grind.

But apathy toward the danger of communism is not the only threat to freedom today. We have been apathetic in other areas. We have not held ourselves accountable. We have allowed men to get by with small violations of the law, and those small violations have suddenly become large violations. The record reflects a high of 2,563,150 major crimes committed during the year 1956. This is 13.3 percent above 1955 and the first total above the 2,500,000 mark.

And what are we doing about it? No one knows better than readers of this column what can happen when public apathy allows the development of a climate where the criminal mob can flourish. The war with the mob must not be left to one man to fight, or even a few men.

A President of the United States summed up the individual's responsibility in a message to Congress:

"It is the duty of a citizen not only to observe the law but to let it be known that he is opposed to its violation."

SYNOPSIS

Two leaders of the Hungarian revolution who are now in the United States testified before the staff of the Committee on Un-American Activities on March 20, 1957.

The witnesses, Sandor Kiss and Janos Horvath, fled from Hungary to escape arrest after Red army reinforcements crushed the uprising last November. Mr. Kiss is secretary general, and Mr. Horvath a member, of the executive committee of the newly formed Hungarian Revolutionary Council, comprised mainly of Hungarian freedom fighters.

Mr. Kiss and Mr. Horvath, both officials of the last free Hungarian Government, declared that Hungary today is in the grip of a "reign of terror imposed by the Red army and reconstituted Hungarian security troops."

"The present situation in Hungary is one of terror, of people being taken to prison and torture chambers and being executed virtually without a hearing," Mr. Horvath declared.

In addition, he said, the number of unemployed has risen to around 350,000 and many of these are actually starving. Mr. Horvath estimated "conservatively" that between forty and fifty thousand Hungarians had been deported to the Soviet Union after the suppression of the revolution.

Mr. Kiss estimated that between fifteen and twenty thousand people were killed in the uprising, in contrast to the official report of only 1,800 deaths.

"Most of these," Mr. Kiss added, "were people who gave themselves up with the understanding that they might be pardoned and then were ruthlessly murdered by the Hungarian Government and the Soviets."

"In the town of Miskolc in the northwestern part of Hungary," he said, "56 people were summarily executed for participation in the revolution. In nearby Eger, 23 were executed." The toll in some other towns, he said, included 17 in Salgotarjan; 19 in Pesterzsebet; 20 in the Bakony Forest, one of the resistance centers; and 11 in the mining district of Komlo. Similar executions were carried out in almost every town and village throughout the country by the Red army, he declared.

Most of the casualties of the fighting, Mr. Horvath declared, were "peaceful bystanders." Between five and six hundred people, he said, were killed in a period of a half hour as they watched a battle before the Parliament building in Budapest. Among them were a number of children.

"Actually," Mr. Kiss stated, "it is an error to consider the uprising and subsequent Soviet intervention an internal affair. In reality it was a 'Soviet-Hungarian war.'" He continued:

"On the 23d of October in a matter of 3 hours Hungary won its freedom. Ninety-nine percent of the people agreed that communism and Soviet domination must be ended * * * The heroism of the youth worked a modern miracle. The Hungarian people took up the fight and in 5 days from October 24 to 29 they conquered the Soviet Army that was arrayed against them."

Mr. Kiss and Mr. Horvath stated that the Soviets were originally prepared to recognize the regime established by Imre Nagy and decided to invade Hungary only when the "vacillation and inactivity of the U. N." indicated that they could do so without risking reprisal from the rest of the world.

"If the U. N. had succeeded in sending an observer team into Hungary and had championed the cause of the Hungarians, this would have been of great benefit because it would have meant that the U. N. and the Western World recognized Hungary's right to self-government, freedom and independence," Mr. Kiss declared.

The Hungarians today feel that the free countries of the world betrayed them, Mr. Horvath declared. "This is the feeling of the Hungarian people. That I want to emphasize."

Mr. Kiss asserted that it would have been "an extremely valuable step" if the United States and western governments had severed diplomatic relations with the Soviet Union and satellite nations upon the invasion of Hungary by the Red army.

"It is ironic," Mr. Horvath continued, "that fear of the Soviet Union is much greater outside of Hungary than inside the country.

"The Hungarian people themselves are not afraid of the Soviet Union but as you reach the border this feeling becomes progressively more intense. In other words, the fear of the Soviets seems much greater here in the West than it does in the countries behind the Iron Curtain."

The witnesses reported that despite the repressive measures imposed upon the Hungarians by the Soviets and puppet Kadar regime, the people of Hungary have not lost their hope.

Mr. Kiss concluded: "The quest for freedom and liberty has become a religion in Hungary. The people say that it is better to die than to live under such conditions. They are ready to do so."

SYNOPSIS OF TESTIMONY FEBRUARY 1, 1957

Dr. Chiu-Yuan Hu is an adviser to the Chinese mission of the General Assembly of the United Nations. He is a professor of modern history at the National University in Formosa. His testimony is based on an extensive system of contacts which he has been able to maintain with sources of information inside of Red China. Highlights of Dr. Hu's testimony follow:

That the Chinese Communists have physically exterminated 20 million human beings since they took over the mainland of China in 1948; that some 25 million more Chinese are in prison, brainwashing schools, or in slave-labor camps; that Chinese youth from kindergarten to the university are being taught to hate America by what is known as the three-look movement—look to America with hatred; look to America with contempt; look to America with superiority.

Dr. Hu also ridiculed the claim, often advanced by advocates of recognition of Red China, that the Communists had established "effective control" over the mainland. He said that the Chinese Reds themselves in their radio broadcasts, as well as printed material, quote statistics on hundreds of thousands of counterrevolutionary bandits" having been exterminated. Dr. Hu testified that this could only mean that there are military operations, guerrilla warfare, and widespread resistance in extensive areas throughout China.

Dr. Hu also testified that the annual export of narcotics from Red China is steadily increasing and is estimated at 1,500 tons for 1956. This tremendous amount of narcotics is sold all over the world, and the money realized is immediately converted within the same country into subversive channels, thus effectively removing from police detection the sources of funds used by local Communists.

Dr. Hu also ridiculed as wishful thinking the notion that the Chinese Red leadership might, at some time in the future, follow the example of Tito. He stated that all the leading Chinese Communists had been trained in Moscow and that the Chinese Communist Party is the only Communist Party which has never had a schism, split, or any serious deviation from the line as laid down by the Kremlin.

Dr. Hu estimated that there were some 50,000 Soviet advisers, technicians, and experts in Communist China today helping the Reds develop their industrialization and militarization programs. He also said that the Soviets had an iron grip on strategic resources, including oil and uranium in the provinces of Sinkiang, Mongolia, and Manchuria, and that Manchuria is being developed by Russia and Red China into a gigantic military buildup area for future use against South Korea and Japan.

Dr. Hu also testified that several billion dollars of American property invested in churches, hospitals, schools, and missions had all been seized by the Chinese Reds and converted to Communist use.

Dr. Hu concluded his testimony by warning Americans against the danger and fallacy of "coexistence with the Moscow gangsters." He also stated that admission of Red China to the United Nations, or United States recognition of Red China would mean the death knell of anti-Communist resistance on the part of 500 million Chinese who historically and traditionally have been friendly to this country. Dr. Hu laid the blame for the loss of China to the Communists on "pseudo experts on the Far East" in this country.

RUSSIA'S RECORD: 52 AGREEMENTS, 50 BROKEN

"For the past quarter of a century the Soviet Union has violated 50 out of 52 international agreements," into which it has entered, warned Senator WILLIAM F. KNOWLAND, Republican, of California, in addresses made May 20 and May 16 in New York and Cleveland, Ohio.

"It would be the height of folly to let down our guard and allow the neutralization of our allies," he told the United States Conference of Mayors meeting in New York. He said that in view of the Russian record of violating international commitments, "one would have to be naive indeed to believe that the leopard has changed its spots."

In addressing the Cleveland Engineering Society, Senator KNOWLAND referred to a long list of treaties and agreements involving the United States and nearly every country in Europe and Asia, and dating back to the early 1930's.

MANY TREATIES BROKEN BY RUSSIA SINCE WORLD WAR II

"Among the treaties and agreements concluded with and broken by the Soviet Union since World War II are: Yalta Agreement; Potsdam Agreement, armistice agreement relating to the function of the Allied Control Commission in Hungary, Bulgaria, and Rumania; peace treaties with Hungary, Bulgaria, and Rumania; Cairo declaration, reaffirmed at Potsdam and subscribed to by the Soviet Union; the Soviet-Iranian Treaty of Friendship of 1921; Declaration of Teheran; Potsdam declaration defining terms for Japanese surrender; and the Sino-Soviet treaty and agreements of August 14, 1945."

The only two agreements kept by Russia involved its promise to enter the fighting against Japan in World War II—2 days after the United States dropped the first atom bomb on Japan, and the agreement to permit western allies aerial corridors to Berlin.

The magazine, U. S. News & World Report of May 20, 1955, observed that "If history is a guide, the chances are 25 to 1 that any agreement reached will be violated by the Soviet Union. Those odds favoring a violation go up to almost a sure thing if it appears to Russia that there is more to be gained than to be lost by violating the agreement." The magazine stated that an analysis of past treaties and agreement with Russia shows:

"Since 1933, on major issues, United States and Russia have come together in 3,400 meetings.

"In these meetings, negotiators have spoken 106.5 million words.

"All this talk has led to 52 major agreements.

"Of these: Russians have broken 50 agreements."

U. S. News & World Report showed that on issue by issue, talks with Russia had the following results:

"Control of atomic weapons: 8 years of talks, about 200 meetings. No results.

"Unifying Germany: 11 years of talks, about 1,200 meetings. No results.

"Lend-lease settlement: 7 years of talks, 85 meetings. No results.

"Disarmament: 7 years of talks, more than 100 meetings. No results.

"World peace: 8 years of talks, about 1,400 meetings. No results.

"Austrian Treaty: 9 years of talks, nearly 400 meetings. Agreement."

Senator KNOWLAND called attention to a House Foreign Affairs Committee report of August 25, 1950, entitled "Background Information on the Soviet Union in International Relations."

The House report lists seven agreements dealing with Austria made between 1945 and 1950 by the Soviet Union and the western allies. All of these agreements have been violated.

The same report, for example, also lists 14 agreements and treaties made between Russia and the western allies since 1944. Each agreement has been violated.

Mr. CURTIS. Just why then is the United States sitting down to discuss disarmament with such a group? Are we basing our actions on the belief that this time Communist Russia will keep her promises and abide by whatever treaty she may enter into? If it is our belief that Russia will live up to her agreements what then is a reasonable explanation of her past record?

What price do we pay for our mistakes if we rely on the Russian Communists to live up to their agreement and they fail to do so? Such an error could mean not only the defeat of the United States but disaster to civilization of peoples remaining free today.

Are we proceeding with the question of disarmament knowing that the Russian Communists are not truthful and that they do not live up to their commitments, but, nevertheless, believing that we can develop a rascal-proof system of inspection? I am not prepared to say that such a system of inspection can or cannot be perfected. I merely point out that if we should attempt it and fail, the results would be disastrous.

The question that arises, suppose the system of an inspection is effective and workable and that the Russian Communists do stop testing and building atomic and nuclear weapons and the United States, in turn, likewise stops the testing and building of atomic and nuclear weapons, what then?

It means then that communism and the free world are pitted against each other on the basis of hordes of manpower and conventional weapons. To be explicit, it means that the Russian Communists then have the advantage.

It is the predominance of the United States in these superior and advanced weapons that restrains the Russian Communists today. It is this superiority in weapons which gives to America, and to the fine men who must fight for her, a chance to win. Mr. President, if the course charted by those who would lead us into a disarmament commitment with Soviet Russia were to succeed, we would end up surrendering our advantage and being at a disadvantage in a contest with the most unholy, ungodly, cruel, and inhuman conspiracy that ever existed upon the earth.

Mr. President, I have much faith in the patriotism and inherent wisdom of the American people. In times of great danger they can sense what is right. I believe that they exercised such wisdom in reference to an issue put up to them in 1956.

An able and distinguished candidate for the Presidency of the United States advocated the ending of the testing of atomic and nuclear weapons. The rank and file of the American people are not scientifically trained. Yet they knew that this was striking a blow at the security of our country. The people knew that it would be foolish to manufacture rifles and never test them to see whether or not they would shoot, or that it would be foolish to manufacture airplanes and never test the engines. In other words, a ban on the testing of these superior weapons means the discarding of their manufacture and eliminating their readiness for the protection of our country. The American people knew that such a proposal would lead to the United States abandoning and surrendering its advantage in this contest for human liberty. The proposal advanced by this candidate was rejected by millions and millions of Americans. It was rejected by mothers and fathers whose sons would have to fight for this country if war comes. They did not want America's modern weapons to be discarded and our advantage given to those forces in the world which do not value human life and whose superior weapons constitute limitless hordes of manpower and conventional weapons.

By what right and upon what basis is the decision so recently made by the American people on this vital issue abandoned at this time?

By my foregoing remarks I do not mean to indicate that I believe the ultimate solution to the problems of mankind rests with brute force, weapons of destruction, and armaments. I reject that thesis. I believe the ultimate solution of the problems of mankind, both collectively and individually, will be reached only by a spiritual regeneration of the hearts and minds of all people and their leaders. In other words, our hope lies in the spreading of Christianity to all the earth. This is the ultimate goal that we must strive for if we would save ourselves from the burdens of armaments. Reliance upon an agreement with an evil conspirator with her record of barbarism and broken promises does not cause us to move any closer to the noble objective for which we strive. But, it can destroy the strength that we need to survive until that day comes.

Mr. President, I have grave doubts that the proposals for disarmament, including the cessation of testing weapons, has the support of America's leaders in the atomic field, the leaders among our military, or those who know communism best. I sincerely hope that this foolish course will be abandoned before we reach a point where we must go forward to fatal error.

FLOOD DISASTERS IN MINNESOTA

Mr. HUMPHREY. Mr. President, since the flood disasters in Minnesota began in the middle of June, the Governor of Minnesota and I have been doing everything possible to bring about coordinated, incisive action on the part of the Department of Agriculture to deal with the situation.

On Monday of this week, following a detailed tour of the flooded areas, I wrote to Secretary of Agriculture Benson requesting that his State USDA Disaster Committee meet for the first time to consider how best to deal with the very serious problems caused by the floods and heavy rains.

I was pleased to be informed last night that the State committee did meet yes-

terday, and that perhaps we are going to have some action at last.

At the same time, I have requested the Secretary of Agriculture to act on six specific programs for the relief of farm families badly hurt by the disaster. They are the following:

First. Immediate action in the northwestern flood area permitting farmers to ease emergency feed situation by grazing on soil-bank acres or taking hay from these acres, without penalizing the farmers who placed the acres in the soil bank by withdrawing their soil-bank payments. This would cost the Federal Government no money, and ought to be expedited this week while the hay crop is ripe for harvest.

Second. Urgent action to extend the emergency designation by the Secretary of Agriculture to all counties requested by the Governor of Minnesota, permitting FHA 3-percent emergency loans under Public Law 38. At week's end, only 4 counties had been designated, of the original 13 requested by Governor Freeman.

Third. Immediate action under title III, section 301, of Public Law 480, to make available Government-owned feed from Commodity Credit Corporation stocks. Also, immediate action under section 2 (D) of Public Law 38 to subsidize farmers in their hay needs for foundation herds of cattle to the extent of $7.50 per ton.

Fourth. A special ACP program to give payments to flooded-out farmers to restore the productivity of their land through conservation practices such as deep tillage, summer fallow, and green cover. Following the Missouri River floods, affected farmers received from $5 to $6 per acre under a similar program.

Fifth. Action to increase the intensity of the soil-conservation service programs in the counties which have suffered severe soil erosion and soil damage from the recent floods, particularly in the basin of the Redwood River.

Sixth. A liberal interpretation of the Public Law 38 regulations to permit the extension of 3-percent loans over a longer period than 12 to 18 months. The real credit needs of farmers in the area would be met by a 3-year repayment program. At the minimum, the regular 5-percent program should be liberalized to permit farmers already heavily in debt to survive this disastrous year, and to work their way back to a solvent position over the next 5 years.

Mr. President, this morning a telegram was delivered to me from the Governor of Minnesota indicating the request which he has made to the Secretary of Agriculture for immediate action along these lines. I ask unanimous consent to have printed at this point in the RECORD a telegram from the Honorable Orville L. Freeman, Governor of Minnesota.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ST. PAUL, MINN.,
July 9, 1957.

Hon. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.:

Following night letter sent to Benson tonight. The following counties have been designated as disaster areas pursuant to the provisions of Public Law 38, 81st Congress, as amended: Lyon, Yellow Medicine, Brown, Redwood; additional counties have been recommended for certification as disaster areas: Blue Earth, Nicollet, Lesueur, Sibley, Carver, Renville, Chippewa, Kandiyohi, Pipestone, Swift, Clearwater, Polk, Pennington, Red Lake, Kittson, Roseau, Marshall, Lincoln, Lac Qui Parle. I request that the following additional counties in Minnesota: Scott, Wright, Anoka, Beltrami, Stearns, Dakota be also certified as disaster areas. The following kinds of assistance within your authority are imperative for the agricultural producers involved:

1. Provisions for economic disaster loans:

(a) Direct loans, which, I'm informed, under section 2b of Public Law 115, 83d Congress, be made by the Department for an extended period of time at not more than 3 percent interest.

(b) Special emergency loans under Public Law 38. I would call to your attention reports from the Minnesota commissioner of banks which indicate that Minnesota banks have curtailed the availability of local credit services because of FHA insistence on the obtaining of prime security. This serves to limit rather than increase the amount of credit available to farmers.

2. Acreage conservation payments should be made for inundated and eroded acreage in the affected areas in Minnesota. These payments should cover removal of debris, gravel, repairing of private drainage facilities, green cover, and summer fallowing.

3. Review of Federal legislation leads us to the opinion that direct grants can be made. I am informed that such grants were made in the State of Missouri in 1951 and I request that such grants be made now to farmers in Minnesota.

4. Under the provision of the Soil Bank Act, I hereby request that Minnesota farmers be permitted to graze soil bank acreage and furthermore, that soil bank payments not be reduced because of such action. If you so desire, the State of Minnesota will be happy to work out a coordinated program whereby public authorities supervise and collect the hay and forage on soil bank acres and distribute them where needed.

I've been concerned about the apparent lack of coordination among Federal agricultural agencies in Minnesota during this emergency situation. Many complaints have been made to my office relative to confusing statements as to what benefits are available and what help the farmers can expect. For this reason, I have asked the State director of the farm home administration, his assistant and his chief counsel, together with the State chairman of the agricultural conservation and stabilization administration to meet with me in my office at 9 on Friday morning, July 12. I understand that Mr. Kermit Hansen, Federal Director of the FHA, is in Minnesota and I would appreciate your asking him to attend this meeting. I would appreciate by return wire your response to these questions so that they can be discussed at this meeting.

ORVILLE L. FREEMAN,
Governor of Minnesota.

Mr. HUMPHREY. Mr. President, this morning I formally requested the Secretary of Agriculture to take immediate action to relieve an emergency feed situation in the northwestern counties of the State of Minnesota. I am hopeful that the Secretary will act on this request, for it will cost the taxpayers nothing and will speedily ease the feed situation in those counties. I ask unanimous consent to have printed at this point in the RECORD my letter to Secretary Benson, dated July 10, 1957.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 10, 1957.

The Honorable EZRA TAFT BENSON,
Secretary of Agriculture, Department of Agriculture, Washington, D. C.

DEAR MR. SECRETARY: In a telephone conversation yesterday with the coordinator of your emergency feed program, Mr. James Browning, the emergency feed situation existing in the basin of the Clearwater and Lost Rivers and Ruffy Brook in northwestern Minnesota was brought to his attention. This area of five counties—Red Lake, Pennington, Polk, Clearwater, and Marshall—is suffering a severe feed shortage which can be at least partially met if there is action taken during the next 5 or 6 days to use the existing feed available on soil-bank acres fortunate enough to have been on higher and better-drained ground than most of the countryside.

Specifically, farm leaders in the area have requested, in a resolution unanimously passed by some 300 farm leaders of the area on Friday evening, July 5, 1957, that permission be granted to permit the taking of hay or the pasturing of livestock on soil-bank reserve acres—without the loss of $6 per acre to the farmer owning the acreage.

My suggestion is that some official agency, perhaps the local ASC committees, be permitted under Public Law 875 to oversee the harvesting of the hay on these soil-bank acres in the cited area, and its distribution to farmers who are suffering a critical shortage of feed and funds. If the hay standing on these acres is to be useful for animal consumption, it will have to be cut within the next several days, according to the estimates of farm leaders in the area.

I make this suggestion today, hoping that a decision might be made to proceed with the harvesting of those hay stocks this week, even before the State USDA Disaster Committee meets with farm leaders in the area on July 17.

Sincerely yours,

HUBERT H. HUMPHREY.

VISIT BY SENATOR HUMPHREY TO THE NEAR EAST AND AFRICA

Mr. HUMPHREY. Mr. President, since I returned from a visit to the Middle East in my capacity as chairman of the Senate Subcommittee on the Near East and Africa, I have prepared for publication several articles containing some of my impressions. One of these articles has just appeared in the new magazine Western World. The article is entitled "A Chance To Save the Middle East."

I ask unanimous consent that the text of this article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A CHANCE TO SAVE THE MIDDLE EAST

(By Senator HUBERT H. HUMPHREY) [1]

The outcome of the crisis in Jordan gives the United States an opportunity to embark upon a policy which, if wisely developed in cooperation with other North Atlantic Treaty Organization countries, has a chance of saving the Middle East—without further war, without further loss of essential oil supplies, and without any impairment of the State of Israel.

This policy will include the practical application of the vaguely worded Eisenhower doctrine offering United States military protection for anti-Communist purposes and economic aid to those Middle Eastern governments which ask for them. This doctrine—it should never be forgotten—is merely another local extension of the Truman doctrine of giving aid to countries menaced by Communist violence or subversion. The Jordan crisis enabled the United States administration to demonstrate that the United States still has both the will and strength to act to protect her vital interests. Sending the Sixth Fleet was no empty threat. I am convinced that this lesson has not been lost upon the Russians.

But military moves do not add to policy. In the Middle East, the United States is seeking to promote nothing but peace and the people's material development. In this task we do not have the handicap of historic domination over Arab peoples with which Britain and France, however justly or unjustly, are burdened.

Of course, one of the tragedies of recent months was the fact that the United States, in my judgment, shares responsibility for the unhappy Suez debacle. A properly functioning NATO might previously have evolved a common policy or at least have eliminated that element of surprise which was a chief cause of the sudden shattering of mutual confidence among NATO countries. That must never happen again.

In the development of a new Middle Eastern policy, the United States should nevertheless rely as much as possible upon other NATO countries, particularly upon Greece, Italy, and West Germany which have not lost credit with the Arab peoples. There should always be consultation and if possible coordination.

We should also utilize the resources of the United Nations wherever possible, and in giving economic aid, rely as much as possible upon private agencies.

CONDITIONS FOR STABILITY

Before the Suez seizure, CARE, that great, benevolent organization, was feeding every day no less than 3 million Egyptians. Now that number has dropped to a bare 100,000. Yet the U. N. continues to feed, at a daily cost per person of 27 American cents, almost a million Arab refugees. Of this sum the United States alone pays 75 to 80 percent.

An increased amount of outside aid, including food and medicaments, of private business investment and a regional development plan, plus a wise and prudent application of the Eisenhower doctrine—these together offer some promise of a stabilized Middle East.

I am not overlooking or minimizing the difficulties. I recognize that President Nasser of Egypt dislikes the West and distrusts America. He is apparently oblivious of the Soviet danger. He still nourishes his ambition of making Egypt the nucleus of a united Arab Empire extending from the Atlantic to the Indian Ocean. Peace demands that these dreams and ambitions either be renounced by Nasser or be thwarted. It appears that present policy is promoting the isolation of Nasser and the shrinkage of his influence. Both have already occurred in all Arab countries with the exception of Syria and Yemen. Hence the bitterness with which Nasser expressed to me personally his opposition to the Eisenhower doctrine and the Bagdad Pact, both of which he considers a limitation on his full freedom of action.

But his strong words did not alarm me overly. For Nasser is more vulnerable than his apparent victory in the Suez Canal affair led many to assume. His weakest spot is Egypt's undeveloped economy and incredible poverty.

EGYPTIANS RESTLESS

The Egyptians, even the Egyptian masses, are no longer quite so passive as they were. For they have heard Nasser's promises of a better life. They expect him to produce it. Unless he starts to deliver in the near future, he could expect internal troubles.

Moreover, I came away from a 3-hour interview with Nasser convinced that he would like to modernize Egypt, provided in the process he can both keep his personal position and further his dream of Pan-Arabism. But Nasser cannot expect a poverty-stricken Egypt to usurp Arab leadership from such comparatively rich countries as Iraq, Lebanon and Saudi Arabia after his defeat by Israel. To stage a comeback he desperately needs money—and progress at home.

Where can he get money? Possibly, of course, from Russia. But so far the Russians have given him little and I suspect they now consider him as a rather poor horse in any international race. Yet unless they speedily come to his assistance, Nasser must seek funds where he can get them. Already he is allowing British business interests to return quietly to some of their old positions. Responsible and reasonable operation of the Suez Canal is the price of any new aid from the West, as well as needed and satisfactory canal revenues. Therefore, I have the impression that Nasser will act reasonably provided he can do so without making public acknowledgment of his concession. Defeat by Israel—make no mistake—has cost him some of his previous high prestige with the other Arab governments. It has also facilitated the American policy of keeping him isolated so long as he, with his Syrian and Yemenite allies, persists in pursuing his anti-Western, pro-Soviet policy. And never forget that his (discovered) practice of using his military attachés in other Arab capitals as agents to overturn the local government has cost him official disfavor in Libya, Lebanon, and Jordan.

It therefore seems to me that Nasser can no longer successfully block a wise and generous policy of which American military protection and economic aid are the spearheads. These policies are encouraging Arab leaders to take a stand and resist not only communism but also Nasserism.

But what about Israel? Clearly, no Western or United States policy can hope to succeed anywhere in the area if the Arab-Israeli feud is permitted to explode into a third armed conflict. How in all fairness can such a new conflict be prevented?

Perhaps it cannot. But I have returned to Washington from my recent quick trip to four Middle Eastern countries more optimistic than when I left it. For I think I begin to see certain elements of what might be called not a real peace of course, but a truce of convenience. This, if it comes about, will be based upon certain new factors.

RESPECT FOR ISRAEL

The first new factor is the increased respect for Israel as the direct result of that country's blitz victory over Egyptian armies equipped with the best Russia could provide. If it dared to defy the other Arabs, Lebanon would long since have made peace with the Israelis, Iraq and Saudi Arabia will—perhaps must—maintain theoretical hostility to Israel, but even they seem for the first time ready to admit the political existence of that country. Syria and Egypt remain outwardly obdurate but both are weak—as is now apparent. Furthermore Nasser now gives indications of being less obstinate on certain issues relating to Israel's Egyptian relations, such as the Gulf of Aquaba and use of the Suez Canal.

And Israel is a strong, going state. This year it expects to welcome another hundred thousand Jewish immigrants, most of them not Oriental Jews of medieval outlook, but highly educated and efficient citizens from places like Poland. Premier Ben Gurion said to me:

"I suppose you think our greatest problem is Arab hostility. It is not. Our greatest problem is providing a living for all the new immigrants. But we shall do it."

To an American liberal, Israel is a marvelous country. A place without rich or poor, a free democracy. I spoke with a young Jew recently arrived from Yugoslavia:

"Here for the first time in my life," he said, "I feel like a whole person. Back in Yugoslavia, I disliked the monarchists because they were anti-Semitic. And I hated the subsequent Communist dictatorship. But here • • • wonderful."

Curiously enough, Israel has been kept in its present state of high efficiency precisely by those Arab pressures which were intended to destroy it as a nation. If, as Guy Wint wrote in the June number of Western World, Israel should become a "new sparta," (which I feel she will not) the Arabs alone will be responsible. Some of them are beginning to realize this. Here may lie the beginning of a truce of convenience that with time can become peace or even cooperation.

CONDITIONS FOR TRUCE

What are the conditions? In my opinion, something like these:

First, the United States, Britain, and France should renew the declaration of 1950 guaranteeing existing frontiers except so far as they may be modified by peaceful negotiation.

Second, they should support the UN Truce Supervision Commission in its efforts to prevent further embittering frontier incidents. I would also recommend the creation of a UN Good Offices Commission to seek any areas of cooperation.

The other NATO countries, along with other nations, should, with the United States, then create a Middle East Development Administration, perhaps tied in with the European common market and a new Mediterranean trade area. This development organization should not aid single countries but groups of countries, including both Arabs and Israelis. I have the impression that, despite past Arab objections, a beginning can soon be made on river control. Water is the life of the Middle East. If a beginning is made with Jordan water, other steps will follow.

The next concern should be the Arab refugees. Here Israel should take the initiative and announce that it will welcome back a certain number of the Arabs now rotting in camps along the borders, and compensate others, provided at the same time the Arab governments agree to resettle the remainder in Arab countries with American and UN help. Once Israel makes a reasonable offer, then it will be up to the Arabs. If they still insist on maintaining the camps as festering sores precisely because they are sores, then I as a United States Senator shall urge my Government privately and discreetly to let the Arab governments know that the United States will cease contributing to the refugees' upkeep and let the Arab governments look after them after a certain date. I certainly trust I shall never have to do this, but it might be necessary.

EGYPT RESIGNED TO ISRAEL TRAFFIC

But what of today's other "insoluble" differences? I refer particularly to the disputes over Israel's use of the Suez Canal and the Gulf of Aqaba. My impression is that the Arabs are resigned to seeing Israeli ships use the gulf and Israeli cargoes (if not ships) pass through the canal provided they are not

[1] Mr. HUMPHREY is a member of the powerful Senate Foreign Relations Committee, chairman of the Special Committee on Disarmament, chairman of the Foreign Relations Subcommittee on Far Eastern and African Affairs. He served as a delegate to the U. N. at the last meeting of the General Assembly. He has just returned from a fact-finding tour of the Middle East as an official representative of the Foreign Relations Committee.

expected to make public acknowledgment of any change in their basic opposition. If the Israelis should send a test ship through the canal under their own flag, I dare hope that neither side will use violence and that the issue can be brought to the World Court for a decision. I did gain the impression from my visit with Nasser, that the Suez issue could and would be met peaceably.

If all this seems optimistic, please note that by the time I left Israel two or three tankers carrying Iranian oil had docked at Elath on the Gulf of Aqaba. The Iranians have said they would sell no oil to Israel (and perhaps they did not) and the Saudis had boasted that they would stop shipments. But there were the tankers. Others will follow—provided, as I said, that no Arab leader is asked publicly to swallow his previous boasts or to back down or explain.

All these little facts make me hopeful of a coming relaxation of Middle Eastern tensions. For I am convinced that a combination of firmness backed by military strength, generous economic aid and understandable face saving may accomplish what will look like a miracle.

To be sure, it may not. To most westerners, there is something baffling in the Arabs' passionate preference for nourishing a grudge rather than accepting a settlement from which they can only benefit. Why have the Syrians been perversely ready to forego the benefits of larger crops through irrigation rather than share the waters of Jordan with Israelis? Why are Arabs generally still indignant against westerners whose imperialism was only the reversal of former Arab and Asian conquests of parts of Europe? Why do they persist in the kind of anti-Israel policy which may end by driving the exasperated Israelis into exactly the type of territorial conquest which the Arabs claim most to fear—and lack the power to prevent?

Foreigners in Egypt offer an explanation in the form of an anecdote.

A scorpion, wishing to cross the Nile River and unable to swim, asked a passing frog for a ride.

"Certainly not," said the frog. "If I take you on my back you will sting me to death."

"No," said the scorpion, "for if I did you would drown and I should drown with you."

"True," agreed the frog. "Get on my back and here we go across."

But in the middle of the Nile the scorpion suddenly stung the frog.

"Why did you do that?" cried the unhappy frog. "Now I shall sink and you will go down with me. You are not logical."

"True," gulped the sinking scorpion, "but this is the Middle East."

That indeed is the way it has been. But things are changing. If we can avoid war and continue our restraining influence and tangible benefits, there is some hope of a more logical development.

Mr. HUMPHREY. Mr. President, I also prepared a series of four short articles concerning Israel. I ask unanimous consent that these, too, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

ISRAEL: MIRACULOUS LAND OF COURAGE AND CONVICTION

(Following is the first of a series of four articles by Senator HUBERT H. HUMPHREY, Democrat, Minnesota, describing his impressions and observations during a tour of Israel as part of a foreign relations study mission into the Middle East.)

(By HUBERT H. HUMPHREY, United States Senator)

In one of the oldest areas of the world in terms of history, it is quite an experience to find perhaps the most youthful spirit of the 20th century. That is the paradox of Israel today. Israel is a country rich in tradition. Every mile of its land is like a chapter of ancient history. Yet, it is today a nation filled with dreams of tomorrow, motivated, strengthened and sustained by a centuries-old culture and faith.

Israel is a political and economic oasis in the Middle Eastern desert of feudalism, economic imbalance, and grave social inequities. Indeed, there is a most remarkable spirit of national unity in the State of Israel. There is a sense of pride in national accomplishments and confidence in the national ability to meet whatever the future may hold.

Among my many vivid impressions of Israel, etched deepest in my memory perhaps is the evident spirit of youth. Every place you see children, and in every walk of life young people are taking a decisive and important role. Coupled with the enthusiasm of youth, one notices the strength and steadiness of those who have found early maturity by the shouldering of responsibility.

In Israel the attention is upon people and water, rather than upon privilege and oil.

The Israelis have proven themselves skilled conservationists and excellent farmers. They have turned rock into soil, barren hills into forests. Water is regarded as a precious resource. There is an overall comprehensive nationwide plan to obtain maximum utilization of water resources. Pipeline construction, small dams, and well-drilling operations are pressed forward, particularly in the southern part of the country. Irrigation makes possible as many as three crops a year in some agricultural areas. The land is fertile and productive, when the life-giving water is made available.

I was tremendously impressed with what I saw—the terracing, the tree planting, the orchards, and the fields of grain. Upper and lower Galilee are very productive areas, and particularly beautiful. The hills of Judea are again being made fertile and productive.

One gets the feeling in Israel that everything is possible.

When the long-established Hebrew university was cut off from Israel by the armistice agreement of 1949, thereby leaving the Hebrew university in Old Jerusalem on the Jordanian side of the border, the Israelis determined to build a new university. Yes, a new Hebrew university is now under construction in the suburbs of New Jerusalem. It has a beautiful location, and will be one of the great centers of learning and culture in the Middle East. To those Americans who are the friends of Hebrew university, may I say that to see it is to be proud and pleased with the good work.

And then there is the new Hadassah Hospital, under construction on a towering hill overlooking the valley into the city of New Jerusalem. It is like a sentinel guarding the health and well-being of the people. Hadassah Hospital will be one of the greatest medical centers in all of Europe and Asia. It is well under construction. Knowing how much work and energy the ladies of Hadassah in the United States have given to raising funds for construction of the hospital, it made me feel warm and happy to see this magnificent health facility becoming a reality. It will be staffed with well-trained doctors, nurses, and technicians, giving medical care not only to those who need hospitalization but out-patient service as well.

I visited the new port of Elath. I saw the construction of the 8-inch pipeline from Elath to Beersheba—the building of docks and improvements in the harbor—yes, and the oil tank field at the head of the pipeline. I saw a freighter in the port from Africa. The day before there had been another oil tanker from Iran.

Elath has grown from a community of around 200 to 2,000 in the last 2 years—and is expanding rapidly. Everywhere there is building—homes, new roads, water, and modern sanitary facilities.

Israel plans to build two more pipelines—a 16-inch and a 32-inch line. Her problem is capital. The French have indicated an interest. Surely in light of the uncertainty of the Suez Canal, alternative facilities for the shipment of oil to Mediterranean ports for western Europe should be assured.

I saw the copper refinery which is being constructed near the site of the copper mines of King Solomon. This processing plant when completed will produce copper that will find a ready market in Europe, greatly strengthening Israel's economy.

It has taken vision and courage to make the necessary investment, and it takes imagination and great faith, plus physical stamina, just to build this copper processing plant. One can hardly comprehend the magnitude of the problems involved—the transportation of the necessary building materials, the recruitment of skilled labor, the incredible engineering problems in the construction of this modern refining facility.

But the Israelis are doing it—just as they have accomplished everything else they have undertaken.

Israel will need more capital if she is to continue her program of progress and development. But above all, she needs faith from people outside of Israel.

The people of Israel are convinced they have a great future. They already have a memorable history. What Israel needs now is the dedication and faith of her friends.

ISRAEL AND UNITED STATES HAVE MUCH IN COMMON

(The second in a series of four articles)

The spirit and story of 20th century Israel is reminiscent in many ways of the old American West.

One finds the same easy informality, the same feeling of self-reliance, and the same kind of courage and daring by which a pioneer people lives. Yes, even the topography reminds an American of our own west.

I covered Israel from the Lebanon border on the north to the Gulf of Aqaba in the south, and from the Mediterranean to the Jordanian border in the east. Even the remote area around the port of Elath is much like our own southwestern desert.

An American can feel very much at home in Israel—that is, an American who loves adventure, and who realizes that our own great country was once a little nation wedged between the sea and wilderness.

America and Israel have much in common. Both countries had to fight for independence. Both had powerful forces for many years allned against them. The people of both countries had to conquer a wilderness. Each people learned to sacrifice, and to share. In both nations, there is a spirit of equality which lends dignity to labor and strengthens the drive toward achievement and progress.

Is it any wonder, therefore, that Americans are sympathetic to the State of Israel? We Americans like people who dedicate their energies to building, creating, and developing the physical and human resources. We like people who can face adversity without fear. To be frank about it, we like people who are willing to stand up and fight for their rights. And, indeed, we have a high regard and respect for people who have learned and practiced the art of self-government—who believe in democratic institutions and principles. This is why there is a strong friendship between the United States and Israel.

Much of the dedication and drive and spirit of confidence so evident everywhere in Israel is exemplified in Prime Minister Ben-Gurion. In my earlier article, I commented on the spirit of youth so evident in Israel. That youthful spirit is not the exclusive possession of the young, as I quickly found when I met and talked with the Prime Minister.

It was my privilege to have a 2-hour-long visit with this great leader. He is a student of history—a scholar in his own right. He speaks nine different languages—he is a student of law—he is a talented orator—and skilled in the democratic processes of parliamentary government. Yet with it all he has humility befitting a great leader. Ben-Gurion typifies his country: He is rugged, courageous, imaginative. Ben-Gurion seems to combine some of the qualities and characteristics of Andrew Jackson and Franklin D. Roosevelt, with a noticeable dash of Harry Truman. Seasoned by maturity and experience, he too is young in heart.

In that engaging 2-hour visit with Ben-Gurion, not once did he turn his attention and mind to the past. He spoke only of the present and the future. He spent little time on Israel's foreign troubles. His mind seemed concentrated upon Israel's internal development. He spoke of the great responsibility which would be Israel's this coming year in providing homes and jobs for better than a hundred thousand new immigrants. In fact, I gathered from my visit with Ben-Gurion that the task of absorbing a new stream of immigrants, rather than relations with Arab neighbors, may turn out to be the most crucial problem facing Israel.

Ben-Gurion spoke imaginatively and vigorously about Israel's growing economy, and particularly about plans for development of the Negev. There is no doubt in his mind that that great southern desert can be made productive through irrigation. In fact, it must be, if Israel is to absorb the increased population and its stream of immigrants. Ben-Gurion effectively dramatized the need for a great increase in agricultural and industrial production. Israel, he said, needs two things badly—tillable land and capital.

Israel is applying modern methods, both in political and economic problems that it faces. She is in tune with the times. It has always amazed me that Israel has been able to preserve representative government in these pressing and trying times. Others of lesser faith and moral stamina might have yielded to the temptations of political dictatorship.

A people and a government that have demonstrated their capacity not only to preserve but to develop representative government, to make new opportunities for people from many lands—such people and government are worthy of our confidence, friendship, and assistance.

ISRAEL WELCOMES IMMIGRANTS FROM 70 NATIONS

(The third in a series of four articles)

The population problem in this miraculous little country of Israel is not only one of numbers. It is also one of variety.

Most of the increase in Israeli population has come from immigraton, and the immigrants come from 70 countries. Slightly less than one-half of the people of Israel are from oriental backgrounds, slightly more than one-half from Europe. Their sheer numbers have made the task of resettlement an impressive social and economic challenge. This challenge has been met with astonishing success attributable partly to the spirit of the people themselves—their determination to get it done—and partly to imaginative yet prudent economic planning and development.

The immigration rate decreased substantially during 1953, but began increasing again 2½ years ago, first from North Africa and more recently from Eastern Europe. It is now estimated Israel will have over 100,000 new immigrants in 1957.

The problem of providing housing, subsistence, and jobs for these people is one that might stump people of less faith, or leaders of less determination. Fortunately, the current immigrants have a high proportion of skilled workers and technicians. But there are a great many of them, and capital to provide new jobs is limited.

The social, political, and cultural problems of immigration are even more complicated than the economic. The immigrants have ranged all the way from highly educated professional people from Western Europe to impoverished illiterates from the Orient. Hebrew is the official language, but not all the immigrants speak it. The variety of languages in this country is enormous. It will be a long time before this problem is wholly resolved. Yet, in the light of its complexity, great progress has been made.

But what about the Israel economic system? It can be described as a mixture of private enterprise, institutional ownership supported by contributions and assistance from outside sources, and indeed, substantial holdings of the Israeli labor movement known as the Histadrut.

Israel has the highest per capita income of any country in the area. And while Israel is regarded as a high labor-cost country there is tremendous effort being made by both labor and management to increase productivity. Vocational training schools are being established, and education is emphasized in every aspect of the Government's program.

Israel's policy is to establish a healthy balance between industry and agriculture. The Government encourages industrial development, and welcomes foreign investment. There has been a remarkable expansion of industry and a spectacular increase and growth in agriculture.

The National Jewish Fund has done a great job in buying up the land, reclaiming it, and then, in cooperation with the Government, settling people on the improved land. Liberal agricultural credit is extended to the new settlers. The United States and the United Nations technical assistance programs, along with the Israeli Government itself, the Jewish Agency, and the National Jewish Fund are sponsoring programs to increase agricultural productivity. The results are spectacularly impressive.

From surrounding hilltops in northern Israel I had explained to me what was being done through the Hulah project—the draining of swampland, the reclaiming of fertile farmland, and the harnessing of available water for irrigation purposes. It is the vision to tackle such undertakings that is remaking this land, and molding it to the needs of the Israeli people.

ISRAEL DEPENDABLE ALLY FOR FORCES OF FREEDOM IN WORLD

(The fourth and final in a series of articles)

Israel is a friend of the United States. There can be no doubt about this. She is a natural ally.

Without any formal treaty of alliance, we have in the people and Government of Israel a loyal and brave ally. This unwritten alliance is based upon mutual understanding and respect.

Our interests are closely alined.

Israel is not only anti-Communist, but she is profreedom. She is anti-Communist because many of her people already know what it has meant to live under dictatorship in other lands. She is anti-Communist because of her religious faith and cultural tradition. She is profreedom because the people of Israel are individualistic; the prophets of old taught them the meaning of human dignity. The history of Israel is one of fighting against oppression, seeking liberation and emancipation. Besides that, the people of Israel know and have proven that freedom affords the best opportunity for a productive society and general happiness.

The Israelis are prepared to defend that freedom. They have developed the strength in both economic and military terms to defend themselves. I am convinced that Israel now has the respect of her neighbors. But the people and leadership of Israel do not want to spend their resources and time on military matters; they seek to release themselves from the burden of patrolling the borders and paying the heavy costs of military equipment.

While Israel's army is the best in the Middle East, it should not be forgotten that their regular and standing army is, indeed, a very small one. The secret of Israel's military strength is her reserves, and the quick and efficient mobilization of those trained reserves. The young men and women of Israel are all trained to defend their country. And defend it they have and will, because they believe in it. It is their country. It belongs to the people. It is their hope for today, and their promise for tomorrow.

I saw and felt this spirit during the Independence Day parade in Tel-Aviv. Units of the Israeli armed forces passed us in review. There was no doubt as to the high morale, the strength, the health, and the vigor of these men and women. Added was the display of the Russian-made equipment that the Israelis captured from the Egyptians in the recent Sinai campaign. There was thunderous applause from better than 500,000 people who lined the parade route in Tel-Aviv. The Israelis are proud of their army, navy, and air force—and their record of valor and heroism.

But the people of Israel are not militarists; they seek to live in peace with their neighbors. They seek to find the answers to Arab-Israeli difficulties. Those difficulties include the adjustment of boundaries and borders, the Arab refugees, the boycott by the Arab nations of the Israeli commerce, and the denial to Israel by Egypt of use of the Suez Canal. There are other problems, but these are the main ones.

I talked to Prime Minister Ben-Gurion quite frankly about all these problems, and I found him understanding and longing for their solution.

He was not intransigent or obstinate on the refugee question. He is perfectly willing that Israel shall take back into its borders some of the refugees—and, indeed, already has—but he made it quite clear that it would be impossible to take them all back. To do so would threaten the very security of the state. He further indicated the desire of Israel to compensate those who had lost their lands. But he made it quite clear that most of the Arab refugees left Israel not because they were driven out, but because their leaders asked them to leave with the promise that the Israelis would be driven into the sea—and then the Arabs could come back and not only have their old lands, but more that would be taken away from the Israelis.

Of course, those Arab plans did not work out. The Israelis won the war, and the refugees were out of the country. This is not to say that there were no attacks upon Arabs, because there were by some of the extremist groups. However, the government of Israel had asked the Arabs to remain. Those that did stay live in peace within Israel today.

The question now, of course, is not just who was right or wrong. The point is that a solution must be found. There are elements that could lead to a solution; if the United States and the United Nations keep pressing for an answer—and that we ought to do.

The settlement of the Arab refugee problem must be given priority on the world's agenda.

The fact is that the Arab States have for 10 years used the Palestinian refugees as political hostages, in their struggle with

Israel. As a matter of concerted policy, these people have been kept penned up in the camps in conditions of wretched hopelessness in order to embarrass Israel before the eyes of the world. While Arab delegates in the United Nations have condemned the plight of their brothers in the refugee camps, nothing has been done to assist them lest political leverage over Israel be lost.

Human lives cannot be left to remain as mere political pawns; world opinion must force dispersal and resettlement of these refugees one way or another.

But above all else, my tour has reaffirmed my own deep conviction that the only realistic basis for any effective American policy toward the Middle East must rest first of all on the firm assumption that Israel is an integral part of the region—and there to stay.

Mr. HUMPHREY. Finally, Mr. President, as I have stressed on other occasions, I was deeply impressed on my Middle Eastern tour with the role which food and fiber can play in the development of our foreign policy. I have prepared an article entitled "Food for Freedom," which summarizes my views on this matter. I ask unanimous consent that this article also be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOOD FOR FREEDOM

(By Senator HUBERT H. HUMPHREY)

Food and fiber is a great potential force for freedom in the world today, an influential instrument with which we are blessed in abundance if we are only wise enough to use it for building toward friendship and peace.

That conclusion is inescapable after my tour of Italy, Egypt, Lebanon, Israel, Greece, and Spain.

Food is the common denominator of international life.

Lack of adequate food is the underlying factor in many of the economic and political problems bringing trouble to this area of the world.

The answer is in our hands. It rests in our own abundance, and our potential to produce in even more abundance if we have the vision and imagination to use it constructively for human good.

From my own personal observations, I am convinced that Government policy has been far too shortsighted about how powerful a factor sharing of our abundance of food and fiber can be in our foreign relations. A disservice has been done the American people by creating the impression our abundance was just an unwanted headache, a problem instead of a blessing.

We need to do an about face. We need to look upon our great agricultural production and productive capacity as a source of strength in the world scene. Instead of telling farm families to quit producing—or forcing them to do so by deliberately depressing farm prices and income to seek scarcity as a cold economic answer to a human problem—we as a nation should say "Thank God" for the farmers who have kept us from the deprivation and hunger facing vast areas of the world. We should see that our farm people are properly rewarded for making available to our Nation not only the means of visibly expressing our humanitarian concern for fellow mankind everywhere—but also giving us a tremendous bargaining power in the growing economic warfare against Communist Russia.

American food and fiber is vital to the very existence of millions of undernourished people—and the brightest ray of hope for building stronger economies and greater political stability in most of the countries I visited.

I wish every Minnesota farmer who has been told he must drastically cut down his production could have walked with me through the Palestinian refugee camps in Lebanon, the orphanages in Greece, or among the masses of unemployed huddled in shanty towns in Spain. I wish they could have seen the young hands outstretched for food, and heard the appeals for milk from haggard and worried mothers.

I wish they could have seen the warmth of spontaneous welcome, when interpreters explained I was from the United States, and from the State of Minnesota which was sending them some of its surplus dry milk.

I wish our farmers could have been with me in Italy to hear our own Embassy officials flatly declare that our country's most effective weapon against communism in that area had been the distribution of American food directly to the people by our church and other voluntary agencies.

I wish, too, they could have been along to hear Spanish officials explain how they had been trying in vain to buy 500,000 tons of wheat from America and now faced bread rationing as a result of our inaction. I wish all of you could have heard that story repeated in Israel, Greece, and other lands.

But most of all I wish someone could have been along to give me a better answer than I could provide to this question I encountered at every turn:

How can a great Nation like the United States justify spending a billion dollars paying farmers not to produce, and yet quibble about paying them to produce for our friends and allies who so urgently need that food?

No one who has walked in the midst of mass want and deprivation as I did, could ever face the American farmers and talk about surplus.

Believe me, there is no surplus—unless it is a surplus of people who need the life-giving benefits of the blessings of food we have in our possession to bestow.

It isn't a question of just a gigantic give-away.

Most of the food and fiber can be marketed for foreign currencies, if we expand and extend Public Law 480. Countries want to buy—but they lack American dollars.

We have uses for foreign currencies to finance economic development loans to other countries, to pay our own obligations abroad, for military procurement, and for many other purposes. We can do more for peace by using such funds obtained with American food to finance vocational education, for example, than we can by just shipping guns or handing over American dollars.

We can use our foods to form the foundation of an entire new foreign and economic trade policy for American business and industry—and achieve many of our foreign policy objectives at less cost.

We have had lots of lipservice to trade, not aid, but little concrete action. One of the objectives of our foreign policy has been to encourage American business and industry to invest abroad, to use its know-how to help build economies of other free countries—and to keep the Soviet orbit from making neutral countries dependent on them for industrial products.

Our business firms tell us they have problems borrowing foreign currencies for capital investments and operating expenses abroad. Why doesn't it make good sense to earmark a part of the funds received from sale of American farm products for loans to American business enterprises with branches or affiliates abroad?

Such a policy serves dual purposes: It broadens America's economic and trade influence in the world, and it throws the support of American business and industry behind a farm program based on abundance instead of scarcity.

I talked with American businessmen abroad, and with more since my return. They would welcome such a plan, and would vigorously support expansion of farm marketing for foreign currencies.

In effect, we would be turning our farm abundance, beyond our domestic needs and normal dollar exports, into a big revolving loan fund to finance most of our foreign-aid operations as well as American business expansion abroad. We would be loaning the money, and drawing interest on it, instead of giving outright dollar grants. The dollars we as a nation invested to create such a program would be going to American producers of farm products, but the benefits would be shared by everyone, at home and abroad.

On the humanitarian side, beyond food sales, we can and should do more to support the work of our great church and philanthropic agencies, such as CARE in their private people-to-people relief activities abroad through sharing part of our food abundance. It is a good investment in friendship, for it is people to people, instead of government to government. It can carry the message of America's real humanitarian spirit into areas where we might shun too much dealing with a government in power. But governments come and go, while the people remain.

Whether we give or sell our food abundance, let's not cheapen it by labeling it surplus, calling it a problem, and advertising to the world that we really do not care about hungry people; we just want to get rid of something we do not want.

Even Russia is smarter than that. After we had refused to sell Egypt any of our wheat, despite all our talk about surplus, they turned to Russia. At first, Moscow said they doubted they could do it; they needed all the wheat they had. Then they came back to the Egyptians saying, in effect, "Here, we haven't much, but we will share it with you." They sent a shipload or so of wheat, and ballyhooed it into a major propaganda victory.

We have allies overseas who we are depending upon, under NATO, to hold the line of freedom in event of another all-out war. Yet these are in food-deficit countries, where armies would collapse without continuing supplies of food from abroad. Our military commanders told us that weapons, not food, would have to take shipping priority in event of war, and both would risk submarine attacks.

It seems sensible to start thinking and planning about emergency food depots in which adequate reserves can be stored abroad, for ourselves and for our allies.

Everywhere you turn—among diplomats, among military leaders, among businessmen, among social and welfare workers—the answer comes back the same: food. Food can be a vital key to success or failure in our foreign relations.

Are we recognizing that fact at home?

CALL OF THE ROLL

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDENT pro tempore. If there be no further morning business——

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Carlson	Curtis
Allott	Carroll	Dirksen
Anderson	Case, N. J.	Douglas
Barrett	Chavez	Dworshak
Bricker	Church	Eastland
Bush	Clark	Ellender
Capehart	Cotton	Ervin

Flanders	Lausche	Schoeppel
Goldwater	Magnuson	Smathers
Green	Mansfield	Smith, Maine
Hayden	Martin, Iowa	Smith, N. J.
Hill	McClellan	Sparkman
Holland	McNamara	Stennis
Hruska	Morse	Symington
Ives	Morton	Talmadge
Jenner	Mundt	Thurmond
Johnson, Tex.	Murray	Thye
Johnston, S. C.	Neuberger	Watkins
Kefauver	Pastore	Wiley
Kerr	Potter	Williams
Kuchel	Revercomb	Yarborough
Langer	Robertson	Young

Mr. MANSFIELD. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Virginia [Mr. BYRD], the Senator from Delaware [Mr. FREAR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Louisiana [Mr. LONG], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Georgia [Mr. RUSSELL], and the Senator from North Carolina [Mr. SCOTT] are absent on official business.

The Senator from Missouri [Mr. HENNINGS] is absent by leave of the Senate because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from New York [Mr. JAVITS], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from California [Mr. KNOWLAND] are absent on official business.

The Senator from Connecticut [Mr. PURTELL] is necessarily absent.

The Senator from Massachusetts [Mr. SALTONSTALL] is absent on official business attending the funeral of Mrs. Grace Coolidge as the personal representative of the President of the United States.

The Senator from Maryland [Mr. BEALL], the Senator from South Dakota [Mr. CASE], and the Senator from Kentucky [Mr. COOPER] are detained on official business.

The Senator from Utah [Mr. BENNETT], the Senator from Nevada [Mr. MALONE], and the Senator from Pennsylvania [Mr. MARTIN] are detained on official business attending hearings conducted by the Committee on Finance.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Sixty-six Senators having answered to their names, a quorum is present.

Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, before the Senator from Alabama is recognized, I want all Senators to know that the morning hour is about to be concluded, in case they wish to make insertions in the RECORD.

CONSTRUCTION OF CERTAIN WORKS OF IMPROVEMENT IN THE NIAGARA RIVER FOR POWER AND OTHER PURPOSES

The PRESIDING OFFICER. Is there further morning business? If not, the Chair lays before the Senate the unfinished business, which the clerk will state by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 2406) to authorize the construction of certain works of improvement in the Niagara River for power and other purposes.

CIVIL RIGHTS

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California that the Senate proceed to the consideration of H. R. 6127, a bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Let the Senate be in order, so that the Senator from Alabama may be heard. Let everyone take his seat and refrain from audible conversation.

The Chair recognizes the Senator from Alabama.

Mr. SPARKMAN. Mr. President, while the question at present before the Senate is the motion to take up the bill, the debate revolves around proposed legislation which is extreme in form, harsh in purpose, and destructive in its ominous implications.

There is no device in American politics which so quickly divides friends and embitters debate. No other subject finds Senators so willing to damage one right to improve another, so willing to tamper with traditional rights in their emotional attacks on supposed wrongs.

I categorically oppose all provisions of the bill at issue. Yet if I were to choose any single feature of the bill which will do more damage than any other to the structure of government in this country, I would name at once the strange new provisions for injunction proceedings, with provision for criminal penalty under contempt proceedings without the benefit of a jury trial.

Of all the dangers in this bill, perhaps this is the least clearly understood. It has implications which go far beyond the purpose stated, and far beyond any intention of some of its supporters.

Some of those who have lent their aid to this bill apparently fail to understand how this legislation would cancel out a long history of bitter struggle to curb summary trial as a means of law enforcement in this country.

I shall list my objections to this injunction provision. As we all know, it would permit Federal agents to come into Federal courts, and obtain injunctions against county registrars, against school boards, or against any official standing in the way of the current administration policy.

It would permit a complete short-circuiting of longstanding and well-understood law.

This bill represents bad law: Bad, because it is rank subterfuge. Bad, because it uses doctrines developed for other purposes and perverts them to this cause in order to evade the American defendant's right to trial by jury.

The bill is bad because it will not do what its proponents claim it is intended to do. It is bad because it will have many dangerous effects that its authors have not foreseen.

The bill would not make for increased Negro voting. More Negroes will be at the polls as their general level of education rises under our present State-administered school systems. To try to force general registration will only disrupt the registration and voting process.

The bill would not solve any existing problems. Today we face no problem that has not been with us, in essence, since colonial days. No matter what extreme measures of law we pass here, these problems will not be solved in the immediate future. Their solution would be delayed, not facilitated, by this bill.

Instead, the more pressure is exerted to work radical political changes in the South, the more damage will be done to the political fabric of the South, or of any other section, and indeed of the whole Nation.

The law is a closely woven structure, and if we consciously vote to damage certain rights, we may later find that unconsciously we have voted away other rights of a quite different sort.

In debating this great issue, we would do well to remember the history of the jury as a legal concept and as an instrument of justice. Its growth parallels the rise of the law from a morass of medieval superstition and physical torture.

On the other hand, we must remember the history of the injunction, backed by the power of the court to make findings of fact and to convict without the benefit of a jury. This device, I shall demonstrate, made its appearance in modern form as a legal weapon of despotic English kings, frustrated in their attempts to secure unjust convictions of their political enemies in the regular courts.

The injunction was hammered out by the infamous Court of Star Chamber, and, about 1720, it began to creep into the usage of the common law courts.

It was part of the monumental struggle between the 18th century English kings and Parliament. The kings dreamed of the sway and prerogative enjoyed by their Stuart predecessors; Parliament fought to retain the rights won from the throne in the Glorious Revolution of 1688.

The jury, according to modern historians, stems from the medieval idea of trial by compurgators.

A defendant could be subjected to trial by mortal combat. Or he could be forced to undergo trial by ordeal.

Or he could take a third choice. He could recruit as many of his friends and neighbors as possible to come into court to swear to his virtue and character. The court's decision depended on who had the most character witnesses, the defendant or the plaintiff.

Because of this curious custom, in the early days there was confusion between what we now call the jury and what we now call the witnesses. In many cases, in medieval trials, these were the same people.

But gradually, as England began to develop the foundations of its mighty traditions of justice, the concept of an

independent accusing body, not a part of the court, began to take hold.

The accusing jury became the forerunner of the grand jury of our law. It was instituted by King Henry II in 1166.

Henry II required that in every county "12 men of every hundred, and 4 men of every township had to swear to make true answer to the question whether any man is reputed to have been guilty of murder, robbery, larceny, or of harboring criminals since the king's coronation. Those who were thus accused must go through the ordeal—that is, trial by the ordeal of fire or water—and even if successful there, that is to say, though the judgment of God is in their favor, they must abjure the realm."

This accusing jury preceded by nearly two centuries the petit jury, according to the historian, Walter Clark. Clark frowns upon the old tradition that jury trial comes from Magna Carta. Through an extensive reading of early records, he concludes that the grand jury is, as we have said, almost a century older than the rights given in Magna Carta, and the petit jury a century or so more recent.

Sir James Stevens, in his History of the Criminal Law, says this:

> The steps by which the jury ceased to be witnesses and became judges of the evidence given by others, cannot now be traced without an amount of labor out of proportion to the value of the result. * * * Trial by jury as we know it now was well established, at least so far as civil cases were concerned, in all its essential features, in the middle of the 15th century.

The institution had acquired its essential features, then, before the end of the Middle Ages.

Another legal historian, Macciachlan, uses these words:

> Introduced originally as a matter of favor and indulgence, the jury thus gained growth with advancing civilization, gradually superseded the more ancient and barbarous customs of trial by battle, ordeal and wager of law, until it became both in civil and criminal cases, the ordinary mode of determining facts for judicial purposes.

Although it is difficult to give precise dates to the evolutionary stages of any concept so involved as this, it is nonetheless clear that the jury system in the modern sense was well established by the 17th century. The first colonists to America brought this institution with them, and made it the cornerstone of their legal systems.

In the following century, when German kings appeared on the English throne, bringing German ideas with them, a new phase in the ancient struggle between Crown and Parliament ensued.

The kings began to use, through their courts, a weapon developed with great effect by the star chamber of the Stuarts. Star chamber, hated and feared by the people of England, had been abolished in 1641, but the memory of its ruthlessness remained.

It is only after 1720 that we find examples of summary trial in which the judge himself convicted on grounds that his own order had been disobeyed or that his own dignity had been violated.

If this change in usage had a sharp effect in Britain, it was doubly sharp in the American colonies, which had been developing their own parallel institutions for generations.

Suddenly to be served with notice that the King's judges would and could avoid juries in cases of political necessity had an electric effect upon the colonies. The motive was all too clear. In cases touching political issues, let alone the ordinary run of court cases, the uncertainties of the juries' disposition was manifest. It represented an undependable element in the efficient and centralized system of rule that George I, George II, and George III envisioned.

There is no need to recite the history of the American Revolution in this chamber, but I shall note that the unrestrained use of injunctions and summary trials became one of the most powerful issues that impelled the colonists toward revolt.

We can summarize the matter in this way:

The jury was one of the fundamental institutions in the eight centuries during which our concept of justice evolved. The jury became a symbol of the emergence of law from medieval brutality and superstition.

On the other hand, the injunction began its modern career as the instrument of an ambitious and despotic throne, and in English history it has a fatal association with Star Chamber procedures. It was revived when later English kings began looking for the means to tighten their rules.

The injunction and summary trial, as much as any other course, led to the American Revolution. It is not by accident that the word "jury" appears through all the fundamental documents of our Nation.

The Declaration of Independence sets out reasons for the American revolt. Among these reasons, it charged:

> The King "has combined with others to subject us to a jurisdiction foreign to our Constitution, and unacknowledged by our laws, giving his assent to their acts of pretended legislation."

The specific acts of false legislation are listed, and among them we see these:

> Depriving us, in many cases, of the benefits of trial by jury;
>
> Abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies;
>
> Taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments * * *.

This ringing accusation was the summation of a whole catalog of wrongs; one of the chief wrongs there represented was the use of the king's courts to solve the king's political problems through indiscriminate orders and summary trials.

When the Revolution was won at last, the men who drafted the Constitution remembered the jury issue.

Let me remind Senators of article III, section 2, of the Constitution, which reads in part:

> The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

The Bill of Rights has something to say on this matter. The Bill of Rights seems to be largely neglected in this debate, so I shall take the liberty of reading selected passages:

> Article V: No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger.
>
> Article VI: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."
>
> Article VII: "In suits at common law, where the value in controversy shall exceed $20 dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law."

Here stands our basic definition of justice. These words have largely been lost in the efforts of some to construct a legal mechanism to enforce the administration's policy.

These words were born in a revolution. Let us never forget why they were put into the Constitution.

As American law has developed, the concept of jury trial has collided more than once with the arbitrary use of injunction proceedings. This is a history of great complexity that I shall go into later.

It suffices for now that I have outlined the sources of the jury and the sources of the injunction. As we talk about these things, let us remember what their ancestry has been, and what each has represented throughout the history of our legal tradition. One has stood for justice under the law; the other for tyrannical evasion of the common law. One has representative government by law; the other, government by men. Ours from the very beginning has been a government by law. Certainly we should avoid most carefully every effort tending to make it a government by men.

Mr. DOUGLAS. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I am glad to yield.

Mr. DOUGLAS. I am trying to understand the argument of my good friend, the Senator from Alabama. I should like to ask whether he is taking the position that there should be a jury trial in civil contempt cases, as well as in criminal contempt cases.

Mr. SPARKMAN. I intend to develop that point later on; but let me say that I fully recognize the established fact that there are certain contempt cases which are properly handled by the judge. I shall develop that point further in my argument.

Mr. DOUGLAS. Everyone has agreed that contempt cases in the presence of the court or derogatory comments about the judge should not be subject to jury trial.

Mr. SPARKMAN. That is correct.

Mr. DOUGLAS. My question is somewhat broader than that. Suppose injunctions issued by a court are disobeyed by a citizen, the enjoined person can always purge himself by conforming to the injunction which has been granted. Is the Senator from Alabama saying that there should be prior jury trials in those cases?

Mr. SPARKMAN. The Senator asked a question to which it is difficult to respond with a general answer, but let me say what my opinion is. I certainly except them from any general answer I will try to give. The narrower range of cases that deal with interfering with the conduct of the court proceedings themselves, such as an offense committed in the presence of the court, or near enough to interfere with the carrying on of the court, or the disobedience on the part of an officer of the court or of a party or of a witness before the court in a case then pending, since those particular cases have to do with the conduct of the court's business. But, generally speaking, this is the rule that is laid down: Where facts are to be determined, a jury ought to determine them. The business of the court is to decide and interpret the law, and not try the facts, unless the defendant is willing to have the judge do that. Running all through our Constitution and all through our legal texture is the rule that facts ought to be determined by juries and not by judges, unless a defendant is willing to have a judge determine the facts.

Mr. DOUGLAS. Mr. President, will the Senator yield for another question?

Mr. SPARKMAN. Yes.

Mr. DOUGLAS. As the Senator from Alabama is aware, there are some 28 already existing Federal statutes whose enforcement powers are identical with those outlined in the pending measure. Would the Senator say that in all of those existing statutes there should be a provision for jury trial on all matters of fact?

Mr. SPARKMAN. I will say to the Senator from Illinois that those different statutes have been added to our laws from time to time. I shall discuss them a little later in my remarks; but simply because a bad departure has already been made is no justification for going further in that direction.

Mr. DOUGLAS. No.

Mr. SPARKMAN. As a matter of fact, I think we have gone entirely too far. I believe we would have been better off if we had adhered to the good old rule our forefathers accepted—that is, to confine to a very narrow field cases in which contempt proceedings should lie, along the lines I suggested a few moments ago.

Mr. DOUGLAS. If the Senator from Alabama is saying there should be jury trials in virtually all cases of contempt which might arise under this bill, if it is enacted into law, must he not logically also say there should be similar jury trials under all other statutes where the remedy is identical? Why jury trials in this case, when in 28 other cases there is no such provision?

Mr. SPARKMAN. Had I been present when any of those statutes were proposed and the question had been presented as to whether or not a man should be denied the right of trial by jury, I certainly would have voted to preserve the right of trial by jury, regardless of what offense was involved.

Mr. DOUGLAS. Mr. President, will the Senator yield further?

Mr. SPARKMAN. Yes.

M. DOUGLAS. If an amendment is offered to provide for jury trials in such cases, should it not, by logic, be broad enough to provide jury trials in all contempt cases?

Mr. SPARKMAN. We are not legislating on the whole Code of the United States at the present time. I should like to see each statute examined on its own merits. I do not have any one of them in mind. I do know when the Clayton Act was originally considered this question was strongly debated in the Senate. I do know when, later on, the Norris-La Guardia Act was enacted it specifically contained a provision for jury trials in labor disputes. The question has been before the Congress many, many different times. If the Congress has in the past erroneously extended injunction procedures beyond the narrow field where I stated a few moments ago they ought to be applied, that certainly does not justify our going further in the wrong direction at this time.

Mr. DOUGLAS. Would the Senator suggest offering an amendment, which he apparently is advocating, which would provide jury trials in the case of the other 28 statutes?

Mr. SPARKMAN. Personally, I am not offering the amendment. As the Senator knows, the very able, fine constitutional lawyer, the distinguished Senator from Wyoming [Mr. O'MAHONEY], will offer the amendment. It seems to me the question of the Senator from Illinois might be addressed to the Senator from Wyoming; but the Senator from Illinois knows that we are dealing here with one specific type of legislation. Certainly, I should think it would be no place to offer a coverall amendment, trying to cover the entire Code of the United States. I personally would be glad if the Judiciary Committee would make a study of the matter to see if we have gone so far that we ought to retrace our steps.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ERVIN. I will ask the able and distinguished Senator from Alabama if the patron saint of the party to which he and our beloved friend from Illinois and I belong, namely, Thomas Jefferson, did not always advocate that cases of all kinds should be tried by juries, regardless of whether they originated at the common law or in equity.

Mr. SPARKMAN. I think the Senator is correct. I have just read three provisions of the Bill of Rights. First, the guaranty of the right of trial by jury is contained in the Constitution itself. Then I read three different instances in the Bill of Rights where the guaranty of the right of trial by jury in all cases involving $20 and more is repeated over and over and over again. I suppose it was felt there would be a lot of small cases that would involve less than $20, and those cases were exempted from the right of trial by jury; but the Constitution, not once, not twice, not 3 times, but 4 times, states that every person shall have the right of trial by jury, and the only exceptions are military offenses and cases where the amount involved is less than $20.

Mr. ERVIN. Mr. President, will the Senator yield further?

Mr. SPARKMAN. I should like to say one word more before I get away from that subject? Let us always remember, too, that the Constitution of the United States would never have been adopted if it had not contained the provisions of the first 10 amendments. That was a foregone conclusion. It was agreed to. We know that Jefferson, Madison, and many of the other great statesmen of that day waged a vigorous campaign in order to convince the people of the several States that the Bill of Rights would be agreed to and would perfect the Constitution. The Constitution was imperfect because it did not contain such guaranties.

Another noticeable thing, which I do not believe is true about any other provision in the Bill of Rights, is that the right of trial by jury is stressed 3 different times in 3 different articles. I do not think that is true of any other single provision in the Bill of Rights.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ROBERTSON. Did the junior Senator from Virginia understand his colleague from Illinois to say there are 28 Federal statutes that abolish jury trials in criminal cases?

Mr. SPARKMAN. There are 28 instances in the code which provide for contempt proceedings.

Mr. DOUGLAS. There are 28 statutes in which the legal remedy is provided through the injunctive process, and when the injunction is violated the judge sitting in equity can decide what enforcement procedures shall be adopted. Those statutes have been put into the RECORD time and time again.

Mr. ERVIN. Mr. President, I ask unanimous consent that the able and distinguished Senator from Alabama [Mr. SPARKMAN] be permitted to yield to me for the purpose of making a statement, without the Senator from Alabama losing the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina? The Chair hears none, and it is so ordered.

Mr. ERVIN. I should like to make this observation with respect to the 28 statutes mentioned: When Attorney General Brownell testified before the Subcommittee on Constitutional Rights and said there were 28 such statutes, I made the statement, in substance, to Attorney General Brownell, "I challenge you and every lawyer in the Department of Justice to point out a single one of those statutes which bears any substantial similarity to the civil-rights bill

which you are advocating that Congress should adopt."

I will state that that challenge was never met by the Attorney General or any of the lawyers in the Department of Justice, and that as a result I had to sit down and read those 28 statutes. Not wishing to rest solely on my perusal of them, I called upon the Library of Congress for an analysis of them.

I will say that not a single one of those statutes bears any substantial resemblance to the civil-rights bill. With the exception of 2 or 3 of them, they are statutes which authorize the United States, or some Federal officer or agency, to sue in equity for the vindication or enforcement of some right belonging to the Federal Government in its capacity as a sovereign nation. The ones which are exceptions to that rule merely substitute the injunctive process under such acts as the Workmen's Compensation Act and the Longshoremen's Act, for what we lawyers would call a common law execution.

In other words, in the 2 or 3 exceptional cases it is provided that after the appropriate board had made a money award, instead of issuing an execution to sell the property——

Mr. SPARKMAN. May I suggest to the Senator that the award is made after a hearing?

Mr. ERVIN. Yes. Instead of selling the property under a common law execution to enforce the judgment, there is merely an order that the judgment be paid.

The only one of these statutes in respect to which the Attorney General himself undertook to accept my challenge was the antitrust law. The antitrust law is undoubtedly a statute enacted by Congress for the benefit of the general public, and is not a statute, like the civil-rights bill would be, which would allow the Federal Government, for the first time in our history, to enter into the wholesale bringing of suits for the vindication of the personal and political rights of individuals.

There is one further thing I should like to say with reference to this subject. I agree with the Senator from Alabama in the observation he stresses, that this bill ought never to be passed because there is no reason in the world why Congress should give loaded legal dice to Government lawyers and allow them to prosecute cases against citizens on a preferential procedural basis. If there ought to be any distinction in matters of procedure, the distinction ought to be made in behalf of the weak citizens and not in behalf of the powerful government, which has all the Nation's legal and financial might on its side.

I also say to the Senator from Alabama that I will never vote to give the Government the right to make out cases by loaded legal dice against any individual. I would support a measure which would provide in these cases and all other equitable cases what has been done by the Constitution and the codes of many States, including my own State of North Carolina; that is, guarantee every person the right to a trial by jury of all issues of fact in all civil cases, regardless of whether they are suits arising at common law or suits in equity.

I thank the Senator.

Mr. SPARKMAN. Giving the defendant, of course, the right to waive that procedure.

Mr. ERVIN. That is correct. The defendant should be given the privilege to waive it, but he should have the right to demand it.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may be permitted to make a brief statement in reply to the Senator from North Carolina, without the Senator from Alabama's losing his right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Illinois? The Chair hears none, and it is so ordered.

Mr. DOUGLAS. Mr. President, our good friend, the Senator from North Carolina, has said that the remedy provided in the bill being discussed is different from the other remedies, because the other 28 statutes address themselves to different subjects. Of course they address themselves to different subjects, but the method of enforcement which they provide is identical with the method provided in this bill, namely, that the legal representatives of the Government may go to the Federal courts, sitting in equity, and, if the courts approve, obtain injunctions restraining individuals and groups from committing acts in violation of the law. And if such injunctions are violated, and if the violation is persisted in, and is not removed by compliance, then whatever penalties are inflicted are inflicted by the judge without a trial by jury.

My only reason for bringing this point forward, since I had not intended to enter into this discussion at any length, is simply to indicate that this procedure is not something new which is being introduced into American jurisprudence. It is the time-honored method of proceeding in equity, and also the method which has been adopted over and over and over again by the Congress of the United States.

That is why I wanted to ask my good friend, the Senator from Alabama, whom I love as I do a brother, though he may not welcome that display of affection, whether he is proposing that there should be provided a trial by jury merely in these civil-rights cases, or whether he is going to be consistent and say the right to trial by jury should be accorded in all cases of contempt. I submit that, upon examination, the only logical thing for him to say is that we should abolish the present procedures and substitute a trial by jury in all cases of contempt.

If we were to do that, we would throw the legal system of the United States into a complete tailspin.

Mr. ROBERTSON. Mr. President, will the Senator from Alabama yield to me, with the understanding that he will not lose the floor?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Virginia, with the understanding that he will not lose the floor?

Mr. SPARKMAN. Mr. President, I shall be glad to yield to the Senator from Virginia, but as I understand, the Senator wishes to do more than ask a question. Therefore, I ask unanimous consent that I may yield to the Senator from Virginia without losing the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama? The Chair hears none, and, without objection, the Senator from Alabama yields to the Senator from Virginia for a statement.

Mr. ROBERTSON. Mr. President, I wish to say first, for the benefit of our distinguished colleague, the Senator from Illinois, that he has gotten outside of his special field, which is economics. He is now in the legal field, where, unfortunately, he has gone overboard. He is trying to present to us the theory that acts of the Congress, all of which relate to property, are no different from a bill which relates to criminal penalties. That is the issue.

It is true that in the antitrust laws there could be a penalty for violation. Seldom, in recent years, has it been enforced. But such laws deal primarily with property. Congress, in the antitrust laws as applied to labor unions, in the Norris-La Guardia Act, specifically provided that there should be a jury trial.

Everyone who is familiar with this bill knows that section 3 deals with so-called civil rights, aside from the right to vote, as they are specified either by statute or court decisions. Such provisions carry criminal penalties with them. Everyone knows that. Most of them are enacted by State laws which carry criminal penalties.

As pointed out by the distinguished Senator from North Carolina, a man might be subjected to double jeopardy. Under the terms of this bill he could be taken into a court of equity, a fine could be imposed upon him, and he would still be subject to the criminal penalty in the State court, or in a court under Federal jurisdiction, after indictment.

The Senator from North Carolina said something about setting up a strawman. Our distinguished colleague from Illinois has set up a strawman. He says, "If you are going to raise any question about the denial of jury trial under this bill in criminal cases, why do you not prohibit punishment in a court of equity for contempt which occurs in the presence of the court?"

I ask my distinguished friend from Alabama if it is not true that from time immemorial, under the common law of Great Britain, which became the common law of the Colonies, and still is our common law, except where changed by statute, there was a distinction between courts of law and courts of equity. Is it not a fact that one could not get into a court of equity if he had an adequate remedy at law?

Mr. SPARKMAN. Not only was that true, but it is true today. I suppose it is true in every State today.

Mr. ROBERTSON. Were not courts of equity set up primarily for the protection of property rights?

Mr. SPARKMAN. The Senator is correct.

Mr. ROBERTSON. And to enjoin irreparable damages to property rights, and things of that kind.

Mr. SPARKMAN. I would make the description a little broader than that.

Mr. ROBERTSON. Title to property is also involved.

Mr. SPARKMAN. The purpose was to provide a remedy where no remedy was provided in courts of law.

Mr. ROBERTSON. Exactly.

Mr. SPARKMAN. As was brought out yesterday, it was described as the operation of the King's conscience in the adjustment or wrongs between persons, with respect to which no remedy could be found in a court of law.

Mr. ROBERTSON. Is it not a fact that in Magna Carta, the first copy of which was wrested from King John at Runneymede in 1215, and in all subsequent magna cartas—and there were 3 of them—as well as in the statutes before the first settlement at Jamestown in 1607, there had been provisions for jury trials?

Mr. SPARKMAN. I may say to the Senator from Virginia that prior to his coming into the Chamber I had discussed the beginning of the jury system. As a matter of fact, the grand jury system preceded even the Magna Carta, in another way.

Mr. ROBERTSON. Because the nobles could not be indicted except by a jury of their peers—that is, other nobles. King John ignored that principle. The nobles wanted to have continued the system under which they could not be indicted except by their peers. Now every man is a king, as our late colleague from Louisiana, Senator Huey Long, used to say. So a peer is anyone who has the right of citizenship.

From the time before the days of King John, in 1215, down to the present time, all English-speaking people have cherished the right of trial by jury. We have held to the principle that if a contempt in a court of equity occurs in the presence of the judge, in order that justice may proceed, the judge may inflict summary punishment. Is that not a fact?

Mr. SPARKMAN. Yes. That principle is not limited to a court of equity.

Mr. ROBERTSON. But that is where it started. It is true of any court. That was recognized by the Constitutional Convention. It is recognized in all our State constitutions. And yet our distinguished colleague from Illinois says, "If you want to be consistent, do not stop at gagging over extending the right to trial by jury to criminal cases, but wipe out all procedures under which a judge can inflict a penalty."

I say that that is arguing against established jurisprudence, dating back to the time before we had a country. Is that not correct?

Mr. SPARKMAN. I think the Senator is correct. I was about to check my friend from Illinois with respect to one expression which he used a while ago. He referred to the practice in question as a well-established and time-honored practice. As a matter of fact, it is not.

There has been a struggle, as I brought out a while ago, and as I intend to develop further as I go along, ever since the tyrannical kings of Britain, to try to get this principle established. That was a great factor in our revolution. The practice complained of had been imposed on the Colonies to such an extent that our people insisted that before they would agree to the Constitution of the United States they must be assured that there would be written into it a bill of rights, in which there occurs not once, but in three different places, the guaranty of the right of trial by jury.

Mr. DOUGLAS rose.

Mr. SPARKMAN. Before I yield to my friend from Illinois again, I wish to say that I appreciate the compliment he paid me.

Mr. DOUGLAS. I hope it will not prove embarrassing.

Mr. SPARKMAN. It is not embarrassing. I welcome the friendship of the Senator from Illinois.

I remind the distinguished Senator from Illinois that he holds a commission today as a colonel in the Confederate Air Force; and I had the honor of presenting that commission to him. [Laughter.]

Mr. DOUGLAS. Mr. President, will the Senator yield to me with the understanding that he will not lose his right to the floor?

Mr. SPARKMAN. I yield.

Mr. DOUGLAS. Since the competence of the testimony of the Senator from Illinois as regards the 28 statutes referred to has been questioned, I think I should read into the RECORD at this point a list of the 28 statutes which authorize injunctive relief by the United States Government to prevent crime.

Antitrust laws, restraining violation (by United States attorney, under direction Attorney, General) (15 U. S. C. 4).

Associations engaged in catching and marketing aquatic products restrained from violating order to cease and desist monopolizing trade (by Department of Justice) (15 U. S. C. 522).

Association of producers of agricultural products from restraining trade (by Department of Justice) (7 U. S. C. 292).

Atomic Energy Act, enjoining violation of act or regulation (by Atomic Energy Commission) (by Attorney General) (42 U. S. C. 1816).

That is an extremely important act.

Bridges over navigable waters, injunction to enforce removal of bridge violating act as to alteration of bridges (by Attorney General) (33 U. S. C. 519).

Clayton Act, violation of enjoined (United States attorney, under direction of Attorney General) (15 U. S. C. 25).

That is an extremely important provision.

Electric utility companies, compliance with law enforced by injunctions (by Federal Power Commission) (16 U. S. C. 825m).

False advertisements, dissemination enjoined (by Federal Trade Commission) (15 U. S. C. 53).

Freight forwarders, enforcement of laws, orders, rules, etc., by injunctions (by Interstate Commerce Commission or Attorney General) (49 U. S. C. 1017).

Fur Products Labeling Act, to enjoin violation (by Federal Trade Commission) (15 U. S. C. 69g).

Enclosure of public lands, enjoining violation (by United States attorney) (43 U. S. C. 1062).

Investment advisers, violations of statute, rules, and regulations governing, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80b-9).

Gross misconduct or gross abuse of trust by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a-35).

Use of misleading name or title by investment company, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a-34).

Violation of statute governing, or rules, regulations, or orders of SEC by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a-41).

Another which is extremely important is—

Fair Labor Standards Act, enjoining of violations (by Administrator, Wage and Hour Division, Department of Labor, under direction of Attorney General, see 29 U. S. C. (204b)) (29 U. S. C. 216 (c), 217).

Longshoremen's and Harbor Workers' Compensation Act, enforcement of order by injunction (by United States attorney, see 29 U. S. C. 921a) (33 U. S. C. 921).

Import trade, prevention of restraint by injunction (by United States attorney, under direction of Attorney General) (15 U. S. C. 9).

Wool products, enjoining violation of Labeling Act (by Federal Trade Commission) (15 U. S. C. 68e).

Securities Act, actions to restrain violations (by Securities and Exchange Commission) (15 U. S. C. 77t).

Securities Exchange Act, restraint of violations (by Securities and Exchange Commission) (15 U. S. C. 78u).

Stockyards, injunction to enforce order of Secretary of Agriculture (by Attorney General) (7 U. S. C. 216).

Submarine cables, to enjoin landing or operation (by the United States) (47 U. S. C. 36).

Sugar quota, to restrain violations (by United States attorney under direction of Attorney General, see 7 U. S. C. 608 (7)) (7 U. S. C. 608a-6).

That act is extremely important to Louisiana, Colorado, Nebraska, Wyoming, and other States, as well as to consumers.

Water carriers in interstate and foreign commerce, injunctions for violations of orders of ICC (by ICC or Attorney General) (49 U. S. C. 916).

Flammable Fabrics Act, to enjoin violations (by Federal Trade Commission) (15 U. S. C. 1195).

National Housing Act, injunction against violation (by Attorney General) (12 U. S. C. 1731b).

Mr. President, I ask unanimous consent that the list, which I have taken from the testimony of Attorney General Brownell, be printed in the RECORD at this point in my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Mr. BROWNELL. So do I.

Senator ERVIN. And my objection to part 3 and part 4 of these amendments is that they take and pervert the use of equity from its accustomed filed in order to deprive American citizens of their constitutional rights of indictment by grand juries, of trial by jury, and of the right to confront and cross-examine their accusers.

Mr. BROWNELL. You may be interested to know, Senator, that if you take that position, you will be in favor of repealing 28 different laws that are already on the books, statutes which authorize injunctive relief by the United States Government in these cases to prevent crimes.

Now let me read them off, there are 28 of them:

"Antitrust laws, restrainng violation (by United States attorney, under direction of Attorney General) (15 U. S. C. 4).

"Associations engaged in catching and marketing aquatic products restained from violating order to cease and desist monopolizing trade (by Department of Justice) (15 U. S. C. 522).

"Association of producers of agricultural products from restraining trade (by Department of Justice) (7 U. S. C. 292).

"Atomic Energy Act, enjoining violation of act or regulation (by Atomic Energy Commission) (by Attorney General) (42 U. S. C. 1816).

"Bridges over navigable waters, injunction to enforce removal of bridge violating act as to alteration of bridges (by Attorney General) (33 U. S. C. 519).

"Clayton Act, violation of enjoined (United States attorney, under direction of Attorney General) (15 U. S. C. 25).

"Electric utility companies, compliance with law enforced by injunctions (by Federal Power Commission) (16 U. S. C. 825m).

"False advertisements, dissemination enjoined (by Federal Trade Commission) (15 U. S. C. 53).

"Freight forwarders, enforcement of laws, orders, rules, etc., by injunctions (by Interstate Commerce Commission or Attorney General) (49 U. S. C. 1017).

"Fur Products Labeling Act, to enjoin violation (by Federal Trade Commission) (15 U. S. C. 69g).

"Enclosure of public lands, enjoining violation (by U. S. attorney) (43 U. S. C. 1062).

"Investment advisers, violations of statute, rules and regulations governing, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80b-9).

"Gross misconduct or gross abuse of trust by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a-35).

"Use of misleading name or title by investment company, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a-34).

"Violation of statute governing, or rules, regulations, or orders of SEC by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a-41).

"Fair Labor Standards Act, enjoining of violations (by Administrator, Wage and Hour Division, Department of Labor, under direction of Attorney General, see 29 U. S. C. (204b)) (29 U. S. C. 216 (c), 217).

"Longshoremen's and Harbor Workers' Compensation Act, enforcement of order by injunction (by United States attorney, see 29 U. S. C. 921a) (33 U. S. C. 921).

"Import trade, prevention of restraint by injunction (by United States attorney, under direction of Attorney General) (15 U. S. C. 9).

"Wool products, enjoining violation of labeling act (by Federal Trade Commission) (15 U. S. C. 68e).

"Securities Act, actions to restrain violations (by Securities and Exchange Commission) (15 U. S. C. 77t).

"Securities Exchange Act, restraint of violations (by Securities and Exchange Commission) (15 U. S. C. 78u).

"Stockyards, injunction to enforce order of Secretary of Agriculture (by Attorney General) (7 U. S. C. 216).

"Submarine cables, to enjoin landing or operation (by the United States) (47 U. S. C. 36).

"Sugar quota, to restrain violations (by United States attorney under direction of Attorney General, see 7 U. S. C. 608 (7)) (7 U. S. C. 608a-8).

"Water carriers in interstate and foreign commerce, injunctions for violations of orders of ICC (by ICC or Attorney General) (49 U. S. C. 916).

"Flammable Fabrics Act, to enjoin violations (by Federal Trade Commission) (15 U. S. C. 1195).

"National Housing Act, injunction against violation (by Attorney General) (12 U. S. C. 1731b)."

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ROBERTSON. All those statutes deal primarily with property rights.

Mr. DOUGLAS. The Fair Labor Standards Act deals with individuals.

Mr. ROBERTSON. If a man is accused of violating it in a criminal way, he gets a trial by jury. If an employer pays an improper wage and he is brought before the court on a criminal warrant, he may have a trial by jury.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ERVIN. Mr. President, I ask the Senator from Alabama to yield without his losing the floor so that I may make a reply to the distinguished Senator from Illinois.

The PRESIDING OFFICER. Without objection the Senator from North Carolina may proceed.

Mr. ERVIN. Under the Fair Labor Standards Act the rights given to individuals are enforceable in trials by jury in the Federal courts. A person charged with a willful violation of the Fair Labor Standards Act has the right to trial by jury in the Federal court. That statute is unlike the bill in two respects.

In the first place, there is a provision in the Fair Labor Standards Act which expressly prohibits the Administrator from suing in equity to get an injunction to restrain violations of the act for the benefit of an individual.

In the second place, the Fair Labor Standards Act does have one provision which allows the Administrator to sue for wages due an individual if no issue of law is involved. However, the provision states that such a suit cannot be brought except at the written request of the individual. Under the civil-rights bill, the Attorney General may sue without the consent of the individual, and even against the will of the individual.

It seems to me that if there is any civil right which everyone ought to respect and honor under all circumstances, it is the civil right of an adult individual, in the full possession of his mental faculties, not to be involved in a lawsuit in the capacity of a supposed beneficiary without his consent or against his will.

Mr. SPARKMAN. Not only without his consent, but even without his knowledge.

Mr. ERVIN. Yes. Every one of the statutes mentioned by the Senator from Illinois, with the exception of those that substitute the injunctive process for common law execution, are statutes applying to rights belonging to the United States in its capacity as a sovereign Nation, not to the rights of an individual. I will say to the Senator, too, that I will support a statute which will give everyone the right to a trial by jury in all of those cases, and in every other equity case, because I think individuals are entitled to it.

Mr. SPARKMAN. When facts are involved.

Mr. ERVIN. Yes.

Mr. LAUSCHE. Mr. President, will the Senator yield so that I may ask a question of the Senator from North Carolina?

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the Senator from Ohio may ask a question of the Senator from North Carolina, and that the Senator from North Carolina may reply, without my losing the floor.

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, I should like to know whether the Senator from North Carolina, or anyone else, has made an analysis of the 28 statutes, to ascertain whether basically there was a time when courts of equity did exercise jurisdiction because of the nature of the wrong. I look at the enumeration in the House report, and find that in a number of instances there are aspects of nuisances being in existence.

Mr. ERVIN. That is particularly true of the statute, for example, involving the construction of bridges over navigable streams. The United States has jurisdiction over navigable streams, and that statute, therefore, prevents the erection of bridges over navigable streams without the consent of the United States.

Mr. LAUSCHE. It would be extremely helpful and interesting to learn how many of the 28 statutes deal with actions which originally and genuinely were in law and never in equity in England.

Mr. ERVIN. I would say that most of the statutes deal with newly created rights belonging to the United States in its capacity as a sovereign Nation. None of the 28 statutes antedate 1887, when, as I recall, the Interstate Commerce Commission Act was passed. That was the first of such acts. Since then other acts have been passed, pursuant to the request of Government attorneys that they be given special procedural advantages over private citizens.

Mr. LAUSCHE. I also observe, from a rather cursory examination of the list, that in a number of instances the Federal Government, in attempting to give protection to the citizen in his working rights and to business organizations in their efforts to operate, had them voluntarily come within the provisions of the law and then exercise the power of injunction to enforce compliance. I have not analyzed them, but it would be very interesting to have such an analysis made.

Mr. ERVIN. Mr. President, I will say to the distinguished Senator from Ohio that I have had an analysis prepared by the American Law Division of the Library of Congress, which I shall put into the RECORD later. However, I will say, from studying these statutes myself, that not one of them bears any more resemblance to the civil-rights bills than any homely face bears to the beauteous countenance of Miss America.

Mr. LAUSCHE. Frankly, my approach to the problem is that when the Constitution declares we shall have courts of law and courts of equity, the Founding Fathers contemplated that to those respective courts shall be assigned various actions which historically in England were assigned, respectively, to courts of equity and courts of law.

If that be true, we have had possibly 28 departures from that practice. It may be, upon examination, that we would find in the list of 28 statutes some which could justifiably have gone into a court of equity, and some not.

Mr. ERVIN. That is true. For example, the one which refers to public lands, could fall into the first category because the protection of property rights historically belongs to a court of equity. The Senator from Ohio is eminently correct when he says that the Founding Fathers, when drafting the Constitution, in making reference to equity, contemplated that equity jurisdiction should be exercised in the same general area in which it then operated.

Mr. LAUSCHE. I thank the Senator.

Mr. SPARKMAN. The list to which the Senator from Ohio has referred, and which was placed in the RECORD by the Senator from Illinois [Mr. DOUGLAS], is to be found at pages 62 and 63 of the Senate hearings.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I shall be happy to yield in a moment.

I may say to the Senator from Ohio that one thing to remember about the 28 statutes is that some of them do not come into effect unless or until the defendant has already had an opportunity to have his case heard. Some of them parallel the right to jury actions.

The Senator from North Carolina pointed out a few moments ago 2 or 3 different situations in which the defendant has a right to go into Federal court and have a trial by jury on the facts involved.

So I think it would be necessary to make a rather careful study of all 28 statutes to determine which are analogous. But, regardless of that, my argument is that we have departed too far already from proper procedure, and that this bill represents bad practice; it is a bad precedent to set. Because a mistake has already been made, we should not get farther off the track.

The Founding Fathers, who wrote the fundamental instrument of government under which we live today, took pains to point out that they were rebelling against the King because he had sought to change the system of the courts. He had sought to impose his will upon the people through insisting on the rights of the King, through the changing of the judges, through the changing of the established courts, and by denying the right of trial by jury. The latter was one of the great causes which justified the colonists in resorting to war. They said so in the Declaration of Independence.

When the Constitution was drafted there was written into it article III, section 2, guaranteeing the right of trial by jury in the case of all crimes except in cases of impeachment. But the people were not satisfied. They said the right was not stressed strongly enough. So an agreement was made to submit 10 amendments to the first session of Congress. Those 10 amendments were adopted before the people accepted the present charter of our Government, the Constitution.

Of the 10 amendments, 3 guarantee the right of trial by jury in all cases of crime, and in civil actions except where the amount of money involved is less than $20. That is the extent to which the writers of the Constitution went to make certain that the right of trial by jury would be preserved in our Government.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CARROLL. I should like to propound a few questions to either the distinguished Senator from Alabama or the distinguished Senator from North Carolina.

Mr. SPARKMAN. In order to protect my position, the Senator's questions will have to be addressed to me, unless he obtains unanimous consent to address them to the Senator from North Carolina.

Mr. CARROLL. Mr. President, I ask unanimous consent that, without losing his right to the floor, the distinguished Senator from Alabama may yield to me so that I may propound questions to the distinguished Senator from North Carolina.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CARROLL. I ask these questions in all good faith, because as the debate has progressed, the questions have occurred to me.

Is it not true that the Federal Government has the power of injunction irrespective of statutes? For example, there is no Federal statute with reference to segregation. There is a Supreme Court decision. Cannot that decision, which is now effective and is the law of the land, be enforced by a private individual in any State simply by his going into a Federal district court and asking the court to enjoin those who interfere with that right?

Mr. ERVIN. I do not understand the Senator's question in the light of the premise concerning the Federal Government. The Senator started with a statement concerning the Federal Government and ended with a question about a private individual.

Mr. CARROLL. I have reference to a private individual going into a Federal court, seeking injunctive relief.

Mr. ERVIN. Under the existing civil-rights statutes, a private individual has the right to go into a Federal court to seek injunctive relief, but when he does so the defendant has the right, in the event he is charged with contempt of court, to two important benefits under sections 402 and 3691 of title 42 of the United States Code.

First, he has the right to trial by jury before he can be punished for contempt, because every violation or deprivation of civil rights is a crime under some Federal law.

Second, he has the benefit of the limited punishment provision under those statutes. He cannot be imprisoned for more than 6 months or compelled to pay a fine to the Federal Government of more than $1,000. If this civil-rights bill were passed, he would be deprived of the benefit of both of those rights.

Instead of being subject to imprisonment for only 6 months, he could be sent to prison for years. The Federal courts have upheld sentences for as much as 4 years in cases not covered by these two statutes. How many more years he could be imprisoned, no one knows, because the Federal courts have said that the only limitation on punishment in a case not coming under those two sections is the nebulous and vague prohibition of the eighth amendment prohibiting excessive fines and cruel and unusual punishment.

Mr. CARROLL. I desire to bring my questions down to specific cases. I will ask a specific question relating to a current example, namely, the case in Clinton, Tenn., which arose, as I understand, under the Supreme Court school integration decision. There is no statute on integration, but the Supreme Court of the United States, interpreting the Constitution, rendered such a decision. Arising therefrom is the Clinton case in Tennessee.

Let us see how this case arose. A private person went into a Federal court and asked the court to enter an injunction, and the court did so. Was not that injunction order based primarily on the Supreme Court decision?

Mr. ERVIN. There are civil-rights statutes which give a private individual the right to bring a suit for injunctive relief whenever he is denied the equal protection of the laws.

Until May 1954, the Supreme Court of the United States, State courts, the President, Congress, and the State legislatures said that the States had a right to segregate their children in the public schools on the basis of race. Therefore, for the 86 years next preceding May 1954, the Constitution permitted segregation in the public schools on the basis of race, according to the interpretation placed on it by the Supreme Court. In May 1954, the Supreme Court repudiated, on the basis of sociology and psychology, the holdings which had been made under the 14th amendment throughout the preceding 86 years, a period, incidentally, which was longer than that which elapsed between the ratification of the original Constitution and the adoption of the 14th amendment.

After the decision of 1954 became effective, the statutes giving an individual the right to go into a Federal court to prevent, by injunctive relief, any denial of the equal protection of the laws clause became applicable to the school cases.

Mr. SPARKMAN. As a matter of fact, I think the Senator from Colorado is in error in his understanding. In Clinton, Tenn., the board of trustees voted to integrate the schools, and it was in the effort of integration that the defendants in the present cases created disturbances.

Mr. CARROLL. The Senator from Colorado is not in error, because that is the point he wanted to make. It was a private person that went into the Federal court to seek relief.

Mr. SPARKMAN. The school board voted for it; and in the effort to carry out

the integration, there was a disturbance; and in that connection the defendants were arrested.

Mr. ERVIN. Let me state my understanding of what happened in the Clinton, Tenn., case. First, I should like to say that the Federal Government has no legal right in a school-integration case, under exisitng law.

In the Clinton, Tenn., case, the parents of certain colored children brought a suit against the school board of Clinton, to compel the admission of their children to the Clinton school. The court issued an injunction, ordering the school board to admit those children to the school; and they were admitted to the school by the school board pursuant to that injunction.

Mr. SPARKMAN. That is correct.

Mr. CARROLL. What was the basis of the injunction?

Mr. ERVIN. The basis of the injunction was that the children——

Mr. CARROLL. I ask what was the basis in law, not in fact. Was not the basis of the injunction the Supreme Court decision?

Mr. ERVIN. The basis of the injunction was the Supreme Court decision of May 1954, repudiating the rule which had prevailed during the preceding 86 years and holding to the contrary that the equal protection of the laws clause of the 14th amendment forbids segregation in public schools on the basis of race.

Mr. CARROLL. That is the point I was trying to make. The basis of the injunction was a judicial decision—which, as we lawyers know, is one of the ways of making laws, whether we agree with that or not. The courts by their decisions make laws; and the Congress makes laws by statute. This court practice has come down through the common law, following what we call the doctrine of stare decisis.

Mr. ERVIN. No; the Supreme Court decision is a repudiation of the doctrine of stare decisis.

Mr. SPARKMAN. Yes; a complete repudiation.

Mr. CARROLL. I understand that is the Senator's position. Of course, the Supreme Court desegregation decision overruled the decision in the case of Plessy against Ferguson, which had been the rule since 1856.

But my point is that the Supreme Court interpretation—whether or not you agree with it—gave rise to a right on the part of an individual or group of individuals to go into a Federal Court and obtain injunctive relief. They did so, and they got it—recently in Tennessee.

Mr. ERVIN. I will say to the distinguished Senator that the individuals were able to go into the Federal court and obtain relief on the theory that they had been denied the equal protection of the laws, under the 14th amendment. There were several statutes which gave them that power and conferred upon the Federal court jurisdiction to try cases of that nature.

Let me say that I disagree with the Senator in one respect. It is not the function of the courts to make laws. The lawmaking power of the Nation is vested in the Congress; and whenever the Supreme Court undertakes to make law, it is usurping the power of the Congress, and is exercising a power denied to it by the very Constitution which it professes to interpret.

Mr. CARROLL. Let me say to my friend, the Senator from North Carolina, that I do not want to debate that point now. I wish to follow through on the question of injunctive relief.

The situation in Clinton, Tenn., as I understand it, is that one man, who has violated the Federal court's injunction, has been sentenced, and I think he is out on appeal.

Mr. ERVIN. And the sentence imposed on him has been affirmed by the circuit court, and now he has appealed to the Supreme Court.

Mr. CARROLL. Therefore, we have the injunctive power, under the equity power of a Federal court, stemming from the civil-rights statutes, which in turn stem from a Supreme Court decision. The power has been exercised in this new field, if we wish to put it in that category.

But there is another category; a sweeping injunction was issued against perhaps the whole county, and some say against the whole State. That trial is underway now—a jury trial. Why? Because it involves some facts. Am I correct in my premise there? Is that a jury trial, based on the injunction?

Mr. ERVIN. Regardless of the origin of the matter, I agree with the Senator that under existing law, private individuals can go into Federal court and sue to obtain the admission of their children to a public school, when such children are allegedly barred from the school because of race.

I agree with the Senator that contempt charges arising in the Clinton, Tenn., case as now being heard in the United States District Court at Knoxville, and that a jury has been impaneled to try the case.

Mr. CARROLL. A jury has been impaneled to try what? To try a question of fact as to whether those persons knowingly violated the court's injunction.

Mr. ERVIN. That is correct.

Mr. CARROLL. Is that not the basic issue?

Mr. ERVIN. The jury has been impaneled to try two issues of fact. As the distinguished Senator from Colorado knows, some years ago there was a great deal of abuse of the contempt processes, particularly against newspapers which criticized court decisions. Under the Federal rules which have been developed in recent years, a person cannot be punished for contempt of court unless he was a party to the action in which the injunction was originally issued, or unless, as the distinguished Senator says, he has knowledge of the existence of the injunction. Furthermore, the Federal rule provides that he must not only have knowledge of the injunction, but he must act in concert with the party against whom the injunction was directed. So we have those two questions of fact.

As I understand it, the reason why there is a right of trial by jury in the Clinton case is the fact that under sections 402 and 3691 of title 42 of the United States Code, the contemptuous acts alleged against the defendants are acts which are also crimes.

Mr. CARROLL. And also in violation of State criminal statutes.

Mr. ERVIN. Yes.

Mr. CARROLL. Mr. President, I wish to thank both Senators for their answers to my questions. Their answers help me to clear my own thinking about this matter.

If the Senator from Alabama will permit me to do so, I wish to leave the matter of segregation for a moment, and to consider the right to vote.

Mr. ERVIN. Let me say that the only reason why the action at Clinton, Tenn., was brought originally by private persons against the school board—and, of course, Kasper was later brought into it—and the only reason why the Federal Government is involved at all is that traditionally, when one is prosecuted for criminal contempt of an order of a Federal court, it has been customary in times past for the prosecution to be conducted in the name of the Federal Government. That is the only reason why the Federal Government is in the Clinton, Tenn., case. Until this civil-rights bill is passed—if it is passed—the Federal Government will have no legal right of itself to go into these school cases.

Mr. CARROLL. I shall discuss that in a moment, because I think now we are getting down to the nub of these matters.

Actually, then, we have a situation where, by the exercise of a constitutional right, an individual sought an injunction; and that injunction—whether rightly or wrongly issued—was violated; and it was issued by a Federal court, in connection with a civil right.

As a result of the violation of that injunction—I do not know what the specific facts are, but they must be very clear to the court—the Federal court, in the exercise of its jurisdiction, imposed punishment of 1 year in jail, as I recall. Let me say that my information is gathered from the newspapers; and, therefore, I presume my information is reasonably reliable, but I cannot vouch for its entire accuracy.

But now we have a different situation. We have the same defendant, but with a larger group of persons, in a proceeding where facts must be determined. In this case, I think, under the Constitution they have a right to a trial by jury.

Now we come to what is really the crux of the whole discussion today. We have talked about a private individual in a segregation case having the right to go into Federal court.

What we now see, as I read the Judiciary Committee hearings—and I want the distinguished Senator from North Carolina to correct me if I am in error, because I read very carefully his very skillful—and I use that word in a very fine sense—and penetrating cross-examination of Attorney General Brownell: As I understand the whole matter, stated briefly it is that the Federal Government is now attempting to add to its powers the power to intervene and to institute

suit on behalf of the individual under the injunctive process, rather than to leave it to the private individual to institute suit on his own behalf.

Mr. ERVIN. And in order that the Federal Government may evade the two benefits which the defendants otherwise would have under sections 402 and 3691 of title 42 of the United States Code.

Mr. SPARKMAN. In other words, the right of trial by a jury and the limitation on the punishment.

Mr. CARROLL. I must say that whatever may be the right of trial by jury—regardless of what rights the Congress would give the Attorney General—the individual is still protected by the same constitutional safeguards that are being applied in Tennessee today—namely, that in certain cases where there is a question of fact there must be a right of trial by jury.

Under certain factual situations, they must have a right to trial by jury. A June 24, 1957 Supreme Court dissenting decision by Justice Brennan in the Times Book Shop case, which had to do with the obscenity statute of New York, argued in behalf of jury trials in certain equity causes. The majority opinion in this case is very important but I shall not discuss it at this time.

I should like to mention one more thing. Returning now to the right to vote, that is a right that has been recognized by Supreme Court decisions as a basic constitutional right also; is it not?

Mr. ERVIN. No; at least, I would not go that far. The Constitution of the United States has two provisions with reference to the right to vote. The first is contained in article I, in its relation to the qualifications of persons who are permitted to vote for Members of Congress. The other is contained in the 17th amendment and has reference to persons who can vote for Members of the Senate. These two constitutional provisions provide, in virtually identical language, that in order to have the right to vote for a Member of the House of Representatives or a Senator, a person must possess the qualifications prescribed for electors of the most numerous branch of the State legislature in the State in which he resides. This being true, the Constitution of the United States gives to the States the rights to prescribe qualifications of voters for candidates for the House of Representatives and the Senate, subject to two limitations. The first is the limitation of the 15th amendment, that the States cannot deny or abridge the right of any man to vote because of race, color, or previous condition of servitude. The other is the amendment on women's suffrage, the 19th amendment, which provides that the States shall not deny or abridge the right of any citizen to vote on account of sex.

Mr. CARROLL. May I put the question more simply? In the South or anywhere else in the Nation can any citizen go into a Federal court and ask for injunctive relief to protect him in his right to vote?

Mr. ERVIN. He can, after he has applied to the State authorities and has gone through his administrative remedies in that regard. When he has exhausted those remedies, he can go into a Federal court and sue individually for injunctive relief.

Mr. CARROLL. To protect his constitutional right?

Mr. ERVIN. Yes. In that case the statutory right of a trial by jury and the statutory limitation of punishment would apply in contempt cases.

Mr. CARROLL. The decision of Ex parte Yarborough, which goes back to 1883, discusses article I of the Constitution. Just as the distinguished Senator from North Carolina has indicated, the case says that it is a fundamental and basic constitutional right. Therefore, from the remarks of the distinguished Senator from North Carolina, I assume he is saying that a citizen would have the right to injunctive relief if he exhausted his remedies in the State court.

Mr. ERVIN. I think the Senator from Colorado and I are in complete agreement thus far on what the law is at the present time.

Mr. CARROLL. Another question then arises. By virtue of numbers of Supreme Court decisions, interpreting the Constitution and the rights arising under the Constitution that is basic and fundamental—the right to vote—having exhausted his remedy in the State court, a private individual would have a right to go into a Federal court. Having the right to go into a Federal court, is it not true that the Federal court could exercise its equity power and enjoin, restrain, or give mandatory injunction?

Mr. ERVIN. The Federal court could exercise its power to restrain the State officials from denying the right of a person to vote on account of race or sex.

Mr. CARROLL. That would be so if there was issued an injunctive order, either restraining or mandatory. If that question resolved itself upon a question of fact, of course the individual going into court would have to make a showing, as the distinguished Senator from North Carolina so ably pointed out in committee. Most of such cases are ex parte hearings, but the party would have to make an affidavit, and the judge might say, "We will have a hearing on the merits right away." If the person enjoined violated the injunction, he would be subject to the penalty of the court and could be put in jail.

Mr. ERVIN. But he would have the benefit of the two statutory rights.

Mr. CARROLL. Where there is a violation of an injunction order which conflicts with or includes a State criminal statute, I think, under the Constitution, individuals are entitled to jury trials. Would the Senator not agree with that statement?

Mr. ERVIN. I would say that is my personal interpretation of the Constitution. But others interpret it differently. Those backing the bill think they can get around the constitutional right of trial by jury by resorting to equity proceedings. If the constitutional right of trial by jury can be bypassed by resorting to equity proceedings in civil-rights cases, then the constitutional right of trial by jury can be bypassed in all other cases by equity proceedings and the solemn constitutional guaranties of the right of trial by jury converted into empty phrases expressed in idle and ironic words.

Mr. CARROLL. I appreciate the patience of the distinguished Senator from Alabama, but I should like to ask just one or two more questions on this point. It seems to me this concerns again the right to vote. I put this question again, just as I put the question on segregation. What the Attorney General seeks to do is enlarge the power of the Federal Government to intervene in behalf of an individual or a State official or a group of individuals to guarantee the right to vote. The Federal Government seeks to enlarge and broaden its powers to move into this field.

Mr. ERVIN. The Attorney General seeks to obtain for himself complete authority over this proposed law, which he can use for the benefit of some people and refuse to use for the benefit of other people in like circumstances, and which he can use against some supposed offenders and refuse to use against other supposed offenders in like circumstances. The Attorney General has stated he wants the proposed law so he can avoid the right of trial by jury. That is what he frankly admits. He puts it in more polite language. He says juries may be reluctant to convict.

Mr. CARROLL. I think the Senator from North Carolina agrees with me that the purpose of the legislation is to provide the United States Government, through the Attorney General, injunctive powers which it does not now possess on the right-to-vote issue. Is that not true?

Mr. ERVIN. The purpose is to give that right, not to the United States but to the Attorney General.

Mr. CARROLL. He is an official of the United States. Is it not true the power of the Federal Government is sought to be enlarged?

Mr. ERVIN. I would say the Attorney General is seeking to enlarge his own power to the point where he will have private possession of a public law. If the civil-rights bill is passed, nobody in the United States can have anything to do with putting it into effect except the Attorney General. The bill seeks to give him complete authority over the proposed law. The Attorney General says, in effect, that the reason he wants the civil-rights law is that if he is required to establish allegations in civil-rights cases by the oral testimony of cross-examined witnesses to the satisfaction of a jury he might lose some of the cases he would like to win.

Mr. CARROLL. I will say to the Senator from Alabama that I do not wish to argue this question. I am not going to argue the Attorney General's case. I merely wanted to clarify the RECORD.

I shall conclude with a statement and an observation. It seems to me that in the two cases we have been discussing, as in all civil-rights cases, where the power exists, the individual himself, with certain limitations, may go into Federal court and gain the protection of the Federal court. An injunction can be issued, and if there is a violation a penalty can be imposed. Where the issue

is clear, and the penalty is clear, a sentence or a fine can be imposed immediately. Where there is a question of fact which involves the statute, a jury trial must constitutionally be given.

If that is true, there is nothing this Congress can do to broaden the power of the Attorney General, except to give him the right to intervene, which he does not now have. We can legislate, but we cannot change the basic constitutional concepts. That is something I leave for the Senator to think about.

This debate has been stimulating my thinking. I am deeply grateful to the distinguished Senator from Alabama and the distinguished Senator from North Carolina for permitting me to participate.

Mr. SPARKMAN. I thank the Senator.

Mr. ERVIN. Mr. President, will the Senator permit me to make one other observation?

Mr. SPARKMAN. Yes.

Mr. ERVIN. I will say to the distinguished Senator from Colorado that I think he and I are in accord on the law. We probably express it differently, but in substance we agree.

I agree with the Senator. I do not think we can circumvent the Constitution by any such process. But there are a lot of people who do, though. The Attorney General thinks he can, and that is why he wants this bill.

I will say two other things. As the distinguished Senator from Colorado knows, part III is far broader than simply the right to vote. It would cover every field in which a State is authorized either to act or to legislate under the clause of subsection 3 relating to the equal protection of the laws.

Another thing of importance is that this bill would empower the Attorney General, in any suit brought by him under it, automatically to nullify State laws prescribing remedies. I think that is as drastic as anything could be.

Mr. CARROLL. I will say to the Senator that I want the RECORD to be clear. While I have not defended the Attorney General in this matter, I have merely attempted to bring into focus two important points.

I do not deny the validity of the position of the Attorney General. But I may not go all the way with him. In either event I do not want to find myself in a position where I would be foreclosed; where somebody would have an opportunity to say, "You did not say that the other day; you are changing your position." In my own mind I am not so much alarmed about extending the injunctive process to the Attorney General concerning the right-to-vote issue, because I think there are constitutional safeguards which can protect citizens of Colorado or the South or the North, East or the West. There are certain additional powers we can give to the Attorney General, without depriving or taking away any constitutional rights.

I thank the Senator from Alabama.

Mr. SPARKMAN. I thank the Senator from Colorado and the Senator from North Carolina for the very fine and helpful discussion they have had.

Let me say that my own individual thinking is that since the right of trial by jury is safeguarded by the Constitution, why should we enact a piece of legislation which seeks to take away that right? There is one danger involved, and that is that the construction might be put upon the bill that it is an exercise of equity, and trial by jury would not be empowered.

Certainly, in my opinion, to give to the Attorney General of the United States a dictatorial power, without the right of intervention of a jury trial, would be preposterous.

I hope the Senator from Colorado will keep in mind something the Senator from North Carolina kept saying over and over, namely, that the passage of the bill would not mean giving this power merely to the United States Government, but would mean giving it to the Attorney General in person. It is a power to be given to a person. The Attorney General would have the right to act or not to act. He would become the sole controller of what is done.

Mr. CARROLL. May I say something further, if the Senator will yield?

Mr. SPARKMAN. Yes; I yield to the Senator from Colorado.

Mr. CARROLL. We must always remember that we should be chary and wary of placing too much power in the hands of any individual or in the hands of the Government itself. But there is always a balancing power. We have the Federal judges, who come from Southern States. I read the biography of the judge now sitting on the case in Tennessee. He comes from a southern family with a long and distinguished history. That judge understands the people of his area. That is one check.

There is another check. Whenever any Federal judge abuses his discretion and does not accord the people of the area their constitutional rights, a check is provided—the right of appeal.

We have a further check on the Attorney General. If he goes too far we can always impeach him. I realize that this is difficult to accomplish, but these checks and balances, I believe, can be brought into focus, and I think the point is well illustrated by what is going on in Tennessee today.

Mr. SPARKMAN. I hope the Senator from Colorado will never arrive at such a point that, regardless of what he thinks of the judges, he is willing to place in their hands the trial of facts in any case. Our forebears were not willing to do that.

I know Federal judges who are my close personal friends. I would risk anything with them, but, at the same time, the time-honored tradition of our system of justice is that a man who is accused of some criminal act is entitled to have a jury of his peers pass upon it. It is not referred to one man, but there must be a composite of the whole jury. There is a tremendous difference there.

By the way, because so much of my time has been taken, I am not going to read today, but I hope sometime in the course of this debate perhaps to speak again and to read at that time, an article which quotes a great many of our very finest people, the leaders back in the early days of our Government, great judges themselves, who expressed their implicit confidence in the jury system as being a superior system to any other system ever evolved.

Mr. CARROLL. If the Senator will yield further, I should like to say to him that I fully subscribe to that viewpoint. I have full confidence in the jury system. We in Colorado have such confidence in the jury system that there is a constant effort to improve it. In recent years women jurors are playing an important part in our jury system. We do not even permit the judges in the State courts to comment on the evidence in jury trials.

Mr. SPARKMAN. I hope the Senator will keep in mind that I have been trying to point out the grave danger of the tendency to get away from jury trials. It is not important only in regard to this case.

As a matter of fact, the president of the American Bar Association, who spoke in Texas a few days ago, felt called upon to make some comment on the matter. I am sorry I do not have the clipping here, but perhaps the Senator observed the article in the newspaper. The distinguished Senator from North Carolina, I believe, made reference to it on Monday. It can be found in the CONGRESSIONAL RECORD.

The president of the American Bar Association, who comes from a northern State—Pennsylvania, I believe—called attention to an apparent concerted drive in this country to lessen the utilization of the jury system, and he condemned it strongly. He gave good reasons why the jury system should be sustained.

I remember that old saying we were taught in the law school, dating back, I guess, to the days of Coke:

> It were better that 99 guilty should go free than that 1 innocent should be punished.

The jury system sometimes will make mistakes, undoubtedly, we believe, but it is the best system that has been found yet.

By the way, I should like to say also that while people talk about civil rights, the No. 1 civil right in this country today is the right of trial by jury. When one loses that right one has lost the keystone of his civil rights.

I, for one, am not going to participate in an assault on any part of that right. I believe in it. I believe we ought to maintain it. I do not believe we ought to be flirting with any such provision as is carried in this bill.

Mr. CARROLL. Mr. President, will the Senator yield further?

Mr. SPARKMAN. Yes; I yield.

Mr. CARROLL. It seems to me we have a conflict of constitutional rights. I fully subscribe to what the distinguished Senator from Alabama said about the jury system and its application to criminal acts. Of course, under the Constitution we must have jury trials in certain cases. The question of the right to trial by jury is a basic, fundamental, constitutional right, which comes down to us, as the distinguished Senator has said, through hundreds of years.

We also have many other constitutional rights. One of those fundamental rights is the right to vote. Almost every

Member of the Senate, and almost any American citizen anywhere, says, "Of course, the right to vote is fundamental." Why? Because under the Constitution the power is vested, not in the Supreme Court, or the Congress, not in the President, but in the American people. And in order to assert and exercise that power, the people everywhere in every State must have not only the right to vote but the opportunity of exercising their right.

Mr. SPARKMAN. But the Constitution did not give to the Federal Government the determination as to who should have the right to vote. It gave it to the States, in the very first article of the Constitution.

Mr. CARROLL. But there are many Supreme Court decisions——

Mr. SPARKMAN. I am talking about the Constitution of the United States.

Mr. CARROLL. So am I.

Mr. SPARKMAN. The Constitution gave that power to the States. The 15th amendment contains a provision—and most of the decisions the Senator speaks about have been based on the 15th amendment——

Mr. CARROLL. But the distinguished Senator from Alabama has heard the discussion with the Senator from North Carolina, has he not?

Mr. SPARKMAN. I heard it.

Mr. CARROLL. Supreme Court decisions under article I, section II, of the Constitution, discuss the inherent right, the basic right of the citizen to vote; and the Supreme Court says it must be protected.

Mr. SPARKMAN. But the Supreme Court has never taken away from the States, in any of its decisions, the right of the individual State to set the requirements for registration.

Mr. CARROLL. Of course not. I agree with the Senator. But the Supreme Court has said to certain States, "You may not set up standards which violate the constitutional right to vote."

Mr. SPARKMAN. Yes.

Mr. CARROLL. It has said, "You are interfering with the right to vote." That is why I asked the question of the distinguished Senator from North Carolina, as to whether the individual had a right to go into a Federal court to protect the constitutional right which exists. I think we are in agreement on that point.

Mr. SPARKMAN. I think we are, too.

I want the Senator from Colorado to remember that every question he put to the distinguished Senator from North Carolina about the expansion of these powers tied into the right of trial by jury.

In every one of these proceedings to date, under statutes relating to the right to vote, or relating to any criminal violation, the right of trial by jury is preserved. But the Attorney General is asking Congress to say that the right of trial by jury shall be taken away.

Mr. CARROLL. I think perhaps I oversimplified the situation. The Attorney General is asking for that power which exists now only in the hands of the private individual.

Mr. SPARKMAN. No. He is asking for more than that. That is what I am asking the Senator from Colorado to keep in mind. He is asking for the power which now vests in the hands of the individual citizen. He is asking to have the right to say whether that power shall be exercised. He is asking for the right to take it away from the individual citizen and exercise it in his own name, on behalf of the Government of the United States.

But he goes beyond that, and asks that he have that right to proceed, without the intervention of the jury. That is the point I want the Senator from Colorado to keep in mind.

Mr. CARROLL. Is it not true——

Mr. SPARKMAN. That if the individual started the action, there would not have to be a trial by jury?

Mr. CARROLL. Yes.

Mr. SPARKMAN. I cannot understand that at all.

Mr. CARROLL. That is my impression.

Mr. SPARKMAN. No. The defendant is assured of the right of trial by jury, and of a limitation on the amount of punishment. The Senator from North Carolina brought that out time after time. But this bill seeks to do away with all that.

Mr. CARROLL. If that is what the Senator from North Carolina has said, I am afraid that I did not understand that to be the situation.

Mr. SPARKMAN. Every time the Senator asked him the question, he would say, "Yes, that is true; but the defendant would have two rights assured to him, namely, the right of trial by jury and the right of limitation of punishment"—for example, not more than 6 months' imprisonment and not more than $1,000 fine.

Mr. CARROLL. If that is the situation, I disagree with that concept. Assuming that the individual had that right—and I think it is admitted he had—I thought I put the question to the Senator from North Carolina——

Mr. SPARKMAN. I cautioned the Senator from Colorado several times to keep in mind two things which the Senator from North Carolina was so careful to say—that the defendant in such a case as the Senator from Colorado described would have the right of trial by jury and the right of limitation of the penalty to be imposed.

Mr. CARROLL. Is the Senator from Alabama now saying that the private individual, proceeding under the particular civil-rights statutes, cannot go into Federal court and obtain an injunction?

Mr. SPARKMAN. No; I did not say that. However, I did say that if he did, the defendant against whom the proceeding developed would have the right of trial by jury.

Mr. CARROLL. In other words, as I understand, it is the contention that in in the protection of that right, if there were a violation of the injunction of the Federal judge, the judge could not punish without giving the defendant a jury trial.

Mr. SPARKMAN. Yes. That is what is going on down in Tennessee today.

Mr. CARROLL. That is the situation today, because statutes are involved. That was not what the Federal judge did to Kasper in connection with the first violation of the court's injunction order.

Mr. SPARKMAN. Because the case came within the narrow confines which I discussed in the early part of my remarks. Perhaps the Senator was not present at the time. This is historic. The judge can punish for contempt committed in the judge's presence, or so near as to interfere with the proceedings of the court.

Mr. CARROLL. I understand that. That is basic law.

Mr. SPARKMAN. It has been the law for a long time.

Mr. CARROLL. That is correct. It is my impression that in the Kasper case, in connection with the first injunction, there was a violation of an injunction order of the court, occurring not in its presence. Out of deference to the distinguished Senator from Alabama——

Mr. SPARKMAN. I shall refresh my recollection as to the facts in that case, and I invite the Senator from Colorado to do likewise.

Mr. CARROLL. I shall be happy to do so.

Mr. SPARKMAN. I think I am correct in what I have said.

Mr. CARROLL. I thank the Senator for the time he has given me.

Mr. SPARKMAN. The Senator from Colorado has made a very fine contribution to the argument.

Mr. President, I wish to move along.

The time has come for documented answer to an argument used by the men who have authored and supported the President's civil-rights bill.

The argument tells us that courts have an inherent right to inflict punishment through summary trials, wherever disobedience to an injunction may be involved.

The argument explains to us that Congress cannot limit the court's power to issue injunctions or to enforce them without benefit of juries.

This argument sets before us the constitutional doctrine of separation of powers. Congress, it declares, cannot invade the powers of the courts. It cannot limit in any way the powers of the courts.

This argument goes so far as to say that Congress cannot limit the courts' powers to legislate through injunctions.

The President's civil-rights bill would expand beyond all historical bounds the authority of courts to issue injunctions and to enforce them. Yet, ironically, its supporters tell us that any opposition to this intention would be a violation of the Constitution. Here the argument reaches absurdity indeed. It is time, according to this theory, that Congress, under the Constitution, cannot in any way amend or abridge the summary powers of the courts to enforce their own orders—in effect, to enforce their own legislation.

A very scholarly and forceful answer to this question was given 33 years ago. This answer was so sound and definitive that it has itself become a recognized part of American law.

This answer, written by two Harvard scholars who then were relatively unknown, was published in the Harvard

Law Review in 1924. Since that time both of these men have attained great eminence in the public life of this Nation. One of them, Felix Frankfurter, has since found his way to the Supreme Court. The other was James M. Landis, who, if I recall correctly, served as dean of the Harvard Law School, and occupied several governmental positions.

This is a northern answer, published by a northern law school, and at least one of the authors must be accepted by the civil-rights proponents as authoritative. I did not compose this answer. It is a northern answer, and one of its authors also collaborated in the Supreme Court's decision of May 17, 1954.

These authors wrote their answer during the controversy over the constitutionality of the Clayton Act of 1914. This great act gave the right of jury trial to defendants in labor-injunction cases. There were those who bitterly opposed the rising labor unions, and who charged that Congress, in the Clayton Act, had violated the separation of powers and the inherent powers of the courts and the immemorial usage of the common law.

Frankfurter and Landis, in a heavily documented article, showed how little substance this argument contained.

Now that another minority is defending its right to jury trials against a widely expanded injunctive power, we again hear the argument that Congress cannot constitutionally guarantee jury trial in contempt cases.

The argument was succinctly stated recently in a national magazine. The magazine wrote:

> SAM ERVIN'S trial-by-jury slogan was taken up by southern newspapers. Indeed, the issue worried many who were otherwise friendly to civil rights. Yet the contempt citation is the judiciary's historic enforcement tool. Jury trials in contempt cases have absolutely no basis in equity or constitutional law and precious little legislative sanction. • • •
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> As early as 1894, the Supreme Court wrote: "Surely it cannot be supposed that the question of contempt of the authority of a court of the United States, committed by a disobedience of its orders, is triable, of right, by a jury."

That is the argument that is being made by some.

The answer, as written by Mr. Frankfurter and Mr. Landis, is found in the Harvard Law Review.

I shall not take the time to read the entire article at this time. I hope that in a later speech I may have the opportunity of reading the entire treatise, because it is one of the clearest I have seen which deals with this subject.

I wish to read an excerpt from it, which comments on the matter of contempt and contempt proceedings, and the abuse of the power of a judge to impose punishment for contempt. I wish to read the section which I think is of historic importance, and one which has a direct bearing on the subject before us. I read from page 1024 of the Harvard Law Review of June 1924:

> There was abuse. A succession of grievances against the exercise of arbitrary judicial power culminated in the proceedings of impeachment against James H. Peck, a judge of the Federal District Court for the District of Missouri. The dramatic outlines of the story are well known. But the significance of the case to the subsequent Federal law of contempt lies in the details of its history—the circumstances of the impeachment proceedings, the consideration given to the law of contempt in the course of the arguments at the trial, its repercussion upon the legislation of the country. Judge Peck imprisoned and disbarred a lawyer for publishing a detailed criticism of an opinion while an appeal from him was pending. After the fullest consideration, articles of impeachment were presented by the House of Representatives, and Judge Peck was put to trial before the Senate. Peck's conduct was defended chiefly upon his good faith in following what purported to be the stanch precedents of the common law. These were decisions which Lord Coleridge 15 years later thus characterized: "There are many cases in the older digests and abridgments on this subject, undoubtedly of a severe and stringent nature, and such as would ill bear to be applied in the present day." This defense, doubtless considerably reinforced by humane considerations, accentuated in this instance by the judge's age and blindness, saved the day for the judge. He was acquitted, but 21 out of 43 Senators pronounced him guilty.
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> In his closing argument Peck's chief counsel, the great William Wirt, told the Senate that "if the law [of contempt] as it stands be disapproved, it is in the power of Congress to change it." Peck was acquitted on January 31, 1831. The very next day, February 1, 1831, Congress set in motion the process to change it. On that day the House, without a division, directed its Committee on the Judiciary "to inquire into the expediency of defining, by statute, all offenses which may be punishable as contempts of the courts of the United States, and also to limit the punishment of the same." In compliance with this resolution the Committee on the Judiciary, through James Buchanan—
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> Who later became President of the United States—
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> who had had charge of the prosecution against Peck, promptly, on February 10, brought in a bill, "declaratory of the law concerning contempts of court." On February 28 the bill passed the House. On March 2 it was reported by Webster from the Senate Committee on the Judiciary. On the same day the measure received its final form in both Houses, was approved by the President, and became law. The powerful legislative influence generated by Peck's trial did not exhaust itself in Congress. So deeply did the Peck case stir the country that State after State copied the new Federal law.

I shall not read the entire statute, but I wish to read the pertinent part at this time. It reads:

> That the power of the several courts of the United States to issue attachments and inflict summary punishments for contempts of court, shall not be construed to extend to any cases except the misbehavior of any person or persons in the presence of the said courts, or so near thereto as to obstruct the administration of justice, the misbehavior of any of the officers of the said courts in their official transactions, and the disobedience or resistance of any officer of the said courts, party, juror, witness, or any other person or persons, to any lawful writ, process, order, rule, decree, or command of the said courts.

In other words, what Congress was doing by formal action was to confine the exercise of punishment by the Federal courts of the United States for contempt to that small group of cases where the offenses were committed in the presence of the court or so near to it as to obstruct the administration of justice, and to misbehavior of an officer of the court, or disobedience on the part of an officer, party, juror or witness in an action pending before the court.

I submit that that is a good rule. If we have departed from it, it is bad, and certainly we ought not to depart further.

The article from which I have read is, in my opinion, the answer to the argument that Congress has no power to regulate the contempt powers of the courts. This argument was demolished when the Clayton Act of 1914 was held to be constitutional.

As we discuss the legal implications of this proposal, let us remember five clear truths.

First. The bill is an attempt to evade trial by jury. The bill is intended to avoid juries so that the results of prosecutions will conform with the political interests of the administration now in power.

The injunction has a long and honorable history as a means of enforcement, and we have written injunctive powers into many kinds of law.

But this is the first time in recent history, if not, indeed, in the history of the Nation, that the use of the injunction for the specific purpose of circumventing trial by jury has been seriously considered.

The injunction is a useful tool in certain closely defined circumstances. But it has never before been used to ensure convictions—to ensure that Americans will go to prison—because juries seemed undependable.

If we are to say by the bill that juries are not going to enforce the law, must we not conclude that juries will refuse to do their duty in any case? Is this not, in essence, a fundamental attack on the jury system?

If we have reached a point at which juries will not observe their oaths, then the whole concept of trial by jury is under question.

The Attorney General appears to be convinced, and some of the Senators here seem to be persuaded, that juries cannot always be relied upon to provide justice to our citizens in voting cases. I ask then: Whose justice?

In this country, our definition of justice itself is firmly founded upon the concept of a sworn jury with full discretion to convict or acquit, to hold liable or not liable for damages. If we are to say that justice does not reside in the jury, where then does it reside? In the Attorney General? In the President himself? This would seem an uncertain foundation indeed, and a dangerous reversion to very old and evil ideas that one person can tell the rest of his countrymen what is best for them, and what is right for them.

Whose justice shall we enforce? The justice that may be manufactured in haste upon the Senate floor, with one eye upon the next presidential election? Are we going to encourage one section of our country to produce justice for export—to develop law suitable to its own conditions, and then to force the application of that law elsewhere?

If we wander from the jury trial, upon which all our system of prosecution is based, then we shall have done basic damage to our common inheritance of civil justice.

Let me ask Senators to consider another point. If juries will not enforce the law in voting cases, what reason is there to think that juries will support the law in any case? To be consistent, should we not introduce the fiction of civil proceedings and injunctions into the law of assault and murder?

In my State, and I am sure the same is true in other States, it sometimes happens that a crime is committed. In my State, some of the citizens are white and some of the citizens are colored. Consequently, sometimes there are crimes which involve both races. These crimes are then prosecuted before a jury.

Has our enforcement of the law been so weak, have our juries been so biased, in these cases, that Senators have concluded that we in Alabama do not keep the law? We know that this cannot be said.

The logical extension of the bill is to extend this fiction of civil action, with its injunctions based on the suspected intentions of the person enjoined, to all manner of crimes, so that no case need be brought before a jury.

If we begin to deprive the citizen of responsibility and duty in one area of criminal enforcement, we will hardly improve his ability to uphold his responsibility and duty in other areas. The law is all of a piece, and it cannot be damaged here without unwittingly damaging it there.

It took us and our English forebears many centuries to wring the right of jury trial out of a succession of despots. Now we are actually considering the enactment of a law to demolish a part of this right, merely because history is not moving in a manner which suits certain voters in certain wards of certain large Northern cities, expected to be important in future political elections.

My second point has to do with the long and bitter history of the injunction in our American law.

I intend to go into this history at some length, for it is sowed with incidents and with legal cases which seem to have been forgotten here. Before I begin this review, I wish to point out some of the lessons contained within it.

There has always been an area of overlap between acts punishable summarily as contempts, and acts indictable as crimes.

No one doubts that an American court has a right to punish contempts committed in the face of the court, where they interrupt the work of the court, as I have repeatedly said. Nor do I doubt that the court has a right to punish contempts committed outside the immediate vicinity of the court, where they constitute a threat—a clear and urgent threat, the courts have held—to the administration of justice.

But Congress, the courts, even the Supreme Court itself, has repeatedly condemned the practice of using injunctions to punish acts otherwise punishable through the regular processes of the criminal law.

When Congress first began writing laws, the danger of the "overlap" was not foreseen. Over the years, however, we have grown wiser. This wisdom, which sees injustice in any attempt to replace normal prosecutions with summary trials, has brought into being the contempt laws now in effect. It has caused the writing of many decisions in which the courts themselves have narrowly restricted the right of a judge to inflict summary punishment.

Here again, for the first time in the history of Congress, we are actually proposing to expand the area of "overlap." We are actually proposing to require the courts to punish summarily acts which, traditionally, have been criminal offenses in which the defendant has full access to his rights.

If a foreigner were to listen to all the oratory which has been produced in support of this bill, he would think that the United States had no laws to prevent tampering with voting lists.

Yet anyone who hears or reads what I say, knows that there is already great power at the disposal of the Attorney General to enforce justice at the polls. There are criminal statutes providing severe penalties for tampering with voting records, miscounting votes, and for unlawfully depriving citizens of their right to vote. These statutes are firmly founded upon the Constitution itself.

If our law already provides such powerful remedies for the alleged wrongs, why then is it necessary to introduce this peculiar injunction procedure?

Part of the reason, it seems, is that some who favor the bill appear to be more interested in effecting great change prior to the next election, rather than in the long-term prospect for mollification of our great nationwide race problem. This greedy impatience will do only damage to the legal limitations carefully built up around injunction proceedings, for here Congress will be running counter to its historic position. Congress, in the past, as I pointed out a few minutes ago, has always opposed the use of summary proceedings where the law provides jury trials. To break this tradition now might throw into great question the applications of these limitations against other misuses of the courts' summary powers.

In the past, Congress and the courts together have increasingly narrowed the area within which a judge may punish for contempt. They have steadily reduced the types of indictable crime which may be punished as contempt with none of the safeguards imposed in normal prosecutions.

The bill before us, if passed, would reverse this progress and would confuse principles which now are clear to court and defendant alike.

My third point also reflects a historic trend in the law of contempt in the United States.

The best scholars in this very complicated field have increasingly urged jury trials in some types of contempt, especially in those types loosely known as criminal contempts. The law upon this point is still unclear, but we can see this idea growing if we go back through the cases and the law review articles of the last several decades.

Throughout the history of American law, it has been the liberals in Congress who have led the way in restricting narrowly the court's powers to punish for contempt through summary trial. More recently, these liberals have led the battle toward requiring jury trials in certain kinds of contempt cases.

Now, at last, the scholars and indeed the courts themselves are beginning to question the wisdom of trying any criminal contempt cases without a jury.

I should have thought the libertarians among us would greet this new trend with great gratification.

But a rule of jury trials in contempt cases would threaten the legal steamroller which would be constructed under the bill to enforce a system of injunctions directed from Washington.

It is tragic to see our liberal friends in the position of supporting a bill which would contradict the traditional liberal position on summary handling of injunction cases. It is tragic that these local doctrines, supported by the great liberals of our history, now are imperiled by the bill which is proposed.

Do Senators not see the perilous confusion into which the bill would lead them?

In order to force one region of the Nation into conformity with their ideas of justice, and in order to enforce this conformity before the next presidential election, they are attacking principles of Federal law which were developed only with great difficulty over a period of many years.

Increasingly, we find judges and legal scholars referring to a need for a stated right of jury trial in criminal-contempt cases. Yet here, in this one careless bill, we would clearly express a Congressional intention that this right never be achieved.

We would demonstrate the will of Congress that the law of contempt be carried into fields where it was never designed to go, and that summary trial become the established weapon through which to punish those who do not agree with the racial views of whatever administration might be in power.

This leads me to a fourth point. Much of the law of contempt as it now stands, and most of the meaningful limitations on summary trial, come directly from two areas: labor strife and the publication of writings held to be in contempt of court.

Much contempt law also comes from fields like domestic relations, where alimony payments are involved, and much of it comes from liquor cases. I do not think that I need persuade very hard to show the Senate that this kind of case is very far afield from the bill now under debate.

It should be equally clear that the injunction in an antitrust case is not a precedent for an injunction in a civil-rights case. There has been a certain amount of argument that, because injunctions have proved useful in certain kinds of commercial regulation, they will solve all our most profound and emotional political issues.

Surely every Senator understands that it is specious reasoning to compare an antitrust case with the kind of action now being proposed.

To find a historical analogy for the kind of action contemplated here, we must go back to the labor cases of the late 19th and early 20th centuries. Only by remembering the bitterness and violence of labor strife in those years, and the fierce public resentment of the Federal courts and their injunctions and their summary trials, can we truly foresee the results of this bill.

It is strange to think that many Senators who stand up stoutly for the rights of labor, and who take great pride in the accomplishments of the labor movement, should take the other side in this situation which is legally so close a parallel.

It is strange to think that many Senators who stand up stoutly for the rights of free speech and a free press have had so little to say here. Surely those who are lawyers know how many cases of contempt by publication are on the books.

The contempt power of the judge in publication cases has been sharply reduced in the last two decades. Now he must find a clear and present danger to the administration of justice before he hales the offending editor or speaker into his courtroom. Yet there continue to be such cases; and in such a deep social question as the race issue, it will be easier for a judge to see such danger, perhaps, than in the ordinary run of equity suits.

When court injunctions get involved in the local registration of voters, the judge himself is going to get involved in local politics. The injunction will become an issue in our political campaign, and so will the purpose to which the injunction is put.

Yet, if a candidate criticizes that injunction, or the manner in which its author uses it, does not that candidate stand in contempt of court? If the criticism seems calculated to interfere with fulfillment of the injunction, could not the critic be committed to prison?

Politics is public policy, and there is no issue of public policy more important than that which some now propose to solve with Federal injunctions. Should this area of politics then be above criticism, because the dignity of a Federal judge lies behind the injunction?

The shadow of these injunctions will spread over all the processes of our local and State political systems.

If the injunction and the man who wields it become issues in a campaign, apparently we cannot criticize them without running the danger of finding ourselves haled before the bar of the court, on grounds that our writings and speeches constitute resistance to a lawful writ of the court.

Mr. HILL. Mr. President, at this point will my colleague yield to me?

The PRESIDING OFFICER (Mr. CARROLL in the chair). Does the Senator from Alabama yield to his colleague?

Mr. SPARKMAN. I am very glad to yield.

Mr. HILL. Under the bill, could not there be a situation in which the judge himself would make the law, so to speak, and then he would prosecute, and then he would construe and interpret the law, and then he would render the decision as to the guilt or innocence of the person involved, and then the judge would proceed to fix the punishment of the person whom he had found guilty?

Mr. SPARKMAN. The Senator is absolutely correct. No matter how able a judge may be, after all, he is human. My argument is that it is better to rely on our system of trial by jury.

Mr. HILL. Under the system of trial by jury, the judge has the benefit of the wisdom, experience, and sense of justice and fair play of the 12 members of the jury; is not that correct?

Mr. SPARKMAN. The Senator is absolutely correct; and I think he will agree with me, from his long experience and his long observation of court procedures, that the average judge would prefer to have a jury determine the facts. The judge discharges his responsibility by interpreting and applying the law; but the normal judge would want a jury in every case in which a question of fact was involved.

Mr. HILL. A jury which would determine the facts, and then would take the law as the judge would give it to them. Then the jury would make the application of the law to the facts, as the jury had found the facts to be.

Mr. SPARKMAN. Of course the Senator is correct.

Mr. ERVIN. Mr. President, will the Senator from Alabama yield to me?

Mr. SPARKMAN. I yield.

Mr. ERVIN. I wish to ask a question along the same line. In our law there is a fundamental rule that no man shall be the judge in his own case. I should like to point out that a procedure such as the one proposed by the bill would make the judge in a sense—as the senior Senator from Alabama has pointed out—the writer of the injunction, the interpreter of the injunction, the prosecutor, the jury, and the punisher of the person charged with disobeying the order issued by him. So I ask the Senator whether the bill does not, in spirit at least, violate the fundamental rule that no man shall be the judge in his own case?

Mr. SPARKMAN. The Senator from North Carolina is absolutely correct.

The bill, with all its implications, violates the very fundamentals of our system of justice, which has as its keystone—as I stated a little while ago—the right of trial by jury; and that is bolstered by two other rights, namely, the presumption of innocence until found guilty, beyond a reasonable doubt, by a jury of one's peers; and the right to be confronted by the witnesses who testify against the accused. I judge them to be the foundation stones of our judicial system. But this bill would do grave injury to all of them.

Mr. HILL. Mr. President, will my colleague yield further to me?

Mr. SPARKMAN. I yield.

Mr. HILL. Of course in the ordinary criminal case, under our judicial system, as we have known it, and as that system has been bought and paid for by the blood, struggles, and sacrifices of free men through the centuries, there is also the right first to be indicted by a grand jury and to have a grand jury consider the case.

Mr. SPARKMAN. Yes. As a matter of fact, I have made the point that the use of the grand jury predated the use of the petit jury by about a century before Runnymede.

Mr. HILL. The Senator has brought out that point very effectively in his remarks today. The grand jury came first.

Mr. SPARKMAN. Yes.

Mr. HILL. It was followed by the petit jury. First a person is charged by a grand jury, and then he is tried by a petit jury.

Mr. SPARKMAN. That is correct.

The proponents of the bill are trying to base it upon equity proceedings. However, equity did not develop until long afterward; and it developed to apply only to cases where no relief was to be found in law. But in the present case, every single one of the supposed offenses can find relief in law. There is a writ that goes to every one of them.

Mr. HILL. Is it not also true that the resort to equity was for the protection of property, and did not deal with the question of human rights?

Mr. SPARKMAN. Yes. It was, as has so often been said, an application of the king's conscience in adjusting wrongs which otherwise could not be adjusted in a court of law.

The threats to free speech, and to the right of a free press are so obvious that I am filled with wonder that my northern friends, ordinarily such jealous guardians of these rights, have not had anything to say on this matter.

Suppose the editor of any newspaper, however small or large, wishes to comment upon the way an injunction is being used in his city and county. I do not have to confine my comment to the editor of a newspaper; suppose a columnist or a newspaper reporter comments in his news item on the manner in which some matter has been handled by a judge, and suppose the comment is one which the judge does not like. Can the editor or columnist or reporter comment freely, as, according to our political ideals, he has the right and even duty to comment? Or must he walk warily, so as not to disturb the temper of the Federal judge of the district? I expect that the judge would not be in a very good temper to begin with, upon finding that Congress had passed a law promoting him to the high rank of precinct captain general for every precinct in his district.

If public debate is to become a matter of walking softly around a legal device, then a great change will necessarily take place in our political system; and that change will not be for the better.

There will also be a great change in the nature of Federal justice and the place occupied by our Federal judges.

My fifth point deals with this. It has been our custom in the United States, and a very good custom indeed, to let the law be the crystallization of the American consensus. Law is the formal expression, traditionally, of the social beliefs of our people.

Politics differs from law in that politics is the arena within which we hammer out the issues. Where we have reached consensus, we can enact laws

that will stand. Where we enact laws that are not the result of consensus, then inevitably we draw the judges into politics.

This has happened occasionally in the history of the country, and in every case it has damaged the effectiveness and dignity of the courts. Is there anyone who does not think that will happen should the present bill be enacted?

This bill does not represent the American consensus. It represents the efforts of one part of the Nation to enforce upon another a superficial view of justice, despite earnest warnings that it will work disastrous damage to the progress currently being made.

If the Federal judges are to be made the agents of this disruptive policy, the first result will be grievous damage to the judges' prestige as objective and disinterested arbiters. If Senators think I exaggerate, look again at the history of the great labor unions. Look at the effects of their struggles with Federal courts too deeply concerned with property rights and insufficiently concerned with any other kind of rights.

A judge cannot become the advance agent for a political party in one field of law, and hope to retain his stature as politically disinterested in other fields of law.

In this bill, the administration has chosen, for very good reason, to work through the only Federal officials who cannot be reached through the elective process.

Mr. HILL. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. HILL. Is it not also true that in acting through Federal officials who cannot be reached by the elective process, the Government would go beyond the State, county, municipal, and other local officials in one fell swoop, and would brush all of them out of government, so to speak, in order to use the services of one lifetime Federal judge?

Mr. SPARKMAN. The Senator is correct. I hope sometime in the course of the debate someone will deal with that particular subject, because it is a big subject within itself. The Senator from North Carolina, in the debate this morning, as I recall, brought out the point that every single one of the provisions embodied in the bill is already covered both by Federal law and by State law. The bill would sweep away the procedure of the present Federal statute. That is, it would expand them and make it unnecessary to carry out the two safeguards the Senator from North Carolina repeatedly stated—the right of trial by jury and the limitation on the penalty which can be imposed. It would sweep away completely the handling of these matters by the State and local governments.

Mr. HILL. Not only would the Federal courts handle matters which should be handled by the State and local governments, but the bill would also do away with what we know as the administrative processes. In the past the courts, and Congress, too, have wisely provided that administrative processes should be gone through before persons may resort to the courts.

Mr. SPARKMAN. That is correct.

Mr. HILL. There are many, many matters, as we know, which can be settled or adjudicated or worked out through administrative processes, without ever resorting to the courts.

Mr. SPARKMAN. The Senator is correct. That is the reason there has been maintained through the years the wise rule requiring a person who wants to resort to a higher court first to exhaust his remedies at a lower level.

Mr. HILL. That rule has been laid down not only by the courts themselves but by the Congress itself.

Mr. SPARKMAN. That is correct, by statute enacted and reenacted.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from North Carolina.

Mr. ERVIN. I wanted to ask a question on the point the senior Senator from Alabama has raised. The truth is that, under the procedures provided by the bill, which operate only through the Attorney General and one-man Federal district courts, the Federal district courts would be converted to all intents and purposes into branches of the executive department of the Federal Government for the purpose of acting as school boards and election boards and discharging other functions which are essentially local. Is that not correct?

Mr. SPARKMAN. Yes. I stated a few moments ago that the judge would become, in effect—I used a rather facetious title, but, nevertheless, I think it is apropos—the precinct captain general for the whole area of the district. He would get wrapped up into everything.

Mr. HILL. Mr. President, will the Senator yield further?

Mr. SPARKMAN. I yield.

Mr. HILL. What would become of the indestructible union of indestructible States?

Mr. SPARKMAN. That is one of the great troubles people forget. We have in this country a dual system of government, two sovereignties, each one supreme within its own sphere.

Mr. HILL. It is just as much the province and function of the Federal Constitution to protect and safeguard and insure the States in their sovereignty as it is to protect and safeguard the Federal Government in its sovereignty. Is that correct?

Mr. SPARKMAN. The Senator is certainly correct.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. EASTLAND. Is it not true that in reality what it is sought to do by the bill is nullify the laws of the States?

Mr. SPARKMAN. Yes.

Mr. EASTLAND. The enactment of the bill would be a nullification of State statutes. Is that correct?

Mr. SPARKMAN. Yes, and some of the procedures under Federal law.

Mr. EASTLAND. Surely. This whole bill is based on equal protection of the laws, is it not?

Mr. SPARKMAN. Supposedly.

Mr. EASTLAND. Supposedly. Under the bill we would give the Attorney General discretion to bring suit and nullify State laws for citizen A, but deny the protection of the law to citizen B and make him exhaust his administrative remedies. Is that correct?

Mr. SPARKMAN. Yes. Under the bill, we would vest that power in the Attorney General, not in the Government of the United States as such, but in the person of the Attorney General of the United States, to exercise his discretion as to whether citizen A would have his rights enforced and whether citizen B would not have those rights enforced.

Mr. EASTLAND. Where is the equal protection of the laws which is so loudly proclaimed as being the basis of the bill?

Mr. SPARKMAN. The question answers itself. It is not to be found.

Now, Mr. President, I am about to bring my statement to an end, but before I do so, I desire to comment on something the distinguished Senator from Arkansas [Mr. FULBRIGHT] discussed yesterday, when he placed in the CONGRESSIONAL RECORD, as a part of his remarks, two editorials from the Washington Post showing some change in its thinking.

I ask unanimous consent to have printed in the RECORD at this point in my remarks an editorial from the Washington Post of this morning.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

O'MAHONEY COMPROMISE

Senator O'MAHONEY offered his proposal for jury trials in some contempt cases arising under the civil-rights bill before the Senate had even agreed to take up the bill so that the proposal could be carefully studied. That action was wise, for the subject is extremely complex and the need to find the right answers is great. We hope that it will be scrutinized apart from the passions that are coloring the Senate's debate.

The O'Mahoney amendment would instruct judges sitting in civil-rights cases arising under the bill to order a jury trial for any person accused of violating an injunction or restraining order of the court "if it appears that there are one or more facts to be determined." The idea behind the amendment came from a recent article by Telford Taylor in the New York Times magazine. Some question arises, however, as to whether the amendment reflects what Mr. Taylor had in mind. He suggested jury trials in cases of this kind "where guilt or innocence of contempt involves substantial factual questions." Certainly this reference to substantial factual questions is a different criterion than one or more facts.

What Senator O'MAHONEY is trying to do, however, is to separate those cases in which the facts are clear—such as the refusal of a registrar to register a qualified voter—from those cases in which there may be a substantial dispute as to the facts. These latter may include charges that members of a masked mob had intimidated voters. There the question would be whether the persons restrained by the injunction or those taken before the court were actually the ones guilty of the offense. In our opinion, this is a valid and sensible distinction to make. There is a question as to whether a dividing line can be clearly drawn between the two types of cases. But no harm would be done by requiring juries in those contempt cases in which substantial issues of fact must be determined—with the judge deciding what is substantial.

Along with a study of this amendment should go scrutiny of the proposal made recently by Prof. Carl A. Auerbach of the University of Wisconsin. He thinks the bill should authorize the Government to bring civil contempt actions against alleged violators of civil-rights injunctions. Under civil contempt proceedings, a court could put any defiant registrar in jail until he complied with the court's order—but the defendant himself would hold the key. In other words, the contempt power would be used for a purely remedial purpose instead of a punitive purpose, as under criminal contempt proceedings. Civil contempt cases are always handled by the judge without a jury.

Here is another area in which it may be possible to soften the present bill without sacrificing its vital objectives. In our view, the Senate should weigh every compromise of this sort in the interest of devising a bill that will give minimum offense to the South even if southern legislators cannot bring themselves to vote for it.

Mr. SPARKMAN. Mr. President, I think it is most interesting to see what has happened in the three editorials from the Washington Post. The first one, as the Senator from Arkansas pointed out yesterday, said, in effect, we ought to take this bill and pass it as it is, without losing any time. I do not mean the editorial said that exactly, but that was it substantially. Now, after further consideration, the Washington Post, within the past few days, came out with a second editorial, which discussed the question of the right of trial by jury, and admitted that perhaps there was something to the argument on this point and that the bill ought to receive careful consideration.

In this morning's editorial, entitled "O'Mahoney Compromise," the editorial states the same thing. It pays a very high compliment to the Senator and his amendment, and says, in effect, if I interpret it rightly, that probably it ought to be adopted.

The editorial goes further and says:

Along with a study of this amendment should go scrutiny of the proposal made recently by Prof. Carl A. Auerbach of the University of Wisconsin. * * *

Here is another area in which it may be possible to soften the present bill without sacrificing its vital objectives. In our view, the Senate should weigh every compromise of this sort in the interest of devising a bill that will give minimum offense to the South even if southern legislators cannot bring themselves to vote for it.

I understand the editorial viewpoint of the Washington Post and Times Herald. Of course it favors this kind of legislation. But at least I think the editors are talking sense when they say that the Senate ought to study every angle of this bill, because perhaps it needs amending in other respects.

Frankly, I do not believe the bill could be amended so as to make a good bill. I think it is bad in its premise. However, I realize that there are a great many others who think differently. Certainly this editorial indicates that somebody writing editorials for the Washington Post has been doing a good bit of thinking about this matter and has made progress. I am delighted to see it.

Mr. President, along that line I should also like to have printed in the RECORD at this point an editorial from one of the great newspapers not only of this country but of the world, the Christian Science Monitor, of July 8, 1957. This editorial is entitled "Persuasion Versus Filibuster."

I think the editorial calls for careful reading. I take it that the editorial policy of this newspaper, likewise, would be favorable to civil-rights legislation, but at the same time it takes the view that such legislation ought to be carefully discussed, carefully studied, and thoroughly worked out, not in the hurried, haphazard manner such as the bill before us represents.

Mr. President, I ask unanimous consent that that editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

PERSUASION VERSUS FILIBUSTER

Highly encouraging is Senator RUSSELL'S word that in the Senate debate on civil rights opening today the first purpose of southern opponents is to insure that proposed legislation is clearly understood. This purpose everyone believing in democratic discussion will endorse. It relies on persuasion rather than the sheer force of minority rule which is expressed in extreme examples of the filibuster.

No thoughtful person would condemn indiscriminatingly all measures to delay a vote. Where an issue has come up suddenly, debate—however protracted—which provides information and more time for public consideration still serves the purposes of debate. But when the essentials of an issue are widely grasped, the meaningless droning of irrelevant material becomes such an abuse of free discussion as to defeat the true purpose of discussion in a legislative body—clarification of thought to permit wise action.

So long as Senate debate of the civil-rights program provides such clarification it should be welcomed. Certainly clearer understanding is needed when such honest and intelligent men as the President and Senator RUSSELL can take such contradictory views of its meaning. Mr. Eisenhower sees it as a moderate instrument for protecting Negro voting rights. Mr. RUSSELL sees it as a tyrannical attempt to force the mixing of races which will produce disorder and bloodshed.

We are inclined to feel that the President is more nearly right than the Senator. But it is only candid to recognize that the more Negroes gain the vote the harder it will be for States and localities to enforce legal segregation. Yet that does not mean that individuals will not still be free to choose their associates in the vast majority of business and social contacts. Section 3 should be amended to remove any ground for Mr. RUSSELL'S fear that Federal troops may be used to force integration.

Senate debate should clarify the jury-trial issue raised in connection with the proposal for injunctions to halt the purging of Negroes from voting lists. It should be possible to fashion a reasonable compromise on this question.

In most contempt proceedings for violation of an injunction the circumstances might well be so clear that no reason would exist for a jury trial. But there could be cases where responsibility for intentional defiance of a court order was not clearly fixed and a determination of the facts by a jury would serve the ends of justice. Could not provisions be made for exceptions without defeating the whole purpose of the legislation?

We believe Congress and the American people are fairminded enough to listen to reason if sound arguments can be presented for modification of this program. But where debate goes beyond persuasion and becomes either unreasoning emotionalism or calculated obstruction, ears will begin to close and hearts to harden. Senator RUSSELL is wisely seeking to avoid adding public annoyance with the extremer forms of filibustering to existing public impatience with denial of rights.

Mr. President, I have 1 or 2 other matters and then I shall close.

When the civil-rights bill was under debate in the House of Representatives a very distinguished Member of that body, who comes from the State of Illinois, a Republican and one who has had long service there, who entered the House of Representatives at the same time I did, back in 1936, had some remarks to say on the civil-rights bill. I refer to Representative NOAH MASON, of Illinois. I desire to quote his words, Representative MASON said:

Habits, customs, and obligations are much more effective than any civil-rights program implemented by Federal laws. Custom is much more effective than any law because it polices itself. Laws are not particularly efficient. A law has little chance of being enforced if it does not have the approval of the majority of the people affected.

I may say, Mr. President, that we know from bitter experience during the days of prohibition the truth of the statement made there. We know it is true with reference to any law. Any law has to have the respect of the people if it is to be effective as a law.

But Representative MASON went on to say, referring to the civil-rights measure which it is proposed to bring before the Senate:

This bill denies certain fundamental rights guaranteed by the Constitution to both majority and minority groups—the right to own, manage, and enjoy property; the right of trial by jury; the right to be presumed innocent until proven guilty; the right of appeal; and the rights of the States or the people thereof under the 9th and 10th amendments.

Heretofore in America a defendant came to the bar of justice as an innocent man accused of a crime. Under this bill he will come to the bar presumed guilty under a prima facie finding, and he will remain guilty unless and until he can prove himself innocent.

In substance, the provisions of this bill constitute nothing more nor less than government by Federal injunction.

Mr. President, that statement is included in an editorial published in the Florence, Ala., Herald of July 4, entitled "Government by Injunction." I ask unanimous consent that the entire editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GOVERNMENT BY INJUNCTION

As the country, and particularly the South, awaits the expected move next week of backers of the civil-rights bill to force that legislation through the United States Senate, and thus make it the law of the land, more and more people are coming to recognize the dangers it holds.

One of the most critical of its opponents, and of the Supreme Court, which has of late rendered some amazing decisions, is Representative N. M. MASON, of the State of Illinois.

Pointing out that present members of the High Court are men socially, economically, and politically minded, rather than legally experienced and judicially inclined, Representative MASON says it is natural that their decisions are based upon their social, economic, and political convictions. Legal precedents are ignored by the Supreme Court, he declares.

"Nothing is sacred nor permanent under the present uncontrolled Supreme Court," Representative MASON says. "Century-old customs and previous Court rulings may now be overturned by a capricious Supreme Court, a majority of whose justices have sociological predilections that influence or dominate their opinions."

Of civil rights itself, the House Member from Illinois states: "Habits, customs, and obligations are much more effective than any civil-rights program implemented by Federal laws. Custom is much more effective than any law because it polices itself. Laws are not particularly efficient. A law has little chance of being enforced if it does not have the approval of the majority of the people affected.

"This bill (the civil-rights measure) denies certain fundamental rights guaranteed by the Constitution to both majority and minority groups—the right to own, manage, and enjoy property; the right of trial by jury; the right to be presumed innocent until proven guilty; the right of appeal; and the rights of the States or the people thereof under the 9th and 10th amendments.

"Heretofore in America a defendant came to the bar of justice as an innocent man accused of a crime. Under (this bill) he will come to the bar presumed guilty under a prima facie finding, and he will remain guilty unless and until he can prove himself innocent.

"In substance, the provisions of (this bill) constitute nothing more nor less than government by Federal injunction."

Mr. SPARKMAN. Mr. President, I shall not take the time to read, but I ask unanimous consent that there be printed in the RECORD at this point, a very fine editorial published in the Nashville Banner, of Nashville, Tenn. Incidentally, Mr. President, I will say that the Nashville Banner has long supported the Republican Party. It is not a Southern Democratic newspaper, but it is a long-time Republican newspaper. This is a very strong, forceful editorial on behalf of the continuance of our great traditional and constitutional right of trial by jury.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BY CONSTITUTION, MR. PRESIDENT—JURY TRIAL VITAL PROVISION OF DUE PROCESS

A principle as fundamental as the right to trial by jury admits of no negative speculation. The issue endangering it is positive, and the President owes it to the country to be completely informed on it—and to venture no answer, as yesterday to a casual question, that can be misconstrued.

He said simply that the dignity of the Federal courts must be upheld, and with that point there can be no disagreement. The challenge lies in the evasion of this principle proposed by his Attorney General.

He expressed that view, without elaborating on it, with reference to inclusion of this protective amendment in the so-called civil-rights legislation. Regardless of sponsorship, the omission is indefensible.

It does not conform with what must be, otherwise, his respect for the principle of due process.

Regardless of his reliance on the advice of Attorney General Herbert Brownell, to whom he referred questioners, he must realize that his administration bears the responsibility for a piece of legislation so far-reaching; and he cannot lightly dismiss personal accounting for it on grounds that he is not schooled in law. It is his obligation to know the facts in the case before he lends such a measure even inferential endorsement.

The design of trial by jury is not to reflect upon, or derogate, any court. It does not detract from their dignity, or asperse their prestige as the judicial instrument. It does bind upon the system of justice a procedure historically related to responsibility of the judiciary in a government of law—and that binding was done most meticulously by the Founding Fathers through the Constitution itself.

Not judicial indignity, but freedom from oppression, was the aim of this provision—as three times spelled out in the organic law. It certainly is no less vital now, nor less valid, with legal confusion the more confounded by the legislative versus judicial struggle for the lawmaking function. In the present instance, emphasis understandably is laid upon it as a principle that must not be disestablished in behalf of a questionable force bill.

With regard to this project, which has aroused concern of the Constitution-minded throughout the Nation, the President obviously has been listening too closely to the United States Attorney General—who may be himself seeking a Supreme Court berth. He should be listening to some authorities who know the dangers of that drift from a basic point of law.

The idea of government by injunction—or intrusion on the fundamental right of trial by jury—or of the Justice Department in any of its divisions, old or new, superseding the principle of due process, is nowhere countenanced by the Constitution. They would constitute a bypass, and certainly could not be construed as enhancing the dignity of the court or the security of rights for which governments are instituted.

If the President will consult all the facts on due process, he cannot possibly back a suggestion so essentially and dangerously detrimental to it.

Mr. SPARKMAN. Mr. President, these, then, are my five reasons for opposing the injunction provisions of this bill; let me summarize them.

First. The bill represents an attempt to evade the defenses provided to defendants under our law, and subverts the concept of responsible juries.

Second. The bill attacks the doctrine that acts otherwise indictable as crimes ought not be punished by summary proceedings.

Third. The bill runs counter to the growing body of authoritative opinion that jury trial should be available to defendants in criminal contempt cases.

Fourth. The bill would have among its indirect effects a threat to free speech and a free press.

Fifth. The bill would, in its enforcement, do great damage to the Federal judicial system.

Mr. President, I believe it would be a mistake—a terrible mistake—to take this bill up and make it the pending business. It would create a terrific logjam to hold up badly needed proposed legislation which is already on the calendar. I hope that when question on the motion is finally put the Senate will decide against taking up this bill and making it the order of business.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ERVIN. I wish to congratulate the Senator from Alabama for his magnificent exposition of the history of the right of trial by jury and the necessity for preserving that right. I wish particularly to commend his very complete refutation of the argument that it would encroach upon the inherent powers of Federal courts for Congress to allow the right of trial by jury in indirect contempt cases.

One of the greatest constitutional lawyers who ever sat in this body was Senator Walsh of Montana. During the course of the debates with respect to the Clayton Act in 1914, Senator Walsh made an unanswerable argument against the contention that allowing the right of trial by jury in indirect contempt cases would encroach upon inherent powers of the court. He pointed out that the only constitutional court we have is the Supreme Court of the United States, that all other Federal courts are creatures of Congress, and that it is absolutely absurd to say that the Congress could create a court, such as the district courts of the United States, which would have more power than the body which created them.

The Senator from Alabama is to be congratulated for making an argument equally as forceful on that point.

Mr. SPARKMAN. I certainly appreciate the remarks of the Senator from North Carolina. As a matter of fact, I was somewhat hesitant and dubious about presenting that argument here, because I thought it was so unnecessary. It was rather ridiculous, I thought, at first, but as I dug back into the history of the Clayton Act, for instance, and the cases of that kind, I found that the argument had been seriously made. There is a great national magazine editorializing to that effect now. Some persons make that argument. It shows the ridiculous lengths to which some people will go when driven by expediency to work for something which they contend will give the relief they desire.

Let me say to the Senator from North Carolina that, as I pointed out a while ago, I had intended, in connection with my remarks, to read a treatise by two then relatively unknown young men named Felix Frankfurter and James M. Landis. This treatise was published in 1924 in the Harvard Law Review. In that treatise they deal with the question which was raised, and demolish it with precedent, and with some of the finest documentation I have ever seen. If the Senator from North Carolina has not read it, I suggest that he obtain a copy of the Harvard Law Review for June 1924, and read the article, beginning on page 1010. It is entitled "Power of Congress Over Procedure in Criminal Contempts in 'Inferior' Federal Courts—A Study in Separation of Powers." It was provoked by the discussion in connection with the Clayton Act.

Mr. President, I yield the floor.

Mr. DIRKSEN. Mr. President, I have listened attentively, I think, to virtually all the discussion that has taken place thus far on the matter which now engages the attention of the Senate. As a member of the Committee on the Judiciary I have given great attention to the efforts to bring the bill to the calendar of the committee and ultimately to the calendar of the Senate.

In addition, I have been attentive on the hearings and the work of the subcommittee as a result of whose deliberations there was finally reported a bill to the full Committee on the Judiciary.

However, my interest in this whole general question of civil rights goes back a good many years. It is certainly more than 12 years ago that I first introduced a bill in the House of Representatives dealing with the subject of lynching. It was at about the same time that I introduced in the House of Representatives a bill dealing with the outlawing of the poll tax. I believe I was the first Member of the House of Representatives on my side of the aisle to introduce a bill in that body dealing with fair employment practices. Therefore, my record in that respect is not that of a Johnny Come Lately. I believe in all modesty that I have had a sustained and abiding interest in the matter which is presently before the Senate.

Furthermore, I was one of the authors, and in fact one of the sponsors, of the President's bill, which was Senate 83, and represented the administration's viewpoint. It is at present before the full Committee on the Judiciary, under the sponsorship of myself and the distinguished Senator from Missouri [Mr. HENNINGS], chairman of the subcommittee which considered it. I simply sketch in those items to indicate my sustained interest in the whole subject matter.

So, as I listen to the discussion which is taking place on the floor of the Senate, I think back to the general fact that the whole course of human destiny in this field has been a rather tortuous one. We have gone steadily forward, never in a straight line. The course has been up, and the course has been down. But is not unusual when we deal with the amelioration of the condition of the individual or of the mass of mankind.

Who can think, for instance, of the guaranty of life and the assurances of that right in the Declaration of Independence, and the high store which has been set upon it in the whole American system, without thinking back to how far we have come?

There come vividly to my mind my own studies of ancient history, going back to the days of Nero and Caligula, in ancient Rome, when life had no value whatsoever, and could be taken by the sovereign without any hesitation.

I think back to an incident which sticks in my mind, from a reading of long ago, when Peter the Great, of Russia, was touring in Poland. That was probably 250 years ago. Someone in Poland indicated to his Imperial Majesty that a new instrument, a torture wheel, had been invented, on which a body could be broken. Peter the Great asked for a demonstration. He was told that there was no one then in prison on whom this barbaric device could be used.

He said, "Oh, that is very well; just take one of my retinue, take one of my servants, and break his body on the wheel."

Human life had little value, little dignity, and little respect as recently as 250 years ago. But we have come a long way since then, and today the emphasis is on the dignity and the sanctity of human life.

Another incident which sticks in my mind is a luncheon which I had with General Eisenhower, when he was the Chief of Staff. On the wall of his office I saw a photograph of Zhukov, who is very much in the prints today.

I said, "General, is that Zhukov?"

He said, "Yes, sir."

I said, "Is he an able person?"

The General replied, "He is a very able, skilled military man. Of course, after the manner of the Soviet ideology, he places little value on human life."

Then General Eisenhower told me the story of one of the battles in Europe during World War II, when General Eisenhower indicated that before the troops went across a large open space of terrain, mine detectors first went in to remove whatever destructive devices were there, so that a minimum of human life would be required.

When they were discussing the subject, Zhukov simply said, "Human life? What is it? 1,000 lives? 10,000 lives? 100,000 lives? What are they? Nothing."

So we see that in the field of the sanctity and the dignity of human life, we have come a long way. Yes, even in the last 250 years we have come a long way in the field of human liberty.

It was only a few hundred years ago that a man could be put in jail for debt and be kept there until he could find a way to extricate himself from the burden. But that is unknown in the law today; certainly it is unknown in the law of our own country. But there were so many other things which served as restrictions upon liberty. Today we pride ourselves on the fact that our liberties are secure; and the voices of our people are traditionally raised whenever freedom in this country is jeopardized.

We have come a long way in the field of social amelioration. I draw on memory when I think of the wretched, impoverished serfs in the days of the Bourbon kings of France, particularly those peasants who eked out an existence on the soil. More often than not they subsisted on roots and berries. But the imperial majesty lived in pomp and splendor, and had little regard for how his subjects got along.

We need only consider agriculture. It is a far cry from the Bourbon kings to today, when there are farm credits, when there is rural electrification, when there are efforts to sustain the prices of farm products; when the Department of Agriculture is devoted to the business of making farming more efficient, and of finding cures for diseases of livestock and means of controlling pests which plague the farmers' crops. That is a long, long cry from conditions which have existed. Slowly but steadily we have walked up hill into the sunlight for the amelioration of the condition of our farmers and of our industrial workers, as well.

One need only to go back to the industrial revolution in England to get a rather ghastly and tragic understanding of how little value was placed upon human energy and human dignity. I see our distinguished friend from Michigan [Mr. MCNAMARA] sitting here; I am confident he is familiar with that situation. Back in 1788, and around that period, men and women were working in the sweatshops of England for as long as 80 or 90 hours a week. The working day was from sunrise to sunset, 6 days a week. When the workers had 1 day off, they were so exhausted that, more often than not, they could go only to the "pubs" and the other public places and there find what stimulating drink was available in order to drive away their fatigue and exhaustion, and thus carry on a miserable existence under a peculiar system.

To me it was astounding to learn that ministers of the Gospel used to stand in the pulpits on Sunday and say it was ordained that man should work from sunrise to sunset, so that when the day of rest came he would be so exhausted that he could not get into mischief.

But we have come a long way since then. We have today the 40-hour week and overtime; we have industral compensation; we have social security; we have social and factory betterments. And the course is ever upward and onward.

Some force must have been operative at the time to drive mankind upward into a better way of living and a greater dignity.

We have gone further than that in the field of security. How much security was there when Cain, with his bloody hands, listened to the voice from the vaulted spaces and cried out, saying, "Am I my brother's keeper?" There was not any security there.

There was not much security in Salem, Mass., in the days of Cotton Mather. When someone expressed an unorthodox view, the finger of suspicion was put upon him, and he was, more often than not, taken to the stake, tried first as a witch, and then burned. That was a pretty sad blot upon the escutcheon of this great country.

But we have come a long way in the field of security, not only for men, but for mothers and children, and for everybody else in this land.

It is a long cry from the days when there was a high illiteracy rate in the United States. But education became compulsive, and it has made a great contribution to the economy of the country, besides having made constant and steady progress.

Those things we see as we look down the long vista of time and know from whence mankind came in its movement toward a better destiny.

But I would be a little more particular and refer to some of the ghosts which are in the Chamber today, the ghosts of those who served here in the days before. I think, for instance, of Senator Robert Marion La Follette, who graced

this Chamber at the time when a great change was being discussed; namely, the direct election of United States Senators. Before the Constitution was amended, Senators were selected by the legislatures of the State. Senator La Follette made the point that government, in order to be responsive, had to go back to primary sources, and that Senators should be elected by the people, not selected by the legislatures. At that time, two Members of the Senate were the very eloquent George Frisbie Hoar, of Massachusetts, and Senator Foraker, of Ohio. How they thundered and intoned against Senator La Follette. They said the proposal was un-American and alien; and three Republican Senators, to show their contempt and disdain, walked from the Senate Chamber. It was on that occasion that Senator La Follette said, "The seats that are temporarily without an occupant will, one day, be permanently vacant." And they were.

But there had to be some force to carry that movement along against the eloquence of Senators and against the editorials and against all the hue and cry that that proposal was a departure and was not a part of the American system of government.

I think also of the income tax, and when it finally became a part of the Constitution in 1913. I thought of it the other day, as I stood with a young man from home, who was being admitted to the Supreme Court of the United States, because there I could envision—not in that chamber, but in this one—one of the great lawyers of America, Joseph H. Choate, who raised his voice against the income tax, in a case which was presented to the Supreme Court in 1895. That was the first time that I can find when the word "communism" was used in our history; Joseph Choate used it in the argument he made before the Supreme Court in 1895, when he said the income tax is a communistic device. But in due course it was embraced by President Taft, and in due time it was engrossed into the Constitution of the United States, notwithstanding the editorials, notwithstanding the arguments made in the Supreme Court, and notwithstanding the eloquence used both in this body and in the House of Representatives at the time, before the joint resolution was passed, and the proposed constitutional amendment was submitted to the States. What was the force that brought it about? There had to be something to carry it along until it was made a part of the American system.

Sometimes we decry the civil-service system because it denies to us some of the patronage to which we think we are entitled when we are elected. But I think of the civil-service system in terms of its history, when Roscoe Conkling, a distinguished Senator from New York, referred to everyone who was active in the cause of civil service as a carpet knight and as a man milliner. There was a civil-service convention in Chicago in 1880. Seven persons showed up. Then what happened? The assassin's bullet found President Garfield, in 1881; and within the space of 2 years the Pendleton Act was written upon the statute books of the country, and civil service became a reality. We began to go forward. I raise the rhetorical question, Why? What is the force that has carried us along that path, to the point where today civil service is so completely taken for granted?

I think of child labor. To me, it is one of the amazing things that a liberal such as Woodrow Wilson, when the first child-labor bill was introduced—I think it was the Keating-Owen Child Labor Act—said it was obviously absurd. But it remained for the distinguished Senator from Indiana, Albert J. Beveridge, to introduce a child-labor act. Today, not one Member of this body or of the House of Representatives would undertake to remove it from the statute books; instead, all of us would augment it and implement it, so that the trustees of the America of tomorrow may be adequately protected against the abuses of child labor. What is the force in that case? There has to be something that carries these changes along. I think of the editorials which were written and the speeches which were made—so many of them to the effect that the proposed change was an invasion of a property right. But all the speeches in the Senate or in the House of Representatives made no difference; that measure became a part of the law; and today no one would undertake to remove it from the law.

Mr. JOHNSTON of South Carolina. Mr. President——

Mr. DIRKSEN. Mr. President, I prefer not to yield at the moment.

Mr. JOHNSTON of South Carolina. The Senator from Illinois has referred to the civil-service law. I should like to refer to something in the bill, in that connection.

Mr. DIRKSEN. I prefer to have my colleague save his comment for the moment, please, and permit me to continue.

Mr. JOHNSTON of South Carolina. But the civil service is not protected by this bill.

Mr. DIRKSEN. Well, that is another matter. [Laughter.]

Mr. President, I think of the pure-food law. It comes to my mind particularly because of the fact that when I was chairman of a committee in the House of Representatives, a gracious lady used to attend the committee sessions; she was the wife of Dr. Harvey Wiley, who was the chief chemist of the Department of Agriculture; he was there at the time when William McKinley was President of the United States. It was about the time of the beef scandals, as I recall. It was Dr. Harvey Wiley who went to President McKinley and sold the President of the United States on the idea that there had to be a Food and Drug Act upon the statute books, in order to save the lives of the citizenry and protect their health.

Let us read the speeches made at that time on the floor of the United States Senate in connection with the Food and Drug Act. It will astound Senators to find that men who occupied the places which we now occupy would say, "This is an unjustifiable and an indefensible encroachment of the Federal Government upon a private property right." What they were saying was, in effect, that it was good to put sand in sugar, and sell it to consumers; it was good to adulterate food; and the long arm of the Government must not intervene to stop it.

But I was a Member of the other body when the Congress augmented that act to the point where today it is almost as tight as words can make it, and it is very effectively enforced. Why? In the interest of the health and well-being of the men, women, and children who are the citizens of this Republic. Think of all the editorials which were written; think of all the speeches which were made—all in an attempt to stop it. But it was not stopped. A force was operating; it was moving on; it was constantly incubating; it was gathering strength and vitality. Ultimately that force expressed itself.

So, Mr. President, all these measures went upon the statute books of the country.

Let me also refer to women's suffrage; I do so because I think a moral issue is involved. There is not a young lawyer who does not remember his days in law school when there was reference to coverture—at a time when women had no rights; they could not own property; they were almost chattels, for almost all practical purposes. But that did not stop Susan B. Anthony, whose monument stands today in the Capitol Building. That did not stop Mrs. Catt; that did not stop the Pankhursts; that did not stop Amelia Bloomer. They occupied some of the best jails in the country; they undertook to vote when they could, and they were arrested for their pains. But they kept everlastingly at it, until the day came when there was written into the Constitution of the United States the amendment that the right to vote shall not be abridged because of sex.

There has to be a force behind all these developments. I could enumerate a good many more that were so firmly resisted from time to time; but I think the ones I have already enumerated will suffice to indicate, within the confines of this Chamber, the progress which has been made in almost every direction.

What is the force? There has to be a pervading conscience. If I did not believe history was the unfolding of a divine purpose, I would resign at once from the Senate; and that remark is no pleasantry. But I have a deep conviction that the whole unfolding is according to the great design and plan of the Great Architect. That is the way I interpret the history of our times. If that is a firm conviction and conclusion—and it is—then there has to be a great force behind that development.

William James, the philosopher, once used the term "the stubborn and irreducible facts." One can never escape them.

So, Mr. President, regardless of the speeches, what we are dealing with here today, will continue to roll into law, because a moral and ethical consideration is involved; and all the speeches, all the obstruction, all the effort to stop it, will not prevail, because we are dealing with human beings. Though their color is

black, I cannot imagine for a moment that they were not endowed with a spirit and a soul, just as is every other human being under the canopy of God's blue heaven.

So you see, Mr. President, we are dealing with something that is probably a divine force. It is not going to be stopped. It may be stopped now, but it will roll, because we are dealing with people, all the people of this country.

I become a little upset and a little emotional at times, I suppose, about some of the things I see and some of the speeches I read. I picked one up the other day which was printed in the CONGRESSIONAL RECORD. Maybe Senators will want to read it. It is the speech of the Honorable Hugh G. Grant, of Augusta, Ga., formerly United States Minister to Albania and Thailand, and an official of the State Department. If he had not been an official, perhaps this would not be so serious, but he could not become an official unless he held up his hand and took an oath to support the Constitution and the laws of the country. I shall read only a portion of what he said. I do not demean him. It probably is his conviction, but I indicate how far afield we go and how intemperate we can become in considering the problem.

He said:

A war is on in the United States of America, a racial revolution, involving our whole social structure.

A war. Imagine. Then he goes on and says:

Never in all the history of these United States has there been such a widespread and insidious propaganda campaign.

The racial revolutionists propose to achieve their objectives in the United States in practically every phase of human behavior through judicial fiat.

He continues and says:

Federal executive decree, and State legislation. They have stormed the citadel of the Nation's highest Court and have captured the 9 political judges of that heretofore august body.

All the judges are supposed to be political. I do not think it is strange that there have been reflections upon the United States Supreme Court. I may disagree with the Court, but I certainly do not reflect upon their integrity as judges. I say to Senators, such criticism is not anything new. What is happening here today is only a parallel of history, because I read a little something which appeared in the Boston Statesman of June 17, 1837. That is 120 years ago. Here is what that newspaper said:

The judiciary in this country are the most loose, usurping, and irresponsible of any branch of our Government; and any man who resists their encroachments should be looked upon as a public benefactor.

So you see, Mr. President, there have been other generations in the life of this Republic when exceptions have been taken to what the Supreme Court has done; but I find 1 or 2 to embellish the record. This happened in 1894. Articles appeared in the Brooklyn Daily Eagle and the New York World, and they read as follows:

Mr. Justice (blank) sits upon the bench. He will always taint it. Never before in the long and honorable history of the Supreme Court has such a scandal cast its shadow on it.

Then again:

Shall the purity of the judiciary be sacrificed to pay the political debts of the machine bosses?

Then again:

Why must they seek to reward a lawbreaker with the highest judgeship?

So you see, Mr. President, in those days they reflected on the Supreme Court, even as Mr. Grant did. I add one more quotation that appeared in 1907 in the New York Globe:

The President is doing what he can to make over the Supreme Court of the United States. The President would like to see the Supreme Court made up of men who, in a general way, are in line with his policies and in sympathy with them, and insofar as he makes appointments to the Supreme Court he will seek to select judges of this kind.

One cannot find a generation in the history of this country when there have not been attacks upon and criticisms of the Supreme Court; but I doubt very much whether they have gone quite so far as this criticism—I shall not call it an attack—from which I have read. But let me read a few more extracts. This is from the same speech by our former minister, Mr. Grant:

After 4 years of bitter fratricidal strife, constituting the great tragedy of the American scene, the South lay in ruins. • • • Not satisfied with their decisive military victory, the Republican politicians of the North now plotted the destruction of the white civilization of the South. This was to be accomplished through three amendments to the Constitution—the 13th, 14th, and 15th amendments. In the proposed 14th amendment, particularly, were the seeds of destruction.

The speech goes on and on in that fashion. It discusses the matter further.

Speeches of that kind have been made on every occasion in connection with issues which have had a more ethical background, but it did not stop the movement. I say such movements go on and on, even as they have before, and such progress has carried this country to a high state.

Now, the question before us is one of recognizing the United States citizenship of all the people of this country and protecting their rights under the Constitution of the United States.

I was somewhat distressed when it was intimated the other day that the bill which was before the Senate was cunningly contrived, that it was deliberate, that it was a design, that it was meant to force the commingling of schoolchildren in the South. I got no such idea about this bill. My name is on it. I have labored with it for a long time. I never had that in mind. None of the sponsors did. Certainly I do not have it in mind now. But that issue has been raised.

Let us go back to the bill and the question of civil rights and see where we are. When the 13th amendment was adopted and struck away slavery, the Supreme Court itself said, after surveying the scene, that it was not enough. Then came the 14th amendment. That conferred dual citizenship, and we so often forget it. The 14th amendment states that native-born and naturalized citizens of this country are citizens of the United States and the State where they reside. They have a twofold citizenship. What the Congress deals with is the capacity of a citizen as a citizen of the United States under the Constitution. Of course, that is the question which is before us.

The 15th amendment, of course, simply provided that the right of a United States citizen to vote shall not be abridged either by the United States or by any State, and in accordance with its terms, the Supreme Court struck down the grandfather clauses which were used at one time and another to prevent people from voting. There was one in the State of Maryland. I think the law read that if a person's grandfather or great grandfather could vote before 1868, then such a person could vote. How many citizens would be able to vote in that generation when such a law was in effect in the State of Maryland?

But all those impediments were brushed aside little by little, in order to make sure that the rights of a citizen of the United States, regardless of his color, merited and should have the protection of the force and of the sovereignty of the United States Government.

The progress in this field has been pretty slow—very slow, indeed. Sometimes I wonder whether or not we should confess our shame. I have traveled around the world 4 or 5 times, and I have seen some of the young men of color die. When I was a soldier, in World War I, I saw some of them die on the western front. Our colored citizens pay their taxes. Now, are we going to take their lives and their taxes, and not return something by way of protection, by way of safeguarding their rights under the Constitution of the United States, which is the supreme law?

That is not the attitude which the President of the United States took, and I know something about his attitude. In fact, I know a good deal about his attitude, because I was the chairman of the Subcommittee on Civil Rights at the Republican National Convention in San Francisco last year. I had some drafts of my own. They were a good deal stronger than the language we finally wrote into the platform; but it was the tempering effect of the President of the United States that finally accounted for the language we wrote into the platform and on which we went to the people of the United States, and said, "Here is our platform on the civil-rights issue, and we mean to carry it out if we can."

What did we say? It will bear reading into the RECORD today, and I shall read it slowly:

The Republican Party points to an impressive record of accomplishment in the field of civil rights and commits itself anew to advancing the rights of all our people, regardless of race, creed, color, or national origin.

We said "all our people," where civil rights were involved. Parenthetically, let me say that I do not believe one has to live in a Southern State in order to appreciate this problem. I am frank to say that, with the possible exception of the State of Georgia, and it may be of

New York, I believe there are more citizens of color in the State of Illinois than there are in any other State of the Union.

We probably have twice as many Negroes in Illinois as there are in the State of Arkansas, more than there are in Mississippi, and more than there are in Louisiana, if the most current figures are correct, because there are in the neighborhood of 1.2 million Negroes in the State of Illinois.

Now, do Senators not think that one gets some appreciation of this problem in a State like that, without having to live in a Southern State? I think I appreciate this problem and bring to it that degree of sympathy which is necessary in connection with whatever peculiar problem there may be in other States.

But let me continue reading the civil-rights platform:

In the area of exclusive Federal jurisdiction, more progress has been made in this field under the present Republican administration than in any similar period in the last 80 years.

The many Negroes who have been appointed to high public positions have played a significant part in the progress of this administration.

Segregation has been ended in the District of Columbia government and in the District public facilities, including public schools, restaurants, theaters, and playgrounds. The Eisenhower administration has eliminated discrimination in all Federal employment.

Great progress has been made in eliminating employment discrimination on the part of those who do business with the Federal Government and secure Federal contracts. This administration has impartially enforced Federal civil-rights statutes, and we pledge that we will continue to do so. We support the enactment of the civil-rights program already presented by the President to the 2d session of the 84th Congress.

Which was substantially the proposal that is presently before us.

The regulatory agencies under this administration have moved vigorously to end discrimination in interstate commerce. Segregation in the active Armed Forces of the United States has been ended. For the first time in our history there is no segregation in veterans' hospitals and among civilians on naval bases. This is an impressive record. We pledge ourselves to continued progress in this field.

The Republican Party has unequivocally recognized that the supreme law of the land is embodied in the Constitution, which guarantees to all people the blessings of liberty, due process, and equal protection of the laws. It confers upon all native-born and naturalized citizens not only citizenship in the State where the individual resides but citizenship of the United States as well. This is an unqualified right, regardless of race, creed, or color.

The Republican Party accepts the decision of the United States Supreme Court that racial discrimination in publicly supported schools must be progressively eliminated. We concur in the conclusion of the Supreme Court that its decision directing school desegregation should be accomplished with "all deliberate speed" locally through Federal district courts. The implementation order of the Supreme Court recognizes the complex and acutely emotional problems created by its decision in certain sections of our country where racial patterns have been developed in accordance with prior and long-standing decisions of the same tribunal.

We believe that true progress can be attained through intelligent study, understanding, education, and good will.

I ask Senators to listen to this language:

Use of force or violence by any group or agency will tend only to worsen the many problems inherent in the situation. This progress must be encouraged and the work of the courts supported in every legal manner by all branches of the Federal Government to the end that the constitutional ideal of equality before the law, regardless of race, creed, or color, will be steadily achieved.

Do Senators find anything there about bayonets? Do Senators find anything there about troops? Do Senators find anything there about force? Do Senators find anything there about a sumptuary effort on the part of the Attorney General or about the executive branch being arbitrary and capricious?

Mr. ERVIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. THURMOND in the chair). Does the Senator from Illinois yield to the Senator from North Carolina?

Mr. DIRKSEN. I would rather continue, if the Senator does not mind.

There is nothing there about force. There is nothing there about compulsion. We talk about good will and understanding, and carrying out our pledge on civil rights in that spirit.

I repeat:

Use of force or violence by any group or agency will tend only to worsen the many problems inherent in the situation.

That was the attitude of the President. That was the attitude of the Republican Party. I had something to do with the fashioning of that language, and I stand on it today, because I think in the spirit and in the context of that pledge to the American people we can go forward, and we should do so.

That civil-rights platform represents a commitment. I think we ought to carry out that commitment if we reasonably can, and that commitment is before us today in the form of the bill to consider which a motion has been made. I sincerely hope that the motion will be adopted at an early date, and that this bill will be made the order of business, so we can go ahead to discuss its merits.

I do not wish to be in the unhappy and awkward position of contributing to what might be styled a filibuster, although it really is not, but I think there are some things about the bill that ought to be discussed. I doubt whether I can get to part III, which seems to be the highly controversial section, today, but I want the record of this body to show that somebody lifted his voice with respect to this measure, so I wish at least to cover parts I, II, and IV, and probably, at a later period when the bill is before us, I shall go into part III.

Let us look at part I for a moment. It provides for a bipartisan commission to make an investigation in this field. Think of the things we have been investigating. The number is legion. In the last Congress, the 84th Congress, the Senate spent $4,400,000 on investigations, and there has been authorized in this session of the 85th Congress $2,900,000 for investigations. Nothing is sacred from the investigatory touch. We have investigated labor and labor racketeering. We are in the process of investigating business, and the concentration of industry. We are in the process of investigating monopoly. We are in the process of investigating mergers. We investigate un-American activities, to determine whether someone has departed from what we think is an adequate patriotic standard.

We have been investigating disarmament, and perhaps the television networks. We have been investigating foreign refugees. We have been investigating crimes. We have been investigating juvenile delinquency. We have been investigating nuclear energy. We have been investigating prices and rates. We investigate campaign spending.

Considering all the money we have expended for every investigatory purpose under the sun, is there any reason to suggest that we are going afield when we seek to establish a bipartisan commission, the members of which must be confirmed by this body, in order to investigate in this field?

What are the limits of the investigation? I shall not detail them too precisely, but, in general, they include allegations of the deprivation of the right to vote by American citizens who are given that right by the 15th amendment; the question of denial of equal protection of the laws under the Constitution; and the laws and policies relating to equal protection of the laws. Is it so heinous that we should investigate those things? The rights of citizens of the United States are involved. They are the peculiar domain of the Government of the United States; for if the sovereign Federal Government does not look after their interests and protect their rights, who will do it?

I think the House, in eliminating some of the phrases and delimiting the powers of the proposed commission, was probably on good ground. So what objection can there be to a bipartisan commission, with Senate confirmation of its members, making an adequate investigation in this field?

Second, the bill provides for an Assistant Attorney General. It does not designate his functions, because the practice has been, when we provide for an Assistant or Deputy Attorney General, to leave the assignment and the designation to the Attorney General himself.

At present there are six Assistant Attorneys General. One presides over the Tax Division. One presides over the Antitrust Division. One presides over the Lands Division. One presides over the Criminal Division. One presides over the Internal Security Division, and one presides over the Civil Division. However, civil rights come under the Criminal Division today. That is an improper place to put them. That division has a great deal of work to do. It deals with the Fair Labor Standards Act, and a great many other subjects. It seems to me most appropriate, because of the expansion of this domain, that there should be an additional Assistant Attorney General, and that the Attorney General himself, by administrative fiat, should designate a Civil Rights Division in the Department of Justice, to give

dignity to the work and to recognize its importance.

Is there any opposition to it? Can there by any exception to it? I doubt it very much. I have heard very little said on the floor in opposition to these two proposals.

Now we come to part 4, relating to the subject of securing and protecting the right to vote. When all is said and done, I suppose that is the very cornerstone of our country. This is a representative Government, and it is based, of course, upon the selection of people to operate the Government in the executive and legislative branches by the franchise and the suffrage of the people. If that right cannot be exercised, if it cannot be properly or honestly gained, the result makes a mockery of the very principle of representative government itself.

We have statutes on the books relating to denial of the right to vote under color of State law. I refer to title 42, sections 1971 and 1983. Those statutes give the right to sue for damages and for preventive relief.

Title 18 provides for dealing with private interference with the right to vote. That subject is covered in sections 241 and 594. There can be criminal prosecutions under those sections.

There are statutes covering deprivation of rights under color of law, because of race, religion, color, or national origin. Prosecutions would lie under the provisions of section 242, title 18.

The weakness, as the Attorney General pointed out, is that so often a criminal prosecution will touch a very respectable citizen in the community. The more important aspect of the question is that if we wait until the right is denied, and undertake to act after the fact, we cannot restore the right to the citizen who is aggrieved. We must then proceed with a criminal charge.

The hope of the President and of the Attorney General was to have the Congress grant the President augmented civil power, so that denial of the right could be prevented in the first instance, and a criminal prosecution would not be necessary.

It may be said that there is no denial of the right to vote. I think it would be appropriate at this time to refer to the testimony of the Attorney General on this question. It begins on page 3 of the hearings before the Senate committee. He said:

> First, let me refer to the situation which developed last year in Ouachita Parish, La.
>
> In March 1956, certain members and officers of the Citizens Council of Ouachita Parish commenced an examination of the register of the voters of Ouachita Parish. Thereafter, they filed approximately 3,420 documents purporting to be affidavits but which were not sworn to before either the registrar or deputy registrar, as required by law.

The committee counsel, Mr. Slayman, then asked:

> Mr. SLAYMAN. Excuse me, Mr. Attorney General, how many of those were there?
>
> Mr. BROWNELL. Three thousand four hundred and twenty.
>
> Mr. SLAYMAN. Three thousand?
>
> Mr. BROWNELL. Three thousand four hundred and twenty.
>
> Mr. SLAYMAN. Thank you.
>
> Mr. BROWNELL. In each purported affidavit it was alleged that the affiant had examined the records on file with the registrar, that the registrant named therein was believed to be illegally registered and that the purported affidavit was made for the purpose of challenging the registrant's right to remain on the roll of registered voters.
>
> Such affidavits were filed challenging every one of the 2,389 Negro voters in ward 10. None of the 4,054 white voters in that ward were challenged.
>
> Senator HENNINGS. General, in what part of the State is that parish?
>
> Mr. BROWNELL. Near Monroe, La.
>
> Senator HENNINGS. Near Monroe?
>
> Mr. BROWNELL. Yes.
>
> With respect to another ward, ward 3, such affidavits were filed challenging 1,008 of the 1,523 Negro voters.
>
> Only 23 of the white voters in ward 3 were challenged. The registrar accepted their affidavits even though she knew that each affiant had not examined the registration cards of each registered voter he was challenging.

Is it fair? I do not know. The Attorney General was investigating, through his staff, to determine whether the voting right had been denied.

> The registrar accepted their affidavits even though she knew that each affiant had not examined the registration cards of each registered voter he was challenging.

Never even examined the card, but challenged them notwithstanding.

> On the basis of these affidavits, citations were mailed out in large groups requiring the challenged voters to appear within 10 days to prove their qualifications. Registrants of the Negro race responded to these citations in large numbers. During the months of April and May large lines of Negro registrants seeking to prove their qualifications formed before the registrar's office, starting as early as 5 a. m.
>
> The registrar and her deputy refused to hear offers of proof of qualifications on behalf of any more than 50 challenged registrants per day. Consequently, most of the Negro registrants were turned away from the registrar's office and were denied any opportunity to establish their proper registration.

Is that fair?

> Thereafter, the registrar struck the names of such registrants from the rolls. With respect to those registrants who were lucky enough to gain admission to the registrar's office, the registrar imposed requirements in connection with meeting the challenge which were in violation of Louisiana law.
>
> The registrar refused to accept as witnesses, on behalf of challenged voters, registered voters of the parish who resided in a precinct other than the challenged voter or who had themselves been challenged or had already acted as witnesses for any other challenged voter.
>
> By these means the number of registered Negro voters in Ouachita Parish was reduced by October 6, 1956, from approximately 4,000 to 694.

They are citizens of the United States. They may also be citizens of Louisiana, and doubtless they are, but they are citizens of the United States. If I were running for the United States Senate there, I would want their votes cast and counted, because we owe it to them as citizens of the United States. If a similar situation were to prevail in the State of Illinois, I would raise my voice to high heaven, whether the voters were white or black or any other color, so long as they were citizens of the United States; and if the Federal Government refused to look after their interests and asked them only to die on the battlefield and to pay their taxes, but would not permit them to participate in our representative form of Government, then we would have come to a pretty pass indeed. That is all we seek to prevent by the voting section of the bill.

A great deal of noise has been made about jury trials. What we are proposing to do is to give to the Attorney General a civil preventive authority so that it will not be necessary to resort to criminal action.

I listened to the Senator from Alabama [Mr. SPARKMAN] with a great deal of interest. I got to wondering what the situation was in the States with respect to jury trials in contempt proceedings. The Library of Congress has prepared a tremendous document on the subject, and I should like to read from page 5 on the subject of jury trials. This has been compiled by the Law Section of the Library of Congress. It reads:

> Only a few States specifically grant the defendant a right to a jury trial in contempt proceedings, even if they be proceedings in criminal contempt.

That is the law. I did not get that up. It was gotten up by the Law Section of the Library of Congress, for which we appropriate millions of dollars every year to do research for Congress. The report lists a half dozen States, with certain qualifications. I reemphasize what the law is:

> Only a few States specifically grant the defendant a right to a jury trial in contempt proceedings, even if they be proceedings in criminal contempt.

It may be that others have a better answer—I do not know—but at least that comes from a pretty good source, and that is a very well documented report.

What we are asking for is authority in the hands of the Attorney General of the United States to exercise some civil authority, as a preventive measure in a case of voting, before the milk has been spilled and the election day has gone by. Otherwise, nothing can be done, and we must content ourselves with some kind of criminal action. It is very much better not to have to appear against respected citizens in various States, but, rather, to use the contempt remedy when it is available in civil proceedings, so that the intimidation and the coercion and the obstruction and the hinderance can be prevented; and nobody will get hurt in that kind of proceeding.

A bipartisan commission would be established. Since we have investigated nearly everything under the sun, it appears to me that this is an appropriate field in which a bipartisan commission, with its members confirmed by the Senate, can very properly make a limited investigation—and it is limited—in the interest of our whole economy.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. DIRKSEN. Will the Senator bear with me a little while longer? I shall not be too long.

Next, there would be provided an additional Assistant Attorney General. Then there would be safeguarded the right to vote. I had not planned to move into that chapter, particularly, and I shall not cover it in its entirety. However, there are some things that must be repeated, and I might as well do it now as at any other time. This relates to a question that has been discussed at the luncheon table, in the cloakrooms, and on the floor of the Senate. I know it is in the minds of all the Members of the Senate. I wish to be scrupulously fair about it. I refer to the question of the civil-rights bill and segregation in the field of education.

The charge that the major purpose of the civil-rights bill is to enable the Attorney General to force desegregation in the public schools in the South is simply without foundation. The position of the administration on this issue was made clear by the Attorney General himself when he appeared before the Subcommittee on Constitutional Rights of the Committee on the Judiciary. This is what he said:

> As you all know, the Supreme Court recognized the many difficulties involved in making the transition from segregated to nonsegregated education. The Court said that "school authorities have primary responsibility of elucidating, assessing, and solving these problems; courts will have to consider whether the action of school authorities constitutes good-faith implementation of the governing constitutional principles."

That is from the Supreme Court's decision in the school cases. The Attorney General continued:

> Civil suits brought by private individuals are bringing the school situation before Federal courts in increasing numbers. Because of the discretion vested in the district court in solving these questions, the Department has not become aware of any case in which the exercise of its existing criminal jurisdiction is warranted.
>
> For similar reasons we should not expect often to be faced with the necessity of taking affirmative action in civil suits were the legislation now advocated by us enacted by Congress.

The Attorney General stated, however, that there was a role for the Federal Government to play in the school segregation situation. In the first place, he stated that the Department of Justice would be prepared to institute civil suits under this legislation for the purpose of preventing individuals from interfering with voluntary attempts by school boards and other local officials to comply with the Supreme Court decision to abolish enforced segregation.

Under title 42, United States Code, section 1985, as amended by part III of the bill, the Attorney General would have the authority to sue for preventive relief when it could be shown that there was a conspiracy "for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws."

This is what the Attorney General said further on the subject—and this is the crux of it:

> There is, however, one type of situation in which these civil remedies might be useful in the school segregation area, illustrated perhaps by a case that arose in Hoxie, Ark.
>
> There, you will remember that the school board, in compliance with the United States Supreme Court ruling and without waiting for a lawsuit to be brought to compel them to do so, went ahead and desegregated the school. They were proceeding peacefully with an unsegregated school, as is the case of course, in overwhelming areas of our country. Then outside individuals came in, as the record shows, threatened the superintendent and the members of the school board with violence, and threatened some of the parents with violence, in case the unsegregated school proceeded.

That raises a very interesting question. The school board and the superintendent of schools in Hoxie, Ark., said, in effect, "The high tribunal of the country has spoken. It is our duty to comply with the ruling." So without any nudging, without any inspiring from anybody else, they proceeded to desegregate the schools. They went along and paid attention to their own business.

What happened? Outsiders came in and threatened them. What shall we do when a local school agency undertakes to comply with the mandate of the highest court in the land? When the Supreme Court spoke, its decision became the law of the land, because it was an interpretation of a clause in the 14th amendment, which can be undone only if Congress undertakes to amend the Constitution of the United States and such amendment is ratified.

Shall we say to the superintendent of schools and the school board, "Well, we are sorry, but we must leave you to your devices. Work it out as best you can"?

Does the Supreme Court have a weapon with which to enforce the law? It has no weapon. In the separation of powers and in the structural setup of our Government, this body, together with its coordinate body at the other end of the Capitol, got the purse, because not a dollar can be taken out of the Federal Treasury except in pursuance of an appropriation made by law. So Congress got the purse.

The President of the United States got the sword, because the Constitution makes him the Commander in Chief of the military and naval forces of the country.

The Supreme Court of the United States, the third branch of our Government, got no weapon. It depends either upon moral persuasion or upon the executive branch and the law-enforcing authorities in order to carry out its mandates. I think the Supreme Court has done superb work. They have been inhibited and restrained, and have not undertaken at any time in sumptuary fashion to disturb the existing order; they have not undertaken to ram anything down the throat of any section of the country.

But when a peaceful situation arises in a town like Hoxie, what do we do? Do we say, "There must be words that can be contrived to be put upon the statute books, and there must be power to which we can resort"? There must be something we can do; there must be an authority we can create, in order to hold up their hands and to tell them to carry out the mandate of the Court; and we must make certain that they are not molested in so doing.

Is that too much to ask?

Mr. LONG. Mr. President, will the Senator yield?

Mr. DIRKSEN. I was trying to complete my remarks without interruption.

Mr. President, I wish to continue with the memorandum on the Hoxie school case. The Attorney General continued:

> In that case the school superintendent and the members of the board filed a suit in the Federal district court seeking to restrain the defendants from interfering with the operation of the school in the district on an unsegregated basis.
>
> An injunction was issued and on the appeal the Department of Justice came in as a friend of the court and filed a brief in support of the plaintiffs. The court of appeals upheld the district court and the school is now back on an unsegregated basis with everything proceeding peacefully.

The Attorney General continued:

> The school board in the Hoxie case was courageous and forthright in taking the case into court. It may well develop other situations in which, after voluntary desegregation, the pressures placed upon the local school authorities are so great as to prevent their taking the initiative in instituting the legal action.
>
> In this type of situation the Department under this legislation would be authorized to take the initiative in filing a suit for an injunction against any individuals seeking to interfere with the school authorities in their attempt to comply with the ruling of the Supreme Court.

What is wrong with that? Children are involved. A Supreme Court decree is involved. Do we leave them helpless, if they get no support or attention from State authorities? They are citizens of the United States. Do we abandon them? I cannot imagine it, under the 14th amendment, which provides that all these people, born and naturalized and subject to the jurisdiction of the country, are citizens of the State in which they reside and citizens of the United States of America. They deserve the protection of the Federal Government.

Once there was a theory—before it was struck down by the Supreme Court—that the only way a citizen could contact the Federal Government was through the intermediary of a State. But when, by the 14th amendment, he was made a citizen of the United States, he could hold up his head in the sunlight and could say, "I do not care what inhibitions there are. I have a direct contact with my government, as a citizen of the United States."

Mr. President, before I conclude, I wish to refer to the question of the use of troops. I can well understand how disconcerting that can be and how emotional we can become about it; and I think I understand the reasoning by means of which that conclusion was

reached and was stated on the floor of the Senate.

First of all, part III of the bill is in the form of an amendment to title 42, United States Code, section 1985. In the same title of the code, in section 1993, the following language appears:

> It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under sections 1981–1983 or 1985–1992 of this title—

Then there is a little word, but an important one—the word "or"; because then we find the following:

> Or as shall be necessary to prevent the violation and enforce the due execution of the provisions of sections 1981–1983 and 1985–1994 of this title.

Part III of the bill is an amendment to section 1985; and the idea of the amendment was to use section 1993, which would make the military available for the enforcement of certain rights. But I think that thesis is completely without foundation.

Of course, it was asserted that that was drafted pretty much by design; that there was something deliberate about it, for the purpose of moving into the desegregation picture. As a matter of fact, there would be no need for it, because section 1993 of title 42 of the United States Code, as it now stands, gives the President ultimate authority to employ the land and naval forces to aid in the enforcement of desegregation decrees issued by Federal courts in any private suits which might be instituted under authority of that title of the code, and for the further purpose of desegregating the public schools.

But entirely apart from the sections being dealt with in the bill, the President may, under laws which were reenacted by Congress as late as last year, and which have been enacted and codified and recodified, going back to 1795, exercise that sort of power.

This is what the Congress provided in 1795:

> That whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any State, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by this act, it shall be lawful for the President of the United States to call forth the militia of such State or of any other State or States, as may be necessary to suppress such combinations, and to cause the laws to be duly executed; and the use of militia so to be called forth may be continued, if necessary, until the expiration of 30 days after the commencement of the then next session of Congress.

That was in 1795, when a certain limited power was conferred upon the President. That was recodified and expanded, so as to authorize the use of the land and naval forces; that was done back in 1861, and it will be found in 12 United States Statutes 281. This statute has existed in substantially the same form since that time. It was first recodified in the 50th title of the United States Code, section 202, and was last reenacted by Congress in 1956.

Now let me read from the revised Armed Forces Act, which will be title 10 of the new code, when it comes out. This is section 332; and, as I recall, the Congress finished action on it in July of last year, and I believe it became effective in January of this year. It reads as follows:

> Whenever the President considers that unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impracticable to enforce the laws of the United States in any State or Territory by the ordinary course of judicial proceedings, he may call into Federal service such of the militia of any State, and use such of the Armed Forces, as he considers necessary to enforce those laws or to suppress the rebellion.

That is in effect now; that was done last year. Incidentally, that bill came out of the Armed Services Committee of the United States Senate.

But let us go a little further.

In 1871, Congress gave to the President even broader authority to use the land and naval forces to enforce the Federal laws and, in particular, to enforce the 14th amendment. In that connection, let us refer to 17 statutes 14. The statute was first codified as title 50, United States Code, section 203, and was last readopted by Congress in 1956, as section 333 of the new title 10 of the United States Code. It is the law today, and it has been the law.

Mr. WILEY. When did it become effective?

Mr. DIRKSEN. The Congress passed it last year, and it became effective in January 1957. It reads as follows:

> The President, by using the militia or the Armed Forces, or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it—
>
> (1) So hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection; or
>
> (2) Opposes or obstructs the execution of the laws of the United States or impedes the course of justice under these laws.
>
> In any situation covered by clause (1), the State shall be considered to have denied the equal protection of the laws secured by the Constitution.

That is the law; the Congress enacted it very recently; it was less than a year ago that Congress passed on it and made it the law of the land; and it is the law today, and confers that authority upon the President of the United States.

It should also be noted that all the aforementioned statutes vest in the President, not in the Attorney General, the authority to use the troops. I think there has been some talk to the effect that the Attorney General might use the troops. However, there is in the code a section—title 18, United States Code, section 1385—which would make it a crime for anyone not specifically authorized to use the military forces, to do so. That section reads as follows:

> Whoever, except in cases and under circumstances expressly authorized by the Constitution or act of Congress, willfully uses any part of the Army or the Air Force as a posse comitatus or otherwise to execute the laws shall be fined not more than $10,000 or imprisoned not more than 2 years, or both. This section does not apply in Alaska.

But how could the Attorney General use troops, if anybody has the idea that he ever meant to do so? So far as the residual authority of the President is concerned, it goes back to 1795. It is for all broad purposes, and it has been carried forward, readopted, readapted, recodified, and, no later than last year, was made a part of the statutes of the country.

One last word should be said about the question of the use of troops. The ultimate authority to use military force to enforce Federal law whenever the normal judicial processes are insufficient has been vested in the President since 1795. Aside from the periods of actual civil war, Presidents have not found it necessary to resort to military force to enforce Federal law. There is no reason for assuming that it will be necessary to do so even to enforce Federal law in the civil-rights field. Respect for law is firmly ingrained in our people, and adequate power is now vested in the Federal courts to enforce decrees issued by them. To suggest that military force will be necessary to enforce civil-rights decrees is to suggest that there are areas in our country where the local citizens would be willing again to resort to civil war as a means of avoiding the impact of Federal law. We cannot believe that this is true. It is simply not imaginable.

That is the story. I know there is much more to be said. I shall probably again address myself to part 3 of the bill. I did want the RECORD to show what is involved in a broad way. Then, I wanted to show what my own conviction was—that we are laboring today with a great force that has had a sort of spiritual effect upon the unfolding of all history.

Go back 200 years and see where man was educationally, economically, socially, agriculturally, and politically. See what the rights of man were then. See what the restrictions were. Assess and praise and spell out the rather difficult and tortuous road that has been traveled over the last two centuries. Always the course has been upward and onward to something better, finer, and nobler.

So I simply say if we do not prevail in safeguarding and protecting the rights of citizens of the United States as defined and safeguarded by the Constitution of the United States, there will be another day, there will be another time, and there will be another generation that will be responsive to this irrepressible and irresistible force and get the job done, if we should fail.

I can understand the abiding interest of the President of the United States in this matter, and how anxious he is that the Congress do something on this score during the present session. The least I can do is lift my voice and to help him as best I can to get this job done in whole or in part.

Mr. THYE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. THYE. I wish to commend the distinguished Senator from Illinois for his most impressive, intelligent, and informative statement. As I have listened to him, his statement has been a great enlightenment to me, and I know it will be to all those who read the RECORD.

Mr. DIRKSEN. I thank my friend from Minnesota.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. POTTER. I, too, wish to commend the Senator from Illinois for an outstanding presentation of this very delicate and complex subject. I should like to ask the distinguished Senator a question. Does he think that when Negro citizens in some cases are denied the right to vote, they should still be subject to selective service? Men are drafted irrespective of color. Nevertheless, some of them are denied the right to vote. When a criminal is sentenced to prison, although he loses his right to vote, he is not subjected to being drafted under selective service. While certain citizens are denied the right to vote in certain areas, at the same time we reach out and grab them for selective service, which I think is grossly unfair.

Mr. DIRKSEN. I thoroughly agree with the statement of the Senator from Michigan. I am always a little distressed about using words that seem rather sumptuary in meaning when we say we deny them the right to vote. Perhaps we had better put it on another ground and say it is made extremely difficult for them to vote, but the Senator is eminently correct.

Mr. POTTER. If the Senator will yield further, many of us served in the Armed Forces with Negro citizens during the war. I know the outstanding service they performed. There was certainly no discrimination at that time as to the missions to which they were assigned. To me the proposed civil-rights legislation, which would guarantee such citizens the right to vote, which right other citizens have, is long overdue, when we consider the fact that such citizens have to serve in time of war and pay taxes on the same tax structure on which other citizens pay taxes. Certainly the voting privilege should be extended equally to those citizens.

Mr. DIRKSEN. That is a part of the fabric of equality, and it will not be denied.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. CASE of New Jersey. Mr. President, I wish to join my colleagues in expressing my appreciation to the Senator from Illinois for speaking as he has this afternoon. As I think almost everyone knows, it had not been the intention of those of us who believe in this proposed legislation to participate in the discussion of the pending motion or to engage in extended debate upon the merits of the legislation. Yet, because of the debate by those in opposition to the bill has been on its merits, it has seemed to me, as it has to the Senator from Illinois, that, at least in the beginning, this discussion by the proponents of the bill was very much in order. The fact that there has not been more of it on our side is due solely to the reason I have set forth. I am sure the overwhelming majority of the Members of this body, as well as of the other body of Congress, feel as the Senator does.

I want to make one special point in relation to the remarks of the Senator from Illinois, particularly the concluding portion of his remarks. Contrary to the impression which has perhaps been created by those in opposition to the proposed legislation, that there was some kind of harm intended to American citizens by those who support the bill, and an intent to oppress them, the real situation is that we are attempting, in all humility and with no sense of superiority on our part, but in a desire to be helpful, to make it possible for millions of citizens who for so long have been held in an inferior status to begin to be full-fledged citizens and Americans. What we are talking about is an effort to stop certain persons from preventing those citizens from exercising their rights as Americans.

I wish to thank the Senator from Illinois for pointing out that it is a part of the long process of history, by which we have progressed from intolerable conditions, so far as humanity is concerned, to conditions somewhat more tolerable, and that it is time for us to take a step to remove this stain upon the escutcheon of our country.

I particularly desire to thank the Senator for making it possible for those in favor of this proposed legislation to introduce into the RECORD some of the reasons why we feel so deeply about it.

Mr. DIRKSEN. I am grateful to the distinguished Senator from New Jersey. Actually, I had no particular desire to intrude myself into the discussion of the bill, when we are dealing with the motion which is before the Senate, but rather than have someone misinterpret the attitude of Senators on this side of the aisle, I thought something ought to be said. Obviously, one does have to move into some of the merits of the bill and what it proposes to do in order to make a fair record that can be conveyed to the country.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the distinguished Senator from California.

Mr. KUCHEL. Mr. President, I wish to say that the distinguished Senator from Illinois [Mr. DIRKSEN] has performed an excellent and invaluable service here today in the powerful and persuasive address which he has just concluded.

I am delighted to associate myself with the other Senators who have saluted the efforts of the Senator from Illinois on this occasion.

I wish to ask the Senator from Illinois, Is it not true that basically what is sought to be achieved by those of us who have lent our names to similar legislation in the Senate, and, indeed, what is sought to be achieved by the President of the United States, is to give the adult American citizen, every American citizen wherever he may live in this country, the right to exercise his franchise and to vote?

Mr. DIRKSEN. Indeed so.

Mr. KUCHEL. Is it not true that the American constitutional guaranty of a right to vote is worth very little, if indeed it is worth anything at all, except on the day of election?

Mr. DIRKSEN. Yes; and the ballot must be counted on the day of election, also.

Mr. KUCHEL. Indeed, or otherwise it loses its value entirely. On election day the right to vote is the most precious right, under our Constitution, of Americans.

In that connection, Mr. President, I desire to ask the Senator from Illinois if he recalls, as I am sure he does, that portion of the letter which the Attorney General of the United States addressed to the Senator from New Jersey and to me a number of weeks ago, when he said in part:

> There are valid reasons for the ever-increasing use of civil suits for preventive relief as a means of enforcing Federal law. Judicial determination of the validity of a course of conduct in advance aids the Government in its primary purpose of preventing violation of law. It also aids the defendant since he can litigate the legality of his proposed conduct without the necessity of taking action at the risk of a criminal conviction if he guesses incorrectly.

Does the Senator not agree with that comment by the Attorney General?

Mr. DIRKSEN. Yes, and that is precisely the point the Attorney General emphasized at the very outset when he came before the committee to testify.

Mr. KUCHEL. I thank the Senator very much.

Mr. DIRKSEN. So he reemphasized the true situation.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. DIRKSEN. Mr. President, I yield with the greatest pleasure, delight, and relish to my old friend, the Senator from North Dakota, whom we are all glad to welcome back to the floor of the Senate.

Mr. LANGER. I merely want to make an observation and to ask a question.

Is it not true that the Republican Party is the party which has taken care of second-class citizens and has made them first-class citizens during all the years? Is it not true that the Indians all over the country were second-class citizens, until they were granted the right to vote under Calvin Coolidge, in 1924, when we passed the legislation in Congress providing that the Indians, no matter from what State, would have the right to vote?

Mr. DIRKSEN. Mr. President, I could make a most emphatic nonpartisan political answer to my distinguished friend, the Senator from North Dakota, except that I do not wish to inject any kind of partisanship into the discussion, because what we are dealing

with here is so important and so far transcends all partisanship and personal feelings that I do not want to have the issue clouded. But I can tell my distinguished friend, privately, how I feel.

Mr. LANGER. I should like to add that in the Northwest, in Montana, South Dakota, and North Dakota, and other Western States, we are very proud that the Indians have the right to vote. I agree with the Senator that this discussion should be entirely nonpartisan.

Mr. DIRKSEN. Of course my distinguished friend, the Senator from North Dakota, was a tower of strength in achieving that result.

Mr. LANGER. I helped a little.

Mr. DIRKSEN. Indeed, sir.

Mr. LANGER. I wish to associate myself with the very fine remarks which the Senator from Illinois has made this afternoon.

Mr. DIRKSEN. I am deeply grateful.

Mr. ERVIN rose.

Mr. DIRKSEN. I now yield to my very distinguished friend, the Senator from North Carolina.

Mr. ERVIN. I should like the very able and distinguished Senator from Illinois to tell me whether or not I misconstrued his remarks when I came to the conclusion that he admitted that if this bill were passed the President, under section 1993 of title 42 of the United States Code, could call out the Army, the Navy, or the militia to enforce the decrees which could be entered in the suits under title 42, section 1985, to be brought by the Attorney General.

Mr. DIRKSEN. Mr. President, what I said was that the President does not have to depend upon section 1993. He can go to the Revised Armed Forces Act, completed in August of last year, effective January 1, 1957, from which I read excerpts to show the power of the President.

Mr. ERVIN. The Senator from Illinois read excerpts from other statutes which I construe to be implementations of the constitutional provision that the President can send troops into States in case the States are in insurrection.

Let me ask the Senator this question——

Mr. DIRKSEN. Of course, before we get away from that point, that certainly is not my interpretation of the language which I have read into the RECORD this afternoon, language that goes back to 1795 and continues up to what will be title 10 of the new United States Code.

Mr. ERVIN. Under section 1993 of title 42 the President can call out the militia of the State.

Mr. DIRKSEN. Yes.

Mr. ERVIN. I ask the Senator if under section 1993, title 42, of the United States Code, the President cannot call out the Army, the Navy, or the militia merely to enforce a judgment.

Mr. DIRKSEN. Mr. President, if the President can call cut the troops under a half dozen different provisions in the statutes, what difference does it make whether it is section 1993 of title 42 or section 333 of title 10 of the new code? It makes no difference.

Mr. ERVIN. I submit that under the other statutes the situation has to be in a much more drastic condition. It practically must amount to an insurrection. In this instance the President can call the troops out to enforce the judgment in a case.

Mr. DIRKSEN. Not as I read the language of the statute.

Mr. ERVIN. May I invite the Senator's attention to section 1993 of title 42. Let me ask the distinguished Senator from Illinois this question: If we were to pass this bill and authorize the Attorney General to bring suits in cases authorized by title 42, section 1985, could the President not then call out the Army or the Navy or the militia to enforce the judgments entered in such cases?

Mr. DIRKSEN. I think the best answer, of course, is simply to read the language of the statute into the RECORD. That language has been bandied about on the floor so much that I shall simply merely read it for my own edification, as well as that of the other Members of the Senate.

The Senator is referring to section 1993?

Mr. ERVIN. Title 42, section 1993. The statute is very broad. I am merely asking for an interpretation.

Mr. DIRKSEN. Yes. The statute, in part, reads as follows:

AID OF MILITARY AND NAVAL FORCES

It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under sections 1981–1983 or 1985–1992 of this title, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of sections 1981–1983 and 1985–1994 of this title.

Does that differ from the other language?

Mr. ERVIN. I think it does, very substantially.

Mr. DIRKSEN. I do not think it does.

Mr. ERVIN. In one instance provision is made to call out troops to enforce a judgment. In the other case there must be practically a state of insurrection, as I construe it.

Mr. DIRKSEN. Let us re-read the language which I placed in the RECORD this afternoon. I will go all the way back. This is the new title 10 of the United States Code, referring to the Armed Services Act, section 332:

Whenever the President considers that unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impracticable to enforce the laws of the United States in any State or Territory by the ordinary course of judicial proceedings, he may call into Federal service such of the militia of any State, and use such of the Armed Forces, as he considers necessary to enforce those laws or to suppress the rebellion.

If the Senator can think of broader language than that, I have never seen it.

Mr. ERVIN. That is exactly what I am talking about—"to suppress the rebellion."

Mr. DIRKSEN. The language is, "And use such of the Armed Forces, as he considers necessary to enforce those laws or"——

Mr. ERVIN. "Suppress the rebellion."

Mr. DIRKSEN. It does not say "and to suppress the rebellion." It says "or."

Mr. ERVIN. The conditions are described previous to that.

Mr. DIRKSEN. Let us look at the other language in the new statute.

Mr. ERVIN. Read the first part.

Mr. DIRKSEN. This section now reads as follows:

The President, by using the militia or the Armed Forces, or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it—

(1) so hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection; or

(2) opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws.

In any situation covered by clause (1), the State shall be considered to have denied the equal protection of the laws secured by the Constitution.

I can think of no broader language.

The Attorney General could have done it just as well, but we would still have the issue of the troops.

Mr. ERVIN. In that case, before he could use the troops, the people would have to engage in violence approximating rebellion.

Title 42 of the United States Code, section 1993, provides:

It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under—

Various sections, including the section sought to be amended by part 3. In order for that power to exist, it would not be necessary for any "cain" to be raised.

Mr. DIRKSEN. Let me say to my distinguished friend from North Carolina that the point was made, with the greatest intensity and determination, that this language was cunningly designed and deliberately made an amendment to section 1985 for the purpose of compelling the commingling of children in schools, and so forth. I say that it was not. I think the record speaks for itself. The provision could have been placed in half a dozen places in the United States statutes, with the same effect. So there is no foundation for the charge that there was anything cunning or deliberate, or that this was done by design, in order to achieve a given effect.

Mr. ERVIN. A person could not read this bill, however, and discover that section 1993 of title 42 had any application to the bill, because it does not refer to title 42, section 1993. One has to go to title 42, section 1993, to find a reference to the section to which the bill refers.

Mr. DIRKSEN. Let me ask my gracious and distinguished friend, for whom

I have an abiding affection, whether, if an amendment were offered on the floor of the Senate to repeal section 1993 of title 42 of the Code, the Senator would then vote for the civil rights bill?

Mr. ERVIN. No; I would not vote for the civil-rights bill. However, I suggest to the distinguished Senator from Illinois that he offer such an amendment, or at least offer an amendment to provide that when the President does call out the Army, the Navy, and the militia under title 42, section 1993, they shall be restricted to the use of bayonets, and not be allowed to use nuclear weapons. (Laughter.)

Mr. DIRKSEN. If the Senator from Illinois were to offer such an amendment on the floor it would be almost frivolous. What would we do about section 332 of title 10 of the new Code on the Armed Services, which became effective on the first of January 1956, and which is broader than anything that has been written into the law before?

Mr. ERVIN. All that it would be necessary to do under title 42, section 1993, would be to obtain a judgment against me or my constituents under title 42, section 1985, but we would have to be in more or less of a state of insurrection before action could be taken under the other statutes. That would be the fundamental difference.

Mr. DIRKSEN. The provision does not require any insurrection at all. It deals with the execution of the laws.

Mr. ERVIN. I should like to ask one further question. The distinguished Senator from Illinois referred to the laws of the States with respect to contempt. I respectfully submit that that was an argument which might well be addressed to the legislators of the States. We are national legislators. I ask my distinguished friend if he does not know that under existing Federal law, namely, under sections 402 and 3691 of title 18 any person involved in a civil rights case now has the right of trial by jury when he is charged with an indirect contempt, and also has the benefit of limited punishment, which would be removed if this bill were passed.

Mr. DIRKSEN. Mr. President, I am grateful to my distinguished friend for raising that question, because I did not quite round out the remarks I intended to make.

We have heard a great deal of discussion to the effect that this proposal is a radical departure from an American tradition. Let us see what the score is. On page 62 of the hearings will be found a description of 28 different laws which are already on the books, statutes which authorize injunctive relief by the United States Government in certain cases to prevent crimes. The list was inserted in the hearings at the request, I believe, of my distinguished friend from North Carolina. Let me read the colloquy, beginning near the middle of page 62:

Senator ERVIN. I would rather have a man given an opportunity to have the spirit and the letter of his constitutional rights observed.

Mr. BROWNELL. And abolish the law of equity, that is what it amounts to.

Senator ERVIN. No; I am not abolishing the law of equity. I think that the law of equity ought to be confined to its proper sphere, and not be used as a device to deprive people of their basic constitutional rights.

Mr. BROWNELL. So do I.

Senator ERVIN. And my objection to part 3 and part 4 of these amendments is that they take and pervert the use of equity from its accustomed field in order to deprive American citizens of their constitional rights of indictment by grand juries, of trial by jury, and of the right to confront and cross-examine their accusers.

Mr. BROWNELL. You may be interested to know, Senator, that if you take that position, you will be in favor of repealing 28 different laws that are already on the books, statutes which authorize injunctive relief by the United States Government in these cases to prevent crimes.

Let me read them. The first is "antitrust laws, restraining violation"——

Mr. ERVIN. Of course the Senator from Illinois has the floor, but I respectfully submit that he is not responding to my question. My question was whether under sections 402 and 3691 of title 42 a man would not have the right of trial by jury and could not be locked up in jail, if convicted, for more than 6 months?

Mr. DIRKSEN. The whole purpose of invoking preventive remedies by the Attorney General is to avoid criminal proceedings.

Mr. ERVIN. But I will ask the Senator if the injunctive process does not operate on the principle that a man will be punished if he violates the injunction.

Mr. DIRKSEN. That is the whole reason for it. It is within the power of the court to impose punishment. It has been thus from the very beginning of the proceeding at King's Bench and Queen's Bench, when the writs were very rigid, and the result was that a subject had to go into an equity court so that he could get equity from his sovereign. From that day to this there has been an almost unending line of precedent with respect to civil suits.

Mr. ERVIN. Perhaps I can simplify this by saying——

Mr. DIRKSEN. There are very few States in which trial by jury is granted in civil-contempt cases.

Mr. ERVIN. We are Federal legislators. If we have a Federal law, as we do now, which gives a man the right to trial by jury and the right to limited punishment, as is given in sections 402 and 3691 of title 42, we ought to keep that good Federal law and not talk about bad State laws.

Mr. DIRKSEN. Of course, the colloquy between my friend from North Carolina and myself will not settle the matter, but I wish to read into the RECORD these 28 statutes.

Mr. ROBERTSON. The senior Senator from Illinois [Mr. DOUGLAS] put those statutes in the RECORD earlier in the day when he engaged in colloquy with the Senator from Alabama [Mr. SPARKMAN].

Mr. DIRKSEN. They are very short. I shall ask the Official Reporter to have them printed in the RECORD.

Mr. ROBERTSON. They deal primarily with property, and mostly with property of the United States. They deal with the general jurisdiction of the United States in interstate matters, such as the building of bridges over navigable streams.

Mr. DIRKSEN. I heard my distinguished friend make that argument earlier in the day. I say that they deal with people. Ordinarily we do not find property in contempt. We find people in contempt of court, for violating the law with respect to wool labeling, for instance, or for violating the Antitrust Act; we deal with human beings in such cases.

Mr. President, I ask unanimous consent to have the list of the 28 statutes printed in the RECORD at this point.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Antitrust laws, restraining violation (by United States attorney, under direction Attorney General) (115 U. S. C. 4).

Associations engaged in catching and marketing aquatic products restrained from violating order to cease and desist monopolizing trade (by Department of Justice) (15 U. S. C. 522).

Association of producers of agricultural products from restraining trade (by Department of Justice) (7 U. S. C. 292).

Atomic Energy Act, enjoining violation of act or regulation (by Atomic Energy Commission) (by Attorney General) (42 U. S. C. 1816).

Bridges over navigable waters, injunction to enforce removal of bridge violating act as to alteration of bridges (by Attorney General) (33 U. S. C. 519).

Clayton Act, violation of enjoined United States attorney, under direction of Attorney General) (15 U .S. C. 25).

Electric utility companies, compliance with law enforced by injunctions (by Federal Power Commission) (16 U. S. C. 825m).

False advertisements, dissemination enjoined (by Federal Trade Commission) (15 U. S. C. 53).

Freight forwarders, enforcement of laws, orders, rules, etc., by injunctions (by Interstate Commerce Commission or Attorney General) (49 U. S. C. 1017).

Fur Products Labeling Act, to enjoin violation (by Federal Trade Commission) (15 U. S. C. 69g).

Enclosure of public lands, enjoining violation (by United States attorney) (43 U. S. C. 1062).

Investment advisers, violations of statute, rules and regulations governing, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80b–9).

Gross misconduct or gross abuse of trust by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a–35).

Use of misleading name or title by investment company, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a–34).

Violation of statute governing, or rules, regulations, or orders of SEC by investment companies, enjoined (by Securities and Exchange Commission) (15 U. S. C. 80a–41).

Fair Labor Standards Act, enjoining of violations (by Administrator, Wage and Hour Division, Department of Labor, under direction of Attorney General, see 29 U. S. C. (204b)) (29 U. S. C. 216 (c), 217).

Longshoremen's and Harbor Workers' Compensation Act, enforcement of order by injunction (by United States attorney, see 29 U. S. C. 921a) (33 U. S. C. 921).

Import trade, prevention of restraint by injunction (by United States attorney, under direction of Attorney General) (15 U. S. C. 9).

Wool products, enjoining violation of labeling act (by Federal Trade Commission) (15 U. S. C. 68e).

Securities Act, actions to restrain violations (by Securities and Exchange Commission) (15 U. S. C. 77t).

Securities Exchange Act, restraint of violations (by Securities and Exchange Commission) (15 U. S. C. 78u).

Stockyards, injunction to enforce order of Secretary of Agriculture (by Attorney General) (7 U. S. C. 216).

Submarine cables, to enjoin landing or operation (by the United States) (47 U. S. C. 36).

Sugar quota, to restrain violations (by United States attorney under direction of Attorney General, see 7 U. S. C. 608 (7)) (7 U. S. C. 608a–6).

Water carriers in interstate and foreign commerce, injunctions for violations of orders of ICC (by ICC or Attorney General) (49 U. S. C. 916).

Flammable Fabrics Act, to enjoin violations (by Federal Trade Commission) (15 U. S. C. 1195).

National Housing Act, injunction against violation (by Attorney General) (12 U. S. C. 1731b).

Mr. DIRKSEN. Mr. President, I yield the floor.

ORDER FOR RECESS TO 10:30 A. M. TOMORROW AND FOR TRANSACTION OF ROUTINE BUSINESS

During the delivery of Mr. DIRKSEN's speech,

Mr. JOHNSON of Texas. Mr. President, will the Senator from Illinois yield to permit me to make an announcement?

Mr. DIRKSEN. I will yield, provided I do not lose the floor.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Illinois may yield to me for the purpose of propounding a unanimous consent request, with the understanding that this interruption will appear at the conclusion of his remarks, and that the Senator from Illinois will not lose the floor by yielding.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today, it stand in recess until 10:30 a. m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I should like to have my colleagues on notice that it is planned to have the Senate remain in session until some time around 7 o'clock this evening, and that a later session tomorrow evening is contemplated. It is my hope that, since the Senate will convene at 10:30 tomorrow morning, we may perhaps run until 9 or 9:30 tomorrow evening, if speakers are available.

I want all of my colleagues to take notice of the order which has been entered, namely, that the Senate will convene at 10:30 tomorrow morning.

I ask unanimous consent that, following the convening of the Senate tomorrow morning, there be the usual morning hour for the transaction of routine business, including the introduction of bills, petitions, and memorials, and that statements be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AWARD OF PRESIDENTIAL MEDAL OF HONOR TO HERMAN J. SCHAEFER FOR OUTSTANDING HEROISM

Mr. CAPEHART. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. Mr. President, I yield for a special purpose, with the understanding that I do not lose the floor.

Mr. CAPEHART. Mr. President, I ask unanimous consent that my remarks appear following the conclusion of the remarks of the Senator from Illinois.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CAPEHART. Mr. President, in 1905 Congress passed a law to award medals to persons who perform acts of extraordinary bravery. Since 1905 only 56 such awards have been made by the President under the law passed by Congress.

In the gallery this afternoon are Mr. Herman J. Schaefer and his wife and children, of Evansville, Ind.

Mr. Schaefer has just been awarded one of the 56 medals which have been awarded in 51 years for extraordinary bravery in connection with the saving of the life of a 3-year-old boy in Evansville.

Mr. Schaefer, a switchman for the Chicago & Eastern Illinois Railroad, was riding on the front of his locomotive, when a 3-year-old boy appeared in front of the moving engine. Mr. Schaefer saved the boy's life by leaning over and catching him.

An interesting commentary concerning this award is that the first award, made in 1905, was to Mr. George Poell, who likewise saved the life of a little boy. But in that instance Mr. Poell was very seriously injured and suffered the loss of one foot.

Mr. President, I should like to have Mr. Herman Schaefer and his wife and children stand and be greeted by the Senate.

[Mr. Schaefer and his family rose in their places in the gallery and were greeted with applause, Senators and the guests in the gallery rising.]

The PRESIDING OFFICER (Mr. THURMOND in the chair). The Chair desires to welcome Mr. Schaefer and his family, and to commend him for the outstanding heroism which he exhibited.

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks an explanation of this award.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Herman J. Schaefer, 34, 2709 North Sherman Avenue, Evansville, Ind., a switchman for the Chicago & Eastern Illinois Railroad, will be awarded the Presidential Medal of Honor by the Interstate Commerce Commission "for outstanding heroism in saving the life of a 3-year-old boy, March 29, 1954."

Schaefer, who has been with the Chicago & Eastern Illinois since September 29, 1950, will receive the award in Washington, D. C., July 10.

A tall, lean, handsome young man, Schaefer said he was amazed at the news that he would receive the coveted award.

"I don't know what to say," Schaefer said, "it all seems like a dream. I did just what anybody else would do if they had been there at the same time.

"The little boy was playing on the tracks and I thought of my own kids and simply had to get him out of the way of the train."

At the time, Schaefer was riding on the front of a diesel-powered switch engine in Evansville and saw young Timothy Robertson, then 3 years old, playing with a model train on the tracks in the rear of his home at 216 Elchel Avenue, Evansville.

Schaefer tried to shout to the other crew members that the child was in the tracks but no one heard him. Abandoning all thoughts of personal safety, Schaefer jumped down on the footboard, a violation of safety rules, grasped the handrail, leaned out, and swiftly picked the child out of the path of the onrushing train.

Shortly after the daring rescue the Chicago & Eastern Illinois rewarded Schaefer with a gold watch and a plaque testifying to his heroism and held a luncheon in his honor in Evansville.

Some time later, C. D. Blue, superintendent of safety for the Chicago & Eastern Illinois, submitted a report plus appropriate affidavits from other crew members who witnessed Schaefer's heroic act to the Interstate Commerce Commission.

The medal, given only 56 times in 50 years, is awarded for acts of heroism on the Nation's railroads.

Coincidentally, the first award given in 1905 to George Poell, a locomotive fireman for the St. Joseph & Grand Island Railway, closely parallels Schaefer's case.

Poell went on the pilot of his steam engine and picked up a child, also a small boy, playing in the middle of the tracks while the train was moving.

The child escaped injury in this case more than 50 years ago but both Poell's arms were broken and his foot had to be amputated because of his lifesaving action.

Schaefer and his wife, Ruth, have 4 children: Mike, 9; Pat, 6; Mary Beth, 3; and Joseph, 19 months.

The entire family will accompany Schaefer to Washington to receive the award.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 632) to amend the Federal Crop Insurance Act, as amended, and it was signed by the President pro tempore.

CIVIL RIGHTS

The Senate resumed the consideration of the motion of Mr. KNOWLAND that the Senate proceed to the consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Monroney
Allott	Ervin	Morse
Anderson	Flanders	Mundt
Barrett	Frear	Murray
Beall	Fulbright	O'Mahoney
Bennett	Goldwater	Potter
Bible	Gore	Revercomb
Bricker	Hill	Robertson
Byrd	Holland	Russell
Carlson	Hruska	Scott
Carroll	Humphrey	Smith, Maine
Case, N. J.	Jenner	Smith, N. J.
Case, S. Dak.	Johnson, Tex.	Sparkman
Chavez	Johnston, S. C.	Stennis
Clark	Kerr	Talmadge
Cooper	Kuchel	Thurmond
Cotton	Long	Thye
Curtis	Mansfield	Watkins
Dirksen	Martin, Iowa	Wiley
Dworshak	McClellan	Yarborough
Eastland	McNamara	

The PRESIDING OFFICER (Mr. THURMOND in the chair). Sixty-two Senators having answered to their names, a quorum is present.

Mr. WATKINS. Mr. President, I do not intend to make a major speech on the matter now before the Senate; but I wish to call attention to some facts which will be of interest to the public generally and, in particular, to the Members of this body.

SPREAD OF THE NEGRO POPULATION IN AMERICA

Mr. President, it seems most unfortunate that in this matter of debate over the so-called civil-rights bill, Senators seem invariably to be drawn into rival lines of North and South.

Also, it seems to me that our friends from the Southern States sometimes assume that the problems that go with color and race are inherently their problems, and that we who come from Central and Northern portions of the country are but interlopers when we essay some interest, particularly in the Negro.

Historically and currently, it is true that the Negro was, and is, usually a resident of the South; but I think we need to bring our thinking up to date and to observe to what lengths and in what concentrations the Negro has spread throughout the Nation as a whole.

For example, while it is true that Georgia and North Carolina have more than 1 million Negroes, each, let it be remembered that New York has more than 900,000. Illinois and Pennsylvania have more Negroes, each, than either Florida or Tennessee, while Ohio, California, and Michigan have more Negroes, each, than Arkansas or Maryland.

New Jersey has more Negroes than either Missouri or Kentucky. Indiana has more than Oklahoma or West Virginia. And Massachusetts, Kansas, and Connecticut have more Negroes, each, than has Delaware.

Of the States having 25,000 or more Negroes—and these number 31—nearly half are not Southern States.

This is not to minimize the South's problems, as they deal with race. But it is to say this: If there is a Negro problem in Georgia, North Carolina, Mississippi, Alabama, Texas, Louisiana, South Carolina, Virginia, Florida, Tennessee, Arkansas, Maryland, Missouri, Kentucky, Oklahoma, West Virginia, and Delaware, then—in terms of numbers—there is a kindred problem in New York, Illinois, Pennsylvania, Ohio, California, Michigan, New Jersey, Indiana, Massachusetts, Kansas, and Connecticut.

What is even more important is this: I have based my figures for the above analysis on those contained in the 1950 Federal census. By 1960, when another such census is made, I am quite sure we shall find that the spread will be even greater.

As one of the sponsors of the administration's civil-rights bill, I became so from a matter of principle. It is true that my native State of Utah, which in 1950 ranked 38th among the States in population, also ranked 40th in its number of Negroes. But that does not mean that the civil-rights principle is alien to my State. In recent years the question there has been raised as to the right of Indians living on reservations to vote. It had previously been ruled that Indians not living on reservations have a right to vote. Fortunately, and yet only very recently, we have seen to it in Utah that Indians share our rights and duties as voting citizens. Also, in Utah we are very proud that we have either stood first or very near the top in national elections in the percentage of our eligible citizens who cast their ballots at the polls. To my way of thinking, in connection with the matter of civil rights here in debate, the principal question is the right to vote. On principle, I think that should be the inalienable right of every citizen of voting ability, and should not be obscured by condition or race.

Mr. President, as a part of my remarks, for introduction into the RECORD, I ask unanimous consent for the insertion of a brief table—drawn from the 1950 Federal census—listing the number of Negro residents in the various States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Table I—Negro population by States (according to 1950 Federal census)

1 million or more:	
1. Georgia	1,062,762
2. North Carolina	1,047,353
900,000 or more:	
3. Mississippi	986,494
4. Alabama	979,617
5. Texas	977,458
6. New York	918,191
800,000 or more:	
7. Louisiana	882,428
8. South Carolina	822,077
700,000 or more: 9. Virginia	734,211
600,000 or more:	
10. Illinois	645,980
11. Pennsylvania	638,485
12. Florida	603,101
500,000 or more:	
13. Tennessee	530,603
14. Ohio	513,072
400,000 or more:	
15. California	462,172
16. Michigan	442,296
17. Arkansas	426,639
300,000 or more:	
18. Maryland	385,972
19. New Jersey	318,565
200,000 or more:	
20. Missouri	297,088
21. Kentucky	201,921
100,000 or more:	
22. Indiana	174,168
23. Oklahoma	145,503
24. West Virginia	114,867
50,000 or more:	
25. Massachusetts	73,171
26. Kansas	73,158
27. Connecticut	53,472
25,000 or more:	
28. Delaware	43,598
29. Washington	30,691
30. Wisconsin	28,182
31. Arizona	25,974
10,000 or more:	
32. Colorado	20,177
33. Iowa	19,692
34. Nebraska	19,234
35. Minnesota	14,022
36. Rhode Island	13,903
37. Oregon	11,529
5,000 or more: 38. New Mexico	8,408
1,000 or more:	
39. Nevada	4,302
40. Utah	2,729
41. Wyoming	2,557
42. Montana	1,232
43. Maine	1,221
44. Idaho	1,050
Less than 1,000:	
45. New Hampshire	731
46. South Dakota	727
47. Vermont	443
48. North Dakota	257

AMENDMENT OF SECTIONS 2275 AND 2276 OF REVISED STATUTES

Mr. WATKINS. Mr. President, on behalf of myself and the Senator from Arizona [Mr. GOLDWATER], I introduce, for appropriate reference, a bill to correct an injustice to the public schools of the Western States. The bill, drafted and approved by the Western Association of State Public Land Commissioners, authorizes States to select lands which are mineral in character, in lieu of designated school sections of public lands which have been preempted by homesteading or by other forms of permanent withdrawal from public entry.

In view of the western interest in this proposed legislation, I hereby request unanimous consent to have the bill lie on the table for 24 hours, during which the names of additional cosponsors can be added.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WATKINS. This bill is an extension of a bill which I and my colleague, Senator BENNETT, introduced during the the 84th Congress. The former bill, S. 2096, was not pushed at that time because a study of this problem was initiated by the Western Association of State Land Commissioners. The association's study resulted in the draft introduced today, and I can highly recommend it because it is the product of the country's outstanding authorities on public land uses. Our present, able Director of the Bureau of Land Management, Edward Woozley, was a former member of this organization, while serving as State land commissioner of my neighboring State of Idaho.

I have said that this bill is introduced to correct an injustice to the public schools of our Western States, and that is literally true.

When the Western public lands States were admitted to the Union, the highly commendable policy was adopted of allocating one or more sections of public lands within the new State's boundaries as a land endowment for the State's public-school system. Revenues from these lands or from the sale of them

were to be consigned to a permanent school endowment fund, the interest from which was to be used in support of State-administered public education. This is one of the greatest examples of permanent endowment of public education that I know about.

This program, worked out by the Congress a half century or more ago, in enabling legislation admitting new States to the Union, worked very well until a few years ago. Then, when petroleum and uranium prospectors began to range over the once little-regarded wastelands of the West, it was discovered that these permanent school funds were being deprived of much valuable land by the language of the statutes pertaining to transfers of such sections to the States upon completion of cadastral surveys. This resulted because the law had specified that land mineral in character could not be transferred to the States upon completion of the survey work. The effect of this wording was that oil or uranium discoveries on an assigned school section prevented its transfer to the State, and denied the permanent school funds valuable gas and oil royalties and leasing revenues, which often were the only real values the lands contained.

Passage of the act of April 22, 1954, 68 United States Statutes at Large, page 57, remedied this problem, by authorizing transfer of mineralized sections and providing that any mineral lease applying to a surveyed school section would pass to the State, along with the surface acreage of the section. This proposed legislation by itself undoubtedly will contribute millions of dollars to the permanent schools funds of the Western States, and carries out the real intent of the original enabling legislation.

The intensive study of school land status which prompted this legislative remedy also disclosed another legal problem. If a leased mineral occurs on a State school section, that acreage and the lease rights can now be assigned to the State affected without difficulty. However, if a State school section has been preempted by homsteading or other form of permanent withdrawal from public entry, then the State involved must make a selection of other public lands in lieu thereof.

Provisions for these so-called lieu selections are included in sections 851 and 852 of title 43, United States Code.

Unfortunately for the public land States, these sections provide that only equal acreage not mineral in character may be exchanged for such preempted school lands. This means that even if the preempted school section was underlain by rich uranium deposits or other nonleasable mineral wealth, the State would be required to select an equal acreage of open, nonmineral public lands, which now are of little worth for their surface values.

Under this wording of the law, a Western State which has much acreage of preempted school sections is faced with the prospect of losing very valuable lands, allocated by the Congress more than a half century ago, and accepting in lieu of a revenue-producing asset, equal acreage of virtually worthless land.

The top land officials of the Western States have now recognized this injustice, which was called to the attention of the Senate last session by S. 2096. In view of this very welcome support from a distinguished organization of State officials, I hereby urge the Congress to expedite action on this measure so that the revenue from these long-deferred land exchanges can be diverted into the respective State school endowment funds, where it rightfully belongs.

I also request unanimous consent to have printed at this point in my remarks the text of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2517) to amend sections 2275 and 2276 of the Revised Statutes with respect to certain lands granted to States and Territories for public purposes, introduced by Mr. WATKINS (for himself, and Mr. GOLDWATER), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 2275 of the Revised Statutes, as amended (43 U. S. C. 851), is amended to read as follows:

"SEC. 2275. Where settlements with a view to preemption or homestead have been, or shall hereafter be made, before the survey of the lands in the field, which are found to have been made on sections 2, 16, 32, or 36, those sections shall be subject to the claims of such settlers; and if such sections or any of them, have been or shall be granted, reserved, or pledged for the use of schools or colleges in the State or Territory in which they lie, other lands of equal acreage, whether or not known to be valuable for minerals, are hereby appropriated and granted, and may be selected by said State or Territory, in lieu of such as may be thus taken by preemption or homestead settlers. And other lands of equal acreage, whether or not known to be valuable for minerals, are also hereby appropriated and granted and may be selected by said State or Territory where sections 2, 16, 32, or 36 are mineral land and entry thereon has been made under the mining laws of the United States, or are included within any Indian, military, or other reservation, or are otherwise disposed of by the United States: *Provided*, Where any State is entitled to said sections 2, 16, 32, and 36, or any of them, or where said sections, or any of them, are reserved to any Territory, notwithstanding the same may be mineral land or embraced within a military, Indian, or other reservation, the selection of such lands in lieu thereof by said State or Territory shall be a waiver of its right to said sections. And other lands of equal acreage, whether or not known to be valuable for minerals, are also hereby appropriated and granted, and may be selected by said State or Territory to compensate deficiencies for school purposes, where sections 2, 16, 32, or 36 are fractional in quantity, or where one or more are wanting by reason of the township being fractional, or from any natural cause whatever. And it shall be the duty of the Secretary of the Interior, without awaiting the extension of the public surveys, to ascertain and determine, by protraction or otherwise, the number of townships that will be included within such Indian, military, or other reservations, and thereupon the State or Territory shall be entitled to select indemnity lands to the extent of section for section in lieu of sections therein which have been or shall be granted, reserved, or pledged; but such selections may not be made within the boundaries of said reservations. Notwithstanding the fact that there is outstanding on selected lieu or indemnity land, whether or not mineral in character, at the time of selection a mineral lease or leases entered into by the United States, or an application therefore shall not prevent the selection of such land by the State or Territory; but if such selection is made, the State or Territory shall succeed to the position of the United States as lessor under such lease or leases, and as used herein lease includes permit and lessor includes grantor: *Provided, however*, That nothing herein contained shall prevent any State or Territory from awaiting the extinguishment of any such military, Indian, or other reservation and the restoration of the lands therein embraced to the public domain and then taking the sections 2, 16, 32, and 36, or any of them, in place therein."

SEC. 2. Section 2276 of the Revised Statutes, as amended (43 U. S. C. 852), is amended by striking out "unappropriated, surveyed public lands, not mineral in character,", and inserting in lieu thereof "surveyed public lands."

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. WATKINS. I yield.

Mr. ALLOTT. I wish to associate myself with the remarks of the able senior Senator from Utah, who has many times before brought to the attention of this body matters concerning many of the Western States which need immediate remedial attention. The situation of which the Senator speaks has long constituted a serious problem in the West, and has deprived the West of rights which it should have had many years ago. For that reason I wish to compliment him upon his remarks, associate myself with them, and ask unanimous consent that my name be included as a cosponsor of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WATKINS. I thank the distinguished Senator from Colorado for the statement he has made. I shall be very happy, indeed, to have him join as a cosponsor of the bill.

RELATIONSHIP BETWEEN FEDERAL AND STATE GOVERNMENTS

Mr. HUMPHREY. Mr. President, on Monday, June 24, the President of the United States addressed the Conference of State Governors at Williamsburg, Va. His basic theme was the relationship between the National and State Governments. His emphasis was upon what he considered to be the ever-increasing tendency of the National Government to assume the traditional responsibilities of the State governments.

In this connection, the President observed that "every State failure to meet a pressing public need has created the opportunity, developed the excuse, and fed the temptation for the National Government to poach on the States preserves. Year by year, responding to transient popular demands, the Congress has increased Federal functions. Slowly at first, but in recent times more and more rapidly, the pendulum of power has swung from our States to the Central Government." He conceded, however, that he has "found it necessary to urge Federal action in some areas traditionally reserved to the States," and that "in each instance State inaction, or inadequate action, coupled with undeniable national need, has forced emergency Federal intervention."

The President also pointed out that in 1953 he obtained congressional authority to establish a Commission on Intergovernmental Relations which completed the "first official survey of our Federal system since the adoption of our Constitution 170 years ago," and "brought long-needed perspective and pointed the way to improvements in areas of mutual concern to the States and the Federal Government."

Continuing, President Eisenhower stated that he believed deeply in States rights; that the preservation of our States as vigorous, powerful governmental units is essential to permanent individual freedom and the growth of our national strength; and that it is idle to champion States rights without upholding States responsibilities. He stated further that he believed that "an objective reappraisal and reallocation of those responsibilities can lighten the hand of central authority, reinforce our State and local governments, and in the process strengthen all America."

The President concluded that barriers to effective and responsive government should be removed by overhauling taxing and fiscal systems, and by better cooperation between all echelons of government.

He proposed to accomplish this objective by means of a three-point program in which the Conference of State Governors would join with the Federal administration in creating a task force with the following responsibilities:

First. To designate functions which the States are ready and willing to assume and finance, functions that are now performed or financed wholly or in part by the Federal Government;

Second. To recommend the Federal and State revenue adjustments required to enable the States to assume such functions; and

Third. To identify functions and responsibilities likely to require State or Federal attention in the future and to recommend the level of State effort, or Federal effort, or both, that will be needed to assure effective action.

An examination of the President's remarks and proposals reveals that they are lofty and high-sounding, and are filled with generalities and fancy phrases. They offer nothing new, in the last analysis, but the creation of a new task force, composed of representatives of the national and State governments to study problems and make recommendations.

Mr. President, I submit that this subject has been studied and restudied.

During the past 20 years, the fiscal problems of local governments, the proper allocation of State and national functions and related phases of these matters, have been under continuous study by governmental, quasi-governmental, and private groups, which have produced numerous reports with recommendations.

The first of these was initiated by the President of the United States in 1935, when he appointed a committee consisting of the Secretary of the Treasury, the Attorney General, and the Acting Director of the Bureau of the Budget, and directed them to undertake a study of Federal ownership of real estate and of its bearing on State and local taxation. This committee made a brief study and submitted its report and recommendations to the President in 1938.

Following one of the recommendations of this committee, the President established a Federal Real Estate Board to study and make appropriate recommendations regarding the situation in different communities adversely affected by the loss of tax revenues on land acquired by the Federal Government. This Board submitted a 50-page report, with recommendations, to the President and the Congress in 1943. The Board continued in a quiescent state until 1951, when it was finally dissolved.

During much of this same period, the Treasury Department, through a special committee, was conducting a study of the entire subject of Federal-State and local fiscal relations.

In January 1948, the first Commission on Organization of the Executive Branch —Hoover Commission—retained the Council of State Governments to make a comprehensive study of the entire field of Federal-State relations. The Council submitted a 297-page report to the Commission in July 1948, which report was transmitted to the Congress in March 1949.

In April 1949, the Secretary of the Treasury invited representatives of State and local governments to a conference on intergovernmental tax problems, which requested the Bureau of the Budget to work out comprehensive recommendations. During the same month, the Treasury Department prepared a staff memorandum on the subject.

In September 1952, the Associate General Counsel, Housing and Home Finance Agency, prepared a 61-page study on the subject of payments to local governments in lieu of taxes, for the section on municipal law of the American Bar Association.

In May 1954, a detailed, comprehensive study of the whole subject of Federal land ownership and the public land laws was prepared for and issued by the Committee on Interior and Insular Affairs of the House of Representatives. This 133-page report contained a comprehensive analysis and factual presentation of virtually every phase of Federal-State-local relations as relates to Federal payment of taxes, or in lieu thereof to local governments, and contains all of the pertinent statutes on the subject.

In addition, numerous studies dealing with various phases of Federal-State relations have been prepared from time to time by State and local government associations.

Finally, in June 1955, the Commission on Intergovernmental Relations submitted a 311-page report, with recommendations, which was accompanied by 15 additional volumes of supporting study committee and staff reports, totaling in all approximately 2,200 pages. The basic report covered a wide area of Federal-State relations and included such matters as the origins of the Federal system; the forces which have influenced its growth and development; the place of the States and their political subdivisions in the Federal system and the factors, fiscal and nonfiscal, which limit their competence; the extent of the National Government's responsibilities and the conditions that justify national action; and the nature and operation of the many forms of National-State cooperation.

The first 118 pages of the basic report were devoted to the historical background, the role of the States, national responsibilities, and cooperative relations financial aspects of the Federal system, and Federal grants-in-aid. The balance of the report dealt with intergovernmental functional responsibilities, and included agriculture, civil aviation, civil defense, and urban vulnerability, education, employment security, highways, housing and urban renewal, natural-disaster relief, natural resources and conservation, public health, vocational rehabilitation and welfare.

Various views and specific recommendations were set forth throughout the volume, some of which were in accord with those of the study committees; others modified or expressly or impliedly disagreed. Numerous charts and statistical tables appeared throughout the report.

The 15 supporting volumes were devoted to the following subjects: Federal Aid to Agriculture; Federal Aid to Highways; Federal Aid to Public Health; Federal Aid to Welfare; Federal Responsibility in the Field of Education; Unemployment Compensation and Employment Service; Natural Resources and Conservation; Payments in Lieu of Taxes and Shared Revenues; Local Government; Natural Disaster Relief; Civil Defense and Urban Vulnerability; Federal Aid to Airports; a Description of 26 Grants-in-Aid Programs; Summaries of Survey Reports on the Administrative and Fiscal Impact of Federal Grants-in-Aid; and a Survey Report on the Impact of Federal Grants-in-Aid on the Structure and Functions of State and Local Governments.

In order to make readily available and accessible a large amount of valuable material contained in the Commission's report and supporting documents, the Committee on Government Operations, on which it has been my privilege to serve during the past 8 years, requested the Legislative Reference Service of the Library of Congress to prepare a detailed index to all of the Commission's reports, studies, and documents, which is now available as Senate Document No. 111, 84th Congress.

In the 81st, 82d, and 83d Congresses, I either sponsored or cosponsored legislation for the study of intergovernmental relations. The 83d Congress did enact legislation for the establishment of the Commission on Intergovernmental Relations.

Mr. President, it was my privilege to serve as a member of the Commission on Intergovernmental Relations and also as a member of its Study Committee on

Payments in Lieu of Taxes and Shared Revenues. I can attest, from personal experience, to the tremendous amount of work which went into the Commission's reports and studies.

The Commission and its study committees were manned by outstanding National, State, and local government officials from all over the United States; in addition, the Commission employed a professional staff of some 43 outstanding experts and an administrative staff of 33. All of these persons—Senators, Representatives, Federal Government officials, distinguished State and local government officials, and leading experts from virtually every State in the Union—worked for some 2 years, and submitted the most comprehensive study, with numerous recommendations, ever made, at a cost to the National Government of almost $1 million—$891,264.62.

The result of their labors is readily available and completely indexed. It constitutes a complete blueprint of what needs to be done. Of course, I was not able to agree with all of the conclusions and recommendations. But the basic material is there, and what we need now is action and not further study.

Added to all of this material are the results of a meeting of members of Congressional committees and governors, called for the purpose of studying Federal-State tax relations, held in Chicago on September 26–27, 1947. At this meeting, the Senate Committee on Government Operations—then the Committee on Expenditures in the Executive Departments—was designated to conduct a special study of the problems of coordination of Federal and State taxes, with the objective of strengthening the tax structures of local and State governments and compensating them for losses of revenue from former sources of taxation. In its report to the Senate, the committee placed stress on the importance of assuring that Federal, State, and local tax systems are adequate to the job assigned to them and on the need for determining whether they fit together into a combined tax system which is equitable, administratively efficient, and economically sound.

Mr. President, I submit that the foregoing review shows that we have an abundance of material available. And yet the President of the United States now proposes to establish a new task force to perform virtually the same job which has already been done by the Commission on Intergovernmental Relations and by its 15 study committees and task forces.

One need only compare the provisions of Public Law 109, 83d Congress, by which the Commission on Intergovernmental Relations was established and given its charter and responsibilities, in order to see clearly how identical its work has been with that proposed by the President.

Section 3 (a) of Public Law 109 directs the Commission to carry out the purposes of section 1 of the law. Section 1 makes the declaration of purposes:

Because any existing confusion and wasteful duplication of functions and administration pose a threat to the objectives of programs of the Federal Government shared in by the States, including their political subdivisions, because the activity of the Federal Government has been extended into many fields which, under our constitutional system, may be the primary interest and obligation of the several States and the subdivisions thereof, and because of the resulting complexity to intergovernmental relations, it is necessary to study the proper role of the Federal Government in relation to the States and their political subdivisions, with respect to such fields, to the end that these relations may be clearly defined and the functions concerned may be allocated to their proper jurisdiction. It is further necessary that intergovernmental fiscal relations be so adjusted that each level of Government discharges the functions which belong within its jurisdiction in a sound and effective manner.

Section 3 (b) provides:

The Commission shall study and investigate all of the present activities in which Federal aid is extended to State and local governments, the interrelationships of the financing of this aid, and the sources of the financing of governmental programs. The Commission shall determine and report whether there is justification for Federal aid in the various fields in which Federal aid is extended; whether there are other fields in which Federal aid should be extended; whether Federal control with respect to these activities should be limited, and, if so, to what extent; whether Federal aid should be limited to cases of need; and all other matters incident to such Federal aid, including the ability of the Federal Government and the States to finance activities of this nature.

Mr. President, I submit that the resolution authorizing the Commission on Intergovernmental Relations gave it a very wide scope, and I submit further that the Commission's reports and recommendations show clearly that the entire area now proposed to be the subject of a new study has already been carefully examined. So there we have it. With a million-dollar report in the hands of the administration for some 2 years, carefully blueprinting the action which needs to be taken, the President, who has done nothing to implement these recommendations, now proposes another study.

In my judgment, nothing can possibly come out of a new study, as proposed by the President, except perhaps proposals for the Federal Government to get out of the welfare field, turning the clock back 50 years and leaving the great majority of the people of this Nation without adequate consideration and without provision for their needs—needs which have come to be recognized as essential to a democratic way of life.

Mr. President, I am not exactly a newcomer to the field of Federal-State relations, having served as mayor of a large city and having served on the Intergovernmental Relations Commission and on the Committee on Government Operations, which has responsibility for legislation in this area. I can only conclude, after examining the President's remarks at Williamsburg in the light of the administration's record, and that what he is, in essence, proposing, is that the Federal Government should withdraw from the performance of activities and the participation in programs which have become an integral part of our way of life.

When President Eisenhower told the Governors Conference that "every State failure to meet a pressing public need has created the opportunity, developed the excuse and fed the temptation for the national Government to poach on the States preserves," he completely missed the point of the entire problem. What he neglected to acknowledge was the fact that our States, unfortunately, do not enjoy the same level of economic wealth; that they do not all have the same industry, resources, business, and so forth. Compare, if you will Mr. President, the State of Arkansas with the State of New York, or any other State. When the Federal Government steps in with its vital grant-in-aid and service programs, it is merely attempting to insure that the American people will enjoy the same standards, protections, and security, regardless of which of the 48 States they may reside in. What he apparently fails to realize is that the Federal Government's activities constitute not Federal intervention in the affairs of the States, but an attempt to equalize and redistribute the great wealth and resources of this Nation so that its citizens can share equally in its benefits.

Of what avail is this wealth and of what use are these resources if some States are unable to provide for minimum essentials because they lack the financial ability to provide them? The relinquishment of Federal taxes in some fields will no doubt result in the availability of more tax funds to the States. However, this would not mean that the States will be able to undertake programs on a comparable scale to meet and provide for the needs of their citizens.

Mr. President, the truth of the matter appears to be that this administration, after spending nearly $1 million on a comprehensive study of Federal-State relations, has done absolutely nothing with the results of that study.

I submit that if the President is so concerned about Federal-State relations, he should have his Budget Bureau prepare legislative proposals to implement the vast number of recommendations made by the Commission on Intergovernmental Relations. Let us use all of these studies which are now before us, instead of embarking on any new studies, entailing additional costs to the American taxpayers, and which can yield nothing but more recommendations for action.

The time to act is now. The material is available if the administration is willing to study it, make some decisions, and get to work.

Mr. President at this point I ask unanimous consent to have printed in the RECORD a United Press story written by Warren Duffee entitled "United States Gave States, Cities $80 Billion in 23 Years."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES GAVE STATES, CITIES $80 BILLION IN 23 YEARS

(By Warren Duffee)

A special House-Senate committee reported yesterday the Federal Government had pumped $60,534,854,817 in Federal payments into the States and Territories since 1934 through 175 programs.

The figures were made public by the Joint Congressional Committee on Nonessential Federal Expenditures, headed by Senator HARRY F. BYRD (Democrat, of Virginia), in a 618-page report on Federal payments to State and local governments and individuals over the 23-year period from 1934 through 1956.

The figures, based mainly on information from the Treasury Department, showed New York State received the biggest total, $6,066,390,200. Delaware received the least, $142,715,463.

Maryland received $842,835,980 and Virginia $1,229,856,412.

Total payments into the combined States and Territories averaged $3.5 billion a year.

Payments to State and local governments totaled $31 billion, an annual average of about $1.3 billion.

Individuals received a yearly average of $2.2 billion. Total Federal payments through 69 programs were $49.6 billion.

The committee said Federal payments during 8 prewar years, 1934–41, totaled roughly $24.7 billion. They dropped to $10.4 billion in the 5 wartime years, 1942–46, but climbed to $45.4 billion for the 1947–56 postwar period.

California ran second to New York in total payments received with $5,396,218,159.

Pennsylvania was third with $4,610,093,751, Texas fourth with $4,508,805,405, and Illinois fifth with $4,031,388,374.

Nevada ran second to Delaware in the lowest receipts with $206,886,823. Vermont was third low with $220,163,186.

New Hampshire was fourth with $261,622,406 and Rhode Island, fifth with $369,026,765.

The committee reported that of the total of more than $60 billion, $59.8 billion was paid through domestic-civilian programs, an estimated $4.2 billion through national defense programs, and $16.5 billion through veterans' programs.

Mr. HUMPHREY. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point a story entitled "Earlier Plan on States Load Failed," written by Robert C. Albright, and published in the Washington Post and Times Herald of June 30, 1957. The story relates to President Eisenhower's speech at Williamsburg.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EARLIER PLAN ON STATES LOAD FAILED

(By Robert C. Albright)

If the Williamsburg conference of governors was something less than electrified by President Eisenhower's plan to resurvey Federal-State powers and tax sources, you can lay it at least in part to what happened after a similar experiment 10 years ago.

For the first time in history, representatives of the National Congress and the State governments came together in one meeting on September 26 and 27, 1947, for the purpose of developing understanding and a common approach to problems of taxation.

LITTLE CAME OF IT

This meeting in Chicago was described at the time as having "historic significance." It produced a unanimous statement of principles and objectives, as well as some specific recommendations for realining taxes and functions. But nothing really ever came of them. In February 1950, the House Ways and Means Committee took testimony on one of the proposals—a cutback in Federal admissions taxes, in favor of the States. But this was forgotten when the Korean war broke, June 25, 1950.

Few of the governors expect much more than a "study and report" to emerge from Mr. Eisenhower's proposed task force, either.

The reason for this skepticism is simply that there are two big hurdles to be taken even after a new task force should agree on a rollback of Federal powers: (1) Congress must get along with it, in whole or in part, and (2) State legislatures must assume the new functions and tax responsibilities turned back by the National Government.

These two stiff conditions never have been met yet. Some wary-eyed governors doubt they ever will be.

GOVERNORS' OWN PLANK

Having called for just such a rollback in Central Government powers year after year, there was nothing the governors could do but go along with the President's invitation to join in his plan. In a sense Mr. Eisenhower had picked up the governors' own States rights plank and walked off with it.

The so-called historic meeting in Chicago 10 years ago had just about all the attributes of a successful collaboration. Key members of four top Congressional units, the House Ways and Means Committee, the Senate Finance Committee, and the House and Senate Committees on Executive Expenditures, put their heads together with a special committee of 15 governors.

VIGOR AND DIRECTNESS

An article in the November 1947 issue of State Government, official publication of the Council of State Governments, wrote of the vigor and directness with which they tackled the problem.

"Nobody made a speech. Round-table discussion—hard-headed, practical, moving from point to point—began from the moment the meeting began," it said. "A final, notable aspect of the meeting was the stark realism of those present. They were not * * * contented with any easy statement of generality. There was rather the realization that the long-range objectives had to be supported by specific recommendations."

UNANIMOUS OBJECTIVES

In the end the Chicago conference came up with the following unanimous objectives:

That the Federal Government should reduce Federal excise taxes as soon as practicable (special consideration should be given to local telephone calls, intrastate electric energy, gasoline and admission taxes.

That the Federal Government should amend inheritance and estate taxes to provide more equitable division of this revenue between the Federal Government and the States.

That the Federal Government should relinquish to the State the Federal tax on employers levied to cover the administrative expenses of the State employment security programs, and the States will assume the responsibility for the administration of the unemployment compensation and employment-service programs.

That the Congress take the earliest possible action to correct by Federal law the income tax inequities existing between the community property and States.

That the States should avoid encroachment upon tax fields which are peculiarly adaptable to Federal uses.

COMMUNITY PROPERTY TAX

Eventually Congressional taxmakers did get around to correcting the community property imbalance in our income-tax laws. But that came about indirectly, and not as a direct offshoot of the report.

From Congress, however, and, for that matter, from the States themselves, there has come no implementing action. And the pendulum of authority has swung increasingly away from State governments.

Mr. Eisenhower, in proposing to the Governors his new "task force" attack on what he termed the Frankenstein-like powers of the Federal Government, followed pretty much the line taken in the 1955 Kestnbaum report.

The 311-page document, presented to Mr. Eisenhower 2 years ago by Meyer Kestnbaum, president of Hart Schaffner & Marx, recommended that the States themselves develop the capacity to handle a larger share of the total task of Government.

Mr. HUMPHREY. I know Mr. Albright in particular has reviewed the history of the Federal-State relationships and studies pertaining thereto. He has covered some of the ground I have covered in my remarks today. All it adds up to is that speeches before governors' conferences are no substitute for legislative and administrative action on the part of an administration that ought to act rather than simply make pronouncements.

Mr. President——

The PRESIDING OFFICER. The Senator from Minnesota.

BARTERING SURPLUS AGRICULTURAL COMMODITIES

Mr. HUMPHREY. Mr. President, several developments have occurred in recent weeks concerning administration policy as it regards barter techniques in reducing our agricultural commodity surplus, and I rise to speak on these matters.

As my colleagues know, during the past month I have been conducting public hearings dealing with an overall review of the operation of Public Law 480. A major directive of this law, under title III, is the exchange of surplus agricultural commodities for materials of a strategic and critical character or other material.

To set things in proper perspective and with as much clarity as possible, Mr. President, permit me to briefly review the provisions of Public Law 480.

In essence, title I of the law provides for the sale of agricultural surpluses by payment in foreign currencies. These currencies accrue to the credit of Commodity Credit Corporation and can be used for a variety of purposes stipulated in the act. Transactions under this title have a two-sided advantage, so to speak; namely, first, the disposal of agricultural surpluses which cannot be sold against payment in dollars; and, second, aiding the economy of the recipient countries.

The basic considerations behind title II of Public Law 480 are of a humanitarian nature, and, in its application, the law has served to bring relief to countries in emergency situations, which is eminently in the American tradition and of which, I believe, we can be justly proud. I do not think I need elaborate on this aspect.

Title III is usually referred to as the barter provision of the act and, generally speaking, enables the Commodity Credit Corporation to dispose of surpluses, taking in exchange strategic materials which are needed by the United States for stockpiling purposes, and which cost less in storage charges, and are less subject to deterioration and spoilage than

is the case with agricultural commodities.

Mr. President, I have in the past addressed the Senate on various aspects of Public Law 480, particularly the sale of the surplus commodities for foreign currencies, and the role of our truly great American voluntary agencies in using these abundances of ours.

The Senate Committee on Agriculture and Forestry next Tuesday, July 16, will hear from the officers in the Barter Division of the Department of Agriculture as public hearings on Public Law 480 resume. More than 2 weeks ago the committee heard the advocates of barter. And the committee heard strong criticisms concerning barter operations as employed by the Department of Agriculture. It will be our intention to clarify the arguments.

Mr. President, I want to make it very clear that the purpose of the committee study is not to prove somebody right or wrong. What we are trying to do is to examine the operation of Public Law 480 to see whether or not there are any improvements we can make in its administration—to examine, one might say, the substance of the law.

I think one of the points that needs to be looked into—and looked into carefully—is this barter program. Let the RECORD show that I am not an advocate one way or the other. From a cursory glance at statements made by the advocates, I can honestly say I seem to be quite strongly for it. Then I hear about some of the problems as advanced by the Department of Agriculture, and that causes me to have some doubts.

It is quite probable that there are sincere and honest differences of opinion as to what should have been done under this program. I think it is well worth while, Mr. President, that these differences be brought to light.

While I was in the Middle East recently on business for the Foreign Relations Committee, the Department of Agriculture called a halt to its barter business on grounds that it wanted to review the overall program to decide whether some major changes should be made in the program.

On my return I learned that the barter operations had been resumed, but under new, very restrictive regulations. The Department of Agriculture said the new operations were based on a study of conditions. I immediately requested the Secretary to provide me with a copy of the study. I received a classified memorandum, but have yet to see the study. It is my firm belief that this study and its findings should be made a part of the public record, and I can assure my colleagues that I shall press this matter with officials at next week's hearing.

Because of its direct bearing on the operation of Public Law 480, I believe the report should be made public so that everyone will understand why the Department of Agriculture has taken the stand that it has in regard to barter.

From the reaction to the Department's new regulations concerning barter, it would seem that the directive is contrary to the letter and spirit of presently effective legislative and executive pronouncements.

The Congress, apparently, is convinced that much good could be accomplished through programing such as provided under title III, or it would not have persisted in the legislation.

Congress directed the use of barter because it believed that this technique was a sound tool with which we could substantially build up the physical resources of our Nation. It appears sound business, Mr. President, to transfer ownership from high-risk, high-storage cost commodities, such as grains, to more stable materials, such as industrial diamonds, which have practically no storage costs.

I am certain that my colleagues understand that the transaction authorized in title III is not barter in the sense that agricultural commodities are exchanged in a given country for materials. While it is true that Agriculture gives agricultural commodities and receives materials, every other step of the transaction is handled in precisely the same way that other sales are handled in the world of trade and commerce.

That is, the surplus commodities that are used to obtain the strategic materials go into international trade, are sold through private channels, and the proceeds from these sales pay for the strategic or other materials which are then given to the Department of Agriculture.

Permit me, Mr. President, to cite an example. The Secretary of Agriculture has the authority to accept offers of a commodity such as platinum, at prices satisfactory to the Government, and give to the offerers of the platinum an equivalent value of surplus agricultural commodities at current market prices. These agricultural commodities are then sold through normal trade channels by the offerers of the platinum and the platinum is delivered to the Department of Agriculture.

Were this an actual case—and I hasten to add that it obviously does not apply to all commodities—about $3 million worth of platinum, which would occupy a space not larger than an average office desk, would have been exchanged for $3 million worth of grains which cost about 10 percent of its value to store: The platinum would not deteriorate. It would always be of value—either in peace or in war—and would cost roughly $125 a year to store.

On the other hand, the Department of Agriculture would have released surplus commodities which do deteriorate. A report by the Department which was filed with the committee for inclusion as part of the official records shows that so far this fiscal year, through April 30, loss due to deterioration, shrinkage or spoilage amounts to almost $15 million. In the fiscal year of 1956, the total loss was in excess of $25 million.

In other words, there would have been a saving in storage alone of about $300,000 a year had the platinum deal been a reality. In addition, the United States would have acquired an asset which in wartime would be priceless and which in any time is of great value.

Now this situation is not farfetched at all. During our hearings, Mr. Justice M. Chambers, Washington representative of M. Golodetz & Co., of New York, testified that his department on December 15, 1956, asked the Department of Agriculture to barter platinum for surplus commodities. It is my understanding that the company was offering the platinum at a considerable amount below market, which would have been greatly to the Government's advantage. Again, the value of the platinum offered was about $2½ million. The Department of Agriculture could have saved $250,000 annually in storage facilities in exchange for a metal which does not deteriorate and could be stored for about $125 a year.

The Barter Division refused the agreement after calling the Office of Defense Mobilization, which ruled that platinum was not on the strategic and critical list of materials. I think this merits serious consideration.

Mr. Norbert Blechner, vice president of Associated Metals & Minerals Corp., of New York City, said in a statement to the committee:

This barter program makes much sense. Through it vast quantities of agricultural commodities which are surplus to our own needs and subject to deterioration in warehouses have been and are being replaced by strategic materials from abroad—materials which not only add to our defense, but which also save our country money by substituting permanent assets, with less expensive storage charges, for perishable agricultural items. In this way, basic resources with which nature has not endowed the United States are being secured in exchange for farm crops which the Lord has allowed us to grow in abundance every season.

Therefore, Mr. President, it would appear that bartering is a constructive attack upon United States surplus products. And it appears that it gives a boost to world trade as well, for barter under Public Law 480 is based on private initiative and private enterprise. Why is there opposition in the Department of Agriculture?

The basic legislation for barter goes back to the Agricultural Act of 1949. In section 416, the Commodity Credit Corporation is authorized "to barter or exchange such commodities for strategic or other materials as authorized by law."

The Commodity Credit Corporation Act, as amended on June 7, 1949, carried language under section 4, subsection (h), to once again encourage the use of barter. I ask unanimous consent that an excerpt from the Commodity Credit Corporation Charter Act, in which general powers are outlined, be printed at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

COMMODITY CREDIT CORPORATION CHARTER ACT

SEC. 4. General powers: The Corporation—

(h) May contract for the use, in accordance with the usual customs of trade and commerce, of plants and facilities for the physical handling, storage, processing, serving, and transportation of the agricultural commodities subject to its control. The Corporation shall have power to acquire personal property necessary to the conduct of its business but shall not have power to acquire real property or any interest therein except that it may (a) rent or lease office space necessary for the conduct of its business and (b) acquire real property or any interest therein for the purpose of providing storage adequate to carry out effectively and efficiently any of the Corporation's programs, or of securing or discharging obligations owing to the Corporation, or of otherwise protecting the financial interests of the Corporation: *Provided*, That the authority contained in this subsection (h) shall not be utilized by the Corporation for the purpose of acquiring real property, or any interest therein, to provide storage facilities for any commodity unless the Corporation determines that existing privately owned storage facilities for such commodity in the area concerned are not adequate: *Provided further*, That no refrigerated cold-storage facilities shall be constructed or purchased except with funds specifically provided by Congress for that purpose: *And provided further*, That nothing contained in this subsection (h) shall limit the duty of the Corporation, to the maximum extent practicable consistent with the fulfillment of the Corporation's purposes and the effective and efficient conduct of its business, to utilize the usual and customary channels, facilities, and arrangements of trade and commerce in the warehousing of commodities: *And provided further*, That to encourage the storage of grain on farms, where it can be stored at the lowest cost, the Corporation shall make loans to graingrowers needing storage facilities when such growers shall apply to the Corporation for financing the construction or purchase of suitable storage, and these loans shall be deducted from the proceeds of price-support loans or purchase agreements made between the Corporation and the growers. Notwithstanding any other provision of law, the Commodity Credit Corporation is authorized, upon terms and conditions prescribed and approved by the Secretary of Agriculture, to accept strategic and critical materials produced abroad in exchange for agricultural commodities acquired by the Corporation. Insofar as practicable, in effecting such exchange of goods, normal commercial trade channels shall be utilized and priority shall be given to commodities easily storable and those which serve as prime incentive goods to stimulate production of critical and strategic materials. The determination of the quantities and qualities of such materials which are desirable for stockpiling and the determination of which materials are strategic and critical shall be made in the manner prescribed by section 2 of the Strategic and Critical Materials Stock Piling Act (60 Stat. 596). Strategic and critical materials acquired by Commodity Credit Corporation in exchange for agricultural commodities shall, to the extent approved by the Munitions Board of the Department of Defense, be transferred to the stockpile provided for by the Strategic and Critical Materials Stock Piling Act; and when transferred to the stockpile the Commodity Credit Corporation shall be reimbursed for the strategic and critical materials so transferred to the stockpile from the funds made available for the purpose of the Strategic and Critical Materials Stock Piling Act, in an amount equal to the fair market value, as determined by the Secretary of the Treasury, of the materials transferred to the stockpile.

Mr. HUMPHREY. Mr. President, were this not sufficient authorization and direction to the Secretary of Agriculture by Congress, the Secretary once again was directed to use barter in handling farm surplus commodities as part of title III of Public Law 480.

The Department of Agriculture, however, notwithstanding express legislative authorization, has failed to avail itself to any substantial extent of this technique to reduce the agricultural commodity surplus—and now has placed even tighter restrictions on its use.

During the 5-year period between 1949 and 1954, for instance, the Department of Agriculture used so little of its authorization in this field that it drew criticism for its negative policy in House Report 1776, dated June 9, 1954, which referred to the proposed Agricultural Trade Development and Assistance Act of 1954.

Mr. President, I ask unanimous consent that an excerpt from the House report be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954, HOUSE OF REPRESENTATIVES, REPORT NO. 1776, 83D CONGRESS, 2D SESSION

Section 303:

This section implements existing barter authority by establishing a policy of encouraging and assisting exchanges of surplus agricultural commodities for strategic materials when such an exchange will protect the funds and assets of the Commodity Credit Corporation. Most agricultural commodities, even those classified as "storageable" deteriorate measureably in storage. In addition, storage charges on most agricultural commodities are relatively high. Even in the case of grains, for example, the storage charges add up to the value of the commodity in 8 to 10 years. On many of the perishables, the rate is much higher. The Secretary of Agriculture reported to the committee that CCC is now spending more than $700,000 a day for the storage of its commodities.

It would seem to the committee, therefore, to make extremely good sense to take advantage of opportunities which might present themselves to exchange these commodities which are subject to deterioration and costly to store for strategic materials, most of which do not deteriorate and which cost relatively little to store.

Although barter of surplus agricultural commodities for critical and strategic materials is specifically contemplated and authorized by the Agricultural Act of 1949, and the Commodity Credit Corporation Charter Act, the Department of Agriculture has participated in relatively few such transactions, and, apparently, has taken an attitude discouraging, rather than encouraging, the making of such exchanges.

Among other deterrents to an effective barter program, the Department has maintained the policy of declining to accept in trade for its agricultural surplus any strategic materials that it did not have an immediate sale for to the appropriate Government agency. While not criticizing the Department for this attitude (since there was no legislative policy statement to guide it) the committee believes that the funds and assets of the CCC can be much better protected by exchanging, when the opportunity offers, some of its costly-to-store agricultural surplus for nondeteriorating, easily stored strategic materials, even though these may have to be held for some time as the property of the CCC. Indeed, to refuse to make such exchanges simply because no Government agency is in a position at the moment to buy the strategic materials from the CCC, is to negate the very reason for barter—which is an exchange of materials for materials when money with which to purchase such materials is unavailable or is less useful than materials. Since the disposal of any such strategic materials would be controlled by the provisions of the Strategic and Critical Materials Stockpiling Act, their possession by the CCC would create no marketing problems.

Mr. HUMPHREY. Mr. President, if this attitude is true today—and the information I get today persistently points to the fact that it is—then the attitude is antagonistic even to the express wishes of the President of the United States. For the President, in his annual budget message to Congress, delivered on January 16, 1957, said:

Legislation should also be enacted authorizing the barter of nonstrategic Government-owned agricultural surpluses to the nations of Eastern Europe.

Mr. President, I submit that not only does the President of the United States advocate bartering, but bartering with unfriendly nations, so that the United States might have a potential economic weapon in fighting the so-called cold war.

According to presently available statistics, it appears that under title III, the barter title of Public Law 480, during fiscal year 1955, the Department of Agriculture entered into barter contracts totaling only $282 million, and in fiscal year 1956, about $315 million. Exports of surplus agricultural commodities under existing title III barter contracts were $124 million for 1955, $298 million for 1956, and $228 million for the first half of fiscal year 1957.

According to testimony offered the Senate Committee on Agriculture and Forestry, the experience of barter contractors during this period, who submitted substantial offers of materials to the Commodity Credit Corporation, has been that the Department of Agriculture discouraged the expansion of substantial barter operations. These same contractors have indicated that the annual barter potential is around $500 million.

I think it proper, Mr. President, to raise the question whether the reports are true that the Department of Agriculture has taken an attitude discouraging, rather than encouraging, the making of such exchanges. And if so, why?

It should be recognized that the basic intent of all authority for barter was to provide a method for the disposal of surplus agricultural commodities and a means of the CCC improving its assets by taking nondeteriorating and easy-to-store commodities.

As examples of possible barter programs, I am told that approximately $30 million worth of industrial diamonds are now available in foreign countries. Wheat from the huge surplus could be bartered for these diamonds with current market prices as exchange values. Industrial diamonds are vital to American industry.

Mr. Bernard Jolis, vice president of the United States Industrial Diamond Corporation of New York, testified:

The cost of storing industrial diamonds is approximately one two-thousandths of the cost of storing wheat, not including losses due to deterioration and spoilage. Or, to put it another way, the barter of $30 million worth of surplus wheat for an equivalent value of industrial diamonds effects a saving to the United States Government in storage charges alone of about $3 million annually. In 10 years, the Government could save $30 million on just one such transaction. Actually, the Government has already saved many millions of dollars in storage charges

alone by reason of industrial diamond barter transactions consummated in 1954, 1955, and 1956. I estimate that the approximately $85 million worth of industrial diamonds acquired in exchange for surplus agricultural commodities have already resulted in saving to the United States to date of about $16 million.

Mr. President, it is almost unbelievable that the Department of Agriculture is not accepting industrial diamonds as a strategic material. Mr. Jolis further pointed out that because of the present status, many of these industrial diamonds are being lost to Iron Curtain countries. During the hearings, the industrial diamond trade stated they had been advised by the Office of Defense Mobilization that there is no prospect in the foreseeable future for any further barter transactions for industrial diamonds.

Yet, I think we all recognize that a constantly increasing requirement for industrial diamonds is apparent as industry expands. In use, the diamonds are expended and must be replaced constantly. In other words, an increasing potential market exists in peacetime as well as in wartime. Industrial diamonds represent only one of many similar materials not produced in this country.

An article appearing in the Journal of Commerce on May 8, 1957, carried the Department of Agriculture announcement that it was ending barter temporarily to make its study. Mr. President, I should like to quote from that article:

The general review has been undertaken to see if barter operations are "really adding anything" to the expansion of export outlets for United States farm products, an informed official said.

Specifically, there is growing concern that, like other Government-sponsored agricultural export programs, the barter operation has become a "substitute for cash sales" in that they displace foreign sales which might otherwise be made for dollars.

Another question that has arisen is whether barter operations are unnecessarily adding to the growing hoards of so-called strategic commodities now in Government stockpiles.

Is there any evidence that since bartered surpluses are sold abroad at competitive prices through commercial channels, the cash sales from the United States have reduced?

Opponents of the title III program allege that its operation has adversely affected dollar sales, and learned arguments have been made by those who support this point of view. They contend that the surplus commodities disposed of under title III have gone mainly to the north European countries where we normally sell our agricultural commodities for dollars. They take the position that if it were not for the so-called barter program, more cash sales would have been made.

This argument is somewhat contrary to testimony offered by advocates of the program before the Senate Committee on Agriculture, on Friday, June 21, 1957.

Exporters have reported to our committee that since the barter program started there has been a tremendous increase in commodities being moved abroad. Furthermore, it is quite possible that the nature of barter transactions which permit commodity handlers to offer a discount abroad may well have resulted in the combining of barter transactions with straight dollar sales. Instead of hurting the cash sales program, the contractors contend, the barter program may well have enhanced the dollar sales.

Mr. Charles A. Cogliandro, president of the Calabrian Co., Inc., of New York, and Mr. Samuel H. Sabin, vice president of the Continental Grain Co., concurred in their testimony that both cash sales and barter sales have substantially increased.

Cash sales for export have increased from $261 million in fiscal year 1954 to $497 million in fiscal year 1955 to $836 million in the first half of 1957. During the same period, barter exports rose from $27 million in fiscal year 1954 to $122 million in fiscal year 1955 to $298 million in fiscal year 1956, and $201 million in the first half of fiscal year 1957.

To support its contentions, the Continental Grain Co. asserted:

We do not share the opinion that the majority of sales of surplus grains under barter agreements have replaced sales for free dollars which would have been made in any event. The normal procedure has been for grain exporters to take on long positions of barter funds with their attendant obligations to sell and export surplus agricultural commodities, and their attendant market risk, which have had the effect of causing the exporter to become more aggressive abroad in order to liquidate these obligations and risks. Obviously, such an aggressive policy has resulted in sales of United States surplus agricultural commodities which, in today's existing buyer's market, might well have gone to other competing countries. The barter program would seem to be the only opportunity afforded the grain trade to retain and expand its free dollar markets for United States grains.

The statement was made to the committee that barter has accounted for more than $975 million of direct surplus disposal, and is responsible for substantial surplus disposal for cash, which, except for the impetus of barter, would not have occurred.

As regards the sales to north European countries which displace dollar sales to those nations, I should like to point out that of a total of $651 million worth of exports up to the first of the year, only $374 million went to the north European countries. Out of the $374 million, more than $118 million went to the United Kingdom. It is quite reasonable to assume that, if the United Kingdom had not taken this material under the barter agreements, they probably would have taken Canadian or Australian wheat instead of wheat from the United States. This might also apply to the Netherlands, West Germany, Belgium, and France, which received the balance of the larger shipments of wheat in north Europe.

A release from the United States Department of Agriculture, dated May 15, 1957, states that the Department has been making a detailed review of the barter operations, in light of changes in the overall foreign-trade situation. I am sure that Congress will be very much interested in these changes, and I hope to bring them out during the current hearings before the Senate Committee on Agriculture.

The release comments:

General developments prompted a restudy of safeguards against the substitution of barter transactions for dollar sales, without net gain in total export of agricultural surpluses.

Department officials say that the revised program for barter will have the objective of seeking to make sure that future barter contracts result in a net increase in exports of agricultural commodities.

If the barter advocates had one statement in common, Mr. President, it was this: Under the new directives, they have been unable to work barter transactions because of the restrictions now in the program.

The revised program contains the following restrictions: It requires that a specific commodity be designated; that the contractor satisfy CCC that the transaction will effect a net increase in United States exports of the commodity involved to the receiving country, if such receiving country is one of an inclusive list contained in the new directive; that the commodity will not be transshipped; that interest be paid to CCC even though letter of credit is furnished; and that barter contractors must prove in advance that a certain proposed transaction will mean a net increase in United States exports. These are among several others.

I want to have the record clear on barter operations, Mr. President, so permit me to once again show how it operates.

Surplus agricultural commodities, disposed of under title III, are sold at the published market value of the commodity at the time delivery is taken by the grain companies. The materials taken in exchange are almost inevitably purchased at below existing market prices. Such transactions are possible because deliveries under the contracts normally run from a year and a half to a maximum of 3 years. It is thereby possible for the traders handling these transactions to earn interest on the money engendered by the prompt sale of the agricultural commodities.

The international traders who are offering the materials to Agriculture must pay the grain companies a brokerage for handling the transactions. As a result, the grain companies have been in a position to offer small discounts, which have aided them in disposing of these materials.

As a result of these transactions, charges have arisen of windfall profits to barter contractors. Those who appeared before our committee unequivocally denied the charges.

Mr. Stanley S. Groggins, of the M. Goldodetz Co., of New York, gave the committee an example of a transaction, which I think will be of interest to Senators. He said:

We will sell manganese or ferro chrome for delivery in a period of 24 months. We will then be required to lift the agricultural commodity. It may take as long as 6 months to dispose of it. Therefore, we will have the use of the funds for the balance of that period or 18 months. We will have its free use for one-half of that time, because in the 24 months we will be making periodic and regular deliveries of the strategic material we have sold. So therefore, on a specific contract we will be able to have the free use of the money for 9 months, and if we are very good in our credit and backing and purchases, we will probably get about 3 and 3¼ percent for that money. That is what we have as against which we have given them a discount on the strategic material we sold. We have paid for the expense of disposing of the agricultural commodity. We have paid for the use of the letter of credit which our banks were required to put up to guarantee the performance of the contract, and if we end up with between one-half of 1 percent profit, we think we have done pretty well. That is the windfall I have heard some people refer to.

As regards the barter operation, Mr. President, a point has been raised by the contractors that the Department of Agriculture, in acquiring strategic and critical material, is using a list provided by the Office of Defense Mobilization which is unduly restrictive. The current list of strategic and critical materials has some 74 commodities designed to meet the requirements of a war. The list furnished Agriculture is, I am told, only a very small part of the list of items. It excludes those items where the ODM feels we have enough in the stockpile, or in the supplemental stockpile. The contractors argue that any of the items on the more extensive list of strategic materials should be permitted in barter if it meets the criteria in the law of being "strategic materials entailing less risk of loss through deterioration or substantially less storage charges."

The Department of Agriculture has testified that they continue with the ODM list because they do not set themselves as experts in the field, and therefore turn to those who would know strategic and critical materials—who are, so to speak, the experts.

Questions are being raised on all sides, Mr. President, and I think that this is ample reason to be concerned about the barter technique in the disposal of our agricultural surplus commodities. I hope that the Committee on Agriculture and Forestry, in its current hearings, will come up with the answers we need to carry forth a sound program in the disposal of our farm surpluses while at the same time contributing to our domestic and international policies.

Mr. President, I take this opportunity to invite Members of the Senate to the hearing next Tuesday morning when representatives of the Department of Agriculture will testify on barter.

A number of Senators have spoken to me privately about this, and a number of Senators have written to my office. I suggest that as they examine the CONGRESSIONAL RECORD for today, they may be interested in these observations on the program. I welcome their testimony and their participation in this study, and invite their attention again to the hearing scheduled for Tuesday morning of next week.

CALL OF THE ROLL

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allott	Flanders	Morse
Anderson	Frear	Morton
Barrett	Gore	Mundt
Bennett	Green	Pastore
Bricker	Hayden	Potter
Carlson	Hill	Revercomb
Carroll	Holland	Russell
Case, N. J.	Hruska	Scott
Case, S. Dak.	Humphrey	Smith, Maine
Chavez	Johnson, Tex.	Smith, N. J.
Church	Johnston, S. C.	Sparkman
Clark	Kefauver	Stennis
Cotton	Kerr	Talmadge
Curtis	Martin, Iowa	Thurmond
Dirksen	Martin, Pa.	Thye
Douglas	McClellan	Williams
Dworshak	McNamara	Yarborough
Ervin	Monroney	

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Fifty-three Senators having answered to their names, a quorum is present.

JANE FOSTER ZLATOVSKI, AND SECURITY SAFEGUARDS IN THE GOVERNMENT

Mr. HRUSKA. Mr. President, the disclosure that Jane Foster Zlatovski, recently indicted in New York as a Soviet spy, was issued a passport by the State Department 2 years ago, after its objections were deemed inadequate by Federal District Court Judge Burnita Matthews, points out the folly of the present campaign against security safeguards in our Government.

I have verified the story and it is a sound instance of the contention that the Secretary of State should have some discretion in denying a passport to a suspect without having to put all the evidence and information supporting his decisions into the public record.

In the case of Mrs. Zlatovski, the Secretary was forced to choose between producing his evidence or issuing a passport. He could not prejudice the security involved in the surveillance then going on and had no alternative but to grant the passport.

As a consequence, a Communist suspect who has been indicted for espionage was able to move about in Europe for 2 additional years on an American passport and is now outside the jurisdiction of the United States. The passport of George Zlatovski was not renewed by the Department of State after 1954.

I hope that the French Government will extradite the Zlatovskis and that there will be an early trial so that the details of current Soviet espionage can be known to the American people.

Mr. MORTON. I commend the Senator from Nebraska for bringing this matter to the attention of the Senate. It so happened that as an officer of the Department of State, I was also the Chairman of the Passport Appeals Bureau. When this case came before us, Jane Zlatovski had come to this country from Paris to visit her mother in San Francisco, and her passport had expired. It was not renewed by the Department of State on recommendation of the Department of Justice. Mrs. Zlatovski took her appeal to the Passport Appeals Board.

The Department of Justice told us some of the circumstances of the case, but we were not given and did not want the information which was in the FBI files. We were told enough to assure us that it would be very dangerous to the security of this country if Mrs. Zlatovski were allowed to return to Paris.

When the Department of State rejected her appeal for a passport, she engaged the services of an attorney in New York and took the matter up in the United States district court there. We could not go into court with the evidence, because it was more important to the security of the United States that we keep the files confidential than it was that Mrs. Zlatovski should not return to Paris.

I had openly denied the passport on the ground that she had marched in a movement to picket the White House some years before, when she was a rather young person. Obviously, these were rather spurious grounds, but they were all that we could use.

We face a dilemma. This is something to which we must give careful attention. I certainly believe in the freedom of travel, as does every other American. Nevertheless, a time comes when the Secretary of State or the Attorney General, or someone else in the Government, must have the authority to deny a passport to those whose travels will be inimical to the security of the United States. That is the situation which developed in the present case.

Now our Government has asked the French Government to return this spy for trial in this country. I agree with the Senator from Nebraska. I hope the French Government will comply with our Government's request. I have no reason to feel that the French Government will do otherwise.

This is a problem to which we in Congress must, I think, give very serious thought.

ORDER OF BUSINESS

Mr. JOHNSTON of South Carolina obtained the floor.

Mr. JOHNSON of Texas. Mr. President, will the Senator from South Carolina yield, without losing his right to the floor?

Mr. JOHNSTON of South Carolina. I will yield provided I do not lose my right to the floor.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from South Carolina may yield to me for the purpose of propounding a unanimous consent request, without losing his right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. As I have previously informed the Senate, an order has been entered to convene tomorrow morning at 10:30, which is an hour and a half earlier than usual. I have previously announced that it is the plan of the leadership to have the Senate remain in session later than usual tomorrow, perhaps until 8:30, 9, or 9:30 in the evening, depending on whether there are speakers who desire to address themselves to this subject at that time. I

want all Senators to know this, so that they may be prepared in case there are quorum calls or in case their presence should be needed.

I plan to have the Senate continue in session until 7:30 or 8 o'clock this evening, if that will suit the convenience of the Senator from South Carolina, the distinguished minority leader, and other Senators.

Therefore, I ask unanimous consent that at the conclusion of the previously ordered morning hour tomorrow, the Senator from South Carolina may be recognized.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from South Carolina has the floor.

CIVIL RIGHTS

The Senate resumed the consideration of the motion of Mr. KNOWLAND that the Senate proceed to the consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. JOHNSTON of South Carolina. Mr. President, there is much talk of a compromise on the civil-rights bill. There is a point I wish to make extremely clear here and now. I will have no part of any compromise on this bill. I cannot be an honest man and compromise on principles.

There is nothing compromisable in this bill, for it is all objectionable to me, and it violates all the principles which I adhere to and which the people I represent adhere to. I shall vote to amend the bill drastically; but as to any civil-rights bill, I could never vote or compromise on such a bill, and would not do so. I believe in every American having the right to vote regardless of race, color, or creed.

It might be informative for the Senate to know that South Carolina has abolished the law which requires voters to pay any taxes.

In my State of South Carolina the people of all races, colors, and creeds have the right to vote. The people of South Carolina have seen to that without Federal intervention, and I think every other State can see to it that every person has the right to vote without intervention by Congress.

I may state also that I have been working upon and dealing with a civil-rights bill in the Committee on the Judiciary for approximately 6 months. I have been working with a subcommittee of the full committee and have been holding hearings on the bill. At no time that I recollect was any criticism made of any other section of the country; neither were any allegations made concerning any section of the country except the South. Let that sink in. It will also be noted that on the floor of the Senate every Senator from what is known as the solid South opposes the bill.

I wish Senators would stop to meditate for a few minutes and give some serious consideration to the fact that a whole section of the United States takes the position which we in the South are taking. Do you think, Mr. President, that anyone who lives in Illinois, New York, or California knows the conditions in the South better than the South knows its conditions? Do you think they know better how to handle our problems than we know how to handle them?

Let us look at the administration's civil-rights bill, which it is sought to railroad through the United States Senate by Attorney General Brownell and other agents of the White House. It is one of the most devastating pieces of proposed legislation ever designed.

I should say it is more dangerous and more far-reaching than the old reconstruction era force bills that followed the War Between the States. This bill not only is aimed primarily for the moment at the South, but is designed so that it can be unilaterally imposed upon all kinds of groups and upon various sections of the country in matters other than simply civil rights. It sets a precedent of placing the Attorney General of the United States in the same position that Hitler was placed by similarly patterned encroaching legislation passed in Germany during the 1930's. The President of Germany became a figurehead and Der Fuhrer ran the country. So it will be if the proposed legislation is passed. The President will become a figurehead and the Attorney General will run the country.

The President is leaning heavily on the Attorney General to find out what is in the bill at this late date. But the President has been supporting the measure ever since January, and even sent a message to Congress concerning it. Did the Attorney General tell the President to support it, and did he write the President's message to Congress?

That is the Attorney General who is already running the country, but is simply urging the passage of the bill to legalize for us the manner of its operation.

The Senate of the United States is allowing itself to be propagandized and whipped into line behind this bill by pressure groups and agents of the race-hate crowd. The Senate is not considering the precedents being established by this bill. We have not had the benefit of the multiplicity of evidence gathered by the Senate Subcommittee on Constitutional Rights regarding similar proposed legislation now before the Senate Judiciary Committee. The Senate is not obtaining the benefit of a report from the Senate full committee, as it should do in order to be fully informed as to what this bill contains.

This bill was designed, in the scheming name of civil rights, to bait the vote hooks offered to so-called minority groups in the big cities. It is designed to perpetuate in office the leaders of the NAACP and similar groups by creating an issue. There are sincere people who sincerely believe that injustice is widespread in the South against Negroes. But I state emphatically that they have been misled in this matter by one of the most terrifying and well-laid propaganda campaigns in the history of the Nation. This campaign of hate, that organized with the NAACP and similar organizations, is having a terrible effect in the South. It is setting the South back 100 years in its racial relations. We in the South have spent billions of dollars on educational institutions for the Negroes and at every turn are providing and have provided equality of opportunity. I wish some of the Senators would drive through South Carolina and would have someone point out to them the beautiful, new schoolhouses which have been built during the last 10 or 15 years for the colored children. Senators will find that the schoolhouses built during recent years for the colored children far outnumber those built for the white children. South Carolina has spent approximately $75 million in building schools for colored children during the past 6, 8, or 10 years. Proposed legislation and movements of the present sort only set back such progress.

What is happening today is exactly what happened prior to the War Between the States.

In 1803 one of the first organizations for the abolition of slavery in America was founded in Charleston, S. C. I want to emphasize this fact, Mr. President. The first abolition movement in America began in the South, and was started by southerners in the South in 1803, many years before any such movement began in the North. Mr. President, it was not long afterward that other organizations for abolition of slavery in the South were formed, and leaders in the South were advocating abolition of slaves, and the South was moving rapidly and quietly toward an ideal that later was a major cause for splitting the Union and bringing on one of the most terrible wars in our history.

Mr. President, it so happens that abolition of slavery in the South was moving along so rapidly and so well that in my State of South Carolina a law had to be passed by the South Carolina General Assembly bringing a halt to abolition of slavery until an orderly procedure could be established. The reason for this was that slaveowners were turning slaves loose so fast that they were unable to get work, and were becoming wards of the State. In effect, the owners of the slaves were transferring the responsibility of feeding, clothing, and housing these former slaves from themselves to the entire populace of the State; thus creating a budgetary and tax problem in South Carolina. But the very existence of this problem points up the fact that abolition of slavery was well underway in the South long before the northern antagonists hit upon the idea of being humanitarians and of moving to abolish slavery.

What happened to the southern abolition movement is exactly what is happening today to race relations between the Negroes and whites of the South. Instead of allowing the people of the South, Negroes and whites, to work out mutual problems, the race haters and troublemakers of the North set out on a vast propaganda movement to stir up the issue and try to run the show from a thousand miles away.

The abolitionists of the North made no note of the southern movement toward solving the complex problem of slavery; and they lashed out at the South, stirring up in the Nation the most vicious hatreds ever created until that time. The hatred program emanating from the North set up a reaction against the support of abolition in the South, and the southern abolition organizations crumbled and fell apart at the seams as a result of dissenting public opinion.

Mr. President, the American people of any section cannot be forced to do something of this magnitude. They could not be forced then, and they cannot be forced now. The result of the hatred programs promoted in the North resulted in a civil war for this Nation. What will result from the hatred programs emanating from the North in the 1950's? I cannot answer that question as completely as the historian can state what happened as a result of the hatred programs of the 1850's. But I can warn that if this proposed legislation before us passes and it is enforced, then, Mr. President, the blood that may spill in this Nation of ours will be on the hands of every Member here who votes to pass this proposed legislation.

Mr. President, you cannot force people to integrate if they do not desire to do so. The people of the South do not want to integrate, and this bill is designed to do just that. Do not let anyone be fooled into thinking the bill is only to protect the right to vote. As my able colleague, Senator RICHARD RUSSELL from Georgia, stated on the floor of the United States Senate a short time ago, there will not be room enough in the jailhouses of the Nation to hold those who will violate the law if this bill becomes the law.

Mr. President, I go one step further. The jails will not hold them if they ever reach the jails, for I fear what will happen. First will come the violation, then will necessarily come the enforcement. By whom? The United States Armed Forces?

Senators, do you want to be responsible for a second reconstruction era or a second pillaging of the South? Do you want on your hands the blood of Americans who may forcefully resist enforcement of such a law? Do you want the world to laugh up its sleeve while we tear our own Nation apart and place an entire section of this country on its knees at bayonet point?

If you do this to the South, you will be doing in these United States what we have accused Russia of doing in Hungary, in Poland, and elsewhere behind the Iron Curtain.

Mr. President, I hope the United States Senate will not make the same mistake in 1957 as was made by those who went before us 100 years ago. If we pass this bill we will be fomenting the worst hatred this Nation has ever seen since the Civil War.

Mr. President, this bill is called the administration bill. Now, I want the Senate to understand fully what is in this bill. The Members of the Senate have never had a complete explanation of this measure, to my knowledge. This bill has several general faults:

There are technical deficiencies; substantive deficiencies, and matters of principle. For the sake of clarity, I shall discuss both technical and substantive deficiencies in chronological order; that is, starting at the front of the bill and going on through toward the back, and discussing it section by section. Before I do that, I have a few things to say about matters of principle.

At the beginning, I want to point out that Congress lacks the power to make laws to enforce prohibitions against the States. Section 10 of article I of the Constitution involves various prohibitions upon the States. I assume we are all familiar with the provisions of that section, but it can do no harm to read them so they will be fresh in mind, in detail. Section 10 of article I of the Constitution of the United States reads:

> No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.
>
> No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.
>
> No State shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

As I have said, that section of the Constitution involves a number of prohibitions upon the States. But the Congress is neither required nor authorized to enact legislation for the purpose of implementing these prohibitions. They are self-executing. A treaty entered into by a State is void. Letters of marque or reprisal issued by a State would not protect the holder. Money coined by a State would be worth only its intrinsic value. Bills of credit issued by a State could not be enforced in court. A State law purporting to make anything but gold and silver coin a tender in payment of debts would be void and unenforcible—even though Congress can make and has made such a law. A bill of attainder, ex post facto law, or a law impairing the obligation of contracts, enacted by a State legislature, would be declared void and unconstitutional without the necessity of the intervention of any act of Congress.

It would be ridiculous and redundant for Congress to pass a law saying the States may not enter into treaties, or to pass a law saying the States may not grant letters of marque and reprisal, or to pass a law saying the States may not coin money.

Similarly, the provisions of the 14th amendment to the Constitution that "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws" is a self-executing provision. It stands in exactly the same case as the provisions of section 10 of article I. It is to be enforced by the courts, not by acts of Congress. In discussing the whole question of so-called civil-rights bills, I think we should keep that point in mind.

Now, let me make another general comment. There is a lot in this bill about injunctions. We have all heard the phrase "enforcement by injunction." That is provided for in the bill.

There are a good many objections to this, not involving in any way any question of segregation of the races. Enforcement by injunction is bad in principle.

Let us consider the right of a citizen to vote. Illegal interference with that right is, by definition, a crime. To seek to prevent this crime by getting an injunction against the commission of it, and thereafter to punish the commission of the crime as contempt of court, rather than under a criminal statute, is a device which, if it is to be adopted at all, can be made applicable in the whole field of criminal law.

Once we adopt this policy, there may be no stopping until we have gone the whole way.

I want to warn the occupant of the chair [Mr. MCNAMARA] at this particular time. I know how he feels toward labor, but I warn him that if such legislation as this be passed then he can expect to have follow it a measure which will permit injunctions against labor organizations. I would not approve of that, and I know he would not approve of it.

Thus, we might have Federal court injunctions against the commission of murder within the District. We might have Federal court injunctions against robbery. We might even have Federal court injunctions against exceeding the lawful speed limit, or against driving on the wrong side of the road. Why not? Under the reasoning of this bill, if every person has a right to his share of the road, why should not the Federal Government enforce it by injunction? The bill ignores the basic principle of preservation of States rights, preservation of the power of a State over matters such as public order within the borders of the State. That is one of the great evils of this bill. It is a step, and a long step, toward complete federalism; toward statism, if one prefers to call it that; toward totalitarianism, if one is willing to give it that name, which it fully merits.

There should be no doubt in the mind of anyone about the fact that the purpose of this proposal for government by injunction is to avoid jury trials. That has been made very clear many times. Let me cite a few instances.

When I say I will cite a few instances, if Senators will but read the testimony they will find many, many people have testified along a similar line.

The purpose to avoid jury trial was clearly admitted by Mr. Clarence Mitchell, director of the Washington bureau of the National Association for the Advancement of Colored People, in his testimony before the Judiciary Committee on May 25, 1956. Mitchell said:

I think we ought to make it very clear on the record that everybody ought to know that our organization has been trying to get hearings and actions on this bill ever since the Congress started and many conversations have been held with various people trying to get action.

Further, he said:

I think there is enough glory to go around and blame to go around as to who is responsible. We don't want to fix blame. We don't want a half-loaf or three-quarters of a loaf; we want the whole thing.

We don't interpret S. 3718 as a half-loaf. The Attorney General made very clear the practical situation we are confronted with. He used the illustration of Mississippi where we have an airtight case of individuals being denied a right to a voting to a grand jury and you cannot get an indictment. If you get an indictment before a grand jury you can't get a conviction.

The Senator from Missouri [Mr. HENNINGS] interjected:

That is what I said to Mr. Wilkins, and he said he did not remember.

Mr. Mitchell continued:

Yes. This legislation as I understand it does not lack in strength because as I understand judicial procedures correctly if the Attorney General finds that there is a violation of the law and if a court duly constituted issues an injunction telling people to cease from interfering with the right to vote and they continue to do so, they may be convicted for contempt and there would not be the hurdle of these juries that refuse to convict and grand juries that refuse to indict.

There we have it. The purpose of this proposal for enforcement by injunction is to take away the power and jurisdiction of juries to try people for alleged offenses.

Let me give another example. The intention to circumvent juries was also shown by the testimony of Patrick Murphy Malin, executive director of the American Liberties Union. This testimony will be found at page 137 of the hearings before the Judiciary Committee in 1956.

Senators will note that much of this testimony was taken in 1956. We have been taking testimony for a long, long time, and we have a great deal of testimony. It would be very enlightening if at some time somebody could really have all the testimony read to some of the Senators so that they would know just what has taken place in the past.

Mr. Malin then said:

It's not astonishing that many local citizens, who compose even Federal grand and trial juries, regularly refuse to indict or convict their friends and neighbors—official or private—for offenses which they themselves at least condone. But no self-respecting government, constitutionally responsible for seeing that even its humblest citizens have equal protection of the laws, can let things rest there. Hence it would seem to serve both wisdom and conscience to have the Federal Government empowered to ask a Federal judge for the declaratory relief of an injunction against a threatened violation of a civil right.

If the injunction was disobeyed, the judge would cite the violator for contempt of court, whose punishment while not severe, is real.

I could multiply examples; but everybody knows that the purpose of this proposal for Government by injunction, for enforcement by injunction, is to derogate from the powers of juries, to take jurisdiction away from juries; in a word, to deny persons accused of crime the right to trial by jury. This is an objective which I shall never serve, which I shall always oppose. The Congress very recently passed legislation intended to strengthen and protect the jury system of the United States from attack; to preserve the integrity of the jury system. But if we pass this bill, we will be striking a greater blow at the jury system than any blow which has been struck since the adoption of the Constitution. I invite attention to the fact that the right of trial by jury is a constitutional right, just as much so as any of the rights protected by any of the amendments of the Constitution. The right of trial by jury is protected in section 2 of article III. The last paragraph of that section reads as follows:

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

The provisions of this bill with respect to enforcement by injunction fly directly in the face of that constitutional guarantee of the right of trial by jury. The offenses which it is proposed shall be punished by contempt judgments of Federal judges are offenses which constitute crimes under the law.

From my study of the law, and claims based upon grounds of equity, I have always found that if there is a remedy at law, it is necessary for the person coming into court seeking equity first to show to the court that he has already exercised or tried to obtain the remedy under the laws on the statute books, whether they be Federal or State laws. That is not so in this case. That procedure is waived, as I shall show by specific reference to the language of the bill.

It is no answer to say, as the executive director of the American Civil Liberties Union did, that punishment by injunction is not severe. I suppose he meant to imply that therefore it is all right to deny a man trial by jury, because the punishment is not going to be severe. But a judge can send a man to jail for contempt.

He can fine him and take away his money for contempt. That is punishment; make no mistake about it. And putting a man in jail is punishment. Make no mistake about that either. Federal judges are going to be inflicting those punishments, on citizens of the United States who have not had the right of trial, by jury which is guaranteed to them under the Constitution of the United States, if the bill now before us should be enacted into law.

Before we leave this matter of enforcement by injunction, let me make another point or two with respect to it.

First, I point out that the right which this bill would provide to the Attorney General to seek an injunction before the offense takes place is clearly premature. It is improper, certainly, for the United States to institute an action for the benefit of a private individual, without the consent of that private individual.

I ask this question: What do Senators think would happen if the Attorney General should receive a letter from someone requesting him to protect his rights, if the same individual, when the Attorney General started the action, should come to him and say, "No; I do not want you to go into court"? Under the terms of the bill the Attorney General could then put him in jail for interfering with the administration of justice. I believe that the consent of each private individual should be obtained.

The bill does not provide for this. Clearly the bill does not contemplate that such permission will be sought. This is wrong. Even assuming that preventive injunctions were desirable—which we cannot assume, and must not assume—but even if there were an assumption that preventive injunctions were desirable, the fear of danger or damage controlling the application for such an injunction should be the fear of the individual who claims he is in danger of being injured; not the fear of the Attorney General that somebody may be injured.

Does the injunctive-relief proposal intend to try individuals for violations of State law? If so, why not try them under State law, in State courts? If they are to be tried for violations of State law, they have a right to trial by jury.

Does the injunctive-relief proposal contemplate trial of persons for violation of Federal law? If so, why not try them under Federal law in a Federal court, after indictment? They have a right, a constitutional right, to trial by jury.

These questions show the fallacy of what is being attempted here. The bald fact is that what the proposal in this bill contemplates is trial of individuals in Federal courts for violation of rules laid down neither by Federal law nor by State law, but by some single judge, at the suggestion of the Attorney General. The Attorney General would probably draft the order, and the judge would sign it.

The Attorney General is going to file a paper in Federal court, and on the basis of that paper some judge is going to lay down rules of conduct. It may well be that the rules he lays down will be parallel with the laws of the State or States involved. It may be they will be more restrictive. But regardless of that, once the judge has laid down those rules, they are going to have the effect of superseding both State and Federal law in the area, and acts which otherwise would be punished, or at least tried, on the basis of applicable State or Federal laws, will thereafter be punished as contempts of the court; and thus the right of jury trial will have been taken away,

the provisions of section 2 of article III of the Constitution to the contrary notwithstanding.

It seems very clear to me that the Federal Government does not have a constitutional right to control and enforce civil rights. But if we are to assume that the Federal Government does have such a right, and if, in addition to that, we assume that it has been established additional laws are needed in this field, we still must admit that it is up to Congress and Congress alone to decide what laws are needed, and to pass those laws. The job should not and must not be delegated, by Congress or anyone else, to a single individual anywhere, whether or not he is a Federal judge.

Who is going to determine our public policy from here on—the Congress of the United States or the Attorney General?

If the Congress enacts laws prohibiting certain actions that might involve invasion of the civil rights of individuals, then Congress is determining public policy with respect to those matters.

But if the Attorney General goes into a court with an application for an injunction, and frames the order he asks the judge to sign, then the Attorney General is determining those matters of public policy. Mark my words, that is what will happen if the Congress enacts this proposed legislation.

As I have pointed out, the attempt at enforcement by injunction is an attempt to divest State juries of their jurisdiction, and it is an attempt to divest State courts of their authority and jurisdiction. I do not believe the Congress wants to do that. But if the Congress does want to do it, and if the Congress thinks it has the power, and wants to exercise such power, to divest the courts of our States of their authority and of their jurisdiction, then the Congress should do it directly instead of attempting to do it indirectly, as in this bill.

Let me say one thing more, before I leave, for the present at least, the question of the proposal for enforcement by injunction. We have heard much in the way of analogy to other statutes, such as the antitrust statutes. We have heard it said that there is already precedent for what this bill proposes to do, and in committee a witness told us that no one had ever been put in jail for violation of the antitrust laws. But the fact is that the antitrust laws and similar statutes which give the Federal Government the right to seek injunction relief, involve acts alleged to affect the national interest, and to contravene national public policy, and which are not amenable to State law. In the case of civil-rights injunctions, what is involved is action which is wholly amenable to State law. The difference is perfectly clear, and the injunction provisions in the antitrust laws and similar statutes are in no sense precedent for what this bill proposes to authorize in the way of enforcement by injunction.

Now let me turn to another general proposition. Did the 14th amendment repeal the 9th amendment and the 10th amendment to the Constitution?

The ninth amendment provides:

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

The 10th amendment to the Constitution provides:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

The 14th amendment does not deprive the States of the right to control their own affairs: It only prohibits certain acts of a particular nature.

Furthermore, the 14th amendment is directed at the States, and intended to control the actions of the States within certain limits; and it is not applicable to the actions of individuals not purported to be done under color of State authority.

If a State has a law repugnant to the 14th amendment to the United States Constitution, that law can be voided by appropriate court action. It does not require an act of Congress to make that possible. But, if State laws which are not repugnant to the 14th amendment are violated or improperly administered within the State, that does not give a Federal right to go in and control the situation.

The Federal Government has no more right to step into a State and seek to divest the State of jurisdiction in a civil-rights case than it has in a murder case or any other case.

To contend that the 14th amendment authorizes this is to contend that the 14th amendment repeals the 9th amendment and the 10th amendment. That is, of course, absurd.

Now, still talking generally, let me discuss broadly the points in this bill. I ask Senators to bear in mind that this bill is intended to implement, and would implement, what has been referred to as the President's program for civil-rights legislation.

Point 1 in the President's program was:

Creation of a bipartisan commission to investigate asserted violations of law in the field of civil rights, especially involving the right to vote, and to make recommendations.

The Chief Executive has a right to create a commission to investigate, for the purpose of helping him make recommendations, anytime he wants to do so. He doesn't need an act of Congress for the purpose. On the other hand, if Congress wants to investigate this matter, it can have its own committees do so, or create a special joint Congressional committee.

Investigation of crime should remain in the executive branch. Legislative investigation should remain under the Congress.

Point 2 in the President's program was:

Creation of a Civil Rights Division in the Department of Justice in charge of a presidentially appointed Assistant Attorney General.

This can be done by Executive order. It does not take an act of Congress. No special law is necessary. Incidentally, let me call attention to the fact that this so-called administration bill does not provide in terms for creation of a Civil-Rights Division in the Department of Justice. It merely provides for an additional Assistant Attorney General. The Attorney General can do as he pleases with that man after he is authorized and appointed. If he wants him to head a Civil Rights Division, the President or the Attorney General will have to order that such a Division be created, and then the Assistant Attorney General will have to be assigned to head the Division. The Attorney General has nine Assistant Attorneys General now. If he considers it urgent that there be in his Department a Civil Rights Division headed by an Assistant Attorney General, he can create the Division and appoint one of those men to head it. It does not take an act of Congress.

When he came down here to discuss a provision of a bill which would in terms have created a Civil Rights Division in the Department of Justice, the Attorney General said he did not want that. He did not want Congress saying what was to be handled by that Division, or what its duties would be; he wanted to retain the flexibility of his organization, and make such decisions himself.

The third point in the President's program is:

Enactment by the Congress of new laws to aid in the enforcement of voting rights.

This so-called administration bill does not have very much in the way of "new laws" by Congress to aid in the enforcement of voting rights; and what it does propose along that line is not sound legislation, as I shall demonstrate shortly, when I take up each provision of the bill in turn.

The fourth point in the President's program is:

Amendment of the laws so as to permit the Federal Government to seek from the civil courts preventive relief in civil rights cases.

That is not an honest statement. It is not an accurate statement. It should read:

Enactment of a law to permit the Federal Government to divest State courts of jurisdiction and make possible summary punishment in Federal courts, on the basis of standards fixed by a Federal judge and not by either Congress or legislature.

That is the real purpose of the bill.

Let me say another word about the proposed commission. There is a hidden objective here; but, unfortunately, the Attorney General has tipped us off as to what it is.

The Attorney General has pointed out that there is no agency in the executive branch of the Government having the authority to investigate general allegations of deprivations of civil rights. That, he says, is why the President wants a special commission. The word "general" is the key to the hidden objective in the plan for a special commission. What they have in mind is a body which will go out and attempt to prove the premise that there is serious deprivation of civil rights in the South. I doubt if all the proponents of the bill understand that. If they all did, I doubt that they would all be for the bill, as they are now.

But the hidden objective is there—although it is not so well hidden anymore, thanks to the Attorney General, if we will exercise our intelligence to understand what he has told us.

The people who really understand what the bill would do, and are still for it, are not satisfied to stand on particular cases, to investigate actual instances of either interference or threatened interference with civil rights; they want to go out and make a case, however and wherever they can make it. That is why they want a commission having the authority to investigate general allegations of deprivations of civil rights. They want to have a field day. How objective would any study be that started out with a purpose to prove a particular case? It will not be objective at all. But that is what the proposed commisison will be doing.

Let us turn to the bill and consider it section by section. There are other comments of a general nature which I could make, and other comments concerning matters of principle; but I do not want to draw out my comments unduly today.

Part I of the bill provides for the establishment of a Commisison on Civil Rights.

I am going to leave until another time an analysis of the proposed rules of procedure for the Commission. They appear to be the same as the rules proposed in the past for the control of Congressional committees. They are rules which were unsuited to that purpose, and they are at least equally unsuited to control the activities of such a Commission as is here proposed. From an administrative standpoint, it would be almost impossible for the Commission to operate under these rules. It would not be able to accomplish anything of importance. But I shall discuss that matter at another time. If we are not going to create such a Commission, we need not be concerned about rules for its procedure; and I do not think we should create such a Commission.

Perhaps I am old fashioned to look early at the cost of any proposal, but it is a habit I have. We cannot consider the cost of the proposed Commission, because no limit is fixed, and no estimates have been given to us. The proposed Commission certainly should not be set up without some estimate and some understanding of the probable cost. There seems every probability that the cost of such a Commission would run into millions of dollars annually, and it might well run into tens of millions. To create a juggernaut of such proportions, with a blanket authority for the appropriation of so much as may be necessary would be an improvident act, doubly censurable in a time when even the President is willing to admit that economy is important, though he is not willing to point out where and how it can be achieved.

This bill would give the proposed Commission investigative powers that should belong, and then only under most careful safeguards, in the regular department of the executive branch.

Creation of this Commission would increase the complexity of the Government, as well as increasing the Federal payroll.

Mr. President, I send to the desk five amendments to the bill, amendments which I propose to offer at the appropriate time, if that time is ever reached.

These amendments will require members of the President's Civil Rights Commission and their employees to conform with the civil-service rules and regulations and other provisions of law required of other Federal employees.

In addition, these amendments strike from the bill obvious unequal and dangerous employment practices and remove special treatment and privileges contained in the bill.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr JOHNSTON of South Carolina. I yield, provided I do not lose the floor.

Mr. HUMPHREY. I may say to my good friend from South Carolina that I was moved and inspired by the fact that the Senator was offering amendments to the bill.

Mr. JOHNSTON of South Carolina. Proposed amendments.

Mr. HUMPHREY. Proposed amendments to the bill. This caused me to feel that the Senator from South Carolina recognized that the bill should be brought up for consideration, so that these worthy amendments might be considered.

I am not familiar with what is contained in the amendments, but I have always believed that if a Senator wishes to offer amendments, he should have that privilege, and that the Senate should have the privilege of voting on the amendments.

The only way I can see for the Senate to vote on a trial-by-jury amendment or any other amendment is if the bill gets before the Senate. It is in that spirit, because I am so much interested in the amendments and want to see them given fair consideration, that I appeal to my fine, distinguished friend from South Carolina to join with us in bringing the bill before the Senate, so that we may have an opportunity to consider all the amendments. I am certain they are well drawn, that their meaning is clear and precise, and that their purpose corresponds with the objectives of the Senator from South Carolina.

The Senator from South Carolina feels that the Senate should work on the amendments, does he not?

Mr. JOHNSTON of South Carolina. Mr. President, the Senator from Minnesota has made a statement with which I would not agree fully. He said that I "should have that privilege." I am not seeking the privilege. I am hoping that whoever had the privilege of introducing the bill will see the light, and that the Senate will see the light, at the proper time, and that the Senate will never have to deal with all the amendments I am sending to the desk.

Mr. HUMPHREY. Mr. President, will the Senator from South Carolina yield further to me?

Mr. JOHNSTON of South Carolina. I yield, provided it is understood that I shall not thereby lose the floor.

Mr. HUMPHREY. Mr. President, let me say to the Senator from South Carolina that there has been a deluge of suggested amendments. Some amendments have actually been submitted; and in the case of others, there has been theoretical and hypothetical discussion; and now we have proposed amendments—all of which can only indicate, to me, that those who are opposing the bill, and even are opposing the effort of the Senate to consider the bill, have apparently arrived at the conclusion that it is likely that the bill will be considered by the Senate, and therefore they wish to have the amendments before the Members of the Senate, for their thoughtful meditation and in order to have the amendments receive the amount of attention which amendments of this character so justly deserve. Does the Senator from South Carolina agree with that observation?

Mr. JOHNSTON of South Carolina. I do not fully agree.

The PRESIDING OFFICER (Mr. DOUGLAS in the chair). Let the Chair make an inquiry at this point.

Mr. JOHNSTON of South Carolina. Certainly.

The PRESIDING OFFICER. The Chair wishes to inquire whether the amendments which have been sent to the desk are to be printed in the RECORD?

Mr. JOHNSTON of South Carolina. I ask that they be printed, and that they lie over; and I hope they will never be used.

The PRESIDING OFFICER. The amendments will be received and printed, and will lie on the table.

Mr. HUMPHREY. Mr. President, will the Senator from South Carolina yield further to me?

Mr. JOHNSTON of South Carolina. I am happy to yield to the Senator from Minnesota.

Mr. HUMPHREY. Of course, I am not able to pass judgment on the amendments, inasmuch as I have not seen them. But I wish to say to the Senator from South Carolina that I think so much of him that I hope the Senate will have a chance to consider the amendments and to dispose of them in one way or another; and of course this situation gives the Senator from Minnesota an additional reason for urging that the bill be taken from the calendar, brought before the Senate, and considered by the Senate, so the Senate can hear the brilliant and illuminating arguments of Senators as to how the bill can be improved. I imagine there are amendments which can be made in that connection.

Mr. JOHNSTON of South Carolina. Mr. President, I am in favor of getting the bill off the calendar, but I am not——

Mr. HUMPHREY. And is the Senator from South Carolina in favor of having the bill brought before the Senate?

Mr. JOHNSTON of South Carolina. Well, Mr. President——

Mr. HUMPHREY. Mr. President, I imagine that the Senator from South Carolina and I have a difference of view at this point. He has been extremely kind in yielding to me, and I shall not impose further upon his time.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to say this is one of the worst bills I have ever seen; and I shall have more amendments to submit, if the bill ever reaches the point of consideration by the Senate.

Mr. HUMPHREY. Mr. President, I gather that I should not ask the Senator from South Carolina to yield further to me. [Laughter.]

Mr. JOHNSTON of South Carolina. Mr. President, I am always glad to yield to my friend, the Senator from Minnesota. I am sure that whenever he asks me to yield to him, he does so because he wishes to inquire about important matters, regarding which he seeks information, or in order to enlighten someone else.

Mr. HUMPHREY. I thank the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, the proposed Commission would very likely be made permanent. I have seen commissions created for 2 or 3 years, and even Senate committees which have been established on a temporary basis; but all such temporary groups seem to go on and on; like the babbling brook, they never stop. I think that would be the case as regards the proposed Commission. Certainly there is every reason to anticipate pressure to make it permanent. There is no provision for terms of office for the Commissioners. There is, of course, a provision in the bill, as it stands now, that the Commission shall submit a final report to the President not later than 2 years from the date of enactment of the statute creating it; and that 60 days after the submission of its final report and recommendations, the Commission shall cease to exist. But I can visualize its going on and on. The provision regarding the proposed Commission is an unrealistic one. The proposed Commission will not be well underway for 6 months or more. It will turn lose upon the southern part of this Nation a horde of investigators, mostly of the voluntary variety. The reports and advice and suggestions which they will send back to Washington will pile up in tremendous volume. The pressure to give the Commission additional life, it seems to me, is not only certain to come, but is almost certain to carry the day. If we want to stop the creation of what may become a permanent, as well as a monstrous, institution of Government, the time to do so is now; and the way to do it is by not passing this bill.

Let us realize fully that this bill proposes the creation of a Commission which would have the duty of surveillance of State and local governments, as well as surveillance of the activities of private individuals and groups. The bill does not spell that out in the plainest of language; but the provisions respecting the duties of the Commission, as they will be found in section 104 (a), embrace exactly that.

When we arrive at the day when a Federal agency with subpena powers has the right and duty of constantly studying whatever its officials and investigators deem to be economic, social, and legal developments constituting a denial of equal protection of the laws in both State and local governments, we shall have drawn very close indeed to the day of the superstate, the totalitarianism which we dread and decry when we see it in other nations, but which we do not seem to be able to recognize as it creeps up on us in our own country.

I think I have referred to the fact that the provisions of the bill would give to an independent commission in the executive branch a function of the legislative branch, that is, the gathering and evaluation of information as a basis for legislation. Nothing less than this can be the purpose of the duty which would be imposed upon the commission by subsection 104 (a) (3), to "appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution." But this is exactly the kind of authority the Congress gives to its own committees. Such authority should never be given to an independent commission, much less to the executive branch. It rightfully belongs to the legislative branch.

Now let us look at subsection 105 (e). This subsection provides that—

> All Federal agencies shall cooperate fully with the commission to the end that it may effectively carry out its functions and duties.

Mr. President, all Federal agencies would have to obey the Commission; all of them would be put under the Commission, so to speak. This is an extremely dangerous provision. It might well be construed to mean that the Commission would be a sort of superagency with administrative powers over the regular departments.

This language might be construed as a mandate to all departments to do what the Commission told them to do. Suppose the Commission wanted the FBI to make investigations for it. Would a refusal by the Bureau to undertake such a job, so repugnant to its traditions, be considered an uncooperative act? If so, the Bureau would have to do what the Commission wanted, under the language of this subsection. Many other examples can be stated.

There are several respects in which the first subparagraph of section 104 (a) is too broad. I shall discuss them in a moment. Let me read that subparagraph:

> Investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based.

Mr. President, look at the phrase "allegations in writing." Nothing is said about whether these allegations need be verified, or even whether they need to be signed. As it stands, this language would require—not authorize, but require—the Commission to investigate anonymous letters. Surely the Congress does not want to approve a bill which will do that.

The allegations required should be under oath, or at least verified. And certainly, there should be some kind of a provision so that the Commission does not have to spend its time investigating anonymous letters.

While we are on the subject of this subparagraph, let me call attention to the fact that it might be held to refer only to illegal voting in a Federal election, since it does not specify that State elections are included and since illegal voting in a State election is a matter not properly a subject of Federal control, but, rather, punishable under the States police powers. I am perfectly well aware that what is intended here is an invasion of the rights of the States; but I want to point out to those who favor invading the rights of the States that this particular paragraph might be construed in such a way as not to accomplish their objective.

Let me call attention also to the fact that the allegations contemplated under this subparagraph almost certainly would involve acts that might be criminal under law. But surely, the investigation of criminal acts should be left to law-enforcement agencies. The proposed Commission would not be a law-enforcement agency. Why, therefore, should it be charged with investigating criminal acts?

Furthermore, some of the acts subject to allegations under this subparagraph might be acts prohibited by State law. Why should a Federal commission investigate violations of State law, if the paragraph is construed broadly enough to authorize this?

Now, let us come back to the question of how this subparagraph is too broad. I shall not exhaust this subject, but I want to give some instances.

It seems clear that the use of the words "certain persons" includes noncitizens. Thus, the commission would be required to investigate allegations, if made, respecting the treatment of alien immigrants. If the Commission received allegations that Mexicans brought into this country to do stoop-labor in the Western States were being subjected to unwarranted economic ostracism because of their national origin, it would have to investigate those allegations. In this instance as in others, examples could be multiplied, but I do not want to take the time now to stress the point any further.

Along the same line, but under the point of subjecting a person to unwarranted economic pressures by reason of religion, the Commission would be required to investigate allegations, if made, that Jewish bankers were discriminating against Arabs as loan applicants.

Now, let us look at subparagraph 2 of section 104 (a). This subparagraph opens a Pandora's box. What is meant by "legal developments constituting a denial of equal protection of the laws"? What is meant by "the policy of the Federal Government with respect to equal protection of the laws"?

Is the Commission going to have to study all economic, social, and legal developments to determine which of them

constitutes a denial of equal protection of the laws?

If not, who is going to decide what economic, social, and legal developments the Commission will study? Will the Commission determine in advance which developments constitute a denial of equal protection of the laws, and then study those developments?

Merely to ask these questions is to point out the absurdity of the purported standard which is here being fixed to guide the Commission's activities. It is a standard which cannot be met objectively. This is just another bit of evidence that the whole purpose here is to do a hatchet job on the South and on southern institutions.

Go on down to the third subparagraph under section 104 (a), which says that the Commission shall "appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution."

Use of the word "appraise" creates an ambiguity of great magnitude. If this section were intended only to give the Commission the duty to report on civil-rights conditions, it might be far less objectionable. "Appraisal" means passing judgment. Passing judgment on the laws enacted by the Congress is a job for the Congress, not for an executive commission.

This subparagraph mixes executive and legislative functions. Making the laws, as well as making the basic policies of the Federal Government, is a matter for the Congress. Carrying out the policies, as fixed by Congress, and making departmental, administrative, and executive policy, is for the executive branch. No good purpose can be served by mixing the two, and one bad purpose certainly will be served: To wit, diminution of the powers of the Congress.

Now let us look at subsection 105 (b). The provisions of this subsection, that the Commission "may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission—or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12"—would surely result in a horde of volunteer social workers and "do-gooders" descending upon the South, with all their travel expenses and subsistence expenses paid out of the Federal Treasury, while they sought to uncover or develop what they considered to be civil-rights cases. Incidentally, do not be fooled by that figure of $12. The way it is set into this subsection, it is not a limitation on how much may be paid a day for what the Commisison will deem "actual and necessary traveling and subsistence expenses incurred." It is only the limit of the per diem allowance which may be paid in lieu of subsistence. If one of the volunteer workers accepted and utilized by the Commission should see fit to travel by rented limousine and to eat $15 worth of food a day and to stay in $15 hotel rooms, the Commission certainly could, and probably would, approve all of those expenses and pay them. Certainly this is a provision which should be tightened up, whatever else we do, if this bill is to be approved.

Move on down to subsection (f) of section 105.

This subsection 105 (f) contains subpena powers for the Commission. Let me express my view that the grant of subpena powers to the proposed Commission would be extremely dangerous. The subpena powers which are proposed are virtually unlimited. Presumably the Commission could even subpena the governor of a sovereign State and require his testimony about his official acts. Such power should not be given to a body which is bound to be politically motivated, as this Commission is bound to be.

Mr. JOHNSON of Texas. Mr. President, will the distinguished Senator from South Carolina yield to me?

Mr. JOHNSTON of South Carolina. I will yield, with the understanding that I do not lose the floor.

Mr. JOHNSON of Texas. Mr. President, I wonder if it would suit the pleasure of the Senator from South Carolina if the Senate would recess at this point, pursuant to the order previously entered, with the understanding that at the conclusion of the morning hour tomorrow, as the Senate has previously agreed, the Senator from South Carolina will be recognized to resume his address.

Mr. JOHNSTON of South Carolina. I will agree to that, provided there is unanimous consent.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

RECESS TO 10:30 A. M. TOMORROW

Mr. JOHNSON of Texas. I want to express to the Senator from South Carolina [Mr. JOHNSTON] very sincere appreciation for his complete cooperation in the matter of the procedures of the Senate.

Mr. President, with that understanding, I want to give notice that the Senate will meet at 10:30 in the morning. We will have a morning hour in which statements will be limited to 3 minutes and then under the order previously entered, the distinguished Senator from South Carolina [Mr. JOHNSTON] will be recognized.

Mr. President, pursuant to the order previously entered, I now move that the Senate stand in recess until 10:30 a. m. tomorrow morning.

The motion was agreed to; and (at 7 o'clock and 21 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Thursday, July 11, 1957, at 10:30 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate July 10 (legislative day of July 8), 1957:

COMMODITY CREDIT CORPORATION

Don Paarlberg, of Indiana, to be a member of the Board of Directors of the Commodity Credit Corporation, vice Earl L. Butz, resigned.

IN THE AIR FORCE

The following-named officers for temporary appointment in the United States Air Force under the provisions of chapter 839, title 10, of the United States Code:

To be major general

Brig. Gen. Edward Willis Suarez, 633A, Regular Air Force.
Brig. Gen. Oliver Kunze Niess, 19022A, Regular Air Force, Medical.
Brig. Gen. Daniel Webster Jenkins, 528A, Regular Air Force.
Brig. Gen. Daniel Stone Campbell, 615A, Regular Air Force.
Brig. Gen. John Williams Persons, 418A, (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Thomas Ludwell Bryan, Jr., 452A, (colonel, Regular Air Force), United States Air Force.
Brig. Gen. John Jackson O'Hara, 463A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Pearl Harvey Robey, 473A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Norman Delbert Sillin, 501A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. John Hiett Ives, 544A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Alfred Frederick Kalberer, 607A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Thomas Connell Darcy, 629A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Eugene Porter Mussett, 632A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Romulus Wright Puryear, 637A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Harold Cooper Donnelly, 647A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Donald Robert Hutchinson, 664A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Charles Wesley Schott, 949A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Benjamin Jepson Webster, 974A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. William Taylor Thurman, 1034A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. James Clifford Jensen, 1042A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Joseph D. Croft Caldara, 1048A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. William Monte Canterbury, 1071A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Arno Herman Luehman, 1080A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Stanley Joseph Donovan, 1089A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Turner Clifton Rogers, 1232A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Augustus Maine Minton, 1301A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Bruce Keener Holloway, 1336A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Maurice Arthur Preston, 1337A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. John Spencer Hardy, 1502A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. Thomas Alan Bennett, 1513A (colonel, Regular Air Force), United States Air Force.
Brig. Gen. David Wade, 1582A (colonel, Regular Air Force), United States Air Force.

To be brigadier general

Col. George Eldridge Keeler, Jr., 466A, Regular Air Force.
Col. Travis Monroe Hetherington, 646A, Regular Air Force.
Col. Theodore Gourdin Kershaw, AO239295, United States Air Force.
Col. Frank Pickering Corbin, Jr., 929A, Regular Air Force.
Col. Paul Lawrence Barton, 1081A, Regular Air Force.
Col. John Knox Cullen, 19068A, Regular Air Force, Medical.
Col. Dwight Oliver Monteith, 1205A, Regular Air Force.
Col. Conrad Francis Necrason, 1246A, Regular Air Force.
Col. Bernard M. Wootton, 1253A, Regular Air Force.
Col. Homer Astley Boushey, 1269A, Regular Air Force.
Col. Sheldon Seymour Brownton, 19083A, Regular Air Force, Medical.
Col. Jack Norman Donohew, 1319A, Regular Air Force.
Col. Curtis Raymond Low, 1349A, Regular Air Force.
Col. Willard Wright Smith, 1374A, Regular Air Force.
Col. Robert Joseph Friedman, 1397A, Regular Air Force.
Col. Robert Allen Breitweiser, 1406A, Regular Air Force.
Col. William Kenneth Skaer, 1412A, Regular Air Force.
Col. Prescott Miner Spicer, 1413A, Regular Air Force.
Col. Virgil Lee Zoller, 1440A, Regular Air Force.
Col. Henry Garfield Thorne, Jr., 1514A, Regular Air Force.
Col. William Brewer Keese, 1531A, Regular Air Force.
Col. Frederick John Sutterlin, 1585A, Regular Air Force.
Col. Delmar Edmond Wilson, 1587A, Regular Air Force.
Col. Glen Robbins Birchard, 1623A, Regular Air Force.
Col. John Wilson Carpenter 3d, 1647A, Regular Air Force.
Col. John Brereton Bestic, 1682A, Regular Air Force.
Col. Jack Gordon Merrell, 1687A, Regular Air Force.
Col. George Benjamin Greene, Jr., 1736A, Regular Air Force.
Col. James Crawford McGehee, 1746A, Regular Air Force.
Col. Don Coupland, 1766A, Regular Air Force.
Col. Edgar Wade Hampton, 1805A, Regular Air Force.
Col. Philip Henry Greasley, 1821A, Regular Air Force.
Col. John Eugene Dougherty, 1852A, Regular Air Force.
Col. Charles Rankin Bond, Jr., 1937A, Regular Air Force.
Col. Charles Marion Eisenhart, 1957A, Regular Air Force.
Col. Austin James Russell, 1980A, Regular Air Force.
Col. Robert Hamilton Warren, 1987A, Regular Air Force.
Col. Francis Clare Gideon, 1993A, Regular Air Force.
Col. Theodore Ross Milton, 2026A, Regular Air Force.

IN THE NAVY

Adm. Arthur W. Radford, United States Navy, for appointment to the grade of admiral on the retired list of the Navy.

The following-named (Naval Reserve Officers' Training Corps) to be ensigns in the Navy, subject to qualifications therefor as provided by law:

David L. Armstrong
Walter W. Kroupa
Arthur F. Roubik

The following-named (civilian college graduates) to be lieutenants in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

William E. Sill, Jr.
Victor M. Holm

The following-named (Naval Reserve officers) to the grades indicated in the Medical Corps of the Navy, subject to qualifications therefor as provided by law:

To be commander

Harry C. Nordstrom

To be lieutenant commander

Robert E. Bass

To be lieutenant

Kenneth N. Bredesen	Thomas P. Moore
Charles R. Cotham	Fred C. Richardson
Martin H. Ellbogen	Thomas H. Voshell, Jr.
William A. Elliot	Norman E. Wenger
Raymond J. Gibbings	Frederick C. Wuest
William E. Kilgore	Ralph K. Zech

William J. Fouty (Naval Reserve officer) to be a lieutenant in the Medical Corps of the Navy in lieu of lieutenant (junior grade) as previously nominated and confirmed to correct grade, subject to qualifications therefor as provided by law.

The following-named officers to be promoted to the grades indicated in the Medical Corps of the Navy, when their line running mates are so promoted:

To be commander

George F. Bond

To be lieutenant commander

Stuart H. Martin

The following-named (Naval Reserve officers) to the grades indicated in the Dental Corps of the Navy, subject to qualifications therefor as provided by law:

To be lieutenant commander

William G. Hutchinson

To be lieutenant

Paul E. Barrow	Donald E. Meister
Charles E. Cowen, Jr.	John W. Pash, Jr.
Albert Herr	Nathan E. Wilson

Robert S. Jones, United States Navy retired officer, to be a lieutenant in the Navy, pursuant to title 10, United States Code, section 1211, subject to qualifications therefor as provided by law.

Guy E. Knod, United States Navy retired officer, to be a chief warrant officer, W-3, in the United States Navy, for temporary service, pursuant to title 10, United States Code, section 1211, subject to qualifications therefor as provided by law.

Clarence E. Laube (Naval Reserve officer) for permanent appointment to the grade of lieutenant (junior grade) and in the temporary grade of lieutenant in the line of the Navy (engineering duty), subject to qualifications therefor as provided by law.

The following-named (Naval Reserve officers) to be lieutenants in the line of the Navy, for temporary service, subject to qualifications therefor as provided by law:

Donald M. Metzler	John J. Scully
George A. Sawyer, Jr.	William J. E. Shafer

The following-named line officers of the Navy for transfer to and permanent appointment in the Supply Corps of the Navy in the permanent grade of lieutenant (junior grade) and the temporary grade of lieutenant:

Richard C. Burns	William M. Matthews
Wilfrid Devine	Lowry W. Norris
Howard R. Edwards, Jr.	George Postich
William K. Martin	William T. Ross, Jr.

Arthur D. Jesser, United States Navy, for transfer to and permanent appointment in the Supply Corps of the Navy in the grade of ensign.

Matthew J. Ott, United States Navy, for transfer to and permanent appointment in the Supply Corps of the Navy in the grade of lieutenant (junior grade).

The following-named line officers of the Navy for transfer to and permanent appointment in the Civil Engineer Corps of the Navy in the grade of ensign:

Robert L. Kramer
Phil M. Perry
John C. Sweeney

The following-named line officer of the Navy for temporary promotion to the grade of lieutenant, subject to qualification therefor as provided by law:

George D. Ellis, Jr.

The following-named line officer of the Navy for permanent promotion to the grade of lieutenant (junior grade) and temporary promotion to the grade of lieutenant, subject to qualification therefor as provided by law:

James H. Smith

The following-named officer of the Regular Navy for permanent promotion to the grade of commander.

MEDICAL CORPS

Robert C. Doolittle

The following-named officers of the Navy for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps as indicated, subject to qualification therefor as provided by law:

LINE

Abele, Bradford L.	Baker, Walter F.
Albert, James G.	Bale, Donald F.
Ables, Aubrey E.	Bales, Barbara L.
Ager, Snowden C.	Ballard, Gaylord B.
Agnew, Dwight M., Jr.	Ballow, Lawrence D.
Aguilar, Frank J.	Banfield, Thomas V., II
Akens, Robert J.	Banta, Thomas A.
Albee, Thomas L., Jr.	Barkley, James F.
Alecxih, Peter C.	Barlow, James D.
Aletto, Harold E.	Barnes, Lee G.
Alexander, Jane C.	Barrett, Michael M.
Allen, George W.	Bascom, Paul P.
Allen, John S.	Basford, Michael G.
Altman, Berel P.	Bassett, Bradley A.
Alvarado, Ramon C.	Baty, Frank O.
Alvey, John H.	Bauman, James R.
Ammerman, Arthur J.	Baumgardner, John F.
Ammerman, Clell N.	Baxter, Robert H., III
Amoruso, Alfred P.	Bayne, John P.
Anderson, Arthur E.	Beal, Derald R.
Anderson, Giles B.	Beck, Charles W., II
Anderson, Eugene G.	Beck, John L.
Anderson, Falvie B., Jr.	Beck, Walter R.
Anderson, Gustav N.	Beckham, Paul M.
Anderson, Joe K.	Beckmann, Archibald B., Jr.
Anderson, Joseph F.	Beckwith, Gilbert H.
Anderson, Stephen P.	Bedore, Robert L.
Anderson, Thomas F.	Beers, Harold S., Jr.
Anderson, Walter S.	Beeson, Robert "O"
Anderson, William P.	Behrle, Walter F.
Andrews, Reece L.	Belcher, Donald W.
Anthony, Morris D.	Bell, James F.
Appeddu, Peter A.	Benadik, Paul M.
Appleton, William G., Jr.	Bennett, Donald C.
Armstrong, Albert A., Jr.	Berg, Robert L.
Armstrong, Richard W.	Berger, Ronald A.
Arnold, Coy H., II	Bergesen, John M.
Ascherfeld, Theodore F., Jr.	Berkhimer, Frank R.
Ashton, Augustus T., II	Bernier, George, Jr.
Atwood, Henry C., Jr.	Berthe, Charles J., Jr.
Aumick, William A.	Beuris, Charles B.
Austin, James F.	Biasi, Nestore G.
Austin, James W.	Bibb, Benjamin O.
Austin, Robert C.	Biederman, Robert D.
Aut, Warren E.	Biggar, William
Avery, Billy J.	Billerbeck, Henry G.
Bacon, William M.	Billeter, John L.
Bailey, William M.	Bilyeu, Roland C.
Bain, Ralph V.	Bishop, Bert W.
Baird, Thomas L.	Bissel, Norman H.
	Black, Henry C., II
	Blaes, Richard W.

Bliss, William S., Jr.
Blount, Thomas S.
Bole, George T.
Bonar, David C.
Bond, John G.
Booth, Joseph K.
Bordone, Richard P.
Botshon, Morton
Boulos, Alfred J.
Bourassa, Roger J.
Bowen, Thomas J.
Boyd, John W., Jr.
Boyens, William R.
Boylson, Michael E.
Brackin, John D.
Bradley, James A., Jr.
Bradshaw, Frederick L.
Brame, Frank A., III
Brammeier, Charles L.
Brandon, Horace W.
Brasted, Kermont C.
Braun, Richard T., Jr.
Bravence, John, Jr.
Brennan, John S.
Brett, Robert W. J.
Brewin, Robert L.
Brewster, Rudi M.
Brierre, Roland T., Jr.
Brill, Gordon A., Jr.
Briner, Robert R.
Brinn, Walter K.
Brodd, Robert W.
Brooks, Phillip W.
Brown, Christopher H.
Brown, Donald D.
Brown, Harold R.
Brown, Julian, Jr.
Brown, Malcolm C.
Brown, Richard B.
Brown, Robert C., Jr.
Brown, Robert H.
Bruley, Kenneth C.
Brummett, Eugene P.
Brunell, James I.
Buc, Gerald G.
Buchanan, Edward O.
Buchholz, Philip P.
Bunce, Bayne H.
Bunger, Robert C.
Burke, Jenie L., III
Burkhardt, Lawrence, III
Burnett, William M.
Burnham, Don E.
Burns, Richard F.
Bursk, Edward C.
Burtis, Evenson M.
Busell, Lewis H.
Bush, Carl D.
Butler, William S.
Byington, Melvin R., Jr.
Byrd, Mark W.
Cabanillas, Jose C., II
Cabot, Alan S.
Caldwell, Hamlin A., Jr.
Calkin, Cecil R.
Cameron, Roderick A.
Camfield, Roland E., Jr.
Cammett, Haven P.
Campbell, Donald S., Jr.
Campbell, John D.
Campbell, John L.
Campbell, John P.
Cane, Guy
Cann, William A.
Cantella, Michael J.
Canter, Howard R.
Caplow, Stuart D.
Carlile, Clayton G.
Carlson, Don P.
Carson, Louis F., Jr.
Carson, James H., Jr.
Carter, Gerald M., Jr.
Case, Neil A.
Casimes, Theodore C.
Cavicke, Richard J.
Censky, Frederick F.
Chambers, Dudley S.
Chamberlain, James L.
Chapdelaine, Jerrold E.
Cheney, Donald A.
Chidley, Ralph E.
Chisholm, George E., II
Christensen, Stephen J.
Christopher, Allis L.
Clark, Richard G.
Clarke, Marjorie N.
Clay, James N.
Cleaver, Stephen
Cliff, Athol W., Jr.
Clifford, Donald J.
Coakley, Walter J., Jr.
Coe, Raymond P.
Cogswell, Charles E.
Colbus, Louis
Cole, Bennett O.
Cole, Leonard L., Jr.
Coleman, James F.
Coleman, Wade H., III
Coleman, Irvin L., Jr.
Coleman, Herman F.
Collier, Byron H.
Collins, William D.
Collins, Mary A.
Collins, Ferdinand I., Jr.
Colvin, William P.
Colwell, Lawrence S.
Comer, Patricia A.
Conaughton, Robert G.
Conboy, Thomas W.
Conklin, Robert B.
Conner, Henry W.
Conner, Lawrence O.
Connolly, Paul P.
Connor, Samuel R.
Conrad, Glenn T., Jr.
Conway, Paul B.
Cook, Russell A.
Cooley, Charles H.
Coor, Lawrence W.
Copeland, Edward C.
Corey, Marion W.
Cornell, Robert L.
Cottingham, Wayne R.
Couillard, James P.
Courtney, Charles H.
Couser, Rodney W.
Cowan, Daniel R.
Cowell, Russell S.
Coyne, James C.
Crabtree, Donald G.
Crane, Herbert C.
Cranwell, James L., Jr.
Craven, William D.
Crawford, George H.
Crawford, John W.
Crawford, Roderick P.
Crawford, William T.
Crayton, Render
Criss, John F.
Critz, Merrill E.
Croom, William H., Jr.
Crosson, Harry E.
Crotteau, Roger D.
Cryer, John P.
Culbertson, Robert D.
Cullen, James G.
Cumble, Willie E., Jr.
Cummings, Joseph D.
Cunningham, Dale V.
Cunningham, Marshall E.
Currier, Richard A.
Curry, Thomas L.
Curtis, Robert E.
Cusick, Patrick J.
Cutler, Edward M.
Cutts, Robert L.
Czaja, Bernard F.
Dacus, Robert W.
Daigneault, Joseph J., Jr.
Dailey, Allen H.
Daley, Robert E.
Dallamura, Bart M., Jr.
Damico, Richard J.
Dancer, Jerry D.
Daniels, William D.
Daubenspeck, Richard E.
Davis, James G.
Davis, Kenneth F.
Davis, Ralph G.
Davis, Ramsey L., Jr.
Davis, Russell E.
Davis, Samuel H., Jr.
Dawson, Edward H., Jr.
Deam, Norman A.
Dean, Herbert J.
Deane, James D., Jr.
DeBoer, Jack "G"
DeHart, William
Delaney, John R.
Delfoach, John W.
Delvecchio, Frank V.
Demonbreum, James R.
Dempsey, John F.
Denlea, Leo E., Jr.
Derendinger, George L.
Deryckere, Archie G.
Desseyn, Maurice H.
Deuel, Jamieson K.
Devine, Clarence A.
Devine, Edward D., III
Devries, James H.
Diamond, Ray B.
DiCarlo, Vincent A.
Dickenson, Charles E., Jr.
Dickey, Leonard M.
Diehl, Ricky W.
Diley, Lewis E.
Dillon, Alfred J.
Dilweg, John C.
Dilworth, Edmond J., Jr.
Dombey, James R.
Donati, Alfred, Jr.
Doney, Robert G.
Donnell, Joseph S., III
Donovan, Daniel E.
Donovan, Philip C.
Dougherty, John S., Jr.
Douglass, Donald J.
Downey, Louis A.
Dozier, George W., Jr.
Drayton, Henry E., Jr.
Drenkard, Carl C.
Drumheller, Maxley W.
Drummey, Charles E.
DuBois, Arthur N.
DuBose, Charlie P.
Ducat, Julian A.
Ducharme, George W.
Duerr, Edwin C.
Dugan, Francis V.
Dugan, Richard F., Jr.
Dulke, Sylvester M.
Dunn, Alvan N.
Dunn, John F.
Dunning, James A.
Durant, Thomas W.
Durocher, Stephen F.
Dworsky, Alan J.
Dwyer, Henry W.
Dyer, Cromwell A., Jr.
Early, Joseph D.
Earnhart, Edgar A.
Easterling, Letson E.
Easton, Peter B.
Eberlein, Otto P.
Edgren, Donald H.
Edwards, Thomas G., Jr.
Eels, William R., Jr.
Ehl, James W.
Ehr, Richard L.
Eich, Robert W.
Elder, Ralph C.
Elliott, Donal W.
Ellis, David R.
Ellis, Eugene D.
Elsbree, Frank B.
Emerson, John R.
Engels, David A.
Erickson, Reuben E.
Eriksson, Roger V.
Esper, Ronald C.
Eubank, Franklin J.
Eubanks, Martha A.
Evans, Edwin D.
Evosevich, John N.
Evrard, William E.
Ewall, Thomas H.
Faddis, James W.
Fagan, Fredric G.
Fairfield, John M.
Fairley, Archie B., Jr.
Farwell, Warren E.
Faul, Alfred T.
Felter, John F.
Ferguson, David E.
Ferrer, Kenneth A.
Fiedler, Peter B., Jr.
Fields, William B.
Fillerup, Raymond M.
Fitzgerald, Arthur R.
Fitzgerald, Michael J.
Fitzmorris, Neil T.
Fitzsimmons, Robert J., Jr.
Fitzwilliam, David A.
Flaherty, Robert M
Fletcher, William B., III
Fletcher, John G.
Foley, Paul R.
Forbes, Donald L.
Forsyth, James P.
Foster, Clifton G., Jr.
Foster, Scott R.
Fowkes, Conard C., Jr.
Fox, Henry J., IV
Frampton, James C., Jr.
Fraser, Robert B.
Frazier, John D.
Frentress, Bowheart "H." Jr.
Frick, Walter B.
Friddle, Frank R., Jr.
Fryberger, Elbert L., Jr.
Frye, Thomas A. W.
Fucigna, John P.
Fugate, Truman H.
Fuhrman, Glen F.
Fuller, Mark A., Jr.
Fuller, Vaughn D.
Gadberry, Roy K.
Gadolin, Ronald
Gallotta, Albert A., Jr.
Gard, Gerald I., Jr.
Gardner, Bennett
Garlitz, Jerry E.
Gaskill, Richard T.
Gates, Fred H., II
Gatley, Donald P.
Gatlin, Edwin F.
Gaul, John W.
Geary, Jack E.
Gehring, Donald H.
Geier, Edward A.
Geithner, Peter F.
Geoghegan, James C.
Gerard, Paul L.
Geronime, Eugene L.
Gibbins, Thomas A.
Gideon, William C., Jr.
Gilbert, Marguerite J.
Gilchrist, Donald W.
Gildea, John F.
Gill, Gerald W.
Gillam, Charles E.
Gillham, Richard D.
Gilliland, Richard F.
Gladstone, Sidney
Glassey, Charles R.
Glover, Albert K., Jr.
Glover, Dennis C.
Glovier, Harold A., Jr.
Glunt, David L., Jr.
Gobel, John C.
Goodwin, Francis M., Jr.
Gordon, Arva F.
Gorman, Paul T.
Graham, Robert F.
Graham, Thomas A.
Gray, Basil F., Jr.
Gray, Garold G.
Gray, John T., III
Gray, William C., Jr.
Greathead, Robert T.
Green, Stanley E.
Green, Terry S., III
Greene, Charles R., Jr.
Greenlaw, William C.
Greenlee, John W.
Greer, James A., II
Greer, William E., III
Greisen, Bernard R.
Gresham, Neal
Griffin, John J., Jr.
Griffiths, Rodney D.
Grobey, John H.
Grose, Robert H.
Gross, Edward B.
Grossgold, Melvin "J"
Grothe, Henry J.
Grouby, Edward A., Jr.
Grunwell, James G.
Guda, Harry E.
Guengerich, William H.
Guess, Malcolm N.
Gullickson, Grant G.
Gunlon, Allan R.
Gunn, Max C., Jr.
Gunter, Jack R.
Hagen, Gunter
Hagerty, John F.
Hahn, Wilfred J.
Haines, Robert S.
Haikett, Alan N.
Hall, Charles F.
Hall, Howard L.
Hall, John C.
Hall, John V.
Halladay, Norman E.
Hallberg, Charles J., Jr.
Hallenbeck, Prentice W.
Halperin, Walter
Halpine, John D.
Hamel, Louis H., III
Hamelrath, Walter F.
Hamilton, Clyde E.
Hamilton, Jerry L.
Hamlin, Andrew L.
Hankins, Elton E.
Hannagan, James F., Jr.
Happersett, Paul F.
Hargrave, William W., Jr.
Hargrove, John Q., III
Harkins, Richard E.
Harman, Gordon S.
Harper, George T., Jr.
Harper, Robert P., Jr.
Harrell, Max A.
Harris, James E.
Hartley, Richard R.
Harvey, George H.
Hasse, Ronald A.
Hatfield, Robert L.
Hatheway, Darwin L.
Havicon, John W.
Hawkins, Charles W., III
Hay, James C.
Hayes, Francis X.
Hayes, James C.
Haynie, Fred H., Jr.
Hazlehurst, Harry, III
Heady, James F.
Healy, James V.
Hearne, Nancy L.
Heimbold, Charles A., Jr.
Helfrich, William P.
Helm, George N., Jr.
Helms, Raymond E., Jr.
Helper, Ralph E., Jr.
Hemings, Robert M., Jr.
Hendry, James D.
Heniffin, Edward E.
Henry, Tom L.
Henson, George M.
Herman, George
Herren, Thomas C.
Herrmann, Walter T.
Herzer, Oscar A.
Hessman, James D.
Heydon, Robert M.
Heyward, Irvine K., IV
Hickey, Edward J., Jr.
Hicklin, William C., III
Higgins, George A., Jr.
Higgins, Richard G.
Higgins, John F.
Higgs, Robert H.
Hilder, Leonard O., Jr.
Hill, William W.
Hinkle, David R.
Hobbs, Allen, Jr.
Hocker, Walter B.
Hogan, Edward J., Jr.
Hogan, Thomas W., Jr.
Holden, William H., Jr.
Holland, Roy C.
Holland, Lee "M"
Holland, William G.
Hollenbach, Richard G.
Hollingworth, Roy M.
Hollingsworth, Robert L.
Holloman, William D.
Holman, William C.
Holmes, James W., Jr.
Holt, Henry C., IV
Holtz, William F.
Hooley, Thomas J.
Hope, Herbert A., Jr.
Hopkins, Benjamin T., II
Hopper, Thomas M.
Horn, Charles A., Jr.
Horn, Charles E.
Horn, Emile L.
Horner, John, Jr.
Horowitz, Charles L.
Hosking, Roy W.
Hoskins, James M.
Hovey, Gale K.
Howard, Maynard L.
Howatt, Gerald J.
Howells, William D., II
Howells, David A.
Hryskanich, Paul L.
Hubbell, Robert N.
Hudgins, Thomas B.
Huffer, Maurice W.
Huffman, William L., Jr.
Hukill, Robert P.
Hull, Fred A.
Hume, George A.
Hume, Kenneth E.
Humphrey, Morris L.
Hunter, John W., Jr.
Hunter, Charles B.
Hunter, William J.
Hunter, William G.
Hurt, Jonathan S.
Hussey, William T.
Huttinger, Theodore
Hyman, Arnold J.
Ike, Robert C.
Ilaria, Robert L.
Inman, John S.
Inman, Thomas S.
Ireland, Blair
Jackson, Thomas W.
Jauregui, Stephen, Jr.
Jerstad, Robert J., Jr.
Jobe, Gordon A.
Jobe, James E.
Johnson, Martin L.
Johnson, George P.
Johnson, Robert A.

Johnson, William J., Jr.
Johnson, David E.
Johnston, Fox H.
Joiner, Francis A.
Jolliff, James V.
Jonassen, Robert N.
Jones, Carroll S.
Jones, Ernest F.
Jones, James L.
Jones, Robert F., Jr.
Jones, William O.
Jongewaard, Larry L.
Jonovich, George J.
Jordan, Stephen W.
Joyce, Alan R.
Judy, Harold A.
Juergens, John G.
Jurgensen, Dale E.
Jurkowski, Joseph A.
Kaiser, Dale E.
Kaiser, Gilbert J.
Karabatsos, George T.
Kaufman, Robert H.
Kavanagh, Robert G.
Keane, John F.
Keating, John D.
Keating, John S., Jr.
Keele, Wayne, Jr.
Keely, Leroy B.
Keener, John I.
Keith, Clyde R.
Keith, Harold S.
Keith, John D.
Keller, Samuel F., Jr.
Kellogg, Edward S., III
Kelly, Richmond K., Jr.
Kenney, Robert W.
Kern, Thomas W., Jr.
Kiel, Kenneth L.
Kilty, Lawrence R.
Kimbrough, Harold S.
King, Donald J.
King, Edward L.
King, James E.
King, Richard B.
Kingsland, John M.
Kingsley, Stephen S.
Kinley, Frederic H. M.
Kinnaird, Charles R.
Kinne, Loren H.
Kinney, Leo D.
Kinney, Eugene P.
Kirbey, Russell W.
Kleffel, Walter H.
Klein, Donald E.
Klein, Verle W.
Kline, Arlington N.
Kneisl, John F.
Knepler, James L.
Knerr, Donald O.
Knight, Eugene T.
Knight, Cecil F.
Kohoutek, James G.
Kollmorgen, Frederick J.
Kooken, John F.
Kopacka, William F.
Korn, Donald L.
Kowalskey, Zygmont J., Jr.
Kracha, John K.
Krahn, Chris
Kramer, Frank A.
Kramer, Robert B.
Kratt, William J.
Kraus, Walter S.
Krikorian, Edwin G.
Krisciunas, John P.
Kruger, David S.
Krumwiede, Jerold L.
Kujawski, Theodore D.
Kuntz, Francis X.
Kunzel, Frederick K.
Kurth, Ronald J.
Kyle, Kenneth W.
Lacefield, Joe V.
Lacy, Robert G.
Lambert, Mary A.
Lambert, Walker W.
Lamken, Mark L.
Lamore, James F.
Land, Elwood W., Jr.
Lane, William J.
Langford, George M.
Langford, George R., Jr.
Langrind, Roy G.
Lanier, Henrietta R.
Lannon, Francis W.
Larson, Ralph S.
Lawson, Thomas J.
Learned, Charles W., Jr.
Learson, Harold W.
Lee, Thomas E.
Legett, Thomas R.
Lehr, Ronald F.
Lehto, Robert K.
Leonard, John D., Jr.
Leonhardi, Roger L.
Leslie, Richard
Letkemann, Herkus W. V., II
Levin, Herman
Levin, Jeremy I.
Lewert, Adam E.
Lewis, David E.
Lewis, Jesse W., Jr.
Lewis, John W.
Lewis, Martin E.
Lewis, Robert S.
Liatti, Lloyd A.
Lietzan, Ernest W., Jr.
Lima, John M.
Limroth, David F.
Lindsay, Thomas L.
Link, John G.
Lissy, Ernest I.
Litfin, Robert E.
Livingston, Daniel S.
Livingstone, Philip N.
Lochridge, Joe C.
Long, Charles L.
Lord, Frank J.
Lord, Waldon E.
Lutz, William R.
Lyding, John F.
Lykins, Noel R.
Lynch, Will T.
Lynne, Donald M.
Lyons, Philip
Mack, John
Mack, John O.
Mack, Robert E.
Mackie, Joan G.
MacLeod, William A. J.
Maddox, Iven J.
Mares, James A.
Markham, Allan W.
Marks, John A.
Marsh, Barry B.
Marshall, John T., Jr.
Marshall, John T., Jr.
Martin, Benjamin C., Jr.
Martin, Edward H.
Martin, James F.
Martin, Robert T.
Martineau, Roger J.
Marx, Thomas J.
Mason, Ralph S.
Massey, Roger A., Jr.
Master, Carl L., Jr.
Masterson, Kleber S., Jr.
Mathis, Harry L., II
Matthews, Paul C., Jr.
Maurer, Charles B.
McAllister, Jack D.
McArdle, James L.
McBride, Earl P.
McCaffree, Burnham C., Jr.
McCaffrey, Robert T.
McCall, Walter H.
McCarthy, Gerald D.
McCarthy, Paul F., Jr.
McCartney, Kenneth C.
McCarty, William H.
McCellan, Parker W.
McClenahan, Richard M.
McClure, William R.
McCollum, James B.
McConnell, Cyrus, Jr.
McCormack, Howard M.
McCormack, John F.
McCracken, John L.
McCullough, John A.
McDermott, John J.
McDevitt, Ronald F.
McDonough, Lida J.
McElroy, Guy A.
McGill, James F.
McGown, William A., Jr.
McGurk, Robert J.
McIntyre, James G.
McKay, Edward J., Jr.
McKay, Peter B.
McKee, George R., Jr.
McKenzie, James A., Jr.
McKinnon, George H.
McKinster, James W.
McKnight, Kent A.
McLean, Robert H.
McMahill, Gary A.
McMaster, Paul
McMillan, Thomas, Jr.
McMillin, George W.
McMullan, James P.
McNally, Stephen P.
McNamara, William L.
McNenny, Patrick "J" "S"
Meaney, Francis X.
Meek, David
Mehr, John A.
Melton, Arthur W.
Melville, Noel
Merkle, George W.
Merritt, Robert L.
Messinger, Marshall R.
Meyer, Donald J.
Michaels, John R.
Miglas, William
Milford, Dolores A.
Millar, Ralph A., Jr.
Millen, Thomas H.
Miller, Charles H., III
Miller, Chauncey S.
Miller, Glen "J"
Miller, John H.
Miller, Raleigh B., Jr.
Miller, Robert R.
Miller, Russell C.
Minetti, Bernard L.
Mintz, Donald E.
Miranne, Ernest J., Jr.
Mirsch, Marvin W.
Mitchell, Donald F.
Mobley, Arthur S.
Mode, Paul J.
Moebus, Louis F.
Montgomery, Kenneth
Montgomery, William J.
Montross, Robert W.
Moody, Frank L.
Mook, Joe
Moore, Bryon O.
Moore, Hugh A.
Moore, John R.
Moore, Percy J.
Moore, Robert E., III
Moore, Thomas W.
Moranville, Kendall E.
Morgan, Frank A., III
Morris, Charles H.
Morrow, Robert H.
Morse, Robert A.
Mortimer, Edward H., III
Morton, Theodore E.
Moss, Jack L.
Moye, William B., Jr.
Mudgett, Francis S.
Mulligan, John H.
Mulloney, Peter B.
Multer, Richard P.
Mulvany, George M.
Mundt, Werner F.
Muniz, John J.
Murphy, Arthur D.
Murphy, Charles W.
Murphy, Richard G.
Murray, Thomas F.
Murray, Philip F.
Murtha, Bruce E.
Musgrave, "R" "F"
Muth, Wayne A.
Myers, Richard C.
Nagel, Harold A., Jr.
Nash, Owen W.
Nash, Phyllis A.
Neel, William C.
Neel, William M.
Nelles, Merice T.
Nelowet, Wallace S.
Nelson, Theodore E.
Nelson, Jesse R.
Nelson, Floyd G.
Neuhauser, Daniel A.
Newton, John E.
Nix, Walter C.
Noblit, Charles L.
Noren, Rees E.
Nott, Edward C., Jr.
Oberg, Chester R.
Oberholtzer, William E., III
O'Brien, Kenneth A.
O'Brien, Kevin S.
O'Brien, John T.
O'Connell, William J.
O'Connell, Sally H.
O'Dell, Jean M.
Offrell, David W.
O'Halloran, Thomas A., Jr.
O'Hara, John J.
Olander, Darrell W
Oldmixon, William J.
Oleson, David E.
Oliver, Charles H.
Olsen, Charles F.
Olsen, Jerome J.
Olsen, Robert M.
Olson, Harold W., Jr.
Olson, Richard L.
O'Malia, Robert J.
O'Neill, Norbert W.
Orsik, Walter A.
Orsino, Leo A.
O'Shaughnessy, Robert J.
O'Toole, Arthur L., Jr.
Otto, Robert O.
Packard, John E., III
Paine, Lawrence A.
Palmer, Wilbur L.
Panas, Alex W.
Parise, Richard G.
Parker, Kenneth B., Jr.
Parker, Eugene H.
Parks, Richard E.
Parks, Walter P.
Parnell, Thomas A.
Parrish, Jon G.
Parsons, David E.
Pasztalaniec, Matthew F.
Patrick, Julian C.
Patten, Robert S.
Patterson, Lee R.
Patterson, William V.
Paulson, Allan G.
Pavia, Raymond F.
Pearson, John E.
Pearson, George W.
Pease, Floyd T.
Peery, William K.
Penegar, Kenneth L.
Perault, David J.
Perenyi, Ladislas J.
Perfetti, Richard C.
Perkins, Jack C.
Perry, Eugene C., Jr.
Peterman, Dewey D.
Peterson, Mell A., Jr.
Peterson, Alfred A.
Petit, Pierre A.
Pettigrew, Joseph H.
Peugh, Dighton "W"
Pfarrer, Charles P., Jr.
Phillips, Raymond C.
Phillips, Harry H.
Philpot, Marvin L.
Phoenix, David "A"
Pickard, Dallas, Jr.
Pierce, Robert K.
Pikell, Joseph V.
Pine, John D.
Pippin, William E.
Pitt, Donald P.
Pitts, David T.
Platner, Fredric W.
Polini, Eugene T., Jr.
Pollack, Harold I.
Pollak, Henry M.
Pollard, Charles E., Jr.
Polleys, William V., III
Polsin, Robert W.
Popham, Neal R.
Popp, John, Jr.
Popplewell, Lewis M.
Poreda, Charles P.
Post, George W.
Post, Jerome
Powers, Paul S.
Premo, Melvin C.
Price, Carroll R.
Priestley, Joseph R.
Primeau, Don G.
Prochaska, George E.
Prosser, Rudolph J.
Pruitt, Thomas J.
Pugliano, Ralph J.
Purtell, Joseph M.
Quigley, Robin L. C.
Quillin, Thomas E.
Quinn, Charles A.
Quinn, Walter J.
Quirk, Thomas A., Jr.
Rabstejnek, George J., Jr.
Raines, Julian L.
Ramos, Steve L.
Ramzy, James R.
Raper, Albert D.
Rathke, Lorenzo J.
Rauber, William S.
Raunig, David R.
Read, Richard R.
Reardon, John R.
Reasonover, Roger L., Jr.
Reed, Richard A.
Reeves, Alex D., Jr.
Register, Marvin O.
Reid, John A.
Reid, Rust E.
Reid, Wilson G.
Reilly, Frank J., Jr.
Reip, Robert W.
Reisinger, John E.
Reiss, Charles E.
Remsnyder, Duane C.
Rennell, Robert J.
Resek, John F.
Reynolds, James V.
Rhodes, Rodman D.
Rhodes, Thomas B.
Ribble, Lawrence F.
Rice, Alan H.
Rice, Donald K.
Richards, Walter E.
Richardson, William C.
Richter, Ronald P.
Richter, William J., Jr.
Riendeau, Arthur O., Jr.
Riester, John E.
Rigling, Robert F.
Ritchie, John K.
Robertson, Robert R., Jr.
Robey, George R., Jr.
Robinson, James V., II
Robinson, William N.
Rockefeller, Harry C., Jr.
Roderick, Daniel W.
Rodgers, Henry C.
Rodriguez, William P.
Rogers, Robert B.
Rogers, Thomas D.
Romaine, Henry S.
Romaine, Howard G.
Ropp, Phillip C.
Rork, John K.
Rose, Charles B.
Rose, Charles C., Jr.
Rose, James S.
Rose, Rufus E., Jr.
Rose, William A.
Roth, Thomas F.
Rourke, Charles K.
Rowland, Charles M., Jr.
Ruggles, Kenneth W.
Rumsfeld, Donald H.
Russell, Kenneth B.
Russell, John H.
Rutherford, Charles F., Jr.
Sabol, Ernest J., Jr.
Sakats, Gerald
Salva, Pedor R., Jr.
Sample, Bertran E.
Samuels, William J.
Sanders, Wiley M.
Sandoval, Silvano F.
Santuae, Theodore A.
Sassi, Norman M.
Sauers, John F.
Sawyer, Kenneth R.
Scampini, Charles H.
Schell, Farrel L.
Schenck, James S., III
Schibel, Robert L.
Schlenzig, Robert E.
Schmidt, Gilbert E.
Schmidt, Don D.
Schnatterly, Lewis W.
Schnurr, William J.
Schoeckert, Robert D.
Schoeffel, Peter V.
Schoonover, Charles D.
Schrader, David M.
Schroats, Richard P.
Schultz, Earl E.
Scott, Lawrence A.
Scott, Robert W.
Scott, Thomas H.
Seabloom, James A.
Seacord, John M.
Sedlak, Richard K.
Seifert, Robert J.
Seigenthaler, Thomas U.
Selby, Paul F.
Sellers, John W.
Selsor, James Q.
Sesler, Ralph M.
Sewell, Robert L.
Shanaghan, John J.
Shannon, Edward R.
Shannon, Thomas A.
Shaw, Charles P., Jr.
Shaw, Walter B., Jr.
Shearer, Oliver V., Jr.
Shearer, Thomas D.
Sheehan, Robert K.
Shewchuk, William M.
Shields, Robert G.
Shimek, Paul, Jr.
Shinholser, Charles E.
Shirley, Milford E.
Shorey, Clark W.
Short, Warren J.
Shrader, Ebert F.
Shuey, Robert L.
Shumaker, Lawrence A.
Shuman, Edwin A., III
Shurtleff, John A.
Sifferd, Daniel W.
Sill, Harold W.

Simon, William L.
Sisson, Thomas U., Jr.
Skarlatos, Paul
Slattery, Francis A.
Slawson, Paul S.
Slocomb, Richard S.
Sloman, Jean P.
Smidt, Robert L.
Smith, Albert L.
Smith, Chester R.
Smith, David G.
Smith, Edward R.
Smith, Irvin L.
Smith, Leighton D.
Smith, Richard C.
Snider, Lloyd H.
Snyder, Edward C., Jr.
Snyder, Richard W.
Soczek, William
Soderholm, Richard C.
Soltys, Mitchel S.
Sorenson, Curtis A.
Sottak, Edward J.
Southworth, John V., Jr.
Sparagana, Gabriel P.
Speirer, Paul E., Jr.
Spencer, Donn N.
Spencer, Russell E.
Spidell, Gary F.
Sprague, Alden C.
Sprague, Arthur R., Jr.
Springston, William A.
Spurgeon, Edward V.
Spurrier, William W.
Stallworth, Lewis A., III
Stamm, Ernest A.
Starbuck, Thomas H.
Stark, Ronald A.
Starke, Clinton J.
Starr, Larry W.
Staten, George C., Jr.
Staton, John C.
Steel, Charles E.
Steele, Francis X.
Steele, James C.
Steele, Ted C., Jr.
Steeves, Earl S., Jr.
Stefferud, David R.
Stein, Henry L.
Steiner, James
Steinmann, Herbert H.
Stelter, Frederick C., III
Stephenson, Morris H., Jr.
Stern, Sydney V.
Stevens, Edward G., Jr.
Stevenson, Leeroy J.
Stevenson, Donald W.
Stickling, William R.
Stilwell, Charles H., Jr.
Stilwell, John Q.
Stoffel, Michael J.
Stone, Jack W., Jr.
Stoner, Thomas M.
Storck, Bernard F.
Storms, James G., III
Stovall, John C.
Strachan, John
Stroop, Paul D., Jr.
Stubbs, Campbell L., II
Sturm, Gerard M., Jr.
Sullivan, John B.
Sullivan, Russell J.
Suneson, Charlene I.
Sur, William K.
Sutherland, William P.
Sutherland, Terence B.
Sweeney, John H., III
Sweet, Harry J.
Sweet, William L.
Swenson, Loyd S., Jr.
Switzer, Anton R.
Swoyer, Vincent H.
Szpara, Thaddeus J.
Tanksley, Paul A.
Tanner, John P.
Tate, Charles E.
Tate, John F.
Taylor, Arthur C.
Taylor, David J.
Taylor, James D.
Taylor, Robert I.
Taylor, Timothy C.
Tedeschi, Edward T., Jr.
Tepe, Charles F.
Terry, Edgar R.
Terry, Robert C., Jr.
Teuscher, John J.
Thalman, Robert H.
Thie, Dean A., Jr.
Thompson, Richard L.
Thorburn, William B.
Thorne, Russell J.
Thornton, Reuben T., III
Thornton, Ray O.
Thorp, Chester A., Jr.
Thudium, Wayne E.
Thum, George J., Jr.
Thunman, Nils R.
Tibbetts, Herbert E.
Tingler, David S.
Tinker, Gordon E.
Tisdale, Albin A.
Todd, Robert C., Jr.
Tolg, Robert G., Jr.
Tom, Joseph
Tomonto, James R.
Tondora, Joseph E.
Townley, John L.
Townsley, Jesse M., Jr.
Tracey, John A.
Tracy, George W., II
Treagy, Paul E., Jr.
Trenham, Herbert D.
Trevors, George A.
Trone, Dennis R.
Trott, Edgar P., Jr.
Tuck, John, Jr.
Tucker, Ell L., Jr.
Tucker, Thomas A.
Turner, Ralph A., Jr.
Turner, William E., Jr.
Turner, William H.
Ulmer, Donald M.
Ulrich, Charles H.
Urband, Howard T.
Uthlaut, George E.
VanAntwerp, Richard D.
VanDeventer, John H., III
Varbedian, Alexander A., Jr.
Varnes, John D.
Vaughan, Evan J., Jr.
Vaughan, John L., Jr.
Vellella, George J.
Vellom, Lee S.
Viera, John J., Jr.
Vliett, John E.
Vogelberger, Peter J., Jr.
Vohden, Raymond A.
Vonklock, Robert N.
Voss, Frederick H.
Wade, Mercer A.
Walker, Charles
Walker, Crayton C.
Walker, Jack O.
Walker, William R.
Wallace, Dallas L.
Wallace, James D., Jr.
Wallace, John A.
Wallace, Richard M.
Walsh, Don
Walsh, Harvey T., Jr.
Walsh, Joseph A., Jr.
Ward, Robert J.
Wardell, Anthony W.
Watkins, David P.
Watkins, Howard B., Jr.
Watson, John
Watson, Robert "M"
Watson, Thomas C., Jr.
Watson, Thomas P.
Webb, Clifton R., Jr.
Webb, Haven N.
Weinhold, George B.
Weintraub, Daniel J.
Weitz, Paul J., Jr.
Welborn, William P.
Welch, Edwin C., Jr.
Welcome, Allan T.
Wells, John E.
Wells, Peter M.
Welsch, John W.
Welsh, Vincent P.
Weltner, Howard A.
Wensman, Linus B.
Wentz, Sidney F.
Werness, Maurice H.
Wessel, James E.
West, Denton W.
West, Douglas
West, William E.
Weston, Gustav R.
Wetzel, Weslie W.
Whaley, Daniel E., Jr.
Whealy, John P.
Wheeler, Charles G.
Whitaker, James E.
White, Charles E.
White, Donald J.
White, Irvin L.
White, William A.
Wiederspan, Harlan H.
Wight, Roy R.
Wildman, John B.
Wiley, James F.
Wilfert, Eugene N.
Williford, Donald M.
Williams, Bobby J.
Williams, Thomas W., III
Williams, David L.
Williams, Joseph B.
Williams, Ronel J. D.
Williams, Edward O.
Willis, Arthur A., Jr.
Willis, James S., Jr.
Willmeroth, Earl R.
Wilmer, Robert R.
Wilson, James C., Jr.
Wilson, David G.
Winkowski, John R.
Wise, Richard T.
Wisniewski, Sylvester S.
Withers, Fred J.
Wittucki, Gerard S.
Wojcik, Ermin S.
Wood, Frederic C., Jr.
Wood, Fred L.
Wood, Hal D.
Wood, Leon G., Jr.
Wood, Noel T.
Woodcock, Henry P., Jr.
Wooden, Bruce J.
Woods, Carl J.
Woodward, John L.
Woollard, Edwin F.
Wright, James R.
Wuebler, Robert J.
Wyckoff, Peter B.
Yapp, Rockford G., Jr.
Yarger, Luther D.
Yarwood, John O.
Yenowine, George H.
Young, Harold L.
Young, Paul F.
Zable, Joseph J.
Zelones, Vincent L.
Zettle, Harold
Zidbeck, William E.
Zook, Richard M.
Zulkoski, Ronald R.
Alexander, Adelore L.
Arta, Robert C.
Bastian, Donald L.
Bowling, Charles R.
Bozell, Rex K.
Brown, George C., Jr.
Brownsberger, Donald E.
Busey, James B., IV
Coleman, Thomas R.
Connolly, Timothy W.
Corey, Stuart M.
Cox, Floyd E.
Damon, Terry A.
Dearcott, Michael E.
Downs, James R.
Fech, Duane V.
Fields, James E.
Flatley, John E.
Gatterman, Raymond D.
Gilliamsen, Donald A.
Gilroy, John W., Jr.
Good, Robert C.
Grammer, William R.
Guidry, Rodney R.
Haggard, Marion Z.
Hartranft, Richard J.
Henriquez, Joseph S.
Herr, Arthur L., Jr.
Holman, Robert A., Jr.
Hubbard, Henry L.
Hughes, Ronald E.
Hutsman, Roland K.
Jones, Jerry D.
Jones, Robert E.
Knies, George C.
Lane, Robert E.
Lee, Melvin R.
Mabe, James M.
Manheimer, Donald Z.
Marsh, Alvin "F"
McKay, Robert W.
Miller, Bruce J.
Millner, Clayton L.
Moore, Johnnie R.
Morris, John P.
Motes, Thomas L.
Murphy, George A.
Narowetz, Bruce A.
Nothwang, David R.
Olson, Gerard R.
Oslun, William J.
Petersen, Gordon S.
Pine, Gordon P.
Poltevent, Joe L.
Potosnak, Joseph E.
Pringle, Donald B.
Ralter, Richard F.
Reinhardt, Jerry B.
Rumelhart, Max R.
Ryan, Thomas J.
Sapp, Charles S.
Schlemmer, Robert M.
Schuman, Martin S.
Sinwell, Raymond J.
Sherrouse, James B.
Smith, Ralph W., Jr.
Southwick, Charles E.
Sterling, Kenneth L.
Stock, Merlyn L.
Stone, Ronald P.
Storm, Carroll P.
Talpale, Richard G.
Tanner, Charles N.
Taylor, Charles C.
Tise, Donald G.
Tonole, Joseph J., Jr.
Van Dyke, Willard H., Jr.
Veach, Everett K., Jr.
Walck, Claude W.
Walker, Raymond H., Jr.
Walters, Ralph E., Jr.
Wilson, Fred J.
Wise, George M.

CIVIL ENGINEER CORPS

Andersen, Charles P.
Auerbach, Ralph W., Jr.
Berdan, Maurice R.
Block, Norman G.
Curran, Robert A.
Daniel, William F., Jr.
Edson, Theodore M.
Gans, George M., Jr.
George, Roscoe D., Jr.
Gibboney, Lloyd H.
Hanlon, Mark Z., Jr.
Hauck, John W.
Jones, John P., Jr.
Melcher, Albert G.
Miller, William C.
Moger, Jack B.
Moore, Fred B.
Morton, Donald A.
Nicholls, William H., Jr.
Nystedt, Russell P.
Oscarson, Edward R.
Petzrick, Paul A.
Pitman, James B., Jr.
Ranieri, Joseph J.
Smila, William W.
Socha, Albert R., Jr.
Sweeney, John C.
Sylva, John P., Jr.
Tombarge, John W.
Wile, Dorwin B.
Williamson, Howard M.

MEDICAL SERVICE CORPS

Barrett, Neil K.
Beyer, Charles E.
Brandon, Daniel A.
Brannon, Joe F.
Brownlow, Wilfred J., Jr.
Carpenter, Arden R.
Curto, James C.
Dennis, "J" "M"
Derivera, Joseph M.
Devine, Leonard P.
Dietch, Michael M.
Dunbar, Edward S.
Gallaher, Robert E.
Gilbert, Richard S.
Goon, Melvin H.
Hartley, Robert L.
Holston, Charles A.
Janson, Harold J.
Jennings, William H., Jr.
Johnston, James F.
Keese, Robert C.
Long, William L.
McComb, Gordon S.
Miller, Harry P.
Morris, Carlton R.
Myers, John D.
Oleson, Russell H.
Oswald, Charles A., III
Reed, John R.
Richardson, James W.
Riser, Ellis W.
Sanborn, Warren R.
Schaffner, Leslie J.
Sloan, Marshall
Smout, Jay C.
Talley, Russel L.
Tatum, Raymond B.
Vanbuskirk, Floyd W.
Woodham, James T.

SUPPLY CORPS

Alderman, John M., Jr.
Anderson, Richard A.
Anglim, Matthew E., Jr.
Armitage, James H.
Ausbrook, Perry "C", Jr.
Babcock, Barry B.
Baglioni, Francis X.
Barczewski, Steven J.
Barnard, Harry W.
Barr, Robert S.
Bartholomew, Charles W.
Bechtelheimer, Robert R.
Blackshaw, Joseph R.
Brewer, Walter L.
Brooks, John E.
Brotherton, Curtis W.
Burgess, James E.
Burr, William E.
Byers, Austin L.
Campbell, Patrick J.
Casselberry, Lynn W., Jr.
Caverly, Michael K.
Chapman, Charles B., III
Chase, Kelsey D., Jr.
Christenson, Richard D.
Clark, Shelby V. T.
Cook, Gerald W.
Corcoran, Luke T., Jr.
Cornelius, Jack M.
Cotton, Robert E.
Cronk, Philip W.
Delleney, Jimmie S.
Deroulet, Philip H.
Derrico, Joseph A.
Dollard, Paul A.
Dusenberry, Frank J.
Erb, Richard T.
Ervin, Dean W.
Fachet, Robert F.
Farrell, James G.
Fekula, Theodore V.
Ferraro, Niel P.
Fuka, Otto J., Jr.
Futch, Franklyn P.
Gill, Leo S.
Gordon, Jerry M.
Graessle, Philip G.
Hall, Robert A.
Hanly, Joseph B.
Harkin, James W.
Harvilla, John A.
Hawkins, Charles A.
Hensley, Frank M.
Hochmuth, Alvin E., Jr.
Hollowell, Samuel T., Jr.
Horrigan, John W., Jr.
Jesser, Arthur D.
Johnson, Millard J.
Joseph, Mark R.
Kavanagh, Preston B., Jr.
Kela, Frederick H.
Kidd, Prentis H.
Klaren, John C.
Kutil, Donald H.
Lawrence, Robert W.
LeBlanc, George J., Jr.
Lewis, Brian K.
Long, Billie K.
Mankoff, Ronald M.
Mantlo, Glendon R.
McCarthy, Leonard D.
McCurdy, Bruce D.
McDougal, Lynn R.
Meyer, Jack A.
Michna, Stanley P.
Moore, James W.
Neal, Edward M.
Nolan, Frank R.
O'Connor, Robert W.
Odom, Mildred L.
Ostrom, Lester E.
Parent, Elias A., Jr.
Patton, Kenneth G.

Peek, Luther W.
Peterson, Kenneth A.
Pottinger, Ian G.
Ragan, Gilbert G.
Read, Farra L., Jr.
Rice, Harold A.
Richards, Walter T.
Riordan, William H.
Rogers, John R.
Rohman, Paul J., Jr.
Ross, Howard "T", Jr.
Sanders, John R.
Scarrah, George B.
Schrag, Edward "A", Jr.
Schulden, William H.
Settles, Robert B.
Sevier, Moses T.
Shipley, Maynard K.
Smith, Jay R., Jr.
Solinger, Jerard H.
Sterner, Norman G.
Stevenson, Ray H.
Stirratt, Avery, Jr.
Stokes, DeLeon E.
Strain, James J.
Strange, Geoffrey G.
Swenson, George E.
Topping, James F.
Velotas, Bill M.
Wagner, John E.
Walker, Edward K., Jr.
Warneke, Grover C.
Welshaar, Marvin J.
Weiss, Armand B.
White, Jack A.
Williams, Walter L.
Wilson, Kenneth B.
Wohl, Paul
Yeager, William J.
Young, Robert H.
Zeberlein, George V., Jr.

The following-named officers of the Navy for permanent promotion to the grade of chief warrant officer, W-4, subject to qualification therefor as provided by law:

Goodall, William W.
Saunders, George E.
Kisak, Valdimir
Carozza, Edward
Johnson, Orville A.
Cronk, Henry V.
Blaylock, James O.
Specht, Horace W.
Wood, Charles J.
Janas, Walter A.
Virostko, Joseph P.
Andre, James L.
Blackburn, Earl S.
Allen, Harvey S.
Bilbray, Hubert P.
Newey, Daniel
Knecht, John P., Jr.
Stein, William V., Jr.
Priest, Dean W.
Longtin, Finley J.
Woznick, Walter P.
Beatson, David C.
Hansen, Peter A.
Perry, Smith
Whited, Everest A.
Mitchell, Ralph
Foley, Lamar W.
King, William E.
George, Virgil M.
Bottorff, Nelson D.
Hiatt, Donald A.
Wood, Louis E.
Denson, John M., Jr.
Love, Walter B., Jr.
Lewis, Charles S.
Svahn, Albert R.
Tabor, John A.
Brofft, Beltran F.
Collins, Wilson L.
Hall, Vaness F.
Pauley, Arthur E.
Rainbolt, Darrell L.
Corbett, Theodore W.
Dozier, Walter H.
Allen, Albert F.
Willis, Alva C.
McCullough, Robert R.
Schmitt, Carl H.
Carlson, Carl A., Jr.
Miller, Roy
Wells, George B.
Smith, Walter C.
Bender, Merle D.
Gray, Adrow
Tolin, Robert E.
Hartlove, David G., Jr.
Nunnally, Charles H.
Bodine, Vernon H.
Jones, Merle V.
Leahy, Roger B.
Grant, Joe W.
Maloney, James D.
Therien, Robert B.
MacInnes, William H.
Harnden, Robert D., Jr.
Mullis, Fred W.
VanHorn, Edward
Butterworth, Chester
Frumerie, Walter E.
Annis, Alvin A.
Ripley, Frank L.
Freshwater, Duane C.
Potoky, Charles E., Jr.
Hill, Charles O.
McCray, James G.
Riley, William E.
Besancon, Victor C.
Keck, Truman W.

The following-named officers of the Navy for permanent promotion to the grade of chief warrant officer, W-3, subject to qualification therefor as provided by law:

Jackson, Wilfred R.
Peterson, Reginald
Jones, Vincent Y.
Palmer, Robert W.
Clarke, Wlot L.

The following-named line officers of the Navy for permanent promotion to the grade of lieutenant (junior grade), subject to qualification therefor as provided by law:

Ammann, Robert E.
Barker, William S.
Bernardin, Peter A.
Boland, Bruce R.
Caldwell, Charles B.
Cantwell, Richard B.
Case, Robert W.
Cisson, Arthur
Cole, Thomas T., Jr.
Cornell, Gordon C.
Coward, Alton A., Jr.
Daly, Paul S.
Davis, Richard C.
Diehm, William C., III
Dillon, John F.
Dobbs, William D.
Dziengielewski, Eugene L.
Eckerle, Charles R., Jr.
Erlewine, John W.
Evans, Thomas G.
Felling, Thomas A.
Florin, Donald E.
Gay, David E.
Glinn, John B., Jr.
Hamrick, Franklin G.
Hawkins, Cecil "B", Jr.
Howe, John E.
Johnson, Richard L.
Johnson, Robert A.
Keery, Jerry L.
Lehman, George W.
Lucken, Frank E.
McKean, Francis E.
Miller, Bryce N.
Morris, James I.
Noll, Rolf F.
O'Dell, Jerry T.
Potts, Bill H.
Segel, Norman
Shelly, Ronald G.
Terry, Virgil R.
Thompson, Richard G.
Van Dusen, Harold L.
Wardell, William L., Jr.
Wetzel, James F.
Wilson, David P.
Winton, Fred "B", Jr.
Witthott, Ronald D.
Woolway, David J.
Wright, Murray H.
Yonke, William D.

The following-named officers of the Navy for permanent promotion to the grade of lieutenant:

To be lieutenant, line

Harld Feeney
Roy L. Judd
Wilmer E. Walker
Walter P. Schmidt
Jacob L. Van der Goore
James K. Berger
George E. Bein
William R. Knapp
George H. Waters
Frederick M. Hollen
John F. Elmore, Jr.
Douglas I. Smiley
Boyce "D" Evans
Harold L. Olsen
Robert D. Morris
Thomas M. Moran
Edward C. Fitzpatrick
Lynn R. Clark
Donald A. Langer
Walter J. Blaszczak
Dion G. B. Debit
Fayne E. Curtis
Kermit E. Dearman
Alexis N. Charest
Harry E. Howell
John H. Larsen
Jack G. Belton
Arthur J. Meacham
Stanford E. Lichlyter
Edward V. English
Forrest J. Godfrey
Thomas G. Clinton
Edward K. Markley
Irvin R. Moss
Robert W. Goodreau
Leonard "C" Ash
Donald L. Alldredge
Ralph L. Gordon
Donald H. Dowds
Kenneth N. Holt
Henry L. Wittrock
William B. Latham
John S. Hoover
Clarence H. Smitter
Robert E. Kutzleb
Raymond B. Prell
William A. Meador
David H. Stewart
Robert C. Alexander
Merle E. Mills
Clovis K. McDonald
Joseph Pestcoe
Richard G. Rieken
John D. Thomas
Edmund F. Foley
William A. Bullock
James C. Schasteen
Virgil J. Lemmon
Andrew T. J. Nutter
Elbert R. Holland
Albert E. Ferguson
John J. Snee
Edwin B. Clark
Robert T. Check
William F. Wright, Jr.
Eugene A. Culver
Harry H. Williamson, Jr.
Jack M. Reid
William T. Dickson
Walter J. Davis
Gayle Ramsey
Charles F. Skillman
Leonard B. Crane, Jr.
Frederick E. Groenert
John A. O'Shea, Jr.
Grant "W" Miller
Allen W. Helmandollar
John C. Thomas
Albert Chisum, Jr.
John L. Preston
James W. Hodges, Jr.
Bernard A. Duffy
Billy D. Jamison
James H. Manion
Edward C. Walshe, Jr.
Harris E. Steinke
Joseph M. Callaghan
John R. Henley
Carroll K. Mitchell
Gordon F. Murphy
Paul F. Bodling, Jr.
James J. Holian
Charles N. Osborne
Robert J. Brunskill
Roy E. Lanphear
James B. Williams

To be lieutenant, Supply Corps

James L. Avary
Walter F. Merrick
Purnel L. Collicott
Bayard A. Taylor, Jr.
William I. Davidson
Delbert L. Faust
Alfred J. Furnweger
Lee Wood, Jr.

To be lieutenant, Civil Engineer Corps

William C. Pinch
Loney L. Blough
Oscar F. Parrish, Jr.

Richard T. Upton to be a temporary lieutenant in the Medical Corps of the Navy in lieu of a temporary lieutenant in the Dental Corps of the Navy as previously nominated and confirmed to correct corps, subject to qualification therefor as provided by law.

WITHDRAWAL

Executive nomination withdrawn from the Senate July 10 (legislative day of July 8) 1957:

POSTMASTER

David W. Edeen, postmaster at American Lake, in the State of Washington.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 10, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou gracious benefactor, whose heart always responds with love to every human need, we are engaging in prayer to invoke the benediction of Thy favor upon us during this day.

Guide us by Thy spirit as we seek ways and means of mediating to all mankind the blessings of health and happiness, of peace and good will.

We beseech Thee to manifest Thy grace unto our chosen representatives who are laboring faithfully and conscientiously to enrich and strengthen our national life.

Show us how we may lift humanity out of the lowlands of fear and frustration unto the lofty heights of courage and confidence, of faith and freedom.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

PUBLIC ASSISTANCE MEDICAL CARE PROVISIONS

Mr. COOPER. Mr. Speaker, I call up the conference report on the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

PUBLIC ASSISTANCE MEDICAL CARE PROVISIONS
(H. REPT. No. 684)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: On page 2, of the Senate engrossed amendments, strike out lines 14, 15, and 16; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

JERE COOPER,
W. D. MILLS,
NOBLE J. GREGORY,
DANIEL A. REED,
THOMAS A. JENKINS,
Managers on the Part of the House.

HARRY F. BYRD,
BY K.
ROBT. S. KERR,
J. ALLEN FREAR, JR.,
EDWARD MARTIN,
JOHN J. WILLIAMS,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Since the 1950 amendments to the Social Security Act, Federal financial participation in State expenditures for old-age assistance, aid to the blind, aid to dependent children, and aid to the permanently and totally disabled has been available with respect to unrestricted money payments made to needy recipients of assistance and with respect to payments made directly to suppliers of medical care (vendor payments) on behalf of such recipients. The Federal Government has not participated, however, in that part of the total assistance to an individual (including both the money payment to the individual and any medical care vendor payments made on his behalf for any month) which exceeded a specified maximum. Since October 1, 1956, under the provisions of the Social Security Amendments of 1956 (Public Law 880), this maximum has been $60 in all of the programs except aid to dependent children (to which different amounts apply).

The 1956 amendments also included (effective July 1, 1957) provisions for the separate matching of vendor payments for medical care and excluded vendor payments for medical care from the formulas applicable with respect to unrestricted money payments made to needy recipients. Under these separate matching provisions the total amount of vendor payments for medical care in which the Federal Government will participate is 96 times the number of adult recipients and $3 times the number of child recipients. The Federal Government's share within these limits is one-half. Thus, under the 1956 amendments, no State could receive in Federal funds more than an average of $3 per adult recipient and $1.50 per child recipient with respect to its vendor medical care payments.

H. R. 7238, as it passed the House, in effect, provided the same matching formulas as those provided by the 1956 amendments, except that the matching formulas applicable to money payments applied both to unrestricted money payments to recipients and to expenditures for medical care on their behalf. In determining the amount of the Federal contribution (under the bill as it passed the House) for any assistance program, expenditures for medical care (including expenditures for insurance premiums for such care or the cost thereof) could be taken into account (at the option of the State) (1) under the matching formula applicable to both unrestricted cash payments and medical care, (2) under the medical care matching formula, or (3) partly under one such formula and partly under the other formula.

Under the Senate amendment to the text of the bill each State has the option of (1) continuing to receive its Federal matching of vendor payments for medical care on behalf of public assistance recipients under the law in effect prior to July 1, 1957 (within the individual maximums on the money payments to and vendor medical care payments on behalf of the individual) or (2) receiving its Federal matching with respect to these vendor payments under the separate matching provisions of the 1956 amendments (which became effective on July 1, 1957), but not both. This choice can be made once a year, or less frequently, as the State desires, and with respect to each of its public assistance programs for which there is Federal financial participation.

The Senate amendment also amended section 218 (p) of the Social Security Act which contains certain special provisions under which coverage under the old-age, survivors, and disability insurance program may be extended, pursuant to agreements between the States and the Department of Health, Education, and Welfare, to policemen and firemen. Those special provisions now apply to five States. The Senate amendment would have made the provisions applicable also to Alabama.

The conference agreement adopts the Senate amendment to the text of the bill (with respect to public assistance vendor medical care payments) but with an amendment deleting the provisions relating to the coverage of policemen and firemen under the old-age, survivors, and disability insurance program. There presently is pending before the Committee on Ways and Means legislation to add a number of named States to the list of States contained in section 218 (p) of the Social Security Act, and also legislation pending to make the provisions contained in such section available generally to all the States. In view of this, it was considered more appropriate to deal with this problem at one time rather than through the addition at this time of a single State. It is the present intention of the Committee on Ways and Means to consider this legislation in the very near future.

JERE COOPER,
W. D. MILLS,
NOBLE J. GREGORY,
DANIEL A. REED,
THOMAS A. JENKINS,
Managers on the Part of the House.

Mr. COOPER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point on the conference report just adopted; and I also ask unanimous consent that all Members of the House desiring to do so may extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COOPER. Mr. Speaker, as is explained more fully in the statement of the managers, the Senate amendment to the text of the bill was agreed to in conference. Under the version, each State has the option of, first, continuing to receive its Federal matching of vendor payments for medical care on behalf of public assistance recipients under the law in effect prior to July 1, 1957, within the individual maximums on the money payments to and vendor medical care payments on behalf of the individual; or second, receiving its Federal matching with respect to these vendor payments under the separate matching provisions of the 1956 amendments, which became effective on July 1, 1957, but not both. Additionally, the State has an option of making this choice once each year, or less frequently, as the State may desire.

The version which has been agreed to in conference is substantially the proposal which the administration made at the time your committee was considering the bill, except that one very notable improvement has been made which permits a State to elect each year the method which it will follow rather than being forced to make a single permanent election.

Under the House version States would have had an additional option over and above the two which are available in the amendments which have been agreed to.

The House conferees were successful in removing from the bill a Senate amendment which would have permitted addition of only one of several interested States to the list of States in which policemen and firemen may be extended social-security coverage. As indicated in the statement of the managers, your Committee on Ways and Means intends to take this matter up in the near future either in the form of general legislation for all States or by the addition of several specific States which have expressed a desire to be included.

I urge adoption of the conference report.

Mr. REED. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED. Mr. Speaker, I joined as a signatory to the conference report on H. R. 7238 relating to the medical care provisions of the public assistance titles of the Social Security Act. I regret the fact that the House conferees were unable in conference to sustain the House position on this legislation. I am convinced that the House-passed version of this legislation was considerably more equitable. However, in the interest of obtaining timely legislative action on this important measure it was necessary to accept the Senate-passed version of these proposed amendments to the medical care provisions. Failure to pass legislation such as is proposed in H. R. 7238 would have a seriously adverse effect on the public-assistance programs in the States of Illinois, Minnesota, and New Hampshire.

In the case of my own State of New York, the House-passed version of this legislation would have meant a significant increase in the availability of Federal funds for public-assistance purposes. I believe the House bill was more equitable in that it would have provided more Federal funds either immediately or potentially in the future for those States from which is collected the greatest amount of the revenue paid into the general funds of the Treasury from which are derived the funds for public-assistance purposes. Also, it would have permitted a more liberal public-assistance program in those States which have a prevailing cost of living that is higher than that existing in the majority of the other States that are not affected by H. R. 7238.

During the conference on this legislation I supported the House version of H. R. 7238 and endeavored to have my fellow conferees join me in this regard. I regret that I was not successful in achieving this objective. However, the conference agreement on H. R. 7238 will in my judgment strengthen the national application of our public-assistance programs to the respective States in our great Nation.

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD on the conference report just agreed to.

Mr. SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCCORMACK. Mr. Speaker, I am keenly disappointed that the House conferees were unable to prevail in conference on H. R. 7238. I am firmly convinced that it was the understanding of the Congress that the States were to have made available to them additional moneys for medical-care programs for public-assistance recipients in the social-security amendments of 1956. It developed, however, that not only were some States to receive no additional money, but some were to be penalized when the 1956 amendments became operative. It was for this reason that I introduced H. R. 7238, to provide additional moneys to the States and, at the same time, leave the States a completely free hand in determining how to run their medical-care programs.

I regret that the Department of Health, Education, and Welfare has been adamant in opposing my bill as it was originally introduced. The Department did admit that the 1956 amendments would have had an adverse effect on some States. However, it did not want to give the States the full advantage of the old law as well as the new provisions which were enacted in the 1956 amendments. The Senate amendment is somewhat an improvement over the original compromise suggested by the Department. However, it falls far short of my bill as introduced.

It is with great reluctance and in the interest of getting the uncertainty involved in this situation settled that I am going along with the conference report. I am advised by the conferees on the part of the House that under the circumstances it appeared that it was a matter of agreeing to the Senate amendment or getting no change at all made in present law.

SUBCOMMITTEE ON LABOR STANDARDS OF THE COMMITTEE ON EDUCATION AND LABOR

Mr. KELLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent that the Subcommittee on Labor Standards of the Committee on Education and Labor many have permission to sit this afternoon during general debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

STATEMENT BY THE HONORABLE FRANCIS E. WALTER ON THE TWO EX-UNITED STATES AIDS INDICTED AS SPIES BY A FEDERAL GRAND JURY IN NEW YORK

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

Mr. SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, the July 9 newspapers throughout the United States carry the story of the actions by a Federal grand jury in returning espionage indictments against additional American citizens.

Those recently indicted are Jane Foster Zlatovski, who was born in San Francisco, Calif., on June 29, 1912, and George Michael Zlatovski, her husband, a naturalized American, born in Russia.

The indictment charged that since 1940, the Zlatovskis conspired with Russians in New York, Washington, Paris, Austria, and Switzerland to obtain United States defense data of interest to the Soviet Union. They were accused of stealing documents and photographs and with having turned over commercial, industrial, and political information, as well as information respecting the military with whom they were directly employed.

Jane Foster Zlatovski was issued a passport on March 13, 1947, which was renewed on March 18, 1949, at Paris, France. A new passport was issued at Paris, France, April 9, 1951. This passport was renewed on April 20, 1953. On December 3, 1954, her passport was taken up and withdrawn by the Department of State. The passport expired on April 20, 1955. She sought return of her passport and on January 19, 1955, she received an informal hearing. In this connection she executed an affidavit which denied that she was then or had ever been a member of the Communist Party, the Communist Political Association, the Young Communist League, or, to her knowledge, any other Communist organization. However, she admitted that during a brief period commencing in May 1941, and terminating in January 1942, she "embraced what I then conceived the Communist ideology with enthusiasm, attended all manner of meetings, particularly because my own abhorrence of war coincided with the then expressed views of those espousing the Communist cause."

Jane Zlatovski thereafter was accorded all of the procedures of appeal, including a hearing before the Board of Passport Appeals. On March 29, 1955, the Board of Passport Appeals recommended that a passport be denied to her. On March 30, 1955, the Secretary of State approved the recommendations of the Board of Passport Appeals and her application for a passport was disapproved.

The Passport Division, the Board of Passport Appeals, and the Secretary of State acted upon confidential information which had been received from agencies of the United States Government and mainly from the Federal Bureau of Investigation. This information, which was subsequently made public, was that Jane Zlatovski had attended Communist Party meetings in San Francisco in 1934 and 1935; that in June 1941 she picketed the White House for the American Peace Mobilization, an organization cited by the Attorney General; that she was a Communist Party member that she, in 1942, was reported to be in sympathy with the ideology of the Communist Party and to be a Communist; that she is married to one George Michael Zlatovski, a known Communist, who was born in Russia and who now resides in Paris; that she in 1942, prior to her marriage, lived in New York with people who conducted Communist meetings in their home; that she was associated with or in contact with or affiliated with several organizations, including the International Labor Defense in 1941, the Washington Book Shop in 1943, and the American Committee for the Protection of Foreign Born; that she publicly discussed her Communist Party membership in Washington, D. C., in 1942; that she worked for the Communist Party in the Dutch East Indies from 1936 to 1940, and also in San Francisco; that both she and her husband were doing Communist Party work in Europe in 1948 and that while employed by the O. S. S. she gave an interview to the Daily Peoples World, the official West Coast Communist publication, at which time she disclosed her connection with the O. S. S. Java mission, which disclosure amounted to a serious breach of security regulations of the O. S. S.

Thereafter, Jane Foster Zlatovski filed suit against the Secretary of State in the United States District Court for the District of Columbia. This action to force the Secretary of State to issue a passport was assigned to Judge Burnita S. Matthews.

On July 9, 1955, Jane Foster Zlatovski asked the court to issue a preliminary injunction enjoining the Department of State from withholding or denying a

passport during the pendency of the suit in order that she might return immediately to her husband in Paris.

On June 28, 1955, Judge Matthews ordered the Secretary of State to grant Mrs. Zlatovski a quasi-judicial hearing. The quasi-judicial hearing had been ruled in earlier decisions against the Secretary of State to be a hearing in which the applicant for a passport was faced by their accusers.

On August 3, 1955, the Secretary of State filed an affidavit in support of the Government's motion for a summary dismissal of the action. The Secretary's affidavit, which included the derogatory information set forth above, concluded, "I have again reviewed the file in the passport case of Mrs. Jane Foster Zlatovski, and based on all of the available information, I have reached the conclusion that it would not be in the interest of the United States to issue a passport to Mrs. Jane Foster Zlatovski to go abroad in that her return to France would be inimical to the security of the United States and to its relations with other countries."

The Secretary of State in reaching these findings had information which directly related to the espionage activities in which Jane Foster Zlatovski was engaged. The indictment of the Sobels and other indictments for espionage, which I am confident will grow out of the grand jury investigation now going on in New York, would have been impossible had the Secretary of State made available to Jane Foster Zlatovski, a member of the espionage organization, the information or a portion of the information, which was in the Secretary's possession.

After the affidavit by the Secretary of State was filed, Judge Matthews called into chambers Leonard Boudin, the attorney for Jane Zlatovski, and the attorney for the Secretary of State, and indicated that unless the Department possessed and divulged derogatory information in addition to that set forth above, and in particular derogatory information dated more recently than 1948, she would issue an order directing the issuance of a passport to Jane Foster Zlatovski, who was yesterday indicted for engaging in espionage against the United States.

The Secretary of State was therefore placed by the court in the untenable position of either divulging to a member of an espionage organization, the knowledge which the Secretary possessed of her espionage activities or of giving her a United States passport which would permit her to return to Europe and to engage in espionage in behalf of the Soviets against our free allies.

Mr. Speaker, this situation again points up the necessity for the Congress to assert its prerogatives as the lawmaking body of the National Government. Time and again, in hearings of the Committee on Un-American Activities, as well as hearings of a subcommittee of the Committee on the Judiciary, we have seen cases in which the security of this Nation is threatened by loose passport practices which are spearheaded by court decisions such as the decision in the instant case.

I call this to the attention of the House because I expect to press relentlessly for remedial legislation to the end that we may have a sound passport program.

AUTHORIZING CONSTRUCTION FOR THE MILITARY DEPARTMENTS

The SPEAKER. The unfinished business is the further consideration of the bill H. R. 8240, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. The question is on the amendment adopted in Committee of the Whole on which a separate vote was demanded.

Without objection, the Clerk will report the amendment.

The Clerk read the amendment as follows:

Amendment offered by Mr. ARENDS: On page 70, strike out all of section 411 beginning on line 17 and extending through line 16 of page 71.

Mr. TEWES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. TEWES. Mr. Speaker, we Members are frequently surprised by the inability of our constituents to understand the activities of Congress. It seems to me that a provision such as section 411 in this bill is a prime example of the kind of legislation which few people will understand. It is so patently contrary to the viewpoints of the average man that its passage will certainly leave him wondering.

Section 411 requires Congress to review every single attempt of the Defense Department to divest itself of a Government-operated business employing 10 or more people. The intent of the section is to give Members a veto in an administrative matter which conceivably could affect their district. It is intended to give Members a voice in a matter which can actually be handled much better by the Defense Department.

This section thereby opens the door to many considerations except the really important one of getting the Government out of private business. Moreover it serves not as only temporary bar to removing the Government from business, but it permanently stymies the whole program. Congressional review will certainly be filled with extraneous considerations, including politics. Under the proposals of this section the Defense Department is virtually stripped of authority urgently recommended by the Hoover Commission.

During the last political campaign and on the floor of the House there has been a great deal of oratory concerning the plight of the small-business man. Here is an opportunity to make good on campaign promises. It can be done by vigorously supporting the amendment to strike section 411.

It has been said that the section referred to is an economy measure. Whatever economy there may be in having a Government business which pays no taxes is economy at the expense of the small-business man. Furthermore, the small savings claimed would be more than offset by the ridiculous cost of 435 Members of Congress busily arguing whether a paint shop employing 10 people should be closed.

Mr. Speaker, the amendment to strike section 411 should be adopted because, first, it is an economy measure which helps to get the Government out of unnecessary activities; second, it cuts through the welter of administrative details which are really unworthy of the time of the House of Representatives; and, third, it aids small-business men by returning to them functions which they can better perform.

The SPEAKER. The question is on the amendment.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. ARENDS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 183, nays 230, not voting 20, as follows:

[Roll No. 136]

YEAS—183

Abbitt	Dooley	Mahon
Alger	Dowdy	Martin
Allen, Ill.	Dwyer	Mason
Andersen, H. Carl	Fenton	May
Arends	Ford	Meader
Auchincloss	Frelinghuysen	Michel
Avery	Gary	Miller, Md.
Ayres	Gavin	Miller, Nebr.
Baker	George	Miller, N. Y.
Bass, N. H.	Griffin	Minshall
Baumhart	Gross	Moore
Becker	Gubser	Morano
Belcher	Gwinn	Mumma
Bennett, Mich.	Hale	Murray
Bentley	Halleck	Neal
Berry	Harden	Nicholson
Betts	Harrison, Nebr.	Nimtz
Bolton	Harrison, Va.	Norblad
Bow	Harvey	O'Hara, Minn.
Boyle	Haskell	Osmers
Broomfield	Henderson	Ostertag
Brown, Ohio	Heselton	Patterson
Brownson	Hess	Pillion
Budge	Hiestand	Poage
Bush	Hillings	Poff
Byrne, Ill.	Hoeven	Prouty
Byrnes, Wis.	Hoffman	Radwan
Canfield	Holt	Ray
Cannon	Horan	Reece, Tenn.
Carrigg	Jackson	Reed
Cederberg	James	Rees, Kans.
Chamberlain	Jarman	Rhodes, Ariz.
Chenoweth	Jenkins	Richlman
Chiperfield	Jensen	Robeson, Va.
Church	Johansen	Sadlak
Clevenger	Jonas	St. George
Cole	Judd	Saylor
Collier	Kean	Schenck
Corbett	Kearney	Scherer
Cramer	Keating	Scrivner
Cretella	Keeney	Scudder
Cunningham, Iowa	Kilburn	Seely-Brown
	Knox	Selden
Cunningham, Nebr.	Krueger	Sheehan
	Laird	Sller
Curtin	Latham	Simpson, Ill.
Curtis, Mo.	LeCompte	Smith, Calif.
Dague	Lipscomb	Smith, Kans.
Dawson, Utah	McCulloch	Smith, Va.
Delray	McDonough	Smith, Wis.
Dennison	McGregor	Springer
Derounian	McIntire	Stauffer
Devereux	McIntosh	Taber
Dies	McVey	Talle
Dixon	Mack, Wash.	Taylor
		Tewes
Thomson, Wyo.	Vorys	Wharton
Tollefson	Vursell	Widnall
Tuck	Wainwright	Williams, N. Y.
Utt	Watts	Wilson, Ind.
Van Pelt	Weaver	Withrow
Van Zandt	Westland	Younger

NAYS—230

Abernethy	Fountain	Multer
Addonizio	Frazier	Natcher
Albert	Friedel	Norrell
Alexander	Fulton	O'Brien, Ill.
Andrews	Garmatz	O'Brien, N. Y.
Anfuso	Gathings	O'Hara, Ill.
Ashley	Gordon	O'Neill
Ashmore	Granahan	Passman
Aspinall	Grant	Patman
Bailey	Gray	Pelly
Baldwin	Green, Oreg.	Perkins
Barden	Green, Pa.	Pfost
Baring	Gregory	Philbin
Barrett	Griffiths	Pilcher
Bass, Tenn.	Hagen	Polk
Bates	Haley	Porter
Beckworth	Hardy	Preston
Bennett, Fla.	Harris	Price
Blatnik	Hays, Ark.	Rabaut
Boggs	Hays, Ohio	Rains
Boland	Healey	Reuss
Bolling	Hébert	Rhodes, Pa.
Bonner	Hemphill	Riley
Bosch	Herlong	Rivers
Bray	Holifield	Roberts
Breeding	Holland	Robsion, Ky.
Brooks, La.	Holmes	Rodino
Brooks, Tex.	Hosmer	Rogers, Colo.
Brown, Ga.	Huddleston	Rogers, Fla.
Brown, Mo.	Hull	Rogers, Mass.
Broyhill	Hyde	Rogers, Tex.
Buckley	Ikard	Rooney
Burdick	Jennings	Roosevelt
Burleson	Johnson	Rutherford
Byrd	Jones, Ala.	Santangelo
Byrne, Pa.	Jones, Mo.	Saund
Carnahan	Karsten	Schwengel
Celler	Kee	Scott, N. C.
Chelf	Kelley, Pa.	Scott, Pa.
Christopher	Kelly, N. Y.	Shelley
Chudoff	Keogh	Sheppard
Clark	Kilday	Shuford
Coad	Kilgore	Sieminski
Coffin	King	Sikes
Colmer	Kirwan	Sisk
Cooley	Kitchin	Smith, Miss.
Cooper	Kluczynski	Spence
Curtis, Mass.	Knutson	Staggers
Davis, Ga.	Landrum	Steed
Davis, Tenn.	Lane	Sullivan
Delaney	Lanham	Teague, Calif.
Dempsey	Lankford	Teague, Tex.
Denton	Lennon	Thomas
Diggs	Lesinski	Thompson, La.
Dingell	Long	Thompson, N. J.
Dollinger	Loser	Thompson, Tex.
Donohue	McCarthy	Trimble
Dorn, N. Y.	McCormack	Udall
Dorn, S. C.	McFall	Ullman
Doyle	McGovern	Vanik
Durham	McMillan	Vinson
Eberharter	Macdonald	Walter
Edmondson	Machrowicz	Whitener
Elliott	Mack, Ill.	Whitten
Engle	Madden	Wier
Evins	Magnuson	Wigglesworth
Fallon	Marshall	Williams, Miss.
Farbstein	Matthews	Willis
Fascell	Merrow	Wilson, Calif.
Feighan	Metcalf	Winstead
Fino	Miller, Calif.	Wolverton
Fisher	Mills	Wright
Flood	Montoya	Yates
Flynt	Morgan	Young
Fogarty	Morris	Zablocki
Forand	Morrison	Zelenko
Forrester	Moss	

NOT VOTING—20

Adair	Bowler	Moulder
Allen, Calif.	Boykin	O'Konski
Anderson, Mont.	Coudert	Powell
	Dawson, Ill.	Simpson, Pa.
Andresen, August H.	Holtzman	Teller
	Kearns	Thornberry
Beamer	McConnell	
Blitch	Mailliard	

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Coudert for, with Mr. Allen of California against.

Mr. Adair for, with Mr. Holtzman against.

Mr. Beamer for, with Mr. Dawson of Illinois against.

Mr. Simpson of Pennsylvania for, with Mr. Moulder against.

Mr. Kearns for, with Mr. Teller against.

Mr. McConnell for, with Mr. Powell against.

Until further notice:

Mr. Boykin with Mr. O'Konski.

Mr. Thornberry with Mr. August H. Andresen.

Mr. Anderson of Montana with Mr. Mailliard.

Mr. HOLIFIELD and Mr. TEAGUE of California changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

AMENDING THE ADMINISTRATIVE EXPENSES ACT OF 1946

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 296 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7390) to amend the Administrative Expenses Act of 1946, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself at this time such time as I may consume.

Mr. Speaker, House Resolution 296 makes in order the consideration of H. R. 7390 to amend the Administrative Expenses Act of 1946. The resolution provides for an open rule and 2 hours of general debate on the bill.

The bill provides certain standards for the establishment and utilization of advisory committees within the Government. At the present time it is estimated that there are between seventeen and eighteen hundred advisory committees which would be subject to the provisions of this legislation.

Provision is made for a department to send written notice to the Speaker of the House and the President of the Senate 30 days prior to the establishment of an advisory committee or panel. The report must show the authority for the creation of the committee; that its establishment would be in the public interest; the number of members to serve and the area of interest each member will represent. Further, the report must show the members who will, and will not, receive compensation; what expenses will be paid by the Government, and how long it is expected the committee will function.

The bill requires that the agenda for a committee will be formulated, or approved, by full-time salaried officials of the Government; that the chairman shall be a full-time salaried official of the Government; full and complete minutes of the meetings must be kept, and the use of such committees is limited to purely advisory functions.

Finally, the President is authorized to issue regulations, consistent with the standards provided in the bill, which he deems necessary for the effective control and use of these committees, and also cause to be prepared annually a full report showing the membership of each committee used by each department, the functions of each committee and the extent to which the operations of each committee has complied with the above-listed standards.

The resolution provides ample time for a full discussion by the House of the provisions of the bill. I therefore urge the adoption of this resolution so the House may proceed to the bill, H. R. 7390.

Mr. ALLEN of Illinois. Mr. Speaker, after lengthy hearings before the Committee on Rules I am convinced that this is not a good bill and should be defeated. Nevertheless, I am not inclined to fight the rule.

Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Missouri [Mr. BOLLING] has explained, this bill deals with the advisory committees now in existence within the executive branch of the Government. It would amend the Administrative Expenses Act of 1946 so as to add certain new sections which would require the various agencies of Government establishing in the future advisory committees to so report to Congress and to furnish certain other information. The bill would further place upon the different agencies, branches and departments of the Government the responsibility of providing or furnishing the agenda for the meetings of these advisory committees, and would require that they be held either under the chairmanship of, or, as I shall offer an amendment, in the presence of, a representative and fulltime employee of the Government. In the past, as will be explained later in general debate, there have been some rather peculiar developments in the past showing that there has been a conflict of interest so far as the membership of some of these advisory committees is concerned. This legislation would give the Congress, and

its appropriate committees, an opportunity to know just what advisory committees we may have, and just what their duties and responsibilities may be, and to make available to the Congress, when necessary, the minutes of the meetings which are held by these advisory committees. I am sure you are going to be told, before this debate is over, that a number of agencies and departments of Government are opposed to this legislation. I think that is correct. If I recall the testimony before our committee correctly, there is one department of Government that has over 600 of these advisory groups. However, the Comptroller General's office, which is a branch of the Congress, and represents the Congress, in checking all different activities and expenditures of the Government, came out for and testified in favor of this bill. That office wants some opportunity to know just what these advisory committees are, and something of what they are doing, and how much money they are spending from the Federal taxpayers' purse, and to have such other information as will permit both the Congress and the President himself, to keep abreast of what is going on in these various advisory agencies.

I have gone over this bill rather carefully. I sat with the subcommittee and heard the testimony on it. I heard the testimony for and against the bill. I am going to propose 2 or 3 amendments—3, in fact, to the measure. If you will check with me, on page 3 at the end of line 5, where the bill now provides meetings are to be held by these advisory committees under the chairmanship of a representative of the Government, I will attempt to add the words "or conducted in the presence of" a representative and fulltime salaried officer and employee of the Federal Government—just so the Government itself knows or at least some responsible person in the employ of the Government knows what the advisory committee may be doing.

Then on the same page, page 3, line 8, at the beginning of that line, I will offer an amendment to delete the words "Full and complete" and to start the sentence there with the word "Minutes" so that the language will read:

> Minutes of each meeting of such advisory committee shall be kept, which shall contain at a minimum, (A) the name of each member of such advisory committee attending such meeting, (B) a summary of the matters discussed in such meeting stating the viewpoints expressed—

And not by those individuals, because they do not have to do that—

> and (C) the conclusions reached by the advisory committee.

Then on page 4 I shall offer an amendment to line 6, after the words "authorized by" to add the word "statutory", and on the next line, after the word "operative," to add the words "or other executive" so it will read "authorized by statutory law to perform administrative, operative, or other executive functions." That will be done so there can be no question in the mind of anyone that any committee, advisory committee, or group set up by the Congress, and given certain duties and responsibilities under the law, will be exempt from the provisions of this act.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Indiana.

Mr. HALLECK. I have been reading this report trying to make up my mind about this measure. I must say that many parts of it cause me great concern. The matters the gentleman has spoken of are among those that cause me concern. There is one other matter I wish the gentleman would comment on.

Mr. BROWN of Ohio. May I say, before you ask me to comment on that, that these amendments have been checked with a number of the affected advisory groups. Many of them serve a very splendid purpose. Seemingly these proposed amendments meet their needs.

Mr. HALLECK. In addition to that, of course, many of the objections coming from some of the departments went to these specific matters with which the gentleman seeks to deal.

Mr. BROWN of Ohio. That is right.

Mr. HALLECK. But there is one other objection that has been voiced, principally by the Defense Department, and that has to do with the 30-day notice of the convening of any one of these committees. The point is made, and I think it is a valid one, that a time might well arise with respect to the Defense Department when the very security of the Nation would indicate that there be no such preliminary requirement as that. What does the gentleman have to say about that?

Mr. BROWN of Ohio. I have had some question in my own mind as to the 30-day limitation provision. Perhaps an amendment should be offered to simply require that the Congress be advised, and not place a time limit on it, so that we be advised and will know such an advisory committee is in existence. I will be willing to accept such an amendment if the majority would accept.

Mr. HALLECK. Would the gentleman permit one further question?

Mr. BROWN of Ohio. Certainly.

Mr. HALLECK. The question arises in my mind as to just how broad this term "Advisory Committee" may be. Suppose that the Secretary of Labor has a matter that is of interest to his Department and he wants to call in half a dozen leaders of organized labor to consult with them; does he have to give 30 days' notice in that case?

Mr. BROWN of Ohio. No; in my opinion, I believe in the opinion of the committee, and as shown by the hearings, where an official seeks what one might call temporary advice, he can get advice from anybody he pleases; but when he establishes an advisory committee having the substance of law, the right to spend money, and perhaps receive per diem pay, and allowances for clerical hire and office space, a meeting place, and so forth and so on, so that is an established committee which will run for a considerable length of time, then the provisions set forth in this bill, if enacted into law, would become effective. But any agent of the Government, any Government official, has the right to seek advice where he pleases on what you might call a temporary basis.

Now, if he is going to have that same group in every month or so, and meet with him for certain purposes, such a meeting would come under the purview of this law.

Mr. HALLECK. I am glad to have the explanation of the gentleman and his conviction as to just how broad the term is.

Mr. BROWN of Ohio. I think that will be explained fully in the consideration of the bill.

Mr. HALLECK. Actually from a reading of the language I do not think you can find any such limitation as that. Certainly a broad interpretation would in my opinion, almost preclude soliciting advice from groups by a department of the Government; and to my mind that would be very destructive of the efficient functioning of Government agencies.

Mr. BROWN of Ohio. If the gentleman will read section 15 he will note that it refers to the case where such a committee is established on a more or less permanent basis. It is not just the calling in for one particular situation or another of either one individual or more than one.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. BROWN of Ohio. Mr. Speaker, the fact is an official may go out on the street, if he wants to, and ask a taxicab driver what he thinks he should do, and not constitute the taximan an advisory committee under the provisions of this act. If he sets up an advisory committee which is to be permanent, or semipermanent, in nature, one that is to meet time after time, it would come under this bill.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I think the gentleman's answer to the question of the gentleman from Indiana is correct. This relates to the establishment of a committee, the formal act of establishing. In that case there would be no establishment.

Mr. BROWN of Ohio. Creating an advisory committee that shall go on a more or less permanent basis.

Mr. McCORMACK. In subdivision 1, on page 3 there are the words "or approved" which means if some member of the established committee in relation to the agenda might feel he could not talk to any official in charge in connection with the formulation; so we put in the words "or approved" so there will be no misunderstanding about that. The gentleman from Ohio remembers the discussion we had on that.

Mr. BROWN of Ohio. I certainly do.

Mr. SADLAK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Connecticut.

Mr. SADLAK. The gentleman has done outstanding work in connection with the formulation of the Hoover Commission and in working with it. Is there anything in the way of implication in this legislation which would in any way affect the Hoover Commission recommendations?

Mr. BROWN of Ohio. This is not a specific recommendation of the Hoover Commission. The Hoover Commission recommended a general tightening up on the expenditure of public funds without the knowledge or consent of the Congress.

The General Accounting Office, responsible to the Congress for auditing and keeping track of expenditures in the executive branch of the Government, has requested the committee to enact legislation of this type so that it may be in a better position to keep track of the expenditure of these various advisory committees and groups, some of whom, as I said a moment ago, have a great many clerical employees on their payroll, some have offices, some receive per diem allowances for attending these meetings. To me, this bill sets up minimum standards of protection to be enacted by the Congress, notwithstanding the fact that some of the agencies affected do not like it. They do not want any control by Congress. Other agencies of the Government said they are now following these practices. Some have said they did not feel it is necessary for Congress to formulize them.

The experience of our committee has shown that in some instances there has been a conflict of interest between that of the Government, on the one hand, and the individuals who serve on the committees, on the other hand. This bill gives to the Congress of the United States certain information, and to the Accounting Office the authority it seemingly needs to go in and audit, and check the accounts of these advisory groups.

Mr. SADLAK. Do I properly deduce then that the gentleman much experienced in this field would be for this bill provided his amendments are accepted?

Mr. BROWN of Ohio. Yes, and if any other language is necessary to make certain my understanding of the legislation is correct, or is made correct, for instance, as brought up by the gentleman from Indiana, I will certainly support such amendment or amendments and, therefore, support the bill as amended.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

AMENDING THE REORGANIZATION ACT OF 1949, AS AMENDED

Mr. TRIMBLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 310 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8364) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959. After general debate which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. TRIMBLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may require.

Mr. Speaker, House Resolution 310 provides for the consideration of H. R. 8364, a bill to further amend the Reorganization Act of 1949, as amended. The resolution provides for an open rule and 1 hour of general debate on the bill.

The bill contains two amendments to the present act—it extends the period for transmitting reorganization plans for 2 years to June 1, 1959, and provides that plans transmitted to the Congress may be disapproved by a simple majority vote of those present and voting rather than by a majority of the authorized membership of either of the two Houses of Congress.

The Reorganization Act provides for a simplified procedure for improving the management of the executive branch of the Government. Since June 1949, when the Reorganization Act became law, 56 reorganization plans have been transmitted to the Congress, and 41 have become effective. At the present time one reorganization plan is pending before Congress.

The committee report complies with the Ramseyer rule, and I urge the adoption of House Resolution 310 so the House may proceed to the consideration of this measure which is recommended by the President and the Bureau of the Budget.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, I take this time to call the attention of the House to the minority views in the report on H. R. 8364 to extend the Reorganization Act of 1949, and also the hearings. I hold the hearings in my hand. They consumed 1 hour, and I say that a case for extending this unusual delegation of legislative power was not made in the hearings before the Committee on Government Operations.

The gentleman from Massachusetts [Mr. McCORMACK], who presided at the hearings, asked Mr. Brundage, the Budget Director, the witness on behalf of the administration, just exactly what proposals on reorganization the executive branch of the Government expects to send up here, what was on the fire. And, he got the answer that there was nothing expected to be sent up as a reorganization plan this year.

Now, the Congress has been very generous in the past to give to the Executive the power to reorganize the executive branch of the Government under this unusual legislative authority, and any time there is something they need to reorganize, they can come to the Congress and get the power. But, at the moment they have made no case for an extension of this act.

It disturbs me that Congress so lightly continues this grant of legislative authority to the executive without careful consideration, and I just want to alert the membership of the House that we ought to consider this proposal and consider it carefully and require that a case be made before we continue this grant of legislature authority.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, this is a bill to extend the privilege granted the President to send down to us reorganization plans. The first one came up in 1932, in Hoover's time. Since then we have had the authority renewed from time to time. Always on each renewal the House apparently had some doubt about the wisdom of the legislation, because in the beginning the plan sent down by the President became law unless two-thirds, as I recall, of both Houses vetoed it within 60 days. Then they lessened the requirement and finally got down to a veto by one House. The present bill provides that the President can send down a reorganization plan, a bill, which would become law unless a simple majority of either House rejects it within 60 legislative days.

My objection to this type of legislation is that it is contrary to the methods prescribed by the Constitution for the enactment of legislation. Under the Constitution the House or the Congress proposes legislation, acts on it, and then the President if it has been approved by a majority of both Houses can veto it if he so desires, and if he does not, it becomes law, as it does if both House and Senate override the veto by a two-thirds vote. This bill reverses the procedure. It does not provide for a single thing that the President cannot do under the old system; that is to say, if he calls it a bill or a resolution, he can send down the same thing that he puts in a reorganization plan. That goes to the proper committee, then to the Congress. I have always been opposed to the new and unconstitutional procedure.

I notice the majority leader, the gentleman from Massachusetts [Mr. McCORMACK] is going along. This ought to give him a rating of about 97½ percent support of the President in the Congressional Quarterly. I do not know what he will do on the next one. The first one that comes up here, H. R. 7390 the committee bill, the administration is opposed to that and I am waiting to see what the gentleman will do; because he may get a 100-percent mark in favor of the administration.

This bill is just a reversal of the constitutional method of enacting legislation.

I have a hunch—many people are making forecasts of what is going to happen, and I have an idea, although I have not any reason for it, just a hunch—that if this bill goes through this way, the President might veto it, because

it does not give him all he is said to desire.

Mr. MEADER. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman.

Mr. MEADER. I should like to ask the gentleman if it is not true that last year only two reorganization plans were sent up and the gentleman from Massachusetts [Mr. McCORMACK], opposed one of them on the ground that he introduced legislation to accomplish the same result and that it should have been done. Both reorganization plans sent up by the administration last year were voted down unanimously, without debate.

Mr. HOFFMAN. My reasons for opposing this bill are set forth in the report and read as follows:

ADDITIONAL VIEWS OF HON. CLARE E. HOFFMAN ON H. R. 8364

H. R. 8364 is but a further continuation of an attempt by the Congress to vest in the President the legislative power expressly given to the Congress by the Constitution.[1]

The Congress has no authority to delegate its legislative power to the President.[2]

Prior to the adoption of the Reorganization Acts,[3] the constitutional procedure and congressional practice followed was the introduction of a bill or legislation by a Member of Congress. The proposed legislation might be suggested either by the administration, through one of its executive departments, by an individual or group.

The proposed legislation was then referred to the appropriate committee where it was either pigeonholed or, after hearing, brought before the House by committee report or House petition. Somewhat similar procedure was followed in the Senate.

If the proposal received a simple majority of those voting in the House and Senate, the bill then went to the President. The President had authority to sign, permit the proposal to become law by inaction on his part, or to by veto reject it.[4]

Under the original Reorganization Act of 1949,[5] which disregarded the provisions of the Constitution which specifically stated the procedure for enactment of legislation, the President was authorized to submit a bill or a resolution to the Congress, a right and a privilege which in effect he always had and still has, but which bill or resolution the Reorganization Act provided should become the law of the land unless within a specified time it was vetoed—in the beginning by both House and Senate, by a majority vote of the elected Members of each; in this bill by a simple majority of those voting in either House.

Some of the reasons for opposition to this method of attempting to legislate through the submission of reorganization plans were pointed out at some length in the report of this committee on January 30, 1955, on H. R. 1976 (H. Rept. No. 6), 83d Congress, 1st session, amending the Reorganization Act of 1949. In accompanying views incorporated in that report a comparison was made of the provisions of the Reorganization Act with our Constitution. (See also additional views on H. Res. 534 (H. Rept. No 2585), 84th Cong., 2d sess., filed July 3, 1956, and on H. Res. 541 (H. Rept. No. 2589), 84th Cong., 2d sess., filed July 3, 1956.)

The practical effect of this bill is to reverse the constitutional procedure which provides for the enactment of legislation.

Under the Constitution, proposed legislation was adopted by the House with the veto power vested in the President subject to the one exception—that the veto might be nullified by two-thirds vote of both Senate and House.

Under this bill, proposed legislation is written by the President; it becomes the law of the land unless vetoed by either Senate or House.

There is no evidence in any hearing, from the enactment of the original bill down to the present day, which indicates that the Congress would not, in the first instance, give consideration to any bill or resolution suggested by the President.

Apparently the proponents of the extension of the Reorganization Act of 1949 would have us believe that efficiency and economy in government are synonymous with the strengthening of the hand of the Executive. Legislation by reorganization plans minimizes the opportunities of the Congress for expressing its will.

If efficiency alone were the gage by which we measure forms of government, other things being equal, a dictatorship would be the most efficient form. At the opposite end of the scale of efficiency would be anarchy. Both are repressive of human rights. Somewhere in between is our form of representative government.

However, efficiency alone is not the hallmark of successful government. That government is best which strikes a proper balance between efficiency and certain basic human rights. Our present form of government has achieved that balance.

To advance further in the name of efficiency toward a stronger executive can only be in derogation of those basic rights. If strengthening the Executive is a means of achieving efficiency, it then follows that the less Congress is permitted to meddle in the affairs of state, the more efficiency there will be in government. However, even if we accept this proposition, the loss of basic rights is too high a price to pay for efficiency.

The fact that successive extensions of the authority first granted to the President have each time made it easier for a Congressional veto indicates that the original grant of authority to the President was excessive.

That fact, plus the fact that the record fails to show any inaction on the part of the Congress on a Presidential proposal, and the further fact that the bill gives the President authority to write legislation subject only to a veto of the Congress, which is clearly a direct reversal of legislative procedure, as provided in the Constitution, should cause H. R. 8364 to be rejected.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I have listened to some of these debates today in regard to this whole program of reorganization. I listened to them through the years, and I participated in some of them. I well understand the philosophy of the gentleman from Michigan, who feels that this whole procedure is a reversal of the proper responsibility, that these reorganizations should be accomplished by direct legislative action subject to the veto of the Chief Executive. However, that is a bridge that we crossed a long time ago. We crossed it, and I helped to cross it, because it seemed to be the prevailing view that if these reorganizations were to be accomplished and become effective this was the procedure that we would have to follow.

As far as I am concerned, the measure that is before us should have gone for the 4 years asked rather than the 2. I am not prepared seriously to question that. However, it does seem to me that the pattern that was established heretofore for other people who have been in the office of the Chief Executive of the United States, which required the constitutional majority before the plan could be turned down, should continue to be the rule and the law in respect to this legislation.

I cannot for the life of me see any reason why it should be changed at this juncture, and I would hope that when the matter is up for consideration in the committee an amendment may prevail that would turn the procedure back to what it was in the law heretofore.

Then subsequently, when we undertook to deal with the matter of reorganization, and I may say to the gentleman from Michigan, the first Hoover Commission was created during the 80th Congress, in which I was the majority leader, it made many recommendations that were adopted. As a part of that operation we arranged for this procedure of submission of plans, and then for the action that had to be taken to defeat the plan if it was submitted. Since that pattern was adopted, I have not deviated in my position one bit. I have kept the same position. I have thought it has been fairly effective. I have thought it has adequately protected the rights of the Congress of the United States as the legislative branch and at the same time under the plan we have brought about some reorganizations that have been helpful.

Mr. BASS of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. BASS of Tennessee. This in effect, however, is legislation which makes it possible to pass laws by negative action?

Mr. HALLECK. If the gentleman wants to put it that way, I suppose there would be as reasonable ground to believe that that is the effect of it. No one has quarreled about that. On the other hand, as I say, through the years it has been a fairly effective way of bringing about some reorganizations. After all, they do not deal with the substantive body of the law with respect to which the Congress still must be the originator but they deal with organization in the executive branch of the Government. It is true that the recommendations could come from the executive department and then action affirmatively be had in the Congress, but experience through all of the years has proved that that just does not work, so the other arrangement has been taken.

Again, I say my one suggestion is that the arrangement we have had for legislative disapproval ought to be continued the way it has existed up to this time. I cannot for the life of me see any reason to change it at this time.

Mr. TRIMBLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

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[1] Sec. 1 of art. I of the Constitution of the United States reads:

"All legislative Power herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Sec. 7 of art. I of the Constitution of the United States reads in part:

. . . . . .

"Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill."

The constitutional powers of Congress are specified in sec. 8 of art. I. (See also sec. 3 of art. III, secs. 1 and 3 of art. IV, and art. V.) The last clause of sec. 8 of art. I reads:

"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

The principle involved was reiterated as recently as June 6, 1955, when Mr. Justice Black, concurring in the opinion of the Court as delivered by Mr. Chief Justice Warren, stated:

"And, of course, the Constitution does not confer lawmaking power on the President" (*Peters v. Hobby*, 349 U. S. 331).

[2] Having in mind the provisions of our Constitution previously referred to, Attorney General Mitchell (37 Op. A. G. 56, 63) analyzed the constitutional question presented to him on the basis that, unless the function were executive, the delegation would be unconstitutional, and if the function were executive, the setting up of a method whereby one House of Congress could disapprove Executive action violated art. II, sec. 1.

The Constitution is violated when Congress attempts to transfer legislative powers to the President (*Schecter Poultry Corp. v. U. S.*, 295 U. S. 495; *Panama Refining Co. v. Ryan*, 293 U. S. 388; *Yakus v. U. S.*, 321 U. S. 414).

[3] Economy Act of 1932 (47 Stat. 382); Reorganization Act of 1939 (53 Stat. 561); Reorganization Act of 1945 (59 Stat. 613); Reorganization Act of 1949 (63 Stat. 203).

[4] If vetoed, the bill still became law if two-thirds of each House by vote so indicated.

[5] Reorganization Act of 1949 (63 Stat. 203).

AMENDING THE ADMINISTRATIVE EXPENSES ACT OF 1946

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7390) to amend the Administrative Expenses Act of 1946, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7390, with Mr. THOMAS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. FASCELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. BASS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield.

Mr. BASS of Tennessee. I thank the gentleman. The reason I asked him to yield is that I want to make this statement about the resolution just adopted. I did not ask for a rollcall on the rule but I am opposed to the bill it makes in order and I said a loud "No" on the voice vote.

Mr. FASCELL. In answer to that, may I say that the bill we are now considering is not the one whose consideration was made possible by the adoption of the rule to which the gentleman refers.

Mr. BASS of Tennessee. I thank the gentleman. But I am talking about the rule which makes possible the consideration of the extension of the reorganization act.

Mr. FASCELL. That is another bill which the committee will take up at another time.

Mr. BASS of Tennessee. I understand that.

Mr. FASCELL. Mr. Chairman, the bill which is now before the Committee of the Whole House for our consideration amends the Administrative Expenses Act of 1946 and is a matter which has been under consideration by the Committee on Government Operations for several years past. I have a statement by the chairman of the full committee which is very short and which I would like to present at this time because of the press of business the chairman of the full committee is not able to be here at this moment:

The bill provides certain minimum standards to be observed by all departments and agencies which seek or utilize advice or information from advisory committees, panels, or other groups composed wholly or partially of members who are not full-time salaried officials or employees of the Government.

During the course of hearings held by this subcommittee last year on the use of individual experts and consultants, we became aware of the vast number of these committees being used by the Government. These committees serve without compensation and to a large degree exercise the same type of advisory functions as those performed individually by WOC consultants. The individual consultant, however, usually has the status of a Government employee for most purposes and as such is subject to certain statutory and regulatory requirements as to employment, duties, and qualifications. Also, as employees of the United States, the individual consultants and experts are subject to the conflict of interest statutes and other laws and regulations governing the conduct and ethics of Government employees. On the other hand, our information indicates that members of advisory committees are not considered to be employees of the Government. They are not subject to any of the laws or regulations which restrict the activities of Goverment employees, and yet through their advisory functions they are often instrumental in guiding the formation of official Government policy.

As a result of the information received many of the members of this subcommittee feel that the Congress should know more about what these advisory groups do, how they are constituted, and what use is made of their advice and suggestions. These groups have been operating for many years without any centralized control and to a great extent without specific statutory sanction.

Mr. Chairman, this in a nutshell covers the background and purposes and scope of this legislation, and sets forth very, very clearly why the legislation is needed. Specifically, what does this bill do? First of all, it sets off in the first subsection that if an advisory committee is to be created or established in the future—and I make the distinction that those committees which are now operating, now established, now created and which are now in existence are not affected by the provision which I am about to discuss—this provision applies only to those committees established, created or formed or organized in the future. This provision says that if such a committee is to be established in the future that then not less than 30 days before such advisory committee is established, the head of the department transmits to the Speaker of the House, pursuant to the rules, a brief report. Let us see what this report requires and let us see why the Congress should have this minimum information when these advisory committees are to be set up. The report requires that the statute which specifically authorizes the formation of the committee—and if there is no such statute the authority in law which is relied upon for the establishment of the committee together with the determination by the head of the department that the services of that committee are in the public interest and the reasons upon which such a determination is made.

The Committee on Government Operations all through the hearings which were held on this subject recognized and realized the tremendous value of the advisory committee as a managerial tool. We want to encourage in every way the use of that managerial tool to make available and possible to the various branches of Government the best possible advice they can get. As we discuss this proposal and go through it piece by piece I think you will be convinced, as we were, that these very basic minimum fundamental standards with which we seek to have these committees comply, will in no way injure the great value of the advisory function of the many committees working with the executive branch of the Government.

Furthermore, this report would simply state the number of members of the committee, the general area of interest with which they would deal, and whether they would serve with or without compensation, how long it would be anticipated that the committee would be active. This is the nature of the report that would be required for a new committee to be set up in the future.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield.

Mr. CELLER. These criteria or recommendations have been recommended by the Department of Justice. Am I correct?

Mr. FASCELL. Those in section (b) certainly have been recommended for a great many years, but as an administrative procedure. We will get into that question a little later.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield.

Mr. MORANO. Do these new requirements apply also to already established advisory committees that are in being?

Mr. FASCELL. The answer to that is Yes, the requirements of section (b) would apply to committees that are now in existence. They would have to meet these standards which we are about to discuss.

The bill sets up certain standards for the operation of advisory committees. These standards are standards which the

Department of Justice as far back I believe as 1950 suggested were the bare minimum requirements under which advisory committees ought to operate.

These are simple standards and I want you to consider carefully as we go over these standards whether or not you think they are unduly restrictive, because the committee feels that they are not.

First of all, the advisory committee ought to have an agenda, and the testimony is clear on that subject. That is so elemental that it does not even bear discussion. But we did in this bill require that they must have an agenda which has to be formulated by the Government department or at least approved by it. This gives them all the flexibility they need. I cannot imagine anybody saying that is not a reasonable requirement.

Two, the meetings of such advisory committee shall be at the call of and under the chairmanship of a full-time salaried officer or employee of the Government. This requirement the committee considered because we had testimony which indicated that these committees were self-perpetuating bodies in some cases. The Government agency which had called upon them for advice did not exercise adequate control over them; that they operated as a purely independent body. The quality of the advice which they give certainly has to be qualified by nature of the special business or interest field in which they may be.

So we felt that as a minimum we should have an employee or an officer of the agency that is seeking the advice, as chairman of the committee. I might as well tell you that this is one feature to which some objection has been raised and we will discuss that at the time the objection is made.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Ohio.

Mr. VORYS. Before the gentleman goes further into this, I wish he would describe what limits there are or what is meant by an "advisory committee or other advisory panel or group."

Mr. FASCELL. Where is the gentleman reading from?

Mr. VORYS. I am reading from section 15A on the first page of the bill.

Mr. FASCELL. In answer to that, may I say that the words themselves are explicit and I do not think they need any further interpretation.

Mr. VORYS. Does this legislation mean that if an administrative official wanted to call in a couple of fellows connected with a certain line of activity that was administered by his office, he could not call them in and say, "Gentlemen, here is a matter that involves your business and I have called in a couple of people, to have different factions represented, to find out what you think about this?" I imagine that sort of informal consultation goes on constantly because people who are administering the Government want to know how it works. Would that sort of group or panel come under this? Would it from now on be impossible for an official to call in such a group for advice?

Mr. FASCELL. The gentleman has asked me three or four questions and I will attempt to answer them all. This problem has been discussed many, many times.

The answer to question No. 1 is, it does not prohibit any Government official or the head of a department from getting any kind of advice he wants to any time he wants to and from any individual. However, when it involves more than one person and you seek to set up a group and it has some type of formality, and it is a group which is not now in existence but is a new group, it would fall within the purview of the requirements the gentleman is talking about. That is, the department head would have to serve notice and file a report. Let me add, this in no way stops the department head from getting the advice anyway, whether he does it by calling them as individuals or whether he calls them as a group or as a panel or as a committee. The bill in nowise prohibits him from getting the advice that he seeks. He can still get it. I wish to make that point very clear. The bill does not prohibit in any way the department head from getting the advice he seeks, either from an individual, a group, panel, or a committee at any time he wants to.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. I have in mind this situation: A few years ago we passed the so-called pesticide bill, of which I was the author. In that bill we provided for a scientific panel to decide certain technical questions as to the admissibility of pesticides and science was called upon to provide information in order to assist the Department of Health, Education, and Welfare as to whether certain pesticides would be permissible or not. Would those men be permitted to come in and form a panel or an advisory committee or panel, the evidence of whom could be used in court if they decided to go before a court for adjudication?

Mr. FASCELL. I believe that committee is a statutory committee and the bill now under consideration specifically excludes any committee which is authorized by law to perform an administrative or an operative function. If it is purley advisory, then it would have to comply with the minimum standards in this second section of the bill now under discussion.

Mr. MILLER of Nebraska. New bills that have been introduced on chemical additives improvement deal also with an advisory council, the same as the pesticide bill. Would this bill prohibit the establishment of an advisory council that could determine whether certain additives were proper in being added to our food stream?

Mr. FASCELL. No; not when a statute authorizes such a committee. This bill does not prohibit the establishment of such a committee, however, if the committee is purely an advisory one and has no administrative or operative function, then it would have to comply.

Mr. MILLER of Nebraska. They could be established and they could operate?

Mr. FASCELL. Yes.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman has been very generous and wants to be helpful, and I want to be helpful. Many times in legislative matters of this sort when terms are used, such as "advisory committee" or "advisory panel" or "group," the legislation contains a very precise definition of just what we mean by those terms. I cannot find any such definition in this bill, but it seeks to amend the basic act. Is there any such definition in the basic act?

Mr. FASCELL. I am not aware that there is any definition in the basic act, because, as I recall it, it was an omnibus bill bringing into one place all of the features of the law dealing with administrative expenses, and it is the committee's position that with respect to the words that exist in this bill no definition is required.

Mr. HALLECK. I just trust that the gentleman is correct about that, because I read in the report on page 10 the letter from the Defense Department in which they say:

> This Department daily conducts activities involving meetings with representatives of individual business, industrial, religious, social, community, and other groups. The scope of the Department's activities and the necessity for keeping abreast of technical and scientific advancements, the capacity of production facilities, and the availability of component or raw materials, as well as the necessity for obtaining up-to-date data relevant to procurement and production problems and a variety of other matters, requires many informal meetings with industry and other groups.
>
> While the procedures required by H. R. 3378 can be and are applied in many circumstances to the conduct of such meetings, in some circumstances they are neither practical nor desirable in the public interest. The nature of the problem and the functions of the committee necessarily will influence the procedures established.

Now, it seems clear to me from that that someone in the Defense Department believes that this sort of informal meeting that they have and must have, if they are to run the Defense Department correctly, would come within the definition contained in the language of the bill the gentleman proposes.

Mr. FASCELL. In answer to that, I will say to the gentleman that if an advisory committee is now in existence, or a panel or a group, there is no necessity for that group or that department head to comply with the provisions of the first section of this bill. There is nothing in this bill which would prohibit a department head from getting any advice or counsel from any individual he wants to, any time he wants to.

Mr. HALLECK. How about a group? How about the concern of the Defense Department in respect to these consultations that they constantly carry on with these groups?

Mr. FASCELL. If they would have told the committee specifically what new group they proposed to put into existence, I could give the answer. All I can say is that if the panel or the group or the committee is now in existence, they do not have to comply with the first section of the bill, but they do with the second section.

Mr. HALLECK. If I may say so, it seems to me that the very kind of groups they are talking about, industry group or labor group, it would not be in the category of some formalized advisory group or committee, but in general it seems to me it is a continuing process so far as the Defense Department is concerned of trying to keep abreast with the developments in the country, the situation in the country, that they must know about if they are to defend the country. Is their concern in that regard well founded or not?

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield at that point?

Mr. FASCELL. I yield.

Mr. BROWN of Ohio. Would not the answer to the question of the gentleman from Indiana depend entirely upon whether these conferences were of a temporary nature or whether they would be set up as panels to continue throughout a period of time, perhaps permanent or for a long period of time? In other words, nothing in this bill would interfere with the conducting of just now and then conferences.

Mr. FASCELL. "Intermittent" is the word, and that is a very fine point. I thank the gentleman for making it. The head of the department, under law now, on a temporary or intermittent basis, can hire consultants with or without pay. He has flexibility and latitude now. The only thing that we are trying to fix by this legislation is when a group is convened, for giving advice, and it is new, that is, not now in existence, then it must meet the provisions of subsection (a), that is, notice to Congress. On the other hand, all advisory panel groups or committees, old and new, would be required to meet the requirements of subsection (b).

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield for one further question?

Mr. FASCELL. I yield to the gentleman.

Mr. HOFFMAN. The gentleman from Indiana [Mr. HALLECK] said something about the Department of Defense making certain inquiries; and as I understood the gentleman from Florida, he replied that the committee would have been glad to have those suggestions. Did I understand correctly?

Mr. FASCELL. The gentleman understood incorrectly.

Mr. HOFFMAN. What did the gentleman say?

Mr. FASCELL. I said that if I knew specifically what the nature of the committee was and the facts surrounding its existence, I could answer specifically the question that the gentleman from Indiana asked me.

Mr. HOFFMAN. I thank the gentleman for the correction. Then this is true, is it not, that the witness for the Department of Defense was there, he was sworn, he testified in part, then he was to come back and was told there would be further hearings. Unfortunately, the gentleman from Illinois [Mr. DAWSON] became ill and went to the hospital. Later the witness was not given an opportunity to testify. That is the record, is it not?

Mr. FASCELL. With respect to the hearing at that particular time on that subject, the gentleman is correct.

Mr. HOFFMAN. When, if ever, was the Defense Department witness given an opportunity to appear and continue his testimony?

Mr. FASCELL. That particular person was not given the opportunity.

Mr. HOFFMAN. Then the Defense Department never was heard.

Mr. FASCELL. That is not quite true. We got plenty of testimony, plenty of evidence with respect to the matter, in writing and otherwise, dealing with the Department of Defense. The gentleman can drag up all the scarecrows he wants to but he cannot deny the reasonableness of this legislation and, furthermore, the flexibility of operation for the Department of Defense or anybody else under existing law or under this proposal.

Mr. HOFFMAN. Wait a moment——

Mr. FASCELL. Mr. Chairman, I refuse to yield further.

Mr. HOFFMAN. But the gentleman made a statement that is not in accord with the record, as shown by the hearings.

The CHAIRMAN. The gentleman refuses to yield.

Mr. FASCELL. I admitted the gentleman's point that at that time the witness from the Department of Defense was not given an opportunity to complete his testimony.

The next point deals with the keeping of minutes of these committees. Our committee felt that this was a very important point because we found in a great many cases that advisory committees were not keeping minutes of any kind. So, realizing that, the committee adopted the idea that we would have basic minimum requirements for these minutes. However, we do not intend a keeping of verbatim transcript of the meetings. All they would have to show was a minimum—of course, they could put in their minutes anything they wanted to beyond that, but as a minimum we suggested that at least the name of each member attending the meeting be put in the minutes. I do not think anybody can say that is unreasonable. And then a summary of the matters discussed at such meetings, stating the viewpoints expressed and the conclusions reached. Why are the summaries of the matters and the viewpoints expressed important? Mr. Chairman, let me say this. Over half of these committees now are following these requirements and they are not having any trouble with them. Some of the most important committees in Government that are meeting these requirements like them so well that they would not think of doing away with them.

But specifically, dealing with the question of minutes and including in them the different viewpoints, without identifying the specific individuals who were giving their viewpoint, the Rubber Advisory Committee got into a big question—and they have been operating under these standards, by the way, for some time—the Rubber Advisory Committee got into a difference of opinion as to the best policy to be followed by the Government and that opinion was pretty hotly divided. But they kept minutes and the conflicting viewpoints were expressed in summary in those minutes. As a result of that, when the matter went to the head of the department to make a decision, he was able to act intelligently, in the best interests of the Government. That is certainly not an unreasonable proposal.

Further, we find that the debt management advisory committees to the Treasurer of the United States—and certainly I cannot think of one that is more important; they fall in the category of some of the most important, at least—state that they keep the minutes and in all cases the minority view is expressed to the Secretary. You fight right here on this floor for the rights of the minority to be expressed, and you think it is worth while for the Congress and the American people to know what the minority view may be with respect to this report or to any other matter that is under consideration by the House. If it is important to you and to the Congress and the American people, it certainly ought to be important to the head of the department, who is trying to get the best possible advice out of the leaders of business, industry, and science in order to do the kind of job you want him to do.

The fourth requirement is so elemental. It says, "The functions of such advisory committee shall be purely advisory." Why did we put that in there? I will tell you why we put it in there.

Some committees are set up by statute and authorized to have an administrative function or an operative function. Congress specifically recognizes that. But when a committee under authority of law or under an inherent power of the department head is organized as an advisory committee we do not want that committee in any way, directly or indirectly, to usurp the function of the department head. We want him to exercise the judgment, the managerial capacity, the executive capability, and not the committee. Therefore, to make it clear to all of these people what we are talking about, we have provided in the law that the function of this committee shall be purely advisory.

Then the bill goes on to make certain other minor provisions with respect to allowing the President to set up some rules and regulations if he deems it advisable and necessary.

Finally, we have an exclusion in this bill which is a very important exclusion, and that is that the bill shall not apply to any advisory committee which consists entirely of full-time salaried officers or employees of the Government or which is authorized by law to perform administrative or operative functions. Mind you, under other law the head of a department now can get on a temporary or intermittent basis any expert or consultant advice he seeks either with or without compensation. This law does not in anyway affect that right, neither

does it affect the right if he brings these people in and composes an advisory committee, and they are composed of full-time salaried employees of the Government. This proposal does not affect that because it is an internal operation of the department, obviously.

Where you have a committee which is authorized to perform an administrative or operative function this law does not apply to them because Congress has specifically directed that committee to be organized and to operate in a certain way. I will give you a concrete example of what I am talking about right here.

Public Law 410 of the 78th Congress, approved on July 1, 1944, in section 301 states:

> The Surgeon General shall conduct in the Service, and encourage, cooperate with, and render assistance to other appropriate public authorities, scientific institutions, and scientists in the conduct of, and promote the coordination of, research • • • the Surgeon General is authorized to • • • make grants-in-aid to universities, hospitals, laboratories, and other public or private institutions, and to individuals for such research projects as are recommended by the National Advisory Health Council, or, with respect to cancer, recommended by the National Advisory Cancer Council.

Obviously, the Surgeon General, under that requirement of law, cannot make a grant to an individual or to an institution which has not been recommended by this council. Therefore, the council has an administrative or an operative function. Therefore, it is excluded from the purview of the legislation which is being presently considered. If they do not want to keep an agenda; if they do not want to have a Government employee as chairman; if they do not want to keep any minutes; if they do not want to give any advice—that is strictly their business, because it is excluded under the act. The same thing applies, in my opinion, to the hospital survey and construction advisory committee under the Hill-Burton Act. Other similar committees are not affected.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield.

Mr. CELLER. It would be interesting to have placed in the RECORD a letter addressed to the then Secretary of the Interior by the Department of Justice under date of February 16, 1951, by one of these advisory committees called the Petroleum Advisory Council. I will just read briefly from that letter. The Department of Justice said in that connection:

> With reference to the operation of the "committee system" under the Petroleum Administration for War during World War II, your letter states that to the best of your knowledge "no substantial question respecting violating of the antitrust laws or prejudice to the maintenance of our competitive economy has ever been successfully raised • • • with respect to the creation or operation of the council or committees that were advisory to the Petroleum Administration for War." In that connection, I must advise you that substantial questions of antitrust violations were raised as a result of the operation of these committees—

Meaning the petroleum advisory committees—

> As a result of these questions, the Department was concerned on a number of occasions with the intermingling of Government functions with those of industry advisory committees established by the Petroleum Administration for War. It is clear to us that during the operations of the committee system fundamental questions of basic policy were initially resolved by these committees and that resulting Government action amounted to no more than giving effect to decisions already made by such committees. This intermingling of Government functions with those of industry advisory committees resulted in complete delegation to such committees of functions which properly must reside exclusively in Government officials.

As I read the bill and the report, and being familiar with some of the operations of these advisory committees because the antitrust subcommittee of the Committee on the Judiciary, of which I am chairman, went deeply into the operations of these advisory committees. I am convinced that this bill setting up codes of conduct and standards will greatly diminish the dangers that were pointed out by this letter from the Department of Justice to the then Secretary of the Interior. I want to congratulate the gentleman and his colleagues on the committee for bringing in a bill of this character which would go a great way toward eliminating some of the abuses that we discovered to our dismay in the operations of these advisory committees.

Mr. FASCELL. I thank the gentleman for his observation. Certainly that is a very major point and a material point.

Our committee was deeply indebted to the tremendous study made by the antitrust subcommittee dealing with the question of the antitrust evasions and the abuses which were possible and which did arise in some cases. As a result, therefore, the Department of Justice for many years has suggested that these minimum standards be adopted by advisory committees throughout the Government. Our committee found situations where we had several thousand of these committees and only about 50 percent according to the Department of Justice were administratively adhering to these standards. We felt that that was so important from the standpoint of setting up a minimum control on this subject that this legislation is necessary and we are seeking its adoption.

The General Accounting Office felt, and here is the testimony from the Comptroller General in part:

> We believe the prescribing of such minimum standards by statute will not only minimize violation of the antitrust statutes, but will also tend to avoid conflict of interest. Certainly, if such a bill be enacted into law, there will be afforded some means of control of advisory groups composed of experts and consultants, particularly, where they are employed without compensation.

And the General Accounting Office says that they need the legislation if they are going to do an audit on these committees because there is some question as to whether or not they have the authority to go in and make an audit.

They say that they would revise their instructions and their regulations dealing with this subject if this actually becomes law.

So, in conclusion, I would submit, Mr. Chairman, that we have shown after thorough study over a period of years by two committees of Congress that abuses have existed; certainly many questions could arise that you have inherent in this setup where you have a man coming in from industry or some other group operating with a committee of Government that is probably going to act within his area of business; you certainly have a possibility of a built-in conflict of interest. Other speakers will bring this out specifically to show you what we are talking about. The Department of Justice for years has recommended that these standards be adopted. The Attorney General of the United States says in the interest of good management, and good government, we ought to have this minimal legislation. We submit that the legislation ought to be enacted.

The CHAIRMAN. The gentleman has consumed 37 minutes.

Mr. HOFFMAN. Mr. Chairman, I yield myself 15 minutes.

Mr. HOFFMAN. Mr. Chairman, about the first thing that should be done, at least in my judgment, is to correct some of the statements made by the gentleman from Florida. He gave the impression and could not yield at the time for a correction, that the Department of Justice was in favor of the enactment of this bill.

Mr. FASCELL. Mr. Chairman, will the gentleman yield now for a correction?

Mr. HOFFMAN. If the gentleman will yield me a couple of minutes time.

Mr. FASCELL. I will on my own time correct the gentleman.

Mr. HOFFMAN. Let me read from page 9 of the majority report, summarizing the views of the Department of Justice in its letter of March 27, 1957:

> The Department states that this bill embodies the substance of recommendations made by the Department several years ago to govern Federal use of so-called advisory committees, and that the Department still adheres to these recommended standards.
>
> In commenting on the proposed legislation, the Department relies upon the position taken by Judge Stanley N. Barnes in his testimony before this committee on May 15, 1956, in which he stated that he did not believe legislation was necessary in this field.

The foregoing goes to the statement made by the gentleman from New York [Mr. CELLER].

If that is an endorsement of this bill by the Department of Justice, then I do not know the meaning of words. That is a flat statement in contradiction of what the gentleman from Florida said—not intentionally inaccurate, just inadvertently not correct. It just shows that he does not have the knowledge, the complete knowledge at least, of what is in the bill, nor the Department's position.

Mr. FASCELL. Mr. Chairman, will the gentleman yield, having made a personal reference?

Mr. HOFFMAN. If the gentleman will yield me a couple of minutes time.

Mr. FASCELL. I will answer the gentleman on my own time.

Mr. HOFFMAN. In considering legislation, it is a pretty good idea to know what one is talking about.

The first bill on this subject was introduced on January 22, 1957. Hearings were held on March 28 and on April 30 before this same subcommittee.

On March 28, there were two witnesses, the gentleman from Florida [Mr. FASCELL] and Mr. C. P. Friend, legislative attorney of the General Accounting Office.

On April 30, there was testimony from Mr. E. H. Weaver, Commissioner of Defense Materials Service of the General Services Administration, and Mr. Frederick Nash, General Counsel, Department of Commerce, who was accompanied by three other representatives of that Department.

When the present hearings were held no one from the Department of Defense testified. A letter was sent up, but no testimony was taken from any representative of the Department of Defense. No opportunity was given for a witness to appear. That is the way I get it from the record. If I am wrong, I shall be glad to be corrected.

The hearing was adjourned with the statement "we will stand adjourned until further notice." You will find that on page 122 of the hearings.

Now, please get me straight, and I am sorry that more Members of the House are not here, because in considering a bill of this kind, it does seem to me that it should appear that the executive department, which is a coordinate branch of the Government, is entitled to a full and complete hearing.

The representatives of the Department of Defense and of the Post Office Department were not heard, although the latter was actually in attendance at the hearing on April 30.

The failure to give these two witnesses from the Departments a hearing, and they were not given a hearing, was due entirely to the fact that the gentleman from Illinois [Mr. DAWSON], unfortunately, was taken ill. He is chairman of the full committee. He went to the hospital and he did not get back. So the subcommittee went on subsequently without ever giving these two witnesses from these Departments, Post Office and Defense, an opportunity to be heard, a most unusual procedure.

Now, please get this straight. There is no criticism, direct or implied, because of the failure to hear those witnesses. But that was the unfortunate fact, it happened that way and they never have been heard and they wanted to be heard. They want to appear and testify. There is no reason why they cannot be heard. If the bill is recommitted to the committee with instructions to give a hearing, it can hold a hearing the latter part of this week or the early part of next week and get their views.

Let me make one other correction. The Members have been given to understand that no one is opposed to this bill, that is, no department. My understanding of the record is that the General Accounting Office, which is an arm of the Congress, is in favor of the bill because they think it will give them some additional authority to inquire into the expenditure of public funds. I have no particular fault to find with that.

The gentleman said that some of the departments were following this procedure. He nods his head now, sure. Then, why legislation? Is it just because we want to legislate? Is that it? Is it because we want to ride herd further on these advisory committees? Why is it? I can find no reason and I see none.

Back over the years, Justice advocated this type of legislation. What was the purpose? As suggested by the gentleman from New York [Mr. CELLER] the purpose at that time was to aid in preventing monopolistic practices. That is what it was for. However, the Department of Justice has indicated it is not in favor of the enactment of this legislation.

All other departments are against it. Permit me to summarize their views.

Agriculture, report, pages 7 and 8, unnecessary, undesirable.

Bureau of the Budget, unable to recommend favorable consideration, report, page 8.

Commerce strongly opposes.

Defense opposes, report, pages 9 and 10, also minority views, report, page 16.

Federal Civil Defense Administration reports requirement would add heavy administrative burden. Otherwise acceptable. Report, page 10.

Federal Reserve, unacceptable as written. Report, page 10.

General Accounting approves, report, pages 8 and 9.

General Services Administration objects; can be accomplished without new legislation. Report, page 9.

Department of Health, Education, and Welfare, recommends against enactment.

Housing and Home Finance, not necessary. Now uses same procedure. No objection, with its proposed amendments. Report, page 9.

Interior, opposes.

International Cooperation Administration, opposes, report, page 9.

Justice opposes, report, page 9. See also minority views, report, pages 12 and 13.

Labor considers undesirable and no need for enactment.

Office of Defense Mobilization, unnecessary. Report, page 11.

Post Office, strongly opposes. Report, pages 16–21.

Treasury opposes. Report, page 11.

Civil Service Commission—Commissioner F. J. Lawton not speaking for Commission but gives staff analysis.

> Perhaps this is a matter that can best be handled administratively rather than by legislation. It may well be that the flexibility necessary for meeting the many different circumstances surrounding the use of advisory committees cannot be incorporated in legislation.

Well, now there you have the record. How can anyone come in here and say that there is no opposition in view of what is shown by the record? We know, those of us, I guess, who are familiar with the situation, that the administration is bitterly opposed to the enactment of this legislation. Its opposition is being overridden without a hearing by two Departments.

Now let me read, if I may, these letters, or excerpts from a couple of letters. This is from the General Counsel, Department of Defense, dated June 14, 1957, to Chairman DAWSON:

> Because of your sudden illness, it was not possible for the subcommittee to hear me, although I understand that a copy of my prepared statement was made a part of the record on H. R. 3378. • • • For these reasons I urgently request—

Now listen, this letter is from the General Counsel of the Department of Defense, the top boy.

> For these reasons, I urgently request an opportunity to present the views of the Department of Defense on H. R. 7390 to the Executive and Legislative Reorganization Subcommittee.

I see before me the majority leader, who is a member of the committee, the gentleman from Massachusetts [Mr. MCCORMACK]. I am not charging that he overlooked anything. Perhaps it never came to his attention. But, there is the representative of the Secretary of Defense making a written request of the chairman of the committee, who either at that time or shortly before was confined to the hospital, and no consideration whatever was given to that request from Counsel of a Cabinet officer.

In all fairness, as members of a coordinate branch of the Government, on a bill of this kind which attempts to set up legal standards for housekeeping in an executive department, should we not, out of just common courtesy, hear the General Counsel for the Department of Defense before we write rules and regulations which cover their everyday life and doings?

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I wonder what the gentleman's view would be as to the attitude of the supporters of this legislation toward a similar set of rules and standards to cover the legislative branch. I have in mind the fact that as a member of the House Post Office and Civil Service Committee, during the very extensive hearings on postal rates, those of us who favored increased postal rates were clubbed over the head repeatedly by the report of the so-called Citizens Advisory Council of the Post Office and Civil Service Committee of the other body, whose origin, whose meetings, whose activities were never disclosed to us, and which included in its membership representatives of the publishing interests and a representative of the letter carriers' union. I wonder if we ought not to practice the rule of "Physician heal thyself."

Mr. HOFFMAN. Well, it is always easy to set forth fully some particular line of conduct for someone else than for each of us to do the same thing. I think that comes from the Scripture, that last part, does it not? The gentleman, being a former minister, I am sure he is accurate about that.

Mr. JOHANSEN. As is always the case with the gentleman in reference to such quotations, he is correct.

Mr. HOFFMAN. I wish that was as true as the other statement. But I am willing to follow the Book the gentleman mentioned.

Here is a letter from Mr. Maurice H. Stans, Acting Postmaster General, dated June 14, 1957. That is the same date as the one from the Defense Counsel. Here is what he wrote. And I know we want to comply with the Postmaster General's recommendations, because recently we gave him more money when he made the request. We fussed around about it, but we finally gave it to him. We discovered that his judgment was right. Here is what the Acting Postmaster General wrote:

It was with considerable surprise that we noted from the CONGRESSIONAL RECORD for June 13, 1957, that the Committee on Government Operations has ordered favorably reported H. R. 7390, to amend the Administrative Expenses Act of 1946.

H. R. 7390 places certain limitations on advisory boards. • • • It is almost the same as the committee print bill which you sent to the Department with your letter of April 9, 1957, requesting comments. In that letter you advised that hearings would be conducted by the Executive and Legislative Reorganization Subcommittee on April 30, 1957, and requested the Department's statement on the committee print not later than Monday, April 29. Copies of the statement proposed to be delivered by the General Counsel were sent to the committee on April 29, and although the General Counsel was in attendance at the meeting on April 30, the committee did not hear his testimony on the bill.

It is regretted that the committee ordered H. R. 7390 reported without receiving testimony from representatives of the Post Office Department.

That is the same question that I raised a moment ago. Should we not now, regardless of the merits of this particular bill we are considering, in common decency, ordinary courtesy, send the bill back to the committee with a request that they hear the representatives of these two departments?

We ask as much, we ask more. We have subcommittees of the Committee on Government Operations. Each of these subcommittees has a staff. I am not complaining about what they do, but staff members call up executive departments and ask for information and ask for files. And they are courteously answered by a production of what they want. I know of one case when they asked a Cabinet member to come up and see them.

When I want something, I go to the person and see him; I do not ask him to come and see me. Maybe that is not common courtesy, but I find a better reception if I go down and see him instead of asking him to come up and do me a favor.

So, in answer to the gentleman from Michigan [Mr. JOHANSEN] that is what some of our committees do.

Mr. JOHANSEN. If the gentleman will yield, I should like to say that the Committee on the Post Office, of which my very good friend the gentleman from Florida [Mr. FASCELL] was a member and an adornment, up until this year, we make it a point to be very sure that we hear both sides of issues before we act on proposed legislation.

Mr. HOFFMAN. As was said before, this unfortunate situation just happened. Nobody could have prevented it unless someone had been following the committee hearings minute-by-minute. It just happened and this is not in criticism of anyone. I just want to remedy the situation now, if we can, and we can if we wish.

Up until this moment I have been unable to ascertain either the need for or the desirability of the enactment of this bill. During the hearings on this legislation the witness from the Department of Commerce testified:

I suppose that these bills would not be proposed unless it was felt by someone that accomplishment of these objectives was necessary to eliminate some aspects of the use of advisory committees that are considered sinister.

I should like to have the attention of the gentleman from Massachusetts [Mr. MCCORMACK], if I may, for just one moment. This was disputed by the distinguished majority leader at that time who objected to the use of the word "sinister" as being rather an extreme statement. He went on to say:

The dictionary says wrong, dishonest, corrupt, and so forth. I do not know whether anyone has yet raised that question except you people, and I thought it was rather strange to be in a report from any department, and that the department itself should raise that issue against members of the committee, and in the absence of any evidence proving that, we assume the people are doing what they ought to do (hearings, pp. 99 and 100).

In this connection it is interesting to note in the additional views of the chairman of the Committee on Government Operations in House Report No. 576, to accompany H. R. 7390, the legislation is recommended because—

It would protect the Government by making it difficult for representatives of special interests to insinuate themselves on advisory committees, and, under a veil of secrecy, gain a venal or flagitious advantage (rept. p. 22).

How does Webster define "venal" and "flagitious"? Venal is defined as "capable of being bought; open to corrupt influence, bribery; characterized by corrupt bargaining." Flagitious is defined as "shamefully criminal, grossly wicked, scandalous; guilty of enormities, villainous," and our majority leader thought that "sinister" was too strong a word to use in connection with this legislation.

It seems to me that what the committee is trying to charge is that these advisory committees are doing something terribly, terribly bad. As far as I have been able to read the record of the hearings, I have not been able to discover a single instance, and I will yield to the gentleman from Florida now if he cares to cite an instance, where anyone testified that one of these committees was doing something not only naughty but wicked; put it the other way, wicked or even naughty.

Mr. FASCELL. I appreciate the gentleman's giving us that opportunity, and I will yield to other distinguished Members of this body, who will be glad to point out specifically in detail and with great delight that which the gentleman seeks.

Mr. HOFFMAN. I do not care to yield to the other Members at this time. The gentleman can do that later on. But I know the gentleman from New York [Mr. CELLER], who is now after the baseball or football fellows, and who is always interested in this antimonopoly business, was on his feet, and I thought he was referring to something that happened in the past.

The House wrote legislation some time ago establishing advisory committees. There has been some criticism because there were too many of those committees. Perhaps that is true, but there never has been an administration that any Member of this House has ever heard of or had experience with that has not had advisory committees. The Government is just so big, the matters which come before the departments are so involved and so technical, that if we are to act intelligently we must have advisory committees.

That being true, are not those in charge of the executive departments able, intelligent, honest, and patriotic enough, have we not confidence enough in them, that we must now write legislation prescribing their daily tasks and how they should be conducted?

Write this legislation on the books, comply with this provision that every advisory committee meeting must have a stenographic report, as it does require, giving the names of those who appear, and the positions they take on proposed legislation, and who will be willing to testify? You might just as well insist that we do away with executive committee hearings when we are marking up a bill, that we do away with any secrecy whatever, wherever a confidential matter is up for discussion.

Advisory committee members are condemned before they hold a single hearing. Former advisory committee members have been accused of acting corruptly, in violation of Federal law.

The proposed legislation seeks to create the impression that the people and the Congress need protection from vicious, corrupt individuals; that this bill will aid in the accomplishment of that purpose.

That was the thought that was conveyed to Secretary of Commerce Weeks by the questionnaires put out by the committee. In his letter of April 29, 1957, to Chairman Dawson, among other things he wrote—hearings, pages 95–96:

It is supposed that these bills would not be proposed unless it was felt by someone that accomplishment of these objectives was necessary to eliminate some aspects of the use of advisory committees that are considered sinister. The bills themselves are quite vague as to what evils they are intended to remedy. The committee print does not say anything on the subject. H. R. 3378 says it is offered "as a minimum safeguard against the use of any such group to influence public policy for the benefit of private interests." Whether or not this is a complete and accurate description of the purpose of the bill, it is quite clear that both bills are intended to protect the Government from some claimed sinister influence of advisory committees rather than to keep such committees from violating the antitrust laws.

When Mr. Nash, speaking for the Department, was before the subcommittee, he said—hearings, page 98:

I suppose that these bills would not be proposed unless it was felt by someone that accomplishment of these objectives was necessary to eliminate some aspects of the use of advisory committees that are considered sinister.

Almost immediately, the gentleman from Massachusetts [Mr. MCCORMACK] challenged that statement and it was stated that no Member of Congress had any such idea—hearings, page 99.

The colloquy that then occurred seems strange indeed. The assertion then made was that no one was charging advisory committees with corrupt action when, in the debate here today, the charge is made; the need for the legislation is asserted to be protection of the people from evil men and specific instances are to be cited.

Proponents of this bill may deny that the bill is based largely on the charge that some advisory committees have acted corruptly, but the lack of any foundation for that denial is shown by the testimony just quoted.

Mr. MCCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. MCCORMACK. Did the gentleman oppose this bill in committee?

Mr. HOFFMAN. Yes; I did. I wrote my minority views. They are on pages 12 to 21, inclusive, of the report.

Mr. MCCORMACK. When the vote was taken; did the gentleman oppose the bill at that time? We know the gentleman writes minority views after the bill is reported out. That is nothing unusual.

Mr. HOFFMAN. That is customary if I am against it.

Mr. MCCORMACK. That goes on all the time. I mean at the time the bill was reported out by the committee; did the gentleman vote against it then?

Mr. HOFFMAN. Sure.

Mr. MCCORMACK. My recollection is otherwise.

Mr. HOFFMAN. Oh, I know, my recollection is just as good as that of the gentleman. I know how you operate. The question is put: All in favor of the bill say "Aye—aye—the ayes have it." You have seen it time and again and so have I. What good would it do for me to get up in committee when I am in the minority and shout? What good would it do me? I try to be sort of charitable but there is an expert operator over there.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FASCELL. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, there is indeed a necessity for maintaining avenues by which responsible Government officials may secure the advice necessary for their effective administration. I do not think anybody denies that. But, there have crept into this advisory committee system many grave abuses and our subcommittee of the Committee on the Judiciary investigating this matter did ferret out a considerable number of abuses. The subcommittee recommended that there should be certain standards of conduct, and we followed the advice and counsel of the Department of Justice, as to what those canons of ethics should be. It is true that the Department of Justice does not necessarily take a position on the proposed statute; if I know the situation correctly, the Department has indeed recommended certain canons and certain standards of conduct for the members of the advisory committee. Insofar as some of the departments have refused to adopt these standards, it is essential to have some sort of statute to compel them to adopt these standards. Why should there be any objections to a minimum standard of conduct? This bill simply establishes such a minimum. The gentleman from Michigan asks and challenges anyone to indicate where there was any untoward conduct on the part of an advisory counsel.

Mr. HOFFMAN. In the record.

Mr. CELLER. I direct his attention to the Business Advisory Council of the Department of Commerce.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. HOFFMAN. What I asked was where in this record is there any instance of improper conduct on the part of an advisory committee?

Mr. CELLER. Well, perhaps, I was in error. I apparently did not hear correctly.

Mr. HOFFMAN. If you have it outside of the record, that is all right too.

Mr. CELLER. I will say, however, despite that—that there is untoward conduct on the part of what is known as the Business Advisory Council of the Department of Commerce. That council is composed of some one hundred-odd heads of the largest corporations of this country. They meet periodically at some of the swank country resorts. They have a suite of offices in the Department of Commerce. They operate under the imprimatur of approval of the Department of Commerce. They have a paid director who gets a salary of $25,000 a year. The members of this council—and mind you this is a business advisory council under the auspices of the Department of Commerce—the members are assessed dues every year. They have bank accounts in the city of Washington. They have a retirement fund for their director. I will read a part of the recommendation and the conclusions of our committee in that connection.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. FASCELL. Did your committee also find that the Secretary does not select the members of that committee and that is a self-perpetuating body?

Mr. CELLER. That is correct. There are many things that I could cover, but I cannot do it in 10 minutes. The BAC, that is, the Business Advisory Council, has a paid executive director, Walter White, who receives $25,000 a year from the council and he is not a Government employee. For the benefit of Walter White, the council has established a retirement fund of approximately $120,000 in lieu of civil-service benefits for which he is not eligible as a privately employed individual. In addition to that, the BAC hires consultants as needed in the activities of the subcommittee. Mr. White receives deposits and disburses funds of the BAC under no Government supervision. His accounts are not audited by the General Accounting Office. Certainly if BAC were a Government agency no such freedom of funds could exist.

In addition thereto the BAC affords interesting examples of the problems which arise when administration officials attempt to authorize a hybrid private-Government group to organize and advise the Government. Partaking of both governmental and private characteristics, the BAC is able on the one hand to claim all of the privileges and immunities of the executive departments. On the other hand, unencumbered by the rigid restrictions applicable to Government agencies, BAC is able to cut a wide swath across all areas of Government and business. Clearly, it would be remiss for the Government to spend sums approaching $20,000 a year for meetings at White Sulphur Springs, Hot Springs, or Pebble Beach under the guise of obtaining the advice of corporate executives. Expenditure of Government funds for lavish gifts for the Secretary of Commerce and for retiring chairmen of the council would certainly elicit criticism. Nor could the Secretary of Commerce, as a Government official, hire a John Gall to press BAC views upon another administrative official, notwithstanding the latter's rejection of the BAC and its tendered advices.

Any organization created by a Government official to assist him by furnishing advice and cooperation necessarily must be conceived in the context that the organization is to be a governmental body. Administrative officials have no authority to create private organizations or to vest attributes of their office in private organizations. And that is exactly what Secretary of Commerce Weeks has been doing and, incidentally, his Democratic predecessors had done the same thing. I level my criticism not only against the Republican Secretary of Commerce; I level my criticism also against the Democratic Secretaries of Commerce. It was done right through the administrations of President Roosevelt and Truman and Eisenhower. It is most reprehensible to have the help of men who privately designate themselves and their successors as the business advisory council under the imprimatur of approval of the Secretary of Commerce, have bank accounts which cannot be audited by the General Accounting Office, set up emergency funds, set up retirement funds, and then, on the other hand, claim all the immunities that are attached to an advisory council set up by a Government official.

When you have such a situation it is time to call a halt. At least let us shed the pitiless light of publicity upon the

activities of the Business Advisory Council.

Our committee asked the Secretary of Commerce to let us see the records of the Business Advisory Council. We were repeatedly refused those records. What has the Secretary to fear? Why should we not, Representatives and responsible Members of Congress, have the right to see what has transpired behind this curtain, as it were, set up by the Business Advisory Council?

This bill will not go all the way but it will go a good part of the way to remedy the situation and will force the business advisory councils at least to have a Government agent presiding over those meetings. They will not be able to set the agenda; the agenda would have to be set by a Government official, and then they could not get together to fix prices; they could not get together to allocate territories. The evidence is replete in our hearings that not only the Business Advisory Council but others of the advisory committees did just that, all in violation of the antitrust laws. For that reason it is hoped that we will have this modicum of relief as is embodied in this bill. I am very happy to make this slight contribution toward the passage of this much needed legislation.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Florida.

Mr. FASCELL. I want to thank the gentleman in behalf of the committee for the fine study and investigation that was made by his subcommittee because we found it invaluable in our considerations. I appreciate the very fine statement he has made in support of the bill.

Mr. HOFFMAN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, I have listened with great interest to the remarks of my friend from New York with reference to the report of the Antitrust Subcommittee of the Committee on the Judiciary relating to an investigation of the so-called WOC's and the advisory groups in the Department of Commerce.

I call attention to the fact that the report of the subcommittee to which he referred had a vigorous dissent from three Republicans, the gentleman from Ohio [Mr. MCCULLOCH], the gentleman from Pennsylvania [Mr. SCOTT], and myself.

It is not an accurate statement that the Department of Commerce declined to furnish their minutes to our committee. The fact is that on the 29th day of July 1955, the Department of Commerce, after receiving a request from our committee which required them to spend days and days of searching, did furnish the subcommittee all minutes of industry advisory groups which had been requested with but a single exception and that was declined on the ground that our national security was involved.

There were a few instances brought to our attention in the lengthy hearings of our committee which are referred to in the minority views where we in no sense condoned the action taken by certain personnel in the Department of Commerce. I do not recall whether they were during a previous administration or during this one, and I commend the chairman for his frankness in saying these conditions of which he complains have existed in previous administrations as well as in the present administration.

Of course, no one serving on an advisory committee should try to serve two masters. He should confine himself while he is in the Government employ to the service of the Government and he should have no other interest. There were only 2 or 3 isolated cases where we who signed the minority views felt that criticism could properly be leveled.

Several months before our hearings commenced, the Secretary of Commerce and his Department did change a number of their procedures. Then, during the hearings, an Executive order was issued making further changes. That is all reflected in this report of the minority. The situation in short is not as horrendous as the chairman of the Committee on the Judiciary would indicate by the remarks he has made. But the efforts by the Department to improve its procedures brought down on its head nothing but severe partisan criticism from our committee.

After all, most of those men come to Washington and perform—and did during World II and during the Korean emergency—a patriotic service for our country without a dollar of compensation. It will be a sad day for our country when we discourage men from coming here to volunteer their services in the interest of helping the country that they love just the same as you and I love it who are serving here in this body.

Perhaps this bill can be amended in proper shape so that it can have my support. I shall not support it in its present form. To pass this bill just in an effort to visit a punishment upon somebody in some Government department who is not kowtowing to every whim of a congressional committee would be a great mistake and would be beneath the dignity of this body. There are at least two Government departments, the Post Office Department and Defense Department, which expressed a desire to be heard, in opposition to this bill, but their request was ignored. What should be done here today, at the very least, is to send this bill back to the committee with instructions to take further evidence on its merits, and bring the bill back here again.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Would the gentleman agree with the proposition in regard to businessmen serving two masters, that the same principle ought to apply to magazine publishers and others who sit on legislative citizens advisory councils?

Mr. KEATING. It should apply to any group that serves in an advisory capacity. They should divorce themselves from any private interest whatsoever. For instance, no one should, under any circumstances, be in a position to pass upon a question of tax amorization certificates for a company with which he then or in the past had any connection. That is an illustration of the type of thing which I feel should be prohibited.

Mr. JOHANSEN. Would the gentleman agree that that applies also to the recommendations, in an official capacity, of a member of a legislative advisory council with respect to postal rates in which the person has a direct business interest?

Mr. KEATING. Yes. I think it applies throughout the Government. No one in an advisory capacity should have a personal interest, with this possible exception: It may be necessary, in an advisory committee, to have two points of view in order to get the full story. In that case it might be essential to have members selected who present both points of view. But, great care should be exercised and, I believe, in general has been exercised by the heads of the executive departments to be sure that the advice which they get takes into account all factors and is not one-sided in its character.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I read from page 22 of the report on this bill:

> It would protect the Government by making it difficult for representatives of special interests to insinuate themselves on advisory committees, and, under a veil of secrecy, gain a venal or flagitious advantage.

Now, the gentleman has been here for a long time. Does the gentleman know of anyone who ever came down here with that idea in mind?

Mr. KEATING. No; I do not.

Mr. HOFFMAN. Well, who is coming down here if that is the charge to be made when they get here? You are a crook, they say; come on down.

Mr. KEATING. This flagitious word intrigued me somewhat, and troubled me, so I went to the dictionary and I found it described as: "Disgracefully or shamefully criminal, grossly wicked, scandalous, guilty of or characterized by enormous crimes or scandalous vices, villainous, corrupt." And the synonym given is heinous or wicked.

I do not think that the author of that report would have felt free to use these more commonly used terms in describing the actions of these men. I regret extremely that this word "flagitious," whatever it is, was allowed to creep into this report, because I think it creates a completely wrong impression of what 99½ percent of these men are trying to do who come here to serve their country.

Mr. FASCELL. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from North Carolina [Mr. FOUNTAIN] who will now define the word in question.

Mr. FOUNTAIN. Mr. Chairman, ladies and gentleman of the Committee, I support H. R. 7390.

As chairman of the Government Operations subcommittee which has jurisdiction over activities of the Department of Agriculture and its related agencies, I have become reasonably familiar with problems involving the use of advisory committees. Advisory committees in the Department of Agriculture are not new, nor are their operations necessarily subject to criticism. For example, a large number of advisory committees have been appointed under specific authority of the Research and Marketing Act of 1946 to assist the Department in such activities as plant and animal disease control and crop improvement.

Many of these advisory committees serve a very usual purpose. They are capable of performing a valuable public service when they are properly and wisely constituted and used.

The gentleman from Michigan [Mr. HOFFMAN] poses the question, Who wants this legislation, or why is it necessary?

I want to give this committee some reasons why this legislation is necessary—why it is badly needed.

Very definitely, there are areas in which the activities of advisory committees obviously require extremely close scrutiny. The Commodity Credit Corporation, a Government instrumentality which operates under the supervision of the Secretary of Agriculture, buys and sells billions of dollars worth of commodities annually. Its actions can easily have tremendous effect on the profits or losses of private concerns dealing in agricultural commodities, particularly those firms which transact business with the Commodity Credit Corporation.

In recent years, the Secretary of Agriculture and his subordinate officials have appointed many new advisory committees to advise the CCC on the acquisition, disposition, and storage of surplus agricultural commodities. Few, if any, of these committees have been specifically authorized by Congress. Almost without exception these new committees include representatives of companies which buy tremendous quantities of commodities from CCC.

A man who is asked to advise the CCC about selling the same commodities his company is buying from CCC occupies a position with a built-in conflict of interest.

The standards of operation recommended by the Justice Department for industry advisory committees would not eliminate the basic conflict of interest inherent in the use of advisory committees for certain functions; but such standards would help to lessen the danger that the public interest would be subordinated to private interests. However, there have been many instances in which the Department of Agriculture has failed to follow the recommendations of the Justice Department. Proper minutes often have not been kept; on occasion there has been neither specific statutory authority for the employment of an advisory committee nor an administrative finding that it is necessary to utilize such committees to perform statutory duties; there are instances in which industry representatives, rather than Government employees, have served as chairmen of committees.

Disregard of standards established by the Justice Department for the protection of the public interest would be bad enough in itself; it is particularly serious in the case of these advisory committees, because of the great opportunity for private profit at public expense, and because of the known abuses which have occurred.

For example, industry members of the Agriculture Department's Dairy Industry Task Committee recommended that the Commodity Credit Corporation adopt a plan for purchase of dairy products and simultaneous resale to the owner at a lower price. One of the men who made this recommendation was vice president of a firm which later received more than $700,000 from CCC in purchase-resale transactions. A total of more than $2 million was paid out in this and other similar transactions, which were held to be unauthorized and improper by the Comptroller General after an investigation by our Subcommittee on Intergovernmental Relations. Most of the money went to firms with representatives on Agriculture Department advisory committees. The Justice Department is now engaged in legal action to recover the improper payments and has been upheld by the courts in all cases tried to date, despite the vigorous and continued opposition of the Department of Agriculture.

In March 1956, three members of the Secretary's Cotton Export Advisory Committee were indicted by a Federal grand jury in New Orleans on charges that they had conspired to fix prices on the purchase of more than $20 million worth of cotton from CCC.

In October 1953, the CCC sold 15 million pounds of seed which had cost the Government more than $6 million to a syndicate composed of members of the Secretary's Seed Advisory Committee at less than one-third of its original cost. The syndicate was headed by the chairman of the advisory committee. The seed was sold by negotiation rather than competitive bids and not advertised in the usual way. Other buyers who might have been interested had no opportunity to participate.

In April 1953, CCC sold 77,000 tons of Austrian winter peas through a negotiated sale at a price $30 per ton below the last publicly advertised figure, and $20 a ton below the price being quoted to other buyers who made inquiry. The peas were sold to a three-member syndicate, represented by a man who had participated in an industry conference with CCC early in April at which sale of the peas was discussed.

The CCC included in the contract an extremely unusual provision by which it agreed to refrain from further sales of peas in the west-coast area for a full year.

Many of you, I am sure, remember the grain-mixing scandals which occurred 4 or 5 years ago. A number of grain companies obtained Canadian wheat imported at a low duty as unfit for human consumption, mixed it with American wheat and shipped it under Government programs and proceeded to illegally claim an export subsidy from the Department of Agriculture. A number of corporations and their officials were indicted for their actions in this affair. One of the men indicted is vice president of a firm which buys millions of dollars worth of commodities from the Department of Agriculture monthly. While under indictment for allegedly helping to defraud the Government in connection with grain exports, this man was also a member of the Department of Agriculture's Advisory Committee on Grain Exports. It is interesting to note, furthermore, that the Justice Department later dropped charges against this individual even though his company pleaded guilty.

Mr. Chairman, I think these examples give ample evidence of the need for careful regulation of advisory committee activities where the opportunity exists for private profit at public expense. This bill is not a drastic remedy, but it is a step in the right direction. It would simply give the force of law to standards already recommended by Attorneys General of both parties. In addition, it would require that the Congress be kept more fully informed concerning the nature and activities of advisory committees.

I strongly urge the passage of H. R. 8390 as a very definite step in the right direction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FASCELL. Mr. Chairman, I yield 2 additional minutes to the gentleman.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. FOUNTAIN. I yield.

Mr. HOFFMAN. I think most of us are familiar at least with some of the cases to which you made reference. Just how will this bill stop that practice—not that practice, excuse me, but those incidents?

Mr. FOUNTAIN. I remind the gentleman from Michigan that the distinguished gentleman from Florida [Mr. FASCELL] did an excellent job of explaining this legislation. He very clearly told us the purpose of this legislation and how the standards and requirements therein contained might prevent abuses and practices such as those I have described. Surely, it is not a cure-all. It does not give us complete assurance, but it will cause the various agencies of Government to stop, look, and listen when they plan the formation of these advisory committees. They will, I sincerely believe, exercise more care and caution in the selection of the members of such advisory committees. In addition, there will be closer and better supervision over the activities of advisory committees. I think H. R. 7390 will put agency and department heads and all others affected by it on notice that the membership and activities of advisory committees will be closely examined. It is right and proper that this be done. I believe it will discourage appointments and/or improper activities of members who are actively associated with persons or companies regularly engaged in business with agencies of the Government, such as the Commodity Credit Corporation, where millions upon millions of dollars in purchase and sale transactions are regularly taking place.

Mr. HOFFMAN. Is it not true that ordinarily the average member of one of these advisory committees has had

experience in the business and has an interest in the subject discussed, a financial interest?

Mr. FOUNTAIN. I think that is quite often true. As has already been pointed out a department may still get the benefit of the counsel and factual information which any reliable person is willing to offer but this legislation will put all in places of public trust on notice that they must exercise every care and caution to avoid the pitfalls and dangers which may well follow transactions involving conflicts, or possible conflicts of interest.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FOUNTAIN. I might say, if they are requested, I have the names of the individuals and the companies involved in the situations I have described in support of this bill.

Mr. HOFFMAN. Mr. Chairman, I yield the gentleman 2 minutes. Will the gentleman yield for a question?

Mr. FOUNTAIN. I yield.

Mr. HOFFMAN. Do you not believe that if substantial and well-posted citizens in any industry are to be asked to come down here to act as members of an advisory committee; do you think they will come freely if we write these strict regulations and they come down under a cloud of suspicion?

Mr. FOUNTAIN. I think they will come. I do not think they should come if they come down here with an ulterior motive. Honest men have nothing to fear from this legislation.

Mr. HOFFMAN. Of course not.

Mr. FOUNTAIN. I think every effort should be made to eliminate that possibility, to prevent their serving if they have ulterior or selfish motives.

Mr. HOFFMAN. And no responsible, patriotic individual would ask them down if he had the slightest idea that they were coming here for an improper purpose.

Mr. FOUNTAIN. I would not think so either. I certainly hope not.

Mr. HOFFMAN. Do you think an average citizen who devotes his time at financial loss to himself is to be told every time he comes here that he is just down here to feather his own nest, that they will come? Where are you going to get these advisers with this kind of legislation? In your opinion, will it not discourage these individuals?

Mr. FOUNTAIN. I was amazed in reading the report, not being on the subcommittee, to find that this advisory committee device has increased in popularity to such an extent that the United States Government is now using over 35,000 committees of one kind or another. It seems to me that advisory committee bureaucracies are getting mighty numerous and that we, the Congress, ought to do something to eliminate the many dangers inherent in their growth, and especially the dangers which flow or can flow from obvious conflict of interests situations.

Mr. HOFFMAN. Being a small time individual, that seems a tremendous number to me, but it is big business, we are told.

Mr. FOUNTAIN. Yes, it is so big that the Congress has the definite responsibility of taking necessary steps to preclude such big business from working and operating to the detriment of the taxpayers we represent and in its own self interest.

Mr. HOFFMAN. Yesterday we passed the poultry inspection bill, yet the plants were doing it themselves and the States were dong it, but we had to come along and put another one on top.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FOUNTAIN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I well remember the testimony appearing on pages 48, 49, and 50 in respect to questions I asked Mr. Haskell of the General Services Administration, that the General Services Administration had pretty nearly been following this bill even before it was reported out of committee.

Mr. FOUNTAIN. That is right.

Mr. McCORMACK. We went over it requirement by requirement showing that the General Services and industry advisory committees were insisting that the committees operate under provisions that are included in this bill.

Mr. FOUNTAIN. I am happy to say that the situation has improved on a voluntary basis, but we have no assurance that these conditions have improved sufficiently to eliminate the necessity of this, what appears to me to be, reasonable legislation.

Again, I urge the passage of this bill.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Administrative Expenses Act of 1946 is amended by inserting immediately after section 15 thereof the following new section:

"SEC. 15A. (a) No advisory committee or other advisory panel or group (hereafter in this section referred to as an 'advisory committee') shall be established in a department unless, not less than 30 days before such advisory committee is established, the head of such department has transmitted to the Speaker of the House of Representatives and the President of the Senate (or if the Congress is not in session, to the Clerk of the House of Representatives and the Secretary of the Senate) a written report setting forth the following information:

"(1) If a statute specifically authorizes or requires such advisory committee to be established, the citation of such statute; or if there is no such statute, the authority in law which is relied upon for the establishment of such committee together with the administrative determination that the services of such advisory committee are in the public interest and the reasons upon which such determination is based; and——

Mr. HALLECK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HALLECK. Is the bill in one single section?

The CHAIRMAN. It is in one section.

Mr. HALLECK. So no amendments would be in order until the bill has been read in its entirety.

The CHAIRMAN. That is correct.

The Clerk read as follows:

"(2) (A) The number of members on such advisory committee and the area of interest which each member will represent, (B) those members of the advisory committee who will serve without compensation, and those who will receive compensation, (C) the expenses of the advisory committee, or its members, or both, to be paid by the United States, and (D) how long it is anticipated that such advisory committee will function.

"(b) Each advisory committee heretofore or hereafter established in any department shall be subject to the following minimum standards:

"(1) The agenda for such advisory committee shall be formulated by a full-time salaried officer or employee of the Government.

"(2) The meetings of such advisory committee shall be at the call of, and under the chairmanship of, a full-time salaried officer or employee of the Government.

"(3) Full and complete minutes of each meeting of such advisory committee shall be kept, which shall contain, at a minimum, (A) the name of each member of such advisory committee attending such meeting, (B) a summary of the matters discussed in such meeting, stating the viewpoints expressed, and (C) the conclusions reached by the advisory committee.

"(4) The functions of such advisory committee shall be purely advisory.

"(c) (1) The President is hereby authorized to issue such regulations, not inconsistent with the standards prescribed in subsection (b) or any other provision of law, as he may deem necessary for effective control of the use and activities of advisory committees in departments.

"(2) The President shall cause to be prepared annually a public report detailing the membership of each advisory committee used by each department; the functions of each such advisory committee; and the extent to which the operations of each such advisory committee have not complied with the standards prescribed in subsection (b).

"(d) This section shall not apply with respect to any advisory committee (1) which consists entirely of full-time salaried officers or employees of the Government, or (2) which is authorized by law to perform administrative or operative functions."

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 3, line 2, after the word "formulated", insert the words "or approved."

The committee amendment was agreed to.

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio: On page 3, line 5, after the comma at the end of line 5, insert the words "or conducted in the presence of."

Mr. BROWN of Ohio. Mr. Chairman, this amendment, which has been discussed with other members of the committee, simply provides that instead of requiring at all times the chairman of one of these advisory groups to be a representative of the Government, that is, a salaried officer or employee, that the committee either be chairmaned by such an employee representing the Government, or that such a meeting be conducted in the presence of such an employee or official of the Government. I am very hopeful that the amendment may be accepted.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Florida.

Mr. FASCELL. The amendment is acceptable as far as the majority side is concerned.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BROWN].

The amendment was agreed to.

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio: On page 3, line 8, after the "(3)" strike out the words "Full and complete" and capitalize the word "minutes."

Mr. BROWN of Ohio. Mr. Chairman, this is a corrective amendment to make clear the meaning of this particular section, because, as printed in the bill, the requirement would be that full and complete minutes be kept in one portion of the paragraph, and, in another portion, minutes would be kept in substance. So striking out the words "full and complete" simply provides that minutes shall be kept of each meeting of such advisory committee, which will contain the name of each member of such advisory committee attending, and (b) a summary of the matters discussed in such meeting stating the viewpoints expressed, and (c) the conclusions reached by the advisory committee. This would end a conflict of language that now exists.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Florida.

Mr. FASCELL. It certainly was not the intention of the committee to require a verbatim transcript of the meetings, but I believe the gentleman will concur with my statement that it was the intention of the committee in setting up the requirement for summarization of the minutes that all viewpoints would be expressed.

Mr. BROWN of Ohio. That is still retained.

Mr. FASCELL. And divergent views, without identifying the particular individual who might have given them.

Mr. BROWN of Ohio. I think the language carries that thought already.

Mr. FASCELL. The purpose of putting in the words "full and complete" originally was with the idea of having a full and complete summarization; but in order to eliminate any misinterpretation that might come about, as, for example, to require a verbatim transcript of the minutes, the majority will accept the amendment of the gentleman.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. HOFFMAN. Mr. Chairman, we have now an illustration of what this bill is all about. The committee had considerable trouble with section (3). The bill reported by the committee—and I know the gentleman from Massachusetts will correct me if I am wrong—provided full and complete minutes. The basic objection all the time of the departments has been that they are required to keep a record of everything that is said at an advisory committee hearing. You might just as well keep a record of what happens in your family at home, then peddle it out to the neighbors, and hope to have a happy family and a happy neighborhood.

Take a look at this amendment. The bill says "full and complete minutes." The amendment limits it to "minutes." If you take minutes of anything, what do you take? Do you use sketchy language? Who determines what goes in and, when you have a stenographer or reporter, what goes in the record? This amendment is an excuse for voting for this bill and that is all right with me if you want to do it that way.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. If the gentleman will read the bill or the language of that particular provision of the bill, especially in view of striking out the words "full and complete," it sets forth that the minutes will show only a summary of the views expressed.

Mr. HOFFMAN. The name of each member of such committee, the summary of the discussion and the viewpoints expressed. If I am going to be a member of a committee like that I would like to have taken down what I said, not what some stenographer or clerk thinks I said. I do not want anyone summarizing for me. It is like saying, well, I am honest today, then I come along tomorrow and say, I am completely honest today. What is the difference? The amendment does not mean a thing. The purpose of the bill is to require minutes of everything that is said and done and then come back with "Mr. Jones attended. He was selling scrap and the Government bought the scrap." "Jones advocated selling and Jones sold to the Government." Some today throw out the inference on every occasion that a businessman who has been successful is in Government—he is crooked—corrupt.

A few may be but they have little influence and at the first hint, out they go on Ike's order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BROWN].

The question was taken; and on a division (demanded by Mr. BROWN of Ohio) there were—ayes 77, noes 0.

So the amendment was agreed to.

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio: Page 4, line 6, after the word "by", insert the word "statutory"; page 4, line 7, after the word "operative", add a comma and the words "or executive."

Mr. BROWN of Ohio. Mr. Chairman, this is simply for the purpose of clarifying the meaning of this section so as to make certain, in the bill and in the act, that statutory committees or advisory groups set up by law are exempt from any provisions of this bill, if it is enacted into law.

Mr. FASCELL. Mr. Chairman, I have an inclination that we might get together, except for the last statement of the gentleman of Ohio, and if the last statement is correct, I would have to rise in opposition to the amendment very strongly. As I understand, you seek to add the word "statutory" after the word "by" on line 6, page 4; is that correct?

Mr. BROWN of Ohio. That is correct.

Mr. FASCELL. That phase of it, I say very quickly, I personally would have no objection to. Now, on line 7, after the word "operative" you add the words "or executive."

Mr. BROWN of Ohio. Yes. I struck out the word "other", after my discussion with you earlier, and used the word "executive." In my opinion that was our understanding.

Mr. FASCELL. It is certainly not the intention of this committee by this legislation to include any committee which is set up by statutory law which has administrative or operative or executive functions, but if the committee is set up by statute and its function is purely advisory, it would still come within the purview of this bill, unless the statute setting up the committee otherwise dictates. Now, if in this colloquy we understand each other that by your amendment you do not exclude advisory committees set up by statute which are purely advisory in nature and do not have an administrative, operative, or executive function, then I say we are in agreement.

Mr. BROWN of Ohio. I think we have a meeting of minds. I had in mind, as a reason for offering this amendment, the situation that exists in the Department of Health, Education, and Welfare that the gentleman mentioned in general debate on the floor today, wherein certain duties and responsibilities are placed upon a committee that passes upon the need for hospitals under the Hill-Burton Act, for example.

Mr. FASCELL. I agree with the gentleman thoroughly.

Mr. BROWN of Ohio. And I think there was one committee or perhaps two in the Defense Department that come under this same category, and have to clear certain things from a scientific angle.

Mr. FASCELL. I will say to the gentleman that it certainly was the committee's intent and still is to exclude from the purview of this legislation any advisory committee set up by law which performs administrative or operative functions.

Mr. BROWN of Ohio. There was a feeling expressed to me on behalf of, for instance, the medical committee I just mentioned and 1 or 2 other committees in the Department of Defense, that the words "administrative and operative" were not sufficient, because they do have certain executive functions.

Mr. FASCELL. As long as we are clear that it does not exclude a committee set up by statute which is purely advisory in nature.

Mr. BROWN of Ohio. That is my interpretation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BROWN].

The amendment was agreed to.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS of Mississippi: On page 4, line 7, before the period, insert the following: "or (3) appointed to give scientific advice."

Mr. WILLIAMS of Mississippi. Mr. Chairman, in view of the colloquy between the gentleman from Ohio [Mr. BROWN] and the gentleman from Florida [Mr. FASCELL] just a moment ago, I am not quite certain whether it is intended by this legislation to exempt the operations of advisory committees set up by the Public Health Service, the Food and Drug Administration and other such agencies of the Department of Health, Education, and Welfare, whose duty it is to pass on the scientific aspects of various drugs and treatments.

Several days ago I made an inquiry of the Food and Drug Administration regarding their position on this legislation, and the effects that it might have upon their operations. In reply, I received a 2-page letter from Mr. Harvey, the Deputy Commissioner, in which he took exception to the provisions of this bill with respect to the 30-day notice, the keeping of records and several other phases.

At this point, Mr. Chairman, under permission previously granted me in the House, I submit a copy of this letter for the RECORD.

The matter referred to is as follows:

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
FOOD AND DRUG ADMINISTRATION,
Washington, D. C., July 9, 1957.

Hon. JOHN BELL WILLIAMS,
House of Representatives.

DEAR MR. WILLIAMS: This complies with your request for a statement of the effect H. R. 7390 would have on our administration of the Federal Food, Drug, and Cosmetic Act were the proposed bill enacted.

Among other things, the bill would establish rigid standards for the organization and conduct of meetings of advisory committees, including the keeping of minutes. It would require a full-time salaried employee of the Government to form or approve the agenda for the advisory committee meeting. It would require meetings of the committee to be at the call of and under the chairmanship of a full-time salaried officer or employee of the Government. Additionally, under the bill, we would be prohibited from establishing an advisory committee until 30 days after giving advance notice of our intention to the Congress.

These procedures would interfere seriously with the present excellent arrangements the Food and Drug Administration has for securing informal advice from outstanding groups of scientists on matters that require immediate consideration. It would do so in a number of ways:

To require 30 days' advance notice of our need to consult a committee would make it difficult, if not impossible, to follow the practice heretofore employed of convening outstanding scientists to secure their advice when they are attending national or regional meetings of their professional societies or associations. A number of outstanding medical groups have formed committees that are advisory to the Food and Drug Administration.

It may become necessary on short notice to solicit the advice of one of these groups. For example, recently when we were considering a new-drug application for an oral preparation to be used in the treatment of certain types of diabetes, we felt it desirable to consult outstanding diabetes specialists of the Nation to determine whether in their opinion the safety of the new drug had been established so that it could be released for general medical use. The consultation had to be prompt because the Food, Drug, and Cosmetic Act provides a strict time limit within which we must act on new-drug applications. Consequently, we arranged to consult these experts at the same time they were attending the national meeting on diabetes. A 30-day delay would have foreclosed our opportunity of consulting these experts while they were assembled already and might well have closed the door to our opportunity of consulting them as a group within the time limit allowed for the reaching of a decision.

It would be contrary to sound policy and accepted scientific procedure for the Food and Drug Administration, when asking a technical question of a medical society, to insist that the committee formed to develop the answer be limited by the restrictions in the bill. It would in appearance, if not in fact, indicate a Government dictation of the conclusions reached by such groups which is exactly what we must avoid when we request their help.

The requirements of the proposed law that formal minutes be kept on committee meetings would necessarily restrict the scientific discussions that scientists must engage in in order to make sound recommendations. This is true because favorable opinions, no matter how well qualified, could give rise to false or premature hopes as to the efficacy of a medicine, and unfavorable comments could become a source of misunderstanding and unjust harm to the reputations of individuals and organizations engaged in experimental and developmental projects if such comments were made a matter of record before full evaluation of a drug had been completed.

Further, the proposed law would appear to be in substantial conflict with the provisions of the Pesticide Chemicals Amendment of the Federal Food, Drug, and Cosmetic Act (sec. 408; enacted as Public Law 518, 83d Cong.). This law provides specifically that members of committees appointed in accordance with its provisions to advise this Department with respect to petitions for tolerances for pesticide chemical residues shall be selected by the National Academy of Sciences. The legislative history of this provision shows that the Congress did not intend in authorizing such committees, to impair the basic flexibility and independence of action necessary to the proper functioning of a committee. To provide the above-mentioned restrictions of H. R. 7390, with respect to advisory committees on pesticide chemicals, would appear to nullify the letter and the intent of section 408 of the Food, Drug, and Cosmetic Act.

Sincerely yours,

JOHN L. HARVEY,
Deputy Commissioner.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I furnished the gentleman from Florida [Mr. FASCELL] with a copy of this letter from Mr. Harvey, and at this point I should like to yield to him for comment on it, if he will.

Mr. FASCELL. Mr. Chairman, the gentleman may be assured of this, following the colloquy just held between myself and the gentleman from Ohio [Mr. BROWN], that it is not the intention of this legislation to require any committee authorized by Congress which has an administrative, operative or an executive function as distinguished from a purely advisory function. The criteria is not what this committee may or may not do. It is not the nature of the advice that it seeks to give. The criteria is, is it purely advisory or does it have a function other than the giving of advice which has been delegated to it by Congress?

The reason for that is that we seek to eliminate the possibility of the executive functions being delegated to committees without the authority of Congress. That is the purpose of it.

I would assure the gentleman that we have considered this matter very, very carefully and seriously. The legislation still has to be considered in the other body. We believe that we have covered all aspects dealing with scientific, technical and defense information.

This document deals with the Department of Defense. They have over 500 committees. Each one of them is listed. We have considered the problem of committees to which Congress has delegated a function other than the giving of advice. Therefore, we arrive at the exclusion which is in this bill.

Furthermore, we would submit that even a purely advisory committee would not be unduly restricted by the requirements of keeping minutes or submitting an agenda and the flexibilities which we have just written in by amendments would amply take care of the difficulty that has been raised or the question that has been raised by the Department of HEW.

Mr. WILLIAMS of Mississippi. Then, as I understand it, the gentleman feels that this legislation does not go to the extent of hampering the operations of the Food and Drug Administration and these other health agencies?

Mr. FASCELL. We are convinced that it does not. We seek only to require purely advisory committees to meet these basic minimum requirements in the bill.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

(By unanimous consent, Mr. WILLIAMS of Mississippi was given permission to proceed for 5 additional minutes.)

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. I am interested in this colloquy between the chairman and the gentleman from Mississippi. Where in the bill do you make these allowances for these advisory committees and statutory committees?

Mr. FASCELL. That is right there on page 4, subsection (d):

This section—

Meaning the bill—

shall not apply with respect to any advisory committee (1) which consists entirely of fulltime salaried officers or employees of the Government, or (2) which is authorized by statutory law—

That is the way we have amended it now—

to perform administrative, operative, or executive functions.

So the bill clearly excludes those types of committees.

Mr. FOGARTY. What about these other administrative committees appointed by the Surgeon General or the Department of Health, Education, and Welfare on emergency problems like this Salk vaccine and like the recent problem of the Asiatic flu epidemic in this country? It seems to me this would prohibit the Surgeon General from appointing such a committee unless he advised Congress 30 days prior thereto.

Mr. FASCELL. I can assure the gentleman that this legislation does not prohibit the secretary of a department from getting the expert or the consultant advice he needs with respect to an emergency on any matter. He has that authority under other law. This section merely states that if he is going to set up a new committee which is purely advisory, which has not been authorized by Congress in law, then in that case he would have to provide Congress with a notice of the intention to set up that committee.

Mr. FOGARTY. I have been informed by the General Counsel's office of the Department of Health, Education, and Welfare that they think this would prevent them from setting up some of these advisory committees.

Mr. FASCELL. I would respectfully take issue with the gentleman on that. We feel this is a matter which has been thoroughly considered. However, if some new question has arisen which we have not considered, all I can assure the gentleman is that it will have every opportunity to be thoroughly considered in the other body.

Mr. FOGARTY. They seem to think it would be impossible for the appointing authority to act speedily in the establishment of an advisory committee when emergency or other considerations call for the establishment of such a committee within the 30-day period. That is their feeling on the bill as they have read it and as they interpret it.

Mr. FASCELL. If they are convening a committee which has not been authorized by law and it is a new committee which is not now in existence, and it is a committee which is purely advisory, then in that case they would have to comply with the provisions of this law if they formalize or establish such a committee, panel, or group; but I repeat to the gentleman that does not prevent the head of a department under other law from getting the temporary or intermittent services of experts or consultants at any time.

Mr. FOGARTY. What is the other law to which the gentleman refers?

Mr. FASCELL. Section 15 of the Administrative Expenses Act.

Mr. FOGARTY. Does this section also hold it down to whether or not Congress is in session?

Mr. FASCELL. No.

Mr. FOGARTY. It does not?

Mr. FASCELL. It does not. Section 15 does not have any restrictions with respect to Congress being in session or out of session.

Mr. FOGARTY. So if Congress is not in session, they have to give this 30-day notice anyway?

Mr. FASCELL. Under the provisions of this bill, the answer to that is yes, but by virtue of section 15 the head of a department can secure the services of an expert or consultant despite this.

Mr. FOGARTY. Why should they make a report to Congress when Congress is not in session?

Mr. FASCELL. The main reason this provision is included in the bill is because there was considerable agitation in the committee to write into this law that no advisory committee could be established unless the Congress authorized it. Therefore, realizing that an advisory committee is an excellent managerial tool and not wishing to go that far in this legislation in restricting the use of advisory committees, we compromised in this legislation by providing that the heads of the departments could make a determination that this committee was necessary under existing law or under some other law or for reasons he set forth, as provided in the bill, provided he notifies the Congress in advance. This eliminates the question of then legislating that every advisory committee would have to be authorized by statute.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I ask unanimous consent to proceed for 30 seconds.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection?

Mr. WILLIAMS of Mississippi. Mr. Chairman, in view of the explanation given by the gentleman from Florida, and assuming that if he is in error, the matter will be thoroughly explored and corrected by the other body, I ask unanimous consent that I may be permitted to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi that his amendment be withdrawn?

There was no objection.

Mr. HALLECK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALLECK: On page 1, lines 9 and 10, strike out the words "not less than 30 days before such advisory committee is established."

Mr. HALLECK. Mr. Chairman, earlier in the debate on this measure, I indicated I had serious misgivings about it. As we have proceeded in the consideration of the bill, I must say that those misgivings have been heightened. Earlier it was developed that certain witnesses apparently wanted to be heard and were not heard. The majority report contains statements and recommendations from the departments raising objections here and there not only overall to the bill, but to specific provisions of the bill. Some of those have been corrected in part at least by some of the amendments that have been adopted. There are others that have not been so corrected. So I must say I am a little afraid that when we get through with this bill and, if it does become law, that all we will have done is to tie up a lot of people in the country who could be helpful and useful in the operation of the Government, with so much redtape and such rigid directives and regulations that we may find ourselves in a much worse position than we have been.

I think first of all I ought to say that it is my understanding that the President is against this measure. Referring to the statements of the departments, it is obvious that they are against it. As I said, they have made certain suggestions, not all of which have been followed. I think we tend sometimes, as we discuss a matter of this sort, to think about so-called business people coming down here to advise. Well, I suppose in the Department of Labor, the leaders of organized labor are called in by the Secretary of Labor to consult with him and to advise him. I know that to be true. I have no doubt but what the people running the Department of Defense are calling in people all the time. The report indicates that to be true. They do that because they need their advice. Why, we hear all the time that the Government seems to be too far from the people. I am a little afraid that this measure overall is going to remove the Government just that much farther away from the people. If that is the end result, then instead of bettering a situation, we are going to make it worse.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. McCORMACK. In connection with the amendment offered by the gentleman, your amendment would strike out "not less than 30 days before such advisory committee is established"; is that correct?

Mr. HALLECK. That is correct, yes.

Mr. McCORMACK. That means, of course, that the head of any agency before he could formally establish a committee would have to make a report to both branches of the Congress, as provided in the bill.

Mr. HALLECK. If that language is taken out, instead of notifying 30 days before he can establish it, he would have to notify or transmit to the Speaker and to the President of the Senate setting forth the information.

Mr. McCORMACK. But that would be before he made the actual appointment. That would be before the appointments were formally made; is that correct?

Mr. HALLECK. I would say yes, a reasonable time before.

Mr. McCORMACK. In other words, to report to the Speaker and to the President of the Senate are conditions precedent to actual establishment of the group.

Mr. HALLECK. That is right.

Mr. McCORMACK. I wanted to find out exactly what was in the gentleman's mind.

Mr. HALLECK. I might say, addressing myself to this particular amendment, that you will find in the report, both in the majority report and in the minority views, arguments and contentions having to do with this particular matter. Let us assume, and heaven forbid the day should come, that tomorrow we found ourselves in war; certainly every agency of Government and most of all the Defense Department would need

to be calling in from all over the country the leaders of labor, business, industry, and agriculture and every segment of our economy, every segment of our national effort to advise with them about what to do to meet the emergency. The automobile factories would have to be closed overnight. They would be the first people called in.

What sort of ridiculous arrangement is it that before any advisory people could be called in you have to give 30 days' notice? To me it just does not make sense. What is the reason why such preliminary 30 days' notice should be given. Is it contemplated that the 30 days' notice being given will result in avoiding an advisory committee? I do not understand that to be the purpose, because the whole purpose of the legislation it would seem to me is to have all of these committees wherever they are constituted operating in what might be called a goldfish bowl.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. McCORMACK. I do not think that the time is so important. I agree with the gentleman that perhaps the 30 days is some figure the subcommittee picked out of the air. We figured some particular time must elapse, that some notice must be given.

Let me ask the gentleman from Indiana if he would be willing to modify his amendment so far as the number of days is concerned? I would agree so long as there was notice prior to the actual formation of the committee. Strike out the words "not less than 30 days" and leave the rest of the language in the bill so it will read: "shall be established in a department unless before such advisory committee is established, the head of such department has transmitted," and so forth. That would accomplish what the gentleman has in mind as reflected in my previous colloquy with him.

Mr. HALLECK. Let me see: maybe I am a little dense, but it seemed to me that that was exactly the result that we would reach if the words "not less than 30 days before such advisory committee is established" were taken out. Then the notice still has to be given, but after the notice is given the advisory committee, or panel, or group, could be convened. That is all I am asking. I may say to the gentleman from Massachusetts.

Mr. McCORMACK. We have a meeting of minds; it is only a question of phraseology. Whether it is 30 days, 10 days, or 15 days, is immaterial to me. I think there should be prior notice. If the gentleman will modify his amendment to read "Strike out 'not less than 30 days' ", it would meet the situation as far as I am concerned and I would agree to it.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

(By unanimous consent, Mr. HALLECK was allowed to proceed for 3 additional minutes.)

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I will yield if it has a bearing upon the change of language I am interested in; but let me say before I yield to anybody that if the 30 days' requirement goes out then such committee could be convened after notice had been transmitted to the Speaker of the House of Representatives and the President of the Senate; and as far as I am concerned that is all I was undertaking to do, and unless somebody can point out something that is wrong about it I would be inclined to modify the amendment to comply with the suggestion of the majority leader.

Mr. FOGARTY. I just wanted to say that I agree with the gentleman and feel that such modification would take care of an emergency situation and that I think it would be more effective than having to wait 5, 10, or 15 days after the report is made.

Mr. HALLECK. Make the report, then start.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I think to clarify it, in line 1 of page 2 if you would add after the word "meant" the word "first", put in the word "first", that would clarify the matter.

Mr. HALLECK. I think that would do it, but the suggestion of the gentleman from Massachusetts handles it.

Mr. Chairman, I ask unanimous consent that my amendment be amended to read "Strike out not less than 30 days."

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. The Clerk will report the modified amendment.

The Clerk read as follows:

Amendment offered by Mr. HALLECK: On page 1, line 9, strike out the words "not less than 30 days."

Mr. HALLECK. Mr. Chairman, in the time remaining I would like to say one thing further. The gentleman from New York (Mr. CELLER) made some remarks about what we have come to refer to through the years as the WOC's. I have known some of those people who have come down here. Some of them have come from my district. One of them I know very well. He is not a big-business man; he is a small-business man. He came down here for 6 months, he gave of his time, and he became expert in the field of communications. He is on call out there in Indiana now if trouble comes to get on down here to take up a job in communications, the most vital thing that we must have if we get into real serious trouble. So to indict all of these people who are in that category, and I say they are in the overwhelming majority of those who have come down here, to undertake to indict them as sinister people, selfish, dishonest, seeking by coming in through the back door to get some undue advantage in the Government is not just.

I must speak my word for those people.

In conclusion may I say again, it is apparent to me that the people who are most vitally interested in this measure have not been sufficiently heard, their views have not been given sufficient consideration and, to my mind, nothing could be better for the orderly progress of the affairs of Congress than to recommit this bill to the committee.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have had a rather pleasant exhibition this afternoon. My dear friend from Indiana who opposed the poultry bill yesterday opposes this bill. He is getting in the light of being in opposition within his own party. The gentleman from Michigan has meandered around here, there, and everywhere else, mentally, of course, as he usually does.

The gentleman from Indiana talks about indicting everyone. Why, if my friend will read the hearings he will see we were very certain that Sinclair Weeks did not indict everyone. It was Sinclair in his letter to the committee that raised the sinister question and I resented it. It was my examination of the representatives of the Commerce Department that expressed my resentment and the resentment of the members of the subcommittee, both Democrats and Republicans. This bill came out of the committee without any opposition. Then it suddenly develops it all came from Sinclair Weeks. I like Sinclair personally. For years he has been one of the best assets the Democratic Party in Massachusetts has had. I like him, and when I meet him I say "Hello, Sinclair. How are you?" Sinclair represents the old standpat-ism. All of this opposition emanates from Sinclair; none of it in committee. I presided over the subcommittee when it was reported to the full committee and I presided over the full committee when it was reported out. We had a most harmonious and pleasant meeting on both occasions.

With reference to my dear friend from Michigan, I understand his pleasure in being consulted by the executive branch once in a while, and I am so happy when he is, and on this occasion I am very happy.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield for a correction?

Mr. McCORMACK. For a correction?

Mr. HOFFMAN. I am never consulted by anybody. Even the gentleman himself says that he has the least possible admiration for me.

Mr. McCORMACK. Now you raise another issue.

Mr. HOFFMAN. Well, it is the same old thing.

Mr. McCORMACK. You raise the issue of veracity.

Mr. HOFFMAN. Yes.

Mr. McCORMACK. Well, I did not want to say it, but did you not tell me after it was reported out that the White House had contacted you?

Mr. HOFFMAN. Contacted me?

Mr. McCORMACK. I did not want to say it, but you raised the question of veracity.

Mr. HOFFMAN. They would not contact me in a hundred years.

Mr. McCORMACK. Did anybody contact you?

Mr. HOFFMAN. Not that I know of.

Mr. McCORMACK. Did you not tell me that somebody in the White House had contacted you?

Mr. HOFFMAN. The only one I am trying to get past is St. Peter.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Wait until I get through with my friend from Michigan. This is a very pleasant afternoon. Did not the gentleman from Michigan tell me after the bill was reported out, when we were going to bring it up under suspension of the rules, that he did not want me to do it because he had been contacted?

Mr. HOFFMAN. So much, yes.

Mr. McCORMACK. Because he had been contacted?

Mr. HOFFMAN. Yes; as to suspension—no further.

Mr. McCORMACK. So I am right.

Mr. HOFFMAN. No. You have not gone to the tail end of the situation yet.

Mr. McCORMACK. An administrative assistant at the White House, somebody from the White House. I did not say the President.

Mr. HOFFMAN. You expressed your opinion to me long, long ago, it was accepted, and I am trying to reform.

Mr. McCORMACK. Of course, I cannot talk about political reform, but I can talk a little bit about spiritual reform.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. We always appreciate hearing from our great majority leader, and I agree with him that we have gone along very well in the consideration of this measure.

Mr. McCORMACK. It has been very happy, and let it pass by a voice vote.

Mr. HALLECK. The gentleman has referred to our Secretary of Commerce, who is a longtime friend of mine. I would just like to say that I think he has made a great Secretary of Commerce and has done a good job down there, and a lot of people appreciate it.

Mr. McCORMACK. He ought to give you a lot of appointments now, and I hope he does.

Mr. HALLECK. When the gentleman, however, says that he seems to be the only person in opposition, a reading of the report, and beginning on page 7 under the heading "Agency Comments" we find here the Department of Agriculture complains of the bill; the Bureau of the Budget complains of it; the Department of Commerce; the General Accounting Office; General Services Administration.

Mr. McCORMACK. General Accounting Office? Why did you not read the hearings? The General Accounting Office suggested amendments, and then they were for it.

Mr. HALLECK. Department of the Interior. This is the majority committee report analyzing and summarizing what these agencies had to say.

Mr. McCORMACK. I heard the gentleman from Michigan make that speech.

Mr. HALLECK. The Department of Justice objected; the Department of Defense objected; the Federal Civil Defense Administration objected; the Department of Labor objected; the Post Office Department objected.

So, all I wanted to do was to have it understood that it just is not the Department of Commerce that expressed opposition and concern. Yes, and he suggested these improvements to protect all of the agencies of the Government who will have to live with this legislation.

Mr. McCORMACK. The gentleman from Indiana is not saying anything in contradiction to what I have said. What I said was it came out of the committee without opposition. Then I said the opposition developed afterward. Then I said the opposition developed from Sinclair Weeks. Of course, those Departments the gentleman mentioned, I know about their opposition, and I know the position of those Departments. You talk about the General Services Administration. Why, the General Services Administration testified that their advisory committees have been complying with the provisions of this bill prior to the committee reporting it out.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I thought that I had misread some of these reports myself after I listened to the statement just made, but I see on page 8 of the report what the General Accounting Office actually said in its letter of March 1, 1957. That is this:

> We believe the prescribing of such minimum standards by statute will not only minimize violation of the antitrust statutes, but will also tend to avoid conflicts of interest. Certainly, if such a bill be enacted into law, there will be afforded some means of control of advisory groups composed of experts and consultants, particularly, where they are employed without compensation.

That does not seem to me to be in opposition to the bill. To a lesser degree, the Bureau of the Budget, while they say they are not satisfied it is needed and feel perhaps it can be done by administrative reform, indicate that they believe such action as this should be taken by somebody.

Mr. McCORMACK. The only Department that appeared before the subcommittee and vigorously opposed the bill was the Department of Commerce. And the poor fellows who appeared were under pressure and came up with a chip on their shoulder. Some of us tried to get them to be a little bit more relaxed, so that they would not feel they were going to be cross-examined, and the hearings show that. I particularly mentioned it. I said, "You are coming up here with a chip on your shoulder. You do not have to do that." Does the gentleman remember that?

Mr. Chairman, this is for the benefit of all of us in Congress no matter what our party designation may be. It is well for us to have this information. It is not peculiar to any administration. These conditions are not peculiar. They might be a little more aggravated under some than others, and it might be more in this department than in some other department.

The General Accounting Office was giving full publicity. But the real significance of this bill is that it gives publicity and gives notice to Members of Congress upon which we can make reasonable inquiry if we desire to do so. So this bill is not partisan in nature. It is for the protection of ourselves, of Congress as such, and of each Member of both branches of the Congress without regard to political party.

The bill, as amended, is in very excellent shape, and I hope it will pass.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The amendment was agreed to.

Mr. MARTIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, while the amendments adopted have materially improved the legislation, I must inform the membership on our side of the House and to the Democrats as well, that the bill is not endorsed by the administration.

I feel that a measure of this sort should have had a wider hearing, more consideration than it has had. Two very important Departments of Government, the Department of Defense and the Post Office Department, were led to believe that they would have a hearing. They were not given that opportunity. I am not making any charges as to why they were not given the opportunity, because I think it was the result of an honest mistake which could happen to anyone. But they did not get the opportunity. I think they should be given that opportunity. I believe that the consideration of this now is premature. I believe the proper thing for us to do is to send the bill back to the committee on the motion that will be made by the gentleman from Michigan [Mr. HOFFMAN].

Mr. FASCELL. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I should like to address myself to some of the remarks that have been made. First of all, all the agencies in summary in the report on the bill have either used the requirements that are set forth in section (b) of this legislation or have said generally that the objectives of the legislation are all right, but they believe they ought to be achieved administratively.

While that sounds very good, the facts are on the record in the testimony that since 1950 only about 50 percent of these thousands of committees have condescended to follow the suggestion of the Department of Justice to meet these very simple and elemental requirements.

We have had ample hearings. The Committee on Government Operations has for some years gone into the question of the practices of the advisory committees, experts, and consultants. These 3 books alone represent the replies from the agencies and the departments. Various hearings we have held over a period of years. Consideration was given by the committee to the very

valuable hearings held by the Judiciary Committee, and the Intergovernmental Subcommittee of the Committee on Government Operations. They went into all of these cases of the abuses which certainly in my opinion were scandalous and gave every reason for us to put in this report the language that we did.

So I submit this legislation is a fair minimum. The requirements are flexible. It is not going to hobble anybody.

One important point: We recognize in this legislation the excellent managerial tool that is available through an advisory committee. Nowhere have you had heretofore recognition of an advisory committee as such, unless Congress specifically passed a statute setting up such a committee. This legislation recognizes such committees, gives the department heads the opportunity fairly and squarely without any equivocation or reservation to make use of this tool, and then sets up a fair minimum standard, which is reasonable under all concepts, by which they should operate.

I trust the Committee and the House will adopt the bill.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. THOMAS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 7390) to amend the Administrative Expenses Act of 1946, and for other purposes, pursuant to House Resolution 296, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. HOFFMAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HOFFMAN. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HOFFMAN moves that the bill be recommitted to the Committee on Government Operations with instructions to receive further testimony thereon from the Department of Defense and the Post Office Department.

Mr. FASCELL. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the Chair was in doubt.

Mr. HOFFMAN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 183, nays 225, not voting 25, as follows:

[Roll No. 137]

YEAS—183

Adair	Fenton	Moore
Alger	Fino	Morano
Allen, Ill.	Ford	Mumma
Andersen, H. Carl	Frelinghuysen	Neal
Arends	Fulton	Nicholson
Auchincloss	Gavin	Nimtz
Avery	George	Norblad
Ayres	Griffin	O'Hara, Minn.
Baker	Gubser	Osmers
Baldwin	Gwinn	Ostertag
Bass, N. H.	Hale	Patterson
Bates	Halleck	Pelly
Baumhart	Harden	Pillion
Becker	Harrison, Nebr.	Poff
Belcher	Harvey	Prouty
Bennett, Mich.	Haskell	Radwan
Bentley	Henderson	Ray
Berry	Heselton	Reed
Betts	Hess	Rees, Kans.
Bolton	Hiestand	Rhodes, Ariz.
Bosch	Hill	Robsion, Ky.
Bow	Hillings	Rogers, Mass.
Bray	Hoeven	St. George
Broomfield	Hoffman	Saylor
Brownson	Holmes	Schenck
Broyhill	Holt	Scherer
Budge	Horan	Schwengel
Burdick	Hosmer	Scott, Pa.
Bush	Hyde	Scrivner
Byrne, Ill.	Jackson	Scudder
Byrnes, Wis.	James	Sheehan
Canfield	Jenkins	Siler
Carrigg	Jensen	Simpson, Ill.
Cederberg	Johansen	Simpson, Pa.
Chamberlain	Jonas	Smith, Calif.
Chenoweth	Judd	Smith, Kans.
Chiperfield	Kean	Smith, Wis.
Church	Kearney	Springer
Clevenger	Keating	Stauffer
Cole	Keeney	Taber
Collier	Kilburn	Talle
Corbett	Knox	Taylor
Cramer	Krueger	Teague, Calif.
Cretella	Laird	Tewes
Cunningham, Iowa	Latham	Thomson, Wyo.
	LeCompte	Tollefson
Cunningham, Nebr.	McCulloch	Utt
	McDonough	Van Pelt
Curtin	McGregor	Van Zandt
Curtis, Mass.	McIntire	Vorys
Curtis, Mo.	McIntosh	Vursell
Dague	McVey	Wainwright
Dawson, Utah	Mack, Wash.	Weaver
Dellay	Martin	Westland
Dennison	Mason	Wharton
Derounian	Meader	Widnall
Devereux	Merrow	Wigglesworth
Dixon	Miller, Md.	Williams, N. Y.
Dooley	Miller, Nebr.	Wilson, Calif.
Dorn, N. Y.	Miller, N. Y.	Wilson, Ind.
Dwyer	Minshall	Withrow
		Younger

NAYS—225

Abbitt	Celler	Flood
Abernethy	Chelf	Flynt
Addonizio	Christopher	Fogarty
Albert	Chudoff	Forand
Alexander	Clark	Forrester
Andrews	Coad	Fountain
Anfuso	Coffin	Frazier
Ashley	Colmer	Friedel
Ashmore	Cooley	Garmatz
Aspinall	Cooper	Gary
Barden	Davis, Ga.	Gathings
Baring	Davis, Tenn.	Gordon
Barrett	Delaney	Granahan
Bass, Tenn.	Dempsey	Grant
Beckworth	Denton	Gray
Bennett, Fla.	Dies	Green, Oreg.
Blatnik	Dingell	Green, Pa.
Boggs	Dollinger	Gregory
Boland	Donohue	Griffiths
Bolling	Dorn, S. C.	Hagen
Bonner	Dowdy	Haley
Boyle	Doyle	Hardy
Breeding	Durham	Harris
Brooks, Tex.	Eberharter	Harrison, Va.
Brown, Ga.	Edmondson	Hays, Ark.
Brown, Mo.	Elliott	Hays, Ohio
Brown, Ohio	Engle	Henley
Buckley	Evins	Hébert
Burleson	Fallon	Hemphill
Byrd	Farbstein	Herlong
Byrne, Pa.	Fascell	Holifield
Cannon	Feighan	Holland
Carnahan	Fisher	Huddleston
Hull	Metcalf	Roosevelt
Ikard	Michel	Rutherford
Jarman	Miller, Calif.	Sadlak
Jennings	Mills	Santangelo
Johnson	Montoya	Scott, N. C.
Jones, Ala.	Morgan	Seely-Brown
Jones, Mo.	Morris	Selden
Karsten	Moss	Shelley
Kee	Moulder	Sheppard
Kelley, Pa.	Multer	Shuford
Kelly, N. Y.	Murray	Sieminski
Keogh	Natcher	Sikes
Kilday	Norrell	Sisk
Kilgore	O'Brien, Ill.	Smith, Miss.
King	O'Brien, N. Y.	Smith, Va.
Kirwan	O'Hara, Ill.	Spence
Kitchin	O'Neill	Staggers
Kluczynski	Passman	Steed
Knutson	Patman	Sullivan
Landrum	Perkins	Teague, Tex.
Lane	Pfost	Thomas
Lanham	Philbin	Thompson, La.
Lankford	Pilcher	Thompson, Tex.
Lennon	Poage	Trimble
Lesinski	Polk	Tuck
Lipscomb	Porter	Udall
Long	Preston	Ullman
Loser	Price	Vanik
McCarthy	Rabaut	Vinson
McCormack	Rains	Walter
McFall	Reuss	Watts
McGovern	Rhodes, Pa.	Whitener
McMillan	Riehlman	Whitten
Macdonald	Riley	Wier
Machrowicz	Rivers	Williams, Miss.
Mack, Ill.	Roberts	Willis
Madden	Robeson, Va.	Winstead
Magnuson	Rodino	Wright
Mahon	Rogers, Colo.	Yates
Marshall	Rogers, Fla.	Young
Matthews	Rogers, Tex.	Zablocki
May	Rooney	Zelenko

NOT VOTING—25

Allen, Calif.	Boykin	Morrison
Anderson, Mont.	Brooks, La.	O'Konski
	Coudert	Powell
Andresen, August H.	Dawson, Ill.	Reece, Tenn.
	Diggs	Saund
Bailey	Holtzman	Teller
Beamer	Kearns	Thompson, N. J
Blitch	McConnell	Thornberry
Bowler	Mailliard	Wolverton

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Wolverton for, with Mr. Holtzman against.

Mr. Reece of Tennessee for, with Mrs. Blitch against.

Mr. Coudert for, with Mr. Teller against.

Mr. Allen of California for, with Mr. Bailey against.

Mr. Beamer for, with Mr. Thompson of New Jersey against.

Mr. Kearns for, with Mr. Dawson of Illinois against.

Mr. McConnell for, with Mr. Morrison against.

Mr. August H. Andresen for, with Mr. Powell against.

Mr. Mailliard for, with Mr. Thornberry against.

Until further notice:

Mr. Boykin with Mr. O'Konski.

Mr. JENKINS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. BALDWIN. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

So the bill was passed.

A motion to reconsider was laid on the table.

DEEPENING OF THE DELAWARE RIVER CHANNEL

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. CANNON] for 5 minutes.

Mr. CANNON. Mr. Speaker, as I have had occasion to say before, no private citizen renders a more valuable service to good government than our friend, Drew Pearson. He may not be infallible. But his batting average for accuracy is so impressive as to afford cause for credence in statements made in his daily column.

My only protest, if it may be called a protest, is that he does not always give opportunity for the traditional day in court—no opportunity to refute statements.

That is particularly true of his statement in this morning's column to the effect that the chairman of the Committee on Appropriations quietly pushed through an appropriation for a 40-foot channel in the Delaware River.

I am the last man on the committee of 50 members who could be charged with pushing that item through. And certainly there was nothing quiet about it.

It is not a new subject. And there could have been no element of surprise about it. Proponents of this project have been industriously building up this proposal for the last 3 years.

Authorization for a 40-foot channel in the upper Delaware River passed both the House and Senate and was signed by the President in 1954. A Senator appearing before the House committee said:

In the Senate there was quite a controversy whether or not this would be a 40-foot channel. After extended debate the Senate approved the authorization by a more than 2-to-1 vote.

Under that authorization the President's budget for the fiscal year 1956 proposed $6 million for the 40-foot channel contingent on reaching an agreement with the local interests—United States Steel—to contribute at least $18 million. The Senate added it to the bill but the House managers threw it out in conference.

On June 16, 1955, when the bill was under consideration in the House an amendment was offered from the floor to include $18,500,000 for the purpose but after extended debate was rejected.

This year the budget for the fiscal year 1958 included $9 million for a 35-foot channel which the committee adopted with instructions to increase the depth to 40 feet.

At all times I have opposed this expenditure because it was apparently for the sole benefit of a few of the larger steel companies. A Member of the House in the course of debate characterized it as a proper bill for the Private Calendar and said it ought to be entitled "A Bill for the Relief of the United States Steel Corp." I opposed it because it would in effect constitute a Federal subsidy to a few of the larger steel companies thereby putting the Government in the position of supporting unfair competition; because the steel companies affected can easily solve their problems by locating their plants on deeper water or by using superbarges similar to those on the Great Lakes; because the larger channel will open up the river to heavier tides and storms increasing the maintenance problems of that area; because the cost of chiseling through 7 to 10 miles of solid rock is excessive; because as pointed out in House floor debate on the $18,500,000 amendment, the need for the deeper channel was originally occasioned by four steel ore boats being built in Japan with cheap foreign labor in competition with American labor; and again because President Eisenhower asked that the steel companies for which this 40-foot channel is to be provided, contribute $18 million as their fair portion.

And, Mr. Speaker, these proceedings were not had under a bushel. Extensive hearings were held. Two Senators and 12 Congressmen appeared before the committee in the hearings on the bill, as well as representatives of local business organizations opposed to the appropriation, and other interested citizens. The printed hearings were distributed to the press and were available for all who desired them.

Now, Mr. Speaker, like Mr. Pearson, I am not infallible. I may be entirely mistaken in my judgment in opposition to this appropriation. It is approved by many men wiser than I am. And they have given in the hearings and in debate here on the floor substantial reasons for their support of the appropriation. I have just been informed that the Senate committee has not only approved the item unanimously but has proposed an amendment adding $2 million to the amount passed in the House. It is quite possible that I may be entirely wrong about the matter.

But certainly I cannot be charged with pushing the appropriation and no one in the House has reason to be in doubt about my position on it.

Mr. Speaker, I herewith append the article referred to, and ask unanimous consent that it be included in my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The article referred to is as follows:

UNITED STATES STEEL ASKING COSTLY PROJECT

(By Drew Pearson)

While United States Steel was touching off a chain reaction of inflation which will hit everything from bobby pins to automobiles, it was simultaneously pulling wires for a 40-foot channel in the Upper Delaware River so bigger ore ships can reach its giant Fairless Works at Morrisville, Pa.

Deepening the channel will cost the taxpayers an estimated $91,738,000—a free gift to United States Steel because it is the only company planning to use super ore carriers on the Upper Delaware.

This costly project, benefiting one private company, was quietly pushed through the House Appropriations Committee by Chairman CLARENCE CANNON, Democrat, of Missouri. It is now being considered by a Senate Appropriations Subcommittee headed by Senator ALLEN ELLENDER, Democrat, of Louisiana.

Property owners along the Delaware claim a deeper channel will increase the flood menace. They point out that the last damaging flood in August 1955, was caused by hurricane-driven water forced up the Delaware. A 40-foot channel would permit more flood-water to be driven up the river. If the taxpayers have $91,738,000 to spare, they say, it should be spent on flood control for the benefit of all the property owners.

The White House is incensed over the way United States Steel thumbed its nose at President Eisenhower by hiking the price of steel 1 day after his appeal against inflation. It remains to be seen, however, whether the White House will oppose spending $91,738,000 to dredge a private, dead-end passageway up the Delaware for the same United States Steel. Observers note that in the past Ike has frequently rewarded his opponents in the field of big business; even appointed Ben Fairless, a backstage power in United States Steel, to a high advisory post in his administration.

UNITED STATES STEEL DIVIDENDS

Here's what a tough time United States Steel has had during the past 10 years. If you invested $10,000 in United States Steel in 1947, you will find its value today has shot up to $61,506. During that same 10-year period, it paid dividends of $12,774.

Thus the income and the value added together total $74,280. If you deduct your original investment of $10,000, you received a profit during the 10-year period of $64,280.

AMENDING REORGANIZATION ACT OF 1949

Mr. FASCELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8364) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H. R. 8364, with Mr. BLATNIK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Florida [Mr. FASCELL] is recognized for 30 minutes, and the gentleman from Michigan [Mr. HOFFMAN] will be recognized for 30 minutes.

Mr. HOFFMAN. Mr. Chairman, I wish to state that the gentlewoman from Indiana [Mrs. HARDEN] will be in charge of the bill on this side.

Mr. FASCELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have before us the bill (H. R. 8364) which amends the Reorganization Act of 1949, as amended. It makes two amendments to that act. One is to authorize the President to submit reorganization plans up to June 1 of 1959 although they might become effective after that date, whereas without this legislation that authority would have expired.

Mr. Chairman, the bill also amends the act to provide that plans submitted to Congress may be disapproved by a majority vote of either the House or the

Senate instead of an authorized majority of either House as is the law at the present time. These are the two amendments that are made to the act in this bill. One extends the act, authorizes the President to submit plans to June 1, 1959. The reason we selected that date, of course, was to assure that there would be 60 days for consideration during June and July before Congress adjourned.

The original request of the President was for a 4-year extension. The committee, however, felt that since in 1953 and 1955 there were only 2-year extensions we also recommended an extension for this period of time. We would bring the expiration within the term of this administration and not extend over to the next administration. This would give the Congress the opportunity at that time to decide if it wanted the legislation further extended. We felt that a 2-year extension was ample.

There was some opposition with respect to extending this act at all and the fact that Congress would not be able to work its will on these matters. As a result of that type of discussion we proposed this other amendment in the bill which was to do away with the necessity for a majority of the authorized membership to disapprove any Presidential plan and proposed in the legislation that it would be by a simple majority of either the House or the Senate, making the act more flexible and making it easier for Congress to disapprove a Presidential proposal.

Mr. MORANO. If the gentleman will yield, does the gentleman by authorized majority mean a constitutional majority?

Mr. FASCELL. No. We provide in this amendment that it will take only a simple majority.

Under existing law, of course, a reorganization plan submitted by the President would take effect after 60 days unless within that time a resolution of disapproval has been passed by at least one branch of Congress. Under the old law it had to be passed by a majority of the authorized membership; under the proposed amendment it would be a simple majority.

There has been some discussion as to whether or not a case has been made for extending the act. In response to that I would say the administration thought it of sufficient importance to make a special request for the extension of the Reorganization Act. In addition to that we know Congress has already extended it from time to time and that under the Reorganization Act we have had a great many plans submitted and reorganizations effected. It is true that since January 1, 1955, only five reorganization plans have been submitted to the Congress. In 1956 both plans were rejected. There is one pending in 1957.

The testimony before the committee was that while they had no specific plans in mind at the present time, the administration did contemplate some changes of a major nature in the years to come and, therefore, felt it was vital and of importance for them to have an extension of this act. The committee's feeling in this regard was that we have had some very successful reorganizations and that certainly this administration should be extended the right to submit those plans to this Congress.

Those of us who are familiar with the act know there are limitations in the legislation, and thus despite the fact that some may consider it unconstitutional, some may not like to legislate negatively, the plain fact is, today we are here seeking to extend the act under which great improvements have been made. So I would say despite these objections which were raised in the committee, and are in the report, of unconstitutionality, and the fact that a strong enough case has not been made, the committee felt that with the amendment we have proposed to the act it would give Congress a degree of control greater than that which was requested by some of the opponents who would rather have Congress legislate directly on the subject of executive reorganization or give the right to have Congress amend the plans as they are presented by the President of the United States.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman from Florida has made a very frank statement as to the situation that exists in relation to this bill. In committee there was a danger as to whether or not the bill would be reported out of the committee. I am on the subcommittee that the bill was referred to and a member of that full committee. Probably I had considerable to do in connection with the bill being reported out of both the subcommittee and the full committee. I would like to have the attention of the Republican leadership just to give them some information which might be of some interest.

Personally, I favor the constitutional majority, but I am supporting the bill because this is a compromise and a fair, reasonable one within the committee, without which there might have been difficulty in getting any bill out of the committee. When I make an agreement in committee I go through with the agreement that I make. As I said, I personally favor the constitutional majority; in fact, I think I am the one who was mainly instrumental in putting it in the law and having it enacted into law several years ago.

We are faced with a very practical situation. My agreeing to this amendment enabled others who opposed the bill to harmonize their differences, our differences, so that the bill was reported out of the committee. All of us who favor the extension of the law suggest we not haggle over that, but be sure we pass the bill.

In practical operation the average vote on rollcall is about 400. That would mean there would have to be 201 to reject any reorganization plan. It is true that under the constitutional majority there would have to be 218, and I admit on occasions the necessity of getting that extra vote might be important; but, generally speaking, if you can get 201 you can get 218. Perhaps in rare cases you may not be able to do that.

I am suggesting to the gentlemen on the other side that my cooperating with them as I have means it might be well for those of us who support the bill not to get into a controversy over whether it is a constitutional or simple majority, but to adopt the recommendation of the committee and put the bill through as reported by the committee.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Massachusetts.

Mr. MARTIN. If we adopt the amendment, we would be compelled to send the measure to the other branch, which under the present circumstances might tie the legislation up for some time. If we do not adopt the amendment, there would not be the necessity of waiting on the other branch, and the bill could go directly to the President.

Mr. McCORMACK. The Senate bill was a simple majority, I think, although I am not sure. If the bill passed the Senate with a simple majority it would go direct to the White House, but I am not sure it was a simple majority or a constitutional majority.

Mr. MARTIN. I understand it was a constitutional majority.

Mr. McCORMACK. My vague impression is it was a constitutional majority, too.

Mr. FASCELL. The gentleman is correct.

Mr. MARTIN. If we eliminated section 2, we would conform absolutely to the Senate bill and that would be the end of the controversy?

Mr. McCORMACK. That would eliminate the simple majority. I am backing up the committee. I do not know what will happen. There might be a reversal of opinion and you might be faced with a possible defeat of the bill. There are some on the gentleman's side who are opposed to the bill. We know of the difficulty through the years to get legislation of this kind enacted into law, and I, as majority leader, am conveying to my friends how much I cooperated with the administration and with your leader and my President in getting a bill out of the committee, and I would not want to see anything done that would make it more difficult for passage in the House.

Mr. MARTIN. I appreciate the generous spirit of the majority leader.

Mr. McCORMACK. Oh, it was very generous, I assure you.

Mr. MARTIN. I was hopeful you might be a little more generous and make sure that the bill was passed immediately. And I would further say you need not worry about the votes on this side.

Mr. McCORMACK. Well, I am not so sure.

Mr. MARTIN. Well, we are not so sure about anything in this world.

Mr. McCORMACK. That is true, but an ounce of prevention is worth a pound of cure. I do not care what the gentleman does, but, if you offer the amendment and it is adopted, I will vote against the bill, because I am going through with the promise I made in committee. And I keep my word. I do not know how many others on my side will follow that.

Mr. FASCELL. I thank the distinguished majority leader for the observations concerning the legislation, and I would suggest to the minority leader that it would be a very simple matter, if the legislation is adopted, to get it over to the Senate so that they can act on it in a hurry.

Mr. Chairman, that concludes my presentation on this legislation. The committee believes, in all fairness, that the amendment of the simple majority that we have in the bill responds to a great many members who have objected to the extension of this act, because it is a delegation outside of the hands of the Congress. And, in doing so, we are acting in complete fairness for this administration to have the right to have this legislation which has been used by other administrations in effecting reorganization plans. And we submit, in all fairness, that that should be done, and that is why we adopted the 2-year provision.

Some 56 reorganization plans have been transmitted to the Congress. Forty-one have become effective. Fifteen reorganization plans were transmitted during the past 4 years and 12 were permitted to take effect. And, I repeat again, 2 were submitted last year, both rejected, and 1 is now pending. The administration says it has in the mill certain major recommendations for reorganizations that it would like to submit to the Congress in the next 2 years and therefore seeks the passage of this legislation.

Mrs. HARDEN. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, I wrote additional views in the report which you have before you on this bill which set forth my position on this legislation. I dislike to oppose the administration or the leadership on my side of the aisle, but I regard this as a fundamental matter.

One of my main objectives in my service in the Congress is to strengthen the Congress and let it assume the policy-making responsibilities which the Constitution placed in it. I am disturbed each time when authority over public affairs gravitates away from the elected representatives of the people and into the bureaus and agencies in the executive branch of Government. This piece of legislation is of that type, and it disturbs me that we so casually continue to vest this authority in the executive branch of the Government when no case has been made that would justify it.

Now, I voted for the two previous extensions of this legislation. I did so because both of those previous extensions occurred when we were receiving reforms recommended by the first Hoover Commission and the second Hoover Commission for streamlining the executive branch of the Government. The second Hoover Commission, however, issued its final report in December 1954, and in the last year, 1956, the administration only found two reorganizations to send up to the Congress.

One dealt with creating Assistant Secretaries for Research in the Department of Defense. The other dealt with separating the deposit insurance function from the Home Loan Bank Board. Both were ill-advised reorganizations. Both were defeated unanimously and without debate in the Committee on Government Operations. Both were defeated unanimously and without debate by the House of Representatives. Assistant Secretaries for Research were promptly created by legislation.

This year one plan has been sent up with respect to the Reconstruction Finance Corporation which has legally gone out of existence, on which there is no controversy. It has already taken effect.

The gentleman from Massachusetts [Mr. McCORMACK], as I pointed out in the discussion under the rule, asked, "Just why do you need this power? What reorganizations do you plan?" And he could not get any answer that would justify continuation of this power.

What I am bothered about is that we lightly continue this delegation of legislative authority which was made many years ago, without adequate consideration. What has happened to us in our respect for our own responsibility and authority that our leadership would recommend that we continue a delegation of legislative power to the executive branch of the Government without even adequate discussion?

That is why I felt compelled to call the attention of Members of the House to what we are doing here. We have continued this authority so frequently that now we are numb and, as the gentleman from Florida already has argued, we crossed that bridge years ago. No longer do we regard ourselves as having the right to terminate this legislative power in the executive branch of the Government. I say that we ought to be very chary about delegating our constitutional power, and require the administration to come up and make out a case that they need it. Then I will be for granting it.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman's position has always been clear through the years. So, also, has the position of the gentleman from Michigan [Mr. HOFFMAN] throughout the years. I think the gentleman will agree that the statement I made just a minute ago was a very frank one and a very honest one; was it not?

Mr. MEADER. I think the gentleman would find—and I have not attempted to take a poll of the Committee on Government Operations—a great many Members on both sides of the aisle who are disturbed about this light continuation of this grant of legislative power to the Executive.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman.

Mr. HARDY. I thank the gentleman. Mr. Chairman, I should like to associate myself with the gentleman in the general nature of the remarks which have been made by him. I have read his additional views in the committee report and I find myself in substantial agreement with them. I joined other members of the committee in voting to report this legislation out. I am frank to say that I would not have joined them if we had not had section 2 in the bill. If that were taken out I would vote against it because I do not think there is any real reason for a continuation of it in its present form.

Mr. MEADER. I thank the gentleman for his statement.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman.

Mr. HOFFMAN. If I understood the gentleman from Massachusetts [Mr. McCORMACK] correctly, he was in favor of a bill which would require one House at least to express disapproval by a two-thirds constitutional majority, but that he had some sort of agreement with some member of the committee to take what we now have and that was his only reason for accepting this bill. I did not make any agreement with anybody about anything. I have always opposed this type of legislation because it is in conflict with the method prescribed by the Constitution.

Mr. MEADER. Mr. Chairman, with respect to the vote by which either House may reject a reorganization plan, my record is clear on that subject from the very first term that I served in Congress. I offered an amendment to the Emergency Reorganization Act that we had during the Korean war, which passed this body and provided that plans could be rejected by a simple majority. In subsequent Congresses I have introduced legislation to strike from the Reorganization Act the requirement that there be a vote of a majority of the authorized membership, in other words, 218 votes in the House, and 49 votes in the Senate.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Virginia.

Mr. HARDY. Actually this provision which we have set up for the President to reorganize does not really help very much. He can send the same thing down in legislation prepared at the White House or in the agencies for consideration by the committees. It would just have to be acted on on both sides. It would just take a little longer. Certainly if we give him the right to continue and then deny it by a simple majority, that is all anybody ought to want to give away of our own responsibilities. I think we ought to give back some of them. That is what I am trying to do.

Mr. MEADER. When this bill was first considered in the 83d Congress the committee was prepared to accept that voting procedure and the President was prepared to accept it, until some of the advisers in the bureaus or agencies said this would make it too easy for the Congress to turn down a plan. As you recall, here on the floor of the House we had

quite a debate over whether it should be a constitutional majority or simply a majority of a quorum. Certainly I would oppose striking section 2 of the bill. I believe Congress certainly ought to amend the law, if they are going to extend it, in order to make it possible for either House to defeat a reorganization plan.

The gentleman from Michigan [Mr. HOFFMAN] will recall the first reorganization plan of 1950, which abolished the Board of Directors of the Reconstruction Finance Corporation and provided for a single Administrator with unlimited term. The effect of that plan was to take away all of the safeguards and the checks that Congress had written into the Reconstruction Finance Corporation Act, under which billions of dollars of public money were handled, and invest all that power in one czar who never had to come before the Senate again to get their approval of the conduct of his office. He would be in office permanently with no limitation on his term. When that plan came before the House of Representatives it was voted against by 200 Members of the House of Representatives but 198 voted for it. Since we did not have 218 Members, the plan took effect, even though a majority of the House was opposed to it.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Michigan.

Mr. HOFFMAN. It is a little difficult for me to understand the position of my good friend from Virginia [Mr. HARDY] and some others on that side. They just finished putting a straitjacket on the executive branch downtown. Now they are crying because they want to put a little one on the administration and the administration does not want it.

Mr. HARDY. I would have to disagree with that thinking. In both cases it is entirely consistent. We are trying to keep in the Congress the authority which belongs to us.

Mr. HOFFMAN. All I am complaining about is the way you treat the executive departments and then complain because they hand a little bit back to us.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Iowa.

Mr. GROSS. What was the purpose of this backdoor method of legislation in the first place if it was not to produce efficiency and economy in Government?

Mr. MEADER. That is the purpose of it.

Mr. GROSS. Does the gentleman think it has accomplished that?

Mr. MEADER. I could hardly answer that in the short time I have remaining. I voted for the act when the recommendations for the first Hoover Commission were before us, because I thought the President could send up programs for streamlining and transferring functions within the executive branch of the Government as recommended by the Hoover Commission, and that they probably would get more speedy and effective consideration by this bobtailed method of adopting national policy. For the same reason I supported the second extension that has come up since I have been in Congress, because we had before us the recommendations of the second Hoover Commission. But my point is that enough time has elapsed after the studies of these two reorganization commissions to have set up any worthwhile plan. There is nothing on file showing a need for continuing this authority and to grant it when there is no reason for it, just shows me how lightly the Congress regards its constitutional prerogatives and responsibilities.

Mr. GROSS. The administration or any department of the Government can obtain consideration of any meritorious legislation that is sent to the Congress through regular procedure; is that not true?

Mr. MEADER. The administration has been very successful in getting favorable legislation through the committees and through both branches of the Congress. Let me say in that case, as is not the case under reorganization plans, the members of committees who may be thoroughly familiar with the field in which their committee legislates will have an opportunity to correct language and to mold and to shape the legislation. But, under a reorganization plan, which is not subject to amendment, it cannot be modified by the policymaking authority of this Congress. We must take it or leave it as it is written. We cannot even correct a typographical error in a reorganization plan.

Mr. GROSS. I just want to say I associate myself with and commend the gentleman's opposition to this bill. I am opposed to it with or without section 2.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Florida.

Mr. FASCELL. Will not the gentleman agree that section 2 makes an improvement in the bill from the standpoint of the gentleman?

Mr. MEADER. Yes, indeed, and I said so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. BASS.]

Mr. BASS of Tennessee. Mr. Chairman, this proposed legislation is one which is called the extension of the Reorganization Act. I think the real description of this bill or legislation can be found on the first line in the second paragraph on page 3 of the report where it says "proven tool." That is exactly what this business is. It is a proven tool used to implement legislation by negative action. I was surprised actually when I came to the Congress and found that this sort of law existed which allowed the Congress of the United States to abrogate its responsibility by a failure to function with reference to legislation which affects the entire Nation. These reorganization plans come before the Congress and they become the law. They become statutes. They are things that the people of the country have to live under. Yet, we, as Members of the Congress, fail to act on this legislation. It becomes law if we do not act. I made that statement before a group in my district about 2 months ago. The man who is chairman of the legislative committee for a chamber of commerce asked me a question about some of the Hoover Commission recommendations. I explained to him how this reorganization plan worked. He could not believe that the Congress of the United States would allow such a thing to go on. That you just put something before the Congress that is sent up by the executive department and, if it is not voted down, then it becomes the law without affirmative action.

I do not believe 1 person in 10,000 of the informed American public knows that such a situation as this exists in the lawmaking body of the United States of America. Let me go into a little bit of this Hoover Commission deal which this reorganization plan actually has affected more than anything else. The so-called Hoover Commission or the Commission on the Reorganization of the Executive Branch of the Government has gone over the country saying, "We have recommended this which would save $2 billion—this which would save $6 billion—and this which would save $12 billion." If you would add up all of the billions of dollars that Mr. Hoover and some of his spokesmen have said they would save if these plans were adopted, we would not have a $72 billion budget this year.

In fact, I think we could have operated the entire Government on $100,000 if we had saved all the money they said they had told us how to save, and yet they say the Congress of the United States was absolutely responsible for not saving this because all we have to do is just to fail to act and make all of this possible.

The advocates of the Hoover Commission tell you that the President has sent up all of the recommendations this commission has made, to both the Democratic President and the Republican President, when the fact of the matter is that the second Hoover Commission spent $2 million in making these investigations and only two of those proposals have been submitted by the executive branch of the present administration to the Congress, and neither one of them became effective. We spent $2 million for them only to find out we did not need them in the first place. I think that legislation which continues such an act as this should be defeated.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. BASS of Tennessee. I yield.

Mrs. CHURCH. Mr. Chairman, I am sure that the gentleman does not want to leave the House with the impression that the only recommendations that the second Hoover Commission made were the two, recently referred to, that were sent down to the Congress by the White House.

Mr. BASS of Tennessee. No; I said that the White House only sent two of the recommendations to Congress.

Mrs. CHURCH. But I call the gentleman's attention to the fact that a large portion of the Hoover recommendations did not need legislative enactment to become effective; and I am sure that

the gentleman would not want to overlook that fact.

Mr. BASS of Tennessee. I was referring to those which required negative legislative action. What I am saying and what I am advocating is that they should have legislative action instead of negative action.

Mrs. CHURCH. I would assure the gentleman that I am not rising at this time to dispute his statement in that regard, but rather to refute the implication that all the recommendations by the second Hoover Commission had been rejected by the House. As a matter of fact the recommendations of the second Hoover Commission fell into two classifications: those which did not require legislative action and those which did require legislative action. Of those which could be put into force by executive direction, a large majority have already been put into effect. It is the Congress which has so far largely failed in taking necessary action on those Hoover recommendations that need legislative approval.

Mr. BASS of Tennessee. I understand thoroughly the purported obligation and work of the Hoover Commission. But the cost of government has continued to grow and no savings have been affected. I think it was a waste of time, a waste of money, and a waste of a lot of space in newspapers all over the country in an effort to make the American people believe they were making some recommendations which were going to save America vast sums of money. Instead I say this commission should not have been established in the first place and I say this bill should be defeated.

Mrs. HARDEN. Mr. Chairman, I have no further requests for time.

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Georgia [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, I first came to this body in the 80th Congress and was assigned to the Committee on Expenditures in the Executive Departments, now the Committee on Government Operations. At that time the distinguished gentleman from Michigan [Mr. HOFFMAN] was chairman of that committee.

In passing, I want to say that I have never seen a fairer chairman of any legislative committee. He would begin the questioning with the very lowest man in seniority, with the lowest man on the Democratic side, and then he would proceed by stages to the top-ranking man on his own side. He was quite helpful to the freshmen members on that committee, and I enjoyed my service on that committee.

As a member of that committee I helped to set up the first Hoover Commission. I was very enthusiastic about the reports and recommendations of the first Hoover Commission, and joined with the committee and did my utmost to see that the Hoover Commission recommendations that were sent down in reorganization plans by the President were put into effect. I recall that I favored requiring both Houses of the Congress to disapprove the President's reorganization plans, else have them go into effect at the end of 60 days.

The gentleman from Michigan [Mr. HOFFMAN] opposed this procedure and I took him to task for his opposition. I see now that he was right and I was wrong. Previous speakers have sought to justify this bill by saying that we have already crossed the bridge by previous legislation which reversed the legislative process, as this bill does. I crossed this bridge with the gentleman from Indiana but I say to you now that I made a mistake. I am convinced that this is the wrong way to legislate. I am admitting my mistake in supporting such legislation and I am going to march back over that bridge and try to get back into the Congress the power to legislate. I agree with the gentleman from Michigan [Mr. MEADER] that this Congress has frittered away and given away its powers and authority. I am no longer going to be a party to that. We have divested ourselves of certain powers, we have tried to divest ourselves of the responsibility of writing our tariff laws and soon found out that we no longer have anything to say about the writing of our tariff laws and can bring no relief to our distressed industries. That is another illustration of the way this Congress has just given away its powers and what we have not given away ourselves the Supreme Court has assumed to exercise. Before you you know it, we are going to be nothing but a rubber stamp for the executive department. I want to see the process reversed, and I hope we will march back over this bridge, for fortunately we did not burn our bridges behind us. We went over it, we made a mistake when we went out into this uncharted territory, and I hope today we are going to recross it and make a beginning toward getting again for the Congress the powers and the rights—of course the responsibility is still ours—but we must get the powers back—that we have frittered away and given away and let the Chief Executive and the Supreme Court assume.

I am just hoping that we will defeat this bill today. Certainly the amendment improves it and if it has to be passed I hope the amendment will be kept in the bill.

The Hoover reports have, no doubt, done some good. They might have made some of our departments a little more efficient, but if they ever have saved a dime, I do not know it. I took part in the debate on all of these plans when they were sent down and did my utmost to see that they were adopted by this House, but I do not think they have done very much good and I do not know of a single dollar that has been saved by the adoption of these plans. But I am not here going to attack the Hoover Commission or its reports or recommendations. Mr. Hoover rendered a patriotic service, especially as Chairman of the first Hoover Commission. But the economies he predicted just have not materialized.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. FASCELL. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Indiana.

Mr. HALLECK. I would like to say for myself on the gentleman's time because our time over here has been yielded back, that I helped create both Hoover Commissions and I am one of those who believes their recommendations have been very helpful. They have been helpful to all the people. I believe that many that have been adopted have been worth while and in the public interest. Mr. Hoover in his work on that Commission has done another magnificent service for all the people of our country. I thank the gentleman for giving me this opportunity. I may say further, it is obvious from what has been said on the other side that section 2 which provides for the simple majority in this bill, because it has been advocated on the other side undoubtedly will remain in the bill. We must apparently be resigned to that.

Mr. LANHAM. Mr. Chairman, as I said a few moments ago, the Hoover Commission recommendations that have been put into effect have in some instances done some good. I do not think they have saved us a penny in money, and on the other hand in some respects they have weakened the influence of the Congress on the quasi-legislative boards and commissions set up by the Congress as its agents, through giving the President the right to name the chairmen of these various bodies. It gives the President domination over them by giving him the right to designate a chairman and by putting so much power in the chairmen. You have seen it at work in the Atomic Energy Commission, you have seen it in many of the other quasi-judicial or legislative organizations established by the Congress as arms of the Congress, yet now dominated by the Executive. I think the whole thing is very dangerous and that we ought to get back into our own hands these powers and we ought to retain the responsibilities the Constitution places upon the Congress, and discharge them ourselves instead of trying to delegate them to the Chief Executive.

Mr. FASCELL. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I rise in support of the committee bill. I believe that I have some background of knowledge of reorganization plans.

I notice on page 4 that 56 reorganization plans have been transmitted to the Congress and 41 have become effective. If my memory serves me right, I served as chairman of the reorganization subcommittee for 4 years, and I handled 45 of those Presidential reorganization plans, and 39 that I handled became law. I also served on the second Hoover Commission, and the gentleman from Michigan [Mr. MEADER], who spoke a few minutes ago, has taken a completely consistent position with that which he has taken all along in regard to the extension of the Reorganization Act. He has always been against it.

I took the other side of the position for many, many years, but I am beginning to also feel that the Congress should take back into its hands as much authority as it can in the field of policy.

I believe that in the delegation of authority by the Congress we are weakening the function of the Congress and therefore I think that this bill should be supported. It gives to the President the right to send up reorganization plans. As long as amendment No. 2, the amendment which provides for a simple majority rather than a constitutional majority stays in the bill, I am willing to go along with it, because this will give to the President the right to call to the attention of the Congress any important reorganization plan he wishes to make but at the same time it will in effect give back to the Congress the regular legislative power, the power of a majority vote of the Congress over that reorganization plan which the President may propose.

So, I am supporting the committee bill with this provision in it, because I think it is a step back toward giving the Congress the power that they should have, according to the responsibility which is placed upon the Congress.

There is one more comment I wish to make. After serving for some 18 or 19 months on the second Hoover Commission, I came to the conclusion—and I so stated in my concluding minority report—that the Congress should look with a great deal of caution upon the creating of commissions, particularly commissions which have the responsibility of formulating policy, because those commissions, regardless of how respectable the people are that are chosen, how widely they come from different fields of life, they still do not have a responsibility to the electorate. It is the Members of Congress in both branches that have the responsibility to the electorate. They are the ones that have to go back home every 2 years in this body and every 6 years in the other body and pass muster before the people of the districts as to whether the decisions they have made on policy are right or wrong. But, if the Congress appoints a commission, the commission serves its time, it renders its report, it has no responsibility, it either expires or the members resign, they have no responsibility except to their own prejudices or their own beliefs. They have no responsibility to the people, and therefore I think that any step toward giving back to the Congress the authority commensurate with the responsibility which the people expect us to exercise is a good step. Therefore if this amendment stays in the bill, I will support it, and if the amendment is stricken from the bill, I will vote against the bill.

Mr. HARVEY. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Indiana.

Mr. HARVEY. It was my privilege to serve with the very eminent gentleman from California on the subcommittee for reorganization that implemented the very many Hoover Commission recommendations. I first of all would like to say that I think the gentleman from California, serving as chairman of that subcommittee, did a very fine piece of work, and I was very much encouraged myself with the results of that effort.

I was a little astonished to hear my good friend from Georgia [Mr. LANHAM] state a moment ago that he felt that no economies, of any significance at least, had resulted from those reorganizations. I would like to ask the gentleman from California what his reaction is as to the results of those reorganizations.

Mr. HOLIFIELD. I would have to give my answer in two phases. I think that the recommendations of the first Hoover Commission which had to do with economy and efficiency in Government were on a solid basis, that we moved in many fields of legislation and that we did accomplish economy in certain of those fields and efficiency in some of those fields. I have no way of computing the amount in dollars. However, when the second Hoover Commission departed from trying to improve the structure and the function of government organizationwise, and got into the field of policy, it was my opinion, and I expressed it on several occasions in my minority reports, that they were at that time encroaching upon the area of responsibility which the Congress should exercise. I prophesied that no good results would come of most of the recommendations of the second Hoover Commission.

The President's failure to send to the Congress reorganization plans based on the second Hoover Commission's recommendations is proof that the President and his advisers either lacked confidence in the merit of the recommendations or they realized that they were encroachments on the policymaking function of the Congress.

The CHAIRMAN. The time of the gentleman from California has expired. All time has expired and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That subsection (b) of section 5 of the Reorganization Act of 1949 (63 Stat. 205; 5 U. S. C. 133 z-3), as last amended by the act of March 25, 1955 (69 Stat. 14), is hereby further amended by striking out "June 1, 1957" and inserting in lieu thereof "June 1, 1959."

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Page 1, line 4, after "5 U. S. C." add "133."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 2. Subsection (a) of section 6 of the Reorganization Act of 1949 (63 Stat. 205; 5 U. S. C. 133 z-4) is amended by striking out "by the affirmative vote of a majority of the authorized membership of that House."

Mr. HALLECK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I said earlier in the debate that I have supported through the years the provision for constitutional majority action in the Congress. This measure as it comes before us now provides for a simple majority. It is apparent that probably that is the best that we can hope for in this extension. In any event, if that is the situation, I want it to be understood exactly what is before us.

I might say this further word. I voted for the arrangement for the constitutional majority when the President of the United States was of the party other than my own. So far as I am concerned, I would much prefer to grant that same consideration and authority to the President who is now of my party. Certainly I have no less confidence in him than I had in his predecessors. But as a matter of practicality, and that is what we are confronted with here at the moment, which is very obvious, I shall support this measure as it is written.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman.

Mr. FASCELL. I will state to the gentleman that it was not a question of lack of confidence that brought this about. It was a question of responding in some measure to those Members who felt that Congress should retain some form of control, as a matter of principle, without regard to who might be in the White House.

Mr. HALLECK. I trust that that is what it was. I certainly would not argue that anyone else felt any differently, because I certainly would not want to suggest that anyone on the gentleman's side of the aisle is exhibiting any less confidence in our present President than I exhibited in years past when I voted for the other arrangement. In any event, with these remarks, so far as I am concerned, I hope the measure passes.

Mr. GROSS. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, it is late and I shall take only a minute.

I am intrigued by the statements made this afternoon by those who say that this procedure in the past was bad but with this simple majority provision it is a little less worse. That is what it amounts to. The procedure in the past was bad, no good, but this makes it a little more palatable. I am opposed to this procedure in toto and have opposed it ever since I have been a Member of Congress. Unlike the gentleman from Indiana, I hope the bill is defeated.

Certainly some of the Hoover Commission recommendations have been meritorious, but there is not a single one of them that could not have been handled in and through the normal processes of legislation.

This bill will extend a wholly unwarranted delegation of legislative power and to that I am opposed.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLATNIK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 8364) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959, pursuant to House Resolution 310, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. HOFFMAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HOFFMAN. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HOFFMAN moves that the bill be recommitted to the Committee on Government Operations.

Mr. FASCELL. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. BASS of Tennessee. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 46, nays 337, not voting 50, as follows:

[Roll No. 138]

YEAS—46

Abernethy	Flynt	Passman
Alexander	Forrester	Pilcher
Alger	Gross	Poage
Ashmore	Hale	Riley
Barden	Hébert	Rivers
Bass, Tenn.	Hemphill	Robeson, Va.
Bennett, Mich.	Hoffman	St. George
Bosch	Johansen	Selden
Chelf	Kitchin	Shuford
Christopher	Landrum	Whitener
Cooley	Lanham	Whitten
Davis, Ga.	Lennon	Wier
Dies	McMillan	Williams, Miss.
Dorn, S. C.	Mason	Winstead
Dowdy	Matthews	
Evins	Meader	

NAYS—337

Abbitt	Betts	Carrigg
Adair	Blatnik	Cederberg
Addonizio	Boggs	Chamberlain
Albert	Boiling	Chenoweth
Allen, Ill.	Bolton	Chiperfield
Andersen, H. Carl	Bonner	Chudoff
Andresen, August H.	Bow	Church
Andrews	Boyle	Clark
Anfuso	Brooks, La.	Clevenger
Arends	Brooks, Tex.	Coad
Ashley	Broomfield	Coffin
Asplund	Brown, Ga.	Cole
Auchincloss	Brown, Mo.	Collier
Avery	Brownson	Colmer
Ayres	Broyhill	Cooper
Baldwin	Budge	Corbett
Baring	Burdick	Cramer
Bass, N. H.	Burleson	Cretella
Bates	Bush	Cunningham, Iowa
Baumhart	Byrd	Cunningham, Nebr.
Becker	Byrne, Ill.	Curtin
Beckworth	Byrne, Pa.	Curtis, Mass.
Belcher	Byrnes, Wis.	Curtis, Mo.
Bennett, Fla.	Canfield	Dague
Bentley	Cannon	Dawson, Utah
Berry	Carnahan	Delaney
Dennison	Jones, Mo.	Rabaut
Denton	Judd	Radwan
Derounian	Karsten	Rains
Devereux	Kean	Ray
Dingell	Keating	Reece, Tenn.
Dixon	Kee	Rees, Kans.
Dollinger	Keeney	Reuss
Donohue	Kelley, Pa.	Rhodes, Ariz.
Dooley	Kelly, N. Y.	Rhodes, Pa.
Dorn, N. Y.	Keogh	Riehlman
Doyle	Kilburn	Roberts
Durham	Kilday	Robsion, Ky.
Dwyer	Kilgore	Rodino
Edmondson	King	Rogers, Colo.
Elliott	Knox	Rogers, Fla.
Engle	Krueger	Rogers, Mass.
Fallon	Laird	Rogers, Tex.
Farbstein	Lane	Rooney
Fascell	Lankford	Roosevelt
Feighan	Latham	Rutherford
Fenton	LeCompte	Sadlak
Fino	Lesinski	Santangelo
Fisher	Lipscomb	Saund
Flood	Long	Saylor
Fogarty	Loser	Schenck
Forand	McCarthy	Scherer
Ford	McCormack	Schwengel
Fountain	McCulloch	Scott, N. C.
Frazier	McDonough	Scott, Pa.
Frelinghuysen	McFall	Scudder
Friedel	McGovern	Seely-Brown
Fulton	McGregor	Sheehan
Garmatz	McIntire	Sheppard
Gary	McIntosh	Shelley
Gathings	McVey	Sieminski
Gavin	Macdonald	Sikes
George	Mack, Ill.	Siler
Granahan	Mack, Wash.	Simpson, Ill.
Grant	Madden	Simpson, Pa.
Gray	Magnuson	Sisk
Green, Oreg.	Mahon	Smith, Calif.
Green, Pa.	Marshall	Smith, Kans.
Griffin	Martin	Smith, Miss.
Griffiths	May	Smith, Wis.
Gubser	Merrow	Spence
Gwinn	Metcalf	Springer
Hagen	Michel	Staggers
Haley	Miller, Calif.	Stauffer
Halleck	Miller, Md.	Sullivan
Harden	Miller, Nebr.	Taber
Hardy	Miller, N. Y.	Talle
Harris	Mills	Teague, Calif.
Harrison, Nebr.	Minshall	Tewes
Harrison, Va.	Montoya	Thomas
Harvey	Moore	Thompson, La.
Haskell	Morano	Thomson, Wyo.
Hays, Ark.	Morgan	Tollefson
Hays, Ohio	Morris	Trimble
Healey	Moss	Tuck
Henderson	Moulder	Udall
Heselton	Mumma	Ullman
Hess	Murray	Utt
Hiestand	Natcher	Vanik
Hill	Neal	Van Pelt
Hillings	Nicholson	Van Zandt
Hoeven	Nimtz	Vorys
Holifield	Norblad	Vursell
Holland	Norrell	Wainwright
Holmes	O'Brien, Ill.	Walter
Holt	O'Brien, N. Y.	Watts
Horan	O'Hara, Ill.	Weaver
Hosmer	O'Neill	Westland
Huddleston	Ostertag	Wichall
Hull	Patman	Wigglesworth
Hyde	Patterson	Williams, N. Y.
Ikard	Pelly	Willis
Jackson	Perkins	Wilson, Calif.
James	Pfost	Wilson, Ind.
Jarman	Philbin	Withrow
Jenkins	Pillion	Wright
Jennings	Poff	Yates
Jensen	Polk	Young
Johnson	Porter	Younger
Jonas	Preston	Zablocki
Jones, Ala.	Price	Zelenko
	Prouty	

NOT VOTING—50

Allen, Calif.	Dellay	O'Hara, Minn.
Anderson, Mont.	Dempsey	O'Konski
Bailey	Diggs	Osmers
Baker	Eberharter	Powell
Barrett	Gordon	Reed
Beamer	Gregory	Scrivner
Blitch	Holtzman	Smith, Va.
Boland	Kearney	Steed
Bowler	Kearns	Taylor
Boykin	Kirwan	Teague, Tex.
Breeding	Kluczynski	Teller
Buckley	Knutson	Thompson, N. J.
Celler	McConnell	Thompson, Tex.
Ceudert	Machrowicz	Thornberry
Davis, Tenn.	Mailliard	Vinson
Dawson, Ill.	Morrison	Wharton
	Multer	Welverton

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Holtzman with Mr. Wolverton.
Mr. Dawson of Illinois with Mr. Taylor.
Mr. Teller with Mr. Kearns.
Mr. Thornberry with Mr. Coudert.
Mr. Bailey with Mr. McConnell.
Mrs. Blitch with Mr. Reed.
Mrs. Knutson with Mr. Dellay.
Mr. Celler with Mr. Mailliard.
Mr. Gordon with Mr. O'Hara of Minnesota.
Mr. Kirwan with Mr. Osmers.
Mr. Kluczynski with Mr. Scrivner.
Mr. Machrowicz with Mr. Kearney.
Mr. Morrison with Mr. Wharton.
Mr. Powell with Mr. O'Konski.
Mr. Barrett with Mr. Allen of California.
Mr. Boykin with Mr. Baker.
Mr. Boland with Mr. Beamer.

Mr. DAWSON of Utah changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1791) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959, which is similar to the bill just passed.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That subsection (b) of section 5 of the Reorganization Act of 1949 (63 Stat. 205), as amended by the act of February 11, 1953 (67 Stat. 4) and the act of March 25, 1955 (69 Stat. 14), is hereby further amended by striking out "June 1, 1957" and inserting in lieu thereof "June 1, 1959."

Mr. FASCELL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FASCELL: Strike out all after the enacting clause and insert the provisions of H. R. 8364 as it passed the House.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The proceedings by which the House bill (H. R. 8364) was passed were vacated, and that bill was laid on the table.

ATOMIC ENERGY COMMISSION

Mr. DURHAM. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1918) to amend Public Law 31, 84th Congress, 1st session, to increase the authorization for appropriation to the Atomic Energy

Commission for the construction of a modern office building in or near the District of Columbia to serve as its principal office.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That Public Law 31, 84th Congress, 1st session, is hereby amended, by striking the figure "$10,000,000" and inserting in lieu thereof the figure "$13,300,000."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 6978) was laid on the table.

AUTHORIZATION TO ACCEPT AND WEAR CERTAIN AWARDS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8633) to authorize the Honorable WAYNE L. HAYS, the Honorable WALTER H. JUDD, the Honorable JOHN J. ROONEY, and the Honorable JOHN TABER, Members of the House of Representatives, to accept and wear the award of the Cross of Grand Commander of the Royal Order of the Phoenix, tendered by the Government of the Kingdom of Greece.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Honorable WAYNE L. HAYS, Representative from the State of Ohio, the Honorable WALTER H. JUDD, Representative from the State of Minnesota, the Honorable JOHN J. ROONEY, Representative from the State of New York, and the Honorable JOHN TABER, Representative from the State of New York, are authorized to accept the award of the Cross of Grand Commander of the Royal Order of the Phoenix, together with any decorations and documents evidencing such award. The Department of State is authorized to deliver to the Honorable WAYNE L. HAYS, the Honorable WALTER H. JUDD, the Honorable JOHN J. ROONEY, and the Honorable JOHN TABER any such decorations and documents evidencing such award.

SEC. 2. Notwithstanding section 2 of the act of January 31, 1881 (ch. 32, 21 Stat. 604; 5 U. S. C. 114), or other provision of law to the contrary, the named recipients may wear and display the aforementioned decoration after acceptance thereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHILIPPINE INDEPENDENCE DAY

Mr. BROOKS of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS of Texas. Mr. Speaker, when the House approved S. 1141 on July 1 we had in mind a suggestion of Gen. Carlos P. Romulo, Philippine Ambassador to the United States, that Congress approve this legislation in time for the Filipino people's celebration of their own Independence Day—July 4.

General Romulo, in an extraordinary appearance before a congressional committee, testified at a hearing of the Subcommittee on General Government Activities that his people would appreciate the fact that the donation of the Philippine records mentioned in the bill coincided with the Independence Day celebrations of both our countries. The Independence of the Filipino people is commemorated on July 4, General Romulo stated, "in grateful recognition of the part played by the United States in giving the Filipino people the opportunity to earn their independence."

This gesture on our part was so well received in the Philippines that the President of our fellow democracy, His Excellency Carlos P. Garcia, sent the following radiogram of appreciation to the White House:

The Filipino people join me in conveying to Your Excellency and to the United States Congress our deepest appreciation for the legislation handing back valuable historical documents and records seized during the Philippine Insurrection of 1898. Its signing on the eve of the anniversary of our national independence will be cherished by the Filipino people, especially by our historians and scholars who are now provided with a veritable source of historical materials. This is indeed another manifestation of the cordial relations existing between our two countries.

In a second message sent by President Garcia on July 4—the 11th anniversary of Philippine independence—he said:

Cemented with such special kind of friendship which heretofore never existed between two nations, the American and Filipino peoples rise today in observance of their birth as free nationals to enjoy the blessings of democracy and freedom under which ideals they fought side by side in times of peace and war.

Mr. Speaker, from these two messages from the President of the Philippine Republic, we may all conclude that the Filipinos are a grateful people dedicated to the cause of freedom. And I believe it is also clearly apparent that their representative to the United States, General Romulo, has kept them well informed of our work and abiding interest in the Philippine Republic as well as doing a singularly outstanding job in conveying to us the sentiments of his people.

It is indeed fortunate for both our countries that we have such a splendid and able representative of the Philippines to speak for his people in the United States.

PROGRAM FOR TOMORROW

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

Mr. SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have asked for this time in order to ask the majority leader about the program for tomorrow.

Mr. McCORMACK. The first order of business will be H. R. 4520, relating to the permanent certification of air carriers operating between the United States and Alaska.

The next order of business is the bill H. R. 72, in which the gentlewoman from Massachusetts is interested.

Mrs. ROGERS of Massachusetts. That is a bill about which I am greatly troubled. It would take away certain rights of fathers, mothers, grandchildren, brothers, and sisters, of certain veterans. I am very much worried about this bill.

Mr. McCORMACK. The next order of business is the bill H. R. 3753, extending loans to homesteaders and desertland entrymen.

I am glad to give the gentlewoman the information either as leader of the Republican Party or in her individual capacity.

Mrs. ROGERS of Massachusetts. I thank the gentleman. He is helpful as always.

CONGRESS AND THE COURTS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

Mr. SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, Members of Congress and the general public are understandably concerned by certain recent decisions of the Supreme Court bearing upon Congressional investigations, the constitutionality of Congressional enactments directed against communism and subversion, the general power of Congress to legislate and conduct inquiries in vital areas of Government, and opening the files of the FBI in criminal cases.

Several decisions of the Court have given rise to sharp controversy, differences of opinion and anxiety, not only in Congress, but in the bar and other well informed segments of the American public. These decisions have also touched upon such extremely vital and crucial questions as the right of the several States to prohibit subversion, the right of local government agencies to select teachers in the public schools, the right of Congress to punish subversive activities in the Nation, and the right of Congress to investigate un-American, Communist activities. In the specific cases as decided, Congressional enactments were nullified or limited, Congressional investigations were criticized and checked, and the power of the States to legislate in certain fields heretofore recognized as legitimate subject matters for State legislative control was annulled. The FBI was allegedly shackled and the national security endangered.

I do not know of any Member of Congress who does not freely acknowledge the vital importance in our system of Government of the Supreme Court. As one of the three great coordinate branches of the Government this august and distinguished body is vested by the Constitution and the law with clearly expressed powers to interpret the Constitution and the laws of the United States. Historically, it has been a court of great dignity and great importance. Time and time again since the beginning of the Government it has laid down broad principles of law, equity and justice which have served in innumerable cases to provide stability and continuity to the Government and to protect the most sacred rights of the individual and the rights of minority groups as well as majority groups.

The power of Congress to investigate for the purpose of taking remedial legislative action has never been successfully questioned. For the most part, it has been the methods and procedures followed by Congressional committees that the judicial branch had sought to check.

It is stated by the Court that "Congress has no power to expose for the sake of exposure", and I think no one would seriously challenge that statement. The point is that there is something more than exposing in these cases. Exposure is merely a necessary incident. There is, so Congress and the courts have found, a clear and present danger to the American system of government in the form of an intensive, well-organized, cleverly conducted scheme to destroy it, to replace it with Marxist communism. How in this situation can anyone contend that this Government does not have the power to protect itself from destruction, or that the Congress is prohibited, insofar as it can, from protecting the Government from destruction.

Informing the public is a necessary part of the legislative process, and that means exposing threatening national conditions to public scrutiny and examination so that public sentiment may be generated in support of appropriate remedial legislation. It is not possible for Congress or the American people to act intelligently on public questions without first being adequately informed as to the basis for changes in law or procedure necessary to cope with existing conditions. Some justification must be furnished for legislative and Congressional action, and there is no way by which this end can be achieved except by appropriate public inquiries by Congress designed not only to inform itself, but also to inform the American people.

As long ago as 1924, one of the most able and distinguished Justices of the present Supreme Court in an article entitled "Hands Off the Investigations" made out a strong case for "unfettered" Congressional inquiries challenging those who, at the time, were trying to cripple pending investigations of serious abuses and corruption in the oil industry involving high Government officials and prominent businessmen. This learned, scholarly Justice observed that, and I quote, "the condemnation of the most powerful is reserved for the exposers and not for the exposed." This pithy statement vividly describes the present attitude of some toward the investigation of communism. In the article, alluding to the fact that Congressional inquiry is a power which has been exercised since 1789, and inveighing against those who would urge curbs upon Congress, this very able, experienced Justice declared that—

> Never in the history of this country have Congressional investigators had to contend with such powerful odds.

The Justice stanchly defended the then investigating committees, being assailed for irrelevant, unfair, and unsubstantial charges and the character of some of the witnesses.

He stated further:

> This is the kind of hairsplitting that has for decades been attacked as a disgrace to American criminal procedure.

And that—

> Nothing in the experience of the Walsh-Wheeler investigations reveals the need of changing the process or confining the limits of congressional investigations. The proper scope and methods of procedure appropriate to congressional investigations depend on the conception of the part they play in enabling Congress to discharge its basic duties.

Quoting the great President Wilson on this point with approval, the learned Justice referred to the late President's statement as follows and the quotes are from President Wilson:

> It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice and to embody the wisdom and will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served; and unless Congress both scrutinze these things and sift them by every form of discussion, the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct. The informing function of Congress should be preferred even to its legislative function.

I think it would probably be more accurate to state that the informing function of Congress is an essential part of its legislative function. If these statements and principles were properly applicable in that instance to the defense of property rights and exposure and punishment of those violating them by corruption and malfeasance, how much more pertinent they are in connection with our present urgent program to check, defend ourselves against by every available measure, and to punish, according to due process of law, the diabolical conspirators who are seeking to destroy the Government in the furtherance of the Marxist superstate.

The Justice's excellent article goes on to point out that "undoubtedly the names of people who have done nothing criminal or wrong have been mentioned in these investigations." And this statement is extremely pertinent in view of current charges of unfairness and impropriety, almost continuously leveled against our committees: The question is not whether people's feelings here and there may be hurt, or names dragged through the mud, as it is called. The real issue is whether the danger of abuses and the actual harm done are so clear and substantial that the grave risks of fettering free Congressional inquiry are to be incurred by artificial and technical limitations upon inquiries.

Quoting Wigmore to the effect that the system of rules of evidence used in trials before juries "is not applicable by historical precedent, or by sound practical policy to inquiries of fact determinable by administrative tribunals," he asserted it is still less applicable to inquiries by Congressional committees.

Congressional inquiry—

The article continues—

> ought not to be fettered by advance rigidity * * * because such curtailment would make an effective investigation almost impossible.

The article proceeds:

> Taken in connection with the proposal to curb the investigating powers of Congress, what is urged, in effect, is that we abandon the technical limitations which have been established to protect men from being sent to jail too readily, but introduce them into a field where they have never been resorted to and where they are wholly out of place, namely, in the exercise of the informing function of Congress.

And there follows what I believe to be a most commendable statement:

> A good deal must be left to the standards which Congress imposes upon itself and its committees; a good deal must be left to the duty of newspapers to report fairly and not sensationally, and to interpret wisely; a good deal must be left to the good sense of people.
>
> In conclusion, there is no substantial basis for criticism of the investigation. Whatever inconveniences may have resulted are inseparable incidents of governmental power, and to talk about these incidents is to deflect attention from wrongdoing and its sources.
>
> The procedure of Congressional investigation should remain as it is. No limitation should be imposed by Congressional legislation or standing rules. The power of investigation should be left untrammeled, and the methods and form of each investigation should be left for determination of Congress and its committees, as each situation arises. The safeguards against abuse and folly are to be looked for in the forces of responsibility which are operating from within Congress, and are generated from without.

I think, Mr. Speaker, it would be very difficult for anyone to quarrel with the learned justice's admirable statement on the subject of Congressional investigations. It reflects to my mind the basic principles which should govern the Congress in conducting its investigations. I believe that these principles should be amplified to cover possible abuses in the investigatory process.

So long as human beings are possessed of the frailties of nature, mistakes of judgment will be made. This is true of Congressional committees and it is true of courts and it is true of everything else that human beings touch upon. Neither Congress, the courts nor the Executive are infallible. Our system of checks and balances exists to try to minimize these mistakes, and it has worked with better success than any other system. But doubtless it has also given rise to serious abuses and limitations.

I greatly deplore any mistakes that may have been made by our Congressional committees in violating the rights

of individuals hailed before Congressional inquiries. I think that we should literally and actually lean over backward, in order to insure such individuals full due process of the law and the protection of all their rights. Where we fail in this function, it is appropriate that the courts should intervene to insure justice. But we should not allow any individual to flaunt, defy, or make a mockery out of our duly constituted committees in the performance of their tasks, and as we all know that has happened time and time again, particularly since the onset of our intensive investigation of communism, subversion and un-American activities.

If any individual wants to take the fifth amendment and thus refuse to give his testimony on the ground that it would incriminate him, that is his undoubted right, and it should be scrupulously recognized by our committees. Every witness appearing should be granted a fair, impartial hearing. All his constitutional rights should be observed and recognized. He should not be subject to abuse, vilification, or oppressive treatment. At the same time he should be required to observe the rules of order and propriety that pertain to Congressional hearings and should never be allowed to heap insult, disparagement, or disrespect upon the committee or its members.

I believe this question of committee procedure merits our most careful attention in order to bring uniformity of rule as well as safeguards of individual rights into an area which is so vital to representative government. Unlike communism and the police state, our system and our Constitution recognize the individual, not the state itself, as the paramount concern of government. Let us continue to strengthen all those rights and safeguards that seek this indispensable end.

THE DANGER OF INFLATION

The SPEAKER. Under the previous order of the House, the gentleman from Illinois [Mr. VURSELL] is recognized for 20 minutes.

Mr. VURSELL. Mr. Speaker, no legislative body in the world is charged with so great a responsibility as is the Congress of the United States.

Our first obligation to our people, in cooperation with the executive department, is to maintain peace.

Our second responsibility is to maintain a strong and sound economy. In other words, our two great responsibilities are peace and prosperity.

Our executive department, under the able leadership of President Eisenhower, assisted by the tireless efforts and great ability of the Secretary of State, Mr. Dulles, and his well-informed officials in the State Department, have done over the past few years a tremendous job for peace at home and throughout the world. They have performed their work so well that it appears peace for our people and the people of the world becomes more hopeful with the passing months.

We have been able to maintain peace for our country for over 4 years, and the goal of world peace may become a reality sooner than we think if we continue to keep our domestic economy strong.

If we win the fight for world peace, it will be because we have given constant thought and attention and great effort to our foreign policy. It will be because we have followed the right policies and have paid the price in billions of dollars. We have spent billions of dollars in building the strongest military peacetime force in the world. We have spent billions of dollars through research in modernizing and adapting our military force to atomic warfare.

We have helped other free nations of the world build up their military and economic strength for the purpose of deterring Russia from starting another war, and to make certain of her quick defeat and destruction if she should.

In our present budget of approximately $71 billion, about 60 percent of it is to keep our military and the military and economic power of the free nations of the world in a strong posture for peace.

WHAT ABOUT OUR DOMESTIC ECONOMY—NOW THREATENED WITH INFLATION?

Mr. Speaker, while on the home front we have avoided a depression in our transition to an uneasy peacetime economy, and the Nation generally has enjoyed a rather buoyant prosperity, there are ominous signs of serious economic trouble in the near future unless this Congress and the executive department come to grip with the present creeping inflation that may rapidly gather speed and momentum unless we are able to stop it.

Most members of the Congress, in both bodies, know how dangerous and destructive inflation can be. We have seen its deadly effect on the economy of other nations in the recent past. We know it can destroy our present prosperity by further reducing the purchasing power of the dollar, and that it will, unless it is checked.

Mr. Speaker, I have talked with some able members of Congress who say inflation is a greater threat to our country at the present time than is Russia.

I take this time to raise the question: Why don't we in the Congress forget any and all political lines; get together to give serious consideration to this problem, and try to decide on a course of action that will combat this number one enemy to the economy of our Nation?

Mr. Speaker, it would seem that we should have been spending much of our time for the past few months in considering this question. Certainly it is more urgent and of much greater importance than many matters that have had our time and attention. I dislike seeing this Congress adjourn, and leave the country to the danger of increased inflation, until we meet here next January, without making an effort now to do something about it.

President Eisenhower, in one of his early messages to this Congress, pointed out the threat and danger of inflation by calling attention to it—urging the labor leaders and the business men of the country to hold the line on price and wage increases.

Mr. Speaker, the President again, at a recent press conference, called attention to the danger of inflation in the following words:

> There must be statesmanlike action both by business and labor. Frankly, I believe that bodies of directors of business or business organizations should take under the most serious consideration any thought of a price rise, and should approve it only when they can see that it is absolutely necessary to continue to get the kind of money they need for the expansion demanded in this country.

Continuing, he said:

> And at the same time, labor should demand wages, wage increases that conform roughly to the increase in productivity of the individual, and the only exception I think they ought to make to that, when there are demonstrable injustices existing in particular areas.

On July 3, the President in his press conference again referred to the danger of inflation when he replied to a question put to him, as follows:

> I do stand firmly upon the idea I advanced, which is that Government alone cannot keep a stable economy; the Government alone cannot preserve a sound dollar. There has got to be a free economy, statesmanlike action on the part of all business elements, businessmen and labor, or we are lost.

Secretary of the Treasury, Mr. Humphrey, has strongly warned against it, and, in cooperation with the officials of the Federal Reserve Board, has made a constant effort to slow down or check it. But it is apparent, their efforts and power alone are not sufficient to cope with the type of inflation that is slowly but steadily making inroads on the health of our economy.

Mr. Speaker, true, the Congress has cooperated to a considerable extent through its efforts to reduce Government spending, but that is not enough to cope with the type and cause of the present inflationary pressure that in recent months continues to force the cost of living higher, and lowers the purchasing power of the dollar.

HOW INFLATION HITS THE BUDGET

David Lawrence, who by many Members of Congress is recognized as one of the ablest financial writers of the Nation, and whose views are highly respected by business leaders generally is quoted from a recent article published in the New York Herald Tribune in the July issue of the Reader's Digest as follows:

> Out of the $62.7 billion by which the proposed budget exceeds the 1940 budget, $41.2 billion are the result of inflation.
>
> The economists of the economic division of the U. S. News and World Report, after a recent study of all the Federal budgets, found that in the purchasing power of the 1940 dollar, the present proposed budget would be only $30.9 billion instead of $71.8 billion.

Mr. Speaker, since 1939 and 1940, when the dollar bought 100 cents worth of merchandise, inflation has driven down its purchase power until today it is about 50 cents.

It certainly is the duty of the Congress and the executive department of government to combine forces in finding ways and means to prevent present inflationary trends from further reducing the purchasing power of the dollar. Wages and prices should be stabilized in an effort to arrest inflation rather than be permitted to increase.

In the years prior to 1953, when President Eisenhower came to office, the dollar had lost nearly half of its value. As a result of this inflation prices also increased nearly 100 percent; in fact during the last 4 years of the Truman administration, from December 1948 to December 1952, inflation drove prices upward, in that short time, 10.8 percent.

Due to the cessation of the Korean war, and for other reasons, inflationary pressures abated to a considerable extent. During the year 1953 we had only a seven-tenth of 1 percent increase.

With the threat of a depression in 1954, there was a decrease or a reduction in the cost of living of one-half of 1 percent.

In 1955, due to the increase and great expansion in business, the cost of living rose three-tenths of 1 percent.

Unfortunately, in 1956, there was an alarming inflationary increase of 2.9 percent, and there has been a small but constant increase in the cost of living each month to a total this year, through May, of 1.4 percent.

While the forces in the administration which have constantly combated inflation are to be commended for slowing it down, it is still apparent that other forces must be mobilized to stop its upward trend and stabilize prices and wages, and the purchasing power of the dollar at its present level.

There is no denying the fact that our policy over the past years, partly due to the dislocations of war, and the frequent rise of wages and salaries to keep up with the increase in the cost of living have been responsible, to a great extent, for its almost constant upward trend.

There are other factors also which have helped to accelerate inflation. If we are to stop inflation and the further devaluation of the dollar without again applying wage and price control legislation, which nobody wants if it can possibly be averted, it will take the power and influence of the President, the united efforts of the Congress, the power and influence of George Meany, Walter Reuther and other leading labor officials, and the united power and influence of the business organizations of our country, such as the National Association of Manufacturers and the National Association of Commerce; the cooperation of all of the State chambers of commerce, the representatives of the farm organizations, and the representatives of business generally.

I believe the American people with the type of leadership I have suggested can and will patriotically and voluntarily help stop this inflation when they understand its great danger, if they have the assurance that a mass movement led by the President, the Congress, influential labor leaders and the business interests were furnishing enthusiastic cooperation and leadership.

I have confidence that in a movement of this kind the responsible leaders of labor and business, in the interest of the members of their organizations, would want to stop the increase in the cost of living, and would accept and carry out the suggestions of the President to stop wage increases, unless within the range of very exceptional cases.

Certainly the business interests of the country would realize the gravity of the situation and in their own interest would seek to stabilize and reduce their prices whenever possible, and use their influence to reduce the cost of living.

Such voluntary action on the part of both business and labor would stop the deflation of the purchasing power of the dollar, and thereby help all of the people in every walk of life and hurt no one.

I have taken the time to briefly discuss this matter today in the hope that the leaders in the Congress, Republicans and Democrats, in both bodies, will join in a bipartisan spirit and combine their efforts in a program calling upon labor officials, business officials, and the people generally to join in a voluntary movement to stop the increase in the cost of living through inflation, and to stop the devaluation of the purchasing power of the dollar.

Possibly a resolution to this effect, unanimously endorsed by both bodies, might be most helpful.

THE FOREIGN-AID PROGRAM

The SPEAKER. Under the previous order of the House, the gentleman from Ohio [Mr. BOW] is recognized for 60 minutes.

Mr. BOW. Mr. Speaker, as many Members probably know, the Foreign Affairs Committee has voted out House Joint Resolution 16, by a vote of 18 to 8, which is pending now before the Rules Committee.

Inasmuch as certain members of the Foreign Affairs Committee filed minority views, I feel that it is proper that I address the House on the questions relating to those minority views, to explain my position in reference thereto.

This bill would direct the President to seek a modification of the NATO Status of Forces Treaty, and all other similar agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces stationed within their boundaries.

This resolution, or its identical predecessor, House Joint Resolution 309, has been before the committee since May 18, 1955.

Extensive hearings were held on House Joint Resolution 309 in the 84th Congress. The transcript thereof was available to the 32 members of the committee of the 85th Congress. The six new members of this committee had ample opportunity to familiarize themselves on matters of foreign policy and the constitutional and legal problems involved.

The committee apparently felt that no purpose would be served by hearing additional testimony from proponents of the resolution and similar resolutions, or from those opposed to the endeavor to secure modification of these agreements. However, the committee saw fit to include in its report certain communications from the Department of Defense, and the Department of State, expressing their alarm.

There is also a minority report submitted to you. Since apparently this report contains very little in support of the action of the committee, I find it necessary to answer the objections made by the executive departments, and particularly the objections made by the minority report. There are no new facts in this report. The arguments are familiar. They follow the pattern set by those who are still trying to justify the surrender of American rights to foreign nations—a giveaway program which followed our donation of money and other assistance to many nations throughout the world, and, of course, the scare argument is stressed by all opposed to my resolution.

MINORITY OBJECTIONS

For your convenience, if you have the minority report before you, let us consider the points which are endeavored to be made therein.

First, we learn that the signers of this report are opposed to the Bow resolution in its present form because it is untimely, unconstitutional, and if put into effect would endanger the security of the United States.

UNTIMELINESS

Now, if there is anything untimely about the presentation of this resolution, it results from the fact that the House Foreign Affairs Committee refused to report the resolution, or its predecessor, to the House for action earlier. All last Congress the committee kept House Joint Resolution 309 bottled up in spite of the fact that an amendment which I offered to the reserve bill on May 18, 1955, was adopted by a vote of 174 to 56. This amendment would have prevented the sending of servicemen enlisted, inducted, or ordered to duty after that date to countries which refused to waive criminal jurisdiction over our troops. The adoption of the amendment was an expression of the sentiment of the House and an indication that my resolution, House Joint Resolution 309, would be favored by the Members if they were given the opportunity to vote on it.

WAIT FOR COURT DECISIONS

When the committee filed its report last year on the Mutual Security Act of 1956 it endeavored to excuse its action in voting against bringing House Joint Resolution 309 to the floor, and one of the excuses was the same as is offered again by the minority members of the committee, that we must wait until the Supreme Court has handed down additional decisions on these matters. They listed in that report six cases, all of which are now decided. The decisions in several of those cases should be enough to answer all of their questions. But, since the answer is not to the liking of the minority group they now say we must wait for a decision in the Girard case. We should not wait to act in this matter for this decision. Regardless of the trend the decision may take, some modification of existing agreements by their termination, or replacement by new agreements, will be necessary.

AMERICANS AROUSED

There is no doubt that the Girard case has awakened the American people to

the true situation, which has existed for more than 4 years. Very few Americans, unless they had relatives or friends serving abroad who ran afoul of foreign laws, had heard about the NATO Status of Forces Agreement or the many other similar executive agreements. Even those who had some knowledge of their existence were lulled into an acceptance of them as necessary by misrepresentations of facts and of law made by those interested in putting them over and keeping them in force.

NO PROTECTION ON DUTY

The Girard case has merely brought to light that this committee, the Senate, the Senate Foreign Relations Committee and the American people were misinformed by the repeated assurance of executive departments that all these agreements protected a soldier on duty against foreign justice. It was fully revealed in various cases that actually the United States nowhere could be sure it had this right; that some of the NATO countries refused to admit that the right of the United States to say when one of its servicemen, accused of an offense, was, or was not, on duty. In fact, there are agreements which specifically give the foreign authority the right to determine this, and one of these now has been disclosed to be the agreement with Japan.

Now, the State Department and the Defense Department have well-organized propaganda machines, and ever since the decision was made to surrender Girard to Japanese justice these machines have been grinding out releases calculated to condition the American people to the idea that Girard exceeded his authority and intended to cover up the fact that our diplomats apparently had something put over on them in this Japanese agreement. The Justice Department has now carried this campaign into the Supreme Court in its effort to influence the decision.

I regret very much that the minority report, by inference, suggests that there is some question as to whether or not Girard was on duty, and that we have to wait for his trial in order to find this out. There is no question if you are an American and governed by American history and precedence but that Girard was on duty. There was no doubt in the mind of his commanding general, who made the certificate saying as much. There is only doubt in the minds of those who are so anxious to accept foreign standards for everything—for justice, for personal rights, for security.

THE CONSTITUTIONAL QUESTION

The minority report says that the Bow resolution is unconstitutional. Let us consider this, but first, let us consider the other constitutional questions involved which the committee blithely ignores. I remind the Members of the House, that the Constitution of the United States gives certain powers to the Congress: The power to raise and support armies—the power to provide and maintain a navy—the power to make rules for the government and regulation of the land and naval forces—the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

All of these powers must be exercised in carrying out one of the purposes expressed in the preamble of the Constitution—to provide for the common defense.

The House of Representatives and the Senate, acting in concert, exercise these powers. They have followed through. We have land and naval and air forces. We have rules for their government and regulation. We have the Uniform Code of Military Justice adopted by Congress as part of these rules for government and regulation of our forces.

The provision of the Constitution which states that the President shall be Commander in Chief of the Army and Navy of the United States does not give him the right to make laws for the government of those forces. He has directive power only, similar to that exercised by generals and admirals, but over them. He would have no forces to direct if Congress did not provide them.

Although he has the power to make treaties, he cannot use this power to indirectly provide laws for the government of our Armed Forces, replacing the Uniform Code of Military Justice adopted by Congress. That is what these various status of forces agreements do.

This power to make rules to govern our armed forces given to Congress by the Constitution implies also the converse—that the land and naval forces have the right to be governed by the laws made by the Congress of the United States—not by any provisions of a treaty or executive agreement, and not by the provisions of any laws of a foreign country. The Code of Military Justice applies to all members of our armed forces everywhere.

These are the first constitutional questions which are involved—the right of Congress to make the laws governing the Armed Forces, and the right of a serviceman, under the Constitution, to be governed by the laws which the Congress has made. When the United States District Court for the District of Columbia said that this right which was in Girard had been violated, then the Court was recognizing the fact which I have repeatedly stated, that the NATO agreement and all similar status agreements ignore and flaunt the Constitutional power of Congress.

COVERT AND KRUEGER DECISIONS

In this connection I call your attention to the decision of the Supreme Court in two of the cases which the Foreign Affairs Committee listed last year. I refer to the two court-martial cases of Krueger against Kinsella and Covert against Reid, which were joined by the Supreme Court in one opinion. The Court in its opinion stated that there is nothing in article VI, the supremacy clause of the Constitution, which intends that treaties and laws enacted pursuant to them do not have to comply with the provisions of the Constitution. The Court said:

It would be manifestly contrary to the objections of those who created the Constitution, as well as those who were responsible for the Bill of Rights—let alone alien to our entire constitutional history and tradition—to construe article VI as permitting the United States to exercise power under an international agreement without observing constitutional prohibitions. In effect, such construction would permit amendment of that document in a manner not sanctioned by article V. The prohibitions of the Constitution were designed to apply to all branches of the National Government and they cannot be nullified by the Executive or by the Executive and the Senate combined.

I think it is clear from this that the NATO Status of Forces Agreement and all of the executive agreements of like nature are unconstitutional.

I might add, in passing, that the majority opinion of the Court in this case also disposed of the statement frequently made that the Constitution can have no operation in another country. The Court said that this statement, for which the authority of In re Ross is claimed, has long since been directly repudiated by numerous cases.

PERSONAL RIGHTS LOST

Another personal loss of constitutional rights necessarily follows when any accused serviceman is turned over to foreign courts. I am not going to enumerate again all of these rights which are granted to every citizen of the United States by our Constitution. The Senate in its resolution giving advice and consent to the ratification of the NATO Status of Forces Treaty, recognized that servicemen might lose their rights in foreign courts. They directed that the Defense Department require Army commanders to study the laws of the foreign countries and to take action to protect the rights of our servicemen. Studies of the laws made by the Judge Advocate General disclose that certain rights are almost certain to be lost in every case. The direction of the Senate has not been explicitly followed, because for purposes of administration and political reasons, the Defense Department apparently has considered accused servicemen expendable. They also have succumbed to the comforting assumption that all accused servicemen are guilty and in the minds of the defender of these agreements should not have the protection of our Constitution.

The fact that foreign justice could sometimes be injustice was recognized by the makers of these agreements because they included certain so-called safeguards which were supposed to give the accused a minimum protection from such injustice. I think the fact that these provisions were included is eloquent testimony of the deficiencies of foreign justice. Our Attorney General told the Senate committee that these agreements represented "civilized standards of justice." That is a new concept of a system of laws. It is indirectly sneering at the whole system of our Government, bought and paid for by our forefathers, but sold very cheaply by our internationalists today.

Put a man in a position of power, or give an ambitious man an opportunity to advance himself by adopting the tenets of internationalism advocated by his superiors, and he can go far in our Government. You also find surprising conclusions reached for purposes of expediency. For instance, an Assistant General Counsel of the Defense Department told the Senate Armed Services Committee that he could see nothing inherently wrong in the practice abroad of joining a civil action with a criminal charge, even though he knows it is contrary to our established system of jurisprudence.

This is one of the quirks of criminal procedure in foreign countries—that frequently a civil claim is joined with and prosecuted with a criminal charge. Actually, what hapens in that, in order to afford a foreign national an opportunity to prosecute his civil claim cheaply, a criminal charge is first filed against the accused. The Army commander in France has said this was a disturbing factor in the morale of his troops. The Air Force commander in Japan has made similar observations about Japanese charges of negligence. We know that in our system of jurisprudence less evidence is required to support a money judgment than a finding of guilt in a criminal proceeding. The prosecuting witness in these combined cases always has a financial stake in securing a conviction. One has to speculate as to how much protection the Department of Defense willingly gives to our servicemen. Even the General Counsel of the Department, ignoring the ethics of his profession, followed the line of trying to convict Girard by publicized derogatory statements.

The NATO agreement and all other status agreements deprive American citizens of rights given them by our Constitution, and no one in the Government of the United States, according to our Supreme Court, has that right.

CONSTITUTIONALITY OF RESOLUTION

The only constitutional question with which the minority of the committee have concerned themselves, however, is the question they raise as to my resolution. They say that it invades the treatymaking power of the President, requiring him either to renegotiate or to denounce the treaties. Well now, let me say there is only one treaty which is referred to in the resolution—that is the NATO treaty. All other agreements are purely executive agreements.

The Government in the Girard case briefs has even adopted a new word for them and called them arrangements, so that, so far as the Japanese agreement and some 40 or more other agreements are concerned, they are not treaties.

The argument of the minority seems to be that regardless of how the President may exercise his treatymaking power, that the people of the United States are precluded from ever objecting—they dare not say they do not like whatever arrangements the President has made with the foreign country. That is rather absurd.

PRECEDENTS FOR RESOLUTION

I call your attention to the fact that the Status of Forces Agreement contains provisions as to the means by which it may be modified or abrogated, and that House Joint Resolution 16 conforms strictly to the provisions of the agreement as to either right. It is not an enactment of a law of itself to modify or terminate an agreement. There is considerable authority for participation by the House in a resolution of this kind.

In 1846 Congress, by joint resolution, on April 27, authorized the President at his discretion, to notify the British Government of the abrogation of the convention of August 6, 1827, relative to the joint occupation of the Oregon Territory. President Polk had requested the resolution, thus supporting the theory that international conventions to which the United States is a party, even those terminable on notice, are terminable only by act of Congress.

In 1883 Congress, by a joint resolution, directed the President to give notice to Great Britain of the termination of articles 18 to 25 inclusive of the treaty of Washington of May 8, 1871. The resolution was in these terms:

Resolved, That in the judgment of Congress the provisions of articles 18 to 25, inclusive, and articles 30 of the treaty • • • ought to be terminated at the earliest possible time • • • ; and to this end the President be, and he hereby is, directed to give notice to (Britain) that the provisions of the articles aforesaid will terminate and be of no force on the expiration of 2 years next after the time of giving such notice.

2. That the President be, and hereby is, directed to give and communicate such notice of termination on July 1, 1883, or as soon thereafter as may be.

This resolution was limited entirely to the direction to the President to give the notice terminating the provisions in the treaty relating to Canadian fisheries and to coastal trading privileges. It was approved by President Chester A. Arthur, March 3, 1833—volume 22, Statutes at Large, page 641—and on July 2, 1883, he gave the required notice.

Instances of instruction by legislation are contained in the Payne-Aldrich Tariff Act of 1909 (36 Stat. 33) which contained this direction to terminate certain commercial agreements:

4. The President shall have power and it shall be his duty to give notice, within 10 days after the passage of this act, to all foreign countries with which commercial agreements have been negotiated • • • of the intention of the United States to terminate such agreements at a time specified in such notice, which time shall in no case • • • be longer than the period of time specified in such agreements respectively for notice for their termination.

When the French Government protested the receipt of a notice of termination from our Secretary of State, the following reply was forwarded:

As you are aware, the President of the United States, in giving the formal notice on August 7, 1909, has been obliged to follow implicitly the prescriptions of the new tariff act of the United States. (Foreign Relations of United States, 1909, pp. 46, 284, 270, 288, 389; John Mabry Mathews, American Foreign Relations (1938), p. 598; Green H. Hackworth, Digest of International Law (1943) (vols. 429–430).)

In the Seaman's Act of 1915 (38 Stat. 1164) Congress directed the President to terminate treaty provisions in conflict therewith:

16. In the judgment of Congress articles in treaties • • • insofar as they provide for the arrest and imprisonment of seamen deserting • • • merchant vessels of the United States in foreign countries • • • and other treaty provisions • • • in conflict with this act • • • ought to be terminated, and to this end the President • • • is hereby requested and directed, within 90 days after passage of this act, to give notice to the several Governments, respectively, that so much • • • of all such treaties • • • will terminate on the expiration of such periods after notices have been given as may be required in such treaties.

President Wilson gave the required notice—Samuel B. Crandall. Treaties: Their Making and Enforcement, second edition, 1916, page 460.

A direction to the President, contained in the Merchant Marine Act of 1920 (41 Stat. 1007) to terminate treaties restricting the right of the United States to impose documentary customs duties was not complied with by President Wilson because he stated that:

The treaties contained no provisions for their termination in the manner contemplated by Congress.

The point was made that the direction sought to terminate only so much of the treaty as imposed any restriction on the United States as to customs duties and tonnage dues and did not comprehend abrogation of the treaties in their entirety.

Earlier, in 1879, Congress enacted a bill forbidding any ship from bringing more than 15 Chinese immigrants to the United States on any one trip. President Hayes vetoed the bill on March 1, 1879, because the legislation would mean virtual exclusion of all Chinese and accordingly be in conflict with the Burlingame Treaty of 1868 which accorded the privilege of unlimited entry of Chinese. In his veto, President Hayes said:

The authority of Congress to terminate a treaty with a foreign power by expressing the will of the Nation no longer to adhere to it is as free from controversy under our Constitution as is the further proposition that the power of making new treaties or modifying existing treaties is not lodged by the Constitution in Congress, but in the President, by and with the advice and consent of the Senate.

As early as 1856, the Senate Foreign Relations Committee, in a report sustaining the validity of a Senate resolution authorizing transmission of a notice of termination, to be adopted in fulfillment of a Presidential request addressed to the Senate alone, explicitly acknowledged that other procedures, such as one involving adoption of an authorizing resolution by both Houses, would be equally appropriate. Similarly, the Supreme Court, which in a dictum set forth in an early decision, had intimated that the power to terminate was vested in the President, more recently has also acknowledged that no constitutional inadequacy attaches to denunciation of treaty provisions by Presidential notice of termination issued pursuant to direction contained in the Seamen's Act of 1915.

Perhaps the strongest claim of constitutional competence on behalf of participation by the House has been made by Edward S. Corwin who once asserted that—

Legislative precedent, which moreover is generally supported by the attitude of the Executive, sanctions the proposition that the power of terminating the international compacts to which the United States is

party belongs, as a prerogative of sovereignty, to Congress alone.

Concurring, though less emphatically, John Bassett Moore also observed that notice of termination "when given by the President usually has been given under the authority of a joint resolution of Congress."

From these precedents and assertions perhaps the only conclusion that safely may be drawn is that "history shows that treaties and executive agreements have been modified or abrogated as a result of various procedures which emphatically assert that alternative methods are even more characteristic of the unmaking of international acts than of their making", and that perhaps, "the choice of method would seem to depend either upon the importance of the international question or upon the preference of the executive"—*Charlton* v. *Kelly* ((1913) 229 U. S. 447, 476); *Van der Weyde* v. *Ocean Co.* ((1936) 297 U. S. 114, 117–118); Mr. Justice Iredall, in his concurring opinion in *Warve* v. *Hylton* ((1796) 3 Dall 199, 256, 260), also acknowledged the validity of joint action by the two Houses of Congress. Senate Report No. 97, 34th Congress, 1st session, as reproduced in Senate Document No. 231, 56th Congress, 2d session, part 8, pages 107–109, 111–112; see also CONGRESSIONAL RECORD, volume 14: page 2333. Edward S. Corwin, The President's Control of Foreign relations, 1917, page 115; Hackworth, in the works cited, page 319; Wallace M. McClure. International Executive Agreements, 1941, page 16; Mathews, in the works cited, page 616; Moore, in the works cited, page 322.

You will find that these precedents quite outweigh the citations given you by the minority in this report. In fact, the minority was guilty of only a half truth in quoting from the veto message by President Hayes referred to above.

The quotation which the minority has furnished you in the case of United States against Curtiss-Wright Export Corp., also only goes halfway. The Court further found, in that case, that the President, no matter how broad his power in foreign relations might be, could not ignore the limits imposed by our Constitution. On this point the Court said:

> It is important to bear in mind that we are here dealing not alone with an authority vested in the President by an exertion of legislative power, but with such an authority plus the very delicate, plenary, and exclusive power of the President as the sole organ of the Federal Government in the field of international relations—a power which does not require as a basis for its exercise an act of Congress, but which, of course, like every other governmental power, must be exercised in subordination to the applicable provisions of the Constitution.

I believe that the Congress in determining the constitutionality of this contemplated action may well give heed to the statement by Thomas H. Benton, who served in the United States Senate for 30 years, contained in his work entitled "Benton's 30 Years View":

> The boundaries between the treatymaking and the legislative departments of the Government became a subject of examination after the war (1812) and gave rise to questions deeply affecting the working of these two departments. A treaty is the supreme law of the land and as such it becomes obligatory on the House of Representatives to vote the money which it stipulates and to cooperate in forming the laws necessary to carry it into effect. That is the broad proposition. The qualification is in the question whether the treaty is confined to the business of treatymaking power? To the subjects which follow under its jurisdiction? And does not encroach upon the legislative power of Congress? This is the qualification and a vital one: for if the President and the Senate, by a treaty with a foreign power, or a tribe of Indians, could exercise ordinary legislation, and make it supreme, a double injury would have been done, and to the prejudice of that branch of the Government which lies closest to the people, and emanates most directly from them. Confinement to their separate jurisdiction is the duty of each; but if encroachments take place, which is to judge? If the President and Senate invade the legislative field of Congress, which is to judge?
>
> Or who is to judge between them? Or is each to judge for itself? The House of Representatives and the Senate in its legislative capacity, but especially the House, as the great constitutional depository of the legislative power, becomes its natural guardian and defender, and is entitled to deference, in the event of difference of opinion between the two branches of the Government. The discussions in Congress between 1815 and 1820 greatly elucidated this question; and while leaving unimpugned the obligations of the House to carry into effect a treaty duly made by the President and the Senate within the limits of the treatymaking power—upon matters subject to treaty negotiations—yet, it belongs to the House to judge when these limits have been transcended, and to preserve inviolate the field of legislation which the Constitution has entrusted to the immediate representatives of the people.

WILL OF THE PEOPLE

I have received thousands of letters in the past 2 years approving my efforts and decrying these agreements and asking who is responsible for them. I could count on one hand the letters which are critical of my efforts or which approve the surrender of our soldier's rights. I am confident that in the letters which other Members of this House and Members of the Senate have received from the folks back home, you will find the same overwhelming percentage of constituents against these agreements and demanding action.

The Members of the House and of the Senate are representatives of the people. Extraordinary confidence is placed in them by their constituents. The overwhelming sentiment in this Nation is that these agreements should never have been made and that they should be modified or terminated as soon as possible.

The people are entitled to have an expression of their will adopted by both Houses so that the President may be advised and the State Department be strengthened and have restored to it a national purpose instead of the international feeling that pervades our diplomatic corps.

SENSE RESOLUTION

The minority report several times refers to the Bow resolution "in its present form", and there is a suggestion that it could be amended to avoid the constitutional issue as to the President's powers. What these minority Members are looking to is some watered-down, weak-kneed expression of opinion commonly called a sense resolution which will have no effect.

OTHER CASES

The minority disposed of the constitutional rights of an American serviceman by saying that the United States serviceman has no constitutional rights to an American trial when he is off duty, citing the case of May against Wilson.

This is a rather broad interpretation of the court's opinion in that case. An opinion, incidentally, which was given verbally from the bench without too much consideration of the question involved.

Another case sometimes used by the Government is that of Cozart against Wilson, in which the decision was based on the first decision in the Krueger and Covert cases, which was subsequently repudiated by the Supreme Court. This case, therefore, seems to have little merit. In fact it was reversed by the Supreme Court on writ of certiorari and sent back to the district court to be dismissed for mootness.

ISSUE STATED BY MINORITY

We come now to the issue stated by the minority as being protection of the security of the United States as well as giving protection to United States troops stationed abroad.

Here again we find a misstatement of fact. We know now that status-of-forces agreements do not protect our servicemen in foreign countries on duty. There is the suggestion that we are unwilling to grant immunity to foreign soldiers for off-duty offenses. This is not true. The American Legion has long been on record and told the committee 2 years ago they favored giving jurisdiction over their troops to foreign countries if the United States had jurisdiction over its own.

It is a familiar argument that we do not want to give this right, and is based on hypothetical assumptions of rape, murder, arson, and heinous crimes by hordes of foreign troops.

Consider the percentage factor. Secretary Wilson told the Senate Foreign Relations Committee there might be a total during the year of 12,000 foreign servicemen in our country, but never at one time more than 4,000. We have a million men scattered around the world. When foreign troops are in this country in proportionate numbers they will be warring on us.

Of course we cannot protect our forces from all the hazards of service anywhere—here or abroad—but there is no reason why we should increase the hazards of foreign service and make second-class citizens of our soldiers in foreign countries.

CONSEQUENCES

These are the consequences that alarm the minority group in the committee.

First, there is the objection that the resolution now affords only 2 months in which negotiations for a change might be made, before the President is required to denounce the NATO Treaty. This is the only question raised in the entire report which seems to bear discussion.

I want to say that even though the President denounces the treaty on August 23, 1957, it does not mean the immediate termination of the agreement. The denunciation cannot take effect for 1 year thereafter and I believe that during that year the President should be able to determine whether or not foreign governments feel that it is more important to them to have the right to prosecute and punish our servicemen for offenses, than it is to have the protection of those same troops.

I wish to point out further that there is no time limit imposed on the President to carry out his endeavor to modify the Japanese agreement and all other executive agreements. I have felt that probably some time limit should be put upon such efforts, because we know that the State Department could say that negotiations were pending and the present situation could continue for an interminable length of time.

Negotiations have been going on for 2 years to try to put the NATO Status of Forces Treaty in effect with Germany. Apparently foreign governments are too smart now to subject their troops to prosecution in neighboring countries. They know too much about each others' system of justice. So, if we are to avoid a dragging of feet in carrying out the provisions of this resolution, we probably should have some time limit upon the efforts to modify or to terminate the many executive agreements.

If it is the wish of Members of the House that the President be given more than 1 year from the date of denunciation in which to determine the future of our troops in Europe, then I would not object to a simple amendment of section 1 (b) which would strike out the word "at" immediately after the comma in line 8 on page 2, and insert instead the words "within 1 year after." That would afford an additional year for negotiation before denouncing the treaty.

Now the adoption of this resolution does not mean the loss of our bases overnight, if, indeed, ever. As I have just said, even though the President denounces the NATO Status of Forces Treaty on August 23, 1957, our troops would still be subject to the provisions of that treaty for another year, and again I say there is no limit to the time which might be consumed in trying to make new arrangements with other countries throughout the world.

YANKS, GO HOME

Now we come to the subtitle in the minority report—"Yanks, Go Home." Here we find a statement by the minority that the Soviet Union has been forced to give up the exclusive jurisdiction over its troops which it enjoyed until recently in all of its satellite countries. I question this. It is true that the Defense Department in making its annual glowing report to the Senate Armed Services Committee on the workings of the status agreements, told the committee that Russia had been negotiating agreements with several of its satellites reported to be similar to the NATO Status of Forces Treaty. However, the Department went a step further than the minority in its report. The Department said:

> There is reason to doubt, however, whether the Russians have, in fact, surrendered any substantial jurisdiction over their military personnel to the satellite countries.

The presence of our troops abroad will not be insured by a continuance of the existing arrangements, neither will a request for modification of the provision on criminal jurisdiction immediately cause the demand for withdrawal.

The committee, in its report last year on the Mutual Security Act, said:

> The bargaining power of the United States has diminished in important respects during recent years, particularly because economic aid has declined. In addition, international tension has lessened and none of our allies anticipates military aggression by the Soviet Union in the near future.

Further that—

> In nearly all of the countries where our troops are stationed, a speaker receives hearty applause if he speaks against the subservience to the United States and urges his government to follow an independent course.

All this came about in spite of the rights which foreign governments exercised in prosecuting and punishing our servicemen. We lost our bargaining power in spite of throwing billions of dollars into economic aid and military assistance. We built up the economy of Europe particularly. It would seem that money and the right to prosecute our servicemen has not made friends of our so-called allies. I can see no reason for continuing the rather absurd obsequiousness to foreign countries, which has controlled our approach in foreign policy.

MISREPRESENTATIONS

Another subtitle in the minority report is appropriate for use in referring to the misrepresentations of the executive departments which fill the pages of the hearings before Senate and House committees—misrepresentations to the public in press releases from these departments.

I know that 2 years ago some persons were concerned about the possibility of cruel and inhuman punishments. I do not believe, however, that anyone can find in any of my statements to the committee or in this House reference to chopping off of hands, or maiming, or flogging. The only reference I ever made to a beating was recounted in the story of a prisoner who served his time in Japan and was beaten by prison guards.

It has not been necessary for me to try to arouse public sentiment by such references. I resent the minority saying that criticism of these agreements has been based upon misrepresentation of the facts.

You do not need to suffer the loss of a hand or be flogged to receive cruel punishment. Consider the case of a marine who has served a sentence in Japan. The observers of his trial said:

> The United States representatives are of the opinion that the three accused were not afforded a fair trial. We are of the opinion further that the accused stand unjustly convicted.

These observers said that the testimony of the prosecuting witness was "not only preposterous and fantastic, it is in some respects patently impossible." General Hickman, in reporting to the Senate Armed Forces Committee, said that the defects of justice in this trial had not been cured after appeal to the highest court in Japan.

Now, if you are found guilty unjustly in a foreign court and imprisoned in a foreign prison under conditions which are worse than the worst prisons in this country, to my way of thinking you have received cruel punishment. It may not be unusual for the innocent to be imprisoned unjustly in Japan, but I may say that is unusual punishment in the United States.

It is obvious the minority did not read the reports of observers of trials in foreign countries which were filed with the committee by the Defense Department at my request. Many of the reports of trials were not furnished. The department did not send in the reports where they said appeals were pending—and we know that appeals were pending because justice had not been done. My examination of the reports showed a complete failure of interpreters in translating—proceedings dragging out over weeks or months—copies of charges not furnished to the accused until the opening day of trial—changes or substitution of judges during trial—convictions on written statements of witnesses taken before trial without cross-examination—and other items not countenanced in our jurisprudence.

The misrepresentations come in statements to the effect that "no reports of injustice or conviction of the innocent have ever been brought to light."

Foreign governments are always patted on the back in these reports, because presumably they have waived jurisdiction in about two-thirds of the cases. In its last report to a Senate committee, the Defense Department said waivers were given in 66.79 percent of cases during the last reporting period. These figures prove nothing. Particularly they do not prove that our soldiers are committing numerous serious crimes, or that foreign authorities have the quality of mercy unstrained. If there were any studies available anywhere which would show that in every case of a waiver the American military authorities found it necessary to court-martial the supposed culprit, then we might give more consideration to the figures employed. Until then we must assume that most of the arrests are very minor cases—perhaps many of them not offenses but only supposed offenses—spawned in the minds of foreign police.

THE EXHIBITS

Now, let us consider some of the statements of the executive departments which the committee has seen fit to attach to its report, particularly the letters of Secretary of Defense Wilson and appendixes thereto, and the letter and statement of the Department of State. Both Departments repeat the two fallacious premises which the makers of the agreement had to adopt to justify them.

One premise is that our troops are in foreign countries for our benefit and not for the foreign countries' benefit.

The other premise is that although our troops are friendly forces in a friendly country by consent, there is nothing in international law which would protect them from jurisdiction of all kinds by countries in which they are stationed.

Added to these contentions as a clincher is the scare argument that we might have to take our troops back home where they belong if we do not permit these countries to exercise jurisdiction.

Now, Mr. Wilson has learned a lot in his job since he appeared before the Senate Foreign Relations Committee in 1953. With all due respect to his executive ability, I fear that his knowledge of this subject and of the legal questions and constitutional questions involved, or even the practical questions, is not as broad as his letter seeks to indicate.

The scare arguments, of course, are used widely by the executive department in releases to condition the American people to the decision to surrender Girard and an acceptance of the agreements as a necessary evil.

I have already pointed out that the adoption of my resolution does not mean the withdrawal of our troops from foreign countries overnight. What my resolution tries to do is put some backbone in our diplomats who Mr. Wilson says have tried unsuccessfully to obtain exclusive jurisdiction since 1953 and have not succeeded. I am not surprised that they did not succeed. You have to have a will and a desire to succeed. These diplomats decided long since to treat our servicemen as pawns in a giveaway program, and they have not changed their minds. Perhaps the resolution will not change their minds. Perhaps what we need is a form of legislation which would give to foreign countries criminal jurisdiction over our diplomats. They might feel differently then about the rights of other Americans.

CONCERN FOR OUR SERVICEMEN

You know that the high brass in the Army are not affected by the Status of Forces agreements either. So it is easy for General Gruenther and General Norstad to have supported these agreements. From the high plane to which they have been elevated, just like Mr. Wilson, they can look down on our servicemen and say that they have great concern for their welfare.

Let us consider how much Secretary Wilson knew about the Girard case before I wired him a protest on May 17, 1957, when the decision was announced that Girard would be surrendered to the Japanese. I was told by reliable authority in the Defense Department that the Secretary had never heard of the case until he received my wire. Is that evidence of concern? It was not until 7 o'clock that evening that announcement was made that he had temporarily ordered Girard held in American custody until he could review the matter. Army Secretary Brucker apparently knew nothing about the case either. At least he expressed himself later against the surrender of Girard. These men cannot take a personal interest in the lowly serviceman. They may wish to do so, but it is hypocrisy for them to claim they can do so.

Consider General Norstad, who told this committee that during the 4 months preceding his appearance before the committee, he had visited all of the NATO capitals. He said he talked to the heads of government, to the members of government and to the parliaments of these countries. He said they had all been extremely friendly to him. He says these nations are friendly. Yet he seems to think they would immediately become hostile if we tried to secure full jurisdiction over our troops. Apparently he views them as potential enemies if we should withdraw our troops from the defense of their countries. He warns that we would have to sit here and defend the United States with all the powers or the rest of the world against us. The general makes the future security of the United States hang on the continued surrender of the constitutional rights of our servicemen to foreign countries. I dislike to admit that it is only in this way we can buy friends and allies and adulation for the general as he travels over his NATO domain.

It seems obvious that adverse reports on the status agreements do not percolate upward to the general's level. He contradicts the statement of the army commander in France about the morale of American troops, and of the Air Force commander in Japan who found that Japanese justice had a noticeable effect on the attitude and morale of his personnel.

The general also seems to have been misinformed about French laws. He told the Foreign Affairs Committee that the objection that French law was unfair to our people because it contained no presumption of innocence is "absolutely and incredibly wrong." In this case he contradicts the Judge Advocate General of the Army.

It is categorical statements such as these which make one question all of the general's statements.

Let us not be naive about his testimony. As supreme commander in NATO he is obliged to support the Status of Forces Treaty. He could not risk reporting anything derogatory in the workings of the treaty even if he was informed.

INTERNATIONAL LAW

Secretary Wilson points out that no country need allow any of our troops to enter its territory or to fly from airbases on its fields or to conduct maneuvers across its countryside or to allow American naval activities to be based at its seaports. This is an obvious statement. But, if a friendly nation consents that our forces shall enter its territory or construct airbases or hold maneuvers or send ships to its ports—then, it is a rule of international law that—Attorney General Brownell and State Department lawyers notwithstanding—we have jurisdiction over all members of our Armed Forces for all purposes. This is a right which is implied from the consent. It is not extraterritorial as some say.

ORIGIN OF NATO SOF AGREEMENT

The author of the Wilson letter would have it appear that foreign nations imposed conditions upon their consent and that the principal condition imposed was that such nations enjoy the right to prosecute and punish American servicemen.

I do not believe that.

Witnesses for the executive departments were asked at committee hearings who demanded this right. There has been no answer yet. No one has said France wanted it, Italy asked for it, Belgium demanded it, Great Britain would not consent otherwise, and so on.

The fact of the matter is we had representatives who wanted to act like big brothers to the world—they were distributing largess—largess amounting to billions. But they were afraid other countries might think we were superior, so they adopted a policy of abasement and depreciation of our people, our customs, our traditions, and our Constitution. Our servicemen became a sacrifice on the altar of appeasement.

Going back historically, the Brussels Treaty and a status agreement between the signatories, is blamed by the State Department as the origin of the NATO agreement. If you remember, the Brussels Treaty was brought about solely because we enacted laws to encourage foreign governments to take our money. In effect, we had said we would assist in the economic recovery of all nations that would organize for the purpose of economic cooperation. European countries were quick to take advantage of this. The United States Government was not a party to the Brussels Treaty. We did respond to the request for assistance.

It was easy for the nations banded together by the Brussels Treaty to make an agreement that if any one of them sent troops into another country that the host country would enjoy jurisdiction. None of the countries involved expected to send any forces to another. Ancient jealousies and recognition of each other's laws discouraged that.

Later it was just as easy for the NATO countries to accept the proposition of our representatives to give them jurisdiction on a reciprocal basis—because those countries knew that, practically speaking, their troops would not be subjected to the jurisdiction of our courts—or if they were, that our type of justice would insure them much greater protection than their laws gave to our servicemen.

ATTORNEY GENERAL'S OPINION

The author of the Wilson letter says:

I am altogether persuaded by the opinion of the Attorney General that international law does not support an absolute immunity for our servicemen from the jurisdiction of foreign courts.

The aura that surrounds the position of Attorney General may blind people to the fact that he can be wrong. Attorneys General on many occasions have been wrong. This is because after all they are merely Government lawyers. The title does not alter the fact that it is their job to support a position taken by an Executive or executive department when called upon to do so. Attorney General Brownell was obliged to support the NATO Status of Forces Treaty because it was an accomplished thing when he took office. He was not asked for an opinion, as a lawyer, before the treaty was negotiated. He was obliged to approve and espouse as his own a brief prepared by an employee whose position in the Justice Department was as obscure as some of the courts whose decisions were used to support the proposition that no rule of international law existed to protect visiting forces in a friendly country.

In a brief in the Girard case, Government lawyers now refer to writers of international law who have said there was a rule protecting visiting forces in friendly countries, as only theorists—implying that they are not to be relied upon. Even the majesty of the Department of Justice does not take the author of the Attorney General's brief out of the class of "theorists" merely because he may have much less reputation in the international field of law than those whom the Government derides.

Are we to assume now that the author of this brief of the Attorney General is omnipotent? Are his legal attainments greater than those of Chief Justice Marshall? Is he superior to the Members of the Supreme Court who have followed the Marshall decision in the exchange case and said;

Foreign armies stationed in a friendly country by permission of its government are exempt from the civil and criminal jurisdiction of the place.

Does he know more international law than the Attorney General of Canada, who supported the position of the United States in 1943 in the Supreme Court of Canada, and agreed that we should have jurisdiction over our troops in that country?

Why does the author of this brief force the Attorney General now to turn his back upon the position taken by our Government for more than a century? Why repudiate now the position which we took in the Supreme Court of Canada, where in a brief filed by our Government we asserted our right to have jurisdiction over our troops in Canada. Why did the author of the brief ignore the statement which still appears today in the United States Manual of Courts-Martial of 1951, as follows:

Under international law, jurisdiction over members of the Armed Forces of the United States or other sovereign who commit offenses in the territory of a friendly foreign state in which the visiting force is by consent quartered or in passage remains in the visiting sovereign.

Why does not the Attorney General advise the Department of Law of the United States Military Academy that it is wrong to instruct cadets that the jurisdiction of courts-martial is exclusive when the Army marches through a friendly country, or is stationed therein, and that the consent of the friendly government for exemption from its civil and criminal jurisdiction is assumed as a matter of course?

When the author prepared the memorandum which the Attorney General submitted to the Senate Foreign Relations Committee and which has since been used to support the proposition that Chief Justice Marshall was wrong, a Japanese court had not yet pronounced its opinion on the question. I think it is indicative that the author of the Attorney General's brief is wrong when you read the opinion of a Japanese court in May of 1956, which said:

An armed force constitutes the fighting power of a country and is a symbol of its dignity. Consequently, it is a well established rule of international law that an armed force stationed in a foreign country in accordance with a treaty, is not subject to civil or criminal jurisdiction of the receiving state. Neither are members of the Armed Forces subject to the jurisdiction thereof for acts performed in furtherance of official duty, that is, the acts done in the performance of official duty whether such acts were done within the area of their station (barracks) or outside such area.

When a court in Japan will admit that, without the executive agreement Japan has, they could not exercise any jurisdiction over our troops—then I believe the brief the Attorney General is using is just an argument of expediency—not of law.

FRIENDLY FOREIGN ARMED FORCES ACT

The Wilson letter refers to something which I wish people would get straight—and that is the enactment by Congress in 1944 of the Friendly Foreign Armed Forces Act. The debate in consideration of this act in the Senate and an amendment presented thereto by Senator REVERCOMB, has been claimed to indicate that we did not recognize this rule of international law. Actually, the amendment offered by Senator REVERCOMB at that time which would have stated the right of foreign governments to exercise jurisdiction over their troops, was voted down because the Members in the Senate thought it was not necessary. It was not necessary because the visiting forces already, under international law, had jurisdiction.

Senator Connally, longtime chairman of the Senate Foreign Relations Committee, stated this clearly during debate:

Mr. President, is not the whole question one of permission to the foreign force to be here? We can exclude them if we desire to do so, but does not our consent to their being here carry with it incidentals, and is not one of these incidentals that the force may exercise its discipline and its control, and punish infractions on the part of its members. That being the case, why is it necessary for us specifically to provide that they can exercise their jurisdiction here? It goes back to the fundamental question of whether we shall let them be here at all. We do not have to admit them. If we permit foreign troops and foreign naval officers and naval organizations to be within the United States, the implication and the natural inference is that they can exercise their normal functions.

The Friendly Forces Act was passed solely to help certain foreign governments to exercise their jurisdiction.

WHOSE BENEFIT?

I do not intend to say very much about the frequently repeated claim that our forces are abroad in the world for our benefit. No matter how many times it is repeated or asserted, you cannot change the facts. We are trying to defend the world.

The Security Treaty with Japan very clearly states that Japan wants the United States to keep forces in Japan for the protection of Japan. That is the reason our forces are there. That is the reason Girard is now in Japan awaiting the decision of the Supreme Court to decide his fate. The same is true of Europe. We were assisting the European countries to recover their economic independence. They were not able to support troops for their own protection. Even today many of these countries are relying on our protection and making no effort to finance their own defense.

France sent troops to Africa to sustain colonialism because we were providing her defense at home. Great Britain is changing her defense plans to leave more responsibility to the United States.

A truthful statement on this subject came from Deputy Under Secretary of State Robert Murphy, who told the House Foreign Affairs Committee in July 1955, that our allies want our troops to stay in Europe. He said:

In military terms they represent a body of trained and skilled manpower for which no substitution from European sources is practical. They operate ports and airbases and other technical facilities which are vital to effective defense in modern warfare.

THE SIMPLE QUESTION

I was asked the other day by a radio commentator of considerable reputation this question:

What does Secretary Wilson mean when he says that "foreign governments would probably insist on the withdrawal of our troops if we try to regain jurisdiction over them"; does the Secretary mean that these governments would rather be taken over by the Communists than to have American troops on their soil they can't prosecute?

That is a simplification of the whole problem.

If foreign governments, presumed to be allies and friends, would prefer to be without our protection and defense and lay themselves open to Communist conquest merely because we want to have jurisdiction over our troops, to which we are entitled by international law, then why do we expose our troops to the perils of foreign service?

As I have said before—it is time we found out who our real friends are in the world.

Over 300 American servicemen have now served or are serving sentences of imprisonment in foreign jails because of the status agreements. Our so-called allies are not our friends if they make the continuance of their jurisdiction the price we must pay to keep them from embracing communism.

It should be enough for us to donate money, services, equipment, and protection to other nations. We should not force our servicemen to also pay for the privilege.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to:

Mr. VINSON (at the request of Mr. MCCORMACK) for 10 days on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BAILEY, for 30 minutes, on Thursday.

Mr. HOLIFIELD, for 30 minutes, on Thursday and Friday next.

Mr. BOW, for 60 minutes, today.

Mr. AUCHINCLOSS (at the request of Mr. CANFIELD) for 15 minutes on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DOYLE and to include material relating to the signers of the Declaration of Independence and the signers of the Constitution of the United States, notwithstanding that it will exceed 2 pages of the RECORD and is estimated by the Public Printer to cost $558.25.

Mr. SILER.

Mr. PORTER.

Mr. COLLIER.

Mr. DAWSON of Utah and to include extraneous matter.

Mr. HOFFMAN and to include extraneous matter.

Mr. FOGARTY (at the request of Mr. MCCORMACK).

Mr. WOLVERTON (at the request of Mr. MCCORMACK) and that Mr. WOLVERTON'S remarks in the RECORD immediately follow the remarks of Mr. FOGARTY.

Mr. TUCK (at the request of Mr. MCCORMACK) and to include extraneous matter.

Mr. MCGOVERN (at the request of Mr. MCCORMACK).

Mr. VURSELL and to include extraneous matter.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1526. An act for the relief of Arthur Green; to the Committee on the Judiciary.

ADJOURNMENT

Mr. FASCELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 54 minutes p. m.) the House adjourned until tomorrow, Thursday, July 11, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1027. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the law relating to mining leases on Indian lands and Federal lands within Indian reservations"; to the Committee on Interior and Insular Affairs.

1028. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases where the authority contained in section 212 (d) (3) of the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

1029. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of aliens who have been found admissible into the United States, pursuant to section 212 (a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1030. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation entitled "A bill to amend the act entitled 'An act to authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes,' approved August 11, 1950"; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. A report pursuant to House Resolution 107, pertaining to Japanese agricultural workers; without amendment (Rept. No. 780). Referred to the Committee of the Whole House on the State of the Union.

Mr. CELLER: Committee on the Judiciary. H. R. 2136. A bill to amend section 124 (c) of title 28 of the United States Code so as to transfer Shelby County from the Beaumont to the Tyler division of the eastern district of Texas; without amendment (Rept. No. 781). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS: Committee on the Judiciary. H. R. 7153. A bill giving the consent of Congress to a compact between the State of Oregon and the State of Washington establishing a boundary between those States; with amendments (Rept. No. 782). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 4410. A bill to suspend and to modify the application of the excess land provisions of the Federal reclamation laws to lands in the East Bench unit of the Missouri River Basin project; with amendment (Rept. No. 783). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. House Joint Resolution 2. Joint resolution to provide for transfer of right-of-way for Yellowtail Dam and Reservoir, Hardin unit, Missouri River Basin project and payment to Crow Indian Tribe in connection therewith, and for other purposes; with amendment (Rept. No. 784). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary H. R. 106. A bill to amend the Bankruptcy Act to authorize courts of bankruptcy to determine the dischargeability or nondischargeability of provable debts; with amendment (Rept. No. 785). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HARRISON of Virginia:

H. R. 8621. A bill to provide that a statement of amounts expended by the United States for overseas travel or subsistence of Members of Congress and certain other Federal officers and employees shall be printed in the Federal Register; to the Committee on Government Operations.

By Mr. HERLONG:

H. R. 8622. A bill to amend the Internal Revenue Code of 1954 with respect to the basis (for determining gain or loss) of property acquired from a decedent; to the Committee on Ways and Means.

By Mr. MILLS:

H. R. 8623. A bill to amend the Internal Revenue Code of 1954 so as to provide accounting procedures whereby dealers in personal property may exclude from gross income amounts withheld by banks and finance companies on notes purchased from such dealers employing the accrual method of accounting; to the Committee on Ways and Means.

By Mr. POFF:

H. R. 8624. A bill to amend chapter 223 of title 18, United States Code, to provide for the admission of certain evidence so as to safeguard individual rights without hampering effective and intelligent law enforcement; to the Committee on the Judiciary.

By Mr. PORTER:

H. R. 8625. A bill to repeal the Sustained Yield Act of March 29, 1944 (58 Stat. 132), and for other purposes; to the Committee on Agriculture.

By Mr. POWELL:

H. R. 8626. A bill making a permanent appropriation for the operation and maintenance of the Puerto Rico National Cemetery at San Juan, P. R., and for other purposes; to the Committee on Appropriations.

By Mr. ROBESON of Virginia:

H. R. 8627. A bill directing the Secretary of the Navy to convey certain land situated in the State of Virginia to the Board of Supervisors of York County, Va.; to the Committee on Armed Services.

By Mr. SADLAK:

H. R. 8628. A bill to amend section 1321 of the Internal Revenue Code of 1954, to the Committee on Ways and Means.

By Mr. WOLVERTON:

H. R. 8629. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of additives which have not been adequately tested to establish their safety; to the Committee on Interstate and Foreign Commerce.

By Mr. COAD:

H. R. 8630. A bill to extend the period for amortization of grain-storage facilities; to the Committee on Ways and Means.

By Mr. METCALF:

H. R. 8631. A bill to amend the act entitled "An act to promote the conservation of wildlife, fish, and game, and for other purposes," approved March 10, 1934, as amended, known as the Coordination Act; to the Committee on Merchant Marine and Fisheries.

By Mr. SIMPSON of Pennsylvania:

H. R. 8632. A bill to amend the Internal Revenue Code of 1954 so as to provide accounting procedures whereby dealers in personal property may exclude from gross income amounts withheld by banks and finance companies on notes purchased from such dealers employing the accrual method of accounting; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MCCORMACK:

H. R. 8633. A bill to authorize Hon. WAYNE L. HAYS, Hon. WALTER H. JUDD, Hon. JOHN J. ROONEY, and Hon. JOHN TABER, Members of the House of Representatives, to accept and wear the award of the Cross of Grand Commander of the Royal Order of the Phoenix, tendered by the Government of the Kingdom of Greece; considered and passed.

By Mr. BOSCH:

H. R. 8634. A bill for the relief of Dominico Orrino; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H. R. 8635. A bill for the relief of Mr. and Mrs. Zoltan Goldstein and son, Harry; to the Committee on the Judiciary.

By Mr. FULTON:

H. R. 8636. A bill for the relief of Maria Pinfinis; to the Committee on the Judiciary.

By Mr. HEALEY:

H. R. 8637. A bill for the relief of Elba O. Selva; to the Committee on the Judiciary.

By Mr. JAMES:

H. R. 8638. A bill for the relief of Josef Podlacki; to the Committee on the Judiciary.

By Mr. MACK of Washington:

H. R. 8639. A bill for the relief of Blanca Veronica Wolk; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H. R. 8640. A bill for the relief of Vojtech Rothman and his wife, Julie Grunwald Rothman; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 8641. A bill for the relief of Lt. Col. Francis E. Resta; to the Committee on Armed Services.

By Mr. WILSON of California:

H. R. 8642. A bill for the relief of Gordon E. Martin; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Address by Hon. Homer E. Capehart, of Indiana, at Launching of the "Philip Sporn"

EXTENSION OF REMARKS

OF

HON. HOMER E. CAPEHART

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 10, 1957

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the remarks I made on July 5 at the launching of the *Philip Sporn*, a new Ohio River boat produced by the Jeffersonville Boat & Machine Co. under the direction of Mr. Pat Calhoun, president of the Jeffersonville company and of the American Barge Lines.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR CAPEHART

The rise of inland water transportation has been one of the most astonishing and encouraging stories of the past two decades.

A little less than 100 years ago inland water transportation was a dead letter. The very mode of transportation which helped build cities like Jeffersonville and Louisville no longer was a factor in our transportation picture. But today, I am happy to say, that picture has changed. Funds voted by Congress have made possible the long-range program of the Corps of Engineers for the modernization of the Ohio River—its locks, dams, and levees.

I have always been a stanch supporter of this program and not long ago, on May 10, in a statement before the Senate Appropriations Committee, I strongly urged the support of various navigation projects on the river. I told the committee that:

"The Ohio River is a primary source of materials basic to the national security. I believe it is important rapidly to complete this program designed for modern conditions and volume of traffic which would be required for our national defense."

These navigation projects, for which Congress has appropriated funds, are to my mind examples of what Congress can do to enable private enterprise to serve the public better and cheaper.

A great deal of the credit for the growth of river transportation and the resultant solid industrial growth of cities and towns on the river is due to two gentlemen who are here today. I would like to pay tribute to them individually.

Mr. Pat Calhoun, president of the Jeffersonville Boat & Machine Co. and of the American Barge Lines, has been active in efforts to rebuild our river transportation system since World War I. Jeffboat has been building river steamers and ferryboats for over a hundred years. But what a far cry is this fine, modern new boat—the *Philip Sporn*—from the wooden paddlewheelers of the old days. To see this modern towboat, one might think it was always so in the industry. But this is not the case.

Mr. Calhoun and I have been around for quite a few years now and I think both of us remember the twenties when Pat started in the industry. It needed a lot of courage and foresight to enter the river transportation industry then, when few people had faith in its success and fewer yet enough vision to see its growth potential. But he persevered in his efforts to reestablish this once great form of transportation and I think when we look around us today we can see the measure of his courage and foresight. And I think he can also be proud of the role these yards played in serving our Nation during the war—when the need for inland water transportation was so great.

Just a few weeks ago I learned that Mr. Calhoun and his company made another contribution to our economy and the promotion of trade with our great neighbors to the south. This was the launching of the first piggyback barges to be sent to Venezuela. Here is another example of what Indiana has done to link the United States with South America in the network of inter-American trade relations.

Mr. Philip Sporn, for whom this fine boat is named, is also a citizen of whom the people of the Ohio River can be proud. Ever since 1920 when he joined the American Gas & Electric Co., of which he is now president, he has worked toward the improvement of the electric utility industry. He has led his company's pioneering efforts in several fields of electric power generation, transmission, and distribution. These efforts have not only improved the general efficiency and economy of operation of the producers of electricity but have also served to keep down the cost of electricity to the 5 million people in this great area of ours.

I am not going to take the time to record the many achievements in Mr. Sporn's career, though I would gladly like to, but I would like to point out two things which I feel are of major importance.

Mr. Sporn has devoted a great deal of time and effort to the study of nuclear energy and particularly to the possibilities of its application in the field of power generation. I understand he is at present a member of the Edison Electric Institute's technical task force in nuclear power. This group is now evaluating various reactor types for recommendation to institute members.

The second service of Mr. Sporn and his associates to which I would also like to call attention is the creation of the Ohio Valley Electric Corp., of which he is also president. This $400 million enterprise was organized by 15 private electric utility companies of the Ohio Valley region to supply the electric power requirements of the Atomic Energy Commission's new $1½ billion diffusion plant in Pike County, Ohio.

To my mind these are two fine examples of what our utility industry is doing to insure that the utilities of our Nation rank second to none in service to national security and consumer benefit.

I would like also to point out that Mr. Calhoun, Mr. Sporn, and their associates have been successful in providing to the public, through their companies, efficiencies and economies of operation which have kept down costs during a period of constantly rising costs of virtually every phase of modern-day living. This is no mean achievement.

The value of inland water transportation is so far reaching that I imagine there are few people who can envision the tremendous contributions made by this mode of transportation to our country. Before I came down here, I refreshed my memory by looking at some of the statistics concerning this industry. I was again impressed—although I served for some time as ranking minority member of the Interstate Commerce Committee and was well acquainted with the subject—by the rapid strides made by this industry in so short a time. I think you might be interested in a few facts as to what the river—and its servant, the barge lines—is doing to serve the people of Indiana, Kentucky, and the 18 other States in our inland water empire.

Taking the valley as a whole, since 1950 more than $11 billion has been invested in new and expanded industrial and atomic plants along the main stream of the Ohio River and its navigable tributaries. The communities along the banks of the Ohio have a population of 3.2 percent of the Nation's total—but during the period from 1950 through 1955 they have been the site of 6.7 percent of the Nation's new investment in manufacturing and public utility plants.

In a recent tax and investment study made by the tax foundation, Mr. Ben Fairless, of the steel corporation, is quoted as saying that the average capital investment required to provide a job for one man in our present economy is $12,000. On this basis the industrial expansion of the Ohio Valley has provided almost 800,000 jobs. This is more employment than the combined number of jobs of Pittsburgh and Cincinnati.

This booming economy has also contributed a great tax flow into the Federal Treasury. Taking only the 6 States of Pennsylvania, West Virginia, Ohio, Kentucky, Indiana, and Illinois—which actually lie within the Ohio Valley—corporation taxes paid in 1954 amounted to $2½ billion. Social security and personal income taxes added another 4½ billion. This is more than $7 billion.

And how much money has been spent for navigation development of the Ohio River during the past years? From 1824 to 1954, inclusive, the total expenditures amounted to only $150 million—spread over 130 years. No investment of the Federal Government has ever benefited more people or provided a bigger return than this stake in the Ohio River navigation facilities.

Of particular note is the massive growth of electric utilities in the Ohio Valley. The increase in number and capacity of power stations and the increase in volume of electricity generated are looked upon as key measures of industrial progress. Along the main stream of the Ohio River the capacity of electric generating plants has grown more than twice as fast as in the United States as a whole. In 1941, it was 3 percent of the United States total and now is over 7 percent. Electricity generated along the main stream of the Ohio has shown an even more impressive growth. Plants along the Ohio generated 9 percent of the Nation's power in 1955 compared to 3.7 percent in 1939. When the navigable tributaries, other than the Tennessee and Cumberland, are included, the Ohio Valley now produces about 11 percent of the Nation's power.

The rollcall answered by new industries which have come to the Ohio Valley is much too long to list here. Along with the growth of heavy industry such as steel, oil, chemicals, and nonferrous metals have come a host of others such as rolling mills, fabricating plants, integrated chemical plants and many others.

It may be said of the Ohio—it is a river come alive.

What accounts for the rebirth of industry in the Ohio Valley, which for so long has been dormant? Certainly there are many factors which have contributed to this tremendous industrial growth. When we ask the companies who have been lured to the valley what factors attracted them, we get the same answer from them all. Directly or indirectly, most of them come back to the waterway itself. The most important of these are low-cost water transportation, a vast and growing concentration of electrical energy, an adequate supply of water, limitless coal deposits, and a sufficient and efficient supply of labor.

All of these companies and Ohio Valley industry in general are increasingly dependent on low-cost water transport. The vital relationship between the traffic on the river and the economic development of the region is demonstrated by the fact that while Ohio River traffic in ton-miles was increasing 582 percent from 1929 to 1950, per capita income in the Ohio Valley increased 221.8 percent as compared with an increase of 211.8 percent during the same period for the Nation as a whole.

The annual volume of barge traffic on the Ohio has grown phenomenally from 26 million tons in 1929 to a record of 72 million tons in 1955.

In ton-miles, traffic on the river increased more than 300 percent from 1946 through 1955; from 5 billion to 15 billion ton-miles. I have just received the latest figures in a report of July 1, which records still additional gains. These show that 76,376,633 tons of commercial traffic moved along the Ohio in 1956—nearly 5 million tons more than the previous year. Ton mileage increased to 15,999,404,894, a gain of over 5 billion from 1955.

The 1956 annual report of the TVA indicated that over 1½ billion ton-miles of commercial traffic moved on the Tennessee River during 1955, an increase of 24 percent over 1953, and almost 6 times as much as in 1945. The traffic for the first 6 months of 1956 was in tons, a 19-percent increase over the same period in 1955. The TVA report finally indicated that about three-quarters of the interchange river tonnage in 1954 was accounted for by the Ohio Valley region.

When these factors are added up, there is no predicting what peaks of development this valley may reach, or what needs for river-related uses it may require. About 4 years ago a trade journal raised the question of whether we might not some day see a 100 million tons of freight a year moving on the Ohio. Now I think it not unreasonable to look forward to 150 million tons as early as 1965.

Of course, I know that one of the chief concerns of all of you is to see that this phenomenal growth continues. I know that many of you are concerned that the practical limits of the capacity of many of the present locks will be reached in a few years. It is your feeling and I know it is shared by many others in this area, that a vigorous prosecution of the long-range program on the Ohio River is necessary for the continued economic development of the valley. There are many organizations in the area who are doing splendid work toward this goal, including, I understand, a newly formed group called the Inland Waterways Common Carriers Association of which American Barge Line is a charter member.

These are times for economy; but, as I have stated previously, I believe that the benefits to be obtained from new locks and dams should not be measured merely in the conventional manner of savings in transportation costs. The true measure of benefit lies rather in the expanded productivity, the improved standard of living for millions of people living in the Ohio Valley, the protection against disastrous floods, vastly increased revenues to local State and Federal treasuries—far in excess of the governmental costs involved—and the strengthening of national security which will stem from providing an efficient modern water highway in the industrial heart of our Nation.

You gentlemen here today have dedicated many years of your lives to the cause of water-resources development in the valley. I know that you will continue to bring to the people of the valley and the Nation a deeper understanding of the vast potential of economic growth inherent in this great river and of the problems and programs involved in the development of that potential.

I think it fitting that, in closing, I quote the words of President Hoover on the occasion of the dedication of the Ohio River canalization in 1929:

"A nation makes no loss by devotion of some of its current income to the improvement of its estate. This is an obligation we owe to our children and our grandchildren. I do not measure the future of America in terms of our lifetime. God has truly blessed us with great resources. It is our duty to make them available to the people."

This Is the Right Place

EXTENSION OF REMARKS
OF
HON. WILLIAM A. DAWSON
OF UTAH
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. DAWSON of Utah. Mr. Speaker, this is a very special day for Utah and for Utahans wherever they may be. One hundred and ten years ago, on July 24, 1847, the main body of the first party of Mormon pioneers—143 men, 3 women, and 2 children—emerged from a nearly impenetrable mountain fastness into the then-barren valley of Great Salt Lake.

What they, and the thousands who followed them, accomplished in that arid wilderness is too well known to need repetition here. By faith, energy, and determination they subdued the wilderness and made the desert bloom. I know of no epic to match it in American history.

Now, each July 24 is a Utah holiday during which Utahans of all faiths pause to celebrate this anniversary of pioneer settlement; to pay homage to these forebears of ours; to draw on accomplishments of the past for the inspiration for the future.

I invite my colleague to share with us the pride we feel in these Mormon pioneers who made such a contribution not only to their church but to their country. I am sure no one can ever visit that now-green valley without affirming the prophetic words of Brigham Young: "This is the right place."

Repealing a Misnamed Law

EXTENSION OF REMARKS
OF
HON. CHARLES O. PORTER
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. PORTER. Mr. Speaker, I have today filed a bill to repeal the Sustained Yield Act of 1944, but I should like to point out that this is not only a misnomer but the act itself suffers considerable abuse and appears to favor a few major timber companies.

The Subcommittee on Public Works and Resources, in cooperation with a subcommittee of the Senate Interior and Insular Affairs Committee, held extensive field hearings in the fall of 1955 on Federal timber sales policies. These hearings revealed that there was considerable difference of opinion among the people in the lumber industry and in the Government agencies as to the effectiveness of a 1944 act of Congress which allowed the Secretaries of Agriculture and Interior to award timber to particular companies without the use of competitive bidding or with limitations on who could compete for the timber.

The committee found that in Oregon the Bureau of Land Management had created marketing areas under another act rather than through the use of this 1944 act. Communities were petitioning that these marketing restrictions either be eliminated or that they be changed so that certain areas that could not now bid for O & C timber would be permitted to do so. The committee also found that, in this same area where there is twice as much National Forest timber as there is O & C timber, the Forest Service had not set up any restrictions on who could bid for their timber.

Sustained yield, as such, is not only excellent planning but necessary. For 300 years, the people of America have gained an abundance of wood products, game, sports, and enjoyment from the vast forests growing on this continent. Today, many of these forests still remain, carrying on their role as man's most versatile natural resource. It is important that they continue to serve the needs of present and future generations.

The principles of sustained yield forest management are well imbedded in the basic statutes which govern the operation of the various Federal forests.

Repeal of the act of March 29, 1944, will in no way jeopardize, influence, or affect the management of the National Forests or any other of the forest lands operated by the Government for sustained yield forestry purposes. The repeal of this act will remove the discretionary authority to grant Federal timber to individual companies or to companies in certain selected areas.

Political Chicanery Thwarts Economy

EXTENSION OF REMARKS
OF
CLARE E. HOFFMAN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. HOFFMAN. Mr. Speaker, the deadline on payment of income taxes coming close on the heels of a $71 billion budget shocked our people into a realization that (a) their taxes were too high, (b) the Federal Government was spending altogether too much money, (c) national financial disaster was just around the corner. The result was an insistent demand that Congress cut appropriations. That the Congress proceeded to do.

But then came pressure from many groups insisting upon new legislation; additional appropriations of billions for foreign aid, other billions for national defense, millions for Federal aid to education, to name but three.

On top of those three—and there were others—came the politician's dream. A bill to protect civil rights. One purpose was to secure the Negro vote in the 1958 and 1960 elections.

The bill was wholly unnecessary. We have a statute—Revised Statutes, section 2004 and following—which makes it a criminal offense to deny to any person his right to vote at any election because of race, color, or previous condition of servitude. We have a crime-detecting organization, the FBI, unsurpassed. We have a Department of Justice with an Attorney General and United States district attorneys and district and appellate courts with authority and the means of enforcing that statute.

Nevertheless, though not needed, to curry favor with minority groups, along came this so-called civil-rights bill. It created a new Commission which was empowered to employ an Advisory Commission with authority to make investigations, subpena witnesses, hold hearings, and make recommendations. A new snooping agency. This though the regular standing committees of the Congress have like authority, and upon these standing committees is imposed the same duties delegated to the Commission.

The bill also authorized the appointment of a new Assistant Attorney General and provided authority to employ an unlimited number of assistants to the assistant. The Congress was given not even an estimate as to the cost which would be incurred by the Commission, its employees, the Assistant Attorney General and his assistants and employees, but the bill did contain a provision authorizing the appropriation of so much as may be necessary to carry out the provisions of this act.

The foregoing is an illustration of the way the Congress, under the guise of a worthy purpose, in my judgment, needlessly authorizes the wasteful expenditure of your tax dollars. It is an example of how an economy drive is halted.

To further insult the intelligence of the average citizen, the bill, while purporting to protect civil rights, took from the citizen his established constitutional right to a trial by jury when charged with a criminal offense.

I did not vote for the bill because (a) there is now on the books ample legislation to protect the right to vote; (b) we have an FBI second to no agency in the wide, wide world capable of detecting criminal activities; and (c) we have a United States Attorney General backed by able, vigorous United States district attorneys, plus United States district and appellate courts capable of seeing that the present law protecting the right to vote is enforced.

And because, most important of all, the bill deprived a citizen of his basic, fundamental, constitutional right to trial by jury.

Incidentally, it calls for additional unnecessary Federal employees and the needless spending of additional tax dollars.

Report of Congressman John E. Fogarty, a Congressional Adviser of the United States Delegation, at the 10th World Health Assembly, Held May 7 to May 24, 1957, at Geneva, Switzerland

EXTENSION OF REMARKS
OF
HON. JOHN E. FOGARTY
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. FOGARTY. Mr. Speaker, the 10th World Health Assembly met at the headquarters of the World Health Organization in Geneva last May, and I had the privilege of attending part of the sessions as a member of the United States delegation. What I saw at the assembly confirms my belief that WHO is an important international agency, and that we have a real stake in it. It is fitting that Congress has authorized the appropriation of funds to hold the 11th World Health Assembly next year in the United States. In 1958 the World Health Organization will have been in existence for 10 years. The constitution of WHO was drawn up and signed in New York City. These considerations led to the action of Congress which made it possible for the United States to invite WHO to hold its next annual meeting in our country.

I was happy to have the opportunity to extend to WHO the invitation on behalf of the United States delegation, and to tell the Assembly that the United States Congress has shown by its actions its realization that improving world health conditions is a basic part of building a more peaceful and stable world. The World Health Assembly accepted the United States invitation. The 11th World Health Assembly will therefore be held in the United States next May, along with a 2-day 10th anniversary commemorative session to mark the special occasion.

The overwhelming vote—71 out of 75—by which the Assembly elected the United States to appoint a member of the WHO Executive Board dramatically indicates the general recognition of the contributions which the United States has made to WHO. These are contributions not only in financial terms, but also in leadership and technical knowledge. These contributions have repaid us several times over in good will and in better health for hundreds of millions of people.

There was considerable recognition at the Assembly also of the assistance which the International Cooperation Administration gives to health programs in many countries. Several delegations acknowledged in their Assembly speeches the great value of United States assistance. There was no feeling that ICA and WHO are in competition, but rather that they are working side by side constructively to help countries raise health levels.

This common objective of WHO and ICA was made even more clear by the United States delegation statements during the Assembly consideration of malaria eradication. These statements reviewed the contributions of ICA to malaria eradication and affirmed our confidence that with the leadership demonstrated by WHO a coordinated worldwide campaign against malaria will be successful. They referred also to the possibility of increased United States aid to eradicate malaria as proposed by the President. Malaria indirectly costs the American people hundreds of millions of dollars each year, and this campaign, therefore, has great significance for us in economic as well as other terms.

The United States delegation, in conversations with other delegations to the Assembly, found considerable mention of the value of medical research, especially in the United States. There is appreciation of the research work being done at the National Institutes of Health of the Public Health Service and at other centers. This applies both to research in tropical diseases, which still ravage many countries as well as indirectly burden the United States, and to research in chronic diseases, like heart diseases, poliomyelitis, and cancer.

The kind of massive scientific attack on disease which our NIH research represents is basic to our efforts in our

own country, and abroad through WHO and ICA, to help free man from disease.

The World Health Organization as an international agency with limited resources does not attempt large-scale research itself, but rightly limits its part to stimulating and promoting research, and correlating work and exchanging information between laboratories in various countries. The Director General of WHO reported to the Assembly that during 1956 the Organization maintained close collaboration with nearly 1,800 scientific institutions, particularly medical research laboratories all over the world. In line with this function of stimulating worldwide research attacks on major diseases, the Assembly unanimously adopted a resolution authorizing WHO and member countries to cooperate in a comparative study of the variations between cancer types in different countries and environments. This is expected to yield valuable clues to the origins of the disease.

In addition to reviewing and adopting a program and budget for WHO for the next year, the delegates to the World Health Assembly take the opportunity to engage in a specialized discussion of some important public health topic. This year the theme was The Role of the Hospital in the Public Health Program. The United States delegation was fortunate in having as a member the director of the American Hospital Association, who made a major contribution to the technical discussions and was one of the rapporteurs.

The delegation, in fact, was constituted so that it could capably represent American concepts of public health and medicine. In addition to a very able chairman, Dr. Leroy E. Burney, Surgeon General of the Public Health Service, and officials of the Department of Health, Education, and Welfare, the Public Health Service, and the Department of State, some of whom have been closely associated with WHO matters for many years, the delegation included a trustee of the AMA, deans of schools of public health and of dentistry, a member from the Department of Defense, a public member who has distinguished herself in work in voluntary health agencies, and public health workers from State and Territorial health departments. From the Congress, Mr. Wolverton and I served as advisers to the delegation. It was a pleasure to be associated with this delegation which represented the United States in a business-like and effective way.

Attendance at the 10th World Health Assembly confirmed my belief, which I find that Mr. Wolverton shares, about the importance of the work of the World Health Organization. Its budget is small in comparison to the massive disease problems still facing the world, and the United States, yet who is spearheading strong international attacks on such problems. It has already helped to push back the ravages of diseases like malaria, yaws, and tuberculosis, and to lessen the appallingly high number of deaths among children in many areas, through whom, we and other nations are pooling resources so that they can be used most effectively to protect all of us against disease. I am proud of the part which the United States plays in the work of the World Health Organization, and of the support which we give to this agency for health.

Report of Congressman Charles A. Wolverton, a Congressional Adviser of the United States Delegation, at the 10th World Health Assembly, Held May 7 to May 24, 1957, at Geneva, Switzerland

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EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1957

Mr. WOLVERTON. Mr. Speaker, recently I had a most rewarding and revealing experience—that of serving as a member of the United States delegation to the 10th World Health Assembly, which met in Geneva May 7 to 24, 1957. Attending the Assembly gave me an unparalleled opportunity to appraise the character and work of the World Health Organization.

I wish that every Member of Congress—indeed every citizen of the United States—could have the close view of this great organization that I have had. No one could come away from such an experience without a sense of deep satisfaction in what we Americans are doing through this organization to relieve misery and suffering among hundreds of millions of our fellow men. And one could not help being astounded at how much is being accomplished with so little money. Hundreds and hundreds of important health projects are being carried out even in the remotest corners of the world under the stimulus and technical guidance of this organization. I know of no money that is being spent with greater effect than the small resources of the WHO. Truly, it is changing the world for the better, building a strong and more resourceful human race.

I was delighted with the refreshing atmosphere of warm good will and friendship that I found among the delegates, many of whom were old and true friends of long standing. Many, indeed, are loyal alumni of our own schools of public health. Dr. Ernest Stebbins, the dean of the Johns Hopkins School of Public Health and Hygiene, who was a member of our delegation, held an impromptu Hopkins reunion that was attended by a goodly number of delegates from all over the world. He was busy the whole 3 weeks talking with his former students.

It was clear at the assembly that health is a common denominator which brings all people together. Seventy-nine of the eighty-eight member countries sent delegations, consisting chiefly of physicians. Despite highly varied national and political backgrounds, these delegates spoke the same language on health matters. They all shared a determination to work through WHO to help all countries improve the health of their people, as human beings regardless of race, creed, color, or political belief.

The reason for this understanding became evident to me. Physicians and other health workers are traditionally dedicated to improving the lot of us all. They know instinctively that health is truly international, that disease knows no frontiers, and that for over half of all mankind poor health—sickness and suffering—is still the normal condition of everyday life. They know, too, that so long as major diseases exist anywhere they are a threat to people everywhere.

I am convinced after seeing the WHO at close range that it is of the greatest importance that the United States give vigorous and increasing support to WHO as it continues to grow in strength and influence. The organization provides a means through which the governments and people of nearly all countries work together on a constructive and friendly basis with the common aim of better health. The character of WHO is not nearly as well known as it should be, and in particular the fact that in this organization there is a degree of international understanding that, I believe, is unique. Over the years I am convinced that this aspect of WHO alone will make a major contribution to the building in all fields of the constructive and cooperative relations between countries which are essential for peace and even for survival.

The health programs of the World Health Organization also deserve to be much better known. They include worldwide services, such as rapid international reporting of disease outbreaks, promotion of uniform quarantine measures and of standards for drugs. Newsworthy of late has been the work of WHO in encouraging and coordinating international reporting and research into influenza epidemics, the viruses which cause them, and vaccines which may be effective against them. Its worldwide network of cooperating laboratories has been the world's watchdog as influenza has broken out in Asia and threatens to spread over the world.

WHO also provides a wide range of expert assistance and training to help countries build strong health programs of their own. It was brought out at the Assembly that in 1956 WHO assisted 700 projects in 120 countries and territories, and granted fellowships to 900 health workers for advanced training in the United States and other countries.

The 10th World Health Assembly looked into and discussed every aspect of the WHO programs, as carried out in 1956 and as projected for 1958. The examination of the work of WHO was not merely a formality, but gave real insight into the programs. This was due to the able reporting on the programs by the WHO Secretariat, and to the high caliber of the delegations from many of the countries.

The United States can be proud of the character and performance of our delegation at the World Health Assembly. The delegation was headed by Dr. Leroy E. Burney, Surgeon General of the Public Health Service, and was broadly representative of public health and medicine in the United States, including such leaders as Dr. James Reuling, one of the trustees of the American Medical Association, Mr. Edward Crosby, director of the American Hospital Association, Dr. Lester Burket, dean of the Dental School of the University of Pennsylvania, and, representing the public, a charming lady from Brookline, Mass., Mrs. Viola Pinanski, who has played a prominent part in many voluntary health activities in her own community and across the Nation. The States and Territories were represented by Dr. Franklin Yoder, the health officer of Wyoming who is the president of the Association of State and Territorial Health Officers, Dr. Richard K. C. Lee, the president of the Board of Health of Hawaii, and by Mr. Blucher Poole, chief sanitary engineer of Indiana. The delegation included as well, experienced health officials of the Department of Health, Education, and Welfare and the Public Health Service, the Department of State, the International Cooperation Administration, and the Department of Defense. Mr. FOGARTY and I had the honor to serve on the delegation as Congressional advisers, and I felt proud, as I am sure Mr. FOGARTY did too, to be associated with such a group.

This delegation worked. It worked hard and effectively and was a credit to the United States in every way. Following a delegation meeting at 8:15 each morning, the delegation members participated actively not only in the formal sessions, but even more important, informally in establishing warm and friendly relationships with other delegates, and acquainting them with the United States positions on the various matters before the Assembly.

The esteem in which the United States is held in the World Health Assembly was shown when the 10th Assembly elected 6 states, each of which is entitled to designate 1 expert to fill a vacancy on the 18-man WHO Executive Board. The United States headed the list, with 71 votes out of 75 voting. I believe this vote of confidence in the United States is a tribute to the able farsighted men which the United States has placed on the annual Assembly delegations and on the Executive Board. As a result the United States has had a leading role in the sessions of the Assembly and Board.

Next year, 1958, marks the 10th anniversary of the coming into force of the constitution of the World Health Organization, which was originally drawn up and signed in New York City. The 10th World Health Assembly considered plans for the 10th anniversary, and approved the holding of a special commemorative session in conjunction with the 11th World Health Assembly, 1958. Last July the Congress declared by joint resolution—Senate Joint Resolution 183—that 1958 would be particularly appropriate for holding the World Health Assembly in the United States, and authorized an appropriation to pay the additional expenses of holding the 11th Assembly in our country. Speaking for the United States delegation, our colleague Representative FOGARTY informed the Assembly of the action of Congress and the invitation that had been sent to the Director General to hold the 1958 assembly in the United States. He affirmed the wish of our country to make the occasion an auspicious and successful one. The Assembly decided, without dissent, to accept the United States invitation. We have therefore secured a unique opportunity to demonstrate the continuing support of the United States for WHO and international cooperation in health. This will also provide the people of the United States a splendid opportunity to see the World Health Organization at close range.

At the recent Assembly the U. S. S. R. and three other Soviet States—Albania, Bulgaria, and Poland—sent delegations for the first time in 8 years, during which period they declined to support or share in the work of WHO. While delegates welcomed the return of these states, the Assembly did not give the U. S. S. R. sufficient votes to enable that country to designate a member of the executive board at this time. The statements of these states in the Assembly were in general moderate and unexceptional. Eight countries, including the United States and the U. S. S. R., joined in cosponsoring a resolution to promote worldwide cooperation through WHO in investigating the causes of cancer—an illustration of how common health interests may cut across ideological differences.

The World Health Assembly discussions made clear that malaria is still a major world problem. Each year malaria attacks over 200 million people—more than the population of the United States—and kills 2 million. Characteristic of the farsighted leadership which WHO exercises on health programs is its present drive to eradicate malaria from the world. Since mosquitoes and airplanes cross frontiers, malaria must be attacked on an international scale. WHO is able to provide technical guidance and the needed coordination of plans. In 2 years the voluntary special malaria eradication fund established in 1955 has received only $70,000, and the Assembly therefore urged countries to make voluntary contributions to this fund. The discussion on malaria came on the day following President Eisenhower's message to Congress on foreign aid, and the delegation was able to read to the Assembly the passage in the President's message in which he proposed that the United States increase our contributions to the attack against the world's No. 1 health problem. I hope that this program will receive the support it deserves. Malaria eradication will redound to the benefit of the United States through the improvement it will bring about in the economy of the underdeveloped countries. And further, there is no better way for us to show our friendship for that huge segment of the world's population that is heavily burdened by preventable disease.

The contributions which American scientists have made over the years in advancing the fight against malaria were signalized in the Assembly by the award to Dr. Paul F. Russell, the distinguished malariologist of the Rockefeller Foundation, of the Darling prize for outstanding achievements in malaria control. In accepting the prize, Dr. Russell described WHO as the "motivating mainspring in the global assault on malaria." Dr. Russell has been one of the architects of the President's malaria eradication proposals.

Of direct interest for all of us is the development of the peaceful uses of atomic energy. WHO has embarked on a constructive program to help countries develop the health and medical uses of radioisotopes and to promote protection against radiation hazards connected with the peaceful uses of atomic energy. The program includes exchange of information, training and seminars, and technical assistance. The Assembly with the strong support of the United States delegation endorsed the continuation and expansion of this program, in cooperation with the International Atomic Energy Agency when established. The United States delegation expressed gratification that WHO is recognizing its responsibilities in this field. A proposal by the delegation of India that the Assembly appeal for a ban on nuclear bomb tests was ruled out of order in committee, and the ruling upheld by committee vote. This was evidence of the determination of the WHO to proceed with its work without becoming involved in international political problems.

After considerable discussion, the Assembly adopted by vote of 50 to 10 a budget for 1958 of $13,500,000. This is a very small amount in relation to the job to be done. In my judgment, no international organization is accomplishing more for the welfare of mankind in relation to the funds which it expends. Every dollar we contribute to WHO, whether to the regular budget or to the Special Malaria Fund, is a gilt-edged investment.

The activities of the World Health Organization are almost universal in scope and respond to a universal human need. In the constitution of WHO, we have joined with other nations to declare that all peoples have the right to the highest possible level of health. WHO is helping them to achieve this rightful condition, and in so doing is bringing mankind closer together. Thus, it is directly serving the interests of the United States and of peace. It was a great personal pleasure for me to find, at first hand, what a great contribution we, as Americans, are making to build a better world through our participation in this splendid organization.

The United States of America was fortunate in having as delegates a very representative group of individuals, each of whom are actively engaged in promoting health, both in the United States and throughout the world.

The following is a list of members of the United States delegation who attended and actively participated in the proceedings of the 10th World Health Assembly:

Chief delegate: Dr. L. E. Burney, Surgeon General, United States Public Health Service, Department of Health, Education, and Welfare.

Delegates: Dr. H. van Zile Hyde, Chief, Division of International Health, Bureau of State Services, United States Public Health Service, Department of Health, Education, and Welfare; Dr. J. R. Reuling, American Medical Association.

Alternates: Mr. H. B. Calderwood, Office of International Economic and Social Affairs, Department of State; Dr. A. C. McGuinness, Special Assistant for Health and Medical Affairs, Department of Health, Education, and Welfare.

Congressional advisers: Mr. J. E. FOGARTY, House of Representatives, United States Congress; Mr. C. A. WOLVERTON, House of Representatives, United States Congress.

Advisers: Dr. L. W. Burket, dean, Dental School, University of Pennsylvania; Col. R. L. Callison, Office of the Surgeon General, Department of the Army; Dr. E. P. Campbell, Deputy Chief, Public Health Division, International Cooperation Administration; Dr. E. L. Crosby, director, American Hospital Association; Dr. R. K. C. Lee, president, Board of Health, Honolulu, T. H.; Mrs. V. R. Pinanski, consultant to the National Advisory Neurological Diseases and Blindness Council, National Institutes of Health, United States Public Health Service; Mr. B. A. Poole, chief, Bureau of Environmental Sanitation, State Board of Health, Indianapolis, Ind.; Mr. D. H. Popper, acting United States representative to international organizations, United States resident delegation and Consulate General, Geneva; Dr. E. L. Stebbins, director, School of Hygiene and Public Health, the Johns Hopkins University; Mr. R. Olaf Waring, Office of International Administration, Department of State; Mr. L. Wyatt, Division of International Health, Bureau of State Services, United States Public Health Service, Department of Health, Education, and Welfare; Dr. F. D. Yoder, president, Association of State and Territorial Health Officers, Cheyenne, Wyo.

A National Cowboy Hall of Fame

EXTENSION OF REMARKS
OF
HON. GEORGE S. McGOVERN
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. McGOVERN. Mr. Speaker, for millions of Americans, the cowboy is a symbol of the development of the West. Certainly there was no figure on the American frontier any more colorful than the cowboy. Little wonder that every American boy has at one time or another played cowboy. Likewise, the cowboy is a prominent figure in our radio, television, and movie dramas. It is impossible to think about the frontier without recalling the dramatic role he has played.

The life of the cowboy was not always one of color and drama, however. His life consisted also of long hours of toil, drudgery, and hardship. He was called upon to serve in many ways that made possible the opening and development of the West.

It is entirely fitting that the rich heritage of the American cowboy should be preserved. That is why I add my support to the movement to establish a National Cowboy Hall of Fame and Museum.

Some time ago individuals from 17 Western States, particularly interested in preserving the literary and cultural heritage of the cowboy, joined together to launch at Oklahoma City, Okla., just such a hall of fame and museum. Construction of this project is underway. I am happy to say that South Dakota, which figured prominently in the cowboy era, has furnished two trustees who are giving of their excellent abilities to make this project a great national shrine to the cowboy. Mr. Bert Hall, of Kennebec, S. Dak., a distinguished author and rancher, and Mr. Ernest B. Ham, of Viewfield, S. Dak., who comes from a long line of western cattlemen, are both active in this splendid cause.

I want to urge the Members of Congress, Mr. Speaker, to give whatever support is possible to the successful completion of this worthwhile venture. I think it deserves our attention and our encouragement.

Why Steel Prices Went Up

EXTENSION OF REMARKS
OF
HON. CHARLES W. VURSELL
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. VURSELL. Mr. Speaker, since United States Steel recently announced an increase of approximately $6 per ton, and since steel is one of the basic products of our industrial economy, I think it is important that the Members of Congress, who have such a great responsibility to the people of the Nation, know the basic facts, or reasons, for such increase in the price of steel. I think it is well to review the facts which briefly are as follows:

On August 3, 1956, a year ago, after the steel companies had suffered a loss of millions of dollars as a result of a 34-day strike, the United States Steel Corp. signed a 3-year labor agreement contract effective July 1, 1956, which provided a total increase each year of about 24 cents per hour annually, including a cost-of-living adjustment of about four cents an hour plus other benefits.

Under that agreement, which became effective July 1, 1956, the steel company to meet the increase in labor costs for the first year increased its prices about 7 6/10 percent.

At the beginning of this, the second year of the 3-year contract with the United Steel Workers, the steel company gave the employees their second increase in wages and employee benefits, which will amount to about 21 cents per hour from July 1, 1957, to July 1, 1958, which incluedes a cost-of-living adjustment of 4 cents per hour and various other benefits.

Mr. Hood, president of United States Steel, in announcing the signing of the second year contract, and in explaining its provisions, said:

> The new pay adjustments will bring the corporation's average hourly employment cost for wage employees engaged in steel production to about $3.52 per hour, a record high.

Mr. Hood called attention to the inflationary pressures on all other costs that have been accompanying wage increases in recent years. He made the statement that from 1940 through 1956 United States Steel's employment costs per employee-hour has risen 250 percent, which purchased goods and services, taxes, and other costs had risen 315 percent, or even more substantially. Thus United States Steel's total costs per employee-hour rose 284 percent over this period.

In contrast, the price of finished steel mill products, as measured by the Bureau of Labor Statistics, increased only 138 percent. The difference between this increase in total costs and the smaller increase in prices has been absorbed by United States Steel over the years through greater efficiency of operation, intensive cost reduction, the expenditure of billions of dollars on modernization and improvement of facilities, and partly by a decline in the profit rate.

In emerging from the depression, United States Steel made a profit in 1940 of 9½ cents on each dollar of sales, a figure exceeded in numerous predepression years, but never equaled for any year since 1940. Mr. Hood pointed out. The nearest approach to that was in 1955, when the corporation earned 9 cents on each dollar of sales. Last year it earned 8.2 cents on each dollar of sales.

The pay increases that are taking effect in United States Steel under the terms of the 1956 labor contract, which terminates June 30, 1959, and which provides for further increases in 1958, are these:

1. A general wage increase of 7 cents per hour for all hourly rated employees, plus an increase of two-tenths of 1 cent in the present differential of 6.3 cents per hour between each of United States Steel's 32 job classifications for its production and maintenance employees.

OTHER BENEFITS

2. A cost-of-living increase of 4 cents per hour for all hourly rated employees. This brings to 7 cents an hour the total cost-of-living adjustments occurring under the 3-year labor agreement in the first year of its operation. The adjustments are governed by the consumer price index of the Bureau of Labor Statistics.

3. An increase to one and one-fifth times the regular rate of pay, from one and one-tenth times the regular rate, as the compensation for nonovertime work performed on Sunday.

4. An increase to double time and one-tenth, from double time, as the compensation for work performed on any of 7 specified holidays.

In addition to these increases in United States Steel's employment costs, other increases will result from similar and simultaneous adjustments in the pay of salaried employees who are covered by labor agreements signed last summer, as well as from appropriate increases to other salaried employees, Mr. Hood reported.

As of May 20, 1957, United States Steel Corp. for the first quarter announced a quarterly dividend of $1.75 per share on the preferred stock, and 75 cents per share on the common stock. The common stock is listed at a value of approximately $69 a share on today's market.

The following table shows earnings and some other costs of operating the steel business:

FOR THE YEAR 1956

Products and services sold	$4,228,900,000
Tax payments	427,000,000
Total net income after taxes	348,100,000
Employment labor costs	1,681,000,000
Dividends paid	170,100,000
Other employee benefits	*225,352,981

*The $225,352,981 in employee benefits which already exceeds dividends paid by over $55,000,000 does not include fringed costs paid to employees, which amount to an additional 50 to 60 percent, or about $120,000,000.

And may I say that under our tax system nearly all of these dividends the stockholders receive are subject to the regular income tax which greatly reduces the net amount.

A close look at the table above indicates that taxes paid by United States Steel are $78,900,000 more than the net earnings of $348,100,000 after taxes. Net earnings after taxes for 1956 were 8.2 percent.

The Need for Protecting FBI Files

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. COLLIER. Mr. Speaker, I take this occasion to discuss H. R. 8341, a measure of utmost importance to the preservation of our Government.

This measure deals with the FBI files, which were in effect declared sitting ducks in an open hunting season by the Supreme Court of the United States in the now-famous Jencks case. The Court in that ruling has created and compounded confusion, not only among the law enforcement officers of the executive branch, but among the jurists of the lower courts as well. The Court, I submit, was not clear in its definitions or terminology and left much of what it intended to convey in doubt. But one fact remains inescapable through this ruling. The Court, in effect, told every criminal and his lawyer that they have the right to examine the files of the Federal Bureau of Investigation if they think that through such examination they can find documentary support for whatever nefarious position they choose to take. This, of course, to be accomplished before a presiding judge has a chance to examine the files to determine if the material is or is not pertinent to the case.

The Judiciary Committees of both the House and the other body have considered this bill and one like it with favor. In an appearance before one committee, the Attorney General, Mr. Herbert Brownell, Jr., pointed out some dangers inherent in the Court's decision. He noted that already persons accused in narcotics cases had been freed in Pennsylvania and Georgia and that convictions already won in the courts might be reversed in a kidnaping case in Rhode Island. In numerous other cases the criminals or their attorneys are now preparing to base appeals on this ruling.

I recognize, as every other Member of this House does, the need to protect the innocent and to provide the accused with every possible means of preparing his defense. This is the basic function of our legal system and one of the main differences between our own and totalitarian justice where the only defense is to throw yourself on the mercy of the court.

At the same time I recognize, as does every Member of this House, that one of the prime functions of Government is to protect itself and the citizens who depend on it for protection—protection not only against aggression from abroad and subversion from within, but also from those elements within our own society who prey on their fellow humans and who stalk the jungles of our underworld. To accomplish this protection, Government has at its disposal the Armed Forces to guard against aggression from without, and the FBI to guard society against those who would corrupt or communize it. The FBI, under the direction of that eminent public servant, J. Edgar Hoover, has done a remarkable job in this important field. Now the Court would have us destroy the efficiency of this organization and its ability to function not only as the discoverer of wrong-doing, but the protector of the innocent.

What are these mysterious FBI files?

They are simply the accumulation of a generation of evidence ferreted out by the agents themselves or brought to the attention of the FBI by private citizens. Much of the material is in the so-called raw files, that is, files which up to now have been open only to expert and experienced men to evaluate the evidence and to determine if it warranted further inquiry.

Much of the material in the files is unsubstantiated stuff which is better left locked up—material containing half true or completely false allegations. It would never, under the old procedure, have gone further. But under the new Court edict, this mass of material is open to the praying eyes of lawyers and outright criminals—men who could and would use it to their own advantage and without regard for those whom it might needlessly hurt.

Equally important, the files contain names of men, who through loyal service have uncovered the criminal plots against the Government, some of them paid counterintelligence agents. To open these files would be to expose these names and thus make them useless or, indeed, in some cases to make their very existence a hazard.

Also, the files contain clues as to which direction investigations may take, and to open them would be to announce to the world—and particularly to the shrewd and evil conspirators, where they should more carefully cover their tracks, where to go underground and what incriminating evidence to destroy.

In sum, the FBI files, if open to the wrong man or men, could do this Nation untold damage.

The purpose of H. R. 8341 and its companion bill in the other body, is to protect these files, while at the same time protecting the right of defendants to fair trial. It accomplishes this purpose by directing that such files or parts of files pertinent to the defense shall be open to the defendant—but only after examination by the trial judge. We are in this measure placing the responsibility on the shoulders of experienced and trained jurists and not at the discretion of possible Communists—or men who make their living at the beck and call of the criminal element.

The bill, I feel, accomplished the purpose of protecting the life of our Nation while at the same time guaranteeing every right to those accused of crimes, whatever those crimes may be.

Interview of Hon. Richard B. Russell, of Georgia, on CBS News and Public Affairs Hour

EXTENSION OF REMARKS
OF
HON. RICHARD B. RUSSELL
OF GEORGIA
IN THE SENATE OF THE UNITED STATES
Wednesday, July 10, 1957

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a transcript of the interview over the CBS News and Public Affairs Hour on Monday, July 8, the so-called Capitol Cloakroom broadcast, wherein I was interviewed by three of the news correspondents of the Columbia Broadcasting System.

There being no objection, the interview was ordered to be printed in the RECORD, as follows:

CAPITOL CLOAKROOM

(Broadcast over the CBS Radio Network, July 8, 1957, 9:30 to 10 p. m.—guest: The Honorable Richard B. Russell, United States Senate, Democrat, of Georgia—CBS news correspondents: Griffing Bancroft, Bill Downs, Paul Niven—producer: Michael Marlow)

Mr. BANCROFT. Senator RUSSELL, will there be a real showdown on civil rights?

Mr. DOWNS. Senator, would this bill really punish the South?

Mr. NIVEN. Senator, would the South accept a compromise on civil rights?

Mr. BANCROFT. Senator RUSSELL, welcome to Capitol Cloakroom. One of the real veterans here, you have been in the United States Senate now for more than 24 years.

And right now you are the leader of the southern Senators in this current battle over civil rights. So let's start with that.

Do you think this time there will be a real showdown on civil rights?

Senator RUSSELL. Well, there is, of course, a very decided disposition to press this bill which is titled a civil-rights bill to a conclusion in this session of the Congress. Now we have a very attractive habit here of labeling bills, sometimes, when they don't always live up to their label.

But if you are referring to the bill that is now being discussed on the floor of the Senate, it is apparent that a very determined effort will be made to force a legislative conclusion on that measure.

Mr. BANCROFT. Well, we want to ask you what might happen on that, but first, you say whether this should properly be called a civil-rights bill.

If it is not a civil-rights bill, what is it?

Senator RUSSELL. Well, in some of its aspects it is more of a force bill aimed at the customs and laws of the South that were upheld for a hundred years than it is a civil-rights bill.

It has been presented to the public generally as being a bill to assure the right to vote. But as a matter of fact that is the mildest of all the provisions of the bill.

Mr. DOWNS. Well, Senator, there was a coalition of so-called liberal Republicans and liberal northern Democrats that got this bill to the floor in the first place.

What happens to the conservative coalition among southerners and conservative Republicans under these circumstances?

Senator RUSSELL. Well, I don't know just exactly what that term "coalition" implies. At times it seems to be used as a term of condemnation or derision.

In times past when some of the southern Democrats have voted with the Republicans not to move quite as fast in some areas as some of our Democratic Presidents would have had us to move, that's been called a coalition between southern Democrats—Mr. Reuther and his crowd always said Dixiecrats without regard to how loyal we had been to the Democratic Party—and the reactionary Republicans.

We do have a most unusual coalition this time in that the Republican leadership has joined hands with some of our very liberal friends, such as Senator DOUGLAS and Senator HUMPHREY and others to force this bill to a conclusion.

But, then, politics makes strange bedfellows. In this case we undoubtedly have a game where the South is a mere pawn on the political checkerboard. The minority groups have apparently convinced the leadership of both parties that the party that is willing to wage the furthest punitive expedition into the South will win the Presidency in 1960.

Mr. NIVEN. Senator, some Republicans have charged and northern Democrats have denied that there was a deal in the voting over the procedure of the civil-rights bill and the Hells Canyon bill.

Senator RUSSELL. Yes; I saw that in the press. If there is anything to that, I have no knowledge of it. I saw the article.

I happen to be one of the five Democrats who changed his vote on Hells Canyon. I did it because of the tax amortization feature which made it very apparent that the Federal Government was going to pay for the dam in any event. If we were going to pay for it, I thought we ought to have title to it.

Mr. NIVEN. But you did not offer and were not offered any kind of deal?

Senator RUSSELL. No; there was no deal in any sense I know of. I hope, however, such a thing as appreciation still exists even in the Senate of the United States where any Senator finds that he can out of his heart do so to vote to make this bill a tolerable bill or a reasonable bill and not a force bill, that they will vote for amendments.

I hope that the purpose of this charge was not to frighten the true liberals in the Senate who will support, for example, a jury-trial amendment.

We have a very anomalous situation when so-called liberals are trying to abolish the right of trial by jury, as is being done in this bill.

Mr. BANCROFT. Well, Senator RUSSELL, if there was a deal made, you apparently lost it anyway, because the bill went on the calendar over your objections.

Senator RUSSELL. Yes; and very frankly, when I saw the coalition that was there—that I called the Knowland-Douglas-Humphrey axis—I had very little hopes of getting a majority vote. I did make a fight because I believe in orderly procedure in the Senate, and I did not think that the procedure that was followed was orderly, and we are paying the penalty for it right now.

We put the bill on the calendar and it comes out later that there's been an error in the print of the bill that was sent over that they are undertaking to correct today.

When you get away from established precedents in the Senate, when you try to take shortcuts for temporary advantage, it nearly always brings a great deal of trouble.

Mr. BANCROFT. Well, now, coming back for just one moment to this bill, President Eisenhower, who claims that this is a moderate bill and who says at least his principle desire is to protect voting rights has expressed some surprise at your statement, I believe, about how far you think this bill could go.

And there was some talk that you might have a conference with the President to talk about this. Is there any conference now set for you at the White House?

Senator RUSSELL. Well, now you ought to go back to what you were talking about——

Mr. BANCROFT. All right.

Senator RUSSELL. Before you get down to that.

President Eisenhower also stated that he had gotten out the bill and tried to read it and had found some of its provisions very confusing.

Mr. BANCROFT. That is right.

Senator RUSSELL. And I may say that he has a great deal of company, because it is a very adroitly and cunningly drafted bill.

I have no comment to make on the other because I am of the old school, came up here at a time when Senators didn't go out and make an announcement they were trying to get down to the White House or were invited to the White House.

I would only say that I earnestly hope that I may have an opportunity to discuss this bill with President Eisenhower, either personally or with any legal adviser that he wants there, to show him that the right-to-vote provision in this bill is the least momentous of all its provisions.

Mr. DOWNS. Well, Senator, you said that in the case of jury trial, in demanding a jury trial in voting rights cases, for example, that this bill should contain that provision.

Senator RUSSELL. Yes.

Mr. DOWNS. Isn't it true, sir, that in the South, and hasn't it been proved in the South, that when you have an all-white jury voting on the rights of a Negro voter, that he doesn't have much of a chance of winning?

Senator RUSSELL. Well, that's one of the common slanders that's been repeated against the South without a word of evidence to substantiate it. You have got any number of criminal statutes on your books now where it is made a violation of criminal law, punishable by imprisonment and fine, to interfere with the voting rights of any citizen.

Now the South is entitled to have at least some proof brought forward of this charge that is repeatedly bandied that every southern white man is so irresponsible that he would forswear himself or perjure himself in a case involving a Negro citizen.

I practiced law for many years before I came into the Senate, and I did not find that to be true. And we were at least entitled, before a whole great section of this country was indicted as everyone of us being perjurers, we were at least entitled to have the Attorney General come out and say, "Here, I tried to get an indictment in this case before a grand jury for a violation of a right to vote, and I didn't get an indictment," or if "I did get an indictment," that the jury "didn't do justice."

They haven't done that; they have just gone on this wave of public sentiment, this antisouthern feeling that has been built up by just such charges as that, that the whole white South would just forswear themselves.

As a matter of fact, there is no great problem about the Negro voting in the South today. In my own State, and that's the only one I have personal knowledge of, there's no limitation or prohibition on the right of qualified Negroes to vote. Why in the city of Atlanta they elected a Negro over one white man to one of the most responsible of all the city positions, a member of the board of trustees for the schools. He was reelected within the past few months by white votes. And the Negroes vote there, they vote generally over the State. And this is just part of this campaign to make it appear that throughout the entire South that Negroes are denied the right to vote. It is certainly not the truth.

Mr. NIVEN. Senator, isn't there a good deal of social and economic pressure against Negroes to restrain them from voting?

Senator RUSSELL. I have heard that that was true in some areas. I was giving you what I know of my own knowledge in my own State. And there may be, I don't say there aren't, isolated instances where Negroes are denied the right to vote—in every State of this Union you've got wards and communities and counties where you have got so-called courthouse gangs, and they deny some white people as well as some Negroes the right to vote if they don't belong to that gang.

But we have got criminal statutes to punish that, and why doesn't the Attorney General invoke them before coming in here and making a blanket indictment of the South, "The white man in the South is so venomous against the Negro that he won't do justice." For that is not true.

The relations between the races in the South have been gravely disturbed in the last 2 or 3 years; but until that time there had never been any place in all the history of human civilization where two races so equal in number had started out with the disparity that there was between them—one coming out of slavery—and had made the progress over the period of 80 years that has been made in the South.

The white South should be commended for what they have done. They have taxed themselves even in the desolation of destruction following the Civil War to create schools. And for a hundred years, under the protection of the law, they have paid taxes and bonded themselves to build separate but equal schools for the white and colored people.

And that's the purpose of this bill, to forcibly commingle the white and Negro children of the South in the schools. This voting business is all a smokescreen for that vicious provision of the bill—and not only in the schools, but in all our places of public entertainment.

Mr. NIVEN. Well, Senator, you and other southern Democratic Senators are now emphasizing the segregation—this integration threat in the bill.

The bill was debated for about a week in the House and the southerners there did not place great emphasis on this, they seemed to debate the bill on its open merits.

Senator RUSSELL. Well, I of course don't know what took place over there. They perhaps were taken in by this campaign that

it was just a voting bill. I haven't read the debate in the House. I did read the bill here. I spent the better part of 3 days with about 40 law books running down this cunningly contrived bill. And I leave it up to you and your personal attorneys, right now, to take the remarks that I made in the Senate last Tuesday on this bill and take this bill and if he doesn't come up and tell you that it can be used as a force bill to bring the whole might of the United States Government to bear to integrate the schools of the South, why you'd better get you another lawyer.

It's very clear, when you run it down.

Mr. BANCROFT. Senator RUSSELL, it seems to me you go a little further than that. You say that not only can it do that, but that that was the intention of those who sponsored this bill.

Senator RUSSELL. Undoubtedly. This section, this part——

Mr. BANCROFT. Well then, whom do you——

Senator RUSSELL. I don't know who drafted this bill.

Mr. BANCROFT. Accuse of doing this? Do you think Attorney General Brownell——

Senator RUSSELL. I don't know whether——

Mr. BANCROFT. Deliberately brought in a bill that goes——

Senator RUSSELL. Mr. Brownell knew what was in this bill or not. I am confident he didn't draft it. But I would certainly like to meet the man who did draft it because it is a masterpiece of obscuring the purpose.

Mr. BANCROFT. If this is a deliberate plot, who do you think was——

Senator RUSSELL. I don't know who is responsible for it. But I assert unhesitatingly that this part 3 of this bill was drawn for the express purpose of obscuring a vast grant of power to destroy any system of separation of the races in the South.

And I will say that after the people of the South have known no other way of life, no other social order for a hundred years, this is a monstrous proposal to come in and to ask for any such grant of power as that over night.

This condition wasn't changed by an act of Congress, where it was debated, people had an opportunity to see what was said and discuss it themselves—it came through a decision of the Supreme Court, based on a book by the Swedish Socialist who said that our Constitution is a plot against the common people of the United States. And it came overnight—like that—with no preparation.

Mr. BANCROFT. This is the Supreme Court school segregation decision you are talking about?

Senator RUSSELL. Yes, this bill proposes to enforce judicial law, a law that has been written by the courts rather than legislative law, a law that's been written by the Congress, that's what it does.

Mr. DOWNS. Senator, you also expressed I think last week the fear or prediction that American troops could be used.

Senator RUSSELL. Why this bill is tied in with one of your old reconstruction statutes that was passed by Sumner and Stephens when they set out, as they said themselves, to put black heels on white necks in the South. The criminal counterpart of this civil statute was stricken down by the Supreme Court declaring that it was passed by an impassioned Congress at a time when the Southern States were being treated as conquered provinces.

And yet that is the law that it skillfully ties into without being apparent on its face. Why didn't they write out in this bill what they propose to do where we could read it, instead of saying "section 1895," and then having that section refer to section 1993, where it requires a lawyer who is a jigsaw puzzle expert to put it all together to see exactly what it does?

But you will see that the real lawyers of this Senate will not refute one iota of what I said when they have studied this bill, and I care not which side of it there're on. They may say "We don't intend to do it," but they won't say it can't be done.

Mr. NIVEN. Senator, can you imagine Federal troops actually being sent into the South?

Senator RUSSELL. I certainly can. I certainly can. When they can make such a political pawn out of the South, as has been done now, and where they can—when men are seeking political preferment, they make all kinds of commitments, and I can very readily see that Federal troops could be sent into the South to enforce—why we have had troops and tanks at two schoolhouses in the South already, without this law.

Mr. DOWNS. That was National Guard troops.

Senator RUSSELL. Yes, that's true. But you're just as dead if you're shot by a tank bullet from a National Guard man as if you were shot by a regular or a marine.

Mr. DOWNS. Senator RUSSELL, in answer to my question you said that you do believe, then, that this bill is really designed to punish the South?

Senator RUSSELL. I have no question about it. Now I don't know why they take such an admonitory attitude toward the South, as if we were a group of wild and uncivilized people. Some of them feel that they are doing a very meritorious thing, to resort to any means to force the South to conform to what the rest of the Nation thinks is the proper social order for the South.

Well, this is a great Nation of ours——

Mr. NIVEN. Senator, I want——

Senator RUSSELL. If a man wants to move from one State to another, if the southern people want their children in integrated schools, it's mighty easy to move to a State where they have them; they are not more than 300 miles away from anywhere in the South. If any other person preferred for his child to go to school with children of his own race, why, he might move to the South. Then he'd be safe for the time being, until this bill passes and is enforced.

Mr. DOWNS. Don't you believe, sir, that the social order in the South has changed and is changing?

Senator RUSSELL. Oh, of course, it has, and is. But it has happened through a process of evolution, and this proposes to enforce a revolution on the South and to drive men. There's a great deal of difference between leading and in driving or letting people themselves lead and drive.

We have made great progress in the South. Why, in the voting, not in my time have there been any restrictions on Negroes in general elections in the South, but we did have a law for a long time that they couldn't vote in the Democratic primaries. Now that's all been done away with, and they do vote; there's no longer a white primary. We have moved forward very rapidly when you consider the full impact of it.

It's all well and good for a man that lives in a State where it is 98 percent white and 2 percent Negro to say, "Why, where is this problem? There's nothing to it." Let him go to a State where they are nearly equal in numbers, where the races in communities are about equal in numbers, and then undertake to enforce overnight such a bill as this.

Mr. NIVEN. Senator, the colored leaders reply that, despite this evolution and this progress, large numbers of them are still denied a right which they have been guaranteed by the Constitution for 90 years.

Senator RUSSELL. You mean the right to be in integrated schools?

Mr. NIVEN. The right to vote.

Senator RUSSELL. Well, the Supreme Court said that for 90 years they had been denied the right that they were entitled to be in integrated schools. The Constitution hadn't changed; the complexion of the Court has changed.

And I deny that statement as to voting. At least, as far as the greater portion of the South is concerned, there is no real limitation or restriction on the right of qualified Negroes to vote.

Mr. DOWNS. Well, the qualifications, sir——

Senator RUSSELL. You can come to my State when they are having an election and see them; they are lined up there for blocks to go and vote, and their votes are counted just like anyone else.

Mr. NIVEN. Well, Senator, would you concede that qualification has been interpreted differently for white and colored persons?

Senator RUSSELL. I have heard that, but I don't concede it—no; I don't concede it, generally, in my State; no. There may be areas where it has been, small communities, it is probably true.

Mr. NIVEN. Well, why don't Negroes vote in larger numbers, then?

Senator RUSSELL. Well, they vote in—we have practically 225,000 registered in Georgia, and they vote. Perhaps in some of the elections they have a higher percentage voting than white people.

Oh, you pillory the South by giving the figures voting in a general election and saying only 45 percent of the people voted. But as a matter of fact we have had the one-party system in the South, and our people vote in the primaries. And you compare the vote in the primaries, when we really settle our election, and it's not too much behind the rest of the country. But we don't vote in the general election because everything has been settled in the primary.

But that's the figures they always give you, just 45 percent here in the general election.

Mr. NIVEN. But the percentage of Negro voting is not anywhere near as high as the percentage of whites voting; is it?

Senator RUSSELL. No; because there are a great many more white people in my State than there are Negroes. We have about 2,300,000 white people and about 1,200,000 Negroes.

Mr. NIVEN. Isn't that a proportionate basis?

Senator RUSSELL. Well, that may be slightly true. I concede that, because they haven't been voting long. They haven't been voting too long. We only abolished the poll tax in Georgia about 10, 11 years ago.

But where can the Attorney General come in and say, "In Georgia they violated the criminal law by denying this man, Bill Jones, the right to vote"? And he should do it and prove, "I tried to indict and I tried to convict before a jury," before you come in and indict the whole State of Georgia and say we have deprived the Negro of his right to vote illegally.

Mr. NIVEN. Sir, is it your case that until recently there were impediments in the way of the Negro voting?

Senator RUSSELL. Of course there were in voting in the primary. I explained that a while ago. They could vote in the general election, but it didn't mean anything because the man who was nominated in the primary was going to win the general election. That may be a mistake, we may have—should have been a two-party State. I sometimes think that we would have fared much better if we had been.

Mr. BANCROFT. Senator RUSSELL, I wonder if I could explore a moment what's apt to happen here on the floor of the Senate.

You are leading this strategy. And the motion made today, of course, is a motion to take up the bill.

Senator RUSSELL. Yes.

Mr. BANCROFT. Which, if it prevails, would of course be followed by the discussion and the motion to pass or to act on the bill and amendments. There has been some talk

that you might not filibuster or unduly prolong and defeat a vote on the motion to take up. How about that?

Senator RUSSELL. Well, Mr. Bancroft, I intend to act as each circumstance presents itself and as this matter unfolds in such a way that I think will cause us to be able to get our maximum strength for the amendments to this bill that will see that it is a right-to-vote bill instead of a punitive bill against the South.

Mr. BANCROFT. Well, now, on that, Senator RUSSELL, an amendment cannot be offered or acted upon——

Senator RUSSELL. Oh, no.

Mr. BANCROFT. Until after this motion to take up the bill acted on.

Senator RUSSELL. We are now debating this bill strictly on its merits. There is no part of this discussion that consists of reading long papers, the ordinary earmark of a filibuster.

Mr. BANCROFT. Well, I'm trying to find out if and when——

Senator RUSSELL. I'm not prepared to say just when we'll let the bill be made the unfinished business. We want to discuss it. We have found that there are a number of Senators who have been busy with other matters and didn't really understand the full impact of this bill.

I want the situation in the Senate to jell a little where we can see just where we are going with these different amendments.

Mr. BANCROFT. Well, then, after it has jelled a little, then presumably you will allow a vote to take place on the motion to take up?

Senator RUSSELL. Oh, I think the Senate will vote on amendments to this bill.

Mr. BANCROFT. On the motion to take up, first? And——

Senator RUSSELL. I think the Senate will vote on amendments to this bill.

Mr. BANCROFT. Then to vote on amendments?

Senator RUSSELL. Well, I'm not prepared to say just when, but I'm very confident that it will.

Mr. DOWNS. Senator, you indicated strongly that this is a political measure——

Senator RUSSELL. Yes; I feel that strongly.

Mr. DOWNS. Being presented by a coalition of Democrats and Republicans, and then——

Senator RUSSELL. I feel this——

Mr. DOWNS. Also you said perhaps it would be a good thing if the South did have a two-party system.

Do you think that your opposition to the bill, Democratic opposition to the bill might strengthen the Republican Party in the South?

Senator RUSSELL. No; not when the Republican Party is furnishing more votes for this particular bill than the Democratic Party is in the Senate. I don't think that it would. I was talking about we would have been in a better bargaining position if we had not all been tied up in what's called the Southern Democratic Group.

As it is now, the minority groups outside the South, though they are relatively small in numbers compared to the voting strength of the white South, they can go to the political leaders there and convince them that these elections depend on their action in these doubtful States.

And by having had strictly a one-party political system in the South, I think we have denied ourselves a similar bargaining power.

But the Republicans, of course, are going at it in a very poor way to improve their position by putting more votes behind this force bill than the Democratic side of the aisle, here in the Senate.

Mr. DOWNS. Well, what do you think the general outcome, say, in next year's elections will be as a result of this debate?

Senator RUSSELL. Well, I couldn't say—my crystal ball is not that good. I can't pass on what it will do.

I don't believe that the great mass of the American people favor extreme measures—we are all in favor of civil rights, everybody is in favor of civil rights.

The question is, Where do my rights end and where do yours intervene? That's the question that's involved here, wholly aside from this voting proposition and this separation of the races. And they put a tag on it and call it civil rights.

But if this bill were explained to the American people, there is no doubt in my mind that an appeal from the politicians to the people would be sustained and that the American people would vote down this bill in a referendum, because it is a very unfair piece of legislation.

Mr. NIVEN. Senator, can you project any kind of compromise on this bill that would be acceptable to you?

Senator RUSSELL. Well, I would have to see it. I would have to see it. I am perfectly willing to entertain any ideas that any responsible leader of those that are pressing this bill might care to discuss. I do resent this whole theory of the bill that the South needs a guardian in the person of the Attorney General.

Now if there is any one State where the Negro is denied the right to vote, you have got clauses in the Constitution guaranteeing a republican form of government. Apply that without coming in here and abolishing the right of jury trial and tying it into the force bills of reconstruction so you will have the power to bring the Armed Forces of the United States to bear on the southern people.

We—the country as a whole doesn't realize what we have gone through with in this whole period. We have been a very poor people. It was from 1940, 80 years after 1860, until the tax values of my State got back to where they were, prior to the great fratricidal war.

And we have taxed ourselves, taxed our poverty heavier proportionately than any other section of the country to try to carry on this separate but equal system of education. And you can get your statistics and you will see that the tax according to wealth has been heavier in the Southern States than anywhere else for education.

We don't like to be threatened with this kind of force legislation.

Mr. NIVEN. You may recall that a national poll a couple of years ago found that 55 percent of Southern whites expected that integration in public schools would eventually take place. Would you agree with that?

Senator RUSSELL. I didn't see it, but I am not in a position to challenge your statement because I don't know. I didn't understand your question.

Mr. NIVEN. Apart from your preferences in the matter, do you feel that school integration is inevitable in the long run?

Senator RUSSELL. Well, forever is a long time. In the foreseeable future I don't see any integration of the schools in my State, particularly with this force legislation, because you can badger and arrest and bait people until they get in a frame of mind to close down the schools before they will do it.

Mr. BANCROFT. Senator RUSSELL, you said that amendments, in your opinion, amendments to this bill would be voted on, and I——

Senator RUSSELL. Yes.

Mr. BANCROFT. Presume you think some would be accepted?

Senator RUSSELL. Well, I would certainly devoutly hope so. If it is not amended it will be the worst piece of legislation ever considered.

Mr. BANCROFT. Now I presume one would be the jury trial amendment, for example, the one that was defeated in the House?

Senator RUSSELL. Yes, and the one to strike part 3 of this bill, the force provision. It is not related to the right to vote.

Mr. BANCROFT. In other words, Senator, that would leave in it simply the provision for a civil-rights commission and a new division in the Department of Justice?

Senator RUSSELL. Yes. Of course, that's a rather unusual provision.

Mr. BANCROFT. Would you accept that much of the bill?

Senator RUSSELL. No; I wouldn't be prepared to vote for a bill that was such a reflection on the people of Georgia as I deem this one.

Mr. BANCROFT. In other words, no matter how many amendments are adopted you still won't vote for this bill?

Senator RUSSELL. Oh, I didn't say that, now. You just narrowed it down. You just narrowed it down to—in the first place, this bill is wrong in policy. Here you have got a proposal that you are going to establish an entirely new division in the Department of Justice to take up all these cases, whether a man wants it done or not, and do it at Government expense.

Now the National Colored People Association and their kindred organizations have had no difficulty at all in getting up money to bring all these lawsuits.

You are starting a new system there, and the next thing you are going to do is to have some system where labor will be able to have a division in the Department of Justice to enforce their rights on employers at the expense of the Government, or vice versa, and in other fields. I don't approve of that.

I could not support such a measure. I think it is wrong in policy where a man is able to hire a lawyer, to say because it is a certain kind of case that the Attorney General can proceed at the taxpayers' expense whether the man involved wants him to or not. I don't approve of that general philosophy.

Mr. BANCROFT. Well, I'm afraid that's all the time we have, and Senator RUSSELL, we want to thank you very, very much for being with us on Capitol Cloakroom, and we will watch with interest to see what happens down there on the floor of the Senate.

Thank you, sir.

Return of Seized Alien Property

EXTENSION OF REMARKS
OF
HON. HOMER E. CAPEHART
OF INDIANA
IN THE SENATE OF THE UNITED STATES
Wednesday, July 10, 1957

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an editorial entitled "It Is Not Ours To Keep," which appeared in the Easley Progress of Tuesday, July 2, 1957, in Easley, S. C., and a statement by the Senator from South Carolina [Mr. JOHNSTON], concerning the Trading With the Enemy Act and proposals for the return of vested assets.

There being no objection, the editorial and statement were ordered to be printed in the RECORD, as follows:

[From the Easley (S. C.) Progress of July 2, 1957]

IT IS NOT OURS TO KEEP

From time to time we have noted in the press veiled suggestions of improper motive in legislation introduced by Senator OLIN D. JOHNSTON to restore the property of German nationals seized during the war. The criticism has all along seemed unfair. In the first place Senator JOHNSTON risked his life as an active participant in the first war against Germany as an enlisted man. In the second place, being upon the Judiciary Committee of the Senate, he would not be so foolish as to introduce improper legislation in his official capacity. He would have no cause to do it in a private capacity. Because of the continued charges of persons unfriendly to him the Senator has released a full statement on the question of the return of enemy aliens' property, which we have found most interesting and clarifying. A little thought on the part of the citizen would bring him to the same conclusion that the long report leads to. The seized property held so long by the United States is not German Government property but that of citizens of Germany who happened to have it in the United States when the war began. We are of course entitled to keep spoils of war taken from the enemy government; but it is not our character and viewpoint to keep the property of individuals longer than our own safety requires. Many of these aliens were friendly to the United States. One who died in a Hitler concentration camp by his will left a large sum of money to our Rockefeller Foundation. But even though the alien was hostile, a peace treaty removes that barrier and if we keep his private property we are doing wrong. Some self-styled superpatriots can't see through that conclusion of commonsense, justice, and decency. They are the only ones who have been unfair to Senator JOHNSTON in introducing his Judiciary Committee bill to complete the adjustment of seized alien properties.

STATEMENT OF OLIN D. JOHNSTON, UNITED STATES SENATOR FROM SOUTH CAROLINA, CONCERNING THE TRADING WITH THE ENEMY ACT AND PROPOSALS FOR THE RETURN OF VESTED ASSETS

Because of a widespread misunderstanding of the responsibilities and functions of the subcommittee on the Trading With the Enemy Act of the Senate Committee on the Judiciary and pending bills affecting alien property, a statement may help to dissipate much of the confusion in the public mind with respect to such bills which provide for the return of the privately owned properties of our former German and Japanese enemies seized under the provisions of the Trading With the Enemy Act.

The Trading With the Enemy Act was enacted on October 6, 1917. Its principal purpose was (a) to immobilize the properties of enemy nationals in World War I; (b) to prevent commercial transactions between the merchants of the United States and Germany and her allies; and (c) to hold the properties in trusteeship for the ultimate disposition of such assets by the Congress. Confiscation of such properties was never in the mind of the Congress when the original statute was enacted.

In 1923, the Congress authorized by the Winslow Act the returning up to $10,000 in value of the vested properties seized during World War I. In the War Claims Settlement Act of 1928, Congress returned 80 percent in value of the seized properties; the remaining 20 percent was retained as security for the payment of American war-damage claims, costs of administration, etc. In 1934, because of the worldwide depression and the defaults of the Hitler Government, further returns of the balance of 20 percent were prohibited by the Harrison Act.

Shortly after the commencement of World War II, the provisions of the Trading With the Enemy Act were reactivated, enlarged by executive orders under the War Powers Act. Provision for the appointment of a Custodian of Alien Property was made.

In 1948 the War Claims Act was passed to provide payment of claims for the detention and ill-treatment of prisoners of war and on behalf of certain religious groups for property losses sustained by them as the result of the military action of the Japanese and German forces. As a ready and available source of funds necessitating no direct congressional appropriations, the Congress provided that no returns of the private properties be made and that the proceeds thereof be applied to the payment of those minor war claims. Two hundred and twenty-five million dollars of the estimated $612 millions in value of the seized properties have thus far been expended in the payments of that category of war claims. Since 1942 Congress has appropriated from the liquid assets about $52 million to the Custodian's office for his administrative expenses. That office has had an average of over 300 persons employed annually since 1942 with an annual payroll for them in excess of $3 million. That expense does not include the costs of administering the going concerns operated by the Office of Alien Property.

The properties of Japanese nationals were seized and vested up to the time of the Japanese Treaty on April 28, 1952. The President, by informal order on April 17, 1953, directed that no further seizures be made of the privately owned German properties. Thus it is apparent that much of the property was seized long after hostilities ceased and the necessity for seizures no longer existed.

The estimated values of the properties at the time of their seizures amounted to $390,808,000. The appreciation in values of the vested properties, the net income from them and other properties received through agreements with foreign governments have swelled the original total to a present estimated total of $629,701,000 as of June 30, 1956. As of that date the net value of all assets then being administered by the Department of Justice amounted to $271,879,000.

The estimated percentages of the values by countries of the vested assets are German—76.2 percent, Japanese 16.7 percent; the balance consists of properties of Italian, Hungarian, Rumanian, Bulgarian, and others.

As a result of the peace treaties with Italy, Hungary, and the others, provisions have been made for a return of the values of the properties of the nationals of those countries.

Only the properties of German and Japanese individuals and concerns controlled by them require the attention of the Congress. No governmental property of the former governments of Hitler or Tojo is included in any proposal now pending before the Congress. No return of any property will be made to any war criminal of either country.

Congress by several amendments to the Trading With the Enemy Act provided relief for American creditors against their German and Japanese debtors. Complaints arose with respect to the conduct of the business affairs of many of the properties, involving political favoritism, etc., inefficient procedures for the payment of and adjudication of conflicting title and debt claims, and also regarding the failure to make available to everyone the advances and discoveries in scientific and technical uses of a considerable part of the seized properties. As a result of these and other complaints, the Senate by resolution in 1952 created the Subcommittee on Trading With the Enemy Act to examine and review for it the administration of the Trading With the Enemy Act by the Office of Alien Property of the Department of Justice. Each succeeding Congress has extended the subcommittee.

The late Senator Willis Smith, of North Carolina, became the first chairman of this Judiciary Subcommittee. In the Republican-controlled 83d Congress, Senator EVERETT M. DIRKSEN was designated chairman. Since March 18, 1955, after the Democrats succeeded to the control of the Senate, I have served as chairman along with Senators McClellan, of Arkansas; Price Daniel, of Texas; O'Mahoney, of Wyoming; Dirksen, of Illinois; and Langer, of North Dakota, as subcommittee members.

Continuing studies, investigations, and reports have been issued as required by the Senate resolution creating and continuing the subcommittee. Extensive public hearings have been held on many bills which have been introduced affecting the provisions of the Trading With the Enemy Act. Recently, the subcommittee concluded its 25th day of public hearings. Over the years, over 3,300 pages—much in fine print—of evidence was presented to the subcommittee. Briefs, arguments, and written testimony were submitted, a preponderance of which contended that the private properties of our former enemies should not be confiscated, but should be returned either in kind or their reasonable value to their former owners. There was a considerable number who for varying reasons contended that no return should be made but that the private properties of some 40,000, more or less, German and Japanese owners should be held in lieu of reparations, due as from the Governments of Germany and Japan.

After most exhaustive and painstaking hearings and thorough consideration of the many factors involved, Senator DIRKSEN introduced S. 3423 on May 7, 1954. In brief, this bill provided for a full return, with certain exceptions, of all the privately owned properties of the former owners who were German and Japanese. The justification for such a return met with the approval of the Senate Judiciary Committee and the bill was favorably reported to the Senate. Congress adjourned in 1954 before S. 3423 had been considered.

The administration did not look with favor upon Senator DIRKSEN's bill. Among other reasons it was urged that no provision was made in it for the payment of American war damage claims.

As a result of the continued study and further public hearings, the subcommittee recommended and the full committee unanimously reported out favorably to the Senate my bill in the 84th Congress, known as S. 4205. This measure provided for a full return in kind or value of all privately owned properties which had been seized under the Trading With the Enemy Act and a full payment of all American war damage claims. These returns and payments were to be made progressively. Procedures and methods were adopted which permitted such a result without the necessity of any additional direct appropriations. Like S. 3423, S. 4205 failed of passage in 1956 by reason of the adjournment of Congress.

A modified version of S. 4205 was introduced by me on January 14, 1957, and is known as S. 600. This bill likewise directs a full return of all vested assets or their values and a full payment in installments of all American war damage claims not otherwise provided for by law. The bill contains provisions preventing a return of properties to war criminals of Germany or Japan, governmental properties, and properties to those residing in the Soviet-dominated countries.

There has been considerable criticism of these return bills and of me personally for authoring two of them. Much of that criticism may be traced to a lack of understanding of the reasons which prompted my action. I have long felt that a wider knowledge of the complex problems, the traditional American concepts of the human and property rights involved, and a fuller appreciation of our own national interests would dispel most, if not all, of the objections which reasonable persons could possibly entertain.

What are the reasons back of these full return bills? Why has OLIN D. JOHNSTON supported one and been the author of two others? What are some of the problems involved and the questions presented? How can it be in the interest of the people of the

United States to divest themselves of title to over $629 million worth of property?

So far as I am concerned, the answers are clear. My duty is plain. My responsibility with respect to the problems is not difficult to assume. What has been the American way of handling such problems?

Before our Constitution was adopted, John Adams said:

"The moment the idea is admitted into society, that property is not as sacred as the laws of God, and that there is not a force of law and public justice to protect it, anarchy and tyranny commence. If 'thou shalt not covet' and 'thou shalt not steal' were not commandments of Heaven, they must be made inviolable precepts in every society before it can be civilized or made free." (In Works of John Adams, by Charles Francis Adams, Boston, 1951, vol. 6, p. 9.)

There would have been no United States Constitution had the Bill of Rights (first 10 amendments) not been forthcoming as an integral part of it. While the fifth amendment provides protection for one against testifying against himself, it also contains very salient provisions which protect our property rights. Those provisions are:

"No person shall be * * * deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation."

The foundation of property rights originating in Holy Writ is inscribed as part of our basic constitutional rights. Our history and tradition as a free people are built upon them. The concept of our free society is founded upon them. The principle is clearly stated by a United States Senator in his testimony before the subcommittee recently when he said:

"The unpaid American war-damage claims should be paid. Private property or its reasonable value should be returned. Now, of all times, we who set the moral standards for the peoples and governments of the world must of all things adhere to them or be willing to pay in lives and our material fortune the unthinkable price involved in the savage doctrine of confiscation.

"Confiscation is the attribute of communism. Private ownership, the integrity of property rights, and contractual obligations, on the other hand, are the distinguishing characteristics and handmaidens of the free world. The issues involved are just that simple."

It is an historical fact that the United States has never practiced confiscation of its former enemies' properties. During the Revolutionary War several of the Colonies confiscated the property of the English Tories. This was compensated for in our first treaty—the Jay Treaty—with England in 1794. The formula set out in that treaty has been the uniform pattern for all of our subsequent treaties of commerce, friendship, and navigation with other foreign governments.

The language of the present Speaker of our House of Representatives which he used in 1923 in support of a full return of German properties after World War I has vital force today. He said in one of his official reports:

"From the days of Hamilton and Jefferson and Marshall down to now every man who had a reputation that extended beyond the community in which he lived * * * has looked upon the question of confiscating private property for the satisfaction of a public obligation with obloquy. That has been our policy. * * * the most savage doctrine ever announced by any people anywhere was that private property should be taken for the satisfaction of a public obligation."

Every Secretary of State of the United States without exception from Thomas Jefferson—our first Secretary—through Mr. Dulles, has opposed confiscation. Each has sought to maintain the doctrine of the inviolability of contractual rights and the sanctity of private property in time of war or national emergency.

World conditions have changed greatly since the Jay Treaty of 1794. In fact there exist today many more reasons than existed following World War I, why it is in our own national self-interest to return private property seized in time of war. A consideration of a few of those facts constitutes a compelling reason why privately owned properties should be returned and why as a Nation we should avoid the stigma of confiscation.

A most important fact to remember is that the United States today is the leading creditor Nation in the world. While no exact figures are available, we do know that Americans have private investments abroad in excess of $55 billion. As taxpayers, every American citizen has a direct interest and an investment at an initial cost of over $4 billion in over 900 of our defense installations scattered throughout the free world. As taxpayers, every American citizen has a direct interest and an investment now exceeding $4 billion in the loans made through our Export-Import Bank to private concerns and their governments abroad. These latter interests concern you and me directly because our money paid in the form of Federal taxes supports and maintains them.

Almost half of our high Federal tax burden is necessary each year for the support of our national-defense programs. We have spent over $35 billion annually for national defense since 1945. Our national-defense program is large because we seek by it to maintain our free way of life. The cornerstone of our free way of life is our right of ownership of private property. When property rights are destroyed, freedom and free government are lost. This truth is undeniable.

In addition to the direct interest so many Americans have in private investments abroad and the very large investments all Americans have in foreign countries, we have engaged in other programs since 1947 which have resulted in our people having to continue to pay heavy taxes. I refer to our foreign-aid programs. Every justification for any foreign-aid expenditure falls of its own weight when stripped of the reason that we spend this money abroad to support our free way of life and to preserve and extend American principles. Thus, it is argued that foreign-aid expenditures aggregating now almost $60 billion have been in our national self-interest. While I have not agreed with such contentions, others have agreed and they have prevailed. I do know I am taxed heavily for the support of that program.

Add these figures up and you can see a stupendous investment: $55 billion in private investments, $8 billion directly invested by all of us together with the $60 billion spent in foreign aid and the more than $35 billion each year for national defense. As the leader among the free nations of the world setting, as we must, the tone of morals in business and private conduct, for the world, can we afford the penalty of inflicting upon others any principle involving confiscation? Look at what is happening in the Middle East today. The Congress has just passed a $200 million special foreign-aid program (Eisenhower doctrine) for the ostensible purpose of keeping some of the countries in the Middle East as our allies in the struggle against communism. If, as a permanent policy, we are to confiscate these alien properties, as Egypt is confiscating the properties of the English, French, Israeli, and others, it requires little imagination to conclude that we stand to lose far more than all the rest of the world combined. Why? Because we have more at stake. It is a sad commentary on our laws that Egypt boasts in her press that she is following the provisions of the American Trading With the Enemy Act in what Nasser is now doing. Those news articles assert that if it is proper for the United States to confiscate the private property of its former enemies—the German and Japanese—then Egypt has every right to nationalize or confiscate British and other alien property in that country.

Not all of the properties whose original value at the time of vesting amounting to $390,808,000 belonged to our former enemies. Over 20 percent of that amount, namely $87,801,000 was American property. It originated in the United States. It helped our war effort through the taxes paid on it and by its owners. It is known as "estate and trust properties." Let me illustrate—an American citizen dies leaving an estate of $25,000 to his five relatives in Germany or Japan. These relatives have been denied their legacies because the Attorney General has vested these estates. Another illustration will help. An American veteran of German or Japanese origin, honorably discharged from service in the American Army dies. His social security and death benefits are seized and confiscated by the Department of Justice. His relatives are denied the right to inherit these benefits earned under American laws by American nationals. Another illustration proves how unseemly our vesting program has been constructed and administered. A young German student studying at Harvard University under the Fulbright scholarship program at your and my expense testified before the subcommittee. He was the legatee under a will of an American and entitled under that will to $2,500. This legacy has been confiscated. Think of one Department of the American Government educating this boy at the expense of all of us on one hand and another branch of our Government seizing and confiscating his private property earned and produced here on the other hand. Or, consider the case of a lady who testified before us. She married an American officer overseas. She is now an American citizen living here and rearing a family of three children. The Russians seized and confiscated her estate in East Germany. The United States seized and confiscated a substantial inheritance here in America which was left to her by an American relative. Our existing law needs to be changed to prevent these obvious injustices. These illustrations could be multiplied by the hundreds. They all go to show how wholly unnecessary and wrong it has been to so administer the Trading With the Enemy Act—a necessary war measure—but not needed in time of peace. They all go to show how essential it is for the Congress to pass corrective legislation as it did following World War I.

There is another consideration which has influenced my views respecting the necessity for the return of these private properties. It did not take us long after the close of the war to learn the bitter lesson that our real enemy is Russia and Russian communism. That country has no respect for the right of private property. We learned soon that if we could enlist the Germans in West Germany and the Japanese in the cause for free democratic representative governments, they would eventually become our stanchest and strongest allies. That effort of ours is an accomplished fact today. Thoughtful Americans realize that both Germany and Japan are our most reliable and trustworthy friends among the free nations of the world. It cost us many billions of dollars to achieve this result. We loaned and gave West Germany, consisting of about 60 million persons, over $3¾ billions. We did the same for 80 million Japanese at a cost of well over $2 billions. We made an outright gift of $2¾ billions in our settlement of post-war loans to these 60 million Germans. We are prepared to scale down the Japanese debts to its 80 million inhabitants in the same percentage of reductions. Who is there to say

that it is fair to make a gift of about $4 billions to a 140 million Germans and Japanese and retain and penalize from some 30 or 40 thousand of the same persons for the private property they either invested here or to which they are entitled by their inheritance? Such properties amounted to less than a half-billion dollars when it was first seized. If Germany and Japan owe the United States anything by way of war reparations that obligation should rest equally upon all Germans and Japanese alike. That burden should fall on all the millions of people in these countries, not on the few thousands who may benefit from small amount of properties in America.

Those Japanese and Germans who invested their properties here did so because they felt those properties were safe and secure under our constitutional protections. They felt their properties would be protected under our laws. Is it the right to deny to them the equal protection of our laws? Certainly, there can be little justification in law or morals to deny our German and Japanese friends the benefits of trust, estate, and guardianship properties originating here in the United States.

Now with respect to the payment of American war-damage claims, every sense of moral justice dictates an early payment of them. Every nation, except the United States, which engaged in World War II, has already made some provision to indemnify its nationals. We have done much, sometimes too much, for others and nothing for our own. Many civilian lives were lost, many suffered personal injuries, and there have been millions of dollars in losses in property damage. Except for the small prisoner-of-war claims and a few religious organizations operating chiefly in the Pacific area, no comprehensive war-damage claims act has been passed by the American Congress. I agree with many that this is a shameful neglect of our own. S. 600, which I introduced, makes ample provision for the payment of all proper American war-damage claims.

Notwithstanding the use of over $275 million of the vested assets by our own Government, the State Department opened an avenue for the payment of American war-damage claims and the return in value of all the vested assets. The payments may be financed through the remittances made to us by Germany and Japan in the settlement of our postwar loans and grants to those countries. This is advantageous to us for two reasons, namely, (a) it makes additional appropriations with a resulting increase in our tax burden unnecessary; and, (b) it will fix the exact amount of our total war damages so that when a peace treaty settlement is made with Germany, our negotiators will then know precisely how much in war damages is chargeable against Germany.

Such a method of payment of war claims and return of vested assets was initiated by the State and Justice Departments in presenting draft bill S. 2227, though payments in that bill were in each instance limited to $10,000. The concept employed by S. 2227 was extended in the provisions of S. 600 to provide for full return and to make full payments so that no fresh appropriations will be required.

To summarize a few of the important reasons why the United States should make a full return in kind or its reasonable value of all assets vested in wartime and subsequent vestings and also make full payment of American war-damage claims, I believe:

1. That our foreign-aid programs since the close of World War II will have been useless should we adopt a policy of confiscation which becomes a negation of the principles of the free world;

2. That our enormous national defense spending which bids fair to continue indefinitely at such an enormous rate with its crushing tax burden upon us all will have been useless unless basic and fundamental concepts of the free nations are continued unimpaired;

3. That our tremendous private and governmental investments abroad should not be subjected to or imperiled by our adoption of a policy of confiscation; hence it is essential in our own national self-interest to effectuate returns without delay;

4. That no reason in morals or justice exists why we should not finance the payments now of all legitimate American war-damage claims. No reason exists why the United States should provide funds for others and other nations so they may provide for their own, and we continue to neglect the rightful demands of our own nationals.

In conclusion the question can be asked, Why we have done all these things since the close of World War II? We have done them in the interest of a free way of life. We have done them in an effort to extend the principles of freedom, representative democracy, and the blessings of liberty to other nations and peoples. Confiscation is a barbaric relic of the Dark Ages. If we would have others do right by us, we must do right by them. Why, then, should we turn back the pages of history and embark now, at such peril to our own interests, upon a vicious program of confiscation? To me, enduring and fundamental principles are at stake.

My actions shall be charted to the only course I know to preserve those principles which have made us the greatest Nation on earth today. To do otherwise, I would betray the past, endanger the present, and imperil the future of my country. To do otherwise, I would "covet my neighbor's property," and history would convict me of violating the cherished commandment of "thou shalt not steal."

Seventy-fifth Anniversary of Dan River Mills, Inc.

EXTENSION OF REMARKS
OF
HON. WILLIAM M. TUCK
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. TUCK. Mr. Speaker, on July 2, 3, and 4, 1957, the Dan River Mills, Inc., of Danville, Va., observed its 75th anniversary. On Thursday, July 4, a celebration and party was held at the Danville fairgrounds which was attended by more than 30,000 people and was sponsored by Dan River Mills, of which Mr. W. J. Erwin is president.

The Dan River Mills is one of the largest textile organizations in the world and is the second largest employer in the Commonwealth of Virginia. Mr. Erwin and other officials of the mills are men of outstanding character and ability and they have surrounded themselves with employees of solid and dependable character. The relationship between officers and employees is wholesome and has stimulated a spirit of cooperation and fellowship in southside Virginia.

I do not believe we have any business organization which has contributed more to the enhancement of the cultural, educational, and economic development of southside Virginia than has Dan River Mills. We are all proud of their accomplishments and of what that organization has done to improve living conditions in our section.

At the celebration referred to above on July 4, Mr. W. J. Erwin, the able president of Dan River Mills, extended greetings to those attending the party, and the distinguished senior United States Senator from Virginia, the Honorable HARRY FLOOD BYRD, delivered a very timely and able and worthwhile address. Under leave heretofore granted me to extend my remarks in the RECORD, I am glad to include the addresses of President W. J. Erwin, of the Dan River Mills, and Senator HARRY FLOOD BYRD, of Virginia. They are as follows:

REMARKS BY W. J. ERWIN AT JULY 4 EMPLOYEES' PARTY

Senator BYRD, Congressman TUCK, fellow employees, and distinguished guests, we extend to you and your families a very warm and sincere welcome to this birthday party, which commemorates the 75th anniversary of the founding of Dan River Mills.

In planning for this anniversary year, it has always been our intention that this party for you and the members of your family would be a climax of the activities undertaken to commemorate the 75th anniversary. This party is an expression of appreciation to you for what you have done to make this company a success. We are proud of your performance and proud of what you have done for Dan River over the years.

At the same time we want to pay tribute to the many men and women who have preceded us and who contributed so much to the growth and welfare of our company.

On behalf of our entire management, I extend to all of you our thanks, our best wishes, and our hope that this will be a day you will remember pleasantly for a long, long time.

SPEECH BY SENATOR HARRY F. BYRD, DAN RIVER MILLS, INC., DANVILLE, VA., JULY 4, 1957

The Fourth of July is an anniversary of deep significance to all Americans, and it is an especial pleasure for me to observe it with the fine people of the Danville area in this year of 1957.

Here, in Virginia, we are now observing the 350th anniversary of the founding of the first permanent English settlement in Virginia, at Jamestown; the 181st anniversary of the signing of the Declaration of Independence, written by a Virginian, the great Thomas Jefferson, of Monticello; and the 75th anniversary of your great industrial institution, the Dan River Mills, which may properly be regarded as one of the finer fruits of the freedom for which the country was settled, our independence was won, and the sound progress for which Virginia has always stood.

It has been my privilege over the last few months to participate in several observances of the founding of Virginia at Jamestown, and on this day in Danville, I think it is fitting to recall that occasion, for when that small band of founders came ashore from their 3 little ships 350 years ago they set in motion a chain of events without comparison in human history.

With their faith in the future they marked one of the great moments in history. It was a moment of greatness because those men and their stanch followers began to build with such soundness and vision that a new world slowly but surely began to form. It was indeed a case of the infinitely small being infinitely great. These first settlers were great men in whom God and nature succeeded.

There at Jamestown respect for individual rights and responsibilities was established.

There the dignity of man was acknowledged.

There the rights of free enterprise and initiative were encouraged.

There, truth to God, and truth to self were practiced.

On this foundation was built the first representative government in the New World—the Virginia House of Burgesses, the predecessor of our State legislatures and the National Congress.

Material results are but the tardy sign of invisible activity. The courage to hope, and live, and build for a better world was the great legacy the founders bequeathed their descendants.

And from this later came the fortitude to fight for liberty when it was threatened, and to win the independence of a great nation.

Who among us does not have indelibly stamped in his heart and soul the great words of Jefferson as he penned them in the Declaration of Independence—the unanimous declaration of the Thirteen United States of America in the Congress, July 4, 1776, 181 years ago today.

And you remember the closing words—immortal and will live as long as the language exists:

"We, therefore, the Representatives of the United States of America, in general congress, assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do in the name and by authority of the good people of these Colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be free and independent States; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the state of Great Britain, is and ought to be totally dissolved; and that as free and independent States they have full power to levy war, conclude peace, contract alliances, establish commerce, and to all other acts and things which independent States may of right do.

"And for the support of this declaration, with a firm reliance on the protection of divine providence we mutually pledge to each other our lives, our fortunes, and our sacred honor."

Mark those last words, "We mutually pledge to each other our lives, our fortunes, and our sacred honor", and remember that our immortal Declaration of Independence was not written in a moment of victory. It was, itself, a record of uncertainty and peril—an oath taken in the most dangerous hour this country has ever known. George, the Third, regarded it as an act of treason, and the hangman's noose cast its shadow over those responsible.

Yet, Thomas Jefferson penned it, and John Hancock wrote his signature at twice its normal size so, he said, "John Bull could see it without his spectacles and double the price to be put on my head."

That great document, adopted by Congress 181 years ago today, is carefully preserved in Washington now for all to see. If you haven't seen it, please do not miss an opportunity. It is a source of great inspiration. It is the living evidence of men's hopes and courage. It expresses the fervent hope that the future may draw faith from its deep meaning.

This and the other American achievements leading to our revolution and independence were the immediate inspiration for the spread of democratic freedom in an ever-widening sphere. Today the United States stands as the beacon of hope in the world.

It is well for us today to recall these great historical developments, because they were wrought by great men with great minds, and great vision for sound progressive future. They made possible the greatness of our Nation today. They were building a great nation for us thought by thought, and deed by deed. Our institutions are the lengthened shadows of the men who conceived them and that applies to Dan River Mills.

It is on the firm foundation built by our forebears that Virginia has made its own environment; it is from them that we inherited our abiding belief in States rights, and sound principles. And it is upon these that we have built our State and local governments, and institutions.

Development comes with use, and use of our principles in Virginia has brought us out of the dark days of reconstruction into the light of sound progress.

Virginia today stands as a symbol for States rights, for the democratic principle of separate coordinate branches of government, and for unmortgaged future.

The people of our Commonwealth have been generous to me, and to them I shall always be grateful. It has been my unswerving purpose to serve them to the utmost of my ability in each of the positions of honor they have entrusted with me. I believe in the people of Virginia, and I trust in their judgment, and I stand firmly on Virginia traditions and Virginia principles.

In Virginia we regard experience as a guidepost—not a hitching post. Perhaps in these days of spiraling inflation it is still possible to get a few things for nothing—but experience is not one of them.

Our progress in Virginia is based on 350 years of experience. It is our purpose to be guided by that experience. Like the Dan River Mills long experience has served Virginia well. And as one citizen of Virginia I am proud of our record.

Virginia has its critics and I well know that no government is perfect, but governments are comparative and I want now to give you just a few instances of our modern-day progress.

First of all, Virginia is 1 of the 3 States completely free of State debt. And this is of significance when the Federal Government and nearly all the States have recklessly plunged themselves into indebtedness, the interest on which I predict will exceed many times the principals of the loans.

Virginia escapes this terrible burden of the annual and perhaps permanent interest charges.

Here are a few figures showing how Virginia is going ahead of other States.

In the past 25 years in population of 49 percent as compared to an increase of 33 percent in the country as a whole. Per capita income payments increased in Virginia by 253 percent as compared to the general increase of 163 percent.

Value of products manufactured in Virginia increased 328 percent as compared to general average of 282 percent.

Payroll in Virginia manufacturing increased 416 percent as compared to general average of 341 percent.

Retail sales in Virginia increased 426 percent and the general increase was 251 percent.

Deposits in Virginia banks increased 425 percent. The national average increased 269 percent.

Number of telephones in Virginia increased 360 percent. Average, 178 percent.

Motor-vehicle registrations increased 226 percent. Average 133 percent.

It is tommyrot to say Virginia is lagging behind.

We are making great progress all down the line.

We are doing this without debt and with sound governmental policies.

The Dan River Mills symbolize our sound progress in Virginia, and it is fitting that on Independence Day, 350 years after our founding at Jamestown, and 181 years after our Declaration of Independence we congratulate the institution on the occasion of its diamond anniversary.

Danville, the Danville area, and the southside of Virginia also is to be congratulated for its support of this great corporation which for 75 years has contributed so much to the community, the State and the better living of people at home and abroad.

Virginia is proud of this great leader of the textile industry. When this company was originated by the three brothers, Robert A., John H., and James H. Schoolfield, along with Thomas B. Fitzgerald, Benjamin F. Jefferson, and Dr. H. W. Cole, the country was only about 100 years old. Thomas Jefferson had been dead little more than 50 years. Virginia was still trying to rise from the the ashes of the War Between the States, the last of the military governors had been gone only 12 years.

With Virginia the Dan River Mills has grown in sound progress. Today it ranks among the great textile manufacturers of the world. In number of spindles it is a leader in the South. It ranks with the leaders in Virginia in the employment of our people. I am certain that its policy is to deliver the most value for the least cost. That means productive progress. Production is the source of wages. This is the American competitive system. This is the enemy of crippling inflation, and the source of higher living standards.

Under the sound and enlightened leadership of such men as W. J. Erwin, president, and Basil D. Browder, executive vice president, and Dan Daniels, Dan River Mills now is a corporation of more than 800,000 spindles, and more than 18,000 looms, owned by more than 9,500 stockholders, and operated by 18,000 employees, turning out useful products which sell for more than $120 million yearly.

This is truly the Virginia brand of progress represented in a great corporation operating for the profit of its owners and employees, and for the good of mankind who need and are able to use its products.

I take it that when a Member of Congress is among you, he is expected to say something about what goes on in Washington. If that is true I might say this:

The Washington Government is a place of vast and complex pressures. So many of them seem to be so foreign to the traditional concept of our form of government, under which this Nation has grown great, it is all too easy to regard them with an apathetic attitude in the belief that such things can't happen here—to my country, my State, my town—to me. But they do.

For instance, the Federal Government has been in the red for 20 of the last 25 years, yet since World War II we have given away nearly $60 billion in foreign aid spread around the globe. Millions of that money has gone to subsidize the textile industry abroad where they use cheap labor in competition with your own Dan River Mills.

You have in your midst a fine and patriotic citizen who has properly been honored by the American Legion, as their national leader. He is, of course, as you know, Dan Daniel. He is doing excellent and effective work with reference to foreign aid. Dan Daniel is a great American. He is going throughout the breadth of the land speaking against giveaway programs to foreign countries and for sound policies at home.

Sometimes as I listen to all the talk in Washington about aid for the underdeveloped areas, I wonder if the greatest underdeveloped area of all isn't under the hats of those who propose it.

Practically all of this foreign aid has been charged into our Federal debt, the interest on which, at this moment, is costing American taxpayers more than $7 billion a year. That is a full 10 percent of all Federal taxes collected. In other words, if it were not for this Federal debt, the Federal taxes you and I pay could be cut 10 percent across the board.

But this is not the only aspect of the debt. It is difficult to comprehend, but you know that all the debt in this country totals $800 billion. That is nearly $1 trillion. More

than $325 billion of it is in public debt which generally speaking is not productive debt. It is this tremendous debt—resulting from our unprecedented free-wheeling spending spree, largely encouraged by the Federal Government—that is causing the terrible inflation which even today is driving up the cost of living still more.

Yet, even in the face of renewed inflation, the President in January submitted to Congress the largest peacetime budget in history. It actually called for $8 billion more in expenditures by Federal spending agencies than they passed out just 2 years ago. Most of the increase was in domestic civilian programs, having nothing to do with military preparedness.

Think of this in terms of what you pay in taxes. All taxes collected this year in this country will total $110 billion.

That is the equivalent of nearly one-third of our national income.

It is no wonder that the people of the Nation have risen up this year in the greatest demand for reduction in Federal expenditures in all our history. But the spending is too entrenched, and the opposition of the administration was too great. Congress has done the best it could to reduce appropriations. But the result is not nearly enough.

I sincerely hope the people of the country will not be discouraged. They must keep up the demand next year, and for all the years necessary until we can get these expenditures under control, and reduce them to a point where we can reduce debt, stop inflation, and reduce taxes.

In Federal taxes alone, the Government is taking 20 percent of the workingman's salary at the lowest rate. In some cases, individuals are paying Federal taxes of more than 90 percent of what they make. Corporations are paying more than 50 percent before they begin to show a profit and put money aside to replace their machinery, and expand their plants. The average American is working one-third of his time to pay his taxes.

We need to cut taxes at all levels, at the lower levels, in the middle-income brackets where people are taking the worst tax licking, and even in the higher brackets. We need to reduce taxes for small business, and for larger businesses. In short, taxes are too high. They are virtually at a point of diminishing returns. They are killing incentive in both individuals and business.

Please believe me when I say the Members of Congress need your constant and continuing help in trying to get expenditures down so we can get the debt down, stop the inflation and get the taxes down.

This gigantic Federal spending serves to centralize Government, and that means more and more bureaucrats in Washington tell you in Danville, and me in Winchester what to do, when to do it, and how to do it, and how much to spend for it.

This is the greatest democracy in the history of the world. It has grown to this position in the brief span of 180 years, and with only 6 percent of the world's population. This could not have been achieved without the form of government bequeathed us as a sacred heritage by our forefathers.

Strike down the power of States to control their own affairs, and concentrate all power in Washington, and you strike at the heart of what makes this Nation great.

To me the decision of the Supreme Court abolishing segregation and compelling integration in States and local public school systems was a vicious and destructive invasion of States rights.

It set aside all previous decisions by the Supreme Court on the subject, including the 1928 decision by Chief Justice Taft, a great and learned man and a former President of the United States, who held segregation was constitutional if separate equal facilities were provided.

Bad enough before, when centralization was developing through Federal expenditures, but in more recent years Federal courts have gotten into the act. I mention just a few examples. In the recent Girard case it held that a man's money could not be spent after his death in accordance with his will.

In another case, just a couple weeks ago, it put down the police powers of State and local governments.

Time and time again it has usurped legislative powers, which, under the Constitution, are clearly segregated to the Congress as 1 of the 3 separate coordinated branches of Government.

More recently the Federal Court has even divested the Federal executive branch from its means of bringing Communists—enemies of democracy—to justice.

These are the things that the people at home must understand—understand what is happening to you. In this Nation you are the supreme voice of the land—not the Supreme Court, not the President, not the Congress—it is you.

I say these things to you on this Independence Day in the sincere hope that you, with all the citizens of this land, will rise up in massive resistance to Federal usurpation of individual and States rights, and assert your independence with an overwhelming demand for the return to the fundamental for which this Nation was founded and for which our independence was won and upon which we have built the greatest nation on earth.

Who Signed the Declaration of Independence?—Who Signed the Constitution of the United States?—A Short Biographical Sketch of Each Prepared by the Library of Congress for Congressman Clyde Doyle, of California

EXTENSION OF REMARKS
OF
HON. CLYDE DOYLE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 10, 1957

Mr. DOYLE. Mr. Speaker, by reason of unanimous consent heretofore granted me so to do, I am pleased to present the following historical and biographical data regarding each of the signers of the Declaration of Independence. It seemed to me entirely appropriate that at this particular season of patriotic expression toward our beloved Nation's independence it would be appropriate for you and each of my distinguished colleagues to have before you this data compiled for me at my request by the Library of Congress. You will note therefrom that it was prepared for me on April 25, 1957, and I anticipated submitting it to your attention prior to July 4; but, Mr. Speaker, the information herein contained is always appropriate, informative, and inspiring.

And also, Mr. Speaker, at my request the Library of Congress prepared for me short biographical sketches of each of the signers of the United States Constitution. They would also seem especially appropriate for us to have before us at this time. Hence, I am pleased to also include the text thereof as furnished me by the Library of Congress:

THE SIGNERS OF THE DECLARATION OF INDEPENDENCE—SOME SALIENT FACTS

NEW HAMPSHIRE

Josiah Bartlett: He was born in Amesbury, Mass., on November 21, 1729, and died at Kingston, N. H., on May 19, 1795. At the age of 16, Bartlett began the study of medicine in the office of a practicing physician, and 5 years later began his own practice in his newly adopted home at Kingston. He was 47 years old when he signed the Declaration of Independence, and he has the distinction of being the first to give his vote in favor of the adoption of the Declaration. Although a layman, Bartlett, in 1779, was appointed chief justice of the New Hampshire court of common pleas. In 1782 he was elevated to the superior court, and in 1788 was appointed chief justice of that court. He served from 1790 as chief executive of his State with the title of president; and after June 1793, under the amended Constitution, he was elected the first governor of New Hampshire. While serving in the Continental Congress, he served on the important standing committees, and played an important part in shaping legislation. While serving on the bench in New Hampshire, he was a member and temporary chairman of the State convention called to ratify the proposed Constitution of the United States; and he contributed in no small way to the dissipation of the opposition of some of the smaller towns in the State to ratification of the Nation's premier charter. Bartlett is buried in the first cemetery at Kingston.

William Whipple: He was born in Kittery, Maine, on January 14, 1730, and died in Portsmouth, N. H., on November 28, 1785. Whipple was educated in the common schools. At an early age he went to sea, and, while in his early twenties, became master of a vessel. About 1760 he formed a partnership with his brother, Joseph, in the mercantile business in Portsmouth, continuing in this pursuit until 1775, when he gave up his share of the business to enter public affairs and work for independence. He was elected to the Continental Congress in 1775, and served until 1779. He was 47 years old when he affixed his signature to the Declaration. His service in Congress was interrupted for short periods, when he was participating in military campaigns during the war. He was commissioned brigadier general in 1777, and served in several battles, including the Saratoga and Rhode Island campaigns. He served in the State Assembly from 1780–84, and in 1782 was appointed an associate justice of the Superior Court of New Hampshire, a position which he held until his sudden death. Whipple is buried in the north cemetery at Portsmouth.

Matthew Thornton: He was born in Ireland in 1714, and died on June 24, 1803, at Newburyport, Mass., while visiting his daughter. Thornton came to America with his parents in 1718, settling first in Maine and then in Massachusetts. He received his early education in Massachusetts, and went on to study medicine, completing his program in 1740. He began his practice in Londonderry, N. H., where, at the same time, he became very active in public affairs. He served as under surgeon with the New Hampshire troops in the Louisbourg Expedition of 1745, and for some time held the rank of colonel in the State militia. He served as a member of the New Hampshire Assembly in 1758, 1760, and 1761. He was a delegate to the First Provincial Congress in 1775, and was elected president of that body; he also served as chairman of the committee of safety. In 1776, he was elected to the Continental Congress, and although he did not

arrive until November, he had the opportunity of affixing his signature to the Declaration of Independence. He was 62 years old when he signed that document. Thornton was appointed associate justice of the New Hampshire Superior Court and served until 1782. He served in the newly organized State senate from 1784 to 1786. His latter years were spent on his farm in Merrimack, N. H., where he devoted his time to writing. He is buried in Thornton's Ferry Cemetery, at Merrimack.

MASSACHUSETTS

John Hancock: He was born in Quincy, Norfolk County, Mass., on January 23, 1737, and died at Quincy, Mass., on October 8, 1793. When Hancock was a young boy, he was adopted by his uncle, Thomas Hancock, who was the richest merchant in Boston. He attended Harvard College and graduated in 1754. After completing his education, he entered his uncle's mercantile office; in 1763 he became a partner of Thomas Hancock & Company. When his uncle died in 1754, Hancock, a youth of twenty-seven, became the head of the lending mercantile house in Boston, and the heir to a large fortune. He was a member of the provincial legislature from 1766 to 1772, and served as president of the Provincial Congress in 1774. He was elected as a member to the Continental Congress in 1775, and served for several terms. From May 24, 1775 to October 29, 1777, he served as President of the Congress. He was the first to sign the Declaration and was 39 years of age at the time. He served as senior major general of the Massachusetts Militia during the war, and participated in the Rhode Island campaign. Hancock was elected the first governor of the State of Massachusetts in September 1780, and served until 1785, when he resigned because of ill health. In 1787 he was again elected governor and he died while serving in his ninth term. Hancock is buried in the Old Granary Burying Ground, at Boston.

Samuel Adams: He was born in Boston, Mass., on Sept. 27, 1722, and died at Boston on Oct. 2, 1803. No one had done more and perhaps no one else had done so much in behalf of American rights and liberties as Samuel Adams. He attended Harvard College and graduated in 1740. He found employment in the counting-house of Thomas Cushing, but stayed only a few months for he wished to establish his own business. After failing in his first business venture, he joined his father who operated a brewery. Not having a keen eye for business affairs, he soon dissipated his share of the family estate, and then entered the field of politics and public affairs, which was more to his liking. In the dispute with the mother country, Adams was at his best in firing the people for the cause of independence for the American colonies. He was chosen to draft the instructions of the town of Boston to its newly elected representatives concerning Lord Grenville's proposed stamp act in 1764. From 1765 to 1774 Adams served as a member of the Massachusetts General Court, and from 1774 to 1782 he served in the Continental Congress. He was 54 when he attached his signature to the Declaration. Adams served as a member of the State Constitutional Convention in 1779, and as president of the State senate in 1781. He served as Governor of Massachusetts from 1794 to 1797. He is buried in the Old Granary Burying Ground at Boston.

John Adams: He was born in Braintree (now Quincy), Mass., on October 19, 1735, and died at Quincy, on July 4, 1826, a few hours after Thomas Jefferson. After graduating from Harvard College in 1755, he taught school at Worcester for a short period, and later decided to take up law. He studied under James Putnam, and was admitted to the bar at Boston, on November 6, 1758. His law practice grew slowly, but he soon occupied a leading place at the bar. Although opposed to mob demonstrations, Adams' name was early connected with the patriotic cause by his efforts in defending the colonies on legal grounds. He was elected to serve as a delegate to the Continental Congress in 1774, and served until 1778. During the debates in Congress on the Declaration, Adams was dubbed the Atlas of American Independence. He was 41 years old when he signed the document. It was John Adams who proposed the name of George Washington, to serve as head of the American Army during the Revolution. Adams was appointed Commissioner, with Benjamin Franklin and Arthur Lee to the Court of France. He later served as Minister to Holland in 1782, and was appointed to serve as the first Minister to England, serving from 1785 to 1788. In 1788, he was elected to serve as the first Vice President of the United States, and was reelected in 1792, serving from April 30, 1789, to March 3, 1797. He was elected President of the United States and served from March 4, 1797, to March 3, 1801. Adams is buried under the Old Congregational Church, at Quincy, Mass.

Robert Treat Paine: He was born in Boston on March 11, 1731, and died in the same city on May 12, 1814. He attended Harvard College and was graduated in 1749. He taught for a while and then turned to the study of theology. After a brief career in the ministry, he studied law and was admitted to the bar in 1757. Paine served as the associate prosecuting attorney in the Boston Massacre trial and thus became connected with the patriotic cause. He served several terms in the provincial assembly, and was elected to the Continental Congress, serving from 1774–78. He was 45 years old when he signed the Declaration. In 1777 Paine was elected the first attorney general of the State of Massachusetts, and served until 1790. In 1790 he was appointed to the State supreme court by John Hancock, and served until 1804. In 1780 he became a founder of the American Academy of Arts and Sciences. He is buried in the Old Granary Burying Ground at Boston.

Elbridge Gerry: He was born in Marblehead, Mass., on July 17, 1744, and died in Washington, D. C., on November 23, 1814. After graduating from Harvard College in 1763, Gerry entered his father's mercantile business. In May 1772 he was elected to the Massachusetts General Court, where he met Samuel Adams and became keenly interested in the cause for independence. In 1776, he was elected to the Continental Congress and served from 1776 to 1781, and from 1782 to 1785. He was 32 years old when he signed the Declaration. Gerry served in the first and second Congresses, from 1789 to 1793. In 1797 he was sent on a mission to France with Marshall and Pinckney (X. Y. Z. Affair). Gerry was elected Governor of the State of Massachusetts in 1810 and 1811. He was defeated for this office in 1801 and 1812. He was elected Vice President of the United States as a Democrat, and served from March 4, 1813, until his death. Gerry's name has been perpetuated in the term "gerrymander", which refers to the splitting up of election districts. He is buried in the Congressional Cemetery, at Washington, D. C.

RHODE ISLAND

Stephen Hopkins: He was born in what is now Providence, R. I., on March 7, 1707, and died there on July 13, 1785. After attending the public schools, he entered the mercantile business; at the same time he became a practical surveyor. From the age of 25 Hopkins served in public office. He was a member of the General Assembly from 1732 to 1752, and from 1770 to 1775; he served as Speaker of that body from 1738 to 1744, and also in 1749. He served as chief justice of the Rhode Island superior court from 1751 to 1754. Hopkins was elected to the Continental Congress in 1774, and he was 69 years old when he attached his signature to the Declaration. He served as Governor of Rhode Island in 1755, 1756, 1758 to 1761, 1763, 1764, and 1767. Despite his lack of formal education, Hopkins became the first chancelor of Rhode Island College. He is buried in the North Burial Ground, at Providence.

William Ellery: He was born in Newport, R. I., on December 22, 1727, and died there on February 15, 1820. After graduating from Harvard College in 1747, Ellery engaged in various undertakings. He was a merchant, served as a naval officer of the colony, served as clerk of the General Assembly, and after being out of college for 23 years, began the study of law, being admitted to the bar in 1770. He was elected to the Continental Congress in 1776 and served until 1781. He was 49 years old when he signed the Declaration. He served again in the Continental Congress from 1783 to 1785, and in 1785 was appointed Chief Justice of the Rhode Island Superior Court. In 1786 he was appointed by the Continental Congress to serve as Commissioner of the Continental Loan Office. He served as collector of the port of Newport from 1790 until his death. Because of his activities in the cause for independence, the British burned Ellery's property when they occupied Newport. With the exception of Charles Carroll, of Carrollton, Ellery was the longest lived of the signers of the Declaration. He is buried in the Old Cemetery, at Newport.

CONNECTICUT

Roger Sherman: He was born in Newton, Mass., on April 19, 1721, and died in New Haven, Conn., on July 23, 1793. Born under humble circumstances, Sherman attended the public schools, learned the cobbler's trade, and moved to New Milford. He studied law, and was admitted to the bar in 1754. Sherman served several terms in the State assembly, and served in the Connecticut State Senate from 1766 to 1785. He served as a member of the Connecticut Superior Court in 1766, 1767, and 1773 to 1788. Sherman is noted for the various public offices he held concurrently. While holding certain of the above offices, he also served in the Continental Congress from 1774 to 1781, and in 1783 and 1784. He was 55 years old when he signed the Declaration. He was a member of the committee appointed to draft the document, and was the only Member of the Continental Congress to sign all four great American State papers—the Declaration of 1774; the Declaration of Independence, the Articles of Confederation, and the Constitution of the United States. He served in the First Congress from 1789 to 1791, and served in the United States Senate from 1791 until his death. He is buried in the Grove Street Cemetery, at New Haven.

Oliver Wolcott: He was born in Windsor, Conn., on December 1, 1726, and died at Litchfield, Conn., on December 1, 1797. Graduating from Yale College, at the head of his class, in 1747, he was commissioned a captain by the Governor of New York. After the peace of Aix-la-Chapelle, Wolcott returned to Litchfield and studied medicine, but did not practice. He was elected sheriff of Litchfield County in 1751, and from 1774 to 1786 served as a member of the State council. He was elected to the Continental Congress in 1775, and served up to 1784, dividing his time between serving in the Army and serving in Congress. Wolcott was 50 years old when he signed the Declaration. He served as a major general in the militia, and commanded a brigade which took part in the defeat of General Burgoyne in 1777. Wolcott served as Lieutenant Governor of Connecticut from 1786 to 1796, and was elected Governor of the State, serving from 1796 until his death. He is buried in East Cemetery, at Litchfield.

William Williams: He was born in Lebanon, Conn., on April 28, 1731, and died there on

August 2, 1811. Williams graduated from Harvard College in 1751, studied theology for a short time, and then entered the mercantile business. He served in the State assembly for several years, serving as Speaker of that body in 1775 and again from 1781 to 1783. Williams served in the Continental Congress from 1776 to 1778, and in 1783 and 1784. He was 45 years old when he signed the Declaration. He served as judge of the county court of Windham from 1778 to 1804, and served as judge of probate for the Windham district from 1776 to 1808. He was a member of the Connecticut convention that ratified the Constitution of the United States in 1787. He is buried in the Old Cemetery, at Lebanon.

Samuel Huntington: He was born in Windham, Conn., on July 3, 1731, and died at Norwich, Conn., on January 5, 1796. He attended the common schools, served his apprenticeship in the cooper trade, later studied law, and was admitted to the bar in 1758. He was appointed crown attorney in 1765, and served as justice of the superior court from 1774 to 1784; he served as chief justice of the court in 1784. He was a Member of the Continental Congress from 1776 to 1784, and served as President of the Congress from 1779 to 1781. He was 45 years old when he signed the Declaration. Huntington served as Lieutenant Governor of Connecticut in 1785; and from 1786 until his death he served as governor. He is buried in Norwichtown Cemetery, at Norwich.

NEW YORK

Francis Lewis: He was born in Llandaff, Wales, in March 1713, and died in New York City, on December 30, 1803. He attended Westminster School in London, and then entered the countinghouse of a London merchant. He came to the United States in 1735, and established merchantile houses in New York and Philadelphia. Lewis served in the French and Indian War as an aide to General Mercer, was captured in Oswego, N. Y., and taken to France. He was a delegate to the Stamp Act Congress of 1765 which met in New York. He served in the Continental Congress from 1774 to 1889, and was 63 years old when he affixed his signature to the Declaration. He served as Commissioner of the Board of Admiralty in 1779. Lewis is the only signer of the Declaration buried in Manhattan, in an unidentified grave in Trinity Churchyard at Wall Street and Broadway.

Philip Livingston: He was born in Albany, N. Y., on January 15, 1716, and died at York, Pa., on June 12, 1778, while attending the sixth session of the Continental Congress. Livingston attended Yale College and graduated in 1737. He entered the mercantile business in New York City and took part in public affairs. He served on the board of aldermen from 1754 to 1762, was a member of the provincial house of representatives from 1763 to 1769, and served as Speaker in 1768. He was a delegate to the Stamp Act Congress in 1765. Livingston was a Member of the Continental Congress from 1774 to 1778, and he was 60 years old when he attached his signature to the Declaration. Livingston was one of the earliest advocates of the establishment of King's College, now Columbia University. He also aided in the organization of the New York Society Library. He is buried in Prospect Hill Cemetery, at York, Pa.

Lewis Morris: He was born in Morrisania, now a part of New York City, on April 8, 1726, and died there on January 22, 1798. He was graduated from Yale College in 1746, and engaged in agricultural pursuits. Although a country gentleman, and heir to a large estate, Morris associated himself with the patriotic cause. He was elected to the Colonial Assembly of New York in 1769, but did not qualify because of nonresidence. Morris served in the Continental Congress from 1775 to 1777, and was 50 years old when he signed the Declaration. He served in the State Senate from 1777 to 1781, and from 1784 to 1788. He was a delegate to the New York convention which adopted the Constitution of the United States. He served as a member of the first board of regents of the University of New York, in 1784, and served on the board until his death. He is buried in St. Anne's Episcopal Churchyard, in the Bronx, N. Y.

William Floyd: He was born in Brookhaven, N. Y., on December 17, 1734, and died in Westernville, N. Y., on August 4, 1821. Although coming from a wealthy family, Floyd achieved only a limited academic education. When only 18, he inherited his father's large estate. Floyd served as major general in the State Militia; and when the British made their first landing on Long Island, Floyd led a body of troops which drove them off. He served in the Continental Congress from 1774 to 1777, and from 1778 to 1783. He was 42 when he signed the Declaration. He served in the State senate in 1777 and 1778. He was elected to the first Congress and served from 1789 to 1791. He returned to the State senate, serving from 1784 to 1788, and again in 1808. He was a presidential elector in 1792, 1800, 1804, and 1820. He was a delegate to the State Constitutional Convention in 1801. He is buried in the Presbyterian Church Cemetery, at Westernville.

NEW JERSEY

John Hart: He was born in Stonington, Conn., about 1707, and died at Hopewell, N. J., on May 11, 1779. He received limited schooling, and then engaged in agriculture. He became an efficient farmer and soon acquired considerable property. He served in the New Jersey assembly from 1761 to 1771, and as judge of the Hunterdon County courts from 1768 to 1775. He served in Continental Congress from June 22 to August 30, 1776, and was about 69 years old when he signed the Declaration. He was elected to the first State general assembly under the State constitution in 1776, and reelected in 1777 and 1778. He served as speaker of that body from 1776 to 1778. His estate was devastated by the British troops when they landed in New Jersey. He is buried in the First Baptist Church Cemetery, at Hopewell, N. J.

John Witherspoon: He was born in Gifford, Haddingtonshire, Scotland, on February 5, 1723, and died on his farm, near Princeton, N. J., on November 15, 1794. Witherspoon was graduated from Edinburgh University in 1739, studied theology at the university, and was ordained minister of the parish of Beith in 1745. He at first declined the presidency of the College of New Jersey (now Princeton University), in 1766, but accepted the second invitation of that institution, and was inaugurated as president on August 17, 1768. He became a leader of the Presbyterians in America. He served in the Continental Congress in the years 1776 to 1779, 1780 to 1781, and again in 1782. He was the only clergyman in Congress, and was 54 when he attached his signature to the Declaration. After the War for Independence ended, Witherspoon returned to Princeton and continued his duties as president of the University. He is buried in the Witherspoon Street Graveyard, at Princeton.

Richard Stockton: He was born in Princeton, N. J., on October 1, 1730, and died there on February 26, 1781. Stockton graduated in the first class from Princeton College in 1748, studied law, and was admitted to the bar in 1754. He served as associate justice of the State supreme court, from 1774 to 1776. In June 1776, Stockton was elected to the Continental Congress, and was reelected in November of the same year, but declined the office. He was 46 years old when he signed the Declaration. Stockton served as chairman of a committee of Congress which inspected the northern army at Ticonderoga, and on November 30, 1776, he was captured by the Tories and held prisoner in New York City until December 29, 1776. He was elected chief justice of the State Supreme Court in August 1776, but declined this office in order to remain in Congress. Stockton was a successful lawyer, and as a trustee of Princeton College contributed much to that college and higher education in general in America by his successful mission to Scotland which resulted in John Witherspoon's coming to America to head Princeton College. He is buried in Quaker Cemetery, at Princeton.

Abraham Clark: He was born near Elizabeth, N. J., on February 15, 1726, and died at Rahway, N. J., on September 15, 1794. After attending private schools, he studied law but did not practice. He was a member of the New Jersey Provincial Congress from 1775 to 1776, and from October 9, 1775, served as assistant secretary of that body. Clark served in the Continental Congress from 1776 to 1778 and was reelected in 1779, but declined the office. He was 50 years old when he attached his signature to the Declaration. He served in the State Assembly in 1776, and from 1783 to 1785. He again served in the Continental Congress from 1779 to 1783 and from 1787 to 1789. He was elected to the 2d and 3d Congresses, serving from March 4, 1791, until his death. He is buried in the Rahway Cemetery, at Rahway.

Francis Hopkinson: He was born in Philadelphia, Pa., on September 21, 1737, and died there on May 9, 1791. Although Hopkinson served as a delegate from New Jersey, he is usually associated with Philadelphia, where he studied and practiced law. He was the first graduate of the College of Philadelphia, receiving his degree in 1757. He served as Collector of Customs of the Port of Salem, N. J., in 1763, and was a member of the Provincial Council of New Jersey from 1774 to 1776. He was admitted to practice law before the New Jersey State Supreme Court in 1775. He was elected an associate justice of the State supreme court in 1776, but did not accept the office. Hopkinson served in the Continental Congress in 1776, and was 39 at the time he signed the Declaration. From 1789 to 1791, he served as judge of the United States District Court for the Eastern District of Pennsylvania. He is said to have designed the American flag, in 1777, and his son Joseph wrote the anthem Hail Columbia. Hopkinson is buried in the Christ Church Burial Ground, at Philadelphia.

PENNSYLVANIA

Benjamin Franklin: He was born in Boston, Mass., on January 17, 1706, and died in Philadelphia, on April 17, 1790. Franklin was self-educated, acquiring most of his education while working in a printing shop. By the time Franklin was 42 years old, he was able to give up the management of his printing business and devote his time to public affairs and other interests. He had already established the Pennsylvania Gazette (1728), and had begun the publication of Poor Richard's Almanac (1732). Franklin served as deputy postmaster general of the British North American Colonies, from 1753 to 1774. He served as the agent for Pennsylvania in London from 1757 to 1762, and again 1764 to 1775. He served in the Continental Congress in 1775 and 1776, and was the oldest signer of the Declaration, being 70 years old at the time. Franklin served as diplomatic commissioner in France, and from 1776 to 1785 he served as Minister to France. He was a delegate to the Constitutional Convention in 1787. Franklin played an important role in the establishment of the first circulating library in America, and in founding the American Philosophical Society for the Promotion of Useful Knowledge. He is buried in Christ Church Burial Ground, at Philadelphia.

James Wilson: He was born in Carskerdo, near St. Andrews, Scotland, on September 14, 1742, and died in Edenton, N. C., on August 28, 1798. He came to America in 1765, lived in New York City, and later moved to Philadelphia. He studied law and was admitted to the bar in 1767. He served in the Continental Congress in 1775, 1776, and for scattered years up to 1787. He was the second youngest Pennsylvania signer of the declaration, being only 34 years old at the time. He served as associate justice of the United States Supreme Court from 1789 to 1798; and in 1790 he became the first professor of law in the College of Philadelphia. He was buried in the Johnston Burial Ground on the Hayes Plantation near Edenton, N. C., but his remains were reinterred in Christ Churchyard, at Philadelphia, in 1906.

Robert Morris: He was born in Liverpool, England, on January 20, 1734, and died in Philadelphia, Pa., on May 8, 1806. Morris came to America in 1747, and entered the mercantile business in Philadelphia in 1748. He served in the State Assembly from 1778 to 1780, and served as superintendent of finance from 1781 to 1784. At a very early age, Morris became a partner in the firm of Willing, Morris & Co. He served in the Continental Congress from 1776 to 1778, and was 42 years old when he signed the Declaration. He was a delegate to the Constitutional Convention in 1787; and from 1789 to 1795 he served in the United States Senate. President George Washington offered Morris the position of Secretary of the Treasury, but he declined the office. Because of his mastery of financial affairs, Morris was dubbed the "financier of the Revolution." In his later years, he lost his vast fortune in unsuccessful land speculation. He is buried in the family vault of William White in the Churchyard of Christ Church, in Philadelphia.

George Taylor: He was born in Ireland, in 1716, and died in Easton, Pa., on February 23, 1781. He came to America in 1736, and engaged in the manufacture of iron in Pennsylvania. He lived in Durham, Pa., in 1755, and served as justice of the peace there for 3 years. He was a member of the provincial assembly from 1764 to 1769, and served as judge of the Northampton County Court in 1770. He served as a colonel of the Pennsylvania Militia in 1775. He was elected to the Continental Congress in 1776 and 1777. He was 60 years old when he signed the Declaration. He served as a member of the First Supreme Executive Council in 1777. He was buried in St. John's Lutheran Church Cemetery, but his remains were reinterred in the Easton Cemetery, in Easton, Pa.

James Smith: He was born in Ireland in 1713, and came to America and settled in Pennsylvania in 1727. He attended Philadelphia Academy (University of Pennsylvania), studied law, and was admitted to the bar in 1745. He moved to York, and engaged in the iron business for a short time, but without success. In 1776 he organized the Pennsylvania Militia and the two regiments of the Flying Camp in Perth Amboy, N. J. He served as brigadier general of the State Militia. From 1776 to 1778 he was a member of the Continental Congress, and was 63 years old when he signed the Declaration. In 1780 he served in the State house of representatives; and from 1780 to 1781 he served as judge of the Pennsylvania High Court of Errors and Appeals. He was elected to Congress again in 1785, but he declined the office because of his age. From 1781 to 1801 he was chiefly engaged in the practice of law in York. He is buried in the First Presbyterian Churchyard, in York, Pa.

George Ross: He was born in New Castle, Del., on May 10, 1730, and died near Philadelphia, on July 14, 1779. He studied law and was admitted to the bar in 1750. He served as a member of the Colonial Assembly from 1768 to 1776, and was a delegate to the State convention in 1774. He served in the Continental Congress from 1774 to 1777, and was 46 years old when he signed the Declaration. He was noted for his wit and good humor, and his personal popularity was demonstrated by the fact that only Benjamin Franklin received a larger vote in the election for the Pennsylvania delegates to the Congress. He was appointed judge of the Court of Admiralty for Pennsylvania in April 1779, and served in that position until his death. He is buried in Christ Churchyard, in Philadelphia.

George Clymer: He was born in Philadelphia, Pa., on March 16, 1739, and died in Morrisville, Pa., on January 23, 1813. He was orphaned at a tender age, and was brought up by a prosperous merchant uncle, William Coleman. Clymer entered the mercantile business and became a partner in the firm of Merediths and Clymer. He served in the Continental Congress from 1776 to 1778, and from 1780 to 1783. He was 37 years old when he signed the Declaration. He was a member of the State house of representatives from 1785 to 1788, was a delegate to the Constitutional Convention, and was a signer of the Constitution. He served in the first Congress, from 1789 to 1791, and in the latter year was appointed by President Washington as collector of excise duties for Pennsylvania; but resigned after the Whisky Rebellion. His last public service was rendered as commissioner to the Cherokee and Creek Indians in Georgia, when he participated in negotiating a treaty with those Indians. Clymer is buried in Friends Graveyard, at Trenton, N. J.

Benjamin Rush: He was born near Philadelphia, Pa., on December 24, 1745, and died there on April 19, 1813. Rush graduated from Princeton College in 1760, and studied medicine in Philadelphia and abroad. He began practicing in 1769, and became the most famous American physician and medical teacher of his generation. He founded Pennsylvania Hospital in Philadelphia, and served as president of the Philadelphia Medical Society. He was one of the founders of the Philadelphia Bible Society, and was also a founder of Dickinson College in Carlisle, Pa. He received several awards from foreign rulers for his contributions to medical science. He served in the Continental Congress in 1776 and 1777, and was only 31 at the time he signed the Declaration. He served in the Army with the rank of physician general in 1777. He served as treasurer of the United States mint in Philadelphia from 1799 until his death. He is buried in Christ Church Cemetery, at Philadelphia.

John Morton: He was born in Ridley Township, Delaware County, Pa., in 1724, and died in Ridley Park, Pa., in April 1777. He attended the common schools for a very short time, but he was well educated at home by his stepfather. He became a land surveyor, and served as justice of the peace in 1757. He had served in the Colonial General Assembly since his early thirties, and from 1771 to 1755 he served as speaker of that body. In April 1774 Morton was appointed an associate justice of the Pennsylvania Supreme Court of Appeals. He served in the Continenal Congress from 1774 to 1777. He was 52 years old when he signed the Declaration. He cast the deciding vote to swing the Pennsylvania delegation over for the adoption of the Declaration of Independence. He was the first of the signers to die. He is buried in St. Paul's Churchyard, in Chester, Pa.

DELAWARE

Caesar Rodney: He was born in Dover, Del., on October 7, 1728, and died there on June 29, 1784. He obtained most of his educational training at home, and then engaged in agricultural pursuits. He served in several public offices, including those of superintendent of the printing of Delaware currency in 1759, member of the State assembly from 1762 to 1769, and associate justice of the Delaware Supreme Court from 1769 to 1777. He served in the Continental Congress from 1774 to 1776, and rode from his home, through the night and rain, to cast his vote for independence. He was 48 years old when he signed the Declaration. He was elected president of Delaware, and served from 1778 to 1782. He was buried on his farm, Byfield, but a century later his remains were reinterred in the Christ Episcopal Churchyard in Dover.

George Read: He was born in Cecil County, Md., on September 18, 1733, and died in New Castle, Del., on September 21, 1798. Read studied law, and was admitted to the bar in Delaware in 1752. He served as attorney general for lower Delaware in 1763. He was a Member of the Continental Congress from 1774 to 1777. He was 43 years old when he signed the Declaration. He served as president of the State constitutional convention in 1776, and was a delegate to the Federal Constitutional Convention. He served in the State assembly, and was elected to the United States Senate, serving from 1789 to 1793. In this latter year Read was appointed chief justice of the State of Delaware, and served until his death. He is buried in Immanuel Churchyard, in New Castle, Del.

Thomas McKean: He was born in New London, Pa., on March 19, 1734, and died in Philadelphia, Pa., on June 24, 1817. He studied law, was admitted to the bar, and began practicing in New Castle, Del., in 1755. He was appointed deputy attorney general for Sussex County, and served from 1756 to 1758. He served in the Delaware assembly from 1762 to 1775. He served as a Member of the Continental Congress from 1774 to 1783, and in 1781 he served as president of Congress. He was 42 years old in the summer of 1776, but it is unknown when he actually signed the Declaration. He served as president of the State of Delaware in 1777, was appointed chief justice of Pennsylvania in 1777 and served in that capacity until 1799. He was elected Governor of the State of Pennsylvania in 1799 and served until 1808, when he retired from public life. He is buried in Laurel Hill Cemetery, in Philadelphia.

MARYLAND

Charles Carroll of Carrollton: He was born in Annapolis, Md., on September 19, 1737, and died in Baltimore, Md., on November 14, 1832. He attended the Jesuits' College of Bohemia at Hermans Manor, Md., and studied civil and common law in England and France, returning to Maryland in 1765. Carroll, a landed gentleman, was one of the richest men in America. He served as a delegate to the revolutionary convention of Maryland in 1775, and was a member of the board of war from 1776 to 1777. He served in the Continental Congress in 1776 and again in 1777 and 1778. He was 39 years old when he signed the Declaration. Carroll served in the Maryland State senate from 1777 to 1800, and served in the United States Senate from 1789 until 1792, when he resigned, preferring to remain in the State senate. Carroll was the last surviving signer of the Declaration of Independence. He is buried in the chapel of Doughoregan Manor, near Ellicott City, Md.

William Paca: He was born near Abingdon, Md., on October 31, 1740, and died there on October 23, 1799. He graduated from Philadelphia College in 1759, studied law in Annapolis and in London, and was admitted to the bar in 1764. He served in the Provincial Assembly from 1771 to 1774, and served in the Continental Congress from 1774 to 1779. He was 36 years old when he signed the Declaration. He served in the State senate from 1777 to 1779, and was appointed chief judge of the Superior Court of Maryland in 1778, and served until 1780. He was elected governor of the State of Maryland, and served 3 terms from 1782 to 1786. He was appointed by Washington to serve as judge of the United States Court for Maryland, and served from 1789 until his death. He is buried in the family burial ground in Queen Anne County, Md.

Samuel Chase: He was born in Princess Anne, in Somerset County, Md., on April 17, 1741, and died in Washington, D. C., on June 19, 1811. He was tutored in the classics by his father, an Anglican clergyman. He studied law and was admitted to the bar in 1761. He served in the State assembly from 1764 to 1764, and served in the Continental Congress from 1774 to 1778, and again in 1784 and 1785. He was 35 years old when he signed the Declaration. He was the most violent of the Maryland delegation, and because of his "fiery complexion" was given the name "Bacon face" in the Maryland court. He was appointed judge of the general court of Maryland in 1791, and in 1796 President Washington appointed him Associate Justice of the United States Supreme Court. Chase was impeached for malfeasance in office, tried by the Senate of the United States in 1805, but was acquitted of all charges. At the end of the trial he resumed his seat on the bench, and served until his death. He is buried in Old St. Paul's Cemetery, Baltimore, Md.

Thomas Stone: He was born in Charles County, Md., in 1743, and died in Alexandria, Va., on October 5, 1787. He studied law and was admitted to the bar in 1764. He served in the Maryland State Senate from 1779 to 1783. He served in the Continental Congress in 1775, and again in 1779, 1784, and 1785. He was 33 years old when he signed the Declaration. He declined to serve as a delegate to the Federal Constitutional Convention because of the illness of his wife. Stone died at the age of 44 while waiting for a ship to take him to England. He is buried in the Garden Cemetery, Havre de Venture, in Charles County, Md.

VIRGINIA

Richard Henry Lee: He was born at Stratford, in Westmoreland County, Va., on January 20, 1732, and died at his home Chantilly, in Westmoreland County, on June 19, 1794. After some private instruction, Lee attended Wakefield Academy in England, returning to this country in 1751. Lee served in the Virginia House of Burgesses from 1758 to 1775, and served in the Continental Congress from 1774 to 1780. He introduced the famous resolutions declaring "that these united Colonies are, and of right ought to be, free and independent States * * *," and which led to the Declaration of Independence. He was 45 years old at the time. He served in the Continental Congress again, from 1784 to 1787, and was the author of the first national Thanksgiving Day proclamation issued by Congress, October 31, 1777. He was elected to the United States Senate, and served from 1789 until he resigned in 1792. He is buried in the family burying ground, Mount Pleasant, near Hague, Westmoreland County, Va.

Thomas Jefferson: He was born in Old Shadwell, Va., on April 13, 1743, and died at Monticello, in Albermarle County, Va., on July 4, 1826, a few hours before John Adams. Jefferson graduated from William and Mary College in 1762, studied law, and was admitted to the bar in 1767. Jefferson served in the Virginia House of Burgesses from 1769 to 1774, and served in the Continental Congress in 1775 and 1776. He served as chairman of the committee appointed to prepare the Declaration of Independence and was the author of that document. He was 33 years old at the time. Jefferson served as Governor of Virginia from 1779 to 1781, and later resumed his service in the Continental Congress. He served as Minister to France for more than 3 years. In 1789 he was appointed the first Secretary of State of the United States under the Constitution, and served until 1793. Jefferson was elected Vice President of the United States, serving from 1797 to 1801. He was elected President of the United States for two terms, serving from 1801 to 1809. Jefferson took an active part in founding the University of Virginia. He is buried at Monticello.

Benjamin Harrison: He was born in Berkeley, Charles City County, Va., on April 6, 1726, and died in City Point, Prince George County, Va., on April 24, 1791. He attended William and Mary College. At an early age he was elected to the Virginia House of Burgesses, serving from 1749 to 1775. He served in the Continental Congress from 1774 to 1778; and as chairman of the Committee of the Whole House reported the resolution introduced by Richard Henry Lee declaring independence. He was 50 years old when he signed the Declaration. He served several terms in the State house of representatives after leaving the Continental Congress, serving as Speaker of that body in the years 1778 to 1782, 1785, and 1786. He served as Governor of Virginia from 1782 to 1784. One of Harrison's children, William Henry Harrison, became President of the United States. He is probably buried in Old Westover Church Cemetery, near famous Westover estate, on the James River, in Virginia.

George Wythe: He was born in Elizabeth City County, Va., in 1726, and died at Richmond, Va., on June 8, 1806. He attended William and Mary College, studied law, and was admitted to the bar in 1746. He served in the Virginia House of Burgesses from 1758 to 1768, and served as Clerk of the same body from 1768 to 1775. Wythe served as a member in the Continental Congress from 1775 to 1777. He was 50 years old when he signed the Declaration. He served as Judge of the Virginia Chancery Court in 1777; in 1778 he was appointed sole Chancellor of Virginia. He was professor of law at William and Mary College from 1779 until 1791, when he resigned. Afterward he established a private school in Richmond; and Thomas Jefferson, John Marshall, and Henry Clay, among others, studied under him. He was a member of the Federal Constitutional Convention in 1787. He is buried in St. John's Churchyard, at Richmond, Va.

Francis Lightfoot Lee: He was born at Stratford, in Westmoreland County, Va., on October 14, 1734, and died at his home, Menoken, in Richmond County, Va., on January 11, 1797. Lee pursued his studies under private tutoring, and became a member of the Virginia House of Burgesses at the age of 24, serving from 1758 to 1775. He signed the Westmoreland declaration against the Stamp Act. He served in the Continental Congress from 1775 to 1780. He was 42 years old when he signed the Declaration. He was the younger brother of Richard Henry Lee, who introduced the famous resolutions calling for independence. He served in the Virginia State senate from 1778 to 1782. He is buried in the family burying ground at Mount Airy, Richmond County, Va.

Carter Braxton: He was born at Newington, near King and Queen Court House, Virginia, on September 10, 1736, and died at Richmond, Va., on October 10, 1797. He graduated from William and Mary College in 1755, and then spent 3 years abroad, in England. He was elected to the Virginia House of Burgesses in 1761 and served until 1771, and again in 1775. He was elected to the Continental Congress in 1775 on the death of Peyton Randolph, and served until 1776. He was 40 years old at the time of the signing of the Declaration. In 1777 he was again elected to the Continental Congress, and served until 1783, and again in 1785. He was a member of the Virginia Council of State from 1786 to 1791, and again from 1794 until his death. He is buried on his estate, Chericoke, in King County, Va.

Thomas Nelson, Jr.: He was born in Yorktown, Va., on December 26, 1738, and died at his son's estate, Mont Air, in Hanover County, Va., on January 4, 1789. Nelson attended private schools, and in 1761 he was graduated from Trinity College in Cambridge, England. Although English-educated, Nelson was a stanch patriot, and never leaned toward loyalism. He was elected to the Virginia House of Burgesses in 1774, while en route home from England. He was a member of the Continental Congress from 1775 to 1777. He was 37 years old when he signed the Declaration. It was Nelson who carried the Virginia convention resolutions to Philadelphia, which in turn precipitated the action of Richard Henry Lee. Nelson served as the commander of the Virginia State forces from 1777 until 1781. Ill health brought about by his service in the field in the campaign against Cornwallis forced his retirement in 1781. He received the public thanks of General Washington and of the Congress for his services. He served as Governor of Virginia in 1781, and then retired from public service. He is buried in the Nelson Cemetery, at Yorktown, Va.

NORTH CAROLINA

Joseph Hewes: He was born in Kingston, N. J., on January 23, 1730, and died in Philadelphia, Pa., on November 10, 1779. He attended Princeton College, then entered business in Philadelphia. In 1756 he moved to North Carolina. He served in the North Carolina State house of commons from 1766 to 1775, and was a member of the committee of correspondence in 1773. He served in the Continental Congress from 1774 to 1777, and while in the Congress served as chairman of the Marine Committee. He was a friend of John Paul Jones, and was instrumental in acquiring a ship for the latter. He was 46 years old when he signed the Declaration. He served in the State house of commons again in 1778 and 1779, and in the latter year was again elected to the Continental Congress. He died while serving in the Congress. He is buried in Christ Churchyard, in Philadelphia, Pa.

John Penn: He was born near Port Royal, in Caroline County, Va., on May 17, 1741, and died near Williamsboro, N. C., on September 14, 1786. Penn was privately educated, studied law, and was admitted to the bar in 1762. He was a leader in the patriotic cause, served in the Provincial Congress in 1775, and in the same year was elected to the Continental Congress, serving until 1780. He was 35 years old at the time he signed the Declaration. He served as a member of the board of war in North Carolina in 1780, and in 1784 was receiver of taxes for that State. Afterward he returned to the practice of law, but was almost in complete retirement because of poor health. He was buried on his estate in Granville County, N. C., but his remains were reinterred in the Guilford Battle Grounds, near Greensboro, N. C.

William Hooper: He was born in Boston, Mass., on June 17, 1742, and died in Hillsboro, N. C., in October 1790. Hooper attended Harvard College, graduated in 1760, was admitted to the bar, and in 1767 moved to Wilmington, N. C. He served in the North Carolina colonial assembly from 1773 to 1776, and during this period penned a series of articles against the Crown which awakened the people to the issues. As a result, Hooper was disbarred for 1 year. He served in the Continental Congress from 1774 to 1777. He was 34 years old when he signed the Declaration. Hooper was a member of the boundary commission appointed to settle the dispute between Massachusetts and New York in 1786. He was buried in Hillsboro, but was reinterred in the Guilford Battle Grounds, near Greensboro, N. C.

SOUTH CAROLINA

Arthur Middleton: He was born at Middleton Place, near Charleston, S. C., on June 26, 1742, and died at The Oaks, near Charleston, on January 1, 1787. He attended St.

John's College, Cambridge University, and studied law at the Middle Temple in London. Middleton returned to South Carolina in 1763, and assisted his father in the management of his plantations. At the age of 23, Middleton served in the provincial house of commons, serving from 1765 to 1768. He went to Europe, traveled extensively, and returned to this country in 1771, and again served in the provincial house of commons until 1775. He served in the Continental Congress from 1776 to 1778, and from 1781 to 1783. He was 34 years old when he signed the Declaration. Middleton served as an officer in the State militia during the war, and along with his fellow signers, Rutledge and Heyward, was captured and held prisoner by the British after the fall of Charleston. Middleton was elected Governor of South Carolina in 1778, but declined the office. He served in the State senate in 1781 and 1782. He was a member of the board of trustees of Charleston College. He is buried in the family mausoleum, at Middleton Place.

Thomas Heyward, Jr.: He was born on his father's plantation, in St. Helena's Parish (now St. Luke's), in South Carolina, on July 28, 1746, and died at White Hall, in St. Luke's Parish, S. C., on March 6, 1809. He studied law in the Middle Temple in London, returned to South Carolina in 1771, and was admitted to the bar. He was a member of the Council of Safety in 1775 and 1776, and served in the Continental Congress from 1776 to 1778. He was 30 years old when he signed the Declaration. Heyward served several terms in the State house of representatives, was an officer in the militia during the war, and was captured by the British at the fall of Charleston, in May 1780, and was imprisoned for a year. He served as judge of the circuit court from 1779 to 1789. He was a member of the State constitutional convention in 1790. He was the founder and served, in 1785, as the first president of the Agricultural Society of South Carolina. He is buried in the family burial ground, on his father's plantation, Old House, in St. Luke's Parish.

Edward Rutledge: He was born in Christ Church Parish, South Carolina, on November 23, 1749, and died in Charleston, on January 23, 1800. Like the other signers from South Carolina, he studied law at the Middle Temple in London. He returned to this country, and was admitted to the bar in South Carolina in 1773. Rutledge served in the Continental Congress from 1774 to 1777, and was the youngest signer of the Declaration, being only 26 years old at the time. He was the brother of John Rutledge, who signed the Constitution and later served as Chief Justice of the United States Supreme Court. Like Middleton and Heyward, Edward served as an officer in the Army, and was captured and imprisoned by the British in May 1780. He served for several years in the State house of representatives, and in 1791 authored the act abolishing the law of primogeniture. In 1794, President Washington tendered him the appointment of Associate Justice of the United States Supreme Court, but he declined the office. He was elected Governor of South Carolina, and served from December 6, 1798, until his death. He married the sister of Arthur Middleton, a fellow signer of the Declaration. He is buried in St. Philip's Churchyard, at Charleston.

Thomas Lynch, Jr.: He was born in Prince George's Parish, Winyah, S. C., on August 5, 1749, and was lost at sea with his wife, sometime in 1779. Lynch, a member of a landed family, was educated at Eton and Cambridge and studied law at the Middle Temple like the other members of his delegation. He returned to America in 1772. Owing to his dislike for law, he did not practice long, preferring to be a planter. Lynch began his service in the Provincial Congress when he was just 25 years old, serving from 1774 to 1776. It was by accident that Lynch became a signer of the Declaration. His father, Thomas Lynch, Sr., was serving as a delegate, and became ill. Thomas Junior was elected to care for, and if necessary to substitute, for, his father, in 1776. The father was too sick to sign the document, and thus Thomas Lynch, Jr., attached his signature to the Declaration. He was 27 years old at the time, just a few months older than Rutledge, who was the youngest signer. Lynch served as an officer in the State militia in 1776. No other signer had so short a life or so sad a story as Thomas Lynch, Jr. Seeking to regain his own health, Lynch and his wife embarked on a sea voyage in 1779, expecting to land in southern France. They both were lost at sea in that year.

GEORGIA

Lyman Hall: He was born in Wallingford, Conn., on April 12, 1724, and died in Burke County, Ga., on October 19, 1790. Hall graduated from Yale College in 1749, studied theology, and preached for a short period of time. He studied medicine, moved to Liberty County, Ga., sometime after 1752, and continued the practice of medicine which he had begun earlier. He was sympathetic to the patriotic cause and was a moving spirit for independence in his State. He served in the Continental Congress from 1775 to 1780. He was 52 years old when he signed the Declaration. With the fall of Savannah, and the destruction of his property, he in 1778 moved his family north, where they lived until 1782. He served as Governor of the State of Georgia in 1783. He was buried on his plantation near Shell Bluff, in Burke County, but in 1848 was reinterred beneath a monument on Greene Street, in front of the courthouse, in Augusta, Ga.

Button Gwinnett: He was born in Down Hatherly, Gloucestershire, England, in 1732, and died near Savannah, Ga., on May 19, 1777. Gwinnett engaged in the mercantile business in Bristol, England, and later immigrated to this country, settling in Charleston, S. C. In 1765 he moved to Savannah, Ga., and continued in the mercantile business. A few years later he moved to St. Catherines Island, Ga., where he engaged in planting. He served in the Continental Congress in 1776 and 1777. He was 44 years old at the time he affixed his signature to the Declaration. From February to March 1777, Gwinnett served as Acting President and Commander in Chief of the State of Georgia. While serving as chief executive of Georgia, he was drawn into a controversy with the military authorities, particularly with Brigadier General Lachlan McIntosh. As a result, a duel ensued between the two men, and both were wounded on May 16, 1777. Gwinnett died a few days later from his wounds. He is buried probably in the Old Colonial Cemetery (now called Colonial Park), in Savannah, Ga.

George Walton: He was born near Farmville, Va., in 1741, and died near Augusta, Ga., on February 2, 1804. Walton attended the common schools, studied law, and was admitted to the bar in 1774. In 1775 he served as secretary of the Provincial Congress, and at the same time served as a member of the Provincial Congress, and at the same time served as a member of the council of safety. Walton served in the Continental Congress from 1776 to 1781. He was 35 years old when he signed the Declaration. Walton also has the distinction of signing the Articles of Confederation. He served as an officer in the First Georgia Battalion, was wounded, captured, and later released by exchange. He served as Governor of Georgia in 1779, and became Chief Justice of that State in 1783, serving until 1786. He served as Governor again in 1789, and Chief Justice in 1793. He was appointed to the United States Senate in 1795, and served until February 1796. In 1799 he was appointed judge of the middle circuit of Georgia, and served in that position until his death. He was buried in Rosney Cemetery, but in 1848 his remains were reburied with those of Lyman Hall, his fellow signer, beneath a monument in front of the court house on Greene Street, in Augusta, Ga.

Sources: Dictionary of American biography. Malone, Dumas. The story of the Declaration of Independence. New York: Oxford University Press, 1954. 282 pp. United States Congress. Biographical directory of the American Congress, 1774–1949. Washington: United States Government Printing Office, 1950.

THE SIGNERS OF THE CONSTITUTION

George Washington, 1732–99, Virginia: Planter, soldier, statesman; colonial officer in French and Indian War; Virginia Legislature; Continental Congress, 1774–75; Commander in Chief of Continental Army; Deputy to Constitutional Convention, President of it; President of the United States, 1789–97; Commander in Chief of United States Provisional Army.

John Langdon, 1741–1819, New Hampshire: Merchant; militia service during Revolution; Continental Congress, 1775–76; New Hampshire Legislature, speaker; Continental Navy agent; President of New Hampshire; Deputy to Constitutional Convention; Governor; United States Senator, 1789–1801.

Nicholas Gilman, 1755–1814, New Hampshire: Statesman; officer in Continental Army; Continental Congress, 1787–88; Deputy to Constitutional Convention; Congressman, 1789–97; New Hampshire senate; United States Senator, 1805–14.

Nathaniel Gorham, 1738–96, Massachusetts: Merchant, landowner; Massachusetts Legislature, speaker; Massachusetts Board of War and constitutional convention; Continental Congress, 1782–83, 1786–87; judge; Delegate to Constitutional Convention, Chairman of Committee of the Whole; Massachusetts Council.

Rufus King, 1755–1827, Massachusetts: Lawyer; Massachusetts Legislature; Continental Congress, 1784–87; Delegate to Constitutional Convention; United States Senator from New York, 1789–96, 1813–25; Minister to Great Britain; Federalist candidate for Vice President and President.

William Samuel Johnson, 1727–1819, Connecticut: Lawyer, Stamp Act Congress; Connecticut agent in England; Connecticut Council; judge; Continental Congress, 1784–87; delegate to Constitutional Convention; United States Senator, 1789–91; president of Columbia College.

Roger Sherman, 1721–93, Connecticut: Shoemaker, lawyer; Connecticut Legislature and Council of Safety; Continental Congress, 1774–81, 1784; signer of Declaration of Independence and Articles of Confederation; delegate to Constitutional Convention; mayor of New Haven; Congressman, 1789–91; United States Senator, 1791–93.

Alexander Hamilton, 1757–1804, New York: Lawyer; aide to Washington and line colonel in Continental Army; Continental Congress, 1782–83, 1788; New York Legislature; Annapolis Convention; delegate to Constitutional Convention; part author of Federalist; Secretary of the Treasury, 1789–95; inspector general in United States Provisional Army.

William Livingston, 1723–90, New Jersey: Lawyer; New York Legislature; local New Jersey Committee of Correspondence; Continental Congress, 1774–76; commander of New Jersey Revolutionary militia; Governor of New Jersey; Commissioner to Constitutional Convention.

David Brearley, 1745–90, New Jersey: Lawyer; officer in Continental Army; New Jersey Constitutional Convention; chief justice of New Jersey; Commissioner to Constitutional Convention; United States district judge.

William Paterson, 1745–1806, New Jersey: Lawyer; New Jersey Provincial Congress, Constitutional Convention, Attorney General, and Council; Commissioner to Constitutional Convention; United States Senator, 1789–90; Governor; Chancellor; Associate Justice of Supreme Court, 1793–1806.

Jonathan Dayton, 1760–1824, New Jersey: Landowner; officer in Continental Army; New Jersey Legislature, speaker; Commissioner to Constitutional Convention; Continental Congress, 1788; New Jersey Council; Congressman, 1791–99, Speaker; United States Senator, 1799–1805.

Benjamin Franklin, 1706–90, Pennsylvania: Printer, statesman, scientist, philosopher; Pennsylvania Legislature; Deputy Postmaster General of Colonies; Albany Congress; Colonial agent in England; Continental Congress, 1775–76, signer of Declaration of Independence; Commissioner and Minister to France; President of Pennsylvania; Deputy to Constitutional Convention.

Thomas Mifflin, 1744–1800, Pennsylvania: Merchant, politician; Pennsylvania Legislature, Speaker; Continental Congress, 1774–75, 1782–84, President of it, 1783–84; aide to Washington, major general and quartermaster general in Continental Army; Continental Board of War; Deputy to Constitutional Convention; President of Pensylvania and Governor; Pennsylvania Constitutional Convention.

Robert Morris, 1734–1806, Pennsylvania: Merchant, financier; Continental Congress, 1775–78; signer of Declaration of Independence and Articles of Confederation; Pennsylvania Legislature and Council of Safety; Superintendent of Finance, 1781–84; established Bank of North America; Deputy to Constitutional Convention; United States Senator, 1789–95.

George Clymer, 1739–1813, Pennsylvania: Merchant; Pennsylvania Council of Safety; Continental Congress, 1776–77, 1780–82, signer of Declaration of Independence; Pennsylvania Legislature; Deputy to Constitutional Convention; Congressman, 1789–91.

Thomas Fitzsimons, 1741–1811, Pennsylvania: Merchant, militia officer in Revolution; Pennsylvania Council of Safety and Navy Board; Continental Congress, 1782–83; Pennsylvania Legislature and Board of Censors; Bank of North America; Deputy to Constitutional Convention; Congressman, 1789–95.

Jared Ingersoll, 1749–1822, Pennsylvania: Lawyer; Continental Congress, 1780; Pennsylvania Attorney General; Deputy to Constitutional Convention; United States District Attorney; municipal officer in Philadelphia; judge of Pennsylvania District Court; Federalist candidate for Vice President.

James Wilson, 1742–1798, Pennsylvania: Lawyer; Pennsylvania Provincial Convention; Continental Congress, 1775–77, 1783, 1785, 1786, signer of Declaration of Independence; Continental Board of War; Advocate General for France in America; Deputy to Constitutional Convention; Associate Justice of Supreme Court of the United States, 1789–98.

Gouverneur Morris, 1752–1816, Pennsylvania: Lawyer; New York Provincial Congress and Constitutional Convention; Continental Congress from New York, 1778–79, signer of Articles of Confederation; Assistant Superintendent of Finance; Deputy to Constitutional Convention; special mission to England; Minister to France; United States Senator from New York, 1800–03.

George Read, 1733–98, Delaware: Lawyer; Delaware attorney general and Legislature; Continental Congress, 1774–77, signer of Declaration of Independence; Delaware Constitutional Convention and Council; Continental Court of Appeals; Annapolis Convention; Deputy to Constitutional Convention; United States Senator, 1789–93; Chief Justice of Delaware.

Gunning Bedford, Jr., 1747–1812, Delaware: Lawyer; Delaware Legislature and Council; Continental Congress, 1783–85; Delaware attorney general; Annapolis Convention; Deputy to Constitutional Convention; United States district judge.

Jacob Broom, 1752–1810, Delaware: Surveyor, businessman, manufacturer; Deputy to Constitutional Convention; borough officer in Wilmington; Delaware Legislature; postmaster at Wilmington; bank director.

Richard Bassett, 1745–1815, Delaware: Lawyer; militia service in Revolution; Delaware Council of Safety, Legislature, and Constitutional Convention; Annapolis Convention; Deputy to Constitutional Convention; United States Senator, 1789–93; judge of Delaware Court of Common Pleas; Governor; United States circuit judge, but office soon abolished.

John Dickinson, 1732–1808, Delaware: Lawyer; Delaware and Pennsylvania Legislatures, speaker in Delaware; Stamp Act Congress; Continental Congress, 1774–76, 1779, signer of Articles of Confederation; president of Delaware; president of Pennsylvania; Annapolis Convention; Deputy from Delaware to Constitutional Convention. (Though not present at the signing, his signature was added, at his request, by George Read of Delaware.)

James McHenry, 1753–1816, Maryland: Physician; surgeon in Continental Army, military secretary to Washington, aide to Lafayette; Maryland Legislature; Continental Congress, 1783–85; Deputy to Constitutional Convention; Secretary of War, 1796–1800.

Daniel of St. Thomas Jenifer, 1723–90, Maryland: Planter; agent and receiver general for lord proprietary of Maryland; Maryland Legislature, Council, council of safety, and president of senate; Continental Congress, 1779–81; Maryland-Virginia Conference of 1785; Deputy to Constitutional Convention.

Daniel Carroll, 1730–96, Maryland: Planter; Continental Congres, 1781–83, signer of Articles of Confederation; Deputy to Constitutional Convention; Congressman, 1789–91; Commissioner for District of Columbia.

John Blair, 1732–1800, Virginia: Lawyer; Virginia Legislature, Provincial Convention, and Council; judge of General Court and Chancery of Virginia; deputy to Constitutional Convention; Associate Justice of the Supreme Court of the United States, 1789–96.

James Madison, 1751–1836, Virginia: Lawyer, statesman; Virginia Convention, Legislature, and Council; Continental Congress, 1780–83, 1787–88; Virginia-Maryland Conference of 1785; Annapolis Convention; deputy to Constitutional Convention; part author of Federalist; Congressman, 1789–97; Secretary of State, 1801–09; President of the United States, 1809–17; Virginia Constitutional Convention; rector of University of Virginia.

William Blount, 1749–1800, North Carolina: Landowner; paymaster in Continental Army; North Carolina Legislature, Speaker; Continental Congress, 1728–83, 1786–87; deputy to Constitutional Convention; Governor of Territory South of the Ohio River and Superintendent of Indian Affairs; Tennessee Constitutional Convention; United States Senator from Tennessee, 1796–97; Tennessee senate.

Richard Dobbs Spaight, 1758–1802, North Carolina: Planter; North Carolina Legislature; Continental Congress, 1783–85; deputy to Constitutional Convention; Governor of North Carolina; Congressman, 1798–1801; North Carolina Senate.

Hugh Williamson, 1735–1819, North Carolina: Merchant, physician; surgeon general of North Carolina militia; North Carolina Legislature; Continental Congress, 1782–85, 1787–88; deputy to Constitutional Convention; Congressman, 1789–93.

John Rutledge, 1739–1800, South Carolina: Lawyer; South Carolina Legislature; Stamp Act Congress; Continental Congress, 1774–75, 1782–83; South Carolina Council of Safety, Constitutional Convention, President, and Governor; judge of Chancery Court; deputy to Constitutional Convention; Associate Justice of Supreme Court of United States, 1789–91; Chief Justice of South Carolina.

Charles Cotesworth Pinckney, 1746–1825, South Carolina: Lawyer, soldier; South Carolina Provincial Congress, Council of Safety, Legislature, and President of Senate; colonel in Continental Army; deputy to Constitutional Convention; declined Cabinet positions; Minister to France; major general in United States Provisonal Army; candidate for President.

Charles Pinckney, 1757–1824, South Carolina: Lawyer; militia service in Revolution; South Carolina Legislature; Continental Congress, 1774–76, 1784–87; deputy to Constitutional Convention; South Carolina Council, Governor, and Constitutional Convention; United States Senator, 1799–1801; Minister to Spain; Congressman, 1819–21.

Pierce Butler, 1744–1822, South Carolina: Planter; officer in British Army before the Revolution; South Carolina Legislature; Continental Congress, 1787; deputy to Constitutional Convention; United States Senator, 1789–96, 1803–04.

William Few, 1748–1828, Georgia: Lawyer; Georgia Constitutional Convention, Legislature, and Council; militia service in Revolution; judge of Georgia County and Circuit Courts; Continental Congress, 1780–82, 1786–88; deputy to Constitutional Convention; United States Senator, 1789–93; New York Legislature and prison inspector; bank director; New York City Alderman.

Abraham Baldwin, 1754–1807, Georgia: Clergyman, lawyer; tutor at Yale; chaplain in Continental Army; Georgia Legislature; author of charter and president of University of Georgia; Continental Congress, 1785, 1788; deputy to Constitutional Convention; Congressman, 1789–99; United States Senator, 1799–1807.

Source: The Story of the Constitution, Sol Bloom, 1937, pages 54–64.

FPC Should Say "No" on the Canadian Gas Issue

EXTENSION OF REMARKS
OF
HON. EUGENE SILER
OF KENTUCKY
IN THE HOUSE OF REPRESENTATIVES
Wednesday, July 10, 1957

Mr. SILER. Mr. Speaker, the State of Kentucky has a very important stake in the Canadian gas hearings now being held by the Federal Power Commission. Only West Virginia and Pennsylvania produce more coal than Kentucky, but our State's comparative position will become even further enhanced because neither of those States has the coal reserve strength of Kentucky. Beneath the soil within the boundaries of Kentucky are almost 60 billion tons of recoverable coal reserves—enough to last for approximately 900 years at the present rate of production.

Our mines have a working force of perhaps 40,000 men, and the wages which go into their paychecks have a very decided impact upon the business establishments within the 3 counties in eastern Kentucky and the 12 in western

Kentucky where bituminous coal is produced. Next to agriculture, coal has the highest value in products and is the biggest employer in the entire State. Kentucky cannot enjoy complete economic progress without a vigorous coal industry.

When a foreign product enters fuel markets of the Middle West or of the eastern portion of the United States, Kentucky's economy is injured. The millions of barrels of residual oil that have flowed onto the Atlantic seaboard from foreign refineries over the past decade have had a most injurious effect upon the Kentucky coal industry. That oil has also been responsible for loss of revenues and wages in the railroad industry of our State, and it has ultimately affected all wage earners—from bootblack to service station operator, from haberdasher to washing machine salesmen. The losses extend into our State, county, and local exchequers, into our churches, and into our charitable organizations.

Attempts to bring Canadian gas into the markets now being served by coal constitute another intended raid upon an industry that has already sustained more than its share of hardships through unwise import policies. The ambitious programs, of which the gas import plan is the latest venture, projected by world fuel merchants are astounding in their absolute disdain for domestic industry and labor. Save for the substantial profits that are to be realized by the pipeline people, what other gains would be forthcoming?

To exhaust a limited fuel resource such as natural gas while billions of tons of lignite and bituminous coal are within easy reach of consuming areas would be an extravagant use of a scarce source of energy regardless of where in nature's storehouse it may occur. At first glance into the Canadian gas proposals, a United States citizen might be inclined to say: "Let Canada send her natural gas into this country so that we can preserve our own resources." Even without concern for the American workers who would lose their jobs as a consequence, this simple conclusion is loaded with question marks.

What assurance have customers in the Midwest of a firm supply of a foreign product? Canadian statesmen have said time and again that the Dominion's newly discovered natural-gas supply should be reserved for use in Canadian homes and industries. If, after a few short years, those who advocate this policy succeed in having their views prevail, what would happen to those customers who meanwhile come to depend on Canadian gas?

Price of natural gas is a subject that has occupied considerable time on Capitol Hill and in the executive department for several year. It certainly cannot be arbitrarily dismissed in the Federal Power Commission hearings on the Canadian gas cases.

Who is to say that the controlling pipeline interests—or any segment thereof, whether it be producer or distributor—would not burden American customers with exorbitant price increases once this market had been seized and consolidated? The proposed pipeline to the Middle West from the Canadian line would bear the same public-utility status enjoyed by other lines throughout America, thus creating a fuel monopoly as soon as coal and competing oil products were displaced. When competition is out of the way, how high the price of imported gas would go is a matter over which no Federal, State, or local government body in the United States would have control.

Another question pertains to possible high export taxes that are quite likely to be imposed by the Canadian Government at some time in the future. How to get enough revenue to meet government spending is a perennial problem practically the world over. To levy a substantial tax upon a foreign consumer is a legal and accepted device that is naturally to be anticipated.

Let me make it clear that I am not challenging the integrity of the Government of Canada or its party in power. There has already been so much talk about the fantastic profits made by American investors in the pipeline that putting the squeeze on a United States consumer beholden to a fuel produced in the Dominion would seem the logical approach to bringing some of the dollars back across the border.

Until an assortment of global-minded officials in the State Department began to assume a progressively greater degree of power in the making of foreign-trade treaties two decades or so ago, equitable foreign-trade agreements were the recognized instrumentalities of international commerce. Since the so-called liberal element in Washington began to make fantastic concessions at the expense of our own industries and working forces, it has admittedly become very difficult to erect any semblance of protection against the onrush of foreign goods.

Perhaps the recent statement of Canada's new Prime Minister will bolster our chances of ruling out this new threat to the American coal industry. The Wall Street Journal for July 8 reported from Ottawa:

> Canada's new conservative government hopes to switch 15 percent of the nation's imports from the United States to Great Britain in a move that could slice more than $600 million a year from American exports now flowing into Canada at upward of $4 billion annually. Canada's newly elected Prime Minister John Diefenbaker told a press conference the switch from United States to United Kingdom wares is the foundation of his proposal for a British Commonwealth conference he wants to hold here.

In the light of this declaration, it would seem a sensible and easy matter for the Federal Power Commission to refuse extension of the Canadian pipeline into American markets. If an explanation is needed, the FPC need only point out that the decision is in the interest of the general welfare of the United States.

On the assumption that the Commission will follow this patriotic course, let me say that thousands of coal miners and railroad workers in Kentucky and neighboring States will be highly appreciative of this wise and considerate decision.